



**STAFF REPORT  
COLLIER COUNTY PLANNING COMMISSION**

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

**HEARING DATE:** September 3, 2015 (continued from August 6)

**SUBJECT:** PETITION CPSS-2014-4 / PL-2014-0002143, SMALL SCALE GROWTH  
MANAGEMENT PLAN AMENDMENT (*ADOPTION HEARING*)

**ELEMENT:** GOLDEN GATE AREA MASTER PLAN (GGAMP)

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**APPLICANT/OWNER/AGENTS:**

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**GEOGRAPHIC LOCATION:** The ±5.18 acre subject property is located mid-block, on the south side of Immokalee Road (CR 846) and north side of Autumn Oaks Lane, approximately 0.7 mile east of I-75, and comprised of Tracts 51 and 70 of Golden Gate Estates Unit 97, in Section 29, Township 48 South, Range 26 East.

**REQUESTED ACTION:** Amendment to the Golden Gate Area Master Plan (GGAMP) of the Growth Management Plan and to the GGAMP Future Land Use Map and Map Series, to establish the Southbrooke Office Subdistrict in the Estates – Commercial District for up to 40,000 square feet of gross floor area for uses allowed in the C-1, Commercial Professional and General Office zoning district, affecting fewer than ten (10) acres.

The proposed GGAMP map amendment is accompanied by new Subdistrict text, as follows:

B. Estates - Commercial District

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**7. Southbrooke Office Subdistrict**

The Southbrooke Office Subdistrict is approximately five (5) acres and is located approximately 1/4 mile east of Oakes Boulevard on the south side of Immokalee Road. The intent of the subdistrict is to permit general office, medical office, and business service uses generally consistent with those uses permissible by right, or as conditional use in the C-1 commercial professional and general office zoning district. This subdistrict will serve as a transitional use from the general commercial uses found on the north side of Immokalee Road and the 6-lane Immokalee Road arterial roadway, to the low density, large-lot Estates residential area south of the subdistrict.

Development within the subdistrict is encouraged to be rezoned as a PUD in order to provide greater specificity of permitted land uses, development standards and any necessary operational characteristics. A maximum of 40,000 square feet of commercial development shall be permitted. All buildings will be limited to single-story, and shall be constructed in a common architectural theme. A

minimum 30' wide vegetated buffer shall be provided adjacent to Autumn Oaks Lane, which shall consist of retained native vegetation. Access to the subdistrict shall only be from Immokalee Road.

**PURPOSE/DESCRIPTION OF PROJECT:** To re-designate the property from the Residential Estates Subdistrict in the Estates – Mixed Use District, to the Southbrooke Office Subdistrict in the Estates – Commercial District. A companion petition [PUDZ-PL-2014-0002077] would rezone the ±5.18 acre property from the Estates zoning district to the Southbrooke Office PUD.

**SURROUNDING LAND USE, ZONING AND FUTURE LAND USE DESIGNATION:**

**Subject Property:** The subject ±5.18 acres is currently zoned E, Estates District and undeveloped. The present Future Land Use designation of Estates – Mixed Use District, Residential Estates Subdistrict as identified on the GGAMP Future Land Use Map allows single-family residences, and limited non-residential uses (e.g. community facilities, essential services, etc.).

**Surrounding Lands:**

North of the Subject Property: Across Immokalee Road, a 6-lane divided arterial roadway, and an east-west drainage canal, is land currently zoned Quail II PUD and developed commercially [allowing for C-3 uses] with an automobile service station, bagel place, walk-in medical clinic, specialty medical providers and labs, dental offices, real estate offices, child daycare facility, home care services provider, and other similar uses located along Executive Drive. Approximately 89,598 commercial sq. ft. are developed of the 184,000 sq. ft. approved. Further to the north are residential portions of Quail II where 512 residences are approved for development. The Future Land Use designation is Urban Mixed Use District, Urban Residential Subdistrict on the Future Land Use Map.

West of the Subject Property: Land is currently zoned E, Estates and developed with a water management feature. Further to the west are places of worship and vacant Estates parcels. The Future Land Use designation is Estates – Mixed Use District, Residential Estates Subdistrict on the Future Land Use Map. The “I-75 and Immokalee Road Interchange Activity Center” lies less than one-half mile west.

