

EXHIBIT A

LIVINGSTON VETERANS CPUD PERMITTED USES

A maximum of 50,000 square feet of gross commercial floor area and 100,000 square feet of gross floor area of indoor self-storage shall be permitted within the CPUD. The uses are subject to the trip cap identified in Exhibit F, Section 3.a of this PUD.

COMMERCIAL:

A. Principal Uses:

1. All permitted uses in the C-1, Commercial Professional and General Office Zoning District of the Collier County Land Development Code (LDC) in effect at adoption of this ordinance
2. Amusement and Recreation Services (SIC 7911, 7991, 7999 limited to gymnastics, judo, karate and yoga instruction)
3. Apparel and Accessory Stores (SIC 5611-5699)
4. Banks, Credit Unions and Trusts (SIC 6011-6099)
5. Business Services (SIC 7334-7336, 7389 limited to drafting service, interior design, notary, and paralegal services)
6. Candy, Nut and Confectionery Stores (SIC 5441)
7. Carwash (7542), subject to LDC Section 5.05.11 except as deviated from in Exhibit E
8. Convenience Stores (SIC 5411)
9. Eating Places (SIC 5812)
10. Food Stores (SIC 5411-5499)
11. Gasoline Service Stations (SIC 5541), subject to LDC Section 5.05.05 except as deviated from in Exhibit E
12. Jewelry Stores (SIC 5944)
13. Membership Organizations (SIC 8611-8651)
14. Miscellaneous Retail (SIC 5992, 5994-5995)
15. Motor freight transportation and warehousing (4225, indoor air-conditioned mini- and self-storage warehousing only)
16. Museums and Art Galleries (SIC 8412)
17. Paint, Glass and Wallpaper Stores (SIC 5231)

18. Personal Services (7212, 7216, 7219 and 7221)

19. 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") or the Hearing Examiner.

B. Accessory Uses:

1. Uses and structures that are accessory and incidental to the permitted uses within this CPUD document.

2. Water management facilities to serve the project such as lakes.

3. Any other accessory and related use that is determined to be comparable in nature with the foregoing uses and consistent with the permitted accessory uses of this CPUD as determined by the BZA or the Hearing Examiner.

EXHIBIT B

**LIVINGSTON VETERANS CPUD
DEVELOPMENT STANDARDS**

The table below sets forth the development standards for land uses within the Livingston Veterans CPUD. Standards not specifically set forth herein shall be those specified in applicable section of the LDC in effect as of the date of approval of the SDP or subdivision plat.

	PRINCIPAL USES		ACCESSORY USES	
MINIMUM LOT AREA	10,000 sf		N/A	
MINIMUM LOT WIDTH	100 ft		N/A	
MINIMUM YARDS (External) ⁽¹⁾				
From Livingston Rd Right-of-Way	25 ft		25 ft	
From Veterans Memorial Blvd Right-of-Way	25 ft		25 ft	
From Eastern PUD Boundary	25 ft		25 ft	
From Southern PUD Boundary	25 ft		25 ft	
MINIMUM YARDS (Internal) ⁽¹⁾				
Front	20 ft		10 ft	
Side	10 ft		10 ft	
Rear	10 ft		10 ft	
Lake (measured from Control Elevation)	25 ft		20 ft	
MINIMUM DISTANCE BETWEEN STRUCTURES	15 ft		10 ft	
MAXIMUM HEIGHT	ZONED	ACTUAL	ZONED	ACTUAL
	35 ft	45 ft	35 ft	45 ft
MINIMUM FLOOR AREA	1,000 sf		N/A	

¹ Setbacks for Facilities with Fuel Pumps and Carwashes are subject to standards of LDC Section 5.05.05 and 5.05.11, respectively, except as specified within Exhibit E, Deviations from the LDC

