



**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: August 21, 2014

RE: PETITION CP-2013-10 / PL-2013-0001767, Growth Management Plan Amendment
(TRANSMITTAL HEARING)

APPLICANTS/OWNERS/AGENTS:

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GEOGRAPHIC LOCATION: The ±31 acre subject site 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.

REQUESTED ACTION: Amendments to the Future Land Use Element and Future Land Use Map and Map Series of the Growth Management Plan, to introduce a new Subdistrict. This petition seeks to re-designate the subject site from the Urban Mixed Use District, Urban Coastal Fringe Subdistrict to the Vincentian Mixed Use Subdistrict. *(CP-2013-10 Resolution Exhibit A reflects the petitioner's proposed text changes)*

SURROUNDING LAND USE, ZONING AND FUTURE LAND USE DESIGNATION:

Subject Site The subject site comprises ±31 acres, and is designated Urban Coastal Fringe Subdistrict on the Future Land Use Map and lies within the Coastal High Hazard Area. The site is zoned Vincentian PUD and is undeveloped. The PUD provides for a maximum gross density of 4 dwelling units per acre (on the *Residential* tract); assisted living facilities; and up to 115,000 sq. ft. of commercial uses, including all permitted C-2, Convenience Commercial district uses, community theater amusement and recreation services, a miniature golf course, bike and moped rental amusement and recreation services, auto & home supply stores, business services, drinking places, hospitals, membership organizations, museums & art galleries, paint, glass & wallpaper stores, public

administration, non-depository credit institutions, real estate services, retail nurseries, lawn & garden supply stores, social services, used merchandise stores, the USPS, and comparable C-2 commercial uses (on the *Commercial Infill* tract). A detailed list of uses allowed in the PUD is provided further below.

Pedestrian sidewalks are on south side of US 41, along the entire frontage of subject site, and on east side of Southwest Boulevard, also along the entire frontage of subject site.

Surrounding Lands

North of Subject Site: Across US 41, land is designated Urban Mixed Use District, Urban Residential Subdistrict on the Future Land Use Map, and zoned Whistlers Cove PUD. Whistlers Cove is developed with multi-family residential apartment buildings. The Lely Area Stormwater Improvement Project facility is situated (north) east (within Eagle Lakes Park), across US 41. A pedestrian sidewalk is on north side of US 41, along entire frontage opposite the subject site.

West of Subject Site: Land is designated Urban Mixed Use District, Urban Coastal Fringe Subdistrict. An area zoned C-5, Heavy Commercial District fronts US 41 and is developed with an automobile service station immediately across Southwest Boulevard; then with a self storage facility further (north) west. The area behind the commercial development, and across Southwest Boulevard, is zoned RSF-4 and developed as Trail Acres, a single family residential subdivision. A pedestrian sidewalk is on west side of Southwest Boulevard, along entire frontage opposite the subject site.

South of Subject Site: Land is designated Urban Mixed Use District, Urban Coastal Fringe Subdistrict. This area is zoned RSF-4 and developed as Trail Acres, a single family residential subdivision.

East of Subject Site: Land is designated Urban Mixed Use District, Urban Coastal Fringe Subdistrict, and zoned C-3 and MH. An area zoned C-3, Commercial Intermediate District fronts US 41 and is developed with a Collier County government service facility; then with a multi-tenant strip mall further (south) east, with its parking lot fronting US 41. The area behind these government service and commercial uses is the Hitching Post Mobile Home Park, with a mobile home park service building and vehicle area located directly behind the government service facility.

In summary, along with the commercial development on the south side of US 41, the existing land uses in the area immediately surrounding or directly opposite the subject site are predominately residential in nature.

STAFF ANALYSIS:

Background and Considerations

The Vincentian PUD was originally approved in 1985 (Ord. 85-27) and allowed "80 residential units for the elderly" on 10 acres for density of eight (8) dwelling units per acre; "a school, church, rectory and related uses" on 10 acres; and, "institutional care facilities such as, but not limited to children's home, residence for unwed mothers, family enrichment center, special educational center, etc." on 10.7 acres (31.7 acres total). The PUD was rezoned to a new Vincentian PUD in 1991 (Ord. 91-88), via the County's implementation of the zoning reevaluation program, to lower the residential allowance to 30 dwelling units (3 DU/A on 10 acres) (31.7 acres total). In 1999, the PUD was again rezoned to a new Vincentian PUD (Ord. 99-37) to allow 115,000 sq. ft. of commercial uses on 8.5 acres, residential development at four (4) dwelling units per acre on 9.8 acres, and group housing/nursing home/ALF at 0.45 FAR (30 acres total). In this latter rezone, the allowance of commercial uses along US 41 was deemed consistent with the FLUE via the Office and Infill Commercial Subdistrict. The commercial uses allowed are: all permitted uses in C-2, Convenience Commercial zoning district; amusement and recreation services – community theater, miniature golf course, bike and moped rental amusement and recreation services; auto & home supply stores; business services, with exceptions; drinking

places, with exclusions; hospitals; membership organizations; miscellaneous retail; museums & art galleries; paint, glass & wallpaper stores; public administration; non-depository credit institutions; real estate; retail nurseries, lawn & garden supply stores; social services; used merchandise stores, with exceptions; U.S. Postal Service, except major distribution center; and, any other commercial use comparable with the foregoing and consistent with the C-2 district.

For all three rezones, the property was owned by the [Catholic] Diocese of Venice; was designated Urban Coastal Fringe Subdistrict on the Future Land Use Map (as it is designated today); and, was in the Coastal Management Area then Coastal High Hazard Area – as it is today.

It is important to note that application materials suggest the uses generally described in the present Vincentian PUD are the basis from which new/additional uses are proposed, and are not confined to the permitted uses itemized above. This approach is reported further in the *Comments Specific to the Commercial Needs Analysis* section, below.

Justifications (Refer to Attachment “B”, Justification and Supplemental Information)

The justifications asserted in the application’s supplemental information for the proposed amendment are:

- (1) The shape and size of the subject site allows for a variety of commercial use options;
- (2) The area would benefit from additional commercial development;
- (3) The commercial needs study identifies a need for additional commercial uses and a deficiency in lands designated for commercial development;
- (4) Low density residential development is not feasible in the current market;
- (5) The site is well situated due to its access and exposure to an arterial roadway;
- (6) There is a strong demand for market rate apartments;
- (7) The minimum density necessary to attract a developer and quality design is considered to be around 12 dwelling units per acre;
- (8) The amount of commercial acreage and square footage is reduced in a mixed-use development scenario;

An assessment finds only some of these justifications are supported by the petition’s data and analysis. Detailed analyses are provided further below.

