



**STAFF REPORT
COLLIER COUNTY PLANNING COMMISSION
(REVISED 12 NOVEMBER 2009)**

TO: COLLIER COUNTY PLANNING COMMISSION

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

HEARING DATE: OCTOBER 19, 2009 (CONTINUED TO NOVEMBER 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
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Scott Jones
Naples Christian Academy Association, Inc.
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Naples, FL 34116

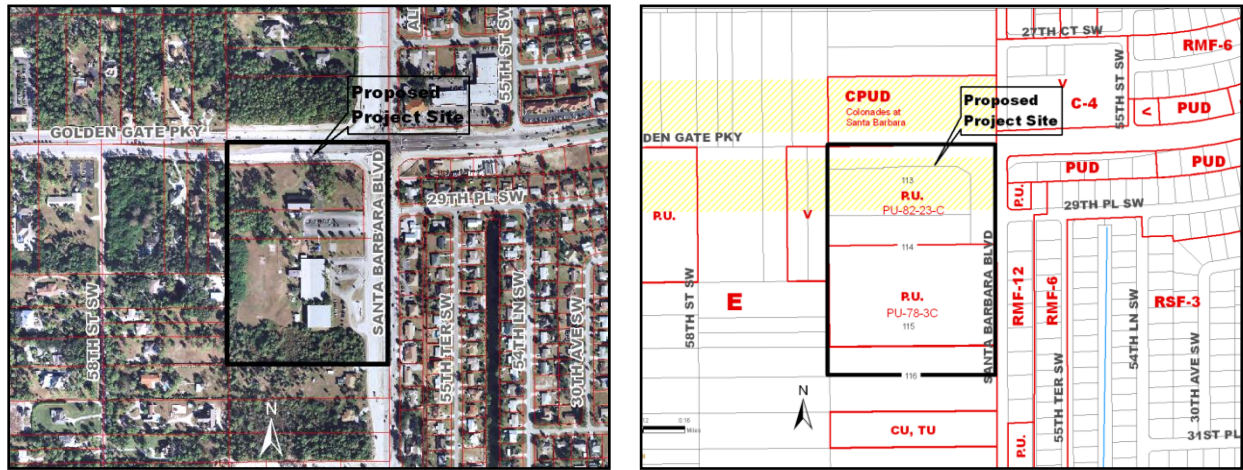
Owners: Goodwill Industries of Southwest Florida
4940 Bayline Road
North Fort Myers, FL 33917

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]

*** ** 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 at the southwest corner of the intersection of Golden Gate Parkway and Santa Barbara Boulevard.

*** ** 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.
- Commercial uses as allowed in specific subdistricts.

[new text, page 26]

*** ** A. Estates – Mixed Use District

*** ** 5. Golden Gate Parkway Mixed Use Subdistrict [new text, page 33]

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 on-site 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.

No new conditional uses may be pursued adjacent to the Subdistrict boundaries, and the existence of this Subdistrict may not be used as justification for future changes to the GGAMP to provide for new commercial or mixed use development opportunities, given the historic non-residential use of the Subdistrict lands.

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

a. Residential Density

1. Residential density shall be calculated on the total site acreage of 20.71± acres.
2. The residential density shall not exceed 3.55 dwelling units per acre (74 units).
3. Base density shall be reduced if senior housing is constructed, as set forth in paragraph b.3., below.
4. The minimum allowed density is 2.0 units per gross acre (41 total dwelling units).
5. Only multi-family dwelling units are allowed in this Subdistrict.

b. Limitation of Permitted Commercial Uses

1. Commercial uses shall be limited to a maximum of 60,000 square feet of gross leasable floor area, of which no more than 40,000 square feet of gross leasable floor area may be developed as retail commercial land uses.
2. 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 No. 04-41, as amended, except as prohibited in paragraph d., below.
3. The floor area ratio for senior housing, including, but not limited to, assisted living, nursing care, and group care units shall not exceed 0.60. The floor area of senior housing development shall be excluded from the commercial floor area limitations in paragraph b.1., above. For each senior housing unit (room, not beds) constructed, ¼ of a dwelling unit shall be deducted from the density allowed in a.2., above. A maximum of 240 senior housing units is allowed.

c. Rezone

1. To promote a cohesive plan of 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. 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) foot buffer, or a fifty (50) feet wide buffer in which no parking

uses are permitted. Twenty (20) feet of the width of the buffer along the developed area shall be a landscape buffer. A minimum of thirty (30) feet of the buffer width shall consist of retained native vegetation and must be consistent with subsection 3.05.07H. of the LDC. If the fifty (50) foot buffer alternative is proposed for all, or a portion of the western and southern boundaries of the Subdistrict, then a six (6') foot, architecturally finished solid fence/wall shall be installed within the required buffer in a location that provides the greatest screening of land uses developed in this Subdistrict, and of the existing Estates residences to the west and south. 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 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 with 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. The 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 cover other than grass. Existing native trees must be retained with 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. To the greatest extent possible, internal parking and driveways shall be located between the Subdistrict's 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.
 5. Building heights shall be limited to two (2) stories, with a maximum zoned height of thirty-five (35) feet.
 6. Commercial uses shall encourage pedestrian traffic through the 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.
 7. All commercial buildings within this 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. 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.
- 10. 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 a green space within a pedestrian-accessible courtyard, as per Section 4.06.03B.3 of the LDC, as in effect at the time of the PUD approval.
- 11. 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) Libraries (8231)
 - (j) Correctional Institutions (9223)
 - (k) Waste Management (9511)
 - (l) Homeless Shelters and Soup Kitchens.

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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.

Initially, the proposed subdistrict allowed 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 also included 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.

Initially, the proposed amendment included the following site development standards as well, in general:

- 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; and,
- Common architectural theme for commercial buildings.

On 23 October 2009, staff received a revised proposal from the petitioner. The revised proposed subdistrict allows for 60,000 square feet of commercial uses similar to C-1 through C-3 zoning districts, of which no more than 40,000 square feet may be developed as retail uses, and a maximum of 74 residential multi-family dwelling units at the rate of 3.55 DU/A.

The site development standards for the revised proposed amendment, in general, are the following:

- Rezoning as a MPUD;
- Commercial development directly abutting residential property shall provide, at a minimum, a 75 foot buffer, or a 50 foot buffer in which no parking uses are permitted;
- If the 50 foot buffer alternative is proposed, a six foot fence/wall shall be installed;
- Minimum of thirty (30) feet of the buffer width shall consist of retained native vegetation and must be consistent with subsection 3.05.07H. of the LDC;
- Water retention/detention areas shall be allowed in the setback area with stipulations;
- Twenty-five foot landscape buffer along external right-of-way;
- Shared parking, where practicable;
- Driveways and curb cuts consolidated with adjoining developments;
- Building heights limited to two stories, with a maximum zoned height of 35 feet;
- Encouragement of pedestrian traffic;
- Common architectural theme for commercial buildings, consisting of tile roofs, "Old Style Florida" metal roofs, or decorative parapet walls above the roofline, and subdued paint colors; and,
- Lighting height limited to 25 feet, architecturally designed, and shielded from neighboring residential.

As proposed in the initial submittal, the revised proposed amendment also includes in a provision for senior housing at the rate of a maximum FAR of 0.60 with each senior housing unit equating to $\frac{1}{4}$ 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.

