AN ORDINANCE DETERMINING REZONE PETITION 05-R2 FOR PROPERTY LOCATED AT 100, 200 AND 300 GOODLETTE ROAD SOUTH, MORE PARTICULARLY DESCRIBED HEREIN, IN ORDER TO PERMIT REZONING FROM PD, PLANNED DEVELOPMENT TO A NEW PD, PLANNED DEVELOPMENT; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.

WHEREAS, Brompton Road Partners, LLC, owner of property at 100, 200 and 300 Goodlette Road South, has petitioned to change the zoning from PD to a new PD, in order to construct a mixed-use development on approximately 21 acres consisting of 300 residential units and 205,000 square feet of retail/commercial/office space; and

WHEREAS, John M. Passidomo, Esq., has been authorized by the owner(s) as agent for this petition; 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 6 to 1 that Rezone Petition 05-R2 be approved with conditions; 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;

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

Section 1. That Rezone Petition 05-R2 is hereby granted, for 100, 200 and 300 Goodlette Road South, more particularly described as follows:

See Exhibits “A, B and C”

Section 2. That this approval is based upon the Second Amended and Restated Planned Development Documents for Grand Central Station prepared by Cheffy, Passidomo Wilson and Johnson, LLP, dated April 11, 2005 (Exhibit D attached).

Section 3. Final site plan approval by the Planning Advisory Board will be based on compliance with the following conditions:

1. Required fire lanes must be provided.
2. Additional traffic calming measures should be provided within the Third Avenue South extension.
3. The intersection design of Third Avenue South and 10th Street shall be designed to accommodate both future signal system installation and future pedestrian facilities.
4. Should a signal be installed at the intersection of 10th Street and the Third Avenue South extension, the
developer shall be responsible to pay a fair share contribution to design and construction.

5. Intersection designs of the Third Avenue South extension at 10th Street and Goodlette Road shall be subject to appropriate turn lanes for future efficient signal operation.

6. A 30 foot setback area shall be provided along the southern perimeter of the Grand Central Station development where it is adjacent to the Naples Armature Works building at 1095 Fifth Avenue South, west of a north/south driveway (the “Driveway”) connecting Grand Central Station with U.S. 41 East (the “30 Foot Setback Area”). There shall be no structures or landscaping installed in either the driveway or the 30 foot setback area.

Section 4. That the Zoning Atlas of the City of Naples shall be amended to reflect said rezoning.

Section 5. 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 6. That all sections or parts of sections of the Code of Municipal Ordinances, 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 7. This ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS 1ST DAY OF JUNE, 2005.


____________________________
Tamela Wiseman, Vice Mayor

Attest: Approved as to form and legality:

____________________________   ____________________________
Tara A. Norman, City Clerk   Robert D. Pritt, City Attorney

M:\REF\COUNCIL\ORD\2005\05-10881

Date filed with City Clerk: ____________________________
Exhibit "A"

All that part of those unplatted lands lying within the city of Naples and being part of Section 3, Township 50 South, Range 25 East, Collier County, Florida, and being more particularly described as follows:

(Bearings are assumed;)

Commencing at the intersection of the North Right-Of-Way line of Fifth Avenue South and the East Right -Of-Way line of Tenth Street as shown on the amended Plat of a portion of the Town of Naples commonly referred to as the Seaboard Replat according to the plat thereof as recorded in Plat Book 1, page 59, Collier County Public Records, Collier County, Florida;
thence along the East Right-Of-Way line of said Tenth Street North 60° - 33' - 10" West 425.00 feet to the POINT OF BEGINNING of the parcel herein described;

Thence continue along the East Right-Of-Way line of said Tenth Street North 60° - 33' - 10" West 694.96 feet to the South Right-Of-Way line of Second Avenue South of said Town of Naples;
thence along the South Right-Of-Way line of said Second Avenue South, a bearing of North 83° - 27' - 30" East 165.00 feet;
thence along the Easterly prolongation of the South Right-Of-Way line of said Second Avenue South, a bearing of North 83° - 27' - 30" East 502.09 feet to the West line of those lands as described in Official Record 665, pages 440 and 441, Collier County Public Records, Collier County, Florida, thence along the West line of said lands South 119.47 feet; thence along the South line of said lands North 83° - 27' - 30" East 150.99 feet to the West line of the Seaboard Coastline Railroad Right-Of-Way;
thence along said Right-Of-Way line North 320.00 feet; thence North 83° - 27' - 30" East 100.66 feet to the North and South ¼ Section line of said Section 3, also being the East line of the Seaboard Coastline Railroad Co. Right-Of-Way, the West Right-Of-Way line of Goodlette Road and the East line of the Plat of Naples according to the Plat thereof as recorded in Plat Book 1, page 8, Collier County Public Records. Collier County, Florida, thence along said North and South ¼ Section line, South 1327.68 feet to the North Right-Of-Way line of U.S. 41 (Tamiami Trail);

