



**SUPPLEMENTAL REPORT
for the
Board of County Commissioners**

FROM: GROWTH MANAGEMENT DIVISION/PLANNING AND REGULATION,
LAND DEVELOPMENT SERVICES DEPARTMENT, COMPREHENSIVE
PLANNING SECTION
Prepared by: Michele R. Mosca, AICP, Principal Planner

HEARING DATE: March 22, 2011

SUBJECT: 2010 CYCLE OF GROWTH MANAGEMENT PLAN AMENDMENTS,
PETITION CP-2008-1 ONLY (*Transmittal Hearing*)

ELEMENT: GOLDEN GATE AREA MASTER PLAN (GGAMP) ONLY - **for this
supplement**

CCPC TRANSMITTAL RECOMMENDATION and COMMENTS (10/19/09):

No recommendation. Motion to Transmit failed by 4/4 vote. Motion was subject to staff alternative text in the Transmittal Staff Report, but revised to: 1) keep the list of allowable uses #1-27 as proposed by petitioner, but delete #28 [this requires a re-lettering of paragraphs]; 2) revise paragraph "a.12" to reflect the correct SIC Code term; 3) revise paragraph "a." to add a "catchall" prohibited use #14; 4) revise paragraph "b." to reduce the total allowable building area from 225,000 sq. ft. to 210,000 sq. ft., as proposed by the petitioner at the hearing, and to modify the building floor area term; 5) revise paragraph "c." to recognize the potential for more than one grocery use; 6) revise paragraph "e.1." pertaining to the timing of right-of-way donation; and, 6) delete paragraph "n." pertaining to common architectural theme.

BCC TRANSMITTAL ACTION and COMMENTS (01/19/10): Motion to continue the petition indefinitely so as to allow the petitioner to place the proposal on the November 2, 2010 General Election ballot to determine community support.

The following question was posed to voters within Precincts 551, 552, 554, 555, 590 and 591, the geographic area covering almost the entirety of the Estates designation and certain other surrounding areas (refer to attached Straw-ballot Resolution No. 2010-28 and Precinct Map):

Golden Gate Area Master Plan Amendment

Should the Golden Gate Area Master Plan be amended to permit a 40 acre commercial shopping center, consisting of 210,000 square feet of leasable commercial floor space located at the intersection of Wilson Boulevard and Golden Gate Boulevard, that will include drive-through shopping services, and whose first tenant must be a minimum 27,000 square foot supermarket?

_____ Yes

_____ No

NOVEMBER 2, 2010 POLLING RESULTS:

A total of 7,038 or 76% of the votes casted were in support of the project and 1,924 or 21% of the votes casted were against the proposed commercial center. The results from each Precinct are noted below.

Precinct 551: 931 (Yes) and 266 (No)

Precinct 552: 735 (Yes) and 265 (No)

Precinct 554: 1,044 (Yes) and 224 (No)

Precinct 555: 1,081 (Yes) and 421 (No)

Precinct 590: 1,840 (Yes) and 463 (No)
Precinct 591: 1,407 (Yes) and 285 (No)

POST BCC TRANSMITTAL HEARING and NOVEMBER 2, 2010 GENERAL ELECTION:

Subsequent to the BCC Transmittal Hearing and the General Election, the petitioner submitted a revised Greenhouse Gas Reduction Analysis, Public Facilities Analysis, Commercial Needs Analysis, and revised Subdistrict text. The following are staff's analysis and/or comments concerning those documents.

Greenhouse Gas Reduction Analysis:

The revised analysis to address 2008 Legislation, HB 697 pertaining to energy conservation and efficiency, reflects the decrease in commercial square feet from 210,000 sq. ft. in the original analysis/submittal to 190,000 sq. ft. in the current submittal. Staff's analysis and conclusions are below.

The applicant's analysis, including most assumptions used - with the exception that 100 percent of the employees will reside in the Estates - and the conclusions reached, is found to be reasonable by staff given the limited roadway network and current commercial and employment opportunities within the Estates area. The project will provide alternative retail and office uses, and employment opportunities, proximate to area residents, thereby resulting in the reduction in vehicle miles traveled.

Public Facilities Analysis:

Revised analysis was provided to reflect the decrease in commercial square feet from 210,000 sq. ft. in the original analysis/submittal to 190,000 sq. ft. in the current submittal. Staff's analysis and conclusions are below.

- Water and Wastewater: The subject property is not located within the Collier County Water and Sewer District boundary and is not part of any other existing utilities district. Development of the property will require installation of a potable well and private sector package sanitary sewer or septic treatment system, permitted consistent with the applicable provisions of the Growth Management Plan, Land Development Code (LDC) and other jurisdictional agencies including Florida Department of Environmental Protection and the South Florida Water Management District.

Additionally, the proposed project site is located within the zone of the Collier County Tamiami Wellfield for the North and South County Regional Water Treatment Plants; compliance with all rules and regulations to protect the wellfield will be required (LDC Section 3.06.00). All well sites and pipeline easements located on and close to this project need to be shown on all future site development plans, Plat and Construction Plans or any other site plan applications.