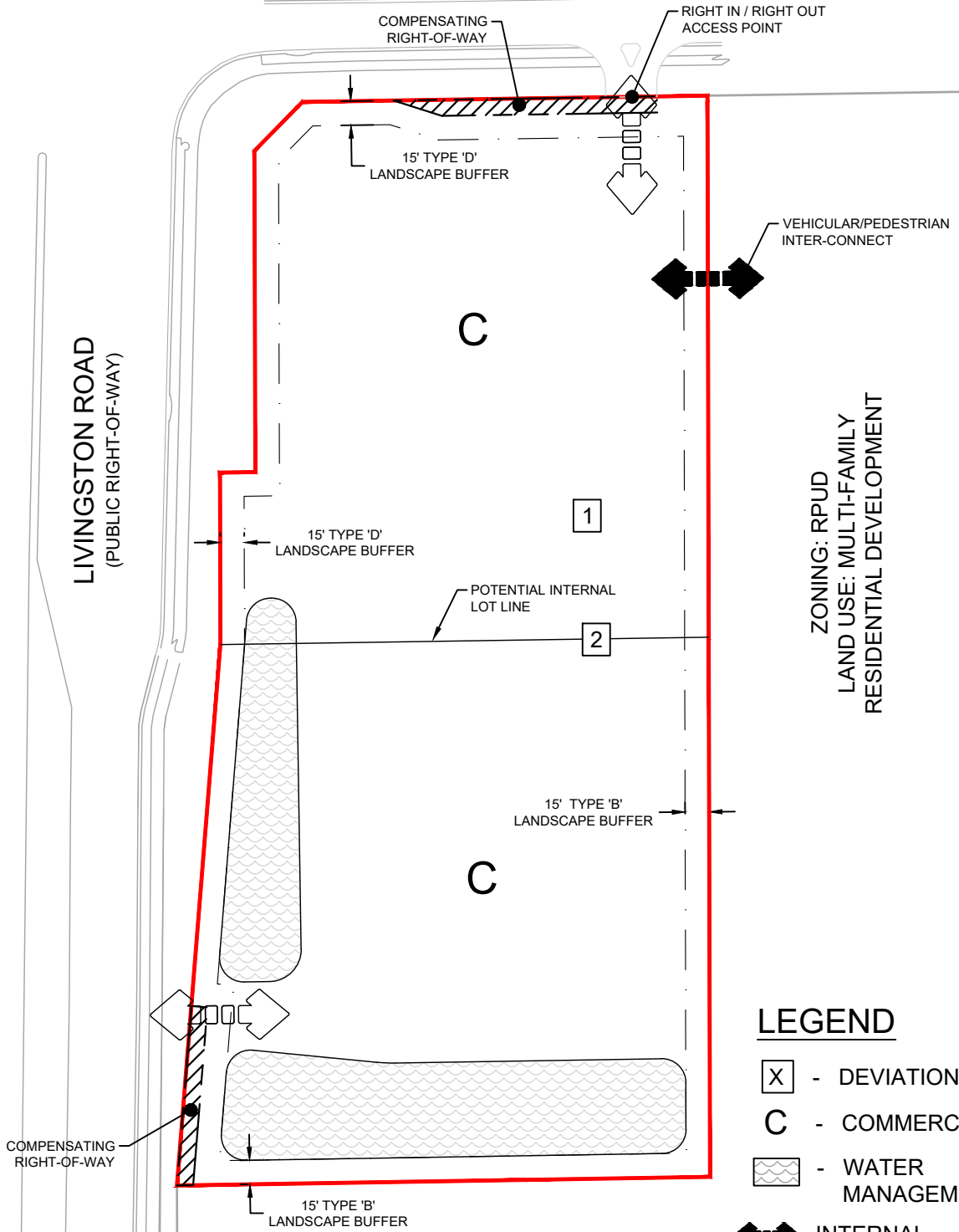
VETERANS MEMORIAL PARKWAY
(PUBLIC RIGHT-OF-WAY)

ZONING: AG
LAND USE: VACANT

LIVINGSTON ROAD
(PUBLIC RIGHT-OF-WAY)

ZONING: RPUD
LAND USE: MULTI-FAMILY
RESIDENTIAL DEVELOPMENT

ZONING: RPUD
LAND USE: MULTI-FAMILY
RESIDENTIAL DEVELOPMENT



LEGEND

- X - DEVIATION
- C - COMMERCIAL
- WATER MANAGEMENT
- INTERNAL ACCESS POINT
- EXTERNAL ACCESS POINT



PENINSULA ENGINEERING
 CIVIL ENGINEERING - LANDSCAPE ARCHITECTURE
 ENVIRONMENTAL CONSULTING - LAND PLANNING
 SITE PLANNING - CONSTRUCTION MANAGEMENT
 OWNER REPRESENTATIVE
 2600 Golden Gate Parkway
 Naples, Florida 34105
 Phone: 239.403.6700 Fax: 239.261.1797
 Email: info@pen-eng.com Website: www.pen-eng.com
 Florida Certificate of Authorization #28275

