1-75/ALLIGATOR ALLEY ~~CPUD~~MPUD

A

~~COMMERCIAL~~ MIXED-USE PLANNED UNIT DEVELOPMENT

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Amended 2018

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~~**Date Reviewed by CCPC: _____**~~
~~**Date Approved by BCC: _____**~~
~~**Ordinance No. _____**~~
~~**Amendments & Repeals _____**~~

Exhibit A

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LIST OF EXHIBITS AND TABLES

EXHIBIT "A"	CPUD MASTER PLAN
EXHIBIT "B"	MPUD MASTER PLAN FOR COMMERCIAL /RESIDENTIAL ALTERNATIVE
EXHIBIT "~~B~~C"	LEGAL DESCRIPTION
EXHIBIT "~~C~~D"	LIST OF REQUESTED DEVIATIONS FROM LDC

SECTION I

STATEMENT OF COMPLIANCE

The purpose of this section is to set forth the intent of the 1-75 and Alligator Alley Development Corporation, Inc., on 40.8 acres of land located in a part of Section 34, Township 49 South, Range 26 East, Collier County, Florida. The name of this project shall be the "I-75/Alligator Alley Commercial Planned Unit Development (~~CPUD~~MPUD)". The development of the ~~C~~MPUD will be in compliance with the Planning Goals and Objectives of Collier County as set forth in the Growth Management Plan for the following reasons:

1. The subject property is located in an area identified as Interchange Activity Center #9 in the Growth Management Plan for Collier County.

2. Activity Centers are the preferred locations for the concentration of commercial activities and permit residential development up to a maximum of 16 du/acre based on the project acreage within the Activity Center.

3. The subject tract is located at the intersection of Davis Blvd. (State Road 84), County Road 951, and 1-75, which affords the site access for the placement of commercial activities and multi-family residential dwellings.

4. The project shall be compliance with all applicable County regulations including the Growth Management Plan.

5. The project will be served by a complete range of services and utilities as approved by the County.

6. The proposed project is compatible with and complimentary to existing and surrounding future land uses as required by Policy 5.4 of the Future Land Use Element. Adjacent property to the west is zoned for the East Gateway PUD, a non-residential PUD, and the adjacent land to the East is Zoned C-4.

7. Improvements are planned to be in compliance with applicable land development regulations as set forth in Objective 3 of the Future Land Use Element.

8. The proposed development will result in an extension of community facilities and services as required by Objective 2 and Policy 5.3 of the Future Land Use Element.

9. The project is planned to incorporate natural systems for water management purposes in accordance with their natural functions and capabilities as required by Objective 1.5 of the Drainage Sub-Element of the Public Facilities Element.

10. The FLUE for Interstate Activity Center allows a maximum of 55% of the total area of Interchange Activity Center #9 or 347.875 acres to be developed with commercial uses in the Interchange Activity Subdistrict. At the time of this application for rezoning, 8.35 acres is available for future retail commercial development in Interchange Activity Center #9. Therefore, the proposed ~~C~~MPUD can be found consistent with this provision of the FLUE.

11. All final development orders for this project are subject to the Collier County Concurrency Management System, as implemented by the Adequate Public Facilities Ordinance in Section 6.02.01 of the Land Development Code* (LDC) and further required by policy 2.3 of the FLUE.

12. Development of the 1-75 Alligator Alley ~~C~~MPUD will be consistent with the Activity Center #9 Interchange Master Plan.

SECTION II

PROPERTY OWNERSHIP, LEGAL DESCRIPTION, SHORT TITLE, PROJECT DEVELOPMENT, STATEMENT OF UNIFIED CONTROL

2.1 PROPERTY OWNERSHIP The undeveloped portion of the subject property is currently owned by: ~~Ronald Benderson and David H. Baldauf as Trustees under a trust agreement dated September 22, 1993, known as the Randall Benderson 1993-1 Trust~~ 95 FLRPT LLC , 93 FLRPT LLC, 951 Commerce Center Property Owners Association, Inc., and WR-1 Associates, Ltd. The motel is owned by LaQuinta Properties, Inc. One fast food restaurant is owned by McDonald's Corp., and the Taco Bell restaurant is owned by ~~Tromble and Company~~Walnut properties at the time of the Application for rezoning.

2.2 LEGAL DESCRIPTION The legal description is set forth as Exhibit " ~~B~~C".

2.3 SHORT TITLE

The name of this project shall be known and cited as the "I-75/Alligator Alley ~~Commercial~~ Mixed-Use Planned Unit Development (~~C~~MPUD)".

2.4 PROJECT DEVELOPMENT – The property is located on the north side of Davis Boulevard to the west of Collier Boulevard and bounded by 1-75 to the north. The subject property is also located in the southwest quadrant of 1-75, Exit 15 Interchange and further located in Section 34, Township 49 South, Range 26 East, Collier County, Florida.

The existing PUD is developing with commercial uses that, at the time of this application for rezoning, include an existing motel developed with 107 motel units, an existing Taco Bell and an existing McDonald's restaurant. The subject property has approximately 29.4 acres more or less proposed for commercial ~~uses~~ and/or residential development and approximately 11.4 acres for water management. Within the water management area, 6.12 acres will be re-vegetated if the property is developed solely with commercial uses and 9.41 acres will be re-vegetated if the property is developed with residential uses. The site drains from the south to the north and under 1-75 to the Golden Gate Canal. The elevation of the property ranges from 9 to 13 NVGD. Access to the property is provided from two access points onto Davis Boulevard. Access is also proposed to be shared with the non-residential East ~~Naples~~ Gateway PUD, located to the ~~east~~ west of the subject property. A maximum of 265,000 square feet, of gross leasable commercial space and 425 multi-family residential dwelling units shall be permitted by this ~~C~~MPUD, subject to the trip count in Section 5.2.K.

2.5 STATEMENT OF UNIFIED CONTROL – This statement represents that the current property owners, 95 FLRPT LLC , 93 FLRPT LLC, 951 Commerce Center Property Owners Association, Inc., ~~Ronald Benderson and David H. Baldauf as Trustees under a trust agreement dated September 22, 1993, known as the Randall Benderson 1993-1 Trust~~ and WR-1 Associates, Ltd have undeveloped portions of the ~~C~~MPUD under unified control for the purpose of obtaining ~~C~~MPUD zoning on the subject property with the exception of the existing motel and two existing fast food restaurants no longer under the

ownership of this applicant for ~~C~~MPUD rezoning. The rezoning will not affect the existing development.

