

Esperanza Place Residential Planned Unit Development

Exhibit A

The Esperanza Place RPUD is a total of 31.63 +/- acres that will be developed with up to ~~262~~ 159 residential dwelling units and up to 45 group housing units. This amounts to a gross density of 8.28+/- units per acre. The base density is 4 units per acre and the affordable housing density bonus is used to make up the difference.

I. Tract A:

Tract A of the Esperanza Place RPUD is approximately 15.83± acres, which are to be developed with up to ~~176~~ 96 dwelling units and related accessory uses.

A. Permitted Uses

No building or structure, or part thereof, shall be erected, altered or used, in whole or in part, for other than the following:

1. Principal Uses

- a. Multi-family dwelling units;
- ~~a.~~ b. Single family, detached dwelling units;
- ~~b.~~ c. Zero-lot line units, including townhomes;
- d. Community center;
- ~~e.~~ e. Child day care services
- f. Group Housing, including care units and transitional and emergency shelters not to exceed a maximum of 45 units.
- ~~d.~~ g. Any other use that is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals (BZA) according to the process described in the Land Development Code (LDC).

2. Accessory Uses

- a. Garages;
- b. Carports;
- c. Recreation facilities, including but not limited to, swimming pools, tennis courts, playground equipment or other amenity;
- d. Essential services, in accordance with Section 2.01.03 of the LDC;
- e. Any other use that is comparable in nature with the foregoing list of permitted uses, as determined by the BZA according to the process described in the LDC.

B. Development Standards

Table 1 and Table 1.1, contained in Exhibit B, set forth the development standards for land uses within Tract A of the Esperanza Place RPUD. Standards not specifically set forth

herein shall be those specified in applicable sections of the LDC in effect as of the date of the date of approval of the site development plan (SDP) or subdivision plat.

II. Tract B:

Tract B of the Esperanza Place RPUD is approximately 13.8± acres, which are to be developed with up to ~~85~~62 dwelling units and related accessory uses.

A. Permitted Uses

No building or structure, or part thereof, shall be erected, altered or used, in whole or in part, for other than the following:

1. Principal Uses

- a. Single-family, detached dwelling units;
- b. Single-family, attached dwelling units;
- c. Any other use that is comparable in nature with the foregoing list of permitted principal uses, as determined by the BZA according to the process described in the LDC.

2. Accessory Uses

- a. Garages;
- b. Carports;
- c. Essential services, in accordance with Section 2.01.03 of the LDC;
- d. Community clubhouse;
- e. Recreation facilities, including but not limited to, swimming pools, tennis courts, playground equipment or other amenity;
- f. Any other use that is comparable in nature with the foregoing list of permitted uses, as determined by the BZA according to the process described in the LDC.

B. Development Standards

Table 1 and Table 1.1, contained in Exhibit B, set forth the development standards for land uses within Tract B of the Esperanza Place RPUD. Standards not specifically set forth herein shall be those specified in applicable sections of the LDC in effect as of the date of the date of approval of the SDP or subdivision plat.

III. Tract C

Tract C of the Esperanza Place RPUD is approximately 2.0± acres, which are to be developed with up to 1 single-family dwelling unit and related accessory uses.

A. Permitted Uses

No building or structure, or part thereof, shall be erected, altered or used, in whole or in part, for other than the following:

Words underlined are additions; words ~~struck through~~ are deletions

1. Principal Uses
 - a. Single-family, detached dwelling units
2. Accessory Uses
 - a. Garages;
 - b. Carports;
 - c. Storage sheds;
 - d. Recreation facilities, including but not limited to, swimming pools, tennis courts, playground equipment or other amenity;
 - e. Essential services, in accordance with Section 2.01.03 of the LDC;
 - f. Any other use that is comparable in nature with the foregoing list of permitted uses, as determined by the BZA according to the process described in the LDC.

B. Development Standards

Table 1 and Table 1.1, contained in Exhibit B, set forth the development standards for land uses within Tract C of the Esperanza Place RPUD. Standards not specifically set forth herein shall be those specified in applicable sections of the LDC in effect as of the date of the date of approval of the SDP or subdivision plat.

