

TRANSCRIPT OF THE MEETING
OF THE COLLIER COUNTY PLANNING COMMISSION
Naples, Florida
October 17, 2013

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:

Mark Strain, Chairman
Stan Chrzanowski
Brian Doyle
Diane Ebert
Karen Homiak
Charlette Roman
Mike Rosen

ALSO PRESENT:

Heidi Ashton-Cicko, Assistant County Attorney
Ray Bellows, Zoning Manager
Thomas Eastman, Real Property Director, Collier County School District

CHAIRMAN STRAIN: Good morning, everyone. Welcome to the Thursday, October 17th meeting of the Collier County Planning Commission.

If you'll all please rise for Pledge of Allegiance.

(Pledge of Allegiance was recited in unison.)

CHAIRMAN STRAIN: Thank you. Will the secretary please do the roll call? And that's Diane.

COMMISSIONER EBERT: Yes. Good morning.

Mr. Eastman is not here.

Mr. Chrzanowski?

MR. CHRZANOWSKI: Here.

COMMISSIONER EBERT: Mr. Rosen?

COMMISSIONER ROSEN: Here.

COMMISSIONER EBERT: Ms. Ebert is here.

Mr. Strain?

CHAIRMAN STRAIN: Here.

COMMISSIONER EBERT: Ms. Homiak?

COMMISSIONER HOMIAK: Here.

COMMISSIONER EBERT: Mr. Doyle?

COMMISSIONER DOYLE: Here.

COMMISSIONER EBERT: Ms. Roman?

COMMISSIONER ROMAN: Here.

CHAIRMAN STRAIN: Okay, is there any addenda to the agenda? Ray, do you have anything to add, subtract or anything like that?

MR. BELLOWS: Nothing from me.

CHAIRMAN STRAIN: Okay. I'd like to remind the new members, or any member that wants to stay after we adjourn this meeting, there's going to be a brief 15-minute workshop for the new members or anybody, like I said, who wants to stay, under Sunshine Law issues. That's a standard orientation. So it won't take too long.

Planning Commission absences. Our next meeting is -- what's the date on the next meeting, Ray? Do you --

MR. BELLOWS: Yes, the next meeting --

CHAIRMAN STRAIN: I usually have it written down, and I don't have it in front of me.

COMMISSIONER HOMIAK: It's November 7th.

CHAIRMAN STRAIN: November 7th.

Does anybody know if they're not going to make it to the November 7th meeting?

COMMISSIONER ROMAN: Yes, I'll be on vacation.

CHAIRMAN STRAIN: I thought that's what this is about.

Okay, so we'll miss you on the 7th. Thank you for letting us know. We still have a quorum, so we're good to go.

Approval of minutes. September 19th, 2013. They were all distributed electronically. Anybody have any comment?

COMMISSIONER HOMIAK: Just one change on Page 22. It says Commissioner Homiak, should be Commissioner Ebert. And with that change I'll make a motion to approve.

CHAIRMAN STRAIN: Is there a second?

COMMISSIONER EBERT: I'll second.

CHAIRMAN STRAIN: Motion made and seconded.

All in favor, signify by saying aye.

COMMISSIONER DOYLE: Aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER ROSEN: Aye.

COMMISSIONER CHRZANOWSKI: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 7-0.

By the way, we do have a change to the website in which minutes and emails are sent to us. Maybe at some point when the IT people come up later today to talk about the tablet we can get a hint as to where they put the email section on that and we'll try to find it.

I have a direct link so it was easier for me, but I know that there may have been problems for some of you.

COMMISSIONER HOMIAK: With the email?

CHAIRMAN STRAIN: Yeah. Is your email --

COMMISSIONER HOMIAK: Mine works.

CHAIRMAN STRAIN: Does it?

Does yours work?

COMMISSIONER EBERT: If I could find it on the new website. It's brand new within two weeks, so --

CHAIRMAN STRAIN: We'll just get a quick -- maybe we can get a quick show of where that is. During a break I might be able to find it on this computer.

COMMISSIONER ROMAN: Yeah, I had to use it direct because I couldn't get through the new website.

CHAIRMAN STRAIN: That's what -- so we'll just maybe figure out how to do that. We can do that later today.

BCC report and recaps. Ray, do we have anything?

MR. BELLOWS: Yes. On October 8th the Board of County Commissioners heard the conditional use for Naples Equestrian Center. That was approved 5-0, subject to some additional changes or conditions to the stipulations the Planning Commission made.

And there were a number of them, actually. If you'd like -- you want me to highlight some of them?

CHAIRMAN STRAIN: It might be nice to know so that we try to -- we try to give the Board a complete package, and if it was incomplete to a point where they had to add so many things, it would be nice to know what kind of additional items they were looking for.

MR. BELLOWS: On condition four that was approved by the Planning Commission, they included lot 21. It read: Special events open to public shall be limited to four events per year on lots 19 and 20. They added lot 21 to that.

CHAIRMAN STRAIN: Which is the original lot.

MR. BELLOWS: Yes. That wasn't subject to the -- that particular conditional use application.

CHAIRMAN STRAIN: Understand.

MR. BELLOWS: And they had the same kind of addition, lot 21 to condition number 10 which reads: Adjacent to Ridge Drive, lot -- on lots 19 and 20 and 21 an LDC type C landscape buffer shall be provided, and a type B landscape buffer will be provided on lots 19 -- between lots 19 and 18 -- and between lots 19 and 18.

And then some of the newer ones were the southerly access on Ridge Drive shall be closed within 120 days of this conditional use, except for emergency access for emergency vehicles service.

And then number 18: Lots 19, 20 and 21 are limited to 400 program participant capacity per week.

Condition 19: Access to the equestrian riding and stabling facility shall be limited to Center Street. No participants, volunteers, guests shall use the local streets in the Pine Ridge subdivision as through traffic to other areas of the county except for residents of the Pine Ridge subdivision.

And the last addition was: This approval is for a non-commercial, not-for-profit therapeutic equestrian riding facility.

CHAIRMAN STRAIN: Wow. Interesting. Okay, I didn't even know some of those -- yeah, I hadn't even anticipated some of those, so -- okay, appreciate you telling us. Thank you.

MR. BELLOWS: The other action they took was on the summary agenda they approved the sign variance for the Del Mar Shopping Center.

CHAIRMAN STRAIN: Oh, good. Thank you, Ray.

I don't have anything added for the chairman's report today, so we'll go right into our hearings.

The first -- we have one consent item. It's PUDZAPL20120001593, and it's for the Bay House Campus CPUD.

Are there any comments or questions from the Planning Commission?

COMMISSIONER EBERT: Yes.

CHAIRMAN STRAIN: Diane?

COMMISSIONER EBERT: I have a point of clarification. On deviation number two it says it requires 218 parking spaces, which was not figured correctly the first time. I called staff on this. We came up with some new figures. And I know it does say at the end it's based -- that it's subject to change, but here, because they had come down to 196, it really should be 249, when you take away the 28 parking places for the 10 percent reduction. So I'd like to see it at 277 so there isn't any --

CHAIRMAN STRAIN: Well, we can't change something that wasn't part of our motion. We can only acknowledge that the things that were part of our motion were implemented by the corrections that staff sent to us to show --

COMMISSIONER EBERT: But she didn't get the correction back to Kay. She was --

CHAIRMAN STRAIN: Okay, maybe staff could explain. Because I don't even have that on my list of issues that needed correction. Is that something during the meeting that was supposed to have been corrected, Kay?

MS. DESELEM: As I recall -- for the record, Kay Deselem, Principal Planner, Zoning.

No, it was discussed but the applicant did not submit any new documentation at the hearing during the proceedings or prior to that. That was what was presented in the staff report. It was later clarified because of the way the uses were set up. And now the 4,500 square feet of retail uses covers everything, other than the actual hotel or the restaurant. So we never changed the 218.

The way the deviation was worded, it says that, you know, that's one scenario. But whatever is approved and whatever's built, it will be 10 percent of that. And that was what was approved was a 10 percent reduction.

CHAIRMAN STRAIN: Okay. And so either way, no matter what the number really is, whether it's 277, 246 or 218, the 10 percent reduction applies to whatever number is there.

MS. DESELEM: That's correct, sir.

CHAIRMAN STRAIN: Then we haven't lost anything. So we're okay.

COMMISSIONER EBERT: Okay, I just --

CHAIRMAN STRAIN: Well, it's a good point. I just -- I didn't have it --

(At which time, Mr. Eastman enters the boardroom.)

COMMISSIONER EBERT: It was in their PUD and that's why I brought it up.

CHAIRMAN STRAIN: Let the record show that Tom Eastman, who represents the school, is late. If the kids were late for their classes, you only can imagine what would happen, but --

COMMISSIONER HOMIAK: You need a note.

CHAIRMAN STRAIN: Morning, Tom.

MR. EASTMAN: Thank you.

CHAIRMAN STRAIN: Okay, with that discussion over, is there any other issues?

(No response.)

CHAIRMAN STRAIN: Hearing none, is there a motion to approve on the consent?

COMMISSIONER HOMIAK: I'll make a motion to approve.

COMMISSIONER ROSEN: Second.

CHAIRMAN STRAIN: Ms. Homiak -- made by Ms. Homiak, seconded by --

COMMISSIONER EBERT: Mr. Rosen.

CHAIRMAN STRAIN: -- Mr. Rosen. Boy, names are hard this morning.

All those in favor, signify by saying aye.

COMMISSIONER DOYLE: Aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER ROSEN: Aye.

COMMISSIONER CHRZANOWSKI: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 7-0. Thank you.

The next and only advertised public hearing this morning is RZPL2012002095. It's the Landings at Bear's Paw, which is near Bear's Paw, for location.

All those wishing to testify on behalf of this item, please rise to be sworn in by the court reporter.

(All speakers were duly sworn.)

CHAIRMAN STRAIN: Disclosures on the part of Planning Commission. We'll start over with Stan.

MR. CHRZANOWSKI: Yeah, I've talked to the petitioner's lawyer, his engineers, both firms, I've kayaked past the site, I didn't exactly visit it. And that's it.

CHAIRMAN STRAIN: Okay, Mike?

COMMISSIONER ROSEN: Yes, I've had a discussion with the petitioner's attorney as well.

CHAIRMAN STRAIN: Diane?

COMMISSIONER EBERT: Yes, I have spoke with Mr. Dempsey, Mr. Hall and with staff.

CHAIRMAN STRAIN: Okay, and I have spoke with Will, the various members of staff and Nicole, and I think that is all that I can remember right now.

Karen?

COMMISSIONER HOMIAK: I spoke to Mr. Dempsey.

COMMISSIONER DOYLE: No, I didn't speak with anyone.

CHAIRMAN STRAIN: Okay.

COMMISSIONER ROMAN: I spoke with Mr. Dempsey, members of staff and Ms. Johnson.

CHAIRMAN STRAIN: Okay. With that, Will, it's all yours.

MR. DEMPSEY: Thank you, Mr. Chairman.

Good morning, Commissioners. For the record, my name is will Dempsey, I'm from Cheffy, Passidomo at 821 Fifth Avenue South. I represent the petitioner, Headwaters Development Limited Liability, Limited Partnership.

I do have a few of our consultants here with us this morning. We've got Tim Hall, who's our environmental consultant from Turrell, Hall and Associates. Jim Banks, from J&B Transportation, who's our transportation consultant. Dan Hartley is our civil engineer from JR Evans Engineering. Christian Andrea, from Architectural Land Design is our landscape consultant. And finally, Greg Waterberg is our project manager. And to the extent that I'm unable to answer a question you have, I may ask one of these gentlemen to step forward to help out.

So the request that's before you today, Commissioners, to rezone a 10.75 acre agriculturally zoned property to residential planned unit development for single-family use. And the parcel you'll see is highlighted in yellow on the visualizer. It's the triangular parcel that's wedged in between Bear's Paw there to the north.

Bear's Paw, oddly enough, is within the City of Naples. And the zoning for Bear's Paw permits residential density and golf course use up to six units per acre.

To the south of our triangular parcel there we have the Manatee Point single-family condominium project, or community, I guess. And then a little further to the south, the River Reach single-family community. And those properties to the south are -- have a county zoning designation of RSF-4, with density permitted of up to four units per acre.

To the west of the triangular parcel is the county owned Gordon River Greenway. That's the

enormous green space immediately to the west of us running northward up to Golden Gate Parkway. And that's zoned P for public use. And it's currently under development by Collier County.

So the total project area within our triangular parcel is 10.75 acres. That 10.75 acres includes approximately one half of adjacent Golden Gate Canal.

And to explain, we own the adjacent canal more or less to the center line, Commissioners. And that submerged portion of our land amounts to 2.05 acres. That leaves 8.7 acres of uplands for us to develop.

And this is an important point. Our density calculation, we're proposing density of 2.9 units per acre. Our density calculation does not include the submerged lands. We're asking for 25 units total. Simple math, we divide those 25 units by the 8.7 acres of uplands and you come up with 2.9 units per acre.

So that 2.9 units per acre is, you know, almost half of what's permitted to the north in Bear's Paw. Again, Bear's Paw permits up to six units per acre under its zoning regulations. It's a little less than one unit per acre less than the density that's permitted to the south.