Potable Water Demand – Gallons Per Day (GPD):

Proposed Uses:

- Office (60,000 sq. ft.) – 9,000 GPD
- Retail (110,500 sq. ft.) – 11,050 GPD
- Restaurant (19,500 sq. ft.) – 9,750 GPD
- Incidental use for irrigation near seating areas: 3,000 GPD

Existing Land Use:

- 17 Residential Units – 4,250 GPD

The net difference in demand for potable water is 28,550 GPD increase

Sanitary Sewer Demand – Gallons Per Day (GPD):

Proposed Uses:

- Office (60,000 sq. ft.) – 9,000 GPD
- Retail (110,500 sq. ft.) – 11,050 GPD
- Restaurant (19,500 sq. ft.) – 9,750 GPD

Existing Land Use Designation:

- 17 Residential Units – 3,400 GPD

The net difference in demand for sanitary sewer is 26,400 GPD increase

- **Solid Waste:** The service provider is Collier County Solid Waste Management. The 2010 Annual Update and Inventory Report (AUIR) identifies that the County has sufficient landfill capacity to year 2039 for the required lined cell capacity. The proposed change in land use from a potential of 17 residential units (425 cy/yr) to 60,000 sq. ft. of office (630 cy/yr), 110,500 sq. ft. of retail uses (5,602 cy/yr) and, 19,500 sq. ft. of restaurant uses (1,010 cy/yr) would permit [result in] an increase in generation of 6,817 cy/yr.
- **Drainage:** The subject property is located in Flood Zone D. Future development will be required to comply with the SFWMD and/or Collier County rules and regulations that assure controlled accommodation of storm water events by both on-site and off-site improvements.
- **Arterial and Collector Roads:**
Transportation Planning staff reviewed the petitioner's December 6, 2010 updated Traffic Impact Statement (TIS) and has determined that the project can be found consistent with Policy 5.1 of the Transportation Element of the Growth Management Plan, with a provision of mitigation. Staff's analysis is limited to the significant impacts shown on the initial concurrency links. The latest update of the TIS references 225,000 square feet as originally proposed. Please note that staff has not required revision of this square footage in the study. The square footage reduction of nearly 16% (190,000 square feet) should yield correlating reductions in the directional trips. This reduced trip generation is shown parenthetically throughout staff's analysis below, which has also been updated to reflect the adopted 2010 AUIR.

Golden Gate Boulevard Impacts:

The first concurrency link that would be impacted by this project is Link 17, Golden Gate Boulevard between CR-951 and Wilson Boulevard. The project would generate up to 130 (110 – *reduced*) PM peak hour, peak direction trips on this link, which represents a 5.53% (4.68% – *reduced*) impact. This concurrency link reflects a remaining capacity of 564 trips in the 2010 AUIR and is at Level of Service "D." Network improvements and specific dedications have been proposed that will mitigate the significant impacts on this link.

The second concurrency link that would be impacted by this project is Link 123, Golden Gate Boulevard between Wilson Boulevard and Everglades Boulevard. The project would generate up to 111 (94 – *reduced*) PM peak hour, peak direction trips on this link, which represents a 10.99% (9.3% – *reduced*) impact. This concurrency link reflects a negative remaining capacity of – 73 trips in the 2010 AUIR and is at Level of Service "F." This roadway is currently in the County's 5 year CIE. Developer contributions toward network improvements including specific dedications to increase capacity have been proposed that will mitigate the significant impacts on this link.

Wilson Boulevard Impacts:

The first concurrency link on Wilson Boulevard that would be impacted by this project is Link 118, Wilson Boulevard between Golden Gate Boulevard and the northerly terminus of Wilson (north of Immokalee Road). The project would generate up to 74 (63 – *reduced*) PM peak hour, peak direction trips on this link, which represents an 8.04% (6.85% – *reduced*) impact. This concurrency link reflects a remaining capacity of 569 trips in the 2010 AUIR and is at Level of Service “B”. Network improvements and specific dedications have been proposed which mitigate the significant impacts on this link.

Transportation Element Policy 5.1:

Specific mitigation is proposed by the petitioner that will satisfy the requirements of Policy 5.1. The conditions listed below are anticipated to accommodate the impacts that would be made possible by the approval of this amendment.

Conditions required at the time of zoning change approval:

1. Up to four primary project access locations are recognized:
 - One direct connection to Wilson Boulevard, located as far to the north as can be reasonably accommodated on the final SDP. This connection is anticipated to be a full-movement driveway until such time that Wilson Boulevard median improvements are made, which may restrict left-in, left-out, or right-out movements at the discretion of Collier County Transportation Division.
 - a. Access to Golden Gate Blvd via 1st Street NW will remain, and is subject to any median revisions created by Collier County.
 - b. Access to Golden Gate Boulevard between 1st Street NW and 3rd Street NW with a possibility for a median opening. Refer to signalization condition No. 2 below.
 - c. Access to Golden Gate Blvd via 3rd Street NW will remain, and is subject to any median revisions created by Collier County.
 - d. No other provisions or restrictions are currently stated for project driveways connecting to 1st Street NW or 3rd Street NW, which shall otherwise be governed by the CCAMP.
2. Signalization:
 - a. A signal is acknowledged as a possible provision at either 3rd Street NW, or the project entrance between 1st and 3rd. The final conceptual location of this signal, if warranted, and approved, by the Transportation Division, shall be determined at the time of rezoning. If allowed at the project’s entrance between 1st and 3rd, then the following conditions must already be in place:
 - i. Closure of the full median opening at 1st Street NW to limit it to a RI/RO only.
 - ii. Directionalization of 3rd Street NW median opening (restricted left turn movements as deemed appropriate by Transportation Division.)
 - b. Any traffic signal serving any of this project’s primary access(es) to Golden Gate Boulevard shall be the responsibility of the developer, his successors, or assign to install. The Developer, his successors, or assign shall also pay annual operation and maintenance fees for said signal, if installed, for the lifetime of the signal.
3. The developer, his successors, or assign agree to donate to the County any necessary rights-of-way along the Golden Gate Boulevard and Wilson Boulevard to accommodate capacity improvements associated with County Project Number 6004, within 180 days of approval of the first subsequent zoning change.
4. Phasing
 - a. The first Phase of development, inclusive of the required grocery store, not greater than 100,000 sq. ft., shall have a proportionate share responsibility towards intersection improvements at Wilson and Golden Gate Boulevards (Project No.60040).
 - b. The remaining 90,000 sq. ft. shall not obtain SDP approval from the Transportation Division until such time that Project Number 60040 has commenced, unless the Developer has elected to construct the complete intersection improvements shown in