Commercial Analysis (Refer to Attachment “E”, *Commercial Needs Analysis*)

Generally, commercial development within a community can be categorized as strip commercial development, neighborhood commercial, community commercial, regional commercial, and so forth. 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 is able to estimate supportable commercial square feet for various lines of goods and services for that geography by shopping center type. Relevant to the subject petition, a community commercial needs analysis was provided in support of the requested commercial development.

The firm of Fishkind and Associates, Inc., conducted a *Commercial Needs Analysis* dated January 31, 2014 with an amended date of July 31, 2014, identifying the market conditions within a 5-minute, 10-minute and 15-minute drive time from the subject site. This analysis provided an assessment of the community commercial needs for the existing and projected population within the site’s market area. Analysis identifies that there is a demand for community serving commercial within the 10-minute and 15-minute drive-time market areas. The commercial square feet demand findings from the study are as follows:

The community commercial square feet demand that can be supported by the area's population projected in 2019 is 920,597 sq. ft. within the 10-minute drive time and 1,438,596 sq. ft. within the 15-minute drive time. To allow for flexibility within the market, the application of a 1.25 market factor yields supportable community square feet of 1,150,747 sq. ft. within the 10-minute drive time and 1,798,211 sq. ft. within the 15-minute drive time.

Staff Assessment:

Based on the data submitted with this petition it cannot be ascertained whether demand exists for additional community commercial square feet at this location. Irregularities in the data presented, such as the use of dwelling unit figures where commercial analyses typically use household figures contributes to these irregularities. Employing dwelling unit figures where households are being analyzed effectively over-estimates demand as household figures would not produce the same results. Derivative over-estimations directly impact the household income calculations for establishing demand. The application of the figures used produce an unrepresentative data set and conclusions based thereon are inaccurate. [Note: A "household" is, by U.S. Census Bureau definition, an occupied dwelling unit. Given the occupancy/vacancy rates in Collier County, there is a significant difference in the number of dwelling units and number of households in a given geography (countywide 67.5% occupancy/32.5% vacancy, but varies by Census Tract).]

Another example of inaccuracies produced by irregularities in the data submitted is the use of population numbers – where the data sets based on Census geography may have been split by the market area boundary. These are the Census sub-areas (Blocks or TAZs) used to calculate the population and households within the market area. For those sub-areas only partially within the market area, using whole – not partial – population figures over-calculates demand. The application of the whole figures used produces an unrepresentative data set and conclusions based thereon are inaccurate.

One more example of data irregularity is the all-inclusive commercial center types used in the demand calculations and reflected in the Allocation tables appearing in *Commercial Needs Analysis*. Household incomes available for spending on different goods and services (general merchandise, food, entertainment, etc.) are distributed among all shopping center types and not allocated further specifically to community commercial shopping centers – again, over-calculating demand. The application of the "all center types" figures produces an unrepresentative data set and conclusions based thereon are inaccurate.

The *Commercial Needs Analysis* reports a community commercial square feet supply of 2,437,398 sq. ft. described as existing or potential community commercial floor area in the market area.

Staff Assessment:

Many of the community shopping centers listed in the *Commercial Needs Analysis* contain developed outparcels which would seem to be integral components of the community shopping center, yet are excluded. Staff finds an additional 318,540 sq. ft. for an estimated total of 2,755,938 community commercial development (comprised of the outparcels, omitted square feet at existing centers – gardens centers at four different community centers, and differences in square foot allocations for some community centers). *See attached staff worksheet.*

The data and analysis submitted to support the request addresses community commercial uses only – but proposed Subdistrict provisions also allow neighborhood commercial development, regional commercial development [including several high intensity C-5, Heavy Commercial uses], all office development, and hotel/motel uses.

Staff Assessment:

Application materials over-estimate demand for, and under-estimate supply of, community commercial development, and do not provide the supply/demand data & analysis for other

commercial categories. Without such support, it cannot be ascertained that demand exists at this location for additional neighborhood commercial square feet beyond the square feet already approved in the PUD, or community and regional commercial square feet newly proposed.

Apartment Analysis (Refer to Attachment “D”, Rental Apartment Survey)

The firm of Fishkind and Associates, Inc., conducted a Rental Apartment Survey dated March 11, 2014 with an amended date of July 31, 2014, identifying the supply and demand trends and associated pricing of the rental apartment market in the County. This analysis surveyed more than forty apartment complexes including 100 apartments or more and assessed the housing needs for [market rate] rental apartment, and found the following:

- Increasing Average Sizes and Rental Rates
- An Increasing Countywide Occupancy Rate: From 88% in 2010 to 97% in 2013
- A Countywide Average Size: ≥ 20 acres
- A Countywide Average Density: from ≥ 11 units/acre to ≥ 13 units/acre
- A Countywide Average Unit Count: ≥ 231 units

The data and analysis submitted to support the request addresses a specific residential type – rental apartments – and proposed Subdistrict provisions allow only rental apartments. Application materials also review comparable rental condominiums, but do not provide the demand/supply data & analysis for fee simple condominiums, single-family residences or other residential types. Notwithstanding these absences, the demand for market rate apartments can be ascertained.

It is important to note that virtually all of the apartment complexes surveyed are located *outside* the Coastal High Hazard Area, where such densities and unit numbers are appropriate and can be attained. The County's limitations on density are detailed in the *Consistency with Coastal High Hazard Area Policies* section below.

Residential Density and Land Use Intensities

The FLUE allows density in the Urban Coastal Fringe Subdistrict, which lies within the CHHA, to exceed 4 dwelling units per acre only for developments qualifying for density bonuses by providing affordable housing.

The Subdistrict proposes residential density of nearly 12 dwelling units per acre in a location where 3 dwelling units per acre are allowed [4 dwelling units per acre using the conversion of commercial zoning density bonus, where applicable, or up to an additional 8 dwelling units per acre for affordable workforce housing density bonus] – while no qualifiers for density bonuses are being proposed or met. The Vincentian property presently allows for 4 dwelling units per acre based on the residential component acreage for a maximum of 39 dwelling units. Proposed Subdistrict provisions base density on the entire acreage for a maximum of 360 dwelling units. The amount of residential units is not reduced proportionally with any reduction of acreage devoted to commercial development. By way of comparison, the Whistler's Cove PUD meets affordable housing qualifiers for density bonuses and is approved for a density of 10 dwelling units per acre.

Application materials present a basis/rationale for allowing residential density to be calculated based upon total property acreage as an opportunity to maximize the site's development potential – without the density bonus qualifiers met by comparable developments.

