

## EXHIBIT A LIST OF PERMITTED USES

Regulations for development of the LEO @ Naples RPUD 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 DENSITY:**

This RPUD shall be limited to a maximum density of 12.2 residential dwelling units per acre, for a total of 350 rental dwelling units. The uses are subject to a trip cap identified in Exhibit F of this RPUD. 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:

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

1. Residential Dwelling Units, which may include a variety of rental unit types including single-family dwelling units (attached and detached units) and multi-family dwelling units.
2. Any other principal use, which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals (BZA) of the Hearing Examiner (HEX), as applicable, by the process outlined by the Land Development Code (LDC).

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

1. Customary accessory uses and structures, such as but not limited to, a clubhouse and fitness facilities for residents and their guests.
2. Carports and garages.
3. Leasing Center, associated with leasing dwelling units within the RPUD and administrative functions.
4. Stormwater management facilities and structures.
5. Indoor and outdoor recreational facilities and uses, such as but not limited to swimming pools, parks for residents and their guests.

**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>SINGLE-FAMILY (attached and detached)</b>	<b>MULTI-FAMILY <sup>2</sup></b>	<b>ACCESSORY STRUCTURES</b>
<b>MINIMUM LOT AREA</b>	N/A	N/A	N/A
<b>MINIMUM LOT WIDTH</b>	N/A	N/A	N/A
<b>MINIMUM LOT DEPTH</b>	N/A	N/A	N/A
<b>MINIMUM FLOOR AREA</b>	700 SF	600 SF	N/A
<b>MINIMUM PUD BOUNDARY SETBACKS</b>			
FRONT YARD (IMMOKALEE RD)	25'	25'	20'
FRONT YARD (RICHARDS STREET)	25'	25'	20'
SIDE YARDS	15'	20'	15'
FROM PRESERVE	25'	25'	10'
<b>PERMITTED MAXIMUM BUILDING HEIGHT</b>			
MAXIMUM BUILDING HEIGHT-ZONED	35'	50'	30'
MAXIMUM BUILDING HEIGHT-ACTUAL	42'	57'	37'
<b>MINIMUM DISTANCE BETWEEN STRUCTURES</b>	0/10' <sup>1</sup>	½ the sum of the building heights	10'
<b>MINIMUM DISTANCE BETWEEN STRUCTURES AND INTERNAL ACCESSWAYS</b>	2'	10'	N/A

<sup>1</sup>Zero feet if attached, ten feet if detached.

