

## **Evaluation Criteria**

Pursuant to LDC subsections 10.02.13 B, 10.02.08 F and Chapter 3 G. of the Administrative Code, staff's analysis and recommendation to the Planning Commission, and the Planning Commission's recommendation to the Board of County Commissioners shall be based upon consideration of the applicable criteria. On a separate sheet attached to the application, provide a narrative statement describing the rezone request with specific reference to the criteria below. Include any backup materials and documentation in support of the request.

### **Narrative**

**The I-75/Alligator Alley PUD is an existing and partially built PUD. The PUD is approved for 265,000 square feet of commercial uses and a hotel. The applicant proposes to amend the PUD to add an option to construct up to 425 multi-family dwelling units.**

**The 40.8± acre project is located entirely within Interchange Activity Center #9. Interchange Activity Centers permit a range of commercial, industrial and residential uses. Residential density is permitted at a maximum of 16 du/ac. The maximum permissible density is 652 dwelling units (40.8 x 16 = 652). The proposed 425 dwellings equates to a density of 10.4 du/ac, which is well within the density range for a project located in an Activity Center.**

**This PUD amendment proposed to adopt an optional Master Plan, which will reflect the location of the proposed residential component and revised and enlarged preserve area. The PUD also includes development standards for the proposed residential use. The PUD also establishes a trip cap, which has been based on the allowable commercial and hotel uses in the current PUD. No commercial uses or square footages are being eliminated by this amendment. The proposed residential option, if developed, would obviously displace acreage that would otherwise support commercial uses.**

a. The suitability of the area for the type and pattern of development proposed in relation to physical characteristics of the land, surrounding areas, traffic and access, drainage, sewer, water, and other utilities.

**The site is well-suited for multi-family dwelling units due to its proximity to I-75 and Davis Boulevard. Further, utilities are existing within the PUD, and infrastructure including water management facilities and internal roadways have been designed and constructed.**

b. Adequacy of evidence of unified control and suitability of any proposed agreements, contract, or other instruments, or for amendments in those proposed, particularly as they may relate to arrangements or provisions to be made for the continuing operation and maintenance of such areas and facilities that are not to be provided or maintained at public expense. Findings and recommendations of this type shall be made only after consultation with the county attorney.

## **Evaluation Criteria**

**The applicant has a portion of the PUD under contract. The proposed amendment does not impact the existing out lots or hotel uses.**

c. Conformity of the proposed PUD with the goals, objectives and policies of the Growth Management Plan. (This is to include identifying what Sub-district, policy or other provision allows the requested uses/density, and fully explaining/addressing all criteria or conditions of that Sub-district, policy or other provision.)

### **Future Land Use Element:**

**The subject PUD is an existing and partially developed project located within the Future Land Use Element, Mixed Use Activity Center Subdistrict, Interchange Activity Center #9. Interchange Activity Centers permit a variety of uses including light industrial, commercial and residential. The maximum permissible density within an Interchange Activity Center is 16 dwelling units per acre for the project lying entirely within the Activity Center boundary. The I-75/Alligator Alley PUD is located entirely within the boundary of Activity Center #9. The proposed PUD amendment seeks approval for 425 multi-family dwelling units for the 40.8 acre PUD, which equates to a density of 10.4 dwelling units per acre. The maximum number of residential dwelling units that could be permitted for the project is 652 dwelling units. The proposed density is within the density range permitted by the Future Land Use Element of the Collier County Growth Management Plan. Activity Center #9 has an adopted master plan with specific development standards and requirements which have been codified in the Land Development Code. The non-residential components of the PUD will be designed in compliance with the Activity Center #9 Overlay.**

**The addition of multi-family dwelling units is compatible with surrounding development as required by Policy 5.6 of the Future Land Use Element. The PUD will provide development standards appropriate for the multi-family dwellings. Buffers will be provide to buffer the proposed multi-family residential use from the existing and planned commercial uses within the PUD. Buffers external to the site will be incorporated into a native vegetation recreated preservation area, and will meet or exceed the minimum buffer requirements for the project adjacent to the west of the I-75/Alligator Alley PUD. The proposed preserve and buffer area between the proposed residential component of the I-75/Alligator Alley PUD and the residential tract located within the East Gateway PUD will be a minimum of 50' in width.**

**Policy 7.1 of the Future Land Use Element encourages connection to frontage roads where possible. An existing frontage road has been constructed with the PUD and the residential component will connect to this internal roadway system.**

**Policy 7.3 of the Future Land Use Element encourages interconnections between projects where feasible. The existing frontage road within the I-75/Alligator Alley PUD is planned to connect to the planned frontage road within the East Gateway PUD. This frontage road**

## **Evaluation Criteria**

interconnection will be linked to a future signalized intersection that will be shared by both the East Gateway PUD and the I-75 Alligator Alley PUD's on the north side of Davis Boulevard and with the commercially zoned properties located on the south side of Davis Boulevard.

