

RESOLUTION NO. 13- 266

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS PROPOSING AMENDMENT TO THE COLLIER COUNTY GROWTH MANAGEMENT PLAN, ORDINANCE 89-05, AS AMENDED, SPECIFICALLY AMENDING THE FUTURE LAND USE ELEMENT TO REVISE THE BUCKLEY MIXED USE SUBDISTRICT OF THE URBAN MIXED USE DISTRICT TO REMOVE THE OFFICE AND RETAIL CAPS AND ALLOW UP TO 7,500 SQUARE FEET OF GROSS FLOOR AREA OF COMMERCIAL USES PER ACRE OR 11 RESIDENTIAL DWELLING UNITS PER ACRE, TO MAKE RESIDENTIAL DEVELOPMENT OPTIONAL, TO PROHIBIT COMMERCIAL AND RESIDENTIAL USES ON THE SAME PARCEL, TO LIMIT MULTI-TENANT COMMERCIAL BUILDINGS TO NO MORE THAN 50% OF THE COMMERCIAL SQUARE FOOTAGE, TO REVISE DEVELOPMENT STANDARDS INCLUDING THE CAP ON THE SIZE OF THE FOOTPRINT OF COMMERCIAL BUILDINGS, AND FURTHERMORE RECOMMENDING TRANSMITTAL OF THE AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY. THE SUBJECT PROPERTY IS 21.70 ACRES AND LOCATED ON THE WEST SIDE OF AIRPORT ROAD AND APPROXIMATELY 330 FEET NORTH OF ORANGE BLOSSOM DRIVE IN SECTION 2, TOWNSHIP 49 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA. [PL20120002909/CP-2013-3]

WHEREAS, Collier County, pursuant to Section 163.3161, et. seq., Florida Statutes, the Florida Local Government Comprehensive Planning and Land Development Regulation Act of 1985, was required to prepare and adopt a comprehensive plan; and

WHEREAS, the Collier County Board of County Commissioners adopted the Collier County Growth Management Plan on January 10, 1989; and

WHEREAS, the Community Planning Act of 2011 provides authority for local governments to amend their respective comprehensive plans and outlines certain procedures to amend adopted comprehensive plans; and

WHEREAS, Petitioner, McGuire Development Company, has initiated this amendment to the Future Land Use Element; and

WHEREAS, on September 9, 2013, the Collier County Planning Commission considered the proposed amendment to the Growth Management Plan pursuant to the authority granted to it by Section 163.3174, F.S., and has recommended approval of said amendment to the Board of County Commissioners; and

Words underlined are additions; Words ~~struck through~~ are deletions
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WHEREAS, on November 12, 2013, the Board of County Commissioners at a public hearing approved the transmittal of the proposed amendment to the state land planning agency in accordance with Section 163.3184, F.S.; and

WHEREAS, upon receipt of Collier County's proposed Growth Management Plan Amendment, various State agencies and the Department of Economic Opportunity (DEO) have thirty (30) days to review the proposed amendment and DEO must transmit, in writing, to Collier County its comments within said thirty (30) days pursuant to Section 163.3184, F.S.; and

WHEREAS, Collier County, upon receipt of the written comments from DEO must adopt, adopt with changes or not adopt the proposed Growth Management Plan Amendment within one hundred and eighty (180) days of such receipt pursuant to Section 163.3184, F.S.; and

WHEREAS, the DEO, within five (5) days of receipt of Collier County's adopted Growth Management Plan Amendment, must notify the County of any deficiencies of the Plan Amendment pursuant to Section 163.3184(3), F.S.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:

The Board of County Commissioners hereby approves the proposed Growth Management Plan Amendment, attached hereto as Exhibit "A" and incorporated by reference herein, for the purpose of transmittal to the Department of Economic Opportunity and other reviewing agencies thereby initiating the required State evaluation of the Growth Management Plan Amendment prior to final adoption.

THIS RESOLUTION ADOPTED after motion, second and majority vote this 12th day of November, 2013.

ATTEST:
DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

by: Amy J. [Signature]
Deputy Clerk
Attest as to Chairman's

BY: [Signature]
GEORGIA A. HILLER, ESQ.
Chairwoman
State of Florida
County of COLLIER

Approved as to form and legality:
[Signature]
Heidi Ashton-Cicko
Managing Assistant County Attorney

I HEREBY CERTIFY THAT this is a true and correct copy of a document on file in Board Minutes and Records of Collier County
WITNESS my hand and official seal this 12th day of November, 2013

Attachment: Exhibit "A"

DWIGHT E. BROCK, CLERK OF COURTS

CP13-CMP-00901\10

by: Amy J. [Signature] D.C.