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SECTION III

PRESERVE SUBDISTRICT

3.1 PURPOSE

The purpose of this Section is to identify development standards for the preserve areas as shown on Exhibit "A", CPUD Master Plan, and Exhibit "B", MPUD Master Plan for Commercial and Residential Alternative.

3.2 PERMITTED USES

The CPUD and MPUD Master Plans provide~~s~~ for 6.12 acres and ~~11.4~~9.41 acres respectively, for Water Management/Preserve Area, measured from the ~~top of the bank~~property line. Minor adjustments may be made to the boundaries of preserve areas based on wetland permitting considerations, subject to and in accordance with the LDC. However, the Preserve Area shall not be less than 6.12 acres, based on 15% of the entire 40.8 acre site if the property is developed solely with commercial uses, and 9.41 acres if the property is developed with residential uses, based on 25% of 37.6 acres of native vegetation, excluding existing right-of-way.

No building, structure or part thereof, shall be erected, altered or used, or land used, in whole or part, for other than the following structures in accordance with Policy 6.2.6 of the Conservation and Coastal Management Element of the Growth Management Plan:

A. Permitted Uses and Structures

1. Passive recreation areas that do not reduce the amount of required vegetation to be preserved.

2. Water management and water management structures.

3. Mitigation areas.

4. Boardwalks and trails that do not reduce the amount of required vegetation to be preserved.

SECTION IV

PERMITTED USES AND DIMENSIONAL STANDARDS FOR COMMERCIAL AND RESIDENTIAL DEVELOPMENT

4.1 Purpose:

The purpose of this Section is to delineate the development regulations that accompany the conceptual Master Plans depicted in Exhibit "A" and Exhibit "B".

4.2 Maximum Development Intensity:

The maximum development intensity allowed shall be 425 multi-family dwelling units, two hundred and sixty-five thousand (265,000) square feet of gross leasable area of office or retail uses excluding the existing motel approved for 107 units~~,~~ or any future motels, or any combination thereof not to exceed the trip count in Section 5.2.K. The motel site is a 2.14-acre parcel that utilized 2.01 acres of the Preserve Area to achieve the permitted number of units at the time the site plan was approved, and both these areas are depicted on the Master Plans depicted in Exhibit "A" and Exhibit "B".

4.3 General Description of the ~~CPUD~~ Conceptual Master Plans (acreages are approximate and will be determined at the time of SDP or Plat):

Type of Use	**Amount of Acres**
Preserve/Water Management	± 11.4 acres *
Commercial/Residential Area	± 29.4 acres***
Right-of-Way	± 2.9 acres **
Other, Buffer Areas and Open Space	± 8.7 acres **
TOTAL:	± 40.80 acres

* Exhibit "A" contains 6.12 acres of preserve/water management area to be re-vegetated if developed with commercial only. Exhibit "B" contains 9.41 acres of preserve/water management area to be re-vegetated if developed with residential.
** contained within the commercial area
***Residential uses may only be developed within the area identified as the 2018 PUD Amendment Area on Exhibit "B".

4.4 Uses Permitted:

~~A.~~ No building or structure, or point thereof, shall be erected, altered or used, in whole or in part other than the following:

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A. Commercial Principal Permitted Uses (Listed by SIC):

DIVISION A	AGRICULTURE
Groups 0742, 0752	Veterinarian services, exclusive of outside kenneling
DIVISION D	MANUFACTURING
Group 752	Commercial Printing, exclusive of newspapers
DIVISION E	TRANSPORTATION, COMMUNICATIONS, ELECTRIC, GAS and SANITARY SEWERS
Group 4225	General Warehouses and Storage, including mini warehouses (Shall not be permitted immediately adjacent to the right-of- way of the Interstate.)
Group 4311	Post Offices as permitted in the Zoned District-C2, exclusive of major distribution centers
Group 4724	Travel Agents
Groups 4812-4841	Communications services, including towers subject to the LDC
DIVISION G	RETAIL
Major Group 52	Building Materials, Hardware, Garden Supply, Excepting Mobile Home Dealers (527)
Major Group 53	General Merchandise Stores
Major Group 54	Food Stores
Group 5531	Auto and Home Supply Stores
Group 5541	Gasoline Service Stations Accessory Use only
Group 5571	Motorcycle Dealers
Major Group 56	Apparel and Accessory Stores
Major Group 57	Home Furniture, Furnishings, and Equipment Stores
Major Group 58	Eating and Drinking Places, subject to location requirements for sale of alcoholic beverages of the LDC
Major Group 59	Miscellaneous Retail, Excepting Fuel Dealers (598)
DIVISION H	FINANCE, INSURANCE and REAL ESTATE
Major Group 60	Depository Institutions including drive-through banking facilities
Major Group 61	Non-depository Credit Institutions
Major Group 62	Security and Commodity Brokers, Dealers, Exchange and Services
Major Group 63	Insurance Carriers
Major Group 64	Insurance Agents, Brokers and Service
Major Group 65	Real Estate
DIVISION I	SERVICES
Group 7011	Hotels and Motels
Major Group 72	Personal Services, Excepting Funeral Service and Crematories (7261)
Major Group 73	Business Services, Excepting Outdoor Advertising Services
Major Group 75	Auto Repair including carwashes Accessory Uses only
Major Group 76	Miscellaneous Repair Services
Group 7841	Video rental
Group 7991	Physical Fitness Facilities

Groups 801, 802, 803 and 804	Medical Practitioners' Offices
Group 8111	Legal services
Group 871	Engineering, Architectural and Surveying Services
Groups 8711-8748	Professional consulting services
Group 872	Accounting, Auditing and Bookkeeping Services
Group 874	Management and Public Relations Services

Note: Outside storage and display shall not be permitted, with the exception that garden centers with covered storage of materials and products shall be permitted.

B. A maximum of 425 multi-family residential dwelling units.

1. Residential accessory uses:

a) Accessory uses and structures customarily associated with the principal residential uses permitted in this MPUD, including but not limited to garages, carports, swimming pools, spas, screen enclosures, fitness centers, tot lots, dog parks and utility buildings.

b) Model units including sales trailers and offices for residential project administration, construction, leasing and marketing.

c) Any other accessory use, which is comparable in nature with the foregoing residential uses and consistent with the permitted accessory uses of this MPUD as determined by the Board of Zoning Appeals or the Hearing Examiner.

~~B. Outside storage and display shall not be permitted, with the exception that garden centers with covered storage of materials and products shall be permitted.~~

C. Any other permitted uses which are comparable in nature with the foregoing list of permitted uses and consistent with purpose and intent statement of the district, as determined by the Board of Zoning Appeals.

