

City of Gainesville City Commission Regular Meeting AGENDA

Thursday, February 2, 2023, 10:00 a.m.
City Hall Auditorium
200 East University Avenue
Gainesville, FL 32601

Commission Members

Mayor Harvey L. Ward, Jr.

Mayor Pro Tempore Desmon Duncan-Walker (District 1)
Reina Saco (At Large, Seat A)

Cynthia Moore Chestnut (At Large, Seat B)

Ed Book (District 2)

Casey Willits (District 3)

Bryan Eastman (District 4)

The City Commission makes policy and conducts City business in an open forum. For information on how to attend the meeting and submit public comment, visit the City <u>Agendas & Meetings website</u>.

Neighbors are welcome to attend meetings in person. Seating capacity may be limited. Fill out a comment card and give it to the meeting clerk to request to speak. Speakers will be called to share their comments in the order of sign-up.

The City Hall Auditorium and Roberta Lisle Kline Conference Room are equipped with hearing loop assistive listening systems. When using your own hearing aid, you must switch your device to Telecoil or "T" mode. If your hearing aid does not have a Telecoil mode, broadcast staff can provide a headset.

If you have a disability and need an accommodation in order to participate in this meeting, please contact the Office of Equity and Inclusion at (352) 334-5051 at least two business days in advance. TTY (Text Telephone Telecommunication Device) users please call 711 (Florida Relay Service). For Speech to Speech (STS) relay, please call 1-877-955-5334. For STS Spanish relay, please call 1-877-955-8707.

A. CALL TO ORDER - 10:00 AM

Agenda Statement: The City of Gainesville encourages civil public speech. The Gainesville City Commission expects each person entering this chamber to treat others with respect and courtesy. Speakers are expected to focus on agenda items under discussion and avoid personal attacks or offensive comments. Threatening language is not allowed. Anyone who repeatedly disrupts the proceedings will be asked to leave. Signs, props, posters, food and drink should be left outside the auditorium.

B. INVOCATION

Pastor Catherine Dearlove, Trinity Metropolitan Community Church of Gainesville

C. ADOPTION OF THE AGENDA

Includes Consent and Regular Agenda Items

D. CONSENT AGENDA

Approval of Minutes from the January 5, 2023, 10:00 am and 1:00 pm Meetings (B)

Recommendation: The City Commission approve the minutes for the January 5, 2023 meetings.

2023-46 Appointments to City Commission Advisory Boards and Committees (B)

Department: Office of the City Clerk

Fiscal Note: N/A

Recommendation: The City Commission appoint:

- Faith Corbet, Omar Hernandez and Corey Williams to the Citizens' Advisory Committee for Community Development for terms ending 11/1/2025.
- Nathanial Courtney to the Gainesville Cultural Affairs Board for a term ending 9/30/2025.
- Harrison Scoville to the Regional Transit System Advisory Board for a term ending 9/30/2024.

10

2023-32 Heartwood Dreams2Reality Construction Contract Amendments (B)

Department: Gainesville Community Reinvestment Area

Description: Staff is requesting the City Commission increase the costplus contracts for the 11 Dreams2Reality due to increases in labor and materials costs in the amount of \$655,737.27.

Fiscal Note: The total amount needed to increase the cost-plus contracts is \$655,737.27 and funding is available in the GCRA FY 2023 budget.

Recommendation: The City Commission approve the additional funding totaling \$655,737.27 to complete the 11 Dreams2Reality homes in Heartwood.

2023-61 Task Assignment Amendment for Jones, Edmunds & Associates, Inc. (B)

Department: Parks, Recreation & Cultural Affairs

Description: This item is to modify design plans for a multiuse trail that was expected to run alongside a GRU asphalt access road. That road is no longer needed, so this item asks the City Commission to approve a revised total project cost of \$177,987.88 for the professional redesign. The work on the Wild Spaces & Public Places (WSPP) Multiuse Trail (SE Williston Road to Sweetwater Branch Creek) is done by Jones, Edmunds & Associates, Inc.

Fiscal Note: Funds in the amount of \$61,249.88 are available for professional design services for the WSPP Multiuse Trail: \$11,249.88 from the Sweetwater Recreational Trail WSPP ½ cent sales tax project account and \$50,000.00 from GRU Water/Wastewater. GRU agrees to transfer funds to WSPP in the amount of \$50,000.00 upon City Commission approval of the task assignment with Jones, Edmunds & Associates, Inc.

Recommendation: The City Commission authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.

E. EARLY PUBLIC COMMENT ON AGENDA ITEMS

Members of the public who are unable to wait for their agenda item(s) to be called during the meeting may speak during Early Public Comment. Comment is limited to three (3) minutes on one agenda item or five (5) minutes on two or more agenda items. Speaking during Early Public Comment waives the right to comment during later agenda items.

F. BUSINESS DISCUSSION ITEMS - MORNING

191

214

2023-88 Approval of Employment Contracts for the City Manager, City Attorney, Equity and Inclusion Director and General Manager of Utilities (B)

Department: Office of the City Commission

Fiscal Note: The employment contract costs for the City Manager, City Attorney, Equity and Inclusion Director, and General Manager of Utilities are budgeted via salary expenses for the respective Charter department.

Recommendation: The City Commission approve the employment contracts for the City Manager, City Attorney, Equity and Inclusion Director and General Manager of Utilities.

2023-98 Gainesville Police Department Fiscal Year 2023 1st Quarter Update (B)

Department: Gainesville Police Department

Description: The Gainesville Police Department will provide an update on events and statistics to the City Commission for the October 1, 2022 through December 31, 2022 time period.

Fiscal Note: N/A

Recommendation: The City Commission hear the quarterly update.

2023-104 Commissioner Desmon Duncan-Walker: Gun Violence as a Local Crisis (B)

Department: Office of the City Commission

Fiscal Note: N/A

Recommendation: The City Commission discuss and take action deemed necessary.

G. RESOLUTIONS – MORNING (Roll Call Required)

(Unless mandated by statute to occur in the evening; may include Advocacy Resolutions and Binding Resolutions)

12:00-1:00 PM Lunch Break

H. CALL TO ORDER - 1:00 PM

GAINESVILLE HISTORY MOMENT I.

Vivian Filer, Historic Preservation Board

J. EARLY PUBLIC COMMENT ON AGENDA ITEMS

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K. GENERAL PUBLIC COMMENT

Members of the public may speak for up to three (3) minutes per meeting on any item not on the agenda. General Public Comment may be submitted in advance by pre-recorded voice message only (see page 2 for details). The General Public Comment period shall not exceed 30 minutes total.

L. BUSINESS DISCUSSION ITEMS - AFTERNOON

2023-87 Mayor Harvey L. Ward, Jr. – Bloomberg Philanthropies, Letter of

Support (B)

Department: Office of the City Commission

Fiscal Note: N/A

Recommendation: The City Commission authorize Mayor Harvey L. Ward, Jr. to write a letter of recommendation supporting the UF College of Arts for a Bloomberg Grant.

- M. RESOLUTIONS AFTERNOON (Roll Call Required)
- N. ORDINANCES: ADOPTION READING AFTERNOON (Roll Call Required)

2022-536 Amend Future Land Use Map from Urban Mixed Use High (UMUH) to Planned Use District (PUD) (PB21-00219) (B)

Department: Sustainable Development

Description: Ordinance No. 2022-536; An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category on approximately 1.11 acres of property generally located at the NW corner of the intersection of SW 2nd Avenue and SW 10th Street, as more specifically described in this ordinance; providing land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: N/A

Recommendation: The City Commission adopt the proposed ordinance.

O. ORDINANCES: SECOND READING - AFTERNOON (Roll Call Required)

217

2023-07 An Ordinance Revising Civil Citation Penalties and Code Enforcement Fines/Liens (B)

Department: City Attorney

Description: Ordinance No. 2023-07 An ordinance of the City of Gainesville, Florida, amending Section 2-339, Applicable codes and ordinances, to revise civil citation penalties for violations of certain ordinances; amending Section 2-388.1, Administrative fines and liens, to authorize the reduction of assessed costs in code enforcement cases; amending Section 13-17, Adoption of the International Property Maintenance Code, to require the removal or remediation of hazardous trees; amending Section 30-8.44, Violations, enforcement and penalties, to delete procedures for landscape and tree management provisions that are being recodified in Section 13-17; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Fiscal Note: N/A

Recommendation: The City Commission adopt the proposed ordinance.

P. ORDINANCES: FIRST READING - AFTERNOON (Roll Call Required)

2022-537 Rezone from Urban Transect Zone U9 to Planned Development (PD) (PB21-00220 ZON) (B)

Department: Sustainable Development

Description: Ordinance No. 2022-537: An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 1.11 acres of property generally located at the NW corner of the intersection of SW 2nd Avenue and SW 10th Street, as more specifically described in this ordinance, from Urban 9 (U9) to Planned Development (PD); providing land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: N/A

Recommendation: The City Commission adopt the proposed ordinance.

2023-70 Residential Rental Unit Permit Program (B)

Department: Office of the City Attorney

Description: Ordinance No. 2023-70: An ordinance of the City of Gainesville, Florida, amending the Residential Rental Unit Permits program by amending Section 2-339 – *Applicable Codes and Ordinances* and by amending Chapter 14.5, Article I titled "Residential Rental Unit Permits"; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: N/A

Recommendation: The City Commission adopt the proposed ordinance.

2022-366 Ordinance Specifying the Standards and Duties Of The City Internal Auditor (B)

Department: Office of the City Attorney

Description: Ordinance No. 2022-366: An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances by revising the duties of the City Internal Auditor; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Fiscal Note: N/A

Recommendation: The City Commission adopt the proposed ordinance and repeal Resolution 150127.

2022-380 Request To Vacate A Right-of-way (LD22-000009 SVA) (B) Department: Sustainable Development

Description: Ordinance No. 2022-380: An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close certain portions of a public right-of-way generally located near 4232 and 4210 NW 6th Street, as more specifically described in this ordinance; providing directions to the City Clerk; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: N/A

Recommendation: City Commission to adopt the proposed ordinance.

Q. COMMISSION COMMENT

4:30 - 5:30 PM Dinner Break

- R. CALL TO ORDER 5:30 PM
- S. PLEDGE OF ALLEGIANCE
 Scout Troop 125

1068

T. PROCLAMATIONS & SPECIAL RECOGNITIONS

2023-94 Black History Month Proclamation (B)

1151

Department: Office of the City Clerk

Fiscal Note: N/A

Recommendation: Mrs. Vivian Filer to accept the proclamation.

2023-114 Gun Violence Survivors Week Proclamation (B)

1154

Department: Office of the City Clerk

Fiscal Note: N/A

Recommendation: Helen Kirklin with Moms Demand Action to receive the proclamation.

U. EARLY PUBLIC COMMENT ON AGENDA ITEMS

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V. RESOLUTIONS - ROLL CALL REQUIRED

(Required by state law to be heard at 5:00 pm or later)

W. BUSINESS DISCUSSION ITEMS - EVENING

2023-59 Perpetual Easement between NE 26th Terrace and SE 26th Terrace (B)

1157

Department: Sustainable Development

Description: The Florida Department of Transportation is asking the City Commission for a perpetual easement. This would give FDOT permanent access to install and maintain traffic signals and equipment between NE 26th Terrace and SE 26th Terrace.

Fiscal Note: N/A

Recommendation: The City Commission authorize the Mayor to sign and the City Clerk to attest the perpetual easement to the Florida Department of Transportation, subject to the approval by the City Attorney as to form and legality.

2023-60 Perpetual Easement between NW 13th Street and NW 23rd Avenue (B)

Department: Sustainable Development

Description: This agenda item requests the City Commission grant a perpetual easement to the Florida Department of Transportation for signal pole construction at NW 13th Street and NW 23rd Avenue.

Fiscal Note: N/A

Recommendation: The City Commission: 1) Grant the land rights to the Florida Department of Transportation for the Northwest 13th Street/NW 23rd Avenue project as detailed, and 2) Authorize the Mayor to sign and the City Clerk to attest the perpetual easement to the Florida Department of Transportation, subject to approval by the City Attorney as to form and legality.

- X. PUBLIC HEARINGS (Including Planning Petitions)
- Y. ORDINANCES: ADOPTION READING EVENING (Roll Call Required)
- Z. ORDINANCES: SECOND READING EVENING (Roll Call Required)
- AA. ORDINANCES: FIRST READING EVENING (Roll Call Required)
- AB. COMMISSION COMMENT
- AC. ADJOURNMENT 10:00 PM OR EARLIER

If later than 10:00pm, the Commission may waive the rules to extend the meeting or may schedule a date/time to continue the meeting.



City Commission Special Meeting MINUTES

January 5, 2023, 10:00 a.m. Historic Thomas Center, Gardens 306 NE 6th Ave. Gainesville, FL 32601

Members Present: Mayor Ward, Commissioner Book,

Commissioner Chestnut, Mayor Pro

Tempore Duncan-Walker, Commissioner

Eastman, Commissioner Willits

Members Absent: Commissioner Saco

- A. CALL TO ORDER 10:02 AM
- **B. INVOCATION**

Father Fletcher Montgomery, Rector, Holy Trinity Episcopal Church gave the invocation.

Heard

- C. PLEDGE OF ALLEGIANCE
- D. OATH OF OFFICE FOR ED BOOK, DISTRICT 2

<u>Heard</u>

- 1. Comments from Commissioner Ed Book
- E. OATH OF OFFICE FOR CASEY WILLITS, DISTRICT 3

<u>Heard</u>

1. Comments from Commissioner Casey Willits

F. OATH OF OFFICE FOR BRYAN EASTMAN, DISTRICT 4

Heard

- 1. Comments from Commissioner Bryan Eastman
- G. OATH OF OFFICE FOR HARVEY L. WARD, JR., MAYOR

<u>Heard</u>

1. Comments from Mayor Harvey L. Ward, Jr.

H. ADOPTION OF THE AGENDA

Moved by Commissioner Chestnut **Seconded by** Commissioner Eastman

Aye (6): Mayor Ward, Commissioner Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, and Commissioner Willits

Absent (1): Commissioner Saco

Approved (6 to 0)

I. BUSINESS DISCUSSION ITEMS

1. 2023-23 Election of Mayor-Commissioner Pro Tempore (NB)

Moved by Mayor Pro Tempore Duncan-Walker **Seconded by** Commissioner Willits

Recommendation: The City Commission appoint a City Commissioner as Mayor-Commissioner Pro Tempore for the 2023 term.

Motion: Appoint Commissioner Duncan-Walker as Mayor Pro-Tremore.

Aye (6): Mayor Ward, Commissioner Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, and Commissioner Willits

Absent (1): Commissioner Saco

Approved (6 to 0)

J. ADJOURNMENT - 11:03 AM



City Commission Regular Meeting MINUTES

January 5, 2023, 1:00 p.m. City Hall Auditorium 200 East University Avenue Gainesville, FL 32601

Members Present: Mayor Ward, Ed Book, Commissioner

Chestnut, Mayor Pro Tempore Duncan-

Walker, Commissioner Eastman, Commissioner Saco, Commissioner

Willits

A. CALL TO ORDER - 1:00 PM

B. INVOCATION

Saeed Khan, Hoda Islamic Center, Gainesville

C. ADOPTION OF THE AGENDA - Includes Consent and Regular Agenda Items

Public Comment: Nathan Skop, Jo Beaty

Moved by Commissioner Chestnut

Seconded by Commissioner Willits

Adopt as Modified.

Aye (6): Mayor Ward, Ed Book, Commissioner Chestnut, Mayor Pro Tempore

Duncan-Walker, Commissioner Eastman, and Commissioner Willits

Absent (1): Commissioner Saco

Approved (6 to 0)

D. CONSENT AGENDA

Recommendation: The City Commission adopt the consent agenda.

Moved by Commissioner Chestnut

Seconded by Commissioner Willits

Approved On Consent

1. 2023-03 Interlocal Agreement with the School Board of Alachua County for Joint Use of Lincoln Park (B)

Moved by Commissioner Chestnut

Seconded by Commissioner Willits

Recommendation: The City Commission authorize the Mayor to sign and the City Clerk to attest the renewed Interlocal Agreement with the School Board of Alachua County for joint use of Lincoln Park, subject to the approval by the City Attorney as to form and legality.

Approved On Consent

2023-04 Resignation of Sophia Corugedo from the City Plan Board (B)

Moved by Commissioner Chestnut

Seconded by Commissioner Willits

Recommendation: The City Commission accepts the resignation of Sophia Corugedo, effective immediately.

Approved On Consent

3. 2023-12 Gainesville Regional Utility's Proposed FY24 Budget Calendar (NB)

Moved by Commissioner Chestnut

Seconded by Commissioner Willits

Recommendation: The City Commission approve the suggested timeframe and direct the City Clerk to identify and schedule specific dates and times for meetings related to GRU's FY24 Proposed Budget.

Approved On Consent

E. EARLY PUBLIC COMMENT ON AGENDA ITEMS

Public Comment: Nathan Skop, July Thomas

F. GENERAL PUBLIC COMMENT

Robert Mounts, Andrea Rizo, Nathan Skop, Jo Beaty, Rentz Torres, July Thomas, Kimber Tough, Matthew Umanos, Johnny Booth

Commissioner Saco arrived at 1:50 PM.

G. BUSINESS DISCUSSION ITEMS - AFTERNOON

1. 2023-25 Mayor Harvey L. Ward, Jr., Committee Discussion (B)

Recommendation: The City Commission discuss and take action deemed necessary.

Public Comment: Nathan Skop, Jo Beaty, Tana Silva, Kim Tanzer, Aaron Green

Moved by Commissioner Chestnut

Seconded by Mayor Pro Tempore Duncan-

Walker

Motion: Add Ad-Hoc Public Safety Committee, including Police and Fire; and sunset the Environmental Justice Subcommittee and Digital Access Committee.

Aye (7): Mayor Ward, Ed Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (7 to 0)

2. 2022-274 Recruitment Plan for Charter Officers (B)

Laura Graetz, Director of Human Resources gave a presentation.

Public Comment: Jo Beaty, Tana Silva, Monica Frazier

Moved by Commissioner Saco

Motion: Make Anthony Cunningham the permanent GRU General Manager.

Died for lack of second

Moved by Commissioner Eastman

Seconded by Commissioner Willits

Motion: 1) Allow Commissioners to interview; 2) Have a public reception; and 3) Bring back on February 16, 2023 for decision on each charter to vote to retain or re-advertise.

Aye (3): Mayor Ward, Commissioner Eastman, and Commissioner Willits

Nay (4): Ed Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, and Commissioner Saco

Failed (3 to 4)

Moved by Commissioner Chestnut

Seconded by Commissioner Eastman

Recommendation: The City Commission (1) approve the recruitment plan for filling the five Charter Officer vacancies and (2) authorize the Human Resources Department to engage the services of an Executive Search Firm(s) to initiate the search for each Charter Officer vacancy.

Motion: Approve as Recommended.

Aye (6): Mayor Ward, Ed Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, and Commissioner Willits

Nay (1): Commissioner Saco

Approved (6 to 1)

Recess - 3:03 PM

Reconvene - 3:10 PM

3. 2022-767 Charter Officers' Annual Performance Evaluations and Pay Increases (B)

Laura Graetz, Director of Human Resources gave a presentation.

Recommendation: The City Commission: 1) review the performance of each Charter Officer; 2) establish appropriate performance ratings; and 3) consider pay increases for FY22.

Moved by Commissioner Chestnut

Seconded by Mayor Pro Tempore Duncan-

Walker

Motion: 1) The City Commission review the performance of each Charter Officer; and 2) Apply the 2.5% increase to the Charter Officers, other than the City Auditor.

Aye (7): Mayor Ward, Ed Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (7 to 0)

4. 2023-11 Update on Winter Energy Usage and Billing and Staffing (B)

Anthony Cunningham, Interim GRU General Manager introduced.

Eric Walters, GRU Chief Sustainability Officer gave a presentation.

Kinnzon Hutchinson, GRU Chief Customer Officer gave a presentation.

David Warm, Director of Communications gave a presentation.

Laura Graetz, Director of Human Resources spoke to the item.

Anthony Carroll, GRU Energy Delivery Officer gave a presentation.

Chad Parker, GRU Energy Measurement and Regulation Manager gave a presentation.

Public Comment: Tana Silva

Recommendation: The City Commission hear a presentation from staff.

Heard

5. 2022-177 Commissioner Chestnut - Reinstate Single-Family Future Land Use and Zoning Categories, and other related changes (B)

Daniel Nee, Interim City Attorney spoke to the item.

Sean McDermott, Senior Assistant City Attorney spoke to the item.

Public Comment: Robert Mounts, Carrie Parker-Warren, Aaron Green, Casey Fitzgerald, Tana Silva, Peggy Carr, Kim Tanzer, Chuck Rois, Monica Frazier, Kali Blount, Evelyn Foxx, Jo Beaty, Faye Williams

Moved by Commissioner Chestnut

Seconded by Mayor Pro Tempore Duncan-

Walker

Recommendation: Direct staff to initiate petitions to reinstate single-family future land use and zoning in the city in all the areas where those designations existed prior to the adoption of the Ordinance Nos. 21357, 21358, and 21359, as well as to reinstate the other related changes made by those ordinances.

Motion: Approve as Recommended.

Aye (4): Mayor Ward, Ed Book, Commissioner Chestnut, and Mayor Pro Tempore Duncan-Walker

Nay (3): Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (4 to 3)

6. 2022-178 Commissioner Cynthia Chestnut - Allow Up To One Accessory Dwelling Unit Per Lot and Require Owner Occupancy (B)

Cynthia Curry, Interim City Manager spoke to the item.

Andrew Persons, Special Advisor to the City Manager spoke to the item.

Moved by Commissioner Chestnut

Seconded by Mayor Pro Tempore Duncan-

Walker

Motion: This motion refers to the city plan board: allowing one accessory dwelling unit per lot and requiring accessory dwelling units to meet the applicable density standard. Motion Withdrawn.

<u>Withdrawn</u>

Moved by Commissioner Chestnut

Seconded by Mayor Pro Tempore Duncan-

Walker

Recommendation: Refer the land development code amendments (as outlined in the item report) to the City Plan Board for consideration at its January 26, 2023 meeting.

Motion: Approved as Recommended.

Aye (4): Mayor Ward, Ed Book, Commissioner Chestnut, and Mayor Pro Tempore Duncan-Walker

Nay (3): Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (4 to 3)

Recess - 5:38 PM

Reconvene - 5:55 PM

7. 2022-772 Bid Award and Cooperative Purchasing Contract Authorization – Forest Park Improvements (B)

Cynthia Curry, Interim City Manager spoke to the item.

Betsy Waite, Director of Wild Spaces and Public Places gave a presentation.

Zeriah Folston, Interim Director of Diversity, Equity and Inclusion spoke to the item.

Moved by Commissioner Willits

Seconded by Commissioner Saco

Recommendation: The City Commission: 1) award the bid to Blackwater Construction Services, LLC for the construction of the Forest Park Improvement Project; 2) authorize the City to enter into a Cooperative Purchasing Contract with NGU Sports Lighting, LLC to purchase sports lighting via owner direct purchase for Forest Park and 3) authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.

Motion: Approved as Recommended.

Aye (7): Mayor Ward, Ed Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (7 to 0)

8. 2023-09 Commissioner Ed Book: Discussion Item – Written Community Input Procedure (B)

Public Comment: Jo Beaty, Tana Silva.

Moved by Ed Book

Seconded by Commissioner Chestnut

Recommendation: 1) Move to a future GPC meeting and invite the community to submit written feedback; and 2) Compile information and report at the retreat.

Motion: Approved as Recommended.

Aye (7): Mayor Ward, Ed Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (7 to 0)

2023-24 Alachua County Legislative Delegation Public Hearing, January 10, 2023 (B)

Recommendation: The City Commission appoint a City Commissioner to attend the Alachua County Legislative Delegation Hearing. The meeting is scheduled for Tuesday, January 10, 2023 at 1:30 PM.

Moved by Commissioner Eastman

Seconded by Mayor Pro Tempore Duncan-

Walker

Motion: Appoint Mayor Ward to attend the Alachua County Legislative Delegation Hearing.

Aye (7): Mayor Ward, Ed Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

- H. RESOLUTIONS AFTERNOON (Roll Call Required)
- I. ORDINANCES: ADOPTION READING AFTERNOON (Roll Call Required)
- J. ORDINANCES: SECOND READING AFTERNOON (Roll Call Required)
 - 1. 2022-566 Petition LD22-000089 City of Gainesville, (Applicant)
 Requests to Amend the City of Gainesville Outdoor Lighting to
 Include FDOT Lighting Standards (B)

Recommendation: The City Commission adopt the proposed Ordinance.

Moved by Commissioner Chestnut

Seconded by Mayor Pro Tempore Duncan-

Walker

Motion: The City Commission adopt the proposed ordinance.

Aye (7): Mayor Ward, Ed Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (7 to 0)

- K. ORDINANCES: FIRST READING AFTERNOON (Roll Call Required)
- L. COMMISSION COMMENT

4:30 - 5:30 PM Dinner Break

- M. CALL TO ORDER 5:30 PM
- N. PLEDGE OF ALLEGIANCE
- O. PROCLAMATIONS & SPECIAL RECOGNITIONS
- P. EARLY PUBLIC COMMENT ON AGENDA ITEMS
- Q. RESOLUTIONS ROLL CALL REQUIRED
- R. BUSINESS DISCUSSION ITEMS
- S. PUBLIC HEARINGS (Including Planning Petitions)
- T. ORDINANCES: ADOPTION READING EVENING (Roll Call Required)

- U. ORDINANCES: SECOND READING EVENING (Roll Call Required)
- V. ORDINANCES: FIRST READING EVENING (Roll Call Required)
- W. COMMISSION COMMENT

Commissioner Chestnut - Refer to the Interim Director of Diversity, Equity and Inclusion: City become more involved with the Chanukah Celebration, Kwanza Celebration and the Holiday Parade.

Commissioner Book - Salary and raises for City Commission.

Clerk schedule a workshop to help train the Commission on land use and zoning.

Χ.	ADJO I	JRNMENT	- 6:44 PM

City Clerk		



City of Gainesville Agenda Item Report

File Number: 2023-46

Agenda Date: February 2, 2023

Department: Office of the City Clerk

Title: 2023-46 Appointments to City Commission Advisory Boards and

Committees (B)

Department: Office of the City Clerk

Fiscal Note: N/A

Recommendation: The City Commission appoint:

- Faith Corbet, Omar Hernandez and Corey Williams to the Citizens' Advisory Committee for Community Development for terms ending 11/1/2025.

- Nathanial Courtney to the Gainesville Cultural Affairs Board for a term ending 9/30/2025.
- Harrison Scoville to the Regional Transit System Advisory Board for a term ending 9/30/2024.

Citizens Advisory Committee For Community Development Applicant Package - Member

Citizens Advisory Committee For Community Development - Member

Term:20 Oct 2022 - 01 Nov 2025

Positions Available: 7

Number of applicants in this package: 3

- Corbett, Faith
- Hernandez, Omar
- Williams, Corey

Name: Corbett, Faith

Address: 3527 SW 20th Avenue, Gainesville, Florida, 32607

Email: faith.corbett@icloud.com

Board Name: Citizens Advisory Committee For Community Development

In what city district do you live?:

District 3

Employer: Unemployed

Phone Number: 4078219381

Occupation: Student at the University of Florida

Why are you interested in serving on this board? (Please answer separately for each board you are applying to.):

I am highly interested in serving for the Citizens Advisory Committee For Community Development Board. I feel that it would encompass my mission I have set out to accomplish here as a student at the University of Florida.

How many terms have you served on this board previously? :N/A

Disclaimer:

Under Florida law, all information, including e-mail, written letters, documents and phone messages, sent to the Gainesville City Commission are subject to Public Records law. This includes the sender's e-mail address, home address or phone number if shown in the message, the content of the message and any associated attachments to the mail.

Do you claim any exemption to public record disclosure pursuant to FLA. STAT. Section 119? :

No

Have you been removed from any advisory board for attendance, behaviour or another reason? :

No

Upload an additional file to support your application (Optional):

- R2022-

1023_Resolution_Recognizing_and_Supporting_Sexual_and_Reproductive_Health_ Resources and Opport (2).pdf

Upload an additional file to support your application (Optional):

- 2022-1027-Student-Body-Resolution-Addressing-the-Need-for-24.pdf

Disclaimer:

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Optional: Gender:

Female

Optional: Ethnicity:

Caucasian/Non-Hispanic

Are you a City of Gainesville Employee? :

No

Are you a City of Gainesville Intern?:

No

Are you currently on a City Advisory Board/Committee? :

No

Some of the boards and committees appointed by the City Commission are required to comply with Chapter 112, Florida Statutes, the Financial Disclosure Law. If applicable, would you be willing to file the required financial statement?:

Yes

Do you affirm that your personal and business (if applicable) affairs within the City of Gainesville and Alachua County are in substantial compliance with all city and county regulatory and taxing authorities rules and regulations? *:

Yes

Do you agree with the following statement? Appointees to advisory board/committees are required to attend scheduled meetings as specified in the "Advisory Board Handbook." *:

Yes

Do you agree with the following statement? I understand that this completed application is the property of the City of Gainesville, is subject to public record requests and I hereby certify that the statements made on this application are true and correct. :

Yes

Time of Submission: 12/07/22 8:02:16 AM

Attachments:

- Resume and Cover Letter (1).pdf

Faith Corbett

3527 SW 20th Ave, Gainesville Florida 32607 | (407)821-9381 | faith.corbett@icloud.com | faithcorbett@ufl.edu

EXPERIENCE

University of Florida Student Senate Minority Party Leader

May 2021 to Present

Determine party agenda and strategy, facilitate meetings, guide motions, and oversee legislation writing

Women's Caucus Co-Leader

February 2022 to Present

Develop legislation to address gender-focused issues. Facilitate and support gender-based discourse throughout UF community.

Reitz Union Liaison

September 2021 to August 2022

A mediating role between the Student Senate and the J. Wayne Reitz Union. Maintain a communicative relationship between the facilities. Provide reports of information and updates between the Union and Student Senate as instructed by both entities

Reitz Union Board of Managers

Reitz Union Board of Members Student Member, Chair of the Board's DEI Committee

August 2022 to Present

Oversee business related to the J. Wayne Reitz Union including operations, activities, services, and budgets. Develop policy decisions regarding DEI initiatives within the Union, currently working on a DEI campaign for the Union's resources.

University of Florida's Women's Student Association Women's History Month Director

May 2022 to Present

Coordinate WSA annual Women's History Month celebration. Oversee operations, activities, services, and events held for March.

Machen Florida Opportunity Scholarship

Scholarship Ambassador

January 2022 to August 2022.

Represent the MFOS team through meetings with alumni, newly inducted scholars, and projected scholars. Attend events organized for prospective students to strengthen communications and relationships.

Change Party, Student Government Party Party Counsel

June 2022 to October 2022

Advocate Change Party position during election commission hearings. Delegate casework across Change Party and assess the validity of commission claims.

Campaign Manager

June 2022 to October 2022

Oversee all aspects of the campaign and engages with general operations.

Generate a guiding voice for internal communications and implement campaign strategies. Responsible for conflict management and crisis Pages 27 of 1187

OBJECTIVE

Join an organization committed to supporting security initiatives that are community driven and adaptable to ensure the advancement of the safety of the American public at home and abroad.

EDUCATIONAL BACKGROUND

University of Florida

Expected to Graduate in May 2024
Political Science Major, Public Relations
and Communications Minors
GPA 3.58

Highlighted Coursework;

- Public Affairs Certificate
- International Relations Certificate
- Government Public Relations
- Internal Communications
- Principles of Public Relations

SKILLS & STRENGTHS

- Communication, Public Speaking
- Leadership
- Time Management
- Strategic Planning
- Teamwork
- Press Releases
- Infographics and Accessible Design



Student Senate

3000 J. Wayne Reitz Union PO Box 118505 Gainesville, FL 32611 352-392-1665

STUDENT SENATE BILL 2022-1023

TITLE: Resolution Recognizing and Supporting Sexual and Reproductive Health Resources and Opportunities

AUTHOR(S): Minority Party Leader and Women's Caucus Co-Leader Faith Corbett, Women's Caucus Co-Leader Catherine Giordano, LGBTQ+ Caucus Leader Oscar Santiago, Senator Taylor Hoerle, Senator Connor Panish

SPONSORS: Senate President Elizabeth Hartzog, Senate Pro-Tempore Olivia Green, Chairman John Brinkman, Chairwoman Tanner Thompson, Deputy Minority Party Leader Mohammed Faisal, Majority Party Leader Emily Pecora, Judiciary Vice-Chairman Mason Solomon, Senator Jonathan C. Stephens, Senator Joseph Andreoli, Senator Catherine Gomez, Senator Raj Mia, Senator Savanah Partridge, Senator Ana Troncoso, Senator Ashley Shakib, Senator Claire Borland, Senator Raymond Hautamaki, Senator Samantha Sparks, Senator Schayenne Hernandez, Senator Sidney Ruedas, Senator Ryan Athay, Senator Jagger Leach, Senator Bradley Thomas

WHEREAS, on Friday, June 24th, the Supreme Court overruled Roe v. Wade in the case Dobbs v. Jackson Women's Health Organization [1]; and,

WHEREAS, on May 11th, 2022, the Women's Health Protection Act failed in the U.S. Senate, demonstrating a failure to codify Roe v. Wade [2]; and,

WHEREAS, on April 14th, 2022, Florida Legislature passed HB 5, the Reducing Fetal and Infant Mortality Act, which bans all abortions after 15 weeks of gestation [3]; and,

WHEREAS, Judge John C. Cooper of Florida's Second Judicial Circuit has publicly claimed intentions to issue a temporary statewide injunction, as he cites Section 23 of the Florida State Constitution: "Every natural person has the right to be let alone and free from governmental intrusion into the person's private life except as otherwise provided herein." [4]; and,

WHEREAS, the future is uncertain for rights to sexual and reproductive health and resources in Florida; and,

WHEREAS, in the 1950s and 1960s, estimates of illegal abortions ranged from 200,000 to 1.2 million and most legal abortions required the approval of a standing hospital committee, taking up unnecessary time [5]; and,

WHEREAS, each year, about 7.9% of maternal deaths can be attributed to unsafe abortions, and the most affected are women and girls either living in poverty or belonging to marginalized groups, or both [6]; and,

WHEREAS, research shows that 75% of women that seek abortions come from low-income backgrounds, and 59% of women that seek abortions are already mothers [7]; and,

WHEREAS, transgender and gender non-binary individuals are often left out of the abortion conversation, with 462 to 530 trans or nonbinary patients obtaining abortions in 2017 alone [8]; and,

WHEREAS, in 2019, women in their 20s accounted for more than 50% of abortions [9]; and,

WHEREAS, as displayed in a Duke Scientific Study based in Zambia, "The Psycho-Social Benefits of Access to Contraception: Experimental Evidence from Zambia", when given access to contraception, women and girls are given more control over their sexual and reproductive health which may reduce anxiety and stress levels and overall less risk for development of generalized anxiety disorder (GAD) or depression [10]; and,

WHEREAS, as demonstrated in previous mentioned study, access to guaranteed and free contraception leads to "immediate effects on a woman's psycho-social health" and a "0.070 point increase on the mental health index (95% CI [0.006, 0.133] p=0.031)", which is statistically significant [10]; and,

WHEREAS, historically, the fight for accessible contraceptives on campus has been alive and present at the University of Florida, for example, the National Women's Liberation pushed for a 24-hour contraceptive vending machine on campus in 2018 [11]; then,

THEREFORE, LET IT BE RESOLVED that the University of Florida Student Senate recognizes that although the estimated cost of emergency contraception, or plan b, in the state of Florida is between \$10 and \$70 [12], the University of Florida provides emergency contraception (plan b) for a reduced cost; and,

THEREFORE, LET IT FURTHER BE RESOLVED that the University of Florida Student Senate recognizes that the University of Florida offers, through GatorWell, the following sexual and reproductive health-related resources and services to enrolled students: free condoms, free lubricants, free dental dams, free confidential HIV testing, one-on-one education-based consultations regarding general sexual health, sexually transmitted infections, and contraceptive options counseling [13]; and,

THEREFORE, LET IT FURTHER BE RESOLVED that the University of Florida Student Senate recognizes that the University of Florida offers, through the Student Health Care Center, the following sexual and reproductive health resources and opportunities without appointments:

free condoms, free menstrual products, sexual health brochures [14]; and,

THEREFORE, LET IT FURTHER BE RESOLVED that the University of Florida Student Senate recognizes that the University of Florida provides, through the Student Health Care Center, the following sexual health services available via teams and appointments: counseling on anything related to sex, including sexuality, information on all birth control options, sexually transmitted infection prevention, testing, and treatment, medically vetted literature on sexual health, potential problems, and more [14]; and,

THEREFORE, LET IT FURTHER BE RESOLVED that the University of Florida Student Senate supports a person's right to sexual and reproductive health; and,

THEREFORE, LET IT FINALLY BE RESOLVED that the University of Florida Student Senate advocates for the continuation of resources and information regarding sexual and reproductive health.

Proviso: A copy of this resolution shall be sent to Supreme Court of the United States Public Information Officer Patricia McCabe, Governor Ron DeSantis, Florida Speaker of the House Chris Sprowls, Florida Senate President Wilton Simpson, Florida Agricultural and Consumer Services Commissioner Nikki Fried, University President Kent Fuchs, Provost Joseph Glover, Board of Trustees Chair Mori Hosseini, Chief Diversity Officer Marsha McGriff, Gainesville City Commission, Alachua County Commission, Women's Student Association President Brenda Sanchez, Pride Student Union President Tayler King, Women's Health Advocacy Alliance President Danelle Antelo, Latino Medical Student Association President Sebastian Tirado-Vélez, Planned Parenthood Generation Action President Jianna Daddario, and Gainesville Chapter of National Women's Liberation Chair Emily Calvin.

- [1] https://www.supremecourt.gov/opinions/21pdf/19-1392 6j37.pdf
- [2] https://www.cnn.com/2022/05/11/politics/senate-abortion-rights-vote-roe-v-wade/index.html
- [3] https://www.flsenate.gov/Session/Bill/2022/5
- [4] https://www.wesh.com/article/florida-abortion-ban-ruling/40475035#
- [5] https://www.guttmacher.org/gpr/2003/03/lessons-roe-will-past-be-prologue
- $[6] \ https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WRGS/SexualHealth/INFO_Abortion_WEB.pdf$
- [7] https://www.forbes.com/sites/teresaghilarducci/2021/12/24/59-of-women-seeking-abortions-are-mothers-facing-high-poverty-risk/?sh=5b4f4f3e264f
- [8] https://abcnews.go.com/US/push-inclusion-abortion-rights-movement/story?id=84542537
- [9] https://www.cdc.gov/mmwr/volumes/70/ss/ss7009a1.htm
- [10] https://www.hbs.edu/faculty/Pages/item.aspx?num=45903
- [11] https://www.wcjb.com/content/news/Feminist-group-pushes-for-Plan-B-vending-machine-on-UF-campus-488659251.html
- [12] https://health.costhelper.com/morning-after-pill.html

[13] https://gatorwell.ufsa.ufl.edu/healthtopic/sexualhealth/#:~:text=Free%20condoms%2C%20lubricants%2C%20and%20dental,and%2For%20contraceptive%20options%20counseling [14] https://shcc.ufl.edu/services/primary-care/sexual-health/

Elizabeth Hartzog

7/12/2022 | 6:18 PM EDT

Elizabeth Hartzog Senate President

Date



Student Senate

3000 J. Wayne Reitz Union PO Box 118505 Gainesville, FL 32611 352-392-1665

STUDENT SENATE RESOLUTION 2022-1027

TITLE: Student Body Resolution Addressing the Need for 24/7 Access to Emergency Contraception on the University of Florida Campus

AUTHORS: Senator Joseph A. Andreoli, Minority Party Leader Faith Corbett, Senator Ryan Athay

SPONSORS: Senator Jonathan C. Stephens, Senator Anjali Natarajan

WHEREAS, the US Supreme Court's Dobbs v Jackson Women's Health Services (2022) found there is no constitutional right to an abortion on a 5-4 vote on June 24, 2022 [1]; and,

WHEREAS, Florida Governor Ron DeSantis signed HB 5, the Reducing Fetal and Infant Mortality Act, which prohibits abortion after 15 weeks of gestation on April 14, 2022 [2]; and,

WHEREAS, the Food and Drug Administration approved the use of emergency contraception with no age restrictions on June 20, 2013 [3][4]; and,

WHEREAS, emergency contraception when taken as directed, works best as soon as possible, with decreasing efficacy after 72 hours after unprotected sex or failure of primary birth control method(s) [5]; and,

WHEREAS, optimal emergency contraception use should occur 12 hours after unprotected sex or failure of primary birth control method(s), with 95% effectiveness within 24 hours [6]; and,

WHEREAS, UF Student Health Care Center Infirmary sells emergency contraception through the UF Student Health Care Center Pharmacy to UF Students for \$10 [7]; and,

WHEREAS, UF Student Health Care Center Infirmary and Pharmacy are closed from Fridays at 5 PM to Sundays at 12 PM for a total of 43 hours during Fall and Spring Semesters, and closed from Fridays at 4:30 PM to Mondays at 8 AM for a total of 63 hours 30 minutes during Summer C Semester [8]; and,

WHEREAS, UF Student Health Care Center Infirmary and Pharmacy are closed during University Holidays and has reduced hours preceding University Holidays [9]; and,

WHEREAS, 18.7% of sexually-active respondents in the 2016 Healthy Gators Student Survey of UF undergraduate students report that they or their partner had used emergency contraception in the last 12 months [10]; and,

WHEREAS, attempts to bring emergency contraception to a vending machine on UF Campus occurred as recently as 2018, with National Women's Liberation Gainesville Chapter spearheading this effort [11]; and,

WHEREAS, the University of Texas at Austin recently passed a resolution supporting a 24-hour emergency contraception vending machine initiative on campus [12]; and,

WHEREAS, in 2012, Shippensburg University in Pennsylvania was likely the first college or university to dispense emergency contraception in a vending machine [13]; and,

WHEREAS, Newell Hall has already participated in conversations discussing the likelihood of an emergency contraceptive vending machine being housed in their facility to the extent of encouraging a Newell Student Advisory Board meeting pertaining to this idea [14]; and,

WHEREAS, Turlington Plaza Breezeway, McCarty Breezeway, and The Hub Outside Awning already house vending machines stocking drinks, snacks, and PPE [15]; and,

WHEREAS, campus vending machines sell individually-wrapped masks for \$1.50 and 4 oz bottles of hand sanitizer for \$3.50 to fulfill the public health need that is mitigating the Covid-19 Pandemic [15]; and,

WHEREAS, the University of Florida Student Senate has advocated for the "continuation of resources and information regarding sexual and reproductive health" in Student Senate Bill 2022-1023 [16]; and,

THEREFORE, LET IT BE RESOLVED that the University of Florida Student Senate believes that emergency contraception is a critical resource promoting reproductive health for University of Florida students, staff, faculty, and residents; and,

THEREFORE, LET IT FURTHER BE RESOLVED that the University of Florida Student Senate supports the stocking of emergency contraception at a health and wellness vending machine located on the University of Florida Campus that is accessible to students 24/7; and,

THEREFORE, LET IT FINALLY BE RESOLVED that the University of Florida Student Senate calls on University of Florida Business Services to work with campus vending partner Canteen in stocking emergency contraception at a health and wellness vending machine in the historic core of campus, such as Newell Hall, or the following outdoor vending machines at Turlington Hall Breezeway, McCarty Breezeway, or The Hub Outside Awning, as these locations are where the highest concentration of in-class students are on campus (72.4%), 29.6% of on-campus residents live here currently, and 36.6% of on-campus residents will live here by Fall 2023 [17].

Proviso: A copy of this resolution shall be sent to University of Florida Business Services Assistant Vice President Eddie Daniels, GAU Co-Presidents Bryn Taylor and Rachel Hartnett, Women's Student Association President Brenda Sanchez, Her Campus President Jasmine Cubillan, Pride Student Union President Tayler King, Women's Health Advocacy Alliance President Danelle Antelo, Latino Medical Student Association President Sebastian Tirado-Vélez, Planned Parenthood Generation Action President Jianna Daddario, GatorWell Director Dr. Monica Webb, Associate Professor and Interim Medical Director for Student Health Care Center David Feller, MD, and National Women's Liberation Gainesville Chapter Chair Emily Calvin

- [1] https://www.supremecourt.gov/opinions/21pdf/19-1392_6j37.pdf
- [2] https://www.flgov.com/2022/04/14/governor-ron-desantis-signs-bill-to-protect-the-lives-of-floridas-most-vulnerable/
- [3] https://www.womenshealth.gov/30-achievements/19
- [4] https://www.npr.org/sections/health-shots/2013/06/11/190684947/fda-oks-prescription-free-plan-b-for-all-ages-ending-battle
- [5] https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6123910/
- [6] https://ufhealth.org/emergency-contraception
- [7] https://shcc.ufl.edu/services/primary-care/sexual-health/
- [8] https://shcc.ufl.edu/appointments/locations/
- [9] https://shcc.ufl.edu/appointments/holidays-other-closures/

[10]

http://cdn.flipsnack.com/widget/flipsnackwidget.html?hash=fdp3qcppb&bgcolor=EEEEEE&t=1 474478918

[11] https://www.fox5ny.com/news/students-demand-college-install-contraceptive-vending-machine

[12]

https://docs.google.com/document/d/16vZ0VISP7SE7CT7ZiaPmcBW7H5kLMyZrVNZv0_EJe QI/edit?usp=sharing

[13]

https://www.mic.com/articles/4359/shippensburg-university-s-birth-control-vending-machine-promotes-safe-sex-and-women-s-reproductive-health#.whmvqsCwm

[14] https://www.wuft.org/news/2018/03/30/womens-group-pushes-for-morning-after-pill-vending-machines-on-uf-campus/

[15] https://businessservices.ufl.edu/services/vending/

[16] https://sg.ufl.edu/wp-content/uploads/2022/07/Resolution-Recognizing-a-Need-to-Support-Sexual-and-Reproductive-Health-Resources-and-Opportunities-2022-1023.pdf

[17] https://businessservices.ufl.edu/wp-content/uploads/2020/01/Food-Svcs-Master-Plan-Report Final December-2019.pdf

Elizabeth Hartzog Senate President

Date

Name: Hernandez, Omar

Address: 55 SW 5TH TERRACE, Gainesville, 32601

Email:ohernandezcarmon@ufl.edu

Board Name: Citizens Advisory Committee For Community Development

In what city district do you live?:

District 1

Employer: UF

Phone Number: 3522845880

Occupation: Student/Project coordinator

Why are you interested in serving on this board? (Please answer separately for each board you are applying to.):

I would like to renew my STUDENT MEMBER appointment to continue supporting the CACCD for the next year

How many terms have you served on this board previously? :1

Disclaimer:

Under Florida law, all information, including e-mail, written letters, documents and phone messages, sent to the Gainesville City Commission are subject to Public Records law. This includes the sender's e-mail address, home address or phone number if shown in the message, the content of the message and any associated attachments to the mail.

Do you claim any exemption to public record disclosure pursuant to FLA. STAT. Section 119? :

No

Have you been removed from any advisory board for attendance, behaviour or another reason? :

No

Disclaimer:

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Optional: Gender:

Male

Are you a City of Gainesville Employee?:

No

Are you a City of Gainesville Intern?:

No

Are you currently on a City Advisory Board/Committee? :

Yes

If yes, which City Advisory Board/Committee? :CACCD

Some of the boards and committees appointed by the City Commission are required to comply with Chapter 112, Florida Statutes, the Financial Disclosure Law. If applicable, would you be willing to file the required financial statement?:

Yes

Do you affirm that your personal and business (if applicable) affairs within the City of Gainesville and Alachua County are in substantial compliance with all city and county regulatory and taxing authorities rules and regulations? *:

Yes

Do you agree with the following statement? Appointees to advisory board/committees are required to attend scheduled meetings as specified in the "Advisory Board Handbook." *:

Yes

Do you agree with the following statement? I understand that this completed application is the property of the City of Gainesville, is subject to public record requests and I hereby certify that the statements made on this application are true and correct. :

Yes

Time of Submission: 11/27/22 8:49:30 AM

Attachments:

- Omar Hernandez - CV.pdf

Omar Hernandez

55 SW 5th Terrace • Gainesville, FL 32601 • 352 284 5880 • <u>ohernandezcarmon@ufl.edu</u> • <u>LinkedIn</u>

PROFILE AND QUALIFICATIONS

Project management professional with 7 years of experience working with leading international agriculture, conservation, and development organizations. Research and practice focused on community-led development through local food systems, social economy, and partnerships

Institutional insight through Grants Management/Program Administration experience Resource mobilization experience through Donor Intelligence and Grants Writing Strategic partnerships: CGIAR, GEF-UNDP -SGP Global networks and relationships Innovation approach-driven based on collaboration, trans-disciplinarity, and scalability

INSTITUTIONAL EXPERIENCE

Research Coordinator III July 2022 - Present

Feed the Future Innovation Lab for Livestock Systems - University of Florida, Gainesville, FL.

Programme Assistant August 2018 – August 2021

Global Environment Facility - United Nations Development Programme, Mexico

- Administered and oversaw financial planning, budgeting, and reporting of a USD 4.5 million-dollar project
- Managed processes of contracting, financial assessment, and disbursing funds for 120+ grants to community
 organizations across the various socio-ecological production landscapes in the Yucatan peninsula
- Ensured the procurement, HR, travel, and other operative tasks complied with the standard procedures
- Organized and led trainings, workshops, and conferences such as the SGP Mexico 25th Anniversary
- Implemented project-level Monitoring and Evaluation and Knowledge Management duties
- Provided capacity building to grassroots organizations on Gender, Cybersecurity, and Reporting

Grants Management Assistant

January 2016 - August 2018

International Maize and Wheat Improvement Center (CIMMYT), Mexico

- Managed grants processes: grant writing, budgeting, contracting, reporting, closing, and filing
- Created a Grant Master Database and Subgrantees Database for monitoring performance
- Supported CIMMYT Grant Leaders to apply for funding and fulfill their approved workplans
- Assisted Grant Writing and Resources Mobilization efforts for Director and the Board decisions and travel
- Generated donor intelligence (profiles on BMGF, DFID, FAO, IFAD, GIZ, USAID, and World Bank among others)
- Supported the revision of RM strategy 2017-2022 and acted as liaison for 50th Anniversary event

Analyst Assistant

September 2014 - September 2015

MAPFRE Tepeyac SA, Mexico

• Accounts management and reporting on major client's profiles for customer engagement

MONITORING AND EVALUATION AND CAPACITY-BUILDING EXPERIENCE

- Partnership for Reimagining Gainesville (UF MDP Field Practicum Summer 2022-Spring 2023): Facilitating the co-design process of the PRG monitoring, evaluation, and learning system
- United Nations Development Programme (GEG-SGP Mexico): Carried out on-site monitoring and evaluation assisting 120+ projects activities implementation at various stages, conducted capacity-building workshops delivering training in grant proposal writing, technical and financial reporting, gender and inclusion, internet security, social media, and marketing, climate change adaptation and mitigation, environmental governance, fire and deforestation monitoring through apps, renewable energies (solar, biofuels) fairs/training, Organized

- community learning exchange events (small mechanization, Silvopasture, agroecology) and launching/promoting calls for proposals in communities, among others.
- Partnership building and collaborations across southeastern Mexico through facilitation of multi-stakeholder partnerships, fostering inter-agencies collaboration, connecting with researchers, scientists, and technicians from CGIAR-CIMMYT, working with environmental, and development practitioners from diverse NGOs, local governments, relationship building with community-based organizations for a future collaborative network, connection with UF students, faculty and alumni.

ACADEMIC RECORD

MDP Master of Sustainable Development Practice

August 2021 - May 2023

University of Florida, Gainesville

- Tropical Conservation & Development Certificate
- Latin American Studies Certificate

- Minor in Entrepreneurship
- Minor in Org. Leadership for Nonprofits

B.A. in International Relations, Honors

August 2011 - December 2015

Tecnológico de Monterrey, Puebla

- Scholarship and Assistantship with International Relations Faculty (2011-2015)
- Summer research on entrepreneurship among Mexican migrants in NYC (2014)

CREDENTIALS, TRAINING, AND COURSES

- Project Management for Development 1 APMG International (2016)
- Project Management -Training the Trainers Certificate CIMMYT (2017)
- Gender Capacity Strengthening Program- Royal Tropical Institute KIT (2017)
- Solid waste Management Training Universidad del Medio Ambiente UMA (2018)
- United Nations training: UNDSS Advanced security in the field (2018), UNDP Legal framework (2020),
 Greening the UN (2020), UN Fraud and Corruption Awareness and Prevention (2020), Ethics and Integrity at the UNDP (2020), UNCC Gender and Environment (2020), UNSSC Primer on the 2030 Agenda and SDG (2021)
- University of Florida training: Accountability in Workplace, Thinking Strategically, Making Meetings Work, The Multitasking Mirage, Cultivating Judgment: Critical Thinking Skills for Complex Work Environments (2021)
- Other: INAFED GHGs mitigation actions (2021), Introduction to NASA Resources for Climate Change (2021)

SKILLS, INVOLVEMENT, AND SERVICE

- IT: MS Office, SharePoint, CRMs, Salesforce (basic)
- Languages: Spanish (native), English (fluent)
- Active Participation
 - UF-Global Health Case Competition (2022)
 - UF-Warrington College of Business Big Business Idea Competition (2022)
 - UF-BCLS Path to Purpose Advanced Leadership Community Fellow (2021-2023)
 - UF-Warrington College of Business- Social Impact & Sustainability Initiative Scholar (2021-2023)
 - UF-TCD Student Group and Steering Committee Officer Latin America Representative (2021-2022)
- Community involvement:
 - Volunteering for Gainesville community-based organizations
 - o City of Gainesville Citizens Advisory Committee for Community Development Student Member
 - Leadership of UF Student Group: Strong Roots Movement: supporting the transformation of our community food systems

Name: Williams, Corey

Address: 307 sw 16th ave, Apt 420, 32601

Email:cwilliamsoncw@gmail.com

Board Name: Citizens Advisory Committee For Community Development

In what city district do you live?:

District 1

Employer:Retired

Phone Number: 352-318-9945

Occupation: Artist

Why are you interested in serving on this board? (Please answer separately for each board you are applying to.):

I have served before and I help make a difference

How many terms have you served on this board previously? :2

Disclaimer:

Under Florida law, all information, including e-mail, written letters, documents and phone messages, sent to the Gainesville City Commission are subject to Public Records law. This includes the sender's e-mail address, home address or phone number if shown in the message, the content of the message and any associated attachments to the mail.

Do you claim any exemption to public record disclosure pursuant to FLA. STAT. Section 119? :

Yes

If yes, it is required that you submit a detailed explanation of exemption. :

I'm a Veteran and I prefer to keep certain information unavailable to the public unless I have to

Have you been removed from any advisory board for attendance, behaviour or another reason? :

No

Disclaimer:

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Optional: Gender:

Male

Optional: Ethnicity:

Other

Are you a City of Gainesville Employee? :
No
Are you a City of Gainesville Intern? :
No
Are you currently on a City Advisory Board/Committee? :
Yes
If yes, which City Advisory Board/Committee? :
Citizens Advisory Committee for Community Development
Some of the boards and committees appointed by the City Commission are required to comply with Chapter 112, Florida Statutes, the Financial Disclosure Law. If applicable, would you be willing to file the required financial statement?:
Yes
Do you affirm that your personal and business (if applicable) affairs within the City of Gainesville and Alachua County are in substantial compliance with all city and county regulatory and taxing authorities rules and regulations? *:
Yes
Do you agree with the following statement? Appointees to advisory board/committees are required to attend scheduled meetings as specified in the "Advisory Board Handbook." *:
Yes
Do you agree with the following statement? I understand that this completed application is the property of the City of Gainesville, is subject to public record requests and I hereby certify that the statements made on this application are true and correct. :
Yes
Time of Submission :11/14/22 4:50:40 PM
Attachments:

- COREY T WILLIAMS Updated Resume 2022.pdf

(Hallz)

Corey T. Williams

Gainesville, FL | 352-318-9945 | corey@offdachainz.com | https://www.linkedin.com/in/corey-williams-50b12a15/

SUMMARY https://offdachainz.com

FUNCTION (Chief Executive Officer) with a nearly 20 -year track record of driving results:

- Founded InDBlack Multimedia in 2002 (Off Da Chainz Productions -Adult and Youth Football Games & Hi-Lites)
- InDBlack Publishing (Released 2 Books: "Off Da Chainz..But On Da Record", "I Know Why the Caged Bird Sings..Urgent Reading in a Time of Chaos)
- Website: https://offdachainz.com
- "Artist" Painting "Sankofa", GFAA, Gainesville, Florida April 2022
- 30 Years Alachua County Resident
- 40 Years as a Performance Artist and Visual Artist for Alachua County
- Superior Moves Records, C.E.O., Recording "If I Should Die" If I Should Die (ditto.fm)

Certifications: Graduated, Veterans Entrepreneurship Program, University of Florida

Technical Skills: Advanced Level Videographer and Editor using the Adobe Suite of products

EXPERIENCE

Chief Executive Officer 09/2002 – 02/02/2010

Off Da Chainz Productions TV Show Run on Cox Cable and WCJB -ABC & CW Networks

- Regularly broadcasting to over 400,000 households via ABC and CW Networks
- Documentary Film Producer
- Interviews, Voice overs, Commercials
- Advertising Sales

Broadcast Engineer, WCJB, Gainesville, Florida

02/2004 - 02/2010

Went from Production Assistant to Broadcast Engineer WHILE, I produced a :30 minute program to sell advertising

- Control and supervise television broadcast equipment
- Monitor audio and video levels of all shows, commercials, satellite feeds and live programming
- Review and complete daily broadcast and transmitter logs
- DekoCast, VYVX, DG System and DV/Beta playback

Accounting Coordinator, Cox Communications/Cable Rep, Gainesville, Florida

12/2002 - 01/2004

Started as an Accounting person, the Production Crew heard my speak and asked me to do a voice-over from which I was paid \$25 for :30 seconds. I was hooked and started my advertising company InDBlack Multimedia to find my niche in the market.

Capital Purchases Coordinator

Analyst, Accenture, Reston, VA

09/1998 - 10/2001

Administrative Assistant (0151), Quantico, VA Top Secret Clearance USMC

12/1994 - 06/1998

EDUCATION

Master of (Entrepreneurship.), (Veterans Entrepreneurship Program)

06/2021 - 12/2021

University of Florida, Gainesville, Florida

Bachelor of (Arts, Business), (Major)

01/2002 - 01/2010

Santa Fe College, Gainesville, Florida

Associate of (Arts, Science), (Major, Minor if Relevant)

06/2008 - 10/2010

City College, Gainesville, Florida

ADDITIONAL INFORMATION

- Current: Board Member, Citizens Advisory Committee for Community Development 2020-2021
- Current: Board Member, Arts Council of Alachua County 2022-2023

Gainesville Cultural Affairs Board Applicant Package - Member

Gainesville Cultural Affairs Board - Member

Term:20 Oct 2022 - 30 Sep 2025

Positions Available: 3

Number of applicants in this package: 1

- Courtney, Nathaniel

Name: Courtney, Nathaniel

Address: 992 sw 16th Ave, Gainesville, 32601

Email:nscourtneyjr@gmail.com

Board Name: Gainesville Cultural Affairs Board

Please confirm Full Name, including middle initial, prefix, and physical mailing

address:

Nathaniel S. Courtney, Jr.

In what city district do you live?:

District 1

Employer : The University of Florida-P.K. Yonge Developmental Research School.

Phone Number: 646-474-1103

Occupation: Educator

Why are you interested in serving on this board? (Please answer separately for each board you are applying to.):

I have recently served as a Board Member, and I would love to continue in this capacity. Additionally, I have been asked and agreed to be nominated as the Board Secretary.

How many terms have you served on this board previously? :1

Disclaimer:

Under Florida law, all information, including e-mail, written letters, documents and phone messages, sent to the Gainesville City Commission are subject to Public Records law. This includes the sender's e-mail address, home address or phone number if shown in the message, the content of the message and any associated attachments to the mail.

Do you claim any exemption to public record disclosure pursuant to FLA. STAT. Section 119? :

No

Have you been removed from any advisory board for attendance, behaviour or another reason? :

No

Are you a City of Gainesville Employee? :

No

Are you a City of Gainesville Intern?:

No

Are you currently on a City Advisory Board/Committee? :

Yes

If yes, which City Advisory Board/Committee?:

The Historic Preservation Board

Some of the boards and committees appointed by the City Commission are required to comply with Chapter 112, Florida Statutes, the Financial Disclosure Law. If applicable, would you be willing to file the required financial statement?:

Yes

Do you affirm that your personal and business (if applicable) affairs within the City of Gainesville and Alachua County are in substantial compliance with all city and county regulatory and taxing authorities rules and regulations? *:

Yes

Do you agree with the following statement? Appointees to advisory board/committees are required to attend scheduled meetings as specified in the "Advisory Board Handbook." *:

Yes

Do you agree with the following statement? I understand that this completed application is the property of the City of Gainesville, is subject to public record requests and I hereby certify that the statements made on this application are true and correct. :

Yes

Attachments:

- Nathaniel Courtney-Curriculum Vitae copy.pdf

Curriculum Vitae Nathaniel S. Courtney, Jr.

M.S. Ed., M.A.S.S

nscourtneyjr@gmail.com 646.474.1103

Education

Masters of Science in Education

Long Island University-Brooklyn

Major Concentration: *Teaching Urban Adolescents with Disabilities 7-12*

(June 2012 – August 2015)

New York City, NY

Masters of Applied Social Science

Florida A&M University Tallahassee, Florida

Major Concentration: *History*

Bachelors of Science (Ja

Florida A&M University Major Concentration:

Business Administration & Marketing

(January 2006 - May 2009)

(August 2009 - August 2010)

Tallahassee, Florida

Professional Skills/Licenses/Certifications

- Florida State Professional Licensed Teacher; License number: 1349204
- Effective Mentoring and Coaching of Novice Teachers *Certification*
- New York State Transitional B Teaching *Certification*, *Students with Disabilities*, *Generalist*, 7-12 (January, 2013-January, 2016)
- Identifying Child Abuse and Maltreatment *Certification*
- School Violence and Prevention *Certification*
- Successfully passed the New York State Social Studies Content Specialty Test
- Successfully passed the New York State Liberal Arts and Sciences Test
- Successfully passed the *New York State Secondary ATS-W*
- Mastery level knowledge of Florida State Standards in Civics ELA, Math, and Social Studies as well Common Core Standards

Community Service

- Executive Director and Co-Founder of Nathan Ross, Inc. (www.NathanRossInc.org)
- Board Member- City of Gainesville Cultural Affairs
- Board Member- City of Gainesville Historic Preservation
- Board Member-The Cotton Club Museum & Cultural Center
- Founder and Chairperson of **The Booker T. Washington/W.E.B. DuBois Youth**Leadership Development Initiative

- Former Volunteer for No Kids Left Behind, Inc., Brooklyn, NY
- Former Program and Curriculum Designer for **Project Beautiful, Inc. Gainesville,** Florida
- Former Volunteer Program Coordinator for The Andy Kirk Research Foundation, Inc., Brooklyn, NY

Professional Teaching Experience

The University of Florida
PK Yonge Developmental Research School
Florida State Licensed Teacher #1349204
U.S. History and Civics Instructor
Black Student Union Advisor
Varsity Football-Defensive Coordinator
Varsity Basketball-Assistant Coach

(August 2017-Present)

- Successfully utilized data to drive instruction and develop detailed classroom presentations in order to facilitate individualized learning
- Developed curriculum units and lesson plans to address the academic and socioemotional needs of diverse student populations.
- Designed and implemented diagnostic, formative, and summative assessments to evaluate student retention and comprehension.
- Utilized an array of best practices and methodology to maintain classroom order and evaluate student performance
- Conducted meetings with parents, students, colleagues, and administrators regarding academic concerns and progress in order to develop and implement Individual Education Plans (IEPs) and 504 plans to accommodate students accordingly.
- Utilized hands-on instructional methods and project-based learning to encourage and develop critical thinking skills.

ROADS Charter High School

Social Studies, Math, and Special Education Instructor

(February 2016-August 2017)

- Systematically incorporated data from Research Based Inquiry and Evidenced Based Strategies to drive curriculum instruction in Global History, U.S. History, and Algebra
- Designed and implemented engaging lesson and unit plans catering to a wide range of learners, incorporating knowledge of Gardner's Multiple Intelligences
- Efficiently used Response to Intervention (RTI) strategies to flexibly group students into tiers for small group instruction, peer tutoring, and one-to-one teaching

- Successfully implemented differentiation techniques and scaffolded lessons to create the *least restrictive environment* for special education students
- Effectively differentiated lessons plans and curriculum to meet the needs of individual learners with multiple entry points

ROADS Charter High School

Head Coach, Varsity Basketball

(November 2016-April 2017)

- Recruit quality prospective student-athletes and ensure timely submission of their academic records
- Monitor academic progress and status of team members, implementing action plans through appropriate staff when needed.
- Monitor and maintain the discipline and conduct of student athletes to support the image and reputation of the athletics program
- Plan coaching and practice sessions in accordance with school regulations.
- Coach team members individually and in groups, and demonstrate game techniques.
- Develop and implement game strategy and position assignments.
- Oversee the strength and conditioning programs for student athletes.
- Promote the athletic program and specific sport through community events, public speaking, fundraising, and marketing.
- Ensure adherence to all Charter High School Association and school rules by athletes and supporting staff.

Central Queens YM & YWHA, Inc.

High School Equivalency Exam Preparation Math Instructor (April 2016-November 2016)

- Successfully utilized a variety of student-centered teaching techniques and methodologies as well as technology where appropriate, to ensure that all students are prepared to take the TASC exam
- Assisted students in the development of short and long-range education and career goals
- Regularly reviewed student and program performance data to target instruction and ensure program goal attainment
- Maintained daily attendance records; ensure daily student sign-in
- Administered pre- and post-test

ROADS Charter High School

Social Studies Department Chair

(March 2016-August 2016)

- Supervised and administered a division wide social studies instructional program.
- Coordinated in curriculum and assessment development, implementation, and revision.

- Provides guidance in the selection of textbooks and other instructional materials and equipment for the program.
- Served as a resource and advisor to principals and teachers regarding the social studies instructional program.
- Assisted teachers in the improvement of instructional performance.
- Indirectly supervised school based social studies teachers and assisted school principals with evaluating them.
- Evaluated the effectiveness of instructional methods, programs, and recommended revisions and improvements as needed.
- Assisted the human resources department with interviewing and recommending qualified candidates for social studies instructional positions.
- Assisted in developing and conducting division wide staff development for social studies instructional staff.

Tutors on Wheels

Special Education Teacher Support Services Provider (October 2015-February 2016)

- Specially designed supplemental instruction to support the participation of students with disabilities in the general education classroom
- Facilitated learning as a guide and coach to assist students with disabilities in becoming successful, independent learners.
- Integrated effective study and learning strategies to maximize students' potential for academic progress.

New York City Department of Education

James P. Sinnott Intermediate School 218

6th Grade and 8th Grade Special Education Teacher

Math, ELA, Science, and Social Studies Instructor (September 2013-August 2015)

- Successfully collaborated with families and multi-disciplinary teams to develop Individual Education Plans (IEPs), goals, and outcomes for students with Learning Disabilities and Emotional Disturbances
- Coached and educated family members and caregivers on different intervention strategies to facilitate active involvement in students' natural environments
- Served as an instructor of Mathematics and ELA for the Saturday School and Afterschool Enrichment Program for the 2013-2014 School Year
- Member of the 2013-2014 School Quality Review Team
- Received an "Effective Rating on the 2013-2014 State Teacher's Evaluation

New York City Department of Education

Rafael Cordero Intermediate School 302

6th Grade Special and 8th Grade Special Education Teacher

Math, ELA, Science, and Social Studies Instructor

(December 2012-June 2013)

- Developed and implemented thoughtful and engaging ELA, Math, Science, and Social Studies lesson plans that prompted peer discussions and critical thinking, while successfully demonstrating the utilization of Danielson's framework
- Differentiated curriculum material and coursework for an array of special needs students with a multitude of learning styles combining both SIOP and UDL techniques.
- Introduced socially and culturally relevant subject materials to urban adolescents, thereby enabling students to make real world connections to curriculum

New York City Department of Education

New York City Public Schools

Licensed Substitute Teacher

(September 2012-December 2012)

• Served as a Math and ELA Middle School and Secondary Education Substitute Teacher in Manhattan, Bronx, and Brooklyn, NY

New York City Teaching Fellows

MS 228 Jonas Bronck Academy

7th Grade English & Language Arts Teacher

(October 2012-November 2012)

- Invited to participate in a special New York City Teaching Fellows extended pre-service training program
- Served as Cooperating Teacher at M.S. 228 instructing 7th grade ELA
- Coordinated and implemented a rigorous English and Language Arts curriculum while also delivering captivating lesson plans aligned to *common core standards*
- Accurately assessed student achievement utilizing Leading by Design and backwards planning techniques

New York City Teaching Fellows

Edward R. Murrow High School

9th Grade Mathematics Teacher

 Utilized both instructional and motivational techniques to establish positive, working relationships with troubled and unmotivated students

- Created and implemented differentiated lesson plans to engage scholars with a wide variety of academic skill sets
- Demonstrated the ability to successfully collaborate and design lesson plans with other New York City Teaching Fellows and a Lead Teacher to present a holistic approach to 9th grade Integrated Algebra

New York City Teaching Fellows MS 228 Jonas Bronck Academy

8th Grade Mathematics Teacher

(March 2012-June 2012)

- Selected as one of 11% of approximately ten thousand applicants to participate in the New York City Teaching Fellows Program
- Of the approximately 956 candidates chosen for NYCTF, selected as one of approximately one hundred forty-three to participate in the Spring Apprenticeship Program
- Served as Cooperating Teacher at M.S. 228 instructing 8th Grade Mathematics
- Actively engaged scholars utilizing a variety of teaching techniques including Doug Lemov's "Warm/Strict" and "Positive Framing" to encourage positive classroom culture and discipline
- Created and implemented innovative lesson plans to assist scholars in applying mathematical principles to real life situations

Awards & Fellowships

- 2012 New York City Teaching Fellows Award Recipient
- 2010 National Trust for Historic Preservation Diversity Scholarship Award Recipient
- Dean's List and Honor Roll at Florida A&M University
- Graduated Cum Laude at Florida A&M University 2009

Publications

- Courtney, Nathaniel S., Jr. "Rhetoric Without Reserve: An Analysis of Dr. King's." *BK Nation*. BK Nation, 18 June 2014.
- Courtney, Nathaniel S., Jr. "Religion vs. Spirituality: Seeking Solace in the Spirit BK Nation." *BK Nation*. BK Nation, 29 June 2014.

Related Work Experience

Metropolitan Museum of Art New York, NY

The Tuttle Agency New York, NY

Associate Buildings Coordinator

(August 2011-October 2011)

- Served as the liaison between trade shops and museum staff
- Provided administrative support to management team when necessary
- Logged and dispatched calls to appropriate personnel and provided follow-up service
- Responsible for tracking work orders and requisitions
- Demonstrated capacity to maintain files and monitor office equipment such as fax machines and copiers in a fast-paced environment

John G. Riley Foundation, Tallahassee, Florida (September 2009-August 2010) Administrative Assistant/Assistant Curator/Archivist Assistant/Tour Guide

- Responsible for grant writing and reporting in order to successfully procure local, state, and national grants for the John G. Riley Foundation/African American Heritage Preservation Network
- Served as a tour guide and historical interpreter for youth groups and tourists
- Responsible for researching and designing several exhibitions including the *Florida Highwaymen* and *United States Colored Troops* exhibitions
- Performed tedious archivist assignments for the Tallahassee Community College/Riley Archives including processing and cataloging manuscripts and special collections

Regional Transit System Advisory Board Applicant Package - Member

Regional Transit System Advisory Board - Member

Term:20 Oct 2022 - 30 Sep 2024

Positions Available: 2

Number of applicants in this package: 1

- Scoville, Harrison

Regional Transit Authority Advisory Board* Are you a member of one of the following groups? (select all that apply)

Regular user of the transit system

Senior Citizen

In Person with a disability

University of Florida student nominated from a list of at least three names submitted by the University of Florida Student Senate

Chamber of Commerce Representative

Major employer in the local area

Environmental community

Neighborhood/homeowners associations

Student oriented housing developments

Santa Fe Community College student

Metropolitan Transportation Planning Organization Citizen Advisory Committee

Name: Scoville, Harrison

Address: 3317 NW 26th St., Gainesville, FL, 32605

Email:hws2c2009@gmail.com

Board Name: Regional Transit System Advisory Board

In what city district do you live?:

District 2

Employer: Independent Contractor

Phone Number: 817.965.2394

Occupation: Webmaster

Why are you interested in serving on this board? (Please answer separately for each board you are applying to.):

I currently serve as chair of the RTS advisory. I'm also paratransit certified due to a qualifying disability. I've enjoyed my time on the

board and I feel it is critical someone paratransit certified serve on the board to represent them views of those individuals particularly

given the current state of paratransit service in Alachua County. I feel that my previous time on the board and has given me insight into the strengths and weaknesses facing the system as a whole and I'm now better able to both understand and give advice on future improvements to the system.

How many terms have you served on this board previously? :1

Disclaimer:

Under Florida law, all information, including e-mail, written letters, documents and phone messages, sent to the Gainesville City Commission are subject to Public Records law. This includes the sender's e-mail address, home address or phone number if shown in the message, the content of the message and any associated attachments to the mail.

Do you claim any exemption to public record disclosure pursuant to FLA. STAT. Section 119? :

No

Have you been removed from any advisory board for attendance, behaviour or another reason? :

No

Disclaimer:

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Optional: Gender:

Male

Optional: Ethnicity:

Prefer Not to Answer Are you a City of Gainesville Employee?: No Are you a City of Gainesville Intern?: No Are you currently on a City Advisory Board/Committee? : Yes If yes, which City Advisory Board/Committee? :RTS Some of the boards and committees appointed by the City Commission are required to comply with Chapter 112, Florida Statutes, the Financial Disclosure Law. If applicable, would you be willing to file the required financial statement? : Yes Do you affirm that your personal and business (if applicable) affairs within the City of Gainesville and Alachua County are in substantial compliance with all city and county regulatory and taxing authorities rules and regulations? *: Yes Do you agree with the following statement? Appointees to advisory board/committees are required to attend scheduled meetings as specified in the "Advisory Board Handbook." *: Yes Do you agree with the following statement? I understand that this completed application is the property of the City of Gainesville, is subject to public record requests and I hereby certify that the statements made on this application are true and correct. : Yes Time of Submission :12/08/22 7:01:27 AM

Attachments:

- ScovilleH Resume July 22.pdf

HARRISON SCOVILLE Cell # 817-965-2394

hws2c2009@gmail.com

Summary of skills Experienced webmaster, tutor, skilled in MS Office systems

Work and Volunteer History

Tutor: Taught French conversational skills to individual students Planned lessons to meet specific needs

Computer skills: familiarity with both office 365 and Google Docs suites. Working knowledge of Squarespace word press and WIX website development platforms.

Webmaster Alachua County Democratic executive committee 2021 – current Chair communications and media committee-Alachua County Democratic executive committee.

Webmaster, Alliance Frances de Gainesville(2017-2018)

Tutor: self-employed, conversational French to students, Gainesville, FL Computer Technician: self-employed, Gainesville, FL Internet researcher: self-employed, Gainesville, FL Including For Alachua County commissioner Marihelen Wheeler and City Commissioner Harvey War Jr. Chair Regional Transit System Community Advisory Board 2022- present, member since 2019.

freelance web designer: self-employed Gainesville, Florida

- elected Worshipful Master R.T. Schafer Masonic Lodge #350
- Appointed Zone 2b chairman for Masonic leadership training (2022)
- Extensive international exposure and experience, living ten years in Riyadh, Saudi Arabia and visiting over 20 countries.
- Team Player and Leadership Aspects: Eagle Scout Bronze Palm, twice elected Senior Patrol Leader, 35 merit badges.
- Volunteer English tutor, Riyadh 2012-2013
- Computer expertise in Microsoft Office, working knowledge of computer hardware, and computer operating systems Windows 95 to Windows 10.
- Hardware and software installation of many common computer components.
 - Freelance French tutor 2015-2016

EDUCATIONAL SYNOPSIS AND MEMBERSHIPS

Bachelor of Science, International Relations, Middle Tennessee State University, Murfreesboro, TN, minors in History and French Lifetime member National Eagle Scout Association.

Advisory Board and Commission Ballot Form 2/2/2023

First Name Last Name		Citizens Advisory Board for Community Development	Gainesville Cultural Affairs Board	Regional Transit System Advisory Board		
		Faith Corbett				
		Omar Hernandez (student				
		member, now graduated -				
		applying for a full term)	Nathaniel Courtney -			
Ed	Book	Corey Williams	reapplying	Harrison Scoville - reapplying		
		Faith Corbett				
		Omar Hernandez (student				
		member, now graduated -				
		applying for a full term)	Nathaniel Courtney -			
Cynthia	Chestnut	Corey Williams	reapplying	Harrison Scoville - reapplying		
	Duncan-		Nathaniel Courtney -			
Desmon	Walker	Corey Williams	reapplying	Harrison Scoville - reapplying		
		Faith Corbett				
		Omar Hernandez (student				
		member, now graduated -				
		applying for a full term)	Nathaniel Courtney -			
Bryan	Eastman	Corey Williams	reapplying	Harrison Scoville - reapplying		
		Faith Corbett				
		Omar Hernandez (student				
		member, now graduated -				
		applying for a full term)	Nathaniel Courtney -			
Reina	Saco	Corey Williams	reapplying	Harrison Scoville - reapplying		

Advisory Board and Commission Ballot Form 2/2/2023

		Citizens Advisory Board for	Gainesville Cultural Affairs	Regional Transit System		
First Name	Last Name	Community Development	Board	Advisory Board		
		Faith Corbett				
		Omar Hernandez (student				
		member, now graduated -				
		applying for a full term)	Nathaniel Courtney -			
Harvey	Ward	Corey Williams	reapplying	Harrison Scoville - reapplying		
		Faith Corbett				
		Omar Hernandez (student				
		member, now graduated -				
		applying for a full term)	Nathaniel Courtney -			
Casey	Willits	Corey Williams	reapplying	Harrison Scoville - reapplying		



City of Gainesville Agenda Item Report

File Number: 2023-32

Agenda Date: February 2, 2023

Department: Gainesville Community Reinvestment Area

Title: 2023-32 Heartwood Dreams2Reality Construction Contract Amendments (B)

Department: Gainesville Community Reinvestment Area

Description: Staff is requesting the City Commission increase the cost-plus contracts for the 11 Dreams2Reality due to increases in labor and materials costs in the amount of \$655,737.27.

Fiscal Note: The total amount needed to increase the cost-plus contracts is \$655,737.27 and funding is available in the GCRA FY 2023 budget.

Explanation:

The 11 Dreams2Reality homes in the Heartwood neighborhood are complete or nearing completion. The City entered into a separate construction contract for each home in late 2021. These contracts are cost-plus 18% overhead and profit and the contract amounts were based on project costs that were estimated in late 2021. The contract amounts ranged from \$234,380 to \$267,450.

Over the past year, construction costs have risen on a nationwide level and the Heartwood homebuilders have experienced these increases. The first three homes have completed construction and are now owner-occupied. The final construction costs for these homes, including the 18% overhead and profit, ranged from \$291,000 to \$320,000 – an increase of between 19.5% and 27.0% per home. The remaining eight homes will be completed between January and March of 2023 and the final costs are expected to be within the same range. Per the City's Procurement Policy, City Commission approval is required for amendments to contracts that exceed 10% of the initial amount or \$300,000.00. This item seeks approval to amend all 11 cost-plus contracts in order to grant staff the appropriate authority to move forward expeditiously with the completion of the remaining homes.

Strategic Connection:

Goal 3: A Great Place to Live & Experience

Recommendation: The City Commission approve the additional funding totaling \$655,737.27 to complete the 11 Dreams2Reality homes in Heartwood.

Heartwood Drea	ms2Reality	Cost Analysis	S				
MODEL	SQFT	BUILDER					
	•						l cost to build
Comm	lotod Homo	_	Actual parcent over	^	atual avaraga	_	Overhead and Profit
Completed Homes			Actual percent over	А	ctual overage	<u> </u>	TOTIL
Red Maple	1389	Flanagan	21.36%	\$	51,347.68	\$	291,697.68
Longleaf Pine	1525	Flanagan	19.69%	\$	52,663.41	\$	320,113.41
River Birch	1436	Flanagan	27.00%	\$	66,244.50	\$	311,594.50
			Sub-total of three				
			completed homes -				
			actual costs	\$	170,255.59		
			Estimated percent		Estimated	Estimator	l final cost to
Homes Un	ıder Constru	ction	over overage		Estimated final cost to build including OH&P		
Red Maple		Elevated	25.0%	\$	58,594.97	\$	292,974.83
rted Maple	1000	Licvated	25.070	۲	38,334.37	7	232,374.03
Red Maple	1389	Elevated	25.0%	\$	58,594.97	\$	292,974.83
Dogwood	1422	Flanagan	25.0%	\$	61,351.25	\$	306,756.25
River Birch	1436	Flanagan	25.0%	\$	61,825.00	\$	309,125.00
River Birch	1436	Elevated	25.0%	\$	59,306.80	\$	296,534.00
Cedar	1487	Elevated	25.0%	\$	61,413.10	\$	307,065.50
Cedar	1487	Elevated	25.0%	\$	61,413.10	\$	307,065.50
Longleaf Pine	1525	Elevated	25.0%	\$	62,982.50	\$	314,912.50
			Sub-total of				
			estimated costs to				
			complete 8	_	405 404 60		
			remaining homes TOTAL	\$	485,481.68		
			TOTAL	Ş	655,737.27		



City of Gainesville Agenda Item Report

File Number: 2023-61

Agenda Date: February 2, 2023

Department: Parks, Recreation & Cultural Affairs

Title: 2023-61 Task Assignment Amendment for Jones, Edmunds & Associates, Inc. (B)

Department: Parks, Recreation & Cultural Affairs

Description: This item is to modify design plans for a multiuse trail that was expected to run alongside a GRU asphalt access road. That road is no longer needed, so this item asks the City Commission to approve a revised total project cost of \$177,987.88 for the professional redesign. The work on the Wild Spaces & Public Places (WSPP) Multiuse Trail (SE Williston Road to Sweetwater Branch Creek) is done by Jones, Edmunds & Associates, Inc.

Fiscal Note: Funds in the amount of \$61,249.88 are available for professional design services for the WSPP Multiuse Trail: \$11,249.88 from the Sweetwater Recreational Trail WSPP ½ cent sales tax project account and \$50,000.00 from GRU Water/Wastewater. GRU agrees to transfer funds to WSPP in the amount of \$50,000.00 upon City Commission approval of the task assignment with Jones, Edmunds & Associates, Inc.

Explanation: In 2012, the City Commission approved the Parks, Recreational and Cultural Affairs Vision 2020 Master Plan. This plan brought to light the need for additional multiuse trails and better connectivity between parks. In April 2017, the City entered into a \$3 million interlocal agreement with Alachua County for projects of mutual interest to Alachua County and the City. The Sweetwater Recreational Trail is the first priority project under this agreement. WSPP Staff worked with the DRMP, Inc. design team in 2019 to develop a schematic layout of the entire trail project to better identify the constraints, design challenges, and gather stakeholder input.

The schematic trail layout showed the multiuse trail running parallel to an existing GRU dirt access road. The GRU dirt access road is currently used by GRU to access their transmission lines and sanitary sewer infrastructure. In 2021 GRU intended to improve the road to access the GRU Water/Wastewater Solids Handling Facility, which was proposed to be constructed on the old Compost Plant property.

GRU and WSPP agreed that it would be in the best interest of the City, through its Professional Architectural And Engineering Consulting Services Continuing Services Agreement, to create a task assignment for Jones, Edmunds & Associates, Inc. to design the multiuse trail in conjunction with the GRU access road improvements from SE Williston Road to Sweetwater Branch Creek due to the coordination that would be needed to make both projects successful.

In the fall of 2022, GRU made the decision not to construct the Solids Handling Facility and access road on the old Compost Plant property. This decision was made due to increasing permitting hurdles as well as continuing concerns surrounding safety. These changes require modifications to the design by Jones, Edmunds & Associates, Inc., which result in an increase to the total contract amount and an extension of the service date which can only be done via an amendment to the task assignment.

GRU Water/Wastewater has agreed to participate to provide funds for the re-design due to the impact of removing the access road after the trail project having reached 90% design documents.

Strategic Connection:

Goal 3: A Great Place to Live and Experience

Recommendation: The City Commission authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.



Alachua County Community and Administrative Services

Gina Peebles, CPRP Assistant County Manager

Kevin G. Williams

Executive Staff Assistant kgwilliams@alachuacounty.us

Tel: (352) 374-5272

Animal Services Ed Williams

Director ewilliams@alachuacounty.us

Tel: (352) 264-6870

Economic Development Edgar Campa-Palafox

Economic Development
Coordinator
epalafox@alachuacounty.us
Tel: (352) 374-5204

Equal Opportunity Jacqueline Chung

Equal Opportunity Manager jac@alachuacounty.us
Tel: (352) 374-5275

Information & Telecommunications Services Kevin Smith

Director kgsmith@alachuacounty.us Tel: (352) 374-5242

Parks and Conservation Lands Charlie Houder

Director chouder@alachuacounty.us Tel: (352) 665-0090

UF/IFAS Extension Alachua County Cindy Sanders, Ph.D. UF/IFAS Extension Director cbsanders@alachuacounty.us

Tel: (352) 955-2402

Visitors and Convention Bureau John Pricher

Tourist Development Director jop@alachuacounty.us
Tel: (352) 374-5260

May 23, 2017

Mr. Steven Phillips City of Gainesville Parks, Recreation and Cultural Affairs 306 NE 6th Ave #B-3 Gainesville, FL 32601

Dear Mr. Phillips:

Please find enclosed your fully executed copy of our Interlocal Agreement for Distribution of Wild Spaces & Public Places Environmental Lands, Parks and Recreation One-Half Percent Sales Tax.

As reflected in Exhibit A to the attached Interlocal Agreement, on April 11, 2017, the Alachua County Board of County Commissioners voted to approve funding for the Sweetwater Branch Recreational Trail as a condition of its approval of the Interlocal Agreement. As such, that project is designated in Exhibit A as our "First Priority Project" and should be completed first. The Sweetwater Branch Recreational Trail has an estimated cost of \$2 million, for which the County will reimburse the City 50% (i.e. \$1 million) and the remaining \$2 million in County funds may be applied toward our match for any "Second Priority Projects" that the City of Gainesville may select.

I thank you for attending multiple County Commission meetings to finalize the details of this agreement and welcome you to contact me with questions.

Sincerely

Gina Peebles, CPRP Assistant County Manager

INTERLOCAL AGREEMENT BETWEEN ALACHUA COUNTY AND THE CITY OF GAINESVILLE FOR DISTRIBUTION OF WILD SPACES & PUBLIC PLACES ENVIRONMENTAL LANDS, PARKS AND RECREATION ONE-HALF PERCENT SALES TAX

THIS INTERLOCAL AGREEMENT, is entered into this day of Agril, day of Agril, day of Agril, between Alachua County, a charter county and a political subdivision of the State of Florida, by and through its Board of County Commissioners (hereinafter referred to as the "County"), and the City of Gainesville, by and through its City Commissioners, a municipal corporation of the State of Florida, (hereinafter referred to as "City").

WITNESSETH:

WHEREAS, Subsection 212.055(2), Florida Statutes, provides the County the authority to levy, in addition to other taxes allowed by law, a local government infrastructure sales surtax (hereinafter referred to as "Surtax") pursuant to ordinance enacted by a majority of the members of the board of county commissioners and approved by a majority of the electors of the County; and

WHEREAS, Subsection 212.055(2)(c), Florida Statutes, provides that the proceeds of the Surtax levied shall be distributed according to an interlocal agreement between the County governing body and the governing bodies of the municipalities representing a majority of the County's municipal population; and

WHEREAS, the City of Gainesville contains a majority of the County's municipal population; and

WHEREAS, Subsection 212.055(2)(b), Florida Statutes, provides that a brief general description of the projects to be funded by the Surtax shall be placed on the ballot; and

WHEREAS, pursuant to Subsection 212.055(2)(c), Florida Statutes, the County and the City, in anticipation of the levy of the Surtax, desire to enter into this interlocal agreement to establish the allocation of Surtax proceeds in accordance with the formulas in Section 218.62, Florida Statutes, except that after calculation of the respective distributions to the County and City, the County shall (1) allocate an additional \$3 million of the County's formula share of Surtax proceeds to the City for projects of mutual interest of the County and City, and (2) allocate another \$3 million of the County's formula share of Surtax proceeds to support a competitive grant program available to all nine of Alachua County's municipalities, including the City;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and pursuant to Section 163.01, et. seq., Florida Statutes, the Florida Interlocal Cooperation Act of 1969, and Subsection 212.055(2), Florida Statutes, the parties hereto agree as follows:

- 1. <u>Term.</u> This agreement shall take effect on the day and year first above written and shall continue until all Surtax proceeds are expended for the purposes identified in paragraph 2, below. The levy of the Surtax shall commence on January 1, 2017, and shall continue for a period of eight (8) years from that date and terminate on December 31, 2025, provided a majority of the electors in the County approve the levy of the Surtax at a referendum called for such purpose.
 - 2. Distribution and Use of Surtax Proceeds.
- (A) The Surtax proceeds shall be used only to acquire and improve environmentally sensitive lands to protect drinking water sources, water quality, and wildlife habitat; and to create, improve and maintain parks and recreational facilities in all municipalities and the unincorporated area of the County. The distribution of Surtax proceeds among the County and the municipalities within the County, including the City, shall be in accordance with the formulas in Section 218.62, Florida Statutes, as in existence on the date of execution of this Agreement.

- (B) The County shall allocate \$6 million of its statutory formula share of Surtax proceeds for municipal projects, as follows:
 - (1) The County shall allocate \$3 million to the City for the parks and recreational projects listed in Exhibit A. The City will be responsible for acquisition and construction of the projects identified in Exhibit A. The City shall also acknowledge the County's contribution by erecting a sign including the verbiage, "Jointly funded by Alachua County and the City of Gainesville." Upon completion of each project, the County shall reimburse fifty percent (50%) of the amount expended by the City for such project (up to an aggregate total of \$3 million) upon submission by the City of a requisition to the Clerk, accompanied by such documentation as the Clerk may reasonably require.
 - (2) The County shall allocate an additional \$3 million to fund a competitive grant program available to Alachua County's nine municipalities, including the City, for projects described in the foregoing subsection (A). The competitive grant program shall be established no later than July 1, 2018.
- 3. <u>Counterparts</u>. This agreement may be executed in counterparts and each fully executed counterpart shall be deemed an original instrument.
- 4. <u>Filing with the Clerk of Court</u>. A copy of this agreement and all subsequent amendments hereto shall be filed with the Clerk of Circuit Court of Alachua County, Florida, upon its execution by all parties hereto.
- 5. <u>Entire Agreement</u>. This Agreement is the entire agreement between the parties and all understandings and agreements are incorporated in this Agreement. This Agreement supersedes any prior agreements between the parties relating to the Surtax.

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement to be executed by their duly authorized officials on the day and year first above-written.

ALACHUA COUNTY, FLORIDA

By:

Ken Cornell, Chair

Board of County Commissioners

ATTEST:

J. K. "Buddy" Irby, Clerk

(SEAL)

APPROVED AS TO FORM

Alachua County Attorney

CITY OF GAINESVILLE

By:

Lauren Poe, Mayor

APPROVED AS TO FORM AND

LEGALITY

Gainesville City Attorney

ATTEST:

Kurt Lannon, Clerk

(SEAL)

Exhibit A

First Priority Project

a. Sweetwater Branch Recreational Trail

Second Priority Projects

- b. Citizens Field Renovations
- c. Cofrin Nature Park
- d. Cultural Arts Park & Art Center (352Arts)
- e. Glens Springs Acquisition and Development
- f. Hogtown Creek Headwaters Nature Park
- g. Sweetwater Wetlands Park
- h. Projects on the City's project list of mutual interest to the City of Gainesville and Alachua County

PROFESSIONAL SERVICES AGREEMENT FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES

WHEREAS, CITY is responsible for capital improvements and maintenance of public facilities; GRU owns and operates an electric system, natural gas system, water and wastewater system, a district energy system and telecommunication system combined as a single public community wide utility; and CRA is responsible for various redevelopment areas within the City of Gainesville which may include planning, designing, renovation, remodeling and/or construction; and

WHEREAS, THE CITY, GRU and CRA requires multiple firms to provide professional architectural and engineering consulting services on an as-needed basis and issued a Request for Statement of Qualifications for same; and

WHEREAS, CONSULTANT responded with a Statement of Qualifications which was selected and approved by THE CITY and CRA; and

WHEREAS, the PARTIES desire to enter into an agreement for performing professional architectural and engineering consulting services on an as-needed basis.

NOW, THEREFORE, in consideration of the foregoing premises and the covenants contained herein, the PARTIES agree as follows:

1.0 SCOPE OF SERVICES.

- Project Description: This Agreement provides for the administration, compensation and responsibilities of the PARTIES relating to performance of architectural and engineering consulting work which is authorized by CITY, GRU, or CRA. When one of the GOVERNMENTAL ENTITIES has need of CONSULTANT"s services, that GOVERNMENTAL ENTITY will enter into a separate agreement with CONSULTANT to perform the scope of services. The separate agreement will be between the individual GOVERNMENTAL ENTITY and the CONSULTANT. The specific scope of services to be provided by CONSULTANT will be mutually agreed to in separate Purchase Orders and/or Task Assignments. All related Purchase Orders and Task Assignments will become a part of this Agreement. These Purchase Orders and Task Assignments may be amended as provided herein as changes in scope or required levels of work effort are identified. Compensation for services will be as described in Section 7.0 of this Agreement.
- 1.2 Services performed at CITY, GRU or CRA's request beyond those defined in the approved Purchase Order and/or Task Assignment shall constitute a Change-of-Scope, which will be documented by a Change Order to be approved in writing by CONSULTANT and the GOVERNMENTAL ENTITY before services are performed. Written approval shall be obtained prior to performance of the services.

- 1.3 Nothing in this Agreement shall be construed to prohibit CITY, GRU, or CRA from awarding, authorizing, or directing its work to be performed, whether identified in this Agreement or otherwise, to firms other than CONSULTANT.
- 1.4 The GOVERNMENTAL ENTITY may use the CONSULTANT as a Subject Matter Expert.

2.0 STANDARD OF CARE AND PERSONNEL.

- Standard of Care: CONSULTANT shall perform as an independent consultant and all services shall be performed with the skill and care which would be exercised by comparable qualified professional architectural and engineering consultants performing similar services at the time and place such services are performed. If the failure to meet these standards results in deficiencies, the CONSULTANT shall furnish, at its own cost and expense, the redesign necessary to correct such deficiencies, and shall be responsible for any and all consequential damages arising from these deficiencies. If the CONSULTANT refuses to correct the discrepancies to the GOVERNMENTAL ENTITY's satisfaction, the GOVERNMENTAL ENTITY may, at its discretion, either terminate the Task Order or Purchase Order, or terminate this Agreement. Nothing in this paragraph will preclude the CITY, GRU or CRA from pursuing all available remedies.
- 2.2 Non-infringing: CONSULTANT warrants that any CONSULTANT generated Confidential Information, Work Product, or other material furnished to CITY, GRU or CRA shall not infringe on any third party rights in any US patent, copyright, trademark or trade secret.
- 2.3 <u>Sub-consultants</u>: The CONSULTANT will perform all of the services, and none of the work or services covered by this Agreement shall be subcontracted without prior written authorization by the GOVERNMENTAL ENTITY. It is understood that sub-consultants presented as part of a team in a project proposal/work order/task assignment are considered approved.
- 2.4 Staff: CONSULTANT shall staff the project with qualified individuals and secure others at CONSULTANT's own expense as required to carry out and perform the Scope of Services of this Agreement and the Task Assignment or Purchase Order. Such personnel shall not be employees of or have any personal fiscal relationship with any employees or officials of CITY, GRU or CRA. CONSULTANT retains the authority to utilize specific qualified personnel on the project from time to time as required.
- 2.5 Removal/Replacement of Staff: The GOVERNMENTAL ENTITY, for any reason, may request that the service of an individual or sub-consultant be removed from this Agreement or project work order or Task Assignment. Upon this request from the GOVERNMENTAL ENTITY, the CONSULTANT shall replace the individual or sub-consultant with an equivalent level of staff or sub-consultant. Failure to do so shall be cause for termination of this Agreement or project work order or Task Assignment. Any changes in personnel require mutual written consent of the CONSULTANT and the GOVERNMENTAL ENTITY.
- Quality of Staff: Failure of CONSULTANT, for any reason, to staff a project with qualified personnel to the extent necessary to perform the services required skillfully and promptly shall be cause for termination of this Agreement or for termination of the Task Assignment or Purchase Order.
- 2.7 Independence: CONSULTANT is and shall perform this Agreement as an independent professional consultant. All persons engaged in any of the work performed pursuant to this Agreement shall at all times, and in all places, be subject to CONSULTANT's sole direction, supervision and control. Neither CONSULTANT, nor anyone employed by it, shall represent, act, or be deemed to be the agent or employee of CITY, GRU or CRA.

2.8 <u>Legal compliance</u>: CONSULTANT shall secure all licenses or permits required by law or regulations, and shall comply with all ordinances, laws, orders, rules and regulations pertaining to its Work hereunder.

3.0 CONTRACT TERM:

- 3.1 The term of the Agreement will commence on October 1, 2018 or upon final execution, whichever is later and will continue through September 30, 2023, subject to available funding approved by City of Gainesville City Commission for CITY and GRU projects and subject to available funding approved by the Board of Directors of the Gainesville CRA. Actual Projects/Task Assignments/Purchase Orders issued will be subject to available funding in subsequent years.
- 3.2 Upon expiration of this Agreement, no additional services may be negotiated under this Agreement, excepting that services which are already in process but not completed shall continue to be governed by the terms of this Agreement until their completion.
- 3.3 Rates negotiated shall be firm for a minimum of one year and may be re-negotiated annually thereafter without changing the terms and conditions of the Agreement. In the event rate renegotiations are not successful, the rates shall remain the same or any Party may terminate the Agreement.

4.0 TERMINATION:

4.1 <u>Termination for Convenience</u>: A GOVERNMENTAL ENTITY may, by providing thirty 30 calendar days written notice to CONSULTANT, terminate this Agreement, a Task Assignment, a Purchase Order, or any part thereof, for that GOVERNMENTAL ENTITY's convenience and without cause. The termination is effective only as to the specific GOVERNMENTAL ENTITY issuing the termination notice.

After the termination date, CONSULTANT shall stop all Work and cause its suppliers and/or subcontractors to stop all Work in connection with this Agreement, the Task Assignment or the Purchase Order. If a GOVERNMENTAL ENTITY terminates for convenience, that GOVERNMENTAL ENTITY shall pay CONSULTANT for consulting services accepted as of the date of termination, and for CONSULTANT's actual and reasonable, out of pocket costs incurred directly as a result of such termination. The terminating GOVERNMENTAL ENTITY is not responsible for work performed after the effective termination date of this contract.