Appropriateness of the Site

The Mixed Use Activity Center (MUAC) Subdistrict allows the full array of commercial uses (C-1 thru C-5 Districts) and residential density at a maximum of 16 dwelling units per acre, except within the Urban Coastal Fringe Subdistrict (max. of 4 DU/A) and Urban Residential Fringe Subdistrict (max. of 1.5 DU/A, or 2.5 dwelling units per acre utilizing the transfer of development rights). There are 19 MUACs; each is located at the intersection of two major roads, and they are spaced no closer than two (2) miles apart as measured at intersection midpoints. FLUE Mixed Use Activity Center Subdistrict provisions allow for establishment of new Activity Centers subject to the following criteria:

- Site must be situated at the intersection of two arterial roads or one arterial and one collector road – as identified in the Transportation Element;
- Site must be located no closer than two (2) miles from another MUAC; and,
- Market justification must be demonstrated.

This amendment allows the option of developing the site with commercial uses as allowed in the C-1 through C-5 zoning districts, with some exclusions, or residential development at 11.74 dwelling units per acre. Essentially, this Subdistrict allows the same commercial development use intensity as the MUAC, and residential development at a higher density than a MUAC within the Urban Coastal Fringe – albeit on 30.6 acres whereas MUAC quadrants were originally 40 acres each (now MUAC quadrants vary from less than 10 acres to roughly 250 acres). No other subdistrict besides MUAC allows the commercial use intensity proposed by this Subdistrict, and few others allow the residential density proposed or the density calculation based on total site acreage within a mixed use project. The subject site does not meet the first two criteria for establishing a new Activity Center and may not meet the third criterion.

Community Desires (Refer to Attachment “C”, Vision for the East Trail Corridor, and NIM comments toward the end of this Report.)

Staff understands that this *Vision* document was not prepared at BCC direction nor presented to and accepted by the BCC. Nonetheless, staff offers the following observations:

- General Urban areas in [East Trail Corridor] *Segment 1* and *Segment 2* are envisioned to be primarily low to medium density residential in nature but should provide opportunities for mixed use developments and live-work units, with quality landscaping and public parks, squares and greens. The present Vincentian PUD satisfies this vision (at a density of 4 dwelling units per acre), while the proposed Subdistrict would not (with a density of more than 11 dwelling units per acre).
- The vision for [East Trail Corridor] *Segment 2* does not seek more hotels or other non-community commercial uses, while the proposed Subdistrict allows hotels [and many of these other non-community commercial uses]. These inconsistencies between the proposed Subdistrict text and the *Vision* document do not lend support to the request.

People attending the Neighborhood Information Meeting raised questions and concerns related to site design and land uses. Find more information in the *NIM Synopsis* below.

Consistency with Coastal High Hazard Area Policies within the Growth Management Plan

As previously noted, the subject site lies within the Urban Coastal Fringe Subdistrict (UCF) and the Coastal High Hazard Area (CHHA). The CHHA encompasses all of the UCF, some lands north of US 41 East, and some lands north of the City of Naples (mostly west of US 41). The UCF Subdistrict reads as follows: “The purpose of this Subdistrict is to provide transitional densities between the Conservation designated area (primarily located to the south of the Subdistrict) and the remainder of the Urban designated area (primarily located to the north of the Subdistrict). The Subdistrict

comprises those Urban areas south of US 41, generally east of the City of Naples, and generally west of the Rural Fringe Mixed Use District Neutral Lands, but excludes Section 13, Township 51 South, Range 26 East, and comprises approximately 11,354 acres and 10% of the Urban Mixed Use District. The entire Subdistrict is located seaward of the Coastal High Hazard Area Boundary. In order to facilitate hurricane evacuation and to protect the adjacent environmentally sensitive Conservation designated area, residential densities within the Subdistrict shall not exceed a maximum of 4 dwelling units per acre, except as allowed in the Density Rating System to exceed 4 units per acre through provision of Affordable Housing and Transfers of Development Rights, and except as allowed by certain FLUE Policies under Objective 5, and except as provided in the Bayshore Gateway Triangle Redevelopment Overlay. New rezones to permit mobile home development within this Subdistrict are prohibited. Rezones are recommended to be in the form of a Planned Unit Development."

The CHHA reads as follows: "Policy 12.2.5 of the Conservation and Coastal Management Element (CCME) defines the Coastal High Hazard Area (CHHA). The CHHA boundary is generally depicted on the Future Land Use Map and is more precisely shown in the Future Land Use Map series; all lands lying seaward of that boundary are within the CHHA. New rezones to permit mobile home development shall not be allowed within the CHHA. The Capital Improvement Element and Conservation and Coastal Management Element both contain policies pertaining to the expenditure of public funds for public facilities within the CHHA."

Historically, the State has discouraged increasing density within the CHHA (so as to direct population concentration away from known or predicted coastal high hazards and not to negatively affect hurricane evacuation times). For the most part, so has the County. Only two density bonuses are applicable in the CHHA – affordable-workforce housing, and conversion of commercial zoning [that has been deemed consistent by policy]; other density bonuses are not applicable within the CHHA. By way of example, the Bayshore/Gateway Triangle Redevelopment Overlay (depicted on the FLUM and generally encompassing lands along Davis Blvd./US 41 East/Airport–Pulling Rd./Bayshore Dr.), now entirely within the CHHA, promotes redevelopment, especially of mixed use projects. When the County drafted the GMP amendment to create this Overlay in 2000, it included a traditional density bonus as an incentive (ask for density increase via rezoning process) which would have allowed an overall increase of density in the CHHA. The State objected. The County responded by revising the amendment to establish a density pool derived from previously entitled density from the Naples Botanical Gardens site (the density allowed by the zoning of that site prior to its rezoning to PUD); this was acceptable to the State. This density pool provides for increased density of projects within the Overlay via a reallocation of density, not a creation of new density, thus the overall density within the CHHA is not increased.

For most rezones within the UCF, density is limited to a maximum of 4 dwelling units per acre, and typically just 3 dwelling units per acre due to the density reduction factor of minus 1 dwelling units per acre for lying within the CHHA. The primary exception to 3 or 4 dwelling units per acre is for provision of affordable-workforce housing, a density bonus of up to 8 dwelling units per acre. The conversion of commercial zoning bonus is applicable in the UCF only to the extent of increasing density back to the cap of 4 dwelling units per acre [4 DU/A (base density) minus 1 DU/A (CHHA reduction) = 3 DU/A; +1 DU/A (conversion of commercial zoning bonus) = 4 DU/A maximum eligible density for market rate housing]. Outside of the UCF but still within the CHHA, the density cap is 16 dwelling units per acre, not 4 dwelling units per acre [4 DU/A (base density) minus 1 DU/A (CHHA reduction) = 3 DU/A; +16 DU/A (conversion of commercial zoning bonus) = 16 DU/A maximum eligible density for market rate housing].

Under the FLUE's density rating system, density is based upon the total site acreage less commercial and industrial acreage, and less any acreage for uses with a residential density equivalency established in the LDC; and, eligible density is not an entitlement. For the subject site, the maximum eligible density is 3 dwelling units per acre for market rate housing or 11 dwelling units per acre for

affordable-workforce housing (30 acres total minus 8.5 acres commercial tract = 21.5 acres x 3 DU/A = 65 DUs, or, x 11 DU/A = 237 DUs). Note: the existing PUD allows 4 dwelling units per acre, but this density is based solely on the acreage of the residential tracts (9.8 acres x 4 DU/A = 39 DUs).