4.5 General Permitted Uses:

Certain uses shall be considered general permitted uses throughout the 1-75 Alligator Alley ~~C~~MPUD except in the preserve areas. General permitted uses are those uses which generally serve the development and end users of the 1-75 Alligator Alley project and are typically part of the common infrastructure or are considered community facilities.

1. Essential services as set forth in the LDC.
2. Water management, water management facilities and related structures.
3. Lakes, including lakes with bulkheads or other architectural or structural bank treatments.

4. Temporary construction, sales, and administrative offices for the developer and the developer's authorized contractors and consultants, including necessary access ways, parking areas, and related uses.
5. Landscape features including, but not limited to, landscape buffers, berms, fences, and walls subject to the standards set forth in this ~~C~~MPUD Ordinance.
6. Any other use, which is comparable in nature with the foregoing uses, consistent with the permitted uses of this ~~C~~MPUD, as determined by the Board of Zoning Appeals.

4.6 Development Standards:

A. Commercial Principal Structure Standards: Table 1 below sets forth the development standards for commercial land uses within this ~~C~~MPUD. Standards not specifically set forth herein shall be those specified in additional sections of the LDC in effect as of the date of the approval of the site development plan or subdivision plat.

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TABLE 1 – COMMERCIAL DEVELOPMENT STANDARDS

1	Front yard setback	Twenty five (25) feet
2	Side yard setback	Fifteen (15) feet or one-half the building height, whichever is greater
3	Minimum distance between structures	Same as side yard requirements
4	Rear yard setback	One-half the building height as measured from an exterior wall.
5	Motel Density And intensity	The maximum density allowed for the existing motel on Lot 6, Plat of 951 Commerce Center, Plat Book 17, Pages 1 and 2 is 26 units per acre based on it's prior SDP approval that utilized 2.01 acres depicted on ~~the CPUD~~ Exhibit "A" and "B" Master Plans to achieve its allowable density. For all unimproved lots the maximum floor area ratio shall be .60.
6	Minimum floor area, all commercial uses	One thousand (1000) square feet
7	Maximum height	Not to exceed fifty (50) feet
8	Minimum lot size	Ten thousand (10,000) square feet
9	Setback from Preserve Areas	Twenty five (25) feet for principal structures and ten (10) feet for accessory structures
10	Minimum Lot Width	One hundred (100) feet
11	Industrial Uses	Should industrial uses develop within this ~~C~~MPUD and are visible from I-75, an eight-foot high masonry wall shall be provided along I-75. See Section ~~3~~4.4 for permitted Industrial Uses.

B. Commercial Accessory Structures:

TABLE 2 – ACCESSORY STRUCTURES

FRONT	20’
SIDE	15’
REAR	15’
PRESERVE SETBACK	10’
DISTANCE FROM PRINCIPAL STRUCTURE	1/2 B.H.
MAX. STORIES/BLDG HT. NOT TO EXCEED	2 STORIES or 25 feet

BH: Building Height

GENERAL: Except as provided for herein, all criteria set forth shall be understood to be in relation to individual parcel or lot boundary lines, or between structures. Condominium, and/or homeowners’ association boundaries shall not be utilized for determining development standards.

C. Residential Development Standards:

1. Table 3 sets forth the development standards for residential land uses within this MPUD. Standards not specifically set forth herein shall be those specified in additional sections of the LDC in effect as of the date of the approval of the site development plan or subdivision plat.

2. Guardhouses, gatehouses, access control structures, clock towers, fences, walls, columns, decorative hardscaping or architectural embellishments associated with the project’s entrance features are permitted within the “C/R” designated areas abutting the project’s entrance, or within the private roadway as depicted on Exhibit “B”, MPUD Master Plan for Commercial and Residential Alternative, and shall have no required setbacks; however, such structures cannot be located where they create vehicular stacking or sight distance issues for motorists and pedestrians, and cannot exceed 35 feet in zoned height and 40 feet in actual height.

TABLE 3 – RESIDENTIAL DEVELOPMENT STANDARDS

STANDARDS	MULTI-FAMILY	AMENITY AREA
PRINCIPAL STRUCTURE		
Minimum Floor Area	700 S.F.	N/A
Minimum Lot Area	N/A	10,000
Minimum Lot Width	N/A	N/A
Minimum Lot Depth	N/A	N/A
Maximum Height Zoned Actual	 60 feet 65 feet	 35 feet 45 feet
SETBACKS		
Minimum Front Yard	15 feet	15 feet
Minimum Side Yard	10 feet	10 feet
Minimum Rear Yard	10 feet from Perimeter Buffer or 0 feet from LMT	10 feet from Perimeter Buffer or 0 feet from LMT
Minimum from Western PUD Boundary	100 feet	100 feet
Minimum Preserve	25 feet	25 feet
Minimum Distance Between Structures	½ the sum of building heights	10 feet
ACCESSORY STRUCTURE		
Maximum Height Zoned Actual	 35 feet 40 feet	 35 feet 40 feet
SETBACKS		
Minimum Front Yard	SPS	SPS
Minimum Side Yard	SPS	SPS
Minimum Rear Yard	0 feet from Perimeter Buffer or LMT	0 feet from Perimeter Buffer or LMT
Minimum from Western PUD Boundary	100 feet	100 feet
Minimum Preserve	10 feet	10 feet

SPS – Same as Principal Structure
LBT – Landscape Buffer Tract
LMT – Lake Maintenance Tract
Note: Nothing in this PUD document shall be deemed to approve a deviation from the LDC unless it is expressly stated in a list of deviations.

~~C.~~D. Landscaping

All landscaping shall be in accordance with the requirements of the LDC. Perimeter buffering shall be provided in accordance with the LDC. The ~~CPUD~~ MPUD is not subject to the requirements of Section 4.06.02.D5a of the LDC in order to allow

configuration of water management areas including retention areas for all development, to allow the edge of the water body to be shown as depicted on ~~the~~ Exhibit "A",CPUD Master Plan, and Exhibit "B", MPUD Master Plan for Commercial and Residential Alternative. The required trees within the 25-foot buffer shall be installed on the 1-75 and CR-951 side of the berm. The existing berm will remain in its present location and will be repaired (placement of additional fill) to bring the top to the proper elevation prior to landscaping. Curvilinear plantings along the edges of those areas comprised of shrubs and grasses, which will be varied in width to give a natural appearance, shall be incorporated within the two water management pretreatment areas, as depicted on ~~the~~ Exhibit "A", CPUD Master Plan, and Exhibit "B", MPUD Master Plan for Commercial and Residential Alternative. The ~~C~~MPUD shall also meet the applicable requirements of the LDC pertaining to the Activity Center #9 Zoning Overlay District. The requirement for a 25-foot Type D buffer along Davis Boulevard shall only be applicable to vacant lots west of the Taco Bell site. The existing ten-foot buffer in front of the Taco Bell and McDonalds sites shall remain as originally approved. (See also Deviation #3, Exhibit ~~C~~D)

~~D.~~E. Common Area Maintenance:

Common area maintenance, including the maintenance of common facilities, open spaces and water management facilities shall be the responsibility of the property-owners' association established by the developer.