South of the Subject Property: Across Autumn Oaks Lane, a 2-lane undivided local road, land is currently zoned E, Estates where single-family residences and residential lots, as parts of the Golden Gate Estates subdivision are found. The Future Land Use designation is Estates – Mixed Use District, Residential Estates Subdistrict on the Future Land Use Map.

East of the Subject Property: Land is currently zoned E, Estates and undeveloped. Further to the east are places of worship (including one providing a child care and preschool educational “academy”, and elementary school, and another providing accessory classrooms), and North Naples Fire Station 42. The Future Land Use designation is Estates – Mixed Use District, Residential Estates Subdistrict on the Future Land Use Map.

In summary, along with the commercial development on the north side of Immokalee Road, the current zoning and, existing and planned land uses in the area immediately surrounding the mid-block subject property are primarily suburban- and estate-type residences or residential lots in all directions.

**STAFF ANALYSIS:**

**Background and Considerations:**

The Estates designation is characterized by low density semi-rural residential lots with limited opportunities for other land uses. Typical lots are 2.25 acres in size. However, there are some legal non-conforming lots as small as 1.14 acres. Residential density is limited to a maximum of one unit per 2.25 gross acres, or one unit per legal non-conforming lot of record, exclusive of guesthouses. Multiple family dwelling units, duplexes, and other structures containing two or more principal dwellings, are prohibited in all Districts and Subdistricts in this Designation.

Generally, the Estates Designation also accommodates future non-residential uses, including:

- Conditional uses and essential services as defined in the Land Development Code, except as prohibited in the Neighborhood Center Subdistrict. Also, refer to the various nonresidential uses allowed in the Conditional Uses Subdistrict.
- Parks, open space and recreational uses.
- Group Housing shall be permitted subject to the definitions and regulations as outlined in the Collier County Land Development Code (Ordinance No. 04-41, adopted June 22, 2004, effective October 18, 2004) and consistent with locational requirements in Florida Statutes.

Group Housing includes the following type facilities:

- Family Care Facility if occupied by not more than six (6) persons shall be permitted in residential areas.
- Group Care Facility,
- Care Units,
- Adult Congregate Living Facilities, and
- Nursing Homes.
- Schools and school facilities in the Estates Designation north of I-75, and where feasible and mutually acceptable, co-locate schools with other public facilities, such as parks, libraries and community centers to the extent possible.

The existing Future Land Use designation allows for viable residential and the above non-residential uses on the subject site. Most of the uses allowed by conditional use would also require a GMP amendment at the subject site's location. Application materials however, do not suggest that these non-commercial uses were taken into consideration in the analysis of the site.

When the GMP was adopted in 1989, it established the Mixed Use Activity Center Subdistrict (MUAC), the Commercial Under Criteria [infill] provision, and the PUD Neighborhood Commercial Subdistrict in the Future Land Use Element (FLUE) as the only provisions to allow establishment of new commercial zoning. The MUAC states, in part: "The Mixed Use Activity Center concept is designed to concentrate almost all new commercial zoning in locations where traffic impacts can readily be accommodated, to avoid strip and disorganized patterns of commercial development, and to create focal points within the community." MUACs are located at the intersection of two arterial roads or an arterial road and a collector road.

Coinciding with the MUAC concept, FLUE Policy 3.1 included the provision to establish a zoning reevaluation program for the purpose of evaluating properties whose existing zoning was inconsistent with the FLUE and FLUM (Future Land Use Map) and the properties were unimproved. Relevant to this petition, the overall objective was to rezone the inconsistently zoned and unimproved commercial properties to zoning districts consistent with the FLUE so as to eliminate strip and isolated commercial zoning while directing most new commercial zoning to MUACs. *[emphasis added]* With the exception of private sector initiated GMP amendments that established site-specific commercial subdistricts, broad provisions for commercial-only development (as opposed to mixed use) have not changed significantly since 1989: MUACs at I-75 interchanges are now labeled Interchange Activity Centers, all MUACs have become boundary-specific, and some Activity Center boundaries were expanded and some contracted; the Commercial Under Criteria provision was replaced with a new infill subdistrict (Office and Infill Commercial); and, the PUD Neighborhood Commercial Subdistrict was modified and re-named PUD Neighborhood Village Center Subdistrict.

