

EXECUTIVE SUMMARY

Recommendation to approve by Resolution the single Petition within the 2018 Cycle Two of Growth Management Plan Amendments for an Amendment specifically Proposed to the Golden Gate Area Master Plan (GGAMP) Rural Golden Gate Estates Sub-Element to Establish the Immokalee Road - Estates Commercial Subdistrict for Transmittal to the Florida Department of Economic Opportunity for Review and Comments Response. (*Transmittal Hearing*) [PL20160000221/CP-2018-4]

OBJECTIVE: For the Board of County Commissioners (Board) to approve the single petition in the 2018 Cycle Two of amendments to the Collier County Growth Management Plan (GMP) for transmittal to the Florida Department of Economic Opportunity and other statutorily required review agencies.

CONSIDERATIONS:

- Chapter 163, F.S., provides for an amendment process for a local government's adopted Comprehensive Plan.
- Collier County Resolution No. 12-234 provides for a public petition process to amend the GMP.
- The Collier County Planning Commission (CCPC), sitting as the "local planning agency" under Chapter 163.3174, F.S., held their Transmittal hearing for the 2018 Cycle 2 petition on August 6, 2020, with a continuance to September 17, 2020.
- This Transmittal hearing for the 2018 Cycle 2 petition considers an amendment to the Golden Gate Area Master Plan (GGAMP) Rural Golden Gate Estates Sub-Element.

The GMP amendment requested is specific to a non-corner 20-acre property, located between 4th Street NE and Immokalee Road, immediately west of Orange Tree Boulevard. The property has approximately 180 feet of frontage on 4th Street NE, and 990 feet of frontage on Immokalee Road, in Section 22, Township 48 South, Range 27.

This petition seeks to amend the GMP, adopted by Ordinance No. 89-05, as amended, specifically amending the Golden Gate Area Master Plan (GGAMP) Rural Golden Gate Estates Sub-Element by adding a new Subdistrict in the Estates Commercial District, revising the Rural Golden Gate Estates Future Land Use Map to depict the new Subdistrict, and adding a new Future Land Use Map Series inset map that depicts the new Subdistrict. The new subdistrict requests a maximum commercial intensity of C-3 and select C-4 uses, and 200,000 sq. ft. of overall commercial floor space.

Based on the review of this petition, including the supporting data and analysis, staff made the following findings and conclusions:

- The 20-acre subject property is zoned E, Estates, and undeveloped.
- The infrastructure needed to serve the development can be provided without related levels of service or concurrency concerns.
- The proposed commercial project is a significant traffic generator for the roadway network at this location. Adverse conditions are attributable to the potential for commercial traffic impacting residential areas.
- The proposed Subdistrict will have no impact on the potable water or wastewater treatment systems since the level of service (LOS) standards are based on population and no residential units are proposed in this Subdistrict.
- The property, along with much of the surrounding area, is currently designated in the Rural Golden Gate Estates Sub-Element for residential development, essential services, parks, recreation, and open space uses, group housing, public and private schools. This petition introduces new commercial development, uses and activities to a location where commercial

- development is not now planned.
- Sites generally located within the market area currently provide more than 1.05 Million sq. ft. and 289 acres of commercial use opportunities. Approximately 132 of these commercial acres are undeveloped.
 - Not all commercial uses allowed in the C-4, General Commercial zoning district, by right and by Conditional Use, as proposed, were analyzed, and not all uses analyzed were demonstrated to have supportable demand.
 - Need for the amount of commercial floor space and the full range of commercial development contemplated by this amendment has not been demonstrated. Staff's analysis, using the Collier Interactive Growth Model (CIGM) version 3, found the market area would support 178,000 sq. ft. of overall commercial floor space.
 - Speakers present at the Neighborhood Information Meeting objected to allowing commercial traffic onto 4th Street NE, as this is a quiet street with only residences and residential traffic. They emphasized the impacts that commercial businesses and traffic would have on their homes, especially where the narrow, westerly portion of the property would be most adversely impacted by traffic and noise.

