

EXHIBIT A

COURTHOUSE SHADOWS MPUD PERMITTED USES

A maximum of 165,000 square feet of gross commercial floor area and a maximum of 300 multi-family residential dwelling units shall be permitted within the MPUD. The uses are subject to the trip cap identified in Exhibit F, Section 3.e. of this PUD. The project plan including street layout is illustrated in the Master Plans as shown on Exhibit "C1" (Commercial Option Master Plan) and Exhibit "C2" (Mixed-use Option Master Plan). 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. Antique Shops
2. Appliance stores
3. Art studios
4. Art supplies
5. Automobile parts stores
6. Automobile service stations, including facilities with fuel pumps
7. Bakery shops (including baking incidental to retail or wholesale sales)
8. Banks (branch or main office) and financial institutions
9. Barber and beauty shops
10. Bath supply stores
11. Blueprint shops
12. Bicycle sales and services
13. Book stores
14. Carpet and floor covering sales (including storage and installation)
15. Child care centers
16. Cocktail lounges, commercial recreation (indoor)
17. Clothing stores

18. Commercial schools
19. Confectionery and candy stores
20. Delicatessen; drive-in restaurants, drug stores; dry cleaning shops; dry goods stores and department stores.
21. Dwelling units, Multi-family rentals (see Table II for residential development standards)
22. Electric supply stores
23. Fish stores; florist shops; food markets (including facilities with fuel pumps); furniture stores; furrier shops and fast food restaurants.
24. Gift shops, gourmet shops
25. Hardware stores; health food stores; hobby supply stores; home for the aged
26. Ice cream stores; ice sales; interior decorating showrooms
27. Jewelry stores
28. Laundries, leather goods, and luggage stores; locksmiths and liquor stores
29. Meat market; medical office or clinic for human care; millinery shops; motion picture theater; music stores
30. Membership warehouse club with associated liquor store use and ancillary facility with fuel pumps. The facility with fuel pumps may not be open to the general public and shall be for only members of the membership warehouse club.
31. Office (retail or professional); office supply stores
32. Paint and wallpaper stores; pet shops, pet supply stores; photographic equipment stores; post office
33. Radio and television sales and service; small appliance stores; shoe sales and repairs; restaurants
34. Souvenir stores; stationery stores; shopping centers; supermarkets subject to site development plan approval.
35. Tailor shops; tobacco shops; toy shops; tropical fish stores

36. Variety stores; veterinary offices and clinics (no outside kenneling)
37. Watch and precision instrument sales and repair
38. Any other commercial use of professional service normally allowed in C-3 Zoning District as determined by the Board of Zoning Appeals ("BZA") or the Hearing Examiner.

B. Permitted Accessory Uses and Structures:

1. Uses and structures that are accessory and incidental to the permitted uses within this MPUD document.
2. Water management facilities to serve the project such as lakes.
3. Open space uses and structures such as, but not limited to, boardwalks, nature trails, gazebos and picnic areas.
4. Any other accessory and related use that is determined to be comparable in nature with the foregoing uses and consistent with the permitted accessory uses of this CPUD as determined by the BZA or the Hearing Examiner.

EXHIBIT B

COURTHOUSE SHADOWS MPUD DEVELOPMENT STANDARDS

The table below sets forth the development standards for land uses within the Courthouse Shadows 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.

I. COMMERCIAL USES:

	PRINCIPAL USES	ACCESSORY USES
MINIMUM LOT AREA	N/A	N/A
AVERAGE LOT WIDTH	N/A	N/A
MINIMUM YARDS (External)		
From U.S. 41 ROW	15 ft.	15 ft. (1)
From Western PUD Boundary	25 ft.	15 ft
From Southern PUD Boundary	50 ft.	20 ft.
MINIMUM OTHER YARDS (Internal)	10 ft.	N/A
MIN. DISTANCE BETWEEN STRUCTURES	0 ft. or 15 ft.	N/A
MAXIMUM HEIGHT		
Zoned	35 ft.	35 ft.
MAXIMUM GROSS COMMERCIAL AREA	165,000 sq. ft.	N/A