This is another significant point: Under the county's Growth Management Plan our property bears an urban residential subdistrict designation. And the -- that subdistrict and development within properties that are within the subdistrict is intended, and I'm just quoting from the Growth Management Plan here, to provide for higher densities in an area with fewer natural resources and where existing and planned facilities are concentrated.

In terms of facilities, our project will be served by City of Naples potable and wastewater. And we've confirmed with the city that there is enormous excess capacity for both of those facilities.

Access to the site, and I'm going to point here, is by virtue of this long rectangular section. This is actually a county access easement that was granted by the Board of County Commissioners back in 2009 to our predecessor in title. And the terms of that easement are intended to provide access not only to our triangular parcel but to the county owned greenway park.

The roadway is not part of what we're asking for here today. We will separately come back to the county and submit a site plan and a subdivision plat that will include approval of the roadway. So that roadway will come back to you, Commissioners. I just want to point out that we're driving our access through this county access easement.

CHAIRMAN STRAIN: I don't think it will come back to us. You said you're going to do an SDP. We wouldn't see --

MR. DEMPSEY: You're correct, you're correct, Chairman, that's right.

So the county's actually started construction of the roadway. The first and northernmost 350 feet, approximately this segment here, is under construction to give public access to the parking node within the greenway park.

We are contributing, assuming that we get our approvals, we're contributing our fair share of \$140,000 to offset the county's cost of the construction of that first segment, that first 350 plus or minus feet of roadway. And then the remaining 2,000 more or less linear feet of that access easement we are improving under the terms of the access easement, the recorded document, on our own dime, at our own expense. And that remaining segment of roadway which we're building will give the county a means of accessing greenway properties further to the south.

There's a parking node more or less right here to provide public access to the greenway park. The remaining segment that we're building gives Parks and Rec maintenance ability and so on and so forth further south from that county parking node.

CHAIRMAN STRAIN: Well, Will, just for correction, and I don't mean to keep interrupting your presentation --

MR. DEMPSEY: Sure.

CHAIRMAN STRAIN: -- but you're talking about what you would anticipate changing the easement to. Because the current easement is open to the public.

MR. DEMPSEY: Correct. Correct. That's a good distinction, Mr. Strain. And what we're looking for is since we're building a roadway and because the original greenway park plan contemplated the parking node not up here close to Golden Gate Parkway but further south next to our site, that southern parking node is out of the picture. The county instead is building a parking node for public access to the greenway, closer

to Golden Gate.

The remaining segment of this roadway we're building, we'd like to have that segment serve effectively as our private driveway. So we are working with staff to amend the existing access easement. This all happens after our zoning is in place. We're going to amend that existing access easement to clear up a couple points to provide for utilities, for example. The access easement as is drafted now does not contemplate public utilities within that 60-foot wide roadway. That all happens after this rezone process.

CHAIRMAN STRAIN: Well, the reason I wanted to make sure the record was clear is part of our -- as this goes through its process, if there's a motion to approve, we have to add a stipulation that the inconsistencies between the PUD document and the access easement are corrected as part of the PUD approval process.

MR. DEMPSEY: Okay. And part of that process clearly, Mr. Chairman, is that the County Parks and Rec Department will have continued access to the remaining segment of that roadway. We can't deny Parks and Rec access for purposes of maintaining the greenway park.

So we expect that our residents are going to take advantage of the enormous green space within the greenway park that's immediately to our west. We're treating that essentially as an amenity to our community for marketing purposes.

And in addition to the green space to the west within the greenway, the Bear's Paw community, which is strongly endorsing our project through its president, Mr. Frank Rapley, Bear's Paw has allowed us to connect into its sidewalk and cart path system. And I'll show you how that connection works here in just a moment.

So in addition to the green space within the greenway park, our residents will have access to the enormous amount of green space within the Bear's Paw community to the north. They'll also have the option of buying golf club memberships within Bear's Paw as part of our relationship with Bear's Paw.

So Commissioners, this is our master concept plan. I'll show you a little bit more detail here in just a moment in terms of our proposed lot layout. But I do want to point out on our master concept plan just in very general terms that we're providing for an interior roadway that separates two residential tracts. One of those residential tracts is on the north side of the roadway here. And the rear yards of these residential properties will front on the Bear's Paw golf course. The remaining residential tract south of the roadway fronts on the Golden Gate Canal. And these proposed lots here will all be waterfront lots.

We are asking, as part of our submittal -- I just want to point this out on the plan -- for a deviation to permit an eight-foot tall wall. The code now permits six feet maximum in terms of wall.

Since we've got the Gordon River greenway over here and what we expect is going to be a fairly intense public use of that greenway, we'd like to have eight feet on our wall, only on this segment of our property line, to give our residents a little additional privacy, given the public use going on right next door.

So let me show you what our lots look like.

CHAIRMAN STRAIN: And Will, when you step away from the mic and speak, you've got to use that portable one.

MR. DEMPSEY: Okay. It's a little difficult to see here, but I'll get into a detail here in just a moment that shows it clearly.

The connection to the Bear's Paw community that I described to you a moment ago, Commissioners, is going to be in our amenity area right here. You can barely see it, but there is a cart path depicted within our amenity area. That leads to a connection within the Bear's Paw internal cart path and sidewalk system that again provides access to the Bear's Paw green space to our residents.

Let me back up a moment. I do want to point out that what you see here is our proposed site plan and lot layout. Again, this -- I'm showing you this for illustrative purposes only. This plan is going to come back through the county via separate submittal. We're only asking for zoning today. But I would like you to see what our lot layout -- what we're proposing in terms of lot layout so you can visualize how the finished product looks.

As I mentioned earlier, we're proposing 10 interior non-waterfront lots. Those are depicted along the north boundary, north of our internal roadway. The rear yard of those lots again fronts on the Bear's Paw golf course.

And then along the waterfront you've got around 1,500 linear feet of waterfront on the Golden Gate Canal. We're proposing 14 platted single-family lots. And in the far east end of our property where it comes to a sharp point, an amenity area and then some dockage, which I'll explain in just a moment.

Aside from Bear's Paw and the greenway, again we consider both of those to be enormous amenities for the community, we've got -- we do have 1,500 linear feet of shoreline on the canal, so we're marketing the project as a luxury boating community. We do expect that our residents will want to take advantage of that waterfront and have boating and waterfront access.

That leads to boat docks. And I want to explain how that plays out.

So each of these 14 waterfront lots will have the option but not the obligation of building a single-family dock to serve their lot. Each of those single-family docks must be permitted in accordance with county, South Florida Water Management District and Army Corps of Engineer requirements. It will be purely up to each of those 14 lot owners whether they want a dock or not.

With regard to the 10 interior lots, we're proposing one dock structure adjacent to our amenity area -- again, this is at the far east end of our property where it comes to a point -- one dock structure that can park 10 boats; one boat, in other words, for each of the 10 interior lots.

Let me point out while I'm on this graphic that our sidewalk connection to the Bear's Paw community is indicated right here.

With regard to all of the boat slips, there will be no commercial uses permitted for those boat slips. In fact, commercial uses won't be permitted anywhere in the community as a matter of zoning. The use of the boat slips, whether they are single-family boat slips or these 10 community slips, we limited it to residents of the community. As a practical matter, with a high end community you don't want folks having free access coming through our entry gate to get to a boat dock. So through our internal private restrictions we will limit the use of those boat docks only to our residents.

On the single-family docks we realize just within the last 48 business hours or so that one of the deviations we requested was not strictly necessary. We asked for our single-family boat docks to have a zero foot side yard setback. We've realized again just recently that we don't need that zero foot side yard setback and that we're going to be subject to a minimum seven and a half foot side yard setback by the Water Management District for the single-family docks.

So I would like to just state on the record and for staff's revision of our deviations that we're asking for a seven and a half foot side yard setback on single-family docks rather than no setback.

In terms of environmental considerations, what you're looking at here, Commissioners, is an aerial shot taken from a helicopter looking from west to east, essentially from Golden Gate Parkway to the east. Our property is in the foreground.

The cleared area that you see nearest to you was cleared by the City of Naples in order to install a water reuse line. And that water reuse line runs along the west and part of the north boundary of our project.

You'll see that along the Golden Gate Canal and into the western boundary of our property we've got quite a few Australian pines. Further inside our property there's quite a population of Brazilian pepper. Long story short, there are a lot of exotics on-site.

In terms of native vegetation, when you do the math, there's .74 acres of native vegetation that we had an obligation to either preserve or propose an alternative. We're considering, we're considering, whether to purchase land and donate land to Conservation Collier in lieu of preserving on-site or to make a payment into Conservation Collier's coffers, again, in lieu of preserving the native vegetation on-site.

Let me explain why it's not feasible for us to preserve that .74 acres on site.

Much of it frankly is already gone. Much of the native vegetation that showed up in our initial site survey was within this cleared city water reuse line easement area.

To the extent that there is native vegetation remaining, it's unfortunately located right where we propose our entrance. And if we route our entrance around that native vegetation, it really eats into our proposed lot. So we are proposing that it be preserved off-site. And again, these are isolated and not pristine on-site native vegetation communities.

Commissioners, I know you're going to have questions for me, so I'd like to wrap up my prepared comments. And to conclude my opening presentation, I'd note that your county staff has thoroughly

reviewed our submittal and has recommended approval. We have the support of our nearest neighbors to the north in Bear's Paw.

And again, referring back to the Growth Management Plan and the fact that we are within the residential urban subdistrict, that we believe that the development we've proposed meets the District objective of providing for higher densities in an area with fewer natural resources and where existing and planned facilities are concentrated.

So with that, I'd be glad to answer any questions you have.

CHAIRMAN STRAIN: Okay, thank you. That was a thorough presentation.

Anybody have any questions of the applicant at this time?

COMMISSIONER EBERT: I'll probably come back later.

CHAIRMAN STRAIN: Well, okay, but I'm going to ask some questions now then, if nobody else has any.

I think my first question, though, is as a result of your presentation I have to ask staff something.

Ray, is it typical that we don't include the gross acreage in a density calculation? I mean, I'm thinking of other big projects. Cocohatchee is one that comes to mind. They went and purchased -- or part of their project was a large amount of marine wetlands out in front of their property and they used -- I believe they used that as part of their ability to calculate a density at some -- even though they had less, that was part of their calculation.

Isn't that the way -- do we normally do it that way?

MR. BELLOWS: For the record, Ray Bellows.

The density calculation would include that, typically. What typically isn't in a mixed use development you wouldn't be calculating areas designated for commercial uses, as that would be double dipping.

CHAIRMAN STRAIN: Right. But in this case he's got a 10.75 site (sic) and he used eight something for the density calculation. When in reality, if he used a 10.75 as we customarily do, because it is all residential and it is part of their land, then they would have a density of 2.32 instead of 2.95, which I think would be more accurately reflected in the staff report to convert that to 2.3, if that's what we normally do, to be consistent.

Does that sound okay to you guys, since you're the staff that reviewed it?

MR. BELLOWS: We'll just double check with Comprehensive Planning who reviewed the density calculation. But it does sound appropriate.

CHAIRMAN STRAIN: Could you email him while --

MR. BELLOWS: Yes.

CHAIRMAN STRAIN: -- this is going on? Because I'll include it as a stipulation. Because I don't want this to be looked at any differently than we look at everybody's. The consistency ought to be the same.

MR. BELLOWS: Yeah.

CHAIRMAN STRAIN: So that's all I'm trying to get to.

Will, let's go right into the questions. On the area of the off-site mitigation --

MR. DEMPSEY: Yes, sir.

CHAIRMAN STRAIN: -- I understand where it's located on your property. It's probably in a very vital piece, and as you stated it, it would cause you a large inconvenience to move around it. But in conjunction with that, you're also asking for a reduction in overall open space of 10 percent. So basically you're taking out the native vegetation which reduces open space and you want to reduce open space an additional 10 percent. So that has a kind of like a double dip impact on the way the site's going to appear. And it looks like you're going to have, you know, an upper scale nice-looking project, no doubt about that.

But in regards to how you're going to mitigate that off-site, you and I have talked about this, and I know that there's a belief by some interpretations that you could either pay the rate that the Conservation Collier requests -- which I haven't seen their statistics to understand how they got to their rate so I can't really defend it or say it's right or wrong -- or you can supposedly buy a parcel in certain areas of the county to make up the acreage that you need.

I didn't find in the ordinance or in the LDC where it says that that parcel could be significantly

devalued to offset the cost of the acreage that they've calculated to be a typical acre, so I'm not sure that that's the right way to go. I know that's one that you've contemplated.

MR. DEMPSEY: Sure.

CHAIRMAN STRAIN: But I think because of the dual issue that we got here, the reduction in open space and the need for you to do away with the on-site native vegetation, if you take the property's purchase price and you multiply that by acre and compute the amount of space that you're having to mitigate, I think when you and I talked it comes to right around 100 or \$103,000.

MR. DEMPSEY: That's correct.

CHAIRMAN STRAIN: The Conservation Collier number that I'm not sure how it's supported by at this time was about about 160 or 170.

MR. DEMPSEY: I think it was actually 178.

CHAIRMAN STRAIN: 178. And the amount --

MR. DEMPSEY: 68, sorry.

CHAIRMAN STRAIN: And the amount of land you could purchase in Winchester Head would be worth what, 20 or 30,000?

