

TRANSCRIPT OF THE MEETING OF THE
COLLIER COUNTY PLANNING COMMISSION
Naples, Florida
August 17, 2023

LET IT BE REMEMBERED that the Collier County Planning Commission, in and for the County of Collier, having conducted business herein, met on this date at 9:05 a.m., in REGULAR SESSION in Building "F" of the Government Complex, East Naples, Florida, with the following members present:

Edwin Fryer, Chairman
Joe Schmitt, Vice Chair
Robert L. Klucik, Jr.
Paul Shea
Randy Sparrazza
Chuck Schumacher
Christopher T. Vernon
Amy Lockhart, Collier County School Board Representative

ALSO PRESENT:

Raymond V. Bellows, Zoning Manager
Mike Bosi, Planning and Zoning Director
Heidi Ashton-Cicko, Managing Assistant County Attorney
Derek Perry, County Attorney's Office
Ailyn Padron, Management Analyst I

PROCEEDINGS

MR. BOSI: Chair, you have a live mic. I believe we have the technical issues addressed, and I believe we can start the meeting.

CHAIRMAN FRYER: Thank you very much, sir.

And good morning to everyone. I apologize for the delay. But as Mr. Bosi said, we had some issues that needed to be resolved before we could go forward with the meeting.

We are the Collier County Planning Commission, as you probably know, and this is our August 17, 2023, meeting.

Everyone please rise for the Pledge of Allegiance.

(The Pledge of Allegiance was recited in unison.)

CHAIRMAN FRYER: Mr. Secretary, please call the roll.

COMMISSIONER SHEA: Chairman Fryer?

CHAIRMAN FRYER: Here.

COMMISSIONER SHEA: Vice Chair Schmitt?

COMMISSIONER SCHMITT: Here.

COMMISSIONER SHEA: Secretary Paul Shea is here.

Chris Vernon.

COMMISSIONER VERNON: Here.

COMMISSIONER SHEA: Commissioner Klucik?

COMMISSIONER KLUCIK: Present.

COMMISSIONER SHEA: Commissioner Sparrazza?

COMMISSIONER SPARRAZZA: Here.

COMMISSIONER SHEA: Commissioner Schumacher?

COMMISSIONER SCHUMACHER: Here.

COMMISSIONER SHEA: Ms. Lockhart?

MS. LOCKHART: Here.

COMMISSIONER SHEA: We have -- everyone is present, so we have a definite majority.

CHAIRMAN FRYER: Thank you, Mr. Secretary. A full house. That is nice.

Addenda to the agenda. And I'll ask staff to -- Mr. Bellows to identify what we're going to do, and then I'm going to offer a slight explanation, because I think most people up here have not been through the consent agenda process.

Mr. Bellows, go ahead.

MR. BELLOWS: Yes. For the record, Ray Bellows.

We are going to move to Agenda Item 9.4 under Agenda Item No. 8, which is your consent agenda. This should have been placed on the consent at first. It was a mistake to put it on 4.

CHAIRMAN FRYER: Thank you. So we're going to lead off with 8A, and that's going to be the NIM rules of decorum. And the way we operate at the Planning Commission level is different than a consent agenda at the Board of County Commissioners. When we bring something back for consent, it means that we have substantively decided on all aspects of a resolution that had been before us but wanted to see the exact scrivening, the exact language to be sure that the scrivening was entirely faithful to what we believe we had enacted at the previous meeting. So what that means is, is that -- the only thing that we talk about on consent is the scrivening of things that

we've decided to be sure that it's correct.

So having said that, when we come to 8A, we will take up the -- Mr. Bosi.

MR. BOSI: I was going to say, as soon as you're done with that, there was another clarification I needed to make on -- another clarification I needed to make on the agenda.

CHAIRMAN FRYER: Please go ahead, sir.

MR. BOSI: The Items 9A1 and 9A2, the Collier Rod and Gun Club's SRA and conditional use, we have them listed as companion items. That's not technically true. They are interrelated items, but they are stand-alone items. Each item could stand by itself and be approved by itself with no other action, no relationship to the other, but they do intertwine in terms of their relationship. But I just wanted to make the clarification they're interrelated, but they are not companion items.

CHAIRMAN FRYER: Thank you. And when I had a conversation with Mr. Yovanovich yesterday, I neglected to mention that, but I know he has requested it.

For our convenience and for our ease of handling this, I'd like to discuss them together. But if the applicant wishes, we can have separate votes, if that's what's desired. And Mr. Yovanovich is going to --

COMMISSIONER SCHMITT: I think we're going to have to have separate votes.

CHAIRMAN FRYER: Yeah. Well, typically we don't, but we will in this case.

COMMISSIONER SHEA: They're not --

CHAIRMAN FRYER: We will in this case. The facts are close enough that it's going to be easier for us, I think, to talk about them together, but we'll vote separately.

COMMISSIONER SCHMITT: Yeah.

CHAIRMAN FRYER: Okay. Let's see. Where are we now?

Planning Commission absences. Our next meeting is September 21 at 5:05 p.m. And the court reporter has raised a calendar issue that -- isn't that when the Board of County Commissioners is having its budget hearing, at 5:05 on that date?

MR. BOSI: Correct. And so that's an -- that was -- we had planned that back in the late spring, a night meeting, but when we recognized that the workshop was going on, when we canceled the 21st meeting, we forgot to cancel the night meeting as well, so that most certainly is not going on.

CHAIRMAN FRYER: Okay. So we're not going to have a night meeting -- we're not going to have any kind of a meeting on the 21st?

MR. BOSI: No, no meeting on the 21st. We've arranged for a special meeting on the 22nd.

CHAIRMAN FRYER: Right.

MR. BOSI: And we've identified a quorum will be able to be established. And it's a -- it's a meeting that's going to have a lot of controversial items, so hopefully we will be able to get through the agenda. There's five individual items on the -- on the agenda, so it's going to be a busy agenda.

COMMISSIONER SHEA: That's a 9:00 a.m. start, though?

MR. BOSI: Nine a.m. start, yes.

CHAIRMAN FRYER: Nine a.m. start, and it's a Friday.

COMMISSIONER SCHMITT: No venue change. It will be here?

MR. BOSI: Here. It will be here.

CHAIRMAN FRYER: Friday, September 22 at 9:00 a.m., does anyone know whether he or she cannot be in attendance?

COMMISSIONER SPARRAZZA: I may have a conflict. I won't know for probably two more weeks.

CHAIRMAN FRYER: Okay. Well, we hope we will have a quorum at that time because, as Mr. Bosi said, we've got a lot of complex material coming before us, and we need to get as many brains on top of these issues as we can.

COMMISSIONER SHEA: Have we rescheduled the 5:00 meeting. Because that need is still there, right?

CHAIRMAN FRYER: No, I don't think we have a date for the 5:05, do would?

MR. BOSI: No, we haven't. And the need for that was reported to the east of -- the East Trail Zoning Overlay which was corresponding -- was going to be connected to the GMP amendment that you heard -- you heard and you transmitted back in late spring. That item is being placed on hold because of the restrictions of Senate Bill 250. Senate Bill 250 says a location that was within 100 miles of Hurricane Ian are not allowed to adopt any more restrictive land-use regulations until October 1st of 2024.

So those -- and those regulations had to deal with some individual identification of unwanted land uses that were identified in the East Naples development plan: Gas stations, car washes, self-storage facilities. We have some more restrictive languages that -- that doesn't prohibit those uses but adds additional regulations to those in terms of design standards, spacing criteria, things like that. They can't be adopted, so that has to sit to the side.

So we will engage with the Planning Commission on the 22nd of September. We'll identify when the next night meeting need is going to be to see when we can get something available. But we'll be ready to discuss that in September.

CHAIRMAN FRYER: Thank you.

Commissioner Vernon.

COMMISSIONER VERNON: Yeah. I think I missed an email, and there was an assumption that I wouldn't be here on the 22nd, but I will be attending on the 22nd, just for quorum purposes.

CHAIRMAN FRYER: Thank you, sir. Thank you very much.

All right. So that covers the absences.

***Approval of minutes. We just have one set of minutes in front of us for action this morning, and those of our July 6th, 2023, meeting are in front of us today. Are there any corrections, additions, or changes?

(No response.)

CHAIRMAN FRYER: If not, I'd entertain a motion for approval.

COMMISSIONER SCHMITT: Make a motion to approve.

CHAIRMAN FRYER: Is there a second?

COMMISSIONER SHEA: Second.

CHAIRMAN FRYER: Any further discussion?

(No response.)

CHAIRMAN FRYER: If not, all those in favor of approval of the July 6th, 2023, meeting minutes, please say aye.

COMMISSIONER VERNON: Aye.

COMMISSIONER SHEA: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER SCHMITT: Aye.

COMMISSIONER KLUCIK: (No verbal response.)

COMMISSIONER SPARRAZZA: Aye.

COMMISSIONER SCHUMACHER: Aye.

CHAIRMAN FRYER: Opposed?

(No response.)

CHAIRMAN FRYER: It passed unanimously. Thank you very much.

That takes us to BCC report/recaps. Mr. Bellows.

MR. BELLOWES: Yes. There were no land-use items scheduled for the August 8th BCC meeting, so there will be no recap.

CHAIRMAN FRYER: Okay. Thank you very much.

Chairman's report. None today.

***Consent agenda. Well, we do. I think this is the first time we've had something on our consent agenda in several years. And I believe I've explained what the scope and purpose of it is and what our responsibilities are with respect to it. And the matter in question is PL20220008172. It's a land development amendment, the neighborhood information meeting, or NIM, rules of decorum, and I believe Mr. Johnson will be presenting. Mr. Johnson.

MR. JOHNSON: Yes, sir. Good morning, Mr. Chair, members of the Commission.

CHAIRMAN FRYER: Well, let me just also make the record. This matter is purely legislative, so we don't need to make disclosures or swearing witnesses.

Go ahead, Mr. Johnson.

MR. JOHNSON: For the record, Eric Johnson, LDC planning manager. Happy to be leading -- lead off here.

So I came to you last in June with the Land Development Code amendment that would establish the NIM rules of decorum. NIM stands for neighborhood information meeting. It also had proposed changes to the Administrative Code for land development.

The Commission reviewed it, approved it, had some recommendations, and wanted me to come back for consent agenda to show you what the changes are.

You'll see in your packet --

COMMISSIONER KLUCIK: Mr. Chairman?

CHAIRMAN FRYER: Go ahead, Commissioner Klucik.

COMMISSIONER KLUCIK: A point of order and just to help me understand better, when we say we have something on our consent agenda, my understanding was that a consent agenda means we're not going to hear anything about the matter, and we're -- we just know -- we already know what it is, and we're just going to vote on it. And what I -- and the only reason I bring it up is to make sure that we're not somehow procedurally inviting someone to say that we --

MS. ASHTON-CICKO: If I may.

COMMISSIONER KLUCIK: Yeah, yeah.

CHAIRMAN FRYER: Go ahead.

MS. ASHTON-CICKO: For consent items, they're items that you've already approved but you want to make sure that staff captured the language correctly, so that's the purpose of today.

COMMISSIONER KLUCIK: Got it.

COMMISSIONER SCHMITT: But we can always remove it from consent and

put it as a regular agenda item.

CHAIRMAN FRYER: We can -- I mean, we could, certainly. We could. Although the -- I don't know if that would be a notice issue.

MR. BOSI: Chair, yeah, like I said, if you get into any substantive discussion about the item other than just reviewing what was -- what was proposed in terms of the modifications, we would have to bring that back. We would have to have an advertised public hearing for that.

COMMISSIONER KLUCIK: Yeah. And that was the nature of why I brought it up, just to make sure we don't go over those bounds.

COMMISSIONER SCHMITT: I need clarification on that. Because it's on the agenda, is it not already advertised, even if it's consent? It's no different than the Board of County Commissioners' consent item. It's a consent item.

MR. BOSI: It's not advertised. There's no advertising for that. It appears on the agenda, but it was never advertised in the -- in the *Naples Daily News*.

MS. ASHTON-CICKO: The official vote as the land review agency and the statutes occurred at the last meeting when you voted on the item. So this is just merely to make sure the language is correct. If you want to make changes, then we can reschedule a hearing at a future date.

COMMISSIONER SCHMITT: Well, we received an email, at least I did, from Tony Pires. That was some minor wording -- wordsmith changes. Are those appropriate to discuss, or he'll have to deal with that with the Board?

MR. BOSI: That's an item the Board of County Commissioners are going to take. You've already voted on this item. You voted on this item, and you made recommendations for modifications. Those modifications are what is being presented to you. Your strict, narrow review today is, are those changes that were provided what was directed by the Planning Commission.

CHAIRMAN FRYER: Mr. Pires added words like "reasonable" in places that I would have been fine adding them, but the point is, is that that was not a scrivener question that we had raised earlier, and so nothing is being brought back to us on that very point. So I don't think it's in order to be talking about those.

COMMISSIONER SCHMITT: Fine. So if Tony wants to make an issue of it, he can bring it to the Board.

CHAIRMAN FRYER: Exactly.

COMMISSIONER SCHMITT: I mean, it's a reasonable request, I think, from the standpoint of what he's asking, but --

COMMISSIONER SHEA: It is a little late.

COMMISSIONER SCHMITT: -- it isn't anything of substance. But, fine, he can go to the Board. Have fun.

CHAIRMAN FRYER: Exactly. Mr. Johnson.

MR. JOHNSON: All right. Thank you.

So in your packet -- and this is on Pages -- or, generally, Pages 1,725 through 1,733. You'll see highlighted areas. Those are the changes that I made from this meeting -- or last meeting to this meeting.

You'll see the changes to the staff report as well as to the Land Development Code and the Administrative Code.

One thing that I wanted to bring to your attention, on Page 1729, was that in

Paragraph D on Line No. 13, striking out the word "insuring" in favor of using "ensuring," and also the highlighted text above that in Paragraph C was existing language that's in the code that wasn't captured in -- or it wasn't put in the original review that you had. This is very minor stuff. Non-substantive. I just wanted to bring it to your attention, as well as one last thing on Page 1730. In Paragraph 2, under applicability, there are two red underlined bullets that I did not highlight, and I wanted to highlight that -- I should have highlighted that.

So, anyway, you see the changes that I made, and I'm looking for your blessing on this.

CHAIRMAN FRYER: All right. Thank you.

Questions or comments from the Planning Commission, please?

(No response.)

CHAIRMAN FRYER: No one is signaling.

I do have a scrivener change that Mr. Johnson, other members of staff, are aware of because we discussed it at my meeting on Tuesday.

The unanimous consensus behind the resolution of the Planning Commission, in my judgment, in my recollection, was that we were going to insist upon an audio or video recording of the NIM meeting in any event. Now, it's already provided for that there is to be a written summary, and that's fine for those who -- for those whom a written summary is sufficient to acquaint them with what happened at the NIM, the written summary will suffice. But it's not instead of or an alternate means of publicizing the results of the NIM. And so there are several and/or's in this material that need to be changed to "and," because we want both the audio or videotape and the written summary to be required at the NIM and for staff to then be required to post them on CityView so the public and members of the Planning Commission --

COMMISSIONER KLUCIK: Mr. Chairman, are you saying that's not what we see before us or that that was something that --

CHAIRMAN FRYER: That is not what we see before us. And let me give you an example. On Page 1731, in the very bottom, which is a Subsection 2, it says the county staff, planner, or designee shall promptly post the written summary and not the audio/video recording, which means they could post the written summary and not the audio/video recording. So the "slash or" needs to be removed in order to capture at least what I recall as being the --

COMMISSIONER KLUCIK: No, because Paragraph 1, in the middle section, does state that they have to do both, and then that paragraph that you highlighted at the bottom sort of says, even though you did both, you only have to post one. And, yeah, I think that only makes common sense that if we're requiring both, then we should require that they both be made public.

CHAIRMAN FRYER: Yeah. And that's why I would delete "slash or."

COMMISSIONER KLUCIK: Right, I agree. And I think that's a very minor change that simply underscores what we did agree to.

CHAIRMAN FRYER: Yeah. Well, it -- without -- without disagreeing with your characterization of it, because many people may agree with you, but it's a pretty significant change for me. I like to see the transcripts.

COMMISSIONER KLUCIK: No. I mean, it's not a deviation from what we actually wanted to -- what you're asking for is not a major change. I mean, it is because it

impacts what's required, but it's actually in keeping with what we already agreed to, in my view.

COMMISSIONER VERNON: Yeah. If I could jump in.

CHAIRMAN FRYER: Please.

COMMISSIONER VERNON: I just think what Mr. Klucik is saying is what I think means we can do this without readvertising.

COMMISSIONER KLUCIK: Thank you. That's exactly what I was trying to say.

COMMISSIONER VERNON: That's what he's trying to say, and I agree with him. I think I would call this a scrivener's error that -- exactly as Mr. Klucik said, and post both is what we wanted, and that's all we're doing. We're just making sure it was written down what we wanted and what we said we wanted, and if you take out the "slash or," you've got what we wanted.

CHAIRMAN FRYER: Exactly. Thank you. Well, we're all on the same page. I apologize for any miscommunication.

There are a couple of other places, Mr. Johnson, where "and/or" appears, such as on Page 726 in the staff recommendation -- or the staff report of the CCPC recommendation. And assuming that you're going to carry this on to the Board of County Commissioners, you would want to change the "and/or" that's about two-thirds of the way down in that section to just "and" by deleting the "slash or."

MR. JOHNSON: I'll do that.

CHAIRMAN FRYER: All right. Commissioner Vernon, anything else?

COMMISSIONER VERNON: Nothing substantive. After we're done, I had a previous procedural comment.

CHAIRMAN FRYER: Okay. Do you want to do that after we vote --

COMMISSIONER VERNON: Yeah --

CHAIRMAN FRYER: -- on consent?