NOTE: (1) Excludes signage

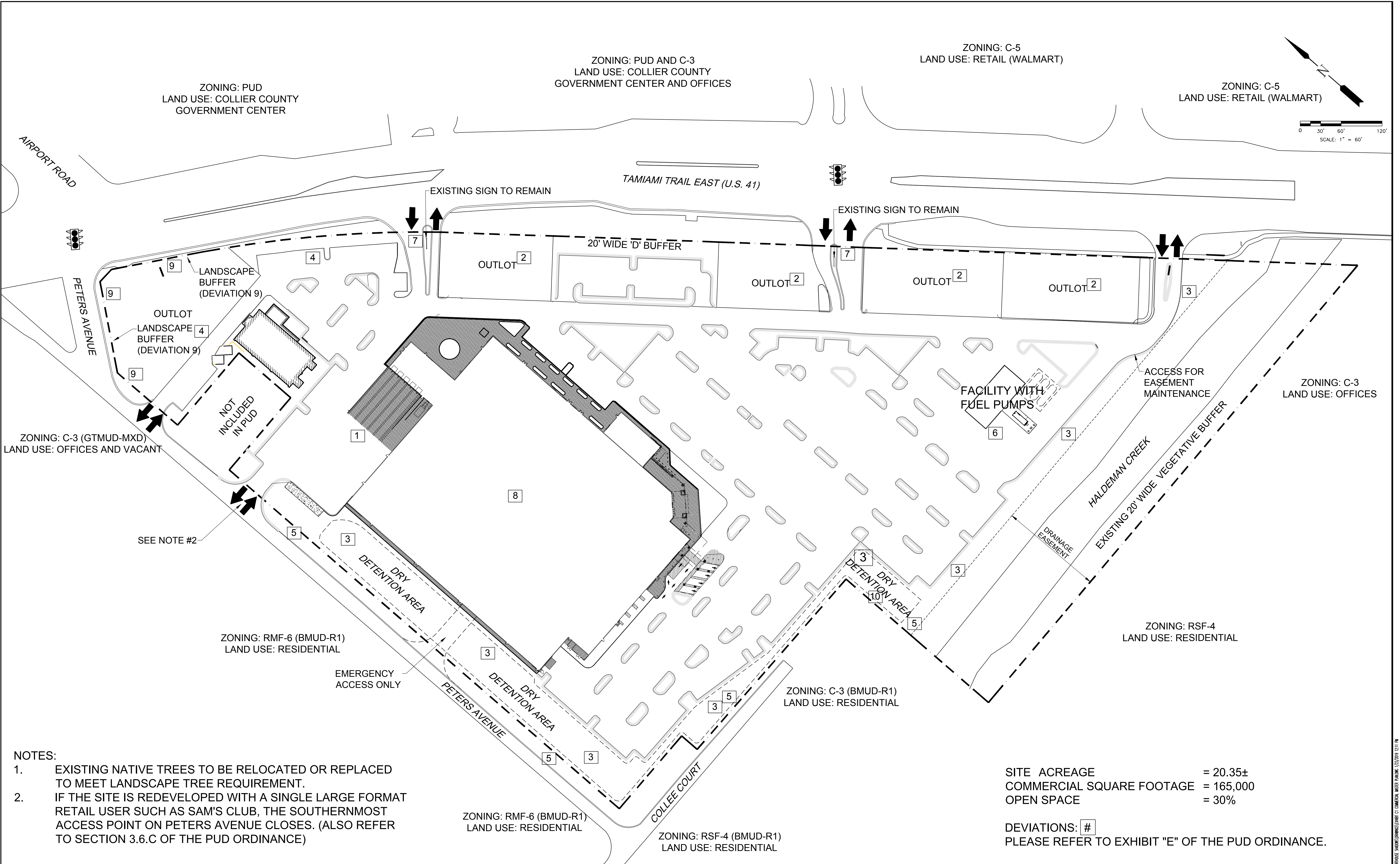
II. RESIDENTIAL USES:

- Guardhouses, gatehouses, access control structures, clock towers, fences, walls, columns, decorative hardscaping or architectural embellishments associated with the project's entrance features are permitted within the residential areas abutting the project's entrance, or within the private roadway as depicted on the PUD Master Plan, and shall have no required setbacks; however, such structures cannot be located where they create vehicular stacking or sight distance issues for motorists and pedestrians, and cannot exceed 35 feet in zoned height and 40 feet in actual height.

STANDARDS	MULTI-FAMILY	AMENITY AREA
PRINCIPAL STRUCTURES		
Minimum Floor Area (per unit)	700 S.F.	N/A
Minimum Lot Area	10,000 S.F.	N/A
Minimum Lot Width	N/A	N/A
Minimum Lot Depth	N/A	N/A
Maximum Height Zoned Actual	65 feet 70 feet	35 feet 45 feet
MINIMUM SETBACKS		
From Tamiami Trail East (U.S. 41)	140 feet	25 feet
From Peter's Avenue	70 feet	50 feet
From Collee Court	50 feet	50 feet
From all other PUD Perimeter Boundaries	20 feet	20 feet
From Haldeman Creek Easement	25 feet	0 feet
Minimum Distance Between Structures	25 feet	15 feet
ACCESSORY STRUCTURES		
Maximum Height Zoned Actual Zoned (Detached Garage) Actual (Detached Garage)	35 feet 40 feet 15 feet 18 feet	N/A N/A N/A N/A
MINIMUM SETBACKS		
From Tamiami Trail East (U.S. 41)	15 feet	N/A
From Peter's Avenue	15 feet	N/A
From Collee Court	40 feet	N/A
From all other PUD Perimeter Boundaries	10 feet	N/A
From Haldeman Creek Easement	0 feet	N/A
Minimum Distance Between Structures	15 feet	N/A
Minimum Distance Between Structures (Detached Garage)	10 feet	N/A