- 4.2 <u>Termination for Cause (Cancellation)</u>: A GOVERNMENTAL ENTITY may terminate this Agreement, A Task Assignment or a Purchase Order for cause if CONSULTANT materially breaches this Agreement, a Task Assignment or a Purchase Order by:
 - (a) refusing, failing or being unable to properly manage or perform;
 - (b) refusing, failing or being unable to perform the Work pursuant to this Agreement, a Task Assignment or a Purchase Order with sufficient numbers of workers, properly skilled workers, proper materials to maintain applicable schedules;
 - (c) refusing, failing or being unable to make prompt payment to subcontractors or suppliers;
 - (d) disregarding laws, ordinances, rules, regulations or orders of any public authority or quasi-public authority having jurisdiction over the Scope of Services;
 - (e) refusing, failing or being unable to substantially perform pursuant to the terms of this Agreement, a Task Assignment or a Purchase Order as determined by the GOVERNMENTAL ENTITY, or as otherwise defined elsewhere herein; and/or
 - (f) refusing, failing or being unable to substantially perform in accordance with the terms of any other agreement between a GOVERNMENTAL ENTITY and CONSULTANT.

4.3 Funding out Clause:

If funds for this Agreement are no longer available, each GOVERNMENTAL ENTITY reserves the right to terminate this Agreement without cause by providing CONSULTANT with thirty (30) calendar days written notice to CONSULTANT.

5.0 TASK ASSIGNMENTS (Work Orders).

- 5.1 Task Assignments: All services to be performed having an amount greater than \$25,000 shall be authorized and performed in accordance with a written and jointly executed Task Assignment for each project for which services are requested. A sample format for the Task Assignment is included as Attachment "B". Each Task Assignment shall consist of the scope of work to be performed by CONSULTANT, project schedule, deliverables, any specific provisions and the signatures of authorized representatives of the GOVERNMENTAL ENTITY and CONSULTANT agreeing to the provisions of the Task Assignment. The GOVERNMENTAL ENTITY shall assign projects based upon CONSULTANT's experience in a given area, ability to meet the time constraints of a given project and/or CONSULTANT's current workload.
- Written Proposals: Upon request by a GOVERNMENTAL ENTITY, CONSULTANT shall submit to that GOVERNMENTAL ENTITY's Project Manager a written proposal, which shall include as appropriate, completion dates, estimated fees and expenses, deliverables and the specific tasks necessary to accomplish the particular project objective. The GOVERNMENTAL ENTITY and Consultant may negotiate the terms of the proposal which will then be incorporated into a Task Assignment which, with a purchase order, constitutes the written acceptance. Work shall not begin until the acceptance is issued. The original proposal may be submitted to the GOVERNMENTAL ENTITY in Task Assignment format.
- 5.3 Changes to Scope: The GOVERNMENTAL ENTITY shall have the right to increase or reduce the scope of the services of CONSULTANT hereunder at any time and for any reason, upon written notice to CONSULTANT specifying the nature and extent of such reduction or increases. In the event of an addition to the scope of the services, CONSULTANT shall be fully compensated for additional work as agreed upon by the GOVERNMENTAL ENTITY and CONSULTANT. In the event of a reduction to the scope of services, CONSULTANT shall be fully compensated for the work already performed, including payment of all necessary contract fee amounts due and payable hereunder prior to the receipt of written notification of such reduction in scope and shall be compensated for the reduced scope of services, as determined by THE GOVERNMENTAL ENTITY. The work of revising documents as a result of reduction in scope of the project shall be compensated for as a change as provided in this Agreement.
- 5.4 <u>Timeliness</u>: CONSULTANT shall complete all assigned projects in accordance with the time of performance specified in the Task Assignment or change thereto.
- 5.5 Projects under \$25,000: Services to be performed having an amount of less than or equal to \$25,000 will be authorized by a GOVERNMENTAL ENTITY with a Purchase Order, which shall reference this Agreement number and the terms of this Agreement shall supersede any conflicting terms contained within said Purchase Order. The CONSULTANT will prepare a letter proposal that itemizes the major scope tasks and fee.

6.0 FORCE MAJEURE.

- No Party to this Contract shall be liable for any default or delay in the performance of its obligations under this Contract due to an act of God or other event to the extent that: (a) the non-performing Party is without fault in causing such default or delay; and (b) such default or delay could not have been prevented by reasonable precautions. For purposes of this Agreement, such circumstances include, but are not limited to, abnormal weather conditions, including without limitation, hurricanes; floods; earthquakes; fire; epidemics; war, riots, and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage; judicial restraint; and inability to procure permits, licenses, or authorizations from any local, state, or federal agency for any of the supplies, materials, accesses, or services required to be provided by either the GOVERNMENTAL ENTITY or CONSULTANT under this Agreement (except for the CONSULTANT's license and authorizations to do business)..
- 6.2 In the event of any delay resulting from such causes, the time for performance of each of the Parties hereunder (including the payment of invoices if such event actually prevents payment) shall be extended for a period of time reasonably necessary to overcome the effect of such delay. Any negotiated delivery dates established during or after a Force Majeure event will always be discussed and negotiated if additional delays are expected.
- 6.3 In the event of any delay or nonperformance resulting from such cause, the Party affected will promptly notify the other Party in writing of the nature, cause, date of commencement, and the anticipated impact of such delay or nonperformance. Such written notice, including change orders, will indicate the extent, if any, to which is anticipated that any delivery or completion date will be affected.

7.0 COMPENSATION.

- 7.1 Fee and Expense Schedule: Compensation to CONSULTANT for services performed shall be based on the current fee and expense schedule, attached hereto as Attachment "A". The CONSULTANT and the GOVERNMENTAL ENTITY, based upon the fee and expense schedule, may agree to payment for services on a "lump sum" and/or "not to exceed" basis.
- 7.2 CONSULTANT Compensation Increases: CONSULTANT shall obtain the GOVERNMENTAL ENTITY's written approval prior to performing any work which results in the work assignment exceeding the mutually agreed upon scope of services contained in the Task Assignments or Purchase Order.
 - Minor modifications, which mutually extend the product delivery dates and/or mutually agreeable project costs for less than 5%, may be approved by the GOVERNMENTAL ENTITY with the documentation from CONSULTANT as specifically requested by the GOVERNMENTAL ENTITY.
 - b. Major modifications which increase the project cost by more than 5% shall be documented by CONSULTANT with the following information:
 - (1) A description of the new work and/or new deliverables, that caused a major modification to the work.
 - (2) An explanation as to why the new work was not included in the original scope of work or project assignment or a detailed explanation of other reasons the modification is necessary.

- (3) A summary of all prior modifications to the project assignment, and reasons why additional modifications will not be necessary or reasons why additional modifications will be necessary.
- (4) A description of any proposed work, which is outside the original work scope or project assignment. These shall be treated as a new project.
- c. Upon submittal of the above information, the GOVERNMENTAL ENTITY and CONSULTANT shall mutually agree upon the price modification to complete the project or work assignment. Should agreement not be reached, THE GOVERNMENTAL ENTITY's decision shall be binding unless CONSULTANT requests reconsideration through the Dispute Resolution process described in Section 16.0.
- 7.3 Invoicing: CONSULTANT is responsible for invoicing the GOVERNMENTAL ENTITY for Work performed pursuant to this Agreement. Itemized invoices shall include the following information (if applicable): Contract number, Purchase Order number, Task Assignment Number, job number, description of services, Work location, the GOVERNMENTAL ENTITY's Project Representative, job start date, job completion date or other pertinent information. Itemized invoice(s) must be mailed to the project manager and address set forth in the Task Assignment or Purchase Order:
- 7.4 Receipting Report for Services: An itemized receipting report for services must be provided to the GOVERNMENTAL ENTITY's Project Representative prior to invoicing which includes the number of hours and labor rates by job title, overhead, authorized per diem or travel expenses, and other charges. Receipting reports shall be used by the Project Representative to verify the services rendered.
- 7.5 Payment Terms: Unless otherwise agreed upon in writing, the GOVERNMENTAL ENTITY's payment terms are net thirty (30) days from receipt of correct invoice. CONSULTANT shall not submit more than one invoice per thirty-day period. Any delay in receiving invoices, or error and omissions, will be considered just cause for delaying or withholding payment. Invoices for partially completed Work may be allowed with the GOVERNMENTAL ENTITY's prior approval. All partial invoices must be clearly identified as such on the invoice. Any charges or fees will be governed by current Florida Statutes.
- 7.6 Withholding Payment: The GOVERNMENTAL ENTITY may withhold payment of all or a portion of the invoiced amount due to failure of CONSULTANT to comply with project specifications. The GOVERNMENTAL ENTITY shall set forth in writing to CONSULTANT the reasons for the withholding of payment within 10 days after receipt of CONSULTANT invoice. In the event CONSULTANT does not agree with the GOVERNMENTAL ENTITY's determination, CONSULTANT may request reconsideration through the dispute resolution process described in Section 16.0. After CONSULTANT has complied with the project specifications the GOVERNMENTAL ENTITY will make payment of any withheld amount to CONSULTANT within 30 days.
- 7.7 Rate Increase: CONSULTANT shall have one opportunity per calendar year to request a labor classification rate increase. The request should be made to Utilities Purchasing at least 60 days prior to the desired effective date and include a justification. The annual increase, if approved by each of the GOVERNMENTAL ENTITIES, shall be in the form of an amendment to this contract. Work begun under a specific labor classification rate shall be completed under that labor classification rate.

8.0 TAXES.

CONSULTANT accepts exclusive liability for the payment of its (i) income, gross receipts, ad valorem, or value added taxes, arising out of Work rendered, now or hereafter imposed by any governmental authority, and (ii) payroll taxes or contributions for unemployment insurance, Medicare or Social Security for CONSULTANT'S employees.

9.0 PUBLIC RECORDS.

If CONSULTANT is "CONSULTANT" as defined in Section 119.0701(1)(a), Florida Statutes, or an "agency" as defined in Section 119.011(2), Florida Statutes, CONSULTANT shall:

- 9.1 Keep and maintain public records, as defined in Section 119.011(12) of the Florida Statutes, required by the GOVERNMENTAL ENTITY to perform the service.
- 9.2 Upon request from the GOVERNMENTAL ENTITY's custodian of public records, provide the public agency with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
- 9.3 Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the GOVERNMENTAL ENTITY.
- 9.4 Upon completion of the contract, transfer, at no cost, to the GOVERNMENTAL ENTITY all public records in possession of the contractor or keep and maintain public records required by the GOVERNMENTAL ENTITY to perform the service. If the contractor transfers all public records to the GOVERNMENTAL ENTITY upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the contractor keeps and maintains public records upon completion of the contract, the contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the GOVERNMENTAL ENTITY, upon request from the GOVERNMENTAL ENTITY's custodian of public records, in a format that is compatible with the information technology systems of THE GOVERNMENTAL ENTITY.
- 9.5 IF THE CONTRACTOR HAS QUESTIONS
 REGARDING THE APPLICATION OF CHAPTER 119,
 FLORIDA STATUTES, AS TO THE CONTRACTOR'S
 DUTY TO PROVIDE PUBLIC RECORDS RELATING
 TO THIS CONTRACT, CONTACT THE
 GOVERNMENTAL ENTITY CUSTODIAN OF PUBLIC
 RECORDS AT (352) 393-1240,
 PURCHASING@GRU.COM, OR 301 SE 4TH
 AVENUE, GAINESVILLE FL 32601.

10.0 CONFIDENTIALITY.

"Confidential information" includes, to the extent such information is defined in Sections 119.07 and 812.081, *Florida Statutes*, as trade secrets or data processing software, or otherwise confidential or exempt from Florida's Public Records Law, Chapter 119, *Florida Statutes*. "Confidential Information" that is marked as "confidential" upon receipt, may include certain information about the GOVERNMENTAL ENTITY's operations, specifications, formulas, codes, software, hardware, intellectual properties, and other confidential and proprietary information belonging to the GOVERNMENTAL ENTITY, work product or technical documentation, prepared, developed or obtained by the GOVERNMENTAL ENTITY or CONSULTANT, or any of its agents, representatives, or employees. CONSULTANT shall maintain the confidentiality of any information so marked and agrees not to disclose the information.

11.0 RIGHTS TO INTELLECTUAL WORK PRODUCT.

- 11.1 Except as otherwise provided herein, sealed original drawings, specifications, final project specific calculations, and other engineering documents which CONSULTANT prepares and delivers to the GOVERNMENTAL ENTITY pursuant to this Agreement shall become the property of the GOVERNMENTAL ENTITY when CONSULTANT has been compensated for services rendered. With the exception of Work Product developed in whole or in part by the GOVERNMENTAL ENTITY, nothing contained in this paragraph shall be construed as limiting or depriving CONSULTANT from its rights to use its basic knowledge and skills to design or carry out other projects or work for itself or others, whether or not such other projects or work are similar to the work to be performed pursuant to this Agreement.
- 11.2 CONSULTANT shall not use CITY, GRU or CRA's name in any such manner, except with the GOVERNMENTAL ENTITY's prior written consent which the GOVERNMENTAL ENTITIES will not unreasonable withhold. Nothing in this Agreement gives the CITY, GRU or any rights to any of CONSULTANT's, CONSULTANT's subcontractors, or Vendor's proprietary computer software that may be used in connection with the services except as expressly provided in the scope of services or as may be separately agreed.
- 11.3 CONSULTANT shall not publicly disseminate any information concerning the Agreement without prior written approval from each GOVERNMENTAL ENTITY, including but not limited to, mentioning the Agreement in a press release or other promotional material, identifying the GOVERNMENTAL ENTITIES as a reference, or otherwise linking the firms name and either a description of the Agreement or the name of any of the GOVERNMENTAL ENTITIES in any material published, either in print or electronically, to any entity that is not a party to Agreement, except potential or actual authorized distributors, dealers, resellers, or service representative.
- All documents, including drawings, specifications, electronic files, engineering reports and computer software prepared by CONSULTANT (except for those pertaining to work developed by the GOVERNMENTAL ENTITY in whole or in part) pursuant to this Agreement are to be used only for the scope of work pursuant to the Task Assignment or Purchase Order. They are not intended or represented to be suitable for reuse by the GOVERNMENTAL ENTITY or others. Any reuse without prior written verification or adaption by CONSULTANT for the specific purpose intended will be at the GOVERNMENTAL ENTITY's sole risk and without liability or legal exposure to CONSULTANT.

- 11.5 CONSULTANT hereby grants to the GOVERNMENTAL ENTITY an irrevocable, nonexclusive, royalty free license for use solely in connection with operation, maintenance, repair, or alternation of the designed facilities or processes, with respect to any invention first reduced to practice by CONSULTANT, its employees or agents, during the course of the services of this Agreement, Task Assignment or Purchase Order. The GOVERNMENTAL ENTITY shall retain all rights to plans and procedures based wholly or in part on or derived from proprietary information received from the GOVERNMENTAL ENTITY. No material produced in whole or in part under this Agreement may be copyrighted or patented in the United States, or in any other country, without the prior written approval of the GOVERNMENTAL ENTITY.
- Any files delivered in electronic medium may not work on systems and software different than those with which they were originally produced. CONSULTANT makes no warranty as to the compatibility of these files with any other system or software. Because of potential degradation of electronic medium over time, in the event of a conflict between sealed original documents and electronic files, the sealed original documents will govern. The standard formats for files delivered in electronic medium will be specified by the GOVERNMENTAL ENTITY's project manager for the Task Assignment or Purchase Order.

12.0 AUDIT OF RECORDS.

CONSULTANT shall maintain records sufficient to document completion of the scope of services established by this Agreement, each Task Assignment and Purchase Order. These records shall be subject at all reasonable time to review, inspect, copy and audit by persons duly authorized by the GOVERNMENTAL ENTITIES. These records shall be kept for a minimum of three (3) years after termination of this Agreement. Records that relate to any litigation, appeals or settlements of claims arising from performance under this Agreement shall be made available until a final disposition has been made of such litigation, appeals, or claims.

13.0 INDEMNIFICATION.

- Pursuant to Section 725.08, Florida Statutes, this Agreement qualifies as a professional services contract and CONSULTANT qualifies as a design professional. Notwithstanding the provisions of Section 725.06, Florida Statutes, CONSULTANT agrees to indemnify and hold harmless CITY, GRU, CRA, and each GOVERNMENTAL ENTITY's officers and employees, from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorneys' fees, to the extent caused by the negligence, recklessness, or intentional wrongful conduct of the design professional and other persons employed or utilized by the CONSULTANT in the performance of this Agreement, Task Assignment or Purchase Order.
- 13.2 CONSULTANT represents and warrants that CONSULTANT shall not infringe a trademark, copyright, patent, trade secret or any such intellectual property right in the performance of this Agreement. In the event of an infringement suit related to or resulting from this Agreement, CONSULTANT represents and warrants that CITY, GRU and CRA will not be liable for any damages or royalties if applicable.

14.0 LIMITATION OF LIABILITY.

To the fullest extent permitted by law, each party shall not be liable to CONSULTANT for any incidental, consequential, punitive, exemplary or indirect damages, lost profits, revenue or other business interruption damages, including but not limited to, loss of use of equipment or facility.

PURSUANT TO SECTION 558.0035, FLORIDA STATUTES, AN INDIVIDUAL EMPLOYEE OR AGENT OF CONSULTANT MAY NOT BE HELD INDIVIDUALLY LIABLE FOR ECONOMIC DAMAGES RESULTING FROM NEGLIGENCE UNDER THIS AGREEMENT IF THE CONDITIONS OF SECTION 558.0035 ARE SATISFIED.

Page 9 of 13

15.0 INSURANCE.

CONSULTANT shall maintain the following insurance, and shall provide CITY, GRU and CRA a current Insurance Certificate.

Certificate of Insurance: Said insurance shall be written by a company licensed to do business in the State of Florida and satisfactory to the GOVERNMENTAL ENTITIES. A Certificate of Insurance shall be furnished in a form acceptable to the GOVERNMENTAL ENTITIES for the insurance required. Such certificate or an endorsement provided must state that CITY, GRU, and CRA will be given thirty (30) days written notice (or 10 days written notice for non-payment) prior to cancellation or material change in coverage. CITY, GRU and CRA must be listed as additional insured on the policy.

<u>Professional Liability Insurance</u>: in the amount of \$1,000,000 combined single limit for bodily injury and property damage.

<u>Commercial General Liability</u>: in the amount of \$1,000,000 combined single limit for bodily injury and property damage.

<u>Automobile Liability</u>: in the amount of \$500,000 combined single limit for bodily injury and property damage.

Worker's Compensation:

(a)	State	Statutory
(b)	Applicable Federal	Statutory

(c) Employer's Liability \$500,000 per Accident

\$500,000 Disease, Policy Limit \$500,000 Disease, Each Employee

Excess Liability \$1,000,000

The GOVERNMENTAL ENTITIES reserve the right to require a limit increase or additional insurance (i.e. explosion, collapse and underground property damage; environmental impairment etc.) if the specific Task Assignment or Purchase Order warrants.

16.0 DISPUTES.

If a dispute arises out of or relates to this Agreement, a Task Assignment or Purchase Order, or the breach thereof, and if the dispute cannot be settled through negotiation, either party may, by giving written notice, refer the dispute to a meeting of appropriate higher management, to be held within 20 business days after giving of notice. If the dispute is not resolved within 30 business days after giving notice, or such later date as may be mutually agreed, the Parties will submit the dispute to a mediator. The Parties shall mutually agree to the mediator and the costs of the mediator will be born equally by both parties. The venue for mediation and any subsequent litigation shall be in Alachua County, Florida.

<u>Continue Work</u>: During the dispute process, CONSULTANT shall continue work pursuant to this Agreement as instructed by the GOVERNMENTAL ENTITY.

17.0 GOVERNING LAW, VENUE, ATTORNEY'S FEES, AND WAIVER OF RIGHT TO JURY TRIAL.

This Agreement shall be construed pursuant to the laws of Florida and may not be construed more strictly against one party than against the other. In the event of any legal proceedings arising from or related to this Agreement: (1) venue for any state or federal legal proceedings shall be in Alachua

County Florida; (2) the prevailing party shall be responsible for attorney's fees and costs, including any appeals; and (3) for civil proceedings, the Parties hereby waive the right to jury trial.

18.0 SOVEREIGN IMMUNITY.

Nothing in this Contract shall be interpreted as a waiver of CITY, GRU or CRA's sovereign immunity as granted pursuant to Section 768.28 Florida Statutes.

19.0 MISCELLANEOUS.

- 19.1 <u>Statement of Non-inducement</u>: CONSULTANT warrants that no company or person, other than a bona fide employee working solely for CONSULTANT has been employed or retained to solicit or secure this Agreement. CONSULTANT has not paid or agreed to pay any person, company, corporation, individual or firm, other than a bona fide employee working solely for CONSULTANT, any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from the award or making of this Agreement. Notwithstanding any other provision of this Agreement for breach or violation of this paragraph, the GOVERNMENTAL ENTITIES shall have the right to terminate this Agreement without liability, and at its discretion, to deduct from any amount due to CONSULTANT hereunder, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration.
- 19.2 <u>Non-Discrimination</u>: No person shall, on the grounds of race, sex, age, handicap, creed, color, national origin or any other characteristic protected by applicable federal, state or local law, be refused the benefits of, or be otherwise subjected to discrimination under any activities resulting from this Agreement.
- Truth-in-Negotiation: By execution of this Agreement, CONSULTANT certifies that the wage rates and other factual unit costs supporting compensation negotiated under project shall be accurate, complete and current at the time of execution of each such agreement. Each invoice shall be subject to adjustment to exclude any significant sums, by which the GOVERNMENTAL ENTITY determines the original compensation was increased due to inaccurate, incomplete, or non-current wage rates and other adjustments shall be made within one (1) year following the end of the applicable agreement.
- 19.4 <u>Severability</u>: In the event that any provision of this Agreement is found to be unenforceable, the other provisions shall remain in full force and effect.
- 19.5 <u>Assignability</u>: Neither the GOVERNMENTAL ENTITIES nor CONSULTANT shall assign any rights or duties under this Agreement without the prior written consent of the other party. Unless otherwise stated in the written consent to an assignment, no assignment will release or discharge the assignor from any obligation under this Agreement. Nothing contained in this Section shall prevent CONSULTANT from employing independent consultants, associates, and subcontractors to assist in the performance of the services undertaken pursuant to this Agreement.
- 19.6 Third Party Rights: Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the GOVERNMENTAL ENTITIES and CONSULTANT.
- 19.7 Entire Agreement: This Agreement and attachments hereto, the Request for Qualification 2018-049, the CONSULTANT's response thereto, and any resulting Task Assignments/Work Orders/Purchase Orders constitute the entire agreement between the PARTIES hereto. Modifications of this Agreement shall be in writing, signed by both PARTIES, and incorporated as written amendments to this Agreement prior to becoming effective.

- 19.8 Notices: Notices to CONSULTANT should be deemed to have been properly sent when electronically or physically delivered to CONSULTANT's address (as noted above). Notices to each GOVERNMENTAL ENTITY is deemed to have been properly sent when delivered to the Project Manager at the address listed in the Task Assignment or Purchase Order.
- 19.9 Order of Precedence: In the event that there is any conflict between the terms and conditions, the order of precedence shall be as follows:
 - a. Change Order to Task Assignment/Work Order/Purchase Order
 - b. Task Assignment/Work Order/Purchase Order
 - c. Modification to this Agreement
 - d. This Agreement
 - e. Request for Statement of Qualifications 2018-049
 - f. CONSULTANT's Statement of Qualifications

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the PARTIES hereto have executed this Agreement on the day first above written in counterparts, each of which shall without proof or accounting for the other counterparts be deemed an original.

JONES, EDMUNDS & ASSOCIATES, INC.

Stanley F. Ferreira, Jr, PE President & CEO

Date: 10/3/2018

WITNESS (as to Consultant)

Print Name: Amanda Sullivan, JD

Approved as to form and legality

Lisa Bennett

City Attorney

CITY OF GAINESVILLE

Anthony Lyons City Manger

Date: 10-11-18

GAINESVILLE COMMUNITY REDEVELOPMENT AGENCY

By: Anthony Lyons

CRA Executive Director Date://

WITNESS (25 to CITY and CRA):

BY:

CITY OF GAINESVILLE, d/b/a
GAINESVILLE REGIONALUTILITIES

By:

Edward J. Bielarski General Manager

Date.

Approved as to form and legality

Keino Young

Utilities Attorne

Purchaşing Representative

Robbin Odowski

Buyer Analyst

Attachments:

"A" - Fee and Expense Schedule

"B" - Sample Task Assignment Template

On File:

CONSULTANT'S Statement of Qualifications (in response to RFSQ 2018-049) CONSULTANT'S Certificate of Insurance (as required above)



City of Gainesville, Florida Gainesville Regional Utilities Gainesville Community Redevelopment Agency

RFQ 2018-049 Professional Architectural and Engineering Consulting Services

2018-2019 Standard Hourly Rates

Labor Category	Hour	ly Rate
Project Officer	\$	258
Senior Project Manager	\$	232
Project Manager	\$	175
Chief Engineer or Scientist	\$	232
Senior Engineer	\$	221
Senior Scientist	\$	165
Project Engineer	\$	175
Project Scientist	\$	155
Engineer or Scientist	\$	134
Engineer Intern (PhD)	\$	124
Engineer Intern or Associate Scientist	\$	103
Designer	\$	124_
Senior CADD Designer	\$	118
CADD Designer	\$	103
Senior CADD Technician	\$	93
CADD Technician	\$	82_
Systems Analyst	\$	165
Senior GIS Analyst or Senior GIS Programmer	\$	134
GIS Analyst or Programmer	\$	103
Senior GIS Technician	\$	82
GIS Technician	\$	72
Senior Database Administrator	\$	170
Database Administrator	\$	134
Environmental Data Analyst	\$	93
Senior Field Technician Environmental	\$	98
Field Technician Environmental	\$	88
Senior Construction Administrator	\$	160
Construction Administrator	\$	124
Senior Field Representative Construction	\$	108
Field Representative Construction	\$	88
Construction Project Coordinator	\$	72
Senior Administrative Assistant	\$	88
Administrative Assistant	\$	67
Senior Technical Editor	\$	113

Rates are subject to annual renegotiation.

ATTACHMENT B

SAMPLE TASK ASSIGNMENT NO.

CONTRACT NO. 2018-049 with ______ for PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES

TITLE: (an appropriate title to distinguish this Task Assignment)
THIS TASK ASSIGNMENT entered into on the day of, between(choose either GRU, CRA or City) and (put CONSULTANT's name here) CONSULTANT) describes services to be performed in accordance with the contract entered into petween the parties dated, Agreement for Professional Architectural and Engineering Consulting Services, Contract 2018-049.
ORDER OF PRECEDENCE: In the event that there is any conflict between the terms and conditions contained in this Task Assignment, The Professional Architectural and Engineering Consulting Services Agreement, the Request for Statement of Qualifications (RFSQ), and/or the CONSULTANT's response to the RFSQ, or the CONSULTANTs proposal referenced in this Task Assignment, the order of precedence shall be the Contract, as amended or modified, interpreted as a whole, as applicable, and then as follows:
 a. Task Assignment b. Amendment to the Professional Architectural and Engineering Consulting Services Agreement c. Professional Architectural and Engineering Consulting Services, Agreement d. Request for Statement of Qualifications 2018-049 e. CONSULTANT's Statement of Qualifications f. CONSULTANT's Proposal referenced in this Task Assignment
BACKGROUND: (provide sufficient information to understand the current status)
PURPOSE: (explain what this TA will accomplish and how CITY, GRU OR CRA will benefit)
SCOPE OF PROJECT. PROJECT SCHEDULE. MEETINGS AND PROJECT MANAGEMENT DELIVERABLES. SPECIFIC GRU RESPONSIBILITIES. BASIS OF COMPENSATION. (must be auditable to the rates on Attachment "A") SPECIAL PROVISIONS. The (choose one: City, GRU, CRA) Project Manager will be (name and contact information, including address); and (Consultant/Firm's Name)'s Project Manager will be (name and contact information,
including address)add any other special provisions)
and any anian aparen previously

ATTACHMENT B

2018-049 SAMPLE TASK ASSIGNMENT

IN WITNESS WHEREOF, the parties hereto have executed this Task Assignment on the day first above written in two (2) counterparts, each of which shall, without proof or accounting for the other counterparts, be deemed an original.

DO NOT SIGN - SAMPLE ONLY

Name of Consultant	CITY OF GAINESVILLE, d/b/a GAINESVILLE REGIONAL UTILITIES	
Cianatura	BY:	
Signature	(name & title)	
Printed Name	_	
Title	Purchasing Representative	
T the	By:(name)	



Integrity · Knowledge · Service

Reimbursable Expense Schedule

Reproduction Costs

Color copies

8-1/2 x 11 and 8-1/2 x 14 \$0.50 page 11x17 \$0.75 page

Black and white copies

8-1/2 x 11 and 8-1/2 x 14 \$0.05 page
11x17 \$0.10 page
KIP plotter \$0.125 square foot
Mylars \$0.125 square foot

Office Supplies

Project-specific office supplies actual cost + 10% Computer disks, tapes actual cost + 10%

Equipment Rental

GPS equipment \$5.00 hour
RTK unit (survey grade) \$25.00hour
Equipment rental actual cost +10%

Travel Expenses

Jones Edmunds vehicle \$0.60 mile
Rental vehicle actual cost + 10%
Personal vehicle mileage current IRS rate + 10%

Other travel expenses in accordance with FS Chapter 112.061

Computer Services

CADD \$12.50hour GIS \$5.00 hour HYDR (hydraulic modeling) \$7.50 hour SKM power \$10.00hour

Consultants

Subconsultant services actual cost + 10%

Delivery Services

Couriers and delivery services (UPS, FedEx) actual cost + 10%

TASK ASSIGNMENT NO. 5

CONTRACT NO. 2018-049-AU with JONES EDMUNDS & ASSOCIATES, INC. for PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES

TITLE: Wild Spaces & Public Places Multi-use Trail and Gainesville Regional Utilities Solids Handling Facility Access Roadway – SE Williston Road to Sweetwater Branch Creek.

THIS TASK ASSIGNMENT is entered into on the $\frac{25}{}$ day of February, 2021 between CITY OF GAINESVILLE, FLORIDA, a municipal corporation ("CITY") and JONES, EDMUNDS & ASSOCIATES, INC., a Florida corporation ("CONSULTANT") for services to be performed as described herein and in accordance with the Professional Services Agreement for Professional Architectural and Engineering Consulting Services, Contract 2018-049-AU, dated October 11, 2018.

SCOPE OF WORK AND ORDER OF PRECEDENCE: CONSULTANT shall perform the work described in the following contract documents, whether attached hereto or incorporated by reference:

- a. This Task Assignment.
- b. Professional Services Agreement for Professional Architectural and Engineering Consulting Services dated October 11, 2018.

BACKGROUND: The CITY's Wild Spaces & Public Places program (WSPP) is developing a multi-use trail from Depot Park to the Sweetwater Preserve located on SE Williston Road (State Road 331). The trail is located within a high-voltage electrical transmission line corridor. In the southern portion of the trail – between Sweetwater Branch Creek and Williston Road – the trail will be located adjacent to a Gainesville Regional Utilities (GRU) access road. The CONSULTANT is under contract with GRU to develop design documents for a solids handling facility that will be located on a previous composting facility site on the property west of the electrical transmission line corridor. The design documents for the facility are at a 90% level and ready for permit application submittal.

DRMP, Inc., working for WSPP, developed 30% design plans for the multi-use path spanning from SE Williston Road to Depot Park. This conceptual design showed the multi-use path as parallel to the existing dirt road used by GRU to access their transmission lines. The grading, stormwater design, and permitting required for the access road and the trail are tightly intertwined, therefore GRU, WSPP, and DRMP agreed that the CONSULTANT would design the segment of the multi-use path in conjunction with the GRU access road from SE Williston Road to Sweetwater Branch Creek. The multi-use path design criteria are adapted from FDOT criteria.

The access road begins at a driveway off SE Williston Road at GRU's Lift Station (LS) No. 40 and continues approximately 1,600 feet northwest through a GRU utility easement. Approximately 300 feet of the access road immediately north of LS No. 40 is within a Federal Emergency Management Agency (FEMA)-delineated floodplain zoned as AE with an associated floodway. The CONSULTANT is preparing an application to FEMA for a Letter of Map Revision (LOMR) as part of a separate scope of services. That LOMR will address floodplain impacts associated with LS40 and the access road.

The existing dirt access road is not currently suitable for the vehicle traffic and loading expected to enter the proposed GRU facility and will therefore require improvement and stabilization. The grade of the access road in the floodplain area exceeds 5% and may need improvements to meet Americans with Disabilities Act (ADA) requirements. The proposed improvement to the access road consists of culvert replacement(s), addition of fill, and grading.

PURPOSE: Work performed under this Task Assignment will include developing Contract Documents and preparing Permit Applications for the multi-use trail as well as the improved GRU Solids Handling Facility Access Roadway as described in the Scope of Services.

1.0 SCOPE OF SERVICES

Topographic survey data, geotechnical investigations, and wetland delineation/survey were performed as part of the GRU project. No additional site investigations, survey, or geotechnical data collection are included in this scope of services.

1.1 TASK 1 – PROJECT ADMINISTRATION AND AGENCY COORDINATION

Multiple coordination meetings were held with GRU and WSPP. A joint First-Step meeting was held in January 2020 with the CITY, GRU, and WSPP to discuss both projects. City permitting and floodplain compensation requirements are a current subject of discussion. This task is intended to cover a project kickoff meeting, additional meetings and communications not specified in the design and permitting task (Task 2), and project administration over the anticipated eleven-month design project duration.

This task includes budget for the following meetings:

- Project kickoff
- City permitting discussions including coordination with WSPP outside of City meetings

WSPP Responsibility:

Coordination on meetings with the CONSULTANT.

Deliverables:

Meeting Minutes.

1.2 TASK 2 – DESIGN AND PERMITTING

Contract Documents. The CONSULTANT shall prepare Contract Documents (Drawings and Specifications), Design Calculations, and Permit Applications for the multi-use trail. The Drawings shall consist of General, Civil, and Structural Drawings prepared using the CONSULTANT's presentation standards. The preliminary lists of drawings and specifications below are the basis for the design fee estimate. The combination of the WSPP multi-use trail with the GRU access road in a narrow corridor will require additional structural elements. It is expected the additional structural elements will be two low retaining walls (to achieve grades near power poles), a culvert with headwall configuration near Lift Station 40, and a shortening of the FDOT guard wall at Williston Road. A GRU "rental light" to illuminate the point of crossing for the access road and multi-use trail will be included on a simple electrical plan (shown on one sheet) for lighting the point of crossing for the multi-use trail and access road.

Drawing No.	Title
G-1	Cover Sheet
G-2	Drawing Index, Legend, and Abbreviations
G-3	General Notes
G-4	Key Map

Drawing No.	Title
G-5 to G-9	Existing Conditions
C-2 to C-3	Site Plan
C-4	Grading and Drainage Plan
C-7 to C-12	Access Road & Multi-Use Path Plan and Profile
C-13 to C-19	Access Road & Multi-Use Path Cross-Sections
C-20 to C-23	Standard Details
C-23 to C-25	Stormwater Pollution Prevention Plan Details
S-1	Structural Notes
S-2 to S-3	Structural Plan
S-4 to S-5	Structural Details
E-1	Electrical Plan

- Site plan sheets will be prepared with the following scales: Horizontal: 1 inch = 20 feet (full-size 22-x-34-inch); and 1 inch = 40 feet (half-size sheets 11-x-17-inch).
- Access road/trail plan sheets will be prepared with the following scales: Horizontal: 1 inch = 20 feet (full-size 22-x-34-inch); and 1 inch = 40 feet (half-size sheets 11-x-17-inch).
- Sections and details will be prepared with the following scales: Vertical: 1 inch = 5 feet (full-size 22-x-34-inch); and 1 inch = 10 feet (half-size sheets 11-x-17-inch).

The CONSULTANT shall reference FDOT standards on the drawings and will not develop Technical Specifications.

Task 2 will consist of three submittals – 60%, 90%, and Final Design. The CONSULTANT shall participate in review meetings to discuss and obtain comments from GRU and WSPP following the 60% and 90% Design Submittals. Changes agreed to at the review meetings will be incorporated into the Final Design Submittal documents.

1.2.1 60% DESIGN SUBMITTAL

A task kickoff meeting shall be held with WSPP and GRU staff to review the planned drawing sheets, submittal schedule, points of contact, and communications plan.

The CONSULTANT shall prepare and submit the 60% Design Submittal Package to GRU and WSPP for review and comment. The package shall include the following:

- Design Drawings:
 - Draft versions of the sheets listed in the table above including layout of the access road and multiuse trail.
 - Drawings shall include completed topographic surveys.
 - These Drawings will be used during the Pre-Application Meetings with the permitting agencies. The CONSULTANT shall coordinate Pre-Application Meetings after completion and review of the 60% Design with WSPP and GRU.

WSPP Responsibility:

Review and provide feedback on the 60% Design Submittal.

Meet with the CONSULTANT to review the Drawings.

Deliverables:

- 60% task kickoff Meeting Minutes.
- One electronic copy (.pdf) of 60% Design Drawings.
- 60% Review Meeting Minutes.
- Technical Memorandum to City of Gainesville and Alachua County providing documentation that the site is not in a sensitive karst area and providing a design approach for meeting stormwater detention requirements. The Technical Memorandum shall also include documentation of the anticipated water quality credits GRU and WSPP will need to purchase from the Depot Avenue Water Quality Credit Bank.
- Meeting Minutes from the pre-application meetings.

Key Assumptions:

- The project will have a minimal impact on the floodplain and required floodplain volume compensation can be incorporated within the current project footprint with minimal design and permitting effort.
- GRU/WSPP will require a 2-week minimum review time of the submittal.
- Review meetings will be held with GRU and WSPP staff at the same time.

1.2.2 90% DESIGN SUBMITTAL

The 90% Design Submittal Package shall be submitted to GRU and WSPP for review and comment and will include the following:

Design Drawings: Updated Drawings from the 60% Submittal.

WSPP Responsibility:

Review and provide feedback on the 90% Design Submittal.

Deliverables:

One electronic copy (.pdf) of 90% Design Drawings.

Key Assumptions:

GRU/WSPP will require a 2-week minimum review time of the submittal.

1.2.3 PERMITTING

After completion of the 60% Design, review of the submittal with GRU/WSPP, and incorporation of GRU/WSPP comments into the design drawings, the CONSULTANT shall schedule Permit Preapplication Meetings with agency representatives. The CONSULTANT's Project Manager shall provide an agenda, lead a discussion, and provide meeting minutes for these pre-application Meetings. The CONSULTANT shall incorporate agency comments from the pre-application meetings into the 90% Design.

Draft Permit Applications (SJRWMD, USACE, Florida Department of Transportation (FDOT), City of Gainesville, and Alachua County) shall be provided by CONSULTANT to WSPP and GRU as part of the 90% Design Submittal for WSPP signatures and submittal to the appropriate agencies. The final Permit Applications shall be submitted after receiving comments from WSPP and GRU on the draft applications. WSPP will coordinate resolution of comments with GRU if there is a conflict.

The CONSULTANT shall prepare Permit Applications and provide services as follows:

SJRWMD Individual Environmental Resource Permit (ERP) and USACE Individual Permit:

- Prepare and submit documentation for an SJRWMD ERP and a USACE Individual Permit and provide a response for up to one Request for Additional Information (RAI) from each agency.
- Coordinate and attend one on-site field meeting with SJRWMD and USACE to review the flagged wetland lines.

Alachua County Environmental Protection Department (EPD) Wetland Permit & Stormwater Review:

- Conduct one Pre-application Meeting with Alachua County regarding an EPD Wetland Permit.
 After the meeting, conduct one site visit with the County to walk the project route.
- Prepare the Application for the Alachua County EPD Wetland Permit.
- Copy the Alachua County EPD on the City's application with additional documentation regarding the County's stormwater code requirements.
- Respond to one Alachua County RAI related to the EPD Permit Application.
- Assist GRU to prepare for the Board of County Commissioners meeting supporting the EPD Permit Application. The CONSULTANT's Project Manager will attend the County Commissioners Meeting at the request of GRU.

FDOT Review:

- Conduct one Pre-application Meeting with the FDOT.
- Prepare and submit a driveway connection permit with guard wall adjustments.
- Prepare one response to an FDOT request for additional information (RAI) and one follow-up meeting with FDOT. This assumes the RAI will require clarifications and minor revisions, not significant redesign.

City of Gainesville ePlan Review:

- Submit permit application through the City ePlan Review online portal. This review process includes review and permitting for GRU, building, zoning, and planning compliance.
- Respond to one RAI related to the Permit Application. This assumes the RAI will require clarifications and minor revisions, not significant redesign.

City of Gainesville Stormwater Permit:

- Incorporate the City of Gainesville's stormwater requirements into the SJRWMD ERP Stormwater Report.
- Prepare the City of Gainesville Stormwater Permit Application.

- Respond to one City RAI related to the Stormwater Permit Application. This assumes the RAI will require clarifications and minor revisions, not significant redesign.
- Floodplain permitting requirements have not yet been determined and are not included in this scope of services.

WSPP Responsibility:

 WSPP will sign the final Permit Applications and provide payment for all associated permitting fees.

Deliverables:

One electronic copy (.pdf) of the Draft and Final Permit Applications.

Key Assumptions:

- Only those Permit Applications specifically listed in this Scope of Services will be prepared. All
 other Permit Applications are outside this Scope of Services and Fee Estimate.
- Environmental site assessments, threatened and endangered species, archaeological, or historical investigations are not expected to be necessary and are excluded from this Scope of Services.
- Wetlands mitigation design and permitting are excluded from this Scope of Services.
- RAIs from permitting agencies will not result in significant changes to the design or construction methods.
- Delays in project schedule beyond CONSULTANT's control may require increases in fees.

1.2.4 FINAL DESIGN SUBMITTAL

The Final Design Submittal Package shall be submitted by CONSULTANT to GRU and WSPP, and will include the following:

 Final Design Documents: Updated Drawings from the 90% Submittal and incorporation of any RAI comments from the permitting agencies.

Deliverables:

 One electronic copy (.pdf), two signed-and-sealed full-size and four half-size copies of the Final Design Drawings, and two signed-and-sealed copies of the Technical Specifications.

Key Assumptions:

- Final Design will be submitted after receiving all approved permits from the permitting agencies. Schedule impacts due to permitting may occur and are beyond the CONSULTANT's control.
- Review period by permitting agencies may take up to six-weeks.

1.3 TASK 3—BID-PHASE SERVICES

The CONSULTANT shall perform the following Bid-Phase Services:

Respond to bidder questions and issue up to one Addendum.

2.0 PROJECT SCHEDULE

The CONSULTANT expects the project to follow the schedule below and assumes the project will begin in February 2021 and is expected to be completed by the end of December 2021.

Task	Anticipated Start	Anticipated Finish
Task 1 – Project Administration		
and Agency Coordination	February 2021	December 2021
Task 2 – Design and Permitting		
60% Design Submittal	February 2021	April 2021
90% Design Submittal	May 2021	July 2021
Permitting	July 2021	September 2021
100% Design Submittal	October 2021	November 2021
Task 3 – Bid-Phase Services	TBD	TBD

3.0 DELIVERABLES

Section 1 describes the deliverables for each Task.

4.0 SPECIFIC WSPP RESPONSIBILITIES

Section 1 describes the specific responsibilities for each Task.

5.0 COMPENSATION

Compensation shall be on a time-and-materials basis and CITY will be billed by the CONSULTANT for actual hours worked each month based on the hourly rates in the Agreement dated October 11, 2018. The authorized maximum total compensation for the services provided under this Task Assignment is One Hundred Sixteen Thousand Seven Hundred Thirty-Eight Dollars (\$116,738.00). An approximate breakdown of the labor and expenses by task is provided below.

Task	Fee
Task 1 – Project Administration and Agency Coordination	\$11,328
Task 2 – Design and Permitting - 60% Design Submittal	\$35,128
90% Design Submittal	\$23,969
Permitting	\$31,620
100% Design Submittal	\$13,185
Task 3 – Bid-Phase Services	\$1,508
Total	\$116,738

6.0 SPECIAL PROVISIONS

The WSPP Project Manager will be Betsy Waite, PE (352) 393-8187, waiteed@cityofgainesville.org, and the CONSULTANT Project Manager will be Walt Nickel, PE (352) 377-5821, wnickel@jonesedmunds.com.

IN WITNESS WHEREOF, the parties hereto have executed this Task Assignment on the day first above written.

JONES EDMUNDS & ASSOCIATES, INC.

CITY OF GAINESVILLE

Ву: _____

Printed Name: Stanley F. Ferreira, Jr., PE

Title: President & CEO

Date: 3chrung 19, 2021

KV 2/19/2021

Lee Feldman

Title: City Manager

Feb 25, 2021

Approved as to form and legality:

David C. Schwartz

David C. Schwartz (Feb 25, 2021 12:46 EST)

City Attorney

CITY OF GAINESVILLE

Change Order No. 1

Date: Dec 22, 2021

Project Name: WSPP Multi-Use Trail and GRU Solids Handling Facility Access

Roadway Design Services

Location: SE Williston Road to Sweetwater Branch Creek

Consultant: Jones, Edmunds & Associates, Inc.

Contract Date: February 25, 2021

This Change Order No. 1 is made in accordance with Task Assignment No. 5 – Contract No. 2018-049-AU with Jones, Edmunds & Associates, Inc. for Professional Architectural and Engineering Consulting Services dated February 25, 2021.

1. NATURE OF CHANGES

1.1 The project's completion date has been delayed while going through the FEMA permitting process and shall be extended to February 28, 2022.

2. CHANGES TO CONTRACT PRICE

2.1 This change does not result in any change in the Contract Price.

A)	Contract Price Prior to this Change Order	\$ 116,738.00
A)	Contract Price Prior to this Change Order	\$ 116,738.00

B) Net (Increase) (Decrease) resulting from this change order \$ -0-

C) Current Contract Price including this Change Order \$ 116,738.00

3. CHANGES TO CONTRACT COMPLETION TIME/DATE

3.1 This change order results in the following adjustment of contract time/date (in calendar days):

A)	Original	l completion d	late	12/31/2021

- B) Net (Increase) (Decrease) resulting from previous Change Orders -0-
- C) Net (Increase) (Decrease) resulting from this Change Order 59 Days
- D) Current completion time/date including this Change Order 2/28/2022

This Change Order No. 1 constitutes a change to Task Assignment No. 5, and together with Contract No. 2018-049-AU, Professional Services Agreement for Professional Architectural and Engineering Consulting Services dated October 11, 2018, constitutes the entire contract between the parties. All other terms and conditions of the original Task Assignment No. 5 remain in full force and effect. The adjustments in this Change Order are the entire adjustments in payment and contract time that the Consultant is entitled to for all claims and damages for the cost of work outlined above, including but not limited to, and without conceding that these particular costs are recoverable, payroll costs, costs of materials, subcontractor costs, costs of special consultants (including attorneys), overhead, profits, and delay damages.

CITY OF GAINESVILLE	JONES, EDMUNDS & ASSOCIATES, INC.
	Stanley F. Ferreira, Jr. Stanley F. Ferreira, Jr. (Dec 21, 2021 08:32 EST)
Print Name: Cynthia W. Curry	Print Name: Stanley F. Ferreira, Jr.
Title: Interim City Manager	Title: President & CEO
Date: Dec 22, 2021	Date: Dec 21, 2021
APPROVED AS TO FORM AND LEGALITY	
David C. Schwartz David C. Schwartz (Dec 22, 2021 11:18 EST)	
City Attorney	

This form Document is a legal instrument approved by the City Attorney. Any deviations from its intended use should be authorized by the City Attorney Standard Contract-Change Order 11/2015.

TASK ASSIGNMENT NO. 5

CONTRACT NO. 2018-049-AU with JONES EDMUNDS & ASSOCIATES, INC. for PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES

TITLE: Wild Spaces & Public Places Multi-use Trail and Gainesville Regional Utilities Solids Handling Facility Access Roadway – SE Williston Road to Sweetwater Branch Creek.

THIS TASK ASSIGNMENT is entered into on the $\frac{25}{}$ day of February , 2021 between CITY OF GAINESVILLE, FLORIDA, a municipal corporation ("CITY") and JONES, EDMUNDS & ASSOCIATES, INC., a Florida corporation ("CONSULTANT") for services to be performed as described herein and in accordance with the Professional Services Agreement for Professional Architectural and Engineering Consulting Services, Contract 2018-049-AU, dated October 11, 2018.

SCOPE OF WORK AND ORDER OF PRECEDENCE: CONSULTANT shall perform the work described in the following contract documents, whether attached hereto or incorporated by reference:

- a. This Task Assignment.
- b. Professional Services Agreement for Professional Architectural and Engineering Consulting Services dated October 11, 2018.

BACKGROUND: The CITY's Wild Spaces & Public Places program (WSPP) is developing a multi-use trail from Depot Park to the Sweetwater Preserve located on SE Williston Road (State Road 331). The trail is located within a high-voltage electrical transmission line corridor. In the southern portion of the trail – between Sweetwater Branch Creek and Williston Road – the trail will be located adjacent to a Gainesville Regional Utilities (GRU) access road. The CONSULTANT is under contract with GRU to develop design documents for a solids handling facility that will be located on a previous composting facility site on the property west of the electrical transmission line corridor. The design documents for the facility are at a 90% level and ready for permit application submittal.

DRMP, Inc., working for WSPP, developed 30% design plans for the multi-use path spanning from SE Williston Road to Depot Park. This conceptual design showed the multi-use path as parallel to the existing dirt road used by GRU to access their transmission lines. The grading, stormwater design, and permitting required for the access road and the trail are tightly intertwined, therefore GRU, WSPP, and DRMP agreed that the CONSULTANT would design the segment of the multi-use path in conjunction with the GRU access road from SE Williston Road to Sweetwater Branch Creek. The multi-use path design criteria are adapted from FDOT criteria.

The access road begins at a driveway off SE Williston Road at GRU's Lift Station (LS) No. 40 and continues approximately 1,600 feet northwest through a GRU utility easement. Approximately 300 feet of the access road immediately north of LS No. 40 is within a Federal Emergency Management Agency (FEMA)-delineated floodplain zoned as AE with an associated floodway. The CONSULTANT is preparing an application to FEMA for a Letter of Map Revision (LOMR) as part of a separate scope of services. That LOMR will address floodplain impacts associated with LS40 and the access road.

The existing dirt access road is not currently suitable for the vehicle traffic and loading expected to enter the proposed GRU facility and will therefore require improvement and stabilization. The grade of the access road in the floodplain area exceeds 5% and may need improvements to meet Americans with Disabilities Act (ADA) requirements. The proposed improvement to the access road consists of culvert replacement(s), addition of fill, and grading.

PURPOSE: Work performed under this Task Assignment will include developing Contract Documents and preparing Permit Applications for the multi-use trail as well as the improved GRU Solids Handling Facility Access Roadway as described in the Scope of Services.

1.0 SCOPE OF SERVICES

Topographic survey data, geotechnical investigations, and wetland delineation/survey were performed as part of the GRU project. No additional site investigations, survey, or geotechnical data collection are included in this scope of services.

1.1 TASK 1 – PROJECT ADMINISTRATION AND AGENCY COORDINATION

Multiple coordination meetings were held with GRU and WSPP. A joint First-Step meeting was held in January 2020 with the CITY, GRU, and WSPP to discuss both projects. City permitting and floodplain compensation requirements are a current subject of discussion. This task is intended to cover a project kickoff meeting, additional meetings and communications not specified in the design and permitting task (Task 2), and project administration over the anticipated eleven-month design project duration.

This task includes budget for the following meetings:

- Project kickoff
- City permitting discussions including coordination with WSPP outside of City meetings

WSPP Responsibility:

Coordination on meetings with the CONSULTANT.

Deliverables:

Meeting Minutes.

1.2 TASK 2 – DESIGN AND PERMITTING

Contract Documents. The CONSULTANT shall prepare Contract Documents (Drawings and Specifications), Design Calculations, and Permit Applications for the multi-use trail. The Drawings shall consist of General, Civil, and Structural Drawings prepared using the CONSULTANT's presentation standards. The preliminary lists of drawings and specifications below are the basis for the design fee estimate. The combination of the WSPP multi-use trail with the GRU access road in a narrow corridor will require additional structural elements. It is expected the additional structural elements will be two low retaining walls (to achieve grades near power poles), a culvert with headwall configuration near Lift Station 40, and a shortening of the FDOT guard wall at Williston Road. A GRU "rental light" to illuminate the point of crossing for the access road and multi-use trail will be included on a simple electrical plan (shown on one sheet) for lighting the point of crossing for the multi-use trail and access road.

Drawing No.	Title
G-1	Cover Sheet
G-2	Drawing Index, Legend, and Abbreviations
G-3	General Notes
G-4	Кеу Мар

Drawing No.	Title
G-5 to G-9	Existing Conditions
C-2 to C-3	Site Plan
C-4	Grading and Drainage Plan
C-7 to C-12	Access Road & Multi-Use Path Plan and Profile
C-13 to C-19	Access Road & Multi-Use Path Cross-Sections
C-20 to C-23	Standard Details
C-23 to C-25	Stormwater Pollution Prevention Plan Details
S-1	Structural Notes
S-2 to S-3	Structural Plan
S-4 to S-5	Structural Details
E-1	Electrical Plan

- Site plan sheets will be prepared with the following scales: Horizontal: 1 inch = 20 feet (full-size 22-x-34-inch); and 1 inch = 40 feet (half-size sheets 11-x-17-inch).
- Access road/trail plan sheets will be prepared with the following scales: Horizontal: 1 inch = 20 feet (full-size 22-x-34-inch); and 1 inch = 40 feet (half-size sheets 11-x-17-inch).
- Sections and details will be prepared with the following scales: Vertical: 1 inch = 5 feet (full-size 22-x-34-inch); and 1 inch = 10 feet (half-size sheets 11-x-17-inch).

The CONSULTANT shall reference FDOT standards on the drawings and will not develop Technical Specifications.

Task 2 will consist of three submittals – 60%, 90%, and Final Design. The CONSULTANT shall participate in review meetings to discuss and obtain comments from GRU and WSPP following the 60% and 90% Design Submittals. Changes agreed to at the review meetings will be incorporated into the Final Design Submittal documents.

1.2.1 60% DESIGN SUBMITTAL

A task kickoff meeting shall be held with WSPP and GRU staff to review the planned drawing sheets, submittal schedule, points of contact, and communications plan.

The CONSULTANT shall prepare and submit the 60% Design Submittal Package to GRU and WSPP for review and comment. The package shall include the following:

- Design Drawings:
 - Draft versions of the sheets listed in the table above including layout of the access road and multiuse trail.
 - Drawings shall include completed topographic surveys.
 - These Drawings will be used during the Pre-Application Meetings with the permitting agencies. The CONSULTANT shall coordinate Pre-Application Meetings after completion and review of the 60% Design with WSPP and GRU.

WSPP Responsibility:

Review and provide feedback on the 60% Design Submittal.

Meet with the CONSULTANT to review the Drawings.

Deliverables:

- 60% task kickoff Meeting Minutes.
- One electronic copy (.pdf) of 60% Design Drawings-
- 60% Review Meeting Minutes.
- Technical Memorandum to City of Gainesville and Alachua County providing documentation that the site is not in a sensitive karst area and providing a design approach for meeting stormwater detention requirements. The Technical Memorandum shall also include documentation of the anticipated water quality credits GRU and WSPP will need to purchase from the Depot Avenue Water Quality Credit Bank.
- Meeting Minutes from the pre-application meetings.

Key Assumptions:

- The project will have a minimal impact on the floodplain and required floodplain volume compensation can be incorporated within the current project footprint with minimal design and permitting effort.
- GRU/WSPP will require a 2-week minimum review time of the submittal.
- Review meetings will be held with GRU and WSPP staff at the same time.

1.2.2 90% DESIGN SUBMITTAL

The 90% Design Submittal Package shall be submitted to GRU and WSPP for review and comment and will include the following:

Design Drawings: Updated Drawings from the 60% Submittal.

WSPP Responsibility:

Review and provide feedback on the 90% Design Submittal.

Deliverables:

One electronic copy (.pdf) of 90% Design Drawings.

Key Assumptions:

GRU/WSPP will require a 2-week minimum review time of the submittal.

1.2.3 PERMITTING

After completion of the 60% Design, review of the submittal with GRU/WSPP, and incorporation of GRU/WSPP comments into the design drawings, the CONSULTANT shall schedule Permit Preapplication Meetings with agency representatives. The CONSULTANT's Project Manager shall provide an agenda, lead a discussion, and provide meeting minutes for these pre-application Meetings. The CONSULTANT shall incorporate agency comments from the pre-application meetings into the 90% Design.

Draft Permit Applications (SJRWMD, USACE, Florida Department of Transportation (FDOT), City of Gainesville, and Alachua County) shall be provided by CONSULTANT to WSPP and GRU as part of the 90% Design Submittal for WSPP signatures and submittal to the appropriate agencies. The final Permit Applications shall be submitted after receiving comments from WSPP and GRU on the draft applications. WSPP will coordinate resolution of comments with GRU if there is a conflict.

The CONSULTANT shall prepare Permit Applications and provide services as follows:

SJRWMD Individual Environmental Resource Permit (ERP) and USACE Individual Permit:

- Prepare and submit documentation for an SJRWMD ERP and a USACE Individual Permit and provide a response for up to one Request for Additional Information (RAI) from each agency.
- Coordinate and attend one on-site field meeting with SJRWMD and USACE to review the flagged wetland lines.

Alachua County Environmental Protection Department (EPD) Wetland Permit & Stormwater Review:

- Conduct one Pre-application Meeting with Alachua County regarding an EPD Wetland Permit.
 After the meeting, conduct one site visit with the County to walk the project route.
- Prepare the Application for the Alachua County EPD Wetland Permit.
- Copy the Alachua County EPD on the City's application with additional documentation regarding the County's stormwater code requirements.
- Respond to one Alachua County RAI related to the EPD Permit Application.
- Assist GRU to prepare for the Board of County Commissioners meeting supporting the EPD Permit Application. The CONSULTANT's Project Manager will attend the County Commissioners Meeting at the request of GRU.

FDOT Review:

- Conduct one Pre-application Meeting with the FDOT.
- Prepare and submit a driveway connection permit with guard wall adjustments.
- Prepare one response to an FDOT request for additional information (RAI) and one follow-up meeting with FDOT. This assumes the RAI will require clarifications and minor revisions, not significant redesign.

City of Gainesville ePlan Review:

- Submit permit application through the City ePlan Review online portal. This review process includes review and permitting for GRU, building, zoning, and planning compliance.
- Respond to one RAI related to the Permit Application. This assumes the RAI will require clarifications and minor revisions, not significant redesign.

City of Gainesville Stormwater Permit:

- Incorporate the City of Gainesville's stormwater requirements into the SJRWMD ERP Stormwater Report.
- Prepare the City of Gainesville Stormwater Permit Application.

- Respond to one City RAI related to the Stormwater Permit Application. This assumes the RAI will require clarifications and minor revisions, not significant redesign.
- Floodplain permitting requirements have not yet been determined and are not included in this scope of services.

WSPP Responsibility:

 WSPP will sign the final Permit Applications and provide payment for all associated permitting fees.

Deliverables:

One electronic copy (.pdf) of the Draft and Final Permit Applications.

Key Assumptions:

- Only those Permit Applications specifically listed in this Scope of Services will be prepared. All
 other Permit Applications are outside this Scope of Services and Fee Estimate.
- Environmental site assessments, threatened and endangered species, archaeological, or historical investigations are not expected to be necessary and are excluded from this Scope of Services.
- Wetlands mitigation design and permitting are excluded from this Scope of Services.
- RAIs from permitting agencies will not result in significant changes to the design or construction methods.
- Delays in project schedule beyond CONSULTANT's control may require increases in fees.

1.2.4 FINAL DESIGN SUBMITTAL

The Final Design Submittal Package shall be submitted by CONSULTANT to GRU and WSPP, and will include the following:

Final Design Documents: Updated Drawings from the 90% Submittal and incorporation of any RAI comments from the permitting agencies.

Deliverables:

 One electronic copy (.pdf), two signed-and-sealed full-size and four half-size copies of the Final Design Drawings, and two signed-and-sealed copies of the Technical Specifications.

Key Assumptions:

- Final Design will be submitted after receiving all approved permits from the permitting agencies.
 Schedule impacts due to permitting may occur and are beyond the CONSULTANT's control.
- Review period by permitting agencies may take up to six-weeks.

1.3 TASK 3— BID-PHASE SERVICES

The CONSULTANT shall perform the following Bid-Phase Services:

Respond to bidder questions and issue up to one Addendum.

2.0 PROJECT SCHEDULE

The CONSULTANT expects the project to follow the schedule below and assumes the project will begin in February 2021 and is expected to be completed by the end of December 2021.

Task	Anticipated Start	Anticipated Finish
Task 1 – Project Administration		
and Agency Coordination	February 2021	December 2021
Task 2 – Design and Permitting		
60% Design Submittal	February 2021	April 2021
90% Design Submittal	May 2021	July 2021
Permitting	July 2021	September 2021
100% Design Submittal	October 2021	November 2021
Task 3 – Bid-Phase Services	TBD	TBD

3.0 DELIVERABLES

Section 1 describes the deliverables for each Task.

4.0 SPECIFIC WSPP RESPONSIBILITIES

Section 1 describes the specific responsibilities for each Task.

5.0 COMPENSATION

Compensation shall be on a time-and-materials basis and CITY will be billed by the CONSULTANT for actual hours worked each month based on the hourly rates in the Agreement dated October 11, 2018. The authorized maximum total compensation for the services provided under this Task Assignment is One Hundred Sixteen Thousand Seven Hundred Thirty-Eight Dollars (\$116,738.00). An approximate breakdown of the labor and expenses by task is provided below.

Task	Fee
Task 1 – Project Administration and Agency Coordination	\$11,328
Task 2 – Design and Permitting - 60% Design Submittal	\$35,128
90% Design Submittal	\$23,969
Permitting	\$31,620
100% Design Submittal	\$13,185
Task 3 – Bid-Phase Services	\$1,508
Total	\$116,738

6.0 SPECIAL PROVISIONS

The WSPP Project Manager will be Betsy Waite, PE (352) 393-8187, waiteed@cityofgainesville.org, and the CONSULTANT Project Manager will be Walt Nickel, PE (352) 377-5821, wnickel@jonesedmunds.com.

IN WITNESS WHEREOF, the parties hereto have executed this Task Assignment on the day first above written.

JONES EDMUNDS & ASSOCIATES, INC.

CITY OF GAINESVILLE

Ву:

Printed Name: Stanley F. Ferreira, Jr., PE

Title: President & CEO

Date: 3021

KV 2/19/2021

Lee Feldman

Title: City Manager

Feb 25, 2021

Approved as to form and legality:

David C. Schwartz

City Attorney

PROFESSIONAL SERVICES AGREEMENT FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES

WHEREAS, CITY is responsible for capital improvements and maintenance of public facilities; GRU owns and operates an electric system, natural gas system, water and wastewater system, a district energy system and telecommunication system combined as a single public community wide utility; and CRA is responsible for various redevelopment areas within the City of Gainesville which may include planning, designing, renovation, remodeling and/or construction; and

WHEREAS, THE CITY, GRU and CRA requires multiple firms to provide professional architectural and engineering consulting services on an as-needed basis and issued a Request for Statement of Qualifications for same; and

WHEREAS, CONSULTANT responded with a Statement of Qualifications which was selected and approved by THE CITY and CRA; and

WHEREAS, the PARTIES desire to enter into an agreement for performing professional architectural and engineering consulting services on an as-needed basis.

NOW, THEREFORE, in consideration of the foregoing premises and the covenants contained herein, the PARTIES agree as follows:

1.0 SCOPE OF SERVICES.

- Project Description: This Agreement provides for the administration, compensation and responsibilities of the PARTIES relating to performance of architectural and engineering consulting work which is authorized by CITY, GRU, or CRA. When one of the GOVERNMENTAL ENTITIES has need of CONSULTANT"s services, that GOVERNMENTAL ENTITY will enter into a separate agreement with CONSULTANT to perform the scope of services. The separate agreement will be between the individual GOVERNMENTAL ENTITY and the CONSULTANT. The specific scope of services to be provided by CONSULTANT will be mutually agreed to in separate Purchase Orders and/or Task Assignments. All related Purchase Orders and Task Assignments will become a part of this Agreement. These Purchase Orders and Task Assignments may be amended as provided herein as changes in scope or required levels of work effort are identified. Compensation for services will be as described in Section 7.0 of this Agreement.
- 1.2 Services performed at CITY, GRU or CRA's request beyond those defined in the approved Purchase Order and/or Task Assignment shall constitute a Change-of-Scope, which will be documented by a Change Order to be approved in writing by CONSULTANT and the GOVERNMENTAL ENTITY before services are performed. Written approval shall be obtained prior to performance of the services.

- 1.3 Nothing in this Agreement shall be construed to prohibit CITY, GRU, or CRA from awarding, authorizing, or directing its work to be performed, whether identified in this Agreement or otherwise, to firms other than CONSULTANT.
- 1.4 The GOVERNMENTAL ENTITY may use the CONSULTANT as a Subject Matter Expert.

2.0 STANDARD OF CARE AND PERSONNEL.

- Standard of Care: CONSULTANT shall perform as an independent consultant and all services shall be performed with the skill and care which would be exercised by comparable qualified professional architectural and engineering consultants performing similar services at the time and place such services are performed. If the failure to meet these standards results in deficiencies, the CONSULTANT shall furnish, at its own cost and expense, the redesign necessary to correct such deficiencies, and shall be responsible for any and all consequential damages arising from these deficiencies. If the CONSULTANT refuses to correct the discrepancies to the GOVERNMENTAL ENTITY's satisfaction, the GOVERNMENTAL ENTITY may, at its discretion, either terminate the Task Order or Purchase Order, or terminate this Agreement. Nothing in this paragraph will preclude the CITY, GRU or CRA from pursuing all available remedies.
- 2.2 <u>Non-infringing</u>: CONSULTANT warrants that any CONSULTANT generated Confidential Information, Work Product, or other material furnished to CITY, GRU or CRA shall not infringe on any third party rights in any US patent, copyright, trademark or trade secret.
- 2.3 Sub-consultants: The CONSULTANT will perform all of the services, and none of the work or services covered by this Agreement shall be subcontracted without prior written authorization by the GOVERNMENTAL ENTITY. It is understood that sub-consultants presented as part of a team in a project proposal/work order/task assignment are considered approved.
- 2.4 Staff: CONSULTANT shall staff the project with qualified individuals and secure others at CONSULTANT's own expense as required to carry out and perform the Scope of Services of this Agreement and the Task Assignment or Purchase Order. Such personnel shall not be employees of or have any personal fiscal relationship with any employees or officials of CITY, GRU or CRA. CONSULTANT retains the authority to utilize specific qualified personnel on the project from time to time as required.
- 2.5 Removal/Replacement of Staff: The GOVERNMENTAL ENTITY, for any reason, may request that the service of an individual or sub-consultant be removed from this Agreement or project work order or Task Assignment. Upon this request from the GOVERNMENTAL ENTITY, the CONSULTANT shall replace the individual or sub-consultant with an equivalent level of staff or sub-consultant. Failure to do so shall be cause for termination of this Agreement or project work order or Task Assignment. Any changes in personnel require mutual written consent of the CONSULTANT and the GOVERNMENTAL ENTITY.
- Quality of Staff: Failure of CONSULTANT, for any reason, to staff a project with qualified personnel to the extent necessary to perform the services required skillfully and promptly shall be cause for termination of this Agreement or for termination of the Task Assignment or Purchase Order.
- 2.7 Independence: CONSULTANT is and shall perform this Agreement as an independent professional consultant. All persons engaged in any of the work performed pursuant to this Agreement shall at all times, and in all places, be subject to CONSULTANT's sole direction, supervision and control. Neither CONSULTANT, nor anyone employed by it, shall represent, act, or be deemed to be the agent or employee of CITY, GRU or CRA.

2.8 <u>Legal compliance</u>: CONSULTANT shall secure all licenses or permits required by law or regulations, and shall comply with all ordinances, laws, orders, rules and regulations pertaining to its Work hereunder.

3.0 CONTRACT TERM:

- 3.1 The term of the Agreement will commence on October 1, 2018 or upon final execution, whichever is later and will continue through September 30, 2023, subject to available funding approved by City of Gainesville City Commission for CITY and GRU projects and subject to available funding approved by the Board of Directors of the Gainesville CRA. Actual Projects/Task Assignments/Purchase Orders issued will be subject to available funding in subsequent years.
- 3.2 Upon expiration of this Agreement, no additional services may be negotiated under this Agreement, excepting that services which are already in process but not completed shall continue to be governed by the terms of this Agreement until their completion.
- 3.3 Rates negotiated shall be firm for a minimum of one year and may be re-negotiated annually thereafter without changing the terms and conditions of the Agreement. In the event rate renegotiations are not successful, the rates shall remain the same or any Party may terminate the Agreement.

4.0 TERMINATION:

4.1 <u>Termination for Convenience</u>: A GOVERNMENTAL ENTITY may, by providing thirty 30 calendar days written notice to CONSULTANT, terminate this Agreement, a Task Assignment, a Purchase Order, or any part thereof, for that GOVERNMENTAL ENTITY's convenience and without cause. The termination is effective only as to the specific GOVERNMENTAL ENTITY issuing the termination notice.

After the termination date, CONSULTANT shall stop all Work and cause its suppliers and/or subcontractors to stop all Work in connection with this Agreement, the Task Assignment or the Purchase Order. If a GOVERNMENTAL ENTITY terminates for convenience, that GOVERNMENTAL ENTITY shall pay CONSULTANT for consulting services accepted as of the date of termination, and for CONSULTANT's actual and reasonable, out of pocket costs incurred directly as a result of such termination. The terminating GOVERNMENTAL ENTITY is not responsible for work performed after the effective termination date of this contract.

- 4.2 <u>Termination for Cause (Cancellation)</u>: A GOVERNMENTAL ENTITY may terminate this Agreement, A Task Assignment or a Purchase Order for cause if CONSULTANT materially breaches this Agreement, a Task Assignment or a Purchase Order by:
 - (a) refusing, failing or being unable to properly manage or perform;
 - (b) refusing, failing or being unable to perform the Work pursuant to this Agreement, a Task Assignment or a Purchase Order with sufficient numbers of workers, properly skilled workers, proper materials to maintain applicable schedules;
 - (c) refusing, failing or being unable to make prompt payment to subcontractors or suppliers;
 - (d) disregarding laws, ordinances, rules, regulations or orders of any public authority or quasi-public authority having jurisdiction over the Scope of Services;
 - (e) refusing, failing or being unable to substantially perform pursuant to the terms of this Agreement, a Task Assignment or a Purchase Order as determined by the GOVERNMENTAL ENTITY, or as otherwise defined elsewhere herein; and/or
 - (f) refusing, failing or being unable to substantially perform in accordance with the terms of any other agreement between a GOVERNMENTAL ENTITY and CONSULTANT.

4.3 Funding out Clause:

If funds for this Agreement are no longer available, each GOVERNMENTAL ENTITY reserves the right to terminate this Agreement without cause by providing CONSULTANT with thirty (30) calendar days written notice to CONSULTANT.

5.0 TASK ASSIGNMENTS (Work Orders).

- 5.1 Task Assignments: All services to be performed having an amount greater than \$25,000 shall be authorized and performed in accordance with a written and jointly executed Task Assignment for each project for which services are requested. A sample format for the Task Assignment is included as Attachment "B". Each Task Assignment shall consist of the scope of work to be performed by CONSULTANT, project schedule, deliverables, any specific provisions and the signatures of authorized representatives of the GOVERNMENTAL ENTITY and CONSULTANT agreeing to the provisions of the Task Assignment. The GOVERNMENTAL ENTITY shall assign projects based upon CONSULTANT's experience in a given area, ability to meet the time constraints of a given project and/or CONSULTANT's current workload.
- Written Proposals: Upon request by a GOVERNMENTAL ENTITY, CONSULTANT shall submit to that GOVERNMENTAL ENTITY's Project Manager a written proposal, which shall include as appropriate, completion dates, estimated fees and expenses, deliverables and the specific tasks necessary to accomplish the particular project objective. The GOVERNMENTAL ENTITY and Consultant may negotiate the terms of the proposal which will then be incorporated into a Task Assignment which, with a purchase order, constitutes the written acceptance. Work shall not begin until the acceptance is issued. The original proposal may be submitted to the GOVERNMENTAL ENTITY in Task Assignment format.
- Changes to Scope: The GOVERNMENTAL ENTITY shall have the right to increase or reduce the scope of the services of CONSULTANT hereunder at any time and for any reason, upon written notice to CONSULTANT specifying the nature and extent of such reduction or increases. In the event of an addition to the scope of the services, CONSULTANT shall be fully compensated for additional work as agreed upon by the GOVERNMENTAL ENTITY and CONSULTANT. In the event of a reduction to the scope of services, CONSULTANT shall be fully compensated for the work already performed, including payment of all necessary contract fee amounts due and payable hereunder prior to the receipt of written notification of such reduction in scope and shall be compensated for the reduced scope of services, as determined by THE GOVERNMENTAL ENTITY. The work of revising documents as a result of reduction in scope of the project shall be compensated for as a change as provided in this Agreement.
- 5.4 <u>Timeliness</u>: CONSULTANT shall complete all assigned projects in accordance with the time of performance specified in the Task Assignment or change thereto.
- 5.5 Projects under \$25,000: Services to be performed having an amount of less than or equal to \$25,000 will be authorized by a GOVERNMENTAL ENTITY with a Purchase Order, which shall reference this Agreement number and the terms of this Agreement shall supersede any conflicting terms contained within said Purchase Order. The CONSULTANT will prepare a letter proposal that itemizes the major scope tasks and fee.

6.0 FORCE MAJEURE.

- No Party to this Contract shall be liable for any default or delay in the performance of its obligations under this Contract due to an act of God or other event to the extent that: (a) the non-performing Party is without fault in causing such default or delay; and (b) such default or delay could not have been prevented by reasonable precautions. For purposes of this Agreement, such circumstances include, but are not limited to, abnormal weather conditions, including without limitation, hurricanes; floods; earthquakes; fire; epidemics; war, riots, and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage; judicial restraint; and inability to procure permits, licenses, or authorizations from any local, state, or federal agency for any of the supplies, materials, accesses, or services required to be provided by either the GOVERNMENTAL ENTITY or CONSULTANT under this Agreement (except for the CONSULTANT's license and authorizations to do business)..
- 6.2 In the event of any delay resulting from such causes, the time for performance of each of the Parties hereunder (including the payment of invoices if such event actually prevents payment) shall be extended for a period of time reasonably necessary to overcome the effect of such delay. Any negotiated delivery dates established during or after a Force Majeure event will always be discussed and negotiated if additional delays are expected.
- 6.3 In the event of any delay or nonperformance resulting from such cause, the Party affected will promptly notify the other Party in writing of the nature, cause, date of commencement, and the anticipated impact of such delay or nonperformance. Such written notice, including change orders, will indicate the extent, if any, to which is anticipated that any delivery or completion date will be affected.

7.0 COMPENSATION.

- 7.1 Fee and Expense Schedule: Compensation to CONSULTANT for services performed shall be based on the current fee and expense schedule, attached hereto as Attachment "A". The CONSULTANT and the GOVERNMENTAL ENTITY, based upon the fee and expense schedule, may agree to payment for services on a "lump sum" and/or "not to exceed" basis.
- 7.2 CONSULTANT Compensation Increases: CONSULTANT shall obtain the GOVERNMENTAL ENTITY's written approval prior to performing any work which results in the work assignment exceeding the mutually agreed upon scope of services contained in the Task Assignments or Purchase Order.
 - Minor modifications, which mutually extend the product delivery dates and/or mutually agreeable project costs for less than 5%, may be approved by the GOVERNMENTAL ENTITY with the documentation from CONSULTANT as specifically requested by the GOVERNMENTAL ENTITY.
 - b. Major modifications which increase the project cost by more than 5% shall be documented by CONSULTANT with the following information:
 - (1) A description of the new work and/or new deliverables, that caused a major modification to the work.
 - (2) An explanation as to why the new work was not included in the original scope of work or project assignment or a detailed explanation of other reasons the modification is necessary.

- (3) A summary of all prior modifications to the project assignment, and reasons why additional modifications will not be necessary or reasons why additional modifications will be necessary.
- (4) A description of any proposed work, which is outside the original work scope or project assignment. These shall be treated as a new project.
- c. Upon submittal of the above information, the GOVERNMENTAL ENTITY and CONSULTANT shall mutually agree upon the price modification to complete the project or work assignment. Should agreement not be reached, THE GOVERNMENTAL ENTITY's decision shall be binding unless CONSULTANT requests reconsideration through the Dispute Resolution process described in Section 16.0.
- 7.3 Invoicing: CONSULTANT is responsible for invoicing the GOVERNMENTAL ENTITY for Work performed pursuant to this Agreement. Itemized invoices shall include the following information (if applicable): Contract number, Purchase Order number, Task Assignment Number, job number, description of services, Work location, the GOVERNMENTAL ENTITY's Project Representative, job start date, job completion date or other pertinent information. Itemized invoice(s) must be mailed to the project manager and address set forth in the Task Assignment or Purchase Order:
- 7.4 Receipting Report for Services: An itemized receipting report for services must be provided to the GOVERNMENTAL ENTITY's Project Representative prior to invoicing which includes the number of hours and labor rates by job title, overhead, authorized per diem or travel expenses, and other charges. Receipting reports shall be used by the Project Representative to verify the services rendered.
- 7.5 Payment Terms: Unless otherwise agreed upon in writing, the GOVERNMENTAL ENTITY's payment terms are net thirty (30) days from receipt of correct invoice. CONSULTANT shall not submit more than one invoice per thirty-day period. Any delay in receiving invoices, or error and omissions, will be considered just cause for delaying or withholding payment. Invoices for partially completed Work may be allowed with the GOVERNMENTAL ENTITY's prior approval. All partial invoices must be clearly identified as such on the invoice. Any charges or fees will be governed by current Florida Statutes.
- 7.6 Withholding Payment: The GOVERNMENTAL ENTITY may withhold payment of all or a portion of the invoiced amount due to failure of CONSULTANT to comply with project specifications. The GOVERNMENTAL ENTITY shall set forth in writing to CONSULTANT the reasons for the withholding of payment within 10 days after receipt of CONSULTANT invoice. In the event CONSULTANT does not agree with the GOVERNMENTAL ENTITY's determination, CONSULTANT may request reconsideration through the dispute resolution process described in Section 16.0. After CONSULTANT has complied with the project specifications the GOVERNMENTAL ENTITY will make payment of any withheld amount to CONSULTANT within 30 days.
- 7.7 <u>Rate Increase</u>: CONSULTANT shall have one opportunity per calendar year to request a labor classification rate increase. The request should be made to Utilities Purchasing at least 60 days prior to the desired effective date and include a justification. The annual increase, if approved by each of the GOVERNMENTAL ENTITIES, shall be in the form of an amendment to this contract. Work begun under a specific labor classification rate shall be completed under that labor classification rate.

8.0 TAXES.

CONSULTANT accepts exclusive liability for the payment of its (i) income, gross receipts, ad valorem, or value added taxes, arising out of Work rendered, now or hereafter imposed by any governmental authority, and (ii) payroll taxes or contributions for unemployment insurance, Medicare or Social Security for CONSULTANT'S employees.

9.0 PUBLIC RECORDS.

If CONSULTANT is "CONSULTANT" as defined in Section 119.0701(1)(a), Florida Statutes, or an "agency" as defined in Section 119.011(2), Florida Statutes, CONSULTANT shall:

- 9.1 Keep and maintain public records, as defined in Section 119.011(12) of the Florida Statutes, required by the GOVERNMENTAL ENTITY to perform the service.
- 9.2 Upon request from the GOVERNMENTAL ENTITY's custodian of public records, provide the public agency with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
- 9.3 Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the GOVERNMENTAL ENTITY.
- 9.4 Upon completion of the contract, transfer, at no cost, to the GOVERNMENTAL ENTITY all public records in possession of the contractor or keep and maintain public records required by the GOVERNMENTAL ENTITY to perform the service. If the contractor transfers all public records to the GOVERNMENTAL ENTITY upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the contractor keeps and maintains public records upon completion of the contract, the contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the GOVERNMENTAL ENTITY, upon request from the GOVERNMENTAL ENTITY's custodian of public records, in a format that is compatible with the information technology systems of THE GOVERNMENTAL ENTITY.
- 9.5 IF THE CONTRACTOR HAS QUESTIONS
 REGARDING THE APPLICATION OF CHAPTER 119,
 FLORIDA STATUTES, AS TO THE CONTRACTOR'S
 DUTY TO PROVIDE PUBLIC RECORDS RELATING
 TO THIS CONTRACT, CONTACT THE
 GOVERNMENTAL ENTITY CUSTODIAN OF PUBLIC
 RECORDS AT (352) 393-1240,
 PURCHASING@GRU.COM, OR 301 SE 4TH
 AVENUE, GAINESVILLE FL 32601.

10.0 CONFIDENTIALITY.

"Confidential information" includes, to the extent such information is defined in Sections 119.07 and 812.081, Florida Statutes, as trade secrets or data processing software, or otherwise confidential or exempt from Florida's Public Records Law, Chapter 119, Florida Statutes. "Confidential Information" that is marked as "confidential" upon receipt, may include certain information about the GOVERNMENTAL ENTITY's operations, specifications, formulas, codes, software, hardware, intellectual properties, and other confidential and proprietary information belonging to the GOVERNMENTAL ENTITY, work product or technical documentation, prepared, developed or obtained by the GOVERNMENTAL ENTITY or CONSULTANT, or any of its agents, representatives, or employees. CONSULTANT shall maintain the confidentiality of any information so marked and agrees not to disclose the information.

11.0 RIGHTS TO INTELLECTUAL WORK PRODUCT.

- 11.1 Except as otherwise provided herein, sealed original drawings, specifications, final project specific calculations, and other engineering documents which CONSULTANT prepares and delivers to the GOVERNMENTAL ENTITY pursuant to this Agreement shall become the property of the GOVERNMENTAL ENTITY when CONSULTANT has been compensated for services rendered. With the exception of Work Product developed in whole or in part by the GOVERNMENTAL ENTITY, nothing contained in this paragraph shall be construed as limiting or depriving CONSULTANT from its rights to use its basic knowledge and skills to design or carry out other projects or work for itself or others, whether or not such other projects or work are similar to the work to be performed pursuant to this Agreement.
- 11.2 CONSULTANT shall not use CITY, GRU or CRA's name in any such manner, except with the GOVERNMENTAL ENTITY's prior written consent which the GOVERNMENTAL ENTITIES will not unreasonable withhold. Nothing in this Agreement gives the CITY, GRU or any rights to any of CONSULTANT's, CONSULTANT's subcontractors, or Vendor's proprietary computer software that may be used in connection with the services except as expressly provided in the scope of services or as may be separately agreed.
- 11.3 CONSULTANT shall not publicly disseminate any information concerning the Agreement without prior written approval from each GOVERNMENTAL ENTITY, including but not limited to, mentioning the Agreement in a press release or other promotional material, identifying the GOVERNMENTAL ENTITIES as a reference, or otherwise linking the firms name and either a description of the Agreement or the name of any of the GOVERNMENTAL ENTITIES in any material published, either in print or electronically, to any entity that is not a party to Agreement, except potential or actual authorized distributors, dealers, resellers, or service representative.
- All documents, including drawings, specifications, electronic files, engineering reports and computer software prepared by CONSULTANT (except for those pertaining to work developed by the GOVERNMENTAL ENTITY in whole or in part) pursuant to this Agreement are to be used only for the scope of work pursuant to the Task Assignment or Purchase Order. They are not intended or represented to be suitable for reuse by the GOVERNMENTAL ENTITY or others. Any reuse without prior written verification or adaption by CONSULTANT for the specific purpose intended will be at the GOVERNMENTAL ENTITY's sole risk and without liability or legal exposure to CONSULTANT.

- 11.5 CONSULTANT hereby grants to the GOVERNMENTAL ENTITY an irrevocable, nonexclusive, royalty free license for use solely in connection with operation, maintenance, repair, or alternation of the designed facilities or processes, with respect to any invention first reduced to practice by CONSULTANT, its employees or agents, during the course of the services of this Agreement, Task Assignment or Purchase Order. The GOVERNMENTAL ENTITY shall retain all rights to plans and procedures based wholly or in part on or derived from proprietary information received from the GOVERNMENTAL ENTITY. No material produced in whole or in part under this Agreement may be copyrighted or patented in the United States, or in any other country, without the prior written approval of the GOVERNMENTAL ENTITY.
- 11.6 Any files delivered in electronic medium may not work on systems and software different than those with which they were originally produced. CONSULTANT makes no warranty as to the compatibility of these files with any other system or software. Because of potential degradation of electronic medium over time, in the event of a conflict between sealed original documents and electronic files, the sealed original documents will govern. The standard formats for files delivered in electronic medium will be specified by the GOVERNMENTAL ENTITY's project manager for the Task Assignment or Purchase Order.

12.0 AUDIT OF RECORDS.

CONSULTANT shall maintain records sufficient to document completion of the scope of services established by this Agreement, each Task Assignment and Purchase Order. These records shall be subject at all reasonable time to review, inspect, copy and audit by persons duly authorized by the GOVERNMENTAL ENTITIES. These records shall be kept for a minimum of three (3) years after termination of this Agreement. Records that relate to any litigation, appeals or settlements of claims arising from performance under this Agreement shall be made available until a final disposition has been made of such litigation, appeals, or claims.

13.0 INDEMNIFICATION.

- Pursuant to Section 725.08, Florida Statutes, this Agreement qualifies as a professional services contract and CONSULTANT qualifies as a design professional. Notwithstanding the provisions of Section 725.06, Florida Statutes, CONSULTANT agrees to indemnify and hold harmless CITY, GRU, CRA, and each GOVERNMENTAL ENTITY's officers and employees, from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorneys' fees, to the extent caused by the negligence, recklessness, or intentional wrongful conduct of the design professional and other persons employed or utilized by the CONSULTANT in the performance of this Agreement, Task Assignment or Purchase Order.
- 13.2 CONSULTANT represents and warrants that CONSULTANT shall not infringe a trademark, copyright, patent, trade secret or any such intellectual property right in the performance of this Agreement. In the event of an infringement suit related to or resulting from this Agreement, CONSULTANT represents and warrants that CITY, GRU and CRA will not be liable for any damages or royalties if applicable.

14.0 LIMITATION OF LIABILITY.

To the fullest extent permitted by law, each party shall not be liable to CONSULTANT for any incidental, consequential, punitive, exemplary or indirect damages, lost profits, revenue or other business interruption damages, including but not limited to, loss of use of equipment or facility.

PURSUANT TO SECTION 558.0035, FLORIDA STATUTES, AN INDIVIDUAL EMPLOYEE OR AGENT OF CONSULTANT MAY NOT BE HELD INDIVIDUALLY LIABLE FOR ECONOMIC DAMAGES RESULTING FROM NEGLIGENCE UNDER THIS AGREEMENT IF THE CONDITIONS OF SECTION 558.0035 ARE SATISFIED.

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15.0 INSURANCE.

CONSULTANT shall maintain the following insurance, and shall provide CITY, GRU and CRA a current Insurance Certificate.

Certificate of Insurance: Said insurance shall be written by a company licensed to do business in the State of Florida and satisfactory to the GOVERNMENTAL ENTITIES. A Certificate of Insurance shall be furnished in a form acceptable to the GOVERNMENTAL ENTITIES for the insurance required. Such certificate or an endorsement provided must state that CITY, GRU, and CRA will be given thirty (30) days written notice (or 10 days written notice for non-payment) prior to cancellation or material change in coverage. CITY, GRU and CRA must be listed as additional insured on the policy.

<u>Professional Liability Insurance</u>: in the amount of \$1,000,000 combined single limit for bodily injury and property damage.

<u>Commercial General Liability</u>: in the amount of \$1,000,000 combined single limit for bodily injury and property damage.

<u>Automobile Liability</u>: in the amount of \$500,000 combined single limit for bodily injury and property damage.

Worker's Compensation:

(a)	State	Statutory
(b)	Applicable Federal	Statutory

(c) Employer's Liability \$500,000 per Accident

\$500,000 Disease, Policy Limit \$500,000 Disease, Each Employee

Excess Liability \$1,000,000

The GOVERNMENTAL ENTITIES reserve the right to require a limit increase or additional insurance (i.e. explosion, collapse and underground property damage; environmental impairment etc.) if the specific Task Assignment or Purchase Order warrants.

16.0 DISPUTES.

If a dispute arises out of or relates to this Agreement, a Task Assignment or Purchase Order, or the breach thereof, and if the dispute cannot be settled through negotiation, either party may, by giving written notice, refer the dispute to a meeting of appropriate higher management, to be held within 20 business days after giving of notice. If the dispute is not resolved within 30 business days after giving notice, or such later date as may be mutually agreed, the Parties will submit the dispute to a mediator. The Parties shall mutually agree to the mediator and the costs of the mediator will be born equally by both parties. The venue for mediation and any subsequent litigation shall be in Alachua County, Florida.

<u>Continue Work</u>: During the dispute process, CONSULTANT shall continue work pursuant to this Agreement as instructed by the GOVERNMENTAL ENTITY.

17.0 GOVERNING LAW, VENUE, ATTORNEY'S FEES, AND WAIVER OF RIGHT TO JURY TRIAL.

This Agreement shall be construed pursuant to the laws of Florida and may not be construed more strictly against one party than against the other. In the event of any legal proceedings arising from or related to this Agreement: (1) venue for any state or federal legal proceedings shall be in Alachua

County Florida; (2) the prevailing party shall be responsible for attorney's fees and costs, including any appeals; and (3) for civil proceedings, the Parties hereby waive the right to jury trial.

18.0 SOVEREIGN IMMUNITY.

Nothing in this Contract shall be interpreted as a waiver of CITY, GRU or CRA's sovereign immunity as granted pursuant to Section 768.28 Florida Statutes.

19.0 MISCELLANEOUS.

- 19.1 <u>Statement of Non-inducement</u>: CONSULTANT warrants that no company or person, other than a bona fide employee working solely for CONSULTANT has been employed or retained to solicit or secure this Agreement. CONSULTANT has not paid or agreed to pay any person, company, corporation, individual or firm, other than a bona fide employee working solely for CONSULTANT, any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from the award or making of this Agreement. Notwithstanding any other provision of this Agreement for breach or violation of this paragraph, the GOVERNMENTAL ENTITIES shall have the right to terminate this Agreement without liability, and at its discretion, to deduct from any amount due to CONSULTANT hereunder, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration.
- 19.2 <u>Non-Discrimination</u>: No person shall, on the grounds of race, sex, age, handicap, creed, color, national origin or any other characteristic protected by applicable federal, state or local law, be refused the benefits of, or be otherwise subjected to discrimination under any activities resulting from this Agreement.
- 19.3 <u>Truth-in-Negotiation</u>: By execution of this Agreement, CONSULTANT certifies that the wage rates and other factual unit costs supporting compensation negotiated under project shall be accurate, complete and current at the time of execution of each such agreement. Each invoice shall be subject to adjustment to exclude any significant sums, by which the GOVERNMENTAL ENTITY determines the original compensation was increased due to inaccurate, incomplete, or non-current wage rates and other adjustments shall be made within one (1) year following the end of the applicable agreement.
- 19.4 <u>Severability</u>: In the event that any provision of this Agreement is found to be unenforceable, the other provisions shall remain in full force and effect.
- 19.5 <u>Assignability</u>: Neither the GOVERNMENTAL ENTITIES nor CONSULTANT shall assign any rights or duties under this Agreement without the prior written consent of the other party. Unless otherwise stated in the written consent to an assignment, no assignment will release or discharge the assignor from any obligation under this Agreement. Nothing contained in this Section shall prevent CONSULTANT from employing independent consultants, associates, and subcontractors to assist in the performance of the services undertaken pursuant to this Agreement.
- 19.6 Third Party Rights: Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the GOVERNMENTAL ENTITIES and CONSULTANT.
- 19.7 Entire Agreement: This Agreement and attachments hereto, the Request for Qualification 2018-049, the CONSULTANT's response thereto, and any resulting Task Assignments/Work Orders/Purchase Orders constitute the entire agreement between the PARTIES hereto. Modifications of this Agreement shall be in writing, signed by both PARTIES, and incorporated as written amendments to this Agreement prior to becoming effective.

- 19.8 Notices: Notices to CONSULTANT should be deemed to have been properly sent when electronically or physically delivered to CONSULTANT's address (as noted above). Notices to each GOVERNMENTAL ENTITY is deemed to have been properly sent when delivered to the Project Manager at the address listed in the Task Assignment or Purchase Order.
- 19.9 Order of Precedence: In the event that there is any conflict between the terms and conditions, the order of precedence shall be as follows:
 - a. Change Order to Task Assignment/Work Order/Purchase Order
 - b. Task Assignment/Work Order/Purchase Order
 - c. Modification to this Agreement
 - d. This Agreement
 - e. Request for Statement of Qualifications 2018-049
 - f. CONSULTANT's Statement of Qualifications

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the PARTIES hereto have executed this Agreement on the day first above written in counterparts, each of which shall without proof or accounting for the other counterparts be deemed an original.

JONES, EDMUNDS & ASSOCIATES, INC.

Stanley F. Ferreira, Jr, PE President & CEO

Date: 10/3/2018

WITNESS (as to Consultant)

Ву: ___

Print Name: Amanda Sullivan, JD

Approved as to form and legality

Lisa Bennett

City Attorney

CITY OF GAINESVILLE

Anthony Lyons City Manger

Date /6-//-/6

GAINESVILLE COMMUNITY REDEVELOPMENT AGENCY

By: Anthony Lyons

CRA Executive Director

Date: 10 -19-16

WITNESS (24) to CITY and CRA):

BY:

CITY OF GAINESVILLE, d/b/a
GAINESVILLE REGIONAL UTILITIES

By:

Edward J. Bielarski General Manager

Date

poroved as to form and legality

Keino Young

Utilities Attorn

Purchasing Representative

Robbin Odowski

Robbin Odowsl Buyer Analyst

Attachments:

"A" - Fee and Expense Schedule

"B" – Sample Task Assignment Template

On File:

CONSULTANT'S Statement of Qualifications (in response to RFSQ 2018-049) CONSULTANT'S Certificate of Insurance (as required above)

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City of Gainesville, Florida Gainesville Regional Utilities Gainesville Community Redevelopment Agency

RFQ 2018-049 Professional Architectural and Engineering Consulting Services

2018-2019 Standard Hourly Rates

	<u> </u>	
Labor Category	Hourly	/ Rate
Project Officer	\$	258
Senior Project Manager	\$	232
Project Manager	\$	175
Chief Engineer or Scientist	\$	232
Senior Engineer	\$	221
Senior Scientist	\$	165
Project Engineer	\$	175
Project Scientist	\$	155
Engineer or Scientist	\$	134
Engineer Intern (PhD)	\$	124
Engineer Intern or Associate Scientist	\$	103
Designer	\$	124_
Senior CADD Designer	\$	118
CADD Designer	\$	103
Senior CADD Technician	\$	93
CADD Technician	\$	82_
Systems Analyst	\$	165
Senior GIS Analyst or Senior GIS Programmer	\$	134
GIS Analyst or Programmer	\$	103
Senior GIS Technician	\$	82
GIS Technician	\$	72
Senior Database Administrator	\$	170
Database Administrator	\$	134
Environmental Data Analyst	\$	93
Senior Field Technician Environmental	\$	98
Field Technician Environmental	\$	88
Senior Construction Administrator	\$	160
Construction Administrator	\$	124
Senior Field Representative Construction	\$	108
Field Representative Construction	\$	88
Construction Project Coordinator	\$	72
Senior Administrative Assistant	\$	88
Administrative Assistant	\$	67
Senior Technical Editor	\$	113

Rates are subject to annual renegotiation.

ATTACHMENT B

SAMPLE TASK ASSIGNMENT NO.

CONTRACT NO. 2018-049 with ______ for PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES

TITLE: (an appropriate title to distinguish this Task Assignment)
THIS TASK ASSIGNMENT entered into on the day of between (choose either GRU, CRA or City) and (put CONSULTANT's name here) (CONSULTANT) describes services to be performed in accordance with the contract entered into between the parties dated, Agreement for Professional Architectural and Engineering Consulting Services, Contract 2018-049.
ORDER OF PRECEDENCE: In the event that there is any conflict between the terms and conditions contained in this Task Assignment, The Professional Architectural and Engineering Consulting Services Agreement, the Request for Statement of Qualifications (RFSQ), and/or the CONSULTANT's response to the RFSQ, or the CONSULTANTs proposal referenced in this Task Assignment, the order of precedence shall be the Contract, as amended or modified, interpreted as a whole, as applicable, and then as follows:
 a. Task Assignment b. Amendment to the Professional Architectural and Engineering Consulting Services Agreement c. Professional Architectural and Engineering Consulting Services, Agreement d. Request for Statement of Qualifications 2018-049 e. CONSULTANT's Statement of Qualifications f. CONSULTANT's Proposal referenced in this Task Assignment
BACKGROUND: (provide sufficient information to understand the current status)
PURPOSE: (explain what this TA will accomplish and how CITY, GRU OR CRA will benefit)
1.0 SCOPE OF PROJECT. 2.0 PROJECT SCHEDULE. 3.0 MEETINGS AND PROJECT MANAGEMENT 4.0 DELIVERABLES. 5.0 SPECIFIC GRU RESPONSIBILITIES. 6.0 BASIS OF COMPENSATION. (must be auditable to the rates on Attachment "A") 7.0 SPECIAL PROVISIONS. The (choose one: City, GRU, CRA) Project Manager will be (name and contact information, including address); and (Consultant/Firm's Name)'s Project Manager will be (name and contact information,
including address)
(add any other special provisions)

ATTACHMENT B

IN WITNESS WHEREOF, the parties hereto have executed this Task Assignment on the day first above written in two (2) counterparts, each of which shall, without proof or accounting for the other counterparts, be deemed an original.

DO NOT SIGN - SAMPLE ONLY

Name of Consultant	CITY OF GAINESVILLE, d/b/a GAINESVILLE REGIONAL UTILITIES	
Signature	BY: GRU Project Manager (name & title)	
Printed Name		
Title	Purchasing Representative	
	By:	



Integrity · Knowledge · Service

Reimbursable Expense Schedule

Reproduction Costs

Color copies

8-1/2 x 11 and 8-1/2 x 14 \$0.50 page 11x17 \$0.75 page

Black and white copies

8-1/2 x 11 and 8-1/2 x 14 \$0.05 page 11x17 \$0.10 page

KIP plotter \$0.125 square foot Mylars \$0.125 square foot actual cost \$+10%

Office Supplies

Project-specific office supplies actual cost + 10%Computer disks, tapes actual cost + 10%

Equipment Rental

GPS equipment \$5.00 hour
RTK unit (survey grade) \$25.00hour
Equipment rental actual cost +10%

Travel Expenses

Jones Edmunds vehicle \$0.60 mile Rental vehicle actual cost -

Personal vehicle mileage

Other travel expenses in accordance with FS Chapter 112.061

actual cost + 10% current IRS rate + 10%

Computer Services

CADD \$12.50hour GIS \$5.00 hour HYDR (hydraulic modeling) \$7.50 hour SKM power \$10.00hour

Consultants

Subconsultant services actual cost + 10%

Delivery Services

Couriers and delivery services (UPS, FedEx) actual cost + 10%

CITY OF GAINESVILLE

Change Order No. 2

Date: Mar 16, 2022

Project Name: WSPP Multi-Use Trail and GRU Solids Handling Facility Access

Roadway Design Services

Location: SE Williston Road to Sweetwater Branch Creek

Consultant: Jones, Edmunds & Associates, Inc.

Contract Date: February 25, 2021

This Change Order No. 2 is made in accordance with Task Assignment No. 5 – Contract No. 2018-049-AU with Jones, Edmunds & Associates, Inc. for Professional Architectural and Engineering Consulting Services dated February 25, 2021.

