



**NAPLES, FLORIDA
TOLLGATE COMMERCIAL CENTER
COMMERCIAL/INDUSTRIAL LAND
OFFERING MEMORANDUM**

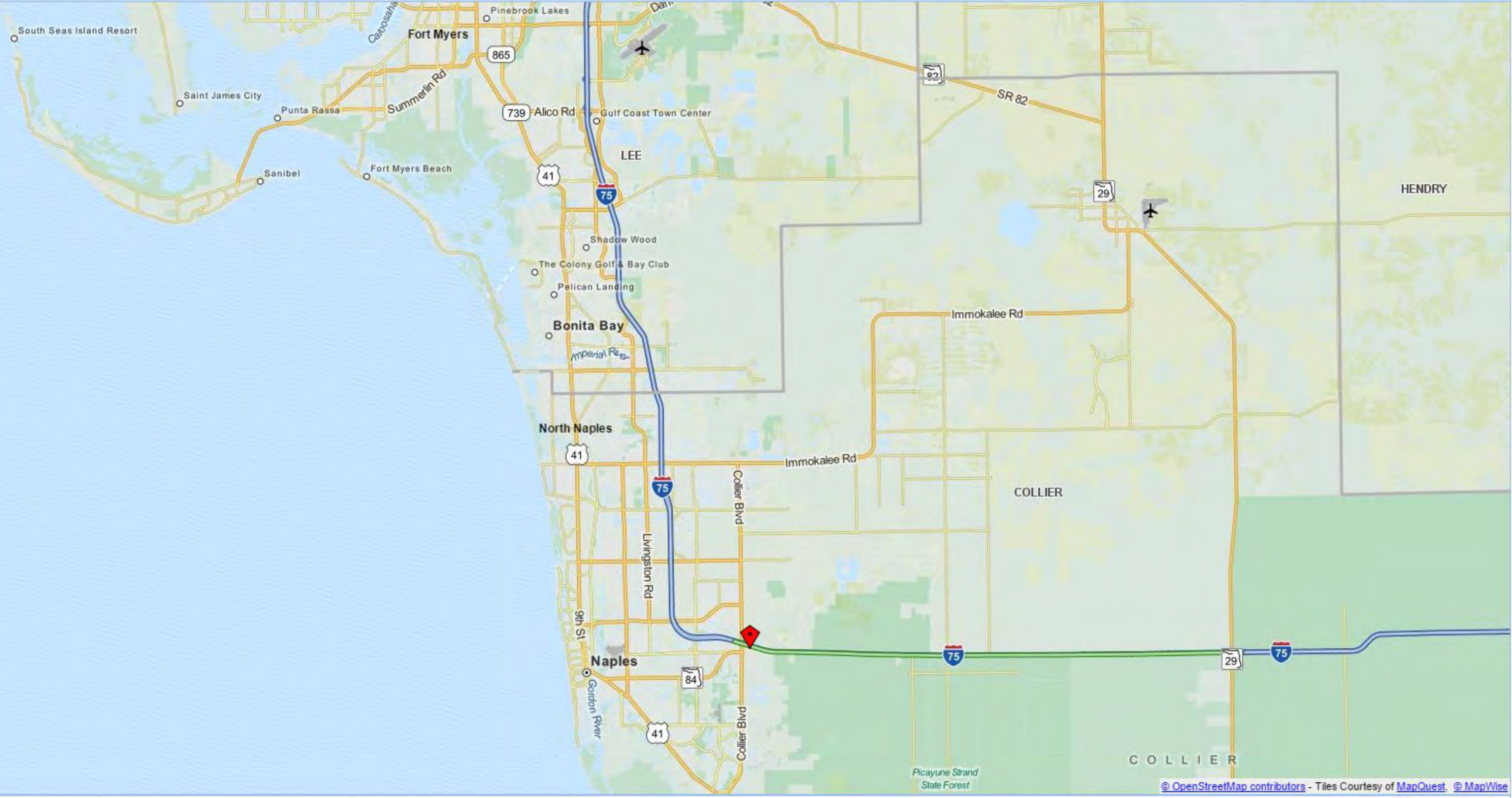
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TOLLGATE COMMERCIAL CENTER
10.66 ACRES COMMERCIAL/INDUSTRIAL LAND
EXECUTIVE SUMMARY

Location	The <i>Tollgate Commercial Center PUD/DRI</i> is located in the SEQ of I-75 and Collier Boulevard in Naples. The property is a five minute drive to I- 75, twenty minutes to Olde Naples, thirty minutes to Southwest Florida International Airport and an hour and a half to Miami.
Benefits	The property is platted with all utilities available. It provides flexibility as it can be purchased in total or divided. The roadway can be abandoned to add an additional third of an acre to the site. A Zoning Amendment is in process adding additional commercial uses such as churches, schools and social services facilities. The traffic count is 45,000 two-way AADT at Collier Blvd. & Beck Blvd. The location has easy access to the airport, major highways, the University, national retailers and entertainment districts. There are over 40,000 affluent rooftops within five miles of the site.
Description	The property is 5 platted lots located in unincorporated Collier County.
Permits	Zoning is in place for multiple Commercial and Industrial uses. The current site plan consists of six buildings from 13,000 to 36,000 square feet. A Zoning Amendment adding additional commercial uses has been filed and will be approved by fall 2016. No ACOE permit is required. All other permits are complete and active.
Utilities	All utilities are available on site.
Pricing	\$3,500,000, \$7.50 psf
Contact	Jessica Russo – (239) 849-0012 – jessica@developmentrealty.org Paul Hardy – (239) 777-8000 – paul@developmentrealty.org





TUSCAN POLE
FRANCHISE

84

ANYTIME
FITNESS

TACO
BELL

McDonald's

DOMINOS
PIZZA

LA QUINTA
HOTELS & SUITES

SUBWAY

Mobil

951

Pepper's

Walmart
Save money. Live better.

Cedar Hammock
GOLF & COUNTRY CLUB

Comfort
INN & SUITES

Super 8

Days Inn
& Suites

Waffle
House

Shell

INTER-STATE
75



FOREST GLEN
OF NAPLES

Collier Blvd.



Interstate 75

Bush Blvd.