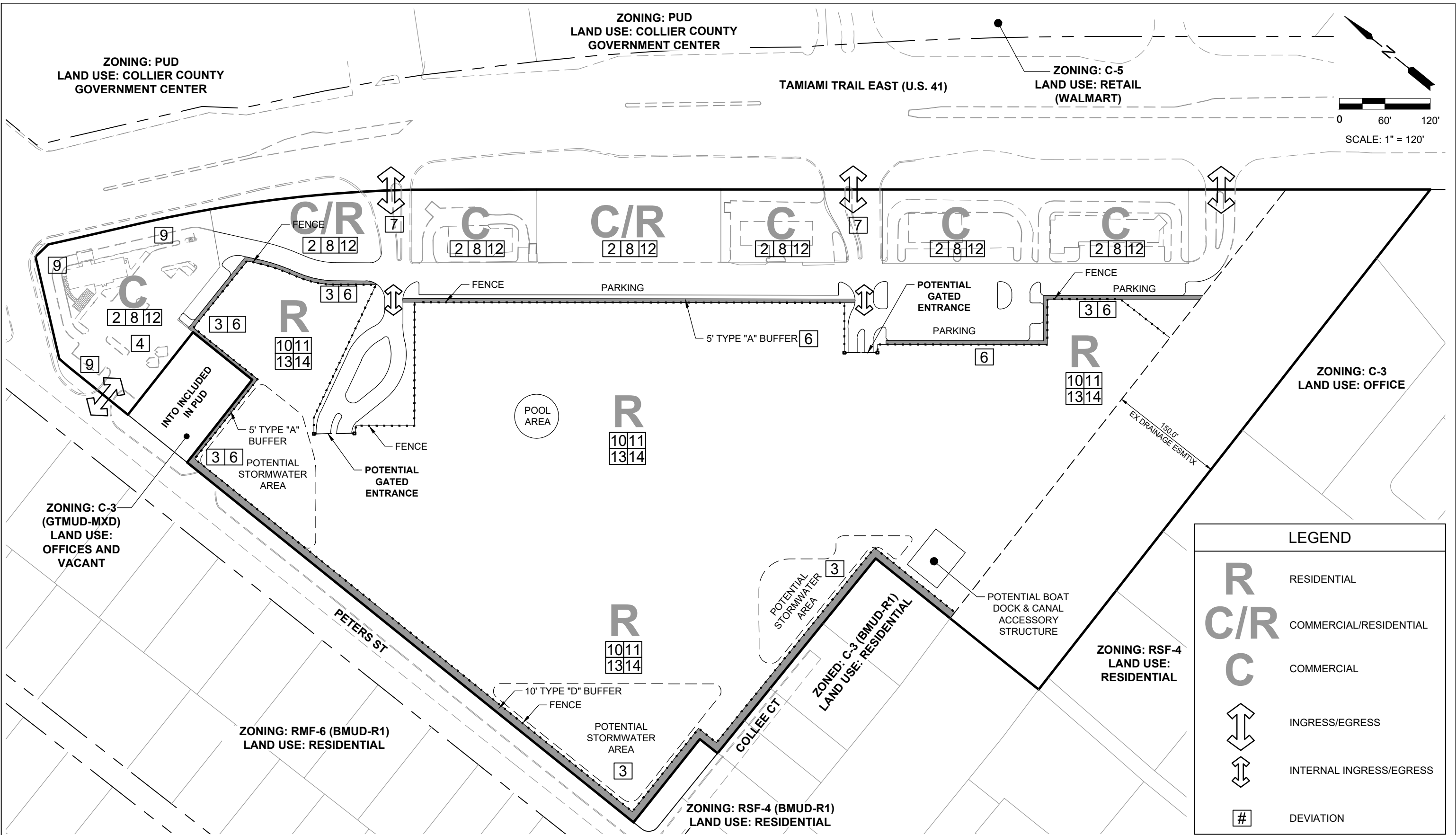
(1) If a Clubhouse is located within a Residential Structure it shall follow the development regulations for Multi-Family.

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




#	LEGEND			8	01/2019	PUD AMENDMENT		DESIGNED BY:		 <div>GradyMinor</div> <div>Civil Engineers • Land Surveyors • Planners • Landscape Architects</div> <div>CERT. OF AUTH. EB 0005151 CERT. OF AUTH. LB 0005151 BUSINESS LC 26000266</div> <div>www.GradyMinor.com Q. Grady Minor and Associates, P.A.</div>	COURTHOUSE SHADOWS MPUD			MUNICIPALITY:
	7	11/2016	ADD NOTE #2	SU	DRAWN BY:	Bonita Springs Port Myers	239.947.1144 239.690.4380	COLLIER COUNTY						
	6	11/2016	REVISED PER CCPC HEARING	SU	APPROVED:			SEC/TWNSHP/RNG						
	5	11/2016	REVISED PER CCPC HEARING	SU				11/505/25E						
	4	09/2016	REVISED PER REVIEW #4 COMMENTS	SU				DATE:						
	3	07/2016	REVISED PER REVIEW #3 COMMENTS	SU				JULY 2012						
	2	12/2015	REVISE SITE PLAN	SU	JOB CODE:			FILE NAME:						
	1	11/12	ENLARGE TEXT AND REVISE PER REVIEW #1	SU				EXHIBIT C1 COMMERCIAL MASTER PLAN						
	Revision	Date	Description	By	SCALE:	CSPUDA	1" = 60'	SHEET 1 OF 1						

Q:\LAND 2017\466 COURTHOUSE SHADOWS APARTMENTS\00466-01 SITE PLAN DESIGN\00-AUTOCAD\EXHIBITS\0046601E03 - MASTER CONCEPT PLAN\0046600E0302(2019-02-06).DWG 2/6/2019 10:29 AM



#	DATE	REVISIONS



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COURTHOUSE SHADOWS

EXHIBIT C2: MASTER CONCEPT PLAN

PROJECT #: 46600E0301

FILE DATE: 02/2019

DESIGN BY: JFC

SCALE: 1" = 120'