Project No. 60040 prior to the County's commencement (potential eligibility for impact fee credits). This Phase also shall have proportionate share responsibility towards the intersection of Wilson and Golden Gate Boulevards.

Commercial Needs Analysis:

Chapter 9J-5, Florida Administrative Code, "Minimum Criteria for Review of Local Government Comprehensive Plans and Plan Amendments, Evaluation and Appraisal Reports, Land Development Regulations and Determinations of Compliance" sets forth the minimum data and analysis requirement for comprehensive plan amendments. More specifically, Section 9J-5.005 "General Requirements" delineates criteria for plan amendments in sub-section 9J-5.005 (2) "Data and Analysis Requirements."

Sub-section 9J-5.005(2) states in part that "All goals, objectives, standards, findings and conclusions within the comprehensive plan and its support documents, and within plan amendments and its support documents, shall be based upon relevant and appropriate data and analysis applicable to each element. To be based upon data means to react to it in an appropriate way and to the extent necessary indicated by the data available on that particular subject at the time of adoption of the plan or plan amendment at issue. . ."

In 2009, the Florida Senate issued Interim Report 2010-07, which provides that commercial projects should be evaluated using a market factor ratio of 1.25 (125% of demand). The Report goes on to provide that when the market ratio is exceeded other factors can be considered, such as suitability of the property for change, locational criteria, community desires, job creation, etc. in order to determine need (see attached staff summary and Senate Report).

As part of the post-BCC Transmittal project re-submittal package, the petitioner provided revised data and analysis to address commercial demand within the project's Custom Trade Area (refer to map on page 51 of the petitioner's Commercial Demand Analysis). The petitioner's commercial demand analysis is generally based on determining the total retail expenditures by commercial type for those households located within the Custom Trade Area, and then allocating retail sales by shopping center type (Neighborhood and Community Centers) to derive the sales per square feet figures and finally the supportable commercial square feet in the Trade Area. The supportable square feet (**demand**) figures are then compared to the existing and projected commercial **supply** within the same Trade Area to determine the oversupply or undersupply of commercial square feet.

The petitioner's assumptions contained within the data and analysis include:

- Trade Area estimates and projected **Households** by year – 4,523 in 2010; 6,719 in 2020; and, 8,181 in 2030
- Projected commercial **Demand** (sq. ft.) by year – 148,068 in 2010; 237,253 in 2020; and, 309,462 in 2030
- Existing, vacant and potential commercial **Supply** (sq. ft.), *excluding* the potential commercial acreage at Everglades and Golden Gate Boulevards, and *without the proposed 190,000 sq. ft. project*, by year is – 122,139 in 2010; 322,139 in 2020; and, 463,089 in 2030
- Existing, vacant and potential commercial **Supply** (sq. ft.), *excluding* the potential commercial acreage at Everglades and Golden Gate Boulevards, and *with the proposed 190,000 sq. ft. project*, by year is – 122,139 in 2010; 512,139 in 2020; and, 653,089 in 2030

The petitioner's commercial demand analysis conclusions:

- The commercial **allocation ratio** (or market factor) of **2.0** (200% of demand) is appropriate for the Custom Trade Area to ensure market flexibility

- The **allocation ratio (supply/demand)** with existing and potential commercial, *excluding* the potential commercial acreage at Everglades and Golden Gate Boulevards and *without the proposed 190,000 sq. ft. project*, by year is – .82 in 2010; 1.36 in 2020; and, 1.50 in 2030
- The **allocation ratio (supply/demand)** with existing and potential commercial, *excluding* the potential commercial acreage at Everglades and Golden Gate Boulevards and *with the proposed 190,000 sq. ft. project*, by year is – .82 in 2010; 2.16 in 2020; and, 2.11 in 2030

Staff comments and conclusions:

- The commercial allocation ratio of **2.0** exceeds the recommended allocation ratio of 1.25 (125% of demand) as suggested by the Department of Community Affairs
- Based on the petitioner’s commercial supply and demand calculations, and applying the 1.25 allocation ratio, there is an *oversupply* of commercial square feet within the Custom Trade Area in years – 2020 (1.36), the *Comprehensive Plan planning horizon*, and 2030 (1.50), *with or without the proposed 190,000 sq. ft. project* and without the inclusion of commercial acreage at Everglades and Golden Gate Boulevards

In addition to the commercial analysis above, the petitioner also submitted a table to display commercial demand and supply within the Estates Designation; generally, all of the Estates lying 2-miles east of Collier Blvd. (refer to Appendix 4 of the petitioner’s Commercial Needs Analysis Report, and attached Golden Gate Estates Area Collier Interactive Growth Model (CIGM) Map prepared by County GIS staff). This table is based on the commercial square feet demand (source: CIGM) generated by the existing and projected population (source: CIGM) within the defined study area compared to the existing and projected commercial supply within that same geography to determine the oversupply or undersupply of commercial square feet.