When the Golden Gate Area Master Plan Element (GGAMP) was adopted in 1991, it established within the Estates designation (as opposed to the Urban designation for Golden Gate City and Rural Settlement Area designation for the present day area zoned Orangetree PUD and Orange Blossom Ranch PUD) the Neighborhood Center Subdistrict, Randall Boulevard Commercial Subdistrict, Pine

Ridge Road Mixed Use District, and Estates Commercial Infill Subdistrict as the only provisions to allow establishment of new commercial zoning. Neighborhood Centers are located at the intersection of two collector roads or higher classification. With the exception of private sector initiated GMP amendments that established, or expanded, site-specific commercial subdistricts, broad provisions for commercial-only development have not changed significantly since 1991: a new Commercial Western Estates Infill Subdistrict was established – but will not be developed as the site is now owned by Collier County.

In summary, the FLUE and GGAMP still direct most new commercial development toward Activity Centers and Neighborhood Centers.

**Data and analysis requirements for comprehensive plans and plan amendments** are noted in Chapter 163, F.S., specifically Section 163.3177(6) (a) 2. A – j, listed below.

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.

In addition to the requirements enumerated above, it is recognized that community desires may be considered (e.g. if the community has an articulated vision for a particular area as to the type of development desired, such as within a Community Redevelopment Area), and if existing incompatibilities are present (e.g. presently allowed uses would be incompatible with surrounding uses and conditions).

It is incumbent upon the petitioner to provide appropriate and relevant data and analysis to address the statutory requirements for a GMP amendment, then present and defend, as necessary, that data and analysis.

**Application's Justifications for Proposed Amendment:**

*(Refer to Explanation/Justification for Proposed Amendment)*

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

- The site is not well suited to agricultural uses;
- The site is not well suited to residential development due to its shallow depth adjacent to an arterial roadway;
- The site is well suited to office development due to its access and exposure to an arterial roadway;

- Residential development is not evident along this segment of Immokalee Road; Examples of uses along this corridor include churches, a fire station and a County Water retention area; and,
- A companion PUD project will provide native vegetation preservation in excess of the minimum required, in an effort to further the rural character encouraged by the GGAMP.

Assessment of the application's justifications finds them to be mainly unsupportive or not applicable toward the proposed amendment, as follows: Agricultural uses are not planned at this location; Access and exposure to Immokalee Road make the site comparably-well suited for other residential and non-residential uses; Institutional and other non-residential uses evident along this segment of Immokalee Road lend support to developing other similar, limited uses already recognized as viable transitional uses and allowed by this land use designation (i.e. essential services) – not to establishing new commercial land uses not now allowed; and, efforts to reflect the semi-rural character of the Estates are expected from all such project proposals.

As to residential suitability, staff acknowledges the depth of the two subject parcels ( $\pm 300$  feet) is far less than the typical Golden Gate Estates tract (660 feet), and the location on a 6-lane divided arterial road. However, staff notes there are numerous examples of single family dwellings located on such roadways – including urban size lots much smaller than the subject parcels which are  $\pm 2.25$  acres in size. Some examples include: **A)** 13 lots in Regent Park PUD, located between Airport Road and Livingston Road, on the south side of 6-lane, divided Immokalee Road; **B)** 20 lots in Pebblebrooke Lakes Phase Three subdivision (Richland PUD), located between Gulf Coast High School and Collier Blvd., on the south side of 6-lane, divided Immokalee Road; **C)** 30 lots within Naples Twin Lakes First Addition, Morning Side, Sorrento Gardens Unit 3, and Hill Top subdivisions, located between Pine Ridge Road and Solana Road, on the west side of 6-lane, divided Goodlette Road - including one lot that also backs up to an FPL substation and another that also abuts a retail center; **D)** 16 lots within Northgate Village Units Two and Three, located between Goodlette Road and Forest Lakes Blvd., on the south side of Pine Ridge Road – all of which are opposite developed properties zoned commercial on the north side of Pine Ridge Road including fire station, funeral home, offices, retail, self-storage, car wash; and, **E)** Numerous single family lots/parcels along I-75 including in Golden Gate Estates between Pine Ridge Road and Golden Gate Canal, within Berkshire Lakes PUD between Golden Gate Canal and Santa Barbara Blvd. Additionally, along Oil Well Road in Golden Gate Estates, between Desoto Blvd. and Orange Blossom Ranch PUD, there are 63 privately owned tracts (as small as 0.8 acres but mostly 1.7 acres) zoned E, Estates, of which 14 contain a single family dwelling unit. Oil Well Road varies from 2 lanes to 6 lanes in this area. Further, desirability and acceptability is subjective – what one person finds desirable and/or acceptable, another person may not. Desirability, or relative lack thereof, impacts price point (think of the real estate mantra: location, location, location).