1. NATURE OF CHANGES

1.1 The project's completion date has been delayed due to changes in the trail alignment to avoid conflicts with transmission lines by the creek crossing and shall be extended to June 22, 2022.

2. CHANGES TO CONTRACT PRICE

2.1 This change does not result in any change in the Contract Price.

A) Contract Price Prior to this Change Order \$116,738.00

B) Net (Increase) (Decrease) resulting from this change order \$ -0-

C) Current Contract Price including this Change Order \$116,738.00

3. CHANGES TO CONTRACT COMPLETION TIME/DATE

3.1 This change order results in the following adjustment of contract time/date (in calendar days):

A) Original completion date 12/31/2021

B) Net (Increase) (Decrease) resulting from previous Change Orders 59 days

C) Net (Increase) (Decrease) resulting from this Change Order 114 days

D) Current completion time/date including this Change Order 6/22/2022

This Change Order No. 2 constitutes a change to Task Assignment No. 5, and together with Change Order No. 1 dated December 22, 2021 and Contract No. 2018-049-AU, Professional Services Agreement for Professional Architectural and Engineering Consulting Services dated October 11, 2018, constitutes the entire contract between the parties. All other terms and conditions of the original Task Assignment No. 5 remain in full force and effect. The adjustments in this Change Order are the entire adjustments in payment and contract time that the Consultant is entitled to for all claims and damages for the cost of work outlined above, including but not limited to, and without conceding that these particular costs are recoverable, payroll costs, costs of materials, subcontractor costs, costs of special consultants (including attorneys), overhead, profits, and delay damages.

CITY OF GAINESVILLE	JONES, EDMUNDS & ASSOCIATES, INC.
	Stanley F. Ferreira, Jr. Stanley F. Ferreira, Jr.
Print Name: Cynthia W. Curry	Print Name: Stanley F. Ferreira, Jr.
Title: Interim City Manager	Title: President & CEO
Date: Mar 16, 2022	Date: Mar 7, 2022
APPROVED AS TO FORM AND LEGALITY	
David C. Schwartz David C. Schwartz (Mar 14, 2022 16:14 EDT)	
City Attorney	

This form Document is a legal instrument approved by the City Attorney. Any deviations from its intended use should be authorized by the City Attorney Standard Contract-Change Order 11/2015.

CITY OF GAINESVILLE

Change Order No. 1

Date: Dec 22, 2021

Project Name: WSPP Multi-Use Trail and GRU Solids Handling Facility Access

Roadway Design Services

Location: SE Williston Road to Sweetwater Branch Creek

Consultant: Jones, Edmunds & Associates, Inc.

Contract Date: February 25, 2021

This Change Order No. 1 is made in accordance with Task Assignment No. 5 – Contract No. 2018-049-AU with Jones, Edmunds & Associates, Inc. for Professional Architectural and Engineering Consulting Services dated February 25, 2021.

1. NATURE OF CHANGES

The project's completion date has been delayed while going through the FEMA 1.1 permitting process and shall be extended to February 28, 2022.

2. CHANGES TO CONTRACT PRICE

2.1 This change does not result in any change in the Contract Price.

A) Contract Price Prior to this Change Order	\$ 116,738.00
B) Net (Increase) (Decrease) resulting from this change order	\$ -0-

C) Current Contract Price including this Change Order \$ 116,738.00

3. CHANGES TO CONTRACT COMPLETION TIME/DATE

This change order results in the following adjustment of contract time/date (in calendar 3.1 days):

A) Original completion date	12/31/2021
B) Net (Increase) (Decrease) resulting from previous Change Orders	-()-
C) Net (Increase) (Decrease) resulting from this Change Order	59 Days
D) Current completion time/date including this Change Order	2/28/2022

This Change Order No. 1 constitutes a change to Task Assignment No. 5, and together with Contract No. 2018-049-AU, Professional Services Agreement for Professional Architectural and Engineering Consulting Services dated October 11, 2018, constitutes the entire contract between the parties. All other terms and conditions of the original Task Assignment No. 5 remain in full force and effect. The adjustments in this Change Order are the entire adjustments in payment and contract time that the Consultant is entitled to for all claims and damages for the cost of work outlined above, including but not limited to, and without conceding that these particular costs are recoverable, payroll costs, costs of materials, subcontractor costs, costs of special consultants (including attorneys), overhead, profits, and delay damages.

CITY OF GAINESVILLE	JONES, EDMUNDS & ASSOCIATES, INC.
	Stanley F. Ferreira, Jr. Stanley F. Ferreira, Jr. (Dec 21, 2021 08:32 EST)
Print Name: Cynthia W. Curry	Print Name: Stanley F. Ferreira, Jr.
Title: Interim City Manager	Title: President & CEO
Date: Dec 22, 2021	Date: Dec 21, 2021
APPROVED AS TO FORM AND LEGALITY	
David C. Schwartz David C. Schwartz (Dec 22, 2021 11:18 EST)	
City Attorney	

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TASK ASSIGNMENT NO. 5

CONTRACT NO. 2018-049-AU with JONES EDMUNDS & ASSOCIATES, INC. for PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES

TITLE: Wild Spaces & Public Places Multi-use Trail and Gainesville Regional Utilities Solids Handling Facility Access Roadway – SE Williston Road to Sweetwater Branch Creek.

THIS TASK ASSIGNMENT is entered into on the $\frac{25}{}$ day of February , 2021 between CITY OF GAINESVILLE, FLORIDA, a municipal corporation ("CITY") and JONES, EDMUNDS & ASSOCIATES, INC., a Florida corporation ("CONSULTANT") for services to be performed as described herein and in accordance with the Professional Services Agreement for Professional Architectural and Engineering Consulting Services, Contract 2018-049-AU, dated October 11, 2018.

SCOPE OF WORK AND ORDER OF PRECEDENCE: CONSULTANT shall perform the work described in the following contract documents, whether attached hereto or incorporated by reference:

- This Task Assignment.
- b. Professional Services Agreement for Professional Architectural and Engineering Consulting Services dated October 11, 2018.

BACKGROUND: The CITY's Wild Spaces & Public Places program (WSPP) is developing a multi-use trail from Depot Park to the Sweetwater Preserve located on SE Williston Road (State Road 331). The trail is located within a high-voltage electrical transmission line corridor. In the southern portion of the trail – between Sweetwater Branch Creek and Williston Road – the trail will be located adjacent to a Gainesville Regional Utilities (GRU) access road. The CONSULTANT is under contract with GRU to develop design documents for a solids handling facility that will be located on a previous composting facility site on the property west of the electrical transmission line corridor. The design documents for the facility are at a 90% level and ready for permit application submittal.

DRMP, Inc., working for WSPP, developed 30% design plans for the multi-use path spanning from SE Williston Road to Depot Park. This conceptual design showed the multi-use path as parallel to the existing dirt road used by GRU to access their transmission lines. The grading, stormwater design, and permitting required for the access road and the trail are tightly intertwined, therefore GRU, WSPP, and DRMP agreed that the CONSULTANT would design the segment of the multi-use path in conjunction with the GRU access road from SE Williston Road to Sweetwater Branch Creek. The multi-use path design criteria are adapted from FDOT criteria.

The access road begins at a driveway off SE Williston Road at GRU's Lift Station (LS) No. 40 and continues approximately 1,600 feet northwest through a GRU utility easement. Approximately 300 feet of the access road immediately north of LS No. 40 is within a Federal Emergency Management Agency (FEMA)-delineated floodplain zoned as AE with an associated floodway. The CONSULTANT is preparing an application to FEMA for a Letter of Map Revision (LOMR) as part of a separate scope of services. That LOMR will address floodplain impacts associated with LS40 and the access road.

The existing dirt access road is not currently suitable for the vehicle traffic and loading expected to enter the proposed GRU facility and will therefore require improvement and stabilization. The grade of the access road in the floodplain area exceeds 5% and may need improvements to meet Americans with Disabilities Act (ADA) requirements. The proposed improvement to the access road consists of culvert replacement(s), addition of fill, and grading.

PURPOSE: Work performed under this Task Assignment will include developing Contract Documents and preparing Permit Applications for the multi-use trail as well as the improved GRU Solids Handling Facility Access Roadway as described in the Scope of Services.

1.0 SCOPE OF SERVICES

Topographic survey data, geotechnical investigations, and wetland delineation/survey were performed as part of the GRU project. No additional site investigations, survey, or geotechnical data collection are included in this scope of services.

1,1 Task 1 – Project Administration and Agency Coordination

Multiple coordination meetings were held with GRU and WSPP. A joint First-Step meeting was held in January 2020 with the CITY, GRU, and WSPP to discuss both projects. City permitting and floodplain compensation requirements are a current subject of discussion. This task is intended to cover a project kickoff meeting, additional meetings and communications not specified in the design and permitting task (Task 2), and project administration over the anticipated eleven-month design project duration.

This task includes budget for the following meetings:

- Project kickoff
- City permitting discussions including coordination with WSPP outside of City meetings

WSPP Responsibility:

Coordination on meetings with the CONSULTANT.

Deliverables:

Meeting Minutes.

1.2 TASK 2 – DESIGN AND PERMITTING

Contract Documents. The CONSULTANT shall prepare Contract Documents (Drawings and Specifications), Design Calculations, and Permit Applications for the multi-use trail. The Drawings shall consist of General, Civil, and Structural Drawings prepared using the CONSULTANT's presentation standards. The preliminary lists of drawings and specifications below are the basis for the design fee estimate. The combination of the WSPP multi-use trail with the GRU access road in a narrow corridor will require additional structural elements. It is expected the additional structural elements will be two low retaining walls (to achieve grades near power poles), a culvert with headwall configuration near Lift Station 40, and a shortening of the FDOT guard wall at Williston Road. A GRU "rental light" to illuminate the point of crossing for the access road and multi-use trail will be included on a simple electrical plan (shown on one sheet) for lighting the point of crossing for the multi-use trail and access road.

Drawing No.	Title
G-1	Cover Sheet
G-2	Drawing Index, Legend, and Abbreviations
G-3	General Notes
G-4	Кеу Мар

Drawing No.	Title
G-5 to G-9	Existing Conditions
C-2 to C-3	Site Plan
C-4	Grading and Drainage Plan
C-7 to C-12	Access Road & Multi-Use Path Plan and Profile
C-13 to C-19	Access Road & Multi-Use Path Cross-Sections
C-20 to C-23	Standard Details
C-23 to C-25	Stormwater Pollution Prevention Plan Details
S-1	Structural Notes
S-2 to S-3	Structural Plan
S-4 to S-5	Structural Details
E-1	Electrical Plan

- Site plan sheets will be prepared with the following scales: Horizontal: 1 inch = 20 feet (full-size 22-x-34-inch); and 1 inch = 40 feet (half-size sheets 11-x-17-inch).
- Access road/trail plan sheets will be prepared with the following scales: Horizontal: 1 inch = 20 feet (full-size 22-x-34-inch); and 1 inch = 40 feet (half-size sheets 11-x-17-inch).
- Sections and details will be prepared with the following scales: Vertical: 1 inch = 5 feet (full-size 22-x-34-inch); and 1 inch = 10 feet (half-size sheets 11-x-17-inch).

The CONSULTANT shall reference FDOT standards on the drawings and will not develop Technical Specifications.

Task 2 will consist of three submittals – 60%, 90%, and Final Design. The CONSULTANT shall participate in review meetings to discuss and obtain comments from GRU and WSPP following the 60% and 90% Design Submittals. Changes agreed to at the review meetings will be incorporated into the Final Design Submittal documents.

1.2.1 60% DESIGN SUBMITTAL

A task kickoff meeting shall be held with WSPP and GRU staff to review the planned drawing sheets, submittal schedule, points of contact, and communications plan.

The CONSULTANT shall prepare and submit the 60% Design Submittal Package to GRU and WSPP for review and comment. The package shall include the following:

- Design Drawings:
 - Draft versions of the sheets listed in the table above including layout of the access road and multiuse trail.
 - Drawings shall include completed topographic surveys.
 - These Drawings will be used during the Pre-Application Meetings with the permitting agencies. The CONSULTANT shall coordinate Pre-Application Meetings after completion and review of the 60% Design with WSPP and GRU.

WSPP Responsibility:

Review and provide feedback on the 60% Design Submittal.

Meet with the CONSULTANT to review the Drawings.

Deliverables:

- 60% task kickoff Meeting Minutes.
- One electronic copy (.pdf) of 60% Design Drawings-
- 60% Review Meeting Minutes.
- Technical Memorandum to City of Gainesville and Alachua County providing documentation that the site is not in a sensitive karst area and providing a design approach for meeting stormwater detention requirements. The Technical Memorandum shall also include documentation of the anticipated water quality credits GRU and WSPP will need to purchase from the Depot Avenue Water Quality Credit Bank.
- Meeting Minutes from the pre-application meetings.

Key Assumptions:

- The project will have a minimal impact on the floodplain and required floodplain volume compensation can be incorporated within the current project footprint with minimal design and permitting effort.
- GRU/WSPP will require a 2-week minimum review time of the submittal.
- Review meetings will be held with GRU and WSPP staff at the same time.

1.2.2 90% DESIGN SUBMITTAL

The 90% Design Submittal Package shall be submitted to GRU and WSPP for review and comment and will include the following:

Design Drawings: Updated Drawings from the 60% Submittal.

WSPP Responsibility:

Review and provide feedback on the 90% Design Submittal.

Deliverables:

One electronic copy (.pdf) of 90% Design Drawings.

Key Assumptions:

GRU/WSPP will require a 2-week minimum review time of the submittal.

1.2.3 PERMITTING

After completion of the 60% Design, review of the submittal with GRU/WSPP, and incorporation of GRU/WSPP comments into the design drawings, the CONSULTANT shall schedule Permit Preapplication Meetings with agency representatives. The CONSULTANT's Project Manager shall provide an agenda, lead a discussion, and provide meeting minutes for these pre-application Meetings. The CONSULTANT shall incorporate agency comments from the pre-application meetings into the 90% Design.

Draft Permit Applications (SJRWMD, USACE, Florida Department of Transportation (FDOT), City of Gainesville, and Alachua County) shall be provided by CONSULTANT to WSPP and GRU as part of the 90% Design Submittal for WSPP signatures and submittal to the appropriate agencies. The final Permit Applications shall be submitted after receiving comments from WSPP and GRU on the draft applications. WSPP will coordinate resolution of comments with GRU if there is a conflict.

The CONSULTANT shall prepare Permit Applications and provide services as follows:

SJRWMD Individual Environmental Resource Permit (ERP) and USACE Individual Permit:

- Prepare and submit documentation for an SJRWMD ERP and a USACE Individual Permit and provide a response for up to one Request for Additional Information (RAI) from each agency.
- Coordinate and attend one on-site field meeting with SJRWMD and USACE to review the flagged wetland lines.

Alachua County Environmental Protection Department (EPD) Wetland Permit & Stormwater Review:

- Conduct one Pre-application Meeting with Alachua County regarding an EPD Wetland Permit.
 After the meeting, conduct one site visit with the County to walk the project route.
- Prepare the Application for the Alachua County EPD Wetland Permit.
- Copy the Alachua County EPD on the City's application with additional documentation regarding the County's stormwater code requirements.
- Respond to one Alachua County RAI related to the EPD Permit Application.
- Assist GRU to prepare for the Board of County Commissioners meeting supporting the EPD Permit Application. The CONSULTANT's Project Manager will attend the County Commissioners Meeting at the request of GRU.

FDOT Review:

- Conduct one Pre-application Meeting with the FDOT.
- Prepare and submit a driveway connection permit with guard wall adjustments.
- Prepare one response to an FDOT request for additional information (RAI) and one follow-up meeting with FDOT. This assumes the RAI will require clarifications and minor revisions, not significant redesign.

City of Gainesville ePlan Review:

- Submit permit application through the City ePlan Review online portal. This review process includes review and permitting for GRU, building, zoning, and planning compliance.
- Respond to one RAI related to the Permit Application. This assumes the RAI will require clarifications and minor revisions, not significant redesign.

City of Gainesville Stormwater Permit:

- Incorporate the City of Gainesville's stormwater requirements into the SJRWMD ERP Stormwater Report.
- Prepare the City of Gainesville Stormwater Permit Application.

- Respond to one City RAI related to the Stormwater Permit Application. This assumes the RAI will require clarifications and minor revisions, not significant redesign.
- Floodplain permitting requirements have not yet been determined and are not included in this scope of services.

WSPP Responsibility:

 WSPP will sign the final Permit Applications and provide payment for all associated permitting fees.

Deliverables:

One electronic copy (.pdf) of the Draft and Final Permit Applications.

Key Assumptions:

- Only those Permit Applications specifically listed in this Scope of Services will be prepared. All
 other Permit Applications are outside this Scope of Services and Fee Estimate.
- Environmental site assessments, threatened and endangered species, archaeological, or historical investigations are not expected to be necessary and are excluded from this Scope of Services.
- Wetlands mitigation design and permitting are excluded from this Scope of Services.
- RAIs from permitting agencies will not result in significant changes to the design or construction methods.
- Delays in project schedule beyond CONSULTANT's control may require increases in fees.

1.2.4 FINAL DESIGN SUBMITTAL

The Final Design Submittal Package shall be submitted by CONSULTANT to GRU and WSPP, and will include the following:

Final Design Documents: Updated Drawings from the 90% Submittal and incorporation of any RAI comments from the permitting agencies.

Deliverables:

 One electronic copy (.pdf), two signed-and-sealed full-size and four half-size copies of the Final Design Drawings, and two signed-and-sealed copies of the Technical Specifications.

Key Assumptions:

- Final Design will be submitted after receiving all approved permits from the permitting agencies. Schedule impacts due to permitting may occur and are beyond the CONSULTANT's control.
- Review period by permitting agencies may take up to six-weeks.

1.3 TASK 3— BID-PHASE SERVICES

The CONSULTANT shall perform the following Bid-Phase Services:

Respond to bidder questions and issue up to one Addendum.

2.0 PROJECT SCHEDULE

The CONSULTANT expects the project to follow the schedule below and assumes the project will begin in February 2021 and is expected to be completed by the end of December 2021.

Task	Anticipated Start	Anticipated Finish
Task 1 – Project Administration		
and Agency Coordination	February 2021	December 2021
Task 2 – Design and Permitting		
60% Design Submittal	February 2021	April 2021
90% Design Submittal	May 2021	July 2021
Permitting	July 2021	September 2021
100% Design Submittal	October 2021	November 2021
Task 3 – Bid-Phase Services	TBD	TBD

3.0 DELIVERABLES

Section 1 describes the deliverables for each Task.

4.0 SPECIFIC WSPP RESPONSIBILITIES

Section 1 describes the specific responsibilities for each Task.

5.0 COMPENSATION

Compensation shall be on a time-and-materials basis and CITY will be billed by the CONSULTANT for actual hours worked each month based on the hourly rates in the Agreement dated October 11, 2018. The authorized maximum total compensation for the services provided under this Task Assignment is One Hundred Sixteen Thousand Seven Hundred Thirty-Eight Dollars (\$116,738.00). An approximate breakdown of the labor and expenses by task is provided below.

Task	Fee
Task 1 – Project Administration and Agency Coordination	\$11,328
Task 2 – Design and Permitting - 60% Design Submittal	\$35,128
90% Design Submittal	\$23,969
Permitting	\$31,620
100% Design Submittal	\$13,185
Task 3 – Bid-Phase Services	\$1,508
Total	\$116,738

6.0 SPECIAL PROVISIONS

The WSPP Project Manager will be Betsy Waite, PE (352) 393-8187, waiteed@cityofgainesville.org, and the CONSULTANT Project Manager will be Walt Nickel, PE (352) 377-5821, wnickel@jonesedmunds.com.

IN WITNESS WHEREOF, the parties hereto have executed this Task Assignment on the day first above written.

JONES EDMUNDS & ASSOCIATES, INC.

CITY OF GAINESVILLE

Ву:

Printed Name: Stanley F. Ferreira, Jr., PE

Title: President & CEO

Date: 2021

KV 2/19/2021

Lee Feldman

Title: City Manager

Feb 25, 2021

Approved as to form and legality:

David C. Schwartz
David C. Schwartz (Feb 25, 2021 12:46 EST)

City Attorney

PROFESSIONAL SERVICES AGREEMENT FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES

WHEREAS, CITY is responsible for capital improvements and maintenance of public facilities; GRU owns and operates an electric system, natural gas system, water and wastewater system, a district energy system and telecommunication system combined as a single public community wide utility; and CRA is responsible for various redevelopment areas within the City of Gainesville which may include planning, designing, renovation, remodeling and/or construction; and

WHEREAS, THE CITY, GRU and CRA requires multiple firms to provide professional architectural and engineering consulting services on an as-needed basis and issued a Request for Statement of Qualifications for same; and

WHEREAS, CONSULTANT responded with a Statement of Qualifications which was selected and approved by THE CITY and CRA; and

WHEREAS, the PARTIES desire to enter into an agreement for performing professional architectural and engineering consulting services on an as-needed basis.

NOW, THEREFORE, in consideration of the foregoing premises and the covenants contained herein, the PARTIES agree as follows:

1.0 SCOPE OF SERVICES.

- Project Description: This Agreement provides for the administration, compensation and responsibilities of the PARTIES relating to performance of architectural and engineering consulting work which is authorized by CITY, GRU, or CRA. When one of the GOVERNMENTAL ENTITIES has need of CONSULTANT"s services, that GOVERNMENTAL ENTITY will enter into a separate agreement with CONSULTANT to perform the scope of services. The separate agreement will be between the individual GOVERNMENTAL ENTITY and the CONSULTANT. The specific scope of services to be provided by CONSULTANT will be mutually agreed to in separate Purchase Orders and/or Task Assignments. All related Purchase Orders and Task Assignments will become a part of this Agreement. These Purchase Orders and Task Assignments may be amended as provided herein as changes in scope or required levels of work effort are identified. Compensation for services will be as described in Section 7.0 of this Agreement.
- 1.2 Services performed at CITY, GRU or CRA's request beyond those defined in the approved Purchase Order and/or Task Assignment shall constitute a Change-of-Scope, which will be documented by a Change Order to be approved in writing by CONSULTANT and the GOVERNMENTAL ENTITY before services are performed. Written approval shall be obtained prior to performance of the services.

- 1.3 Nothing in this Agreement shall be construed to prohibit CITY, GRU, or CRA from awarding, authorizing, or directing its work to be performed, whether identified in this Agreement or otherwise, to firms other than CONSULTANT.
- 1.4 The GOVERNMENTAL ENTITY may use the CONSULTANT as a Subject Matter Expert.

2.0 STANDARD OF CARE AND PERSONNEL.

- Standard of Care: CONSULTANT shall perform as an independent consultant and all services shall be performed with the skill and care which would be exercised by comparable qualified professional architectural and engineering consultants performing similar services at the time and place such services are performed. If the failure to meet these standards results in deficiencies, the CONSULTANT shall furnish, at its own cost and expense, the redesign necessary to correct such deficiencies, and shall be responsible for any and all consequential damages arising from these deficiencies. If the CONSULTANT refuses to correct the discrepancies to the GOVERNMENTAL ENTITY's satisfaction, the GOVERNMENTAL ENTITY may, at its discretion, either terminate the Task Order or Purchase Order, or terminate this Agreement. Nothing in this paragraph will preclude the CITY, GRU or CRA from pursuing all available remedies.
- 2.2 <u>Non-infringing</u>: CONSULTANT warrants that any CONSULTANT generated Confidential Information, Work Product, or other material furnished to CITY, GRU or CRA shall not infringe on any third party rights in any US patent, copyright, trademark or trade secret.
- 2.3 Sub-consultants: The CONSULTANT will perform all of the services, and none of the work or services covered by this Agreement shall be subcontracted without prior written authorization by the GOVERNMENTAL ENTITY. It is understood that sub-consultants presented as part of a team in a project proposal/work order/task assignment are considered approved.
- 2.4 Staff: CONSULTANT shall staff the project with qualified individuals and secure others at CONSULTANT's own expense as required to carry out and perform the Scope of Services of this Agreement and the Task Assignment or Purchase Order. Such personnel shall not be employees of or have any personal fiscal relationship with any employees or officials of CITY, GRU or CRA. CONSULTANT retains the authority to utilize specific qualified personnel on the project from time to time as required.
- 2.5 Removal/Replacement of Staff: The GOVERNMENTAL ENTITY, for any reason, may request that the service of an individual or sub-consultant be removed from this Agreement or project work order or Task Assignment. Upon this request from the GOVERNMENTAL ENTITY, the CONSULTANT shall replace the individual or sub-consultant with an equivalent level of staff or sub-consultant. Failure to do so shall be cause for termination of this Agreement or project work order or Task Assignment. Any changes in personnel require mutual written consent of the CONSULTANT and the GOVERNMENTAL ENTITY.
- Quality of Staff: Failure of CONSULTANT, for any reason, to staff a project with qualified personnel to the extent necessary to perform the services required skillfully and promptly shall be cause for termination of this Agreement or for termination of the Task Assignment or Purchase Order.
- 2.7 Independence: CONSULTANT is and shall perform this Agreement as an independent professional consultant. All persons engaged in any of the work performed pursuant to this Agreement shall at all times, and in all places, be subject to CONSULTANT's sole direction, supervision and control. Neither CONSULTANT, nor anyone employed by it, shall represent, act, or be deemed to be the agent or employee of CITY, GRU or CRA.

2.8 <u>Legal compliance</u>: CONSULTANT shall secure all licenses or permits required by law or regulations, and shall comply with all ordinances, laws, orders, rules and regulations pertaining to its Work hereunder.

3.0 CONTRACT TERM:

- 3.1 The term of the Agreement will commence on October 1, 2018 or upon final execution, whichever is later and will continue through September 30, 2023, subject to available funding approved by City of Gainesville City Commission for CITY and GRU projects and subject to available funding approved by the Board of Directors of the Gainesville CRA. Actual Projects/Task Assignments/Purchase Orders issued will be subject to available funding in subsequent years.
- 3.2 Upon expiration of this Agreement, no additional services may be negotiated under this Agreement, excepting that services which are already in process but not completed shall continue to be governed by the terms of this Agreement until their completion.
- 3.3 Rates negotiated shall be firm for a minimum of one year and may be re-negotiated annually thereafter without changing the terms and conditions of the Agreement. In the event rate renegotiations are not successful, the rates shall remain the same or any Party may terminate the Agreement.

4.0 TERMINATION:

4.1 <u>Termination for Convenience</u>: A GOVERNMENTAL ENTITY may, by providing thirty 30 calendar days written notice to CONSULTANT, terminate this Agreement, a Task Assignment, a Purchase Order, or any part thereof, for that GOVERNMENTAL ENTITY's convenience and without cause. The termination is effective only as to the specific GOVERNMENTAL ENTITY issuing the termination notice.

After the termination date, CONSULTANT shall stop all Work and cause its suppliers and/or subcontractors to stop all Work in connection with this Agreement, the Task Assignment or the Purchase Order. If a GOVERNMENTAL ENTITY terminates for convenience, that GOVERNMENTAL ENTITY shall pay CONSULTANT for consulting services accepted as of the date of termination, and for CONSULTANT's actual and reasonable, out of pocket costs incurred directly as a result of such termination. The terminating GOVERNMENTAL ENTITY is not responsible for work performed after the effective termination date of this contract.

- 4.2 <u>Termination for Cause (Cancellation)</u>: A GOVERNMENTAL ENTITY may terminate this Agreement, A Task Assignment or a Purchase Order for cause if CONSULTANT materially breaches this Agreement, a Task Assignment or a Purchase Order by:
 - (a) refusing, failing or being unable to properly manage or perform;
 - (b) refusing, failing or being unable to perform the Work pursuant to this Agreement, a Task Assignment or a Purchase Order with sufficient numbers of workers, properly skilled workers, proper materials to maintain applicable schedules;
 - (c) refusing, failing or being unable to make prompt payment to subcontractors or suppliers;
 - (d) disregarding laws, ordinances, rules, regulations or orders of any public authority or quasi-public authority having jurisdiction over the Scope of Services;
 - (e) refusing, failing or being unable to substantially perform pursuant to the terms of this Agreement, a Task Assignment or a Purchase Order as determined by the GOVERNMENTAL ENTITY, or as otherwise defined elsewhere herein; and/or
 - (f) refusing, failing or being unable to substantially perform in accordance with the terms of any other agreement between a GOVERNMENTAL ENTITY and CONSULTANT.

4.3 Funding out Clause:

If funds for this Agreement are no longer available, each GOVERNMENTAL ENTITY reserves the right to terminate this Agreement without cause by providing CONSULTANT with thirty (30) calendar days written notice to CONSULTANT.

5.0 TASK ASSIGNMENTS (Work Orders).

- 5.1 Task Assignments: All services to be performed having an amount greater than \$25,000 shall be authorized and performed in accordance with a written and jointly executed Task Assignment for each project for which services are requested. A sample format for the Task Assignment is included as Attachment "B". Each Task Assignment shall consist of the scope of work to be performed by CONSULTANT, project schedule, deliverables, any specific provisions and the signatures of authorized representatives of the GOVERNMENTAL ENTITY and CONSULTANT agreeing to the provisions of the Task Assignment. The GOVERNMENTAL ENTITY shall assign projects based upon CONSULTANT's experience in a given area, ability to meet the time constraints of a given project and/or CONSULTANT's current workload.
- Written Proposals: Upon request by a GOVERNMENTAL ENTITY, CONSULTANT shall submit to that GOVERNMENTAL ENTITY's Project Manager a written proposal, which shall include as appropriate, completion dates, estimated fees and expenses, deliverables and the specific tasks necessary to accomplish the particular project objective. The GOVERNMENTAL ENTITY and Consultant may negotiate the terms of the proposal which will then be incorporated into a Task Assignment which, with a purchase order, constitutes the written acceptance. Work shall not begin until the acceptance is issued. The original proposal may be submitted to the GOVERNMENTAL ENTITY in Task Assignment format.
- Changes to Scope: The GOVERNMENTAL ENTITY shall have the right to increase or reduce the scope of the services of CONSULTANT hereunder at any time and for any reason, upon written notice to CONSULTANT specifying the nature and extent of such reduction or increases. In the event of an addition to the scope of the services, CONSULTANT shall be fully compensated for additional work as agreed upon by the GOVERNMENTAL ENTITY and CONSULTANT. In the event of a reduction to the scope of services, CONSULTANT shall be fully compensated for the work already performed, including payment of all necessary contract fee amounts due and payable hereunder prior to the receipt of written notification of such reduction in scope and shall be compensated for the reduced scope of services, as determined by THE GOVERNMENTAL ENTITY. The work of revising documents as a result of reduction in scope of the project shall be compensated for as a change as provided in this Agreement.
- 5.4 <u>Timeliness</u>: CONSULTANT shall complete all assigned projects in accordance with the time of performance specified in the Task Assignment or change thereto.
- 5.5 Projects under \$25,000: Services to be performed having an amount of less than or equal to \$25,000 will be authorized by a GOVERNMENTAL ENTITY with a Purchase Order, which shall reference this Agreement number and the terms of this Agreement shall supersede any conflicting terms contained within said Purchase Order. The CONSULTANT will prepare a letter proposal that itemizes the major scope tasks and fee.

6.0 FORCE MAJEURE.

- No Party to this Contract shall be liable for any default or delay in the performance of its obligations under this Contract due to an act of God or other event to the extent that: (a) the non-performing Party is without fault in causing such default or delay; and (b) such default or delay could not have been prevented by reasonable precautions. For purposes of this Agreement, such circumstances include, but are not limited to, abnormal weather conditions, including without limitation, hurricanes; floods; earthquakes; fire; epidemics; war, riots, and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage; judicial restraint; and inability to procure permits, licenses, or authorizations from any local, state, or federal agency for any of the supplies, materials, accesses, or services required to be provided by either the GOVERNMENTAL ENTITY or CONSULTANT under this Agreement (except for the CONSULTANT's license and authorizations to do business)..
- 6.2 In the event of any delay resulting from such causes, the time for performance of each of the Parties hereunder (including the payment of invoices if such event actually prevents payment) shall be extended for a period of time reasonably necessary to overcome the effect of such delay. Any negotiated delivery dates established during or after a Force Majeure event will always be discussed and negotiated if additional delays are expected.
- 6.3 In the event of any delay or nonperformance resulting from such cause, the Party affected will promptly notify the other Party in writing of the nature, cause, date of commencement, and the anticipated impact of such delay or nonperformance. Such written notice, including change orders, will indicate the extent, if any, to which is anticipated that any delivery or completion date will be affected.

7.0 COMPENSATION.

- 7.1 Fee and Expense Schedule: Compensation to CONSULTANT for services performed shall be based on the current fee and expense schedule, attached hereto as Attachment "A". The CONSULTANT and the GOVERNMENTAL ENTITY, based upon the fee and expense schedule, may agree to payment for services on a "lump sum" and/or "not to exceed" basis.
- 7.2 <u>CONSULTANT Compensation Increases</u>: CONSULTANT shall obtain the GOVERNMENTAL ENTITY's written approval prior to performing any work which results in the work assignment exceeding the mutually agreed upon scope of services contained in the Task Assignments or Purchase Order.
 - Minor modifications, which mutually extend the product delivery dates and/or mutually agreeable project costs for less than 5%, may be approved by the GOVERNMENTAL ENTITY with the documentation from CONSULTANT as specifically requested by the GOVERNMENTAL ENTITY.
 - b. Major modifications which increase the project cost by more than 5% shall be documented by CONSULTANT with the following information:
 - (1) A description of the new work and/or new deliverables, that caused a major modification to the work.
 - (2) An explanation as to why the new work was not included in the original scope of work or project assignment or a detailed explanation of other reasons the modification is necessary.

- (3) A summary of all prior modifications to the project assignment, and reasons why additional modifications will not be necessary or reasons why additional modifications will be necessary.
- (4) A description of any proposed work, which is outside the original work scope or project assignment. These shall be treated as a new project.
- c. Upon submittal of the above information, the GOVERNMENTAL ENTITY and CONSULTANT shall mutually agree upon the price modification to complete the project or work assignment. Should agreement not be reached, THE GOVERNMENTAL ENTITY's decision shall be binding unless CONSULTANT requests reconsideration through the Dispute Resolution process described in Section 16.0.
- 7.3 Invoicing: CONSULTANT is responsible for invoicing the GOVERNMENTAL ENTITY for Work performed pursuant to this Agreement. Itemized invoices shall include the following information (if applicable): Contract number, Purchase Order number, Task Assignment Number, job number, description of services, Work location, the GOVERNMENTAL ENTITY's Project Representative, job start date, job completion date or other pertinent information. Itemized invoice(s) must be mailed to the project manager and address set forth in the Task Assignment or Purchase Order:
- 7.4 Receipting Report for Services: An itemized receipting report for services must be provided to the GOVERNMENTAL ENTITY's Project Representative prior to invoicing which includes the number of hours and labor rates by job title, overhead, authorized per diem or travel expenses, and other charges. Receipting reports shall be used by the Project Representative to verify the services rendered.
- 7.5 Payment Terms: Unless otherwise agreed upon in writing, the GOVERNMENTAL ENTITY's payment terms are net thirty (30) days from receipt of correct invoice. CONSULTANT shall not submit more than one invoice per thirty-day period. Any delay in receiving invoices, or error and omissions, will be considered just cause for delaying or withholding payment. Invoices for partially completed Work may be allowed with the GOVERNMENTAL ENTITY's prior approval. All partial invoices must be clearly identified as such on the invoice. Any charges or fees will be governed by current Florida Statutes.
- 7.6 Withholding Payment: The GOVERNMENTAL ENTITY may withhold payment of all or a portion of the invoiced amount due to failure of CONSULTANT to comply with project specifications. The GOVERNMENTAL ENTITY shall set forth in writing to CONSULTANT the reasons for the withholding of payment within 10 days after receipt of CONSULTANT invoice. In the event CONSULTANT does not agree with the GOVERNMENTAL ENTITY's determination, CONSULTANT may request reconsideration through the dispute resolution process described in Section 16.0. After CONSULTANT has complied with the project specifications the GOVERNMENTAL ENTITY will make payment of any withheld amount to CONSULTANT within 30 days.
- 7.7 <u>Rate Increase</u>: CONSULTANT shall have one opportunity per calendar year to request a labor classification rate increase. The request should be made to Utilities Purchasing at least 60 days prior to the desired effective date and include a justification. The annual increase, if approved by each of the GOVERNMENTAL ENTITIES, shall be in the form of an amendment to this contract. Work begun under a specific labor classification rate shall be completed under that labor classification rate.

8.0 TAXES.

CONSULTANT accepts exclusive liability for the payment of its (i) income, gross receipts, ad valorem, or value added taxes, arising out of Work rendered, now or hereafter imposed by any governmental authority, and (ii) payroll taxes or contributions for unemployment insurance, Medicare or Social Security for CONSULTANT'S employees.

9.0 PUBLIC RECORDS.

If CONSULTANT is "CONSULTANT" as defined in Section 119.0701(1)(a), Florida Statutes, or an "agency" as defined in Section 119.011(2), Florida Statutes, CONSULTANT shall:

- 9.1 Keep and maintain public records, as defined in Section 119.011(12) of the Florida Statutes, required by the GOVERNMENTAL ENTITY to perform the service.
- 9.2 Upon request from the GOVERNMENTAL ENTITY's custodian of public records, provide the public agency with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
- 9.3 Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the GOVERNMENTAL ENTITY.
- 9.4 Upon completion of the contract, transfer, at no cost, to the GOVERNMENTAL ENTITY all public records in possession of the contractor or keep and maintain public records required by the GOVERNMENTAL ENTITY to perform the service. If the contractor transfers all public records to the GOVERNMENTAL ENTITY upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the contractor keeps and maintains public records upon completion of the contract, the contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the GOVERNMENTAL ENTITY, upon request from the GOVERNMENTAL ENTITY's custodian of public records, in a format that is compatible with the information technology systems of THE GOVERNMENTAL ENTITY.
- 9.5 IF THE CONTRACTOR HAS QUESTIONS
 REGARDING THE APPLICATION OF CHAPTER 119,
 FLORIDA STATUTES, AS TO THE CONTRACTOR'S
 DUTY TO PROVIDE PUBLIC RECORDS RELATING
 TO THIS CONTRACT, CONTACT THE
 GOVERNMENTAL ENTITY CUSTODIAN OF PUBLIC
 RECORDS AT (352) 393-1240,
 PURCHASING@GRU.COM, OR 301 SE 4TH
 AVENUE, GAINESVILLE FL 32601.

10.0 CONFIDENTIALITY.

"Confidential information" includes, to the extent such information is defined in Sections 119.07 and 812.081, *Florida Statutes*, as trade secrets or data processing software, or otherwise confidential or exempt from Florida's Public Records Law, Chapter 119, *Florida Statutes*. "Confidential Information" that is marked as "confidential" upon receipt, may include certain information about the GOVERNMENTAL ENTITY's operations, specifications, formulas, codes, software, hardware, intellectual properties, and other confidential and proprietary information belonging to the GOVERNMENTAL ENTITY, work product or technical documentation, prepared, developed or obtained by the GOVERNMENTAL ENTITY or CONSULTANT, or any of its agents, representatives, or employees. CONSULTANT shall maintain the confidentiality of any information so marked and agrees not to disclose the information.

11.0 RIGHTS TO INTELLECTUAL WORK PRODUCT.

- 11.1 Except as otherwise provided herein, sealed original drawings, specifications, final project specific calculations, and other engineering documents which CONSULTANT prepares and delivers to the GOVERNMENTAL ENTITY pursuant to this Agreement shall become the property of the GOVERNMENTAL ENTITY when CONSULTANT has been compensated for services rendered. With the exception of Work Product developed in whole or in part by the GOVERNMENTAL ENTITY, nothing contained in this paragraph shall be construed as limiting or depriving CONSULTANT from its rights to use its basic knowledge and skills to design or carry out other projects or work for itself or others, whether or not such other projects or work are similar to the work to be performed pursuant to this Agreement.
- 11.2 CONSULTANT shall not use CITY, GRU or CRA's name in any such manner, except with the GOVERNMENTAL ENTITY's prior written consent which the GOVERNMENTAL ENTITIES will not unreasonable withhold. Nothing in this Agreement gives the CITY, GRU or any rights to any of CONSULTANT's, CONSULTANT's subcontractors, or Vendor's proprietary computer software that may be used in connection with the services except as expressly provided in the scope of services or as may be separately agreed.
- 11.3 CONSULTANT shall not publicly disseminate any information concerning the Agreement without prior written approval from each GOVERNMENTAL ENTITY, including but not limited to, mentioning the Agreement in a press release or other promotional material, identifying the GOVERNMENTAL ENTITIES as a reference, or otherwise linking the firms name and either a description of the Agreement or the name of any of the GOVERNMENTAL ENTITIES in any material published, either in print or electronically, to any entity that is not a party to Agreement, except potential or actual authorized distributors, dealers, resellers, or service representative.
- All documents, including drawings, specifications, electronic files, engineering reports and computer software prepared by CONSULTANT (except for those pertaining to work developed by the GOVERNMENTAL ENTITY in whole or in part) pursuant to this Agreement are to be used only for the scope of work pursuant to the Task Assignment or Purchase Order. They are not intended or represented to be suitable for reuse by the GOVERNMENTAL ENTITY or others. Any reuse without prior written verification or adaption by CONSULTANT for the specific purpose intended will be at the GOVERNMENTAL ENTITY's sole risk and without liability or legal exposure to CONSULTANT.

- 11.5 CONSULTANT hereby grants to the GOVERNMENTAL ENTITY an irrevocable, nonexclusive, royalty free license for use solely in connection with operation, maintenance, repair, or alternation of the designed facilities or processes, with respect to any invention first reduced to practice by CONSULTANT, its employees or agents, during the course of the services of this Agreement, Task Assignment or Purchase Order. The GOVERNMENTAL ENTITY shall retain all rights to plans and procedures based wholly or in part on or derived from proprietary information received from the GOVERNMENTAL ENTITY. No material produced in whole or in part under this Agreement may be copyrighted or patented in the United States, or in any other country, without the prior written approval of the GOVERNMENTAL ENTITY.
- 11.6 Any files delivered in electronic medium may not work on systems and software different than those with which they were originally produced. CONSULTANT makes no warranty as to the compatibility of these files with any other system or software. Because of potential degradation of electronic medium over time, in the event of a conflict between sealed original documents and electronic files, the sealed original documents will govern. The standard formats for files delivered in electronic medium will be specified by the GOVERNMENTAL ENTITY's project manager for the Task Assignment or Purchase Order.

12.0 AUDIT OF RECORDS.

CONSULTANT shall maintain records sufficient to document completion of the scope of services established by this Agreement, each Task Assignment and Purchase Order. These records shall be subject at all reasonable time to review, inspect, copy and audit by persons duly authorized by the GOVERNMENTAL ENTITIES. These records shall be kept for a minimum of three (3) years after termination of this Agreement. Records that relate to any litigation, appeals or settlements of claims arising from performance under this Agreement shall be made available until a final disposition has been made of such litigation, appeals, or claims.

13.0 INDEMNIFICATION.

- Pursuant to Section 725.08, Florida Statutes, this Agreement qualifies as a professional services contract and CONSULTANT qualifies as a design professional. Notwithstanding the provisions of Section 725.06, Florida Statutes, CONSULTANT agrees to indemnify and hold harmless CITY, GRU, CRA, and each GOVERNMENTAL ENTITY's officers and employees, from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorneys' fees, to the extent caused by the negligence, recklessness, or intentional wrongful conduct of the design professional and other persons employed or utilized by the CONSULTANT in the performance of this Agreement, Task Assignment or Purchase Order.
- 13.2 CONSULTANT represents and warrants that CONSULTANT shall not infringe a trademark, copyright, patent, trade secret or any such intellectual property right in the performance of this Agreement. In the event of an infringement suit related to or resulting from this Agreement, CONSULTANT represents and warrants that CITY, GRU and CRA will not be liable for any damages or royalties if applicable.

14.0 LIMITATION OF LIABILITY.

To the fullest extent permitted by law, each party shall not be liable to CONSULTANT for any incidental, consequential, punitive, exemplary or indirect damages, lost profits, revenue or other business interruption damages, including but not limited to, loss of use of equipment or facility.

PURSUANT TO SECTION 558.0035, FLORIDA STATUTES, AN INDIVIDUAL EMPLOYEE OR AGENT OF CONSULTANT MAY NOT BE HELD INDIVIDUALLY LIABLE FOR ECONOMIC DAMAGES RESULTING FROM NEGLIGENCE UNDER THIS AGREEMENT IF THE CONDITIONS OF SECTION 558.0035 ARE SATISFIED.

Page 9 of 13

15.0 INSURANCE.

CONSULTANT shall maintain the following insurance, and shall provide CITY, GRU and CRA a current Insurance Certificate.

Certificate of Insurance: Said insurance shall be written by a company licensed to do business in the State of Florida and satisfactory to the GOVERNMENTAL ENTITIES. A Certificate of Insurance shall be furnished in a form acceptable to the GOVERNMENTAL ENTITIES for the insurance required. Such certificate or an endorsement provided must state that CITY, GRU, and CRA will be given thirty (30) days written notice (or 10 days written notice for non-payment) prior to cancellation or material change in coverage. CITY, GRU and CRA must be listed as additional insured on the policy.

<u>Professional Liability Insurance</u>: in the amount of \$1,000,000 combined single limit for bodily injury and property damage.

<u>Commercial General Liability</u>: in the amount of \$1,000,000 combined single limit for bodily injury and property damage.

<u>Automobile Liability</u>: in the amount of \$500,000 combined single limit for bodily injury and property damage.

Worker's Compensation:

(a)	State	Statutory
(b)	Applicable Federal	Statutory

(c) Employer's Liability \$500,000 per Accident

\$500,000 Disease, Policy Limit \$500,000 Disease, Each Employee

Excess Liability \$1,000,000

The GOVERNMENTAL ENTITIES reserve the right to require a limit increase or additional insurance (i.e. explosion, collapse and underground property damage; environmental impairment etc.) if the specific Task Assignment or Purchase Order warrants.

16.0 DISPUTES.

If a dispute arises out of or relates to this Agreement, a Task Assignment or Purchase Order, or the breach thereof, and if the dispute cannot be settled through negotiation, either party may, by giving written notice, refer the dispute to a meeting of appropriate higher management, to be held within 20 business days after giving of notice. If the dispute is not resolved within 30 business days after giving notice, or such later date as may be mutually agreed, the Parties will submit the dispute to a mediator. The Parties shall mutually agree to the mediator and the costs of the mediator will be born equally by both parties. The venue for mediation and any subsequent litigation shall be in Alachua County, Florida.

<u>Continue Work</u>: During the dispute process, CONSULTANT shall continue work pursuant to this Agreement as instructed by the GOVERNMENTAL ENTITY.

17.0 GOVERNING LAW, VENUE, ATTORNEY'S FEES, AND WAIVER OF RIGHT TO JURY TRIAL.

This Agreement shall be construed pursuant to the laws of Florida and may not be construed more strictly against one party than against the other. In the event of any legal proceedings arising from or related to this Agreement: (1) venue for any state or federal legal proceedings shall be in Alachua

County Florida; (2) the prevailing party shall be responsible for attorney's fees and costs, including any appeals; and (3) for civil proceedings, the Parties hereby waive the right to jury trial.

18.0 SOVEREIGN IMMUNITY.

Nothing in this Contract shall be interpreted as a waiver of CITY, GRU or CRA's sovereign immunity as granted pursuant to Section 768.28 Florida Statutes.

19.0 MISCELLANEOUS.

- 19.1 Statement of Non-inducement: CONSULTANT warrants that no company or person, other than a bona fide employee working solely for CONSULTANT has been employed or retained to solicit or secure this Agreement. CONSULTANT has not paid or agreed to pay any person, company, corporation, individual or firm, other than a bona fide employee working solely for CONSULTANT, any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from the award or making of this Agreement. Notwithstanding any other provision of this Agreement for breach or violation of this paragraph, the GOVERNMENTAL ENTITIES shall have the right to terminate this Agreement without liability, and at its discretion, to deduct from any amount due to CONSULTANT hereunder, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration.
- 19.2 <u>Non-Discrimination</u>: No person shall, on the grounds of race, sex, age, handicap, creed, color, national origin or any other characteristic protected by applicable federal, state or local law, be refused the benefits of, or be otherwise subjected to discrimination under any activities resulting from this Agreement.
- Truth-in-Negotiation: By execution of this Agreement, CONSULTANT certifies that the wage rates and other factual unit costs supporting compensation negotiated under project shall be accurate, complete and current at the time of execution of each such agreement. Each invoice shall be subject to adjustment to exclude any significant sums, by which the GOVERNMENTAL ENTITY determines the original compensation was increased due to inaccurate, incomplete, or non-current wage rates and other adjustments shall be made within one (1) year following the end of the applicable agreement.
- 19.4 <u>Severability</u>: In the event that any provision of this Agreement is found to be unenforceable, the other provisions shall remain in full force and effect.
- Assignability: Neither the GOVERNMENTAL ENTITIES nor CONSULTANT shall assign any rights or duties under this Agreement without the prior written consent of the other party. Unless otherwise stated in the written consent to an assignment, no assignment will release or discharge the assignor from any obligation under this Agreement. Nothing contained in this Section shall prevent CONSULTANT from employing independent consultants, associates, and subcontractors to assist in the performance of the services undertaken pursuant to this Agreement.
- 19.6 Third Party Rights: Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the GOVERNMENTAL ENTITIES and CONSULTANT.
- 19.7 Entire Agreement: This Agreement and attachments hereto, the Request for Qualification 2018-049, the CONSULTANT's response thereto, and any resulting Task Assignments/Work Orders/Purchase Orders constitute the entire agreement between the PARTIES hereto. Modifications of this Agreement shall be in writing, signed by both PARTIES, and incorporated as written amendments to this Agreement prior to becoming effective.

- 19.8 Notices: Notices to CONSULTANT should be deemed to have been properly sent when electronically or physically delivered to CONSULTANT's address (as noted above). Notices to each GOVERNMENTAL ENTITY is deemed to have been properly sent when delivered to the Project Manager at the address listed in the Task Assignment or Purchase Order.
- 19.9 Order of Precedence: In the event that there is any conflict between the terms and conditions, the order of precedence shall be as follows:
 - a. Change Order to Task Assignment/Work Order/Purchase Order
 - b. Task Assignment/Work Order/Purchase Order
 - c. Modification to this Agreement
 - d. This Agreement
 - e. Request for Statement of Qualifications 2018-049
 - f. CONSULTANT's Statement of Qualifications

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the PARTIES hereto have executed this Agreement on the day first above written in counterparts, each of which shall without proof or accounting for the other counterparts be deemed an original.

JONES, EDMUNDS & ASSOCIATES, INC.

Stalley F. Ferreira, Jr, PE President & CEO

Date: 10/3/2018

WITNESS (as to Consultant)

Бу. ____

Print Name: Amanda Sullivan, JD

Approved as to form and legality

By: Mine Pa

Lisa Bennett City Attorney CITY OF GAINESVILLE

Anthony Lyons City Manger

Date 10-11-18

GAINESVILLE COMMUNITY REDEVELOPMENT AGENCY

By: Anthony Lyons

CRA Executive Director

Date: 10-19-16

WITNESS (25 to CITY and CRA):

BY:

CITY OF GAINESVILLE, d/b/a
GAINESVILLE REGIONAL UTILITIES

By:

Edward J. Bielarski General Manager

Date

Approved as to form and legality

Keino Young

Utilities Attorn

Purchaşing Representative

Robbin Odowski

Buyer Analyst

Attachments:

"A" - Fee and Expense Schedule

"B" - Sample Task Assignment Template

On File:

CONSULTANT'S Statement of Qualifications (in response to RFSQ 2018-049) CONSULTANT'S Certificate of Insurance (as required above)



City of Gainesville, Florida Gainesville Regional Utilities Gainesville Community Redevelopment Agency

RFQ 2018-049 Professional Architectural and Engineering Consulting Services

2018-2019 Standard Hourly Rates

	<u> </u>	
Labor Category	Hourly	/ Rate
Project Officer	\$	258
Senior Project Manager	\$	232
Project Manager	\$	175
Chief Engineer or Scientist	\$	232
Senior Engineer	\$	221
Senior Scientist	\$	165
Project Engineer	\$	175
Project Scientist	\$	155
Engineer or Scientist	\$	134
Engineer Intern (PhD)	\$	124
Engineer Intern or Associate Scientist	\$	103
Designer	\$	124_
Senior CADD Designer	\$	118
CADD Designer	\$	103
Senior CADD Technician	\$	93
CADD Technician	\$	82_
Systems Analyst	\$	165
Senior GIS Analyst or Senior GIS Programmer	\$	134
GIS Analyst or Programmer	\$	103
Senior GIS Technician	\$	82
GIS Technician	\$	72
Senior Database Administrator	\$	170
Database Administrator	\$	134
Environmental Data Analyst	\$	93
Senior Field Technician Environmental	\$	98
Field Technician Environmental	\$	88
Senior Construction Administrator	\$	160
Construction Administrator	\$	124
Senior Field Representative Construction	\$	108
Field Representative Construction	\$	88
Construction Project Coordinator	\$	72
Senior Administrative Assistant	\$	88
Administrative Assistant	\$	67
Senior Technical Editor	\$	113

Rates are subject to annual renegotiation.

ATTACHMENT B

SAMPLE TASK ASSIGNMENT NO.

CONTRACT NO. 2018-049 with ______ for PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES

TITLE: (an appropriate title to distinguish this Task Assignment)
THIS TASK ASSIGNMENT entered into on the day of between (choose either GRU, CRA or City) and (put CONSULTANT's name here) (CONSULTANT) describes services to be performed in accordance with the contract entered into between the parties dated, Agreement for Professional Architectural and Engineering Consulting Services, Contract 2018-049.
ORDER OF PRECEDENCE: In the event that there is any conflict between the terms and conditions contained in this Task Assignment, The Professional Architectural and Engineering Consulting Services Agreement, the Request for Statement of Qualifications (RFSQ), and/or the CONSULTANT's response to the RFSQ, or the CONSULTANTs proposal referenced in this Task Assignment, the order of precedence shall be the Contract, as amended or modified, interpreted as a whole, as applicable, and then as follows:
 a. Task Assignment b. Amendment to the Professional Architectural and Engineering Consulting Services Agreement c. Professional Architectural and Engineering Consulting Services, Agreement d. Request for Statement of Qualifications 2018-049 e. CONSULTANT's Statement of Qualifications f. CONSULTANT's Proposal referenced in this Task Assignment
BACKGROUND: (provide sufficient information to understand the current status)
PURPOSE: (explain what this TA will accomplish and how CITY, GRU OR CRA will benefit)
1.0 SCOPE OF PROJECT.
2.0 PROJECT SCHEDULE.
3.0 MEETINGS AND PROJECT MANAGEMENT
4.0 DELIVERABLES.
5.0 SPECIFIC GRU RESPONSIBILITIES.
6.0 BASIS OF COMPENSATION. (must be auditable to the rates on Attachment "A")
7.0 SPECIAL PROVISIONS. The (choose one: City, GRU, CRA) Project Manager will be (name
and contact information, including address); and
(Consultant/Firm's Name)'s Project Manager will be (name and contact information,
including address)
(add any other special provisions)

ATTACHMENT B

IN WITNESS WHEREOF, the parties hereto have executed this Task Assignment on the day first above written in two (2) counterparts, each of which shall, without proof or accounting for the other counterparts, be deemed an original.

DO NOT SIGN - SAMPLE ONLY

Name of Consultant	CITY OF GAINESVILLE, d/b/a GAINESVILLE REGIONAL UTILITIES
	BY:
Signature	GRU Project Manager (name & title)
Printed Name	_
	Purchasing Representative
Title	By:



actual cost + 10%

Integrity · Knowledge · Service

Reimbursable Expense Schedule

Reproduction Costs

Color copies

8-1/2 x 11 and 8-1/2 x 14 \$0.50 page 11x17 \$0.75 page

Black and white copies

8-1/2 x 11 and 8-1/2 x 14 \$0.05 page 11x17 \$0.10 page otter \$0.125 square foot

KIP plotter Mylars

Office Supplies

Project-specific office supplies actual cost + 10%Computer disks, tapes actual cost + 10%

Equipment Rental

GPS equipment \$5.00 hour
RTK unit (survey grade) \$25.00hour
Equipment rental actual cost +10%

Travel Expenses

Jones Edmunds vehicle \$0.60 mile

Rental vehicle actual cost + 10%
Personal vehicle mileage current IRS rate + 10%

Other travel expenses in accordance with FS Chapter 112.061

Computer Services

CADD \$12.50hour GIS \$5.00 hour HYDR (hydraulic modeling) \$7.50 hour SKM power \$10.00hour

Consultants

Subconsultant services actual cost + 10%

Delivery Services

Couriers and delivery services (UPS, FedEx) actual cost + 10%

CITY OF GAINESVILLE

Change Order No. 3

Date: Jun 27, 2022

Project Name: WSPP Multi-Use Trail and GRU Solids Handling Facility Access

Roadway Design Services

Location: SE Williston Road to Sweetwater Branch Creek

Consultant: Jones, Edmunds & Associates, Inc.

Contract Date: February 25, 2021

This Change Order No. 3 is made in accordance with Task Assignment No. 5 – Contract No. 2018-049-AU with Jones, Edmunds & Associates, Inc. for Professional Architectural and Engineering Consulting Services dated February 25, 2021.

1. NATURE OF CHANGES

1.1 The project's completion date has been delayed due to development reviews taking much longer than anticipated and shall be extended to September 30, 2022.

2. CHANGES TO CONTRACT PRICE

2.1 This change does not result in any change in the Contract Price.

A) Contract Price	ce Prior to this Change Order	\$ 116,738.00

B) Net (Increase) (Decrease) resulting from this change order \$ -0-

C) Current Contract Price including this Change Order \$116,738.00

3. CHANGES TO CONTRACT COMPLETION TIME/DATE

3.1 This change order results in the following adjustment of contract time/date (in calendar days):

4.5		10/01/0001
A)	Original completion date	12/31/2021

B) Net (Increase) (Decrease) resulting from previous Change Orders 173 days

C) Net (Increase) (Decrease) resulting from this Change Order 100 days

D) Current completion time/date including this Change Order 9/30/2022

This Change Order No. 3 constitutes a change to Task Assignment No. 5, and together with Change Order No. 1 dated December 22, 2021, Change Order No. 2 dated March 16, 2022, and Contract No. 2018-049-AU, Professional Services Agreement for Professional Architectural and Engineering Consulting Services dated October 11, 2018, constitutes the entire contract between the parties. All other terms and conditions of the original Task Assignment No. 5 remain in full force and effect. The adjustments in this Change Order are the entire adjustments in payment and contract time that the Consultant is entitled to for all claims and damages for the cost of work outlined above.

CITY OF GAINESVILLE	JONES, EDMUNDS & ASSOCIATES, INC
Cynthia Curry (Jun 27, 2022 13:28 EDT)	Stanley F. Ferreira, Jr. Stanley F. Ferreira, Jr. (Jun 20, 2022 10:43 EDT)
Cynthia W. Curry, Interim City Manager	Stanley F. Ferreira, Jr., President & CEO
Date: Jun 27, 2022	Date: _Jun 20, 2022

APPROVED AS TO FORM AND LEGALITY

David C. Schwartz David C. Schwartz (Jun 27, 2022 10:45 EDT)

City Attorney

This form Document is a legal instrument approved by the City Attorney. Any deviations from its intended use should be authorized by the City Attorney Standard Contract-Change Order 11/2015.

SE WILLISTON ROAD TO SWEETWATER BRANCH CREEK MULTIUSE TRAIL

January 4, 2023

Job Description	Sr. Project Manager	Sr. Engineer	Project Engineer	Project Scientist	E.I.	Sr. CAD Designer	GIS Analyst	Sr. Admin. Asst.	Total Hours	Labor \$	ODCs	Subconsultant	Total
Rate	\$ 232	\$ 221	\$ 175			\$ 118	ļ	ļ					
TASK 1 PROJECT ADMIN. & AGENCY COORD.	18	1	9	0	0	0	0	8	36	\$ 6,676.00	\$ -	\$ -	\$ 6,676.00
TASK 2.1 90% DESIGN	14	15	60	0	118	10	0	0	217	\$ 30,397.00	\$ 225.00	\$ 3,500.00	\$ 34,122.00
TASK 2.3 PERMITTING	7	0	36	8	44	0	14	4	113	\$ 15,490.00	\$ -	\$ -	\$ 15,490.00
TASK 2.4 FINAL DESIGN DOCUMENTS	6	8	32	0	38	11	0	0	95	\$ 13,972.00	\$ 337.50	\$ -	\$ 14,309.50
TASK 3 BID PHASE SERVICES	1	0	4	0	4	0	0	0	9	\$ 1,344.00	\$ -	\$ -	\$ 1,344.00
Total	46	24	141	8	204	21	14	12	470	\$ 67,879.00	\$ 562.50	\$ 3,500.00	\$ 71,941.50

ODCs are per the master contract - CADD @ \$12.50/hr and office supplies

The Subconsultant is expected to be GSE, Inc.

(remaining on the current design services PO):

(\$10,691.62) \$61,249.88

Change Order #4 Increase:

hours	Availability	Sched Days	Delay	Delay notes	Anticipated Start	Anticipated Finish
36	10%	45			Wednesday, February 1, 2023	Wednesday, September 6, 2023
217	33%	82			Wednesday, February 1, 2023	Monday, April 24, 2023
113	50%	28	1	4 Review	Monday, May 8, 2023	Monday, June 5, 2023
95	25%	48	3	0 Review-perm	Wednesday, July 5, 2023	Tuesday, August 22, 2023
9	100%	1	1	4 Review	Tuesday, September 5, 2023	Wednesday, September 6, 2023

CITY OF GAINESVILLE

Change Order No. 4

Project Name: WSPP Multi-Use Trail and GRU Solids Handling Facility Access

Roadway Design Services

Location: SE Williston Road to Sweetwater Branch Creek

Consultant: Jones, Edmunds & Associates, Inc.

Contract Date: February 25, 2021

This Change Order No. 4 is made in accordance with Task Assignment No. 5 – Contract No. 2018-049-AU with Jones, Edmunds & Associates, Inc. for Professional Architectural and Engineering Consulting Services dated February 25, 2021.

1. NATURE OF CHANGES

- 1.1 The CONSULTANT prepared, under contract with GRU, 90% design documents and a Florida Department of Environmental Protection (FDEP) wastewater facility permit application submittal for a solids handling facility and associated access road. The Multi-Use Trail (MUT) was included in the design adjacent to the access road.
- 1.2 GRU decided not to construct the solids handling facility and access road in this location. The road and MUT design plans need to be revised and re-designed to eliminate the asphalt access road while still allowing GRU maintenance access to the power lines on the west side of the trail for vegetation control, and to the sewer line on the east side of the trail.
- 1.3 The proposed improvements will include paving an asphalt access road beginning at a driveway off SE Williston Road at GRU's Lift Station (LS) No. 40 and continuing approximately 300 feet north of LS No. 40. The proposed improvement to the existing dirt access road consists of culvert replacement(s), earthwork, retaining walls, and paving.
- 1.4 A portion of the project area is within a Federal Emergency Management Agency (FEMA)-delineated floodplain zoned as AE with an associated floodway. The CONSULTANT prepared an application to FEMA for a Letter of Map Revision (LOMR) as part of a separate scope of services. That LOMR addressed floodplain impacts associated with LS40 and the access road. The LOMR was approved by FEMA, and the previously developed plans in this area will not change. The revised driveway entrance from Williston Road was approved and permitted by FDOT and the previously developed plans in this area will also not change.

- 1.5 The revised design in the area included in the LOMR will need to receive an individual Environmental Resource Permit (ERP) from the St. Johns River Water Management District (SJRWMD), Section 404 permit through the ERP process, and a City of Gainesville Stormwater permit. The MUT will be included in the design submittal to the District, but—based on discussions with District staff during the pre-application meeting—will be exempt from ERP requirements assuming there are no wetland impacts beyond the new culvert crossing.
- 1.6 These changes require modifications to the design by the CONSULTANT, which result in an increase to the contract amount and an extension of the service date.

2. CHANGES TO CONTRACT PRICE

2.1 This change results in the following change in the Contract Price:

A) Contract Price Prior to this Change Order	\$ 116,738.00
B) Net (Increase) (Decrease) resulting from this change order	\$ 61,249.88
C) Current Contract Price including this Change Order	\$ 177,987.88

3. CHANGES TO CONTRACT COMPLETION TIME/DATE

3.1 This change order results in the following adjustment of contract time/date (in calendar days):

A) Original completion date	12/31/2021
B) Net (Increase) (Decrease) resulting from previous Change Orders	273 days
C) Net (Increase) (Decrease) resulting from this Change Order	217 days
D) Current completion time/date including this Change Order	9/6/2023

This Change Order No. 4 constitutes a change to Task Assignment No. 5, and together with Change Order No. 1 dated December 22, 2021, Change Order No. 2 dated March 16, 2022, Change Order No. 3 dated June 27, 2022 and Contract No. 2018-049-AU, Professional Services Agreement for Professional Architectural and Engineering Consulting Services dated October 11, 2018, constitutes the entire contract between the parties. All other terms and conditions of the original Task Assignment No. 5 remain in full force and effect. The adjustments in this Change Order are the entire adjustments in payment and contract time that the Consultant is entitled to for all claims and damages for the cost of work outlined above.

CITY OF GAINES VILLE	JONES, EDMUNDS & ASSOCIATES, IN
Cynthia W. Curry	Print Name:

Interim City Manager	Title:
Date:	Date:
APPROVED AS TO FORM AND LEGALITY	
City Attorney	

This form Document is a legal instrument approved by the City Attorney. Any deviations from its intended use should be authorized by the City Attorney Standard Contract-Change Order 11/2015.



City of Gainesville Agenda Item Report

File Number: 2023-88

Agenda Date: February 2, 2023

Department: Office of the City Commission

Title: 2023-88 Approval of Employment Contracts for the City Manager, City Attorney, Equity and Inclusion Director and General Manager of Utilities (B)

Department: Office of the City Commission

Fiscal Note: The employment contract costs for the City Manager, City Attorney, Equity and Inclusion Director, and General Manager of Utilities are budgeted via salary expenses for the respective Charter department.

Recommendation: The City Commission approve the employment contracts for the City Manager, City Attorney, Equity and Inclusion Director and General Manager of Utilities.

EMPLOYMENT AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of February, 2023, by and between the **City of Gainesville,** a Florida municipal corporation, hereinafter called the "City", and **Anthony L. Cunningham**, hereinafter called "General Manager", both of whom understand as follows:

WITNESSETH:

WHEREAS, Anthony L. Cunningham has been continuously employed with the City of Gainesville since January 7, 2002 and currently holds the full-time, regular position of Interim General Manager for the City of Gainesville;

WHEREAS, Anthony L. Cunningham is qualified and competent to serve as the General Manager of the City, and is ready, willing and able to perform the duties of General Manager consistent with the following terms and conditions; and

WHEREAS, Anthony L. Cunningham and the City feel it would be mutually beneficial to enter into a contract of employment setting forth agreements and understandings which:

- 1. provide inducement for the General Manager to accept such employment with the City;
- 2. make possible full work productivity by assurances to the General Manager with respect to future security;
- 3. establish the basis, framework and context for the relationship which shall exist between the City and the General Manager; and
- 4. provide a just means of terminating the General Manager's services at such time as the City Commission may desire to terminate such employment.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

Section 1. Duties.

The City Commission hereby agrees to employ Anthony L. Cunningham as the General Manager of the City to perform duties and functions of said position as specified in the City Charter, Code of Ordinances, and job description, if any, and such other lawful duties as the City Commission may from time to time assign the General Manager. The City Commission has found that good cause exists under Section 2-141, Code of Ordinances of the City of Gainesville, Florida, to extend compliance with the General Manager's residency requirement therein through July 1, 2024.

Section 2. Term.

This Agreement shall be of a continuing nature, provided, however, that:

- A. The General Manager shall hold office at the will of the City Commission, and nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the City Commission to terminate the services of the General Manager at any time, subject only to the provisions set forth in Section 4 of this Agreement.
- B. Nothing in this Agreement shall prevent, limit, or interfere with the right of the General Manager to resign at any time from his position with the City, subject only to the provisions set forth in Section 4 of this Agreement.
- C. The General Manager shall report for duty as General Manager for the City of Gainesville on February 6, 2023. Because Anthony L. Cunningham was employed with the City of Gainesville immediately preceding his appointment to General Manager, the date he first became employed by the City, or January 7, 2002, shall be the General Manager's leave progression date for the purposes of computing benefits, except as otherwise specified herein.

Section 3. Salary and Related Matters.

A. The City Agrees to pay the General Manager for his services rendered pursuant

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hereto an annual base salary of \$308,935 payable in equal installments at the same time as other employees of the City are paid. The City agrees to increase said base salary and/or benefits of the General Manager in such amounts and to such extent as the City Commission and the General Manager may determine that it is desirable to do so. The General Manager's performance, salary, and benefits shall be reviewed after the conclusion of every fiscal year by the City Commission. The performance objectives and review procedures will be established by mutual agreement of the General Manager and City Commission at the beginning of the fiscal year for the next review period. Any salary increases will be based on the General Manager's performance of the established performance objectives and review procedures in the prior fiscal year and become effective on the first Monday of the first full pay period of the next calendar year.

- B. The City shall fix any such other terms and conditions of employment as it may determine from time to time, relating to the performance of the General Manager, provided such terms and conditions are not inconsistent with the provisions of this Agreement, the City Charter, or any other law.
- C. All provisions of the City Charter and the Code, and regulations, policies, and rules of the City relating to fringe benefits and working conditions as they now exist or hereafter may be amended, including without limitation, health insurance and disability retirement benefits, also shall apply to the General Manager as they would to other management employees of the City hired on January 7, 2002, except as herein provided.
- D. The General Manager shall be entitled to the rights described in the City's Human Resources, including Policy L-3, except as modified as follows. Upon commencement of employment as General Manager, the General Manager shall receive 82.25 hours of PTO. Beginning with the ninth (9th) pay period after commencement of employment as General Manager,

the General Manager shall accrue PTO at the rate of 10 hours 47 minutes per pay period or the rate of accrual per pay period applicable to General Manager's leave progression date, whichever is greater. The maximum number of PTO hours that can be accrued (carryover cap) is 560 hours, adjusted as otherwise provided in Policy L-3. The General Manager is not eligible to earn administrative leave.

Upon termination of employment, earned and accrued PTO shall be paid to the General Manager, and earned and accrued PCLB shall be resolved as generally allowed for management employees of the City hired on General Manager's leave progression date.

E The General Manager shall have the option of utilizing either the City's contractual medical provider or his personal physician for a yearly physical exam and EKG, provided that, in the latter case, the monetary exposure for the City shall not exceed \$250. If a personal physician is utilized, General Manager will be required to submit any bills for the services provided through any available insurance coverage before requesting reimbursement from the City for non-covered deductibles or co-insurance payments. The scope of the examination will be that of a "Type A" physical examination as described in the City's contract with Family Practice Medical Group or an examination of a similar scope with any successor provider. Services provided by a personal physician other than those listed under Type A above shall not be subject to reimbursement under this paragraph.

F. The City shall provide the General Manager term life insurance under the City's group plan, in an amount equal to approximately two (2) times the salary of the General Manager up to a maximum of \$250,000. The parties understand that, in accordance with law, a portion of the life insurance provided, and the amount of premium payments, may constitute a taxable benefit to the General Manager.

Section 4. Termination and Severance Pay.

A. In the event the General Manager's employment is terminated by virtue of his resignation, he shall inform the City Commission in writing and shall give the City Commission two (2) months written notice in advance, unless the parties otherwise agree.

B. In the event the General Manager is terminated for cause as so stated by at least four (4) members of the City Commission, at the time of termination, the City shall have no obligation to provide any severance pay, but accrued and unused PTO shall be paid for. It is understood and agreed that the City Commission will be the sole judge as to the effectiveness and efficiency with which the General Manager performs his employment, and whether cause exists for the termination of such. By way of illustration, but not limitation, the following are some examples of situations the parties agree could reasonably be deemed "cause" warranting denial of severance pay: gross negligence in the handling of City affairs; willful violation of the provisions of law; willfully disregarding a direct order or demand of the City Commission or a policy of the City; conduct unbecoming a General Manager; pleading guilty or *nolo contendere* to, or being found guilty by a jury or court of a misdemeanor involving physical violence, theft, driving under the influence of alcohol or drugs or possession or sale of drugs, or a felony, regardless of whether or not adjudication is withheld and probation imposed.

C. In the event the General Manager's employment is terminated under any other circumstances during such time as the General Manager is willing and able to perform the duties of General Manager, then the General Manager shall be entitled to severance pay in the amount equal to 20 weeks' salary less appropriate deductions for federal withholding and other applicable taxes, in addition to payment for any eared and accrued annual, sick, or compensatory leave (PTO and PCLB).

D. If termination of employment occurs under any other circumstance, i.e., death or disability, or the General Manager is unable, or anticipated to be unable, to perform the duties of the General Manager position due to a physical or mental impairment for a period of 90 consecutive days, or 180 days out of the next 365 days, then the parties may agree to terminate the General Manager and pay the General Manager, effective the last day of his employment, an amount, less appropriate deductions for federal withholding and other appropriate taxes up to a maximum of 12 weeks' salary at the General Manager's current rate of pay, in addition to any accrued and unused PTO and any other benefits to which the General Manager is entitled.

E. Any severance pay provided to the General Manager by the City shall not exceed an amount greater than 20 weeks of salary, provided, however, the General Manager is prohibited from receiving any severance pay from the City if the General Manager's employment is terminated by the City Commission for misconduct, as defined in Section 443.036(29), Florida Statutes (2022).

Section 5. Dues and Subscriptions.

The City agrees to pay for the professional dues and subscriptions of the General Manager necessary for his continuation and full participation in national, regional, state, and local associations and organizations necessary and desirable for his continued professional participation, growth, and advancement, and for the good of the City. The total expenditure for dues and subscriptions may be limited by the amount specifically approved and appropriated in the City's Annual Financial and Operating Plan Budget.

Section 6. Bonding.

The City shall bear the full cost of any fidelity or other bonds required of the General Manager under any law or ordinance.

Section 7. Retirement.

- A. The City agrees to execute all necessary agreements provided by MissionSquare or similar City approved providers for participation in any such retirement plans sponsored by the City. The General Manager will decide the percentage of his base salary that he desires to have contributed/deferred to such plans and the City will implement his decision to the extent allowed by law by, among other things, deducting appropriate equal proportionate amounts each pay period. The City agrees to transfer ownership of said funds to succeeding employers upon the General Manager's termination, if such is in accordance with the plan provisions and legal requirements in effect at that time.
- B. The General Manager is presently a vested member of the City of Gainesville Employees' Pension Plan and the City of Gainesville Employees' Disability Plan and may continue to participate in such plans in accordance with their terms, which shall apply to the General Manager as they would to other management employees of the City hired on January 7, 2002.

Section 8. General Provisions.

- A. The text herein shall constitute the entire Agreement between the parties.
- B. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.
- C. Except as otherwise provided herein, the terms and conditions of employment described in this Agreement shall be effective February 6, 2023.

IN WITNESS WHEREOF, the City has caused this Employment Agreement to be signed and executed on its behalf by its Mayor, and duly attested to by its Clerk of the Commission, and

the General Manager has signed and executed this Employment Agreement, both in duplicate on the respective dates under each signature.

	CITY OF GAINESVILLE
ATTEST: BY: OMICHELE D. GAINEY CLERK OF THE COMMISSION DATED:	HARVEY WARD MAYOR DATED:
	ANTHONY L. CUNNINGHAM GENERAL MANAGER DATED:

EMPLOYMENT AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of February, 2023, by and between the **City of Gainesville,** a Florida municipal corporation, hereinafter called the "City" and **Cynthia W. Curry**, hereinafter called "City Manager", both of whom understand as follows:

WITNESSETH:

WHEREAS, Cynthia W. Curry has been continuously employed with the City of Gainesville since November 15, 2021 and currently holds the full-time, regular position of Interim City Manager for the City of Gainesville;

WHEREAS, Cynthia W. Curry is qualified and competent to serve as the City Manager of the City, and is ready, willing and able to perform the duties of City Manager consistent with the following terms and conditions; and

WHEREAS, Cynthia W. Curry and the City feel it would be mutually beneficial to enter into a contract of employment setting forth agreements and understandings which:

- 1. provide inducement for the City Manager to accept such employment with the City;
- 2. make possible full work productivity by assurances to the City Manager with respect to future security;
- 3. establish the basis, framework and context for the relationship which shall exist between the City and the City Manager; and
- 4. provide a just means of terminating the City Manager's services at such time as the City Commission may desire to terminate such employment.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

Section 1. Duties.

The City Commission hereby agrees to employ Cynthia W. Curry as the City Manager of

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the City to perform duties and functions of said position as specified in the City Charter, Code of Ordinances, and job description, if any, and such other lawful duties as the City Commission may from time to time assign the City Manager.

Section 2. Term.

This Agreement shall be of a continuing nature, provided, however, that:

- A. The City Manager shall hold office at the will of the City Commission, and nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the City Commission to terminate the services of the City Manager at any time, subject only to the provisions set forth in Section 4 of this Agreement.
- B. Nothing in this Agreement shall prevent, limit, or interfere with the right of the City Manager to resign at any time from her position with the City, subject only to the provisions set forth in Section 4 of this Agreement.
- C. The City Manager shall report for duty as City Manager for the City of Gainesville on February 6, 2023. Because Ms. Curry was employed with the City of Gainesville immediately preceding her appointment to City Manager, the date she became employed by the City, or November 15, 2021, shall be the City Manager's leave progression date for the purposes of computing benefits, except as otherwise specified herein

Section 3. Salary and Related Matters.

A. The City Agrees to pay the City Manager for her services rendered pursuant hereto an annual base salary of \$299,000 payable in equal installments at the same time as other employees of the City are paid. The City agrees to increase said base salary and/or benefits of the City Manager in such amounts and to such extent as the City Commission and the City Manager may determine that it is desirable to do so. The City Manager's performance, salary, and benefits shall

be reviewed after the conclusion of every fiscal year by the City Commission. The performance objectives and review procedures will be established by mutual agreement of the City Manager and City Commission at the beginning of the fiscal year for the next review period. Any salary increases will be based on the City Manager's performance of the established performance objectives and review procedures in the prior fiscal year and become effective on the first Monday of the first full pay period of the next calendar year.

- B. The City shall fix any such other terms and conditions of employment as it may determine from time to time, relating to the performance of the City Manager, provided such terms and conditions are not inconsistent with the provisions of this Agreement, the City Charter, or any other law.
- C. All provisions of the City Charter and the Code, and regulations, policies, and rules of the City relating to fringe benefits and working conditions as they now exist or hereafter may be amended, including without limitation, health insurance and disability retirement benefits, also shall apply to the City Manager as they would to other management employees of the City hired on November 15, 2021, except as herein provided.
- D. The City Manager shall be entitled to the rights described in the City's Human Resources Policies, including L-3, except as modified as follows. Upon commencement of employment as City Manager, the City Manager shall receive 82.25 hours of PTO. Beginning with the ninth (9th) pay period after commencement of employment as City Manager, the City Manager shall accrue PTO at the rate of 10 hours 47 minutes per pay period or the rate of accrual per pay period applicable to City Manager's leave progression date, whichever is greater. The maximum number of PTO hours that can be accrued (carryover cap) is 560 hours, adjusted as otherwise provided in Policy L-3. The City Manager is not eligible to earn administrative leave.

Upon termination of employment, earned and accrued PTO shall be paid to the City Manager and earned and accrued PCLB shall be resolved as generally allowed for management employees of the City hired on City Manager's leave progression date.

E. The City Manager shall have the option of utilizing either the City's contractual medical provider or her personal physician for a yearly physical exam and EKG, provided that, in the latter case, the monetary exposure for the City shall not exceed \$250. If a personal physician is utilized, City Manager will be required to submit any bills for the services provided through any available insurance coverage before requesting reimbursement from the City for non-covered deductibles or co-insurance payments. The scope of the examination will be that of a "Type A" physical examination as described in the City's contract with Family Practice Medical Group or an examination of a similar scope with any successor provider. Services provided by a personal physician other than those listed under Type A above shall not be subject to reimbursement under this paragraph.

F. The City shall provide the City Manager term life insurance under the City's group plan, in an amount equal to approximately two (2) times the salary of the City Manager up to a maximum of \$250,000. The parties understand that, in accordance with law, a portion of the life insurance provided, and the amount of premium payments, may constitute a taxable benefit to the City Manager.

Section 4. Termination and Severance Pay.

- A. In the event the City Manager's employment is terminated by virtue of her resignation, she shall inform the City Commission in writing and shall give the City Commission two (2) months written notice in advance, unless the parties otherwise agree.
 - B. In the event the City Manager is terminated for cause as so stated by at least four (4)

Page 4 of 8

members of the City Commission, at the time of termination, the City shall have no obligation to provide any severance pay, but accrued and unused PTO shall be paid for. It is understood and agreed that the City Commission will be the sole judge as to the effectiveness and efficiency with which the City Manager performs her employment, and whether cause exists for the termination of such. By way of illustration, but not limitation, the following are some examples of situations the parties agree could reasonably be deemed "cause" warranting denial of severance pay: gross negligence in the handling of City affairs; willful violation of the provisions of law; willfully disregarding a lawful direct order or demand of the City Commission or a policy of the City; conduct unbecoming a City Manager; pleading guilty or *nolo contendere* to, or being found guilty by a jury or court of a misdemeanor involving physical violence, theft, driving under the influence of alcohol or drugs or possession or sale of drugs, or a felony, regardless of whether or not adjudication is withheld and probation imposed.

- C. In the event the City Manager's employment is terminated under any other circumstances during such time as the City Manager is willing and able to perform the duties of City Manager, then the City Manager shall be entitled to severance pay in the amount equal to 20 weeks' salary less appropriate deductions for federal withholding and other applicable taxes, in addition to payment for any earned and accrued annual, sick, or compensatory leave (PTO and PCLB).
- D. If termination of employment occurs under any other circumstance, i.e., death or disability, or the City Manager is unable, or anticipated to be unable, to perform the duties of the City Manager position due to a physical or mental impairment for a period of 90 consecutive days, or 180 days out of the next 365 days, then the parties may agree to terminate the City Manager and pay the City Manager, effective the last day of her employment, an amount, less appropriate

deductions for federal withholding and other appropriate taxes up to a maximum of 12 weeks' salary at the City Manager's current rate of pay, in addition to any accrued and unused PTO and any other benefits to which the City Manager is entitled.

E. Any severance pay provided to the City Manager by the City shall not exceed an amount greater than 20 weeks of salary, provided, however, the City Manager is prohibited from receiving any severance pay from the City if the City Manager's employment is terminated by the City Commission for misconduct, as defined in Section 443.036(29), Florida Statutes (2022).

Section 5. Dues and Subscriptions.

The City agrees to pay for the professional dues and subscriptions of the City Manager necessary for her continuation and full participation in national, regional, state, and local associations and organizations necessary and desirable for her continued professional participation, growth, and advancement, and for the good of the City. The total expenditure for dues and subscriptions may be limited by the amount specifically approved and appropriated in the City's Annual Financial and Operating Plan Budget.

Section 6. Bonding.

The City shall bear the full cost of any fidelity or other bonds required of the City Manager under any law or ordinance.

Section 7. Retirement.

The City agrees to execute all necessary agreements provided by MissionSquare or similar City approved providers for participation in any such retirement plans sponsored by the City. The City Manager will decide the percentage of her base salary that she desires to have contributed/deferred to such plans and the City will implement her decision to the extent allowed by law by, among other things, deducting appropriate equal proportionate amounts each pay

period. The City agrees to transfer ownership of said funds to succeeding employers upon the City Manager's termination, if such is in accordance with the plan provisions and legal requirements in effect at that time.

Section 8. General Provisions.

- A. The text herein shall constitute the entire Agreement between the parties.
- B. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.
- C. Except as otherwise provided herein, the terms and conditions of employment described in this Agreement shall be effective February 6, 2023.

IN WITNESS WHEREOF, the City has caused this Employment Agreement to be signed and executed on its behalf by its Mayor, and duly attested to by its Clerk of the Commission, and the City Manager has signed and executed this Employment Agreement, both in duplicate on the respective dates under each signature.

	CITY OF GAINESVILLE	
ATTEST:	HARVEY WARD MAYOR DATED:	
BY: OMICHELE D. GAINEY CLERK OF THE COMMISSION DATED:		
	CYNTHIA W. CURRY CITY MANAGER DATED:	

EMPLOYMENT AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of February, 2023, by and between the City of Gainesville, Florida, hereinafter called the "City" and Zeriah Folston, hereinafter also called "Equal Opportunity Director," both of whom understand as follows:

WITNESSETH:

WHEREAS, Zeriah Folston has been continuously employed with the City of Gainesville since March 30, 2020;

WHEREAS, Zeriah Folston currently holds the full-time regular position of Interim Equity and Inclusion Director with the City Office of Equity and Inclusion for the City of Gainesville:

WHEREAS, Zeriah Folston is qualified and competent to serve as the Equal Opportunity Director, and is ready, willing and able to perform the duties of the Equal Opportunity Director consistent with the following terms and conditions; and

WHEREAS, Zeriah Folston and the City of Gainesville feel it would be mutually beneficial to enter into a contract of employment setting forth agreements and understandings which:

- 1. provide inducement for the Equal Opportunity Director to accept such appointment with the City;
- 2. make possible full work productivity by assurances to the Equal Opportunity Director with respect to future security;
- 3. establish the basis, framework and context for the relationship which shall exist between the City and the Equal Opportunity Director; and
- 4. provide a just means of terminating the Equal Opportunity Director's services at such time as the City Commission or the Equal Opportunity Director may desire to terminate such appointment;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the

parties agree as follows:

Section 1. Duties.

The City Commission hereby agrees to appoint and employ Zeriah Folston as the Equal Opportunity Director of the City of Gainesville to perform duties and functions of said position as specified in the City Charter, Code of Ordinances, and job description, if any, and such other lawful duties as the City Commission may from time to time assign the Equal Opportunity Director. Zeriah Folston shall become a bona fide resident of the City of Gainesville on or before July 1, 2024.

Section 2. Term.

This Agreement shall be of a continuing nature, provided, however, that:

- A. Zeriah Folston shall hold office as the Equal Opportunity Director at the will of the City Commission, and nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the City Commission to terminate his appointment as the Equal Opportunity Director at any time, subject only to the provisions set forth in Section 4 of this Agreement.
- B. Nothing in this Agreement shall prevent, limit, or interfere with the right of Zeriah Folston to terminate the appointment as the Equal Opportunity Director or resign his underlying position with the City, subject only to the provisions set forth in Section 4 of this Agreement.
- C. Zeriah Folston shall report for duty as the Equal Opportunity Director for the City of Gainesville on February 6, 2023. Because Zeriah Folston was employed with the City of Gainesville immediately preceding his appointment to Equal Opportunity Director, the date he first became employed by the City, or March 30, 2020 shall be the Equal Opportunity Director's leave progression date for the purposes of computing benefits, except as otherwise specified herein.

Section 3. Salary and Related Matters.

- A. The City agrees to pay the Equal Opportunity Director for his services rendered pursuant hereto an annual base salary of \$218,000, payable in equal installments at the same time as other employees of the City are paid. The City agrees to increase said base salary and/or benefits of the Equal Opportunity Director in such amounts and to such extent as the City Commission and the Equal Opportunity Director may determine that it is desirable to do so. The Equal Opportunity Director's performance, salary, and benefits shall be reviewed after the conclusion of every fiscal year by the City Commission. The performance objectives and review procedures should be established at the beginning of the fiscal year for the next review period. Any salary increases will be based on the Equal Opportunity Director's performance in the prior fiscal year and become effective on the first Monday of the first full pay period of the next calendar year.
- B. The City shall fix any such other terms and conditions of employment as it may determine from time to time, relating to the performance of the Equal Opportunity Director, provided such terms and conditions are not inconsistent with the provisions of this Agreement, the City Charter, or any other law.
- C. All provisions of the City Charter and the Code, and regulations and rules of the City relating to fringe benefits and working conditions as they now exist or hereafter may be amended, including without limitation, health insurance and disability retirement benefits, also shall apply to the Equal Opportunity Director as they would to other management employees of the City hired on March 30, 2020, except as herein provided.
- D. The Equal Opportunity Director shall be entitled to the rights described in the City's Human Resource Policies, including L-3, except as modified as follows. Upon commencement of employment as the Equal Opportunity Director, the Equal Opportunity Director shall receive 82.25

hours of PTO. Beginning with the ninth (9th) pay period after commencement of employment as Equal Opportunity Director, the Equal Opportunity Director shall accrue PTO at the rate of 10 hours 28 minutes per pay period or the rate of accrual per pay period applicable to Equal Opportunity Director's leave progression date, whichever is greater. The maximum number of PTO hours that can be accrued (carryover cap) is 560 hours, adjusted as otherwise provided in Policy L-3. The Equal Opportunity Director is not eligible to earn administrative leave.

Upon termination of employment, earned and accrued PTO shall be paid to the Equal Opportunity Director, and earned and accrued PCLB shall be resolved as generally allowed for management employees of the City hired on the Equal Opportunity Director 's leave progression date.

- E. The Equal Opportunity Director shall have the option of utilizing either the City's contractual medical provider or his personal physician for a yearly physical exam and EKG, provided that, in the latter case, the monetary exposure for the City shall not exceed \$250. If a personal physician is utilized, the Equal Opportunity Director will be required to submit any bills for the services provided through any available insurance coverage before requesting reimbursement from the City for non-covered deductibles or co-insurance payments. The scope of the examination will be that of a "Type A" physical examination as described in the City's contract with Family Practice Medical Group or an examination of a similar scope with any successor provider. Services provided by a personal physician other than those listed under Type A above shall not be subject to reimbursement under this paragraph.
- F. The City shall provide or pay for term life insurance, in an amount equal to approximately two (2) times the salary of the Equal Opportunity Director up to a maximum of \$250,000. The parties understand that, in accordance with law, a portion of the life insurance

provided, and the amount of premium payments, may constitute a taxable benefit to the Equal Opportunity Director.

Section 4. Termination and Severance Pay.

- A. In the event Zeriah Folston's appointment as the Equal Opportunity Director is terminated by virtue of his own initiative, he shall inform the City Commission in writing and shall give the City Commission two (2) months written notice in advance, unless the parties otherwise agree.
- B. In the event the Equal Opportunity Director is terminated for cause as so stated by at least four (4) members of the City Commission, at the time of termination, the City shall have no obligation to provide any severance pay, but accrued and unused PTO shall be paid for. It is understood and agreed that the City Commission will be the sole judge as to the effectiveness and efficiency with which the Equal Opportunity Director performs his employment, and whether cause exists for the termination of such. By way of illustration, but not limitation, the following are some examples of situations the parties agree could reasonably be deemed "cause" warranting termination of appointment: gross negligence in the handling of City affairs; willful violation of the provisions of law; willfully disregarding a lawful direct order or demand of the City Commission or a policy of the City; conduct unbecoming a Equal Opportunity Director; pleading guilty or *nolo contendere* to, or being found guilty by a jury or court, of a misdemeanor involving physical violence, theft, driving under the influence of alcohol or drugs, or possession or sale of drugs, or a felony, regardless of whether or not adjudication is withheld and probation imposed.
- C. In the event the Equal Opportunity Director's employment is terminated under any other circumstances during such time as the Equal Opportunity Director is willing and able to

perform the duties of Equal Opportunity Director, then the Equal Opportunity Director shall be entitled to severance pay in the amount equal to 20 weeks' salary less appropriate deductions for federal withholding and other applicable taxes, in addition to payment for any earned and accrued annual, sick, or compensatory leave (PTO and PCLB).

- D. If termination of employment occurs under any other circumstance, i.e., death or disability, or the Equal Opportunity Director is unable, or anticipated to be unable, to perform the duties of his position due to a physical or mental impairment for a period of 90 consecutive days, or 180 days out of the next 365 days, then the parties may agree to terminate Equal Opportunity Director and pay the Equal Opportunity Director, effective the last day of his employment, an amount, less appropriate deductions for federal withholding and other appropriate taxes, up to a maximum of 12 weeks' salary at his current rate of pay, in addition to any accrued and unused PTO and any other benefits to which the Equal Opportunity Director is entitled.
- E. Any severance pay provided to the Equal Opportunity Director by the City shall not exceed an amount greater than 20 weeks of salary, provided, however, the Equal Opportunity Director is prohibited from receiving any severance pay from the City if the Equal Opportunity Director's employment is terminated by the City Commission for misconduct, as defined in Section 443.036(29), Florida Statutes (2022).

Section 5. Dues and Subscriptions.

The City agrees to pay for the professional dues and subscriptions of the Equal Opportunity Director necessary for his continuation and full participation in national, regional, state, and local associations and organizations necessary and desirable for his continued professional participation, growth, and advancement, and for the good of the City. The total expenditure for dues and subscriptions may be limited by the amount specifically approved and

appropriated in the City's Annual Financial and Operating Plan Budget.

Section 6. Bonding.

The City shall bear the full cost of any fidelity or other bonds required of the Equal Opportunity Director under any law or ordinance.

Section 7. Retirement.

A. The City agrees to execute all necessary agreements provided by MissionSquare or similar City approved providers for participation in any such retirement plans sponsored by the City. The Equal Opportunity Director will decide the percentage of his base salary that he desires to have contributed/deferred to such plans and the City will implement his decision to the extent allowed by law by, among other things, deducting appropriate equal proportionate amounts each pay period. The City agrees to transfer ownership of said funds to succeeding employers upon the Equal Opportunity Director's termination, if such is in accordance with the plan provisions and legal requirements in effect at that time.

Section 8. General Provisions.

- A. The text herein shall constitute the entire Agreement between the parties.
- B. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.
- C. Except as otherwise provided herein, the terms and conditions of employment described in this Agreement shall be effective February 6, 2023.

IN WITNESS WHEREOF, the City has caused this Employment Agreement to be signed and executed on its behalf by its Mayor, and duly attested to by its City Clerk, and the Equal Opportunity Director has signed and executed this Employment Agreement, both in duplicate on

the respective dates under each signature.

	CITY OF GAINESVILLE		
	HARVEY WARD		
	MAYOR		
	DATED:		
ATTEST:			
DV			
BY:	ZEDIALI EQI CTON		
OMICHELE GAINEY	ZERIAH FOLSTON		
CITY CLERK	EQUAL OPPORTUNITY DIRECTOR		
DATED.	DATED		

EMPLOYMENT AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of February, 2023, by and between the City of Gainesville, Florida, hereinafter called the "City" and Daniel M. Nee, hereinafter also called "City Attorney," both of whom understand as follows:

WITNESSETH:

WHEREAS, Daniel M. Nee has been continuously employed as an attorney with the City of Gainesville since December 18, 2001;

WHEREAS, Daniel M. Nee currently holds the full-time regular position of Interim City Attorney with the City Attorney's Office for the City of Gainesville, and has continuously maintained that position since November 1, 2021;

WHEREAS, Daniel M. Nee is qualified and competent to serve as the City Attorney, and is ready, willing and able to perform the duties of the City Attorney consistent with the following terms and conditions;

WHEREAS, Daniel M. Nee is a member in good standing of the Florida Bar; he is further qualified and competent to render professional legal services and he is ready, willing and able, consistent with the Code of Professional Responsibility promulgated by the Supreme Court of the State of Florida, to provide professional legal service consistent with the terms and conditions which follow; and

WHEREAS, Daniel M. Nee and the City of Gainesville feel it would be mutually beneficial to enter into a contract of employment setting forth agreements and understandings which:

- 1. provide inducement for the City Attorney to accept such appointment with the City;
- 2. make possible full work productivity by assurances to the City Attorney with

respect to future security;

- 3. establish the basis, framework and context for the relationship which shall exist between the City and the City Attorney; and
- 4. provide a just means of terminating the City Attorney's services at such time as the City Commission or the City Attorney may desire to terminate such appointment;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

Section 1. Duties.

The City Commission hereby agrees to appoint and employ Daniel M. Nee as the City Attorney of the City of Gainesville to perform duties and functions of said position as specified in the City Charter, Code of Ordinances, and job description, if any, and such other lawful duties as the City Commission may from time to time assign the City Attorney.

Section 2. Term.

This Agreement shall be of a continuing nature, provided, however, that:

- A. Daniel M. Nee shall hold office as the City Attorney at the will of the City Commission, and nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the City Commission to terminate his appointment as the City Attorney at any time, subject only to the provisions set forth in Section 4 of this Agreement.
- B. Nothing in this Agreement shall prevent, limit, or interfere with the right of Daniel M. Nee to terminate the appointment as the City Attorney or resign his underlying position with the City, subject only to the provisions set forth in Section 4 of this Agreement.
- C. Daniel M. Nee shall report for duty as the City Attorney for the City of Gainesville on February 6, 2023. Daniel M. Nee has been continuously employed with the City of Gainesville since December 18, 2001. December 18, 2001 shall be and remain Daniel M. Nee's leave

progression date for the purposes of computing benefits, except as otherwise specified herein.

Section 3. Salary and Related Matters.

- A. The City agrees to pay the City Attorney for his services rendered pursuant hereto an annual base salary of \$228,000, payable in equal installments at the same time as other employees of the City are paid. The City agrees to increase said base salary and/or benefits of the City Attorney in such amounts and to such extent as the City Commission and the City Attorney may determine that it is desirable to do so. The City Attorney's performance, salary, and benefits shall be reviewed after the conclusion of every fiscal year by the City Commission. The performance objectives and review procedures should be established at the beginning of the fiscal year for the next review period. Any salary increases will be based on the City Attorney's performance in the prior fiscal year and become effective on the first Monday of the first full pay period of the next calendar year.
- B. The City shall fix any such other terms and conditions of employment as it may determine from time to time, relating to the performance of the City Attorney, provided such terms and conditions are not inconsistent with the provisions of this Agreement, the City Charter, or any other law.
- C. All provisions of the City Charter and the Code, and regulations and rules of the City relating to fringe benefits and working conditions as they now exist or hereafter may be amended, including without limitation, health insurance and disability retirement benefits, also shall apply to the City Attorney as they would to other management employees of the City hired on December 18, 2001, except as herein provided.
- D. The City Attorney shall be entitled to the rights described in the City's Human Resource Policies, including L-3 except as modified as follows. Beginning with the commencement of appointment as the City Attorney, the City Attorney shall accrue PTO at the rate

of 10 hours and 47 minutes per pay period or the rate of accrual per pay period applicable to the City Attorney's leave progression date, whichever is greater. The maximum number of PTO hours that can be accrued (carryover cap) is 560 hours, adjusted as otherwise provided in Policy L-3. The City Attorney is not eligible to earn administrative leave.

Upon termination of employment, earned and accrued PTO shall be paid to the City Attorney, and earned and accrued PCLB shall be resolved as generally allowed for management employees of the City hired on the City Attorney's leave progression date.

E. The City Attorney shall have the option of utilizing either the City's contractual medical provider or his personal physician for a yearly physical exam and EKG, provided that, in the latter case, the monetary exposure for the City shall not exceed \$250. If a personal physician is utilized, the City Attorney will be required to submit any bills for the services provided through any available insurance coverage before requesting reimbursement from the City for non-covered deductibles or co-insurance payments. The scope of the examination will be that of a "Type A" physical examination as described in the City's contract with Family Practice Medical Group or an examination of a similar scope with any successor provider. Services provided by a personal physician other than those listed under Type A above shall not be subject to reimbursement under this paragraph.

F. The City shall provide or pay for term life insurance, in an amount equal to approximately two (2) times the salary of the City Attorney up to a maximum of \$250,000. The parties understand that, in accordance with law, a portion of the life insurance provided, and the amount of premium payments, may constitute a taxable benefit to the City Attorney.

Section 4. Termination and Severance Pay.

