



**STAFF REPORT
COLLIER COUNTY PLANNING COMMISSION**

TO: COLLIER COUNTY PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT & ENVIRONMENTAL SERVICES
DIVISION, COMPREHENSIVE PLANNING DEPARTMENT

HEARING DATE: OCTOBER 19, 2009

RE: PETITION CP-2008-3, GOLDEN GATE PARKWAY MIXED USE
SUBDISTRICT GROWTH MANAGEMENT PLAN AMENDMENT
[TRANSMITTAL HEARING] Coordinator: Leslie Persia, Senior Planner

AGENT/APPLICANT:

Agent: Robert Mulhere, AICP
RWA, Inc.
6610 Willow Park Drive
Naples, FL 34109

Applicants: Rick Evanchyk
Goodwill Industries of Southwest Florida
4940 Bayline Road
North Fort Myers, FL 33917

Scott Jones
Naples Christian Academy Association, Inc.
3161 Santa Barbara Boulevard
Naples, FL 34116

Owners: Goodwill Industries of Southwest Florida
4940 Bayline Road
North Fort Myers, FL 33917

Naples Christian Academy Association, Inc.
3161 Santa Barbara Boulevard
Naples, FL 34116

GEOGRAPHIC LOCATION:

The subject site is located at the southwest corner of Golden Gate Parkway and Santa Barbara Boulevard, within the Golden Gate Planning Community in Section 29, Township 49 South, Range 26 East, Collier County Florida. The site is 20.71± acres, with 17.16± acres of

developable land remaining, and includes the Naples Christian Academy and a church. (See aerial and zoning maps below.)



NOTE: Over the years, the site and developable acreages of the subject site have diminished due to conveyances, as well as right-of-way easement takings.

REQUESTED ACTION:

The applicant seeks to amend the Golden Gate Area Master Plan (GGAMP) and Golden Gate Area Master Plan Future Land Use Map and Map Series by:

1. Amending Policy 1.1.2 to create the Golden Gate Parkway Mixed-Use Subdistrict within the Estates-Mixed Use District;
2. Amending Policy 5.2.3 to allow the subject request – the creation of the Golden Gate Parkway Mixed-Use Subdistrict - along Golden Gate Parkway between Livingston Road and Santa Barbara Boulevard;
3. Amending the Estates – Mixed Use District to add the proposed Subdistrict; and
4. Amending the Future Land Use Map to add this new Subdistrict, and creating a new Future Land Use Map series map depicting this new Subdistrict.

The petitioner’s proposed text changes, shown in strike-through/underline format, are as follows:

(Words underlined are added, words ~~struck through~~ are deleted; row of asterisks [***] denotes break in text.)

Policy 1.1.2:

The Estates Future Land Use Designation shall include Future Land Use Districts and Subdistricts for:

A. ESTATES – MIXED USE DISTRICT

1. Residential Estates Subdistrict
2. Neighborhood Center Subdistrict
3. Conditional Uses Subdistrict
4. Golden Gate Parkway Institutional Subdistrict

5) Golden Gate Parkway Mixed Use Subdistrict

[new text, page 4]

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Policy 5.2.3:

[new text, page 12]

Recognizing the existing residential nature of the land uses surrounding the planned I-75 interchange at Golden Gate Parkway, as well as the restrictions on conditional uses of the Conditional Uses Subdistrict of the Golden Gate Area Master Plan, there shall be no further commercial zoning for properties abutting Golden Gate Parkway between Livingston Road and Santa Barbara Boulevard. No new commercial uses shall be permitted on properties abutting streets accessing Golden Gate Parkway within the above-defined segment. This policy shall not apply to that existing portion of the Golden Gate Estates Commercial Infill District, which is located at the northwest corner of the intersection of Golden Gate Parkway and Santa Barbara Boulevard, and also shall not apply to the Golden Gate Parkway Mixed Use Subdistrict, which is located on the southwest corner of the intersection of Golden Gate Parkway and Santa Barbara Boulevard.

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A. Urban-Mixed Use District

1. Urban Residential Subdistrict

DENSITY RATING SYSTEM:

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b. DENSITY BONUSES – Density bonuses are discretionary, not entitlements, and are dependent upon meeting the criteria for each bonus provision and compatibility with surrounding properties, as well as the rezone criteria in the Land Development Code. The following densities per gross acre may be added to the base density. In no case shall the maximum permitted density exceed 16 residential dwelling units per gross acre.

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iii. Affordable-workforce Housing Bonus

[new text, page 18]

As used in this density bonus provision, the term “affordable” shall be as defined in Chapter 420.9071, F.S. To encourage the provision of affordable-workforce housing within certain Districts and Subdistricts in the Urban Designated Area, and within the Golden Gate Parkway Mixed Use Subdistrict of the Estates Designation, a maximum of up to 8 residential units per gross acre may be added to the base density if the project meets the requirements of the Affordable-workforce Housing Density Bonus Ordinance (Section 2.06.00 of the Land Development Code, Ordinance #04-41, as amended, adopted June 22, 2004 and effective October 18, 2004), and if the affordable-workforce housing units are targeted for families earning no greater than 150% of the median income for Collier County.

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2. ESTATES DESIGNATION

[new text, page 26]

This designation is characterized by low density semi-rural residential lots with limited opportunities for other land uses. Typical lots are 2.25 acres in size. However, there are some legal non-conforming lots as small as 1.14 acres. Residential density is limited to a maximum of one unit per 2.25 gross acres, or one unit per legal non-conforming lot of record, exclusive of guesthouses, except as provided for in the Golden Gate Parkway Mixed Use Subdistrict. Multiple family dwelling units, duplexes, and other structures containing two or more principal dwellings, are prohibited in all Districts and Subdistricts except the Golden Gate Parkway Mixed Use Subdistrict.

Generally, the Estates Designation also accommodates future non-residential uses, including:

- Conditional uses and essential services as defined in the Land Development Code, except as prohibited in the Neighborhood Center Subdistrict. Also, refer to the Conditional Uses Subdistrict.
- Parks, open space and recreational uses.
- Group Housing shall be permitted subject to the definitions and regulations as outlined in the Collier County Land Development Code (Ordinance No. 04-41, adopted June 22, 2004, effective October 18, 2004) and consistent with locational requirements in Florida Statutes (Chapter 419.001 F.S.).
- Schools and school facilities in the Estates Designation north of I-75, and where feasible and mutually acceptable, co-locate schools with other public facilities, such as parks, libraries and community centers to the extent possible.

[new text, page 26]

- Land uses permitted in the Golden Gate Parkway Mixed Use Subdistrict.

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A. Estates – Mixed Use District

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5. Golden Gate Parkway Mixed Use Subdistrict

[new text, page 33]

The Golden Gate Parkway Mixed Use Subdistrict is approximately 20.71 acres and is located in the southwest corner of the intersection of Golden Gate Parkway and Santa Barbara Boulevard. The Golden Gate Parkway Mixed Use Subdistrict has been designated on the Golden Gate Area Future Land Use Map. See also the Golden Gate Parkway Mixed Use Subdistrict Map.

The purpose of this Subdistrict is to allow for commercial and residential uses in recognition of the unique characteristics of the surrounding area. The development standards contained in this Subdistrict are designed to ensure that uses within the Subdistrict will be compatible with nearby residential development, in addition to serving the commercial needs of the surrounding area and intersection. The intent of the Golden Gate Parkway Mixed Use Subdistrict is to allow for a mix of both retail and office uses to provide for shopping and personal services for the surrounding residential areas within a convenient travel distance. Residential multi-family land uses are permitted within this Subdistrict at a density provided for in 5.A, below, with an opportunity for higher density through the provision of affordable housing. Senior housing, including, but not limited to assisted living, nursing homes and group care units are not excluded from development in this Subdistrict.

- This Subdistrict also provides for a conversion of commercial intensity to residential density to allow design flexibility in regards to future market demand.

A rezoning is encouraged to be in the form of a Mixed Use Planned Unit Development (MPUD). Regulations for water management, uniform landscaping, signage, screening and buffering will be included in the MPUD ordinance to ensure compatibility with nearby residential areas.

The following criteria and standards shall regulate development within the Golden Gate Parkway Mixed Use Subdistrict:

A) Residential Density

- Residential Density shall be calculated from an acreage of 20.71 acres, and shall not exceed 3.55 dwelling units per acre unless affordable-workforce housing is provided in the project, and/or if residential dwelling units are generated by reducing the commercial intensity below 100,000 square feet using the conversion ratio set forth in 5.B) below.

- A maximum of up to 8 residential units per gross acre may be added to the base density in accordance with the Affordable-Workforce Housing Density Bonus provision in the Density Rating System.
- In no case shall the maximum permitted density exceed 12 residential dwelling units per gross acre.

B) Limitation of Permitted Commercial Uses

- Commercial uses shall be limited to 100,000 square feet of gross leasable floor area. In no instance shall the commercial component of this Subdistrict be reduced below 22,000 square feet.
- Permitted commercial land uses shall be limited to those permitted and conditional uses set forth in the C-1, C-2, or C-3 Zoning Districts of the Collier County Land Development Code, Ordinance Number 04-41, as amended.
- A conversion of commercial intensity to residential density may occur at a ratio of 450 square feet of commercial intensity equaling 1 residential dwelling unit.
- Senior housing, including but not limited to assisted living, nursing care, and group care units may have a greater floor area ratio than 0.45, but shall not exceed 0.60. No portion of the floor area of any proposed senior housing land use shall be deducted from the commercial land use intensity of the Subdistrict. Each senior housing unit (rooms, not beds) shall equate to ¼ of a residential dwelling unit, and there shall be no more than 240 senior housing units permitted.