COMMISSIONER VERNON: -- because I don't think it relates to the vote.

CHAIRMAN FRYER: Oh, okay. All right.

Anybody else have anything on this consent item?

(No response.)

CHAIRMAN FRYER: Mr. Johnson.

MR. JOHNSON: There was one other area where there was the term "in person" to insert a hyphen in between "in" and "person." I need to do that in one other instance.

CHAIRMAN FRYER: Okay. Fine. Well, you're right, that's absolutely non-substantive, and I'm sure that you have our unanimous blessing to put the hyphen in.

Anything else from anybody?

(No response.)

CHAIRMAN FRYER: If not, I think we're ready to vote on the scrivener correction on consent and move on. Anything further from staff?

(No response.)

CHAIRMAN FRYER: Nothing -- no one is signaling, so I'd entertain a motion to approve as corrected.

COMMISSIONER SCHUMACHER: Motion.

CHAIRMAN FRYER: Is there a second?

COMMISSIONER SCHMITT: I second.

CHAIRMAN FRYER: Any further discussion?

(No response.)

CHAIRMAN FRYER: If not, all those in favor, please say aye.

COMMISSIONER VERNON: Aye.

COMMISSIONER SHEA: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER SCHMITT: Aye.

COMMISSIONER KLUCIK: (No verbal response.)

COMMISSIONER SPARRAZZA: Aye.

COMMISSIONER SCHUMACHER: Aye.

CHAIRMAN FRYER: Opposed?

(No response.)

CHAIRMAN FRYER: Commissioner Klucik, are you --

COMMISSIONER KLUCIK: Next item.

CHAIRMAN FRYER: Next item. Okay.

Thank you. This passes unanimously. And thank you, Mr. Johnson and staff.

MR. JOHNSON: Thank you.

CHAIRMAN FRYER: All right. Now we've -- I'm going to call on Commissioner Vernon and then Commissioner Klucik, who wanted to make comments. First Commissioner Vernon.

COMMISSIONER VERNON: Yeah. The staff has done a fabulous job of throwing stuff on the screen and, in a self-serving way, sometimes I don't bring 1,700 pages, and I don't bring my computer. So I'm at a little bit of a disadvantage when I don't see it up on the screen.

So I would request Mr. Johnson and everybody in the future -- you guys almost always do it, and you've spoiled me. But in addition to it being self-serving, I think it's a little altruistic because people watching on TV, people in the audience, they're at the same disadvantage. So I think, for the public, we need to do that every time as well.

COMMISSIONER SCHMITT: I would agree.

CHAIRMAN FRYER: Point taken. Point taken.

Commissioner Klucik.

COMMISSIONER KLUCIK: Yes. I received -- one of the parties who's trying to participate on our next item by Zoom indicated that they can't tell whether they're in the meeting. So I don't know if -- are we -- do we have people signed up for Zoom?

CHAIRMAN FRYER: I think we had two. Ms. Padron, still two?

MR. SABO: Yes, Mr. Chairman. There are two speakers registered online.

COMMISSIONER KLUCIK: And what are their names?

MR. SABO: Aliese Priddy and Bradley Cornell.

COMMISSIONER KLUCIK: Great. All set.

CHAIRMAN FRYER: Okay. Thank you. Thank you very much.

All right. We will move on.

***So we go to Section 9A1 and 2, which has been pointed out, are not, strictly speaking, companions, but we've decided that we're going to hear them together, and we'll vote on them separately. Let me -- let me call them by number.

The first is PL20210002776. This is the Collier Rod and Gun Club at the Preserve Stewardship Receiving Area, SRA, and related, but not companion, is PL20210002843,

the Collier Rod and Gun Club and Preserve conditional use.

All persons wishing to testify in this matter please rise to be sworn in by the court reporter.

THE COURT REPORTER: Do you swear or affirm the testimony you will give will be the truth, the whole truth, and nothing but the truth?

(The speakers were duly sworn and indicated in the affirmative.)

CHAIRMAN FRYER: Thank you.

Ex parte disclosures starting with Ms. Lockhart, please.

MS. LOCKHART: Text materials only.

CHAIRMAN FRYER: Thank you.

COMMISSIONER VERNON: No disclosures.

COMMISSIONER SHEA: Staff materials only.

CHAIRMAN FRYER: Thank you.

Public record materials, meetings with staff, conversation with petitioner's counsel.

COMMISSIONER SCHMITT: Conversation with Rich Yovanovich, petitioner's counsel.

COMMISSIONER KLUCIK: Just staff materials and my normal pre-meeting briefing with the staff.

COMMISSIONER SPARRAZZA: Staff materials and a conversation with Mr. Yovanovich.

COMMISSIONER SCHUMACHER: Staff materials, meeting with staff, conversation with petitioner's attorney, and a site visit.

CHAIRMAN FRYER: Thank you very much.

Without -- are we ready to go, Ms. Padron? Yes, okay.

Chair recognizes Mr. Yovanovich.

MR. YOVANOVICH: Thank you. And good morning. For the record, Rich Yovanovich on behalf of the petitioner for both petitions.

And I appreciate the clarification on the agenda that these are separate projects. As you know, your Comprehensive Plan encourages interconnection, so we have interconnected these three separate projects, and that's the basis for bringing them to you on the same agenda. But they are three -- actually, they're two separate projects and a third element that may or may not get built as some baseline.

With me is an extensive team of experts in all of their different categories. Not everyone will speak, but they are available to answer questions.

We have Jessica Harrelson, who is our --

COMMISSIONER KLUCIK: Can we get that small screen off the screen?

MR. SABO: We're working on it.

MR. YOVANOVICH: If you're asking me, no.

COMMISSIONER KLUCIK: I just want to know Norm's last name.

MR. YOVANOVICH: Trebilcock.

Do you want me to keep going, or do you want me to wait?

COMMISSIONER KLUCIK: No, I'm fine.

MR. YOVANOVICH: Okay. Josh Fruth is the engineering representative for this project; Bruce Layman is our environmental consultant; Louise La Gardeur is our planner, visionary concept consultant, who you will hear from. She said I did not have to say her name in French even though it is in French; Norman Trebilcock is our

transportation consultant; Jeremy Sterk and Jennifer Bobka are our official environmental consultants; and Lucy Gallo is our environmental -- I'm sorry -- economic assessment consultant.

CHAIRMAN FRYER: Pardon me for interrupting. Something else I should have said before you started. At the end of this when we deliberate and vote, we'll be voting on the two matters separately. Also, we vote on the -- as an EAC, but that's just on the conditional use.

Go ahead, Mr. Yovanovich.

MR. YOVANOVICH: Thank you.

When Louise gets up here and takes you through the concept plan, you will see that both projects are designed to respect the location in the county and the environment that we're located in even to the extent of having a railway system instead of a typical roadway system through the project to reduce the impact of the project on the environment.

We do have two requests in front of you. One is an SRA. You've been through villages; you've been through towns. This is the first compact rural development, and it's 259.6 acres. It will allow up to 225 single-family homes. We refer to them as "the cabins" in our presentation.

It includes recreation, tourism, and education uses within the project. And because we have residential, we're required to have goods and services, and we are providing goods and services for the residents through for this project.

The presentation just went away.

COMMISSIONER KLUCIK: If I might, Mr. Chairman.

CHAIRMAN FRYER: Go ahead, sir.

COMMISSIONER KLUCIK: Is one of the distinctions between the first item and the second item that one actually requires a usage of credits and the other one doesn't?

MR. YOVANOVICH: Right, and -- yes, and I was about to answer that.

COMMISSIONER KLUCIK: One's an RLSA-specific project. One happens to be in the RLSA but doesn't -- isn't taking advantage of that program?

MR. YOVANOVICH: It's a baseline project, but we -- because it is a golf club and sporting club, we are required to get a conditional-use approval under the underlying zoning on the property.

That project is 911 acres. It will have an 18-hole golf course; shooting clays; fishing and archery; it will have a clubhouse; it will have 20 member-only cottages. They are rental cottages; and we'll have up to 300 members in that club.

On the screen is the layout of the SRA project and the conditional use. There is a third potential project on this screen that deals with the baseline project. That will allow additional residential uses. And the baseline project is approximately 842 acres, and it will allow for 30 residential units.

One of the reasons --

COMMISSIONER KLUCIK: Can you help me understand what that term means? I don't --

MR. YOVANOVICH: Baseline?

COMMISSIONER KLUCIK: Right.

MR. YOVANOVICH: Well, when the RLSA program was originally established, it allowed property owners to elect to designate their property if it's in open space -- and it's a later slide. That's the pink area. You can elect to designate your land as an SRA,

which at that time included hamlets. It could have been a town, a village, a hamlet, or a compact rural development -- you've since amended it to eliminate hamlets -- or you can elect to develop under the regulations, the baseline underlying zoning regulations that had different standards for moving forward as a matter of right depending on -- or through the conditional-use process, and not go through the designation process. We -- it's part of this project, which is the next slide.

CHAIRMAN FRYER: Commissioner Schmitt.

COMMISSIONER SCHMITT: For clarification, baseline, just for my edification, is that one unit per five acres? So that's the standard one unit per five acres?

MR. BOSI: Mike Bosi, Planning and Zoning director.

Correct. It's ag zoning. It allows for one unit per five acres, and that's what he's referring to when he says "baseline." That's the density associated with --

COMMISSIONER KLUCIK: It's actually very simple, but I didn't realize that was the terminology.

MR. BOSI: And it's, you know, 30 units in 800-plus. It is much -- much below what they're allowed for in terms of --

COMMISSIONER SCHMITT: So that does -- it basically does not trigger any requirements for credits, transfer of credits, or any of those other applicable rules related to the Rural Lands Stewardship?

MR. BOSI: Correct.

COMMISSIONER SCHMITT: Okay.

COMMISSIONER KLUCIK: And just to follow on, it doesn't -- that baseline project wouldn't even require a conditional use that you --

MR. YOVANOVICH: We're just showing you this for purposes of giving you a complete picture. We're not here to talk about the baseline project for purposes of an approval.

COMMISSIONER KLUCIK: No, but what I'm saying is I don't even -- you wouldn't even have to, right?

MR. YOVANOVICH: Correct.

COMMISSIONER KLUCIK: You can just do that?

MR. YOVANOVICH: That's correct.

COMMISSIONER KLUCIK: Okay.

MR. YOVANOVICH: And it's important to know that we're not allowed to do any SRA in a Habitat Stewardship Area, which on this screen is the green area. So we wouldn't be allowed to designate those as a village or a town or a compact rural development anyway. So we're basically limited to the baseline options in your code.

I wanted to note one other thing on this slide. When we go through the process of actually developing these projects independently, we will be platting the SRA, but the baseline and the conditional-use projects will be a condominium project and not platted. So they'll be basically condominium units within that overall project, and that was through discussion with County staff and the County Attorney's Office as to what's the best way to go about doing that to make sure we can do trails and not roads and to make sure that we minimized our footprint in this area.

Again, the RLSA program was established to allow for the pink area to designate SRAs, and other areas either had to be Stewardship Sending Areas or, in this case, developed under the baseline standards, and that's what you're here to consider is both the

SRA designation and for the compact rural development and the conditional use for the golf course and sporting club.

We have probably a two-hour presentation if you want to get into all the -- all the specific details, which we'll be able to do. I think what we're going to do is have Louise come up and give you the overall concept of the project. Everything is in your packet as far as the details. But if you have questions about the specific details and each individual master plan or individual conditions, of course, ask us. But we're going to give you the concept of the program, and then we'll open it up to any questions you may have.

I do want to put on the record, real quickly, we had some discussions with Meredith Budd and other environmental groups, and they have asked us, and we are willing, to add this to the SRA. If you remember with the villages and the town for the Collier Enterprise projects, they asked us to include a notice to the residents of prescribed burns. We're going to add a requirement that we notify the residents that there will be prescribed burns in this area, and we also agreed to have bear-proof trash cans in our project, and we also agreed -- and you'll see this later. There's a rather large lake that's in the baseline project -- to make sure we do it appropriately for the environment around that lake and not impact it, correct?

MR. FRUTH: Yeah.

MR. YOVANOVICH: So with that, I'll turn it over to Louise, unless you have any questions about what -- the two projects we're asking about and how we're here in front of you and the distinction between the two requests.

COMMISSIONER KLUCIK: Mr. Chairman?

CHAIRMAN FRYER: Commissioner Vernon, then Commissioner Klucik.

COMMISSIONER VERNON: This is a -- and maybe it falls under the heading of a curiosity question, and you've probably already said it and everybody else probably understands it. But just a really macro, big-picture question. To the extent that you're following the sending and receiving as opposed to the baseline -- this is a sending and receiving project -- is it deemed qualitatively or quantitatively different than if you were coming in and building a bunch of houses? If the question makes sense.

MR. YOVANOVICH: Yes. We're -- the SRA is a receiving area, as you know, and we have to bring credits to the receiving area to build them. If you were building under the baseline standards --

COMMISSIONER VERNON: No. Forget the baseline. I shouldn't have said it. Listen --

MR. YOVANOVICH: No, but you were asking the difference.

COMMISSIONER VERNON: Not to interrupt you. No. I meant -- what I'm just trying to say is forget about the whole baseline discussion.

MR. YOVANOVICH: Okay.

COMMISSIONER VERNON: So this is a project which isn't [sic] going to involve some sending and receiving pursuant to the Comprehensive Plan --

MR. YOVANOVICH: Right.

COMMISSIONER VERNON: -- to save Florida environmentally?

MR. YOVANOVICH: Correct.

COMMISSIONER VERNON: So my question is, are you qualitatively/quantitatively different than if you were standing before us saying I'm going to build a traditional development with zero lot line or something like that?

MR. YOVANOVICH: From a practical standpoint, it's very similar to PUDs --
COMMISSIONER VERNON: Okay.

MR. YOVANOVICH: -- you frequently see when we rezone property. We're designating the property. It has development standards as to how we're going to go forward and develop. As we've discussed, the only unique thing about this area of the county is you have to have credits to move forward as opposed to in the urban area where you do not need credits.

COMMISSIONER VERNON: Yeah, and I always don't like foreshadowing my thought process, but because it's such a kind of obscure -- weird question I'm asking you -- what I'm trying to say is, if you guys are going to protect a bunch of lands by doing this -- and I want to see all the evidence, but I suspect I'm going to like it a lot more than you're building a bunch of zero-lot-line houses out there. If that -- do you want me to repeat that?

MR. YOVANOVICH: Yeah. Repeat that, please. Yeah, sorry.

COMMISSIONER VERNON: What I'm saying -- like I said, I like to hear all the evidence before I even suggest what I'm thinking, but I feel like I need to right here. It just seems to me that I'm going to like a project like this a lot better than building a ton of houses out there if you're still protecting a bunch of lands as a result of doing this. I don't know that that helps my question.

MR. YOVANOVICH: The whole program -- and that's why the RLSA program is designed to preserve --

COMMISSIONER VERNON: Right.

MR. YOVANOVICH: -- a whole bunch of land.

COMMISSIONER VERNON: Right.

MR. YOVANOVICH: And by doing that, you're not -- you are preserving land by going through the SRA designation process that you wouldn't otherwise preserve. It would be a checkerboard of development out there that if you -- and I have to use the word "baseline," Mr. Vernon.

COMMISSIONER VERNON: That's okay.

MR. YOVANOVICH: If we developed under the baseline standards, it would be five-acre subdivisions, which isn't good for the environment. This program was established to give property owners the opportunity to preserve lands, which is good for -- great for the environment, and have clustered compact development.

COMMISSIONER VERNON: Right.

MR. YOVANOVICH: That's the distinction between --

COMMISSIONER VERNON: And I was just wondering --

MS. ASHTON-CICKO: Would it help you to see where the SSAs are where they're taking the credits, where they got the credits?

COMMISSIONER VERNON: No. I think it's okay to move on, because I think some of this is just I don't fully comprehend the program rather than -- so I think it's really more educating me, which is really not what we're here for, so...

MR. YOVANOVICH: No, that's okay. I can do it real quickly.

COMMISSIONER VERNON: You forge ahead.

MR. YOVANOVICH: If this -- I may have gone through this slide -- or I may have skipped this slide.

CHAIRMAN FRYER: Before you continue, it's timely, I think, for me to remind

everyone not to talk over other people, and I'm afraid, with the greatest respect, Mr. Yovanovich, that burden falls principally on --

MR. YOVANOVICH: I know.

CHAIRMAN FRYER: -- people on the other side, on your side of the dais.

MR. YOVANOVICH: I know. I was anticipating the answer to the question, and I apologize.

CHAIRMAN FRYER: Thank you.

MR. YOVANOVICH: -- to Terri, not Mr. Vernon, because I think he's used to that.

But, Terri, I apologize.

And either I went through briefly or didn't show this slide in my haste to get to the big picture.

You see the pink area is the area in the RLSA that is the open area which is the less environmentally sensitive lands, and that's where development's supposed to go, and then you see the other areas that are designated HSAs and other habitat sensitive areas is where the SSAs are supposed to go. And as you can see, you have this SSA -- these several strings of SSAs that were approved to generate credits for development in the pink area and to basically preserve the environmentally sensitive lands out in this area.

And if you remember in other petitions, it's almost a 3-to-1 ratio of preserving lands versus developing lands. So that's how the credit system works. That's how the RLSA program was originally established to work.

And that's what we're asking to do today is an SRA on our part of the property, and then where we're not permitted, in the green area, is where you'll see our golf course and sporting club.

Did I hopefully, concisely enough, explain it or --

COMMISSIONER VERNON: I think you did a good job. It's just education on my part. I'll figure it out. Keep going.

MR. YOVANOVICH: All right. Well, I'm ready to turn it over to --

CHAIRMAN FRYER: We have a couple of commissioners --

MR. YOVANOVICH: Oh, I'm sorry.