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 designation),

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, are properties zoned RMF-12, designated urban residential, and developed with duplex structures, then properties zoned RMF-6, designated urban residential, and developed with single family dwellings. 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 Designation 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 Needs Analyses and Raw Data sets submitted by the petitioner in support of petition CP-2008-3 were prepared by Fishkind & Associates, Inc. on 24 April 2008, revised and updated on 27 April 2009 and due to staff's inability to validate the raw data sets, revised again on 21 October 2009. Two separate and distinct Commercial Needs Analyses were provided: Office Study and Retail Study. Each study is formatted in a similar manner, complete with the majority of the tables and section numbering, which proved helpful during the analysis process. However, it should be noted that each study utilizes a different primary trade area: 20-minute drive time for the Office Study and 10-minute drive time for the Retail Study.

Staff's analysis determined that the net supply of commercial was underreported by 600,000 ft² in the Office Study and 325,000 ft² in the Retail Study due to the petitioners' incorrect evaluation of many future land use designations. Some evaluation errors resulted from the use of a GIS interpretation of the future land use subdistricts, which the petitioners received from the County in early 2008. The land use GIS files are for interpretation only and cannot be used without the GMP, especially the subdistrict maps. Other evaluation errors occurred when defined allocations of GMP land use subdistricts were incorrectly interpreted. For example, the Golden Gate Estates Commercial Infill Subdistrict has two infill areas, both allowing commercial. However, the infill area at the northwest corner of Golden Gate Parkway and Santa Barbara Boulevard allows only office uses. Staff's analysis of the Office and Retail studies adjusts for incorrect evaluations.

The starting point of Comprehensive Planning Department staff's analysis of the Office Study and Retail Study was verification of the Raw Data sets. If the Raw Data is flawed, then any conclusions drawn from a flawed data set may be invalid. The data verification includes correlation of the Raw Data with the values reported in both Studies, ensuring the Raw Data records are within the corresponding Trade Areas, and Raw Data records correlate with Collier Property Appraiser records.

The steps outlined below indicate the process used by Comprehensive Planning Department staff for analyzing the petitioners' Office Study and Retail Study:

- Verify Raw Data – within trade area, correlates with Collier Property Appraiser records, totals provided in reports match data provided;
- Verify Study Information – information used to support methodology and/or study information; and,
- Interpret Methodology and Results.

The petitioners' use of a "drive time" trade area, which is characterized by a jagged border, is a good choice. A drive time trade area takes into account the road network, including roadway speed limits, and any geographic limitations surrounding the subject site, such as canals segregating the road network. Both trade area boundaries were computer generated by Fishkind & Associates. The 10-minute drive time Retail trade area appears to be missing major commercial areas on the western boundary (see Figure 1 on page 17).

Where population estimates and/or projections were required, the petitioners used the 2008 AUIR population¹ figures, as these were the most recent at the time of submittal.

The Raw Data sets provided by the petitioner for both the Office Study and Retail Study fell within the respective trade areas, correlated with the Collier Property Appraiser records, and as presented matched the study totals. A few data records were not assigned to the correct land use designation; therefore, staff's analysis will not completely match that provided by the petitioner. In addition, as noted earlier, the supply was underreported due to the petitioners' incorrect evaluation of many future land use designations. These differences will be noted.

Analysis of the Office Study and Retail Study are addressed individually, however both studies utilized similar methodologies. Generally, the petitioners' used the following steps for the analysis in each Study:

- Determine each Study trade area;
- Compile inventory of existing office or retail space for the Office Study and Retail Study trade areas, respectively, using commercial DOR (Florida Department of Revenue) land use codes as noted in Table 1 below;
- Compile inventory of vacant commercial parcels (DOR Code 10) in each Study trade area;
- Determine future potential office or retail space for the Office Study and Retail Study trade areas, respectively, based on the Collier County future land use designations, including the Golden Gate Area Master Plan; and,
- Project future demand of off office or retail space for the Office Study and Retail Study trade areas, respectively.

The petitioners compiled the inventory of existing office or retail space for the Office Study and Retail Study trade areas, respectively, (see "*Existing Allocation...*" in Table 2 and Table 6 below) using commercial DOR land use codes as noted in Table 1 below. To determine future potential office or retail space within the Office Study or Retail trade areas, respectively, the petitioners first identified the land use designations with specific

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

and/or maximum commercial allocations (see “*Defined Allocation...*” in Table 2 and Table 6). Next, the petitioners estimated future allocation of office or retail space for the land use designations without specific commercial allocations within the Office Study or Retail trade areas (see “*Estimated Allocation...*” in Table 2 and Table 6). For the estimated allocations, the petitioners chose to classify the land use designations as either Redevelopment or Traditional. Redevelopment areas are more likely to change land uses, therefore the petitioners accounted for the entire subdistrict acreage (less obvious right-of-way, water management, or development that appears stable such as the Naples Botanical Gardens in Bayshore/Gateway Triangle). In contrast, the Traditional classification only analyzed Collier Property Appraiser records identified with DOR land use code of 10 (vacant commercial) that were not within any Redevelopment classifications.

In order to project how much of the Redevelopment and Traditional commercial land classifications or any additional vacant commercial land (see “*DOR Code 10 Reconciled*” in Table 2 and Table 6) would develop into commercial, the consultant assumed 33% of the land would become office acreage and 50% would become retail acreage. The office or retail square footage was then calculated by multiplying the office or retail average square foot per acre density, respectively.

Determining if sufficient office or retail space exists within the Office Study or Retail Study trade areas, respectively, the petitioners determined the total holding capacity of the respective Study trade area by summing the existing allocation of space, defined allocation of space, estimated allocation of space, and the current vacant space (DOR land use code 10). For the Office Study, the petitioners also included Lee County office space as well, since the 20-minute trade area extends into Lee County.

For both studies, a comparison of supply to demand (net supply of square footage in trade area divided by consultant’s market demand) produced an allocation ratio. The Supply-to-Demand allocation ratio is the basis for each studies determination of need (see “(3) *Allocation Ratio (Supply/Demand)*” in the tables below).

The studies differed in the basis used to project future space demand within the Study trade area. The Office Study utilized the number of office employees instead of population within the Office trade area as the basis for projecting future office space demand. The Retail Study utilized population count to determine dwelling units within the Retail trade area as the basis for projecting future retail space demand.

Overall, staff finds the petitioners’ methodology used in the Office Study and the Retail Study to be professionally acceptable. However, staff does not concur with the petitioners that an allocation ratio of at least 2.0 is required to determine need (that the supply should be twice the demand).

Allocation Ratio (Market Factor)

The petitioners’ *Retail Study* states that an allocation ratio of 2.0 is the minimum acceptable level and that a ratio of 2.09 is “*sufficiently high enough to accommodate the expected demand in a meaningful fashion*” and that “*no numerical need exists for additional... retail space at the Project*” site. Yet to influence this statement since the allocation ratio is greater than 2.0, the petitioners state that additional commercial space may be demonstrated by other factors, such as community desires, locational criteria, and suitability of the property for change. In contrast, the petitioners’ *Office Study*

concludes that with an allocation ratio below 2.0 the project site “*warrants the addition of new office land to the market.*”

An allocation ratio of 2.0 indicates that the supply would support 200% of the projected population. The petitioners’ use of a 2.0 allocation ratio as the criteria to determine need appears to be on the high side given not all commercial DOR land use codes were accounted for in either study and additional commercial acreage (17%) is provided for given the consultant’s assumptions made as to acreage that would develop into office (33%) and retail (50%) space. With the acreage and/or space attributed to the unused DOR land use codes, a reserve of 17% to address flexibility in the market seems on the high side as well.