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I. URBAN DESIGNATION

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A. Urban Mixed Use District

12. Buckley Mixed Use Subdistrict

The intent of this Subdistrict, which ~~comprises 21.7 acres~~, is to allow for limited ~~small-scale~~ retail, office and residential uses while ~~requiring that the project result in a true~~ allowing for the development of a mixed-use development. The Activity Centers to the North and South provide for large-scale commercial uses, while this Subdistrict is intended to promote ~~small-scale~~ convenience and intermediate commercial development ~~mixed-use development with pedestrian orientation~~ to serve existing and future residential development in the immediate area. This Subdistrict is ~~intended to be an example for future mixed-use nodes, providing residents with a pedestrian scale development while also reducing~~ will serve to reduce existing trip lengths for ~~small-scale~~ convenience and intermediate commercial services. Commercial uses for the purpose of this section are limited to those permitted and conditional uses allowed in the C-1, C-2 and C-3 Zoning Districts except as noted below. The development of this Subdistrict will be governed by the following criteria:

- a. Rezoning is encouraged to be in the form of a PUD.
- b. ~~A unified planned development with common architectural theme, which utilizes shared parking and cross accesses. The Subdistrict shall be developed with a common theme for architecture, signage, lighting and landscaping.~~
- c. Retail Commercial uses will be capped at a maximum of 3,250 162,750 square feet of gross floor area ~~per acre for the total project~~.
- d. ~~Office uses will be capped at a maximum of 4,250 square feet per acre for the total project.~~
- ed. ~~Residential development for multi-family dwelling units will be subject to a maximum of 15 dwelling units per acre for the total project. Residential uses are allowed at a density of 11 dwelling units per acre, calculated based upon the entire Subdistrict acreage, yielding a maximum of 239 dwelling units.~~
- fe. Maximum lot coverage for buildings is capped at 35% for the total project.
- gf. ~~No more than 25% of the total built square footage will be devoted to single story buildings~~ 50% of the commercial square footage may be constructed as multi-tenant buildings.
- h. ~~Primary entrances to all retail and commercial uses shall be designed for access from the interior of the site. Buildings fronting on Airport Road will provide secondary accesses facing the street.~~
- i. ~~All four sides of each building must be utilized in a common architectural theme.~~
- j. ~~A residential component equal to at least 25% of the allowable maximum density must be constructed before completion of an aggregate total of 40,000 square feet retail or office uses.~~
- kg. ~~Residential units may be located throughout the Subdistrict. Residential uses may be in stand-alone buildings or may be integrated into mixed use buildings with commercial uses. Integration of residential and office, retail or personal service uses in the same building is encouraged.~~

- l-h. ~~Integration of residential and office or retail uses in the same building is encouraged. A minimum of 40% of the commercial square footage shall be within mixed use buildings (residential and commercial)~~ For each acre of land utilized for residential purposes, 7,500 square feet of commercial buildable square footage will be eliminated for the total square footage allowable. For each acre of commercial square footage built, 11 residential units will be eliminated from the maximum allowable number of residential units.
- mj. Pedestrian connections are encouraged to all perimeter properties.
- nj. ~~No building footprint will exceed~~ Individual commercial users shall be limited to a maximum gross floor area of 100,000 ~~15,000 square feet. Common stairs, breezeways or elevators may join individual buildings.~~
- ok. No building shall exceed three stories in height with no allowance for under building parking.
- pl. Drive-through establishments ~~will~~ shall be limited to a maximum of four. Only one of these drive-through establishments shall be allowed for a fast-food restaurant, and no drive-through establishment shall have ~~banks with no~~ more than three drive-through lanes; ~~these~~ All drive-through lanes must be architecturally integrated into the main building.
- qm. ~~No~~ gGasoline service stations and convenience stores are prohibited. ~~will be permitted.~~
- rn. All buildings ~~will~~ shall be connected with pedestrian pathways features.
- so. ~~A twenty-foot wide landscape Type D buffer shall be required along Airport-Pulling Road. A twenty-foot wide Type C landscape buffer shall be required along all other perimeter property lines adjacent to residential use.~~
- t. ~~Parking areas must be screened from Airport-Pulling Road and from any properties adjacent to this Subdistrict.~~
- p. There shall be no vehicular interconnection to the property to the south.