

**Agenda Item 12.B  
Meeting of 1/20/21****ORDINANCE 2021-14585**

**AN ORDINANCE DETERMINING REZONE PETITION 19-R7 REZONING APPROXIMATELY 11.5 ACRES OF PROPERTY FROM PD, PLANNED DEVELOPMENT, TO PD, PLANNED DEVELOPMENT, TO AMEND THE BAYFRONT PLANNED DEVELOPMENT ON PROPERTY OWNED BY BAYFRONT, INC., LOCATED AT 401-499 BAYFRONT PLACE, 1301, 1320, AND 1333 3RD AVENUE SOUTH, MORE PARTICULARLY DESCRIBED HEREIN; ADOPTING THE PLANNED DEVELOPMENT DOCUMENT AS AMENDED HEREIN; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.**

**WHEREAS,** Bayfront, Inc., owner of the property has petitioned to rezone approximately 11.5 acres from PD, Planned Development, to PD, Planned Development; and

**WHEREAS,** Richard D. Yovanovich, Esq., has been authorized by the petitioner and owner as agent for this petition; and

**WHEREAS,** following an advertised public hearing on February 12, 2020, the Planning Advisory Board considered the public input, staff recommendations, and criteria in the Code of Ordinances, and has recommended by a vote of 7 to 0 that Rezone Petition 19-R7 be approved; 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 19-R7, rezoning approximately 11.5 acres of property from PD, Planned Development, to an amended and restated PD, Planned Development, owned by Bayfront, Inc. and located at 401-499 Bayfront Place, 1301, 1320, and 1333 3rd Avenue South, is approved, said property more particularly described as follows:

**See Exhibit "A"**

in accordance with the revised Planned Development Document, named Bayfront Planned Development, attached hereto as Exhibit "B" and incorporated herein; and that the Zoning Atlas of the City of Naples will be amended to reflect said zoning (with underlining indicating additions and ~~strikethrough~~ indicating deletions).

**Section 2. Disclaimer & Permit Condition (Applicable only if federal or state permits are required):** Issuance of a development permit by the City does not create any right to obtain a permit from a State or Federal agency

and does not create any liability on the part of the City 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. If applicable, all other State or Federal permits must be obtained before commencement of the project.

**Section 3.** That if any word, phrase, clause, subsection, or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof will not affect the validity of any remaining portions of this ordinance. However, if any word, phrase, clause, subsection, or section is determined to be an unreasonable condition affecting the overall development plan contained herein, it will not be severed.

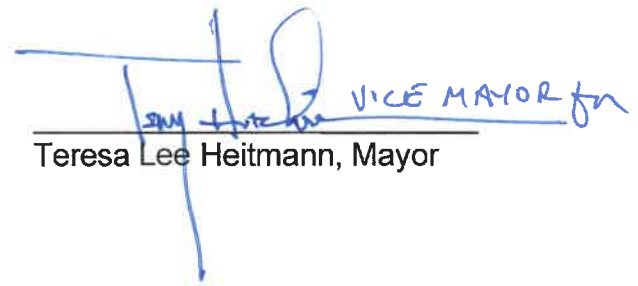
**Section 4. Repealer.** This PD Ordinance adopting this Planned Development Document will supersede and take priority over Planned Development Ordinance 96-7693, the repeal of which is hereby ratified and confirmed, and any portions of the Naples Land Development Code that conflict with this PD Ordinance.


**Section 5.** That this ordinance will take effect immediately upon adoption at second reading.

**APPROVED AT FIRST READING AND PUBLIC HEARING THE 4TH DAY OF NOVEMBER 2020.**

**APPROVED AT SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA THIS 20TH DAY OF JANUARY 2021.**

Attest  ON THE GULF  
  
Patricia L. Rambosk, City Clerk

 VICE MAYOR for  
Teresa Lee Heitmann, Mayor

Approved as to form and legality:  
  
James D. Fox, City Attorney

Date filed with City Clerk: 1-25-21

**Exhibit A**

All that part of Government Lot 8 of Section 3, Township 50 South, Range 25 East, Collier County, Florida, being bounded as follows: On the north by the south line of that as described in OR Book 761, pages 1920 and 1921; On the east by the west line of that land as described in OR Book 761, pages 1925 and 1926; On the south by the north line or and easterly extension of the north line of that land as described in OR Book 828, pages 833 and 835; and on the west by the east right-of-way line of Goodlette-Frank Road (C.R. 851), all of the Public Records of Collier County, Florida.

