

August 18, 2016

TRANSCRIPT OF THE MEETING OF THE
COLLIER COUNTY PLANNING COMMISSION
Naples, Florida, August 18, 2016

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 a 9:00 a.m., in REGULAR SESSION in Building "F" of the Government Complex, 3299 East Tamiami Trail, Naples, Florida, with the following members present:

CHAIRMAN: Mark Strain
Stan Chrzanowski
Diane Ebert
Karen Homiak
ABSENT: Wafaa F. Assaad

ALSO PRESENT:

Raymond V. Bellows, Zoning Manager
Heidi Ashton-Cicko, Managing Assistant County Attorney
Tom Eastman, School District Representative

PROCEEDINGS

CHAIRMAN STRAIN: Good morning, everyone. Welcome to the Thursday, August 18th meeting of the Collier County Planning Commission.

If everybody will please rise for Pledge of Allegiance.

(The Pledge of Allegiance was recited in unison.)

CHAIRMAN STRAIN: Thank you. Before we do roll call, I did have Mr. Assaad contact me. He's had something come up. He will not be able to be here today, so it's an excused absence.

So with that, I'll ask the secretary to please do the roll call.

COMMISSIONER EBERT: Yes. Good morning.

Mr. Eastman?

MR. EASTMAN: Here.

COMMISSIONER EBERT: Mr. Chrzanowski?

COMMISSIONER CHRZANOWSKI: Here.

COMMISSIONER EBERT: Ms. Ebert is here.

Mr. Strain?

CHAIRMAN STRAIN: Here.

COMMISSIONER EBERT: Ms. Homiak?

COMMISSIONER HOMIAK: Here.

COMMISSIONER EBERT: Thank you.

CHAIRMAN STRAIN: Okay. And that brings us to addenda to the agenda. We do have one item on the agenda today. It's 10B. It's a deviation discussion. Since that was put on the agenda -- or requested to be on the agenda by Mr. Assaad, I'd like to suggest we delay discussion on that until he returns.

Does anybody on the Board --

COMMISSIONER EBERT: I'll make a motion.

CHAIRMAN STRAIN: Is there a second?

COMMISSIONER HOMIAK: Second.

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

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries. Thank you.

Commission absences: Our next meeting is September 1st. Does anybody know if they're not going to be here?

(No response.)

CHAIRMAN STRAIN: We're getting down to critical numbers here, folks, so I'm glad you're all going to be here.

And with that, we'll move on to approval of the minutes. We electronically received July 7th and July 21st. We'll take them individually. Is there either a motion for corrections or a motion to approve July 7th?

COMMISSIONER CHRZANOWSKI: I'll move to approve July 7th.

COMMISSIONER HOMIAK: Second.

CHAIRMAN STRAIN: Made by Stan, seconded by Karen.

Discussion?

(No response.)

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

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 4-0.

The next item is July 21, 2016. Is there a motion?

COMMISSIONER CHRZANOWSKI: I'll motion to approve.

COMMISSIONER HOMIAK: Second.

CHAIRMAN STRAIN: Same motion maker and second. Discussion?

(No response.)

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

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 4-0.

BCC report and recaps. Ray, I doubt if you've got anything since they've been on vacation, correct?

MR. BELLOWS: That's correct.

CHAIRMAN STRAIN: Okay. Chairman's report: We're just going to move right into things today, folks, so -- I don't have anything to spend any time on.

Consent agenda: There's none from our last meeting, so the first advertised public hearing, and the only advertised item for today's hearing other than the RFMUD discussion under new business -- and, by the way, the RFMUD, if any of you are here, it's a Rural Fringe Mixed Use District. That's Item 10A. That's an information-only presentation and briefing by staff. This board's not expected to make any -- take any motion or any position on it today. It's strictly an update.

***So with that, we'll move into 9A. It's PUDZ-PL201500001945. It's known as the Vincent Acres RPUD, and it's on the south side of Davis Boulevard just west of the 951 intersection.

Patrick, if you'll remain seated for just a minute.

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

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

CHAIRMAN STRAIN: Okay. We'll do disclosures from the Planning Commission, and we'll start over with Stan -- or Tom, I'm sorry.

MR. EASTMAN: None.

CHAIRMAN STRAIN: Stan?

COMMISSIONER CHRZANOWSKI: I haven't heard anything from anybody.

CHAIRMAN STRAIN: Diane?

COMMISSIONER EBERT: Same here.

CHAIRMAN STRAIN: I've heard a lot from a lot of people. So I did talk with the people from Habitat. I've talked with two separate citizens groups who were trying to understand the process and the various application differences in Vincent Acres versus the other Habitat project on Whitaker Road. I see some people are here today that I spoke to, so we'll have that kind of input.

And I believe -- and, of course, I met with staff, and I've also looked at a lot of history in the files in the project.

Diane --

COMMISSIONER HOMIAK: Karen?

CHAIRMAN STRAIN: Karen, I'm sorry. I'm looking left and thinking right.

COMMISSIONER HOMIAK: I was at the NIM, so I spoke to Lisa Lefkow and Nick and Patrick. I guess that's all.

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

And, ladies and gentlemen, what we normally do is we get a presentation by the applicant; Planning Commission will ask questions as it moves along; we also have a staff report, and then we go to registered public speakers. If you haven't registered and given a slip to the gentleman over here, I'll still ask for anybody that would like to speak after the registered public speakers are completed. So one way or another, if you're here today, you'll have an opportunity to speak.

And with that, Patrick, it's all yours.

MR. VANASSE: Good morning. My name is Patrick Vanasse. I'm a certified planner with RWA. I'm joined here this morning by Nick Kouloheras who is the executive director for Habitat for Humanity. He is also the applicant.

We have Derek Rooney with us, who is the land use attorney. He's with GrayRobinson; Norm Trebilcock, our transportation consultant; Mike Myers, our ecologist with Passarella; and from RWA, we also have Keisha Westbrook, who is the project engineer; and Ashley Caserta, also land use planner with RWA.

So it's with great pleasure that we are here this morning to -- let me expand this.

CHAIRMAN STRAIN: You want to hit slide show play.

MR. VANASSE: Yeah. It's a little different than mine, okay. Slide show right here.

CHAIRMAN STRAIN: From beginning; there you go.

MR. VANASSE: Okay. So as I mentioned, it's a great pleasure for us to be here this morning for two main reasons. One, we have worked with Habitat for many years, and we consider ourselves a partner, and we're very proud to work with them.

We fully support/embrace their mission and their vision to provide decent, safe, quality housing for deserving people in Collier County. And we all know that affordable housing is a challenging issue, not just in Collier County but throughout the country. And no matter where you stand, I think, on the issue -- and it's obviously political -- we can all agree that housing costs in Collier County are significant and that there's a need for some kind of affordable housing, and what we truly respect from Habitat is this is a private, non-profit, nongovernmental entity that's identified that need, and every day they've worked towards meeting that need.

So we believe that every day they help a lot of families and create better futures for families and the community in Collier County. So we're proud to be a partner.

Second reason why we're happy to be here is that we think that the project that we're presenting today is an excellent project and incorporates many innovative planning concepts and some great design features.

So before I go into those, let me go over where we're located and what -- a quick summary of our request today.

So we're located at the intersection of Davis Boulevard and Market Street. The project site is approximately 17 acres. So Davis Boulevard is located to the north, and beyond Davis we have Saddlebrook, which is a multifamily residential project, and adjacent to that is residential -- residentially zoned land, which is vacant. To the east of us we have Market Street. Beyond that we have a commercial strip center, some preserve, and some more commercial.

To the south of us we have an FDOT water management pond on government-owned land that is zoned RMF-12 and agricultural, and to the west of us we have Cedar Hammock community, which is a residential golf community. And the portion that abuts us is their expansive preserve and, beyond that, their golf course.

And as you can see from the exhibit here, the closest homes in that project to our project are over 900 feet away. So, generally, we believe that this location is a great location for a Habitat project. It provides easy access throughout the entire county for residents located on two major roadways, and with the existing use surrounding us and also the zoning on those lands, we think that this ensures compatibility with our project.

So summary of what we are asking today: As mentioned, the project is approximately 17 acres. Current zoning is RMF12, so there's a "1" missing there. And in parentheses we have 10, which is the cap for density. So there's a maximum density of 10 units per acre which basically, by right, allows us, with the

current zoning, to request 168 dwelling units as the maximum density.

However, we're coming in with a request to rezone to residential planned unit development. And as part of that, we are reducing the density significantly. We are reducing that from a potential of 168 to a maximum of 85 single-family detached units or the equivalent, from a trip standpoint, of 118 townhomes.

The uses that we are asking for are single-family detached, single-family attached, zero-lot-line homes, and townhomes. And please note that we are not asking for multi-story, multifamily units.

So with regards to just summarizing these innovative planning concepts and design features, as I'll show you, we have common open space throughout the project in the form of parks, central green, tot lot, that type of thing.

We have an interconnected network of sidewalks. We are proposing a street tree program. All our homes are alley loaded with a compact community design. We are providing one garage per home and two at-grade parking. That will be at the rear of the house to create an attractive streetscape.

We also will be providing something new for a Habitat community. Habitat wants to be a great neighbor and wants to be responsive to concerns and comments they received, and they're continually upgrading the product that they're providing. One of the things that they're going to be doing for this project is providing an HOA which is going to be responsible for all common-area maintenance.

So in looking at this exhibit, the first thing you'll notice is that there's a lot of green space, and that was intentional. And one of the things that we've done is we wanted to take some of the open space that often is relegated to people's backyards, and we wanted to put that in common areas. So if you look at the center of the project, we have an area that's going to be the heart of the community. It's going to be common open space, central green. We're -- and those areas are interconnected, which really allows someone to always -- they can walk throughout the project from one end to the next and be in proximity to a green-space area or park area. Those areas are going to provide for recreational opportunities, places for people to congregate, people can socialize. And the intent is really to create that sense of community and to provide a cozy environment for folks.

Coupled with that, what we're doing is we're providing an alternative sidewalk plan. Instead of providing sidewalks on both sides of the exterior loop road, what we're doing is we're internalizing those sidewalks. And we are interconnecting all the homes with the sidewalks that we're providing, but we're also interconnecting all the green space. So someone can walk from one end to the next and go to the park that's going to be right adjacent to the lake, and we can do that where you're within the heart of the community, within an attractive streetscape, and coupled with our streetscape program, with our sidewalk program, is we're providing a street tree program.

So we're taking a lot of landscaping that, again, would have been on individual lots. We're putting that within the public realm adjacent to the sidewalks, so we're creating shade on the sidewalks, making it a more walkable, pleasant pedestrian experience.

We're also creating a more attractive streetscape for people. And the added benefit of all these things is we're also creating a safer environment. Landscaping beside roads -- and also we've got on-street parking -- are ways to attenuate traffic speeds, slow down traffic, and create a safer environment for the pedestrians but also for the motorists.

So another important feature of our design is we have tried to face a lot of the homes towards a common area public green. Again, creating a sense of community, putting eyes on the streets, on the community, creating a safe environment. Also we've located the lake, the large lake. Instead of doing typical design where you see a few homes that back up to the lake and creates a great amenity for those few homes, what we've done is we've located the lake in an area where it can create separation buffering from Davis, which is a very busy street, but also it's a way where we can provide access for all the residents to that amenity.

So we've got a park area that's going to be bulk-headed where people can view the lake. We're also going to have a pathway system all the way around where people can experience and walk throughout their community.

The next slide is a rendering of what is intended for the community. As you'll see, a lot of open space. There's going to be a common architectural theme. And when I say architectural theme, I'm talking

about the buildings themselves, but I'm also talking about the landscaping and signage throughout the community that's going to be unified.

The architecture is meant to be a Florida -- traditional Florida vernacular with horizontal siding and attractive homes.

What you can note from these homes also is, currently, in the site plan that I showed you is our current development intent. Right now, concurrent to this zoning application, we've submitted plans and plat, and they are under review by staff.

And barring any curveball from the reviewing agencies, that's what we intend to move forward with; single-family, detached homes, compact design. And one of the advantages of going with this design is we're providing homes that are attractive for people and desirable in the fact that we've heard and we know that people like having their own lots and would prefer single-family detached over the more traditional single-family attached that Habitat has done in the past.

Also, what this allows us to do is everything from the front of the homes and all the common areas, all the public-realm areas, are going to be maintained, again, by the HOA to ensure that we're going to have an attractive community and well-maintained landscaping and a quality project in perpetuity.

So that being said, the next two slides are really the master plan that's in your packet -- that's the regulatory plan for the project -- and we have the -- a copy of the plat that has been submitted.

As I mentioned, we do -- we are requesting for several housing options, but barring any curveball from the agencies where we'd have to redesign our site, this is the design we're moving forward with, which is the single-family detached.

Also, these homes are going to be two stories, and from a total square footage standpoint, these are bigger homes than Habitat's produced in the past.

So, lastly -- I'm not going to go through all the development standards that we develop and the deviations we've requested. Staff has done a great job addressing those in the staff report with extensive analysis. So we've closely reviewed the staff report. We fully support their recommendation for approval, and we agree with them that we are consistent and compliant with the LDC and the Comprehensive Plan.

And with that being said, that is the end of our presentation. We'd be happy to answer your questions.

CHAIRMAN STRAIN: Okay. Thank you, Patrick.

And we'll start with Ms. Homiak.

COMMISSIONER HOMIAK: Minimum square footage of the homes is 1,300 square feet or -- I don't see it in here.

MR. VANASSE: No. We don't have a minimum square feet, but homes will be a thousand square feet or greater.

COMMISSIONER EBERT: Thousand or --

MR. VANASSE: Yeah. At the very least it would be a thousand, but --

COMMISSIONER HOMIAK: I don't see it in the Development Standards Table here.

CHAIRMAN STRAIN: We can stipulate, yeah.

Okay. Anything else, Karen?

COMMISSIONER HOMIAK: No. It was mentioned that they were going to be 1,300 square feet.

MR. VANASSE: Do you have an exact number?

MR. KOULOHERAS: I don't have.

Good morning. Nick Kouloheras with Habitat.

We don't have an exact number right now, but the plan that -- this plan right here is roughly around 1,250. But I can't guarantee that right now because we're still tweaking the architectural design. But it will be a minimum -- we committed to a minimum of a thousand square feet under air.

COMMISSIONER EBERT: So that's, like, 500 on each floor?

MR. KOULOHERAS: I'm sorry.

COMMISSIONER EBERT: That's, like, 500 feet on each floor?

MR. KOULOHERAS: Yes, roughly. It will be a little bit more on the upstairs, because the upstairs right now is intended to go over the garage.

CHAIRMAN STRAIN: Karen?

COMMISSIONER HOMIAK: I'm okay. That's --

CHAIRMAN STRAIN: That's it?

COMMISSIONER HOMIAK: We can put it in the --

CHAIRMAN STRAIN: We can stipulate anything we'd like, yeah.

COMMISSIONER HOMIAK: Okay.

MR. VANASSE: Yeah. And we'd be fine with that.

CHAIRMAN STRAIN: Okay. Anybody else on the Planning Commission? Diane?

COMMISSIONER EBERT: I have a question. Could you put up the picture of the homes there? I have a question on landscaping.

MR. VANASSE: The overall site plan or the renderings?