continued...
thence along said North Right-Of-Way line South 83° - 26' - 50" West 215.11 feet to the Southeast corner of those lands as described in Deed Book 14, pages 572 through 574, inclusive, Collier County Public Records, Collier County, Florida; thence along the East line of said lands North 60° - 33' - 10" West 150.00 feet; thence along the North line of said lands and along the North line of those lands as described in Deed Book 14, pages 572 through 574, inclusive, Collier County Public Records, Collier County, Florida, South 83° - 26' - 50" West 95.00 feet; thence along the West line of said lands as described in Deed Book 14, pages 572 through 574, South 60° - 33' - 10" East, 150.00 feet to the North Right-Of-Way line of said U.S. 41; thence along said North Right-Of-Way line South 83° - 26' - 50" West 20.00 feet to the Southeast corner of those lands as described in Official Records Book 570, pages 597 and 598, Parcel 2, Collier County Public Records, Collier County, Florida; thence along the East line of said lands North 60° - 33' - 10" West 150.00 feet; thence along the North line of said lands South 83° - 26' - 50" West 60.00 feet to the Southeast corner of those lands as described in Official Records Book 28, pages 24, through 26, inclusive, Item 5, Collier County Public Records, Collier County, Florida, thence along the East line of said lands North 60° - 33' - 10" West 250.00 feet; thence along the North line of said lands South 83° - 26' - 50" West 175.00 feet to the Southeast corner of those lands as described in Official Records Book 848, pages 1111 through 1114, inclusive, Collier County Public Records, Collier County, Florida; thence along the East line of said lands North 60° - 33' - 10" West 25.00 feet; thence along the North line of said lands South 83° - 26' - 50" West 225.00 feet to the East line of said Tenth Street and the Point of Beginning of the parcel herein described; being a part of Section 3, Township 50 South, Range 25 East, Collier County, Florida; subject to easements and restrictions of record; containing 17.87 acres of land more or less.
LESS AND EXCEPTING THE FOLLOWING:

A) That portion of an Amended Plat of a Portion of The Town of Naples, as per plat thereof recorded in Plat Book 1, Page 59 in Section 1, Township 50 South, Range 25 East, Public Records of Collier County, Florida.

Being described as follows:

Commence at the northeast corner of the southwest ¼ of said Section 1; thence along the east line of said southwest ¼, South 00°22'18" East, 1,125.91 feet to the northerly existing right of way line of State Road 90 (U.S. 41) Tamiami Trail (per Section 03010-2116); thence along said northerly existing right of way line South 83°02'50" West, 310.11 feet for a POINT OF BEGINNING; thence continue along said northerly existing right of way line South 83°02'50" West, 20.00 feet; thence North 06°57'10" West, 11.13 feet to the beginning of a curve concave southerly; thence along the arc of said curve to the right, having a radius of 1,179.86 feet, a central angle of 09°53'43", an arc length of 20.00 feet, the chord for which bears North 83°08'37" East to the end of said curve; thence South 06°57'10" East, 11.13 feet to the POINT OF BEGINNING.

Containing 123 square feet.

ALSO

B) That portion of an Amended Plat of a Portion of The Town of Naples, as per plat thereof recorded in Plat Book 1, Page 59 in Section 1, Township 50 South, Range 25 East, Public Records of Collier County, Florida.