~~E.~~F. Architectural Guidelines:

All commercial development shall meet the requirements of the LDC including the requirements of the LDC pertaining to the Activity Center #9 Overlay District and shall be in conformance with the Interchange Master Plan for Activity Center #9. The principal buildings shall be required to have three primary facades to the north, south, and east.

SECTION V

DEVELOPMENT COMMITMENTS

5.1 Environmental Standards

A. A 6.12-acre preserve area depicted on Exhibit "A" the CPUD Master Plan shall be re-vegetated in accordance with the requirements of the LDC if the property is developed soley with commercial uses.

B. A 9.41-acre preserve area depicted on Exhibit "B", MPUD Master Plan for Commercial and Residential Alternative, shall be revegetated in accordance with Deviation #4, if the property is developed with residential uses.

~~B. A fence shall be installed along the perimeter of the preserve area depicted on the CPUD Master Plan in accordance with Collier County requirements until such time as the vegetation has matured.~~

C. A Preserve Area Management Plan shall be provided to the Environmental Services Department for approval prior to site/construction plan approval identifying methods to address treatment of invasive exotic species, fire management, and maintenance.

D. All Category I invasive exotic plants, as defined by the Florida Exotic Pest Plant Council, shall be removed from within preserve areas and subsequent annual removal of these plants in perpetuity shall be the responsibility of the property owner.

E. All conservation areas shall be designated as tracts/easements with protective covenants. If the property is platted, easements shall be dedicated on the plat to the property-owners' association for ownership and maintenance and to Collier County with no responsibility for maintenance.

F. Berms and swales shall not be located within preserve area boundaries, if the property is developed with commercial uses only, as depicted on Exhibit "A".

G. Berms, swales and county utility easements may be located within preserve area boundaries with the approved deviation 5, if the property is developed with residential uses, as depicted on Exhibit "B".

5.2 Transportation Requirements

A. Site-related improvements (as opposed to system-related improvements) necessary for safe ingress and egress to this project, as determined by Collier County, shall not be eligible for impact fee credits. All required improvements shall be in place and available to the public prior to the issuance of the first certificate of occupancy (CO).

B. All internal roads, driveways, alleys, pathways, sidewalks and interconnections to adjacent developments shall be operated and maintained by an entity created by the

developer and the County shall have no responsibility for maintenance of any such facilities.

C. If, in the sole opinion of the County Transportation Division Staff, a traffic signal, or other traffic control device, sign or pavement marking improvement within a public right-of-way or easement is determined to be necessary, the cost of such improvement shall be borne by the developer and shall be paid to the County before the issuance of the first CO.

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D. The adjacent development to the west has ~~have~~ been designed to provide shared access or interconnections with this development. The ~~CPUD~~Exhibit "A" and "B" Master Plans indicate~~s~~ this location. The developer, or assigns, shall assure that any such shared access or interconnection is utilized and shall accommodate the perpetual use of such access by incorporating appropriate language into the development covenants or plat.

E. A directional median opening shall be constructed onto Joyrose Place in accordance with FDOT Standards at such time as improvements are made to Davis Blvd. that are anticipated to be made by the end of 2009. The left hand turn lane for this directional median will be approximately 390 feet in length.

F. The directional median opening constructed on Joyrose Place may be temporary and subject to change or removal by FDOT at the time the Davis Boulevard widening project or future development commences.

G. This ~~C~~MPUD shall retain water management storage and treatment for two acres of right-of-way for the six laning of Davis Boulevard. In the alternate an equivalent amount of water can be stored and treated within the water management system for the widening of Collier Boulevard if the FDOT does not have an interest in one acre of storage area for the widening of Davis Boulevard, and the County constructs at its expense the drainage conveyance system to connect to the PUDs water management system.

H. This project shall be subject to the East Central TCMA requirements, which include a selection of four transportation demand management strategies and fair share payment for impacts not to exceed 15% above impact fees. This requirement shall only be applicable for development that has not received a certificate of public facility adequacy. As of the date of the adoption of this Ordinance, certificates had been issued for 145,000 square feet of unbuilt retail development.

I. There shall be no issuance of COs for any permitted uses until such time as improvements have been substantially completed to Davis Boulevard and it is operational under a six-lane road condition unless certificates of public facility adequacy had been issued prior to the adoption of this Ordinance.

J. Additional interconnections or existing interconnections may be modified or added for an additional off-ramp from 1-75 should it be constructed at a later date.

K. The maximum total daily trip generation for the entire PUD shall not exceed 948 two-way PM peak hour 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. For the area labeled "2018 PUD Amendment Area (PL20180000049)" on the Exhibit B Master Plan, the maximum total daily trip generation shall not exceed 894 two-way PM peak hour 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.

L. No new building COs for development within the area labeled "2018 PUD Amendment Area (PL20180000049)" on Exhibit "B" Master Plan will be allowed until the traffic signal under review with ROW permit PRRPW20180207335, and located at the intersection of Market Street and Davis Boulevard, is constructed and operational.

5.3 Utility Requirements

~~A. The CPUD is currently serviced by an 8 inch water main, as well as a 12 inch force main, both on Bedzel Circle.~~

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~~B.~~A. ~~The developer shall contribute easements of an approximate size of 40 feet by 40 feet for two well fields at the time of the final approval of the subdivision plat or site development plan approval. The first well field is located in the northwestern most corner of the CPUD and the second well field is located about 200 feet northwest of the proposed restaurant along the eastern edge of the development. All wastewater transmission facilities shall be set back 100 feet from these well field areas as required by FDEP.~~

A. The Owner shall convey a County Utility Easement (CUE) to the Collier County Water-Sewer District (District) along the west side of the PUD for replacement of its existing 48" potable water transmission main along Collier Boulevard. The CUE shall be 30 feet in width and shall run adjacent to the western landscape buffer, from the southern right-of-way line of Interstate 75 south to and aligning with the eastern half of the existing 60' CUE recorded at O.R. 1552, pg. 2241. Adjustment of the CUE geometry to accommodate the developer's proposed site improvements, including but not limited to surface water management structures and piping, will be allowed. Language shall be added to the CUE instrument restricting the District's rights within the preserve to trenchless pipeline installation (e.g., horizontal directional drilling). The CUE shall be conveyed in accordance with the Collier County Utilities Standards and Procedures Ordinance at no cost to the County or District, free and clear of all liens and encumbrances, within six months of the effective date of this PUD Ordinance.