### **Public Facilities Element, Water and Sewer Sub-elements:**

The existing PUD has water, sewer and drainage facilities in place to serve the project consistent with the Goals, Objectives and Policies of these Elements and Sub-elements of the Growth Management Plan.

### **Transportation Element:**

Policies 1.4 and 1.5A of this Element require developments to be consistent with Federal, State and local level of service standards for roadways. The TIS submitted with the PUD amendment concludes that there are no existing or capacity issues anticipated that will impact this proposed PUD amendment.

Policy 5.1 of this Element indicates that all rezones will be evaluated for compliance with the AUIR, and that any significant impacts may require mitigating stipulations. There are no deficient roadway segments impacted by the proposed addition of multi-family dwelling units to the PUD. The project is consistent with the Transportation Element.

### **Conservation and Coastal Management Element:**

The I-75/Alligator Alley PUD was originally approved as a commercial only PUD requiring 15% native vegetation preservation. The amended application will make the PUD a mixed use project requiring 25% native vegetation preservation. Almost the entire site has been cleared and filled, and an approximate 6-acre portion of the site (15%) has been placed in a conservation easement. The applicant on Master Plan Exhibit B (Residential Mixed Use Option) proposes to utilize a combination of the existing preserve, existing buffers and portions of drainage easements in order to achieve the new native preservation acreage of 9.41 acres. A discussion of the revegetation for this PUD is included in the Environmental Assessment prepared by Passarella & Associates and is included in the PUD amendment application. Two deviations related to the re-created preservation area have been included in the amended PUD. The PUD as amended, Conceptual Commercial/Residential Master Plan Exhibit B, will comply with the 25% preservation requirement. The preserve areas will be connected internally within the PUD.

d. The internal and external compatibility of proposed uses, which conditions may include restrictions on location of improvements, restrictions on design, and buffering and screening requirements.

**The proposed multi-family is compatible with the surrounding area. The project will provide buffers per the LDC for internal and external property lines. The East Gateway PUD located to**

## Evaluation Criteria

**the west of this PUD does permit commercial development and residential dwellings at 7 de/ac. The residential component of the I-75/Alligator Alley PUD will be separated from the residential component by a large preserve area, which will serve as a buffer and physical separation between uses.**

e. The adequacy of usable open space areas in existence and as proposed to serve the development.

**The PUD will meet the 30% open space required for mixed-use projects, and the 25% native vegetation retention requirement for mixed-use projects. Other open spaces include buffers, water management areas, and recreational facilities for the residences and hotel uses.**

f. The timing or sequence of development for the purpose of assuring the adequacy of available improvements and facilities, both public and private.

**The proposed residential housing could be built immediately following zoning approval for this use. Adequate facilities are available to serve the project and there are no anticipated LOS issues in the vicinity of the project.**

g. The ability of the subject property and of surrounding areas to accommodate expansion.

**There is no area to expand the PUD as it is bounded by developed property to the east and west, and I-75 and Davis Blvd. to the north and south respectively.**

h. Conformity with PUD regulations, or as to desirable modifications of such regulations in the particular case, based on determination that such modifications of justified as meeting public purposes to a degree at least equivalent to literal application of such regulations.

**The PUD meets the requirements for a PUD amendment as expressed in the LDC. Deviations have been previously approved, and new deviations are proposed that will permit development of the PUD consistent with the proposed master plan.**

LDC Section 10.02.08 F - Requirements for Amendments to the Official Zoning Atlas

F. Nature of requirements of Planning Commission report. When pertaining to the rezoning of land, the report and recommendations of the Planning Commission to the Board of County Commissioners required in LDC section 10.02.08 E shall show that the Planning Commission has studied and considered the proposed change in relation to the following findings, when applicable:



## Evaluation Criteria

1. Whether the proposed change will be consistent with the goals, objectives, and policies and future land use map and the elements of the Growth Management Plan.