In addition, the allocation ratio (or market factor) that the Florida Department of Community Affairs (DCA) seems to recommend is 1.25². In other words, with an allocation ratio of 1.25 for retail land use, the GMP would support 125% of the projected population. Staff recommends the use of DCA allocation ratio of 1.25 as the minimum.

Numerical need, hence allocation ratio (or market factor), is a tool only and should not be the only means for determining an increase of a particular land use. Other factors should be reviewed while assessing need, including current GMP policies, community desires, locational criteria, and suitability of the property for change².

² The Florida Senate, Interim Report 2010-107, *Population Need as a Criteria for Changes to a Local Government’s Future Land Use Map*, October 2009, page 3.

Table 1 - Florida Department of Revenue (DOR) Land Use Codes

CODE	DESCRIPTION	STUDY
10	Vacant commercial	BOTH
11	Stores, one story	RETAIL
12	Mixed use – store and office or store and residential or residential combination	RETAIL
13	Department stores	NOT USED
14	Supermarkets	NOT USED
15	Regional Shopping Centers	NOT USED
16	Community Shopping Centers	RETAIL
17	Office buildings, non-professional services buildings, 1-story	OFFICE
18	Office buildings, non-professional services buildings, 2-story	OFFICE
19	Professional services buildings	OFFICE
21	Restaurants, cafeterias	RETAIL
22	Drive-in restaurants	RETAIL
23	Financial institutions (banks, savings and loan, mortgage companies, credit services)	OFFICE
24	Insurance company office	NOT USED
25	Repair service shops (excluding automotive), radio and TV repair, electric repair, etc.	NOT USED
26	Service stations	RETAIL
27	Auto sales, auto repair and storage, auto service, body and fender shops, etc.	RETAIL
29	Wholesale outlets, produce houses, manufacturing outlets	NOT USED
30	Florists, greenhouses	RETAIL
31	Drive-in theaters, open stadiums	RETAIL
32	Enclosed theaters, enclosed auditoriums	RETAIL
33	Nightclubs, cocktail lounges, bars	RETAIL
34	Bowling alleys, skating rinks, pool halls, enclosed arenas	RETAIL
35	Tourist attractions (privately owned)	RETAIL
36	Camps	RETAIL
37	Race tracks – horse, auto, or dog	RETAIL
39	Hotels, motels	NOT USED

RETAIL Study

The 10-minute drive time *Retail* trade area is completely within the Office trade area and extends slightly into the City of Naples, and used commercial data with the DOR land use codes as indicated in Table 1, above.

The *Retail Study* indicates the 10-minute drive time trade area contains approximately 1.8-million ft² of constructed *retail space* on slightly more than 250 acres, which is an average density of 6,993 ft²/acre of constructed *retail space*. The *Retail Study* also indicates existing commercial vacant land that can accommodate almost 900,000 ft² of *retail space*.

As shown in Table 2, staff's analysis of the *Retail Study* indicates an additional 325,000 ft² of *retail space* allocation, above the petitioners' study, for a total *retail space* holding capacity or net supply of 4,068,532 ft². As previously discussed, these

differences are due to incorrect interpretation by the petitioners' of the future land use designations.

Table 2– STAFF vs. PETITIONERS' STUDY Total RETAIL Space Holding Capacity

RETAIL Space Source	STUDY (SF)	STAFF Analysis (SF)
Existing Allocation of Retail Space	1,784,506	1,784,506
Defined Allocation of Retail Space	419,226	396,748
Estimated Allocation of Retail Space	668,915	1,016,369
DOR Code 10 Reconciled	870,856	870,909
Total Allocation of Retail Space (or Net Supply GLA*)	3,743,503	4,068,532

*GLA = Gross Leasable Area

RED text indicates decreased values as compared to petitioners' submitted study.

BLUE text indicates increased values as compared to petitioners' submitted study.

For the basis of determining *retail* space need, the petitioners utilized the 2008 AUIR population projections to determine number of households within the 10-minute drive time trade area. The petitioners indicate a *Retail* Trade Area population and dwelling unit increase by 2030 of approximately 12.5% and 19%, respectively, as determined by the petitioners' methodology. 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.

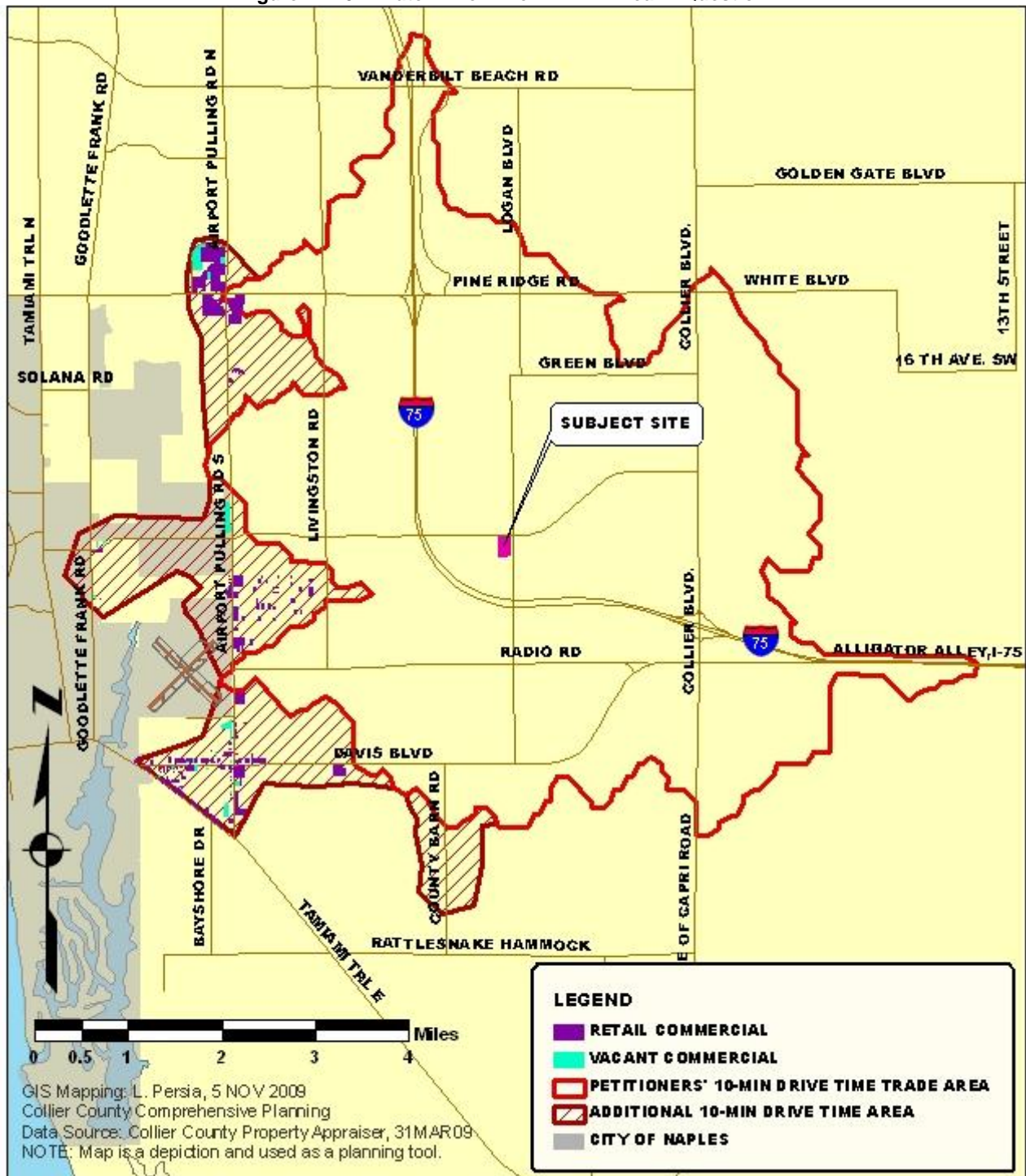
Staff has chosen to rely on the 2009 AUIR (draft) population figures, which projects a much slower growth rate over the next 20 years than the 2008 AUIR population figures. Staff substituted the 2009 AUIR (draft) population projections for the petitioners' population projections and determined that the 2030 projected population for the trade area would be approximately 62,000 or 10% less than the petitioners' of nearly 69,000 with the 2008 AUIR population projections.