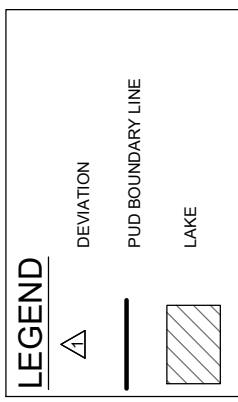
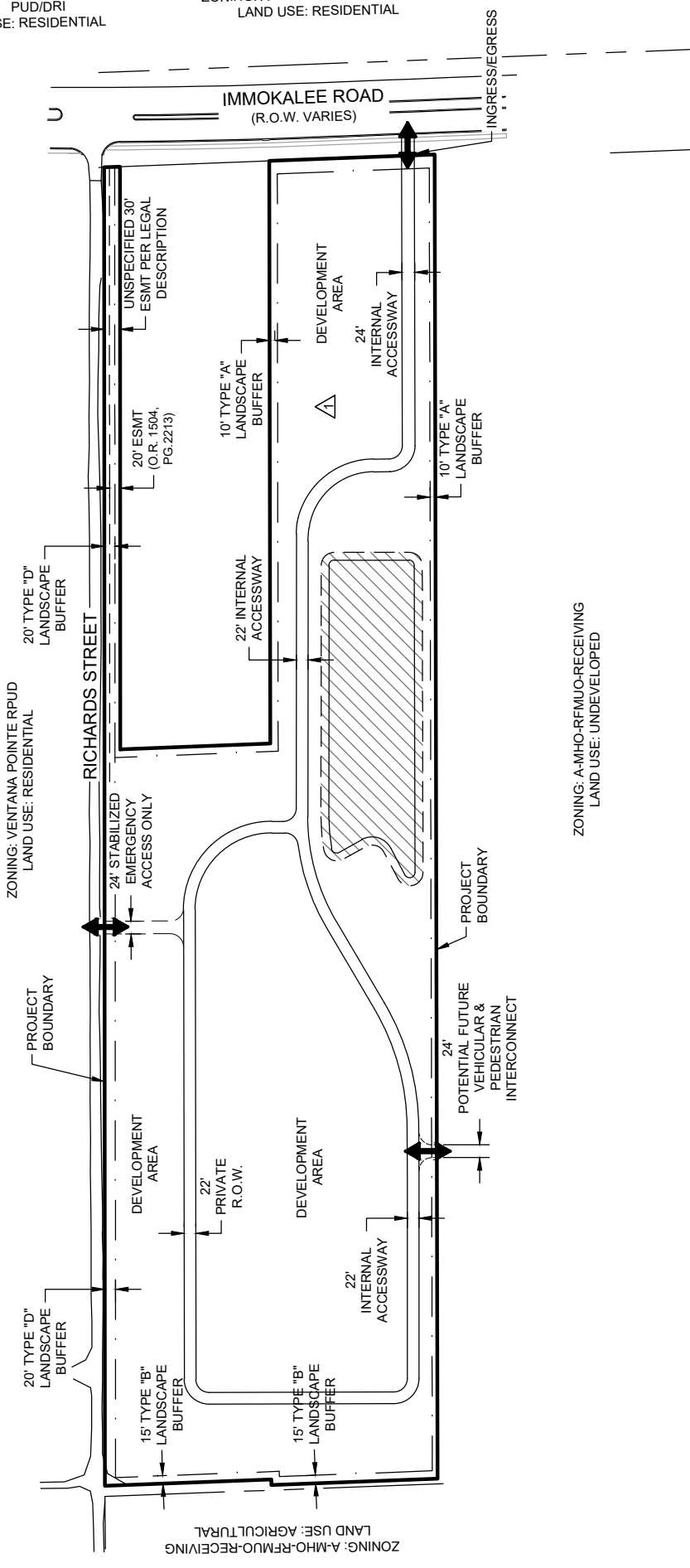
<sup>2</sup>The multi-family development standards shall apply only to multi-story apartment buildings. All other unit types provided on-site shall follow the single-family development standards.

Note: Nothing in this RPUD Document shall be deemed to approve a deviation from LDC unless it is expressly stated in the list of deviations.

EXHIBIT C  
PUD MASTER PLAN

ZONING: HERITAGE BAY  
PUD/DRI  
LAND USE: RESIDENTIAL

ZONING: A-MHO-RFMUO-RECEIVING  
LAND USE: RESIDENTIAL



**DEVIATIONS**

△ DEVIATION #1 SEEKS RELIEF FROM LDC SECTION 2.06.04.A.16 "AFFORDABLE HOUSING UNITS," WHICH REQUIRES AFFORDABLE HOUSING UNITS TO BE INTERMIXED WITH, AND NOT SEGREGATED FROM THE MARKET RATE DWELLING UNITS IN THE DEVELOPMENT. TO INSTEAD ALLOW THE AFFORDABLE HOUSING UNITS TO BE INTERMIXED WITH MARKET RATE UNITS WITHIN THE MULTI-FAMILY DWELLING BUILDINGS ONLY.

ZONING: A-MHO-RFMUO-RECEIVING  
LAND USE: UNDEVELOPED

REVISIONS:	No.	Revision:	Date:

CLIENT:  
**ADVENIR OAKLEY CAPITAL, LLC**

TITLE:  
**EXHIBIT C:  
PUD MASTER PLAN**

PROJECT:  
**LEO AT NAPLES  
RPUD**

**PENINSULA ENGINEERING**

CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE  
PLANNING AND ZONING  
SURVEYING  
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LAND DEVELOPMENT

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

SEC: 30 TWP: 48S RGE: 27E  
Designed by: JESSICA HARRELSON, AICP  
Drawn by: JOANNA PIDGEON  
Date: 09/13/2023  
Drawing Scale: 1" = 300'  
File Name: P-ADVEN-001-001-C01-X02-1.dwg  
Project Number: P-ADVEN-001-001  
Sheet ID: X02-1  
Sheet Number: 01 of 02

**PLANNING NOTES:**

CURRENT ZONING: A-MHO-RFMUO-RECEIVING  
PROPOSED ZONING: LEO @ NAPLES RPUD  
CURRENT LAND USE UNDEVELOPED/AGRICULTURAL  
CURRENT FUTURE LAND USE: RURAL FRINGE MIXED USE DISTRICT-RECEIVING LANDS  
PROPOSED FUTURE LAND USE: LEO @ NAPLES RESIDENTIAL OVERLAY WITHIN THE RURAL FRINGE MIXED USE DISTRICT-RECEIVING LANDS

**MAXIMUM DENSITY**

THE SITE IS PERMITTED A MAXIMUM OF 350 TOTAL RESIDENTIAL DWELLING UNITS.