C) Development Standards

- Land uses abutting Estates zoned properties shall have a minimum setback of 25 feet plus one foot of setback for each one foot of building height. Where feasible, existing native vegetation shall be retained within this setback area, consistent with the GMP and LDC standards. Water retention/detention areas shall be allowed in this setback area provided that the area is left in a natural state, and drainage conveyance through the setback area shall be allowed, in order for stormwater to reach an external outfall.
- Shared parking shall be required with adjoining developments wherever practicable.
- Driveways and curb cuts shall be consolidated with adjoining developments, wherever practicable.
- Building heights shall be limited to two (2) story, with a maximum zoned height of forty-five (45) feet.
- Commercial uses shall encourage pedestrian traffic through placement of sidewalks, pedestrian walkways, and marked crosswalks within parking areas. Adjacent projects shall coordinate placement of sidewalks so that a continuous pathway through the Subdistrict is created.
- All commercial buildings within the Subdistrict shall utilize a common architectural theme.

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FUTURE LAND USE MAP SERIES

Golden Gate Area Master Plan Study Areas
Golden Gate Area Future Land Use Map

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Golden Gate Parkway Institutional Subdistrict
Golden Gate Parkway Mixed Use Subdistrict

PROJECT DESCRIPTION:

The applicant is requesting an amendment to the Golden Gate Area Master Plan and Golden Gate Area Master Plan Future Land Use Map and Map Series, to create the Estates-Mixed Use District, Golden Gate Parkway Mixed-Use Subdistrict. The proposed subdistrict allows for 100,000 square feet of commercial uses similar to C-1 through C-3 zoning districts and 74 residential multi-family dwelling units at the rate of 3.55 DU/A with provisions for affordable housing for a maximum dwelling unit density of 12 DU/A. The proposed amendment includes a conversion ratio for unbuilt commercial to multi-family dwelling units at the rate of 450 square feet of commercial to 1 multi-family dwelling unit, with a minimum of 22,000 square feet of commercial. In addition to the commercial square footage, the proposed amendment also provides for senior housing at the rate of a maximum FAR of 0.60 with each senior housing unit equating to ¼ of a residential dwelling unit. This equates to a maximum of 60 residential dwelling units.

The subject site, located on the southwest corner of Golden Gate Parkway and Santa Barbara Boulevard, includes the Naples Christian Academy and a church, and consists of 20.71± acres with 17.16± acres of developable land remaining. The development scenarios for the proposed amendment are summarized in the following table utilizing the maximum and minimum commercial square footage, as well as the maximum possible affordable housing. The following scenarios do not include senior housing, which is proposed at a rate of 1 senior unit equal to ¼ residential dwelling unit.

- **Scenario 1** – Commercial 100,000 ft² and Base Residential of 3.55 DU/AC (74 dwelling units). Affordable housing maximum of 8 DU/AC (166 dwelling units) for a Scenario 1 maximum of 11.55 DU/AC or 239 dwelling units.
- **Scenario 2** – Commercial 22,000 ft² and 11.93 DU/AC (Base plus Conversion Residential) or 247 dwelling units. Affordable housing maximum of 8 DU/AC (166 dwelling units) for a Scenario 2 maximum of 12 DU/AC or 249 dwelling units, due to the cap of 12 DU/AC in the Subdistrict text.

Table 1 – Proposed Development Scenarios*, 20.71± acres

	Commercial (SF)	Commercial to Multi-Family DU (Col 2/450 SF/DU)	Base DU (3.55 DU/AC x 20.71 AC)	SUBTOTAL DU Base DU + Conversion (Col 3 + Col 4)	Affordable Housing, Max (8 DU/AC x 20.71 AC)	TOTAL DU (Col 5 + Col 6)†
Max Comm/ Min DU	100,000	0	74	74	166	239
Min Comm/ Max DU	22,000	173	74	247	166	249*

*Scenarios do not include Senior Housing.

†Sum may not equal components due to rounding.

#Subdistrict caps density at 12 DU/AC.

The proposed amendment also includes development standards for the site, in general the following:

- Rezoning as a MPUD;
- Minimum setback of 25 feet plus one foot of setback for each foot of building height;
- Existing native vegetation shall be retained within the setback area, where feasible;
- Water retention/detention areas shall be allowed in the setback area with stipulations;

- Shared parking;
- Driveways and curb cuts consolidated with adjoining developments;
- Building height limited to two story buildings (maximum zoned height of 45 feet);
- Encouragement of pedestrian traffic;
- Common architectural theme for commercial buildings.

SURROUNDING LAND USE, ZONING AND FUTURE LAND USE MAP DESIGNATION:

Subject Site:

The subject site consists of three parcels in Unit 30, Golden Gates Estates, comprising approximately 20.71± acres, with 17.16± acres of development land remaining. The subject site is currently zoned E, Estates, with two Provisional Uses allowing a church (PU-82-23-C, Res. 82-190) and a school (PU-78-3-C, Res. 78-62), and designated as Estates - Mixed Use District, Residential Estates Subdistrict on the GGAMP Future Land Use Map.

- The church site occupies the generally northern two parcels; Tract 113 and the North 150' of Tract 114, less and except portions conveyed. In addition, a Corridor Management Overlay (CMO) exists at a 330' offset from the northern right-of-way line, along Golden Gate Parkway. The church site is approximately 8.2± acres and currently occupied by Naples Church of Christ.
- The school site occupies the generally southern one parcel; the south 180' of Tract 114, Tract 115, and the north 150' of Tract 116. The school site is approximately 12.5± acres and currently occupied by Naples Christian Academy.

Surrounding Lands:

North: Golden Gate Parkway, a 6-lane divided arterial road then,

Vacant land, zoned Commercial Planned Unit Development (CPUD) - Colonades at Santa Barbara, designated Estates – Commercial District, Golden Gate Estates Commercial Infill Subdistrict. Both the designation and zoning allow 35,000 ft² of office development.

Further north and to the northwest, single family residential, zoned E, Estates, designated Estates - Mixed Use District, Residential Estates Subdistrict.

South: Single family residential, zoned E, Estates, designated Estates - Mixed Use District, Residential Estates Subdistrict

East: Santa Barbara Blvd, a 6-lane divided arterial road, then (Urban core)

To the northeast, Santa Barbara Square shopping center, zoned C-4, General Commercial District, designated Urban – Mixed Use District, Urban Residential Subdistrict.

Vacant, zoned Planned Unit Development (PUD) – Parkway Center (sunsetted), designated Urban – Commercial District, Golden Gate Parkway Professional Office Commercial Subdistrict.

Developed residential, duplex, zoned RMF-12, Residential Multi-Family-12 District, designated Urban – Mixed Use District, Urban Residential Subdistrict, then; Developed

residential, duplex, zoned RMF-6, Residential Multi-Family-6 District, designated Urban – Mixed Use District, Urban Residential Subdistrict.

David Lawrence Center Child's Path Preschool, zoned RMF-12, Residential Multi-Family-12 District, with a provisional use (PU-87-29-C), designated Urban – Mixed Use District, Urban Residential Subdistrict

West: Single family residential, zoned E, Estates, designated Estates - Mixed Use District, Residential Estates Subdistrict

STAFF ANALYSIS:

Please refer to the document titled "Standard Language for GMPA Staff Reports" located behind the "GMPA Standard Language" tab. This document addresses some items common to all petitions in this cycle – statutory data and analysis, the GMP vision, and HB 697 – and one item common to the six petitions seeking amendments to the GGAMP.

Background and Considerations:

Please be advised that this amendment will be subject to the requirements of Policy 5.1.1 of the Golden Gate Area Master Plan. Policy 5.1.1 provides lighting standards for the prevention or reduction of light pollution.

GGAMP – Present

Commercial development is limited to Neighborhood Centers, site-specific commercial subdistricts, and existing commercially zoned properties.

Conditional use development, except essential services and model homes, is limited to Estates Neighborhood Centers, infill development on the west side of C.R. 951, and transitional areas – adjacent to certain non-residential uses or adjacent to Neighborhood Centers, and two site-specific locations – one on the west side of C.R. 951 and one on the south side of Golden Gate Parkway.

I-75 Interchange and surrounding land uses:

Resulting from the State's approval to fund and construct the I-75 Interchange at Golden Gate Parkway, the Board of County Commissioners (BCC) approved Resolution 2001-56 establishing an Ad Hoc Advisory Committee to provide recommendations on the appearance and landscaping of the interchange. The Committee was specifically tasked with creating an "overlay" district for the interchange to, minimize impacts to property owners, preserve the residential character of the area, and establish landscaping provisions consistent with creating a "gateway" into Naples and Golden Gate.

GGAMP Re-study Committee - GGAMP Policy 5.2.3 and revisions to the Estates, Conditional Uses Subdistrict:

The GGAMP Re-study Committee was formed, in part, to study the land use needs of the Golden Gate Community, such as commercial, community facility and institutional uses.

County staff worked with the Committee to identify appropriate areas to locate new commercial development and conditional uses within the Estates and Golden Gate City. Committee recommendations to the BCC included added provisions for conditional use

development, expansion and creation of Neighborhood Centers within the Estates, and the expansion and creation of commercial/mixed-use subdistricts within Golden Gate City.