MR. DEMPSEY: Yes.

CHAIRMAN STRAIN: Okay. Well, I'm sure that the intent of the code was not to allow you to pay 30,000 for an acreage that really was 170. And by the way the language was written, I didn't come to that quick conclusion either.

So I think as a consideration for the deviation, as well for the off-site, to look at what value this has to your property is a more practical way to go. And I think that 103,000 or whatever the calculation is on the actual purchase price of the property ought to be what we should be considering for off-site mitigation value. So I want you to think about that, because that might be one of the stipulations that comes up before --

MR. DEMPSEY: Okay.

CHAIRMAN STRAIN: -- this is over with today.

MR. DEMPSEY: I would acknowledge, Mr. Chairman, that certainly the 103, the calculations based on the value of what we're developing in lieu of preserving on-site is a number that can be supported, based on simple math and is not arbitrary as I frankly consider the Conservation Collier alternative, the \$170,000. I can't connect that \$170,000 to what we're doing on-site, whereas --

CHAIRMAN STRAIN: But I think the need for a rational nexus --

MR. DEMPSEY: Certainly.

CHAIRMAN STRAIN: -- to the pricing on-site is a better way to approach it. It's more defensible. So for now that's the line of thinking that at least I have as one member as we go through this.

And Tim? I guess it's time we can ask Tim questions too. Because one of the things that -- the rationale in the boat slips. And I know you're taking out the long boardwalk that was going to go along there, because you're now going to have seven and a half foot setbacks. So you really can't put a continuous boardwalk in.

MR. HALL: Correct.

CHAIRMAN STRAIN: And so each person will come in and Tim's firm will make some money off of 14 separate boat slip or boat dock requests. So that's off the picture.

But in the discussion of the rationale for the setback you stated that the subject docks have been conceptually designed to provide for mooring of boats horizontally within the shoreline, thereby reducing the projection of docks and boats into the Golden Gate Canal, and all boat sizes will be limited by virtue of community covenants, conditions and restrictions.

Now, the amenity piece has diagonal boat slips, it doesn't have the horizontal boat slips that you seem to use as justification for your previous request.

But even though we're going to a seven and a half and we're not now going to a zero, which would take out the need for that continuous boardwalk, how are you planning to justify then the -- are you looking at perpendicular boat slips when you come back in? I'd sure like to know for the record what you plan to approach us with in the future.

MR. HALL: Well, you've got the restriction from the county as well as the state and federal agencies

is 25 percent the width of the waterway. So in the case of this waterway, our maximum protrusion could be 25 feet from where the existing shoreline is.

Those perpendicular docks that you see actually include pulling the shoreline back a little bit to give them more space to be able to moor perpendicular without going past that 25 percent width line. But the single-family lots, based on where the existing shoreline is, it makes more sense to do those parallel to the shoreline than perpendicular just because of the size restrictions that are there. So it would be a parallel mooring on a shore parallel dock.

CHAIRMAN STRAIN: Okay. So you're saying whether it's 13 or 14 lots, whatever those lots are that are along the canal, when they come in for the individual boat dock requests, you're going to be coming in with a horizontal docking instead of a perpendicular; is that correct?

MR. HALL: Correct, yes.

CHAIRMAN STRAIN: So the boats will actually anchor horizontally to the shoreline?

MR. HALL: They'll be parallel to the shoreline.

CHAIRMAN STRAIN: Parallel to the shoreline, correct.

MR. HALL: Yes.

CHAIRMAN STRAIN: Okay. Well, that's fair. Then we'll have to see how you come in with that. Just remember that when you start designing these docks, that's all I'm telling you.

COMMISSIONER ROMAN: I have a question. There was a reference to up to 38 boat slips. In light of the presentation, are we now at 25?

MR. DEMPSEY: So great question. And I have to apologize for the confusion. We drafted that language so that it was clear how many boats would be moored in the canal. And let me explain that if I could, Ms. Roman.

So going back to the 10 community slips over on the far east part of our property that will serve the 10 interior lots, those are 10 slips, with a capital S, that are within one docking facility. So we've got 10 slips on one dock.

For the other 14 single-family lots, each of those 14 waterfront lots will be able to build up to one dock each. And the way the Land Development Code treats a dock, a dock can park up to two boats; hence each of the 14 single-family docks will include two slips, with a capital S. 14 times two slips each is 28, plus the 10 community slips, that's how we got to the 38 maximum number.

COMMISSIONER ROMAN: Okay, thank you.

MR. DEMPSEY: You're welcome.

CHAIRMAN STRAIN: Based on what Tim's saying, since those will be parallel to the shoreline, you've got 45 feet to fit in those two slips.

MR. DEMPSEY: Correct.

CHAIRMAN STRAIN: Okay.

MR. DEMPSEY: Correct.

CHAIRMAN STRAIN: I just want to make sure we're on the same page.

MR. DEMPSEY: We are.

CHAIRMAN STRAIN: Okay. Let me see what else I got.

You've answered some of my questions, so I'm trying to get -- oh, let's go to your development standards table. Just for clarification, the rear yards of these lots, in particular the ones along the waterway, are going to be at the same location as the top of the berm, which is 10 feet, I believe, inside the 160-foot canal maintenance easement. Yes. And then from the 10 feet -- from the maintenance easement where it goes into the property to that high point -- or to that property line, plus five feet, you have a 15-foot drainage easement in the backyard of each one of these.

MR. DEMPSEY: I understand, Mr. Strain, from -- after our discussion yesterday, I consulted with our engineer. I understand that that 15-foot drainage easement --

CHAIRMAN STRAIN: Yes.

MR. DEMPSEY: -- the platted drainage easement is actually 10 feet, not 15.

CHAIRMAN STRAIN: Okay. Because one of your documents shows it at 15. So that's going to be modified to be 10 foot.

And the only reason I'm asking is because I want to make sure there's no conflicts with your development standards table in regards to where you can have your setbacks for your accessory structure. Because you're actually going to be putting them in a drainage easement the way it's designed now. Okay.

MR. DEMPSEY: And physically, Mr. Chairman, we won't be able to put structures within the drainage easement --

CHAIRMAN STRAIN: Right.

MR. DEMPSEY: -- because the drainage easement is really a swale. And structurally we can't put something in there without it either blocking drainage or not being structurally stable within the swale within the down slope of the swale.

CHAIRMAN STRAIN: Well, but that swale could fit into a lot smaller area than 15 feet, which is what it sounds like you're intending to do anyway.

MR. DEMPSEY: Correct. That's correct.

CHAIRMAN STRAIN: And in addition to the drainage easement overlapping the -- the new drainage easement overlapping the existing canal drainage easement, you're going to have a 10-foot landscape buffer easement over that from the high water side to the five feet inside the top of the berm or something like that.

MR. DEMPSEY: Correct.

CHAIRMAN STRAIN: And from staff's perspective all that's okay, we can have landscape buffer easements within drainage easements.

MS. GUNDLACH: Yes, Commissioner, that -- for the record, Nancy Gundlach, Principal Planner with Planning and Zoning.

And yes, that is acceptable, Commissioner.

CHAIRMAN STRAIN: Okay. Under the same development standards table you list the maximum building heights not to exceed and you have an actual and zoned numbered.

MR. DEMPSEY: Yes, sir.

CHAIRMAN STRAIN: But you also added stories. Could you delete the stories in both accessory and principal? Because it's a moot point. Your height's your height, so --

MR. DEMPSEY: We can indeed, yes, sir.

CHAIRMAN STRAIN: The accessory structures, you have a minimum front yard setback at 10 feet. In a situation where a garage would be detached or could be detached and it was an accessory structure, if it's a front entry garage it would still have to have footnote one apply. So could we add footnote one to that accessory structure position?

MR. DEMPSEY: Yes, sir, that's not a problem.

CHAIRMAN STRAIN: Okay. The last footnote, and I know you and I talked about it, you said you were going to check on it, it says patios, pools, screen enclosures and similar accessory structures may encroach into the minimum yards and may attach to the adjoining dwelling unit.

And my concern there was, and we've run into this in other projects and we've had to change this language, you could have a continuous accessory structure like a screen enclosure running the full length of that waterway and no way for people to get to the docks, the boats, the maintenance of the yard, trees. So all your landscape companies would come through their living rooms. And I'm sure those people wouldn't be happy with that. So did you have another way you wanted to approach that?

MR. DEMPSEY: Yes, sir, I'm happy to report that we can delete footnote two.

CHAIRMAN STRAIN: Okay.

MR. DEMPSEY: And for the minimum side yard setbacks have those side yard setbacks mirror the setbacks for principal structures, which is zero or five feet.

CHAIRMAN STRAIN: Okay. Maintenance easements. The setbacks usually have issues with maintenance easements, and in this case I didn't see any South Florida maintenance easements along the canal bank drainage easement. We typically see those along waterways.

After research on your part and mine and talking with Big Cypress last night late, I found out that they don't maintain this canal, the county doesn't maintain this canal, and it's a free-for-all. And basically you have agreed through your HOA to maintain the canal.

MR. DEMPSEY: Tag, we're in.

CHAIRMAN STRAIN: Okay.

MR. DEMPSEY: Someone has to maintain our bank, that's going to be us.

CHAIRMAN STRAIN: And Heidi, the HOA that owns the other half of the canal, do they maintain that canal, just out of curiosity, or what's their status; do you know? I think you looked at that?

MS. ASHTON-CICKO: Yeah, I don't know about the maintenance, but the Civic Association is a dissolved corporation. Let me give you their correct name.

CHAIRMAN STRAIN: And is that in the City of Naples or that's a Collier County property, right? I don't remember --

COMMISSIONER HOMIAK: It's county.

CHAIRMAN STRAIN: -- across the canal?

MS. GUNDLACH: That is a Collier County property.

MS. ASHTON-CICKO: Yeah, the Coconut River Estates Civic Association is a dissolved corporation, according to the records of the Secretary of State.

CHAIRMAN STRAIN: Okay. Well, so we have half the canal that's going to have a maintenance commitment.

COMMISSIONER HOMIAK: They still show it as the owner of it though. It's still -- that civic association is the owner of the water that goes all around that --

MS. ASHTON-CICKO: Yeah, according to the information we received from Mr. Dempsey, they are the owner of the underlying land.

MR. DEMPSEY: And that's information that we pulled from the property appraiser's website in a title search.

CHAIRMAN STRAIN: Okay. Well, I just think there'll probably be some followup review to see who is -- if they have any responsibilities for that canal. Because like you, if they had committed to doing it, it would be nice to know we've got people that are going to be doing that.

MR. DEMPSEY: Both sides.

CHAIRMAN STRAIN: Yeah, because nobody else is.

MR. DEMPSEY: Certainly.

CHAIRMAN STRAIN: Let me see what else I got, Will.

On your details, and I think I've asked all of those, so -- I was looking at your detail for your rear yards, but we just got done with all that.

On the transportation section of your PUD, you talk about having the access easement completed and renegotiated basically within a 60-day period after this is approved. And what I'm going to suggest, that during the stipulation phase is some points that must be considered regardless of how far you go with that. I know you've got things that you're already going to have -- discussing. These may just be redundant. But when we get to them, that will be something we should consider.

MR. DEMPSEY: Okay.

CHAIRMAN STRAIN: The Item C under that transportation had said: The foregoing operation of maintenance obligations include the access easement. This is in reference to the developers, successors and assigns, which I'm assuming would be the HOA.

MR. DEMPSEY: Correct.

CHAIRMAN STRAIN: But then under the next page under Item 5, planning and common area maintenance, you limit the maintenance conditions to the internal roadways. But this road is actually going to be maintained by you guys based on the negotiations you're going through with Parks and Recs; is that correct?

MR. DEMPSEY: Yes, sir.

CHAIRMAN STRAIN: Okay. So you don't mind if under five we make some change that indicates that the access easement will be included in those maintenance facilities?

MR. DEMPSEY: That's fine from our side.

CHAIRMAN STRAIN: Okay. The Item D currently says that the developer will not deprive the County Parks and Rec Department to use the access easement.

That will be one of those issues that you're going to adjust in that access easement? Because right now it's open to the public.

MR. DEMPSEY: Yes, sir.

CHAIRMAN STRAIN: Okay. There was a map attached, it's called draft site plan with greenway park overlay. And I just noticed some things on here. One of them was that you're going to cull out for a gate, but the gate's going to be another item you're going to negotiate when they redo the access easement.

In the lower right -- or in the right-hand side of that document it says grass maintenance vehicle parking area. Do you know what that is, or what it's for? Is that on your property or is that supposed to be on the county's property?

MR. DEMPSEY: I understand, Mr. Chairman, that the plan that you're looking at is actually the county's greenway plan, and that the reference to a grassed maintenance vehicle parking area is for county maintenance vehicles in an area on the county greenway land.

CHAIRMAN STRAIN: Good. Because it was written over the top of your property. And that's why if you have a maintenance area and it's going to be vehicles parking on it, I was concerned more about how how it should be surfaced.

MR. DEMPSEY: Sure.

CHAIRMAN STRAIN: And there's a note just below that, it says: Proposed easement by others. That is an easement involving your property or involving the county's greenway? I didn't -- this has kept me -- I was reading this stuff last night, sorry. Otherwise I would have asked you yesterday.