COMMISSIONER EBERT: Well, where I'm looking at the trees, streetscape. Are the trees going to be on the inside of the sidewalk all the way along?

MR. VANASSE: The trees will be -- it will vary a little bit. In the areas where we have on-street parking, the sidewalk will be abutting that on-street parking, and the trees will be on the outside. In some areas we're going to have a separation between the back of curb and the sidewalk, and we're going to have some trees between the sidewalk and the street.

COMMISSIONER EBERT: Is that going to go over the utility lines?

MR. VANASSE: We've had our architect and our engineer meet with Nancy Gundlach and also Dan, which is the reviewer for landscaping, and we've done everything we could to place the trees in areas where we avoid utility lines. And, basically, what you're seeing here is what we came up with, a typical of where those would be located, and that was discussed with those folks, and they fully support this design.

COMMISSIONER EBERT: Okay. That's my biggest concern, because the county is having problems with that now. Thank you.

CHAIRMAN STRAIN: Anybody else? Stan?

COMMISSIONER CHRZANOWSKI: Just a quick question. Is there a reason you divided that front lake in half?

MR. VANASSE: Initially, our engineers and some of the district regulations with Harvey Harper called for different stages and the creation of two separate lakes. My understanding -- and we can have Keisha address this in more detail, Stan, if you guys want to talk engineering jargon.

But my understanding is the design regulations at the district have changed, and that separation is not going to be needed. So at this point we're not sure if it's going to remain or not. It might be one big lake or two separate lakes like that.

COMMISSIONER CHRZANOWSKI: Makes no difference to me. I just was curious. It just looked strange.

MR. VANASSE: Yeah.

COMMISSIONER CHRZANOWSKI: And I noticed there's -- out of the 500 pages I received, about 400 of them were environmental. You've been busy, Mike. A lot of exotics out here. Are they going to cut them and leave them or pull them out?

MR. VANASSE: As you mentioned, there's quite a bit of environment from the standpoint of documentation and permitting. It's a little complicated, because there's quite a bit of history there. So I'll turn this over to Mike, and he can explain this a little better to you. But our current site was associated with the site south of us, and there were agreements in place for both of those sites.

So, Mike, if you'd like to address that.

MR. MYERS: Good morning. Mike Myers, Passarella & Associates, for the record.

Good to see you again, Stan.

The site itself, there won't be any on-site preserves on the property, so the entire site will be developed, and it will consist of landscaping. So all the exotics will be removed, to answer your question.

And we've been involved with the project since 2005 on and off, so that's the reason for the volume of environmental. We've worked on this on three different occasions, so...

COMMISSIONER CHRZANOWSKI: So you have no -- one of the exhibits shows that site to the

south, and you have no interest in that at all?

MR. VANASSE: The site to the south is the FDOT pond, and you'll see that the pond itself has a little over four and a half acres of native preserve on it. And the intent of that was to have that as a credit to this site in terms of native vegetation preservation and wetland minimization for South Florida and U.S. Army Corps of Engineers.

COMMISSIONER CHRZANOWSKI: Okay. Thanks.

CHAIRMAN STRAIN: Tom?

MR. EASTMAN: Patrick, how close is this to the CAT bus site?

MR. VANASSE: Oh, I don't have an exact figure, but I --

MR. EASTMAN: Is it nearby?

MR. VANASSE: It would be a relatively short walk away from this project. So, like I said, we're providing access to Davis where there's going to be a bus stop, so that will be right adjacent to our project, and that will be a benefit to the community. But the actual transfer station area is probably within a five-, 10-minute walk, which is also, I think, a benefit to the residents there.

CHAIRMAN STRAIN: Okay. Anybody else?

(No response.)

CHAIRMAN STRAIN: I've got a few questions. Most of them are a follow-up to what -- when we met I told you some of the issues that I had concerns over.

MR. VANASSE: Right.

CHAIRMAN STRAIN: In reading some of the documents, I did note that there was a required 10-foot setback for principal and accessory structures from south property line because of the FDOT pond. You were going to add that as a footnote.

MR. VANASSE: Yes.

CHAIRMAN STRAIN: Is that still something you intend to do?

MR. VANASSE: We will do so and bring that back at consent.

CHAIRMAN STRAIN: The separately platting of the buffers and the LMEs, did you have any concerns over doing that?

MR. VANASSE: Same thing; we'll add that as a footnote; bring it back.

CHAIRMAN STRAIN: We did talk about minimum square footage, and you heard Karen bring that up, so we'll have to -- we'll be stipulating that.

Your garages are how large?

MR. VANASSE: Roughly 20 --

CHAIRMAN STRAIN: No, I don't mean square -- I mean how many cars; two-car garages?

MR. VANASSE: It's a one-car garage with two at-grade parking spaces beside that.

CHAIRMAN STRAIN: Do you have any problem with committing to a one-car garage as a minimum?

MR. VANASSE: Nope.

CHAIRMAN STRAIN: On your master plan --

MR. VANASSE: Mr. Strain, if I could just clarify, though. So if we do townhomes, that -- we want to retain that option. I just want to make sure that the garage issue is not a problem.

CHAIRMAN STRAIN: Well, it's one car greater. Are you suggesting you want to go to carports?

MR. VANASSE: And that's what I don't know if they've looked at that design and if carports would be more appropriate for townhomes, if that were the case.

COMMISSIONER EBERT: You were going to do single-family.

MR. VANASSE: So if we could, we'd like to keep the option, if we went with townhomes, to have carports rather than garages. But, again, as I said, the intent is -- right now is to do single-family barring a curveball from the agencies where we have to redesign.

COMMISSIONER EBERT: Okay. So you are planning single-family? I mean, because everything we're looking at --

MR. VANASSE: Yes. And that's what's submitted and that's what's being permitted. The only reason we'd change that is if we have a major curveball from the agencies and we have to redesign the site.

COMMISSIONER EBERT: Okay.

CHAIRMAN STRAIN: In the past, this board has -- before some of the people on this board sat here, we did have Habitat projects come in, and I'm thinking of the one off -- I think it's called Regal Acres where we worked to do a position where we had to have enclosed garages because people, when they have carports, tend to -- they get collectable items there; items that aren't as appealing as a vehicle being in an enclosed garage.

So before this meeting's over, you ought to seriously consider at least the one-car-garage option. I mean, we could still stipulate it, but it would be nice to know that you guys are agreeable with that path.

I didn't know it was an issue till today. I thought when we talked, you'd shown them, so I didn't think you'd even --

MR. VANASSE: You know, Ashley's much smarter than I am, and she just said, hey, what if we do townhomes. So she -- we hadn't even thought of it.

CHAIRMAN STRAIN: Okay. Well, if you do townhomes, you still could do one-car garages, so...

Let me get the rest of the ones I have right now. By the way, the density and the preserve issues on this project were all the result of the prior developer and the deal he worked out with the FDOT to use those settlement ponds. And I noticed on the plat you seemed to have -- instead of the accessway for those settlement ponds to be across the middle of the project, are you going to run that down the -- down the main road and then out to the south -- it would be the southeast corner of the property through that shaded area on the plat?

MR. VANASSE: Yes.

CHAIRMAN STRAIN: That was your intent?

MR. VANASSE: On our master plan we identified the current access easement. We're modifying that, and we're going to be providing FDOT with access through our project on our roads to access their pond site.

And just to clarify, I got confirmation from my client that we can live with garages for townhomes also.

CHAIRMAN STRAIN: Okay. That will help simplify things.

COMMISSIONER HOMIAK: That's good.

CHAIRMAN STRAIN: Yeah. The issue of the traffic light at Davis Boulevard and Market Street, I saw correspondence going back and forth where there was a question about participatory sharing of that cost. I now understand you've agreed to that, because that is one of the conditions in the PUD.

MR. VANASSE: Yes.

CHAIRMAN STRAIN: I'm just double-checking the rest of my notes here, Patrick, so...

Are you paying impact fees?

MR. VANASSE: We are eligible for impact fee deferral, and I think that depends on individual projects and individual homeowners also when they go through the mortgage process. And anything more, I have to defer to other folks on this.

CHAIRMAN STRAIN: The only reason I ask is that you had brought it up. It was a question at the NIM. And, basically, I think at the NIM it was stated that you're not a government-subsidized program. And Nancy Gundlach said, the impact fee doesn't go to Habitat; it goes to the buyer. I'm not sure what she meant by that; that's why I happened to catch that in the final notes that were sent to me. Our packet had missing one of the pages of the NIM report, so thanks to you-all, I did get it, so I appreciate it.

MR. KOULOHERAS: Nick Kouloheras.

I'm not an expert on the impact fee deferral program, but the way the program is set up right now, it is a percentage of the previous year's impact fees collected, and that goes into a pot, if you will. It's eligible to anybody making, I believe, 150 percent of the area median income or less.

And what happens, on the community side like this, if the program is active -- which it was just reactivated about 18 months ago -- it had been kind of put on the back burner for a number of years during the really severe dip in the economy.

The Habitat for Humanity can apply for the application as the developer; however, the end lien and the transfer, if you will, all goes into the homeowner's name. So nothing comes back to Habitat for

Humanity. It's all a benefit to the homeowner in the end.

CHAIRMAN STRAIN: And I have not familiarized myself lately with that program. Just out of curiosity, how long is the deferral program for; do you know?

MR. KOULOHERAS: The deferral -- the deferral itself is forever. It goes with the property. So the property's ever -- yeah, no. So if the property's ever transferred through title, then that fee plus interest has to be paid back to the county.

CHAIRMAN STRAIN: So the only thing the deferral locks in is the benefit to the existing owner. Whatever the existing owner may decide to do five, 10, 15, 20 years down the road, if they leave that home and transfer it to somebody else, the fees are paid; is that what it boils down to?

MR. KOULOHERAS: Unless it is sold to another qualified applicant through the program, then the --

CHAIRMAN STRAIN: They'd have to reapply for an impact fee deferral.

MR. KOULOHERAS: Yes. Am I wrong on that, Amy? Sorry, I don't mean to call you up here.

CHAIRMAN STRAIN: She was here just to be called up. She would have been disappointed if you didn't.

MR. KOULOHERAS: I don't want to put things in people's mouth.

MS. PATTERSON: Good morning. For the record, Amy Patterson, director of capital project planning and impact fees and "stuff."

The current impact fee deferral program is, as Nick explained, available to first-time homebuyers, and it does run with the property for the lifetime of home ownership, except for the loss of homestead, sale of the property, transfer, or refinance to pull equity out of the home.

Currently, it is non-transferable. So once that original owner falls into one of those categories and the home goes to the next person, it's not transferable. The fees must be repaid.

CHAIRMAN STRAIN: Okay. And you said for first-time homebuyers.

MS. PATTERSON: That's right.

CHAIRMAN STRAIN: So is that any first-time homebuyer?

MS. PATTERSON: First-time homebuyers meeting the income requirements of the program.

CHAIRMAN STRAIN: And the income requirements of the program match up to what?

MS. PATTERSON: A hundred -- it goes to moderate income. It's up to 120 percent of AMI.

CHAIRMAN STRAIN: Which is about 300 -- plus \$300,000, because 370- is 140 AMI.

MS. PATTERSON: Well, the price of the home is less of a factor than it is that they have to be able to qualify for what they're -- for what they're going into. So it's an income certification process and, obviously, through that they have to be able to afford the home that they're wanting to buy.

CHAIRMAN STRAIN: Thank you. I wasn't as familiar with that program. I appreciate your help.

MS. PATTERSON: No problem.

CHAIRMAN STRAIN: I'm just checking the rest of my notes before I finish up here, so just give me a minute. Make sure we haven't missed anything, at least that I've got down here.

There's a 15-foot DE on the east side of the site. The conditions of the DE were that the piping had to be in before the buffer. Piping's in?

MR. VANASSE: Piping is in. Piping is in, and there is -- also, landscaping was put on top of that, and there is an existing wall along that boundary.

CHAIRMAN STRAIN: Okay. I saw that on the aerial, so -- or, actually, Google, I think. Google's great. You can see everything.

Okay. That's the only questions I have at this time. I may have more later. Thank you.

Anybody else have any follow-up?

(No response.)

CHAIRMAN STRAIN: Is there a staff report, Ray? I know Nancy's not here, and you got, at last minute, thrown into the mix, so let's just -- whatever you've got will be fine.

MR. BELLOWS: Yeah. For the record, Ray Bellows. I'm the planning and zoning manager for the zoning services section.

I have reviewed this project with Nancy. Is this loud? And I have signed off on the staff report.

Staff has found this project consistent with the Growth Management Plan. Staff is supportive of the deviations requested and is recommending that the Collier County Planning Commission forward this petition to the Board of County Commissioners with a recommendation of approval.

And I'll be happy to answer the questions that I can.

CHAIRMAN STRAIN: Okay. Anybody at this time have any questions of any of the staff members that are here today?

(No response.)

CHAIRMAN STRAIN: Okay. With that, Ray, if you'll call the first public speaker, and then we'll move through those that are unregistered after that.

MR. BELLOWS: Peter Greenberg, to be followed by Martha Cole.

CHAIRMAN STRAIN: Please come on up and use either microphone. And once you get to the microphone, please state your name. And if it's difficult to spell, spell it for the court reporter, please. Thank you.

MR. GREENBERG: Good morning. My name is Peter Greenberg. That's with an e-r-g.

I am a -- along with my wife, a volunteer member of Habitat Collier County's selection committee.

By way of very brief introduction, before I retired, I was a voting member of the International Credit Committee of a major Dutch agricultural lender with activities around the world. Having said that, the selection committee of Habitat for Humanity engages -- and I would like everybody to please keep this in mind -- in an unbelievably extensive degree of due diligence before any applicant is approved for a mortgage.

Not only is employment verified, not only are three-plus years of tax returns required, proof of legal residence required, but overlaying all of that, Habitat sends people like myself and my wife into the current home of people who are applying for Habitat housing to "sniff out" potential partnership problems down the road with Habitat; evidence of gang bangers, drugs, alcohol, dissembling answers to very specific questions. And then that selection committee and senior Habitat staff meet once a month to review the entire application for yea or nay.

We're aware from reports in the press that there's a lot of misunderstanding out there regarding the fact that Habitat offers a hand-up and not a handout, and it's very, very careful about who it puts into its housing.

Thank you very much for your time and attention.

CHAIRMAN STRAIN: Well, before you leave, you hit on a subject that has been brought up to me by numerous citizens in the East Naples area concerned about Habitat's manner in which they operate their facilities after they leave. It is not a zoning issue as much as it is something else.

So most of the information or meetings I had with these folks was just to hear their understanding of their concerns. So I'm going to relay them to you, since you're on the committee, and that is the follow-up that Habitat has after you leave a project. And they showed examples and pictures of conditions that were not typical what you'd see in a subdivision. Some of them were absolutely against code.

MR. GREENBERG: Right.

CHAIRMAN STRAIN: They were against things that should have been done. I did get a copy -- Nick sent me a copy of your deed restrictions. Your deed restrictions are written well. You've got excellent restrictions to fix all of the problems. And I think the concerns from the neighborhoods that I heard were, why can't these problems get fixed?

Now, that is not a zoning issue for us today, but I'm relaying this to you because it has gotten a heightened degree of attention lately, and there are a lot of people concerned over Habitat because of your existing programs that are not being enforced; at least enforced from the documents I've seen, they could be.

