

TRANSCRIPT OF THE MEETING OF THE
COLLIER COUNTY PLANNING COMMISSION
Naples, Florida
October 2, 2014

LET IT BE REMEMBERED, that the Collier County Planning Commission, in and for the County of Collier, having conducted business herein, met on this date at 9:00 a.m. in REGULAR SESSION in Building "F" of the Government Complex, East Naples, Florida, with the following members present:

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

ALSO PRESENT:

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

CHAIRMAN STRAIN: Good morning, everyone. Welcome to the October 2nd meeting of the Collier County Planning Commission.

If everybody will please rise for Pledge of Allegiance.

(Pledge of Allegiance was recited in unison.)

CHAIRMAN STRAIN: Well, I've got to say that the layout of the public today is different. So this must be the groom's side of the room and that must be the bride's side. You all are congregating on just one side pretty tightly.

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

COMMISSIONER EBERT: Good morning. Mr. Eastman?

MR. EASTMAN: Here.

COMMISSIONER EBERT: Mr. Chrzanowski?

COMMISSIONER CHRZANOWSKI: Here.

COMMISSIONER EBERT: Mr. Rosen?

COMMISSIONER ROSEN: Here.

COMMISSIONER EBERT: Ms. Ebert is here.

Mr. Strain?

CHAIRMAN STRAIN: Here.

COMMISSIONER EBERT: Ms. Homiak?

COMMISSIONER HOMIAK: Here.

COMMISSIONER EBERT: Mr. Doyle?

COMMISSIONER DOYLE: Here.

COMMISSIONER EBERT: And Ms. Roman?

COMMISSIONER ROMAN: Here.

CHAIRMAN STRAIN: ***Addenda to the agenda. One item I'd like to add to new business is the discussion of Chair, Vice Chair and Secretary. We reaffirm or elect official positions every October so -- once the new board is seated. So we'll have that discussion at the end of this meeting.

***Then we'll move to Planning Commission absences. The October 16th meeting is our next meeting. And it was going to be in the morning, as they usually are, but it's an LDC hearing, so we have to move it to the evening. And it will start at 5:00, or 5:05 I think it is. And now that we have to do that timing, how does that change for anybody here? Who can't make it at 5:00 on the 16th?

COMMISSIONER ROMAN: I cannot make it.

COMMISSIONER DOYLE: I'm good.

CHAIRMAN STRAIN: Everybody else good? Okay, good, we'll have a quorum then.

COMMISSIONER EBERT: You're buying dinner?

CHAIRMAN STRAIN: Am I buying dinner? We'll have pizza brought in.

COMMISSIONER HOMIAK: So no 9:00, just 5:05.

CHAIRMAN STRAIN: No 9:00, just -- I think it's 5:05, isn't it, Ray?

MR. BELLOWS: Yes.

COMMISSIONER CHRZANOWSKI: I'll hold you to that pizza.

CHAIRMAN STRAIN: Will you? Oh, boy. I've got to think ahead on that one.

And by the way, that meeting will be on three, I think it is, maybe four LDC amendments. And that should be the limitation of the meeting.

We had our meeting minutes from September 4th sent to us electronically. Does anybody have any comments or changes on those?

(No response.)

CHAIRMAN STRAIN: If not, is there a motion to approve?

COMMISSIONER HOMIAK: Motion to approve.

CHAIRMAN STRAIN: Made by Karen, seconded by?

COMMISSIONER DOYLE: I'll second.

CHAIRMAN STRAIN: Brian.

Discussion?

(No response.)

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

COMMISSIONER DOYLE: Aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER ROSEN: Aye.

COMMISSIONER CHRZANOWSKI: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 7-0.

***Ray, do we have a BCC report or recaps?

MR. BELLOWS: No recap today.

CHAIRMAN STRAIN: Thank you.

***No Chairman's report, we'll move to -- there's no consent agenda items, so that will take us directly into our two public hearings.

For the benefit of the public, when we start each item, they'll both be heard simultaneously. One is for what's called the Growth Management Plan Amendment so that the zoning, which is the Conditional Use in this case, can be requested. You can't request the second one without the first one being consistent.

We'll take a break at 10:30 if this meeting goes that long. Generally we hear a presentation from the applicant and applicant's representatives. Then we get a staff report. And then we hear comments from the public. You're usually limited to five minutes, but we're pretty flexible with that. We're here to listen to the public. So if you have a little more to say, that's fine.

It's helpful if you're not redundant. If you like what the speaker before you said and you just want to be on record as supporting that, that's all you've got to say when you come up. And either speaker can be used at either one of our microphones.

So with that, the two items we're going to be discussing is the Comprehensive Plan Amendment which is PL-20110002626/CPSS2012-1. And the other item is the rezoning application which is the Conditional Use in this case. That's CUPL-20110002615.

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

If you're going to speak, please stand up.

(All speakers were duly sworn.)

CHAIRMAN STRAIN: Thank you.

Disclosures. We'll start with Stan.

COMMISSIONER CHRZANOWSKI: Yeah, I wasn't supposed to be here today, so if anybody -- and, you know, other than stuff I've had for got to be a month or two, if anybody tried to get ahold of me over the last couple of days, I didn't read anything, so other than the few letters that are in the packet I haven't talked to anybody, I don't know anything.

CHAIRMAN STRAIN: That's pretty disclosing.

Mike?

COMMISSIONER ROSEN: No disclosures.

CHAIRMAN STRAIN: Diane?

COMMISSIONER EBERT: None.

CHAIRMAN STRAIN: And I have had meetings with the applicant, the applicant's representatives. I've had discussions with the various organizations in the Estates and some representatives and people that have lived out in the area. I can't remember all their names.

Karen?

COMMISSIONER HOMIAK: Nothing.

CHAIRMAN STRAIN: Brian?

COMMISSIONER DOYLE: Just the varied emails and the hard copies.

CHAIRMAN STRAIN: Charlette?

COMMISSIONER ROMAN: No contact.

CHAIRMAN STRAIN: Okay. With that, we'll move right into the applicant's presentation.

MR. ANDERSON: Good morning, Mr. Chairman, Commissioners. My name is Bruce Anderson from the Roetzel and Andress law firm.

I want to introduce Rick Piacente, the project manager for the church. Also with me today is Anita Jenkins, the project planner with JR Evans Engineering. And Jim Banks, our transportation engineer.

The church has two applications pending: One for an amendment to the Golden Gate Master Plan to establish the Everglades/Randall subdistrict, which is limited solely to a church; and a companion application for Conditional Use approval for a church building not to exceed 230 seats and 20,000 square feet.

The church has held two neighborhood information meetings, and they also made a presentation to the Golden Gates Estates Civic Association and the Homeowners Association of Golden Gate Estates on September 17th.

I would note that subsequent to that meeting the Golden Gates Estates Civic Association did write a letter withdrawing their prior objection to this project. I don't know if you all got a copy of that or not, but I have one with me.

This property is located at the northwest corner of Randall Boulevard and Everglades Boulevard, and it consists of one and a half lots totaling 7.8 acres.

The county's long-range transportation plan calls for Randall Boulevard to be expanded to six lanes and Everglades Boulevard to be expanded to four lanes. And at this intersection, of course there would be additional turn lanes on top of the thruway lanes.

The county staff required the church building, the landscape buffers and the parking areas to have greater setbacks than normally would be required in anticipation of the road widening so the county would not have to pay to remove improvements when the road is widened.

The proposed church will serve the existing congregation that is currently meeting at Cypress Palm Middle School, which had become too crowded.

All of the Church of Jesus Christ of Latter Day Saints congregations have geographic boundaries, and members are assigned by the church to specific churches within their boundary. This means that this church will be regularly used only by people who either live in Golden Gate Estates or who live close to it. Church buildings are designed to accommodate approximately 230 members.

The church caps the size of its congregation for religious reasons. There is no paid ministry, no paid staff, local members run the church by participating in volunteer callings.

Church doctrine teaches that all members need the opportunity to actively participate, and that can only happen if the congregations remain small.

The typical hours of operation include church services on Sunday and Sunday School at 9:00 a.m., and one or two evenings per week for youth, Bishop and congregational meetings.

Special events, such as but not limited to holy days, baptisms, dinners and congregation celebrations may be held once or twice a month. The only non-church group that is allowed to use the facility are the Boy Scouts. The church does not rent its facilities to outsiders.

The church as I said will not have a paid administrative staff or regular office hours at this location, so the church will generally not be open other than those times that I specified.

Our transportation engineer has evaluated traffic conditions and there is adequate capacity on the roadways.

Included with your agenda materials is a petition circulated by the next door neighbor of this property, Mrs. Julie Fuentes, to Estates area residents who support the church's application. Mrs. Fuentes is not a member of the church. Approximately 60 people signed the petition.

We are in agreement with staff's recommended approval conditions except for the following: Requiring a double row of trees within the 20-foot landscape along Everglades and Randall Boulevard. It is very important to the church that it be visible from the street. And a double row of trees would block that visibility.

The sidewalk that is depicted on the master plan is 45 -- 43 feet from the existing property line. The

comprehensive planning staff report wants to require a 66.5-foot sidewalk setback along Everglades Boulevard and 80 feet along Randall Boulevard. Now, the county requires, as I understand it from our project engineer, that the sidewalks be placed within the public right-of-way. And these sidewalks are proposed to be within the existing public right-of-way.

The county gives the option of making a payment in lieu of constructing a sidewalk. The church ran the numbers and the county's cost for payment in lieu were significantly higher than the actual costs that the church received in bids to build the sidewalks. So they have elected to build the sidewalks.

Another item in the comprehensive planning staff report, they would like to limit the parking to 99 spaces. As a result of the future right-of-way setbacks, the church has already lost significant parking area.

We respectfully request that you approve the language as tendered by the applicant allowing up to 155 spaces, although the master plan before you only provides for 131 parking spaces. We have no objection to requiring 15 percent of those to be grassed parking.

The last item that -- of the staff recommendations that we have a concern about is the last sentence of the Growth Management Plan Amendment text, and it addresses the throat depth of access drives. And it states that it will be 30 feet measured from the edge of pavement. This precise language was negotiated with county's transportation staff because of the church's concern about future roadway widths.

The staff report suggests changing that agreed upon language to no less than 30 feet. We respectfully request that you approve the church's language as submitted and as had been agreed to with the county's transportation staff.

And with that, I'll conclude my comments and I or other members of the team are available to answer your questions.

CHAIRMAN STRAIN: Okay, anybody have any questions to start with?

Stan?

COMMISSIONER CHRZANOWSKI: Yeah, just two things. On the trees, I can understand the shopping center not wanting trees blocking people driving by, you want to capture the traffic that's going by, but you have a church with a limited membership. I assume it sounds pretty close, these people are all going to know where their church is. Why do you want the church to be so visible?

MR. PIACENTE: Well, you're correct in that the members who meet there will know where their church is. But part of -- you know, a large part of our religious beliefs is tied to sharing those beliefs with others, just as any church would do, right? I mean, the goal of a church is to share the gospel, as you know it and understand it with other members, and so that's our goal as well. And so we welcome visitors to our church. And for them it may be difficult to find it if they've not been there before. And it's important to us that, you know, we don't want to have them searching through the trees to find the church, we want them to be able to say okay, yeah, there it is right there, that's the one that I want to visit. And so visibility's important to our church for our missionary efforts.

COMMISSIONER CHRZANOWSKI: In the days of the Internet, I would think that if I wanted to know anything about Church of Jesus Christ of Latter Day Saints, I would look it up on Google.

MR. PIACENTE: Sure. And we're fine with that as well. The church has a pretty comprehensive website, but that doesn't mean that we don't want people to visit the church and to meet our members and to see the church in action. I mean, if I were to join any church, I would certainly want to visit it first. I wouldn't just do it based on what their beliefs were on the Internet. I would want to visit that church as well and meet the members and meet the clergy that are going to be able to -- that are going to be there to serve with me.

So I think it's important -- you know, for us it's important to have visibility in the neighborhood. And we want to be a good neighbor, we want to be part of the neighborhood, and so it's important for us to have some visibility there.

COMMISSIONER CHRZANOWSKI: But you're capped at 230 members. So if the 231st person comes in, you're going to tell them you can't go to this church anyway.

MR. PIACENTE: Well, what we would do is in that case when we say we're capped at 230 members, this building has capacity for more than one unit. So a single unit might be capped at 230 active members, but once we reach that point, we would what we call split. We would split the unit. And so one

unit would become two units. It may be that that second unit's housed in this building or maybe that we build another building for them.

But the church doesn't necessarily cap growth. We welcome growth. We welcome as many people who would love to meet with us and worship with us as -- you know, we don't cap that at all. So if you'd like to join us, we'd love to have you. We don't say 230, yep, that's it, we're done, no more sharing the gospel. You know, we want to share the gospel and we want people to worship with us and so we just create another unit, which may meet in that building, which the building has capacity for more than one unit, or it may meet in another building that we build nearby.

COMMISSIONER CHRZANOWSKI: I'll ask Father Dennis and Father George if they want to come along.

MR. PIACENTE: Absolutely, we'd love to have them.

COMMISSIONER CHRZANOWSKI: Second thing. And I have always had a problem with transportation with the sidewalk issue. They're getting money from you in lieu of building the sidewalk? They want to get money from you in lieu of building the sidewalk?

MR. ANDERSON: Probably.

COMMISSIONER CHRZANOWSKI: Probably.

MR. ANDERSON: But the church has a choice.

COMMISSIONER CHRZANOWSKI: Yeah, I know.

MR. ANDERSON: And they're going to build a sidewalk. It's cheaper.

COMMISSIONER CHRZANOWSKI: Even though it doesn't connect to anything in the neighborhood. Which is always the problem I have, they want the money but they're never going to build you the sidewalk. The sidewalk doesn't connect to anything in the neighborhood, but you want to build the sidewalk just to be there.

I don't -- you know, I guess they can use it as a landing strip for model airplanes or something. I don't have a problem either way. But maybe John would like to explain the logic, or lack of it.

CHAIRMAN STRAIN REPORTER: May I have your name, please.

CHAIRMAN STRAIN: You have to use the mic, Richard.

MR. PIACENTE: Richard. Last name is P-I-A-C-E-N-T-E.

MR. PODCZERWINSKY: Good morning, Commissioners. John Podczerwinsky, Transportation Planning.

All due respect, the LDC is what requires that the sidewalks be built. There's a minimum standard that's listed in the LDC and the option for payment in lieu is an option that is exercised when either the construction of the sidewalk is infeasible or when there is a capital project that would be planned in this area.

In this case, as has been mentioned, Randall and Everglades are both intended to be widened in the future, thus giving staff the option to allow payment in lieu.

We do agree that it is a high cost. The county's cost incorporates the purchase of right-of-way, the enclosure of stormwater management systems, basically everything that you need to do so that you can create a sidewalk on top of what's there in the existing right-of-way. It's not necessarily the same cost that they might come up with, because they already have the right-of-way available to them where they would be constructing it. And their cost typically is only for construction, materials, design, permitting. Ours incorporates all that plus the cost of right-of-way and stormwater.

COMMISSIONER CHRZANOWSKI: And if they constructed it, they would construct it back from the proposed widening of the road?

MR. PODCZERWINSKY: That would be the intention, but it's not the requirement. Because we don't have a final design in place.

COMMISSIONER CHRZANOWSKI: So if they built it, they would build it and you would tear it out.

MR. PODCZERWINSKY: Possible.

COMMISSIONER CHRZANOWSKI: Is your road going to have a sidewalk?

MR. PODCZERWINSKY: Yes. Yeah, that's part of our minimum design requirement. We have to meet the LDC requirement for that as well.

COMMISSIONER CHRZANOWSKI: So if they build it, it gets torn out and you build your own sidewalk anyway.

MR. PODCZERWINSKY: They'd have the option of building it in a location where it would fit with our future plans.

COMMISSIONER CHRZANOWSKI: Do they have that option?

MR. PODCZERWINSKY: They do have that option. We don't have that level of detail to publish to them yet.

Where the demand has come from was our long-range plan. We're not to that level of detail yet in our planning stages.