Conservation and Coastal Management Element Policy 12.1.2 reads as follows: "Land use plan amendments in the Category 1 hurricane vulnerability zone shall only be considered if such increases in densities provide appropriate mitigation to reduce the impacts of hurricane evacuation times." The applicant responds that consistency is met by agreeing to provide, as requested by the Bureau of Emergency Services Director, a portable generator for use at emergency shelters.

Hurricane Mitigation Requirements

Collier County Emergency Management has reviewed the PUD and the associated hurricane mitigation needs to aid in evacuation refuge efforts for this site. Staff has determined that the best mitigation effort for this PUD would be for an off-site nearby public-shelter as is typically the shelter of last-resort. These shelter(s) are determined and announced as the storm approaches Collier County based on storm's intensity, surge model, direction of travel, time of day and day of week impact among others factors.

Collier County is therefore requiring the developer to provide a new towable, quiet running, extended run-time towable 45kW (minimum-kW) generator per Emergency Management's specifications. The towable generator will be a one-time developer contribution based on the number of units currently permitted to meet the hurricane mitigation impact for evacuation concerns. The generator specifications must be pre-approved by the Department of Emergency Management as the County has certain interoperable standards and required safety options.

The towable generator allows for additional evacuee capacities at various shelter(s) that can be used based on the storm factors referenced above.

*[Dan E. Summers, Director
Department of Emergency Management]*

Environmental Impacts

Passarella and Associates submitted an environmental report, dated October 2013. Collier County Department of Natural Resources personnel reviewed this petition and provided the following analysis:

The subject site is an undeveloped 30.68 acre parcel located on the south side of US 41 in the Urban Coastal Fringe Subdistrict. Surrounding properties are developed with residential and commercial uses, with no preserves or undeveloped land containing native vegetation abutting the subject site.

The majority of the subject site is forested with native vegetation, mainly slash pine and pine/cypress vegetative communities. Exotic vegetation occupies most of the site, with 50 to 100 percent coverage with exotic vegetation. Also on-site are approximately 12.66 acres of jurisdictional wetlands. Wetlands on-site are isolated with no hydrological connection to wetlands or waters off-site.

Listed species surveys were conducted on the subject site on March 6, 2012 and April 7, 1998 by the environmental consultant for the petitioner. No listed wildlife species or signs of listed wildlife species were observed on the property. A literature search by the environmental consultant found no documented occurrences of listed wildlife species on the property and the property not to be located in any state or federal agency designated habitat areas for listed wildlife species.

A letter from the Florida Department of State, Division of Historical Resources indicates no significant archaeological or historical sites recorded for or likely to be present within the subject area. The letter also states that because of the property location and/or nature it is unlikely that any such sites will be affected. The site is subject to the requirement for accidental discovery of archaeological or historical

sites as required by Conservation and Coastal Management Element (CCME) Policy 11.1.3. The provision is also included in Subsection 2.03.07 E of the Land Development Code (LDC).

The subject site is not located within any County well field protection zones.

The proposed GMP amendment allows for the off-site retention of all the native vegetation required to be retained on the subject property. Much of the subject site appears to already qualify for the off-site retention of native vegetation provision in the LDC, which allows for preserves with 75 percent or more coverage with exotic vegetation to be satisfied off-site. To insure the entire preserve requirement can be satisfied off-site, an exemption to the restrictions in the LDC provision has been included in the GMP amendment. Requests for deviations to the native vegetation retention requirements in the GMP and LDC are allowed pursuant to Conservation and Coastal Management Element (CCME) Policies 6.1.1 (10 & 13). The CCME Policies are as follows.

Policy 6.1.1 (10) CCME

The County shall adopt land development regulations that allow for a process whereby a property owner may submit a petition requesting that all or a portion of the native vegetation preservation retention requirement to be satisfied by a monetary payment, land donation that contains native vegetative communities equal to or of a higher priority as described in Policy 6.1.1 (4) than the land being impacted, or other appropriate method of compensation to an acceptable land acquisition program, as required by the land development regulations. The monetary payment shall be used to purchase and manage native vegetative communities off-site. The land development regulations shall provide criteria to determine when this alternative will be considered. The criteria will be based upon the following provisions:

- a. The amount, type, rarity and quality of the native vegetation on site;
- b. The presence of conservation lands adjoining the site;
- c. The presence of listed species and consideration of Federal and State agency technical assistance;
- d. The type of land use proposed, such as, but not limited to, affordable housing;
- e. The size of the preserve required to remain on site is too small to ensure that the preserve can remain functional; and
- f. Right of Way acquisitions for all purposes necessary for roadway construction, including ancillary drainage facilities, and including utilities within the right of way acquisition area.

The land development regulations shall include a methodology to establish the monetary value, land donation, or other appropriate method of compensation to ensure that native vegetative communities not preserved on-site will be preserved and appropriately managed off-site.

Policy 6.1.1 (13) CCME

The County may grant a deviation to the native vegetation retention requirements of sub-sections 2, 4, 5, 10, and 12 of this Policy, and shall adopt land development regulations to set forth the process for obtaining a deviation. The regulations shall allow for the granting of a deviation by the appropriate review board after a public hearing, and for the granting of a deviation administratively. The County shall consider the amount and type of native vegetation and the presence of listed species in determining whether the granting of a deviation requires a public hearing, or may be granted administratively.

The County may grant a deviation if:

- a. County, Federal or State agencies require that site improvements be located in areas which result in an inability to meet the provisions of this Policy, or

- b. On or off-site environmental conditions are such that the application of one or more provisions of this Policy is not possible or will result in a preserve area of lesser quality, or
- c. The strict adherence to these provisions will not allow for the implementation of other Plan policies that encourage beneficial land uses.

Given the above, staff supports the request to allow for off-site retention of native vegetation.

Pursuant to Chapter 2, Article VIII, Division 23, Section 2-1193 of the Collier County Codes of Laws and Ordinances, the project requires review by the [CCPC acting in their capacity as the] Environmental Advisory Council (EAC). A deviation to the provisions in the LDC on when native vegetation can be satisfied off-site is being requested through the GMP amendment. The applicable provision from Chapter 2, Article VIII, Division 23, Section 2-1193 of the Collier County Codes of Laws and Ordinances is provided below.

(m) Scope of land development project reviews. The EAC shall review the following:

- (1) Any PUD that requests a deviation from environmental standards of the LDC or any development order that requests a deviation from the provisions identified in GMP CCME Policy 6.1.1 (13).

