

ORDINANCE 04-10362

AN ORDINANCE DETERMINING REZONE PETITION 03-R8 FOR PROPERTY LOCATED ON THE AREA OF LAND BOUNDED ON THE EAST BY U.S. 41 NORTH, ON THE SOUTH BY FIFTH AVENUE NORTH, ON THE WEST BY 8TH STREET NORTH AND ON THE NORTH BY 6TH AVENUE NORTH, MORE PARTICULARLY DESCRIBED HEREIN, TO PERMIT REZONING FROM PD, PLANNED DEVELOPMENT, TO A NEW PD, PLANNED DEVELOPMENT, IN ORDER TO MODIFY THE PARKING ALLOCATION AND TO MAKE PROVISIONS FOR SIGNAGE; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.

WHEREAS, Lorcar, Inc., Newblock 1, Inc., MDG Capital Financial Center, Inc., owner of property bounded on the east by U.S. 41 North, on the south by Fifth Avenue North, on the west by 8th Street North and on the north by 6th Avenue North, has petitioned to change the zoning from PD to a new PD, in order to modify the parking allocation and to allow a new sign to be located on 6th Avenue North within the right-of-way; and

WHEREAS, following an advertised public hearing, the Planning Advisory Board considered the public input, staff recommendations and criteria in the Code and has recommended by a vote of 4 to 2 that Rezone Petition 03-R8 be approved for the parking changes but not allow the new sign on 6th Avenue North within the right of way; and

WHEREAS, after considering the recommendation of the Planning Advisory Board and City staff, following a public hearing on the subject, and providing the petitioner, staff and the public an opportunity to present testimony and evidence, the City Council has determined that the petition should be granted to the extent provided herein;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That Rezone Petition 03-R8 is hereby granted, for property bounded on the east by U.S. 41 North, on the south by Fifth Avenue North, on the west by 8th Street North and on the north by 6th Avenue North, in order to permit rezoning from PD to a new PD, in accordance with the Amended and Restated Planned Development Document, a copy of which is attached hereto as Exhibit "A" and incorporated herein by this reference (with underlining indicating additions and strikeout indicating deletions).

Section 2. That the Zoning Atlas of the City of Naples shall be amended to reflect said rezoning.

Section 3. If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 4. That all sections or parts of sections of the Code of Ordinances, City of Naples, all ordinances or parts of

ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 5. This ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS 7TH DAY OF JANUARY, 2004.

PASSED AND ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA THIS 18th DAY OF FEBRUARY, 2004.

Bill Barnett, Mayor

Attest:

Approved as to form and legality:

Tara A. Norman, City Clerk

Robert D. Pritt, City Attorney

M:\REF\COUNCIL\ORD\2004\04-10362

Date filed with City Clerk: _____

REVISED
Agenda Item 10

CITY CENTER PLAZA
AMENDED AND RESTATED
PLANNED DEVELOPMENT DOCUMENT

Date Submitted 2/18/04
Date Approved 2/18/04
Ordinance No. 04-10362

DEVELOPMENT CRITERIA AND STANDARDS

I. Introduction and Purpose

Lorcar, Inc., Newblock 1, Inc. and TIB Bank of the Keys (collectively "Petitioner), seek to rezone properties owned by Petitioner and currently affected by an existing Planned Development Ordinance for the project known as City Center Plaza. The new zoning sought by Petitioner would also be Planned Development.

City Center Plaza is an area of land bounded on the east by U.S. 41 North, on the south by Fifth Avenue North, on the west by Eighth Street North and on the north by Sixth Avenue North, all located in Naples, Collier County, Florida. The entire parcel of property is located within the boundaries of the City of Naples, and is legally described on Exhibit A attached hereto and incorporated herein by virtue of this reference (the "Property").

Development of the Property has occurred incrementally over many years and by a variety of development sponsors. Presently, the following improvements are located upon the Property:

1. An existing three-story office building including under building parking containing approximately 15,000 square feet; and known as The Collier Commercial Building, located in the southeastern corner of the subject premises. This building shall remain on site, and is known herein as Building A.
2. An existing single story building commonly known as the Antique Toy property, in which a pre-school presently operates. This building is located to the immediate west of the existing three-story office building, but will be razed.

3. An existing two-story, ten-unit apartment building known as Hillcrest Apartments, located in the southwest corner of the subject property. This building shall remain, and is known as Building D herein.
4. Several single story structures located along Sixth Avenue North and known as the old Pittman Funeral Home site, which shall be razed.

All of the property is currently zoned PD by virtue of Ordinance 98-8400 enacted by the city Council of the City of Naples, Florida, on November 4, 1998 (the "Ordinance"). The Petitioner has elected to request a Planned Development Ordinance to modify the uses that may be made of the Property, and to settle litigation that one Petitioner has instituted against the City.

II. Legal Description

The legal description of the Property is as described in Exhibit A attached hereto and incorporated herein by virtue of this reference (the "Property").

The Property is presently owned as follows:

1. That portion of the Property described on Exhibit A-1 is owned by TIB Bank of the Keys.
2. That portion of the Property described on Exhibit A-2 is owned by Newblock 1, Inc. a Florida corporation.
3. All remaining Property described on Exhibit A-3 is owned by Lorcar, Inc., a Florida corporation.

III. Permitted Uses, Structures and Activities

The City Center Plaza Planned Development includes a maximum of 56,750 square feet of commercial use and 24 dwelling units, comprised of

approximately 33,283 square feet in building structures of two (2) stories and two (2) stories over parking, all as described in Exhibit B (the "Site Plan"). Development of the Property shall be substantially consistent with the Site Plan. The Site Plan includes the following:

- a. Page A-1 - General Site Plan, dated 4/24/01.
- b. Page A-2- Phase I, Building B, dated 4/24/01
- c. Page A-3 - Phase I, Building C, dated 4/24/01
- d. Parking Summary Plan - P-1, as amended dated ~~4/24/01~~
8/26/03
- e. Traffic Circulation - C-3
- f. Landscape Plan - L-1

For Buildings C and D, 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:

1. Single-family residences.
2. Multi-family residences.
3. Accessory structures which are incidental to and customarily associated with the permitted uses described above.
4. Under building parking.

For Buildings A and B, 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. General retail sales establishments, including shopping centers and department stores. Retail sales establishments may include incidental processing, repair and rental services except rental of motor vehicles which require a conditional use, provided they are accessory and shall subordinate to the retail sales use, and

provided that all storage, processing and repair of merchandise occurs within the principal building. 1

- B. Art or photography studios.
- C. Bakery, retail, with baking on the premises, with all baked good sold at retail on the premises.
- D. Commercial laundry or dry cleaning pickup establishments, with no laundering or dry cleaning on the premises. Coin-operated laundry cleaning establishments with washing, drying and dry cleaning machines are permitted.
- E. Convenience service establishments such as tailoring, garment repair and alteration, shoe repair and the like.
- F. Cultural facilities, including libraries and museums, and publicly owned buildings.
- G. Financial institutions, excluding drive-up windows, which are permitted by conditional use petition approval.
- H. Medical offices or clinics (not animal).
- I. Parking lots.
- J. Personal service establishments such as barbershops and beauty shops.
- K. Pet shops, including pet grooming, with no outside kenneling.
- L. Printing, reproduction or publishing.
- M. Professional, business, financial, civic or public utilities.
- N. Radio or television broadcasting offices or studios, with no towers.
- O. Repair of small appliances.
- P. Restaurants, conventional, with or without cocktail lounges; or restaurants, carry-out.

- Q. Drive-up windows.
- R. Accessory uses or structures which are incidental to and customarily associated with the permitted uses described above.
- S. Under building parking.

Regulations as to the development of the Property are described as follows:

- A. Parcel 1 (Building B)
 - 1. Lot Area: 59,435 square feet (plus or minus)
 - 2. Minimum Lot Width: 39'-11"
 - 3. Minimum Yards:
 - a. Front yard: Ten (10) feet from lot line, but in no event less than twenty-two (22) feet from the curing of U.S. 41. Six (6) feet of said front yard shall be landscaped in accordance with the landscaping requirements of Chapter 106, Naples Code of Ordinances.
 - b. Side yard: Buildings may be placed a minimum of two (2) feet from side lot lines but must maintain a minimum separation from other buildings as described in Article IV below.
 - c. Rear yard: Not Applicable
 - 4. Minimum Floor Area: 1000 square feet per building on the ground floor for non-residential uses.
 - 5. Maximum Building Height - Building B: Up to a maximum

height of 42 feet, measured vertically from the established 100-year flood elevations (NGVD El. 10') to the highest point of the structure.

6. Refer to the Required Parking - Tabulation Chart in Section III.E. herein.
7. Landscaping: In addition to the parking and vehicular use area and front yard setback area landscaping requirements, all areas not improved for parking or occupied by a structure, paved walkway or the like, shall be landscaped in accordance with the landscaping requirement of chapter 106, Naples Code of Ordinances.

B. Parcel 2 (Building C)

1. Lot Area: 25, 422 square feet (plus or minus)
2. Minimum Lot Width: 131'-1"
3. Minimum Yards:
 - a. Front yard: At the side facing 6th Avenue North, ten (10) feet, six (6) feet of which shall be landscaped in accordance with the landscaping requirements of Chapter 106, Naples Code of Ordinances.
 - b. Side yard: Buildings may be placed a minimum of two (2) feet from side lot lines but must maintain a minimum separation from other buildings as described in Article IV below.
 - c. Rear yard: Not applicable.
4. Minimum Floor Area: 600 square feet per dwelling unit for residential uses.

5. Maximum Building Height - Building C: Up to a maximum height of 35 feet, measured vertically from the established 100-year flood elevation (NGVD El. 10') to the highest point of the structure.
 6. Parking: Refer to the Required Parking - Tabulation Chart in Section 111.E. herein.
 7. Landscaping: In addition to the parking and vehicular use area and front yard setback area landscaping requirements, all areas not improved for parking or occupied by a structure, paved walkway of the like, shall be landscaped in accordance with the landscaping requirements of Chapter 106, Naples Code of Ordinances.
- C. Parcel 3 (Building D)
1. Lot Area: 14,900 square feet (plus or minus)
 2. Minimum Lot Width: 100'-0"
 3. Minimum Yards:
 - a. Front yard: At the side facing 5th Avenue North, ten (10) feet, six (6) feet of which shall be landscaped in accordance with the landscaping requirements of Chapter 106, Naples Code of Ordinances. At the side facing 8th Street North, twenty (20) feet, six (6) feet of which shall be landscaped in accordance with the landscaping requirements of Chapter 106 Naples Code of Ordinances.
 - b. Side yard: Building may be placed a minimum of two feet from side lot lines but must maintain a minimum separation from other buildings as described in

Article IV below.

- c. Rear yard: Not applicable.
 - 4. Minimum Floor Area: 600 square feet per dwelling unit for residential uses.
 - 5. Maximum Building Height - Building D: Two (2) stories, up to a maximum height of 25 feet, measured vertically from the established 100-year flood elevation to the ceiling of the highest story, plus eight (8) feet from the ceiling to the highest point of a flat roof, parapet wall or mansard detail or eight (8) feet from the ceiling to the mean distance between the eaves and ridge of a gable, hip, or gambrel roof.
 - 6. Parking: Refer to the Required Parking - Tabulation Chart in Section III.E herein.
 - 7. Landscaping: In addition to the parking and vehicular use area and front yard setback area landscaping requirements, all areas not improved for parking or occupied by a structure, paved walkway or the like, shall be landscaped in accordance with the landscaping requirements of Chapter 106 Naples Code of Ordinances.
- D. Parcel 4 (Building A)
- 1. Lot Area: 21,790 square feet (plus or minus)
 - 2. Minimum Lot Width: 122'-0"
 - 3. Minimum Yards:
 - a. Front yard: Ten (10) feet, but in no event less than twenty-two (22) feet from the curbing of U.S. 41.
Six (6) feet of said front yard shall be landscaped

in accordance with the landscaping requirements of Chapter 106, Naples Code of Ordinances.

b. Side yard: Buildings may be placed a minimum of two (2) feet from side lot lines but must maintain a minimum

separation from other buildings as described in Article IV below.

c. Rear yard: Not applicable.

4. Minimum Floor Area: 1,000 square feet per building on the ground floor for non-residential uses.

5. Maximum Building Height - Building A: Up to a maximum height of 42 feet, measured vertically from the established 100

year flood elevation (NGVD El. 10') to the highest point of the structure.

6. Parking: Refer to the Required Parking - Tabulation Chart - in Section III.E. herein.

7. Landscaping: In addition to the parking and vehicular use area and front yard setback area landscaping requirements, all areas not improved for parking or occupied by a structure, paved walkway or the like, shall be landscaped in accordance with the landscaping requirements of Chapter 106, Naples Code of Ordinances.

E. Parking Required Parking-Tabulation Chart

Building	On Site	On Street	Total
Building A	36 (Parcel 4)	9	45
Building B	76 (Parcel 1) 26 <u>15</u> (Parcel 2)* 1 (Parcel 4)	23 <u>34</u>	126
Building C	12 <u>23</u> (Parcel 2)	6 <u>0</u>	18 <u>23</u> **
Building D	10 (Parcel 3)	5	15
<u>Offsite excess</u>	<u>n/a</u>	<u>9</u>	<u>9</u>
Total	161	43 <u>57</u>	204 <u>218</u> **

*Said ~~26~~ 15 spaces shall be exclusively assigned to Building B by replacement easement, encumbering the area as depicted in the amended Preliminary Condominium Exhibit 2 as Exhibit C, dated 11/10/03.

** Assumes that only 12 units are built. If the maximum of 14 units are built an additional three parking spaces will be required, all of which may be located on the street.

*** 218 Total Parking Spaces are being provided by the project, which is ~~14~~ 9 spaces more than required.

F. Interpretation

To the extent there are any inconsistencies between the Site Plan and the Regulations, the Regulations shall prevail.

IV. Minimum Separation

The minimum separation between buildings shall be as follows:

1. Building A to:

1. Building B - 40 feet, 11 inches

2. Building D - 127 feet
2. Building B to:
 1. Building A - 40 feet, 11 inches
 2. Building C - 36 feet
3. Building C to:
 1. Building B - 36 feet
 2. Building D - 44 feet, 4 inches
4. Building D to:
 1. Building A - 127 feet
 2. Building C - 44 feet, 4 inches

V. Parking

Parking requirements shall be as follows:

- A. 1.5 Parking spaces per dwelling unit.
- B. 3 Parking spaces per 1000 sq. ft. of gross floor area devoted to commercial use.
- C. The City of Naples acknowledges that parking presently exists and is paved along Fifth Avenue North and Sixth Avenue North. Petitioner shall be entitled to utilize and/or construct additional perpendicular parking spaces along Fifth Avenue North and Sixth Avenue North as reflected on the Site Plan at Petitioner's sole cost and expense; provided, however, Petitioner shall provide trees and landscaping along both Fifth Avenue North and Sixth Avenue North as reflected on the Site Plan. Said landscaping shall be installed, irrigated and maintained all at Petitioner's sole cost and expense, and at no cost or expense to the City of Naples. All parking within the road right-of-

ways abutting the Property shall be credited against the number of parking spaces to be provided by Petitioner hereunder, as though the same were located within the Property.

- D. The 8th Street parallel parking area shall meet or exceed requirements of the applicable Regulations.

VI. Landscaping

Landscaping shall be provided by Petitioner in accordance with the Regulations set forth in this Planned Development Document. Landscape bordering the sidewalk along U.S. 41, with the exception of the southeast corner, where the sidewalk may be relocated due to existing trees, and landscaping along Eight Street shall be in substantial conformity with the Landscape Plan attached hereto as Exhibit D; provided, however, Petitioner shall be entitled to meander and narrow the sidewalks around existing nature trees so as to preserve as many mature trees as possible.

VII. Architectural Consistency and Improvements

Petitioner does hereby agree as follows:

1. Within six (6) months of completion of construction of Building B contemplated herein, Petitioner shall cause Building A to be painted a complimentary color to Building B. Building A's horizontal trim bands and narrow window bands shall also be painted a similar accent color as that utilized on Building B.
2. Petitioner shall further cause all existing awnings on Building A to be replaced with a similar style of awnings used on Building B, within six (6) months of completion of construction of Building B.

3. Petitioner shall further cause all existing awnings on Building A to be replaced with a similar style of awnings used on Building B, within six (6) months of completion of construction of Building B.
4. Petitioner shall cause Building D to be painted a complimentary color, with similar trim accents, and same style of shutters as that utilized on Building B, within six (6) months of completion of construction of Building B.
5. The contemplated landscape and sidewalk improvements for Building D shall occur at the same time Building D is redeveloped.
6. The landscape and sidewalk improvements to all other parcels shall occur at the same time Buildings B and C are developed.
7. All required parking facilities for any contemplated building shall be completed no later than the date of completion of construction of the building.

VIII. Signage

Signage shall be in accordance with the standards contained in the "D" Downtown Ordinance, see Section 102-854 of the Code of Ordinances.

Description of part of Sections 22 and 23,
Township 48 South, Range 25 East,
Collier County, Florida

The West 13-1/3 feet of Lot 1, all of Lots 2 and 3, and the East 20 feet of Lot 4, all in Block 26, Tier 9, Town of Naples, as recorded in Plat Book 1, Page 8, Public Records of Collier County, Florida, being more particularly described as follows:

BEGINNING at the Southeast corner of Lot 4, Block 26, Tier 9, Town of Naples, as recorded in Plat Book 1, Page 8, Public Records of Collier County, Florida; thence in a Westerly direction, along the South line of said Lot 4, a distance of 20 feet to a point in said South line and the point of beginning; thence North 6 degrees 55'35" West 150 Feet to a point in the North line of said Lot 4; thence in an Easterly direction, along the North line of Lots 4, 3, 2 and 1 in Block 26, Tier 9, a distance of 100 feet to a point in the North line of said Lot 1; thence South 6 degrees 55'35" East 150 feet to a point in the South line of said Lot 1; thence in a westerly direction along the South line of said Lots 1,2,3 and 4, 100 feet to the point of BEGINNING;

LESS AND EXCEPTING the following described parcel conveyed to the State of Florida for the use and benefit of the State Road Department;

That part of Lots 1 and 2 in Block 26, Tier 9, according to the plat of Town of Naples, as recorded in Plat Book 1, Page 8, Public Records of Collier County, Florida, in Section 34, Township 49 South, Range 25 East, said part which is included in the external area formed by a 15-foot radius and which is tangent to the North line of said Lot 2 and tangent to a line 13.33 feet East of and parallel with the West line of said Lot 1; containing 48 square feet, more or less.

AND:

The Westerly 13 $\frac{1}{3}$ feet of Lot 4, and all of Lots 5 through 12 inclusive, Block 26, Tier 9, Town of Naples, a subdivision according to the plat thereof recorded in Plat Book 1, Page 8, of the Public Records of Collier County, Florida.

Lots 13, 14 and 15, Block 26, Tier 9, Town of Naples, according to the plat thereof recorded in Plat Book 1, Page 8, of the of the Public Records of Collier County, Florida.

Lot 16, 17, and the Westerly 13 $\frac{1}{3}$ feet of Lot 18, Block 26, Tier 9, Plan of Naples, according to the plat thereof in Plat Book 1, Page 8, of the Public Records of Collier County, Florida.

Easterly 20 feet of Lot 18 and all of Lots 19 through 23, inclusive, and the Westerly 13 $\frac{1}{3}$ feet of Lot 24, Block 26, Tier 9, Plan of Naples, as per plat thereof recorded in Plat Book 1, Page 8, of the Public Records of Collier County, Florida. Together with the South 10 feet of the 20 foot East-West alley abutting the above described property.

All of Lots 3, 4, 5, 16, 17, 18 and a portion of the 20.00 foot East-West alley, and a portion of Lots 1, 2, 6, 7, 8, 9, 10, 11, 12, 19, 20, 21, 22, 23 and 24, all in Block 26, Tier 9, Plan of Naples, according to the plat thereof recorded in Plat Book 1 at Page 8 of the Public Records of Collier County, Florida, being more particularly described as follows:

Commencing at the Northwest corner of Lot 12 of Block 26, Tier 9, Plan of Naples, according to the plat thereof recorded in Plat Book 1 at Page 8 of the Public Records of Collier County, Florida; thence run N. 90°00'00" E., along the Northerly boundary of said Block 26, Tier 9, Plan of Naples, for a distance of 205.00 feet to a point 5.00 feet Easterly of, as measured at right angles to, the Westerly boundary of Lot 6 of said Block 26, Tier 9, Plan of Naples and the Point of the Beginning; thence N. 90°00'00" E., along the Northerly boundary of said Block 26, Tier 9, Plan of Naples, for a distance of 160.00 feet to the beginning of a tangential circular curve, concave Southwesterly; thence run Easterly, along the arc of said curve to the right, having a radius of 15.00 feet, through a central angle of 90°00'00", subtended by a chord of 21.21 feet at a bearing of S. 45°00'00" E., for a distance of 23.56 feet to a point 20.00 feet Westerly of, as measured at right angles to, the Easterly boundary of Lot 1 of said Block 26, Tier 9, Plan of Naples; thence run S. 00°00'00" W., parallel with the Easterly boundary of said Block 26, Tier 9, Plan of Naples, for a distance of 183.00 feet; thence run S. 90°00'00" W., parallel with the Southerly boundary of said Block 26, Tier 9, Plan of Naples, for a distance of 178.61 feet; thence run S. 00°00'00" W. for a distance of 122.00 feet to a point on the Southerly boundary of said Block 26, Tier 9, Plan of Naples; thence run S. 90°00'00" W., along the Southerly boundary of said Block 26, Tier 9, Plan of Naples, for a distance of 101.39 feet to the Southwest corner of Lot 16 of said Block 26, Tier 9, Plan of Naples; thence run N. 00°00'00" E., along the Westerly boundary of Lot 16, for a distance of 149.00 feet to the Northwest corner of said Lot 16, the same being a point on the Southerly boundary of a 20.00 foot wide East-West alley located within said Block 26, Tier 9, Plan of Naples; thence run S. 90°00'00" W., along the Southerly boundary of said alley, for a distance of 100.00 feet to a point on the Westerly boundary of said Block 26, Tier 9, Plan of Naples; thence run N. 00°00'00" E., along the Westerly boundary of said Block 26, Tier 9, Plan of Naples, for a distance of 61.00 feet to a point 110.00 feet Southerly of, as measured by right angles to, the Northerly boundary of said Block 26, Tier 9, Plan of Naples; thence run N. 90°00'00" E., parallel with the Northerly boundary of said Block 26, Tier 9, Plan of Naples, for a distance of 205.00 feet to a point 5.00 feet Easterly of, as measured at right angles to, the Westerly boundary of Lot 6 of said Block 26, Tier 9, Plan of Naples; thence run N. 00°00'00" E., parallel with the Westerly boundary of Lot 6 of said Block 26, Tier 9, Plan of Naples, for a distance of 110.00 feet to a point on the Northerly boundary of said Block 26, Tier 9, Plan of Naples, and the Point of Beginning.

Bearings refer to the Northerly Boundary of Block 26, Tier 9, Plan of Naples, according to the plat thereof recorded in Plat Book 1 at Page 8 of the Public Records of Collier County, Florida.

AND

A PORTION OF LOTS 6, 7, 8, 9, 10, 11 AND 12, BLOCK 26, TIER 9, PLAN OF NAPLES ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1 AT PAGE 8 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 12, BLOCK 26, TIER 9, PLAN OF NAPLES ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1 AT PAGE 8 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE RUN N.90°00'00"E., ALONG THE NORTHERLY BOUNDARY OF SAID BLOCK 26, TIER 9, PLAN OF NAPLES, FOR A DISTANCE OF 205.00 FEET TO A POINT 5.00 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE WESTERLY BOUNDARY OF LOT 6 OF SAID BLOCK 26, TIER 9, PLAN OF NAPLES, AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N.90°00'00"E., ALONG THE NORTHERLY BOUNDARY OF SAID BLOCK 28, TIER 9, PLAN OF NAPLES, FOR A DISTANCE OF 1.75 FEET; THENCE RUN S.00°00'00"W., PARALLEL WITH THE WESTERLY BOUNDARY OF SAID LOT 8, FOR A DISTANCE OF 131.08 FEET; THENCE RUN S.90°00'00"W. FOR A DISTANCE OF 206.75 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID LOT 12; THENCE RUN N.00°00'00"E., ALONG THE WESTERLY BOUNDARY OF SAID LOT 12, FOR A DISTANCE OF 21.08 FEET; THENCE RUN N.90°00'00"E. FOR A DISTANCE OF 205.00 FEET TO A POINT 5.00 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE WESTERLY BOUNDARY OF SAID LOT 6; THENCE RUN N.00°00'00"E., PARALLEL WITH THE WESTERLY BOUNDARY OF SAID LOT 6, FOR A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING; CONTAINING 4550.8 SQUARE FEET, MORE OR LESS.

Exhibit A - Page 3

A portion of Lots 6, 7, 8, 9, 10, 11 and 12, Block 26, Tier 9, PLAN OF NAPLES, according to the plat thereof recorded in Plat Book 1, at page 8, of the Public Records of Collier County, Florida, being more particularly described as follows:

Begin at the Northwest corner of Lot 12, Block 26, Tier 9, Plan of Naples, according to the plat thereof recorded in Plat Book 1, at page 8, of the Public Records of Collier County, Florida; thence run N.90°00'00"E., along the Northerly boundary of said Block 26, Tier 9, for a distance of 205.00 feet to a point 5.00 feet Easterly of, as measured at right angles to, the Westerly boundary of Lot 6 of said Block 26, Tier 9; thence run S.00°00'00"W., parallel with the Westerly boundary of said Lot 6, for a distance of 110.00 feet; thence run S.90°00'00"W., for a distance of 205.00 feet to a point on the Westerly boundary of said Lot 12; thence run N.00°00'00"E., along the Westerly boundary of said Lot 12, for a distance of 110.00 feet to the Point of Beginning; containing 0.518 acres, more or less.

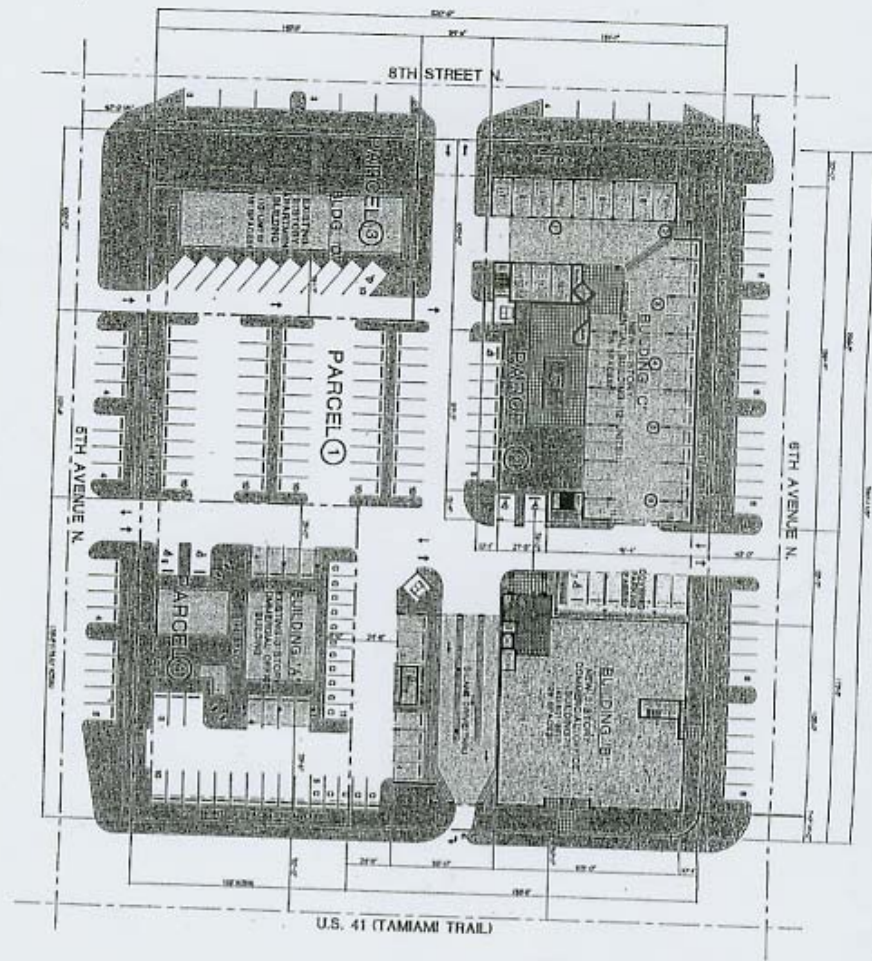
This property is subject to easements, reservations or restrictions of record.

Bearings refer to the Northerly boundary of Block 26, Tier 9, Plan of Naples, according to the plat thereof recorded in Plat Book 1, at page 8, of the Public Records of Collier County, Florida, as being N.90°00'00"E.

LESS AND EXCEPTING:

A PORTION OF LOTS 6, 7, 8, 9, 10, 11 AND 12, BLOCK 26, TIER 9, PLAN OF NAPLES ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1 AT PAGE 8 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 12, BLOCK 26, TIER 9, PLAN OF NAPLES ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1 AT PAGE 8 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE RUN N.90°00'00"E., ALONG THE NORTHERLY BOUNDARY OF SAID BLOCK 26, TIER 9, PLAN OF NAPLES, FOR A DISTANCE OF 205.00 FEET TO A POINT 5.00 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE WESTERLY BOUNDARY OF LOT 6 OF SAID BLOCK 26, TIER 9, PLAN OF NAPLES, AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N.90°00'00"E., ALONG THE NORTHERLY BOUNDARY OF SAID BLOCK 26, TIER 9, PLAN OF NAPLES, FOR A DISTANCE OF 1.75 FEET; THENCE RUN S.00°00'00"W., PARALLEL WITH THE WESTERLY BOUNDARY OF SAID LOT 6, FOR A DISTANCE OF 131.08 FEET; THENCE RUN S.90°00'00"W. FOR A DISTANCE OF 206.75 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID LOT 12; THENCE RUN N.00°00'00"E., ALONG THE WESTERLY BOUNDARY OF SAID LOT 12, FOR A DISTANCE OF 21.08 FEET; THENCE RUN N.90°00'00"E. FOR A DISTANCE OF 205.00 FEET TO A POINT 5.00 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE WESTERLY BOUNDARY OF SAID LOT 6; THENCE RUN N.00°00'00"E., PARALLEL WITH THE WESTERLY BOUNDARY OF SAID LOT 6, FOR A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING; CONTAINING 4550.8 SQUARE FEET, MORE OR LESS.



GENERAL SITE PLAN
SCALE: 1" = 40'

PROJECT DATA FOR PROPOSED PLANNED DEVELOPMENT	
EXISTING ZONING	PD PLANNED DEVELOPMENT
PROPOSED ZONING	PD PLANNED DEVELOPMENT
PROPERTY AREA	2.9 ACROSS 34,871 SQ. FT.
PROPOSED LOT COVERAGE	
BUILDING	4,100 SQ. FT.
DRIVEWAY	1,400 SQ. FT.
PARKING	1,400 SQ. FT.
LANDSCAPING	2,000 SQ. FT.
TOTAL	9,900 SQ. FT.
LOT COVERAGE	46.5% (MAXIMUM PERMITTED)
OPEN AREA	11,000 SQ. FT. (31.5% MINIMUM)
RESIDENTIAL DENSITY	22 UNITS PER ACROSS
MAXIMUM DWELLING UNITS ALLOWED	24 UNITS PER ACROSS BY MAXIMUM DWELLING UNITS PROVIDED
MINIMUM YARDS AND SEPARATION	20 FEET PER SIDE AND 10 FEET SEPARATION
REQUIRED PARKING	48 SPACES (1.6 SPACES PER UNIT)
PROVIDED PARKING	52 SPACES (1.7 SPACES PER UNIT)
LANDSCAPING REQUIREMENTS	44 TREES
PROVIDED LANDSCAPING	52 TREES

Boughton Architects Inc.
 6045 River Park Drive
 Naples, Florida 34109
 (407) 941-7800

CITY CENTER PLAZA
 NAPLES, FLORIDA

GENERAL SITE PLAN

DRAWING NO. **A-1** (Exhibit)

DATE: 04/10/04

SCALE: 1" = 40'

PROJECT NO. 04-10362



DATE: 04/10/04

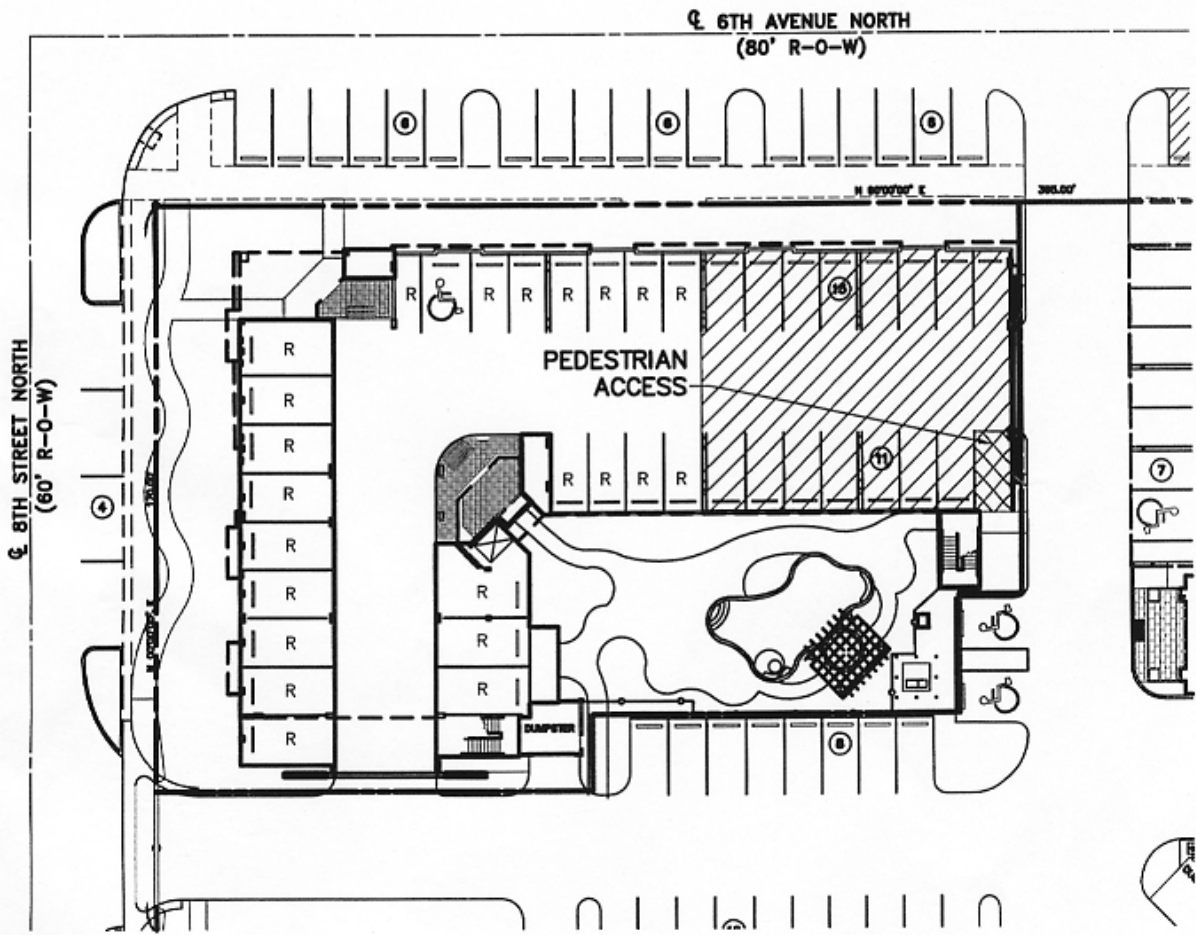
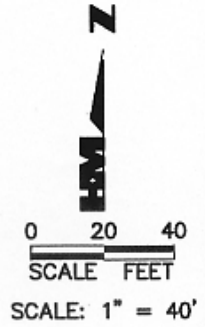
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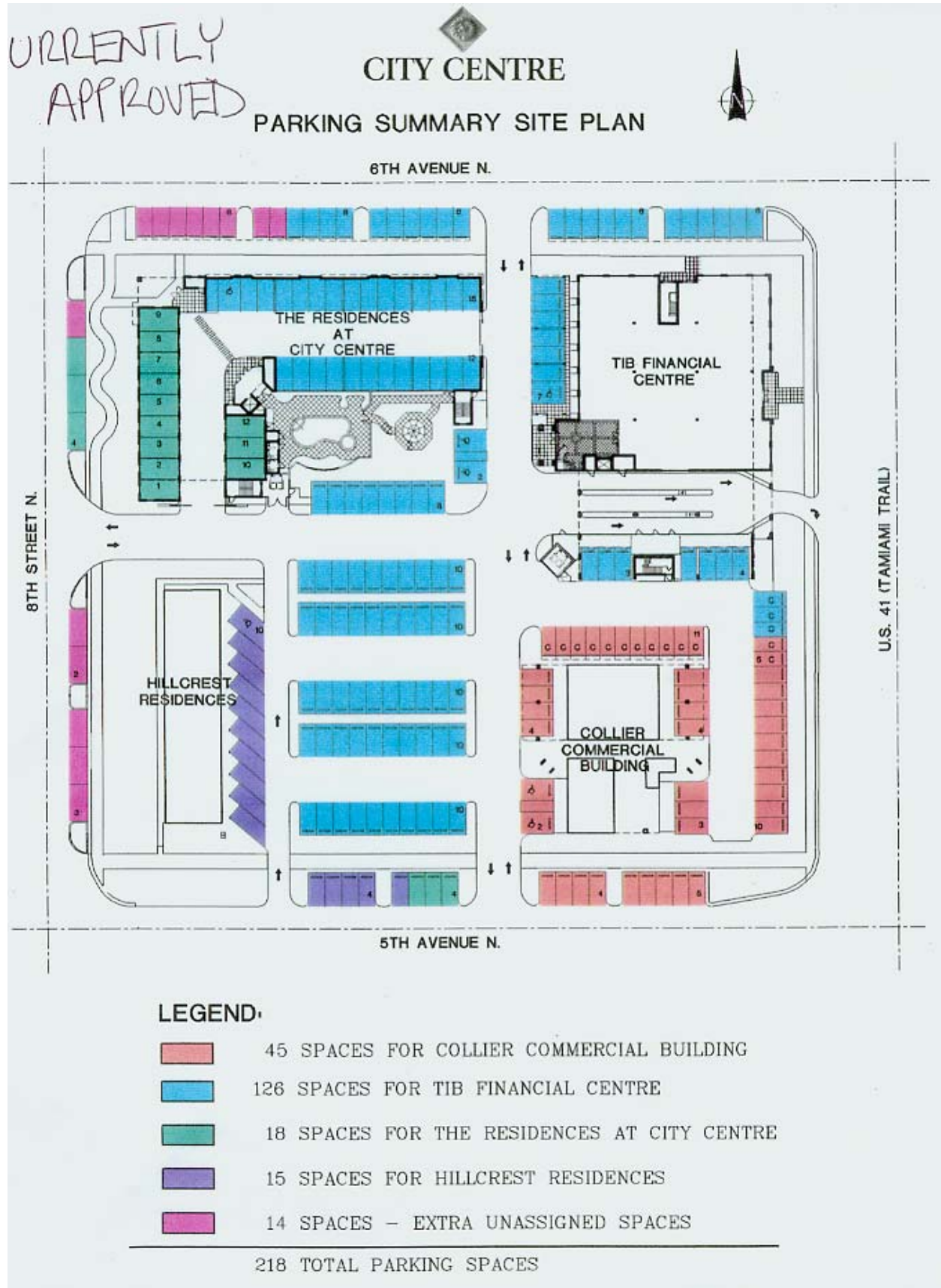
PROJECT NO. 04-10362

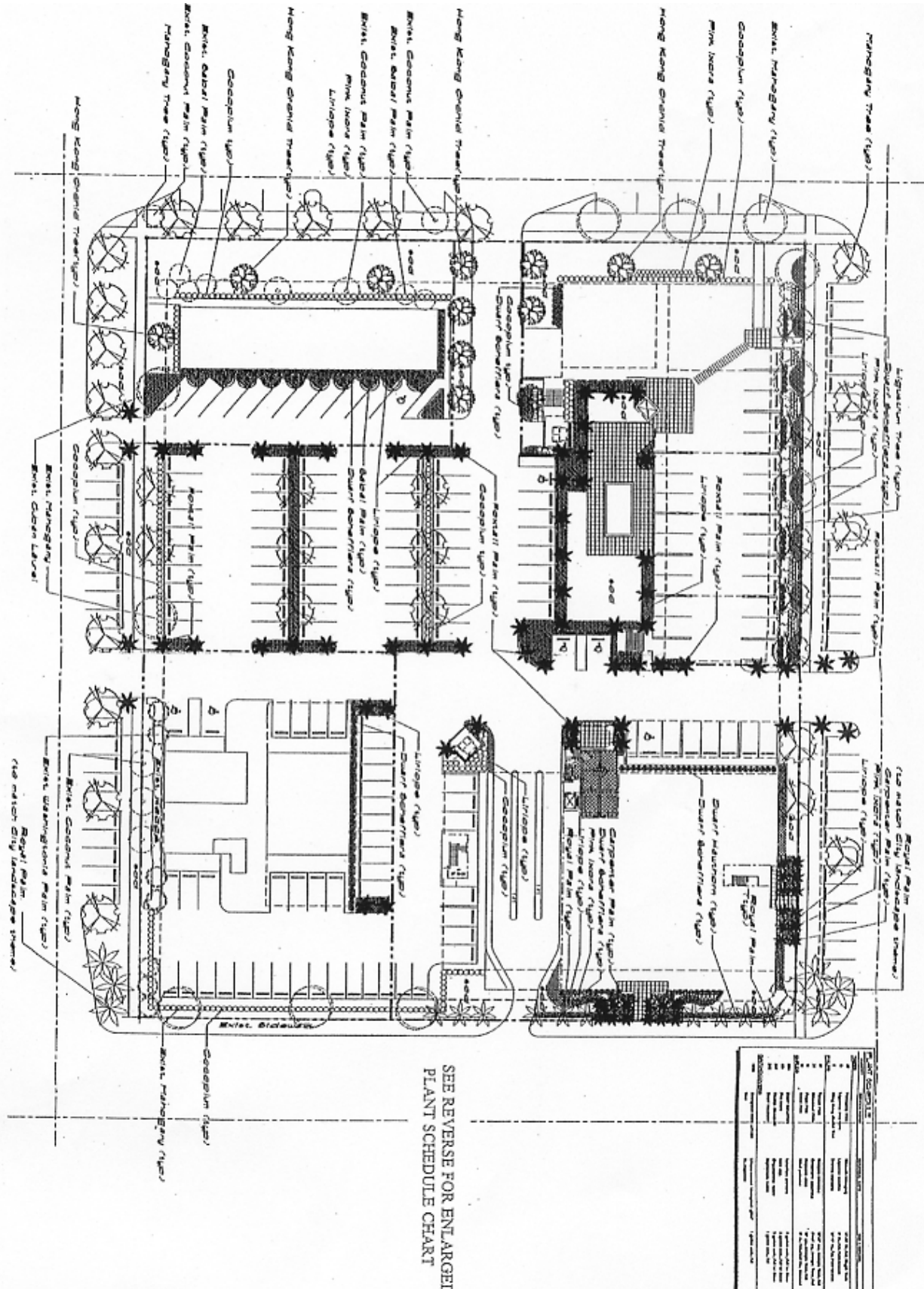
PROMISED -
REVISED EXHIBIT "C" 11/10/03

LEGEND

- R RESIDENTIAL PARKING
-  PARKING SPACES DEDICATED TO OFFICE/BANK BUILDING NOT A PART OF THIS CONDOMINIUM
-  PEDESTRIAN ACCESS



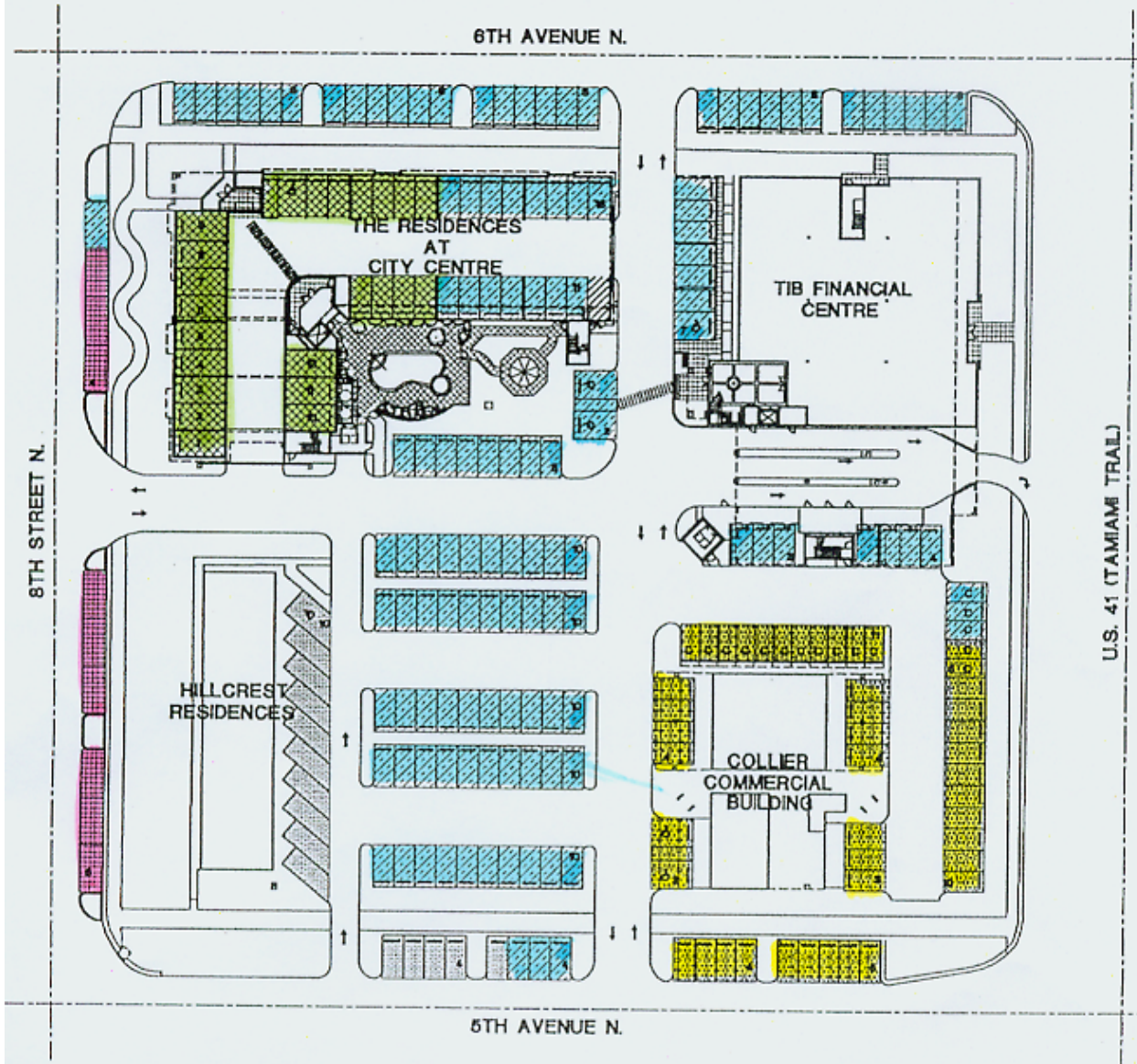




PROPOSED PARKING PLAN
 CITY CENTRE PLAZA
 PARKING SUMMARY SITE PLAN



8/26/



LEGEND:

- A 45 SPACES FOR COLLIER COMMERCIAL BUILDING
- B 126 SPACES FOR TIB FINANCIAL CENTRE
- C 23 SPACES FOR THE RESIDENCES AT CITY CENTRE
- D 15 SPACES FOR HILLCREST RESIDENCES
- E 9 SPACES - EXTRA UNASSIGNED SPACES

218 TOTAL PARKING SPACES

REVISED 06-26-03