SHEET : 1 OF 1

EXHIBIT D

COURTHOUSE SHADOWS MPUD LEGAL DESCRIPTION

BEING A PORTION OF LAND LYING IN SECTIONS 11, 12, & 13, TOWNSHIP 50 SOUTH, RANGE 25 EAST COLLIER COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF THE PLAT OF COURTHOUSE SHADOWS AS RECORDED IN PLAT BOOK 29 PAGES 40-41 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE RUN ALONG SAID PLAT FOR THE FOLLOWING NINE (9) COURSES AND DISTANCES:

1. THENCE S 89° 01' 07" W, A DISTANCE OF 838.57 FEET;
2. THENCE N 00° 15' 36" W, A DISTANCE OF 276.13 FEET;
3. THENCE N 89° 59' 12" W, A DISTANCE OF 331.40 FEET;
4. THENCE N 00° 18' 23" W, A DISTANCE OF 30.00 FEET;
5. THENCE S 89° 28' 37" W, A DISTANCE OF 140.47 FEET;
6. THENCE N 00° 11' 18" W, A DISTANCE OF 757.17 FEET;
7. THENCE N 89° 15' 15" E, A DISTANCE OF 138.91 FEET;
8. THENCE N 00° 18' 23" W, A DISTANCE OF 100.34 FEET;
9. THENCE S 89° 13' 43" W, A DISTANCE OF 138.71 FEET TO A POINT ON THE EAST LINE OF PETERS AVENUE AS RECORDED IN PLAT BOOK 1, PAGE 56 OF SAID PUBLIC RECORDS; THENCE RUN ALONG SAID EAST LINE N 00° 11' 18" W, A DISTANCE OF 116.95 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3939, PAGE 463 OF SAID PUBLIC RECORDS; THENCE RUN ALONG SAID LANDS FOR THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. THENCE N 38° 02' 06" E, A DISTANCE OF 138.66 FEET;
2. THENCE S 82° 55' 44" E, A DISTANCE OF 23.32 FEET;
3. THENCE S 51° 37' 15" E, A DISTANCE OF 37.56 FEET TO THE NORTHEAST CORNER OF SAID LANDS; THE SAME BEING A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF TAMiami TRAIL (US 41); THENCE RUN ALONG SAID LINE FOR THE REMAINING COURSES AND DISTANCES:
 1. S 52° 02' 35" E, A DISTANCE OF 85.20 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 12° 59' 04", A RADIUS OF 1773.76 FEET, A CHORD BEARING AND DISTANCE OF S 45° 33' 03" E, 401.11 FEET; THENCE IN A WESTERLY DIRECTION, WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 401.97 FEET TO THE END OF SAID CURVE;
 2. THENCE S 39° 03' 31" E, A DISTANCE OF 1306.74 FEET TO THE POINT OF BEGINNING.

CONTAINING 20.35 ACRES MORE OR LESS.

EXHIBIT E

COURTHOUSE SHADOWS MPUD DEVIATIONS FROM THE LDC

- DEVIATION 1:** Relief from Section 4.05.06.B of the LDC, which requires 3 loading spaces for the first 50,000 SF of each retail store, warehouse, wholesale establishment, industrial activity, terminal, market, restaurant, funeral home, laundry, dry cleaning establishment, or similar use which has an aggregate floor area of 20,000 but not over 50,000 plus one additional off-street loading space for each additional 25,000 SF over 50,000 SF or major fraction thereof which would require 7 loading spaces to instead allow a total of 5 loading spaces measuring 10'x20' (200 s.f.). This deviation applies to the location shown on the Master Plan.
- DEVIATION 2:** Relief from Section 4.06.02, Table 2.4 of the LDC, which allows a shared 15' landscape buffer to be provided between ~~platted~~ separately owned commercial building lots with each abutting property contributing 7.5 feet, to permit a single 8-foot wide average internal landscape buffer between separately ~~owned lots~~ platted tracts as shown on the Conceptual Master Plan with each property contributing 4 feet. This deviation applies to the Outlot parcels as shown on the Master Plan.
- DEVIATION 3:** Relief from Section 4.06.02.D1 and D2 of the LDC, which requires the water management system to not exceed 50 percent of the square footage of any required side, rear, or front yard landscape buffer and also have a minimum of a 5' wide level planted area, to allow the water management system to encroach 100% into the perimeter landscaping buffer.
- DEVIATION 4:** Relief from Section 4.06.03.B of the LDC, which requires all rows of parking spaces shall contain no more than ten parking spaces uninterrupted by a required landscaping island, to allow up to 19 parking spaces uninterrupted by a required landscape island.
- DEVIATION 5:** Relief from Section 5.03.02.H and 5.05.05.D.2 of the LDC, which requires a wall or fence to be 6' away from the property line when a non-residential development lies contiguous to or opposite a residentially zoned district, to allow the wall or fence to be on or adjacent to the property line.
- DEVIATION 6:** Relief from LDC Section 4.06.02. Table 2.4 which requires a 15'-wide Type "B" buffer on the multi-family residential property where it abuts the Commercial outparcels to instead allow a 5'-wide Type "A" buffer on the multi-family residential property.