Staff prepared the tables below to demonstrate the demand for commercial square feet based on the CIGM parameters for both Community Center commercial and Neighborhood Center commercial.

Need for Community Center Commercial Square Feet Estates (& Rural Settlement Area) Market Area GMP Planning Horizon is through year 2020					
	2010	2015	2020	2025	Build-Out
Estates (2-miles east of 951) Population	33,348	40,297	49,808	58,996	81,847
Community Center Commercial Sq. Ft. Demand (7.48 sq. ft./Person)	249,443	301,422	372,564	441,290	612,216
*Community Center Commercial Sq. Ft. Supply					
Randall Boulevard Commercial Subdistrict	0	0	340,950	340,950	340,950
Orange Blossom Ranch PUD	0	0	200,000	200,000	200,000
Estates Shopping Center Subdistrict	0	0	190,000	190,000	190,000
Total Community Center Commercial Sq. Ft./ Supply	0	0	730,950	730,950	730,950
Surplus/(Deficit) Community Center Commercial Sq. Ft. Supply	(249,443)	(301,422)	358,386	289,660	118,734

*Community Commercial (per ULI standards, used in the CIGM):

- Community Center - 150,000 typical gross leasable area - range from 100,000 to 300,000 sq. ft.
- Center’s major tenants are variety, discount or junior department stores and grocery
- Center is typically 10 – 30 acres, trade area population of 40,000 to 150,000

**Neighborhood Center Commercial Square Feet
Estates (& Rural Settlement Area) as Market Area
GMP Planning Horizon is through year 2020**

	2010	2015	2020	2025	Build-Out
Estates (2-miles east of 951) Population	33,348	40,297	49,808	58,996	81,847
Neighborhood Center Commercial Sq. Ft. Demand (8.45 sq. ft./Person)	281,791	340,510	420,878	498,516	691,607
**Neighborhood Center Commercial Sq. Ft. Supply					
Randall Boulevard Commercial Subdistrict	0	100,000	0	0	0
Orange Blossom Ranch PUD	0	100,000	0	0	0
Estates Shopping Center Subdistrict	0	100,000	0	0	0
Total Neighborhood Center Commercial Sq. Ft.	0	300,000	0	0	0
Surplus/(Deficit) Neighborhood Center Commercial Sq. Ft. Supply	(281,791)	(40,510)	(420,878)	(498,516)	(691,607)

Staff comments and conclusions:

Based on project development schedules (provided by petitioners), the DCA’s recommended market factor of 1.25 (125% of demand), and the DCA’s requirement that local governments analyze proposals within the adopted planning time horizon of the comprehensive plan (County’s 10-year planning horizon is through 2020) when planning the amount needed for a particular land use, the following conclusions are made by staff:

- By year 2015, there will be a projected demand for Neighborhood Center commercial of approximately 340,510 sq. ft. and a projected supply of 300,000 sq. ft. of Neighborhood Center commercial.
*[The 100,000 sq. ft. proposed by the GMPA (first project phase) should be categorized as Neighborhood Center commercial since there is a requirement to develop a grocery use; the 100,000 sq. ft. identified in the Orange Blossom Ranch PUD may either be categorized as Neighborhood commercial - if a grocer is included, or “***other” - if no grocery use is included; and, the subject GMPA, Randall Blvd. Commercial Center, and the Orange Blossom Ranch PUD cannot be categorized as Community Center commercial in year 2015 due to the limited square feet proposed. Staff concludes that the Neighborhood supply in year 2015 is potentially 300,000 sq. ft. with a deficit of approximately 40,510 sq. ft.]*

*Neighborhood Commercial (per ULI standards, used in the CIGM):

- Neighborhood Centers provide for the sale of convenience goods (food, drugs and sundries) and personal services. A super market is the principal tenant – geographic convenience is the most important factor in the shopper’s choice of supermarket.
- Center is typically 50,000 sq. ft of gross leasable area - range from 30,000 to 100,000 sq. ft.
- Center is typically 3 to 10 acres- trade area population is 2,500 – 40,000, within a 6 minute drive.

**Community Commercial (per ULI standards, used in the CIGM):

- Community Center - 150,000 typical gross leasable area - range from 100,000 to 300,000 sq. ft.
- Center’s major tenants are variety, discount or junior department stores and grocery
- Center is typically 10 – 30 acres, trade area population of 40,000 to 150,000

***Other Commercial:

- The CIGM addresses Neighborhood, Community and Regional Commercial only. The “other” category includes commercial development not located within one of these types of commercial centers, such as office parks; freestanding retail uses (convenience store, pharmacy, gas station, etc.); small commercial centers without a grocery anchor; etc.