Subject to easements and restrictions of record; containing 11.50 acres, more or less.

**EXHIBIT 'A' 'B'**

~~Ordinance 07-11860~~ (Rev. Ordinance 15-13655)

(Underline indicates additions; ~~Strikethroughs~~ indicate deletions)

**PLANNED DEVELOPMENT NARRATIVE**

This Planned Development Narrative is intended to amend the previously approved Planned Development Narrative dated February 12, 1996, and the Amended Planned Development Narrative dated August 14, 2006, and the Amended Planned Development Narrative dated November 1, 2006 ~~and, the Amended Planned Development Narrative dated December 5, 2007~~ and, the Amended Planned Development Narrative dated August 14, 2013. ~~The purpose of this amendment is to bring the site plan into conformance with:~~ and the Amended Planned Development Narrative dated June 3, 2015.

- ~~1) conditions of the final City Council Ordinance 97-7959, as amended;~~
- ~~2) marketing studies performed by Owner subsequent to original design and approval;~~
- ~~3) design development studies performed by architects and land planners.~~

~~Where possible, every effort has been made to assure that this application conforms to the conditions and requirements of the original application and ordinance, as amended.~~

~~There is one proposed revision to the last amendment, which required this amendment. This change is:~~

~~A) . The purpose of the proposed PD Amendment is to modify the development standards applicable to the Cabana Bar. The Cabana Bar is currently approved to be 3610 square feet within two levels with the bathroom and elevator facilities located landward and within their existing sidewalk/promenade. The requested revision will reduce the Cabana Bar to one story and increase the square feet to 5261 square feet over the water with additional service being provided over a portion of the sidewalk. The general location of the Cabana Bar is depicted on the revised conceptual master plan. Exhibit 1 (Tabulation and Planned Uses), Exhibit 2 (General Site Plan), and Exhibit 3 (Outdoor Dining Site Plan) are integral parts of this Planned Development.~~

This Planned Development Narrative has been substantially updated to reflect the current status of the approved and actual development of Bayfront. Amended Planned Development Narratives noted above include details of the changes approved in each.

**Statement of Proposed Development criteria and standards:**

Setbacks for principal structures:

|  |   |
|--|---|
| Front setback:   | 25' — (0') at new<br>commercial bldg. at west<br>parking garage existing<br>structure and future<br>buildings 6 & 7<br><u>25'</u> |
| Commercial bldg 8 (not constructed)                            | 0'  |
| Side and rear <u>year</u> yard setback (Principal Structures): | 20'   |
| Side and rear <u>year</u> yard setback (Parking Structures):   | 25'   |
| Rear yard setback for East parking structure                   | 15'   |
| Waterfront setback:  | 25'   |

(except over water Cabana Bar)

**Parking and drives:** Designed and constructed in accordance with Development Standards of the City of Naples.

**Landscape:** Designed and constructed in accordance with the accompanying Landscape Plan, and the Development Standards of the City of Naples. The accompanying approved Landscape Plan for the green space along Goodlette-Frank Road requires the relocation of existing Royal Palm trees along the parking garage and the removal of existing canopy trees (black olive). The Royal Palms will be relocated to other locations on Bayfront property. Changes to the Landscape Plan along Goodlette-Frank Road shall be done concurrent with and no earlier than the commencement of construction of Building 8.

The Landscape Plan requires a deviation with respect to Section 58-1049, Landscape Standards for Goodlette-Frank Road, Development Standards for the City of Naples and this PD shall serve as the approval of the deviation.

**Statement of Design Concept:**

The upper floors of the buildings will be ~~office space and residential units~~ positioned to take advantage of river views. Commercial space will be located on the first floors of Buildings 2, 3, 4, and 5. The buildings will be designed with a variety of sloped and gabled roofs, parapets, domes and towers, porches, balconies, terraces and arcades. The style of architecture is influenced by the tropical character of early buildings in South Florida and the Caribbean and the variety of massing and architectural features will create a pedestrian scale sympathetic to Naples.