You have I mean, parking dumped one place and, I mean, it was a pretty vivid example; dump truck parked in the front yard. I mean, those kind of things we don't even leave -- allow in the rural area.

So I think your efforts are -- I applaud you for the work you do, but I think you need to go one step further and do some better policing of your facilities to get the community more on the same mindset with some of your projects. It would be helpful.

MR. GREENBERG: May I respond?

CHAIRMAN STRAIN: Absolutely.

MR. GREENBERG: In addition to working with Habitat on a selection committee, my wife and I -- in Immokalee, which is where we focus our work for Habitat -- teach a homeowner's course. Each and every concern that you just detailed is addressed very explicitly up front before anybody gets a key to a new home.

Secondly, Habitat forces people out of homes for breaches of major covenants, not restricted -- not only failure to repay mortgage obligations, but also running businesses out of homes, drug use, et cetera. People are actually forced out, and they know it.

Again, it's not a perfect world. But, again, you know, it's not a perfect world, but Habitat for -- Habitat for Humanity fully understands its citizenship requirements in the overall community at large and does everything that it possibly can to maintain the integrity and safeguard the quality of life in the larger communities in which it operates.

CHAIRMAN STRAIN: Well, and just so it's clear, nobody complained anything about the Habitat programs in Immokalee. All the program complaints that I received were here in the urban area.

Again, I would love to see where your group and the citizens and neighborhoods that are concerned got on the same page. Everybody would benefit from it. So all I'm suggesting is you've got some input. It's public record. Please go to that extra length and maybe do the program you're doing in Immokalee in the urban area.

MR. GREENBERG: We do. The standards are applied uniformly. But your point is -- I'm certain Habitat executive staff will take it on board.

CHAIRMAN STRAIN: Thank you, sir.

MR. GREENBERG: Respectfully.

CHAIRMAN STRAIN: Appreciate it.

Next speaker, Ray.

MR. BELLOWS: Martha Cole.

MS. COLE: Good morning. My name is Martha Cole, C-o-l-e.

I've been a volunteer building houses for Habitat for Humanity one day a week for over 23 years. During this time, I've had the privilege of working alongside literally hundreds of prospective Habitat homeowners, and here are some of the things I've learned about them: They're all here legally; they all have jobs; they all pay taxes; none of them has a criminal record; they all have good credit ratings; they're all very family oriented; they're all highly motivated to improve their lives; they have all pledged to live together peacefully in a multicultural neighborhood.

I just want to say that permitting these people to join our neighborhoods is not making a mistake. They have not ever owned a home, and they have not yet learned some of their responsibilities, but Habitat is -- the Habitat staff is working and will work even harder to make sure they learn their responsibilities and fulfill them.

Thank you very much.

CHAIRMAN STRAIN: Thank you, ma'am.

Ray, are there any more registered speakers?

MR. BELLOWS: No, there are not.

CHAIRMAN STRAIN: Any there any members of the public who have not spoken who would like to speak? Yes, ma'am. You'll need to identify yourself for the record.

MS. KELLY: Hello. My name is Michelle Kelly, and I live in the East Naples area. And I'm not a big promoter of oversaturating the area with Habitat.

CHAIRMAN STRAIN: Did you -- Stan just -- I don't know, were you here earlier when we asked everybody to stand and --

MS. KELLY: You said that -- yes.

CHAIRMAN STRAIN: -- get sworn in?

MS. KELLY: And I didn't fill out a paper. You said --

CHAIRMAN STRAIN: No. But were you -- that's okay. Were you sworn in earlier? Did you --

MS. KELLY: No.

CHAIRMAN STRAIN: Thank you, Stan. I didn't catch everybody who may or may not have been

here.

Will the court reporter please swear the citizen in.

(The speaker was duly sworn and indicated in the affirmative.)

MS. KELLY: I do.

CHAIRMAN STRAIN: Thank you.

MS. KELLY: Thank you. And I appreciate you letting me speak.

CHAIRMAN STRAIN: And, by the way, anything you show us has to be made part of the record.

MS. KELLY: Absolutely.

CHAIRMAN STRAIN: So if you don't want those back, that's okay.

MS. KELLY: It's okay.

CHAIRMAN STRAIN: Okay, good.

MS. KELLY: That will be fine.

And I think everybody should have an opportunity to lift themselves up, live in a nice place, take care of everything and be part of a community. I think they should.

So I'm not being a curmudgeon, if you will, about having Habitat for Humanity in my area. I am a little bit concerned about the fact that there are a number of them, and they're oversaturating our area to the point where the community is hurting.

We have businesses that are out and gone. I have pictures of those, and I'll give them to her.

CHAIRMAN STRAIN: Yes. She'd be fine, yeah.

MS. KELLY: Would you like to see them?

CHAIRMAN STRAIN: Well, Ray will put them on the aerial, and then we'll make sure the court reporter gets them for the record.

MS. KELLY: Take those. You can have them all.

CHAIRMAN STRAIN: Now, besides your position on Habitat -- remember, this is a discussion about Vincent Acres and PUD proposal.

MS. KELLY: It is.

CHAIRMAN STRAIN: So we've got to get to that point.

MS. KELLY: Okay. That's fine. I mean, the oversaturation and talking about the need for it -- and Habitat is busy building them as fast as they can. I mean, we don't just have Vincent coming up. We have four or five others in the area, of which Regal Acres is not completely filled. In driving through there, there are many of them that are empty.

So I fail to understand the need for consistently building them. The picture up there is pictures in the local area on Rattlesnake; Rattlesnake. I mean, you had a thrift store that went out of business. I mean, I sometimes shop the thrift store, and I'm sure that's pretty beneficial for people who are trying to save money. We had a thrift store go out of business in one of the areas that's very close to other communities.

Now, the devastation that's occurring in that area where you're building Vincent Acres, there's a whole big complex right there at the corner of Davis and 951 that never got off the road.

And, also, as far as the communities that are being built and the consistency as far as -- you're putting in three parking spots. That's not going to do it. You're going to need four, because that's the minimum in those places.

There's covenants. There's deed restrictions, and everybody has to adhere to them. I live in a community. I'm the president of the board. Those people drive me nuts. They won't adhere to the thing, so I have to go out there and police it. It's not fun. I'm not well-liked, but, you know what? I like my community, and so I do it.

But I have not seen any consistency with the areas being policed. There's the truck right there.

CHAIRMAN STRAIN: Weren't you -- didn't you come to my office and we talked?

MS. KELLY: I did, Brian -- Mark.

CHAIRMAN STRAIN: And one thing I mentioned, if you've got issues like you had expressed to me then, and your photos certainly show some of them, someone needs to call Code Enforcement, unless you want to call Habitat's office.

MS. KELLY: We did that.

CHAIRMAN STRAIN: But, I mean, that's not an item for this board. I remember I tried to keep that separate. Your issues are not all related to the zoning action in front of us today, so...

MS. KELLY: But you've got three parking spots per unit, right, for these new homes?

CHAIRMAN STRAIN: Yes. That's what they said.

MS. KELLY: So they're anticipating three cars at least, right?

CHAIRMAN STRAIN: What's -- I mean --

MS. KELLY: What happens if there's four or five now?

CHAIRMAN STRAIN: What happens in your development if there's four or five?

MS. KELLY: There isn't four or five. We police them, and they go away.

CHAIRMAN STRAIN: Okay. And you're sure that that's going to -- they're not going to stick to the three that are allowed for them in this project?

We can't -- we can't say no to someone because they may do something wrong, just like we can't say no to your development because some of your people may have a party one night and may have more cars.

That's not part of -- that's not part of this board's purview.

Our zoning staff will check to make sure there's a proper number of required parking spaces per unit.

And, Ray, do you remember what the number per unit is on a -- I don't mean to -- I know you weren't prepared for this. I didn't know if you knew it offhand.

MR. BELLOWS: The number of required parking spaces per dwelling unit?

CHAIRMAN STRAIN: Yes.

MR. BELLOWS: I'll look it up.

CHAIRMAN STRAIN: Okay. If you get a chance before this meeting's over, it would be helpful.

MS. KELLY: For a two-bedroom.

CHAIRMAN STRAIN: But they will have -- what they're showing is at least the minimum, if not more, and we don't allow anything else. They're not asking for a deviation from the code. So the same code that applied to your development is applying to theirs.

MS. KELLY: Okay. All right. So it has actual zoning. Because in my neighborhood, it's only, like, two cars per unit; if you have a guest, we have guest parking.

CHAIRMAN STRAIN: And it may be that way for this particular project. If it is and they have more cars than can fit on their property and they're not parking them properly, that really is either the Sheriff's Office or Code Enforcement, and that's something that would have to come later on based on how they react to their zoning.

MS. KELLY: Okay. Well, my concern is that it's going to be over-inundated with people, and there's going to be concerns with that. I mean, you've got a thousand square feet and a garage. The pictures that are in another subdivision have four, five, six, seven cars. That's a two-bedroom with a garage, and they park them all over the place, and you're going to have the same thing. They'll just be in the back, and then they'll use the streets, because they use the streets, too.

I mean, moderation, please. There's got to be some moderation. We do not have moderation in East Naples. We are saturating the area. It's one subdivision after another, and it's too much. It needs to be spread around.

And East Naples is being decimated based upon the people coming out there and the increased traffic, the increased pollution, the increased -- I mean, it's just not right.

And that's our -- that's our -- that's our argument. Our argument is please, please do some moderation in this. I mean, we're not the Habitat for Humanity community only.

And I do appreciate it. Thank you very much.

CHAIRMAN STRAIN: Thank you, ma'am.

Is there any other members of the public who would like to speak who have not spoken yet?

(No response.)

CHAIRMAN STRAIN: Okay. Is there anything from the applicant's side that they'd like to either offer for rebuttal or discussion?

MR. VANASSE: No, we're good; thanks.

CHAIRMAN STRAIN: Patrick, let me run through some of the notes I made in regards to the

project.

You're going to stipulate to three parking spaces per unit, or you did in the document we saw here. Do you have any problem with that?

MR. VANASSE: No.

CHAIRMAN STRAIN: Minimum square footage will be a thousand square feet.

MR. VANASSE: Yes.

CHAIRMAN STRAIN: You're going to separately plat your buffers and your maintenance, lake maintenance easement, your LMEs.

MR. VANASSE: Correct.

CHAIRMAN STRAIN: Your minimum setback from the southern property line will be 10 feet.

MR. VANASSE: Correct.

CHAIRMAN STRAIN: And you're going to stipulate to a one-car garage as the minimum.

MR. VANASSE: Yes.

CHAIRMAN STRAIN: Okay. I don't have any other notes. I didn't know if the Planning Commission had any; anybody else here have any comments?

(No response.)

CHAIRMAN STRAIN: Okay. With that, we will close the public hearing and entertain a motion from the -- any one of the planning commissioners.

Stan?

COMMISSIONER CHRZANOWSKI: Yeah. I'll move to approve Petition PUDZ-PL20150001945, Vincent Acres residential RPUD, as presented.

CHAIRMAN STRAIN: With the stipulations just previously read?

COMMISSIONER CHRZANOWSKI: Right.

CHAIRMAN STRAIN: Okay. Is there a second? Diane?

COMMISSIONER EBERT: I'll second it.

CHAIRMAN STRAIN: Okay. Discussion? I've had a lot of input from neighbors and people concerned over the Habitat project aspect of this, and I've told you all that that is not an issue for the Planning Commission. We are a zoning board that we oversee the Land Development Code, and that is strictly how we have to weigh our decisions here today.

I've gone through 498 pages of information supplied by staff to review this project. It's more of an isolated project. I think the nearest project to the south is 900 feet away, and there's one across the street, an apartment complex. But from an aspect of other residential communities, the nearest residential elements are quite a ways away.

It's a -- everything that I was able to find that needed to be questioned I have asked the applicant of. They've stipulated to conditions to other Habitat projects that we similarly have reviewed on this board. So from the context of the Land Development Code, I see nothing wrong at this point.

From the frustration of the neighborhood and other things going on, I think that's a policy decision that Habitat needs to understand and start to work closer with the neighborhoods. And I would suggest you sit down and meet with them, because you're doing a good thing for all of our community globally, but the impact on the -- that's being felt by some of the people in East Naples is beginning to rise to a level that is going to be a concern every time Habitat comes forward. You don't need that. None of these boards do. We all need to work in harmony with one another.

So if there is some way Habitat can reach out and try to work with your other neighborhoods -- I know you try. But it looks like we've got to go a little bit further effort. We should never have to see pictures like that without someone calling either Habitat or Code. And I would suggest you work it out so Habitat has a hotline and a citizen can say, look it, I went through it, and I've seen this. And you could check it out first. But try something, if you can.

But from the aspect of the Land Development Code, I see nothing wrong with this particular project. Anybody else have any comments?

COMMISSIONER EBERT: No. I agree with you.

CHAIRMAN STRAIN: Okay. The motion's been made and seconded. All in favor, signify by

saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 4-0.

Thank you all for coming for the Vincent Acres PUD. Appreciate it.

And Ms. Ebert has suggested we take a 15-minute break now before we get into the other one so we can just move right through it. We will do that. We will resume at 10 after 10.

(A brief recess was had.)

CHAIRMAN STRAIN: If everybody will please take their seats.

MS. ASHTON-CICKO: You don't have a quorum. Oh, now you do.

CHAIRMAN STRAIN: We do have a quorum. Stan's here.

MS. ASHTON-CICKO: Sorry. He was just hiding.

CHAIRMAN STRAIN: Now, just so everybody in the audience knows, we will be losing Stan at 11 o'clock, and at 11 o'clock we will be losing our quorum, so we are done.

Now, in order to expedite what we're going to hear, this is a briefing, mostly a progress update as to how Kris and his team are handling the replanning areas, or the area.

We're not taking any action today. We'll certainly entertain any discussion the public wants to have. Depending on the time frame, I may or may not make any comments from the reading I did, and so might the other commissioners. We'll do our best to hear as many as we can by the time we have to adjourn.

COMMISSIONER CHRZANOWSKI: So if you're not taking any action, you don't need a quorum, right?

CHAIRMAN STRAIN: I don't -- I don't even know if we can hold a meeting without a quorum, and that's a question for Heidi. I know we can't vote on anything.

MS. ASHTON-CICKO: Yeah, you can't take any action so, technically, you know, if you -- if you wanted to stay, you'd still have to comply with the Sunshine Law and you could hear, I guess, from the public, but the official meeting is over when Stan leaves.

CHAIRMAN STRAIN: So we'd have to adjourn when Stan left so we have enough people -- and then we would continue -- but then would we be able to retain a court reporter?

MS. ASHTON-CICKO: No, you can. You can.

CHAIRMAN STRAIN: Okay.

MS. ASHTON-CICKO: I mean, we have done it with some of the less visible advisory boards, so I'd prefer that we stay within the 11. But if you have a few questions or something that you want to ask, as long as most of the official business is over; you're just gathering information.

COMMISSIONER HOMIAK: If we only have five board members, isn't three the quorum?

CHAIRMAN STRAIN: No. Quorum's based on the full seven.

COMMISSIONER HOMIAK: We don't have seven.

MS. ASHTON-CICKO: You have a quorum because you have four out of the seven. You could not have less than four. Tom is a nonvoting member.

COMMISSIONER HOMIAK: But we don't have seven board members.