A. In the event Daniel M. Nee's appointment as the City Attorney is terminated by

virtue of his own initiative, he shall inform the City Commission in writing and shall give the City Commission two (2) months written notice in advance, unless the parties otherwise agree.

- B. In the event the City Attorney is terminated for cause as so stated by at least four (4) members of the City Commission, at the time of termination, the City shall have no obligation to provide any severance pay, but accrued and unused PTO shall be paid for. It is understood and agreed that the City Commission will be the sole judge as to the effectiveness and efficiency with which the City Attorney performs his employment, and whether cause exists for the termination of such. By way of illustration, but not limitation, the following are some examples of situations the parties agree could reasonably be deemed "cause" warranting termination of appointment: gross negligence in the handling of City affairs; willful violation of the provisions of law; willfully disregarding a lawful direct order or demand of the City Commission or a policy of the City; conduct unbecoming a City Attorney; pleading guilty or *nolo contendere* to, or being found guilty by a jury or court, of a misdemeanor involving physical violence, theft, driving under the influence of alcohol or drugs, or possession or sale of drugs, or a felony, regardless of whether or not adjudication is withheld and probation imposed.
- C. In the event the City Attorney's employment is terminated under any other circumstances during such time as the City Attorney is willing and able to perform the duties of City Attorney, then the City Attorney shall be entitled to severance pay in the amount equal to 20 weeks' salary less appropriate deductions for federal withholding and other applicable taxes, in addition to payment for any earned and accrued annual, sick, or compensatory leave (PTO and PCLB).
- D. If termination of employment occurs under any other circumstance, i.e., death or disability, or the City Attorney is unable, or anticipated to be unable, to perform the duties of his

position due to a physical or mental impairment for a period of 90 consecutive days, or 180 days out of the next 365 days, then the parties may agree to terminate the City Attorney and pay the City Attorney, effective the last day of his employment, an amount, less appropriate deductions for federal withholding and other appropriate taxes, up to a maximum of 12 weeks' salary at his current rate of pay, in addition to any accrued and unused PTO and any other benefits to which the City Attorney is entitled.

E. Any severance pay provided to the City Attorney by the City shall not exceed an amount greater than 20 weeks of salary, provided, however, the City Attorney is prohibited from receiving any severance pay from the City if the City Attorney's employment is terminated by the City Commission for misconduct, as defined in Section 443.036(29), Florida Statutes (2022).

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The City agrees to pay for the professional dues and subscriptions of the City Attorney necessary for his continuation and full participation in national, regional, state, and local associations and organizations necessary and desirable for his continued professional participation, growth, and advancement, and for the good of the City. The total expenditure for dues and subscriptions may be limited by the amount specifically approved and appropriated in the City's Annual Financial and Operating Plan Budget.

Section 6. Bonding.

The City shall bear the full cost of any fidelity or other bonds required of the City Attorney under any law or ordinance.

Section 7. Retirement.

A. The City agrees to execute all necessary agreements provided by MissionSquare or similar City approved providers for participation in any such retirement plans sponsored by

the City. The City Attorney will decide the percentage of his base salary that he desires to have contributed/deferred to such plans and the City will implement his decision to the extent allowed by law by, among other things, deducting appropriate equal proportionate amounts each pay period; provided, however, if the City Attorney elects to participate in the City of Gainesville Employees' Pension Plan, then the City shall be under no obligation to make any additional financial contribution to MissionSquare or similar plans other than those funds the City Attorney authorizes to be deducted from his base salary for the purpose of contributing to such MissionSquare or similar City approved provider plans. The City agrees to transfer ownership of said funds to succeeding employers upon the City Attorney's termination, if such is in accordance with the plan provisions and legal requirements in effect at that time.

B. The City Attorney is presently a vested member of the City of Gainesville Employees' Pension Plan and the City of Gainesville Employees' Disability Plan and may continue to participate in such plans in accordance with their terms, which shall apply to the City Attorney as they would to other management employees of the City hired on December 18, 2001.

Section 8. General Provisions.

- A. The text herein shall constitute the entire Agreement between the parties.
- B. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.
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IN WITNESS WHEREOF, the City has caused this Employment Agreement to be signed and executed on its behalf by its Mayor, and duly attested to by its City Clerk, and the City

Attorney has signed and executed this Employment Agreement, both in duplicate on the respective dates under each signature.

	CITY OF GAINESVILLE	
	HARVEY WARD	
	MAYOR	
	DATED:	
ATTEST:		
BY:		
OMICHELE GAINEY	DANIEL M. NEE	
CITY CLERK	CITY ATTORNEY	
DATED:	DATED:	



City of Gainesville Agenda Item Report

File Number: 2023-98

Agenda Date: February 2, 2023

Department: Gainesville Police Department

Title: 2023-98 Gainesville Police Department Fiscal Year 2023 1st Quarter Update

(B)

Department: Gainesville Police Department

Description: The Gainesville Police Department will provide an update on events and statistics to the City Commission for the October 1, 2022 through December 31, 2022

time period.

Fiscal Note: N/A

Explanation:

The Gainesville Police Department will provide quarterly briefings in reference to their daily operations and community efforts within the City of Gainesville.

Strategic Connection:

Goal 5: "Best in Class" Neighbor Services

Recommendation: The City Commission hear the quarterly update.

Gainesville Police Department Fiscal Year 2023 1st Quarter October 1st-December 31, 2022



Agenda Item: 2023-98

GPD Crime Statistics – FY 2023 1st Quarter

Gainesville Police Department					
Statistics from October 1	- Dec	ember 31, 2	2022		
		2022			
Violent Crimes					
Homicide		3			
Rape		27			
Robbery		47			
Aggravated Assault		149			
Total		226			
Property Crimes					
Burglary		84			
Larceny		983			
Auto Theft		126			
Total		1193			
Grand Total		1419			
Burglary to Conveyance	Dogo	241			
Motorcycle Thefts	Page	193 of 11(87			
Retail Theft		258			



2022 GPD Crime Statistics

	26 E 7 3	Gainesvil	le Police Departmer	nt	Note in the second	Afront Maria	
是 1000000000000000000000000000000000000	Yea	r-To-Date Statist	ics Through Decem	ber 31, 2022		SXL-New place	
	2019	2020	2021	2022	3 Year Average	% Change	
Violent Crimes							
Homicide	4	8	9	10	9.00	11.11	-
Rape	150	128	174	166	156.00	-4.60	+
Robbery	141	151	184	161	165.33	-12.50	+
Aggravated Assault	590	682	686	616	661.33	-10.20	
Total	885	969	1053	953	991.67	-9.50	+
Property Crimes			1				
Burglary	571	490	432	356	426.00	-17.59	-
Larceny	4675	4285	3508	3632	3808.33	3.53	-
Auto Theft	455	553	497	580	543.33	16.70	7
Total	5701	5328	4437	4568	4777.67	2.95	-
Grand Total	6586	6297	5490	5521	5769.33	0.56	-
Burglary to Conveyance	987	1126	811	906	947.67	11.71	
Motorcycle Thefts	27	43	40	56	46.33	40.00	: e
Retail Theft	1297	1033	848	920	933.67	8.49	-



GPD Gun Related Statistics

Crime	July 1 – September 30, 2022	October 1- December 31, 2022	% Change from last quarter	2021	2022	% Change from last year
Stolen Firearms	67 (42 Conveyance Burglaries)	46 (32 Conveyance Burglaries)	-31.3%	185	218 (115 Conveyance Burglaries)	17%
Weapons Seized/Recov ered by LEO	51	35	-31.3%	181	159	-12%
Firearms Seized/Recov ered by LEO	120	69	-42.5%	340	381	12%
Number of Shots Fired	49	46	-26.5%	125	170	36%
Number of Persons Shot or Injured by a Gunfire	14 (1 Self- Inflicted)	17 (3 Self- Inflicted)	21%	51 (6 self- inflicted)	47 (8 Self- Inflicted)	-7.8%
Homicides	4	2	-50%	Page 195 of 1187	10	11%





Captain Robert Fanelli 352-393-7725



Lt. Charlie Ward 352-393-7728

District 2



Captain Victoria Young 352-393-7667



D2 Lt. Lisa Scott 352-393-7528

Sector Lieutenants:

District 1:

 Sector 1: Lt. Marc Plourde
 352-339-6114

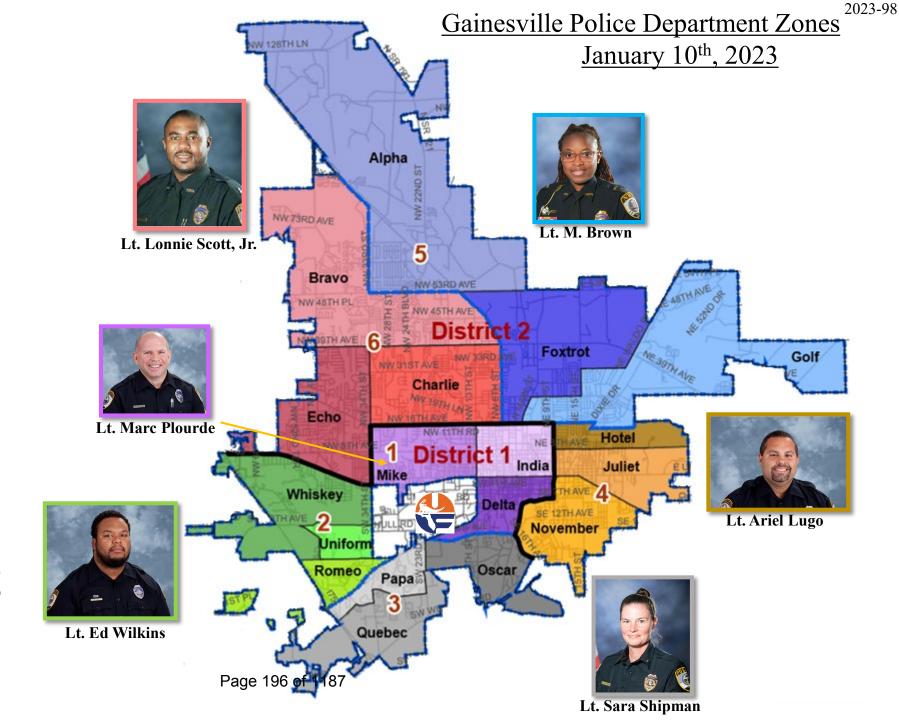
 Sector 2: Lt. Ed Wilkins
 352-219-3078

 Sector 3: Lt. Sara Shipman
 352-792-4609

 District 2:
 352-792-4609

Sector 4: Lt. Ariel Lugo 352-872-3323 Sector 5: Lt. Marquitta Brown 352-642-6723

Sector 6: Lt. Lonnie Scott Jr. 352-262-5955



District 1-Patrol Operations





Gainesville U.N.I.T.E.D Community Expo

Partners:

- **HPW**
- Gator Well
- Alachua County Victim Advocates and Rape Crisis Center
- R.A.D.
- Tu Fiesta Radio
- Code Enforcement
- Moms Demand Action
- Elder Care



Child Advocacy
Center Fundraiser
Event- Officer's
volunteered to
support this worthy
cause.



District 1-Patrol Operations

Crime Watches/Community Meetings Attended

- Oak View/ Grove Street
- Sunset/Horizon
- Phoenix
- Porters
- NW 5th Ave
- Pleasant Street
- UPNA

Additional Meetings

- Student Safety UPD
- Downtown Coordination Meeting
- UF Health Security
- Homeless Services
- Regional Violent Crime

ARPA Details/Focus

- Violent Offender Focus
- Burglary Suppression
- Archer Rd
- Butler Plaza

ARPA Detail Results

3 Felony arrest 40 grams MDPV



District 2 – Patrol Operations

All Community outreach efforts

October

- Meet and Greet with ELC Community Outreach Coordinator
- 10/06 Faith in Blue Breakfast- Honoring Officers and Chiefs
- 10/06 Que Pasa Gainesville- Tu Fiesta Radio Show
- 10/06 Noticias WUFT Live Broadcast with GPD
- 10/06 Coffee with a Cop at McDonalds and Babys Kitchen
- 10/23 Blessing of the Badges-day spring
- 10/14 Food giveaway at Pineridge
- 10/14 Officer and JJCP outreach in Pineidge
- 10/17- Sweetwater Fall Fest
- 10/18 COG Employee Awards- Whose in the Box
- 10/20 Tu Fiesta Radio Que Pasa GNV
- 10/20 Fred Cone Park Library Staff and GPD meet and greet
- 10/30 NAACP Awards Ceremony

November

- 11/2 United Way Reading Pals Coordinator meeting
- 11/5 Out of the Darkness Walk
- 11/3 Que Pasa Gainesville
- 11/7 Career Day- Caring and Sharing School
- 11/9 Talbot Safety Patrol Ceremony
- 11/9 Tu Fiesta Radio Show Ride Along
- 11/17 Cone Park Fall Festival
- 11/17 CDS Annual Meeting and Celebration
- 11/18 Promotional Ceremony
- 11/20 Wood Creek Village Crime Watch Meeting
- 11/22 GPD Donation to Antioch Church Thanksgiving Food giveaway

December

- 12/1 Rosa Parks Celebration
- 12/4 Rosa Parks Quiet Courage Award Ceremony
- 12/6-12/8 RAD Class
- 12/9 Kids Count- Grinch Who Stole Christmas
- 12/16 Pineridge Food Giveaway
- 12/21 CRT Stakeholder appreciation lunch
- 12/22 Zone Foxtrot Community Listening Session

Recurring

- Tu Fiesta Radio PODCAST (bi-weekly)
- Homeless Services Meetings (bi-weekly)
 - To address homelessness and ensure follow through on services and problem solving
- Mental Health/ Co-Responder Team
 Meetings
 - Monthly JHMCP Coordination Team Meetings
 - Monthly Co-Responder Team Training with Clinicians
 - Monthly Co-Responder Team Meeting
 - Monthly JHMCP Oversight Sub-Committee
 - Monthly Meeting with Local Stakeholders (Meridian, VISTA etc)





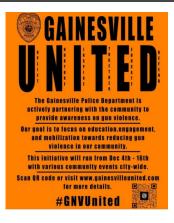






District 2 – Patrol Operations

- Major Events-Gainesville United Events-
 - Unity Walk
 - Mental Health Check-in
 - · Pineridge Community Clean up
 - Sandy Hook Promise
 - · Lock Vehicles Campaign
 - Sweetwater Square Community Outreach Movie Night
 - Gun Buy Event
 - Community Expo
 - · Police Youth Dialogue
 - NPI
 - A Promise for Toys
 - Gainesville United Night of Compassion
 - https://www.youtube.com/@GPDPoliceBeat/videos
- Crime Watches/Business Watches attended
 - Azalea Trails
 - Black on Black Crime Taskforce
 - Fletcher's Oaks/Walnut Creek
 - Greater Duval
 - Lincoln Estates
 - Pineridge
 - Rockcreek
 - Sugarhill
 - Cumberland Circle
 - Walnut Creek
 - Community First Pineridge Community
 - · Black on Black Task Force Meeting



Quality of Life Referrals

Carver Gardens- Gun Violence

2 meetings in December with management.

GRACE Marketplace Trespassing

- ■Regarding property to the NE- Provided security for property owner representative to place no trespassing related signage.
- ■Met with staff regarding trespassing issues on the property 09/01/22

900 E University Ave Corridor

Business from 900 E. to Waldo Rd has been contacted again regarding trespass authorization and signage as well as noise ordinance signage

Follow-up with complainants regarding agency efforts and outcome

Parking, Traffic, and Noise enforcement increased resulting in decreased complaints

Noise complaints regarding Coca-Cola trucks

Community Collaborations

Ps@e@QQtef \$d@are

Zone Foxtrot Listening Session



Criminal Investigations Bureau Homicide Clearance Rates

YEAR	# of Homicides	% Clearance Rate
2020	8	100%
2021	9	87.5%
2022	10	100%

- FBI reports the national average for clearance rates in homicide is 61.6%**.
- GPD exceeds the national average in clearance rates in all 3 years.



^{**}Percent of Offenses Cleared by Arrest or Exceptional Means, by Pagaland not by Pagaland not be retrieved from https://ucr.fbi.gov/crime-in-the-u.s/2017/crime-in-the-u.s.-2017/topic-

Criminal Investigations Bureau

22-19468 Missing Child Child Neglect/Contributing to the Delinquency of a Minor

In the early morning hours of December 23, 2022 the Gainesville Police Department responded to a report of a missing 13 year old child. The initial investigation revealed that the last confirmed sighting of the child was December 22, 2022 at approximately 7:00 PM. The circumstances in which the child went missing combined with the impending extremely cold weather were very concerning and detectives responded to the scene to continue the investigation.

The Gainesville Police Department continued to actively investigate and attempt to locate the missing child throughout the holidays. Video contradicted previous statements that were made by witness, **Tiffany Mejia WF 3/16/82**, and at that point Mejia became a person of interest in the child's disappearance. On December 25, 2022 GPD SWAT assisted detectives in serving a search warrant at Mejia's residence. During the search warrant, Mejia was contacted and admitted to taking the missing child and driving him outside of the area to an unknown residence.

GPD detectives met with the Clay County Sheriff's Office and recovered the missing child. Tiffany Mejia was charged with tampering with evidence, interference with child custody, and multiple felony drug offenses. During our investigation charges were determined to be warranted for child neglect and contributing to the delinquency of a child for **Tommy Stephens WM 11/16/67** and **Jamie Stephens WF 2/18/79.**



Criminal Investigations Bureau

22-019334 - Homicide - 3100 SW 26th Drive (Phoenix)

Officers responded to the area after receiving calls that a male subject was stabbed and unconscious/not breathing in the roadway. Officers arrived in the area and found **Reginald Flowers B/M 01/13/77** lying in the roadway with a stab wound to his chest area. Officers rendered first-aid until EMS arrived on-scene.

The investigation revealed that Flowers was in a physical altercation with **Tasireous I. Townsend BM 06/08/02** and **D'Angelo J. Bridges BM 03/30/04.** Townsend then retrieved a knife and stabbed Flowers before both suspects fled the scene. Townsend was located by responding officers exiting Town Park Apts. Flowers was transported to SHANDS, where he succumbed to his injuries. Bridges was later located in the Phoenix neighborhood. Both subjects were positively identified by witnesses.

Additional follow up uncovered that the victim was in an altercation with Townsend and Bridges. Bridges secured a large pole and hit the victim about the head; the victim was able to get a hold of the pole. Townsend went into a nearby apartment and returned armed with a large knife. He and the victim had another physical altercation which ended in Townsend stabbing the victim in the chest. Bridges charged w/Aggravated Battery, Tampering w/Evidence and False Info to LEO. Townsend charged w/Murder and Tampering w/Evidence.



Special Investigations Bureau

Detectives from the Special Investigation Division responded to a location in the city in reference to the fatal overdose of an individual. Through further investigation, the suspected dealer was identified. Once the identification was made, a text message from the victim's cell phone was sent to the suspected dealer's phone. Communications were established and the arrangement for the purchase of crack cocaine was made.

A buy- bust operation was organized and completed. During this event, the undercover detective made contact with the dealer and completed the controlled buy. The dealer was taken into custody without incident. Search incident to arrest revealed approximately one gram of fentanyl, nine grams of crack cocaine (which field tested positive for fentanyl), and \$40.00 of prerecorded US currency.

The narcotics dealer was interviewed subsequent to arrest and admitted to selling the victim the crack cocaine.



2022 Major Traffic Crashes Oct. 1st through Dec. 31st



(THI) Traffic Homicide Investigations (Actual Loss of Life) 2 cases in 2022 compared to 5 cases in 2021.

DATE	CR#	LOCATION	INVESTIGATOR	NOTES		STATUS
11/18/2022	02-22-017671	400 W. University	Sgt. Valdes	Veh vs Ped	THI	On going
11/28/2022	02-22-018116	3300 S Main St	Ofc. Moore	Veh vs Bicyclist	THI	On going

THI Total for Year (2022): 24

THI Total for Year (2021): 23

(SBI) Serious Bodily Injury (THI Responded, No Fatality Currently): 2 cases in 2022 compared to 5 in 2021.

DATE	CR#	LOCATION	INVESTIGATOR	NOTES		STATUS
10/27/2022	02-22-016460	2000 SW 34 th St.	Ofc. Sakellarios	Veh vs MC	SBI	On going
12/17/2022	02-22-019224	2700 NW 16th Ave.	Ofc. Neal	Veh vs Bicyclist	SBI	Back to Patrol

SBI Total for Year (2022): 22

SBI Total for Year (2021): 22

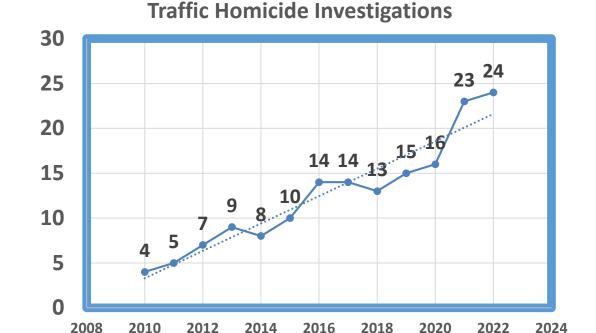


2010 – 2022 Traffic Crash Homicide Investigations



<u>YEAR</u>	<u>THI</u>
2010	4
2011	5
2012	7
2013	9
2014	8
2015	10
2016	14
2017	14
2018	13
2019	15
2020	16
2021	23
2022	24

Traffic Homicide Investigations "THI" (Actual Loss of Life)



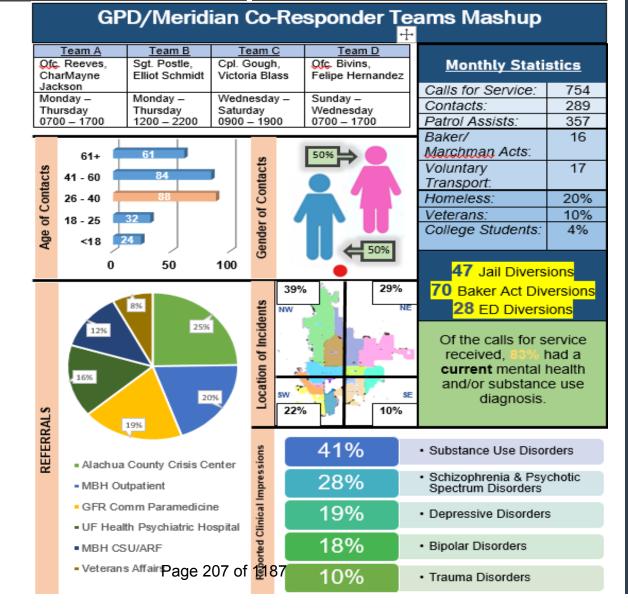
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GPD & Meridian Co-Responder Team

Co-Responder Team (4th Quarter 2022)

The Co-Responder Program is a partnership with Meridian Behavioral Healthcare. Four teams, each consisting of a uniformed police officer and a Master's level Mental Health Clinician, respond to calls for service involving individuals in crisis. The goal is to divert those experiencing mental illness away from the criminal justice system and into the most appropriate mental health resources.





Gainesville Pre-Arrest Diversion Program

Violation	Date	Demographics
ALCOHOL BEVERAGE-POSSESS BY PERSON UNDER 21 YOA	10/2/2022	WF
ALCOHOL BEVERAGE-POSSESS BY PERSON UNDER 21 YOA	10/2/2022	WM
PETIT THEFT (RETAIL)	10/26/2022	BF
PETIT THEFT (RETAIL)	10/26/2022	BF
PETIT THEFT (RETAIL)	11/2/2022	BF
PETIT THEFT (RETAIL)	11/3/2022	BF
PETIT THEFT (RETAIL)	11/7/2022	WM
TRESPASS AFTER WARNING	11/20/2022	WF
PETIT THEFT (RETAIL)	12/6/2022	BF
PETIT THEFT (RETAIL)	12/9/2022	WF
PETIT THEFT (RETAIL)	12/17/2022	WM

October 1-December 31, 2022 **Total Referrals - 11**

Total Referrals for 2022-93

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Neighborhood Policing Initiative

- Quarterly Report : October 1, 2022 to December 31, 2022
- √ 3 Trainings 50+ attendees
- ✓ Enlightening for our neighbors and our officers
- Officers and Neighbors are being innovative and are collaborating to improve Gainesville Neighborhoods
- ✓ Total: 22 trainings and 200+ attendees for the year.







Youth & Community Services

Juvenile Justice & Community Support Programs Dept.

On October 1, 2022, the Youth & Community Services Bureau was successfully transitioned from GPD to become the Juvenile Justice & Community Support Programs Department. The Department is under the leadership of former GPD Chief Tony Jones. The operational units of Crime Prevention, Reichert House Youth Academy, BOLD, Outpost, and Nspire Interrupters will function from within JJCSP while maintaining strong coordination with GPD.

The Crime Prevention

During the reporting period in addition to attending meetings with existing Neighborhood Crime Watch groups, CPU conducted interest meetings with three (3) NW Neighborhoods that expressed and interest in establishing a Neighborhood Crime Watch. CPU also participated in several community outreach events.

Reichert House Youth Academy

RHYA has an active participant roster of 72 at-risk juvenile males. In Fall 2022 RHYA initiated a Golf Academy with 20 members. RHYA members participated two Police/Youth Dialogues. Additionally, their community services included participation in and three Farm Share Food distributions and disseminating information throughout NE Gainesville by distributing flyers for the City's Community Fair and other community meetings. Additionally, the BENTAL GOLDEN Guard presented the colors at the Rosa Parks Quiet Courage Awards Ceremony





GPD Personnel

Vacancies

Sworn 44 Civilian 14

Personnel Losses

Sworn -8 Civilian -7

Recruiting Efforts

Outreach/Officers spend time with youth speaking about Law Enforcement
Attending SFC Women's Basketball game

College/Career Fair Visits

Presentation at Edward Waters University (HBCU in Jacksonville)
Paid in the Pandemic Job Fair Event
Discovery Career Day

Public Events

Coffee with a Cop Trunk or Treat



Santa Fe College Women's basketball team orientation.

This is new initiative to build relationships and talk recruitment with local collegiate athletes. Really positive feedback from this event.



GPD Personnel

COG Public Safety Academy (CADET) Program

The Cadet program has now been reimagined into the Public Service Academy.

Over the last several months representatives from GFR, GRU, and GPD have met in person several times to discuss the core curriculum for this program as well as specialized training for each individual career path. The MOU has been signed by all parties.

We have also met with Trenton Hightower, curriculum developer for SFC and representatives from Career Source. Our kick off event will be January 14 where we will have a street closure at 700 NW 6th St with representation of all agencies including equipment and personnel ready to talk to people about career opportunities. City of Gainesville Communications staff is also on board with helping us get the word out about this event. (Special thanks to them for Page 212 of 1187







Questions?





City of Gainesville Agenda Item Report

File Number: 2023-104

Agenda Date: February 2, 2023

Department: Office of the City Commission

Title: 2023-104 Commissioner Desmon Duncan-Walker: Gun Violence as a Local

Crisis (B)

Department: Office of the City Commission

Fiscal Note: N/A

Recommendation: The City Commission discuss and take action deemed necessary.

A RESOLUTION OF THE CITY OF GAINESVILLE, FLORIDA SUPPORTING THE FUNDING AND CREATION OF COMMUNITY BASED CULTURAL ARTS PROGRAMMING TO HELP REROUTE COMMUNITY MEMBERS AWAY FROM PATHS OF VIOLENCE.

WHEREAS, gun violence is the number one crime among minority communities in the U.S. for the last 10 years.

WHEREAS, communities of color are statistically prone to higher concentration of crimes involving guns – for both the perpetrators and the victims.

WHEREAS, nationally, over 1.5 million crimes of violence are reported among minority communities, including 500,000 murders and 1 million instances causing serious bodily injury and harm.

WHEREAS between January and August of 2021, the Gainesville Police Department has received over 250 calls for shots fired within the city

WHEREAS in August of 2021, thirty-five people within the City of Gainesville had been injured by gun violence, and five have died.

WHEREAS in Alachua County, there were 699 arrests of juveniles during the 2019-2020 fiscal year.

WHEREAS interaction with the criminal justice system has been shown to be a cause and consequence of neighborhood-level poverty, disease, social stigma, and crumbling infrastructure.¹

WHEREAS research has shown that visual and performing arts have the capacity to empower, heal, and help youth who have been exposed to the trauma of gun violence.²

WHEREAS arts-based programming in the public safety sector spans nearly a century of practice, with activities ranging from fine arts career training for formerly incarcerated people, to community-based theatre with law enforcement and community members, to horticultural programs in correctional facilities.³

WHEREAS research suggests that arts education contributes to the development of cognitive processes and prosocial skills that are especially significant for justice-involved or high-risk populations.⁴

¹ https://www.urban.org/sites/default/files/publication/79271/2000725-Examining-the-Ways-Arts-and-Culture-Intersect-with-Public-Safety.pdf

² http://unloadusa.org/education-2/

³ https://www.urban.org/sites/default/files/publication/79271/2000725-Examining-the-Ways-Arts-and-Culture-Intersect-with-Public-Safety.pdf

⁴ http://www.cct.org/wpcontent/uploads/2016/03/ArtsInfusionInitiative_EvaluationReport.pdf

WHEREAS the arts can promote interaction between community members, build social capital, and develop the capacity of communities to organize for collective action.⁵ Research has shown that the presence of cultural assets in neighborhoods is linked with economic improvements, including declines in poverty.⁶

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FL:

- 1. That the City of Gainesville supports all community efforts to lessen the effects of systemic poverty that lead to violent activity.
- 2. That the City of Gainesville provide safe outlets for youth to redirect their energy.
- 3. That the City of Gainesville create opportunities for youth to further their cultural awareness, promote education, and support cognitive development through the arts.

⁵ https://www.rand.org/content/dam/rand/pubs/monographs/2005/RAND_MG218.pdf

https://www.researchgate.net/publication/228378236_Cultural_Clusters_The_Implications_of Cultural Assets Agglomeration for Neighborhood Revitalization



City of Gainesville Agenda Item Report

File Number: 2023-87

Agenda Date: February 2, 2023

Department: Office of the City Commission

Title: 2023-87 Mayor Harvey L. Ward, Jr. - Bloomberg Philanthropies, Letter of

Support (B)

Department: Office of the City Commission

Fiscal Note: N/A

Recommendation: The City Commission authorize Mayor Harvey L. Ward, Jr. to write

a letter of support for Bloomberg Philanthropies.

Bloomberg PhilanthropiesPublic Art Challenge 2022

The <u>Public Art Challenge</u> supports innovative temporary public art projects that demonstrate close collaboration between city government, artists, and cultural organizations.

The program encourages mayors/city government to partner with artists and artists organizations to elevate the value of including the creative sector when developing solutions to significant urban issues. The program supports temporary public art projects that for projects that enhance the local economy, residents' quality of life, and address a specific civic issue.

Awards: Up to \$1 million in funding over 24 months (2023-2025); up to 10 awardees

- Funding for temporary public art projects across all disciplines.
- May include multiple installations in a single city.
- Grants will cover project development, execution, and marketing.
- Artist(s) do not have to be identified at the time of submission

Current supported projects: https://publicartchallenge.bloomberg.org/updates/

Eligibility and Selection Criteria

- Mayors/City Manager of Cities with 30,000+ residents
- Innovative temporary public art project
- Potential for positive impact on the host city
- Proof of clear, specific partnership between local government and artists and/or arts organizations
- Commitment to evaluating outcomes
- Evidence of technical feasibility of the project idea and its implementation (i.e. staff, consultants, fabricators, engineers, strategy for regulatory approvals, etc.)
- Appropriate budget and capacity to leverage other sources of support
- Strong marketing and audience engagement strategies

Application Process and Timeline

- Applications must be submitted by the mayor or chief executive of the host city on behalf
 of a collaboration between the city and an artist and/or arts organization.
- Overview of grant criteria and process
- FAQs: https://publicartchallenge.bloomberg.org/faqs/

Phase 1 Applications Due: February 15, 2023, 5 pm Eastern Time.

Finalists Announced: Spring 2023 Phase 2 Applications Due: Spring 2023

Winners Announced: Fall 2023 Kick-Off Meetings: Fall 2023

Installation: 2024-2025 (exceptions may apply) Deadline: February 15, 2023 at 5:00pm EST

Summary of Project Information and Attachments (required)

- Project dates and location(s)
- **Project teams** (key individuals and organizations)
 - Artistic team
 - o Implementation team

- Public/private partnerships
- o Project management
- Project budget
- Marketing and Communications plan
- Community Engagement plan
- Evaluation plan
- City Contact Information
 - Mayor or City Executive
 - City Liaison primary contact for application
 - o City Communications senior contact for project and city communications
- Letter signed by the city's mayor or chief official describing the project for which you are seeking grant support. * Must contain the follow information:
 - o Description of the project for which you are seeking support
 - Introduction of key collaborators, including artists, arts organizations, city agencies, community organizations, and private sector groups
 - Explanation of the goals of this project and the potential difference it will make for your city
- Map highlighting the site(s) of proposed work that includes surrounding neighborhood(s). *
- Images of previous completed artwork by the principal artists(s)

APPLICATION DETAILS

Project Information

Proposed project title* (limit 60 words)

Proposed project description* (limit 300 words)

Civic issue addressed *(limit 200 words)

 What civic issue does the proposed project address and how will the project address this issue?

Project dates:

- Proposed date when project will be open to the public*
- Proposed project end date. If no proposed project end date, please explain

Proposed project location*

- One location
- Multiple locations
- Do not know location at this time

Project Team and Public/Private Partnerships

Artistic Team* (One document — 300 words maximum)

Please upload brief bios of the principal artist(s), artistic director and/or curator who will be responsible for delivering the artistic quality of your project.

Implementation Team*

Individuals/companies responsible for implementing the project idea, including engineers, fabricators,

Example of role: artist, project director, project coordinator, engineer, fabricator, etc. This should be a short identifier of their role on the project. Fill in the number of rows needed for your project.

	Name	Name Organization/Company (if applicable)	
1			
2			
3			
4			
5			
6			
7			
В			
9			
10			

Implementation Team (Additional Roles, if applicable) Limit: 150 words If you need more space for implementation roles, please enter here.

Public/Private Partnerships* Limit: 200 words

List government and/or private sector agencies, community organizations or other entities that will have a role in presenting the project to the public. Include name of group and role on the project.

Project Management Limit: 250 words

How will the project be managed and coordinated? What entity or individual will oversee ensuring smooth collaboration between your city and the artist(s), arts organization(s), other key partners and funders?

Change in mayoral administration* Limit: 200 words

In the event there is a change in mayoral or executive administration, describe how continuity of project management will be preserved throughout the implementation period. Please include the process for selecting a new mayor.

Project Budget

Please download this <u>budget template</u>. Once completed, upload the Excel file below.

Please use the budget template provided above. Do not upload a different budget format.

How have you determined the amount you are requesting from Bloomberg Philanthropies for this project? * Limit: 200 words

Marketing and Communications

Audience * Limit: 200 words

Describe your desired audience for this project and how you plan to reach them.

What communications strategies do you intend to use? * Limit: 150 words

I.e. project messaging, press strategy, media releases, website, social media, etc.

What marketing strategies do you intend to use? * Limit: 150 words

I.e. branding, promotion, signage, collateral, wayfinding, etc.

Communications and marketing partners* Limit: 200 words

Name any potential partners (city agencies, media agencies, community organizations, etc.) that will assist in the development and execution of your communications and marketing plans. Include their roles.

Community Engagement

Community engagement plan* Limit: 300 words

How do you plan to engage communities impacted by this project during planning, development and implementation?

Community engagement partners* Limit: 200 words

Name any potential partners (nonprofits, city agencies, community organizations, businesses, etc.) that will assist in the development and execution of your community engagement plans. Include their roles.

Evaluating Outcomes

Project goals* Limit: 300 words

What are your goals for this project? What differences do you hope it will make for your city?

Impact and data*Limit: 300 words

How will you assess the impact of this project? How do you plan to collect data?

ATTACHMENTS

*Required for all applications

- Letter signed by the city's mayor or chief official describing the project for which you
 are seeking Bloomberg Philanthropies support (requirements below). * The letter must
 contain the follow information:
 - o Description of the project for which you are seeking support
 - Introduction of key collaborators, including artists, arts organizations, city agencies, community organizations, and private sector groups
 - Explanation of the goals of this project and the potential difference it will make for your city
- Map highlighting the site(s) of proposed work that includes surrounding neighborhood(s). *
- Images of previous completed artwork by the principal artists(s), and if applicable, artistic director and/or curator. Please include artwork titles, dimensions, media, year of completion, and a brief description of each image.* Up to five (5) images in one document.



City of Gainesville Agenda Report

File #: 2022-536

Agenda Date: February 2, 2023

Department: Sustainable Development

Title: 2022-536 Amend Future Land Use Map from Urban Mixed Use High (UMUH)

to Planned Use District (PUD) (PB21-00219) (B)

Department: Sustainable Development

Description: Ordinance No. 2022-536; An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category on approximately 1.11 acres of property generally located at the NW corner of the intersection of SW 2nd Avenue and SW 10th Street, as more specifically described in this ordinance; providing land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: N/A

Explanation: This ordinance will amend the Future Land Use Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category on approximately 1.11 acres of property located at the NW corner of the intersection of SW 2nd Avenue and SW 10th Street, (the property will retain its underlying land use category of Urban Mixed-Use High-Intensity (UMUH)). This ordinance was generated by an application of the private property owner. The City Plan Board held a public hearing on May 26, 2022, where it voted to deny the approval of this amendment to the Future Land Use Map of the Comprehensive Plan. This proposed amendment to the Comprehensive Plan qualifies as a small-scale development amendment, and therefore the City Commission may adopt the ordinance with a single public hearing.

Within 30 days following the City's adoption of this amendment to the Comprehensive Plan, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the amendment's compliance with Chapter 163, Florida Statutes. If not timely challenged, this amendment shall become effective 31 days after adoption. If timely challenged, this amendment shall become effective when the state land planning agency or the Administration Commission issues a final order determining that this amendment is in compliance with Chapter 163, Florida Statutes. No

development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this amendment has become effective.

Strategic Connection:

Goal 3: A Great Place to Live and Experience

Recommendation: The City Commission adopt the proposed ordinance.



City of Gainesville Department of Sustainable Development Planning Division

PO Box 490, Station 11 Gainesville, FL 32627-0490 306 NE 6th Avenue P: (352) 334-5022 F: (352) 334-2648

CITY PLAN BOARD STAFF REPORT

PUBLIC HEARING DATE: April 28th, 2022

PROJECT NAME AND NUMBER: PB-21-00219 LUC/PB-21-00220 ZON 1026 SW 2nd Ave and

106 SW 10th St

APPLICATION TYPE: Land Use Amendment/Zoning Change

RECOMMENDATION: Approve with Conditions

CITY PROJECT CONTACT: Forrest Eddleton, Planner

APPLICATION INFORMATION:

Applicant: CHW Professional Consultants on behalf of CA Ventures

Property Owner(s): Gainesville Historic Properties, LLC and Second Avenue Investments, LLC

Related Petition(s): PB-21-00220 ZON 1026 SW 2nd Ave and 106 SW 10th St

Legislative History: N/A

Neighborhood Workshop: Yes, held on December 15th, 2021

SITE INFORMATION:

Address: 1026 SW 2nd Ave. and 106 SW 10th St.

Parcel Number(s): 13249-000-000 and 13263-000-000 (eastern portion of)

Acreage: 1.11 +/- acres
Existing Use(s): Office

Land Use Designation(s): Urban Mixed-Use High (UMUH)

Zoning Designation(s): Urban 9 (U9)

Overlay District(s): None. A portion of the project area is covered by the 100ft University Heights

South Historic District Compatibility Buffer

Transportation Mobility Program Area (TMPA): Zone A



Figure 1 Location Map



Figure 2 Aerial with Historic District



Figure 3 Historic District 100ft Compatibility Buffer

ADJACENT PROPERTY CHARACTERISTICS:

	EXISTING USE(S)	LAND USE DESIGNATION(S)	ZONING DESIGNATION(S)
North	Single Family, Multi- family Residential (Townhomes, Condominiums)	Mixed Use Residential (MUR), Urban Mixed-Use High (UMUH)	Urban 5 (U5), Urban 9 (U9)
South	Office, Multi-family Residential	Mixed Use Residential (MUR)	Urban 5 (U5)
East	Mixed-Use Commercial, Multi-family Residential (High-rise)	Urban Core (UC)	Downtown (DT)
West	Office, Commercial/Restaurant, Multi-family (Condominiums)	Urban Mixed-Use High (UMUH)	Urban 9 (U9)



Figure 4 Surrounding Land Use



Figure 5 Surrounding Zoning

PURPOSE AND DESCRIPTION:

This petition is privately initiated by CHW Inc, the agent, on behalf of Gainesville Historic Properties, LLC and Second Avenue Investments, LLC, the property owners. The PUD and PD request an increase in allowable height, an increase to allowable density, and modifications to compatibility requirements in order to facilitate the provision of "workforce-rate housing in perpetuity." The modifications to the Land Use and Zoning standards are intended to "promote inclusion of additional market rate units to be built to help offset the cost of providing workforce rate units within the development."

¹ CHW Inc, Justification Report, Pg.3, Submitted 4/8/2022

² CHW Inc, *Justification Report*, Pg.3, Submitted 4/8/2022

This proposal has been submitted in conjunction with petition PB-21-00220 ZON. The associated development project will include two (2) buildings separated by SW 1st Place as a small street/alley between. Both buildings are proposed to include an internal structured parking garage. The northern building is proposed to be five (5) stories and the southern, larger, building is proposed to be five stories on the north western portion of the building and twelve (12) stories on the remaining portion (See Appendix B). The first floor units of both buildings are proposed to have access to the street. The southeast corner of the larger building is proposed to be designed to engage the roundabout at SW 2nd Ave and SW 10th Street with the primary entrance and access to a leasing office or similar type use that activates that corner. Additional design details, are included in Appendix A, within the Justification Report and Appendix B for the Elevations document.

STAFF ANALYSIS:

Staff analysis is based on current Comprehensive Plan and Land Development Code regulations applicable to the subject properties. Analysis is also based on the PUD/PD review criteria outlined by the Comprehensive Plan and the Land Development Code. Currently, the properties have an UMUH land use and U9 zoning designation. Among other elements, density, total height in feet, number of stories, and design criteria are governed by the UMUH and U9 designations. These existing standards are outlined in Table 1 below at basic maximums allowed and are juxtaposed with the proposed maximums.

In addition, a significant portion of subject project area is within 100 feet of the University Heights South Historic District (see Figure 3 above). As such, staff analysis also includes a review and assessment of the University Heights South Historic District. Maximums in reference to required Historic District compatibility buffers are also included in the table below.

	Existing Land Use (UMUH) and Zoning (U9)	Historic District 100ft Compatibility Buffer ³	Proposed Maximums
Density	100 du/ac by right (125 du/ac with SUP) =	6 du/building	204 du⁴ (~184 du/ac)⁵
	111 units (138 units with SUP)	(single family,	
		attached, or small-	
		scale multi-family)	
Bedrooms	Bedrooms (2.75 Multiplier) ⁶ :	N/A	557 Bedrooms
	305 (379 with SUP)		
Stories	6_Stories (8 with bonus)7	4 Stories	12 stories (southern
			building), <u>5</u> stories
			(northern building)
Height	88 feet (116ft with bonus)	60 feet	<u>120</u> feet 7 inches
Building	20ft minimum, 25ft maximum (from back	N/A	14 feet (at intersection of
Placement	of curb)		SW 2 nd Ave and SW 10 th
			St.

Table 1 Development Maximums

The staff analysis and recommendation are based on the review criteria for Planned Use Developments outlined in the Future Land Use Element of the Comprehensive Plan. Staff responses to the review criteria are highlighted in **bold** below. Policy 4.1.3 requires that proposed changes to the Future Land Use Map must consider, but is not limited to, the following:

1. Consistency with the Comprehensive Plan

The proposed land use change and rezoning are generally consistent with the Comprehensive Plan in that they directly impact or address multiple goals and policies of the Future Land Use Element (FLUE), the Housing Element, and the

³ Land Development Code Sec. 30-4.8

⁴ 10% of units provided will be workforce rate in perpetuity

⁵ Maximum allowable density in Land Development Code is 175 du/ac, with bonus, under DT zoning

⁶ Land Development Code Sec. 30-4.8

⁷ Land Development Code Sec. 30-4.9 – Bonuses include increases to number of stories and height when various improvements are provided i.e.: useable open space, tree preservation, structured parking, transit facilities, undergrounding/relocating utilities, and/or the provision of affordable housing

Transportation Mobility Element. Specifically, the proposal addresses Goal 1 of the FLUE by providing workforce rate and market rate housing options within walking distance of the University of Florida, Santa Fe's Blount Center, Innovation Square, and the Downtown district. Providing workforce rate housing also addresses the Housing Element's overall goal of providing a variety of housing types and densities and supporting the provision of affordable housing.⁸ In addition, the proposed infill redevelopment will bring increased density to an area with a variety of existing uses within close proximity to one another including restaurants, essential goods, offices, and educational facilities. The increased density will also protect and promote viable transit, pedestrian, and cycling choices along the SW 2nd Avenue corridor and SW 10th Street.

The Comprehensive Plan also utilizes the Planned Use District "to allow the consideration of unique, innovative, or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of the surrounding land uses."9 PUD proposals are intended to allow a mix of uses and/or unique design features. Planned Development (PD) zoning districts are also intended to "provide a particularized zoning district that recognizes unique conditions, allows design flexibility, and promotes planned diversification and integration of uses and structures." There has been significant discussion in the community of a "housing crisis" and shortage of available, affordable housing across income levels. The City Commission, by commissioning planning studies and establishing associated policy directives, has strongly stated the desire to foster and support more opportunities for development projects to include affordable and/or workforce housing. By offering to devote 10% of proposed units to be reserved for households earning between 50% and 80% Area Median Income (AMI) in perpetuity staff believes that this proposal meets the threshold of "unique" and "innovative" 10 while also addressing multiple goals of the Comprehensive Plan.

⁸ Comprehensive Plan – Housing Element Objectives 1.2 and 1.5

⁹ Comprehensive Plan – Future Land Use Element Policy 4.1.1

¹⁰ Also addresses Comprehensive Plan – Housing Element Policy 1.5.1

2. Compatibility and surrounding land uses

Located between the University of Florida and Downtown, the project site is situated between multiple land uses of varying types and intensities. Directly to the east is Infinity Hall, a five story multi-family residential building. Directly to the southeast is Innovation Square, a vibrant, mixed-use tech start-up hub. Both locations are under DT zoning and Urban Core land use designations, the tallest, the most dense, and most intense designations in the city. The subject property has UMUH land use and U9 zoning which is very similar to multiple project sites in the area that have undergone recent redevelopment. The north, west, and south sides of the subject parcels however, are directly adjacent to the University Heights South Historic District. This district is significantly less dense with less intense uses and development is limited in height to four stories and 60 feet. Roughly half of the project area is within the 100 foot Historic District Compatibility Buffer which, in addition to height restrictions, also limits the number of units per building to six and in the form of small-scale multi-family structures. Further analysis of the Historic District is included in its own section below. To address these limitations and restrictions to compatibility, the applicant is requesting that relief from these requirements be granted through the PUD/PD review and approval process.

3. Environmental impacts and constraints

There are no regulated environmental resources on site and no significant impacts or constraints.

4. Support for urban infill and/or redevelopment

The proposed project will provide high-density development by replacing existing single-story office buildings and surface parking in the city's urban core.

5. Impacts on affordable housing

The proposed project will have a direct positive impact on the provision and availability of workforce rate housing by reserving, in perpetuity, 10% of the units on site for households earning between 50% and 80% AMI. The proposal would permanently add 20 workforce rate dwelling units to the city's housing stock located in close proximity to downtown, UF, and the urban core.

6. Impacts on the transportation system

The density increase due to redevelopment of the site will be largely offset by the existence of robust pedestrian and bicycling infrastructure along SW 2nd Avenue and SW 10th Street. There are also numerous transit stops and bus routes that serve and or connect directly to the project area. While some on site structured parking will be provided, the limited number will encourage the use of alternative transportation modes and will limit the increase in vehicular traffic.

7. An analysis of the availability of facilities and services

Levels of Service will not be negatively impacted by the proposed project and existing utility capacity will be able to accommodate the redevelopment.¹¹

8. Need for additional acreage in the proposed future land use category

In this case, the additional acreage devoted to PUD land use will facilitate the provision of workforce housing of which there is a significant need.

9. Discouragement of urban sprawl

The proposed project is high-density redevelopment, provides additional housing opportunities in the city's urban core, and does not meet the definition of urban sprawl in Florida Statutes.¹²

10. Need for job creation, capital investment, and economic development to strengthen and diversify the City's economy

The redevelopment will immediately provide construction jobs and property management jobs (administration, skilled labor, etc.) once built. The proposed project will contribute to the strength and diversity of the City's economy by providing multiple types of housing, specifically workforce rate with market rate, within close proximity to amenities and job opportunities.

¹¹ CHW Inc, Justification Report, Submitted 4/8/2022

¹² Florida Statute – Section 163.3164 and 163.3177(6)(a)9

11. Need to modify land use categories and development patterns within antiquated subdivisions

The subject parcels are not within an "antiquated subdivision." 13

In addition, Section 30-3.17 of the Land Development Code outlines the review criteria for rezoning to a PD district:

A. Consistent with Comprehensive Plan. A PD application may only be approved if it is consistent with the Comprehensive Plan.

See item 1 above.

B. Conformance to PD purpose. A PD application may only be approved if it is in conformance with the purpose of PDs as articulated in section 30-3.15.

See item 1 above.

- Encourage flexible land development that sustainably uses land and infrastructure, reduces transportation needs, conserves energy, and maximizes the preservation of natural resources.
- 2. Allow the integration of different land uses and densities in one development that would not otherwise be provided for in other zoning districts in this chapter, and which encourage compatibility in overall site design and scale both internal and external to the project site.
- 3. Permit outstanding and innovative residential and nonresidential developments with quality-of-life design features, such as an integration of housing types and accommodation of changing lifestyles within neighborhoods; design that encourages internal and external convenient and comfortable travel by foot, bicycle, and transit through such strategies as pedestrian scale, a building orientation generally toward streets and sidewalks, parking located to the side or rear of buildings, narrow streets, modest setbacks, front porches, connected streets, multiple connections to nearby land uses, terminated vistas, recessed garages, alleys, enhances landscaping, and mixed-uses.

¹³ As defined by Florida Statute – Section 163.3164

- 4. Provide flexibility to meet changing needs, technologies, economics, and consumer preferences and allows for ingenuity and imagination in the planning and development of relatively large tracts.
- 5. Achieve overall coordinated building and facility relationships and infill development, and eliminate the negative impacts of unplanned and piecemeal development.
- C. Internal compatibility. All uses proposed within a PD shall be compatible with other proposed uses; that is, no use may have any undue adverse impact on any neighboring use, based on the streetscape, treatment of pedestrian ways and circulation, motor vehicle circulation, and the separation and buffering of parking areas and sections of parking areas; the existence or absence of, and the location of, focal points and vistas, open spaces, plazas, recreational areas and common areas, and use of existing and proposed landscaping; use of the topography, physical environment and other natural features; use and variety of building setback or build-to lines, separations and buffering; use and variety of building groupings, building sizes, architectural styles, and materials; variety and design of dwelling types; particular land uses proposed, and conditions and limitations thereon; and any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of any proposed use within the PD.

The proposed uses are market rate and workforce rate housing with associated amenities and accessory uses. Uses are integrated throughout the building and, as detailed in the applicant's Justification Report, there will be equal access to the same finishes and amenities for all residents.

D. External compatibility. All uses proposed within a PD shall be compatible with existing and planned uses of properties surrounding the PD; that is, no internal use may have any avoidable or undue adverse impact on any existing or planned surrounding use, nor shall any internal use be subject to undue adverse impact from existing or planned surrounding uses. An evaluation of the external compatibility of a PD should be based on the following factors: adjacent existing and proposed uses, design of the development, traffic circulation, and density and intensity.

The proposed project will provide some positive benefits to external compatibility specifically improvements to pedestrian and bicycle infrastructure. Improvements to the overall streetscape via stoops, upgraded street landscaping, and building

materials are also included in the proposal. Compatibility with properties to the east, namely Infinity Hall and Innovation Square is relatively seamless particularly when the full by-right development potential is taken into account.

However, the north, west, and south sides of the proposed project are within the University Heights South Historic District which is characterized by one and two story single-family and small-scale multi-family structures. Any project at the subject site, designed and developed to the highest and best use allowable by the UMUH land use and U9 zoning, would stand in stark contrast to the surrounding properties. In an attempt to address this, the applicant has worked with Planning staff, Historic Preservation staff, and the City Architect to reduce height and building massing particularly on the portions of the project that are affected by the 100 foot Compatibility Buffer. The significant increase in density and intensity should be strongly considered and/or mitigated in any final decision (see Figure 6).

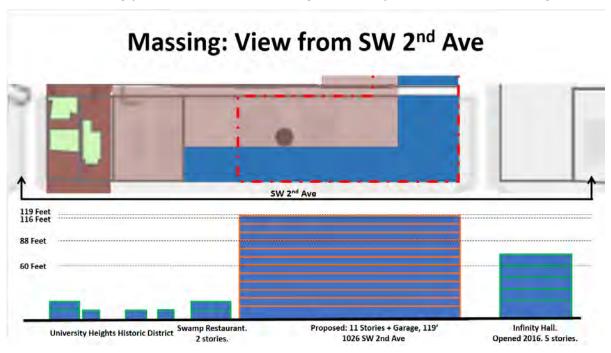


Figure 6 Massing View

E. *Intensity of development*. The residential density and intensity of use of a PD shall be compatible with and shall have no undue adverse impact upon the physical and environmental characteristics of the site and surrounding lands, and shall comply with the

policies and density limitations set forth in the Comprehensive Plan. Within the maximum limitation of the Comprehensive Plan, the permitted residential density and intensity of use in a PD may be adjusted upward or downward in consideration of the following factors: the availability and location of public and utility services and facilities; the trip capture rate of development; and the degree of internal and external connectedness of streets.

See item D above. In addition, any change in the intensity of traffic above what is allowed by right is expected to be minimal.

F. Usable open spaces, plazas and recreation areas. Usable open spaces, plazas and recreation areas provided within a PD shall be evaluated based on conformance with the policies of the Comprehensive Plan and the sufficiency of such areas to provide appropriate recreational opportunities, protect sensitive environmental areas, conserve areas of unique beauty or historical significance, enhance neighborhood design, and encourage compatible and cooperative relationships between adjoining land uses.

Proposed usable open spaces conform to Comprehensive Plan policies.

Neighborhood design is enhanced by providing ground-floor access to individual units via stoops. The primary entryway on the corner of SW 2nd Ave and SW 10th St, in addition to other areas with outdoor seating or other urban furniture, will also provide positive neighborhood design.

G. *Environmental constraints*. The site of the PD shall be suitable for use in the manner proposed without hazards to persons either on or offsite from the likelihood of increased flooding, erosion or other dangers, annoyances or inconveniences. Condition of soil, groundwater level, drainage and topography shall all be appropriate to the type, pattern and intensity of development intended. The conditions and requirements of the protection of resources article shall be met.

There are no known environmental constraints in the project area.

H. External transportation access. A PD shall be located on, and provide access to, a major street (arterial or collector) unless, due to the size of the PD and the type of uses proposed, it will not adversely affect the type or amount of traffic on adjoining local streets. Access shall meet the standards set in chapter 23 and chapter 30, article VI. Connection to existing or planned adjacent streets is encouraged. The trip generation report shall be signed by a

professional engineer registered in the state when there is a difference between the traffic report provided by the petitioner and the concurrency test.

The project location provides easy access to virtually every mode of transportation the City offers. Vehicular parking is limited but is offset by access to robust and integrated alternative modes of transportation.

Internal transportation access. Every dwelling unit or other use permitted in a PD shall have access to a public street directly or by way of a private road, pedestrian way, court or other area that is either dedicated to public use or is a common area guaranteeing access. Permitted uses are not required to front on a dedicated public road. Private roads and other access ways shall be required to be constructed so as to ensure that they are safe and maintainable.

Dwelling units and amenity uses have access to the public streets via ground floor access along SW 1st Place or doorways to building entrances or doorways to individual units. Parking circulation will be internal to the proposed structured parking and pedestrians and cyclists will have access to improved sidewalks, bike lanes, and streetscapes.

J. Provision for the range of transportation choices. Sufficient off-street and on-street parking for bicycles and other vehicles, as well as cars, shall be provided. Parking areas shall be constructed in accordance with such standards as are approved by the city commission to ensure that they are safe and maintainable and that they allow for sufficient privacy for adjoining uses. When there is discretion as to the location of parking in the project, it is strongly encouraged that all motor vehicle parking be located at the rear or interior side of buildings, or both. The design of a PD should, whenever feasible, incorporate appropriate pedestrian and bicycle access ways so as to provide for a variety of mobility opportunities. Connection to all sidewalks, greenways, trails, bikeways, and transit stops along the perimeter of the PD is required. Where existing perimeter sidewalks do not exist, sidewalks shall be provided by the development.

Redevelopment of the site will result in the reduction of driveways and curb-cuts. Pedestrians and cyclists will have access to sidewalks and bike facilities that are directly connected to the buildings thereby eliminating or significantly reducing conflicts with vehicles.

ANALYSIS OF THE UNIVERSITY HEIGHTS SOUTH HISTORIC DISTRICT:

The proposed project is at the meeting point between the Historic District and the Innovation District and at a prominent roundabout intersection which connects the two. The proposed project is also bordered on three sides by the University Heights-South Historic District. The district is roughly 6 ½ blocks long, with its northern boundary at SW 1st Avenue (including properties on both sides of the street) and its southern boundary at SW 6th Avenue (including properties on both sides of the street.) The district's primary east/west boundaries are SW 10th Street and SW 12th Street, with some portions of outlying blocks also included (see Figure 7). At the time the University Heights-South Historic District was designated in 2002, the boundaries were drawn in this configuration, which carved out the southeast corner of the block where the proposed project is located, because previously existing buildings were non-historic and would soon be demolished. This would have increased the percentage of non-contributing parcels, resulting in a weaker district proposal.

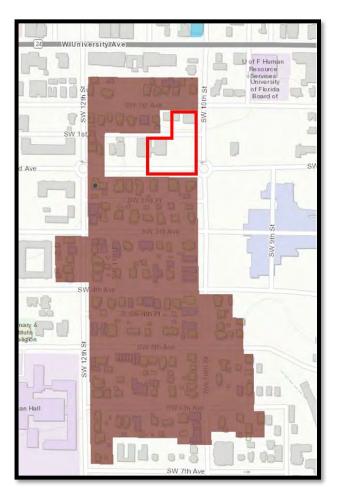


Figure 7 University Heights South Historic District

The University Heights-South Historic District was designated in 2002, and includes 150 contributing structures and 32 non-contributing structures (see Appendix C: Historic District Images). The areas of significance for which it was designated include architecture, community planning and social history, and its period of significance is 1920s to 1950s. This period of significance was determined because of the neighborhood's primary periods of development, including the original subdivision platting in 1925 and the secondary major expansion in post-WWII. The University Heights-South district is a historically and architecturally significant neighborhood that was primarily residential at the time of designation. It is significant for the concentration of buildings which reflect those architectural styles prevalent in Florida from the 1920s to the early 1950s and includes fine examples of Craftsman, Tudor Revival, Mediterranean Revival and Colonial Revival. The scale of the District is one and two stories, with setbacks of the structures that are largely uniformed and reinforced by the use of traditional building materials – wood, brick, and chert. The district is east of the University of Florida campus and primarily serves the housing needs of the school. Several of the residential structures along the corridors of travel have been converted to small office/commercial, especially along S.W. 2nd Avenue.

The University Heights Historic District was determined to be significant in community planning, architecture, and local history. It exemplifies the typical pattern of settlement during that time period and is distinct for its social, economic, physical and historic relationship to the University. It is also significant as one of Gainesville's primary residential areas of the first half of the twentieth century and as the physical remaining evidence of the Florida real estate boom activity in Gainesville during the 1920s.

The zoning of the parcels located within the Historic District is U5. For most historic districts in Gainesville, the maximum building height allowed within that 100' buffer is three stories (36'). University Heights-South is the only district that allows an additional floor. The maximum building height allowed is four stories (and 60', measured to the top plate of the 4th floor).

Existing Surrounding Structures

The historic integrity of the University Heights – South Historic District is very much intact, and it is characterized by modest one and two-story buildings. The properties to the south of the project parcel, across the street from SW 2nd Avenue, are primarily 1 and 2 story historic structures. Some

of the buildings that were formerly residential have been converted to office space. All the buildings facing SW 2nd Avenue on this block are contributing structures to the historic district, many having just been renovated or rehabilitated (see Figure 8). The properties to the north of the project parcel, across the street from SW 1st Avenue, are also all contributing structures to the historic district and are 1 and 2 story buildings. Directly to the west of the project site is the popular and famous "Swamp" restaurant, which recently relocated from its long-time location in the midtown area. Currently under construction, the Swamp is two-stories in height. To the east of the project site, across the street from SW 11st Street, is Infinity Hall. It is currently the tallest structure in the immediate vicinity of this portion of SW 2nd Avenue at 5 stories in height. Infinity Hall runs the length of the block along SW 10th Street but is narrow along the SW 2nd Avenue side. It faces Midpoint Park, a large event venue for outdoor activities and food trucks which provides almost an entire block of green space for local residents.



Figure 8 Near-by Contributing Structures



Figure 9 Near-by Contributing Structures

Compatibility Buffer

The parcels on which this project is proposed are not within the historic district boundaries and are not under the review purview of the City's Historic Preservation Board. However, a significant portion of the proposed project falls within the 100' compatibility buffer, which was created to limit directly adjacent development that is out of scale with the district either visually or through intensity of use. Historic districts in Gainesville are additionally protected by the 100-foot buffer from having large scale multi-family projects built on directly adjacent properties. Section 30-4.8 (D), in the Development Compatibility section in the Zoning Code, says "Multi-family development shall contain no more than six dwelling units per building and shall be in the form of single-family dwellings, attached dwellings, or small-scale multi-family when located within 100 feet of any property that is in a single-family zoning district, the U1 district, or a designated historic district."

ARCHITECTURAL ANALYSIS AND PREVIOUS PLANNING EFFORTS:

The architectural diversity that the Historic District is known for includes brick, wood frame vernacular structures, bungalows clad in stucco or wood, Mediterranean Revivals with rough-faced stucco, and the rare and valuable chert, a type of limestone that was quarried locally. The proposed southern building along SW 2nd Avenue offers a nod to the historic district's typical materials by cladding most of the ground floor in a modular brick. Large expanses of windows with multiple panes are also a window type more often found in historic buildings than in modern multi-family high-rise structures. However, above the ground floor, the bulk of the two buildings' facades are proposed to be clad in cement panels, corrugated metal panels, and colored metal panels, none of which are typical materials utilized within the historic district.

Multimodal Corridors Vision(ing) Study

In October, 2018, a study was completed for the SW 2nd Avenue and SW 4th Avenue corridors, connecting the University of Florida to Downtown Gainesville through the Innovation District. This study, prepared by the University of Florida, Innovation Square, and CHW Professional Consultants, identified several goals, including developing strategies for creating comfortable environmental conditions along the corridors; to include elements like shade structures, water features, and exploring sustainable and Low Impact Development (LID) systems. One of the urban design elements reviewed included the densities of existing buildings, and recommendations for potential infill. The five-story structure, Infinity Hall, is characterized as a "High Density" structure across from the potential project site, which is surrounded on all other sides by low density buildings. The study recommends to provide "careful infill developments within residential neighborhoods" and that "care should be taken not to provide development that will overwhelm existing neighborhoods," (page 87 of the report) (see Figure 10).



Character Districts

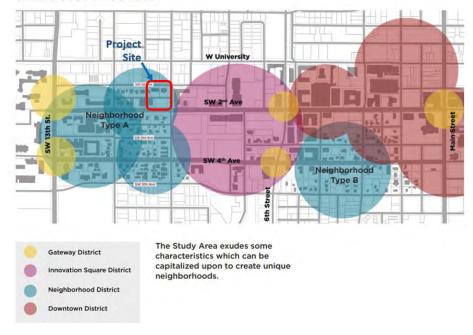


Figure 10 Districts from the Vision(ing) Study, 2018

Innovation Square Master Plan and Development Framework

In 2012 The University of Florida commissioned Perkins-Will to craft a study and associated development framework for the Innovation District. The report focused on the area's potential for collaboration and the "collision" of strong community and a premiere research institution. The ultimate goal was to create a district where the two motivations would be combined to provide a highly livable, and walkable neighborhood that also precipitated some of the most creative products and people in the world, "all in a place where people live truly fulfilled and rich lives."



Figure~11~Image~from~Innovation~District~Development~Framework,~2012,~Perkins+Will~

It is important to point out that these previous planning efforts do not carry the weight or force of law, code, or regulation. These documents do however provide insight as to the long term vision for the district. While these should be taken simply as "visioning" tools, they should not be construed as sources of requirements or restrictions on development proposals in of themselves.

COMPREHENSIVE PLAN PD/PUD INTENT:

As previously stated, the PUD and PD processes are intended "to allow the consideration of unique, innovative, or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of the surrounding land uses." PUD proposals are intended to allow a mix of uses and/or unique design features. Planned Development (PD) zoning districts are also intended to "provide a particularized zoning district that recognizes unique conditions, allows design flexibility, and promotes planned diversification and integration of uses and structures."

There has been significant discussion in the community of a "housing crisis" and shortage of available, affordable housing across income levels. The City Commission, through commissioning planning studies and establishing associated policy directives, has strongly stated the desire to foster and support more opportunities for development projects to include affordable and/or workforce housing. Despite challenges to compatibility and surrounding character, by offering to devote 10% of proposed units to be reserved for households earning between 50% and 80% Area Median Income (AMI) in perpetuity staff believes that this proposal meets the threshold of "unique" and "innovative" while also addressing multiple goals of the Comprehensive Plan.

RECOMMENDATION:

Staff recommends approval of PB-21-00219 LUC and PB-21-00220 ZON, with conditions:

- **1.** The applicant must record a restrictive covenant memorializing the provision of 10% of onsite units towards workforce housing in perpetuity.
- 2. Building placement and frontage zones must conform to U9 standards.
- **3.** The applicant must utilize the executed Memorandum of Understanding between the property owners and the Gainesville Housing Authority.
- **4.** Landscape zone standards may be modified in order to protect existing trees but shall take precedence over the provision of public facilities or utilities in design decisions per existing Land Development Code regulations.

DRAFT MOTION FOR CONSIDERATION

I move to approve Petition PB-21-00219 LUC and PB-21-00220 ZON with conditions and recommendations outlined in staff's report and presentation.

POST-APPROVAL REQUIREMENTS:

Development Review and Building Permit approval will be required following hearing by the City Plan Board and approval from the City Commission. Compliance with any special conditions established by the City Plan Board will be reviewed at these stages.

LIST OF APPENDICES:

Appendix A Application Documents

Appendix B Elevations

<u>Appendix C</u> Historic District Images

Appendix D Innovation District Planning Reports/Studies

Appendix A

Application Documents

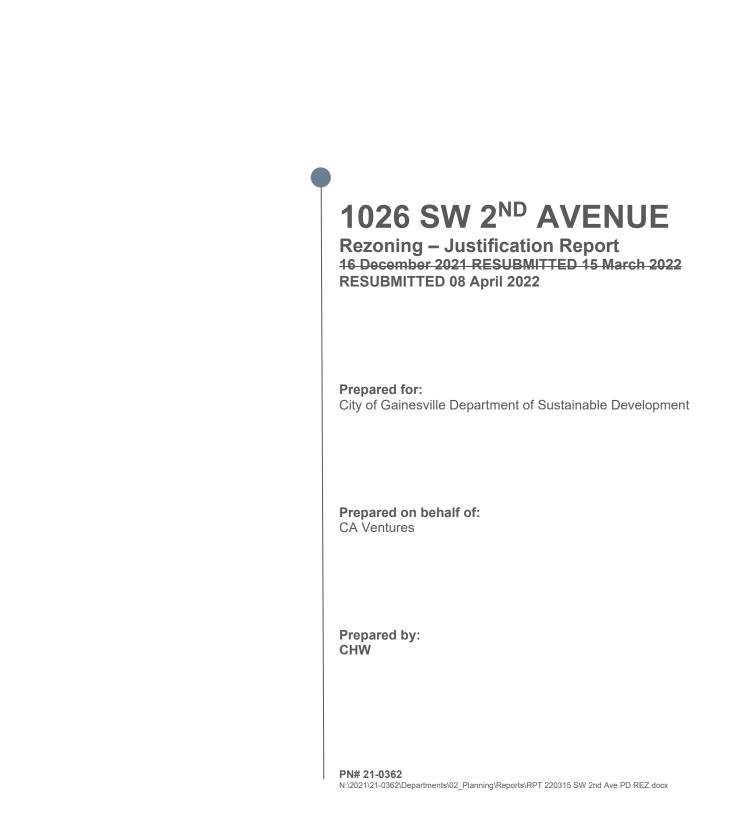


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To: Mr. Andrew Persons, AICP, Director, Department of Sustainable Development

From: Seth Wood, Project Planner, CHW

Date: December 16, 2021 RESUBMITTED March 15, 2022 RESUBMITTED April 8, 2022

Re: 1026 SW 2nd Avenue – Rezoning Application

Jurisdiction:

City of Gainesville

Development Intent:

Multi-family Building with Market- and Workforce-Rate Units

Location Description/Address:

The northwest corner of SW 2nd Avenue and SW 10th Street.

Parcel Numbers:

13249-000-000

13263-000-000 (a portion of)

<u>Site Acreage:</u> ±1.11 acres (Source: CHW Survey)

Existing Future Land Use:

Urban Mixed-Use High Intensity (UMUH)

This land use category allows residential, office/research, retail, and service uses either as stand-alone uses or combined in a mixed-use development format. It is distinguished from other mixed-use categories in that it is specifically established to support research and development in close proximity to the University of Florida main campus. An essential component of the category is orientation of structures to the street and the multimodal character of the area. Developments located within this category shall be scaled to fit the character of the area. Residential density shall be limited to 10 to 100 units per acre with provisions to add up to 25 additional units per acre by Special Use Permit as specified in the land development regulations. Building height shall be limited to 6 stories and up to 8 stories by a height bonus system as established in the Land Development Code. Land development regulations shall set the appropriate zoning densities: the types of uses; criteria; landscaping, pedestrian/vehicular access. Public and private schools, places of religious assembly and community facilities are appropriate within this category.

Proposed Future Land Use:

Planned Use District (PUD)

This land use category is an overlay land use category that may be applied on any specific property in the City. The land use regulations pertaining to this overlay district shall be adopted by ordinance in conjunction with an amendment to the Future Land Use Map of this Comprehensive Plan. The category is created to allow the consideration of unique, innovative or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of the and surrounding land uses environmental conditions of the subject land. This category allows a mix of residential and nonresidential uses and/or unique design features which might otherwise not be allowed in the underlying land use category. Each PUD overlay land use category adopted shall address: density and intensity; permitted uses; access by car, pedestrians, bicycle, and transit; trip generation, trip distribution, and trip capture; environmental features; and, when necessary, buffering of adjacent uses. Planned Development zoning shall be required to implement a PUD land use category.

Existing Zoning District:

Urban 9 Transect (U9)

The U9 Transect is the second-most dense and intense of Gainesville's Transect Zones. It consists of higher density mixed use buildings that accommodate retail, offices, and apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.

Proposed Zoning District:

Planned Development (PD)

The purpose of this district is to provide a particularized zoning district that recognizes unique conditions, allows design flexibility, and promotes planned diversification and integration of uses and structures, which other zoning districts cannot accommodate, while also retaining the City Commission's authority to establish such limitations and regulations as it deems necessary to protect the public health, safety, and general welfare.

Existing Gross Density/Intensity

Density:

Units by right: ±1.11 ac * 100 du/ac = ±111 du Bedrooms: 2.75 * 111 du = ±305 bedrooms

Units with bonus: ± 1.11 ac * 125 du/ac = ± 138 du

Bedrooms: 2.75 * 138 du = 379 bedrooms

Intensity:

±1.11 ac * 90% building coverage * 8 stories = ±348,131.52 sq. ft.

Proposed Maximum Density/Intensity

Density:

Total units¹: 204 du

Bedrooms: 557 bedrooms

Intensity:

No nonresidential uses proposed other than leasing office and residential amenities.

¹ 10% of units provided will be offered at a workforce rate.

Net Change

Approval of this application will result in a potential net increase of **±66 dwelling units**, a potential net increase of **±178 bedrooms**, and a net decrease of up to **±348,131.52 sq. ft.** of nonresidential uses.

Site-specific Development Standards and Requests

- Maximum number of dwelling units: 204 dwelling units
- Maximum number of bedrooms: 557 bedrooms
- Maximum height for southern building: 11 stories / 120 feet 7 inches
- Minimum building placement standard at intersection of SW 2nd Avenue and SW 10th Street: 14 ft.
- Relief from Historic District six dwelling units per building limit

Further detail provided in Section 6 of this report.

Workforce Rate Housing Formula

- Workforce rate housing—dwelling units made available at prices affordable by persons earning 50%-80% of Gainesville's Area Median Income (AMI)
- Area Median Income (AMI)—Per United States Department of Housing and Urban Development (HUD), AMI used in an unqualified manner is synonymous with Median Family Income (MFI). When qualified with a percentage, AMI refers to HUD income limits, calculated as percentages of median incomes and include adjustments for families of different sizes¹.
- Per HUD, MFI for the Gainesville Metropolitan Statistical Area (MSA) for a family of four is \$80,800²
- HUD defines households earning less than 80% AMI as "low-income households"³

Gainesville MSA 80% AMI and Rental Rates

Income Limit by Number	Rent Limit/ Month Number of Bedrooms in Unit ⁶			
	50% Al	MI		
1	2	0	1	2
\$25,650	\$29,300	\$641	\$686	\$823
	60% Al	MI		•
1	2	0	1	2
\$30,780	\$35,160	\$769	\$824	\$988
	70% Al	MI		•
1	2	0	1	2
\$35,910	\$41,020	\$897	\$961	\$1,153
	80% Al	MI		•
1	2	0	1	2
\$41,040	\$46,880	\$1,206	\$1,099	\$1,318
	1 \$25,650 1 \$30,780 1 \$35,910	1 2 \$25,650 \$29,300 60% Al 1 2 \$30,780 \$35,160 70% Al 1 2 \$35,910 \$41,020 80% Al 1 2	Num S0% AMI 1 2 0 0	Number of Bedrooms in U

¹ United States Department of Housing and Urban Development, FY 2018 Income Limits: Frequently Asked Questions. Accessed 06 March 2021 from https://www.buduser.gov/portal/datasets/ii/ii/18/FAOs-18r.pdf

https://www.huduser.gov/portal/datasets/ii/ji18/FAQs-18r.pdf

² United States Department of Housing and Urban Development, FY 2021 Median Family Income Documentation System, Gainesville MSA. Accessed 13 December 2021 from https://www.huduser.gov/portal/datasets/iii/j23/spelect_Geography.odp.

^{**}Marzo, A. Humanizing Data—Area Median Income (AMI) and Affordable Housing Policy. Retrieved 06 March 2021 from https://www.camoinassociates.com/humanizing-data-area-median-income-ami-and-affordable-housing-policy#:~text=Households%20less%20than%2080%25%20of.be%20extremely%20low%2Dincome%20households.

US Census Bureau. FY 2021 Median Family Income.

⁵ Florida Housing Finance Corporation, 2021 Income Limits and Rent Limits—Multifamily Rental Programs and CWHIP Homeownership Program. Accessed 13 December 2021 from <a href="https://www.floridahousing.org/docs/default-source/developers-and-property-managers/compliance/limits/florida-housing-rental-programs---2021-mtsp-income-and-rent-limits-(eff-4-1-2021).pdf?sfvrsn=ee8af87b 2

⁶ Florida Housing Finance Corporation, 2021 Income Limits and Rent Limits

2. STATEMENT OF PROPOSED CHANGE

This Rezoning application requests to amend the Official Zoning Atlas designation on ±1.11 acres within the City of Gainesville (Alachua County Tax Parcel 13249-000-000 and a portion of Tax Parcel 13263-000-000) from Urban 9 (U9) to Planned Development (PD). The project site is located on SW 10th Street, between SW 1st Avenue and SW 2nd Avenue. **Figure 1** is an aerial map showing the site's location and adjacent similar urban residential uses.



Figure 1: Aerial Map

The requested rezoning is submitted as a companion to a Small-scale Comprehensive Plan Amendment (SsCPA) Application to amend the site's Future Land Use designation from Urban Mixed Use High Intensity (UMUH) to Planned Use District (PUD). The proposed PD is intended to provide workforce rate housing in perpetuity. Planned Development zoning is required to implement the PUD land use category.

The site-specific development standards proposed for this PD zoning district are as follows:

- Maximum number of dwelling units: 204 dwelling units
- Maximum number of bedrooms: 557 bedrooms
- Maximum height of southern building: 11 stories / 120 feet 7 inches
- Minimum building placement standard of 14 ft. at intersection of SW 2nd Avenue and SW 10th Street.

Landscaping and sidewalks along street frontages will be addressed in the PD development standards, detailed in **Section 6**. These standards largely comply with the underlying U9 Transect zone requirements. The location of landscaping zone may be modified to accommodate any conflicts with existing public utilities, existing established street trees, and infrastructure.

These PD-specific standards promote inclusion of additional market rate units to be built to help offset the cost of providing workforce-rate housing units within the development.

Table 1 and Figures 2 and 4 show the current FLU and Zoning designations adjacent to the project site.

Table 1: Surrounding Future Land Use and Zoning Designations

Direction	Future Land Use Designation	Zoning Designation
North	SW 1st Avenue ROW / SW 1st Place ROW	SW 1st Avenue ROW / SW 1st Place ROW
East	SW 10 th Street ROW / Urban Core	SW 10 th Street ROW / DT Zoning
South	SW 1st Place ROW / SW 2nd Avenue ROW	SW 1 st Place ROW / SW 2 nd Avenue ROW
West	UMUH	UMUH



Figure 2: Existing Future Land Use Map



Figure 3: Proposed Future Land Use Map



Figure 4: Existing Zoning Map



Figure 5: Proposed Zoning Map

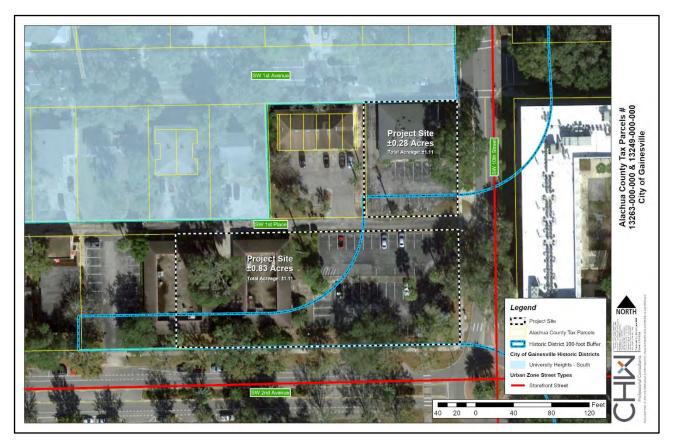


Figure 6: Historic District Buffer Map

3. IMPACT ANALYSIS

IMPACT ON RESIDENTIAL STREETS

The site today is primarily surface parking and aged, single-story office/medical buildings, accessed via SW 1st Place. The site is located on the western side of SW 10th Street, with SW 1st Avenue on its northern border, SW 2nd Avenue on its southern border, and the alley of SW 1st Place through the center. SW 10th Street and SW 2nd Avenue are both Storefront Streets. SW 1st Avenue is a local street, and SW 1st Place is a 15 ft.-wide paved area historically used as an alley. The parking areas included with this development will be accessed via SW 1st Place, in accordance with Land Development Code Section 30-4.15.B.3. and in line with how parking areas along SW 1st Place are accessed today. This use may result in a *decrease of traffic* on nearby streets when compared to the site's current maximum development potential. See traffic impact calculations provided in this report.

Given the project site's urban context, heavy single-occupancy vehicle usage by residents is not anticipated. The walkability of the area allows easy use of alternative transportation modes, such as walking, bicycling, and scooters, and puts residents in close proximity to many of their daily needs, recreation, and entertainment offerings. The site is well served by Gainesville's Regional Transit System (RTS) bus network, connecting residents to many other parts of the City without needing a private vehicle. Curb cuts on SW 2nd Avenue will be removed in subsequent redevelopment, increasing pedestrian safety and creating a more consistent pedestrian experience along the streetscape. Redevelopment to follow this rezoning will place priority on walking, bicycling, other person-powered vehicles, and transit.

A site-specific development standard requested as part of this PD is a 14-foot minimum setback for the eastern boundary of the project site at the corner of SW 2nd Avenue and SW 10th Street. This setback differs from the 20-foot minimum setback standard required for the rest of the project site's eastern frontage. This request is made for three reasons: (1) to allow design flexibility accommodating the irregular shape of the back-of-curb line around the roundabout; (2) to ensure that the final building will adhere to the underlying minimum building frontage requirements of the existing U9 Transect; and (3) to facilitate a building design that provides ample pedestrian space at the intersection. While the building plan will still fill the space between minimum and maximum setbacks, the space on the ground floor will be open and welcoming, allowing pedestrians to traverse and gather at a safe distance from the roundabout and creating a comfortable destination in the pedestrian realm.

IMPACT ON NOISE AND LIGHTING

The City Land Development Code (LDC) has specific criteria for ensuring adjacent properties are not negatively impacted by onsite noise, odor, and light. The proposed development has parking and a refuse area internal to the building that further prevents any noise, glare, or odor effects on surrounding properties.

Lighting of the proposed development shall adhere to the applicable standards in LDC §30-6.12 to prevent light trespass, light glare, and light pollution. A photometric plan demonstrating this will be submitted with development plans following land use and zoning application approvals. Additionally, the proposed development is located in a highly urbanized area of downtown Gainesville, with similar multifamily developments and commercial properties throughout the surrounding area.

ENVIRONMENTAL FEATURES

As shown in **Figure 6**, the existing developed site does not possess any significant environmental features and is not located in any environmentally protected areas. The site is currently fully developed, with very little impervious surface area remaining.

The site is relatively flat, with elevation ranging from ±160 feet to ±163 feet. With the site's ultimate redevelopment, Stormwater Management Facilities (SMF) will address water quantity and quality conditions as appropriate, consistent with City of Gainesville and Water Management District requirements. SMF will be provided in underground vaults. If available, credits in the appropriate City of Gainesville stormwater credit basin facility may be purchased to address water quantity attenuation. This issue will be addressed at the development review phase.

According to the National Resources Conservation Service (NRCS), the onsite soil is Kanapaha Sand, 0 to 5 Percent Slopes (Hydro. Group: A/D), as shown in **Figure 7**. This soil type is common in the surrounding area, proving capable for urban development patterns.



Figure 7: Topography, Wetlands, and FEMA Floodplain Map

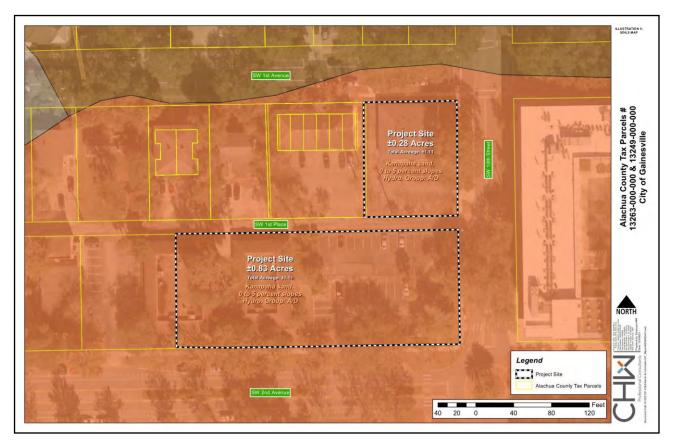


Figure 8: Natural Resources Conservation Service (NRCS) Soils Map

HISTORIC AND ARCHEOLOGICAL RESOURCES

The project site itself is not located within a historic district and does not possess documented historical sites or structures. If any items of historical or archeological significance are discovered within the project site during permit approval or development, it will be reported to the appropriate governmental body for further analysis.

COMMUNITY CONTRIBUTIONS

The proposed residential redevelopment opportunity, made possible by this rezoning, will enable the highest and best use of underutilized land in urbanized downtown Gainesville in the following ways:

- Providing pedestrian-scale public realm enhancements;
- Increasing the area's housing supply and diversity, both by type of units available and by pricepoint offered;
- Empowering more residents to utilize alternative forms of transportation by locating them proximate to daily wants and needs;
- Providing well-located workforce-rate housing in perpetuity, giving more of Gainesville's community access to employment opportunities at the City's core, near major employers; and
- Providing unique architectural and design characteristics.

POTENTIAL LONG-TERM ECONOMIC BENEFITS

Redevelopment of this urban site, made possible by the requested PD zoning, will provide increased supply of vital housing opportunities in a growing area of the City. This redevelopment will create construction job opportunities and will put more potential future employees proximate to existing and future employers. Redevelopment of the site also will signal reinvestment in the core urban area,

demonstrating the value of an urban lifestyle and encouraging more members of the workforce to locate in the core of the City. More residents, in turn, can increase tax revenues for the City. This can also reduce the reliance on services in the urban cluster and on lower density, suburban development forms.

The most significant long-term economic benefit of this project, arguably, will be the guarantee of more workforce rate housing in perpetuity in the heart of urbanized Gainesville. As Gainesville continues to grow, a constant and diverse demand for housing grows with it. A major portion of this demand is for workforce-rate housing for the City's essential service personnel. These personnel include nurses, adjunct professors, teachers, civil servants, and persons working in the service industries.

According to The Florida Agency for Workforce Innovation Labor Market Statistics (2005), much of Florida is employed in low-paying service sector industries, and many of these employees earn less than the median wage. As housing costs rise across the City, County, and across the State, many of these workers find themselves having to live further from their jobs in order to afford housing. These increased distances result in longer commutes, added pressure on transportation infrastructure, increased congestion, and increased pollution from single occupancy vehicle usage. Some workers are compelled to leave the State entirely, which affects the ability of businesses to recruit and retain workers¹.

"Workforce housing" or "workforce-rate housing" are terms used generally by policymakers and housing advocates to refer to housing that is affordable to lower income families and essential workforce personnel. This project uses these terms specifically to refer to dwelling units available at prices affordable by persons and households earning between 50% and 80% of the Gainesville Metropolitan Statistical Area (MSA) Area Median Income (AMI). AMI, when qualified with a percentage such as 80%, refers to the income limits established by the United States Department of Housing and Urban Development (HUD), calculated as percentages of median incomes and adjusted for household size². Households earning less than 80% AMI are defined by HUD as "low-income households."

Housing is defined as "affordable" in this context when a household spends no more than 30% of its income on housing costs—i.e., rent or mortgages—each month. Beyond that 30% spending amount, a household is considered "burdened." This unofficial "30% rule" is widely used in housing policy and discussion, and in 1981 was first established as a threshold in an amendment to the 1965 Housing and Urban Development Act related to the provision of rent supplements by the federal government⁵. These incomes, and the resultant rental limits, for the Gainesville MSA are detailed in **Table 2**.

¹ Urban Land Institute Terwilliger Center for Workforce Housing (July 2009). *Community Workforce Housing Innovation Pilot (CWHIP) Program:* A Model for Replication.

² United States Department of Housing and Urban Development, FY 2018 Income Limits: Frequently Asked Questions. Accessed 06 March 2021 from https://www.huduser.gov/portal/datasets/il/il18/FAQs-18r.pdf

³ Marzo, A. Humanizing Data—Area Median Income (AMI) and Affordable Housing Policy. Retrieved 06 March 2021 from https://www.camoinassociates.com/humanizing-data-area-median-income-ami-and-affordable-housing-policy#:~:text=Households%20less%20than%2080%25%20of.be%20extremely%20low%2Dincome%20households

policy#:~:text=Households%20less%20than%2080%25%20of,be%20extremely%20low%2Dincome%20households

4 Schwartz, M., Wilson, E. Who Can Afford to Live in a Home? A Look at Data from the 2006 American Community Survey. *US Census Bureau*. Accessed 06 March 2021.

⁵ S. 1022.—Housing and Community Development Amendments of 1981. Accessed 06 March 2021 from https://www.congress.gov/bill/97th-congress/senate-bill/1022

Table 2: 80% AMI Income Limit and Rent Limit for Gainesville Metropolitan Statistical Area

	Income Limit by Number of Cate	Rent Limit/ Month Number of Bedrooms in Unit ³			
		50% AN	AI .		
	1	2	0	1	2
	\$25,650	\$29,300	\$641	\$686	\$823
Gainesville		60% AN	AI.		
MSA	1	2	0	1	2
MFI*:	\$30,780	\$35,160	\$769	\$824	\$988
\$80,800 ¹		70% AN	AI .		
	1	2	0	1	2
	\$35,910	\$41,020	\$897	\$961	\$1,153
		80% AN	AI.		
	1	2	0	1	2
	\$41,040	\$46,880	\$1,026	\$1,099	\$1,318

^{*}Median Family Income (MFI) reference is for a family of four.

The conditions of this PUD and PD, when adopted by the City Commission, will guarantee that 10% of dwelling units onsite are reserved for persons and households earning between 50% and 80% AMI <u>in perpetuity</u>. By guaranteeing workforce rate housing in the heart of downtown Gainesville for years to come, this PD has the potential to help retain and attract the essential workers that make up the backbone of Florida's economy, thus bolstering the vitality and longevity of Gainesville's economy for the future. It will also reduce strain on the transportation system and public utilities, compared to the strain caused by residents moving further from the City center into rural County properties.

¹ United States Department of Housing and Urban Development, FY 2021 Median Family Income Documentation System, Gainesville MSA. Accessed 15 December 2021 from https://www.huduser.gov/portal/datasets/il/il2021/select_Geography.odn

² Florida Housing Finance Corporation, 2021 Income Limits and Rent Limits—Multifamily Rental Programs and CWHIP Homeownership Program. Accessed 13 December 2021 from https://www.floridahousing.org/docs/default-source/developers-and-property-managers/compliance/limits/florida-housing-rental-programs---2021-mtsp-income-and-rent-limits-(eff-4-1-2021).pdf?sfvrsn=ee8af87b_2

³ Florida Housing Finance Corporation, 2021 Income Limits and Rent Limits

LEVEL OF SERVICE (LOS)

This application is being submitted concurrently with a SsCPA application that requests the Planned Use District FLU designation for the subject property. Approval of these applications will change the site's maximum intensity permitted onsite. The calculations for determining both the existing and proposed maximum *permitted* development potential has been summarized in **Table 2**.

Table 3: Existing and Proposed Maximum Permitted Development Potential

Existing FLU / Zoning	Proposed FLU / Zoning
UMUH / U9 (±1.11 ac)	PUD / PD (±1.11 ac)
Existing Maximum Permitted Density	Proposed Maximum Permitted Density
By right: ±1.11 ac * 100 du/ac = ±111 du	
Beds: 111 du * 2.75 = ±305 beds	204 du
With bonus: ±1.11 ac * 125 du/ac = ±138 du	557 beds
Beds: 138 * 2.75 = ±379 beds	
Existing Maximum Nonresidential Intensity	Proposed Maximum Nonresidential Intensity
±1.11 ac * 90% building coverage * 8 stories =	No nonresidential uses proposed other than
±348,131.52 square feet	leasing office and residential amenities.

Net Change

- Net increase of **±66 dwelling units**;
- Net increase of ±178 bedrooms; and
- Net <u>decrease</u> of ±348,131.52 square feet of nonresidential uses.

Please note—for comprehensive planning purposes, the analysis of potential impacts based on existing FLU/Zoning assumes a development program of only first-floor nonresidential development and full density.

Roadways / Transportation

Table 4a: Projected Trip Generation

Trip Generation									
	ITE LU	Variable	Daily		AM Peak		PM Peak		
Land Use	Code	Beds, KSF	Total	Total	In	Out	Total	In	Out
Off-Campus Student Apartment	225	557	1,742	61	25	36	137	69	68
Non-Vehicular Multi-Modal Reduction ¹			357	12	5	7	29	14	15
Net New Trips (utilizing pass-by and multi-modal reduction)			1,385	49	20	29	108	55	53

Estimated Non-Vehicular Multi-Modal Trips are based on a Multimodal study prepared for the City of Gainesville (updated July 2013) based on The
Estates Apartments. The Estates provides the closest comparison to the SW 4th Avenue Apartments based on its location and proximity to UF. Multimodal rates are provided during the AM peak (41%) and PM peak (23%) but are not provided for the daily total. The Daily Non-Vehicular Multi-Modal
Trips were estimated as the average (32%) of the AM and PM.

Table 4b: Existing Trip Generation

	Trip Generation								
Londillon	ITE LU	Variable	Daily		AM Peak			PM Peak	
Land Use	Code	Beds, KSF	Total	Total	In	Out	Total	In	Out
Off-Campus Student Apartment	225	379	1,203	43	18	25	94	47	47
Non-Vehicular Multi-Moda	I Reduction	1	385	18	7	11	22	11	11
Shopping Center ²	820	43.516	3,414	41	25	16	294	141	153
Shopping Center Pass	-by 34% ³		1,161	14	9	5	100	48	52
Gross Trips (Before Multi-modal and Pass-by Trip Reduction)		4,617	84	43	41	388	188	200	
Net New Trips (without multi-modal reduction used for analysis)		3,456	70	34	36	288	140	148	
Net Trips (utilizing pass-by and m	Net Trips (utilizing pass-by and multi-modal reduction)			52	27	25	266	129	137

Estimated Non-Vehicular Multi-Modal Trips are based on a Multimodal study prepared for the City of Gainesville (updated July 2013) based on The
Estates Apartments. The Estates provides the closest comparison to the SW 4th Avenue Apartments based on its location and proximity to UF. Multimodal rates are provided during the AM peak (41%) and PM peak (23%) but are not provided for the daily total. The Daily Non-Vehicular Multi-Modal
Trips were estimated as the average (32%) of the AM and PM.

Conclusion: As shown above, the proposed PUD FLU and PD Zoning District are anticipated to generate **1,686 fewer potential daily trips** (3,071 net new total daily trips – 1,385 net new total daily trips) than the UMUH FLU's and U9 Zoning District's maximum development potential. Approval of the applications <u>will not</u> result in adjacent roadways operating below City of Gainesville adopted Level of Service (LOS).

The site is located within the City's Transportation Mobility Program Area (TMPA) Zone A. Development within TMPA Zone A is required to provide any transportation modifications that are site-related and required for operational or safety reasons, as well as transportation mobility requirements listed in City Comprehensive Plan Transportation Mobility Element, Policy 10.1.4., items a.-e. There is no fee associated with TMPA Zone A. However, all new multifamily residential development shall fund the capital transit costs associated with transit service needs.

^{2.} The fitted curve equation was used in all cases, when available, except during the AM peak of the Shopping Center, where the average rate was used. Under this scenario the point cluster is closer to the average rate line for the size of development being proposed.

^{3.} The ITE Trip Generation Manual does not provide pass-by rates for AM and weekday, therefore, the PM pass-by rate of 34% is used for all scenarios.

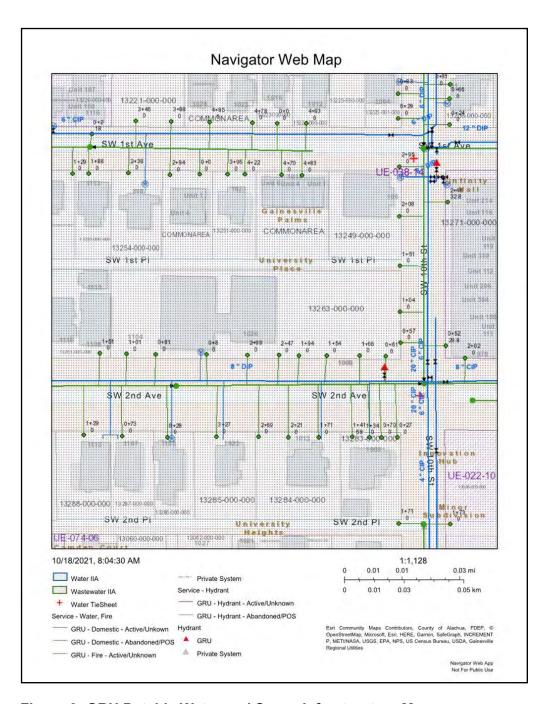


Figure 9: GRU Potable Water and Sewer Infrastructure Map

Potable Water

Based on the Gainesville Regional Utilities (GRU) map provided (**Figure 8**), the site currently connects to a 8" Ductile Iron Pipe (DIP) water main within the SW 2nd Avenue right-of-way via meter, and a 6" Cast Iron Pipe (CIP) within the SW 10th Street right-of-way.

Table 5: Projected Potable Water Demand

Land Use	Units ¹	Generation Rate ^{2,3}	Estimated Demand (GPD)
Proposed (Max Potential)			
Residential	204	200 gallons / du / day	96,043.2
Existing (Max Potential)			
Residential	138	200 gallons / du / day	64,970.4
Retail	43,516.44	0.1 gallons / square foot of floor space	4,351.6
Subtotal:	-	•	69,322
Net Demand	-	<u>-</u>	26,721.2

- 1. Units are calculated as follows:
 - Residential units are based on number of units permitted by Gainesville Land Development Code and PD Ordinance.
 - b. Nonresidential units are based on maximum square feet permitted by Gainesville Land Development Code.
- 2. Generation rates per Ch. 62-6.008, F.A.C. and City of Gainesville Comprehensive Plan Potable Water and Wastewater Data and Analysis Report.
- 3. Residential number of units and gpd estimated to be 2.354 person per unit, per City of Gainesville Comprehensive Plan, Potable Water and Wastewater Data and Analysis Report

Conclusion: Approval of this request may result in a **net increase in usage of 26,721.2 gallons per day**, based on the site's maximum development potential. The projected potable water demand **will not** negatively impact the City's adopted LOS.

Sanitary Sewer

As shown on the GRU map provided (**Figure 8**), the site is served by multiple active GRU service laterals that connect to active GRU gravity mains in the SW 2nd Avenue and SW 10th Street rights-of-way.

Table 6: Projected Sanitary Sewer Demand

Land Use	Units ¹	Generation Rate ^{2,3}	Estimated Demand (GPD)			
Proposed (Max Potentia	ıl)					
Residential	204	113 gallons / du / day	54,264.4			
Existing (Max Potential)						
Residential	138	113 gallons / du / day	36,708.3			
Retail	43,516.44	0.1 gallons / square foot of floor space	4,351.6			
Subtotal:	-	-	41,059.9			
Net Demand	-	-	13,204.5			

- 1. Units are calculated as follows:
 - a. Residential units are based on number of units permitted by Gainesville Land Development Code and PD Ordinance.
 - b. Nonresidential units are based on maximum square feet permitted by Gainesville Land Development Code.
- 2. Generation rate per Ch. 64E-6.008, F.A.C. and City of Gainesville Comprehensive Plan Potable Water and Wastewater Data and Analysis Report.
- 3. Residential number of units and gpd estimated to be 2.354 person per unit, per City of Gainesville Comprehensive Plan, Potable Water and Wastewater Element Data and Analysis Report

Conclusion: Approval of this request may result in a **net increase in usage of 13,204.5 gallons per day**, based on the site's maximum development potential. The projected potable water demand **will not** negatively impact the City's adopted LOS.