COMMISSIONER CHRZANOWSKI: So why did Bruce bring it up? If he has the option, why did

--

MR. PODCZERWINSKY: I'm not sure, Bruce.

CHAIRMAN STRAIN: Let me interject, something, Stan. First of all, the excuse that we can charge in lieu of because it's an expansion that's anticipated on the roadway in the future applies to practically every roadway in the county, so that's kind of a moot point. Basically if someone wants to build their own sidewalk -- the road that's going there, Randall, I don't see that ever being in our lifetime.

In fact, right now there's a proposal from Big Cypress to modify the location of where Randall is going to go, which may radically modify the width of that road when it finally gets out eventually to Everglades Boulevard.

So to say that these people should pay in lieu of and then the county never puts a sidewalk in in any of the lifetimes of even the young children in this room because the road isn't going to be built or funded in that time frame makes no sense.

So, I mean, I just wanted to throw that on the table, Stan. Because it's something that we're all talking that it's required to do it this way because of a future expansion, but the future expansion is really not realistic in a time frame that any of us could realize. That's probably an overpowering point of the whole thing.

COMMISSIONER CHRZANOWSKI: I don't have anything else.

MR. ANDERSON: Well, you asked why I brought it up. It's because there's a disagreement about where it should be located. Where, you know, we're going to put it in the public right-of-way and the recommendation was to set it much farther in on the church property.

COMMISSIONER CHRZANOWSKI: And do you have a problem with that?

MR. ANDERSON: Yes, sir.

COMMISSIONER CHRZANOWSKI: Why?

MR. ANDERSON: Well, because we want -- I think the county's code requires it to be in the public right-of-way.

COMMISSIONER CHRZANOWSKI: Yeah, it does, but you could put it on an easement.

Okay, I'll let you argue that out with staff. I'm just here because I had nothing better to do this morning.

CHAIRMAN STRAIN: No, you want a pizza.

MR. ANDERSON: There would also be some concern about liability.

COMMISSIONER ROMAN: I had a couple questions.

CHAIRMAN STRAIN: Go ahead, Charlette.

COMMISSIONER ROMAN: Bruce, what exactly happens in the compensating storage area?

MR. ANDERSON: I'll defer to the project engineer, please.

MR. HERRERA: Good morning. My name is Michael Herrera with JR Engineering.

H-E-R-R-E-R-A.

Compensating storage. Compensating storage is for off-site flow. So this project actually stores water for off-site flow on-site. It's designed for the 100-year flood. So there's analysis done. It's called an importer/export analysis. We're an importer, so whatever was there predevelopment, however much water we held predevelopment we have to hold that post development. That serves the surrounding properties, not this property directly.

COMMISSIONER ROMAN: Thank you.

And Bruce, if you could point on the map for me and maybe we could kind of zoom in on this map just a little bit so it's clear to the folks at home and those in the audience. Can you point where that buffer is that you want some relief from?

MR. ANDERSON: Here and here.

COMMISSIONER ROMAN: So all along the front and the side of that area.

MR. ANDERSON: Right-of-way, yes, ma'am.

CHAIRMAN STRAIN: On both frontages, really.

MR. ANDERSON: Yes, sir.

CHAIRMAN STRAIN: Randall frontage and Everglades Boulevard frontage.

MR. ANDERSON: Yes, sir.

COMMISSIONER ROSEN: Mr. Chair?

CHAIRMAN STRAIN: Yes, sir.

COMMISSIONER ROSEN: Fast question. Bruce, is there -- and I personally have no issue with one row of trees, but is there an opportunity in the LDC for signage?

MR. ANDERSON: I can't tell you.

CHAIRMAN STRAIN: Well, yes, there is. I mean, they've got the rights to put signage on this property subject to the standards in the LDC of which there's 23 pages of sign ordinances. So somewhere in there they fit into that mess. And you just hit on a very controversial topic. Signs are always an issue. For some reason we seem to have a lot of rules for signs.

But they can put signs on the property to some extent, I just don't know what those are offhand.

Ray, do you?

COMMISSIONER ROSEN: I just asked that question, Mr. Chair, because since the visibility and directional use of signages or directional use to get to the facility was an issue, I thought maybe signage would be appropriate.

CHAIRMAN STRAIN: Yeah.

Does anybody from staff know if they could have signs on both frontages?

MR. BELLOWS: Yes. It's a corner lot, they're entitled to two signs, two wall signs.

MR. ANDERSON: I am advised by Mr. Piacente that the signage itself is on the church building and not -- you know, not out in the --

MR. BELLOWS: Wall signs.

MR. ANDERSON: -- not out in the yard. And that's another reason for the visibility concern.

CHAIRMAN STRAIN: Does staff, or Ray, do you happen to know if you're allowed to have any pole or monument signs out front at the entryways? You know, I see them in a lot of churches, I just --

MR. BELLOWS: Yeah, I believe the size of the property would entitle them to a ground or pole sign.

CHAIRMAN STRAIN: I would think so, if they wanted to do that, yeah.

Does that help, Mike?

COMMISSIONER ROSEN: Thank you.

MR. BELLOWS: In addition, I'd like to point out because this is not a PUD but a Conditional Use, they would be subject to the sign code provisions currently in the Land Development Code and could not get deviations through a Conditional Use. Though I suppose they could put something in the comprehensive plan in regard to signage.

CHAIRMAN STRAIN: Okay. So whatever the sign rules are, they've got to live by them. It wasn't something that could have been changed here today, unless they came in for a variance.

MR. BELLOWS: Correct.

CHAIRMAN STRAIN: Okay. Anybody else have any questions?

(No response.)

CHAIRMAN STRAIN: Bruce, I want to attempt to make this meeting -- because we don't have a meeting in late October, we only have one in November -- no, we have one meeting or two in November, Ray; do you know?

MR. BELLOWS: One meeting.

CHAIRMAN STRAIN: I'd rather make this both your regular hearing and your consent. So in order to do that we've got to be real careful of how this is written up.

I know you started talking in your presentation about things you disagree with. So I'd like to walk through those carefully so the Planning Commission understands each one. So when we weigh in on this, we -- and then we're going to hear from staff and hear their position on it as well.

I think we understand the single versus double row trees, and that's only along the two frontages. When I first saw the change in the buffer, I thought it was a change due to the width, because the buffer staff had wanted was 20 feet and you guys were asking 15. And when I mentioned that to you, you got back to me after you did some discussion on that apparently with Nina or somebody else that it was actually the trees that were a problem. Is the width a problem too?

MR. ANDERSON: No, sir.

CHAIRMAN STRAIN: So you could go to 20 feet.

MR. ANDERSON: Yes, sir.

CHAIRMAN STRAIN: Okay. Then -- because a lot of times if we go down to 15, and most of the applicants will say they'll do 15 with the same vegetation, they just condense it in a small area. But if you'll provide the 20-foot buffer, you want one less row of trees.

And so what I'm probably going to have to find out from staff is where that double row of trees and how it's applied currently in areas like Golden Gate Boulevard and Wilson where we have multiple commercial establishments, because if we don't -- if we apply it to commercial establishments, that's a little different than a church. But I'd just like to know the standards for that. I didn't look it up ahead of time. So anyway, well, we'll get into that in a minute.

I understand your position on the trees and the width. Let's talk about the cap on the parking spaces. Staff is asking for a number that is less than what I believe you want. And you want 155, you show 134, did you say or --

MR. ANDERSON: 131.

CHAIRMAN STRAIN: 131.

On this plan, where would you put the additional parking spaces?

MR. ANDERSON: Well --

CHAIRMAN STRAIN: I mean, you're asking for something that if it goes in here you'd have to be able to do it by SDP, so there'd be no more public process. So we kind of need to know what you'd mow down to put those --

MR. ANDERSON: Well, one of the places where we might put it is if indeed the county changes its mind about how much right-of-way width they want. And the church, if they needed to expand their parking to be able to go into that right-of-way, which is -- or proposed right-of-way, I should say, that would otherwise be vacant and not used.

CHAIRMAN STRAIN: But you could come in to modify a Conditional Use at that time. And you know there's an alternative process to do that, and it would be rather simple. I mean, it's not something you may need to disagree with now, because the potential to take away that right-of-way -- the bureaucracy works very, very slowly. So just to get that right-of-way moved and off the books will take years. Again, we may not all be around by the time even that little process gets done, so I'm not sure that's a real item that you may want to fight on, because it may not be absolutely necessary. So that's a suggestion on that.

Also, I notice you're asking for 230 seats, which means if you have multiple services you theoretically then could have more than 230 members.

COMMISSIONER CHRZANOWSKI: I was going to ask, what do you consider a member? A family, a person, a child, a baby?

MR. PIACENTE: A person.

COMMISSIONER CHRZANOWSKI: So each child is a member?

MR. PIACENTE: Each child is a member, yes.

COMMISSIONER CHRZANOWSKI: How do you cap it at 230 if they're still having children?

MR. PIACENTE: Once the unit --

CHAIRMAN STRAIN: It seats 230 I think of seats, isn't it?

MR. PIACENTE: Yes, that's correct. 230 seats. We may have more members. For example, you may have more than 400 members but only 230 of them show up to church on Saturday. And we consider that an active member. So we generally stick to about 230 active members. And when it reaches that point then we would split the unit, as I mentioned earlier.

COMMISSIONER CHRZANOWSKI: And have multiple services.

MR. PIACENTE: You might have multiple services at that building, that's correct.

CHAIRMAN STRAIN: So the car parking spaces -- by the way, first of all let me make clear, I like your idea of the church with the changes you made at this location. So I don't have a problem with that. My questions are not from finding a way to stop it but from a way to make sure if it goes forward every detail is thought out. So that's why I'm asking this.

The next one is in regards to the throat length. I would assume the throat length has something to do with the way it's currently shown in this plan, the long neck of a roadway coming in and the way that it would change if they expanded the right-of-way. And if that's the case, what are the alternatives if you don't agree to a throat length that is acceptable to transportation?

MR. ANDERSON: Well, we did.

CHAIRMAN STRAIN: How does that change this plan? I mean, what I see here is your access on Randall right now has a nice curve to it coming in, and the dark line indicates where the right-of-way may end up going. And if you take that dark curve and you cut it where the right-of-way is shown on that plan then you've got a real sharp turn coming in. And I think that may be where the problem lies in anticipating what's going to happen in the future.

How would you fix that? What was the -- maybe transportation could tell us what they were planning, since you're in agreement with them, how they saw that getting fixed.

MR. PODCZERWINSKY: Certainly.

My understanding is the change to the language that Bruce is proposing is not to limit it just to 30 feet for the throat length, but to say no less than 30 feet.

Am I correct in my statement there?

MR. ANDERSON: No.

MR. PODCZERWINSKY: No. Okay, can you clarify for us what your language is?

CHAIRMAN STRAIN: We've got to get this right because you guys are going to have to write this up after today and send it forward, so I don't want the language to be wrong.

MR. ANDERSON: The 30 feet was negotiated with Mr. Jarvi, the Transportation Planning Director. And the reason that was decided upon exactly 30 feet was because otherwise there was some discretion and he wanted to make sure that it was 30 feet and that somebody in the future didn't change it.

CHAIRMAN STRAIN: And I know that Jim Banks tries to be a marketing guy and now you're trying to be a transportation guy, but maybe Jim can come up and try to explain the question a little bit better.

Jim, if that dark dotted line on this plan was the cut-off point, how would that change the entry that is currently running out to the current Randall Boulevard with that nice sweeping turn?

MR. BANKS: For the record, Jim Banks.

CHAIRMAN STRAIN: You've got to use that walk-around if you --

MR. BANKS: I'll speak really loud.

That dark dash line is the right-of-way line, that's not the edge of pavement. So when they build the road in the future, the edge of pavement will be further to the south of that right-of-way line.

So you do have that acceptable separation from where you turn off the edge of pavement, then you'll have a straight tangent and then you come in the curve. So again, that's the right-of-way line you're looking at, not the future edge of pavement.

CHAIRMAN STRAIN: Okay. And what I'm concerned about is when that road expands that we don't create an unsafe condition by allowing this plan to proceed as it's shown here today without thinking this out. And if transportation is telling us that the outcome of that expansion of that road asphalt to where you got to tie in will produce an unacceptable entry, then we need to address that today.

MR. BANKS: I agree 100 percent. And what I'm telling you is, is that was taken under

consideration where the future edge of pavement would be, not the right-of-way line.

So when the road is widened in the future when you turn off of Randall, you will have a certain amount of distance between the edge of pavement and when that curve occurs. It's not where that black line is shown. We're going to have drainage in there, sidewalk and other features.

So again, it's the turning movement from the car, it will have a certain amount of tangent distance to travel in a straight motion for-- a forward motion, and then they'll make the curve.

CHAIRMAN STRAIN: Great, thank you. And John, if you could just verify you're comfortable with that explanation, and then what do we have to do. Because I'm looking at the staff recommendations in the Conditional Use, I don't see which one it is that applies. And maybe you could clarify that for me so we make sure that the recommendations come out accurately.

MR. PODCZERWINSKY: I'm sorry, I don't have the recommendations in front of me at the moment. Let me borrow those from David real quick.

CHAIRMAN STRAIN: Okay. I'm looking at the CU recommendations. Do we have separate recom-- I know we've got a set of recommendations in the Comprehensive Plan Amendment, but I assume they were mirrored in the CU.

MR. WEEKS: For the record, David Weeks of Comprehensive Planning staff.

And I believe Bruce in his presentation referred to the Comprehensive Planning staff's recommendation regarding throat depth, and that's what I've provided to John.

MR. PODCZERWINSKY: Yes, I do have that with me, and yes, that is correct. It says for access drives a throat depth of no less than 30 feet measured from the roadway edge of pavement shall be provided.

And let me point out, that is an exception from what the current standard requires. The current minimum is 50 feet for commercial structures and churches. We've allowed them to come down to 30 as a concession, because we know that the edge of pavement, the county's edge of pavement, will be shifting in the future.

CHAIRMAN STRAIN: And what do we need to say -- and by the way, I don't think this language of this specificity belongs in the Growth Management Plan. We should put it as a condition as stipulations on the recommendations of the CU.

So first of all, I think we ought to strike it out of the GMP. Then what kind of language do we specifically need to add to staff recommendations in the CU to make this point?

MR. PODCZERWINSKY: I would use the same language that was just stated that is currently in the Comprehensive Plan Amendment and put that as a condition in the Conditional Use and strike it from the Comp. Plan Amendment.

CHAIRMAN STRAIN: Okay, but I understand that they're objecting to the current language that's in the Comprehensive Plan recommendation. Isn't that what started this conversation?

MR. ANDERSON: Yeah, they said not less than, and we were specific, it's 30.

MS. ASHTON-CICKO: Mr. Chair?

CHAIRMAN STRAIN: Yes.

MS. ASHTON-CICKO: I believe that we did put this in the Growth Management Plan because this is a deviation of the Code of Laws, and did not feel that we could do a deviation to a Conditional Use.

CHAIRMAN STRAIN: You're right there. And I didn't know it was a deviation from the Code of Laws.

MR. PODCZERWINSKY: Ordinance 2009-19 is the ordinance that it's deviating from.

CHAIRMAN STRAIN: So we've got to muck up the Growth Management Plan with this kind of detail.

MR. PODCZERWINSKY: And frankly, we could do this at the SDP stage by way of deviation that's authorized through that ordinance. I think there was a level of comfort that was being sought here by the applicant that they could come down to 30 feet. That was my impression of it. So certainly they can come down to 30 feet for throat length. That's --

CHAIRMAN STRAIN: And I know -- I thought David and Comprehensive Planning in the past has wanted to limit the amount of detail in the Comprehensive Plan. Because that's not where the detail I always understood is supposed to be.

And so from a perspective of cleaning this up, if that language was dropped from the Comprehensive Plan, are you telling us that whenever they came in with a plan they would still have to abide by the Code of Laws for the SDP and regardless of how that comes out they'd still have to meet those minimum standards? So why did we even attempt to put the language in the GMP in the first place? The applicant obviously didn't put it there.

MR. PODCZERWINSKY: Again, my understanding was that the applicant was seeking that as a level of comfort to make sure that they could come down to 30 feet, that it would be guaranteed.