The Re-study Committee also identified areas that were inappropriate for new commercial and conditional use development. One such area identified by the Committee was the Golden Gate Parkway corridor, between Livingston Road and Santa Barbara Boulevard. In 2003, the Re-study Committee met with "I-75/Golden Gate Parkway" Ad hoc Committee members to discuss desired land uses for the area surrounding the interchange. As a result, the Re-study Committee recommended to the BCC provisions that would prohibit new commercial and conditional use development along Golden Gate Parkway in the Estates.

Committee recommendations for expanded commercial and conditional use opportunities and the restriction of these uses in certain areas governed by the Master Plan were adopted by the BCC in 2003 and 2004, as part of the Phased Re-study Amendments to the GGAMP.

Therefore:

The project is not consistent with the policies in the Comprehensive Plan that prohibit new commercial and conditional use development along Golden Gate Parkway between Livingston Road and Santa Barbara Boulevard.

Additionally, a commitment was made by the County to the Florida Department of Transportation in consideration of the approval and construction of the I-75 Interchange to keep the Golden Gate Parkway corridor "green" and not allow the proliferation of commercial and conditional uses.

Justification for proposed amendment, as provided by the applicant:

Essentially the petitioner is stating the proposed amendment should be granted because: 1) the character of the area has changed due to future roadway expansion of Golden Gate Parkway and Santa Barbara Boulevard to 6-lanes; 2) the four quadrants surrounding the intersection are presently designated or developed with non-residential uses – low residential development is not compatible in and around the intersection; 3) directly east of the subject is high density residential; and 4) there is a demand for commercial at this location.

- 1) The roadways surrounding the subject project have recently been expanded (much completion during 2009); however, the impacts to Estates – Residential properties may be minimal given the size and depth of the residential tracts, existing buffering, and placement of structures.
- 2) The four quadrants at the intersection of the Golden Gate Parkway and Santa Barbara Boulevard are zoned or designated for non-residential development. The northeast quadrant is designated Urban; zoned C-4, general commercial; and is developed with a shopping center consisting of neighborhood commercial uses. The southeast quadrant is designated Urban – Golden Gate Parkway Professional Office Subdistrict, limited to office development, and is undeveloped. The southwest quadrant (the 20.71 acre subject site) is designated Estates; zoned E, Estates; and is developed with a church and private school with related facilities. The northeast quadrant is designated Estates Mixed Use District, Golden Gate Estates Commercial Infill Subdistrict; zoned CPUD, Commercial Planned Unit Development, allowing office uses only; and is undeveloped.

Staff Comment: The designations and zoning at and around the intersection of Golden Gate Parkway and Santa Barbara Boulevard simply identifies existing approvals and future development patterns, which are predominantly low intensity uses/development. This acknowledgement of non-residential uses at the intersection does not demonstrate the need to create the subject subdistrict or allow higher intensity development as proposed at the subject location. In addition, directly east of the subject site, across Santa Barbara Boulevard, exists RMF-12, urban residential, and is developed as duplex family, then RMF-6, urban residential, and is developed as single family residential. In addition, the David Lawrence Center Child's Path Preschool exists on Santa Barbara Boulevard.

- 3) Directly east of the subject site is Santa Barbara Boulevard then the high density residential, therefore the proposed subdistrict is compatible.

Staff Comment: The area east of the subject site is part of the urban core of Golden Gate City. This area provides for a dense urban development with a wide range of uses in order to serve both this urban area and the surrounding Estates zoned semi-rural area. The urban core is compact and has a clearly defined boundary with low density development surrounding it. In addition, a residential density band includes the majority of the urban core, with part of this density band directly east of the subject site.

- 4) Commercial Demand Analysis:

The commercial data and analysis submitted by the petitioner in support of the proposed amendment was prepared by Fishkind & Associates, Inc. on April 24, 2008, revised and updated on 4-17-09. Two studies were provided: Office and retail. Each study utilizes a different primary trade area due the nature of the land use type.

Table 2 - Florida Department of Revenue (DOR) Land Use Codes

CODE	DESCRIPTION
10	Vacant commercial
11	Stores, one story
12	Mixed use – store and office or store and residential or residential combination
13	Department stores
14	Supermarkets
15	Regional Shopping Centers
16	Community Shopping Centers
17	Office buildings, non-professional services buildings, 1-story
18	Office buildings, non-professional services buildings, 2-story
19	Professional services buildings
21	Restaurants, cafeterias
22	Drive-in restaurants
23	Financial institutions (banks, savings and loan, mortgage companies, credit services)
24	Insurance company office
26	Service stations
27	Auto sales, auto repair and storage, auto service, body and fender shops, etc.
29	Wholesale outlets, produce houses, manufacturing outlets

30	Florists, greenhouses
31	Drive-in theaters, open stadiums
32	Enclosed theaters, enclosed auditoriums
33	Nightclubs, cocktail lounges, bars
34	Bowling alleys, skating rinks, pool halls, enclosed arenas
36	Camps
37	Race tracks – horse, auto, or dog

Office Study

Staff Office Analysis: The 20-minute drive time trade area extends into Lee County, which is not included in either analysis, and into the City of Naples. For consistency with the Collier Interactive Growth Model (CIGM), Office and Services DOR Codes were used for staff's analysis (DOR: 17-19, 23-25, 31, 32, 34, 36, 37). DOR Code 39 (hotels/motels) was not included since only C-1 thru C-3 commercial districts were requested and hotels/motels is not allowed in these districts. These differ from those used by the applicant.

Utilizing the CIGM Office and Services DOR codes, staff's analysis of the Property Appraiser's records indicates the trade area contains approximately 365 parcels (almost 525 acres) with almost 6.5-million ft² of constructed office space and approximately 440 vacant commercial (DOR Code 10) parcels totaling approximately 940 acres. The entire acreage of vacant commercial will not be used for office, therefore to provide some correlation to the applicant's data and methodology it is assumed that approximately 1/3 of vacant commercial or 313 acres will be used for office space. In addition, using the applicant's average office density of 8,532 ft²/ac, the potential future office space would translate to almost 2.7-million ft². However, following the applicant's methodology and utilizing staff's constructed commercial square feet to acreage ratio, the office density would be 12,380 ft²/ac or a potential future retail space of over 3.9-million ft².

Assuming the applicant's demand for office space in 2008 and 2030 is correct staff's analysis allocation ratios are 1.43 for 2008 and 1.01 for 2030. In other words, the ratios indicate currently the supply is approximately 1.5-times the demand and in 2030 it would be nearly equal to the demand,

Applicant Office Analysis, Summary

- The Office Study utilizes a 20-minute drive time primary trade area since the demand for office space is driven by employment and the trade area represents a reasonable commute time, as stated in the study. Analysis utilized Collier Property Appraiser data (DOR Codes: 17, 18, 19, and 23) to determine the existing supply of office space within the 20-minute trade area and the Future Land Use Element of the GMP and the GGAMP were utilized to estimate implicitly allocated office space. Office Study Table 2.1.1 indicates the existing commercial - office acreage and constructed space is approximately 561 acres and nearly 4.7-million ft², respectively. Office Study Table 2.2.2, *Land Use Categories with Specific Allocation*, indicates an allocation of more than 725,000 ft² of office space and Table 2.2.5, *Office*

Space Holding Capacity, indicates an allocation of more than 4.7-million ft² of office space for the remainder of the land use designations.

- The Office Study summary indicates that the trade area has over 10.8-million ft² of existing, defined, and estimated office allocation. Office Study Table 4.1.1, *Office Need in Project's Market*, outlines the need for office space. Summarizing, the data provided indicates by 2030 the demand for office space will nearly equal the current allocated and existing supply.

Staff Comments Regarding Applicant's Office Analysis: Several concerns with the Office Study exist beginning with the trade area constructed and allocated office space total of over 10.8-million ft². Since this total sums the constructed per the Property Appraiser and allocated/estimated per the FLUM and GGAMP, inclusion of the same acreage multiple times will distort the results. Therefore, the office study should provide a correlation of the constructed with FLUM and GGAMP allocated office space. In addition, several inconsistencies with the study exist: 1) Some developed parcels have been included in both constructed office space and allocated office space and some included more than twice; 2) For Office Study Table 2.2.5, the total acreage for the "Redevelopment" and "Traditional" parcels exceeds the provided data by approximately 560 acres and 22 acres, respectively; based on the provided data, approximately 200 parcels were included in the total more than once, some as many as 14 times; and, 3) It appears that the market analysis does not take into account a large portion of parcels defined as DOR Code 10, Vacant Commercial.

Table 3 - Office Trade Area Summary

	Constructed		Vacant		Demand	
	Acreage	Sq Feet	Acreage	Sq Feet	2008	2010
Applicant Data (DOR: 17, 18, 19, and 23)	561	4.7-million	628*	5.4-million*	1.5	1.05
Staff Data (DOR: 17-19, 23-25, 31, 32, 34, 36, 37)	525	6.5-million	313	3.9-million	1.43	1.01

*The applicant provided calculated Vacant Acreage and Sq Feet. The Acreage appears to have included an additional 580 acres, which implies the Sq Feet is incorrect by the same percentage.

In summary, the discrepancies within the market analysis are as follows: 1) duplication of parcels; 2) excess acreage in Table 2.2.5 (over 580 acres); and, 3) not including vacant commercial parcels - cannot ensure that the applicant's information provides an accurate picture of existing office space, nor of future needs.