Solid Waste

Table 7: Projected Solid Waste Demand and Capacity

Land Use	Maximum Units ¹	Solid Waste Generated ² (Tons Per Year)					
Proposed (Max.	. Potential)						
Residential	204	387.192					
Existing (Max. F	Existing (Max. Potential)						
Residential	138	261.924					
Nonresidential	43,516.44	95.301					
Subtotal	-	357.225					
Net Demand	-	29.967					
Leveda Brown E	Leveda Brown Environmental Park and Transfer Station Capacity ³ 20 years						

- 1. Units are calculated as follows:
 - Residential units are based on number of units permitted by Gainesville Land Development Code and PD Ordinance.
 - b. Nonresidential units are based on maximum square feet permitted by Gainesville Land Development Code.
- 2. Formulas per Sincero and Sincero: Environmental Engineering: A Design Approach, Prentice Hall, NJ, 1996
 - a. Residential: # of dwelling units * 2.6 persons per dwelling unit * 0.73 per capita
 - b. Nonresidential: (((12 lbs. / 1,000 sq. ft. / day * square footage) * 365) / 2,000))
- 3. Source: Alachua County Comprehensive Plan, Solid Waste Element, Objective 1.4

Conclusion: As calculated in **Table 7**, solid waste facility capacity exists to adequately serve the proposed uses. The applications' approval **would not** negatively impact the adopted LOS. The Leveda Brown Environmental Park and Transfer Station has the capacity to process various components of the solid waste stream for the next 20 years. This facility has adequate capacity to meet the proposed land use amendment's change in demand.

Education Facilities

Table 8: Potential Student Generation

Land Use	Unite	Units Elementary Middle		High			
(ITE)	Office	Rate ¹	Total	Rate ¹	Total	Rate ¹	Total
Proposed (Max. P	Proposed (Max. Potential)						
Multi-Family Residential	204	0.09	19	0.03	7	0.03	7
Existing (Max. Pot	ential)						
Multi-Family Residential	138	0.09	13	0.03	5	0.03	5
Net Change		-	6	-	2	-	2

^{1.} Source: Alachua County Public Schools Five Year District Facilities Plan

Conclusion: Approval of this request may result in a **potential net increase of 6 elementary-school age children; 2 middle-school age children;** and **2 high-school age children at project build-out** compared to the residential units currently allowed on this site. The project site is in the school zones of Carolyn Beatrice Parker Elementary School, Kanapaha Middle School, and Gainesville High School, per available Alachua County Growth Management resources. School impacts **will** be fully assessed in a school concurrency review at development plan approval.

Recreation Facilities

Table 9: LOS Standards for Parks

Park ^{1,2}	Adopted LOS Standard ¹	Existing LOS ¹
Local Nature/Conservation	6.00 ac.	15.71 ac.
Community Park	2.00 ac.	2.13 ac.
Neighborhood Park	.80 ac.	1.33 ac.
Total Acres per 1000	8.80 ac.	19.73 ac.

^{1.} Source: City of Gainesville Comprehensive Plan, Recreation Element

Conclusion: Approval of this application will increase the theoretical impact to the City's recreational facilities but **will not** cause them to operate below the adopted LOS. As Table 9 indicates, the City's Existing LOS for parks exceed the Adopted LOS, meaning the City has more recreational facilities available than the minimum required to serve the existing population.

The project site is proximate to the Downtown Connector, linking urban trails to the Gainesville-Hawthorne Rail Trail. The Downtown Connector also links the site to Depot Park, and many other facilities within the City of Gainesville and Alachua County.

^{2.} Park standards are in acres per 1,000 people

4. Consistency with City of Gainesville Comprehensive Plan

This section identifies specific City of Gainesville Comprehensive Plan Goals, Objectives, and Policies and explains how this rezoning application is consistent with each and otherwise in compliance, as that term is defined in Chapter 163, Florida Statutes. Text from the City of Gainesville is provided in normal font while consistency and compliance statements are provided in **bold font**.

The proposed PD Zoning District is consistent with the following Comprehensive Plan goals, objectives, and policies:

FUTURE LAND USE ELEMENT

GOAL 1 IMPROVE THE QUALITY OF LIFE AND ACHIEVE A SUPERIOR, SUSTAINABLE DEVELOPMENT PATTERN IN THE CITY BY CREATING AND MAINTAINING CHOICES IN HOUSING, OFFICES, RETAIL, AND WORKPLACES, AND ENSURING THAT A PERCENTAGE OF LAND USES ARE MIXED, AND WITHIN WALKING DISTANCE OF IMPORTANT DESTINATIONS.

The proposed redevelopment, made possible by this rezoning and its companion SsCPA, will improve the quality of life in Gainesville by providing a superior pattern of sustainable new market rate and workforce rate housing choices within walking distance of numerous important destinations within the City's urban core. These destinations include the urban Publix, restaurants, essential goods, cultural organizations, and educational facilities, such as the University of Florida and Santa Fe College. The proposed development will also help the City achieve this goal sustainably, by providing infill redevelopment in the urbanized area of Downtown Gainesville. Such development utilizes existing infrastructure, rather than requiring the extension of infrastructure.

Policy 1.1.1 To the extent possible, all planning shall be in the form of complete and integrated communities containing housing, shops, workplaces, schools, parks and civic facilities essential to the daily life of the residents.

The proposed rezoning will, by facilitating appropriate redevelopment, contribute to a complete, integrated community in the City's burgeoning Innovation District, by locating market rate and workforce rate housing in close proximity to the daily needs of residents.

Policy 1.1.2 To the extent possible, neighborhoods should be sized so that housing, jobs, daily needs and other activities are within easy walking distance of each other.

The Innovation District and surrounding neighborhoods create a mixed-use development pattern, with higher education, housing, jobs, daily needs, and other activities in close proximity to one another. The proposed redevelopment, made possible by this rezoning, will continue this pattern by placing new housing opportunities within walking distance of employment, entertainment, shopping, and more in the urban core of Downtown Gainesville.

The proposed rezoning, by implementing the related, proposed Plan Amendment, also will encourage and stimulate reinvestment and potential adaptive reuse of nearby underutilized Historic District properties. Currently, only one property on the project site's context block is listed as claiming a Homestead exemption, per the Alachua County Property Appraiser, indicating the majority of the buildings are either being utilized for nonresidential purposes or rental housing. There is a general lack of long-term investment in the context area at present, as can be seen by condition of several properties.

In comparison to more robust districts, the invigoration from reinvestment is likely to stimulate added ownership opportunities for those desiring to be within the core downtown area as they transition through stages of their lives and careers.

Objective 1.2 Protect and promote viable transportation choices (including transit, walking and bicycling, and calmed car traffic).

The subject site is located within walking, bicycling, and transit distance of many of the daily needs of residents. The project site is also located in an area hospitable to these active transportation modes. This area will be made more hospitable to pedestrians in the redevelopment resultant of this rezoning, with enhanced pedestrian facilities implemented along site frontages. The area will be made more welcoming to pedestrians in redevelopment with an activated ground floor, inclusive of residential amenities. Furthermore, the site is located on multiple RTS routes, making accessing transit simple for residents and employees. The ease of access promotes alternative nonmotorized transportation choices, as well as potentially reduce single-occupant car traffic and the Vehicle Miles Traveled (VMT) by residents and neighbors.

Objective 1.5 Discourage the proliferation of urban sprawl.

The proposed rezoning would allow infill redevelopment, which in turn aims to achieve the highest and best use of a compact piece of land in urbanized Gainesville. This redevelopment opportunity offers an alternative to the conversion of greenfield property west of the University, and utilizes infrastructure already in place, rather than requiring costly extensions of infrastructure systems.

This proposed rezoning demonstrates the possibilities of urban infill redevelopment, thus discouraging the proliferation of urban sprawl. Additional details are provided in Section 5 of the report included with the companion SsCPA application.

GOAL 2 Redevelop areas within the city, as needed, in a manner that promotes quality of life, transportation choice, a healthy economy, and discourages sprawl.

The proposed infill redevelopment, made possible by these applications, will address this goal in multiple ways:

- Promote quality of life improvements by increasing the City's housing stock and diversity in close proximity to education, business, and job opportunity;
- Promote transportation choice by placing a large number of residents in a walkable, urbanized area of the city's downtown, with pedestrian-friendly sidewalks, adequate bicycle infrastructure, and bus system connectivity;
- Promote a healthy economy by placing both patrons and employees near established businesses; and
- Discourage urban sprawl by redeveloping the core of the City with new housing vertically, rather than converting greenfield land into new housing, sprawling the City horizontally and requiring the costly extension of infrastructure.

Policy 4.1.1 Land Use Categories on the Future Land Use Map shall be defined as follows:

Planned Use District (PUD):

This land use category is an overlay land use category that may be applied on any specific property in the City. The land use regulations pertaining to this overlay district shall be adopted by ordinance in conjunction with an amendment to the Future Land Use Map of this Comprehensive Plan. The category is created to allow the consideration of unique, innovative or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of

the surrounding land uses and environmental conditions of the subject land. This category allows a mix of residential and nonresidential uses and/or unique design features which might otherwise not be allowed in the underlying land use category. Each PUD overlay land use category adopted shall address: density and intensity; permitted uses; access by car, pedestrians, bicycle, and transit; trip generation, trip distribution, and trip capture; environmental features; and, when necessary, buffering of adjacent uses. Planned Development zoning shall be required to implement a PUD land use category.

A SsCPA application has been submitted concurrently with this application requesting to change the FLU category of the project site from Urban Mixed Use High Intensity to PUD, and the applicant requests that the rezoning be considered at this time pursuant to §163.3184(12), Fla. Stat. The proposed rezoning will make possible a unique and innovative use of the site. This PD will allow greater density, a greater number of bedrooms, and a greater number of building stories relative to what is currently allowed per the Land Development Code. The PD Ordinance will address density; permitted uses; access by car, pedestrians, bicycle, and transit.

The planning-level traffic analysis provided with this application demonstrates trip generation, trip distribution, and trip capture. There are no significant environmental features on this site. The PD will ensure compatibility with the character of the surrounding area, including the high-density, high-intensity development to the north on University Avenue and elsewhere on SW 2nd and SW 4th Avenues, and the adjacent land within the Urban Core Future Land Use classification.

This application is submitted concurrently with a rezoning application requesting the implementing Planned Development (PD) zoning, and the applicant requests that the rezoning be considered at this time pursuant to Sec. §163.3184(12), Fla. Stat. In addition, the proposed PD requires inclusion of conditions dedicating 10% of the units to workforce-rate housing in perpetuity; such conditions are not allowed in a straight zoning category. The reservation will be memorialized in a recorded instrument, approved as to form by the City Attorney.

- Policy 4.1.3 The City will review proposed changes to the Future Land Use Map by considering factors such as, but not limited to, the following:
 - 1. Consistency with the Comprehensive Plan;

The proposed SsCPA, submitted concurrently with this application, is consistent with the Comprehensive Plan, as illustrated in this section.

2. Compatibility and surrounding land uses;

The proposed SsCPA is compatible with the surrounding urban area and surrounding land uses. To the site's immediate east is the City's highest density/intensity Future Land Use and Zoning district classifications, Urban Core/Downtown Transect (DT). There are multiple other multi-story multifamily residential buildings close to the project site. The surrounding land uses offer a mix of residential and nonresidential uses, and are also zoned for high density, higher intensity development.

3. Environmental impacts and constraints;

The subject site has no significant environmental features such as floodplains, wetlands, or protected habitats. The ultimate redevelopment has the potential for environmental benefits due to the reduced vehicle miles traveled by residents and neighbors, and the efficient and sustainable reuse of urbanized land rather than the use of greenfield land outside the city center.

4. Support for urban infill and/or redevelopment;

The proposed FLUM Amendment, proposed concurrent to this rezoning, supports urban infill redevelopment by facilitating a high-density development in Gainesville's downtown urban core. The resultant redevelopment will fill in a piece of land in urbanized Gainesville in a way that demonstrates its full potential. The site is currently developed with single-story, aged concrete block structures and surface-level parking lots.

5. Impacts on affordable housing;

The proposed FLUM Amendment will have a positive impact on Gainesville's affordable housing stock. The PUD requests an increase in density, which will, in turn, enable sufficient market rate housing to offset the cost of providing workforce rate housing to residents earning 50% to 80% AMI in perpetuity. Workforce rate units will share the same interior finishes and onsite amenities as market rate units. The applicant has worked with the Gainesville Housing Authority to craft a Memorandum of Understanding (MOU) for administration of affordable housing provisions of the proposed PUD/PD ordinances. The MOU was unanimously approved on February 22nd, 2022.

6. Impacts on the transportation system;

As demonstrated in Section 3 of this report, the redevelopment that may follow this rezoning and Plan Amendment is expected to have a minimal impact on the area's existing transportation system compared to the site's existing maximum development potential. The site's redevelopment anticipated by the proposed PUD will encourage walking, bicycling, and transit use, as the site is located in the urban core, adjacent to nonresidential uses that serve daily needs and public transportation systems. Furthermore, the proposed redevelopment will have a parking ratio of 0.05, meaning there will be substantially fewer parking spaces than residents in the development. This will encourage residents to opt for alternative transportation modes and minimize the number of private cars being brought to and driven in the area.

7. An analysis of the availability of facilities and services;

As demonstrated in Section 3 of this report, the proposed FLUM Amendment is expected to minimally increase demand on the City's potable water and sanitary sewer infrastructure relative to what is currently possible on the site with current FLU and zoning. This increase will be within the capacity of the infrastructure. Section 3 also demonstrates that potential demand on solid waste infrastructure can be accommodated by the City's solid waste infrastructure.

The site utilizes existing public facilities and services supplied by Gainesville Regional Utilities (GRU) and the City of Gainesville Public Works Department. Any infill/redevelopment on the site will retain the use of this infrastructure and these services.

8. Need for the additional acreage in the proposed future land use category;

This application seeks to increase the subject site's development potential through an increase in density compared to the current U9 zoning district; an increase in the number of floors permitted in the U9 zoning district standards; and an increase in the number of dwelling units per building permitted within 100 feet of the nearby historic district relative to that permitted by current compatibility standards. These changes, possible only with the proposed PUD FLU and this rezoning, are necessary to enable innovative redevelopment and the provision of workforce rate housing in the area.

9. Discouragement of urban sprawl as defined in Section 163.3164, F.S., and consistent with the requirements of Subsection 163.3177(6)(a)9., F.S.;

This rezoning application is submitted concurrently with a SsCPA application, which also includes a justification report. As detailed in Section 5 of the SsCPA justification report, the intended nonresidential infill redevelopment does not constitute urban sprawl as defined in Section 163.3164, F.S. and is consistent with the standards found within Subsection 163.3177(6)(a)9., F.S.

10. Need for job creation, capital investment, and economic development to strengthen and diversify the City's economy; and

The proposed redevelopment, made possible by the FLUM Amendment when adopted, will create construction jobs for approximately two years. Once constructed, the redevelopment will create permanent apartment staff jobs related to administrative, support, and skilled labor duties. Redevelopment will invest significant capital into the area, signaling reinvestment and adaptive reuse. The new structures will contribute to the strength and diversity of the City's economy by increasing the supply of job-seekers and essential workers living in close proximity to job opportunities.

11. Need to modify land use categories and development patterns within antiquated subdivisions as defined in Section 163.3164, F.S.

The project site is not located within an antiquated subdivision. "Antiquated subdivision" is defined in Section 163.3164, F.S. as "a subdivision that was recorded or approved more than 20 years ago and that has substantially failed to be built and the continued buildout of the subdivision in accordance with the subdivision's zoning and land use purposes would cause an imbalance of land uses and would be detrimental to the local and regional economies and environment, hinder current planning practices, and lead to inefficient and fiscally irresponsible development patterns as determined by the respective jurisdiction in which the subdivision is located."

HOUSING ELEMENT

OVERALL GOAL: ENCOURAGE A SUFFICIENT SUPPLY OF ADEQUATE, DECENT, SAFE, SANITARY, HEALTHY AND AFFORDABLE RENTAL AND OWNER-OCCUPIED HOUSING FOR ALL INCOME GROUPS.

The proposed redevelopment, made possible by this proposed Plan Amendment, will increase the supply of adequate, decent, safe, sanitary, healthy, and affordable rental housing for a broad range of income groups. This supply will be provided in the center of urbanized Gainesville, providing residents with easy access to many of their daily needs and desired uses.

Objective 1.2 Provide a variety of housing types and densities for moderate-income, low-income, very low-income, and extremely low-income people.

The proposed Plan Amendment will provide a variety of housing types, available at both market rate and workforce rate, within two high-density buildings. Residents will live as neighbors, interwoven within the same building, with equal access to all residential amenities. Workforce rate in this instance is defined as 50% to 80% AMI.

Objective 1.5 The City shall collaborate with architects, designers and other housing professionals (providers) to encourage the innovative design of affordable housing.

The proposed Plan Amendment represents an innovative design approach that is trending to include affordable housing, integrating workforce-rate housing, and market rate housing in one building and providing equal access to amenities and interior unit finishes. These innovations are in line with best practices for workforce rate housing, as detailed by the Urban Land Institute in their 2009 report, "Community Workforce Housing Innovation Pilot (CWHIP) Program: A Model for Replication."

These methods include: building housing near employment centers; creating transit-oriented development; increasing density; reserving infrastructure capacity; and allowing flexibility in design standards. This trend is having a much-needed positive effect on the deficit of workforce-rate units in the City of Gainesville.

Policy 1.5.1 The City shall seek innovative ways to encourage affordable housing, which could include use of Alternative building materials, reduced lot size requirements, design competitions for affordable housing, and a design advisory committee to advise housing providers on the development of affordable housing designs.

The proposed Plan Amendment presents an innovative way to encourage affordable housing, by offsetting the cost through increased overall onsite density and allowing minor variation from the design and built form standards of straight zoning. In addition, the applicant has worked with the Gainesville Housing Authority to craft a MOU for administration of affordable housing provisions of the proposed PUD/PD ordinances. The MOU was unanimously approved by the Gainesville Housing Authority on February 22nd, 2022.

TRANSPORTATION MOBILITY ELEMENT

OVERALL GOAL

ESTABLISH A TRANSPORTATION SYSTEM THAT ENHANCES COMPACT DEVELOPMENT, REDEVELOPMENT, AND QUALITY OF LIFE, THAT IS SENSITIVE TO CULTURAL AND ENVIRONMENTAL AMENITIES, AND THAT IMPLEMENTS THE VISION OF THE "YEAR 2035 LONG RANGE TRANSPORTATION PLAN" WITHIN THE CITY OF GAINESVILLE. THE TRANSPORTATION SYSTEM SHALL BE DESIGNED TO MEET THE NEEDS OF PEDESTRIANS, BICYCLISTS, TRANSIT, AND AUTO USERS. SAFETY AND EFFICIENCY SHALL BE ENHANCED BY LIMITATIONS AND CARE IN THE LOCATIONS OF DRIVEWAYS, PROVISION OF SIDEWALK CONNECTIONS WITHIN DEVELOPMENTS, AND AN OVERALL EFFORT TO ENHANCE AND ENCOURAGE PEDESTRIAN MOBILITY THROUGHOUT THE COMMUNITY BY IMPROVEMENT AND PROVISION OF SAFE CROSSINGS, COMPLETE SIDEWALK AND TRAIL SYSTEMS, AND SIDEWALKS OF ADEQUATE WIDTHS. BASIC TRANSPORTATION SHOULD BE PROVIDED FOR TRANSPORTATIONDISADVANTAGED RESIDENTS TO EMPLOYMENT, EDUCATIONAL FACILITIES, AND BASIC SERVICES.

Objective 2.1 Create an environment that promotes transportation choices, compact development, and a livable city.

The proposed Plan Amendment promotes transportation choices, compact development, and a livable city by requesting FLU and zoning designations that will place housing opportunities on walkable, bikeable streets in close proximity to bus stops; enable development of the land with two high-density buildings; and bring more Gainesville residents closer to one another and to opportunity in the core of the City's downtown.

Objective 3.1 Establish land use designations and encourage development plans that reduce vehicle miles traveled and are transit supportive.

The proposed Plan Amendment, and the potential resultant development, reduce Vehicle Miles Traveled (VMT) by placing housing in a walkable, bikeable area that is close to retail and service sources. The proposed Plan Amendment also is transit supportive, as it will allow a large number of dwelling units in an area well-served by Gainesville RTS.

Objective 7.1 Provide multi-modal opportunities and mixed-use development areas to reduce single-occupant automobile trips and reduce vehicle miles traveled.

The proposed Plan Amendment will facilitate a high-density, urban development that will reduce single-occupant automobile trips and reduce the vehicle miles traveled by residents. By building more dwelling units in the walkable, bikeable urban core of Gainesville, residents and visitors alike will have easier, more convenient access to the available transportation alternatives.

5. Consistency with the City of Gainesville Land Development Code

The following identifies how this rezoning application is consistent with the City of Gainesville's Land Development Code (LDC). Language from the LDC is provided in normal font, and the consistency statements are provided in **bold font**.

DIVISION 3. - TEXT AMENDMENTS. LAND USE AND ZONING CHANGES.

Section 30-3.13. - Land Use Change Criteria.

Applications to change the land use category for a property by amending the future land use map of the Comprehensive Plan shall be reviewed according to the following criteria:

A. The goals, objectives, and policies of the Comprehensive Plan.

The project's adherence to the Goals, Objectives, and Policies of the Comprehensive Plan are addressed in detail in Section 4 of this report.

B. The need for additional land in the proposed land use category based on the projected population of the city and the relative availability of the current and proposed land use categories.

The ultimate goal of this application and its companion SsCPA application is to construct a highdensity development in the heart of urban downtown Gainesville that will broaden access to opportunity for a diversity of residents via the provision of both market rate and workforce rate housing. The structure and density necessary to achieve this goal is not possible with the site's current U9 zoning and various overlay districts, nor is it possible with any other zoning district but for the PD zoning district.

The PD zoning district is necessary to increase the site's density compared to the current U9 zoning district; increase the bedroom limit compared to the University of Florida Context Area; and increase the number of dwelling units per building permitted within 100 feet of the University Heights—South Historic District. These changes are only possible with the proposed PUD FLU, and the PD zoning district is required by the City's Comprehensive Plan to implement the PUD.

C. The proposed land use category of the property in relation to surrounding properties and other similar properties.

The redevelopment made possible by the proposed Plan Amendment is compatible with the surrounding properties and surrounding land uses. There are multiple other multi-story, high-density developments close to the project site. The project site is also immediately adjacent to land in the Downtown (DT) zoning district across SW 10th Street, which offers the city's highest by-right density and intensity. The surrounding land uses offer a mix of residential and nonresidential uses. Given the proximity of these high-density developments and the DT zoning district to the project site, the redevelopment made possible by this request demonstrates a logical nexus between itself and the surrounding properties and other similar properties.

While several single parcels exist, with single structures upon them—whether houses or legacy apartments—the trend towards infill multistory development is prevalent throughout the City's core and Innovation District context area.

D. The potential impact of the land use change on adopted level of service standards.

The potential impact of the land use change on adopted Level of Service (LOS) standards is addressed in Section 3 of this report. At full buildout, it is not anticipated that the City's adopted LOS would be negatively affected.

Section 30-3.14. – Rezoning Criteria.

Applications to rezone property shall be reviewed according to the following criteria:

A. Compatibility of permitted uses and allowed intensity and density with surrounding existing development.

The redevelopment allowed by the proposed zoning will be designed in a manner complementary with the growing pattern of development and built form of the surrounding area. Currently, the subject site and the surrounding public realm are underdeveloped relative to the property's U9 zoning and the adjacent DT zoning, with single-story office buildings and surface-level parking lots.

In redevelopment with the proposed PD, the public realm surrounding the project site will be brought into conformance with the more modern Transect zone standards, and the development to occur will be akin to that of the adjacent DT Transect and surrounding context area. This consistency will be guaranteed by the PD conditions, which will reflect the current urban development patterns demonstrated in Gainesville's downtown urban core—dense multi-family housing with pedestrian-oriented streetscape.

B. The character of the district and its suitability for particular uses.

The character of the PD district is most suitable for the uses proposed, as it offers the design flexibility necessary to provide a unique mix of housing choices within one development. A PD zoning for the property will allow an integration of housing types—both market rate and workforce rate housing—that is not possible with the existing U9 zoning. The revenue from these beds will serve to offset the cost of providing a minimum of 10% of dwelling units as workforce housing to persons earning 50% to 80% AMI.

Furthermore, this increased density is only feasible if relief is provided from the U9 building height requirements and the limitations on number of dwelling units per building imposed on development within 100 feet of the University Heights-South Historic District. The District, which wraps the property from the south, west, and north, poses an undue burden on the U9 zoned property and prohibits the site from achieving its entitled zoning.

C. The proposed zoning district of the property in relation to surrounding properties and other similar properties.

There are numerous other multi-story, multifamily buildings close to the project site. The urban redevelopment that will result from this proposed rezoning will be compatible and consistent with these buildings and other higher density, higher intensity structures in the area, and will be in line with the U9 transect and Urban Mixed Use High Intensity Future Land Use development standards. Much of the land in the surrounding area is zoned to be developed similarly, and this growth pattern has become increasingly reflected in Gainesville's urban area in recent years as the Innovation District continues to be built out, and new companies continue to locate in the City of Gainesville.

The proposed PD zoning will ensure this project site is developed appropriately to its context, with respect paid to the surrounding historic area architecturally. The proposed building design, materiality, and form all take cues from the context area, which is reflected in the design standards.

D. Conservation of the value of buildings and encouraging the most appropriate use of land throughout the city.

The subject site is not developed to its highest and best use, and the existing onsite structures are not suitable for repurposing. The site is developed with single-purpose, older structures and surface parking lots. The site is ideally located for the development facilitated by the proposed rezoning – in the core of urbanized Gainesville, close to the University of Florida and other daily needs.

This proposed rezoning will encourage the highest, best, and most appropriate use of the subject site, in alignment with its surroundings and the future the City envisions for the corridor, through the efficient and sustainable use of land that will in turn further housing opportunities and equity goals. The project site is in the dense, intense urban core of the City's downtown, where land is designated for higher density, higher intensity development, and where efficient use of space is crucial. This rezoning will enable ample, diverse housing right next to economic opportunities for residents.

E. The applicable portions of any current city plans and programs such as land use, traffic ways, recreation, schools, neighborhoods, stormwater management and housing.

All applicable portions of current city plans and programs were considered in this application, and will be considered in subsequent proposed development of the subject site. The proposed uses are consistent with the land use pattern and transportation system of the area, which offer an urban style of development. Compatibility of the proposed rezoning as it relates to traffic, schools, and recreation are addressed in Section 3 of this report. At full buildout, it is not anticipated that subsequent redevelopment will negatively impact the City's adopted LOS.

F. The needs of the city for land areas for specific purposes to serve population and economic activities.

The rezoning of this land will increase the economic viability of a currently underutilized portion of urbanized downtown Gainesville. The proposed use will serve multiple populations, including but not limited to, Gainesville's higher-education students, within walking and bicycling distance of the University of Florida and Santa Fe College Blount Center; University of Florida faculty, adjacent to their offices, classrooms, and laboratories; Gainesville's essential workforce, near work opportunities; and persons earning between 50% and 80% AMI, with adequate and safe housing conditions. This rezoning to PD will make it possible for all of these populations and others to coexist as urban neighbors and have equal access to opportunity in the core of downtown Gainesville.

G. Whether there have been substantial changes in the character or development of areas in or near an area under consideration for rezoning.

There has been substantial change in the areas surrounding the project site subject to this rezoning. The nearby University Heights neighborhood, currently largely part of the University Heights—South Historic District, has seen tremendous change in character since its Post-World War II inception. Today, in the area surrounding the project site, very few structures are owner-occupied, with only one parcel on the project site's context block claiming homestead exemption, per the Alachua County Property Appraiser. The area's older structures reflect decades of degradation from lack of maintenance or preservation. The District lacks clear identity, branding, or wayfinding for a sense of place.

When the Historic District was established in 2002, the impetus was to counter growth and its related traffic issues from the University of Florida, Shands, and Alachua General Hospital. Today, much of the Historic District is within the Mixed Use Residential FLU classification and

Urban 5 Transect zoning district. These entitlements encourage growth in the form of moderate density, moderate intensity, and mixed use pedestrian-oriented development.

Much of the land adjacent to the Historic District is within the Urban Mixed Use High Intensity FLU/U9 Transect zoning district or the Urban Core FLU/Downtown Transect zoning district—the second highest density and intensity entitlements in the City and the highest density and intensity entitlements in the City, respectively. The densities and intensities allowed in and around the University Heights-South Historic District today indicate that this area is designated for growth by the City. This desire for growth stands in conflict with the limitations imposed by the District shape and its compatibility buffer. The history and state of the University Heights—South Historic District is discussed in greater detail in Section 7 of this report.

This proposed rezoning and the potential resultant redevelopment will spur reinvestment in the core urban area of Gainesville, demonstrating the value of the area as well as the value of an urban lifestyle. This has the potential to serve as an example of what is possible in the burgeoning Innovation District. The reinvestment in the applicant's property will spur adaptive reuse and reinvestment in the historic properties.

This forward-looking proposed rezoning also offers the ability to address changing needs, economics, and consumer preferences. Consumers are increasingly looking to live an urban lifestyle, and there is an ever-growing demand for workforce housing, both locally and nationally. Gainesville is seeing new urban land use patterns emerging, heightened densities that support local, regional, and national employers, and further development of the Innovation District. Through this urban redevelopment, consumer preference can be better met, and today's workforce can be further encouraged to locate in downtown Gainesville.

H. The goals, objectives, and policies of the Comprehensive Plan.

Alignment of this rezoning application and its companion SsCPA application with the goals, objectives, and policies of the Comprehensive Plan is addressed in Section 4 of this report.

I. The facts, testimony, and reports presented at public hearings.

The information provided in this justification report will be presented at the required public hearings.

- J. Applications to rezone to a transect zone shall meet the following additional criteria:
 - 1. The proposed T-Zone shall provide a logical extension of an existing zone, or an adequate transition between zones.
 - 2. The area shall have had a change in growth and development pattern to warrant the rezoning to a more or less urban T-Zone.
 - 3. The request shall be consistent with the overall City of Gainesville vision for growth and development as expressed in the City of Gainesville Comprehensive Plan.
 - 4. If not adjacent to an existing T-Zone, the rezoning site shall comprise a minimum of ten acres.

This application seeks a PD rezoning, not a Transect Zone. Therefore, these criteria are not applicable. The PD regulations utilize the underlying transect principles and requirements.

DIVISION 4. - PLANNED DEVELOPMENTS Section 30-3.15. Purpose.

1. Purpose. The purpose of the Planned Development (PD) district is to provide a particularized zoning district that recognizes unique conditions, allows design flexibility, and promotes planned diversification and integration of uses and structures, which other zoning districts cannot accommodate, while also retaining the City Commission's authority to establish such limitations and

regulations as it deems necessary to protect the public health, safety, and general welfare. The PD district is designed to:

1. Encourage flexible land development that sustainably uses land and infrastructure, reduces transportation needs, conserves energy, and maximizes the preservation of natural resources.

The potential redevelopment of the subject site's existing surface parking lots and single-story institutional medical offices into a vibrant multifamily residential element reinvests in the area, dramatically reduces transportation needs, creates a sustainable and attainable energy mix, and maximizes the preservation of natural resources through curtailing sprawl into greenfield development outside of the City. The proposed rezoning responds to the community's values as expressed in the adopted Comprehensive Plan policies with infill, urban redevelopment near the core of the City and a burgeoning Innovation District.

More specifically, urban planners deem surface parking lots as a type of place-holder for innovative infill development (Notably, the property appeared as "Vacant Land or Intrusion" in the University Related Thematic Area/East map of the City's ERLA Assoc. Ph II Survey, p. 132., shown below in Figure 10). As the Innovation District continues to take shape and major urban employers continue to attract workers, the need for people residing in the City core will only increase with the concomitant demand for urban housing.

To avoid exacerbation of housing prices, this project provides densities envisioned by the Future Land Use Element and the supporting data and analysis. The subject property in its current condition embodies the underutilization and low density decried in the data and analysis supporting the 2017 FLUE (i.e. "...how low Gainesville's residential densities are in comparison to densities that support transit...").

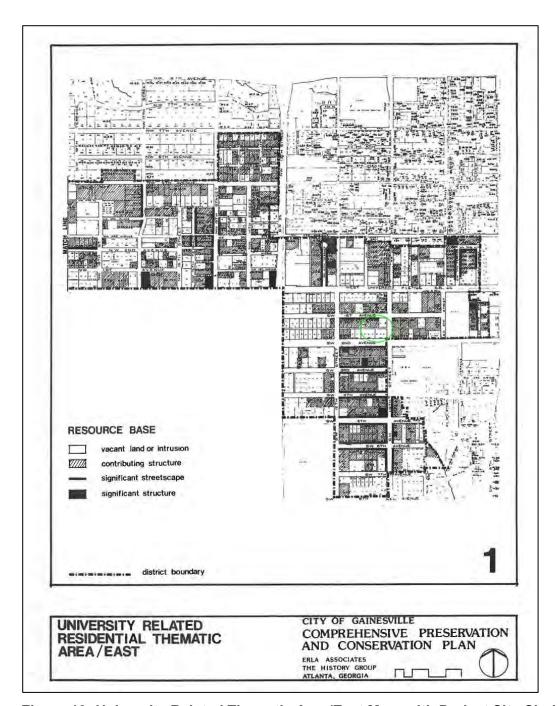


Figure 10: University Related Thematic Area/East Map, with Project Site Circled

The proposed PD includes a voluntary commitment to provide 10% of its units as Workforce Housing in perpetuity. A PD zoning classification is necessary to condition the zoning to require this Workforce Housing in perpetuity (straight zoning may not be conditioned under Florida law). At this time, the applicant has entered into an executed MOU with the Gainesville Housing Authority to provide these Workforce Housing units in perpetuity, as will be memorialized in the PD zoning ordinance and a recorded restrictive covenant. Section 30-4.9, ULDC offers a bonus of two stories for provision of 10% Workforce Housing; in this case, a PD is necessary to implement that bonus given the countervailing historic preservation overlay setback, height, and density limitations. (See related discussion of this internal inconsistency in Section 7 of this report). A PD is necessary to reconcile the internal inconsistency within the Comprehensive Plan and implementing City Code as it relates to this property.

Replacement of surface parking lots—such as the City itself desires at City Parking Lot 10 west of Main Street—with higher density infill development will add necessary population to create a vibrant City. Bringing population to the perimeter of the City core and along the spine of the Innovation District, as this PD proposes, will stabilize and support the urban fabric of civic, cultural, institutional and business uses in the core. Moreover, the delivery of urban services (police, fire, water, and other public infrastructure) will maximize efficiency for taxpayers.

The desired development program requires flexible development standards to further the sustainable use of both the physical property and existing infrastructure. The proposed rezoning requires market rate multifamily development, workforce-rate housing, structured parking areas, residential amenities, underground stormwater management, and rooftop landscaping.

The applicant is proposing organized spaces in the building for wellness and mindfulness activities and maker spaces to support DIY creative, innovative and inventive activities (i.e. podcast/broadcast rooms; greenroom/influencer space; workshops; jam rooms; studios), all supported by best-in-class technology. The proposed PD will afford the additional space needed to accommodate these innovative residential amenities.

The PD zoning mechanism provides relief from certain city historic district compatibility requirements and allows increased density and number of beds via relief from the limitations on number of dwelling units per building associated with development proximate to historic districts. The interplay between these compatibility requirements and the underlying Future Land Use, and the internal inconsistency therein, is discussed in further detail in Section 7 of this report.

Redevelopment within Gainesville's urban core maximizes preservation of overall urban community and global natural resources. Infill redevelopment precludes the conversion of greenfield property and associated urban canopy loss and reduces individual long-term reliance on fossil fuels to transport residents and employees longer distances. The subject site is proximate to key destinations within the City, thereby reducing long-term operational transportation costs. Reducing VMT for residents can help reduce traffic volumes, congestion, air pollution from private vehicles, and conflicts between travel modes. This proposed rezoning will further address the environmental impacts of urban form with rooftop landscaping, which help reduce urban heat island effect.

Redevelopment, facilitated by the proposed rezoning, within the existing urban core conserves energy both during the construction process and in the long-term once the structure is occupied. Based on efficiencies associated with the compact infill development form and the use of modern energy-efficient materials and building technologies, the site's redevelopment maximizes the preservation of natural resources.

Through energy efficient and sustainable buildings materials and forms, housing costs are lowered, both in the short- and long-term perspective.

The anticipated redevelopment facilitated by the proposed rezoning will further conserve energy once constructed in multiple ways. Examples include:

- The use of LED lights;
- Lighting occupancy sensors;
- Lighting and system schedules;
- Adherence to American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standards related to energy efficiency, indoor air quality, and noise control
- Use of low-flow water fixtures and fittings; and
- Use of fly ash concrete in construction, which has a relatively low building material footprint

The developer of the subject site, CA Ventures, is committed to sustainable, energy-efficient construction practices. These include managing construction demotion waste; construction indoor air quality; soil quality; water quality; and airborne/air dust pollution. Residents of CA Ventures' products adhere to Building Owners and Managers (BOMA) Best, Fitwel, or Energy Star Green Building Certifications. It is being investigated at time of writing which certification program is most appropriate for this Gainesville project.

2. Allow the integration of different land uses and densities in one development that would not otherwise be provided for in other zoning districts in this chapter, and which encourage compatibility in overall site design and scale both internal and external to the project site.

The proposed PD integrates a residential use into the heart of the mixed-use Innovation District, bringing necessary populations close to educational, research, and employment opportunities. The proximity of an infill, multistory redevelopment project to institutional, commercial, retail services, and higher educational opportunities builds on the continuum of uses necessary to the urban-zoned elements of this context framework. The proposed PD provides the space necessary for innovative amenities to support its residents (see discussion above), while presenting architectural elements and finishes that respond to the immediate surrounding's design character.

The proposed PD, beyond the provision in a straight-zoning category such as a Transect Zone, allows the practicable integration of market rate and workforce rate housing with equal access to all residential amenities. As opposed to providing traditional workforce housing on more remote properties, the use of the PD facilitates combining workforce rate and market rate housing within the same compact structure in the City's urbanized area. Furthermore, by providing relief from the historic district compatibility requirements regarding number of dwelling units per building, an adequate number of dwelling units per building can be achieved, to construct the necessary number of dwelling units for a financially feasible project.

The PD zoning also permits inclusion of conditions that codify the workforce housing component. Such conditions provide long-term assurance that 10% of residential workforce units will remain on the project site in perpetuity, which is not possible in straight zoning. Furthermore, the overall integrated site design delivers equal housing and social opportunities for all residents due to a PD condition that will require shared access to all amenities, uniform design, and building fitments regardless of whether one resides in market rate or workforce housing, plus convenient access to key locations within Gainesville's urban core.

The proposed PD will be compatible in scale with its external environment, including the multiple other multistory, high-density structures in the context area, and the Urban Core FLU/DT Transect zoning of the Innovation District immediately to the east of the project site on SW 10th Street. The 10th Street façade will reflect the classic, contemporary expression of new buildings in the Innovation District, such as Infinity Hall and the Innovation Hub. The proposed project will be compatible with the nearby University Heights—South Historic District along SW 2nd Avenue. At the pedestrian level, the building façade on SW 2nd Avenue will incorporate masonry detailing, stoops, color selection, canopies, and fenestration inspired by the design of historic Gainesville buildings. Above the pedestrian level, the façade is intended to reflect the clean lines of the Innovation District, with massing breaks to bring down the scale of the façade. Building design will meld the contexts of both the Historic District and Innovation District and use context-sensitive scaling, massing, façade articulation, and multiple building materials to bridge the gap between past and future and create a reinvigorated intersection between the two.

3. Permit outstanding and innovative residential and nonresidential developments with quality-of life design features, such as an integration of housing types and accommodation of changing

lifestyles within neighborhoods; design that encourages internal and external convenient and comfortable travel by foot, bicycle, and transit through such strategies as pedestrian scale, a building orientation generally toward streets and sidewalks, parking located to the side or rear of buildings, narrow streets, modest setbacks, front porches, connected streets, multiple connections to nearby land uses, terminated vistas, recessed garages, alleys, enhances landscaping, and mixed-uses.

See discussion of subsections 1 and 2, which is incorporated herein by reference. In addition, the proposed PD expressly permits outstanding and innovative residential development with quality-of-life design features, such as an integration of housing types, at both workforce and market rate, and accommodation of changing lifestyles. The subject site is adjacent to a neighborhood that has seen tremendous transition since its initial platting at the turn of the 20th century and its Post-World War II housing boom, nearly 70 years ago.

While some contributing structures remain within the adjacent historic district boundaries, the majority of properties are not owner-occupied. Per Alachua County Property Appraiser data, only one property on the project site's context plot claims homestead exemption, indicating that the rest are either nonresidential or rental properties. Many properties reflect decades of degradation from lack of emphasis placed on maintenance / preservation.

Reinvestment in the core Gainesville urban area affords an opportunity for residents to realize the value of an urban lifestyle and promote potential population growth within the context area. In addition, reinvestment and redevelopment of a vacant, underutilized property within the historic district will stabilize the edges of that part of the neighborhood, offering the economic signals necessary to attract reinvestment in the contributing structures, whether for residential or adaptive reuse. Continued vacancy and underutilization will perpetuate the demonstrated decline of the properties nearby.

In many ways redeveloping, reinvesting, and redefining the project site has benefits for both the site itself and the surrounding Innovation District. Public realm improvements will reimagine the surrounding streetscape, providing for convenient, comfortable, and safe travel by foot, bicycle and transit. The pedestrian scale, building orientation, and connection enhances the public realm and improves urban connectivity with streets and sidewalks, structured parking located internal to the buildings, modest setbacks, terminated vistas, alleys, and enhanced streetscaping.

By including workforce rate housing within the same structure as market rate multi-family dwellings, all with uniform design features and accommodations, the PD creates an opportunity for members of Gainesville's more transient higher-education student and faculty population to live side-by-side with permanent workforce residents, or to become permanent workforce residents if they choose to remain in the community. The PD ensures the long-term integration of workforce and market rate housing types by codifying the workforce component within the redevelopment project's PD entitlement documents.

4. Provide flexibility to meet changing needs, technologies, economics, and consumer preferences and allows for ingenuity and imagination in the planning and development of relatively large tracts.

See discussion of subsections 1 and 2, which is incorporated herein by reference. In addition, the proposed PD provides flexibility, above and beyond straight zoning, by entitling redevelopment that meets changing needs, economics, and consumer preferences with the increasing urban-focused residential movement experienced over the last decade. As desire grows to live an urban lifestyle in Gainesville's downtown core, demand for housing increases. Cost increases with that demand so long as supply is constrained.

This proposed PD will introduce new, high-quality, high-density housing construction in the central core of the city downtown, which currently has an expanse of older housing stock, including single-family homes, aged multi-family structures, and conversion units, such as garage apartments. This will meet consumer preference not only for those who purchase market rate housing, but also those that are in need of assistance with workforce rate housing. In this redevelopment, both groups will live side-by-side as neighbors, with equal access to Gainesville's employment opportunities and tremendous social and cultural amenities.

The changing needs, technologies, economics, and consumer preferences are all typified in the proposed PD. Presenting equal access and availability to technologies and access to consumer preference housing for potential residents, irrespective of income level, employs ingenuity in design within a singular site, proximate to the City of Gainesville's largest employment and activity centers such as University of Florida, Santa Fe College Blount Center, UF Health, VA Medical Center, and more.

5. Achieve overall coordinated building and facility relationships and infill development, and eliminate the negative impacts of unplanned and piecemeal development.

See discussion of subsections 1 and 2, which is incorporated herein by reference. In addition, the proposed PD expressly allows the developer to achieve an overall coordinated development and facility relationship upon a small infill redevelopment site, thereby eliminating the negative impacts of unplanned and piecemeal development.

While the building is a mid-rise structure, careful attention is paid to the pedestrian scale design. The building's orientation and focus on primary and secondary streets and sidewalks improves and enhances the outdoor room and realm that has severely degraded since its core construction from the 1950s through the 1970s.

Placing parking access to the rear of and within the building footprint prioritizes the pedestrian's urban realm over the automobile's utility. The creation of modest setbacks, internal parking, and enhanced streetscaping all signal the importance of the citizens and residents over the transitory automobile. The Innovation District is an urbanized, pedestrian-priority district, and the development to result from these applications reflects this and reinforces the City's objectives.

Section 30-3.16. Applicability of Other Regulations.

All building code, housing code and other land use regulations of this chapter are applicable to a PD, except to the extent that they conflict with a specific provision of an approved PD.

Development within the proposed PD will comply with all applicable regulations, except when in conflict with a specific provision as outlined in the proposed PD.

Section 30-3.17. Review Criteria.

In addition to the general review criteria for rezonings provided by this article, the City Plan Board and the City Commission shall evaluate PD applications according to the following additional criteria:

A. Consistent with Comprehensive Plan. A PD application may only be approved if it is consistent with the Comprehensive Plan.

As demonstrated in Section 4 of this report, this PD application is consistent with the City of Gainesville Comprehensive Plan.

B. Conformance to PD purpose. A PD application may only be approved if it is in conformance with the purpose of PDs as articulated in Section 30-3.15.

As detailed previously in this Section, this proposd PD in in conformance with the purpose of PDs, as articulated in the responses to Section 30-3.15. The proposed PD seeks to use land and infrastructure creatively and sustainably in urbanized Gainesville. The potential resultant redevelopment will reduce private automobile demands on transportation infrastructure, efficiently use urban land, and preempt the need to develop more housing on greenfield land on the urban fringes.

The proposed PD will also provide innovative residential development, placing market rate and workforce rate housing together in one building in an area of ample opportunity. A project such as this is only possible with PD zoning, as no other zoning district allows the conditions necessary to actualize this mix of uses and housing types.

C. Internal compatibility. All uses proposed within a PD shall be compatible with other proposed uses; that is, no use may have any undue adverse impact on any neighboring use, based on the streetscape, treatment of pedestrian ways and circulation, motor vehicle circulation, and the separation and buffering of parking areas and sections of parking areas; the existence or absence of, and the location of, focal points and vistas, open spaces, plazas, recreational areas and common areas, and use of existing and proposed landscaping; use of the topography, physical environment and other natural features; use and variety of building setback or build-to lines, separations and buffering; use and variety of building groupings, building sizes, architectural styles, and materials; variety and design of dwelling types; particular land uses proposed, and conditions and limitations thereon; and any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of any proposed use within the PD.

The uses proposed as part of this PD are strictly market rate and workforce-rate housing with associated amenities and accessory uses, i.e. fitness center, study areas, social spaces, leasing office, etc. These two uses will be integrated throughout the building, and residents will share equal access to all amenities.

D. External compatibility. All uses proposed within a PD shall be compatible with existing and planned uses of properties surrounding the PD; that is, no internal use may have any avoidable or undue adverse impact on any existing or planned surrounding use, nor shall any internal use be subject to undue adverse impact from existing or planned surrounding uses. An evaluation of the external compatibility of a PD should be based on the following factors: adjacent existing and proposed uses, design of the development, traffic circulation, and density and intensity.

The proposed uses will not have an adverse impact on neighboring uses. Instead, this redevelopment will confer benefits for neighboring uses, including, but not limited to, public realm improvements, increased customer base for businesses, and increased employee pool for employers. The anticipated redevelopment of the subject site will be consistent in density and design with the maximum development potential of surrounding Future Land Use and zoning classifications.

E. Intensity of development. The residential density and intensity of use of a PD shall be compatible with and shall have no undue adverse impact upon the physical and environmental characteristics of the site and surrounding lands, and shall comply with the policies and density limitations set forth in the Comprehensive Plan. Within the maximum limitation of the Comprehensive Plan, the permitted residential density and intensity of use in a PD may be adjusted upward or downward in consideration of the following factors: the availability and location of public and utility services and facilities; the trip capture rate of development; and the degree of internal and external connectedness of streets.

The density proposed with this PD varies only slightly from that which is permitted in the existing Urban Mixed Use High Intensity Future Land Use and U9 zoning district. This density also aligns with the adjacent Urban Core Future Land Use and DT zoning district. This increase in density is needed so that an adequate supply of market-rate units can be included in the redevelopment to generate the revenue needed to offset the cost of provided workforce rate housing. This will give a greater share of Gainesville residents access to opportunity in the City's urbanized core.

Furthermore, the proposed density is generally compatible with similar structures in the vicinity of the project site. The site is currently underdeveloped, and redevelopment will have no adverse impact on the physical or environmental characteristics of the site or surrounding lands.

F. Usable open spaces, plazas and recreation areas. Usable open spaces, plazas and recreation areas provided within a PD shall be evaluated based on conformance with the policies of the Comprehensive Plan and the sufficiency of such areas to provide appropriate recreational opportunities, protect sensitive environmental areas, conserve areas of unique beauty or historical significance, enhance neighborhood design, and encourage compatible and cooperative relationships between adjoining land uses.

Any usable open spaces, plazas, or recreation areas provided within the project site will conform to applicable Comprehensive Plan policies.

G. Environmental constraints. The site of the PD shall be suitable for use in the manner proposed without hazards to persons either on or offsite from the likelihood of increased flooding, erosion or other dangers, annoyances or inconveniences. Condition of soil, groundwater level, drainage and topography shall all be appropriate to the type, pattern and intensity of development intended. The conditions and requirements of the protection of resources article shall be met.

The subject site is suitable for the uses proposed, without causing hazard to persons either on or offsite from increased flooding, erosion, or other dangers, annoyances, or inconvenience. According to the National Resources Conservation Series, the onsite soil is Urban Land. This soil type is suitable for the intended urban infill redevelopment and associated uses. The conditions and requirements of the protection of resources article will be met.

H. External transportation access. A PD shall be located on, and provide access to, a major street (arterial or collector) unless, due to the size of the PD and the type of uses proposed, it will not adversely affect the type or amount of traffic on adjoining local streets. Access shall meet the standards set in Chapter 23 and Chapter 30, Article VI. Connection to existing or planned adjacent streets is encouraged. The trip generation report shall be signed by a professional engineer registered in the state when there is a difference between the traffic report provided by the petitioner and the concurrency test.

The subject site is located at the northwest corner of SW 2nd Avenue and SW 10th Street. Automobile access to parking facilities will be provided via SW 1st Place, a portion of land that

runs east/west, is currently utilized as an alleyway, and bisects the site. This placement of automobile access prioritizes pedestrian safety and comfort over the automobile's utility. These access points are not anticipated to adversely affect the type or amount of traffic on adjoining local streets.

Access will meet the standards set in Chapter 23 and Chapter 30, Article VI.

Internal transportation access. Every dwelling unit or other use permitted in a PD shall have
access to a public street directly or by way of a private road, pedestrian way, court or other
area that is either dedicated to public use or is a common area guaranteeing access.
Permitted uses are not required to front on a dedicated public road. Private roads and other
accessways shall be required to be constructed so as to ensure that they are safe and
maintainable.

Every dwelling unit and amenity use in the proposed PD will have access to public streets via the parking areas and driveways, with ingress/egress on SW 1st Place, or via the doorways provided on the ground floors of the buildings. Internal vehicle circulation will occur within the parking areas. Pedestrians and bicyclists will be able to access the site via sidewalks that directly connect and abut the site.

J. Provision for the range of transportation choices. Sufficient off-street and on-street parking for bicycles and other vehicles, as well as cars, shall be provided. Parking areas shall be constructed in accordance with such standards as are approved by the city commission to ensure that they are safe and maintainable and that they allow for sufficient privacy for adjoining uses. When there is discretion as to the location of parking in the project, it is strongly encouraged that all motor vehicle parking be located at the rear or interior side of buildings, or both. The design of a PD should, whenever feasible, incorporate appropriate pedestrian and bicycle accessways so as to provide for a variety of mobility opportunities. Connection to all sidewalks, greenways, trails, bikeways, and transit stops along the perimeter of the PD is required. Where existing perimeter sidewalks do not exist, sidewalks shall be provided by the development.

Sufficient on-street and off-street parking for vehicles, including but not limited to cars and bicycles, will be provided. All onsite parking facilities will be constructed in accordance with standards approved by the City Commission. Motor vehicle parking will be located within the proposed building, with access from SW 1st Place.

Pedestrians and bicyclists will be able to access the site via sidewalks that directly connect to the buildings without threat of vehicle conflicts. Connection to all sidewalks, bikeways, and transit stops along the perimeter of the PD will be constructed. There are multiple transit stops and routes in the surrounding area.

Section 30-4.8. Development Compatibility

C. Building Height and Massing.

Within 100' of the Following Districts:	Max. Building Height
University Heights—South Historic District	4 stories and 60'
	Measured to the top plate of the 4 th floor.

A portion of the project site is within the 100 feet offset of the University Heights—South Historic District. Redevelopment of this property will adhere to the maximum building height requirement of this section. Buildings or portion of buildings within 100 feet of the University Heights-South Historic District will not exceed 4 stories and 60 feet in height when measured to the top plate of the 4th floor.

- D. Multi-family developments.
 - 1. Generally. Multi-family development shall contain no more than six dwelling units per building and shall be in the form of single-family dwellings, attached dwellings, or small-scale multi-family when located within 100 feet of any property that is in a single-family zoning district, the U1 district, or a designated historic district.

In order to provide a sufficient number of dwelling units at market rate to offset the cost of providing workforce rate housing in this redevelopment, the conditions of this PD seek to provide more than six dwelling units per building in the portions of the project site that are within 100 feet of the University Heights-South Historic District. Relief from this requirement is crucial to facilitate the provision of workforce rate housing within the project. The additional number of dwelling units is paramount for the economics of the project. Relief from this section requirement will facilitate the provision of enough market rate units to generate sufficient revenue to offset the cost of providing workforce rate housing.

6. PLANNED DEVELOPMENT DESIGN STANDARDS

The desired development program includes market rate multifamily development, workforce rate housing, parking areas, and shared residential amenities for all residents. Implementation requires flexible, site-specific development standards. This development program cannot be fully achieved with the site's existing U9 development standards, or any other existing zoning district. Because of this, the PD zoning mechanism is necessary.

The PD zoning mechanism provides relief in the city's historic district compatibility requirements, applied to property within 100 feet of historic districts. The pertinent requirements specifically relate to the number of dwelling units allowed per building. This relief allows adequate number of dwelling units per building to be achieved, thus making it possible to construct the necessary number of dwelling units to achieve a financially feasible project in the marketplace while offering workforce rate units.

The following outlines the requested site-specific development standards of this PD. For ease of reading, it is modeled after Table V-2 of the City of Gainesville's LDC. In instances where PD-specific standards are not detailed, it is to be assumed that the U9 standard applies.

STANDARD	PD
LOT AND BLOCK STANDARDS	
Block Perimeter (max. feet)	2,000'
Lot Width (min. feet)	18'
DENSITY	
Residential Density, max.	204
Number of Bedrooms, max. 557	
BUILDING FRONTAGE	
Primary frontage (min)	70%
Secondary frontage (min)	50%
BUILDING PLACEMENT	
Storefront Street, minmax. feet Applicable to SW 2 nd Avenue and SW 10 th Street Measured from back-of-curb	20-25'
Local Street, minmax. feet Applicable to SW 1st Avenue Measured from back-of-curb	16-21'
SW 1 st Place Setback, min. feet Measured from property line	3'
Side setback, min. feet Measured from property line	0'
Setback at roundabout, intersection of SW 2 nd Avenue and SW 10 th Street Measured from back-of-curb	14'*
BUILDING HEIGHT	
Max. Stories	11
Max. Feet	120'7"
GLAZING	
Min. first floor- multifamily	65%
Min. upper floors – multifamily	15%
PARKING	
Parking ratio (spaces per bed)	0.05

^{*}Due to existing infrastructure and public rights-of-way.

7. University Heights-South Historic District

The Historic Preservation Element (HPE) of the Comprehensive Plan ("Plan"), adopted in 1991, identified nine (9) areas as potential historic districts; five (5) have been established to date. In 2002, the City Commission adopted Ordinance No. 001027 (0-01-64) to create the "University Height District-South" ("District") from the platted University Heights and University Place subdivisions, which the City website describes as follows: "It reflects typical suburban residential growth patterns of Florida cities in the midtwentieth century. It is located between the University of Florida and downtown." The District is included on the Local but not the National Register of Historic Places.

Initially, the impetus for creating the District was to counter what was deemed to be an area "threatened by both university (of Florida) and (Shands AGH) [h]ospital expansions," related traffic congestion and demand for parking. p. 14, HPE Data & Analysis [Legistar 110168D]. Also of interest was the presence of a significant number and concentration of field stone or chert houses in the District. For the record, the hospital was demolished to make way for the Innovation District – a much-vaunted partnership between the University of Florida and City of Gainesville to facilitate job- and research-intensive redevelopment of the former hospital property and its surroundings in proximity to the university campus, multi-modal transportation and downtown amenities. Corresponding high-density residential uses have been encouraged by recent iterations of the Future Land Use Element and the Land Development Code ("LDC"), the latter adopting Transect Zones. These land use and zoning code changes are squarely in conflict with the HPE policies adopted in an earlier era and guided by different policy considerations.

The applicant's proposed PUD-PD reconciles the Plan's internal inconsistency as it relates to this property by furthering the goals, objectives and policies of the FLUE and by providing relief from conflicting LDC restrictions. The subject property's underlying zoning is U9 (Urban 9) – the second-most dense and intense of Gainesville's Transect Zones, and the land use classification is UMUH (Urban Mixed-Use High) – the second highest density land use. (See discussion below).

The 2011 update to the HPE Data & Analysis in its deletion of cautionary language about "plans" for "high-density development" in the District reflects the City's policy shift toward the high-density, walkable development patterns seen today along University Avenue and Second Avenue in the District, which forms a spine through the Innovation District. But the Code's remaining set-back requirements and height limitations for Transect-zoned, high-density properties adjacent to the District (Sec. 30-4.8) preclude achievement of the FLUE goals, objectives and policies. Underutilizing these Transect-zoned properties only perpetuates the suburban sprawl patterns that the City and University have labored to reverse near the Innovation District. Moreover, the ability of applicants to include Workforce Housing units in the core city where most needed and still meet the underwriting requirements of lenders is hampered by the inflexibility and tacit density limitations imposed by these restrictions.

In contrast, the City updated its FLUE and Data & Analysis in 2017. The FLUE update "is intended to complement the Transportation Mobility Element by promoting land use patterns that support transportation choice." The analysis concluded that population data was "useful in recognizing <u>how low Gainesville's residential densities are in comparison to densities that support transit</u>, and in recognizing the in-town development capacity in our existing neighborhood centers." (emphasis added). Because of the consequences of urban sprawl, "key objectives" of the Comprehensive Plan are to promote livable residential densities, neighborhood centers, transportation choice, stabilization of existing city neighborhoods, and mixed use – in short, to reverse sprawl patterns of suburban development.

The FLUE specifically recommends that the City encourage relatively high, albeit well-designed, residential densities near major trip destinations (i.e. employment, school, civic area). "Neighborhoods north, east and south of the University have a large percentage of student residents, but do not

1

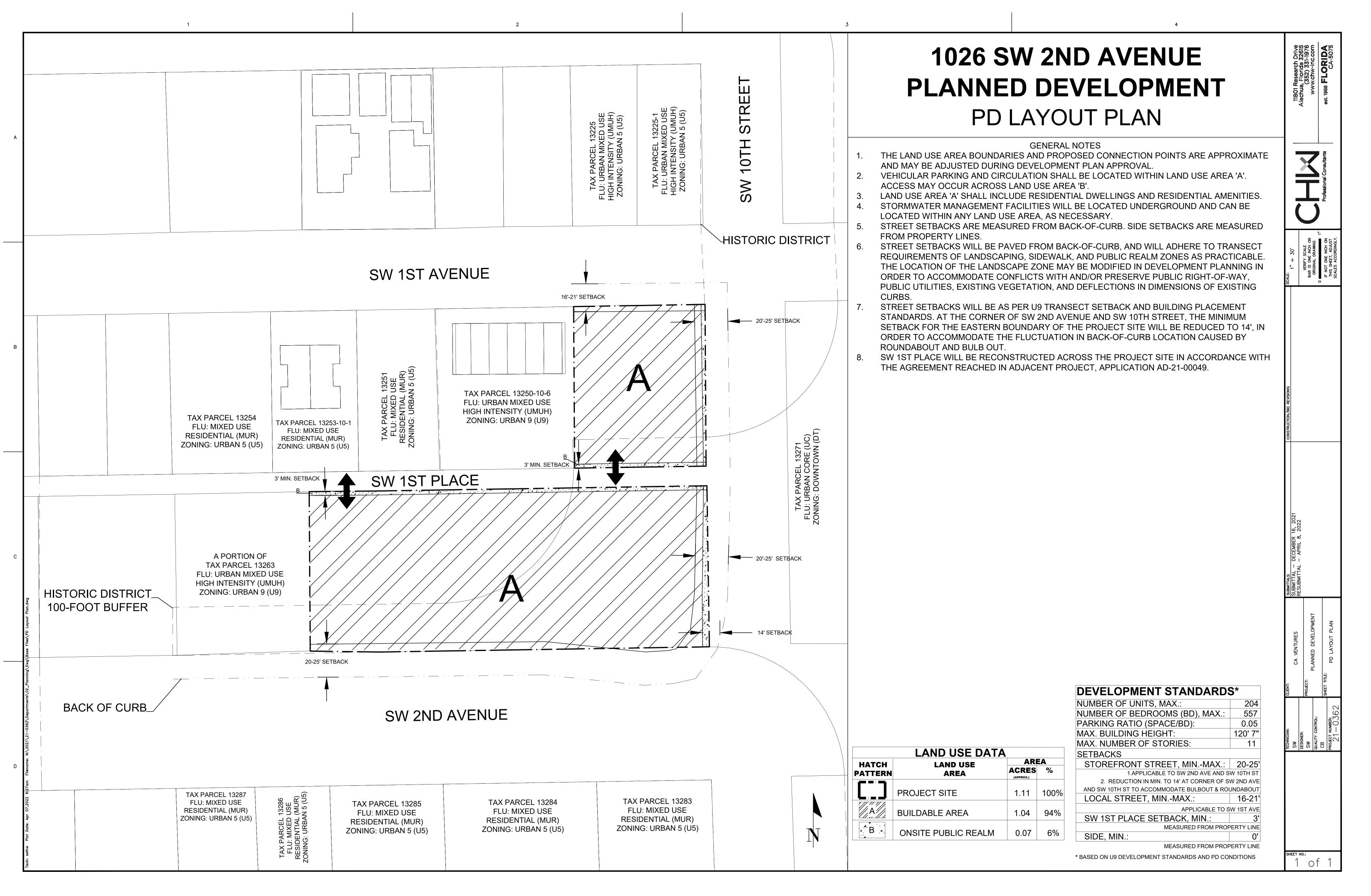
¹ p. 33, HPE Data & Analysis [Legistar 110168D].

accommodate a large enough share of student housing. It is particularly desirable to accommodate student housing close to the to promote citywide transportation choice and several other City objectives. A larger residential population near the University would also be a prime catalyst in revitalizing the downtown. Older neighborhoods close to the downtown continue to include deteriorated dwellings and underutilized parcels, although new housing has been built in ...University Heights...". (FLUE p. 36)(emphasis added). The 2017 Future Land Use Map ("FLUM") designated areas near the University, Santa Fe College and near the downtown core to carry densities up to 100 units east and south of the university.

At the time the District was established in 2002 – presumably to curb plans for high-density development — the city had already revised the underlying zoning of the District's properties to range from "residential high density district" [8-43 and 8-100 units/acre] to "office residential district" [20 units/acre], general office district and medical services district. The District adoption ordinance expressly stated that the underlying zoning districts on the property were neither abandoned nor repealed. There was no inclusion of density or height limitations in Ordinance No. 001027 (0-01-64) for development <u>adjacent</u> to the District.

To implement the community vision advanced 20 years ago and embodied by the 2017 FLUE update, the City revised its zoning code to establish Transect zoning districts. (Sec. 30-4.1, LDC). The subject property bears a U9 (Urban 9) Transect, the second-most dense and intense of the City's Transect Zones. U9 implements the Urban Mixed-Use High (UMUH) Intensity Future Land Use classification of the property. This classification is established to support mixed uses with high-density residential in concert with research and development in close proximity to the University of Florida main campus.

The proposed PUD-PD provides the necessary relief from conflicting LDC requirements to enable the provision of high-density residential development near the Innovation District, University campus and Santa Fe College Blount Center while meeting other major objectives of the City, including provision of Workforce Housing close to major employment centers (i.e. University, Santa Fe College, Circuit Court System, UF Health, and VA Medical Center) and major cultural amenities.



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PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

PLANNING DIVISION PO Box 490, Station 12 Gainesville, FL 32627-0490

P: (352) 334-5023 F: (352) 334-3259

PUBLIC NOTICE SIGNAGE AFFIDAVIT		
Petition Name	PB 21-219 and PB 21-220	
Applicant (Owner or Agent)	CHW	
Tax parcel(s)	13249-000-000 and13263-000-000 (a portion of)	

Being duly sworn, I depose and say the following:

01.

- 1. That I am the owner or authorized agent representing the application of the owner and the record title holder(s) of the property described by the tax parcel(s) listed above;
- 2. That this property constitutes the property for which the above noted petition is being made to the City Of Gainesville;
- 3. That this affidavit has been executed to serve as posting of the "Notice of Proposed Land Use Action" sign(s) which describes the nature of the development request, the name of the project, the anticipated hearing date, and the telephone number(s) where additional information can be obtained. In addition, the applicant has securely posted the sign(s) on the property along each street frontage, at intervals of not more than four hundred (400) feet, and set back no more than ten (10) feet from the street and visible from the street. If the property does not abut a public right-of-way, signs have been placed at the nearest public right-of-way with an indication of the location of the subject property.
- 4. That the applicant has posted the sign(s) at least fifteen (15) days prior to the scheduled public hearing date; or for Historic Preservation Certificate of Appropriateness applications, at least ten (10) days prior to the scheduled public hearing date.
- 5. That the applicant shall maintain the signs(s) as provided above until the conclusion of the development review and approval process and that the signs shall be removed within ten (10) days after the final action has been taken on the development application.

6. That I (we), the undersigned authority, hereby certify that the foregoing statements are true and correct.

" DM M	J cont	Seth Wood	
8. Applicant (signa		Applicant (print name)	
STATE OF FLORIDA,		RECORDING SPACE	
COUNTY OF ALACHUA			
Before me the undersigned, an o	officer duly commissioned by		
the laws of the State of Florida, o	on this 13 ¹⁷² day		
of April 2022, p	ersonally appeared who having		
been first duly sworn deposes ar	nd says that he/she fully		
understands the contents of the		t	
revoluench	TRINA LEMNAH NOTATY Public NOTATY Profice	K .	
Public	Commission = GG 314838	[
My Commission expires:	My Comm. Expires Mar 21, 2023		

Form revised on March 11, 2014. Form location: http://www.cityofgainesville.org/PlanningDepartment.aspx

FOR OFFICE USE ONLY		
Petition Number	Planner	



April 7, 2022

Mr. Scott Wright, Planner II City of Gainesville – Department of Mobility P.O. Box 490, Station 58 Gainesville, FL 32627

Re: 1026 SW 2nd Avenue, Trip Generation and Distribution

Dear Scott,

1026 SW 2nd Avenue is a proposed development consisting of off-campus student apartments with approximately 557 beds. The site is proposed at the northwest corner of the intersection of SW 2nd Avenue and SW 10th Street in Gainesville, Florida. There are existing medical-dental office buildings to be removed from this site.

This letter provides the trip generation based on the proposed land uses and the estimated project trip distribution based on the trip distributions of other student apartments in the area.

The Institute of Transportation Engineer's (ITE) Trip Generation Manual, 10th Edition was used to estimate the trip generation of the site based on the proposed development, as provided in **Table 1**.

	Table 1 - Trip Generation								
Londilleo	ITE LU Code Variable Beds	Daily		AM Peak	:	PM Peak			
Land Use		Total	Total	In	Out	Total	In	Out	
Off-Campus Student Apartment	225	557	1,742	61	25	36	137	69	68
Non-Vehicular Multi-I	Modal Reduction	1	357	5	7	29	14	15	5
Net New Trips (utilizing m	Non-Vehicular Multi-Modal Reduction ¹ Net New Trips (utilizing multi-modal reduction)		1,385	49	20	29	108	55	53

(1) Estimated Non-Vehicular Multi-Modal Trips are based on a Multimodal study prepared for the City of Gainesville (updated July 2013) based on Royal Village Apartments. Royal Village provides the closest comparison to the 1026 SW 2nd Avenue Apartments based on its proximity to UF, character, and function. Multi-modal rates are provided during the AM peak (20%) and PM peak (21%) but are not provided for the daily total. The Daily Non-Vehicular Multi-Modal Trips were estimated as the average (20.5%) of the AM and PM.

The project trip distribution is expected to mimic the trip distribution of apartments in the vicinity of this project. Vehicle counts were collected at the following locations to derive the trip distribution for the nearby Lincoln Ventures student apartments. The same trip distribution is utilized to forecast the project trip distribution for this site.

- The Continuum
- The Apartments along SW 3rd Avenue between SW 13th Street and SW 12th Street including Social 28, Courtyards, and Lyncourt Square

The trip distribution calculations are provided in **Attachment 1**. The estimated trip distribution of the project site is provided in **Figure 1**.

CHW is currently preparing design plans for the 12th Street/10th Street One-way Pair. The current plan anticipates that NW/SW 12th Street will be a one-way southbound roadway, for vehicular traffic, and NW/SW 10th Street will be a one-way northbound roadway, for vehicular traffic. The one-way pairs will have only a minor impact on the ultimate origin and destinations as highlighted in **Attachment 1** and **Figure 1**. The One-way Pairs project will have an impact on the project trip and background trip turning movements, which will be detailed in the TIA for this project.

At the intersections of SW 13th Street at SW 2nd Avenue and SW 13th Street at W. University Avenue, the project trip turning movements are estimated based on the turning movements at these intersections. **Attachment 2** provides the calculations for the trip distributions at these intersections.

Sincerely,

CHW

Brian Snyder, P.E. Project Manager

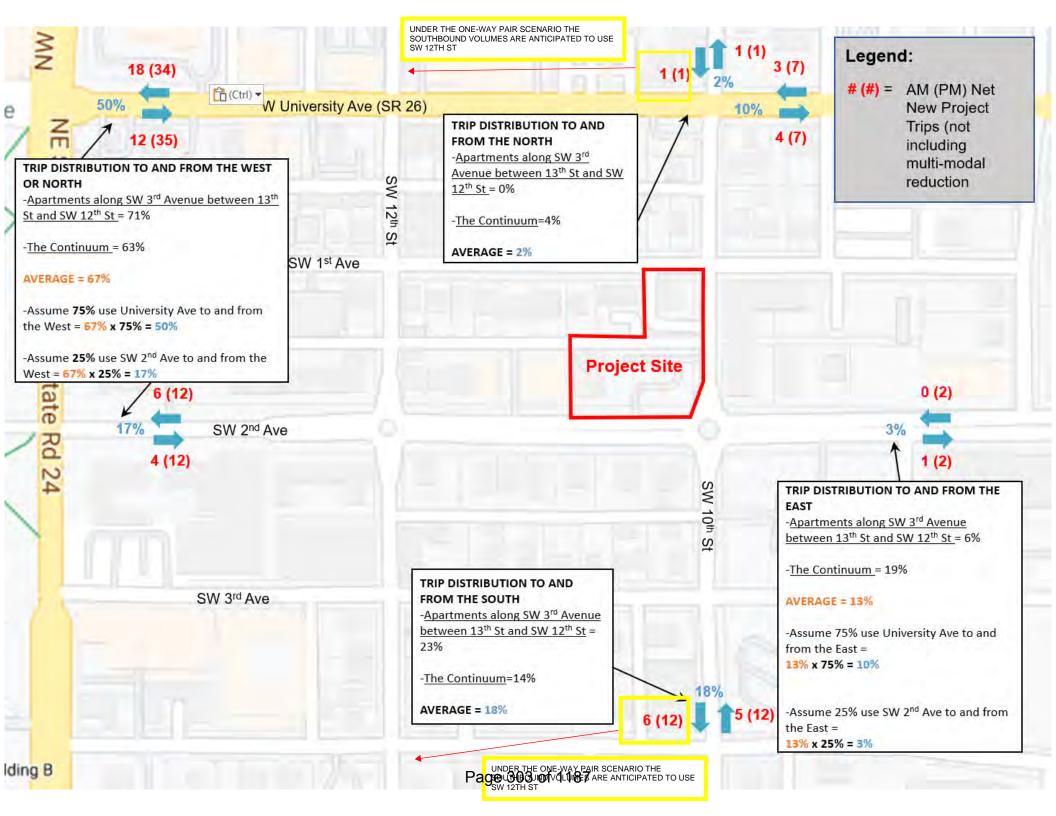
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UNDER THE ONE-WAY PAIR SCENARIO THE SOUTHBOUND VOLUMES ARE ANTICIPATED TO USE SW 12TH ST NN 3 (7) 18 (34) W University Ave (SR 26) NE State Rd 4 (7) 12 (35) SW 12th St Legend: AM (PM) Net New Project Trips (not 24 SW 1st Ave including multi-modal reduction **NE State Project Site** 6 (12) 0 (2) SW 2nd Ave Rd 24 4 (12) 1 (2) SW 10th St SW 3rd Ave UNDER THE ONE-WAY PAIR SCENARIO THE SOUTHBOUND VOLUMES ARE ANTICIPATED TO USE SW 12TH ST Iding B

Figure 1 | Estimated Trip Distribution

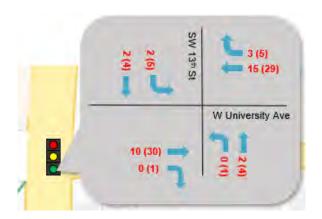
Attachment 1: Trip Distribution Calculations



Attachment 2: Trip Distribution Calculations SW 13th Street

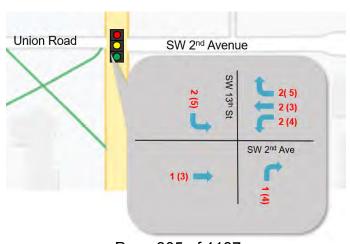
	TO/FROM West University				
	TO/FROM North on 13th	TO/FROM West on University			
	15%	85%			
AM IN	2	10			
PM IN	5	30			
AM OUT	3	15			
PM OUT	5	29			
	TO/FROM North 13th St				
	TO/FROM West on University	TO/FROM North on 13th			
	20%	80%			
AM IN	0	2			
PM IN	1	- 4			
AM OUT	0	2			

	rsity Ave	
	Total	% of Total
SBL + WBR	603.5	15%
EBT + WBT	3554.5	85%
From TMC at 13th ST and Univer	rsity Ave	% of Total
From TMC at 13th ST and Univer		



	TO/FROM West	2nd Ave	
	TO/FROM North on 13th	TO/FROM West on Union Dr	TO/FROM South on 13th St
	39%	25%	36%
AM IN	2	1	
PM IN	5	3	- 0
AM OUT	.2	2	
PM OUT	5	3	

	Total	% of Total
SBL + WBR	372	39%
EBT + WBT	232	25%
NBR + WBL	339.5	36%



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Appendix B

Elevations



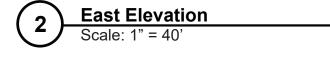
CPL-01

VW-01

MRY-01

WD-01

	MATERIAL FINISH KEY		
	_		
MRY 01	MODULAR BRICK - COLOR 1		
ST 01	STUCCO - COLOR 1		
ST 02	STUCCO - COLOR 2		
ST 03	STUCCO - COLOR 3		
ST 04	STUCCO - COLOR 4		
CPL 01	CEM. PANEL W/ REVEAL SYSTEM - COLOR 1		
CPL 02	CEM. PANEL W/ REVEAL SYSTEM - COLOR 2		
SF 01	ALUM. STOREFRONT SYSTEM		
VW 01	VINYL WINDOW		
WD 01	WOOD LOOK PANEL - COLOR 1		
MTL 01	GARAGE SCREENING SYSTEM		
MTL 02	METAL PANEL - COLOR 1		
MTL 03	ALUM. BALCONY RAILING		
MTL 04	PREFABRICATED METAL CANOPY		
MTL 05	METAL SIGNAGE		



CPL-02

MRY-01 SF-01

SW 2nd Ave.



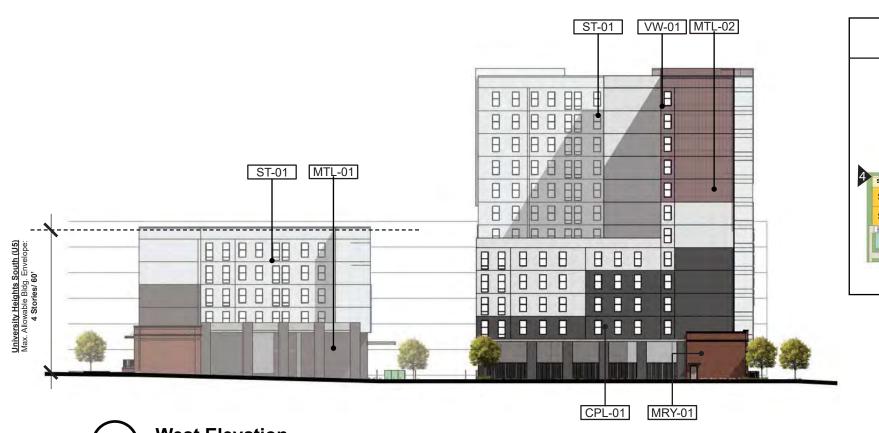
SW 1st Pl.

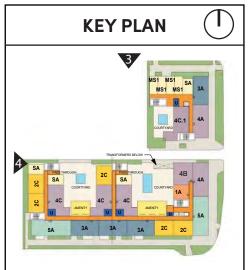
CPL-01

South Elevation
Scale: 1" = 40'

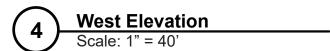


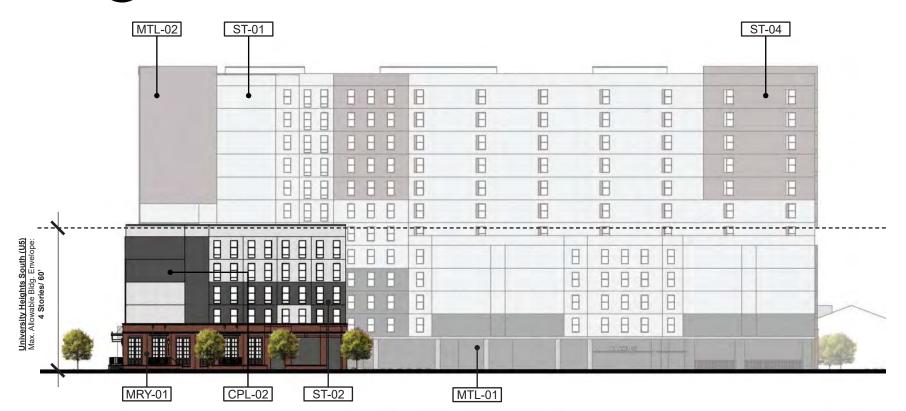






	MATERIAL FINISH KEY
MRY 01	MODULAR BRICK - COLOR 1
ST 01	STUCCO - COLOR 1
ST 02	STUCCO - COLOR 2
ST 03	STUCCO - COLOR 3
ST 04	STUCCO - COLOR 4
CPL 01	CEM. PANEL W/ REVEAL SYSTEM - COLOR 1
CPL 02	CEM. PANEL W/ REVEAL SYSTEM - COLOR 2
SF 01	ALUM. STOREFRONT SYSTEM
VW 01	VINYL WINDOW
WD 01	WOOD LOOK PANEL - COLOR 1
MTL 01	GARAGE SCREENING SYSTEM
MTL 02	METAL PANEL - COLOR 1
MTL 03	ALUM. BALCONY RAILING
MTL 04	PREFABRICATED METAL CANOPY
MTL 05	METAL SIGNAGE



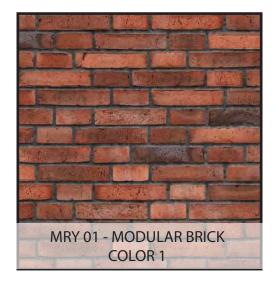


North Elevation
Scale: 1" = 40'





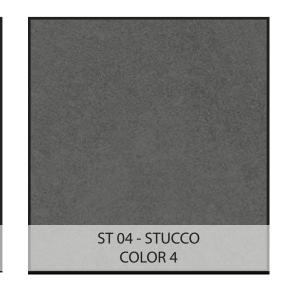
Building Materials

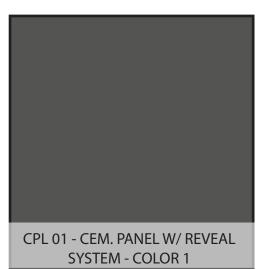


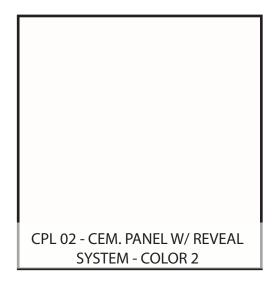












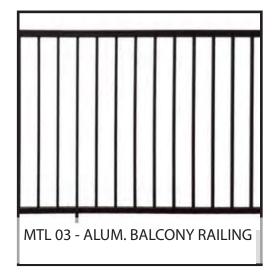
















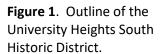




Appendix C

Historic District Images





Proposed project area outlined in red (not to scale).

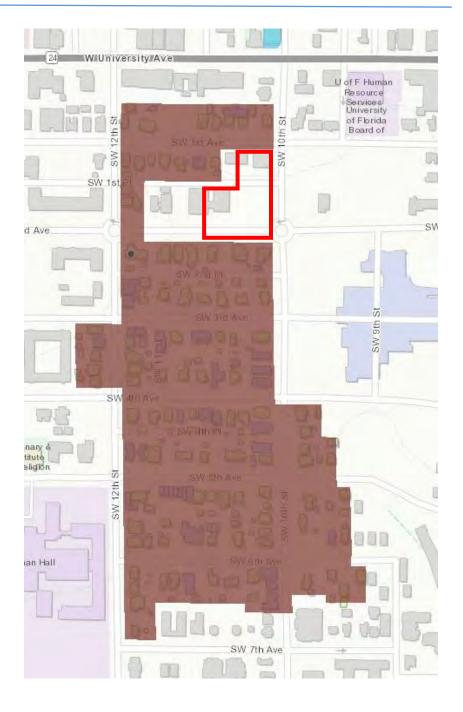






Figure 2. The properties in green are contributing properties within the UH-S Historic District, blue are non-contributing.

Every single property on the block between SW 12^{th} Street and SW 10^{th} Street is a contributing structure.

Photographs 1-7 show those properties that are across the street from the south building of the proposed project, which faces the SW 2nd Avenue corridor.

The character of the street is 1 and 2-story structures, primarily Bungalows, and though many are being utilized as offices, they retain the feeling of residential structures because that is the nature of their size, massing, and form. The historic integrity is intact.



Photo 1. 1125 SW 2nd AVE, *Contributing Structure* in the District



Photo 2. 1113 SW 2nd AVE, *Contributing Structure* in the District





Photo 3. 1107 SW 2nd AVE, *Contributing Structure* in the District



Photo 4. 1103 SW 2nd AVE, *Contributing Structure* in the District





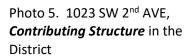




Photo 6. 1013 SW 2nd AVE, **Contributing Structure** in the District









Photo 8. The character of the street, looking east from 1113 SW 2nd Avenue.





Photos 9 and 10.

Reinvestment in properties has happened as recently as this past year. The top photo is google maps, March 2021.

The bottom photo are the same properties, 1103 and 1107 SW 2nd Avenue, but in March 2022.









Figure 3. The properties in green are contributing properties within the UH-S Historic District, blue are non-contributing.

Every property on the north side of the block between SW 12th Street and SW 10th Street is a contributing structure.

Photographs 9-13 show those properties that are across the street from the north building of the proposed project, which faces SW 1st Avenue.

Photograph 14 is a contributing structure which will be to the west of the north building of the proposed project.

The character of the street is 1 and 2-story structures, and though a few are being utilized as multi-unit rentals, they retain the feeling of single family residential structures because that is the nature of their size, massing, and form. The historic integrity of the street is intact.



Photo 9. 1004 SW 1st AVE, *Contributing Structure* in the District



Photo 10. 1012 SW 1st AVE, *Contributing Structure* in the District





Photo 11. 1016 SW 1st AVE, *Contributing Structure* in the District



Photo 12. 1022 SW 1st AVE, *Contributing Structure* in the District





Photo 13. 1022 SW 1st AVE, *Contributing Structure* in the District



Photo 14. 1023 SW 1st AVE, *Contributing Structure* in the District







Photo 15. The intersection (roundabout) at SW 2nd Avenue and SW 10th Street, looking north. The proposed project would be to the top left of the photo. To the top right, is Infinity Hall, a 5-story structure.



Photo 16. The intersection (roundabout) at SW 2nd Avenue and SW 10th Street, looking south. The proposed project would be to the right of the photo. To the left, is Infinity Hall, a 5-story structure.





Photo 17. Oblique view of Infinity Hall, a 5-story structure, looking north.



Photo 18. Current construction photo of the restaurant "The Swamp," a 2-story structure being built to the west of the proposed project, which would be built to the top right of the photo.





Photos 19 and 20. The character of the blocks further east of the proposed project, on the SW 2^{nd} Avenue corridor, east of the roundabout at SW 2^{nd} Avenue and SW 10^{th} Street. The character of the street here, closer to downtown Gainesville, is four and five stories.







Figure 4. A map showing the 100' buffer extending from the Historic District boundaries. The proposed project is outlined in black and white (two buildings.) The blue dotted line is where the 100' buffer extends to. Much of the proposed project falls within this 100' buffer area.

Source: CHW Justification Report, p. 7.

Appendix D

Innovation District Planning Reports/Studies



SW SECOND & SW FOURTH MULTIMODAL CORRIDORS

CONNECTING THE COMMUNITY "EAST TO WEST"

GAINESVILLE, FL

executive summary

OCTOBER 2018

INTRODUCTION

This executive summary highlights some key elements in the SW 2nd Ave. & SW 4th Ave. Multimodal Corridors Vision(ing) Document. The Visioning project presented a menu of options and recommendations for future work within the corridors. Its purpose was to present various ideas and concepts (and not one master plan or solution) focusing on mobility and urban design. Some of the ideas were incremental – Lighter, Quicker, Cheaper (LQC) initiatives and could take a phased approach, while others were bold, creative and capital-intensive moves.

This precinct presents the opportunity to reinforce east/ west connections in Gainesville and is unique because it can knit together residential areas, open spaces, the Campus, and the community.

CONTENTS

The Why

Goals

Mobility Framework

Urban Design Framework

Implementation

VISION (ing)

W W A & A O O ' B d - S b

SW 2nd Ave. and SW 4th Ave. in Gainesville are important corridors connecting the University of Florida to East Gainesville through the Innovation District and Downtown. Several efforts have been made in the past to efficiently and safely connect these areas with multimodal transportation systems. This Vision(ing) exercise builds on these past efforts to create a destination while stimulating growth of local businesses and economic activity.



GOALS



Create two complementary corridors (SW 2nd Ave & 4th Ave) to work efficiently as destinations and thoroughfares for local and through multimodal traffic; consider the role of SW 3rd Ave and University Ave in this system.



Create a significant walkable pedestrian zone/mall within one of the corridors.



Develop strategies for inclusion of autonomous vehicles, or other cutting edge self-driving vehicle technologies, on one or both corridors.



Explore ideas for connectivity and the corridors' role within the larger context with respect to transportation, transit, land use, economic development, ambiance, etc.



Develop strategies for creating comfortable environmental conditions along the corridors, include elements like shade structures and water features to encourage year-round use, and explore sustainable and Low Impact Development (LID) systems.



Develop a unique and iconic place for the City of Gainesville. In doing so, discover 'moments' along the corridors that will spearhead the vision.

MOBILITY FRAMEWORK

Multimodal corridors allow for the safe and efficient movement of all modes of traffic. With all modes in the corridor, priority must be given to the pedestrian, and the streetscape design should passively and actively provide a hierarchy to the modes.

The goal to reduce or eliminate vehicular activity on SW 2nd Ave could potentially impact access to uses/businesses along it. A study was conducted as part of this Visioning exercise to assess these impacts.

This study revealed that almost all the uses/businesses had alternative access points on SW 3rd Avenue, SW 1st Place or Sw 1st Avenue.

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THE DESIRED MULTIMODAL HEIRARCHY IN THE CORRIDORS IS SHOWN BELOW:



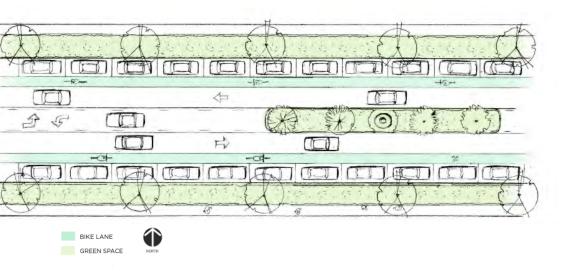


RIGHT OF WAY STUDIES

EXISTING CONDITIONS WEST OF 6TH ST.

Making changes to the streetscape and creating a safer multimodal corridor will occur mostly within the right-of-way (ROW). The following pages present options and recommendations for mobility within the existing rights-of-way.



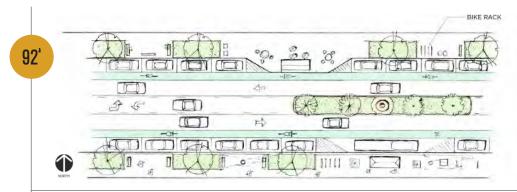


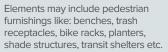
Two (2) typical rights-of-way occur within the SW 2nd Ave corridor. These are 92ft wide (west of 6th St.) and 66ft (east of 6th St). Making changes to the streetscape and creating a safer multimodal corridor will occur mostly within the rights-of-way. Some of the concepts explored are shown on the next few pages.

RIGHT OF WAY STUDIES:

SCENARIO 1: SW 2ND AVE. CONSERVATIVE

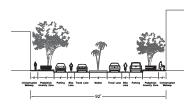
This capitalizes on the existing 11ft- wide park strips to create pockets of public space with pedestrian furnishings and amenities within the right-of-way.



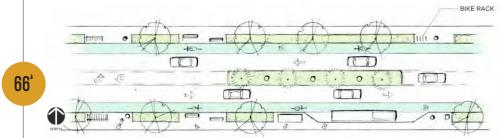


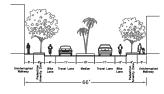
Very little intrusion into existing conditions

Opportunities/new areas for tactical interventions, public art, wayfinding and part of proposed shade network.



92 ft Right-of Way section looking west





66 ft Right-of Way section looking west



SCENARIO 1: SW 2ND AVE.

- 1. All modes allowed
- 2. Cars still have most presence
- 3. Pedestrians linger longer with more furnishings
- 4. Increase in bike facilities like bike racks and repair kiosks
 - Unobstructed Pedestrian Walkway
 - Pedestrian Amenity Area
 - Bike Lane

PROS

Lighter, Quicker, Cheaper (LQC) Project
Can be implemented quickly
Will make a quick impact in the corridor
No new ROW/property acquisition
Opportunities for parklets and cooling stations
Can be first phase of other scenarios
Not capital intensive
Minimum utility impacts

CONS

Not a very bold move

Traffic calming techniques will still have to be employed to make it more pedestrian friendly

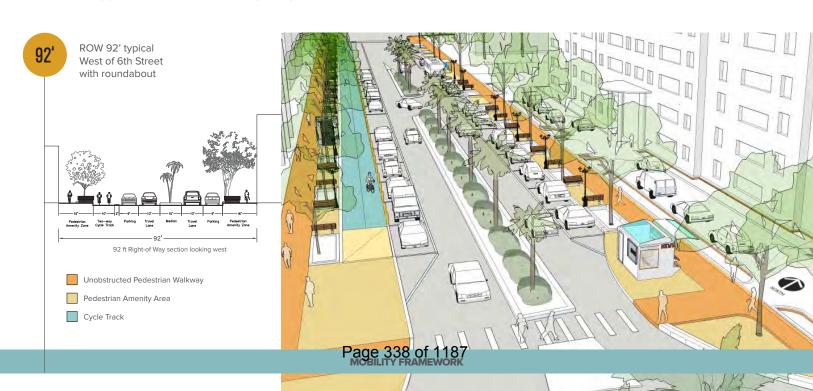
Does not increase bicycle facility width and separation from parked cars



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SCENARIO 2A: SW 2ND AVE. CYCLE TRACK OPTION INTERMEDIATE

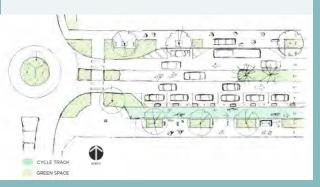
This provides a safe protected pathway for cyclists and reduces conflicts with vehicles and pedestrians. It also creates opportunities for streetscape improvements.



SCENARIO 2A: SW 2ND AVE.

CYCLE TRACK OPTION

- 1. All modes allowed
- 2. Introduce a 2-way protected cycle track on one side of the road
- 3. Use cycle track buffer as opportunities for landscaping, art, signage, etc.
- 4. Design intersections to work as signalized intersections or roundabouts
- 5. Greater utility impacts







Artist impression looking east on SW 2nd Ave., showing a 2-way cycle track in place



PROS

Safe travel for bicyclists; fewer conflicts with other modes

More activated streetscape

CONS

Roadway redesign; may be capital intensive

May have several barriers to implementation

Potential conflicts when bicyclists maneuver roundabouts

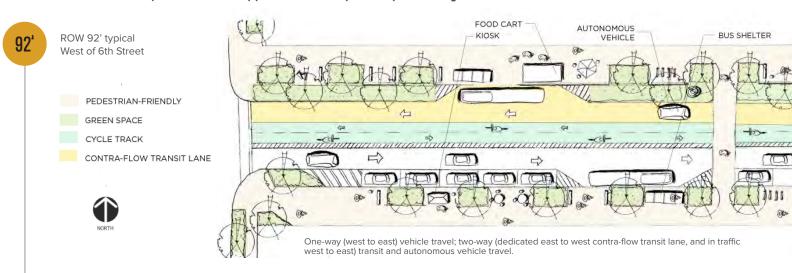
Greater utility impacts

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SCENARIO 2B: SW 2ND AVE. ONE WAY PAIR

INTERMEDIATE

This allows for only one direction of vehicular travel with a contra-flow transit lane. It provides more space for other modes of transportation, and opportunities for public space design.



An alternative is to have either parking on both sides or angle parking instead of the dedicated contra-flow bus lane.

Transit could circulate one-way on SW 2nd Ave/SW 4th Ave as a true circulator. Since distances between the two corridors are very short, this would still be walkable and convenient to users.



PROS

Fewer cars in ROW

Predictable traffic flow

Large areas for public space; possibility of creating a linear park

CONS

Capital intensive

One-way pair may be hard for vehicles to navigate

Mopeds/scooters may be inclined to use cycletrack for contra-flow

Greater utility impacts

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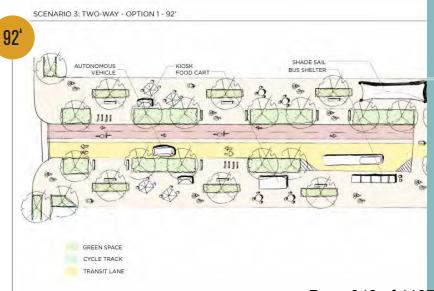
SCENARIO 2B SW 2ND AVE. ONE WAY PAIR

- Create one-way east bound traffic on SW 2nd Ave
- 2. Allow for two-way transit and autonomous vehicle circulation
- 3. Work with adjacent uses to ensure that functional, required, access points are not jeopardized
- 4. Allow more right-of-way for public space.
- 5. Dedicated lane(s) for autonomous vehicles, buses and emergency vehicles
- 6. Dedicated lanes for bicycles
- 7. All modes allowed
- 8. Space dedicated to cars and scooters reduced
- More ROW for public space including pedestrian furnishings, linear parks and bike facilities
- 10. Improved transit and autonomous vehicle facilities

SCENARIO 3A SW 2ND AVE. NO CARS OPTION

BOLD

This is a pedestrian mall that allows for transit such as buses, autonomous vehicles and electric vehicles. It allows for several scales of programmed public space.





SCENARIO 3A SW 2ND AVE. NO CARS OPTION

- 1 All modes allowed
- 2. Reads as one space
- 3. Pedestrian mall that allows for limited transit such as buses, autonomous vehicles and electric vehicles
- 4. Opportunities for several scales of programmed public space
- 5. Ability to add restaurants, art galleries, small commercial shops, gazebos, kiosks, bike service stations, electronic device charging stations, etc.
- 6. Potential to land lease sites along the newly gained area in the right-of-way for several future amenities

PROS

No cars in ROW; limited pedestrian/vehicular conflict

opportunities

Large areas for public space; possibility of creating a linear park

More transit and autonomous vehicle use

Iconic

CONS

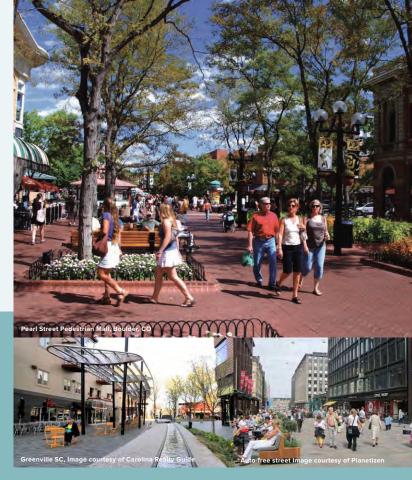
Strain on uses that are car dependent

Capital intensive, requires political will and change in general mindset

Major infrastructure changes to accommodate changes in traffic patterns; impacts on adjacent roads

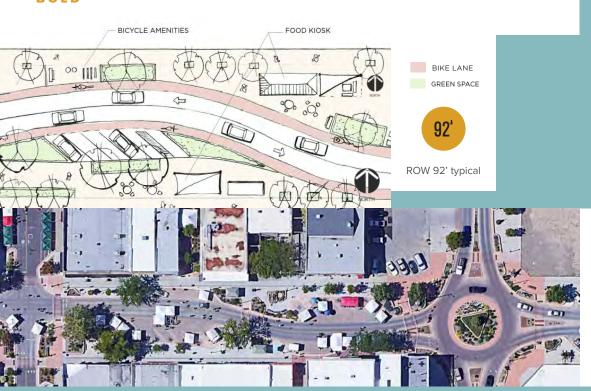
Mopeds/scooters may be inclined to use bicycle facility

Greater utility impacts



RIGHT OF WAY STUDIES:

SCENARIO 3B SW 2ND AVE. CHICANE OPTION

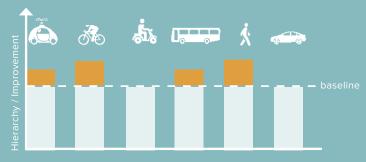


This option can be accommodated only in the 92' ROW and will have to be combined with other options/scenarios.

This Main Street, Grand Junction, CO utilizes chicanes to create a curvilinear roadway that offers several opportunities for multimodal mobility, pedestrian amenities and placemaking. The roadway works with roundabouts as well as as 4-way intersections. The right-of-way is similar to SW 2nd Ave west of 6th St at approximately 92 ft.

