

April 17, 2014

TRANSCRIPT OF THE MEETING OF THE  
COLLIER COUNTY PLANNING COMMISSION  
Naples, Florida  
April 17, 2014

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

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

CHAIRMAN STRAIN: Thank you, sir.

Good morning, everyone. Welcome to the Thursday, April 17th meeting of the Collier County Planning Commission.

If everybody will please rise for Pledge of Allegiance.

(Pledge of Allegiance was recited in unison.)

CHAIRMAN STRAIN: Okay, roll call by the secretary, please.

COMMISSIONER EBERT: Yes. Good morning.

Mr. Eastman?

MR. EASTMAN: Here.

COMMISSIONER EBERT: Mr. Chrzanowski?

COMMISSIONER 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: And Ms. Roman?

COMMISSIONER ROMAN: Here.

CHAIRMAN STRAIN: \*\*\*Thank you. Addenda to the agenda. There are four items on our agenda today. The first three have been asked to be continued to the May 15th meeting.

If there's any comment, questions?

(No response.)

CHAIRMAN STRAIN: If not, is there a motion to continue those to May 15th?

COMMISSIONER ROMAN: So moved.

COMMISSIONER HOMIAK: I'll second.

CHAIRMAN STRAIN: Okay, Ms. Roman, seconded by Ms. Homiak.

All in favor, sig -- Mike?

MR. BOSI: I'm sorry, I just wanted to remind you, and I forgot to remind you, the transportation discussion to Immokalee, Mr. Weeks has a commitment later on, so if we could somehow adjust the agenda to have that little brief discussion?

CHAIRMAN STRAIN: I already did. It's on number seven. We were just about to get to it.

MR. BOSI: Thanks.

CHAIRMAN STRAIN: All those in favor of the motion, 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.

That will bring us to Item D, which will be first up in a few minutes.

\*\*\*Planning Commission absences. The 29th in Immokalee, is there anybody who will not be making it for that meeting?

(No response.)

CHAIRMAN STRAIN: Then we will certainly have a quorum.

Last night I heard someone indicate it's going to be very large in size; could be several -- about 7 to 800 people. It's going to have to be run through two interpreters, so it's going to be a long meeting. But we have to leave the facility that we're in I believe by 8:30. So David will tell us about the driving arrangements in a few minutes.

But I understand when David's driving, we should be -- if we leave there at 8:30, we should be back here by midnight.

COMMISSIONER EBERT: Do we leave here at 2:00 in the afternoon?

CHAIRMAN STRAIN: But David is a safe driver, so that's all good for us.

We'll get to that in just a minute. I want to go through some more scheduling issues.

As you know, we generally are able to have these meetings over in the morning, sometimes early afternoon. That's been consistent since this new panel has been appointed. However, the Board of County Commissioners does take a summer break, and there's a lot of actions that need to be complete before they leave. In order for them to receive something by us by their last meetings, they need to have a lot of these issues wrapped up by us in May.

So what's going to happen is we have two meetings in May, May 1st and May 15th, and I can absolutely assure you they will be all-day meetings. So when we come to those, we might as well be prepared to be there all day.

I've asked Mike, especially this morning, to try to get us those books much further in advance than the normal week that we normally receive them in.

Stan?

COMMISSIONER CHRZANOWSKI: Define all day.

CHAIRMAN STRAIN: Well, we'll start at 5:30 in the morning and we should finish by 10:00 at night.

Actually, we'll start our regular time at 9:00 and we try to leave at 5:00.

COMMISSIONER CHRZANOWSKI: Okay, so I won't have to worry about dinner.

CHAIRMAN STRAIN: Well, no. But what happens is if we're in the middle of a case or --

COMMISSIONER HOMIAK: You could go home and eat.

CHAIRMAN STRAIN: -- we can wrap up one or two for the day, we may stay a little later than that. But we try to get done by 5:00. And Kady likes that for the tapes that she has to run.

But those two May meetings will be very lengthy, and we have a lot of cases to discuss on those, so we'll be tied up quite a bit.

\*\*\*The approval of minutes. This time around there was none.

\*\*\*Ray's not here for BCC report, so I won't bother Mike.

\*\*\*And we'll go -- and under chairman's report is where I wanted to have a discussion by David concerning your travel arrangements to Immokalee.

MR. WEEKS: Good morning, Commissioners, David Weeks for the record of the Comprehensive Planning Section.

Commissioners, as you know, the Immokalee meeting begins at 5:00. We certainly want to arrive a little bit before there, especially staff. Myself and Michele Mosca will both -- well, at least I'll be on the van, I'll be driving. I'm not sure if she will or not.

But we as staff need to be there early, I would say at the latest 4:30. We need to assist some with setup, make sure things are in order, including dealing with the translators that will be there for the meeting and so forth. Again, just need to make sure everything's ready, because we don't have everything taken care of in the same sense that we do here.

The proposal -- well, first of all, how many would like to ride on the van out to Immokalee?

COMMISSIONER EBERT: I thought we were all going.

CHAIRMAN STRAIN: Well, we're going to need the County Attorney to be in it as well for -- just to make sure if the paper were to question our lack of -- to make sure we didn't have any Sunshine violations. Customarily we have one of the county attorneys ride with us. And I think that would be a good move, if

Heidi doesn't mind.

Tom, would you be attending that meeting in Immokalee?

MR. EASTMAN: Yes.

CHAIRMAN STRAIN: Okay, so you're going to have nine of us and yourself and anybody else that would be riding. Is the van large enough?

MR. WEEKS: Yes.

COMMISSIONER EBERT: I have one question. I spoke with Ms. Mosca. And because living on Immokalee Road, some of us live right in that area, and we talked about maybe a pickup place for some of us?

CHAIRMAN STRAIN: He hasn't finished yet. I think he was getting to that.

COMMISSIONER EBERT: Okay.

CHAIRMAN STRAIN: I mean, that's all part of what he was going to say.

COMMISSIONER EBERT: Okay.

CHAIRMAN STRAIN: So let's let David finish his discussion. We gave you your answer on the number of people. Is that going to work?

MR. WEEKS: Yes.

And Ms. Ebert, that is where I was headed next. Knowing that you all are representing various districts so you're living at different areas, one proposal would be that we meet at Pebblebrook, which is right there at the corner of Immokalee Road and 951. The other would be, to accommodate some of the other Commissioners living at other locations, could be here at the government center. And I would throw out a suggested time of 3:15 at the government center and 3:30 at Pebblebrook.

COMMISSIONER EBERT: I do have a question with that. I had discussed that also, and it's getting in and out of Pebblebrook. So it was suggested by staff that we meet at Target on 75 and Immokalee. So if that's fine with you?

MR. WEEKS: And staff discussed that and I invoke my veto power, to the limited extent that I have any. As suggested, Pebblebrook I thought would be a better location. Either one is a -- has ample room for parking of your personal vehicles. And I didn't think it would be an issue getting out of Pebblebrook. They have the right turn out on Immokalee Road to take us east where we're going.

COMMISSIONER EBERT: Okay. Fine with me.

MR. WEEKS: We can talk about -- first of all, we need to agree do we need more than one meeting pickup place. And secondly we could talk about -- I don't know that we need to talk here about the very specifics about exactly where within the shopping center to meet. I thought we might could handle that by an email afterwards.

CHAIRMAN STRAIN: And I think that's fine, because you should show a graphic of the parking lot and say here's where we can park.

I think the two locations work. I mean, obviously I'm going to leave with you from the government -- from Horseshoe Drive. But I think if everybody wants -- anybody wants to come to Horseshoe Drive, you can respond by email when David sends the request to know how many are going to meet us there, and the balance will just figure on meeting us at whatever time the email specifies at Pebblebrook. Does that work for you, David?

MR. WEEKS: It does. I think for meeting at our offices, we would -- because we would want you parking in the garage. So we want as staff to be there to get you through the gate to enter to the garage. Because there's limited parking for our customers at North Horseshoe Drive, and we would not want Planning Commissioners parking cars, just like staff to be parking their cars all day long taking up valuable space for our customers in front. Minor issue. Not an issue.

CHAIRMAN STRAIN: Okay. So those are two locations. The time approximate, 3:15 on one, possibly a little later, 15 minutes later on the other.

MR. WEEKS: That is correct.

CHAIRMAN STRAIN: And all of that will be in a confirmation to each one of us. And the only thing we ask is that you acknowledge back to David who's going to meet where so when we get there we know whether or not to wait for you or not. And that would work.

THE COURT REPORTER: Could I have the address where that's going to be?

CHAIRMAN STRAIN: Where what's going to be?

THE COURT: The meeting.

CHAIRMAN STRAIN: The meeting in Immokalee?

THE COURT: For the reporter to be there.

CHAIRMAN STRAIN: Well, if I knew that I would -- I have no idea.

MR. BOSI: It's on the -- it's Immokalee High School auditor-- Mike Bosi, Director of Comprehensive Planning and Zoning.

Immokalee High School auditorium. 710 Immokalee Drive, Immokalee, Florida.

THE COURT: Thank you.

CHAIRMAN STRAIN: Would you like to ride with us, Cherie'? Is that the hint?

THE COURT: If there's room.

CHAIRMAN STRAIN: David, is that a problem?

MR. WEEKS: No, not a problem.

CHAIRMAN STRAIN: Customarily she has a problem being on time, but I think it would -- we can make that work.

Okay. Then Cherie' will join the crowd and we'll be good.

Okay, is there anything else in the housekeeping issues?

(No response.)

CHAIRMAN STRAIN: If not, we have no consent agenda item, so we've already continued -- I'll read them off just so we acknowledge. Petition PL-20130002249/CPSS2013-2. RZPL-20130001652, and CUPL-20130002241 were previously continued, which is agenda items 9.A, B and C to the May 15th meeting.

\*\*\*And so with that, we'll move the into 9.D, which is our only hearing today. It's PL-20130000064/CP-2013-2. And it's a master plan change to the Golden Gate Area Master Plan element.

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

If you're going to talk, if you intend to come up and say anything, or even just to acknowledge a previous speaker's position, you need just to stand up and have the court reporter swear you in.

(All speakers were duly sworn.)

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

COMMISSIONER CHRZANOWSKI: I had a conversation with the developer's planner, Wayne Arnold.

CHAIRMAN STRAIN: Mike?

COMMISSIONER ROSEN: Yes, I had a telephone conversation with the applicant's attorney, Bruce Anderson.

CHAIRMAN STRAIN: Diane?

COMMISSIONER EBERT: None.

CHAIRMAN STRAIN: I had conversations with the applicant's representatives once or twice, a myriad of members of the county staff, and two members of the public, Mr. McMorro and Mr. Boutwell. I'm sorry, John. Thank you.

And I went to the neighborhood information meeting that occurred way previously to this.

COMMISSIONER HOMIAK: I spoke to Mr. Arnold.

COMMISSIONER DOYLE: No contact.

COMMISSIONER ROMAN: I connected a site visit.

CHAIRMAN STRAIN: Okay, thank you.

And with that, the way we -- for all the ladies and gentlemen who wish to speak, we normally hear the presentation by the applicant; the Planning Commission entertains questions; back and forth with the applicant; the staff then makes presentation; then we have more questions of staff; and after that's over we then ask for public speakers. So that will be the process you'll see unfolded today.

And I'm not sure, Dave, it looks like you wanted to say something?

MR. WEEKS: Few introductory remarks.

CHAIRMAN STRAIN: Go right ahead, sir.

MR. WEEKS: Okay. Just to remind the Planning Commission of what you're hearing today. Two items. One is a rezoning petition, and then also you're hearing a Growth Management Plan amendment.

The Growth Management Plan amendment is a large-scale amendment. This is the type that requires two sets of public hearings: Transmittal and adoption. So today is your transmittal hearing. You'll make your recommendation, and then this goes to the Board of County Commissioners. And their action will be either to approve the petition for transmittal to various state and regional agencies for their review, or to deny the petition. And if they deny it, the petition is over.

If they vote to transmit it, then it goes to the state for review and will come back for adoption hearings. So the Planning Commission and the Board would hear this Growth Management Plan amendment a second time.

And I think I misstated, there is no rezone petition companion. I apologize. So your one petition is this transmittal hearing for today. So if the Board approves it for transmittal, you'll see it again at adoption in a few months.

I think that's it.

CHAIRMAN STRAIN: And if this were to get through transmittal and adoption successfully, they then still would come back for a rezone petition in the form of a standard rezone or PUD.