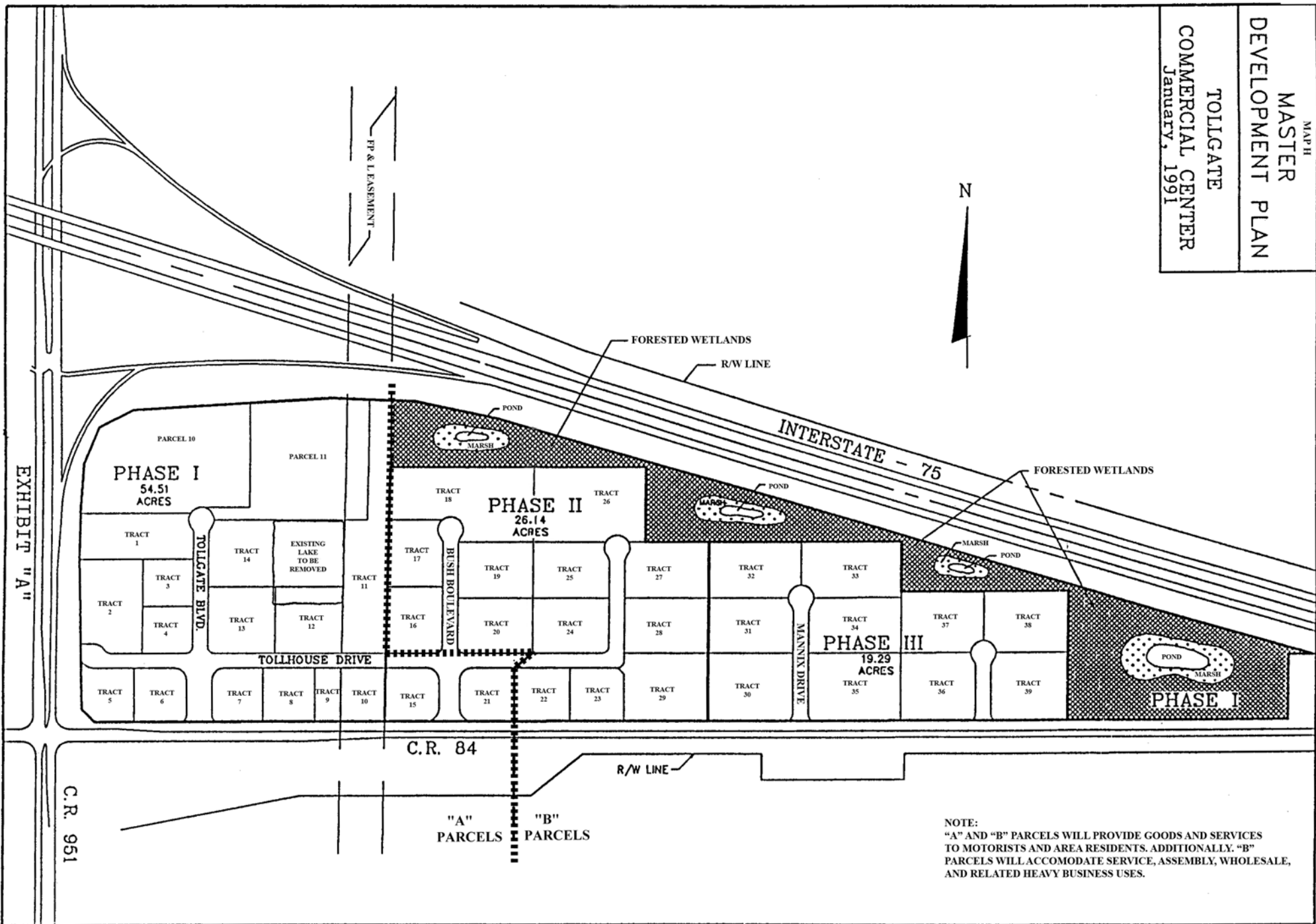
Tollhouse Drive

Beck Blvd.



MAP H
MASTER
DEVELOPMENT PLAN

TOLLGATE
COMMERCIAL CENTER
January, 1991



ORDINANCE NO. 17- 15

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING ORDINANCE NUMBER 92-10, AS AMENDED, THE TOLLGATE COMMERCIAL CENTER PLANNED UNIT DEVELOPMENT (PUD), BY AMENDING THE PUD DOCUMENT TO ADD SPECIFIC INSTITUTIONAL USES AS PERMITTED USES ON TRACTS 7, 8 AND 9 OF THE COMMERCIAL USE AREAS, "A" PARCELS, AS SHOWN ON THE PUD MASTER PLAN; BY AMENDING THE PUD DOCUMENT TO ADD SPECIFIC INSTITUTIONAL USES AS PERMITTED USES ON TRACTS 16-20 AND 24-25 OF THE COMMERCIAL/LIGHT INDUSTRIAL USES AREA, "B" PARCELS, AS SHOWN ON THE PUD MASTER PLAN; AND BY PROVIDING AN EFFECTIVE DATE. THE SUBJECT PROPERTY IS LOCATED AT THE INTERSECTION OF COLLIER BOULEVARD (CR-951) AND BECK BOULEVARD IN SECTION 35, TOWNSHIP 49 SOUTH, RANGE 26 EAST, AND SECTION 2, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA. [PUDA-PL20150002280]

WHEREAS, on February 11, 1992, the Board of County Commissioners adopted Ordinance No. 92-10, which established the Tollgate Commercial Center Planned Unit Development (the "Tollgate PUD"); and

WHEREAS, on December 14, 1993, the Board of County Commissioners adopted Ordinance No. 93-91, which amended the Tollgate PUD; and

WHEREAS, on September 25, 2015, the Board of County Commissioners adopted Ordinance No. 15-49 which further amended the Tollgate PUD; and

WHEREAS, Sky Angel Center, LLC and Toll Gate Naples, LLC represented by Robert L. Duane, AICP of Robert L. Duane & Associates and Richard Yovanovich, Esq. of Coleman, Yovanovich & Koestner, P.A. petitioned the Board of County Commissioners to further amend the Tollgate PUD.

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

SECTION ONE: Amendment to PUD Document.

Exhibit "A" to the PUD Document, attached to Ordinance No. 92-10, as amended, is hereby amended and replaced with the Exhibit "A" attached hereto and incorporated herein.

SECTION TWO: Effective Date.

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 9th day of May, 2017.

ATTEST:
DWIGHT E. BROCK, CLERK

By: *[Signature]*
Attest as to Deputy Clerk
signature only.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: *[Signature]*
PENNY TAYLOR, Chairman

Approved as to form and legality:

[Signature]
Heidi Ashton-Cicko
Managing Assistant County Attorney

HFAC
3-28-17

Attachment: Exhibit A – PUD Document and Master Plan

This ordinance filed with the
Secretary of State's Office the
15th day of May, 2017
and acknowledgement of that
filing received this 15th day
of May, 2017
By: *[Signature]*
Deputy Clerk

PLANNED UNIT DEVELOPMENT
TOLL GATE COMMERCIAL CENTER

PREPARED BY:

RICHARD D. YOVANOVICH
COLEMAN, YOVANOVICH & KOESTER, P.A.
4001 TAMiami TRAIL NORTH, SUITE 300
NAPLES, FLORIDA 34103
(239)435-3535
And

ROBERT L. DUANE
ROBERT L. DUANE & ASSOCIATES, A.I.C.P
4880 TAMARIND RIDGE DRIVE,
NAPLES, FLORIDA 34119
(239) 353-4167

DATE REVIEWED BY CCPC: _____
DATE APPROVED BY BCC: _____
ORDINANCE NUMBER: _____
AMENDMENTS AND REPEAL: _____

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LIST OF EXHIBITS AND TABLES

EXHIBIT "A" PUD Master Plan

TABLE I Schedule of Development

STATEMENT OF COMPLIANCE

The development of approximately 100.23 acres of property in Collier County and within an Interchange Activity Center, as a Planned Unit Development to be known as Tollgate Commercial Center, will be in compliance with the planning goals and objectives of Collier County as set forth in the Growth Management Plan and its provisions for Interchange Activity Center development. This compliance includes:

Activity Center Project

1. The subject property is located in an area identified as an Interchange Activity Center in the Future Land Use Element (FLUE) of the Growth management Plan for Collier County.
2. Interstate Activity Centers are the preferred locations for the concentration of commercial and mixed use development activities.
3. The subject tract is located on the northeast corner of the intersection of CR-951 and CR-84. This strategic location allows the site superior access for the placement of commercial/industrial activities.
4. The project is in compliance with all applicable County regulations. In addition, the project complies with the Growth Management Plan with the adoption of the Plan amendment which allows for specifically approved heavy business/light industrial uses to be developed in designated interstate activity centers.
5. The project will be served by a complete range of services and utilities as approved by the County.
6. The project is compatible with adjacent land uses through the internal arrangement of structures, the placement of land use buffers and the proposed development standards contained herein.
7. The Planned Unit Development includes open spaces and naturalized open features which serve as project amenities.
8. The project shall be developed in accordance with the approved Master Development Plan and the existing PUD document as approved. In addition, the project shall be developed in accordance with all Collier County regulations in effect at the time of Final SDP or building permit application.
9. Bind the owner's successor in title to any commitments made under in this document.

SECTION I PROPERTY OWNERSHIP AND DESCRIPTION

1.1 PURPOSE

The purpose of this Section is to set forth the location and ownership of the property, and to describe the existing conditions of the property proposed to be developed under the project name of Tollgate Commercial Center.

1.2 LEGAL DESCRIPTION

Commencing at the southeast corner of Section 35, Township 49 South, Range 26 East, Collier County Florida; thence along the east line of said Section 35 North 1° - 56' - 55" West 200.14 feet to a point on the north right-of-way line of State Road 84 (Alligator Alley); thence along said north right-of-way line, North 89° - 45' - 01" West 331.23 feet to a point of intersection of said north right-of-way line of State Road 93 (I-75), and the Point of Beginning of the parcel herein described; thence continue along said right-of-way line of State Road 84 (Alligator Alley) on the following five courses:

- 1) North 89° - 45' - 01" West 2398.66 feet;
- 2) South 89° - 56' - 16" West 1547.43 feet;
- 3) North 80° - 43' - 58" West 709.38 feet;
- 4) North 39° - 52' - 42" West 209.91 feet;
- 5) North 10° - 24' - 33" West 209.94 Feet to a point on the East Limited Access, right-of way line of State Road 93 (I-75);

thence continue along said Limited Access, right-of-way line of State 93 (I-75) on the following nine courses:

- 1) North 3° - 19' - 52" East 285.34 feet;
- 2) North 23° - 37' - 28" East 149.83 feet;
- 3) North 64° - 12' - 39" East 149.83 feet;
- 4) North 86° - 37' - 01" East 778.54 feet;
- 5) South 87° - 55' - 12" East 318.82 feet;
- 6) South 78° - 44' - 38" East 318.32 feet;
- 7) South 74° - 09' - 17" East 1199.30 feet;
- 8) South 73° - 00' - 33" East 1904.96 feet;
- 9) southeasterly 233.67 feet along the arc of a circular curve concave to the northeast, having a radius of 116.2116 feet, subtended by a chord which bears South 75° - 35' - 07" East 223.67 feet to the north right-of-way line of State Road 84 (Alligator Alley); and the Point of Beginning of the parcel herein described; being a part of south ½, Section 35, Township 49 South, Range 26 East, Collier County, Florida; subject to easements and restrictions of records; containing 69.40 acres of land more or less; bearings are based on Florida Department of Transportation right-of-way map for State Road 93 (I-75).

ALSO INCLUDING THE FOLLOWING:

Description of part of Section 35, Township 49 South, Range 26 East, and part of Section 2, Township 50 South, Range 26 East, Collier County, Florida

COMMENCE at an iron pipe marking the Northeast Corner of said Section 2; thence North 89° 45' 01" West, 337.83 feet along the North line of said Section 2 for a POINT OF BEGINNING; thence South 00° 02' 19" East, 59.98 feet; thence South 89° 57' 41" West, 2,300.70 feet; thence on a course traversing from said Section 35, South 89° 56' 02" West, 2,448.74 feet; thence North 45° 46' 16" West, 71.58 feet; thence North 01° 28' 34" West, 705.25 feet to the Easterly Limited Access R/W Line of S.R. 951 (Section 03175-2409); thence South 10° 24' 33" East, 209.94 feet; thence South 39° 52' 42" East, 209.91 feet; thence South 80° 43' 58" East, 709.38 feet; thence North 89° 56' 16" East, 1,547.43 feet; thence South 89° 45' 01" East, 2,396.67 feet to the Southerly Existing Limited Access R/W Line of S.R. 93 (03175-2409); thence South 00° 02' 19" East, 200.00 feet to the POINT OF BEGINNING.

Less and except the East 100.00 feet thereof.

Containing 30.835 acres, more or less.

The entire project area is 100.235 acres.

Number of acres devoted to various categories of land use:

Development area	70.72
Water management area	17.84
Road Right-of-Way	6.7
F.P.L Easement	4.98

GENERAL LOCATION OF PROJECT SITE

Tollgate Commercial Center is located in the southeast quadrant of the Interstate I-75/CR-951 interchange, approximately five miles east of the Naples Airport at the eastern terminus of Davis Boulevard (SR 84).

1.3 **PROPERTY OWNERSHIP**

~~The subject property is currently owned by and under the unified control of Tollgate Commercial Center, a Florida General Partnership.~~ **The ownership of this property on April 25th, 2017 is Toll Gate Naples LLC, and Sky Angel Center LLC.**

1.4 GENERAL DESCRIPTION OF PROPERTY AREA

- A. COMPREHENSIVE PLAN DESIGNATION: The project site is designated Interstate Activity Center on the Collier County Growth Management Plan.
- B. CURRENT ZONING: The project site is currently zoned PUD.
- C. EXISTING LAND USE: At the present time the site is unoccupied except for a 104 room motel.
- D. ADJACENT LAND USE: The adjacent lands are predominately vacant at the present time. The northwest and southwest corners of CR 951 and SR 84 are presently used as gasoline service stations.

The properties north of the I-75 right-of-way and the properties south of CR 84 are vacant.

1.5 PHYSICAL DESCRIPTION

The elevation of the project site varies from 9.8 feet to 11.6 feet. Tollgate Commercial Center lies within Zone X as identified on the Federal Flood Insurance Rate Map. Zone X is identified as those areas between limits of the 100-year flood and 500-year flood. This means that no development will be occurring within the 100-year flood prone area.