MR. DEMPSEY: There was nothing on television last night, I tried as well.

CHAIRMAN STRAIN: I don't get cable, so --

MR. DEMPSEY: Do we have any sense, Dan, for what this refers to, the proposed easement by others?

CHAIRMAN STRAIN: My concern is while I don't want us in an approval of this PUD making some commitments that aren't -- we don't know what they are. So that's the only reason I'm asking.

MR. DEMPSEY: Understood, Mr. Chairman.

We're struggling to get you a good answer there, Mr. Chairman.

CHAIRMAN STRAIN: We can get to it later. I'm not -- it's just something I need before the day's over.

MR. DEMPSEY: And this is the County Parks and Rec greenway plan that we just overlaid so that it sits next to our project. And in retrospect we probably should have understood a little bit better what some of these legends meant on the greenway side.

CHAIRMAN STRAIN: That's the extent of my questions for now. Does anybody else have any? Diane?

COMMISSIONER EBERT: I would like Stan to please go over the sheet flow on these properties.

MR. CHRZANOWSKI: I'm not sure that's my job.

CHAIRMAN STRAIN: No, I mean, if you've got flood questions -- I mean, if Stan's got questions from his perspective --

MR. CHRZANOWSKI: You've got county staff here.

CHAIRMAN STRAIN: Yeah, Diane, the staff --

COMMISSIONER EBERT: Okay, well --

MR. CHRZANOWSKI: I used to do that when I worked for staff for the EAC, and I made sure everybody got a copy of the LIDAR, which I used to do when I worked for the EAC. But -- do I get up and make a presentation?

CHAIRMAN STRAIN: No.

MR. CHRZANOWSKI: Thank you.

CHAIRMAN STRAIN: It would more appropriate for county staff to respond to that.

COMMISSIONER EBERT: Well, okay. I do have a lot of questions then on this, Mr. Dempsey. This is an infill of property, correct?

MR. DEMPSEY: Yes, ma'am.

COMMISSIONER EBERT: It is a different owner than Bear Paw; is that correct?

MR. DEMPSEY: Correct.

COMMISSIONER EBERT: You are going to use the county's access to get into your property?

MR. DEMPSEY: Correct.

COMMISSIONER EBERT: You really don't have enough space for a preserve.

Your actual building site will only be 5.27 acres, correct, according to what was in here?

MR. DEMPSEY: You mean the total area of the lots?

COMMISSIONER EBERT: The total area of the lots, the residential.

MR. DEMPSEY: When you take into account the fact that part of the property is submerged, part of it is roadway.

COMMISSIONER EBERT: That's right.

MR. DEMPSEY: Yes, ma'am, the total residential tract area is 5.27 acres.

COMMISSIONER EBERT: Okay. You can't do the open space. What you're using as your reference is the greenway, which is not on your property. You're using Bear's Paw, you're using the Golden Gate Canal, in reading the information that we received.

On some of these deviations, and I understand the fence in the wall. I think that's very good for that.

MR. DEMPSEY: Okay.

COMMISSIONER EBERT: The alternative buffer, you want to change that.

It's just that in reading this that you're asking for a lot of special attention on this piece of property. And I also understand that you have made arrangements with Bear's Paw so the people can join there.

I just feel that this is at this point too dense for the area that you are building. In going through the information, and I went on the appraiser's website, the setbacks on your property, I mean, I know it would be a lovely community. I don't know what the homes look like, I thought you said you were going to bring something today. But by foot is -- I mean, Bear's Paw on their single-family is -- has 30 feet between it. Across the way there's 20 feet. And you want to bring it down to 10. I just -- I'm not in favor of that at all. That is my opinion on it. And --

MR. DEMPSEY: Ms. Ebert, on the side yard setback, I do need to respond there. After we spoke yesterday evening, I did literally 45 minutes worth of down and dirty research. I looked at 34 PUDs that have --

COMMISSIONER EBERT: I understand.

MR. DEMPSEY: -- been approved over the last seven years. And of those 34 PUDs, 24 were approved with side yard setbacks identical to ours which provide for five feet structure to property line with a minimum separation of 10 feet between structures.

COMMISSIONER EBERT: And I understand that too.

MR. DEMPSEY: So I just don't want anyone to have the impression that what we're asking for is completely out of context with what the county traditionally does. Because I took that language, the five-foot --

COMMISSIONER EBERT: I know, I know.

MR. DEMPSEY: -- separation, I took that from other --

COMMISSIONER EBERT: It's just that if you have a two-story and you're 10 feet apart, let me tell you, it's too close.

Nancy or Ray, did you come up with something on the -- what is allowed here? Because it says the county -- or the growth management is three dwelling units? I mean --

MR. BELLOWS: On the density?

COMMISSIONER EBERT: Yes.

MR. BELLOWS: Yes. I got a response from David Weeks in Comprehensive Planning, and they're -- we were correct in stating that the Future Land Use Element density rating system does not include submerged lands or tidally influenced lands. However, the Land Development Code has a definition for density residential. And that takes into account submerged lands and doesn't -- and excludes that in the density calculation. So that's why it's the smaller acreage.

CHAIRMAN STRAIN: Okay. Could you just tell me in simple terms, is the density 2.9 or 2.3?

MR. BELLOWS: It's correct as stated.

MS. GUNDLACH: 2.9.

CHAIRMAN STRAIN: 2.9, okay.

COMMISSIONER EBERT: The deviation also, rather than even having a cul-de-sac you want a T

--

MR. DEMPSEY: Yes, ma'am.

COMMISSIONER EBERT: -- at the end of it? That would be up to the fire -- the codes?

MR. DEMPSEY: And we have reviewed this specifically with fire and emergency services staff and they've approved that T junction.

COMMISSIONER EBERT: Okay.

MR. DEMPSEY: We provided turning radius to prove that a fire truck could turn in that section, and it's been approved, yes, ma'am.

COMMISSIONER EBERT: Okay.

MR. DEMPSEY: I don't want anyone to have a sense that we've sort of tried to sneak this by, you know, the fire folks and emergency folks.

COMMISSIONER EBERT: I have a thing with street widths in Naples anyway.

You also want 50 feet instead of 60 feet, which most of them are doing now. You want to put sidewalk only on one side --

MR. DEMPSEY: Yes, ma'am.

COMMISSIONER EBERT: -- of the road.

Okay, you've changed the dock. I think I want to ask Tim something about how you're going to stabilize the banks.

MR. DEMPSEY: Sure.

MR. HALL: For the record, Tim Hall, Turrell, Hall and Associates.

The banks will be stabilized. There's a lot of exotic vegetation along there right now that's going to have to be removed. And currently we're proposing rip-rap along the bank to help with that stabilization.

Personally I'd like to leave the bank as it is. But in going through the other agencies and the permitting, there may be some requirements for some consistency within the bank which would entail grading to get a consistent slope and a consistent angle on that rip-rap. But regardless, it will be covered and protected so that we don't have erosion or additional turbidity going into the canal.

COMMISSIONER EBERT: Okay. Tim, can you tell -- I did make a site visit yesterday from across the way where the gated community is, I walked over there.

What is -- there's -- the canal that comes this way where the Gordon River starts right there also, is that where it kind of starts flowing in?

MR. HALL: Historically the Gordon River was down -- you see down here where this branch comes off?

COMMISSIONER EBERT: Okay.

MR. HALL: There was a secondary branch that went up this way. So all of this that's been constructed right here is all manmade. That's all actually excavated canal. The historic river actually was on this where you see over here and kind of went up into there.

COMMISSIONER EBERT: Okay. Okay. How deep is this canal?

MR. HALL: It varies. Anywhere from at lowest low tide downstream there's some areas that are probably about three feet, two and a half or three feet, up to 10 or 12 feet in a couple of holes.

COMMISSIONER EBERT: So the draft on the boat will be quite shallow?

MR. HALL: They will be smaller boats. They're also limited by the bridges. So you're not going to have, you know, big towers or anything on the boats because they can't get under the 41 bridge.

COMMISSIONER EBERT: Yeah. What size boat do you figure can fit in there?

MR. HALL: Well, based on what is already there on the other side of the river, you have anywhere from, you know, normally it's like that 20 to probably 25-foot range. You could get a bigger shallower drafted boat up there, but, you know, I would say --

COMMISSIONER EBERT: Yeah, a pontoon or something?

MR. HALL: Yeah, a 30-foot like pontoon boat, yeah, there you go, would be able to maneuver up

there. But most of the people are going to have, you know, generally smaller boats. You're not going to have the 40 and 50-foot boats that you would like in Vanderbilt Lagoon or Wiggins Pass.

COMMISSIONER EBERT: Okay. And as I did look at the appraiser's website last night with all the surrounding areas, there is only one boat slip per home, and they're all on there horizontally. I saw none with two on there. So I have a little problem there. I wouldn't mind going the 25 or whatever your number of homes being built, but 38 seems a little high for me. We'll just wait and go through the other reports. Thank you.

CHAIRMAN STRAIN: Anybody else have any questions?

COMMISSIONER ROMAN: Yeah.

CHAIRMAN STRAIN: Charlette?

COMMISSIONER ROMAN: I have a question.

I have a question regarding the landscape buffer.

MR. DEMPSEY: Yes, ma'am.

COMMISSIONER ROMAN: You're asking for a variation with a buffer that's on the actual canal.

MR. DEMPSEY: Yes, ma'am.

COMMISSIONER ROMAN: And in looking at that, have you given some thought to the maturity of the vegetation that you're considering in that buffer?

MR. DEMPSEY: It's time for me to bring up our landscape expert. This is Christian Andrea, who designed our landscaping. Thanks.

MR. ANDREA: Good morning. Christian Andrea with Architectural Land Design.

The code requires the trees to be 10 foot tall, ultimately the tree that has a mature spread of 30 feet.

What we're proposing along the back here are royal palms, which as a type A buffer we're allowed to use palm trees to satisfy the type A buffer requirements. They have to have a 10-foot clear trunk, so that's approximately six to eight foot of gray wood.

In addition to that, as part of the deviation, I may address that a little bit as well while we're talking about this. The code requires one tree per 30 feet along the entire type A buffer. What we're asking to do is provide a little bit of increased distance between them but also in turn adding additional trees along the property lines. So net net the entire buffer requires -- verify this, I believe it's 34 trees.

By definition of tree counts, when we use smaller trees, because putting a 30-foot tree that close to the rear yards is a little overwhelming to the properties. So we're combining two medium size trees that count as a two-to-one ratio. So when I add up the tree counts as the county counts them, we're actually proposing 43 trees, where 34 are truly required.

So our deviation is actually requesting permission to put more trees in than what the code allows. And then when you truly do a true tree count, there's actually 56 trees being proposed. But the smaller trees count as a two-to-one ratio. So that's why we only get the benefit of 43 tree credits.

COMMISSIONER ROMAN: I'd like to see this diagram, if you could zoom out a little bit so I could see a little more of it, please.

MR. ANDREA: Okay, that's not the best one.

We can use this exhibit that we have on the screen right now. The star symbols that you see here, those are the royal palms that are proposed at being 45 feet on center, and then these two trees are the holly trees. So there's -- this is what comprises the average of more than one tree per 30 feet as the site continues as you're running down the line.

COMMISSIONER ROMAN: Yeah, I'm having trouble seeing. Is that two lots there on the canal itself that I'm looking at?

MR. ANDREA: Correct, yes.

COMMISSIONER ROMAN: So on the -- let's just take one lot line adjacent to the canal. And you're showing two trees spread 30 feet apart or the requested alternate buffer?

MR. ANDREA: These two palm trees are requested -- okay, these two trees are requested being 45 feet apart, and then these two additional trees are part of that lot. So each lot would have these two trees plus these two additional trees. So on a running foot basis the rear yards here would have over one tree per 30 feet.

COMMISSIONER ROMAN: And these, if I understood you correctly, are 10 foot clear trunk?

MR. ANDREA: The royal palms are 10 foot clear trunk. The holly trees would be 10 foot overall.

COMMISSIONER ROMAN: Overall.

So you basically have a two-story home with just the entire back open to the canal except for the tree on either property line.

MR. ANDREA: Correct. The buffering aspects are kind of unique on the waterfront property. It's unusual to have a buffer on this, but it is a requirement to have a buffer in a residential community. Typically buffers are more on commercial and shopping centers to protect the view of those. So here in reality, I would anticipate these homeowners, when they actually build here, their rear yards are looking across the canal at the opposite property which has basically their front yards. So we're looking at their driveways and garages and whatnot and a street as well.

So the likelihood that additional planting would be planted on a homeowner basis is realistic, but the plan we've provided is intent on showing what we believe the code requires us to do.

COMMISSIONER ROMAN: Okay, thank you -- oh, excuse me, one more question I had on this.

Along the road that borders the greenway, the request is to go -- a deviation for an eight-foot wall. Had you looked at softening that wall, since it's adjacent to the greenway, with plantings?

MR. ANDREA: Yes, there definitely will be landscape there. So that's no problem.

COMMISSIONER ROMAN: Thank you.

MR. ANDREA: The requirement's a type D buffer there, but we would envision even more mature vegetation to help. Because ideally we don't want to see the wall as well.

COMMISSIONER EBERT: Mr. Dempsey?