Nonetheless, this application for a GMP amendment provides data and analysis in support of commercial office development. Detailed analyses are provided further below.

### **Commercial Development:**

The segment of Immokalee Road between I-75/Northbrooke Drive and Collier Boulevard (CR 951) is anchored at each of these intersections by Mixed Use Activity Center (MUAC) Subdistricts. The MUACs in Collier County are comprehensively planned to provide ample commercial development opportunities. These planned locations are purposely sized and spatially arranged to encourage and support a healthy business environment Countywide and, to discourage and avoid over commercialization and strip development. The subject property lies within a few hundred feet of Mixed Use Activity Center No. 4.

- Activity Center No. 4 comprises 59 acres in the northeast quadrant of the Immokalee Road – I-75 interchange, and is zoned for 270,000 sq. ft. of commercial uses, in the Northbrooke Plaza MPUD, with a private university, an automobile service station, restaurants, private school, walk-in veterinary clinic, specialty medical providers and labs, dental offices, personal service providers, and other similar uses located along International Drive, Northbrooke Plaza Drive and other local

streets. ***This quadrant has more than 18,000 undeveloped yet developable sq. ft. on approximately 10 acres available for Mixed Use Activity Center Uses.***

- Activity Center No. 4 comprises 49.2 acres in the southeast quadrant of the Immokalee Road – I-75 interchange, and is zoned for 330,000 sq. ft. of commercial uses and developed as the Malibu Lake PUD (now including Brentwood and Crestwood PUDs), with a Super Target, restaurants, multiple retail establishments, branch banks, and other similar uses located along Tarpon Bay Boulevard and local streets. ***This quadrant has more than 58,210 undeveloped yet developable sq. ft. on approximately 1.5 acres (net) available for Mixed Use Activity Center Uses. However, staff acknowledges the available 1.5 acres cannot accommodate this entire available square feet figure; instead, perhaps actual potential development may be a “rule of thumb” figure of 10,000 sq. ft./acre yielding an undeveloped yet developable sq. ft. figure of 15,000 sq. ft.***
- Activity Center No. 4 comprises 40 acres in the northwest quadrant of the Immokalee Road – I-75 interchange, and is zoned for 200,000 sq. ft. of commercial uses, as part of Pelican Strand PUD/DRI, with an automobile service station, fast food restaurant, professional services offices, specialty medical providers and labs, grocery store, branch banks, and other similar uses located along Strand Boulevard and Tavilla Circle. ***This quadrant is fully developed with Mixed Use Activity Center Uses.***
- Activity Center No. 4 comprises 40 acres in the southwest quadrant of the Immokalee Road – I-75 interchange, and is zoned for 250,000 sq. ft. of commercial uses and developed as the Donovan Center, and other PUDs, with a WalMart Super Center and a cellular phone service provider located along Juliet Boulevard and local streets. ***This quadrant has approximately 12,382 undeveloped yet developable sq. ft. on 2.05 acres (net) available for Mixed Use Activity Center Uses.***

Additional commercial development [that provides additional opportunities for office uses] is evident outside Activity Center No. 4, including the following approved projects:

- ◆ Olde Cypress commercial component (12.5 acres/165,000 sq. ft. of commercial) in the Olde Cypress DRI [approximately ¾ mile east at Immokalee Road-Preserve Lane intersection]
- ◆ Quail II commercial component (184,000 sq. ft. of commercial) in the Quail II PUD [immediately north via Executive Drive].

The above-listed sites are located within the Support Area described in the needs analysis submitted with this petition, and currently provide a total of nearly 349,000 sq. ft. of commercial space – while more than 45,380 square feet already approved for commercial development have yet to be developed.

*Sources: March, 2015 Planned Unit Development (PUD) Master List  
(prepared and maintained by the Collier County Transportation Planning Section)  
and the Collier County Interactive Growth Model (CIGM).*

This subject property is regulated by provisions of both the Golden Gate Area Master Plan (GGAMP) and the Future Land Use Element (FLUE) of the Growth Management Plan. FLUE provisions direct new commercial development into areas designated for commercial land uses – ‘Mixed Use Activity Centers’, ‘Mixed Use Subdistricts’ and ‘Commercial Subdistricts’. Similarly, GGAMP provisions direct new commercial development into areas designated for commercial land uses – ‘Urban Designated Areas’ and ‘Neighborhood Centers’. All of these areas designated for commercial land uses by the GGAMP and FLUE are counted toward the inventory of land available for development, even if they are not yet zoned commercial.