CHAIRMAN STRAIN: Yeah, we do. It's just that two have gone off to run races. It's nothing that changes the quantity that are normally on this board.

MR. BELLOWS: Correct.

MS. ASHTON-CICKO: Yeah. By your ordinance, it requires four of you to conduct business and then a majority vote of the four.

CHAIRMAN STRAIN: Okay. So with that, without any -- thank you. Without losing any more time, Kris, let's turn it over to you.

MR. VAN LENGEN: Thank you. Mr. Kris Van Lengen, planning manager for the community

planning section.

One idea we just had, whispered in my ear, if it pleases this commission, if it's any help to get public speakers first, we'd certainly be willing to do that.

Our purpose is to make a presentation, but part of that purpose is also to continue the community dialogue on ideas that we think are the big ideas involved in the restudy, our first restudy of the rural fringe.

CHAIRMAN STRAIN: I would think that's a good idea. We've all got the packet. I'm sure we've all read it. I'm sure that the people who are here are here because they've read it. So why don't we all who have read everything hear from the people who don't have an opportunity to speak like we do.

So if you don't mind, I think that would be a good idea. And we'll start with the registered speakers and move to those that aren't registered and then follow up with the final comments from you and this board.

MR. VAN LENGEN: Very good.

MR. BELLOWS: The first public speaker is Bruce Anderson, to be followed by Bob Mulhere.

COMMISSIONER CHRZANOWSKI: How many speakers do we have?

MR. BELLOWS: Five.

COMMISSIONER CHRZANOWSKI: And they all have limited time?

CHAIRMAN STRAIN: No. Everybody's limited to five minutes, and if they need a little more, we'll grant it, but we're not going to get carried away.

COMMISSIONER CHRZANOWSKI: You heard that, Bruce.

MR. ANDERSON: I did. I'm going to be very brief.

CHAIRMAN STRAIN: It's impossible, Bruce.

MR. ANDERSON: You-all were the ones that were just carrying on like a bunch of lawyers.

Good morning. My name is Bruce Anderson from the law firm of Cheffy Passidomo, and I represent a group of rural fringe landowners who organized themselves as the Rural Fringe Coalition, Inc., to participate in the Rural Fringe Restudy.

The coalition recognized that reforms were needed to realize the broad goals of preserving environmentally sensitive lands, fairly compensating owners of those preserved lands, and to direct new development to already impacted lands.

The coalition conducted a study involving land planners, an attorney and an economist, and submitted a report to the Board of County Commissioners in January 2015 with recommendations and suggestions for changes to the rural fringe program that ought to be considered.

The overall recommendation was that for the goals of the rural fringe to be successful, the changes had to be fair, realistic, responsive to the economics of market demands, and incentivized. The coalition generally supports the staff recommendations, although we do have some questions on a few of the specifics so we can better understand the basis for those recommendations.

The coalition sent a letter of support and questions that it had based on the early July draft of the report that others commented on as well. The coalition's letter of support is in the appendix, Pages 55 through 59.

Bob Mulhere, one of the planners for the coalition, has some specific comments about rural villages, and I will defer to him on that issue.

Lastly, I want to compliment and congratulate county staff on an exemplary, well-attended public participation process, their exhaustive research and analysis, and the thoughtful white paper that ties together and brings the various components of the big picture into better focus.

Thank you.

CHAIRMAN STRAIN: Thank you, Bruce.

Next speaker, Ray.

MR. BELLOWS: Bob Mulhere.

MR. MULHERE: Good morning. Bob Mulhere with Hole Montes, also here representing the Rural Fringe Coalition. And I, too, will be brief. I think Bruce covered, really, the issues from the Rural Fringe Coalition perspective.

I want to also congratulate the staff. I think they've done a really great job of keeping things moving in an expeditious way and that's, I think, very important with all of the work that they have on their plate with

the four major studies.

We generally support most of the recommendations that staff has made. There are a few that we do have questions on, and I think that those questions may be answered as we continue to look at the research and the data that some of the consultants have not fully provided at this point in time.

One specific concern is there's a recommendation to require a mixed use and a minimum density, I think, of four units per acre for all projects 300 acres or greater.

And while I understand the intent behind that, I'm a little bit concerned that that will put us in a position where we may not have a market for mixed use on a smaller project, 300, 350 acres, 400 acres. So, I mean, because it's clearly going to depend upon what else is happening in the vicinity of that project as to whether or not there's really a market for that.

Incentivizing it, great; allowing it, great; requiring it, I think we need to take a look at that issue.

I thank you for your time. I appreciate it.

CHAIRMAN STRAIN: Thank you, Bob.

Next registered speaker, Ray.

MR. BELLOWS: Nancy Payton.

MS. PAYTON: Good morning. Nancy Payton, representing the Florida Wildlife Federation.

CHAIRMAN STRAIN: Now, you normally hide from us. I haven't seen you for a long time, Nancy. It's good to see you again.

MS. PAYTON: I don't get into a lot of detailed things and specific projects, so I only come when I have something to say. Hope you'll listen.

CHAIRMAN STRAIN: Okay.

MS. PAYTON: We're here to support the white paper. We think it has some excellent concepts that need to be pursued and discussed in greater detail to see if they, indeed, can be translated into acceptable amendments to our Growth Management Plan.

Staff has done a superb job in handling their workshops. The website's very resourceful and handy -- is a great resource and very handy, and they have also been very accessible, and they've reached out to people as well to make sure that everyone gets equal consideration and opportunity to participate, which is a very important role in this planning process.

There are several areas that we look forward to discussing in greater detail. That's the regional off-site mitigation proposal, and the opportunities that that may complement some of the other programs of the county, like the Watershed Management Plan and habitat connectivity goals. Ag credits, TDR credits, we like that idea and look forward to putting some detail to that proposal and where and what level of agriculture might be allowed --

Preservation in receiving lands. That has some opportunity. Depends on location and how that is, again, translated into amendments. But these are all good things for us to continue to discuss.

And, again, I appreciate staff compiling all the information and ideas and concepts that came through the public-participation process thus far. And if they've done as well in the future as they've done in the past, we're going to have a great document, and I'm sure they will. Thank you.

CHAIRMAN STRAIN: Thank you. And most of your comments I think we're probably on the same page. The devil's in the details --

MS. PAYTON: Exactly.

CHAIRMAN STRAIN: -- and there's not details yet. So as soon as those details come in, I think we'll have an opportunity to sink our teeth into this a lot better than -- but I do appreciate the briefing. And so thank you.

MS. PAYTON: Right. But we need to get through this step to get to the next step.

CHAIRMAN STRAIN: Yep, I agree.

MS. PAYTON: And we're going in the right direction. Thank you.

CHAIRMAN STRAIN: Thank you.

Next public speaker, Ray.

MR. BELLOWS: Nicole Johnson.

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

of Southwest Florida.

And I want to echo Nancy's comments about staff. They have been tremendous. The public workshops have been difficult on certain levels, and they have handled things just beautifully. So we really appreciate their desire to hear input from the public, their time that they have spent, their draft white paper, which was 29 pages long.

We had a 17-page comment letter on that, and they sat down and gave me, I think, about three hours of time, and we went through things. So that has been really excellent.

In looking at the white paper that you have -- and, by the way, if you got to Page 105 of your PDF, then you saw the Conservancy's comment letter to staff. There are lots of good concepts in here.

I think the Conservancy's a little concerned about calling these recommendations at this point. Some of these things are no-brainers, such as removing the \$25,000 minimum for the first TDR. Others are much more complicated. We do have concerns about how incentivizing agriculture and agricultural clearing that goes with that is going to be consistent with sending-land policies. That's something that we talked extensively with staff about, and we still have a lot of outstanding concerns.

The idea of the regional off-site mitigation area, the mitigation banking; I think after the white paper was released, we had probably 10 times more questions than prior to the release of the white paper. So there are a lot of concepts that really need to be further vetted before they're recommended to be taken forward to Comp Plan or Land Development Code language.

So the one thing that we would suggest is that after additional information has been put forward, and after this goes to the Board of County Commissioners, it might be good for all of that to come back once these concepts have a little bit more flesh on the bone; come back to you for the input on some of the specific concepts at that point. Hopefully they'll be true recommendations.

So that would be our input, and we look forward to having some really good things come out of this process.

And, again, thank you to staff. They've done a tremendous job.

CHAIRMAN STRAIN: Thank you.

Ray, next public speaker.

MR. BELLOWS: Neville Williams.

MR. WILLIAMS: Good morning. Thank you. My name's Neville Williams, and I'm also speaking on behalf of Charlette Roman and the Collier Citizen's Council. It's a group of 30 civic leaders. I'm not a civic leader, and I don't really have any credentials other than the interest in this living out in this part of eastern Naples.

The other credential is I lived -- before coming here seven years ago, I lived for seven years in America's largest new urbanist community and saw what a county can do when it works with developers, works with landowners, works with architects and builders and really creates something that is extraordinarily popular. And we've proposed -- so anyway, we -- our agenda's kind of looking at that, that sort of argument.

Smart growth, new urbanism gets put into the planning, the process that's just developed. And we attended a lot of these workshops.

And I'm going to read from our piece we had in the paper last week, "Smart Growth Vision for Eastern Collier County." The workshops revealed a nearly unanimous rejection of gated communities, more golf courses, and of sprawl. It was clear the public doesn't want more cookie-cutter gated communities oozing across the rural lands.

Responding to this input, the county staff has begun to consider the smart growth concept which features village development, town centers, walking, bike-able communities, concentrated residential density, mixed commercial --

CHAIRMAN STRAIN: You might slow down a little bit, sir. She has to type as fast as you talk.

MR. WILLIAMS: Oh, I talk fast. I read fast.

-- mixed commercial uses, accessible public transport, environmental protection, integrated open spaces, and a range of housing and options for all income groups.

Communities around the country have used smart growth, also known as new urbanism, with great

successes, and developers and builders have benefited economically by putting more people on less land.

And so the Collier Citizens Council endorses these recommendations about to be -- and maybe as Nicole pointed out they're not real recommendations yet. It's just the first step, but we think it's a very good step, and we do commend the study group and the people who put this together at the Growth Management Division, the Growth Management Oversight Committee, and Kris Van Lengen and Anita Jenkins and their staff for doing such a great job.

So we -- you know, we feel strongly that they've talked about planning sustainable, walkable communities with healthy lifestyles and incentives for energy-efficient design, rooftop solar, and affordable/workforce housing. And these are all positive steps, so I think it's all going in the right direction.

Thank you.

CHAIRMAN STRAIN: Thank you, sir.

Next public speaker, Ray.

MR. BELLOWS: The last registered is Joe Bonness.

MR. BONNESS: Good morning, Joe Bonness; represent several different parcel owners that are on there, myself.

And one of the items I'm talking about is going to be -- has more to do with some of the details that are going on in this.

In the sending areas, you know, I represent some of the areas that we have multiple parcels where you can conglomerate in together and have maybe 100, 160 acres, several different tax parcels. We reserved a few parcels to be -- or a few units to be able to build on them, but we run into the problem that we can't do clustering in the sending area.

It's kind of micro-clustering. You're talking maybe three or four units that are going to be on 160 acres or you've got a 100-acre parcel that's got eight tax parcels in it, but we're not able to go and locate the units where we'd like to, kind of forcing us into building in areas that are less suitable than if we had the ability to be able to cluster.

That's something that you're not allowed to do in sending areas. You're kind of required to be able to -- if you're going to reserve rights to be able to build, you have to keep them in that individual tax parcel.

So you may own 160 acres, and you may have 20 acres that's suitable to be building on, but you can't build in that 20 acres at that point. So that's something I'd like to see as a consideration as we're looking at this at the possibility of being able to do some clustering in the sending areas when it comes to building.

CHAIRMAN STRAIN: Joe, have you attended the -- I've not attended the public meetings. Have you attended them? I mean, has this issue been brought up and then turned down, or have they just haven't responded?

MR. BONNESS: No. And the problem is, you know, it's one of those things that's kind of hitting me in the last couple of weeks, and I hadn't brought it up at the meeting. So I just wanted to be sure that that idea was tossed in there and vetted. It's probably a new one coming in to mark. It's something that -- or in to Kris. So I just wanted to bring it out into the public's attention to do anything about it.

CHAIRMAN STRAIN: Well, you did it at the right forum.

MR. BONNESS: Okay. Thank you.

CHAIRMAN STRAIN: Next speaker, Ray.

MR. BELLOWS: That's the last one.

CHAIRMAN STRAIN: Is there anybody who has -- wants to speak on this who has not already spoken?

Gary? You'll have to spell your name for the court reporter. Not the first name; the last name.

MR. BEYRENT: For the record, I'm Garrett FX Beyrent. Beyrent, okay.

The reason I'm here is I read the study; it's voluminous. And what caught my eye -- I also went to all of the meetings except one out on Immokalee Road.

And, basically, I was wondering whether or not the study worked or would work relative to upland mitigation of preserves areas. And it was mentioned in the document that the ideas that were promulgated in a document could also be applied to the urban area. And I thought, wow, that's a great idea. And, particularly, I thought it's a great idea relative to golf courses, because everybody knows, apparently, golf is

dying. And in the past, some developers walked away from the golf courses after they were developed.

And one in particular that I was involved in was with Lakewood. I had sold both of my golf courses in the Glades subdivision to the condo owners. But in the case of Lakewood, I sold Lakewood -- U.S. Homes the property. They developed the Lakewood subdivision, and they walked away from what's now -- or was called the Ironwood Golf Course; literally walked away from it. I thought that was a little odd. And they said, well, it cost about, at that time, \$2 million a year to maintain a course. And I had the experience to know that was true.

Golf courses are losers all the way around. You don't -- from a financial standpoint. That's why at this point in time we still don't have a public golf course. We might get one through attrition.

But long story short, what I wanted to do was I wanted to add to the rural fringe element because they suggested that you could adapt some of these attributes to our existing situation.

And I came up with -- I spent almost 15 minutes drawing up this plan here. And what it is is -- and I addressed it to somebody -- I have no idea who this woman is, but apparently you would. This is Kris Van Lengen.

MR. VAN LENGEN: That's me.

MR. BEYRENT: Oh, it's a guy. See, that's what happened. I thought, I never saw that girl before. But anyhow, this is --

CHAIRMAN STRAIN: Her hair gives her away, right?

MR. BEYRENT: Thank you very much.

And what I did was I drew up a -- it's not too long. It's only two handwritten pages, because I'm not Mark Strain. I hardly ever look at a computer.

But let me read it to you; it's very brief, and pretty much wraps up -- if I find some glasses here. Okay.

Should I look at it when I'm reading it to him?

CHAIRMAN STRAIN: No, that's okay.

MR. BEYRENT: Okay. It says, Dear Kris Van Lengen, juris doctorate, AICP, Community Planning Manager, Zoning Division, Collier County, I'd like to add language to the Rural Fringe Mixed-use District white paper to allow the following:

Given that the intent of the Transfer of Development Rights in the rural fringe area was to protect and preserve the pristine environment from destruction brought on by urban sprawl, it is only logical that the same regulations should be applied to the urban area.

Through the creation of offsite upland mitigation bank land, lands that currently serve as open green space, such as golf course, can be returned to their original native state when they outlive their usefulness. This plan could also function to expand existing county park and recreational facilities and provide for more functional use of our shrinking natural habitat.

