

## EXHIBIT A LIST OF PERMITTED USES

Regulations for development of the Genesis CPUD shall be in accordance with the contents of this document and all applicable sections of the Growth Management Plan (GMP), the Land Development Code (LDC), and the Administrative Code in effect at the time of approval of the Site Development Plan (SDP) or Plat.

### **MAXIMUM INTENSITY:**

This CPUD shall be limited to a maximum development of 65,000 SF of gross floor area of commercial uses. The uses are subject to a trip cap identified in Exhibit F of this CPUD. No building or structure, or part thereof, shall be erected, altered, or used, or land used, in whole or in part, for other than the following:

#### **I. TRACT A**

##### **A. PRINCIPAL USES:**

1. Automotive Vehicle Dealers, New and Used, subject to conditions outlined in Exhibit F.8 of this PUD (5511)
2. Any other principal use, which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Hearing Examiner (HEX) or the Board of Zoning Appeals (“BZA”) by the process outlined in the LDC.

##### **B. ACCESSORY USES**

1. Automotive Repair and Services, subordinate to automotive vehicle dealership and subject to conditions outlined in Exhibit F.8 of this PUD (7533-7539)
2. Car Wash, subordinate to automotive vehicle dealership and subject to LDC Section 5.05.11 and conditions outlined in Exhibit F.8 of this PUD.
3. Outdoor display and storage of new and used vehicles.
4. Stormwater management facilities and structures.
5. Customary accessory uses and structures that are incidental to the list of permitted principal uses.

#### **II. TRACT B**

##### **A. PRINCIPAL USES:**

1. Accident and Health Insurance Services (6321)
2. Advertising Agencies (7311)
3. Amusement and Recreation Services, indoor (7999, limited to the uses listed below. Any uses not listed below for SIC 7999 are prohibited.)
  - a. gymnastics instruction
  - b. judo instruction
  - c. karate instruction
  - d. yoga instruction

4. Apparel and Accessory Stores (5611-5661 and 5699, limited to the uses listed below. Any uses not listed below for SIC 5699 are prohibited.)
  - a. Bathing suit stores-retail
  - b. Custom tailors-retail
  - c. Dresses made to order-retail
  - d. Dressmakers' shops, custom-retail
  - e. Merchant tailors-retail
  - f. Shirts custom made-retail
  - g. Sports apparel stores-retail
  - h. Tee shirts custom printed-retail
  - i. Uniforms-retail
5. Auto and Home Supply Stores (5531)
6. Banks, credit unions and trusts (6011-6091)
7. Eating Places (5812, except restaurants with drive through facilities)
8. Food Stores (5411, except convenience stores)
9. Food Stores, Miscellaneous (5499, limited to the uses listed below. Any uses not listed below for SIC 5499 are prohibited.)
  - a. Coffee stores-retail
  - b. Dietetic food stores-retail
  - c. Health food stores-retail
  - d. Vitamin food stores-retail
10. General Merchandise Stores (5311)
11. Health Services (8011-8049,8082)
12. Home Furniture, Furnishings and Equipment Stores (5712-5736)
13. Insurance Agents, Brokers, and Services (6411)
14. Legal Services (8111)
15. Miscellaneous Retail (5912, 5941, 5942, 5946, 5992, 5994 and 5995)
16. Organizations: Political, Professional and Membership, Miscellaneous (8611-8661)
17. Paint and Wallpaper Stores (5231, except glass stores)
18. Personal Services (7212 dry-cleaning and laundry pickup stations only, 7215, 7217, 7219-7261 except crematories, 7291)
19. Professional Offices, Medical Offices, and Management Consulting Services (8711-8748)
20. Real Estate Agents and Managers (6531)
21. Retail Bakeries (5461)
22. Veterinary Services (0742)
23. Any other principal use, which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Hearing Examiner (HEX) or the Board of Zoning Appeals ("BZA") by the process outlined in the LDC.

## **B. ACCESSORY USES**

1. Customary accessory uses and structures that are incidental to the list of permitted principal uses.
2. Overflow parking of new and used vehicles associated with Automotive Vehicle Dealers on Commercial Tract A.

