COLLIER COUNTY
Collier County Hearing Examiner

AGENDA

Growth Management Department
Conference Rooms 609/610
2800 Horseshoe Drive North
Naples, FL 34104

April 22, 2021

9: 00 AM

Andrew W. J. Dickman, Esq., AICP
Hearing Examiner

Note: Individual speakers will be limited to 5 minutes unless otherwise waived by the Hearing Examiner. Persons Wishing to have written or graphic materials included in the hearing report packets must have that material submitted to County staff at Thomas.Clarke@colliercountyfl.gov 10 days prior to the Hearing. All materials used during presentation at the hearing will become a permanent part of the record.

Any person who decides to appeal a decision of the Hearing Examiner will need a record of the proceedings pertaining thereto, and therefore may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Decisions of the Hearing Examiner are final unless appealed to the Board of County Commissioners.

Hearing Procedures will provide for presentation by the Applicant, presentation by staff, public comment and applicant rebuttal. The Hearing Examiner will render a decision within 30 days. Persons wishing to receive a copy of the decision by mail may supply County staff with their name, address, and a stamped, self-addressed envelope for that purpose. Persons wishing to receive an electronic copy of the decision may supply their email address.

1. Pledge of Allegiance

2. Review of Agenda

3. Advertised Public Hearing

A. PETITION NO. PDI-PL20200001294 - Request for an insubstantial change to Ordinance Number 11-41, as amended, the Hacienda Lakes Mixed Use Planned Unit Development (MPUD), to modify Exhibit B – Development Standards, Operational Characteristics for Senior Housing, specific to affordable senior housing units for households with 80% Area Median Income or less to eliminate operational characteristics related to on-site dining facilities, group transportation, and devices for emergency service provider notifications; and to provide a vehicular access to Rattlesnake Hammock Road for the Residential/Medical Use (R/MU) Tract where the affordable senior housing is proposed. [Coordinator: Ray Bellows, AICP, Zoning Manager] Commission District 1.

4. Other Business

A. Pursuant to Chapter 9 of the Collier County Administrative Code, a consideration of the applicant's motion to rehear petition of the Kapok St Cell Tower Variance - PL20190002701 (HEX Decision 2021-10) for the purpose of whether to grant the motion and establishing a HEX hearing date for the rehearing.

5. Public Comments

6. Adjourn

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.A
Item Summary: PETITION NO. PDI-PL20200001294 - Request for an insubstantial change to Ordinance Number 11-41, as amended, the Hacienda Lakes Mixed Use Planned Unit Development (MPUD), to modify Exhibit B – Development Standards, Operational Characteristics for Senior Housing, specific to affordable senior housing units for households with 80% Area Median Income or less to eliminate operational characteristics related to on-site dining facilities, group transportation, and devices for emergency service provider notifications; and to provide a vehicular access to Rattlesnake Hammock Road for the Residential/Medical Use (R/MU) Tract where the affordable senior housing is proposed. [Coordinator: Ray Bellows, AICP, Zoning Manager] Commission District 1.

Meeting Date: 04/22/2021

Prepared by:
Title: – Zoning
Name: Laura DeJohn
04/08/2021 5:05 PM

Submitted by:
Title: Manager - Planning – Zoning
Name: Ray Bellows
04/08/2021 5:05 PM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky		Review Item	Completed
Zoning	Diane Lynch	Zoning Director Review	Skipped	04/09/2021 10:30 AM
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	04/09/2021 11:03 AM
Zoning	Ray Bellows	Review Item	Completed	04/13/2021 2:26 PM
Zoning	Anita Jenkins	Review Item	Completed	04/14/2021 2:29 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	04/22/2021 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: ZONING DIVISION – ZONING SERVICES SECTION
GROWTH MANAGEMENT DEPARTMENT

HEARING DATE: APRIL 22, 2021

SUBJECT: PDI - PL20200001294; HACIENDA LAKES MPUD SENIOR HOUSING
Also referenced by project names: Villa Verde / Allegro

PROPERTY OWNER/AGENT:

Owner: Hacienda Lakes of Naples, LLC
7742 Alico Rd.
Fort Myers, FL 33912

Contract Purchaser: McDowell Housing Partners
601 Brickell Key Drive #700
Miami, FL 33131

Agent: Alexis Crespo, AICP
Waldrop Engineering
28100 Bonita Grande Drive, Suite 305
Bonita Springs, FL 34135

REQUESTED ACTION:

The petitioner requests that the Hearing Examiner consider an insubstantial change to Ordinance Number 11-41, as amended, the Hacienda Lakes Mixed Use Planned Unit Development (MPUD), to modify Exhibit B – Development Standards, Operational Characteristics for Senior Housing, specific to affordable senior housing units for households with 80% Area Median Income or less to eliminate operational characteristics related to on-site dining facilities, group transportation, and devices for emergency service provider notifications; and to provide a vehicular access to Rattlesnake Hammock Road for the Residential/Medical Use (R/MU) Tract where the affordable senior housing is proposed.

GEOGRAPHIC LOCATION:

The subject PUD is located immediately to the east of County Road 951 and north and south of Rattlesnake Hammock Road; the proposed affordable senior housing project is in Section 23 Township 50 South, Range 26 East, Collier County, Florida. *(See location map on page 4)*

Attachment: 04-08-21 - Hacienda Lakes PDI Staff Report (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

PURPOSE AND DESCRIPTION OF PROJECT:

The ±2,262-acre Hacienda Lakes MPUD was approved by Ordinance Number 11-41 on October 25, 2011, in conjunction with the Hacienda Lakes Development of Regional Impact (DRI) approved by Resolution 2011-201. The DRI/MPUD allows for a maximum of 1,760 residential units, 327,500 square feet of commercial retail uses, 70,000 square feet of professional and medical office uses, 135 hotel rooms, 140,000 square feet of business park/educational facilities, a public school, and continuation of the "swamp buggy" attraction. In Exhibit B – Development Standards, a conversion factor is established to allow development of senior housing units within the MPUD. The conversion factor applies in areas other than the C, Commercial Tract, and provides that one residential unit equates to four senior housing units. The MPUD also provides that "in no instance shall greater than 450 senior housing units be developed in the entire MPUD."

In 2014, the MPUD was amended pursuant to HEX Decision No. 2014-18 to add a deviation to allow one wall sign with a maximum height of 13 feet at the entrance to Esplanade at Hacienda Lakes. In 2015, HEX Decision No. 2015-06 was approved for Esplanade at Hacienda Lakes to reduce secondary front yard setbacks on residential corner lots from 20 feet to 10 feet.

The MPUD was amended again in 2016 pursuant to HEX No. 2016-20 to reduce the front yard setback from secondary front yards on single family detached, zero lot line and two family/duplex corner lots; to increase the minimum distance between multi-family principal structures; and to add four (4) deviations relating to entrance signs, dead-end streets, and off-street parking, only for the residential development known as Azure at Hacienda Lakes.

The petitioner seeks to modify operational characteristics required for senior housing for an affordable senior housing project proposed in the Residential/Medical Use (R/MU) Tract of the MPUD, and to add an access point to this Tract along Rattlesnake Hammock Road. The MPUD currently requires the following characteristics for senior housing:

1. The facility shall be for residents 55 years of age and older;
2. There shall be on -site dining facilities to the residents, with food service being on -site, or catered;
3. Group transportation services shall be provided for the residents for the purposes of grocery and other types of shopping. Individual transportation services shall be coordinated for the resident's needs, including but not limited to medical office visits;
4. There shall be an onsite manager /activities coordinator to assist residents, who shall be responsible for planning and coordinating stimulating activities for the residents;
5. An on -site wellness facility shall provide exercise and general fitness opportunities for the residents;
6. Each unit shall be equipped with devices provided to notify emergency service providers in the event of a medical or other emergency;
7. Independent living units shall be designed so that a resident is able to age in place. For example, kitchens may be easily retrofitted by lowering the sink to accommodate a wheelchair bound resident or bathrooms may be retrofitted by adding grab bars.

The petitioner has applied for Site Development Plan (PL PL20200001717) for a project named Villa Verde (formerly Allegro) containing 160 senior housing units that will serve residents aged

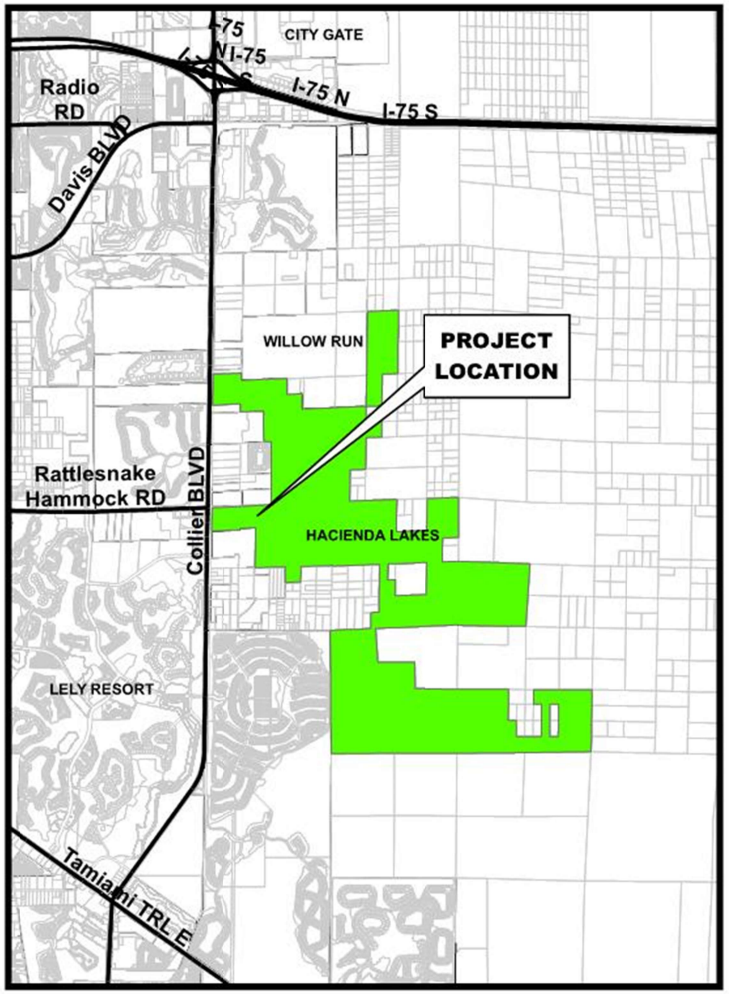
Attachment: 04-08-21 - Hacienda Lakes PDI Staff Report (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

62 and older with income levels of 80% Area Median Income or less. The petitioner requests eliminating the required operational characteristics for this senior housing project related to: on-site dining facilitates (#2), group transportation services (#3), and in-unit devices for emergency service provider notification (#6). The justification provided by the applicant for removing each of these characteristics for the proposed affordable senior housing is provided below.

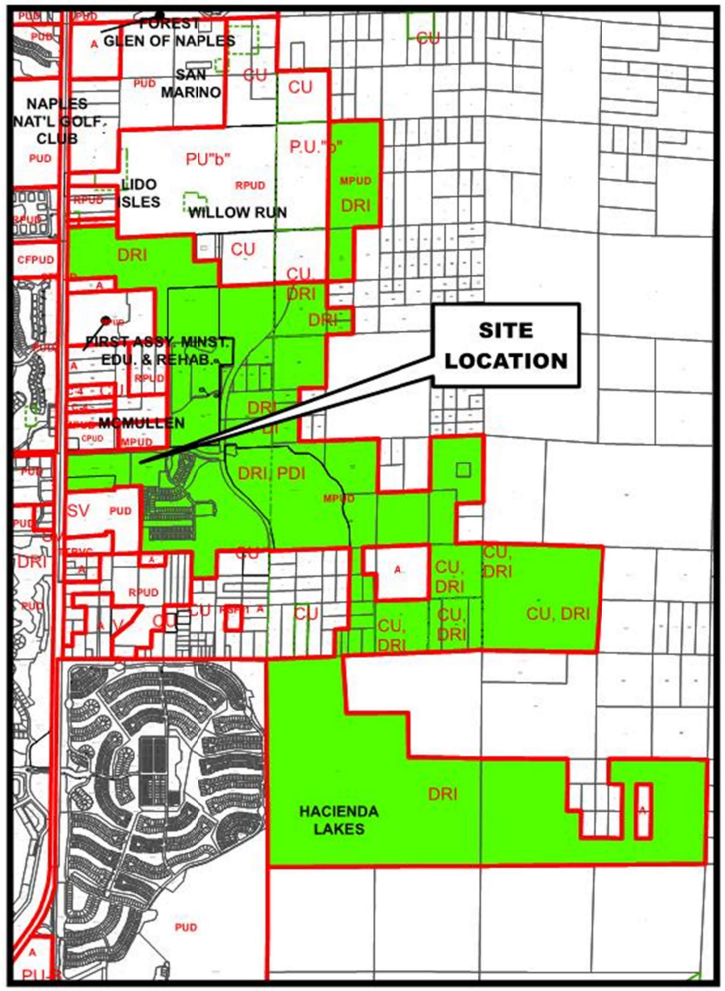
> ***Proposed for deletion:*** **There shall be on-site dining facilities to the residents, with food service being on-site, or catered.**
>
> The petitioner indicates that elimination of on-site dining and food service helps maintain affordability for the end users. The petitioner notes that the project is for residents aged 62 and older who are capable of independent living. The petitioner indicates that the managing entity will provide assistance with grocery shopping, and off-site dining options are within ¼ mile of the project.
>
> ***Proposed for deletion*****: Group transportation services shall be provided for the residents for the purposes of grocery and other types of shopping. Individual transportation services shall be coordinated for the resident's needs, including but not limited to medical office visits;**
>
> The petitioner indicates that affordability is maintained for the end user by eliminating group transportation services, and cities that the project will be served by Collier County Area Transit routes 17 and 18. Additionally, the petitioner notes that residents will be independent and able to operate their own vehicle or navigate public transit or other means to reach destinations.
>
> ***Proposed for deletion:*** **Each unit shall be equipped with devices provided to notify emergency service providers in the event of a medical or other emergency;**
>
> The petitioner indicates that affordability is maintained for the end user by eliminating this operational characteristic, and states that the independence of the residents will reduce the need for these devices that are typically found in Assisted Living Facilities or Skilled Nursing facilities. The applicant indicates that the managing entity can provide cost-effective safety measures that will uphold the intent of the requirement, but without the associated cost. It should be noted that the alternative measures were not specifically identified.

Proposed access point – The petitioner provided a new Exhibit C-1 showing a proposed access point connecting the Residential/Medical Use (R/MU) Tract to Rattlesnake Hammock Road. The petitioner indicates the proposed access point complies with Collier County Access Management criteria in terms of separation and location and is limited to a right-in/right-out connection. The petitioner also submitted an Updated Master Mobility Plan including this access plan for consistency.

Attachment: 04-08-21 - Hacienda Lakes PDI Staff Report (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)



Location Map



Zoning Map

Petition Number: PL20200001294

Attachment: 04-08-21 - Hacienda Lakes PDI Staff Report (15551 : PL20200001294 Hacienda Lakes MPUD

SURROUNDING LAND USE AND ZONING:

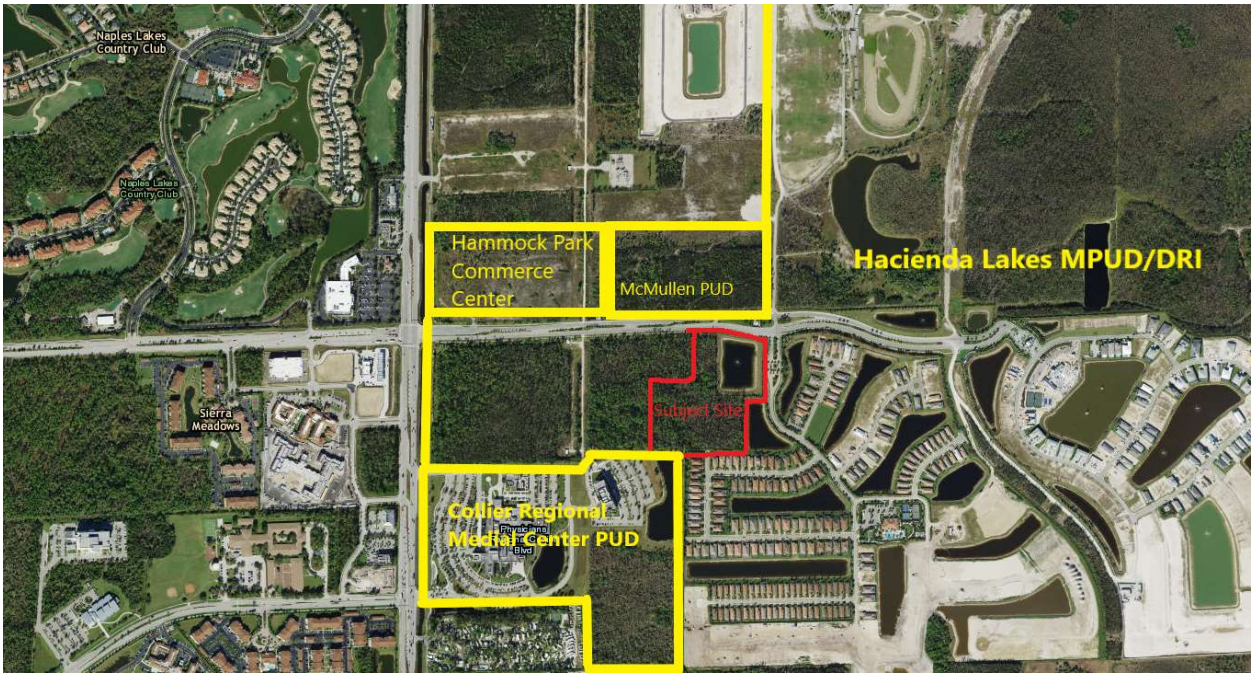
This section of the staff report identifies the land uses and zoning classifications for properties surrounding the boundaries of the proposed affordable senior housing project:

North: Rattlesnake Hammock Road right-of-way and undeveloped **McMullen PUD**, approved for 185,000 square feet of commercial development.

East: **Hacienda Lakes MPUD** Residential (R) Tract developed with single family homes of the Esplanade community.

South: **Hacienda Lakes MPUD** Residential (R) Tract developed with single family homes of the Esplanade community & **Collier Regional Medical Center PUD** developed with medical offices and hospital.

West: **Hacienda Lakes MPUD** Residential/Medical Use (R/MU) Tract and Commercial (C) Tract, currently undeveloped.



STAFF ANALYSIS:

Comprehensive Planning: Comprehensive Planning staff notes the subject property is designated Urban, Mixed Use Activity Center Subdistrict #7 / Urban Residential Fringe Subdistrict, as identified on the Future Land Use Map of the Growth Management Plan. Because the proposed change is not adding uses or increasing the intensity of the previously approved uses in the Hacienda Lakes PUD, it is consistent with the Future Land Use (FLUE) of the Growth Management Plan (GMP).

Attachment: 04-08-21 - Hacienda Lakes PDI Staff Report (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

Conservation and Coastal Management Element: Environmental staff has evaluated the proposed changes to the PUD documents. The changes proposed are specific to senior housing operational characteristics and connection with Rattlesnake Hammock Road, which is unrelated to the Conservation and Coastal Management Element (CCME); therefore, there is no issue with consistency.

Transportation Element: Transportation Planning staff has evaluated the proposed changes. The proposed connection between the R/MU Tract and Rattlesnake Hammock Road presents no issue with consistency. There are not additional use proposed and no change to the current developer commitment PUD trip calculation and therefore no additional impacts on the adjacent roadways. Therefore, staff finds the petition consistent with the GMP.

Stormwater Review: Stormwater Management staff has evaluated the proposed changes to the MPUD and found no issues with consistency.

Landscaping Review: The proposed changes do not affect landscaping provisions or requirements, therefore, landscaping review is not applicable.

Environmental Review: Environmental Planning staff has reviewed this petition. The existing preserve areas will not be impacted by the proposed petition. This project does not require Environmental Advisory Council (EAC) review, as this project did not meet the EAC scope of land development project reviews as identified in Section 2-1193 of the Collier County Codes of Laws and Ordinances.

Emergency Services Review: Emergency Services staff reviewed and commented on this petition to ensure that sheltering of senior populations is addressed. The Development of Regional Impact (DRI) contains commitments to address evacuation and sheltering. See **Attachment E** to this staff report for the DRI commitments.

Transportation Review: Transportation staff reviewed the petition and recommends approval with a condition on future traffic impact statements for the proposed affordable senior housing. The condition below is recommended so that the transportation analysis at time of Site Development Plan (SDP) or Plat accurately accounts for trips generated by the proposed housing that accommodates independent living:

Recommended Condition e. *The TIS shall use ITE use code 252 Senior Living Attached due to the limited on-site services to better reflect projected trip generation.*

PLANNED UNIT DEVELOPENT INSUBSTANTIAL CHANGE CRITERIA:

Sections 10.02.13.E.1 and 10.02.13.E.2 of the Land Development Code set forth the criteria by which insubstantial amendments to a PUD Master Plan and/or minor text changes to a PUD document are to be reviewed before they can be approved. The criteria and a response to each are listed below:

Attachment: 04-08-21 - Hacienda Lakes PDI Staff Report (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

LDC Section 10.02.13.E.1:

a. Is there a proposed change in the boundary of the PUD?

No, there is no proposed change in the boundary of the PUD.

b. Is there a proposed increase in the total number of dwelling units or intensity of land use or height of buildings within the development?

No, the proposed senior housing is an allowable use, and there is no proposed increase in the number of dwelling units or intensity of land use or height of buildings within the development.

c. Is there a proposed decrease in preservation, conservation, recreation, or open space areas within the development in excess of 5% of the total acreage previously designated as such, or five acres in area?

No, there is no proposed decrease in preservation, conservation, recreation, or open space areas within the development as designated on the approved Master Plan.

d. Is there a proposed increase in the size of areas used for non-residential uses, to include institutional, commercial and industrial land uses (excluding preservation, conservation or open space), or a proposed relocation of nonresidential land uses?

No, the proposed amendment is to modify the requirements related to affordable senior housing and to show an access point from the project's R/MU Tract to Rattlesnake Hammock Road. There is no increase to the size of areas used or designated for non-residential uses and no relocation of non-residential uses.

e. Is there a substantial increase in the impacts of the development which may include, but are not limited to increases in traffic generation; changes in traffic circulation; or impacts on other public facilities?

There are no substantial increases or changes on traffic or other public facilities resulting from this change. Senior housing units are an allowable use within the MPUD and they are limited by the MPUD provision that "in no instance shall greater than 450 senior housing units be developed in the entire MPUD." The governing MPUD zoning approval also has a maximum number of trips that cannot be exceeded. The proposed affordable senior housing is evaluated at time of site development plan (SDP) review based on the number of units and type of units proposed. Transportation staff has recommended a condition to ensure future analysis accurately accounts for trips generated by the senior housing as it is proposed to accommodate independent living:

> ***Recommended Condition e.*** *The TIS shall use ITE use code 252 Senior Living Attached due to the limited on-site services to better reflect projected trip generation.*

Attachment: 04-08-21 - Hacienda Lakes PDI Staff Report (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

f. Will the change result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers?

As stated above, the proposed senior housing use is an allowable use. The governing MPUD zoning approval also has a maximum number of trips that cannot be exceeded. The proposed affordable senior housing is evaluated at time of site development plan (SDP) review based on the number of units and type of units proposed. Transportation staff has recommended a condition to ensure future analysis accurately accounts for trips generated by the senior housing as it is proposed to accommodate independent living:

> ***Recommended Condition e.*** *The TIS shall use ITE use code 252 Senior Living Attached due to the limited on-site services to better reflect projected trip generation.*

g. Will the change result in a requirement for increased stormwater retention, or otherwise increase stormwater discharge?

No, the proposed changes are related to operational characteristics of affordable senior housing and a right-in/right-out connection to Rattlesnake Hammock Road. The development review process through Collier County and South Florida Water Management District will require compliance with stormwater permitting requirements, and the proposed changes do not create an increase to the overall stormwater retention or stormwater discharge of the PUD.

h. Will the proposed change bring about a relationship to an abutting land use that would be incompatible with an adjacent land use?

No, the change is limited to operational characteristics of proposed affordable senior housing and site access. The proposed senior housing is a permitted use within the Residential/Medical Use (R/MU) Tract, therefore the relationship to abutting land use remains unchanged as a result of the PDI request.

i. Are there any modifications to the PUD Master Plan or PUD Document or Amendment to a PUD Ordinance which is inconsistent with the Future Land Use Element or other elements of the Growth Management Plan or which modification would increase the density of intensity of the permitted land uses?

No. Staff from Comprehensive Planning staff determined the proposed changes are consistent with the FLUE of the GMP. Environmental and transportation planning staff reviewed this petition, and no changes were deemed inconsistent with the CCME or the Transportation Element of the GMP. This petition does not propose any increase in density or intensity of the permitted land uses.

j. The proposed change is to a PUD District designated as a Development of Regional Impact (DRI) and approved pursuant to Chapter 380.06, Florida Statues, where such change requires a determination and public hearing by Collier County pursuant to

Attachment: 04-08-21 - Hacienda Lakes PDI Staff Report (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

Sec. 380.06 (19), F.S. Any change that meets the criterion of Sec. 380.06 (19)(e)2., F.S., and any changes to a DRI/PUD Master Plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under Section 10.02.13 of the LDC.

Hacienda Lakes MPUD is designated as a DRI, and the proposed changes does not require hearing by Collier County pursuant to the guidelines under Section 380.06, Florida Statutes and does not constitute a substantial deviation. The proposed change is following the process outlined in Land Development Code Section 10.02.13 governing Planned Unit Developments.

k. Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under Section(s) 10.02.13 E.?

Based upon the analysis provide above, the proposed change is not deemed to be substantial.

LDC Section 10.02.13.E.2 Criteria:

Does this petition change the analysis of the findings and criteria used for the original application?

No, the proposed changes do not affect the original analysis and findings of the original PUD application in Petition PUDZ-2006-AR-10146. An excerpt from the staff report prepared for that petition is provided as **Attachment D**, PUD & Rezoning Findings of Fact for Petition PUDZ-2006-AR-10146.

NEIGHBORHOOD INFORMATION MEETING (NIM) & NOTICE:

A NIM waiver was granted by email from the Hearing Examiner dated January 25, 2021, see **Attachment G**, NIM Waiver.

Public notice was provided about the April 22, 2021 Hearing Examiner Hearing by posting of a Public Hearing Notice sign on the property and mailing of notices to owners within 1,000 feet of the subject site at least 15 days prior to the hearing.

RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner (HEX) approve Petition PDI-PL20200001294 per staff's recommended strikethrough/underline changes in **Attachment A** and the petitioner's updated plan exhibits in **Attachment B.**

Attachments:

A) Hacienda Lakes MPUD – strike/underline changes, "Exhibit B Development Standards"

Attachment: 04-08-21 - Hacienda Lakes PDI Staff Report (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

B) Master Plan Revisions – Exhibit C-1 and Updated Master Mobility Plan
C) Ordinance 11-41, Hacienda Lakes MPUD
D) PUD & Rezoning Findings of Fact for Petition PUDZ-2006-AR-10146
E) DRI Hurricane Evacuation Commitments
F) Application/Backup Materials
G) NIM Waiver dated January 25, 2021
H) HEX Hybrid Meeting Waiver

Attachment: 04-08-21 - Hacienda Lakes PDI Staff Report (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

EXHIBIT B
DEVELOPMENT STANDARDS

* * * * * * * * * * * * * *

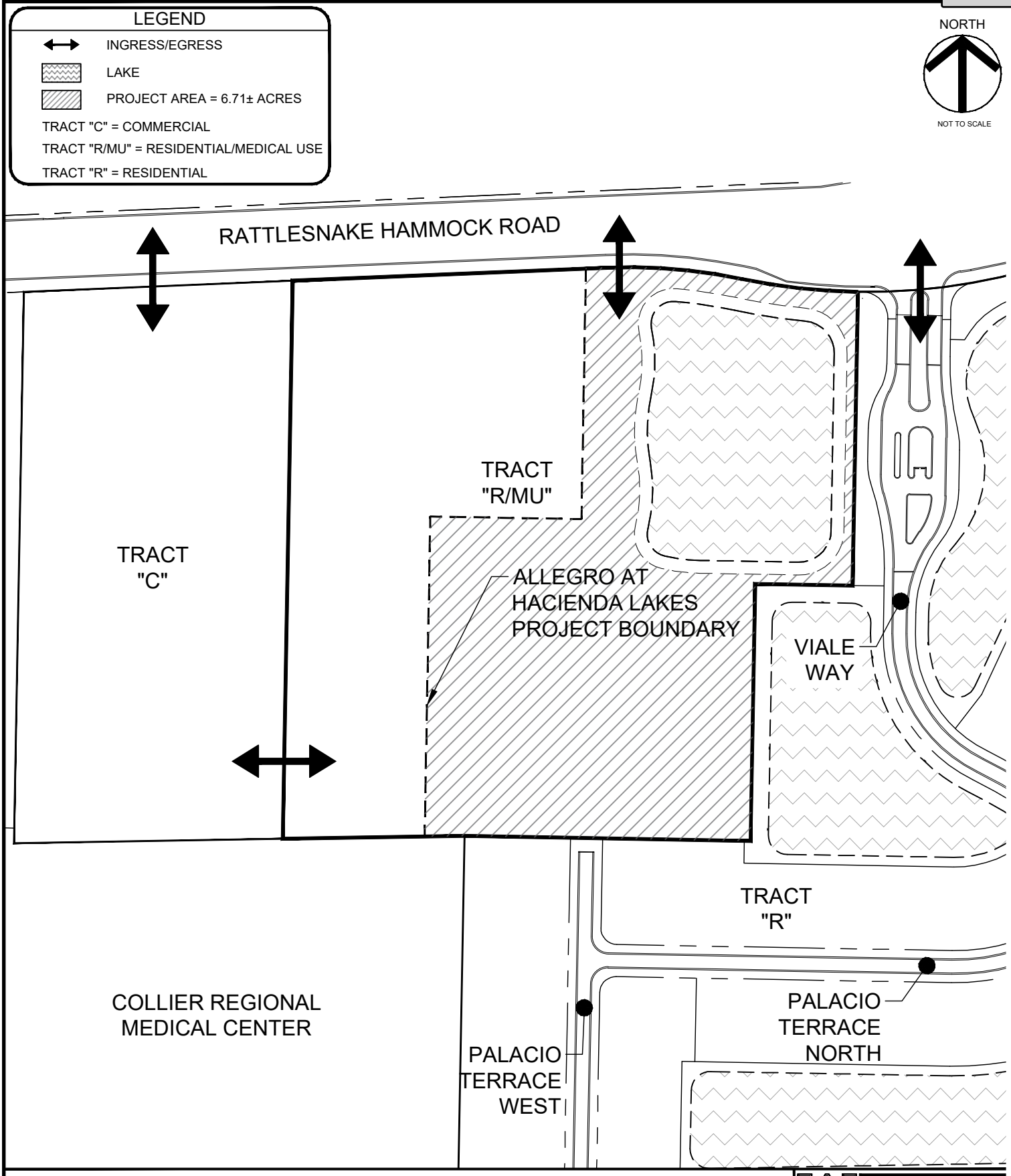
Operational Characteristics for Senior Housing

* * * * * * * * * * * * * *

a. The facility shall be for residents 55 years of age and older;
b. There shall be on-site dining facilities to the residents, with food service being on-site, or catered;
c. Group transportation services shall be provided for the residents for the purposes of grocery and other types of shopping. Individual transportation services shall be coordinated for the residents needs, including but not limited to medical office visits;
d. There shall be an onsite manager/activities coordinator to assist residents, who shall be responsible for planning and coordinating stimulating activities for the residents;
e. An on-site wellness facility shall provide exercise and general fitness opportunities for the residents.
f. Each unit shall be equipped with devices provided to notify emergency service providers in the event of a medical or other emergency;
g. Independent living units shall be designed so that a resident is able to age in place. For example, kitchens may be easily retrofitted by lowering the sink to accommodate a wheelchair bound resident or bathrooms may be retrofitted by adding grab bars.
h. Lands described in SDP PL20200001717 are subject to the following: One Hundred Percent (100%) of the 160 units will be restricted to households with 80% Area Median Income (AMI) or less, of which no less than 16 units will be restricted to households with 30% Area Median Income (AMI) or less. This restriction shall remain in place for no less than thirty (30) years from the date issuance of the first Certificate of Occupancy). In combination with the commitment to affordability, the following operational characteristics apply to this project:
    a. The facility shall be for residents 62 years of age or older;
    b. There shall be an onsite manger/ activities coordinator to assist residents, who shall be responsible for planning and coordinating stimulating activities for the residents;
    c. An on-site wellness facility shall provide exercise and general fitness opportunities for the residents;
    d. Independent living units shall be designed so that a resident is able to age in place. For example, kitchens may be easily retrofitted by lowering the sink to accommodate a wheelchair bound resident or bathrooms may be retrofitted by adding grab bars.
    e. The TIS shall use ITE use code 252 Senior Living Attached due to the limited on-site services to better reflect projected trip generation.

* * * * * * * * * * * * * *

Attachment: Att A - Strike underline changes Exhibit B Dev Standards (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)



HACIENDA LAKES MPUD

EXHIBIT C-1: R/MU ACCESS TO RATTLESNAKE HAMMOCK ROAD

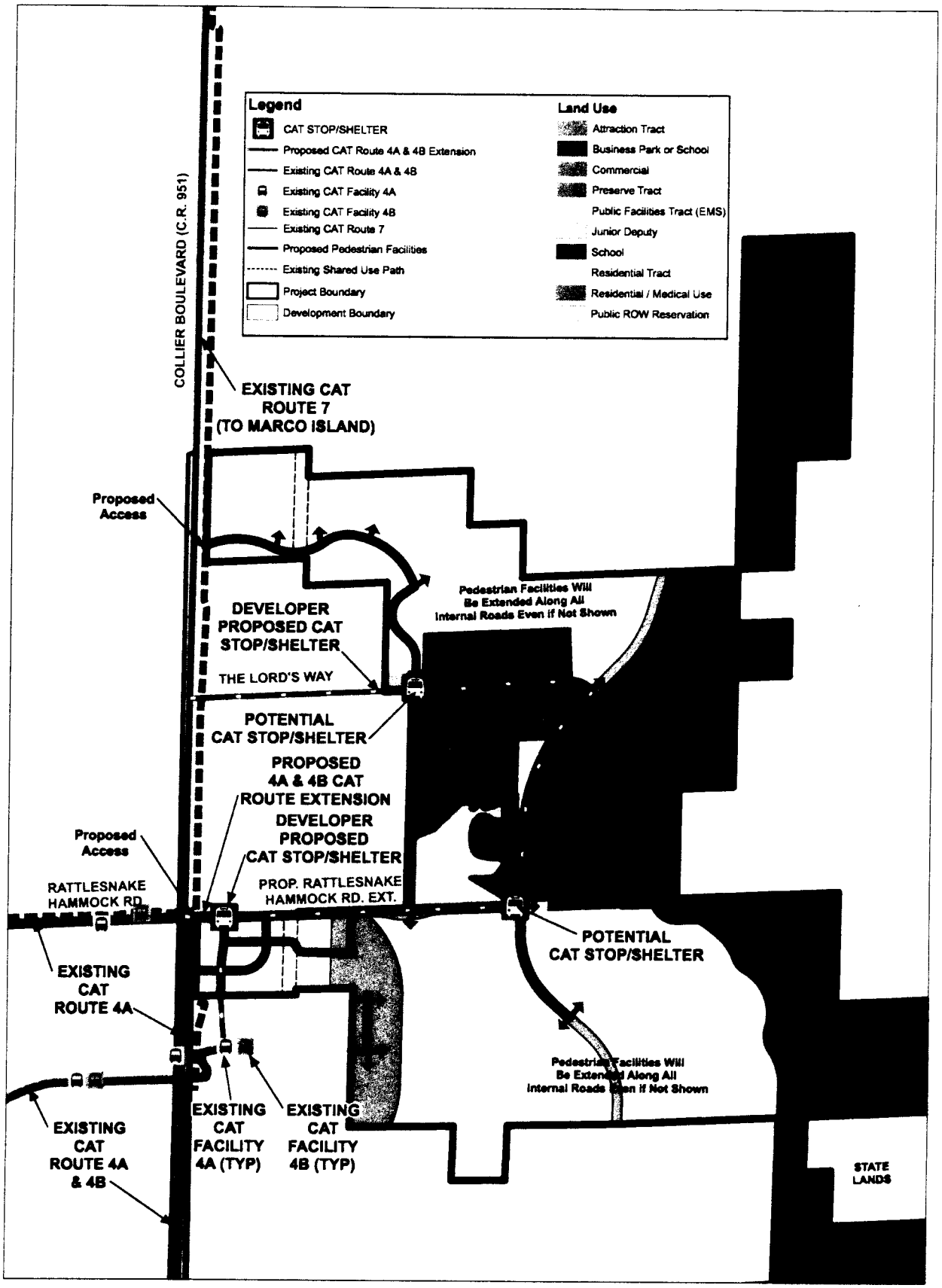
PREPARED FOR:
HACIENDA LAKES OF NAPLES, LLC
7742 ALICO ROAD
FORT MYERS, FLORIDA 33912

SECTION:	TOWNSHIP:	RANGE:	COLLIER COUNTY
23	50	26	FLORIDA

REVISION DATE: 11/11/2020
SHEET: 1 OF 1

WALDROP ENGINEERING
CIVIL ENGINEERING | PLANNING | LANDSCAPE ARCHITEC
28100 BONITA GRANDE DRIVE - SUITE 305
BONITA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7899
EMAIL: info@waldropengineering.com

Attachment: Att B - Master Plan Updates (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)



Hacienda Lakes
Master Mobility Plan

0 500 1,000 Feet

N

DWA

Prepared By: rmjones
Printing Date: 11.10.2020

Attachment: Att B - Master Plan Updates (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

RECEIVED
NOV 2011

ORDINANCE NO. 11- 41

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING ORDINANCE NUMBER 2004-41, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE, WHICH ESTABLISHED THE COMPREHENSIVE ZONING REGULATIONS FOR COLLIER COUNTY, FLORIDA BY AMENDING THE APPROPRIATE ZONING ATLAS MAP OR MAPS BY CHANGING THE ZONING CLASSIFICATION OF THE HEREIN DESCRIBED REAL PROPERTY FROM THE AGRICULTURAL (A) AGRICULTURAL-SPECIAL TREATMENT OVERLAY (A-ST) AND PUD ZONING DISTRICT (SWAMP BUGGY DAYS PUD) TO THE MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) ZONING DISTRICT FOR A PROJECT KNOWN AS THE HACIENDA LAKES MPUD THAT WILL ALLOW A MAXIMUM OF 327,500 SQUARE FEET OF GROSS RETAIL COMMERCIAL FLOOR AREA; 70,000 GROSS SQUARE FEET OF PROFESSIONAL AND MEDICAL OFFICE SPACE INCLUDING A CONVERSION OF RETAIL USE TO PROFESSIONAL AND MEDICAL OFFICE; 135 HOTEL ROOMS INCLUDING A CONVERSION TO BUSINESS PARK; 140,000 GROSS SQUARE FEET OF BUSINESS PARK OR EDUCATION FACILITY; A PUBLIC SCHOOL; CONTINUATION OF EXISTING "SWAMP BUGGY" ATTRACTION AND "JUNIOR DEPUTY" PASSIVE RECREATION; AND A MAXIMUM OF 1,760 RESIDENTIAL DWELLING UNITS INCLUDING CONVERSIONS TO RECREATIONAL VEHICLE PARK AND SENIOR HOUSING FOR INDEPENDENT LIVING, ASSISTED LIVING AND NURSING CARE. THE SUBJECT PROPERTY, CONSISTING OF 2,262 +/- ACRES IS LOCATED ON THE EAST SIDE OF COLLIER BOULEVARD (C.R. 951) AT THE INTERSECTION OF COLLIER BOULEVARD AND RATTLESNAKE-HAMMOCK ROAD AND NORTH AND SOUTH OF SABAL PALM ROAD IN SECTIONS 11, 12, 13, 14, 23, 24 AND 25, TOWNSHIP 50 SOUTH, RANGE 26 EAST, AND SECTIONS 19 AND 30, TOWNSHIP 50 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCE NUMBER 84-26 FOR SWAMP BUGGY GROUNDS; AND BY PROVIDING AN EFFECTIVE DATE.

FILED
2011 OCT 31 AM 10:12

WHEREAS, Dwight Nadeau of RWA, Inc., Robert Mulhere of Mulhere and Associates and Richard D. Yovanovich, Esquire of Coleman, Yovanovich & Koester, P.A., representing Hacienda Lakes of Naples, LLC, petitioned the Board of County Commissioners to change the zoning classification of the herein described real property.

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE:

The zoning classification of the herein described real property located in Sections 11, 12, 13, 14, 23, 24 and 25, Township 50 South, Range 26 East, and Sections 19 and 30, Township 50 South, Range 27 East, Collier County, Florida, is changed from the Agricultural (A), Agricultural-Special Treatment Overlay (A-ST) and PUD zoning district (Swamp Buggy Days PUD) Zoning District to a Mixed Use Planned Unit Development (MPUD) Zoning District for the 2,262 +/- acre project to be known as the Hacienda Lakes MPUD, to allow a maximum of 327,500 square feet of gross retail commercial floor area; 70,000 gross square feet of professional and medical office space; 135 hotel rooms; 140,000 gross square feet of business park or education facility; continuation of existing "swamp buggy" attraction and "Junior Deputy" passive recreation; and a maximum of 1,760 residential dwelling units in accordance with the Hacienda Lakes MPUD Document, attached hereto as Exhibits "A" through "G" and incorporated by reference herein. The appropriate zoning atlas map or maps, as described in Ordinance Number 2004-41, as amended, the Collier County Land Development Code, is/are hereby amended accordingly.

SECTION TWO:

Ordinance No. 84-26, the Swamp Buggy PUD, is hereby repealed.

SECTION THREE:

This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by super-majority vote of the Board of County Commissioners of Collier County, Florida, this 25th day of October, 2011.

