

July 17, 2014

TRANSCRIPT OF THE MEETING OF THE
COLLIER COUNTY PLANNING COMMISSION
Naples, Florida, July 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:

CHAIRMAN: Mark Strain
Stan Chrzanowski
Diane Ebert
Karen Homiak
Brian Doyle
Charlette Roman
ABSENT: Mike Rosen

ALSO PRESENT:

Raymond V. Bellows, Planning Manager, Zoning
Kay Deselem, Principal Planner, Zoning
Heidi Ashton-Cicko, County Attorney's Office
Tom Eastman, School District Representative

PROCEEDINGS

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

If everybody will please rise for Pledge of Allegiance.

(The Pledge of Allegiance was recited in unison.)

CHAIRMAN STRAIN: Okay. Before the secretary does the roll call, I'd just like to mention Mike Rosen notified us he has an issue he's got to attend today, so he has an excused absence.

So with that, will you please do the roll call.

COMMISSIONER EBERT: Yes. Good morning.

Mr. Eastman.

MR. EASTMAN: Here.

COMMISSIONER EBERT: Mr. Chrzanowski?

COMMISSIONER CHRZANOWSKI: Here.

COMMISSIONER EBERT: Mr. Rosen's absent.

Ms. Ebert's 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: Okay. Addenda to the agenda. There are four items on today's agenda. The middle two, 9B and 9C, are for the same item. It's a GMP, a companion item with a conditional use. Those -- it's for the Church of Latter Day Saints. That item has been requested to be continued to August -- I think it's August 7th -- yes, August 7th meeting of the Planning Commission.

So with that, is there anybody who'd like to make a motion to continue that to August 7th?

COMMISSIONER EBERT: I make a motion to continue.

COMMISSIONER ROMAN: I'll second.

CHAIRMAN STRAIN: Okay. Seconded by Ms. Roman.

All -- discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER DOYLE: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

Planning Commission absences. Our next meeting is August 7th. Does anybody know if they're not going to be here on August 7th?

COMMISSIONER DOYLE: I will not be here.

CHAIRMAN STRAIN: Okay. We'll still have a quorum. Thank you.

The approval of minutes. We were sent two packages -- we'll take them individually -- electronically. One was for June 5, 2014.

Are there any other changes?

(No response.)

CHAIRMAN STRAIN: Hearing none, is there a motion?

COMMISSIONER ROMAN: I'll move to approve the June 5th minutes.

CHAIRMAN STRAIN: Is there a second?

COMMISSIONER CHRZANOWSKI: I'll second.

CHAIRMAN STRAIN: Motion made and seconded.

Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER DOYLE: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

The next set of minutes we'll take a little slower. It's June 19, 2014. There were a series of people not there. I was one of them, so I will abstain from voting on the June 19, 2014, minutes. And Ms. Roman -- Charlette, I think you weren't there.

COMMISSIONER ROMAN: Yes, I'll abstain as well.

CHAIRMAN STRAIN: And the rest of you, I believe, were here. So one of you, if those minutes meet your -- what they're supposed to, then one of you needs to make a motion.

COMMISSIONER HOMIAK: Okay. I'll make the motion, but I have some corrections.

CHAIRMAN STRAIN: Well, make the corrections first, then we'll make the motion subject to the corrections.

On the bottom of Page 7, Vice-Chair Homiak where it says AC, it should be EAC and Page --

CHAIRMAN STRAIN: Can't read your own writing, huh?

COMMISSIONER HOMIAK: Can't read what I wrote. Eleven, I think. I don't know what that says. Shoot. But at the top of the page where it says Vice-Chair Homiak, right after that it should say "they annexed into Windstar," not "they can't extend to Windstar." And on Page 32 at the bottom, "The Court" should be replaced by Vice-Chair Homiak. And with those changes, I will make the motion to approve.

CHAIRMAN STRAIN: Is there a second?

COMMISSIONER CHRZANOWSKI: I'll second.

COMMISSIONER EBERT: Second.

CHAIRMAN STRAIN: Made by -- seconded by Diane.

Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor for those four, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: (Abstains.)

COMMISSIONER HOMIAK: Aye.

COMMISSIONER DOYLE: Aye.

COMMISSIONER ROMAN: (Abstains.)

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 4-0 with two abstentions.

That gets us past the minutes.

Ray, was there a BCC report for their final meeting?

MR. BELLOWS: Yes. On July 8th, the Board of County Commissioners heard the conditional use

for the self-storage facility on 951. That was also approved on their summary agenda along with the companion rezoning petition.

CHAIRMAN STRAIN: Okay. Thank you.

Under chairman's report I have one issue. About a year, maybe two years ago, there was a requirement, and there still is a requirement by Florida Statutes, that someone on this panel become -- stay as a member of the Affordable Housing Committee here in Collier County. It's a committee that -- they try to meet once a month. Sometimes they don't, but that's what their intention is.

At the time that it happened last time, Brad Schiffer, who was on this board, or on this commission, was our representative to that committee. When he did not get reappointed, there was nobody that wanted it, and as chairman I felt that then it was my obligation to at least fill the position, so that's what I did.

I'm still on it, and the term for my renewal is up. I don't -- it doesn't matter to me one way or the other. If someone wants to do this, they're more than welcome to. If they don't, I'll just leave it like it is, but I wanted to give you-all the option. If anybody thought that was something they would enjoy, be my guest.

Hearing nothing, then we'll leave it as it is.

Consent-agenda items. There are none today.

And the next item is the -- we'll get into our regular agenda for advertised public hearings.

***The first item is one that has been continued from the June 5th meeting and the June 19th meeting to today. It's PUDZ-PL20120001981, and it's for RMC-Enclave MPUD.

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

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

CHAIRMAN STRAIN: Okay. Disclosures from the Planning Commission. We'll start with Stan.

COMMISSIONER CHRZANOWSKI: Since the item was continued the first time, I haven't talked to anybody, and I don't remember what happened before that.

CHAIRMAN STRAIN: Well, considering your age, Stan, we'll let that go.

Diane?

COMMISSIONER EBERT: No, just with staff.

CHAIRMAN STRAIN: Okay. And I have had meetings with the -- with Wayne, maybe -- I don't know if anybody else was in that meeting or not, but we went over a series of concerns I had with the project, and I know we're going to be discussing those today, and, of course, I've had discussion with staff on the matter.

Karen?

COMMISSIONER HOMIAK: Nothing.

CHAIRMAN STRAIN: Okay. Brian?

COMMISSIONER DOYLE: No.

CHAIRMAN STRAIN: Charlette?

COMMISSIONER ROMAN: No contact.

CHAIRMAN STRAIN: Okay. With that, we'll move into the item.

Wayne, it's yours for presentation.

MR. ARNOLD: Good morning. I'm Wayne Arnold and representing the RMC-Enclave project.

With us today, I have two of the project owners, Mitch Melheim and Randy Kurtz. John Passidomo's the lawyer that's assisting on land use today. We have Jim Banks from traffic engineering standpoint; Bethany Brosious from Passarella & Associates; and we have Mike Delate from Grady Minor here to answer any engineering related questions you might have.

This project is located on Livingston Road just north of Learning Lane. And I'll put that up on your aerial. You have one in your packet, but I'll put that up, assuming that we have a visualizer. But the project is located immediately east of the North Naples Middle School and the Veterans Memorial Middle School -- or North Naples Middle, Veterans Memorial Elementary.

And just to our southeast was an approved project unbuilt, and then the Grace Romanian Church. And then to the south, you can see in the aerial, it's under construction, Pulte Homes, a project that's part of the Royal Palm Academy PUD.

To the north is vacant property that's actually owned by the Diocese of Venice. And I don't know

what their plans may be.

But this project's about 28 acres, and we're requesting a rezone from ag with a small ST area to a PUD to permit two different uses. One is an alternative that's a pretty typical development scenario that you've seen; 114 residential units, and we've asked for a variety of residential types or, in the alternative, we've asked for up to 350 senior housing units, and then we have created standards for those.

We've asked for a typical deviation you've seen related to the senior housing of a .6 FAR because the county doesn't equate those in terms of density. It's based on an FAR of .45 in the plan.

I think there were discussions about changing the FAR in the Land Development Code to .6 for these uses. I don't believe it was included in the last set of amendments, but it is anticipated to come before you at some point.

The master plan for the project -- I'll put this up, because I want to explain a change that was made to this. The master plan for the project in your packet shows a southern potential access point to Learning Lane on the far western portion of our property. I don't know if you-all can see that. It's in that location.

In discussion with staff, after the staff report was written, we had discussions about interconnections with your comprehensive planning staff, and we also had interconnection discussions with Mr. Eastman on behalf of the school district, which controls Learning Lane, and with Mr. Casalanguida, who was encouraging us to try to push forward to get an interconnection with Learning Lane because it has access control to a signalized intersection.

So in response to that, we did two things. One, we realigned the access point to be more central to the southern project boundary. It interrupts some of our preserve, but from a perspective of our environmental consultants, it really doesn't make much difference where we impact that area. We're going to have to impact some degraded wetland areas. Keeping the preserve separated still has contiguity to the preserve that's part of the Royal Palm -- not Royal Palm, I'm sorry -- the Grace Romanian Church property. Their preserve is on their southwestern corner, so we still have preserve connection to them. So that was a change we made to the master plan in order to address the access.

We had discussions with staff on a potential interconnection to the north. We don't believe that there's a benefit to either party to have an access to the north. The Diocese property would have access on Veterans Memorial Parkway, which is a signalized access. And if we're successful in negotiating with the school district based on the condition that we have, we will have access to a signalized intersection at Learning Lane.

And secondarily, and -- from the school district's perspective, they really don't want more traffic on their road. It terminates at their school, but they are willing to talk to us and talk about conditions under which we can access that, and I'm going to show you a revised transportation condition that we've discussed with Mr. Eastman and Mr. Casalanguida that at least we all agree to.

And in discussions further with both staff and Mr. Strain, we have suggested some minor revisions that don't appear in your packet. I have hard copies, if you wish. It really only impacts a handful of pages. I'm happy to put them up on a visualizer. I have them in color, so I think they'll highlight fairly well.

But the first one, it's on Page 1 of 19 of your staff -- of the PUD document, or 1 of 10; I'm sorry. And it's under the accessory-use section. We've stricken some what are now fairly standard provisions in the Land Development Code, so it's really unnecessary, so we've stricken and renumbered those typical accessories.

We've also, on the next page -- we've made a revision, again, to the accessory-use section to put in some language that deals with community-wide recreation facilities, that we would have a specific buffer and wall where we're adjacent to the perimeter of the PUD, and that you've dealt with on some other projects fairly recently, and that's why this was kind of a later insert into the PUD document that we're dealing with.

The next change is on Page 4 of 10, which is the Development Standards Table. And we made a correction on the middle of the page by inserting 12 feet where we had NA previously. That was an error on my part. And we have modified a footnote as shown, and this deals with a comment that came up in my conversation with Mr. Strain, and it deals with not having landscape buffer tracts necessarily on the recorded lot itself but having landscape buffers, for instance, outside of this. So we have added language that talks about that issue as well as offering reduced setbacks where that situation occurs.

Because presently in the code you are allowed to plat a single-family lot, for instance, and it would have a landscape buffer tract over it. Maybe 5 feet up to 15 feet. But that's just part of your lot. And then this would make it so that the landscape tract would be outside the platted lot boundary. So we've established some revised standards where that may occur, if it occurs at all.

The further change that we have made is on Page 10, and it's -- we have two changes on this page. The first one is to utilities. The utilities staff has asked us to provide a water stub-out to the north for future potential connections. We've inserted the language that they had requested, and we have no objection to that. It makes good sense for potential looping. It doesn't mean that we will have an interconnection, but it does provide for the stub-out in the event the utilities division would like that.

And then the other change on that page is to the transportation condition, and this was written as an effort between Mr. Eastman and Mr. Casalanguida and our team. And what this really does is establish that prior to development commencement on the site, we need to demonstrate that we have gone through the process of trying to get the school district to allow us to have access to Learning Lane.

And as you-all may remember on some of the Grace Romanian discussion and on your Royal Palm Academy discussion, we're not just permitted by right to access that road. It's owned and operated by the school district. So we would need to get access rights to it, and that requires you to go to the school district and ask permission.

They're likely to want us to cost share in the traffic signal that was installed at Learning Lane and Livingston Road. They may want us to make some other contributions in the form of a sidewalk connection or something.

We don't know yet until we sit down with staff and really negotiate that, but this condition says that we have to demonstrate we've attempted to go through that process before we can commence development. Staff felt it was an important connection, and they wanted to make sure that we actually attempted to get this connection.

So that's what that language attempts to do. I think that, as far as I know, staff is still on board with that, and I think Mr. Eastman is as well.

And I would go back -- I have a couple other changes. Heidi had suggested some modifications on the footnotes that Mr. Strain and I discussed on landscape buffers. So Heidi had suggested some language. And I have a hard copy of that language here as well that I can -- once I find it, I can put it up on the visualizer, but it was some minor tweaking of the landscape buffer easement language.

And, Heidi, I don't know if you brought your copy of it. I have it here somewhere. I have your handwritten notes, but I actually typed it so it was all legible for all of us. Give me a minute to find them.

MS. ASHTON-CICKO: No, I don't have it with me.

MR. ARNOLD: I'm sorry.

CHAIRMAN STRAIN: I converted her handwritten notes to electronic format so I could have it with me.

MR. ARNOLD: I have it here, too, but I can't find my copy that I printed for myself.

CHAIRMAN STRAIN: What those notes were, Wayne -- and if you want to put that standards table back up, I'll go over them with you.

MR. ARNOLD: I got it. If you can manage. The green text in there is the insertion of the County Attorney's Office comments. And I think they make sense. We have no issue with them. It was just a matter of timing, you know, making edits up to the last moment before we came here. We just felt it was easier to discuss them here and then incorporate any other changes you may have into the document.

CHAIRMAN STRAIN: Okay.

MR. ARNOLD: So having said that, I don't know if you need me to go through -- I'll discuss briefly the master plan. It's -- put it back up there, the color version.

Everything we have in the beige tract are intended to be either our residential or the senior housing tracts of land. All the green represents the preservation areas. We're preserving almost 25 percent of the entire site because it is -- it consists of a lot of native vegetation.

You'll see a split access that we're demonstrating on Livingston Road at the northern end of our property that we're in discussions with the fire district who is constructing their fire station just east of

Livingston Road. We will -- we are negotiating to have a left directional access point into our community, so we're assisting them in paying for some mast arm changes that would accommodate a turn lane for this project, and it would not interrupt their flow of traffic over and through their intersection.

So our principal form of access will be on Livingston Road, and then we will have the secondary potential interconnection to Learning Lane to the south in the location that I've shown it. Otherwise, it's a fairly straightforward project.

We had our NIM. We had several interested people, most of whom seemed to have an interest in either being able to buy a home, build a home, or sell us some interior design services.

We had a couple neighbors from the east who were concerned about -- they lived across the street in part of the Royal Palm Academy project, and they were concerned they had schoolchildren on Learning Lane and were just curious how much traffic we could potentially have on Learning Lane.

But, otherwise, we're generally happy with staff's recommendation. And as I mentioned, we've not suggested any interconnection to the north, although I think Kay's staff report still had that language in there. But I think with our connection to Learning Lane to the south, I think that we have satisfied the county's commitment to provide some form of interconnection where we can.

With that, I'll answer any questions you may have.

CHAIRMAN STRAIN: Okay. Are there any questions from members of the Planning Commission?

COMMISSIONER EBERT: I'll wait.

CHAIRMAN STRAIN: You'll wait?

COMMISSIONER EBERT: Yeah.