But minimum standard today is 50 feet.

CHAIRMAN STRAIN: Okay. But you're saying they can come down to 30 feet through the process of the administrative review of the SDP.

MR. PODCZERWINSKY: Correct.

Now, let's back up a step on this as well. The reason why a lot of this was addressed at that time was because this was a consistency issue with the LRTP. I think that was why this language was put in there, to address what happens when the LRTP roadway widths and alignments and right-of-way alignments are implemented.

CHAIRMAN STRAIN: Heidi?

MS. ASHTON-CICKO: This GMP amendment does have some additional language more than we would prefer. However, we did attempt to negotiate with the property owner, staff negotiated, issues such as throat length so that we could try to accommodate the future road coming in and minimize the impacts to the property owner if they were willing to reduce what they would put in the future right-of-way area. So one is a little bit different.

CHAIRMAN STRAIN: And I wish that this had all been cleaned up better before this meeting, because the attempt to -- we're going to have to fix it at this meeting or we're not going to get you on the schedule that you currently have. So in that regard, between you and Mr. Anderson and the requirements that are needed, let's take a look at the language in the GMP that is requiring this and then figure out what we'd have to change and see if you guys can reach an agreement on it. And then we can amend that when we do the approval, assuming it's approved, then that language can be so clarified as noted.

I'm on the language that is involved in this in the GMP right now, the new language that staff's proposing. So why don't we move to wherever that is on here. David, maybe you could --

MR. WEEKS: Commissioners, in your staff report it's on Page 11. The bottom of the page.

MR. ANDERSON: I believe that's staff recommendation. Our language is on Page 3.

CHAIRMAN STRAIN: Well, we're going to use -- I'd rather use staff -- stick with one. If we start bouncing back from two -- we started out by asking you what you didn't agree with with staff recommendations, so why don't we go to the staff recommendation language and start there. And that's on Page 10 and 11. And it would be the last item on Page 11 is what you're getting at. So let's start with that one.

For access drives, the throat depth no less than 30 feet measured from the roadway edge of pavement shall be provided.

How does that have to change to work for your planning?

MR. ANDERSON: It needs to read as it does on Page 3.

CHAIRMAN STRAIN: Tell me how that is, because I'm not going to find it.

MR. ANDERSON: Sure. Page 3 says the parking lot shall provide for a maximum of 155 spaces with 15 percent in grass. And that's sub-paragraph A.

Sub-paragraph B states: The throat depth of the access drives shall be 30 feet measured from the roadway edge of pavement.

CHAIRMAN STRAIN: Well, how does shall be 30 feet and no less than 30 feet differ? You can be 30 feet or greater. So what is the problem with the language that's in the staff recommendations?

MR. ANDERSON: That it allows someone in the future on the county transportation staff to insist on greater than 30. I realize we're going to be going in for site development plan approval and presumably that would be, you know, addressed at that time.

CHAIRMAN STRAIN: But if you've got a GMP amendment that says you can be no less than 30 and you come in with 30, how can they turn it down? I just don't understand what the ar -- you're boiling up

an argument that may not need to be made.

Heidi, from the legal aspect, that last sentence says no less than 30. Wouldn't that give the applicant the right to come in with 30 then?

MS. ASHTON-CICKO: Yes, it's my opinion that staff, based on this language, would not be able to require more than 30.

CHAIRMAN STRAIN: Right. But the applicant could provide more than 30, but the applicant could pick 30 plus.

So Bruce, if that's the case, you don't have a problem with this language then. So we don't need to have this whole 20 minutes of discussion.

MR. PODCZERWINSKY: May I jump in for a moment?

It was just clarified for me that that part of the language that they're proposing is trying to ask for not more than 30 feet, which staff would not be supportive of.

CHAIRMAN STRAIN: We're looking -- again, let me emphasize. I'm looking at the staff recommendations language, not the -- we have -- applicants propose always their own language. The pursuance of the public process is to take the input from the professionals which are both the experts by applicant and staff and try to find a solution.

So I'm starting with staff's recommendations. And so the last line on staff's recommendations, Bruce, it says: For access drives, the throat depth no less than 30 feet measured from the roadway edge of pavement shall be provided.

Is that acceptable or not?

MR. ANDERSON: Yes, sir.

CHAIRMAN STRAIN: Okay. Then let's go back to the top of the staff's language in the GMP, which is on Page 10.

What other points of the staff's language of the GMP do you not agree with?

This is the kind of stuff that we try to have discussed before these meetings, and unfortunately it didn't happen and now we can see the outcome of that.

MR. ANDERSON: The double row of trees.

CHAIRMAN STRAIN: Okay, take me to the exact reference. That would be on Page 11, and it would be the third paragraph down, I would -- is that it? No? It's Type B.

MR. ANDERSON: That's on the fourth one.

CHAIRMAN STRAIN: Fifth paragraph.

MR. ANDERSON: Fifth.

CHAIRMAN STRAIN: You're okay with the 20 feet?

MR. ANDERSON: Yes, sir.

CHAIRMAN STRAIN: The buffer contains two staggered rows of trees that shall be spaced no more than 30 feet on center, and a double row hedge. You have no problem with the double row hedge?

MR. ANDERSON: That's correct.

CHAIRMAN STRAIN: You're just looking at the trees -- the double row of 30-foot on center trees.

MR. ANDERSON: Yes, sir.

CHAIRMAN STRAIN: There's no wall in between this, is there?

MR. ANDERSON: No.

CHAIRMAN STRAIN: I didn't think so, but I just wanted to confirm that.

Okay, we'll have to get staff's input on that. I think we've heard your position on the double row of trees.

MR. ANDERSON: If I might, you asked a very pertinent question about what does the Comprehensive Plan state in the Golden Gate Estates Master Plan about buffers along right-of-way. And you are entirely correct that it does require a double row for commercial establishments.

I would point out that on the fairly recently approved Mission subdistrict, which provides for a church and church uses, it was approved with a single row of trees. And we would ask you to be consistent and apply that one to us as well.

CHAIRMAN STRAIN: Glad you pointed that out, thank you.

Okay, the next item on the -- what else is in disagreement with you on the staff recommended language on Page 10 and 11?

MR. ANDERSON: On the limitation on parking to 99 spaces.

CHAIRMAN STRAIN: And the current plan shows 131.

MR. ANDERSON: Yes, sir.

CHAIRMAN STRAIN: And you want 155.

MR. ANDERSON: Yes, sir.

CHAIRMAN STRAIN: And I think we spoke on the ability to modify this in the future, but I -- you know, you presented a plan, you don't have an option showing us where you'd utilize that space except within the potential further right-of-way, which involved -- that was one of the major disagreements this project had a year ago that we tried to resolve within staff.

So I think we'll hear comments from staff on where their position is. I understand it's less than what this plan shows. But I think the plan provides ample, 'til such time that that right-of-way is taken away, then you can modify the plan.

MR. ANDERSON: May I make a suggestion? And maybe this is one of those conditions that belongs in the Conditional Use rather than the Comprehensive Plan so that in the event the right-of-way is never taken and the church does need the additional parking, all they would need to do is amend the Conditional Use, not go through the gyrations of a Comprehensive Plan Amendment.

CHAIRMAN STRAIN: And I would fully agree with you, subject to some clarification as to why staff feels it's necessary to have this in the GMP. In the past, as I've said, we've tried to avoid the detailed language in the GMP for specifically the kind of reasons you just used, so I'll -- we'll have that conversation during the staff report.

MR. ANDERSON: And that would be with the 131 spaces that are shown, not the 99.

CHAIRMAN STRAIN: Correct.

Okay, anything else on the staff recommended language in the GMP?

MR. ANDERSON: Sidewalk location.

CHAIRMAN STRAIN: And that -- okay, what -- and I've got the document in front of me, but you could save me time having to pull that piece out. Where is that referenced? What page?

MR. ANDERSON: On staff's language it's on Page 11, and it's fourth from the bottom.

CHAIRMAN STRAIN: Okay, no site related improvements except sidewalks may be located between -- David, and I guess you can -- David, is there a reason that we have to have this specificity on this one in the GMP?

MR. WEEKS: Mr. Chairman, I'd rather defer to Michele when she makes her presentation to capture this in total.

CHAIRMAN STRAIN: Okay, I won't make a -- I'll mark it up and we'll discuss it when she comes up.

Anything else on the staff recommended language in the GMP?

MR. ANDERSON: No, sir.

CHAIRMAN STRAIN: Okay. Then let's move on to the language that staff has for recommendations in the Conditional Use.

The first one is the uses shall be limited to the following. And I think you're in agreement with the Boy Scouts can be the only group to use it. They're not going to rent out. There's no amplified music except for special events. And day cares are prohibited. Any problem with that?

MR. ANDERSON: No, sir.

CHAIRMAN STRAIN: Number two: Site-related improvements other than driveways shall be located within the existing 50-foot right-of-way, that matches your plan.

By the way, the setbacks that are shown in the staff language in the GMP, did you have any issues with those? I just remembered they culled out specific setbacks. And it's on the Page 11, fifth paragraph up.

MS. JENKINS: Another Jenkins with JR Evans Engineering.

No, we don't have any problems with the building setbacks, Mr. Chair. Just the sidewalk setback.

CHAIRMAN STRAIN: Okay. Back to the Conditional Use recommendations.

Bruce, is there anything on that page -- I know there is a couple based on the language from the GMP -- that you disagree with?

MR. ANDERSON: Just again, the double row of trees referenced in condition number six.

CHAIRMAN STRAIN: So in the CU that's the only one that you have a problem with?

MR. ANDERSON: That's correct.

CHAIRMAN STRAIN: Okay. And I think that gets us through then the issues involving the two levels of staff recommendation. So when we get to a vote after staff presentation and public comment, at least we can amend those stipulations or recommendations where needed based on the vote.

As far as the -- let me get to the -- any other questions?

(No response.)

CHAIRMAN STRAIN: By the way, does anybody have any questions as we go along? Stan?

COMMISSIONER CHRZANOWSKI: Just one. What are the odds there's ever going to be a turn lane on either of these improved roads for this project?

MR. BANKS: Repeat the question please?

COMMISSIONER CHRZANOWSKI: This project, is it ever going to require a turn lane on the improved road?

MR. BANKS: No, what we -- when it gets four-laned, yes, or six laned. That's when we're going to. But the county did agree that because we're a Sunday generator it's, you know, a three-hour window on Sunday evenings -- or Sunday mornings, that we would not be required to put a turn lane.

COMMISSIONER CHRZANOWSKI: I meant in the future.

MR. BANKS: In the future, yeah --

COMMISSIONER CHRZANOWSKI: That looked like a very sharp turn and I was hoping for a decel lane.

MR. BANKS: Sharp turn?

COMMISSIONER CHRZANOWSKI: Yeah.

MR. BANKS: Well, yes, in the future we're going to have a left turn, if it's widened. If the county even lets us have that access as a left in. If not, then people would come up to the Randall/Everglades intersection, turn left and enter at the main entrance.

I would also point out that that is actually going to be the lower volume access point because the way it's set up. Most of the folks will actually enter in off the Everglades intersection -- or off the access off of Everglades Boulevard. Simply because the way it's set up. If you're coming from the south it's easier to go through the intersection and turn left on the Everglades. If you're coming from the north, you're going to turn in at that access. So the access onto Randall is going to be the least used access.

COMMISSIONER CHRZANOWSKI: And John? Good, thanks.

CHAIRMAN STRAIN: Anybody else right now?

(No response.)

CHAIRMAN STRAIN: Bruce, on your master plan -- and this is a question that actually goes back to the Comprehensive Plan recommendations as well -- the buffer that is around the building on the west and north is typical to the standards in the Golden Gate Master Plan, which is 75 feet. And you show 75 feet on your plan. Staff for some reason has dropped it down to 65 feet. And I don't agree with that. I think they have a 65 and then a 10 around the parking lot. But that doesn't give you a 75, which is our standard around the whole thing. And your master plan clearly shows you can handle that.

So I'm more than inclined to suggest we go back to the 75 and whatever you do with the buffers after that is what we'll work out here today. But I can't see why we drop it to 65 at this point. And 75 is what you show.

COMMISSIONER ROMAN: I agree, Mr. Chairman. I noticed that myself.

MS. JENKINS: Mr. Chair, Anita Jenkins again.

My recollection is that we showed the full 75 feet, and then the zoning staff asked us to put in the 10-foot buffer for the Type B around the parking facility. And so it was just we had the full 75 feet, they asked us to put a 10-foot Type B buffer around the parking facility, so that just kind of divided up the buffer.

The entire thing will be buffered, it's just the way that they're culling it out that's differently now. It's still a 75-foot buffer. One 10-foot part is going to be a Type B buffer, the rest of it is going to be with native strata, all three stratas.

CHAIRMAN STRAIN: Well, the way this is shown now, you have a 75-foot buffer, and within that 75-foot buffer you have a 10-foot Type B buffer.

MS. JENKINS: Correct.

CHAIRMAN STRAIN: Okay. I don't see the need for two buffers. Why don't we just have a 75-foot buffer right up to the edge of that payment and then the whole thing be treated as a -- because you're going to revegetation the compensating storage area; am I correct?

MS. JENKINS: You're correct.

CHAIRMAN STRAIN: And the opacity that that's supposed to attain is?

MS. JENKINS: 100 percent within one year, I believe.

CHAIRMAN STRAIN: So I don't know what the 10-foot buffer is providing to anybody. Why waste the time and money on it unless there's a good reason when staff comes up and discusses it with us.

So that means we would change that item within the GMP language as well, okay.

On that same plan, Anita, while you're up there, I'm assuming you were the planner writing all this stuff up. So you show a 30-foot wide side yard setback in the 75-foot buffer. That's not a possibility. So can that language be dropped off your master plan?

MS. JENKINS: Can the language be dropped, that 30 --

CHAIRMAN STRAIN: Yes.

MS. JENKINS: Sure.

CHAIRMAN STRAIN: I don't want someone to read this master plan and think you had the right to put a building 45 feet into the buffer. It wouldn't make sense.

MS. JENKINS: Right.

CHAIRMAN STRAIN: I'm making a couple notes for -- I think you've answered all the -- most of the questions. Let me see if I've got anything else.

On the second page of your master plan, Page 2 of 2, under your notes it says: The number of parking spaces provided upon final site development design and permitting may vary from the number shown above. However, in no case shall the number provided be less than the minimum number required.

And I would suggest we add: Or greater than the maximum. Because you've got 155 maximum spaces allowed now. I would suggest that maximum may end up being 131 and you won't be greater than that unless you come back in for a Conditional Use amendment in the future, if that's the way this process goes here today.

Likewise, in your standards table you have a series of site standards. Unless staff has a good reason why those ought to be -- why those are needed on this plan, I'd suggest we may want to take those off. They don't coincide with the setbacks and standards that we just talked about in some cases.

For example, your side yard -- not building, the front yard. Your front yard is 75 feet or 37.5 feet, but yet we have a different standard being culled out in the GMP language.

So I don't want to have a discrepancy here, I'd rather rely on the language that's approved rather than a notation on a chart like this. So unless staff has a concern, I'd like to see that site standards dropped from the master plan, from the site plan.

Do you have any problem with that?

MS. JENKINS: I do not.

CHAIRMAN STRAIN: Okay. And that's the remainder of the questions that I have on the two of them.

So anybody else have any follow-up before we go to staff presentation?

(No response.)

Okay, Bruce?

MR. ANDERSON: One clarification about the parking language. Could we say the maximum specified herein? Just so we don't run into some unknown problem with the Land Development Code capping it at some lower maximum.

CHAIRMAN STRAIN: I have no problem with that.

MR. ANDERSON: And lastly, before I sit down and shut up, I would like to ask for a show of hands from the members of the public that are here. Those who are here in support of this application, if you'd raise your hands, please.

CHAIRMAN STRAIN: Okay, and likewise, those who are against the application.

(No response.)

CHAIRMAN STRAIN: Well, the groom's side gets it.

MR. ANDERSON: Thank you very much, Mr. Chairman.

CHAIRMAN STRAIN: Thank you, Bruce.