The current plan of providing token trees and phony forests could be eliminated through the process resulting in the achievement of the original preservation intent.

And I signed it. So I just hand it to this guy, right? It becomes an ordinance tomorrow, right?

CHAIRMAN STRAIN: No. Actually, you give it to her, the court reporter --

MR. BEYRENT: Oh, the clerk, okay.

CHAIRMAN STRAIN: -- and she'll have it recorded. And when Kris needs to access it, it will be part of the agenda item backup documents.

MR. BEYRENT: Very good.

CHAIRMAN STRAIN: Thank you, Gary.

MR. BEYRENT: And that's all I have to say.

CHAIRMAN STRAIN: And your --

MR. BEYRENT: And he's a guy.

CHAIRMAN STRAIN: The way you talk was probably well appreciated by the court reporter, so thank you.

Is there anybody else who has not spoken that would like to speak?

(No response.)

CHAIRMAN STRAIN: Okay. And, Kris, I might make a suggestion. Why don't we get any comments from the Planning Commission first and then any closing comments you want to make, is that okay?

MR. VAN LENGEN: That's fine.

CHAIRMAN STRAIN: Okay. And I'll start with Tom at the end, and we'll work this way, if that's okay.

MR. EASTMAN: No comments.

CHAIRMAN STRAIN: Okay. Stan?

COMMISSIONER CHRZANOWSKI: For a while, I thought we were all going to stand up and sing Kumbaya.

CHAIRMAN STRAIN: Okay.

COMMISSIONER CHRZANOWSKI: My generation. I'm sorry.

CHAIRMAN STRAIN: Diane?

COMMISSIONER EBERT: Kris, it's so neat hearing so many good things that were said about you and Anita today. It's really a pleasure, and I know you've worked very hard on this.

The only thing I have to ask you is, when are Anita and I going to go up to Lake Nona?

CHAIRMAN STRAIN: Kris, I know you did a good job. I can tell by the way it was laid out, and it was one of the better thought-out documents that we've ever received, so I certainly appreciate that. It's good to hear the testimony from the public meetings. Those are most important to this board to understand that everybody had time to vet.

I do have some overriding concerns. There are some of these items that I am concerned about on a point-by-point basis, but I'm not going to get into those at this early stage. I'd rather wait till the details come out. And I certainly, between now and then, can express some of those concerns to you separately.

But, overall, I would want to make sure that any enticements we do to encourage people to develop is consistent on the concurrency. Now, I know that concurrency has to happen with an approved development. But what happens now is we approve development guaranteeing that within five years we'll be there.

I would rather us not put ourselves in that box again so that the development has to be contingent on the concurrency available when the taxes are there to cover it or the impact fees. And I know that seems to be standard, but I'd want to make sure we don't do what we did with the Rural Land Stewardship Area where we have a town that basically took impact fees for Oil Well Road from the general population for years. I'd like to see those scenarios avoided.

Mike? You're walking up for a reason.

MR. BOSI: Mike Bosi, planning and zoning director.

Just to remind you that the State of Florida has mandated that each locality/jurisdiction has a proportionate share cost component. A project, as long as they pay their proportionate share, cannot be stopped by concurrency.

CHAIRMAN STRAIN: I understand that. That's what I'm trying to avoid is saying, here, you can build a town here. You pay your impact fees, and we'll guarantee that concurrency's there. Let's not go to that level before we know we can afford to match up their approval with anything that we can bring to them.

That's all I was trying to say.

MR. BOSI: Yes.

CHAIRMAN STRAIN: An encouragement. I notice the program does a lot to encourage development of our agricultural areas that are -- well, currently agricultural areas. And that's good for whatever point in time it's needed. But we haven't done the best to develop our urban areas yet.

Our urban core is woefully underutilized. And I would be careful how much we're encouraging spreading further out before we build to the intensity we need in the urban core area.

Overlap: The biggest part of the replanning effort was to have overlap between the various programs. There's four of them. And before this one, it would seem, could be even thought of being too finalized, the overlap with the Estates group and the RLSA would certainly have to have that input taken into consideration. And I know those -- I know the Golden Gate one has just started, so the overlap may be just

beginning.

One of the things that bothered me in here was the -- and I'll speak about it as a specific item instead of generality is the simple-majority vote aspect of it. That was brought into the Rural Land Stewardship Area in a manner that was not recognized by everybody. And that isn't something I've just stated on my own behalf, which it certainly was, but we had to go to arbitration to settle that little bit.

I'm not sure that's the right idea to do it again. Maybe there's a way to do it. I just wanted to let you know and I'm -- that's a concern I'll have when the language comes through.

And I just heard Joe's argument about clustering. It might be a good idea. So if it hasn't been looked at, maybe it's something that should be. I think if we cluster residential, we reduce the concurrency impacts needed and, at the same time, by clustering we could produce a lot more preservation and open space without encouraging higher density. That might not be a bad thing either, so it's something to consider.

But those are the general comments I have on the program as a whole. I certainly appreciate the opportunity to get a snapshot of this on an early basis.

And with that I'll go to Karen. Did you have anything?

COMMISSIONER HOMIAK: No.

CHAIRMAN STRAIN: Okay. Then it's yours, Kris. We'll probably want to try to break around five of eleven to give us time to adjourn this meeting before Stan leaves and see where it is at that point.

MR. VAN LENGEN: Okay. Thank you, Mr. Chairman. I'm sure, perhaps, some of the comments we have might engender more questions. We had a PowerPoint with no less than 60 slides. So we probably envisioned taking a little bit more time than we have today. And we may use some of the slides, or we may just skip over them altogether. I'm not sure.

But the first comment I would like to make is that I always enjoy a little bit of fun about my hairdo. And I think that that's always great, but what breaks my heart is when I hear someone say that golf is dead. That's just a personal comment, but I hope that golf is not dead. I hope it's just slowing down a bit, and that's probably a good thing.

I appreciate all the kind words that the various stakeholders have provided to Anita and myself. I think we'd really like to return the favor, because all of these folks, all the stakeholders and residents came out in full force, really, to help not just support the program but, really, they were innovative, thoughtful ideas, and they were patient, and they sat through a lot of meetings. And I think that as we go forward, we'll continue to refine our ideas and get more input.

As has been stated, we really did want to start with the bigger ideas and, yes, the devil's in the details, but we don't feel like we can get to the details until some of those bigger issues are resolved.

What I'd like to probably focus on -- and I might just skip the white paper -- excuse me -- the PowerPoint altogether. I want to go to two different concepts from my point of view, and perhaps Anita will speak a little bit about the density components in the receiving areas.

But as far as the credit system and the sending areas go, we have two, I think, big ideas, big, big issues that, although they're not decision points at this point in time for this board, we do believe that the Board of County Commissioners needs to give us, and we'll be asking them at the next meeting and probably the meeting after, for direction on these bigger ideas.

And number one would be the idea that the county takes some ownership in the absence of any other state agency taking ownership of lands that do not have the opportunity for that kind of public stewardship of taking care of those lands.

There are some folks who believe that environmentally sensitive lands can take care of themselves if we keep humans out. That may be true in certain parts of the world, but certainly in Southwest Florida we know that exotics and the importance of fostering protected species, certainly, that's really not the case.

So we need some level of stewardship, and right now we have that in South Belle Meade. We do not have it in North Belle Meade. So the idea that 60 of our sending areas do not have -- the owners do not have the ability to achieve the fourth TDR, which is the conveyance TDR, so that's a disincentive to participation.

The lands, if we never get a steward to take care of those lands, we'll never have the ability to really take care of those lands properly. It would just be pushing the problem into the future where expenses get much higher in terms of maintenance.

And so this is a fairly big idea, and there are different possibly solutions to it. But the one that we've probably hitched our wagon to the closest so far, because it seems to make the most sense, is the idea of creating a mitigation bank for the benefit of the county. And we call it a ROMA, a regional offsite mitigation area.

And a ROMA -- and it's -- that's shorthand for ROMA/in lieu fee arrangement. It would satisfy both state and federal mitigation requirements for offsite projects. It would apply only to county projects, so it would be a county project/county mitigation bank.

It provides a lot of advantages. It provides the ability for the county to take ownership and say, okay, we have a way to take care of this land because we have the funds to do so. It provides a solution for those sending-area owners who have no place to convey their lands to and, potentially -- and this is part of our Phase 2 that we want more direction to pursue -- it provides the opportunity for the county in the long run to save significant dollars in terms of their mitigation costs, because right now they go to private mitigation banks. It's quite possible that money could be saved over the long run, and we need to do that analysis through a dedicated mitigation area, which would be a ROMA probably in North Belle Meade.

So that's the one big idea, and we want to present that to the Board of County Commissioners to get a green light on moving forward with Phase 2 to get a higher degree of confidence. Right now we think it's reasonably likely that it would be acceptable. We want to go beyond a reasonable likelihood to a 98 percent likelihood, if that's at all possible.

So that will involve various things, including meeting with the permitting agencies, having pre-applications with them, developing finer tools and groundtruthing and, again, doing a financial analysis.

The other big idea, and we want to get direction from the Board of County Commissioners on this as well -- and this might be a little bit tougher, but the purpose would be a mitigation bank. A mitigation bank is a completely different kind of bank than -- I'm sorry, a TDR bank. See, I'm confusing myself.

TDR banks are completely different than mitigation banks. What we're talking about in terms of a TDR bank is having an intermediary, being the county or a county-sponsored agency, buying the TDRs from sending-land owners, selling them to developers. Why is that good? A lot of the stakeholders had recommended it. The majority of them agree with it. It would be a parallel system to the direct market-driven purchase and sale of credits.

But the reason we need a parallel system is that we perceive a great time lag in between the ultimate use of TDR credits, which aren't really applied or needed by development interests until they go to plat. That could be, in some cases, five, 10 years; in other cases, 10, 20 years, even 25, 30 years. It's going to take a long time to build out the receiving areas.

On the other hand, if we supply sufficient incentives -- and we want to show you a couple of slides toward the end of our presentation that give some information that you don't have in your package -- it's kind of hot off the press from our economist -- and give you an idea of what it means to provide more TDR credits to sending-land owners. It gives them a more immediate incentive to provide to the county or some other agency ownership of those lands by providing more TDR credits, and that will give them more return, more incentive. It gives developers greater opportunity to procure those. In the short run, their issue will be, as with sending areas, in the long run.

So those are areas we'd like to address, and we think the bank is an important way to do it. I hope I've described that adequately. I'm not sure if I've connected all the dots there. But it just seems to me that it's going to cost the county some amount of money because of the time value of money. The value of those TDR credits in the bank ultimately get paid back but, again, with the time value of money, it's going to cost the taxpayers some money.

So the idea in going to the Board of County Commissioners to ask, look, is this something we should put in front of the public in terms of a referendum in order to decide that? Should we first do some sort of polling exercise? We'd be happy to go through it step by step, but we think that a TDR bank is, in fact, a very important component.

So those are the two big ideas in our white paper. We have a lot of other ideas. And then from all of those other ideas, we'll derive more specifics once we get some of those big ideas down. But until we do, we really can't get to all of the detail of the recommendations that we would like to because we need that basic

direction in terms of whether the county wants to do that.

So those are my initial comments. Anita might want to make some comments about the receiving areas and development in those receiving areas, and then, ultimately, I think, because no one's seen them yet, I would very much like to have a chance to look at a couple of slides that relate to work product that was delivered from our economist who's a well-known economist in the TDR field.

CHAIRMAN STRAIN: And we can stay here after Stan leaves to the extent the other board members wish to stay. I mean, it's just a matter of not being able to officially have the meeting going.

MR. VAN LENGEN: Okay, great. Thank you.

MS. JENKINS: Kris, you're welcome to stay up here.

Good morning, Anita Jenkins. I'm a planner with Kris's team, and I'm happy to be standing here as not a consultant this time but the first time in front of you as one of your staff members, and I'm very pleased to be working on these very important restudies. This is important to our community, and growing out is important for us to look at these changes that we can make improvements to.

So I would like to talk to the density issue. And what I'd like to do is just skip to the end of our presentation and show you some information that wasn't included in the white paper, because we got it after the white paper was published, so we didn't really have a chance to really vet it with you through your white paper and your reading of that.

So I'd like to just show you what our economist -- some of the information that he provided to us, and it speaks to the density issue, we think. And some of the objectives that we're trying to meet in Collier County -- and through the restudy, you probably picked up in the white paper that we did a lot of research and analysis on economic development, what's going on with Opportunity Naples. We met with the Chamber several times.

We were looking at transportation, what's going on with transportation planning, what happened in the Master Mobility Plan, and how these all converge with land use in the Rural Fringe Mixed Use District.

So in trying to meet the objectives of a lot of those reports, we asked our economist to run three scenarios for us, and I am going to try to figure this out.

Ray, can you help me with this? How can I get to the slide so I can just go down to the bottom so we don't have to go flipping through all these? Is it just "escape" to get out?

CHAIRMAN STRAIN: Yes, "escape" will get you back to the left-hand side.

MS. JENKINS: Perfect, thanks.

So this is the end, Slide 59. And what we did was we asked the economist to run three scenarios. He built an entire model on both the sending and the receiving areas. And so we were evaluating a pro forma, actually, on three scenarios and then how that related to the TDRs and the liquidity of those TDRs and how sending-land owners may be willing to enter the program based on these factors.

So what we did was ask him to run the scenarios on the baseline.

CHAIRMAN STRAIN: Are you trying to run this PowerPoint from this slide to the end? Because if you want to do that, hit the second icon from the left where it says from current slide. There you go.

MS. JENKINS: Thank you, Mark.

So the baseline scenario is what is available today. Today we can do three different options if you want to develop within the rural fringe. You can do one unit per five acres. You can do clustering, which is use of TDRs to increase density up to one unit per acre, and that's what's happened to date pretty much in our western receiving area with La Morada, Golf Club of the Everglades. Those -- several projects in that area.

So you can do that or you can do a village, which is up to three units per acre, with the use of TDRs. So we asked him to run that baseline, and we gave him, based on the data that we have in our GIS system, we were able to aggregate acreages based on common ownership. So what we said is that if the idea that came out of our public workshop was to eliminate the 40-acre minimum that you have to have to cluster, so we said, well, let's use that test and see what happens.

So what we did is we said that any acreage of 10 or more, let's see what that looks like as a cluster, and then any acreage of 300 or more, let's see what that looks like as a village.

So we used those standards throughout these scenarios. So 10 acres -- up to 300 acres would be cluster. There are some -- if you're under 10 acres, we said those are large lots, so we'll leave those at large

lots, and then 300 acres or more; 300 acres is the standard right now for a village in the program, so that's why we used the 300 numbers.

So in the mid-range scenario, we used the same basis. We increased the density on the cluster to two unit per acre, and we increased the density on the village up to four units per acre. And in the high range, we increased it to seven units per acres on the village. The other two stayed the same. Each scenario has -- includes affordable housing at 10 percent. So that's the basis for the next few slides.

So what does that look like? In all, what it looks like is the north area, what we -- you may know as the 846 Trust. It's been commonly referred to as that, but it's the north area of the receiving areas. And let me go back and remind you that we have four receiving areas, about 28,000 acres in those receiving areas, but half of that has already been developed. So we're looking at how do we plan for 14,000 acres in the rural fringe that is largely surrounded by Golden Gate Estates? How's it going to be complementary? How is it going to drive economic development? How are we going to work with the transportation system?