B. The Owner shall also convey a temporary construction easement (TCE) to the District within the western water management pre-treatment area as identified on the Exhibit "A" and "B" Master Plans. The TCE is needed for staging of materials and equipment associated with construction of the water main and shall expire upon final completion of the District's water main project or upon the date of the pre-construction meeting for the PUD development with the Growth Management Department's Development Review Division, whichever occurs first, unless a time extension is granted in writing by the Owner. The TCE shall be conveyed in a form acceptable to the County Attorney's Office at no cost to the County or District, free and

clear of all liens and encumbrances, within six months of the effective date of this PUD Ordinance.

5.4 Engineering Requirements

Subdivision of the site shall require re-platting in accordance with the LDC to define the right-of-way and tracts shown on the ~~C~~MPUD Master Plans.

5.5 Water Management Requirements

A. Exhibit "A" ~~The~~ CPUD Master Plan provides for 11.4 acres for water management/preserve area measured from the top of the bank. Minor adjustments may be made to the boundaries of preserve areas based on wetland permitting considerations, subject to and in accordance with the LDC. The preserve area shall not be less than 6.12 acres, based on 15% of the entire 40.8 acre site, if the property is developed with commercial uses only.

B. Exhibit "B", MPUD Master Plan for Commercial and Residential Alternative, provides for 11.4 acres for water management/preserve area measured from the top of the bank. Minor adjustments may be made to the boundaries of preserve areas based on wetland permitting considerations, subject to and in accordance with the LDC. The preserve area shall not be less than 9.41± acres, based on 25% of the 37.6± acres of native vegetation at the time of approval of PUD Ordinance 89-82, if the property is developed with residential uses.

~~B.~~C. Design and construction of all improvements shall be subject to compliance with the appropriate provisions of the LDC, except that excavation for water management features shall be allowed within twenty (20) feet from side, rear or abutting property lines, with side, rear or abutting property lines fenced.

~~C.~~D. The wet season water table elevation shall be established at the time of South Florida Water Management District (SFWMD) permitting.

~~D.~~E. See also Paragraph 5.2.G of Section V addressing provisions for acceptance of run-off from Davis Boulevard.

~~5.6 Affordable Housing Requirement:~~

~~The developer shall make a payment of fifty cents ($.50) per gross leasable square foot to the Collier County Affordable Housing Fund at the time of SDP approval. This commitment and the subsequent payments shall be credited against any subsequently adopted affordable, work force, and /or other gap housing or housing needs impact fee, mitigation, exaction, fee, contribution, linkage fee, and/or other similar tax or charge, which would otherwise be applicable to the CPUD property. Gross leasable square footage attributable to the project for which COs or certificates of public facility adequacy have been issued prior to the date of adoption of this Ordinance shall not be subject to this requirement.~~

~~5.7~~5.6 Land Use and Project Phasing:

A. ~~The~~Exhibit "A" CPUD Master Plan provides for areas of commercial use and, water management areas, and retained vegetation areas and road rights-of-way as depicted on Exhibit "A", the CPUD Master Plan. The CPUD Master Plan is designed to be flexible with regard to the placement of buildings, tracts and related utilities and water management facilities. More specific commitments will be made at the time of site development plan and permitting approval, based on compliance with all applicable requirements of this Ordinance, the LDC and local, state and federal permitting requirements. All tracts may be combined or developed separately subject to compliance with the applicable dimensional requirements contained within this document.

~~B. The anticipated time of build-out of the project is approximately six (6) years from the time of issuance of the first building permit, or 2012. Actual build-out will depend on market conditions.~~

B. Exhibit "B", MPUD Master Plan for Commercial and Residential Alternative, provides for areas of commercial use, residential use, water management areas, retained vegetation areas and road rights-of-way. Exhibit "B", MPUD Master Plan for Commercial and Residential Alternative, is designed to be flexible with regard to the placement of buildings, tracts and related utilities and water management facilities. All tracts may be combined or developed separately subject to compliance with the applicable dimensional requirements contained within this document. However, residential uses are only permitted on the tract labeled "C/R".

5.7 Landscaping

Preserves may be used to satisfy the landscape buffer requirements after exotic vegetation removal in accordance with LDC sections 4.06.02 and 4.06.05.E.1. Supplemental plantings with native plant materials shall be in accordance with LDC section 3.05.07.

THIS 2.01 ACRE AREA IS USED TO SUPPORT THE DENISTY OF THE EXISTING MOTEL PER SDP 94-032 FOR A MAXIMUM OF 107 MOTEL UNITS ON A TOTAL OF 4.15 ACRES.

CURVILINEAR PLANTINGS SHALL ALSO BE PROVIDED ALONG THE EDGES OF THE WATER MANAGEMENT PRE-TREATMENT AREAS AND SHRUBS VARIED IN WIDTH TO GIVE A NATURAL APPEARANCE.

25' TYPE 'D' BUFFER. THE REQUIRED TREES SHALL BE INSTALLED ON THE I-75 & CR-951 SIDE OF THE PREIMETER BERM. THE EXISTING BERM WILL REMAIN IN IT'S PRESENT LOCATION AND WILL BE REPAIRED (PLACEMENT OF ADDITIONAL FILL) TO BRING THE TOP TO THE PROPER ELEVATION PRIOR TO LANDSCAPING.

PRESERVE AREA TO BE RE-VEGETATED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 3.05.07 OF THE LDC.

DEVIATION 8.2, AS SET FORTH IN THE C.P.U.D. ORDINANCE, IS TO ALLOW THE TOE OF SLOPE TO BE LOCATED ON PERIMETER OF THE PROPERTY FOR THE EXISTING BERM.

25' LANDSCAPE BUFFER TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 4.02.23 OF THE LDC.
THE REQUIRED TREES WITHIN THE 25' BUFFER WILL BE INSTALLED ON THE I-75 & CR-951 SIDE OF THE PERIMETER BERM.
THE EXISTING BERM WILL REMAIN IN IT'S PRESENT LOCATION AND WILL BE REPAIRED (PLACEMENT OF ADDITIONAL FILL) TO BRING THE TOP TO THE PROPER ELEVATION PRIOR TO LANDSCAPING.