ATTEST:
DWIGHT E. BROCK, CLERK

By: _____ Deputy Clerk

Attest as to Chairman's signature only.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: Fred W. Coyle
FRED W. COYLE, Chairman

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

Approved as to form
and legal sufficiency:

Heidi Ashton-Cicko
Assistant County Attorney
Section Chief, Land Use/Transportation

Attachments: Exhibit A – Permitted Uses
Exhibit B – Development Standards
Exhibit C – Master Plan
Exhibit D – Legal Description
Exhibit E - List of Requested Deviations
Exhibit F - List of Owner Commitments
Exhibit G – Master Use and Conversion List

CP\10-CPS-01024\118

This ordinance filed with the Secretary of State's Office the 31st day of October, 2011 and acknowledgement of that filing received this 8th day of November 2011
By _____ Deputy Clerk

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

EXHIBIT A
PERMITTED USES

PROJECT LAND USE TRACTS

TRACT	TYPE	UNITS.	ACREAGE±
TRACT "R"	RESIDENTIAL	1,714	447.86
TRACT "R/MU"	RESIDENTIAL/MEDICAL USE	25 min.*	38.82
TRACT "BP"	BUSINESS PARK	1	35.38
TRACT "C"	COMMERCIAL	17 min.*	34.16
TRACT "A"	ATTRACTION	1	47.27
TRACT "P"	PRESERVE	0	1,544.14
TRACT "PF"	PUBLIC FACILITY	0	1.33
TRACT "JD"	JUNIOR DEPUTY	2	21.62
TRACT "ROW"	PUBLIC RIGHT-OF-WAY	0	72.01
TRACT "S"	SCHOOL	0	19.55
	Total	**1,760**	**2262.14**

*: Denotes the minimum number of dwelling units that must be constructed in the associated land use tract. Given that Tract C may generate up to 55 residential dwelling units, thirty (30%) percent of those residential units (17 units) must be constructed in Tract C. Tract R/MU is required by this document to have no less than 25 residential dwelling units constructed within that Tract. The balance of the residential dwelling units generated from Tract C (13 units) must be constructed in either the R/MU Tract, or on a portion of Tract R, within one-third of one mile of the boundary of Tract C.

I GENERAL PERMITTED LAND USES

Streets, alleys, water management facilities and structures, utilities and other infrastructure improvements are generally permitted anywhere within this MPUD except for in the P, Preserve Tract.

II TRACT "R", RESIDENTIAL PERMITTED USES:

Up to 1,760 residential units consisting of single family units and multi-family units are permitted in the entire PUD. No more than 1,232 units in the entire PUD shall be multi-family, as defined in the LDC. Residential units may be converted to senior housing units or recreational vehicle (RV) units, where permitted, in accordance with the Land Use Conversion Factors in Exhibit B. Upon conversion, the residential units shall be reduced according to the Land Use Conversion Factors in Exhibit B. Developer and County shall each maintain a master list of converted uses for this PUD. 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. Single family detached dwellings;

2. Zero lot line, detached dwellings;

3. Two-family and duplex dwellings;

4. Single family attached dwellings, (including townhouses intended for fee simple conveyance including the platted lot associated with the residence);

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5. Multi-family dwellings;

6. Senior housing for persons over age 55, limited to independent living facilities, assisted living facilities, skilled nursing facilities, and continuing care retirement communities. Senior housing facilities shall not be considered residential land uses for the purposes of density, but shall be derived from conversion from residential units in accordance with the Land Use Conversion Factors in Exhibit B. These land uses shall be developed in accordance the development standards set forth in Table II of Exhibit B. In no instance shall greater than 450 senior housing units be developed in the entire MPUD;

7. Any other principal use which is comparable in nature with the foregoing list of permitted principal uses, as determined by the BZA, by the process outlined in the LDC.

B. Accessory Uses:

Accessory uses and structures customarily associated with the permitted principal uses and structures, including, but not limited to:

1. Accessory uses and structures customarily associated with principal uses permitted in this land use tract, including swimming pools, spas, docks, boat houses, and screen enclosures, recreational facilities designed to serve the development;

2. Model homes and model home centers including offices for project administration, construction, sales and marketing, apartment rental, as well as resale and rental of units within the MPUD in perpetuity (group 6531);

3. Recreational facilities and structures to serve the PUD, including clubhouses, health and fitness facilities, pools, meeting rooms, community buildings, boardwalks, playgrounds, playfields, tennis courts, and similar uses intended to exclusively serve the residents of the PUD and their guests;

4. Horse stables and related equestrian facilities to serve the PUD that complement the MPUD's proximity to the Picayune Strand State Forest may be allowed on residential lands lying east of the proposed north/south public roadway, subject to applicable permitting. This private, non-commercial, accessory use is intended for stabling for residents of the PUD. Horse racing, dressage, or horse jumping events open to the public are prohibited;

5. Private stables on single-family lots greater than 43,560 square feet in lot area, on residential lands lying east of the proposed north/south public roadway are permitted to allow one horse for each 21,780 square feet of lot area;

6. Horse trails.

III TRACT "RV":

Up to 290 RV units are allowed only if residential units are converted to RV in accordance with the Land Use Conversion Factors in Exhibit B. No building or structure, or part thereof, shall be erected, altered or used, or land used, in whole or part, other than the following:

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A. Principal Uses:

1. Recreational vehicle parks (Group 7033, recreational vehicle parks only), subject to the criteria contained in Exhibit B, and only in the location depicted on Exhibit C. In no instance shall greater than 290 Recreational Vehicle units be developed in the entire MPUD. Except as provided herein, the RV District shall comply with the Land Development Code (LDC) including Sections 2.03.03.F and 5.5.10.

B. Accessory Uses:

1. Accessory uses and structures customarily associated with principal uses permitted in this land use tract, including swimming pools, spas, docks, boat houses, and screen enclosures, recreational facilities designed to serve the development;

2. Recreational facilities and structures to serve the PUD, including clubhouses, health and fitness facilities, pools, meeting rooms, community buildings, boardwalks, playgrounds, playfields, tennis courts, and similar uses intended to exclusively serve the residents of the PUD and their guests;

IV TRACT "R/MU", RESIDENTIAL/MEDICAL USE PERMITTED USES:

Up to 1,760 residential units consisting of single family units and multi-family units are permitted in the entire PUD. No more than 1,232 units in the entire PUD shall be multi-family as defined in the LDC. The residential units may be converted to senior housing units, where permitted, in accordance with the Land Use Conversion Factors in Exhibit B. Upon conversion, the residential units shall be reduced according to the Land Use Conversion Factors in Exhibit B. Up to 50,000 square feet of gross floor area of medical office related land uses are also allowed in this tract, less up to 50,000 square feet of gross floor area of medical related office land uses approved by plat or SDP in Tract C. Developer and County shall each maintain a master list of converted uses for this PUD.
No building or structure, or part thereof, shall be erected, altered or uses, or and used, in whole or in part, for other than the following:

A. Principal Uses:

1. Single family detached dwellings;

2. Zero lot line, detached dwellings;

3. Two-family and duplex dwellings;

4. Single family attached dwellings, (including townhouses intended for fee simple conveyance including the platted lot associated with the residence);

5. Multi-family dwellings;

6. Senior housing for persons over age 55, limited to independent living facilities, assisted living facilities, skilled nursing facilities, and continuing care retirement communities. Senior housing facilities shall not be considered residential land uses

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for the purposes of density, but shall be derived from conversion from residential units in accordance with the Land Use Conversion Factors in Exhibit B. These land uses shall be developed in accordance the development standards set forth in Table II of Exhibit B In no instance shall greater than 450 senior housing units be developed in the entire MPUD.

7. Drug Stores and Proprietary Stores (Group 5912). If this retail use is developed in the R/MU Tract then the square footage of gross floor area of this retail use shall reduce the square footage of gross floor area of retail uses permitted in Tract C.;

8. Health Services, (Groups 8011-8049, 8071-8072, 8082, and 8092-8099);

9. 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") by the process outlined in the LDC.

B. Accessory Uses:

1. Accessory uses and structures customarily associated with principal uses permitted in this land use tract, including swimming pools, spas, docks, boat houses, and screen enclosures, recreational facilities designed to serve the development;

2. Model homes and model home centers including offices for project administration, construction, sales and marketing;

3. Recreational facilities and structures to serve the PUD including clubhouses, health and fitness facilities, pools, meeting rooms, community buildings, boardwalks, playgrounds, playfields, tennis courts, and similar uses intended to exclusively serve the residents of the PUD and their guests.

V TRACT "BP" BUSINESS PARK PERMITTED USES:

Up to 140,000 square feet of gross floor area of business park land uses, and a hotel of up to 135 rooms capped at 92,000 square feet of gross floor area if a hotel is not developed in Tract C. However, if owner elects not to build a hotel on Tract C or BP, then the square footage limitation of business park land uses could be exceeded if a hotel conversion to business park of up to 60,000 square feet of gross floor area is used based on the land use conversions in Exhibit B. In place of the business park and hotel land uses, a school may be developed. If a hotel is constructed on Tract C or BP, based on an approved plat or SDP, then the hotel conversion shall terminate.
Tract "BP" is located directly north of the Attraction Tract that accommodates the Swamp Buggy land uses and facilities. This acreage is meant to provide for a transition from the Attraction land uses to the Residential Tract and intended land uses further north. This Tract shall be permitted to be developed for either a business park or a school. If the Tract is developed as a school, only those uses permitted in Section XI below shall be allowed. Should the 35.38 acre tract be proposed for development as a business park, 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. Apparel and other finished products (groups 2311-2399);

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2. Building construction (groups 1521-1542);

3. Business services (group 7311);

4. Communications (groups 4812-4899, including communication towers limited in height to 100 feet);

5. Construction: Special trade contractors (groups 1711-1799);

6. Depository and non-depository institutions (groups 6081, 6082);

7. Drugs and medicines (groups 2833-2836);

8. Eating places (group 5812, not including fast foods, walk-up windows and drive-thru restaurants);

9. Educational services (groups 8221-8299);

10. Electronics and other electrical equipment manufacturing, indoor only (groups 3612-3699);

11. Engineering, accounting, research, management, and related services (groups 8711-8748);

12. Food manufacturing (groups 2034, 2038, 2053, 2064, 2066, 2068, 2096, 2098, 2099);

13. Furniture and fixtures manufacturing (groups 2511-2599);

14. Government offices/buildings (groups 9111-9222, 9224-9229, 9311, 9411-9451, 9511-9532, 9611-9661);

15. Health services (groups 8011-8049);

16. Industrial and commercial machinery and computer equipment (groups 3524, 3546, 3571 - 3579);

17. Industrial inorganic chemicals (groups 2833, and 2844);

18. Job training and vocational rehabilitation services (group 8331);

19. Leather and leather products (groups 3131-3199);

20. Measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks manufacturing (groups 3812-3873);

21. Medical laboratories and research and rehabilitative centers (groups 8071, 8072, 8092, 8093);

22. Miscellaneous manufacturing industries (groups 3911-3999);

23. Motion picture production (groups 7812-7819);

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24. Motor freight transportation and warehousing (group 4225, mini- and self- storage warehousing only), subject to the following criteria:

    i. The use of metal roll-up garage doors located on the exterior of the perimeter buildings and walls of buildings which are visible from a public right-of-way is prohibited; and
    ii. Access to individual units whether direct or non-direct must be from the side of the building that is oriented internally;
    iii. No building shall exceed 100 feet in length when adjacent to a residential tract within the MPUD;
    iv. No outdoor storage of any kind is permitted, and
    v. Storage units shall be utilized for storage purposes only.

25. Printing, publishing and allied industries (groups 2711-2796);

26. Rubber and miscellaneous plastic products (groups 3021, 3052, 3053);

27. Security/commodity brokers (group 6211);

28. Transportation equipment (groups 3714, 3716, 3732, 3751, 3792, 3799);

29. U.S. Postal Service (group 4311);

30. Wholesale trade durable goods (groups 5021, 5031, 5043-5049, 5063-5078, 5091, 5092, 5094-5099);

31. Wholesale trade non durable goods (5111-5153, 5181, 5182, 5191, except that wholesale distribution of chemicals, fertilizers, insecticides, and pesticides shall be a minimum of 500 feet from a residential tract within the MPUD, 5192-5193);

32. Any other use which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals.

B. Limited Principal Uses:

The following uses shall be limited to a maximum of 30 percent of the total acreage of the Business Park tract:

1. Business services (7312, 7313, 7319, 7331, 7334-7336, 7342, 7349, 7352, 7361, no labor pools, 7371-7384, 7389);

2. Child day care services (group 8351);

3. Depository and non-depository institutions (groups 6021-6062, 6091, 6099, 6111-6163);

4. Drug stores (group 5912, limited to drug stores and pharmacies) in conjunction with health service groups and medical laboratories/research/rehabilitative groups;

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5. Hotels (group 7011) up to 135 rooms, capped at 92,000 square feet of gross floor area if a hotel is not developed in Tract C. Hotel square footage does not reduce the business park square footage cap. If the hotel conversion is applied to Tract BP, then a hotel is not permitted;

6. Membership organizations (group 8611); business associations (group 8621); professional organizations (8631); labor unions and similar labor organizations;

7. Personal services (groups 7215-7231, 7241);

8. Physical fitness facilities and bowling centers (groups 7991, 7933);

9. Professional offices; insurance agencies (group 6411); insurance carriers (groups 6311-6399); real estate (6531, 6541, 6552, 6553); holding and other investment offices (groups 6712-6799); attorneys (group 8111);

10. Travel agencies (group 4724).

C. Uses Accessory to Principal and Limited Uses:

1. Uses and structures that are accessory and incidental to uses permitted as of right;

2. One (1) caretaker's residence within Tract BP, Business Park Tract, subject to the following:
   i. The residence shall be constructed as an integral part of the principal structure and shall be entered from within the principal structure. Exits required to comply with fire code shall be permitted;
   ii. The caretaker's residence shall be an accessory use and shall be for the exclusive use of the property owner, tenant, or designated employee operating or maintaining the principal structure;
   iii. Off-street parking shall be as required for a single-family residence.

3. For primary business park uses, retail sales and/or display areas as accessory to the principal uses shall not exceed an area greater than 20 percent of the gross floor area of the permitted principal use and is further subject to retail standards for landscaping, parking and open space.

VI TRACT "C" COMMERCIAL PERMITTED USES:

Up to 327,500 square feet of gross floor area of retail land uses and up to 70,000 square feet of gross floor area of professional and medical office uses reduced by medical-related retail use square footages approved by SDP in Tract R/MU and reduced by *up* to 50,000 square feet of gross floor area of professional and medical office land use square footages approved by plat or SDP in Tract R/MU. The 70,000 square feet of professional and medical office may be exceeded if the retail land uses are converted to office thereby reducing the retail square footage, not to exceed 25% of the retail land use allocation. Additionally, a hotel of up to 135 rooms and up to 92,000 square feet of gross floor area shall be allowed in Tract C unless a hotel is developed within Tract BP or if the hotel use is converted to BP uses in Tract BP based on an approved plat or SDP.
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:

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A. Principal Uses:

1. Single family attached dwellings, (including townhouses intended for fee simple conveyance including the platted lot associated with the residence);
2. Multi-family dwellings;
3. Residential land uses integrated into commercial buildings with residential units located above commercial land uses to create a mixed-use building;
4. Accounting, auditing and bookkeeping services (group 8721);
5. Adjustment and collection services (group 7322);
6. Advertising agencies (group 7311);
7. Advertising – miscellaneous (group 7319);
8. Amusements and recreation services, indoor (groups 7911-7922, 7991, 7993, 7999, only billiard parlors, bingo parlors, martial arts and yoga instruction, bicycle and golf cart rentals);
9. Apparel and accessory stores with (groups 5611-5699);
10. Auto and home supply stores (groups 5211-5261, and 5531);
11. Automotive dealers, not elsewhere classified (group 5599);
12. Automobile parking (group 7521), including garages-automobile parking, parking structures, no towing yards;
13. Automotive repair, services and parking (groups 7513 – 7533, 7536 -7549);
14. Barber shops (group 7241), except barber schools;
15. Beauty shops (7231), except beauty schools;
16. Boat dealers (5551);
17. Bookkeeping services (8721);
18. Bowling centers, indoor (7933);
19. Building construction – General contractors (groups 1521 – 1542);
20. Building materials, hardware and garden supplies (groups 5211-5261);
21. Business associations (group 8611);
22. Business consulting services (group 8748);
23. Business credit institutions (groups 6153-6159);

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24. Business services (groups 7311-7353, 7359, except labor contractors, 7371-7379, 7381 except armored car and dog rental, 7382-7389 except auctioneering service, automobile recovery, automobile repossession, batik work, bottle exchanges, bronzing, cloth cutting, cosmetic kits, cotton inspection, cotton sampler, drive-away automobile, exhibits-building, filling pressure containers, field warehousing, fire extinguisher, floats-decoration, folding and refolding, gas systems, bottle labeling, liquidation services, metal slitting and shearing, packaging and labeling, patrol of electric transmission or gas lines, press clipping service, repossession service, rug binding, salvaging of damaged merchandise, scrap steel cutting and slitting, shrinking textiles, solvent recovery, sponging textiles, tape slitting, texture designers, textile folding, tobacco sheeting and window trimming service);

25. Cable and other pay television services (group 4841);

26. Senior housing for persons over age 55, limited to independent and assisted living facilities, continuing care retirement communities, and nursing homes. This housing is included in the retail square foot limitation and no greater than 450 senior housing units shall be developed in this entire MPUD;

27. Child day care services (8351);

28. Commercial printing (2752, excluding newspapers);
29. Civic, social and fraternal associations (group 8641);

30. Coin operated amusement devices, indoor (group 7993);

31. Communications (groups 4812-4841) including communications towers up to specified height, subject to LDC Section 5.05.09;

32. Construction – special trade contractors (groups 1711 – 1793, 1796, 1799);

33. Dance studios, schools and halls (group 7911);

34. Drug stores (group 5912);

35. Depository institutions (groups 6011-6099);

36. Eating and drinking establishments (group 5812, and group 5813) excluding bottle clubs. Outdoor amplified sound is prohibited;

37. Educational services (groups 8221, 8222, 8243 – 8249);

38. Engineering, accounting, research, management and related services (groups 8711-8748);

39. Food stores (groups 5411-5499);

40. Gasoline service stations (group 5541 subject to LDC requirements);

41. General merchandise stores (groups 5311, 5331-5399);

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42. Glass and glazing work (1793);

43. Health services (groups 8011-8049, 8051-8059, 8071-8072, 8082 and 8092-8099);

44. Home furniture, furnishing, and equipment (groups 5712-5736);

45. Hotels and motels (groups 7011, 7021, and 7041) only if a hotel is not built in Tract BP and the hotel conversion is not applied to Tract BP;

46. Insurance carriers, agents and brokers (groups 6311-6399, 6411);

47. Landscape architects, consulting and planning (group 0781);

48. Legal services (group 8111);

49. Libraries (group 8231);

50. Management and public relations services (groups 8741-8743, 8748);

51. Membership organizations (8611-8699);

52. Membership sports and recreation clubs, indoor (group 7997);

53. Miscellaneous personal services (7291, 7299, debt counseling only);

54. Miscellaneous repair services (groups 7622 – 7699);

55. Miscellaneous retail (groups 5912-5963, 5992-5999);

56. Motion picture theaters (group 7832);

57. Motorcycle dealers (group 5571);

58. Motor freight transportation and warehousing (group 4225 mini- and self-storage warehousing only);

59. Museums and art galleries (group 8412);

60. Non-depository credit institutions, and loan brokers (groups 6111-6163);

61. Offices for engineering, architectural, and surveying services (groups 0781, 8711-8713);

62. Paint, glass and wallpaper stores (5231);

63. Passenger car leasing (group 7515);

64. Passenger car rental (group 7514);

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65. Personal services (groups 7211, 7212, 7215, 7216 nonindustrial dry cleaning only, 7217, 7219, 7221-7251, no beauty or barber schools, 7261 except crematories, 7291, 7299, excluding massage parlors, escort services, steam baths, Turkish baths and tattoo parlors);

66. Photographic studios (7221);

67. Physical fitness facilities (7991);

68. Political organizations (group 8651);

69. Printing, publishing, and allied industries (groups 2711, 2721);

70. Professional membership organizations (group 8621);

71. Public Administration (groups 9111-9199, 9229, 9311, 9411-9451, 9511-9532, 9611-9661);

72. Public or private parks and playgrounds;

73. Public relations services (group 8743);

74. Radio, television, and consumer electronics stores (group 5731);

75. Radio and television broadcasting stations (groups 4832, and 4833);

76. Real estate (group 6512, 6531-6552);

77. Record and prerecorded tape stores (group 5735), excluding adult oriented rentals and sales;

78. Recreational vehicle dealers (group 5561);

79. Religious organizations (group 8661);

80. Research, development, and testing services (group 8731-8734);

81. Retail nurseries, lawn and garden supply stores (group 5261);

82. Security and commodity brokers, dealer, exchanges and services (groups 6211-6289);

83. Theatrical producers and miscellaneous theatrical services, indoor (groups 7922-7929);

84. Tour operators (group 4725);

85. Travel agencies (group 4724);

86. United States Postal Service (4311 except major distribution center);

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87. Veterinary services (groups 0742, 0752 excluding outside kenneling);

88. Videotape rental (7841), excluding adult oriented rental and sales;

89. Vocational schools (groups 8243-8299);

90. Any other commercial use which is comparable in nature with the foregoing list of permitted uses and consistent with the purpose and intent statement of the district as determined by the Board of Zoning Appeals.

A. Accessory Uses:

Accessory uses and structures customarily associated with the permitted principal uses and structures, including, but not limited to:

1. Parking facilities and signage;

2. Eating/ Picnic Area;

3. One (1) caretaker's residence within the C, Commercial Tract;

4. Child care, outdoor play areas. Where play areas are constructed as an accessory use to a permitted use, the following conditions shall apply:

   a. A minimum five-foot, six-inch high reinforced fence shall be installed on all sides of the play area which are not open to the principal structure;

   b. Ingress to and egress from the play area shall be made only from the principal structure, however an emergency exit from the play area shall be provided which does not empty into the principal structure;

   c. The play equipment shall be set back a minimum distance of five feet from the required fence and from the principal structure.

5. Kiosks, that are small separate structures, often movable and open on one or more sides, used as a newsstand, vending stall, or other conveniences, Individual kiosks shall not to exceed 200 square feet.;

VII TRACT "A" ATTRACTION PERMITTED USES:

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. "Swamp Buggy" race track (group 7948, swamp buggy track only);

2. County fair and similar expositions, including circuses, carnivals, and other recreation/entertainment activities;

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3. Exhibition hall/community center;

4. Amateur soccer, softball, lacrosse, volleyball, football, and similar outdoor recreational sports and activities and shall not be limited in the number of occurrences;

5. Indoor target ranges, including archery;

6. Stock car, monster trucks, and motorized vehicle race track (group 7948, motorized vehicle race track only);

7. Motocross (including bicycle and motorcycle) race course (group 7948, motocross race course only);

8. Stadium, training, and practice facilities for professional baseball (group 7941). This use is allowed only if a Notice of Proposed Change or Substantial Deviation Application for Development Approval is processed in accordance with Section 380.06, F.S., or any successor statute, and the Hacienda Lakes DRI is amended. If state law changes such that DRI review or other state review is no longer required then this provision shall terminate;

9. Administrative offices and supportive service facilities;

10. Any other use or structure that is comparable in nature to the foregoing and that is approved by the Board of Zoning Appeals.

B. Accessory Uses:

Accessory uses and structures customarily associated with the permitted principal uses and structures, including, but not limited to:

1. Any accessory uses and structures that are incidental to and customarily associated with those uses permitted herein;

2. Onsite water management, utility, and service facilities;

3. Signs as permitted or required by the applicable Collier County Land Development Code at the time of application for construction permits;

4. Residential facilities (one (1) residential unit within the A, Attraction Tract) for housing of security personnel or caretakers whose work requires residence on the property;

5. Concessions, ticketing, bleachers, and other spectator-related facilities;

6. Picnicking and playground areas, as well as areas for camping that may be utilized only three days prior to, during, and three days after a major event weekend.

C. Conditional Uses:

1. Fuel storage and related facilities.

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

VIII TRACT "P" PRESERVE PERMITTED USES:

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. Upland preserves;

2. Wetland preserves;

B Accessory Uses and Structures

Accessory uses and structures customarily associated with the permitted principal uses and structures, including, but not limited to:

1. Boardwalks, nature trails, horse trails, shelters, viewing platforms, educational signs, and information kiosks;

2. Water management structures;

3. Archaeological sites and associated research of said sites.

IX TRACT "PF" PUBLIC FACILITY PERMITTED USES:

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. Public safety facilities intended to provide emergency medical, ground transportation services.

B. Accessory Uses

Accessory uses and structures customarily associated with the permitted principal uses and structures, including, but not limited to:

1. Parking facilities and signage;

2. Administrative offices and support service facilities;

3. Lighting or storm water management facilities and structures.

X TRACT "JD" JUNIOR DEPUTY PERMITTED USES:

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:

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

A. Principal Uses:

1. Open space and outdoor recreational uses, including, but not limited to hiking, biking, fishing, boating, camping, picnicking and nature trails;

2. Sporting and recreational camps;

3. Caretaker's residence, limited to two for the JD, Junior Deputy Tract.

B. Accessory Uses:

Accessory uses and structures customarily associated with the permitted principal uses and structures, including, but not limited to:

1. Boardwalks, nature trails, shelters, pavilions, viewing piers, viewing platforms, educational signs, kiosks, and docks or platforms for launching and mooring or storage of non-motorized vessels utilizing movable storage racks;

2. Covered camping pavilion(s) (i.e.: concrete, or similar hard surface, that is roofed, and may, or may not be enclosed with screen/plastic sheeting, or walls), which may include kitchen/cooking facilities, office and restroom facilities;

3. Passive parks and passive recreational uses;

4. Pervious roads, driveways, and pervious and/or impervious parking facilities;

5. Project identification and directional signage;

6. Water management structures;

7. Restrooms/bath houses;

8. Roofed or unroofed storage for maintenance and recreational equipment;

9. Fencing and security gates, which may include barbed wire;

10. Archery and air rifle range(s).

XI TRACT "S" SCHOOLS PERMITTED USES:

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. Schools, public or private, including Educational Services (Group 82).

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

B. Accessory Uses:

Accessory uses and structures customarily associated with the permitted principal uses and structures, including, but not limited to:

1. Educational facilities;

2. Parking facilities and signage;

3. Administrative offices and support service facilities;

4. Lighting or storm water management facilities and structures;

5. Recreational facilities.

XII SIGNS:

A. Seven, on-premise, ground signs shall be permitted on property corners fronting on existing, proposed, or future public roadways as depicted and labeled "Boundary Marker" on Sheets 3 and 4 of the MPUD Master Plan Set. These ground signs shall be allowed in addition to other signage allowed by Section 5.06.00 of the LDC. Each of these permitted signs shall only contain the name of the project or any major use, insignia or motto of the entire development (See Exhibit E, Deviation #3).

B. One real estate sign shall be permitted in the Commercial Tract for the purposes of marketing residential products within the MPUD. This additional real estate signage may be utilized by any of the developers of the residential communities within the MPUD (See Exhibit E, Deviation #6).

C. The existing Swamp Buggy sign located in the southeast corner of Rattlesnake Hammock road and Collier Boulevard shall be allowed to remain until new signage can be permitted in Tract C. (See Exhibit E, Deviation #7)

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

EXHIBIT B
DEVELOPMENT STANDARDS

GENERAL:

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

Conversion of residential land use types are provided for below which may be utilized to apportion units to senior housing or recreational vehicle units relative to the mix of residential land uses within this MPUD and their relation to public facility impacts.

Table I below, sets forth the development standards for residential land uses within the MPUD, including residential land uses that are required to be developed in Tracts C and R/MU. 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. Figures 1 thru 7 generally depict typical development standards for the various residential products.

Table II below, sets forth the development standards for commercial land uses, senior housing units, and public facility land uses within the MPUD, however these standards do not apply to the Collier County School District public schools. 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 III below, sets forth the development standards for the business park land uses and school land uses within the MPUD, however these standards do not apply to the Collier County School District public schools. 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 IV below, sets forth the development standards for the Attraction land uses and Junior Deputy passive recreation land uses within the MPUD. 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.

The facilities and improvements that are depicted on Exhibit C, the MPUD Master Plan shall be considered conceptual in nature. The design, location, and configuration of land improvements shall be defined at either site development plan, or construction plans and plat approval(s).

Except as provided for herein, all criteria set forth below 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.

MAXIMUM DENSITY AND INTENSITY:

Residential Density: This MPUD shall be limited to 1,760 residential dwelling units (du) that equates to a density of 0.78 dwelling units per gross acre. The 1,760 residential units are either single- or multi-family units as defined in the LDC. No more than 1,232 multi-family units may be constructed in the entire PUD. Caretakers residences shall be deducted from the 1,760 unit allocation. A minimum of 25 residential units shall be constructed in the R/MU Tract, and a minimum of 17 residential units shall be constructed in Tract C. The balance of the residential dwelling units generated from Tract C (13 units) must be constructed in either the R/MU Tract, or on a portion of Tract R, within one-third of one mile of the boundary of Tract C.

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

LAND USE CONVERSION FACTORS

Residential Density: 1.0 residential unit equates to 2.73 Recreational Vehicle units/spaces (not to exceed 290 RV units in the entire PUD), or 4 Senior Housing Units (not to exceed 450 Senior Housing Units in the entire PUD). Up to 1,232 of the total 1,760 residential units may be multi-family as defined in the Land Development Code.

Commercial Intensity: Hacienda Lakes is intended to be developed with a mixture of commercial land uses that include 327,500 square feet of gross floor area of retail uses, 50,000 square feet of gross floor area of medical office uses, 20,000 square feet of gross floor area of general office uses, 140,000 square feet of gross floor area of business park land uses, and 135 hotel rooms.

In no event shall the project exceed 3,328 PM Peak Hour Trips. Such maximum trip generation cap was developed based on 327,500 gross square feet of retail land uses, 50,000 gross square feet of medical office land uses, 20,000 gross square feet of general office land uses, 140,000 gross square feet of business park land uses, a primary school with a contemplated enrollment of 919 students, 135 hotel rooms, not to exceed 92,000 gross square feet, 704 single-family units, and 1,056 multi-family units. However, the hotel shall not count against the 140,000 square foot cap associated with the business park.

Should the BP Tract not be developed as a business park but be developed as a school facility (excluding Collier County School District public schools), such facility shall not exceed the maximum 140,000 gross square feet allowed in that Tract.

The developer shall be allowed to convert retail land uses to office land uses at a one to one (1:1) ratio, not to exceed 25% of the retail land use allocation, provided only if the converted use is an allowed use in the tract. The developer shall also be allowed to wholly convert the hotel development opportunity of 135 rooms not to exceed 92,000 square feet to 60,000 square feet of gross floor area of business park land uses.

All existing land uses and facilities in the Attraction and Junior Deputy Tracts shall not count against the overall trip and land use cap.

Senior Housing Intensity: The intensity of any senior housing project shall have a maximum Floor Area Ratio (FAR) of 0.60. The 1,760 dwelling unit cap is only intended to limit the number of single family and multi-family residential units, as those units are defined in the Land Development Code. The development may include in excess of 1,760 residential units if some are developed as senior housing units. With the exception of senior housing development in the C, Commercial Tract, senior housing units shall be developed through the conversion of residential land uses. Residential units shall be allowed for conversion to senior housing units based on the Land Use Conversion Factors, above. However, 1 single-family dwelling unit equates to 1 single-family style independent living units. In no instance shall greater than 450 senior housing units be developed in the entire MPUD.

Total Project Intensity: In no event shall the project exceed 3,328 pm Peak Hour Trips.

Operational Characteristics for Senior Housing

Senior housing may be composed of one or more types of care/housing facilities. These care/housing types are limited to independent living, assisted living, and skilled nursing units, each of which can have varying operational characteristics. The following characteristics of senior housing care units distinguish them from residential land uses, and all of the characteristics must be provided for and maintained to be considered a senior housing care unit:

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

- The facility shall be for residents 55 years of age and older;
- There shall be on-site dining facilities to the residents, with food service being on-site, or catered;
- Group transportation services shall be provided for the residents for the purposes of grocery and other types of shopping. Individual transportation services shall be coordinated for the residents needs, including but not limited to medical office visits;
- There shall be an onsite manager/activities coordinator to assist residents, who shall be responsible for planning and coordinating stimulating activities for the residents;
- An on-site wellness facility shall provide exercise and general fitness opportunities for the residents.
- Each unit shall be equipped with devices provided to notify emergency service providers in the event of a medical or other emergency;
- Independent living units shall be designed so that a resident is able to age in place. For example, kitchens may be easily retrofitted by lowering the sink to accommodate a wheelchair bound resident or bathrooms may be retrofitted by adding grab bars.

Recreational Vehicle Park Criteria

- Any RV Park may be located in one location as generally depicted on Exhibit C, MPUD Master Plan.
- This area shall be developed either with an RV Park or residential land uses, and not be a combination of both.
- The RV Park shall be limited to Class A motorcoaches only.
- In no instance shall greater than 290 Recreational Vehicle units be developed in the entire MPUD.
- The density of the RV park shall not exceed 12 RV units for each acre of the development parcel [not less than 20 acres].
- The Lord's way shall be the principal access to Collier Boulevard (CR-951).
- A 25 foot Type C landscape buffer shall be located between any RV land use and adjoining residentially zoned or developed parcel.

Sign Development Standards

- Boundary Markers shall be no greater than 15 feet in height, and shall not exceed 64 square feet of sign content area (See Exhibit E, Deviation #3). Each of these permitted signs shall only contain the name of the project or any major use, insignia or motto of the entire development.
- Any signage proposed for identifying the on-site Swamp Buggy Attraction land use in the Commercial Tract may be illuminated and manually changeable so the traveling public may learn of upcoming events in the Attraction Tract.
- Any land uses permitted within the boundaries of the MPUD shall be considered on-site for the purposes of providing for signage within the Commercial Tract.

Site Development, or Plat Approval

- At the time of each development order application subsequent to rezone approval, the developer or its successors and assigns shall submit a list of previously approved land uses (approved via site development plan, or plat), and the trips, commercial square footage and residential units consumed to date. Developer shall also provide to County a copy of its master list of land uses and converted uses for this PUD with each SDP or plat application in the form attached as Exhibit G.

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

TABLE I
RESIDENTIAL DEVELOPMENT STANDARDS

SETBACK	SINGLE FAMILY DETACHED	ZERO LOT LINE	TWO FAMILY/ DUPLEX	TOWNHOUSE	MULTI-FAMILY DWELLINGS	CLUB HOUSE/ REC-REATION BLDGS	RECREAT-IONAL VEHICLE PARKS
PRINCIPAL STRUCTURES							
Minimum Lot Area	4,800 SF	4,000 SF	3,500 SF per lot	1,800 SF per lot	1 acre	10,000 SF	800 SF per space/unit
Minimum Lot Width	40'	35'	35' per lot	18'per lot or unit	150'	N/A	35'
Minimum Distance From MPUD Boundary **	15' or ½ BH, whichever is greater.	15' or ½ BH, whichever is greater.	15' or ½ BH, whichever is greater.	15' or ½ BH, whichever is greater.	15' or ½ BH, whichever is greater.	15' or ½ BH, whichever is greater.	15'
Front Yard Setback	20', or 15' with side load garages	20', or 15' with side load garages	20', or 15' with side load garages	20'	20' or ½ BH, whichever is greater.	N/A	10'
Side Yard	6'	0' or 10'	0' or 6	0' or 6'	½ BH	N/A	5'
Rear Yard	15'	15'	15'	15'	15' or ½ BH, whichever is greater	N/A	8'
From Preserve	25'	25'	25'	25'	25'	25'	25'
Maximum Zoned Height	35'	35'	35'	45'	75'	40'	30'
Maximum Actual Height	42'	42'	42'	50'	85'	50'	35'
Floor Area Minimum (SF)	1200 SF	1000 SF	1000 SF	900 SF	750 SF	N/A	N/A
Minimum Distance Between Principal Structures	12'	10'	12'	12'	½ SBH	15' or 1/2 SBH, whichever is greater	10'
ACCESSORY STRUCTURES							
Front	SPS	SPS	SPS	SPS	SPS	SPS	SPS
Side	SPS	SPS	SPS	SPS	SPS	SPS	SPS
Rear	5'	5'	5'	5'	5'	10'	SPS
From Preserve	10'	10'	10'	10'	10'	10'	10'
Minimum Distance Between Accessory Structures on same lot	0' or 10'	0' or 10'	0' or10'	0' or 10'	0' or 10'	0' or 10'	10'
Minimum Distance Between Accessory and Principle Structures on same lot	0' or 10'	0' or 10'	0' or10'	0' or 10'	0' or 10'	0' or 10'	0' OR 10'
Maximum Zoned Height	SPS	SPS	SPS	SPS	35'	SPS	SPS
Maximum Actual Height	SPS	SPS	SPS	SPS	35'	SPS	SPS
Minimum Distance From MPUD Boundary**	15'or ½ BH whichever is greater	15' or ½ BH whichever is greater	15' or ½ BH whichever is greater	15' or ½ BH whichever is greater	15' or ½ BH whichever is greater	15' or ½ BH whichever is greater	15' or ½ BH whichever is greater

SPS: Same as Principal Structure
LL: Lot Line
BOC: Back Of Curb
Paseo: A pedestrian only access way to and from residences.
N/A: Not Applicable
BH: Zoned Building Height
SBH: Sum of Building Heights
**Principal and Accessory Uses shall not protrude or encroach into any required landscape buffer

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

General application of setbacks: Front yard setbacks shall comply with the following:

i. If the parcel is served by a public or private road right-of-way, the setback is measured from the adjacent right-of-way line.

ii. If the parcel is served by a non-platted private drive, the setback is measured from the back of curb or edge of pavement.

Notes:

1) Structures adjacent to a lake may have no setback from the lake maintenance easement.

2) Entrance features (i.e.: guard house, clock towers and colonnades) are limited in height to no greater than 35 feet in actual height.

3) Two or three story multi-family structures may have terraced setbacks. Terraced setbacks shall be measured from the ground floor exterior wall, as long as a minimum 15-foot building wall setback is provided as depicted in Figure 1 below.

4) For all residential units, garages shall be located a minimum of 23 feet from the back of the sidewalk closest to the garage, except for side loaded garages, wherein a parking area 23 feet in depth must be provided perpendicular to the sidewalk to prevent vehicles being parked across a portion, or all of the referenced sidewalk.

5) No residential buildings greater than 50 feet in actual height shall be permitted west of the Florida Power and Light easement.