Retail Study

Staff Retail Analysis: The retail market analysis uses the 2008 AUIR population projections¹ to determine number of households. The analysis indicates a Retail Trade Area population and dwelling unit increase by 2030 of approximately

¹ Population projections based upon BEBR (Bureau of Economic and Business Research) Medium Range growth rates.

12.5% and 19%, respectively, as determined by the consultant's methodology. Staff's population projections used the draft 2009 AUIR projections¹ and determined that the 2030 projected population for the trade area would be approximately 62,000 or 10% less than the 2008 AUIR population projections¹ of almost 69,000. Given that the retail trade area encompasses a fairly developed area of the County, it is unclear as to the accuracy of the 19% increase of dwelling units and has not been verified.

The 10-minute drive time trade area is completely within the Office trade area and extends slightly into the City of Naples. For consistency with the Collier Interactive Growth Model (CIGM), Retail Trade DOR Codes were used for staff's analysis (DOR: 11-16, 21, 22, 26, 27, 29, 30, 33). These differ from those used by the applicant.

Utilizing the CIGM Retail Trade DOR codes, staff's analysis of the Property Appraiser's records indicates the trade area contains approximately 166 parcels (approximately 373 acres) with almost 2.9-million ft² of constructed retail space and approximately 143 vacant commercial (DOR Code 10) parcels totaling approximately 350 acres. The entire acreage of vacant commercial will not be used for retail, therefore to provide some correlation to the applicant's data it is assumed that approximately 50% of vacant commercial or 175 acres will be used for retail space. In addition, using the applicant's average retail density of 4,527 ft²/ac, the potential future retail space would translate to almost 800-thousand ft². However, following the applicant's methodology and utilizing staff's constructed commercial square feet to acreage ratio, the retail density would be 7,634 ft²/ac or a potential future retail space of over 1.3-million ft².

Assuming the applicant's demand for retail space in 2008 and 2030 is correct staff's analysis allocation ratios are 3.48 for 2008 and 2.48 for 2030. In other words, the ratios indicate currently the supply is nearly 3.5-times the demand and in 2030 it would be nearly 2.5-times the demand, which indicates an extremely high supply of retail in the trade area,

Applicant Retail Analysis, Summary

- The retail market analysis uses the 2008 AUIR population projections to determine number of households. The analysis indicates a Retail Trade Area population and dwelling unit increase by 2030 of approximately 12.5% and 19%, respectively, as determined by the consultant's methodology. In other words, the Retail Trade Area 2030 projected population and dwelling units would be 68,714 people and 24,661 units, respectively.
- The Retail Study utilizes a 10-minute drive time primary trade area (fully contained within the Office Study trade area) since a portion of spending was allocated as community center expenditures, in addition to neighborhood center expenditures. Analysis utilized Collier Property Appraiser data (DOR Codes: 11, 12, 16, 21, 22, 26, 27, 30-37) to determine the existing supply of retail space within the 10-minute trade area and the Future Land Use Element of the GMP and the GGAMP were utilized to estimate implicitly allocated retail space. Retail Study Table 2.1.1 indicates the existing commercial - retail acreage and constructed space is approximately 601 acres and over 2.7-million ft², respectively. Retail Study Table 2.2.2, *Land Use Categories with Specific Allocation*, indicates an allocation of nearly

400,000 ft² of retail space and Table 2.2.5, *Retail Space Holding Capacity*, indicates an allocation of more than 525,000 ft² of retail space for the remainder of the land use designations.

- The Retail Study summary indicates that the trade area has over 3.6-million ft² of existing, defined, and estimated retail allocation. Summarizing from Retail Study Table 4.1.1, *Retail Need in Project's Market*, indicates that the trade area in 2008 has almost 3 times the needed commercial space and by 2030 a supply of double the needed commercial space will still exist. Therefore, NO need exists for retail space at the project location.

Staff Comments Regarding Applicant's Retail Analysis: Several concerns with the Retail Study exist, beginning with the trade area constructed and allocated retail space total of over 3.6-million ft². The retail study does not provide a correlation of existing space with FLUM and GGAMP defined and estimated allocated retail space. Since this total sums the constructed commercial retail square feet² and allocated/estimated per the FLUM and GGAMP, inclusion of the same acreage multiple times will distort the results. Therefore, the retail study should provide a correlation of the constructed with FLUM and GGAMP allocated office space. In addition, several inconsistencies with the study exist: 1) Some developed parcels have been included in both constructed retail space and allocated retail space and some included more than twice; 2) For Retail Study Table 2.1.1, the existing acreage exceeds the provided data by almost 400 acres; based on the provided data, approximately 30 parcels were included in the total more than once, some as many as 53 times; and, 3) It appears that the market analysis does not take into account a large portion of parcels defined as DOR Code 10, Vacant Commercial.

Table 4 - Retail Trade Area Summary

	Constructed		Vacant		Demand	
	Acreage	Sq Feet	Acreage	Sq Feet	2008	2030
Applicant Data (DOR: 11, 12, 16, 21, 22, 26, 27, 30-37)	601*	2.7-million*	115*	525,000*	2.97	2.04
Staff Data (DOR: 11-16, 21, 22, 26, 27, 29, 30, 33)	166	2.9-million	175	1.3-million	3.48	2.38

* It appears parcels were used multiple times when determining the Constructed Acreage and Sq Feet. The Acreage appears to have included an additional 400 acres, which implies the Sq Feet is incorrect by the same percentage. The applicant provided calculated Vacant Acreage and Sq Feet. The Acreage appears to have not included some vacant commercial (DOR 10) parcels, which implies the Sq Feet as well.

In summary, these discrepancies are present within the market analysis: 1) duplication of parcels; 2) excess acreage in Table 2.1.1 (over 400 acres); and, 3) not including vacant commercial parcels - cannot ensure that the applicant's information provides an accurate picture of existing retail space, nor of future needs.

² Square feet per Collier Property Appraiser records.

Staff Additional Analysis Comments

In addition to the discrepancies in the provided data, it should also be noted that reviewing both the Office and Retail analysis together yields that assumptions made for the percentage of acreage that would develop into office (approximately 33%) and retail (approximately 50%) space provide for additional unaccounted for acreage (17%). In other words, additional acres in the 20-minute office trade area and 10-minute retail trade area of 160 acres and 60 acres, respectively. In addition, given the overabundance of commercial retail space in the 10-minute trade area, indications are that a portion of this supply would be used for office space. Additional acreage, hence additional available square footage, is most likely available since staff did not analyze the FLUM and GGAMP designations to include allowed commercial development associated with the designations.

NOTE: DOR Codes 20, 28, 35, 38 (airports, parking lots, tourist attractions/water management lakes, golf courses) were not included in staff's analysis, however, some parcels with a DOR Code of 35 were included in the applicant's analysis.

Prior GMP Amendments in Vicinity

Table 5 - Prior GMP Amendments within Golden Gate Estates in Vicinity of CP-2008-3

PETITION	LOCATION	REQUEST	RESULT
CP-1999-2	NW corner of Golden Gate Parkway & Santa Barbara Blvd	Retail and office uses on most of the site; CUs on the western portion; ±7 acres	Denied
CP-2000-7	NW corner of Golden Gate Parkway & Santa Barbara Blvd	Retail and office uses on most of the site; CUs on the western portion; ±7 acres	Approved for office use only and with stringent development standards.
CP-2005-5	NW corner of Golden Gate Parkway & Santa Barbara Blvd	Increase size to 18 acres; add retail uses, increase from 35,000 ft ² to 115,000 ft ² ; add residential at 15 DU/AC; lessen setbacks and buffers, increase height	Denied
CP-2005-4	NE corner of Livingston Road & Golden Gate Parkway	40,000 ft ² of commercial uses on 5.15 acres (originally submitted for C-2 uses)	Withdrawn (due to public opposition)
CP-2005-6	North side of Golden Gate Parkway between I-75 and Santa Barbara Blvd. (site of existing David Lawrence Center and Parkway Church of God, and another 5-ac tract)	Institutional uses on 16.3 acres	Approved

Environmental Impacts:***Environmental Specialists with the Collier County Environmental Services reviewed the environmental assessment and provided the following comments:***

The environmental report prepared by Boylan Environmental Consultants, Inc and submitted with this petition, dated January 2008 and Revised March 2009, indicates the following:

- The project site includes religious facilities; native habitats of pine flatwoods, cabbage palm, live oak, and other hardwoods with varying degrees of exotic infestation; and a concentration of Brazilian pepper. The soils mapped for the site are Pineda fine sand, limestone substratum, a hydric soil and Boca fine sand and urban land-Holopaw-Basinger complex, non-hydric soils.
- The listed species survey conducted on site concluded that there were no listed species found utilizing the site, and there were signs of listed species. No observations or evidence of non-listed species were reported.

Environmental Specialists with the Collier County Engineering and Environmental Services Department reviewed the application and provided the following comments:

- No special environmental concerns are associated with the establishment of the Subdistrict on the subject site.
- Staff has not verified the provided Florida Land Use, Cover, & Forms Classification System (FLUCFCS) mapping and does not approve it with this petition.

Native vegetation preservation requirements will be specifically addressed during subsequent development order review (rezone and/or site development plan.) The preserve location will be subject to the ranking requirements of Conservation & Coastal Management Plan (CCME) Section 6.1.1(4). Twenty-five (25) percent of the native vegetation on site will be required to be preserved. At the current designation of Estates zoning with Provisional Use, native vegetation retention on site could be minimized to fifteen (15) percent.