CHAIRMAN STRAIN: Okay. I try to wait for everybody first, but -- so I guess if nobody else wants to go, I'll go, Wayne.

MR. ARNOLD: Okay.

CHAIRMAN STRAIN: On your accessory uses that you corrected, I just want to make sure, No. 7, you struck that, too; is that correct? Did you say yes or --

MR. ARNOLD: Yes.

CHAIRMAN STRAIN: Okay. On your Development Standards Table under single-family zero lot line for your minimum side yard setback you have zero feet, and then you have a footnote that says, must be at least 10 feet between structures.

Normally what we see when we talk about zero lot line are two setbacks, a zero or 10, because one side can be zero. The other side's got to be some minimum. In this case you didn't put that. But because of the distance between structures, you'd still have to have 10 feet. I think it boils down to the footnote.

But what happens on the end lot? If you get to an end lot where you're 10 feet from the inside lot but on a corner or an end lot, what would you end up -- what would your distance be from the setback line along the roadway then?

Say you had your zeros lined up on the one side and you get to your last lot, the house on the last lot has to be 10 feet over, but then based on this you'd have zero feet on that corner lot. Is that -- on that end lot up against whatever would be there; is that correct? Is that what you're --

MR. ARNOLD: Well, I think it could be because of the intent of these. I mean, we're most likely going to be adjacent to another intersecting street or probably a preservation area which has its own set of setback standards for each of those.

CHAIRMAN STRAIN: Is there a reason you couldn't say zero or 10 feet like you did under the two-family and duplex, since in the end it will end up zero or 10 feet, or is there a reason why you didn't say that, as we typically would have seen it?

MR. ARNOLD: I would -- and this is the footnote, just to make clear, under the minimum side yard setback for zero lot line, where it says 0/6, and then the Footnote 2.

CHAIRMAN STRAIN: Well, the zero slash -- now we're -- now I'm lost. Maybe I've got the wrong table. I'm looking at the Exhibit B.

MR. ARNOLD: Is that the --

CHAIRMAN STRAIN: No, that's not what we've got, or at least that's not what I've got.

COMMISSIONER ROMAN: I don't have it either.

CHAIRMAN STRAIN: Could you use the one that you put -- they gave to staff for review.

MR. ARNOLD: Hmm?

CHAIRMAN STRAIN: Would you use the one you gave to staff for review that we're looking at.

MR. ARNOLD: The one that's in my application packet. I am not sure why I have something different than that, but --

CHAIRMAN STRAIN: If you can't find it, we can go ahead and use the one -- we'll just have to make clear the difference.

MR. ARNOLD: Yeah. I've got a marked-up version. That was based on some of the notes that we had made, but -- I'd actually added the reference to the six feet after our meeting.

CHAIRMAN STRAIN: Gotcha.

COMMISSIONER ROMAN: And when you go down to the footnote though, Footnote 2 says it must be at least 10 feet, so --

MR. ARNOLD: And I think that should be corrected to 12 to make the --

CHAIRMAN STRAIN: You're going to need the mike.

MR. ARNOLD: I'm sorry. I think it should be corrected to reference 12 feet with a 6-foot setback offsetting every time you're going to have a minimum of 12 feet.

CHAIRMAN STRAIN: Right. So you'd be zero or six --

MR. ARNOLD: Right.

CHAIRMAN STRAIN: But in no case less than 12 feet.

MR. ARNOLD: Right.

CHAIRMAN STRAIN: Okay.

MR. ARNOLD: So the footnote should be corrected to say 12.

COMMISSIONER ROMAN: The footnote? Footnote No. 2?

MR. ARNOLD: Yes. Rather than 10, it should say 12.

CHAIRMAN STRAIN: Okay. The front yard setbacks are 20 feet. You used the Footnote 1 to get us to the 23 feet setback that was started by a certain county engineer years ago, and you didn't do that on the multifamily and group housing, and I'm assuming, because you're going to route the sidewalks around carports and things like that, or how are you --

MR. ARNOLD: Generally speaking, the multifamily, it's controlled by the American with Disabilities Act standards, so there's generally a difference. I mean, a lot of times you can arrange the parking so that the sidewalk is adjacent to the building, for instance, so it's really in front of the parking, or if you have a typical scenario of a multifamily garage, the sidewalk necessarily doesn't have to be in that right-of-way.

I mean, I guess, technically, if I had a front-entry garage, I mean, it wouldn't -- I guess it wouldn't be illogical to add a 23-foot setback notation for a multifamily as well, except that it won't always be 23 feet if I put it in front of a parking space, so --

CHAIRMAN STRAIN: I'm fine with it; I just want to make sure I understood why you did that. That was just a question.

MR. ARNOLD: Okay.

CHAIRMAN STRAIN: Under your accessory structures front yard setback, you list 20 feet but you don't put the Asterisk 1. Is your intention to put garages, then, at 20 feet and ignore the Asterisk 1?

MR. ARNOLD: No.

CHAIRMAN STRAIN: Okay. So where that says minimum front yard setback, we can put an Asterisk 1 right after the standards line?

MR. ARNOLD: I think if -- this was the --

CHAIRMAN STRAIN: That's the correction, okay.

MR. ARNOLD: -- correct version that I discussed early. I didn't highlight that change, but that is one of the changes that I made.

CHAIRMAN STRAIN: Okay. And No. 2 would cover the minimum distance. That wouldn't, though, necessarily apply to -- yeah, it would apply to all of them, come to think of it. You'd have a 5-foot

setback, but you'd end up having to have -- how does that work?

MR. ARNOLD: It would apply on single-family --

CHAIRMAN STRAIN: Well, how does that work on a single-family? You've got a 5-foot setback, but you've got to have 12 feet between buildings.

MR. ARNOLD: No. I think I should move the footnote to the zero lot line reference.

CHAIRMAN STRAIN: I think so, too; yeah.

MR. ARNOLD: Yeah, and the townhome.

CHAIRMAN STRAIN: I agree.

MR. ARNOLD: Okay.

CHAIRMAN STRAIN: And the two-family and duplex.

MR. ARNOLD: Yes.

CHAIRMAN STRAIN: On the Development Standards Table -- not the Development Standards Table -- the master plan, a couple cleanup items. Under site data, I understand the total site area, but you don't -- we don't normally, or we're trying to get away from listing the dwelling units on the master plan. There's really no need for it.

It's in the document, and I'd just as soon -- unless you need it there, why would we need it there? I don't see a reason for it.

MR. ARNOLD: I can strike it. I've actually gone ahead and stricken that reference because staff had suggested that, too.

CHAIRMAN STRAIN: Okay. On the -- well, this isn't -- yeah, the plan we have isn't the one you're actually going to use, so you're going to use the new master plan with the road going down the middle that's on the overhead right now, so one of my issues doesn't need to be addressed then.

There's a box -- there's a statement on the master plan that says separated ingress/egress lane shall constitute as single access point on Livingston Road. That's the split item you have up front --

MR. ARNOLD: That's correct.

CHAIRMAN STRAIN: -- up on top, right? That little dotted line that's coming in off the right-of-way, what was that -- what is that representing?

MR. ARNOLD: The dotted line that comes in just above it is actually a stub-out that exists, and it was constructed by the county for the property owner at the time of Livingston Road's construction.

CHAIRMAN STRAIN: Okay. Let me make sure I got everything, Wayne, then I'll turn it over to Diane.

That's the last, I think, of mine. Oh, one more.

In the preapp notes, there was a discussion that went beyond the connection for the roadway to Learning Lane. Pathways said, when meeting with the school district, please provide documents of discussion regarding pathway connections to the school.

Has that been addressed? Because you talked about a road connection, but I haven't heard anything about a pathway connection.

MR. ARNOLD: Well, Mr. Eastman and I have verbally talked about that, and until we get to the point of defining -- for instance, we don't know yet; if we're going to have a conventional residential community, our trip generation rate is different than if we're going to have a senior housing community.

So at the point we know what option we're going to actually be constructing, we will go to Mr. Eastman's staff, we will address an easement agreement package. They're going to ask us, I'm sure, for some dollars, probably some connectivity to the sidewalk system that's there and other things that will be negotiated at that time with the school district, and then Tom and his staff will actually have to take that to the school board for their final action.

CHAIRMAN STRAIN: Okay. So that particular discussion will occur at sometime, but most likely you'll have that addressed by SDP.

MR. ARNOLD: Yes, or plat.

CHAIRMAN STRAIN: Okay. That's the last question I have, right now.

Diane?

COMMISSIONER EBERT: Yes. Mine's for Tom.

Tom, how is the enrollment at the school at this present time?

MR. EASTMAN: We've done an analysis through our planning department, and the school can accommodate the demand that would be created by this residential development.

COMMISSIONER EBERT: Okay. Because we just okayed quite a few right around there.

MR. EASTMAN: With Camden Lakes. Each and every time, and --

COMMISSIONER EBERT: Yeah, and DR Horton and across from there.

MR. EASTMAN: Correct, yes. And each time development approval is given, the school district digests that information into its planning, and we are always on the lookout. That is what drives our capital plan is the demand for public school seats.

So we have a forward-looking vision about as the developments build out, we realize that more school seats will be needed, and that's what we plan for, and that's what our construction plan is about.

And as you're aware, we bring that to the county as well so that we're all on the same page.

COMMISSIONER EBERT: But you don't have a problem with this at all? Right now the school has got plenty of room?

MR. EASTMAN: No, we don't have a problem with this. And it's been the school district's practice to try to stay ahead of development and always have the seats ready.

We've run into situations where we've had to put a few portables on school sites, but we've never had an overwhelming number of portables, and we've always been able to build the facilities to meet the demand, and we expect to be able to continue to do that in the future.

COMMISSIONER EBERT: Okay, thank you.

CHAIRMAN STRAIN: Anybody else have any questions? Brian?

COMMISSIONER DOYLE: Just one question. Is the preserve going to be kept intact? Like, will that be a raised-bridge type entrance? Because it looks separated.

MR. ARNOLD: I don't know. It is separated. I doubt if it will be a bridge. I'm sure we'll have to provide some connectivity through culverts or something like that.

COMMISSIONER DOYLE: A crossover, whatever, for what's living there. Thanks.

MR. ARNOLD: Yes.

CHAIRMAN STRAIN: Okay. Anybody else?

(No response.)

CHAIRMAN STRAIN: Okay. Wayne, thank you. We'll see if there's a staff report. Oh, go ahead, Tom. I'm sorry.

MR. EASTMAN: I just wanted to put on the record -- Wayne had mentioned it; I wanted to reemphasize.

The easement agreement onto Learning Lane is ultimately subject to school board approval. They're the only one with the authority. But we're confident that -- and committed to negotiate with them. And we feel that we'll be able to reach an agreement with them with respect to Learning Lane.

The reasons for that are many. We've had a successful easement agreement reached with Camden Lakes to the south, and that was done through working with Mr. Passidomo's office and also Mr. Banks.

And we feel that we have clear expectations on both sides as to what's expected, and we also feel that the developer has been accommodating and listening, as evidenced by relocating their potential access point onto Learning Lane to the east to move it away from the school district entrance.

And, also, Wayne has committed that they will have no construction access point onto Learning Lane, so all the construction traffic will not be coming onto Learning Lane.

CHAIRMAN STRAIN: Okay. Thank you, Tom.

Anybody else?

(No response.)

CHAIRMAN STRAIN: Okay. Is there a staff report?

MS. DESELEM: Yes, sir. For the record, Kay Deselem, Collier County zoning.

The staff report is a document last revised May 15, 2014, and it goes into the information provided by the applicant as to the property owner, the requested action, the location, the purpose, and description of the project.

It shows the surrounding land uses and zoning. It has a Growth Management Plan consistency review wherein the requirement for the potential future interconnection is discussed. It provides information from transportation staff and from the CCME environmental staff and the analysis of the other issues for environmental and transportation.

And it does note that the Historic and Archeologic and Preservation Board did review this and voted 4-0 to accept the findings provided by the applicant.

As noted, the deviation is requesting -- or the applicant's requesting one deviation, and staff is recommending approval of that.

We have provided the findings of fact in support of our recommendation, and we are recommending that it be found consistent with the Growth Management Plan; however, we have included the condition that was stated by the comp planning staff.

And I did want to put on the record that staff has not actually reviewed this colorized version of the master plan, so I don't know what ramifications that might have, but I notice that the environmental portions as far as preservation areas has changed, and that may create some issues later, but we'll just have to address it as we go through the process.

CHAIRMAN STRAIN: Okay. And the plan that we've got in front of us now is really not the master plan that would be attached to the document. So I'm assuming a plan with the same kind of detail and clarification that was originally provided in our packet will have one by consent that will reflect the same standards and style of that one in regards to what the changes have been.

MS. DESELEM: Yeah, because the colorized version is not the one that we've reviewed.

CHAIRMAN STRAIN: Well -- and it's not recordable the way it is, and it doesn't show the other details concerning the buffer, so --

MS. DESELEM: Correct.

CHAIRMAN STRAIN: One like that is what we're talking about.

MS. DESELEM: Yeah, but environmental staff is particularly interested in reviewing this particular document and seeing what, if any, of the ramifications of the changes might be.

CHAIRMAN STRAIN: Okay. And I notice that a person from environmental staff is here. Summer?

MS. ARAQUE: Good morning. Summer Araque, principal environmental specialist with natural resources.

In the last five minutes since I talked to Kay, I had the opportunity to do a review on a copy that's here, and it looks fine.

CHAIRMAN STRAIN: Okay. And I was going to offer that --

MS. ARAQUE: But it would have been nice to have the opportunity to review it prior to the meeting.

CHAIRMAN STRAIN: Well -- and I was also going to mention that we're going to need this to come back on consent, so you'd have another couple of weeks to take a chance to look at it anyway.

MS. ARAQUE: Yeah. I would definitely request that as soon as the copy is received, that we are able to review that to make sure that what you-all are getting is consistent with the LDC and the GMP.

CHAIRMAN STRAIN: Okay. Thank you.

MS. ARAQUE: Thank you.

CHAIRMAN STRAIN: Does that conclude your staff report, Kay?

MS. DESELEM: Yes, sir.

CHAIRMAN STRAIN: Anybody have questions of staff?

COMMISSIONER ROMAN: Yeah, I have one question.

CHAIRMAN STRAIN: Go ahead.

COMMISSIONER ROMAN: Kay, on the floor area ratio deviation, do you have a feel for how .45 versus .60 translates into square feet?

MS. DESELEM: For the record, Kay Deselem. No, I can't really tell you how that would work. It's all in the design of how they do it with the different floor area ratio. This is a commonly sought deviation.

COMMISSIONER ROMAN: That's what I'm asking.

MS. DESELEM: In fact, I also see it going up to .65 as well. And it is on the list of things that will be addressed as part of the Land Development Code in future amendments. But what has been submitted so far was only to .6.

COMMISSIONER ROMAN: I was wondering, Wayne, maybe you have a comment on that to better clarify this deviation.

MR. ARNOLD: Well, the deviation justification that came about -- as these senior housing projects have evolved, they're very heavy on amenities. So all enclosed building areas get included in your FAR calculation.

And in this particular case, we've made provisions for them to be multi-story type buildings. So you've stacked your square footage, you know, in a more compact footprint. So we think we need the deviation in order to make sure that our buildings can go vertical plus have an amenity package that is something that we believe that the senior housing community is going to -- you know, we need to be competitive in the marketplace.

COMMISSIONER ROMAN: I'm just trying to better understand it. You know, what does .60 give you that .45 does not?

MR. ARNOLD: Oh, I'm sorry. It gives us, obviously, another 15 percent of the floor area ratio over where we are. And it's simple math the way the county calculates it. It's 43,560 square feet an acre times .45 or, in this case, times .6; that equates to a square footage total number of building area that you can have.