AN EIGHT FOOT HIGH WALL SHALL BE CONTRUCTED ALONG I-75 IF INDUSTRIAL USES DEVELOP WITHIN THIS CPUD AND ARE VISIBLE FROM I-75

INTERSTATE 75 (STATE ROAD No. 93)

INTERSTATE 75 (STATE ROAD No. 93) OFF-RAMP

DAVIS BOULEVARD (STATE ROAD No. S-84)

AMOCO STATION

NOT A PART

WATER MANAGEMENT PRE-TREATMENT

PRESERVE/WATER MANAGEMENT 6.12 Ac.

PRESERVE/WATER MANAGEMENT 6.12 Ac.

EXISTING MOTEL

REST./ RETAIL

EXISTING BURGER KING

EXISTING McDONALD'S

EXISTING TACO BELL

PROP. RETAIL/REST.

PROPOSED RETAIL/REST.

PROPOSED RETAIL

BEDZEL CIRCLE

BEDZEL DRIVE

JOYROSE PLACE (RELOCATED)

S 00°13'46" W 407.22'

447.42'

332.81'

630.50'

69.56'

645.39'

536.53'

490.9'

146.86'

863.62'

2071.97'

A PORTION OF THE EXISTING SIDEWALK SHALL BE REMOVED AND REPLACED WITH 6' WIDE CONC. SIDEWALK

NOTE:
A MINIMUM OF 10 FEET SEPARATION SHALL BE PROVIDED BETWEEN PRESERVE AND ACCESSORY STRUCTURES.

MAXIMUM SQUARE FOOTAGE IS 265,000 S.F. OF OFFICE OR RETAIL, GROSS LEASEABLE AREA.

80 0 80 160
SCALE IN FEET

SCALE : 1" = 80'

LEGEND

- PROPERTY BOUNDARY
- ZONING BOUNDARY
- LOT LINES
- ROAD RIGHT-OF-WAY EASEMENT
- LANDSCAPE/MAINTENANCE EASEMENT
- DENOTES REVEGITATED AREA
- DENOTES 25' LANDSCAPE BUFFER WITHIN 400 L.F. FROM ACTIVITY CENTER #9 INTERCHANGE
- DENOTES HEAVY DUTY PAVEMENT
- DENOTES ASPHALT PAVEMENT

25' LANDSCAPE BUFFER TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 4.02.23 OF THE LDC.
THE EXISTING BERM WILL REMAIN IN IT'S PRESENT LOCATION AND WILL BE REPAIRED (PLACEMENT OF ADDITIONAL FILL) TO BRING THE TOP TO THE PROPER ELEVATION PRIOR TO LANDSCAPING.

400 FEET FROM I-75 R.O.W. FOR LANDSCAPE BUFFER 25 FEET IN WIDTH.

DEVELOPMENT — 60' R.O.W. — DEVELOPMENT

2' — 6' WALK — 12' — 12' — 2' — 6' WALK

VARIES — 1/4" :1 — 1/4" :1 — VARIES

A 2' VALLEY GUTTER
B 1" ASPHALTIC CONCRETE SURFACE
C 6" LIMEROCK BASE
D 12" STABILIZED SUBGRADE

TYPICAL 60' R.O.W. ROADWAY SECTION

N.T.S.

DEVELOPMENT — 100' R.O.W. — DEVELOPMENT

17' — 6' WALK — 2' — 24' — 2' — 10' — 2' — 24' — 2' — 6' WALK — 17'

VARIES — 1/4" :1 — 1/4" :1 — VARIES

A 2' VALLEY GUTTER
B 1" ASPHALTIC CONCRETE SURFACE
C 6" LIMEROCK BASE
D 12" STABILIZED SUBGRADE
E 2' CONCRETE CURB (6") AND GUTTER

TYPICAL 100' R.O.W. ROADWAY SECTION

N.T.S.

SITE ZONING

SITE	CPUD (1)
SOUTH	PUD (2)
SOUTHEAST	C-4
EAST	C-4
NORTH	I-75
WEST	PUD (3)

(1) I-75 /ALLIGATOR ALLEY CPUD
(2) I-75 COLLIER BLVD. COMMERCE CENTER PUD
(3) EAST NAPLES GATEWAY PUD

LAND USE SUMMARY

PRESERVE/WATER MANAGEMENT	11.4 Ac± *
PUBLIC RIGHT-OF-WAY	2.9 Ac± **
COMMERCIAL AREA	29.4 Ac±
OTHER, BUFFER AREAS AND OPEN SPACE	8.7 Ac± **
TOTAL PROJECT AREA	40.8 Ac ***

* 6.12 ACRES IS CONTAINED IN PRESERVE/WATER MANAGEMENT AREA TO BE RE-VEGETATED

** CONTAINED WITHIN THE COMMERCIAL AREA

*** OPEN SPACE PROVIDED ±49%

LETTER	REVISIONS	DATE

I-75 ALLIGATOR ALLEY C.P.U.D.

DESIGNED BY	J.C.N.	DATE	1/05
DRAWN BY	E.M.N.	DATE	1/05
CHECKED BY	J.C.N./R.L.D.	DATE	1/05
VERTICAL SCALE	N/A	HORIZONTAL SCALE	1" = 80'

HOLE MONTES
ENGINEERS·PLANNERS·SURVEYORS
950 Encore Way
Naples, FL. 34110
Phone: (239) 254-2000
Florida Certificate of Authorization No.1772

CONCEPTUAL C.P.U.D. MASTERPLAN
COLOR EXHIBIT 'A'