So in the north area, that's under one ownership, and so we assumed that that would be a village.

The west area is nearly built out. There's only about 500 acres left there. There's some acres that you can aggregate and would be in a cluster, and then you can see the orange is the large lot left over.

The Belle Meade receiving area, which is the receiving area right in the center of the rural fringe, same. There's some opportunity for cluster. There's a lot of opportunity for a village development, mixed-use development, and then there's some that would be large lot, what we assume.

And then the south one, very large land ownership parcels in that area. So you can see that the village concept would work very well there.

So what does this mean to housing? And this is where we get into density. You can see under the baseline scenario the green, the orange, and the brown represents units that are not single-family. So these might be condos, townhouses, apartments, affordable housing. Affordable housing could be in single-family as well.

But you can see under the baseline when we're talking about up to one unit per acre, the majority of the housing that we can achieve through the baseline is single-family, and that's pretty much what we have now. And that -- so if the standards are the same, we could imagine that the same development is going to occur in the remaining 14,000 acres, to some extent.

Now, if we increase that to four units per acre, you can now see that the density's changing and so are the mix of uses.

So you have an opportunity for more multifamily, more affordable housing, and more condos or townhouses. And in the high range, it gets even more dramatic.

So you're really hitting the targets of addressing the affordable housing needs that we have here in Collier County in apartments and condos and townhouses as well. So that is how the scenarios played out.

So one of the reasons we wanted to test this is because I wanted to look at a pro forma to see, is it going to actually work for the developers? Because we don't want to make recommendations that is not -- they're just not going to work. It's not going to be feasible.

We recognize that the market needs to be there, but we also recognize, based on our research in Opportunity Naples, is that we have a derth of population between the ages of 25 and 44, and we need to start replacing all the people that are going to start retiring, right?

And so I said, well, how do these people want to live? How do the millennials, the new people, want to live? So we looked at that, and we found that, you know, 80 percent of the millennials that have been polled want to live in a walkable, compact mixed-use development.

Also, AARP did a study and found that the majority of the seniors wanted to live within a half mile of mixed use as well.

So can we achieve that through these densities and through these scenarios? So what we found was that, in fact, as you increase density, so does your gross sales value increase over the cost. So that's just one -- a snapshot that says, it is feasible, and that's what we were checking on all these; is it feasible?

This shows you a residual land value. And what the residual land value is is it tells you when you run a per forma how much can you pay for that land. And you can see that when you're in the baseline scenario, that low density, you're not able to pay the landowner as much for the land to get that return on

value. And you can see that in the high range, the residual land value and the amount of money that the developers are able to pay a landowner is much greater.

This just shows the TDR credits that they ran as well. Kris, I don't know if you want to speak to this, but --

MR. VAN LENGEN: Sure.

CHAIRMAN STRAIN: By the way, this PowerPoint, is this something that you can supply to us --

MR. VAN LENGEN: Yes.

CHAIRMAN STRAIN: -- in an electronic format or whatever format? But just do it through the planners or Ray or somebody; that will be fine. Thank you.

And, Stan, did you want to make a motion to adjourn?

COMMISSIONER CHRZANOWSKI: Well, I was just going to leave. Should I?

CHAIRMAN STRAIN: Make a motion to adjourn.

COMMISSIONER CHRZANOWSKI: I move to adjourn the formal meeting, and you guys can continue without me.

CHAIRMAN STRAIN: Is there a second?

COMMISSIONER HOMIAK: Second.

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

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries.

Thank you, Stan. And we'll continue on. Thank you.

MR. VAN LENGEN: We will have this PowerPoint as well on our website. Again, it's an illustration. It's not necessarily what we're recommending, but it's based on some initial recommendations, what we call initial.

And so we want to make sure that it's available to the public. We've had requests for the underlying tool that was used to develop these things, and since that's public information, we'll certainly provide that to whoever would like to have a crack at using it. We can -- there are a myriad of inputs, a lot of different ways to look at it.

The slide you're looking at right now kind of goes full circle. It's based on what Anita was talking about in terms of what if we go to the villages of a mid range of four units per acre, a high range of seven units per acre. And what you have is a TDR demand that's far in excess of the supply, and that's without changing the supply today.

So the baseline is really what we have today, very similar to a slide we used early in our presentation in terms of the percentages. We -- the staff did a study and found that based on a number of assumptions the likely supply to likely demand was about -- the demand was about two-and-a-half times higher than the supply.

Here our economist uses theoretical maximum to theoretical demand, and that's his methodology that he feels is tried and true in the TDR program. It ends up being very close in terms of the ratio involved. Here demand under baseline is 2.9 times higher than supply. So if we did nothing in terms of density in our program, we're still woefully short of supply.

If you look at the mid range and the high range, those are a difference of 3.8 times higher demand, and the high range is three times higher demand.

And I don't know if that was well understood in terms of why that goes down, but it's a bit of an anomaly in the way that we've designed and incentivized higher densities. We're incentivizing higher densities by providing a little bit of a break in terms of multifamily dwelling types of structures. So anything that's multifamily would consume not one full credit but three-quarters of a credit, .75, and affordable housing would consume zero credits.

So as it turns out, the higher density village literally consumes fewer credits than a mid-range density scenario. It's a little bit counterintuitive, but that's the way the math works out.

This shows -- this shows what we've done in terms of taking our first crack at what if we provide additional incentives to sending-land owners through additional credits? And, by the way, let's have some credits left over for some of those other goodies such as incentives for either agriculture or excess preserve; what about Golden Gate Estates if we want to tie in some of Golden Gate Estates in terms of flowway. We don't know if we do. It's not a recommendation that we do. It's just simply a recommendation that we keep enough room in our program to accommodate if that's what the CWIP Committee -- if that's what the Board of County Commissioners feel is an important way to go. So we feel we have room to do that.

What you see here -- represented here in terms of mid range and high range -- and these are recommendations in terms of density. We would increase the credits allowable to sending-land owners, literally doubling them; in other words, we would have four additional credits going to sending-land owners in addition to the four credits now.

Now, how would we divide them up? We think probably two on the front end as additional base credits, two on the back end as additional credits once conveyance takes place. We've also made room for a fifth credit, and that would be allowable to go directly to the county to put in its bank or its trust to use at an appropriate time. There would have to be limitations on that so it doesn't get into the marketplace.

But we wanted to create room. And even with creating that much room and room for those external TDRs, we find that those ranges -- at mid range it's about a 71 percent excess demand than supply, and at high range it's about a 32 percent excess demand than supply.

The economist feels that those are probably really good benchmarks for a program, because as Dr. Nicholas said 12 years ago, 14 years ago, you always want to have more demand than supply. It makes the programs become much more vibrant and viable if you do that, but not to the extent that we have them now. Right now we're woefully short of supply.

So this is a good thing because it provides us the opportunity for more incentives for sending-land owners and, at the same time, it assures liquidity over the long run.

So that's what we've got right now. It's derived from some interesting tools that were developed by our economist. Those are available to those who want to contact us. We'll be working with him for additional types of scenario testing in the future. But we just wanted to show you this as kind of a first time through and tell you what's possible in terms of this program and how we can help make it better. We think by making supply more available to sending-land owners, it incentivizes their interest to a great degree.

CHAIRMAN STRAIN: Kris, if you don't mind -- I don't mind. I don't know if the other two members here have any concern -- could you go through 1 through 58.

MR. VAN LENGEN: Okay.

CHAIRMAN STRAIN: I mean, we're here to understand this, and if you've gone to the trouble to create it, I'd sure like to make sure we get the benefit of that.

MR. VAN LENGEN: Okay. And I will -- because we've talked about some of these things, I'm sure that we'll be able to -- how do we -- there we go.

CHAIRMAN STRAIN: Hit up -- see where it says "from beginning" up on the top left-hand? Hit "from beginning," way to the top left-hand side. There, now you're there.

MR. VAN LENGEN: Good. Learn something every day.

Okay. So this is simply today's presentation. This is kind of blown up by now because we're going in a different order, so some of these slides I'm just going to breeze through them, but some of them we'll hover a little bit. This is a look at our four restudy areas and how they fit together. We think, as the Chairman has mentioned, that the Golden Gate Estates and the rural fringe are very, very tied to each other in so many ways, both economically and environmentally, and we want to make sure that that happens.

I think we're making sure that happens in a number of ways.

But to continue with the Chairman's comment about having started that program, we're resuming those public outreach meetings in October. We'll have those on the website. I think October 6th is going to be our first scheduled meeting for the rural estates; that will be at the IFAS center, and then on the succeeding weeks, the 13th and 20th, we'll have meetings with Golden Gate City and the western estates respectively,

and that will be at the community center.

Anyway, it's important to note that there is a lot of -- there's a lot of interaction between these areas, and all of the things that we talk about, these are things that we talk about both within and without each studied area. So complementary land uses, transportation mobility, environmental stewardship, economic vitality, these are key not only to each individual restudy, but these are elements that we want to look at as we look at the interrelationships between the different studies, and we want to make sure we do that.

Just to let -- this is just to let you know what the white paper review schedule is. I think we talked about that. We'll probably look to go to another Board of County Commissioners when the 2017 board is seated, but then we're still trying to stay on track for schedule completion of Growth Management Plan amendments by next September. That might be a tall order. But something close to that would be -- would be desirable.

We have a Growth Management Oversight Committee, which I'm sure you're aware of. They were appointed October 2015. They meet quarterly. And they're a fairly high level of scope. They're non-granular, but they want to make sure that our public involvement is robust, and mostly that the plans are consistent with each other and that they use those other parameters to make sure that we've considered all the different elements within each plan and that they work very well with each other.

You've heard the historical goals of the rural fringe probably more than once. It stems from the final order, and the State required programs to be designed to protect wetlands, protect agricultural land, direct growth to appropriate locations, utilize creative land-planning techniques. Those were done in two different ways. Obviously, the RLSA is one of them. The RFMUD is the other. Two different programs, and probably for good reason, because the characteristics of those areas are quite different.

So as part of the restudy, our objective really is to retain those initial goals, the initial design of the program, and retain the boundaries as well. We're kind of constrained by that boundary issue. But other than that, the three major prongs are improve the TDR credit system; we talked a little bit about that.

Identify entities for sending-land ownership. We'll be asking the county to step forward, if at all possible. We've had a great deal of difficulty finding any state agencies who are willing to even entertain the idea of stepping forward and taking ownership of any of those sending lands.

And then improve the development pattern through smart growth, economic development, sustainability, and I think we'll have some very, very thoughtful and very interesting ways to do that. And this really also goes to the correlation between this area in the Golden Gate Estates in terms of economic development opportunities for not only goods and services, but employment and reverse commutes and better mobility.

So this was -- I can skip over this. I was going to ask for your patience in going through this and flexibility in terms of the long run, because it is a complicated program. We want to do it step by step. We have to look at the big pictures first, and I think we've covered that point.

This is a map. I'm sure you're familiar with what the rural fringe looks like. This is a map to try to get some common language, common denotations of the different areas.

So the sending areas from north to south we call the North Sending. We called North Belle Meade West, North Belle Meade NRPA, and South Belle Meade, and then the receiving areas north to south we've got the north area, the west area, North Belle Meade, and the South Receiving Areas.

And we think that it's not only important you have the language correct, but just in terms of analysis, there are a lot of reasons to analyze these areas somewhat differently. And so at the end of the day, if some of the growth management plan or LDC outcome of the restudy suggest different rules for different receiving areas I don't think that that's a bad thing. That may be a reflection of how different they are in character at this point in time.

For numbers people, I brought this in mainly because -- just to focus on the fact that the sending lands really are relying on 17,000 acres of private ownership. There are a lot of government-owned lands in there. They can't sever TDRs, so they're not going to be part of the program.

And then, as Anita mentioned, the vacant land, we're starting with that as the analysis for future development of villages and cluster development.

So -- but, again, the challenge, when you look at those two numbers and those acreages, there are

over 3,000 parcels involved, and so that makes it a difficult program in terms of communicating with folks, getting people in to do -- a lot of small landowners, so the burden is high on small landowners to go through a program that's both confusing and, in some respects, expensive.

Densities; you may know that before the Rural Fringe Mixed Use District came into effect, it was essentially an ag density of one unit per five acres or smaller legal lot.

After the plan adoption down-zoning to one home per 40 acres or one home per smaller lot in existence before 1999 -- and the credit system was designed as the compensation for that -- for that down-zoning.

We've reminded the residents or the owners of those parcels, because there was great confusion to begin with, that first of all eminent domain is not part of this program and that, secondly, they have every right to keep a smaller parcel if they wish, any parcel that they wish. But there may be incentive in certain locations where there's access. Smaller five-acre parcel, individual says, look, I don't want to enter the TDR program. I want to keep it. I want to develop it. If they have that development right, if it was a smaller lot in existence before 1999, they may do so, and we wanted to make sure that they understood their land-use rights as far as that goes.

The types of credits: This is an unusual program compared to other programs nationally. We have four different types of credits. The first two go together. It's just a severance of development rights that creates those base and early entry. We'll probably just call them base from now on.

The other two are more difficult to obtain, and I think we referred to that in looking at the difference between south and -- South Belle Meade and North Belle Meade. In fact, we'll look at that right now. But restoration maintenance was originally conceived as a -- as a prerequisite for an owner to obtain conveyance credits. One had to restore and maintain for a certain amount of time, under a land management plan, their property before they could convey it to a governmental agency.

What happened in South Belle Meade, which is probably a good thing -- that's the photo on your left -- and where you can see a lot of state ownership. Those orange parcels are parcels that went all the way through the conveyance process.

And what happened was that the county recognized that it was certainly more efficient and more effective and made a lot of sense to put those parcels under the State's and Division of Forestry's land management plan, which is what happened for those parcels. They were able to simply convey them and get those two credits in one fell swoop. But in doing so, they were required to provide some form of endowment as determined by Forestry.

So that's the preferred model, if you will, because it's just so much more efficient, from both a restoration and a management standpoint, to work on areas and on a landscape scale than to do it on a parcel-by-parcel basis.

The map you see on the right is North Belle Meade. You can see a lot of interest in the program but nowhere to go. There just is no agency willing to take ownership at this time. We've been unable to locate one. We are recommending that the county consider becoming the owner and finding a creative way to pay for it. So that would -- if so, we would also encourage the idea that conveyance and restoration and maintenance become essentially one process; that one doesn't necessarily pre-precede another.

To date, about 25 percent of the maximum -- of the credits, maximum potential credits of the outstanding credits, 25 percent have been earned to date. That's not too bad for a program that's been in existence for a decade and a half. Usually these programs take many decades to mature and also, obviously, we had an economic downturn in the middle. More than half of those have been redeemed already and been applied to development areas. Less than half remain in circulation. They're probably earmarked for developments either in the urban residential fringe that -- you've been involved in those rezone applications in the last few years, or in the receiving area west.

So they're probably already spoken for, for the most part, but they haven't been applied yet because they haven't all gone to plat.

And this is just a depiction of that very -- of that very process. The credits you can see being derived from certain areas, being applied to certain areas, whether it's Golf Club of the Everglades, La Morada, Hacienda Lakes; all of those are consuming credits as they go to plat, and this is based on 2015 data. We've

had, obviously, more activity since then, and that will continue to grow.