Historical and Archeological Impacts:

The Florida Master Site File lists no previously recorded cultural resources in Section 29, Township 49 South, Range 26 East, Collier County, Florida. Additionally, the project location may contain unrecorded archaeological sites, historical structures or other resources even if previously surveyed for cultural resources. Federal, state and local laws require formal environmental review for most projects. This search does not constitute such a review. However, the applicant provided the County's Historical and Archeological Probability Map, which indicated the closest site is south of the site, in Section 33, north of Interstate 75.

Traffic Capacity/Traffic Circulation Analysis Impacts:***Transportation Planning specialists with the Collier County Transportation Planning Department reviewed the impact statement and provided the following comments:*****Transportation Element:**

Transportation Planning staff has reviewed the petitioner's Traffic Impact Statement (TIS) and has determined that this project can be found consistent with Policy 5.1 of the Transportation Element of the Growth Management Plan.

Santa Barbara Boulevard Impacts:

The first concurrency link that would be impacted by this project is Link 77, Santa Barbara Boulevard between Golden Gate Parkway and Radio Road. The project would generate up

to 32 PM peak hour, peak direction trips on this link, which represents a 1.03% impact. This concurrency link reflects a remaining capacity of 1,373 trips in the adopted 2008 AUIR and is at Level of Service "B".

No subsequent links of Santa Barbara Boulevard require analysis beyond the first impact.

Golden Gate Parkway Impacts:

The first concurrency link on Golden Gate Parkway that would be impacted by this project is Link 21, Golden Gate Parkway between I-75 and Santa Barbara Boulevard. The project would generate up to 53 PM peak hour, peak direction trips on this link, which represents a 1.42% impact. This concurrency link reflects a remaining capacity of 1,507 trips in the adopted 2008 AUIR and is at Level of Service "C".

Access Management Provisions/Restrictions:

The first development order (i.e. SDP, Plat, SIP, etc) shall meet the site access conditions stated on page 12 of the Traffic Study.

Public Facilities Impacts:

The petitioner prepared Public Facilities calculations, which were submitted with this petition, are summarized/analyzed below.

The project is within the boundaries of the Florida Governmental Utility Authority (FGUA) Water and Sewer Service Area. FGUA has a potable water and sanitary sewer conveyance system that is proximate to the proposed Subdistrict. FGUA utilities connect to the Golden Gate Water Reclamation Facility located at 4931 32nd Avenue SW and a FGUA utility service availability letter has been provided as part of the GMP amendment package.

Application materials provided indicates an average daily water demand of 0.10 gallons per day/square feet (GPD/ft²) for commercial and 185 GPD/Capita for residential, with 2 persons per unit. The average daily sewer demand provided is 0.10 gallons per day/square feet (GPD/ft²) for commercial and 120 GPD/Capita for residential.

Application materials also provided impact data for solid waste facilities, community and regional parks, and emergency medical services. According to the 2008 AUIR, adopted level-of-service (LOS) standards are as follows: Solid Waste Deposal Rate is calculated at 0.003 Tons Per ft² for commercial and 0.64 Tons Per Capita for residential, Community Parks is calculated at 1.2 acres/1,000 in the unincorporated area, Regional Parks is calculated at 2.9 acres/countywide, and Emergency Services is calculated at 1 unit/16,400 population or 0.000061/capita.

Application materials provided public facilities impact analysis for two scenarios:

- Scenario 1 – Commercial 100,000 ft² and 74 Base Residential dwelling units, or 148 residents.
- Scenario 2 – Commercial 22,000 ft² and 247 Base Multi-Family Residential dwelling units (with commercial conversion), or 494 residents.

Scenario 1: Application materials provided indicates impacts on commercial and residential potable water level-of-service (LOS) of 10,000 GPD and 27,380 GPD, respectively, as well as impacts on commercial and residential sewer LOS of 10,000 GPD for commercial and 17,760 GPD, respectively. In other words, Scenario 1 will have a net capacity increase of

0.037 million gallons per day (MGD) on water and 0.028 GPD on sewer.

Application materials provided indicates additional impacts on public facilities are as follows: Solid Waste Facilities at 300.0 tons for commercial and 94.7 tons for residential, Community Parks at 0.18, Regional Parks at 0.43, and Emergency Medical Services at 0.01. In other words, Scenario 1 will have a net increase on these additional public facilities at the following rates: Solid Waste Facilities at 395 tons, Community Parks at 0.18, Regional Parks at 0.43, and Emergency Medical Services at 0.0090.

Scenario 2: Application materials provided indicates impacts on commercial and residential potable water LOS of 2,200 GPD and 91,390 GPD, respectively, as well as impacts on commercial and residential sewer LOS of 2,200 GPD for commercial and 59,280 GPD, respectively. In other words, Scenario 2 will have a net capacity increase of 0.094 MGD on water and 0.061 GPD on sewer.

Application materials provided indicates additional impacts on public facilities are as follows: Solid Waste Facilities at 66.0 tons for commercial and 316.2 for residential, Community Parks at 0.18, Regional Parks at 0.43, and Emergency Medical Services at 0.03. In other words, Scenario 2 will have a net increase on these additional public facilities at the following rates: Solid Waste Facilities at 382 tons, Community Parks at 0.18, Regional Parks at 0.43, and Emergency Medical Services at 0.0301.

In comparison, under the current zoning of E, Estates, the subject property could qualify for 1 DU/2.25 acres or 9.2 dwelling units, which is approximately 12% of Scenario 1 and approximately 3.7% of Scenario 2 of the proposed amendment. In other words, the proposed amendment is a considerable increase of dwelling units: Scenario 1 is approximately 8 times and Scenario 2 is approximately 27 times the current allowed dwelling units.

The proposed amendment includes potential for additional dwelling units over and above the two scenarios reviewed with the affordable housing density bonus. In addition, senior housing could be provided at a rate of 1 senior unit to $\frac{1}{4}$ residential dwelling unit. However, senior housing does not replace any commercial square footage.

Comparing the application's Scenario 1 and Scenario 2 for residential dwelling units (74 DU and 247 DU, respectively) to the base residential density of 9.2 dwelling units, would result in a significantly greater increase in potential potable water and sanitary sewer impacts, as well as to other public facilities. Therefore, the proposed land uses constitute increases in potential potable water and sanitary sewer impacts.

NOTE: The above analysis and application data provided does not include potential increase of dwelling units from the affordable housing density bonus. Affordable housing does not replace residential criteria, but would be in addition to any scenario. Senior housing does not replace the commercial square footage.

Facilities review specialists with the Collier County Public Utilities Services reviewed the calculations and provided the following comment:

No objection. Based on the current 2008 Water and Wastewater Master Plan Updates, this project is not located within the Collier County Water - Sewer District (CCWSD) Service Area. This development is within the FGUA Water and Sewer Service Area. Therefore, this project does not impact the CCWSD.

Appropriateness of Change:

For the last two decades, or longer, the Golden Gate Estates community has experienced rapid growth much like the Coastal Urban designated areas in Collier County. With increased population comes the need/demand to construct and expand roadways to move traffic, provide infrastructure to accommodate new residential units, and provide commercial, community facilities and institutional opportunities, etc. to serve the expanding population.

Increasingly, Estates-designated properties located west of Collier Boulevard along collector and arterial roadways are being targeted for urban type development – higher densities, commercial services, community and institutional facilities, etc. In recent years, the County has experienced an influx in the number of Growth Management Plan Amendment requests to change the designation of properties from Estates Residential Subdistrict to site-specific commercial subdistricts. This 2007-2008 combined cycle includes six petitions for properties in the Estates; four request commercial uses, one requests institutional uses with a small amount of commercial, and this petition requests mixed commercial and residential.

As the County continues to grow, local government must be responsive to the community's needs while balancing the undesired impacts caused by growth. As an example, the I-75 Interchange at Golden Gate Parkway was, in part, approved and is being constructed to alleviate traffic congestion at other interchanges in the County. The resulting impacts from the approval - noise, increased traffic volumes, right-of-way acquisition, and potential commercialization of Golden Gate Parkway - was realized immediately by surrounding residents. Elected officials responded by establishing a committee to provide recommendations on the appearance and landscaping of the interchange with the intent of preserving the residential character of the area and minimizing impacts to property owners. Additionally, county staff worked with the community via the GGAMP Re-study Committee to recommend provisions be added to the Plan to prohibit the approval of any new commercial zoning and conditional uses along the Parkway between Livingston Road and Santa Barbara Boulevard. In 2004, the Board of County Commissioners approved these prohibitions.

Although these prohibitive provisions exist in the GGAMP, staff acknowledges it would be appropriate to consider any changes in conditions that have occurred since 2004 that would warrant a modification of, or exception to, Policy 5.2.3. However, staff is unaware of any such changed conditions. At the time of adoption of these provisions, plans for the future 6-laning of Golden Gate Parkway, the future 6-laning of Santa Barbara Boulevard, and construction of the I-75 interchange were all known.

Minimally, data and analysis is used to determine appropriateness of change to the new use(s) requested and/or increased intensity or density. The data and analysis provided by the applicant did not include a residential analysis.

2008 Legislation - HB 697

This legislation, which pertains to energy conservation and efficiency, went into effect on July 1, 2008. DCA (Florida Department of Community Affairs) will be reviewing GMP amendments for compliance with this legislation.