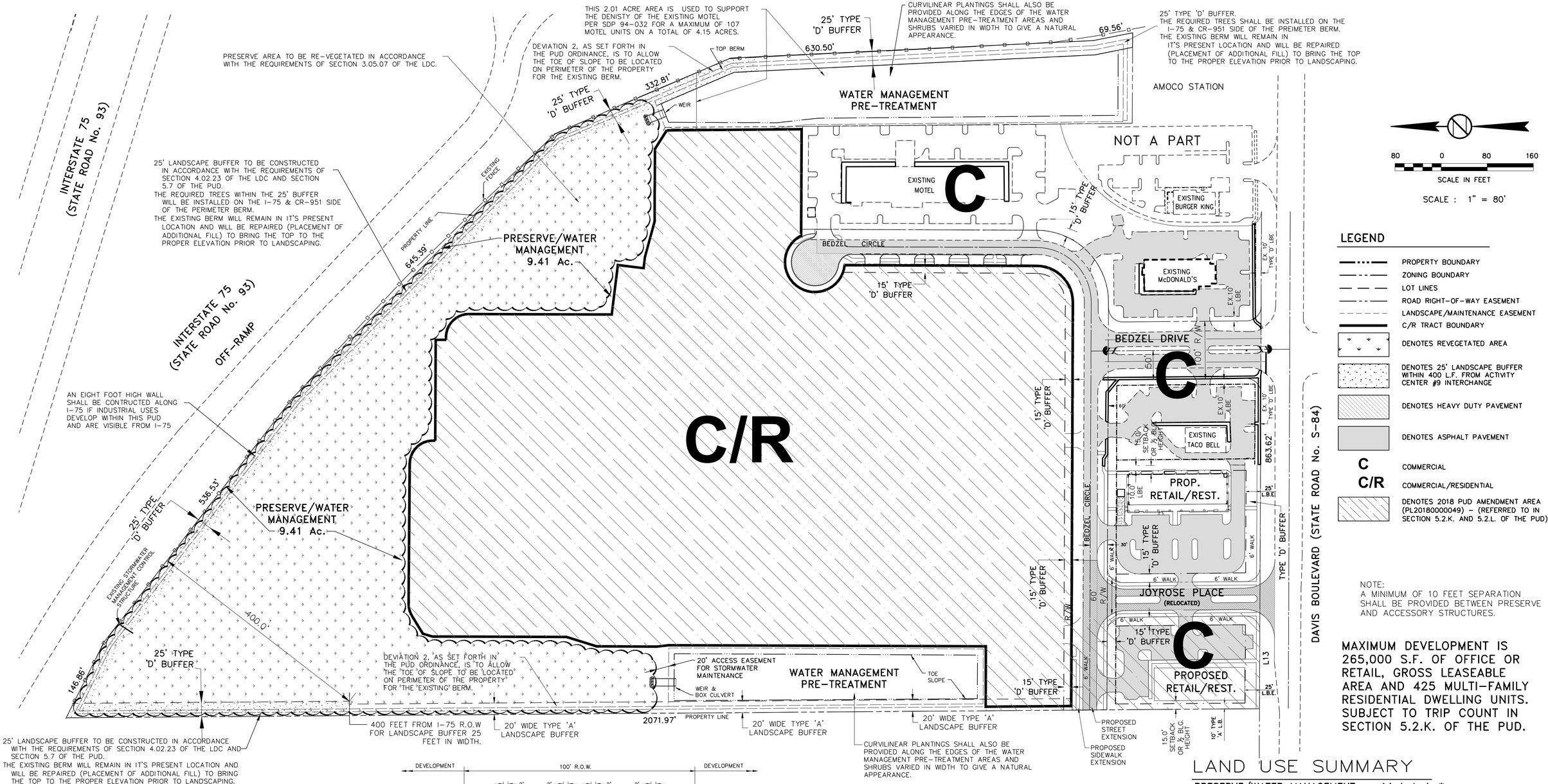
THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED BELOW:

DATE _____

CAD FILE NAME: 2012pud4	DRAWING NO.: 4226-1A
PROJECT NO.: 2002.012	SHEET NO.: 1A OF 5

ALLIGATOR ALLEY, 2002.012

\\gpm.local\files\Planning\PROJ - PLANNING\WATERPUD-I-75 Alligator Alley (P-20180000049)\Drawings\Engineering Files\2012pud4-color.dwg Tab: Layout1 Jun 06, 2018 - 11:04am

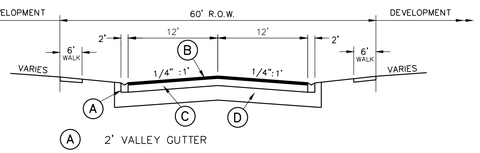


LEGEND

- PROPERTY BOUNDARY
- ZONING BOUNDARY
- LOT LINES
- ROAD RIGHT-OF-WAY EASEMENT
- LANDSCAPE/MAINTENANCE EASEMENT
- C/R TRACT BOUNDARY
- DENOTES REVEGETATED AREA
- DENOTES 25' LANDSCAPE BUFFER WITHIN 400 L.F. FROM ACTIVITY CENTER #9 INTERCHANGE
- DENOTES HEAVY DUTY PAVEMENT
- DENOTES ASPHALT PAVEMENT
- C — COMMERCIAL
- C/R — COMMERCIAL/RESIDENTIAL
- DENOTES 2018 PUD AMENDMENT AREA (PL20180000049) – (REFERRED TO IN SECTION 5.2.K. AND 5.2.L. OF THE PUD)

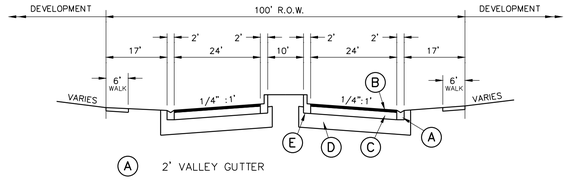
NOTE:
A MINIMUM OF 10 FEET SEPARATION SHALL BE PROVIDED BETWEEN PRESERVE AND ACCESSORY STRUCTURES.

MAXIMUM DEVELOPMENT IS 265,000 S.F. OF OFFICE OR RETAIL, GROSS LEASEABLE AREA AND 425 MULTI-FAMILY RESIDENTIAL DWELLING UNITS. SUBJECT TO TRIP COUNT IN SECTION 5.2.K. OF THE PUD.



(A) 2' VALLEY GUTTER
(B) 1" ASPHALTIC CONCRETE SURFACE
(C) 6" LIMEROCK BASE
(D) 12" STABILIZED SUBGRADE

TYPICAL 60' R.O.W. ROADWAY SECTION



(A) 2' VALLEY GUTTER
(B) 1" ASPHALTIC CONCRETE SURFACE
(C) 6" LIMEROCK BASE
(D) 12" STABILIZED SUBGRADE
(E) 2' CONCRETE CURB (6") AND GUTTER

TYPICAL 100' R.O.W. ROADWAY SECTION

SITE ZONING

SITE	MPUD (1)
SOUTH	PUD (2) AND I
SOUTHEAST	C-4
EAST	C-4 AND COLLIER BLVD.
NORTH	I-75
WEST	PUD (3)

(1) I-75/ALLIGATOR ALLEY MPUD
(2) I-75 COLLIER BLVD. COMMERCE CENTER PUD
(3) EAST GATEWAY PUD

LAND USE SUMMARY

PRESERVE/WATER MANAGEMENT	11.4 Ac± *
PUBLIC RIGHT-OF-WAY	2.9 Ac± **
COMMERCIAL AREA	29.4 Ac±
OTHER, BUFFER AREAS AND OPEN SPACE	8.7 Ac± **
TOTAL PROJECT AREA	40.8 Ac ***

* 9.41 ACRES (37.6 AC. X 0.25) IS CONTAINED IN PRESERVE AREA TO BE RE-VEGETATED
** CONTAINED WITHIN THE COMMERCIAL AREA
*** OPEN SPACE PROVIDED ±49%
**** RESIDENTIAL USES MAY ONLY BE DEVELOPED WITHIN THE "C/R" AREA

LEGEND

Revision	Date	Description	By
		N.T.S.	

