



ORIGINAL

**STAFF REPORT
COLLIER COUNTY PLANNING COMMISSION**

TO: COLLIER COUNTY PLANNING COMMISSION
FROM: GROWTH MANAGEMENT DIVISION/PLANNING AND REGULATION,
PLANNING AND ZONING DEPARTMENT, COMPREHENSIVE PLANNING
SECTION
HEARING DATE: April 29, 2014
RE: PETITION NO. PL20130001345/CP-2013-8, S.R. 29 and Jefferson Avenue
Commercial Subdistrict Expansion – GROWTH MANAGEMENT PLAN
AMENDMENT (TRANSMITTAL HEARING) [Companion to PUDZ-
PL20130001241]

AGENTS/APPLICANT/OWNER:

Agent: D. Wayne Arnold, AICP
Q. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134
Agent: Richard Yovanovich, Esq.
Coleman, Yovanovich and Koester, P.A.
4001 Tamiami Trail North, Suite 300
Naples, Florida 34103
Owner: Barron Collier Investments, Ltd.
2600 Golden Gate Parkway, Suite 200
Naples, Florida 34105
Contract Purchaser: Wal-Mart Stores East, LP
2001 S.E. 10th Street
Bentonville, Arkansas 72716

GEOGRAPHIC LOCATION:

The subject site includes approximately 24.99 acres and is located at the northwest corner of Westclox Street and S.R. 29, within Section 29, Township 46 South, Range 29 East, Immokalee, Collier County, Florida. (Refer to aerial map on the following page for project location.)

Project Location Map



REQUESTED ACTION:

This petition seeks to amend the Immokalee Area Master Plan (IAMP) Element text and Future Land Use Map (FLUM) by: 1) expanding the Urban Commercial District, S.R. 29 and Jefferson Avenue Commercial Subdistrict, to add the subject ± 24.99 acres; 2) amending the subdistrict to exempt development on the subject site from the architectural and site design standards of LDC Section 5.05.08, and the sign standards of LDC Section 5.06.00; and, 3) amending the subdistrict to provide that architectural, site design and sign standards be established through the rezoning of the subject site. This amendment would re-designate the site from Neighborhood Commercial Subdistrict (± 19.07 acres), Low Residential Subdistrict (± 5.72 acres) and High Residential Subdistrict (± 0.20 acres) so as to allow rezoning of the site for development of uses allowed in the C-1 (Commercial Professional and General Office District), C-2 (Commercial Convenience District), C-3 (Commercial Intermediate District), and C-4 (General Commercial District) zoning districts as described in the Collier County Land Development Code (LDC).

The petitioner’s proposed text changes, shown in strike-through/underline format (words underlined are added, words ~~struck through~~ are deleted.), are as follows [This text is reflected in the Resolution Exhibit A; staff recommended changes are located at the end of this report.]:

Proposed Immokalee Area Master Plan Element Text and Map Amendment: [page 16]

B. Urban Commercial District

*** ** Text break *** **

1. Commercial Subdistrict – S.R. 29 and Jefferson Avenue

The purpose of this Subdistrict is to provide for retail and office uses, transient lodging facilities and highway commercial uses that serve the needs of the traveling public. Commercial uses allowed within the Subdistrict are generally similar to the C-1 through C-4 Commercial Zoning Districts, as identified in the Collier County Land Development Code. These commercial uses must be located on a major arterial or collector roadway.

- A. The development criteria contained in Section 2.03.07.G.1 of the Collier County Land Development Code must be met for future development within the Commercial Subdistrict along SR-29, as identified on Zoning Maps: 6932N; 6932S; 6933N; 6933S; 7904N; and 7905N.
- B. The development criteria contained in Section 2.03.07.G.2 of the Collier County Land Development Code must be met for future development within the Commercial Subdistrict along Jefferson Avenue as identified on Zoning Map 6933S.
- C. Commercial development located at the Northwest quadrant of the intersection of Westclox Street and S.R. 29 as identified on Zoning Map 6929 is encouraged to be rezoned in the form of a Planned Unit Development (PUD). The PUD shall include an appropriate list of commercial land uses and development standards designed to serve the commercial needs of the Immokalee Community. Development within this portion of the Subdistrict shall be exempt from the architectural and site design standards identified in Section 5.05.08, and the signage requirements of Section 5.06 of the Collier County Land Development Code; however, the PUD shall include specific building architectural and signage standards for the commercial development.

Non-commercial Uses

In addition to those mixed-uses permitted within the Commercial Designations, uses such as parks, open space and recreational uses, churches, libraries, cemeteries, public and private schools, day-care centers and those essential services as defined in the Land Development Code.

*** ** Text break *** **

Project Description:

The petitioner is requesting an expansion of the S.R. 29 and Jefferson Avenue Commercial Subdistrict without identifying specific uses or intensities. However, within the application materials the petitioner states the proposed development is a large format retail center (e.g. Wal-Mart) with up to 162,000 square feet of commercial retail uses.

EXISTING CONDITIONS, SURROUNDING LAND USES, ZONING AND FUTURE LAND USE MAP DESIGNATION:

Existing Conditions:

The subject project is 24.99 acres; undeveloped; zoned A, Rural Agricultural with a Mobile Home Overlay; and, has three different future land use designations on the subject property – ±19.07 acres designated Urban Mixed Use District, Neighborhood Center Subdistrict, ±5.72 acres designated Urban Mixed Use District, Low Residential Subdistrict, and ±.20 acres designated Urban Mixed Use District, High Residential Subdistrict. The entire site is located within the Immokalee Community Redevelopment Area, established in 2000.