Staff has reviewed this petition for adequacy of data and analysis to demonstrate how it discourages urban sprawl and reduces greenhouse gas emissions. The petitioner has submitted the following:

Applicant HB697 response:

HB 697 sets forth seven means of addressing energy efficiency and the proposed Subdistrict implements these measures as follows:

1. Compact Mix of Land Uses;
2. Direct Development Towards Existing Communities;
3. Preserve Open Space, Farmland, and Sensitive Environmental Areas;

The proposed Subdistrict will implement the provisions of HB 697 in that it is using existing land within the Urban core, albeit an Estates Designation, to propose a mixed-use development opportunity that will provide for a compact mix of land uses.

4. Create Walkable Neighborhoods;

The proposed Subdistrict's location at the intersection of two major roadways and the diversity of the surrounding commercial land uses and zoning allows future residents the opportunity to satisfy their daily convenience commercial needs within ¼ mile and also provides for employment opportunities in the immediate area. With these convenience commercial land uses being located close-by, it allows for reduced dependence on automotive travel.

5. Provide a Variety of Transportation Choices;

There are two Collier Area Transit bus routes (Route 3 and 6) that have stops at the intersection of Golden Gate Parkway and Santa Barbara Boulevard, and this further reduces dependence on automotive travel.

6. Provide a Range of Housing Opportunities and Choices;

The proposed Subdistrict, in addition to providing for market rate housing, will also provide on-site housing for the Goodwill Industries continued operations that creates a desirable live-work opportunity.

7. Establish a Compact Building Design

The land development regulations that will be contained in the rezoning petition documentation will provide for compact building design while protecting the Estates residences to the south and west of the proposed Subdistrict.

Staff HB697 comments/analysis:

Providing a mix of uses within walking distance for the site residents, a walkable neighborhood, variety of transportation choices, and compact building design in theory should embrace the spirit of the HB697. Other than noting the two bus route stops near the subject site, the applicant has not provided any data or amendment language to support the HB697 requirements or even the above responses.

The applicant states that the Subdistrict is using existing land within the Urban core. However, the designated Urban core for this area, Golden Gate City, is adjacent to the subject site, which will not include the Subdistrict. If this subdistrict is approved it will actually contribute to urban sprawl, instead of using existing land as the applicant states.

Proximity to a major roadway intersection does not necessarily “create a walkable neighborhood.” The intersection the applicant refers to is that of two arterials, Golden Gate Parkway and Santa Barbara Boulevard, each six lanes wide with left and right turn lanes. Principles for a walkable community are “desirable places to live, work, learn, worship and play.” Walkable communities locate within an easy and **safe** walk to goods and services that a community resident or employee needs on a regular basis. As equally important, if not more, “walkable communities make pedestrian activity possible, thus expanding transportation options, and creating a streetscape that better serves a range of users -- pedestrians, bicyclists, transit riders, and automobiles.” Therefore to foster walkability, “communities must mix land uses and build compactly, AND ensure safe and inviting pedestrian corridors.” In addition, Land Development Code (LDC) requires a wall to separate the development of the proposed amendment with the abutting Estates residential properties. This development requirement may “protect” the abutting properties from a non-compatible use, but can actually hinder walkability.³

Per the proposed amendment language, the range of housing choices is only multi-family and senior housing, with the option for affordable housing density bonus. Staff recognizes the benefit of onsite housing for Goodwill Industries continued operations, however this housing option is not assured in the proposed amendment language.

Establishment of a Compact Building Design should help promote walkability. The applicant states that compact building design for the site will be handled during the rezoning. However, the proposed amendment package does not provide any documentation for support of a compact building design or guarantee of it during the rezoning process.

In summary, the applicant has not provided much data or support information in the proposed amendment package or language that even embraces the spirit of HB697. A major concern of this petition is the promotion of urban sprawl, with the potential amount of commercial and/or residential, to be developed outside the urban core in an area zoned and developed for 1 DU/2.25 AC. Data was not provided that indicates that land is not available within the urban core for commercial expansion, as well as dense multi-family development. Many other issues for the site still exist in order to support HB697, in particular walkability to nearby commercial uses and the transit stops. Minimally, a streetscape should be created that better serves a range of users; for this staff would recommend pedestrian friendly improvements be made at the Golden Gate Parkway and Santa Barbara Boulevard intersection. Overall, to embrace HB 697 requirements, staff recommends that the applicant provide the recommended requirements within the amendment language and/or a developer’s agreement with the amendment package.

NEIGHBORHOOD INFORMATION MEETING (NIM) SYNOPSIS

The Neighborhood Information Meeting (NIM) was held on **Thursday, 17 September, 2009** from **5:32 pm to 6:05 pm**, after the applicant/agent duly noticed and advertised the meeting as required by the Collier County Land Development Code.

Approximately 35 people attended the NIM at Golden Gate Community Center located at 4701 Golden Gate Parkway, Naples, FL

³ Walkable Community excerpts and information based on Smart Growth Online - Principles of Smart Growth, Create Walkable Neighborhoods, 20 Sept 2009, <http://www.smartgrowth.org/about/principles/principles.asp?prin=4&res=1280>

The applicants' agent, Dwight Nadeau, presented an overview of the proposed amendment assuring the attendees that they would have several opportunities to voice their concerns and/or opinions, that this was just the first hearing to transmit the proposed change to DCA. The agent's outline of the proposed amendment comprised noting the maximum commercial of 100,000 ft², residential at 3.55 DU/A, and that affordable housing will be allowed at a maximum of 8 DU/A.

The agent also stated that the first public hearing would be held on 19 October 2009 and/or 20 October 2009 in front of the Collier County Planning Commission (CCPC), beginning at 8:00 am (staff correction: correct time is 8:30 am).

Citizens' concerns/questions centered on the proposed amendment impacts to the adjacent sites as well as the community. In addition, the BCC had promised no significant changes along Golden Gate Parkway. These concerns were in direct response to the agent's continued stressing of the opportunities the proposed amendment would provide, while not addressing any impacts, such as more housing in an area that already had an abundance of multi-family housing. The agent stated that even though the proposed amendment included opportunity for affordable housing, are not seeking the bonus density.

Site specific questions and concerns focused on location of development of site and ingress/egress to the site. The agent stated that no site plan has been developed at this point but tentatively the commercial would be located on the northern portion of the site, along Golden Gate Parkway, and the residential would be located on the southern portion. The agent's traffic consultant assured the citizens that Santa Barbara Blvd ingress/egress points would not change much from the current points. In addition, Golden Gate Parkway would have a right-in/right-out point.

Project particulars questions focused on type of residential (i.e. more high density multi-family, low-income housing), a single 100,000 ft² building, and who would own the structures/development. The agent stated that it was not the intent to utilize the density bonus for residential, however conversion of commercial square footage to residential is an option. Many options for design of the site exist and as for final ownership, Goodwill Industries and NCA may retain ownership and lease space, or sell portions of the site to a developer.

A question was raised as to the type of Goodwill Industries facility to be constructed and why the need for housing. Bill McDaniel, a Goodwill Industries board member, stated the facility would be a retail facility approximately 22,000 ft² in size, similar to the facility on Daniels Parkway in Fort Myers, FL. Goodwill Industries number one client is the handicapped, therefore by providing onsite housing, the transportation barrier for the handicap has been eliminated.

One attendee asked, the Golden Gate Area Master Plan has existed for a long time, it can just be overturned? The agent stated affirmative, the current process allows for proposing changes.

[Synopsis prepared by Leslie Persia, Senior Planner]

FINDINGS AND CONCLUSIONS:

- The proposed subdistrict is inconsistent with Policy 5.2.3 of the GGAMP, which prohibits commercial development along Golden Gate Parkway between Livingston Road and Santa Barbara Boulevard.
- Additionally, a commitment was made by the County to the Florida Department of Transportation in consideration of the approval and construction of the I-75 Interchange to

keep the Golden Gate Parkway corridor “green” and not allow the proliferation of commercial and conditional uses.

- The application and support documentation for the proposed amendment does not address changed conditions that would justify or support an exception or change to the adopted Policy 5.2.3 in the GGAMP.
- If this project is approved, adjacent sites would become eligible for conditional uses.
- Despite the existence of Policy 5.2.3 in the GGAMP, it is important to note that the approval of this petition may provide the impetus for additional requests for commercial, either on abutting sites to the west, across Golden Gate Parkway adjacent to the northwest quadrant of the Golden Gate Parkway/Santa Barbara Boulevard intersection, or both.
- As required by Rule 9J-5, F.A.C, the requisite data and analysis necessary to support the proposed change from Estates – Mixed Use District, Residential Estates Subdistrict to the requested mixed-use subdistrict, was not provided. The data provided indicated that no need exists for commercial – retail, but possibly a need for commercial – office. In addition, the data and analysis provided by the applicant did not include a residential needs analysis, population projections, dwelling unit inventory and projections, or other data and analysis were provided to support increase of residential density.
- Major discrepancies exist within the two market analysis provided including 1) duplication of parcels; 2) duplication of parcels when determining certain acreage totals; and, 3) failure to include all vacant commercial parcels. The applicant’s information does not provide an accurate picture of existing commercial space, nor of future needs. In addition to the discrepancies in the provided data, it should also be noted that reviewing both the Office and Retail analysis together yields that assumptions made for the percentage of acreage that would develop into office (approximately 33%) and retail (approximately 50%) space provide for additional unaccounted for acreage (17%), in other words additional acreage in the 20-minute office trade area and 10-minute retail trade area of 160 acres and 60 acres, respectively.
- The commercial analysis submitted does not demonstrate the need for additional retail uses at this location. In fact, the study demonstrates that no additional retail is required even in 2030, when the supply of retail space will be double the demand. Even though the commercial analysis for office space demonstrates that approaching 2030 the supply of office space may almost equal the demand, given that the subject site is just outside the Urban Core a more appropriate location for office space is within the core and not within the low-density Estates designation.
- It is asserted in the amendment application that the expansion of Golden Gate Parkway and Santa Barbara Boulevard to 6-lanes has changed the character of the existing residentially zoned site, making it unsuitable for single-family housing. However, the petition does not address the specific changes or impacts to the subject site, except to mention that traffic volumes are expected to increase on the adjacent roadways. Further, the current uses on the subject site, a church and school, have existed for over 25 years and after review of aerial photography submitted with the petition, suggested traffic impacts to the subject site are not obvious given the institutional uses of the site and the placement of structures on site.