*[Stephen Lenberger, Senior Environmental Specialist
Surface Water & Environmental Planning Section]*

Historical and Archaeological Impacts

The historical and archaeological characteristics inherent to the subject site are addressed in application materials. In a letter dated May 18, 1998 the Florida Department of State, Division of Historical Resources writes, "a review of the Florida Site File indicates no significant archaeological or historical sites are recorded for or likely to be present within the subject area, and that "it is unlikely that any such sites will be affected."

Traffic Capacity/Traffic Circulation Impact Study Analysis, Including Transportation Element Consistency Determination

Trebilcock Consulting Solutions submitted a Traffic Impact Study (TIS), dated October 18, 2013. The substantive review of this document was done by the Transportation Planning Section, and their review comments are provided below.

The petition indicates that [the subject site] is intended to have a corporate headquarters based, mixed-use project. The new Subdistrict however, allows for all commercial, all residential, or mixed-use (commercial and residential) development. The TIS analyzes it as a shopping center within a single-use scenario and within a mixed-use scenario. Additional uses that exceed the trip generation limits of the shopping center use have been proposed (i.e. gas station).

The land uses proposed are reconciled with the analysis in the TIS, reviewing the trip generation characteristics of each potential use. The most impactful combination of trip generators has been selected at the maximized square footage they could achieve, and a trip generation "cap" has been developed that will become a condition of approval [in the companion PUD]. The proposal may be considered consistent with the Transportation Element of the GMP by way of implementing this Trip Generation Cap at the zoning phase as a mitigation strategy to limit their impacts (which meets Policy 5.1 of the Transportation Element). Implementing the Trip Generation Cap ensures the TIS will be consistent with the categorized land uses, and the PUD and FLUM will be consistent with one another.

*[John Podczerwinsky, Project Manager
Transportation Planning Section]*

Public Facilities Impact

Development within the Coastal High Hazard Area (CHHA) is addressed in the Conservation and Coastal Management Element (CCME). CCME Objective 3 and related Policies limit public expenditures in the CHHA for certain public facilities needed to support new development permitted by the Future Land Use Element. Application materials present the public facilities needed to support the Vincentian Mixed Use Subdistrict as follows:

- **Water:** The subject site will be served by Collier County Water District potable water treatment and distribution system. Depending upon the development scenario (all commercial, all residential, or mixed-use development), the estimated demand for potable water for the project ranges from 28,000 to 42,000 gallons per day [Peak demand: from 78 to 117 gallons per minute].
- **Wastewater:** The subject site will be served by the Collier County Sewer District wastewater collection and treatment system. Depending upon the development scenario, the estimated demand for wastewater for the project ranges from 25,000 to 38,000 gallons per day [Peak demand: from 69 to 106 gallons per minute].
- **Solid Waste Disposal:** The service provider is Collier County Solid Waste Management. The Annual Update and Inventory on Public Facilities (AUIR) indicates the County has sufficient landfill capacity up to the year 2065 for the required lined cell capacity.
- **Stormwater Management:** Future development is expected to comply with the SFWMD and/or Collier County rules and regulations that assure controlled accommodation of stormwater events by both on-site and off-site improvements.
- **Park and Recreational Facilities:** There are no anticipated adverse impacts to park facilities from the proposed development.
- **Schools:** There are no anticipated adverse impacts to public school facilities from the proposed development.
- **Emergency Medical and Fire Protection Services:** The subject site is located within the Golden Gate Fire District. The proposed increases of commercial intensity and floor area and increases of residential density and dwelling units are anticipated to have minimal impacts on these safety services.

*[Kris Van Lengen, Principal Project Manager
Public Utilities Planning & Project Management Dept.]*

NEIGHBORHOOD INFORMATION MEETING (NIM) SYNOPSIS:

A Neighborhood Information Meeting (NIM) required by LDC Section 10.03.05 F was [duly advertised, noticed and] held on Thursday, July 17, 201, 5:30 p.m. at the Collier County South Regional Library, Meeting Rm. "B", located at 8065 Lely Cultural Parkway, Naples. Approximately 16 people other than the application team and County staff attended – and heard the following information:

The applicant's agent provided a full description of the proposed GMP amendment to the group, including that the amendment has a companion petition to amend the PUD. Together they will allow for flexibility in design, in terms of allowing a mixture of uses.

The applicant desires any residential development to be higher density at market rate, and indicated a commitment to preclude affordable housing. People voiced their concerns regarding affordable housing and supported the applicant's commitment to develop only market rate housing.

People voiced their concerns regarding storm events and water run-off, and the distances water management facilities, buffer plantings and berms would be to their properties. They also discussed

interconnection with the Hitching Post Plaza, and suggested that these features [indicated above] be designed to not obstruct interconnection and afford the ability to create access. Land uses on both side of this property boundary would need to be configured or reconfigured to keep this option open – and both the applicant and the speakers were encouraged to pursue this further.

People voiced their concerns about the height limitations on buildings for the variety of different uses allowed, such as the multi-family residential buildings, senior living facilities, hotels, and so forth. The applicant's agent described their design as one providing "good" separation and substantial landscape buffers.

Aside from the concerns summarized above no one in attendance expressed opposition to the proposed GMP amendment. The meeting was completed by 6:30 p.m.

[Synopsis prepared by C. Schmidt, AICP, Principal Planner]

FINDINGS AND CONCLUSIONS:

The following findings and conclusions result from the reviews and analyses of this request:

- The subject site was approved in 1999 for mixed use development only – not stand-alone commercial or residential development. The approved density of 4 dwelling units per acre based only upon PUD residential tracts acreage yields less density than allowed by the FLUE (39 vs. 65 DUs).
- More than 12,000 approved but un-built dwelling units are proximate to this site, with application materials explaining why this existing inventory cannot be used to meet the demand for more apartments.
- The proposed Subdistrict limits residential development to market rate apartments only.
- Subdistrict allows residential density of nearly 12 dwelling units per acre in a Coastal High Hazard Area location where additional dwelling units (beyond 4 DU/A) can only be attained when qualifying for an affordable workforce housing density bonus, but no qualifiers for density bonuses are met.
- The amount of residential units in mixed use developments are typically reduced proportionally with the amount of acreage devoted to commercial development, but this Subdistrict bases residential density on the entire acreage allowing for 360 dwelling units.
- To represent shopping practices in typical market analyses, a declining household percentage is applied to the three drive times, the farther from the subject site the market area extends.
- Significant impacts to public facilities, as defined in the Capital Improvement Element, with respect to Transportation, Potable Water Supply, Wastewater Treatment, Stormwater Management and Solid Waste Disposal facilities will not result from this amendment.
- Based on data and analysis submitted for the supply of existing and potential commercial development and demand within the market area for the subject site, the additional need for the proposed commercial uses contemplated by this amendment to serve the surrounding residential areas cannot be ascertained/has not been demonstrated.
- Adverse environmental impacts will not result from this amendment.