And now we'll have staff report on the Comprehensive Plan and then we'll ask for staff report on the Conditional Use.

MS. MOSCA: Good morning. For the record, Michele Mosca with Comprehensive Planning staff.

I don't want to be the bad guy, so I'm not going to go through a detailed staff report. But Comprehensive Planning staff does not support the proposed Comp. Plan Amendment. We're very concerned about some of their justification and what the ramifications are with that justification; namely being the proposed project.

The applicant has stated the future four-laning and six-laning of this roadway. Well, what does that mean for the other three quadrants? There's a potential of using that same justification for those other three quadrants. And if you all will remember, the master plan does contain specific criteria for locating conditional uses.

The reason why the applicant is here today, this particular site does not meet that locational criteria.

So what does that mean? We look at the other three quadrants. There's potential for non-residential uses at that intersection. We look a little further to the north, we see Everglades and Oil Well, which is definitely impacted presently. If we use or apply that same justification, we're looking at potentially three additional conditional uses or nonresidential uses at that location. So I wanted to bring that to your attention.

Then we have some concerns about compatibility of this particular project and the surrounding area. When you start looking at the Golden Gate Area Master Plan, there's specific objectives and policies that refer to rural design, rural character. This is a 20,000 square foot building. They have proposed along the major corridors, Randall and Everglades, a smaller buffer that's more typical of an urban buffer, it's a Type D buffer, as we discussed in detail what that entails. The mass of the building is generally consistent with an urban style development, not a rural development. So we do have concerns about the project.

And with that, I'll answer any questions probably regarding some of the parking and other.

CHAIRMAN STRAIN: Questions of staff?

(No response.)

CHAIRMAN STRAIN: Well, some of the things you said for the benefit of this panel, I was chairman of the Golden Gate Master Plan Committee when it was -- when it actually wrote the language that we have to deal with in Golden Gate Estates. And granted, we made quite a few mistakes. But I also know since 2000 to now there's been a lot of demographic changes in Golden Gate Estates, and there's more of an urbanized mindset in some regard.

This intersection has been suggested to me as being an intersection where commercial could go. I'm from the old school in Golden Gate Estates in I think the less commercial we have, the better. But I do think with the number of people moving out there, intersections like this will potentially change.

To have a church on this corner is far, far better than having commercial on four corners. Like we have at Wilson Boulevard and Golden Gate Boulevard and other intersections throughout the Estates where they're destined to have what is considered neighborhood commercial at many locations.

By having a church here, it's a less intense use, it provides the ability to reduce the commercial that could potentially be put there if this section is ever looked at, and what I like about this particular church is they service Golden Gate. The reason the conditional uses have been so strict in Golden Gate Estates is because years ago it used to be the place where all the churches bought five and 10-acre tracts because the land was so cheap, and everybody from the urban area drove out to their Golden Gate Estates church because they could build a church out there on land that was relatively inexpensive.

This particular church is going to be limited to the immediate surrounding community. And I think that's a good thing from that perspective.

So for a lot of ways I think this application differentiates itself from other applications for conditional uses that may be inconsistent with the written language of the Golden Gate Estates area, but I certainly don't see this as being inconsistent with the intent of what could go here.

So from that perspective, Michele, I don't agree with some of the things you've called for. The 20,000 square feet of a building, Wilson and Golden Gate Boulevard have larger buildings, so I'm not sure why we have a limitation here for a less intense use as a church.

The amount of specificity in this particular application on the GMP is unusual. And I understand one item was there for Code of Laws activity, but I'm not sure why we wanted to get so detailed with the rest of it when the zoning usually handles that. And staff has always preferred we move to the zoning document and limit the specificity in the GMP.

So from that perspective, I think many of these things ought to be taken out where they can be, and I think you've heard the discussion on that.

I'd like to ask you about the buffer. Your 65-foot wide recommendation in your language, you heard the conversation of leaving it at 75. Why is Comprehensive Planning staff getting involved in the buffers here?

MS. MOSCA: Well, Mr. Chairman, the required buffer adjacent to residential is in fact 75 feet, but then it's broken down even further in the Golden Gate Area Master Plan. It calls for the 50 feet adjacent to the residential in this case will be retained with native vegetation. And then the 25 feet along the development will be a landscape buffer. I actually see the applicant doing more in that 65 feet, requiring -- the opacity requiring vegetation from the three strata and then doing a 10 feet adjacent to the parking. So they are doing the 75 feet, it's just a little different. In staff's perspective it's providing greater screening for the adjacent neighbors.

CHAIRMAN STRAIN: Okay. If you have, let's say -- first of all, I don't -- if you have 75, 65 and 10, you still have 75.

MS. MOSCA: That's correct.

CHAIRMAN STRAIN: So if we leave it as a -- because we've used 75 feet as a general standard in discussions of conditional uses in the Estates, if we leave it at 75 feet, I don't know why that is a problem. If the opacity has to be 100 percent within so much period of time, I think it's a year or two, or whatever it is, what's the need for the 10-foot additional?

MS. MOSCA: That's fine. I mean, if you want to leave it at 75 feet, my concern would be now you're looking at 75 feet of replanted native vegetation, 100 percent opacity. If the applicant's okay with that, the staff is okay with that.

CHAIRMAN STRAIN: They just said -- they are the ones that answered the question. David?

MR. WEEKS: Mr. Chairman, one question I have about this, and I may just be forgetting past staff discussions, but we have the compensating storage area within that 75 feet, and I don't know what plantings are allowed within there. You know, that's within that 75-foot dimension. And if the plantings there are restricted, then achieving that opacity requirement would seem to be more of a challenge. And so that's why I could understand, if my presumption is correct, of lesser vegetation in that area than having your LDC standard Type B up next to the parking lot would help fulfill that opacity requirement.

CHAIRMAN STRAIN: But how is the opacity or plantings within that 75-foot revegetation area an issue of Comprehensive Planning? Isn't that an issue of zoning?

MS. MOSCA: It's in the Comprehensive Plan in the Golden Gate Area Master Plan, that requirement, that specific requirement of 75 feet and the breakdown that I just went through.

CHAIRMAN STRAIN: Okay. But the specific requirement, does it address the -- I know it doesn't because we didn't have compensating storage back in 2000 when the language was written. So if they're revegetating 75 feet to 100 percent opacity, isn't that an LDC standard?

MS. MOSCA: No, this is something that we requested of the applicant. The applicant I believe, and they can speak for themselves, I think at the beginning we were just looking at a 75-foot wide vegetated

buffer with existing native vegetation. And the concern there was there wasn't a tremendous amount of native vegetation I think on the north side.

So we requested, we worked with the applicant to get them to the 75 feet, 65 feet and then the 10 feet around the development area.

CHAIRMAN STRAIN: Okay. I'll -- when we get zoning staff up, I think Nancy is here, I'm probably going to explore the requirements from the landscaping viewpoint in how that revegetation has to occur and what it's supposed to be. If our code doesn't cover it, then we will add the appropriate language to the recommendations that come out of today's meeting.

When we get to the driveways, no site related improvements other than drive-- oh, the sidewalks and the driveways.

I know you had specific language in there about the location of sidewalk, and that now has turned out to be an issue involving -- no, that's the throat length. So the throat length is the Code of Laws. So why does that language in the sidewalk need to be in the GMP language?

MS. MOSCA: Well, if you remember, their justification for this particular project is that the road is going to be widened to six and four lanes. So what they have now is the sidewalk located in the future right-of-way.

So what Comprehensive Planning staff has asked, well, if we're taking all of the other elements out, the landscaping, the buffer, everything else, let's take the sidewalk out so it's usable, so that it isn't put in and then taken out when the right-of-way comes along. The taking for the -- the actual construction of the right-of-way.

That makes more sense to staff that the sidewalk is usable and connected at a later point. Whether it meanders and additional landscape is put in, at least that sidewalk is usable.

CHAIRMAN STRAIN: Well, I mean, the usability is based on when the road is widened, correct?

MS. MOSCA: That's correct. Because the sidewalk actually will go nowhere at this point when it's constructed.

CHAIRMAN STRAIN: Okay. So whether it's constructed now or in the future, it's still not really usable, because until we have a connecting to somewhere else, it's just a piece of sidewalk in the middle of nowhere.

MS. MOSCA: I agree.

CHAIRMAN STRAIN: Okay. And if we put it outside the current right-of-way because we don't own the new right-of-way yet, then we're asking them to put something on their private property that then entails liability and other issues for them.

MS. MOSCA: Well, I don't want to speak for transportation planning staff, but my recommendation would be do construction in lieu of elsewhere in the county and then when this sidewalk, when the roadway is expanded, widened, then the county puts the sidewalk in at that time. Or, I mean, put it in where it can be used at a later date or hold off until a later date 'til the roadway's widened. It doesn't make sense to put the sidewalk in and tear it out.

CHAIRMAN STRAIN: Well, we're doing that out on Airport Road and North Horseshoe Drive right now, and that's only two months old. I mean, we do this all over the county. And it's absurd, first of all. Second of all, the private sector gets a lot better prices than the county does. So unless you want to match the private sector prices, how can we hold somebody up, basically say you've got to pay an exorbitant amount of money because that's how we calculate it because that's how we bid things because government pays more. Because in essence that's what we're doing. And I don't see the need for it.

Just drive out by the RaceTrac. They just put in that nice new sidewalk, everything was redone out there, it's all being torn up again.

MS. MOSCA: I understand. Perhaps a better solution is to amend the LDC to make certain exceptions. I mean, we do have the provision in the LDC. Staff has to adhere to that provision.

CHAIRMAN STRAIN: Or we can let the applicant move forward practically, and if the county can't accept their in lieu of agreed price because they have a better bid than we do, I don't think we should be holding them up. I think that's not appropriate.

But John's anxious to step in, so --

COMMISSIONER EBERT: I think we ought to allow the private sector to do our sidewalks.

MR. PODCZERWINSKY: Let's jump in and address a couple of things there right off the bat with the payment in lieu option.

The payment in lieu option in the Land Development Code does allow the engineer to submit their own estimate as long as that estimate is reasonable and they can pay a different amount than what our standard amount is. Our standard amount comes from FDOT's pricing schedule, so that is what we pay for sidewalks. That's what we budget for sidewalks and in most cases we actually pay more.

CHAIRMAN STRAIN: Well, now you know you're digging a deeper hole by telling us that.

MR. PODCZERWINSKY: Oh, I understand. But at the payment in lieu rates, they're able to submit a different estimate, as long as it covers all the things that we need to cover, right-of-ways, stormwater management, permitting, design and construction, they can submit that. And we will -- most times we will end up approving that if it's a reasonable estimate.

So again -- also I wanted to point out on North Horseshoe, that design has been -- I'm sorry to deviate for a moment, but that design's been coordinated between the RaceTrac development that came in, the City of Naples, the county, the right-of-way permitting department with the county and also FDOT who's doing the intersection improvements. They're not tearing out the sidewalks on the south, they're just tearing out the median. And they're going to give us a new center turn lane there, so it will be a dual left out.

CHAIRMAN STRAIN: Okay. Well, we'll see how much --

MR. PODCZERWINSKY: That's been coordinated ad nauseam.

CHAIRMAN STRAIN: I notice there's new asphalt and other items out there too. But if they're all staying, that's fine.

MR. PODCZERWINSKY: They're staying.

CHAIRMAN STRAIN: I hope it does. I'm disappointed to see it's already being torn up again though, so --

MR. PODCZERWINSKY: We would have liked to have RaceTrac do some of that, but FDOT is paying for it, and FDOT has certain intersection designs that they want to fit in there.

CHAIRMAN STRAIN: Have you heard or know of the applicant's value for the sidewalk that they can put in out there?

MR. PODCZERWINSKY: At this location at Randall and Everglades?

CHAIRMAN STRAIN: Yes.

MR. PODCZERWINSKY: No.

CHAIRMAN STRAIN: Okay. And the reason I'm asking is we can certainly have testimony today, then you can tell us if you accept it or not, and then we don't have to worry about it.

MR. PODCZERWINSKY: We'd have to take a look at it to make sure that it's got all of the items that are required in it. I would be willing to bet if it's anything less than 10.28 a square foot for six-inch thick six-foot wide sidewalk, that it probably doesn't include everything that we do.

CHAIRMAN STRAIN: Well, and at this stage they may not need the same things you would need when it goes to six lanes either.

MR. PODCZERWINSKY: Understood.

CHAIRMAN STRAIN: Okay.

MR. PODCZERWINSKY: I understand that.

COMMISSIONER CHRZANOWSKI: Hey, John?

MR. PODCZERWINSKY: Yes, sir.

COMMISSIONER CHRZANOWSKI: The things you mentioned, like Mark said, no right-of-way, the design you're going to -- what elevation are you going to put it at?

MR. PODCZERWINSKY: What elevation?

COMMISSIONER CHRZANOWSKI: Yeah.

MR. PODCZERWINSKY: We don't look at elevation this far ahead in the game.

COMMISSIONER CHRZANOWSKI: Well, how do you know what elevation to put the sidewalk at if you don't look at it?

MR. PODCZERWINSKY: It's typically at grade.

COMMISSIONER CHRZANOWSKI: Oh, okay.

MR. PODCZERWINSKY: It depends on what the side slop is going to be, the side slope --

COMMISSIONER CHRZANOWSKI: That's what I meant.

MR. PODCZERWINSKY: Exactly.

COMMISSIONER CHRZANOWSKI: Does it drain to the road, does it drain to the back?

MR. PODCZERWINSKY: Typically yes, it would --

COMMISSIONER CHRZANOWSKI: Is it going to be raised, you think, above grade?

MR. PODCZERWINSKY: I would doubt it in this case. I don't think it's going to be raised above center line. It will probably be above the curb but I can't -- I can't guaranty for sure. And part of the reason that I answer that is the preliminary look that we had CH2M Hill do, which is our design consultant, we had them take a preemptive look at this intersection to tell us what would our actual right-of-way needs be. Because we realized that the 2035 long-range transportation plan and the definition of right-of-way that they show in that plan is probably not very, very accurate. It's not very precise, as we discussed -- as you discussed at the last meeting, the word precise.

In any case, we know roughly how much we need. So we laid out a design within that width, these lane widths.

On Everglades Boulevard the discussion for a six-lane Everglades Boulevard, which is the plan that we are required to follow, it talked about 100-foot wide right-of-way overall -- I'm sorry, it was -- I have the numbers here with me. Everglades Boulevard total right-of-way width was 200 feet overall, okay. And that was going to incorporate the water management, it was going to be a rural cross-section.

Randall Boulevard was -- so it was slated to be 180 feet wide for six lanes, which means that we would have to do an urban cross-section with curb and gutter, and we'd have to put drainage underground.

So again, your sidewalk design may have a lot of impact on our stormwater management or vice versa, the stormwater management could have a lot of impact on where the sidewalk goes and how it's placed.

COMMISSIONER CHRZANOWSKI: It's a while since I've bicycled Golden Gate Boulevard. But if I remember, the sidewalk out there butts up against the curb.

MR. PODCZERWINSKY: In some places, yes.

COMMISSIONER CHRZANOWSKI: I don't remember an island between the sidewalk and the road.

MR. PODCZERWINSKY: Correct.

COMMISSIONER CHRZANOWSKI: And I'm wondering how you would even -- you know, you'd have to slope it. You'd have to put your curb in now. Yeah, I'm -- I see a lot of problems with this.

MR. PODCZERWINSKY: Understood. And that's why we had our consultant take a preliminary look at it, to see how much of a footprint we really would need.

And you'll notice that some of the requirements that we have on their site plan -- you know, on their proposed master plan do not incorporate the full 200-foot width equally. At least it wouldn't accommodate a full 200-foot width for Everglades Boulevard. You'll notice that we've cut back down from that. We've significantly relaxed it, it's only 26 and a half feet that we're asking to reserve on this site in order to avoid future takings.

COMMISSIONER CHRZANOWSKI: Michele said something about letting them build a piece of sidewalk somewhere else. Do you do that?