Surrounding Land Uses, Zoning and Future Land Use Map Designation:

North: Undeveloped; zoned A, Agricultural Rural, Mobile Home Overlay; and, designated Urban Mixed Use District, Low Residential Subdistrict on the IAMP Future Land Use Map.

South: Across Westclox Street, undeveloped land and crop fields; zoned A, Agricultural Rural, Mobile Home Overlay; and, designated Urban Mixed Use District, Neighborhood Center Subdistrict on the IAMP Future Land Use Map.

East: Across S.R. 29, undeveloped and developed acreage with medical facilities (FSU Medical Campus, Immokalee Outpatient Rehabilitation Center and Collier Health Services), zoned

Heritage PUD, and, designated Urban Mixed Use District, Low Residential Subdistrict; and undeveloped and developed acreage with commercial buildings, zoned C-1, Commercial Professional and General Office District and, designated Urban Commercial District, S.R. 29 and Jefferson Avenue Commercial Subdistrict on the IAMP Future Land Use Map.

West: Undeveloped; zoned A, Agricultural Rural, Mobile Home Overlay; and, designated Urban Mixed Use District, High Residential Subdistrict on the IAMP Future Land Use Map.

STAFF ANALYSIS:

Appropriateness of Change

If approved as submitted, this Growth Management Plan amendment will allow the development of a large format retailer (e.g. Wal-Mart) or any other development allowed in the C-1 through C-4 zoning districts. This development would be abutting lands designated on the FLUM for residential uses to the north and west, and commercial uses to the south and, east across S.R. 29.

The suitability of the proposed Growth Management Plan amendment to accommodate the petitioner's request is to be established through an evaluation of relevant and appropriate data for population growth, commercial inventory, infrastructure development, and other considerations within the surrounding area.

BACKGROUND – Immokalee Area Master Plan (IAMP):

IAMP – 1991 to present

The Board of County Commissioners adopted the Immokalee Area Master Plan (IAMP) in 1991. Subsequent to that date, the most significant changes to the Plan occurred with the Rural Lands Stewardship Area Overlay amendments in 2002 and the Evaluation and Appraisal Report in 2004. The Master Plan and corresponding Future Land Use Map (FLUM) provide the framework for development within the community. The IAMP restricts commercial uses and intensity to specific Subdistricts and existing commercially zoned lands within the Immokalee Urban area. Relevant to the subject petition, the IAMP Neighborhood Center Subdistrict and the S.R. 29 and Jefferson Avenue Commercial Subdistrict allow the following commercial uses and land use intensities. (Refer to the *existing* IAMP FLUM on page 6 for the portion of the subject site (19.07 ac.) located within the Neighborhood Center and the location of the S.R. 29 & Jefferson Ave. Commercial Subdistrict.)

- **Neighborhood Center Subdistrict**

The purpose of this land use classification is to provide for centers of activity that serve the needs of the surrounding neighborhoods. The centers should contain a mix of neighborhood oriented uses such as day care center, parks, schools, and governmental activities. Other development criteria that shall apply to all neighborhood centers includes the following:

- a. To achieve a neighborhood character, these centers are encouraged to be anchored by elementary schools, neighborhood scale parks, and/or churches.
- b. A center should be limited to 80-120 acres in size, and will serve a population ranging between 5,000 to 7,500 people, or accommodate a service area of one (1) mile radius.
- c. The Neighborhood Centers should be no closer than one (1) mile.
- d. Non-residential uses shall be at least 20% of the size of the Neighborhood Center.
- e. Residential development within the designated Neighborhoods Centers shall permit a maximum density of twelve (12) units per gross acre. Residential dwelling units shall be limited to multi-family structures and less intensive units such as single-family and duplexes provided they are compatible with the district. Mobile home developments shall be permitted only in the form of mobile home subdivisions or parks as defined in the Land Development Code.

- f. Commercial development shall be permitted within a Neighborhood Center provided all of the following criteria are met;
1. Commercial uses shall be limited to barber and beauty shops; drug stores; deli; meat market; bicycle services; restaurant; dry cleaning; veterinary clinics; medical offices; laundry facilities; any other convenience commercial uses which is compatible in nature with the foregoing uses. The Collier County School Board will be notified of any proposed use to avoid conflict with the nearby schools; and
 2. No commercial use shall be permitted within a ¼ mile of an existing school property line within a Neighborhood Center; and
 3. Access to the commercial development must in no way conflict with the school traffic in the area; and
 4. The design of any proposed commercial development must take into consideration the safety of the school children; and
 5. The projects within the Neighborhood Centers shall encourage provisions for shared parking arrangements with adjoining developments; and
 6. Driveways and curb cuts shall be consolidated with adjoining developments; and
 7. Projects directly abutting residentially zoned property shall provide, at a minimum, a 50 foot setback and landscape buffer; and
 8. Projects shall provide a 10 foot wide landscaped strip between the abutting right-of-way and the off-street parking area.