- A. SOILS: There are three types of soil cover on the project site. They are Arzell fine sands, Keri fine sands and Pompano fine sands. The distribution of these soil types is shown in Map E.
- B. VEGETATIVE COVER: A breakdown of the vegetative cover of the project area is as follows:

VEGETATION COMMUNITY	ACREAGE
Pineland	1.00
Saw Palmetto/Rusty Lyonia	4.21
Transitional Zone/Cypress	29.40
Functional Wetland	9.40
Cabbage Palm Heads	.30
Improved/Platted	30.67
Cleared/Filled Unplatted Former R/W	21.66
F.P.L. R/W	3.60
TOTAL	100.24

There are no unique features of the vegetation. All species and associations are "typical" for soil types common to pine flatwoods of level sandy areas of Collier County.

- C. WILDLIFE: Wildlife, observed or noted from tracks, nests, etc. consisted of the representative species, such as raccoon, snakes and wading birds, which normally occur in a habitat such as the Tollgate Commercial Center site.

No endangered or threatened species were observed on the site.

- D. HISTORICAL OR ARCHAEOLOGICAL SITES: John Beriault, Field Representative of the S.W. Florida Archaeological Society, searched for such sites and believes none exist on the tract.

- E. WASTEWATER MANAGEMENT: Waste water treatment is being provided by the Collier County Sewage Treatment System. Temporary on-site wastewater treatment facilities for which all necessary permits have been granted may be installed during any period of time in which sewage treatment service is not available from Collier County.

- F. WATER MANAGEMENT: The Water Management Plan provides for site runoff transport to a system of hardwood forest, marsh, and open water ponds. The Water Management Plan is designed to meet SFWMD and County criteria.

Minimum road elevations and discharge control will be designed for the 25-year, 3- day rainfall event. The finished floor elevations will be established by the 100 year-zero discharge design event.

- G. WATER SUPPLY: Potable water is being supplied by the Collier County Water-Sewer District.

Non-potable water utilized for landscape irrigation and other non-human consumptive uses will be procured from on-site wells, or from the County treated sewage effluent distribution system.

- H. SOLID WASTE: Solid waste is being disposed of at the Collier County Sanitary Landfill. Collection is provided by Waste Management of Collier County, a franchised hauler.

- I. ELECTRICITY: Electricity is being provided by the Florida Power & Light Company, Inc.

- J. POLICE PROTECTION: Police protection is provided by the Collier County Sheriff Department.

- K. FIRE PROTECTION: Fire protection is provided by the Golden Gate Fire Control and Rescue District.
- L. TELEPHONE: Telephone service is provided by United Telephone of Florida.

SECTION II

PROJECT DEVELOPMENT REQUIREMENTS

2.1 PURPOSE

The purpose of this Section is to delineate and generally described the project plan of development, relationships to applicable County ordinances, the respective land uses of the tracts included in the project, as well as other project relationships.

2.2 GENERAL

- A. Regulations, requirements and references for development of Tollgate Commercial Center shall be in accordance with the contents of this document. Where these regulations fail to provide development standards, then the provisions of the most similar district in the Collier County Land Development Code shall apply.
- B. Unless otherwise noted, the definitions of all terms shall be the same as the definitions set forth in Collier County Land Development Code.
- C. All conditions imposed and all graphic material presented depicting restrictions for the development of Tollgate Commercial Center shall become part of the regulations which govern the manner in which the PUD site may be developed.
- D. Unless specifically waived through variance or waiver provisions within the PUD, those applicable regulations not otherwise provided for in this PUD remain in full force and effect.
- E. Each tract, as identified on the Master Plan, shall require the submittal, review and subsequent approval of a Site Development Plan prior to the issuance of a Final Local Development Order.

2.3 DESCRIPTION OF PROJECT PLAN AND PROPOSED LAND USES

- A. The project Master Plan is illustrated graphically by Exhibit "A", PUD Master Development Plan.

SCHEDULE OF DEVELOPMENT

Project development is underway and will continue to build-out.

The following schedule indicates the anticipated start and completion dates for the various project development Phases. Phase boundaries are indicated on the Master Development Plan.

TABLE I

PHASE	ACREAGE	% OF SITE	START	COMPLETE
I	54.51	54.4	1988	1993
II	26.44	26.4	1992	1995
III	19.29	19.2	1993	1996
TOTALS	100.24	100.0		

- A. Table I is a schedule of Development, with the approximate acreage of the total project indicated. The arrangement of these land areas are shown on the PUD Master Development Plan (Exhibit "A"). The Master Development Plan is an illustrative preliminary development plan. Design criteria and layout is illustrative on the Master Development Plan and other exhibits supporting this project. It shall be understood that these exhibits are to remain flexible so the final design may satisfy development objectives and be consistent with the project development, as set forth in this document.

Minor changes to the master plan shall be subject to the provisions of Section ~~2.7.3.5,~~ Division 2.7, Article 2 **10.02.13.E. - Planned Unit Development (PUD) Procedures** of the Collier County Land Development Code. The final size of the open space lands will depend on the actual requirements for drive patterns, parking layout and requirements, and development parcel size and configuration.

- B. In addition to the various areas and specific items shown in Exhibit "A", such utility and other easements as are necessary shall be established within or along the various tracts.

2.4 **RELATED PROJECT PLAN APPROVAL REQUIREMENTS**

- A. Prior to the recording of a Record Plat, for all or part of the PUD, final plans of all required improvements shall receive approval of the appropriate Collier County governmental agency to insure compliance with the PUD Master Plan, and the Collier County Land Development Code.
- B. Exhibit "A", PUD Master Development Plan, constitutes the required PUD Development Plan. Subsequent to or concurrent with PUD approval, a Preliminary Subdivision Plat, if

applicable, shall be submitted for any area to be subdivided. Any division of property and the development of the land shall be in compliance with the Collier County Land Development Code and the platting laws of the State of Florida.

- C. The development of any tract or parcel contemplating fee simple ownership of land shall be required to submit and receive approval of a Preliminary Subdivision Plat in conformance with ~~the requirements of Division 3.2, Article 3,~~ **Section 10.02.04. - Requirements for Preliminary and Final Subdivision Plats** of the Collier County Land Development Code, prior to the submittal of construction plans and plat for any portion of the tract or parcel.
- D. Appropriate instruments will be provided at the time of infrastructural improvements regarding any dedications and method for providing perpetual maintenance of common facilities.
- E. The developer or subsequent owner of any platted parcel or platted tract shall, prior to application for a building permit, submit a Site Development Plan (SDP) or Preliminary Subdivision Plat for the tract or parcel to the Development Services Department for approval for applicable development subject to the provisions of ~~Division 3.3, Article 3~~ of the Collier County Land Development Code.

2.5 **AMENDMENTS TO PUD DOCUMENT OR PUD MASTER PLAN**

Amendments may be made to the PUD as provided in Section ~~2.7.3.5.1, Division 2.7, Article 2~~ **10.02.13.E. - Planned Unit Development (PUD) Procedures** of the Collier County Land Development Code.