CHAIRMAN STRAIN: Okay, well, before you go, let Mike go and then you can have your --

COMMISSIONER ROSEN: Thank you.

For staff, fast question. I just want to have you repeat the allowed density. Is that 4.0, did I hear that right? What was the allowed density?

MS. GUNDLACH: The allowed density is 3.0.

COMMISSIONER ROSEN: 3.0.

And through the calculations of the applicant, they're at either 2.9 or 2.3 as the Chairman pointed out; is that correct?

MS. GUNDLACH: No, they are 2.9.

COMMISSIONER ROSEN: 2.9, okay. So they're below the allowed density.

MS. GUNDLACH: Correct.

COMMISSIONER ROSEN: Okay, very good. Thank you very much.

And on another point, on the side yard setbacks, and I understand my colleague's, you know, position on that. However, I've successfully managed to build 4,800 homes here in Collier County with five-yard setbacks -- five-foot side yard setbacks, 10 foot building to building, and two-story in some nature, and we found that our residents have really no issue with that. Especially this particular piece is the essence of a urban -- you know, a dense urban infill site. And I think that's fairly appropriate.

As a side note to that, those particular sites that were developed years ago with 4,800 homes in 2004, five and six, won the J.D. Powers award for customer satisfaction in the United States. Number one. For over 300 builders that were polled in the entire United States. So Naples won number one in the United States those three years in a row, which included those particular homes. So we had no issues with those whatsoever.

I do applaud the private public partnership for use -- joint use of that easement. I think that's a great idea and again I applaud you for that.

On the other issue of the native vegetation site, because this is such a dense urban site, I think I would agree with the applicant's proposal for the off-site -- call it the off-site mitigation, my terms, off-site mitigation or off-site payment, however you're going to do that. So I think that the project is well planned and well suited. Thank you.

CHAIRMAN STRAIN: Okay, Diane, did you have more?

COMMISSIONER EBERT: Yes. On your amenity area, can you --

MR. DEMPSEY: Yes, ma'am.

COMMISSIONER EBERT: Where the 10 boat slips are going to be.

MR. DEMPSEY: Yes, ma'am.

COMMISSIONER EBERT: Can you tell me what you plan on having down there?

MR. DEMPSEY: Virtually nothing. Certainly no vertical improvements. Maybe a picnic table or two, maybe a boat, lockers for people to store their gear for those 10 community boat slips, but certainly nothing in the nature of a clubhouse or vertical improvements. There's just no room there for that kind of thing.

The other I guess you could call it a structure that will be within the amenity area is remember the sidewalk or the cart path that connects us to Bear's Paw, yes, ma'am.

COMMISSIONER EBERT: Okay. So there won't be any parking down there?

MR. DEMPSEY: No, ma'am.

COMMISSIONER EBERT: Okay.

MR. DEMPSEY: You may have people pulling up there --

COMMISSIONER EBERT: Dropping something off.

MR. DEMPSEY: -- in the southern end of the hammerhead to drop things off to load onto their boat, but that's it.

COMMISSIONER EBERT: Okay. Because I was looking at the NIM meeting minutes and there was going to be no parking and yet --

MR. DEMPSEY: Still the case.

COMMISSIONER EBERT: -- in the PUD it does say it allows for parking. But I'd just like to clarify that there will be no parking down there.

MR. DEMPSEY: I promise.

COMMISSIONER EBERT: Thank you.

MR. DEMPSEY: You're welcome.

CHAIRMAN STRAIN: Anybody else?

Stan?

MR. CHRZANOWSKI: Yeah, Mark, one thing. Could I get Nancy to put these on the visualizer?

CHAIRMAN STRAIN: Absolutely.

He's coming your way, Nancy. You're going his way. You guys are -- you'll never meet.

MS. GUNDLACH: We'll just go in circles.

MR. CHRZANOWSKI: Okay, that's the aerial photo of the area we're talking about. And if you look at the curve, from what I could tell from the 1962 aerial, that canal, when it was dug, the first bend was a 25-degree bend, and the next bend was a 65-degree bend, which is quite sharp. If you look, you can see it starting to scour out the far side.

If you go to the next exhibit, the next drawing.

That's the 2002 aerial of that bend. That's before the Bear's Paw weir was dug -- or installed.

If you look at the docks on the near side, inside the bend you can see that there's a sand bar silting in. The dock was pretty well unusable in 2002.

After the Bear's Paw weir was installed they dredged that out, saying that the Bear's Paw weir had caused the silting. But the silting was there long before engineering staff objected to that, but they dredged it out anyway.

It started filling in. If you look at the new aerials you'll see it's starting to silt in again.

MR. DEMPSEY: That's it?

MR. CHRZANOWSKI: No, that's the Gordon River greenway aerial photo. That shows where the whole river is, roughly.

My point is that if you look at the far side, you can see the bend scouring out and the near side is accreting. It has nothing to do with any of the construction that was done, it's been going on for a long time.

I don't want somebody to come afterward and say that this construction caused anything by way of additional accretion on that near side, because it's just a natural process.

Like Diane, I was a little afraid -- and Tim and I had talked about this, the -- when you take out all

those -- if you go to the last set of photos, when you take out all those Australian pines -- if you could zoom out a bit -- this whole waterway is going to look a lot different. It's not going to be as pretty. But it's also going to be not as stable, the banks, if they remove the Australian pines. But Tim says they're going to cut the Australian pines off and leave the roots, which will stabilize it until the roots rot, which is going to be for a long time.

But around the curve there, when the county does their cleaning up of the Gordon River greenway, and I assume they're going to remove all the -- if you look at the upper left-hand photo, that's all Australian pines along that river there. When you -- when the county takes that out, that's going to cause some maybe loss of bank unless they just cut it and leave the roots in. Even then, long-term I don't know what's going to happen.

I just don't want anybody to think that this project caused any of this. Because from what I've talked to Tim, I think you guys are doing it right. You're going to protect your property. You're not causing anything else downstream. I think any other effects are going to be strictly nature.

And if that did scour out, it wouldn't bother me, because that property's not going to be developed anyway. It's a natural process. I don't think there's any need to harden that shore around that bend anymore, just let it naturally scour out and form a nice oxbow, just like every other place in Collier County where I kayak.

That's a comment. If you've got anything to add to it, Tim, I'd appreciate it.

MR. HALL: Well, just one clarification. The intent is to cut everything off and leave the roots there where we can. If we have to do some kind of leveling of it, there may be some that are taken out to create a consistent bank for the rip-rap. But wherever we can, we'll leave the root mats in place.

I mean, we found with the Australian pine that they are -- they stay in place a long time, even after you kill them. So they -- by getting rid of the canopy and the allelopathic qualities of the leaf drop, you get other plants that can come in and then root on the bank underneath them where they can't now because the pines are in place.

MR. CHRZANOWSKI: Yeah, it's just a pity that it's going to lose all that shade.

CHAIRMAN STRAIN: Anybody else?

(No response.)

CHAIRMAN STRAIN: Well, I've come up with one question in listening.

The landscape plan that you're using is titled The Landings as Bear's Paw, PPL Submittal Landscape Plan, dated 10/16/13 by a company called Architectural Land Design?

MR. DEMPSEY: Yes, sir.

CHAIRMAN STRAIN: Okay. In the justification for one of your deviations, and it was deviation five, it says: Additionally the modest 10 percent reduction in open space will be mitigated visually by the alternative type A buffer described in deviation eight below, and by an enhanced internal landscape plan.

Yet the plan that I just asked you about is not an enhanced internal landscape plan. So how are we accomplishing that language in the deviation?

MR. DEMPSEY: I am certain, Mr. Chairman, that Mr. Andrea can speak more intelligently to this point than I can. Generally I'll tell you that in consulting with Mr. Andrea, our landscape architect, that we're going well above and beyond the Land Development Code minimum with regard to our internal landscaping. But I do have a plan here, and let me let Mr. Andrea --

CHAIRMAN STRAIN: Well, I heard him say that. Unfortunately the plan that I was given doesn't reflect that and I'm just wondering why we said that, and what plan are we really using.

MR. ANDREA: The submittal documents that you have, those are the PPL submittals. Those represent the buffers and what's in accordance with the plan. And there's a typical planting plan.

The plan we have on the screen here is more indicative of what the actual planting will be on the residence.

There is a streetscape program, there is internal planting, obviously, to enhance the building. So the caliber of this community requires us to, you know, just for market conditions to really, you know, far exceed the landscape code.

The landscape code, for example, doesn't require shrubs. So obviously there would be shrubs in

residences. You know, we can provide an exhibit that shows the entire project proposing what we think we're doing.

Right now we have typicals, as this exhibit shows, of what a typical residence would look like.

CHAIRMAN STRAIN: Okay. Because the only -- if you hadn't used that language as a basis for a deviation, it wouldn't be so much of a concern. But because you did, it needs to be backed up. We can't back it up by something that's not part of the PUD, because you used it as a basis as an argument for a deviation within the PUD.

The plan that was sent to me that I thought was the one that you were going to show the internal improvements, it's titled, as you probably know, 12-160-1.0(E), Code Minimum PPL Plan. So since that is the plan that's on record and it is code minimum, I think that somehow between now and the time we come back for consent, one of the stipulations will be that we acknowledge somehow through your input where we're going to have the enhanced internal plantings, just so we're consistent with that deviation justification.

MR. ANDREA: Understood. There are common areas on the site that we're heavily landscaping. The amenity areas are heavily landscaped. So those will all I think easily satisfy any concerns.

CHAIRMAN STRAIN: Okay. And I'll just add a -- we'll add a stipulation that says you will articulate that in some manner by consent. And that way when it goes to the Board, at least they've got that as backup to your deviation justification. Is that okay?

Okay, anybody else have any questions?

(No response.)

CHAIRMAN STRAIN: Staff report?

MS. GUNDLACH: Good morning, Commissioners.

Staff has found this petition to be consistent with the GMP and the Land Development Code. And if you have any questions this morning, it would be my pleasure to answer them.

CHAIRMAN STRAIN: Anybody have any questions of staff?

(No response.)

CHAIRMAN STRAIN: Okay. That was short and quick -- oh, you've got one, Diane?

COMMISSIONER EBERT: Yeah. You get more information than we do.

CHAIRMAN STRAIN: No, the information I get is all public. I don't get --

COMMISSIONER EBERT: I understand, I understand that. Don't -- we didn't get their drawings.

But anyway --

CHAIRMAN STRAIN: Well, you could have asked.

COMMISSIONER EBERT: No, Nancy, I just -- I guess it's -- I just have a few problems with the density of this. And some of the environmental issues I also have a little problem with, but it's fine. If the Board goes along with it, that's fine.

It's going to be lovely, don't get me wrong. We just don't normally get to see the homes, this type of thing. And I just think it's more sardines packed in. But anyway --

CHAIRMAN STRAIN: Okay, is there -- do we have any public speakers, Ray?

MR. BELLOWS: Yeah, we have one registered speaker, Frank Rapley.

CHAIRMAN STRAIN: Sir, if you want to come up, identify yourself and your location for the record, we'd like to hear from you.

MR. RAPLEY: Good morning, Mr. Chairman and members of the Commission.

My name is Frank Rapley and I live at 126 Bear's Paw Trail in Bear's Paw Country Club. And I've been a resident of Bear's Paw for 15 years. And I live there year round, I'm not a snow bird.

I'll try and be brief. I was able to send an email to your Chairman and I understand that he's provided it to all of you, so I'll try not to be too redundant. I do want to make a couple of points.

For the last three years I have been and am now president of the club. So I'm here today to represent and speak on behalf of the Board of Governors and the general members of our community.

We've met with the developers and their representatives many times over the past 18 months. And I can assure you, they've done a masterful job in keeping our community aware and involved in every step of the planning and entitlement process. And in working out any issues of mutual concern. And through that experience, I know they're going to be good neighbors.

We naturally enough have been concerned about alternative uses for this site. And we've been so impressed with the developer and his team and their proposal that we've offered residents of The Landings access to Bear's Paw Country Club and use of our golf course, clubhouse, tennis courts, fitness center and all the amenities we have to offer. In fact, we just completed a 750-foot cart path that will hook them into our cart path and roadway system.

This is a great departure from anything we've done at Bear's Paw in 35 years. We've never had a non-resident member in that time.

This proposal is a great alternative to other uses for this parcel. In fact, it is in our opinion, and I speak for the board and the entire community, the highest and best use of this land possible. We urge you to support the request for its rezoning. Thank you for your attention.

CHAIRMAN STRAIN: Thank you, sir.

Ray, I saw another slip -- I didn't see a slip, I saw a person carrying a slip up here. So let's go to --

MR. BELLOWS: Nicole Johnson.

CHAIRMAN STRAIN: I knew she couldn't sit in the audience and not say something.

MS. JOHNSON: Good morning. For the record, Nicole Johnson, here on behalf of The Conservancy of Southwest Florida.

When The Conservancy initially reviewed this rezone request we, like Ms. Ebert, were a little concerned about the no native vegetation being retained on-site.

Just for background, The Conservancy was not supportive of the LDC provision that would allow this off-site option. Mainly because we felt it could only make sense if the public benefit was equivalent to the developer's benefit of not having to set aside that land on their project.