MR. WEEKS: That's correct. The Growth Management Plan amendment if approved changes the allowable uses, but to implement that requires a zoning change.

CHAIRMAN STRAIN: Okay. Thank you, David.

And with that, we'll move to the applicant for presentation.

MR. ANDERSON: Good morning, Mr. Chairman, Commissioners. My name is Bruce Anderson. I'm a partner with the Roetzel and Andress Law Firm. Today I have with me Mr. Larry Brooks from the Brooks family; Wayne Arnold, project planner from Grady Minor and Associates; and our transportation consultant, Jim Banks.

I've got here on the overhead display a copy of the property in relation to 13th Avenue and Collier Boulevard. It's this that's highlighted in the yellow.

As Mr. Weeks shared with you, this is an application to amend the Golden Gate Area Master Plan to allow the future opportunity to apply for rezoning for a neighborhood center at the corner of southwest Collier Boulevard and 13th Avenue Southwest.

The property is approximately 12.73 acres and consists of two and a half estate-sized lots.

You have here on the visualizer a photo of the front of the model home -- former model home that existed on the property, and it's now rented out. And I also have a photo of the rear of the subject property.

This is an update. There is an update to the Growth Management Plan text that we had previously provided, and I believe that that's been distributed to you.

The additional text is highlighted in yellow. And that was at the request of our next door neighbors that the additional text was added.

Next I'd like to share with you a copy of some photos from the Florida Power & Light industrial facility that is next door. That is looking from 15th Avenue Southwest on the property.

Next is a shot from Collier Boulevard.

And next is the truck parking area and equipment area. This photo was taken from the parking lot off of 15th Avenue.

And then lastly, another shot from 15th Avenue.

As the staff report notes, the land uses on the FPL site are intensive and include electrical power substation, transmission, distribution lines, trucks and equipment and outdoor storage, fueling facilities, and a customer service center.

The security fence around the FPL site is decorated on the top with barbed wire.

It's important to emphasize that the Golden Gate Area Master Plan states, quote, the neighborhood center designation does not guarantee that commercial zoning will be granted. The designation only provides the opportunity to request commercial zoning.

And as Mr. Weeks said, there is no rezoning application pending.

A portion of the property was condemned last year by the county on both the lots that front on Collier Boulevard, and they were condemned in connection with the ongoing six-laning of Collier Boulevard.

There's a reference in the staff report that if this application is approved what does this mean for the other vacant parcels fronting on Collier Boulevard up to Vanderbilt Beach Road?

And our response is that this property is unique in that it is not only going to be fronting on a six-lane regional arterial highway, but the most distinguishing factor is the adjacent FPL industrial facility. Taken together, the six-lane highway and the industrial facility distinguish this parcel from all others and therefore would establish no binding precedent.

The frontage on this block of Collier Boulevard has the history of this industrial use at one corner, and at the northern corner a quasi commercial use has a model home that was first approved by the conditional route process.

At this point I'm going to ask the project planner, Mr. Wayne Arnold, to come forward and address compatibility and other considerations. And we'll be happy to answer your questions after Mr. Arnold finishes. Thank you very much.

CHAIRMAN STRAIN: Thank you.

MR. ARNOLD: Good morning. I'm Wayne Arnold, for the record, with Grady Minor and Associates.

I'll just leave up the visual that Bruce has for the moment. But I wanted to -- before I get into some of the discussion points, I did want to talk about one component and that was the supply and demand analysis that was submitted as part of the original application for this project. It was prepared by Mohlke and Associates, and fortunately due to Mr. Mohlke's untimely death, he passed away before our sufficiency responses were prepared and submitted back to the county, which is the basis for there not being an update to the market study that was originally submitted. So neither Bruce nor I are really in a fair position to respond to any specific comments you might have regarding that market demand analysis. I know staff mentions it in the staff report and we've had discussions with Ms. Mosca about that. We did offer a supplemental response that was probably not as much economic based as practical based.

Mr. Banks, our traffic engineer, resides in Golden Gate Estates, very familiar with the Collier Boulevard corridor, drives the corridor frequently. And we started looking at Mr. Mohlke's original trade area designation, which was largely the area west of Collier Boulevard. And Jim and I looked at this and said the road is being expanded to six lanes. It's carrying a higher volume of traffic. You capture trips on the arterial roadway that can support commercial. You have an element of people who reside east of Collier Boulevard who have to use this segment of road to get almost anywhere else in Collier County, does it not make sense to cull out a secondary trade area to support the application. Because staff did question some of the population numbers and the basis for the market analysis that Mr. Mohlke did.

So we did offer a supplement that's in your packet. I just wanted to explain that that was the basis for it. And we do believe, and I'm sure Mr. Banks can testify to it as a resident of the area, that that secondary trade area makes perfect sense and we do expect to capture future trips that are going to be on the expanded Collier Boulevard frontage.

A couple things in addition to the supply and demand analysis that Mr. Mohlke prepared. I mean, it is one consideration. The state statutes for comprehensive plan amendments suggest that you have to provide appropriate data analysis to support a land use change.

And Collier County is unique. It's one of the only jurisdictions I practice in that calls for generally a market study to demonstrate that there should be a plan change. It's not in the form of a resolution or an ordinance that I'm aware of but it's in your application and has historically been part of the application process for a plan amendment in Collier County.

They all take varying forms, depending on what your application suggests. And in this case we were proposing a maximum of 100,000 square feet, which was our public facility and impact analysis for the project.

But again, it's one consideration. I think there's other considerations that warrant land use changes. And in this particular case, you know, Bruce started off talking about one of the most important that we think

and that is the compatibility of the project and its location.

Another factor would be patterns of development. Another would be traffic patterns and traffic volumes. And then availability of infrastructure. So I'm going to touch on some of those components that I think support the proposed land use change.

From a compatibility standpoint, obviously we're sitting next to a quasi industrial site. And I know that you can say that it's a substation, and we have substations throughout Collier County, but this happens to be in the form of a PUD. It was a Florida Power & Light PUD. And as Bruce read the proposed uses, it allows indoor/outdoor storage, fueling facilities, it's a customer service center, it's their staging during hurricane season for Collier County where they bring in heavy equipment and trucks. There's a lot of activity there on a daily basis, more than you would find at a typical substation. And the view is not most appealing, and I would suggest that you're not going to find other choices in the area, you're not going to find somebody who's willing to put a single-family home adjacent to this Florida Power & Light facility. They've made an investment there, they're not going away. Florida Power and Light's there to stay. And as Bruce said, you know, they're one of the few uses that would be allowed to have the chain link fence with even barbed wire for their own security. Obviously not a friendly residential environment.

We are located already on a major arterial roadway that links Marco Island to its terminus at Immokalee Road at the present time, but that road is the northern parts, and the southern parts have been expanded to six lanes. This section has too. And it was advanced in your long-range transportation plan and funding to occur I believe this year. And as Bruce mentioned, there was a right-of-way taking that concluded either late last year or the first part of this year that took it about 35 feet off the frontages of these parcels for the six-lane expansion for Collier Boulevard.

So obviously the county's expanding the facility because the volumes of traffic are increasing. And we believe that forcing someone to build two single-family homes fronting on a six-lane road adjacent to Florida Power & Light is not an ideal situation, and we believe it's not a compatible situation.

Availability of infrastructure I think is also an important consideration here, because this site is again unique because most of Golden Gate Estates does not have access to water and sewer outside of Golden Gate City. As with Brooks Village, there was a force main that was extended north through an interlocal agreement in essence with the Florida government utility. And in this particular case we have access to both water and sewer through that agreement with the FGUA and Collier County.

Again, I think unique in that this would be a site that would be viable to connect to water and sewer and support the commercial nonresidential land uses.

In my professional opinion, it makes sense for some level of commercial. And as Bruce indicated, redesignating this to a neighborhood center does not change the zoning on the property. It does not guarantee that we get commercial zoning. It allows us to come back through the zoning process and seek uses that are going to be compatible with adjacent residential development along 13th Avenue Southwest and develop standards that you normally deal with on other PUDs which could be anything from hours of operation to intensity of uses, it could be transitioning uses from higher to lower intensity as you extend from FPL north on the property, for instance. We don't know. This isn't the zoning change. But we do think that through the zoning process and through the PUD zoning process we can create a master plan that responds to many of the concerns I'm sure we're going to hear from some of the neighbors who have taken their time to attend the meeting.

But I think that it should be said that clearly, even as staff has acknowledged, the site is not most appropriate for low density residential land uses. It makes sense -- I don't agree with staff's recommendation for the conditional uses. I think it goes a long way to supporting the notion that this is not long-term a site that should be utilized for low density residential. I'd point out that some of those conditional uses that are allowed in the Estates are also allowed in your commercial zoning district, C-1 through C-3, which is the highest level of intensity you can seek in a neighborhood center.

One of your zoning districts specifically -- for instance the C-1 zoning district was intended to be a transitional zoning district and allows a multitude of what I consider really office type uses. And that has been used successfully in the past as a transitional zoning category. And, you know, something of that type could be the basis for future commercial application as well.



And, you know, when you look at things like offices which have limited hours of operation generally, they can be as or more compatible than a church, for instance, in my opinion.

So I would say that this site, because of its unique characteristics and the changing conditions, warrants change in land use to allow us to seek some level of commercial through the neighborhood center designation.

I'd be happy to answer any questions that you have.

CHAIRMAN STRAIN: Okay, does the members of the Planning Commission have any questions? Go ahead, Mike.

COMMISSIONER ROSEN: Yeah. Wayne, could you put back up on the visualizer -- somebody had up there an aerial that had the area in question, you know, bordered in yellow. In the package I don't have that. So could you put it -- yeah, there we go, great.

MR. ARNOLD: I have a closer in version of that, if it helps you.

COMMISSIONER ROSEN: No, no, I just wanted to make sure that we're honing in on the right -- that I was looking at the right piece. So that's Florida Power and Light to the right.

MR. ARNOLD: That's correct.

COMMISSIONER ROSEN: Yeah, the -- okay.

CHAIRMAN STRAIN: Why don't you put that in the right orientation so we're always looking north/south instead of upside down. There we go.

Anything else, Mike?

COMMISSIONER ROSEN: No, those are two lots; is that what you're saying, Wayne?

CHAIRMAN STRAIN: Three.

MR. ARNOLD: There are three lots that comprise this property. And it looks like -- I've got another exhibit that shows that with some dimensions, if it helps.

Just if I can point out, the lots in question are -- it would be one, two, three lots. This property is 180 feet wide, and it's mentioned in our language, and prohibits single-family development under our proposal but makes a major portion of that a buffer.

COMMISSIONER ROSEN: Thank you very much.

CHAIRMAN STRAIN: Diane?

COMMISSIONER EBERT: Yes. Wayne?

MR. ARNOLD: Yes, ma'am.

COMMISSIONER EBERT: Mr. Mohlke was in business -- it was Fraser and Mohlke?

MS. ASHTON-CICKO: Yes.

COMMISSIONER EBERT: Fraser knew nothing about this? They didn't work together?

MR. ARNOLD: I'll defer to Bruce. Bruce had a conversation with Ms. Fraser after Chuck's passing that she was not involved in preparing --

COMMISSIONER EBERT: So the company is dissolved now so they don't do this at all?

MR. ARNOLD: I'll let Bruce respond to that.

MR. ANDERSON: I don't think. I spoke with Ms. Fraser, and -- because we tried to get the update and had difficulty locating it. And I'm not sure what the status of the company is or exactly what the associate's -- or Ms. Fraser's involvement.

COMMISSIONER EBERT: Okay. So after his passing, nobody could get anything out of there.

MR. ANDERSON: That's correct.

COMMISSIONER EBERT: Okay. Do you also know, Wayne, when FP&L -- I did not go back and check on the history -- when that was approved?

MR. ARNOLD: I believe it was a 1982 zoning change. And it was zoned Estates at the time.

COMMISSIONER EBERT: Okay.

MR. ARNOLD: Yes, it was zoned as Ordinance 82-73.

COMMISSIONER EBERT: Okay, thank you.

CHAIRMAN STRAIN: Anybody else?

(No response.)

CHAIRMAN STRAIN: Well, Wayne, let's start down a long path.

First of all, I did go to the NIM. And I was pleased at the NIM to see that there was virtually little or no opposition. And I even commented to that fact I think to some of you that were there.

