1. **Site Plan.** The site plan identified in application 19-Sp-03 is hereby proffered as a part of Rezone Application 18-REN-02.

2. **Sound Restrictions/Mitigation.**
   a. Within 30 days after approval of the Phase 1 site plan, the Applicant shall implement the following conditions:
      1. No new event venue space for activities generating outdoor amplified sound shall be created on the campus.
      2. No existing event venue space shall be expanded or relocated closer to residential areas.
      3. No source of outdoor amplified sound shall be permitted in areas of the campus east of vacated South Palm Avenue.
      4. No outdoor amplified music shall be permitted within the outdoor terraced areas of the proposed restaurant.
      5. Activities generating outdoor amplified sound shall be confined to the hours between 7:00 a.m. and 10:00 p.m., except for the annual Orchid Ball, which activities may extend to 11:00 p.m.
      6. Outdoor amplified sound volumes shall be regulated by a centrally-controlled amplification system under exclusive control of the Applicant, rather than the control of an event licensee or entertainer.
      7. In advance of any activity that is expected to generate outdoor amplified sound on the botanical gardens’ campus, the Applicant shall install portable sound level sensors at points on the campus adjacent to residential areas to record any sound levels that might exceed maximum permitted decibels. Said sensors shall form part of an integrated system for the exclusive control by the Applicant of amplified sound, which system shall alert the Applicant when amplified sound levels exceed maximum permitted decibels.
      8. No fireworks will be combusted on the botanical gardens campus.
      9. With the exception of the annual Orchid Ball, no activities featuring live band performances shall be permitted on the Great Lawn after 5:00 p.m.; nor shall any organized activities on the Great Lawn be permitted to continue beyond 11:00 p.m.
   b. As an element of Phase 1 construction, a glass barrier, no less than six (6) feet in height, shall be erected around the southern facade of the rooftop restaurant for the purpose of attenuating sound.

3. **Bayfront Parklet Amenities.** The Applicant shall install park amenities consisting of benches; bicycle rack; decorative paving; Florida friendly landscaping; and irrigation, on the 0.08 acre City-owned parcel adjacent to the northwest corner of the botanical gardens, along Sarasota Bay and consistent with the Bayfront Parklet Concept Plan dated April 2019 and submitted to the City Auditor and Clerk’s Office on April 10, 2019; and the
Applicant shall enter into a maintenance and management agreement with the City of Sarasota obligating the Applicant to provide ongoing maintenance and repair of said amenities, and liability insurance.

4. **Sky Garden Parking Structure.** All four external walls of the Sky Garden parking structure shall be formed into a Green Living Wall, consisting predominately of a skeletal structure hung in sections and containing plants that will, upon full growth, achieve a green cover extending vertically from the ground to the top level of the structure, while using a minimum of horizontal space.

5. **Landscape Buffers.** The buffer wall and plantings depicted on the Phase 1 Site Plan dated June 19, 2019, along the northern and western boundaries of Hudson Crossing condominium, shall be installed prior to commencing construction of the Phase 1 buildings; provided, however, that continued use of the existing southern Orange Avenue driveway is necessary for Phase 1 construction, then construction of that portion of buffer may be delayed until prior to the issuance of the certificate of occupancy for the Phase 1 building(s) whose construction necessitates use of that driveway.

6. **Botanical Gardens Operations.**
   a. There shall be no loading, unloading or transfer of botanical gardens materials in the bulk storage area north of Hudson Crossing condominium between the hours of 6:00 p.m. and 8:00 a.m.
   b. Applicant will limit the number of times the planned rooftop garden-to-plate restaurant may be fully bought-out to no more than five occasions in any calendar year.

7. **Staging and Construction Conditions.** During Phase 1 construction, the egress drive adjacent to Hudson Crossing condominium may be used in its existing condition for exiting traffic of passenger vehicles used by visitors and employees, but shall not be used for construction traffic.
   a. During Phase 1 construction, the area between Hudson Crossing condominium and South Palm Avenue shall only be used for: storage of plant material; storage of Augusta bricks prior to re-installment on South Palm Avenue; construction trailers; and visitor and employee parking.
   b. In areas adjacent to the boundary with Hudson Crossing condominium, where it is not feasible to install precast concrete wall panels prior to construction, a supplemental visual/dust barrier (cloth or plastic screening), extending above the existing buffer fence, shall be installed prior to the commencement of horizontal construction, and then removed after construction is complete.
   c. During construction, if requested by Hudson Crossing condominium management, the Applicant shall arrange for buildings and drives/parking areas on the condominium property to be pressure cleaned, but no more frequently than twice a year.