We were afraid that the provision could be used to create a disconnect between the area impacted and the off-site area that was then going to be protected and preserved. And in the Gordon River system, especially downstream with so many impacts, so much impervious area, we wanted to make sure --

CHAIRMAN STRAIN: Slow down a little bit. I can see her face and she's struggling to keep up with your voice.

MS. JOHNSON: I haven't been corrected on that for a while.

CHAIRMAN STRAIN: I know.

MS. JOHNSON: I had too much coffee this morning. I apologize.

So we were a little concerned if this project was going to use the off-site option of perhaps purchase within the Winchester Head, which is one of Conservation Collier's acquisition areas. Because even though Winchester Head is important, it's a good distance away from this Gordon River system.

So we stepped back and we said if this applicant will not be preserving their .74 acres, is there a way to make a public benefit from this? And we did feel that there was a really exciting opportunity here. Because there is still one parcel remaining in the Gordon River greenway acquisition area for Conservation Collier. It's referred to as the CDC parcel, it is on the approved acquisition list, the seller is still a willing seller, from what I have heard, and it's just north of the airport. And so we felt that if the monetary contribution option were used in this case, it wouldn't be enough to purchase the entirety of that parcel, but it would be a good chunk of the money. And it could then be used to leverage other funds through the greenway and perhaps get the county motivated to purchase this last piece of that greenway puzzle.

So we do agree with the Chairman that the \$103,000 provides a rational basis for how much that financial contribution should be. We believe that if this 103,000 is stipulated as a condition for approval and if it's earmarked for this CDC parcel in the greenway, we believe that there would be a significant public benefit and that we would be supportive of the rezone.

Any questions for me?

CHAIRMAN STRAIN: Thank you. No, we're fine. Appreciate it.

Is that the last public speaker registered, Ray?

MR. BELLOWS: That's the -- correct.

CHAIRMAN STRAIN: I was wondering where you were going to go with that.

Does anybody else from the public wish to speak on this matter?

(No response.)

CHAIRMAN STRAIN: Okay, we will -- well, we're not going to close the public hearing until I see if Will wants any rebuttal time.

MR. DEMPSEY: Just one brief comment, Mr. Chairman.

I need to echo Ms. Johnson's desire that if in fact we do come to terms on a stipulation for this monetary payment of \$103,000 and change, certainly my client would prefer to see those funds -- we've had this discussion in context of the greater amount, the greater number, the \$168,000. We haven't had this discussion in the context of the lesser number that we're discussing now. But client certainly did express the strong desire that to the extent he pays anything into the Conservation Collier pot that those funds be earmarked for the acquisition of the parcel that The Conservancy desires.

CHAIRMAN STRAIN: Well, I'm not sure The Conservancy can outrank the Board of County Commissioners in what purchases are made in Collier County. So I would -- I think the intention is there. You know, if you get pulled from consent because you want to say this at the Board, I'm sure that that could be relayed to them. But I don't know if we should be getting into preferences of one nonprofits over taxpayers money.

MR. DEMPSEY: Just stating the preference.

CHAIRMAN STRAIN: Okay.

MR. DEMPSEY: Thank you.

COMMISSIONER EBERT: Is it just a little closer to home? This piece of property is just a little closer to home so --

MR. DEMPSEY: Yes, ma'am.

COMMISSIONER EBERT: -- you would enjoy more.

MR. DEMPSEY: Yes, ma'am.

CHAIRMAN STRAIN: Okay, with that being the last comment, we'll close the public hearing. Oh, Will, let me run these ideas by you before we go into stipulations --

MR. DEMPSEY: Sure.

CHAIRMAN STRAIN: -- that we are on at least a page that's agreeable.

The access easement that's going to be amended, it will address at least the following: It will be open to Parks and Recreation; the maintenance will not be required of Collier County; and the gated entry will be allowed so long as it's not public and not publicly maintained.

MR. DEMPSEY: Correct.

CHAIRMAN STRAIN: Number two: The revised dock setback for deviation will go from 0 to 7.5 feet.

MR. DEMPSEY: Correct.

CHAIRMAN STRAIN: Number three: All boat slips are limited to residents of the community.

MR. DEMPSEY: Yes.

CHAIRMAN STRAIN: Number four: Slips for single-family will be parallel to the shoreline, not perpendicular. That's for my own personal self preservation in the future when Tim comes forward.

Five: You're going to remove the reference to stories on the development standards table.

MR. DEMPSEY: Correct.

CHAIRMAN STRAIN: Six: You're going to add footnote one to the accessory front yard setback. Footnote one is about the 23 feet if you have a front entry garage.

MR. DEMPSEY: Yes, correct. Yes, sir.

CHAIRMAN STRAIN: Seven: You're going to delete footnote two and the side yard setbacks are to mirror the principal setbacks for accessory structures.

MR. DEMPSEY: Zero and five, correct.

CHAIRMAN STRAIN: Right. Eight: Change section five to include the maintenance of the access road. That's the one that refers to only the internal road.

MR. DEMPSEY: Yes, sir.

CHAIRMAN STRAIN: Nine: You're going to provide a monetary offset for the deviation of reduced open space and for the native vegetation mitigation equal to the property purchase price per acre for acreage for required off-site mitigation, multiplied by the amount of acreage subject to the off-site mitigation.

That's a triple way of saying things, but I wanted to make sure I -- it was a point -- it was not as clear, it was as tight as possible.

MR. DEMPSEY: Would it make sense, Mr. Chairman, with all due respect to actually plug in the number, the .74 acres that we're required to preserve?

CHAIRMAN STRAIN: Fine, that would be great too. But I don't know how -- is your number -- do you have an accurate number?

MR. DEMPSEY: .74 acres was our on-site preservation requirement, yes, sir.

CHAIRMAN STRAIN: Okay, so what's the number there?

MR. DEMPSEY: So .74, when you divide the total acreage within the site, the 10.75 acres by the \$1.5 million purchase price, multiply it by the .74, the final number is \$103,255.

CHAIRMAN STRAIN: No cents? That's okay.

Okay, so instead of all that mess I just read for number nine, Cherie', the off-site mitigation will be valued as a monetary contribution of \$103,255.

And the last number 10, add language to the enhanced -- to provide for enhanced landscaping as referenced in deviation number five. And that will be something you provide to staff between now and consent.

MR. DEMPSEY: Okay. Does staff or the Commission have a preference for a narrative description of that additional internal landscaping versus a graphic? Can we provide you with a graphic internal landscape plan to satisfy that requirement and give some certainty as to what we're doing?

MS. GUNDLACH: A graphic landscape plan would be sufficient.

MR. DEMPSEY: Okay.

One more point, Mr. Chairman. Back to the negotiations for modification of the access easement with County Parks and Recs?

CHAIRMAN STRAIN: Yes.

MR. DEMPSEY: There were two more points. One is we have been discussing actively with Parks and Recs the concept of us connecting to the sidewalk within the greenway.

CHAIRMAN STRAIN: Well, see, that's outside the PUD zoning, so that's why I didn't get into it.

MR. DEMPSEY: Okay.

CHAIRMAN STRAIN: My -- the only ones I tried to address were ones relative to what this board's supposed to be looking at.

MR. DEMPSEY: Understood.

CHAIRMAN STRAIN: And so whatever else you go beyond that, that's why I said at least the following. So --

MR. DEMPSEY: Fair enough.

CHAIRMAN STRAIN: -- for this board's comfort level, you need to at least touch those three things so the PUD is consistent with the access easement.

MR. DEMPSEY: Got it.

CHAIRMAN STRAIN: What else you give away, that's great. We'll thank you for that.

MR. DEMPSEY: Thank you.

CHAIRMAN STRAIN: Or I should say what else you get.

Does anybody have any other issues?

(No response.)

CHAIRMAN STRAIN: Okay, the applicant has agreed to those stipulations. So with that, is there a motion from anybody on the Planning Commission?

COMMISSIONER ROSEN: I'd make a motion.

CHAIRMAN STRAIN: Go ahead, Mike.

COMMISSIONER ROSEN: I'd make a motion to approve Petition RZ-PL20120002095, The Landings at Bear's Paw RPUD with the stipulations as were just --

CHAIRMAN STRAIN: Read into the record?

COMMISSIONER ROSEN: -- read into the report, yeah.

COMMISSIONER HOMIAK: I'll second.

CHAIRMAN STRAIN: Seconded by Karen.

Discussion?

COMMISSIONER ROMAN: Yeah, I have a question.

CHAIRMAN STRAIN: Go ahead, Charlette.

COMMISSIONER ROMAN: -- Mr. Chair.

How do we capture the interest of the petitioner and also like in my case as a board member the interest to keep the payment for the -- you know, the public land deviation if possible make a recommendation to keep it in the greenway, if possible? I know we can't decide for the Board of County Commissioners, but can we make a recommendation?

CHAIRMAN STRAIN: Sure, but we -- I don't know if -- I don't think it would be appropriate to stipulate it as part of the PUD, but we can include that in our discussion and go forward in the staff report, most certainly.

COMMISSIONER ROMAN: Okay.

CHAIRMAN STRAIN: If you'd like to add that as a point of note --

COMMISSIONER ROMAN: Yes.

CHAIRMAN STRAIN: -- to the Board of County Commissioners that the money be used for a particular parcel in the Gordon River greenway?

COMMISSIONER ROMAN: Adjacent to this property.

CHAIRMAN STRAIN: Adjacent to this --

COMMISSIONER ROMAN: So in essence the mitigation takes place right there in the local neighborhood.

CHAIRMAN STRAIN: Adjacent to the greenway property, you mean?

COMMISSIONER ROMAN: Yes.

CHAIRMAN STRAIN: Okay, and I -- does anybody disa -- is the motion maker and the second okay with that?

COMMISSIONER ROSEN: I am.

COMMISSIONER HOMIAK: I'm fine with it, yes.

CHAIRMAN STRAIN: Okay. Well then it will be added not as a stipulation but as a comment to the Board in regards to one of the stipulations.

MR. BELLOWS: Yeah, for the record, Ray Bellows.

When we prepare the executive summary, we'll put that as a note that was raised by the Planning Commission.

CHAIRMAN STRAIN: Great. Appreciate that.

Any other discussion?

COMMISSIONER ROMAN: Thank you.

CHAIRMAN STRAIN: Thank you.

Okay, all in favor, signify by saying aye

COMMISSIONER DOYLE: Aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER ROSEN: Aye.

COMMISSIONER CHRZANOWSKI: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 7-0.

With that, we have one more item to go through, but we'll take a break for the court reporter and come back at 10:50.

(Recess.)

CHAIRMAN STRAIN: Okay, everybody. Welcome back from the break.

We finished up with the scheduled hearings for today. There's no old business listed. But we have one item of new business. It was a beginning discussion from last week's -- two weeks ago meeting. And that is the possibility of converting over to electronic format for this Board, similar to how the County Commission is doing theirs. And of course the advantages are the number of packets and the processing and the collating that staff has to do and the deliveries and all the extra costs we have in not being electronic. So I urge the Board to ask questions. IT was nice enough to have Cindy -- Graf is your last name?

MS. GRAF: Graf.

CHAIRMAN STRAIN: Graf, to explain to us the possibilities and what it's about. And we're not -- I'm not going to ask that we decide on this today, but we take the input and think about it and by next meeting I'd like to get a conclusion from this Board as to what we'd like to see. Because maybe by then too we can figure out what the cost savings would be to the taxpayers. There will be some added cost for this Board. We'd have to buy the electronic devices. But considering there are, I don't know, a dozen to 17 packages hard copied and delivered for this Board for different actions on this Board, I think we'd be in the long run within a couple meetings we'd be saving that money back.

So with that, Cindy, I'll let you go forward, thank you.

MS. GRAF: Thank you, thank you.

I do have a power point. Is there something special I need to do here to make this show up on the TV?

CHAIRMAN STRAIN: You'd have to ask somebody from IT.

MS. GRAF: Maybe somebody from IT could help me with this. That's better, thank you.

COMMISSIONER EBERT: That was very good.

MS. GRAF: Thank you.

Good morning. My name is Cynthia Graf. I am an applications analyst with the IT Department here.

I'm here today to tell you a little bit about our electronic agenda process, what we do. We've been doing this for the BCC meetings for almost three years now, and we have seen some real benefits to it in terms of printing savings, time savings for staff, and compiling paper. We've also seen a lot of benefit to the public, because they can access these materials really easily from their home or office on-line. It's very simple, it's very straightforward for the public, and they do really I think enjoy that.

So basically what we have is a three-part process to produce this agenda. The first part is the submission of the documents to the system. The system will take just about any document you want to put in there. It will take a PDF, a Word document, an Excel spreadsheet, a picture, a power point presentation. Anything you want to put in there it will accept. And it converts it all to PDF.

The second part of the process is where staff finalizes and compiles the agenda. This is where we take all those individual PDFs and we stitch them together into one packet.

The third part of the process is to publish this packet out on the Internet and also to iPads. So that's basically it in a nutshell.

The first part can be simple or it can be complex. It really depends on your needs and how you want to use the system.

The simple way involves taking completed documents and uploading them into the system. These are finalized documents, they don't need any changes and they're approved. Everyone agrees that they're good. You put them up, there's no real development time required for this, this is something we could set up for you within just a few hours in our existing technology. So that's really simple, really easy.