SCENARIO 3B SW 2ND AVE. (BOLD) CHICANE OPTION

- Chicane allows for alternate public spaces and can be utilized to create variety and interest
- 2. Curvilinear roadway reduces vehicle speeds and is a good traffic calming strategy
- 3. The whole area reads as one space and the car's presence is not an intrusion
- 4. Allows for the inclusion of several small scale and temporary kiosks, exhibits, galleries etc.
- 5. Cars and mopeds allowed
- 6. More ROW for public space including pedestrian furnishings, linear parks and bike facilities





PROS

Safe

Larger pedestrian area
Rethinks the idea of the public street
Great placemaking opportunities
Traffic calming

CONS

Pedestrian space bisected by vehicular traffic

Potential vehicular/pedestrian conflicts Greater utility impacts

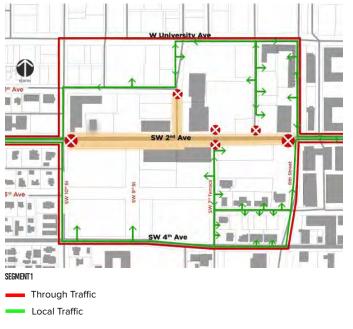
Major infrastructure costs

Main Street, Grand Junction, CO. The curvilinear roadway is 0.62 miles long. Chicanes provide opportunities for placemaking.

ROAD SEGMENT CLOSURE SW 2ND AVE.

These road closures transfer traffic into roadways that are not designed to accommodate heavy traffic; they are very narrow and serve as access to adjacent uses that have parking lots off them.

These scenarios have to be further evaluated as there may be better segments to close as development activity increases and traffic patterns change.





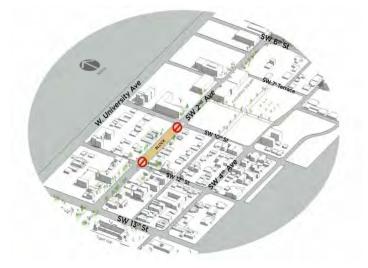
to SW 7th Terrace

Road closure point

ROAD SEGMENT CLOSURE SW 2ND AVE.

To create festival and events streets, there may be the need to completely block segments of SW 2nd Ave to through traffic on a temporary basis (or a more permanent basis in due course, if feasible). The following study looks at some areas that could be blocked off, based on the least impact to adjacent uses.



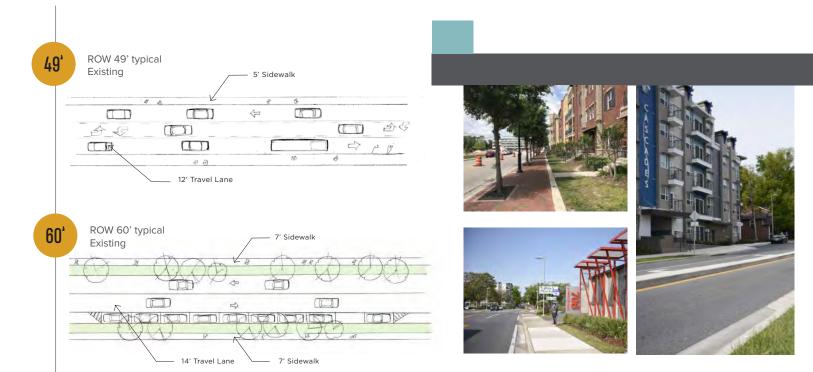


SEGMENT 2

Road closed from SW 12th St. to SW 10th St.

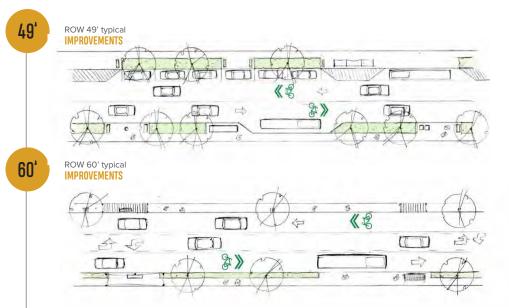


EXISTING CONDITIONS SW 4TH AVE.



STREETSCAPE IMPROVEMENTS SW 4TH AVE. SHARROW OPTION

"Shared Lane Markings (SLMs), or "sharrows," are road markings used to indicate a shared lane environment for bicycles and automobiles. Among other benefits, shared lane markings reinforce the legitimacy of bicycle traffic on the street, recommend proper bicyclist positioning, and may be configured to offer directional and wayfinding guidance... it is not a facility type and should not be considered a substitute for bike lanes, cycle tracks, or other separation treatments where these types of facilities are otherwise warranted or space permits." - National Association of City Transportation Officials (NACTO)



Sharrow signs are typically painted on pavements in the travel line or on signs in the right-of-way.



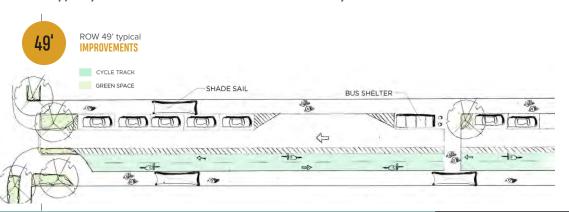






SCENARIO 1.3 SW 4TH AVE. ONE WAY PAIR OPTION

An alternative scenario where traffic travels west to east on SW 4th Ave. can also be feasible if the overall one-way pair system is deemed to work better as an anticlockwise system.



- 1. All modes allowed
- 2. Create one-way West bound traffic on SW 4th Ave.
- 3. Allow for two-way transit and autonomous vehicle circulation.
- Work with adjacent uses to ensure that functional, required, access points are not jeopardized
- Allow More ROW for public space including pedestrian furnishings, linear parks and bike facilities
- 6. Dedicated lanes for bicycles
- 7. Space dedicated to cars and scooters reduced

PROS

Predictable traffic flow

Larger areas for public space; possibility of creating a linear park

CONS

Capital intensive

One-way pair may be hard for vehicles to navigate

Mopeds/scooters may be inclined to use cycle track for contra-flow

Greater utility impacts

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AUTONOMOUS/ELECTRIC VEHICLE NETWORK

Starting Terminus and Autonomous Vehicle Importances

The project is a partnership between the University of Florida (UF), FDOT, and City of Gainesville (RTS).

The demo route is between 14-40 SW 2nd St. and 198 SW 2nd St in SW 2nd Ave corridor. Eventually the shuttle route would extend west to UF's proposed autocourt in front of Tigert Hall and east to Depot Park

The vehicles are manufactured by Easy Miles with Transdev Services, Inc as vendors.





URBAN DESIGN FRAMEWORK

Urban Design addresses all elements of the public realm which tie together to make a place, district or city function.

Creating a successful and vibrant public realm requires a thoughtful approach to balancing these elements to provide comfort for users, support economic development and promote sustainable development.

The project site does not exist in isolation, but is one of several potential redevelopment areas within the City of Gainesville. It also lies adjacent to several parcels that have been slated for future development either by public or private entities. Care must be taken to ensure that the development language established for this corridor sets a good benchmark and precedent for future development.

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REGIONAL CONTEXT

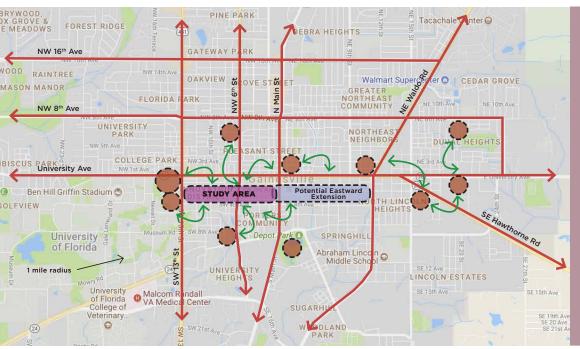












Connections to the proposed autocourt.

Gateway features in the vicinity of Tigert Hall.

Coordination with 2018 Landscape Masterplan and Transportation and Parking Strategic Plan.

Inclusion of campus open spaces, such as Ocala Pond on SW 13th St. & SW 5th Ave into the proposed open space network to create a seamless transition to campus.

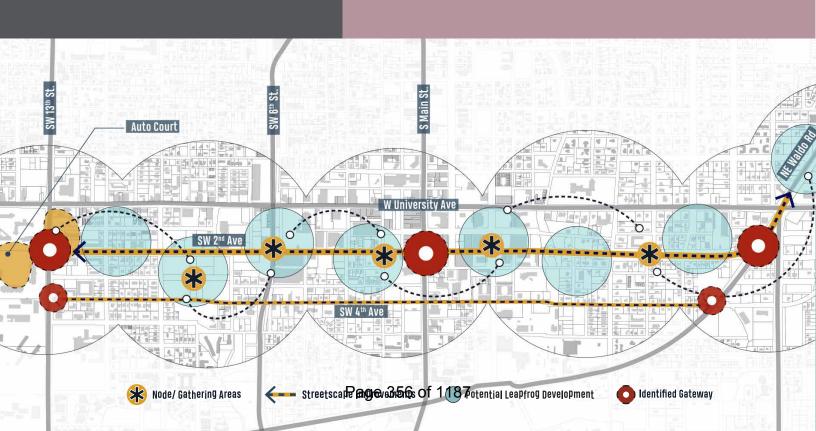
Use the corridors to celebrate Innovation Square as a central node. In other words, let activity climax at Innovation Square.

Create a destination that attracts residents, as well as local and regional visitors.

Weave into an urban fabric that spurs off leap-frog development of other districts of varying scales with different experiences.

URBAN DESIGN PRINCIPALS

GATEWAYS CONNECTING THE COMMUNITY "EAST TO WEST"



UTILITIES & INFRASTRUCTURE

Capitalize on existing systems and networks for future development.

Fill gaps in infrastructure and plan to underground utility lines where possible.

LAND USE

Create a mix of uses and allow opportunities for 24-hour use of the area. Promote walkability to encourage walking from one activity/use to another.

AMBIANCE

Plan infill developments to tighten the street wall, reduce gaps, and encourage pedestrian activity.

Create a desirable balance of the natural and the built environments – introducing placemaking components while maintaining natural elements.

STREETSCAPE

Build upon existing initiatives for streetscape texture and materiality on both corridors (especially on SW 2nd Ave).

Introduce more pedestrian-friendly streetscape improvements and furnishings.

Identify pockets of opportunities in existing parkstrips and include tactical urbanism initiatives. Identify places for shade structures, parklets and cooling stations.

BUILDING FORM

Create massing and greater heights with consistent build-to and setback lines within the core to encourage pedestrian activity.

Locate large parking areas must be located to the side and rear of buildings to allow pedestrians to engage directly with building frontages.

Adopt building design standards that create a consistent streetscape experience. This should include providing direction on use of design elements such as fenestration, entrance locations, service access, materiality, etc.

TRANSPORTATION & CIRCULATION

Create more pedestrian friendly spaces and activities.

Use existing transit lines and transit infrastructure to allow for more pedestrianization of one or both corridors.

Utilize cutting-edge autonomous vehicle technology, wherever possible.

Use elements like bollards, planters and on-street parking to buffer pedestrian zones from automobile traffic.

Use one-stop parking with parking garages, and plan them within a comfortable walking radius zones from automobile traffic.

Use one-stop parking with parking garages, and plan them within a comfortable walking radius.

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ENVIRONMENTAL CONTROL

Utilize existing tree canopies as part of a shade network.

Capitalize on regularity of building setbacks to incorporate shade structures, like awnings where possible.

Develop a shade network with cooling stations.

URBAN DESIGN FRAMEWORK

Vacant or underdeveloped sites should be developed into a mix of uses to support the corridors' economic development. At the same time, these developments will bring infill to fill gaps and strengthen the street wall to encourage pedestrian activity.

Carefull infill developments along the corridor will help to compliment existing developments.

^{*}The volumes shown do not represent specific buildings but rather development potential



PUBLIC ART FRAMEWORK

Public art or works of public art are defined as, but not limited to, the following: sculptures, engravings, mobiles, mosaics, site-specific installations, cravings, murals, graffiti, statues, fresco, bas-relief, etc.

The objective of public art is to enrich and enliven the public realm, fostering a sense of community and identity of a place. Art involving local artists creates a sense of ownership which strengthens local culture.

ART AXIS An "Arts Axis" concept is being proposed by UF's Landscape Masterplan.

The goal of the Arts Axis is to connect the Cultural Plaza at UF with the South Main/ Depot Avenue emerging arts district via College of the Arts (Inner Dr @ SW 13th St). Parts of this route will run along/engage the SW 2nd Ave and/or SW 4th Ave corridor.

The eventual route had not been finalized as of the publishing of this Study in 2018. The Arts Axis is intended to provide navigation and interest through a series of outdoor installations.



RETAIL, STOREFRONTS



Sidewalk Cafe



Programmed Median



Outdoor Dining Area



Cafe/Kiosks in Public Space



Outdoor Dining Area



Sidewalk Cafe



WAYFINDING AND SIGNAGE

Well-designed, and placed, wayfinding and signage will help all users and transportation modes to navigate the corridors. Different sign types that should be employed include

Street name signs
Informational signs
Pedestrian-oriented signs
Vehicular-oriented signs
Directional signs
Building signs
Advertising signs, etc.













SHADE NETWORK

Designing for pedestrian and outdoor activity in the summer months in Gainesville requires a strategic approach to mitigate high temperatures and humidity. The proposed shade network incorporates elements such as shade structures, awnings, trees, cooling stations, pocket parks etc., at frequent locations along the corridors to provide relief to users.











STRUCTURES, PAVILIONS, KIOSKS.

Small-scale and temporary structures help to animate and define urban spaces. These structures bring a variety of design and architectural styles while bringing in color, whimsical elements and engage users.

They are also very functional when programmed for activities such as the following:







Restaurants

Cafes; ice cream shops

Candy stores

Concessions

Food carts

Exhibitions and galleries

Shade structures

Umbrellas; outdoor dining

Bookstores; newsstands

Bike service stations

Bike share stations

Bike racks and bike storage

Storage sheds; service and utility hubs

Seasonal



LIGHTER, QUICKER, CHEAPER (LQC) PROJECTS & TACTICAL URBANISM

Tactical Urbanism is "a city, organizational, and/or citizen-led approach to neighborhood building using short-term, low-cost, and scalable interventions to catalyze long term change." Examples include: complete streets, parklets, pedestrian plazas etc. Also known as "DIY Urbanism, guerrilla urbanism, planning-by-doing, urban acupuncture, or urban prototyping," its main function is quick, feasible, applied action and results in highly effective LQC projects.

Parklets

A parklet is a sidewalk extension that provides room to accommodate pedestrian amenities like seating and landscape elements.



Social Infrastructure

Social infrastructure like pocket libraries are open cultural spaces that are accessible from the street, and invite users to share the joys of reading with the community & neighbors.



Play Areas

Play areas are a pop-up space that can accommodate different types of play using art, colorful, creative materials. With its interim transformation, this can attract children to play and engage in the space.





IMPLEMENTATION

SW SECOND AND SW FOURTH MULTIMODAL CORRIDORS

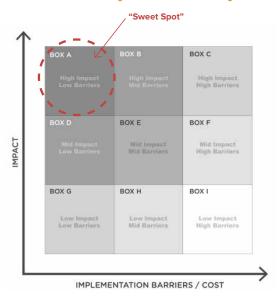
DOWNTOWN GAINESVILLE <

In many cases, planning and visioning documents create excitement at the onset and through the visioning process; however, most projects die at this stage. Therefore, **implementation strategies** are necessary to ensure that projects are pulled 'off the shelf' and into reality.



PROJECT PRIORITIZATION MATRIX

A Project Prioritization Matrix (PPM) is a tool that is used to identify, categorize, and prioritize a list of projects by potential impacts to the project vision, or area, and potential barriers to implementation. To implement the Vision successfully, a program of recommended measures has been established. These have been categorized under two categories: DO's & DON'TS. These will serve as an underlying 'constitution' for future work in the project area.



Box A (High Impact/Low Barriers)

Lower speed limit on 2nd Ave Move RTS buses from 2nd to 4th Food trucks/container shops/ 'Glass Boxes';

kiosks; cafes Events/ Festivals/ Branding

Art (Quick; murals etc.)

Design Guidelines

Autonomous Vehicles (Free rides)

Upgrade transit stops Incentives (Business)

Security (tactical, perception, lighting)

Box B (High Impact/Mid Barriers)

Pocket parks
Restaurants/outdoor cafes
Supporting infrastructure for autonomous vehicles
'Transit Info System'

Wavfinding

Box C (High Impact/High Barriers)

Art (Interactive fixtures; larger installations, signature art pieces)

Corridor re-design

Engage building frontages (awnings, colonnades, arcades etc.)

ROW reconstruction - Big picture/sections of roadway

4th Ave capacity reallocation

Improve street lighting

Structured parking (Public + Private)

Box E (Mid Impact/Mid Barriers)

Power for events Corridor Wi-Fi

Box F (Mid Impact/High Barriers)

Access Control

VISION (ing)

executive summary

OCTOBER 2018



STEERING COMMITTEE

Linda Dixon UF Planning, Design & Construction
Lee Nelson UF Innovation Square LLC
John Fleming Trimark Properties
Sarah Vidal-Finn Gainesville CRA

CONTRIBUTORS

Jesus Gomez

Krys Ochia

Gainesville RTS

Scott Fox

UF Transportation and Parking Services

Erik Lewis

UF Planning, Design & Construction

Debbie Leistner

Gainesville RTS

UF Transportation and Parking Services

UF Planning, Design & Construction

City of Gainesville Public Works

PREPARED BY CHW PROFESSIONAL CONSULTANTS

E.J. Bolduc III, PLA Vice President

Donald Buaku, AICP Urban Design/Planning

Laurie Hall, PLA Landscape Architecture

Poojitha Vadana Urban Design

Brian Snyder, PE Traffic Engineering

Missy Boyer, AIGA Document Design





Gainesville. Citizen centered People empowere

INNOVATION SQUARE.

DEVELOPMENT FRAMEWORK

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"It is not the strongest of the species that survive, nor the most intelligent, but the one most responsive to change."

- Charles Darwin

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For the past half-century commercial scientific research has been carried out in research 'parks': remote, internally focused environments. This is no longer the only model for research development. In the highly competitive world of scientific research, people want to work and live in highly connected communities.

INNOVATION SQUARE is committed to seeing this vision become a reality. By closely aligning the need for a research district with the vision and goals of the University of Florida and the City of Gainesville, this plan puts in place a clear framework for development within which opportunities for employment will emerge, capitalizing on the strength of the workforce in the region, and ultimately where research and researchers will thrive.

DEVELOPMENT FRAMEWORK.

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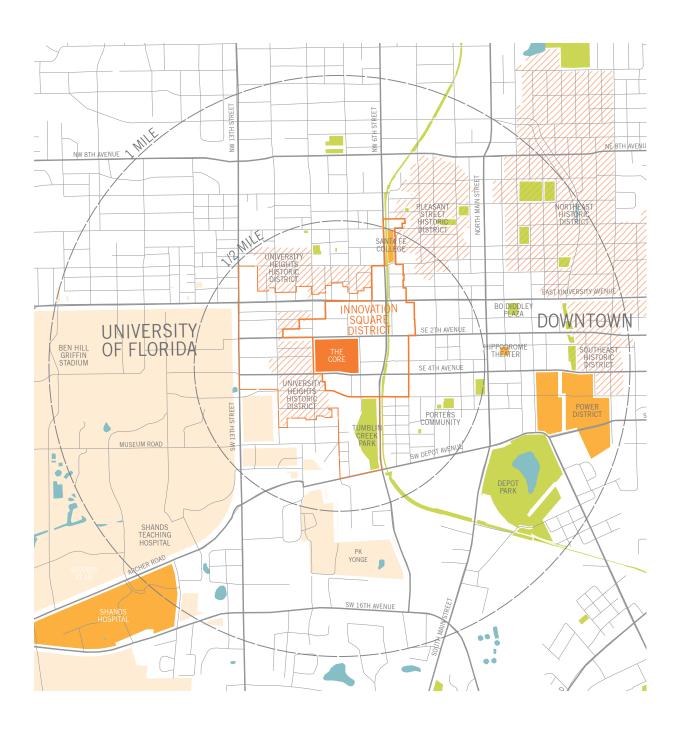
DEVELOPMENT FRAMEWORK.

INTRODUCTION

Cities are growing around the world as people are moving from rural and suburban areas to be a part of the phenomenon that is urban life. While there are many reasons for this, the primary motivation is our need for human interaction and the myriad benefits that emerge from this interaction. For millennia the trend has been for populations to congregate in order to engage with others; to create and innovate through the collision of people and ideas. There may have been dips in this progress over time, but the general trend has remained strong and continues today.

In the face of emergent technologies that would seem to promote isolation, the reverse has in fact been happening. While we spend more time online and communicating electronically, we have also been spending more time face to face with our fellow citizens; in cafes, restaurants, shops, parks, and other public places. It is this interaction that is emerging as the foundation for the heightened exchange of ideas and the proliferation of innovation.

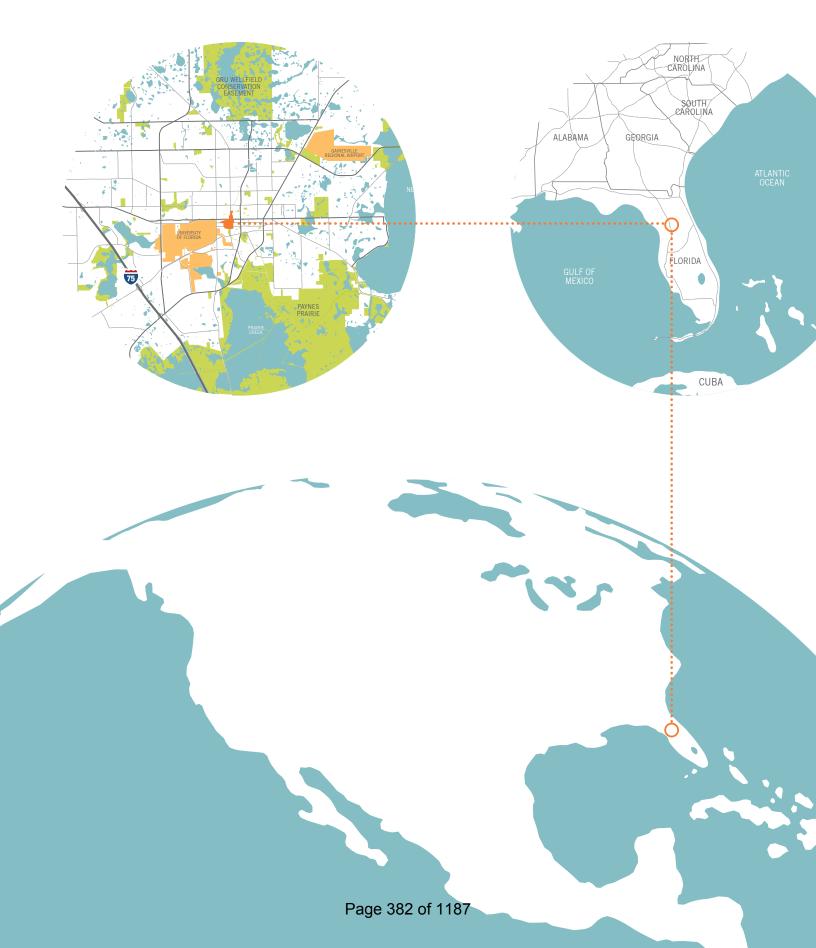
Innovation is predicated on this human collision. Its very nature is taking ideas and making them better, in many cases through avenues that were never intended or conceived of by the originator. This interaction is critical to the process, and there is real value in creating an environment in which this is not only allowed but incentivized at every level. This incentive is captured through a heightened sense of community, through making it as easy as possible to do the things that promote innovation. Much of world makes demands on us that get us further from this goal. In this community, this district, and this project, the aim is to facilitate the great ideas, the inventions, and the information that will propel us closer to more fulfilling and sustainable communities: a better future for all of us.



Gainesville, the University of Florida, and the surrounding areas of north central Florida, contain a unique mixture of the ingredients needed for this to happen. The area has a strong community and a premiere research institution. The combination of the two provides a highly livable, walkable, adaptable and sustainable environment within which

significant research and associated activities will thrive, building on past successes and expanding the positive alliances and partnerships that are precipitating some of the most creative and innovative products, companies and solutions in the world. And all in a place where people live truly fulfilled and rich lives.





1859

Florida Railroad

Gainesville

1866

Freedman's

Bureau opens

Union

Academy in Gainesville

DEVELOPMENT FRAMEWORK, INTRODUCTION.

COMMUNITY

Successful communities are built on strong, lasting foundations. They last through time, building on past success, and they grow, leveraging to full advantage the breadth and diversity of elements within the geography of the community. Gainesville continues to build on its rich history and tradition, and the myriad resources of the city that have produced one of the premiere education and research environments in the world, as well as a great place to live.

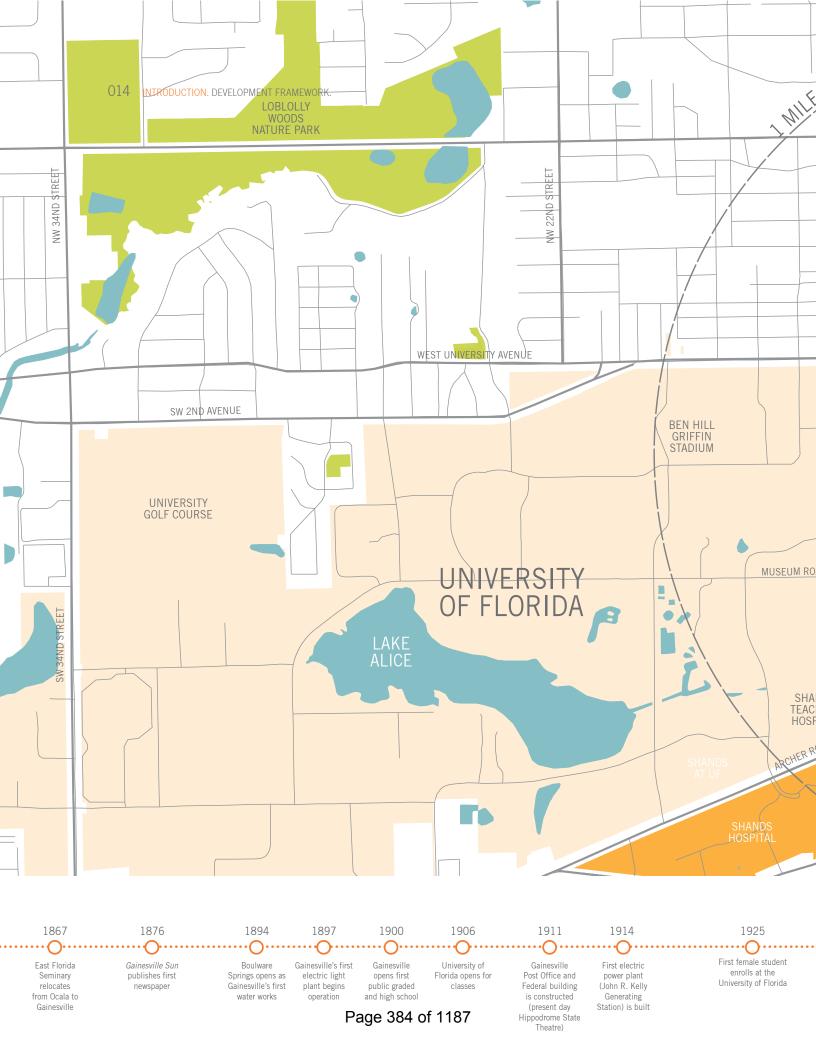
Like many inland cities in the U.S., Gainesville was founded at a prime location along a proposed rail line; the Florida Railroad Company's line stretching from Cedar Key to Fernandina Beach. In the first decade of the 20th century, Gainesville lobbied for the new University of Florida by offering land, money and an agreement to "furnish water to the University without charge." This turned out to be a prescient strategy, and one that has been repeated over the years as the city continues to provide innovative ways to build a better city. The state accepted the city's offer and the Gainesville campus opened for registration on September 24, 1906. Classes began two days later for the 102 students enrolled. The city and university became models for both civic and educational excellence. Beginning in the 1970's, the university diversified and expanded into one of the top universities in the nation. Today, the University of Florida is a leading public research university situated in what Money magazine called "the best place to live" in the United States; the Gainesville community. With a focus on excellence in research, teaching, and technology, the University of Florida and Gainesville are positioned to take full advantage of the future. The community is consistently ranked in the top tier of cities to live and was even acknowledged by the AARP as the "best place to reinvent yourself."

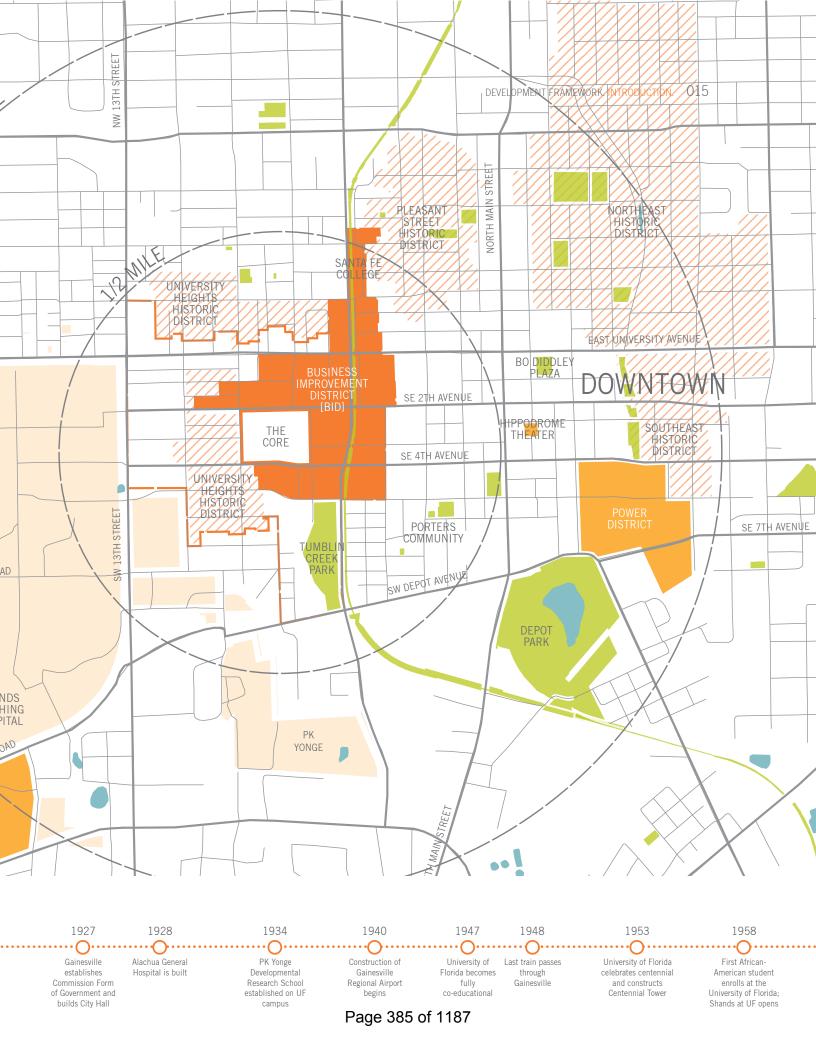
The elements that have created this highly productive and livable environment are embedded in the fabric of the city. Unlike many emerging research communities, Gainesville is simply taking advantage of its attributes, while others must create anew that which is innately woven throughout this community. Gainesville is home to a deep and deeply talented workforce,

1824 1845 1853 **PAST** Alachua County Florida becomes Seat of Alachua 27th state of County moves to extends from USA Gainesville

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Georgia border to





supported by the graduates of both the University of Florida and Santa Fe College. This workforce will continue to grow as the economic and scientific benefits at Innovation Square unfold in the coming years. And like the pre-existing workforce, Innovation Square has a development platform, regulatory structure and high-performing infrastructure that either in place or underway, and expanding, to accommodate development today. All of these elements combine to create an environment that is building on the foundation and history of the city and the university to move the community forward through the twenty-first century.

This community, however, is comprised of much more than just the University and the City. There is a rich fabric and diversity that propels the community beyond the typical college town as evidenced by the following examples.

Affiliated with the University of Florida Health Science Center. Shands Healthcare is one of the Southeast's premier health systems and rated in the top 50 hospitals.

Alachua County and the City of Gainesville that have both established levels of excellence and inspiration in the execution of civic and public works programs, leading initiatives in transportation, streamlined regulatory systems, and innovative systems for sustainable operations.

The astounding transformation of Gainesville's downtown is being led by the Gainesville Community Redevelopment Agency (CRA), engaging in innovative and creative programs for bringing life and diversity back into the community.

The Chamber of Commerce has formed Innovation Gainesville (iG), a community initiative to harness innovation to create jobs in health and green technologies and thereby to raise the standard of living in our community.

Santa Fe College, emerging as a premier college, offers a unique advantage to this research community, preparing students for positions within the research and associated fields.

Progress Corporate Park is a research park with a 25 year successful track record of growth and incubation, including the significant track record of the Sid Martin Biotech Incubator, all creating a productive setting for the many bioscience, tech and other companies attracted to northwest Alachua County. It has fostered growth in innovation and provides a collaborative and supportive platform for interaction with Innovation Square.

The Alachua County School System is one of the premier systems in Florida, with achievements such as the state's highest SAT scores, four of the best high schools in the nation and one of the best International Baccalaureate programs in the world.

Gainesville Regional Utilities (GRU) is advancing the platform and operation of the necessary and complex systems into an efficient and responsive framework that provides state-of-theart support for future research-based development, including systems for communication, power, water, and others.

The Power District is a 12-acre adaptive-use and brownfield redevelopment project that is planned for parts of the existing GRU campus located just south of downtown. The district will integrate and accommodate uses that support the goals Innovation Gainesville.

Depot Park is a former brownfield repurposed as a highly sustainable city park including the restored historic train depot and proposed home to a science and innovation museum.

This community is exceptional in ways that go beyond the individual successes of any of its distinguished elements. It is truly unique in its facility for collaboration: in the Gainesville community, strength emerges from an understanding of the benefit of collective participation; participation that includes partnerships between both the public and private sectors. The citizens' desire for livability, walkability, adaptability and sustainability are the very principles that cultivate innovation and strengthen the economic and cultural viability of the community.

1962

of Sponsored

Research (DSR)

1974

1981

1985

2009

2010

2011

FUTURE

Development Framework for Innovation Square is completed

University of Florida establishes Division

Federal Building is renovated for Hippodrome State Theatre

Gainesville Community Redevelopment Agency (CRA) is established

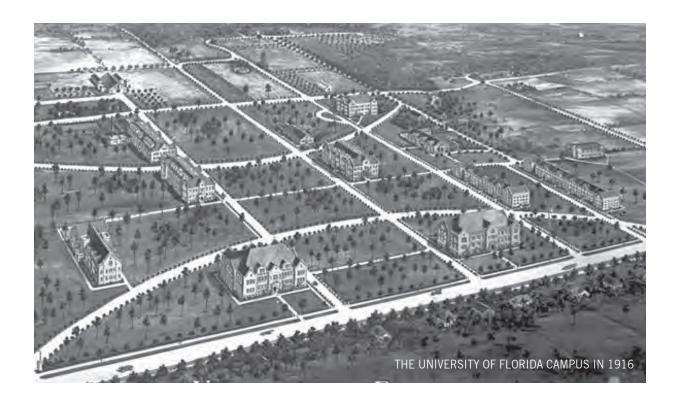
University of Florida joins Association of American Universities (AAU)

Shands Cancer Hospital and Critical Care Center opens

Alachua General Hospital is demolished: Construction of Florida Innovation Hub begins







THE UNIVERSITY OF FLORIDA

The University of Florida is one of the nation's largest and most comprehensive institutions of higher learning with more than 50,000 students. A top-tier research university, UF received \$678 million in research awards, including \$394 million of health-related research in 2009-2010, representing a significant portion of the state's intellectual and economic commitment to biotechnology. UF's sixteen colleges and more than one hundred research, service and education centers, bureaus and institutes are mostly located on the 2,000-acre campus west of Downtown Gainesville, which houses more than 900 buildings including a core Campus Historic District.

UF was created during the 1905 reorganization of higher education in Florida that consolidated public institutions into three universities segregated by race and gender. One of the four institutions included under the UF banner, and the oldest educational institution in Florida, was the East Florida Seminary (est. 1853 in Ocala) located in Gainesville. The City of Gainesville successfully lobbied to host the new campus, by offering 500 acres of land west of the City, purchase of the seminary site and free water. The core campus was constructed between 1906 and 1925 in southern collegiate Gothic style. The University's signature colors of orange and blue and alligator mascot were established soon after its creation, in the 1910s. The first female student enrolled in 1925 although the University did not become fully coeducational until 1947.

Post WWII, the University underwent a large expansion aided by the GI Bill and parallel to the population boom in Florida. Returning veterans increased the University's enrollment to 7500 students in 1947. Many high-tech industries, and most notably the Space Program, moved to the Sunshine State, fostering a vibrant research environment in the state's higher education institutions. In 1953, the University celebrated its centennial, commemorated with the construction of the





Century Tower. An ambitious, \$50m expansion campaign created a new health campus (today's Health Science Center and Shands Teaching Hospital at UF), along with expanded facilities for the growing student body. The University's first African-American student enrolled in 1958, paving the way for today's racially and ethnically diverse student population.

The University's growing research environment was formalized in 1962 under the Division of Sponsored Research (DSR), established by the Florida Legislature to facilitate, manage, stimulate and expand a balanced research program at the University of Florida. In 1985, the University of Florida joined the prestigious Association of American Universities (AAU), an organization of leading research universities devoted to maintaining a strong system of academic research and education. The University of Florida Research Foundation (UFRF) was established a year later to promote, encourage and provide assistance to the research activities of the University faculty, staff and students. The UF Office of Technology Licensing (OTL) has worked since 1985 to bring UF research to the market for public benefit. UF currently

leads among public universities in the transfer of research discoveries to the marketplace. Royalty and licensing income exceeds \$30 million annually and technologies developed at UF have led to the founding of more than 100 companies.

Among the institutions affiliated with the University of Florida is the PK Yonge Developmental Research School, located southeast of the UF campus. Established in 1934 in what is now Norman Hall, the school serves 1150 students in kindergarten through twelfth grade, developing innovative solutions to educational concerns in the state of Florida, in collaboration with the UF College of Education. UF also owns and operates the Baby Gator Child Development Centers in Gainesville, which offer high quality care to children ages 6 weeks to five years.

Located in the heart of Midtown Gainesville in close proximity to UF and Shands, Innovation Square will help strengthen UF's leading role in transformational research in the United States

SHANDS AT THE UNIVERSITY OF FLORIDA

Shands Healthcare, affiliated with the University of Florida Health Science Center, is one of the premier health systems in the Southeast. It operates two academic medical centers (Shands at UF and Shands Jacksonville), four community hospitals, a network of outpatient rehabilitation centers and two home-health agencies with more than 1,500 UF-affiliated and community physicians offer essential care as well as advanced diagnostic and medical services to communities throughout north central and northeast Florida.

Shands at UF is a private, not-for-profit hospital that specializes in tertiary care of critical patients with more than 500 physicians representing 110 medical specialties. It has been nationally ranked by the U.S. News and World Report and draws patients from around the nation for specialized care in cancer and trauma care, transplantation and neurosurgery. UF physicians at Shands are also the official medical providers for NASA, serving as the medical support team for every launch and landing at the Kennedy Space Center.

Shands at UF opened in 1958 through the dedicated efforts of Florida state senator William A. Shands to serve as the primary teaching hospital for the UF College of Medicine (est.1956).

The College of Medicine has since grown into the J. Hillis Miller Health Science Center, encompassing six colleges, a statewide network of affiliated hospitals and clinics including Shands Hospital at UF as the flagship teaching hospital and the neighboring Veterans Affairs Medical Center of Gainesville. Shands' affiliation with the UF Health Science Center allows patients to benefit from the latest medical knowledge and technology.

In 2008, the University of Florida, H. Lee Moffitt Cancer Center & Research Institute, and Shands at UF formed a partnership to develop world-class programs in cancer care, research and prevention. The partnership has led to opening in 2009 of the 500,000 square foot Shands Cancer Hospital and Medical Center, the first hospital in the Southeast to be awarded Leadership in Energy and Environmental Design Gold Certification (LEED Gold) from the U.S. Green Building Council.

The partnership between the University of Florida and Shands at UF continues at the core of Innovation Square, located on the former site of Shands AGH (est. Alachua General Hospital, 1928).





CITY OF GAINESVILLE

Gainesville, Florida has long been a leader in education and scientific research. It is home to the University of Florida (est. 1853, in Gainesville since 1905) and has an educated population with 39% holding bachelor's degrees or higher (national average is 24%). A small city by population (114,375 living within the City and 258,555 in the metropolitan area), Gainesville has been successful in attracting more incubators per capita than any other U.S. city, and has led U.S. cities in its exemplary implementation of solar feed-in tariffs. In 2009, the U.S. Department of Commerce recognized Gainesville for its collaborative approach to economic development through education and workforce development. Gainesville is projected to have the highest percentage growth of creative class jobs in the nation over the next decade (The Atlantic). All of this is not surprising for a City whose origins lie in private enterprise centered on railroads and state-sponsored higher education.

Gainesville is one of twelve cities built along the route of the cross-state Florida Railroad in mid-19th century. The new city, which became the new county seat for Alachua after Newnansville, was named after General Edmund P. Gaines, who commanded troops in Florida during the second Seminole war. The original city was a grid of eight blocks centered on a courthouse square. Gainesville was incorporated four years after the Civil War in 1869.

The history of education in Gainesville began in 1856 with the Gainesville Academy, which became the East Florida Seminary in 1866 when the latter, Florida's first state-sponsored

institution of higher learning, moved from Ocala to Gainesville. The Union Academy, a high school, was established that same year to serve the city's black community. Gainesville's educational institutions grew as the city prospered through cotton, gin and citrus trade, and later, phosphate mining. Gainesville Sun published its first paper in 1876. The city was largely rebuilt following a series of fires in 1884, including landmark brick structures such as the 1886 redbrick County Courthouse (demolished 1961) of which the clock tower remains at the corner of Main and University Streets today.

By the turn of the century, Gainesville was the largest inland city in Florida with a population of close to 4000 people. It had public water system, and private gas and electricity service. Passenger and freight trains from six directions passed through the heart of the City, travelling down West Main Street with stops at the Atlantic Coast Line Station north of Courthouse Square (now part of Santa Fe College), or the Gainesville Depot (1850, 1907) on Depot Avenue.

In 1905, Gainesville lobbied successfully to host the campus for the University of Florida, created by the merger of public colleges, by offering land and money and agreeing to furnish water without charge. The neo-Gothic campus was erected between 1906 and 1925 west of Downtown. The City enlarged its limits, paved downtown streets and added new facilities, including its first electric power plant (now called John R. Kelly Generating Station) in 1914. Grand residences were built by the city's white elite in the northeast sector while the black community continued to grow in East Gainesville burdened by



strict segregation laws. The Alachua General Hospital opened in 1928 on West Masonic Street (today's 2nd Ave), between the Downtown and the University.

The booming City and the University went through difficult times through the Great Depression, whose economic impacts were less severe due to the emergent tung oil industry. The post-depression era brought federal investment to Gainesville, resulting in the construction of the Gainesville Airport in 1940. Gainesville, like many Florida cities, grew its population and agricultural economy during WWII to serve the numerous military bases that were established around the state.

The return of veterans after the war further boosted the city's population, as many enrolled in the University of Florida. 7500 students enrolled in 1947. Gainesville's population also doubled between 1940 and 1950, reaching 26,861 residents. The University underwent its first great expansion through the 1950s, adding new facilities and a health campus. The City also upgraded its facilities and services and replaced the old system of named streets by a quadrant system of numbered streets. Post WW-II, many high-tech industries, and most notably the Space Program, moved to the Sunshine State, advancing scientific research at the state's higher-education institutions.

Gainesville continued to grow throughout the second half of the 20th century, following the prevailing suburban model focused on the automobile. The last train passed through Gainesville in 1948. The University became the driving force behind Gainesville's economy, demographics and politics, continuing to expand with new colleges and facilities, integrated by gender and by race in 1947 and 1958, respectively.

As UF rose to national prominence into the 70s and 80s, the City focused on redeveloping its Downtown area which had suffered from decades of neglect and demolition of historic structures during decades of suburban and car-oriented growth. In 1974, City-funded planning efforts by the UF College of Architecture led to the renovation of the 1911 Federal Building (Post Office) into the Hippodrome State Theater. The Gainesville Community Redevelopment Agency (CRA) was established in 1981 to alleviate urban blight by forming innovative partnerships between communities and the private sector.

Today, the City has five Historic Districts (University Heights Historic Districts, North and South; Pleasant Street Historic District; and Northeast and Southeast Residential Districts), and fourteen registered historic structures. The 70 acre University of Florida Campus Historic District has thirty-two registered structures as well as one registered open space, the Plaza of the Americas. The Downtown and the University area has witnessed new pedestrian-oriented, mixed-use developments in the last decade. The demolition, in 2010, of the former Alachua General Hospital has provided the impetus for the development of a mixed-use research neighborhood - Innovation Square - connecting the University to Downtown along SW 2nd Avenue.



GAINESVILLE COMMUNITY REDEVELOPMENT AGENCY

The Gainesville Community Redevelopment Agency (CRA) is engaged in innovative and creative programs to improve economic conditions and breathe life back into Gainesville's inner urban core. The CRA operates in four community redevelopment areas in the heart of Gainesville's urban core: Eastside, Fifth Avenue/Pleasant Street, Downtown and College Park/University Heights.

A healthy urban core is critical for the vitality, character, and well being of a community and the CRA's redevelopment efforts strive to improve the quality of life, as well as stimulate new investment and economic activity to support existing business and attract new businesses to the area.

Urban redevelopment is a catalyst that can bring economic benefits to the rest of the City and nowhere is that more evident than in Innovation Square's projected impact upon Gainesville. The CRA has been a mobilizing force in laying the groundwork for the vision and redevelopment efforts of Innovation Square. The CRA has taken the lead in coordinating public and private efforts to ensure that the full economic development potential of the area is maximized. Efforts have included a comprehensive infrastructure analysis to understand current and future utility, transportation, and other needs to effectively plan and execute infrastructure improvements to meet the needs of Innovation Square. The CRA has spearheaded an

initiative to overhaul the zoning standards and framework for the site. The new zoning code is streamlined and simplified in order to better serve the needs of the City and developers, and to provide the flexibility and innovation necessary to support the world-class businesses and cutting edge technologies that will come to define Innovation Square.

Innovation Square will be literally supported on all sides by ambitious CRA redevelopment efforts in each of its adjoining neighborhoods including, the creation of a signature park, creative mixed-use redevelopment of soon-to-be vacated industrial lands, constructing new homes on abandoned vacant lots, new residential developments and retail options to the downtown and infrastructure upgrades to meet anticipated demands. Novel economic development programs go hand in hand with the physical infrastructure and redevelopment efforts to support the retail development, small business growth and job creation that play a monumental role in the turnaround of these neighborhoods.

The CRA's holistic approach to the redevelopment of Innovation Square which thoughtfully leverages the potential of surrounding neighborhoods is designed to support the dynamic growth and energy that Innovation Square will bring.

GAINESVILLE CHAMBER OF COMMERCE + INNOVATION GAINESVILLE [iG]

Representing more than 1,250 Gainesville area businesses with 70,000 employees, the Gainesville Chamber of Commerce (GCC) has been instrumental in charting the way for Gainesville's growth into a global center for scientific research and innovation. Founded in 1924, the Chamber has a simple mission: "to make it easier for members to do business every day." To this end, the Chamber provides business and community support, and aggressively lobbies for its members' interests at the city, county, regional and state levels. The Gainesville Area Chamber of Commerce was granted 5-Star Accreditation by the U.S. Chamber of Commerce, placing it among the top 1% of Chambers nationwide, with only six Chambers receiving this distinguished 5-Star rating this year.

Among the community initiatives supported by the GCC is the Gainesville Technology Enterprise Center (GTEC), a community organization providing early stage technology startup companies with tools, training and infrastructure to help them grow and develop into financially viable technology enterprises. As the community's high-tech business incubator, GTEC has been successful in attracting emerging companies to relocate to Gainesville to take advantage of its strategic services. The Chamber's partnership with FloridaWorks ensures the availability of the skilled workforce to meet the needs of local businesses.

Innovation Gainesville (iG) is recent community-wide initiative sponsored by Gainesville Chamber of Commerce and Alachua County's Council for Economic Outreach (CEO) to bring Gainesville to the forefront of emerging technological fields. Innovation Gainesville brings together leaders from business, academia, government and other supporting institutions, as well as hundreds of residents who are committed to Gainesville's transformation into an vibrant urban environment that fosters innovation. iG promotes the Five Elements of Innovation —Live, Learn, Speak, Invest, Celebrate— through its advocacy, events, website and blog. iG's focus on community and quality of life resonates in the planning principles behind Innovation Square, a 24/7 live/ work/play urban research environment that is sought after by emerging technology companies and their employees.





SANTA FE COLLEGE

For 45 years, Santa Fe College has focused on education and service, with an innovative spirit and a commitment to excellence.

Today Santa Fe College is a premier college with a national reputation that attracts students from throughout Florida and beyond. The College offer Associate's and Bachelor's degrees and at least 90 career and technical programs. More than 17,000 students are degree-seeking and nearly 12,000 attend non-credit classes in community education or enrichment.

Santa Fe was created in 1965 as part of the State of Florida's strategic goal to offer higher education opportunities within driving distance to all Florida residents. The College opened in 1966 with fewer than 1,000 students in an unused high school building in midtown Gainesville.

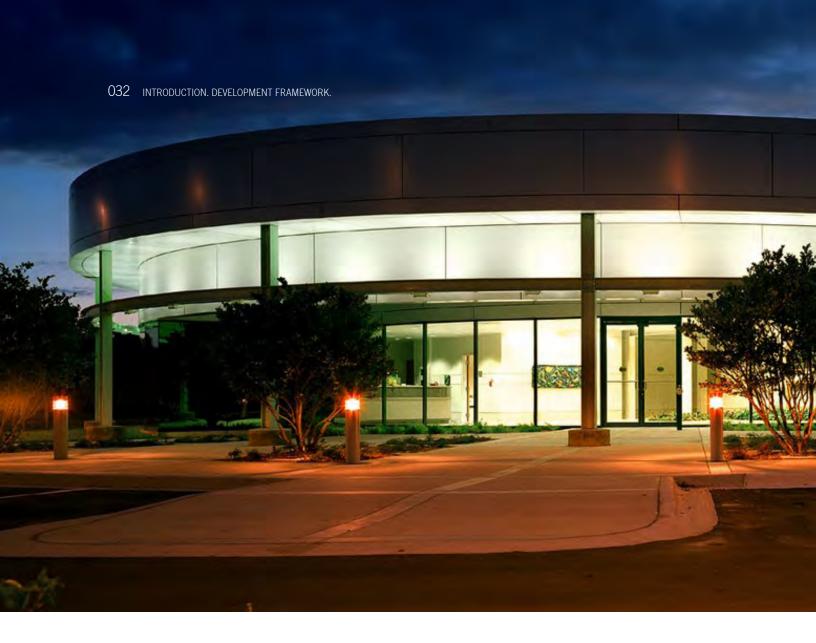
Since then, Santa Fe has grown and expanded considerably, offering a wide variety of programs and services in keeping with our mission of education and community service. The College now offer classes at seven campus sites conveniently located within the Alachua/Bradford County area. The SF Blount Center and Center for Innovation and Economic

Development (CIED) is within two blocks of UF's Innovation Square in downtown Gainesville. SF's Perry Center for **Emerging Technologies** is located directly across the highway from Progress Park and related biotech industry clusters in Alachua.

Santa Fe is a member of the prestigious League for Innovation in the Community College and ranks among the top nationally for the number of Associate degrees awarded each year. Last year, SF ranked #1 among all community colleges in the nation, in the percentage of students who complete their degree programs.

Santa Fe partners with the University of Florida to offer several UF degrees on campus or on line. More than 1,000 SF graduates transfer each year to UF. The college also partners with area school boards, offering dual enrollment opportunities for high school students.

The faculty of Santa Fe is known for its commitment to excellence in teaching and the administration of Santa has been consistent and steady, with only four presidents over the 45 year history.



PROGRESS CORPORATE PARK

Progress Corporate Park is a research and development center located in the city of Alachua, about fifteen miles northwest of the University of Florida, bordering the 7000-acre San Felasco Hammock Preserve State Park. It was established in 1984 by the University of Florida Foundation (UFF) and private partners as a research park that brings together university technology projects and private start-up companies for the benefit of both. Its first building, the 59,000SF Progress Center was completed in 1987, followed by the renowned Sid Martin Biotechnology Incubator in 1994. The Park currently has eighteen buildings housing more than 1,200 employees and over thirty businesses and centers. Two thirds of the Park businesses specialize in bioscience or technology, and about eighty percent are spinoff companies from the University

of Florida. Among them is RTI Biologics (Nasdaq: RTIX), a leading provider of sterile biological implants for surgeries around the world.

The Progress Corporate Park has contributed greatly to the commercialization of UF biomedical research for the benefit of the public. Since 1995, Sid Martin Biotech Incubator companies have attracted more than \$300 million in equity investment, \$175 million in contracts and grants, as well as talent, capital, and collaborative opportunities for the University of Florida. The UF Center of Excellence for Regenerative Health Biotechnology (CERHB) was established in 2003 at the Park to stimulate research and facilitate commercialization of technologies that will provide



treatments and cures for human diseases, as well as create new companies and high wage jobs for Florida. Its FDA-compliant facility, Florida Biologix®, provides biologic drug development services to companies and research institutions. Progress Park also partners with Santa Fe College and Santa Fe High School (ACPS) in providing training and education in life sciences and industrial biotechnology.

ALACHUA COUNTY

The area in and around Alachua County was inhabited by the Timucuan Indians by the time of the Spanish arrival to Florida in early 16th century. Following periods of Spanish and British colonial rule and numerous wars between the colonial powers, the Seminoles and the United States, the state of Florida became part of the United States in 1845.

Today's Alachua County includes only a portion of its lands that extended from northern Georgia to below Port Charlotte at its creation in 1824. It has an area of 970 square miles in Northern Florida centered on the county seat at Gainesville. The county population in the 2010 census was recorded as 258,555, which continues a three-decade long trend of slowing population growth that still remains above the national average (13.5% between 2000 and 2010, in contrast to 9.7% nationwide). Alachua County is part of the Gainesville Metropolitan Statistical Area (Gainesville MSA), which also includes Gilchrist County to its west. The county is crossed by Interstate-75, which connects Gainesville to Atlanta to the north, and St. Petersburg/Tampa and Fort Lauderdale to the south.

The name "Alachua" is thought to include the Timucuan word for sinkhole, a common feature of the Florida landscape. About 9.8 percent of the county area is water, including the Newnans, Orange and Santa Fe lakes. The county land outside the city of Gainesville is composed mainly of conservation areas and agricultural lands, with nine incorporated cities and towns. Its economy, which was based on sugar and cotton plantations during the colonial and early American periods, is now largely focused around education, research and services centered on the University of Florida, in Gainesville. The county has maintained a strong employment economy in the last two decades and currently has a rate of unemployment that is two points below the national average (9.3%) and more than three points above the Florida average (10.5%, June 2011).

In addition to the various natural and community benefits in Alachua County, it is also located in Florida's High Tech Corridor program, a regional economic development initiative whose mission is to grow high tech industry and innovation in the region through research, workforce and marketing partnerships.





THE ALACHUA COUNTY SCHOOL SYSTEM

Alachua County Public Schools have led the way in preparing students for a high-tech future with their early commitment to technology use in the classroom, dedication to charter and magnet school programs. The School District includes 24 elementary schools, 7 middle schools, 7 high schools, 13 charter schools and 8 other educational centers serving a student population of 29,533 in the Gainesville area and Alachua County.

The first public high school in Gainesville, Gainesville Graded and High School, was established in 1900 on East University Avenue to accommodate white children in twelve grades. It was renamed in Eastside Elementary in 1923 and relocated to a new school building at SW 7th St and West University Avenue. (Gainesville Academy, a private school for boys and girls was established in 1856 and operated as a high school under the name of East Florida Seminary from 1877 to 1906). African-American students attended the Union Academy, a pioneering junior high school established soon after the Civil War, which was expanded and renamed Lincoln High School in 1923. In 1926, Lincoln became the second fully accredited African-American high school in Florida. Both high schools were relocated to modern buildings in the 1950s. The original Gainesville High School building now houses the ACPS offices (Kirby Smith Building), while the Lincoln High School building operates as the A. Quinn Jones Center under ACPS.

The county's educational system has received national accolades for all levels of education. The early education program, which is offered at each one of the county's elementary schools, has been nationally recognized as a model. Students at ACPS high schools have historically held the highest SAT scores and the highest passing rate in Advanced Placement tests within the state of Florida. Four Alachua County High Schools were listed in Newsweek's 2010 list of America's Best High Schools, including Eastside High School in Gainesville, which was ranked #18 in the nation based on participation in Advanced Placement, International Baccalaureate, or Cambridge exam programs. The district has one of the largest and most successful International Baccalaureate programs in the world and has pioneered the use of mobile technology labs in the nation.

The success of the Alachua County Public Schools is further testament to Gainesville community's support of education. The district holds more than 350 partnerships with local businesses and organizations which provide about \$2.4 million worth of resources and 700,000 hours of voluntary service to ACPS schools and students each year. The district also has partnership programs with the University of Florida and Santa Fe College, which provide unique educational opportunities for students.



GAINESVILLE REGIONAL UTILITIES [GRU]

The distribution of utilities to Gainesville homes began in 1887 with the founding of the private Gainesville Electric & Gas Company. In 1891, the city purchased Boulware Springs to provide water to its residents: it was the offer of free water that partially convinced the University of Florida to locate in Gainesville. The sewer system was established in 1907. The City took over the electricity service in 1912 and built its first power plant, now called the John R. Kelly Generating Station, in 1914 on SE 4th Avenue.

The City's utility services were organized under Gainesville Regional Utilities in 1972. Today, Gainesville Regional Utilities provides electric, natural gas, water, wastewater and telecommunications services to Gainesville homes and businesses, along with the latest technology and sustainable services including reclaimed water and landfill gas distribution, incentives and support for solar electric and water heating systems and remote metering, and infrared scanning and inspection. GRU provides direction, rebates and incentives for homes and businesses reducing energy and water use, while simultaneously implementing projects to improve power generation efficiency. In 2007, GRU built the South Energy Center for the new Shands Cancer Hospital - the second such

facility built in the nation— that converts natural gas into electricity, chilled water and steam at double the efficiency of a centralized power plant.

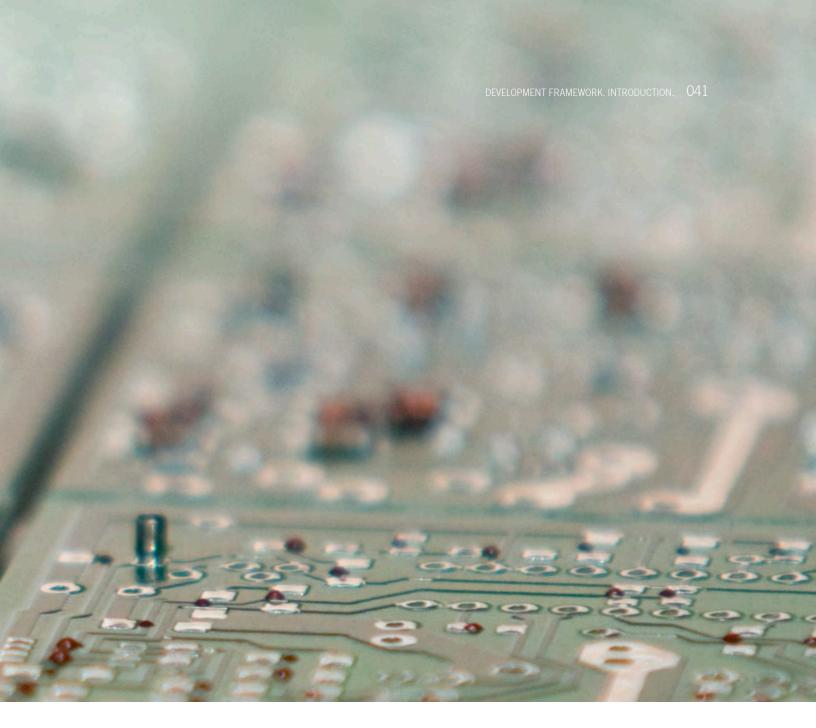
GRU's stewardship of the environment extends beyond utilities into the community with park and water projects. The 62-acre Kanapaha Botanical Gardens is irrigated with reclaimed water provided by GRU and work is underway to create a summerhouse at the Gardens to demonstrate sustainable building practices with GRU sponsorship. GRU joined with the local Audubon Society to create one of the area's premier wildlife observatories at Chapman's Pond with water features supplied by the reclaimed water program. GRU was also instrumental in the restoration of Boulware Springs, which supplied the city's water between 1891 and 1977, into a park with nature trails that is now designated as an American Water Landmark and listed on the National Register of Historic Places. The Utilities' most ambitious program, however, is the plan to construct a 125-acre water enhancement wetland south of the city's Main Street Water Reclamation Facility to reestablish the natural sheetflow of water from the Sweetwater Branch to the 21,000-acre Paynes Prairie.



POWER DISTRICT

As Gainesville Regional Utilities (GRU) transitions its operations into its new headquarters, approximately 12 acres of land in the heart of the city becomes open for redevelopment. The Gainesville Community Redevelopment Agency (CRA), in partnership with community organizations, is working to plan the transformation of the Power District into an interesting, eclectic neighborhood that includes retail and light industrial in new structures and in adapted maintenance and service buildings from GRU's past.

The Power District enjoys a prime location adjacent to Downtown, Depot Park, and historic intown neighborhoods. Reintegrating former utility yards back into the fabric of the community is a huge redevelopment challenge; if executed properly, it will strengthen Gainesville's urban neighborhoods and provide tremendous economic development benefits to the entire community. Much work is underway to help ensure successful, thoughtful redevelopment in the Power District. Behind-the-scenes activities such as outreach, utility



coordination, planning, and regulatory framework issues continue, in preparation for GRU's vacation of the area, which is scheduled for late 2011. GRU will continue to occupy its administrative building and the John R. Kelly Generating Station will remain in operation on site.

The Power District is envisioned to host the light manufacturing components of innovation companies that are located at the proposed Innovation Square.

DEPOT PARK

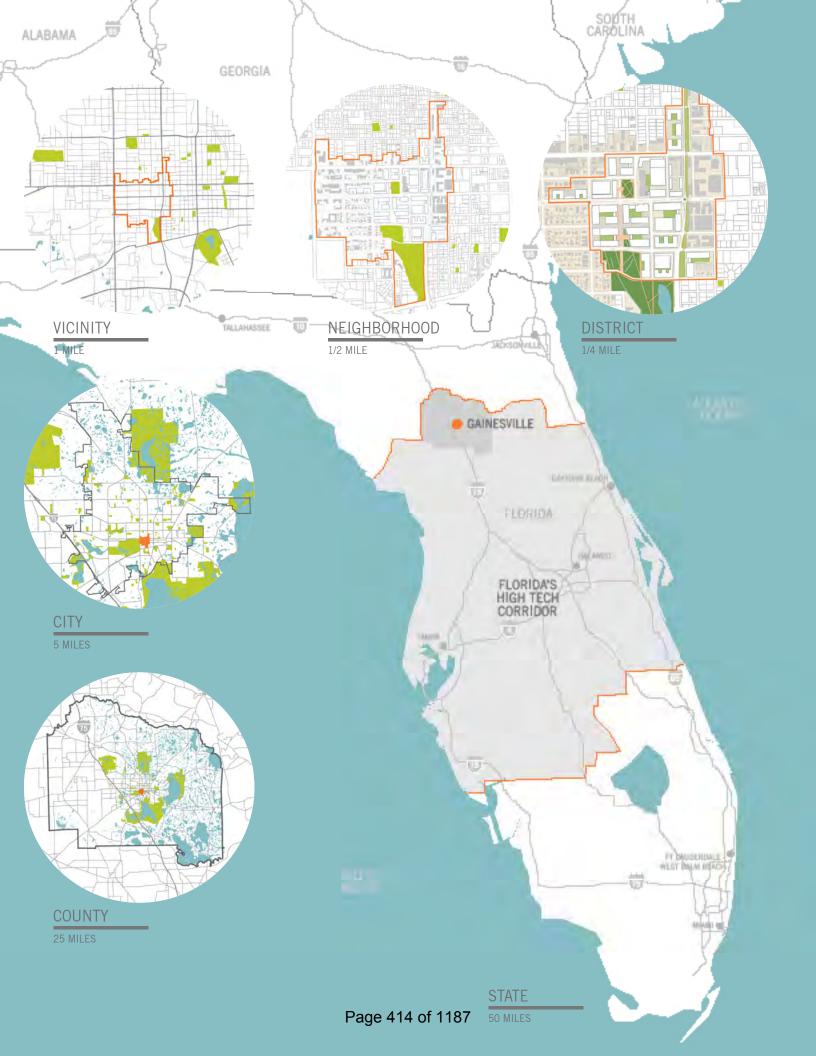
Gainesville Depot Park is an EPA-supported brownfields assessment and restoration project that has been transforming the abandoned industrial zone around Gainesville's historic train depot into a public park with recreational stormwater elements.

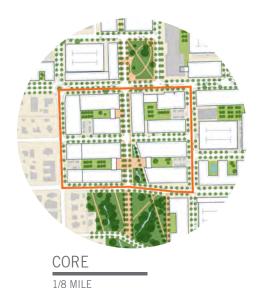
The brownfield cleanup, which began in 2000, includes the buildings and contaminants left by the operations of the former Gainesville Gas Company coal gas plant. The coal tar that covers portions of the site was excavated and removed for off-site treatment to create a stormwater basin that will capture and treat the stormwater runoff from the downtown area. The basin is one of many stormwater remediation efforts that Gainesville is currently undertaking to address the issue of environmental contamination of the Alachua Sink in Paynes Prairie, which connects to the Floridan Aquifer. The stormwater basin is also expected to reduce downtown redevelopment costs by preserving scarce land area for business creation, rather than stormwater detention. The hope is that the stormwater park will act as a catalyst for improving public health and safety, encouraging neighborhood revitalization and restoring community pride. The collaborative clean-up effort is coordinated through the City's redevelopment agency, CRA.

The project also includes the rehabilitation of the Old Gainesville Depot with city and state funds. The station is located along the Gainesville-Hawthorne Trail, a rail-to-trails project that connects the downtown Gainesville and the GRUrestored Boulware Springs Park to the Paynes Prairie Preserve State Park, Lochloosa Wildlife Management Area and the City of Hawthorne to the east of Gainesville.

The Gainesville Community Redevelopment Agency (CRA) is also exploring an opportunity/partnership with the Cade Museum Foundation to situate a science and innovation center in Depot Park in 2013. The museum concept is undergoing development and is oriented toward incorporating the themes of Inspiration, Invention, and Innovation. The museum stems from the vision of Dr. Robert Cade, a pioneering University of Florida researcher and inventor of Gatorade.







DEVELOPMENT FRAMEWORK, INTRODUCTION.

DISTRICTS

Innovation Square is envisioned as one among a series of interrelated districts within the larger community; districts that create symbiotic relationships, providing benefits for all. Innovation Square District, positioned as an intense zone for research and research related activities, will develop and deliver resources and opportunities beyond its boundaries. And conversely, the larger community will contribute resources that benefit the core district. These relationships are a critical element of a successful system and are the cornerstone of the project. The districts span geography and program, and provide an organizational structure within which the myriad elements of the community can be leveraged to best advantage for success in the future development of the district as well as development beyond the district into the surrounding neighborhoods into the broader region. They are organized in the following manner:

County. The entirety of the county, comprising all of the elements, inclusive, that constitutes the regional vitality of the greater Gainesville area. City. The city is the fulcrum through which regional, local, and subsidiary matters are aligned. Vicinity. The convergence of geographically proximate entities that impact and are impacted by the development of Innovation Square, including the University of Florida campus, downtown Gainesville, the Shands hospitals, and others not in the neighborhood proper. Neighborhood. The political boundary, and zoning district, generally understood as University Heights, including the surrounding residential areas, the mixed use areas along University Avenue and other establishments comprising this district. Innovation Square District (ISD). This is a newly constituted body that is comprised of mixed use properties that provide a centrally located local authority to oversee the specifics of development in this area. Core. The core is the central four-block area in which the highest intensity of research activity is located.

The districts are intended as general area distinctions that foster efficient and appropriate decision making processes to provide for successful interaction of the multiple constituencies throughout the broader community. As the project unfolds and matures, it is reasonable that the parameters of each district might be adjusted to suit future conditions.



DEVELOPMENT FRAMEWORK, INTRODUCTION.

RESEARCH

Innovation Square is first and foremost a research-oriented development. As such, it is imperative that research is of utmost consideration in planning and implementation decisions. These decisions should be guided by knowledge of global trends and initiatives in research, general issues pertaining to the development of research communities, and specific research considerations for Innovation Square.

The global research environment is changing constantly. These changes range from specific research endeavors to global shifts in research methodology, all of which affect the planning of environments that foster innovative research. The exponential growth in scientific knowledge in the recent years, for example, has resulted in a host of "new sciences," including genomics, proteomics, bioinformatics, nanotechnology, and robotics. This growing list of scientific concentrations shows tremendous potential to radically alter the teaching and practices of medicine, engineering and agriculture among other fields and the processes of manufacture. The global evolution of research will have direct impact on the constitution of Innovation Square, as it unfolds in the coming years and decades.

THE GLOBAL RESEARCH ENVIRONMENT

In many ways, the scientific process has been turned on its head. Forget the image of the lone scientist toiling away in isolation. Today, science is collaborative on a global scale. Alliances are multinational and strategic, yet competition is fierce and speed is all-important.

The scientific workforce is globalizing as well. Science is no longer the stronghold of a few privileged countries. Nations worldwide have awakened to the fact that economic growth is now fueled by knowledge and ideas, and that realization is transforming global economics. Governments in many countries are generating strategies to develop research within their country to improve their citizens' quality of life. Recognizing the growing value of this human capital, newcomers to research science are creating incentives and increasingly attracting



non-native scientists to their growing job markets. Now aided by technology, advances in science and a heightened awareness of research and collaborative opportunities, the global research landscape is changing as nations commit their most important resources to developing their scientific capabilities. Many developing countries are focused on becoming players in the global economy, and this will have impact upon the decisions that are made at Innovation Square, and in the broader Gainesville community.

Interdisciplinary research worldwide has revolutionized science as researchers now routinely collaborate with the well-founded expectation that new ideas will develop from

multiple scientific fields. Behavioral sciences involve three-dimensional virtual models of spaces that stimulate a specific activity to better understand how a patient reacts to a specific issue or condition. Highly sophisticated imaging equipment is also helping to provide answers and opportunities. Translational research is the bridge from discovery to delivery. In medicine it has a clinical goal or target, while in other fields there are more practical applications such as plant genomes, improved crops and biofuels.

Education is the international foundation of success for individuals as well as for nations. Recent models for education include hands-on research, interactive classrooms

and the use of the latest technologies. In this globalized and interdisciplinary research environment, research institutions such as the University of Florida are emerging as regional leaders while creating national and international partnerships with governments, private industry and other universities. An urban research neighborhood such as Innovation Square creates those opportunities for collaboration and will be successful in attracting the creative workforce that is reshaping the way that scientific research is conducted today.

The key for many investors and research institutions navigating this changing environment is to determine which research studies are the most important. Since the creation of its Division of Sponsored Research (DSR) in 1962, the University of Florida has strategically grown its research in the biosciences and technology in collaboration with Shands HealthCare (est. 1958). The University invested heavily in a robust research framework in the 1980s by establishing the University of Florida Research Foundation (UFRF), Office of Technology Licensing (OTL) and Progress Corporate Park, which have been instrumental in elevating UF to its globally-recognized position of importance in bioscience and technology research today. These institutions have been critical to UF's success in transferring research discoveries to the marketplace for public benefit, providing funds to further advance research at UF labs. Two UF-affiliated centers located at Progress Corporate Park - Sid Martin Biotech Incubator (est. 1995) and The UF Center of Excellence for Regenerative Health Biotechnology (est. 2003) - have placed Gainesville on the global map of biotech research and business hubs. The Florida Innovation Hub, which is soon to be completed at Innovation Square, will be the latest addition to UF's globally connected web of sophisticated research facilities. Already successful in aligning federal, state and local resources and institutions, Innovation Square is in a unique position to succeed at a global level.

GROWING A RESEARCH COMMUNITY IN THE 21ST CENTURY

As the nature of research changes, it is critical that the planning framework for designing the spaces that house the research accommodates these changes. As collaboration becomes paramount, research conversations move out of the confines of the laboratory and into the community at large. Research buildings transition into research communities, uniquely structured to support interdisciplinary research and development on a world-class level within the confines, at least geographically, of a dedicated village.

Research parks, clusters of high-tech research, development and/or manufacturing concerns, are nothing new, of course. The world's first research park started in the early 1950s and foreshadowed what is known today as Silicon Valley. North Carolina's Research Triangle Park was another early innovation. In the ensuing decades, the world took notice of the wealth creation potential and technology-spurred growth of these clusters, especially Silicon Valley, and research parks became commonplace in the USA, Western Europe, and Japan.

Research parks foster innovation through knowledge partnerships among businesses, academia and economic development organizations. They are best known for nurturing startup companies "spun out" from a university or company. Whether hosting large or small players, research parks enable unique, symbiotic relationships that speed and enhance the development of all parties. They also create new jobs, new industries and new solutions. According to a 2007 study by

Battelle Memorial Institute nearly 800 US firms had graduated from park incubators in the previous five years, while only 13 percent failed. About one-quarter of those graduate companies remained in their park, while fewer than 10 percent left the region. The study also found that each job created in a research park generates 2.57 local jobs.

The key to creating a top-talent science community in the 21st century lies in attracting the right people. To that end, no premium lifestyle amenity is spared. Leading research communities today integrate science, business and academics into holistic environments that include residential lifestyles and amenities. In this way, the design of a progressive research center is a task of community formation. Beyond creating the best-in-class research infrastructure, today's research districts are creating idyllic, multi-cultural communities whereby work and play are fascinatingly intertwined.

In today's model research environment, amenities such as housing, retail, schools and recreation all center around research facilities. Traffic is minimal as researchers and other community members easily walk or bike to work and other destinations. Because everything is close at hand researchers can take a midday break to exercise, relax, lunch with family, or tend to a simple chore. Researchers have more time to think, see what others are doing and share ideas outside the lab environment, all of which provides fertile ground for discoveries to be accelerated and life to be enjoyed to the fullest.

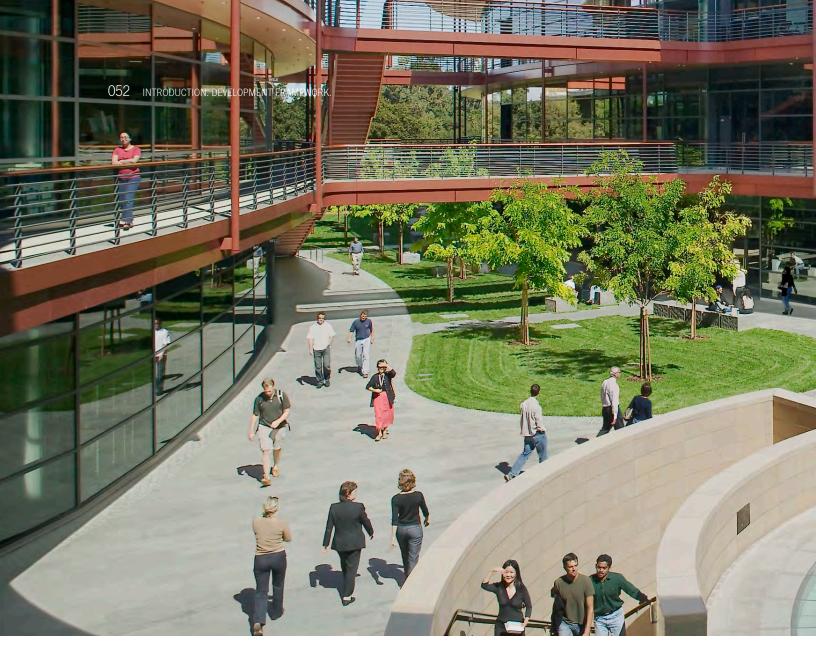
RESEARCH AT INNOVATION SQUARE

These issues outline the general conditions used to create a successful research community. They are used as a guide to understanding and implementing development strategies for research communities in general. However, all sites are not the same, nor do they all have the same existing conditions, or even programmatic intent. In order to reconcile the general recommendations with the specifics of this project, the recommendations and information outlined in this broad strategic document must be translated into a clear, simple, usable set of guidelines for the development of Innovation Square that recognize and respond to the particular opportunities and challenges in this community.

Innovation Square presents a number of unique opportunities as well as several challenges in planning for a highly integrated environment. First among the opportunities is the location directly adjacent to the University of Florida. This co-location provides future research professionals with unequaled access to research infrastructure and technology at the University, as well as the intellectual capital of the academic researchers. The relationship between the two will foster increased innovation and productivity within the research and academic communities. It is this relationship, and the open exchange of ideas between the two that offers opportunities beyond those found in a traditional research park setting. Because of this, it is critical the project is designed to reinforce this dynamic framework in every way possible.

Successful research districts will require continuous investment of capital by universities, non-profit institutions, private industry, government agencies (local, state, and national) as well as individuals who understand the long-term nature of this type of opportunity. The investment is returned to the community by the creation of new jobs, services and tax revenue. Just like the Research Triangle leveraged the





universities around it, and Silicon Valley grew out of Stanford Industrial Park, Innovation Square will leverage influential organizations in the area – bringing together the collective influence of The University of Florida, Shands Healthcare, Progress Corporate Park and other local and regional players like Santa Fe College, CRA, GRU and the City of Gainesville.

Innovation Square is being planned as a sustainable urban neighborhood with green, energy-efficient buildings that provide state-of-the-art laboratories with ample natural indirect light, thoughtful interior design, inviting work spaces and support spaces to encourage interaction and promote blue-sky research, or "curiosity-driven science". Innovation Square is also envisioned to become a leading center of green technology research in alignment with the global

mobilization of scientists to find solutions to climate change, high energy costs and the diminishing of energy sources, especially with the rapid growth of developing countries. New discoveries in these areas will be key drivers in the global economy for the next 10 to 12 years. In addition to offering environmental benefits, "green collar jobs" are expected to create employment opportunities. Discoveries in this field will be faster to market than discoveries focused on human health because the review process will be easier than what is required for new drugs, encouraging a strong focus on green research in the next decade.

A RESEARCH BAZAAR

In the district setting itself, interaction will be facilitated through the careful disposition of the various elements that



provide an armature for discourse. Simply put, the district will be designed to make meeting and exchanging ideas and information a commonplace. It is accomplished with centrally located, highly animated public spaces that foster collaboration, much as a local market in a traditional town facilitates interaction among its citizens. The remote laboratory will no longer be the only theater for research, but the streets, courtyards and common interior spaces will themselves be literal extensions of the laboratory. And these areas will have ancillary programs: cafes, restaurants, boutiques, technology centers, conference facilities, as well as shaded outside areas that are required to see this vision fulfilled.

Along with these opportunities there will be challenges. Innovation Square is located in a very specific place in the world and development guidelines, requirements and codes must be calibrated to respond to the particular ecological, climatic, cultural and economic realities of the region to insure that the places created are as usable and comfortable as possible. Care must be taken to consider these attributes and address them in appropriate ways to align the vision for Innovation Square with the reality of living in it.

These and other challenges are carefully considered and tested to guide the development of the city through regulation. The following section describes in detail the conceptual framework and application of these principles for the transformation of the existing redevelopment area into a rich and vibrant community.

Innovations cluster in places
like Silicon Valley because
the ideas cross corridors
and streets more easily than
continents and seas.

- Edward Glaeser, "The Triumph of the City"

PRINCIPLES

"All truly great thoughts are conceived by walking."

- Friedrich Nietzsche

DEVELOPMENT FRAMEWORK.

PRINCIPLES

The primary act of city building, whether for a new city or research district, is the creation of the physical public realm. This act deals specifically with the conversion of land into an urban framework of streets and infrastructure, public spaces and buildings, and block and lot configurations. The urban framework, particularly the configuration of streets and blocks, provides a long-term structure for changing patterns of land use, building form and building occupancies. How this structure is designed is vital to the performance of a city. Small yet easily developable blocks are the key to creating a city that not only allows, but promotes public activity through its walkability. The formation of such a public framework is the first step toward livability, sustainability, and adaptability; all within the context of a strong community. The strategic projection of a public framework has a long history in the constitution of enduring cities, from the Roman use of the 'cardo' and 'decumanus' to Oglethorpe's plan for Savannah, or the Commissioners' Plan of 1811 for the city of Manhattan. These plans all passed from regulatory documents to constructed places, and have all survived adaptations throughout the maturation of each.

In the Commissioners Plan of 1811, the solution to the challenge of projecting the future city lay in a framework that simply described the parts of the city that would be public and the parts that would be private: its streets and its blocks. The streets had the dual purpose of accommodating the collective needs of the citizenry, while also locating these elements in a place that would remain forever fixed and thus predictable. The fixed nature of the public infrastructure ensured an inherent sustainability within the urban system; whereby little or no modification is required for public infrastructure to accommodate almost limitless variation in private development. Due to the time in which the plan was created, the city also had to remain walkable; the blocks were designed to be small enough to facilitate the movement of people through the city. In this plan, private parcels (blocks) were left open to various endeavors as needed or desired, from small brownstones to the Empire State Building. While Gainesville is not Manhattan, the principles are the same. Gainesville has evolved over time such that it is, a highly livable, walkable, adaptable and sustainable community, and it will continue to strengthen these characteristics into the 21st century.

LIVABILITY

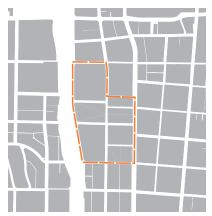
Livability is simply the state of well being of the citizens of a community. This well being emerges from the presence of those components of our city that provide us with an environment within which we can thrive mentally, physically and socially. In the context of Innovation Square, livability is predicated on the notion that it should be as easy as possible to live a rich and interactive life without relying on an automobile for the majority of one's daily routine. Places to drop off laundry, provide day-care for children, throw a ball with the dog, buy groceries, grow vegetables, see a play and meet friends for dinner should be located within the immediate community; an area that is within walking distance of homes. And those places that lay outside the comfortable walking distance should be accessible by multiple means of transportation.

In this scenario livability requires the existence of a highly functional system of moving people and goods that is focused on the quality of the process, not the speed at which these events unfold. The success of this requires a number of focused efforts. The design of the streets is predicated on ease of walking and pedestrian safety, not solely efficiency of moving cars. The proliferation of mixed uses is incentivized, even demanded, at all levels to ensure ease of access to a multitude of daily needs by the inhabitants and users of the district. In order to ensure the success of this environment, decisions must be predicated on results that contribute to the stated goals of the district.

Ultimately this is a strategy for creating a place where people want to live, and where they thrive as a result living in this place.







TECHNOLOGY SQUARE ATLANTA, GEORGIA



MISSION BAY
SAN FRANCISCO, CALIFORNIA



INNOVATION SQUARE



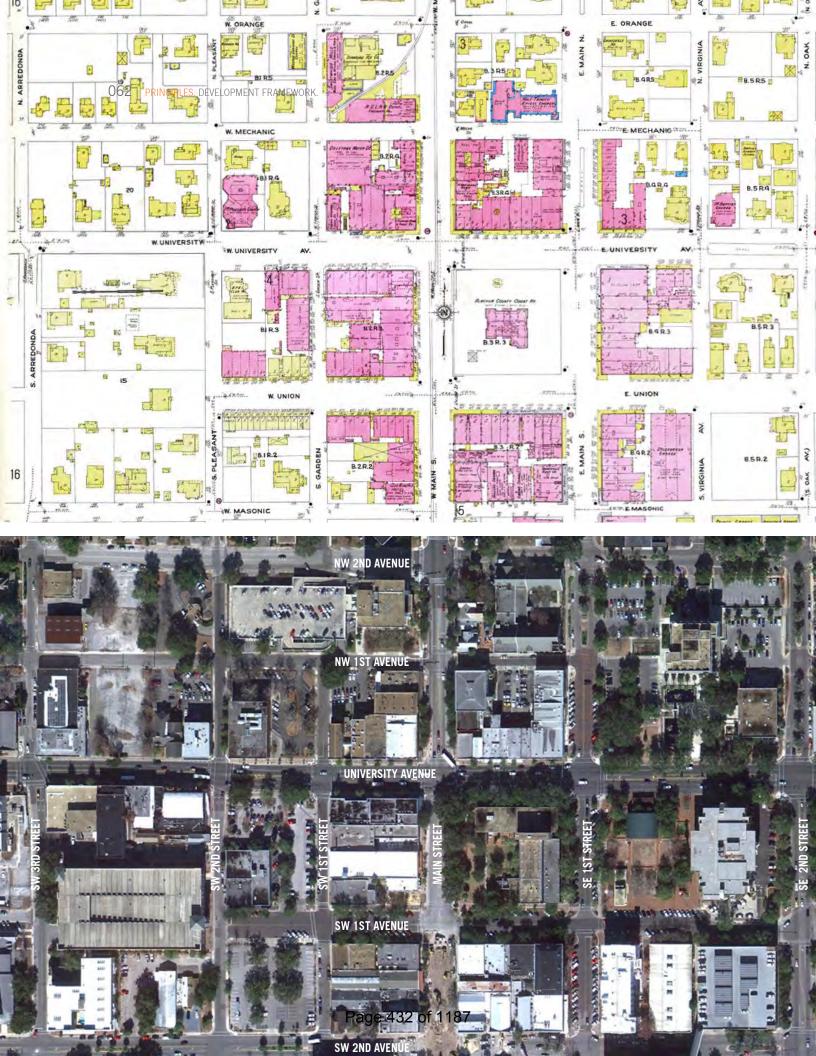
WALKABILITY

Walkability is critical to the success of a community and to the health of its citizens. If one can, and desires, to walk in a particular place it indicates that there is alignment of a number of factors that make successful cities and towns. A walkable community is made up of a highly connected system of streets that supports healthy activity. Walkability is a bellwether for the success or failure of communities. If streets are highly animated with pedestrian activity, it is a clear indication that the ingredients of an urban system have successfully. Things are happening in the streets.

But beyond the physical attributes of a walkable city is the crucial nature of human interaction that occurs in places where there are many people on the streets, and by extension in those places that line the streets; cafes, restaurants,

shops and parks. Great care must be taken to ensure that the spaces created in this district provide the highest level of physical comfort for pedestrians. Buildings should always be built close to the street, creating that sense of enclosure that foments a feeling of safety, and ground floor uses should be as highly interactive and animated as possible, providing a rich mixture of events and textures to the passer-by. And the streets should be designed with this in mind, with appropriately sized sidewalks, ample tree canopies, and other elements that provide a backdrop for this critical activity.

In the design and execution of this district these critical elements must remain at the center of the process. As these ideas are reinforced, the potential of the entire district is greatly expanded.



ADAPTABILITY

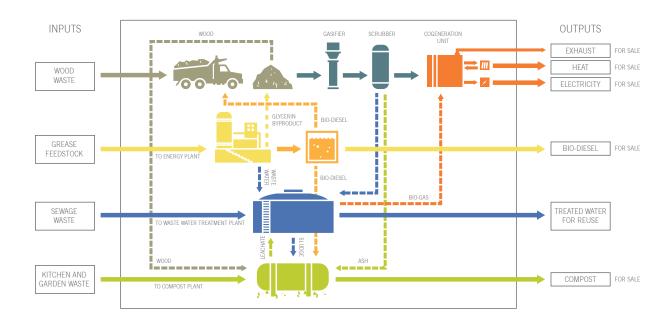
Adaptability is key to the continued success of any community. Adaptability relies upon the existence of a framework into which components can be inserted, changed, modified and replaced with minimal impact on the larger framework. The framework, if it is to be successful in accommodating this adaptation, must provide the collectively produced resources that each of the individual entities needs to operate. It requires that the framework is permanent. Permanence of the framework is the characteristic of this relationship that allows for the adaptability and flexibility of individual projects. This system allows for measured and appropriate responses to the multitude of conditions - economic, technological and cultural - that are susceptible to change over time.

There is a hierarchy of importance of the elements of the city that leads to the creation of an adaptable system. Some things are more important than others in consideration of the operation of the whole environment. Seemingly benign decisions that are made for the expediency of a particular project can cause significant damage to the future operation of the district.

The public rights-of-way are the single most important element in this composition. They are the repository for everything that serves the individual development; infrastructure, people, visibility, service, and context. Along with streets, the block itself is of critical importance. Each block must be of a dimensional capacity that allows for a wide variety of uses, and facilitates ease of development, but must never be larger than is required for this purpose. In the hierarchy of adaptability streets and blocks are the key.

It is important to remember that sometimes people just have to cross the street to get from one place to another.

Right. Gainesville in [1] 1922 and [2] 2011.



SUSTAINABILITY

Sustainability is the aligning one's goals; to reduce carbon output, to increase healthy food production, to create a lasting community, for instance, and one's actions such that the result of the actions is the realization of the goals. It is simply the alignment of our actions with our goals.

As such, sustainability is not a single project but a comprehensive strategy for creating better communities; from the energy sources used to power appliances to the way waste is removed from the site. In many ways this is a constant process of experimentation. There are no absolute answers to the questions posed by each project. But if each is assessed relative to itself and other projects, and each is rigorously tested through the life of the project, courses can be changed to address those less successful strategies, tactics, and components of the projects. As important as low energy consumption may be, the quality of life of the residents of the

community and their long-term economic well-being are also critical to the creation of sustainable communities.

Sustainability is a principal that is embedded in the foundation of Innovation Square. The district itself is envisioned as a testing area for sustainable initiatives and investigations, not just in the labs, but throughout the community. Each element of the district is part of the experiment and research, and each should be thought of as a platform for innovation.

This district is an opportunity to clearly and successfully align our goals and actions as they relate to sustainability.



Lowly, unpurposeful and random as they appear, sidewalk contacts are the small changes from which a city's wealth of public life must grow.

- Jane Jacobs, "The Death and Life of Great American Cities"



"As we envision it,
Innovation Square will be
unlike anything you've
seen. In fact, it will be
nothing short of a complete
re-invention of the town
square concept."

- UF President Bernie Machen

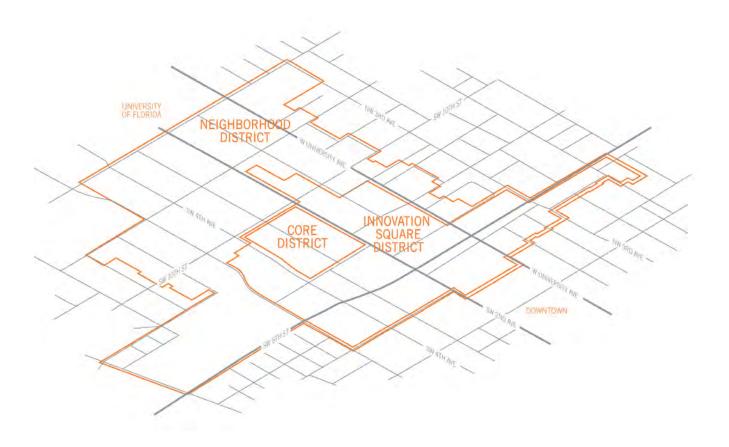
DEVELOPMENT FRAMEWORK.

ELEMENTS

The development framework for Innovation Square consists of six critical elements; districts, grid, greenway, streets, parking and uses. Layered together, these elements are vital in implementing a sensitive and systematic approach to creating a dynamic research community within the existing urban fabric of midtown Gainesville.

Districts. The districts define the three areas within and contributing to the operation of Innovation Square. The core is the high intensity area of science and technology research; the Innovation Square District (ISD) is the lager self regulating collection of commercial landowners within which the research and its associated development will unfold; and the vicinity district is the larger area of influence including the residential neighborhoods along with other areas that comprise this part of Gainesville, Grid. The grid is the underlying physical structure that clearly delineates between the public and private realm, it is permanent, establishing mobility and development within the district. Greenway. The greenway gives a geographical as well as emotional center to the district. Streets. The streets define the level of hierarchy within the district, establishing areas of activity, access, recreation and reflection, as well as design criteria for these critical elements. Parking. Parking strategically addresses the reality of a needed infrastructure, addressing the needs of today by insuring adequate levels to promote development, but further providing a strategy that addresses the future of a changing and as-yet undefined market, along with a realignment of accessibility and modes of transportation throughout the city. Uses. Uses provide a roadmap for providing he richness of activity and collision of members of the community, and for the myriad elements needed to successfully live and work in a particular city district.

The precise implementation of these critical elements establishes a layered relationship between differing urban systems. While each of the elements maintains individual operational characteristics, when they are appropriately combined, they provide the means to achieving the commonly held vision that is the foundation for Innovation Square, a diverse and vibrant community that provides a backdrop for innovation.



DISTRICTS

Innovation Square itself is envisioned as one of three symbiotic districts within the larger context of the region. These central districts define, benefit, and support each other: the Vicinity district, the Innovation Square District (ISD) and the Core District.

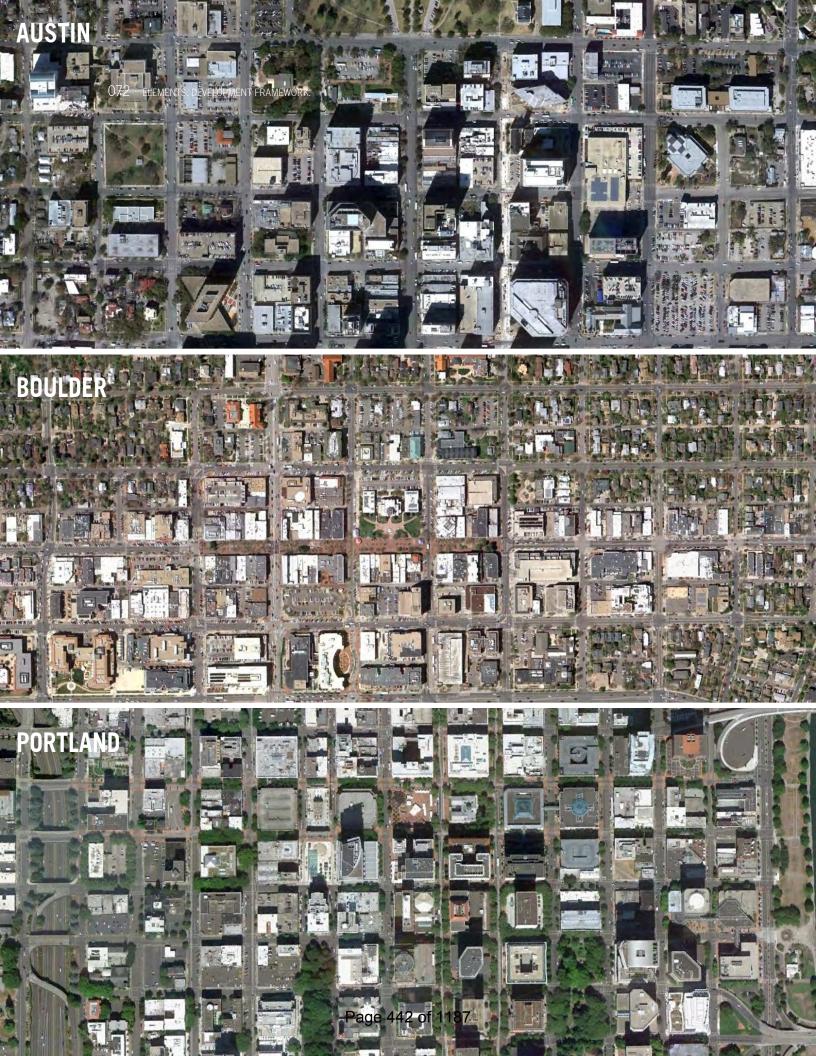
Core District. The Core District, controlled exclusively by the University of Florida, is the heart of the research community and is at the physical center. It is the catalyst for redevelopment and investment within Innovation Square. While the Core District is the central research and innovation center, the surrounding ISD is a mixed-use improvement district focused on supporting the Core District with support services as well as additional research opportunities.

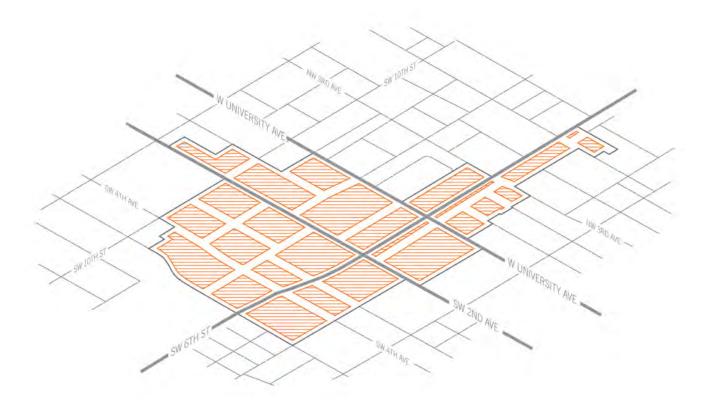
Innovation Square District. The ISD is a self-regulating body that is constituted to ensure a higher level of design, service, collaboration and sustainability in the area's redevelopment process, thus ensuring a comprehensive approach to overall development. The ISD shares in the responsibility of implementing the vision for the district, maintaining the common public realm, proactively engaging businesses and residents within the community and recruiting new users to not only the district but to the larger Gainesville community.

Vicinity District. The Vicinity District includes parts of the surrounding University Heights historic district, a neighborhood of predominately single-family homes and the West University Ave commercial corridor, areas that are of direct benefit to Innovation Square and that will benefit from the ISD redevelopment.

Innovation Square is not merely that area bounded by the ISD. It is made up of the myriad benefits and opportunities that the city and region have to offer.







GRID

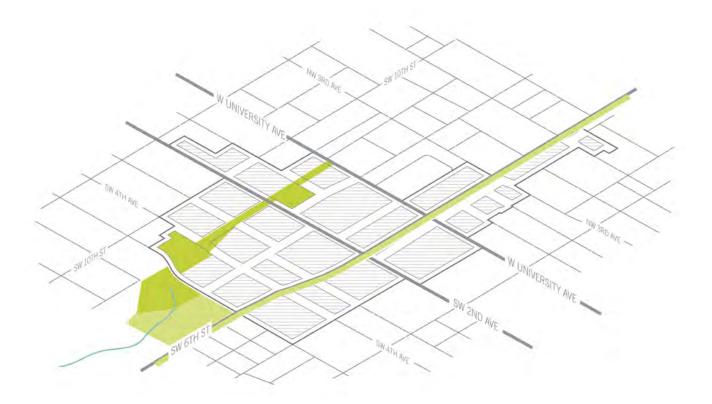
The grid is a sustainable framework that allows for adaptation of uses, programs and development types over time. The relationship between Innovation Square and the surrounding community is unified through the presence of the grid, a series of permanent public rights-of-way. The interconnected grid of streets promotes movement within the district, the surrounding neighborhoods and larger Gainesville community.

The grid allows for researchers, residents and visitors to traverse the district easily. In this movement, multiple variations in paths and path types are essential in creating spaces that add a level of richness that can only be found in cities.

The projection of new streets across the existing "superblock" within the district subdivides the larger former Alachua General Hospital site into smaller development blocks. This process of subdivision increases the flexibility in use, type and phasing for future development while protecting the commonly held structure of the grid as the foundation of the public framework.

The grid further allows for adaptation of program based on the fluctuation of the market and of unforeseen district needs and opportunities. The grid encourages a conservative, phased approach to development, focusing infrastructure improvements on what is needed at a particular time. This approach is what has allowed the physical structure of the City of Gainesville to successfully evolve over time and will continue to allow for the program of Innovation Square to unfold with positive and lasting impact to the existing structure of the City.





GREENWAY

The Greenway is the principal physical organizing structure within Innovation Square. It is the binding element and central focal point within the district. It creates a pedestrian connection between the active northern mixed-use section of the district and southern, predominately residential and recreational edges of the district. It is a series of varying gathering spaces such as squares, plazas, parks, and streets; all for researchers, residents and visitors to interact and collaborate.

