

Exhibit A

CP-2010-1

I. URBAN DESIGNATION

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A. Urban Mixed Use District

16. Vanderbilt Beach Road Neighborhood Commercial Subdistrict

The purpose of this Subdistrict is to provide primarily for neighborhood commercial development at a scale not typically found in the Mixed Use Activity Center Subdistrict.

The intent is to provide commercial uses to serve the emerging residential development in close proximity to this Subdistrict, and to provide employment opportunities for residents in the surrounding area. Allowable uses shall be a variety of commercial uses as more particularly described below, and mixed use (commercial and residential). Prohibited uses shall be gas stations and convenience stores with gas pumps, and certain types of fast food restaurants.

This Subdistrict consists of two parcels comprising approximately 17 acres, located on the north side of Vanderbilt Beach Road and east of Livingston Road, as shown on the Subdistrict Map. For mixed-use development, residential density shall be limited to sixteen dwelling units per acre. Residential density shall be calculated based upon the gross acreage of the Subdistrict parcel on which it is located (Parcel 1 or Parcel 2). Rezoning of the parcels comprising this Subdistrict is encouraged to be in the form of a PUD, Planned Unit Development. At the time of rezoning, the applicant must include architectural and landscape standards for each parcel.

a. Parcel 1

This parcel is located at the intersection of Livingston Road and Vanderbilt Beach Road. A maximum of 100,000 square feet of gross leasable floor area for commercial uses may be allowed. Allowable uses shall be the following, except as prohibited above: retail, personal service, restaurant, office, and all other uses as allowed, whether by right or by conditional use, in the C-1 through C-3 zoning districts as set forth in the Collier County Land Development Code, Ordinance 04-41, as amended, in effect as of the date of adoption of this Subdistrict (Ordinance No. 2005-25 adopted on June 7, 2005); other comparable and/or compatible land uses not found specifically in the C-1 through C-3 zoning districts, limited to: general and medical offices, government offices, financial institutions, personal and business services, limited indoor recreational uses, and limited retail uses; mixed-use development (residential and commercial uses). The maximum floor area for any single commercial user shall be 20,000 square feet, except for a grocery/supermarket, physical fitness facility, craft/hobby store, home furniture/furnishing store, or department store use, which shall not exceed a maximum of 50,000 square feet.

(Words underlined are added, words ~~struck through~~ are deleted)

b. Parcel 2

This parcel is located approximately ¼ mile east of Livingston Road and is adjacent to multifamily residential uses. A maximum of 80,000 square feet of gross leasable floor area for commercial uses may be allowed. Allowable uses shall be the following, except as prohibited above: General and medical offices, community facilities, and business and personal services, all as allowed, whether by right or by conditional use, in the C-1 through C-3 zoning districts as set forth in the Collier County Land Development Code, Ordinance 04-41, as amended, in effect as of the date of adoption of this Subdistrict (Ordinance No. 2005-25 adopted on June 7, 2005). The maximum floor area for any single commercial user shall be 20,000 square feet.

At the time of rezoning of Parcel 2, the developer shall provide restrictions and standards to insure that uses and hours of operation are compatible with surrounding land uses. Permitted uses such as assisted living facilities, independent living facilities for persons over the age of 55, continuing care retirement communities, and nursing homes, shall be restricted to a maximum of 200 units and a maximum floor area ratio (FAR) of 0.6. The developer of Parcel 2 shall provide a landscape buffer along the eastern property line, abutting the Wilshire Lakes PUD, at a minimum width of thirty (30) feet. At the time of rezoning, the developer shall incorporate a detailed landscape plan for that portion of the property fronting Vanderbilt Beach Road as well as that portion along the eastern property line, abutting the Wilshire Lakes PUD.

In addition to the prohibited uses applicable to both parcels, the following list of uses shall also be prohibited on Parcel 1.

0742 – Veterinary services for Animal Specialties – Horses are prohibited, other animals are allowed

0752 – Animal specialty services, except Veterinary (dog grooming is allowed)

5261 – Retail nurseries, lawn and garden supply stores

5499 – Poultry dealers – retail and egg dealers – retail

5531 – Auto and home supply store, except automobile accessory and parts dealers – retail (no on-site installation)

5813 – Drinking places (alcoholic beverages)

5921 - Liquor stores exceeding 5,000 square feet

5932 – Uses merchandise stores

5962 – Automatic merchandising machine operators

7211 – Power laundries, family and commercial

7215 – Coin-operated laundries and drycleaning

7216 – Drycleaning plants, except rug cleaning

7299 – Miscellaneous personal services, not elsewhere classified

Coin operated service machine operations

Comfort station operation

Escort service

Locker rental

Massage parlors (except those employing licensed therapists)

Rest room operation

Tattoo parlors

Turkish baths

Wedding chapels, privately operated

(Words underlined are added, words ~~struck through~~ are deleted)

7389 – Business services, not elsewhere classified, except Appraisers
7623 – Refrigeration and air-conditioning service and repair shops
7629 – Electrical and electronic repair shops, not elsewhere classified
7641 – Re-upholstery and furniture repair
7692 – Welding repair
7694 – Armature rewinding shops
7699 – Repair shops and related services, not elsewhere classified
7841 – Adult oriented video tape rental
7993 – Coin operated amusement devices
8641 – Civic, social and fraternal associations

CCPC Recommendation: *Not part of the Subdistrict Text*

As a condition of approval, and prior to the adoption of this Growth Management Plan amendment, the owner shall record in the official land records restrictive covenants for the benefit of surrounding property owners, including the Orchards, Village Walk, Tiburon at Pelican Marsh and Wilshire Lakes, that will prohibit the prohibited uses contained within the Subdistrict.

(Words underlined are added, words ~~struck through~~ are deleted)