The concept for this development evolved out of the 41-10 corridor planning process which identified this parcel as a key development opportunity for the City. Situated at the southern entrance to Naples, this development is highly visible across the Gordon River from the US 41 bridge. ~~The plan recommended and the City Council endorsed in the final ordinance, extending 3<sup>rd</sup> Avenue South through the Grand Central Station shopping center to connect with Goodlette Road. This new east west linkage will greatly improve~~

~~the visibility and accessibility of both Grand Central Station and this development and tie the Gordon River waterfront into the City. The 41-10 Corridor Study is an on going planning effort. Part of the next phase of work will be traffic study of the recommended road changes including 3<sup>rd</sup> Avenue South. The traffic light at the current entrance to Grand Central Station on Goodlette Road will be moved north to the location of the new intersection with 3<sup>rd</sup>. The traffic engineering necessary for this light relocation will be part of the scope of work sponsored by the City.~~

#### **Site Plan:**

The ~~proposed~~ General Site Plan, attached hereto and incorporated herein as Exhibit 2, prepared by Banks Engineering dated ~~March 5, 2015~~ February 20, 2018 shall be the approved site plan. This plan assumes Third Avenue is extended through to Goodlette Road and the signalized intersection is moved north of its current location. With this arrangement this project becomes an integral extension of the City and is at the eastern termination of 3<sup>rd</sup> Avenue. Flanked with ~~three~~ four story ~~mixed-use~~ residential buildings, 3<sup>rd</sup> Avenue can become a continuous pedestrian street linking across Goodlette, 10<sup>th</sup> and 41 to the heart of Naples.

#### **LEGAL DESCRIPTION**

All that part of ~~government~~ Government Lot 8 of Section 3, Township 50 South, Range 25 East, Collier County, Florida, being bounded as follows: ~~On the north by the south line of that as described in OR Book 761, pages 1920 and 1921, Public Records of Collier County, Florida; On the east by the west line of that land as described in OR Book 761, pages 1925 and 1926, Public Records of Collier County, Florida; On the south by the north line of and an easterly extension of the north line of that land as described in OR Book 828, pages 833 and 835, Public Records of Collier County, Florida; and~~

On the west by the east right-of-way line of Goodlette-Frank Road (C.R. 851).

Subject to easements and restrictions of ~~records~~ record; containing 11.50 acres, more or less.

#### **Listing of Owner and Consultants**

##### **Owner**

Bayfront-Marketplace, Inc.  
Kevin L. Stoneburner, President  
c/o The Stoneburner Companies  
465 Bayfront Place  
Naples, Florida -34102  
(239) 649-8700

**Owners Representative**

Richard D. Yovanovich, Esquire  
 Coleman, Yovanovich & Koester, P.A.  
 4001 North Tamiami Trail  
 Suite 300  
 Naples, Florida 34103  
 (239) 435-3535

**Architects**

-Don Stevenson Design Inc. and Lotus Architecture Dyehouse Comeriato Architect  
 2950 Tamiami Trail North #16 Naples, Florida 3410316 2640  
Golden Gate Parkway

**Survey**

~~Coastal Engineering~~  
~~3106 Horseshoe Drive South~~  
~~Naples, Florida 34104 34103~~ Suite 116  
Naples, FL 34103  
~~(239) 643-2324~~

**Surveyors**

Coastal Engineering  
3106 Horseshoe Drive South  
Naples, Florida 34104  
(239) 643-2324

BBLs Surveyor's Inc.  
8860 Terrene Court  
Bonita Springs, Florida 34135

**Landscape Architect**

A. Gail Boorman & Associates, PA  
 Gail Boorman, Landscape Architect  
 Naples, Florida  
 (239) 263-2242

**Civil Engineer**

Banks Engineering Inc.  
 10511 Ben C Pratt/6 Mile Cypress  
 Fort Myers, Florida 33966  
 239-939-5490

**Governance**

The common areas, streets, sidewalks and commercial areas will remain private; however to the extent legally permissible, Bayfront will be subject to City of Naples ordinances except as

otherwise provided herein. The owner shall have the right to install "towing enforced" signs at project entrances to remove improperly parked or unauthorized vehicles. Naples Police Department personnel will continue to conduct parking enforcement of handicapped parking and fire lane/hydrant violations only. Such enforcement shall be in compliance with Florida State Statutes and the posting requirements of the Florida Department of Transportation Manual on Uniform Traffic Control Devices (MUTCD).