2.6 **LIMITATIONS OF PLANNED UNIT DEVELOPMENT APPROVAL**

As provided for within Section ~~2.7.3.4, Division 2.7, Article 2~~ **10.02.13.D. - Planned Unit Development (PUD) Procedures** of the Collier County Land Development Code.

2.7 **POLLING PLACES**

As provided for in Section ~~3.2.8.3.14, Division 3.2, Article 3~~ **2.01.04- Polling Places** of the Collier County Land Development Code.

2.8 **PUD MONITORING**

An annual monitoring report shall be submitted pursuant to Section ~~2.7.3.6, Division 2.7, Article 2~~ **10.02.13.F. - Planned Unit Development (PUD) Procedures** of the Collier County Land Development Code.

SECTION III

COMMERCIAL AREAS PLAN

3.1 PURPOSE

The purpose of this Section is to identify the type of Commercial Uses and development standards that will be applied to the areas so designated on Exhibit "A", as "A" Parcels.

3.2 DEVELOPMENT INTENT FOR PARCEL "A"

It is the intent of this document that "A" designated development parcels be used for commercial purposes which serve the motoring public using Interstate I-75 as well as providing limited commercial goods and services of an area-wide nature for the Naples, Marco Island, Golden Gate and the Immokalee urban areas.

Further it is the intent of this document that "A" designated development parcels shall be used in accordance with all current Federal, State and County regulations in effect at the time final local development orders are issued except as specified otherwise in this document by the Collier County Board of County Commissioners.

3.3 COMMERCIAL USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, or land used, in whole or part, for other than the following:

A. Principal Uses

No building or structure, or part thereof, shall be erected, altered or used or land or water used, in whole or in part, for other than the following:

- (a) Automobile service stations including engine tune-ups and minor repairs, and car wash facilities which are accessory uses.
- (b) Banks and financial institutions, business and professional offices.
- (c) Cocktail lounges and commercial entertainment.
- (d) Convention and exhibition halls.
- (e) Department stores; drug stores; dry cleaning shops and dry goods stores.

- (f) Electronic games and furniture sales.
- (g) Ice cream shops and dairy drive-in stores.
- (h) Motels; hotels and other transient lodging facilities.
- (i) Research and design labs; restaurants and fast food restaurants.
- (j) Shopping centers.
- (k) Souvenir stores and stationery stores.
- (l) Supermarkets
- (m) Variety stores; vehicle rental-automobile and U-haul type of vehicles and equipment including outside display; veterinary offices and clinics; no outside kenneling.
- (n) Any other commercial or professional service which is comparable in nature with the foregoing uses and which the Planning Implementation Director determines to be compatible in the district.

B. Permitted Accessory Uses and Structures

- (a) Any accessory uses or structures customarily associated with the permitted principal uses and structures.
- (b) Caretakers residence.

C. Permitted Provisional Uses and Structures

- (a) Car wash facilities which are principal uses.
- (b) Permitted uses with less than one thousand (1,000) square feet gross floor area in the principal structure.

3.3.1. Institutional Uses Permitted

A. Uses permitted

In addition to the uses set forth in Section 3.3., the following principal uses are permitted on the property described on Tracts 7, 8, 9, on the PUD Master Plan Exhibit A.

-Amusements and Recreational Services, Not Elsewhere Classified (SIC Code 7999): limited to: - Gymnastics, Instruction, Judo Instruction, Karate Instruction, Yoga Instruction, Scuba and Skin Diving Instruction, and Day Camps.

-Business Associations (SIC Code 8611)

-Child Daycare Services (SIC Code 8351)

-Civil and Fraternal Organizations (SIC Code 8641)

-Dance Studios and Schools (SIC Code 7911)

-Job Training and Vocational Rehabilitation Services (SIC Code 8331)

-Physical Fitness Facilities (SIC Code 7991)

-Professional Membership Organizations (SIC Code 8621)

-Religious Organizations (SIC Code 8661)

-Social Services (SIC Code 8322) : Excluding: Alcoholism Counseling, Non-Residential Except Medical Treatment, Offender Rehabilitation Agencies, Parole Offices, Probation Offices, and Offender self-help agencies.

B. Permitted Accessory Uses and Structures.

(a) Any accessory uses or structures customarily associated with the permitted principal uses and structures.

3.4 DEVELOPMENT STANDARDS

- (1) Minimum Lot Area: Ten thousand (10,000) square feet.
- (2) Minimum Lot Width: One hundred (100) feet as measured at the front building setback line.
- (3) Minimum Yard Requirements:
 - (a) Front Yard – Twenty-five (25) feet plus one (1) foot for each two (2) feet of building height over fifty (50) feet.
 - (b) Side Yard – None or a minimum of five (5) feet with unobstructed passage from front to rear yard for non-residential uses. Fifteen (15) feet for motels, hotels and

transient lodging facilities plus one (1) foot for each two (2) feet of building height over fifty (50) feet.

- (c) Rear Yard – Twenty-five (25) feet.
 - (d) Waterfront – Twenty-five (25) feet from the normal water line of any artificially created body of water, excluding observation decks, bridges and walkways.
- (4) Maximum Height: One hundred (100) feet.
 - (5) Minimum Floor Area of Principal Structure: One thousand (1,000) square feet per building on the ground floor, except that gasoline service stations and other permitted areas for which the principal activity does not occur in a structure shall not require a minimum floor area.
 - (6) Maximum Density: Twenty-six (26) units per gross acre of land for hotels, motels or transient lodging facilities.
 - (7) Distance between Principal Structures on same Site: one-half the sum of the heights.
 - (8) Signs: As required by ~~Division 2.5~~ **Section 5.06.00** – SIGN REGULATIONS AND STANDARDS BY LAND USE CLASSIFICATION of the Land Development Code.
 - (9) Minimum Off-Street Parking and Off-Street Loading Requirements: As required by ~~Division 2.3~~ **Section 4.05.00** of the Collier County Land Development Code.
 - (10) Minimum Landscaping Requirements:
 - a. Landscape buffer width requirement adjacent to CR-84 and CR-951: CR-84, 5 feet and CR-951, 10 feet **Type D Buffer** with the landscape installation requirements set forth in the Land Development Code Section ~~2.4.7.4 alternative D~~ **4.06.02.C.4.**
 - b. Landscape buffer width requirement adjacent to interior platted streets: 5 feet with ~~alternative A of subsection 2.4.7.4 of the buffer standards~~ **Type A Buffer pursuant to the Land Development Code Section 4.06.02.C.1.**
 - c. Landscape buffer width requirement adjacent to side lot lines, 5 feet for lots which are independently developed with discreet off street parking and drive systems: none for lots which are developed with an off street parking and drive systems which are planned to extend across one or more side lot lines so as to serve in common the adjoining lot(s).
 - d. All landscaping requirements of ~~Division 2.4~~ **Section 4.06.00 - Landscaping, Buffering, and Vegetation Retention** of the Land Development Code not in conflict with a, b, and c shall be applicable.