CHAIRMAN STRAIN: Five hundred fifty-six thousand, approximately, at .45. So another, what, one-third above that is what you're talking about for a .60.

MR. ARNOLD: It's -- you know, the numbers -- we've worked on several of these. The two that were approved recently on Livingston Road, for instance, just -- or east of Livingston Road on Vanderbilt. Those were both approved with an FAR of .6. And the numbers -- those are a little bit smaller sites, but the square footage is coming in just a hair under the .6 FAR for those.

And, again, the only thing we can exclude is if I had underbuilding parking. That's the only exclusion from the FAR that the county allows us to make.

COMMISSIONER ROMAN: Thank you.

CHAIRMAN STRAIN: Now, Wayne, you will be limited on this project to regards to the square footage. By the way, the more square footage you build, the more costly it is for you. So you're not -- it's not encouraging to build unusable square footage. But you're limited to 350 units --

MR. ARNOLD: Correct.

CHAIRMAN STRAIN: -- of senior housing, and the highest you can go is 65 feet. So they've got to fit whatever FAR they get issued into that box, and the box still is subject to the setbacks, so --

COMMISSIONER ROMAN: Well, you know, because this has come up before on other projects, I'm trying to determine in my own mind, you know, what it is that -- that's the advantage.

CHAIRMAN STRAIN: Well, by going from about 556,000 square feet under a .45 to a .60, they pick up another approximately 15,000 square feet. So -- or 150,000, I'm sorry. So that gives them about 700,000 instead of 550-, but they still can't go any more than 350, and they still can't go higher than 65 feet.

COMMISSIONER ROMAN: Yeah. Thank you.

MR. ARNOLD: Thank you.

CHAIRMAN STRAIN: Anybody else? Karen?

COMMISSIONER HOMIAK: What about the connection to the north -- interconnection to the site to the north? Are you --

MS. DESELEM: Comp planning staff was pretty much adamant in their particular review that it was a possibility. The applicant disagrees, and so it's kind of up to you guys to decide, as the Planning Commission, which is the appropriate action to take.

MR. ARNOLD: Can I interject? Do you mind if I --

COMMISSIONER HOMIAK: Go ahead.

MR. ARNOLD: -- Ms. Homiak? The staff reviewer was Michele Mosca, and she's not here to defend herself. But I would say that -- I had a conversation with Michele after she issued her consistency report, and we said we don't find there to be a benefit with a northern connection. If we're negotiating and

we're successful to get an access to the south, we really don't need to now have two appendages that we need the access control; and, especially if we're going to have a senior housing community, we really don't want to have these now three connections that we have to control.

And we don't really see a benefit from that northern property owner to need to come south, because they have access to both Livingston Road and Veterans Memorial Parkway.

And I think she was sympathetic to that. I think it was really, there's a policy that says you are encouraged to provide interconnections where feasible. And we believe our feasible connection's to the existing Learning Lane.

COMMISSIONER ROMAN: Now, is -- the connection to Learning Lane, is that something that's already been coordinated? Do we know that's going to happen?

CHAIRMAN STRAIN: That's what Tom was talking about earlier when he discussed it.

MR. EASTMAN: It's not a guaranteed thing. It's a conceptual possibility, which we're committed to engaging in the process to see if we can make that happen. And regardless of whether we get a vehicle interconnection or not, a pedestrian interconnection is welcome provided -- and it would really only be needed if this project goes single-family.

If it's senior living, obviously we don't need a sidewalk connection to a middle school. It just -- there'd be no use coming from the seniors.

But if it is a residential community, there will be kids in there, and we'd like to have -- and hopefully the developer agrees -- have those kids walk to school.

So if it goes single-family, a sidewalk's hopefully a guarantee, and that's the school district's perspective.

And then regardless of -- if it's -- with respect to the vehicular, regardless if it's residential or senior housing, we're committed to work with them. But, again, we have to make an agreement that's agreeable to the school board, digestible to the school board.

But like I said, we've had -- this is on a beaten path that we're going to be on because we have already -- the same team here has already successfully negotiated an easement agreement with respect to Camden Lakes to the south. And so the parties know each other. We work well together, and we're confident we can accommodate each other.

COMMISSIONER ROMAN: And the reason I was asking -- and thank you, Tom. The reason I was asking is because that would put the northern connection, then, in a different light if something at Learning Lane wasn't possible.

CHAIRMAN STRAIN: Okay. Anybody else?

COMMISSIONER HOMIAK: And what if it -- if for some reason it doesn't happen, then there would be no other interconnection.

MR. ARNOLD: Honestly, from our developer's perspective, the northern connection is not necessarily something we think would be beneficial to either party in any event, whether we had Learning Lane access or not. You have -- the thought of us needing to get through their property, which is, one, an unknown use and owned by the Catholic church, we don't know what their long-term intent is. It could very well be developed as a church site, in which case I don't know that we want church traffic coming through a residential or senior housing community.

CHAIRMAN STRAIN: Anybody else? Go ahead, Tom.

MR. EASTMAN: The issue of going to the north is between the county and the developer, but I think it's important to make the point that the owner of the property to the north, the Catholic church, has no current plans for how that's going to be developed. So engaging in a negotiation with them without them knowing exactly how their site's going to look, it makes it difficult for them to decide, you know, okay, an access road is okay here or here. They don't really have a plan.

But when you talk about the south, you're talking about known developments, known plans, and you have a better context in which to make an agreeable road. I think it's important to make that point.

CHAIRMAN STRAIN: Well, Tom, if there was an interconnection to the north, not knowing what the project would be, would that have any influence on the added traffic that they could potentially dump onto Learning Lane?

MR. EASTMAN: Mr. Arnold and I have discussed that, and I think it's excellent that you raise the point. Theoretically, it seems unlikely that someone using the north church parcel, currently owned by the church, it seems that if they're in search of a traffic light, they would go to the nearest one, which would be at Veterans Memorial.

So it seems like if that's their idea to get a traffic light to the north, they would use the intersection at Livingston and Veterans and not use Learning Lane.

The only real traffic we could think of would be if they want to come to the middle school or come to Camden Lakes, and then maybe they would come down to the south.

CHAIRMAN STRAIN: Okay. Thank you.

Anybody else have any questions?

(No response.)

CHAIRMAN STRAIN: Okay. Thank you, Wayne.

Kay, you were -- you finished your staff report?

MS. DESELEM: Yes, sir.

CHAIRMAN STRAIN: Ray, do we have any registered public speakers?

MR. BELLOWS: No one has registered.

CHAIRMAN STRAIN: Do any members of the public wish to speak on this issue?

(No response.)

CHAIRMAN STRAIN: Okay. With that being said, you shouldn't have a rebuttal, Wayne.

MR. ARNOLD: I have no rebuttal.

CHAIRMAN STRAIN: So we'll go right into discussion and a motion.

Any thoughts on this planning board? I do have a list of things that the developer committed to. I would suggest that if there's a motion to approve, it be done concurrently with a request it come back on consent because of the details we still need to see. But -- and during the discussion we -- they acknowledged the staff recommendations. There needs to be corrections to the accessory uses to the standards table. They need some distances added to the unit -- some of the units on the standards table as well. There needs to be on -- the note to the table concerning the platted lots needs to be modified and the county attorney's changes incorporated.

We need to accept the new utility language. There's some changes to the transportation conditions for access to the school roadway that was presented to us today. The zero lot lines were discussed at 0 and 6 feet for setbacks on the side with no less than 12 feet for separation.

There was a -- there was a footnote added for accessory distances to be changed, and there was a revised master plan. So those are generally the issues we discussed.

If the Planning Commission feels those are favorable, a motion to approve subject to those recommendations would be warranted if that's what you guys want to --

COMMISSIONER EBERT: I would make a motion to approve PUDZ-PL20120001981, the RMC-Enclave with the stipulations that Mark just mentioned.

CHAIRMAN STRAIN: And consent?

COMMISSIONER EBERT: And, yes, coming back on consent, Wayne.

MR. ARNOLD: Fine.

CHAIRMAN STRAIN: Is there a second?

COMMISSIONER HOMIAK: I'll second it.

CHAIRMAN STRAIN: Second by Ms. Homiak.

Is there any discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER DOYLE: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

MR. ARNOLD: Thank you.

CHAIRMAN STRAIN: Thank you, Wayne.

***Okay. Our last item up for today is 9D. It's PUDZ-PL2013000682. It's the Willow Run RPUD on 9220 Collier Boulevard.

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

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

CHAIRMAN STRAIN: Disclosures on the part of the Planning Commission. Stan?

COMMISSIONER CHRZANOWSKI: Yeah, I had extended conversations with Joe and Maureen Bonness.

CHAIRMAN STRAIN: Okay. Diane?

COMMISSIONER EBERT: I had conversation with Wayne Arnold, Nicole, and staff.

CHAIRMAN STRAIN: Okay. And I've had discussions with Wayne Arnold, Bruce Anderson, and staff.

Go ahead, Diane (sic) -- I mean, Karen.

COMMISSIONER HOMIAK: I exchanged emails with Maureen Bonness.

CHAIRMAN STRAIN: Brian?

COMMISSIONER DOYLE: No.

CHAIRMAN STRAIN: Charlette?

COMMISSIONER ROMAN: I had conversations with Nicole Johnson and Maureen Bonness, and staff.

CHAIRMAN STRAIN: Okay. With that, we're ready for presentations.

Wayne, it's you again.

MR. ARNOLD: Hello again. Wayne Arnold with Grady Minor, representing Winchester Lakes Corporation and Willow Run Land Trust, the current property owners, and that consists of the Bonness family. With us today we have Maureen and Joe Bonness.

The project is also under contract for sale and -- or for purchase, I should say, and that's by Kitson & Partners, and representing them today are several people in the audience, and I'll introduce them. We have Erica Woods, we have Al Dougherty, John Broderick, Bruce Anderson, and -- did I say her? I thought I did. If I didn't -- okay. And from our team we also have Mike Delate and Jim Banks. And in this particular case, Maureen Bonness also served as the wildlife biologist who has been involved with the preparation of the environmental assessment for the property.

So having said that, I'll put up an aerial photo of the property. Again, we're asking for a rezoning from the agricultural and earth mining operation that's been taking place on site for many years.

The project's about 560 acres in total size; that includes all lake areas and preserves, as well as the unexcavated areas. So the total project area is 560 acres.

A portion of the project is located in the rural fringe area of the Comprehensive Plan, which allows a density of 1.5 units per acre. The eastern portion largely encumbered by the preserve is in the rural fringe mixed-use area, and it's designated. And in this particular case, all the vegetation that's currently located in that area will be preserved.

The property would qualify for use of transfer of development rights. We're not utilizing TDR numbers to increase the density. The 590 units we're requesting is based on the 1.5 acres times the area that's in the urban fringe.

And that really would equate to 594 units, but we rounded down to the 590, which is our request.

And -- so we are invoking potential density blending. You can see on the master plan that I've highlighted there is one residential tract that extends into the rural fringe mixed-use area. We would qualify to spread some of our 590 units out into that area on disturbed lands only.

So we have designated that as a potential residential tract as well under the PUD master plan that we

have before you.

The project -- as I said, we've asked for something that's a little unique. It's a very unique piece of property, as evidenced by the earth mining activities and the remnant pieces of land that are left, the high level of preserve that's there. We have really nice habitat.

We've been working through this and working with staff, I think, very closely to develop some standards that are relatively unique. We have several deviations. And I'm not going to belabor all of those, but I do want to touch on some of those and tell you why they're important to us.

And in this particular case, we've asked for some development standards that are probably unique to what you would normally find. They're not your standard fare single-family, because we have areas of the site that are -- you know, we can resculpt portions of the lake edge. We'll have to reclaim parts of the lake edge as part of the remediation for the lake anyway.

But we have some pieces of land that are not typical. We're not starting with a virgin piece of land where we can create our own lake system. We're using what's there to work around. So we need some standards that will work for us to allow us to have a mix of products that can be competitive in the market and respond to some unique changes that this potential contract purchaser has in mind for the site.

So we have asked for those development standards. And I'll be happy to answer any specific questions you might have about them, but I just wanted to highlight that we are unique with regard to some of those standards.

With regard to some of the deviations, the cul-de-sac deviation, I know you've seen that before, but in this particular case we've got a very long finger piece with no way to return unless we breach a 50-foot-deep lake, which probably wouldn't happen. So we have asked for the deviation to exceed the normal thousand-foot length. Staff has supported it with the caveat that we provide an emergency-service type turnaround. I think it says 1,500 feet in there.

We've asked for, on the master plan, two locations to not have a landscape buffer; one where we're adjacent to the preserve and FP&L easement to our west against San Marino and to the north against San Marino, which is a preserve area.

We've asked for a sidewalk on one side of the road where we have single-loaded development tracts. You've seen that request before. Staff supports that. No need to put dual sidewalks where we don't have dual homes.

We've asked for a specific right-of-way cross-section down to 40 feet. You've seen this on several of the projects that we've worked on for, for instance, some WCI community projects that have been approved recently by you.

And this really isn't about narrowing lane widths. The 40-foot right-of-way cross-section allows us to get still the standard travel lanes and the roadway improvements in place. It does allow us to put utility easements outside the right-of-way boundary, and where we have tight sites like this, our front yard setback is typically measured from the right-of-way line.

And, in this case, we get the benefit of having easements outside the right-of-way. So we've narrowed the right-of-way, but we have easements so we don't have an increased setback and making it more challenging for us to develop portions of the property.

There were other deviations about a wall and berm combination, and that was asked because under your code your signage standards and your wall height standards are measured from two different datums. One you measure from the crown of road. The other you measure from unaltered ground.

And in this case we're going to have a lot of altered ground, so we've asked for the ability to essentially put a 12-foot wall and berm combination on the property. I don't think staff finds that to be problematic.

And we've asked for some exceptions on model homes. I'm not going to really go into that.

We asked for the ability to have temporary signage and banner, maximum 32 square, 8 feet high. We talked to your signage staff. They have supported that deviation. Another real estate sign on Collier Boulevard. We have on-premise directional signage, and those are all internal to the property lines; not an issue, but a deviation we needed to ask.

And then we've asked for two ground signs at the project entrance with a maximum height of 10 feet

and total of 80 square feet per sign, and that is also supported by staff. And the reason we've asked for that is because if you do two separate signs on your walled entry, for instance, you're limited to 32 square feet per sign area.

If I did it as a V sign, which would kind of be an attached sign, I get each side to be 64 square feet.

And in this particular case, we have such narrow limited frontage on Collier Boulevard, we wanted the ability to definitely make sure people understood where our entrance was because, you know, it's a little over 300 feet for the connection to Collier Boulevard. We want signage to make sure that we can understand where the entrance to the community will be.

So that's kind of a quick summary of the deviations that we've asked for.

And we have gone through the process of talking to your comprehensive planning staff. They're supportive of the project.

We have been working with Kay and other staff. Utilities, they've asked for similar language that you just heard about stub-outs to our surrounding properties, and we have been working through some issues in the last several days with staff and others, namely including some of the recommendations that staff had made in their staff report.

And I think I'd like to jump right into those, because largely, while we appreciate staff's recommendation of approval, we do have an issue with some of the -- what we believe were kind of later-evolved conditions of approval, and those largely -- that we have trouble with are largely because of the Benfield Road alignment.

On our master plan you can -- it's hard to see on the color version, and I can put up a black and white. But on the southeast corner of the site, we show 120-foot-wide corridor for future Benfield Road that would extend through the site. And your staff, in their recommendation, had -- had a condition. It's on Page 21 of 22 of your staff report, if you want to go there.

They had Condition 7, for instance, that talks about reserving 120 feet of land for road right-of-way within the easterly 4,000 feet, which we have learned that was a typo. It should have been 400 feet north to south across the entire PUD.