FISCAL IMPACT: No fiscal impacts to Collier County result from this amendment, as this approval is for the transmittal of this proposed amendment. Petition fees account for staff review time and materials, and for the cost of associated legal advertising/public notice for the public hearings.

GROWTH MANAGEMENT IMPACT: Approval of the proposed amendment by the Board for transmittal and its submission to the Florida Department of Economic Opportunity and other statutorily required review agencies will commence the Department's thirty (30) day review process and ultimately return the amendment to the CCPC and the Board for its Adoption hearings.

LEGAL CONSIDERATIONS: This Growth Management Plan (GMP) amendment is authorized by, and subject to the procedures established in, Chapter 163, Part II, Florida Statutes, The Community Planning Act, and by Collier County Resolution No. 12-234, as amended. The Board should consider the following criteria in making its decision: "plan amendments shall be based on relevant and appropriate data and an analysis by the local government that may include but not be limited to, surveys, studies, community goals and vision, and other data available at the time of adoption of the plan amendment. To be based on data means to react to it in an appropriate way and to the extent, necessary indicated by the data available on that particular subject at the time of adoption of the plan or plan amendment at issue." Section 163.3177(1)(f), F.S. In addition, Section 163.3177(6)(a)2, F.S., provides that plan amendments shall be based on 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 non-conforming 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 need to modify land uses and development patterns with antiquated subdivisions.
- i. The discouragement of urban sprawl.
- j. The need for job creation, capital investment and economic development that will strengthen and diversify the community's economy.

And map amendments shall also be based upon the following analysis per Section 163.3177(6)(a)8.:

- a. An analysis of the availability of facilities and services.
- b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
- c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.

This item is approved as to form and legality. It requires a majority vote for approval because this is a Transmittal hearing. [HFAC]

STAFF RECOMMENDATION TO THE COLLIER COUNTY PLANNING COMMISSION: That the County Planning Commission forward Petition PL20160000221/CP-2018-4, to the Board of County Commissioners with a recommendation to approve for transmittal to the Florida Department of Economic Opportunity with the following modifications – limit the overall commercial floor space to 178,000 sq. ft. of “community commercial” uses for which supportable demand has been demonstrated, protect nearby residents and residential areas from traffic impacts, and for proper code language, format, clarity, etc. – as depicted in the Staff Report.

COLLIER COUNTY PLANNING COMMISSION (CCPC) RECOMMENDATION: The CCPC heard this petition at their August 6, 2020, meeting and continued to September 17, 2020, meeting. The CCPC voted unanimously (4/0) to forward petition PL20160000221/CP-2018-4 to the Board with a recommendation to transmit to the Florida Department of Economic Opportunity and other statutorily required review agencies with the following modifications:

- 1) provide for future vehicular interconnection to both the north and south adjoining properties;
- 2) eliminate access to 4th St. NE;
- 3) strike “retail and office” and replace with “commercial”;
- 4) refine the uses;
- 5) maximum commercial intensity of 180,000 sq. ft.

RECOMMENDATION: Staff concurs with the CCPC recommendation, which is reflected in the attached Resolution, and recommends the Board approve and transmit petition PL20160000221/CP-2018-4 to the Florida Department of Economic Opportunity and other statutorily required review agencies.

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ATTACHMENT(S)

1. CP-18-4 Immok-Estates modified Stff Rprt_REV 2.8 updated drft (PDF)
2. 18-4 Immok Rd July 20 Ad fr Aug 06 (PDF)
3. 18-4 Transmttl Resolution - 092320(1) (PDF)
4. AffidavitandSignPosting 06-22-2020 (PDF)
5. legal ad - agenda ID 13660 (PDF)
6. CP-18-4 Immok-Estates Virtual Mtg Wvr_CCPC-BCC (PDF)