Staff finds that the data and analysis for the subject Growth Management Plan amendment does not support the proposed changes to introduce a new Subdistrict by redesignating the subject site from the Urban Coastal Fringe Subdistrict to the Vincentian Mixed Use Subdistrict.

LEGAL CONSIDERATIONS:

This Staff Report has been reviewed by the County Attorney's Office and is legally sufficient. [HFAC]

STAFF RECOMMENDATION:

That the Collier County Planning Commission forward Petition CP-2013-10, as submitted, to the Board of County Commissioners with a recommendation not to approve for transmittal to the Florida Department of Economic Opportunity.

IF the Planning Commission chooses to recommend transmittal as proposed by petitioner, staff recommends the following revisions to the applicant's proposed Subdistrict text (for proper code language, format, clarity, etc. only – not intended to change allowable uses, intensities, development standards or other items of substance):

Note: Words underlined are added – as proposed by petitioner; words double underlined are added, words ~~double struck through~~ are deleted – as proposed by staff.

Insert on Page 46 of the Future Land Use Element:

17. Vincentian Mixed - Use Subdistrict

This Subdistrict contains approximately 30.68 acres, and is located on the south/west side of Tamiami Trail East (US 41) ~~US 41/Tamiami Trail East, as shown~~ and is depicted on the Vincentian Mixed Use Subdistrict Map. The purpose of this Subdistrict is to ~~provide allow for a mixture of~~ neighborhood, ~~or~~ community, and regional commercial development; residential development; and mixed use (commercial and residential) development. ~~other employment-generating uses such as corporate headquarters.~~ The Subdistrict is intended to include commercial uses to serve the emerging residential development in close proximity to this Subdistrict and/or the greater Naples area, and potentially allow for office uses that would provide employment opportunities for residents in the surrounding area. ~~In addition, the Subdistrict provides the alternative of residential or mixed use development.~~ The property may be developed entirely as commercial, entirely as residential, or as a mixture of residential and commercial uses.

The development of this Subdistrict shall comply with the following restrictions, limitations and standards: ~~allows all these commercial~~

- a. Allowable uses: All uses allowed in the C-1 through C-5 zoning districts, both by right and by as conditional uses, as listed in the Collier County Land Development Code in effect as of the date of adoption of this Subdistrict, except as prohibited ~~with the exception of the prohibited uses, listed below.~~
- b. ~~The following uses are prohibited within the Subdistrict~~ Prohibited uses:
 1. Pawn shops (5932),
 2. Adult book stores, adult video rental or sales, or any other use that is defined as a "sexually oriented business" in the Collier County Code of Laws, 26-151 et seq.,
 3. Animal specialty services except veterinary (0752); except outside kenneling and dog grooming are permitted,
 4. Automatic merchandising machine operators (5962),
 5. Correctional institutions (9223),
 6. Crematories (7261),
 7. Farm product raw materials (5153—5159),
 8. Fishing, commercial (0912—0919),

9. Fuel dealers (5983—5989).
 10. Homeless shelters and soup kitchens.
 11. Installation or erection of building equipment contractors (1796).
 12. Local and suburban passenger transportation (4131—4173).
 13. Marinas (4493 & 4499) .
 14. Motor vehicle dealers, used only (5521).
 15. Miscellaneous personal services, not elsewhere classified (7299), Coin operated service machine operations, Comfort station operation, Escort service, Locker rental, Massage parlors (except those employing licensed therapists), Rest room operation, Tattoo parlors, Turkish baths, Wedding chapels, privately operated.
 16. Power laundries, family and commercial (7211), and
 17. Transfer stations (4212).
- c. Additional use restrictions and intensity standards:
1. Commercial uses shall will be limited to a maximum of 250,000 square feet of gross leasable floor area (GLFA), ~~a~~ and one hotel (~~max.~~ maximum FAR 0.6 and a maximum of 150 rooms), and an assisted living facility (~~max.~~ maximum FAR 0.6).
 2. Residential development shall will be limited to a maximum density of 11.74 units/ per acre, calculated on the gross acreage of the ~~project~~ property, inclusive of any commercial portions, for a maximum of 360 ~~market rate rental apartment~~ dwelling units.
 3. If the project is developed as mixed use, ~~including~~ (residential and commercial uses), the residential density ~~limitation~~ allowance is as provided for in Number 2. above, and the commercial portion of the project shall not exceed 10 acres in size ~~—further limited to~~ and a maximum of 128,000 square feet of GLFA of commercial ~~Neighborhood Commercial~~ uses, and a 150-room hotel not to exceed 0.6 FAR, and an Assisted Living Facility at a 0.6 FAR. Commercial uses shall be limited to those uses permitted by right in the C-1 through C-3 zoning districts.
 4. Under any of the development scenarios above, the average weekday pm peak hour entering/exiting trip generation shall not exceed 1,107 total trips.
 5. ~~A single (one)~~ Only one automobile service station is allowed; it may be located ~~permitted~~ anywhere within the Subdistrict ~~except, for mixed use development, shall be limited to the commercial tract.~~ In lieu of an automobile service station, accessory fuel pumps in association with a grocery store or membership warehouse type facility ~~are allowed may be permitted.~~
 6. A recreational site for the use of the adjacent RV or mobile home parks may be developed on a maximum of 3 acres. The recreational site may include facilities such as a pool, clubhouse, and tennis courts.
- d. Site Development:
1. Rezoning of this Subdistrict is encouraged to be in the form of a PUD, Planned Unit Development, ~~—which must~~ The rezone ordinance shall contain development and design standards to ensure compatibility with internal uses as well as adjacent external uses, and shall include additional restrictions and standards necessary to insure that uses and hours of operation are compatible with surrounding land uses.
 2. The subject site will be developed with a common architectural and landscaping theme, to be submitted with ~~at the time of the first~~ Site Development Plan.
 3. The unified planned development submitted at time of the first Site Development Plan will reflect, to the maximum extent feasible, internal connectivity through shared parking and cross-access agreements.

- ~~4. If the subject site is developed with residential uses only, the project will provide a minimum of 60 percent open space. Otherwise, the minimum open space shall be 30 percent.~~
5. 4. Pedestrian connections are encouraged, both with perimeter properties, where feasible, and between internal buildings.
6. 5. Building height shall be permitted to a maximum of 50 feet zoned and 57 feet actual.
7. 6. The building setback from any of the Subdistrict boundaries shall be 50% of the building height, but not less than 25 feet.
- ~~8. At the time of rezoning, the developer shall provide additional restrictions and standards necessary to insure that uses and hours of operation are compatible with surrounding land uses.~~
9. 7. At the time of Site Development, the required on-site vegetation retention may be satisfied off-site, pursuant to Policy 6.1.1 (13) of the Conservation and Coastal Management Element (CCME) of the Growth Management Plan. The portion of native vegetation satisfied off-site shall follow the procedures of the LDC but not be subject to the restrictions and limitations in the LDC on the vegetation allowed to be taken off-site, except that remaining portions of preserve on-site shall be a minimum of one acre in size. If the portion of native vegetation satisfied off-site is met by land donation to the County, the specific off-site property shall be taken to the Board of County Commissioners for acceptance. However, a hearing before the Conservation Collier Land Acquisition Advisory Committee will not be required.
10. 8. Residential Any residential development shall be limited to developed as a market-rate rental apartment project to avoid the concentration of affordable housing in one location in the County.