Exhibit B

Development of the Esperanza Place RPUD shall be in accordance with the contents of this Ordinance and applicable sections of the LDC and Growth Management Plan (GMP) in effect at the time of issuance of any development order, such as, but not limited to, final subdivision plat, final site development plan, excavation permit and preliminary work authorization, to which such regulations relate. Where these regulations fail to provide developmental standards, then the provisions of the most similar district in the LDC shall apply.

Table 1 – Principal Structures

Tracts A, B & C Development Standards

DEVELOPMENT STANDARDS	SINGLE-FAMILY, DETACHED	SINGLE-FAMILY, ATTACHED AND DUPLEX	MULTI-FAMILY	ZERO-LOT LINE, TOWNHOMES (TRACT A ONLY)	<u>GROUP HOUSING</u>	COMMUNITY CENTER/ RECREATION BUILDINGS
PRINCIPAL STRUCTURES						
Minimum Lot Area	5,000 s.f. per unit	3,500 s.f. per unit	n/a	1,200 s.f. per unit	<u>One Acre</u>	n/a
Minimum Lot Width	50 feet	35 feet	n/a	15 feet	<u>n/a</u>	n/a
Minimum Floor Area	1,000 s.f.	750 s.f.	750 s.f.	750 s.f.	<u>n/a</u>	n/a
Minimum Setbacks:						
Front (see Note 2)	20 feet	20 feet	20 feet	20 feet	<u>20 feet</u>	20 feet
Side	7.5 feet	0 feet and 6 feet	10 feet	0 feet or 6 feet	<u>5 feet</u>	10 feet
Rear	15 feet	15 feet	15 feet	15 feet	<u>10 feet</u>	15 feet
Minimum Distance Between Structures	15 feet	12 feet	Greater than 20 feet	12 feet	<u>0 feet</u>	10 feet
Maximum “Zoned” Height	35 feet	35 feet	45 feet	45 feet	<u>35 feet</u>	45 feet
Maximum “Actual” Height	40 feet	40 feet	50 feet	50 feet	<u>40 feet</u>	50 feet

- 1) Principal structures located on corner lots may reduce one of the two front setbacks by 50 percent. The remaining setback must meet the full front setback standard.
- 2) Driveways shall be a minimum of 23 feet in length from the sidewalk to the garage door or façade of the structure to allow vehicles room to park without obstructing the sidewalk.

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Table 1.1 – Accessory Structures

Tracts A, B & C Development Standards

DEVELOPMENT STANDARDS	SINGLE-FAMILY, DETACHED	SINGLE-FAMILY, ATTACHED AND DUPLEX	MULTI-FAMILY	ZERO-LOT LINE, TOWNHOMES (TRACT A ONLY)	<u>GROUP HOUSING</u>	COMMUNITY CENTER/ RECREATION BUILDINGS
ACCESSORY STRUCTURES						
Minimum Setbacks:						
Front (see Note 1)	20 feet	20 feet	20 feet	20 feet	<u>15 feet</u>	10 feet
Side	5 feet	5 feet	5 feet	5 feet	<u>5 feet</u>	5 feet
Rear	5 feet	5 feet	5 feet	5 feet	<u>5 feet</u>	5 feet
Maximum “Zoned” Height	35 feet	35 feet	35 feet	35 feet	<u>35 feet</u>	35 feet
Maximum “Actual” Height	40 feet	40 feet	40 feet	40 feet	<u>40 feet</u>	40 feet

- 1) Driveways shall be a minimum of 23 feet in length from the sidewalk to the garage door or façade of the structure to allow vehicles room to park without obstructing the sidewalk.

SITE DATA:

TRACT A: 15.83± ACRE (50.05% OF ACREAGE)
TRACT B: 13.80± ACRES (43.63% OF ACREAGE)
TRACT C: 2.00± ACRES (6.32% OF ACREAGE)

TOTAL SITE AREA = 31.63± ACRES

REQUIRED PRESERVE AREA:

EXISTING NATIVE VEGETATION X 0.25 = PRESERVE AMOUNT

UPLAND: 0.52 ACRES X 0.25 = 0.13 ACRES

WETLAND: 0.73 ACRES X 0.25 = 0.18 ACRES

TOTAL = 0.31 ACRES

ZONING: MH
USE: MOBILE HOME

DENSITY CALCULATIONS:

TRACT A: 96 DWELLING UNITS

TRACT B: 62 DWELLING UNITS

TRACT C: 1 UNIT

159 DWELLING UNITS / 31.63± ACRES = 5.03± UNITS PER ACRE

45 GROUP HOUSING UNITS

NOTES:

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MINOR MODIFICATION DUE TO AGENCY PERMITTING REQUIREMENTS.
2. ALL ACREAGES ARE APPROXIMATE AND SUBJECT TO MODIFICATION AT THE TIME OF SDP OR PLAT APPROVAL.