So with that part of our presentation, we're just going to give a short interlude to discuss our public outreach.

Anita, you want to take that?

MS. JENKINS: Yeah. So this is our opportunity to also thank the stakeholders and everyone that's here, and everyone that's been involved: Residents, sending-land owners came out, receiving-land owners came out, the stakeholders, interested citizens. We had about an average of 60 people at six public workshops that we had. But we would like to thank them for participating with us.

It definitely has been an ongoing and collaborative process, and at many of the workshops we would say, here's some ideas we're thinking about. What do you think? And we'd go through exercises of that. And this has continued through the process and through our drafts, recommendations, and our initial recommendations. There's feedback, there's tweaks, there's feedback, there's tweaks.

So really where we're at today -- and I think Nicole points it out fairly -- is we're not really saying that these are final recommendations, but they are our initial recommendations and one that we need some feedback on as we go to the next level.

So part of our public outreach process was to create a website where everyone could go to get the same information. The County Manager's Office approved many of these workshops being televised. So we had our Collier TV out there recording these. So if you're interested in watching it and you can't make it, you can watch it. So that was a really great thing to have.

The website is under the zoning division, if you haven't visited it. Under the zoning division of community planning, we have that website that covers all four study areas. Now, the rural fringe is definitely the most populated one so far because we've done the most work, but we had started with the Golden Gate area. And that website has different resources and information on it.

We're also doing surveys on it. So people, again, that are not able to participate in the public workshops, they're able to give us feedback in this regard as well with surveys. They can answer the same type of questions that we're asking at the public workshops.

We also have a dedicated email address, so it's easy for people to remember where that is, that rural fringe restudy. Also, we have a distribution list, email distribution list that's been created through these public workshops and interested citizens just asking about the program.

So if you would like to be on the email distribution list, up to date, receive these draft reports, white papers, those are distributed each time before we come to you so everyone has a chance to review these things and provide input to you.

In addition to the website, the emails, we have had numerous meetings with stakeholders, and we've interviewed them. You know, we've met with the coalition. We've met with the environmental interest groups. We've met with the Chamber. So all of these things coming together, and our transportation consultants, our impact fee consultants, we're meeting with all of those, and also different agencies that Kris had mentioned that we can't find anybody that's interested in taking ownership of these sending lands, so that was our -- a lot of the agency meetings.

We've had a lot of media coverage on this program as well and expect that to continue through the process.

So we had six public workshops during the first six months that we've been working on this. The first three focus on the sending lands, and we held those out at IFAS. And, again, we had about 60 participants. And I think the picture on the right, the top there, demonstrates a lot of the exercises that we were trying to not only provide information to the citizens that were participating, but asking them to give us real feedback. And so you can see some of these exercises where they were very engaged in this process.

The second two we did on the receiving and neutral lands, and then the final workshop was consensus building. So at that final workshop, we had initial recommendations, based on the public outreach that we had done so far, the feedback that we have gotten, the analysis that we had done, and so we put all of those recommendations forth to the participants and asked them to rank each one, and that's what this illustrates. And it might be a little fuzzy on your screen, but this is included in the white paper. So -- if you'd like to look at those more closely.

But I think that this just demonstrates that overall we're achieving consensus on these initial recommendation at that time.

Again, those were recommendations at the end of the workshop. Following that, we had continuous meetings. So they're tweaking a little bit. But at that time, the big ideas there we did reach consensus on.

And now we get to go back to Kris and the TDR credit system.

MR. VAN LENGEN: I'm having slide envy because Anita's slides are much more colorful than mine.

I think we talked about the -- I think Nicole mentioned this is sort of a no-brainer, and I suppose it is. But we had almost unanimous agreement that the 25,000 minimum TDR meant to protect sending-land owners really becomes an interference with the market, and there are probably better ways to protect sending-land owners, and one of them is to provide additional TDRs and give them more value overall.

The base TDR really ended up providing two different currencies, because even though they are used in the same way by the developers, they're worth the same at the end of the day; they're priced differently at the beginning of the day. And it doesn't really make a whole lot of sense.

As we did our study, we found that 13,500 was really the true average price because they were -- in contracts, that were coupled together with, you know, X number of base TDR, X number of bonus TDRs at one or two thousand dollars apiece.

The average turned out to be about 13,5- for what we think a TDR goes for today and, of course, that price will be different from year to year up or down.

This was our original likely supply, likely demand; two-and-a-half times different. I think we talked a bit about that when we went to the economist's slide.

Ways in which we can provide additional TDRs; not only just to those sending-land owners, but agricultural uses. We definitely need more feedback on agriculture. We definitely need to refine it. There are pros and cons there, and we need to examine more closely those pros and cons, particularly passive versus active agriculture. We're not talking about land use here.

Under the land uses in the rural fringe, agriculture simply is an allowable land use, and people have the right to do that. It's just the question of are we incentivizing it with TDRs, should we incentivize it with TDRs. And there are good arguments, a pro and a con, and that's an area that we would like to do a lot more work on with stakeholders.

Small parcels is an interesting thing. I think we're going to assume a legal lot if it's over 4.5 acres. I think that's just an administrative suggestion to make it easier for existing owners to obtain TDRs without having to go through extensive proof of how much right-of-way was taken and so forth. The bigger point there is illegal, nonconforming lots. Illegal non-conforming -- and we have somewhere between 30 and 50 in the rural fringe.

They were subdivided at a time when they shouldn't have been subdivided. They were no longer eligible to go below five acres after a certain point in history.

They have no building rights, and we're not suggesting that they do have building rights. What we are suggesting is that those properties shouldn't just be sitting out there if we're trying to consolidate these lands into environmentally sensitive and managed areas; therefore, we recommend giving owners of those properties some TDRs, and we would do it just proportionately.

So a two-and-a-half acre lot would get a half of a TDR for base, a half a TDR for each of the succession, and we'd probably require -- and this is a great suggestion from Conservancy -- require them to go all the way to conveyance in order to get any TDRs, because that would be the point. We would want those properties conveyed to the appropriate agent.

Retroactivity or program changes: This is really just an equity argument. A lot of people got into the program. You saw it in North Belle Meade where there are a lot of base TDRs but not other TDRs. They entered the program in good faith early on. If we're going to issue additional TDRs on the base side at this point in time, should they be eligible?

My opinion, from -- just from an equity standpoint would be, yes, they should because why should they be prejudiced from entering the program early on in time? That's about a 1,400 credit impact to the supply. We've accounted for that, and our economist has that figure as part of his model.

Receiving a neutral credit generation: We talked enough about agriculture.

Native vegetation beyond the requirements. If they -- if they rise to a certain level of importance or if they recreate native habitat, these are areas that need further discussion and refinement. This is definitely an area where the fine print is going to make a whole lot of difference. So we understand that. These are just general ideas that we think would be helpful to explore.

Public benefits: TDRs could be issued to receiving entities that do low-impact development or create greenway connections or allow flowway connections. And we think that that's an important area to consider because we'll need those public benefits from receiving-land owners, and I think that's a good way to achieve those.

And as far as neutral goes, the concept came up in our meetings, and we think it's probably not a bad concept. In fact, it's not too different from the concept Joe was talking about even in sending areas in terms of allowing clustering, something we hadn't thought of before. That's a great thing we'll add to our list.

But for our consideration here, we're talking about neutral territory. If you have a five-acre tract in neutral, why not allow a few TDRs to keep that in perpetual conservation in the neutral area, lower the density even more; more aquifer groundwater recharge; other benefits as well.

Agricultural easement: Again, we'll get back to that.

Areas -- credit to areas outside the rural fringe: Urban residential fringe, I think you-all have decided and the Board of County Commissioners has decided that the one-mile rule need not apply. So it's just simply a cleanup, I think, at this point; it's fairly moot. There aren't too many unentitled areas where that rule would make much difference.

But the larger point here would be urban infill bonus. How can we incentivize more infill in the urban area? And that's certainly where we want to concentrate some of our growth in the future. It's certainly not the centerpiece of rural fringe mixed-use restudy, but it is part of the TDR program, and we think that eliminating that TDR requirement is more consistent with the purpose of that infill development.

You get three additional density units as -- in an infill situation with smallish types of parcels within the urban area for residential development.

But right now the way that bonus reads is that the very first of the three needs to come from a TDR credit. So the developer would need to purchase TDR credits to get those bonuses. We think that's somewhat contrary to the purpose of that urban infill bonus, so that's a recommendation that we're making.

CHAIRMAN STRAIN: Kris, let me interrupt you just for a minute.

MR. VAN LENGEN: Yes, indeed.

CHAIRMAN STRAIN: Terri, it's been an hour and a half, and we usually give you a break every hour and a half. I'm not sure how much longer we're going to go on today.

What do you think, Kris?

MR. VANASSE: Ten, 15 minutes.

CHAIRMAN STRAIN: Okay. Then with that, we'll just continue through. And I just want to make sure if we're going to go longer, she had the appropriate break. Thank you.

MR. VAN LENGEN: Yep. I think that's about it.

Okay. And then credits from outside. I think we talked about the Golden Gate Estates watershed plan. The north Golden Gate flowway restoration area is a fairly large area. What we don't know at this point and what the CWIP Committee -- that's the Comprehensive Watershed Improvement Plan, planning technical ad hoc advisory committee -- is looking at is what does it take to do the restoration in the Golden Gate area flowway? How much of it is mechanical? How much of it requires storage or land ownership or land use?

We need to probably get to that technical aspect before we know the volume of land ownership that would be helpful to Collier County. And then we simply want to accommodate that by suggesting that TDRs could be a tool that could be used. We're not recommending that TDRs solve that problem. We're simply saying we want the TDR program to acknowledge this Golden Gate Estate issue and be ready, willing, and able to participate in an incentive-based program if the Board of County Commissioners feels that that's the way to go. There may be other incentives that could be applied.

Program management: Obviously, we can -- this is -- who wouldn't agree with the administration

and the county staff improving the exchange site and application process? We think that customer design input, both on the application and in the exchange -- the exchange really hasn't worked very well. We look at the activity through our own exchange over the past few years. It's been very, very light.

So, for some reason, we need to make it more visible, more vibrant, more helpful. We also need proactive outreach to the 800 or so owners in -- of sending lands that we sent notices to for our initial meetings.

We need to keep up that kind of approach to help them understand how this is evolving, how this restudy ends up, what their rights are, how they can take advantage of it, and how staff can help them do that.

Application costs are an issue to me because I think they fall disproportionately on the small landowners, and I think that, basically, we're talking about compensation through the TDR program for loss of use of land rights.

I think by saying that and also charging application fees for them to get it done, we're putting money into one pocket and taking it out of the other. I think that the cost to the county is fairly low compared to the benefit one would get from the goodwill from eliminating some of those application fees, so that's another recommendation we're making.

We talked a bit about the TDR bank. I tried to summarize that. There is broad stakeholder support. It would run parallel to the open market.

Capitalization is the big issue, and that's why our consultant has recommended -- you see the first line under capitalization, general or dedicated tax revenues. Our consultant, halfway down this page, is recommending a dedicated millage that we can bond so that we have a large sum of money that goes into the bank on the front end so that we can hold TDRs for a reasonable period of time knowing that the demand for those TDRs may not develop for quite some time.

It's really the only option in terms of funding a TDR bank that addresses that lag time issue; otherwise, it's what he would refer to as a bootstrap approach and less -- certainly less effective.

So that's an area we'll be a little more specific when we go to the BCC, but that's where we want to obtain direction from the Board of County Commissioners on that TDR bank concept.

Then land management: Again, we talked about ROMA. This has to do with TDR conveyance. It has to do with a lot of things. But the South Belle Meade, as we mentioned, provides a good example where restoration and conveyance work well together. And a majority of stakeholders have recommended that the county step forward as the owner.

It also -- what's kind of parallel to that is the potential watershed improvement area. Like Golden Gate Estates, North Belle Meade and South Belle Meade are potential watershed improvement areas that are mentioned in the Watershed Improvement Plan that was approved in 2012. And certainly at this point in time, there's a lot of activity having to do with grant funding for the South Belle Meade area as part of a watershed improvement project.

So we need to make sure that we coordinate with that. To the extent that we can get county ownership of those areas, the better off we are; we certainly know that. But we also need to work with them in order to create incentives that make it make sense.

The same thing would be true for North Belle Meade. We don't have -- we don't have a timetable or definite plans to create watershed improvement in North Belle Meade, but it's one of the recommendations of that -- of that watershed improvement plan. And so in time we think that that will happen once we get the funds, either through grants or otherwise, to do so.

So these are the options: Create a mitigation area, which is what we've talked about; build an endowment from TDR transactions. This is where the county maybe skims the TDR off the top of each transaction. Land or TDRs get transferred at conveyance to the county. At time of conveyance, the county receives an additional bonus TDR that is owned by the county. Maybe they receive two additional TDRs. Depending on how that's structured, those TDRs could be used for funding even for maintenance and restoration purposes.

And in that way it might make sense because they would have to be limited in the terms of the way they can be sold. We don't want to affect the private market, but over a period of time they could -- they could -- they could provide maintenance funding for a long period of time; certainly not as effective as a -- or

beneficial as a ROMA would be.

And a green utility fee is something that's been mentioned. We haven't done a lot of work on that. We know that stormwater is going to be talking at sometime in the near future about a stormwater utility fee. Whether those could be coupled together, I'm not sure. They seem to have some nexus certainly in the watershed concept.

So that could be another -- another way to fund long-term maintenance if the county decides to become owner of those 60 percent of properties that have no potential owner at this time.

So here's -- here are the slides on the ROMA. The three goals we mentioned: Long-term maintenance; conveyance TDRs to sending-land owner; and long-term cost savings for county roads and other projects.

So we think there's a really win-win-win possibility here, and we think that that possibility is reasonably -- reasonably attainable at this point in time. So we want to pursue that, get to the next Phase 2 of the feasibility study, and achieve that.

This is what the fees -- the feasibility report indicated for the ROMA in Phase 1; a reasonable possibility of success in terms of credit costs versus revenue. And, really, here's the best way to look at it. This is -- Scenario 3 is a fairly, let's say, robust example. Scenario 3 of the paper that Passarella & Associates put together for Phase 1 is a scenario where you have medium to high infestation levels of exotics.

The dotted line on the bottom indicates the cost that would be required depending on the percentage of wetlands involved for each 100 acres.

The Scenario 3 line, which is the green line, is probably the most important one, and that indicates -- that's the revenue that would be obtained given that -- that level of infestation, that's the revenue that would be derived from the credit generation, from the lift, so to speak, from this as a mitigation area.

If at some point in time we decide to pursue grants and do some hydrologic restoration on top of the other restoration in these wetland areas, then the return is much, much greater, and that shows it there. But what we wanted to prove was that even without hydrological restoration it's a win-win situation. There is a positive cash flow at the end of the day.

This is one further opportunity, and this is a bit confusing for folks, but the private sector, through its mitigation efforts, has gone and used lands in North Belle Meade for their own mitigation purposes. The county would not double dip on these mitigation areas. In reality, the ROMA would work around them and through them, and all these Swiss cheese areas would be filled in to the extent possibly.

And how does this make sense to the permitting agencies, Fish and Wildlife and others who would be approving the ROMA? Well, really, it fills in those gaps and allows the opportunity for an agreement down the road to have some third party or the county or a private party, either by agreement or a trust, to manage the whole thing together and to provide resources.