The more complicated way is the way we do --

CHAIRMAN STRAIN: Would you mind, as you finish each slide, we provide any comments? Because I --

MS. GRAF: Oh, I'm so sorry, yes.

CHAIRMAN STRAIN: This one, for example, this board couldn't go the complex way, because we're not allowed to change documents. We're only allowed to annotate them. So we would automatically be in the simple way. And those are the kind of things that as we go along, we can --

MS. GRAF: Right, we could just --

CHAIRMAN STRAIN: -- kind of queue into you.

MS. GRAF: -- skip over that. Yeah, okay, yeah, so that definitely will not be -- so no approval. Would you want to be approving documents? Because you don't have to necessarily change them in order to use the --

CHAIRMAN STRAIN: Our documents have to come to us as a staff report.

MS. GRAF: Okay.

CHAIRMAN STRAIN: The only thing we can do with them is annotate them. We can't approve the way the staff produces a report, it's their report. And they're our expert -- they're our expert witnesses. So they've got to provide their documentation and we have to then question that documentation. But in the questioning process, the key for us is going to be able to annotate those documents so that we're not changing them.

MS. GRAF: Gotcha.

CHAIRMAN STRAIN: That's how we have to operate.

MS. GRAF: Okay, so really then we're just -- I think the simple way, it's cheaper, it's easier, it's the way really to do it then for you.

CHAIRMAN STRAIN: Yes.

MS. GRAF: Okay, great. Well, perfect.

So okay, so the second part where we take all of those completed finalized documents, PDFs, and we stitch them together and make a packet. The time involved in this process varies, depending on the size of your packet. Currently for a BCC agenda we spend about four to six hours every two weeks producing this -- doing this compilation and making it ready to go on the Internet and go on the iPads.

I think for a packet of your size, my understanding is just a few hundred pages. This would probably take less than an hour. So I really don't anticipate it to be real time consuming.

CHAIRMAN STRAIN: When you said we do it, meaning IT staff or county planning staff, for example?

MS. GRAF: We we've talked about county planning staff taking care of it. Actually, we have an individual, I believe, Judy Puig, who --

CHAIRMAN STRAIN: Oh, yeah, Judy is --

MS. GRAF: She's very familiar with --

CHAIRMAN STRAIN: Yeah, she knows how to do everything.

MS. GRAF: Yeah, knows how to do everything. She's very familiar with the agenda system in terms of the BCC agenda. And we've already had some conversations about it. She's very eager and anxious, you know, to --

CHAIRMAN STRAIN: I mean, if she was in the loop, that would be a huge advantage to this Board, because she does an excellent job.

MS. GRAF: Yeah, she really does.

COMMISSIONER EBERT: Yes.

MS. GRAF: She really does, yeah.

So -- and then the final part is where we publish this to the Internet and also onto the iPads. What you're looking at right here is actually a screen shot of our agenda, Colliergov.net website.

This is a meeting, a recent meeting. And you can see what we have is a representation of the index. And each item is hyperlinked. And when you click on those hyperlinks you can see the PDF attachments. Each individual backup item is a PDF that can be opened and downloaded.

CHAIRMAN STRAIN: Now, so what that means is if someone clicked on 4.A, which is the one that's in maroon, on the right they would pop up with a -- with all the PDFs that support that document, then you go in and open up each individual PDF from there.

MS. GRAF: Yes, yes, exactly.

CHAIRMAN STRAIN: Okay.

MS. GRAF: And this is one way to get to the documents on the site.

The other way is here where you can download the entire packet. So -- and because the packet really is only going to be a few hundred pages, this would take no time at all. If someone wanted to manage the

entire packet and not individually click through PDFs, this would be the way they would do it.

CHAIRMAN STRAIN: You've got to talk a little slower too. I'm watching her, she --

CHAIRMAN STRAIN: I'm sorry.

THE COURT REPORTER: Yes, you're fast.

MS. GRAF: I will go slower.

CHAIRMAN STRAIN: Believe me, I have been the worst one at that, so I know, yeah.

MS. GRAF: All right. We're good?

CHAIRMAN STRAIN: Yeah.

MS. GRAF: So what we have here, this is actually a picture of my iPad. So you can see what this looks like on the iPad.

CHAIRMAN STRAIN: And what piece of software is that you're using?

MS. GRAF: This is Good Reader.

CHAIRMAN STRAIN: Good.

MS. GRAF: And what you're looking at right here, that green button, that is actually our sync button. And this allows us to -- the process we use right now is we finish compiling the agenda, we send out an email to everyone with an iPad saying it's ready for you to download, and then they click that green button and it automatically comes down. So it's very simple. There isn't a lot of navigating or finding or hunting for it, you just click your green button and within a short amount of time you have a packet on your iPad.

CHAIRMAN STRAIN: And when it comes down, it looks -- it provides the PDF insignia icon that's in the upper left of this map?

MS. GRAF: Yes.

CHAIRMAN STRAIN: And then you just open that up and there's your entire packet.

MS. GRAF: And there's your entire packet.

CHAIRMAN STRAIN: Okay.

MS. GRAF: We do have a lot in Good Reader, a lot of annotation tools that allow us to mark up the documents in a way it's a really helpful. We can draw circles, arrows, highlights. The little yellow box you see right there is actually a comment box so you can leave fairly detailed lengthy comments on each page and it will just show up as that little yellow box. And that's what it looks like when it's expanded.

One of the other really nice things is you have a list here of all of your annotations. So if you have, you know, lots and lots of pages, you've made different marks on each one, you can come here to this list and see where they are and navigate to them using this list. Makes it very easy to tell, you know, what you've done with this packet.

CHAIRMAN STRAIN: And that is the same process you guys see me doing on this. So it works real easy once you get used to it.

COMMISSIONER HOMIAK: But then it goes to each comment separately or can you see a list of the comments?

MS. GRAF: This right here is a list of two markups an arrow, a circle and a comment. So each comment would show up --

CHAIRMAN STRAIN: Separate.

MS. GRAF: -- by itself.

CHAIRMAN STRAIN: Then you click on the one you want to see.

MS. GRAF: And you can see what's -- it shows you the first maybe sentence of the comment so you would identify it.

COMMISSIONER HOMIAK: Okay, so you could see all your comments on one page without going to each page?

CHAIRMAN STRAIN: Uh-huh.

MS. GRAF: You would see the first -- like right there that's about a sentence. I don't believe I actually -- I don't know for sure, but I don't believe it's going to show you the entire comment in the list. I think it's going to give you the first sentence or so. So you can identify it and then you would click on it and it would go to the comment.

CHAIRMAN STRAIN: Here's what --

COMMISSIONER ROMAN: I have a question on that based upon what she said. Will it show you only the comments on that page or will it give you a summary of all comments on the document?

MS. GRAF: This is a summary of all comments on the document.

COMMISSIONER ROMAN: Okay, thank you.

MS. GRAF: Yes.

COMMISSIONER ROMAN: Because it had the page number up at the top, that's why --

MS. GRAF: Yeah, and I did just work with the one page. But it will, it will go through the entire document and show you where everything is.

COMMISSIONER ROMAN: Is there an option for you to see, like you can do with your email, to see the comments in full rather than just the first sentence?

MS. GRAF: You -- that's a good question. I know there is an option to email. Let's go back. There is an option up at the top, email summary. So I don't know if that would actually email you the full comment or just a summary of what the comments are. I'm honestly not sure.

I don't know, Mark, do you know?

CHAIRMAN STRAIN: I was showing Karen how the annotations lay out in the listing format, so I didn't hear the beginning part of the question.

COMMISSIONER ROMAN: The question that I had, Mark, was whether you could get a summary of your full comments throughout the document rather than just getting the summary with the first sentence.

CHAIRMAN STRAIN: When you click on the annotation, the -- on this one what I'm getting down below, it will give me my full annotation and then a little box opens up below it on that page, so I can see what my whole annotation is.

COMMISSIONER ROMAN: Right, but what I --

CHAIRMAN STRAIN: And if I want to go to that annotation -- pardon me?

COMMISSIONER ROMAN: What I'd like is a summary of all of them. That's my question. This is a summary of all comments on the document, but you have to click on the comment in order to read it in full.

CHAIRMAN STRAIN: Right.

COMMISSIONER ROMAN: My question was can you get a summary that is your full comments?

CHAIRMAN STRAIN: For all the comments that you have in a listing format?

COMMISSIONER ROMAN: Yeah, that you've made on the entire document.

CHAIRMAN STRAIN: I can't do that. I don't know of any program that I have that does.

COMMISSIONER ROMAN: If you could check, that would be something --

MS. GRAF: Yes, absolutely. I'll check my --

COMMISSIONER ROMAN: So I can see all my comments.

MS. GRAF: -- maybe an email summary might do that for us.

CHAIRMAN STRAIN: But see, you could take your down arrow and as far as you can move your finger down, those comments pop up. So I mean --

COMMISSIONER ROMAN: I got that. But I'm --

CHAIRMAN STRAIN: What will happen is you'll end up scrolling through pages and pages and pages of comments because you got each one open, they're going to be lengthy, so you wouldn't fit them on a simple page, you'd be scrolling down.

COMMISSIONER ROMAN: Understand. But it still would be an option. That's the essence of -- like email, you know, you can do the reading pane where you get your full email or you can have it come to your in-box with just the first sentence. That's the difference I'm looking at.

CHAIRMAN STRAIN: Okay.

MS. GRAF: All right, I'll check on that.

Okay, this right here that we're looking at is a site plan. And so one of the really nice things about having this on the iPad is you can zoom in and see very specific details of drawings that might be quite large and complicated. So what we have here is the full drawing on this slide, and on the next slide you can see how far we've zoomed in to actually look at the very specific -- you know, you can see the door swings, you can see very specific lines. And you can do that with pretty much anything. It's very --

CHAIRMAN STRAIN: Yes, that's what Stan was asking about last time. And I know on my unit

what I can -- I can bring it right up as tight as -- right down to the little dot of the ink. It actually helps with my older eyes.

MR. CHRZANOWSKI: If the original scanned copy is -- or however you -- hopefully you insert it electronically instead of a scan copy, because the scan copies, sometimes they scan from an 11 by 17 or eight-and-a-half by 11. And when you blow those up they're just illegible if they're not scanned right.

MS. GRAF: Yeah, it does depend on the document quality. It really does.

MR. CHRZANOWSKI: But you can zoom in.

MS. GRAF: You can zoom in.

MR. CHRZANOWSKI: A lot of times it's -- what I was getting at with the larger screen, when you're looking at an overall drawing of something it's better to look at the whole drawing rather than have to zoom in little pieces on a small screen. That's tough to do. So, you know, if we're going to go electronic, larger screens would be nicer, but I can adapt.

CHAIRMAN STRAIN: Yeah, okay. I mean, yeah, we have to figure out -- and in some cases, Stan, maybe we could -- where we have full size submittals and staff realizes that they don't shrink down well, we can still get hard copies of those. That would still reduce tremendously the amount of effort we've got to go through right now. So that may be still an option.

COMMISSIONER HOMIAK: That's a good idea. Because I like to look at something when I'm reading. I want to -- you can't look at both at the same time. I can't look at a master plan and read something.

CHAIRMAN STRAIN: Well, yeah, you're right.

COMMISSIONER HOMIAK: I mean, I like to look -- I like to have something spread out where I can see it.

CHAIRMAN STRAIN: Okay

MR. CHRZANOWSKI: Yeah, and if you're --

COMMISSIONER HOMIAK: That's the only --

MR. CHRZANOWSKI: Keep going, I'm sorry.

COMMISSIONER HOMIAK: No, that's okay.

COMMISSIONER EBERT: Like the diagrams like we had today.

MR. CHRZANOWSKI: Yeah, when you're looking at a set of drawings, you're looking at like the plan sheet. And then you -- the plan refers you to a detail sheet. Well, it's nice if you can look at the detail sheet and the plan sheet at the same time. And that would be -- a full size set of copies might be better there, but --

CHAIRMAN STRAIN: Yeah, we'll have to have some more of -- I'll get with you on that at some point between now and the next meeting to see how that could be managed, because I'm not sure how much of that -- how much that would still have to be done hard copy then.

MS. GRAF: Yeah.

CHAIRMAN STRAIN: That might --

MS. GRAF: I know over also in the building department they're doing the electronic permit review, or plan review, and they have dual monitors. And they'll do -- they'll print a zoomed section up on one monitor and the full plan up on the other. And that's something that, you know, we certainly could hide.

MR. CHRZANOWSKI: They also have 24 by 36 inch screens.

MS. GRAF: You know, those types are surprisingly affordable.

MR. CHRZANOWSKI: If you can link me up to my DVD or my television.

MS. GRAF: We purchased those and those were surprisingly -- 40-inch televisions, beautiful, beautiful display, they were \$300 we paid for them. They were really, really, affordable. So it's something definitely worth looking into if you -- you know, as part of this process.

CHAIRMAN STRAIN: But we can't carry them into the meeting.

MS. GRAF: Well, that's true.

CHAIRMAN STRAIN: You know, if you give Apple time, when you need a screen like that one of these will just blow up and be in front of you.