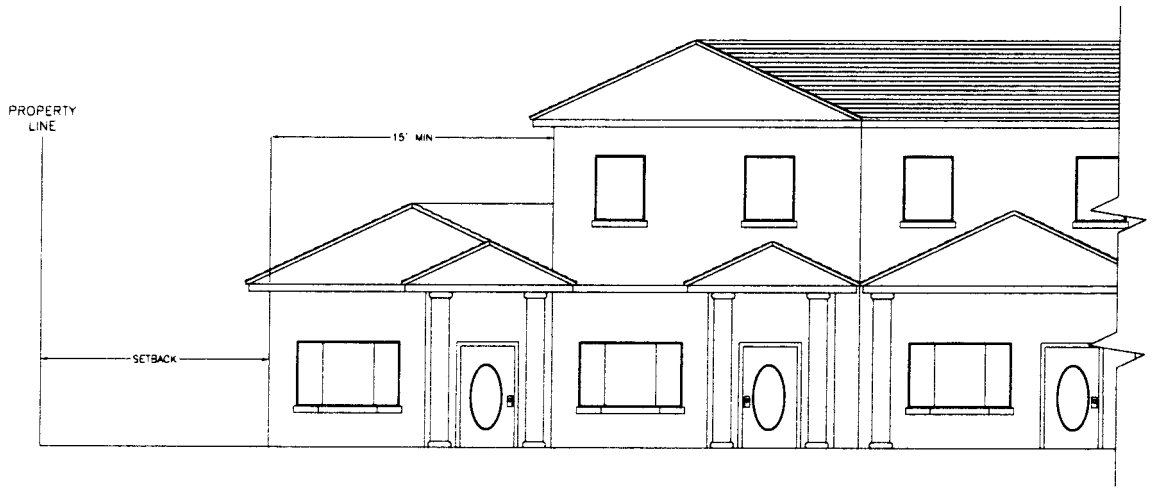
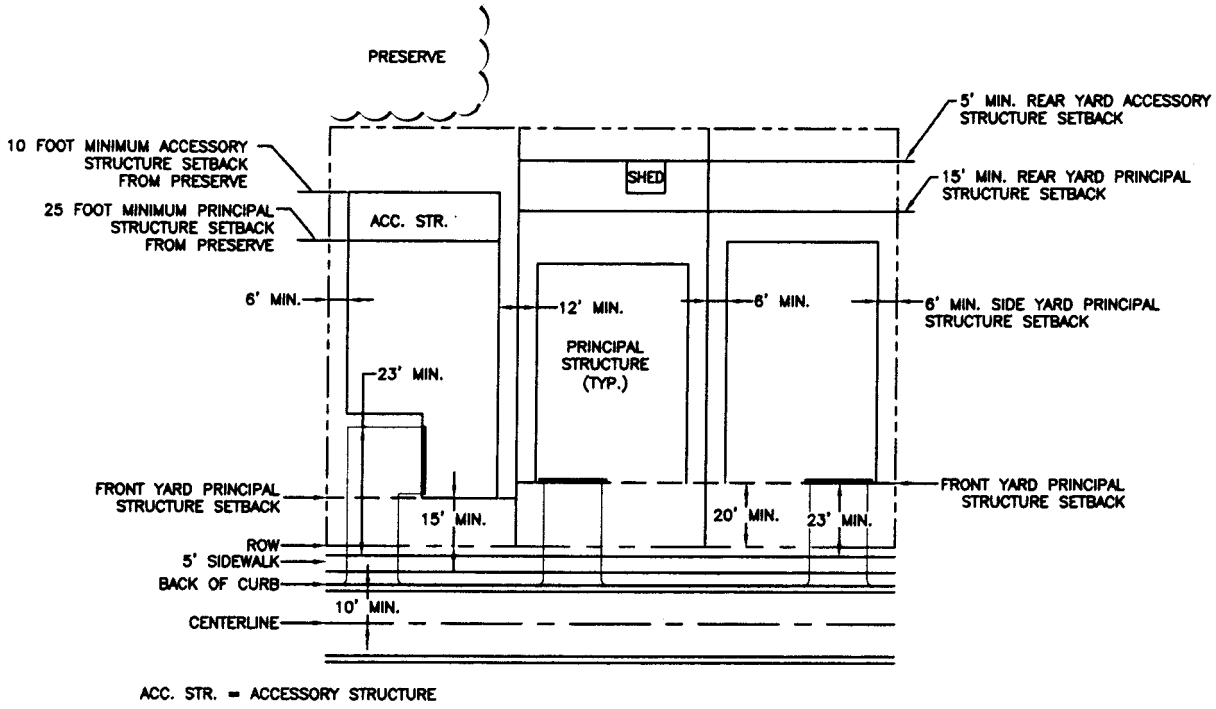


Figure 1

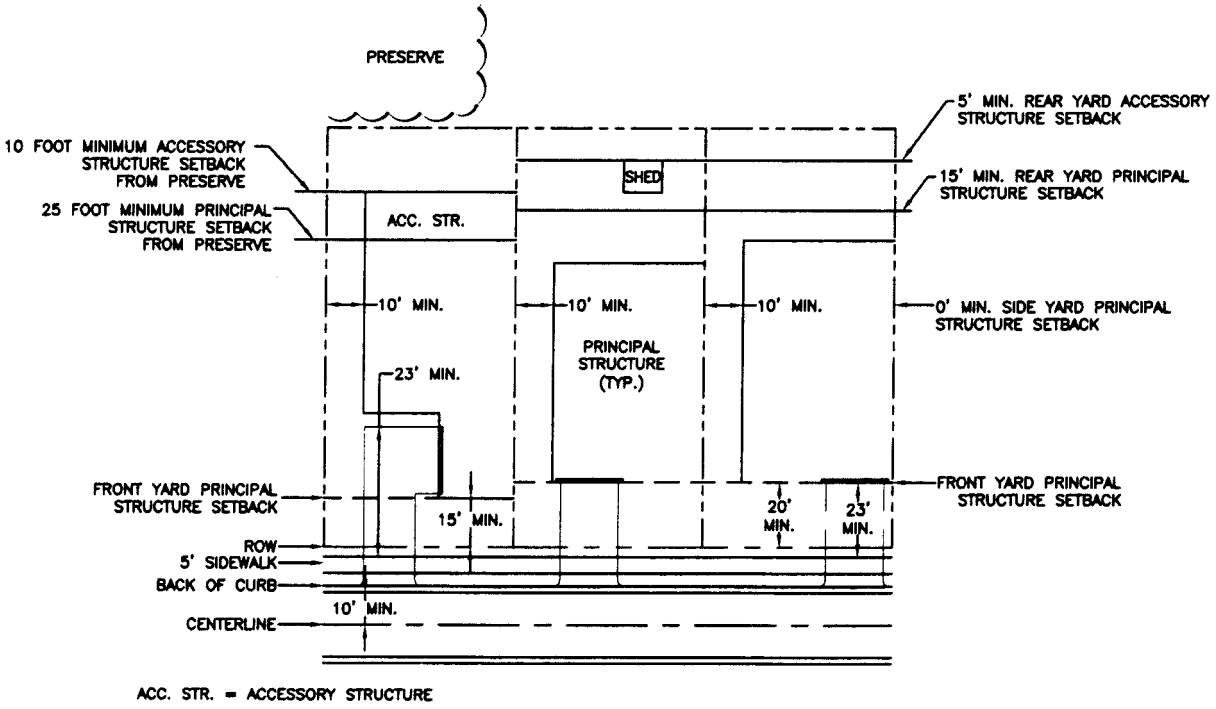
Terraced Setbacks

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)



NOT TO SCALE
NOT DRAWN PROPORTIONALLY

Figure 2
Detached Single-Family Units



NOT TO SCALE
NOT DRAWN PROPORTIONALLY

Figure 3
Detached Single-Family/Zero Lot Line Units

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

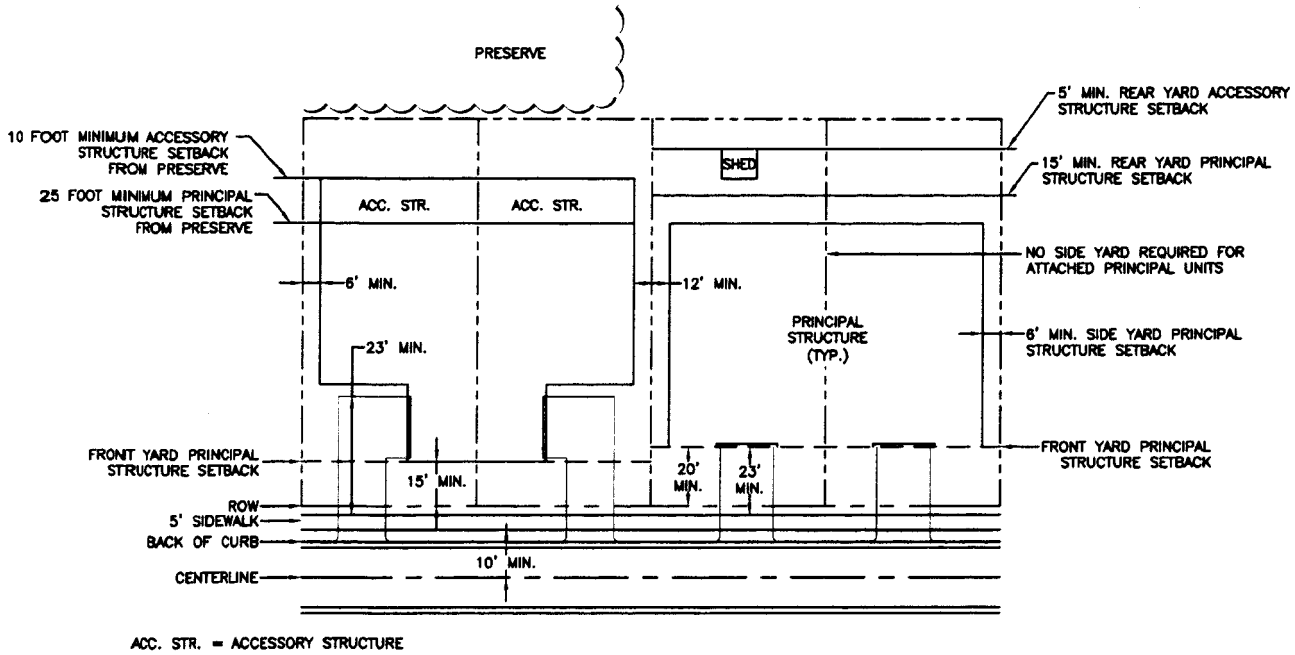


Figure 4
Duplex and Two-Family Units

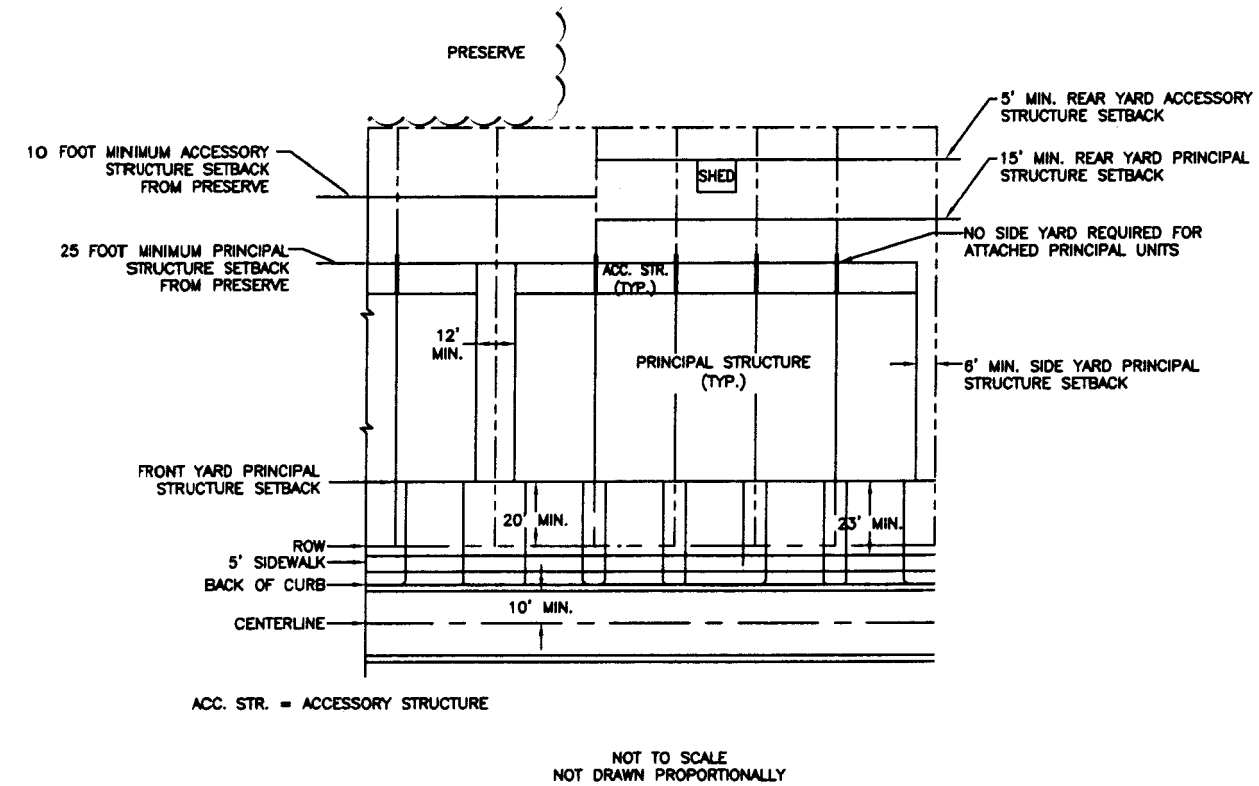
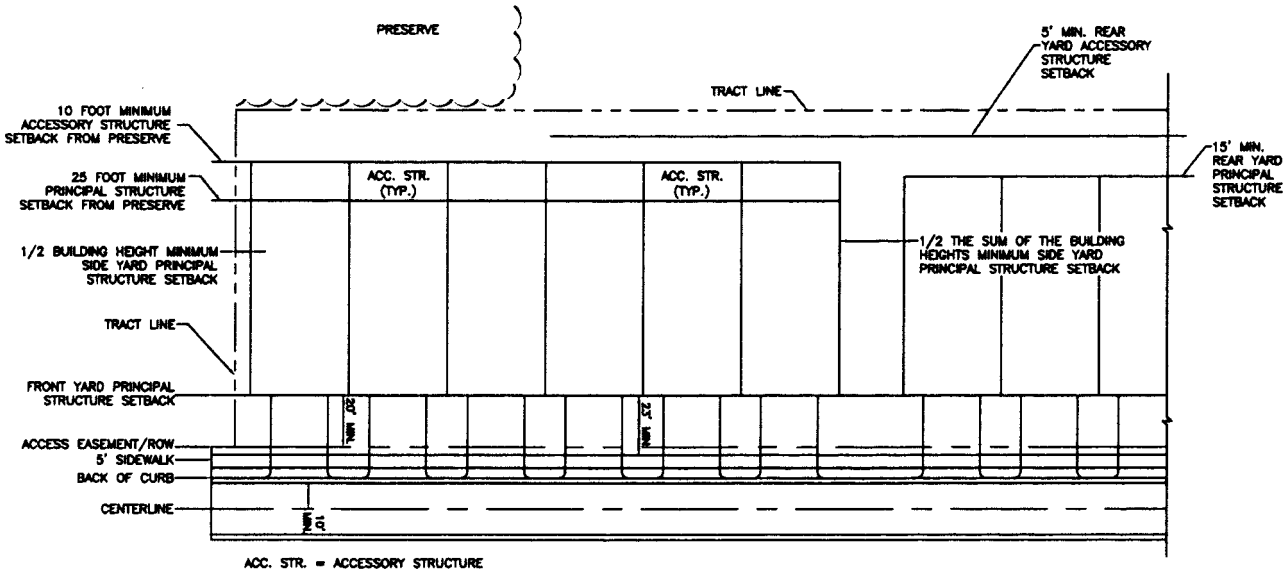


Figure 5
Attached Single-Family and Townhouse Units

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)



NOT TO SCALE
NOT DRAWN PROPORTIONALLY

Figure 6
Multi-Family Units

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

TABLE II
COMMERCIAL, INCLUDING MIXED USE BUILDINGS, PUBLIC FACILITY, AND SENIOR HOUSING DEVELOPMENT STANDARDS

DEVELOPMENT STANDARD	PRINCIPAL USES	ACCESSORY USES
MINIMUM LOT AREA	10,000 SQUARE FEET	N/A
MINIMUM LOT WIDTH	100 FEET	N/A
MINIMUM YARDS (MEASURED FROM LOT BOUNDARY)	25 FEET OR ½ THE BUILDING HEIGHT, WHICHEVER IS GREATER***	10 FEET
MINIMUM YARDS (MEASURED FROM MPUD BOUNDARIES ****	25 FEET	10 FEET
PRESERVE SETBACK	25 FEET	10 FEET
MIN. DISTANCE BETWEEN STRUCTURES	15 FT. OR ½ THE SUM OF BUILDING HEIGHTS*	10 FEET
MAXIMUM ZONED HEIGHT	50 FEET *****	25 FEET
MAXIMUM ACTUAL HEIGHT	60 FEET *****	30 FEET
MINIMUM FLOOR AREA – COMMERCIAL	600 SQUARE FEET**	N/A
MINIMUM FLOOR AREA – SENIOR HOUSING	350 SQUARE FEET	N/A
MINIMUM FLOOR AREA – PUBLIC FACILITY	1,500 SQUARE FEET	N/A
MIN. GROSS FLOOR AREA PER UNIT	600 SQUARE FEET**	80 SQUARE FEET**

* Whichever is greater

** Not applicable to kiosks

*** General application for setbacks: Front yard setbacks shall comply with the following:

i. If the parcel is served by a public or private road right-of-way, the setback is measured from the adjacent right-of-way line.

ii. If the parcel is served by a non-platted private drive, the setback is measured from the back of curb or edge of pavement.

**** Principal and Accessory Structures shall not protrude or encroach into any required landscape buffer.

***** except that a hotel, destination resort, senior housing or mixed use building may be up to 75 feet in zoned height and 85 feet in actual height.

Note: Any independent living unit proposed for development in a single-family type of configuration shall comply with the development standards for single-family land uses set forth in Table I.

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

TABLE III
BUSINESS PARK AND SCHOOL DEVELOPMENT STANDARDS
(EXCLUDES COLLIER COUNTY SCHOOL DISTRICT PUBLIC SCHOOLS)

DEVELOPMENT STANDARD	PRINCIPAL USES	ACCESSORY USES
MINIMUM LOT AREA	8,000 SQUARE FEET	N/A
MINIMUM LOT WIDTH	80 FEET	N/A
MINIMUM YARDS (MEASURED FROM TRACT BOUNDARY) – BUSINESS PARK MINIMUM YARDS (MEASURED FROM TRACT BOUNDARY) – SCHOOL	50 FEET*** 50 FEET***	10 FEET 25 FEET
MINIMUM YARDS (MEASURED FROM MPUD BOUNDARIES	N/A	N/A
PRESERVE SETBACK	25 FEET	10 FEET
MIN. DISTANCE BETWEEN STRUCTURES - BUSINESS PARK MIN. DISTANCE BETWEEN STRUCTURES - SCHOOL	15 FT. OR ½ THE SUM OF BUILDING HEIGHTS * or 18 FEET	10 FEET 10 FEET
MAXIMUM ZONED HEIGHT - BUSINESS PARK MAXIMUM ZONED HEIGHT - SCHOOL	35 FEET 50 FEET	35 FEET 50 FEET
MAXIMUM ACTUAL HEIGHT – BUSINESS PARK MAXIMUM ACTUAL HEIGHT - SCHOOL	50 FEET 60 FEET	35 FEET 60 FEET
MINIMUM FLOOR AREA – BUSINESS PARK MINIMUM FLOOR AREA – SCHOOL	1000 SQUARE FEET or 350 SQUARE FEET	N/A 35 SQUARE FEET
MIN. GROSS FLOOR AREA PER UNIT BUSINESS PARK SCHOOL	 500 SQUARE FEET N/A	 80 SQUARE FEET N/A

* Whichever is greater

*** General application for setbacks: Front yard setbacks shall comply with the following:

i. If the parcel is served by a public or private road right-of-way, the setback is measured from the adjacent right-of-way line.

ii. If the parcel is served by a non-platted private drive, the setback is measured from the back of curb or edge of pavement.

The Lord's Way Access Improvements:
In the event that Tract BP is developed as a business park, the Lord's Way shall be improved by the Developer with roadway facilities as depicted by LDC Appendix B-4, a Commercial/Industrial typical roadway section, prior to the issuance of the first certificate of occupancy for a business park land use. In the event that Tract BP is developed as an educational facility, the Lord's Way shall be improved by the Developer as depicted by LDC Appendix B-3, a Local Street typical roadway section.

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

TABLE IV
ATTRACTION AND JUNIOR DEPUTY DEVELOPMENT STANDARDS

DEVELOPMENT STANDARD	PRINCIPAL USES	ACCESSORY USES
MINIMUM LOT AREA	1 ACRE	N/A
MINIMUM LOT WIDTH	100 FEET	N/A
MINIMUM YARDS (MEASURED FROM TRACT BOUNDARY)	20 FEET, PLUS 1 FOOT FOR EACH 2 FEET OF BLDG. HT. OVER 50 FEET	20 FEET
MINIMUM YARDS (MEASURED FROM MPUD BOUNDARIES	25 FEET	20 FEET
PRESERVE SETBACK	25 FEET	10 FEET
MIN. DISTANCE BETWEEN STRUCTURES	15 FT. OR ½ THE SUM OF BUILDING HEIGHTS*	10 FEET
MAXIMUM ZONED HEIGHT	50 FEET	50 FEET
MAXIMUM ACTUAL HEIGHT	75 FEET	75 FEET
MINIMUM FLOOR AREA	1000 SQUARE FEET**	N/A

* Whichever is greater

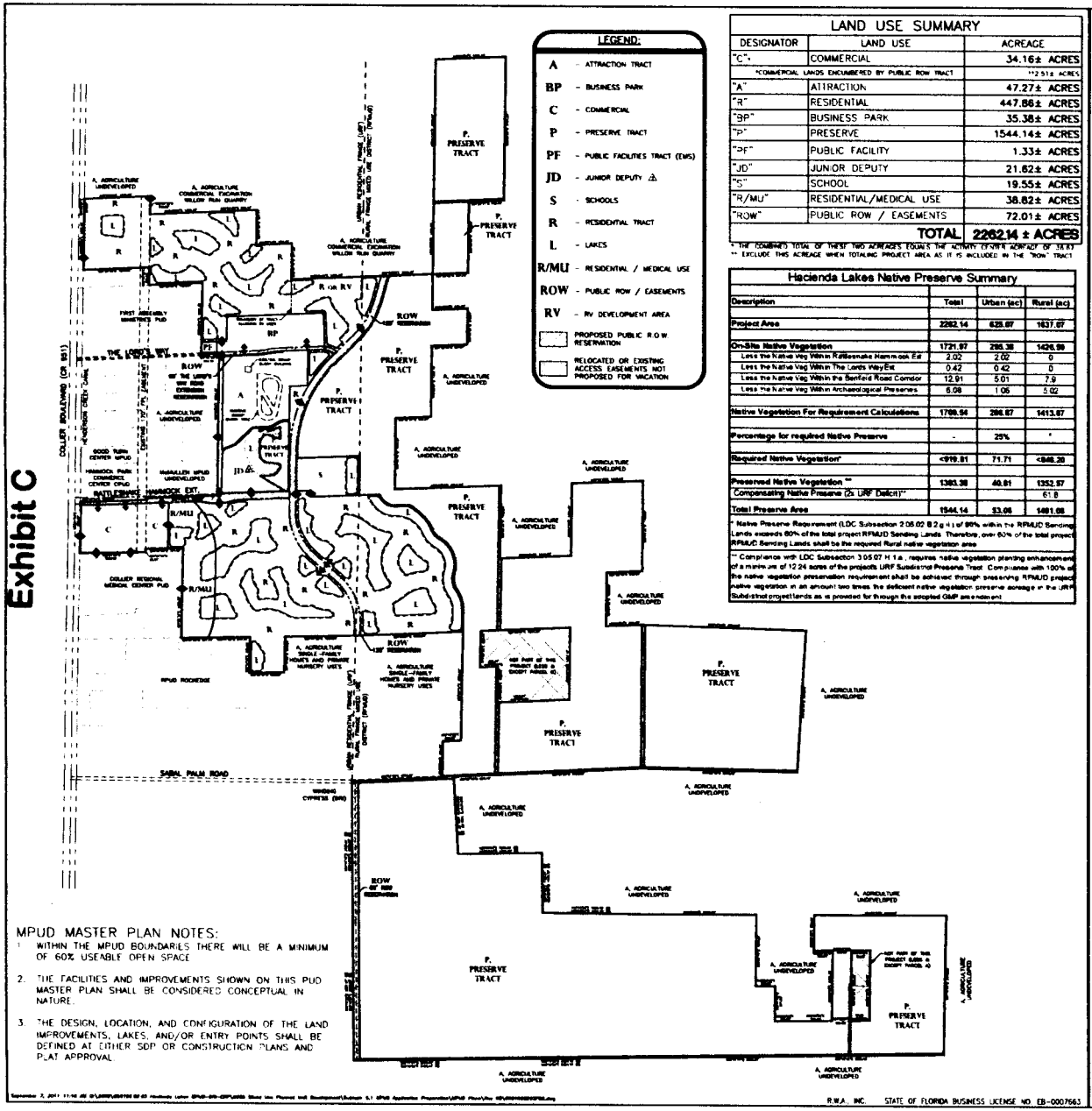
** Not applicable to modular units, trailers, towers, camping pavilion, and similar structures to support the utilization of the attraction facilities, which have no minimum floor area limitations

Parking for Junior Deputy: Required parking for the JD designated areas of the MPUD shall be calculated at the rate of one parking space for each 1000 square feet of covered camping pavilion.

Junior Deputy Target Orientation: Archery and air rifle ranges shall be oriented for a line of fire only to the east, or north, and shall have a back stop that shall be comprised of absorbing materials such as an earthen berm, hay bales, or similar treatments, each installed according to industry standards, to prohibit projectiles from exiting the range area.

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

Exhibit C



MPUD MASTER PLAN NOTES:

1. WITHIN THE MPUD BOUNDARIES THERE WILL BE A MINIMUM OF 60% USEABLE OPEN SPACE
2. THE FACILITIES AND IMPROVEMENTS SHOWN ON THIS PUD MASTER PLAN SHALL BE CONSIDERED CONCEPTUAL IN NATURE.
3. THE DESIGN, LOCATION, AND CONFIGURATION OF THE LAND IMPROVEMENTS, LAKES, AND/OR ENTRY POINTS SHALL BE DEFINED AT EITHER SDP OR CONSTRUCTION PLANS AND PLAT APPROVAL

LAND USE SUMMARY

DESIGNATOR	LAND USE	ACREAGE
"C"	COMMERCIAL	34.16± ACRES
	*COMMERCIAL LANDS ENCUMBERED BY PUBLIC ROW TRACT	**2.51± ACRES
"A"	ATTRACTION	47.27± ACRES
"R"	RESIDENTIAL	447.86± ACRES
"BP"	BUSINESS PARK	35.38± ACRES
"P"	PRESERVE	1544.14± ACRES
"PF"	PUBLIC FACILITY	1.33± ACRES
"JD"	JUNIOR DEPUTY	21.62± ACRES
"S"	SCHOOL	19.55± ACRES
"R/MU"	RESIDENTIAL/MEDICAL USE	38.82± ACRES
"ROW"	PUBLIC ROW / EASEMENTS	72.01± ACRES
	TOTAL	2262.14 ± ACRES

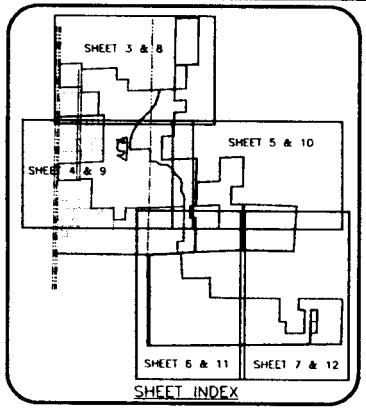
* THE COMBINED TOTAL OF THESE TWO ACREAGES EQUALS THE ACTUAL CENTER ACREAGE OF 38.82
** EXCLUDE THIS ACREAGE WHEN TOTALING PROJECT AREA AS IT IS INCLUDED IN THE "ROW" TRACT

Hacienda Lakes Native Preserve Summary

Description	Total	Urban (ac)	Rural (ac)
Project Area	2262.14	625.07	1637.07
On-Site Native Vegetation	1721.97	295.38	1426.59
Less the Native Veg Within Rattlesnake Hammock Est	2.02	2.02	0
Less the Native Veg Within The Lords Way Est	0.42	0.42	0
Less the Native Veg Within the Sanford Road Corridor	12.91	5.01	7.9
Less the Native Veg Within Archaeological Preserves	5.08	1.06	5.02
Native Vegetation For Requirement Calculations	1789.56	286.87	1413.67
Percentage for required Native Preserve	-	25%	*
Required Native Vegetation*	<919.91	71.71	<848.20
Preserved Native Vegetation **	1383.38	40.81	1352.57
Compensating Native Preserve (2x URF Deficit)**			61.8
Total Preserve Area	1544.14	53.06	1491.08

* Native Preserve Requirement (LDC Subsection 2.05.02 B.2.g.1) of 80% within the RPMUD Sending Lands exceeds 60% of the total project RPMUD Sending Lands. Therefore, over 80% of the total project RPMUD Sending Lands shall be the required Rural native vegetation area

** Compliance with LDC Subsection 3.05.07 H.1.a., requires native vegetation planting enhancements of a minimum of 12.24 acres of the projects URF Subdistrict Preserve Tract. Compliance with 100% of the native vegetation preservation requirement shall be achieved through preserving RPMUD project native vegetation in an amount two times the deficient native vegetation preserve acreage in the URF Subdistrict project lands as is provided for through the accepted GMP amendment.



MAXIMUM DENSITY AND INTENSITY

RESIDENTIAL DENSITY: THIS MPUD SHALL BE LIMITED TO 1,760 RESIDENTIAL DWELLING UNITS (DU) THAT EQUATES TO A DENSITY OF 0.78 DWELLING UNITS PER GROSS ACRE. THE 1,760 RESIDENTIAL UNITS ARE EITHER SINGLE- OR MULTI-FAMILY UNITS AS DEFINED IN THE LDC. NO MORE THAN 1,232 MULTI-FAMILY UNITS MAY BE CONSTRUCTED IN THE ENTIRE PUD. CARETAKER'S RESIDENCES SHALL BE DEDUCTED FROM THE 1,760 UNIT ALLOCATION. A MINIMUM OF 25 RESIDENTIAL UNITS SHALL BE CONSTRUCTED IN THE R/MU TRACT, AND A MINIMUM OF 17 RESIDENTIAL UNITS SHALL BE CONSTRUCTED IN TRACT C. THE BALANCE OF THE RESIDENTIAL DWELLING UNITS GENERATED FROM TRACT C (13 UNITS) MUST BE CONSTRUCTED IN EITHER THE R/MU TRACT, OR ON A PORTION OF TRACT R, WITHIN ONE-THIRD OF ONE MILE OF THE BOUNDARY OF TRACT C.

LAND USE CONVERSION FACTORS

RESIDENTIAL DENSITY: 1.0 RESIDENTIAL UNIT EQUATES TO 2.73 RECREATIONAL VEHICLE UNITS/SPACES (NOT TO EXCEED 290 RV UNITS IN THE ENTIRE PUD), OR 4 SENIOR HOUSING UNITS (NOT TO EXCEED 450 SENIOR HOUSING UNITS IN THE ENTIRE PUD). UP TO 1,232 OF THE TOTAL 1,760 RESIDENTIAL UNITS MAY BE MULTI-FAMILY AS DEFINED IN THE LAND DEVELOPMENT CODE.

COMMERCIAL INTENSITY: HACIENDA LAKES IS INTENDED TO BE DEVELOPED WITH A MIXTURE OF COMMERCIAL LAND USES THAT INCLUDE 327,500 SQUARE FEET OF GROSS FLOOR AREA OF RETAIL USES; 50,000 SQUARE FEET OF GROSS FLOOR AREA OF MEDICAL OFFICE USES; 20,000 SQUARE FEET OF GROSS FLOOR AREA OF GENERAL OFFICE USES; 140,000 SQUARE FEET OF GROSS FLOOR AREA OF BUSINESS PARK LAND USES; AND 135 HOTEL ROOMS.

IN NO EVENT SHALL THE PROJECT EXCEED 3,328 PM PEAK HOUR TRIPS. SUCH MAXIMUM TRIP GENERATION CAP WAS DEVELOPED BASED ON 327,500 GROSS SQUARE FEET OF RETAIL LAND USES; 50,000 GROSS SQUARE FEET OF MEDICAL OFFICE LAND USES; 20,000 GROSS SQUARE FEET OF GENERAL OFFICE LAND USES; 140,000 GROSS SQUARE FEET OF BUSINESS PARK LAND USES; A PRIMARY SCHOOL WITH A CONTEMPLATED ENROLLMENT OF 919 STUDENTS; 135 HOTEL ROOMS; NOT TO EXCEED 92,000 GROSS SQUARE FEET; 704 SINGLE-FAMILY UNITS AND 1,056 MULTI-FAMILY UNITS. HOWEVER, THE HOTEL SHALL NOT COUNT AGAINST THE 140,000 SQUARE FOOT CAP ASSOCIATED WITH THE BUSINESS PARK.

SHOULD THE BP TRACT NOT BE DEVELOPED AS A BUSINESS PARK BUT BE DEVELOPED AS A SCHOOL, (EXCLUDING COLLIER COUNTY SCHOOL DISTRICT PUBLIC SCHOOLS), SUCH FACILITY SHALL NOT EXCEED THE MAXIMUM 140,000 GROSS SQUARE FEET ALLOWED IN THAT TRACT.

THE DEVELOPER SHALL BE ALLOWED TO CONVERT RETAIL LAND USES TO OFFICE LAND USES AT A ONE TO ONE (1:1) RATIO, NOT TO EXCEED 25% OF THE RETAIL LAND USE ALLOCATION, PROVIDED ONLY IF THE CONVERTED USE IS AN ALLOWED USE IN THE TRACT. THE DEVELOPER SHALL ALSO BE ALLOWED TO WHOLLY CONVERT THE HOTEL DEVELOPMENT OPPORTUNITY OF 135 ROOMS NOT TO EXCEED 92,000 SQUARE FEET TO 60,000 SQUARE FEET OF BUSINESS PARK LAND USES.

ALL EXISTING LAND USES AND FACILITIES IN THE ATTRACTION AND JUNIOR DEPUTY TRACTS SHALL NOT COUNT AGAINST THE OVERALL TRIP AND LAND USE CAP.

SENIOR HOUSING INTENSITY: THE INTENSITY OF ANY SENIOR HOUSING PROJECT SHALL HAVE A MAXIMUM FLOOR AREA RATIO (FAR) OF 0.60. THE 1,760 DWELLING UNIT CAP IS ONLY INTENDED TO LIMIT THE NUMBER OF SINGLE-FAMILY AND MULTI-FAMILY RESIDENTIAL UNITS, AS THOSE UNITS ARE DEFINED IN THE LAND DEVELOPMENT CODE. THE DEVELOPMENT MAY INCLUDE IN EXCESS OF 1,760 RESIDENTIAL UNITS IF SOME ARE DEVELOPED AS SENIOR HOUSING UNITS. WITH THE EXCEPTION OF SENIOR HOUSING DEVELOPMENT IN THE C. COMMERCIAL TRACT, SENIOR HOUSING UNITS SHALL BE DEVELOPED THROUGH THE CONVERSION OF RESIDENTIAL LAND USES. RESIDENTIAL UNITS SHALL BE ALLOWED FOR CONVERSION TO SENIOR HOUSING UNITS BASED ON THE LAND USE CONVERSION FACTORS, ABOVE. HOWEVER, 1 SINGLE-FAMILY DWELLING UNIT EQUATES TO 1 SINGLE-FAMILY STYLE INDEPENDENT LIVING UNITS. IN NO INSTANCE SHALL GREATER THAN 450 SENIOR HOUSING UNITS BE DEVELOPED IN THE MPUD.

TOTAL PROJECT INTENSITY: IN NO EVENT SHALL THE PROJECT EXCEED 3,328 PM PEAK HOUR TRIPS.

REV	REVISION	BY	CHECKED	DATE
7	REVISED PER COLLIER COUNTY ATTORNEY'S OFFICE	PTN	DHN	08/11
6	REVISED PER COLLIER COUNTY COMMENTS	MSJ	DHN	08/11
5	REVISED PER COLLIER COUNTY COMMENTS	MSJ	DHN	07/11
4	REVISED BY APPLICANT	MSJ	DHN	06/11
3	REVISED PER COLLIER COUNTY COMMENTS	MSJ	DHN	05/11
2	REVISED PER COLLIER COUNTY COMMENTS	MSJ	DHN	02/11
1	REVISED PER COLLIER COUNTY COMMENTS	RWJ	DHN	10/10
0	REVISED PER COLLIER COUNTY COMMENTS	RWJ	DHN	06/10

DATE: MARCH 2010
PROJECT NO: 09052002.01
FILE NO: 09052002P02
DRAWN BY: MSJ
CHECKED:

SEC 19 & 30 TWP 48S RGE 26E
SCALE: 1" = 1000'
FIELD BOOK:

CLIENT: HACIENDA LAKES OF NAPLES, LLC.

TITLE: OVERALL MPUD/DRI MASTER PLAN

PROJECT: HACIENDA LAKES MPUD/DRI

RWA INC. Planning Visualization Civil Engineering Surveying & Mapping
RWA CONSULTING

R.W.A., INC. STATE OF FLORIDA BUSINESS LICENSE NO. EB-0007663

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes

EXHIBIT D

LEGAL DESCRIPTION

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF COLLIER, LYING IN SECTION 11 THROUGH 14 AND 23 THROUGH 25, TOWNSHIP 50 SOUTH, RANGE 26 EAST AND SECTION 19 AND 30, TOWNSHIP 50 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 30; THENCE S.89°10'42"W. ALONG THE SOUTH LINE OF SAID SECTION FOR 2835.68 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION; THENCE S.89°11'14"W. ALONG SAID SOUTH LINE FOR 2906.24 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 25; THENCE S.89°09'39"W. ALONG THE SOUTH LINE OF SAID SECTION FOR 2693.18 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION; THENCE S.89°11'01"W. ALONG SAID SOUTH LINE FOR 2693.80 FEET TO THE SOUTHWEST CORNER OF SAID SECTION; THENCE N.00°13'35"W. ALONG THE WEST LINE OF SAID SECTION FOR 2636.34 FEET TO THE WEST QUARTER CORNER OF SAID SECTION; THENCE N.00°14'15"W. ALONG SAID WEST LINE FOR 2637.01 FEET TO THE NORTHWEST CORNER OF SAID SECTION; THENCE N.87°07'13"E. ALONG A LINE COMMON TO SAID SECTION 24 AND 25 FOR 1704.07 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 24; THENCE N.01°08'02"E. ALONG THE EAST LINE OF SAID FRACTION FOR 684.58 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE N.87°12'28"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 340.01 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE N.01°04'11"E. ALONG THE WEST LINE OF SAID FRACTION FOR 2052.01 FEET TO THE NORTHWEST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE S.87°28'21"W. ALONG SAID NORTH LINE FOR 2025.64 FEET TO THE QUARTER CORNER COMMON TO SAID SECTIONS 23 AND 24; THENCE S.89°01'58"W. ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23 FOR 1328.51 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE S.01°18'52"W. ALONG THE WEST LINE OF SAID FRACTION FOR 679.65 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE S.89°22'00"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 663.28 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE N.01°14'38"E. ALONG THE WEST LINE OF SAID FRACTION FOR 675.75 FEET TO THE NORTHWEST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE S.89°01'58"W. ALONG SAID NORTH LINE FOR 664.25 FEET; THENCE CONTINUE S.89°01'58"W. ALONG SAID LINE FOR 627.16 FEET; THENCE N.01°01'15"E. FOR 1699.99 FEET; THENCE S.89°01'58"W. FOR 701.42 FEET TO AN INTERSECTION WITH THE EAST LINE OF A 170 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT; THENCE S.01°01'15"W. ALONG SAID EAST LINE FOR 68.31 FEET; THENCE S.89°01'58"W. FOR 1232.97 FEET TO AN INTERSECTION WITH THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 21, AT PAGE 183 OF THE PUBLIC RECORDS OF SAID COLLIER COUNTY; THENCE N.00°51'54"E. ALONG SAID EAST LINE FOR 956.27 FEET TO AN INTERSECTION WITH A LINE 30.00 FEET SOUTH OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE SOUTH LINE OF SAID SECTION 14; THENCE N.87°37'31"E. ALONG SAID PARALLEL LINE FOR 1237.00 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID FLORIDA POWER AND LIGHT COMPANY EASEMENT; THENCE N.01°01'15"E. ALONG SAID EAST LINE FOR 30.05 FEET TO THE SOUTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14; THENCE N.87°37'31"E. ALONG THE SOUTH LINE OF SAID FRACTION FOR 1337.24 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 14; THENCE N.00°48'00"E. ALONG THE EAST LINE OF SAID FRACTION FOR 2683.32 TO THE SOUTHEAST CORNER OF THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE S.87°31'38"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 334.19 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE N.00°48'11"E. ALONG THE WEST LINE OF SAID FRACTION FOR 1341.38 FEET TO THE NORTHWEST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE S.87°28'42"W. ALONG SAID SOUTH LINE FOR 1002.41 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID FLORIDA POWER AND LIGHT COMPANY EASEMENT; THENCE N.00°48'45"E. ALONG SAID WEST

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AND EAST LINE FOR 335.13 FEET TO THE NORTHEAST CORNER OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE S.87°27'58"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 1236.32 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 21, AT PAGE 183; THENCE N.00°49'30"E. ALONG SAID EAST LINE FOR 1004.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 11; THENCE N.00°50'27"E. ALONG SAID EAST LINE FOR 344.07 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE N.87°28'56"E. ALONG SAID NORTH LINE FOR 1235.95 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE S.00°49'13"W. ALONG THE EAST LINE OF SAID FRACTION FOR 342.92 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE NORTH LINE OF SAID SECTION 14; THENCE N.87°25'45"E. ALONG SAID NORTH LINE FOR 1336.32 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION; THENCE CONTINUE N.87°25'45"E. ALONG SAID NORTH LINE FOR 668.16 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE S.00°47'37"W. ALONG THE EAST LINE OF SAID FRACTION FOR 671.11 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 14; THENCE N.87°27'14"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 668.22 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE S.00°47'14"W. ALONG THE EAST LINE OF SAID FRACTION FOR 671.39 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.87°28'42"E. ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 14 1336.55 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE N.87°30'06"E. ALONG THE SOUTH LINE OF SAID FRACTION FOR 1328.72 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.00°38'50"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1345.26 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 12; THENCE N.00°41'44"E. ALONG THE WEST LINE OF SAID FRACTION FOR 2707.07 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE N.87°40'34"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 1321.29 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE S.00°36'23"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2701.30 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION SAID POINT BEING THE NORTH QUARTER CORNER OF SAID SECTION 13; THENCE S.87°26'11"W. ALONG THE NORTH LINE OF SAID SECTION FOR 662.90 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE S.00°35'02"W. ALONG THE EAST LINE OF SAID FRACTION FOR 1345.93 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.87°30'06"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.36 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION AND SAID SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE S.00°38'50"W. ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER FOR 672.63 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE N.87°32'03"E. ALONG THE SOUTH LINE OF SAID FRACTION FOR 665.09 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°35'02"W. ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER FOR 672.97 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.87°33'59"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 665.81 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE S.00°38'51"W. ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER FOR 1345.10 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.87°37'27"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 667.27 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE S.00°42'40"W. ALONG THE WEST LINE OF SAID FRACTION FOR 1344.51 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE NORTH LINE OF SAID SECTION 24; THENCE N.87°40'54"E. ALONG SAID NORTH LINE FOR 2006.20 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE S.00°56'29"W. ALONG THE WEST LINE OF SAID FRACTION FOR 1368.25 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE N.87°34'58"E. ALONG THE SOUTH LINE OF SAID FRACTION FOR 1343.68 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.00°41'32"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1365.31 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.87°41'38"E. ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER FOR 1337.58 FEET TO THE NORTHEAST CORNER OF SAID SECTION; THENCE S.00°26'32"W. ALONG THE EAST LINE OF SAID SECTION FOR 1703.00 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE

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NORTHEAST QUARTER; THENCE S.87°33'18"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 672.60 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE S.00°34'02"W. ALONG SAID WEST LINE FOR 1022.89 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE N.87°28'21"E. ALONG THE SOUTH LINE OF SAID FRACTION FOR 674.89 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 19; THENCE S.88°12'42"E. ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER FOR 3093.52 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE S.03°39'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2676.74 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION; THENCE N.88°56'10"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 2940.59 FEET TO THE SOUTHWEST CORNER OF SAID SECTION; THENCE S.87°07'20"W. ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25 FOR 2726.50 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION; THENCE S.87°07'13"W. ALONG THE NORTH LINE OF THE NORTHWEST QUARTER FOR 807.16 FEET; THENCE S.03°18'31"E. FOR 1451.00 FEET; THENCE N.88°56'54"E. FOR 1582.00 FEET; THENCE S.00°31'35"E. FOR 1130.61 FEET; THENCE S.89°15'59"E. FOR 1823.18 FEET TO THE EAST QUARTER CORNER OF SAID SECTION; THENCE N.89°57'58"E. ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 30 FOR 2200.53 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE S.00°37'14"W. ALONG THE WEST LINE OF SAID FRACTION FOR 1344.51 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE N.89°34'43"E. ALONG THE SOUTH LINE OF SAID FRACTION FOR 365.01 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE WEST HALF OF THE SOUTH HALF; THENCE S.00°41'48"W. ALONG THE WEST LINE OF SAID FRACTION FOR 671.03 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE N.89°23'00"E. ALONG THE SOUTH LINE OF SAID FRACTION FOR 364.14 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°22'35"E. FOR 710.09 FEET TO THE SOUTHEAST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE EAST HALF OF THE SOUTH HALF; THENCE N.00°52'45"E. FOR 1334.78 FEET TO THE NORTHEAST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE EAST HALF OF THE SOUTH HALF; THENCE S.89°46'12"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 356.23 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE N.00°49'34"E. ALONG THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE EAST HALF OF THE SOUTH HALF FOR 668.60 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°57'58"E. ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 30 FOR 2497.82 FEET TO THE EAST QUARTER CORNER OF SAID SECTION; THENCE S.01°12'08"W. ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION FOR 2640.60 FEET TO THE POINT OF BEGINNING.
101,084,043 SQUARE FEET OR 2,320.6 ACRES +/-

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCELS:

PARCEL "A"
BEGINNING AT THE NORTHEAST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE EAST HALF OF THE SOUTH HALF OF SAID SECTION 30; THENCE S.00°59'10"W. FOR 1329.95 FEET TO THE SOUTHEAST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE EAST HALF OF THE SOUTH HALF; THENCE S.89°22'35"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 355.05 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE N.00°55'57"E. FOR 1332.36 FEET TO THE NORTHWEST CORNER OF SAID EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE EAST HALF OF THE SOUTH HALF; THENCE N.89°46'12"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 356.23 FEET TO THE POINT OF BEGINNING.

473,270 SQUARE FEET OR 10.9 ACRES +/-

PARCEL "B"
BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTEROF SAID SECTION 24; THENCE N.87°28'21"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 1349.77 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE S.00°40'10"W. ALONG THE EAST LINE OF SAID FRACTION FOR 1361.17 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.87°17'48"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 1356.51 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE N.00°56'29"E. ALONG THE WEST LINE OF SAID FRACTION FOR

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682.86 FEET TO THE SOUTHEAST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE S.87°23'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 338.41 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE N.01°00'20"E. ALONG THE WEST LINE OF SAID FRACTION FOR 683.43 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE N.87°28'21"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 337.61 FEET TO THE POINT OF BEGINNING.

2,072,100 SQUARE FEET OR 47.6 ACRES +/-

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EXHIBIT E
LIST OF REQUESTED DEVIATIONS FROM LDC

Deviation #1 seeks relief from LDC Subsection 6.06.01.B, related to streets in subdivisions, that requires subdivisions to have platted road rights-of-way for streets, to allow private streets to be provided by separate access easements rather than platted road rights-of way.