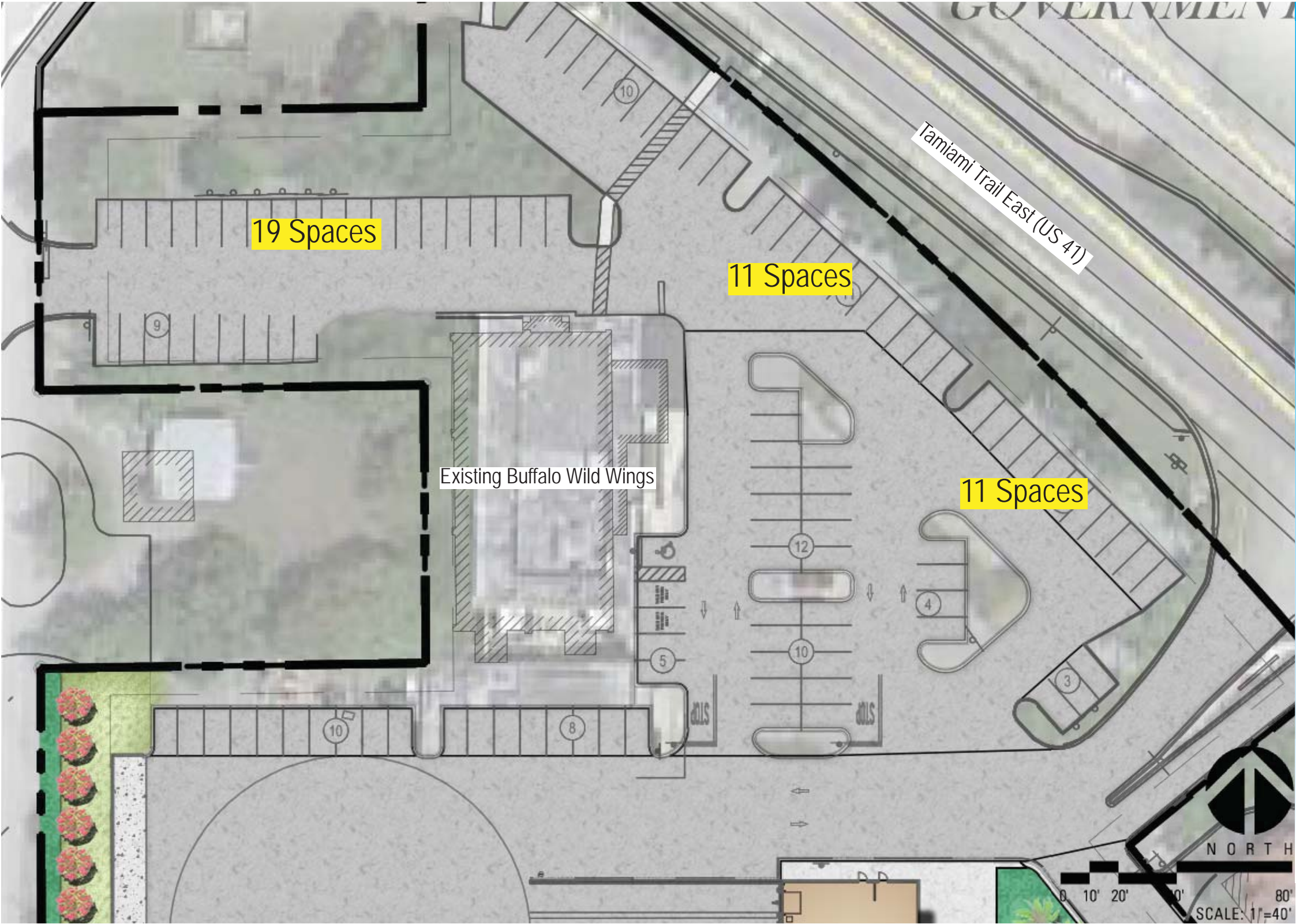
- DEVIATION 7: Relief from LDC Section 5.06.04.F.3, which permits on-premise directory signs for multi-occupancy parcels with a minimum of 8 independent units containing 20,000 square feet of leasable floor area to allow the existing directory signs to be utilized to identify the residential component of the mixed-use PUD and to have fewer than 8 tenants identified on the signage and the existing height of 25' to remain.
- DEVIATION 8: Relief from LDC Section 4.06.02. Table 2.4 which requires a 15'-wide Type "B" buffer on the commercial properties adjacent to residential properties to instead allow no buffers on the commercial outparcels adjacent to the residential.
- DEVIATION 9: Relief from Section 4.06.02.C.4 of the LDC, which requires a perimeter landscape buffer for properties within Activity Centers to be a minimum of 20 feet in width, to permit a minimum width of 15' with an average width of 20' as shown on the Buffer Exhibit for the 0.28 acre parcel located at the intersection of Peters Avenue and U.S. 41 East. The buffer may include traffic control devices and utilities. However, tree plantings shall not be placed over or within six feet of any public water, reclaimed water, or sewer utility lines and shall not interfere with any County or state traffic control devices or access to all county or state traffic control equipment and devices and utilities. Whenever plantings obstruct the ingress and/or egress for the purposes of the easement they shall be removed upon request by the City of Naples, county or state, and in the event of failure by the owner to so move them, the city, county or state may do so and the expense of same charged to the property owner. When plantings placed over utility lines cause damage to the utilities systems, the property owner shall bear the cost of repair or replacement of the damaged utilities.
- DEVIATION 10: Relief from LDC Section 4.02.16.A.1, Design Standard in the Bayshore Gateway Triangle Redevelopment area, which requires dimensional standards as shown in Table 1, Dimensional Requirements in the BMUD-NC, to allow the multi-family residential portion of the PUD to establish their own residential development types and dimensional standards as set forth in this PUD.
- DEVIATION 11: Relief from LDC Section 4.02.16.D., Building Types and Architectural Standards, which requires the building architecture to adhere to these specific design standards, to permit an exception from this Section for the multi-family residential use in order to allow the residential developer to create their proven architectural style. Architectural design details may be expressed by roof treatment, dormers, gables, entries, windows, trim and other decorative finishes.
- DEVIATION #12: Relief from LDC Section 4.02.16.C.8.c., Additional Standards for Mixed Use Projects in the Bayshore Gateway Redevelopment Area, which requires that a minimum of 60 percent of all commercial uses within a mixed use project shall

provide retail, office and/or personal service uses to instead request that no restrictions be placed on the specific commercial uses.