DESIGNED BY: Q.G.M.A.
DRAWN BY: S.U.
APPROVED: D.W.A.
JOB CODE: WATERPUD
SCALE: 1" = 80'

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

I-75/ALLIGATOR ALLEY MPUD
MPUD MASTER PLAN
FOR COMMERCIAL/RESIDENTIAL ALTERNATIVE
EXHIBIT B

REVISED 08/01/2018

MUNICIPALITY: COLLIER COUNTY
SEC/TWNSHP/RNG 34/49S/26E
DATE: FEBRUARY 2018
SUBMITTAL TYPE: PUD AMENDMENT
SHEET 1 OF 1

EXHIBIT "~~B~~C"
LEGAL DESCRIPTION

A parcel of land located in the East 1/2 of Section 34, Township 49 South, Range 26 East, Collier County, Florida, being more particularly described as follows: Commence at the Southeast comer of Section 34, Township 49 South, Range 26 East, Collier County, Florida; thence run North 00°32'14" West along the East line of the Southeast quarter of the said Section 34 for a distance of 50.00 feet; thence run North 89°46'4" West, parallel with the South line of the Southeast quarter of the said Section 34 and along the Northerly right-of-way line of State Road 84 (previously known as State Road 858) for a distance of 455.36 feet to the POINT OF BEGINNING of the parcel of land herein described; thence continue North 89°46'14" West along the Northerly right-of-way line of State Road 84 for a distance of 863.63 feet; thence run North 00°26'6" West for a distance of 2,071.97 feet to a point of intersection with the Southerly right-of-way line of State Road No. 93 (Interstate 75) as the same is shown on State of Florida Department of Transportation right-of-way map for Florida State Road No. 93 (1-75) Section 03175-2409, Sheet 6; thence run South 63°27'12" East along said right-of-way line for a distance of 146.86 feet; thence ran South 52°20'28" East along said right- of-way line for a distance of 536.53 feet; thence ran South 45°13'56" East along said right-of-way line for a distance of 645.39 feet; thence ran South 23°17'0" East along said right-of- way line for a distance of 332.81 feet; thence ran South 02°46'25" East along said right-of-way line for a distance of 630.50 feet; thence ran South 11°15'9" East (South 11°12'43" East per F.D.O.T. Map) along said right-of-way line for a distance of 69.56 feet to a point located 275.00 feet North of, as measured at right angles to, the South line of the Southeast quarter of the said Section 34, and a point on the North line of that parcel of land described in O.R. Book 699 at Page 1723 of the Public Records of Collier County, Florida; thence ran North 89°46'4" West, parallel with the South line of the Southeast quarter of the said Section 34 for a distance of 157.32 FEET TO A POINT LOCATED 300.00 feet Westerly of, as measured at right angles to, the East LINE OF THE SOUTHEAST quarter of the said Section 34, and a point on the Easterly line of that parcel of land described in O.R. Book 588 at Page 1805 of the Public Records of Collier County, Florida; thence ran North 00°32'14" West, parallel with the East line of the Southeast quarter of the said Section 34 for a distance of 124.87 feet to a point on a circular curve concave to the Southeast whose radius point bears South 12°00'29" East therefrom; thence ran Southwesterly along the arc of said curve to the left, having a radius of 224.66 feet, through a central angle of 78°3'45", subtended by a chord of 284.38 feet at a bearing of South 38°43'39" West, for a distance of 307.92 feet to the end of said curve; thence ran South 00°32'4" East, parallel with the East line of the Southeast quarter of the said Section 34 for a distance of 102.63 feet to the beginning of a tangential circular curve, concave to the Northeast; thence run Southeasterly along the arc of said curve to the left, having a radius of 25.00 feet, through a central angle of 89°14'00", subtended by chord of 35.12 feet at a bearing of South 45°09'4" East, for a distance of 38.94 feet to the POINT OF BEGINNING.
Containing 40.79 acres, more or less.

EXHIBIT "~~C~~D"

LIST OF REQUESTED DEVIATIONS FROM LDC

1. A deviation is granted from the requirements of Section 4.06.02D. Standards, for retention and detention areas in buffer yards, referenced in Subsection of 4.06.02(D)5.a. of the LDC which states "The shape of a manmade body of water, including retention and detention areas, must be designed to appear natural with curvilinear edges", the referenced Standard is the re-vegetated areas to be provided in the preserve areas of shrubs and grasses to be planted along the perimeter of the water management pre-treatment areas.

2. A deviation is granted from Subsection 4.06.05 H of the LDC that requires the toe of the slope to be set back a minimum of five feet from the edge of the right-of-way or property line, to allow the toe of the existing berm that was constructed in 1990 as part of the previously approved South Florida Water Management District permit to be located on the property line.

3. A deviation is granted from the requirements of Subsection 4.02.23Dl.a. of the LDC, Development in the Activity Center #9 Zoning District that requires a buffer 25 feet in width, (a Type "D" buffer) is only applicable to vacant lots west of the Taco Bell site. The existing ten-foot buffer in front of Taco Bell and McDonald's site shall remain 10 feet in width as originally approved and developed.

4. Relief from LDC Section 3.05.07.H.1.e.ii(b), Created preserves, which requires that "Approved created preserves may be used to recreate not more than two acres of the required preserves if the property has equal to or greater than twenty acres and less than eighty acres of existing native vegetation", to allow for the creation and/or replanting of 3.29 acres of onsite native vegetation preservation area.

5. Relief from LDC Section 3.05.07.H.1.(d), Preserve standards, which requires that "no individual residential or commercial lot, parcel lines or other easements including but, not limited to, utility or access easements that are not compatible with allowable uses in preserve area, may project into a preserve", to allow water management facilities, berms, and Collier County utility easements to be located within the native vegetation preservation area, as depicted on the Master Plan.

6. Relief from LDC 3.05.07.H.1.h.ii.f) which states that "when stormwater discharges are allowed in preserves, the associated stormwater facilities such as berms, swales, or outfall structures, may be located within the preserve, but the area of such facilities cannot count towards the native vegetation preservation requirement pursuant to section 3.05.07," to allow for berms to count toward the minimum native vegetation so as long as they are recreated in accordance with LDC section 3.05.07.H.1.e.