- By year 2015, there will be a projected demand for Community Center commercial of approximately 301,422 sq. ft. and a projected supply of 0 sq. ft.
[The Community Center commercial supply is 0 sq. ft., as the three projects listed – the proposed GMPA, the Orange Blossom Ranch PUD and the Randall Blvd. Commercial Subdistrict cannot be categorized as Community Center commercial because these projects do not meet the Community Center commercial sq. ft. thresholds. Staff concludes that the projected supply of Community Center commercial in year 2015 is 0 sq. ft. with a projected deficit of approximately 301,422 sq. ft.]
- By year 2020, there will be a projected demand for Neighborhood Center commercial of 420,878 sq. ft. and a projected supply of 0 sq. ft.
[Staff concludes that the Neighborhood commercial supply could be potentially 0 sq. ft. with a projected deficit of approximately 420,878 sq. ft. Based on the uses and square feet allowed within the Randall Blvd. Commercial Subdistrict, Orange Blossom Ranch PUD and the proposed GMPA these centers are expected to transition from Neighborhood Center commercial to Community Center commercial when project build out is reached in year 2020.]
- By year 2020, there will be a projected demand for Community Center commercial of 372,564 square feet and a projected supply of Community Center commercial of 730,950 sq. ft.
[Staff concludes that by year 2020 there will be a projected oversupply of Community Center commercial sq. ft. of approximately 358,386 sq. ft. (assuming the Randall Blvd. Commercial Subdistrict, the Orange Blossom Ranch PUD and the proposed GMPA are developed as Community Centers).]
- The allocation ratios (market factor of 1.25) for proposed commercial projects within the defined Estates market area are noted in the table below by year and Center type.

COMMUNITY CENTER COMMERCIAL	2010	2015	2020	2025	Build-Out
Estates (2-miles east of 951) Population	33,348	40,297	49,808	58,996	81,847
Community Center Commercial Sq. Ft. Demand (7.48 sq. ft./Person)	249,443	301,422	372,564	441,290	612,216
Total Community Center Commercial Sq. Ft./ Supply	0	0	730,950	730,950	730,950
1.25 Factor or 125% of demand (with Estates Shopping Center Subdistrict)	0	0	1.96	1.66	1.19
1.25 Factor or 125% of demand (without Estates Shopping Center Subdistrict)	0	0	1.45	1.23	.88

NEIGHBORHOOD CENTER COMMERCIAL	2010	2015	2020	2025	Build-Out
Estates (2-miles east of 951) Population	33,348	40,297	49,808	58,996	81,847
Neighborhood Center Commercial Sq. Ft. Demand (7.48 sq. ft./Person)	281,791	340,510	420,878	498,516	691,607
Total Neighborhood Center Commercial Sq. Ft./ Supply	0	300,000	0	0	0
1.25 Factor or 125% of demand (with Estates Shopping Center Subdistrict)		.88	0	0	0
1.25 Factor or 125% of demand (without Estates Shopping Center Subdistrict)		.59	0	0	0

The data in the above tables indicate that there is a present and future demand for Neighborhood Center commercial beyond the planning horizon of 2020 in the Comprehensive Plan. Conversely, there is no present demand or future demand through the planning horizon year of 2020 for Community Center commercial square feet.

Other Factors:

As previously noted, the Florida Senate Interim Report 2010-07, provides that when the market factor ratio of 1.25 (125% of demand) is exceeded other factors can be considered such as, suitability of the property for change, locational criteria, community desires, job creation, etc.

Based on the proposed uses and total square feet, staff views the proposal as a Community Center commercial project. Both staff's analysis of the Community Center commercial supply and demand and the petitioner's analysis of all commercial demand, yield that the 1.25 market factor is exceeded within the Plan's planning horizon (2020). Therefore, *potentially* the evaluation of those other factors could be used as a basis to approve this request.

Staff's analysis of those other factors is provided below.

- Suitability for Change and Locational Criteria;
 - (1) The subject project includes 5-acres presently designated Neighborhood Center Subdistrict, which allows C-1 through C-3 uses, and two other Tracts could be approved for conditional uses of the Estates designation, and the balance of the property could accommodate residential units. The subject property is suitable for development under its existing designation
 - (2) The size of the site, size of the Center and use intensity proposed are out of character with the semi-rural development pattern of the surrounding area
 - (3) The site is located at the intersection of two rural collector roads with relatively high traffic volumes
 - (4) The site is centrally located for a large portion of Golden Gate Estates, east of C.R. 951
 - (5) The site is only 3.5 road miles from the Randall Blvd. commercial center (approved for 401,950 sq. ft.) and 5.5 road miles from the Orange Blossom Ranch commercial center (approved for 200,000 sq. ft.).

- Community Desires;

The results of the referendum indicate the majority of those persons voting ($\pm 76\%$) support this project. Additionally, the results of surveys conducted by the petitioner indicate the majority of respondents support the project.

- Job Creation;

The petitioner indicates that the project will build out in the year 2020 with the creation of approximately 269 jobs.

Subdistrict Text:

Text is as presented to the BCC at the Transmittal hearing, except that the square feet cap has been reduced from 210,000 sq. ft. to 190,000 sq. ft. subsequent to the November 2010 General Election.