### Planned Uses

~~Artesanal~~Artisanal Use: Premises used primarily for the repair, manufacture and sale of domestic furniture, arts and crafts. The work must take place entirely within an enclosed structure using only hand-held and/or table mounted manual and electrical tools. Noise abatement and fire code will apply.

Commercial Use: Premises used generally for the conduct of artisanal, retail, restaurant, limited lodging, professional business, governmental service, cultural entertainment activities, but excluding prohibited uses. Establishments with liquor licenses are specifically permitted with no required separation from other businesses or licenses. However, the total number of liquor licenses is limited to seven licenses.

Home Occupation: Any activity carried out for gain by a resident and conducted as a customary, incidental and accessory use in the resident's dwelling unit.

Residential Use: Premises used primarily for human habitation. A home occupation is permitted. Home Occupation shall be limited to office use only, permitted between the hours of 8:00am and 5:00pm, and shall be accessory to the residential use. Units shall not be less than 750 square feet in air-conditionedairconditioned area except that up to 10% of the units may be as small as 600 square feet in air-conditionedairconditioned area.

Transient Lodging: Dwelling units may be designated for short term rental. Transient lodging, as defined in Section 82 of the Code of Ordinances, shall not be permitted on the subject property.

Recreational Use: Pool, spa, patio, club room, exercise facility, and kitchenette facilities for the exclusive use of the residents shallwill be permitted.

Accessory uses and structures which are incidental to and customarily associated with the permitted uses in this planned development. These accessory uses shallmay include amenities which enhance the use and enjoyment of the waterfront by the public; such as ~~peels~~fountains, gazebos, restroom/shower facilities, docks and environmental furniture (benches, arbors, etc.)

Parking Structures: Subject to the following:

- a. Limitation of one level above grade



- b. Addition of an ornamental buffer between said structure and any adjacent residential use of district.
- c. Limitation of light fixture height to a maximum 24 feet above grade.

Amenities for the condominium units, as defined in this PD document, may be permitted on the roof of the east parking deck and adjacent to Building 7; no covering or roof is required on the east parking deck.

**Landscaped Public Open Space:** The waterfront open space and landscaped street space including streets and excluding arcades is approximately 133,350 SF or 3 acres. Approximately 50% of this space is dedicated to streets with the remainder as sidewalks, planting beds, and terraces. The waterfront and landscaped street space are publicly accessible and designed for recreation enjoyment.

~~Waterfront Boardwalk: An access way has been constructed. Adjacent to the access way will be a floating dock for access to the 36 proposed boat slips.~~

~~Building 7: A pneumatic automatic teller along the south side of Building 7 shall be permitted~~

**Boat Slips:** ~~Boat~~Thirty-seven boat slips permitted and constructed in accordance with all City, State and Federal requirements ~~are proposed to be constructed~~ along the southern property line which abuts the Gordon River. Five boat slips will be identified with signage indicating "Short Term Patron Mooring" for public use.

Boat slips are permitted to be sold or rented. Rental or sale of boat slips can be permitted for charter boat use. The sale or rental of boat slips to individual boat owners is based upon parking spaces set forth in Exhibit "1" attached hereto. The Property Owner can rent or sell the slips to charter boats and the parking requirements for charter boats will be one parking space per four passengers. Rental of boats is permitted, but not personal watercraft. ~~Under the current parking calculation set forth in Exhibit "1" there are 60 extra parking spaces within the project. The Property Owner shall~~The Property Owner must notify the City staff when it rents or sells a boat slip for use by a charter boat of the number of passengers authorized by the charter boat and the number of parking spaces assigned to that charter boat.