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 professional and general offices for that geography by shopping center type. Collier County provides for commercial opportunities in numerous neighborhood, community and regional centers, but does not support any strip development.

**Commercial Demand Analysis:** (Refer to Attachment "V.D.", *Commercial Needs Analysis*)

The firm of MJT Realty Economic Advisors, Inc. conducted a *Commercial Needs Analysis* dated November 14, 2014 with an amended date of February 4, 2015, identifying the market conditions within a 5-minute and 10-minute drive time from the subject site. This analysis provided an assessment of the professional and medical office needs for the existing and projected population within the site's "trade area". Comprehensive Planning Department staff utilized the Subdistrict's Support Area as described in the *Commercial Needs Analysis* submitted with this petition and available County resources to conduct a thorough evaluation of the CPSS-2014-4 proposal, with the following results:

Section 3.0, Overview of Needs Analysis

The Analysis provides a geographic Trade Area that is not the typical radial measurement or a road mileage distance mirroring expected traffic patterns. This Trade Area represents vehicular travel times, and is divided between 5-minute and 10-minute drive times, as follows:

- The 5-minute drive time Trade Area is approximately 5.5 miles long centered along the I-75 corridor, by approximately 5.5 miles wide centered along the Immokalee Road corridor.
- The 10-minute drive time Trade Area is approximately 15 miles long centered along the I-75 corridor, by approximately 9.5 miles wide centered along the Immokalee Road corridor.

Section 4.0, Demand for Professional and Medical Office Space

Year 2030 build-out population in the 5-minute drive time Trade Area is projected to be 20,115; while build-out population in the 10-minute drive time Trade Area is projected to be 116,220.

These 5-minute drive time and 10-minute drive time Trade Area populations will support 3,068 office employees and 20,540 office employees by 2030, respectively. In turn, the amount of office space needed to accommodate office employees in the 5-minute drive time and entire 10-minute drive time Trade Areas is projected to be 460,145 sq. ft. and 3,081,027 sq. ft. by 2030, respectively.

Section 5.0, Supply of Professional and Medical Office Space

The existing supply of professional and medical office square feet is 261,370 sq. ft. within the 5-minute drive time and 1,510,767 sq. ft. within the entire 10-minute drive time. Another undeveloped 14.5 acres zoned for comparable office uses in the Trade Area provide approximately 109,000 sq. ft. of potential professional and medical office space. More than 61 undeveloped acres designated for comparable land uses in the Trade Area potentially provide another 521,255 sq. ft. of professional and medical office space to be developed by 2030. Together, the potential and existing supply of professional and medical office can be projected to be 302,689 sq. ft. within the 5-minute drive time and 2,141,022 sq. ft. within the entire 10-minute drive time by 2030, respectively.

Section 6.0, Calculation of Net Need and Conclusions

The *Commercial Needs Analysis* found that the professional and medical office square feet demand that can be supported by the area's population projected in 2020 is 88,577 sq. ft. within the 5-minute drive time and 418,468 sq. ft. within the entire 10-minute drive time [157,456 sq. ft. and 940,005 sq. ft. in 2030, respectively].

*Commercial Needs Analysis* concludes there is a demand for professional and medical offices within the 5-minute and 10-minute drive-time trade areas.

### Staff Assessment:

The petition has not demonstrated that incompatibilities exist on the subject site such that a change to the future land use designation is needed, or that there is an established community desire or vision for the subject site to be developed as proposed (historically acceptable considerations by the state land planning agency). The petition does show, however, the subject site's present designation presents incompatibilities such that a change to the future land use designation is *reasonable*, and that there is an established community *acceptance* of the subject site being developed as proposed.

Accordingly, the *Commercial Needs Analysis* may lend support to only the first part of a key consideration – is there a need for a future land use map change to increase the amount of commercial allowed in this area, and if so, is this the appropriate location to fulfill that need?

### Appropriateness of the Site and the Change:

The proposed amendment introduces an additional amount of commercial development, uses and activities to existing land zoned for residential use. FLUE and GGAMP provisions primarily direct new commercial development into Mixed Use Activity Centers and Neighborhood Centers.