CHAIRMAN FRYER: -- who want to be heard, starting with Commissioner Klucik.

COMMISSIONER KLUCIK: Yes. Thank you, Mr. Chairman.

So, Mr. Yovanovich, stay on this slide, please. So just help me -- it's probably very basic, and you probably already answered, but I just want to make sure I understand. So the area, you know, where the little curve is, where the SRA is, that's pink.

MR. YOVANOVICH: Right here.

COMMISSIONER KLUCIK: Right. That little area. Obviously, your client -- you're petitioning for an SRA.

MR. YOVANOVICH: Correct.

COMMISSIONER KLUCIK: Could -- but I guess I want to make sure, does -- because it's pink, does that mean they couldn't use baseline?

MR. YOVANOVICH: No. We have the option.

COMMISSIONER KLUCIK: Okay.

MR. YOVANOVICH: In any of the pink areas that go --

COMMISSIONER KLUCIK: Okay. Great.

So in other words, by making it an SRA project, your density is pretty low. So I'm thinking you could do a lot of what you wanted without taking advantage or using the SRA project?

MR. YOVANOVICH: We would have to impact many, many more acres.

COMMISSIONER KLUCIK: Oh, you would. Okay. Well --

MR. YOVANOVICH: It's one unit per five acres versus the ability to go to two units an acre under the SRA process.

COMMISSIONER KLUCIK: Okay. And then the other question I had was -- and I think you might have already answered it. But you're using some of the least -- for this SRA, it's some of the least environmentally sensitive land in the whole RLSA; is that correct?

MR. YOVANOVICH: Correct. That's the way it's set up to where the pink area is where development is --

COMMISSIONER KLUCIK: Is supposed to be --

MR. YOVANOVICH: -- encouraged to go.

COMMISSIONER KLUCIK: -- if you're going to do it?

MR. YOVANOVICH: It's encouraged to go, yes.

COMMISSIONER KLUCIK: Got it. Okay. Thank you.

CHAIRMAN FRYER: Vice Chairman.

COMMISSIONER SCHMITT: Yeah. Just to clarify. Rich made a statement, and I want to make sure my colleagues understand. The SRA is already zoned. You made it akin to a PUD. A PUD is really rezoning. We are doing nothing more than -- we're not rezoning. It's already zoned RLSA. All we're doing is making sure that the rules that were adopted for the implementation of developing either villages, towns, or other type of Stewardship Receiving Areas, that what we're doing is validating that the rules were correct and applied correctly for this proposal.

MR. YOVANOVICH: Correct.

COMMISSIONER SCHMITT: So we're approving the plan. We're not rezoning. It's not a rezoning action, because it is RLSA already, and that is to zone.

So from the standpoint of the pink areas were identified, well, 20 years ago when we went through and in a couple of restudies, the pink areas are -- were the areas that were deemed to be where we wanted development to be concentrated to save the areas -- the SRAs -- or SSAs are the areas that we identified where we do not want development to take place, and we're transferring those credits to the areas we want. So I guess, in a nutshell, that's what it is.

MR. YOVANOVICH: My comparison to a PUD is that the SRA development document --

COMMISSIONER SCHMITT: Correct. The document --

MR. YOVANOVICH: -- is similar to what you would see in a PUD. That's where you find your development standards and what you're -- what you're allowed to do on this piece of property. That's all I was trying --

CHAIRMAN FRYER: There's one -- there's one slight difference -- and I don't disagree with either one of you. But an overlay, like an RLSA, is an additional opportunity for development. It is not a limitation of property ownership rights. If it were, that would be a take.

COMMISSIONER SCHMITT: Correct.

CHAIRMAN FRYER: And so people can still come in the RLSA and go one dwelling unit for five acres because it's zoned A.

COMMISSIONER SCHMITT: Correct.

MR. YOVANOVICH: Right.

COMMISSIONER SCHMITT: Thanks.

CHAIRMAN FRYER: Thank you.

MR. YOVANOVICH: Are you ready for Louise?

CHAIRMAN FRYER: Yes, sir.

MR. YOVANOVICH: Okay.

COMMISSIONER SCHMITT: Is this the two-hour presentation or --

MR. YOVANOVICH: No, this is the shorter version.

MS. Le GARDEUR: I'll try to be quicker.

Good morning. Thank you, Rich, for the introduction.

Good morning, Chairman and members of the Planning Commission. My name is Louise Le Gardeur. I'm an architect and associate principal at Hart Howerton, an interdisciplinary design firm with offices in San Francisco, New York, and West Palm Beach.

Over the course of my presentation, I will introduce you to the work of Hart Howerton and Barron Collier Companies and our shared values, experience, and expertise that we each bring to these particular projects. I will dive into some of the design strategies embedded in the separate but related proposals for the nearly 2,000-acre Collier Rod and Gun Club at the Preserve.

Hart Howerton's team of strategists, planners, architects, and landscape architects bring an interdisciplinary perspective to the world's most sensitive environments, creating sustainable places that become lasting legacies in their communities.

COMMISSIONER KLUCIK: Mr. Chairman?

CHAIRMAN FRYER: Commissioner Klucik.

COMMISSIONER KLUCIK: You know, I know this is probably going to seem rude, but that also wouldn't always be a surprise coming from me.

But I appreciate the great effort and the -- you know, the expense and the focus on environment that the petitioner has, but what you said you're going to present, I think, might take some time and not necessarily be all that helpful. And, you know, obviously, that might just be me, and everyone else -- you know, I might be outvoted on that. But it just seems like who we are is not important to me. And I'm not saying it's not important, but in this particular context I don't think it adds to our decision making, as wonderful as I'm sure your company is. And now I've probably taken up more time than what your slide was going to take.

CHAIRMAN FRYER: I might also say that, personally, I've spent a great deal of time studying this material, and I'm sure my colleagues have as well, and so we come to this meeting this morning with a pretty complete understanding, and you don't need to expend time and effort on matters unless we ask questions. Just my personal opinion.

COMMISSIONER VERNON: If I could just chime in.

CHAIRMAN FRYER: Go right ahead.

COMMISSIONER VERNON: I try to really focus on what happens inside these four walls during the public meeting with the public. And I suspect that was going to be one slide and 45 seconds, and I would have loved to have seen it, because I do take into

account the credibility of who I'm dealing with when they're standing there.

So I don't want to hear five minutes on this, but I don't think she's going to. So I do want to know who you are. Now, I may be alone in that, but I'd love to hear it.

COMMISSIONER SCHMITT: I agree with Chris.

CHAIRMAN FRYER: With that feedback, please proceed.

MS. Le GARDEUR: Okay, thank you. I promise it will be a short slide.

So as I was saying, we have experience in designing communities in areas similar to the Rural Lands Stewardship Area, or the RLSA, here in Collier County.

Like the RLSA, our other projects have focused development on lands similar to open lands in the RLSA program and avoided lands that are intended to be Stewardship Sending Areas.

On screen are a few select examples where, working with like-minded and visionary clients such as Barron Collier, we have uniquely combined private development with long-term business strategies able to protect and conserve sensitive environments and habitats stretching from California to the Serengeti.

Similar to the RLSA program, at the St. Lucia Preserve in Carmel, California, we thoroughly mapped and analyzed, with the help of scientists and environmental experts, 20,000 acres of land before designating the most sensitive bio corridors, 90 percent of the overall landholding, as conservation land, thereby restricting development to only 10 percent of the available acreage.

Those early mapping studies, which we verified on horseback, guided a process more akin to settling the land rather than developing it.

Our firm has also been involved in Palmetto Bluff located in Bluffton, South Carolina. Similar to the RLSA program here in Collier County, at Palmetto Bluff, we were also able to focus compact development away from sensitive natural habitats while master-planning then designing a walkable and bikeable community where neighbors, amenities, and experiences create a common sense of purpose when conserving 70 percent of the property' 18,000 acres.

Hart Howerton and Barron Collier's commitment to these principles of working with the land and not simply developing the land inherently uplifts the priorities of Collier Rod and Gun Club at the Preserve, a community intended to enhance, respect, and enjoy the irreplaceable natural resource that is the Florida Everglades. We firmly believe that together, Hart Howerton and Barron Collier, have a deep understanding of developing in sensitive environments and have designed these projects to respond to a unique set of conditions in the existing landscape.

Barron Gift Collier, Senior, founder of the county and the company that bears his name, made his fortune in streetcar advertising and left his indelible mark on the state and country. Southwest Florida was his true passion. After his first visit in 1911, he purchased Useppa Island for \$100,000 and eventually acquired over 1.3 million acres of land here. He brought the first telephone service, first railroad, first newspapers, and first bus company to this area. He constructed the Tamiami Trail through the Everglades from the Lee County line to the Dade County line. For this last feat, connecting the two coasts of Florida, the county was named in his honor.

Following their service in World War II, Barron Senior's sons, Barron, Sam, and Miles, assumed management of the company. With the advent of mosquito control and air conditioning, the Sunshine State began its run as the fastest growing state in the union.

As Florida prospered, so did the Barron Collier Companies. Barron Collier, Junior, managed and expanded the company until his death in 1976. And after his death, the family's assets were split between the heirs of Barron, Junior, and those of his late brother Miles.

With the commitment to preserving the natural beauty and environmental value of rural Collier County, Barron Collier Companies' participation in the RLSA program is maintaining over 25,000 acres of SSA lands with no public burden to manage the land.

By the end of this presentation, I hope you, too, can sense the alignment of our clients' and our firm's values with the environmentally sensitive intentions of the applications before you today.

Hart Howerton and Barron Collier understand the complexity and challenges of working with land responsibly. Given both company's extensive work in Florida, we are particularly excited to be working in one of the state's greatest natural resources, the Everglades.

Hart Howerton and Barron Collier understand the Florida Everglades plays a fundamental role in the state's environmental health and recreational lives of numerous communities. Its influences touch folks from all parts of Florida, east and west, north and south and, as such, we see these projects as a way to set new standard for development not only in and around the Florida Everglades, but ultimately as a nationwide precedent in terms of a legacy club that actively protects and promotes the native environment in perpetuity.

World famous for its river of grass, the Everglades is undoubtedly a unique treasure of South Florida in its unparalleled landscape of exceptional beauty. Long the home of indigenous nations, the region is steeped in history and culture. Hart Howerton and Barron Collier intend to continue a tradition of encampment in this region that is evolved from living off the land to deeper exploration, departing from the prior taming of wetlands to, instead, a celebration of the Everglades' powerful ecology.

Our firm and our clients' shared goal is to create a club community that respects and builds upon the existing natural characteristics and land's heritage, the indigenous ecology, and the preservation of native features. In order to accomplish this, these projects preserve wetland areas and extend forested areas, enhancing the overall natural environment.

Collier Rod and Gun Club at the Preserve interweaves human and natural systems, thereby creating a lifestyle community whose central focus is the Everglades. Taken together, these separate but complementary projects maximize the ecological interconnectivity of the land while maintaining safety and privacy for residents. We are creating a system of open space organized around natural systems and native environmental features.

As Rich described earlier, we've worked on three separate distinct projects: An SRA project in yellow where we have located a CRD, which we call the settlement cabins, and a CRD center called the homestead a conditional-use project comprised of golf and sporting; and a baseline development project consisting of thoughtfully placed individual residences. While these are separate projects, we believe that they are complementary in their sensitivity to the environment.

We envision a lifestyle that celebrates Floridian excellence and a diversity of off-beach experiences that place emphasis on Everglades' environment.

Program elements are strategically located in areas that naturally support these uses. The low-impact nature of our conditional-use project, combined with the CRD being proposed for our SRA project, and the low-density baseline development conservation estates work to mutually protect the native environment.

As part of our planning efforts, we recognize that we are set in a unique ecology of sawgrass marshes, mangrove forest, and hardwood hammocks. We also continue to integrate firebreaks in the forest, an ongoing management effort that preceded these projects and will continue after its built, while we utilize multipurpose landscapes and architecture to integrate sustainable engineering systems into all aspects of the built environment, while creating an open system that visually connects all development areas of the Collier Rod and Gun Club at the Preserve.

COMMISSIONER SCHMITT: Can you stop there a minute to go back. You have the main entrance. That is -- that, off of 29, will be the main entrance, and that will interconnect the entire -- so I -- if one has access, they can have access all the way up to the SRA?

MS. Le GARDEUR: Yes.

MR. YOVANOVICH: Right.

COMMISSIONER SCHMITT: Okay. Because I'm going to ask the question later about the, quote, trails, so...

MR. YOVANOVICH: Just so you know, there's also an access on Oil Well Road.

COMMISSIONER SCHMITT: I see that, yes, yeah. Okay.

MS. Le GARDEUR: The design of these separate but complementary projects preserve existing hammocks and wetland patterns. We applied state-of-the-art infrastructure and environmental sciences to establish a green framework that integrates sustainable practices for water, energy, waste, and transportation.

For example, we are not proposing septic anywhere on these projects and, instead, are providing wastewater collection and treatment. Additionally, native vegetation, including mature trees, are integrated throughout the proposed landscape design.

Speaking of the entry, we look forward to welcoming property owners and limited nonresident members at the welcome house located off of State Road 29 on the property's east boundary. The point of arrival is illustrated here on the right side of the image at the star labeled "welcome house" off of State Road 29.

Collier Rod and Gun Club at the Preserve introduces the power and majesty of the expansive Everglades ecosystem from the moment of arrival. The understated entry, as one leaves State Road 29, seen at the bottom of the image, uses a landscape baffle of planted vegetation to allow the turnoff to fit seamlessly into the rural setting and low-key curb cuts found locally.

As with all the renderings you will see in the presentation, please remember that these images are intended to only showcase initial concepts of what it might be like to live here. Barron Collier is still completing final designs and will be going through permitting, which may adjust final locations of structures and built improvements.

Heading west into the development off of State Road 29, the immediate visual presence of water so common to the emotions surrounding the Everglades ecology flanks the causeway upon arrival to the property, and the welcome house provides that first moment of interaction with a hosting team member.

The setting for the welcome house combines native vegetation with discrete new

plantings to provide sound and sight buffers from State Road 29 seen on the right-hand side of the screen.

The settlement. Situated in the proposed SRA development is the proposed 259-acre compact rural development, our CRD, known as the homestead and settlement cabins. As seen on the screen in yellow, our settlement, inclusive of its compact rural development center, or homestead, as well as property owners' encampment or cabins, are located here away from any Habitat Stewardship Area, Flowway Stewardship Area, and Water Retention Area lands. The entire settlement area, which comprises the entirety of the SRA project, does not contain lands within the area of state -- of critical state concern.

The settlement cabins make up a CRD consisting of up to 225 homes available for purchase. Everyone who lives here will go through a wilderness training program from our on-site naturalist that teaches the dos and don'ts of living at The Preserve. The special community built here is anchored by our compact rural development center, which we are calling the homestead, located in the lower left of this map on the screen.

In line with standards for the CDR, the homestead provides convenience, retail, eating, and recreation, serving as our compact rural development center. It also provides a community space for residents that celebrate local goods and produce.

As with the residential aspects of the property, the dining experience at Collier Rod and Gun Club at the Preserve is woven into the natural environment. For example, we intend to employ low-light designs that conserve energy, protect night skies when dining under the stars. An active lifestyle that complements the natural environment is also a key consideration.

The club's legacy will stand through its sustained success economically, culturally, and environmentally with the timelessness that transcends generations while integrating itself fully into the native landscape, the retreat for family traditions to be made, and generations to return. The rendering shows an aerial view facing north/northwest over the homestead.

Barron Collier is creating a legacy club community, a place of sustained investment and enduring value. In the tradition of the most iconic destinations throughout the world, Collier Rod and Gun Club at the Preserve is designed to have a transformational impact on the established patterns of club development. In doing so, it will create significant lasting value and become an enduring part of regional history, a place for owners to escape everyday urban life and to enjoy the environment, wildlife, and nature of Eastern Collier County.

This rendering shows a ground-level view of the homestead entrance.

Collier Rod and Gun Club at the Preserve SRA is a compact form of development associated with and supporting recreation and education in Collier County. Collier Rod and Gun Club at the Preserve SRA exceeds the 35 percent minimum open-space requirement. Per the SRA master plan, open space is provided at 60 percent of gross SRA acreage. We are also providing a 300-foot buffer consisting of open green space and lakes adjacent to Habitat Stewardship Area designated lands west and south of the SRA.

This concept rendering shows a northwest-facing ground-level view of the homestead.

As the trailway meanders through the settlement cabins, its alignment follows previously disturbed areas and avoids impacts on existing wetlands and native vegetation. The trailway is constructed to a minimum width already approved by Fire and

Transportation, which allows us to retain native vegetation to the greatest extent possible.

Complementing our shared values or promoting environmental sustainability, when the SRA project opens, we also expect electric UTVs to be in use.

COMMISSIONER KLUCIK: You also -- what was that? You also expect what?

MS. Le GARDEUR: Electric UTVs to be in use.

COMMISSIONER KLUCIK: Could you --

MS. Le GARDEUR: UTVs.

COMMISSIONER SCHUMACHER: Side by side --

COMMISSIONER KLUCIK: I don't know what you're talking about.

COMMISSIONER VERNON: Golf carts used for --

COMMISSIONER KLUCIK: Oh, UTV.

MS. Le GARDEUR: Yeah, sorry.

COMMISSIONER KLUCIK: I thought you were talking about electrical utilities --

MS. Le GARDEUR: No. It's like electric golf carts.

COMMISSIONER KLUCIK: Okay, got it.

MS. Le GARDEUR: Sorry.

COMMISSIONER SCHMITT: Utility terrain vehicles.

CHAIRMAN FRYER: Ladies and gentlemen, again, particularly on this side of dais, it's just not fair to the court reporter for us to go on and on like this on top of one another. So, please, let's all be careful about that.

Continue, ma'am, and be mindful of the time, please.

MS. Le GARDEUR: The settlement cabins consist of up to 225 privately owned cabins. These cabins serve as a retreat, complete with an on-site naturalist to provide educational services.

Additionally, each pod has access to the SRA linear park, a 10-foot wide multiuse trail. The proposed SRA is a unique project rooted in conservation designed with nature as the focal point of the development and where ecology is respected. Barron Collier has chosen to prioritize the landscape through compact development.

At only 225 units, we are under the maximum units allowed for a CRD. This rendering shows a western-facing aerial view of one of the settlement cabin pods.

A Wildlife Management Plan, including provisions for minimizing human and wildlife interaction, has been completed incorporating the most current Florida Fish and Wildlife Commission guidelines and regulations. In an effort to enable responsible co-existence with wildlife, every resident goes through training on how to live at The Preserve. The resident educational program promotes local, state, and federal standards to minimize negative impacts on wildlife and the environment. This ethos of cohabitation fits hand in glove with the primary architectural intent of the settlement cabins.

From site design to interior finishes, our goal is to create distinctive, sustainable club architecture and set elevated design standards.

Moving on from the SRA project, we have our conditional-use project shown in orange on the screen comprised of recreational programming, including golf and sporting.

In a wild wilderness, the rich traditions of rugged settlement in the Everglades are interwoven with one of the world's most revered golf experiences. Importantly, golf courses are a low-intensity land use, offer sustainable wildlife habitat, open space, and retain native vegetation. Notably, this golf course design follows environmental

management practices established by Audubon International's Cooperative Sanctuary Program for golf, or ACSP, to preserve the natural heritage of the game of golf while protecting the environment.

In addition to the environmental planning of habitat management, key components of the ACSP for golf include chemical use reduction and safety, water conservation, water-quality management, and outreach in education.

Collier Rod and Gun Club at the Preserve celebrates the traditions of the region, iconic golf, and its untamed natural environment. From this foundation, the conditional-use project is establishing itself among the best in the world and setting a standard for rural golf in a natural setting. Underlying this vision are principles that guide development and ensure the stewardship of this one-of-a-kind setting and world-class standard.

A targeted series of initial phases set the pillars for long-term economic success and leverage the value of the prestigious golden-age golf. Here, positioned at the entry to golf, facing west, you can see that we are designing the project site and placing architecture so that what we truly are celebrating upon arrival is the view to golf and the native environment.

Again, our golf program is situated within our conditional-use project, as it is a recreational facility permitted as a conditional use under RLSA zoning. Worth noting, the conditional-use portion of the project, in which the Golf Savannah is located, exceeds open space requirements by nearly 200 acres, in addition to exceeding the preservation requirements.

As golfers pass through the day, they are immersed in the unique environment of the Everglades with course and facility designs that respect the natural landscape.

Our second recreational program consists of a world-class sporting facility complete with a shooting course, five-stand pavilion, and archery facilities. Sporting is a low-impact program, one that must protect the pristine, natural state of the environment in order for it to succeed.

We've located the sporting amenities and shooting clays course in the westernmost area of the conditional-use project. As you can see, this application submitted sound level reports. These programs are strategically located in response to sound studies. There are no rifles allowed on the property, and shooting activities are limited to the hours between 8:00 a.m. and dusk.

Barron Collier and Hart Howerton are integrating design with the existing landscape and retaining a natural environment, as you can see in this initial rendering of the five-stand building in the western area of the conditional-use project.

We are excited to provide this community with a sporting experience that reflects the natural beauty and ruggedness of the Florida Everglades, celebrating the natural environment within which it is situated.

We want to emphasize that the conditional-use project is a club community, participation of which is capped at 300 members, inclusive of property owners. As such, 20 lodging cottages usable only by our club members and their guests are strategically placed to minimize development impact, native landscape disturbance, and impervious coverage.

The conditional-use project is comprised of our golf and sporting programs, of which these cottages are an accessory use.

Cottages are specifically designed to promote walkability along what we call the trailway. To emphasize cross-sight mobility, we are posting speed limits to a maximum of 15 miles per hour along the extent of the trailway as well as a path for pedestrians. Adding to the walkability of the project, the cottages also utilize shared driveways.

Lastly, we have our baseline development project shown in red on the screen, of which we will show the strategic planning concept for our conservation estates.

Complementing our SRA and conditional-use projects, the conservation estates, our baseline development use, continue to maintain a light footprint on the land. These homesites are placed in response to watershed, wetland, and environmental concerns in order to celebrate and inhabit the existing ecology.

Our baseline development program, what we are calling the conservation estates, consist of 30 low-density individual homesites situated on over 840 acres of land. These properties are strategically placed to minimize the disturbed area and protect surrounding wetlands and forest environments. Central to this goal is providing residents with environmental experiences. The natural ecology is respected and enhanced through the effective integration of existing wetlands and the expansion of existing lakes. The resulting open space system visually connects all development areas at Collier Rod and Gun Club at the Preserve.

Thank you very much for your time and listening. And I'm hopeful that you can see how Hart Howerton and Barron Collier's principles, values, and intentions for these projects inherently support preserving and celebrating the incredible natural environment that surrounds the Collier Rod and Gun Club at the Preserve.

Thank you.

CHAIRMAN FRYER: Vice Chairman.

COMMISSIONER SCHMITT: I have a question. In regards to federal and state permitting, you've laid out a pretty extensive design and layout. Where are you and how far are you into the federal and state permitting process? Because I -- what my colleagues need to know and understand as well, is the SRA still does not exempt you from that requirement. You still have to go through the State 404 process, Clean Water Act, Endangered Species Act, all the requirements. I don't think you're near any jurisdictional waters in regards to the U.S. -- I mean from the standpoint of the Army Corps of Engineers. So it will all go through the State, through the either the 404 process in the State or through the -- what's the watershed? I just lost the permit. The --

MR. FRUTH: South Florida -- the South Florida Water Management.

COMMISSIONER SCHMITT: South Florida Water Management, yeah. So have you started all that process, and -- because that opens it up for public opinion in regard to all the requirements for endangered species, protected species, and even calculations for Panther Habitat Units. So have you been through all that already?

MR. FRUTH: Correct. For the record, Josh Fruth, vice president of Peninsula Engineering.

We have started the ERP and 404 process. We're in the initial review. We have completed a jurisdictional determination --

COMMISSIONER SCHMITT: Yeah.

MR. FRUTH: -- as well for the property. So I would say, based on your questions, you know, we're in the initial stages. So there's a lot of permitting to come with state, federal, and local agencies.

COMMISSIONER SCHMITT: Yeah. Because my concern there as well is that that opens the door for other entities to comment in regards to either whether it's Audubon or --

MR. FRUTH: Fish and Wildlife, DEP.

COMMISSIONER SCHMITT: Fish and Wildlife, but also, I mean, I'm thinking -- not Conservation. What's the --

MR. FRUTH: The NGOs?

COMMISSIONER SCHMITT: Yeah, any of the other agencies that want to comment, specifically in regards to protection of the species. So that is still open, and it appears to be no issue in regards to coming to us with any concerns. And I've not seen any emails or anything coming to us in regards to the environmental impact. So I trust that you're already -- Josh, you're already coordinating with those other entities?

MR. FRUTH: We have. We've reached out, and we've -- as Rich mentioned, we've spoken to Meredith Budd, Brad Cornell. We have reached out to the Conservancy as well.

COMMISSIONER SCHMITT: Well, Meredith is no longer working for --

MR. FRUTH: That's correct.

COMMISSIONER SCHMITT: She's no longer working for wild -- Wildlife Federation, so...

MR. FRUTH: Correct. I think her group is Live Wildly, I believe, is who she's with.

COMMISSIONER SCHMITT: All right.

MR. FRUTH: But we extended our typical outreach program that we do with every project with Barron Collier, and the process has started. And I believe, you know, what you're stating is correct. You know, there's more to come, obviously. This is just Step 1. But our initial approach has started, and we'll continue moving forward with that.

COMMISSIONER SCHMITT: Okay.

CHAIRMAN FRYER: Thank you.

Mr. Yovanovich?

MR. YOVANOVICH: We're -- again, we're available for questions. I don't think we need to take you through any more of the detail of the project.

CHAIRMAN FRYER: Wise. Any -- okay. Commissioner Schumacher.

COMMISSIONER SCHUMACHER: Thank you, Rich. I'm going to piggyback off the Vice Chair's question there. So give me an idea of buildout from now until buildout. Are we talking 10 years? Eight years? 15 years?

MR. YOVANOVICH: What do you think, Josh?

MR. FRUTH: Again, for the record, Josh Fruth.

Obviously, pending permitting, we expect to have a range in the SRA of probably three to five years, roughly. Priority is, obviously, some of the sporting areas, which will be in the conditional use, because that's why you're buying a membership.

So that would be done initially with the -- you know, the first phase of the project.

COMMISSIONER SCHUMACHER: Okay.

COMMISSIONER SCHMITT: Josh, it will probably take 15 months just to go through the permitting process, so...

MR. FRUTH: Yes.

COMMISSIONER SCHMITT: Or more.

MR. FRUTH: Yes, yeah, yeah. And that's why we've started the initial, as I said, but we're just in the beginning legs of it. And Commissioner Schmitt is correct, you know, we have a long road ahead of us, but once that gets, you know, going we'll probably better assess our phasing approach to the project.

COMMISSIONER SCHUMACHER: Thank you.

CHAIRMAN FRYER: Commissioner Klucik.

COMMISSIONER KLUCIK: Yes. If I could ask, where is this in relation to the land that -- you know, I think the County has some land fairly close to that along that same -- along that edge of Oil Well after Ave Maria.

MR. YOVANOVICH: Right here. This is -- you see my cursor?

COMMISSIONER KLUCIK: So it's going to almost be on the border of it, part of it, the edge will be.

MR. YOVANOVICH: Correct.

COMMISSIONER KLUCIK: Okay. And you don't see that being, like, kind of a -- not a conflict, but you don't see that being a problem down the road that -- whatever the uses are?

MR. YOVANOVICH: We've planned for it.

COMMISSIONER SCHMITT: Okay.

MR. YOVANOVICH: And we're comfortable that it's not going to hurt the project.

COMMISSIONER KLUCIK: And, you know, normally I charge for this kind of advice but, obviously, I'm offering it in a public hearing. But you could have as your slogan, "Live Wildly."

MR. YOVANOVICH: Okay.

COMMISSIONER SCHMITT: Okay. Noted.

CHAIRMAN FRYER: No one else is --

COMMISSIONER SCHMITT: Yes, I do --

CHAIRMAN FRYER: Vice Chairman.

COMMISSIONER SCHMITT: Before -- just for clarity, do you want to go through any of the deviations you had?

MR. YOVANOVICH: If you feel the need for us to go through.

COMMISSIONER SCHMITT: I don't, but I'm only going to ask the one about trails.

Just describe for me your -- this unique thing called a trail. It's, obviously, the word "trail," but you're now defining something that is -- is that -- is this impervious soil? Is this pervious soil? Are these -- because you're asking for a deviation in road width and no sidewalks, which tells me this is going to be rather -- well, you've already said it, 15 mile-an-hour, low-speed golf carts or whatever, but that -- I'm just curious about this term you're using. And is it going to be hardened roadways or whatever? Can you explain?

MR. FRUTH: Yes, sir. As you can imagine, it's, as explained already, it's several months to this and a very surgical approach to how we got here today.

Our initial approach, I would say, was probably geared towards trying to get everything as pervious as possible, obviously. Sitting down with local Fire, Transportation, obviously with the rural component of this, that could be part of an issue as well.

So what we worked through is, as you see on the screen here, the purple

areas -- and I will point to this. The purple area that goes through the conditional use and then up through the SRA, as well as the baseline, those areas will be -- and the reason why we define them as "trailway" is because we are still trying to reduce the footprint on the land, but they will be a paved surface.

COMMISSIONER SCHMITT: Okay.

MR. FRUTH: There are other areas where we were able to reduce the footprint but still have pavement, but that main corridor, that trailway is the one that will, as we mentioned, having UTVs but also, to be pedestrian friendly, we'll have an adjacent pathway to assist with that as well.

COMMISSIONER SCHMITT: Okay.

CHAIRMAN FRYER: Thank you.

Commissioner Vernon.

COMMISSIONER VERNON: Will the pathways be paved as well?

MR. FRUTH: Yes. The pathways are a part of actual -- the trailway. They're integrated into the system with striping to kind of -- as I mentioned, to reduce the footprint to keep it all inclusive into one trailway as opposed to separating and having to clear more property.

COMMISSIONER VERNON: Okay. I just had a series of what I think are really minor questions. The golf course -- and the lakes, you're hoping there's going to be fishing in the lake?

MR. FRUTH: I would say that the existing -- as you've seen on some of these slides, there's existing borrow pits out here. The idea is we will have a fish camp on -- in the area in orange is one of the borrow pits from the State Route 29 built back in the late '70s, early '80s. That is being expanded. Two of the other existing lakes, we propose to do nothing to those lakes as part of our project. It's actually excluded from our -- would be excluded from our construction permitting because of trying to retain the natural state of those lakes.

COMMISSIONER VERNON: So any engines on the lake or the borrow pit you're going to use?

MR. FRUTH: No, no. I would say that our approach to it would be more of a kayaking/canoeing type of facility.

COMMISSIONER VERNON: No fishing guides or anything like that?

MR. FRUTH: No. We have -- you know, as we mentioned, we'd, you know, probably have studies on the naturalist or Orvis or something like that with fishing, but we're not having a building out there. It's just a dock; come and go as you can.

COMMISSIONER VERNON: Okay. And no septic. I heard that right, right?

MR. YOVANOVICH: Correct.

MR. FRUTH: You're correct. So that was another element to designing this. Given its location, we're obviously within the Collier County Water and Sewer District, but over the past several months, working with Mr. McLean and Mr. Klatzkow, we've conceptually come up with a draft developer agreement so we can move forward with a centralized treatment facility, and if and when -- because it's not within their short-term or mid-term needs -- Collier County elects to, you know, bring facilities out there. They can take over with an easy transition, because it will be designed to Collier County standards.

COMMISSIONER VERNON: And it would be available to support more than just your facility.

MR. FRUTH: That's correct. There, obviously, would be some improvements with pump stations or something like that, but that is the goal, yes, that we've worked out with Collier County Utilities.

COMMISSIONER VERNON: And any guess on how many -- you said 300 members. How many full-time residents? Any guess?

MR. FRUTH: No full-time really.

COMMISSIONER VERNON: No full-time.

MR. FRUTH: This is -- yeah, it's a unique facility. I mean, we're not limiting it. Obviously, you could live there. But the way the facility operates, you know, is it's geared more towards, you know, a weekend type of facility for most.

COMMISSIONER VERNON: Okay. And you brought it up a couple of times, or your team did, that you're going to -- they're going to be -- if you're a homeowner, you're a property owner, you're going to be -- the rules are going to be explained to you, dos and don'ts. You said it a couple of different ways; the training they're going to get. What if they say, eh, whatever? You know, I like to burn stuff in my backyard every Saturday. It makes me feel good, or whatever. They want to go shoot a bunch of stuff, whatever. What is the enforcement mechanism? What do you do with them?

MR. YOVANOVICH: Well, the property owner's association documents or the condominium association documents will be the mechanism for us to enforce the rules and regulations, just like any other community. We're hopeful that the people who decide to live there --

COMMISSIONER VERNON: Right. I understand.

MR. YOVANOVICH: -- will not -- will not act in that way, but we'll have to enforce it through those documents.

COMMISSIONER VERNON: All right. Thank you.

Thank you, Mr. Chairman.

CHAIRMAN FRYER: Thank you. Before I call on others, I want to observe that in seven minutes we're going to be taking our midmorning break.

With that, Commissioner Schumacher.

COMMISSIONER SCHUMACHER: I wanted to first congratulate Louise and thank her for a wonderful presentation. Your firm and the Colliers have definitely put together a destination that is not foreseen in that area, as I believe it to be.

The other thing that I want to follow that up with is in creating this type of destination, what is the County's ordinance on VRBOs for this section of --

MR. YOVANOVICH: We are prohibiting that.

COMMISSIONER SCHUMACHER: You're going to prohibit it overnight? Are you going to restrict it to, like, 30-day minimum?

MR. YOVANOVICH: I don't think we're allowing rentals at all. We're not allowing any -- when you buy your cabin, you're not going to be allowed to rent it out.

COMMISSIONER SCHUMACHER: Okay.

MS. ASHTON-CICKO: You're talking about the CRD, correct?

MR. YOVANOVICH: Correct. So that's -- yeah. And I can assure you --

COMMISSIONER SCHUMACHER: I would assume at that price point, as this thing's being presented, that wouldn't be an issue, but it -- sometimes --

MR. YOVANOVICH: We have a commitment.

COMMISSIONER SCHUMACHER: It sometimes pops up that way.

MR. YOVANOVICH: I'm sorry. I did it. I talked over you.
We have a commitment to no rentals.

COMMISSIONER SCHUMACHER: Thank you.

CHAIRMAN FRYER: Commissioner Klucik.

COMMISSIONER KLUCIK: Yes. So I know the density, you know, in the baseline area, you know, you use a lot of acreage up per unit, but how much do you -- would you expect, like, someone in the baseline area -- I'm assuming, based on your comments that it's condominiums, they're not going to actually have a lot of acreage as an individual owner, or will they?

MR. YOVANOVICH: It depends if -- when we sell you your property in the baseline area, you will very, very --

COMMISSIONER KLUCIK: There will be some large lots.

MR. YOVANOVICH: Very, very, very large lots.

COMMISSIONER KLUCIK: Okay.

MR. YOVANOVICH: And in the -- you know, the settlement cabins, they'll be a decent size, but they'll --

COMMISSIONER KLUCIK: And so then the follow-up question is sort of, you know, an obvious one. You, obviously, have an association that restricts what they can do. But what would you see -- you know, they have that land. Are they going to -- like, would they be able to have a horse there or -- you know, like what kind of -- what would you expect the uses to be limited to?

MR. YOVANOVICH: In which portion?

COMMISSIONER KLUCIK: In this baseline area where they have the larger lots.

MR. YOVANOVICH: And I wish -- I sort of wish we had never brought this into this. But, yes, they can have horses there if they wanted to, but that's not here for you-all to really consider.

COMMISSIONER KLUCIK: Yeah -- no. I'm just curious. I mean, you did bring it up. And, you know, the one baseline area -- I'm assuming the gray area on the screen is also not what we're talking about today, because that's baseline?

MR. YOVANOVICH: This is baseline and this is baseline. Those are just -- we wanted you to have the complete picture. Very, very large lots.

COMMISSIONER KLUCIK: Thank you.

CHAIRMAN FRYER: Thank you.

All right. It's -- no one else is signaling at this point. It's 26 minutes after 10. We'll take our midmorning recess until -- for 10 minutes until 10:36. We stand in recess.
(A brief recess was had from 10:26 a.m. to 10:37 a.m.)

MR. BOSI: Chair, I believe we've resolved the technical issues related to the Zoom, so you have a live mic.

CHAIRMAN FRYER: Thank you, Mr. Bosi.

Ladies and gentlemen, let's reconvene.

Mr. Yovanovich, anything further, sir?

MR. YOVANOVICH: We're here to answer any questions.

CHAIRMAN FRYER: All right. No one is signaling at this point. Any planning commissioner have any questions for the applicant? Commissioner Vernon.

COMMISSIONER VERNON: Yeah. Just -- I just think -- I like this project. I'm just trying to slow it down a little bit and make sure I'm not missing anything. Did

you guys use the Gilchrist, up in North Florida, or Streamsong as sort of an inspiration? Those are the two -- those are the two projects that kind of come to mind, especially Gilchrist.

MR. FRUTH: Yeah. So, again, for the record, Josh Fruth.

Yeah. So the answer is there's multiple facilities that we've looked at between Georgia, Savannah; Hilton Head down here. One of our sporting consultants actually is part of the Gilchrist in the past -- his past professional career, so that aspect as well. Again, this is Bob Edwards. Tying that sporting amenities in but also, then, visiting the other facilities has been a big, as I mentioned before, surgical approach to laying this project out, so...

COMMISSIONER VERNON: If you want to comment on Gilchrist and differences -- because I've been there, so I kind of know that that -- it's just a -- mostly hunting facility, and the footprint is super low, from what I saw.

MR. EDWARDS: Yes, sir. My name's Bob Edwards. I'm retired from the Gilchrist Club, 12 years as general manager; currently an outdoor consultant to other properties around the country, and I've been working with the Collier company for about the last two years now on this project.

We're using a lot of the same concepts we did up at Gilchrist as maintaining a good environmental impact program. And very involved with Brays Island up in South Carolina when it was first built. But a lot of stuff here in Florida and in a number of ranges that I've helped design and put together.

COMMISSIONER VERNON: Okay. And then how much of the properties are going to be like I call -- I'm probably using the wrong terminology, and I don't -- anybody can answer this. The manicured lawns. Like, the golf course is obviously going to be what I call manicured. The common areas are probably going to be manicured, but maybe not. I mean, the less the better. So I'm just trying to figure out the extent of that.

MR. YOVANOVICH: I cannot give you an impact number, but it's going to be probably very little other than the golf course.

COMMISSIONER VERNON: So you're going to -- oh, even on the golf course.

MR. YOVANOVICH: No, no, other than the golf course.

COMMISSIONER VERNON: Other than the golf course. Got it. So a lot of zero -- I think zero scaping you call it?

MR. YOVANOVICH: We're looking for the natural environment, yeah.

COMMISSIONER VERNON: Right. But even in the -- like, permanently on residences, you're not going to be, like, lawn care in there mowing every week, is what I'm trying to get at.

MR. FRUTH: That's correct, yes. So as you're saying, is trying to retain, revegetate, but using native vegetation as part of the project, and part of that would be using, you know, cordgrasses as opposed to putting Zoysia and Floratam all over. So, yes, that's, you know, kind of the goal.

COMMISSIONER VERNON: So the plan's not to use, what did you say, Floratam or whatever -- I don't know the terminology -- on the common areas other than the golf course and on the residences?

MR. FRUTH: Yeah.

COMMISSIONER VERNON: You're not going to do that?

MR. FRUTH: That is correct. Our goal is to minimize that amount, the

manicured approach.

COMMISSIONER VERNON: Thank you.

CHAIRMAN FRYER: Thank you.

No one else is signaling at this point, so Mr. Yovanovich.

MR. YOVANOVICH: We'll sit down.

CHAIRMAN FRYER: Yes. Let's hear from staff now.

MR. BOSI: Mike Bosi, Planning and Zoning director. For both petitions, the SRA and the conditional-use, staff's overall recommendation is approval of each of those.

Mr. Tim Finn performed the zoning analysis and project coordination for the SRA and the CU. For the Comprehensive Planning side, we have Rachel Hansen available who provided for the consistency determinations for both of those projects as well -- for both of the projects as well, as well as Ms. Cook who could answer any environmental questions, so any specificity, any questions that you may have towards staff.

But, overall, the recommendation, staff is recommending approval, and we recognize some of the environmental attributes and the low-density nature and the unique characteristics of the proposal. So we're here available for any questions that you may have.

CHAIRMAN FRYER: Thank you. Are there any questions or comments from the Planning Commission for staff?

COMMISSIONER VERNON: Well, a very subjective question, Mike, but do you guys like it, or do you really like it? I'm just trying to -- I mean, I like it, but that's -- this is like, this is really good, or this is good?

MR. BOSI: Staff's a pretty muted group, but we like it.

COMMISSIONER VERNON: Good answer.

COMMISSIONER SHEA: He didn't say "really."

CHAIRMAN FRYER: Anything further, then, from the Planning Commission of staff? If not, Mr. Sabo or Ms. Padron, who do we have wanting to speak?

MR. SABO: Mr. Chairman, the first speaker is Bradley Cornell.

CHAIRMAN FRYER: All right. And he's online.

Mr. Cornell, are you there?

COMMISSIONER VERNON: We can barely hear him.

COMMISSIONER SCHMITT: Barely hear.

CHAIRMAN FRYER: For some reason, we're not able to hear you.

COMMISSIONER VERNON: I heard him; it's just very faint.

CHAIRMAN FRYER: Do we need to take a recess, or can we get this fixed on the fly?

MR. BOSI: Brad, are you speaking? It's coming through the speakers really low.

CHAIRMAN FRYER: Well, I can't hear a word of it.

MR. SABO: Mr. Chairman, we're going to check with the audiovisual folks to see if we can get the volume up for Mr. Cornell.

CHAIRMAN FRYER: Okay. Well, we'll keep it in session for a minute or so and see if we can get it resolved.

COMMISSIONER KLUCIK: That gives me a chance to say how much I admire your bow-tie.

CHAIRMAN FRYER: Well, thank you. Thank you very much.

I gather this is what we were working on, why our recess extended beyond 10

minutes, the Zoom issue.

Mr. Sabo, would there be any point in us trying to go for the second caller, or is it going to be the same problem?

MR. SABO: Mr. Chairman, the first caller was Aliese Priddy, but she has dropped off the call.

CHAIRMAN FRYER: Oh, all right. We just have one speaker. All right.

MR. SABO: Mr. Cody is trying to help us now.

CHAIRMAN FRYER: Okay.

MR. SABO: Mr. Chairman, apparently there was a Zoom update to their software last night.

CHAIRMAN FRYER: Oh, good lord.

COMMISSIONER KLUCIK: Ms. Priddy just contacted me by text and said that she got thrown off of Zoom during our break.

CHAIRMAN FRYER: All right. So she's going to dial in again, I take it?

COMMISSIONER KLUCIK: She said she can't reconnect.

CHAIRMAN FRYER: Cannot reconnect.

COMMISSIONER KLUCIK: Zoom was disconnected during break. Can't reconnect. And I told her to try updating her software.

CHAIRMAN FRYER: I need to know from staff what the percentage likelihood is that we can get this fixed in a minute or so, and if we can't, we're either going to have to close the public comment portion or go into a recess if it's going to take longer.

MR. SABO: Mr. Chairman, we may not be able to do it in 60 seconds, but Mr. Bosi has a written statement from Mr. Cornell that we can read.

CHAIRMAN FRYER: Oh, let's just do that, then. Let's go ahead with that, Mr. Bosi. And same thing with Ms. Priddy; if she wants to submit a written statement, that can be read as well.

MR. BOSI: Chair, I just received an email from Mr. Cornell, and he had four individual points. The first is lakes should you have 30 percent littoral plantings to assure less impact on the large wood stork, wading bird rookery called BC29 that is very close to the project's main entrance.

And I just got a note that Ailyn said that she's good on that end, but I'll read it again just in case -- or read the other points.

Two, sports shooting should prohibit all lead shot, which is poisonous to wildlife. Birds eat shots if they can't find it; meaning, obviously, no lead -- no lead shots within the shotguns.

There needs to be a large mammal wildlife underpass crossing on CR858 where a current path or corridor exists crossing that road from this project on the habitat west of State Route 29; and, 4, Audubon supports bear-proof trash containers, adherence to international Dark Skies lighting criteria, and burn smoke notices to all renters/owners that occupy the property.

And there was a further clarification he provided related to littoral plants. He says, I'm recommending 30 percent of the lake surface at the control elevation of the lake and to aggregate the plantings in one part of the lake to maximize the foraging habitat value for wading birds. This is in the LDC and created by Pollution Control. Audubon supports these littoral criteria.

CHAIRMAN FRYER: Okay. Maybe in the interest of efficiency,

Mr. Yovanovich, if you're ready to do so, rather than waiting for a rebuttal, do you want to reply to those four points now?

MR. YOVANOVICH: I'm going to bring the expert up on the lead shot issue.

CHAIRMAN FRYER: Okay.

MR. YOVANOVICH: And we have not asked for any deviations from the Land Development Code with regard to the littoral plantings. And, you know, the underpass for mammals is part of any permitting process, and I don't think it's appropriate to require that as part of this petition. So if I could bring Bob back up.

CHAIRMAN FRYER: All right. Thank you.

MR. EDWARDS: Again, Bob Edwards, outdoor consultant. And I've been involved in the shooting industry for over 40 years. Worked for the National Rifle Association. I was the executive member of the National Sporting Clays Association for a number of years and past general manager of the Gilchrist Club.

The program that we have going at the Collier County Rod and Gun Club is we've adopted an environmental stewardship plan that is in -- consistent with the United States EPA as well as Florida EPA.

CHAIRMAN FRYER: Did you mean "consistent"?

MR. EDWARDS: Yes, sir, consistent.

CHAIRMAN FRYER: Thank you.

MR. EDWARDS: We follow those guidelines. We have submitted those plans in our proposals.

One of the biggest things that I have seen over the years is the misunderstanding between the metallic lead and compounded lead. Metallic lead, even in an EPA -- U.S. EPA document states that it oxidizes. When it hits the ground, it oxidizes and it seals itself. This is a very simplistic version of this document here. But it oxidizes, seals itself, unless it's in an extremely acidic soil. The soil out there is very conducive to the oxidation, and it seals itself so it cannot leach into the water systems, and it is basically inert at that point in time. It can stay there for years and be re-harvested.

CHAIRMAN FRYER: Thank you.

Commissioner Klucik has a question or comment.

COMMISSIONER KLUCIK: It's after he's done.

CHAIRMAN FRYER: Okay. Proceed, sir.

MR. EDWARDS: We follow those guidelines that are established by the EPA and their range management program.

CHAIRMAN FRYER: Excuse me. I don't think my -- now -- yeah, now it's on. Okay. Sorry to interrupt.

MR. EDWARDS: I've got you. No, sir; no problem.

We follow the guidelines of the EPA as well as Florida EPA for the range management program as it pertains to lead shot on ranges, and we also are consistent with all the other 30-plus sporting clays courses around the State of Florida.

CHAIRMAN FRYER: Okay. Thank you.

Before I call on you, Commissioner Klucik, I want to ask the County Attorney, if you know, are there any ordinances having to do with lead versus non-lead shot?

MS. ASHTON-CICKO: I'm not aware of any --

CHAIRMAN FRYER: Vice Chair, you --

COMMISSIONER SCHMITT: I can recall my time with the County never

even -- that issue even coming up. Even in regards to -- there was a comment made during the review about managing the range and then compliance. But those kind of rules are clearly in place by the sporting clubs as far as operation of the range, securing of weapons, all the kind of things associated with it.

MR. EDWARDS: Yes, sir. We are -- the sporting clays course is designed on a circular course, so all shot is shot towards the middle. It's not just kind of sprayed out all over the land. At some point in time, if we needed to, we can go in and reclaim that lead shot. But there's no needed to do it unless we have an excess of it, and then that's just a matter of financial gain by -- but it takes a long time before that lead shot builds up enough to harvest it.

But the program -- this is a low-density course. It's just going to be used by members. It's not going to be open to the public. So lead will not be an issue at that property.

CHAIRMAN FRYER: So what I think I'm hearing is, to the best of our knowledge, there is no County requirement with respect to unleaded or nonleaded shot?

MR. EDWARDS: Yes, sir. That's correct.

CHAIRMAN FRYER: Thank you.

Mr. Bosi, were you going to weigh in?

MR. BOSI: No.

CHAIRMAN FRYER: Okay. Thank you.

Commissioner Klucik.

COMMISSIONER KLUCIK: Yes. So Ms. Priddy has just said -- she is an adjacent property owner, and she -- you know, she wants to be able to address. And she's asked if she could call in.

CHAIRMAN FRYER: Okay. Well, we will make every effort to accommodate that after we finish with --

COMMISSIONER KLUCIK: Oh, I'm sorry. I thought you were done. I apologize.

MR. EDWARDS: No, sir. No problem.

CHAIRMAN FRYER: That's all right.

Commissioner Vernon.

COMMISSIONER VERNON: Yeah. I should probably be asking Mr. Cornell this, but he's not here. I think, if I heard, the problem is not leaching into the water that Cornell identified, but poisonous to birds.

MR. EDWARDS: Yes, sir.

COMMISSIONER VERNON: That's what he said. So can you address --

MR. EDWARDS: The only thing that's ever been addressed in that -- if you're, obviously, an outdoorsman, we shoot -- we do not shoot lead shot when we're waterfowl hunting, you know, for ducks, et cetera, but that's the only thing that's ever been addressed in the United States is as it pertains to lead shot.

We are not in a waterfowl area. We are actually using a large cow pasture area, actually. It is very high ground, very dry ground. And so we -- the fact that, you know, he's stating that birds can consume it, et cetera, I don't know where he's getting his information from, because even within the EPA studies, they kind of get into the main issue of it is they did a study where they tried to contaminate vultures with lead shot. And they did six -- a study with six vultures. They fed them lead shot. As they eventually got

the capacity -- the higher amounts of lead into the birds, still four of those birds survived. Two of them died.

But the EPA is basically stating -- and this is out -- directly out of that document, thus bullets on the ground in the environment such as resulting from hunting activities, which would also pertain to clay target shooting, are essentially inert, not a cause for concern. That is directly out of the EPA line.

CHAIRMAN FRYER: Okay.

COMMISSIONER VERNON: Okay.

CHAIRMAN FRYER: Thank you.

Vice Chairman.

COMMISSIONER SCHMITT: From a standpoint -- question, again, on the range operations.

MR. EDWARDS: Yes, sir.

COMMISSIONER SCHMITT: For clarification, just -- it's shotgun only, no small arm, no pistol, no target shooting of any sort, just strictly shotgun clay pigeon or clay disc?

MR. EDWARDS: We'll be doing -- we will have a small handgun range, but it will all be designed to contain lead, and that lead will be able to be harvested, so -- but we'll have a small pistol range. We will not be doing long-range shooting.

COMMISSIONER SCHMITT: Outdoor pistol range, then?

MR. EDWARDS: Yes, sir, outdoor pistol range.

COMMISSIONER SCHMITT: I think what Brad was concerned about was the birds eating, of course, thinking it's bird seed and -- or whatever, eating the bird shot. I think that probably was what Brad Cornell was concerned about.

MR. EDWARDS: Yes, sir. On a very basic level, that lead shot's going to go into the soil, and it's not going to be sitting on the surface. It's a very heavy element, as we know, and it will eventually just go down into the top surface of the soil.

CHAIRMAN FRYER: Thank you.

Commissioner Shea.

MR. EDWARDS: Thank you.

COMMISSIONER SHEA: Yes, I think, for Mike. Two of Brad's concerns, the 30 percent littoral plantings and the underpass for the wildlife crossing. I got the impression from Rich that that would be covered. Is that covered somewhere? And maybe it's you, Rich, that could answer. But what -- when will that be taken up and required in the process?

MR. YOVANOVICH: Well, the code requires a 20 percent littoral in this part. It's the rural fringe, which we're not in, that has the 30 percent littoral planting requirement.

We're -- we don't want -- we're not going to agree to a higher level, but we will, outside of here, talk to Mr. Cornell and see if we can bump up the littoral planting, but we're not going to agree to the 30 percent that he's requested. So that's -- and as far as we're going through the different permitting process that Mr. Schmitt brought up with regard to state and federal permitting, and if -- if there's a requirement for us, because of our project, to address large mammals, then we'll deal with it at that process, not here at the County. The County -- this is not where we deal with those issues.

COMMISSIONER SHEA: Okay.

CHAIRMAN FRYER: Thank you.

Mr. Yovanovich, anything further in reply to Mr. Cornell's comments?

MR. YOVANOVICH: I think we -- one of them had to do with lighting, I think, and we're -- Dark Sky lighting is fine with us.

CHAIRMAN FRYER: Okay. Commissioner Vernon.

COMMISSIONER VERNON: Yeah. I stopped writing. I heard there were four points. Littoral plantings, you addressed. Lead shot, Mr. Edwards addressed. Mammal underpass, you addressed. Bear-proof, you mentioned.

MR. YOVANOVICH: We already committed to that.

COMMISSIONER VERNON: That's the large-mammal issue. And then it sounded like No. 4 were actually two or three things.

MR. BOSI: Four was three things. Audubon supports bear-proof trash containers, adherence to international Dark Skies lighting criteria, and burn smoke notices to all renters/owners.

MR. YOVANOVICH: Burn smoke or --

COMMISSIONER VERNON: Burn, right?

MR. BOSI: Burn.

MR. YOVANOVICH: Which I had said in my early presentation that we would add that to our SRA document.

COMMISSIONER VERNON: Okay. And I think you addressed Dark Skies.

MR. YOVANOVICH: I just did, yes.

COMMISSIONER VERNON: Okay. So we're good. Okay. Thank you.

CHAIRMAN FRYER: Commissioner Klucik.

COMMISSIONER KLUCIK: All right. So can I bring up the other speaker?

CHAIRMAN FRYER: Well, Mr. Yovanovich, you're done with Mr. Cornell's comments?

MR. YOVANOVICH: I think we've addressed everything he's raised.

CHAIRMAN FRYER: Okay. I think you have as well. So now we need to figure out how we're going to get --

MR. BOSI: I believe the Zoom link is now -- is working. We're going to have another attempt to try to see if we can get the --

COMMISSIONER KLUCIK: She's -- Ms. Priddy has texted me that she hasn't been able -- she's tried it.

MR. SABO: She is on now.

COMMISSIONER KLUCIK: Oh, now she just said "I got it." Okay. So hopefully that's it.

CHAIRMAN FRYER: Ms. Priddy, can you hear us?

(No response.)

CHAIRMAN FRYER: Ms. Priddy?

(No response.)

CHAIRMAN FRYER: Well, we're still having problems.

COMMISSIONER KLUCIK: So I would suggest that we -- is there a chance that she can call in?

CHAIRMAN FRYER: Well, you know what we could do --

COMMISSIONER VERNON: Not to over -- you know, MacGyver it again, but just have her call you on your cell phone and stick your --

CHAIRMAN FRYER: That's what I was going to suggest.

(Simultaneous crosstalk.)

COMMISSIONER VERNON: We can probably hear her just fine.

CHAIRMAN FRYER: That's what I was going to suggest. Just put her on speaker and hold your phone up to the mic, and we'll get it done that way.

Thank you, Mr. MacGyver.

COMMISSIONER KLUCIK: She was on the board that I --

Hi, Lisa [sic]?

CHAIRMAN FRYER: We are resourceful at the Planning Commission.

COMMISSIONER SCHMITT: While we're doing that, again, I want to --

CHAIRMAN FRYER: Go ahead.

COMMISSIONER SCHMITT: -- correct the record.

Rich, I thought you did state for the record it was only shotgun, and then we just clarified there were small arms.

MR. YOVANOVICH: I said that in respect to no rifles.

COMMISSIONER SCHMITT: Rifles, right.

MR. YOVANOVICH: Yes, yes, because there was a concern we were going to have --

COMMISSIONER SCHMITT: And small arms, what caliber are we talking? Nine mil? Forty-five?

MR. EDWARDS: Maximum 45.

COMMISSIONER SCHMITT: Maximum 45.

MR. EDWARDS: Yes, sir.

COMMISSIONER SCHMITT: All right.

COMMISSIONER KLUCIK: Okay. Should I go?

CHAIRMAN FRYER: Yeah, please.

COMMISSIONER SCHMITT: I have her on the line. Go ahead.

COMMISSIONER VERNON: Put it on speakerphone.

MS. PRIDDY: Good morning.

COMMISSIONER KLUCIK: If you can go ahead and start over. Go ahead and start over.

MS. PRIDDY: Good morning, everyone. My name is Aliese Priddy, and I'm the main property owner that's adjacent to this development.

And I'm requesting of the Chairman -- not only is my residence adjacent, but also I own two businesses that own property there. So I would -- I hope that you'd indulge me into perhaps going over my five minutes, especially considering how much time the developer got.

CHAIRMAN FRYER: You may certainly --

MS. PRIDDY: I have met with the developer on a couple of occasions and also went to the neighborhood meeting.

I do have a couple of comments about the improvements, one starting with the service entrance on Oil Well Park Road. And I was hoping that maybe Mr. Yovanovich could pull back his presentation. I believe it was on Page 2 where it showed the location of the development and where my property is located so that you could follow along about what I'm talking about.

Right now there's -- Oil Well Park Road is a public property -- public road, and because this is going to be used as a service entrance and the only landowners along that road are either the developer or myself, I'm asking that the developer proceed with

requesting a vacation of easement for that part of the road so that it would limit public access along my property. We have quite a (unintelligible) of the development and where my property is located so that you could follow along about what I'm talking about.

COMMISSIONER VERNON: Can you tell her she's getting it a little muffled.

COMMISSIONER SCHMITT: Go ahead and repeat that last sentence. You're a little bit muffled.

MS. PRIDDY: Okay.

COMMISSIONER KLUCIK: Oh, that's much better. Much better.

MS. PRIDDY: Okay. I was asking that the developer look into requesting from the County obtaining an approval to vacate the easement past where Oil Well Park is located because there are no other landowners along that road except for the developer and myself, and there's no need to allow public access any longer, and it's been a very big security issue, and I'd like for that to be considered.

CHAIRMAN FRYER: Well, we'll ask Mr. Yovanovich to comment on that right now.

MR. YOVANOVICH: And I'm assuming she's okay with the portion that provides access to the park, because there's a park there.

MS. PRIDDY: Of course.

MR. YOVANOVICH: That stays public, and then we will pursue a vacation for everything --

MS. PRIDDY: Okay.

MR. YOVANOVICH: I'm directly challenged. I think that's --

MS. PRIDDY: The next topic, septic tanks.

CHAIRMAN FRYER: Just a moment. Mr. Bosi wants to comment.

COMMISSIONER SCHMITT: Mr. Bosi's going to weigh in.

MR. BOSI: I got a note from Ms. Cook indicating that the County, per the direction of the County Manager's operation -- organization has already denied that vacation request. I guess it was made to the County previously, and it's been -- that has been denied, so just for awareness to the Planning Commission.

CHAIRMAN FRYER: Okay. Did you hear that, Ms. Priddy?

MS. PRIDDY: I'm aware that it was denied in the past, and that was because the County thought that at some point there would be a public connection between Oil Well Park Road and Oil Well Road. And with this development going in, that is no longer the case being possible.

CHAIRMAN FRYER: I think the applicant has said that they will look into it, and if something can be done, they will endeavor to do it.

MR. YOVANOVICH: And I forgot to point out, Ms. Priddy, that we also have that four-acre donation parcel for the fire district. So it would be everything west, I think is the right direction, from the donation parcel. But we'll pursue it again. Just because they said no once doesn't mean --

MS. PRIDDY: Okay. Regarding septic tanks, from my meetings with the developer on multiple occasions, it's bounced back and forth between they are going to be septic tanks and they're not going to have septic tanks, and I would just like a commitment on their part that there will be no septic tanks.

COMMISSIONER SCHMITT: Stated on the record there would be no septic tanks.

MR. YOVANOVICH: We said that earlier in the presentation. There will be no septic tanks.

MS. PRIDDY: Okay. The other issue that we've met with the developers regarding is the water flow and the historical flows across their property and our concern that they're changing anything regarding the flow of water might impact our property. And now that the slide was up, my property is at the north corner where 858 and 29 intersect. I can't hear anything.

MR. YOVANOVICH: Do I have the cursor in the right place? I'm going right here. Do you see the -- am I in the right area?

COMMISSIONER KLUCIK: 858, is that Oil Well Road?

MR. YOVANOVICH: Yeah, it's right here.

MS. PRIDDY: Yes, it is.

COMMISSIONER KLUCIK: Yeah. So it's that patch of land on the corner.

COMMISSIONER VERNON: The northeast corner.

MS. PRIDDY: Right. Well, it's more than just a patch of land. It's hundreds of acres, and there's three residences on that property, one of which is my personal residence. So it's a big concern of ours because we use that property for cattle grazing, and we have three residences, and we don't want the flow of water over our property negatively impacted because of the development.

COMMISSIONER SCHMITT: Well, wouldn't that be -- Josh, isn't that part of the ERP process, environmental resource permit through the South Florida Water Management District? I mean, you cannot displace water from your property onto hers. Now, what I hear her saying is that she doesn't want it disrupted. But that is all part of the permitting process through South Florida Water Management District; is that correct?

MR. FRUTH: Yes, you're correct, Commissioner Schmitt. And I'll say -- you know, Lisa can hear, too. This is Josh from Peninsula.

But we've made a commitment -- obviously, we will not be disbursing any water on their property. It's part of our permit that we have to self-contain but also to maintain natural flows on her property to the south, which will be under Oil Well Park Road. If there is water from their property when improvements are done or permitted, we would maintain those natural flows.

COMMISSIONER SCHMITT: And just for clarification, as you submit the permit process, all that is open for public review through the management district, South Florida Water Management District?

MR. FRUTH: That is correct. I'm happy to, you know, share that information if they can't get it as it goes through, as we always have, being, you know, a good neighbor.

CHAIRMAN FRYER: Commissioner Vernon.

MS. PRIDDY: Thank you. I --

CHAIRMAN FRYER: Just a moment, ma'am.

COMMISSIONER KLUCIK: Hold on. Mr. Vernon -- Commissioner Vernon was going to say something.

CHAIRMAN FRYER: Go ahead, Commissioner.

COMMISSIONER VERNON: Good morning, Ms. Priddy. I had a question for you. Usually what we see is a concern that the development will then be dumping water onto the adjacent property. And is your concern more that they're going to be taking water away from you, or is it both?

MS. PRIDDY: No. It's more of a concern that their development will put more water on my property.

COMMISSIONER VERNON: Got it. Okay. Thank you.

COMMISSIONER SCHMITT: And that they cannot do.

MS. PRIDDY: Okay. The next item was the gun noise. Originally, the hours for the shooting courses was going to be dawn to dusk, and I think we've come to an agreement that that's going to start no earlier than 8:00 in the morning until dusk. I just wanted to get that on the record. I know that the bear-proof trash cans were addressed, and that can only be part of an overreaching effort and --

COMMISSIONER KLUCIK: Mr. Chairman? Ms. Priddy, just hold on one second.

CHAIRMAN FRYER: Go ahead, Commissioner.

COMMISSIONER KLUCIK: Yes. So I would like to just ask Mr. Yovanovich, are you going to go on record that you would commit to that 8:00 a.m. start time?

MR. YOVANOVICH: It's already in -- it's already in the conditions.

COMMISSIONER KLUCIK: So that's already in.

COMMISSIONER SHEA: Yes.

COMMISSIONER KLUCIK: Go ahead.

MS. PRIDDY: I would like to see, in addition to just bear-proof trash cans, that the development officially participate in the FWC BearWise program. That's a little more far reaching than just having bear-proof trash cans, because this is their area. And you might secure your trash cans, but you're still going to have bears coming through.

CHAIRMAN FRYER: Let's get an answer to that one.

MR. FRUTH: Agreed. We'll agree to that commitment to participate with the BearWise program.

CHAIRMAN FRYER: Okay. Next question or comment, Ms. Priddy.

MS. PRIDDY: Okay. One of the other things I've discussed with the developer is not going with the minimum amount of vegetation as a barrier between the development and my property. Right now I can look out my kitchen window and see open land and cows grazing, and I'm going to have to look forward to having, you know, homes built there. And as my husband pointed out, it's not so much what the residents -- what we're going to see from the residents. It's to limit what the residents can see from us.

So I just want to confirm that there's a commitment to use the maximum amount of landscaping so that there's a visual barrier and to help also eliminate any sounds. One thing that has changed --

CHAIRMAN FRYER: Hang on -- hang on one second, ma'am.
(Simultaneous crosstalk.)

MS. PRIDDY: -- with developers last --

CHAIRMAN FRYER: Ms. Harrelson, do you want to address that?

MS. HARRELSON: Yes. Let me pull up the correct slide. For the record, Jessica Harrelson, certified planner with Peninsula Engineering.

So we've already made a commitment within the conditional use that we will provide an enhanced Type B buffer along this north/south stretch just north of Oil Park Road. This is directly adjacent to Ms. Priddy's property.

CHAIRMAN FRYER: Thank you. Next --

MS. HARRELSON: Thank you.

CHAIRMAN FRYER: Next point, Ms. Priddy.

MS. PRIDDY: Yes. I have been told from the developer that the main access for the development was going to be off of 858, and now I hear today that it's going to be off of State Road 29, and I have a very big concern about that.

My driveway is on 29, and I can tell you that being able to enter and exit my driveway, even though I'm out in the middle of nowhere, sometimes it takes me 10 minutes to enter traffic because it has increased so greatly.

So I can understand there being an alternate off of 29 into the lower density area but, you know, I'm just very concerned that the main entrance has been changed and that's no longer off of 858.

CHAIRMAN FRYER: All right. Let's get an answer to your question.

MS. HARRELSON: Sure. Again, for the record, Jessica Harrelson.

The SRA's main connection point is along Oil Well Road. This trailway exhibit was shown at the neighborhood information meeting. The main corridor meanders through the SRA, through the conditional-use property, and out to State Road 29. That has not changed.

CHAIRMAN FRYER: Thank you.

Next. Go ahead, Ms. Priddy.

MS. PRIDDY: Well, I can tell you that that was certainly not my understanding. And I was at that meeting, and I've been told in person by the developer that the main entrance is off of 858, not 29. So there's a big discrepancy there. And from the County's perspective, even though that's a state road, that is going to be a nightmare with the level of people trying to exit and enter State Road 29 as a main entrance for a subdivision.

MS. HARRELSON: Right. So we have provided interconnectivity from the SRA to the conditional-use property and through those baseline developments. It's going to be low trips coming in here through this main access into the conditional-use property.

COMMISSIONER KLUCIK: It's going to be what?

MS. HARRELSON: Low trips. Low traffic volume.

MS. PRIDDY: I don't know what you consider low traffic volume, but I can tell you I don't enter and exit my house more than once or twice a day, and I have trouble getting onto State Road 29.

MS. HARRELSON: We have a condition of approval included in the conditional use that the CU will not exceed 61 two-way peak-hour trips.

MS. PRIDDY: Okay. I heard you say "conditional." So it's conditioned on what?

CHAIRMAN FRYER: It's a condition of the granting of the ordinance.

MS. HARRELSON: Right. And, again, the SRA is providing interconnectivity, so it's unlikely that someone's going to, within the SRA, go onto Oil Well down State Road 29. They're going to use those interconnections.

COMMISSIONER KLUCIK: Well, the only thing I would say -- Mr. Chairman, if I may.

CHAIRMAN FRYER: Please. Go ahead.

COMMISSIONER KLUCIK: The only thing I would say is, obviously, if someone is coming -- you know, we might very well have people using 75 to get to Naples or to get to, you know, Fort Lauderdale -- excuse me -- yeah, using 75, which means they'll come up 29, and I don't -- you know, I mean, I don't know why they wouldn't choose to

enter off of 29, you know, if they could, rather than go all the way up to the red light, you know, turn left, and then go down. You know what I mean?

I just see that it's extremely foreseeable that you would have anyone who's coming or going to Naples or the Fort Lauderdale area might very frequently use the 29 connector. I mean, the connection, I understand, is to -- you know, as Mr. Yovanovich said, was, you know, to go with the goals of the county, which, you know -- but in this case, that -- you know, that -- if this is an issue, it exacerbates the issue.

MR. YOVANOVICH: A couple of things. First of all, we do -- and I -- during that slide I pointed out that the SRA has an access point on Oil Well Road.

So, second, the fire department wants there to be this interconnectivity, so they required that we have those two entrances. So, you know, the fire -- and it's important that we have that, but there is an access for the SRA up on Oil Well Road.

COMMISSIONER KLUCIK: And this is -- is this a -- it's a guarded gate? So it won't be public access? It will just be people that live in the community or own in the community?

MR. YOVANOVICH: Just people who live in the community will have access through those gates.

COMMISSIONER SCHMITT: I don't see any way we can prohibit them from not having access.

MS. PRIDDY: May I address that again? I understand what all of you are saying. I live with this every single day, and I can tell you if I'm a resident of your upscale community and I have to sit at the end of the driveway for 10 minutes to turn onto State Road 29 or to wait to turn into the development, I am not going to be happy.

CHAIRMAN FRYER: All right. Commissioner Vernon.

COMMISSIONER VERNON: Yeah. Just curious, on this interconnectivity, how many miles long is that?

MR. FRUTH: For the record, Josh Fruth.

From the State Route 29 access to the Oil Well Road access, or 858 road, you're, ballpark, somewhere around a mile and a half to a mile and three-quarters, roughly.

COMMISSIONER VERNON: Okay.

CHAIRMAN FRYER: Thank you.

COMMISSIONER KLUCIK: Mr. Chair?

CHAIRMAN FRYER: Yes.

COMMISSIONER KLUCIK: And I will just ask the question. You said -- you clearly did mention both entrances at this hearing, but at the NIM, you know, was that the same information or --

MR. YOVANOVICH: Yes.

COMMISSIONER KLUCIK: Okay.