MR. PODCZERWINSKY: We do on occasion. We do allow build in lieu. The typical criteria for build in lieu is there has to be a programmed project within the -- I can't recall if it's either the impact fee district or if it's within the commission district. I can't recall which of those criteria has to --

COMMISSIONER CHRZANOWSKI: And they would build exactly that length of sidewalk?

MR. PODCZERWINSKY: Typically, correct, yes.

It also has to be something that would be on our priority or our needs plan for pathways. So we wouldn't want them to build a sidewalk in the middle of nowhere. And yes, I said that on the record with this plan up here. We do understand that this sidewalk is in the middle of nowhere. But it does accommodate a future capital plan that we would have that is reflected in our LRTP.

COMMISSIONER CHRZANOWSKI: Okay.

MR. PODCZERWINSKY: Questions on that?

CHAIRMAN STRAIN: Anybody else of John or Michele at this time?

(No response.)

CHAIRMAN STRAIN: Okay, thank you, John.

Michele, did you have any more you wanted to finish up with?

MS. MOSCA: Yes, please.

Actually, I wanted to go through some of staff's language on Page 10 and 11 of our staff report. I know there were still some outstanding issues regarding the 20-foot wide landscape buffer, as well as the 99 parking spaces.

What I'd like to address, again, although I understand, Mr. Chairman, you had mentioned there's a lot of urban style development within the Estates, there are again policies and objectives that require that we have rural design.

So what we're looking for is that softening effect. The meandering, the double row of trees would be appropriate along these two corridors. Let me show you an aerial real quick.

That is Everglades and Randall. And you'll notice across from the property there are residential structures that's on Randall -- on the south side of Randall. Okay, both on the south side of Randall and the east side of Randall.

So you are going to have impacts to those residential dwellings. I'm not sure what's going to occur in the other three quadrants. But providing that double row trees, double hedge is appropriate internal to the Estates. So I wanted to mention that.

CHAIRMAN STRAIN: Okay.

MS. MOSCA: And then regarding the 99 parking spaces, the church is actually asking for 56 percent more parking than what's required minimum in the Land Development Code. Typically when you have a commercial project that's requesting additional parking, they have to go through a variance process, as well as provide additional landscaping within their vehicular use area. Again, this is internal to the Estates and it's appropriate to have safeguards in place to soften the look to have that rural character, rural design. So staff believes it's appropriate for this project.

COMMISSIONER ROSEN: Michele, I have a fast question.

CHAIRMAN STRAIN: Go ahead, sir.

COMMISSIONER ROSEN: The additional parking the applicant's asking for, I heard in the very beginning a discussion of grass parking. Is there a component of grass in this?

MS. MOSCA: There is, both in the applicant's submittal as well as staff's submittal. Staff had requested 99 parking spaces with 15 percent of those parking spaces in grass parking. And the applicant is asking for I think it's 155 parking spaces, 15 percent in grass parking. But again, from the roadway you're going to see that parking.

CHAIRMAN STRAIN: Okay.

COMMISSIONER CHRZANOWSKI: Is there 155? It looks like 151. Did I miscount?

MS. MOSCA: There's 131 I believe on the site plan, but what they're asking for is 155 parking spaces.

COMMISSIONER CHRZANOWSKI: But with the grass parking along the entrance road. Okay. Maybe I miscounted.

CHAIRMAN STRAIN: What Bruce was indicating, Stan, was that if the right-of-way takings never occurred on Randall and Everglades, they would want to expand the parking out that way. So that's why they wanted it from 131 to go up to 155.

Anything else, Michele?

MS. MOSCA: No, that's it.

CHAIRMAN STRAIN: David?

MR. WEEKS: Just a couple points. One is on the tying in with the comment about the double row of trees and visibility. I was thinking of the applicant's response. And certainly understand the desire and the need for visibility, but I'd also ask you to recognize that this is at a major intersection currently. Much less in

the future the plan -- 21 years from now the plans are to see these two roadways widened. But even right now it's a major roadway and it's a four-way flashing stop sign. So I think from the context of someone finding the site, I just don't think that's difficult, even if the church is hidden by trees. That's a major intersection. Look for the four-way stop or if in the future it's signalized. Randall and Everglades, it's not a local intersection like one of the numbered streets, it's one of the major intersections in the Estates.

Mr. Chairman, another question I was actually asked, related to us from one of the environmental staff asking for clarification about the site plan. There was some earlier discussion about removing the setback notations on the site plan, and I just want a clarification that that's all that was being discussed. We're not talking about removing the labeling regarding preserve or anything else, it was just setback.

CHAIRMAN STRAIN: Just the two 30-foot setback references on the west and north side.

MR. WEEKS: Thank you.

CHAIRMAN STRAIN: That's all I mentioned, at least.

John, did you want to throw something in?

MR. PODCZERWINSKY: Yes, I did, thank you.

I just wanted to caution the panel very quickly about the discussion on the Randall overall width. I wanted to let you know that staff has reviewed the overall width demands in compliance with the current 2035 LRTP and the 2035 LRTP master plan update. This is based on the needs plan that's currently shown today.

I know that a few panel members have discussed that there's a presumption that the Randall right-of-way may change in the future, the total width need may change to something lesser than what we currently have today.

And while I agree it could change, my caution is to say that the documents that we reviewed for consistency are the 2035 LRTP. The 2040 LRTP, which you might be referring to, or plans from another development that may be in that area that may or may not come to fruition, all of those plans are speculative at this point and are not something staff has reviewed for consistency with.

So when you talk about allowing additional parking spaces that might be placed in a speculative additional right-of-way width, we haven't analyzed for that and we may not be able to find it consistent with the plan until we know what that right-of-way width would be.

CHAIRMAN STRAIN: Okay. But you were satisfied enough with the right-of-way width to demand that the applicant does not put any improvements in the potential future right-of-ways.

MR. PODCZERWINSKY: Yes.

CHAIRMAN STRAIN: Okay. So all they're saying is if we don't utilize those potential right-of-ways, they want more parking spaces to be allowed there.

MR. PODCZERWINSKY: I understand that and I agree with that. I don't think we have an objection if that right-of-way is not used. However, I would say that we don't know for sure whether or not we'll be pursuing this right-of-way or not. The current plans that we have today say that we will be.

CHAIRMAN STRAIN: That's kind of why I made the suggestion if they wanted to use that area, if it wasn't needed in the future they could come back and ask for a modification to the CU and get it done that way instead of --

MR. PODCZERWINSKY: And we --

CHAIRMAN STRAIN: -- asking for --

MR. PODCZERWINSKY: -- from staff as well that it be a CU modification and not a Comp. Plan Amendment.

CHAIRMAN STRAIN: Okay. Thank you, John.

MR. PODCZERWINSKY: Yes.

CHAIRMAN STRAIN: We'll take a break before we go to staff report and -- from Nancy. So let's come back at 10:40 and we'll resume the meeting at that time. Take a 15-minute break.

(Recess.)

CHAIRMAN STRAIN: Take your seats, our break period is over.

During the break one of the members of the groom's side of the audience came up and informed me that he had to leave at 11:00 for another commitment. And I definitely want to make sure that any members

of the public here have an opportunity to discuss their concerns. So instead of moving right into staff report, which will finish up the general discussion this board has, then we normally go to public speakers.

I would like to ask for only those public speakers that can't wait 'til after 11:00, I'd like to ask those people to address us now. And then we should wrap up before 12:00. So between 11:00 and 12:00, everybody else will have an opportunity.

So with that in mind, who in the audience needs to leave shortly and would like to address us now? Sir, if you could come up and state your name for the record.

MR. WINDER: Mr. Chairman, my name is Mike Winder. I was not sworn in, so I don't know if that --

CHAIRMAN STRAIN: Oh, this young lady right here will be glad to take care of that.

(Mr. Winder was duly sworn.)

MR. WINDER: I would just like to take a moment and let you know, I live in Valencia Golf and Country Club, a neighborhood just immediately adjacent to the area that we're considering for this project, just off Randall Boulevard. I've lived in that area for coming up on five years. I've very much enjoyed my time there.

And we are very, very interested, my family and I. We literally drive by this lot in order to go to church on Sunday morning. The approval of this project -- the church builds quality buildings. They try very, very hard to do things right, and they maintain things in such a way to where it enhances property values. And we would just very much appreciate the way that this is being considered. And I want you to know that I as a resident in the Estates out in Valencia Golf and Country Club, also a member of their board of directors, do support this project and wanted that to be on the record. Thank you very much.

CHAIRMAN STRAIN: Thank you, sir.

Does anybody else that would like to address us at this time or after -- it would be just after staff report then.

(No response.)

CHAIRMAN STRAIN: Okay, thank you.

Nancy, with that, why don't we go forward with your staff report on the Conditional Use aspects of this project.

MS. GUNDLACH: Good morning, Commissioners. I'm Nancy Gundlach, Principal Planner with Planning and Zoning.

And staff is recommending approval of the Conditional Use. And if you have any questions, it would be my pleasure to answer them.

CHAIRMAN STRAIN: Nancy, I like the way you do staff reports.

You've heard a lot of discussion about the recommendations. Is there anything in those recommendation discussions that you heard that is a concern?

MS. GUNDLACH: Yes, thank you for asking.

It's my understanding that we wish to implement the standards in one of the conditions of approval for the GMP regarding the 70-foot wide vegetative buffer. And I can see that it says that 80 percent opaque at planting and 100 percent opacity within one year.

And I just wanted to bring to your attention that a Type B buffer, because we have specific -- we say the opacity standard applies to a six-foot tall hedge after one year. We have trees that go in at 10 to 12 feet at one year, so we're assured screening and buffering, which in this particular location the church is adjacent to two residences. I can't guarantee that with the language that's currently written in the GMP recommendation, so I would suggest that we still require that Type B buffer and just allow the balance of that 65 feet to be the vegetation that's described in the Growth Management Plan recommendation.

CHAIRMAN STRAIN: Nancy, the applicant had said that they intend to revegetate the compensating storage area, which is the 75-foot wide buffer, and attain the 100 percent opacity. Is that something that's written in our code or do you see that as something they volunteer to do? Let's start with that question first and there's a couple of others related to that.

MS. GUNDLACH: Well, the code's a little different from -- if you follow the minimum code and when we do have opacity standards, I'm not sure if what they're proposing is the same as. So it might just be

semantics, it might be words, it might be language --

CHAIRMAN STRAIN: Okay, so to clarify --

MS. GUNDLACH: -- are guaranteed.

CHAIRMAN STRAIN: To clarify their intent with the 75-foot compensating storage area, first of all, that's a new ridiculous federal guideline from FEMA, and it requires that the area be bulldozed down or some of the soils removed. And in doing so you've to kill all the vegetation that we strive to save. Then we've got to come back and replant it all.

Is there anything that you know of that requires any types -- how that replanting occurs within that area that's being removed?

MS. GUNDLACH: I don't know of any.

CHAIRMAN STRAIN: So basically we're going to have to then include some language based on the applicant's standards that they've suggested will be obtained by their revegetating of that area to be safe?

MS. GUNDLACH: That's a possibility. Or maybe environmental might have some criteria that is normally followed.

CHAIRMAN STRAIN: I just saw her dive under her desk and shake her head no, so -- here she comes.

But I would like -- see, the reason is if we've got to rely on a volunteer basis from the applicant, then we're going to have to stipulate it. And I want to make sure we say it right.

MS. GUNDLACH: Okay. Well, I have an exhibit here that has a plant list, looks beautiful. It's natives, that's good. The only thing I don't see is the sizes of the plant material. Might you have that?

MS. JENKINS: I'll stipulate to it at the time of the SDP.

MS. GUNDLACH: Okay, I heard what you said but I don't see it in writing, but --

CHAIRMAN STRAIN: And Nancy, you're pulling that document that was just handed to you by Anita. Is that one of the documents in the package?

MS. GUNDLACH: Yes, it is.

CHAIRMAN STRAIN: Okay, it's 143 pages so it's somewhere in there. Okay.

MS. JENKINS: Exhibit 5.

MS. GUNDLACH: Yeah. And, I mean, for example, a B buffer requires trees 25 feet on center. These trees are 40 feet on center. You see what I'm saying?

CHAIRMAN STRAIN: I do. But they also stated on the record they would reach 100 percent opacity within one year with the revegetation of that 75-foot buffer. Can they do that from what you're looking at? Would that get us there?

MS. GUNDLACH: Well, without a plant legend that specifies sizes of plant material, I can't determine that at this time.

CHAIRMAN STRAIN: Okay. Well, their document is part of the record. And also, their site plan showing the 75-foot buffer including the 10-foot buffer in the limited area around the parking space was part of their site plan. So I guess the safest way to make sure we get what was intended, especially since some of it may or may not be in the code, is to accept the site plan as it's supplied instead of deleting or reducing a 10-foot buffer. And that's what you're suggesting it is, so --

MS. GUNDLACH: That would be my recommendation.

CHAIRMAN STRAIN: Okay, thank you.

Anything else in the discussions that you've heard? I mean, I'm going to go over it all before we're finished, but I want to make sure that --

MS. GUNDLACH: We did have a recommendation -- the very last recommendation for the Conditional Use. It's regarding lighting of recreational areas. That you could take out or leave. If there are recreational areas in the future, we don't really know. It just simply says that we're going to be careful how it's lit.

CHAIRMAN STRAIN: Okay. And I think that's another issue that we need to find out. I had a note on mine that said, where are the recreational areas. I didn't see them on the site plan and so we'll probably ask that -- we'll ask the applicant before this is over to tell us what their intention was or if this is a non-needed statement and we'll find out.

Thank you, Nancy.

Anybody else have any questions of staff?

COMMISSIONER ROMAN: Yes, I have one question for clarification on the -- under your recommendations regarding no outdoor amplified music except for events that have a special event permit. Is there a limitation on the number of special events that can be permitted per year?

MS. GUNDLACH: Yes, there is.

COMMISSIONER ROMAN: Do you know that number off the top of your head?

MS. GUNDLACH: I think -- is it 30?

MR. BELLOWS: I'll have to check.

COMMISSIONER ROMAN: Sorry for the trick question there.

Would farmers markets be in that special event requirement, fall under that special event requirement?

MR. BELLOWS: Typically they would be part of that.

COMMISSIONER ROMAN: Thank you.

CHAIRMAN STRAIN: Okay, anybody else?

(No response.)

CHAIRMAN STRAIN: Thank you, Nancy. Oh, go ahead, I'm sorry, Diane.

COMMISSIONER EBERT: Nancy, I have a question on the buffer. Maybe -- I don't know if it's you or Michele or environmental, but the Golden Gate area is requesting two rows of trees. Is that going to hurt? I mean, if this is what their requirements are, then why should we change it for this? Forty feet apart is quite a distance between the trees. Unless the new Golden Gate Estates thing is in front of us right now, I know that needs to be done. Because when they did it a long time ago, this wasn't.

It looks like this corner will then become kind of commercial in all areas. I mean, this is something I guess we have to face because the growing population is going east. So the double row of trees should not be a big burden to this church, should it?

MS. GUNDLACH: I don't think so.

COMMISSIONER EBERT: Thank you.

CHAIRMAN STRAIN: Nancy, is a double row of trees required for churches in the Golden Gate Estates Area Master Plan? The answer is no, but you can say what you want.

MS. GUNDLACH: I was going to refer to our master plan expert.

CHAIRMAN STRAIN: I think we already heard testimony that that was something that we have in the commercial areas and that churches are not considered commercial areas in this regard. I'm just trying to understand what's accomplished by having a double row of trees there, especially if the single row that's there is 30 feet on center. Because the canopy of a tree is just so large and it's going to get larger.

MS. GUNDLACH: I think it comes down to how well you want it to blend in with the rural natural areas. And that as you can tell is very much an opinion.

CHAIRMAN STRAIN: If you have a double row of trees without a wall, how are those trees and space -- you could put two trees side-by-side every 30 feet and you could have one tree every 30 feet. Or if you stagger them, they become 15 feet on center or less. I'm trying to understand how the double row fits in and gives you any difference than a single row with the bases that you've got large canopies on these trees.

COMMISSIONER ROMAN: But doesn't the language in the GMP that's being proposed say staggered rows, as opposed to double rows?

CHAIRMAN STRAIN: So you still end up with a tree every 30 feet then, right?