What I didn't realize is that the level of notice to the neighborhood was consistent with our code as a minimum, and the people who are locked in on this street, because it is a dead-end street, further to the west had no knowledge of the NIM because they weren't noticed. And obviously they found out when the signs went up.

That's been a different -- we have a different group of people here now that probably weren't at the NIM. I know they weren't because I was there. And I'm sure we'll hear different conclusions and different remarks.

But it seems to me that since you and your client handled the Brooks Village on the corner of Pine Ridge and 951 and you knew the concerns from the neighborhood there, that was a strongly contested facility, and it did get approval through the Growth Management Plan process at the time we did our GMP amendments back in 2000, 2001, so the circumstances there were a little more entitled than they were on this property, why did you conclude that only sticking to the minimum notification for this particular operation with the experience you I know because you were the planner for Mr. Brooks back at the other facility, knowing that the neighborhoods further down these dead end streets might be concerning, why didn't you expand your notification area?

If Bruce wants to answer it instead of coaching you, that would be okay.

MR. ARNOLD: I'm not going to use anything he mentioned to me.

But I would say only that we do these notices a lot, and I don't recall a situation where we've noticed beyond the county minimum requirements. There's an advertisement that also appears in the newspaper and then of course obviously prior to this meeting there's signage that appears on the sign.

And the informational meeting are informational. And we understand that people sometimes can't take time out of their schedule in an evening to come to one of those meetings. And this may be their first opportunity to do so. So I'm happy to hear what the issues could be. Because if we can certainly respond to any issues here at the hearing, we're glad to do it.

CHAIRMAN STRAIN: I would be surprised if more working people can show up at a daytime meeting like this than they could for an evening meeting if they had known about it.

And I would think to the benefit of your client, had the kind of research done with the additional neighborhood concerns had been expressed at the neighborhood information meeting, we might have a different process here today, or at least different kinds of discussions. But we will get into everything as has been presented.

You mentioned that the market study didn't respond to some of the requests for information that was by staff because of the passing of Mr. Mohlke. Are you indicating that the market study is not valid?

MR. ARNOLD: No, sir.

CHAIRMAN STRAIN: Okay. Well then we'll have to walk through that study page by page. And you're not able to answer it, though, right?

MR. ARNOLD: Some questions I might be able to. But if they're in response to methodology used or an assumption used, I wouldn't be able to answer that question.

CHAIRMAN STRAIN: You expressed interest that Mr. Banks' length of time in the Estates provides him with some marketing expertise. Is he a marketing expert? Is he classified as a marketing expert, and does he have any credentials in that regard?

MR. ARNOLD: No, I don't believe he does. But I wasn't -- I didn't introduce him in that regard to imply that he had market study analysis background but that he simply has immediate knowledge of the Estates area as a resident and driver along the Collier Boulevard corridor.

CHAIRMAN STRAIN: How long has he lived in Golden Gate Estates?

MR. ARNOLD: Since 2004.

CHAIRMAN STRAIN: I trump him by 30 years. So I guess from an expert's viewpoint, you'll be looking at my credentials probably equally then, if not more.

MR. ARNOLD: But I should also point out too that he did prepare the traffic impact analysis as part of --

CHAIRMAN STRAIN: I know that.

MR. ARNOLD: -- the project.

CHAIRMAN STRAIN: I know that, and we'll get into that too.

MR. ARNOLD: All right.

CHAIRMAN STRAIN: The first speaker, Mr. Anderson, said that -- this industrial property. But yet you said it's zoned PUD. Is it owned industrial or is it zoned PUD?

MR. ARNOLD: It is a PUD that I would -- that we've said -- at least internally we call it quasi industrial land uses are permitted in the PUD.

CHAIRMAN STRAIN: Do you know of any requirement for essential services like FP&L to be restricted to industrial zoned locations in Collier County?

MR. ARNOLD: No.

CHAIRMAN STRAIN: Okay. So that you are aware of it down on the end of the street that I live on, there is a Florida Power & Light transfer facility. Not as big as this one, but there are homes on both sides of that. It is fenced like -- at least on the sides like this one is. I'm not sure they're that incompatible with residential neighborhood. In fact, the house that you show on this exhibit to the left of the dotted lines, that was put in long after FP&L was already there. Actually to the south there's one, I'm sorry. You don't show that one.

Can you slide that up a little bit? There you go. There's a house to the left right there. That was put in well after 1982 or '84 when this facility went in.

I'm not sure if that neighbor feels that they've built in an incompatible place. So I don't necessarily believe that you can not properly buffer between these kind of facilities and any other surrounding properties.

You also said that a C-1 use is something that could be in your mind more beneficial there. But you're not asking for that in your application; you're trying to come in as a neighborhood center which allows C-1 through C-3, is that right?

MR. ARNOLD: That's correct.

CHAIRMAN STRAIN: So if you intended to limit it to C-1, you wouldn't necessarily be asking for all those uses from C-1 to C-3, would you?

MR. ANDERSON: Well, I didn't intend to limit it to C-1. I was using that as an example of a zoning district you have in Collier County that calls itself as a transitional zoning district to residential.

CHAIRMAN STRAIN: Okay. But if this gets approved you have all the uses available to you from C-1 through C-3, as allowed by --

MR. ARNOLD: We'd come back to you and ask, and negotiate with neighbors on what might or might not be acceptable.

CHAIRMAN STRAIN: Okay. In your application there's a colored map that's titled Exhibit VA-1 general location map. Could you put that on the overhead.

MR. ARNOLD: I'm sorry, where are you again in the application?

CHAIRMAN STRAIN: It's on your Exhibit VA-1. It's called a general location -- it's a colored map of the layout of Golden Gate. There's no page number on it. It occurs after the Exhibit 4.B which is the amended language. It's about Page 25.

MR. ARNOLD: Is it the Golden Gate Estates Master Plan?

CHAIRMAN STRAIN: No, it's colored in gold and it's got -- shows where all the commercial is in the Golden Gate area along that strip of -- Wayne, here it is right here.

MR. ARNOLD: Okay. That's in Mr. Mohlke's report.

CHAIRMAN STRAIN: Well, unfortunately since you are going to hang your hat on that report, we need to --

MR. ARNOLD: Is that the correct one?

CHAIRMAN STRAIN: Yep.

One thing I want everybody to notice is that this particular property is being considered as an additional commercial strip added from Golden Gate Parkway to the south where the word Golden Gate is below the word gate. All the way up to White Boulevard. That's a two-mile stretch of basically strip zoning. And for this piece to be allowed for additional commercial zoning it would invite the people between it and

the other Brooks Village to the north to demand or request similar zoning because they are now infilled between more commercial.

That proliferation of commercial is what the Golden Gate Master Plan had attempted to prohibit by limiting neighborhood centers.

I was chairman of that master plan group from 2000 to 2001 and through the adoption of the plan, and I know why we did the neighborhood centers and I know where we would have liked to have seen them. This does not qualify for a center location, and we'll get into those points in a few minutes.

Also on this particular plan, if you look below the word Golden, you'll see some red areas that are C-1 and C-4. Those are viable existing shopping centers in Golden Gate City right now. And the importance of those will be shown in a few minutes as we get into this document.

In the marketing study, page -- it's a summary page, it's Page 1 of 9, the second bullet says the total of 13,034 persons forecast for the primary trade area in 2035 equates to so much per capita.

And then the second bullet says, the estimated population for the area under study by the year 2035 is sufficient to support a 100,000 square foot neighborhood center.

So am I to believe that's saying in 2035, which is 20 years from now, that facility will be -- you can support the 100,000 square foot center?

MR. ARNOLD: Well, I think that's what the statement from Mr. Mohlke's report said.

CHAIRMAN STRAIN: And you said that's a valid marketing study, right?

MR. ARNOLD: I believe it is. Yes, he was well qualified to prepare those and has prepared many of them that you've seen before.

CHAIRMAN STRAIN: Okay. Well, because we're -- but if that's the case, Wayne, we're 20 years off from that. We customarily redo the master plan every 10 years, and we're due for one now. It's late, I'll grant that. But there were elections that may have caused some delays.

MR. ARNOLD: Well, I think there was a question on the reference. But I think also from a consistency standpoint the 2035 date corresponds with the long-range transportation plan update which had the most up-to-date population data for Collier County, which was agreed to in the methodology early on to use it rather than some of the census data that was available and some of the other data from Collier County. With staffing cuts, et cetera, they haven't had the staff to update some of the commercial inventory data as well.

But the 2035 reference comes largely from the long-range transportation plan.

CHAIRMAN STRAIN: Well, I'm just reading the statements that you indicated were valid.

And then on Page 2 of that same report, it says in the last bullet: Based on this finding, and it's talking about the unified consumer retail demand forecast for the PTA. It would be more than reasonable to conclude that all available commercially zoned space located in the area under study will be fully utilized.

Your study, or the study that Mr. Mohlke or Fraser Mohlke provided didn't include vacant lands, lands that are unbuilt. Some included in the Brooks Village. Biggest one though is the Sun Center which is south of the FP&L.

Are we to believe that that bullet means that even though they're unbuilt they probably wouldn't be built and therefore they're not -- because they weren't in your study they still weren't considered all the way through the time frame that your market study provides for?

MR. ARNOLD: No, sir, I don't think so. But I do think that that statement came from his original report. And obviously Mr. Mohlke made the statement and I would believe he firmly believed that the statement was accurate. Staff has questioned that, and it's in the staff report a reference to that as well.

CHAIRMAN STRAIN: Well, you know, at one point I'm hearing you tell me that Mr. Mohlke put in his original report and staff's questioned it, but I also heard earlier today that you couldn't respond to the staff's RFIs because of Mr. Mohlke's passing. Would some of these issues have been responded to?

MR. ARNOLD: Most likely they would have. Not to say that staff and he were in complete agreement, but I'm sure they would have reached consensus on items that he would have responded to.

CHAIRMAN STRAIN: One of your pictures, and let's try around Page 45 or 46, is a picture of the primary trade area. Could you put that on the overhead.

MR. ARNOLD: Sure. Bear with me while I get that.

How about if I do this, I've got another exhibit that has both the primary and secondary shown on it.

CHAIRMAN STRAIN: David, could you zoom in on the Golden Gate City portion of that primary trade area. Okay, that's close enough.

What you see there is a primary trade area that has a lot of dense population in the lower orange triangle -- or not triangle, square. But that three-fourths or four-fifths of that area are surrounded by canal so that the residents in that area couldn't easily get out on 951 to make multiple lefts to get into this potential 100,000 square foot area. And had to get out on those canals, they may want to use some of the wider roads instead of the small narrow roads. Which puts them closer to the what I showed everyone on the prior exhibit where the red areas of C-4 and C-1 are in Golden Gate City.

And I see no logic into assuming that that primary trade area would have utilized this particular site.

Now, it works because it's high density, you can argue you've got more population base, but it isn't practical. And I would argue and suggest that the market study is flawed from that perspective.

You don't have to comment because I know you said you don't have answers to a lot of these, but I'm just pointing stuff out that seemed odd to me.

MR. ARNOLD: You may want to ask Ms. Mosca that question. She and Mr. Mohlke agreed on the original trade area, so she might be able to give you an answer during her presentation.

CHAIRMAN STRAIN: Okay. Further down on Page 64 you have a colored chart that shows part of the trade areas and squares and rectangles.

MR. ARNOLD: Is it labeled traffic analysis on the study area?

CHAIRMAN STRAIN: Yes, it is.

Now, if you look at the area that we just talked about, the traffic zones 205 and 203 I believe were created to line up with the canals. In fact, the notches do. That was probably done for the same reason I pointed out as why it may not be a valid market area to rely upon for the support of this facility.

But at the same time, below the number 240 there's another -- I think it's 232 secondary area that might have been considered that wasn't. Do you know why that one was left out?

MR. ARNOLD: I do not.

CHAIRMAN STRAIN: On Page 65, which is the next page there's a -- it's called Golden -- it's titled on the page Collier Boulevard Estates Neighborhood Center, and the second paragraph has some underlining on it.

I think there's a typo there, but I want to get your confirmation on it. The geography of the PTA has been chosen to include all of the commercially zoned areas on or adjacent to Collier Boulevard/County Road 951 in the west, beginning from Collier Boulevard on the north.

Do you mean Pine Ridge, or do you think he meant Pine Ridge? Because you're trying to box in an area, but I think that's an error on the underlining.

MR. ARNOLD: Yes, I think the reference to Collier Boulevard on the north was incorrect.

