



STAFF REPORT  
COLLIER COUNTY PLANNING COMMISSION

**FROM:** GROWTH MANAGEMENT DIVISION/PLANNING AND REGULATION,  
PLANNING AND ZONING DEPARTMENT, COMPREHENSIVE PLANNING  
SECTION

**HEARING DATE:** MARCH 19, 2015

**SUBJECT:** 2013 CYCLE THREE, SINGLE GROWTH MANAGEMENT PLAN AMENDMENT  
(ADOPTION HEARING)

**ELEMENT:** FUTURE LAND USE ELEMENT (FLUE) AND FUTURE LAND USE MAP AND  
MAP SERIES

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Transmittal hearings on the subject amendment were held on August 21 and September 4, 2014 Collier County Planning Commission (CCPC), and on October 14 and 28, 2014 Board of County Commissioners (BCC). The respective Transmittal recommendations/actions are presented further below, following the petition number and title.

Within CCPC materials provided you will find the Transmittal Executive Summary from the BCC hearings and certain attachments referenced therein, plus the Transmittal CCPC staff report for the petition, which provides staff's detailed analysis of the petition.

**REVIEW AGENCY COMMENT LETTERS**

After review of the Transmitted GMP amendment, the Florida Department of Economic Opportunity (DEO) rendered its Comment Letter indicating "no comment" within the agency's authorized scope of review, as did the Southwest Florida Regional Planning Council (SWFRPC)], Florida Department of Agriculture and Consumer Services (DACs), Florida Fish and Wildlife Conservation Commission (FWC), and South Florida Water Management District (SFWMD).

The Florida Department of Transportation (FDOT) conducted a *planning level analysis* and rendered comments within their authorized scope of review. FDOT indicates that the proposed amendment is not anticipated to adversely impact important State transportation resources or facilities, and provided an additional comment regarding FDOT access standards; and, the Florida Department of Environmental Protection (DEP) rendered comments within their authorized scope of review, indicating that the proposed amendment is not anticipated to adversely impact important State resources.

The Florida Department of Education (DOE) rendered comments within their authorized scope of review, as follows:

The Department recommends the changes associated with the proposed amendment CP-2013-10 be reviewed as required by Section 8 of the Collier County Interlocal Agreement for Public School Facility Planning and School Concurrency before adoption consideration.

In response to the DOE Comment, staff notes the Transmittal package of materials was provided to School District representatives and subsequently reviewed in accordance with

Interlocal Agreement Section 8. Determinations from their Section 8 review are found in a letter dated January 22, 2015, as attached hereto and summarized below.

In accordance with Interlocal Agreement subsection 8.2, Collier County notified the School District of the proposed GMP amendment that may increase school enrollment. In accordance with Interlocal Agreement subsection 14.2, the Collier County School District subsequently conducted the school planning level review per the Collier County Interlocal Agreement for Public School Facility Planning and School Concurrency and responded. The School District response indicates *at this time there is sufficient capacity for the proposed development for the elementary, middle and high school levels. This finding is for planning and informational purposes only and does not constitute either a determination of concurrency for the proposed project. At the time of site plan or plat the development would be reviewed for concurrency to ensure there is capacity either within the concurrency service area the development is located within or adjacent concurrency service areas such that the level of service standards are not exceeded.*

The Comments Letters received are located within materials provided to the CCPC. The remaining reviewing agency, Department of State, Bureau of Historic Preservation, did not provide a Comment Letter.

Within CCPC materials provided is an Ordinance with Exhibit "A" text and maps for the petition; those exhibits reflect the FLUE text and maps as approved by BCC for Transmittal.

### **PROPOSED AMENDMENT**

**PETITION CP-2013-10 / PL2013-0001767**, requesting amendment to the Future Land Use Element and Future Land Use Map and Map Series of the Growth Management Plan, to re-designate the subject site from the Urban Mixed Use District, Urban Coastal Fringe Subdistrict to the Vincentian Mixed Use Subdistrict. The subject property, consisting of ±30.68 acres, is located south and east of Southwest Boulevard, south and west of US 41 (Tamiami Trail East), and west of the Hitching Post Mobile Home Park, in Section 32, Township 50 South, Range 26 East, Collier County, Florida.

This petition seeks to establish the Vincentian Mixed Use Subdistrict to allow for entirely commercial development, for entirely residential development, or for mixed use (commercial and residential) development. Commercial development is limited to 250,000 square feet of gross floor area, one hotel of up to 150 rooms and an assisted living facility. Commercial uses allowed are the permitted and conditional uses of the C-3 zoning district plus hotel, dental labs, skilled nursing facilities, and department stores. Residential development is limited to a maximum of 224 market rate multi-family units. Mixed Use development limits commercial intensity to 128,000 square feet of gross floor area, one hotel of up to 150 rooms and an assisted living facility on no more than 10 acres, and residential density based on 7.3 units per non-commercial acre. The Subdistrict also provides for conversions if the project is developed with a hotel or assisted living facility, for automobile fuel pumps accessory to a grocer or membership warehouse-type facility larger than 15,000 square feet of gross floor area and, for a recreational site for use by residents of the adjacent RV or mobile home parks. Note: A companion PUD rezone petition is scheduled for this same hearing.