COMMISSIONER ROMAN: Well, the way this is lined up, you've got like a triangle where you've got, you know, two trees on center with one forward. That's what makes it the staggered rows.

CHAIRMAN STRAIN: Okay. Well, maybe someone could take a plan and put a couple dots on it. Because we have a 20-foot wide buffer and we have trees staggered at 30 feet on center. Can you show me on a plan how that lays out?

MS. GUNDLACH: I could probably show you very quickly. It's in our landscape code what a double row of trees looks like in plan view. Would you like me to show that to you?

CHAIRMAN STRAIN: No, I probably have one here.

MR. WEEKS: Mr. Chairman, I could comment. But if by being staggered the net result is it's one tree every 15 feet.

MS. GUNDLACH: Correct.

MR. WEEKS: Because it's --

CHAIRMAN STRAIN: That's what I was trying to say. And that's what I thought.

So the canopy on a tree, Nancy, is generally how large?

MS. GUNDLACH: It depends on the tree species.

CHAIRMAN STRAIN: Okay. So if we specify -- and how wide is a canopy on a tree of an oak.

MS. GUNDLACH: When it's planted it has to be like four feet wide and it can grow to 50 feet.

CHAIRMAN STRAIN: Okay. So if we do them at 15 feet on center, that means seven and a half feet is all that tree can grow before it meshes with the other one. So we got a tree that has the potential of being much bigger than that. Wonder why we're cramming them so close together.

COMMISSIONER ROMAN: Because it takes a lot of years for that tree to grow, for one thing.

CHAIRMAN STRAIN: But the objective here, is it opacity or is it just for visual? I mean, just -- what's the purpose of this particular --

MS. GUNDLACH: I think it would accomplish both.

CHAIRMAN STRAIN: Okay, so we're purposely intending to block off the view from the road of anything behind this hedge?

MS. GUNDLACH: I think you mean tree canopy?

CHAIRMAN STRAIN: Yeah.

MS. GUNDLACH: Yes.

CHAIRMAN STRAIN: So the tree canopy is -- so if this was -- so the commercial businesses, that was the intent?

MS. GUNDLACH: Not in the commercial businesses, no.

CHAIRMAN STRAIN: So the double row of trees in the commercial businesses was then required because of what?

MS. GUNDLACH: Actually, okay, I'm -- you mean in the master plan for Golden Gate Estates?

CHAIRMAN STRAIN: Yeah.

MS. GUNDLACH: In the neighborhood centers.

It was to help screen the commercial areas from the rural residential areas.

CHAIRMAN STRAIN: Okay. In this case it's up against two six-lane roads. What are we trying to screen?

COMMISSIONER EBERT: The neighbors.

CHAIRMAN STRAIN: I mean, it's up against major roads. We're looking at big, big roads.

MS. GUNDLACH: Yes, in the future.

CHAIRMAN STRAIN: Okay, I'm trying to understand a justification for it in this case and I can't get there, but that's maybe just me, so --

MR. WEEKS: Mr. Chairman, it goes back to the rural character. You think of where the commercial development is at, the neighborhood centers, they're also located at major intersections. That was by design.

The same principle. Your question makes sense in both scenarios. Development is occurring on a major road, what are you trying to hide if people driving on the road? That's the point, people are driving on the road in this rural or semi-rural character and by hiding the commercial of the nonresidential development you're helping to maintain that rural character. If you have an urban style landscape buffer so that the buildings are more visible, be it a church or be it a shopping center, it is a very different feel, a very different look than the more semi-rural character which is principally single-family homes.

CHAIRMAN STRAIN: So the -- we don't use a double hedge row as a standard in the urban area, it's only used in the rural area?

MS. GUNDLACH: Do you mean a double tree row?

CHAIRMAN STRAIN: Okay, I'm sorry, a double tree row. We don't use that in the urban area?

MS. GUNDLACH: Sometimes in -- let me clarify. Between uses like between commercial and

residential, when they're directly abutting each other.

CHAIRMAN STRAIN: Okay. So we try to ruralize the urban area by putting trees in, right?

MR. WEEKS: Let me ask a question.

MS. GUNDLACH: No.

MR. WEEKS: What I think Nancy said was the double row of trees would be required between a residential development and a commercial development.

MS. GUNDLACH: Correct.

MR. WEEKS: In that case it's to aid compatibility. This is still the same objective, try to hide that commercial development from your nearby residential.

In this case by putting it on the road frontage it's to try to in essence hide it from the traveling public, because they're driving through a semi-rural area. And what they typically see is single-family homes and vegetation, depending on what has been retained on each individual lot.

And if they come to an intersection and they don't have significant landscaping and instead they see this nonresidential use, that is a change in character. That's what staff is trying to address. That's what the master plan speaks to in some general terms.

COMMISSIONER CHRZANOWSKI: Can I ask something?

CHAIRMAN STRAIN: Go ahead, Stan.

COMMISSIONER CHRZANOWSKI: I'm looking at the aerial photo and it seems like the only place where there's a lot of trees out there of any rural character is this lot and maybe the one next to it. Looks like everybody else cleared all their trees. So you're trying to achieve a rural character there when everybody else around it cleared all their trees.

MR. WEEKS: Look at the broader context, you know, not just the five lots close by. And you're right, absolutely it varies from lot to lot. Some people clear out almost all the vegetation on their lots in the Estates, some people do the exact opposite, they retain almost everything.

But looking at the landscaped scale, the broad scale of Golden Gate Estates, it is very different from the urban area. And we're trying to maintain that character.

Which in this case you're right, in this case it sort of doesn't exist on this site specific location, but the master plan speaking in broad terms says we should try to maintain this character. And so that's what staff is trying to address. We're trying to maintain that rural character, or if you want to say so in this case, maybe it's create it.

CHAIRMAN STRAIN: But you're trying to do that by classifying the church as a commercial use and then saying because it's a commercial use it requires this double row of trees.

MR. WEEKS: As a nonresidential use it is different than allowed almost anywhere else in the Estates, with rare exception you can only have a single-family home on an Estates lot. So the master plan does. When you look at the Conditional Use section next to neighborhood centers it also requires a 75-foot native vegetative buffer. But that is adjacent to the residential. In this case we are trying to hide it from the street view.

CHAIRMAN STRAIN: Do you know when the Mission church project came through why this wasn't instituted on them as well?

MR. WEEKS: I don't know.

CHAIRMAN STRAIN: For consistency.

MR. WEEKS: My guess is because -- looking back at it because staff only recommended denial of the petition.

CHAIRMAN STRAIN: You're recommending denial of this one too.

MR. WEEKS: Right. And at that time we only recommended denial, we didn't propose alternative language.

CHAIRMAN STRAIN: Okay. Well, so -- you know, there's the three C's: Concurrency, compatibility and consistency. And consistency is an equal weight. And I notice one church doesn't have the requirement. I'm a little concerned to how the requirement can be put on a different church. But we'll see where that goes when we get into stipulations.

Anybody else want to ask any questions of Nancy?

COMMISSIONER CHRZANOWSKI: I'm just enjoying the argument. You know, I don't see why you wouldn't want to put in two rows of trees. You know, people are going to know where your church is anyway. But I don't see why you're requiring it in this area. So, you know, I really don't know how I'm going to vote on that sucker.

COMMISSIONER ROMAN: Well, I could see because we're planning for the future. We're planning for the future growth in the area and the multiple laning of both of those highways, you know, that will also have an impact. And I think that the staff has some strong points in terms of maintaining the rural character here.

COMMISSIONER DOYLE: And I'd have to agree with that as well. We're comparing apples to oranges as far as residences being viewable as opposed to commercial buildings being viewable.

CHAIRMAN STRAIN: Okay, anybody else?

COMMISSIONER EBERT: I agree with staff.

COMMISSIONER ROSEN: Mr. Chair?

CHAIRMAN STRAIN: Yes, sir.

COMMISSIONER ROSEN: I have a different perspective. From a developer's or former developer's standpoint of view. When we were planning for large 24 and 2,500-acre subdivisions like PGA National over on the East Coast and Martin Downs, and when I worked for a company here in town that was doing a 8,000-acre development that you'll be seeing soon, you know, we site planned religious, you know, sites intentionally in the residential areas, because we felt that these type of sites were very compatible with residential.

In fact, I actually lived across the street from the Archdiocese of Palm Beach for 15 years, and there was nothing better on Sunday morning than seeing all your neighbors walking and driving to church. My in-laws did it from my house.

And I don't understand the reason why we're trying to hide it. When you take a look at the illustration, that illustration of the building is probably near to be the architecture of a lot of the houses up there, except for the steeple.

I'm very familiar with this type of a situation. I guess you call this a stake, don't you? I have relatives who live in Salt Lake City and in Draper, Utah, and they're all over the place there. And they're just there in the neighborhood. They don't stick out, they don't show. They have a Sunday morning, you know, group like every other religious institute has basically, and they just blend in. We think it's, from a developer's standpoint, a rather nice to have them, actually. So I'm not in favor of hiding it.

CHAIRMAN STRAIN: Thank you, Mike.

Anybody else?

COMMISSIONER HOMIAK: I'm not either. I think one row of trees is fine. They're going to grow into each other anyway.

CHAIRMAN STRAIN: Well, as a resident of the Estates, I have to agree with you and Mike on this one. I mean, I live out there and I can tell you that more people clear their lots than -- they have less trees than any portion of this site that the church is going on. So I don't see what single row is hurting at all. I think it does everything it needs to do for Golden Gate Estates. And like I said, I live out there so it's the difference for me.

COMMISSIONER EBERT: I have a question. So we're going to change the Golden Gate Master Plan right now?

CHAIRMAN STRAIN: Everything about this application is a change to the master plan. That was the whole purpose of today's meeting. There's two applications in front of us. One is to change the master plan for many, many elements, and even the location allowance of the zoning on this site. And the second is for the actual zoning. So yeah, everything's being changed in the master plan by this.

COMMISSIONER EBERT: So the rural characterization is --

CHAIRMAN STRAIN: There's no definition in our code for rural characterization. And that was a stumbling block that we have with every project that comes in, including the recently Ave Maria where they have a new town that has a walkable community with blending. Show me any definition that defines that, and there isn't. So it's pretty wide open. And you can get experts, depending on how much you pay them, to

say anything, whatever you want them to say. You can get architects to say whatever they want them to say. Except for Jim Banks, he's different.

So I don't have a lot of faith that the language rural character means a lot, especially when we allow people in the Estates to clear their lots like they do, as this example shows in front of us. Again, they're going to put more trees on this site than there probably is in many of the home sites collectively around them.

But that's -- it's just a point of discussion we can have when we get to stipulations and we can move into that.

Summer has something anxious to say, I can see. She came up.

MS. ARAQUE: Summer Araque for the record, Environmental Planning.

I just want to put on the record that there is a limitation on clearing. So there may be violations in the Estates that we may not necessarily allow for clearing over an acre, but people may be doing that in violation of the code and there may be code cases out there as well, which are rather costly.

In this case too you have a lot of smaller lots, which are probably 1.14 acres. So they can pretty much clear the entire lot, they just have to leave .14 acres. So that's what you have going on here.

Just wanted to clarify that to make sure we don't have any rumors starting that you can overclear your lot. Thank you.

CHAIRMAN STRAIN: Thank you.

COMMISSIONER CHRZANOWSKI: And .14 acres of a 75-foot wide lot is maybe seven feet wide? You could clear maybe what, 70 feet out of the almost -- almost 70 feet out of the 75-foot wide lot? So like you said, you can basically clear the whole lot.

MS. ARAQUE: Yeah. I mean, generally people go do the depth of the lot, they clear the depth of the lot, not the width of the lot. So you'll see that, you know, they might leave the back .14 acres of a lot. Or just in this case scattered trees throughout.

And then too, there are parts of the Estates and even just a little north of here that are naturally more cleared because of the habitat type and because they were previously agricultural.

COMMISSIONER CHRZANOWSKI: Agriculture, yeah.

CHAIRMAN STRAIN: Thank you, Summer, for the clarification.

Anybody else have any questions of staff before we go to public speakers?

(No response.)

CHAIRMAN STRAIN: Okay. Ray, let's start with the registered public speakers, then we'll go to general public speakers.

MR. BELLOWS: Alan Hamisch.

CHAIRMAN STRAIN: If you're still here and if you could come up and -- he's shaking his head no, so you decline?

UNIDENTIFIED MEMBER OF THE AUDIENCE: He left.

CHAIRMAN STRAIN: Oh, okay.

MR. BELLOWS: Michael McLean.

MR. McLEAN: Michael McLean, M-C-L-E-A-N. I was sworn in earlier.

I appreciate the Board's attention to this and the time that you've taken to look at all the specifics to this.

The only thing I'll address my point to is what we just talked about, is the visibility of the church. First of all, I believe that you'll find as in most cases it has been mentioned that the church typically is a good neighbor in a neighborhood. And it really does go out of its way to make sure that it does blend in with the neighborhood and with the design of the area in the Estates. We really want to make sure that happens.

But it is the church's point to be visible to those who come looking for the church and would like to find the church. So I would like to just be on the record that the single row of trees I think would not only accomplish what we want to accomplish, making the church more visible to those who would be seeking it and coming there, but it would also still have enough trees, given everything that we see in the aerial view to blend into the neighborhood and be within that portion of what you're trying to accomplish. And we appreciate that. That's all I have to say.

CHAIRMAN STRAIN: Thank you, sir.

Next speaker, Ray?

MR. BELLOWS: Michael Park.

MR. PARK: Michael Park. I was sworn in.

This also in regards, you know, I think that, you know, we've kind of had a lengthy discussion about a church, what commercial property is and a church, and I think we've defined that a church is not a commercial building. And I think the camouflaging it and trying to hide it detracts a lot from what the church is going to do in benefiting the surrounding community.

I've spoken with a lot of members out there, both members of the church and even non-members of the church, people of the community out there. And the people that are in support of this church, as mentioned before in the petition, they are excited about a church. They're excited over the presence of a church, because it brings a lot of comfort to the members of the community, knowing that there is a religious institution out there. As we face troubling times, a lot of people are looking for a place. And although many of our participants that come to church would look it up on the address, there are many that are just walking by or driving by and when they notice a church would go in. And so we do think that that visibility is a very pertinent aspect of the church, and it would definitely enhance the beauty of what's going on in the community out there.

We are a very active church in trying to participate with non-members, if you will, of other faiths and working with a lot of the community out there. Our members are very friendly, are very excited to get out there and have made a real effort to try to intermingle with some of the other peoples of faith and try to build some strong relationships. We do want to be a good neighbor and we want to work with the community out there and we want to see what's going to do that best.

And so, you know, I just want to go on record, I'm fully in support of this proposal as is with the single row of trees and with the allotments that we have.

You'll find that as you've talked to individuals in churches, the Mormon churches that have been built around the -- the RLDS churches that have been built across the country, we're great neighbors.

There seems to be a lot of opposition before we build and then afterwards it's like oh, wow, you guys are better than we thought. And so we really do try to go out of our way to be good neighbors and participate with the community on united efforts. Thank you.

CHAIRMAN STRAIN: Thank you, sir.

Next speaker, Ray?

MR. BELLOWS: I have no other registered speakers.

CHAIRMAN STRAIN: Okay. Is there any members of the public that would wish to speak? Come on up and use the microphone, sir.

MR. CANNON: Thank you. My name is Tim Cannon, and I was sworn in earlier.

I'm a new resident of Florida, and I've listened to the discussion here today. And a lot of the talk has been about the mechanics of the building, the parking places, the trees, et cetera.

I'd like to just address the benefit of this project going forward and built. In my professional career I've moved all over the country. I've attended these types of chapels in California, Idaho, Alabama, Missouri, Virginia and even Germany, and none of those chapels were concealed by trees, I assure you.

But the idea of coming to Florida to retire as a retired military officer with my family, we found the church and it was located in an elementary school. Now, I've been a member of this church 40 years and have never gone to church in anything other than a chapel.

And why is that important? Well, when I went to church I sat down in the little plastic chairs in the cafeteria. That's where we meet. And we're grateful that we have a roof over our head and there's air conditioning of that. However, the building provides us a sanctuary and a place of worship. It really doesn't matter where you worship, provided that you're edified in the gospel and teachings that you believe in.