They also, then, talked about disclosure. They talked about acceptance of stormwater. And we have issues as written for those that relate to Benfield Road. We think there should be probably one condition that deals with some of the things. We're concerned about acceptance of stormwater without some additional quality controls, for instance, and the impact that could have on our ability to use our lake system for recreational amenities.

We've had that conversation with staff. We have not agreed on specific language, but the corridor alignment is a big one. Four hundred feet was something that was unacceptable to the property owner and contract purchaser.

We met with Mr. Casalanguida and staff. He agreed that he could reduce his request to 300 feet at that meeting. We've discussed it; we've evaluated it. We still have a problem with that.

We offered 200 feet on our eastern property boundary as a potential corridor in which they could site Benfield Road extension. It impacts a lot of our land. The preserve is a very nice preserve. We have Red-cockaded woodpeckers. There are panthers. There's a lot of environmental issues associated with locating any and all of Benfield Road.

We understand that. Staff understands that. And we understand they're looking for some flexibility, but we think 200-foot-wide corridor offers plenty of flexibility.

And the 300 feet -- I've got an exhibit just to show you what they're talking about at 300 feet. That's what that would look like. That's a 300-foot-wide corridor in which they would have the ability to extend and build Benfield Road. And we have concerns. One that it's a large amount of land, and this road will likely have to have some access control for panther and/or other mammals and probably will have panther fencing, as the early stages are planned to have in Hacienda Lakes.

So from our perspective, any of our preserve area that might be east of any alignment of Benfield Road is going to be inaccessible to our own residents. So you end up with this no man's land, potentially. If you don't keep this road corridor extended to the east, it's just land that our residents lose as an amenity to the project. And we do believe that the preserve is a huge amenity for a project like this.

So that is the concern with the alignment. You can also see that on the -- sort of that southeastern lake, that alignment starts to creep close to the lake not giving much buffer between our residential tract and the lake. So we're concerned about visibility, noise, and impacts to the preserve. We don't want it to impact more than -- more than it needs to. And we think at 200 feet, it gives the county flexibility.

And not entirely, but along that eastern property boundary are portions of Hacienda Lakes, and it is designated as their preservation area as well, but the county does have an agreement with Hacienda at this time that could be modified to incorporate the northern connection of Benfield Road on a portion of their property as well as a portion of ours.

So we think the position we've taken is a fair position. I don't think staff is prepared, unless John Podczewinsky's going to come up and tell us if they've evaluated the 200 feet and they're happy with that.

But in any event, the 300 feet is unacceptable. And we had the alignment that cuts across the corner of the property on our plan from early, early on, and that does represent sort of the alignment options that the county had last evaluated.

I know Nick has told us that he's pushing for -- to get some dollars to do a further study of Benfield Road.

So at this point the county doesn't exactly know where it's going to go, we don't know, and we would like to know that it's going to be as far away from our development tracts as it can be.

So, you know, with that, that's kind of been our most recent sticking point. We've been talking -- and we can come back and revisit that in more detail. One of the other things that we have discussed recently with -- specifically with Mr. Strain and staff has to do, again, with the accessory uses. We had a little bit of that discussion on the prior item.

This one is a little bit more unique, and I'll just sort of frame it and, Mr. Strain, I'm sure you'll jump in and tell me if I'm going astray with our discussion.

But if you look in our PUD document on Page 1 of 18, it starts to discuss accessory uses and structures, and we list out things like restaurants, cafes, snack bars, and similar uses intended to serve our residents and guests.

And I'll just take that one as an example. I don't want to go into so much detail, assuming we'll probably be back here in a couple of weeks anyway. I think we'll have time to address some of these.

But our point here isn't to have necessarily a restaurant stand-alone that would be a franchised retail restaurant. This was really dining options for our own residents.

And there are examples around town. We're not a golf club community, so we haven't defined a centralized amenity area that you would find on golf course communities. They typically know where their clubhouse is going to be and where the large community recreational facilities will be, and we don't. And that's been one of the issues that Mr. Strain fairly raised, and that is setbacks from property lines for some of these types of uses to make sure that we're not a nuisance for our neighbors.

And I think, having said that, I now understand better where Mr. Strain had come from, that's there's also an internal relationship that we need to be dealing with as well, and I think we need to talk about some other buffer standards and setback standards that would apply for those.

But in any event, what the contract purchaser has in mind is there may not be one central amenity for a project to this scale. It's likely to have multiple builders who will have multiple amenity opportunities. So there may be one central clubhouse; there may not. There may be a tennis club, there may be a spa, pool, but they may not be together. They may decide they want to put in a kayak launch and a small clubhouse and a juice bar for the kayak folks who want to use it.

So we're asking for these not so we have these so-called stand-alone commercial retail-type restaurants, but it was so that we can have amenities for the residents that are going to be living in the community.

And so I think trying to frame that, you know, we've expressed this differently than you see in most projects. And, I mean, I guess, could we have come in with pretty general language that said we could have clubhouses and related facilities, et cetera, but we were looking for a little more certainty because, you know, when you go to the Land Development Code for guidance, you don't get a lot of guidance for these recreational amenities, if you will.

The standard -- the standard accessory-use section of your code talks about things like building heights and setbacks for chickees and barbecue areas and garages and tennis courts, but it doesn't really contemplate a package of master planned amenities that you might find.

So this was our attempt to better define a list, and the list includes, you know, No. 14, which includes, you know, many other references. A lot of what you see in there -- the typical that you'd find in any. A model home, for instance; pretty innocuous, but it's included in our list -- and guardhouses and things like that.

But I think, from discussing this with Mr. Strain and staff, what we need to try to bring some certainty to are those that are going to be community-wide that would attract multiple people from the entire PUD, for instance. You know, 590 homes get built -- let's assume they build the maximum. And Mr. Strain's right, if you've got more than a couple people per household, you're over a thousand people who, theoretically, could be using one of these amenities. So we need to deal with -- if we're not going to express where they are, we need to put more detail in about how they're going to be developed with regard to setbacks and buffers.

And we don't disagree. I think that just having had this discussion, we've not had an opportunity to fairly really sit down and talk about how we can better express that. I'm confident that we can do that, but -- and we can get into more detail as well on that if we need to, but that's kind of the big discussion that we've been having with regard to accessory uses and structures.

Let's talk a little bit more about staff recommendations. I mentioned the Benfield Road alignment being problematic for us. And, you know, hopefully we can have some discussion on that point.

I know that Maureen Bonness, she's been managing the preserve out here for many, many years and understands the significance of the wildlife and vegetation issues that we have, so narrowing that corridor is certainly beneficial to the environment.

And with regard to the other, you know, staff issues that were raised, those that relate to Benfield and water quality, again, are things that we need to more fully discuss.

Back on Page 21 of 22 under staff recommendations, there was also some reference to a convenience signal. We've had discussions that there potentially could be a signalized access point here, and the question was whether or not we need to provide for ongoing maintenance. And this is some discussion that I know you've had on other projects.

And I don't think any other developer's been asked to pay for the maintenance of an ongoing signal. So we need to clarify that point.

And I think that just to discuss, again, our neighborhood information meeting. We've heard from -- we've talked to our neighbors at Hacienda Lakes, and I see Mr. Mulhere here. I'm not sure if he's here to weigh in on their behalf or not.

But we've talked to Mr. Torres representing Hacienda Lakes, and we had our neighborhood information meeting, and it was attended by several people, but it was more, I think, curiosity. We had representatives from San Marino there. They were more curious about price points. Was it affordable, was it not affordable, market rate, et cetera, and things like that.

So I didn't -- had no objections from -- expressed at our neighborhood information meeting. And, again, except for the Benfield Road issue, I think, overall, we're supportive of where staff stands on the project.

And I don't think I need to -- Maureen, maybe you can just answer some questions if anybody has any environmental questions for you.

I don't know that they do, but, you know, I don't have a whole lot more on my presentation, Mr. Strain; that's why I'm happy to put it up for questions.

CHAIRMAN STRAIN: That's fine. As soon as you say you're done, I'm sure there's going to be questions.

MR. ARNOLD: I'm sure there will be, too.

CHAIRMAN STRAIN: I wanted to let you go on for as long as you wanted to talk for and dig a deep hole, and then we'll have our questions.

MR. ARNOLD: Well, maybe I should stop digging.

I thought if I could answer questions. That's kind of a summary of where we are. And I'm happy to go through the document in any amount of detail you want to, but I think, overall, I mean, what looks as though it could be a complex project, I think, really, at the end of the day -- we hope it isn't. We think we've asked for standards that make sense for us. I know they're unique. I'll try to explain those in any better detail you think you need.

But we think it's a good project. We've provided, obviously, more preserve than the county requires, but that's -- you know, they've been good stewards of that land; that was the right thing to do.

CHAIRMAN STRAIN: Just so that we tailor the questioning appropriately, do you have objection if we request you to continue this to see a more complete document after we're done discussing this today, to another date?

MR. ARNOLD: Assuming that the continuance isn't a lengthy continuance, in the two-week time period. I know that the changes that you and I had conversed about before meeting today with regard to some of the accessory structures and how to do them, I think it's a matter of just the time I need to sit down and digest what we think we need. And, yes, I would expect that we can do that within two weeks and get the documents back to you for review.

CHAIRMAN STRAIN: Okay. I just wanted to make sure that's an option, because there's -- that'll -- might limit the amount of intensity we have to get into the discussion.

MR. ARNOLD: That's fine. And I think that there are a lot of details I think we need to flush out, and I think we can fairly do that.

And the other issue will be Benfield Road. I'm not sure that on the fly we can craft some of the appropriate conditions. Even if we agreed on the 200-foot corridor alignment, I think we need some very specific language about the way we accept any stormwater from the county and, you know, the way the reservation might take place, because the last thing we want is the county to decide they need the 120-foot-wide road on the westernmost portion of what they have, and then there's a remainder of 80 feet or 130 feet that is no man's land, that's of no benefit to anybody.

So, you know, I think we need to flush out all the conditions that relate to Benfield Road.

CHAIRMAN STRAIN: Okay. With that, we'll turn to the Planning Commission. Stan, did you have something?

COMMISSIONER CHRZANOWSKI: Yeah. Wayne, could I get you to put this on the visualizer.

COMMISSIONER EBERT: He loves showing pictures.

COMMISSIONER CHRZANOWSKI: And zoom into the east side of that Benfield Road alignment.

MR. ARNOLD: Is that close enough?

COMMISSIONER CHRZANOWSKI: Yeah. Could you zoom into the east side of the project, yeah, where the Benfield Road alignment would go. Yeah, right there.

Those blue depressions -- that's LiDAR topography. Everybody knows you're looking at that -- tells elevation. And the blue depressions generally -- and I haven't walked those, but generally they're pretty good wetlands. And the alignment that you're talking about for Benfield Road would go through a few of those. And if you look to the east of that, it's a lot clearer.

I've never seen -- usually when you reserve land for a road alignment, it stops you from building on that land. Maybe they reserve land across preserves, but I've never seen it. You're not going to build anything across the preserve.

So it seems like at any time in the future they could come in and condemn the land -- there's nothing built on it -- and build their road. The only concern they might have is you telling your residents that someday there might be a road there.

I don't like the fact that they want to build that close to the back of that project with that road. I think it ought to go a lot farther to the east.

COMMISSIONER ROMAN: I happen to agree with you, Stan, and not only have you depicted the fact that there are wetlands there, but there's also a potash slough, which is a rare find in Collier County, and a very prime habitat for several species.

COMMISSIONER CHRZANOWSKI: That's my only comment on this.

CHAIRMAN STRAIN: Well, before it's over, I'm sure that John Pod is here to completely defend the alignment of Benfield Road and explain why that's the best corridor and convince us all it is. So as we get to the staff report, we'll get into that. Since the county is asking for it, I do expect that they'll make a presentation regarding the reasoning there.

Any other questions? Diane?

COMMISSIONER EBERT: Yeah, I have some. I'll hold off on the Benfield Road thing, because I just found out about that last night. But I did have -- and you're right. With accessory uses, where -- where your developer's thinking of, like, kiosks, where -- for your little out areas? What were -- I mean, that's the only thing I could think of. If you're out at the tennis court, you know, with a little juice bar or something like that, I didn't know if it would be a kiosk-type area.

MR. ARNOLD: Well, I don't think we know for sure whether or not it would be a kiosk or full sit-down dining opportunity like a lot of clubhouse structures would have.

But if you had a large pool amenity or you had a tennis amenity, I think to be able to have food service at either one of those makes sense. And we were trying to be explicit in the fact that we could have these restaurants and cafes as a component of the recreational amenity.

We had offered some -- been wordsmithing some things to try to make it clear that these were not just some, you know, collection of retail businesses, and we were going to add some language; we talked about, so long as these are part of a clubhouse, recreational amenity, or community amenity area. And I think that needs to be flushed out some more.

But, I mean, to get the idea that, you know, the amenity area could be something that you've seen in some of the other projects where they create their own -- if it's not necessarily a, you know, golf club amenity, you may end up with a collection of other things like a community building, for instance, or you may end up with an outdoor piazza fountain area that attracts people, and you might want a coffee shop to be there for your residents to grab a cup of coffee in the morning when they're out doing their thing, or if we had a spa, want a juice bar in the spa. I mean, there's any number of possibilities. I don't think what we've asked for is something that you haven't seen in Collier County. It's just we've asked for it in a little different way.

COMMISSIONER EBERT: No. Wayne, the only reason I was thinking this way is I'm looking at the plan, and I'm thinking I don't even know how you're going to get the 590 houses in there, let alone having all this extra space for these goodies.

The other thing that, I think, number one, on the principal uses, what got to me is the fact that right now you have commercial excavation, you have an asphalt and concrete batch plants there, and these shall cease upon the first CO. I'll tell you, I'm not in favor of that, and the reason for it is, I assumed that they would be putting the infrastructure in right from home base right there, but I don't know if having all that done -- and you've got somebody just going to move into a house, that you want to take it that far? I think that's a little long.

MS. ARNOLD: I understand your concern, but I think, from our perspective, the CO is kind of the big moment. Either it's at the permit issuance or it's at the CO. And, you know, I don't think it's fair on the permit issuance side, because they may be getting a permit issued for something other than just a true residential dwelling that's going to be sold off to a third party.

So we thought, at least at that point everybody knows that once I start and get a CO on a house, I don't have a commercial excavation or asphalt batch plant.

COMMISSIONER EBERT: Well -- and the other thing, on Page 3 it was confusing to me with these amenity centers, going back to that; they shall be 25 feet from internal boundary, but if it's over 10,000 square feet -- it just says, in any case, no setback is required adjacent to the FP&L easement area or adjacent to the preserve area.

If you're going to put a structure next to a preserve area, there are restrictions.

MR. ARNOLD: And there are, and that's something that Mr. Strain had pointed out to us as well. That section probably is going to need some work to establish different buffers, different setbacks for different types of recreational amenities.

COMMISSIONER EBERT: Okay.

CHAIRMAN STRAIN: Is that it, Diane?

COMMISSIONER EBERT: That's it for right now.

CHAIRMAN STRAIN: Anybody else?

(No response.)

CHAIRMAN STRAIN: Okay. Wayne, we'll get started, but we're going to take a break at 10:30 for the court reporter for 15 minutes, so we'll go as far as we can till then.

Why don't we go to Exhibit A for the project. Start with Page 1. Under your residential component -- well, first of all, could you put the master plan back up, the one that's in our packet. That's close enough. You'll need to zoom out on it. This is the same except for the black mark on the eastern side --

MR. ARNOLD: That's correct.

CHAIRMAN STRAIN: -- that dark part, okay.