### **III. PRESERVE**

#### **A. PRINCIPAL USES**

1. Preservation of native vegetation
2. Pervious and impervious pathways and boardwalks, subject to criteria identified in LDC Section 3.05.07 H.1.h.i.
3. Benches for seating

#### **B. ACCESSORY USES**

1. Stormwater management structures and facilities, subject to criteria identified in LDC Section 3.05.07 H.1.h.ii.

**EXHIBIT B**  
**LIST OF DEVELOPMENT STANDARDS**

The standards for land uses within the development shall be as stated in these development standards tables. Standards not specifically set forth herein shall be those specified in applicable sections of the LDC in effect as of the date of approval of the SDP or subdivision plat.

**TABLE I**  
**DEVELOPMENT STANDARDS**

<b>DEVELOPMENT STANDARDS</b>	<b>PRINCIPAL USES</b>	<b>ACCESSORY USES <sup>1</sup></b>
<b>MINIMUM LOT AREA</b>	10,000 SF	N/A
<b>MINIMUM LOT WIDTH</b>	75 FEET	N/A
<b>MINIMUM SETBACKS (EXTERNAL)</b>		
FRONT YARD: (FROM SOUTHERN PUD BOUNDARY)	25 FEET	20 FEET
FRONT YARD: (FROM EASTERN PUD BOUNDARY)	25 FEET	20 FEET
FRONT YARD: (FROM NORTHERN PUD BOUNDARY)	82.5 FEET	82.5 FEET
SIDE YARD: (FROM WESTERN PUD BOUNDARY)	15 FEET	10 FEET
<b>MINIMUM SETBACKS (INTERNAL)</b>		
INTERNAL DRIVES/ROWS (measured from edge of pavement)	10 FEET	10 FEET
INTERNAL PROPERTY LINES/TRACT LINES	0 FEET	0 FEET
PRESERVE	25 FEET	10 FEET
<b>MAXIMUM BUILDING HEIGHT</b>		
ZONED	35 FEET, limited to three-stories	SPS
ACTUAL	45 FEET, limited to three-stories	SPS
<b>MINIMUM DISTANCE BETWEEN STRUCTURES</b>	20 FEET	10 FEET

<sup>1</sup>Accessory carwash to the automotive vehicle dealership is subject to the additional development standards and criteria in LDC Section 5.05.11.