The demand for retail space within the 10-minute trade area is indicated as (1) *Market Retail Demand (Cumulative)* in Table 3, Table 4, and Table 5.

Staff Analysis – RETAIL Study

NOTE: The 10-minute drive time Retail trade area appears to be missing major commercial areas on the western boundary as far west as Goodlette-Frank and Golden Gate Parkway, as far north as Airport and Pine Ridge and as far south as Airport and Tamiami Trail East. The dark red hatch area in Figure 1 below indicates the areas in question.

Figure 1 - 10-Minute Drive Time RETAIL Area in Question



For consistency, staff’s analysis began with verification of the petitioners’ *Retail Study* and utilized the same trade area and data set supplied by the petitioners.

Staff’s analysis, Table 3, of the petitioners’ 10-minute drive time *Retail Space* trade area includes the unaccounted for 325,000 ft² of *retail* space as is shown in (2) *Supply Net GLA (SF)* in Table 3, which equates to the *Total Allocation of Retail Space* from Table 2 above. In order to provide the most recent data available given justification of retail space is based on population, staff adjusted the demand utilizing the slower projected growth rate of the 2009 AUIR (draft) population projections. The demand is indicated as (1) *Market Retail Demand (Cumulative)* in Table 3.

Staff’s analysis of the *Retail Space* trade area indicates a net *retail* supply of 4,068,532 ft² of gross leasable area over the 20 year study horizon, with increasing *retail* space demand to 2030, yielding decreasing allocation ratios indicating *retail* space supply in 2010 is 3.4-times the demand and 2030 is 2.6-times the demand.

In addition, the allocation ratios indicate the 2010 and 2030 *retail* space supplies are even greater than the supply projected by the petitioners in Table 5, which is attributed to staff’s use of the 2009 AUIR (draft) population figures and the additional 325,000 ft² of unaccounted net supply of *retail* space.

In summary, the 2010 and 2030 *retail* supply supports almost 340% and over 260% of the projected population, respectively. Both scenarios indicate a very high *retail* supply in the trade area.

Table 3 – STAFF’S Analysis - Retail Market Study Needs Allocation

RETAIL	2008	2010	2020	2030
(1) Market Retail Demand SF (Cumulative)	1,226,630	1,202,362	1,356,498	1,543,814
(2) Supply Net GLA* (SF)	4,068,532	4,068,532	4,068,532	4,068,532
(3) Allocation Ratio (Supply/Demand)**	3.32	3.38	3.00	2.64

*GLA = Gross Leasable Area

** (3) Allocation Ratio is calculated by dividing the Supply (2) by the Demand (1).

RED text indicates decreased values as compared to petitioners’ submitted study.

BLUE text indicates increased values as compared to petitioners’ submitted study.

The petitioners’ *Retail Study* states that an allocation ratio over 2.0 indicates “no numerical need exists for additional... retail space at the Project” site. The petitioners also provide that additional commercial space may be demonstrated by other factors, such as community desires, locational criteria, and suitability of the property for change.

Staff concurs that no numerical need exists for additional *retail* space at the subject site given that staff’s analysis yields an allocation ratio of 2.64 in 2030 indicating the retail supply will be over 2.6-times the demand supporting over 260% of the projected population. Staff would add that a minimum allocation ratio of 2.0 appears to be on the high side as illustrated earlier.

Staff concurs that it would be prudent to investigate additional factors including review of the nearby area for existing competition of *retail* space. Staff reviewed the

Urban designation of the Golden Gate Area Master Plan within 2.5 miles of the subject site where a net supply of retail space of more than 600,000 ft² exists.

Community desires for the Estates Mixed Use District of the GGAMP and in particular, the Golden Gate Parkway corridor are reflected in Policy 5.2.3 of the GGAMP, which prohibits commercial development along Golden Gate Parkway between Livingston Road and Santa Barbara Boulevard. The proposed subdistrict is inconsistent with Policy 5.2.3 of the GGAMP and the application and support documentation for the proposed amendment did not address changing conditions that would justify or support an exception or change to adopted Policy 5.2.3 in the GGAMP.

The subject site has predominantly been used for institutional uses, such as a church and school. The current uses positively support the community and provide for an excellent transition between the Urban designation of the land to east of the subject site and the Estates designated semi-rural residential to the west of the subject site.

Therefore addressing all factors that may demonstrate additional *retail space* need:

- No numerical need exists;
- No community desire for change of this site exists;
- No special locational criteria exist with over 600,000 ft² net supply of *retail space* near the proposed site; and,
- No suitability factors that would justify or support change of the subject site exist.

The petitioners' have not demonstrated a need for additional *retail space* at the subject site.

Petitioners' Summary - RETAIL Analysis

The following two tables indicate the retail space demand for the 10-minute trade area; Table 4 reflects the petitioners' *Retail Study* with the underreported retail space and Table 5 contains staff's correction to the petitioners' *Retail Study* needs allocation to include the unaccounted for 325,000 ft² of *retail space*.

Review of Table 4, the petitioners' *Retail Study* needs analysis, indicates a net *retail* supply of 3,743,503 ft² of gross leasable area over the 20 year study horizon, with increasing demand to 2030, yielding decreasing allocation ratios from 3.05 in 2008 to 2.09 in 2030.

In other words, the ratios indicate the current *retail space* supply is over three times the demand and in 2030 the retail space supply would be more than twice the demand, both scenarios indicate sufficiently high supply to accommodate future demand of *retail* supply in the trade area.

However, since 325,000 ft² of *retail space* is unaccounted for in the petitioners' *Retail Study*, the results are invalid. Therefore, Table 5 contains more accurate results.

Table 4 - PETITIONERS' Retail Market Study Needs Allocation (INVALID RESULTS)

RETAIL	2008	2010	2020	2030
(1) Market Retail Demand SF (Cumulative)	1,226,630	1,278,725	1,536,912	1,789,610
(2) Supply Net GLA (SF)*	3,743,503	3,743,503	3,743,503	3,743,503
(3) Allocation Ratio (Supply/Demand)**	3.05	2.93	2.44	2.09

*GLA = Gross Leasable Area

** (3) Allocation Ratio is calculated by dividing the Supply (2) by the Demand (1).

Review of Table 5, the petitioners' *Retail Space* needs analysis, corrected by staff with the unaccounted for 325,000 ft² of *retail space*, indicates a net *retail* supply of 4,068,532 ft². As expected, all allocation ratios increased indicating a supply of 3.3-times the demand in 2008 and 2.3-times the demand in 2030.