COMMISSIONER ROMAN: That leads to a question that I have since we brought this up. Will there be a -- will I have the ability to plug in my iPad to my large monitor at home?

MS. GRAF: That's a good --

CHAIRMAN STRAIN: No, but your iPad will connect to your television if you have the right adapter for your TV. Because you can have an AirPlay which Apple issues that connects to the television. You set the AirPlay on your iPad, you send it -- it connects via blue tooth or your wireless system to the TV and then you've got your TV, if you want to use it that way. I mean --

COMMISSIONER ROMAN: Yeah.

CHAIRMAN STRAIN: That's how you can take a -- for example, you want to watch a movie on iPad and have it play on your television, you just connect it the same way --

COMMISSIONER ROMAN: But it would be easier for me when I have my extra large monitor right there to be able to have it some way talk to my monitor.

CHAIRMAN STRAIN: iPads don't have connections for exterior monitors, unless you do an AirPlay.

MS. GRAF: Yeah. And that sounds right to me. Honestly, I'm not completely sure.

COMMISSIONER ROMAN: Yeah, I don't have that capability.

MS. GRAF: But that's another thing we could -- yeah, you don't really think --

CHAIRMAN STRAIN: No, that's something we couldn't -- I mean, these are why we're talking. If this stuff becomes something that is needed and we really need to make a decision, maybe the electronic thing won't work for everybody.

COMMISSIONER ROMAN: Well, I like the iPad idea, don't get me wrong. But if I'm at home and I'm not at the meeting or I'm not traveling and, you know, reading the documents or whatever away from there, if I wanted to look at something larger, that's the only --

CHAIRMAN STRAIN: You have a computer at home, though, right, besides -- say you didn't get this iPad, you have a computer at home? Because you can download this to your computer at home and then open it up on as many screens as you want to at home.

COMMISSIONER ROMAN: And that's what I'm doing now.

CHAIRMAN STRAIN: Yeah. So it would work the same way, you'd have an iPad as a backup to everything you would do when you weren't at home. And that would still work. Then you bring the iPad here with your questions on it that you would probably generate from your reviews on your other machine at home.

COMMISSIONER ROMAN: The only thing is if I'm looking at it from downloading it on my larger monitor, would I have the comment software, the ability to, you know, mark up my document?

CHAIRMAN STRAIN: Not in Microsoft. Not on Windows, no.

COMMISSIONER ROMAN: Yeah, see, that's the --

CHAIRMAN STRAIN: That's why I had to switch to Apple. Windows doesn't offer it unless you buy special software for it. And it gets expensive. It's got to be registered to particular owners and all that.

COMMISSIONER ROMAN: And I'm just bringing this up as a compatibility issue, just for maximum, you know, flexibility.

CHAIRMAN STRAIN: Now, what you could do, you could highlight and do some standard -- because your free Adobe downloads will let you do some basic highlighting and underlining in that document. You could then email that to yourself and open it up in your iPad. Then you're back to -- then you've got it in your iPad, just like you were using it at home. Which is what I've done time and again too.

Don't mean to interrupt, but -- go ahead.

MS. GRAF: Oh, no.

COMMISSIONER ROMAN: No, but just to have maximum flexibility, that was my question.

CHAIRMAN STRAIN: It can be done, it's just you have to go -- because you're going through two different operating systems, Apple to Windows, it's going to be a little tricky.

COMMISSIONER ROMAN: I understand.

MS. GRAF: So that's pretty much the end of our presentation here. Just a summary of the benefits of doing an electronic agenda. We do have a cost savings. There's less printing and copying. Also easier access for the public to the documents. Single PDF generated for all materials that can be downloaded anyplace you have an Internet connection, it's really useful. The PDF reader that does allow for the markup

of documents and the easy access of looking at, you know, a list of those markups. And also the zooming feature to see the details of drawings that we can do.

COMMISSIONER ROMAN: Let me ask another question, and maybe this is a legal question.

Using iPad provided by the county and marked up with my comments prior to let's say a hearing or during a hearing, are (sic) those marked up documents become a part of the public record?

MS. ASHTON-CICKO: Yes, they're subject to the Sunshine Law.

COMMISSIONER ROMAN: Thank you.

CHAIRMAN STRAIN: And they're easy, so you save them with your annotations and then put them in -- and bring them -- and staff will then -- send them back to staff, they will file them in the electronic media format that they have at the county and it's done. That's where all mine go.

COMMISSIONER ROMAN: I understand. I was just asking that as a difference between notes that I take on paper and, you know, if I'm writing on this packet that I'm getting now, that kind of thing.

CHAIRMAN STRAIN: Yeah, if you write on the packet now, that's public record. You have to keep that. And Ray -- what you do is Ray collects those. You go to his office, he's got mountains of them.

MR. BELLOWS: Mark is the king of dropping off mountains.

COMMISSIONER ROMAN: His office looked pretty organized to me. I don't think that's the same Ray.

CHAIRMAN STRAIN: Well, yeah. Those are supposed to be kept for public records. So you should turn them in.

So anybody else have any questions?

COMMISSIONER ROSEN: Is there 24/seven IT help?

MS. GRAF: Sometimes it feels like it.

Yes. No, truly we are not a 24-7 shop. We absolutely do our very best to help whenever we can, but yeah.

COMMISSIONER ROSEN: But you do have a help number during the daytime?

MS. GRAF: We do have a help number during the daytime, absolutely.

COMMISSIONER ROSEN: Okay. And what games come with it?

CHAIRMAN STRAIN: Just out of curiosity, how many on this panel have tablets form type devices already?

COMMISSIONER EBERT: I have an iPad.

CHAIRMAN STRAIN: Okay, so two of you.

COMMISSIONER ROMAN: I have a net book.

COMMISSIONER HOMIAK: I have a small, and that's this pad.

CHAIRMAN STRAIN: I'm just curious, because it might -- because as a trial, if you have either a computer at home or some other type of tablet device, we could send one both hard copy and electronic to everybody first and let you try to play with it for one of the upcoming meetings. And if it's something that you think will work out, that might be a better way to make a decision as to whether or not you want to convert over to that for the meetings as a whole. So if you all got even a computer at home, we could arrange so that you've got one of these files on your computer and you could try to play with it and see how it works out. Does that --

COMMISSIONER ROMAN: Well, I think --

MR. CHRZANOWSKI: I already do with the Board agenda.

CHAIRMAN STRAIN: Okay, yeah.

MR. CHRZANOWSKI: And Water Management District permits are all on line, DEP permits are all on line. You know, all the research I do is on line. All of it. Aerial photos, anything you find.

CHAIRMAN STRAIN: So for you, you might get a -- you might understand it quicker. For those of you that haven't tried it this way, we could try it on our own devices through getting a file and just playing with it. And if you do like it, that will give you more inclination as whether or not this idea will work.

COMMISSIONER ROMAN: I think as a minimum we'd need a phase-in period. If we decide to do this --

CHAIRMAN STRAIN: Oh, yeah.

COMMISSIONER ROMAN: -- you know, we'd have it where we get hard copy and the electronic.

I think it sounds like a viable idea, other than the markup software and getting familiar with that. That's really the thing that I see as being the newest part for me, personally.

CHAIRMAN STRAIN: Well, the problem's going to be is if we decide to try this, it's not something we can try later on and say we don't want to do it anymore. We're going to have -- there's going to be costs expended and there's going to be -- it's going to be based on a savings that should have been put in place by the fact we flipped over. So it's something we probably need to spend a little bit of time and maybe produce one of these. And Judy does for me anyway, produces them electronically. So maybe we can arrange for somehow for the rest of you to get the same electronic format that I get and then try playing with it, and make a decision after you've had some time to do that. But --

MR. CHRZANOWSKI: And worse comes to worst, what I do is I print off the drawings and I mark them up. You know, the couple sheets that I have to mark up, you print them off, you mark them up.

CHAIRMAN STRAIN: Right.

MR. CHRZANOWSKI: Bring them in. You don't really need the software. You guys provide printer ink too?

CHAIRMAN STRAIN: Heidi, you look like you're trying to say something.

MS. ASHTON-CICKO: I have some concerns if you're going to start bringing in your own personal devices that you may use for other things, because it might --

CHAIRMAN STRAIN: I wasn't suggesting that. What I was suggesting is that they -- we already produce the packet electronically, because that's how I use it. One of those packets, they'll all get hard copies. And the hard copy is what we'll use at the meeting and what they'll mark up and actually use at the meeting.

But one of these packets from a previous meeting, one that's completed, so it's not one coming up, be sent to everybody so they can just play with it on their home computer to see how they can mark it up and read it and how versatile it is versus a hard copy. Not one that was going to be an active packet that we're using for an actual meeting.

MS. ASHTON-CICKO: Okay.

CHAIRMAN STRAIN: Okay?

MS. ASHTON-CICKO: Okay, thank you.

CHAIRMAN STRAIN: Okay, because we've got those packets already available. And I've got five of them, six of them already, so --

COMMISSIONER HOMIAK: So you can mark them up with using any device or just --

CHAIRMAN STRAIN: Well, try reading them at home and see if you have a level of comfort with using them --

COMMISSIONER HOMIAK: I read stuff on line all the time. And the BCC, I look through that. I mean --

CHAIRMAN STRAIN: Then you won't have --

COMMISSIONER HOMIAK: -- that's not an issue. It's just can you mark them up? Does it have to be an iPad or an Apple to mark them?

CHAIRMAN STRAIN: It depends on what you're using. Windows doesn't offer much of a free service to do annotation. Usually you got to buy a PDF program that's specific for a Windows operating system that allows you to annotate.

Apple, it comes with it in their standard MacBook Air and some of the others, and in iPad it doesn't come with an automatic one, you have to get Good Reader, which is like \$4.00 or five bucks as an ap. So if you're using a Windows based unit, what you could do is read it, you could mark it up to the extent that an Adobe reader would let you, and it has a few little bit of highlighting techniques it lets you use as part of a free process. But to really annotate and make comments, you'd have to -- you have to have a different program.

But I'm suggesting that for those of you who are not used to reading off of an iPad the Planning Commission packet, just try it. Try reading it. And if the reading gives you a level of comfort, then we can take a step and see how the annotation works from there. Yeah, I don't know how to get you the annotation unless you have an iPad, to be honest with you. I mean, that's the simplest way.

So let's -- we've got the input, we'll give it a couple weeks. You don't need to be attending the next meeting, we'll just talk about it and we'll keep it on the agenda and see how we want to play around with it and eventually get back to you soon with some kind of decision.

MS. GRAF: Okay. Terrific. Thank you.

CHAIRMAN STRAIN: Anybody else have any questions?

COMMISSIONER ROMAN: I have a comment, if I could.

CHAIRMAN STRAIN: Sure.

COMMISSIONER ROMAN: I'd like to say a special thanks to your department and also to Ray. When I asked for the Collier government email, set me up right away. It's been working great. Called the help desk and you got me in business, and I want to say thank you.

MS. GRAF: Oh, terrific. Thank you.

MR. CHRZANOWSKI: I'll second that.

CHAIRMAN STRAIN: Speaking of email, we have one person here who's having a hard time with the email system. Maybe after this meeting --

COMMISSIONER EBERT: No, you changed it in the last two weeks.

MR. BELLOWS: The new website.

MS. GUNDLACH: The website.

CHAIRMAN STRAIN: After this meeting could she get with you --

COMMISSIONER EBERT: The website.

CHAIRMAN STRAIN: -- and figure out how to get to her email?

MS. GRAF: Yes.

COMMISSIONER EBERT: Well, you changed it within the last two weeks, correct?

MS. GRAF: Yes.

COMMISSIONER HOMIAK: It's still the same, though.

CHAIRMAN STRAIN: Everybody else -- you're the only one. So after the meeting --

COMMISSIONER HOMIAK: It's still the same.

CHAIRMAN STRAIN: After the meeting --

COMMISSIONER EBERT: I didn't see it.

CHAIRMAN STRAIN: After the meeting, could you get with her and --

COMMISSIONER EBERT: Yes, I would love to.

CHAIRMAN STRAIN: -- and if you don't mind we're going to wrap up here anyway after you're done. So if you don't mind waiting just for a minute or two.

MS. GRAF: No, that's fine.

CHAIRMAN STRAIN: Okay, does anybody else have any other issues with anything?

(No response.)

CHAIRMAN STRAIN: If not, we're going to adjourn this meeting and those new members and anybody that wishes to stay while you have the orientation for Sunshine Law would be more than welcome to.

So is there a motion to adjourn?

COMMISSIONER HOMIAK: So moved.

COMMISSIONER ROSEN: So moved.

CHAIRMAN STRAIN: So moved by Mike, seconded by?

MR. CHRZANOWSKI: Second.

CHAIRMAN STRAIN: Karen.

All in favor, signify by saying aye.

COMMISSIONER DOYLE: Aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER ROSEN: Aye.

COMMISSIONER CHRZANOWSKI: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.


COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: We're out of here. Thank you.

We'll turn this over to the County Attorney's Office as a workshop now.

There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 11:10 a.m.

COLLIER COUNTY PLANNING COMMISSION



MARK STRAIN, Chairman

These minutes approved by the board on 12-5-13 as presented or as corrected _____.

Transcript prepared on behalf of Gregory Reporting Service, Inc.,
by Cherie' R. Nottingham.