~~Outdoor Entertainment: Live entertainment~~ Special Events: Special Events may be allowed within the Promenade areas as defined depicted on the Master Special Events Site Plan attached as Exhibit 4, subject to the Petitioner obtaining a live entertainment Special Events permit and meeting all in accordance with the Code of Ordinances, as amended from time to time.

Regular Live Outdoor Entertainment may be allowed on the criteria other than sidewalk identified as Promenade on the associated use General Site Plan, subject to the Petitioner obtaining and maintaining a Live Entertainment permit in accordance with the Code of Ordinances, as amended from time to time.

Live Indoor Entertainment: Live Indoor Entertainment may be allowed for Commercial venues subject to the Petitioner obtaining and maintaining a Live Entertainment permit for those establishments in accordance with the Code of Ordinances, as amended from time to time.

Kiosks: Up to two kiosks providing information or for boat rentals shall may be permitted on sidewalks and the Promenade area of sidewalk areas adjacent to the project water. Kiosks shall will not be used for sale of food or beverages, or for other retail use. Kiosks shall not interfere with pedestrian or vehicular traffic.

Sidewalks: Sidewalks along Goodlette Frank Road shall be at least 7 feet wide and shall be substantially in conformance with the sidewalk design plan, attached sidewalks depicted in the General Site Plan. The sidewalk in front of Building 8, Building 7 and Building 6 along Goodlette Frank Road shall be constructed concurrently with the construction of such Building, as applicable.

Liquor licenses: The total number of approved liquor licenses on the property shall be limited to seven, and shall not be subject to the distance requirements as listed in Section 56-122 of the Code of Ordinances, as amended from time to time.

Outdoor Dining: The location, area boundaries, square footage, and number of seats of outdoor dining, as depicted on the Outdoor Dining Site Plan attached as Exhibit 3, is granted to specific venues in accordance with the Project Table on page 10 of this document and the Outdoor Dining Site Plan attached hereto as Exhibit 3. Outdoor dining may be allowed for those commercial venues, subject to each obtaining and maintaining an Outdoor Dining permit in accordance with the Code of Ordinances, as amended from time to time. Outdoor dining and alcohol use is only permitted in permitted areas, except as approved for Special Events.

### **Tabulation of Planned Uses**

This project consists of maximum commercial square footages, maximum number of dwelling units, maximum outdoor seating, maximum site coverage's and maximum building heights as summarized in the attached Exhibit "1".

In addition to the tabulated Commercial and Residential uses, this project also provides two parking structures with one above grade level of parking, Landscaped Public Open Space, Boat Slips, and Waterfront Boardwalk as indicated by the General Site Plan.

Parking shall will be provided in the ratio of 3 parking spaces per 1000 GSF of commercial use, and 1-1/2 parking spaces per dwelling unit units in Buildings 2, 3, 4, and 5, and 2 parking spaces for buildings 6 and 7; and as otherwise adjusted per Exhibit 1.

The development statistics are presented in total, although the actual construction may be phased based on the sales of the condominium units and availability of financing for the project.

~~The~~With the exception of outdoor dining, the commercial square foot areas, parking spaces and dwelling unit numbers may be adjusted between buildings, provided that the total do not exceed those indicated in Project Data Summary. See Exhibit "1" for tabulation of project data.

Time Limitation: Beginning with the approval date of this PD, approval of Buildings 6, 7, and 8 are subject to a construction commencement compulsion of 36 months.

**Definition of Building Height:** The vertical distance measured from the FEMA first habitable floor height requirement, to the highest point of the main (flat) roof surface of the principal structures, or to top guardrail height for parking structures.

**Height Requirements, Exception Thereto:** Chimneys, elevator shafts, television and radio antenna, bell towers, rooftop heating, ventilating and air conditioning equipment, ornamental screens for such equipment, and stair towers may only extend a maximum of ten (10) feet above the highest point of the main building. Cupolas, dormers, parapets, hip, gable and mansard roofs, domes, spires, and other miscellaneous architectural elements intended to enhance the visual appearance of the structures, may extend an additional twelve (12) feet above the roof height of the structure of which they are a part, but no more than ten (10) feet for Buildings 6 and 7.