CHAIRMAN STRAIN: Okay. I'm getting through it.

And Wayne, I'm not going to ask you things that you've probably already responded, so I'm trying to sort those out right now.

Anybody else have any questions while I'm moving through this? If not, I'll --

(No response.)

CHAIRMAN STRAIN: In the market -- in the report, part of the market study is on Page 79 of the overall report. It just simply says: The area under study does not include any portion of Golden Gate City's downtown center commercial subdistrict.

And again, I think that's a mistake in the sense that the people that are in these traffic zones that are hemmed in by canals, and for the variety they have in the downtown center is already there, and for the ease of access to those compared to 951, I'm not sure why it's logical to conclude they go out on 951.

MR. ARNOLD: Well, largely supporting that you have Green Boulevard, for instance, that's a major corridor in Golden Gate on the north side of Golden Gate City, that is a major thoroughfare -- I'm sorry. Green Boulevard, for instance, would be a major thoroughfare of Golden Gate Parkway. And there are other streets that do lead out to Collier Boulevard.

CHAIRMAN STRAIN: Right, I don't doubt there is. I drive it every day.

Page 82 of the report is an inventory of primary trade area commercial establishments. I'm trying to think if there's a number on -- there's no number on the -- oh, Page II-5. Exhibit L, Page II-5.

Basically what it -- and Wayne, I can just read this to you if you didn't want to find it right away.

It basically says, of the 125 enterprises inventoried on CR 951, a total of 80 or 64 percent could be defined reasonably as retail or office uses. The total of 515,779 square feet are absorbed by these 125 enterprises averaging 2,294 square feet per establishment.

Now, that's your average. Then it says: Retail and office uses represent 183,477 square feet or 35.57 percent of spaces inventoried.

If the average is 2,294, and 64 percent of that average is retail and office, why do we drop down to 35 percent of the square footage? And the same occurs in the bullet below that.

MR. ARNOLD: I think there's a distinction that he was trying to make. And in the Mohlke report, enterprise is being a single business and the secondary reference I believe was to the space, square footage of space available.

CHAIRMAN STRAIN: Well, that might just prove that maybe there isn't as much of a demand for the commercial that is assumed. Because otherwise you would have had more commercial utilizing those areas. I didn't see that as a positive for your argument in the report. I -- really for me it brought another question forward, as you've just seen.

On the actual listing of the -- which is about Page 84 of the various occupied and unoccupied areas, again you've skipped the vacant properties. In one case like Nana's Diner, that burnt down. It's been burnt down for quite a while so it's kind of unoccupied right now or it's -- I don't know if it's even -- I think it's just dirt right now.

And, let's see. In the land use demand calculations that were used, last night I was with Mr. Bosi at a presentation and he showed a very nominal sort of a growth pattern, a less than two percent per area.

I'm trying to understand how your numbers coincide with that. But I understand you can't answer those.

Maybe you can answer this: Do you know if Mr. Mohlke took into consideration the huge amount of foreclosures in Golden Gate Estates? We had as of earlier -- late 2013 1,100 foreclosures just in Golden Gate Estates alone. Some people believe those have even increased more.

Based on that, how does that work into your population statistics? Did you go by houses? Because if you did, they're vacant, they're going to be reoccupied. How does that affect your population stats?

MR. ARNOLD: Well, the tables used in the demand calculations, the sources referenced were Collier County Comprehensive Planning Department and Commercial Demand Study for Golden Gate Area, October, 2003.

CHAIRMAN STRAIN: Mike, did you use the -- did your foreclosures factor into any of your population demand studies?

MR. BOSI: The vacancy rates within any one geographic units I don't believe are accounted for within our populations.

MR. WEEKS: They're not.

CHAIRMAN STRAIN: Okay. It also talks about the sentence on III-7, the need for the commercial. And it references also the developed or -- or developing commercial properties in activity center number four and activity center number 10 are targeted to serve the traveling public and appeared ill suited to meet the convenient shopping needs of the local residents.

I thought it was interesting you'd pick those two centers. Why didn't you also pick activity center nine, which is the one I frequent most? It's actually almost as quick to get down to the Wal-Mart and other shopping areas at I-75 and 951 than it is sometimes to get through the traffic to get into the city.

Do you know why that was not included as far as a reference?

MR. ARNOLD: I believe part of that reference was due to the fact that Golden Gate City residents can use Santa Barbara Boulevard extending north to get to Pine Ridge Road easily, which would serve as one activity center at I-75 and Pine Ridge Road.

CHAIRMAN STRAIN: Okay. And I'm almost through with this.

The Golden Gate Estates provides a lot of traffic out on 951 coming off Golden Gate Boulevard.

And I'm assuming that was part of the traffic flow you would be counting on as that road expands.

But also you are aware that on the intersection of Wilson and Golden Gate Boulevard we are destined to have a large commercial center going in there that will house a -- much of the competing commercial that might currently be found in Brooks Village.

I would expect that the people in the Estates might find that more convenient to stop at than the traffic that was counted at -- flowing past this particular site.

Do you know if the marketing study took any of that information into consideration? Because I didn't see it in there.

MR. ARNOLD: Mr. Strain, I don't believe it did, because Mr. Mohlke never included an area east of 951/Collier Boulevard in his primary trade area discussion.

We included a portion of that and called it a secondary trade area east but not extending far enough to Golden Gate/Wilson intersection, largely because consumers, you know, it was a couple miles east of Collier Boulevard. Then you have a valid choice to go east or west to future shopping or back to 951/Collier Boulevard for existing shopping or this future shopping opportunity.

CHAIRMAN STRAIN: And I know it wasn't part of your secondary trade area. My only point was it's going to impact the traveling public on 951 and the convenience of what they may perceive to be more convenient for them on their way home, whether it be a place in the Estates or a place out along 951.

On Page IV-2, Exhibit L, there's a reference there that the Sun Gate Center, which was the commercial area south of FP&L is limited to low intensity commercial uses, or it may provide potentially for a wider variety of goods and services because it is in a high automotive traffic area.

I read the PUD, it's got the same as you're asking for, C-1 through C-3. So C-3 could be just about anything you're looking for. So it would be a direct competitor to your commercial analysis, I would assume, if it were to be built or it could be built that way. It's got 83,000 square feet in the PUD for C-1 to C-3. And that one was not taken into consideration in this marketing study.

In your -- on Page IV-7 of the report titled Collier Boulevard Estates Neighborhood, about Page 113 of the report, it says in number two under the criteria for the neighborhood centers: The site shall be no closer than half road mile from the intersection of the neighborhood center.

The closest -- then it says: The closest neighborhood center is more than a half mile north of the subject site at the intersection of Collier Boulevard and Pine Ridge Road.

I mentioned to you and I think we all know that's not true, that it's your 1,341 feet south of the Brooks Village at the Pine Ridge/Collier Boulevard intersection, and you're about the same distance north of the termination of the commercial south of Green.

Then it says: The neighborhood center site shall not be adjacent to essential services except for libraries and museums.

Mike, is FP&L considered an essential service?

MR. BOSI: FP&L is essential service, but not all aspects of FP&L's activities can be classified as essential services. Meaning if it's an office for administrative -- for customer interaction, those are traditionally nonessential service facilities.

CHAIRMAN STRAIN: Okay. Would the part of the facility where the transformers and the electrical criteria north of that -- of the commercial component, north of the office component that would be closest to this site, would that be essential service?

MR. BOSI: I believe so.

CHAIRMAN STRAIN: The only reason is because the one next to me, if it -- and it only got in there as essential service, so I figured it must be.

MR. BOSI: Yes.

CHAIRMAN STRAIN: Okay.

MR. WEEKS: Mr. Chairman, if I could comment. Two points. And one, both the petitioner and the staff report acknowledges that this particular FPL site is more than an essential service. It does include other services, as has been acknowledged today, which would not be allowed today. That is, the comprehensive plan would not allow that use to go in today other than through a plan amendment first.

CHAIRMAN STRAIN: Which use?

MR. WEEKS: The other components of the FPL site.

CHAIRMAN STRAIN: You think those --

MR. WEEKS: The commercial office, the storage of equipment and vehicles that takes on an -- a heavy commercial or industrial type character.

The other point I wanted to mention that I think is what you're asking about, the Golden Gate Master Plan allows for transitional conditional uses, but it also has a provision that explicitly says that properties on the west side of Collier Boulevard are not eligible for conditional uses. And then it culls out two exceptions. And one is up near Vanderbilt Beach Road and the other is if a property is bounded on both sides by a conditional use.

CHAIRMAN STRAIN: Does this qualify for any of those exceptions?

MR. WEEKS: It does not.

MR. ARNOLD: Mr. Strain, if I could --

CHAIRMAN STRAIN: Yes, sir.

MR. ARNOLD: -- go back and make one point.

You had a reference to the proximity to the closest neighborhood center in Mr. Mohlke's report.

CHAIRMAN STRAIN: Yes.

MR. ARNOLD: And I just conferred with Mr. Anderson, and we believe that his reference was not intended to be to a neighborhood center designation under your Golden Gate Master Plan. But under your shopping center classifications that are utilized throughout that industry.

CHAIRMAN STRAIN: You're not using the mic.

MR. ARNOLD: Oh, I'm sorry. It's not picking up?

THE COURT: No, you're just talking too fast.

MR. ARNOLD: It's -- it was a reference to the neighborhood center designation in terms of square footage size criteria where you have a neighborhood community regional type shopping. I believe that that was his reference intention, not to --

CHAIRMAN STRAIN: So you think he wrote this whole report not reflecting the definitions and terms used in the Golden Gate Master Plan when he talks about these things?

MR. ARNOLD: No, not entirely. But I do believe there were some references in that regard, and I do believe that Ms. Mosca and I have had that conversation as well.

CHAIRMAN STRAIN: Nobody knows that for sure, and we're supposed to pick and choose those references, which ones he may have meant for Golden --

MR. ARNOLD: I'll let his comment stand. I just thought I'd try to offer clarification.

CHAIRMAN STRAIN: Okay, those are the questions I have of the applicant's package right now.

Does anybody else have any questions of the applicant?

Stan?

COMMISSIONER CHRZANOWSKI: Just a comment. I'm only an engineer, I'm not an expert on market, but that transportation area 206, I lived in that area from '83 probably for about 20 years. And in the dozen years that I've been gone -- when I first moved out there, we used to go shopping in Naples for groceries, because there was nothing out there. It's changed a lot.

And I'm curious to see what the neighbors are going to think of -- we used to be glad to see stuff come in where we could shop closer to home where we wouldn't have to drive as far, but maybe there is enough out there, I don't know. I'm curious to see what everybody else thinks.

CHAIRMAN STRAIN: Okay.

COMMISSIONER ROSEN: Mr. Chairman?

CHAIRMAN STRAIN: Yes, sir.

COMMISSIONER ROSEN: I have a question for the applicant.

Wayne, when you're mentioning your application, it covers C-1 through C-3; is that right?

MR. ARNOLD: That's correct.

COMMISSIONER ROSEN: Which one of those, and forgive me for not having this memorized, but is the traditional zoning you were previously talking about?

MR. ARNOLD: C-1 is in your Land Development Code as a specific commercial zoning district



that specifically references that it's there to implement the -- I have it with me if you'd like to see the language.

COMMISSIONER ROSEN: Just roughly. You don't have to repeat it verbatim.

MR. ARNOLD: Okay. Well, I'll read some of the language. It's from the C-1 commercial, professional and general office district.

And it says: The purpose and intent of the commercial, professional and general office district C-1 is to allow a concentration of office type buildings and land uses that are most compatible with and located near residential uses.

It goes on to say that these uses will be placed in close proximity to residential areas and therefore serve as transitional zoning district between residential areas and higher intensity commercial zoning.

COMMISSIONER ROSEN: Is your client -- would your client be happy with a C-1 type designation?

MR. ARNOLD: Well, he might be. But we haven't gotten to that point of discussion. I mean, if that's something -- that's a question we need to ask and confer with him, I'd be glad to when we get a break to do so.

COMMISSIONER ROSEN: Okay.

CHAIRMAN STRAIN: Twenty-five minutes you'll have one, or less.

Mike, anything else?

COMMISSIONER ROSEN: No. I mean, just a comment.

As my colleague Stan here's saying he had no expertise in marketing, but I do. I've developed and built over 5,000 homes here in Collier County. And taking a look at this piece, I understand where the buffering can come in as a neighbor to the west has done, and I guess there was a neighbor to the south has done.