DEVIATIONS (SEE EXHIBIT E):

1. ARCHITECTURAL DESIGN STANDARDS. (PREVIOUSLY APPROVED BY ORDINANCE 2008-28, EXHIBIT E)
2. NATIVE VEGETATION. (PREVIOUSLY APPROVED BY ORDINANCE 2008-28, EXHIBIT E) THERE ARE NO PRESERVES AREAS ONSITE.
3. FENCES AND WALLS.

LEGEND

DEVIATIONS
(R/GH) RESIDENTIAL/GROUP HOUSING



GradyMinor

Civil Engineers • Land Surveyors • Planners • Landscape Architects
Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266
Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380

O. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134

ESPERANZA PLACE RPUD

EXHIBIT C
MASTER PLAN
AMENDED 04/26/2018

SCALE: 1" = 250'
WHEN PLOTTED @ 8.5 X 11

SCALE:
1" = 250'
JOB CODE:
EPPUDA
DATE:
AUGUST 2017
FILE NAME:
NPSP MCP 3 - 2017-REV3
SHEET 1 OF 1

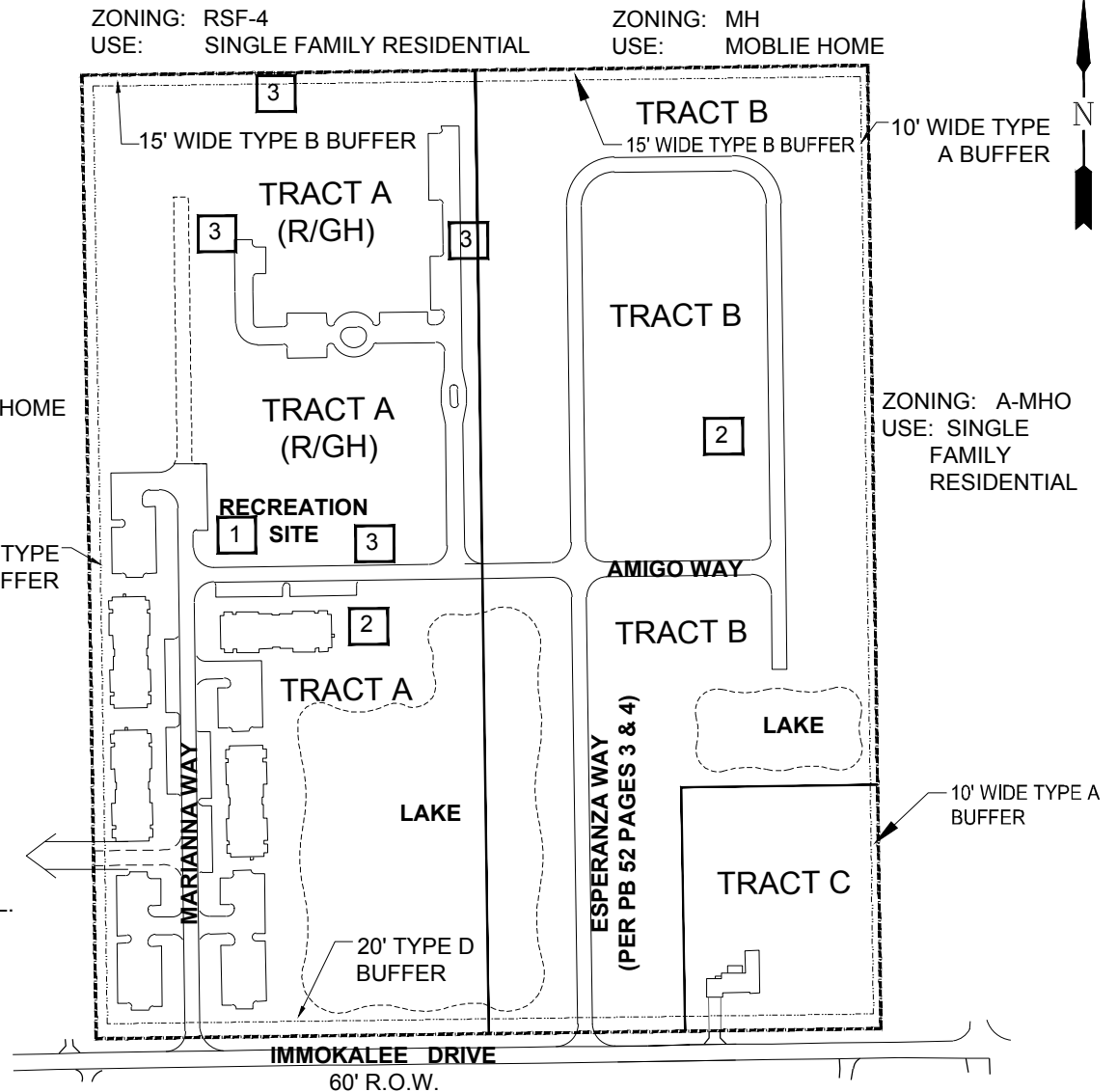


Exhibit D

Legal Description

PARCEL 1
OR 4242 PG 2471

A PARCEL OF LAND LOCATED IN SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 264.70 FEET OF THE EAST 1058.10 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA, LESS THE SOUTH 30.00 FEET THEREOF FOR ROAD RIGHT-OF-WAY. CONTAINING 7.90 ACRES, PLUS OR MINUS.

TOGETHER WITH

PARCEL 2
OR 4242 PG 2470

A PARCEL OF LAND LOCATED IN SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, ALL LYING AND BEING IN COLLIER COUNTY, FLORIDA, LESS AND EXCEPT THE EAST 1,058.80 FEET ~~THEREOF~~ THEREOF AND THE SOUTH 30.00 FEET FOR ROAD RIGHT OF WAY, CONTAINING 7.92 ACRES, MORE OR LESS.

TOGETHER WITH

PARCEL 3
OR 1596 PG 43