DEVIATION #13: Relief from LDC Section 4.02.16.D.d., Additional Standards for Mixed Use Projects in the Bayshore Gateway Redevelopment Area, which states that a maximum of 25 percent of residential units may be located on a gated roadway to instead allow 100 percent of the residential units to be located on a gated roadway.

DEVIATION #14: Relief from LDC Section 4.05.04.G Table 17, Parking Space Requirements – Multi-family Dwellings, which allows parking to be provided at 50 percent of normal requirements, exclusive of golf courses/clubhouse, to instead allow the 50 percent reduction of normal requirements for golf courses/ clubhouse uses.

DEVIATION 4

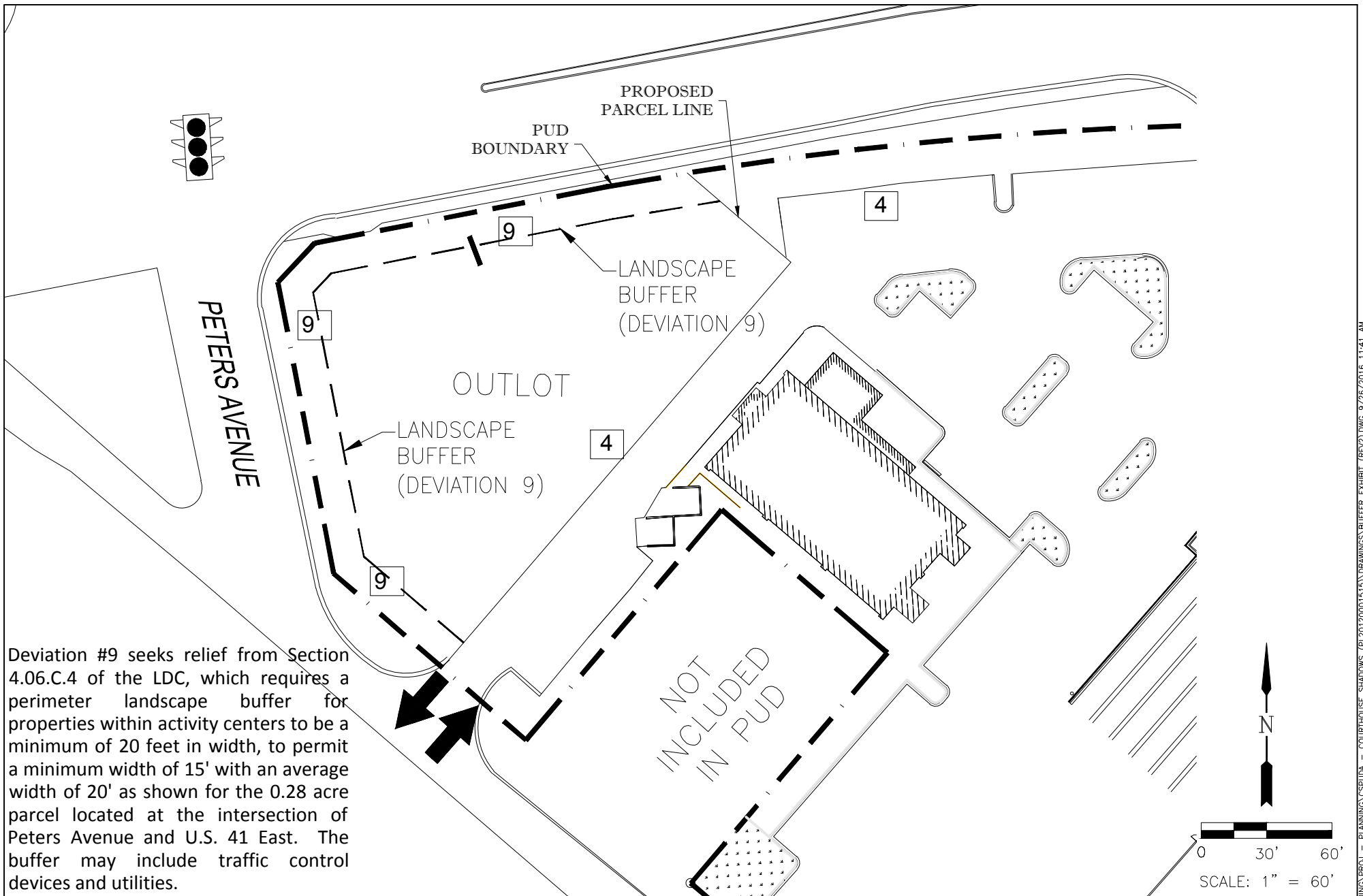


DEVIATION

Deviation #4 seeks relief from Section 4.06.03.B of the LDC, which requires all rows of parking spaces shall contain no more than ten parking spaces uninterrupted by a required landscaping island, to allow up to 19 parking spaces uninterrupted by a required landscape island.

