

## STIPULATED RESTRICTIONS ON PERMITTED USES & MAXIMUM SQUARE FOOTAGES

The accompanying list of Developer commitments was presented to Developer by APC Staff and accepted in full by Developer. The list of commitments sets forth voluntary Developer restrictions on what uses the retail services portion of the Project site may otherwise be permitted to contain under the LB zoning classification (e.g. liquor stores, fast food operations and gas stations) and limits the maximum square footage of building area on both the medical and retail services portions – 60,000 sf of medical/professional and 45,000 sf of retail, respectively.

As mentioned earlier in the Re-Zoning Classification Plan portion of this submittal, Developer's initial application for a zoning amendment requested that the entire Project site be re-zoned GB – General Business. After hearing concerns from Staff and area residents that a GB designation was felt to be too broad and might give the "green light" for similarly zoned commercial development along the US 421 traffic corridor (all despite Developer's willingness to prohibit or otherwise restrict many uses from occurring on the Project site that otherwise are permitted under a GB classification), Developer has responded with a new application requesting two separate levels of re-zoning classifications for the Project – PB and LB. In addition to agreeing to the much more limited zoning classification of LB for the retail services portion, Developer has agreed to nearly 30 prohibitions and other restrictions on uses at the Project site that otherwise are permitted under the LB classification.

## DEVELOPER COMMITMENTS AS TO PERMITTED USES AND LEASABLE SQUARE FOOTAGE

Developer agrees that the following commercial uses, although permitted under the LB zoning classification, will not be permitted in the Union Prairie Crossing project:

- Kennel, Small
- Roadside Produce stand
- Mineral Extraction
- Public Camp Ground or Recreational Vehicle Park
- Dwelling-Multi Family
- Dwelling-Single Family
- Dwelling-Two Family
- Major Residential Subdivision
- Drive-In Restaurant (Fast Food)
- Tavern w/ Less Than 60% of Total Sales From Food
- Liquor Store
- Tobacco Store
- Coin Operated Laundry
- Dry Cleaners That Include an On-Site Dry Cleaning Plant
- Mortuary
- Composting Facility
- Long term Permitted Clean Fill Disposal Site
- Long Term Permitted Clean Fill Processing Site
- Restricted Waste Site
- Temporary Permitted Clean Fill Disposal Site
- Temporary permitted Clean Fill Land reclamation Site
- Temporary Permitted Clean Fill Processing Site
- Airport or Heliport
- Public Wells
- Telephone Exchange, Public Utility Station
- Mass Transit Station
- Automatic Car Wash
- Parking Lot Not Associated with Another Permitted Use(s)
- Automobile Repair, Service Station
- Tire, Battery & Accessory Structures.

In addition to the above commitments, Developer shall not permit more than the below indicated square footage of buildings to be built on the Union Prairie Crossing project site:

- 4+/- Acre Medical Parcel: 60,000 sf of leasable space
- Remainder of Project Site: 45,000 sf of leasable space