Deviation #2 seeks relief from LDC Section 5.04.04.B.5.c that limits the number of model homes, to allow one model home for each variant of the residential product proposed in the various phases or communities within the project. The number of model homes may exceed five for each phase or community within the project, but shall not exceed a total of 60 models for the entire MPUD development.

Deviation #3 seeks relief from LDC Section 5.06.02 to allow "boundary marker" signage on property corners fronting on existing, proposed, or future public roadways that provide access to the MPUD. The sign content area for "boundary markers" to be located in the Residential Tract R may be 15 feet in height rather than 8 feet in height as limited in LDC Subsection 5.06.02B.6.b.

Deviation #4 seeks relief from LDC Section 5.03.02.C.2. that limits fence or wall heights to six (6') feet, to allow fences or walls to be no greater than eight (8') feet throughout the development. Where associated with existing or future public roadways, or Tract A, a 20 foot tall visual screen may be installed as a wall, berm, or wall/berm combination.

Deviation #5 seeks relief from LDC Sections 4.02.13 G., and 4.06.02 C.5., that requires a six foot tall opaque architecturally finished masonry wall, or berm, or combination thereof be provided around the boundaries of a business park. Buffering around the proposed Business Park Tract would be as required by the entirety of the referenced sections of the LDC, but the six foot wall, or berm, or combination thereof will not be required on the Business Park Tract along the frontage of Lord's Way.

Deviation #6 seeks to allow one real estate sign in addition to the real estate signage permitted in LDC Section 5.06.02 B.2., that would be erected off-site from the Residential Tract, in the Commercial Tract.

Deviation #7 The existing Swamp Buggy sign located in the southeast corner of Rattlesnake Hammock road and Collier Boulevard shall be allowed to remain in the present location until: the sign is relocated to allow the construction of the bridge to extend Rattlesnake Hammock Road, and/or a new sign can be permitted in Tract C.

Deviation #8 seeks relief from LDC Section 5.05.04 D.1. that limits care unit Floor Area Ratio (FAR) to 0.45, to allow a care unit FAR of 0.60.

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EXHIBIT F
LIST OF OWNER COMMITMENTS

For the purposes of this PUD, the owner commitments set forth below are applicable to Hacienda Lakes of Naples, LLC, its successors, and/or assigns. The owner commitments below shall not be enforceable upon Swamp Buggy Days, Inc., nor Collier County Junior Deputies League, Inc.

I LEGAL

A. Access to Parcel "A", as described in Exhibit D of this document and is not a part of this MPUD shall be accessible via a new roadway easement from Owner that shall be recorded in the public records of Collier County, and shall run in a north-south direction from the existing thirty-foot roadway easement recorded in O.R. Book 857, Page 1800. This easement shall be recorded within 90-days of approval of this PUD.

B. Access to Parcel "B", as described in Exhibit D of this document and is not a part of this MPUD shall be accessible via the existing roadway and ingress/egress easements recorded in O.R. Book 271, Page 505, O.R. Book 622, Page 1609, O.R. Book 245, Page 124, and O.R. Book 287, Page 18.

C. No existing public access/roadway easements shall be vacated to preclude access to off-site private and public lands without providing replacement access easements. This new roadway easement shall be equivalent to the existing easement and shall be recorded concurrently with the vacation.

II ENVIRONMENTAL

A. Native vegetation shall be preserved in this MPUD in accordance with the table below:

Hacienda Lakes Native Preserve Summary			
Description	**Total**	**Urban (ac)**	**Rural (ac)**
Project Area	**2262.14**	**625.07**	**1637.07**
On-Site Native Vegetation	**1721.97**	**295.38**	**1426.59**
Less the Native Veg Within Rattlesnake Hammock Ext.	2.02	2.02	0.00
Less the Native Veg Within The Lords Way Ext.	0.42	0.42	0.00
Less the Native Veg Within the Benfield Road Corridor	12.91	5.01	7.90
Less the Native Veg Within Archaeological Preserves	6.07	1.06	5.02
Native Vegetation For Requirement Calculations	**1700.54**	**286.87**	**1413.67**
Percentage for required Native Preserve	**-**	**25%**	*
Required Native Vegetation*	**<921.09**	**71.71**	**<849.38**
Preserved Native Vegetation **	**1395.35**	**40.81**	**1352.57**
Compensating Native Preserve (2x URF Deficit)**			61.80
Total Preserve Area	**1544.14**	**53.06**	**1491.08**

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* Native Preserve Requirement (LDC Subsection 2.05.02.B.2.g.ii.) of 90% within the RFMUD Sending Lands exceeds 60% of the total project RFMUD Sending Lands. Therefore, over 60% of the total project RFMUD Sending Lands shall be the required Rural native vegetation area.

** Compliance with LDC Subsection 3.05.07 H.1.a., requires native vegetation planting enhancement of a minimum of 12.24 acres of the project's URF Subdistrict Preserve Tract. Compliance with 100% of the native vegetation preservation requirement shall be achieved through preserving RFMUD project native vegetation in an amount two times the deficient native vegetation preserve acreage in the URF Subdistrict project lands as is provided for through the adopted GMP amendment.

B. A Wetland Mitigation/Monitoring plan is to be submitted once approved from SFWMD, for County review.

C. The MPUD shall be developed in accordance with the Wildlife Habitat Management Plan accepted by Collier County as contained in the Environmental Impact Statement.

D. An updated listed species survey for the future development areas shall be submitted prior to the next development order approval.

E. Installation of the Sabal Palm Road culvert crossings and spreader swales shall occur prior to the first preliminary acceptance.

III ENGINEERING

A. A SFWMD ROW permit will be required for widening the bridge at Rattlesnake Hammock/951 over the Henderson Creek Canal.

IV ARCHAEOLOGICAL and HISTORIC RESOURCES

A. The five archaeological sites identified within the Hacienda Lakes parcel are denoted AP, Archaeological Preserve on Sheets 3 -12 in the MPUD Master Plan Set. These sites must remain undeveloped. A public access easement around the archaeological sites for potential digs and further study has been provided. Disturbance to these five protected archaeological sites may only occur with County approval and approval of the State Division of Historical Resources, and any disturbance shall only be permitted under the direct supervision of a qualified archaeologist.

B. Historical/archeological areas are not used to meet preserve requirements because if an archaeological dig is required, then native vegetation would have to be removed.

V EMERGENCY MEDICAL SERVICES

A. In order to mitigate for the project impacts and demand on Emergency Medical Services (EMS), the developer shall provide a one acre parcel to Collier County. This public facility site is identified as "PF" on the MPUD Master Plan (Exhibit C). The dedication of the one acre site shall be by deed to Collier County and is subject to an Emergency Medical Services Impact Fee credit based on the fair market value of the donated property. The valuation of the one acre site dedication has been determined to be $30,000 per acre, for the purposes of the Emergency Medical Services Impact Fee credit, and the conveyance shall occur no later than at the time the 500th residential unit is included in a development order request (site development plan, or plat), subsequent to the adoption of the DRI Development Order. If Owner conveys to County mitigated land for the real property conveyances described in this paragraph, then Owner shall be entitled to an EMS impact fee credit for the value of the

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mitigation, as a cost of construction for public facilities. The value of the mitigation shall be a per acre value calculated at the total cost of state and federal mitigation of the environmental impacts including wetland and wildlife impacts divided by the impacted acreage of 718 acres. Developer shall provide documentation acceptable to the County to verify this cost. The total cost of State and Federal mitigation includes land costs for onsite preserves used for mitigation, environmental permitting costs, exotic removal, enhancement of preservation lands, creation of wildlife habitat, hydrological improvements and any mitigation activity required in the Army Corps of Engineers permit and South Florida Water Management District permit for the project in order to address the project's mitigation. State and Federal mitigation does not include County required mitigation. In lieu of EMS impact fee credits for environmental mitigation, the County reserves the right to transfer to Developer or Owner County-owned State or Federal panther and wetlands credits equal to the value of the EMS impact fee credits calculated pursuant to this paragraph.

VI TRANSPORTATION

For the purposes of the following commitments, it must be understood that the property was divided into three main areas:

North area being north of The Lord's Way extension;
South area being south of Rattlesnake Hammock Road plus School;
Benfield Road Improvements.

The South area commitments shall be constructed in a sequential manner. However, the rest of the commitments are not sequential and can be accomplished in no specific order. Similarly, the three areas identified above are not required to be developed in a sequential manner.

SOUTH AREA

I. The Owner shall construct (here forward to mean "constructed to meet minimum County requirements for acceptance"), at its sole expense without road impact fee credits, the initial two lanes (south side) of Rattlesnake Hammock Road Extension from C.R.951 to Florida Power Line Easement (approximately 0.25 miles). In addition, the Owner shall construct the Collier Boulevard/Rattlesnake Hammock Road intersection interim geometry as shown in Figure 1, below and to improve the bridge on Rattlesnake Hammock Road Extension over the canal to the interim geometry as shown in Figure 1, below. Upon completion (here forward to mean "completed construction to County minimum requirements, and reserved for future conveyance to the County at the County's request.") of all of such improvements, the Owner shall be allowed to develop up to 327,500 square feet of Retail Land Uses, or Residential Pod A, or some combination of the two land uses. However, the total number of gross trips to be generated by this portion of development shall not exceed 1,409 PM peak hour trips. In the event that Residential Pod A is developed, access to Pod A will be either an internal private roadway or via an extension of Rattlesnake Hammock Road to the entrance of Pod A. These improvements and the areas allowed to develop upon completion of these improvements are depicted in Figure 1, below. All of these improvements are site related improvements.

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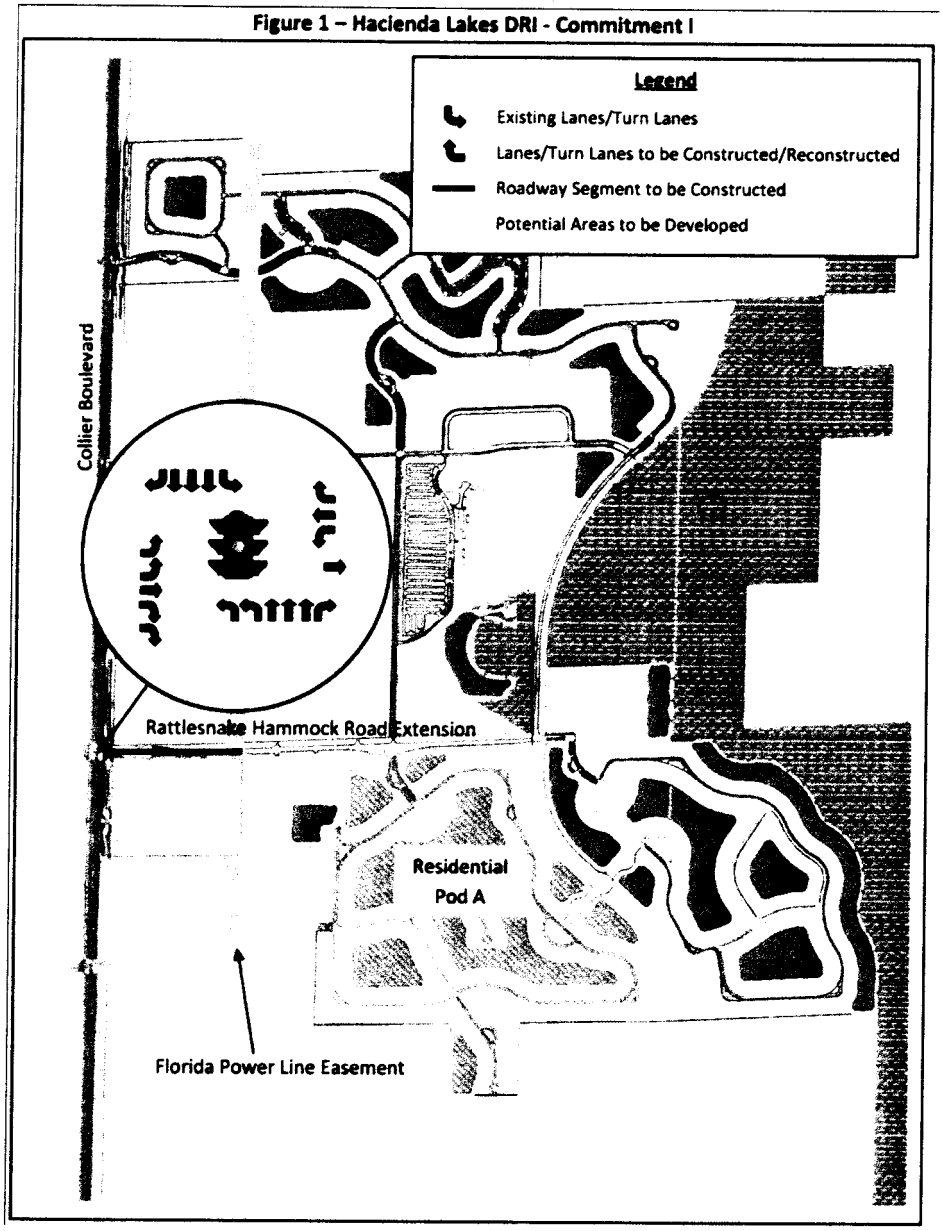

II. The Owner shall construct, at its own expense and without road impact fee credits, Rattlesnake Hammock Road Extension from Florida Power Line Easement to the road leading into Swamp Buggy grounds (approximately 0.25 miles) and improve the bridge on Rattlesnake Hammock Road Extension over the canal to the final geometry as shown is Figure 2, below. These improvements are site related improvements. Upon completion of such improvement, the Owner shall be allowed to develop the following additional land uses:

20,000 Square Feet of General Office, and;
50,000 Square Feet of Medical Office, and;
135 Room Hotel, and;
Remaining portion of the 327,500 Square Feet of Retail (if applicable pursuant to Commitment I), and;
Remaining portion of Residential Pod A (if applicable pursuant to Commitment I), and;
Required residential uses within Activity Center land use;

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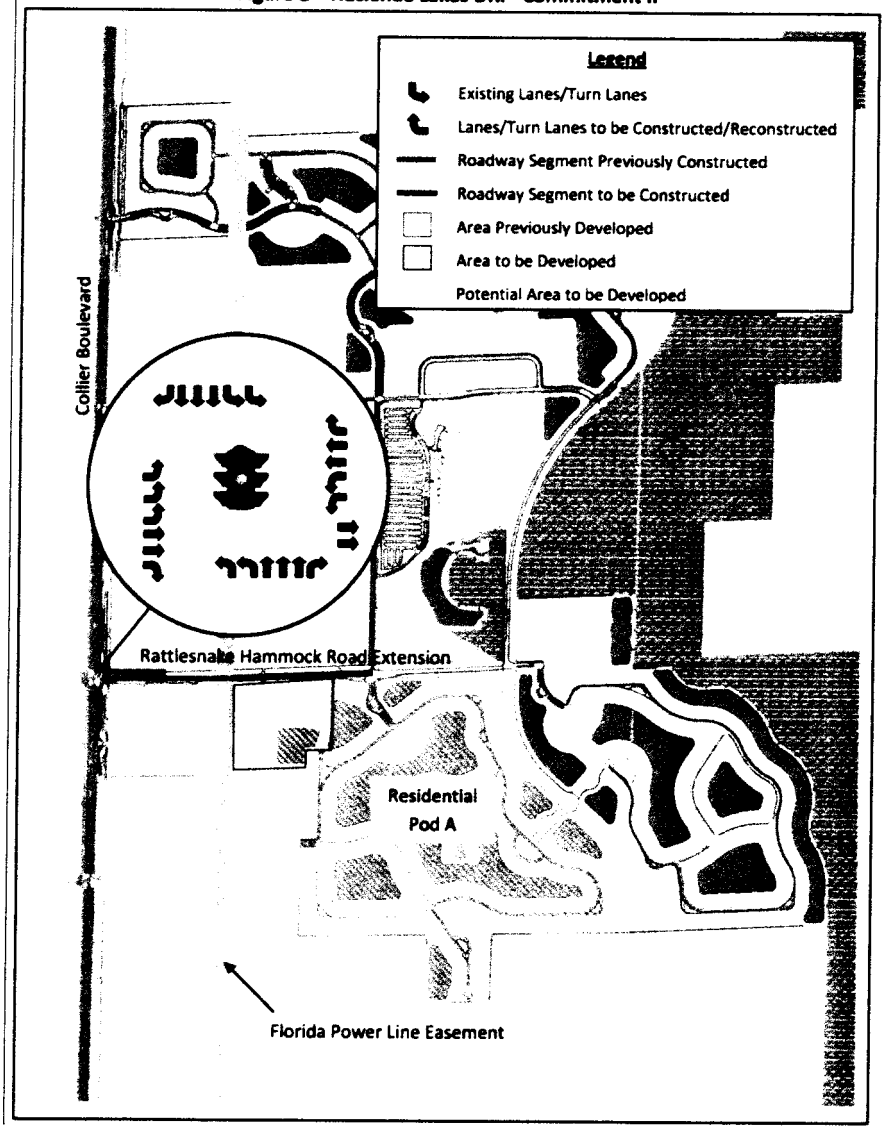
These improvements and the area allowed to develop upon completion of these improvements are depicted in Figure 2, below.

Figure 2 – Hacienda Lakes DRI - Commitment II



III. The Owner shall construct, at its sole expense, Rattlesnake Hammock Road Extension from the road leading into Swamp Buggy grounds to the future Benfield Road as a two lane road, including construction of the Rattlesnake Hammock Road Extension at Benfield Road intersection. Upon completion of such improvement, the Owner shall be allowed to develop the following additional land uses:

919 Student Elementary School, and;
Residential Pod B.

Since only a portion of the capacity to be provided by this two lane section will be consumed by the Hacienda Lakes PUD, the Owner shall receive road impact fee credits equal to 50% of the cost of this improvement. The cost of this improvement will be determined at the time

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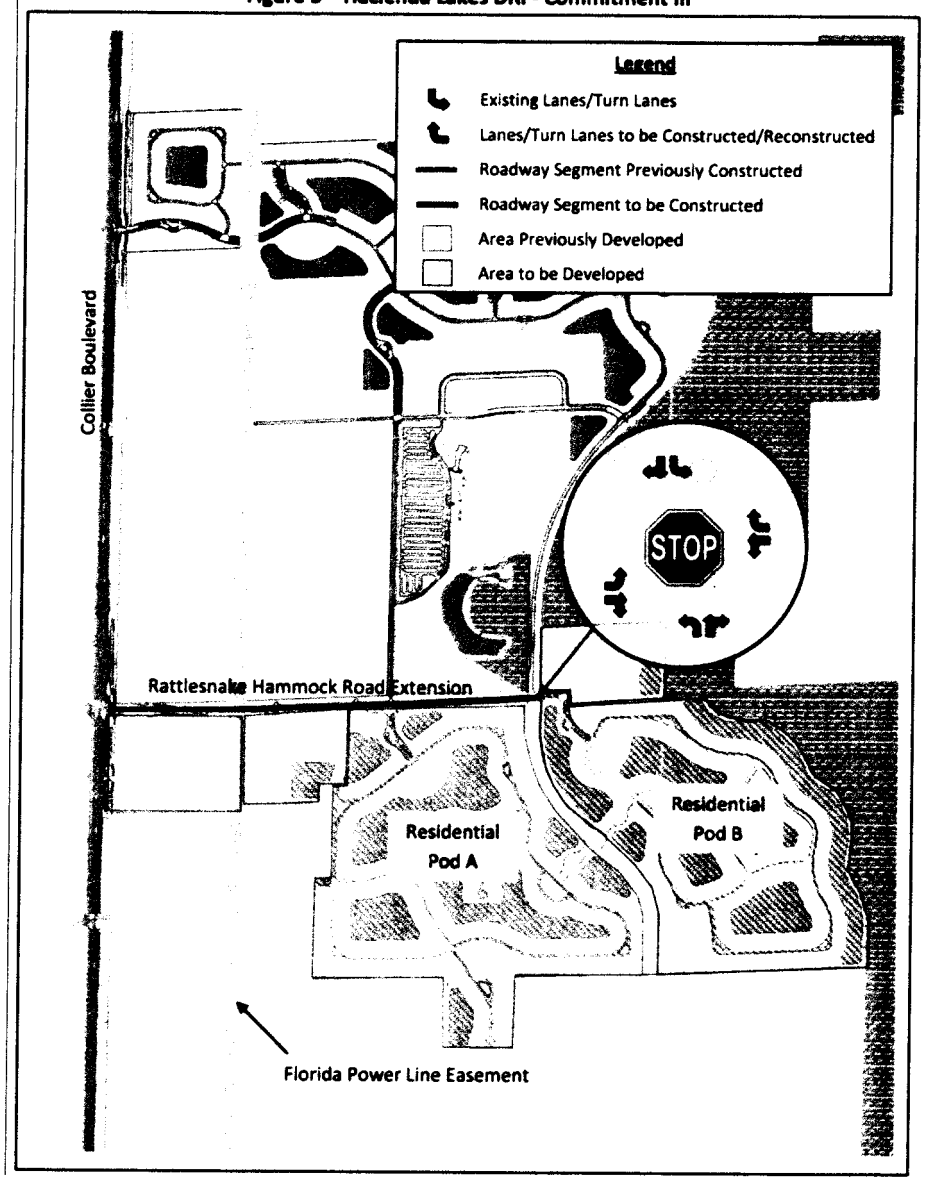
of construction, and shall include the fair market value of the land or easement when the Owner conveys the road right of way to the County, free and clear of liens and encumbrances. Fair market value has been determined to be $30,000 per acre. This improvement and the area allowed to develop upon completion of this improvement are depicted in Figure 3, below. Fifty percent (50%) of the cost of this improvement is deemed a site-related improvement.

Figure 3 – Hacienda Lakes DRI - Commitment III



NORTH AREA

IV. With no improvement other than a bridge to be constructed by the Owner, at its sole cost and without road impact fee credit, over the water canal that runs parallel to C.R.951 at the northern project site access, the Owner shall be allowed to develop Residential Pod C (not to exceed 300 PM peak hour trips at the connection to C.R.951). This improvement and the area allowed to develop upon completion of this improvement are depicted in Figure 4, below. At no time will the County accept ownership of this bridge. This improvement is a site related improvement.

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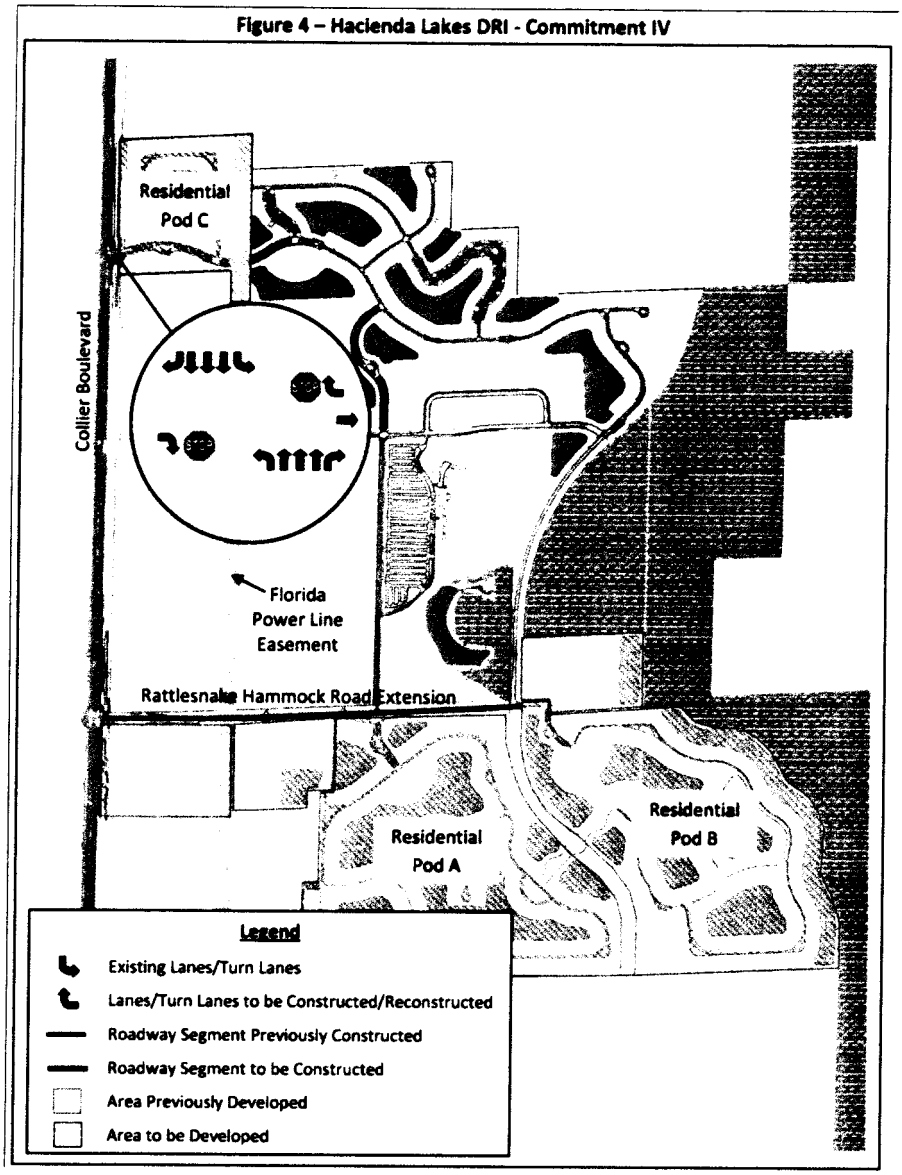

V. The Owner shall, at its sole expense and without road impact fee credits, complete the reconstruction of The Lord's Way from C.R.951 to Florida Power Line Easement and construct the extension of The Lord's Way from Florida Power Line Easement to the west entrance to the Business Park with a two lane undivided cross section. In addition, when the Collier Boulevard at The Lord's Way intersection is signalized upon meeting warrants, the cost of the signalization of this intersection will be shared proportionately among the Owner and other developments located in the area (east and west of C.R.951) and at no cost to Collier County and without road impact fee credits. These improvements are site-related improvements. Upon completion of such road improvement, the Owner shall be allowed to develop the following additional land uses:

Business Park, and;
Residential Pod D.

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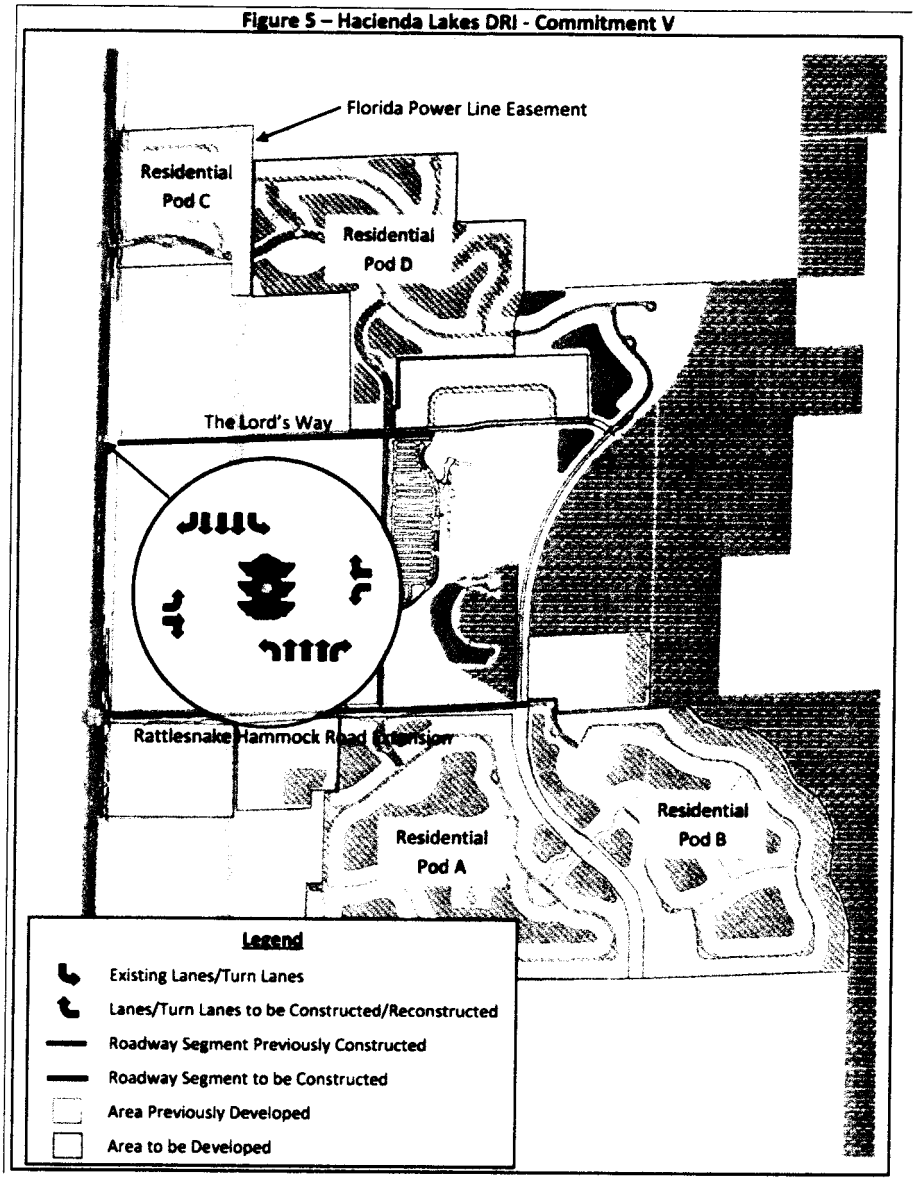
These improvements and the area allowed to develop upon completion of these improvements are depicted in Figure 5, below.

Figure 5 – Hacienda Lakes DRI - Commitment V



When the DRI has received certificates of occupancy for 66 percent of the total commercial and residential development authorized by the DRI, Collier County will perform an evaluation and inform the Owner if it is necessary to convey road right of way to the County for the section of The Lord's Way Extension from the west entrance to the Business Park/School to Benfield Road. If Collier County requests the road right of way, the Owner shall convey by road easement to the County the needed road right of way up to a width of 60 feet, free and clear of all liens and encumbrances, and shall receive impact fee credits equal to 100 percent of the fair market value of the road easement conveyed to the County which has been determined to be $30,000 per acre. No further certificates of occupancy shall be issued until the road easement conveyance is recorded in the public records of Collier County. If this segment of The Lord's Way is not deemed necessary (through documentation, or lack thereof, in the LRTP or the CIE) by the time the development achieves 66 percent of the total approved development quantities, this commitment shall be considered expired.

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BENFIELD ROAD IMPROVEMENTS

VI. The Owner shall construct, at its sole expense Benfield Road from Rattlesnake Hammock Road Extension to the entrance of Residential Pod E with a two lane undivided cross section and reserve the right of way necessary for the final 4 lane divided cross section. Residential Pod E shall be connected in a consistent manner with the County's right of way reservation plans or construction plans for future Benfield Road sections. Upon completion of such improvement and acceptance by Collier County of the improvements, the Owner shall convey to the County a road easement for the road right of way needed for this section of Benfield Road up to a width of 120 feet, free and clear of all liens and encumbrances. Upon recordation of the road easement in the public records of Collier County, the Owner shall receive road impact fee credits for 50% of the fair market value of the road easement necessary for this section of Benfield Road and for 100% of the increase in cost resulting from the construction of the road according to County Standards (arterial) instead of as a local subdivision road. The fair market value of 50% of the conveyance of the road right of way easement to the County has been determined to be $30,000 per acre. Fifty percent (50%) of the fair market value of the road right of way easement and the total cost of the improvements are site-related improvements. The Cost of this improvement will be determined at the time of construction. Upon completion of such improvement, the Owner shall be allowed to develop the following additional land uses:

Residential Pod E.

These improvements and the area allowed to develop upon completion of this improvement are depicted in Figure 6, below.

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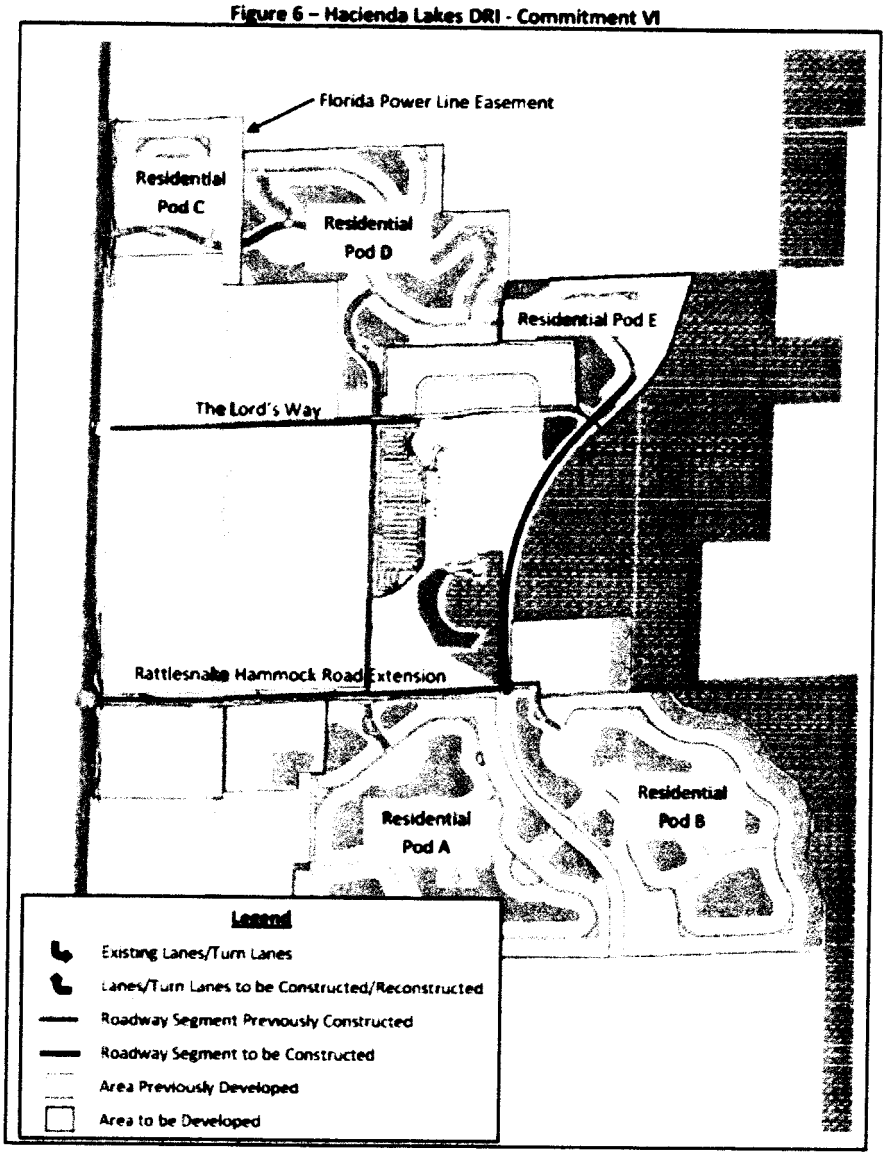
Figure 6 – Hacienda Lakes DRI - Commitment VI



VII. Benfield Road South of Rattlesnake Hammock Extension and north of Residential Pod E connection to Benfield Road: the Owner will convey right of way to Collier County by road easement for Benfield Road on areas not to be built by Owner up to a width of 120 feet, free and clear of all liens and encumbrances. Upon such conveyance, Collier County will provide road impact fees credits for 100% of the fair market value of the road easement. The value of the right of way has been determined to be $30,000 per acre. The area to be conveyed is depicted in Figure 7, below.

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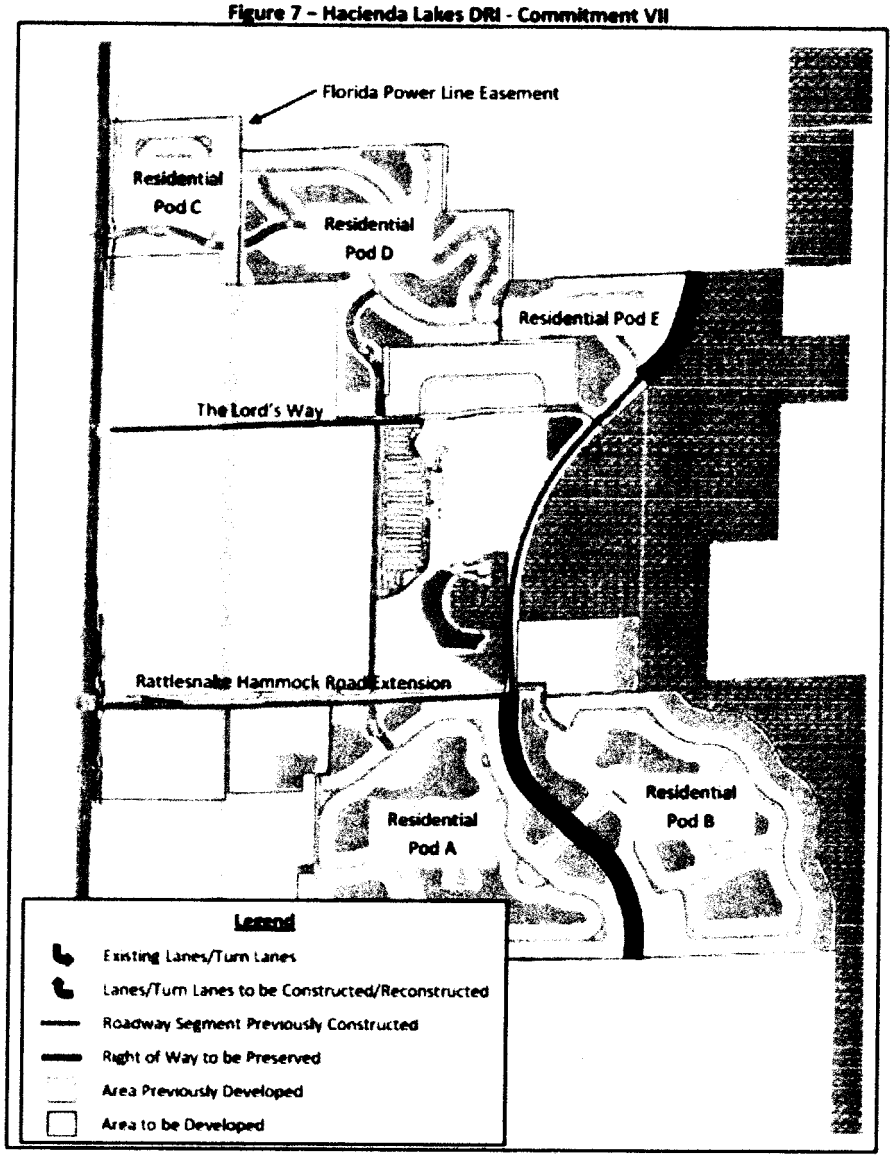
Figure 7 – Hacienda Lakes DRI - Commitment VII



VIII. Benfield Road South of Sabal Palm Road: the Owner shall convey by road easement to the County the right of way needed for the future construction of Benfield Road south of Sabal Palm Road (approximately 1.00 mile) up to a width of 120 feet free and clear of all liens and encumbrances and at no expense to the County. In addition, the Owner shall receive no impact fee credits for such right of way conveyance. This is a site-related improvement. The area to be dedicated is depicted in Figure 8, below.

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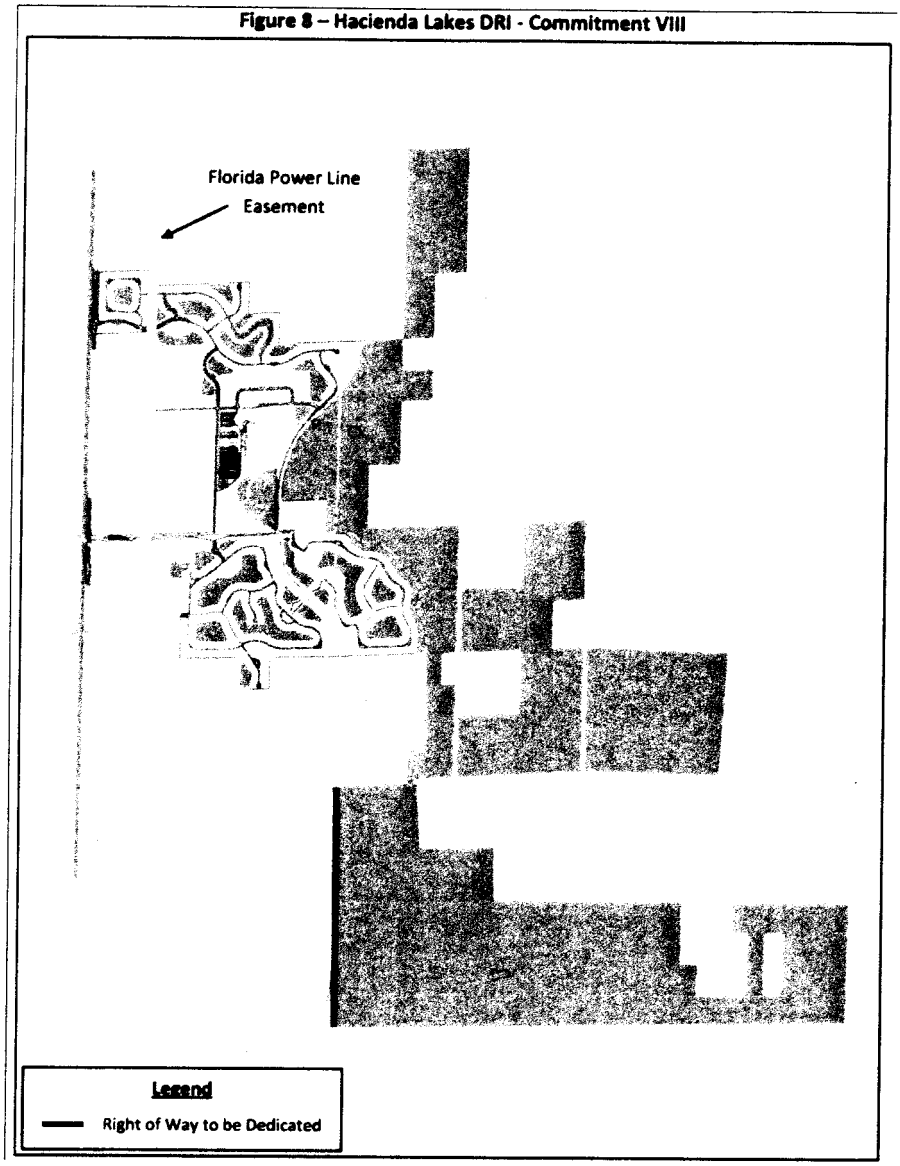
Figure 8 – Hacienda Lakes DRI - Commitment VIII



IX. As a part of its State and Federal permits, the Owner shall pay for mitigation required for State and or Federal environmental impacts arising from the permitting for portions of Benfield Road described in Commitments VI and VII. In addition to this commitment, the Owner shall at no cost to County either: (1) Convey drainage easement(s) to the County for their stormwater management facility needs free and clear of all liens and encumbrances, or (2) agree to accept stormwater from Benfield Road into the Project's stormwater management system. These are site-related contributions.