Just so I understand, basically, you listed the uses that can go in the R tract. You only have three tracts. You have R, you have lakes, and you have preserves; is that a fair statement?

MR. ARNOLD: Yes.

CHAIRMAN STRAIN: Okay. In the residential tract, the R tract, you're not going to have -- you're not going to be allowed, from what I can tell, to put roads there. How are you going to get to the houses?

MR. ARNOLD: Why can't I put a road there?

CHAIRMAN STRAIN: Where'd you list it? Since you were so careful to list everything -- because, from my understanding, you guys were believing that if you didn't list it, you might not get it, why wouldn't you list the roads as separate tracts, for example? Why would you want to list them as -- they're not called out anywhere.

I'm just using it as an example as you've gone overboard in spelling out your accessory uses. The uses that you've gotten into are standard uses we allow on most projects, yet you've listed them separately as accessory uses which, kind of like the roads, if you are so concerned about listing all those to make sure you've covered every single thing you possibly want in the R district, then you didn't list everything that is obviously going to have to go in the R district. There are some things that are missing. And if you can get by with missing those things because they're standard and acceptable, why do we need the redundancy of some of the things you've listed here? When talking to you, for example, about utility pumping facilities and pump buildings, utility, and maintenance staff offices, some of those you thought would be like an irrigation pump house or something like that.

MR. ARNOLD: Could be, right.

CHAIRMAN STRAIN: Yeah. Those are accepted on projects. I don't know any that have been denied. And maybe, Ray, you can tell me; I've not seen this intensity of listings before.

Are many of the accessory uses, are they asking something that would be unquestioned as an accessory use, or --

MR. BELLOWS: For the record, Ray Bellows. I agree. This is a little unusual to list these kinds of accessory uses in this way. Normally, your accessory uses such as clubhouse and recreation facilities may have an -- as part of that component a snack bar or restaurant.

CHAIRMAN STRAIN: Right.

MR. BELLOWS: To list them out individually like that, it's a little bit different, but --

CHAIRMAN STRAIN: And I'll show you why it makes a difference. Wayne, could you -- this is what you've already seen.

Could you put that on the overhead. By listing them out separately, it seems to indicate that each one of these formerly accessory uses can be a stand-alone use as an accessory to anywhere in the R tract, and therein lies the problem, because if they can put these anywhere they want, first of all you've got to worry about the neighboring properties, and that's being resolved somewhat by saying they'll have a 100-foot setback for these -- some of these uses, and I've listed the ones I could find acknowledged in the document from external property boundaries.

But I think this board has another responsibility, and that's to make sure that the buyers in these developments don't buy into something they didn't anticipate or they couldn't easily have anticipated. And if you bury it into a PUD document, not many people know even where to find that.

So my concern is now if you're going to have these all as stand-alones, you can stick a restaurant

anywhere you want, and it doesn't mean it's going to be necessarily a small restaurant by saying it's going to be for the residents of the community and their guests, because 2.4 is the standard occupational rate in Collier County times 590. We quickly get up to about 1,500 people, and by the time you throw their guests in, you could easily be over 2,000.

So just saying we can have restaurants anywhere in the R without going into some regulation as to how they're set back and their standards are even internal to the project, I think that's unfair to the future residents of that project. And that's kind of where I'm coming from, because the standards that you did provide, Wayne, were only zoned height, actual height, and in some cases, PUD boundary setbacks.

As we get into the list that's here, you can see there are some issues that are pretty broad. I put question marks towards them to the bottom.

What are amenity centers? What do you mean by that? I know what they typically are, but how much of this stuff could we describe as an amenity center and put a standard to that?

And if you drop an amenity center in the middle of a residential tract -- and obviously you -- your client, apparently, hasn't moved along so far where they know where that will be, that they can just say, if we do that here, here's the setback we'll use for that building, and here's the buffer we intend to put in.

That isn't a bad request. It actually protects your development and your neighbors, and it's probably something you would do anyway. We're just saying, let's memorialize it so there's no question in the future that this is part of the package when someone buys into a house there. And when they wake up one morning and see a restaurant going in next door, at least they've got some minimum compatibility standards.

MR. ARNOLD: Right.

CHAIRMAN STRAIN: I'd be surprised if this project wasn't sold after a master plan was more finalized and complete, but you've put us in an awkward position in just having faith that the developer will do the right thing. And I think from past experience, we need to have a little more than that.

So this is the kind of format I was hoping we could reduce some of the uses. For example, active recreation areas. Instead, use that as your line instead of relisting all those things you consider active recreation, and then apply standards to that. We're used to seeing it that way, and it's worked well.

MR. ARNOLD: Yeah. I think that's fair and reasonable, because what I think we're really talking about are some of these that are community wide, if you will, as opposed to those, like your pool in your backyard. And that, I think, is -- you know, we deal with that -- almost every week or every two weeks you deal with those. This is a little different, and I think that it's -- your request isn't unreasonable, and I think that we can develop standards that are going to be workable that you'll find acceptable.

CHAIRMAN STRAIN: Well -- and then when you lay out your tracts, those tracts that you intend to possibly use some of the ones that you've got the 100-foot setback on, just call those R2 and the other tracts R1. And then when you reference them, we can readily see where you intend to put them. I'm not sure why that would be difficult, and it might help clarify exactly what you intend to do with those properties.

But that will hopefully get us past the concern over the accessory. And, by the way, your accessory uses, No. 8 and No. 11, at some point, if you -- I don't know how you're going to reword things. They seem to be the same, or at least close enough to the same. They seem a little bit redundant.

The principal use about the commercial excavation, the second sentence is a little concerning. It says there shall be no blasting for the commercial excavation after the first building permit is issued; however, blasting required for residential development shall be permitted.

I've developed in this community for 40 years. I've never had to blast for a residential home; usually for lakes. So what is it you're trying to say here? What is it you're trying to blast?

MR. ARNOLD: Well, I think that was the intent, to allow us to go back and potentially have to blast to put in some of our other water management facilities. I don't know that we will, but we wanted that distinction. We are going to eliminate the commercial blasting. But I think, you know, having had this discussion with Mr. Anderson and yourself, I think you could eliminate the second sentence entirely, and we'll just be subject to the excavation ordinance.

COMMISSIONER CHRZANOWSKI: The deeper sedentary sewers sometimes need blasting and lift stations. And I don't know how bad your rock is out there, but you'll --

CHAIRMAN STRAIN: Okay.

COMMISSIONER CHRZANOWSKI: -- possibly blast.

CHAIRMAN STRAIN: We could -- that blasting is the type that would be allowed by our code already.

COMMISSIONER CHRZANOWSKI: Right, yeah.

CHAIRMAN STRAIN: Well, then that's a redundant sentence in that regard.

The Enclave next door, it has the setback restrictions; basically any structure over 50 feet zoned height shall have a minimum of 50-foot setback from the PUD boundary.

Now, you've got some standards that allow for quite high buildings, and your setback from the boundary is -- I guess when we get into standards table -- you know what, that's going to be a -- might be a lengthy discussion.

So why don't we get into that after we get back from break, and we'll just come back here at 10:40 and resume the meeting then.

(A brief recess was had.)

CHAIRMAN STRAIN: Okay, everybody. If you-all will please take your seats, we'll resume the meeting.

And, Wayne -- and during the break I talked to you and Bruce, and you had already made some changes to your table. So why don't we start with those. You could explain them to us, and we'll see what's left.

MR. ARNOLD: Okay. Well, I have on the visualizer a modified version that I set out.

CHAIRMAN STRAIN: That's not very clear. Could we bring that up a little bit. It's -- I don't know if -- that helps.

MR. ARNOLD: There had been some expressed changes to the Development Standards Table with regard to -- for instance, under the multifamily column, if you will, the distance between structures, the large block in the middle of the page, in your version it shows that we have language addressing multifamily, and in discussing with Mr. Strain, he felt that because the townhome product as well is a taller structure, that we should have the same language carried over to that column as well. So this version reflects that modification, for instance.

Minimum PUD boundary setback below, if you will, there's -- under multifamily and the townhome, it says 15 feet. In this version that's on your visualizer, we've added "or half the building height," and that was consistent with -- I believe it was -- Hacienda Lakes had used the same verbiage, so we felt it would be consistent with our neighbor in that regard.

The PUD minimum boundary setback for single-family detached we have as 15 feet, and I think we're okay with that. We had talked about whether or not that needed to coincide with the Deviation No. 4 where I would have no landscape buffer in a couple of areas, and I think we've agreed that, you know, I have a preserve setback regardless, so this PUD setback is fine. It works in conjunction with that.

The other change under the Footnote 1, No. C -- Kay, can you -- it's at the bottom of that page. It needed to have language clarifying that where you take advantage of a lot that's a corner lot where we reduce the setback, that your garage entry is going to be from the side where you provide the full setback. I don't know if the language is exactly perfect, but I think that it goes to the question.

That actually appears on that page with it reformatted. We also made an adjustment below striking some language that's probably unnecessary, and then we added a No. 7. And I can't read that from here, so I'm going to do it here. That was a notation No. 7 that we added, that the separation and the setback was measured from the zoned height, not the actual height for those structures.

That was a clarification on our end, Mr. Strain, that I'm not sure I talked to you about, but that was --

CHAIRMAN STRAIN: Well, I had mentioned you were missing No. 6, so what you did is you created a new No. 7.

MR. ARNOLD: Right.

CHAIRMAN STRAIN: Okay.

MR. ARNOLD: Correct, and those were, I think --

CHAIRMAN STRAIN: Yeah. I think you've got most of the -- those initial points. I'm trying to see if there's anything missing.

MR. ARNOLD: Yeah. I think I may need a footnote number reference under both the townhome -- I think I need the same language, a reference to Footnote 2, which was the one that talked about the garage setback of 23 feet. I think it needs to be applicable in the townhome, and I need to show it in the single-family detached and two-family detached columns.

CHAIRMAN STRAIN: Well, now, in the front yard setback, Asterisk No. 2, which covers that 23-foot clearance from the sidewalks, you have that under each one of them, but you don't have it under the accessories, if I'm not mistaken.

MR. ARNOLD: Correct, right. I'm sorry. That's where I was referring.

CHAIRMAN STRAIN: And then -- yeah, you did add -- I'm looking at what you submitted and what you now have got in front of the screen. Yeah, you did add half the building height, so we're covered there. Looks like it's got most of them, Wayne.

MR. ARNOLD: Okay. Good.

CHAIRMAN STRAIN: On Exhibit E, which is a few pages down, it would be Page 13 of 18, your Deviation No. 4 requires -- buffer requirements -- or you want a deviation from buffer requirements, which requires a 15-foot Type B landscape buffer between single-family and multifamily residential uses to allow no landscape buffer. Can you tell me again how you saw that apply? Because you basically are going to -- you're talking about mixing product then?

MR. ARNOLD: That's correct, yeah. That would allow us flexibility to mix product without putting in the standard buffer. That won't have a buffer.

CHAIRMAN STRAIN: Now, how would you regulate setbacks between single-family and multifamily? You know, because your single-family go up to 35 feet and your multifamily go up to 85 -- or 75 -- yeah, 85 feet. So you're going to put a 35-foot single-family in, and then a distance between structures would be 20 feet for two stories or less or in height -- or half the sum of the height for buildings three stories. So you'd be half the sum of the two buildings, so you'd be 35 on top of 85, which would be somewhere around 110, something like that, so you'd be 55 feet. Is that about right?

MR. ARNOLD: I think so, yeah. I mean, without doing the math, yeah.

CHAIRMAN STRAIN: I did it quickly, so it's probably wrong, but anyway.

MR. ARNOLD: If you like the number, I'll accept it.

CHAIRMAN STRAIN: No. I'm just trying to understand how the No. 4 fits by removing that buffer.

MR. ARNOLD: I mean, it does give us flexibility, because -- I forget the project that came up, but there was one where, you know, even taken literally where you have a residential tract even separated by a lake or something to multifamily, there's a specific Type B buffer requirement that kicks in which doesn't necessarily work for trying to create a -- you may have a master planned community where we have a variety of housing types where having a specified Type B buffer just doesn't make sense in that context.

You know, I don't have a specific location or product to show you, but that's been our idea, that we would have a collection of different product types within part of the community.

CHAIRMAN STRAIN: So the only thing you'd rely on separation between them is strictly the setbacks?

MR. ARNOLD: Yes.

CHAIRMAN STRAIN: Well, we'll digest between that and the time you come back.

MR. ARNOLD: All right.

CHAIRMAN STRAIN: Your Exhibit E1, which is your cross-section of your road system, I had -- typically we don't find it beneficial to have the details of the subbases, the asphalt thickness, and all that on these details, because then they would supercede the LDC, or you could -- so those have got to come out or you just asterisk them and say subject to the LDC as amended.

MR. ARNOLD: I think it's probably fair just to strike them. Yeah, I don't think we need to specify the stabilized subgrade. It will be per LDC.

CHAIRMAN STRAIN: Right. Under your 10-foot utility easements, you called out FP&L, Sprint, and Media One. For your own benefit, I'd suggest you not -- you just take those references out, because you may find you have different suppliers somewhere down the road. I'd hate to see you tied to them because it's

an exhibit to a PUD.

MR. ARNOLD: Yeah, agreed.

CHAIRMAN STRAIN: I think we're pretty close to the end, at least till we hear from staff.

In your discussion for the evaluation criteria, you talked about the buffer surrounding residential uses and that the building heights have been limited to a zoned height of 50 feet. That's not true. You've got 75-foot zoned height buildings now.

MR. ARNOLD: We do.

CHAIRMAN STRAIN: Okay. So this was written prior to that?

MR. ARNOLD: Yeah, we did make some changes once the contract purchaser came under contract, and probably I didn't catch revising the original evaluation criteria.

CHAIRMAN STRAIN: Okay. Well, I'm -- instead of going into all the standards and things that we were originally looking at, I'll wait till you come back with something more formalized so we haven't got to waste a lot of time on something that is going to get corrected.

MR. ARNOLD: Okay.

CHAIRMAN STRAIN: So with that, that's my questions for now.

Diane?

COMMISSIONER EBERT: Yes. I have one question, Wayne. You mentioned about a traffic signal.

MR. ARNOLD: Yes.

COMMISSIONER EBERT: And you mentioned something about you maintaining it?

MR. ARNOLD: Well, the condition that's in there right now was staff recommendation or Staff Condition No. 5 in the staff report. Let me go back to the page. Yeah, we would like to eliminate it entirely, and it's inconsistent with -- it says the developer shall revise the PUD commitments to provide for reimbursement to the county to maintain the convenience signal benefiting this private development.

And we would like to strike that reference entirely and believe the language that we have in the PUD document is consistent with the treatment for other projects that would or might have a traffic signal.

COMMISSIONER EBERT: Because I was reading the list of commitments and where it is turned over to the county after a period of time. I see John shaking his head back there.

All right. Let me relook at this.

CHAIRMAN STRAIN: Any other questions? Go ahead, Charlette.

COMMISSIONER ROMAN: Yeah. I have a few things, Wayne, that I'd like you to take a look at between now and when you come back.

MR. ARNOLD: Okay.

COMMISSIONER ROMAN: I know it might be difficult to clarify the footprint of development, but I wanted to highlight that area that's in the northeast quadrant that goes into the preserve, the residential area, as you have it marked.

MR. ARNOLD: I'll put the master plan up just to make sure I'm in tune with where you are.

COMMISSIONER ROMAN: Yeah. It's at the northeast, the two Rs, right there. On my diagram, of course, it didn't have the road there. I'm not sure what you have proposed into the reserve area there for those residential units. A couple things I'd like you to take a look at.

The preserve is a gopher tortoise receiving site. So, you know, I'd like you to address, when you come back, the protections, whether or not your residents will be informed that they could have, you know, gopher tortoises living in their yard and what measures that you'd take for that.