- The proposed subdistrict mixed-use intensity/density of development is consistent with an urban style development and is an extreme departure from the low densities presently allowed in the Estates designation - one residential unit per 2 ¼ acres or legal lot of record. (If approved, this would be the first increase in density authorized in the Estates designation since adoption of GGAMP in 1991.) Either extreme, a maximum commercial of 100,000 ft² with a base density of 3.55 DU/AC (74 units), to utilizing the commercial to residential conversion resulting in a minimum commercial of 22,000 ft² and a maximum residential density of almost 12 DU/AC (247 units), is consistent with urban style development. In addition, the proposed subdistrict would also provide for a maximum of 240 senior housing units. No supporting data and analysis has been provided to demonstrate a need for the increased residential density or to demonstrate its appropriateness at this location, such as a compatibility study, which would identify the impacts of the proposed project on the surrounding area.
- Staff acknowledges that the inclusion of on-site housing for the Goodwill Industries continued operations can help eliminate the transportation barrier for these employees. However, the proposed amendment does not guarantee these housing units.
- For HB697 requirements, the applicant has not provided data supporting the generic statements. This petition promotes urban sprawl, with the urban style development outside the urban core, in an area zoned for 1 DU/2.25 AC. Other issues exist for the proposed site, in particular walkability to nearby commercial uses and the transit stops. Minimally a pedestrian friendly streetscape should be created to better serve a range of users; for this staff would recommend pedestrian friendly improvements be made at the Golden Gate Parkway and Santa Barbara Boulevard intersection. In summary, this is a clear representation of urban sprawl, increasing a defined Urban Core boundary to increase density/intensity of development without supporting data and analysis.
- Using “proximity to urban development” as justification for increasing land use to a urban development contradicts smart growth and perpetuates urban sprawl when not supported by data and analysis. The area east of the subject site is the urban core, which provides for dense urban development with a wide range of uses in order to serve that urban area and the surrounding Estates zoned and designated semi-rural area. This compact urban core has a clearly defined boundary and includes a residential density band.
- This petition is inconsistent with the GGAMP vision for commercial development in Golden Gate Estates, as well as for low (semi-rural) density residential development.

LEGAL CONSIDERATIONS:

This staff report has been reviewed and approved by the Office of the County Attorney.

STAFF RECOMMENDATION:

Staff recommends that the Collier County Planning Commission forward Petition CP-2008-3 to the Board of County Commissioners with a recommendation not to transmit to the Florida Department of Community Affairs. However, **IF** the CCPC should choose to recommend transmittal, staff recommends the following revisions to the proposed subdistrict, mostly for proper format, use of code language, succinctness, and clarity. Inasmuch as this project proposes neighborhood commercial development, staff has proposed numerous standards from the Neighborhood Center Subdistrict in the GGAMP (Note: single underline text is added, as proposed by petitioner; double underline text is added, and double ~~strike through~~ text is deleted, as proposed by staff.)

Policy 5.2.3:

[new text, page 12]

Recognizing the existing residential nature of the land uses surrounding the planned I-75 interchange at Golden Gate Parkway, as well as the restrictions on conditional uses of the Conditional Uses Subdistrict of the Golden Gate Area Master Plan, there shall be no further commercial zoning for properties abutting Golden Gate Parkway between Livingston Road and Santa Barbara Boulevard. No new commercial uses shall be permitted on properties abutting streets accessing Golden Gate Parkway within the above-defined segment. This policy shall not apply to that existing portion of the Golden Gate Estates Commercial Infill District, which is located at the northwest corner of the intersection of Golden Gate Parkway and Santa Barbara Boulevard, and also shall not apply to the Golden Gate Parkway Mixed Use Subdistrict, which is located on at the southwest corner of the intersection of Golden Gate Parkway and Santa Barbara Boulevard.

*** **

A. Urban-Mixed Use District

1. Urban Residential Subdistrict

DENSITY RATING SYSTEM:

*** **

b. DENSITY BONUSES – Density bonuses are discretionary, not entitlements, and are dependent upon meeting the criteria for each bonus provision and compatibility with surrounding properties, as well as the rezone criteria in the Land Development Code. The following densities per gross acre may be added to the base density. In no case shall the maximum permitted density exceed 16 residential dwelling units per gross acre.

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iii. Affordable-workforce Housing Bonus

[new text, page 18]

As used in this density bonus provision, the term “affordable” shall be as defined in Chapter 420.9071, F.S. To encourage the provision of affordable-workforce housing within certain Districts and Subdistricts in the Urban Designated Area, and within the Estates- Mixed Use District, Golden Gate Parkway Mixed Use Subdistrict of the Estates Designation, a maximum of up to 8 residential units per gross acre may be added to the base density if the project meets the requirements of the Affordable-workforce Housing Density Bonus Ordinance (Section 2.06.00 of the Land Development Code, Ordinance #04-41, as amended, adopted June 22, 2004 and effective October 18, 2004), and if the affordable-workforce housing units are targeted for families earning no greater than 150% of the median income for Collier County.

*** **

2. ESTATES DESIGNATION

[new text, page 26]

This designation is characterized by low density semi-rural residential lots with limited opportunities for other land uses. Typical lots are 2.25 acres in size. However, there are some legal non-conforming lots as small as 1.14 acres. Residential density is limited to a maximum of one unit per 2.25 gross acres, or one unit per legal non-conforming lot of record, exclusive of guesthouses, except as provided for in the Golden Gate Parkway Mixed Use Subdistrict. Multiple family dwelling units, duplexes, and other structures containing two or more principal dwellings, are prohibited in all Districts and Subdistricts except the Golden Gate Parkway Mixed Use Subdistrict.

Generally, the Estates Designation also accommodates future non-residential uses, including:

- Conditional uses and essential services as defined in the Land Development Code, except as prohibited in the Neighborhood Center Subdistrict. Also, refer to the Conditional Uses Subdistrict.
- Parks, open space and recreational uses,
- Group Housing shall be permitted subject to the definitions and regulations as outlined in the Collier County Land Development Code (Ordinance No. 04-41, adopted June 22, 2004, effective October 18, 2004) and consistent with locational requirements in Florida Statutes (Chapter 419.001 F.S.).
- Schools and school facilities in the Estates Designation north of I-75, and where feasible and mutually acceptable, co-locate schools with other public facilities, such as parks, libraries and community centers to the extent possible.

[new text, page 26]

~~• Land uses permitted in the Golden Gate Parkway Mixed Use Subdistrict.~~

- Commercial uses as allowed in specific subdistricts.

*** **

A. Estates – Mixed Use District

*** **

5. Golden Gate Parkway Mixed Use Subdistrict

[new text, page 33]

~~The Golden Gate Parkway Mixed Use Subdistrict is approximately 20.71 acres and is located in the southwest corner of the intersection of Golden Gate Parkway and Santa Barbara Boulevard. The Golden Gate Parkway Mixed Use Subdistrict has been designated on the Golden Gate Area Future Land Use Map. See also the Golden Gate Parkway Mixed Use Subdistrict Map.~~

~~The purpose of this Subdistrict is to allow for commercial and residential uses in recognition of the unique characteristics of the surrounding area. The development standards contained in this Subdistrict are designed to ensure that uses within the Subdistrict will be compatible with nearby residential development, in addition to serving the commercial needs of the surrounding area and intersection. The intent of the Golden Gate Parkway Mixed Use Subdistrict is to allow for a mix of both retail and office uses to provide for shopping and personal services for the surrounding residential areas within a convenient travel distance. Residential multi family land uses are permitted within this Subdistrict at a density provided for in 5.A, below, with an opportunity for higher density through the provision of affordable housing. Senior housing, including, but not limited to assisted living, nursing homes and group care units are not excluded from development in this Subdistrict.~~

- ~~• This Subdistrict also provides for a conversion of commercial intensity to residential density to allow design flexibility in regards to future market demand.~~

~~A rezoning is encouraged to be in the form of a Mixed Use Planned Unit Development (MPUD). Regulations for water management, uniform landscaping, signage, screening and buffering will be included in the MPUD ordinance to ensure compatibility with nearby residential areas.~~

The Golden Gate Parkway Mixed Use Subdistrict comprises approximately 20.71 acres and is located at the southwest corner of the intersection of Golden Gate Parkway and Santa Barbara Boulevard. The purpose of this Subdistrict is to allow for a mix of commercial, residential and institutional uses.

This Subdistrict is intended to allow for a mix of both retail and office uses so as to provide opportunities for shopping and personal services for onsite residential development as well as for the surrounding residential areas within a convenient travel

distance. The development standards contained in this Subdistrict are designed to ensure that all development allowed within this Subdistrict will be compatible with adjacent and nearby residential development.