When I needed to talk to my spiritual leader or branch president, he said yes -- I had a concern and he said here, we can meet over here. And to do that, we went into the utility closet on a stage, because that's the only place we could have a private spiritual conversation.

Our children are -- they're assembled in the storage room where they keep the chairs. That's where they meet.

The idea that our group of men, we circle in the center of the auditorium. We see nothing spiritual around us. It's a Sable Cats code of ethics on the wall. Are they Saber Cats? Yeah. There's no -- I teach a gospel doctrine class. I teach the Old Testament. I don't have a chalkboard to write on. There's nothing in that building that facilitates the learning and edification. Nothing spiritual. But its spirit is the people that attend where we can sing. We don't have a place for a choir. We have a -- an electric organ that is transported in and set up on a table where someone plays on a keyboard so they can sing our hymns.

When we say amen at the end of the day, we have to stack all the chairs, pick them up and return the building to its use as a cafeteria for school on Monday.

That's our Sabbath day.

And I would support and ask that this project be approved so that we can go to church, exercise our faith, welcome neighbors and have the Cub Scouts do their pinewood derby in the right room, where we can do things that churches throughout the nation and throughout the world, actually.

And so that's my purpose in saying I'd like to see a church building built so that we can worship as we have done, as I have done over the last 40 years and do so with the love and understanding and welcome this to that community.

These churches are beautiful, they're well maintained and they are good neighbors and they will add benefit to the community. And more so, add benefit to the individuals that live in Golden Gate Estates and attend church. Thank you.

CHAIRMAN STRAIN: Thank you.

Anybody else like to speak on this matter?

Ma'am, come on up and tell us your name. This lady is first and then the lady in the back.

MS. STONE: Hi. My name is Xantippi Stone. It's X-A-N-T-I-P-P-I. Stone.

I am here to support this building. I am a mother of five children. And with the degradation of society, I am so excited to have a representation in my neighborhood. I live on DeSoto and 22nd Avenue Southeast. And the drive and all of the expenses incurred to just see that my family attends a church of our choosing on the Sabbath, the overwhelming problems that happen just to get your family to a church on Sunday, I'm so thankful for this opportunity to propose such a building in my area. I think it will beautify the area.

I know that there are several external influences. And having a place of worship in the area would do nothing but build the society in the area and improve on -- I have attended church all over the country, and they are beautiful and they bring up the area. And I'm thankful that I've had this opportunity to speak. Thank you.

CHAIRMAN STRAIN: Thank you. I think you're the first person who ever had to spell their first name.

Ma'am, you want to come up?

You were not sworn in? Okay. This lady will take care of that.

(Ms. Fuentes was duly sworn.)

MS. FUENTES: My name is Julie Fuentes. And I'm a neighbor. I see picture right there from my home. It's right there, 2621 Everglades Boulevard. I'm this person who collect the signature. And all these people who just give me signature always see me and say hey, when is coming this church so we go praise God? Because when this role is called up yonder, we be there. So I say well, we need to pray for all you over here, you'll make possible for us to have this church, this blessing and be beautiful next to my door.

This is blessing. So I hope it's coming soon this beautiful day. And we celebrate.

And God give you lot blessing to make possible for all the Estate people which one we need to drive so far to go in church. And when we drive so far, then we forget what we need to say for heavenly Father, right? And we go close when we have problem and we bend the knee and say hey, heaven -- Father, I have this difficult time because we everybody have difficult time.

I don't know your problem, but God know your problem. And He make easy to carry your heavy cross. I know Heavenly Father say take your cross and follow me, so that's what we do this morning. We just pray for this church, make it possible.

So I hope soon we be have this some answer and then me and my beautiful home come close to you.

So may God bless you. Thank you for listening. If I say some extra, forgive me. And we be have no more snake over there and we be no have bee. Because now we have bee over there and yesterday bee, big pain, so I have right here and I have right here. So thank God it's only two, because if it's five I be in the hospital. So I know be no more bee, no more snake; this be blessing and rejoice. God bless you.

CHAIRMAN STRAIN: Thank you, ma'am.

Anybody else wish to speak on this item?

(No response.)

CHAIRMAN STRAIN: With that, is there any rebuttal by the applicant?

MR. ANDERSON: Just to address the tree issue.

CHAIRMAN STRAIN: Yeah, that's turned out to be an overwhelmingly bigger issue than it should be for something of this nature.

MR. ANDERSON: Well, first of all, as a point of local pride, this church was prepared by noted local architect Matthew Clay.

And I want to reiterate that the double row is only required for commercial uses. And the Mission subdistrict, which is in the Golden Gate Master Plan, has the same type of buffer that we are requesting along six-lane Oil Well Road. And it's for a much larger church. It's on 21.7 acres and it allows schools, medical uses, job training and vocational uses, a church. The size of all the buildings is 90,000 square feet. And it can be a 1,000 seat church. And of course ours is much, much smaller.

And I would respectfully say that a six-lane road does not lend itself to a rural character. And if -- I don't know if it would be possible or not, but perhaps a separate vote on the landscape buffer issue. And thank you very much for your time.

CHAIRMAN STRAIN: Thank you, Bruce.

We're going to walk through and you might as well -- if you don't mind standing there to make sure we've addressed the issues. You may not agree with them all, but I'd like to make sure we've addressed everything that needs to be addressed.

And if staff hears something that we didn't address that needs clarification, please speak out so we can get this resolved.

First of all, we'll close the public hearing and go into discussion on a potential motion.

As we typically have done, if you all don't mind, as we went along I've wrote a list of issues and we'll just kind of talk about them and see how we want to finalize them for final recommendation.

First one is we'd accept the staff GMP and the Conditional Use recommendations except as follows: The very first one is the least controversial item, it's whether we have single or double row trees along the boulevards. That was facetious. I figured you'd all jump up and say wait a minute.

This double row and single row issue seems to unfortunately become one of the bigger issues for all of the discussion we've had today. And I'd like to get this board's feeling on it as a stipulation, because there's two things we need to consider. If we can be in unanimity on this issue, that would help our vote going forward, plus it would allow the applicant to remain on consent and hopefully get through the process. David's shaking his head -- oh, it's because it's a GMP, it can't go on consent.

MR. WEEKS: Well, no, but because staff has recommended denial it would not be able to go on consent. You're referring to the Board.

CHAIRMAN STRAIN: Yeah, I'm referring to the Board. So because of your denial it won't go on consent.

MR. WEEKS: Or summary agenda, correct.

CHAIRMAN STRAIN: Okay. Well, I missed that piece. Okay, so that part's out of the table.

As far as double or single row, how does the -- I mean, I know you all expressed yourself. I'm asking you based on the testimony of the public to rethink your position. And with that, I'll ask -- and Charlette, since you were one of the first to speak out on the double or single row, would you be comfortable with a single row or are you insisting on double?

COMMISSIONER ROMAN: Well, I think there's some variables. And I'm open, but I think I'd like to make a couple comments.

I don't think that landscape buffers as intended by the code are to hide a church. And I think that

comment that's been said, I don't think that that's really the intent for this particular project. And I've heard the words hide the church a couple of times, and for me that's certainly not at the center point of my concerns.

At the same time, you know, we've heard the church compared to commercial. And there were some excellent points on how they're different. But in some ways they're the same in the sense that they have a parking lot, they have lights, they have cars, they have asphalt, they have concrete and they generate noise. So in those aspects there are some things that are similar but maybe not as intense as a commercial property that landscape buffers are designed to at least filter or shield or to help protect adjacent communities, particularly different zoning districts.

So in that case I think that the fact that we have a buffer that we're planning on is an important aspect of this project, and I think you'll agree with that, Bruce.

Now, where we get into these two rows of trees or one row of trees, the aspect is is what can best provide for both. And even though we're talking about a single row of trees, we don't know what the plant material is, the trees, that kind of thing.

MR. ANDERSON: Yes, we do.

COMMISSIONER ROMAN: Okay. What kind of trees did --

MR. ANDERSON: It's Exhibit 6 of the Conditional Use application. We're very specific about the types of plantings that will go in.

COMMISSIONER ROMAN: Now I understood when Nancy got up here that Nancy hadn't reviewed that list and there was some disconnect there; is that correct?

MR. ANDERSON: Okay, no, let me correct myself. That's for the 75-foot buffer adjacent to the residential, not along the right-of-way as I mistakenly stated.

COMMISSIONER ROMAN: Well, you know, the Chair -- and Mr. Chairman, in all respect, I mean, you're envisioning huge trees that are overlapping and hiding everything to the point where you can't see through the buffer. There is some variation there, depending on the plant material that's selected, those trees may not be as large in terms of full grown. And the timeframe for that growth can take long periods of time. So there's many variables here.

So I think the issue is not as simple as single row of trees or double row -- or staggered rows of trees, more specifically, what the GMP language states.

So I would feel more comfortable if we address some of those issues, if we can, because I have a tendency to agree with staff in this issue. Because it's not just this church and this project, as Bruce stated. And I wasn't on the commission at the time, there was another project that came through that there was some conditions or stipulations that were less than a staggered row of trees.

So, you know, if we continue down this path then we won't have this rural character that at least was intended for the Golden Gate Estates area. And maybe at this point the timing is such that we change that, I don't know. But that's the path that we're headed towards. And I personally in this case support staff's recommendation unless I can get some clarification or some assurances that that buffer would meet those requirements.

CHAIRMAN STRAIN: And I guess as a follow-up, Nancy, is this buffer intended to reach a certain opacity within a certain time frame? And if so, could you tell us what that is? If not, tell us that too.

MS. GUNDLACH: A Type D buffer does not have an opacity standard.

CHAIRMAN STRAIN: Okay. So in reference to Charlette's comments then, if they were to put a double row in, they could put a double row of single cabbage palms.

MS. GUNDLACH: Actually, I'm going to defer to -- you're talking about the exact language in the Growth Management Plan.

CHAIRMAN STRAIN: No, I'm trying to get to Charlette's point. If a double row offers no -- requires no opacity and you just stick a spindly tree in every 15 feet to meet the requirement, and they're willing to put a single row of, say, something like a live oak or a species like that, maybe we're better off with a better single row than a lousy double row. Because, I mean, it doesn't sound like we have a regulation on this particular type of buffer where we'd be stuck with a quality double row. So can you answer that question?

MS. GUNDLACH: It comes down to the tree species that are selected, what their growth habit is.

CHAIRMAN STRAIN: Do we have a requirement for that species?

MS. GUNDLACH: 75 percent native.

CHAIRMAN STRAIN: Okay. So you're telling me that on a double row every 15 feet they could stick a cabbage palm.

MS. GUNDLACH: Up to 30 percent along a right-of-way can they use palms.

CHAIRMAN STRAIN: What else is available?

MS. GUNDLACH: Native canopy trees.

CHAIRMAN STRAIN: Okay. I'm sorry, I'm not a landscape person. Native canopy trees. Are there better, more broad canopy trees or are there things like -- let's take cypress. We had a shopping center in North Naples that had oaks all over its parking lot and they tore all the oaks out because they couldn't get visibility and they put cabbage palms and cypress in and all hell broke loose. And the cypress was there and of course they drop all their leaves and they are very spindly and you can see through them.

We could have the same thing here in the double row, cypress?

MS. GUNDLACH: Well, that would be incredibly unpopular. I wouldn't recommend they do that.

CHAIRMAN STRAIN: I'm back to what the code allows. I'm just trying to make sure, if we envision something and we can envision it with a single row of oaks rather than a double row of cypress and mixed with palm, are we better off doing that? And I don't know if the applicant has an objection to that, but that might be a solution, everybody's concerned on this single/double row thing which has gotten more attention than it may need to have gotten.

COMMISSIONER ROMAN: Plus canopy trees are better habitat, so that's another plus.

CHAIRMAN STRAIN: Okay. So I guess from Bruce, Anita, somebody's viewpoint, if we were to specify a single row of live oaks, would you have a problem with that? And Nancy, is that a problem from review side?

MS. GUNDLACH: It's not a problem from review's side.

CHAIRMAN STRAIN: Okay.

MS. GUNDLACH: It just depends on what the commissioners choose to request. We can enforce a single row or a double row.

CHAIRMAN STRAIN: So can the applicant address that question about the species?

We normally -- we're really getting out in the weeds -- actually the trees on this one. It's more than I expected.

Bruce?

MR. ANDERSON: Yes, we would be willing to commitment to live oaks.

CHAIRMAN STRAIN: Okay. So you would commit to a single row of live oaks at 30 foot on center.

MR. ANDERSON: Yes, sir.

CHAIRMAN STRAIN: Charlette, does that provide you with a level of comfort?

COMMISSIONER ROMAN: Well, I think the large canopy tree, large native canopy tree would be acceptable for me, even if we didn't specify live oaks. Because the staff may want to work with the applicant in doing a mix of canopy trees out there for a more varied appearance and buffering.

CHAIRMAN STRAIN: Okay, so a large canopy native tree would make you --

COMMISSIONER ROMAN: I could support it with that.

CHAIRMAN STRAIN: Now let's go to Brian.

COMMISSIONER DOYLE: Two comments. In lieu of what has just gone on, I could support that 100 percent. And I am in support of the project moving forward.

My only other concern is that we seem to have set precedent somewhat as you have stated with the Mission subdivision. And would that apply -- I know we've stated church and commercial being two different. Would we be setting precedence for those other three corners to not abide by a particular setback allowing them to say but look, the church across the street has done this and it would take away from the Golden Gate Growth Management Plan going forward?

MR. WEEKS: My answer to that is that's always possible. Just as in this case this applicant could have pointed to Mission subdistrict and said we want exactly the development standards and buffering

requirements that they got.

The next development, if this is approved, could come in and say we want what the RLDS Church got. I mean, that's always a possibility. But applications are supposed to be reviewed on a case-by-case basis. Circumstances for any given site may be different and might warrant a different outcome.

CHAIRMAN STRAIN: Karen?

COMMISSIONER DOYLE: I'm good.

CHAIRMAN STRAIN: Karen, do you have any comments on the double row or single row spacing?

COMMISSIONER HOMIAK: I'm still fine with the single row.

CHAIRMAN STRAIN: Okay. And I too am fine with the single row.

Diane?

COMMISSIONER EBERT: Well, you know, it's not that the church is not going to be approved. Has nothing to do with that. And so the people in the audience should know that. I'm very much of a church person.

The problem is, Collier County's Land Development Codes and their different areas in which it's our own, how do I put this, this is our own things that we have put on different portions of land throughout Collier County. So it has nothing to do with the church, it has to do with the landscaping pretty much around it and the Conditional Use. So that's it. It's just pretty much -- it's our Land Development Code, it's nothing to do with the church. Everybody here wants a church, I'm sure.

CHAIRMAN STRAIN: Mike?

COMMISSIONER ROSEN: I'm okay with the single row, the canopy row.

CHAIRMAN STRAIN: Stan?

COMMISSIONER CHRZANOWSKI: Single row.

CHAIRMAN STRAIN: Okay. Let's move on to the next one then. We have a 20-foot width in lieu of 15 feet. As staff has recommended, the applicant has no problem with that, and we would move that to the -- and I want to ask David or Michele, I suggest that we take that requirement and move it out of the GMP recommendations and leave it just in the CU recommendations. Does that work for you guys?

MR. WEEKS: I'm sorry, which condition?

CHAIRMAN STRAIN: Okay, the 20-foot width requirement for the landscape buffer along Randall and Everglades, the applicant's fine with that. I want to leave it in the CU and not have it in the GMP, or is that needed in the GMP for a reason?

MR. WEEKS: Staff's okay with it being within the CU.

CHAIRMAN STRAIN: Thank you.

And if you all have comments as I read these, just speak out, please, because I want to make sure I get everybody's input.

Cap the parking spaces to what is on the plan. And then again, I'd suggest we take that out of the GMP and leave that in the CU. And that's 131 spaces.

Next one would be allow sidewalk to be built where the current standards provide in the current right-of-way unless applicant agrees to allow it on their property and then eliminate the sidewalk language in the GMP and leave it in the CU.