Where roof structures are added to the parking decks, the parking structure building height may be increased to twenty-four (24) feet.

Residential Density: Bayfront Planned Development comprised of approximately 11.5 acres shall be limited to 18 units per acre up to a maximum of 192 units. The current as built residential density is 15.4 units per acre.

**Cabana Bar:** ~~The outdoor dining area of the Cabana Bar is approved under Ordinance 15-13655 and is shown on the Outdoor Dining Plan attached hereto as Exhibit 3. Height shall not exceed 27 feet to the top of the peak of the roof. Service area will be located on the promenade and/or sidewalk in the area depicted on the general site plan. Alcoholic beverage consumption shall~~may be permitted ~~on the sidewalk area depicted on the general site plan in such area in conjunction with cabana bar~~Cabana Bar use.

A maximum of 88 seats are permitted on the sidewalk outdoor dining area of the Cabana Bar. There will be safe access to the Cabana Bar from the handicap ramp located centrally at the southern terminus of the ~~promenade~~Promenade and adequate space between tables to allow safe passage.

**Statement of Availability of Sewer and Water**

**Water and Sewer Service:** This property falls within the water and sewer service area of the City of Naples. Both water and sewer service is available to the site.

**Stormwater Management Strategy:** All stormwater management facilities will be constructed below grade, utilizing water detention vaults, catch basins, and drainage piping to meet City, County and State water management guidelines. The first-floor elevation of all buildings (excluding parking garages) will comply with FEMA guidelines.

**Utility Lines:** All on-site utility lines shall be located underground.

**Commonly Owned and Used Areas:** Building 1 and its related site area is under the separate ownership of Art Allen. This building is constructed at this time. The Building and adjacent parking are part of this project and relevant information is included in the tabulations on Exhibit 1.

The remainder of the site will be placed under a condominium ownership and/or Association, with all common area maintenance shared between the condominium and project owners, Bayfront, Inc. or its successors and assigns. Documents creating this ownership and control have been completed.

**Areas to be conveyed to Public Purpose:** A 10 foot easement along Goodlette Frank Road, for the purposes of installation of a force main for sewer service, has been conveyed by the Owner of the City of Naples. Other easements will be granted when as normally required for this type of development, to the applicable utility agencies involved. Commitment satisfied.

Site improvements, such as private streets, landscaping, sidewalks, and parking lots shall be developed concurrently with the construction of Buildings 1, 4 and 5.

A southbound left turn lane shall be provided on Goodlette Road for access to the southern driveway on the property. Commitment satisfied.

The relocation of the traffic light and the associated reconfiguration of the medians on Goodlette Road shall require the mutual agreement of the City of Naples, Bayfront Marketplace, Inc., Gordon River Hotel Associates, Naples Community Hospital, Allen Systems Group, Inc., and the Mariner's Cove Condominium Association, including the timing of the improvements and the responsibility for bearing the costs of moving the traffic light and median reconfiguration. If agreement cannot be reached, any of the above parties may bring the issue to City Council for resolution. Commitment satisfied.

Should a left turn lane and median cut from southbound Goodlette Road to the Comfort Inn property not be permitted by Collier County, the City shall permit Bayfront Marketplace, Inc. to provide Gordon River Hotel Associates with directional signage, to be located together with the entry signage for Bayfront Marketplace and to be no less than one foot by five feet in size, to be placed under the signage for Bayfront Marketplace

and in a manner consistent with the theme and quality of the signage for the marketplace. Commitment satisfied.

~~Proposed Revisions to previously approved Ordinance, 97-7959: Section 3 of the previously approved Ordinance 97-7959 consist of a list of conditions adopted by the City Council in regards to the approval of this development and attached as Exhibit "2". These conditions were numbered 1 through 14. The Owner is in agreement with these conditions which shall remain in effect with clarification that the boat slips may be sold to non-residents.~~

A six-foot high fence or wall with an appropriate hedge or landscaping shall be installed at the northern and eastern property lines to screen the property from the Mariner's Cove condominiums. A gate shall be provided at the southeast corner of the site in order to allow emergency vehicles direct access to the Mariner's Cove property. The fence shall be installed prior to issuing a certificate of occupancy for Building 1. Commitment satisfied.