**PRESERVE**

PER LDC SECTION 3.05.07. C.1.a, THE SITE IS REQUIRED TO PRESERVE 7.16-ACRES OF NATIVE VEGETATION PER THE BELOW.

40% OF THE NATIVE VEGETATION PRESENT ON-SITE SHALL BE PRESERVED, NOT TO EXCEED 25% OF THE TOTAL SITE AREA = 28.65-ACRES TOTAL SITE AREA X 25% = 7.16-ACRE PRESERVE REQUIRED

OFF-SITE PRESERVATION IS PERMITTED AT A RATIO OF 1:1 IF SUCH OFF-SITE PRESERVATION IS LOCATED WITHIN THE RFMU SENDING LANDS, OR AT A RATIO OF 1.5:1 IF SUCH OFF-SITE PRESERVATION IS LOCATED OUTSIDE OF THE SENDING LANDS.

THIS PUD MASTER PLAN ASSUMES THE 7.16-ACRE REQUIRED PERSERVE WILL BE PROVIDED OFF-SITE. IF AN ON-SITE PRESERVE IS CONSIDERED, THE LOCATION OF THE PRESERVE SHALL BE AGREED UPON WITH COLLIER COUNTY ENVIRONMENTAL STAFF DURING SDP/PPL.

**OPEN SPACE**

\*MINIMUM OPEN SPACE REQUIRED AND PROVIDED = 50%

**LAND USE SUMMARY**

USE	ACRES	%
WATER MANAGEMENT	2.74	9.6%
LANDSCAPE BUFFERS	2.61	9.1%
DEVELOPABLE AREA	21.06	73.5%
22' AND 24' PRIVATE ROW	2.24	7.8%
<b>TOTAL SITE AREA</b>	<b>28.65</b>	<b>100%</b>

C:\Users\joanna.pidgeon\AppData\Local\Temp\1049324AU\1049324AU.dwg - AutoCAD 2023 - Plot - Pen-Eng.com  
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PROJECT:  
**LEO AT NAPLES RPUD**

TITLE:  
**EXHIBIT C: PUD MASTER PLAN**

CLIENT:  
**ADVENIR OAKLEY CAPITAL, LLC**

SEC: 30	TWP: 48S	RGE: 27E
Designed by: JESSICA HARRELSON, AICP		
Drawn by: JOANNA PIDGEON		
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Project Number: P-ADVEN-001-001		
Sheet ID: <b>X02-2</b>		
Sheet Number: 02 of 02		

EXHIBIT D  
LEGAL DESCRIPTION

PARCEL A:

The West 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 30, Township 48 South, Range 27 East, Collier County, Florida.

Less and except the West and South 10 feet thereof for road right of way.

PARCEL B:

The West 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4, less the West 10 (10) feet thereof, Section 30, Township 48 South, Range 27 East, Collier County, Florida.

PARCEL C:

Parcel 1:

The West 1/2 of the West 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 30, Township 48 South, Range 27 East, Collier County, Florida, less the North 100 feet and less the West 10 feet, and subject to an easement over and across the East 20 feet and the West 30 feet thereof.

Parcel 2:

The East 325 feet of the West 660 feet of the Northwest 1/4 less North 100 feet reserved for Highway purposes, and less the East 10 feet thereof, Section 30, Township 48 South, Range 27 East, Collier County, Florida.

Less and except from both Parcel 1 and 2, that portion taken by Collier County as described in Order of Taking recorded in Official Records Book 3292, Page 148, of the Public Records of Collier County, Florida.

EXHIBIT E  
LIST OF DEVIATIONS

1. Deviation #1 seeks relief from LDC Section 2.06.04.A.16 “Affordable Housing Units,” which requires affordable housing units to be intermixed with, and not segregated from, the market rate dwelling units in the development, to instead allow the affordable housing units to be intermixed with market rate units within the multi-family dwelling buildings only.