The County's most recent Evaluation and Appraisal Report (EAR) [2011] did not call for any amendments to this segment of the Immokalee Road corridor. Thus, existing GGAMP Policies and provisions continue to reflect the adopted vision of the greater community – consistent with past recommendations on GGAMP GMPAs.

Staff acknowledges that the BCC gave direction in February 2015 to initiate a re-study of the GGAMP which would be expected to include this Immokalee Road corridor. Until the GGAMP re-study is completed, it is appropriate to uphold the existing GGAMP and not approve individual, piecemeal proposals.

If the amendment is approved, then the abutting parcel to the east, zoned "E, Estates" will become eligible for Transitional Conditional Uses and more-attractive for commercial development. Also, approval of this amendment may be an impetus for the owners of the other undeveloped properties on Immokalee Road within this portion of Golden Gate Estates to seek an amendment for commercial development. The undeveloped parcels affected by this change in eligibility are illustrated in the map exhibit attached to this Report. This scenario is characteristic of the incremental encroachment of isolated commercial zoning into non-commercial areas. Thus, approval of this petition may ultimately lead to an increase in the amount of commercial development.

FLUE and GGAMP provisions direct new commercial development into Urban Designated Areas, Mixed Use Activity Centers and Neighborhood Centers. The County's ability to manage growth in accordance with its adopted Growth Management Plan is tested by requests to expand or allow commercial development outside Neighborhood Centers, Mixed Use Activity Centers and other planned locations. These planned locations are purposely sized, spatially arranged and separated to encourage and support a healthy business environment County-wide and, discourage and avoid over commercialization, strip development, and the introduction of urban-type uses into a non-urban area. Preference is typically given to commercial expansion adjacent to Neighborhood Centers, Mixed Use Activity Centers and other commercial designations when additional demand can be demonstrated. By approving this single mid-block commercial property, the County yields its capacity to manage growth, only to support the incremental encroachment of isolated commercial development akin to spot zoning.

### Identification and Analysis of the Pertinent Small-Scale GMPA Criteria in Florida Statutes Chapter 163.3187:

Process for adoption of small-scale comprehensive plan amendment.

- (1) A small scale development amendment may be adopted under the following conditions:



- (a) The proposed amendment involves a use of 10 acres or fewer. *[The subject site comprises ±5.18 acres.]*
  - (b) The cumulative annual effect of the acreage for all small scale development amendments adopted by the local government does not exceed a maximum of 120 acres in a calendar year. *[As of July 7, 2015, three small scale GMP amendments have been approved in calendar year 2015 for a total of 18.776 acres (0.876 + 7.9 + 10). Including the subject site, a total of three small scale GMP amendments are presently under review – comprising 22.06 acres total (5.18 + 6.96 + 9.92).]*
  - (c) The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment are permissible under this section. *[This amendment is for a site-specific Future Land Use Map change and directly related text change.]*
  - (d) The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or by the Administration Commission pursuant to s. 380.05(1). *[The subject property is not within an Area of Critical State Concern.]*
- (2) Comprehensive plans may only be amended in such a way as to preserve the internal consistency of the plan pursuant to s. 163.3177. *[Internal consistency will be maintained if the amendment is approved.]*

**Environmental Impacts:**

Boylan Environmental Consultants, Inc. submitted an environmental report. Collier County Department of Natural Resources personnel reviewed this report and provided the following analysis:

Native habitats on site consist solely of pine/cypress/cabbage palm, with no listed wildlife species observed on the subject property by the environmental consultant for the project. Approximately 4.74 acres of potential jurisdictional wetlands occur on site. Also on site are approximately 0.44 acres of disturbed land within public road Right-of-Way (ROW).

The proposed change in land use will require preserves to be established pursuant to Conservation and Coastal Management Element (CCME) Policy 6.1.1. In accordance with LDC section 3.05.07 H.1.a, identification of preserves will occur at time of PUD. CCME Policies 6.2.1 and 6.2.2 require boundaries of jurisdictional wetlands pursuant to Section 373.019 Florida Statutes to be verified by jurisdictional field delineation at the time of Environmental Resource Permitting.

The subject property is not located within a County wellfield protection zone.