Gated pedestrian access to the subject property from Mariner's Cove may be developed as requested by the mariner's Cove Condominium Association. Commitment satisfied.

## EXHIBIT "1"

## Tabulation of Project Data

| Building/Use  | Gross Commercial GSF          | Number of Dwelling Units   | Number of Required Parking Spaces | Site Coverage GSF | Site Coverage as a % of Total | Maximum Building Height  |
|---|-------------------------------|----------------------------|-----------------------------------|-------------------|-------------------------------|--|
| Building 1  | 61,740                        | 0                          | 185                               | 14,575            | 2.9%                          | 65' Office/<br>Retail<br>5 Story                                       |
| Building 2<br>Retail/Rest./Residential                        | 13,000                        | 36                         | 93                                | 16,000            | 3.2%                          | 60'<br>5 Story   |
| Building 3<br>Retail/Rest./Residential                        | 13,000                        | 36                         | 93                                | 16,000            | 3.2%                          | 60'<br>5 Story   |
| Commercial at<br>West Parking Garage<br>Building 8 Commercial | 4,778                         | 0                          | 15                                | 5,528             | 1.1%                          | 33'<br>1 Story   |
| Building 4<br>Retail/Rest./Residential                        | 14,500                        | 40                         | 104                               | 22,500            | 4.5%                          | 60'<br>5 Story   |
| Building 5<br>Retail/Office/Residential                       | 16,000                        | 44                         | 114                               | 27,500            | 5.5%                          | 60'<br>5 Story   |
| Building 6**<br>Retail/Residential                            | <del>16,153</del><br><u>0</u> | <del>3</del><br><u>12</u>  | <del>53</del><br><u>24</u>        | 10,099            | 2.0%                          | 42'<br><del>50'</del><br><del>3 Story</del><br>4 story over<br>parking |
| Building 7<br>Residential                                     | <del>7,142</del><br><u>0</u>  | <del>14</del><br><u>24</u> | <del>43</del><br><u>48</u>        | 13,117            | 2.6%                          | 42'<br><del>50'</del><br><del>3 Story</del><br>4 story over<br>parking |
| Bacio Outdoor Dining  | <del>1,237</del>              | <del>0</del>               | <del>4</del>                      |                   |                               |  |
| Petite Syrah Outdoor Dining                                   | <del>740</del>                | <del>0</del>               | <del>2</del>                      |                   |                               |  |
| Stoney's Outdoor Dining                                       | <del>860</del>                | <del>0</del>               | <del>3</del>                      |                   |                               |  |

|                                      |  |                     |                     |                |              |  |
|--------------------------------------|--|---------------------|---------------------|----------------|--------------|--|
| <b>Cabana Bar<br/>Indoor Seating</b> | <b>5261<br/>over water<br/>1,820<br/>Promenade/<br/>sidewalk</b> | <b>0</b>            | <b>16<br/>6</b>     |                |              |  |
| <b>Boat Slips<br/>Storage</b>        | <b>37Slips<br/>200</b>   | <b>0</b>            | <b>10<br/>1</b>     |                |              |  |
| <b>Project Totals</b>                | <b>152,769<br/>128,279</b>                                       | <b>-173<br/>192</b> | <b>-741<br/>703</b> | <b>124,569</b> | <b>25.1%</b> |  |

| <u>Outdoor Dining<br/>Locations</u>       | <u>Square Footage</u> | <u>Seats</u> | <u>Required Parking</u> |
|---|-----------------------|--------------|-------------------------|
| 403 Bayfront Place                        | 540                   | 44           | 2                       |
| 449 Bayfront Place                        | 800                   | 40           | 3                       |
| 469 Bayfront Place                        | 600                   | 46           | 2                       |
| 489 Bayfront Place                        | 827                   | 57           | 3                       |
| 492 Bayfront Place                        | 1,237                 | 78           | 4                       |
| 475 Bayfront Place                        | 740                   | 54           | 2                       |
| <b>Cabana Bar Outdoor<br/>Dining Area</b> | <b>1,820</b>          | <b>88</b>    | <b>6</b>                |
| <b>Totals</b>                             | <b>6,564</b>          | <b>407</b>   | <b>22</b>               |