PROJECT:
LIVINGSTON VETERANS CPUD

TITLE:
EXHIBIT 'C' PUD MASTER PLAN

OWNER/CLIENT/CONSULTANT:
LIVINGSTON VETERANS COMMERCIAL, LLC

SEC: 13	TWP: 48	RGE: 25
Designed by:	COS	
Drawn by:	JAW	
Date:	10/22	
Drawing Scale:	1" = 100'	
Project Number:	P-LIVC-001-001	
File Number:	P-LIVC-001-001-MCP	
Sheet Number:	1	2

NOTES:

- PLAN IS CONCEPTUAL IN NATURE
- BUFFERS FOR FACILITIES WITH FUEL PUMPS AND CAR WASHES SHALL BE PROVIDED IN ACCORDANCE WITH LDC 5.05.05

MAXIMUM INTENSITY:

MAXIMUM DEVELOPMENT INTENSITY (GROSS FLOOR AREA):

- 100,000 SF SELF-STORAGE, INDOOR
- 50,000 SF COMMERCIAL

OPEN SPACE:

REQUIRED: 30%
 PROVIDED: 30%

DEVIATIONS:

DEVIATION 1: RELIEF FROM LDC SECTION 5.05.05 D.5. WHICH REQUIRES DUMPSTER ENCLOSURES ASSOCIATED WITH A FACILITY WITH FUEL PUMPS TO PROVIDE A MINIMUM FIFTY-FOOT SETBACK FROM RESIDENTIAL PROPERTY LINES TO INSTEAD ALLOW DUMPSTER ENCLOSURES TO BE SETBACK 30' FROM RESIDENTIAL PROPERTY LINES.

DEVIATION 2: RELIEF FROM LDC SECTION 5.05.05.B.1., WHICH REQUIRES A MINIMUM SIDE YARD SETBACK OF 40' FOR ALL STRUCTURES ASSOCIATED WITH A FACILITY WITH FUEL PUMPS TO INSTEAD ALLOW A SIDE YARD SETBACK OF 15' WHEN LOCATED ON A SIDE LOT LINE THAT IS INTERNAL TO THE PUD.

LAND USE SUMMARY:

USE	ACRES	% OF SITE
WATER MANAGEMENT	±0.70 ACRES	15.0%
PRESERVES	±0.00 ACRES	0.0%
LANDSCAPE BUFFERS	±0.60 ACRES	12.8%
DEVELOPABLE AREA	±3.38 ACRES	72.2%
TOTAL SITE AREA	±4.68 ACRES	100%

PRESERVE CALCULATION:

	PROPOSED DEVELOPMENT
PRESERVE REQUIRED: 10% OF EXISTING NATIVE VEGETATION	4.44-ACRES OF EXISTING NATIVE VEGETATION ON-SITE X 0.10 = 0.44 ACRES
PRESERVE PROVIDED	*0.44 ACRES

*PRESERVE TO BE PROVIDED OFF-SITE, MONETARY PAYMENT ALTERNATIVE (SEE EXHIBIT F, ENVIRONMENTAL)

(S:\01-DWG\2024\2408-01) (P:\01-Active\Projects\11-04-01\01-GULF AND PUD\DWG\11-04-01-01-MCP.dwg) (C:\Users\jwoodward) (jwoodward) (01/22/2024 2:28:04 PM) (Plot Date: 08/12/2024 2:28:04 PM) (Sheet Size: 8.5x11) (P:\01-Active\Projects\11-04-01\01-GULF AND PUD\DWG\11-04-01-01-MCP.dwg) (Plot Date: 08/12/2024 2:28:04 PM)



CIVIL ENGINEERING - LANDSCAPE ARCHITECTURE
 ENVIRONMENTAL CONSULTING - LAND PLANNING -
 SITE PLANNING - CONSTRUCTION MANAGEMENT -
 OWNER REPRESENTATIVE
 2600 Golden Gate Parkway
 Naples, Florida 34105
 Phone: 239.403.6700 Fax: 239.261.1797
 Email: info@pen-eng.com Website: www.pen-eng.com
 Florida Certificate of Authorization #28275

PROJECT:
LIVINGSTON VETERANS CPUD

TITLE:
EXHIBIT 'C' PUD MASTER PLAN NOTES

OWNER/CLIENT/CONSULTANT:
LIVINGSTON VETERANS COMMERCIAL, LLC

SEC: 13 TWP: 48 RGE: 25
 Designed by: COS
 Drawn by: JAW
 Date: 10/22
 Drawing Scale: N/A
 Project Number: P-LIVC-001-001
 File Number: P-LIVC-001-001-MCP
 Sheet Number: 2 2

EXHIBIT D

**LIVINGSTON VETERANS CPUD
LEGAL DESCRIPTION**

The northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of the northeast quarter of Section 13, Township 48 South, Range 25 East, Collier County, Florida, less and except the parcel of land deeded to Collier County, a political subdivision, by deed recorded in official Records Book 2597, Page 1684, of the Public Records of Collier County, Florida.

