

# Esperanza Place RPUD

## Exhibit 2 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.

### Narrative statement

**The Esperanza Place PUD is a partially developed 31.6+/- acre PUD located on Immokalee Dr. in Immokalee. Of the 262 dwelling units presently approved, 51 dwelling units have been constructed. The proposed PUD amendment proposes to reduce the maximum number of dwelling units from 262 to 159 conventional dwelling units, and to add a maximum of 45 group housing units on Tract A, which will include care units and transitional and emergency shelter facilities. The use, child day care services, has also been added to the permitted uses for Tract A. New development standards have been proposed for the group housing use. One deviation has been added to permit up to an 8' high solid wall around that portion of the site occupied by the group housing use.**

**The proposed project density of 4.08 du/acre exceeds the maximum 4 du/acre base density permitted in the Low Density Future Land Use Category. An affordable housing bonus density agreement was previously approved for this project to permit a maximum of 8 du/acre. The applicant will be working with Housing staff to modify the affordable housing density bonus agreement to address the reduced number of proposed dwelling units.**

### PUD Rezone Considerations (LDC Section 10.02.13.B)

- 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 project has been partially developed and the overall intensity of the proposed revised development scenario represents a reduction in the traffic, water and sewer demands. The proposed group housing use will be internally gated and secured within the PUD. The development standards proposed for the group housing component are comparable to that currently permitted for multi-family dwellings within Tract A.**

- 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

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at public expense. Findings and recommendations of this type shall be made only after consultation with the county attorney.

**The applicant is the owner of the multi-family and undeveloped portion of the PUD.**

- 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.)

**The PUD is located in the Low Density Residential Future Land Use Category of the Immokalee Area Master Plan (IAMP). The IAMP is silent with respect to the proposed group housing use; however, it has been the historical interpretation by staff that the Urban designated areas of the IAMP are permitted all of the permitted uses found in the Urban designated lands of the County's Growth Management Plan. Group housing uses are explicitly permitted throughout the Urban designated areas of the County. The Immokalee Area Master Plan permits limited non-residential uses within residential land use categories. The plan specifically identifies child care as a non-residential use permitted in any residential land use category.**

**The amendment reduces the proposed overall dwelling unit county from 262 to 159 dwelling units. The new density is 4.08 du/acre, which is above the density of 4 du/acre permitted in the Low Density Residential Future Land Use Category of the IAMP. The applicant is modifying the previously approved density bonus agreement to reflect the proposed reduction in units.**

**The proposed uses are compatible with the surrounding area, and development standards for the conventional residential dwellings remain unchanged. The PUD amendment proposes to add specific development standards for the group housing use, which are comparable to the standards for multi-family dwellings currently permitted within Tract A of the PUD. The group housing facility will be a gated enclave within the Esperanza Place PUD, and provide for on-site staffing and security similar to that found in their Naples facility.**

**Interconnection with neighboring properties has been provided for in the original PUD, and there is a connection to properties immediately to the west, via extension of El Paso Trail. Pedestrian facilities will be provided within the PUD and with the existing connection to the sidewalk system located within the Immokalee Road ROW, making the project consistent with the Policies 7.1-7.4 of the County's Future Land Use Element.**

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- 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 conventional residential units have been previously determined to be compatible with surrounding development at a maximum density of 8 du/acre. The conventional dwelling units at a reduced density will continue to be compatible. The proposed addition of the group housing use is compatible with the surrounding community. The facility will be gated and secured. The development standards proposed for the group housing use are comparable to those currently permitted for the multi-family residential units within the PUD. The group housing tract will provide landscape buffers external and internal within the PUD. Group housing uses are commonly located in residential communities and the Growth Management Plan permits group housing uses throughout the County's residential zoned properties. The child care use is an appropriate land use for the PUD and Immokalee community.**

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

**The PUD amendment does not propose a reduction in the previously approved open space for the project.**

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

**The project is subject to the Collier County Concurrency Management System and available infrastructure must be planned or in place prior to development. There are no existing or planned deficiencies that will affect this property.**

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

**The existing PUD boundary is not proposed to be expanded, and the existing PUD includes all properties owned in the immediate vicinity by the property owner.**

- 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.

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**The PUD regulations for the conventional residential dwellings are not proposed to be modified. New development standards have been proposed for the group housing use that are comparable to those previously approved for the multi-family uses permitted on Tract A.**

### 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:

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 proposed addition of the group housing use is consistent with the Growth Management Plan. Group housing uses are permitted throughout the Urban Designated areas of the County. The proposed density of 5.06 du/acre is consistent with the density range permitted for a project when utilizing the affordable housing density bonus. An existing bonus density agreement is in place for this PUD and an amendment is concurrently being reviewed by Housing staff to address the decreased number of dwelling units within the PUD.**

2. The existing land use pattern.

**The pattern of development near the subject PUD is residential, and includes predominantly single family and mobile home development. The PUD will continue to include single family and multi-family dwelling units. The proposed addition of group housing uses and child care services within one of the tracts of the PUD represents a form of transitional group housing and related services, which are traditionally integrated into residential communities.**

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

**The PUD currently exists and permits residential uses consistent with the surrounding conventional zoning districts.**

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

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**The current PUD boundaries are logically drawn.**

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

**The existing PUD does not include group housing uses; therefore, the PUD must be amended in order to construct the proposed group housing facility.**

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

**Inclusion of the group housing component will not adversely affect living conditions in the neighborhood. The group housing facility will be developed on the northern portion of Tract A within the PUD and it will have a separate gated and secured entrance within the Esperanza Place PUD. Development standards are proposed that will insure there are no adverse impacts to the neighborhood.**

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 proposes to reduce the overall number of conventional dwelling units from 262 to 159, and add up to 45 group housing units. The result is an overall reduction in traffic impacts to the community.**

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

**The proposed modifications will not create any drainage problems. The project has previously been reviewed by the SFWMD and a minor modification will be necessary to address the group housing versus previously approved multi-family dwellings on a portion of Tract A.**

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

**The proposed amendment will not seriously reduce light and air to adjacent areas.**

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

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**It is not anticipated that the proposed changes will 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.

**The proposed development will not be a deterrent to development of adjacent property.**

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

**No, any property owner has the ability to make an application to propose any development consistent**

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

**The owner has been approached by a provider for group housing and the PUD does not currently permit that form of housing unit; therefore, the PUD amendment is necessary.**

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

**The proposed amendment reduces the overall traffic impact associated with the PUD, and the development standards are appropriate for the conventional housing and group housing uses.**

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 limited sites within the County where the type of group housing is permitted by right. In most cases, a conditional use or PUD amendment would be required in order to develop group housing uses in residential areas. Child care is permitted in various districts; however, the central location can serve the immediate neighborhood.**

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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 site alteration required for the proposed amendment is no different than that necessary to develop under the existing PUD.**

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 is adequate public facility capacity for the PUD, and there are no anticipated level of service issues.**

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 proposed development is consistent with the IAMP and Growth Management Plan. The PUD contains development standards and conditions of approval, which will protect the public health, safety and welfare.**