As a second alternative: IF the Planning Commission chooses to recommend transmittal – but without the residential component and limiting commercial uses to non-regional commercial development – staff recommends the following revisions to the applicant’s proposed Subdistrict text (for proper code language, format, clarity, etc. *AND* to eliminate the residential component, attempt to limit commercial to non-regional uses, and limit building floor area):

Note: Words underlined are added – as proposed by petitioner; words double underlined are added, words ~~double struck through~~ are deleted – as proposed by staff.

Insert on Page 49 11 of the Future Land Use Element:

Policy 1.1:

The URBAN Future Land Use Designation shall include Future Land Use Districts and Subdistricts for:

A. URBAN - MIXED USE DISTRICT

1. Urban Residential Subdistrict
2. Urban Residential Fringe Subdistrict
3. Urban Coastal Fringe Subdistrict
4. Business Park Subdistrict
5. Office and Infill Commercial Subdistrict
6. PUD Neighborhood Village Center Subdistrict
7. Residential Mixed Use Neighborhood Subdistrict
8. Orange Blossom Mixed-Use Subdistrict
9. Vanderbilt Beach/Collier Boulevard Commercial Subdistrict
10. Henderson Creek Mixed-Use Subdistrict

- 11. Research and Technology Park Subdistrict
- 12. Buckley Mixed-Use Subdistrict
- 13. Commercial Mixed Use Subdistrict
- 14. Livingston/Radio Road Commercial Infill Subdistrict
- 15. Vanderbilt Beach Road Neighborhood Commercial Subdistrict
- 16. Collier Boulevard Community Facility Subdistrict
- ~~17. Vincentian Mixed Use Subdistrict~~

B. URBAN – COMMERCIAL DISTRICT

- 1. Mixed Use Activity Center Subdistrict
- 2. Interchange Activity Center Subdistrict

*** *** *** *** *** Text Break *** *** *** *** *** ***

- 11. Orange Blossom/Airport Crossroads Commercial Subdistrict
- 12. Vincentian Commercial Subdistrict

Insert on Page 26 of the Future Land Use Element:

12. Commercial uses subject to criteria identified in the Urban - Mixed Use District, PUD Neighborhood Village Center Subdistrict, Office and Infill Commercial Subdistrict, Residential Mixed Use Neighborhood Subdistrict, Orange Blossom Mixed-Use Subdistrict, Buckley Mixed Use Subdistrict, Vanderbilt Beach/Collier Boulevard Commercial Subdistrict, Commercial Mixed Use Subdistrict, Henderson Creek Mixed Use Subdistrict, Livingston/Radio Road Commercial Infill Subdistrict, Vanderbilt Beach Road Neighborhood Commercial Subdistrict, ~~Vincentian Mixed Use Subdistrict~~; and, in the Urban Commercial District, Mixed Use Activity Center Subdistrict, Interchange Activity Center Subdistrict, Livingston/Pine Ridge Commercial Infill Subdistrict, Livingston Road/Eatonwood Lane Commercial Infill Subdistrict, Livingston Road Commercial Infill Subdistrict, Commercial Mixed Use Subdistrict, Livingston Road/Veterans Memorial Boulevard Commercial Infill Subdistrict, Goodlette/Pine Ridge Commercial Infill Subdistrict; Orange Blossom/Airport Crossroads Commercial Subdistrict, Vincentian Commercial Subdistrict, in the Bayshore/Gateway Triangle Redevelopment Overlay; and, as allowed by certain FLUE policies.

Insert on Page 46 of the Future Land Use Element:

17. Vincentian Commercial Mixed Use Subdistrict

This Subdistrict contains approximately 30.68 acres, and is located on the south/west side of Tamiami Trail East (US 41) ~~US 41/Tamiami Trail East, as shown~~ and is depicted on the Vincentian Mixed Use Subdistrict Map. The purpose of this Subdistrict is to ~~provide allow for a mixture of neighborhood or community commercial development, residential development, and other employment generating uses such as corporate headquarters.~~ The Subdistrict is intended to include commercial uses to serve the emerging residential development in close proximity to this Subdistrict and/or the greater Naples area, and ~~potentially allow for office uses that would provide employment opportunities for residents in the surrounding area. In addition, the Subdistrict provides the alternative of residential or mixed use development. The property may be developed entirely as commercial, entirely as residential, or as a mixture of residential and commercial uses.~~

The development of this Subdistrict shall comply with the following restrictions, limitations and standards: ~~allows all these commercial~~

- a. Allowable uses: All uses allowed by right in the C-4 ~~C-1 through C-5~~ zoning districts, as listed in the Collier County Land Development Code in effect as of the date of adoption of this Subdistrict.

~~both by right and as conditional uses, except as prohibited with the exception of the prohibited uses listed below.~~

b. ~~The following uses are prohibited within the Subdistrict Prohibited uses:~~

- ~~1. Amusement and recreation services, indoor.~~
- ~~2. Automotive vehicle and equipment dealers (5511 and 5599, new vehicles only).~~
- ~~3. Bowling centers, indoor (7933).~~
- ~~4. Motorcycle dealers (5571).~~
- ~~1. Pawn shops (5032).~~
- ~~2. Adult book stores, adult video rental or sales, or any other use that is defined as a "sexually oriented business" in the Collier County Code of Laws, 26-151 et seq.~~
- ~~3. Animal specialty services except veterinary (0752); except outside kenneling and dog grooming are permitted.~~
- ~~4. Automatic merchandising machine operators (5962).~~
- ~~5. Correctional institutions (9223).~~
- ~~6. Crematories (7261).~~
- ~~7. Farm product raw materials (5153 – 5159).~~
- ~~8. Fishing, commercial (0912 – 0919).~~
- ~~9. Fuel dealers (5093 – 5099).~~
- ~~10. Homeless shelters and soup kitchens.~~
- ~~11. Installation or erection of building equipment contractors (1706).~~
- ~~12. Local and suburban passenger transportation (4131 – 4173).~~
- ~~13. Marinas (4493 & 4499).~~
- ~~14. Motor vehicle dealers, used only (5521).~~
- ~~15. Miscellaneous personal services, not elsewhere classified (7209). Coin-operated service machine operations, Comfort station operation, Escort service, Locker rental, Massage parlors (except those employing licensed therapists), Rest room operation, Tattoo parlors, Turkish baths, Wedding chapels, privately operated.~~
- ~~16. Power laundries, family and commercial (7211), and~~
- ~~17. Transfer stations (4212).~~

