

## **3001 SB CPUD (PL20180003185)**

### **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. 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.

**The 3001 SB Commercial Planned Unit Development (CPUD) is a 6.38± acre property located on the southwest corner of the intersection of Golden Gate Parkway and Santa Barbara Boulevard. The property is designated Estates, Mixed Use District, Residential Estates Subdistrict on the Golden Gate Master Plan Future Land Use Map. A companion small-scale plan amendment has been submitted which proposes to re-designate this property as the Santa Barbara Boulevard/Golden Gate Parkway Commercial Subdistrict. This sub-district authorizes 21,500 square feet of commercial uses consistent with those uses permitted in the C-3, Intermediate Commercial Zoning District. The property is currently zoned Estates. The applicant proposes to rezone the property to allow up to 21,500 square feet of gross leasable area for general commercial land 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 three other quadrants at this intersection are zoned for commercial land uses. The large intersection of two primary 6-lane arterial roads is unsuitable and incompatible for low density residential development currently permitted under the existing Golden Gate Master Plan and underlying Estates Zoning District. Although a church has been developed on the property, the expert real estate and market analysis demonstrates that commercial development is the highest and best use for the site. The site has access to central water and sewer, and the proposed access points have been coordinated with Collier County Transportation staff.**

- 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.

**The subject CPUD has one property owner. The applicant is the contract purchaser of the proposed 3001 SB CPUD.**

- 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

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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 6.38± project is designated Estates, Mixed Use District, Residential Estates Subdistrict on the Future Land Use Map. A small-scale amendment application has been filed for the property. The proposed Santa Barbara Boulevard/Golden Gate Parkway Commercial Subdistrict will permit a variety of office and retail uses consistent with those permitted in the C-1 through C-3 Zoning Districts.**

**The proposed uses are consistent with the proposed text for the Santa Barbara Boulevard/Golden Gate Parkway Commercial Subdistrict.**

**The property is served by potable water and sanitary sewer services, which is provided by Collier County Utilities. No capacity issues have been identified or are anticipated in the future.**

- 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 CPUD will provide a 15' wide Type B landscape buffer along the property's western boundary. This buffer type is consistent with that required when a non-residential use abuts a residential use.**

**Buildings have been limited to 1-story in height with a zoned building height of 30 feet, which is consistent with the permissible building height for the adjacent Estates zoned property**

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

**The project will provide a minimum of 30% open space consistent with the requirements of the LDC, which will include native vegetation preserve areas, lakes, buffers and recreational areas.**

- 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 development of commercial uses will not require phasing due to infrastructure availability. Adequate infrastructure is in place at the project site to service the proposed commercial uses.**

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

**The CPUD boundary is not proposed to be expanded due to existing development to the west and south and existing public roadways to the north and east.**

- 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 CPUD includes development standards and conditions, which will assure compatible and complementary development.**

*10.02.08 - 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:

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.

**The CPUD, as proposed, is consistent with the companion small-scale plan amendment, which permits C-1 through C-3 commercial uses.**

2. The existing land use pattern.

**The subject property is located at the intersection of two arterial roadways. The properties located to the east and north are zoned for commercial development. Properties to the west are zoned Estates and are developed with single-family homes. Buffers are proposed consistent with the LDC to insure compatibility of uses.**

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

**The CPUD is for property under the ownership of the applicant and therefore no isolated district is being created.**

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

**The boundaries are not illogically drawn and comprise all of the property under the unified control of the applicant.**

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

**The property is currently zoned Estates, which does not permit the proposed commercial uses.**

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

**The CPUD document includes development standards to insure that it is compatible with the immediately surrounding properties. The CPUD master plan identifies appropriate buffers and open spaces, which will further insure that the development of the commercial land uses will have no adverse impacts to the neighborhood. Access to the project will be from Golden Gate Parkway and Santa Barbara Boulevard.**

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.

**A traffic impact analysis has been submitted in support of the proposed rezone. No level of service issues have been identified and the site will have access to a signalized intersection at Golden Gate Parkway and Santa Barbara Boulevard. The character of traffic will not be discernably different than that historically permitted for the subject property, or the type of traffic currently utilizing Golden Gate Parkway and Santa Barbara Boulevard. Golden Gate Parkway and Santa Barbara Boulevard Avenue serves existing commercial, community facility and residential uses.**

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

**The project will be required to obtain an Environmental Resource Permit (ERP) through the South Florida Water Management District. The ERP review evaluates historic surface water flows and controls the off-site discharge of stormwater from the site. The project will have internal water management facilities including detention areas to control the drainage for the project. No drainage issues will result from this project.**

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

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**Given the limitation on building heights, setbacks, and buffering, there will be no reduction in light or air for adjacent properties.**

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

**The CPUD rezone proposes to establish commercial land uses. The uses are controlled by development standards in the CPUD document which provide setbacks from adjacent properties. Development subject to the CPUD standards will not adversely affect property values in the adjacent area.**

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

**All immediately adjacent properties to the south and east are developed and the addition of commercial land uses should not be a deterrent to improvement or redevelopment of adjacent properties.**

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

**The CPUD rezone is a companion to a small-scale growth management plan amendment. This process does not grant a special privilege to a property owner and the process is consistent with the process outlined in Chapter 163, F.S. for amendments to growth management plan.**

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

**The existing zoning is Estates which does not permit commercial land uses. The amendment is necessary to establish commercial land use within the CPUD.**

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

**The proposed rezone is in scale with the needs of the neighborhood and Collier County. The square footage of commercial uses, as well as the type of uses has been established in the CPUD.**

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

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**It is not impossible to find other adequate sites in the county for commercial uses; however, this site has existing infrastructure including roads, water, and sewer available to serve the project.**

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.

**The subject property is partially developed with a church and internal infrastructure. The area proposed for commercial uses has been cleared and filled and there are no obstacles to construct the proposed uses.**

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 adequate roadways and utilities available at the site. There are no public facilities deficiencies at the present time and none will occur as a result of this 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 proposed Santa Barbara Boulevard/Golden Gate Parkway Commercial Subdistrict of the Growth Management Plan and it is compatible with surrounding development.**