What makes this piece unique or this parcel unique is that to the east is a major highway which will become a six-lane highway; is that right, Wayne?

MR. ARNOLD: That is correct.

COMMISSIONER ROSEN: It's scheduled to be a six-lane highway.

So to think that those two or three lots, whatever it turns out to be, would be applicable to residential, I kind of find that very difficult to market as residential. I would find that very difficult.

I would think that some type of, you know, transitional might be appropriate, but that's for you, Wayne, and your client to discuss at the next stage or next step.

But to remain residential, I would have a real issue with that. I'd have trouble myself trying to market that and trying to build homes and sell that, you know, facing a six-lane highway. I think that's just not appropriate.

But that's my thoughts, thank you.

CHAIRMAN STRAIN: Anybody else?

(No response.)

CHAIRMAN STRAIN: Okay, thank you, Wayne.

Is there a staff -- Bruce, you've got something else you want to add?

MR. ANDERSON: Yes, Mr. Chairman. I'd like to call Mr. Banks up to testify about the secondary trade area and how that got added.

CHAIRMAN STRAIN: Is this going to be a marketing presentation or one that suits his needs?

MR. ANDERSON: No, it's going to be a TIS presentation and it ties into why the secondary trade area was added in the first place.

CHAIRMAN STRAIN: And I know he's a Jack of all trades, but I just wanted to make sure which one he was coming for today.

MR. BANKS: First off, I was tardy, so I need to be sworn in.

(Mr. Banks was duly sworn.)

MR. BANKS: Just to clarify, no marketing testimony. For the record, my name is Jim Banks.

When we set out to prepare the traffic impact statement, I look at this as a traffic engineer, not a marketing expert. I clearly am not a marketing expert and not presenting myself as one.

But the way you come up with the traffic assignments is you look at the amount of commercial area that you're proposing, you look at the surrounding availability of other commercial areas, and then you take into account where the residents are and location to what you're proposing.

Now, the way you do this is it's called the gravity model and it's an adopted procedure that traffic engineers have developed in order to come up with where -- the traffic assignments.

And basically you fly about 5,000 feet above the proposed site, you look at again what you're proposing, what surrounds what you're proposing, and then where the residents are in relationship to that.

Now, Golden Gate Estates is unique in the fact that we have a lot of rural lands to the east of 951 and then we have the urban areas to the west. Now, typically when you're looking at a Publix say at the corner of Airport and Vanderbilt -- hypothetically, let's say -- that trade area is probably limited within about two or three miles, because there's another Publix. If you, you know, draw a circle around that trade area, you're going to find that within another four or five miles you may have another competing store.

In this case if you look at 951 east, there are no competing retail and commercial establishments.

Now, granted, as Mr. Strain pointed out, there is a commercial center identified, a potential one at the corner of Wilson and Golden Gate. And we did take that into account when we came up with our traffic assignment. But it's like anything else, what goes on that corner, it could be a Sweet Bay, a Winn Dixie or Publix, I don't know. But everyone -- most folks have the specific type of stores that they like to shop at. And some people like to shop at Publix, some people like to shop at Winn Dixie. So to say that there's direct competition is not always the case. And not everybody banks at the same type of bank. We might have a Bank of America out at the Wilson/Golden Gate intersection, but we might have a Fifth/Third on this proposed site.

But right now we don't know exactly what's going to be built on this site. We're not even asking for a zoning request.

So when I met with the traffic experts at staff -- I'm going to get back to what I talked about before -- we looked at what the potential use was at this location, which is possibly 100,000 square feet of retail, maybe some office, we don't know yet.

Then we looked at the surrounding rooftops and came up with a distribution assignment. And speaking with staff and the traffic engineers, we came up with an assignment of approximately 60 percent of the traffic will be attracted from that area east of 951.

Now, this was done without any understanding of what was going on with the market study, okay. When the market study was produced, Wayne sent it to me. And I looked at it and I said, this does not accurately reflect in my opinion what happens out in the Estates. Because most people that live east of 951, their only opportunity is to shop on that 951 corridor. And as Stan pointed out, before we had Publix and Sweet Bay we had to drive over to the Pine Ridge and I-75 Publix or further in.

So we came up with -- based on the gravity model assignment we came up that our market area was -- 60 percent of it was going to be east of 951. Now, how that supports the secondary market area I think is self-explanatory. But I'm not presenting it to you as a marketing expert. I'm basing it on what the proposed use is and the availability of those type of uses to those folks that live east of 951.

CHAIRMAN STRAIN: Thank you.

Any questions?

(No response.)

CHAIRMAN STRAIN: You did say though that you do not believe that the market study accurately reflected the Estates.

MR. BANKS: I thought that there was -- the original produced market study that did not include the secondary market to the east I thought did not accurately reflect how much of the customer base would be east of 951.

CHAIRMAN STRAIN: The center that was proposed to go in or may still go in at Wilson and Golden Gate Boulevard, one of the reasons that got approved and one of the criteria that transportation liked so well about it from our transportation department was that it would reduce the number of trips needed to go out on 951; people would utilize that a lot. In fact I think it was about 100,000 square feet. It was a pretty good size center. And the first store that had to be C.O.'d in that would have been a grocery store. Is that still

a valid assumption, that those criteria would apply?

MR. BANKS: It is. And I'm not -- we don't know if we're going to have a grocery store on this site. We may have, you know, specialty retail and some office. I don't know right now. The owners of the property don't know. We're simply trying to get a Comp. Plan Amendment, then we can identify some end users and go through the zoning process and develop the site.

But during those hearings and the discussions regarding the Golden Gate/Wilson, you were present at many of them and you heard what the Estates folks were saying. We do not have shopping opportunities close enough to our homes. And again, the fact that there isn't any out in the Estates, even with the potential build-out of the one at Golden Gate and Wilson, the suggestion is is that that will suffice, I don't think that's correct in the way that we generate -- again, we look at the total number of rooftops in the Estates area and the availability of commercial. And I suspect that there's going to be certain retail uses and maybe office uses at the proposed location on 951 that is still going to attract people from the Estates into the proposed center.

CHAIRMAN STRAIN: When we -- and you were just getting here I guess it sounds like when we did the Golden Gate Master Plan the last time. I would suspect, and I know you have been at many of the same meetings I have, that we would be looking at commercial and traffic studies and distances and all that when the Golden Gate Master Plan comes in for a restudy. I mean, that's what I've heard. Do you feel the same?

MR. BANKS: Yes, we definitely need a map update.

CHAIRMAN STRAIN: Okay. And the last time it was done, it was the will of the people that lived there that created that master plan, they showed up at the meetings, it took two years, two meetings a month to get it all nailed down. And that is what this is being taken out of context from. And that therein lies my concern, especially when I have talked to so many people that are concerned over it. So we'll certainly hear from them before the day's over.

MR. BANKS: And in those meetings, what I've heard a lot of folks say is they want to see -- the commercial development on the perimeter of the Golden Gate Estates area at 951 and Immokalee corridor are two of those that are on the perimeter of the Estates area. And I'm an advocate -- you know, I'll step -- just as a resident that lives in the Estates, I'm an advocate for more commercial on 951 and Immokalee. Because I think we need it out there because we have a deficit of those type of uses, even industrial uses, that will support the Estates people that will reduce vehicle miles trips generated from the Estates area west of 75.

CHAIRMAN STRAIN: As chairman of that group for two years, attending every one of those meetings, I can tell you that the intention of the perimeter was not taking out Estates lots next to Estates housing and putting in commercial. It was like Pebblebrook, like some of those -- like the one at 951 and Vanderbilt Beach Road. There's others in Orange Tree, places like that, that was our immediate intention. I don't ever remember anybody advocating converting as many -- arbitrarily converting these Estates lots. We were very selective.

Mr. Brooks came forward with that one at Pine Ridge and Collier and that was carefully reviewed, along with others, and there were restrictions put on it, because it was going in the Estates area. So there might be a little difference in interpretation what we meant when we said periphery. So thank you.

COMMISSIONER ROSEN: Mr. Chairman, while the speaker is still up there, I've got a question for him, or maybe it's for staff, I'm not sure, for Mike or for David. But you're talking about the residential to the east of 951 on that conversation that you brought in.

To the best of my recollection, and I need you to either justify that or staff, I was under the impression there were 30,000 lots in Golden Gate Estates, and approximately 15,000 had rooftops and 15,000 were empty. Does that -- is that true or is that close to being true?

MR. BANKS: I'd say it's more than that. But Mr. Strain with his 34 years of experience of living in the Estates probably could answer that better than I could.

CHAIRMAN STRAIN: I never took a house-to-house --

COMMISSIONER CHRZANOWSKI: May I?

CHAIRMAN STRAIN: I know I asked Code Enforcement what the amount of available -- what foreclosure rates were, and they've told me 1,100. But that was in the fall of last year.

MR. BANKS: Yeah, that's come down a lot.

COMMISSIONER CHRZANOWSKI: The last time we did something close to a count was about 27,000, so your 30,000's about right.

And the fill-in percentages vary from along 951, the sections, the units, the square miles, they're about 85 percent built out, and as you get out toward the very east end of the Estates some of them are as little as eight percent built out.

On an average, there's about 13,000 to 14,000 out of the 27 or so thousand built out. So you're about 50 percent. You're about right again. But it's in that general neighborhood.

MR. BANKS: Yeah. And when they were doing the Vanderbilt Beach Road extension study, they were projecting a build-out of 2020 there. And of course the recession set that back. But they're starting to build homes again out there, and so we're going -- the demand is coming.

COMMISSIONER ROSEN: Yeah, and that was my point. Thank you, Stan, I appreciate that. That was my point.

Mr. Chairman, if I could follow through --

CHAIRMAN STRAIN: Sure.

COMMISSIONER ROSEN: -- what I was going to say.

That's my point is that I think that the demand in the future is going to be quite high with those lots in Golden Gate Estates. Golden Gate Estates to me from a marketing perspective is a gem. I think that's a great area. If you take a look at Florida in total and you take a look at our coast here on the west coast of Florida as compared to the east coast of Florida or north Florida, Golden Gate Estates is really close to the coast, accessible to the beaches, accessible to the downtown areas, as opposed to other places like Orlando and Jacksonville, you know, and Tallahassee, places like that. So to me that's got a lot of potential. Saying that, I would think that the commercial along 951 is appropriate, being that the sentiment in Golden Gate Estates is to keep that as rural as possible, I believe. That's what I've been hearing. I've been here now since '92, so --

MR. BANKS: East of 951.

COMMISSIONER ROSEN: Yeah, what I've heard over the years is that they want to keep --

MR. BANKS: And it's -- in the morning we have this extremely heavy westbound traffic flow on Golden Gate. Southbound on 951 in the evening it's the reverse. And so again, the more commercial that we have available to the Estates residents, whether it's -- I mean, there is a significant deficit of office space. I mean, we have virtually no office availability to us. So by doing -- you know, providing more commercial within proximity of the Estates areas, that's going to reduce the vehicle mile trips traveled and it's going to reduce the number of trips west of I-75.

COMMISSIONER ROSEN: And if I may continue, Mr. Chairman, that led to my comment to Wayne Arnold about the C-1 transitional zone, which is offices and things like that, if that was appropriate, you know, for this particular parcel being that there is residential down the street, you know, on 13th. And that might be something that could be appropriate. Thank you.

CHAIRMAN STRAIN: And Mike, you said something that certainly hit home with me and that is at Golden Gate Estates in the future we'll be looking to need more commercial. But that will be done by the community reviewing it through a Golden Gate Master Plan comp. change, which is what this is not being put through as and which is why I find it so inconsistent with the way we and the people in Golden Gate have participated. We have two civic groups out there that are very active. They need to be involved in the process. If we start allowing plans like this to be changed on the whim and not through a process that involves the people of the area, I think it would be a detriment to those people in the area. So I'm very concerned about that, and especially since we spent so much time trying to narrow down where we could have commercial, where we specifically could have conditional uses and where these things apply.

Not saying in the future that might not change, just as you've just said, but I think the people there need to weigh in on it as we did and there's no rush to do this. We obviously have vacant commercial in a lot of places. The market report supplied that. And we have plenty of unbuilt commercial in a lot of places that the market study supplied.

So until that's addressed, I don't think there's an urgency. And I know from even the meeting last night where there was discussion about the master plan being redone, it's on the horizon, it's not too far down the road.