Also, in order to maintain the preserve, right now it's being burned three times a year, so I'd like the residents to know before they decide to live there that they'll have to deal with the smoke for those prescribed burns throughout that time frame.

Also, if that road, as you have on this drawing -- it wasn't in mine. Again, I'm seeing that for the first time. How are you going to protect, with a road there, the animals that are living in the preserve area? And will your lake still have the littoral shelf that was designed to facilitate that habitat?

MR. ARNOLD: I can certainly let Maureen Bonness address that, but it's my understanding that part of the overall lake reclamation, they will be putting in littoral.

COMMISSIONER ROMAN: Maybe some protections in your document regarding that so that we have that for the future?

MR. ARNOLD: When you raise the question -- I know that I've seen in other projects, and I'm not sure which entity advises that, but there are signs a lot of times for these preserves that -- I've seen them, the tortoise signs and other signs for fox squirrels. I'm not sure which agency controls those. Maureen probably does know that. But I would imagine those would be part of our overall agency permitting, but I think we can come back with a condition that talks --

COMMISSIONER ROMAN: But, you know, not always does a resident know that they're going to be living in a community upfront that -- you know, where those permits exist. I think that it's important that if the community member decides to, you know, live in a project, that they have some of this up front. Just consider it; that's all I'm asking you to do.

MR. ARNOLD: Okay.

COMMISSIONER ROMAN: And this way, so that the future -- that that preserve is -- has some level of protections at the local level.

MR. ARNOLD: Okay.

COMMISSIONER ROMAN: That's all I have.

CHAIRMAN STRAIN: Anything else?

COMMISSIONER ROMAN: No.

CHAIRMAN STRAIN: Anybody else, before we go to staff report?

COMMISSIONER HOMIAK: Yeah, I just --

CHAIRMAN STRAIN: Go ahead.

COMMISSIONER HOMIAK: On your deviations list, on Page 13 of 18, on No. 3, you will -- will you be adding the turnaround every 1,500 feet for the cul-de-sac for emergency vehicles and --

MR. ARNOLD: Yeah. We're fine with staff's recommended action on that.

COMMISSIONER HOMIAK: Okay. And on No. 1, they -- would you be placing a canopy tree every 30 feet?

MR. ARNOLD: That was one of their other recommendations to make sure we have sort of the street tree, sidewalk trees, and we're fine with that recommendation as well.

COMMISSIONER HOMIAK: Okay. And then the -- No. 6, are you going to document how many models there are throughout the project, to let them know there's not more than 20?

MR. ARNOLD: I -- yeah, I don't know how we do that exact -- but, yes, we will.

COMMISSIONER HOMIAK: Well, it was part of their -- I don't know how you do it either, but --

CHAIRMAN STRAIN: Well, since you're coming back, why don't you try to incorporate staff's recommendations into your PUD text now --

MR. ARNOLD: Okay.

CHAIRMAN STRAIN: -- since you have the time, and then maybe there won't be any additional recommendations from staff that we have to deal with.

MR. ARNOLD: Yeah. I think given our time frame, it would be beneficial if we can hopefully get this in a form where we can either not have consent or have consent the same day.

CHAIRMAN STRAIN: I don't think there's a problem with that. That's typically what we do, as long as it's close to being acceptable. If you've got -- if you started out like you did with this one, I don't think that would be possible, so --

MR. ARNOLD: I'm confident we will get there.

COMMISSIONER ROMAN: I have a question for staff since we were discussing canopy trees. In your staff recommendation, you said canopy tree or canopy tree equivalent. What were you intending by a canopy tree equivalent, number one?

MS. DESELEM: For the record, Kay Deselem. They do have some allowances for clustering and that type of thing, but I'm not the buffering expert, so I would --

COMMISSIONER ROMAN: You mean canopy trees?

MS. DESELEM: Yes.

CHAIRMAN STRAIN: Well -- but there is -- for example, I understand that if you have a live oak,

as it's considered canopy, that three clustered Sabal Palms are comparable to the canopy of one live oak, so that's kind of an example that you'd be looking for.

MS. DESELEM: Yeah, that's what I was alluding to.

COMMISSIONER ROMAN: Well, I'd like to consider, though, in some of this -- you know, take a look at that. If we want canopy trees, I think that was your question; you were discussing canopy trees, you know, depending on what we have here. But clarify that, I think, when you come back.

CHAIRMAN STRAIN: Okay. Anybody else have anything before we go to staff?

(No response.)

CHAIRMAN STRAIN: Okay. Kay, you have a staff report, and I know we're going to need to hear from John before it's all done, so --

MS. DESELEM: Yes. For the record, Kay Deselem, zoning, and we also have Summer Araque here if you have environmental issues, and John Podczerwinsky for traffic.

The staff report is a document dated last revised 7/7/14, and the document goes into the explanation of who the property owner and the applicants are and the requested action, the geographic location, the applicant's purpose, and description of the project.

One correction to make on the page, it says there were 11 deviations when, in fact, one was dropped while this was written, so there are 10. It goes into the surrounding land use and zoning.

On Page 3 is the beginning of the Growth Management Plan consistency review discussion. On Page 7 and 8 there is review from the transportation planning staff about the Transportation Element, and from the environmental staff regarding the Conservation and Coastal Management Element and the GMP conclusion.

In the analysis, you have the environmental review that notes that this particular project does require EAC review. You have transportation review on that same page where you see stipulations that are being addressed today, and John can speak to those.

We do have the utility review statement, and that is also incorporated into the staff review. You have zoning services staff review that goes into the 10 deviations, and those things are incorporated into the recommendation as far as any stipulations that staff has offered to support them.

We have the findings of fact in support of our recommendation beginning on Page 15, and on Page 21 is our actual recommendation and the stipulations that are included in that recommendation. And, again, as I said, John Podc can address the traffic ones.

And I do appreciate the fact that you want the applicant to incorporate the deviation approval stipulations into the actual list of deviations in the PUD document.

If you have any questions, I'd be happy to address them.

CHAIRMAN STRAIN: Any questions of Kay before we go to John?

(No response.)

CHAIRMAN STRAIN: Kay, I've got two. Page 4 of your report gets into a paragraph, second one from the bottom, discussions of the TDRs, and basically there's -- and this is for the preserve areas. There's been two development rights retained on one of the preserve parcels and one on the one to the south. So it looks like there's three DUs left on these areas that have not been severed.

Based on this PUD, could they add those three units and just do them, or are those going to be considered incorporated into the 590 since the PUD now takes that property in its fold?

MS. DESELEM: Wayne might wish to address that as well, but as I understand it, they're incorporated into the PUD.

CHAIRMAN STRAIN: Okay. So the 590 is the 590; it's not 590 plus the three TDRs that have not been severed?

MS. DESELEM: That's correct.

MR. ARNOLD: For the record, Wayne Arnold. Yes, just to affirm that it's 590. That's all we get in the PUD.

CHAIRMAN STRAIN: Okay. Kay, on Page 11, now I know why I was -- why I had made a note over the separations -- or the buffers between single-family and multifamily; it was because of Deviation No. 4. And it says, relief from buffer requirements which requires a 15-foot Type B landscape buffer between

single-family and multifamily residential uses to allow no landscape buffer.

Now, that's fine, but I read it off the PUD page instead of the rationale page. And the rationale page says the rationale for that request is this deviation from the standard landscape buffer requirement's justified due to the presence of recorded preservation areas located adjacent to proposed residential development tracts within the PUD along a portion of the north and west property line. And then it goes into the fact this also is adjacent to the San Marino PUD residential development area and has 170-foot-wide FP&L easement.

So the question that I asked in relationship to the buffers between single-family and multifamily, I was perceiving on a tract within the property, but the rationale that you put forth was to apply to the buffers that were adjacent to the boundaries of the property.

Wayne, can you -- or staff -- how did staff evaluate this?

MS. DESELEM: Yeah. I was kind of puzzled by the discussion that you had, because as shown on the master plan, Deviation 4 is only shown in the two places. It's addressed by the rationale.

CHAIRMAN STRAIN: Right. So that's why -- and it only shows up on your staff report. And when I was reading from the PUD, I didn't -- it took your staff report coming back to me to realize it's the rationale you provided that's inconsistent with the testimony you earlier provided.

MR. ARNOLD: It is, and I would love to have both, but I think that looking at -- again, Wayne Arnold.

For the project -- we noted on the master plan Deviation No. 4, it's a letter -- it's No. 4, and we located it western side adjacent to San Marino, and to the north, and we felt that it was not necessary to provide a buffer to those multifamily because they are largely reserve areas where the FP&L easement -- that separates us. That was the rationale for that.

CHAIRMAN STRAIN: But then the discussion that -- because this could be read two different ways -- I mean, it could be read as your justification provided it to be, but because it's not -- the justification isn't part of the PUD, the intention could be as we had previously discussed, which was not the intention, which is probably good that it's not, because that was a much more difficult one to understand.

MR. ARNOLD: Okay.

CHAIRMAN STRAIN: So let's -- Deviation No. 4 probably needs to be written a little clearer, Kay or Wayne, so when you come back in it applies to the condition that you have asked for, not the condition that we discussed.

MS. DESELEM: I'm sorry. Would you rephrase?

CHAIRMAN STRAIN: When I brought up Deviation No. 4 as it's listed in the PUD -- because when I went over the PUD application, I didn't go over the staff report. I went over the PUD with Wayne.

MS. DESELEM: Yes.

CHAIRMAN STRAIN: In there it doesn't provide the rationale that says it's limited to those boundaries between San Marino and the FP&L. And there we talked about limited between single-family and multifamily uses, but that's not how they intend to use it. The use is based on --

MS. DESELEM: Okay. So we need to totally reword and re-evaluate it?

CHAIRMAN STRAIN: Well, I think your evaluation is right, and I think the wording needs to be changed to reflect the rationale. Okay. I can see you don't -- maybe I'm missing it.

MS. DESELEM: It's the blond, sorry.

MR. ARNOLD: I think I've got it. I think we can just add some language to the deviation clarifying to those location restrictions.

CHAIRMAN STRAIN: Okay.

MR. ARNOLD: I'm fine with that. I'll work with Kay.

CHAIRMAN STRAIN: So whatever buffer requirements are required between multifamily and single-family within the parcel, you're still retaining those?

MR. ARNOLD: We can make that work. I would love to have the flexibility, but I understand it's a separate issue. So we'll -- as submitted, we'll work with it.

MS. DESELEM: I think it would be important to also include some language that limits the deviation's availability to only those areas where the preservation is shown, because right now, San Marino Pines is in -- or San Marino PUD is in for an amendment and shows that entire boundary to be residential.

CHAIRMAN STRAIN: Really? So they would be -- then they would be required to put the buffer on their property and these -- this project would not?

MS. DESELEM: That's correct. This is the first run -- obviously, it will be amended, I'm sure -- master plan for the San Marino -- for the San Marino PUD, and it shows that entire area being now residential.

I also have the previous version that's in force now, but it only shows a very small portion of that boundary to be preserve.

CHAIRMAN STRAIN: Did you -- did you have the benefit of this future plan for San Marino's -- what they're asking to be changed at the time you reviewed this project for --

MS. DESELEM: No --

CHAIRMAN STRAIN: -- Willow Run?

MS. DESELEM: -- I did not. It's just come in in the last few weeks.

CHAIRMAN STRAIN: Well, when they come back in, before it comes back to us again, you need to take a look at those two together --

MS. DESELEM: Yes.

CHAIRMAN STRAIN: -- when you re-evaluate deviations, because that does -- that has a different impact.

MS. DESELEM: I think it would address it if, in fact, it says that it's only applicable if there is a preservation, you know, some kind of a standard landscape buffer or the presence of a recorded preservation area.

CHAIRMAN STRAIN: Okay. Well, I just think those are things that you can adjust before it comes back to us, so --

MS. DESELEM: Okay.

CHAIRMAN STRAIN: Okay. Anybody have any other questions of Kay? If not, we'll go to John. (No response.)

CHAIRMAN STRAIN: Kay, while -- before the end of this, we need to talk about the timing of a re-review and continuation, so kind of keep that in your mind, and as soon as John's done --

MS. DESELEM: Yeah. It's going to be very tight, because the documents are due to be distributed next Wednesday, and that doesn't give anybody very much time to actually get the documents reviewed and get them to you in a timely fashion. But by the same token, I don't want to extend it out wherein the applicant would lose their board hearing date.

CHAIRMAN STRAIN: Well, if they were to be extended out to the second meeting in August, would that lose their board hearing date?

MS. DESELEM: Let us look at it --

CHAIRMAN STRAIN: You guys look at that and we'll listen.

John, two things. The convenience light, could you explain to us the rationale behind what you're asking or what the department's asking?

MR. PODCZERWINSKY: Yes, sir. The rationale behind asking for ongoing perpetual payment towards the maintenance and operation of the convenience signal is -- I'll give you two pieces of information about it.

Ongoing signal costs for the county amount to roughly about \$12,000 per year to maintain and operate a signal over time. That cost per signal is something that we maintain in perpetuity.

When there's a signal -- this is the second part of the information. When there's a signal that is requested on the behalf of a private development -- when I say a private development, I mean a development that has only private streets within it, okay, that serves no real benefit to the general public.

The traffic that is -- that accesses that point actually serves to degrade the adjacent roadway network, in this case County Road 951.

What that ends up doing is it expends -- you know, it causes the money to -- I'm sorry -- it causes the county to expend money at a later date to expand the capacity of the road, that sort of thing.

So the direction to staff from management has been to start requesting payment for ongoing maintenance of these signals so that the county is not continually burdened with that cost.

CHAIRMAN STRAIN: Is that a payment you request up front for a number of years, or you bill it out every year? How do you expect that to come in?

MR. PODCZERWINSKY: The expectation is that we would bill it out every year, and it would be an annual payment.

CHAIRMAN STRAIN: So you would see that as being passed onto the HOA?

MR. PODCZERWINSKY: I'm not sure how exactly it would operate, but I would guess probably that's where it would end up.

CHAIRMAN STRAIN: I mean, those kind of details would be good to know, and I'd also like to know where we've done that before in Collier County.

MR. PODCZERWINSKY: Good question. We have not done that before in Collier County. We've requested it once at the Pine Air Lakes development specifically with regard to the signal on Pine Ridge Road at Naples Boulevard. We were unsuccessful in that request a few years back, so that's factual information that I'm providing to you.

CHAIRMAN STRAIN: Okay. Diane?

COMMISSIONER EBERT: Well --

CHAIRMAN STRAIN: Stan?

COMMISSIONER CHRZANOWSKI: Twelve thousand a year, that's like to maintain the mast arm and all the signals that are on it?

MR. PODCZERWINSKY: My understanding --

COMMISSIONER CHRZANOWSKI: So an intersection with four mast arms would be 50,000 a year maintenance?

MR. PODCZERWINSKY: No, sir, the entire intersection. The signal at the entire intersection, we'd budget for -- 12,000 for that, for all the mast arms at the intersection and the signal heads, and that also includes -- apparently includes the retiming of that, so --

COMMISSIONER CHRZANOWSKI: Okay. So that's just an average --

MR. PODCZERWINSKY: -- number of visits that are planned per year.

I was told that that does not include the paint, those sort of things, for the mast arms themselves. That's an additional cost to us.

COMMISSIONER CHRZANOWSKI: Okay.

CHAIRMAN STRAIN: Okay. Diane?

COMMISSIONER EBERT: John, what you're kind of saying is this is something new that the county is trying to implement; is that correct?

MR. PODCZERWINSKY: That is correct.

COMMISSIONER EBERT: Okay. Because you're right, I had not seen it before, so --

CHAIRMAN STRAIN: And you said this is a convenience signal. What is -- I've not heard that term before. Whose convenience or how it is -- what's that reference?