Residential multi-family land uses are allowed within this Subdistrict at a density set forth in paragraph a. below. Senior housing, including, but not limited to assisted living facilities, nursing homes and group care units, are also specifically allowed in this Subdistrict.

The following criteria and standards shall regulate development within the Golden Gate Parkway Mixed Use Subdistrict:

A. Residential Density

- ~~• Residential Density shall be calculated from an acreage of 20.71 acres, and shall not exceed 3.55 dwelling units per acre unless affordable workforce housing is provided in the project, and/or if residential dwelling units are generated by reducing the commercial intensity below 100,000 square feet using the conversion ratio set forth in 5.B) below.~~
- ~~• A maximum of up to 8 residential units per gross acre may be added to the base density in accordance with the Affordable Workforce Housing Density Bonus provision in the Density Rating System.~~
- ~~• In no case shall the maximum permitted density exceed 12 residential dwelling units per gross acre.~~

a. Residential Density

1. Residential density shall be calculated on the total site acreage of 20.71± acres.
2. The base residential density is 3.55 dwelling units per acre (74 units).
3. A maximum of up to 8 dwelling units per gross acre (166 units) may be added to the base density in accordance with the Affordable-Workforce Housing Density Bonus provision in the Density Rating System.
4. A maximum of 8.37 dwelling units per gross acre (173 dwelling units) may be added to the base density via the conversion of commercial intensity provision in paragraph b.3., below.
5. Base residential density shall be reduced if senior housing is constructed, as set forth in paragraph b.4., below.
6. The maximum allowed density is 12 dwelling units per gross acre.
7. The minimum allowed density is 2.0 dwelling units per gross acre (41 total dwelling units).
8. Only multi-family dwelling units are allowed in this Subdistrict.

B b) Limitation of ~~Permitted~~ Commercial Uses

1. Commercial uses shall be limited to a maximum of 100,000 square feet of gross leasable floor area and a minimum of 22,000 square feet of gross leasable floor area. ~~In no instance shall the commercial component of this Subdistrict be reduced below 22,000 square feet.~~
2. ~~Permitted e~~ Commercial land uses shall be limited to those permitted and conditional uses set forth in the C-1, C-2, or C-3 Zoning Districts of the Collier County Land Development Code, Ordinance ~~Number~~ No. 04-41, as amended, except as prohibited in paragraph d., below.

- ~~3. A conversion of commercial intensity to residential density is allowed may occur at a ratio of 450 square feet of gross leasable floor area commercial intensity equaling to one (1) residential dwelling unit.~~
- ~~4. The floor area ratio for senior housing, including, but not limited to, assisted living, nursing care, and group care units, may have a greater floor area ratio than 0.45, but shall not exceed 0.60. No portion of the The floor area of any proposed senior housing development land use shall be deducted excluded from the commercial floor area limitations in paragraph b.1., above land use intensity of the Subdistrict. Each For each senior housing unit (rooms, not beds) constructed, shall equate to ¼ of a residential dwelling unit, shall be deducted from the base density allowed in paragraph a.2., above, and there shall be no more than A maximum of 240 senior housing units is allowed permitted.~~

c) Rezone

1. To promote a cohesive development, the entire site shall be rezoned to a single Mixed Use Planned Unit Development (MPUD). Regulations for water management, uniform landscaping, signage, screening and buffering shall be included in the MPUD ordinance to ensure compatibility with adjacent and nearby residential areas.

d) Development Standards

- ~~1. Land uses abutting Estates zoned properties shall have a minimum setback of 25 100 feet plus one foot of setback for each one foot of building height. Where feasible, existing native vegetation shall be retained within this setback area, consistent with the GMP and LDC standards. Water retention/detention areas shall be allowed in this setback area provided that the area is left in a natural state, and drainage conveyance through the setback area shall be allowed, in order for stormwater to reach an external outfall.~~

Commercial development directly abutting residential property (property zoned E-Estates and without an approved conditional use) shall provide, at a minimum, a seventy-five (75) feet wide buffer in which no parking uses are permitted, except that this requirement shall not apply to that portion of the southern boundary adjacent to the excavation area to the south. Twenty-five (25) feet of the width of the buffer along the developed area shall be a landscape buffer. A minimum of fifty (50) feet of the buffer width shall consist of retained native vegetation and must be consistent with subsection 3.05.07H. of the LDC. The native vegetation retention area may consist of a perimeter berm and be used for water management detention. Any newly constructed berm shall be re-vegetated to meet subsection 3.05.07H. of the LDC (native vegetation replanting requirements). Additionally, in order to be considered for approval, use of the native vegetation retention area for water management purposes shall meet the following criteria:

- (a) There shall be no adverse impacts to the native vegetation being retained. The additional water directed to this area shall not increase the annual hydro-period unless it is proven that such would have no adverse impact to the existing vegetation.
- (b) If the project requires permitting by the South Florida Water Management District, the project shall provide a letter or official document from the District indicating that the native vegetation within the retention area will not have to be removed to comply with water management requirements. If the District cannot or will not supply such a letter, then the native vegetation retention area shall not be used for water management.

- (c) If the project is reviewed by Collier County, the County engineer shall provide evidence that no removal of native vegetation is necessary to facilitate the necessary storage of water in the water management area.
2. Projects shall provide a 25-foot wide landscape buffer abutting the external right-of-way. This buffer shall contain two staggered rows of trees that shall be spaced no more than 30 feet on center, and a double row hedge at least 24 inches in height at time of planting and attaining a minimum of three feet height within one year. A minimum of 50% of the 25-foot wide buffer area shall be comprised of a meandering bed of shrubs and ground covers other than grass. Existing native trees must be retained within this 25-foot wide buffer area to aid in achieving this buffer requirement; other existing native vegetation shall be retained, where possible, to aid in achieving this buffer requirement. Water retention/detention areas shall be allowed in this buffer area if left in natural state, and drainage conveyance through the buffer area shall be allowed if necessary to reach an external outfall. For that portion of this Subdistrict lying within the Corridor Management [zoning] Overlay (CMO), the more stringent requirements of this paragraph and the CMO shall apply.
 3. Shared parking shall be required with adjoining developments wherever practicable. Internal parking and driveways shall be located between residential and commercial structures in order to minimize noise and lights on adjacent Estates zoned properties.
 4. Driveways and curb cuts shall be consolidated with adjoining developments, wherever practicable.
 - 4.5. Building heights shall be limited to two (2) ~~story~~ stories, with a maximum zoned height of ~~forty five (45)~~ thirty-five (35) feet.
 - 5.6. Commercial uses shall encourage pedestrian traffic through placement of sidewalks, pedestrian walkways, and marked crosswalks within parking areas. Adjacent projects shall coordinate placement of sidewalks so that a continuous pathway through the Subdistrict is created.
 - 6.7. All commercial buildings within the Subdistrict shall utilize a common architectural theme.
 8. All lighting shall be architecturally designed and limited to a height of twenty-five (25) feet. Such lighting shall be shielded from neighboring residential land uses. This theme shall be applicable to both building design and signage.
 9. Fences or walls may be constructed on the commercial side of the required landscape buffer between adjacent commercial and residential uses. If constructed, such fences or walls shall not exceed five (5) feet in height. Walls shall be constructed of brick or stone. Fences shall be of wood or concrete post or rail types, and shall be of open design (not covered by slats, boards or wire).
 10. All commercial buildings shall have tile roofs, 'Old Style Florida' metal roofs, or decorative parapet walls above the roofline. The buildings shall be finished in light, subdued colors, except for decorative trim.
 11. If the project is submitted as a PUD, it shall provide a functional public open-space component. Such public open-space shall be developed as green space within a pedestrian-accessible courtyard, as per Section 4.06.03B.3. of the LDC, as in effect at the time of PUD approval.
 12. The following principal permitted uses are prohibited:
 - (a) Drinking Places (5813) and Liquor Stores (5921)
 - (b) Mail Order Houses (5961)
 - (c) Merchandizing Machine Operators (5962)
 - (d) Power Laundries (7211)
 - (e) Crematories (7261) (Does not include non-crematory Funeral Parlors)
 - (f) Radio, TV Representatives (7313) and Direct Mail Advertising Services (7331)
 - (g) NEC Recreational Shooting Ranges, Waterslides, etc. (7999)

(h) General Hospitals (8062), Psychiatric Hospitals (8063), and Specialty Hospitals (8069)

(i) Elementary and Secondary Schools (8211), Colleges (8221), Junior Colleges (8222)

(j) Libraries (8231)


(k) Correctional Institutions (9223)

(l) Waste Management (9511)

(m) Homeless Shelters and Soup Kitchens.

PREPARED BY: 
LESLIE PERSIA, SENIOR PLANNER
COMPREHENSIVE PLANNING DEPARTMENT


DATE: 29 SEPT 09

REVIEWED BY: 
DAVID WEEKS, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING DEPARTMENT

DATE: 9-29-09

REVIEWED BY: 
RANDY COHEN, AICP, DIRECTOR
COMPREHENSIVE PLANNING DEPARTMENT

DATE: 9-29-09

APPROVED BY: 
JOSEPH K. SCHMITT, ADMINISTRATOR
COMMUNITY DEVELOPMENT &
ENVIRONMENTAL SERVICES DIVISION

DATE: 9/30/09

PETITION NO.: CP-2008-3
Staff Report for the October 19, 2009, CCPC Meeting.

NOTE: This petition has been scheduled for the January 19, 2010, BCC Meeting.

COLLIER COUNTY PLANNING COMMISSION:

MARK P. STRAIN, CHAIRMAN