X. At two thresholds during construction of this DRI, the Owner shall provide to Collier County a transportation analysis which compares the value of the Owner's contribution to the County's public road network against the DRI's proportionate share, (as defined in the State of Florida's HB 7207) of which this DRI impacts County and State road segments. If Owner's contribution is less than its impact based on the transportation analysis, then Owner shall pay to County the difference in three installments starting 90 days after the transportation analysis is agreed to by both parties, and then each 90 days thereafter until paid in full. The transportation contribution by the Developer shall be defined as the sum of all road impact fees paid to date, the costs of the non site-related transportation

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improvements (those receiving road impact fee credits) on Rattlesnake Hammock Road, Benfield Road and the Lords Way, plus the value of any road right-of-way conveyance by donation to the County unless otherwise calculated as an impact fee credit. The first transportation analysis shall be submitted to the County when 33% of approved development trips (1,109 total gross trips) have been permitted based on building permit issuance, without projecting forward growth. The second transportation analysis will be submitted when 66% of the approved development trips (2,219 total gross trips) have been permitted based on building permit issuance, with a projection toward build out. The second analysis and reconciliation will finalize any transportation related assessments owed by the Developer for the build out of the Project. With the annual PUD monitoring report, Developer shall provide an annual trip generation analysis of trips approved by Site Development Plan approval and building permit issuance compared to total trips approved within the DRI. Upon triggering 33% or 66% as described above, Developer shall submit the transportation analysis described in this paragraph within six months. No certificates of occupancy shall be issued until the traffic analysis and annual trip generation analysis required by this paragraph and any payments due have been delivered to County, unless the BCC grants an extension.

XI. Prior to the issuance of a certificate of occupancy for the first 75,000 square feet of retail land uses, the Owner shall construct, at its sole expense, a Collier Area Transit (CAT) stop/shelter fronting the Commercial Tract C that shall include a 10'x 20' pavilion shelter with benches and protection from the elements, and include a minimum of three (3) bike racks. Owner shall be responsible for maintenance of the bus stop/shelter unless Owner elects to convey to County at no cost to County an easement for the bus shelter. The location of the CAT shelter is generally depicted below on the Master Mobility Plan. This is a site-related contribution.

XII. Prior to the issuance of a certificate of occupancy for the first 70,000 square feet of business park land uses, or prior to the issuance of a certificate of occupancy for a school or educational facility in the Business Park Tract, the Owner shall construct, at its sole expense, a Collier Area Transit (CAT) stop/shelter fronting the Business Park Tract BP that shall include a 10'x 20' pavilion shelter with benches and protection from the elements, and include a minimum of three (3) bike racks. Owner shall be responsible for maintenance of the bus stop/shelter unless Owner elects to convey to County at no cost to County an easement for the bus shelter. The location of the CAT shelter is generally depicted below on the Master Mobility Plan. This is a site-related contribution.

XIII. DRI traffic studies identified an off-site impact at the interchange of I-75 and S.R. 951 Ramps Intersection, specifically in the left-turn movement serving the northbound S.R. 951 to westbound (northbound) I-75 turning movement. Assessments of this operation in 2011 indicate that changes to lane usage and signage could augment the acceptable operation of the intersection and delay the impacts of the DRI. Hacienda Lakes traffic becomes significant (exceeds five percent of service volume) at this location at 46.2 percent of site traffic generation. When the first transportation analysis required under subsection X above is undertaken (e.g. at 33 percent of site traffic generation), the existing traffic flow and level of service at this location will be reviewed and projected to the build-out of the DRI. If the 2011 operational assessment is confirmed and the intersection is, or will be, operating at an unacceptable level of service as determined by County or FDOT, then the Developer will identify a solution to offset its impacts and/or restore acceptable operating conditions, and contribute its proportionate share, per subsection X above, of the cost of the improvement to the appropriate government agency. If a proportionate share payment is identified as needed, the owner shall receive road impact fee credits for 100 percent of this contribution.

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XIV. If Owner conveys to County mitigated land for the real property conveyances that are eligible for impact fee credits described in Subsections III, V, VI and VII of this Article VI, Transportation, then Owner shall be entitled to a transportation impact fee credit for the value of the State and Federal environmental mitigation, as a cost of construction for public facilities. The value of the mitigation shall be a per acre value calculated at the total cost of state and federal mitigation of the environmental impacts including wetland and wildlife impacts divided by the impacted acreage of 718 acres. The total cost of State and Federal mitigation includes land costs for onsite preserves used for mitigation, environmental permitting costs, exotic removal, enhancement of preservation lands, creation of wildlife habitat, hydrological improvements and any mitigation activity required in the Army Corps of Engineers permit and South Florida Water Management District permit for the project in order to address the project's mitigation. State and Federal mitigation does not include County required mitigation. Developer shall provide documentation acceptable to the County to verify this cost. In lieu of transportation impact fee credits for environmental mitigation, the County reserves the right to transfer to Developer or Owner County-owned State or Federal panther and wetlands credits equal to the value of the transportation impact fee credits calculated pursuant to this Subsection XIV.

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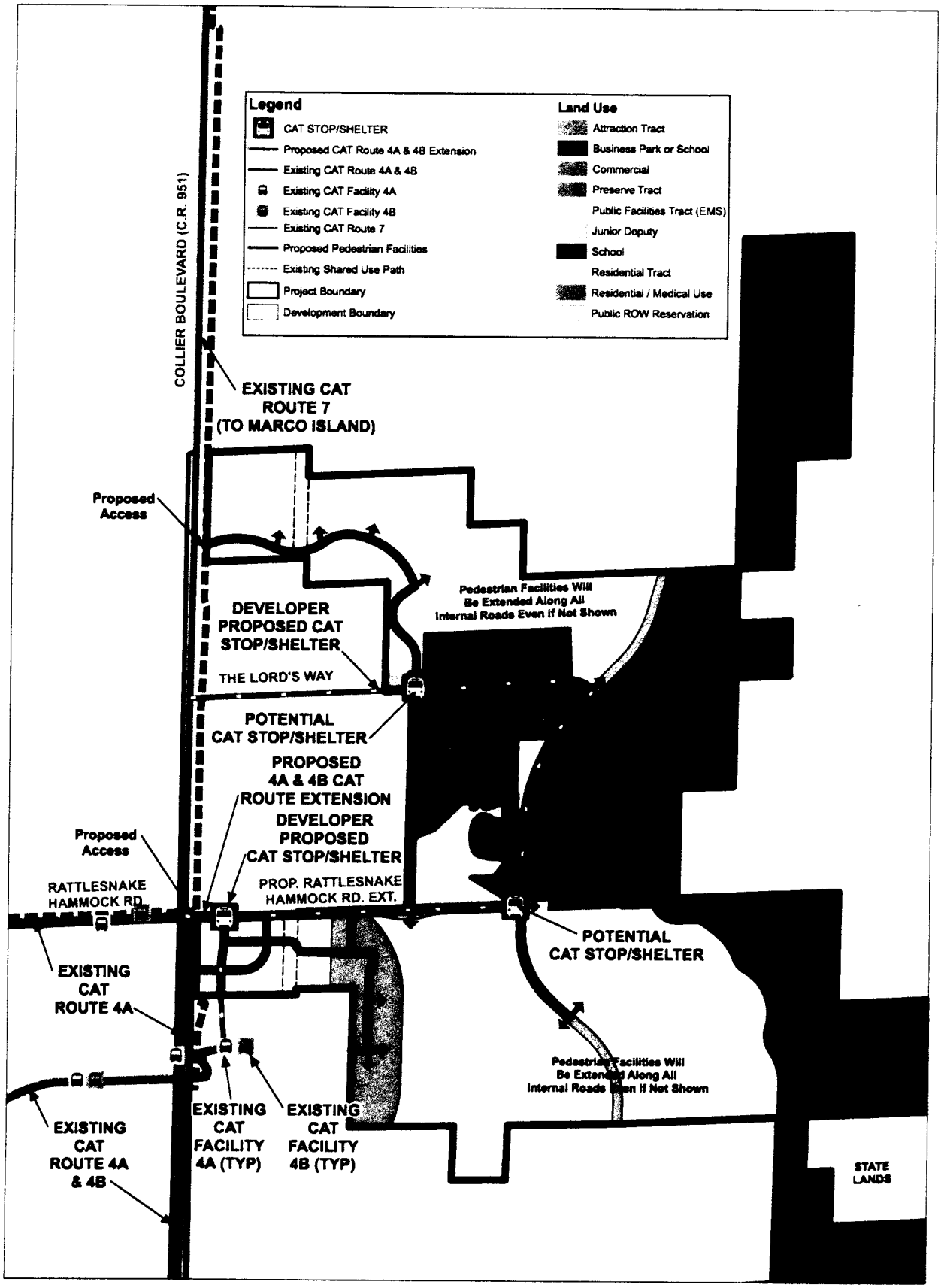


Hacienda Lakes
Master Mobility Plan

0 500 1,000 Feet

N

Prepared By: rmjones
Printing Date: October 8, 2010

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

VII PUBLIC UTILITIES

A. Per the current 2008 Water and Sewer Master Plan Update, the majority area of this project is located within the Collier County Water-Sewer District Boundary; there are some areas of this project that currently are outside of the Collier County Water & Sewer District Boundary. The areas that are not part of Collier County Water-Sewer District also do not belong to any other Water-Sewer District. Since Public Utilities can provide service as requested by this project, Impact Fees will be applied to the entire area to be developed.

B. The project shall connect to the CCWSD potable water system at a location to be determined by the CCWSD when capacity is available.

C. The project shall connect to the CCWSD wastewater collection and conveyance system at a location determined by CCWSD, when capacity is available.

D. This future development is located on the zone of the existing South Hawthorn Wellfield for the wellfield-SCRWTP expansion to 20 MGD. The Rules and Regulations for protection of well fields shall be followed. All well sites and pipeline easements located on and close to this development needs to be shown on all future site development plans, PPL or any other site plans applications.

VIII PLANNING

A. Prior to the issuance of the first residential Development Order in the Hacienda Lakes MPUD, the Base TDR Credits and Early Entry TDR Bonus Credits shall be severed and redeemed from all Sending Lands to be preserved within one mile of the Urban Residential Fringe and the filing of executed Limitation of Development Rights Agreement(s) shall occur for these same lands.

B. A permanent conservation mechanism, including Limitation of Development Rights Agreement(s), [shall] be attached/applied to all Sending Lands to be preserved beyond one mile of the Urban Residential Fringe prior to final approval of the first Site Development Plan (SDP) for the Hacienda Lakes project.

IX SWAMP BUGGY DAYS RECREATION AND SPORTS PARK PUD GENERAL DEVELOPMENT COMMITMENTS

The following commitments shall only apply to the Attraction and Junior Deputy Tracts:

General Provisions

A. All motor racing shall normally be limited to weekends and holidays. No motor racing or practice will commence earlier than 9:00 a.m. and all racing shall be completed no later than 11:00 p.m.

B. The shooting and archery ranges shall meet accepted design standards regarding safety and shall be operated and maintained in accordance with accepted safe practices. For security and safety, access to the shooting and archery range areas shall be limited by fencing or other suitable barriers.

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

C. Fencing and/or other suitable barriers will be provided on the site by the Owner for security, safety, and traffic control.

Roadways and Traffic

A. Roadways within the subject property shall be private roadways and shall be maintained by the Owner. Therefore, said roadways shall be constructed and surfaced in accordance with accepted practices and as permitted by the County Engineer.

B. For special events such as the Swamp Buggy races, and as deemed necessary by the County Sheriff, the Owner will arrange for special traffic control at the intersection of the main entrance road with CR 951 and Rattlesnake Hammock Road.

Utilities and Service Facilities

A. The potable water supply source for the project shall be the County regional water system (now known as the Collier County Water Sewer District).

B. Permanent sanitary facilities shall be provided for everyday use by administrative and other personnel. Treatment and disposal of wastewater from said facilities shall be by septic tank/drainfield, or as otherwise permitted by Florida Administrative Code and approved by the appropriate local and/or State regulatory agencies.

C. Sanitary facilities for spectators and participants at scheduled events shall consist of portable toilets (provided by a licensed commercial service), or permanent restroom facilities, or both. Wastewater from any permanent facilities provided for spectator use shall be stored in a buried holding tank of suitable capacity and subsequently removed and disposed of offsite by a licensed commercial service; or as otherwise permitted by Florida Administrative Code and approved by the appropriate local and/or State regulatory agencies.

D. Onsite water well or wells may be constructed (as permitted) for flooding of the Swamp Buggy track and other non-potable uses.

X DEVELOPMENT OF REGIONAL IMPACT

A. One entity (hereinafter the Managing Entity) shall be responsible for PUD and DRI monitoring until close-out of the PUD and DRI, and this entity shall also be responsible for satisfying all PUD/DRI commitments until close-out of the PUD and DRI. At the time of this PUD approval, the Managing Entity is Hacienda Lakes of 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 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 and DRI by the new owner and the new owner's agreement to comply with the Commitments through the Managing

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

Entity, but the Managing Entity shall not be relieved of its responsibility under this Section. When the PUD and DRI are closed-out, then the Managing Entity is no longer responsible for the monitoring and fulfillment of PUD and DRI commitments.

CP\10-CPS-01024\119

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

EXHIBIT G

HACIENDA LAKES PUD
MASTER USE AND CONVERSION LIST
FOR SDP / PLAT / BUILDING PERMITS

APPROVED USES
(including square footages)

APPROVED RESIDENTIAL USES (SDP & PLAT & BUILDING PERMIT)

DATE	PERMIT #	DISTRICT	TOTAL RESIDENTIAL UNITS	MULTI-FAMILY RESIDENTIAL	SINGLE FAMILY RESIDENTIAL	MANDATED OR NON-MANDATED	PROJECT TOTAL

NOTE: IF BUILDING DUPLEX ON ONE LOT, ADD SECOND UNIT AT BUILDING PERMIT

APPROVED COMMERCIAL USES IN GROSS FLOOR AREA (SDPs)

DATE	PERMIT #	DISTRICT	TOTAL RETAIL	TOTAL OFFICE	TOTAL BP	HOTEL	PROJECT TOTAL

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes

APPROVED CONVERSIONS (SDPs & PLAT)

DATE	PERMIT #	FROM USE (& QUANTITY)	TO USE (& QUANTITY)	FROM DISTRICT	TO DISTRICT

ATTACHMENTS: RESIDENTIAL WORKSHEET FOR EACH SDP /PLAT / BUILDING PERMIT
COMMERCIAL WORKSHEET FOR EACH SDP

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes

HACIENDA LAKES PUD

RESIDENTIAL WORKSHEET FOR EACH SDP / PLAT / BUILDING PERMIT

TOTAL PROJECT RESIDENTIAL UNITS: 1,760 [UP TO 1,232 MAY BE MULTI-FAMILY]

MANDATED
UNITS BY GMP:

17 IN C DISTRICT
13 IN R/MU FROM C
25 IN RMU
55 MANDATED RES UNITS

NON-MANDATED UNITS: 1,705 UNITS [UP TO 1,232 MAY BE MULTI-FAMILY IN ENTIRE PUD]

REDUCED BY:

1. CARETAKER'S RESIDENCES IN ENTIRE PUD

2. UNITS USED FOR CONVERSION TO RV [UP TO 106 RES UNITS IF 290 RV UNITS ARE DEVELOPED] **1 RES UNIT = 2.73 RV UNITS**

3. UNITS USED FOR CONVERSION TO SENIOR HOUSING [UP TO 112.50 RES UNITS FOR 450 SENIOR HOUSING UNITS IF DERIVED FROM RESIDENTIAL]
1 RES UNIT = 4 SENIOR HOUSING EXCEPT INDEPENDENT LIVING SINGLE FAMILY STYLE UNITS ARE 1 TO 1.

AT SDP, DETERMINE WHICH MANDATED RES UNITS OR NON-MANDATED UNITS ARE MULTI-FAMILY AND WHICH ARE SINGLE FAMILY

DISTRICTS THAT ALLOW RES:

C DISTRICT: 17 RES UNITS (MANDATED)

R DISTRICT:

RMU DISTRICT: 38 UNITS (MANDATED)

CONVERSIONS:

TO RV IN RV DISTRICT: DEDUCT: _____ [UP TO 106 RES UNITS IF 290 RV UNITS ARE DEVELOPED]

TO SENIOR HOUSING: DEDUCT ____ [UP TO 112.50 IF RES UNITS ARE DERIVED FROM RESIDENTIAL]

TOTAL: 1,760

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

HACIENDA LAKES PUD

COMMERCIAL WORKSHEET FOR EACH SDP

TOTAL PROJECT COMMERCIAL INTENSITY IN GROSS FLOOR AREA:	327,500	RETAIL
	70,000	OFFICE
	140,000	BP
	92,000	HOTEL OF 135 ROOMS

BP DISTRICT:

(A) ___ 140,000 SF OF GROSS FLOOR AREA OF BP USES; AND

___ IF HOTEL BUILT HERE AND NOT IN C DISTRICT, ADD 92,000 SF OF GROSS FLOOR AREA FOR HOTEL UP TO 135 ROOMS (HOTEL CONVERSION DISAPPEARS)

OR

___ IF NO HOTEL IN BP & NO HOTEL IN C, ADD 60,000 SF OF GROSS FLOOR AREA OF BP USES (THIS IS HOTEL CONVERSION)

* *

OR

(B) ___ PRIVATE OR PUBLIC SCHOOL UP TO 140,000 SF OF GROSS FLOOR AREA (EXCLUDES COLLIER COUNTY SCHOOL DISTRICT PUBLIC SCHOOLS)

* *

R/MU DISTRICT:

___ UP TO 50,000 SF OF GROSS FLOOR AREA OF MEDICAL-RELATED USES [ALL USES ARE OFFICE USES EXCEPT FOR DRUG STORES AND PROPRIETORY STORES (GROUP 5912) WHICH IS RETAIL]

___ [CHECK APPROVED RETAIL IN TRACT C – CAN'T GO OVER 327,500 SF OF GROSS FLOOR AREA OF RETAIL IN THE ENTIRE PUD]

___ [CHECK OFFICE IN TRACT C – CAN'T GO OVER 70,000 SF OF GROSS FLOOR AREA IN ENTIRE PUD]

* *

TRACT C:

___ 327,500 SF OF GROSS FLOOR AREA OF RETAIL;

1. DEDUCT MEDICAL RETAIL APPROVED IN RMU

2. DEDUCT SF OF GROSS FLOOR AREA OF SENIOR HOUSING NOT DERIVED FROM RESIDENTIAL UNITS [MAX 450 SENIOR HOUSING UNITS IN ENTIRE PUD]

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

3. UP TO 81,875 SF OF GROSS FLOOR AREA OF RETAIL CAN BE CONVERTED TO OFFICE [= 25% OF TOTAL]; AND

___ IF NO HOTEL IN BP & HOTEL CONVERSION NOT USED IN BP, ADD 92,000 SF OF GROSS FLOOR AREA OF HOTEL UP TO 135 ROOMS; AND

___ 70,000 SF OF GROSS FLOOR AREA OF PROFESSIONAL AND GENERAL OFFICE USES

1. DEDUCT UP TO 50,000 SF OF GROSS FLOOR AREA OF PROFESSIONAL AND GENERAL OFFICE IF APPROVED IN RMU DISTRICT

CONVERSIONS IN TRACT C:

UP TO 25% OF RETAIL CAN BE CONVERTED TO OFFICE [UP TO 81,875 SF]

___ RETAIL TO _____ OFFICE ON A ONE-TO-ONE BASIS [UP TO 81,875 SF]

___ RETAIL TO _____ SF SENIOR HOUSING ON A ONE-TO-ONE BASIS [MAY HAVE 450 SENIOR HOUSING UNITS IN ENTIRE PUD]

* * * *

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

ORDINANCE 2011-41

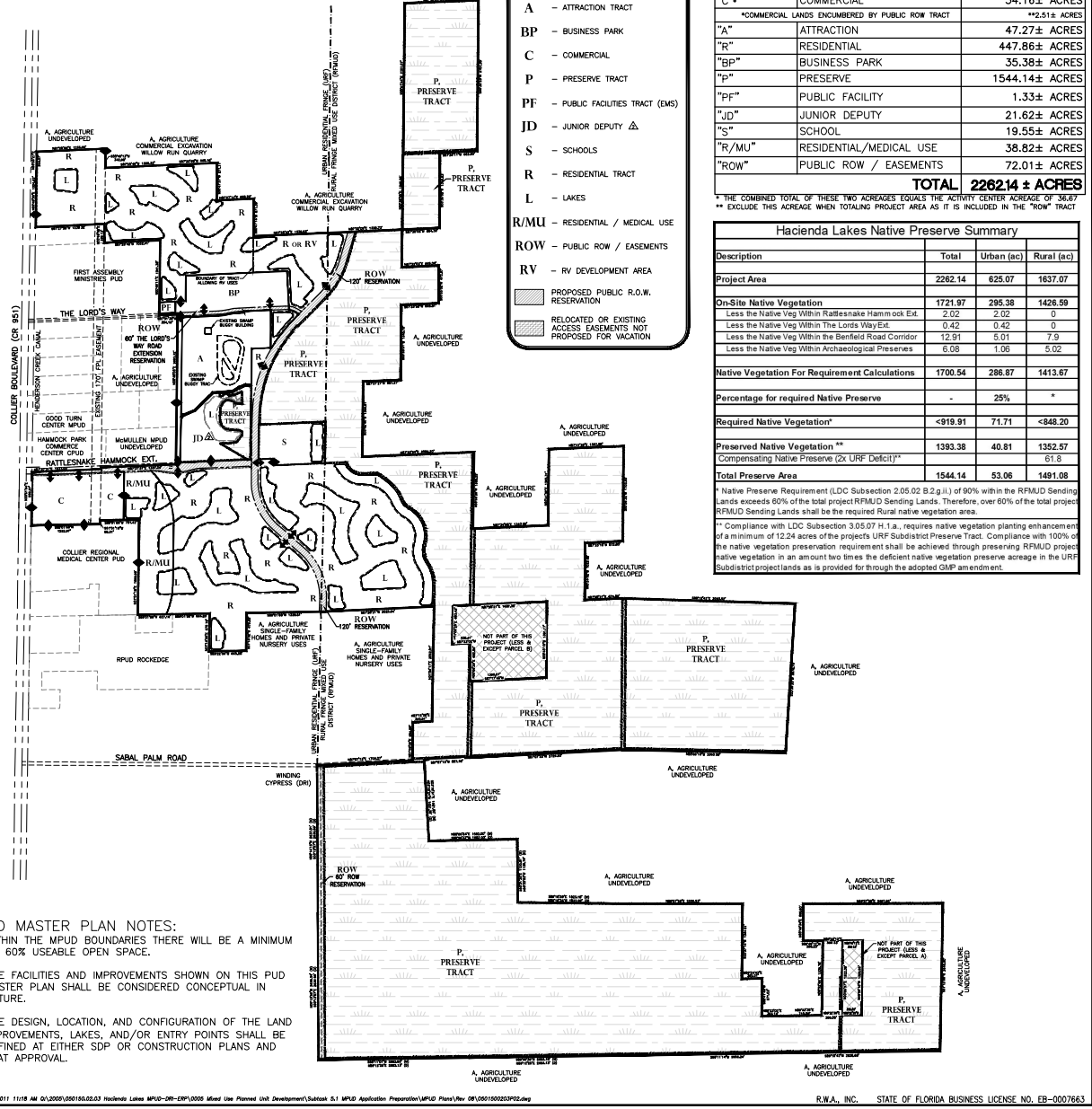
Which was adopted by the Board of County Commissioners on the 25th day of October, 2011, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 28th day of October, 2011.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By: Martha Vergara
Deputy Clerk

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)



MPUD MASTER PLAN NOTES:

1. WITHIN THE MPUD BOUNDARIES THERE WILL BE A MINIMUM OF 60% USEABLE OPEN SPACE.
2. THE FACILITIES AND IMPROVEMENTS SHOWN ON THIS PUD MASTER PLAN SHALL BE CONSIDERED CONCEPTUAL IN NATURE.
3. THE DESIGN, LOCATION, AND CONFIGURATION OF THE LAND IMPROVEMENTS, LAKES, AND/OR ENTRY POINTS SHALL BE DEFINED AT EITHER SDP OR CONSTRUCTION PLANS AND PLAT APPROVAL.

LAND USE SUMMARY

DESIGNATOR	LAND USE	ACREAGE
"C"*	COMMERCIAL	34.16± ACRES
	*COMMERCIAL LANDS ENCUMBERED BY PUBLIC ROW TRACT	**2.51± ACRES
"A"	ATTRACTION	47.27± ACRES
"R"	RESIDENTIAL	447.86± ACRES
"BP"	BUSINESS PARK	35.38± ACRES
"P"	PRESERVE	1544.14± ACRES
"PF"	PUBLIC FACILITY	1.33± ACRES
"JD"	JUNIOR DEPUTY	21.62± ACRES
"S"	SCHOOL	19.55± ACRES
"R/MU"	RESIDENTIAL/MEDICAL USE	38.82± ACRES
"ROW"	PUBLIC ROW / EASEMENTS	72.01± ACRES
	TOTAL	**2262.14 ± ACRES**

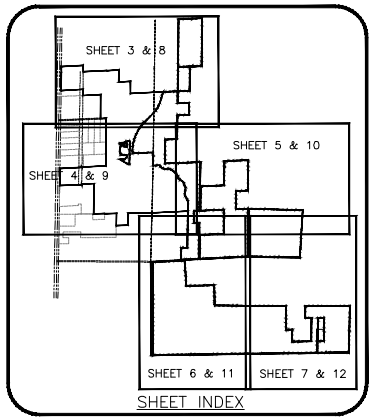
* THE COMBINED TOTAL OF THESE TWO ACREAGES EQUALS THE ACTIVITY CENTER ACREAGE OF 36.67
** EXCLUDE THIS ACREAGE WHEN TOTALING PROJECT AREA AS IT IS INCLUDED IN THE "ROW" TRACT

Hacienda Lakes Native Preserve Summary

Description	Total	Urban (ac)	Rural (ac)
Project Area	2262.14	625.07	1637.07
On-Site Native Vegetation	1721.97	295.38	1426.59
Less the Native Veg Within Rattlesnake Hammock Ext.	2.02	2.02	0
Less the Native Veg Within The Lords WayExt.	0.42	0.42	0
Less the Native Veg Within the Benfield Road Corridor	12.91	5.01	7.9
Less the Native Veg Within Archaeological Preserves	6.08	1.06	5.02
Native Vegetation For Requirement Calculations	1700.54	286.87	1413.67
Percentage for required Native Preserve	-	25%	*
Required Native Vegetation*	<919.91	71.71	<848.20
Preserved Native Vegetation **	1393.38	40.81	1352.57
Compensating Native Preserve (2x URF Deficit)**			61.8
Total Preserve Area	1544.14	53.06	1491.08

* Native Preserve Requirement (LDC Subsection 2.05.02 B.2.g.ii.) of 90% within the RFMUD Sending Lands exceeds 60% of the total project RFMUD Sending Lands. Therefore, over 60% of the total project RFMUD Sending Lands shall be the required Rural native vegetation area.

** Compliance with LDC Subsection 3.05.07 H.1.a., requires native vegetation planting enhancement of a minimum of 12.24 acres of the projects URF Subdistrict Preserve Tract. Compliance with 100% of the native vegetation preservation requirement shall be achieved through preserving RFMUD project native vegetation in an amount two times the deficient native vegetation preserve acreage in the URF Subdistrict project lands as is provided for through the adopted GMP amendment.



MAXIMUM DENSITY AND INTENSITY:

RESIDENTIAL DENSITY: THIS MPUD SHALL BE LIMITED TO 1,760 RESIDENTIAL DWELLING UNITS (DU) THAT EQUATES TO A DENSITY OF 0.78 DWELLING UNITS PER GROSS ACRE. THE 1,760 RESIDENTIAL UNITS ARE EITHER SINGLE– OR MULTI–FAMILY UNITS AS DEFINED IN THE LDC. NO MORE THAN 1,232 MULTI–FAMILY UNITS MAY BE CONSTRUCTED IN THE ENTIRE PUD. CARETAKER'S RESIDENCES SHALL BE DEDUCTED FROM THE 1,760 UNIT ALLOCATION. A MINIMUM OF 25 RESIDENTIAL UNITS SHALL BE CONSTRUCTED IN THE R/MU TRACT, AND A MINIMUM OF 17 RESIDENTIAL UNITS SHALL BE CONSTRUCTED IN TRACT C. THE BALANCE OF THE RESIDENTIAL DWELLING UNITS GENERATED FROM TRACT C (13 UNITS) MUST BE CONSTRUCTED IN EITHER THE R/MU TRACT, OR ON A PORTION OF TRACT R, WITHIN ONE–THIRD OF ONE MILE OF THE BOUNDARY OF TRACT C.

LAND USE CONVERSION FACTORS

RESIDENTIAL DENSITY: 1.0 RESIDENTIAL UNIT EQUATES TO 2.73 RECREATIONAL VEHICLE UNITS/SPACES (NOT TO EXCEED 290 RV UNITS IN THE ENTIRE PUD), OR 4 SENIOR HOUSING UNITS (NOT TO EXCEED 450 SENIOR HOUSING UNITS IN THE ENTIRE PUD). UP TO 1,232 OF THE TOTAL 1,760 RESIDENTIAL UNITS MAY BE MULTI–FAMILY AS DEFINED IN THE LAND DEVELOPMENT CODE.

COMMERCIAL INTENSITY: HACIENDA LAKES IS INTENDED TO BE DEVELOPED WITH A MIXTURE OF COMMERCIAL LAND USES THAT INCLUDE 327,500 SQUARE FEET OF GROSS FLOOR AREA OF RETAIL USES, 50,000 SQUARE FEET OF GROSS FLOOR AREA OF MEDICAL OFFICE USES, 20,000 SQUARE FEET OF GROSS FLOOR AREA OF GENERAL OFFICE USES, 140,000 SQUARE FEET OF GROSS FLOOR AREA OF BUSINESS PARK LAND USES, AND 135 HOTEL ROOMS.

IN NO EVENT SHALL THE PROJECT EXCEED 3,328 PM PEAK HOUR TRIPS. SUCH MAXIMUM TRIP GENERATION CAP WAS DEVELOPED BASED ON 327,500 GROSS SQUARE FEET OF RETAIL LAND USES, 50,000 GROSS SQUARE FEET OF MEDICAL OFFICE LAND USES, 20,000 GROSS SQUARE FEET OF GENERAL OFFICE LAND USES, 140,000 GROSS SQUARE FEET OF BUSINESS PARK LAND USES, A PRIMARY SCHOOL WITH A CONTEMPLATED ENROLLMENT OF 919 STUDENTS, 135 HOTEL ROOMS, NOT TO EXCEED 92,000 GROSS SQUARE FEET, 704 SINGLE–FAMILY UNITS, AND 1,056 MULTI–FAMILY UNITS. HOWEVER, THE HOTEL SHALL NOT COUNT AGAINST THE 140,000 SQUARE FOOT CAP ASSOCIATED WITH THE BUSINESS PARK.

SHOULD THE BP TRACT NOT BE DEVELOPED AS A BUSINESS PARK BUT BE DEVELOPED AS A SCHOOL (EXCLUDING COLLIER COUNTY SCHOOL DISTRICT PUBLIC SCHOOLS), SUCH FACILITY SHALL NOT EXCEED THE MAXIMUM 140,000 GROSS SQUARE FEET ALLOWED IN THAT TRACT.

THE DEVELOPER SHALL BE ALLOWED TO CONVERT RETAIL LAND USES TO OFFICE LAND USES AT A ONE TO ONE (1:1) RATIO, NOT TO EXCEED 25% OF THE RETAIL LAND USE ALLOCATION, PROVIDED ONLY IF THE CONVERTED USE IS AN ALLOWED USE IN THE TRACT. THE DEVELOPER SHALL ALSO BE ALLOWED TO WHOLLY CONVERT THE HOTEL DEVELOPMENT OPPORTUNITY OF 135 ROOMS NOT TO EXCEED 92,000 SQUARE FEET TO 60,000 SQUARE FEET OF BUSINESS PARK LAND USES.

ALL EXISTING LAND USES AND FACILITIES IN THE ATTRACTION AND JUNIOR DEPUTY TRACTS SHALL NOT COUNT AGAINST THE OVERALL TRIP AND LAND USE CAP.

SENIOR HOUSING INTENSITY: THE INTENSITY OF ANY SENIOR HOUSING PROJECT SHALL HAVE A MAXIMUM FLOOR AREA RATIO (FAR) OF 0.60. THE 1,760 DWELLING UNIT CAP IS ONLY INTENDED TO LIMIT THE NUMBER OF SINGLE–FAMILY AND MULTI–FAMILY RESIDENTIAL UNITS, AS THOSE UNITS ARE DEFINED IN THE LAND DEVELOPMENT CODE. THE DEVELOPMENT MAY INCLUDE IN EXCESS OF 1,760 RESIDENTIAL UNITS IF SOME ARE DEVELOPED AS SENIOR HOUSING UNITS. WITH THE EXCEPTION OF SENIOR HOUSING DEVELOPMENT IN THE C, COMMERCIAL TRACT, SENIOR HOUSING UNITS SHALL BE DEVELOPED THROUGH THE CONVERSION OF RESIDENTIAL LAND USES. RESIDENTIAL UNITS SHALL BE ALLOWED FOR CONVERSION TO SENIOR HOUSING UNITS BASED ON THE LAND USE CONVERSION FACTORS, ABOVE. HOWEVER, 1 SINGLE–FAMILY DWELLING UNIT EQUATES TO 1 SINGLE–FAMILY STYLE INDEPENDENT LIVING UNITS. IN NO INSTANCE SHALL GREATER THAN 450 SENIOR HOUSING UNITS BE DEVELOPED IN THE MPUD.

TOTAL PROJECT INTENSITY: IN NO EVENT SHALL THE PROJECT EXCEED 3,328 PM PEAK HOUR TRIPS.

REV #	REVISION	DRAWN:	CHECKED:	DATE
1	REVISED PER COLLIER COUNTY ATTORNEY'S OFFICE	P.T.N.	D.H.N.	09/11
1	REVISED PER COLLIER COUNTY COMMENTS	M.S.J.	D.H.N.	08/11
1	REVISED PER COLLIER COUNTY COMMENTS	M.S.J.	D.H.N.	07/11
1	REVISED BY APPLICANT	M.S.J.	D.H.N.	06/11
1	REVISED PER COLLIER COUNTY COMMENTS	M.S.J.	D.H.N.	05/11
1	REVISED PER COLLIER COUNTY COMMENTS	M.S.J.	D.H.N.	02/11
1	REVISED PER COLLIER COUNTY COMMENTS	R.M.J.	D.H.N.	10/10
1	REVISED PER COLLIER COUNTY COMMENTS	R.M.J.	D.H.N.	06/10

DATE: MARCH, 2010
PROJECT No. 050150.02.03
FILE No. 050150020302.DWG

SEC: TWP: RGE:
SCALE: 1" = 1000'
(HALF) 1" = 2000'
DRAWN: M S J

CLIENT: HACIENDA LAKES OF NAPLES, LLC.

TITLE: OVERALL MPUD/DRI

PROJECT: HACIENDA LAKES

RWA INC. Planning Visualization Civil Engineering CONSULTING

R.W.A., INC. STATE OF FLORIDA BUSINESS LICENSE NO. EB–0007663

Attachment: Att C - Ordinance 11-41 Hacienda Lakes MPUD (15551 : PL20200001294 Hacienda Lakes

Staff Analysis and Recommendation: Staff finds the petitioner's deviation and rationale supportable for this project.

Zoning and Land Development Review staff recommends APPROVAL of this deviation, finding that, in compliance with LDC Section 10.02.13.A.3, the petitioner has demonstrated that "the element may be waived without a detrimental effect on the health, safety and welfare of the community," and LDC Section 10.02.13.B.5.h, the petitioner has demonstrated that the deviation is "justified as meeting public purposes to a degree at least equivalent to literal application of such regulations."

FINDINGS OF FACT:

PUD Findings: LDC Subsection 10.02.13.B.5 states that, "In support of its recommendation, the CCPC shall make findings as to the PUD Master Plan's compliance with the following criteria" (Staff's responses to these criteria are provided in bold font):

1. The suitability of the area for the type and pattern of development proposed in relation to physical characteristics of the land, surrounding areas, traffic and access, drainage, sewer, water, and other utilities.

Staff has reviewed the proposed rezone and believes the uses and property development regulations are compatible with the development approved in the area as limited by staff. If staff's limitations are accepted, the commitments made by the applicant should provide adequate assurances that the proposed change should not adversely affect living conditions in the area.

2. Adequacy of evidence of unified control and suitability of any proposed agreements, contracts, or other instruments, or for amendments in those proposed, particularly as they may relate to arrangements or provisions to be made for the continuing operation and maintenance of such areas and facilities that are not to be provided or maintained at public expense.

Documents submitted with the application, which were reviewed by the County Attorney's Office, demonstrate unified control of the property. Additionally, the development will be required to gain platting and/or site development approval. Both processes will ensure that appropriate stipulations for the provision of and continuing operation and maintenance of infrastructure will be provided by the developer.

3. Conformity of the proposed Planned Unit Development with the goals, objectives, and policies of the Growth Management Plan (GMP).

Staff has reviewed this petition and has offered an analysis of the relevant goals, objectives and policies of the GMP within the GMP discussion and the attached report from Comprehensive Planning staff and the zoning analysis of this staff report. Based on those staff analyses, planning zoning staff is of the opinion that this petition may be found consistent with the overall GMP with the staff recommended limitations.

4. The internal and external compatibility of proposed uses, which conditions may include restrictions on location of improvements, restrictions on design, and buffering and screening requirements.

Attachment: Att D - PUDZ-06-10146-Rezone-Findings (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

Staff has provided a review of the proposed uses and believes that the project will be compatible with the surrounding area, subject to approval of the recommended limitation of staff, the proposed development standards and project commitments.

5. The adequacy of usable open space areas in existence and as proposed to serve the development.

The amount of native preserve aside for this project meets the minimum requirement of the LDC.

6. The timing or sequence of development for the purpose of assuring the adequacy of available improvements and facilities, both public and private.

The developer has proposed that this project will be developed in one, eight-year long phase and has provided the following breakdown (as found in the DRI DO Maps H-2-4):

ESTIMATED DEVELOPMENT SCHEDULE

Stage One

Year	Residential	Single-Family	Multi-Family	Retail	Office	Business Park	School
2012	50 Units	20 Units	30 Units	27,500 SF	0.0 SF	0.0 SF	
2013	200 Units	100 Units	100 Units	150,000 SF	20,000 SF	0.0 SF	
2014	200 Units	100 Units	100 Units	150,000 SF*	25,000 SF	40,000 SF	
2015	250 Units	100 Units	150 Units	0.0 SF	25,000 SF	0.0 SF	
2016	250 Units	100 Units	150 Units	0.0 SF	0.0 SF	0.0 SF	
	950 Units	420 Units	530 Units	327,500 SF	70,000 SF	40,000 SF	

ESTIMATED DEVELOPMENT SCHEDULE

Stage Two

Year	Residential	Single-Family	Multi-Family	Retail	Office	Business Park	School
2015	25 Units	0 Units	25 Units	0.0 SF	0.0 SF	20,000 SF	919 Students
2016	25 Units	0 Units	25 Units	0.0 SF	0.0 SF	20,000 SF	
2017	275 Units	100 Units	175 Units	0.0 SF	0.0 SF	20,000 SF	
2018	275 Units	100 Units	175 Units	0.0 SF	0.0 SF	20,000 SF	
2019	210 Units	84 Units	126 Units	0.0 SF	0.0 SF	20,000 SF	
	810 Units	284 Units	526 Units	0	0	100,000 SF	919 Students
Totals:	**1760 Units**	**704 Units**	**1,056 Units**	**327,500 SF**	**70,000 SF**	**140,000 SF**	**919 Students**

*The 135 Room hotel is proposed to be developed in Phase One, in 2014.

The DRI DO document addresses the phasing of the project as to determinations of any substantial deviation if the phasing schedule is violated, in compliance with Florida Statutes.

7. The ability of the subject property and of surrounding areas to accommodate expansion.

The area has adequate supporting infrastructure such as road capacity, wastewater disposal system, and potable water supplies (with the mitigation provided in the PUD document and the DRI DO) to accommodate this project based upon the commitments made by the petitioner and the fact that adequate public facilities requirements will be addressed when development approvals are sought.

8. Conformity with PUD regulations, or as to desirable modifications of such regulations in the particular case, based on determination that such modifications are justified as meeting public purposes to a degree at least equivalent to literal application of such regulations.

Attachment: Att D - PUDZ-06-10146-Rezone-Findings (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

The petitioner is seeking nine deviations to allow design flexibility in compliance with the purpose and intent of the Planned Unit Development Districts (LDC Section 2.03.06.A). This criterion requires an evaluation of the extent to which development standards and deviations proposed for this PUD depart from development standards that would be required for the most similar conventional zoning district. Staff has provided an analysis of the deviation requests in the Deviation Discussion portion of this staff report, and is recommending support of Deviations 2, 5, 7, 8 and 9; support with limitations of Deviation 3 and 4; and Denial of Deviations 1 and 6 as explained in the deviation section of this staff report.

Rezone Findings: *LDC Subsection 10.03.05.I. states*, "When pertaining to the rezoning of land, the report and recommendations to the planning commission to the Board of County Commissioners…shall show that the planning commission has studied and considered proposed change in relation to the following when applicable" *(Staff's responses to these criteria are provided in bold font):*

1. Whether the proposed change will be consistent with the goals, objectives, & policies of the Future Land Use Map and the elements of the Growth Management Plan.

The zoning analysis provides an in-depth review of the proposed project. Staff is of the opinion that the project as proposed is consistent with GMP FLUE Policy 5.4 requiring the project to be compatible with neighborhood development. Staff recommends that this petition be deemed consistent with the FLUE of the GMP if staff's conditions of approval are adopted. The petition can also be deemed consistent with the CCME. Therefore, staff recommends that this petition be deemed consistent with the GMP subject to staff's conditions of approval.

2. The existing land use pattern;

Staff has described the existing land use pattern in the "Surrounding Land Use and Zoning" portion of this report and discussed it at length in the zoning review analysis. Staff believes the proposed rezone is appropriate given the existing land use pattern, and development restrictions included in the PUD.

3. The possible creation of an isolated district unrelated to adjacent and nearby districts;

The proposed PUD rezone) would not create an isolated zoning district because there are lands to the west along CR 951 that are also zoned PUD (see Zoning Map).

4. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Staff is of the opinion that the proposed district boundaries are logically drawn given the current property ownership boundaries. The rezoning does create one isolated pocket; however that site is a state-owned preservation area upon which no development is planned. The proposed uses around this pocket are shown as preserve.

5. Whether changed or changing conditions make the passage of the proposed rezoning necessary.

Attachment: Att D - PUDZ-06-10146-Rezone-Findings (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

The proposed rezone is not necessary, *per se*; but it is being requested in compliance with the LDC provisions to seek such the rezone to allow the owner the opportunity to develop the land with uses other than what the existing zoning district would allow. Without rezoning, the agriculturally zoned tracts could not be developed with the proposed uses or with the proposed property development regulations. The applicant's request is consistent with the proposed GMPA.