Together with

The southwest $\frac{1}{4}$ of the northwest quarter of the northwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 13, Township 48 South, Range 25 East, Collier County, Florida, less and except the parcel of land deeded to Collier County, a political subdivision, by deed recorded in official Records Book 2597, Page 1692, of the Public Records of Collier County, Florida.

EXHIBIT E

**LIVINGSTON VETERANS CPUD
DEVIATIONS FROM THE LDC**

- Deviation 1: Relief from LDC Section 5.05.05 D.5. which requires dumpster enclosures associated with a facility with fuel pumps to provide a minimum fifty-foot setback from residential property lines to instead allow dumpster enclosures to be setback 30' from residential property lines.
- Deviation 2: Relief from LDC Section 5.05.05.B.1., which requires a minimum side yard setback of 40' for all structures associated with a facility with fuel pumps to instead allow a side yard setback of 15' when located on a side lot line that is internal to the PUD.

EXHIBIT F

LIVINGSTON VETERANS CPUD DEVELOPMENT COMMITMENTS

1. PUD MONITORING

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 Livingston Veterans Commercial, LLC, 5020 Tamiami Trail N., #112, Naples, FL 34103. 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.

2. MISCELLANEOUS

- a. All other applicable state or federal permits must be obtained before commencement of the development.
- b. Pursuant to Section 125.022(5) F. S., 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.

3. TRANSPORTATION

- a. The maximum total daily trip generation for the PUD shall not exceed 225 two-way PM peak hour net trips based on the use codes in the ITE Manual on trip generation rates in effect at the time of application for SDP or subdivision plat approval.
- b. Vehicular and pedestrian interconnection will be provided to the east to allow access to the Allura RPUD, consistent with the conceptual PUD Master Plan, Exhibit C. The final location of the access point will be coordinated with the adjacent property owner 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 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. If the PUD utilizes county right-of-way for any turn lane or access improvement, then the owner shall convey to the County, at no cost to County and free and clear of all liens and

encumbrances, the additional road right-of-way by easement equal to the size of the right-of-way utilized by the PUD. The conveyance shall be completed at time of SDP or plat.

4. ENVIRONMENTAL

- a. The CPUD shall be required to preserve 10% of native vegetation. 4.44± acres of native vegetation exists on-site requiring a minimum preservation of 0.44± acres (4.44 x .10 = 0.44). A minimum of 0.44± acres of native vegetation shall be mitigated off-site in accordance with LDC Section 3.05.07.H.1.f.
- b. Off-site preservation mitigation shall be satisfied through monetary payment to Collier County. Funds shall be used by the County for the purchase and management of off-site conservation lands within the county. The monetary payment amount shall be based on the post development appraisal value per acre multiplied by 0.44-acres of required preserve, then multiplied by 1.25 to establish the endowment amount. The appraisal shall be performed by a state certified appraiser. In addition, the fee for initial exotic vegetation removal shall be paid by the applicant as established in the Parks and Recreation Division Fee Schedule.
- c. The monetary payment for off-site preservation mitigation and exotic removal fees shall be made prior to the preconstruction meeting for the Site Development Plan or final plat construction plans, whichever occurs first.

5. SPECIAL CONDITIONS

- a. No adult orientated sales are permitted.
- b. Outdoor amplified sound shall be limited to areas abutting Livingston Road and/or Veterans Memorial Boulevard. There will be no outdoor amplified sound between the hours of 10 p.m. and 8 a.m. weekdays and 11 p.m. and 8 a.m. on weekends.
- c. All pole lighting shall be limited to flat full cutoff shields.
- d. All indoor self-storage shall be subject to architectural standards of LDC Section 5.05.08 and shall have comparable design features with office uses. Overhead doors are prohibited from directly facing public rights-of-way or adjacent residential zoning districts.
- e. Carwashes shall provide enhanced landscape buffers adjacent to residential uses, consistent with buffer requirements of LDC Section 5.05.05.D.2.