Being described as follows:

Commence at the northeast corner of the southwest ¼ of said Section 1; thence along the east line of said southwest ¼, South 00°22'18" East, 1,125.01 feet to the northerly existing right of way line of State Road 90 (U.S. 41) Tamiami Trail (per Section 03010-2116); thence along said northerly existing right of way line South 83°02'50" West, 153.65 feet for a POINT OF BEGINNING; thence continue along said northerly existing right of way line South 83°02'50" West, 61.46 feet; thence North 06°57'10" West, 16.66 feet; thence North 88°05'39" East, 10.30 feet; thence South 07°10'30" East, 10.00 feet to the beginning of a curve concave southerly; thence along the arc of said curve to the right, having a radius of 1,179.86 feet, a central angle of 02°18'07", an arc length of 31.79 feet, the chord for which bears North 89°27'30" East to the POINT OF BEGINNING.

Containing 122 square feet.
Exhibit B

Parcel 1: From the intersection of the South line of First Avenue South with the Westerly line of the Easterly right-of-way of the Atlantic Coast Line Railroad, according to a replat by Naples Seaboard and Gulf Railway Company as recorded in Plat Book 1, Page 59, Collier County Public Records, run South 0°21'30" East 161.05 feet along said Westerly line of Atlantic Coast Line Railroad to the Southeast corner of Standard Oil Company property for a Point of Beginning; thence continue South 0°21'30" East 361.03 feet along said Westerly line of Atlantic Coast Line Railroad; thence South 83°05'00" West 150.99 feet parallel with said First Avenue South; thence North 0°21'30" West 200 feet; thence North 83°05'00" East 9.01 feet; thence North 3°40'30" West 160.23 feet; thence North 83°05'00" East 151.31 feet to the Point of Beginning.

Together with the right of ingress and egress to and from First Avenue South over, along and across the following described lands:

From the above described intersection of the South line of First Avenue South with the Westerly line of the Easterly right-of-way of the Atlantic Coast Line Railroad, run South 83°05'00" West 149 feet along the South line of First Avenue South for a Point of Beginning; thence continue South 83°05'00" West 11.65 feet; thence South 3°40'30" East 160.26 feet; thence North 83°05'00" East 20.71 feet; thence North 6°55'00" West 160.0 feet to the Point of Beginning.

Parcel 1: Folio Number: 20761920001.

Parcel 2: All that part of those unplatted lands lying within the City of Naples, Florida and being part of Section 3, Township 50 South, Range 25 East, Collier County, Florida and being more particularly described as follows (bearings are assumed):

Commencing at the North 1/4 corner of Section 3, Township 50 South, Range 25 East, Collier County Florida; thence along the North and South 1/4 Section line of said Section 3, said line also being the East line of the Seaboard Coastline Railroad right-of-way, South 0°28'32" East 2.284.37 feet to the South right-of-way line of First Avenue South of the Town of Naples as recorded in Plat Book 1, Page 8, Collier County Public Records, Collier County, Florida and the Point of Beginning; thence continue along said North and South 1/4 Section line South 0°00'00" East 202.1 feet; thence South 83°27'30" West 100.66 feet to the West line of said Railroad right-of-way; thence along said West right-of-way line North 0°00'00" West 202.1 feet to the South line of said First Avenue South; thence along said South line North 83°27'30" East 100.66 feet to the Point of Beginning.

Together with the right of ingress and egress along and across the following described 30 foot easement:

All that part of those unplatted lands lying within the City of Naples, Florida and being part of Section 3, Township 50 South, Range 25 East, Collier County, Florida and being more particularly described as follows (bearings are assumed):

Commencing at the North 1/4 corner of Section 3, Township 50 South, Range 25 East, Collier County Florida; thence along the North and South 1/4 Section line of said Section 3, said line also being the East line of the Seaboard Coastline Railroad right-of-way, South 0°28'32" East 2.284.32 feet to the South right-of-way line of First Avenue South of the Town of Naples as recorded in Plat Book 1, Page 8, Collier County Public Records, Collier County, Florida and the Point of Beginning; thence continue along said North and South 1/4 Section line South 0°00'00" East 302.1 feet; thence South 83°27'30" West 30.20 feet; thence North 0°00'00" West 202.1 feet to the South line of said First Avenue South; thence along said South line North 83°27'30" East 30.20 feet to the Point of Beginning.

Parcel 2: Folio Number: 20761200002.
PARCEL 3: BEGINNING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF THE SEABOARD COAST LINE RAILROAD COMPANY (FORMERLY ATLANTIC COAST LINE RAILWAY COMPANY AND FORMERLY NAPLES SEABOARD AND GULF RAILWAY) MAIN TRACT WITH THE SOUTH RIGHT-OF-WAY LINE OF FIRST AVENUE SOUTH AS SHOWN ON THE MAP WHICH IS AN AMENDED PLAT OF PORTION OF THE PLAN OF NAPLES, WHICH AMENDED PLAT IS RECORDED IN PLAT BOOK 1, PAGE 39 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, AND SAID PLAN OF NAPLES BEING OF RECORD IN PLAT BOOK 1, PAGE 8 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA (COLLIER COUNTY HAVING FORMERLY BEEN A PART OF LEE COUNTY) AND FROM SAID POINT OF BEGINNING RUN WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF FIRST AVENUE SOUTH A DISTANCE OF 149 FEET; THENCE DEFLECTING 90° TO THE LEFT, RUN SOUTH 160 FEET TO A POINT; THENCE RUN IN AN EASTERLY DIRECTION PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF FIRST AVENUE SOUTH 138.6 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF THE AFORESAID ATLANTIC COAST LINE RAILWAY COMPANY; THENCE RUN IN A NORTHERLY DIRECTION WITH THE WEST RIGHT-OF-WAY LINE OF THE AFORESAID ATLANTIC COAST LINE RAILWAY 161.06 FEET TO THE POINT OF BEGINNING.

 Parcel 3: Folio Number: 20761960003.
Beginning at a point of distance of 303.55 East of the intersection of the North line of 2nd Avenue South, Town of Naples (projected) with the East right-of-way line of the depot spur tract of the Fort Myers Southern Railroad Easterly along said North line of said 2nd Avenue, South (extended) a distance of 156.78 feet; Thence Northerly a distance of 325.77 feet plus or minus to a point on the South line of First Avenue South, a distance of 160.65 feet West of the intersection of said South line of First Avenue South with a West right-of-way line of the main track of the Fort Myers Southern Railroad; Thence Westerly along the South line of First Avenue South, a distance of 160.65 feet; Thence Southerly a distance of 323.88 feet plus or minus to the point of beginning, said parcel containing 1.16 acres, more or less, BEING a part of Block 19, Tier 12, Naples, Florida, according to the plat thereof, recorded in Plat Book 1, at Page 8, Lee County, Florida record. BEING, a part of Naples Seaboard & Gulf Railway Company Tract, recorded in Plat Book 1, Page 59, Collier County, records.

(For Information Only: Property Appraiser's Parcel Identification Number is 20761880002)
EXHIBIT “D”

SECOND

AMENDED AND RESTATED

PLANNED DEVELOPMENT DOCUMENT

FOR

GRAND CENTRAL STATION

Date of Submittal: June 14, 2004
April 11, 2005

Prepared by: Cheffy Passidomo
Wilson & Johnson, LLP
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SECTION I

LIST OF EXHIBITS

Exhibit A  ___________ Vicinity Map

Exhibit B  ___________ Site Plan, including information showing compliance with District Development Standards.

Exhibit C  ___________ Architect's Elevations
SECTION II

LEGAL DESCRIPTION

See attached Exhibit "A", Exhibit "B", and Exhibit "C" which are incorporated herein by reference.
SECTION III

PROJECT TEAM

Petitioner: Antarami Development, LLC
365 Fifth Avenue South
Naples, Florida 34102
Attn: Jack J. Antaramian
Telephone: 434-0600

Owner Property No. 1: NCH Healthcare System, Inc.
350 Seventh Street North
Naples, Florida 34102
Attn: Edward A. Morto
Telephone: 436-5000

Owner Property No. 2: Jane H. Alander, as Trustee of the Jane H. Alander Trust u/a dated November 27, 2001 and Fred D. Alander, as Trustee of the Fred D. Alander Trust u/a dated June 27, 2001
1570 Chesapeake Avenue
Naples, Florida 34102
Telephone: 774-1938

Owner Property No. 3: Michael J. Volpe, Trustee of the Beechwood Land Trust u/a/d 7/31/96
1570 Chesapeake Avenue
Naples, Florida 34102
Telephone: 774-1938

Petitioner: Brompton Road Partners, LLC
365 Fifth Avenue South
Naples, Florida 34102
Attn: Jack J. Antaramian
Telephone: 430-7070434-0600

Owner: Brompton Road Partners, LLC
365 Fifth Avenue South
Naples, Florida 34102
Attn: Jack J. Antaramian
Telephone: 434-0600
Architect/Planner: Howard F. Elkus, FAIA Architectural Network
Robert M. Koup, AIA
Elkus/Manfredi
837 5th Avenue South
Suite 202
Naples, Florida 34102
Telephone: 434-5800

Landscape Architect: J. Roland Lieber, pllc
Landscape Architects Ltd.
530 Atlantic Avenue
Boston, MA 02210
399 Twelfth Avenue South
Naples, Florida 34102
Telephone: (617) 426-1300 261-4007

Attorney: John M. Passidomo
Cheffy Passidomo
Wilson & Johnson, LLP
821 Fifth Avenue South
Naples, Florida 34102
Telephone: 436-1529
SECTION IV

PLANNED DEVELOPMENT (PD) CRITERIA

1. Land uses within the development shall be appropriate in their proposed location, in their relationships to each other, and in their relationships with uses and activities on adjacent and nearby properties.

   The Petitioner is acquiring an approximately 2.3 acre site and an approximately 1.2 acre site located north of and adjacent to the existing 17.67 Grand Central Station site and proposes to integrate those sites into the Planned Development approved in January by City Council. This revised development proposal incorporates that land into the proposed mixed use development and reflects previous review comments and the spirit of the recommendations of the Fifth Avenue South/US 41 Urban Design Charrette that was conducted in February of this year. The revised development proposal features a larger, more vibrant and more visually accessible central core; a cultural center; a dedicated linear public park easement area creating a vital link to planned public waterfront access walkways along the Gordon River; symbolic corner gateways; reinstatement of the Naples grid system; enhanced pedestrian connections; landscaped amenity decks; and a breakdown of the massing of the residential buildings.

   The proposed development indicates an extension of 3rd Avenue South through the site as well as a new North/South commercial street running parallel with Goodlette-Frank Road and connecting 1st Avenue South at the northern end of the site. The extension of 3rd Avenue South will be a public right of way if the City of Naples approves in accordance with the proposed Development Agreement which accompanies this Planned Development Document. The new North/South commercial street begins just north of the intersection with US 41 and is proposed to extend north through the extended site, connecting with the existing 1st Avenue South. These new streets provide improved access into the site from multiple directions, break down the overall approximately 21 acre site into block sizes that are more consistent with the surrounding street grid, and help to reinforce the integration of the proposed development into the existing fabric of the City. A pedestrian connection is proposed between the North/South commercial street and US 41 west of the intersection with Goodlette-Frank Road, further contributing to the proposed development's connection to its surroundings.

   A large central open space is planned at the intersection of the extended 3rd Avenue South and the new North/South commercial street. The open space is envisioned as a focal point for the proposed project as well as for the City in general. A cultural center at the Goodlette Road/US 41 East gateway to the city will provide a vibrant and dynamic new cultural destination to the central core of the city.

2. The development shall comply with applicable city plans and planning policies, and shall have a beneficial effect both upon the area of the city in which it is proposed to be established and upon the city as a whole.
The proposed development is intended to implement the articulated purposes of the “Downtown District; complement, reinforce, extend and build on the success of the 5th Avenue South District; and help establish the new pedestrian village character of the 41-10 district. There is however no physical proximity to the existing 5th Avenue South District boundaries. The master plan therefore contemplates a prominent role for the mixed use, commercial and open spaces on the Property to reinforce the role of the downtown as a community center and a meeting place for residents, tourists and visitors.

By wrapping a dynamic 2-acre central plaza with commercial, cultural and residential uses; providing ample green space and water features and linking that space to points north and south, to 10th Street South and to the Gordon River; and by creating a cultural destination at the gateway to the city, one of the most important and accessible meeting places in all of Naples will be created. The uses proposed are in keeping with the goals of the City for this area and the disposition of uses on the site are a logical response to the surrounding uses. The project will convert a very large underutilized portion of the City into a vibrant mixed-use village environment, further strengthening the core of the City. The visual character of the proposed development is based on a variety of architectural impression which is very consistent with the architecture of 5th Avenue South and the surrounding area in general.

Retail/office space has been located along the new North/South commercial street and around the proposed central open space immediately adjacent to Goodlette-Frank Road, a historical commercial corridor. That retail/office space will relate to existing commercial development along Goodlette-Frank Road and the retail portion of the Bayfront project. Retail/office uses fronting on Goodlette-Frank Road will extend between US 41 and 1st Avenue South with a consistent setback from the property line. Landscaped surface parking along Goodlette-Frank Road will be located between commercial buildings and will be screened by a landscape buffer.

The opening between buildings at 3rd Avenue South has been increased and the configuration of proposed retail/office buildings revised to allow for improved views into the large central open space. Visibility of the retail/office uses from significant traffic routes is fundamental to long-term viability. For this reason retail/office uses have been located on Goodlette-Frank Road as well as 3rd Avenue South and the North/South commercial street, both of which, when completed, will become extensions of active City streets. View corridors have been established so that retail/office space is visible from Goodlette-Frank Road. Important 3-story gateway office buildings are proposed at the intersection of Goodlette-Frank Road and 1st Avenue South as well as at the intersection of Goodlette-Frank Road and US 41, where that building will act as a gateway building for traffic entering the 5th Avenue South District and the anchor for an envisioned cultural center as well. The extension of the new streets through the site also ensures visibility of the central open space and its programmed activity.

The proposed development reintroduces the historic street grid with ample sidewalks and traffic calming measures such as round-a-bouts, cobblestone pavers, landscaped medians and on-
street parking. With the new street grid and pedestrian walkways, pedestrian connections to all surrounding properties are created. Retail/office uses are located in individual buildings with varied architectural expression, concentrated around the central open space to create a critical mass of commercial activity. Loft type residential units are located on the upper floors in this area, adding to the mixed use environment and reinforcing pedestrian activity throughout the day and into the evening. Individual retail/office structures on the east side of the north/south commercial street opposite the loft buildings will have deliberate variety in their architectural expression and massing to create a varied, serendipitous urban environment along the new internal North/South commercial street and the central open space. The central open space will be a signature feature, unique to this new district; it can be used for entertainment as well as a focal point for retail and restaurant uses. The retail/office portion of the project includes significant open space in the form of landscaped sidewalk areas and the large central open space.

Parking is provided for the retail/office portion of the project as required by the City through surface lots, on-street parking and structured parking. Structured parking is placed away from the street frontage and is primarily located behind “liner” uses which serve as a buffer between the pedestrian and parked cars. Extensive landscaping and yards are used to buffer adjacent properties to the north and south.

3. The total land area within the development and the area devoted to each functional portion of the development shall be adequate to serve its intended purpose.

Petitioner proposes 253 residential units, 235,000 square feet of retail commercial and office uses, structured parking in three 2 levels above grade parking decks, residential uses along 10th Street South, minimum required setbacks of 25’ along Goodlette Road, and building heights of 42 feet uniquely appropriate to the Property, all as more particularly described in the attached Planned Development Document.

4. Streets; utilities; drainage facilities; recreation areas; building heights, sizes and yards; and vehicular parking and loading facilities shall be appropriate for the particular use or uses involved, and shall equal or exceed the level of design and construction quality required of similar land development elsewhere in the city.

Every effort has been made to meet City requirements relative to street dimensions (at the new extension of 3rd Avenue South), parking, service and loading facilities and building height. Significant attention has been paid to the integration of landscape and architectural concepts and to pedestrian connections throughout the project which are consistent with City standards.

5. Visual character and community amenities shall be equal or better in quality than that required by standard zoning districts for similar development.

The residential portion of the project has been oriented towards 10th Street and the existing residential area of the City. Residential density is 14.28 units per acre (253 units total) and includes a variety of open spaces including entry courts, pool courts and a garden area.
Parking for the residences is provided as required by the City. There are four individual residential architectural expressions. The villa units on Tenth Street are three-story buildings, including duplex townhouses with individual front yards and entrances and separate third floor residences. Buildings in this zone are designed to represent nine distinguished town individual residences. Townhouse units on the extended 3rd Avenue South are three-story buildings, including duplex townhouses with individual front yards and separate entrances and separate third floor residences. The town house units are expressed as repetitive connected row houses. Palm trees lining both sides of the extended Third Avenue South reinforce the repetitive row house expression and form a formal boulevard connections between Tenth Street and the new central open space. Mid-block residential buildings include three levels of individual residences and will be expressed as a traditional assemblage of structures grouped around formal entry courts and formal pool courts. Loft type residences will be located above retail/office space in the crescent buildings which form the central open space and line the west side of the proposed North/South commercial street. An overhead archway along Third Avenue South serves to mark passage from the residential district at the west portion of the site to the commercial and mixed use areas to the east. An archway at the south end of the central plaza provides spatial structure for the cultural plaza and separates it from the central plaza. Finish materials for the development will be of the quality expected for downtown Naples.

6. **Open space shall be adequate for the type of development and the population densities proposed.**

A variety of open spaces have been provided on the site including:

- open space along Goodlette-Frank Road and at the intersection of Goodlette-Frank Road and US 41
- the Linear Public Park Easement Area
- the central core open space
- the cultural center
- the Third Avenue South Extension Right of Way Easement Area
- a paved and landscaped realm throughout the retail/office and residential portions of the project providing pedestrian connections between all project components
- landscaped entry courts at residential buildings
- two pool courts
- the garden area
- private residential courts
- landscaped front yards at townhouse units
- landscaped amenity decks

7. **Areas proposed for common ownership shall be subject to a reliable and continuing maintenance guarantee.**

Common areas will be professionally maintained.
8. In the case of developments which are to be constructed in several units, the proposed units shall be shown on the overall development plan. The proposed construction units shall individually comply with the standard set forth in this section in order that, if for any reason construction ceases prior to completion of the entire planned development, the resulting partially complete project will adequately serve its purchasers and occupants and will not cause a general public problem.

Each phase of the development will function independently of the other phases. Whatever is necessary for a given phase, will be constructed as part of that phase.
SECTION V

DEDICATION OF LINEAR PUBLIC PARK EASEMENT

At or prior to issuance of a certificate of occupancy from the City of Naples for any of the buildings located within the Property, the Land Owner shall execute, deliver and record a non-exclusive linear public park easement to the City of Naples for green space, open space, landscaping, and pathways over and across the portion of the Property designated as “Dedicated Public Open Space” on the Site Plan prepared by Architectural Network and dated April 11, 2005 (the “Site Plan”) which accompanies this Planned Development Document (the "Linear Public Park Easement Area"). The Land Owner shall retain the right to (i) use the Linear Public Park Easement Area for any purpose which does not unreasonably interfere with the intended purpose of the Linear Public Park Easement, including, without limitation, vehicular and pedestrian access to and from the Property, pathways, signage, utilities, sculpture, art, water features, benches, drainage, water management, lot coverage calculations, density calculations, open space, and landscaping for the benefit the Property; and (ii) suspend the right to use the Linear Public Park Easement during any period of construction or maintenance in, or in reasonable proximity to, the Linear Public Park Easement Area. The Land Owner shall design, permit, construct and maintain the Linear Public Park Easement Area, and pay for same. The City shall cooperate with the Land Owner in the foregoing undertaking. The Linear Public Park Easement Area shall be maintained to a standard which equals or exceeds the prevailing level of maintenance of city parks and parkways.
SECTION VI

DEVELOPMENT STANDARDS

Subsection 1. Purpose.

The Grand Central Station PD is intended to implement the redevelopment of the property known as "Grand Central Station" and adjacent land in a manner consistent with the objectives of the Naples "D" Downtown District as stated in Section 102-842 of the Code of Ordinances.

When not specifically modified herein, the provisions of the "D" Downtown District shall apply within the Grand Central Station PD.

Subsection 2. Definitions.

In accordance with Section 102-843.

Subsection 3. Uses permitted.

In addition to the uses specified in Section 102-844, the following uses shall be permitted within the Grand Central Station PD:

1. Residential-only buildings fronting on 10th Street South;
2. Wellness Center (which shall be considered a commercial use);
3. Structured parking (The Grand Central Station PD may contain three parking structures, each of which may be two levels above grade indicated on the Site Plan. Parking structures must be accessory to a permitted or conditional use having materials, design and architecture consistent with the principal structure, or otherwise fully screened from view from a public street or adjacent property. Parking spaces in the parking facility identified as Building "M" on the Site Plan may be reserved for use in Building "N");
4. Private and resort recreational amenity elements for residents, tenants, guests and invitees who live on and off the Property;
5. Museums, classrooms, theaters, libraries, publicly owned buildings, performance halls, meeting rooms, and educational and cultural facilities;
6. Drive thru windows for bank facilities provided, however, that specifically proposed drive thru bank facilities must be approved by the City of Naples through the General Development and Site Plan approval process;
7. Outdoor dining;
8. 205,000 square feet of retail commercial and office space; and
(8) 253 (9) 300 residential dwelling units at a density of 14.28 units per acre.
**Subsection 4. Building placement.**

Minimum yards are measured from the perimeter property line of the Property, provided, however, that minimum yards from Goodlette Road, and at the corners of Goodlette Road and US 41 East and Goodlette Road and 1st Avenue South, are measured from the nearest boundary of the Linear Public Park Easement Area (as that term is defined in this Planned Development Document) rather than from Goodlette Road, and minimum yards along Goodlette Road, and at the corners of Goodlette Road and US 41 East and Goodlette Road and 1st Avenue South, are 5' from the nearest boundary of the Linear Public Park Easement Area notwithstanding the Corridor Management Plan-Overlay District requirements in the Naples Comprehensive Development Code. See Diagram for building placement along Goodlette Road and along the extension of Third Avenue South as illustrated on Site Plan dated November 10, 2003, as amended, prepared by Elkus/Manfredi Architects (the "Site Plan") which was submitted in conjunction with, but not in limitation of, this Planned Development Document.

**Subsection 5. Maximum residential density.**

1. The maximum residential density in the Grand Central Station PD is 300 dwelling units or 14.28 units per acre. The acreage used to calculate density and the maximum number of dwelling units will not be reduced if when the Third Avenue South Extension Right of Way Easement or Linear Public Park Easement are dedicated to the City.

2. The provisions of Section 102-847 shall not apply within the Grand Central Station PD.

**Subsection 6. Maximum building height.**

The maximum height for any exclusively residential interior buildings located in the general area designated as Building "J", Building "C", Building "F", Building "G" and Building "M", on the Site Plan (See Sheet A2.0 specifically) shall be limited to 4 stories and 52 feet, measured from the first floor FEMA elevation to the peak of the roof or the highest point of any appurtenance attached to the roof. The maximum height of any other residential building or buildings shall be limited to 42 feet, measured from the first floor FEMA elevation to the peak of the roof or the highest point of any appurtenance attached to the roof. The maximum height of any other residential building or buildings and the maximum height of all commercial buildings and all mixed use buildings shall be limited to 3 stories and 42 feet, measured from the first floor FEMA elevation to the peak of the roof or the highest point of any appurtenance attached to roof. The maximum heights illustrated on the Site Plan comply with the maximum building height requirement stipulated in this Planned Development Document.
Subsection 7. Standards for site design.

In accordance with Section 102-851, except that 102-851(1)b. shall be deleted.

Subsection 8. Intent.

It is the intent of the City of Naples that the Site Plan be considered consistent with the Development Standards contained in this Planned Development Document. "On street" parking along the extension of Third Avenue South occurs on private property and therefore shall be counted in determining compliance with parking requirements, and shall not be considered as an allocation from the city's "on street" parking pool for the "D" Downtown District. Based on the general configuration, location, size and dimensions of buildings on the Site Plan, any interpretation of the building dimensions, maximum uninterrupted building length, or opening vias in residential buildings to the public as being inconsistent with Section 110-35 or Section 102-852 of the Naples Comprehensive Development Code is waived.
SECTION VII

WATER AND SEWER ADEQUACY AND AVAILABILITY

Water and sewer service for the project is available and will be provided by the City of Naples in accordance with its adequate public facilities criteria. The Property owner shall be responsible for the construction and cost of the water and sewer facilities within the project.
SECTION VIII

BASIC WATER MANAGEMENT STRATEGY

Storm runoff will be attenuated on site by means of underground storage facilities, such as vaults, tanks, piping and other customary methods, or, where practicable, by means of above ground retention areas, swales and holding ponds, in accordance with South Florida Water Management District criteria. Storm water quality pretreatment will be provided on site via best management practices in accordance with South Florida Water Management District criteria.
SECTION VIII

TIME LIMITATIONS

The period for which construction is required to commence under Sec. 102-720 of the Naples Code is extended from 36 to 60 months.