- e. Landscape buffer plans shall be incorporated in SDP applications for each individual development site.
- (11) Outside Merchandise Storage and displaying: Unless specifically authorized by this PUD documents or by an approved Site Development Plan, outside storage or display of merchandise is prohibited.
- (12) Uses set forth in Section 3.3.1, shall meet the standards of the "Activity Center #9 overlay in the Future Land Use Element of the Growth Management Plan." Existing buildings and structures, as shown on an SDP approved before the date of adoption of this Ordinance, may remain as non-conforming until redevelopment.

SECTION IV COMMERCIAL/LIGHT INDUSTRIAL USES

4.1 PURPOSE

The purpose of this Section is to identify the type of Commercial/Industrial Uses and development standards that will be applied to the areas designated on Exhibit "A" as "B" Parcels.

4.2 DEVELOPMENT INTENT FOR PARCEL "B"

It is the intent of this document that "B" designated development parcels ~~by~~be used for both "A" designated uses and for the sale, service, transportation, storage and distribution of goods and service to the traveling public on I-75 and to the citizens of the area which can be served via the access road systems.

A major function of these parcels is to serve as a focal point for the arrival of goods from other points of the region and country and then be processed for distribution to the local trade market.

It is intended that inside storage and warehousing along with limited assembly and manufacturing wholly within a building and not obnoxious by reason of emission of odor, fumes, dust, smoke, noise or vibration be permitted.

Further, it is the intent of this document that "B" designated Parcels be used in accordance with all of the current Federal, State and County regulations in effect at the time final local development orders are issued except as specified otherwise in this document or as may be approved otherwise by the Collier County Board of Commissioners.

4.3 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part of other than the following:

A. Principal Uses:

- (a) Any principal use or structure permitted on "A" designated development parcels.
- (b) Assembly operations in an enclosed building.

- (c) Building supplies and contractors storage facilities; bulk storage yards not including junk or salvage yards.
- (d) Car wash, communications service and equipment repair.
- (e) Freight movers and storage.
- (f) Laboratories, research, design and testing; laundries; lawn maintenance shops and plant nurseries; light manufacturing or processing (include food processing but not abattoir; packaging or fabricating in a completely enclosed building).
- (g) Miscellaneous uses such as express office; telephone exchange; motor or bus or truck or other transportation terminal and related uses; motorcycle sales, service and repair; museums and tourist attractions.
- (h) New and used car sales, service and repair including outside display.
- (i) Offices, general purpose.
- (j) Warehousing, wholesaling, storage and distributing establishments and similar uses.
- (k) Any other commercial or professional use which is comparable in nature with the foregoing uses and which the Planning Implementation Director determines to be compatible in the district.

B. Permitted Accessory Uses and Structures:

- (1) Any accessory use or structure customarily associated with the permitted uses and structures.

C. Permitted Provisional Uses and Structures:

- (1) Attached residence in conjunction with a business – one (1) per business.
- (2) Permitted use with less than 1,000 square feet gross floor areas in the principal building.

4.3.1. Institutional Uses Permitted

A. Uses permitted

In addition to the uses set forth in Section 4.3., the following principal uses are permitted on Tracts 16-20, and 24-25 on the PUD Master Plan Exhibit A.

-Amusements and Recreational Services, Not Elsewhere Classified (SIC Code 7999): limited to: - Gymnastics, Instruction, Judo Instruction, Karate Instruction, Yoga Instruction, Scuba and Skin Diving Instruction, and Day Camps.

-Business Associations (SIC Code 8611)

-Child Daycare Services (SIC Code 8351)

-Civil and Fraternal Organizations (SIC Code 8641)

-Dance Studios and Schools (SIC Code 7911)

-Job Training and Vocational Rehabilitation Services (SIC Code 8331)

-Physical Fitness Facilities (SIC Code 7991)

-Professional Membership Organizations (SIC Code 8621)

-Religious Organizations (SIC Code 8661)

-Social Services (SIC Code 8322) : Excluding: Alcoholism Counseling, Non-Residential Except Medical Treatment, Offender Rehabilitation Agencies, Parole Offices, Probation Offices, and Offender self-help agencies.

B. Permitted Accessory Uses and Structures.

- (a) Any accessory uses or structures customarily associated with the permitted principal uses and structures.

4.4 DEVELOPMENT STANDARDS

- (1) Minimum Lot Area: Ten thousand (10,000) square feet.
- (2) Minimum Lot Width: One hundred (100) feet as measured at the front building setback line.
- (3) Minimum Yard Requirements:
 - (a) Front Yard – Twenty-five (25) feet.
 - (b) Side Yard – None, or a minimum of five (5) feet with unobstructed passage from front to rear yard for non-residential uses. Fifteen (15) feet for hotels, motels and transient lodging facilities plus one (1) foot for each two (2) feet of building height over fifty (50) feet. Attached residences shall be treated as non-residential.

- (c) Rear Yard – Twenty-five (25) feet.
- (d) Waterfront – Twenty-five (25) feet from the normal level of any artificially created body of water, excluding observation decks, bridges and walkways.
- (4) Maximum Height: One hundred (100) feet.
- (5) Minimum Floor Area of Principal Structure: One thousand (1,000) square feet per building on ground floor, except that gasoline service stations and other permitted uses for which the principal activity does not occur in a structure shall not require a minimum floor area.
- (6) Maximum Density: Twenty-six (26) units per gross acre of land for hotel, motel and transient lodging facilities.
- (7) Distance between Structures: One-half the sum of the heights.
- (8) Signs: As required by ~~Division 2.5~~ **Section 5.06.00** of the Collier County Land Development Code.
- (9) Minimum Off-Street Parking and Off-Street Loading Requirements: As required by ~~Division 2.3~~ **Section 4.05.00 Off-Street Parking and Loading** of the Collier County Land Development Code.
- (10) Minimum Landscaping Requirements:
 - a. Landscape buffer width requirement adjacent to CR-84 and CR-951: CR-84, 5 feet and CR-951, 10 feet **Type D Buffer** with the landscape installation requirements set forth in the Land Development Code Section ~~2.4.7.4~~ **alternative D 4.06.02.C.4**
 - b. Landscape buffer width requirement adjacent to interior platted streets: 5 feet with ~~alternative A of subsection 2.4.7.4 of the buffer standards~~ **Type A Buffer pursuant to the Land Development Code Section 4.06.02.C.1.**
 - c. Landscape buffer width requirement adjacent to side lot lines, 5 feet for lots which are independently developed with discreet off street parking and drive systems: none for lots which are developed with an off street parking and drive systems which are planned to extend across one or more side lot lines so as to serve in common the adjoining lot(s).
 - d. All landscape requirements of ~~Division 2.4~~ **Section 4.06.00 Landscape, Buffering, and Vegetation Retention** of the Land Development Code not in conflict with a, b, and c shall be applicable.