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6. Estates Shopping Center Subdistrict – Recognizing the need to provide for centrally located basic goods and services within a portion Northern Golden Gate Estates, the Estates Shopping Center Subdistrict has been designated on the Golden Gate Area Future Land Use Map.

The Subdistrict is located at the NW corner of Golden Gate Boulevard and Wilson Boulevard westward to 3rd Street NW and extending northward to include the southern 180 feet of Tracts 142 and 106 of Unit 11 and the southern 255 feet of Tract 111 of Unit 11 of Golden Gate Estates, totaling approximately 41 acres.

The Estates Shopping Center Subdistrict is intended to provide convenient shopping, personal services and employment for the central areas of Northern Golden Gate Estates. Commercial development in this Subdistrict will reduce driving distances for many residents, assist in minimizing the road network required, and reduce traffic impacts in this area of Collier County.

All development in this Subdistrict shall comply with the following requirements and limitations:

a. Allowable Uses shall be limited to the following:

1. Amusement and recreation

Groups 7911– Dance studios, schools and halls, excluding discotheques

7991 – Physical fitness facilities

7993 – Coin-operated amusement devices

7999 – Amusement and recreation services, not elsewhere classified, including only day camps, gymnastics instruction, judo/karate instruction, sporting goods rental and yoga instruction (excludes NEC Recreational Shooting Ranges, Waterslides, etc.)

2. Apparel and accessory stores (no adult oriented sales)

Groups 5611 – Men’s and boys’ clothing and accessory stores

5621 – Women’s clothing stores

5632 – Women’s accessory and specialty stores

5641 – Children’s and infants’ wear stores

5651 – Family clothing stores

5661 – Shoe stores

5699 – Miscellaneous apparel and accessory stores

3. Automotive dealers and gasoline service stations

Groups 5531 – Auto and home supply stores

5541 – Gasoline service stations, without repair

4. Automotive repair, services and parking (No outdoor repair/service. All repairs/services to be performed by authorized automotive technician.)

Groups 7514 – Passenger car rental

7534 – Tire retreading and repair shops, including only tire repair

7539 – Automotive Repair Shops, Not Elsewhere Classified, including only minor service, lubricating and diagnostic service

7542 – Carwashes, as an accessory to convenience stores only

5. Building materials, hardware, garden supply, and mobile home dealers

Groups 5231 – Paint, glass, and wallpaper stores

5251 – Hardware stores

5261 – Retail nurseries, lawn and garden supply stores

6. Business services

Groups 7334 – Photocopying and duplicating services
7335 – Commercial photography
7336 – Commercial art and graphic design
7338 – Secretarial and court reporting services
7342 – Disinfecting and pest control services
7352 – Medical equipment rental and leasing
7359 – Equipment rental and leasing, not elsewhere classified
7371 – Computer programming services
7372 – Prepackaged software
7373 – Computer integrated systems design
7374 – Computer processing and data preparation and processing services
7375 – Information retrieval services
7376 – Computer facilities management services
7379 – Computer related services, not elsewhere classified
7382 – Security systems services
7383 – News syndicates
7384 – Photofinishing laboratories
7389 – Business services, not elsewhere classified

7. Child day care services (Group 8351)

8. Communications

Groups 4812 – Radiotelephone communications
4841 – Cable and other pay television services

9. Construction special trade contractors (office use only, no on-site equipment storage)

Groups 1711 – Plumbing, heating and air-conditioning
1721 – Painting and paper hanging industry
1731 – Electrical work industry
1741 – Masonry, stone setting, and other stone work
1742 – Plastering, drywall, acoustical, and insulation work
1743 – Terrazzo, tile, marble, and mosaic work industry
1751 – Carpentry work
1752 – Floor laying and other floor work, not elsewhere classified industry
1761 – Roofing, siding, and sheet metal work industry
1771 – Concrete work industry
1781 – Water well drilling industry
1791 – Structural steel erection
1793 – Glass and glazing work
1794 – Excavation work
1795 – Wrecking and demolition work
1796 – Installation or erection of building equipment, not elsewhere
1799 – Special trade contractors, not elsewhere classified

10. Depository institutions

Groups 6021 – National commercial banks
6022 – State commercial banks
6029 – Commercial banks, not elsewhere classified
6035 – Savings institutions, federally chartered
6036 – Savings Institutions, not federally chartered
6061 – Credit unions, federally chartered

6062 – Credit unions, not federally chartered
6091 – Non-deposit trust facilities
6099 – Functions related to depository banking, not elsewhere classified

11. Eating and drinking places (Group 5812, including only liquor service accessory to the restaurant use, no outdoor amplified music or televisions)

12. Engineering, accounting, research, management, and related services

Groups 8711 – Engineering services
8712 – Architectural services
8713 – Surveying services
8721 – Accounting, auditing, and bookkeeping services
8741 – Management services
8742 – Management consulting services
8743 – Public relations services
8748 – Business consulting services, not elsewhere classified

13. Executive, legislative, and general government, except finance

Groups 9111 – Executive offices
9121 – Legislative bodies
9131 – Executive and legislative offices combined
9199 – General government, not elsewhere classified

14. Food stores

Groups 5411 – Grocery stores (minimum 27,000 square feet)
5421 – Meat and fish (seafood) markets, including freezer provisioners
5431 – Fruit and vegetable markets
5441 – Candy, nut, and confectionery stores
5451 – Dairy products stores
5461 – Retail bakeries
5499 – Miscellaneous food stores, including convenience stores with fuel pumps and carwash