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

**Historical and Archaeological Impacts:**

Development of the site is subject to CCME Policy 11.1.3, concerning accidental discovery of archaeological or historical sites, should any archaeological or historical sites be found on the property. A letter provided from the Florida Department of State, Florida Master Site File states that the proposed undertaking is not likely to have an effect on historic properties. The letter also includes an unexpected discovery contingency clause similar to that of the County.

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

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

JMB Transportation Engineering, Inc. submitted a traffic impact statement, dated November 25, 2014. Transportation Planning staff reviewed the Traffic Impact Statement provided with this application and determined that the adjacent roadway network has sufficient capacity to accommodate this project within the 5-year planning period. Therefore the subject application can be deemed consistent with Policy 5.1 of the Transportation Element of the Growth Management Plan without mitigation.

Staff however notes that the companion PUD petition for this project contains a recommended condition of approval to remove the western most access because it does not meet minimum separation distance requirements of the County Access Management Handbook, Resolution 13-257.

*[Mike Sawyer, Project Manager  
Transportation Planning Section]*

**Public Facilities Impact:**

- Water: The subject project will be served by Collier County potable water services and lies in the North Water Service Area. The anticipated demand for potable water for the project is 9,000 gallons per day. Collier County has sufficient capacity to provide water services.
- Wastewater: The subject project will be served by Collier County wastewater collection and treatment services and lies in the North County Water Reclamation Service Area. The anticipated demand for wastewater collection and treatment for the project is estimated at 7,800 gallons per day. Collier County has sufficient capacity to provide wastewater services.
- Solid Waste: The solid waste disposal service provider is Collier County Solid Waste Management. The 2014 AUIR identifies that the County has sufficient landfill capacity up to the year 2070 for the required lined cell capacity.
- Stormwater Management: The 2014 AUIR does not identify any stormwater management improvement projects in the vicinity of the subject property. 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 will be no adverse impacts to park facilities from the proposed commercial development.
- Schools: There will be no adverse impacts to public school facilities from the proposed commercial development.
- EMS and Fire: The subject property is located within the North Naples Fire Control and Rescue District. EMS services are provided by Collier County. The North Naples Fire Control and Rescue District Station 42 is located at 7010 Immokalee Road. The proposed commercial development is anticipated to have no significant impacts on these safety services.

The substantive review of application materials was performed by the Public Utilities Planning & Project Management Dept. and their personnel had no further substantive comments or objections to the proposed amendment.

*[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 Tuesday, March 10, 2015, 6:00 p.m. at the North Naples Baptist Church, located at 1811 Oakes Boulevard, Naples. Eleven people other than the application team and County staff attended – and heard the following information:

The agent representing this application (Wayne Arnold) provided a full description of the proposed changes to the group, including how the two companion requests (GMPA/PUDZ) cover potential future uses – professional and medical office uses allowed by the C-1 (Commercial Professional and General Office) zoning district.

Some of the features specific to the project site were discussed, including how a wall constructed along the south side of the property next to vehicular activity and parking areas will be extended up the east and west sides in order to further shield traffic lights from the Autumn Oaks neighbors; single-story office buildings, additional landscaping and limited business hours.

At least one speaker thought commercial activities interrupted the development pattern on this side of Immokalee Road, as this proposal could predictably lead to more unwanted strip commercial development. The proposed office complex does not fit with the churches and community uses, and the County should take a stronger stand on protecting these existing uses.

Discussion took place about the need for more office space in the area. The agent explained how the Immokalee Road corridor is dominated by retail commercial development, and how this site provides another opportunity to offer commercial office space. A speaker pointed out that approximately twenty (20) acres is available for offices near the hospital.

More discussion surrounded traffic, lighting and noise concerns, as the clearing of properties located along Immokalee Road has increasing these impacts on residents. The sources of these impacts now lie on or across Immokalee Road. But allowing them to move across Immokalee Road, closer the residential neighbors amplifies these impacts, is unwelcome.

Attendees also discussed their lack of support for vehicular and non-vehicular access to the site from Autumn Oaks Lane.

More discussion surrounded traffic concerns, as the subject property's location along Immokalee Road would allow at most, a westbound left turn onto the property and a separate right-in right-out access point to accommodate all traffic.

Discussion took place about whether these office spaces would be rentals or condominiums, and how the Oaks Estates Neighborhood Association could be involved with steering the architectural design, buffering and landscaping for the project. The agent assured attendees that they will be kept apprised through the Neighborhood Association, and reiterated how the subject site is located in an urbanized part of the County while still governed by the Golden Gate [Estates] Area Master Plan.