- e. Landscape buffer plans shall be incorporated in SDP applications for each individual development site.
- (11) Merchandise Storage and Display: Unless specifically authorized by this PUD documents or an approved Site Development Plan, or of a nature which is permitted generally, outside storage or display or merchandise is prohibited.
- (12) Uses set forth in Section 4.3.1, shall meet the standards of the "Activity Center #9 overlay in the Future Land Use Element of the Growth Management Plan." Existing buildings and structures, as shown on an SDP approved before the date of adoption of this Ordinance, may remain as non-conforming until redevelopment.

SECTION V GENERAL DEVELOPMENT COMMITMENTS

5.1 PURPOSE

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

5.2 PUD MASTER PLAN

- A. The PUD Master Plan is an illustrative preliminary development plan.
- B. The design criteria and layout illustrated in the Master Development Plan shall be interpreted as preliminary and understood to be flexible so that the final design may best satisfy the project and comply with all applicable requirements. Minor design changes shall be permitted subject to Staff approval.
- C. All necessary easements, dedication, or other instruments shall be granted to insure the continued operation and maintenance of all service utilities.
- D. Overall site design shall be harmonious in terms of landscaping, enclosure of structure, locations of all improved facilities and location and treatment of buffer areas.

5.3 ENGINEERING

- A. The developer and all subsequent petitioners are hereby placed on notice that they shall be required to satisfy the requirements of all County ordinances or codes in effect prior to or concurrent with any subsequent development order relating to this site. This includes, but is not limited to, Preliminary Subdivision Plats, Site Development Plans and any other application that will result in the issuance of a final or final local development order.
- B. The project shall be platted in accordance with the ~~Collier County Subdivision Code~~ **Section 10.02.04 - Requirements for Preliminary and Final Subdivision Plats** to define the right-of-way, tracts, and water management areas as shown on the master plan.
- C. Landscaping shall not be placed within the water management areas unless specifically approved by project Review Services.
- D. Provide a landscape buffer along the entire southern property line in accordance with Section with Section 3.4 (10) and 4.4 (10) of this PUD.

- E. Should the South Florida Water Management District, during its permit review process, require a natural vegetative buffer be created between the lots and any jurisdictional wetland Preserve and/or Conservation tract, the buffer shall not be located within the boundaries of the lot(s) unless otherwise waived by the South Florida Water Management District. It shall be created as a separate platted tract or as a buffer Easement over an expanded limit of the Preserve tracts, which would be dedicated as Preserve/Drainage tracts, to include the buffer within the Preserve tract. If the buffer is located within a separate tract, that tract shall be dedicated on the plat to the project's homeowners association or like entity for ownership and maintenance responsibilities and if necessary, to Collier County with no responsibility for maintenance. All Preserve buffer easements or buffer tracts shall be created in conformance with the provisions of Chapter 704.06, Florida Statutes.
- F. Land Development Code, Section ~~3.2.8.4.16.6~~ **6.06.01 – Street System Requirements** Dead end streets maximum length not to exceed 1,000 feet: Waived to a maximum length of 1,050 feet.
- G. Land Development Regulations, Section ~~3.2.8.4.16~~ **6.06.01 – Street System Requirements**– All local streets within commercial subdivision shall be designed according to the typical section for collector streets contained in the County Standards. Waived subject to right-of-way and other dimension requirements for the roads to meet local street standards and the pavements structure to meet collector standards.
- H. Land Development Code, Section ~~3.2.8.4.7~~ **6.01.02** – Easements: Utility easements will be provided as needed with Collier County utility easements (C.U.E.) at a minimum of fifteen (15) feet.
- I. Land Development Code, Section ~~3.2.8.3.17~~ **6.06.02 – Sidewalks, Bike Lane and Pathways Requirements**. Not waived since existing phase already has sidewalks and it will maintain the continuity for pedestrian's access purposes.

5.4 **UTILITIES**

- A. Water distribution, sewage collection and transmission and interim water and/or sewage treatment facilities to serve the project are to be designed, constructed, conveyed, owned and maintained in accordance with ~~Collier County Ordinance No. 88-76~~ **Collier County Code of Laws and Ordinances Chapter 134 Utilities, Section 134-47, Policies and Standards**, as amended, and other applicable County rules and regulations.

- B. All customers connecting to the water distribution and sewage collection facilities to be constructed will be customers of the County and will be billed by the County in accordance with the County's established rates.
- C. The on-site water distribution system to serve the project must be connected to the existing water main on Tollhouse Drive and/or CR-84 rights-of-way consistent with the main sizing requirements specified in the County's Water Master Plan and extended throughout the project. During design of these facilities, dead end mains shall be eliminated by looping the internal pipeline network.
- D. The utility construction documents for the project's sewerage system shall be prepared so that all sewage flowing to the County's master pump station is transmitted by one (1) main on-site pump station. Due to the design and configuration of the master pump station, flow by gravity into the station will not be possible. The Developer's Engineer shall meet with the County Staff prior to commencing preparation of construction drawings, so that all aspects of the sewerage system design can be coordinated with the County's sewer master plan.
- E. The existing off-site water facilities of the District must be evaluated for hydraulic capacity to serve this project and reinforced as required, if necessary, consistent with the County's Water Master Plan to insure that the District's water system can hydraulically provide a sufficient quantity of water to meet the anticipated demands of the project and the District's existing committed capacity.
- F. The existing off-site sewage transmission facilities of the district must be evaluated for hydraulic capacity to serve this project improved as required outside the project boundary to provide adequate capacity to transport the additional wastewater generated without adverse impact to the existing transmission facilities.

5.5 WATER MANAGEMENT AND ENGINEERING

- A. Detailed paving, grading, site drainage and utility plans shall be submitted to Project Review Services for review. No construction permits shall be issued unless and until approval of the proposed construction in accordance with the submitted plans is granted by Project Review Services.
- B. Work within Collier County right-of-way shall meet the requirements of Collier County ~~Right-of-Way Ordinance No. 82-91~~ **03-37, as amended.**
- C. An Excavation Permit will be required for the proposed lakes(s) in accordance with ~~Division 3.5 of the Collier County Land Development Code~~ **Collier County Code of Laws**

and Ordinances Chapter 22, Article IV, Excavation. The standards related to depths may be modified in accordance with ~~DER~~ DEP and ~~ACOE~~ USACE permits.

- D. Each building site will be required to provide a minimum ½ inch of dry pre-treatment on site, unless otherwise waived by South Florida Water Management District.

5.6 ENVIRONMENTAL

- A. All jurisdictional wetlands and mitigation areas on-site shall be designated as conservation/preserve tracts or easements on all construction plans and shall be recorded on the plat with protective covenants similar to or as per Chapter 704.06 of the Florida Statutes.
- B. In the case of mitigation off-site any purchase must be within the Conservation and Recreational Lands (CARL) or the Corkscrew Regional Ecological Watershed Lands (CREW) or other areas approved for mitigation by the Florida Department of Environmental Regulation. The ultimate transfer of deed(s) of land(s) to Florida Department of Natural Resources, Division of State Lands must occur prior to final construction plan/plat approvals.
- C. Control structures on-site shall be constructed in accordance with State and Federal permits.