In other words, the adjusted ratios indicate the 2008 and 2030 *retail supply* supports approximately 330% and 230% of the projected population, respectively, with both scenarios indicating sufficiently high enough *retail* supply in the trade area.

However, staff does not concur with the petitioners' projection of increased demand of *retail space* in 2010, nor the rate of demand through 2030. Staff believes at a minimum, the demand in 2010 will be the same as that of 2008, probably less than that of 2008.

The petitioners' conclusions for *retail space* in the 10-minute *Retail Study* trade area indicates that an allocation ratio of 2.09 is "*sufficiently high enough to accommodate the expected demand in a meaningful fashion*" and that "*no numerical need exists for additional... retail space at the Project*" site. Since the allocation ratio is greater than 2.0, the petitioners also state that additional commercial space may be demonstrated by other factors, such as community desires, locational criteria, and suitability of the property for change.

Once again, staff does not concur with the petitioners' use of determining additional retail need for this site based on an allocation ratio of 2.0.

Table 5– STAFF Corrected with Uncounted 325,000 SF - Petitioners' Retail Market Study Needs Allocation

RETAIL	2008	2010	2020	2030
(1) Market Retail Demand SF (Cumulative)	1,226,630	1,278,725	1,536,912	1,789,610
(2) Supply Net GLA (SF)*	4,068,532	4,068,532	4,068,532	4,068,532
(3) Allocation Ratio (Supply/Demand)**	3.32	3.18	2.65	2.27

*GLA = Gross Leasable Area

** (3) Allocation Ratio is calculated by dividing the Supply (2) by the Demand (1).

BLUE text indicates increased values as compared to petitioners' submitted study.

Office Study

The 20-minute drive time trade area extends into Lee County, which is included in the analysis, as well as into the City of Naples, and used commercial data with the DOR land use codes as indicated in Table 1, above.

The *Office Study* indicates the 20-minute drive time trade area contains approximately 4.5-million ft² of constructed *office space* on slightly more than 350 acres, which is an average density of 12,725 ft²/acre of constructed *office space*. The *Office Study* also indicates existing commercial vacant land that can accommodate almost 1-million ft² of *office space*, as well as additional existing and potential *office space* of more than 600,000 ft² within the Lee County portion of the trade area.

As shown in Table 6, staff's analysis of the *Office Study* indicates an additional 500,000 ft² of *office space* allocation for a total *office space* holding capacity or net supply of 13,437,002 ft². As previously discussed, these differences are due to incorrect interpretation by the petitioners' of the future land use designations.

Table 6 – STAFF vs. PETITIONERS' STUDY Total Office Space Holding Capacity

OFFICE Space Source	STUDY (SF)	STAFF Analysis (SF)
Existing Office Space	4,506,898	4,506,898
Defined Allocation of Office Space	939,676	<u>1,027,359</u>
Estimated Allocation of Office Space	5,894,662	<u>6,309,975</u>
Lee County Existing Allocation of Office Space	89,770	89,770
Lee County Vacant/Potential Office Space	523,588	523,578
DOR Code 10 Reconciled	979,441	979,422
Total Allocation of Office Space (or Net Supply GLA*)	12,934,035	<u>13,437,002</u>

*GLA = Gross Leasable Area

BLUE text indicates increased values as compared to petitioners' submitted study.

The petitioners utilized *Total Employed in Office Space* as the basis to determine demand of *office space* in the trade area, with an average annual employment growth rate of 1.93% to forecast growth through 2030. The petitioners' projected growth utilizing the 2008 AUIR population figures.

Staff believes the petitioners' growth rate is fairly conservative, however disagrees with the petitioners that an increase will occur in 2010 from 2008. Staff has chosen to rely on the 2009 AUIR (draft) population figures, which projects a decline in population for 2010 and hence a decline in employment.

The demand for *office space* within the 20-minute trade area is indicated as (1) *Market Office Demand (Cumulative)* in Table 7, Table 8, and Table 9.

Staff Analysis – OFFICE Study

For consistency, staff's analysis began with verification of the petitioners' *Office Study* and utilized the same trade area and data set supplied by the petitioners.

Staff's analysis, Table 7, of the 20-minute drive time *Office Space* trade area, includes the unaccounted for 500,000 ft² of office space as is shown in (2) *Supply Net GLA (SF)* in Table 7, which equates to the *Total Allocation of Office Space* from Table 6 above.

In order to provide the most recent data available, staff’s analysis adjusted the demand utilizing the slower projected growth rate of the 2009 AUIR (draft) population projections. Staff believes at a minimum, the *office space* demand in 2010 will be the same as that of 2008, probably less than that of 2008. However, staff chose to remain conservative and not project a decline in *office* employment from 2008 to 2010 but remain flat, in other words no growth or decline. After 2010, staff used the petitioners’ annual growth rate of 1.93%. The demand is indicated as (1) *Market Office Demand (Cumulative)* in Table 7.

Staff’s analysis of the *Office Study* trade area indicates a net supply of 13,437,002 ft² of gross leasable area over the 20 year study horizon, with increasing *office space* demand to 2030, yielding decreasing allocation ratios indicating an office space supply of nearly 1.9-times the demand in 2008 and 2010 and 1.4-times the demand in 2030.

Staff’s analysis of *office space* supply indicates a higher supply of *office space* than the petitioners’ study (see Table 9 below), which is due to usage of the 2009 AUIR (draft) population projections and additional 500,000 ft² of unaccounted net supply of *office space*.

The 2008 and 2010 *office space* supply is nearly twice the demand supporting 190% of the projected population and in 2030 nearly 1.4-times the demand supporting 140% of the projected population. Both scenarios indicate an adequate supply of *office space* with 2030 indicating a less flexible relationship of *office* supply in the trade area.

Table 7 – STAFF’S Analysis - Office Market Study Needs Allocation

OFFICE	2008	2010	2020	2030
(1) Market Office Demand (Cumulative)	7,233,688	7,233,876	8,578,268	9,922,660
(2) Supply Net GLA (Sq Ft)	13,437,002	13,437,002	13,437,002	13,437,002
(3) Allocation Ratio (Supply/Demand)*	1.86	1.86	1.57	1.35

* (3) Allocation Ratio is calculated by dividing the Supply (2) by the Demand (1).

RED text indicates decreased values as compared to petitioners’ submitted study.

BLUE text indicates increased values as compared to petitioners’ submitted study.

The petitioners’ analysis indicates that an allocation ratio less than 2.0 “warrants the addition of new office land to the market.” Staff disagrees with the petitioners’ conclusions and provides the following reasons why additional *office space* is not warranted at the subject site.

As previously stated, staff recommends a minimum allocation ratio of 1.25. In addition, staff provides that the *Office Study* results must be reviewed jointly with the *Retail Study* results, since the *Office Study* trade area includes the *Retail Study* trade area and given the abundant net supply of retail space, as indicated in the *Retail Study* analysis. Even if an allocation ratio approaching 2.0 is used, the excessive net supply of retail space is more than adequate to accommodate current and future office space demand through 2030. For example, the 2030 *RETAIL* supply is over

2.6-times the demand and the 2030 *OFFICE* supply is nearly 1.4-times the demand. A portion of excess retail allocation will be absorbed by the *office* market.