**As identified in paragraph c. above, the proposed PUD amendment is consistent with the goals, objectives, and policies and future land use map and elements of the Growth Management Plan.**

2. The existing land use pattern.

**The pattern of development in the vicinity of the project includes a range of light industrial, commercial and residential development. Properties internal to the PUD include developed restaurant outparcels and a 107 unit hotel. The proposed inclusion of multi-family dwellings is consistent and compatible with the surrounding land use pattern.**

3. The possible creation of an isolated district unrelated to adjacent and nearby districts.

**The PUD is an existing PUD and the amendment to include an additional use will not create an isolated district.**

4. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

**The existing PUD boundaries are logically drawn and the proposed amendment does not modify the PUD boundary.**

5. Whether changed or changing conditions make the passage of the proposed amendment necessary.

**The applicant desires to develop a multi-family apartment complex on a vacant portion of the property. The current PUD does not permit residential dwelling units; however, dwelling units are permitted by the Growth Management Plan. The amendment is necessary to add the proposed residential use.**

6. Whether the proposed change will adversely influence living conditions in the neighborhood.



## Evaluation Criteria

**The proposed amendment will not adversely influence living conditions in the neighborhood. Projects located to the west and south of the subject property are developed as mixed-use projects, consistent with the proposed amendment.**

7. Whether the proposed change will create or excessively increase traffic congestion or create types of traffic deemed incompatible with surrounding land uses, because of peak volumes or projected types of vehicular traffic, including activity during construction phases of the development , or otherwise affect public safety.

**The PUD amendment has been structured with a trip cap, which is based on the maximum intensity of development authorized by the PUD without the inclusion of the multi-family dwellings. The PUD will remain traffic neutral as proposed. There are no existing or anticipated roadway concurrency issues in the vicinity of the project.**

8. Whether the proposed change will create a drainage problem.

**The project has already been permitted by the South Florida Water Management District, which dictates stormwater management for the project. The addition of the residential use will have no impact on drainage; therefore, no drainage problem will be created.**

9. Whether the proposed change will seriously reduce light and air to adjacent areas.

**There will be no reduction in light or air to adjacent areas resulting from the proposed amendment.**

10. Whether the proposed change will adversely affect property values in the adjacent area.

**There are no anticipated adverse impacts to property values related to the addition of market rate housing within this PUD.**

11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.



## Evaluation Criteria

**The proposed change will not be a deterrent to development of the vacant properties remaining within the PUD, nor to surrounding properties.**

12. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

**No special privilege results from the proposed amendment. The proposed amendment is consistent with the Growth Management Plan and is compatible with surrounding properties.**

13. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

**The property can be utilized with the existing commercial development; however, the proposed use does require an amendment to the PUD.**

14. Whether the change suggested is out of scale with the needs of the neighborhood or the county.

**The inclusion of multi-family development in the PUD is not out of scale with the surrounding neighborhood. Development standards similar to other multi-family projects are proposed for this project.**

15. Whether it is impossible to find other adequate sites in the county for the proposed use in districts already permitting such use.

**There are other sites in Collier County that do permit multi-family dwellings; however those sites would likely require a rezoning of the property or a PUD amendment in order to support the proposed development plan for the applicant.**

16. The physical characteristics of the property and the degree of site alteration which would be required to make the property usable for any of the range of potential uses under the proposed zoning classification.

**Evaluation Criteria**

**Much of the existing site has been cleared and filled. Infrastructure, including roads, water, sewer and water management facilities have been constructed within the PUD. The proposed amendment represents redevelopment of an existing site, which is encouraged in the Growth Management Plan. Re-use of the urban property also reduces urban sprawl.**

17. The impact of development on the availability of adequate public facilities and services consistent with the levels of service adopted in the Collier County Growth Management Plan and as defined and implemented through the Collier County Adequate Public Facilities Ordinance [Code ch. 106, art. II], as amended.

**There are no existing or anticipated adequate public facilities deficiencies in the vicinity of the project.**

18. Such other factors, standards, or criteria that the Board of County Commissioners shall deem important in the protection of the public health, safety, and welfare.

**The project is consistent with the Growth Management Plan, and will result in no public health, safety, and welfare issues.**