6. Whether the proposed change will adversely influence living conditions in the neighborhood;

Staff is of the opinion that the proposed rezone, with the commitments made by the applicant, can been deemed consistent County's land use policies that are reflected by the Future Land Use Element (FLUE) of the GMP. The project includes numerous restrictions and standards that are designed to address compatibility of the project. Development in compliance with the proposed PUD rezone should not adversely impact living conditions in the area.

7. Whether the proposed change will create or excessively increase traffic congestion or create types of traffic deemed incompatible with surrounding land uses, because of peak volumes or projected types of vehicular traffic, including activity during construction phases of the development, or otherwise affect public safety.

The roadway infrastructure has adequate capacity to serve the proposed project with the mitigation that will be provided by the developer. Staff believes the petition can be deemed consistent with all elements of the GMP if the mitigation is included in any recommendation of approval.

8. Whether the proposed change will create a drainage problem;

The proposed rezone will not create drainage or surface water problems. The developer of the project will be required to obtain a surface water management permit from the SFWMD prior to approval of a local site development plan. The conceptual master plan identifies the conceptual location of the water management areas which will be a component of the water management system.

9. Whether the proposed change will seriously reduce light and air to adjacent areas;

If this rezone petition is approved, any subsequent development would need to comply with the applicable LDC standards for development or as outlined in the PUD document. The location of the proposed buildings, combined with the setbacks and project buffers will help insure that light and air to adjacent areas will not be reduced.

10. Whether the proposed change will adversely affect property values in the adjacent area;

This is a subjective determination based upon anticipated results, which may be internal or external to the subject property. Property valuation is affected by a host of factors including zoning; however zoning by itself may or may not affect values, since value determination is driven by market conditions.

Attachment: Att D - PUDZ-06-10146-Rezone-Findings (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations;

The proposed zoning change should not be a deterrent to the improvement of adjacent properties.

12. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasting with the public welfare;

The proposed development complies with the Growth Management Plan which is a public policy statement supporting zoning actions when they are consistent with said Comprehensive Plan. In light of this fact, the proposed change does not constitute a grant of special privilege. Consistency with the FLUE is further determined to be a public welfare relationship because actions consistent with plans are in the public interest.

13. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning;

The subject property could be developed within the parameters of the existing zoning designations; however, the petitioner is seeking this rezone in compliance with LDC provisions for such action. The petition can be evaluated and action taken as deemed appropriate through the public hearing process. Staff believes the proposed rezone meets the intent of the PUD district, if staff's conditions of approval are adopted, and further, believes the public interest will be maintained.

14. Whether the change suggested is out of scale with the needs of the neighborhood or the County;

The petitioner proposes to develop a large, multi-faceted, mixed use development on 2,262± acres. The new non-residential uses will be located nearer to the intersection of Rattlesnake Hammock and CR 951, which is consistent with the current non-residential use trend in the area, and consistent with the proposed GMPA. Residential uses will be located west of the proposed public right of way reservation in the northern portion of the project and along both sides of the project in the area south of the proposed Rattlesnake Hammock extension. Preserve areas are located on the eastern project perimeter. The overall project density of 0.78 units per acre makes the project a low density project. The project has been evaluated for compliance with the GMP and found to be consistent with the GMP requirements, as amended, if staff's conditions of approval are adopted. The GMP is a policy statement, which has evaluated the scale, density, and intensity of land uses deemed to be acceptable throughout the urban-designated areas of Collier County. Staff is of the opinion that the development standards and the developer commitments will ensure that the project is not out of scale with the needs of the community if the staff stipulations are adopted.

15. Whether is it impossible to find other adequate sites in the County for the proposed use in districts already permitting such use.

The petition was reviewed on its own merit for compliance with the GMP and the LDC; and staff does not review other sites in conjunction with a specific petition. The proposed

Attachment: Att D - PUDZ-06-10146-Rezone-Findings (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

rezone is consistent with the GMP as it is proposed to be amended as discussed in other portions of the staff report.

16. The physical characteristics of the property and the degree of site alteration, which would be required to make the property usable for any of the range of potential uses under the proposed zoning classification.

Most new development anticipated by the PUD document would require considerable site alteration. This project will undergo extensive evaluation relative to all federal, state, and local development regulations during the site development plan or platting approval process and again later as part of the building permit process.

17. The impact of development on the availability of adequate public facilities and services consistent with the levels of service adopted in the Collier County Growth Management Plan and as defined and implemented through the Collier County Adequate Public Facilities Ordinance, as amended.

This petition has been reviewed by county staff that is responsible for jurisdictional elements of the GMP as part of the rezone process and those staff persons have concluded that no Level of Service will be adversely impacted with the commitments contained in the PUD document and the DRI DO.

18. Such other factors, standards, or criteria that the Board of County Commissioners (BCC) shall deem important in the protection of the public health, safety, and welfare.

To be determined by the BCC during its advertised public hearing.

NEIGHBORHOOD INFORMATION MEETING (NIM):

Dwight Nadeau, Planning Manager of RWA began the NIM meeting at 5:30pm. Dwight introduced himself; David Torres, Manager of Hacienda Lakes of Naples, LLC; Richard Yovanovich of Coleman, Yovanovich & Koester, P.A.; and Bob Mulhere of Mulhere & Associates. Collier County Staff – Kay Deselem & Corby Schmidt were also present.

Dwight presented a general project overview and provided a fact sheet which included pertinent development information related to residential yield non-residential land use intensities, recreational and attraction land uses, and preservation areas. Dwight provided the current status of the project with respect to future hearing dates for adoption and also explained the process of notifying the surrounding property owners of the Neighborhood Information Meeting (NIM).

The following concerns were raised by the property owners and addressed by the applicant and agent team.

Preserve Area – How will this development impact wildlife and their horses? Many residents go horseback riding. Will the Agricultural zoning remain the same? *David stated*, the conservation land would not be affected. Public Agencies are involved, i.e. the Florida Fish and Wildlife Commission are also concerned and would ultimately be the governing party.

Affordable Housing – Is there a provision for Affordable Housing? *David stated*, No, Affordable Housing is not a component of this PUD

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potential digs and further study shall be provided by the Owner upon County request at no cost to County. Disturbance to these five protected archaeological sites may only occur with County approval, and any disturbance shall only be permitted under the direct supervision of a qualified archaeologist.

D. Historical/archeological areas shall not be used to meet preserve requirements.

E. The Developer shall reasonably accommodate the Florida Division of Historical Resource's (DHR) investigation of these sites by allowing access to the archaeological sites by properly credentialed investigators, whenever such access can be reasonably accommodated.

F. If any additional archaeological/historical sites are uncovered during the proposed development activities, all work in the immediate vicinity of such sites shall cease immediately, and the Owner shall contact DHR, SWFRPC and Collier County so that a state certified archaeologist can determine the significance of the findings and recommend appropriate preservation and mitigation actions, as necessary.

3. HURRICANE EVACUATION/FLOODPLAINS

A. (1) The following supplies and equipment shall be purchased by the Developer for Collier County Emergency Management in accordance with its specifications and in some cases sole source provider and delivered in new condition, free on board (FOB) to the Collier County Emergency Services Center.

(2) The following contributions shall be a one-time contribution in full mitigation of all requirements of the current project scope of the Hacienda Lakes DRI:

(a) Two (2) new 45kw towable portable generators with heavy duty diesel engine, sound insulated, manufactured by Godwin Pump and Generator to exactly

Attachment: Att E - DRI Commitment from Resolution 2011-201 Hacienda Lakes DRI DO (15551 : PL20200001294 Hacienda Lakes MPUD Senior

match the supplies, equipment, and power distribution systems approved and currently in use; or near the time of equipment acquisition by the Developer, as approved by the Collier County Emergency Management Department. This is a sole source procurement to ensure compatibility and parallel operations of generators within Collier County's existing fleet and insure the ability to provide essential emergency portable power to additional evacuation shelter spaces consumed by the increased shelter census created by the Hacienda Lakes DRI. Collier County will assume all maintenance, repair, and replacement of these generators following satisfactory acceptance by Collier County beyond the warranty period. Delivery of the first portable generator shall occur prior to the issuance of the first residential certificate of occupancy. Delivery of the second generator shall occur at the earlier of (i) 24 months from the issuance of the first residential certificate of occupancy or (ii) the issuance of the certificate of occupancy of the 300th residential unit within the development.

(b) Two (2) new enclosed utility trailers for the storage and transport of the supplies noted above. Collier County will own and maintain these trailers and augment them with other minor disaster supplies in a fashion similar to its current disaster response unit (DRU) shelter supply delivery system. These trailers shall be new, from a Collier County approved list of vendor(s) and be at least 16 feet in length, dual axle load rated at 7,000 lbs. with trailer brakes, with laminate finish interior wall and floor finish, cabinets, shelving and load secure devices, Florida Department of Transportation approved for highway use, dropdown rear door and curbside door and extended tongue hitch length. At least one of the two trailers noted above shall include interior AC wiring, lighting, a generator connection, circuit breaker and roof mounted air conditioning to allow the empty trailer to be used for special post disaster field offices, damage assessment and relief efforts identical to the County's existing fleet of disaster supply trailers. Delivery of the utility trailers shall occur at the earlier of (i) 12 months

Attachment: Att E - DRI Commitment from Resolution 2011-201 Hacienda Lakes DRI DO (15551 : PL20200001294 Hacienda Lakes MPUD Senior

from the issuance of the first residential certificate of occupancy or (ii) the issuance of the certificate of occupancy of the 150th residential unit within the development.

(c) Four hundred and twenty-two (422) new military type adult folding disaster cots from a Collier County approved list of eligible vendors and approved type and style. Said cots shall be compatible with Collier County's existing storage and delivery systems and shall be provided at the earlier of (i) 48 months from the issuance of the first residential certificate of occupancy, or (ii) the issuance of the certificate of occupancy for the 1200th residential unit within the development.

(d) Seventy-two (72) new special needs disaster cots from a Collier County approved list of eligible vendors and approved type and style. Said cots shall be compatible with Collier County's existing storage and delivery systems and shall be provided at the earlier of (i) 36 months from the issuance of the first residential certificate of occupancy, or (ii) the issuance of the certificate of occupancy of the 900th residential unit within the development.

(e) All deeds to property located within Hacienda Lakes shall be accompanied by a disclosure statement in the form of a covenant stating that the property is located in a hurricane vulnerability zone, that the hurricane evacuation clearance time for Collier County or the Southwest Florida Region is high, and/or hurricane shelter spaces are limited.

B. The Developer has provided off-site hurricane shelter mitigation for the Hacienda Lakes DRI per Paragraph A above pursuant to commitments made as a result of negotiations with Collier County officials.

4. STORMWATER MANAGEMENT

A. The Hacienda Lakes DRI shall require a South Florida Water Management District (SWFMD) Environmental Resource Permit for conceptual approval of the proposed

Attachment: Att E - DRI Commitment from Resolution 2011-201 Hacienda Lakes DRI DO (15551 : PL20200001294 Hacienda Lakes MPUD Senior

HEX PACKAGE

VILLA VERDE/ ALLEGRO PDI

INSUBSTANTIAL CHANGE TO HACIENDA LAKES MPUD

PL202000001294

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL202000001294 Hacienda Lakes MPUD Senior Housing

PDI APPLICATION FORM

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

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INSUBSTANTIAL CHANGE TO A PUD (PDI)

LDC subsection 10.02.13 E & Code of Laws section 2-83 – 2-90
Ch. 3 G.3 of the Administrative Code

Pursuant to LDC subsection 10.02.13 E.2, a PUD insubstantial change includes any change that is not considered a substantial or a minor change. A PUD insubstantial change to an approved PUD ordinance shall be based upon an evaluation of LDC subsection 10.02.13 E.1 and shall require the review and approval of the Hearing Examiner. The Hearing Examiner's approval shall be based on the findings and criteria used for the original application.

PETITION NO
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): Hacienda Lakes of Naples, LLC

Name of Applicant if different than owner: McDowell Housing Partners

Address: 601 Brickell Key Drive #700 **City:** Miami **State:** FL **ZIP:** 33131

Telephone: 786-257-2775 **Cell:** 309-303-4466 **Fax:** N/A

E-Mail Address: chollis@mcdhousing.com

Name of Agent: Lindsay F. Robin, MPA

Firm: Waldrop Engineering, P.A.

Address: 28100 Bonita Grande Dr **City:** Bonita Springs **State:** FL **ZIP:** 34135

Telephone: 239-405-7777 **Cell:** N/A **Fax:** 239-405-7899

E-Mail Address: lindsay.robin@waldropengineering.com

DETAIL OF REQUEST

On a separate sheet, attached to the application, describe the insubstantial change request. Identify how the request does not meet the PUD substantial change criteria established in LDC subsection 10.02.13 E.1.

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

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PROPERTY INFORMATION

PUD NAME: Hacienda Lakes MPUD **ORDINANCE NUMBER:** 11-41
FOLIO NUMBER(S): 48586003020

Provide a legal (if PUD is recorded) or graphic description of area of amendment (this may be graphically illustrated on Amended PUD Master Plan). If applying for a portion of the PUD, provide a legal description for subject portion.

Attach on a separate sheet, a written description of the map or text change.

Does amendment comply with the Growth Management Plan? ■ Yes ☐ No

If no, please explain: _____

Has a public hearing been held on this property within the last year? ☐ Yes ■ No

If yes, in whose name? _____

Has any portion of the PUD been ■ SOLD and/or ■ DEVELOPED?

Are any changes proposed for the area sold and/or developed? ☐ Yes ■ No
If yes, please describe on an attached separate sheet.

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Pre-Application Meeting and Final Submittal Requirement Checklist for: PUD Insubstantial Change Chapter 3 G.3 of the Administrative Code

The following Submittal Requirement checklist is to be utilized during the Pre-Application Meeting and at time of application submittal. At final submittal, the checklist is to be completed and submitted with the application packet. Please provide the submittal items in the exact order listed below, with cover sheets attached to each section. **Incomplete submittals will not be accepted.**

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	1	☒	
Pre-Application Meeting notes	1	☑	☐
Project Narrative, including a detailed description of proposed changes and why amendment is necessary	1	☑	☐
Detail of request	1	☒	
Current Master Plan & 1 Reduced Copy	1	☒	
Revised Master Plan & 1 Reduced Copy	1	☒	
Revised Text and any exhibits	1	☑	☐
PUD document with changes crossed through & underlined	1	☑	☐
PUD document as revised with amended Title Page with Ordinance #	1	☑	☐
~~Warranty Deed~~ TIS IS REQUIRED	1	☑	☐
Legal Description	1		☑
Boundary survey, if boundary of original PUD is amended	☐	☐	☑
If PUD is platted, include plat book pages	☐	☐	☐
List identifying Owner & all parties of corporation	1	☑	☐
Affidavit of Authorization, signed & notarized	1	☒	
Completed Addressing Checklist	1	☒	
Property Ownership Disclosure Form	1	☒	
Copy of 8 ½ in. x 11 in. graphic location map of site	1	☑	☐
Electronic copy of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	1	☑	☐
***If located in Immokalee or seeking affordable housing, include an additional set of each submittal requirement.**			

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

- Following the completion of the review process by County Review staff, the applicant shall submit all materials electronically to the designated project manager.
- Please contact the project manager to confirm the number of additional copies required.

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

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PLANNERS – INDICATE IF THE PETITION NEEDS TO BE ROUTED TO THE FOLLOWING REVIEWERS:

☐	School District (Residential Components): Amy Lockheart	☐	Bayshore/Gateway Triangle Redevelopment: Executive Director
☐	Utilities Engineering: Eric Fey	☐	Parks and Recreation: Barry Williams and David Berra
☐	Emergency Management: Dan Summers	☐	Naples Airport Authority:
☐	Conservancy of SWFL: Nichole Johnson	☐	Other:
☐	City of Naples: Robin Singer, Planning Director	☐	Other:

FEE REQUIREMENTS

- ☒ **PUD Amendment Insubstantial (PDI):** $1,500.00
- ☒ **Pre-Application Meeting:** $500.00
- ☒ **Estimated Legal Advertising fee for the Office of the Hearing Examiner:** $1,125.00
  Same fee applies if the petition is referred to the Collier County Planning Commission, where the CCPC serves as the deciding authority instead of the HEX.

Fire Code Plans Review Fees are collected at the time of application submission and those fees are set forth by the Authority having jurisdiction. The Land Development Code requires Neighborhood Notification mailers for Applications headed to hearing, and this fee is collected prior to hearing.

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

All checks payable to: Board of County Commissioners.

The completed application, all required submittal materials, and fees shall be submitted to:

Growth Management Department
Planning and Regulation
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

Lindsay Robin
Agent/Owner Signature

8/24/20
Date

Lindsay F. Robin
Applicant/Owner Name (please print)

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

PRE-APPLICATION MEETING NOTES

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

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Pre-Application Meeting Notes

Petition Type: PDI - Insubstantial Change
Date and Time: Wednesday 7/29/2020 9:00 AM

Assigned Planner: James Sabo

Engineering Manager (for PPL's and FP's): _____

Project Information

Project Name: Hacienda Lakes MPUD Senior Housing (PDI)

PL #: 20200001294

Property ID #: 48586003020 **Current Zoning:** MPUD

Project Address: _____ **City:** Naples **State:** FL **Zip:** 34114

Applicant: Alexis Crespo

Agent Name: Waldrop Engineering c/o Alexis Crespo **Phone:** 239-850-8525

Agent/Firm Address: 28100 Bonita Grande Dr, Ste 305, Bonita Springs, FL 34135 **City:** _____ **State:** _____ **Zip:** _____

Property Owner: Hacienda Lakes of Naples LLC

Please provide the following, if applicable:

i. **Total Acreage:** 16.29

ii. **Proposed # of Residential Units:** _____

iii. **Proposed Commercial Square Footage:** _____

iv. **For Amendments, indicate the original petition number:** _____

v. **If there is an Ordinance or Resolution associated with this project, please indicate the type and number:** _____

vi. **If the project is within a Plat, provide the name and AR#/PL#:** _____

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Meeting Notes

As of 10/16/2017 all Zoning applications have revised applications, and your associated Application is included in your notes; additionally a *new Property Ownership Disclosure Form is required for all applications. A copy of this new form is included in your pre-app

Note – link is https://www.colliergov.net/Home/ShowDocument?id=75093.

ZONING – NIM REQUIRED AFTER 1ST REVIEW SOCIAL DISTANCE AND REMOTE ACCESS REQUIRED FOR CITIZENS.

PUD DOCUMENT IN STANDARD EXHIBIT FORMAT STRIKE/THROUGH - UNDERLINE & CLEAN COPY.

~~EXHIBIT H FOR MASTER PLAN CHANGE~~

AGENDA ITEM WILL BE SCHEDULED ~~AT~~ AT THE HEX.

EXHIBIT C.1 FOR THE MASTER PLAN CHANGE.

If Site is within the City of Naples Water Service Area please send to Naples Utilities and Planning Departments. Then, if the petition is submitted, we are to send it (by email) to the four persons below in their Utilities and Planning Depts. - along with a request that they send us a letter or email of "no objection" to the petition. Bob Middleton RMiddleton@naplesgov.com Allyson Holland AMHolland@naplesgov.com Robin Singer RSinger@naplesgov.com Erica Martin emartin@naplesgov.com

Disclaimer: Information provided by staff to applicant during the Pre-Application Meeting is based on the best available data at the time of the meeting and may not fully inform the applicant of issues that could arise during the process. The Administrative Code and LDC dictates the regulations which all applications must satisfy. Any checklists provided of required data for an application may not fully outline what is needed. It is the applicant's responsibility to provide all required data.

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Note – link is https://www.colliergov.net/Home/ShowDocument?id=75093.

- Comp Planning: **The subject site is identified as Urban Designation, Urban Mixed Use District, Urban Residential Fringe Subdistrict on the Future Land Use Map and in the Future Land Use Element (FLUE) of the Growth Management Plan (GMP). The FLUE states the purpose of the Urban Residential Fringe Subdistrict is to provide transitional densities between the Urban Designated Area and the Agricultural/Rural Area. The applicant is requesting insignificant changes to the Hacienda Lakes MPUD Senior Housing (PDI) for development standards. Comp Planning does not have any issues with this petition. My apologies that a Comprehensive Planning staff member did not attend this pre-app meeting. I will be reviewing application when submitted.**

SUE FAULKNOR

- ENVIRONMENTAL – NO ISSUES OR CONCERNS AT THIS TIME PER CRAIG BROWN

- TRANSPORTATION – SEE ATTACHED EMAIL FROM MIKE SAWYER PG 3.A

Disclaimer: Information provided by staff to applicant during the Pre-Application Meeting is based on the best available data at the time of the meeting and may not fully inform the applicant of issues that could arise during the process. The Administrative Code and LDC dictates the regulations which all applications must satisfy. Any checklists provided of required data for an application may not fully outline what is needed. It is the applicant's responsibility to provide all required data.

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ClarkeThomas

From: SawyerMichael
Sent: Thursday, July 30, 2020 9:06 AM
To: ClarkeThomas
Subject: RE: Notes for Hacienda Lakes MPUD Senior Housing (PDI)

Thomas,

Here you go.

Please check the TIS required box on the pre app checklist however also provide a note "Provide a letter of no additional transportation impacts", no methodology meeting required.

Transportation Planning: Please provide a separate letter indicating that there are no additional units or square footage additions proposed with this PUD change. No additional trips are proposed and no additional transportation impacts. As discussed suggest using the interconnections between developments are part of your justification for proposed deviation from required shuttle services. Strongly show those interconnections on your master plan.

Thanks much,

Michael Sawyer
Principal Planner
Growth Management Department
Transportation Planning
2685 South Horseshoe Drive, Suite 103
Naples, Florida 34104
239-252-2926
michael.sawyer@colliercountyfl.gov

From: ClarkeThomas <Thomas.Clarke@colliercountyfl.gov>
Sent: Wednesday, July 29, 2020 5:56 PM
To: SawyerMichael <Michael.Sawyer@colliercountyfl.gov>
Subject: Notes for Hacienda Lakes MPUD Senior Housing (PDI)

Hi Mike,
Just a reminder to email me the notes for the Zoning Pre-App this morning for Hacienda Lakes.
Thanks
Tom

Respectfully,

Thomas Clarke
Operations Coordinator - Zoning Division
2800 North Horseshoe Drive, Naples, FL 34104
Phone: 239-252-2526

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

Collier County

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(239) 252-2400

☐	Jack McKenna, P.E.	Engineering Services	252-2911	jack.mckenna@colliercountyfl.gov
☐	Matt McLean, P.E.	Development Review Director	252-8279	matthew.mclean@colliercountyfl.gov
☐	Michele Mosca, AICP	Capital Project Planning	252-2466	michele.mosca@colliercountyfl.gov
☐	Annis Moxam	Addressing	252-5519	annis.moxam@colliercountyfl.gov
☐	Richard Orth	Stormwater Planning	252-5092	richard.orth@colliercountyfl.gov
☐	Brandy Otero	Transit	252-5859	brandy.otero@colliercountyfl.gov
☐	Brandi Pollard	Utility Impact fees	252-6237	brandi.pollard@colliercountyfl.gov
☐	Todd Riggall	North Collier Fire	597-9227	triggall@northcollierfire.com
☐	Brett Rosenblum, P.E.	Development Review Principal Project Manager	252-2905	brett.rosenblum@colliercountyfl.gov
☑	James Sabo, AICP	Zoning Principal Planner	252-2708	james.sabo@colliergo.net
☑	Michael Sawyer	Transportation Planning	252-2926	michael.sawyer@colliercountyfl.gov
☐	Corby Schmidt, AICP	Comprehensive Planning	252-2944	corby.schmidt@colliercountyfl.gov
☐	Chris Scott, AICP	Development Review - Zoning	252-2460	chris.scott@colliercountyfl.gov
☐	Linda Simmons	North Collier Fire	252-2311	Linda.Simmons@colliercountyfl.gov
☐	Peter Shawinsky	Architectural Review	252-8523	peter.shawinsky@colliercountyfl.gov
☐	Camden Smith	Zoning Operations Manager	252-1042	camden.smith@colliercountyfl.gov
☐	Mark Strain	Hearing Examiner/CCPC	252-4446	mark.strain@colliercountyfl.gov
☐	Mark Templeton	Landscape Review	252-2475	mark.templeton@colliercountyfl.gov
☐	Jessica Velasco	Zoning Division Operations	252-2584	jessica.velasco@colliercountyfl.gov
☐	Jon Walsh, P.E.	Building Review	252-2962	jonathan.walsh@colliercountyfl.gov
☐	David Weeks, AICP	Comprehensive Planning Future Land Use Consistency	252-2306	david.weeks@colliercountyfl.gov
☐	Kirsten Wilkie	Environmental Review Manager	252-5518	kirsten.wilkie@colliercountyfl.gov
☐	Christine Willoughby	Development Review - Zoning	252-5748	christine.willoughby@colliercountyfl.gov
☐	Daniel Zunzunegui	North Collier Fire	252-2310	Daniel.Zunzunegui@colliercountyfl.gov

Additional Attendee Contact Information:

Name	Representing	Phone	Email
Alexis Crespo	WALDROP ENG.	239 850-9525	ALEXIS.CRESPO@WALDROPENGINEERING
Jackie Labecque	McDowell Housing		
Lindsay Rubin	Waldrop		
Norm Trebilock	Traffic		
Cormac Giblin	Staff		
Denise Perry	CAO		

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Pre-Application Meeting Sign-In Sheet
PL# 20200001294

Collier County Contact Information:

Name	Review Discipline	Phone	Email
☐ David Anthony	Environmental Review	252-2497	david.anthony@colliercountyfl.gov
☐ Claudine Auclair	GMD Operations and Regulatory Management	252-5887	claudine.auclair@colliercountyfl.gov
☐ Sally Ashkar	Assistant County Attorney	252-8842	sally.ashkar@colliercountyfl.gov
☐ Steve Baluch	Transportation Planning	252-2361	stephen.baluch@colliercountyfl.gov
☐ Ray Bellows	Zoning, Planning Manager	252-2463	raymond.bellows@colliercountyfl.gov
☐ Laurie Beard	PUD Monitoring	252-5782	laurie.beard@colliercountyfl.gov
☑ Craig Brown	Environmental Specialist	252-2548	craig.brown@colliercountyfl.gov
☐ Alexandra Casanova	Operations Coordinator	252-2658	Alexandra.casanova@colliercountyfl.gov
☐ Heidi Ashton Cicko	Managing Asst. County Attorney	252-8773	heidi.ashton@colliercountyfl.gov
☑ Thomas Clarke	Operations Coordinator	252-2584	thomas.clarke@colliercountyfl.gov
☐ Jamie Cook	Prin. Environmental Specialist	252-6290	Jaime.cook@colliercountyfl.gov
☐ Eric Fey, P.E.	Utility Planning	252-1037	eric.fey@colliercountyfl.gov
☐ Tim Finn, AICP	Zoning Division	252-4312	timothy.finn@colliercountyfl.gov
☐ Sue Faulkner	Comprehensive Planning	252-5715	sue.faulkner@colliercountyfl.gov
☐ Jeremy Frantz	LDC Manager	252-2305	Jeremy.Frantz@colliercountyfl.gov
☐ James French	Growth Management Deputy Department Head	252-5717	james.french@colliercountyfl.gov
☐ Michael Gibbons	Structural/Residential Plan Review	252-2426	michael.gibbons@colliercountyfl.gov
☐ Storm Gewirtz, P.E.	Engineering Stormwater	252-2434	storm.gewirtz@colliercountyfl.gov
☐ Nancy Gundlach, AICP, PLA	Zoning Division	252-2484	nancy.gundlach@colliercountyfl.gov
☐ Richard Henderlong	Principal Planner	252-2464	richard.henderlong@colliercountyfl.gov
☐ John Houldsworth	Engineering Subdivision	252-5757	john.houldsworth@colliercountyfl.gov
☐ Alicia Humphries	Right-Of-Way Permitting	252-2326	alicia.humphries@colliercountyfl.gov
☐ Erin Josephitis	Environmental Specialist, Senior	252-2915	erin.josephitis@colliercountyfl.gov
☐ Marcia Kendall	Comprehensive Planning	252-2387	marcia.kendall@colliercountyfl.gov
☐ John Kelly	Zoning Senior Planner	252-5719	john.kelly@colliercountyfl.gov
☐ Diane Lynch	Operations Analyst	252-8243	diane.lynch@colliercountyfl.gov
☐ Gil Martinez	Zoning Principal Planner	252-4211	gilbert.martinez@colliercountyfl.gov
☐ Thomas Mastroberto	Greater Naples Fire	252-7348	thomas.mastroberto@colliercountyfl.gov

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

Collier County
Growth Management Department
Zoning Division

Applicant/Agent may also send site plans or conceptual plans for review in advance if desired.

PL20200001294 – Hacienda Lakes MPUD Senior Housing Insubstantial Change (PDI) –

James Sabo PRE-APP

Assigned Ops Staff: Amanda Martin
Jeremy Frantz,(Ops Staff)

STAFF FORM FOR SUPPLEMENTAL PRE-APPLICATION MEETING INFORMATION

- **Name and Number of who submitted pre-app request**
  Alexis Crespo
  Alexis.Crespo@waldropengineering.com
  239-850-8525

- **Agent to list for PL#**
  Waldrop Engineering c/o Alexis Crespo

- **Owner of property (all owners for all parcels)**
  HACIENDA LAKES OF NAPLES LLC

- **Confirm Purpose of Pre-App: (Rezone, etc.)**
  Insubstantial Change to PUD (PDI) Pre-application meeting

- **Please list the density request of the project if applicable and number of homes/units/offices/docks (any that apply):**
  No changes to the approved MPUD density/intensity is requested. The MPUD is limited to 450 senior housing units and the project will conform.

- **Details about Project:**

  Amend the Operational Characteristics for Senior Housing Characteristics in PUD Document - Exhibit B of Hacienda Lakes MPUD Ordinance 11-41.

  PDI – Plans, Drawings etc.?

  REQUIRED Supplemental Information provided by:

Name: Alexis Crespo
Title: Senior Vice President - Planning
Email: alexis.crespo@waldropengineering.com
Phone: (239) 850-8525

Cancellation/Reschedule Requests: Contact Danny Condomina-Client Services Supervisor
danny.condomina@colliercountyfl Phone: 239-252-6866

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

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(239) 252-2400 FAX: (239) 252-6358

PROPERTY OWNERSHIP DISCLOSURE FORM

This is a required form with all land use petitions, except for Appeals and Zoning Verification Letters.

Should any changes of ownership or changes in contracts for purchase occur subsequent to the date of application, but prior to the date of the final public hearing, it is the responsibility of the applicant, or agent on his behalf, to submit a supplemental disclosure of interest form.

Please complete the following, use additional sheets if necessary.

a. If the property is owned fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest:

Name and Address	% of Ownership

b. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each:

Name and Address	% of Ownership

c. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with the percentage of interest:

Name and Address	% of Ownership

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d. If the property is in the name of a GENERAL or LIMITED PARTNERSHIP, list the name of the general and/or limited partners:

Name and Address	% of Ownership

e. If there is a CONTRACT FOR PURCHASE, with an individual or individuals, a Corporation, Trustee, or a Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners:

Name and Address	% of Ownership

Date of Contract: _____

f. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust:

Name and Address

g. Date subject property acquired _____

☐ **Leased: Term of lease _____ years /months**

If, Petitioner has option to buy, indicate the following:

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Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

Any petition required to have Property Ownership Disclosure, will not be accepted without this form. Requirements for petition types are located on the associated application form. Any change in ownership whether individually or with a Trustee, Company or other interest-holding party, must be disclosed to Collier County immediately if such change occurs prior to the petition's final public hearing.

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

The completed application, all required submittal materials, and fees shall be submitted to:

Growth Management Department
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

_____ _____
Agent/Owner Signature Date

_____
Agent/Owner Name (please print)

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

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Pre-Application Meeting and Final Submittal Requirement Checklist for: PUD Insubstantial Change Chapter 3 G.3 of the Administrative Code

The following Submittal Requirement checklist is to be utilized during the Pre-Application Meeting and at time of application submittal. At final submittal, the checklist is to be completed and submitted with the application packet. Please provide the submittal items in the exact order listed below, with cover sheets attached to each section. **Incomplete submittals will not be accepted.**

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	1	☒	
Pre-Application Meeting notes	1	☒	☐
Project Narrative, including a detailed description of proposed changes and why amendment is necessary	1	☒	☐
Detail of request	1	☒	
Current Master Plan & 1 Reduced Copy	1	☒	
Revised Master Plan & 1 Reduced Copy	1	☒	
Revised Text and any exhibits	☐	☒	☐
PUD document with changes crossed through & underlined	☐	☒	☐
PUD document as revised with amended Title Page with Ordinance #	☐	☒	☐
~~Warranty Deed~~ TIS is Required	☐	X	☐
Legal Description	1		☐
Boundary survey, if boundary of original PUD is amended	☐	☐	☐
If PUD is platted, include plat book pages	☐	☐	☐
List identifying Owner & all parties of corporation	1	☐	☐
Affidavit of Authorization, signed & notarized	1	☒	
Completed Addressing Checklist	1	☒	
Property Ownership Disclosure Form	1	☒	
Copy of 8 ½ in. x 11 in. graphic location map of site	1	☒	☐
Electronic copy of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	☐	☒	☐
***If located in Immokalee or seeking affordable housing, include an additional set of each submittal requirement.**			

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

- Following the completion of the review process by County Review staff, the applicant shall submit all materials electronically to the designated project manager.
- Please contact the project manager to confirm the number of additional copies required.

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

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PLANNERS – INDICATE IF THE PETITION NEEDS TO BE ROUTED TO THE FOLLOWING REVIEWERS:

☐	School District (Residential Components): Amy Lockheart	☐	Bayshore/Gateway Triangle Redevelopment: Executive Director
☐	Utilities Engineering: Eric Fey	☐	Parks and Recreation: Barry Williams and David Berra
☐	Emergency Management: Dan Summers	☐	Naples Airport Authority:
☐	Conservancy of SWFL: Nichole Johnson	☐	Other:
☐	City of Naples: Robin Singer, Planning Director	☐	Other:

FEE REQUIREMENTS

☒ **PUD Amendment Insubstantial (PDI):** $1,500.00
☒ **Pre-Application Meeting:** $500.00 PD.
☒ **Estimated Legal Advertising fee for the Office of the Hearing Examiner**: $1,125.00
Same fee applies if the petition is referred to the Collier County Planning Commission, where the CCPC serves as the deciding authority instead of the HEX.

METHODOLOGY MEETING NOT REQUIRED - SEE EMAIL NOTES - MIKE SAWYON TRANSPORTAT

Fire Code Plans Review Fees are collected at the time of application submission and those fees are set forth by the Authority having jurisdiction. The Land Development Code requires Neighborhood Notification mailers for Applications headed to hearing, and this fee is collected prior to hearing.

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

All checks payable to: Board of County Commissioners.

The completed application, all required submittal materials, and fees shall be submitted to:

Growth Management Department
Planning and Regulation
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

_____ _____
Agent/Owner Signature Date

_____
Applicant/Owner Name (please print)

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

COVER LETTER/ REQUEST NARRATIVE

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
BONITA SPRINGS Tampa Orlando Sarasota
28100 Bonita Grande Dr., Suite 305, Bonita Springs, FL 34135
p. (239) 405-7777 f. (239) 405-7899

September 15, 2020
REVISED NOVEMBER 2020

Mr. James Sabo, AICP
Principal Planner
Zoning & Land Development Review Department
2800 North Horseshoe Drive
Naples, Florida 34104

RE: Hacienda Lakes MPUD –Allegro at Hacienda Lakes Senior Housing
Insubstantial Change to a Planned Unit Development (PDI) - PL20200001294

Dear Mr. Sabo:

Enclosed for your review is an application for Insubstantial Change to a PUD in regards to the Hacienda Lakes MPUD/DRI, a 2,262.14+/- acre project located on the east side of Collier Boulevard (C.R. 951) and north and south of Rattlesnake Hammock Road in unincorporated Collier County, Florida. The PDI request is specific to a 6.7+/- acre portion of a 16.29+/- acre parcel known as "Hacienda Lakes Tract I" and designated as Residential/Medical Use (R/MU) on the Master Plan.

BACKGROUND/EXISTING CONDITIONS:

In 2011, the overall Hacienda Lakes Property was rezoned from Rural Agriculture (A) and Agricultural Special Treatment Overlay (A-ST) to Mixed Use Planned Unit Development pursuant to Ordinance 11-41. The MPUD allows for a maximum of 1,760 dwelling units, 327,500 square feet of commercial retail uses, 70,000 square feet of professional and medical office uses, 135 hotel rooms, 140,000 square feet of business park/educational facilities, a public school, and continuation of the "swamp" buggy attraction.

In 2014, the MPUD was amended pursuant to HEX No. 2014-18 to add a deviation to allow one wall sign with a maximum height of 13 feet at the entrance to Esplanade at Hacienda Lakes. Subsequently, in 2015 pursuant to HEX No. 2015-06, the MPUD was amended specific to Esplanade at Hacienda Lakes to reduce the front yard setback for secondary front yards on residential corner lots from 20 feet to 10 feet.

The MPUD was amended again in 2016 pursuant to HEX No. 2016-20 to reduce the front yard setback from secondary front yards on single family detached, zero lot line and two family/duplex corner lots; to increase the minimum distance between multi-family principal structures; and to add four (4) deviations relating to entrance signs, dead-end streets, and off-street parking, only for the residential development known as Azure at Hacienda Lakes.

The proposed senior housing project known as Allegro at Hacienda Lakes is located within Hacienda Lakes Tract I, ("property"), which is located in the southwestern portion of the MPUD, directly south of Rattlesnake Hammock Road, less than 1/2 a mile east of the Rattlesnake Hammock and CR 951 intersection, and directly north and west of the Esplanade at Hacienda Lakes residential community. The property is designated within Tract R/MU, on the MPUD Master Plan and DRI Map H, which allows for residential and commercial uses including senior housing units. The site is currently undeveloped with the exception of an existing stormwater management lake.

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REQUEST

The Applicant, McDowell Housing Partners, develops affordable housing projects nationwide including highly demanded affordable senior. The development program, known as Allegro at Hacienda Lakes, proposed on the **6.7+/- acre site includes 160 affordable housing units** restricted to senior citizens ages 62 and older. The requested modified development standards specific to the Operational Characteristics for Senior Housing will allow for the protection of public health, safety and welfare, while supporting the Applicant's proposed affordable senior housing project. The request is in compliance with Exhibit A – Permitted Uses, which requires no less than 25 units to be constructed within Tract R/MU and allows for the senior housing use. The MPUD contains a total of 38.82+/- acres of residential/medical use (R/MU) areas of which the only remaining lands left in the R/MU is the 16.29-acre subject parcel, of which the Applicant is utilizing 9.81+/- for the senior housing project including a 3.1+/- acre pond area outside of the project boundary. A total of 6.5+/- acres will remain in the tract for future development.

The Applicant is committing to providing 140 rental units within the "low income" bracket, or 51% - 80% annual medium income (AMI), and 20 rental units within the "extremely low income" bracket, or 30% or less AMI, for a total of 160 affordable rental units. The units will be Independent Living Facility units, which are intended to support independent living and not those that would require the level of care provided at a convalescent or a skilled nursing facility.

The Applicant, or its management company, will provide resident programs including assistance with light housekeeping, grocery shopping and/or laundry services. A list of qualified service providers will be provided and updated every six (6) months to ensure the referral information is accurate and up to date. The Applicant or management company will also coordinate, at no cost to the resident, the scheduling of these services.

In order to maintain affordability of the rental units, the Applicant is requesting Staff's approval of an insubstantial change to the Hacienda Lakes MPUD/DRI to allow for the following modifications to the PUD related to senior housing units:

1) Amend Exhibit "B" Development Standards, Operational Characteristics for Senior Housing, to support the development of an affordable senior housing development program on Tract I located within Tract R/MU by eliminating requirements for on-site dining facilities, transportation services, and emergency response devices in the units ; and

2) Amend Exhibit "C" Master Plan, to incorporate Exhibit C-1, R/MU Access to Rattlesnake Hammock Road.

The following is more detailed discussion on the appropriateness of the request based upon the unique nature of the Allegro at Hacienda Lakes project and the County's stated affordable housing goals.

1. **Operational Characteristics for Senior Housing**

The Applicant is requesting approval to remove several operational characteristics for senior housing in order to develop a bona fide affordable senior housing project in an area of the county where a senior housing development is approved and highly demanded. Affordable senior housing is especially needed for seniors who are retired and on fixed incomes. While their income remains fixed, the cost of housing continues to rise, especially in Southwest Florida. For many, entering retirement means tightening budgets in order to make their pension or savings last, making the need for an affordable housing option critical. As a demonstration of the need for this type of housing in Collier County, the

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Applicant has obtained approval for expedited review through the Certificate of Affordable Housing Expedited Review process provided by the Public Services Department.

Specifically, the Applicant is requesting removal of the following operational characteristics for senior housing contained in Exhibit B of the PUD document:

- **Remove:** ***"There shall be on-site dining facilities to the residents, with food service being on-site, or catered."***

In order to maintain the affordability factor for the senior housing development, the project will not contain on-site dining facilities. Allegro at Hacienda Lakes is an Independent Living Facility intended to provide senior housing for independent adults with the ability to operate a vehicle, take public transportation, or walk/bike to and from their destinations including for meals.

As outlined in more detail below, the Applicant, or its managing entity, will provide assistance with grocery shopping through on-site management. Allegro at Hacienda Lakes is located on Rattlesnake Hammock Road, which is immediately southeast of the Hammock Park MPUD. Upon final approval, the Hammock Park MPUD will provide for dining options that are within 1/4 mile of the project, further providing the residents with access to dining.

- **Remove:** ***"Group transportation services shall be provided for the residents for the purposes of grocery and other types of shopping. Individual transportation services shall be coordinated for the residents needs, including but not limited to medical office visits."***

To maintain the affordability of the project, group transportation services are not proposed. The project is served by Collier County Area Transit, which provides multiple routes and transit opportunities to the property. Routes 17 and 18 are the nearest to the property and are both located on CR 951 just south of Rattlesnake Hammock Road.

Residents are also typically able to operate a vehicle, and will have access to groceries, medical facilities, services, and other types of shopping in the immediate area. As previously mentioned, directly northwest of the Property is the Hammock Park MPUD, which upon final approval will provide a mix of residential and commercial uses including a minimum of 20,000 sq. ft. of commercial uses of which a minimum of 5,000 sq. ft. must be dedicated to restaurants. Residents will be able to walk or bike 0.35+/- miles to this development via the sidewalks in place along Rattlesnake Hammock Road both on the north and south side. Directly across CR 951 at the northwest corner is a Publix shopping center, which is 0.50+/- miles from the senior housing project and also provides groceries within close proximity at a walkable, bikeable, and drivable distance.

- **Remove:** ***"Each unit shall be equipped with devices provided to notify emergency service providers in the event of a medical or other emergency."***

By removing this requirement the Applicant is able to maintain a price point that provides for an affordable senior housing project. The Applicant is proposing an Independent Living Facility use, which reduces the need for these services that are typically found in Assisted Living Facilities, or Skilled Nursing facilities. Residents in an ILF are highly functional and will not require this advanced level of in-room emergency devices. The Applicant can provide cost-effective safety measures that will uphold the intent of this condition, but without the associated cost. Furthermore, in-room devices are known to malfunction causing false alarms and long-term maintenance issues. Safety is a priority to the Applicant

and they have demonstrated at other affordable senior housing projects through unit design and on-site management/oversight.