The series of spaces are within the public realm, defined by the presence of public streets and reinforced as discrete spaces by the placement private buildings along its edges. Plazas promote activity; streets allow for accessibility; squares encourage assemblies; while parks allow for reflection. The greenway connects to the individual building lobbies, commercial uses, research labs and other active ground floor uses, all in the service of promoting collaboration and collision. While the greenway resides within the structure of the grid, it modulates vehicular access, allowing for north south connectivity to occur with limited service opportunities, thus giving character to particular areas of the development and promoting richness through variation. The central square will allow for informal gatherings as well as large events. The use of materials will be minimal, used to the define edges of spaces, provide opportunities for seating and include flexible lawn areas.

The greenway also addresses a significant stormwater initiative within the district. The infrastructure system in the greenway allows stormwater to be addressed before entering the underground system with varying integrated water quality measures, as well as provides an armature for experimentation in water quality and quantity mitigation initiatives.

Within a dense urban fabric, it provides a vital, public, greenspace, encouraging walkability within a comfortable and rich outdoor environment.





STREETS

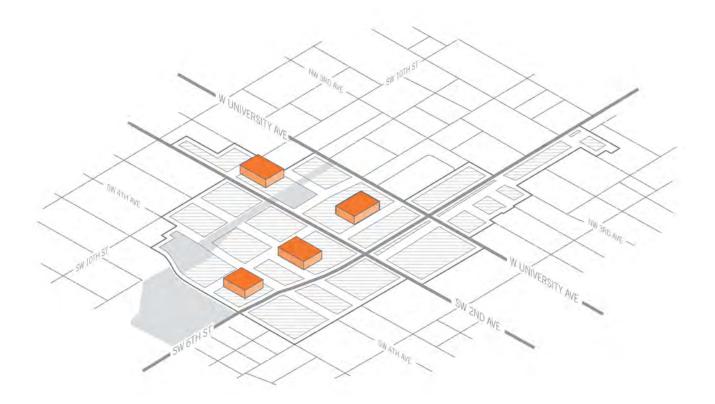
Streets are based on the hierarchy of space within Innovation Square. The existing conditions, as well as the vision for the district, define the function of each street and how new development and existing uses connect to the public realm. Streets must be addressed as spaces for people and most importantly for the success of Innovation Square, for socializing and interacting.

Higher intensity streets encourage more active uses, influencing building program, design and accessibility in order to create a more vibrant public realm. Secondary streets have fewer requirements allowing greater flexibility to address many of the necessary functions and requirements of varying land uses and building programs such as service and utilities.

In the plan for Innovation Square, West University Avenue, Southwest 2nd Avenue, and Southwest 6th Street are prioritized; significant in how they function, how they are used and how they are perceived. They are the streets that provide the highest level of public interaction and are the repositories for the highest intensity of commercial activity.

Streets are critical to the formation of Innovation Square. They are the first impression of Innovation Square for future researchers, residents and visitors. Along with addressing the basic level of operation, they must also be programmed, well designed, well maintained and safe. These elements are crucial in creating a place that encourages not only collaboration among researchers but clearly defines a unique sense of place unlike that of other typical research parks commonly developed in the past.





PARKING

To create a vibrant district, encourage walkability and promote alternative forms of transportation, parking has been removed from the Core District of Innovation Square and has been reduced within the overall ISD. Shared parking decks have been strategically placed based on walking distances, flexibility of the block structure, transportation considerations and adjacent uses.

Decks have been located on blocks that allow for maximum flexibility in size, design and accessibility. Uses with higher traffic demands, such as retail and hotel have been located in closer proximity to the parking structures.

The phasing of parking implementation and alternative transit initiatives are part of the basic strategy relative to addressing current and future parking needs. Initially an adequate amount of parking is provided through existing and repurposed parking lots to provide for an influx of commuters.

As new projects are developed, existing surface parking lots will be transformed into buildings. Along with the development of additional buildings, new parking structures within the ISD will be phased to coincide with new development. As the district becomes denser additional parking demands should decrease, on a per-capita basis, as alternative modes of transportation increase. As such, new parking might not be necessary, reinforcing the goal of reducing the cost and impact of vertical parking on the character of the neighborhood and realizing more varied opportunities for transportation.

The disengagement of parking requirements from the individual development or building allows for these events to unfold in the most appropriate manner possible, and not result in too little or too much parking. As with the block structure, the system allows for flexibility moving into the future to insure that development decisions align with the vision and operation of the district.





USES

Innovation Square integrates varying land uses and building programs that serve not only the larger goals of the research community but those of the community. While the core district will be the center of the research focused uses, significant retail, restaurant, residential and hospitality as well as additional lab and supportive space shall be integrated throughout the district.

Retail and restaurants shall be located along major street corridors and key intersections, complimenting existing surrounding uses. In addition, these amenities will be integrated into the research and residential buildings. The stores shall be accessible from the street with outdoor areas designed to generate activity. Retail and restaurants are externally focused; designed as essential elements of the street and the life of the street.

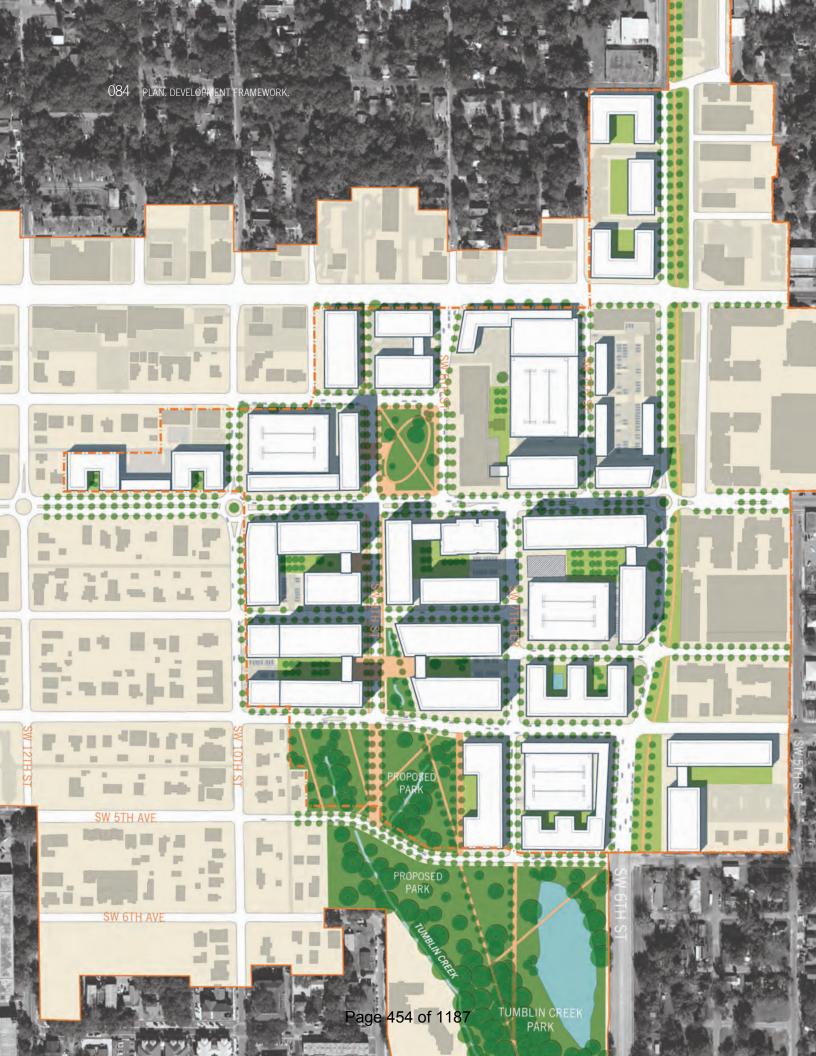
The residential program and buildings will address research focused residents and the needs of their families as well as address diversity of citizens, creating a richer environment. The district will allow researchers to be located in close proximity to work, encouraging walkability to work as well as to supporting locations of goods and services throughout the district. Various public spaces, such as parks and plazas are dispersed throughout the district offering opportunities for active and passive recreation and enjoyment.

The high level of mixed uses will allow the district to provide a long-term and sustainable foundation for a lifestyle that is predicated on the health and well-being of the citizens of the district. And it will provide the various components that are necessary for living out day-to-day lives all within easy access to residents, researchers, and visitors alike.

A hundred years after we are gone and forgotten, those who never heard of us will be living with the results of our actions.

- Oliver Wendell Holmes





DEVELOPMENT FRAMEWORK.



The elements of the district, as described in the previous section, are the constituent parts of any successful urban development strategy. These elements, however, must be allocated both geographically as well as temporally; they must unfold across an area and emerge through time in a well-choreographed process that ensures the alignment of the vision and the execution of the project. As such, plan can be considered both a noun and a verb. As a noun, the plan is a document that delineates where and how the parts of the district are located. As a verb, the plan is an active process and a series of projections that indicate the number of elements and the frequency with which they appear. Each of these characteristics of the plan will change over time, but while many elements of the plan are changeable, it is the plan that sets in place the relative importance of each of these elements; those that may change more freely, and those that may not.

The plan clearly delineates the development framework for Innovation Square. It defines the physical elements of the vision and how each element interacts within the plan. The plan also clearly describes a preferable relationship among the elements of the plan and the sequencing of their implementation. The plan anticipates that the elements that constitute the public realm will be less open to change; more permanents, while allowing for significant flexibility within the private realm, allowing each building's design and program to vary while adhering to the broader requirements of the plan.

The essential elements within the plan include: Uses. The types of uses as well as the desired mix; Phasing. The larger strategy for implementation over time; Projections. The degree of development and population growth that might occur as the project is developed; Landscape. Regulating the elements within the public realm; Transportation. A strategy to balance projected growth with multiple accessibility opportunities and options; Utilities. A general district-wide strategy for sharing resources and minimizing redundancies of resources, as well as providing an operational framework.





Left. This image is a detail aerial of the Innovation Square District (ISD) that indicates the envisioned vibrancy and overall potential for the area. It describes the general character and quality of the area, and it should act as a visual guide for future development.

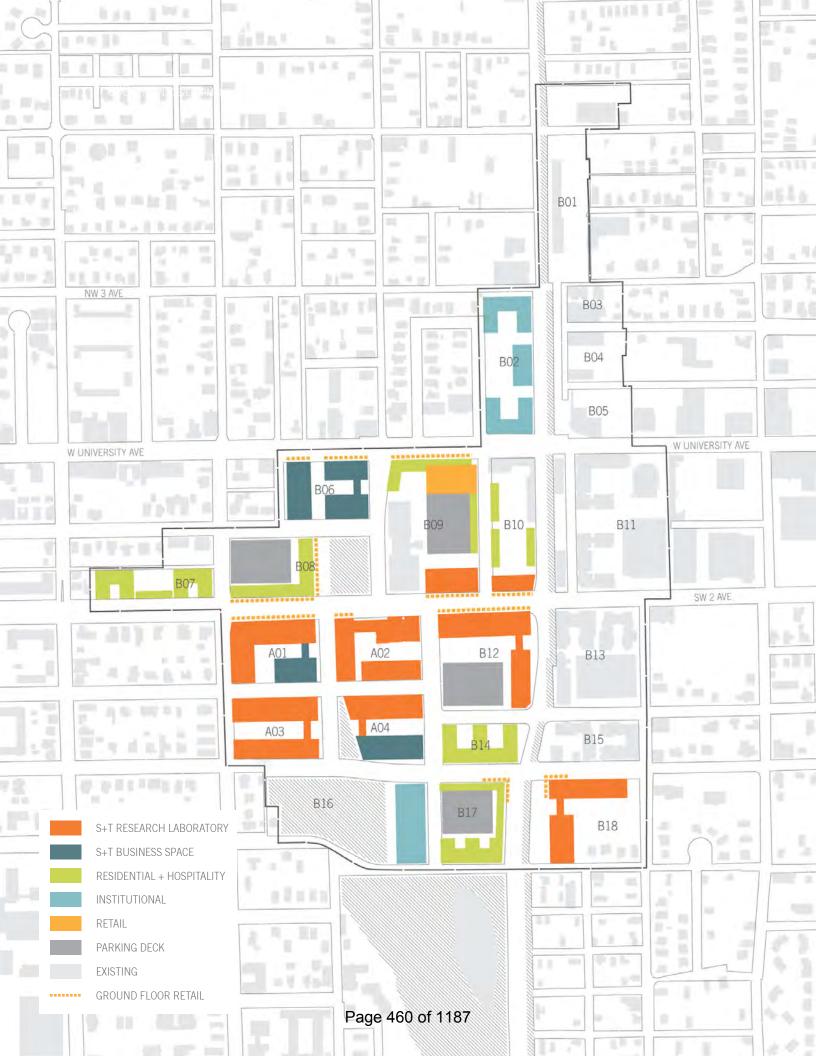
Above. This image is a broader aerial view that indicates the proximity of the ISD to both downtown Gainesville and the University of Florida. The district, as is clearly evident in this image, will provide a seamless link between downtown and the University, as well as a stage for innovation.



Above. This image is a perspective view of the proposed greenway through the heart of the Core District, as well as a threshold to Tumblin Creek and the trail systems beyond. It clearly describes the intention of bringing a flexible and well-designed natural component into the urban framework.

Right. This image, across 2nd Avenue, and into the new square, describes the vibrant pubic framework, the people, the landscape, the commuters, the residents all harmoniously creating the context for a truly collaborative and rich living and working environment.



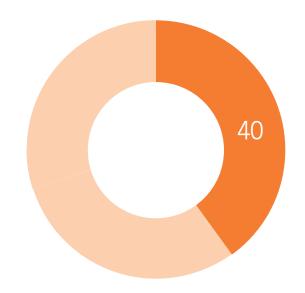


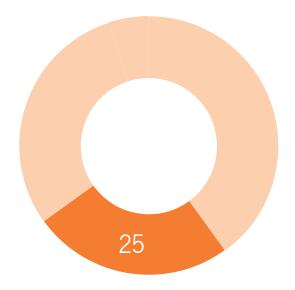
DEVELOPMENT FRAMEWORK, PLAN.

Supported by recent initiatives such as the Partnership for Sustainable Communities (PSC) at the federal level, many US towns and cities today are seeking to reverse their half-century long focus on remote, disconnected development patterns that have been correlated with countless adverse health and environmental effects ranging from epidemic obesity to air and water pollution. Following this logic, the US Centers for Disease Control and Prevention (CDC) has described a "healthy community" as one where homes, business, schools, churches and parks are found in close proximity to each other, allowing reduced automobile use and increased physical activity and social engagement; or more simply, a mix of uses all located in the same area. It is with this in mind that Innovation Square addresses the dispersal of uses throughout the district.

Such walkable and mixed-use environments are not new to Gainesville. Downtown Gainesville has gained new life in recent years with the addition of new residences, hotels and storefronts to its historic mix of government buildings, offices, entertainment and single-family homes. The City of Gainesville has recently created the Urban Mixed Use – 2 (UMU-2) Zoning District to enable a similar transformation of midtown, the area in Gainesville in which Innovation Square is located. This will transform midtown from an area dominated with surface parking and empty lots to a 24/7 live/work/play environment that promotes retail and office uses that serve surrounding neighborhoods and enhance the development of the local innovation economy, as well as the broader regional economy. The proposed land use plan for the Innovation Square District (ISD) demonstrates the process through which mixed-use development can be achieved within the ISD.

The zoning ordinance, in concert with the urban block structure, allows for great flexibility in the distribution of uses within the area. But along with this flexibility, it is critical to ensure that enough of each of the uses emerges to facilitate the broader goals of creating a district that provides a foundation for innovation and economic development based on the associated industries.





40%

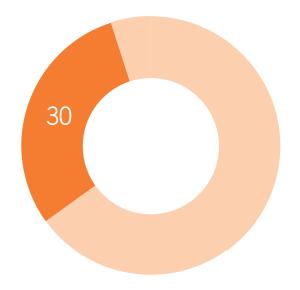
SCIENCE + TECHNOLOGY RESEARCH LABORATORY

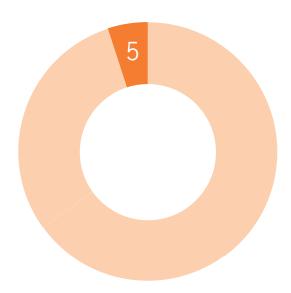
Science and technology research and laboratory uses comprise the greatest percentage of projected development and remain at the core of the district vision. The uses in these areas are primarily organized to facilitate scientific research, as both wet and dry lab faclities. The structures will house principal investigators, researchers, and support staff for the myriad research avenues that emerge in the district. These users represent the critical group that will benefit significantly from the addition and dispersal of the other uses in the vicinity. In addition, these uses require enhanced physical and technological support and infrastructure beyond other typical uses found in cities.

25%

SCIENCE + TECHNOLOGY **BUSINESS SPACE**

Science related start-up companies or more established companies working in the science and technology fields will utilize this office space for meeting and collaboration space that is primarily concerned with the business of technology, research and innovation. These users might be associated with laboratory facilities within the ISD, at affiliated sites such as Progress Park, provide primary office and dry-lab space for the company, or serve as an area for light manufacturing associated with the particular research. These uses may be located throughout the entire district, and they are incentivized to provide additional, ancillary uses, such as restaurant, retail, cultural and other uses that enhance the vibrant mix of uses in the district.





30%

RESIDENTIAL + HOSPITALITY

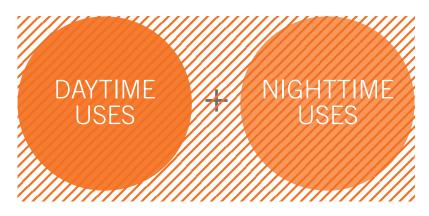
COMMERCIAL RETAIL

Residential and hospitality uses are critical to the success of the district; for researchers support staff, and visitors alike. While residential uses are located throughout the ISD, they are envisioned as being more heavily located at the edges of the District. This strategy helps insure that there is a transition between the district and established residential neighborhoods such as University Heights.

In addition, the plan envisions residential programs such as themed housing that brings together innovators, entrepreneurs and others in a live/learn/work environment that encourages the collision that drives innovation. And hospitality uses ranging from boutique hotels to flexible rentals for visiting scientists and business people will help spur further collaboration and provide the District with a vibrant mix of long and short-term residents and visitors.

Pedestrian-oriented, ground-floor uses; restaurants, cafés, retail stores, galleries, boutiques, local services, and other staples of highly animated street life are incentivized, and in specific areas, required as a critical part of providing goods and services to those working and living within the district. These uses will expand in number and scope as the area is developed, ultimately providing a mature level of services that responds to the needs of those living and working in the area.

TYPICAL DEVELOPMENTS



INNOVATION SQUARE



Above. Historically research has taken place in areas that are remote from residential districts, and moreover, remote from dayto-day uses such as restaurants and retail. At Innovation Square uses will converge with each other such that all of one's needs; work, community, living, cultural institutions, will be located within easy walking and biking distance. Daytime and nighttime uses will merge into a seamless relationship among all the various parts. As such, the methodology for projecting growth is highly interactive between the uses, and support elements; parking, services, and others, are complementary, no longer based on a direct ratio, but rather based on a fluid response to district needs as opposed to an individual project need.

DEVELOPMENT FRAMEWORK, PLAN.

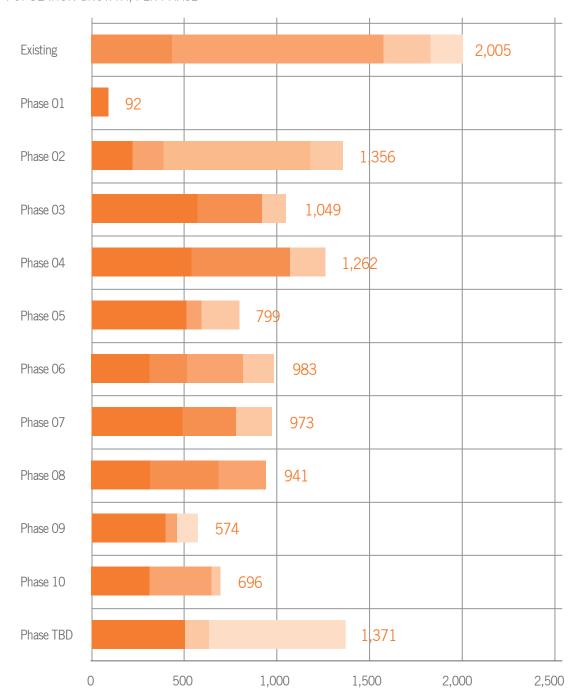
POPULATION PROJECTIONS

Projecting into the future is by nature an inexact science, but in the process of planning for the redevelopment of a district, it is essential. While the exact population growth, building square footage build-out, or number of new restaurants may be unknowable, there are general parameters that can be utilized to provide the basis for making decisions moving forward. Projections offer not only an estimate of what might come to pass, but also a characterization of what is preferable in the disposition of a district. Projections are also critical for preparing for service requirements, from transportation to power. Infrastructure and utilities must be constructed prior to the majority of development in such a way that it accommodates specific development but minimizes the expenditure of resources beyond that which is needed. With these projections public utilities can be sized, power capacities can be allocated, mitigating systems implemented, and other elements of the redevelopment can be organized to provide a fluid response to development pressure as it emerges.

The projections detailed in the following pages reflect a combination of uses and mixes that will provide the rich interaction necessary for the district to thrive, as well as a realistic magnitude of development based on current capacities, and market conditions. They represent overall development projections in terms of the number and types of people that will be occupying the spaces, especially as these are associated with the development phase projections. They are categorized as overall, research, residential, and support; restaurants, retail, cultural and other collectively utilized uses. Further specificity is applied to each of the broad categories as appropriate.

These numbers are sure to change both in composition as well as magnitude as the future unfolds, and as such, the following charts, graphs and spreadsheets are simply a snapshot of the potential at a particular time. The operational asset in the projection structure is the database behind the graphic representation. This database should be managed throughout the development process, refining projections based on changing market trends, successes and failures in the development process, as well as updating current development. In this way, a tool that is typically rendered obsolete shortly after its implementation can become an adaptable and useful indication of the trajectory of the district as it unfolds over time.

POPULATION GROWTH, PER PHASE



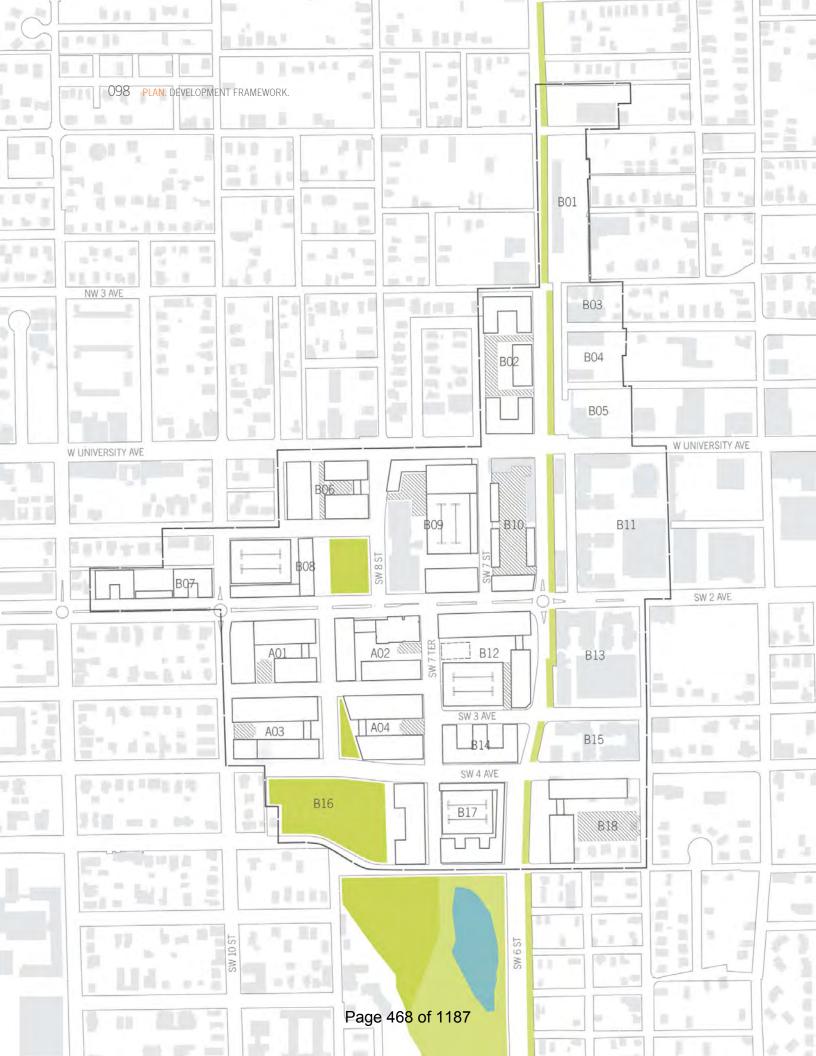
POPULATION BY PHASE

These graphs and charts represent a general projection of population increase in a phased structure. The projections are for general guidance with respect to planning for services and utilities that will be required to accommodate this growth.

They are further categorized by the proposed major uses in the district. The phases are not tied to a specific time frame as the project will ultimately unfold due to both internal and external conditions.

POPULATION GROWTH, PER PHASE

	SCIENCE + TECHNOLOGY		RESIDENTIAL + HOSPITALITY				
	RESEARCH LABORATORY	BUSINESS SPACE	RESIDENTIAL	HOTEL	RETAIL	INSTITUTIONAL	TOTAL
Existing	0	435	1,139	0	255	177	2,005
Phase 01	92	0	0	0	0	0	92
Phase 02	220	0	169	792	175	0	1,356
Phase 03	571	350	0	0	128	0	1,049
Phase 04	538	531	0	0	192	0	1,262
Phase 05	512	0	81	0	207	0	799
Phase 06	313	200	304	0	167	0	983
Phase 07	490	290	0	0	193	0	973
Phase 08	316	369	256	0	0	0	941
Phase 09	399	0	63	0	0	113	574
Phase 10	313	0	333	0	50	0	696
Phase TBD	503	0	0	0	130	738	1,371
TOTAL [new]	4,267	1,740	792	1,243	10,096	850	8,853
TOTAL [existing+new]	4,267	2,175	792	1,497	12,101	1,027	10,603



DEVELOPMENT FRAMEWORK, PLAN.

PHASING

With multiple stakeholders, various landowners and fluctuating market conditions, Innovation Square must maintain flexibility in its approach to implementation. While the emphasis is on science and technology research, it is important to develop services in conjunction with the core uses in order to create a diverse and vibrant community. Phasing focuses on developing a strong central identity for the district while also allowing growth to occur organically over time. The growth projections are based on numerous factors including future building program, infrastructure improvements, existing building life spans and other critical relationships. Each phase has multiple components allowing for options on building type and schedule.

Initial investment concentrates on developing the research element within the Core District. Subsequent phasing continues to focus on investment within or immediately adjacent to the core, building a concentration of activity and shared resources. Significant infrastructure, including stormwater upgrades and public space delineation, are targeted early allowing future flexibility and quickly defining a sense of place for the district. Parking is served by existing surface lots initially. Parking structures are timed to maintain a conservative parking to building ratio until such time as the projected density supports alternative transportation opportunities.

There are several key drivers in the projection process, including an initial focus on completing a substantial segment of the research program, identifying and implementing critical infrastructure upgrades, aligning the parking structures with time-critical development needs, and finally, organizing the phasing is such a way as to continually reinforce the sense of place that is envisioned for the district. The relationships outlined in the phase process should result in a development strategy and execution that addresses both the quality of the place and the degree of economic development, both metrics for the return on the community's investments.

These phases are not tied to a specific time frame as the project will ultimately unfold due to both internal and external conditions.



PHASE ONE

The initial phase is scheduled for completion in the fall of 2011, with the construction of the Innovation Hub - a 45,000 s.f. incubator space comprised of research lab spaces and business spaces located on Block A2. Parking for the facility will be located in Block A4 and other the surrounding surface lots. The Ayers Building will be renovated providing a mix of retail, lab and business space totaling approximately 170,000 sf.* The district chiller plant will be strategically located within Block B12 to maintain future flexibility within the block and provide a water source backbone for future development. This phase will also include public investment in the W. 6th Street Rail-Trail.

NEW DEVELOPMENT, PER PHASE

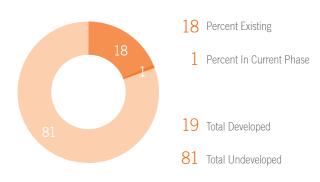
	SQUARE FOOTAGE DEVELOPED		POPULATION	ON PROJECTED
	PHASE 1	CUMULATIVE	PHASE 1	CUMULATIVE
S+T Research Laboratory	46,000	46,000	92	92
S+T Business Space	0	0	0	0
Residential + Hospitality	0	0	0	0
Commercial Retail	0	0	0	0
Institutional	0	0	0	0
Total Development	46,000	46,000	92	92

PARKING, PER PHASE

	PHASE 1	CUMULATIVE
Surface Lot	42	977
On-Street	-	220
Deck	-	1,560
Total Available	-	2,757
Total Needed	-	2,079
Difference	-	678

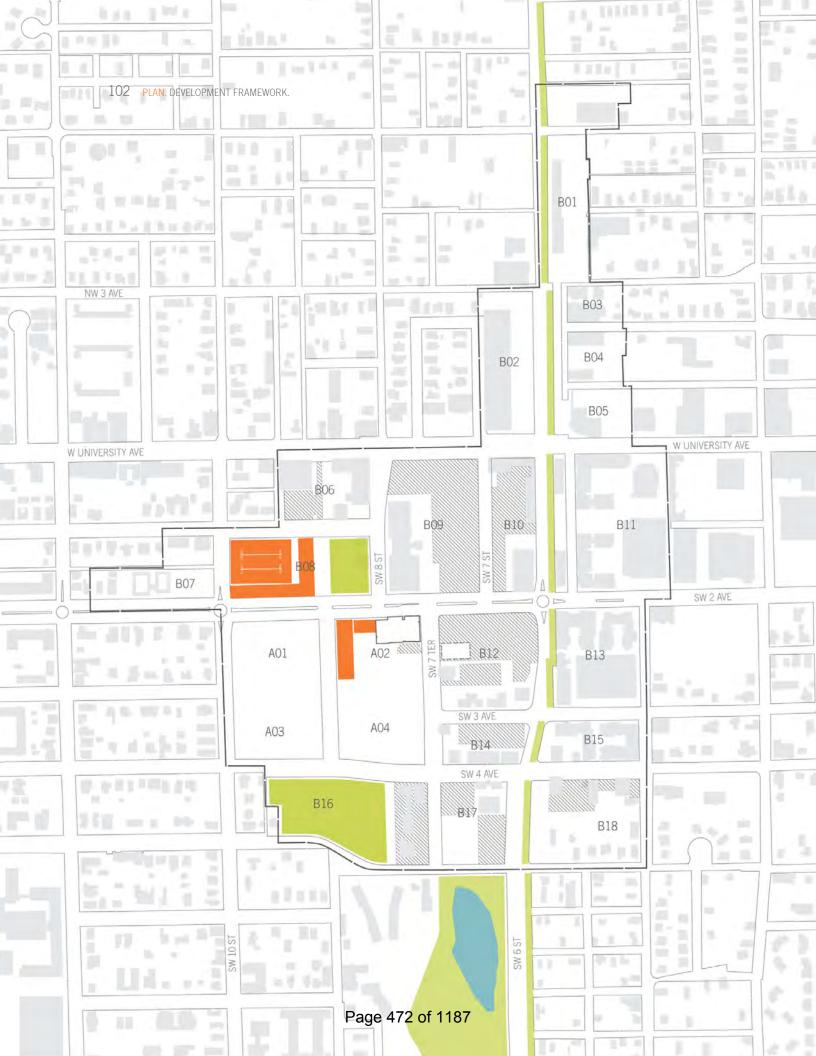
NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





PHASE TWO

Phase Two includes the proposed, privately developed, Infusion Technology Center located at the corner of Southwest 2nd Avenue and Southwest 4th Avenue. Parking for the facility will be located in Block A3 and Block A4 as well as other surrounding surface lots. This phase includes the hotel and residential incubator. Ground floor retail fronting Southwest 2nd Avenue is included but may remain flex space until the market matures. The development of the central square is a key element in defining a sense of place within the district. In addition, the development of the northern expansion of Tumblin Creek Park will help address critical infrastructure issues.

NEW DEVELOPMENT, PER PHASE

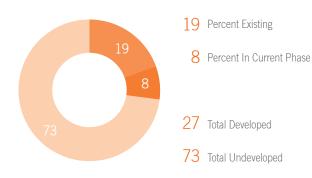
	SQUARE FOO	TAGE DEVELOPED	POPULATI	ON PROJECTED
	PHASE 2	CUMULATIVE	PHASE 2	CUMULATIVE
S+T Research Laboratory	110,000	156,000	220	312
S+T Business Space	0	0	0	0
Residential + Hospitality	260,000	260,000	960	960
Commercial Retail	35,000	35,000	175	175
Institutional	0	0	0	0
Total Development	405,000	451,000	1,356	1,448

PARKING, PER PHASE

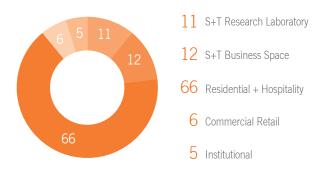
	PHASE 2	CUMULATIVE
Surface Lot	133	1,110
On-Street	0	220
Deck	771	2,331
Total Available	-	3,661
Total Needed	-	2,484
Difference	-	1,178

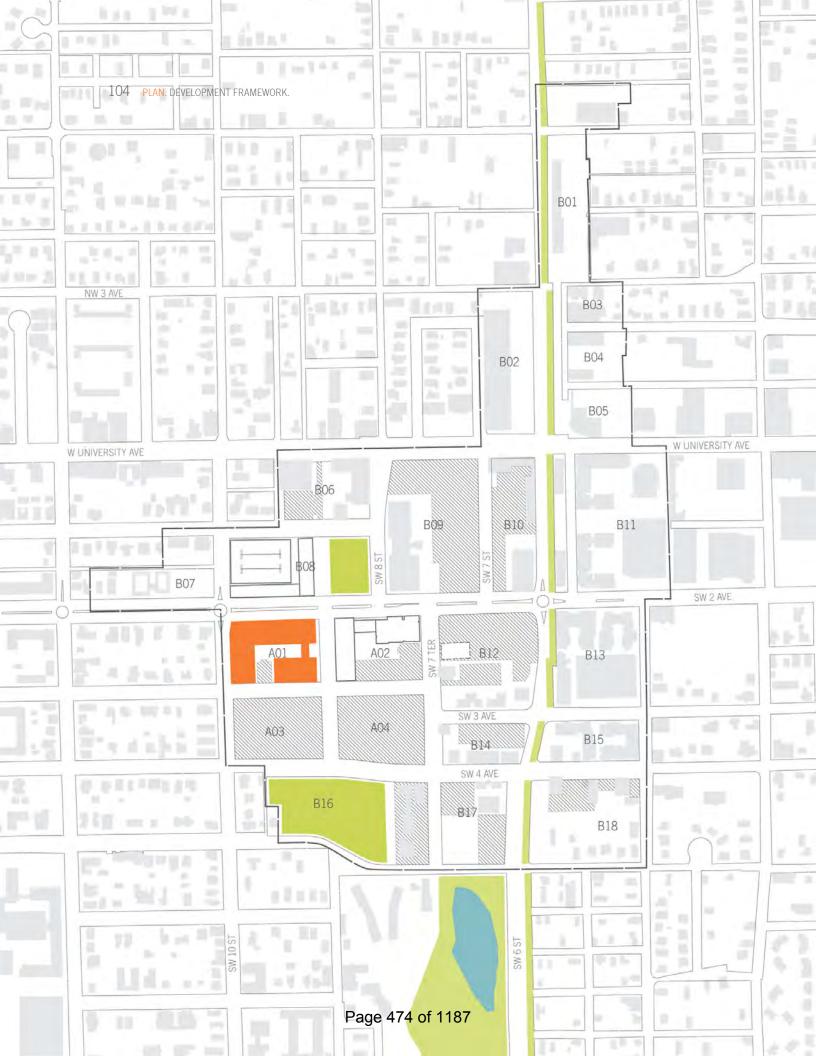
NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





PHASE THREE

Development is focused on completing block A1. Significant infrastructure includes the implementation of the Southwest 3rd Avenue between Southwest 10th Street and Southwest 7th Terrace. This street is defined as a local street and will be used primarily for circulation and service access to adjacent blocks. Building program includes additional S+T research lab space as well as supporting services. Ground floor retail will front Southwest 2nd Avenue. A common lobby will front the proposed greenway. Parking for the facility will be located in Block A3 and Block A4 as well as other the surrounding surface lots.

NEW DEVELOPMENT, PER PHASE

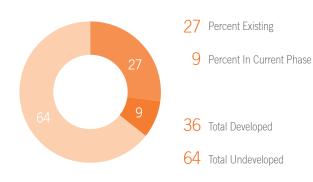
	SQUARE FOO	TAGE DEVELOPED	POPULATI	LATION PROJECTED	
	PHASE 3	CUMULATIVE	PHASE 3	CUMULATIVE	
S+T Research Laboratory	285,000	441,000	571	883	
S+T Business Space	140,000	140,000	350	350	
Residential + Hospitality	0	260,000	0	960	
Commercial Retail	25,700	60,700	128	304	
Institutional	0	0	0	0	
Total Development	451,000	902,000	1,049	2,497	

PARKING, PER PHASE

	PHASE 3	CUMULATIVE
Surface Lot	198	1,308
On-Street	0	220
Deck	0	2,331
Total Available	-	3,859
Total Needed	-	2,935
Difference	-	925

NOTE: One space per thousand square feet for new development.

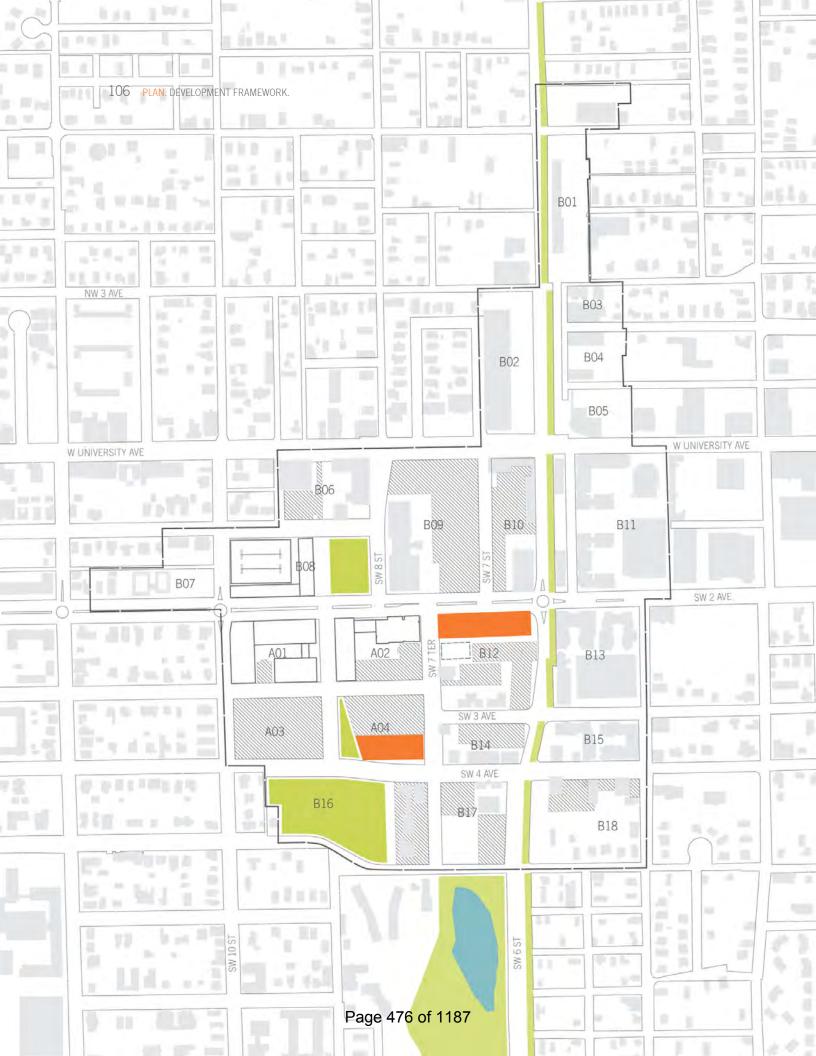
PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT



NOTE: Chart includes approximately 1 million square feet of existing development within the ISD boundaries.



PHASE FOUR

Development is concentrated on building synergy along the two major axes within the district. The first building on Block B12 will be developed to include new research lab space with ground floor retail fronting Southwest 2nd Avenue. Building services shall be accessed from Southwest 7th Terrace. A second building will be developed on Block A4, fronting Southwest 4th Avenue. Building program will include S+T office and supporting services. Key infrastructure will include additional pedestrian spaces along the greenway.

NEW DEVELOPMENT, PER PHASE

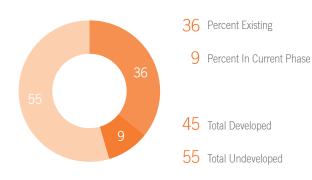
	SQUARE FOO	TAGE DEVELOPED	POPULATI	LATION PROJECTED	
	PHASE 4	CUMULATIVE	PHASE 4	CUMULATIVE	
S+T Research Laboratory	269,000	711,000	538	1,421	
S+T Business Space	212,000	352,000	531	881	
Residential + Hospitality	0	260,000	0	960	
Commercial Retail	38,500	99,200	192	496	
Institutional	0	0	0	0	
Total Development	520,000	1,420,000	1,262	3,759	

PARKING, PER PHASE

	PHASE 4	CUMULATIVE
Surface Lot	-264	1,044
On-Street	0	220
Deck	0	2,331
Total Available	-	3,595
Total Needed	-	3,455
Difference	-	140

NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





PHASE FIVE

Development is concentrated on expanding goods and services vital to a growing community and addressing future parking needs. New buildings include a grocery store with ancillary retail fronting University Avenue, creating an edge to the district along the City's major east - west corridor. The grocery store will share the existing surface parking lot with the adjacent Ayers Medical building within Block B9. In addition a proposed building on Block A4 will complete the development of the block. Program uses include new lab and research space. The parking deck on Block B12 will serve the developing core of the district.

NEW DEVELOPMENT, PER PHASE

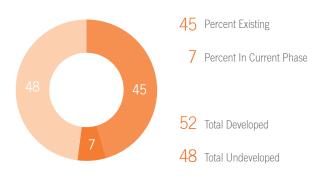
	SQUARE FOO	TAGE DEVELOPED	POPULAT	JLATION PROJECTED	
	PHASE 5	CUMULATIVE	PHASE 1	CUMULATIVE	
S+T Research Laboratory	256,000	966,000	512	1,933	
S+T Business Space	0	352,000	0	881	
Residential + Hospitality	48,500	308,000	81	1,041	
Commercial Retail	41,400	141,000	207	703	
Institutional	0	0	0	0	
Total Development	346,000	1,770,000	799	4,558	

PARKING, PER PHASE

	PHASE 5	CUMULATIVE
Surface Lot	-226	818
On-Street	0	220
Deck	780	3,111
Total Available	-	4,149
Total Needed	-	3,801
Difference	-	349

NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





PHASE SIX

Development is concentrated along the eastern edge of the district towards Southwest 6th Avenue. New residential on Block B14 will define the southern edge of the district. Parking for the facility will be located temporarily on Block B17. New buildings will be developed within Block B9 and B10 providing research lab, administrative, and residential as well as ground floor retail fronting Southwest 2nd Avenue. This will complete the build out along Southwest 2nd Avenue. A significant infrastructure improvement will be the development of a parking structure on Block B9. Development area will be preserved to allow for a residential liner to be built fronting Southwest 7th Terrace.

NEW DEVELOPMENT, PER PHASE

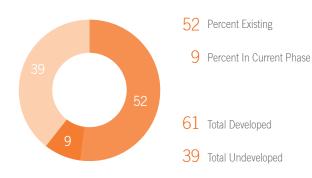
	SQUARE FOO	SQUARE FOOTAGE DEVELOPED		ATION PROJECTED	
	PHASE 6	CUMULATIVE	PHASE 6	CUMULATIVE	
S+T Research Laboratory	156,000	1,120,000	313	2,246	
S+T Business Space	80,000	433,000	200	1,081	
Residential + Hospitality	182,000	490,000	304	1,345	
Commercial Retail	33,300	174,000	167	869	
Institutional	0	0	0	0	
Total Development	452,000	2,220,000	983	5,541	

PARKING, PER PHASE

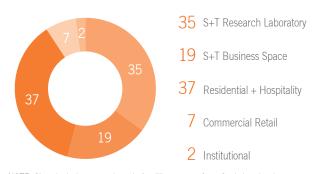
	PHASE 6	CUMULATIVE
Surface Lot	65	883
On-Street	4	224
Deck	771	3,883
Total Available	-	4,990
Total Needed	-	4,253
Difference	-	737

NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





PHASE SEVEN

Development is concentrated on upgrading the existing facilities with new development fronting University Avenue. Building program will include additional S+T administrative uses as well as ground floor retail. Parking will utilize the adjacent parking structure within Block B8. In addition, new building program within Block A3 will include additional S+T lab research space. Parking for the facility will utilize the existing parking structure on Block B12. Building service and loading shall be accessed from Southwest 10th Street or Southwest 3rd Avenue.

NEW DEVELOPMENT, PER PHASE

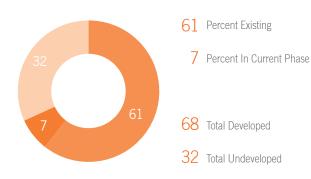
	SQUARE FOO	TAGE DEVELOPED	POPULATION	ON PROJECTED
	PHASE 7	CUMULATIVE	PHASE 7	CUMULATIVE
S+T Research Laboratory	245,000	1,370,000	490	2,736
S+T Business Space	116,000	548,000	290	1,371
Residential + Hospitality	0	490,000	0	1,345
Commercial Retail	38,700	213,000	193	1,063
Institutional	0	0	0	0
Total Development	400,000	2,620,000	973	6,515

PARKING, PER PHASE

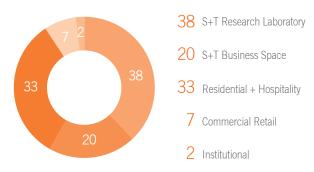
	PHASE 7	CUMULATIVE
Surface Lot	-183	700
On-Street	0	224
Deck	0	3,883
Total Available	-	4,807
Total Needed	-	4,652
Difference	-	154

NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





PHASE EIGHT

New buildings on Blocks A2 and B6 will include both S+T research lab and office program. There is opportunity for additional retail on Block B6 fronting the central plaza. The development of residential elements for Block B7 will allow for a transition between the core of Innovation Square and the adjacent University Heights neighborhood. A key infrastructure element is the pedestrian connection from the central plaza to University Avenue through Block B6. Parking will be accommodated in the existing parking structures within the district.

NEW DEVELOPMENT, PER PHASE

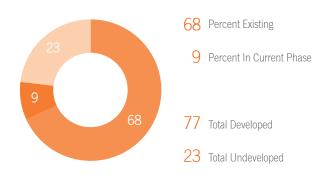
	SQUARE FOO	TAGE DEVELOPED	POPULATION	TION PROJECTED	
	PHASE 8	CUMULATIVE	PHASE 8	CUMULATIVE	
S+T Research Laboratory	158,000	1,530,000	316	3,052	
S+T Business Space	148,000	696,000	369	1,740	
Residential + Hospitality	153,000	644,000	256	1,601	
Commercial Retail	0	213,000	0	1,063	
Institutional	0	0	0	0	
Total Development	459,000	3,080,000	941	7,455	

PARKING, PER PHASE

	PHASE 8	CUMULATIVE
Surface Lot	-44	656
On-Street	0	224
Deck	0	3,883
Total Available	-	4,763
Total Needed	-	5,111
Difference	-	-349

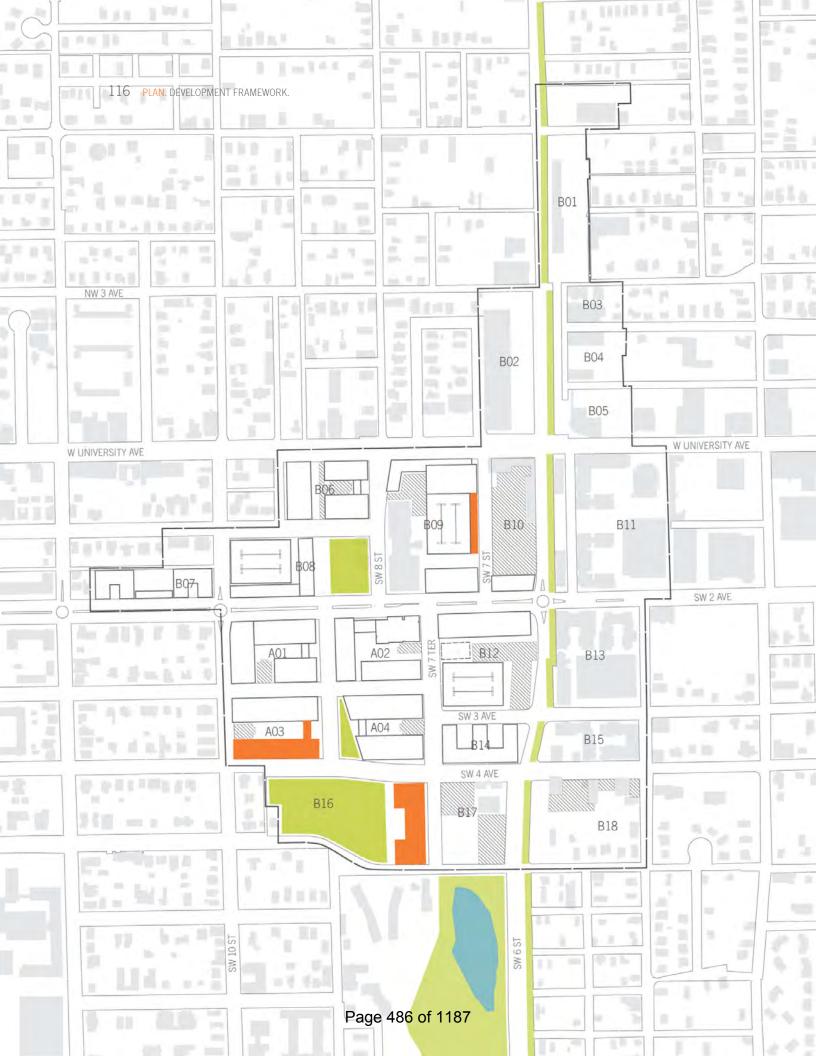
NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





PHASE NINE

Development is concentrated on framing the expanded Tumblin Park with development. New program includes a Baby Gator Child and Research center on Block B16, optimizing adjacency to the park and favorable vehicular circulation. Baby Gator may be included in an earlier phase depending on funding. Additional S+T research lab space shall be located in Block A3. Parking will be accommodated in the existing parking structures within the district.

NEW DEVELOPMENT, PER PHASE

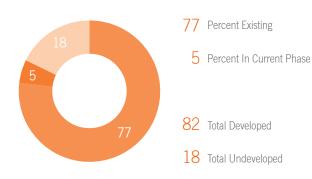
	SQUARE FOO	TAGE DEVELOPED	POPULATI	ON PROJECTED
	PHASE 9	CUMULATIVE	PHASE 9	CUMULATIVE
S+T Research Laboratory	199,000	1,730,000	399	3,450
S+T Business Space	0	696,000	0	1,740
Residential + Hospitality	37,500	681,000	63	1,663
Commercial Retail	0	213,000	0	1,063
Institutional	45,000	45,000	113	113
Total Development	282,000	3,360,000	574	8,029

PARKING, PER PHASE

	PHASE 9	CUMULATIVE
Surface Lot	-104	552
On-Street	0	224
Deck	0	3,883
Total Available	-	4,659
Total Needed	-	5,393
Difference	-	-734

NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





PHASE TEN

Development is concentrated on infill development along Southwest 6th Avenue. New residential program shall be located on Blocks B10 and B17. S+T research lab space shall complete Block B12. There is an opportunity for retail at the corner of Southwest 4th Avenue and Southwest 6th Street creating a small activity node. Block 10 will include a new parking structure that will also serve block B16.

NEW DEVELOPMENT, PER PHASE

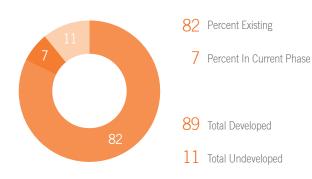
	SQUARE FOO	SQUARE FOOTAGE DEVELOPED		ON PROJECTED
	PHASE 10	CUMULATIVE	PHASE 10	CUMULATIVE
S+T Research Laboratory	157,000	1,880,000	313	3,764
S+T Business Space	0	696,000	0	1,740
Residential + Hospitality	200,000	881,000	333	1,996
Commercial Retail	10,000	223,000	50	1,113
Institutional	0	45,000	0	113
Total Development	366,000	3,730,000	696	8,725

PARKING, PER PHASE

	PHASE 10	CUMULATIVE
Surface Lot	-120	432
On-Street	0	224
Deck	648	4,531
Total Available	-	5,187
Total Needed	-	5,759
Difference	-	-573

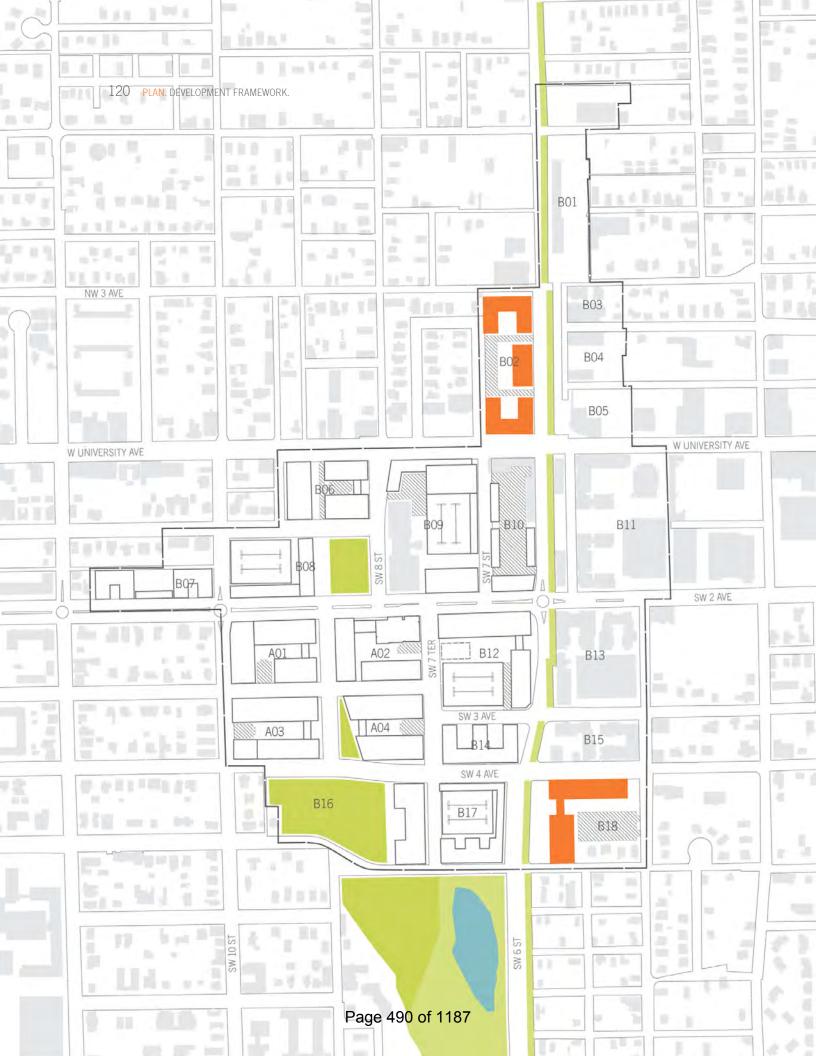
NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





FUTURE OPPORTUNITIES

There are several areas where future opportunities exist, but the projections for development are not included in the phase structure. The primary area that will see development unfold is the Santa Fe College campus and associated sites in the area. This information will be incorporated as the planning effort for this area matures. The secondary area where future opportunities exist is at Block B18. This area is a critical transition area between the district and the mature neighborhoods to the south. As the project unfolds the specific nature of this development will need to be analyzed to ensure compatibility with the contiguous blocks as well as the overall development patterns of the area.

NEW DEVELOPMENT, PER PHASE

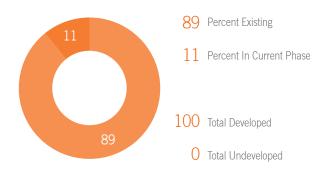
	SQUARE FOO	TAGE DEVELOPED	POPULATIO	LATION PROJECTED	
	FUTURE	CUMULATIVE	FUTURE	CUMULATIVE	
S+T Research Laboratory	252,000	2,130,000	503	4,267	
S+T Business Space	0	696,000	0	1,740	
Residential + Hospitality	0	881,000	0	1,996	
Commercial Retail	26,000	249,000	130	1,243	
Institutional	295,000	340,000	738	850	
Total Development	573,000	4,300,000	1,371	10,096	

PARKING, PER PHASE

	FUTURE	CUMULATIVE
Surface Lot	113	545
On-Street	0	224
Deck	0	4,531
Total Available	-	5,300
Total Needed	-	6,332
Difference	-	-1,032

NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT



NOTE: Chart includes approximately 1 million square feet of existing development within the ISD boundaries.



DEVELOPMENT FRAMEWORK, PLAN.

RESEARCH BUILDINGS

Research buildings are complex projects with myriad requirements for programming, spatial relationships, and technical requirements. They require an intensity and rigor in design and execution that is beyond most conventional buildings. And when these buildings are located collectively, in a district or park, the success of each is reinforced by the success of its neighbors.

INTEGRATED DESIGN PROCESS

More than any specific requirement or guideline is the notion that collaboration is critical to the successful operation of research buildings. There are many ways to foster this among the designers, constructors and users of the facilities. Buildings nowadays – especially research laboratories are complex pieces of machinery with many parts - some moving, some static, but all requiring careful attention. The design of these buildings requires different kinds of expertise – architectural, site planning, structural, HVAC and plumbing. Relying upon a multi-disciplinary and collaborative team, the Integrated Design Process provides a means to explore and implement sustainable design principles effectively on a project while staying within budgetary and scheduling constraints. The design of a successful research building should address the following:

DESIGN FOR COLLABORATION AND INTERACTION

Interdisciplinary research is fundamental to the basic programming strategy of the research facilities. Labs and collaborative spaces should be designed to support human interaction and encourage cross-pollination among disciplines. Work areas should be flexible, inviting and provocative. Open spaces, rather than cubicles, should be filled with energy and activity. Generous space and equipment are dedicated to collaborative work. Each floor features conference and seminar rooms, and a restaurant and coffee shop beckon interaction. At its core, each building design should recognize that gatherings in social settings are profoundly important science incubators.

ADAPTABILITY

Another key element of research buildings is adaptability. As the laboratory is being re-evaluated the focus is now on the project team and the process used to conduct research, which can change almost daily. The focus is no longer on the amount of net square feet or linear feet of bench required. The laboratory space will be flexible and adaptable enough to support the research teams, designed for change and allowing individual lab groups to rearrange their labs to suit their needs.

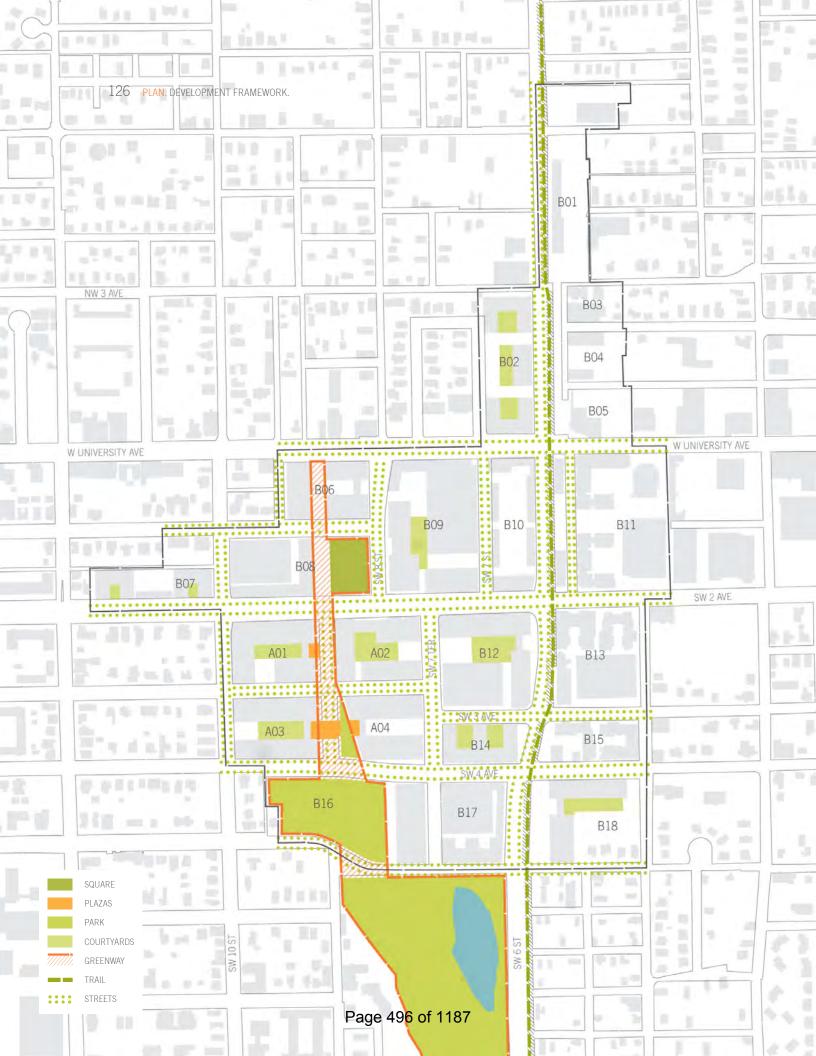
HIGH-PERFORMANCE BUILDINGS

Sustainable considerations are critical to the success of the project and there are a number of strategies for increasing the sustainable operation of the buildings. Factors that should be considered include: orientation, sunshading and daylighting, chilled beams, radiant ceilings, airflow sampling, energy recovery and energy star equipment. Buildings should be individually metered to verify performance.

LEAN MANAGEMENT PROCESS

The research industry is beginning to re-evaluate the way it works and is attempting to be more scientific in its research process. Research buildings should be designed leaner - at least 65% efficient to use the facilities more effectively and have less wasted space. Innovation Square will have access to warehouse-storage facilities near the district to bring supplies in each day. This means research buildings should be used more for research and less for storage. This also means less storage will provide more flexibility to change and accommodate the research programs.





DEVELOPMENT FRAMEWORK, PLAN.

LANDSCAPE

Landscape supports the overall vision for the Innovation District, defining in greater detail, the types of spaces within the district. Landscape encompasses the common pedestrian areas within the district. These spaces are designed for people, encouraging pedestrian movement along with critical infrastructure elements within the district. Not all spaces are located within the public realm but each contributes to the unique character of the district while enhancing the quality of life of researchers, residents, students and visitors. These spaces provide opportunities for gatherings, collaboration and reflection. The goal of the Landscape is provide a spatial strategy to define areas of development within the district.

Spaces within the public realm at Innovation Square include the greenway, streetscape, plazas, parks, and trails. These spaces are permanent, they are held collectively and their use is not restricted. They encourage freedom of movement, allowing for alternative forms of transportation, establishing commerce and promoting recreation. The greenway is a collection of multiple spaces, establishing a pedestrian spine that connects University Ave to Tumblin Park. Streets, the most important element of the public realm, must be designed for people. Sidewalk widths must be generous, trees must be plentiful and activity must be encouraged. Parks provide opportunities for recreation and integrated stormwater strategies. The 6th Street Rail-Trail allows for greater non-vehicular connectivity to the surrounding community. Courtyards are located within the private realm, in conjunction with the adjacent buildings. They are of significant importance within the district. They are smaller spaces, focused on internal collaboration and smaller gatherings within each block creating spaces between buildings.

The use of plant and hardscape materials within the district should create a sense of place while integrating into the existing fabric of the larger community. Guiding principles include: the use of appropriate native and naturalized drought resistant plant material, minimize the use of water as feature within the district, focus lawn in areas for larger gatherings and recreational opportunities, implement art at focal points within public and private spaces and reduce the need for irrigation and excessive maintenance.



GREENWAY

The Greenway provides a pedestrian connection between University Avenue to the north and Tumblin Creek Park to the south. The greenway consists of three primary zones; the square, the green street, and the expansion of Tumblin Creek Park. In addition to the three primary components of the greenway, multiple pedestrian spaces are located within these three zones that offer different experiences and program.

The first zone is located at the intersection of 2nd Avenue and 8th Street. The square is framed on three sides by public streets, and on the fourth, by a drive that serves the hotel, as well as the square itself. The square, taking cues from the great local squares of European cities, provides a large public gathering area as well as a central focal point within the district. There are no programmed elements within the square allowing for flexibility in use and design. The square is envisioned as the central space around which commercial development emerges. It provides a significant foundation for the daily interaction of residents and workers, as well as a place for special events. The ultimate design of the space should reflect the simplicity of the European squares to which it refers, as well as maintain the existing tree canopy to reinforce and retain the character of the district.

The second zone within the greenway is the green street; the stretch of the newly created 9th Street that connects 2nd Avenue to the north and 4th Avenue to the south. The street is a critical pedestrian and vehicular connection within the larger circulation network. It also addresses and anticipates a general stormwater infrastructure strategy for the district as well as areas north in the basin. The street is an active pedestrian space, with multiple building entrances fronting the street. Several smaller plazas are located to interact with building entrances, creating opportunities for outdoor interaction and collaboration among researchers and residents. A plaza at SW 4th St delineates the transition between the more urban green street and the expanded Tumblin Creek Park while providing an active use at the parks edge.

The third zone is the park that expands the existing Tumblin Creek Park, a three acre area between 4th Avenue and 5th Avenue. The park addresses the need for recreational space and captures the existing natural ecosystem for the district. In addition to pulling the natural systems into the district and reinforcing the connection to the larger trail system in the region, the park also creates critical connections to the larger stormwater systems, and offers a potential location for water quality and quantity resources.





SECTION A-A'



SECTION B-B'

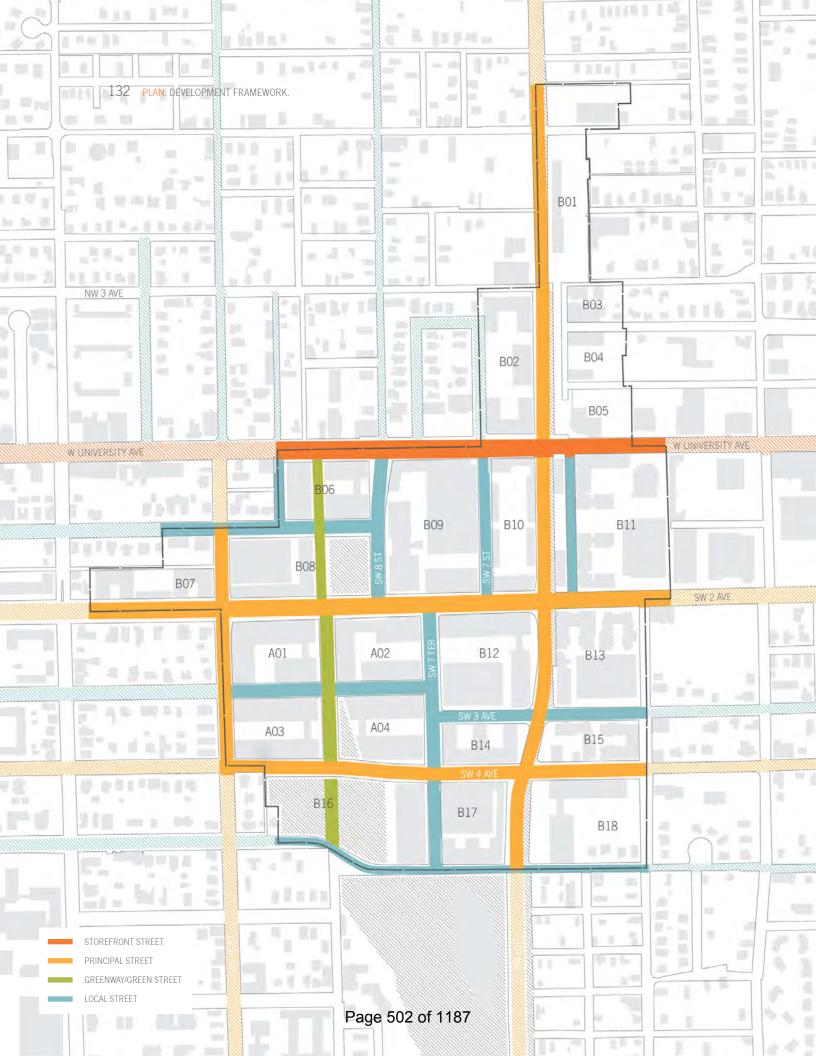


SECTION C-C'











STREET TYPOLOGIES

Streets are the most important element of any city or district.

The disposition of the street system provides the framework upon which the character of the area emerges. Streets provide a means for transportation, but they also bind communities together by creating a commonly held and occupiable series of public and accessible spaces. Streets foster integration, collaboration and are a major element driving economic development. The design of streets directly affects how they function and ultimately the way the city, town or district is used. They influence whether the street is used primarily for commuter traffic; moving great numbers of people great distances. Or they can be designed to accommodate both commuter traffic, a well as for pedestrian activities, cyclists, and other opportunities. This strategy allows for the emergence of the elements of a district that create a vibrant environment; restaurants, retail, all designed as more humanscaled environments for collaboration, leisure and commerce. In the hierarchy of a street system, high intensity streets will include active public spaces such as restaurants and coffee shops with outdoor seating and other similar uses that are adequately separated from the drive lanes.

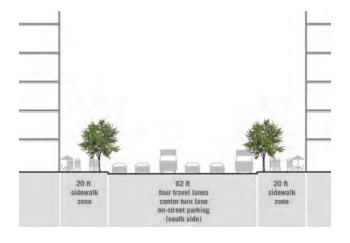
In addition to the qualitative benefits of a well-designed street, streets can also promote public health by encouraging walking between places and stimulating social interaction. As such, streets should be designed for people; pedestrians, cyclists, and commuters, all organized in a harmonious system that allows the district to operate successfully.

Innovation Square has three primary street types that provide a clear hierarchy of importance and operational level. Each type designates the specific components of the streets: the dimension of the sidewalks, the location of street trees, additional planting, site furnishings, materials and lighting. This consistency in design helps unify the district. Furthermore it indicates how each street is intended to function within the larger context of the district and surrounding community by providing guidance for the type of building program at ground floor level intended to further activate the street, or in some cases, allow for utility services to operate. In following the organizational structure of the street types, each new development will reinforce the intended nature of each of the streets, while seamlessly integrating into the surrounding urban fabric.



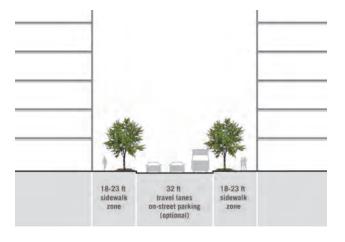






STOREFRONT STREET

University Avenue is the only Storefront Street within the Innovation Square District (ISD). A Storefront Street is a traditional "main street" retail corridor within the city. It is an active pedestrian and cycling environment that also addresses increased vehicular activity. In this street type, ground floor uses are predominately retail and restaurant, along with other uses that promote high-intensity activity and commerce. Onstreet parking is provided to the greatest extent possible. Street trees provide shade for pedestrians and outdoor dining areas, and the ground plane is predominately hardscape.



LOCAL STREET

Local streets are designed for both local, less intense pedestrian activity, connecting cycling access and less intense traffic in general. They are also designated as the preferred access points for service and parking. Active use is not required at the ground floor for buildings or parking structures. Pedestrian traffic will be less than that on other, higher intensity, streets. Streetscape requirements are directed towards less pedestrian activity, with narrower sidewalks and more planted areas. In addition, in order to help maintain the significant tree canopy throughout the district, the landscape zone is larger to allow for ample growing area for street trees of significant canopy size.



PRINCIPAL STREET

The Principal Street is a significant street within Innovation Square. This street type is an arrival street, acting as a gateway to the district. The street is active with both pedestrian and vehicular circulation. Building program requires active ground floor uses, such as retail, restaurants, galleries and building lobbies with clear visibility to and from the street. Ground floor restaurants are encouraged to provide outdoor dining areas. While vehicular access drives are permitted they are discouraged on Principal Streets. A wide sidewalk zone is required with street trees and minimal planting along with street furniture and pedestrian scale lighting. Along SW 2nd Avenue, a central median is heavily landscaped and on-street parking is provided to support adjacent retail services. Bicycle lanes are provided to increase cycling connectivity to the larger network.





SQUARE

Squares are public open spaces typically bounded on all sides by streets or public buildings. They are large enough to accommodate public gatherings but small enough to feel comfortable in crossing. Squares, when successful, function as the geographical and emotional center of a city or district. Uses around squares are typically programmed for activity.

2nd Avenue, 8th Street, 1st Avenue and a proposed new street bound the square. The square is characterized by hardscape elements with permeable pavement treatments and canopy trees reinforcing the geometry of the space. The canopy trees are envisioned in configurations that provide both order and shade, especially along seating and circulation areas. Gracious lawns or hardscape surfaces are provided to maintain flexibility for various types of gatherings, but also to reinforce the ceremonial nature of the central square. The square is further envisioned as a backdrop for art exhibits, sculpture, performances, festivals, and other cultural events that will further enrich the district. Outdoor seating areas and shading are also envisioned to further provide opportunities for outdoor gatherings and interaction. Stormwater strategies are integrated into the space through low-impact design approaches.

PLAZA

Plazas are generally urban public spaces, framed on multiple sides by a combination of buildings and streets. They typically occur at significant points of entry or as central gathering spaces within a district.

There are two primary plazas within the district, both located along SW 9th Street. While the specific qualities of each will vary, both will be primarily characterized by hardscape elements and have an architectural character, reinforced spatially with canopy trees and other elements. Canopy trees and palms will be planted in configurations that enhance the experience of the plaza and provide shade along seating and pedestrian movement areas. Stormwater strategies are integrated into the space through low-impact design approaches. As with the square, cultural installations are envisioned and a vehicle for creating further vibrancy and a rich experience along the greenway. Outdoor seating areas and architectural canopies can further provide opportunities for outdoor gatherings and interaction. Educational signage within the plazas is an appropriate option for revealing the characteristics of the site as well as the historical significance, both man-made and natural.

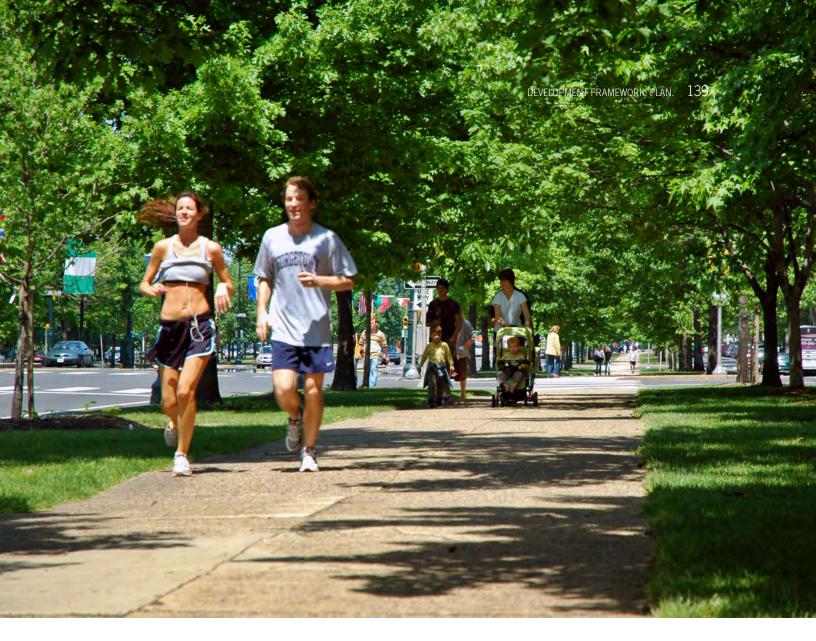


PARK

The park is located at the southern end of the Greenway. Large lawn areas will serve multiple purposes allowing for active and passive recreation. Stormwater management strategies will be integrated into the overall program of the park allowing for flexibility in use as well as potentially addressing stormwater capacity and water quality. The existing canopy trees shall be preserved, and expanded. The existing stream channels shall be daylighted. Permeable hardscape materials shall be limited and sidewalks are generally located at the edges of the larger open spaces or to create direct connections between heavy pedestrian traffic routes. The expansion of the park to the south will allow for pedestrian and bicycle movement between the park and Tumblin Creek Park as well as to the larger, regional trail system.

COURTYARD

Courtyards are spaces located between buildings and are predominantly open to the sky. They provide private or semi-private areas for informal outdoor gathering, studying and collaboration. They are predominately hardscape places with landscape material along the edges or as a central focal point. Trees are to be planted in configurations that reinforce the spatial geometry of the courtyard and provide shade for the seating areas. The use of shrubs and groundcovers is encouraged to create a sense of security and differentiate the intimate spaces from the surrounding buildings. Stormwater strategies are integrated into the space through low-impact design approaches. Courtyards are internal to the blocks and are accessed through the buildings or open pedestrian connections.



TRAIL

The W. 6th Street Rail-Trail provides a linear greenway within the district. The trail is part of larger multi-use trail system that utilizes off-street trails and on-street bike lanes for alternative transportation opportunities. The trail connects the district to the emerging Depot Park area to the south and Depot Avenue Rail-Trail. Connections to the south provide trail access to Paynes Prarie and beyond to the City of Hawthorne. The Depot Ave Rail-Trail provides a connection to Shands hospitals on Archer Road to the west and the Airport Industrial Park passing through the future mixed use Power District to the east. Trails are an integral part of the district, especially as they relate to increased connectivity for pedestrians and cyclists.



DEVELOPMENT FRAMEWORK, PLAN.

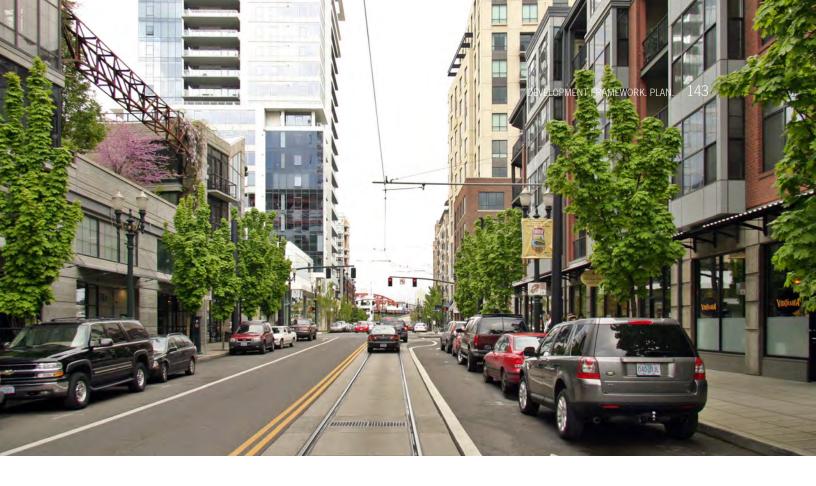
TRANSPORTATION

Today's successful cities all share an underlying quality: they understand that services must be provided for a traveling public that has changed dramatically since the early 1970's. As the population continues to evolve in dynamic ways, cities are realizing that the transportation policies they implement have direct and lasting impacts on the future performance of the city as a whole. As with other critical elements in the design and development of Innovation Square, transportation planning requires a collaborative and thoughtful platform upon which to build the systems that will accommodate the future growth of the district, and its connection to the city and region beyond. The underlying methodology for this process is one of alignment of the myriad users of transportation, and their specific needs, and the various existing and proposed modes of transportation available to those users.

Innovation Square is emerging as a mixed-use, pedestrian-oriented neighborhood as well as a local and regional destination. The area is quickly becoming a desirable place to live for a number of different people; those employed in Gainesville, those seeking affordable housing, seniors, and others who generally desire a more comprehensive, urban lifestyle. This will precipitate a need for more choice and options in the way we move through the city. In order to respond to this changing environment, Innovation Square is designed to take advantage of emerging user demands and to establishing an effective and operationally sustainable transportation system. There are numerous travel determinants impacting mode choice based upon the nature of the trip and the characteristics of the trip maker. Trip purpose can influence the traveler's selection of a particular travel option. Someone may decide to drive, carpool or take a taxi to a business meeting, while they opt to use the bus or bicycle to a destination of a more recreational nature. On average, eighty percent of one's trips are to non-work destinations, such as the doctor's office, grocery shops, or the homes of friends and families. Certain types of trips are more easily accomplished using transit or other alternatives to the car.





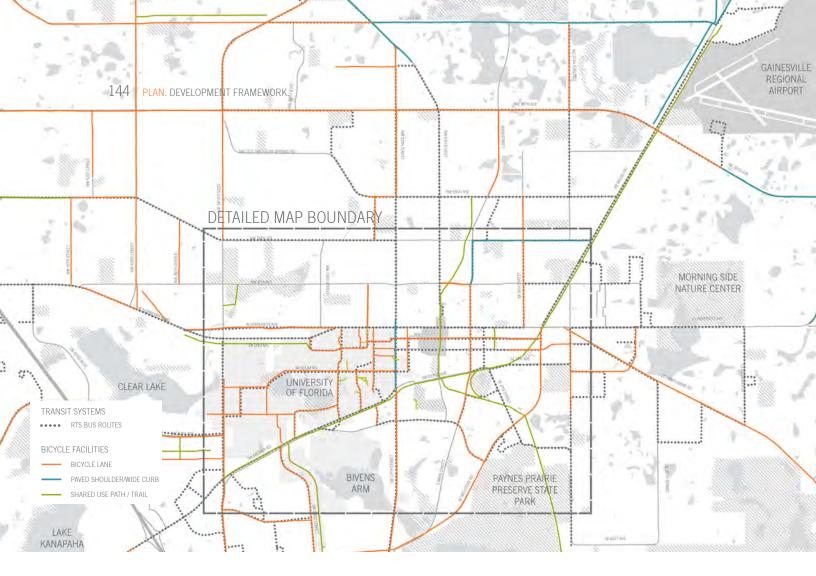


The capacity to estimate and adapt to these various demands is fundamental to the mission of Innovation Square. A vital component of the successful future of the district is the creation of a transportation system that addresses the current needs of today but is flexible enough to serve future demands, as the district matures. Innovation Square will be accessible through multiple transportation alternatives that clearly and appropriately match the travel demands of the changing population. This will ensure that the area achieves its maximum potential and maintains its success, as both an environment for innovation as well as a rich and rewarding place to live.

The transportation plan for the district will also be highly connected to the university, city and county, as well as regional plans. Gainesville currently provides a robust biking system, as well as a cutting-edge regional transit system. Innovation Square will build on these significant assets and provide a platform for increasing accessibility. Issues that are addressed in the process include; trip purpose, time of day (congestion levels), job types, transit availability and frequency, cost and availability of parking, trip length (time), proximity of stores and services, as well a others that provide the data and influence specific factors in the future design and deployment of the system.

Demographic and economic conditions are changing. The traditional nuclear family appears to be a thing of the past, as do the associated housing preferences and travel patterns. One must now consider both social aspects and individual choices when designing future transportation systems. In the near future, Gainesville will, like the rest of the country, experience historic and significant population shifts. The babyboomer generation will begin to retire and often seek smaller houses closer to the city. A shift towards having fewer children later in life is emerging and the percentage of households with young children is at its lowest recorded. These changes are also propagating a rise in the student population and demand for more economical modes of travel, such as transit. Further, these modes typically appeal to people from around the world who seek out urban settings where they are employed in highpaying research sector jobs. As these changes continue to unfold, travel needs will be significantly different than they were in past decades. Innovation Square is creating an environment in which these alternative accessibility options can thrive and support the district well into the future.

Cities that invest heavily in building robust transportation systems offering a variety of travel options will be best equipped to serve their changing demographics and best positioned to attract new jobs and skilled workers.



EXISTING TRANSPORTATION SYSTEM

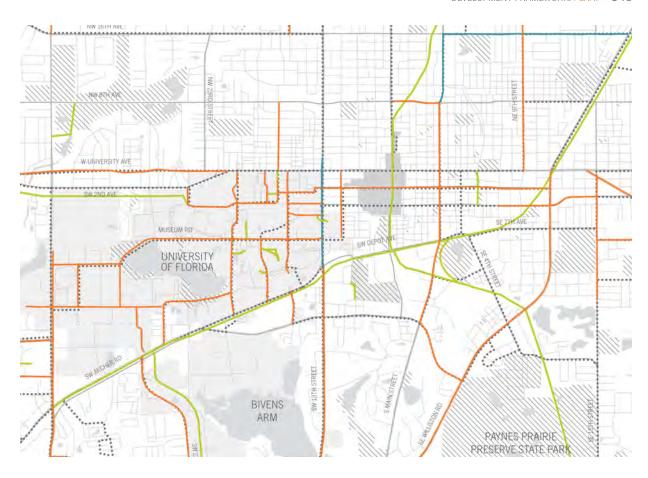
The City of Gainesville currently has a robust transit system as well as a well-operating transportation network. The central city and environs enjoy a well-connected grid system that offers a number of travel routes, a pedestrian-scaled environment, bicycle facilities and vehicular travel speeds that are appropriate to a vibrant, urban area, as well as to less central urban area. In addition to this extensive road network, the city is also served by the Gainesville Regional Transit System (RTS). The Gainesville Regional Airport is also increasing its presence as a regional airport.

The present transit system of buses favors successfully addresses medium distance, rush-hour travel as well as internal circulation for students. There are over 30 routes of varying headways serving the greater Gainesville area, of which three serve Innovation Square. The RTS system is also flexible and has the ability to modify headways and routes as needed due to changing transit patterns, events, and development pressures around the city. The routes are comprehensive and well-tracked. The system utilizes an on-

line, real-time locator for all busses in the system ensuring the most convenient accessibility to each route. Further the RTS has implemented a SmartTraffic management system for real-time updates and modifications to traffic flows for optimum efficiency.

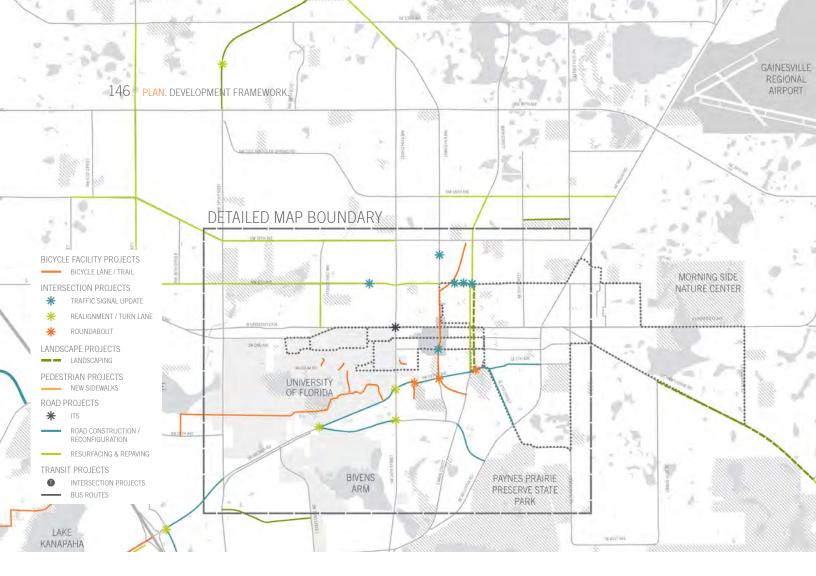
The bicycle infrastructure is a vital component of the system with approximately 100 miles of lanes and trails. Automobile drivers support the local commuter and recreational bicycle culture in their general acceptance and regard for bicyclists even on streets where striped bike lanes are not present. Gainesville and the University of Florida (UF) continue to successfully promote and fund a multi-modal system that is the envy of other cities throughout the country. The framework for a high quality system is in place and is continuing to expand.

A number of modes of transportation are currently in place, and the number of users accommodated is expanding.









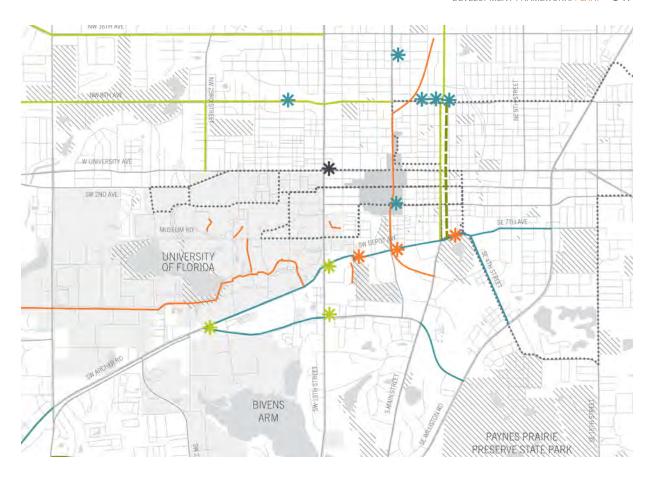
FUNDED TRANSPORTATION IMPROVEMENTS

Looking into the near future, Gainesville is maintaining its support for a balanced transportation system. Near term, funded transportation improvements cover a wide range of projects from expansion of bicycle facilities and signal upgrades to the improvement and maintenance of the street network itself. Specific improvements such as the resurfacing of key streets and streetscape enhancements on South Main Street shows that the City is seeking to maintain the condition of its grid for motorists while keeping its streets pedestrianfriendly. Bicycle infrastructure is continuing to be expanded and supported by the addition of new facilities such as the completion of Archer and Bivens Braid Trails, the UF Campus Greenway, and a new dedicated bike path along W. 6th Street, which will directly serve Innovation Square.

The Gainesville area also benefits from active regional involvement and interest in the various planning efforts. An extensive bus rapid transit (BRT) and express bus system is prioritized for the greater Gainesville area. Funding

for right-of-way is being set aside on some projects and Intelligent Transportation System (ITS) applications are being introduced, including an interchangeable message sign for the 13th Street corridor. Other Transportation System Management (TSM) measures such as intersection signal-timing updates along 8th Avenue and the construction of several roundabouts along Depot Avenue are part of the City's overall transportation strategy, which will improve traffic flow in the vicinity of Innovation Square.

The funded transportation improvements will significantly add to the type and availability of a number of modes of transportation that are currently in place, and the number of users accommodated will expand greatly as the future systems are expanded or introduced.









IDEAL TRANSPORTATION SYSTEM

As projects like Innovation Square continue to spur a renewed interest in Gainesville's urban core, the city is positioned to take advantage of the opportunity to balance both the mobility and accessibility aspects of its transportation system. The principle of mobility - the ability to quickly and easily travel between destinations - is often at odds with accessibility, which emphasizes making destinations easy to get to for as many people as possible. And the future of the region's transportation system is poised to realign these needs with the operation of the system.

Innovation Square is predicated on the idea that the maximum number of users are efficiently served by the appropriately implemented modes of transportation. As such, the district will be a major driver in the pursuit of the following enhancements to the already high-performing overall system: expanded bicycling facilities, stronger and more responsive local bus system, introduction of express bus systems, expansion of the current transfer facilities, both in capacity

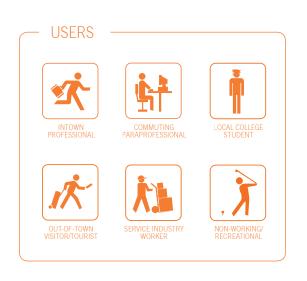
and transit types, support of an expanded traffic management system, among others.

Innovation Square is committed to enhancing the overall system through advanced technology to improve system efficiencies, vehicle trip reduction to reduce motor vehicle demand and land-use compatibility with multi-modal solutions, including the reduction of parking needed in the district, and the surrounding areas. The future transportation planning, as it continues through he life of the project, will include further accessibility analyses, investment strategies, prioritization of project implementation and other components to insure ease of movement and the highest level of accessibility possible.

The system is ultimately set up to allow for the community to address future transportation needs without closing off avenues of future innovation, but rather opening up the infrastructure to accommodate the most appropriate solutions to the challenges, as they reinforce the fundamental







idea of the interactive nature of cities, and the production of innovative human interaction.

FURTHER OPPORTUNITIES AND INITIATIVES

The implementation of a bike share program for UF students would place the University in the forefront of reducing vehicular trips for mid-day short range trips. The installation of bike racks and bike stations in the Innovation Square District (ISD) would greatly enhance the visibility and usage of bicycle travel throughout the District.

An internal District circulator shuttle service is envisioned for the future effectiveness of coordinated transportation and parking systems. Running short-trip shuttle service within the District can address short-trip circulation needs for lunch trips, meetings and errands. Such service significantly increases the chances for success of any BRT or express bus service being implemented in the future.

Transit and park and ride facilities are being analyzed and will be implemented to provide an environment that does not impair or discourage pedestrian circulation.

Community benefits of transit investments will be maximized by incentivizing residential and jobs development in proximity of local and regional bus and future BRT service.

Current assessment of the organization of a Transportation Management Organization (TMO) administered through the Innovation Square District will benefit the overall operation of the area. TMOs leverage private funds with public sources to fund programs and incentives. Combined with diligent management of paid parking, TMO programs can encourage area residents, employees and shoppers to choose transit,

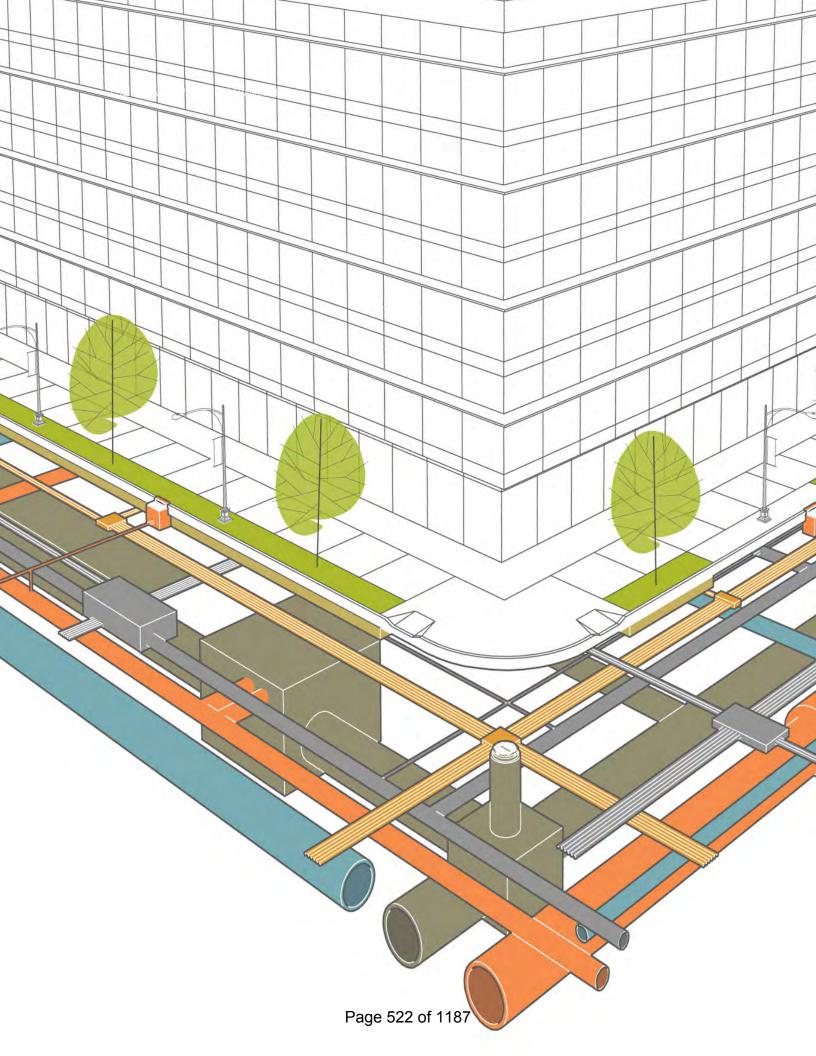
walking, bicycling, ride-sharing and telecommuting over driving.

While Innovation Square is designed with the best bicycle, pedestrian and vehicular solutions, these streets are a portion of an area-wide system. As such, the district will continue to coordinate with areas beyond its specific boundaries to ensure efficient and appropriate operations.

Ultimately establishing a method for prioritizing and linking identified transportation improvements to appropriate funding mechanisms is an important piece of an implementation effort. Typically, projects are listed by funding source. However it is more effective to identity necessary projects and programs in a systematic nature regardless of project sponsor and this will be the foundation for prioritizing projects related to Innovation Square. This process is designed to display the necessary system and project sponsorship opportunities that can then be identified by responsible party, while also allowing for inevitable changes in the methods through which infrastructure will be funded. This will help ensure that the proposed systems are both responsive unfold in the appropriate sequence.

Transportation systems are extremely complex, and they have significant impact on the manner in which cities are developed. Innovation Square is providing a platform for the continued growth of a robust and highly efficient system. It is a system that will align the myriad users present in a rich and vibrant community with the transportation support needed to see the successful development of a truly livable, walkable, adaptable, sustainable, and most importantly for transportation, accessible district, city and region.





DEVELOPMENT FRAMEWORK, PLAN.

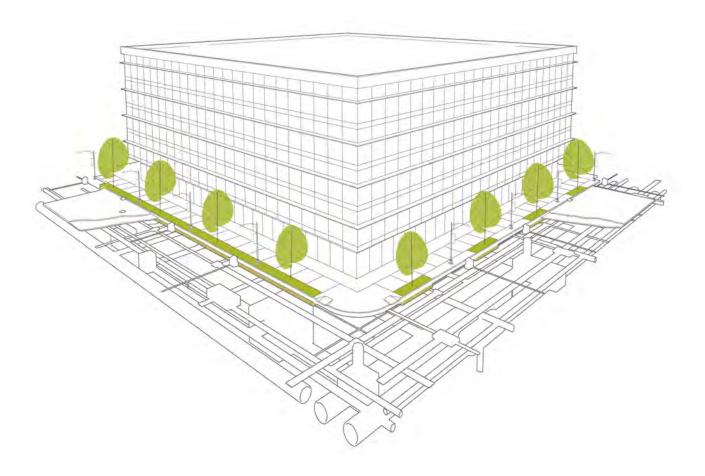
UTILITIES + SERVICES

Utilities and services are critical to the operation of any development project in the city. Elements such as underground sewer pipes, overhead power lines, and cell phone towers are omnipresent in the cities they inhabit and often go unnoticed by the people they serve. A great deal of effort is required to ensure that the infrastructure necessary to meet a growing customer base is constructed and maintained in a timely fashion. People demand that the lights will always turn on, the water will always flow, and that wireless data coverage is uniform. Public works departments and utility companies have the difficult task of maintaining a careful balance between the timely expansion of infrastructure and services and the availability of funds for this purpose.

At Innovation Square, these systems are even more important as the buildings that will comprise the development district have very specific requirements. These advanced buildings will push the limit of services already provided in the area requiring that additional infrastructure be provided. However, these buildings also have the opportunity to push beyond convention and find strategies to be self-sustaining; even providing surplus resources in some cases. These buildings have the potential to be part of the supply as well as part of the demand.