In addition, it would be prudent to review the nearby area for existing competition for *office space*. Directly north of the subject site, across Golden Gate Parkway, is the Golden Gate Estates Commercial Infill Subdistrict where 35,000 ft² of unbuilt *office space* is approved. Directly east of the site, across Santa Barbara Boulevard, is the Golden Gate Parkway Professional Office Subdistrict with a net supply of approximately 275,000 ft² of *office space*. An additional 700,000 ft² of net supply of *office space* exists within the Urban designation of the Golden Gate Area Master Plan, less than 2.5 miles of the subject site. In summary, a net supply of over 1-million ft² of *office space* exists within 2.5 miles of the subject site, with a net supply of over 970,000 ft² of the *office space* within the Golden Gate City Urban designation.

As with the Retail Study, no additional factors, such as community desires, location criteria or suitability of the property for change, exist that would warrant additional *office space* at the subject site.

The petitioners' have not demonstrated a need for additional *office space* at the subject site.

Petitioners' Summary - Office Analysis

The following two tables summarize the petitioners' *Office Study* and indicate the *office space* demand for the 20-minute trade area; Table 8 reflects the petitioners in the *Office Study* with the underreported *office space* and Table 9 contains staff's correction to the petitioners' *Office Study* needs allocation to include the 500,000 ft² of unaccounted for *office space*.

Review of Table 8, the petitioners' *Office Space* trade area indicates a net supply of 12,934,035 ft² of gross leasable area over the 20 year study horizon, with increasing *office space* demand to 2030, yielding decreasing allocation ratios from 1.79 in 2008 to 1.26 in 2030.

In other words, the ratios indicate the current *office space* supply is nearly twice the demand and in 2030 it would drop to 1.25-times the demand, which indicates a tight relationship of *office* supply in the trade area.

However, since 500,000 ft² of *office space* were unaccounted for in this table, the results are invalid, therefore Table 9 contains more accurate results.

Table 8 - PETITIONERS' Office Market Study Needs Allocation (INVALID RESULTS)

OFFICE	2008	2010	2020	2030
(1) Market Office Demand SF (Cumulative)	7,233,688	7,512,939	8,909,194	10,305,449
(2) Supply Net GLA (SF)*	12,934,035	12,934,035	12,934,035	12,934,035
(3) Allocation Ratio (Supply/Demand)**	1.79	1.72	1.45	1.26

*GLA = Gross Leasable Area

** (3) Allocation Ratio is calculated by dividing the Supply (2) by the Demand (1).

Review of Table 9, the petitioners' *Office Space* needs analysis, corrected by staff with the unaccounted for 500,000 ft² of *office space*, indicates a net *office supply* of 13,437,002 ft². All allocation ratios increased, as well, to 1.86 (1.9-times the demand) in 2008 and to 1.30 (1.3-times the demand) in 2030.

In other words, the adjusted ratios indicate the 2010 and 2030 *office supply* supports approximately 185% and 130% of the projected population, respectively, with the 2030 projection indicating a tight relationship of *office supply* in the trade area.

However, staff does not concur with the petitioners' projection of increased demand in 2010 from increased office employment. Staff believes, at a minimum, demand in 2010 will be the same as that of 2008, probably less than that of 2008.

The petitioners' analysis indicates that an allocation ratio of 2.0 is the minimum desired level and an allocation ratio below 2.0 would indicate "*an insufficient degree of flexibility in this market's ability to accommodate office demand*". The petitioners conclude that with an allocation ratio well below 2.0 the project site "*warrants the addition of new office land to the market.*"

Staff disagrees with the petitioners' conclusions and provides additional *office space* is not warranted at the subject site, as previously discussed in staff's analysis, in part due to the excess of net retail supply, as well as more than 1-million ft² of net supply of *office space* within 2.5 miles of the subject site, with over 970,000 ft² of the *office space* within the Golden Gate City Urban Designation.

Table 9 – STAFF Corrected with Uncounted 500,000 SF - Petitioners' Office Market Study Needs Allocation

OFFICE	2008	2010	2020	2030
(1) Market Office Demand SF (Cumulative)	7,233,688	7,512,939	8,909,194	10,305,449
(2) Supply Net GLA (SF)*	13,437,002	13,437,002	13,437,002	13,437,002
(3) Allocation Ratio (Supply/Demand)**	1.86	1.79	1.51	1.30

*GLA = Gross Leasable Area

** (3) Allocation Ratio is calculated by dividing the Supply (2) by the Demand (1).

BLUE text indicates increased values as compared to petitioners' submitted study.

Staff Commercial Needs Analysis Summary

Staff's analysis of both the Office Study and Retail Study determined that the net supply of commercial was underreported due to the petitioners' incorrect evaluation of many future land use designations. In addition, the 10-minute drive time Retail

trade area appears to be missing major commercial areas on the western side of the boundary as far west as Goodlette-Frank and Golden Gate Parkway, as far north as Airport and Pine Ridge and as far south as Airport and Tamiami Trail East, which could result in an even higher net supply of retail space.

Relating to methodology, in both studies the petitioners' basis for need is an allocation ratio of at least 2.0. Staff disagrees with the petitioners' conclusions and provides that the minimum allocation ratio should be well below 2.0, in part since not all commercial DOR land use codes were accounted for in either study and additional potential commercial acreage (17%) is provided for given the consultant's assumptions. With the acreage and/or space attributed to the unused DOR land use codes, a reserve of 17% seems to provide a more than adequate buffer to address market flexibility and other retail uses in the trade area, thereby indicating that the maximum allocation ratio should be less than 2.0 and recommends 1.25² as a minimum, the allocation ratio (i.e. market factor) DCA seems to recommend.

Numerical need, hence the allocation ratio (i.e. market factor), should not be the only means for determining additional commercial space. Case law supports that new commercial space may be demonstrated by additional factors, such as community desires, locational criteria, and suitability of the property for change². In addition to these factors, the nearby area should be reviewed in order to determine the existing competition for new commercial space. Whereas the trade area generates a need based on a larger geographic area, it simply cannot provide for excess nearby the subject site.

In summary, staff's analysis of the Retail Study determined that the 2010 and 2030 retail supplies are almost 3.4-times and 2.7-times the retail demand and provides retail for almost 340% and 270% of the projected population, respectively. These figures clearly indicate no additional retail space is warranted at the subject site.

In contrast, staff's analysis of the Office Study determined that the 2010 and 2030 office supplies are almost 1.9-times and 1.4-times the office demand and provides office for almost 190% and 140% of the projected population, respectively. If the Office Study was reviewed alone, it could appear that some justification for additional office space exists. However, if the DCA minimum allocation ratio of 1.25 was applied it appears that additional office space within the trade area is unwarranted. Strengthening that claim is an excessive supply of retail space, which a portion will be utilized by the office market.

As for the demonstration of additional factors, such as community desires, locational criteria, and suitability of the property for change, as previously stated no information has been provided that support any of these factors.

Lastly, by reviewing office and retail markets within the Golden Gate City Urban Designation and less than 2.5 miles of the subject site, the net supply of office and retail space nearby the subject site is over 1-million ft² and over 600,000 ft², respectively. Therefore, no additional office or retail is warranted at the subject site.

Prior GMP Amendments in Vicinity**Table 10 - 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 indicate 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 indicate 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 indicate 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 indicate 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 indicate 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 ¼ 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 “*Urban core*” for this portion of the County is Golden Gate City, designated Urban on the GGAMP FLUM, and is due east of the subject site across a 6-lane roadway. If this subdistrict is approved it will actually contribute to urban sprawl, instead of using existing Urban core lands as the applicant states.