COMMISSIONER ROSEN: I appreciate that, Mr. Chairman. And I don't disagree with you. I appreciate that. But in my experience, the wheels of our government move rather meticulously and slowly and we've seen what's happened with the Immokalee Master Plan, and I think that this could be years off. And I do believe in land rights, and I don't believe that somebody should be sitting still for, you know, five or 10 more years waiting for something to happen. So that's my thoughts. Thank you, appreciate it.

CHAIRMAN STRAIN: And the land rights here are what they bought it knowing it was Estates. That's yours land rights. Until such time that the community wants something different, I'm sure if they're here today to tell us they support this, then obviously I'm wrong. But in who I've talked to, that doesn't seem to be the way we're thinking.

So with that let's take a break before we go to staff report. Right after staff report, which is shorter than the applicant's presentation, we'll get right into public speakers. So we'll take a 15-minute break and come back at 10:35.

(Recess.)

CHAIRMAN STRAIN: Thank you. We okay now, Cherie'?

I just got the lecture, ladies and gentlemen, that I've been talking too fast this morning. So I've been told to slow down, and I will. That's fine. And that's something I should remember.

Now, of course Michele up here, we're not sure what's going to happen. So Michele, it's yours.

MS. MOSCA: Good morning, Mr. Chairman, Commissioners.

For the record, my name is Michele Mosca with the county's Comprehensive Planning Staff.

As outlined and noted on Pages 11 and 12 of the staff report, staff cannot support the proposed neighborhood center at the subject location. It is staff's opinion that the data analysis provided with the submittal does not warrant the requested change for the following reasons. And Mr. Weeks is going to point out the parcels on the visualizer.

The applicant asserted that the site is impacted by the nonresidential uses of the Florida Power and Light setting to the south. Staff can agree that at least one of the three parcels is in fact impacted. The east 180 feet of tract 103, and I'll just call that 103, appears to be only minimally impacted and thus viable for residential uses.

Tract 119 does not appear to be impacted at all. And tract 120 is impacted but potentially is still viable for residential uses.

Additionally, the applicant asserted that the subject site is impacted by the six-laning of Collier Boulevard to the east. The tract 103 is not impacted at all by the widening. Tract 119 and 120 will have approximately four and three-quarter acres remaining on each tract for development after the widening project is completed.

Finally, the applicant stated that their commercial needs analysis supports commercial development at the subject location.

Staff determined that this analysis contained inconsistencies with regard to the market area boundaries and correlating data and therefore is invalid. However, based on the applicant's data, staff was able to calculate the estimated competing commercial supply of approximately 500,000 square feet proximate to the subject site.

Commissioners, the approval of this subdistrict has the potential to impact the surrounding residential areas. It also potentially will promote strip commercial development along Collier Boulevard.

Staff would instead suggest a counter recommendation for conditional uses on either a portion of the site or the entire site. It is staff's opinion that tract 120 is in fact impacted by the uses on the FP&L site.

If not for being located on the west side of Collier Boulevard, this tract and potentially the east 180 feet of tract 103 would qualify for transitional conditional use development such as a church or group housing facilities, as provided for within the Golden Gate Area Master Plan. Thank you.

CHAIRMAN STRAIN: Okay, are there any questions of staff?

(No response.)

CHAIRMAN STRAIN: Michele, I've got some.

MS. MOSCA: Okay.

CHAIRMAN STRAIN: Neighborhood centers in Golden Gate Estates, do you know of any

neighborhood centers that are not at the intersection of arterials or collector roads?

MS. MOSCA: No, they all are.

CHAIRMAN STRAIN: They all are. Is this one?

MS. MOSCA: It is not.

CHAIRMAN STRAIN: It is not.

MS. MOSCA: It's --

CHAIRMAN STRAIN: The distance requirements that the residents of Golden Gate Estates set for their commercial centers, does this meet those distance requirements?

MS. MOSCA: To my knowledge there isn't a distance requirement under the neighborhood center subdistrict. There is in fact for the activity centers within the urban area, but no specific reference in the master plan.

CHAIRMAN STRAIN: Okay, I'm sorry, referencing the half mile distance criteria that the applicant put in his application, do you feel that there are neighborhood centers within a half mile of this site?

MS. MOSCA: Certainly. The neighborhood center to the north at Pine Ridge and Collier Boulevard is about a quarter mile.

CHAIRMAN STRAIN: Do you consider this a strip and/or disorganized pattern of commercial and conditional use of development?

MS. MOSCA: It potentially could be, yes.

CHAIRMAN STRAIN: Is that another criteria for neighborhood centers in Golden Gate Estates?

MS. MOSCA: It is.

CHAIRMAN STRAIN: The idea of conditional uses, was there data analysis supplied specific to conditional uses that could be allowed in the Golden Gate Estates area?

MS. MOSCA: The data analysis did include an analysis of both conditional uses and commercial uses. The neighborhood center subdistrict does allow for conditional uses, commercial uses C-1 through C-4 -- C-1 through C-3, rather, and residential uses.

However, because staff found the market study invalid, we don't have supporting data analysis to justify that there is in fact a need for additional conditional uses.

CHAIRMAN STRAIN: Okay, let's go back to my question. Did the data analysis submitted support the conditional uses, specifically the conditional uses that could be allowed in Golden Gate Estates? And there are six of them. I didn't see any data analysis telling us how many churches were in the area, how many fraternal organizations, how many daycare centers, how many facilities -- and there's three others, I can't remember them all. But I didn't see data specific to any of those. Did you see anything like that?

MS. MOSCA: There was not, no.

CHAIRMAN STRAIN: Okay. There's a lot in your report, but I think I've already made enough statements about the market study. And most of my stuff coincides with your issues on the market study, so I'm just going to move past all that and trying to save some time.

Okay, thank you. Anybody else have anything of Michele? Go ahead, Stan.

COMMISSIONER CHRZANOWSKI: No, not of Michele. I'm just a little curious about the six-laning of 951. Why, when, where.

CHAIRMAN STRAIN: Well, Mr. Podczerwinsky is back there. He's dying to come up here and say something. He's been sitting here all morning and nothing to do.

MR. PODCZERWINSKY: Yes, I was sworn in, thank you.

Good morning, Commissioners. And thank you, Stan, for asking me to get up from my chair.

Just very quickly, my understanding is the section of 951 that's in front of this project is currently in the planning process. I believe that there are beyond the 100 percent design phase, and I think we're headed towards bid letting right now.

COMMISSIONER CHRZANOWSKI: And what are the limits? From where to where?

MR. PODCZERWINSKY: If I recall correctly, it is from Green north to -- I think it's north of Golden Gate. I'm not sure if that's set in one or two projects, though. It might just be Green to Pine Ridge and then Pine Ridge to Golden Gate as two separate projects.

Are you aware if it's one or two projects, Jim?

MR. BANKS: They're two projects.

MR. PODCZERWINSKY: Two projects simultaneous.

COMMISSIONER CHRZANOWSKI: And you're widening it not because it's presently stressed, because you're forecasting it's going to be stressed by when?

MR. PODCZERWINSKY: I don't have the AUIR in front of me, but I'll be glad to look that up for you and give you the answers as to when we expect that to fail.

COMMISSIONER CHRZANOWSKI: When are you going to start construction?

MR. PODCZERWINSKY: Again, I don't have the answer in front of me. I believe that they're out for bid letting right now. The bids may have already --

COMMISSIONER CHRZANOWSKI: It's close.

MR. PODCZERWINSKY: I would have to confer with Marlene. It is close. It's near future.

COMMISSIONER CHRZANOWSKI: I was just curious, thanks. That's enough.

CHAIRMAN STRAIN: Thank you, Stan. Anybody else?

(No response.)

CHAIRMAN STRAIN: Thank you, Michele.

We're going to move to public speakers. Before we read speaker slips, and not everybody -- I don't necessarily adhere to the speaker slips, so what will happen is one gentleman came up early this morning and asked to speak first, so we're going to grant that. And there are two speaker slips. When those speakers come up and finish, then I'll ask anybody from the audience that wants to speak just to come up and identify themselves and use the microphone.

The first speaker though will be Mr. McMorrow. Sir, come on up, use the microphone, please identify yourself for the record.

MR. McMORROW: Thank you, Mr. Chairman.

My name is Roger McMorrow. I live on 13th Avenue Southwest. I have lived there for 15 years, which makes me one of the newcomers.

Some of my neighbors asked me to speak first because I'm an attorney, but I don't do environmental and land use law and I've never appeared before this Commission. So I think it's because I own a suit and tie.

I did not attend the neighborhood information meeting because I did not know about it. If I had known about it, I would have showed up and opposed. I was not aware of this until they put a billboard up on my street.

I and my neighbors oppose commercial development on 13th Avenue Southwest or any use of those parcels other than residential.

The proposed amendment puts a new neighborhood center a quarter of a mile away from the 21-acre Brooks Village neighborhood center. The proposed development is on three parcels which are zoned residential, surrounded by residential properties. Not located at the major intersection but at the end of a residential street, in an area that is already saturated with commercial and conditional use properties.

The proposed amendment violates the Golden Gate Area Master Plan and it must be rejected.

The applicant and owner of these three residential lots is Larry E. Brooks Trust, and LDJ Associates, Limited of Miami, Florida.

Applicants' justification for this proposed amendment rests on three grounds: The market conditions support commercial and conditional use; the parcels are adjacent to an FPL substation; and the parcels are adjacent to Collier Boulevard.

Well, what I've heard here this morning and in the staff report is that the market conditions analysis is invalid. There is no need for more commercial or conditional use properties in our area. We are currently served by a huge array of commercial and conditional use properties in the immediate vicinity providing every type of goods and services. If you take a look at the Exhibit L, which was attached to the opposition that I filed, it's five pages of commercial use properties.

Not included in the market analysis submitted by applicant are the competing commercial properties located along Golden Gate Parkway and Pine Ridge Road. Not included are the three out-parcels not developed yet in the Brooks Village neighborhood center. Not included is the Sun Gate Center, which I understand is already approved for 83,000 square feet of commercial space.

In addition, using their market analysis, there's over 100,000 square feet of existing developed commercial property which is currently unoccupied.

The proposed amendment is based on invalid data and must be rejected. More importantly, there is absolutely no need for additional commercial or conditional use development.

In terms of adjacent to FPL, that is a particularly weak argument. As the Chairman noted, there's residential properties bordering FPL to the west. This is 660 feet bordering FPL. He built in 1997, I believe, 15 years after the FPL substation was there. There's one, two, three, four more residential properties, a fifth all located within about 300 feet of the FPL substation. So that -- the fact that they are close to this substation is no justification whatsoever for this proposed amendment.

Tract 119, which is the northern tract, is not connected to the FPL substation whatsoever. And as Ms. Mosca pointed out, there's only the rear 180 feet of tract 103 is attached to the substation. Tract 103 actually fronts to 13th Avenue Southwest.

Tract 120 shares a 300-foot border with the substation, but it's my understanding that that is a 75-foot buffer along the northern boundary of the FPL substation. And that's more than an adequate buffer to protect this property, this particular tract, for residential development.

So the location of the FPL substation is not a justification for this amendment.

In terms of adjacent to Collier Boulevard, I took a look at the map in the application. There are 44 single-family residential parcels adjacent to Collier Boulevard between 13th Avenue Southwest and Vanderbilt Beach Road on the west side. Most of these are developed and occupied. And 21 of these are north of Golden Gate Boulevard, which has already been six-laned.

As I noted, tract 103 is nowhere near Collier Boulevard. It's 660 feet away.

Tracts 119 and 120, after the eminent domain taking of 35 feet for the widening project, each of those has 4.73 acres of developable land left for residential use.

The taking of the 35 feet for which Collier County paid applicant \$111,200, does not affect these two residential parcels any more than it affects the other 44 residential parcels to the north.

The fact that two of these residential parcels are adjacent to Collier Boulevard is no justification for the proposed amendment. According to Mr. Anderson, these parcels are unique in the fact that they are both adjacent to FPL and to Collier Boulevard. But that's not true. Only one of these parcels, tract 120, is both adjacent to FPL and Collier Boulevard. That parcel was acquired by applicant in 1984 after the FPL substation, and I think Collier Boulevard was there too. So that is not a valid argument.

The bottom line here is that the proposed amendment violates the Golden Gate Area Master Plan. It damages the rural character of our neighborhood and the quality of life of its residents. Promotes and furthers strip-style commercial development along Collier Boulevard. It's unneeded and unwanted in an area that is more than adequately served by a glut of commercial and conditional use properties.