Those operational characteristics in the adopted PUD that are not proposed for modification include:

- **NO Change:** ***"The facility shall be for residents 55 years of age and older."***

The Allegro at Hacienda Lakes project is a senior housing development and will be age-restricted to comply with this characteristic, and exceeds the minimum requirement by restricting to 62 years and older.

- **NO Change:** ***"There shall be an onsite manager/activities coordinator to assist residents, who shall be responsible for planning and coordinating stimulating activities for the residents."***

In direct compliance with this characteristic, the Applicant or its management company, will provide on-site, supervised, structured activities, at no cost to the residents, at least five (5) days a week. The activities will be offered between the hours of 8:00a.m. and 7:00p.m.

The Applicant or the management company will also make available, at no cost to the residents, literacy tutor(s) who will provide weekly literacy lessons to residents in private space on-site. Various literacy programing can be offered that strengthens participants' reading, writing skills, and comprehension, but at a minimum will provide basic reading education and English proficiency. The adult literacy component will also be offered between the hours of 8:00 a.m. and 7:00 p.m.

- **NO Change:** ***"An on-site wellness facility shall provide exercise and general fitness opportunities for the residents."***

In addition to the daily activities that will be provided as mentioned in the previous point, the project will also provide a fitness center with age-appropriate equipment and ongoing fitness opportunities for residents.

- **NO Change:** ***"Independent living units shall be designed so that a resident is able to age in place. For example, kitchens may be easily retrofitted by lowering the sink to accommodate a wheelchair bound resident or bathrooms may be retrofitted by adding grab bars."***

The Applicant is committed to providing a senior housing development that caters to the concept of aging in place. The units will be designed in such a manner.

2. Modified Access

As depicted on Exhibit C-1, R/MU Access to Rattlesnake Hammock Road, and outlined in the enclosed Traffic Memorandum prepared by Trebilcock Consulting Solutions, P.A., the Applicant is proposing to add an access point from the R/MU Tract to Rattlesnake Hammock Road. The proposed access point complies with the criteria outlined in the Collier County Access Management Criteria (Resolution 2013-57). The proposed ingress/egress will provide direct access to the Allegro at Hacienda Lakes senior housing project on Rattlesnake Hammock Road.

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

The additional access point is to provide the senior housing project with direct access to Rattlesnake Hammock Road. As shown on Exhibit C-1, the interconnection to Tract C to the west will remain, so the additional access will not remove any opportunities for interconnectivity between the parcels. The project's proposed driveway location is in compliance with Collier County Access Management Policy and is appropriate for this location. The proposed SDP application and associated TIS will provide additional support and definition for the access to this project. In addition, potential internal connections within the Hacienda Lakes PUD will be maintained which will help reduce traffic on the external roadways.

The Applicant is also amending the Mobility Master Plan within the PUD document to reflect the existing conditions. Allegro at Hacienda Lakes is providing a hammerhead that meets the fire apparatus turnaround, and Esplanade at Hacienda Lakes dead-ends at that location and also meets the LDC requirement for dead-ends (not to exceed 150'). This road is already constructed and there is no intent to provide an interconnection between what will be two (2) private communities.

JUSTIFICATION/COMPLIANCE WITH LDC §10.02.13.E:

The request complies with the thresholds for insubstantial changes to PUDs as outlined in LDC §10.02.13.E as follows:

a. A proposed change in the boundary of the PUD;

No, the request will not change the existing PUD boundary.

b. A proposed increase in the total number of dwelling units or intensity of land use or height of buildings within the development;

No, the request will not increase the approved density or intensity, or the height of proposed buildings. The Applicant is not proposing any changes to the development standards table.

c. A proposed decrease in preservation, conservation, recreation or open space areas within the development not to exceed 5 percent of the total acreage previously designated as such, or 5 acres in area;

No, the request will not result in a decrease of preserve, conservation, recreation, or open space areas.

d. A proposed increase in the size of areas used for nonresidential uses, to include institutional, commercial and industrial land uses (excluding preservation, conservation or open spaces), or a proposed relocation of nonresidential land uses;

No, the request does not impact the size of non-residential areas, or propose to relocate such areas within the PUD boundary. The R/MU tract is permitted for a mix of commercial and residential land uses, including senior housing.

e. A substantial increase in the impacts of the development which may include, but are not limited to, increases in traffic generation; changes in traffic circulation; or impacts on other public facilities;

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

No, the request will not result in an impact to the development in terms of traffic and public facilities. Please refer to Exhibit C-1 enclosed, which demonstrates the vehicular access points that will serve the project and also provides an interconnection to the west as intended by the PUD Master Plan. The Applicant has also provided a detailed traffic memorandum that outlines how the request does not increase traffic generation or changes in traffic circulation, or impacts on public facilities, and how the proposed access will comply with the Collier County Access Management Policy.

f. A change that will result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers;

No, the request will not generate a higher level of vehicular traffic. No change in land use activities is being requested. The senior housing residential use is approved on the R/MU tract.

g. A change that will result in a requirement for increased stormwater retention, or will otherwise increase stormwater discharges;

No, the request will not result in increased requirements for stormwater retention or increase stormwater discharges.

h. A change that will bring about a relationship to an abutting land use that would be incompatible with an adjacent land use;

No, the request will not negatively impact abutting land uses. The project will continue to provide the required buffers and preserve as outlined in the approved zoning ordinance. From an internal compatibility standpoint, the senior housing project abuts existing residential land uses within the Hacienda Lakes MPUD to the south, a roadway to the north and east, and vacant future development to the west.

As demonstrated on the proposed Exhibit C-1, R/MU Access to Rattlesnake Hammock Road, the senior housing development project will continue to provide an interconnection to the remaining R/MU lands located directly to the west. While the actual Allegro at Hacienda Lakes affordable senior housing project may be gated, it remains essential to provide the additional interconnect as intended and shown on the PUD Master Plan for interconnectivity purposes.

i. Any modification to the PUD master plan or PUD document or amendment to a PUD ordinance which is inconsistent with the Future Land Use Element or other element of the Growth Management Plan or which modification would increase the density or intensity of the permitted land uses;

No, the request does not impact the project's compliance with the Growth Management Plan. The request is limited to modifying operational characteristics for senior housing in order to provide a bona fide affordable senior housing project in eastern Collier County where the senior housing use is approved.

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

j. The proposed change is to a PUD district designated as a development of regional impact (DRI) and approved pursuant to F.S. § 380.06, where such change requires a determination and public hearing by Collier County pursuant to F.S. § 380.06(19). Any change that meets the criterion of F.S. § 380.06(19)(e)2, and any changes to a DRI/PUD master plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under this LDC section 10.02.13; or

Yes, the PUD is within a DRI. The requested amendments do not substantiate a change to the DRI or PUD master plan based on the criteria outlined in the F.S.

k. Any modification in the PUD master plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under this LDC section 10.02.13

No, the request is not a substantial modification to the PUD and may be processed as a PDI pursuant to the LDC and Administrative Code.

CONCLUSION:

In summary, the proposed Insubstantial Change will allow for an affordable senior housing project in Collier County. The MPUD and the requested amendments will remain consistent with the LDC and the Growth Management Plan (GMP); the changes meet all criteria for review as an Insubstantial Change; and the request will not impact internal or external compatibility of the project.

The following items are enclosed for your review:

1. One (1) copy of the Cover Letter/Project Narrative detailing the purpose of the request;
2. One (1) copy of the completed PDI Application;
3. One (1) copy of the Pre-Application Meeting Notes;
4. One (1) copy of the Current Master Plan;
5. One (1) copy of the Exhibit C-1, R/MU Access to Rattlesnake Hammock Road;
6. One (1) copy of the PUD document with changes crossed through & underlined;
7. One (1) copy of the Traffic Memorandum;
8. One (1) copy of the Recorded Plat;
9. One (1) copy of the Affidavit of Authorization;
10. One (1) copy of the Evidence of Authority;
11. One (1) copy of the approved Addressing Checklist;
12. One (1) copy of the Property Ownership Disclosure Form; and
13. One (1) copy of the Location Map.

If you have any further questions, please do not hesitate to contact me directly at (239) 908-3079, or lindsay.robin@waldropengineering.com.

Sincerely,

WALDROP ENGINEERING, P.A.

L. Robin

Lindsay F. Robin, MPA
Project Manager

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

Enclosures

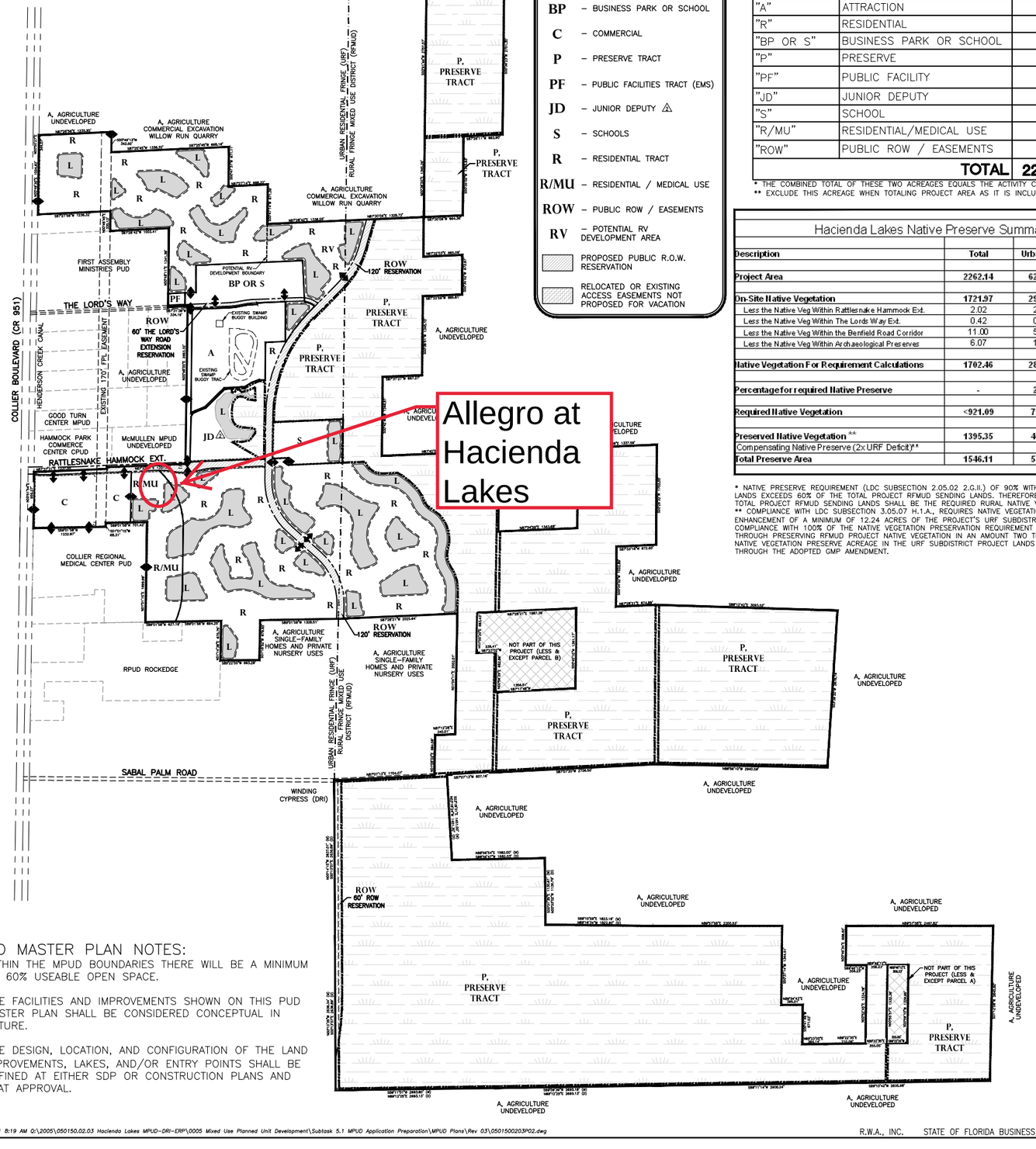
cc:

Ana Padilla & Christopher Shear, McDowell Housing Partners
David Torres, Hacienda Lakes of Naples, LLC
Norm Trebilcock, AICP, P.E., Trebilcock Consulting Solutions

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

EXHIBIT C
CURRENT PUD MASTER PLAN

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing



LEGEND:	
A	– ATTRACTION TRACT
BP	– BUSINESS PARK OR SCHOOL
C	– COMMERCIAL
P	– PRESERVE TRACT
PF	– PUBLIC FACILITIES TRACT (EMS)
JD	– JUNIOR DEPUTY ⚠
S	– SCHOOLS
R	– RESIDENTIAL TRACT
R/MU	– RESIDENTIAL / MEDICAL USE
ROW	– PUBLIC ROW / EASEMENTS
RV	– POTENTIAL RV DEVELOPMENT AREA
	PROPOSED PUBLIC R.O.W. RESERVATION
	RELOCATED OR EXISTING ACCESS EASEMENTS NOT PROPOSED FOR VACATION

LAND USE SUMMARY

DESIGNATOR	LAND USE	ACREAGE
"C"*	COMMERCIAL	34.16± ACRES
	*COMMERCIAL LANDS ENCUMBERED BY PUBLIC ROW TRACT	**2.51± ACRES
"A"	ATTRACTION	47.27± ACRES
"R"	RESIDENTIAL	447.86± ACRES
"BP OR S"	BUSINESS PARK OR SCHOOL	35.38± ACRES
"P"	PRESERVE	1546.11± ACRES
"PF"	PUBLIC FACILITY	1.33± ACRES
"JD"	JUNIOR DEPUTY	21.62± ACRES
"S"	SCHOOL	19.55± ACRES
"R/MU"	RESIDENTIAL/MEDICAL USE	38.82± ACRES
"ROW"	PUBLIC ROW / EASEMENTS	70.04± ACRES
	TOTAL	2262.14 ± ACRES

* THE COMBINED TOTAL OF THESE TWO ACREAGES EQUALS THE ACTIVITY CENTER ACREAGE OF 36.67
** EXCLUDE THIS ACREAGE WHEN TOTALING PROJECT AREA AS IT IS INCLUDED IN THE "ROW" TRACT

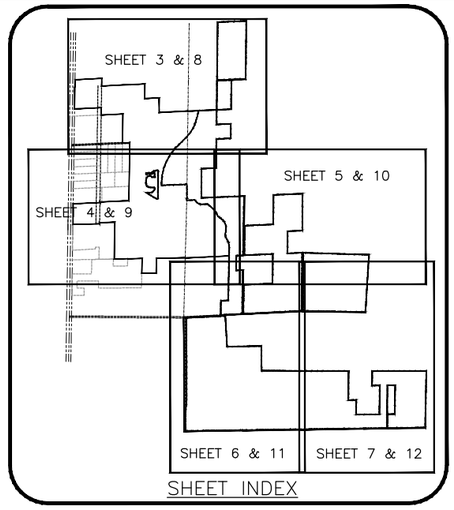
Hacienda Lakes Native Preserve Summary

Description	Total	Urban (ac)	Rural (ac)
Project Area	2262.14	625.07	1637.07
On-Site Native Vegetation	1721.97	295.38	1426.59
Less the Native Veg Within Rattlesnake Hammock Ext.	2.02	2.02	0.00
Less the Native Veg Within The Lords Way Ext.	0.42	0.42	0.00
Less the Native Veg Within the Benfield Road Corridor	11.00	5.01	5.93
Less the Native Veg Within Archaeological Preserves	6.07	1.06	5.02
Native Vegetation For Requirement Calculations	1702.46	286.87	1415.64
Percentage for required Native Preserve	-	25%	*
Required Native Vegetation	<921.09	71.71	<849.38
Preserved Native Vegetation **	1395.35	40.81	1354.54
Compensating Native Preserve (2x URF Deficit)**			61.80
Total Preserve Area	1546.11	53.06	1493.05

* NATIVE PRESERVE REQUIREMENT (LDC SUBSECTION 2.05.02 2.G.II.) OF 90% WITHIN THE RFMUD SENDING LANDS EXCEEDS 60% OF THE TOTAL PROJECT RFMUD SENDING LANDS. THEREFORE, OVER 60% OF THE TOTAL PROJECT RFMUD SENDING LANDS SHALL BE THE REQUIRED RURAL NATIVE VEGETATION AREA.
** COMPLIANCE WITH LDC SUBSECTION 3.05.07 H.1.A., REQUIRES NATIVE VEGETATION PLANTING ENHANCEMENT OF A MINIMUM OF 12.24 ACRES OF THE PROJECT'S URF SUBDISTRICT PRESERVE TRACT. COMPLIANCE WITH 100% OF THE NATIVE VEGETATION PRESERVATION REQUIREMENT SHALL BE ACHIEVED THROUGH PRESERVING RFMUD PROJECT NATIVE VEGETATION IN AN AMOUNT TWO TIMES THE DEFICIENT NATIVE VEGETATION PRESERVE ACREAGE IN THE URF SUBDISTRICT PROJECT LANDS AS IS PROVIDED FOR THROUGH THE ADOPTED GMP AMENDMENT.

MPUD MASTER PLAN NOTES:

1. WITHIN THE MPUD BOUNDARIES THERE WILL BE A MINIMUM OF 60% USEABLE OPEN SPACE.
2. THE FACILITIES AND IMPROVEMENTS SHOWN ON THIS PUD MASTER PLAN SHALL BE CONSIDERED CONCEPTUAL IN NATURE.
3. THE DESIGN, LOCATION, AND CONFIGURATION OF THE LAND IMPROVEMENTS, LAKES, AND/OR ENTRY POINTS SHALL BE DEFINED AT EITHER SDP OR CONSTRUCTION PLANS AND PLAT APPROVAL.



MAXIMUM DENSITY AND INTENSITY:

RESIDENTIAL DENSITY: THIS MPUD SHALL BE LIMITED TO 1,760 RESIDENTIAL DWELLING UNITS (DU) THAT EQUATES TO A DENSITY OF 0.78 DWELLING UNITS PER GROSS ACRE. THE 1,760 RESIDENTIAL UNITS ARE COMPRISED OF 704 SINGLE-FAMILY UNITS AND 1056 MULTI-FAMILY UNITS. SINGLE-FAMILY UNITS AND MULTI-FAMILY UNITS SHALL BE ELIGIBLE FOR CONVERSION FROM ONE TYPE TO ANOTHER BASED ON THE CONVERSION FACTORS BELOW, BUT IN NO EVENT SHALL THE RESIDENTIAL UNIT COUNT EXCEED 1,760 UNITS. A MINIMUM OF 25 RESIDENTIAL UNITS SHALL BE CONSTRUCTED IN THE R/MU TRACT, AND A MINIMUM OF 17 RESIDENTIAL UNITS SHALL BE CONSTRUCTED IN TRACT C.

CONVERSION FACTORS:

1.0 SINGLE-FAMILY UNIT EQUATES TO 1.667 MULTI-FAMILY UNITS, OR 2.73 RECREATIONAL VEHICLE UNITS/SPACES (NOT TO EXCEED 290 RV UNITS IN THE ENTIRE PUD), OR 4 SENIOR HOUSING CARE UNITS (NOT TO EXCEED 450 SENIOR HOUSING CARE UNITS IN THE ENTIRE PUD).

1.0 MULTI-FAMILY UNIT EQUATES TO 0.6 SINGLE-FAMILY UNITS, OR 1.41 RECREATIONAL VEHICLE UNITS/SPACES (NOT TO EXCEED 290 RV UNITS IN THE ENTIRE PUD), OR 4 SENIOR HOUSING CARE UNITS (NOT TO EXCEED 450 SENIOR HOUSING CARE UNITS IN THE ENTIRE PUD).

COMMERCIAL INTENSITY:

HACIENDA LAKES IS INTENDED TO BE DEVELOPED WITH A MIXTURE OF COMMERCIAL LAND USES THAT INCLUDE 327,500 SQUARE FEET OF RETAIL USES, 50,000 SQUARE FEET OF MEDICAL OFFICE USES, 20,000 SQUARE FEET OF GENERAL OFFICE USES, 140,000 SQUARE FEET OF BUSINESS PARK LAND USES, AND 135 HOTEL ROOMS.

IN NO EVENT SHALL THE PROJECT EXCEED 3,328 PM PEAK HOUR TRIPS. SUCH MAXIMUM TRIP GENERATION CAP WAS DEVELOPED BASED ON 327,500 SQUARE FEET OF RETAIL LAND USES, 50,000 SQUARE FEET OF MEDICAL OFFICE LAND USES, 20,000 SQUARE FEET OF GENERAL OFFICE LAND USES, 140,000 SQUARE FEET OF BUSINESS PARK LAND USES, OR 140,000 SQUARE FEET OF SCHOOL LAND USES, A PRIMARY SCHOOL WITH A CONTEMPLATED ENROLLMENT OF 919 STUDENTS, 135 HOTEL ROOMS, 704 SINGLE-FAMILY UNITS, AND 1,056 MULTI-FAMILY UNITS. AT THE TIME OF EACH DEVELOPMENT ORDER APPLICATION SUBSEQUENT TO REZONE APPROVAL, THE DEVELOPER SHALL SUBMIT A LIST OF PREVIOUSLY APPROVED LAND USES (APPROVED VIA SITE DEVELOPMENT PLAN, OR PLAT), AND THE TRIPS CONSUMED TO DATE. THE DEVELOPER SHALL BE ALLOWED TO CONVERT OFFICE LAND USES TO RETAIL LAND USES, OR FROM RETAIL LAND USES TO OFFICE LAND USES. IN NO INSTANCE SHALL GREATER THAN 50% OF THE OFFICE LAND USE ALLOCATION BE CONVERTED TO RETAIL LAND USES, NOR SHALL GREATER THAN 50% OF THE RETAIL LAND USE ALLOCATION BE CONVERTED TO OFFICE LAND USES. THE FOLLOWING CONVERSIONS APPLY:

1,000 SQUARE FEET OF MEDICAL OFFICE LAND USE = 928 SQUARE FEET OF SHOPPING CENTER LAND USES, AND VICE VERSA;
1,000 SQUARE FEET OF GENERAL OFFICE LAND USE = 399 SQUARE FEET OF SHOPPING CENTER LAND USES, AND VICE VERSA;

THE 135 ROOM HOTEL SHALL NOT EXCEED 92,000 SQUARE FEET OF BUILDING SQUARE FOOTAGE. HOTEL ROOMS SHALL BE ALLOWED TO CONVERT TO OFFICE LAND USES, AND/OR BUSINESS PARK LAND USES UTILIZING THE FOLLOWING CONVERSIONS:

ONE (1) HOTEL ROOM = 171 SQUARE FEET OF MEDICAL OFFICE LAND USES;
ONE (1) HOTEL ROOM = 396 SQUARE FEET OF GENERAL OFFICE LAND USES;
ONE (1) HOTEL ROOM = 457 SQUARE FEET OF BUSINESS PARK LAND USES.

REV #	REVISION	DRAWN:	CHECKED:	DATE
⚠	REVISED PER COLLIER COUNTY COMMENTS	M.S.J.	D.H.N.	02/11
⚠	REVISED PER COLLIER COUNTY COMMENTS	R.M.J.	D.H.N.	10/10
⚠	REVISED PER COLLIER COUNTY COMMENTS	R.M.J.	D.H.N.	06/10

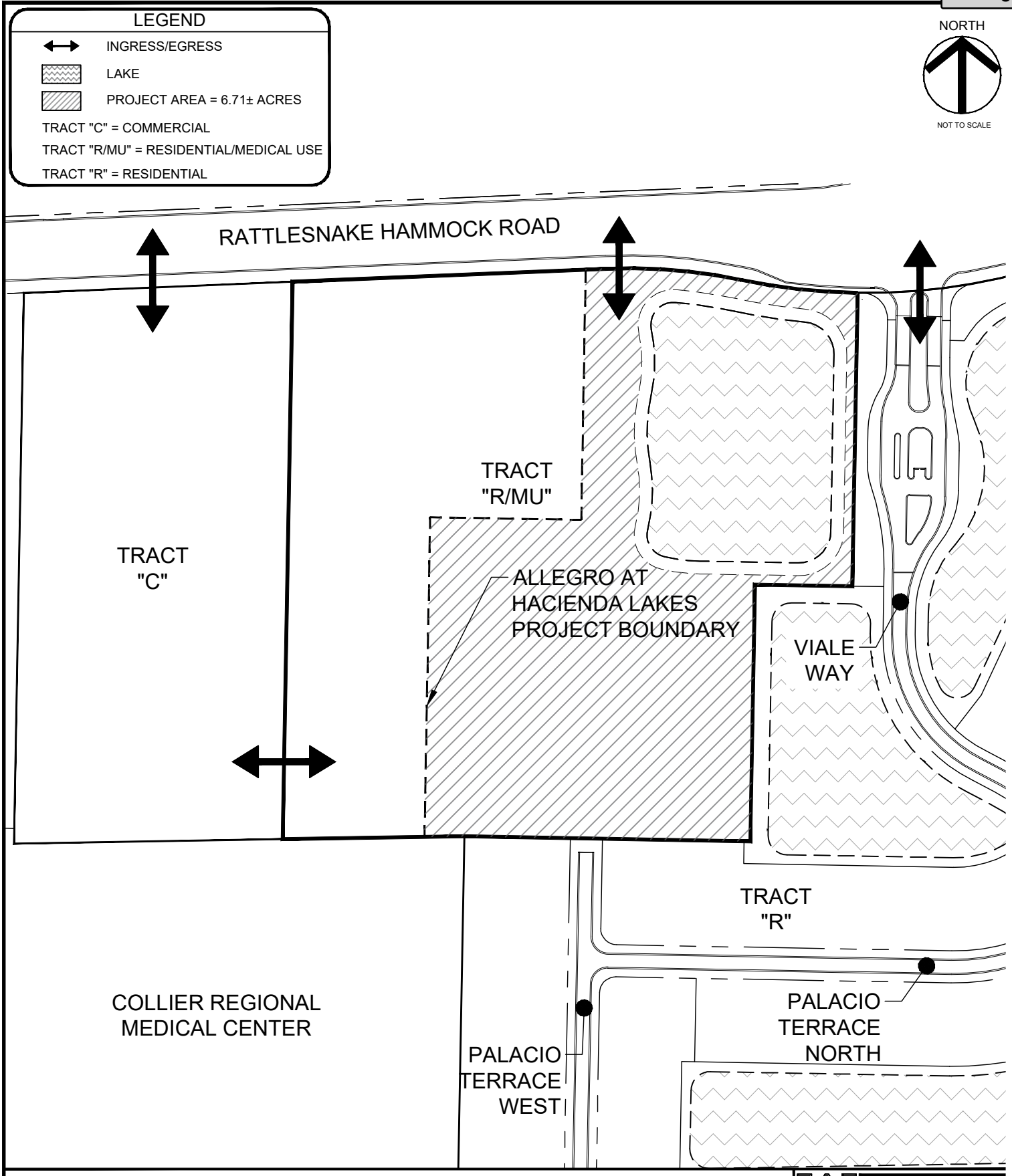
RWA INC. CONSULTING
Planning
Visualization
Civil Engineering
Surveying & Mapping
6610 Willow Park Drive, Suite 200, Naples, Florida 34109
(239) 597-0575 FAX: (239) 597-0578

PROJECT: HACIENDA LAKES MPUD/DRI
CLIENT: HACIENDA LAKES OF NAPLES, LLC.
TITLE: OVERALL MPUD/DRI MASTER PLAN
SEC: TWP: RGE: 11/12/13/24 50S 26E,27E
SCALE: (FULL) 1" = 1000' (HALF) 1"=2000'
DRAWN: M.S.J.
CHECKED: D.H.N.
DATE: MARCH 2010
PROJECT NO: 0150.02.03
FILE NO: 0150203P02
SHEET NUMBER: 2 OF 16

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

PROPOSED
EXHIBIT C-1

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing



HACIENDA LAKES MPUD

EXHIBIT C-1: R/MU ACCESS TO RATTLESNAKE HAMMOCK ROAD

PREPARED FOR:
HACIENDA LAKES OF NAPLES, LLC
7742 ALICO ROAD
FORT MYERS, FLORIDA 33912

SECTION:	TOWNSHIP:	RANGE:	COLLIER COUNTY
23	50	26	FLORIDA

REVISION DATE: 11/11/2020
SHEET: 1 OF 1

WALDROP ENGINEERING
CIVIL ENGINEERING | PLANNING | LANDSCAPE ARCHITEC
28100 BONITA GRANDE DRIVE - SUITE 305
BONITA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7899
EMAIL: info@waldropengineering.com

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

PUD DOCUMENT IN STRIKE-THROUGH/ UNDERLINE FORMAT

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

EXHIBIT B
DEVELOPMENT STANDARDS

* * * * * * * * * * * * * *

Operational Characteristics for Senior Housing

* * * * * * * * * * * * * *

- The facility shall be for residents 55 years of age and older;
- ~~There shall be on-site dining facilities to the residents, with food service being on-site, or catered;~~
- ~~Group transportation services shall be provided for the residents for the purposes of grocery and other types of shopping. Individual transportation services shall be coordinated for the residents needs, including but not limited to medical office visits;~~
- There shall be an onsite manager/activities coordinator to assist residents, who shall be responsible for planning and coordinating stimulating activities for the residents;
- An on-site wellness facility shall provide exercise and general fitness opportunities for the residents.
- ~~Each unit shall be equipped with devices provided to notify emergency service providers in the event of a medical or other emergency;~~
- Independent living units shall be designed so that a resident is able to age in place. For example, kitchens may be easily retrofitted by lowering the sink to accommodate a wheelchair bound resident or bathrooms may be retrofitted by adding grab bars.
- Lands described in SDP PLPL20200001717 shall comply with the following: One Hundred Percent (100%) of the 160 units will be restricted to households with less than 80% Annual Median Income (AMI), of which no less than 16 units will be restricted to households with less than 30% Annual Median Income (AMI). This restriction shall remain in place for no less than thirty (30) years from the date issuance of the first Certificate of Occupancy).

* * * * * * * * * * * * * *

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

TRAFFIC STUDY MEMORANDUM

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

Traffic Study Memorandum

The Harmony (fka Villa Verde)

Collier County, Florida
9/15/2020

Prepared for:
Waldrop Engineering
28100 Bonita Grande Drive
Bonita Springs, FL 34135
Phone: 239.405.7777

Prepared by:
Trebilcock Consulting Solutions, PA
2800 Davis Boulevard, Suite 200
Naples, FL 34104
Phone: 239.566.9551
Email: ntrebilcock@trebilcock.biz

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

Statement of Certification

I certify that this Traffic Study Memorandum has been prepared by me or under my immediate supervision, and that I have experience and training in the field of Traffic and Transportation Engineering.

This item has been electronically signed and sealed by Norman J. Trebilcock, P.E., State of Florida license 47116, using a *SHA-1* authentication code. Printed copies of this document are not considered signed and sealed, and the *SHA-1* authentication code must be verified on any electronic copies.

Norman J. Trebilcock, AICP, P.E., PTOE
FL Registration No. 47116
Trebilcock Consulting Solutions, PA
2800 Davis Boulevard, Suite 200
Naples, FL 34104
Company Cert. of Auth. No. 27796

General Considerations – Study Criteria

The purpose of this submittal is to review access management procedures and provide guidance for a proposed access onto Rattlesnake Hammock Road east of Collier Boulevard. The access is being considered for a proposed development, The Harmony (fka Villa Verde), which is within the Hacienda Lakes PUD and lies south of Rattlesnake Hammock Road, east of the FPL utility easement and west of the intersection of Rattlesnake Hammock Road and Viale Way.

An Insubstantial Change to the Hacienda Lakes PUD (PDI) is being prepared to include the proposed additional access to the Hacienda Lakes Master Plan and this memorandum is provided to support the PDI application.

The Harmony project is an Assisted Living Facility which will provide 229 beds in 160 dwelling units. The ITE Land Use Code (LUC) 254, Assisted Living Facility was used to calculate the projects AM and PM peak hour trip generation. Based on the independent variable "beds", the estimated trip generation is: AM – Entering-28vph, Exiting-16vph and PM – Entering-23vph, Exiting-37vph.

The Board of County Commissioners of Collier County Resolution 2013-256 authorized a speed limit of 40 mph for Rattlesnake Hammock Road from Collier Boulevard east to the future Benfield Road Extension.

The access management classification was adopted for this roadway by Collier County Resolution 2013-257 and established Rattlesnake Hammock Road east of Collier Boulevard as a Class 5 roadway. Consistent with the Collier County Access Management Policy, a Class 5 roadway is a divided arterial with a minimum connection spacing of 220 feet, minimum directional median opening spacing of 440 feet, minimum full median opening spacing of 660 feet and a minimum signal spacing of 0.25 miles.

Project access is typically evaluated for turn lane warrants based on the Collier County Right-of-way Manual: (a) two-lane roadways – 40vph for right-turn lane/20vph for left-turn lane; and (b) multi-lane divided roadways – right turn lanes shall always be provided: and (c) when new median openings are permitted, they shall always include left-turn lanes.

Turn lane lengths required at build-out conditions are analyzed based on the number of turning vehicles in an average one-minute period for right-turning movements, and two-minute period for left-turning movements, within the peak hour traffic. The minimum queue length is 25 feet and the queue/vehicle is 25 feet.

Based on FDOT Standard Plans Index 711-001, for a design speed of 40 mph – urban conditions – the minimum turn-lane length is 185 feet (which includes 50 feet of taper) plus required queue.

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

Rattlesnake Hammock Road – Proposed Project Access

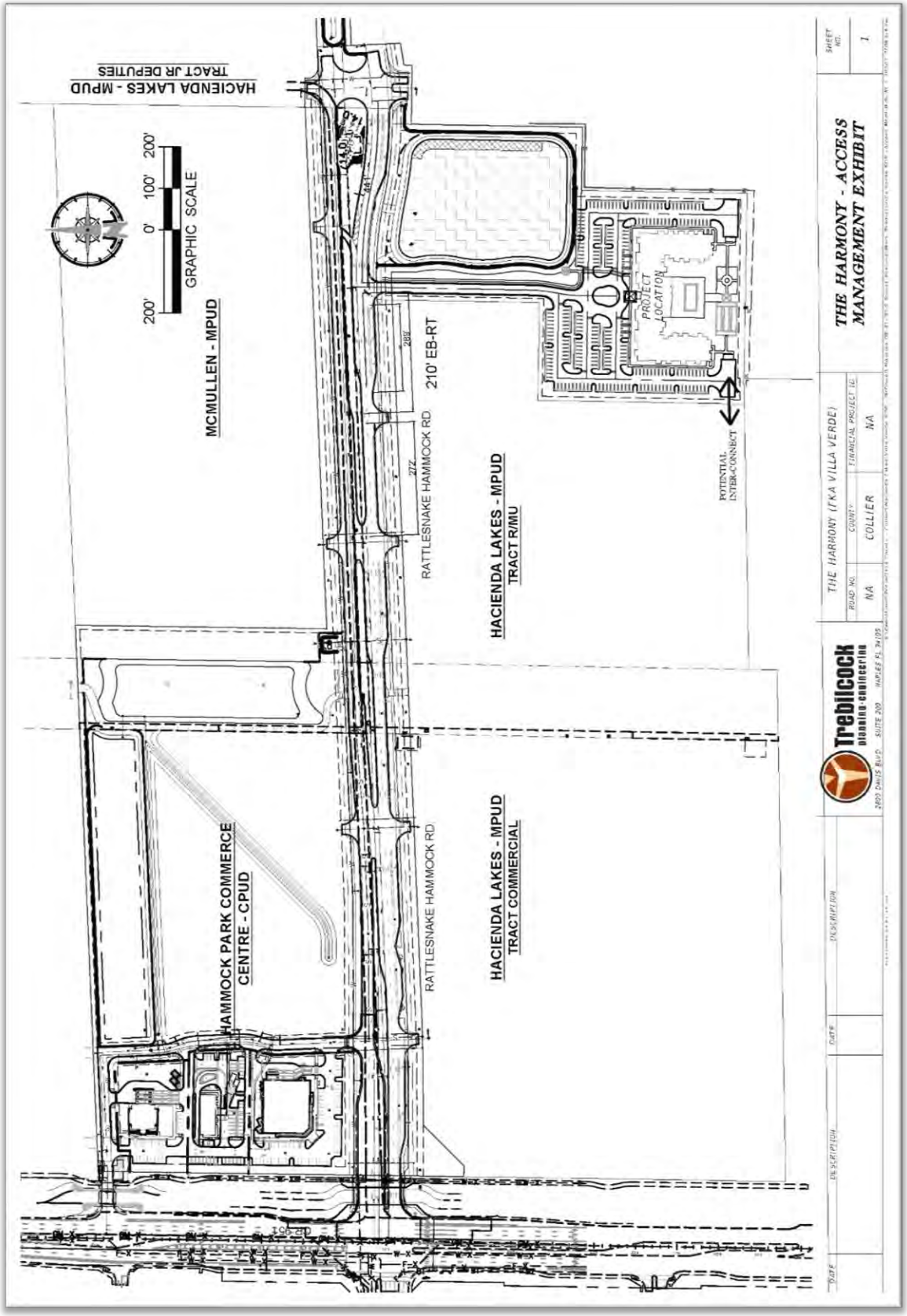
The proposed access onto Rattlesnake Hammock Road will be a right-in/right-out connection. A dedicated eastbound right-turn lane is warranted as the multi-lane criteria is met. In conformance with FDOT Standard Plans Index 711-001, the proposed eastbound right-turn lane will be a minimum 210 feet long (which includes a 1 vehicle queue).

Based on existing and future driveway locations, the projects driveway will be approximately 289 feet from the driveway to the west and approximately 441 feet from the driveway to the east. As such, the project's proposed driveway location is in compliance with Collier County Access Management Policy and is appropriate for this location. For additional details see **Figure 1**.

A future SDP application and TIS will provide additional support and definition for the access to this project. In addition, potential internal connections within the Hacienda Lakes PUD will be maintained which will help reduce traffic on the external roadways.

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

Figure 1


THE HARMONY - ACCESS MANAGEMENT EXHIBIT
THE HARMONY (FKA VILLA VERDE)
COLLIER
NA
PROJECT LOCATION
POTENTIAL INTER-CONNECT
210' EB-RT
RATTLESNAKE HAMMOCK RD
HACIENDA LAKES - MPUD
TRACT R/MU
HACIENDA LAKES - MPUD
TRACT COMMERCIAL
HAMMOCK PARK COMMERCE CENTRE - CPUD
MCMULLEN - MPUD
HACIENDA LAKES - MPUD
TRACT JR DEPUTIES
GRAPHIC SCALE
200' 100' 0 200'
Trebilcock

PLAT
HACIENDA
LAKES TRACT I

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

HACIENDA LAKES OF NAPLES

A SUBDIVISION OF PART OF SECTIONS 11, 13, 14, 23 & 24, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA

RWA INC.
CONSULTING
• Planning • Civil Engineering
• Surveying & Mapping
6610 WILLOW PARK DRIVE, SUITE 200
NAPLES, FLORIDA 34109
(239) 597-0575 FAX: (239) 597-0578
www.consult-rwa.com
FLORIDA CERTIFICATE OF AUTHORIZATION #6952

THIS INSTRUMENT PREPARED BY:
DENNIS A. MILLER, PSM # 5626

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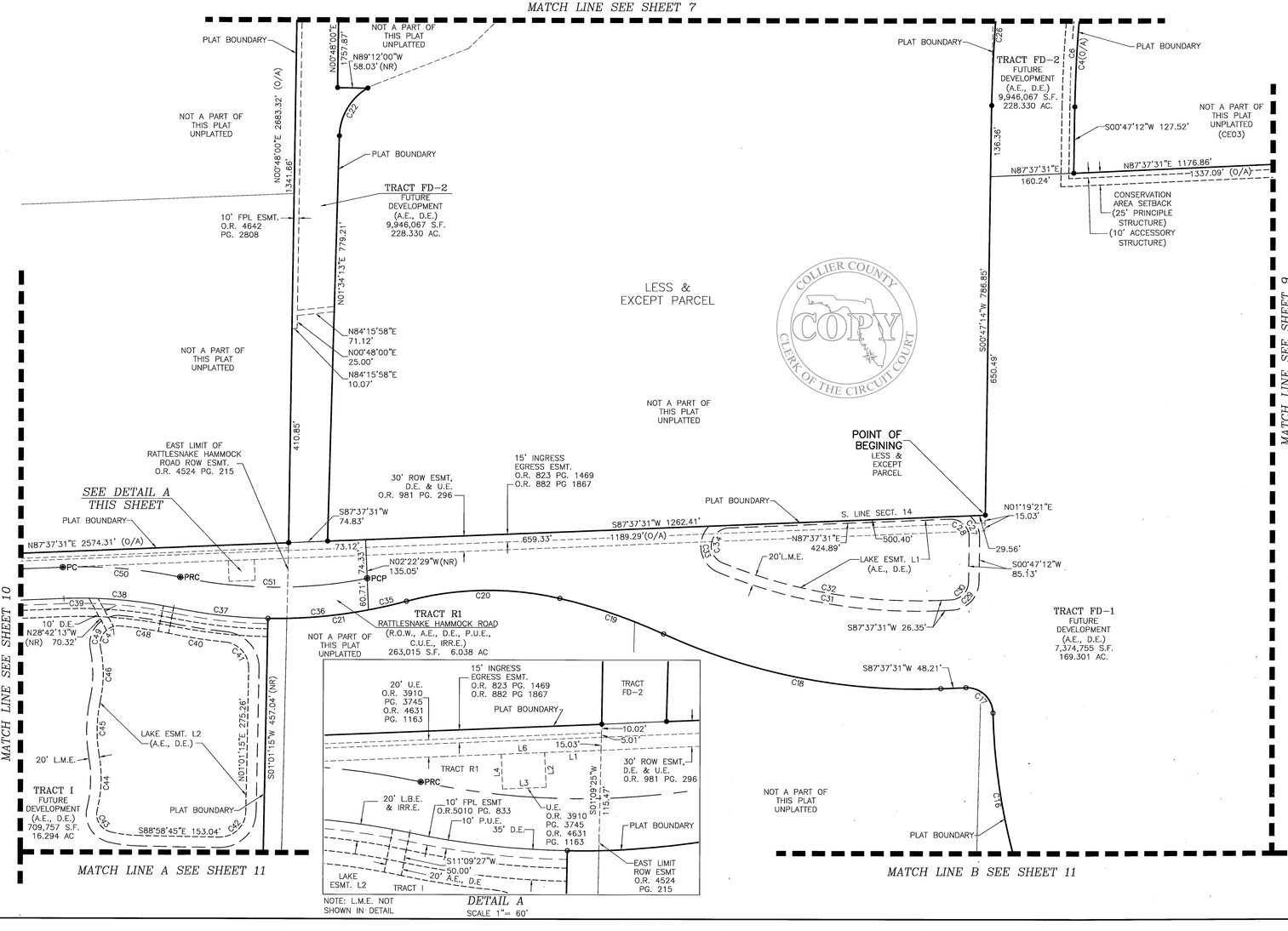
0 50' 100'
GRAPHIC SCALE
1"= 100'

SEE SHEET 1 FOR LEGEND AND ABBREVIATIONS.