MR. PODCZERWINSKY: Again, the convenience idea is that -- and this is a term that we've coined within staff. The term "convenience signal" means that it applies only to a private development. Again, it doesn't serve the general public. For the general traveling public using County Road 951 in this location, all this signal is going to do is serve to degrade their level of service on that roadway. It only serves the private development. It only allows them to make left-ins and left-outs in a controlled manner.

CHAIRMAN STRAIN: Isn't the signal, though, subject to warrants before it can be erected?

MR. PODCZERWINSKY: That's correct.

CHAIRMAN STRAIN: So one of the warrant standards is number of accidents. If you don't have so many accidents, you can't get a signal, so you go out there and you try to create accidents so you can have a signal.

So isn't it better for the public to have a light where the warrants justify it so we avoid all those people getting hurt and all the crashes?

MR. PODCZERWINSKY: I will agree with you that, yes, that is one of the warrants, but typically the warrants we use are -- if I understand it correctly, are on an eight-hour basis, the total amount of traffic over the eight hours that's consistently sustained.

CHAIRMAN STRAIN: My understanding is there's three levels of warrants, and each one factors into when you can have a light, because I had to fight Collier County on this on a project I was doing myself. And the accidents was the big one. We had to wait for people to get hurt before we could justify the light. But, again, I think that's more than convenience then.

So you may want to reconsider how you guys are looking at this. And if you come back and insist on the convenience language being in this PUD, you need to provide the policies approved by the Board of County Commissioners that allow that to happen.

MR. PODCZERWINSKY: Correct. At this point it's direction to staff.

CHAIRMAN STRAIN: From?

MR. PODCZERWINSKY: From above.

CHAIRMAN STRAIN: Okay. Well, does the above get it from their above?

MR. PODCZERWINSKY: It came to me through my manager, through the transportation planning manager.

CHAIRMAN STRAIN: Then we just need to make sure that that is sanctioned by the Board of County Commissioners, because --

MR. PODCZERWINSKY: Correct.

CHAIRMAN STRAIN: -- they're the ones that set policies the extent that maybe this one should be looked at, so --

MR. PODCZERWINSKY: Absolutely.

CHAIRMAN STRAIN: Okay. And then I don't know what that is on the screen, but it's nice water colors or painting.

COMMISSIONER HOMIAK: It needs to be cleaned. It needs to be cleaned, whatever it is.

CHAIRMAN STRAIN: Oh. John, be careful what you show on the screen.

MR. PODCZERWINSKY: Sorry about that cover screen.

What is on the screen right now you'll see --

COMMISSIONER CHRZANOWSKI: Thank God that was your wife.

MR. PODCZERWINSKY: I hope that it stays up there for a while; and forgive my fingerprints on this. This is the -- what's called the recommended managed corridor for the Benfield/Wilson alignment. And you'll notice down at the bottom of that map, you will see U.S. 41, okay, down in this area, and as you travel to the north, you will see the project that we're discussing right here, right under my fingers, and you'll see also where Alternatives 3A and 3B split apart.

At this point there has been no final decision on which alignment we are going to pursue. And I'm going to start with this: Don't shoot the messenger on what I'm about it say. Basically what we're asking for with the discussion about the 300 feet is the study corridor to be defined for us. We're going to ask for, ultimately, a reservation of 120 feet somewhere within the study corridor. The ultimate study corridor may not be solely located on this property. It may also extend to the Hacienda Lakes development further to the east.

CHAIRMAN STRAIN: Well, you see that blue line --

MR. PODCZERWINSKY: Yes, sir.

CHAIRMAN STRAIN: -- Alternate 3B, doesn't that go through the Hacienda Lakes property, or is that --

MR. PODCZERWINSKY: Yes, sir, it does.

CHAIRMAN STRAIN: Okay. Did you ask for a study corridor down that piece of property?

MR. PODCZERWINSKY: I believe we failed to do that at the time the Hacienda Lakes development came in, and I'll take full responsibility for that. Perhaps I didn't realize that that portion of their property was under this study alignment.

We did ask for an outright reservation through the Hacienda Lakes development. And it's a good point that you bring up to discuss Hacienda Lakes.

If you'll notice a little bit further to the south -- and I'm going to zoom in here for you for a moment.

CHAIRMAN STRAIN: By the way, can you send that diagram to us as a -- send it to this panel?

MR. PODCZERWINSKY: Absolutely. This diagram is actually on the transportation planning

studies web page.

CHAIRMAN STRAIN: Well, you ever try to find web pages at the county?

MR. PODCZERWINSKY: Yes, I have, and I've had the same difficulty that you do.

CHAIRMAN STRAIN: Okay.

MR. PODCZERWINSKY: Essentially, though, I can send that to anybody on this board who would like to request that.

CHAIRMAN STRAIN: Thank you.

MR. PODCZERWINSKY: You'll notice here that they're -- you can see the Verona Walk development that is kind of on the south side on the bottom of that screen. And you'll see some potential connections. Potential connections meaning Sabal Palm Road -- that is the dashed line sort of to the south there -- Rattlesnake Hammock, also the Lord's Way.

You'll notice the alignment of this green corridor is a straight line in this area. Within the Hacienda Lakes development, when we went through their zoning and DRI applications, the county took the extra time to go and discuss this with South Florida Water Management District and what the future preserve requirements were going to be, and we did our best to make sure that the roadway alignment would deviate from the preserve requirements that they had, to the best of our ability.

So you'll notice on the actual plans that came through today that are being platted and designed today by the Hacienda Lakes development that the road actually curves quite a bit in this area to get around some of the wetlands that are further to the east.

So we are conscious that those -- that those restrictions are going to exist in the future as we pursue this roadway corridor, the ultimate 120-foot corridor.

So at this point we're just trying to define the limits of the study that will be undertaken as we pursue this in more detail.

CHAIRMAN STRAIN: The width of that corridor is ultimately 120 feet?

MR. PODCZERWINSKY: Correct.

CHAIRMAN STRAIN: So you're not looking at more than four lanes, or are you looking at four lanes?

MR. PODCZERWINSKY: Four lanes, that's correct.

CHAIRMAN STRAIN: Okay. Because we do a six-lane standard, so you've actually reduced the sizing that you're going to use there.

MR. PODCZERWINSKY: That is correct.

CHAIRMAN STRAIN: Okay. Diane?

COMMISSIONER EBERT: I have a question on this. The green portion of this, John, is this -- and I noticed it's starting in this area and where they showed the 120. But that is in the green. That's where you know the road is going to go definitely?

MR. PODCZERWINSKY: I can't tell you that because, specifically, this is the recommended corridor that came out of our study -- that came out -- the study came out, I think, five or six years ago. It was done by a staff member who's since moved to another department.

Again, this was recommended at that time. There has not been a final corridor study done on this that will tell us exactly where we are to pursue the takings of land that would occur within that.

Basically what this is is a series of 300-foot-wide corridors, I'll say, to determine where we should study best, where we should study the closest. Again, we've deviated from this already in the Hacienda Lakes development. We've gone outside this recommended managed corridor to avoid environmental impacts.

Now, I will say this as well; I've spoken with our environmental staff, and we do realize that there are some inconsistencies with what their recommendations would be, so we do wish to revisit some of this with our own internal staff.

COMMISSIONER EBERT: Okay. But you already have Alternative 3B. You have that already through Hacienda. I remembered doing that one, but this is what you had come up with originally --

MR. PODCZERWINSKY: Correct.

COMMISSIONER EBERT: -- when you got the okay from Hacienda?

MR. PODCZERWINSKY: Right. Let me correct you a little bit on that.

CHAIRMAN STRAIN: Yeah. You don't have 3B.

MR. PODCZERWINSKY: We do not have 3B. We did not request that.

COMMISSIONER EBERT: Okay.

MR. PODCZERWINSKY: And, again, I'm going to throw myself on the sword there and say I think I -- I must have missed that, that that was part of the Hacienda application when we looked at that, that they coincided with each other.

So I'm not positive that that's where the error occurred, but it did occur somewhere in that. So we still certainly have to look at the other side of the property line, not just within Alternative 3A. We also still have to look at 3B as well as a possible answer to this.

CHAIRMAN STRAIN: Stan, did you have something?

COMMISSIONER CHRZANOWSKI: The county staff member that did this study, I assume they ran it by the environmental department --

MR. PODCZERWINSKY: Yes, sir.

COMMISSIONER CHRZANOWSKI: -- and all those people, and they agreed with these --

MR. PODCZERWINSKY: I can't speak on behalf of the environmental department, but I know that it was published to the different environmental agencies. I'm sure that there were plenty of objections at that time. But, again, it was a recommended managed corridor. It's not a final adopted alignment, I believe.

So -- and when I say a final adopted alignment, I'm talking about which properties that were supposed to --

COMMISSIONER CHRZANOWSKI: So this is subject to change?

MR. PODCZERWINSKY: Yes, sir.

COMMISSIONER CHRZANOWSKI: So why don't we change it now?

MR. PODCZERWINSKY: Because I don't have the authority to choose --

COMMISSIONER CHRZANOWSKI: Who does?

MR. PODCZERWINSKY: I would assume that our board does. Our board will be the one that ultimately assumes which alternative, 3A or 3B, will be adopted.

COMMISSIONER CHRZANOWSKI: Okay. Thank you.

COMMISSIONER ROMAN: But the difficulty I have is 3A and 3B is north of the property that we're talking about today. I mean --

CHAIRMAN STRAIN: No.

COMMISSIONER ROMAN: -- we're talking about the green portion.

MR. PODCZERWINSKY: 3A, actually, is on the -- it's on the eastern boundary of this property.

COMMISSIONER ROMAN: But the corner that we're talking about is down where the -- if I understand this diagram, is the green portion here --

MR. PODCZERWINSKY: Yes.

COMMISSIONER ROMAN: -- where it goes into the yellow. That's what we were talking about today.

MR. PODCZERWINSKY: That's correct.

COMMISSIONER ROMAN: And let me ask you a question, John. I don't know if this study would be beneficial for us to review or not, but it might be interesting if -- I'd like to take a look at it. I don't know about the other board members. Was any portion of this roadway considered to be raised?

MR. PODCZERWINSKY: I assume -- a few portions of it will be raised. Further to the south within the Winding Cypress development that we recently went through a zoning action on, there was -- there's been discussion in the preliminary, just hypothetical designs that we've pursued there of raising that and also doing some reverse curves to get around a small portion of Picayune Strand there, a one-mile stretch of Picayune Strand that abuts the property. We've had to avoid impacting that.

So -- and it does go over what seems to be a slough of some sort. So the assumption is that there will have to be a portion of the road that is not only raised to be above a certain elevation as a hurricane evacuation route, but there will have to be appropriate drainage under that as well.

I don't know that will be accomplished because we haven't pursued that level of design yet to know whether it would be by way of culverts and critter crossings or if it's going to be an elevated roadway design.

I think those ideas are really, really far out in the future as far as what we'll be able to accomplish and what would be financially feasible for the county at that time.

COMMISSIONER ROMAN: Is this addressed in that study, that initial study that you mentioned?

MR. PODCZERWINSKY: I don't believe so.

COMMISSIONER ROMAN: Okay.

CHAIRMAN STRAIN: Stan?

COMMISSIONER CHRZANOWSKI: Since you're coming back in two weeks with the rest of these people --

MR. PODCZERWINSKY: Yes, sir.

COMMISSIONER CHRZANOWSKI: -- could we get Tim Billings to superimpose the black outline of these roads onto the LiDAR topography?

MR. PODCZERWINSKY: Absolutely, yes, sir.

COMMISSIONER CHRZANOWSKI: Good.

MR. PODCZERWINSKY: We can do that.

COMMISSIONER CHRZANOWSKI: Thank you.

CHAIRMAN STRAIN: And, John --

COMMISSIONER CHRZANOWSKI: And he could send that to us prior to the meeting.

CHAIRMAN STRAIN: Yeah, but they could do it with the package, because you're going to be sending out the package with all the stuff. So coordinate it in time with theirs. Some of that LiDAR takes a lot of megabytes, so it doesn't come through everybody's --

MR. PODCZERWINSKY: I'll say this: It will go much more smoothly if we can acquire probably some of the GIS or CAD files from the applicant so that we could provide those to our GIS department to do the mapping.

COMMISSIONER CHRZANOWSKI: You have the road alternatives on your GIS, and you have the LiDAR on your GIS.

MR. PODCZERWINSKY: Yes, sir. I mean in terms of their master plan.

COMMISSIONER CHRZANOWSKI: Oh, okay. I don't need their master plan. I just need the roads superimposed on the LiDAR to see where you're going to go through wet areas.

MR. PODCZERWINSKY: Yes, sir.

COMMISSIONER CHRZANOWSKI: Thank you.

CHAIRMAN STRAIN: John, the board, how much of this has the board sanctioned, approved, reviewed, blessed?

MR. PODCZERWINSKY: I haven't been that far to look at the study. The study's a few years old, so I'd have to go back and look at the final adoption of this recommended managed corridor. But I do know that the board -- well, I should say, I believe that the board has seen this.

CHAIRMAN STRAIN: Okay. I mean --

MR. PODCZERWINSKY: We've got it published on our website as a final managed corridor.

CHAIRMAN STRAIN: It might be helpful to know how far -- how much of this the board's sanctioned and --

MR. PODCZERWINSKY: Yes.

CHAIRMAN STRAIN: -- by the next time we come back. Because if the board's approved the two alternatives as both viable, then that has a certain weight to it in regards to how we look at this project.

MR. PODCZERWINSKY: Absolutely. That's --

CHAIRMAN STRAIN: If they haven't approved it, then it's a no-man's land, then that's a little different, so --

MR. PODCZERWINSKY: That question I'm sure will be answered when I send out the link to this study for our website. I'll send that to everybody on the panel.

CHAIRMAN STRAIN: Okay. Any other questions of John?

(No response.)

CHAIRMAN STRAIN: Thank you, sir. Oh --

COMMISSIONER EBERT: No. John, this is just all very sensitive land in this area anyway, right?

MR. PODCZERWINSKY: Understood, yes.

COMMISSIONER EBERT: And the county has so many rules of what you cannot do as a developer or as a homeowner and everything else. And I would just -- we have Santa Barbara on the other side. And I know what they're trying to do there, but I -- and you already have a portion of this where there's gopher tortoises and, you know, all the other things.

I just think the county should look at this very, very closely and maybe move it where -- more to the east.

MR. PODCZERWINSKY: Understood.

COMMISSIONER EBERT: Okay.

MR. PODCZERWINSKY: And those ideas will all be taken into consideration when we look at the final alignment that we'll be exploring in the future. From the county's standpoint, we realize that that reservation that we're asking for, the ultimate 120 feet, within that boundary of 300 feet study corridor, we understand -- and we've discussed this throughout this request, is that when we come in to build that road, that we are responsible to handle mitigation as part of the reservation process. When we come in to take that property, the mitigation for those impacts, the environmental impacts is our responsibility to take care of.

So in that respect it's also in the county's best interest, transportation's best interest, to avoid those areas where we have the greatest impacts, because those are the most expensive for us. Not only do they cause the greatest, you know, amount of environmental damage, but they also give us the most resistance, and they also become the most expensive for us. So it's in our best interest to avoid those as well.

Again, that's why I bring up the discussion about the flexibility and the alignment on this, that we have deviated from the alignment shown already on this. So there are portions of it that need to be looked at in much more detail along the way. Okay.

COMMISSIONER EBERT: Okay.

CHAIRMAN STRAIN: Thank you.