JUSTIFICATION

There are existing areas in the shopping center in the northern part of the site that is not being redeveloped at this time where there are currently more than ten parking spaces in a row without a landscaping island. The development is requesting to leave those areas as is if there are no impacts planned. All new parking areas will provide landscape islands per the current LDC requirements.



# DEVIATION	<div data-bbox="609 1404 861 1461"> </div> <div data-bbox="892 1421 1134 1526"> <p>Bonita Springs 239.947.1144 Fort Myers 239.690.4380</p> <p>Civil Engineers • Land Surveyors • Planners • Landscape Architects</p> <p>CERT. OF AUTH. EB 0005151 CERT. OF AUTH. LB 0005151 BUSINESS LC 26000266</p> <p>www.GradyMinor.com Q. Grady Minor and Associates, P.A.</p> </div>	<div data-bbox="1249 1388 1648 1421">COURTHOUSE SHADOWS CPUD</div> <div data-bbox="1354 1437 1543 1494">DEVIATION #9 BUFFER EXHIBIT</div>	<div data-bbox="1890 1388 2016 1534"> <p>SCALE: 1" = 60'</p> <p>JOB CODE: CSPUDA</p> <p>DATE: JULY 2016</p> <p>FILE NAME: BUFFER EXHIBIT (REV2)</p> <p>SHEET 1 OF 1</p> </div>
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EXHIBIT F

COURTHOUSE SHADOWS MPUD DEVELOPMENT COMMITMENTS

1. PUD MONITORING

One entity (hereinafter the Managing Entity) shall be responsible for PUD monitoring until close-out of the PUD, and this entity shall also be responsible for satisfying all PUD commitments until close-out of the PUD. At the time of this PUD approval, the Managing Entity is KRG Courthouse Shadows, LLC, 30 S. Meridian St., Suite 1100, Indianapolis Indiana, 46204. Should the Managing Entity desire to transfer the monitoring and commitments to a successor entity, then it must provide a copy of a legally binding document that needs to be approved for legal sufficiency by the County Attorney. After such approval, the Managing Entity will be released of its obligations upon written approval of the transfer by County staff, and the successor entity shall become the Managing Entity. As Owner and Developer sell off tracts, the Managing Entity shall provide written notice to County that includes an acknowledgement of the commitments required by the PUD by the new owner and the new owner's agreement to comply with the Commitments through the Managing Entity, but the Managing Entity shall not be relieved of its responsibility under this Section. When the PUD is closed-out, then the Managing Entity is no longer responsible for the monitoring and fulfillment of PUD commitments.

2. MISCELLANEOUS

- a. All other applicable state or federal permits must be obtained before commencement of the development.
- b. Pursuant to Section 125.022(5) F.S., Issuance of a development permit by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

3. TRANSPORTATION

- a. The applicant is advised that future development activities are subject to land use controls consistent with the Collier County Growth Management Plan, as amended. Such controls may, from time to time, preclude the applicant's ability to initiate, continue and/or to complete the project improvements as presently scheduled.

- b. The owner, its successors, or assigns shall pay for the design and construction of a five foot sidewalk along Peter's Avenue up to the sum of \$ 50,000.00, which shall represent its payment in-lieu consistent with LDC Section 6.06.02 for the entire site. Owner shall make payment to County within 30 days of approval of the Site Development Plan for the redevelopment.
- c. Upon redevelopment of the site with a single large format retail user such as Sam's Club, the owner shall close the southernmost vehicular access to Peters Avenue. The project shall be permitted to have an emergency vehicle only entrance as shown on the Master Plan.
- d. The proposed new-revised parking island layout and building configuration shown on the master plan are conceptual and is not part of this zoning petition approval. Review and approval of any proposed site changes including but not limited to access entries, parking islands, and drive aisles shall be done at time of site development order (SDP/SDPA)
- e. The development is limited to the 662 total net new PM peak hour trips utilized in the Traffic Impact Statement dated March 18, 2016.

4. WATER MANAGEMENT

- a. An Adequate access easement shall be provided for access through the shopping center to Haldeman Creek.
- b. Petitioner shall obtain a right-of-way permit for all construction within the Haldeman Creek Easement.
- c. For purposes of stormwater management, the proposed redevelopment project shall be treated as a new development project; therefore, it will comply with the existing offsite allowable discharge rates and retention / detention criteria, as the date of this PUD amendment approval.

5. UTILITIES

- a. A central water supply system shall be made available to all areas of the project. the water supply source for the project shall be the City of Naples system.
- b. All areas of the project shall be served by a central wastewater collection system. The project sponsor agrees to dedicate collection lines and transmission facilities to the County Water-Sewer District upon completion and prior to activation.
- c. All customers connecting to the water distribution facilities will be customers of the City of Naples. All customers connecting to the sewage collection facilities will be customers of the County and will be billed by the County in accordance with a rate

structure and service agreement approved by the County. Review of the proposed rates and subsequent approval by the Board of County Commissioners must be completed prior to activation of the water and sewer facilities servicing the project.

- d. Lighting facilities shall be arranged in a manner which will protect neighboring residential properties from direct glare.

6. PLANNING

- a. Permitted uses within the PUD shall qualify for a parking reduction of up to 40% over that required in the LDC when it can be demonstrated that autonomous vehicles (AV) will be in general use. The reduction may occur concurrent with SDP approval or after SDP approval as an amendment to an approved PUD.
- b. Exhibit "C1" (Commercial Option Master Plan) is an illustrative preliminary development plan. The maximum square footage of the shopping center and outparcels, shall not exceed a total of 165,000 square feet. The design criteria and layout illustrated in the Master Plan and the architectural elevations and cross-sections which accompany this submission 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. Exhibit "C2" (Mixed-use Option Master Plan) is an illustrative preliminary development plan. The design criteria and layout illustrated in the Master Plan which accompany this submission 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.

7. ENVIRONMENTAL

- a. To maintain existing native vegetation (i.e. remnant mesic hammock area) within the proposed development, no more parking spaces shall be permitted than that shown in an updated cross parking easement and as recorded in public records.
- b. Native vegetation shall be retained or replanted in accordance with SDP 98-75. As an alternative, the developer may also elect to provide offsite preservation of native vegetation in accordance with the LDC.

8. SIGNAGE

- a. Individual Business Signs:
Wall, marquee, or hanging signs below the canopy of the primary retail building, with an area not more than twenty percent (20%) of the total square footage of the front

wall or facade area under the canopy, per rental unit, consistent with the locations shown on Exhibit D - Building Signage.

b. Out Parcel Signs:

Two wall or marquee signs per out parcel with an area not to exceed 20% of the total square footage of the wall to which it shall be affixed, with a maximum of 250 square feet per sign, or one wall/marquee sign and one free-standing, on-premise sign per out parcel not to exceed one hundred (100) square feet maximum. Maximum height, twenty-five feet (25') for free-standing signs.

c. Project Identification Signs:

Two project identification signs, each not to exceed two hundred and fifty (250) square feet and one project identification sign at each major entrance to the shopping center not to exceed one hundred and fifty (150) square feet per entrance. Maximum height, twenty-five feet (25').

d. Additional Design Requirements:

Additional guidelines, which are more stringent than those contained in the Land Development Code in effect at the time of application for a building permit may be established by the developer to ensure maximum consistency and continuity in the design and location of signs.

9. LANDSCAPING AND OPEN SPACE

a. At least 30% of the gross acreage of the total site will be devoted to usable open space when fully developed. These open spaces include perimeter landscape buffers, planting islands in parking lots and other vehicular use areas, and the landscaped areas on the perimeter of the building.

b. As required by the Collier County Land Development Code in effect at the time of application for building permits. To serve as a visual buffer, the project sponsor will landscape in conjunction with a six-foot (6') high chain link fence. Beginning at the south driveway on Peters Avenue, the fence will be located along the property boundary line and run southward to the point of intersection with the northern line of Haldeman Creek drainage easement. If developed with commercial only, for the residential properties to the south, a gate for pedestrian access will be provided by the developer. A landscape buffer in accordance with Division 2.4 of the Land Development Code will be provided beginning along the west project boundary commencing to the point of intersection with the northern line of Haldeman Creek drainage easement, which is adjacent to or across from residentially zoned property. If developed with commercial only, it is the developer's intention to provide additional landscaping beyond the landscape buffer requirements of the Zoning Ordinance to create an outstanding shopping environment.

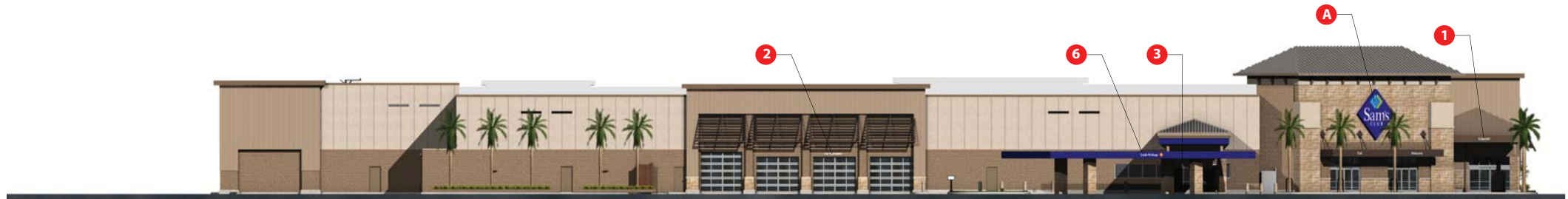
Note: This Exhibit applies to a single large format retail user such as Sam's Club.
The buildings and plantings are subject to LDC requirements.



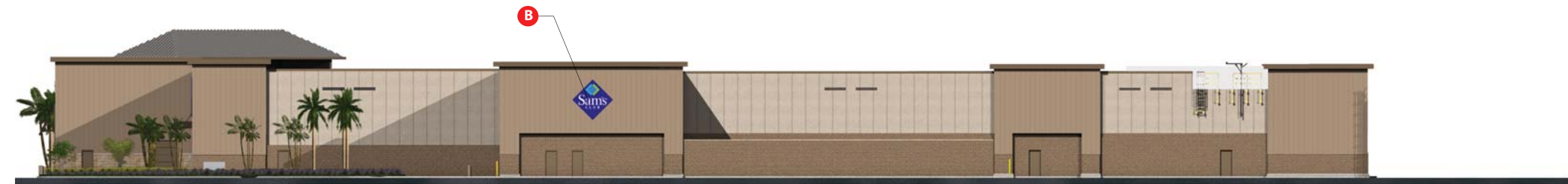
FRONT (EAST) ELEVATION



REAR (WEST) ELEVATION



TBC SIDE (SOUTH) ELEVATION



DOCK SIDE (NORTH) ELEVATION