Urban sprawl has many definitions, including: a) Legal definitions (i.e. Chapter 9J-5.003, F.A.C.); b) Definitions used by professional planners; and, c) Terms used by lay people. Urban sprawl is not characterized by one condition, but a combination of many conditions. The generally accepted conditions that may characterize urban sprawl imply low density, inefficient land use. Therefore, using the common thread of the generally accepted definitions, urban sprawl is the spreading outwards of developed land at the edge of an urban area. This premature conversion of open lands/rural lands creates less dense communities and is an inefficient use of land. Available development land, redevelopment areas, and infill opportunities within the urban area should be considered first, in order to minimize urban sprawl.

As a professional planner, staff relied on the common thread for urban sprawl for review of the proposed amendment in support of HB697. The GGAMP provides for efficient land use within the Urban Designation of Golden Gate City, including opportunities for higher density residential and redevelopment infill opportunities. In addition, the commercial needs analyses indicates that several subdistricts in the GGAMP Urban Designation already have allocations for over 1-million ft² of office space and over 600,000 ft² of retail space. With the available land and infill opportunities in the Urban Designation, premature expansion of urban style development into a semi-rural residential district is clearly sprawl.

In addition, the location of the subject site in the Estates semi-rural residential district is at the edge of the Urban Designation. The Estates district on the western edge of the Golden Gate City Urban Designation is approximately 1,900 acres and characterized by large semi-rural style lots. Community desire for the Estates designated lands along Golden Gate Parkway is to prohibit new commercial and conditional use development expansion while providing provisions for commercial/mixed-use subdistricts within Golden Gate City (Urban Designation). These community desires were adopted by the BCC in 2003 and 2004, as part of the Phased Re-study Amendments to the GGAMP. With existing open space over 75% for the subject site, the current church and school uses are in scale and keeping with the adjacent residential. These institutional uses provide an excellent transition between the GGAMP Urban Designation lands to the east and the Estates designated semi-rural residential lands to the west.

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. 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 in an area zoned and developed for 1 DU/2.25 AC that would provide for new commercial and residential outside the GGAMP Urban Designation where data and analyses show an abundance of available infill as well as redevelopment opportunities. 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

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>

embrace HB697 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

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, they 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]

The 2nd Neighborhood Information Meeting (NIM) was held on **Thursday, 29 October 2009** from **5:34 pm** to **6:23 pm**, after the applicant/agent duly noticed and advertised the meeting as required by the Collier County Land Development Code.

Approximately 20 people attended the NIM at Golden Gate Community Center located at 4701 Golden Gate Parkway, Naples, FL

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 was a revision to the original with a reduction of commercial from 100,000 ft² to 60,000 ft², residential would remain at 3.55 DU/A or 74 dwelling units, and that applicant would no longer be seeking the affordable housing density bonus or the commercial to residential conversion. The agent also noted that retail space would be limited to 40,000 ft², which meant the commercial component could be all office and no retail. The agent discussed the increased setback range of 50' to 75'.

The agent also stated that the first public hearing would be held on 19 November 2009 in front of the Collier County Planning Commission (CCPC), beginning at 8:30 am.

As at the first NIM, citizens' concerns/questions centered on the proposed amendment impacts to the adjacent sites as well as the community character.

Site/Project specific questions and concerns focused on location of development of site, number of dwelling units per building, building height, what percentage of the project would be Goodwill Industries, and type of commercial in the project. The agent stated the commercial should generally be located on the church portion and the residential on the school portion of the site. It was too early to tell about specifics, such as number of dwelling units per building, but the building would be limited to 2 stories and 35 feet. Goodwill Industries could be approximately 22,000 ft² in size, similar to the facility on Daniels Parkway in Fort Myers, FL.

Overall, the citizens that were present did not seem to support the proposed amendment.

Longtime resident stated "enjoys Estates ambience".

Another resident stated that he did not want this type of development.

Another resident stated that past planning efforts had designated other areas for this type of development.

Another resident stated that they want to keep their plan.

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.
- The application and support documentation for the proposed amendment does not address changed conditions, including community desire, that would justify or support an exception or change to the adopted Policy 5.2.3 in the GGAMP.
- The current institutional land uses serve an excellent transition between the Golden Gate City Urban Designation to the east of the subject site and the semi-rural residential to the west of the subject site. The recent improvements to Golden Gate Parkway and Santa Barbara Boulevard do not appear to have adversely affected these current institutional uses.
- 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 at Golden Gate Parkway to keep the Golden Gate Parkway corridor, between Livingston Road and Santa Barbara Boulevard, “green” and not allow the proliferation of commercial and conditional uses. The subject site is located in that corridor.
- 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.
- 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, as required by Rule 9J-5, F.A.C., was not provided. The data provided indicated that no need exists for commercial – retail, but possibly a need for commercial – office.
- The petitioners’ Office Study and Retail Study underreported supply due to the petitioners’ incorrect evaluation of the future land use designations.
- Overall, staff finds the methodology used by the petitioners in the Office Study and the Retail Study to be professionally acceptable. However, staff does not concur with the petitioners that an allocation ratio of 2.0 indicates need, in other words, that the supply should support 200% of the projected population; instead, staff would recommend a minimum allocation ratio of 1.25.
- Staff’s analysis of the Retail Study determined that the 2010 and 2030 retail supplies are almost 3.4-times and 2.7-times the retail demand, which provides retail for almost 340% and 270% of the projected population, respectively, and clearly indicates no additional retail is warranted at the subject site.
- No additional factors demonstrate or support the need for more retail on the subject site: 1) Within 2.5 miles, a net supply of over 600,000 ft² of retail space exists in the Golden Gate City Urban designation; 2) Community desires for the GGAMP Estates district and in particular, the Golden Gate Parkway corridor are reflected in Policy 5.2.3 of the GGAMP, which prohibits commercial development along Golden Gate Parkway between Livingston Road and Santa Barbara Boulevard; and, 3) Current institutional uses on the subject site positively support the community and provide for an excellent transition between the Urban

designated land to east of the subject site and the semi-rural residential Estates to the west of the subject site.

- Staff's analysis of the Office Study determined that the 2010 and 2030 office supplies are almost 1.9-times and 1.4-times the office demand and provides office for almost 190% and 140% of the projected population, respectively, which indicates a reasonable amount of office space. With the extremely high supply of retail space, a portion of the retail space will be used to fulfill any potential office deficiencies.
- No additional factors demonstrate or support the need for more office space on the subject site. There is a net supply of over 1-million ft² of office space in the Golden Gate City Urban designation, within 2.5 miles of the subject site.
- No supporting data and analysis has been provided, as required by Rule 9J-5, F.A.C., to demonstrate a need for increased residential density or its appropriateness at this location, such as a compatibility study, which would identify the impacts of the proposed project on the surrounding area. According to Applicants' Attachment E - Zoning and Land Use Map, Estates designated lands comprise over 60% of the land use within 500' surrounding the subject site.
- 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. The current uses on the subject site, a church and school, have existed for over 25 years. The current institutional uses on the subject site have limited ingress/egress points and provide for an excellent transition between the Urban designated lands to the east of the subject site and the semi-rural residential Estates designated lands to the west of the subject site. These types of institutional uses warrant consideration as the highest and best use of the site.
- The proposed subdistrict mixed-use intensity/density of development (60,000 ft² of commercial and 74 dwelling units) 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.)
- 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 applicants have not provided data supporting their generic statements. This petition promotes urban sprawl with the urban style development outside the GGAMP Urban Designation in an area designated for 1 DU/2.25 AC.
- Using "proximity to urban development" as justification for increasing land use for urban development contradicts smart growth and perpetuates urban sprawl when not supported by data and analysis. The compact Urban Designation to the east has a clearly defined boundary. The location of the subject site in the Estates semi-rural residential district is at the edge of the Urban Designation. The Estates district on the western edge of the Golden Gate City Urban Designation is approximately 1,900 acres and characterized by large semi-rural style lots. Community desire for the Estates designated lands along Golden Gate Parkway is to prohibit new commercial and conditional use development expansion while

providing provisions for commercial/mixed-use subdistricts within the Urban designated Golden Gate City.