|  |                |
|--|----------------|
| <b>Parking Adjustments</b>             | <b>725</b>     |
| Waterfront access credit               | 37 -36         |
| Credit for patron mooring              | -5             |
| Parking leased by Gemfort Bayfront Inn | +30            |
| Tesla Reserved Parking                 | +4             |
| <b>Total Required Parking</b>          | <b>729 718</b> |

| <u>Location</u>          | <u>Parking Provided</u> |
|--------------------------|-------------------------|
| Parking Deck 1           | 276 278                 |
| Parking Deck 2           | 493 191                 |
| Building 1 Allen Systems | 202 197                 |
| Building 7               | 34 51                   |
| Building 6               | 25                      |
| On Street                | 87 67                   |
| <b>TOTAL</b>             | <b>789- 809</b>         |

| Accessory Uses Building /Use                         | Site Coverage GSF | Site Coverage as a Percent of Total | Maximum Building Height |
|--|-------------------|-------------------------------------|-------------------------|
| Perimeter Landscaping                                | 35,622            | 7.1%                                |                         |
| Interior Landscaping                                 | 49,470            | 9.8%                                |                         |
| Public Open Space                                    | N/A               |                                     |                         |
| Boat Slips   | N/A               |                                     |                         |
| Waterfront Boardwalk                                 | N/A               |                                     |                         |
| Gazebo   | N/A               |                                     |                         |
| East Parking Garage                                  | 33,920            | 6.8%                                | 16' to rail             |
| West Parking Garage                                  | 51,733            | 10.3%                               | 16' to rail             |
| Total Site Coverage By Building & Parking Structures |                   | 42.2%                               |                         |

~~Transient lodging, as defined in Section 82 of the Code of Ordinances, shall not be permitted on the subject property.~~

~~5. Amenities for the condominium units, as defined in the PD document, may be permitted on the roof of the east parking deck; no covering or roof is required on the east parking deck.~~

~~6. The boat slips may be used for patron mooring spaces or recreational use only. No commercial boating activity shall be permitted.~~

~~7. Site improvements, such as private streets, landscaping, sidewalks, and parking lots shall be developed concurrently with the construction of Buildings 1, 4 and 5.~~

~~8. A southbound left turn lane shall be provided on Goodlette Road for access to the southern driveway on the property.~~

~~9. A six foot high fence or wall with an appropriate hedge or landscaping shall be installed at the northern and eastern property lines to screen the property from the Mariner's Cove condominiums. A gate shall be provided at the southeast corner of the site in order to allow emergency vehicles direct access to the Mariner's Cove property. The fence shall be installed prior to issuing a certificate of occupancy for Building 1.~~

~~10. Gated pedestrian access to the subject property from Mariner's Cove may be developed as requested by the mariner's Cove Condominium Association.~~

~~11. The petitioner shall submit a sketch containing elevations for the facades facing Goodlette Road (west) and Mariner's Cove (east), a copy of which shall be attached hereto and made a part hereof.~~



~~\_\_\_\_\_ 12. All on-site utility lines shall be located underground.~~

~~\_\_\_\_\_ 13. The relocation of the traffic light and the associated reconfiguration of the medians on Goodlette Road shall require the mutual agreement of the City of Naples, Bayfront Marketplace, Inc., Gordon River Hotel Associates, Naples Community Hospital, Allen Systems Group, Inc., and the Mariner's Cove Condominium Association, including the timing of the improvements and the responsibility for bearing the costs of moving the traffic light and median reconfiguration. If agreement cannot be reached, any of the above parties may bring the issue to City Council for resolution.~~

~~\_\_\_\_\_ 14. Should a left turn lane and median cut from southbound Goodlette Road to the Comfort Inn property not be permitted by Collier County, the City shall permit Bayfront Marketplace, Inc. to provide Gordon River Hotel Associates with directional signage, to be located together with the entry signage for Bayfront Marketplace and to be no less than one foot by five feet in size, to be placed under the signage for Bayfront Marketplace and in a manner consistent with the theme and quality of the signage for the marketplace.~~