c. ~~Additional use restrictions and intensity standards:~~

- ~~1. Commercial uses shall ~~will~~ be limited to a maximum of 200,000 ~~250,000~~ square feet of gross leasable floor area (GLFA), a hotel (max. FAR 0.6 and a maximum of 150 rooms), and an assisted living facility (max. maximum FAR 0.6).~~
- ~~2. Residential will be limited to a maximum density of 11.74 units/acre, calculated on the gross acreage of the project, inclusive of any commercial portions, for a maximum of 360 market-rate rental apartment dwelling units.~~
- ~~3. If the project is developed as mixed use, including residential and commercial uses, the residential density limitation is as provided for in Number 2. above, and the commercial portion of the project shall not exceed 10 acres in size, further limited to a maximum of 128,000 square feet of Neighborhood Commercial uses, a 150 room hotel, and an Assisted Living Facility at a 0.6 FAR.~~
- ~~4. 2. Under any of the development scenarios above, the average weekday pm peak hour entering/exiting trip generation shall not exceed 1,107 total trips.~~

5. ~~3. A single (one) Only one automobile service station is allowed; it may be located permitted anywhere within the Subdistrict. In lieu of an automobile service station, accessory fuel pumps in association with a grocery store or membership warehouse type facility are allowed may be permitted.~~
 6. ~~4. A recreational site for the use of the adjacent RV or mobile home parks may be developed on a maximum of 3 acres. The recreational site may include facilities such as a pool, clubhouse, and tennis courts.~~
- d. Site Development:
1. Rezoning of this Subdistrict is encouraged to be in the form of a PUD, Planned Unit Development, ~~which must~~ The rezone ordinance shall contain development and design standards to ensure compatibility with internal uses as well as adjacent external uses, and shall include additional restrictions and standards necessary to insure that uses and hours of operation are compatible with surrounding land uses.
 2. The subject site will be developed with a common architectural and landscaping theme, to be submitted with ~~at the time of the first~~ Site Development Plan.
 3. The unified planned development submitted at time of ~~the first~~ Site Development Plan will reflect, to the maximum extent feasible, internal connectivity through shared parking and cross-access agreements.
 4. ~~If the subject site is developed with residential uses only, the project will provide a minimum of 60 percent open space. Otherwise, the minimum open space shall be 30 percent.~~
 5. 4. Pedestrian connections are encouraged, both with perimeter properties, where feasible, and between internal buildings.
 6. 5. Building height shall be permitted to a maximum of 50 feet zoned and 57 feet actual.
 7. 6. The building setback from any of the Subdistrict boundaries shall be 50% of the building height, but not less than 25 feet.
 8. ~~At the time of rezoning, the developer shall provide additional restrictions and standards necessary to insure that uses and hours of operation are compatible with surrounding land uses.~~
 9. 7. At the time of Site Development, the required on-site vegetation retention may be satisfied off-site, pursuant to Policy 6.1.1 (13) of the Conservation and Coastal Management Element (CCME) of the Growth Management Plan. The portion of native vegetation satisfied off-site shall follow the procedures of the LDC but not be subject to the restrictions and limitations in the LDC on the vegetation allowed to be taken off-site, except that remaining portions of preserve on-site shall be a minimum of one acre in size. If the portion of native vegetation satisfied off-site is met by land donation to the County, the specific off-site property shall be taken to the Board of County Commissioners for acceptance. However, a hearing before the Conservation Collier Land Acquisition Advisory Committee will not be required.
 10. ~~Any residential development shall be developed as a market rate rental apartment project to avoid the concentration of affordable housing in one location in the County.~~

Insert on Page 141 of the Future Land Use Element:

Urban Rural Fringe Transition Zone Overlay Map
 Orange Blossom Mixed Use Subdistrict Map
 Vanderbilt Beach/Collier Boulevard Commercial Subdistrict Map
 Goodlette/Pine Ridge Commercial Infill Subdistrict Map
 Henderson Creek Mixed-Use Subdistrict Map
 Buckley Mixed-Use Subdistrict Map

Livingston/Pine Ridge Commercial Infill Subdistrict Map
Vanderbilt Beach Road Neighborhood Commercial Subdistrict Map
Livingston Road/Eatonwood Lane Commercial Infill Subdistrict Map
Livingston Road Commercial Infill Subdistrict Map
Orange Blossom/Airport Crossroads Commercial Subdistrict
Livingston Road/Veteran's Memorial Boulevard Commercial Infill Subdistrict Map
Corkscrew Island Neighborhood Commercial Subdistrict Map
Collier Boulevard Community Facility Subdistrict Map
Coastal High Hazard Area Map
Coastal High Hazard Area Comparison Map
Vincentian Commercial ~~Mixed Use~~ Subdistrict Map

PREPARED BY:

Corby Schmidt
Corby Schmidt, AICP, Principal Planner
Comprehensive Planning Section, Planning And Zoning Department

DATE: 11 Aug 14

REVIEWED BY:

David Weeks
David Weeks, AICP, Growth Management Plan Manager
Comprehensive Planning Section, Planning And Zoning Department

DATE: 8-11-14

REVIEWED BY:

Mike Bosi
Mike Bosi, AICP, Director, Planning And Zoning Department

DATE: 8-11-14

APPROVED BY:

Nick Casalanguida
Nick Casalanguida, Administrator
Growth Management Division

DATE: 8-12-14

PETITION NO.: CP-2013-10 / PL-2013-0001767
Staff Report for the August 21, 2014, CCPC Meeting.

NOTE: This petition has been scheduled for the October 14, 2014, BCC Meeting.

com'l s.f. comparison

	s.f. - staff	s.f. - petitioner	difference
Existing Community Commercial - 5 mile	859,358	807,449	51,909
Potential Community Commercial - 5 mile	497,467	550,735	(53,268)
SUM 5 mile	1,356,825	1,358,184	(1,359)
Existing Community Commercial - 10 mile	924,985	852,558	72,427
Potential Community Commercial - 10 mile	347,500	327,000	20,500
SUM 10 mile	1,272,485	1,179,558	92,927
Existing Community Commercial - 15 mile	422,773	336,564	86,209
Potential Community Commercial - 15 mile	2,333,165	2,100,834	232,331
SUM 15 mile	2,755,938	2,437,398	318,540
SUM Marco	110,532	110,596	(64)
SUM of Existing & Potential Community Commercial	5,495,780	5,085,736	410,044

conclusion:

staff estimates a total of 410,044 s.f. more community commercial development than petitioner