So it's -- there's very good opportunity for improving the performance of land management in North Belle Meade by combining these private mitigation parcels which, by the way, are owned in perpetuity by these entities and their successor entities, and combining that with the ROMA areas that would be all of the areas around and inside those private mitigation parcel. So this is an important opportunity, and we think it's a really big selling point to the agents in terms of approving the ROMA.

So the next step for the ROMA is more site-specific analysis, pre-application meetings with Fish and Wildlife, Army Corps, DEP, and then a financial analysis that does, really, a present-value look at the money we would have to put upfront and at what time would that money be returned and would we actually be in the black or in the red at the end of the day, and we think we'd be in the black, but we need to prove that.

Other possible funding sources: I think we just mentioned TDR issues to the county; restoration and maintenance fund can come along with conveyance, much like they do in South Belle Meade. Actual cash comes with the conveyance of property; and that's another possibility if the ROMA doesn't work. And we talked about the green utility fee.

MS. JENKINS: So getting back to the receiving areas now. During the restudy, the six months that we have been looking at this program, Kris had mentioned early on what we're looking at as complementary land uses and economic vitality, transportation, and mobility.

So through this process in our studies, we're starting with, well, where are we at now. So this

demonstrates, again, exactly where those 14 -- over 14,000 acres that we're going to be looking at for future growth and development -- and you can see that particularly the north area and the central area of Belle Meade is surrounded by Golden Gate Estates.

And Golden Gate Estates have representatives from the Estates, and the civic associations have been very active in participating in our public workshops to date. They also provided a letter of support for the recommendations moving forward with the rural fringe as they were at the end of the workshops, but that letter is available in our records as well if you're interested in reading that from the Golden Gate Estates.

But, certainly, you know, when we're looking at these land uses for the rural fringe, we want to understand how is it complementing Golden Gate Estates?

So -- I mentioned this earlier, so I don't want to go through it, you know, in detail again, but it's the three options that you can develop: Baseline, using TDRs to increase your density up to one unit per acre in clustering or the village. An important note on this is that if you have a business and you're interested in locating in one of these areas, an agriculture research and development business, for instance, they could not locate, currently, in the rural fringe area without being in a village.

So one business would have to, you know, get a whole lot of people and landowners together to create a village to actually locate there. So that's a challenge of the program going forward.

How the program is working to date, how it's building out is the western receiving area that you see at the top of this screen with the orange and the yellows and the greens, that's how it's working to date, and those were the areas that I mentioned that are clustering at up to one units per acre and using TDRs. The aerial below that shows the form that they're taking.

Now, these communities are all, for the most part, single-family communities. They're gated, private, auto dependent, and they have very little connection with their neighbors. So this is just kind of the pattern of an uncoordinated planning, and it's very mono-functional.

So for the Golden Gate Estates, there's no services -- goods and services there for them. There's no opportunity to locate a business in one of these developments at all. But that's how it's working so far in this area. And there's only about 500 acres left in that western receiving area to be built upon.

So one of the things that -- when we looked at who-all has a stake in this and what county agencies are looking at land use, one of the things that we found is that the Collier County Health Department is engaged in looking at the Healthy Communities Initiative, and they have created a checklist. And, also, the photo here shows us that there is an illustration of that very strong correlation between the automobile and obesity. So it's having very serious health impacts to the communities that we live in.

And so that very dark red area that's indicated on this map shows a low well-being index in Collier County.

When we met with the Chamber, read through the Opportunities Naples report, not only do we have, you know, a serious shortfall potential for our workforce, but when I'm looking at the research of how does this -- how does that generation -- how do they want to live? How can we help support the businesses that want to move here and the employees that we need to come to support these businesses?

And what we found is that 80 percent of the millennials, you know, again, the baby boomers, everyone's telling us through research and surveys that they want these walkable mixed-use communities such as that's shown on all of these illustrations here.

We found in our research when we're talking to the public workshops participants -- and we heard many of them saying we need to increase density to make, you know, affordable housing work, to give us more products other than these private communities. We need to mix this up a bit. And so, you know, what this illustrates is a very well-defined neighborhood, and this is in South Carolina. And this is 6.3 units per acre at a gross. But I think what this shows is that you can design high-quality mixed-use neighborhoods with just a huge variety of housing types.

And I had to tighten this in, but if I blew it up for you, you would see the commercial areas and businesses that are also located just to the south of this.

When we were trying to figure out how we work with mobility in the eastern areas, we found that we need seven units per acre to support transit. That's the overriding consensus on the density that's needed to support transit, is seven units per acre. And I think that when we talked about the economist's slides earlier,

you know, it was shown that once you get that density up there, that's the time that you start getting that mix of uses when you have these higher densities.

And if you'll also remember those slides, the single-family product was pretty constant across all three scenarios. So we're still providing lots of room for that type of product, but we need to increase the density to add new product on top of that.

When we talked about consistency and compatibility with the other planning areas, one of the things that I found in looking at this is that our village standards are very different. And it's not just the standards, but it's how we're measuring a good mix of uses. The village in the rural fringe area basically just limits the size of a village center, but it doesn't really correlate well to how much you need per dwelling unit. And those measures and standards are different in the rural lands.

So if we're looking at consistency and how we're measuring this, we just found that we're measuring it differently in our different planning areas. So there may be an opportunity to get these closer together.

On the transportation, we wanted to see, are these land uses conducive to what we're trying to achieve in multi (sic) mobility and travel in Collier County.

And there's been considerable attention paid to Eastern Collier County in our transportation planning and, in fact, as the top illustration shows, the majority of our transportation projects are east of 951 currently.

What was interesting as well is that the Long Range Transportation Plan designates freight activity centers, and two of these freight activity centers are located within the Rural Fringe Mixed Use District. One is in North Belle Meade, and one is in the south receiving area. And, basically, that tells us that these are designated freight activity centers, so there is a transport of goods occurring there already. So we need to think about that as we plan further in the future, that some of these networks and -- are already being established to move freight out of there, so that might be something that's positive to any new business that would like to locate in these areas, is that you have that designation.

We talked about concurrency earlier, and there's definitely a need to further study the arterial roadway network in this area and, in fact, we have two study areas designated in our transportation plan. One up around Randall Road, which is a little bit outside of our study area at this point, but we also have a large study area that's designated right around North Belle Meade; so how that transportation network is going to support that potential receiving area is on the books currently to be studied currently.

Finally on transportation planning, we had a Master Mobility Plan with recommendations that was accepted by the Board. And the FDOT is now really emphasizing complete streets. So to us that just informs us that we need to continue to be looking at not only the automobile, but we need to be looking at the pedestrian, the bicycle, and the transit in Eastern Collier County of how we're truly multimodal in that area.

So the initial recommendations for -- to address some of these things: Probably one of the most popular concepts that we heard through the public workshops is that we need to allow goods and services and businesses outside of these villages. So we're thinking about doing that in different ways, and we'll talk about that in a couple of slides in the process, but certainly we want to allow for some business park uses outside of the village, and that is to address the Naples -- Opportunity Naples findings that we need site available ready to go for these businesses.

So right now in the rural fringe there are not really any opportunities for businesses to locate in that area, so we need to help that.

There is a maximum on your village center right now of 10 percent of the total area, and that also limits the research and technology component of it as well. We're suggesting that we remove those maximums and really relate it to dwelling units to something that's more measurable for us.

We want to explore designating these receiving areas as innovation zones, similar to the innovation zone that's been designated in Ave Maria for the benefit of Arthrex. So if there is another business opportunity in one of these rural fringe, that they could have that benefit as well of innovation zone. So that's something that needs further discussion and research on that one.

Currently in the plan the villages are -- the maximum size is 1,500 with the exception of the south one. The south receiving area could have a village up to 2,500.

Now, when we have one receiving area under one ownership that is more than 1,500 acres, does it make sense to limit them in their development pattern of a village to 1,500 acres out of 2,000 acres? We

don't think that that makes sense. We would rather to see them be able to integrate that into one village.

So we're suggesting that we remove the maximum size of the village in the Rural Fringe Mixed Use District.

This is where we talked about modifying the density as well and increasing the cluster density up to two units per acre and increasing the village up to seven units per acre, and the basis for that is to support the multimodal objectives the county has and support transit. That's the number that the consensus says we need.

And also changing the minimum density in a village. Right now the minimum density of a village is two. We're suggesting to go up to four, again, to try to achieve that higher mix of uses on residential units.

Currently the villages are allowed to occur from 300 acres up to 1,500 acres, so what we're saying now is if you're 300 acres or more, you really need to do a village. You need to have a mix of uses in there. And recognizing that after our stakeholders read through some of these -- and Bob mentioned the density of four units per acre -- and it's been mentioned, is 300 acres the right minimum?

Well, what I found is that through the market analysis that all of our great retail consultants do, 300 acres could support kind of the bottom tier of a neighborhood commercial center.

So that 300 acre and the population that would occur in 300 acres, in addition to the catchment area that you would imagine that would surround that area, it could support, you know, the minimal neighborhood center.

So is that, you know, the right one, or we need to have continued discussions if there's some concerns with our stakeholders that maybe that's not the right number, maybe the number needs to be different, but we're open to have that discussion. But that's what the basis for that is.

On our transportation and mobility recommendations, we mentioned the need to analyze the roadway network, and we also need to analyze the capacity of our utilities.

CHAIRMAN STRAIN: I would like to give the court reporter a break. She's been at it for two hours now. And you had said about 15 minutes. It's already going into 30. So why don't we give her a 10-minute break, and we'll finish up here as soon as we give her a chance.

(A brief recess was had.)

MS. JENKINS: Go to the next slide, Mark?

CHAIRMAN STRAIN: Sure.

MS. JENKINS: Okay. So the last two slides we talk about development standards and the process. And we understand, Commissioner, that there's a concern with a simple majority approval and, you know, we're willing to, you know, continue to work on that process. That is the idea of the community, the stakeholders, wanting more certainty and more flexibility, right? So that's a response to that.

Now, the second one is dealing with the businesses that would like to locate here and support that economic vitality, not only for the receiving areas, but for Golden Gate Estates as well. So if there is a business that wants to come to Collier County, first, is there a site available? We'd like to make sure that this program allows sites to be available, so we need to develop certain standards and criteria for that.

And we'd -- also what we heard is we need sites and we need a shorter approval process. So the idea there is it would be similar to a conditional use. So if they meet all the standards of that conditional use, that they might then be able to be approved by the hearing examiner.

The third thing on this is creating a mixed-use index or impact fee index. So when we were doing our interviews and our outreach, of course, you know, the thing that you all hear the most and the county hears the most, it was documented very well in Opportunity Naples report, is we have the highest impact fees in the state, and it makes it hard to compete with those business that want to locate here in Collier County.

So what we're suggesting -- and when we met with the county's consultants for the impact fee -- is that there have been other communities that have successfully created a mixed-use impact fee. So that would be an impact fee that would be applicable to the villages, and that could potentially provide a cost reduction to those villages 10 to 30 percent, but we need to further study that. So we're just -- at this point we're recommending that we initiate a study to see if the impact fee for mixed-use development would be something to benefit this area and also, again, be an incentive -- another incentive to do mixed-use over the cluster development.

Final slide here, I think. When we talked about the health index in Collier County, one of the tools

that's been being used throughout the nation now is this health impact statement. And it's used from full mixed-use projects all the way down to new travel corridors; they're using these health impact assessments.

So the idea here is to explore with the Collier County Health Department the idea of these health impact statements. They're very well-funded through grants and other mechanisms now through the CDC and others, but what we would suggest is, is there an opportunity for the health department to provide information and inform the Planning Commission and the staff by running a health index assessment on any new project. Is that valuable to you as information?

We're not saying that we're putting it on the developer to create that, but it might be a tool that we can use with the health department to further measure the health impacts to Collier County residents through these developments.

The second point here is kind of the catchall; that we realize that there are many standards that are currently in the Growth Management Plan that don't necessarily belong there because they're design standards. They really belong in the LDC. We need to make those changes.

There are other changes that will need to be made in the Growth Management Plan or in the LDC on these development standards based on the direction that we receive from the Board of County Commissioners. And it's particularly that one idea of density. You know, how much density do we want to support in these villages areas; you know, is it meeting the objectives of the other things we're trying to accomplish in Collier County?

So if that changes, then there's going to be, you know, a series of modifications both within the Growth Management Plan and the LDC. But we certainly want to make sure that we make those changes to support new businesses out in the rural fringe area in the villages as well.

Finally, there were lots of great ideas shared through the public workshops, but we just don't -- we didn't have enough time in our six months of studying this to develop any type of incentives for these. So we'd like to just make you aware of them and let you know that we'd like to continue to explore these ideas if there are any incentives that we can come up with to support things such as flowways, that Kris mentioned before, through North Belle Meade area or the south area. Are there incentives for solar power, zero-net water use and other things?

So there's still a lot of good ideas, but at this point we don't have enough information on these things to make an initial recommendation on this other than we can study these further if it's something that's approved.

So the program economics, we've already went through, and that just kind of wraps it up to date. But I think Kris mentioned that, you know, when we go to the Board, we need direction on those big ideas because it's going to flow through the rest of the Growth Management Plan amendments.

And, so, if you-all have any thoughts on that, on, you know, the TDR bank, the mitigation bank, the density, we'd like to hear that; we'd like to share it with our Growth Management Oversight Committee who's meeting September 1st and would be interested in your thoughts as well if you have any additional ones that you haven't shared yet.

CHAIRMAN STRAIN: Okay. Anybody from the -- Diane or Karen, have you got anything you'd like to add?

COMMISSIONER EBERT: Well, no. We meet September 1st, so I don't think we can give you anything yet at this time.

MR. VAN LENGEN: Our GMOC meets at 3 o'clock; so if possible, if you want to run over there after your meeting, it may be available.

But just one final comment I wanted to make was just to thank you very much for allowing us to present this both to you and to your listening public and to also extend an invitation that -- a lot of this material is very complicated, some of the ideas that are being presented are complicated, what's existing is complicated enough.

Any of the listening public, any commissioners who wish to come in for one-on-ones, we're always available. Give us a call, drop in; we would love to discuss these ideas with you.

CHAIRMAN STRAIN: Okay. And I do have a lot of questions, and I know where you operate out of, so I will stop by.

COMMISSIONER EBERT: So you're in trouble.

CHAIRMAN STRAIN: I'll spend my time with you when it's a little more different, so thank you.
Anybody else?

(No response.)

CHAIRMAN STRAIN: No reason to adjourn because we're done. Thank you.

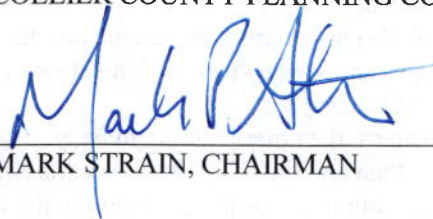
MR. VAN LENGEN: Thank you.

COMMISSIONER EBERT: Thank you.

CHAIRMAN STRAIN: Thank you all.

There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 12:12 p.m.

COLLIER COUNTY PLANNING COMMISSION



MARK STRAIN, CHAIRMAN

ATTEST

DWIGHT E. BROCK, CLERK

These minutes approved by the Board on 9-15-16, as presented or as corrected .

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