5.7 WATER MANAGEMENT

- A. Detailed paving, grading, and site drainage plans shall be submitted to Project Review Services for review. No construction permits shall be issued unless and until approval of the proposed construction in accordance with the submitted plans is granted by Project Review Services.
- B. Design and construction of all improvements shall be subject to compliance with the appropriate provisions of the Collier County Subdivision Regulations.
- C. An Excavation Permit will be required for the proposed lake(s) in accordance with ~~Division 3.5 of the Collier County Land Development Code~~ Collier County Code of Laws and Ordinances Chapter 22, Article IV, Excavation. The standards related to depths may be modified in accordance with ~~DER~~ DEP and ~~ACOE~~ USACE permits.
- D. A copy of SFWMD Permit or Early Work Permit is required prior to construction plan approval.
- E. Each building site will be required to provide a minimum ½ inch of dry pre-treatment on-site, unless otherwise waived by South Florida Water Management District.

5.8 TRANSPORTATION

- A. The final location of major access points along Davis Boulevard shall be determined during the ~~SMP process~~ **approval of the Final Subdivision Plat or Site Development Plan.** Such major access points shall provide primary access and internal road circulation and shall typically include turn land improvements based on projected traffic conditions. Secondary access points between Davis Boulevard and individual parcels shall be prohibited unless approved consistent with ~~Ordinance 82-91~~ **the Final Subdivision Plat** as may be amended and with the following access control criteria:

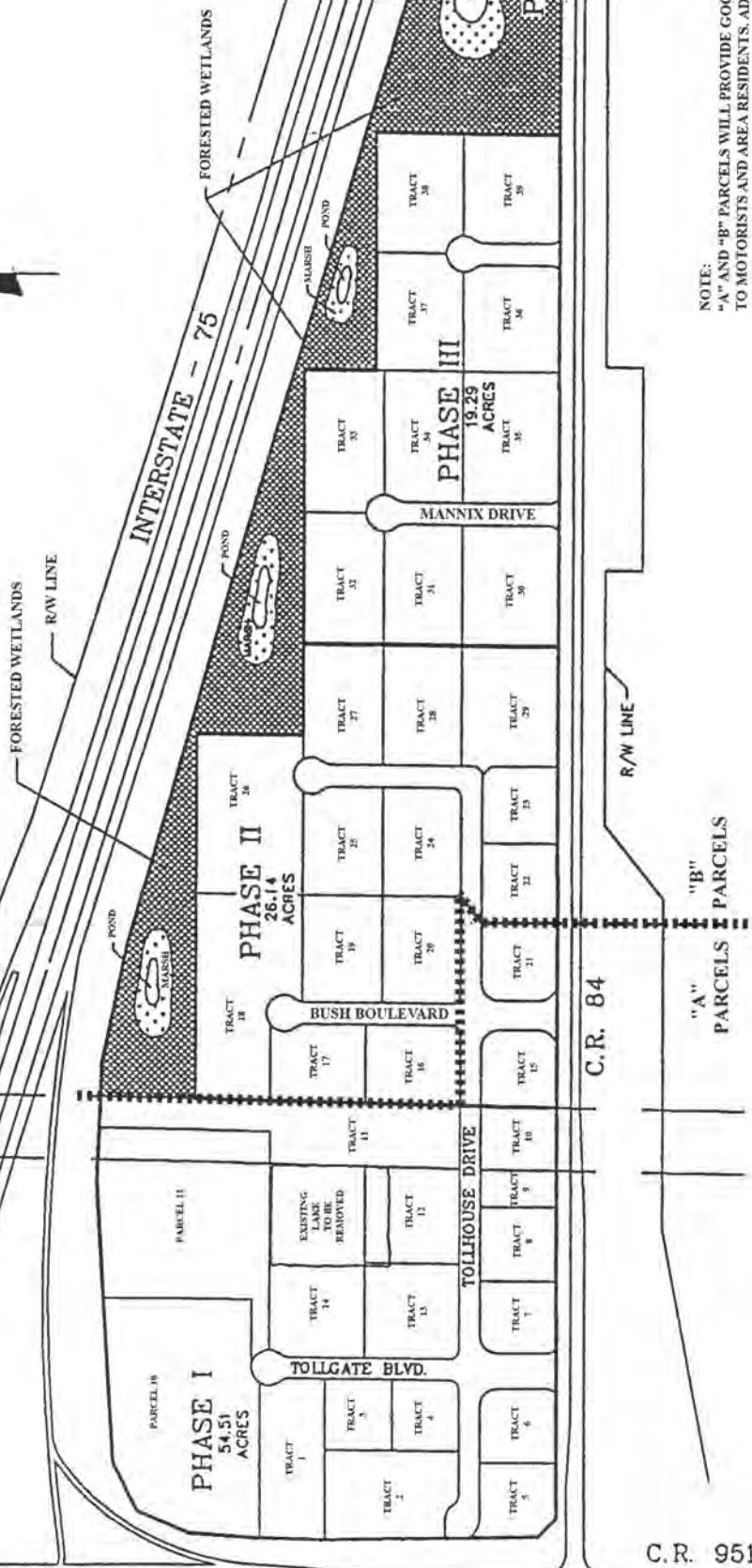
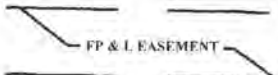
1. safety
2. proper geometric design
3. effects on the capacity of Davis Boulevard
4. traffic volumes using the proposed access point
5. other roadways providing access to the site
6. the combined effect of access to any and all tracts both within this PUD and adjacent PUD's
7. spacing of access points

Collier County reserves the right to close any approved secondary access to and from Davis Boulevard should it at any time be found to create a traffic hazard or to adversely affect the capacity or level of service of that roadway.

- B. The road impact fee shall be as set forth in ~~Ordinance 85-55~~ **Collier County Code of Laws and Ordinances Chapter 74,** as amended, and shall be paid at the time building permits are issued unless otherwise approved by the Board of County Commissioners.
- C. Access improvements shall not be subject to impact fee credits and shall be in place before any certificates of occupancy are issued.
- D. All traffic control devices used shall conform with the Manual on Uniform Traffic Control Devices ~~as required by Chapter 316.0747 Florida Statutes.~~

MAP II
MASTER
DEVELOPMENT PLAN

TOLLGATE
COMMERCIAL CENTER
January, 1991



NOTE:
"A" AND "B" PARCELS WILL PROVIDE GOODS AND SERVICES
TO MOTORISTS AND AREA RESIDENTS. ADDITIONALLY, "B"
PARCELS WILL ACCOMMODATE SERVICE, ASSEMBLY, WHOLESALE,
AND RELATED HEAVY BUSINESS USES.

EXHIBIT "A"



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

May 15, 2017

Honorable Dwight E. Brock
Clerk of the Circuit Court
Collier County
Post Office Box 413044
Naples, Florida 34101-3044

Attention: Ann P. Jennejohn, Deputy Clerk

Dear Mr. Brock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 17-15, which was filed in this office on May 15, 2017.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb