

February 15, 2024

TRANSCRIPT OF THE MEETING OF THE  
COLLIER COUNTY PLANNING COMMISSION  
Naples, Florida  
February 15, 2024

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 9:00 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.  
Randy Sparrazza  
Chuck Schumacher  
Amy Lockhart, Collier County School Board Representative

ABSENT:

Paul Shea  
Christopher T. Vernon

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

PROCEEDINGS

MR. BOSI: Chair, you have a live mic.

CHAIRMAN FRYER: Thank you, Mr. Bosi. Good morning.

The February 15, 2024, meeting of the Collier County Planning Commission is now in session. Please come to order.

Please rise for the Pledge of Allegiance.

(The Pledge of Allegiance was recited in unison.)

CHAIRMAN FRYER: In the secretary's absence, I will call the roll.

Ms. Lockhart?

MS. LOCKHART: Here.

CHAIRMAN FRYER: Commissioner Vernon?

(No response.)

CHAIRMAN FRYER: Secretary Shea?

(No response.)

CHAIRMAN FRYER: I'm here.

Vice Chair Schmitt?

COMMISSIONER SCHMITT: Here.

CHAIRMAN FRYER: Commissioner Klucik?

COMMISSIONER KLUCIK: Present.

CHAIRMAN FRYER: Commissioner Sparrazza?

COMMISSIONER SPARRAZZA: Here.

CHAIRMAN FRYER: Commissioner Schumacher?

COMMISSIONER SCHUMACHER: Here.

CHAIRMAN FRYER: All right. One, two, three, four, five, six. We have a -- no, we have a quorum of five. Thank you.

Okay. Addenda to the agenda. Oh, all -- the two absences are excused. Business commitments, so they're excused.

Addenda to the agenda, Mr. Bellows.

MR. BELLOWS: We have no changes.

CHAIRMAN FRYER: Thank you.

Planning Commission absences. Let's see. Our next meeting is on March 7, 2024. Does anyone know if he or she will not be able to attend that meeting?

(No response.)

CHAIRMAN FRYER: Same question for the meeting after that, March 21, 2024. It looks like we're pretty well assured of having a quorum.

At this point I'm going to depart slightly from the agenda and talk about July 4th. As you probably don't know unless you've consulted your calendar recently, as I have, July 4th is scheduled to be one of our meetings. It's the second Thursday -- no, the first Thursday of July. And it's been proposed by staff that we would meet on July 3rd instead, and the rationale is that we're missing a June meeting. But I wanted to get the sense from the Planning Commission of what their thinking was on that. So I'll open it up to the Planning Commission to make comments and also, Mr. Bosi, feel free to jump in at any time.

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

The only reason why I would, instead of just skipping that meeting, I tentatively want to have a conversation with the Planning Commission is because we are missing the second meeting in June. The Board has their budget workshop, so we're not going to be meeting on the -- it would have been the 20th of June.

So it would be back -- we'd have -- we would have a gap between the 6th of June till July 18th would be -- would be -- so we would be missing two meetings.

I don't know if we're going to have a ton of petitions on as we look out. I mean, we look out right now to May in terms of trying to allocate how many petitions that we will have. It's always hard to

guess how many are going to break free from the review process to be eligible for the hearings.

So I just wanted to at least have the conversation with the Planning Commission as to whether they wanted to potentially have that July 3rd as an alternate date or we can -- or the decision could be, you know, we can just skip two meetings, and then whatever we have to deal with on July 18th, if it's a big agenda, we'll adjust it.

And to further, last year we missed both meetings in June because of the workshops, the budget workshops, and there wasn't a tremendous backlog, just to give you a little context as well.

CHAIRMAN FRYER: Thank you.

Would there be another option rather than July 3rd? If we weren't able to complete our agenda on the 18th, could we come back on the 19th? Is the room available to finish up?

MR. BOSI: I would have to check with Aimee, who basically manages the dates for the Board chambers, but I most certainly can do that, and then we can send out an e-mail to the Planning Commission to see what their preference is.

CHAIRMAN FRYER: Vice Chairman Schmitt.

COMMISSIONER SCHMITT: Is there another option? We could just do one on the 11th and another one on the following week instead of that week. People may have plans or whatever. That's, of course, a holiday weekend. It's a long holiday weekend.

I'm going to be here regardless. I don't think I have any plans, but the other option would just be if you don't want to have -- if you don't want to have that kind of space in between, we just do the one on July -- I'm looking at the calendar again.

MR. BOSI: The 18th?

COMMISSIONER SCHMITT: Yeah. We do 11th and then again on the 18th.

CHAIRMAN FRYER: Commissioner Sparrazza.

COMMISSIONER SPARRAZZA: What if we backed it up on the June 27th? It kind of spreads things out. You would have June 6th --

MR. BOSI: Again, staff is not available. The second and fourth Thursday is the HEX hearings, so we've got some competing interests in that as well.

COMMISSIONER SPARRAZZA: I forgot.

CHAIRMAN FRYER: Well, this is still February, so we have ample time.

MR. BOSI: Yes.

CHAIRMAN FRYER: Does anybody else want to offer their suggestions for staff to consider? Oh, guess whose name was just mentioned.

MS. TROCHESSETT: July 11th is not available.

CHAIRMAN FRYER: Okay. What about the 19th?

MS. TROCHESSETT: Of July?

CHAIRMAN FRYER: Uh-huh.

MS. TROCHESSETT: Maybe. Maybe. I would have to get approval, but that -- maybe.

MR. BOSI: Then I think that would be the case, if we have -- if we have seven or eight petitions, we could try to get them all on the 18th, and if it doesn't -- if it doesn't -- and a lot of times, the room, when they have "maybe," it may be only available for four hours or whatever the case. But I can coordinate with Aimee, and if we can solidify that, that could be the plan. We can just cancel the week of the July 4th, have that canceled, and then have the Friday the 19th if we can get permission to schedule that as an overflow date for us.

CHAIRMAN FRYER: Would that work with everybody?

COMMISSIONER SCHMITT: Yeah.

COMMISSIONER SCHUMACHER: Yeah.

COMMISSIONER SPARRAZZA: Yeah.

CHAIRMAN FRYER: Okay. It works for me as well. That would be the preference.

So, Aimee, work your magic for us.

MS. TROCHESSETT: Okay. And I did hear you say June 19th is a possible day? That is not available.

CHAIRMAN FRYER: Yeah. Okay. June 19, were we talking --  
MS. TROCHESSETT: Somebody mentioned June 19th.  
CHAIRMAN FRYER: Okay.  
MS. TROCHESSETT: So you want me to check on Friday --  
CHAIRMAN FRYER: Friday.  
MR. BOSI: Friday, July 19th, as a potential overflow day for us.  
MS. TROCHESSETT: Okay.  
CHAIRMAN FRYER: Thank you very much. Thanks for coming in. Do you have to listen to us all the time?  
MS. TROCHESSETT: I do.  
CHAIRMAN FRYER: Oh, I'm so sorry. My condolences to you. You must be a saint.  
MS. TROCHESSETT: No, I get to listen to you.  
CHAIRMAN FRYER: Thank you so much, Aimee.  
MR. BOSI: Thank you, Chair.  
CHAIRMAN FRYER: Thank you.  
Let's see here. Approval of the minutes is the next thing on the agenda. We have one set before us. Those are the minutes of January 18. Any corrections, changes, or editions to those minutes?  
(No response.)  
CHAIRMAN FRYER: If not, I'd entertain a motion.  
COMMISSIONER SCHUMACHER: Motion to approve.  
COMMISSIONER SCHMITT: Second.  
CHAIRMAN FRYER: Further discussion?  
(No response.)  
CHAIRMAN FRYER: If not, all those in favor of approving the January 18 minutes as submitted, say aye.  
COMMISSIONER SPARRAZZA: Aye.  
CHAIRMAN FRYER: Aye.  
COMMISSIONER SCHMITT: Aye.  
COMMISSIONER SCHUMACHER: Aye.  
COMMISSIONER KLUCIK: Aye.  
CHAIRMAN FRYER: Opposed?  
(No response.)  
CHAIRMAN FRYER: It passes unanimously.  
Thank you very much.  
BCC and recaps, Mr. Bellows.  
MR. BELLOWS: There were no land-use items at the last Board of County Commissioners meeting.  
CHAIRMAN FRYER: Okay. Thank you.  
Chairman's report, none today.  
Consent agenda, none today.  
Public hearings, our first and the only matters -- oh, I'm sorry. Mr. --  
MR. BOSI: I'm sorry. I should have -- when you mentioned the addenda to the agenda, I just wanted to -- just a note, and we do have it on the agenda. The removal of exotic vegetation, that is being moved from this meeting. It was advertised for this meeting.  
CHAIRMAN FRYER: Yeah.  
MR. BOSI: It's being moved to the March 7th meeting, so I just wanted to announce that so it's -- make it aware for the public.  
CHAIRMAN FRYER: Thank you. Thank you very much.  
All right. Anything further from staff?  
(No response.)  
CHAIRMAN FRYER: If not, we'll go to Mr. -- no, we'll go to the public hearings.

\*\*\*Let's see. The first matter today is -- are companions, and, of course, we'll hear them at one time, and they are PL20230002069, the Boat House Commercial Subdistrict Small-Scale Growth Management Plan amendment, and its companion, PL20230002068, the Boat House CPUDZ.

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

MS. LOCKHART: None.

COMMISSIONER SPARRAZZA: Conversation with Mr. Yovanovich and staff materials.

CHAIRMAN FRYER: Matters of public record, meeting with staff, conversation with Mr. Yovanovich.

COMMISSIONER SCHMITT: Conversation with Mr. Yovanovich.

COMMISSIONER SCHUMACHER: Public record, agenda materials, conversation with staff.

COMMISSIONER KLUCIK: Nothing to disclose.

CHAIRMAN FRYER: All right. The Chair recognizes Mr. Yovanovich.

MR. YOVANOVICH: Thank you. Good morning. For the record, Rich Yovanovich on behalf of the applicant, which is Boat House of Naples Real Estate, LLC.

With me today from Peninsula Engineering is Jessica Harrelson. She's our professional planner. And Josh Fruth is our engineer on the project. Mr. Trebilcock is here to answer traffic questions, and Jeremy Sterk is here to answer any environmental questions regarding the project.

As was stated, we're here for two petitions. One is a Small-Scale Growth Management Plan amendment to essentially add as an allowed use on the property 20,000 square feet of boat sales and boat engine service repairs.

The C-3 uses are already allowed on the property. We are rezoning the property, the PUD, to add that one use. The reason we have to add that one use is, if you-all recall, I think it was last meeting we had the Home Depot petition. There are some properties in Collier County that are deemed consistent by policy, and that's why they're designated commercial, and they're not within activity centers, and this is one of those pieces of property.

And for purposes of putting this in context, it's hard to see, but that's a Circle K, which is already also zoned. It's, I think, C-3. Across the way is RaceTrac. You have self-storage. You have the county's CAT center for its buses. Across the way, you recently saw and approved a Growth Management Plan amendment and a PUD for the Everglades Equipment Group PUD.

And you have -- am I still moving? Where am I? I lost the cursor. There we go.

And here is a bowling alley that's been in this location for quite a while.

So this area has been developed as commercial, and commercial zoning has been on this property for -- since at least 1989 when the Growth Management Plan was adopted and approved in Collier County, and long before that.

The Future Land Use designation is Urban Residential. Obviously, we're making the change to this Boat House Urban Landfill Subdistrict for the proposed use.

What I want -- what I think is typically a question about every time we come in and ask these -- for changes to the Growth Management Plan is what's the real impact on transportation. And Mr. Trebilcock can confirm this but, essentially, what we're asking to add, this use of boat repair and boat sales, the traffic generation is probably more similar to indoor self-storage than any other retail use that we can currently put on the property.

So assuming that we go forward with what is proposed to go on this property -- and I believe that's going to occur because it's a relocation of a business, we'll essentially be reducing traffic that can already be generated from this site.

I already briefly went over the zoning that's around us. So commercial zoning has been in this area since quite a while and probably predates most of the residential that came to this area later.

As I typically do, I just do a brief overview of what we're proposing, the two requests. I'm going to have Jessica come up and take you through the master plan and the different commitments we've made with regard to buffering and the like to address questions that have been -- that came up as we were going through the process and discussing the project with our neighbors.

And with that, after Jessica goes, we'll be available to answer any questions, unless you have questions now.

CHAIRMAN FRYER: No one is signaling.

MS. HARRELSON: Good morning. For the record, Jessica Harrelson, certified planner with Peninsula Engineering.

What you see here is a depiction of the PUD master plan. Access will be from Radio Lane. The easternmost connection is the main public access. We do have a second employee emergency-only access as well in this location along the west. The preserve location is in the northwest corner of the property.

We will be providing an enhanced buffer along the northern property line. It will be 25 feet in width. It will contain an 8-foot solid wall, and planting -- code-required plantings will be provided on the external side of that wall facing Radio Lane.

Enhanced Type D buffers will be provided along Radio Road and Davis Boulevard where boats are on display along those frontages, and we will be providing a 10-foot Type A buffer along the east adjacent to that gas station there. We also have provided a potential future interconnect along the east to that commercial development.

Development standards are 15-foot setbacks from the eastern property line, 25-foot setbacks along all other property lines. The maximum zoned height is 35 feet, actual height of 42. And just to note, under current zoning, the maximum zoned allowable height is 50 feet. So what we are requesting in the PUD is less than what is allowed today.

The PUD will allow the development of up to 20,000 square feet of gross floor area for boat sales and service or a maximum of 32,500 square feet of commercial uses of the C-3 zoning district.

CHAIRMAN FRYER: Pardon me for interrupting, Ms. Harrelson.

MS. HARRELSON: Sure.

CHAIRMAN FRYER: But I just want to be clear on one point. I'm clear, but I want the record to be. What you're asking for -- your request is disjunctive, "or."

MS. HARRELSON: Correct.

CHAIRMAN FRYER: You want to either go C-3, which you have the authority to do now, or this one C-5 use?

MS. HARRELSON: Yes, that's correct.

CHAIRMAN FRYER: Okay. So if you went with the C-3, then the traffic would be the same as you're already permitted. So what -- just out of curiosity, if you have a -- what is the likelihood this is going to be C-3 versus the boat house?

MS. HARRELSON: The current plans right now are to develop a boat sales and service facility, and I do have a preliminary land plan that I'll be going over later on in the presentation.

CHAIRMAN FRYER: Thank you. Pardon me for interrupting.

MS. HARRELSON: No problem.

Prohibited uses include homeless shelters and soup kitchens. To note, some of the developer commitments included in the PUD, Dark Skies compliant lighting is required. The PUD shall not exceed 134 two-way p.m. peak-hour trips, and that is based on the highest and best use of the property, so 32,500 square feet of retail.

The required enhancements of the northern and right-of-way buffers that I previously talked about are included as a commitment. Hours of operation for boat sales and services is limited to 8 a.m. to 5 p.m. Monday through Friday and 9 a.m. to 3 p.m. on Saturdays.

Any repair and maintenance of boats will occur in an enclosed building, and outdoor storage of boat racks will be single level only. So no multilevel boat racks are allowed on the property.

And like I said, the current development plans for the site are boat sales and service. So this is

the preliminary land plan. The service building is located along the north, and the sales building is this location. Public access and parking is along the east here. You can see these hatched areas are the preliminary locations for boat display along the rights-of-way. And, again, the preserve area in the northwest corner.

These are preliminary renderings for that use. This is the service building. We have the service bay doors facing towards -- south towards Davis Boulevard. This is just a rendering of the sales building. So you can see it's been designed to be aesthetically pleasing.

And then concerning the Small-Scale Growth Management Plan amendment, the request involves a site-specific text and map change to the Future Land Use Element requesting to establish the Boat House Commercial Subdistrict. Because boat sales and service are a higher intensity use than what is allowed by the current -- or currently by the GMP, the amendment is necessary.

The C-3 zoning district currently allows for more intense uses as it relates to traffic, noise, and hours of operation, such as a gas station. So with the proximity to 75, we feel like this area is an appropriate location for this use.

We held a NIM, neighborhood information meeting, last September. One person from the public attended and voiced no objections to the project.

And then that concludes my presentation. And staff has recommended that the CCPC forward these petitions to the Board with approval -- recommendation of approval.

CHAIRMAN FRYER: Vice Chairman Schmitt.

COMMISSIONER SCHMITT: Jessica, can you go back to the slide with the site plan. I just want to highlight -- let's talk about the 8-foot wall --

MS. HARRELSON: Yes.

COMMISSIONER SCHMITT: -- that is -- I think the way this faces is actually south.

COMMISSIONER SPARRAZZA: It will be up --

MS. HARRELSON: This is -- yeah, this is north.

COMMISSIONER SCHMITT: Wait a minute. Okay. You're right.

MS. HARRELSON: So that 8-foot solid wall will be facing --

COMMISSIONER SCHMITT: Yeah. So the 8-foot wall is placed there at the request of the residents across the street?

MS. HARRELSON: No. That was -- we just included that in the PUD to address compatibility.

COMMISSIONER SCHMITT: And so it's just an 8-foot section that will begin and end, so to speak, from east to west, west to east, whatever?

MS. HARRELSON: Yes.

COMMISSIONER SCHMITT: There will be no gate at the entranceways. It will just be a wall from one entrance to the other?

MS. HARRELSON: Yeah. So the wall will run the entire length until the preserve area.

COMMISSIONER SCHMITT: Well, wait a minute. Okay. So there will be a gate that closes and opens each of those entrances?

MS. HARRELSON: For the employee and emergency-only access, those are gated off. There's a gate in this location here and a gate in this location here.

COMMISSIONER SCHMITT: Okay. Let's look at the one on the other -- the regular, I guess, commercial -- the entrance for public. That -- that will be -- that will be open.

MS. HARRELSON: That will be open.

COMMISSIONER SCHMITT: Okay. I just want to be clear. So the rest of it is a wall?

MS. HARRELSON: Correct.

COMMISSIONER SCHMITT: And it will be landscaped and all the other kind of things that you would do with a -- with the perimeter wall. Okay. Thank you.

MS. HARRELSON: No problem.

CHAIRMAN FRYER: Commissioner Sparrazza.

COMMISSIONER SPARRAZZA: Jessica, thank you for your presentation. I believe my question was just answered. But the wall would actually go from I'll call it the east side of the

emergency exit, right there -- oop --

MS. HARRELSON: Yep.

COMMISSIONER SPARRAZZA: -- to the west side of the public exit -- entrance?

MS. HARRELSON: Correct, and then there's a section located here as well.

COMMISSIONER SCHMITT: There will be a section there --

COMMISSIONER SPARRAZZA: A little section there.

MS. HARRELSON: Yes.

CHAIRMAN FRYER: Thank you.

No one else is signaling. Anything further from the applicant?

(No response.)

CHAIRMAN FRYER: Anything further from the applicant?

MS. HARRELSON: Oh, no. Sorry.

CHAIRMAN FRYER: That's all right. Thank you.

We'll now hear from staff.

MS. HARRELSON: Thank you.

MR. BOSI: Mike Bosi, Planning and Zoning director. As Jessica has indicated, staff is recommending approval.

I do have Kathy Eastley, who did the Comprehensive Plan review, as well as Nancy Gundlach, who did the zoning review, available if the Planning Commission had any specific questions.

CHAIRMAN FRYER: Thank you.

COMMISSIONER SCHMITT: We haven't heard from Nancy in a long time, so we ought to. No, I'm just kidding.

CHAIRMAN FRYER: We can hear from both of them. Go ahead, Ms. Eastley.

MS. EASTLEY: Thank you. Good morning. Kathy Eastley, Comprehensive Planning.

Staff is recommending approval. We did find a couple of items: That sufficient mitigation measures were provided along that northern boundary to screen both the noise and the visual impact from the development to the residential and, two, that this is an existing business in Collier County that is currently located at the west end of Davis Boulevard by 41. And with the redevelopment that's occurring in that area, they are moving to the east end, and it seems to be a better location for them because it is closer to I-75.

So I have no other issues and can answer any questions you may have.

CHAIRMAN FRYER: Thank you. No one's signaling at this time. So thank you, Ms. Eastley. Mr. Gundlach.

Commissioner Schumacher.

COMMISSIONER SCHUMACHER: I just had a question on the zoning -- current zoning now, what -- if this didn't go through, what could they put there?

CHAIRMAN FRYER: C-3.

COMMISSIONER SCHUMACHER: C-3.

MS. GUNDLACH: That's correct.

COMMISSIONER SCHUMACHER: Or they could even do the Live Local Act and put in residential, correct?

MR. BOSI: It would be eligible.

COMMISSIONER SCHUMACHER: It would be eligible.

COMMISSIONER SCHMITT: It would be eligible, absolutely.

CHAIRMAN FRYER: Which means we'd never see it again.

COMMISSIONER SCHUMACHER: Exactly.

CHAIRMAN FRYER: Okay. Any questions for Ms. Gundlach?

(No response.)

CHAIRMAN FRYER: All right. Thank you for being available.

MS. GUNDLACH: You're welcome.

CHAIRMAN FRYER: All right. We'll now ask whether there are public speakers who have



registered.

MR. SABO: Mr. Chairman, there is one public speaker, Brenda Turner.

CHAIRMAN FRYER: Ms. Turner, now is your opportunity to be heard.

MS. TURNER: I feel like I'm outnumbered here.

CHAIRMAN FRYER: Well, I'll bet you hold your own.

MS. TURNER: My name is Brenda Turner.

CHAIRMAN FRYER: Why don't you lower that mic. The mic was set up for giant person.

There you go.

MS. TURNER: Is that all right?

CHAIRMAN FRYER: Well, I think so.

MS. TURNER: Okay.

CHAIRMAN FRYER: Give us your name.

MS. TURNER: My name is Brenda Turner.

CHAIRMAN FRYER: Thank you.

MS. TURNER: I have lived in that neighborhood since 1971. I've seen a lot of changes in this area of the residential.

I have several questions. I don't know who I'm to give them to, but I -- that area -- this area is too small for what-all they want to do. Radio Lane is just two lanes, and it goes from Radio Road down into Saddlebrook, Tuscany Isles, past the Circle K, two lanes.

If you come down Radio Road, there's one red light there, and it's taking care of Radio Road and Davis Boulevard. So from that red light, we have got two gas stations, three restaurants, and then fast food, and then at Davis light and Radio Road, we've got two gas stations, one bowling alley, two apartment buildings, two housing complexes, one CAT bus station.

I cannot be convinced that that triangle of land is going to handle the traffic. We're getting a new flyover on Davis. We're getting two new ramps, off and on ramps there at I-75. We're getting three, at least, new restaurants in that vicinity.

I need to know what types and sizes of the boats. Where's the entrance and the exit? How big of a boat trailer is going to be pulling into that two-lane road where we have school buses and school children and walkers and homeless people, you know.

And the EPA, does that get involved with this? Are they going to be painting and working outside sanding boats? What about the water drainage, the oil fluids when they work on that? Does the EPA get involved?

And how big are the boat haulers? And is there going to be a dumpster there? What goes in the dumpsters? I've got questions, but the main thing -- my problem is, I cannot see that area holding the traffic that they say it's not going to change. They are 100 percent wrong. You can look at it and see that it will change. There will be more traffic. There's going to be more congestion.

We have a stop sign at Radio Lane to pull out onto Davis. I've sat there as long as eight minutes waiting on traffic to slow down so I can just go through the stop sign and not the red light. I've sat at the red light as long as two times turning to go to Walmart. And then that red light at 951, we've got an Amazon over there. It is -- I can't see it working.

And I just ask that if you-all really want to check this out, get in your cars and drive out there and look at how congested that area is.

And like I said, I've been there since '71. I'm not opposed to growth and development, but I feel like this is just a little bit too much for that area and the two-lane road, Radio Lane, and then Davis.

I just have a lot of questions, and I'm just not comfortable with this. And I just ask that you-all think about it, get out, drive around, look at it, and picture it with the new on and off ramps, the congestion. And if we have a hurricane, God forbid, it's going to become a roadblock. There's nobody going to get out in that area. I've seen it happen with the previous hurricanes. There's a roadblock.

CHAIRMAN FRYER: Okay. Ma'am, thank you very much. And we will get answers to your questions. They're good ones.

MS. TURNER: I appreciate that, and thank you very much.

CHAIRMAN FRYER: And the applicant will have an opportunity to respond and rebut, and I know they were taking notes. And you can stay at the podium. We would -- we will want to see if there are any other speakers. I don't think there are.

But one thing I would say -- and your comments divided themselves into two categories. One was just development of any kind whatsoever, and to that point I would remind you, respectfully, they've already got C-3 privileges which would generate -- it seems to me, just as a reasonable person, who thinks he's a reasonable person, that you're going to get less traffic with the boat operation, but I don't know, and I'm not going to argue that with you.

MS. TURNER: Yeah.

CHAIRMAN FRYER: But -- so that's -- that's just something to keep in mind, what they're already permitted for.

But we're going to get into some significant detail when they come back, and we'll get those questions answered, and we thank you very much for your participation.

MS. TURNER: I thank you-all.

CHAIRMAN FRYER: Thank you, ma'am.

Any other registered speakers? Oh, I'm sorry. Vice Chairman.

COMMISSIONER SCHMITT: Ma'am, you do understand the current zoning is C-3, means commercial at an intensity three?

MS. TURNER: I do not know what intensity three means.

COMMISSIONER SCHMITT: C-3 means it could be a commercial site.

MS. TURNER: Well, I have no problem with commercial.

CHAIRMAN FRYER: We need you at the microphone.

COMMISSIONER SCHMITT: Ma'am, it's --

MS. TURNER: I have no problem with the commercial. What I have a problem with is the traffic on this triangle and us just having a two-lane road that that building is going to be facing.

COMMISSIONER SCHMITT: Yeah. I understand, ma'am. A C-3 is allowed to go in there. It could be -- and I'll turn to staff. C-3 allows for pretty intense. And the zoning already exists, and it already is included in the traffic vested rights to develop that site. So it's going to be developed. It's not going to stay -- it's not going to stay a forest.

MS. TURNER: I know Collier County, if they find a piece of grass, they're going to pour cement on it.

COMMISSIONER SCHMITT: Okay. Thank you.

CHAIRMAN FRYER: Thank you very much. Thank you, ma'am.

Other speakers?

MR. SABO: Chair, there are no other speakers.

CHAIRMAN FRYER: Thank you.

Anyone in the room who has not yet registered but wishes to speak on this, now would be the time to please raise your hand.

(No response.)

CHAIRMAN FRYER: I see no hands being raised.

So with that, we will close the public's comment portion of this hearing, and we'll go to rebuttal. And, Mr. Yovanovich, you have the floor.

MR. YOVANOVICH: Thank you.

I deliberately mentioned early on in my presentation that what we're proposing is actually a reduction in traffic from what could actually occur on the property today.

C-3 zoning is intense, and it's intended to be an attractor, bringing people there from several neighbors to these types of uses that could go on the C-3 property, the very thing she mentioned, restaurants, gas stations, other types of things that would attract people to this location. So traffic's coming to this location. The question becomes what's the best traffic option?

The location of the access will be the same. Regardless of whether it's what we're proposing or it's your typical C-3 types of uses that are going to go on the property, the access is going to be on Radio

Lane.

With regard to the actual operations that my client's proposing at put on the property, they typically display 30 to 40 boats on the property. The sizes of the boats can range from 20 feet to 45 feet. The current average is 28-foot size boats.

The high percentage of boats that are brought there for repair are brought there by our staff. Most people don't feel comfortable trailering their boat to the location to get repaired, so it's being trailered by people who do this as a profession. So safety is paramount for my client, who wanted to make sure that there are no issues related to accessing the property for repairs.

I understand that the public doesn't typically know what you-all know with regard to what can happen on a property and what is a large traffic generator. And it always comes across as -- almost as if it's a threat to say the property's going to get developed, but it's going to get developed. It already has zoning on the property with far more intensive uses.

It also now, thanks to the legislature, is eligible for high-density residential that could go on that property. And if you want to put a use on a piece of property during hurricane season that probably is not the right use from a traffic standpoint, put more residential on that piece of property.

CHAIRMAN FRYER: Mr. Yovanovich, why don't you -- if you'd take a moment to explain to Ms. Turner about the potential effect of Live Local and how that's not a part of your plan.

MR. YOVANOVICH: I understand.

The last legislative session, the State Legislature, in an effort to provide workforce and affordable housing to address what I think everybody acknowledges is a shortage of housing for those people who work to serve those of us in Collier County and other parts of the state, have adopted a statute that basically forces the government, Collier County, to approve, without any public hearings, commercial property to be developed as mixed-use which could include commercial or -- and/or residential.

Residential has to be part of this option, and it's at the most -- it's at the highest density approved in Collier County, which is somewhere around 92 units per acre. Obviously, 92 units per acre is not going to fit on this piece of property, but 92 units per acre, and at a height -- within either approved height or actually constructed height within a mile.

So as this commission has mentioned many times, if that route is taken, there are no public hearings. We will develop according to the RMF-16 standards, and I'm sure Mr. Bosi will correct me if I've got that wrong, and we'll go straight to Site Development Plan, and we'll move forward with that project, and that will happen. So there will be no public -- there will be no public involvement in whether or not that project happens.

Likewise, there will be no public involvement if we decide to go forward with C-3. We'll come in. We'll do a Site Development Plan. We'll meet the development standards that are applicable to C-3, which, as Jessica pointed out, actually is a higher building than what we're proposing and candidly, more intense from a traffic standpoint. Those are the rights that we have as a matter of right today. Come in C-3, no public involvement. Live Local, no public involvement.

The beauty of rezoning and doing this Growth Management Plan is there is public involvement and there's the ability to include provisions like the enhanced buffers that we're proposing, like the wall that we're proposing, like the use that we're proposing that, candidly, is a very low traffic generator on this site.

As Jessica has taken you through, I think, we've done a very, very good job of taking our neighbors' concerns into consideration.

CHAIRMAN FRYER: Ms. Turner mentioned dumpsters, and I assume it would be less intense than it would be under C-3.

MR. YOVANOVICH: I'm sure -- and I could bring Josh up to you, and I'm sure he can assure you that there are a lot more dumpsters associated with C-3 or residential. The level of dumpsters is significantly less with this type of use on the property.

And the way we've -- the conditions we've imposed by all the repairs have to be indoors, the -- where we put doors to make sure they're away from residential, none of those are requirements under C-3. Those are requirements that we're imposing upon ourselves under the PUD rezoning that

we're going forward with.

I welcome the opportunity to talk to Ms. Turner outside of here if she would like to, and we'll -- I'd be happy to show her in more detail how the site will work and how the traffic will work, or, you know, Mr. Trebilcock can explain that all to her. We could do it now if you prefer, but I think that, as you know, your entire staff reviews this -- they're unbiased -- and Transportation has determined that this is an appropriate use on the site as well as your planning staff has --

CHAIRMAN FRYER: Before I call on Commissioner Sparrazza, I just want to say that I think that is a generous invitation from the applicant, and I encourage you to get with him.

From our perspective, our hands are pretty much tied down by the folks in Tallahassee who, in their wisdom, have done some things that we have no control over. And so we try to do the best we can if you're given the limitations.

Thank you. And now Commissioner Sparrazza.

COMMISSIONER SPARRAZZA: Thank you, Chairman.

Mr. Yovanovich, and maybe for -- a traffic question here. You said you could pull up to maybe a 45-foot boat. So that will be on a trailer pulled by a large, you know, dual pickup truck or whatever.

MR. YOVANOVICH: Yep.

COMMISSIONER SPARRAZZA: Will that make the turn fairly easily on Radio Lane turning right into the facility?

MR. YOVANOVICH: I'm going to have Josh get into that, because there's -- at site planning there's a lot of analysis that is required in order for the site plan to be approved.

COMMISSIONER SPARRAZZA: Great. It was an excellent question brought up by Ms. Turner, and I'm just seeing if we can get some more details around that.

Thank you. Josh.

MR. FRUTH: Yeah. For the record, Josh Fruth with Peninsula.

So all the site plans, to start with, have to be designed for 105-foot fire truck as well; keep that in mind. So the turning radius of that is -- without having to pivot point with a trailer is kind of part of what we start with. But yes, since the fire truck can navigate the site, and that is through both access points we have shown, we also have shown that pulling a 45-foot boat will go through the site as well, so...

COMMISSIONER SPARRAZZA: Great. Thank you for that.

MR. FRUTH: Yep.

CHAIRMAN FRYER: Thank you.

Anything further, Mr. Yovanovich?

MR. YOVANOVICH: No, sir. Obviously, we have everybody from the team here if there are any further questions that you would like us to answer.

CHAIRMAN FRYER: Okay. Thank you. I think it's time for us to deliberate and vote. No one is signaling.

I'll just follow on with what I started to say in the context of what I think is an evolving set of standards with respect to Growth Management Plan amendments -- and I welcome the evolution to perhaps more stricter scrutiny. But in my judgment, the analysis that was provided, the needs analysis, complied fully with what we expect to see when we make a decision to change a document that ordinarily people should have every right to expect will not be changed. It found the existence of need, and the reasons that it supplied for its finding were persuasive.

This is an organization that's moving its site from one place to another, and the lack of available supply from other vendors, and combined with the location -- I realize there's residential on two sides. There's also commercial on two sides. So it seems to be a very appropriate fit for me.

And the 8-foot wall should mitigate, to a significant degree, the noise. And it would be -- it would be a lot noisier if they go C-3. So for that reason, I'm going to be voting in favor of it.

Anybody else want to comment? Commissioner Schumacher.

COMMISSIONER SCHUMACHER: I've been agreeing with Rich way too much lately. We've got to get off of this.

I agree that this is probably the best use for this property. Boat sales, it's not like car sales. If

you're going to the boat house, it's a deliberate trip. It's not kicking tires. I think the traffic that would be generated from this site is less than what is in the report. And it's a great fit for that corner. It's much better than anything else that could be placed there, and for that reason, I will be voting to approve as well.

CHAIRMAN FRYER: Thank you.  
Commissioner Klucik.

COMMISSIONER KLUCIK: Yes. I would just like to agree, and this is one of those easy ones where there's very little in my mind, you know, to really consider because the four corners, you know, of the application meet the -- you know, if you look at the rules that apply, this is an easy thing to vote yes on.

CHAIRMAN FRYER: Thank you.  
Vice Chairman.

COMMISSIONER SCHMITT: Yeah. I'd make a recommendation to approve both the Comprehensive Plan amendment and the PUD, PL20230002069 and companion 20230002068, with -- there's been no other adjusted amendments that were discussed, so I'd recommend approval as proposed by both the petitioner and as approved by staff, recommended approval by staff.

CHAIRMAN FRYER: Thank you. And as we await a second, I'll just say that EAC approval's not required.

COMMISSIONER SCHMITT: Not required. Thanks.

CHAIRMAN FRYER: Is there a second?

COMMISSIONER SCHUMACHER: Second.

CHAIRMAN FRYER: Any further discussion?

(No response.)

CHAIRMAN FRYER: If not, we'll vote jointly on both the GMPA and PUDZ. All those in favor, please say aye.

COMMISSIONER SPARRAZZA: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER SCHMITT: Aye.

COMMISSIONER SCHUMACHER: Aye.

COMMISSIONER KLUCIK: Aye.

CHAIRMAN FRYER: Opposed?

(No response.)

CHAIRMAN FRYER: It passes unanimously.

Thank you, applicant.

Thank you, Ms. Turner.

And thank you, staff and Commission.

All right. It's 9:43. Let's see.

Any old business?

(No response.)

CHAIRMAN FRYER: I don't believe there is.

Any new business?

(No response.)

CHAIRMAN FRYER: Likewise, don't believe there's any of that.

Any public comment? Any member of the public want to be heard on a matter that was not on our agenda today, now would be the time.

(No response.)

CHAIRMAN FRYER: No one is wanting to be heard. So, therefore, without objection, we're adjourned.

COMMISSIONER SPARRAZZA: Thank you.

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February 15, 2024


There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 9:43 a.m.

COLLIER COUNTY PLANNING COMMISSION



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EDWIN FRYER, CHAIRMAN

These minutes approved by the Board on 3/7/24, 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.