The meeting was completed by 6:35 p.m.

*Post-NIM Information: The Oaks Estates Neighborhood Association has provided a letter of non-opposition to the companion PUD.*

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

## **FINDINGS AND CONCLUSIONS:**

- The FLUE and the GGAMP currently provide for future commercial development to accommodate the growing population in, and direct it to, Urban Designated Areas, Mixed Use Activity Centers and Neighborhood Centers.
- Based on data and analysis submitted for the supply of existing and potential commercial professional and medical office development and demand within the trade area for the subject site, the additional need for commercial professional and medical office uses contemplated by this amendment to serve the surrounding residential areas has been demonstrated.
- Located *within* Activity Center No. 4 are a number of Planned Unit Developments and commercially zoned properties, totaling approximately 1,106,400 sq. ft. commercial professional and medical office floor area and more than 188 acres – developed and undeveloped – with more than 45,380 undeveloped square feet approved for commercial development that can accommodate a portion of this need.

- CPSS-2014-4 extends the encroachment of non-residential uses eastward from Activity Center No. 4 to develop commercial professional and medical office uses mid-block.
- The existing Future Land Use designation allows for non-commercial uses already recognized as viable transitional uses on the subject site.
- The 2011 Evaluation and Appraisal Report (EAR) did not call for any amendments to this segment of the Immokalee Road corridor, and the existing GGAMP continues to reflect the adopted vision of the greater community.
- The re-study of the GGAMP taking into consideration the desires of the greater community should remain paramount, and not be set aside by a single, piecemeal proposal.
- No infrastructure related concerns result from this amendment. Concerns related to vehicular access to Immokalee Road however, are worth noting.
- No adverse environmental impacts result from this amendment.
- No historic or archaeological sites are affected by this amendment.
- If this petition is approved, the property adjacent to the east will become eligible for Transitional Conditional Uses and more-attractive to commercial development.
- The site's mid-block location introduces isolated commercial development, which is discouraged by the GMP.
- Approving this single mid-block commercial property is akin to spot zoning.

**LEGAL CONSIDERATIONS:**

The criteria for land use map amendments are in Section 163.3177(6)(a)2. and 8., Florida Statutes. This staff report was reviewed by the County Attorney's Office on May 29, 2015. [HFAC]

**STAFF RECOMMENDATION:**

It appears that the need for professional and medical office space can be demonstrated. But FLUE and GGAMP provisions primarily direct new commercial development to Mixed Use Activity Centers or Neighborhood Centers, and this is not the appropriate location to fulfill that need. There are the greater concerns of undesirable incremental encroachment of isolated commercial zoning into non-commercial areas and preventable strip development. There are also the concerns over introducing urban-type uses into a non-urban area, and the request not being consistent with the vision of GGAMP to consider. Given these concerns, staff recommends that the Collier County Planning Commission forward Petition CPSS-2014-4 to the Board of County Commissioners with a recommendation not to approve for adoption and transmittal to the Florida Department of Economic Opportunity.

*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]*

**PREPARED BY:**

Corby Schmidt  
CORBY SCHMIDT, AICP, PRINCIPAL PLANNER  
COMPREHENSIVE PLANNING SECTION, ZONING DIVISION

DATE: 20 Aug 15

**REVIEWED BY:**

David Weeks  
DAVID WEEKS, AICP, GROWTH MANAGEMENT MANAGER  
COMPREHENSIVE PLANNING SECTION, ZONING DIVISION

DATE: 8-21-15

**REVIEWED BY:**

Mike Bosi  
MIKE BOSI, AICP, DIRECTOR, ZONING DIVISION

DATE: 8-21-15

**APPROVED BY:**

James French  
JAMES FRENCH, DEPUTY DEPARTMENT HEAD  
GROWTH MANAGEMENT DEPARTMENT

DATE: 8-24-15

**APPROVED BY:**

David S. Wilkison  
DAVID S. WILKISON, P.E., DEPARTMENT HEAD  
GROWTH MANAGEMENT DEPARTMENT

DATE: 8/25/15

PETITION NO.: CPSS-2014-4 / PL-2014-0002143  
Staff Report for the September 3, 2015, CCPC Meeting.

NOTE: This petition has been scheduled for the October 13, 2015, BCC Meeting.