### **TRANSMITTAL**

**STAFF RECOMMENDATION:** Not to Transmit to DEO.

**CCPC RECOMMENDATION:** Transmit to DEO (vote: 4/2), with the density reduction [from 11.74 DU/ac. to 10.0 DU/ac.] and with further modification of the amendment to reduce the maximum number of dwelling units from 360 to 307 DU, remove maximum building heights from Subdistrict provisions, calculate residential density on non-commercial acreage only, prohibit affordable-workforce housing, reduce commercial intensity from the initially proposed C-5

commercial uses to C-3 and other additional specific uses, prohibit a stand-alone automobile fuel station and, introduce conversion factors for certain uses.

BCC ACTION: Transmitted to DEO (vote: 4/1), with the density reduction [from 10.0 DU/ac. to 7.3 DU/ac. for a maximum 224 DU total] and with further modification of the amendment to reduce the number of additional specific commercial uses allowed.

**ADOPTION**

STAFF RECOMMENDATION: That the CCPC forward the single, 2013 Cycle 3 petition to the BCC with a recommendation not to adopt and transmit to the Florida Department of Economic Opportunity and reviewing agencies that provided comments. IF the Planning Commission chooses to recommend adoption, staff recommends the following revisions to portions of the Subdistrict text to remove an unnecessary intensity standard for the hotel use no longer contained in the LDC.

[Words underlined are added – as Transmitted; Words double underlined are added, and words double ~~struck through~~ are deleted – as recommended by staff]

**17. Vincentian Mixed Use Subdistrict**

This Subdistrict contains approximately 30.68 acres, is located on the south/west side of Tamiami Trail East (US 41) and is depicted on the Vincentian Mixed Use Subdistrict Map. The purpose of this Subdistrict is to allow for neighborhood, community, and regional commercial development; residential development; and mixed use (commercial and residential) development.

The Subdistrict is intended to include commercial uses to serve the emerging residential development in close proximity to this Subdistrict, and to provide employment opportunities for residents in the surrounding area. In order to comply with Policy 1.10 of the Housing Element of the Growth Management Plan, residential development shall be limited to market-rate units so as to avoid the concentration of affordable housing in one location in the County. The property may be developed entirely as commercial, entirely as residential, or as a mixture of residential and commercial uses.

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**b. Additional use restrictions and intensity standards:**

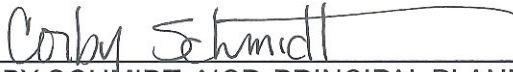
1. Commercial uses shall be limited to a maximum of 250,000 square feet of gross floor area (GFA), and one hotel (maximum FAR 0.6 and a maximum of 150 rooms), and an assisted living facility (maximum FAR 0.6). Additionally, for every acre of hotel or ALF, the maximum allowable commercial GFA shall be reduced by 10,000 square feet.
2. Residential development shall be limited to a maximum density of 7.3 units per acre, calculated on the gross acreage of the property exclusive of any commercial portions, for a maximum of 224 multi-family dwelling units.
3. If the project is developed as mixed use (residential and commercial uses), the residential density allowance is as provided for in Number 2. above, and the commercial portion of the project shall not exceed 10 acres in size and a maximum of 128,000 square feet of GFA of commercial uses, and a 150-room hotel ~~not to exceed 0.6 FAR~~, and an Assisted Living Facility at a 0.6 FAR. Additionally, for every acre of hotel or ALF, the maximum allowable commercial GFA shall be reduced by 10,000 square feet.

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**LEGAL CONSIDERATIONS**

This staff report has been approved as to form and legality by the Office of the County Attorney. [HFAC]

**PREPARED BY:**



CORBY SCHMIDT, AICP, PRINCIPAL PLANNER  
COMPREHENSIVE PLANNING SECTION, PLANNING AND ZONING DEPARTMENT

DATE: 24 Feb 15

**REVIEWED BY:**



DAVID WEEKS, AICP, GROWTH MANAGEMENT PLAN MANAGER  
COMPREHENSIVE PLANNING SECTION, PLANNING AND ZONING DEPARTMENT

DATE: 2-24-15

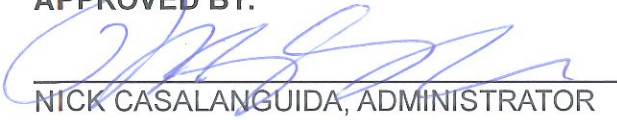
**REVIEWED BY:**



MIKE BOSI, AICP, DIRECTOR, PLANNING AND ZONING DEPARTMENT

DATE: 2-25-15

**APPROVED BY:**

  
NICK CASALANGUIDA, ADMINISTRATOR  
GROWTH MANAGEMENT DIVISION

DATE: 3-2-15

2013 Cycle 3 GMPA – Adoption (petition CP-2013-10/PL2013-0001767).

Staff Report for the March 19, 2015, CCPC Meeting.

NOTE: This single petition 2013.3 Cycle GMPA has been scheduled for the April 28, 2015, BCC Meeting.