CHAIRMAN FRYER: Ms. Priddy, I'm going to ask you to wrap up. You've had 17 minutes, so please --

MS. PRIDDY: Okay. The last two things is I wanted to know what the plan was as far as removal of non-native vegetation is on all of the property, and also I was told that no livestock or equestrian activities would be allowed, yet I heard a mention that horses could be kept on the property.

CHAIRMAN FRYER: We'll get a response.

MR. FRUTH: So, again, for the record, Josh Fruth.

Correct, no equestrian activities. We don't plan on having cattle activity as well, but --

COMMISSIONER SCHMITT: Well, wait a minute. Clarification. No equestrian activity in the SRA or in the conditional use, but in the -- in the areas that were designated --

COMMISSIONER KLUCIK: Baseline.

COMMISSIONER SCHMITT: -- baseline. Baseline is one unit per five acres, and there's no restriction. You can have chickens in your yard if you want chickens in your yard.

CHAIRMAN FRYER: But the baseline's not in front of us right now.

COMMISSIONER SCHMITT: The baseline is not in front of us, and nor is it part of this rezoning.

MR. FRUTH: And I just want to clarify for Ms. Priddy. I believe what she's referring to, is there an equestrian center, you know, an area for activity, and there is nothing planned for that within the conditional-use activity, so...

COMMISSIONER SCHMITT: I have to ask, then. I mean, at some time if you wanted -- what's the prohibition for an equestrian center if you want it in the future instead of a gun range?

MR. FRUTH: We'd have to modify the conditional use.

COMMISSIONER SCHMITT: Yeah. I mean, but other than that, there's no environmental issue associated with it.

MR. FRUTH: No, no. But we'd have to come back to this commission with another application.

COMMISSIONER SCHMITT: Yes.

MR. FRUTH: And then the last question was about, I believe, exotic removal.

MR. YOVANOVICH: Yes.

COMMISSIONER KLUCIK: Non-native vegetation.

MR. FRUTH: Yeah. We'll follow, you know, the Land Development Code for all exotic removals, obviously.

COMMISSIONER SCHMITT: It's clearly defined in the Land Development Code requirements for non-native vegetation.

CHAIRMAN FRYER: Okay. Ms. Priddy, thank you very much. Good questions, and I think we got them all answered.

Are there any further speakers at this point?

MR. SABO: Mr. Chairman, I think we're going to try Bradley Cornell again.

CHAIRMAN FRYER: Oh, all right. All right. Is he going to try on Zoom?

MR. YOVANOVICH: No, it didn't work.

Brad, I don't know if you can hear me, but we can't hear you. It's still the same condition as before.

CHAIRMAN FRYER: Well, here's Mr. Miller.

MR. MILLER: I can't promise anything.

We're not hearing them, is that the issue I'm understanding?

MR. BOSI: You hear faintly over the speakers.

MR. BELLOWS: Very faintly.

CHAIRMAN FRYER: Low volume.

COMMISSIONER SCHMITT: Mr. Chairman.

CHAIRMAN FRYER: Go ahead, Commissioner.

COMMISSIONER KLUCIK: If I can fill in with some information I think is pertinent. Just so people know, not only is Ms. Priddy the landowner out there -- obviously, it's a patch on the map, but it's -- obviously, it's a huge -- you know, she owns tons of land out there, but she also served on -- with me on the board out there for the Ave Maria Stewardship District, and so she's very knowledgeable about all of this, and so just -- I think it gives weight to the -- you know, to what she's saying as to her knowledge about all of these issues in addition to the personal impact on her.

CHAIRMAN FRYER: Thank you. That will be a part of the record, and I think in many respects her concerns were -- I hope were completely allayed.

Mr. Cornell, anything -- can we hear you yet?

COMMISSIONER VERNON: Yeah, let's -- who's got him on speed dial?

CHAIRMAN FRYER: Oh, he's still working on it. All right.

COMMISSIONER VERNON: Can I jump in while we're waiting?

CHAIRMAN FRYER: Yeah. Please, go ahead.

COMMISSIONER VERNON: Going back to Ms. Priddy's first point on the easement, just so I have an understanding -- maybe, Mike, you can answer this, is that the easement was denied by the County Manager, and it's really not before us to condition this on them. They've committed they're going to reapply with Ms. Priddy, and then it will be up to the County Manager to decide whether to approve or deny it, and that's the end of it.

CHAIRMAN FRYER: We're not going to weigh in on that. We can't.

COMMISSIONER VERNON: That's kind of my point is I want to just make sure that I understand correctly. So he said he's going to do it. So Ms. Priddy and him can do it, and the County Manager will make a decision?

MR. BOSI: Correct.

MR. MILLER: Can we try someone on Zoom? See if we can hear them.

MR. YOVANOVICH: Brad, try to talk on Zoom. I have him on my phone if --

COMMISSIONER KLUCIK: We still can't hear you.

MR. YOVANOVICH: Okay. Brad, I'm going to put you on my speaker and put you on the mic, okay.

MR. CORNELL: Thanks.

MR. YOVANOVICH: All right. Go ahead.

CHAIRMAN FRYER: Go ahead, Mr. Cornell.

MR. CORNELL: This is Brad Cornell. Can you hear me?

CHAIRMAN FRYER: Yes.

MR. CORNELL: Great. I just had one more follow-up point, if I may. And thank you, Mike Bosi, for reading my written comments from the email, which were accurate. And I am disappointed that these aren't all being adhered to, although I'm happy that the BearWise, the Dark Skies, and the burn-smoke notices will be provided. That's great.

A follow-up on the lead-shot issue. I just checked with our science coordinator for Audubon Florida, that's Dr. Paul Gray, who is an expert on ducks and has a Ph.D. in that. He says that birds use the lead shot that they find on the ground and in the ground as grit for their gizzard, and so they regularly -- they look for it, that kind of thing. It's something that helps them digest food.

And he said, if they -- if they pick that up, even from uplands, it poisons them and

kills them. So -- and with all due respect, we disagree with your consultant on that. So we continue to urge prohibition of all lead shot at sporting clays operations. Not just here, but throughout the state we've been trying to share this message, and we're having a hard time getting traction. This is scientifically based, and it's the strong opinion of our science staff. So thanks very much for considering that. That's it.

CHAIRMAN FRYER: Thank you. Commissioner Vernon.

MR. YOVANOVICH: I'm going to hang up on you now.

COMMISSIONER VERNON: No, no, no.

MR. YOVANOVICH: No, not yet. Hold on. Hold on. Hold on.

COMMISSIONER VERNON: Nice try, Rich. It's a joke. I'm kidding. I'm kidding.

MR. YOVANOVICH: If I were trying to keep him out, I would never have called him.

COMMISSIONER VERNON: Bye. Can't hear you.

So, Mr. Cornell, when you're discussing that and the grit issue, are you -- is the doctor you're relying on referring simply to ducks or many other types of waterfowl or -- excuse me -- not waterfowl -- many other types of birds?

MR. CORNELL: Birds that use grit for their gizzard to digest their food.

COMMISSIONER VERNON: Does that mainly limit it to ducks, or does that cover a lot of birds? I don't know.

CHAIRMAN FRYER: Probably fowl.

MR. YOVANOVICH: I don't know.

COMMISSIONER VERNON: I don't know.

CHAIRMAN FRYER: Chickens.

MR. CORNELL: I am not a biologist, and I would defer to a biologist to answer that question. And I'm sorry that Dr. Paul Gray is not on the line, and I don't have him in my ear. I'm hearing you--all. I can get that information for you. But he did say that -- just 10 minutes ago that this was a strong issue that's important to adhere to, prohibiting lead shot in all hunting and sporting clay operations.

COMMISSIONER VERNON: Well, what do they use if they can't use lead shot? What's the recommendation you would have?

MR. CORNELL: I'm not a hunter so -- there are good alternatives, and I would defer to your hunting consultant who is in the room.

COMMISSIONER VERNON: Thank you.

CHAIRMAN FRYER: Vice Chairman Schmitt.

COMMISSIONER SCHMITT: Brad, you mentioned you've been, I guess, petitioning the State. What's the position of the U.S. Fish and Wildlife or the Florida Fish and Game in regards to your issue with lead? Is this something you've pushed through the State or through the feds and have gotten no response? I guess -- because I'm trying to figure out, you're asking us to do something that appears to be above and beyond what is required by either state statute or federal statute when I'm talking about the Endangered Species Act or any of the associated legislation. So explain to me what you've done in the past or where it is now.

MR. CORNELL: So, Joe, I cannot answer that question specifically right now. I can go back to my colleagues and get an answer for you.

So I'm just sharing with you the scientific opinion of our science staff who are

experts in this. And Paul Gray is a duck hunter himself, so this is not an inexperienced opinion, and this is based in literature and research. So I don't know what the agencies' views on are on this, so I'll have to get that for you. I'm sorry I can't do that today.

COMMISSIONER SCHMITT: No, that's all right. I'm just curious. I'm fine with that, what you stated, because it's -- I think, from our perspective, all I could ask is that the -- our expert considered your requests, and if it's certainly feasible from a standpoint of sport, I have no problem with it. I don't know if we can stipulate it as part of the SRA requirement or the conditional use, but I would state for the record this ought to be encouraged as good stewards of both the land and for preservation of the species, because that seems to be the whole mood in what they're trying to do out there is preservation and being part of nature. And I think that request is -- should be considered. I don't know, again, if we can make it a stipulation, but I would ask that they consider it as part of their wildlife protection program.

CHAIRMAN FRYER: Thank you.

MS. ASHTON-CICKO: Mr. Chairman, I've been trying to get your attention.

CHAIRMAN FRYER: Sorry.

MS. ASHTON-CICKO: The County is preempted on the regulation of firearms, so the type of bullets that are used may be preempted. So unless the applicant is voluntarily willing to accept that condition, I don't know that you can make it.

COMMISSIONER SCHMITT: I would only -- again, Heidi, for the record, just -- something we would encourage that they look at from the overall program. I could see from the marketing standpoint and from the operational standpoint what they're trying to sell out there and, certainly, that would be something that I think the residents certainly -- and the members of the club certainly could push for.

CHAIRMAN FRYER: Thank you.

Commissioner Schumacher.

COMMISSIONER SCHUMACHER: I follow the Vice Chair's statements, and I agree that conservation is probably the most important thing. And I see this project, that they're already presented that as their goal with this.

So the other question I have is, on the environmental report, what type of birds were seen in this area where this clay shooting's going to be? I would think that when they did the environmental review, they went through the whole property and made notes of everything, so...

MR. YOVANOVICH: Yeah. Obviously, we hired a professional consultant to advise us on where to put this shooting range. And with all due respect to Mr. Cornell, who I've known, I think, my entire professional career, I don't think we agree with his conclusion that we're harming the environment by using lead shot.

COMMISSIONER SCHUMACHER: No, I'm just trying to see if there's a -- if there's a nesting area where this clay shooting's going to be or if there was any type of wildlife that was identified to be there, that this would be a further concern.

MR. EDWARDS: Again, Bob Edwards.

It's a cow pasture, so I've been up there and spent many days in that area walking and observing everything. There is very little bird wildlife there. There is normal songbirds. Have not seen any ducks in that area. It's all high pasture land. Just normal songbirds, some doves, et cetera.

And if I may for a moment read a very short paragraph from an EPA -- a U.S. EPA

document on studies, and this is -- I can -- I think this has been provided or can be provided.

Even experiments where lead is deliberately fed repeatedly to wildlife with food, it has been shown that it's very difficult to poison the animals. The lack of bioavailability of metallic lead is attributed to the combination of metallic lead insolubility as well as the buffering of the stomach acid with food and rapid passage of food bolus out of the stomachs into the natural intestinal tract.

So the end result is it basically says the solution of lead is an important factor in determining the relative bioavailability of lead that has been ingested by wildlife.

Fortunately, wildlife does not ingest spent lead, and they are lying -- that are lying on the ground. Although studies have shown that about 3 percent of doves may ingest a few lead pellets incidentally in feeding, other studies have indicated that such incidents ingesting pellets are rapidly passed out of the digestive tract without resulting in poisoning. So there are studies that have been done, and this is an EPA -- out of the an EPA document.

So, yes, there is a concern. I'm -- I've been hunting my entire life, but -- and duck hunting, I agree, let's don't shoot lead shot if we don't have to. But we're using steel shot, bismuth, different things, but you're firing a whole lot less rounds. And this would impact -- as you were stating, this -- if you-all made a decision on this, this would impact not just this property but every sporting clays, skeet and trap field. Florida's a very large shooting public. It would impact every range that's being done, every hunting property. And, you know, even the state itself sponsors dove shoots on their property, and everybody's shooting lead shot at those dove shoots, so...

CHAIRMAN FRYER: Thank you.

COMMISSIONER SCHUMACHER: Thank you.

CHAIRMAN FRYER: Commissioner Vernon.

COMMISSIONER VERNON: I was just wondering, Bob, before you sit down, is there -- quickly, is there an alternative?

MR. EDWARDS: Yes, sir, there is an alternative.

CHAIRMAN FRYER: Get on mic, sir.

MR. EDWARDS: Okay. Yes, there is alternatives, but they're very expensive, bismuth and steel shot, and with the clientele that we're -- that will be using this range, they're using very expensive guns, and lead shot is the common shot that's shot in those, and they will not shoot their steel shot through these 30-, \$40,000 sporting clays guns.

CHAIRMAN FRYER: Thank you.

COMMISSIONER VERNON: Thank you.

CHAIRMAN FRYER: Commissioner Klucik.

COMMISSIONER KLUCIK: Thank you, Mr. Chairman.

Please stay there, because -- and this might be for the environmental expert. I don't care who answers it. But my question is really basic. So if you have established this -- this skeet-shooting range -- or what's the proper -- what would you call it?

MR. EDWARDS: It would be sporting clays and five stand.

COMMISSIONER KLUCIK: Okay. So you establish this facility, and then I'm assuming you're using it regularly, and I'm assuming, you know, maybe I'm -- I want to assume that the birds that we're worried about probably are not going to hang out there if they're shooting all the time, but, you know --

MR. EDWARDS: Very true.

COMMISSIONER KLUCIK: Okay. So that's a -- that, logically, is actually how things -- how it works, that they would tend to not want to nest or hang out in that area or feed in that area?

MR. EDWARDS: Yes, sir. They will avoid that area, particularly when the shooting's going on, but I can't say after the shooting's precluded in the after --

COMMISSIONER KLUCIK: Yeah -- no. I think that's the concern that after the shooting is over that they would then come back in the area and --

MR. EDWARDS: To a very small extent. Not enough to be concerned with.

COMMISSIONER KLUCIK: But I tend to, you know, put great weight on what our attorney said, that we have to be careful about not overstepping any authority that we have.

CHAIRMAN FRYER: Thank you. I agree as well.

No one else is signaling at this time. Do we have any other public speakers who have registered?

MR. SABO: Mr. Chairman, we do not.

CHAIRMAN FRYER: All right. Is there anyone in this room who has not registered but, nonetheless, wishes to be heard in this matter, please raise your hand.

(No response.)

CHAIRMAN FRYER: Seeing no hands, the public comment portion of this hearing is now closed, and we will ask the applicant if he has any rebuttal.

MR. YOVANOVICH: I think we've answered all your -- all the questions as we went along, so I don't feel a need for any rebuttal other than, obviously, your staff, I think, is really excited about this project.

CHAIRMAN FRYER: Thank you. All right.

MR. BOSI: Modified.

CHAIRMAN FRYER: Do you want to make a motion? What are you going to do?

(No response.)

CHAIRMAN FRYER: Okay. So having closed the public comment, it would now be appropriate for us to deliberate and, of course, at any time entertain a motion. And we need to vote on the ones separately. We need to vote on the SRA, and then we need to vote on the CU, and along with the CU, we can also do EAC.

COMMISSIONER SCHMITT: EAC.

CHAIRMAN FRYER: So -- okay. We've got three commissioners, and I think commissioner -- or Vice Chairman Schmitt has a -- is probably going to make a motion.

COMMISSIONER SCHMITT: I'm going to make a motion for approval. We've heard all the input. It's clear that there's been a lot of thought put into this. And even if you go back and look at the number, it's 2021. That's how long this has been going through the process. So it's been around a while.

I appreciate the public comment. I believe there's still room for comment as this goes through the various permitting processes through the State and the feds.

But with that regard, I make a motion first to approve SRA PL20210002776. That's the Collier Rod and Gun Club Preserve SRA.

CHAIRMAN FRYER: Thank you.

COMMISSIONER SCHMITT: I propose that as Motion No. 1.

CHAIRMAN FRYER: Thank you. Is there a second?

COMMISSIONER SPARRAZZA: Second.

CHAIRMAN FRYER: Any further discussion?

(No response.)

CHAIRMAN FRYER: If not, all those in favor -- and this is on the SRA -- please say aye.

COMMISSIONER VERNON: Aye.

COMMISSIONER SHEA: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER SCHMITT: Aye.

COMMISSIONER KLUCIK: Aye.

COMMISSIONER SPARRAZZA: Aye.

COMMISSIONER SCHUMACHER: Aye.

CHAIRMAN FRYER: Opposed?

(No response.)

CHAIRMAN FRYER: It passes unanimously.

Thank you.

I'd entertain a motion now on the CU and also on the EAC action that's required.

COMMISSIONER SCHMITT: I'll make a motion on the conditional use. That's, of course, the area that was identified for the conditional use, PL20210002843 and, along with that, a motion acting as the EAC, recommend approval.

CHAIRMAN FRYER: Thank you. Is there a second?

COMMISSIONER SPARRAZZA: Second.

COMMISSIONER SCHUMACHER: Second.

CHAIRMAN FRYER: Any further discussion?

(No response.)

CHAIRMAN FRYER: If not, all those in favor, please say aye.