EXHIBIT C  
PUD MASTER PLAN

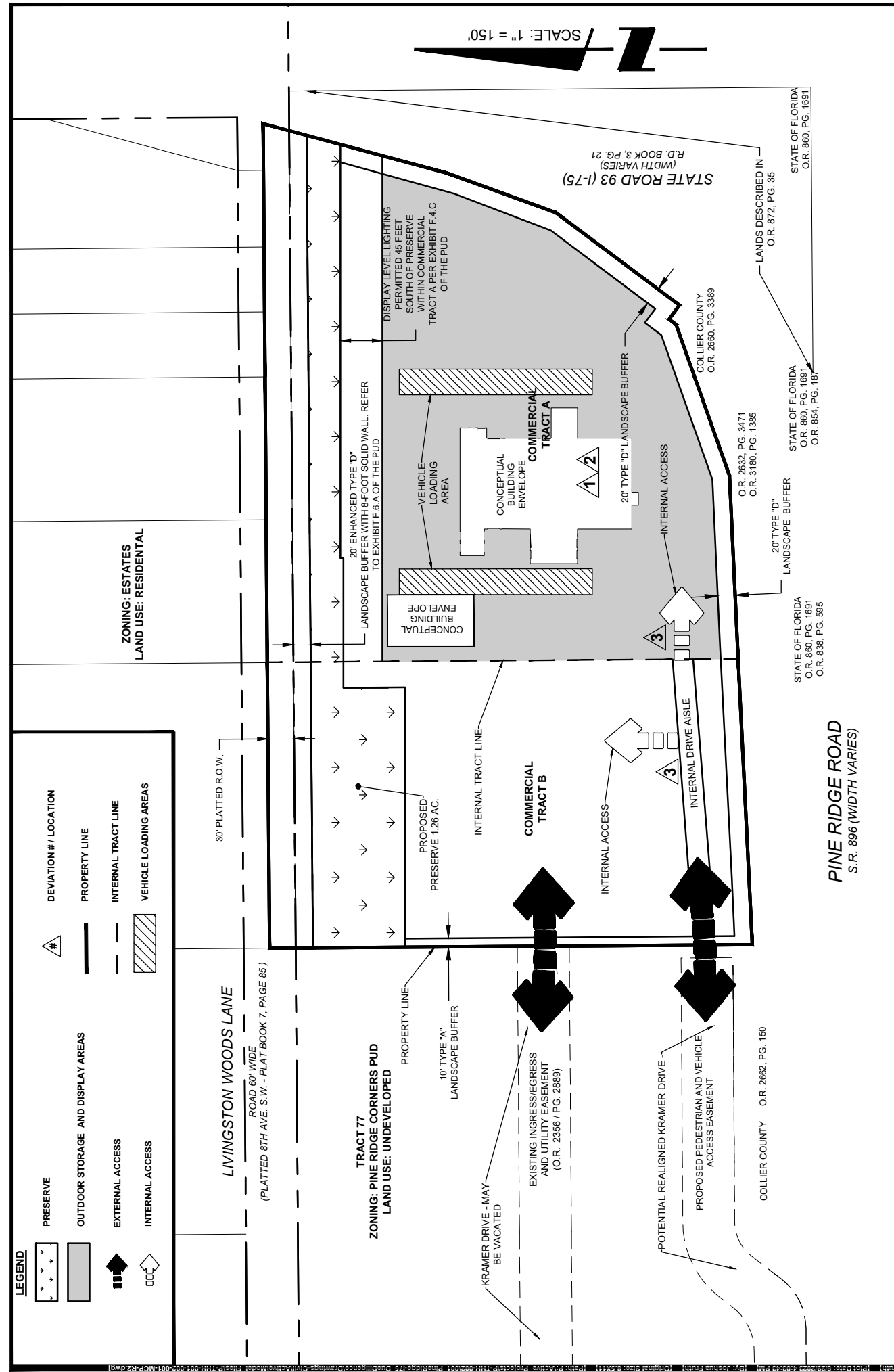
**LEGEND**

	PRESERVE
	OUTDOOR STORAGE AND DISPLAY AREAS
	EXTERNAL ACCESS
	INTERNAL ACCESS
	DEVIATION # / LOCATION
	PROPERTY LINE
	INTERNAL TRACT LINE
	VEHICLE LOADING AREAS

LIVINGSTON WOODS LANE  
 ROAD 60' WIDE  
 (PLATTED 8TH AVE. S.W. - PLAT BOOK 7, PAGE 85)

TRACT 77  
 ZONING: PINE RIDGE CORNERS PUD  
 LAND USE: UNDEVELOPED

ZONING: ESTATES  
 LAND USE: RESIDENTIAL



SCALE: 1" = 150'

SEC: 7 TWP: 49 RGE: 26

Designed by:	SPC
Drawn by:	SPC
Date:	11/20/22
Drawing Scale:	1" = 150'
Project Number:	P-THH-001-002
File Name:	MCP-01
Sheet ID:	EX-1
Sheet Number:	1 of 2

Revisions:	No.	Revision:	Date:
	1	PER COLLIER COUNTY REVIEW COMMENTS	04/18/23
	2	PER COLLIER COUNTY REVIEW COMMENTS	06/27/23

CLIENT: GENESIS OF NAPLES, LLC

TITLE: EXHIBIT "C" PUD MASTER PLAN

PROJECT: GENESIS CPUD

**PENINSULA ENGINEERING**

2600 Golden Gate Parkway  
 Naples, Florida 34105  
 Phone: 239.403.6700 Fax: 239.261.1797  
 www.pen-eng.com Florida Certificate of Authorization #28275

**PLANNING NOTES:**

CURRENT ZONING: ESTATES AND CLESEN PUD  
 PROPOSED ZONING: GENESIS CPUD  
 CURRENT LAND USE: UNDEVELOPED  
 FUTURE LAND USE: URBAN COMMERCIAL DISTRICT - MIXED USE  
 ACTIVITY CENTER SUBDISTRICT

PROPOSED LAND USE: COMMERCIAL  
 MAXIMUM INTENSITY: MAXIMUM BUILDING HEIGHT:

65,000 SF. ZONED 35' LIMITED TO 3-STORIES  
 ACTUAL 45' LIMITED TO 3-STORIES

**PRESERVE CALCULATION:**

	PROPOSED DEVELOPMENT
PRESERVE REQUIRED: 15% OF EXISTING NATIVE VEGETATION	8.42-ACRES OF EXISTING NATIVE VEGETATION ON-SITE X 0.15 = 1.26 ACRES
PRESERVE PROVIDED	1.26 ACRES

**LAND USE SUMMARY:**

USE	ACRES	% OF SITE
WATER MANAGEMENT	±0.36 ACRES	0.4%
PRESERVES	±1.26 ACRES	13.2%
LANDSCAPE BUFFERS	±2.03 ACRES	21.3%
COMMERCIAL TRACT A (DEVELOPABLE AREA)	±3.3 ACRES	55.0%
COMMERCIAL TRACT B (DEVELOPABLE AREA)	±2.6 ACRES	
30' PLATTED ROW	±0.96 ACRES	10.1%
TOTAL SITE AREA	±10.51 ACRES	100%

**DEVIATIONS:**

1. DEVIATION #1 SEEKS RELIEF FROM LDC SECTION 5.06.04.F.4 "WALL SIGNS," WHICH, IN PART, ALLOWS CERTAIN RETAIL BUSINESSES WITH FLOOR AREA OF LARGER THAN 25,000 SQUARE FEET AND A FRONT WALL LENGTH OF MORE THAN 200 LINEAR FEET TO HAVE ALLOWED 3 WALL SIGNS, TO INSTEAD ALLOW CERTAIN RETAIL BUSINESSES WITH A FLOOR AREA OF LARGER THAN 25,000 SQUARE FEET AND A FRONT WALL LENGTH OF 180 OR MORE LINEAR FEET TO HAVE ALLOWED 3 WALL SIGNS.

2. DEVIATION #2 SEEKS RELIEF FROM LDC SECTION 5.06.04.F.4 "WALL SIGNS," WHICH PERMITS SHOPPING CENTERS, SINGLE AND MULTI-OCCUPANCY PARCELS WHERE THE IS DOUBLE FRONTAGE ON A PUBLIC RIGHT-OF-WAY A TOTAL OF 2 WALL SIGNS, TO INSTEAD ALLOW A TOTAL OF THREE (3) WALL SIGNS ON THE MAIN SALES BUILDING, NOT TO EXCEED THE MAXIMUM ALLOWABLE DISPLAY AREA OF SIGNS BY THE LDC, AND ONE (1) ADDITIONAL WALL SIGN ON THE CAR WASH BUILDING, NOT TO EXCEED 20 SQUARE FEET, WITHIN COMMERCIAL TRACT A.

3. DEVIATION #3 SEEKS RELIEF FROM LDC SECTION 5.06.04.F.2.B "OUTPARCEL SIGNS," WHICH PERMITS A SINGLE GROUND SIGN FOR OUTPARCELS HAVING A FRONTAGE OF 150 FEET OR MORE, NOT TO EXCEED 60 SQUARE FEET, TO INSTEAD PERMIT A SINGLE GROUND SIGN UP TO EIGHT FEET IN HEIGHT AND 60 SQUARE FEET FOR DEVELOPMENT ON EACH OF THE COMMERCIAL TRACTS IDENTIFIED ON THE PUD MASTER PLAN, REGARDLESS OF WHETHER THE COMMERCIAL TRACTS ARE PERMITTED UNDER ONE UNIFIED SITE DEVELOPMENT PLAN.

**OPEN SPACE:**

\*MINIMUM OPEN SPACE REQUIRED AND PROVIDED = 30%  
 \*OPEN SPACE LOCATIONS WILL BE DETERMINED AT TIME OF SDP PERMITTING

**NOTES:**

- THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MINOR MODIFICATIONS AT TIME OF DEVELOPMENT ORDER.
- PRESERVES MAY BE USED TO SATISFY THE LANDSCAPE BUFFER REQUIREMENTS AFTER EXOTIC VEGETATION REMOVAL IN ACCORDANCE WITH LDC SECTION 4.06.02 AND 4.06.05.E1 SUPPLEMENTAL PLANTINGS WITH NATIVE PLANT MATERIALS SHALL BE IN ACCORDANCE WITH LDC 3.05.07.



2600 Golden Gate Parkway  
 Naples, Florida 34105 Fax: 239.261.1797  
 Phone: 239.603.0700  
 www.pen-eng.com Website  
 Authorization #28275

**PROJECT:**

GENESIS  
 CPUD

**TITLE:**

EXHIBIT "C"  
 PUD MASTER PLAN

**CLIENT:**

GENESIS OF NAPLES,  
 LLC

Revisions:	No.	Revision:	Date:
	1	PER COLLIER COUNTY REVIEW COMMENTS	04/18/23
	2	PER COLLIER COUNTY REVIEW COMMENTS	06/27/23

SEC: 7	TWP: 49	RGE: 26
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Drawn by:	SPC	
Date:	11/20/22	
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Project Number:	P-THH-001-002	
File Name:	MCP-01	
Sheet ID:	EX-2	
Sheet Number:	2	of 2

**EXHIBIT D  
LEGAL DESCRIPTION**

TRACT 92, OF THE PLAT OF GOLDEN GATE ESTATES UNIT NO. 35, PLAT BOOK 7, PAGE 85, COLLIER COUNTY, FLORIDA, LESS A PORTION OF LAND AS RECORDED IN O.R. BOOK 838, PAGE 595, COLLIER COUNTY, FLORIDA, AND LESS A PORTION OF LAND AS DESCRIBED IN O.R. BOOK 2662, PAGE 150, COLLIER COUNTY, FLORIDA

AND

TRACT 93, OF THE PLAT OF GOLDEN GATE ESTATES UNIT NO. 35, PLAT BOOK 7, PAGE 85, COLLIER COUNTY, FLORIDA, LESS A PORTION OF LAND AS RECORDED IN O.R. BOOK 854, PAGE 187, COLLIER COUNTY FLORIDA, AND LESS A PORTION OF LAND AS RECORDED IN O.R. BOOK 3180, PAGE 1385, COLLIER COUNTY FLORIDA.

AND

TRACT 108, OF THE PLAT OF GOLDEN GATE ESTATES UNIT NO. 35, PLAT BOOK 7, PAGE 85, COLLIER COUNTY, FLORIDA, LESS A PORTION OF LAND AS DESCRIBED IN O.R. BOOK 872, PAGE 35, AND LESS A PORTION OF LAND AS DESCRIBED IN O.R. BOOK 2660, PAGE 3389, COLLIER COUNTY FLORIDA.

CONTAINING 10.51-ACRES



## EXHIBIT E LIST OF DEVIATIONS

1. Deviation #1 seeks relief from LDC section 5.06.04.F.4 “Wall Signs,” which, in part, allows certain retail businesses with a floor area of larger than 25,000 square feet and a front wall length of more than 200 linear feet to have allowed 3 wall signs, to instead allow certain retail businesses with a floor area of larger than 25,000 square feet and a front wall length of 180 or more linear feet to have allowed 3 wall signs.
2. Deviation #2 seeks relief from LDC Section 5.06.04.F.4 “Wall Signs,” which permits shopping centers, single and multi-occupancy parcels where there is double frontage on a public right-of-way a total of 2 wall signs, to instead allow a total of three (3) wall signs on the main sales building, not to exceed the maximum allowable display area of signs by the LDC, and one (1) additional wall sign on the car wash building, not to exceed 20 square feet, within Commercial Tract A.
3. Deviation #3 seeks relief from LDC Section 5.06.04.F.2.b “Outparcel Signs,” which permits a single ground sign for outparcels having a frontage of 150 feet or more, not to exceed 60 square feet, to instead permit a single ground sign up to eight feet in height and 60 square feet for development on each of the Commercial Tracts identified on the PUD Master Plan, regardless of whether the Commercial Tracts are permitted under one unified Site Development Plan.

## EXHIBIT F LIST OF DEVELOPMENT COMMITMENTS

The purpose of this Section is to set forth the development commitments for the development of this project.

### 1. GENERAL

- 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 Genesis Naples, 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 their/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.
- B. 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)
- C. All other applicable state or federal permits must be obtained before commencement of the development.
- D. There shall be no outdoor amplified sound.
- E. As a unified development, Tracts A and B shall be considered unified for development purposes and no internal setbacks or buffers shall be required between the two tracts, as determined by the County Manager or designee.

### 2. TRANSPORTATION

- A. The maximum total daily trip generation for the proposed CPUD shall not exceed 283 two-way PM peak hour net new trips based on the land use codes in the ITE Trip Generation Manual in effect at the time of application for SDP/SDPA or subdivision plat approval.
- B. Access to the PUD is limited to Pine Ridge Road via an existing Roadway Easement Agreement with the adjacent properties to the west (OR Book 2330, Page 1394, as amended). Should the subject CPUD be subdivided, each tract will be granted sufficient legal access as determined by the County Attorney's Office.

- C. There shall be no access to Livingston Woods Lane.
- D. The responsibility for the construction and maintenance of Kramer Drive shall be outlined in an Easement Agreement, between all applicable parties, and provided to Collier County at time of SDP/PPL for the Genesis CPUD or at time of Development Order for the construction of Kramer Drive (whichever comes first).

### 3. ENVIRONMENTAL

- A. The preservation requirement shall be 15% of the existing native vegetation on-site. (8.42-acres of existing native vegetation x 15% = 1.26-acre preserve requirement)
- B. At time of development review, a Black Bear Management Plan and the Eastern Indigo Snake Protection Precautions will be provided, if necessary, as determined by the County Manager or designee.
- C. Preserves may be used to satisfy the landscape buffer requirements after exotic vegetation removal in accordance with LDC Section 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.

### 4. LIGHTING

- A. Lighting will be shielded and directional to avoid glare on neighboring residential properties. Illumination at all adjacent residential property lines shall not exceed 0.5-foot candles.
- B. Site light poles shall have a maximum height of 20 feet.
- C. Display lighting will be limited to the area shown on the PUD Master Plan and will not exceed 1,000-watt metal halide intensity or equivalent (intensity of LED or other bulb type).

### 5. UTILITIES

- A. At the time of application for subdivision Plans and Plat (PPL) and/or Site Development Plan (SDP) approval, as the case may be, offsite improvements and/or upgrades to the water and/or wastewater collection/transmission system may be required to adequately handle the total estimated peak hour flow from the project as determined by the County Manager or their designee. Whether or not such improvements are necessary, and if so, the exact nature of such improvements and/or upgrades shall be determined during PPL or SDP review, as determined by the County Manager or their designee. Such improvement and/or upgrades as may be necessary shall be permitted and installed at the developer's expense and may be required to be in place prior to issuance of a certificate of occupancy for any portion or phase of the development that triggers the need for such improvements and/or upgrades.

6. LANDSCAPING

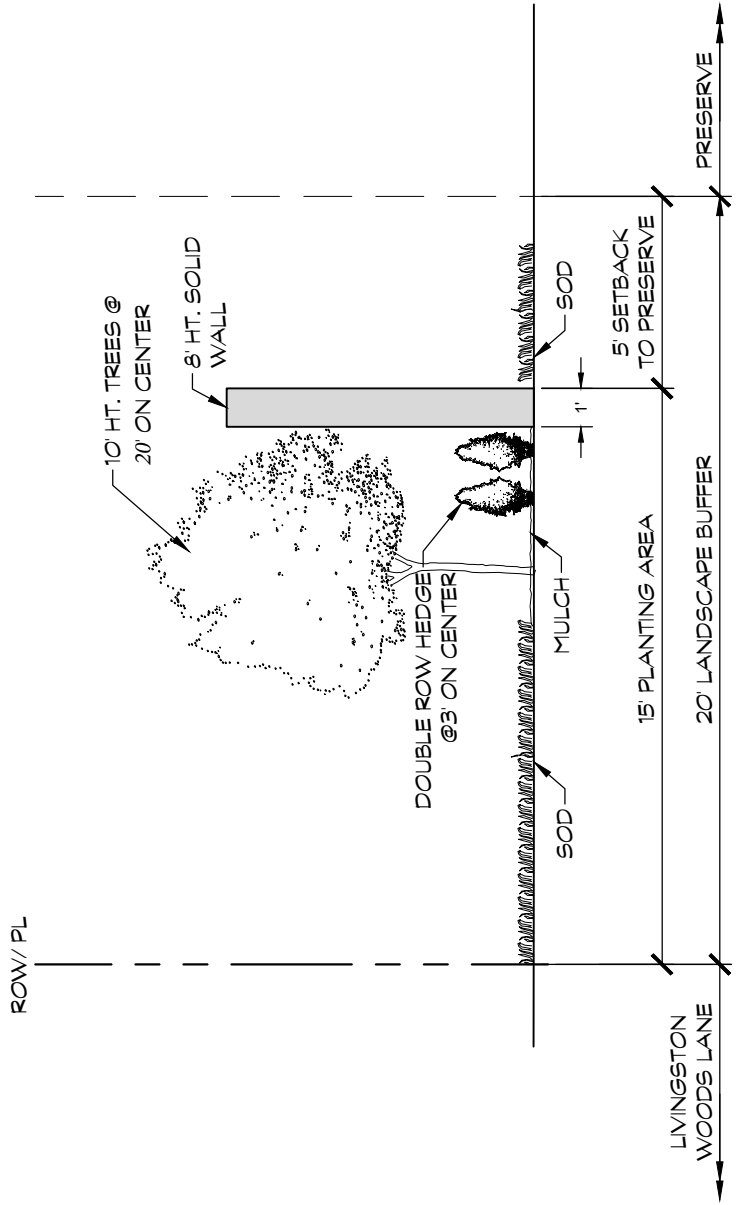
- A. A 20' Type 'D' Landscape Buffer shall be provided along Livingston Woods Lane, consisting of trees spaced 20 feet on-center, a double row of shrubs spaced 3 feet on-center and a solid wall that is 8-feet in height. 100% of the trees and shrubs will be installed on the northern side of the wall. The buffer and wall shall be installed as a required site improvement with the first Development Order within the subject CPUD. See Exhibit F-1.

7. OUTDOOR STORAGE AND DISPLAY

- A. Other than outdoor vehicle storage and display associated with new and used automotive sales and overflow parking on Commercial Tracts A and B, there shall be no outside storage or display of merchandise. Outside storage and display of automotive parts/supplies is not permitted.

8. SPECIAL CONDITIONS- AUTMOTIVE VEHICLE DEALERS

- A. Use of the following standards shall apply to an accessory carwash:
  - i. Each end of the carwash will have bay doors that will remain closed during the entire wash cycle and will only be opened and closed for entering or existing vehicles.
- B. Repair and service areas must be enclosed. Doors will only be opened and closed for entering or existing vehicles.
- C. Hours of operation will be limited to the following:
  - i. 7am to 8pm, Monday – Friday for Sales
  - ii. 7am to 6pm, Monday – Friday for Service
  - iii. 7am to 5pm, Saturday and Sunday for both Sales and Service
- D. No gasoline storage or fueling tanks shall be located on the property.
- E. There will be no collision shop operations on-site.
- F. There will be no rooftop parking/ vehicle display.
- G. Livingston Woods Lane shall not be used for sales or service test drives.



**EXHIBIT F-1**

**NOTE:**  
 100% OF THE TREES AND SHRUBS WILL BE INSTALLED ON THE  
 NORTHERN SIDE OF THE WALL.

SEC: 07	TWP: 49	RGE: 26
Designed by:	STEVE SAMMONS	
Drawn by:	IVAN TORRES	
Date:	AUGUST 2022	
Drawing Scale:	1" = 5'	
Project Number:	P-THH-001	
File Name:	P-THH+002-001-X03.dwg	
Sheet ID:	<b>X03</b>	
Sheet Number:	01 of 01	

REVISIONS:	Date:
No:	
Revision:	

CLIENT:	GENESIS OF NAPLES, LLC
TITLE:	EXHIBIT F-1

PROJECT:	GENESIS OF NAPLES
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**PENINSULA ENGINEERING**

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 • SURVEYING  
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239.403.6700  
 Pen-Eng.com

Florida Engineering C.A. #28275  
 Florida Landscape C.A. #LC26000632