COMMISSIONER ROMAN: And, John, as a footnote, I would say to your comment that as we look at this petition, we're looking at the potential of 225 acres that has already been determined to be significant. In the future, why would we degrade that? I mean -- and that's the question that I have, because then you cut off that little piece, and you make it like an island with a major road going through this preserve.

MR. PODCZERWINSKY: I understand your concern.

COMMISSIONER ROMAN: So it impacts this PUD.

MR. PODCZERWINSKY: Correct. I understand your concern. It's something that will definitely be looked at along the way.

COMMISSIONER ROMAN: Thank you.

CHAIRMAN STRAIN: Okay. Thank you, John.

MR. PODCZERWINSKY: Yes, sir.

CHAIRMAN STRAIN: And that, I believe, is the last of the staff report.

Ray, do we have any registered public speakers?

MR. BELLOWS: No speakers.

CHAIRMAN STRAIN: Anybody from the public wish to speak on this matter? And I see Bob moving forward, and I think Nicole's probably got something to say.

MR. MULHERE: I would have registered, but there's no forms.

CHAIRMAN STRAIN: It's not necessary. So go ahead.

MR. MULHERE: For the record, Bob Mulhere, here on behalf of the developer of Hacienda Lakes PUD and also -- there's a project in this location right here immediately south of the access point which is in the permitting stages, which has not yet been submitted to Collier County, but it would be a residential project, 25 acres in size.

And so that's not the same corporate entity, but some of the similar people; David Torres being the principal that I work for.

And we're fully supportive of the proposed project. We do have one issue that we'd like to get worked out, and I think we can do that prior to coming to -- these guys coming back to you in a couple of weeks, and that is relative to the shared access and a methodology to share the costs of that access. It doesn't

make any sense to try to force another bridge crossing there when this one already exists and we can share the costs.

And we've had preliminary discussions with the developer, and they're open to it, too. We just don't have the language worked out. So we'd like to meet with them prior to coming back to you so that we can finalize that language.

CHAIRMAN STRAIN: Well, while you're at it, why don't you talk to them about moving the road over on your property. Then they haven't got an issue here regarding the 300-foot corridor.

MR. MULHERE: Which road?

CHAIRMAN STRAIN: The Benfield corridor.

MR. MULHERE: You mean they want to open our DRI?

CHAIRMAN STRAIN: No, you wouldn't need to open your DRI. It's just a reservation. The county would have to do that down the road if they decided to pursue it, but that would resolve the issue for the 300 feet on the east side of this project.

MR. MULHERE: Yeah. I mean, I didn't look at that.

CHAIRMAN STRAIN: Well, take a look at it.

MR. MULHERE: I can pass that on to my client.

CHAIRMAN STRAIN: Well, you -- you say you want to talk to them and have an agreement; that's a good idea.

MR. MULHERE: I'm not sure I completely understand. How would we create a reservation without opening the PUD or the DRI?

CHAIRMAN STRAIN: See the -- see the lines on the bottom, the dotted lines through that corner? The property it looks like it was intended to go to originally was the property that Hacienda has that John failed to -- at least he says he failed to realize.

MR. MULHERE: He fell on his sword already. I'm not joining him.

CHAIRMAN STRAIN: For that corridor to -- if we utilize -- if your property was utilized, which is also preserve -- it may not be as valuable a preserve as what, apparently, Willow Run thinks they have --

MR. MULHERE: No, I understand. You're suggesting moving it to --

CHAIRMAN STRAIN: Maybe there's an opportunity to work -- well, it's where it's shown to go anywhere (sic), but somehow it got missed. So maybe there's an opportunity to fix that at the same time you work an agreement out for the front entry.

MR. MULHERE: Yeah. I'm just still not sure how that gets accomplished without -- without --

CHAIRMAN STRAIN: If you guys think you have issues with DRIs, I'm -- don't know why you would think that, because that isn't a road that is going to be on the books or platted at this point.

MR. MULHERE: I guess my point is, if the County wants to change -- they want to get access, why don't they just go and use their eminent domain to get it?

CHAIRMAN STRAIN: Well, that's a lot longer and harder -- costly process to go through than to negotiate it with a willing seller.

MR. MULHERE: They -- they didn't buy the reservation they got from us.

CHAIRMAN STRAIN: Well, it's all preserve area, too, so I'm not sure what good it does you guys, but anyway.

MR. MULHERE: Anyway, I will pass it on. We'll talk about it. Thank you.

CHAIRMAN STRAIN: Thank you.

John, you have something else you want to add before Nicole?

MR. PODCZERWINSKY: Yes, sir, I do.

Just to answer the question that was brought up a moment ago about when and if our board has seen this. I'm going to quote very quickly from this page on our website.

It said, the need for a north/south arterial road was identified in the Collier Metropolitan Planning Organization, MPO, 2030 Long-range Transportation Plan, approved by the Board of County Commissioners on January 12, 2006.

CHAIRMAN STRAIN: So you're referring to the plan you showed us was the one that you're sure was approved by them?

MR. PODCZERWINSKY: Yes, sir.

CHAIRMAN STRAIN: Okay.

COMMISSIONER CHRZANOWSKI: That's the need. How about the alignment?

MR. PODCZERWINSKY: It just discusses the need, the Wilson Boulevard extension. Benfield Road facility is identified in the 2030 LRTP as a financially feasible project. So that roughly --

CHAIRMAN STRAIN: So if we look at the 2030 LRTP, we'll see if the alignment matches what you showed us today?

MR. PODCZERWINSKY: Yes, you should.

Currently, the 2035 update is what's out, and, also, we're currently working on the 2040 -- I'm sorry. The MPO is currently working on the 2040 LRTP. It should appear in there as well.

CHAIRMAN STRAIN: Thank you, John.

MR. PODCZERWINSKY: Yes, sir.

CHAIRMAN STRAIN: Nicole?

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

And I do want to comment about this idea of the right-of-way study area being reserved on the Willow Run property. I think the Benfield Road corridor itself is a good example of why roads through sensitive environmental areas are problematic and should be avoided. There really is no good alignment for this road.

I would question and -- the need for the road, as Stan brought up, may be in the 2030 and 2035 LRTP, but those lines on the map, I don't believe that it shows how that line maybe was tailored through the Hacienda Lakes site to avoid sensitive areas.

So just because the line is on the map, I'm probably sure it's just that north/south line. I'm not sure that that was meant as the alignment. So I think there still is some consideration about if or how an appropriate alignment could be put in there.

On the initial map that we saw, there was that small cutting off of the southeast corner of the preserve, and that was something that we were concerned about. But now this idea of 120 feet or 2-, 3-, 400 feet for the right-of-way study corridor through Willow Run is something that we're very concerned about. It would be on the eastern boundary of the preserve.

This is NRPA sending land. But it's not just vacant, open land. There already is something on this land. It's preserve. It's actively managed. It's a gopher tortoise receiving area. There are tortoises there, RCWs; in all likelihood, other listed species are there.

This is one of the most inappropriate places to put roadway right-of-way and put a future road through.

I've heard that the county is going to be doing some additional studies on the actual alignment. I don't know if it's restudying the entire Benfield corridor, if it's refining the two alignments that are on the books. I'm not quite sure what that is, but that needs to happen before any right-of-way or right-of-way study area is secured, especially through such an alignment that would be so impactful.

The concern is that if you secure the alignment now, it's going to predetermine the outcome of any study. It's going to create the path of least resistance. It's already in the books. The county won't have to go through a long condemnation process, and it likely will be, then, the road that the county pursues. I'm not sure if it's even permissible because it is a state approved tortoise relocation site. The permitting would be tremendous if allowed at all.

We believe that the county really needs to go back and revisit this whole idea of the road alignment. Is there a less impactful alignment? I don't know. That needs to be studied. But it needs to be studied in its totality of this entire area without securing right-of-way in one location that is going to direct the road there in the future.

So we believe it's premature to have this right-of-way designated here. Whatever happens in the future, the county can go in with condemnation to get that right-of-way. We're not talking about houses in this area. So we would ask that this be something that is considered by the county in the future and not part of this PUD.

CHAIRMAN STRAIN: Thank you. So you're endorsing the road to go further east?

MS. JOHNSON: No. I said I'm not sure if there's a least -- less impactful area but, certainly, this is an inappropriate location. So we are not endorsing it going east.

CHAIRMAN STRAIN: I just thought I'd see if I could catch you or not. Did you want to --

COMMISSIONER CHRZANOWSKI: It might be a sign of the end times, but I agree totally with the Conservancy.

MS. JOHNSON: And that's on the record. Thank you.

CHAIRMAN STRAIN: Okay. Any other speakers?

Ms. Bonness?

MS. BONNESS: Maureen Bonness.

I'm the manager of the preserve out there, and I've been the manager since its inception in 1999. At that -- since that time I have gone above and beyond to make this into a preserve that is not just a green space, not just a preserve, but go on to be a model preserve that other people have lectured about, actually, across the state saying this is what you can do if you try really hard.

And I've been able to bring in new endangered species that had not been there before, namely the Red-cockaded woodpecker, have successfully fledged a chick. You can do no better for an endangered species other than to add another member to the population.

We've brought in tortoises. We know there's panthers there. It's a very sensitive area. And I, myself, have put a lot of sweat equity -- emphasis on the sweat -- into this property, not just as a paid person but also as a volunteer and going above and beyond.

So every bit of acre that ends up not only being next to a road -- I mean, it would be one thing if you said I'm going to put a road on your boundary. I'd be, like, oh, no, that's going to hurt the wildlife. No. You want to bulldoze my preserve for this road.

So every acre that I lose, it's a personal hit to me. I think it's bad for the property owner as well to lose any acreage.

So I endorse the narrowest possible road reservation so that if there is a road in there, it is pushed as far to the east off my property, if possible sharing it with the neighboring Hacienda, rather than saying you've got a 300-foot-wide swath you can now use.

I already know it's all wetlands. We know that. We have done the vegetation analysis. It's been approved by the Corps. We already know it's all wetlands. You're not going to avoid wetlands by a 300-foot-wide corridor.

Also, at the southeast corner there where we do have -- we admit, okay, here is -- we are giving it to the county saying this is a road reservation down here cutting off 17 acres in our southeast. Okay. We're there. We've given you 17 acres, potentially.

To ask for another 30 acres along the eastern border for the 300-foot-wide reservation is an excessive burden on the property owner. I understand giving to the greater good and transportation, but I think the request for a 300-foot-wide road reservation is excessive for this property for a road that will not benefit them.

So I just feel like you should put a little bit more of the burden on the neighbor as well since it's their road. So I am opposed to 300-foot. I could -- I'd prefer a 60-foot so I'm half of the road width, but I'll take 200. But every bit of acre that is reserved there is acres that we have lost.

Thank you.

CHAIRMAN STRAIN: Thank you.

Anybody else from the public wishing to speak?

(No response.)

CHAIRMAN STRAIN: Okay. Wayne, do you have any final remarks you'd like to make?

MR. ARNOLD: No, other than just to wrap up if there are any questions and reaffirm that we need to work on a few items that we've heard about, obviously, but we're, you know, mostly concerned about the Benfield Road alignment and the conditions that need to be written in any event. No matter what that corridor width is, there needs to be some certainty when the county's request came back to potentially utilize our water management system. We're very concerned about the water-quality aspect that's associated with it and the

function of our lake system, because it's anticipated that some or a large portion of the lake system that's existing will be used for active recreation.

CHAIRMAN STRAIN: Well -- and I think for you to accomplish that by the time you come back would be most beneficial for this board. So based on that, what time frames are we talking about? Has staff and you and anybody worked out any thoughts on when you can be coming back?

MS. DESELEM: For the record, Kay Deselem.

Bruce so accurately pointed out that we get an extra week in there. It's not next Wednesday. It would be a week from Wednesday, and that way we should probably be able to meet the August 7th board hearing date and get you the information in appropriate time frame.

CHAIRMAN STRAIN: Yeah, what's wrong with that? Okay.

COMMISSIONER EBERT: For us, what -- Kay, was not the question going in front of the BCC? They had a date for that.

MS. DESELEM: They have a proposed date of the 23rd, and we were trying to work it out so that they could come back to the Planning Commission in a timely enough fashion that it would give you the information so that you would have it to review.

COMMISSIONER EBERT: Okay. All right.

CHAIRMAN STRAIN: Okay. Then with that, is there a motion to continue this item to August 7th? And it will be right after the -- the first one up after consent.

COMMISSIONER CHRZANOWSKI: Could I make one comment?

CHAIRMAN STRAIN: Sure.

COMMISSIONER CHRZANOWSKI: I would just like to reinforce I think Nicole is right. If -- I'm opposed to any reservation at all, because if there is a reservation, that becomes the path of least resistance. You know, we already have the road alignment. Why bother looking anywhere else? Okay. And I don't know whether John wants to go back to anybody with that. I don't know how the rest of the board feels about that.

CHAIRMAN STRAIN: I just didn't know we already had the road alignment. That's news.

COMMISSIONER ROMAN: Yeah. I think we need some pieces to that, Stan, and I think we need to know some answers that -- we've certainly asked the questions of John. But you're -- I happen to agree with you, that if you've got that dotted line going through that corner of the preserve being reserved on this PUD that -- I think that that is the point of the least resistance in the future. And I'd kind of like to see a decision to move off of that.

COMMISSIONER CHRZANOWSKI: Right.

CHAIRMAN STRAIN: Well, I don't believe we've had enough information from my part to take a position on it, so I'm going to wait until the county comes back and can justify its case and we hear more items from all those wishing to participate at the final meeting in which we've got to make that decision, so --

MR. ARNOLD: Can I make one other comment, Mr. Chairman, regarding the road alignment. We've depicted it in that alignment or in that way on the master plan just to show you what -- the areas the county's talking about.

I think whatever we agree to, whether it's 200 feet, 60 feet, 300 feet, whatever, I think we distill that to language as a condition in the PUD and not necessarily reflect that entire swath of land as a reservation area.

It's troubling to me to think about other permitting agencies looking at that as the true road corridor, and I don't want to see our clients get burdened with potential impacts to their other permitting process because of that.

So I'd rather put language in that addresses whatever we're going to do. And notification to the public is still on the table.

CHAIRMAN STRAIN: I think it's more reason why you need to get that worked out with the transportation department between now and the time we review this again.

MR. ARNOLD: We'll do our best.

CHAIRMAN STRAIN: Okay. Is there now a motion to continue this item to August 7th?

COMMISSIONER ROMAN: I move that we continue PUDZ-PL20130000682, Willow Run

RPUD, to August 7th.

COMMISSIONER CHRZANOWSKI: I'll second.

CHAIRMAN STRAIN: Is there a second? Seconded -- made by Charlette, seconded by Stan.

All those in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER DOYLE: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries.

One more item. I'd like the board to -- we don't have to put this in a motion -- just to make sure we're going to try to consider that time for the consent as well. We typically do that, so I'd like to -- hopefully we can wrap both up, the consent and the hearing at the same day on August 7th. If there's some unusual circumstances why it comes back a lot less clear than we expect, then obviously we won't be able to, but that would be the intent. So everybody needs to read it that way.

Okay. That gets us to the -- no old business listed.

There's no new business listed.

Is there a motion to adjourn?

COMMISSIONER ROMAN: So moved.

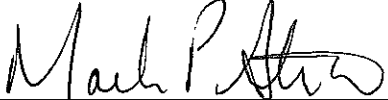
CHAIRMAN STRAIN: Seconded by?

COMMISSIONER CHRZANOWSKI: Second.

CHAIRMAN STRAIN: Everybody else. We're all adjourned.

There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 11:43 a.m.

COLLIER COUNTY PLANNING COMMISSION



MARK STRAIN, CHAIRMAN

ATTEST

DWIGHT E. BROCK, CLERK

These minutes approved by the Board on 8-8-2014, as presented _____ or as corrected .

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