LINE TABLE		
LINE	BEARING	LENGTH
L1	S87°37'31"W	65.00'
L2	S02°22'29"E	40.00'
L3	N87°37'31"E	50.00'

LINE TABLE		
LINE	BEARING	LENGTH
L4	N02°22'29"W	40.00'
L6	N87°37'31"E	50.00'

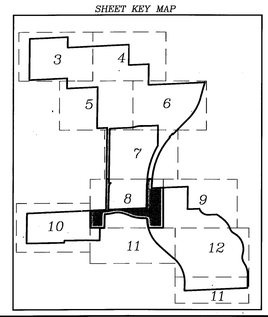
CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C4	1669.72'	2370.00'	40°21'59"	S20°58'11"W	1635.40'
C6	574.41'	2370.00'	13°53'12"	S07°43'48"W	573.00'
C16	955.48'	1160.00'	47°11'39"	N25°00'56"W	928.70'
C17	79.37'	50.00'	90°57'22"	N46°53'48"W	71.30'
C18	546.89'	1160.00'	27°00'44"	N78°52'07"W	541.84'
C19	211.21'	1040.00'	11°38'09"	N71°10'49"W	210.84'
C20	297.08'	600.00'	28°22'07"	S88°49'03"W	294.05'
C21	268.58'	949.00'	16°12'55"	S82°44'27"W	267.68'
C22	111.22'	110.00'	57°55'46"	N30°32'06"E	106.54'
C26	1302.67'	2530.00'	29°30'04"	S15°32'13"W	1288.33'
C27	47.82'	55.00'	49°49'12"	N24°07'24"W	46.33'
C28	56.91'	35.00'	93°09'41"	N45°47'39"W	50.84'
C29	83.36'	55.00'	86°50'19"	N44°12'21"E	75.61'
C30	53.05'	35.00'	86°50'19"	N44°12'21"E	48.11'
C31	429.36'	1010.00'	24°21'25"	S80°11'47"E	426.13'
C32	420.86'	990.00'	24°21'25"	S80°11'47"E	417.69'
C33	107.80'	55.00'	112°18'06"	S11°52'02"E	91.36'
C34	95.08'	35.00'	155°38'34"	S09°48'12"W	68.42'
C35	74.85'	949.00'	4°31'08"	N76°53'33"E	74.83'
C36	193.73'	949.00'	11°41'48"	N85°00'01"E	193.40'
C37	182.68'	949.00'	11°01'45"	S83°38'13"E	182.40'
C38	211.69'	851.16'	14°15'01"	N85°14'53"W	211.15'
C39	47.97'	851.00'	3°13'48"	S89°14'25"W	47.97'
C40	110.99'	999.00'	6°21'56"	S81°18'18"E	110.93'
C41	74.62'	50.00'	85°30'31"	N41°44'01"W	67.89'
C42	78.54'	50.00'	90°00'00"	N46°01'15"E	70.71'
C43	55.51'	35.00'	90°52'25"	S31°27'22"E	49.87'
C44	105.42'	250.00'	24°09'38"	N01°54'01"E	104.64'
C45	103.61'	265.00'	22°24'03"	S01°01'13"W	102.95'
C46	104.71'	250.00'	23°59'52"	N00°13'18"E	103.95'
C47	65.35'	35.00'	106°58'50"	S41°42'48"W	56.26'
C48	93.30'	801.00'	6°40'27"	N81°27'34"W	93.25'
C49	37.08'	35.00'	60°41'59"	S18°34'22"W	35.37'
C50	226.60'	911.00'	14°15'07"	N85°14'56"W	226.02'
C51	361.55'	889.00'	23°18'07"	S89°46'26"E	359.06'



NOTE: L.M.E. NOT SHOWN IN DETAIL

DETAIL A
SCALE 1"= 60'

SHEET KEY MAP



PL20130001050

COLLIER COUNTY COPY CLERK OF THE CIRCUIT COURT

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

HACIENDA LAKES OF NAPLES

A SUBDIVISION OF PART OF SECTIONS 11, 13, 14, 23 & 24, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA

RWA INC. CONSULTING
• Planning • Civil Engineering
• Surveying & Mapping
6610 WILLOW PARK DRIVE, SUITE 200
NAPLES, FLORIDA 34109
(239) 597-0575 FAX: (239) 597-0578
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FLORIDA CERTIFICATE OF AUTHORIZATION #6952

THIS INSTRUMENT PREPARED BY:
DENNIS A. MILLER, PSM # 5626

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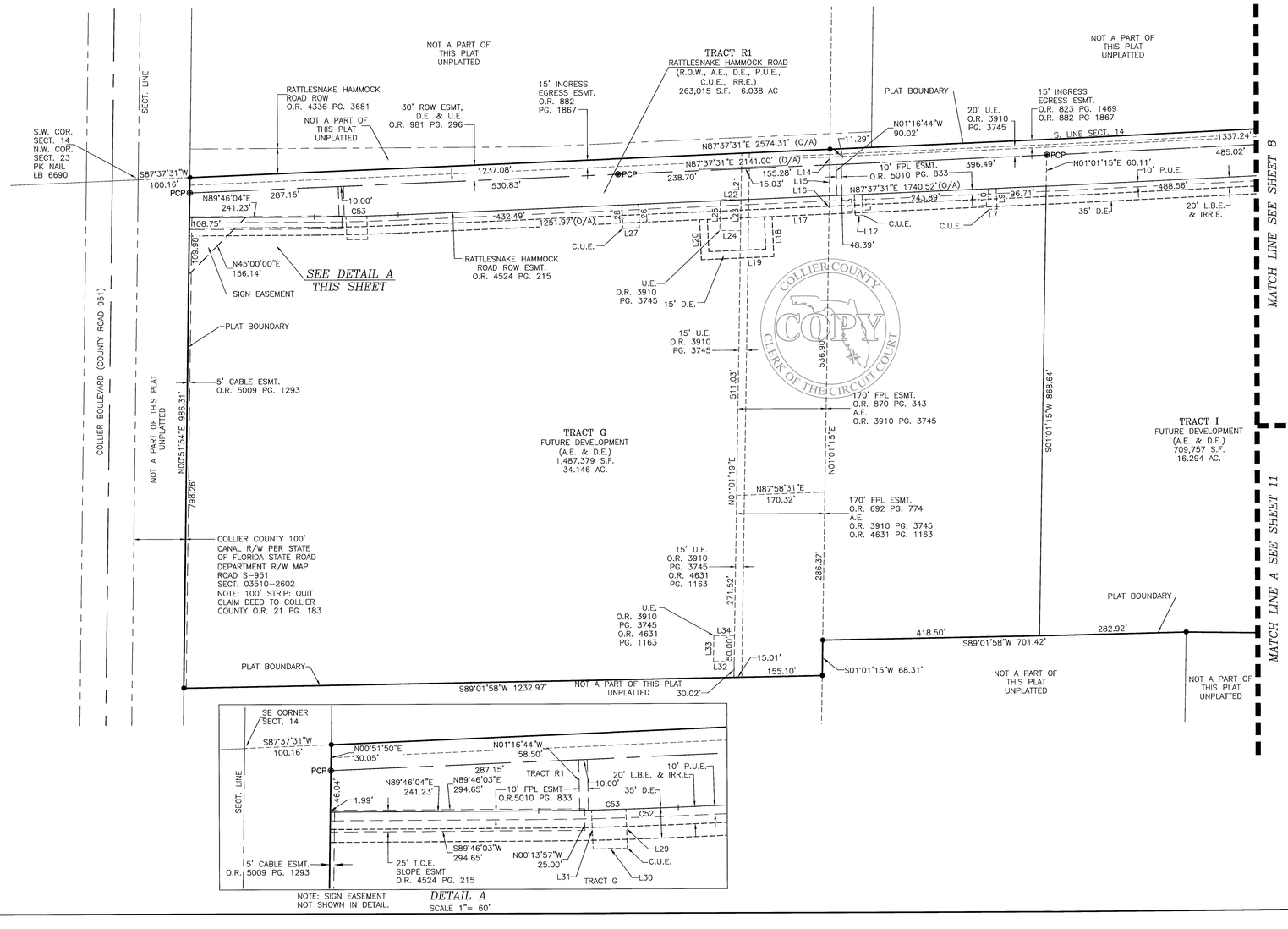
0 50' 100'
GRAPHIC SCALE
1" = 100'

SEE SHEET 1 FOR LEGEND AND ABBREVIATIONS.



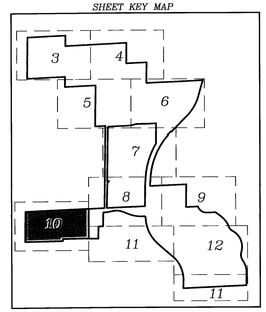
NOTE: SIGN EASEMENT NOT SHOWN IN DETAIL.

DETAIL A
SCALE 1"= 60'

LINE TABLE		
LINE	BEARING	LENGTH
L7	N87°37'31"E	15.00'
L9	N02°22'29"W	40.00'
L10	S02°22'29"E	40.00'
L11	N02°22'53"W	40.00'
L12	N87°37'31"E	15.00'
L13	S02°22'53"E	40.00'
L14	N01°01'15"E	30.05'
L15	S01°01'26"W	60.11'
L16	S01°01'15"W	35.06'
L17	S87°37'31"W	109.89'
L18	N02°22'29"W	77.50'
L19	N87°37'31"E	140.00'
L20	S02°22'29"E	77.50'
L21	N01°01'14"E	60.00'
L22	S88°58'46"E	40.00'
L23	S01°01'14"W	60.00'
L24	N88°58'46"W	40.00'
L25	N01°01'14"E	60.00'
L26	N02°22'29"W	45.00'
L27	N87°37'31"E	32.00'
L28	S02°22'29"E	45.00'
L29	N02°11'36"W	45.00'
L30	N88°41'04"E	39.99'
L31	S02°22'29"E	45.01'
L32	S88°59'33"E	40.00'
L33	S01°00'27"W	50.00'
L34	N88°59'33"W	40.00'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C52	60.85'	4336.00'	0°48'15"	N88°01'38"E	60.85'
C53	162.14'	4336.00'	2°08'33"	N88°41'47"E	162.13'

SHEET KEY MAP



COLLIER COUNTY COPY CLERK OF THE CIRCUIT COURT

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL20...ogro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

HACIENDA LAKES OF NAPLES

A SUBDIVISION OF PART OF SECTIONS 11, 13, 14, 23 & 24, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA

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FLORIDA CERTIFICATE OF AUTHORIZATION #6952

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DENNIS A. MILLER, PSM # 5626

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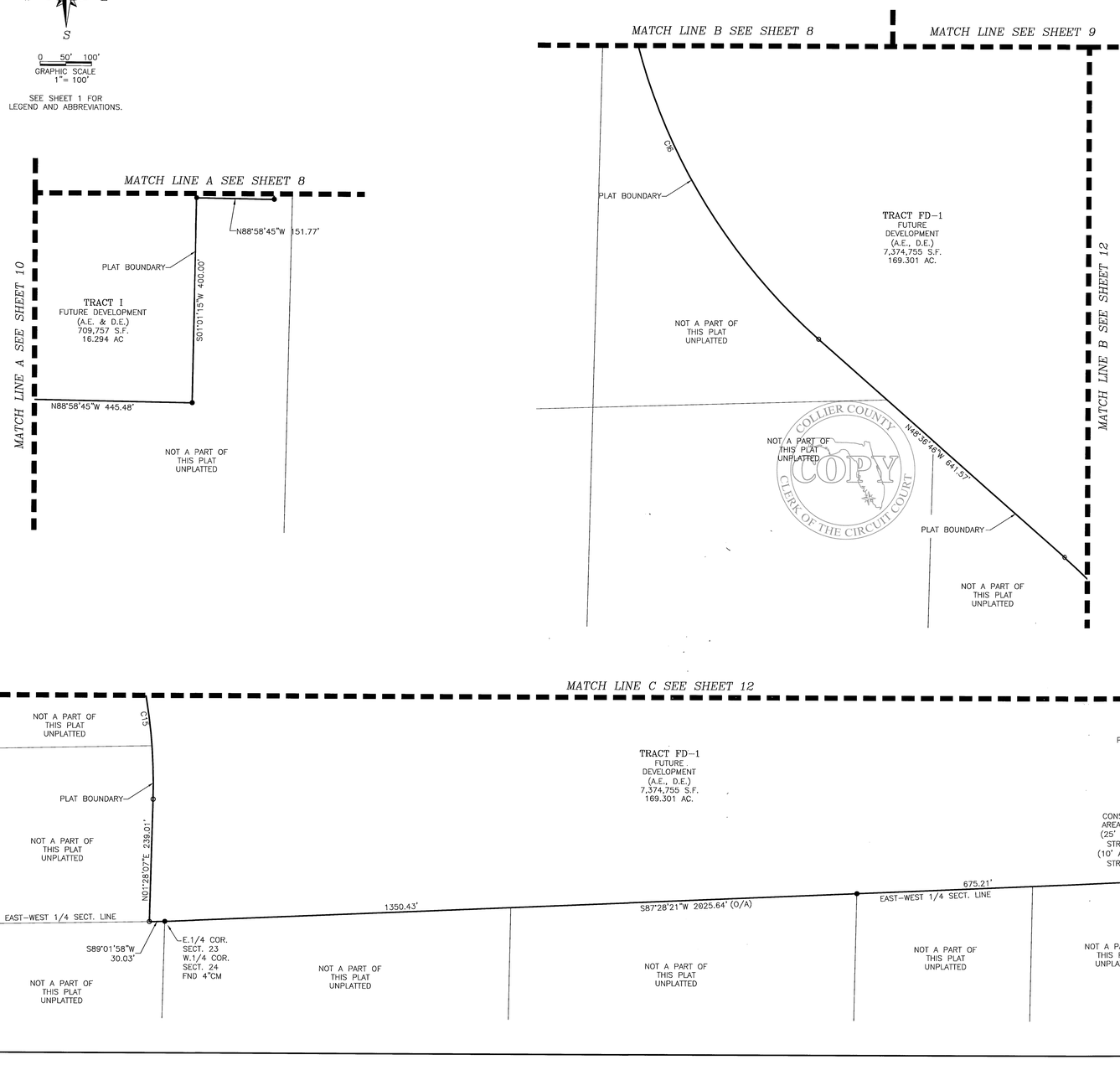
SEE SHEET 1 FOR
LEGEND AND ABBREVIATIONS.

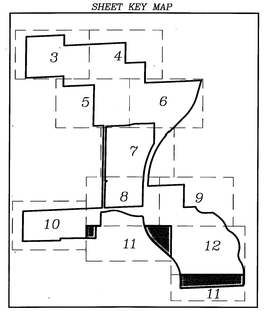


COLLIER COUNTY
COPY
CLERK OF THE CIRCUIT COURT

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C15	909.05'	1040.00'	50°04'53"	N23°34'19"W	880.38'
C16	955.48'	1160.00'	47°11'39"	N25°00'56"W	928.70'

NOTE; (CE03) REFERS TO CONSERVATION EASEMENT PARCEL 03, AS RECORDED IN O.R. 5016 PG. 3140 PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

SHEET KEY MAP



PL20130001050

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL20...
Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

AFFIDAVITS OF AUTHORIZATION

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20200001294

I, David Torres (print name), as Managing Member (title, if applicable) of Hacienda Lakes of Naples, LLC (company, If applicable), swear or affirm under oath, that I am the (choose one) owner [✓] applicant [ ] contract purchaser [ ] and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize Waldrop Engineering, P.A. to act as our/my representative in any matters regarding this petition including 1 through 2 above.

Notes:

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trust, then they must include the trustee's name and the words "as trustee".*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, and then use the appropriate format for that ownership.*

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

Signature

08/11/2020
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [X] physical presence or [ ] online notarization this 11 day of August, 2020, by (printed name of owner or qualifier) David Torres.

Such person(s) Notary Public must check applicable box:

[X] Are personally known to me

[ ] Has produced a current drivers license _____

[ ] Has produced _____ as identification.

Notary Signature: _____

JESSICA K LINN
State of Florida-Notary Public
Commission # GG 170813
My Commission Expires
April 16, 2022

CP\08-COA-00115\155
REV 3/4/2020

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20200001294

I, Christopher Shear (print name), as Authorize Representative (title, if applicable) of CORE MHP Collier, Ltd (company, If applicable), swear or affirm under oath, that I am the (choose one) owner [ ] applicant [✓] contract purchaser [ ] and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize Waldrop Engineering, P.A. to act as our/my representative in any matters regarding this petition including 1 through 2 above.

Notes:

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trust, then they must include the trustee's name and the words "as trustee".*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, and then use the appropriate format for that ownership.*

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

Signature

1/15/2021
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [✓] physical presence or [ ] online notarization this 19 day of January, 2021 by (printed name of owner or qualifier) Christopher Shear.

Such person(s) Notary Public must check applicable box:

[✓] Are personally known to me

[ ] Has produced a current drivers license _____

[ ] Has produced _____ as identification.

Notary Signature: Cheryl Chalas

CHERYL CHALAS
Notary Public - State of Florida
Commission # HH 040453
My Comm. Expires Oct 23, 2024
Bonded through National Notary Assn.

CP\08-COA-00115\155
REV 3/4/2020

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

2020 FLORIDA LIMITED PARTNERSHIP REINSTATEMENT

DOCUMENT# A19000000569

FILED
Oct 08, 2020
Secretary of State
7243285579CR

Entity Name: CORE MHP COLLIER, LTD.

Current Principal Place of Business:

601 BRICKELL KEY DRIVE
SUITE:700
MIAMI, FL 33131

Current Mailing Address:

601 BRICKELL KEY DRIVE
SUITE:700
MIAMI, FL 33131 US

FEI Number: APPLIED FOR

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

CORPORATE CREATIONS NETWORK INC.
801 US HIGHWAY 1
NORTH PALM BEACH, FL 33408 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: CARLOS M ALVAREZ, SPECIAL SECRETARY 10/08/2020

Electronic Signature of Registered Agent — Date

General Partner Detail :

Document #	
Name	CORE COLLIER GP, LLC
Address	9421 HAVEN RANCHO
City-State-Zip:	CUCAMONGA CA 91730

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a general partner of the limited partnership or the receiver or trustee empowered to execute this report as required by Chapter 620, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: CARLOS M ALVAREZ ATTORNEY-IN-FACT 10/08/2020

Electronic Signature of Signing General Partner Detail — Date

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20200001294

I, Christopher Shear (print name), as Chief Operating Officer (title, if applicable) of McDowell Housing Partners (company, If applicable), swear or affirm under oath, that I am the (choose one) owner [ ] applicant [✓] contract purchaser [ ] and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize Waldrop Engineering, P.A. to act as our/my representative in any matters regarding this petition including 1 through 2 above.

Notes:

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trust, then they must include the trustee's name and the words "as trustee".*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, and then use the appropriate format for that ownership.*

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

Signature

11/5/2020
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [✓] physical presence or [ ] online notarization this 5 day of November, 2020 by (printed name of owner or qualifier) Christopher Shear.

Such person(s) Notary Public must check applicable box:

[✓] Are personally known to me

[ ] Has produced a current drivers license _____

[ ] Has produced _____ as identification.

Notary Signature: Cheryl Chalas

CHERYL CHALAS
Notary Public - State of Florida
Commission # HH 040453
My Comm. Expires Oct 23, 2024
Bonded through National Notary Assn.

CHERYL CHALAS
Notary Public - State of Florida
Commission # HH 040453
My Comm. Expires Oct 23, 2024
Bonded through National Notary Assn.

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

SECRETARY'S CERTIFICATE
OF
McDOWELL HOUSING PARTNERS, LLC

The undersigned certifies that he is the duly appointed and acting Secretary of McDowell Housing Partners, LLC (the "Company"), and that as such, he is authorized to execute and deliver this Certificate on behalf of Company. The undersigned further certifies that:

1. Attached hereto as Exhibits A and B, respectively, are true and complete copies of the Certificate of Formation (as amended) and the Amended and Restated Limited Liability Company Operating Agreement of the Company as in effect on the date hereof, and such Certificate of Formation and Amended and Restated Limited Liability Company Operating Agreement have not been altered, amended, modified, or rescinded.

2. The following persons are now appointed and qualified officers of the Company, holding the offices indicated, and the signatures appearing opposite their names below are their true and genuine signatures:

Name	Title	Signature
W. Patrick McDowell	Managing Partner and Co-Chief Executive Officer	
Kenneth Lee	Managing Partner, Co-Chief Executive Officer	
Christopher Shear	Chief Operating Officer	
Mario Sariol	Chief Financial Officer and Assistant Secretary	
Charles W. Koslosky	Treasurer and Secretary	

[SIGNATURE PAGE FOLLOWS]

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

Delaware

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "MCDOWELL ACQUISITIONS, LLC", FILED IN THIS OFFICE ON THE SECOND DAY OF NOVEMBER, A.D. 2015, AT 5:12 O`CLOCK P.M.

Jeffrey W. Bullock, Secretary of State

5866546 8100
SR# 20150742062

Authentication: 10360679
Date: 11-04-15

You may verify this certificate online at corp.delaware.gov/authver.shtml

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing PDI)

Delaware

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "MCDOWELL ACQUISITIONS, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE FOURTH DAY OF NOVEMBER, A.D. 2015.

Jeffrey W. Bullock, Secretary of State

5866546 8300

SR# 20150742062

Authentication: 10360680

Date: 11-04-15

You may verify this certificate online at corp.delaware.gov/authver.shtml

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

State of Delaware
Secretary of State
Division of Corporations
Delivered 05:12 PM 11/02/2015
FILED 05:12 PM 11/02/2015
SR 20150742062 - File Number 5866546

CERTIFICATE OF FORMATION

OF

McDOWELL ACQUISITIONS, LLC

This Certificate of Formation of McDowell Acquisitions, LLC (the "Company") dated as of November 2, 2015, is being duly executed and filed by Charles W. Koslosky, an individual, as an authorized person to form a limited liability company under the Delaware Limited Liability Company Act (6 Del.C. § 18-101, et seq.).

FIRST: The name of the limited liability company formed hereby is McDowell Acquisitions, LLC.

SECOND: The address of the registered office of the Company in the State of Delaware is Corporation Trust Center, 1209 Orange Street, City of Wilmington, County of New Castle, State of Delaware 19801.

THIRD: The name and address of the registered agent for service of process on the Company in the State of Delaware is The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, City of Wilmington, County of New Castle, State of Delaware 19801.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Formation this 2nd day of November, 2015.

Charles W. Koslosky,
Authorized Person

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

DISCLOSURE OF INTEREST

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

PROPERTY OWNERSHIP DISCLOSURE FORM

This is a required form with all land use petitions, except for Appeals and Zoning Verification Letters.

Should any changes of ownership or changes in contracts for purchase occur subsequent to the date of application, but prior to the date of the final public hearing, it is the responsibility of the applicant, or agent on his behalf, to submit a supplemental disclosure of interest form.

Please complete the following, use additional sheets if necessary.

a. If the property is owned fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest:

Name and Address	% of Ownership

b. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each:

Name and Address	% of Ownership

c. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with the percentage of interest:

Name and Address	% of Ownership

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

d. If the property is in the name of a GENERAL or LIMITED PARTNERSHIP, list the name of the general and/or limited partners:

Name and Address	% of Ownership
Hacienda Lakes of Naples LLC	
7742 Alico Road	
Fort Myers, FL 33912	
David E. Torres Revocable Trust 20% Jennifer Toll Revocable Trust 20% Carolyn Toll 1%, Taylor Toll 1%, Courtney Toll 1%.	

e. If there is a CONTRACT FOR PURCHASE, with an individual or individuals, a Corporation, Trustee, or a Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners:

Name and Address	% of Ownership

Date of Contract: _____

f. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust:

Name and Address

g. Date subject property acquired _____

☐ **Leased: Term of lease _____ years /months**

If, Petitioner has option to buy, indicate the following:

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

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Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

Any petition required to have Property Ownership Disclosure, will not be accepted without this form. Requirements for petition types are located on the associated application form. Any change in ownership whether individually or with a Trustee, Company or other interest-holding party, must be disclosed to Collier County immediately if such change occurs prior to the petition's final public hearing.

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

The completed application, all required submittal materials, and fees shall be submitted to:
Growth Management Department
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

_____
Agent/Owner Signature

8/24/20.
Date

David E. Torres
_____
Agent/Owner Name (please print)

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

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(239) 252-2400 FAX: (239) 252-6358

PROPERTY OWNERSHIP DISCLOSURE FORM

This is a required form with all land use petitions, except for Appeals and Zoning Verification Letters.

Should any changes of ownership or changes in contracts for purchase occur subsequent to the date of application, but prior to the date of the final public hearing, it is the responsibility of the applicant, or agent on his behalf, to submit a supplemental disclosure of interest form.

Please complete the following, use additional sheets if necessary.

a. If the property is owned fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest:

Name and Address	% of Ownership

b. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each:

Name and Address	% of Ownership

c. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with the percentage of interest:

Name and Address	% of Ownership

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

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NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

d. If the property is in the name of a GENERAL or LIMITED PARTNERSHIP, list the name of the general and/or limited partners:

Name and Address	% of Ownership

e. If there is a CONTRACT FOR PURCHASE, with an individual or individuals, a Corporation, Trustee, or a Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners:

Name and Address	% of Ownership
McDowell Acquisitions, LLC	
601 Brickell Key Drive Suite 700. Miami, FL 33131	
which is owned 100% by	
McDowell Properties Inc. - 100%	

Date of Contract: 12/17/19

f. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust:

Name and Address

g. Date subject property acquired _____

☐ **Leased: Term of lease _____ years /months**

If, Petitioner has option to buy, indicate the following:

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2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

Any petition required to have Property Ownership Disclosure, will not be accepted without this form. Requirements for petition types are located on the associated application form. Any change in ownership whether individually or with a Trustee, Company or other interest-holding party, must be disclosed to Collier County immediately if such change occurs prior to the petition's final public hearing.

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

The completed application, all required submittal materials, and fees shall be submitted to:
Growth Management Department
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

Lindsay Robin
Agent/Owner Signature

10/10/2020
Date

Lindsay Robin
Agent/Owner Name (please print)

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

ADDRESSING CHECKLIST

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

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NAPLES, FLORIDA 34104
(239) 252-2400 FAX (239) 252-5724

ADDRESSING CHECKLIST

Please complete the following and email to GMD_Addressing@colliergov.net or fax to the Operations Division at 239-252-5724 or submit in person to the Addressing Section at the above address. Form must be signed by Addressing personnel prior to pre-application meeting, **please allow 3 days for processing.**

Not all items will apply to every project. Items in **bold type** are required. **FOLIO NUMBERS MUST BE PROVIDED.** Forms older than 6 months will require additional review and approval by the Addressing Section.

PETITION TYPE *(Indicate type below, complete a separate Addressing Checklist for each Petition type)*

- ☐ BL (Blasting Permit)
- ☐ BD (Boat Dock Extension)
- ☐ Carnival/Circus Permit
- ☐ CU (Conditional Use)
- ☐ EXP (Excavation Permit)
- ☐ FP (Final Plat
- ☐ LLA (Lot Line Adjustment)
- ☐ PNC (Project Name Change)
- ☐ PPL (Plans & Plat Review)
- ☐ PSP (Preliminary Subdivision Plat)
- ☐ PUD Rezone
- ☐ RZ (Standard Rezone)
- ☐ SDP (Site Development Plan)
- ☐ SDPA (SDP Amendment)
- ☐ SDPI (Insubstantial Change to SDP)
- ☐ SIP (Site Improvement Plan)
- ☐ SIPI (Insubstantial Change to SIP)
- ☐ SNR (Street Name Change)
- ☐ SNC (Street Name Change – Unplatted)
- ☐ TDR (Transfer of Development Rights)
- ☐ VA (Variance)
- ☐ VRP (Vegetation Removal Permit)
- ☐ VRSFP (Vegetation Removal & Site Fill Permit)
- ☒ OTHER PUD Insubstantial Change

LEGAL DESCRIPTION of subject property or properties *(copy of lengthy description may be attached)*

HACIENDA LAKES OF NAPLES TRACT I

FOLIO (Property ID) NUMBER(s) of above *(attach to, or associate with, legal description if more than one)*

48586003020

STREET ADDRESS or ADDRESSES *(as applicable, if already assigned)*

~~8465 Rattlesnake Hammock Road~~

- **LOCATION MAP** must be attached showing exact location of project/site in relation to nearest public road right-of-way
- SURVEY (copy - needed only for unplatted properties)

CURRENT PROJECT NAME *(if applicable)*

Hacienda Lakes MPUD - Tract I

PROPOSED PROJECT NAME *(if applicable)*

~~Villa Verde~~

PROPOSED STREET NAMES *(if applicable)*

TBD

SITE DEVELOPMENT PLAN NUMBER *(for existing projects/sites only)*

SDP___-____ or AR or PL # N/A

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

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Project or development names proposed for, or already appearing in, condominium documents (if application; indicate whether proposed or existing)

N/A

Please Return Approved Checklist By: ☑ Email ☐ Fax ☐ Personally picked up

Applicant Name: Alexis Crespo

Phone: 239-850-8525 **Email/Fax:** alexis.crespo@waldropengineering.com

Signature on Addressing Checklist does not constitute Project and/or Street Name approval and is subject to further review by the Operations Division.

FOR STAFF USE ONLY

Folio Number 48586003020

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Approved by: VF **Date:** 7/9/2020

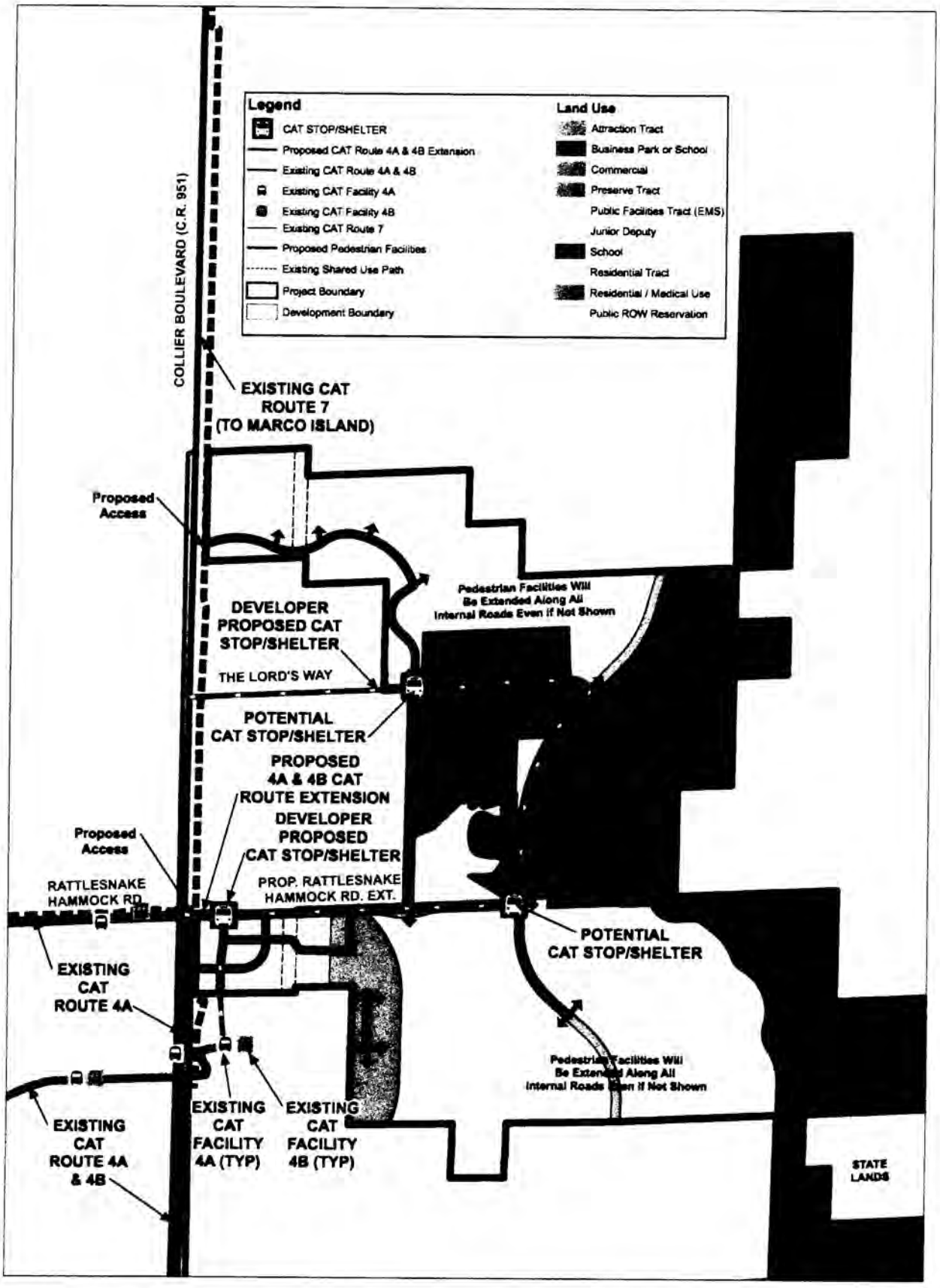
Updated by: _____ **Date:** _____

IF OLDER THAN 6 MONTHS, FORM MUST BE UPDATED OR NEW FORM SUBMITTED

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

UPDATED MASTER MOBILITY PLAN

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing



Hacienda Lakes
Master Mobility Plan

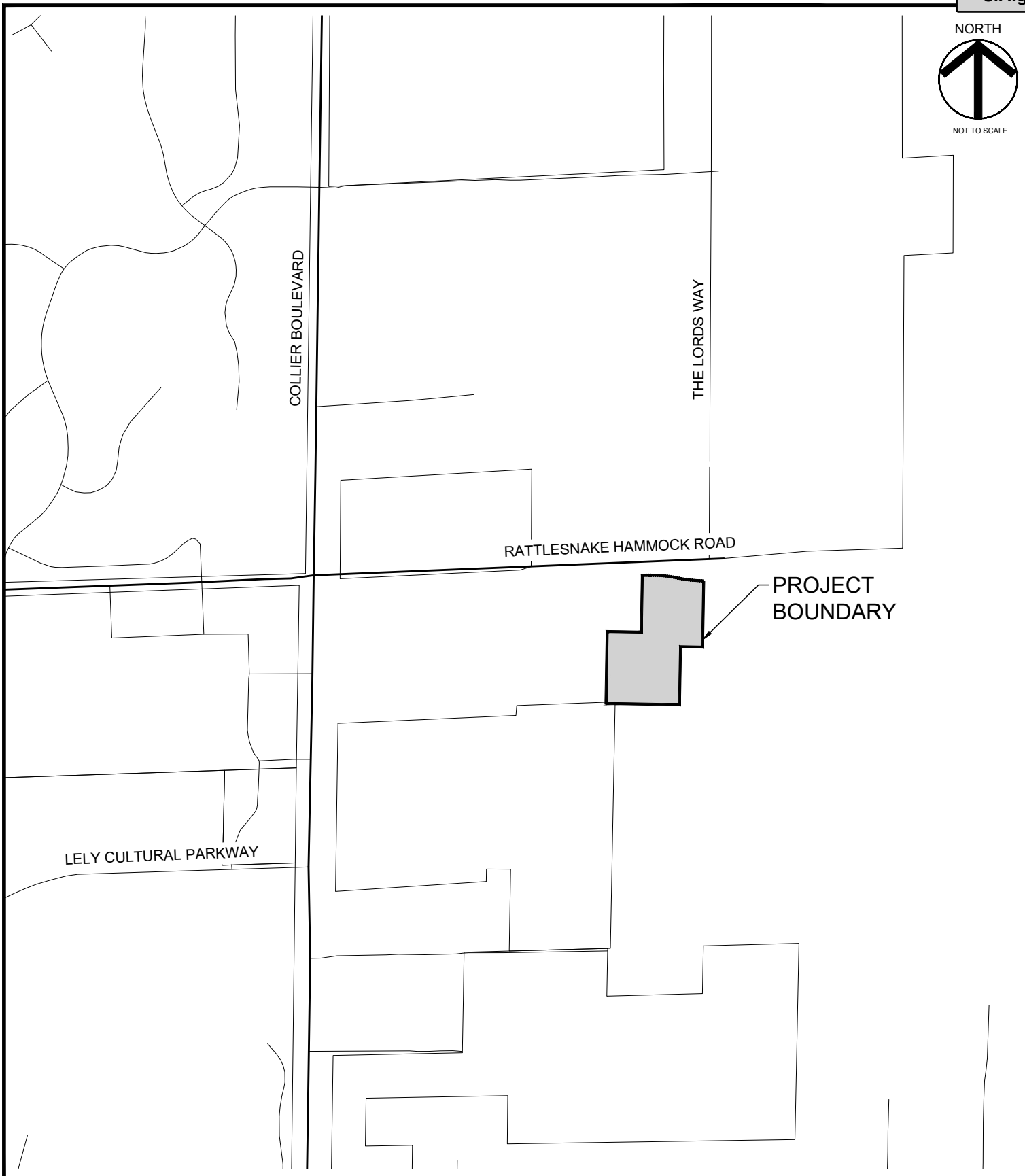
0 500 1,000 Feet

N

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

LOCATION MAP

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing



VILLA VERDE PDI

PROJECT LOCATION EXHIBIT

PREPARED FOR:
HACIENDA LAKES OF NAPLES,LLC
7742 ALICO ROAD
FORT MYERS, FLORIDA 33912

SECTION:	TOWNSHIP:	RANGE:	COLLIER COUNTY
23	50	26	FLORIDA

FILE NAME:

SHEET: 1 OF 1

WALDROP ENGINEERING
CIVIL ENGINEERING | PLANNING | LANDSCAPE ARCHITEC
28100 BONITA GRANDE DRIVE - SUITE 305
BONITA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7899
EMAIL: info@waldropengineering.com

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

SIGN POST AFFIDAVIT & SIGN PHOTOS

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

SIGN POSTING INSTRUCTIONS

(CHAPTER 8, COLLIER COUNTY ADMINISTRATIVE CODE FOR LAND DEVELOPMENT)

A zoning sign(s) must be posted by the petitioner or the petitioner's agent on the parcel for a minimum of fifteen (15) calendar days in advance of the first public hearing and said sign(s) must be maintained by the petitioner or the petitioner's agent through the Board of County Commissioners Hearing. Below are general guidelines for signs, however these guidelines should not be construed to supersede any requirement of the LDC. For specific sign requirements, please refer to the Administrative Code, Chapter 8 E.

1. The sign(s) must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
2. The sign(s) must be securely affixed by nails, staples, or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
3. The petitioner or the petitioner's agent must maintain the sign(s) in place, and readable condition until the requested action has been heard and a final decision rendered. If the sign(s) is destroyed, lost, or rendered unreadable, the petitioner or the petitioner's agent must replace the sign(s

NOTE: AFTER THE SIGN HAS BEEN POSTED, THIS AFFIDAVIT OF POSTING NOTICE SHOULD BE RETURNED NO LATER THAN TEN (10) WORKING DAYS BEFORE THE FIRST HEARING DATE TO THE ASSIGNED PLANNER.

- - - -

Attachment: Att F - Applicant Back up - Villa Verde Allegro HEX (PL2020-1294) (15551 : PL20200001294 Hacienda Lakes MPUD Senior Housing

From: Andrew Dickman
To: Lindsay Robin; Alexis Crespo; Jackie Larocque
Cc: Heather; BellowsRay; SaboJames
Subject: NIM WAIVER: Allegro at Hacienda Lakes Senior Housing PDI - NIM Waiver Request (PL20200001294)
Date: Monday, January 25, 2021 12:10:45 PM

WARNING - EXTERNAL EMAIL: PLEASE VERIFY SENDER BEFORE OPENING ATTACHMENTS OR CLICKING ON LINKS.

Dear Ms. Robin:

You have requested a waiver of the neighborhood information meeting (NIM) in connection with the above referenced application. Pursuant to Sec. 10.03.06(H)(2)(a) of the Collier County land development code, a NIM is required for your application except "upon written request by the applicant, the Hearing Examiner has the discretion to waive the NIM after the first set of staff review comments have been issued."

I have reviewed your request and I have been informed by county staff that the first set of staff review comments have been issued and county staff has stated they have no objections. If this is not correct, please let me know immediately.

Based on the above information, your NIM waiver request is **GRANTED**, with one condition. If any opposition to your application occurs between the granting of this waiver and the public hearing, I reserve the right to reschedule the hearing and require the holding of a NIM.

Sincerely,

Andrew

_____

Andrew Dickman, Esq., AICP
Collier County Hearing Examiner
(239) 434-0840
https://www.colliercountyfl.gov/your-government/divisions-f-r/hearing-examiner

All government correspondence is subject to the public records law.

Attachment: Att G - NIM WAIVER_ Allegro at Hacienda Lakes Senior Housing PDI (15551 : PL20200001294 Hacienda Lakes MPUD Senior

DocuSign Envelope ID: C68BFC1B-EA83-4E99-B26E-C92657875294

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www.colliercountyfl.gov

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NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

Hybrid Virtual Quasi-Judicial Public Hearing Waiver

Emergency/Executive Order 2020-04
Hearing of the Collier County Hearing Examiner

For Petition Number(s): PL202000001294

Regarding the above subject petition number(s), McDowell Acquisitions LLC c/o Chris Shear (Name of Applicant) elects to proceed during the declared emergency with hybrid virtual public hearing of the Collier County Hearing Examiner, and waives the right to contest any procedural irregularity due to the hybrid virtual nature of the public hearing.

Name: Chris Shear
McDowell Acquisitions, LLC

Date: 4/6/2021

Signature: DocuSigned by: Christopher Shear 95119D766D85459...

☑ Applicant*

☐ Legal Counsel to Applicant

* This form must be signed by either the Applicant (if the applicant is a corporate entity, this must be an officer of the corporate entity) or the legal counsel to the Applicant.

Attachment: Att H - HEX Hybrid Meeting Waiver (15551 : PL202000001294 Hacienda Lakes MPUD Senior Housing PDI)

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 4.A
Item Summary: Pursuant to Chapter 9 of the Collier County Administrative Code, a consideration of the applicant's motion to rehear petition of the Kapok St Cell Tower Variance - PL20190002701 (HEX Decision 2021-10) for the purpose of whether to grant the motion and establishing a HEX hearing date for the rehearing.

Meeting Date: 04/22/2021

Prepared by:
Title: Operations Analyst – Planning Commission
Name: Diane Lynch
04/13/2021 2:08 PM

Submitted by:
Title: Planner, Principal – Zoning
Name: Anita Jenkins
04/13/2021 2:08 PM

Approved By:

Review:

Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	04/13/2021 2:08 PM
Growth Management Operations & Regulatory Management	Kenneth Kovensky		Review Item	Completed
Zoning	Ray Bellows	Review Item	Completed	04/13/2021 4:14 PM
Zoning	Anita Jenkins	Review Item	Completed	04/14/2021 2:28 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	04/22/2021 9:00 AM	