The staff report recommends that this amendment be rejected and that is correct. What is not correct is the counter-recommendation to approve it for conditional use.

Everything that I've heard is that the market study is invalid. There is no data supporting that, which is required for that type of approval. The application, the notice of public hearing, make no mention of a conditional use amendment. So that conditional use recommendation should also be rejected.

I and my neighbors oppose the proposed amendment and any change that would allow commercial or conditional use prop -- these properties to be developed on 13th Avenue Southwest. Thank you for your time.

CHAIRMAN STRAIN: Okay, thank you.

I have a question, that since you apparently represent some of the people here, informally --

MR. McMORROW: Spokesperson, not attorney.

CHAIRMAN STRAIN: I don't mean as attorney. That's why I was trying to say informally --

MR. McMORROW: I do malpractice.

CHAIRMAN STRAIN: There are six types of conditional uses that are allowed in certain specific parts of the Estates. First one is churches and other places of worship. Second is group care facilities, daycare centers, private schools, social and fraternal organizations and essential services.

If the opportunity for the neighborhood were to arise where they could sit with the applicant to see if



under some limited basis one, two, any of those might be acceptable to the neighborhood for that location, with criteria that would require them to, say, connect directly to 951 so they wouldn't be using 13th Street or things like that, is that something that the neighborhood may wish to explore from --

MR. McMORROW: I can't speak on behalf of everybody in that regard.

I think the point that you made, Mr. Chairman, is perhaps the most valid which is if we are going to change the plan, why don't we do it on a wholesale basis and not in a piece-by-piece tacking on conditional use here and there. I think if you're going to change the master plan, do it as you have done all along on a 10-year basis.

CHAIRMAN STRAIN: And I just needed to ask that question because this panel, we try to find solutions, not just denials. And very rarely do we flat out deny anything. And I'm just trying to explore every opportunity.

MR. McMORROW: I think that the neighborhood would be very receptive to taking part in the process. And one of the issues I take with the process, my fault for not being more aware, but I didn't know this was going on until the billboard went up on my street.

CHAIRMAN STRAIN: This is the second instance of a similar situation that's occurred in the last week, so it's something that is unfortunate. So thank you very much.

MR. McMORROW: Thank you, Mr. Chairman. Thank you for your time.

CHAIRMAN STRAIN: Does anybody else have any questions?

(No response.)

CHAIRMAN STRAIN: Okay, let's go to registered speakers then.

Want to call the first speaker, Mike?

MR. BOSI: Thank you, Chair.

The first is Shirley Lytwyn.

MS. LYTWYN: Hello. My name is Shirley Lytwyn and I've lived on the street since '89, raised two children here.

CHAIRMAN STRAIN: Could you spell your last name for the court reporter.

MS. LYTWYN: Yeah, it's kind of tough. L-Y-T-W-Y-N.

CHAIRMAN STRAIN: I would never have figured that, so --

MS. LYTWYN: Okay. Gee, where do I start? I agree with Roger in what he just said. I used to be a real estate agent for 10 years, and I had a listing on Golden Gate Parkway at the bingo -- right behind the bingo place. And we got an appraisal, and it reduced the value of the property because the bingo hall was there. So that's a big concern for me, because I am the third house on the right, and I will be able to see this from my house and it's just a concern.

How is this going to affect the value of my property, as well as the others down the street? So that's all I have to say.

CHAIRMAN STRAIN: Thank you very much.

Next speaker?

MR. BOSI: Peter Lytwyn.

MR. LYTWYN: Correct.

CHAIRMAN STRAIN: He had practice from the first one, you know.

MR. LYTWYN: Yes, I have no responsibility for my last name, it was given to me. Anyway, thank you for hearing me.

As my wife mentioned, we lived 25 years on that street and it's a nice neighborhood. We'd like to keep it that way. Any commercial development deteriorates the quality of life that we have. Right now if you try and turn right or left on 951 off of our street between the hours of 7:30 and 8:15 in the morning, you better be driving a Prius, because your gas tank will be drained. You can't get out onto that road.

To increase the traffic flow in that area, again, I realize this has nothing to do with the conditional approval or whatever of the parcel, but to increase the traffic is not a wise idea.

One last item. I kind of get, how would you say -- difficult to explain, but the traffic flow from east to west, Golden Gate Estates is assumed to be everything east of 951. Well, guys, you know, we're in Golden Gate Estates too and we're west of 951. And for the people to get across, there's limited access where Pine

Ridge turns into White Boulevard. There's another road down the road a bit. But the traffic becomes horrendous. I don't particularly care to live in an area where we have commercial development. We moved to the Estates to get away from all of this and now it's growing up around us. I'm not anti-development, but I would like to have an input on where I live and what happens to it. I thank you.

CHAIRMAN STRAIN: Thank you, sir.

Okay, that is the last -- the second or -- or the only two registered speakers.

Now, anybody else like to speak on this is matter, please just come up one at a time to the microphone and I'll keep asking 'til everybody has put their hand down. So --

MR. BOUTWELL: Good morning, my name is John Boutwell and I've lived on 13th Avenue Southwest since 1987.

THE COURT: Mr. Boutwell, would you spell your name, please.

MR. BOUTWELL: B-O-U-T-W-E-L-L.

THE COURT: Thank you.

MR. BOUTWELL: I agree with everything that Roger has said, and Pete and Shirley.

I would like to present to the Commission a petition that has the signatures of 72 people on our street that many could not be here this morning that also oppose any change to the zoning of that property. I'm not sure how I do that.

CHAIRMAN STRAIN: Well, the court reporter needs a copy of it. And you've sent that by email, so we've all --

MR. BOUTWELL: We did not send it yet.

CHAIRMAN STRAIN: Or you did not send it.

MR. BOUTWELL: We did not.

CHAIRMAN STRAIN: Okay, maybe it was this one then. Because this one came through to the Clerk's Office. They brought copies down in case anybody wants to see them. I don't know if that's redundant to yours. How many copies do you have with you of yours?

MR. BOUTWELL: I only have one copy.

CHAIRMAN STRAIN: Okay, we need a copy for the record. So at some point before you leave the building maybe Jim or one of the aides over in the Commissioners' office can make a copy of that for you. Be sure to go there and bring it back.

Is that appropriate, Heidi?

MS. ASHTON-CICKO: Yes, that will be fine.

CHAIRMAN STRAIN: I don't want to stop the meeting to the make the copy right now.

So John, just please make sure before you leave the building you get that and give it to Cherie' before she leaves.

MR. BOUTWELL: Will do. Thank you.

CHAIRMAN STRAIN: One question I have of you, sir.

MR. BOUTWELL: Yes, sir.

CHAIRMAN STRAIN: When you met with me, I noted to you that the lady next door to this property had written a letter of support for this project.

MR. BOUTWELL: Yes, she did.

CHAIRMAN STRAIN: I thought you said she signed a letter of opposition to the project; is that true?

MR. BOUTWELL: I thought she had signed the petition. I am mistaken. I talked to her on the road on the way out of my street. She was with another neighbor. And I was under the impression that she would sign the petition.

CHAIRMAN STRAIN: But she has not signed it.

MR. BOUTWELL: She has not signed it. She is here at this point.

CHAIRMAN STRAIN: Her letter of the support at this point still stands.

MR. BOUTWELL: Yes, sir, as far as I know.

CHAIRMAN STRAIN: Thank you. John -- hold on a second. Go ahead, Stan.

COMMISSIONER CHRZANOWSKI: Hey, John, how you doing?

Did you say she's here this morning?

MR. BOUTWELL: Annette is here, yes. Yes, sir.

COMMISSIONER CHRZANOWSKI: So she's going to tell us whether she's --

CHAIRMAN STRAIN: Well, only if she wants to speak. We can't force her to speak.

COMMISSIONER CHRZANOWSKI: Or not. Okay. Thanks, John.

MR. BOUTWELL: Thank you.

CHAIRMAN STRAIN: The next speaker, please. Just come on up. First one up is the first one that's going to get to speak.

MS. ESKIN: My name's Annette Eskin. It's E-S-K-I-N.

I did meet with everyone here, Mr. Bruce Anderson and Wayne. I did get a letter back in November. I was unaware that not many other people here got that. I assumed that most of them did.

My husband Gary I think was at the meeting. You met him. He actually is out of town right now.

It's not that I'm for this, I just met with them to go over if it happens this is what I would like to happen to the property next to me, since I am right next door. You know, I really -- I'd rather have it not -- I'd like it to stay the way it is, but if it goes through, you know, since I am right next door, I said I would want A, B and C put into place.

CHAIRMAN STRAIN: Okay. Fair enough. I appreciate the clarification.

MS. ESKIN: I was unaware -- when I showed the one neighbor my letter from back in November that I received it, they're like, you know, we didn't get anything like that. Even the neighbor right next to me apparently didn't get anything. So I was shocked at that.

And that reflects why at that meeting back on December 2nd there was only my husband and one other person from 15th Avenue, because apparently, you know, not too many got this letter.

CHAIRMAN STRAIN: Okay. We appreciate the clarification. Thank you.

COMMISSIONER ROSEN: Mr. Chairman?

CHAIRMAN STRAIN: Yes, sir.

COMMISSIONER ROSEN: I'm sorry, you still have more speakers?

CHAIRMAN STRAIN: We've got more speakers, yes.

COMMISSIONER ROSEN: I've got a question for staff. We've heard so many comments about not getting this letter.

Can staff tell me, did the petitioner do something wrong?

CHAIRMAN STRAIN: I started out the meeting pointing all that out.

COMMISSIONER ROSEN: Well, I didn't hear the answer.

MS. MOSCA: Actually, no, the petitioner met the minimum requirements, which would be 1,000 feet from the subject property they would have to be noticed. The NIM notification is also within the Naples Daily News. Unfortunately with the Naples Daily News change to a subscription base it may be problematic for people to review it, I just don't know. But they did follow protocol.

COMMISSIONER ROSEN: Thank you very much.

MS. MOSCA: You're welcome.

CHAIRMAN STRAIN: Okay. Next, is there anybody else that would like to speak? Come on up, sir.

MR. KEZESKE: My name is Ronald Kezeske. I actually live on 11th Ave. I'll spell the last name. K-E-Z-E-S-K-E.

I'm actually relatively new to the neighborhood. I apologize, I'm not playing on my phone, I have my notes on my phone. I forgot a pad of paper this morning.

I'm relatively new. I moved in actually about nine months ago, so I have very little experience --

CHAIRMAN STRAIN: Talk a little slower. She's got to type as fast as you talk. And I'm the worst one, so --

MR. KEZESKE: It's not the first time I heard it, so I apologize.

I've been in the neighborhood for about eight to nine months so I don't have a lot of experience in the sense of the development and the change that's gone on there.

However, when I first moved in in summer I had a very rude awakening of what I had gotten myself

into. If you're not familiar with 11th Ave., my property, the property I purchased, is roughly two to three lots, roughly about three to four acres removed from the Pebblebrook -- not the Pebblebrook, the Publix plaza, which I believe is referred to as the Brooks.

CHAIRMAN STRAIN: Brooks Village.

MR. KEZESKE: Well, with the larger quantity of rain that we experienced this last summer, my backyard actually flooded under probably eight to nine inches of water due to the raised elevation of the Pebblebrook -- sorry, the Publix, the Brooks Plaza. I moved from Pebblebrook, so this is where the confusion comes in.

Upon talking to my neighbor who's been in the area since 1997, as well as other neighbors, I've learned that this did not occur prior to this Publix plaza being built. So there's a real concern for the people living on this street, if this commercial development is allowed to go in, that there could be adverse affects in flooding and not necessarily in their homes but in their property.

And let's be very honest and logistical about this: People move to the Estates for acreage, for land. We have horses, we have dogs, whatever the cause may be. But having it as swampland is not the reason we purchased.

An additional note to that, the west side of 951 has become somewhat of a -- I apologize, let me back up and give you some of my background. I'm actually an attorney, nonpracticing. However, I am a real estate investor. I manage a fund that goes out, purchases, revitalizes and resells properties throughout Collier County, Lee County, Dade, as well as Hillsborough.

CHAIRMAN STRAIN: Slow down a little bit. You do all that without taking a breath. That's amazing. And I can tell she's getting very --

MR. KEZESKE: Usually when I'm doing this, I'm timed so I have to get everything out. So I'm waiting for the buzzer.