A PARCEL OF LAND LOCATED IN SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 264.70 FEET OF THE EAST 794.10 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA, LESS THE SOUTH 30.00 FEET THEREOF FOR ROAD RIGHT-OF-WAY. CONTAINING 7.90 ACRES, PLUS OR MINUS.

TOGETHER WITH

PARCEL 4
OR 1007 PG 1558

THE WEST 264.70' OF THE EAST 529.40' OF THE SE 1/4 OF THE SW 1/4 OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST ALL LYING AND BEING IN COLLIER COUNTY, FLORIDA, LESS THE SOUTH 30.00' FOR ROAD R/W, CONTAINING 7.90 ACRES, MORE OR LESS.

BEING MORE PARTICULARLY DESCRIBED AS:

A PARCEL OF LAND LOCATED IN SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Words underlined are additions; words ~~struck through~~ are deletions

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST THENCE RUN NORTH 89°15'36" EAST ALONG THE SOUTH LINE OF SAID SECTION 32, ALSO BEING THE CENTERLINE OF IMMOKALEE ROAD (60' RIGHT-OF-WAY), FOR A DISTANCE OF 1323.92 FEET; THENCE RUN NORTH 00°44'24" WEST FOR A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, THE SAME BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF IMMOKALEE DRIVE; THENCE RUN NORTH 00°51'21" WEST ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 32, FOR A DISTANCE OF 1,299.83 FEET; THENCE RUN NORTH 89°16'27" EAST, FOR A DISTANCE OF 1,060.74 FEET; THENCE RUN SOUTH 00°47'35" EAST, FOR A DISTANCE OF 1299.57 FEET TO A POINT ON THE SAID NORTHERLY RIGHT-OF-WAY LINE OF IMMOKALEE DRIVE; THENCE RUN SOUTH 89°15'35" WEST ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1059.31 FEET TO THE POINT OF BEGINNING, CONTAINING 31.63 ACRES, MORE OR LESS.