- 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 within the Estates designation. In 2003 and 2004, the community desires (prohibiting new commercial and conditional use development along Golden Gate Parkway in the Estates while providing provisions for commercial/mixed-use subdistricts within Golden Gate City) were adopted into the GGAMP.

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 OR consideration of a second alternative. Inasmuch as this project proposes neighborhood commercial development, staff originally proposed numerous standards from the Neighborhood Center Subdistrict in the GGAMP, which the applicant incorporated. However, the applicant modified some of those, which staff does not support. Also, staff noted a conflict between the minimum number of residential units required to be built and the maximum number of allowed Senior housing units, based upon the residential density reduction ratio, thus recommends a lower number of senior housing units so as to correlate all allowed unit totals. And, staff recommends deletion of the conditional use prohibition for adjacent lands as such prohibition already exists in the Conditional Uses Subdistrict in the GGAMP. The County Attorney’s Office recommends deletion of the entire paragraph that begins with that conditional use prohibition. (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.)

FIRST ALTERNATIVE – Edits To Petitioners’ Subdistrict Text

*** **

A. Estates – Mixed Use District

*** **

5. Golden Gate Parkway Mixed Use Subdistrict [new text, page 33]

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 on-site 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.

~~No new conditional uses may be pursued adjacent to the Subdistrict boundaries, and the existence of this Subdistrict may not be used as justification for future changes to the GCAMP to provide for new commercial or mixed use development opportunities, given the historic non-residential use of the Subdistrict lands.~~

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

a. Residential Density

1. Residential density shall be calculated on the total site acreage of 20.71± acres.
2. The residential density shall not exceed 3.55 dwelling units per acre (74 units).
3. ~~Base Residential~~ density shall be reduced if senior housing is constructed, as set forth in paragraph b.3., below.
4. The minimum allowed density is 2.0 units per gross acre (41 total dwelling units).
5. Only multi-family dwelling units are allowed in this Subdistrict.

b. Limitation of Permitted Commercial Uses

21. 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 No. 04-41, as amended, except as prohibited in paragraph d., below.
42. Commercial uses shall be limited to a maximum of 60,000 square feet of gross leasable floor area and a minimum of 22,000 square feet of gross leasable floor area, ~~of which n~~ No more than 40,000 square feet of gross leasable floor area ~~may~~ shall be developed as retail commercial land uses.
3. The floor area ratio for senior housing, including, but not limited to, assisted living, nursing care, and group care units, shall not exceed 0.60. The floor area of senior housing development shall be excluded from the commercial floor area limitations in paragraph b.42., above.
4. For each four senior housing units (rooms, not beds) constructed, or portion thereof ~~1/4 of a one~~ dwelling unit shall be deducted from the density allowed in a.2., above.
5. A maximum of ~~240~~ 132 senior housing units ~~is~~ shall be allowed.

c. Rezone

1. To promote a cohesive plan of 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. 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~~ feet wide buffer, ~~or a fifty (50) foot wide buffer~~ in which no parking uses are permitted. Twenty-five (20) (25) feet of the width of the buffer along the developed area shall be a landscape buffer. A minimum of ~~thirty (30)~~ 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. ~~If the fifty (50) feet~~

~~buffer alternative is proposed for all, or a portion of the western and southern boundaries of the Subdistrict, then a six (6') foot, architecturally finished solid fence/wall shall be installed within the required buffer in a location that provides the greatest screening of land uses developed in this Subdistrict, and of the existing Estates residences to the west and south. 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 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 with 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. There shall be a 25-foot feet wide landscape buffer abutting the external right-of-way. The 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 feet wide buffer area shall be comprised of a meandering bed of shrubs and ground cover other than grass. Existing native trees must be retained with this 25-foot feet 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 it is the only path 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. ~~To the greatest extent possible,~~ Internal parking and driveways shall be located between the Subdistrict's residential and commercial structures in order to minimize noise and lights on adjacent Estates ~~zoned~~ properties.
 4. Driveways and curb cuts shall be made available to adjoining developments, wherever practicable.
 5. Building heights shall be limited to two (2) stories, with a maximum zoned height of thirty-five (35) feet.
 6. Commercial uses shall encourage pedestrian traffic through the 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.
 7. All commercial buildings within this 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 a green space within a pedestrian-accessible courtyard, as per Section 4.06.03B.3 of the LDC, as in effect at the time of the 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) Libraries (8231)
- (j) Correctional Institutions (9223)
- (k) Solid Waste Management Services (9511)
- (l) Homeless Shelters and Soup Kitchens.

SECOND ALTERNATIVE – In response to petitioners’ assertion that the intensity/density of surrounding development combined with the frontage on the 6-lane arterial roadways leaves the site unsuitable for low density residential development under the present designation,

*** **

A. Estates – Mixed Use District

*** **

3. Conditional Uses Subdistrict

*** **

b) Golden Gate Parkway and Collier Boulevard Special Provisions:

[new text, page 32]

- Conditional uses shall not be permitted on those parcels immediately adjacent to the west side of Collier Boulevard within the Estates Designated Area except where the parcel is directly bounded by conditional uses on two (2) or more side yards with no intervening rights-of-ways or waterways; and, except as provided in subparagraph 2., below; and, except for essential services, as described in paragraph a), above.
- Recognizing the existing residential nature of the land uses surrounding the I-75 interchange at Golden Gate Parkway, there shall be no further conditional uses for properties abutting Golden Gate Parkway, between Livingston Road and Santa Barbara Boulevard, except as permitted within the Golden Gate Parkway Institutional Subdistrict; and, except as provided in subparagraph 1. and


subparagraph 3, below; and, except for essential services, as described in paragraph a), above.

3. The approximately 20.71±-acre site, consisting of all of tracts 113, 114, and 115, and the north 150 feet of track 116, located at the southwest quadrant of the intersection of Golden Gate Parkway and Santa Barbara Boulevard shall be eligible for a transitional conditional use designation.

PREPARED BY:  **DATE:** 12 Nov 09
LESLIE PERSIA, SENIOR PLANNER
COMPREHENSIVE PLANNING DEPARTMENT

REVIEWED BY:  **DATE:** 11-12-09
DAVID WEEKS, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING DEPARTMENT

REVIEWED BY:  **DATE:** 11-12-09
RANDY COHEN, AICP, DIRECTOR
COMPREHENSIVE PLANNING DEPARTMENT

APPROVED BY:  **DATE:** 11/12/09
JOSEPH K. SCHMITT, ADMINISTRATOR
COMMUNITY DEVELOPMENT &
ENVIRONMENTAL SERVICES DIVISION

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