## EXHIBIT F LIST OF DEVELOPMENT COMMITMENTS

The purposed 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 Advenir Oakley Capital, 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. Site lighting shall be Dark Skies compliant to protect neighboring residential properties from direct glare and light pollution.

### 2. TRANSPORTATION

- A. The maximum total daily trip generation for the PUD shall not exceed 206 two-way PM peak hour net new trips based on the use codes and trip generation rates in the ITE Trip Generation Manual in effect at the time of application for SDP/SDPA or subdivision plat approval.
- B. Vehicular and pedestrian interconnection will be provided to the east to allow access to all connection points with Immokalee Road, consistent with the conceptual PUD Master Plan, Exhibit C. The location of the access point will be finalized at time of Site Development Plan or Plat and a cross-access easement, or an access easement to the public for public use without responsibility of maintenance by Collier County, will be provided at the time of the first Site Development Plan or Plat. The connection and supporting infrastructure will be constructed to the property line by the developer or successors or assigns prior to the first Certificate of Occupancy. The interconnections shall remain open to the public.



- C. A detailed evaluation of the site access location(s) and possible access type (considering the distance to flanking intersections and the presence of turn lanes at both) will be provided at the time of application for SDP/SDPA or subdivision plat approval. This will include analysis of the intersections of Immokalee Rd. with Richards St. (where entering trips from the east will need to make a U-turn) and with Krape Rd. (where exiting trips to the west will need to make a U-turn). Associated offsite improvements considered site related will be the responsibility of the developer to design, permit and construct, as applicable.

### 3. ENVIRONMENTAL

- A. Forty percent (40%) of the native vegetation present on-site shall be preserved, not to exceed twenty-five percent (25%) of the total site area.

28.65-acres (total site area) x 25% = 7.16-acre preserve required

- B. As permitted by the LDC, off-site preservation is permitted at a ratio of 1:1 if such off-site preservation is located within the RFMU Sending Lands, or at a ratio of 1.5:1 if off site preservation is located outside of the Sending Lands. As such, a preserve is not identified on the Master Plan-Exhibit C of this PUD Document. Should an on-site preserve be provided, the preserve location shall be determined and agreed upon with Collier County Environmental Staff during SDP/PPL.

### 4. EMERGENCY MANAGEMENT

- A. An emergency management plan, as required by the LDC, shall be provided at time of Site Development Plan (SDP) or subdivision Plans and Plat (PPL).

### 5. AFFORDABLE HOUSING

- A. Of the total dwelling units, the project shall comply with the following: 11.3% of all units on the SDP/PPL will be rented to households whose incomes are up to and including 80% of the Area Median Income (AMI) for Collier County and 11.3% of all units on the SDP/PPL will be rented to households whose incomes are up to and including 100% of the AMI for Collier County and the corresponding rent limits. These units will be committed for a period of 30 years from the date of issuance of certificate of occupancy of the first unit. Income and rent limits may be adjusted annually based on combined income and rent limit table published by the Florida Housing Finance Corporation or as otherwise provided by Collier County. At time of SDP, the Developer will specify the total number of rental unit types to be constructed, such as one-bedroom, two-bedroom and three-bedroom units, and at least 22.6% of each unit type will be affordable as specified herein.
- B. As part of the annual PUD monitoring report, the developer will include an annual report that provides the progress and monitoring of occupancy of the income restricted units. Of the income restricted units, including rent data for rented units, in a format approved by the Collier County Community and Human Services Division. Developer agrees to annual on-site monitoring by the County.

6. TRANSFER OF DEVELOPMENT RIGHTS PROGRAM

- A. To achieve the maximum allowable density of 350 dwelling units, the redemption of a total of 23 TDR Credits from the Sending Lands is required.

7. 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, a potable water stub-out for future development in a location agreed to by the County, along the eastern boundary of the project, shall be provided in an easement or ROW to the limits of the project.

8. WILDFIRE PREVENTION AND MITIGATION

- A. At the time of application for subdivision Plans and Plat (PPL) and/or Site Development Plan (SDP) approval, the applicant shall have coordinated with the Florida Forest Service and provide Collier County and Wildfire Prevention and Mitigation Plan that includes standards which address the following: structural design and building materials; location of defensible space; plant selection within defensible space; and commitment to provide a copy of the residents with a copy of the Wildfire Prevention and Mitigation Plan.