15. General merchandise stores

Groups 5311 – Department stores
5331 – Variety stores
5399 – Miscellaneous general merchandise stores

16. Home furniture, furnishings, and equipment stores

Groups 5712 – Furniture stores
5713 – Floor covering stores
5714 – Drapery, curtain, and upholstery stores
5719 – Miscellaneous home furnishings stores
5722 – Household appliance stores
5731 – Radio, television, and consumer electronics stores
5734 – Computer and computer software stores
5735 – Record and prerecorded tape stores (no adult oriented sales)
5736 – Musical instrument store

17. Insurance carriers

Groups 6311 – Life insurance
6321 – Accident and health insurance
6324 – Hospital and medical service plans
6331 – Fire, marine, and casualty insurance
6351 – Surety insurance
6361 – Title insurance
6371 – Pension, health and welfare funds
6399 – Insurance carriers, not elsewhere classified
6411 – Insurance agents

18. Justice, public order and safety

Groups 9221 – Police protection
9222 – Legal counsel and prosecution
9229 – Public order and safety, not elsewhere classified

19. Meeting and banquet rooms

20. Miscellaneous retail (no adult oriented sales)

Groups 5912 – Drug stores and proprietary stores
5921 – Liquor stores (accessory to grocery or pharmacy only)
5932 – Used merchandise stores
5941 – Sporting goods stores and bicycle shops
5942 – Book stores
5943 – Stationery stores
5944 – Jewelry stores, including repair
5945 – Hobby, toy, and game shops
5946 – Camera and photographic supply stores
5947 – Gift, novelty, and souvenir shops
5948 – Luggage and leather goods stores
5949 – Sewing, needlework, and piece goods stores
5992 – Florists
5993 – Tobacco stores and stands
5994 – News dealers and newsstands
5995 – Optical goods stores
5999– Miscellaneous retail stores, not elsewhere classified (excluding gravestone, tombstones, auction rooms, monuments, swimming pools, and sales barns)

21. Non-depository credit institutions

Groups 6111 – Federal and federally-sponsored credit agencies
6141 – Personal credit institutions
6153 – Short-term business credit institutions, except agricultural
6159 – Miscellaneous business credit institutions
6162 – Mortgage bankers and loan correspondents
6163 – Loan brokers

22. Offices and clinics of dentist (Group 8021)

23. Personal services

Groups 7212 – Garment pressing, and agents for laundries and drycleaners
7221 – Photographic studios, portrait
7231 – Beauty shops
7241 – Barber shops

- 7251 – Shoe repair shops and shoeshine parlors
- 7291 – Tax return preparation services
- 7299 – Miscellaneous personal services, not elsewhere classified, excluding massage parlors, Turkish baths and escort services

24. Public finance, taxation, and monetary policy (Group 9311)

25. Real Estate

- Groups 6512 – Operators of nonresidential buildings
- 6513 – Operators of apartment buildings
- 6514 – Operators of dwellings other than apartment buildings
- 6515 – Operators of residential mobile home sites
- 6517 – Lessors of railroad property
- 6519 – Lessors of real property, not elsewhere classified
- 6531 – Real estate agents and managers
- 6541 – Title abstract offices
- 6552 – Land subdividers and developers, except cemeteries

26. Schools and educational services, not elsewhere classified (Group 8299)

27. Security and commodity brokers, dealers, exchanges, and services

- Groups 6211 – Security brokers, dealers, and flotation companies
- 6221 – Commodity contracts brokers and dealers
- 6231 – Security and commodity exchanges
- 6282 – Investment advice
- 6289 – Services allied with the exchange of securities or commodities, not elsewhere classified

28. Social services

- Groups 8322 – Individual and family social services (adult day care centers only)
- 8351 – Child day care services

29. Travel agencies (Group 4724)

30. Veterinary services for animal specialties (Group 0742)

31. Video tape rental (Group 7841, excluding adult oriented sales and rentals)

32. United states postal service (Group 4311, excluding major distribution centers)

33. Any other principal use which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals (“BZA”) by the process outlined in the LDC.

b. Accessory Uses:

1. Accessory uses and structures customarily associated with the permitted principal uses and structures, including, but not limited to:
 - a. Utility buildings
 - b. Essential service facilities
 - c. Gazebos, statuary and other architectural features

c. The following uses shall be prohibited:

1. Amusement and recreation services, not elsewhere classified (Group 7999, NEC Recreational Shooting Ranges, Waterslides, etc.)
 2. Air and water resource and solid waste management (Group 9511)
 3. Business Services
Groups 7313 – Radio, television, and publishers’ advertising representatives
7331 – Direct mail advertising services
 4. Correctional Institutions (Group 9223)
 5. Drinking places (alcoholic beverages) (Group 5813)
 6. Educational services
Groups 8211 – Elementary and secondary schools
8221 – Colleges, universities, and professional schools
8222 – Junior colleges and technical institutes
8231 – Libraries
 7. Health services
Groups 8062 – General medical and surgical hospitals
8063 – Psychiatric hospitals
8069 – Specialty hospitals, except psychiatric
 8. Miscellaneous Retail
Groups 5921 – Liquor stores
5961 – Catalog and mail-order houses
5962 – Automatic merchandising machine operators
 9. Personal services
Groups 7211 – Power Laundries, family and commercial
7261 – Funeral service and crematories
 10. Social services
Groups 8322 – Individual and family social services, excluding adult day care centers
8361– Residential care, including soup kitchens and homeless shelters
- d. Development intensity shall be limited to 190,000 square feet of gross leasable floor area.
- e. One grocery use will be a minimum of 27,000 square feet. With the exception of one grocery use, no individual user may exceed 30,000 square feet of building area.
- f. Development within this Subdistrict shall be phased and the following commitments related to area roadway improvements shall be completed within the specified timeframes:

1. Right-of-Way for Golden Gate Boulevard Expansion and Right-of-Way for the Wilson Boulevard Expansion will be donated to the County at no cost within 120 days of a written request from the County.
2. The applicant will pay its fair share for the intersection improvements at Wilson Boulevard and Golden Gate Boulevard within 90 days of County request for reimbursement.
3. Until the intersection improvements at Golden Gate Boulevard and Wilson Boulevard are complete, the County shall not issue a Certificate(s) of Occupancy (CO) for more than 100,000 square feet of development. The applicant must obtain a C.O. for a grocery store as part of this 100,000 square feet, and the grocery store must be the first C.O. obtained.

g. Rezoning is encouraged to be in the form of a Planned Unit Development (PUD), and the rezone ordinance must contain development standards to ensure that all commercial land uses will be compatible with neighboring residential uses.

A conceptual plan, which identifies the location of the permitted development area and required preserve area for this subdistrict is attached. The preserve area depicted on the conceptual plan shall satisfy all comprehensive plan requirements for retained native vegetation, including but not limited to the requirements of Policy 6.1.1 of the CCME. A more detailed development plan must be developed and utilized for the required PUD rezoning.

h. Development standards, including permitted uses and setbacks for principal buildings shall be established at the time of PUD rezoning. Any future PUD rezone shall include at a minimum:

- (1) Landscape buffers adjacent to external rights-of-way shall be:
 - 1st/3rd Streets- Minimum 30' wide enhanced buffer
 - Wilson Boulevard- Minimum 25' wide enhanced buffer
 - Golden Gate Boulevard- Minimum 50' wide enhanced buffer
- (2) Except for the utility building, no commercial building may be constructed within 125 feet of the northern property boundary and within 300' of the 3rd Street NW boundary of this subdistrict.
- (3) Any portion of the Project directly abutting residential property (property zoned E-Estates and without an approved conditional use) shall provide, at a minimum, a seventy-five (75) feet wide buffer, except the westernmost 330' of Tract 106, which shall provide a minimum 20' wide buffer in which no parking uses are permitted. Twenty-five (25) feet of the width of the buffer along the developed area shall be a landscape buffer. A minimum of fifty (50) feet of the buffer width shall consist of retained or re-planted native vegetation and must be consistent with subsection 3.05.07.H of the Collier County Land Development Code (LDC). The native vegetation retention area may consist of a perimeter berm and be used for water management detention. Any newly constructed berm shall be revegetated to meet subsection 3.05.07.H of the LDC (native vegetation replanting requirements). Additionally, in order to be considered for approval, use of the native vegetation retention area for water management purposes shall meet the following criteria:

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

FINDINGS AND CONCLUSIONS:

- No present demand for Community Center commercial within the Comprehensive Plan's planning horizon of 2020
- Presently there is a greater deficit of Neighborhood Center commercial in Golden Gate Estates (no Neighborhood Centers approved; and there are two Community Centers approved for 540,950 sq. ft.)
- The first project phase will likely develop as a Neighborhood Center
- At build out, the project will be a Community Center but will function as both a Neighborhood Center and Community Center
- Developing Community Center commercial at this location may preclude other commercial development further to the east in Golden Gate Estates
- The project market area overlaps (13,196 persons in year 2015 – and 14,984 persons in year 2020) with the approved Randall Blvd. Commercial Center market area, which means that households within this project's market area will be served by the Randall Blvd. Center
- Applicant's data and analysis indicate the project will result in a reduction of vehicle miles traveled
- This project, inclusive of transportation mitigation commitments, will not result in a reduction in level of service standard for any Category A public facilities
- The proposed project size, and use and intensity are out of character with the surrounding semi-rural development pattern
- Approval of this project at a Neighborhood Center size and use intensity may increase the likelihood of other Neighborhood Center commercial further to the east in Golden Gate Estates to serve the surrounding area
- Project site is located within 3.5 and 5.5 road miles of approved Community Centers

STAFF'S CONCLUSION AND RECOMMENDATION:

Based on staff's review and evaluation of this revised petition, staff recommends the following: (1) eliminate the specific list of uses by SIC Code and replace with reference to the permitted and conditional uses of the C-1 through C-3 zoning districts of the Land Development Code; (2) eliminate prohibited uses that are not listed in the C-1 through C-3 zoning districts of the Land Development Code; (3) replace the 190,000 sq. ft. commercial cap with a lesser sq. ft. cap, consistent with the upper end of the Neighborhood Center commercial range; (4) require an individual commercial user cap of 20,000 sq. ft., with the exception that a grocer may exceed this cap; and, (5) eliminate the conceptual plan.