CHAIRMAN STRAIN: No, we're flexible with the time.

MR. KEZESKE: Okay, I appreciate that.

So I definitely understand the need for development. However, there's a process for this development. I've dealt with it myself. My wife owns a business in town which we spent a total of a year getting the process through the county to simply build three walls inside of a commercial building. There is a process. We have a process for a reason and that's to protect people. We're trying to protect these people, myself.

Now, what's irritated me the most today is we've been presented a sheep, a family trust, a gentleman whose land use is being limited. The parcel furthest to the north defined as tract 119, from what my records show was purchased in 2010. It was purchased as a residential property. Now he is trying to group these properties together and say that you're denying him his land use? That's not the case. As you correctly point out, Mr. Chairman, he purchased this as a residential property. He's now trying to profit off of such a thing. It's been very irritating listening to the petitioner here once again make it sound like this is a sheep situation when indeed we're dealing with a wolf.

Additionally to that, let me state another issue that I have on 11th. Once again, I purchased into this, so I was aware of it when I did. These people did not. These people have lived here and now would have to deal with this problem.

The flow of traffic out of Publix onto 11th and from Walgreen's causes backups. I have an office on 41 but I work most of the time from my house. If I need to get to a meeting at 5:00 p.m., I need to leave my house by 4:00. Not because of drive time, but because getting out on 951 sometimes I have to detour to the right and loop around. The traffic coming from not only 951 heading back north to the Estates, but the traffic coming out of the Publix plaza creates quite a backup on 11th Avenue.

I'd just like to leave you guys with one little I guess you could call it nerdy legal thought. My concern here is if we allow this to happen, we're no better than the Supreme Court was in Kelo versus City of New London. And if you're not family with the case, they took land from private citizens and utilized it for commercial development. I thank you for your time.

CHAIRMAN STRAIN: Thank you, sir.

Anybody else that would like to speak? Yes, ma'am, come on up.

MS. MARTINEZ: Hi. How are you? My name is Janie Martinez. My husband and I live on 13th Avenue Southwest. We've lived here in Collier County since 1967. We moved to the Estates to find a better place, a peaceful place, which we found on 13th Avenue Southwest. We've been living there now for about 34 years, going to 35 years.

We love the place we live. It's peaceful. And now with this development that's coming through, I mean, this is the whole purpose we moved there, to have peace and quiet and we can raise our animals there too.

Now, we do oppose this development that's going through. We don't like it. So please let us have our land. Thank you.

CHAIRMAN STRAIN: Thank you, ma'am.

Anybody else like to speak? Ma'am?

DR. MANDELKER:

MS. MUSZYNSKI: My name is Darlene Muszynski. That's M-U-S-Z-Y-N-S-K-I.

I'm a resident of 13th Avenue Southwest, and have been for 16, almost 17 years now, and certainly agree with my neighbors that most of us moved there for the type of environment it was, which is residential.

Looking at the intent and what they want to do, I have a very hard time understanding the true justification of it, why there was not a better notice given. It might have been done correctly, but it seems rather odd that none of us but Annette at the end knew.

It's just I'm just very opposed. I think there is totally enough mixed use, commercial use along 951 and I can see not a bit of benefit that it has for the greater good, let alone our little street's good. So we certainly oppose this.

CHAIRMAN STRAIN: Thank you, ma'am.

Does anybody else wish to speak?

Sir?

MR. MATTHEWS: Howard Matthews. I live on 13th, I've lived there seven years.

What concerns me a lot more is I try to get out every morning. We're going to have two exits coming out of the 951, I guess. I don't know what they're going to build. I can't imagine having 100,000 square feet and trying to get out on 951 with two roads. I don't understand.

And as far as my property rights, I bought the property, I think my rights should be protected too. Thank you.

CHAIRMAN STRAIN: Thank you, sir.

Anybody else wish to speak?

Sir?

MR. EPIFANIO: Good morning. Joe Epifanio. E-P-I-F-A-N-I-O.

I live next to Howard, so it's only proper that I talk next, we're going in order here.

When I look at 11th and the amount of accidents on that corner, I just have to agree with Howard. I can't get out of the neighborhood where I live now. To add anything else would be just crazy.

I don't know if you guys have a study about the amount of accidents on 11th and 951. But it's just about every other night when I come home or in the morning on the way to work there is an accident there. And if you do that study on this intersection, I think you'll have the same problem.

I moved in there, I'm one of the people that have horses on that street. I didn't move out here to have commercial or anything else. I think if we had this whole room filled with Golden Gate Estates residents, you'll find out we don't care much about commercial. We care about the quality of life. We don't want to go up and down the streets and fight the traffic and everything else.

A lot of my neighbors have been there a lot longer than I have, and I just hope that this does not go through in any shape or form at all. Thank you.

CHAIRMAN STRAIN: Thank you, sir.

Anybody else wish to speak?

Okay, with that -- oh, come on up, sir.

MR. GOLLY: Hi, everybody. My name is Bruce Golly. G-O-L-L-Y. Like Gomer Pyle, golly. My parents moved here in the late Sixties, lived on Naples Bay. My brother still lives over there. I moved out,

like the rest of these people, to get a little peace and quiet, some acreage. I very five acres on 13th as well.

Just because this group owns that property, if they think this is such a viable thing, then why don't they buy the piece on Green which is already zoned C-1 through C-3, just like you were saying, pointing out to them. Then they don't have to jump through all these hoops. It's already zoned for exactly what they want. I'm just wondering why they don't try to acquire that piece of property.

CHAIRMAN STRAIN: Thank you very much, sir.

Anybody else?

Okay, with that we will go back to the applicant for rebuttal. Mr. Anderson, anything you'd like to say?

MR. ANDERSON: Yes, Mr. Chairman, thank you.

First of all, I'd like to address some of the comments that Mr. McMorrow made. He was very careful in looking at six-laning Collier Boulevard in isolation by itself and then separately looking at the FPL facility in isolation by itself. He did not, however, address the combination of the two, which makes this unique and different from all the other parcels.

Also, you all need to know that the FPL facility has absolutely no landscape buffer requirement.

None.

The Brooks family, they purchased the corner property in the mid 1980's. They later sold it to the gentleman who built the model home on it. When that property went into foreclosure, the Brooks brought it back. They have long ties to this community. And in the mid Eighties they donated a fire station site behind the Collier County Library just off of Golden Gate Boulevard.

And I would conclude by saying that it's awfully easy for those whose homes are nestled in the woods far from the highway to tell a property owner whose property fronts on a six-lane highway that he ought to just build a home on there and be done with it. And it's also very easy to dismiss the impacts of the very attractive FPL facility when you don't live next door to it.

But I ask you to ask yourselves, would you build a home there? Thank you very much.

UNIDENTIFIED MEMBER OF THE AUDIENCE: Sure, how much do you want for --

CHAIRMAN STRAIN: Thank you, Mr. Anderson. If there's no other comments --

MR. ANDERSON: Sorry. One other comment. Some of the folks expressed concerns about the traffic impacts and getting out on 951. The county is going to solve your problem for you. They're going to restrict your access. You'll only be able to take a right turn out, the median is going to be closed.

CHAIRMAN STRAIN: Okay. Thanks for that little bit of information.

Anybody else on the panel have any questions of anybody at this point? Stan?

COMMISSIONER CHRZANOWSKI: John, just shake your head, is that accurate? You don't know. Okay.

No, you don't have to the come up.

UNIDENTIFIED MEMBER OF THE AUDIENCE: I'm sure it is, that's the way the rest of the county is.

CHAIRMAN STRAIN: Sir, we can't have any comments from the audience, please.

Okay, anybody else have any questions?

(No response.)

MR. ANDERSON: There are the plans for the median closure.

CHAIRMAN STRAIN: Thank you.

With that, we'll close the public hearing and we will now have a discussion from the Planning Commissioners.

Anybody have anything they'd like to contribute? Go ahead, Ms. Ebert.

COMMISSIONER EBERT: Yes. The reason a lot of you probably did not get the notices is because you have too much property. 1,000 feet is not very far, so that's where part of the problem comes in. And I understand where you're saying we're not getting it. But it's 1,000 feet limit within their area. So that's one of the reasons.

I also notice that Sun Gate Center is not built yet, and that's 83,000 square feet. FP&L is there, I understand. Finding out that was done in '82, before any of this was ever contemplated, before we had -- I

don't know if we had the Golden Gate Estates plan back then.

CHAIRMAN STRAIN: Not in '82, no.

COMMISSIONER EBERT: No. And so things do change. I happen to live on Immokalee Road. I moved there when it was one lane either direction, so I do understand.

I believe this should wait until you have your say again. And I understand there is a study coming up. Sun Gate has 83,000 square feet that was done also in the early Nineties, I just checked with staff.

I'll be honest with you, I just am -- I am not in favor of this at all because I do not like strip centers and all this to me is -- you already have your activity centers. To me this is creep. And that is not good for any neighborhood. So I will not be approving this.

CHAIRMAN STRAIN: Anybody else? Go ahead, Charlette.

(Applause.)

THE COURT: Please, we've got to keep the meeting going so I've got to ask that you not clap or respond to comments.

COMMISSIONER ROMAN: I really enjoyed driving down your street, and I agree with all of your comments about your lovely neighborhood. The large trees and the houses tucked back, I can see the quality of life living on 13th Avenue. And I was very, very impressed.

I don't think today that there's been a case made for a deficit of commercial space in the area. And with that in mind and the fact that there is a process for review of the Golden Gate Master Plan and an actual review cycle, I support respecting this process and allowing the civic engagement when that process takes place.

CHAIRMAN STRAIN: Anybody else?

COMMISSIONER HOMIAK: Has there been an approval for the restudy?

CHAIRMAN STRAIN: Not yet, no.

COMMISSIONER HOMIAK: And when is that going to happen?

CHAIRMAN STRAIN: It's up to the commissioner from the district.

COMMISSIONER HOMIAK: Has it been discussed or is it --

CHAIRMAN STRAIN: It's being discussed -- it was discussed last night.

COMMISSIONER HOMIAK: On an agenda or anything?

CHAIRMAN STRAIN: I don't know. The commissioner would be the one to answer that question. I can't answer it.

Anybody else have any discussion?

COMMISSIONER HOMIAK: Is there any way that these people could meet together again and discuss? Because it doesn't look like they understand or know what's been going on.

CHAIRMAN STRAIN: I think they understand. They've been at the meeting all day. But if they wanted to they could meet. But we've got to vote on it right now. So it's -- anybody have any?

I -- rarely do we find a situation where we don't find a way to stipulate in lieu of a denial. In fact, I believe we are here to find solutions. In this particular case, I was looking for documentation, market studies, support from the neighborhood, something that would justify a trumping of the Golden Gate Area Master Plan.

In reading the marketing report and listening to the neighbors I found just the opposite. I see nothing here that warrants a change to the master plan out of the normal context in which it should be reviewed. Therefore, I certainly cannot support this.

I do support staff's findings and conclusions in regards to why this has failed to meet the criteria for a master plan change, and I would support a recommendation to the Board for denial of this transmittal.

So anybody else?

(No response.)

CHAIRMAN STRAIN: Okay, is there any motion from this board?

COMMISSIONER EBERT: Yes, I'll make the motion.

I make a motion to deny Petition PL-20130000064.

CHAIRMAN STRAIN: Is there a second to the motion?

COMMISSIONER ROMAN: I'll second it.

CHAIRMAN STRAIN: Any further discussion?

(No response.)

CHAIRMAN STRAIN: 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?

COMMISSIONER ROSEN: Aye.

CHAIRMAN STRAIN: Motion carries 6-1.

Okay, thank you all, ladies and gentlemen.

Now this will be as a recommendation to the Board of County Commissioners, and I don't know when it's schedule for them, but they'll be the next ones in which to hear this.

So thank you all for attending and your input together today.

MR. ANDERSON: Thank you very much.

CHAIRMAN STRAIN: Thank you, sir.

We have no old business or new business on our calendar. And with that, is there a motion to adjourn?

COMMISSIONER ROMAN: So moved.

COMMISSIONER EBERT: Second.

CHAIRMAN STRAIN: So moved by Charlotte, seconded by Diane.

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.

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There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 11:23 a.m.

COLLIER COUNTY PLANNING COMMISSION

  
\_\_\_\_\_  
MARK STRAIN, Chairman

These minutes approved by the board on 5-15-14 as presented \_\_\_\_\_ or as corrected .

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