Exhibit E

Deviations from the Land Development Code

1. A deviation from Section 5.05.08 of the LDC which requires non-residential components of any PUD to meet architectural design standards to allow the non-residential component of Tract A to be exempt from these standards.
2. A deviation from Section 3.05.07 of the LDC which requires on-site preservation of 25 percent of the native vegetation on the site to allow off-site preservation or payment toward the Conservation Collier Trust Fund, in accordance with Commitment III.B, described in Exhibit F of this RPUD.
- ~~2.~~3. A deviation from Section 5.03.02.C.1.a, Fences and Walls, which requires residential zoning districts and designated residential components of PUDs shall be subject to a maximum fence or wall height of 6 feet for lots greater than 1 acre. to allow a perimeter wall height to be a maximum of 8 feet for the group housing use on Tract A.

Exhibit F

List of Developer Commitments

I. Affordable Housing:

- A. As documented in the Affordable Housing Density Bonus Agreement, the developers have agreed to construct ~~60-46 owner-occupied dwelling units for residents in or below the workforce income category (61-80 percent of County median income) and 176~~ rental units for residents in or below the low income category (51-60 percent of County median income).

II. Transportation:

- A. If any entrance is to be gated, the face of said gate shall be located to maintain no less than a 100-foot throat length to the northerly edge of the pavement at its intersection with Immokalee Drive.
- B. The developers shall pay a proportionate fair share contribution toward the cost of construction of improvements to the intersection of S.R. 29 and Lake Trafford Road. This contribution shall be made prior to the approval of the first site development plan (SDP) or plans and plat (PPL), whichever occurs first.
- C. Because the developers anticipate using public funding to construct internal roads, they shall have the option of turning roads built in accordance with County construction standards for local roads over to the County for maintenance.
- D. The project shall be limited to a maximum of 168 unadjusted PM peak hour two-way trips, based on the use codes in the ITE Manual on trip generation rates in effect at the time of application for SDP/SDPA or subdivision plat approval.

III. Environmental:

- A. A Florida Black Bear Management Plan shall be provided to the County Manager, or designee, during SDP or plat review process.
- B. At the time of original PUD approval, The site ~~currently contains~~ contained 1.265± acres of native vegetation (0.52+/- acres of upland and 0.73± acres of wetland native vegetation onsite); a minimum of 25 percent, 0.321 acres, must be preserved. For the 0.13 acre portion of the upland vegetation, the applicant will donate an equivalent off-site preserve to be accepted by a public agency or contribute a monetary payment to Conservation Collier equivalent to the average per-acre value found in an appraisal of the entire site, multiplied by the number of acres to be preserved off-site, plus 15 percent of that amount as an endowment for management of off-site land. The appraisal shall be based on the fair market value of the land as if the desired zoning were in place. Twenty-five percent of the 0.73 acre (0.18 acres) wetland native

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vegetation will be preserved and appropriately managed off-site at an approved mitigation bank. All preservation must be accomplished prior to SDP/PPL approval. This off-site preservation may be utilized as part of the required off-site mitigation requirement of the Environment Resource Permit.

- C. The subject property was used for agricultural purposes and incurred clearing for which no permit can be located. In order for the clearing activities to be considered legal and re-creation of the removed vegetation not be required, an after-the-fact permit will be issued for the clearing of approximately 23.6 acres prior to approval for the SDP or PPL for relevant acreage. No after-the-fact clearing fee will be assessed against the developers. The regular clearing fee shall apply.

IV. PUD Monitoring:

- A. One entity (hereinafter the Managing Entity) shall be responsible for PUD monitoring until close-out of the PUD, and this entity shall also be responsible for satisfying all PUD commitments until close-out of the PUD. At the time of this PUD approval, the Managing Entity is Brookwood Residential, LLC. Should the Managing Entity desire to transfer the monitoring and commitments to a successor entity, then it must provide a copy of a legally binding document that needs to be approved for legal sufficiency by the County Attorney. After such approval, the Managing Entity will be released of its obligations upon written approval of the transfer by County staff, and the successor entity shall become the Managing Entity. As Owner and Developer sell off tracts, the Managing Entity shall provide written notice to County that includes an acknowledgement of the commitments required by the PUD by the new owner and the new owner's agreement to comply with the Commitments through the Managing Entity, but the Managing Entity shall not be relieved of its responsibility under this Section. When the PUD is closed-out, then the Managing Entity is no longer responsible for the monitoring and fulfillment of PUD commitments.

V. Miscellaneous

- A. Issuance of a development permit by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. (Section 125.022, FS)
- B. All other applicable state or federal permits must be obtained before commencement of the development.