From time to time new Neighborhood Centers may be proposed. No two centers may be closer than one mile from each other. New Neighborhood Centers would require market justification and must meet size, spacing and use criteria expressed earlier.

- **Commercial Subdistrict – S.R. 29 and Jefferson Avenue**

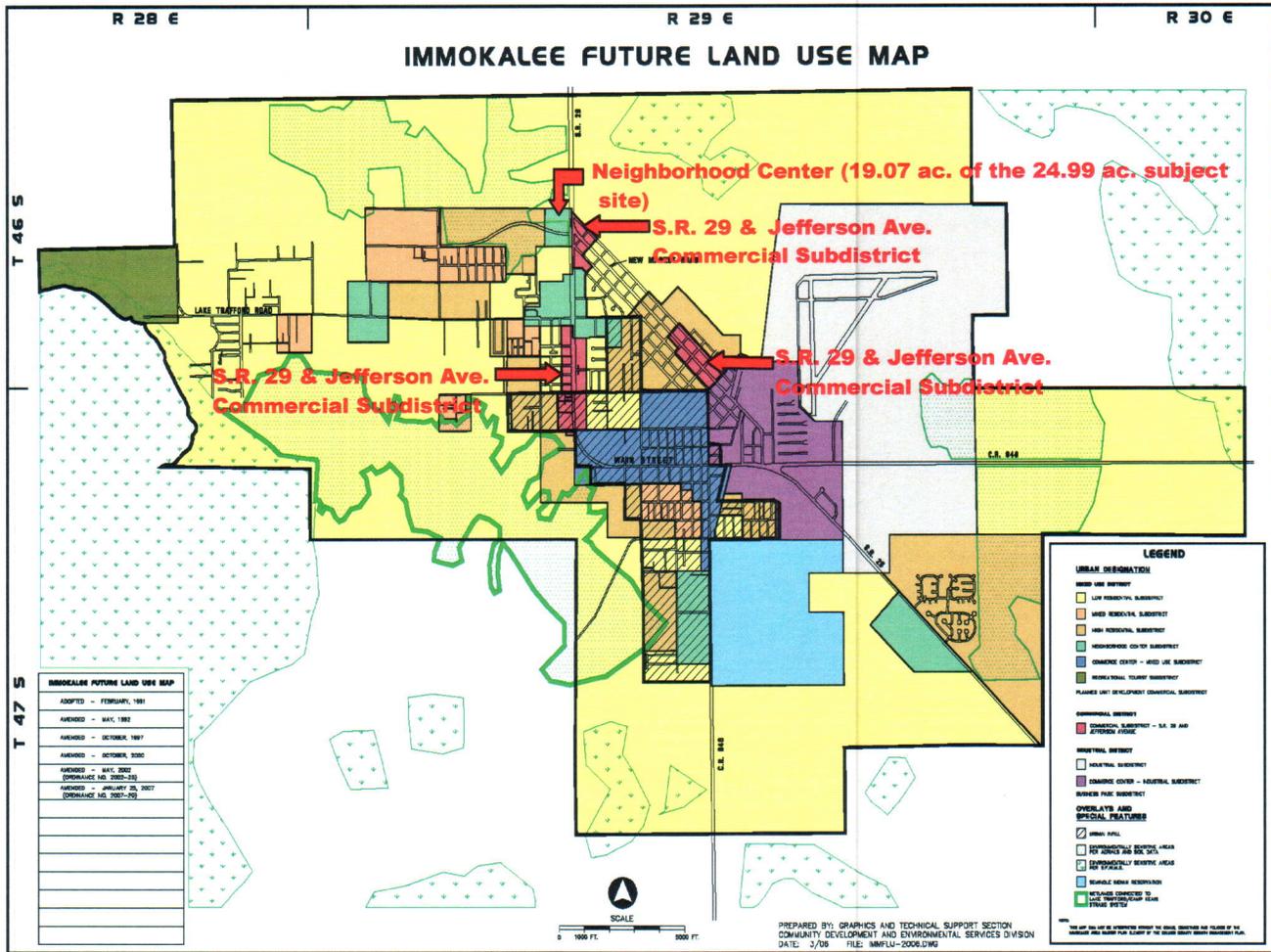
The purpose of this Subdistrict is to provide for retail and office uses, transient lodging facilities and highway commercial uses that serve the needs of the traveling public. Commercial uses allowed within the Subdistrict are generally similar to the C-1 through C-4 Commercial Zoning Districts, as identified in the Collier County Land Development Code. These commercial uses must be located on a major arterial or collector roadway.

- A. The development criteria contained in Section 2.03.07.G.1 of the Collier County Land Development Code must be met for future development within the Commercial Subdistrict along SR-29, as identified on Zoning Maps: 6932N; 6932S; 6933N; 6933S; 7904N; and 7905N.
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Non-commercial Uses

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Existing IAMP Future Land Use Map



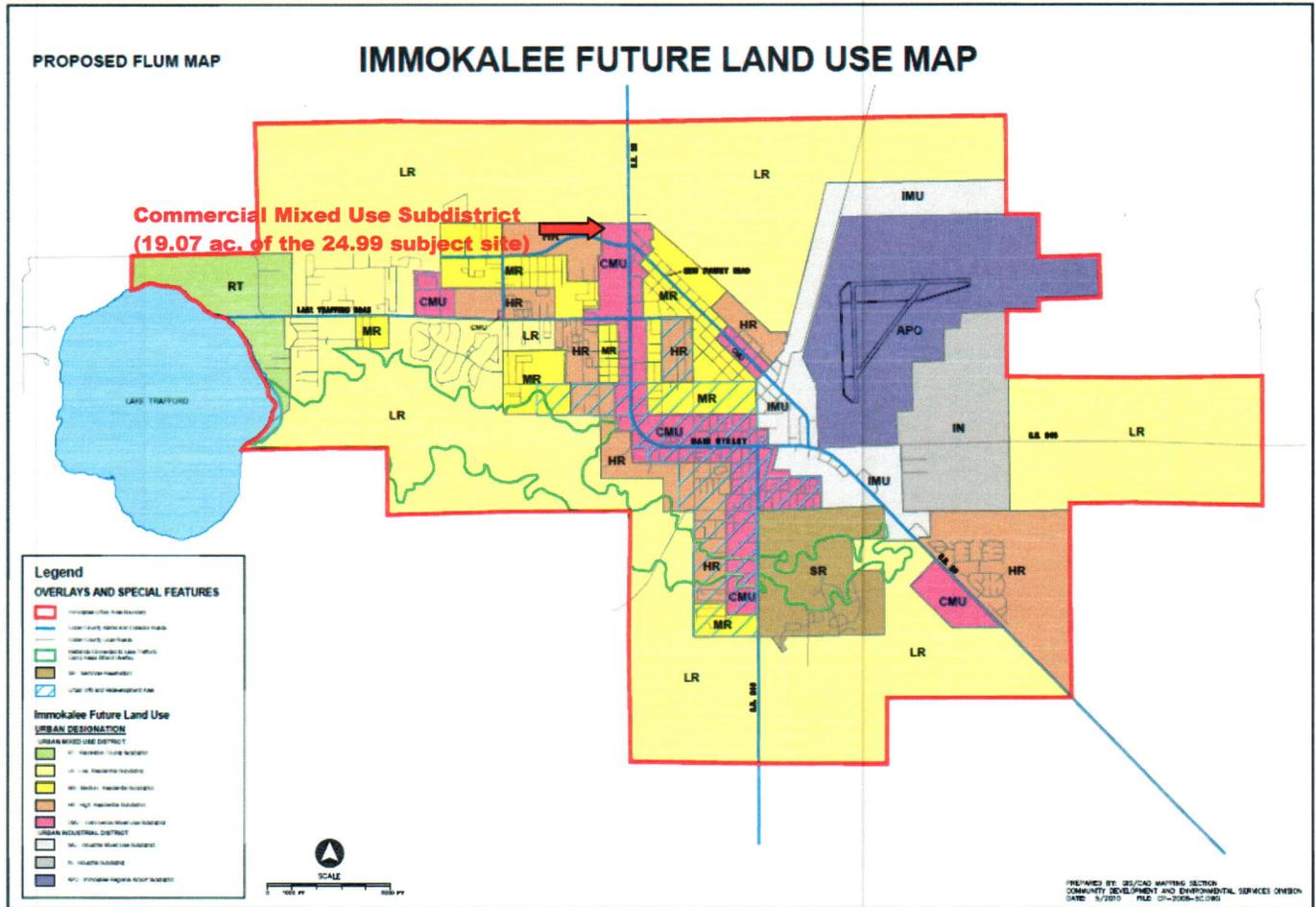
IAMP – Immokalee Restudy Committee and Immokalee Area Master Plan and Visioning Committee

In 2003, as part of the Evaluation and Appraisal Report, the Board of County Commissioners (BCC) established the Immokalee Area Master Plan Restudy Committee to assist staff with preparing amendments to the IAMP. During this process, the Restudy Committee determined that a more in depth study of the Master Plan was needed. As a result, the Board sunsetted the Restudy Committee and established the Immokalee Area Master Plan and Visioning Committee (IMPVC). The IMPVC worked with County staff, consultants and the community to evaluate the vision and needs of the community, such as identifying appropriate areas to locate and/or expand commercial development. The IMPVC recommendations to the BCC included provisions for commercial opportunities within the Urban area. *Relevant to this petition*, the IMPVC and staff recommended to re-designate a portion of the subject site (Neighborhood Center acreage) to Commercial Mixed Use District (CMU), which would have allowed C-1 through C-4 development on the subject site, including a large format retailer, had the IMPVC amendments to the IAMP been adopted by the Board in 2012. (Refer to the proposed IAMP FLUM on page 7 for the location of the subject site (±19.07 acres) currently within the Neighborhood Center proposed for re-designation to CMU.)

Proposed IAMP Future Land Use Map

ATTACHMENT TO EXHIBIT "A"

PETITION CP-2008-5



To determine the appropriateness of the proposed Growth Management Plan amendment to allow C-1 through C-4 development on the project site, including a large format retailer (e.g. Wal-Mart) at an intensity of 162,000 square feet, staff reviewed the Neighborhood Information Meeting minutes and other submittal documents, including the Commercial Needs Analysis, Economic and Fiscal Benefits analysis, and various studies for consistency and compliance with applicable provisions of Section 163.3177(6)(a)2. a-j, F.S. (below). Staff’s analysis of the submittal documents, etc. is further below.

Section 163.3177(6) (a) 2. a-j, F.S.

2. The future land use plan and *plan amendments* shall be based upon surveys, studies, and data regarding the area, as applicable, including:
 - a. The amount of land required to accommodate anticipated growth.
 - b. The projected permanent and seasonal population of the area.
 - c. The character of undeveloped land.
 - d. The availability of water supplies, public facilities, and services.
 - e. The need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community.
 - f. The compatibility of uses on lands adjacent to or closely proximate to military installations.
 - g. The compatibility of uses on lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.
 - h. The discouragement of urban sprawl.

- i. The need for job creation, capital investment, and economic development that will strengthen and diversify the community’s economy.
- j. The need to modify land uses and development patterns within antiquated subdivisions.

Justification, Commercial Analysis, Economic and Fiscal Benefits, Community Desires and Compatibility:

• Justification

The justification identified within the applicant’s Commercial Needs Analysis for the proposed development, is that: (1) community serving commercial square feet is needed within the Immokalee Planning Community; (2) there is no suitable supply of commercial acreage to accommodate a large format retail center (e.g. Wal-Mart); and, (3) there are economic and fiscal benefits to the community resulting from the proposed commercial development.

• Commercial Analysis

Generally, commercial development within a community can be categorized as strip-commercial development, neighborhood commercial, community commercial, regional commercial, etc. Based on specific studies and/or demographic data for an area, such as population, income, household size, percentage of income spent on retail goods, etc., an analyst can estimate supportable commercial square feet for various lines of goods and services for that geography by shopping center type. Relevant to the subject petition, the proposed large format retailer is categorized as community commercial.

The firm of Fishkind and Associates, Inc. conducted a Commercial Needs Analysis identifying the market conditions within the Immokalee Planning Community. This analysis provided an overall context for assessing the community commercial needs for the existing and projected population within the Immokalee Planning Community. The applicant’s Commercial Needs Analysis identifies that there is zero square feet of community commercial supply within the Immokalee Urban Area. The Commercial square feet demand findings from the study are as follows:

Table 1: Community Commercial Square Feet Analysis

	2015	2020	2025
Population	25,165	26,243	27,243
Households	6,291	6,561	6,811
Total Household Income for Community Commercial	\$116,727,175	\$134,397,765	\$154,040,321
Total Community Commercial Sq. Ft. Demand	216,351	249,103	285,510
Market Factor	1.25	1.25	1.25
*Adjusted Community Commercial Sq. Ft. Demand	270,439	311,379	356,888
**Community Commercial Sq. Ft. Supply	0	0	0

* figures have been adjusted to reflect a 1.25 market factor to allow for market flexibility (125% of market demand)

** figure is based on *existing* community serving commercial square feet within the Immokalee Urban area

Based on the data submitted by the applicant, Table 1 above identifies the community commercial square feet demand that can be supported by the area’s population projected for 2015 (216,351 sq. ft.), 2020 (249,103 sq. ft.), and 2025 (285,510 sq. ft.). To allow for flexibility within the market, the application of a 1.25 market factor yields supportable community square feet of 270,439 in 2015, and 311,379 in 2020 and 356,888 in 2025.

Table 2 below identifies the projected demand allocation of community commercial square feet needed by type, as provided within the applicant's analysis. *Based on these square feet estimates, the retailer will need to adjust their commercial square feet for the proposed project so as to avoid the potential oversupply of any one type of commercial line of goods and services within the market area.*

Table 2: Community Commercial Square Feet Allocations Based On Demand Figures

	2015	2020	2025
General Merchandise	7,211	8,303	9,517
Food	31,395	36,148	41,431
Food Service	18,810	21,657	24,823
Clothing and Accessories	2,268	2,611	2,993
Shoes	265	305	350
Home Furnishings	16,738	19,272	22,089
Home Appliances/Music	3,210	3,696	4,236
Building Material/Hardware	33,319	38,363	43,970
Automotive	79,714	91,781	105,195
Hobby/Special Interest		With Gift/Specialty	
Gift/Specialty	3,544	4,080	4,676
Jewelry	73	84	96
Liquor		With Food Service	
Drugs	1,162	1,338	1,533
Other Retail	1,641	1,889	2,165
Personal Servicers	1,966	2,263	2,594
Entertainment	15,036	17,313	19,843
Total Commercial Demand	216,351	249,103	285,510
Market Factor	1.25	1.25	1.25
Total Commercial Demand adjusted by Market Factor	270,439	311,379	356,888

Data and Analysis:

Household figures: The occupied housing figure from the 2010 Census for the Immokalee Census Designated Place is 5,795. Based on the applicant's analysis, the number of households increased from 2010 to 2015 by 8.6%, from 2015 to 2020 by 4.3%, and 2020 to 2025 by 3.8%.

Income figures: The median (50% point in the data) household income figure from the 2010 Census for the Immokalee Census Designated Place is \$21,322 and the mean (average) household figure is \$31,791. The applicant used the 2010 Census *mean* figure to calculate household income because it correlates to the percentage of retail household expenditure. The applicant applied an annual increase of 2% to the household income figures after 2010.

Existing Area Businesses: The applicant did not provide (though requested by staff) a detailed analysis of the area businesses' sales data, employment figures, and the lines of goods and/or services offered by those businesses that may directly compete with the proposed large format retailer. The applicant did, however, provide a generalized analysis of the potential impacts that a large format retailer may have on "mom and pop" businesses, national chains and regional chains within Immokalee.

Other Considerations – Wal-Mart Studies:

There have been various studies published that describe both the positive and negative impacts resulting from a Wal-Mart entering the market. It appears from the studies submitted with this application that existing businesses offering overlapping lines of goods and services with those offered at the large format retailer may be most affected, depending on their adaptability in the market. However, existing and future businesses within the area that offer services or products that do not directly compete with the proposed retailer's lines of goods and services have the potential to experience improved sales due in part to increased consumer traffic that the proposed retailer brings to, or captures from within, the community.

Staff Assessment:

- (1) *Based on the data submitted with this petition it is unknown the number of existing businesses within the Immokalee community that will compete directly with or offer overlapping goods and services with those offered at the proposed large format retailer.*
- (2) *Area businesses with overlapping lines of goods and services with those offered at the proposed large format retailer may potentially experience an increase or decrease in sales, depending on how these existing businesses are able to respond or adapt to the proposed retailer entering the market (e.g. match prices, offer superior service, etc.). [Refer to the document titled, "How Local Merchants Can Compete" located with the applicant's Commercial Needs Analysis.]*
- (3) *Impacts from excess overlapping goods and services entering the market may result in the proposed large format retailer capturing more consumers within the existing market; that is diverting consumers from existing competing businesses.*
- (4) *The existing businesses' ability to compete with the proposed large format retailer's price points on like goods and services may affect their viability.*
- (5) *The large format retailer may have the effect of pulling more consumers into the area and/or capture consumers living within the area but shopping outside the area.*
- (6) *The large format retailer has the potential to increase demand for certain non-competing businesses, e.g. restaurant.*
- (7) *The large format retailer has the potential to benefit consumers by offering lower prices, the convenience of one-stop shopping, and more shopping options.*

- **Economic and Fiscal Benefits**

Job Creation: Job creation brings direct and indirect social and economic benefits for those employed and the community as a whole.

Based on the applicant's estimates, the proposed large format retailer (e.g. Wal-Mart) has the potential to generate 83 construction jobs, including 11 indirect jobs (jobs created when the proposed business buys goods and services from local firms) and 19 induced jobs (jobs created when employees from the proposed development spend a portion of their wages on locally produced goods and services), with a total labor income of over \$6.2 million during the construction phase of the project. Salary ranges of these employees were not provided. Additionally, the project will generate \$7.3 million in value added dollars to the economy and generate an economic output of \$12.8 million during the construction phase.

Based on the applicant's estimates, once built out, the proposed retailer will generate 361 total jobs of which 300 will be full time equivalent, 22 indirect jobs and 39 induced jobs, with a total labor income of \$12.3 million at the build-out stage of development. Salary ranges of these employees were not provided. Additionally, the project will generate \$20.6 million in value added dollars to the economy and generate an economic output of \$27 million annually once the proposed project is up and running.

Staff Assessment:

- (1) Existing area businesses that directly compete with the proposed large format retailer – exact number is unknown – may experience a decline in sales due to the diverting of those sales to the proposed large format retailer; in turn, this may require an employer to reduce jobs or in case of a business closure, eliminate all jobs.
- (2) Non-competing businesses, such as a restaurant, recreational attraction or niche retailer, may add jobs within the community in response to increased consumer traffic directly related to the proposed large format retailer's presence in the community.
- (3) It is unknown at this time if the jobs that are to be created by the proposed large format retailer will be a net gain or a net loss to the community.

Taxes and Tax Increment Financing (TIF) District: TIF realizes the incremental increase in property tax revenues resulting from development. Those dollars are then used to finance improvements needed to support and encourage new development and/or redevelopment. Eligible activities for TIF include, but are not limited to, the acquisition of land and improvements, relocation of displaced residents, demolition of deteriorated structures, site preparation, infrastructure improvements, etc.

Based on the applicant's calculations, the proposed commercial development has the potential to increase TIF by approximately 2.25% or \$37,462.82 annually.

Based on the applicant's calculations, the proposed project has the potential to increase the ad valorem taxes in Immokalee by \$38,223 annually, and could also generate an additional \$6,413 in ½ cent sales tax revenues annually.

Impact Fees: Generally, new developments are required to pay impact fees for the purpose of providing new or expanded public capital facilities needed to serve that new development. Impact fees are calculated based on the type and size of the proposed development and are used to finance improvements offsite, but to the benefit of the development.

Relevant to this subject petition, the submittal did not include an analysis of the Impact Fees to be paid by the proposed project. However, the Agent representing the property owner informed the public at their Neighborhood Information Meeting (NIM) that the project would be required to pay impact fees (refer to page 27 of the NIM transcript). Staff assumes this to mean that all impact fees will be paid, that no waivers will be sought.

- **Community Desires**

Immokalee Area Master Plan & Visioning Committee (IMPVC): The IMPVC spent years working with the community, consultants, Community Redevelopment Agency (CRA) Advisory Board members and staff to establish a community-wide vision to address the needs of the Immokalee area. Subsequently, the IMPVC in coordination with the CRA Advisory Board staff and their consultant prepared amendments to the IAMP to implement the community's vision, which included new and expanded commercial opportunities throughout the Urban area. Data and analysis for these amendments were supported with various studies, including a commercial needs analysis and economic analysis, which concluded that additional commercial acreage was needed to support future population growth within the community. Relevant to the subject petition, an area recommended for commercial intensification and expansion included the +19.07 acres of the subject +24.99 project site designated as Neighborhood Center.

Neighborhood Information Meeting (NIM): Approximately 400 – 500 people attended the NIM held by the applicant on January 13, 2014 for the subject petition. Based on comments from the public present, such as the need for jobs, need for additional shopping options, etc. and a “show of hands” in favor of the project, County staff can report that the majority of those present at this meeting indicated they were in support of the Applicant's proposal as a large format retailer.

Immokalee Community Redevelopment Agency (CRA) Advisory Board:

Generally, the purpose of the CRA Advisory Board is to ensure that the interests of residents, property owners, businesses and other stakeholders are represented in key decisions relating to the Community Redevelopment Plan and budget for their area. The Advisory Board members provide input and make recommendations to Community Redevelopment Agency Board concerning their Community Redevelopment area.

The CRA Advisory Board met on March 19, 2014 to discuss the proposed Growth Management Plan amendment, and voted unanimously (7-0, 3 members were absent) to support the petition. A second motion was made and supported unanimously to send a letter to the Collier County Planning Commission to voice concerns about roadway traffic congestion resulting from the petition.

- **Compatibility**

Site Design: The subject Immokalee Area Master Plan amendment exempts development on the subject site from the architectural and site design standards of Land Development Code (LDC) Section 5.05.08, and the sign standards of LDC Section 5.06.00; and provides that architectural, site design and sign standards be established through the rezoning of the subject site. As a result, the compatibility of the proposed large format retail development with its surrounding land uses will need to be addressed in the consideration of the companion Planned Unit Development (PUD) request. The applicant has not provided justification with this petition for these requested exemptions.

Suitability of the Property for Change: Approximately +19.07 acres of the subject property is currently designated Neighborhood Center and allows for limited neighborhood commercial development. The remaining +5.92 acres outside of the Neighborhood Center are designated high and low residential. The proposed Immokalee Master Plan amendments would have changed the designation on that acreage to Commercial Mixed Use Subdistrict, which would have allowed the same uses as the proposed Subdistrict. As noted below, there are no public facilities impact concerns and no environmental concerns. The site can accommodate the proposed development and adequately buffer from adjacent properties.

Environmental Impacts:

The subject property is partially vegetated with native vegetation. Pursuant to Policy 6.1.1. of the Conservation and Coastal Management Element (CCME), the proposed commercial project shall be required to retain fifteen percent of the native vegetation on site. According to arials available on the Property Appraisers website, much of the subject property was cleared prior to 1985 for pasture. The areas cleared for agricultural purposes prior to the adoption of Ordinance No. 76-42 are exempt from agricultural clearing permit requirements and native vegetation retention requirements of CCME Policy 6.1.1. Documentation of when the property was cleared shall be required as part of the rezoning submittal for the subject site.

A listed species survey was conducted on June 12, 2013 by the environmental consultant for the project and no listed species or signs of listed species were observed during the survey. Given the disturbed nature and location of the site, it is unlikely that listed species would occur on the property.

The subject property is located outside County well field protection zones.

The proposed amendment will have no effect on the requirements of the Conservation and Coastal Management Element.

Historical and Archaeological Impacts:

The project shall be subject to the accidental discovery of archaeological or historical sites, as required by Policy 11.1.3. of the Conservation and Coastal Management Element and Section 2.03.07 E of the Land Development Code.

Public Facilities Impacts:

The petitioner prepared public facilities calculations, which were submitted with this petition and are summarized below.

- **Potable Water:** The subject property is located within the Immokalee Water and Sewer District (IWSD). The analysis indicates that the IWSD has a current estimated existing plant capacity of approximately 52 mgd and the proposed project demand of 36,450 gpd demand for the estimated 162,000 sq. ft. of community commercial land uses can be accommodated by the IWSD.
- **Sanitary Sewer:** The subject property is located within the Immokalee Water and Sewer District (IWSD). The proposed project will create a demand of approximately 31,590 gpd on the system, which according to the applicant can be accommodated by the Utility.
- **Solid Waste:** The project will be served by Collier County Solid Waste Management. The project is expected to generate waste at a rate of approximately 92.25 tons/year, approximately 35.47 tons/year less than the development of single family and neighborhood commercial uses allowed by right on the existing site. According to the applicant, there is sufficient capacity to accommodate the project.
- **Drainage:** The proposed project will be required to comply with the SFWMD and County rules and regulations that assure controlled accommodation of storm water events by both on-site and off-site improvements.
- **Transportation:** The roadway network adjacent to the subject site has sufficient capacity to accommodate the subject project within the 5-year planning period, and the conceptual site design is consistent with the Long Range Transportation Plan. Accordingly, the project can be deemed consistent with Objective 3 and Policy 5.1 of the Transportation Element of the Growth Management Plan.
- **Schools, Libraries, Parks and Recreational Facilities:** The application does not propose an increase in residential density; therefore, no additional demand for services is anticipated.
- **EMS, Fire, and Police:** The subject project is located within the Immokalee Fire Control District, Station 31. Fire and EMS services are located at 502 East New Market Road and 1107 Carson Road; and, the sheriff substation is located at 112 South 1st Street.

NEIGHBORHOOD INFORMATION MEETING (NIM) SYNOPSIS:

The Neighborhood Information Meeting (NIM) required by Land Development Code Section 10.03.05 F was [duly advertised, noticed and] held on January 13, 2014, at the Southwest Florida Works Building, located at 750 South Fifth Street. Approximately 400+ people other than the applicant's team and County staff attended the NIM. Please refer to the NIM transcript immediately following this Staff Report for specific details of the meeting.

FINDINGS AND CONCLUSIONS:

The following are findings and conclusions as a result of the review and evaluation of this GMPA request:

- As a result of this amendment, there are no significant impacts to public facilities, as defined in the Capital Improvement Element, with respect to Transportation, Potable Water, Sanitary Sewer, Drainage and Solid Waste facilities.
- Approximately 19.07 acres of the total project acreage is presently designated to accommodate lower intensity commercial zoning.
- There is a demand for the proposed 162,000 square feet of community commercial development to serve existing and future populations, and there are no existing suitable sites to accommodate the proposed project in the Immokalee Planning Community.
- The large format retailer has the potential to benefit consumers by offering lower prices, the convenience of one-stop shopping, and more shopping options.
- The project has the potential to capture consumer demand for community commercial presently being met outside of the community.
- Non-competing businesses may add jobs within the community in response to increased consumer traffic directly related to the proposed large format retailer's presence in the community.
- The project has the potential to generate 300 full time equivalent jobs within the community.
- The project has the potential to generate an economic output of \$27 million annually once retail operations begin.
- The project has the potential to increase the CRA's TIF by approximately 2.25% annually.
- The petition was unanimously supported by the CRA Advisory Board.
- At the Neighborhood Information Meeting there were no speakers opposed to the proposal and a "show of hands" indicated significant support for the petition.
- Area businesses with overlapping lines of goods and services with those offered at the proposed large format retailer may potentially experience an increase or decrease in sales, depending on how these businesses are able to respond or adapt to the proposed retailer entering the market.
- Impacts from excess overlapping goods and services entering the market may result in the proposed large format retailer capturing more consumers within the existing market; that is diverting consumers from existing competing businesses.
- Existing area businesses that directly compete with the proposed large format retailer may experience a decline in sales due to the diverting of those sales to the proposed large format retailer; in turn, requiring an employer to reduce jobs or in case of a business closure, eliminate all jobs.

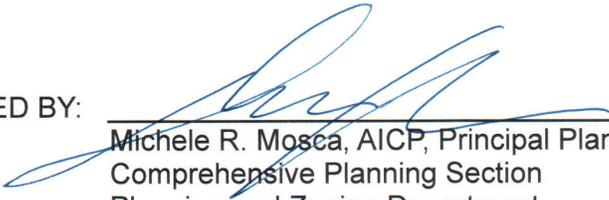
LEGAL CONSIDERATIONS:

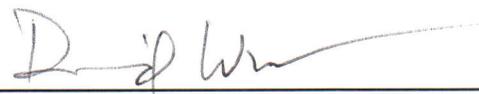
This Staff Report has been reviewed by the County Attorney's Office on April 22, 2014 [HFAC]

STAFF RECOMMENDATION:

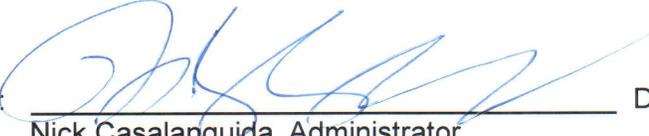
Staff recommends that the Collier County Planning Commission forward Petition CP-2013-8 to the Board of County Commissioners with a recommendation to approve for transmittal to the Florida Department of Economic Opportunity, subject to the following changes below.

~~C. Commercial development That portion of this subdistrict located at the N northwest quadrant of the intersection of Westclox Street and S.R. 29, comprising approximately 25 acres, as identified on Zoning Map 6929 is encouraged to shall be rezoned in the form of a Planned Unit Development (PUD) and shall be limited to a maximum of 162,000 square feet of gross leasable floor area of commercial uses. The PUD shall include an appropriate list of commercial land uses and development standards designed to serve the commercial needs of the Immokalee C community, and shall include appropriate development standards. Development within this portion of the Subdistrict shall be exempt from the architectural and site design standards identified in Section 5.05.08, and the signage requirements of Section 5.06 of the Collier County Land Development Code; however, the PUD shall include specific building architectural and signage standards for the commercial development.~~

PREPARED BY:  DATE: 4-14-14
Michele R. Mosca, AICP, Principal Planner
Comprehensive Planning Section
Planning and Zoning Department

REVIEWED BY:  DATE: 4-14-14
David Weeks, AICP, GMP Manager
Comprehensive Planning Section
Planning and Zoning Department

REVIEWED BY:  DATE: 4-15-14
Michael Bosi, AICP, Director
Planning and Zoning Department
Growth Management Division

APPROVED BY:  DATE: 4-15-14
Nick Casalanguida, Administrator
Growth Management Division

PETITION NO. CP-2013-8

NOTE: This petition has been scheduled for the June 24, 2014 BCC Meeting.