COMMISSIONER VERNON: Aye.

COMMISSIONER SHEA: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER SCHMITT: Aye.

COMMISSIONER KLUCIK: Aye.

COMMISSIONER SPARRAZZA: Aye.

COMMISSIONER SCHUMACHER: Aye.

CHAIRMAN FRYER: Those opposed?

(No response.)

CHAIRMAN FRYER: It passes unanimously.

Thank you, applicant. Thank you, members of the public. Thank you, Planning Commission. Thank you, staff.

Now, it's 11:37. We've got one more matter. Unless the court reporter believes that now would be a good time for a break, I think usually the Planning Commission wants to dispense with a noon lunch, see if we can get things wrapped up. Is that -- is that where everybody is?

COMMISSIONER SCHMITT: Yeah.

CHAIRMAN FRYER: Okay. So that's what we'll do. I'll call the next matter, then.

All right.

COMMISSIONER SCHMITT: Does Terri need to take a break before? Are we good?

CHAIRMAN FRYER: No, I asked her.

***Okay. Next is PL20220004087, which is the PFCF/NSV Immokalee MPUDZ.

All those wishing to testify in this matter, please rise to be sworn in by the court reporter.

THE COURT REPORTER: Do you swear or affirm the testimony you will give will be the truth, the whole truth, and nothing but the truth?

(The speakers were duly sworn and indicated in the affirmative.)

CHAIRMAN FRYER: Thank you.

Ex parte disclosures from the Planning Commission, beginning with Ms. Lockhart.

MS. LOCKHART: Staff materials only.

CHAIRMAN FRYER: Thank you.

COMMISSIONER SHEA: Staff materials only.

CHAIRMAN FRYER: Thank you.

Matters of public record, meeting with staff, discussion with counsel for the applicant.

COMMISSIONER SCHMITT: Brief discussion with counsel for the applicant.

COMMISSIONER KLUCIK: Matters of public record and discussion with the staff.

COMMISSIONER SPARRAZZA: Staff materials and a conversation with Mr. Yovanovich.

COMMISSIONER SCHUMACHER: Staff materials, public record, conversations with staff, conversations with the attorney for the petitioner.

CHAIRMAN FRYER: Thank you.

COMMISSIONER VERNON: Sorry, Mr. Chairman. I stepped out at the wrong time. No disclosures.

CHAIRMAN FRYER: No disclosures, thank you.

You may proceed, Mr. Yovanovich.

MR. YOVANOVICH: I know you've read everything, so I'll just do a very brief summary and open it up to any questions you have of me or our consultants. Andrew VanValin -- VanValin is with the Pulte Family Charitable Foundation, who is pursuing this project, and Norm Trebilcock is our transportation consultant.

We're requesting a rezone on a 50-acre parcel that's out in the Immokalee area, and the purpose of that project is to provide for two things: 250 -- up to 250 horizontal multifamily units. They'll be rental units, which would consist of basically standalone single-family homes, townhome types, but they will be rented. So it's basically almost like a single-family rental project as part of this project. It's becoming more and more popular.

We'll have -- 150 of those units will be income restricted for people making up to 60 percent of the area median income, and 20 units will be restricted for households making up to 80 percent of the annual median income.

I think it's really important to note that we are well under the allowed density on this project. We could go up to 400 units. So there would be no reason or obligation to income-restrict these units to request the density we're asking for. So this is, obviously, in

the name Pulte Family Foundation. This is -- this is intended to be a project to provide housing to those who have some income restrictions to obtain attainable housing, and it's a voluntary commitment.

It's also -- if you recall, when we did the Brightshore Village project, it allowed for the opportunity to put affordable housing in an area agreed to by County staff and not within the Brightshore Village project. That is what we're doing as part of this project as well, and we are also providing an up-to-250-student early childhood education center within the project that is open to more than just those living in the project, but it's open to the community.

That's basically the summary of what we're requesting to do.

I can bring Andrew up to give you a more detailed explanation of the project and the vision for the foundation. But with that, I'll open it up to any questions, and if you want a more detailed presentation, we'll be happy to make one.

CHAIRMAN FRYER: Thank you.

Vice Chair.

COMMISSIONER SCHMITT: Rich, just out of curiosity, in the neighborhood information meeting, there was an issue brought up about impact fees. What were they asking at the NIM about impact fees? And you stated -- and it says, the agent, Rich Yovanovich, stated that the impact fees would be deferred and paid later.

So I've got a two-part question. What were they asking, and then the deferred impact fees is -- would only be applicable to the affordable housing; is that correct?

MR. YOVANOVICH: Correct, correct.

I think they wanted to know whether or not we would be required to pay impact fees as part of the project, and I explained to them that for the affordable housing portion of the project, we can be deferred. There's no -- there's no waiver yet in Collier County. (Simultaneous crosstalk.)

COMMISSIONER SHEA: It was a general question on any tax advantages they would get, including impact fees --

MR. YOVANOVICH: Correct.

COMMISSIONER SHEA: -- because of the affordable housing.

COMMISSIONER SCHMITT: Okay. So --

CHAIRMAN FRYER: Thank you.

COMMISSIONER SCHMITT: -- that was answered. They were -- no other issues with them. They -- but they understood the price range. I mean, that was in one of your charts in the NIM.

MR. YOVANOVICH: Absolutely.

COMMISSIONER SCHMITT: It was very clear.

MR. YOVANOVICH: Absolutely.

COMMISSIONER SCHMITT: Okay.

CHAIRMAN FRYER: Thank you.

Commissioner Shea, did you have more?

COMMISSIONER SHEA: Yeah. Just an informational question. What is the average income in Immokalee? I mean, the only reason I say that is 60 percent would be great down here. Is it good up there? And, obviously, that's a marketing thing. You obviously picked it because you think you have an audience for it that can afford it.

CHAIRMAN FRYER: What size family are you asking about?

COMMISSIONER SHEA: A typical family probably is two, four people total.

CHAIRMAN FRYER: Four. What, around 101,000, roughly?

COMMISSIONER SHEA: Yeah. Sixty percent of that.

MR. BOSI: Mike Bosi, Planning and Zoning director. \$100,700 is the average median income on the countywide. I think Commissioner Shea is asking what would that breakdown be for the average median income within Immokalee.

COMMISSIONER SHEA: Yeah. It's informational. I'm --

MR. VanVALIN: Andrew VanValin. I am a planner with the Pulte Family Charitable Foundation.

Our research has found, as the number up there indicates, 38,125, the median income for an Immokalee family.

We chose the 60 percent and 80 percent levels as, essentially, a way of qualifying most of the families in Immokalee. So 50 percent of the families -- if that 50 percent median level is 38,000, then, you know, the great majority of the families in the households in Immokalee would qualify. Our rents -- you know, these numbers right here are the caps per the 2023 Florida Housing Finance numbers.

Our intent is to try to keep rents at a level that is affordable to a family based on their income. So our intention is not necessarily to use the cap as the number driving the rent, but it is -- it provides our top-end restriction. We understand that \$2,000 for an 80 percent unit in Immokalee is good for Naples. It's still high in Immokalee. So our intent is to cater the rents to what a family could afford.

COMMISSIONER KLUCIK: Mr. Chairman?

CHAIRMAN FRYER: Go ahead, Commissioner.

COMMISSIONER KLUCIK: So this chart is the legal numbers, not necessarily what the rent will be?

MR. VanVALIN: Correct. These are the maxes, yeah.

COMMISSIONER KLUCIK: Right.

MR. VanVALIN: So any family -- for example, at 60 percent, any family making under \$59,880 would qualify.

COMMISSIONER KLUCIK: And you can charge 1,348, under this program, at the 60 percent -- for a 60 percent unit, you could charge 1,348 for a two-bedroom if you wanted to?

MR. VanVALIN: Yes, we could.

COMMISSIONER KLUCIK: But you couldn't charge 1,349.

MR. VanVALIN: Correct.

CHAIRMAN FRYER: Thank you. Anything further, sir?

MR. YOVANOVICH: Unless you have more specific questions about the --

CHAIRMAN FRYER: No one -- oh, Commissioner Vernon is signaling. Go ahead, sir.

COMMISSIONER VERNON: Yeah. I think I've got an unfriendly question and a friendly question.

So the unfriendly question: What are the non-charitable reasons that your organization is doing this? And when I say "your organization," I'm talking about beyond the foundation, include the for-profit organizations under the name Pulte. What benefits does Pulte, beyond the charitable foundation, get from this?

MR. VanVALIN: So the Pulte Family Charitable Foundation has no relationship

with Pulte Homes or Pulte Group.

COMMISSIONER VERNON: Oh, okay.

MR. VanVALIN: So this is the family's private wealth generated from the Pulte Homes company from Mr. Bill Pulte, but there is no -- there's no relationship. There's -- my answer with that would be there is no profit.

COMMISSIONER VERNON: Okay.

MR. VanVALIN: So the Pulte Family Charitable Foundation is purchasing the property. I work for the foundation. We are paying for all the entitlements, all the design. We are paying for the land development, and then we will be raising money to build the units ground up, vertical construction through philanthropic partnerships.

COMMISSIONER VERNON: And is Pulte Homes going to be building the units?

MR. VanVALIN: That is not determined yet.

COMMISSIONER VERNON: Okay. Then the friendly question is how do you -- you know, sometimes you see -- you see somebody say, I'll give \$10,000 if I'll get it matched or something like that. So I guess the friendly question is, obviously, you're a charitable foundation, and it appears to be what you're trying to do is really a wonderful thing. So how do we make this contagious? How do you take what you're doing and convince other organizations in the similar positions to want to do something like this in Southwest Florida? I would leverage you, what you're doing.

MR. VanVALIN: Yes. I think the next step for philanthropy in the housing space is -- I know there is what is called impact philanthropy which is philanthropy that is not complete gifts, but it's philanthropy that is really low-interest loans to builders.

So developers/builders could tap into foundations, wealthy individuals, and families where they can get money at lower interest than when they go out in the market. The family accomplished something that's in their mission, and then -- but they also will get that money back rather than just a straight gift. And so it just -- it's more -- it's more regenerative, and it's more akin to just regular capital markets. But it's -- I have seen that in preservation of low-income housing where companies are funded by foundations with people who are willing to take lower returns than the market, and they will purchase existing multifamily, keep the rents low.

The funders will get their returns, 5 or 6 percent rather than the 15 to 20 percent that the market would want, and then the housing stays preserved at the existing rents rather than in a gentrifying area of a buyer -- an investor comes in and rent just value adds.

COMMISSIONER VERNON: Right.

MR. VanVALIN: And it increases the rent, and then everyone moves out. So that's how I've seen it. That is not what we are doing here. We are looking at much more basic philanthropy. But that's probably a long-winded question [sic] to where I see that --

COMMISSIONER VERNON: No, no. That's exactly what I was looking for. And my last question on that front: How much have you and your team interacted with the affordable housing group that's active here?

MR. VanVALIN: What group, specifically?

CHAIRMAN FRYER: AHAC, you mean?

COMMISSIONER VERNON: AHAC. Yes, I don't know the terminology.

MR. VanVALIN: The advisory committee?

COMMISSIONER VERNON: AHAC.

MR. VanVALIN: The advisory committee?

COMMISSIONER VERNON: Affordable Housing Advisory Committee, how much have you interacted with them on what you're trying to accomplish?

MR. VanVALIN: I presented to them in February, gave them the project, you know, the update of where we were at. I have not spoken with them outside of that. But we did present to them. We got their feedback. One of their main points of feedback was, can you go quicker? So that's what we've been trying to do.

COMMISSIONER VERNON: Well, I go back to -- and it's just a statement more than a question. But I'd love to find a way for what you're doing to be contagious, is the word I use, rather than just to be an isolated good deed.

MR. VanVALIN: Yeah. I would say that this project is very unique. There are not a lot of families and foundations that would be willing to take this on like the Pulte Family Foundation has, but --

COMMISSIONER VERNON: Well, you might be wrong on that. That's what I'm wondering, you know, because I'm trying to --

MR. VanVALIN: I hope I am.

COMMISSIONER VERNON: -- start a fire, so to speak.

MR. VanVALIN: Yeah, I hope I am. But I think the way -- the way to that is what I was saying earlier, is that impact philanthropy where there's -- it's like a midpoint between just straight philanthropy and regular capital markets, and it's a little hybrid of both, which is -- it's gaining steam.

COMMISSIONER VERNON: All right. Thanks for your input.

MR. VanVALIN: Yeah. Thank you.

CHAIRMAN FRYER: Thank you. No one else is signaling at this point.

Mr. Yovanovich, anything further, sir?

MR. YOVANOVICH: No. We'll just answer any more hard or friendly or unfriendly questions.

CHAIRMAN FRYER: All right. At this point, then, we'll hear from staff.

MR. BOSI: Mike Bosi, Planning and Zoning director.

Staff has reviewed the plan in terms of consistency with the Immokalee Area Master Plan and, as indicated by the applicant's presentation, they're well with -- under the eligible density. No density -- or no GMP is required, but they are providing that 170 -- or 170 units within the affordable range.

It is in relationship to -- the Brightshore SRA [sic] had a commitment that said that they were going to provide on site or they would provide within -- approximate, within 15 miles of the location. It's within 15 miles, so it satisfies that requirement as well.

Staff is recommending approval, and I would provide a side commentary. On this project, we are very excited about this. The prior project we were only excited. We are very excited about this project.

CHAIRMAN FRYER: Thank you. Any questions?

COMMISSIONER SCHMITT: Correction. Not SRA. The CRA. You said SRA.

MR. BOSI: Yes.

COMMISSIONER SCHMITT: We talked a lot about SRAs. The CRA. Thank you.

CHAIRMAN FRYER: No one -- oh, Commissioner Shea.

COMMISSIONER SHEA: Well, I just wanted to reiterate what the gentleman said. I was at the AHAC meeting, and they were really excited about it.

COMMISSIONER SCHMITT: That's a great project.

CHAIRMAN FRYER: Commissioner Sparrazza.

COMMISSIONER SPARRAZZA: Thank you, Mr. Chairman.

Mr. Yovanovich, I might be totally off base here, and, obviously, the gentleman from Pulte --

MR. YOVANOVICH: Family Charitable Foundation.

COMMISSIONER SPARRAZZA: Right. Is there any educational -- is there any knowledge able to be grown here by casual conversations with Habitat for Humanity? I apologize. Just because that organization does it all the time -- and forgive me for not knowing if you have ever done this type or this magnitude of a project before. I just wanted to put that out there for an interesting telephone conversation or a lunch meeting. Is there anything that can be learned by you two parties just talking together?

MR. VanVALIN: We have had multiple meetings already with Habitat for Humanity.

COMMISSIONER SPARRAZZA: Perfect. Thank you. I'm glad -- I'm thrilled that both of you are in communications, and I think, as all of us say here, this is just a wonderful opportunity for the County to have under its wing. Great. Thank you, sir.

MR. VanVALIN: Thank you.

CHAIRMAN FRYER: Thank you. No one else is signaling at this time, so we will see if there are any public speakers.

MR. SABO: Mr. Chairman, there are no public speakers registered.

CHAIRMAN FRYER: Thank you. Anyone in the room not registered who wishes to be heard in this matter, please raise your hand.

(No response.)

CHAIRMAN FRYER: Seeing none, we will close the public comment portion of this hearing.

And I assume, Mr. Yovanovich, you have no rebuttal.

MR. YOVANOVICH: No, sir.

CHAIRMAN FRYER: Okay. Thank you.

COMMISSIONER KLUCIK: Mr. Chairman?

CHAIRMAN FRYER: Commissioner Schumacher.

COMMISSIONER SCHUMACHER: I was just going to say, if there's no discussion, I was going to make a motion to approve as presented.

CHAIRMAN FRYER: Right. It's been moved. Is there a second?

COMMISSIONER VERNON: Vernon seconds.

CHAIRMAN FRYER: All right. Now, we've got a couple of -- let's see. Did you want to be heard, Commissioner Klucik?

COMMISSIONER KLUCIK: (Shakes head.)

CHAIRMAN FRYER: No. All right. So it's been moved and seconded, and I'll point out that since there were no protected species found on the site, there's no EAC action to be taken, so -- and, Commissioner Schumacher, you've been heard. You're still lit up, but do you have anything further to say?

COMMISSIONER SCHUMACHER: No, I didn't -- it didn't go off.

CHAIRMAN FRYER: Okay. I'll turn it off here.

COMMISSIONER SCHUMACHER: All right. Thank you.

CHAIRMAN FRYER: Thank you. No further discussion?

(No response.)

CHAIRMAN FRYER: If not, all those in favor, please say aye.

COMMISSIONER VERNON: Aye.

COMMISSIONER SHEA: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER SCHMITT: Aye.

COMMISSIONER KLUCIK: (No verbal response.)

COMMISSIONER SPARRAZZA: Aye.

COMMISSIONER SCHUMACHER: Aye.

CHAIRMAN FRYER: Opposed?

(No response.)

CHAIRMAN FRYER: It passes unanimously.

Thank you very much. I agree with everyone who has complimented the applicant on this. It's an admirable project. Thank you very much.

Is there any old business to come before the Planning Commission?

(No response.)

CHAIRMAN FRYER: Any new business?

(No response.)

CHAIRMAN FRYER: Any public comment on matters not on our agenda?

(No response.)

CHAIRMAN FRYER: If not, and without objection, we're adjourned.

There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 11:55 a.m.

COLLIER COUNTY PLANNING COMMISSION

EDWIN FRYER, CHAIRMAN

These minutes approved by the Board on 9/22/23, as presented or as corrected .

TRANSCRIPT PREPARED ON BEHALF OF FORT MYERS COURT REPORTING BY TERRI L. LEWIS, RPR, FPR-C, COURT REPORTER AND NOTARY PUBLIC.