Anybody have any issues with that?

(No response.)

CHAIRMAN STRAIN: Okay, number six --

COMMISSIONER EBERT: Say it again?

CHAIRMAN STRAIN: Allow the sidewalk to be built where the current standards allow it to be in the current right-of-way, unless the applicant agrees to allow their property -- to allow it on their property. And then eliminate the language being in the GMP that restricts the sidewalks and leave it just in the Conditional Use application.

Number six, excess the drive throat depth to remain -- access drive throat depth to remain as the Comp. Plan language dictates. And that one would stay in the Comp. Plan.

Seven: Retain the 75-foot buffer allowance and allow the 10-foot buffer to be within the 75. Then

remove the buffer language from the GMP and put it in the Conditional Use.

Is that -- if staff sees any problem with this reasoning, speak out. Not in regards to whether you agree with it or not but whether it can be in or out of the GMP and the CU.

Remove the 30-foot setback buffer notation. It's in the buffer. I think we spoke about it. There's a 30-foot setback notation shown in the 75-foot buffer, and that would come out of the site plan.

On the site plan we would drop the site standards table from Page 2 of the site plan.

And on Page 2 of the site plan, we would change the note on the site plan, note number one, and reference the maximum spaces as referenced on the site plan, 131.

And then remove the setback language from the GMP to the Conditional Use, the setback language as proposed by staff. But that would be in the Conditional Use, not the GMP.

I believe that's all the notes that I made. Does anybody have anything else that should be considered? Charlette?

COMMISSIONER ROMAN: Not anything to be considered, but just for clarification, when we went to the single row of trees versus a staggered row of trees in our consideration, we retained the hedge row as well, right?

CHAIRMAN STRAIN: Absolutely. The only thing changed would be the trees.

COMMISSIONER ROMAN: Okay, just wanted to clarify.

CHAIRMAN STRAIN: Anybody have anything else?

(No response.)

CHAIRMAN STRAIN: Is there anything from staff that would not work in what we've described?

(No response.)

CHAIRMAN STRAIN: And Bruce, are you clear on everything? Anita is not, okay.

MS. JENKINS: I just need a clarification. When we go back to one row of trees, that is the proposed Type D buffer that we have on the site plan. That's two hedge rows with one row of trees.

CHAIRMAN STRAIN: Correct. But the row of trees will be a native canopy tree 30 feet on center.

MS. JENKINS: Correct. So we can stipulate the type of tree and leave the notation on the master plan, because that Type D buffer, the buffers are required to be part of the master plan, so we can leave it at Type D and --

CHAIRMAN STRAIN: It would be 20 feet though instead of 15.

MS. JENKINS: Correct. We'll change the width.

CHAIRMAN STRAIN: Yes. I think that's what we're saying. The only thing I want to make sure is use native canopy trees instead of the palms and the cypress and things like that.

MS. JENKINS: Okay.

CHAIRMAN STRAIN: Okay?

COMMISSIONER ROMAN: And that would be the supplemental. Because I think that it allows you -- as I read the language, it allows you to retain some of the native vegetation that's on-site in that buffer.

MS. JENKINS: Correct.

MR. WEEKS: That was going to be my question. Because it's a question, actually, for Nancy, I think, and that is that this entry that we're speaking of, the 20-foot wide landscape buffer, or the staggered hedge and so forth, I'm reluctant to agree to simply change that to refer to a Type D buffer in the LDC if that Type D buffer does not include all of the information that is in this entry, including the retention of native vegetation --

MS. GUNDLACH: Could I make a suggestion?

CHAIRMAN STRAIN: Sure.

MS. GUNDLACH: Perhaps we just copy the same language that is in the Growth Management Plan Amendment, but instead of saying double hedge -- I'm sorry, we're confusing hedges and trees again. Instead of -- just say a single row of trees instead of a double row of trees.

COMMISSIONER ROMAN: Well, doesn't it say the buffer shall contain two staggered rows of trees?

MS. GUNDLACH: We'll just say shall contain one row of trees. That would work.

CHAIRMAN STRAIN: David?

MR. WEEKS: Yes, but I think we added, through the Planning Commission's discussion, I believe insert large native canopy trees?

CHAIRMAN STRAIN: Right.

MR. WEEKS: Or just canopy? Large native canopy trees?

COMMISSIONER ROMAN: I think Nancy can help me. A live oak would be a large tree.

MS. GUNDLACH: Yeah, we can -- the best way to accomplish that is just to exclude palms.

CHAIRMAN STRAIN: Well, you've got cypress too. I'd rather --

MS. GUNDLACH: Thank you for reminding me, yes.

CHAIRMAN STRAIN: I was suggesting --

COMMISSIONER ROMAN: We want some good big trees out there.

MS. GUNDLACH: So we'll put excluding palm trees and cypress trees.

CHAIRMAN STRAIN: Well, I don't know if that's all of them. What's wrong with leaving it in as large native canopy trees?

MS. GUNDLACH: Because we have a native canopy list that includes royal palms, for example.

CHAIRMAN STRAIN: Are those considered large canopy trees?

MS. GUNDLACH: That's on our -- yes, it is.

CHAIRMAN STRAIN: That's a canopy tree?

MS. GUNDLACH: Uh-huh.

MR. BELLOWS: So is cypress.

CHAIRMAN STRAIN: So is cypress?

MS. GUNDLACH: Yes.

CHAIRMAN STRAIN: Aye, yi, yi.

MR. BELLOWS: That's why we want to make sure --

CHAIRMAN STRAIN: Okay. Well, that's a good point then.

So use a single row of large canopy trees 30 foot on center, not including cypress or palms.

MS. GUNDLACH: Correct.

CHAIRMAN STRAIN: And then we're supposed to use the language that's noted in the GMP and move that to the CU in lieu of specifying a Type D buffer.

MS. GUNDLACH: Correct.

COMMISSIONER ROMAN: And it's pretty detailed other than that one change.

MR. WEEKS: Mr. Chair?

CHAIRMAN STRAIN: Yes, sir.

MR. WEEKS: Be on Page 11 for a second, third paragraph down, which is where it refers to the 10 feet wide Type B buffer. If I understood the Planning Commission's discussion so far, that in addition to being moved to the Conditional Use, that would be I think combined with --

CHAIRMAN STRAIN: It would with inside the 75-foot buffer adjacent to the parking lot as shown on the site plan. They have it on their site plan.

MR. WEEKS: Okay, thanks.

CHAIRMAN STRAIN: Okay, Michele?

MS. MOSCA: Mr. Chairman, I just want to put the site plan back on the visualizer, because I want to make sure that 10-foot Type B buffer extends all the way around the parking area. It doesn't appear that it does. Let me just make certain that it does.

CHAIRMAN STRAIN: Put it on the overhead and we'll take a look at it.

By the septic tank is about the only location, maybe a little piece on the north -- on the west end. Okay.

MS. MOSCA: I'm not certain if that's going to be screened as well. It looks like, based on my discussion with the applicant, that's all preserve.

CHAIRMAN STRAIN: So why would they need a buffer?

MS. MOSCA: They don't. I just wasn't certain how far along the northern --

CHAIRMAN STRAIN: The northern or the western?

MS. MOSCA: The western.

CHAIRMAN STRAIN: The western, it looks like it goes down to where the curb starts, a little shy of that.

MS. MOSCA: Okay.

CHAIRMAN STRAIN: And the northern, it goes up except to where the septic tank is, it looks like.

COMMISSIONER CHRZANOWSKI: It's not a septic tank.

CHAIRMAN STRAIN: Well, I'm sorry, a drain field. I'm sorry.

COMMISSIONER ROMAN: Are you wondering where it ends around the curb?

MS. MOSCA: I see that now where it ends right at the curb. It was like an open area. I didn't realize that there was a separation there. The applicant just informed me that, there's a separation there between the preserve area and the parking along Randall.

COMMISSIONER ROMAN: Is it good?

MS. MOSCA: That's fine.

CHAIRMAN STRAIN: We're good.

Okay. Now, is there anything else from anybody that is not clear?

(No response.)

CHAIRMAN STRAIN: Please don't tell me it's the trees again.

COMMISSIONER ROMAN: If it's Nancy it's going to be trees.

CHAIRMAN STRAIN: Nancy, do you have anything else?

MS. GUNDLACH: Maybe I should step away.

CHAIRMAN STRAIN: Okay, we've walked through about nine different stipulations, and we have talked them out. I'd like to suggest that everything has been explained carefully enough to include the stipulations that we've discussed and refined, and any motion that's made, if the motion maker is so inclined, and at the same time this motion, include the fact we will not need a consent agenda, this can be finished today with instructions given to staff pending, one final comment, staff's clear on everything both GMP and zoning.

MS. GUNDLACH: I'm clear.

CHAIRMAN STRAIN: Okay. And I will forward both of you my notes after the meeting so you can see what I'm doing.

MS. GUNDLACH: Thank you.

MS. MOSCA: I'm sorry, the only one question I have remaining again is the sidewalk. This is on Page 11 of the Comprehensive Planning staff report.

CHAIRMAN STRAIN: We're suggesting that be removed and moved into the Conditional Use recommendation.

MS. MOSCA: But the location setback of the sidewalk, I wasn't clear on what you said.

CHAIRMAN STRAIN: Well, I mean, especially since Diane is so insistent on the LDC, I took her lead, allow sidewalks to be built where current standards provide in current right-of-way, unless applicant agrees to allow it on their property. And then eliminate the sidewalk language from the GMP and put it in the Conditional Use.

All we're saying is like everybody else, they abide by the Land Development Code for those sidewalks. I understand transportation's concern, but it could be decades off before that road's -- well, it will be -- before that road's ever widened.

So, I mean, whether they put the sidewalk further up into their property or out there, I'm not sure why we would care, especially since we don't know if the widening's going to occur to the extent it's anticipated.

MS. MOSCA: Okay, thank you.

CHAIRMAN STRAIN: As you -- go ahead, Ray.

MR. BELLOWS: Ray Bellows.

Would this still allow for them to pay in lieu of?

CHAIRMAN STRAIN: Sure. I don't see why they wouldn't hold it up. It's just that apparently the pricing can't be found to be agreeable. Which I don't blame them, if they got a better price, they should be able to benefit from it.

David?

MR. WEEKS: I was going to suggest, I think a minor shortening of that language that you suggested was going to say allow sidewalks to be built as allowed by the LDC.

CHAIRMAN STRAIN: That's fine. Yes, that's all I was intending.

MR. WEEKS: Unless the applicant is willing to construct on-site. And if that is an allowance by the LDC right now, you don't even need to add that last phrase. I just don't know if it is or not.

CHAIRMAN STRAIN: Does anybody know?

COMMISSIONER EBERT: John's coming.

CHAIRMAN STRAIN: Bruce, did you want to --

MR. ANDERSON: Add to the confusion? Yes, sir.

If it's, you know, already in the Land Development Code that allows that option, I don't think we're foreclosing it here.

MR. PODCZERWINSKY: The sidewalks would be allowed to be built on-site as long as they're within an easement. I would recommend it would be a public access easement dedicated to the county that would protect the applicant. It would be handled at the time of SDP.

CHAIRMAN STRAIN: Okay. Well, so the language combining what David said, what we had originally discussed, allow the sidewalk to be built as allowed in the LDC, unless the applicant agrees to allow it on their property. Both work. Okay, so I don't know what else we need to say on the matter, I think it works.

COMMISSIONER CHRZANOWSKI: Does the easement have to be connected to another right-of-way or easement, or can they just create an easement right around that little strip of sidewalk?

MR. PODCZERWINSKY: I think they could create an easement right around that little strip of sidewalk, but it would probably be in their best interest to make it adjacent to the existing right-of-way or have a connection to it.

COMMISSIONER CHRZANOWSKI: Well, I'm saying if there's no easement to get you to the sidewalk then you have an argument, what were you doing on the sidewalk?

MR. PODCZERWINSKY: I understand. Definitely it's a detail we would have to work out at the time of SDP. And we'd definitely be willing to work with the applicant to figure it out.

CHAIRMAN STRAIN: Well, this provides the option to get you guys to do it, if that's what the outcome's going to be.

So with that, anything else we need to add by anybody?

(No response.)

CHAIRMAN STRAIN: Okay, hearing -- I'll definitely close the discussion at this point and we'll seek a motion from the Planning Commission. Is there anybody wishes to make a motion?

COMMISSIONER ROSEN: Mr. Chair, you've got two documents. You want to take one first or both at the same time?

CHAIRMAN STRAIN: Good point, Mike, thank you. We should take the GMP first and then -- but I think you could also subject the GMP to the same stipulations that we're going to have for the Conditional Use because they apply back and forth.

COMMISSIONER ROSEN: Okay. So I make a motion to approve -- we're going with CU-PL --

COMMISSIONER EBERT: You need to be on the mic.

COMMISSIONER ROSEN: Oh, I'm sorry. I make a motion to approve CU-PL20110002615 per the stipulations that have just been articulated.

CHAIRMAN STRAIN: Is a second to the motion?

COMMISSIONER HOMIAK: Second.

COMMISSIONER ROMAN: I'll second.

CHAIRMAN STRAIN: Karen seconded.

Discussion?

(No response.)

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

COMMISSIONER DOYLE: Aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER ROSEN: Aye.

COMMISSIONER CHRZANOWSKI: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 7-0.

Now for the Conditional Use. Anybody have a motion on the Conditional Use?

MR. WEEKS: Mr. Chairman, I believe Mr. Rosen's motion was for the Conditional Use.

CHAIRMAN STRAIN: Oh, is that the one you read off?

COMMISSIONER ROSEN: Yeah, that's the one.

CHAIRMAN STRAIN: You want to read off the other one, the GMP Amendment?

COMMISSIONER ROSEN: Yes. PL20110002626/CPSS-2012-1.

COMMISSIONER ROMAN: I'll second.

CHAIRMAN STRAIN: That was a motion to approve with the stipulations as articulated.

COMMISSIONER ROSEN: Yes.

CHAIRMAN STRAIN: And that's what -- the second confirms that?

COMMISSIONER ROMAN: Yes.

CHAIRMAN STRAIN: Discussion?

(No response.)

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

COMMISSIONER DOYLE: Aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER ROSEN: Aye.

COMMISSIONER CHRZANOWSKI: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 7-0.

Thank you all for coming today for the enlightening discussion on staggered row trees.

MR. ANDERSON: Thank you very much.

CHAIRMAN STRAIN: Thank you, Bruce, appreciate the time.

***And with that, we'll move into the balance of the agenda. The only thing I'd add, there was no old business.

***Under new business, typically the October month of the each year is when -- David? Oh, typically the October month of each year is when we address anyone that wants to make any changes to the officers of the Planning Commission, which is the Chair, Vice Chair and Secretary. It's after the new board has been seated, which we have two old members that are new members. And both Karen and Diane, they got reappointed, thankfully. So we have a complete board.

Does anybody want to make a motion on the officers, whether to change them or whether to leave them as retained?

Stan?

COMMISSIONER CHRZANOWSKI: I'll move to leave them as retained.

COMMISSIONER ROMAN: I'll second that.

CHAIRMAN STRAIN: Move to keep them as retained as they currently are. And there's been a motion and second.

Discussion?

(No response.)

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

COMMISSIONER DOYLE: Aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER ROSEN: Aye.

COMMISSIONER CHRZANOWSKI: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 7-0.

Thank you all. It was a good meeting, actually. I enjoyed the conversation. We got a lot of stuff on the table that hadn't been discussed before so that's all good.

With that, is there a motion to adjourn?

COMMISSIONER ROMAN: So moved.

CHAIRMAN STRAIN: Charlette. Seconded by?

COMMISSIONER ROSEN: Second.

CHAIRMAN STRAIN: Mike.

All in favor, signify by saying aye.

COMMISSIONER DOYLE: Aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER ROSEN: Aye.

COMMISSIONER CHRZANOWSKI: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.


CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries, we are out of here. Thank you all.

There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 11:51 a.m.

COLLIER COUNTY PLANNING COMMISSION


MARK STRAIN, Chairman

These minutes approved by the board on 11-6-14 as presented or as corrected .

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