Another important consideration is the sequence in which any new utility construction takes places. To the casual observer these systems are often considered "out-of-sight and out-ofmind" but the reality is that these systems have a very real impact on the everyday world we experience: the placement of street lights along a sidewalk can affect pedestrian movement; the location of sewer grates can create a hazard for bicyclists, and locating building services and access has a significant impact on the qualitative aspects of the district. All utilities have accessibility needs for maintenance and repair.

The Innovation Square District (ISD) is envisioned as a district that can accommodate all potential users, as well as those associated activities that are necessary to the operation of each of the users in the district. As such, this section highlights key issues and general considerations for the major utilities within the Innovation Square District (ISD). The system of utilities is envisioned as a highly functioning infrastructure backbone that allows development to occur with minimal difficulty, insuring efficient and appropriate interaction and support for future development.

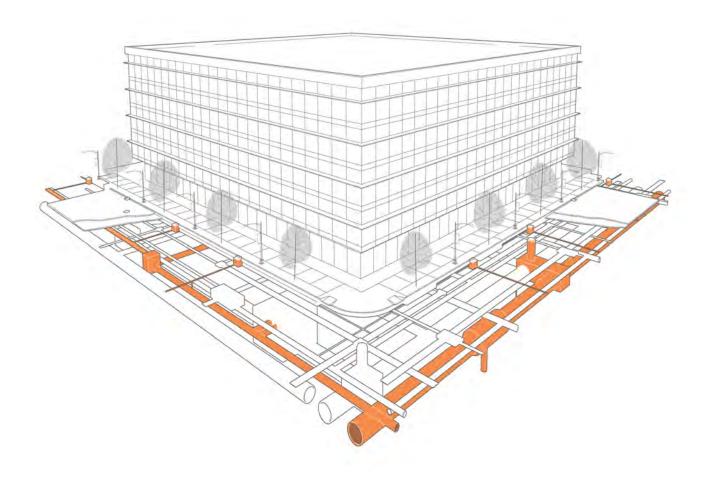


LANDSCAPE

The landscape features of the district are the primary elements that drive the district's character. The trees, plants, fountains, planters, furniture, surface materials and other elements that constitute the design of the exterior spaces, both public and private, require a highly refined system to insure they perform at the highest level. The district provides myriad opportunities for alternative methods of addressing the issues pertaining to landscape, including innovative planting strategies and systems, embracing new technologies and testing their operational efficacy as part of the animation of the public realm, as well as supporting the basic research agenda for the district.

In addition to the operational and technical aspects of the landscape, however, is the creation of a lasting and memorable design strategy. The district utilizes appropriate plants to reflect the nature of the area, foregrounds the large shade trees that create the canopies throughout the city, and give Gainesville a significant part of its character. And beyond this, the landscape is designed to bridge between the natural landscape of Tumblin Creek Park and the more ceremonial and urban center in the new square.

As a component of infrastructure, the success of the landscape strategy is equally contingent upon those elements that can be seen as well as those that can't.

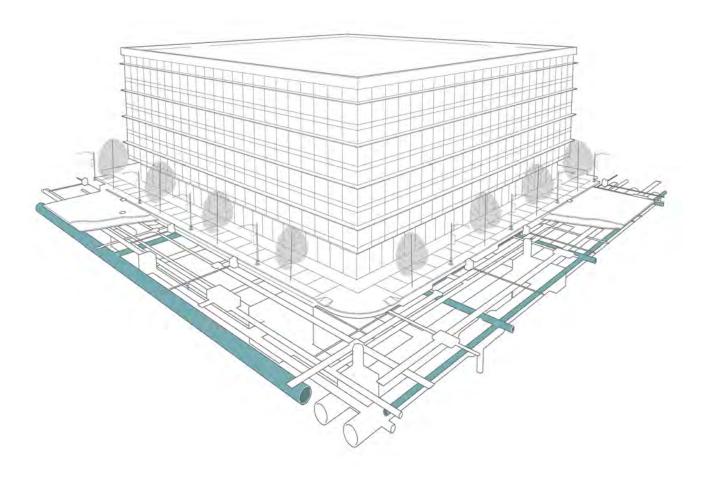


STORMWATER

Stormwater management is a critical issue in the operation of a city or district. This is true of both the quantity of stormwater as well as the quality of stormwater as it moves through the local system and into the regional watershed. The ISD offers an opportunity to address these issues through district-wide management systems as well as project specific guidelines, all operating in concert to mitigate the negative environmental aspects of increased development.

The City of Gainesville Public Works Department established design standards for the conveyance of runoff from a 10year storm event. This standard has fueled a new analysis of the city's stormwater capabilities. Many recommendations have emerged from this and other studies. As a response to the continuing challenges with water management, the ISD is envisioned as a testing ground for innovative responses to these challenges.

Setting standards for conveyance and upgrading infrastructure are not the only ways to address stormwater requirements. The Innovation Square District (ISD) is in a unique position to implement progressive standards for stormwater management. For example, building design guidelines should be established for the district. There are multiple opportunities for addressing these issues, and all should be considered in the infrastructure operations within the district.



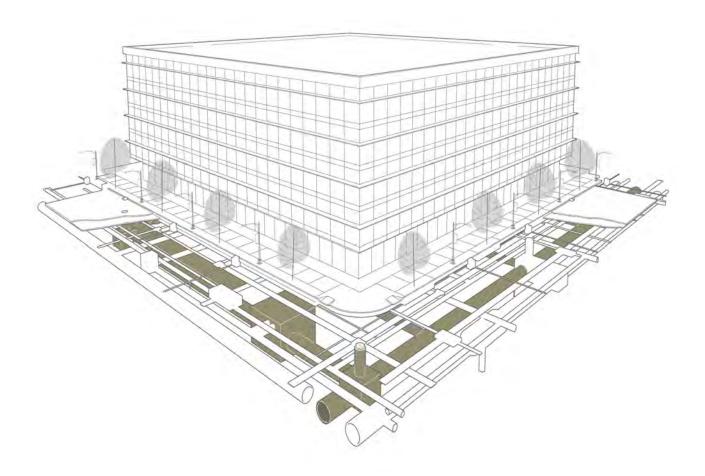
WATER

Water is a critical component and resource in the development of a city or district. While water supplies are difficult to manage, and can be finite, or intermittent, however water consumption is something that can certainly be managed. In the Innovation Square District (ISD), the goal is to minimize resource expenditure through a rigorous series of efficiency guidelines and measures.

The City of Gainesville depends on the Floridian Aquifer for its supply of fresh water. While the CRA infrastructure study found that no deficiencies exist in potable water supply for the Innovation Square District (ISD), building design guidelines implemented in the district could reduce future demand and

ultimately lower utility costs. These strategies can also provide a foundation for conservation of a significant natural resource.

Much of the program in the ISD, especially the heavy research programs, requires significant amounts of water. But they also offer the opportunity to test and experiment with conservation systems that can be utilized throughout the region as well as within the district itself. As with all resources associated with the operation of the district, conservation of water offers a unique opportunity to lead the research into sustainable methods for future development that depends on this natural resource.

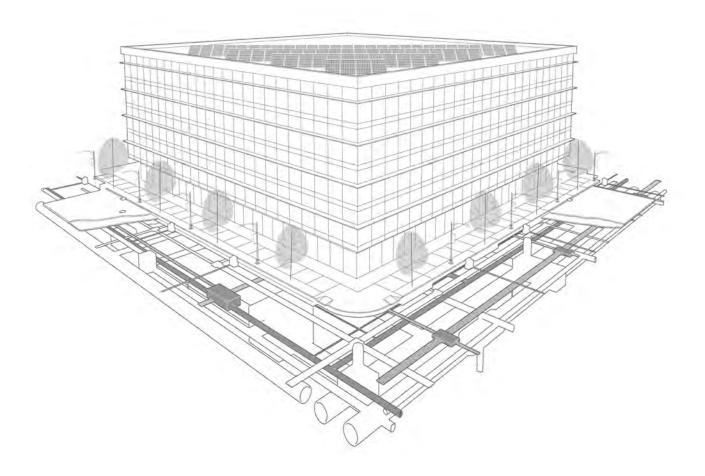


WASTEWATER

A separate sewage system from stormwater, wastewater sewage systems transport blackwater to municipal facilities for treatment and discharge. Gainesville Regional Utilities has two wastewater treatment facilities: Kanapaha Water Reclamation Facility and Main Street Water Reclamation Facility. These facilities cycle treated water back to the community for use in irrigation, water features, industrial uses, and environmental restoration.

Strategies for addressing treatment and conveyance of wastewater have applications that can be translated for use at Innovation Square. For example, greywater, water that results from human use (sinks, baths, washing machines, etc) but is

not suitable for human consumption, can be utilized in systems that provide individual buildings the ability to simultaneously reclaim used water while decreasing demand of potable water. Systems that capture greywater can redirect the water for use in flushing toilets or landscape irrigation. In addition to decreasing potable water demand, these water reclamation systems also have the added benefit of decreasing energy consumption, use of water treatment facilities and provide improved groundwater recharge, all working within the systematic framework designed to minimize the expenditure of resources.



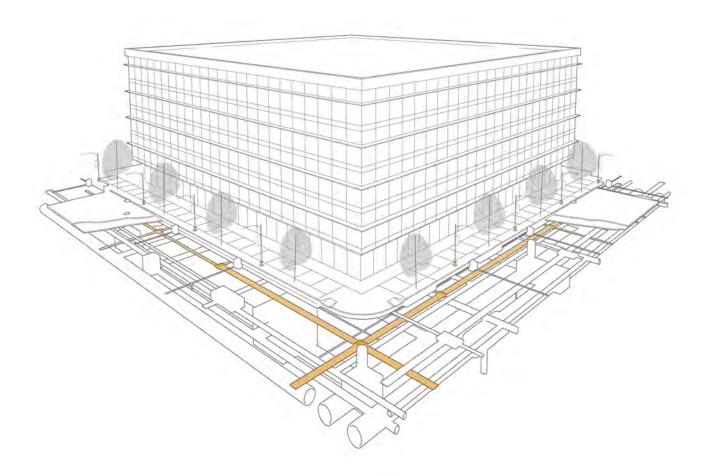
POWER

Gainesville Regional Utilities (GRU) serves approximately 80,000 customers within a service area of 130 square miles. GRU owns and operates two power plants; the John R. Kelly Generating Station located in downtown Gainesville and the Deerhaven Generating Station located near the city of Alachua. The plants rely on natural gas, fuel oil and low sulfur coal to produce electricity.

Meeting today's growing energy demands is a prominent issue both locally and globally. Rising energy costs across the globe and concerns over unsustainable development have inspired a movement to seek out cheaper, cleaner and more sustainable energy sources. The Innovation Square District (ISD) is positioned to address these issues and provide a model for other development.

The CRA study indicates that while adequate electrical infrastructure is in place to meet existing demand, improvements will be required to support new development. Given the research-based nature of new development the potential for increased demand on the electrical grid and necessary improvements is significant. Guidelines for the construction of these facilities should incorporate strategies that work towards energy self-sufficiency and even generation.

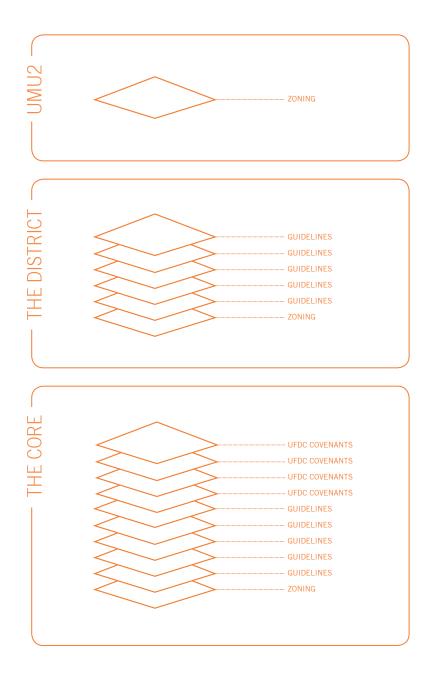
In addition to resource conservation, there are also specific requirements for power within the district. Continuous power supplies, district-wide redundancy and specific high-power requirements are all anticipated as elements within the district.



COMMUNICATIONS

Through the Gainesville Regional Utilities (GRU), GRUCom provides state of the art communications systems for the city and beyond. The district will be serviced by the GATOR NET SM fiber-optic internet access infrastructure; a solely digital all-fiber-optic network. GRU is further preparing for enhanced service to the district, including the co-location of expandable server farms to accommodate the high demand anticipated for the district. As with other infrastructure components, the communications systems will be fully-functional and readily accessible to each project as it comes on line, allowing for a simple, plug-and-play interaction between the individual needs and the services provided throughout the district.

Communications are essential to the successful operation of the district and are central to both the short-term ease of installation and connection as well as the long-term adaptability to insure leading edge connectivity and performance.



Above. The diagram describes the nested relationship between the various design and development regulations and guidelines. The foundation is the flexible, accommodating base zoning district, the Urban Mixed Use-2 District. In the Innovation Square District, with the constitution of a BID (see p. 166), a higher level of oversight ensures the vision for the district is maintained. And, finally, in the areas directly managed by the University of Florida Development Corporation, requirements for building performance and operation are provided through the direct agreements between the individual developer and the UFDC. The overlapping system ensures that great flexibility and innovation remain at the forefront of the development process while providing the necessary guidance for specific conditions to create a stable and lasting district.

DEVELOPMENT FRAMEWORK, PLAN.

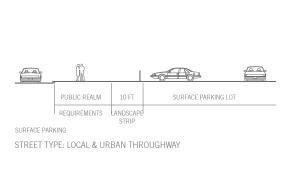
REGULATIONS

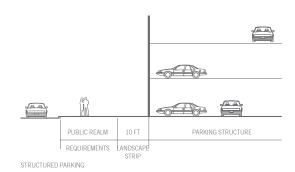
The most important aspect of the constitution of a city is the regulatory framework through which the city is constructed. More than any individual project or initiative, the land development code establishes a city's form and character. In light of the impact regulation has on the future development of the Innovation Square District (ISD), it is critical that the regulatory framework operate clearly from three specific perspectives:

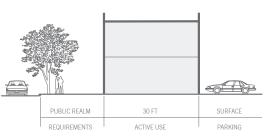
- it must stem directly from the vision that citizens of Gainesville have for their city;
- it must be methodically pre-tested to understand its impacts under true development scenarios; and
- it must be neatly choreographed with other regulations and codes, and with the future development of the area.

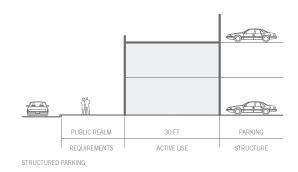
In order to accomplish this, and to set a foundation upon which regulations foster and incentivize those elements that support research and livability, the City of Gainesville has adopted a progressive set of regulations that not only makes this possible but makes it highly probable. The best land development codes bring vision to reality through careful organization, logic, and a simplicity that yields a code that is easy to understand and navigate. The approach in this instance is to consider these elements fundamental to the creation of a regulatory structure that operates as intentionally and efficiently as possible.

The regulations for this district are created to promote and encourage redevelopment of the existing commercial in this area. The district is intended to encourage pedestrian mobility and to allow uses compatible with each other and with surrounding residential areas which are consistent with the land use policies of the comprehensive plan. Furthermore, this district will allow for establishments engaged in conducting research and experimental development in the physical, engineering or life sciences, in order to facilitate technology transfer from institutions of higher learning to the market place.

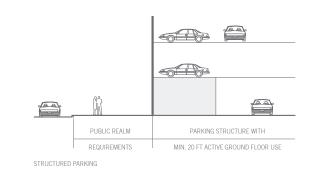


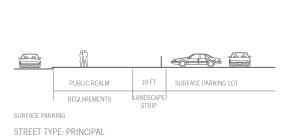












This code establishes standards for land development in order to: (1) Provide a mixture of residential, commercial and office/research uses that are complementary to the residential and mixed-use character of the district; (2) Encourage the renovation of existing structures; (3) Promote the integration of pedestrian traffic and vehicular traffic; (4) Promote retail and office uses that serve the surrounding neighborhoods; and (5) Promote office/research uses that serve the needs of the University and the community.

The basic vision for the district is codified and embedded in the regulatory structure. It is reinforced through a process the

yields clarity of intent and execution through simplicity; simple charts, simple maps, simple sentences and simple diagrams.

The elements all serve to reinforce the clear relationship between the public and private realms in the district; the lasting public backbone into which the flexible and adaptable individual developments unfold. This simplicity and clarity ensures that these ideals are institutionalized and have a life beyond the single project, or single term.

The operation of the code is such that administration is streamlined, variations, when appropriate, are adopted, definitions are minimized, information is centrally located and

SIMPLE CHARTS SIMPLE MAPS SIMPLE DIAGRAMS

	URBAN THROUGHWAY	STOREFRONT STREETS	PRINCIPAL STREETS	LOCAL STREETS PRIVATE STREETS
LANDSCAPE ZONE (MIN)	8 F00T	5 F00T	5 F00T	8 F00T
STREET TREE SPACING	35 FOOT ON CENTER (MIN)			
	50 FOOT ON CENTER (MAX)			
SIDEWALK ZONE (MIN)	8 F00T	10 F00T	10 F00T	10 FOOT
BUILD-TO-LINE	25-80 FOOT SETBACK FROM	20 FOOT SETBACK FROM	20 FOOT SETBACK FROM	18 FOOT SETBACK FROM
(NON-RESIDENTIAL USES)	THE BACK OF CURB			
BUILD-TO LINE	30-80 FOOT SETBACK FROM	20 FOOT SETBACK FROM	25 FOOT SETBACK FROM	23 FOOT SETBACK FROM
(RESIDENTIAL USES)	THE BACK OF CURB			

easily apprehended. Those few elements that are of critical importance to the success of the district are clearly described, while the remaining elements are left open to innovation and creativity. And regulations are structured around simple, transparent sentences and diagrams to confirm alignment of goals and outcomes, and to avoid unintended consequences.

This entire system is choreographed to provide assurances to all involved that the district will emerge as envisioned, but that it will also foster innovative strategies for addressing the way we live and research within the district. As the future unfolds, as technology changes, and as we further refine the characteristics of building livable communities, this organization and framework will allow adaptation, but never at the expense of the public good, and never granting the individual need at the expense of the collective well-being.

INNOVATION SQUARE DISTRICT (ISD)

Beyond the jurisdictional regulations there are additional elements of the development process that require a higher level of oversight than can be offered within the flexibility of the underlying regulations. There are a number of ways to address this challenge, but the most efficient and equitable system is the constitution of a Business Improvement District.

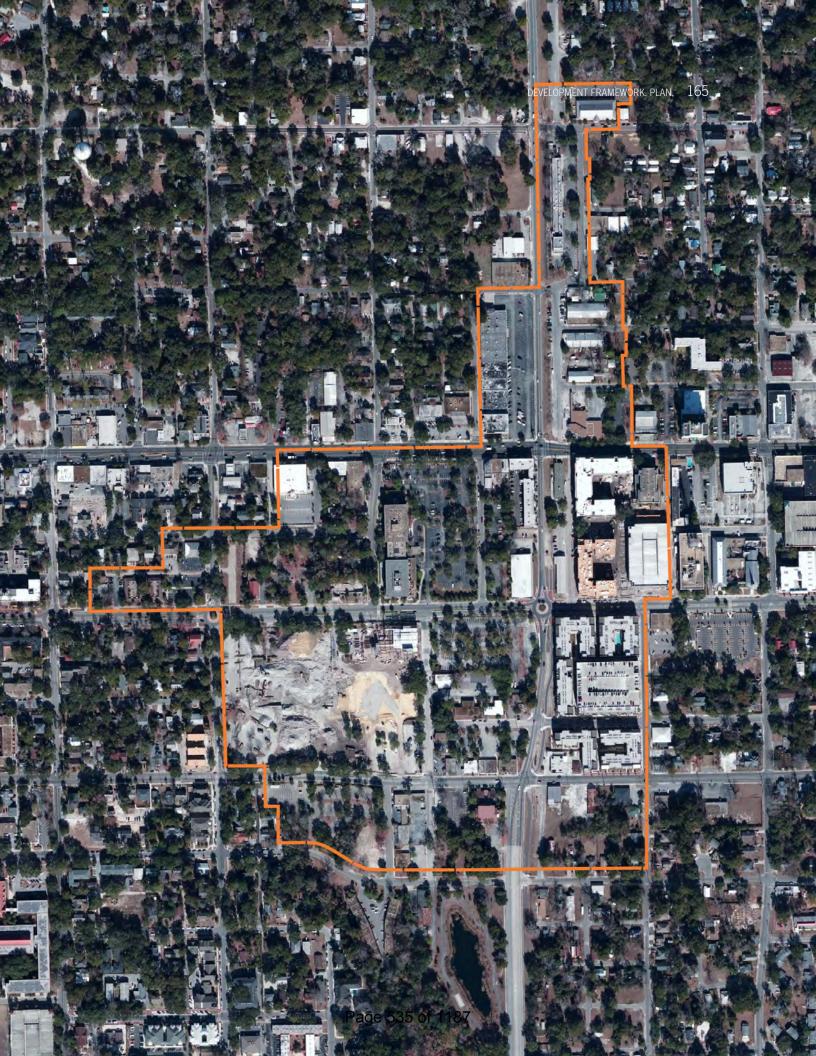
A Business Improvement District (BID) is a defined area in a city, typically with a particular consistency of character and vision, within which businesses contribute by tax or fee in order to fund improvements within the district's boundaries. It is also a vehicle through which development can be monitored and guided to ensure that each project reinforces the basic goals and vision of the area. BIDs typically provide services, such as cleaning streets, providing security, making capital improvements, construction of pedestrian and streetscape enhancements, and marketing the area. The services provided by a BID are supplemental to those already provided by the municipality, but are more focused on the specific needs of the district. At Innovation Square the various partners work toward a single goal, but they provide different, although complementary, services. The city provides the legal oversight for the development of the area, the CRA provides financial, planning and construction support for various public components of the district, Gainesville Regional Utilities provides coordination and implementation of the services and utilities that are required for the district, and the BID provides specific oversight pertaining to the private design and construction process, as well as general district oversight. The boundaries between each of the partners are not absolute, however, and much of the coordination will include all four of the partners working collaboratively through the process, as well as others such as Alachua County, the Chamber, and others, depending on the particular issues at hand. The value of the BID is the central coordinating entity that ensures the greatest degree of collaboration and clarity of purpose through the development process.

In this system, property owners in the area pay a consensually determined tax or fee that is used to provide funding for the operation of the BID but also for selected projects that the BID deems critical to the success of the district. Residences, non-profits, and governmental entities are usually exempt from making any contributions. The universal contribution of the business owners in the district helps avoid the free rider situation that can hamper voluntary organizations. A BID may be operated by a nonprofit organization or by a quasi-governmental entity. The governance of a BID is the responsibility of a board composed of some combination of property owners, businesses, and government officials. The management of a BID is the job of a paid administrator, usually called an executive director, or of a management company.

In addition, a BID Development Review Committee (made up of various representatives of BED members) can be established that assists in the oversight of the development process. This committee acts as the intermediary between a development team and the larger jurisdictional authorities. In this district, the city's regulations have been formulated such that there is significant flexibility in the zoning. The Development Review Committee is charged with aligning the goals of the district, specifically, with the broad regulatory requirements of the city.

The combination of the clear and flexible zoning regulations and the efficient and equitable Business Improvement District works in concert to provide the optimum relationship between requirements and opportunities. In this system creativity and originality, along with speed and efficiency, of development are fostered, while the vision and its vital characteristics are exigent and, ultimately, ensured throughout the district.

Right. The figure shows the proposed boundaries of the Innovation Square District in orange.





DEVELOPMENT FRAMEWORK.

CONCLUSIO

Innovation Square represents a significant opportunity to transform the way we develop the world in which we live. As the 21st century unfolds, changes will emerge that we can't possibly yet predict. We can, as we have for the past century, plan for our future based on projections of what we know will come, or we can accept the fact that the future is to a large degree unknowable. At Innovation Square we understand that the future, while unpredictable, is also abundant with opportunity. As such the district provides a framework within which these opportunities may be realized as effortlessly as possible. The system is predicated on the idea that decisions should be made that offer the best possible outcome relative to our vision and goals for the district. These decisions should be based on thoughtfulness and research, not merely the repetition of previous models. And further, the implementation of these decisions should be incentivized. It should be easy to do things, build things, and make things that align with the goals of the district. And the elements that make up the district; the regulations, infrastructure, transportation, and others, should facilitate this process.

But freedom to develop, innovate and create requires not just flexibility, but also a durable foundation upon which these events transpire. This foundation is comprised of the few very critical elements that ensure the enduring nature of the district. These simple, clear and permanent elements are foregrounded in the plan for Innovation Square and reinforced through the basic principles - livability, walkability, adaptability and sustainability. Further, each of the individuals involved in the process is obligated to make decisions that further the principles of the district and to make decisions that benefit the district, city and region as a whole. Each is obligated to understand the impact of individual actions on the collectively held vision for the community and for building the physical backdrop that allows for the greatest capacity for accommodating future opportunities without compromising the principals of the district.

We believe that Innovation Square is the environment in which the elements of research converge with the elements of everyday life to provide an incomparable place to create.

IMAGE CREDITS

Images by Perkins+Will unless otherwise noted

Gainesville Community Redevelopment Agency. 026, 043

Matheson Museum Archives. 024, 036

Progress Corporate Park. 032-033

Santa Fe College. 030

Shands HealthCare.023

University of Florida News Bureau. 018, 021, 035

University of Florida. 020

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EPILOGUE

I have worked in different places throughout the region, country and world, and for myriad clients, to plan and build communities. I have never experienced a community that has responded with such common purpose and focus as this community. In the process of preparing the Development Framework, I met with numerous stakeholders in the community, from every possible background, and with widely ranging perspectives on the area. Yet there was an unprecedented consistency among everyone involved regarding the potential for the redevelopment of the district, the future value of research as an engine for innovation and the need for collaboration of all those involved in this common pursuit. Jurisdictional officials, elected officials, representatives of the educational institutions, developers, neighbors, business leaders, utilities providers and others all worked together to provide an atmosphere in which the completion of the plan, the required regulatory changes, and the implementation of the infrastructure all materialized in a matter of months. And this transpired within a thoroughly considered and rigorous process and analysis. In my career this is an unprecedented situation, and one that promises a level of success for the district that I predict will be a model for others throughout the world.

David Green
Principal, Perkins+Will
Professor of Practice, Georgia Institute of Technology



Innovation Square University of Florida www.innovationsquare.ufl.edu/

Contact Ed Poppell University of Florida Development Corporation 352.392.1336

1	ORDINANCE NO. 2022-536				
2					
3	An ordinance of the City of Gainesville, Florida, amending the Future Land Use				
4	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				
5					
6 7					
8					
9	providing a repealing clause; and providing an effective date.				
10					
11	WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for				
12	municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the				
13	Florida Constitution, including the exercise of any power for municipal purposes not expressly				
14	prohibited by law; and				
15	WHEREAS, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a				
16	Comprehensive Plan to guide the future development and growth of the city; and				
17	WHEREAS, the City of Gainesville Comprehensive Plan, as required by Section 163.3177(1),				
18	Florida Statutes, must provide the principles, guidelines, standards, and strategies for the orderly				
19	and balanced future economic, social, physical, environmental, and fiscal development of the city				
20	as reflected by the community's commitments to implement such plan; and				
21	WHEREAS, Section 163.3177(6), Florida Statutes, requires the City of Gainesville Comprehensive				

WHEREAS, Section 163.3177(6), Florida Statutes, requires the City of Gainesville Comprehensive
Plan to include a Future Land Use Element with a Future Land Use Map that designates the future
general distribution, location, and extent of the uses of land for residential, commercial, industry,
agriculture, recreation, conservation, education, public facilities, and other categories of the
public and private uses of land, with the goals of protecting natural and historic resources,
providing for the compatibility of adjacent land uses, and discouraging the proliferation of urban

sprawl; and

- 28 WHEREAS, this ordinance, which was noticed as required by law, will amend the Future Land Use
- 29 Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category
- 30 on the property that is the subject of this ordinance; and
- 31 WHEREAS, the PUD land use category is an overlay land use district that may be applied to any
- 32 specific property in the City, and which allows the consideration of unique, innovative, or
- 33 narrowly-construed land use proposals that might otherwise not be allowed in the underlying
- 34 land use category; and
- 35 WHEREAS, the PUD land use category, including all of its unique and specific land development
- 36 regulations, is freely negotiated and voluntarily agreed to by the owner/developer of the subject
- 37 property, thereby precluding any claims or actions under Florida law regarding regulatory
- 38 takings, the Bert J. Harris, Jr., Private Property Rights Protection Act, development exactions
- 39 under common law or Section 70.45, Florida Statutes, or the affordable housing provisions in
- 40 Section 125.01055, Florida Statutes; and
- 41 WHEREAS, this amendment to the Future Land Use Map of the City of Gainesville Comprehensive
- 42 Plan proposed herein qualifies as a small-scale development amendment as provided in Section
- 43 163.3187, Florida Statutes; and
- 44 **WHEREAS,** the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
- 45 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant
- 46 to Section 163.3174, Florida Statutes, held a public hearing on May 26, 2022, to consider this
- 47 application and provide a recommendation to the City Commission; and

- 48 WHEREAS, at least five days' notice has been given once by publication in a newspaper of general
- 49 circulation notifying the public of this proposed ordinance and a public hearing held by the City
- 50 Commission; and
- 51 WHEREAS, the public hearing was held pursuant to the notice described above at which hearing
- 52 the parties in interest and all others had an opportunity to be and were, in fact, heard.
- 53 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,
- 54 **FLORIDA**:
- 55 **SECTION 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is amended
- 56 by overlaying the Planned Use District (PUD) land use category on the following property that has
- 57 an underlying land use category of Urban Mixed-Use High-Intensity (UMUH):
- See legal descriptions attached as **Exhibit A** and made a part hereof as if set forth
- in full. The location of the property is shown on **Exhibit B** for visual reference. In
- the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.

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- 62 **SECTION 2**. The property described in Section 1 of this ordinance is governed by the following
- 63 regulations:
- 1. The development may have no more than **204** dwelling units and may have no more than **557** bedrooms.
- 2. A maximum building height of 12 stories is allowed for any portions of a building lying outside the University Heights-South Historic District 100-foot buffer (District Buffer). A maximum building height of 60 feet and 5 stories is allowed for any portions of a building lying within the District Buffer.
 - 3. A minimum of 10% of the residential dwelling units developed must be Affordable Housing Units. Affordable Housing Units means units that are affordably priced for households earning between 50% and 80% of the Gainesville Metropolitan Statistical Area (MSA) Area Median Income (AMI), as established by the United States Department of Housing and Urban Development (HUD). Affordably priced means that no more than 30% of household income is spent on housing. These units must remain permanent Affordable Housing Units through a binding legal document as approved to form and legality by the City Attorney's Office and recorded in the Public Records of Alachua

- County, Florida, which ensures that the units will permanently (for the life of the 78 79 development) remain Affordable Housing Units.
 - 4. Affordable Housing Units must be constructed such that all unit finishes are identical to market-rate units and locations within the structure are equally dispersed relative to market-rate units. In addition, occupants of Affordable Housing Units must have equal access to all amenities constructed on the property, relative to market-rate units.

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- **SECTION 3.** The property described in Section 1 of this ordinance has an underlying land use 85 category of Urban Mixed-Use High-Intensity (UMUH). This underlying land use category is 86 neither abandoned nor repealed, but is inapplicable as long as a Planned Development District (PD) zoning ordinance implementing this PUD land use overlay is adopted by the City Commission within 18 months of the effective date of this plan amendment as provided in this ordinance. If the aforesaid time period expires without the adoption of an implementing PD zoning ordinance, this ordinance will be void and have no further force and effect and the City may amend the Future Land Use Map accordingly.
- 93 **SECTION 4.** The City Manager or designee is authorized and directed to make the necessary changes to maps and other data in the City of Gainesville Comprehensive Plan in order to comply with this ordinance. 95
- **SECTION 5.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding 98 will not affect the other provisions or applications of this ordinance that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions 100 of this ordinance are declared severable.
- 101 **SECTION 6.** All ordinances or parts of ordinances in conflict herewith are to the extent of such 102 conflict hereby repealed on the effective date of this amendment to the Comprehensive Plan.

SECTION 7. This ordinance will become effective immediately upon adoption; however, the
effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely
challenged, will be 31 days after adoption. If challenged within 30 days after adoption, this
amendment will become effective on the date the state land planning agency or the
Administration Commission issues a final order determining the amendment to be in compliance
with Chapter 163, Florida Statutes. No development orders, development permits, or land uses
dependent on this Comprehensive Plan amendment may be issued or commenced before this
amendment has become effective.

112	PASSED AND ADOPTED this	_day of,	2022.
113			
114			
115			
116		LAUREN POE	
117		MAYOR	
118			
119	Attest:	Approved as to form a	nd legality:
120			
121			
122			
123	OMICHELE D. GAINEY	DANIEL M. NEE	
124	CITY CLERK	INTERIM CITY ATTORN	EY
125			
126			
127			

Exhibit A to Ordinance 2022-536



LEGAL DESCRIPTION

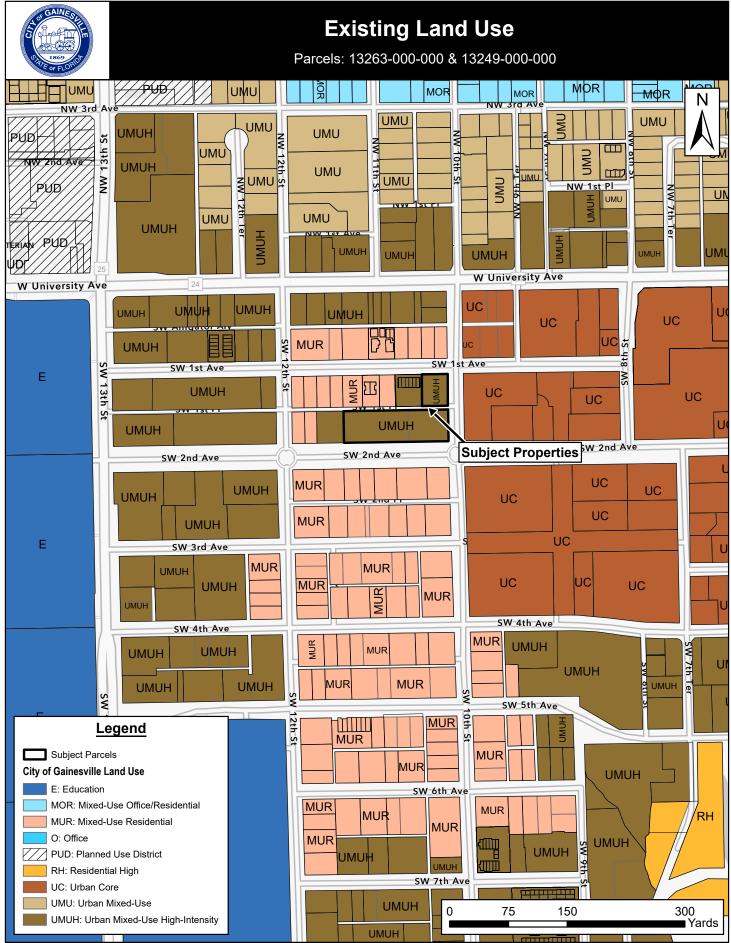
DATE: February 22, 2022 **CLIENT:** CA Ventures **PROJECT NO: 21-0362**

PARCEL 1

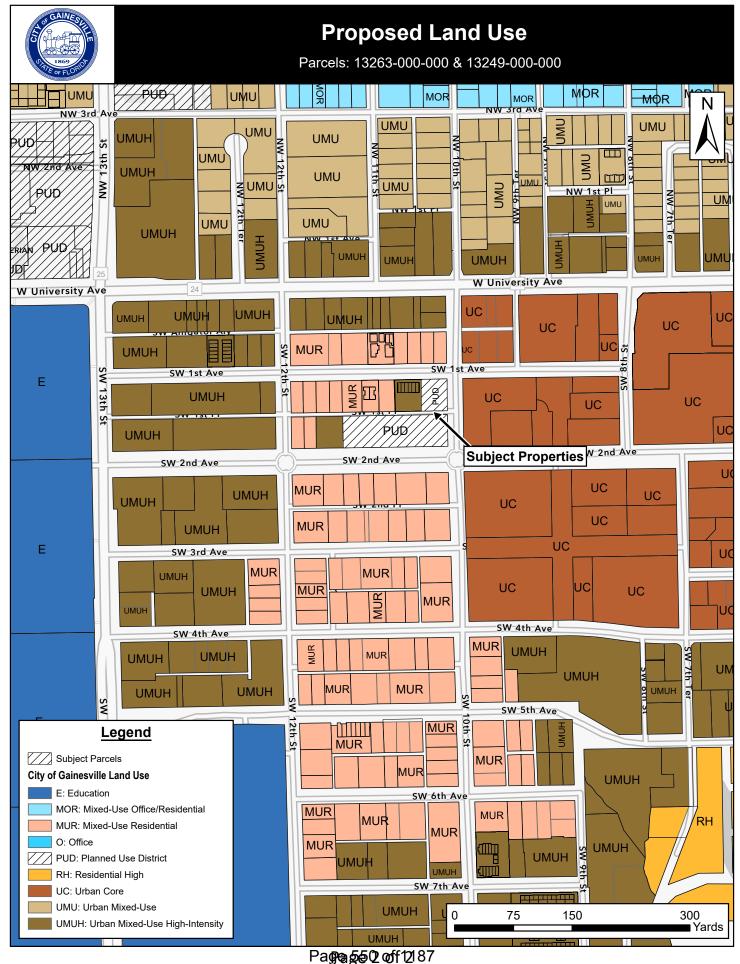
LOT 1 AND 2, BLOCK 5, UNIVERSITY PLACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "A", PAGE 77 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

PARCEL 2

LOTS 19, 20, 21, 22, 23 AND 24, BLOCK 5, UNIVERSITY PLACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "A", PAGE 77 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.



Page 549 off 12187



1	ORDINANCE NO. 2022-536			
2 3 4 5 6 7 8 9	An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category on approximately 1.11 acres of property generally located at the NW corner of the intersection of SW 2nd Avenue and SW 10 th Street, as more specifically described in this ordinance; providing land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.			
	WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for			
12	municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the			
13	Florida Constitution, including the exercise of any power for municipal purposes not expressly			
14	prohibited by law; and			
15	WHEREAS, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a			
16	Comprehensive Plan to guide the future development and growth of the city; and			
17	WHEREAS, the City of Gainesville Comprehensive Plan, as required by Section 163.3177(1),			
18	Florida Statutes, must provide the principles, guidelines, standards, and strategies for the orderly			
19	and balanced future economic, social, physical, environmental, and fiscal development of the city			
20	as reflected by the community's commitments to implement such plan; and			
21	WHEREAS, Section 163.3177(6), Florida Statutes, requires the City of Gainesville Comprehensive			
22	Plan to include a Future Land Use Element with a Future Land Use Map that designates the future			

public and private uses of land, with the goals of protecting natural and historic resources,
 providing for the compatibility of adjacent land uses, and discouraging the proliferation of urban
 sprawl; and

general distribution, location, and extent of the uses of land for residential, commercial, industry,

agriculture, recreation, conservation, education, public facilities, and other categories of the

- 28 WHEREAS, this ordinance, which was noticed as required by law, will amend the Future Land Use
- 29 Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category
- 30 on the property that is the subject of this ordinance; and
- 31 WHEREAS, the PUD land use category is an overlay land use district that may be applied to any
- 32 specific property in the City, and which allows the consideration of unique, innovative, or
- 33 narrowly-construed land use proposals that might otherwise not be allowed in the underlying
- 34 land use category; and
- 35 WHEREAS, the PUD land use category, including all of its unique and specific land development
- 36 regulations, is freely negotiated and voluntarily agreed to by the owner/developer of the subject
- 37 property, thereby precluding any claims or actions under Florida law regarding regulatory
- 38 takings, the Bert J. Harris, Jr., Private Property Rights Protection Act, development exactions
- 39 under common law or Section 70.45, Florida Statutes, or the affordable housing provisions in
- 40 Section 125.01055, Florida Statutes; and
- 41 WHEREAS, this amendment to the Future Land Use Map of the City of Gainesville Comprehensive
- 42 Plan proposed herein qualifies as a small-scale development amendment as provided in Section
- 43 163.3187, Florida Statutes; and
- 44 **WHEREAS,** the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
- 45 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant
- 46 to Section 163.3174, Florida Statutes, held a public hearing on May 26, 2022, to consider this
- 47 application and provide a recommendation to the City Commission; and

- 48 WHEREAS, at least five days' notice has been given once by publication in a newspaper of general
- 49 circulation notifying the public of this proposed ordinance and a public hearing held by the City
- 50 Commission; and
- 51 WHEREAS, the public hearing was held pursuant to the notice described above at which hearing
- 52 the parties in interest and all others had an opportunity to be and were, in fact, heard.
- 53 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,
- 54 **FLORIDA**:
- 55 **SECTION 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is amended
- 56 by overlaying the Planned Use District (PUD) land use category on the following property that has
- 57 an underlying land use category of Urban Mixed-Use High-Intensity (UMUH):
- See legal descriptions attached as **Exhibit A** and made a part hereof as if set forth
- in full. The location of the property is shown on **Exhibit B** for visual reference. In
- the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.

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- 62 **SECTION 2**. The property described in Section 1 of this ordinance is governed by the following
- 63 regulations:
- 1. The development may have no more than **274** dwelling units and may have no more than **725** bedrooms.
- 2. A maximum building height of 12 stories is allowed.
- 3. A minimum of 10% of the residential dwelling units developed must be Affordable 67 Housing Units. Affordable Housing Units means units that are affordably priced for 68 households earning between 50% and 80% of the Gainesville Metropolitan Statistical 69 Area (MSA) Area Median Income (AMI), as established by the United States Department 70 of Housing and Urban Development (HUD). Affordably priced means that no more than 71 30% of household income is spent on housing. These units must remain permanent 72 73 Affordable Housing Units through a binding legal document as approved to form and 74 legality by the City Attorney's Office and recorded in the Public Records of Alachua County, Florida, which ensures that the units will permanently (for the life of the 75 development) remain Affordable Housing Units. 76
 - 4. Affordable Housing Units must be constructed such that all unit finishes are identical to market-rate units and locations within the structure are equally dispersed relative to

market-rate units. In addition, occupants of Affordable Housing Units must have equal access to all amenities constructed on the property, relative to market-rate units.

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SECTION 3. The property described in Section 1 of this ordinance has an underlying land use category of Urban Mixed-Use High-Intensity (UMUH). This underlying land use category is neither abandoned nor repealed, but is inapplicable as long as a Planned Development District (PD) zoning ordinance implementing this PUD land use overlay is adopted by the City Commission within 18 months of the effective date of this plan amendment as provided in this ordinance. If the aforesaid time period expires without the adoption of an implementing PD zoning ordinance, this ordinance will be void and have no further force and effect and the City may amend the Future Land Use Map accordingly.

SECTION 4. The City Manager or designee is authorized and directed to make the necessary changes to maps and other data in the City of Gainesville Comprehensive Plan in order to comply with this ordinance.

SECTION 5. If any word, phrase, clause, paragraph, section, or provision of this ordinance or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding will not affect the other provisions or applications of this ordinance that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

98 **SECTION 6.** All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed on the effective date of this amendment to the Comprehensive Plan.

100 **SECTION 7.** This ordinance will become effective immediately upon adoption; however, the effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely

challenged, will be 31 days after adoption. If challenged within 30 days after adoption, this
amendment will become effective on the date the state land planning agency or the
Administration Commission issues a final order determining the amendment to be in compliance
with Chapter 163, Florida Statutes. No development orders, development permits, or land uses
dependent on this Comprehensive Plan amendment may be issued or commenced before this
amendment has become effective.

108 109 **PASSED AND ADOPTED** this ______ day of _______, 2022. 110 111 112 LAUREN POE 113 114 **MAYOR** 115 Approved as to form and legality: 116 Attest: 117 118 119 120 OMICHELE D. GAINEY DANIEL M. NEE INTERIM CITY ATTORNEY 121 CITY CLERK 122 123

Exhibit A to Ordinance 2022-536



LEGAL DESCRIPTION

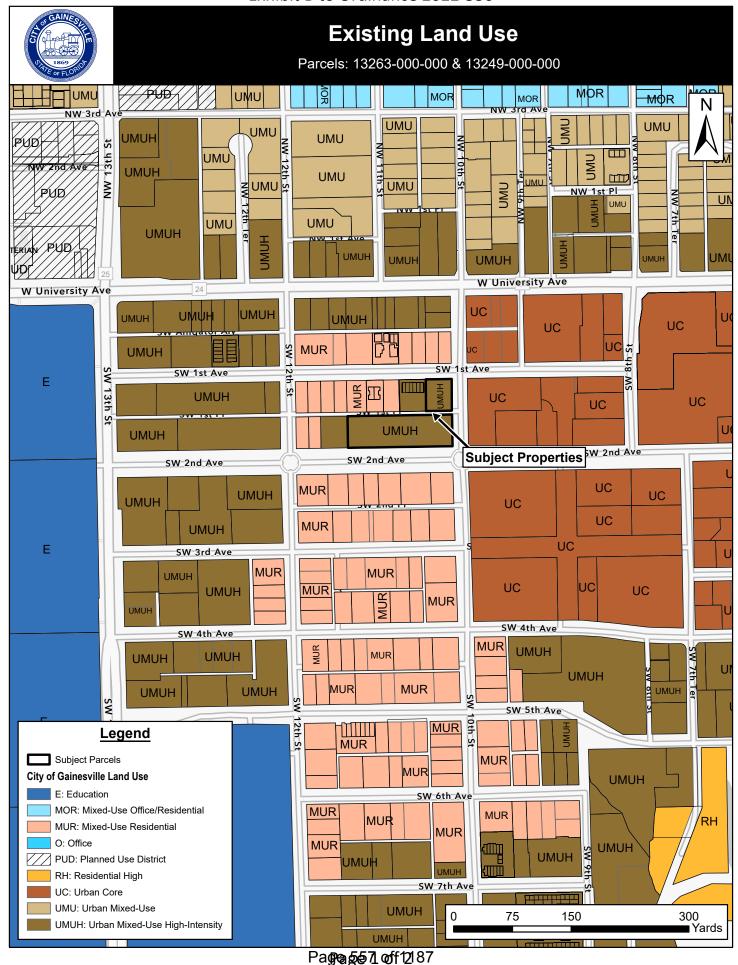
DATE: February 22, 2022 **CLIENT:** CA Ventures **PROJECT NO: 21-0362**

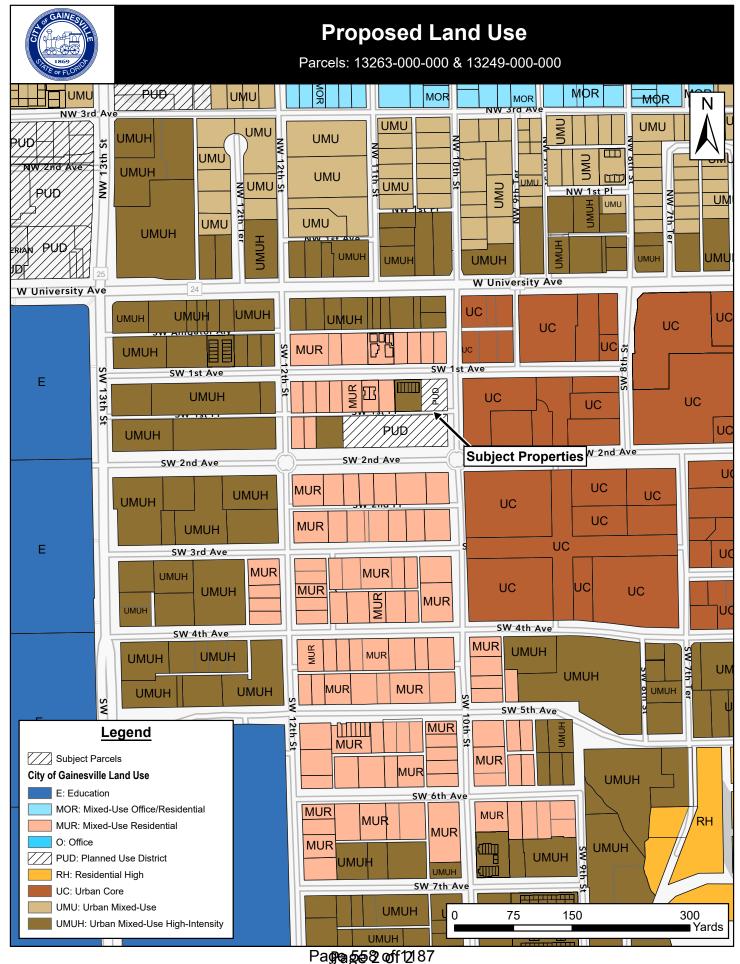
PARCEL 1

LOT 1 AND 2, BLOCK 5, UNIVERSITY PLACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "A", PAGE 77 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

PARCEL 2

LOTS 19, 20, 21, 22, 23 AND 24, BLOCK 5, UNIVERSITY PLACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "A", PAGE 77 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.





Gainesville

PB-21-00219 LUC and PB-21-00220 ZON 1026 SW 2nd Ave and SW 10th St

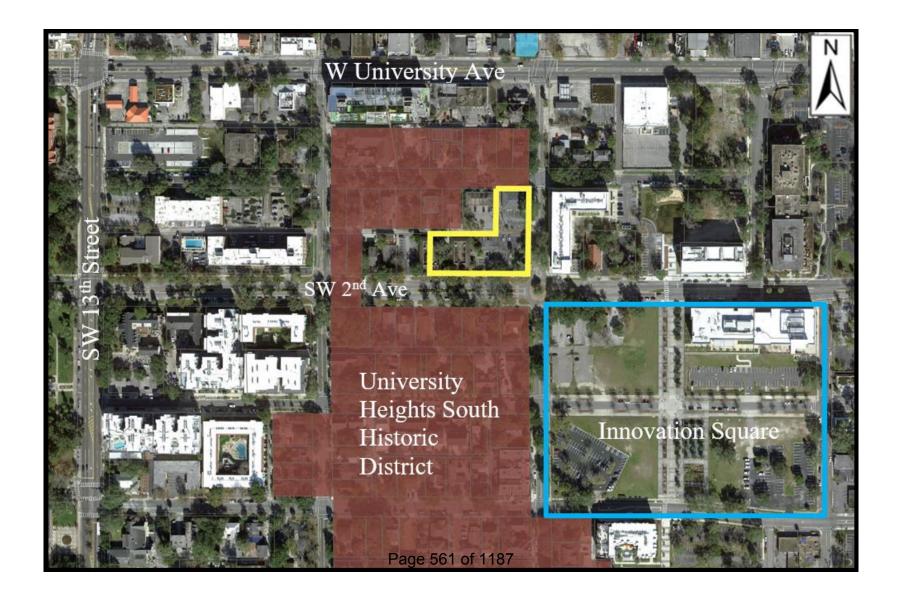
Department of Sustainable Development Forrest Eddleton

November 17, 2022

PB-21-00219 LUC and PB-21-00220 ZON 1026 SW 2nd Avenue and SW 10th Street

- Land Use Change from Urban Mixed Use High(UMUH) to Planned Use District (PUD)
- Zoning Change from Urban 9 (U9) to Planned Development (PD)
- PD/PUDs intended to facilitate "unique" and "innovative" proposals
- Current proposal requests relief from Land Development Code (LDC) requirements in order to facilitate providing workforce rate housing in perpetuity
- Requests:
 - An increase to the allowable height
 - An increase to allowable density
 - Modifications to compatibility requirements related to Historic Districts

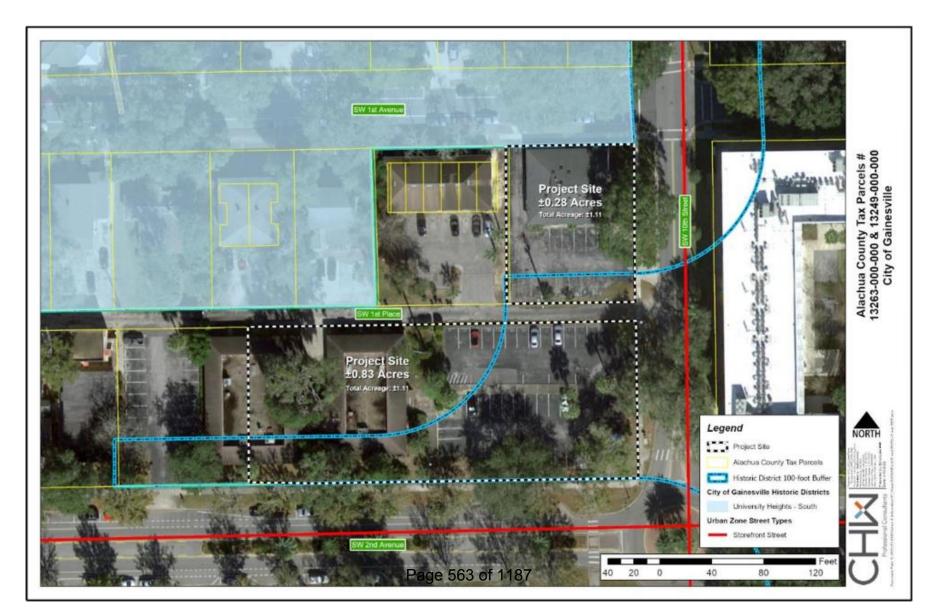
Project Location



Project Location



Project Location



Current Land Use



Current Zoning



Building Details

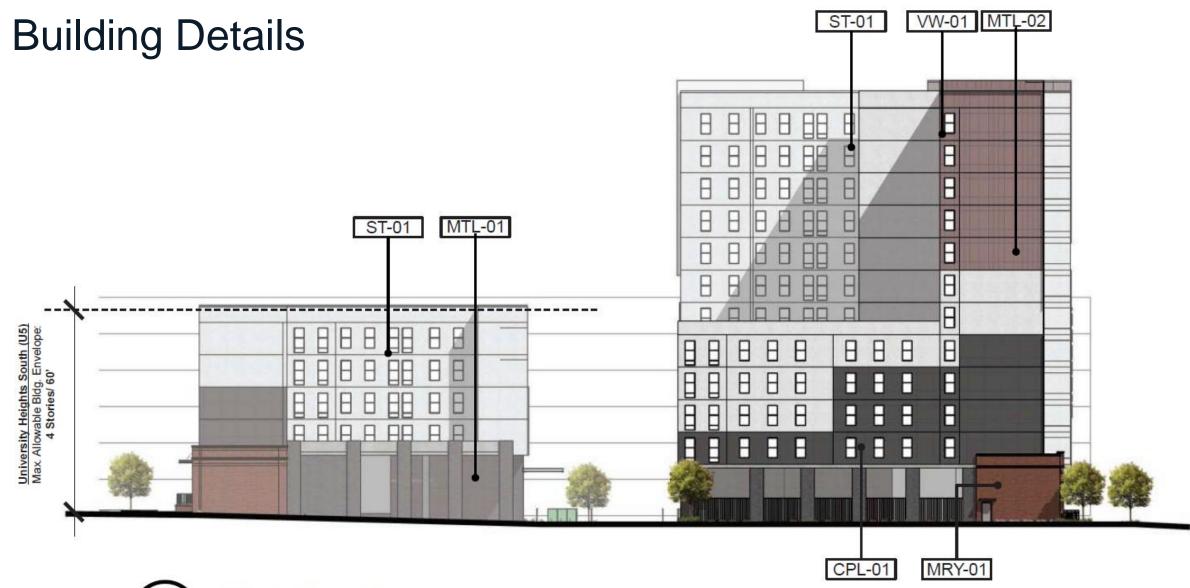


2 East Elevation
Scale: 1" = 40' Page 566 of 1187

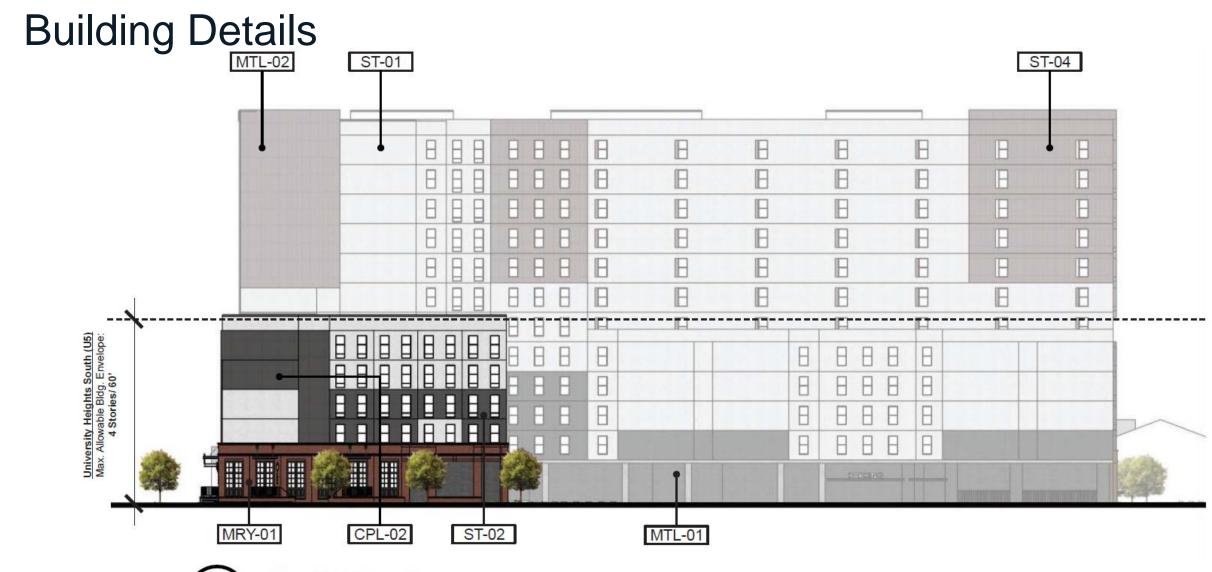
Building Details



Scale: 1" = 40'
Page 567 of 1187



West Elevation
Scale: 1" = 40' Page 568 of 1187



North Elevation
Scale: 1" = 40'
Page 569 of 1187

Project Details

	Existing Land Use (UMUH) and Zoning (U9)	Historic District 100ft Compatibility Buffer	Proposed Maximums
Density	100 du/ac by right (125 du/ac with SUP) = 111 units (138 units with SUP)	6 du/building (single family, attached, or small-scale multi- family)	204 du (~184 du/ac)
Bedrooms	Bedrooms (2.75 Multiplier): 305 (379 with SUP)	N/A	557 Bedrooms
Stories	6 Stories (8 with bonus)	4 Stories	12 stories (southern building), 5 stories (northern building)
Height	88 feet (116ft with bonus)	60 feet	120 feet 7 inches
Building Placement	20ft minimum, 25ft maximum (from back of curb)	N/A	14 feet (at intersection of SW 2 nd Ave and SW 10 th St.
	Page 570 of 1187		

PB-21-00219 LUC and PB-21-00220 ZON 1026 SW 2nd Avenue and SW 10th Street

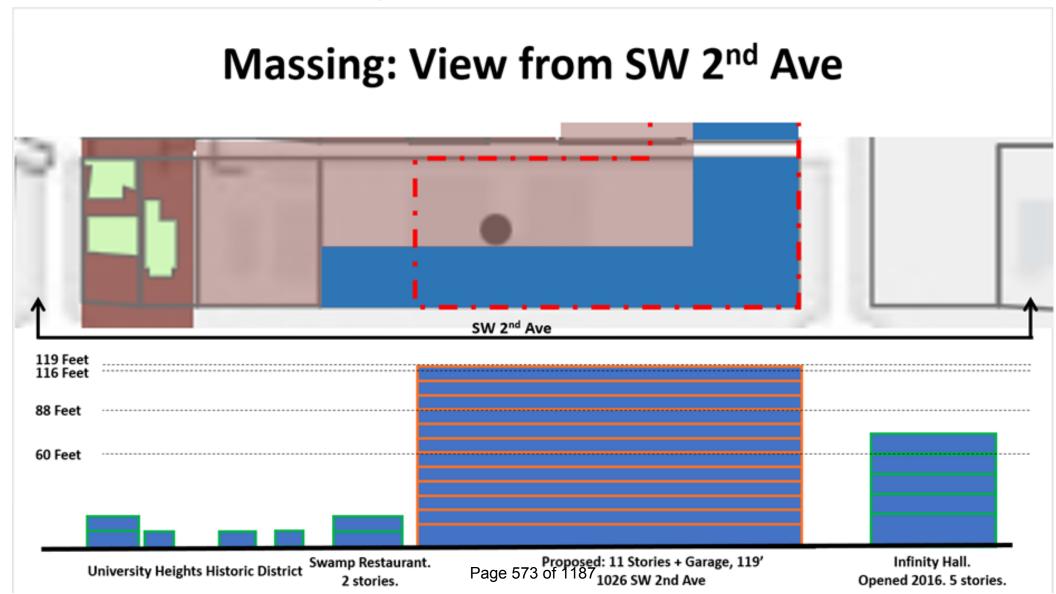
- Policy 4.1.3 Criteria for changes to Future Land Use
 - Consistency with Comprehensive Plan
 - Compatibility and Surrounding Land Uses
 - Environmental Impacts and Constraints
 - Support for urban infill and/or redevelopment
 - Impacts on Affordable Housing
 - Impacts on Transportation
 - Analysis of Availability of Facilities and Services
 - Discouragement of Urban Sprawl
 - Need for Job Creation, Capital Investment, and Economic Development to Strengthen and Diversify the City's Economy

PB-21-00219 LUC and PB-21-00220 ZON 1026 SW 2nd Avenue and SW 10th Street

Section 30-3.17 of LDC Criteria

- Consistent with Comprehensive Plan
- Conformance to PD Purpose
- Internal Compatibility
- External Compatibility

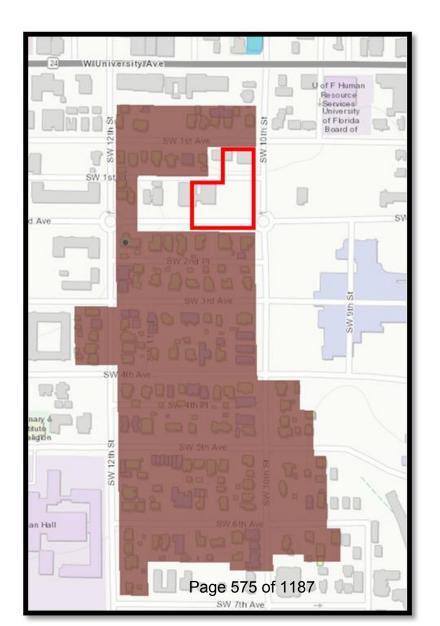
External Compatibility



PB-21-00219 LUC and PB-21-00220 ZON 1026 SW 2nd Avenue and SW 10th Street

- Section 30-3.17 of LDC Criteria
 - Intensity of Development
 - Useable Open Spaces, Plazas, and Recreation Areas
 - Environmental Constraints
 - External Transportation Access
 - Internal Transportation Access
 - Provision for the Range of Transportation Choices

University Heights South Historic District



University Heights South Historic District – Existing Surrounding Structures



University Heights South Historic District – Existing Surrounding Structures



Historic District 100ft Compatibility Buffer

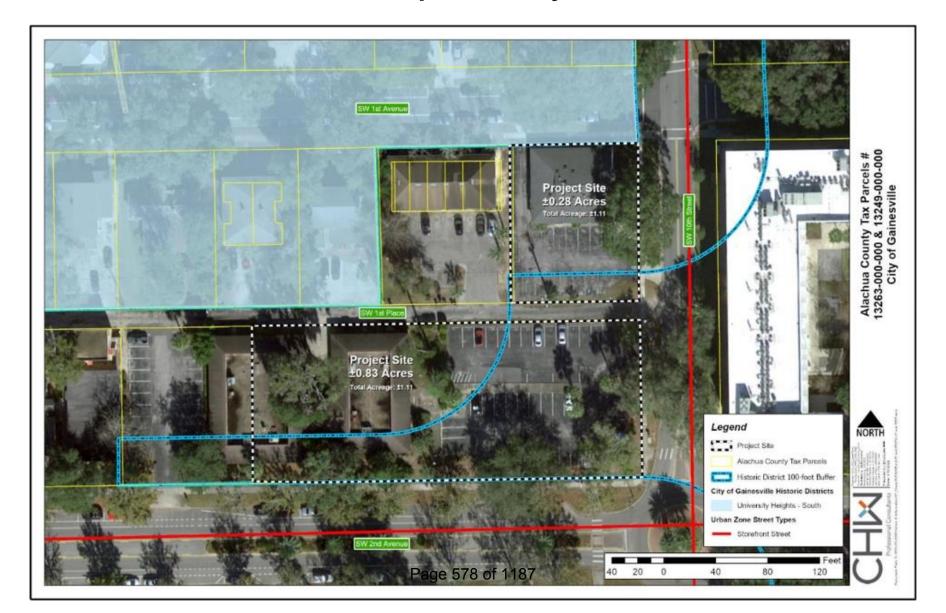


Photo 1. 1125 SW 2[™] AVE, *Contributing Structure* in the District



Photo 2. 1113 SW 2rd AVE, *Contributing Structure* in the District



Photo 3. 1107 SW 2nd AVE, *Contributing Structure* in the District



Photo 4. 1103 SW 2nd AVE, **Contributing Structure** in the District



Photo 5. 1023 SW 2nd AVE, *Contributing Structure* in the District



Photo 6. 1013 SW 2nd AVE, **Contributing Structure** in the District



Photo 7. 1005 SW 2nd AVE, *Contributing Structure* in the District



Photo 8. The character of the street, looking east from 1113 SW 2™ Avenue.



Photos 9 and 10.

Reinvestment in properties has happened as recently as this past year. The top photo is google maps, March 2021.

The bottom photo are the same properties, 1103 and 1107 SW 2rd Avenue, but in March 2022.





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Photo 9. 1004 SW 1* AVE, Contributing Structure in the District



Photo 10. 1012 SW 1* AVE, *Contributing Structure* in the District



Photo 11. 1016 SW 1st AVE, Contributing Structure in the District



Photo 12. 1022 SW 1* AVE, Contributing Structure in the District



Photo 13. 1022 SW 1* AVE, **Contributing Structure** in the District



Photo 14. 1023 SW 1* AVE, Contributing Structure in the District





Photo 15. The intersection (roundabout) at SW 2rd Avenue and SW 10th Street, looking north. The proposed project would be to the top left of the photo. To the top right, is Infinity Hall, a 5-story structure.



Photo 16. The intersection (roundabout) at SW 2nd Avehue and 587.0 ft 1187 would be to the right of the photo. To the left, is Infinity Hall, a 5-story structure.



Photo 17. Oblique view of Infinity Hall, a 5-story structure, looking north.



Photo 18. Current construction photoage to 88 so fur and 87 he Swamp," a 2-story structure being built to the west of the proposed project, which would be built to the top right of the photo.

Architectural Analysis and Previous Planning and Design Efforts



Photos 19 and 20. The character of the blocks further east of the proposed project, on the SW 2rd Avenue corridor, east of the roundabout at SW 2rd Avenue and SW 10th Street. The character of the street here, closer to downtown Gainesville, is four and five stories.



Architectural Analysis and Previous Planning and Design Efforts





Architectural Analysis and Previous Planning and Design Efforts

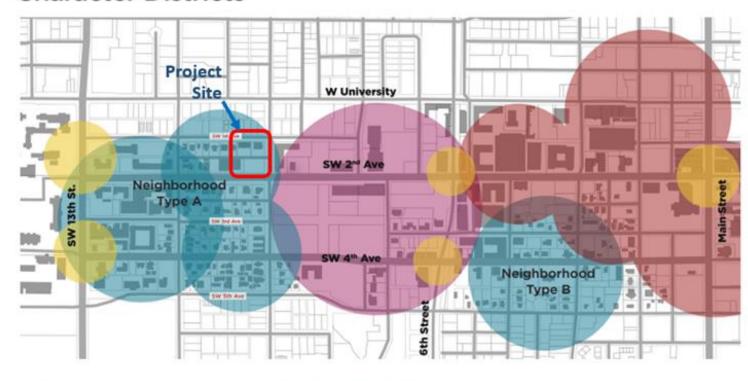




Multimodal Corridors and Vision(ing) Study



Character Districts

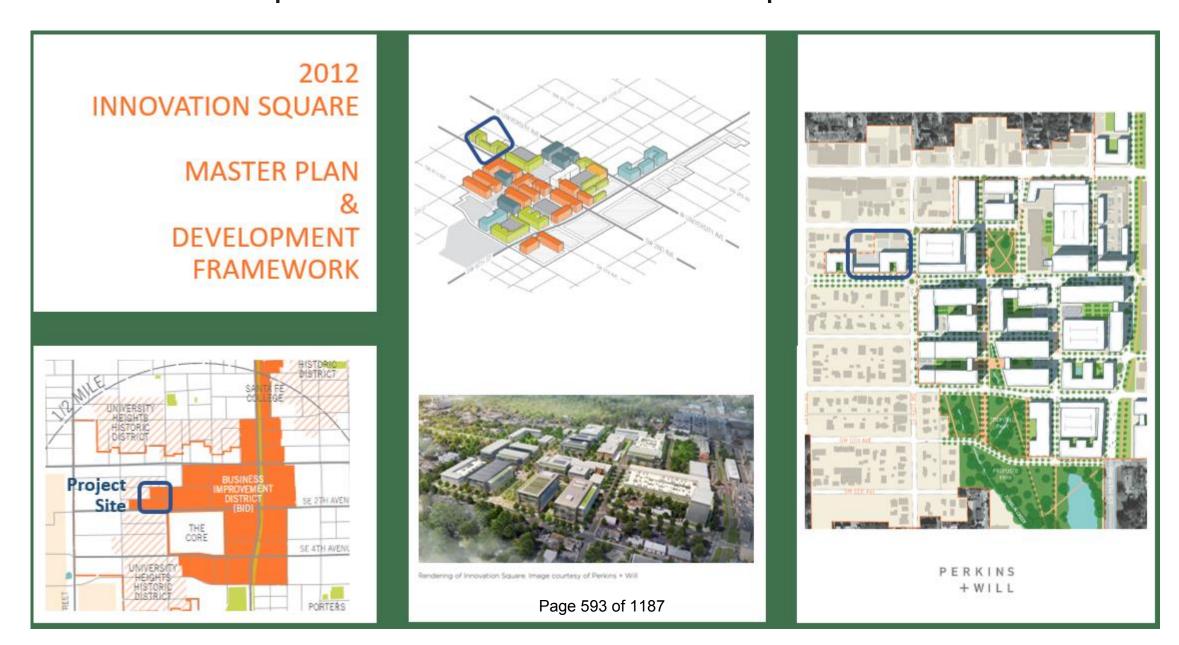




The Study Area exudes some characteristics which can be capitalized upon to create unique neighborhoods.

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Innovation Square Master Plan and Development Framework



Innovation Square Master Plan and Development Framework



Comprehensive Plan and PD/PUD Intent:

- Intended to "allow the consideration of unique, innovative, or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of the surrounding land uses."
- PD District are intended to "provide a particularized zoning district that recognizes unique conditions, allows design flexibility, and promotes planned diversification and integration of uses and structures."
- Proposal provides for 10% of proposed units to be reserved for households earning between 50% and 80% Area Median Income in perpetuity

Recommendation:

Staff recommends approval of PB-21-00219 LUC and PB-21-00220 ZON, with conditions:

- 1. The applicant must record a restrictive covenant memorializing the provision of 10% of on-site units towards workforce housing in perpetuity.
- 2. Building placement and frontage zones must conform to U9 standards.
- 3. The applicant must utilize the executed Memorandum of Understanding between the property owners and the Gainesville Housing Authority.
- 4. Landscape zone standards may be modified in order to protect existing trees but shall take precedence over the provision of public facilities or utilities in design decisions per existing Land Development Code regulations.

Associated Recommendations:

City Plan Board voted to recommend that the City Commission deny both PB-21-00219 LUC and PB-21-00220 ZON at it's meeting on April, 28th, 2022.

The Historic Preservation Board passed a resolution (2022-03) opposing the requested land use and zoning changes on May 3rd, 2022.

The City Commission voted in support of a "third option" which included a southern building that extended the 12 story portion of the building across the entire building.

Thank You



City of Gainesville Agenda Item Report

File Number: 2023-07

Agenda Date: February 2, 2023

Department: City Attorney

Title: 2023-07 An Ordinance Revising Civil Citation Penalties and Code

Enforcement Fines/Liens (B)

Department: City Attorney

Description: Ordinance No. 2023-07 An ordinance of the City of Gainesville, Florida, amending Section 2-339, Applicable codes and ordinances, to revise civil citation penalties for violations of certain ordinances; amending Section 2-388.1, Administrative fines and liens, to authorize the reduction of assessed costs in code enforcement cases; amending Section 13-17, Adoption of the International Property Maintenance Code, to require the removal or remediation of hazardous trees; amending Section 30-8.44, Violations, enforcement and penalties, to delete procedures for landscape and tree management provisions that are being recodified in Section 13-17; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Fiscal Note: N/A

Explanation:

Section 162.21, Florida Statutes, authorizes local governments to issue civil citations for violations of ordinances. Section 2-339, Code of Ordinances, lists civil citation penalties for violations of specified ordinances.

The City Commission wishes to revise the Table of civil citation penalties in Section 2-339. The City Commission wishes to authorize the Special Magistrate to reduce assessed costs in code enforcement cases where warranted. Hazardous trees are not addressed in the International Property Maintenance Code, incorporated in Section 13-17 of the Code of Ordinances, and should be addressed to protect life and safety.

Strategic Connection:

Recommendation: The City Commission adopt the proposed ordinance.

1	ORDINANCE NO. 2023-07
2 3 4 5 6 7 8 9 10 11 12	An ordinance of the City of Gainesville, Florida, amending Section 2-339, Applicable codes and ordinances, to revise civil citation penalties for violations of certain ordinances; amending Section 2-388.1, Administrative fines and liens, to authorize the reduction of assessed costs in code enforcement cases; amending Section 13-17, Adoption of the International Property Maintenance Code, to require the removal or remediation of hazardous trees; amending Section 30-8.44, Violations, enforcement and penalties, to delete procedures for landscape and tree management provisions that are being recodified in Section 13-17; providing a severability clause; providing a repealing clause; and providing an immediate effective date.
13 14	WHEREAS, Section 162.21, Florida Statutes, authorizes local governments to issue civil
15	citations for violations of ordinances; and
16	WHEREAS, Section 2-339, Code of Ordinances, lists civil citation penalties for violations
17	of specified ordinances; and
18	WHEREAS, the City Commission wishes to revise the Table of civil citation penalties in
19	Section 2-339; and
20	WHEREAS, the City Commission wishes to authorize the Special Magistrate to reduce
21	assessed costs in code enforcement cases where warranted; and
22	WHEREAS, hazardous trees are not addressed in the International Property Maintenance
23	Code, incorporated in Section 13-17 of the Code of Ordinances, and should be addressed to protect
24	life and safety; and
25	WHEREAS, at least ten (10) days' notice has been given once by publication in a
26	newspaper of general circulation notifying the public of this proposed ordinance and of public
27	hearings in the City Hall Auditorium located on the first floor of City Hall in the City of
28	Gainesville; and

- 29 **WHEREAS**, the public hearings were held pursuant to the notice described above at
- which hearings the parties in interest and all others had an opportunity to be and were, in fact,
- 31 heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY

- 33 OF GAINESVILLE, FLORIDA:
- **Section 1.** Section 2-339 is amended to revise the civil citation table, as follows:
- Sec. 2-339. Applicable codes and ordinances.

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Section	Description	Class	Penalty
2-67(a)	Declaration of state of emergency by state, federal, county or city government	As set forth in the emergency declaration, order or other measure	As set forth in the emergency declaration, order or other measure
2-67(b)	Declaration of water emergency imposing water use restrictions	I	\$50.00
4-4	Open consumption of and/or possession of an open container of alcoholic beverage	IV	\$200.00
4-52 4-53(a)(1) 4-53(a)(2) 4-53(c)(10)a	Underage prohibition in alcoholic beverage establishments	IV	\$500.00
Chapter 5 except as provided below	Animal control	I	\$250.00
5-2(e)	Animal molesting or biting pedestrian or bicyclist	IV	\$ 250.00
6-3	104.1.1 of adopted Standard Building Code, as amended Building, electrical, plumbing, gas, and/or	II	\$75.00

	mechanical work within a required permit		
6-23	Responsibilities of contractors and craftsmen	I	\$125
6-24	Building Code violations	I	\$125
6-183(1)	False advertising	Ш	\$125.00
6-185	Acting as a contractor without a valid contractor certificate	IV	\$200.00
6-186(b)(2)	No journeyman or certified craftsman on the job site	H	\$75.00
Article IX of Chapter 6	Downtown minimum property standards	I	\$50.00
Chapter 10	All adopted fire prevention and protection codes inclusive of the Florida Fire Prevention Code	II	\$250.00
10-70(b)	Failure to obtain burning permit — Residential	I	\$75.00
10-70(b)	Failure to obtain burning permit — Commercial	П	\$150.00
10-70(d)	Failure to obtain burning permit — Boiler	I	\$75.00
10-71	Failure to obtain burn permit — Pyrotechnic	II	150.00
11.5-1	Availability of potable water	I	\$50.00
11.5-18	Use of a nicotine dispensing device where smoking prohibited	II	\$25.00
11.5-41	Prohibition of smoking outdoors at or around all RTS bus facilities	П	\$25.00

11.5-42	Prohibition of smoking outdoors in City parks	П	\$25.00
Article II of Chapter 13	International Property Maintenance Code, when the violation is committed by the tenant, or occupant or property owner	I	\$250.00
Article II of Chapter 14.5	Merchandising of tobacco products	П	\$75.00
Article III of Chapter 14.5	Towing from or immobilizing vehicles on certain private property	II	\$125.00
Article VIII of Chapter 14.5	Failure to implement and maintain an approved shopping cart retention system	I	\$250.00
14.5-3	Not having a residential rental unit permit	П	\$250.00
14.5-171	Violation of security and safety standards for convenience businesses	II	\$250.00
Chapter 15	Noise violations	I	\$250.00
16-19	Dangerous buildings/hazardous lands	I	\$(250.00)
17-2	Fliers on utility poles or other fixtures	I	\$250.00
17-6	Synthetic drug violations	IV	\$250.00
17-8	Urinating in public	II	\$125.00
17-34	Knowingly rent or let a residence to a sexual offender or sexual predator to use as a temporary or permanent residence contrary to the Sexual Predator Ordinance	II	\$125.00

17-38	Practicing conversion therapy on a minor	II	\$250.00
18-20(28)	Prohibition of smoking outdoors in all City parks	II	\$25.00
19-2	Violation of regulations for peddling in Downtown Plaza	I	\$50.00
19-34	Violation of permit requirements for commercial peddlers, solicitors, or canvassers	Ŧ	\$ 250.00
19-52	Unauthorized solicitation of alms or financial assistance	I	\$ 50.00
19-53	Unauthorized sale or transfer of goods and services; religious and charitable organizations soliciting for contributions without a permit	I	\$50.00
19-55	Violation of restrictions and requirements for permitted soliciting	I	\$ 50.00
19-92	Operation of a vending booth or a game day vending booth without a permit	I	\$250.00
19-93	Violation of regulations on permitted vending booth or game day vending booth	I	\$250.00
19-95	Maintaining display, stand, article or item of personal property without proper permit	I	\$50.00
19-112	Unauthorized soliciting of funds	Ŧ	\$50.00
19-127	Violation of prohibition on throwing or distributing handbills upon property displaying a "No Handbills" sign	I	\$125.00

21-53(b)(6)	Non-permitted, revoked or suspended	IV	\$200.00
21-52(a)	alarm system		\$200.00
21-58(a)	Failure to register alarm monitoring company	П	\$125.00
21-58(c)	Failure to maintain records	II	\$125.00
21-59	Failure to make alarm verified call	II	\$125.00
21-60(a)	Failure to register—Alarm system contractors	II	\$125.00
21-60(b)	Maintenance, repair, alter or service of system for compensation by noncontractor	II	\$125.00
21-60(c)	Failure to issue ID	I	\$50.00
21-60(d)	Use of equipment or methods below minimum standards	II	\$125.00
21-60(e)	Activation/servicing non-permitted alarm	П	\$125.00
21-60(f)	Causing false alarm during servicing	II	\$125.00
21-60(g)	Failure to provide blank alarm permit application	I	\$50.00
21-61(a)	Operating automatic dialing device	II	\$125.00
21-61(b) 21-61(c)	Failure to remove non-permitted features	I	\$50.00
21-62	Operating alarm system without auxiliary power	П	\$125.00
Chapter 22	Secondhand Goods Secondhand Dealers	III	\$125.00

26-137	Abandoned vehicles	I	\$250.00
<u>26-138</u>	Major repair of vehicles on residential property prohibited	Ī	<u>\$125</u>
<u>26-139</u>	Abandoned, dangerous vehicles	<u>I</u>	\$125
27-73	Solid waste violations except (4), (8) and (9)	I	\$250.00
27-76(b)(1)b	Improper use of cart	I	\$250.00
27-79(a) and (f)	Commercial franchise violations	IV	\$200.00
27-85(a)	Failure to separate designated recyclable materials, except for de minimus amounts, from solid waste loads	П	\$125.00
27-93	Single-use plastic straws and single-use plastic stirrers	П	\$250.00
Chapter 28	Vehicle for hire regulation	I	\$50.00
29-3	Registration of lobbyists	I	\$50.00
30-1.8	Land Development Code Violations	Ī	\$100
30-45	Prohibited use in zoning district	I	\$125.00
30-51(c)	Permitted uses in single family districts	H	\$ 125.00
30-56(b) and (c)	Residential parking	I	\$250.00
30-56(c)(5)	Violation of special event parking permit requirements	I	\$250.00
30-57(a)(3)	Residential leases Over occupancy	H	\$250.00

30-59(c)	Permitted uses in office districts	I	\$50.00
30-61(c)	Permitted uses in general business district	I	\$ 50.00
3 0-62(c)	Permitted uses in automotive oriented business district	I	\$50.00
30-63(c)	Permitted uses in tourist oriented business district	1	\$50.00
30-64(e)	Permitted uses in mixed use low intensity district	I	\$50.00
30-65(c)	Permitted uses in mixed use medium intensity district	I	\$50.00
30-66(c)	Permitted uses in central city district	I	\$ 50.00
30-67(g)	Illegal outdoor storage and sales	I	\$50.00
30-68(c)	Permitted uses in warehousing and wholesaling district	I	\$50.00
30-69(c)	Permitted uses in limited industrial district	Ŧ	\$50.00
30-70(c)	Permitted uses in general industrial district	1	\$50.00
30-86	Use, parking, storage and keeping of recreational vehicles	1	\$250.00
30-125	Operation of food trucks in violation of regulations	Ŧ	\$250.00
30-315 et seq.	Violation of sign regulations	Ŧ	\$250.00
30-357	New business, expansion or change of use without zoning compliance permit	Ŧ	\$250.00

- Second violation of the same Class I or Class II offense shall be double the amount shown on
- 39 the penalty schedule.
- 40 Third and subsequent violations of the same Class I or II offense shall require a mandatory court
- 41 appearance.

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- 42 Second and subsequent violations of the same Class III or Class IV offense shall require a
- 43 mandatory court appearance.
- **Section 2.** Section 2-388.1 of the Code of Ordinances is amended to read as follows:
 - Sec. 2-388.1. Administrative fines; costs of repair; liens.
 - (a) The board, upon notification by the code inspector and upon conducting a hearing in which the board finds that an order of the board has not been complied with by the set time or in which the board finds that a repeat violation has been committed, may order the violator to pay a fine in an amount specified in this section for each day the violation continues past the date set by the board for compliance or, in the case of a repeat violation, for each day the repeat violation continues, beginning with the date the repeat violation is found to have occurred by the code inspector. In addition, if the violation is a violation that presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the board shall notify the city manager through the commission, which may make all reasonable repairs or undertake such other remedies which are required to bring the property into compliance or eliminate the violation, and the board charge the violator with the reasonable cost of such along with the fine imposed pursuant to this section. Undertaking such repairs or remedies does not create a continuing obligation on the part of the city to make further repairs or to maintain the property and does not create any liability against the city or its agents or assigns for any

damages to the property if such repairs or other remedies were completed or
undertaken in good faith.

- (b) A fine imposed pursuant to this section shall not exceed \$1,000.00 per day per violation for the first violation and shall not exceed \$5,000.00 per day per violation for a repeat violation, and, in addition, may include all costs of repairs pursuant to subsection (a). However, if the board finds the violation to be irreparable or irreversible in nature, it may impose a fine not to exceed \$15,000.00 per violation.
- (c) In determining the amount of the fine, if any, the board shall consider the following factors:
 - (1) The gravity of the violation;

- (2) Any actions taken by the violator to correct the violation; and
- (3) Any previous violations committed by the violator.
- (d) The board may reduce fines or costs imposed pursuant to this section.
- (e) A certified copy of an order imposing a fine, or a fine plus repair costs and/or remediation, shall be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator. Upon petition to the circuit court, such order shall be enforceable in the same manner as a court judgment by the sheriffs of this state, including execution and levy against the personal property of the violator, but such order shall not be deemed to be a court judgment except for enforcement purposes. A fine imposed pursuant to this part shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit filed pursuant to this section, whichever occurs first. A lien arising from a fine imposed pursuant

to this section runs in favor of the city, and the commission may execute a satisfaction or release of lien entered pursuant to this section. After three months from the filing of any such lien which remains unpaid, the board may authorize the city attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest or the city may authorize a collection agency to enforce and collect upon the lien. No lien created pursuant to the provisions of this part may be foreclosed on real property, which is a homestead under section 4, Article X of the State Constitution. The money judgment provisions of this section shall not apply to real property or personal property, which is covered under section 4. Article X of the State Constitution.

Section 3. Section 13-17 of the Code of Ordinances is amended to read as follows:

Sec 13-17. - Adoption

With the general and technical local amendments referenced below, the city hereby adopts the 2018 edition of the International Property Maintenance Code (IPMC) published by the International Code Council and incorporates the same by reference as if fully set forth herein. The IPMC is adopted as the city's Property Maintenance Code and shall be the governing law relative to all existing buildings, structures and premises as defined herein. This Property Maintenance Code will apply to every building or structure irrespective of when the building was constructed, altered, or repaired and irrespective of any permits or licenses which shall have been issued for the use or occupancy of the building or structure, for the construction or repair of the building, or for the installation or repair of equipment or facilities prior to the effective date of this article. This Property Maintenance

108	Code establishes minimum requirements for occupancy and does not replace or
109	modify requirements otherwise established for construction, replacement or repair
110	of buildings except such as are contrary to and less stringent that the provisions of
111	this Property Maintenance Code. The IPMC shall be enforceable against both
112	property owners and occupants.
113	(a) General amendments. The IPMC is amended in that:
114	(1) Wherever the words "International Building Code" or "International
115	Existing Building Code" are found, the words "Florida Building Code" are
116	substituted.
117	(2) Wherever the term "owner-occupant" is found it is deleted.
118	(3) Wherever the words "International Fire Code" are found, the words "the
119	current edition of the Florida Fire Prevention Code (FFPC)" are substituted.
120	Any reference to section numbers in the International Fire Code are
121	likewise deleted.
122	(4) Wherever the words "International Residential Code" are found they are
123	deleted.
124	(b) Technical Amendments
125	(1) Section 101.1 titled "Title" is amended to read as follows: These regulations
126	shall be known as the City of Gainesville Property Maintenance Code,
127	hereafter referred to in this Chapter as "this code."
128	(2) Section 102.3 titled "Application of other codes" is amended to read as
129	follows: Repairs, additions, or alterations to a structure, or changes of
130	occupancy, shall be done in accordance with the procedures and provisions

131	of the Florida Building Code and the Florida Fire Prevention Code as
132	adopted by the City of Gainesville and the State of Florida. If there is
133	inconsistency between this code and the Florida Building Code or Florida
134	Fire Prevention Code, the Florida Building Code or Florida Fire Prevention
135	Code shall prevail.
136	(3) Section 103.1 titled "General" is amended to read as follows: The provisions
137	of this code shall be administered by the city manager or such other person or persons
138	designated by the city manager (the "enforcing official"). All inspections, regulations,
139	enforcement and hearings on violations of the provisions of this code, unless expressly
140	stated to the contrary, shall be under the direction and supervision of the enforcing
141	official.
142	(4) Section 103.2 titled "Appointment" is deleted in its entirety.
143	(5) Section 103.4 titled "Liability" is amended so that the words "member of the
144	board of appeals" are substituted with the words "Code Enforcement Board or Special
145	Magistrate."
146	(6) Section 103.4.1 titled "Legal defense" is deleted in its entirety.
147	(7) Section 103.5 titled "Fees" is deleted in its entirety.
148	(8) Section 106.2 titled "Notice of violation" is deleted in its entirety.
149	(9) Section 106.3 titled "Prosecution of violation" is deleted in its entirety.
150	(10) Section 106.4 titled "Violation penalties" is amended to read as follows:
151	Any person who shall violate a provision of this code, or fail to comply therewith, or with any

152	of the requirements thereof, shall be prosecuted within the limits provided by state or local
153	laws.
154	(11) Section 107 titled "Notices and Orders" is deleted in its entirety.
155	(12) Section 108.2 titled "Closing of vacant structures" is deleted in its entirety
156	(13) Section 108.3 titled "Notice" is deleted in its entirety.
157	(14) Section 108.4 titled "Placarding" is deleted in its entirety.
158	(15) Section 108.4.1 titled "Placard removal" is deleted in its entirety.
159	(16) Section 108.5 titled "Prohibited occupancy" is deleted in its entirety.
160	(17) Section 108.7 titled "Record" is deleted in its entirety.
161	(18) Section 109 titled "Emergency Measures" is deleted in its entirety.
162	(19) Section 110 titled "Demolition" is deleted in its entirety.
163	(20) Section 111 titled "Means of Appeal" is deleted in its entirety.
164	(21) Section 112.1 titled "Authority" is amended to read as follows: Whenever
165	the code official finds any work regulated by this code being performed in a manner contrary
166	to the provisions of this code, the code official is authorized to issue a stop work order after
167	consultation with the building official.
168	(22) Section 112.4 titled "Failure to Comply" shall be deleted in its entirety.

(23) Secti	on 302.4 titled "Weed	ls" is amended t	o specify weeds	or plant growth
in excess of 12 inches on	residential property.			

- (24) Section 302.7 titled "Accessory Structures" is amended to read as follows:

 Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. As used in this section: Fence shall mean a barrier constructed of materials other than masonry, including without limitation, wood, metal, PVC or vinyl, erected for the purpose of protection, confinement, enclosure or privacy. The term "fence" does not include natural barriers, such as, but not limited to, trees, hedges or shrubs. Material(s) of professional grade shall mean materials that are manufactured for use in a fence or wall. Wall shall mean a barrier constructed, in whole or part, of masonry, including without limitation, stone, brick, block or concrete, for the purpose of protection, confinement, enclosure or privacy.
 - (a) Construction.

- (1) The construction of a wall requires a building permit and is subject to the applicable codes and review procedures of the building department.
- (2) All fences and walls shall be constructed of uniform, durable, weather-resistant materials of professional grade. Fences constructed of wood shall be treated to resist wood-destroying organisms. Fences constructed of metal, except galvanized metal, shall have a colored finish coat and be treated to resist rust and corrosion.
- (3) Fences and walls shall be constructed in a safe, sturdy, workmanship-like manner. Horizontal and vertical support posts shall be placed facing the inside of the fenced area, except where the fence is designed such that both sides are finished with alternating vertical fence supports.

191	(4) No fence or wall may be constructed in a location or manner that obstructs the
192	vision triangle contained in the Gainesville Engineering Design and Construction
193	Manual.
194	(5) The requirements of this section are minimum requirements and shall not be
195	construed to supersede any fence or wall requirements in the city code of ordinances
196	or in state law, such as height limitations or material requirements in the city land
197	development code or specific requirements for fencing around swimming pools.
198	(b) Maintenance.
199	(1) All fences and walls shall be maintained upright and in good condition. For
200	purposes of this section, upright shall mean no vertical structural member shall list or
201	lean to such an extent that a normally vertical structural member shall be more than
202	two inches out of plumb in ten feet or less of vertical distance. For purposes of this
203	section, in good condition means without missing, broken, chipped or cracked
204	elements.
205	(2) Missing elements shall be repaired or replaced with material of professional grade
206	of the same type and quality as the existing fence or wall.
207	(c) Prohibited fences.
208	(1) Fences that are constructed, in whole or in part, of razor wire or barbed wired or
209	similar materials are prohibited in residential zoning districts (as classified in section
210	30-4.1 of the city land development code.)

211	(2) Fences that are constructed of cloth, fabric or other similar materials, are
212	prohibited; except that such materials of professional grade may be used as a privacy
213	screening in conjunction with a permanent fence or wall.
214	(3) Temporary fences are prohibited; except that temporary fences constructed of
215	materials of professional grade used to protect construction and excavation sites or to
216	protect plants during grading and construction, are allowed for the duration of an
217	active building permit for the fenced site.
218	(d) Nonconformities. Except for fences prohibited by (c), fences on which construction
219	has commenced and walls for which a valid active permit has been issued, on or before October
220	2, 2008 at 11:59 p.m. and do not conform to the construction requirements in (a) shall be
221	allowed to remain until destroyed or removed, in whole or in part; provided such non-
222	conforming fence or wall otherwise complies with the maintenance requirements in (b).
223	Following destruction or removal, in whole or in part, of any non-conforming fence or wall, any
224	replacement wall or fence shall comply with the requirements of this section.
225	(25) A new Section 302.10 titled "Dangerous trees" is added, and reads:
226	All premises shall be maintained free of any dead, diseased, infested or dying tree that
227	constitutes a danger to persons or property.
228	(2526) Section 303.2 titled "Enclosures" is deleted in its entirety.
229	(2627) Section 308.3.1 titled "Garbage facilities" is deleted in its entirety.
230	(2728) Section 308.3.2 titled "Containers" is deleted in its entirety.
231	(29) Section 304.14 titled "Insect screens" is amended to read as follows:
232 233	Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas or any areas where products to be included or utilized in food for

234	human consumption are processed, manufactured, packaged or stored shall be supplied with
235	approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every
236	screen door used for insect control shall have a self-closing device in good working condition.
237	However, screens shall not be required where other approved means, such as air curtains or
238	insect repellent fans, are employed.
239	$(28\underline{30})$ Section 506.3 titled "Grease interceptors" is deleted in its entirety.
240	(2931) Section 602.3 titled "Heat supply" is amended to require the supply of heat
241	year-round.
242	(3032) Section 602.4 titled "Occupiable work spaces" is amended to require the
243	supply of heat year-round.
244	(3133) Section 603.2 titled "Removal of combustion products" is deleted in its
245	entirety.
246	(3234) Section 603.3 titled "Clearances" is deleted in its entirety.
247	(3335) Section 603.4 titled "Safety controls" is deleted in its entirety.
248	(3436) Section 603.5 titled "Combustion air" is deleted in its entirety.
249	(3537) Section 603.6 titled "Energy conservation devices" is deleted in its entirety.
250	(3638) Section 606 titled "Elevators, Escalators and Dumbwaiters" is deleted in its
251	entirety.
252	(3739) Section 702.2 titled "Aisles" is deleted in its entirety.
253	(3840) Section 702.4 titled "Emergency Escape Windows" is amended to delete the
254	phrase "in accordance with the code in effect at the time of construction" and the phrase
255	"that was in effect at the time of construction."
256	(3941) Section 703.2 titled "Unsafe conditions" is amended as follows: the first
257	sentence is amended to delete "in accordance with Section 111.1.1 of the International

258	Fire Code. The last sentence is amended to delete "the fire code official shall act in
259	accordance with Section 111.2 of the International Fire Code".
260	(4042) Section 703.4.1 titled "Signs" is deleted in its entirety.
261	(4143) Section 703.5 titled "Ceilings" is deleted in its entirety.
262	(4244) Section 703.7 titled "Vertical shafts" is deleted in its entirety.
263	(4345) Section 703.8 titled "Opening protective closers" is amended to delete the
264	last sentence.
265	(44 <u>46</u>) Section 704.1.2 "Required fire protection systems" is amended to add "At
266	least one 2A 10BC rated fire extinguisher shall be provided and accessible within a 75
267	ft. travel distance from all areas of each regulated residential rental unit".
268	(4547) Section 704.1.3 titled "Fire protection systems" is amended to state "Fire
269	protection systems shall be inspected, maintained and tested in accordance with the
270	appropriate Florida Fire Prevention Code standards." The remainder of this section is
271	deleted in its entirety.
272	(4648) Section 704.2 titled "Standards" is deleted in its entirety.
273	(4749) Section 704.2.2 titled "Records information" is deleted in its entirety.
274	(48 <u>50</u>) Section 704.3 titled "Systems out of service" is amended to delete the last
275	sentence.
276	(49 <u>51</u>) Section 704.3.1 titled "Emergency impairments" is deleted in its entirety.
277	(5052) Section 704.4.2 titled "Removal of existing occupant hose lines" is deleted
278	in its entirety.
279	(5153) Section 704.5.1 titled "Fire department connection access" is amended to
280	delete the exception.

281	(5254) Section 704.6 titled "Single and multiple station smoke alarms" is amended
282	to state "Single and multiple station smoke alarms shall be installed according to the
283	manufactures recommendations and listing, the Florida Fire Prevention Code and
284	Florida Building Code. At minimum; single and multiple station smoke alarms shall be
285	installed and maintained in all regulated residential dwelling units, inside of each
286	dwelling unit sleeping area, outside of each separate dwelling unit sleeping area in the
287	immediate vicinity of sleeping rooms and on every occupiable level of a dwelling unit.
288	(5355) Section 704.6.1 titled "Where required" is deleted in its entirety.
289	(54 <u>56</u>) Section 704.6.1.1 titled "Group R-1" is deleted in its entirety.
290	(55 <u>57</u>) Section 704.6.1.2 titled "Groups R-2, R-3. R-4 and I-1" is deleted in its
291	entirety.
292	(5658) Section 705.1 titled "General" is amended to state "Carbon monoxide
293	alarms and detectors shall be installed and maintained in accordance with the Florida
294	Fire Prevention Code and NFPA 720 requirements. Carbon monoxide alarms and
295	detectors shall be provided in all regulated residential rental units with communicating
296	attached garages, containing fuel burning appliances or fuel burning fire places. Carbon
297	monoxide alarms and detectors shall be provided outside of each separate dwelling unit
298	sleeping area in the immediate vicinity of sleeping rooms and on every occupiable level
299	of a dwelling unit, excluding attics and crawl spaces."
300	(5759) Section 705.2 titled "Carbon monoxide alarms and detectors" is deleted in
301	its entirety.
302	(60) The following provisions are added as technical amendments to the IPMC:
303	(a) Hazardous trees.

304 305 306	(1) It shall be the duty and responsibility of every owner and occupant to keep the premises of residential property clean, and to remove from the premises, upon notice from the code officer, the following:
307 308 309 310	(2) Dead or hazardous trees that are standing or have fallen to the ground that pose a hazard to neighboring properties, or which create a hazard to the safety or welfare of any occupant of the property (except the owner), or the inhabitants of the surrounding area, or any public property; and
311 312 313	(3) Dead tree limbs and vegetative debris that pose a hazard to neighboring properties, or which create a hazard to the safety or welfare of any occupant of the property (except the owner), or the inhabitants of the surrounding area, or any public property.
314	Section 4. Section 30-8.44 of the Code of Ordinances is amended to read as follows:
315	Sec. 30-8.44 Violations, enforcement and penalties.
316 317	A. <i>Stormwater management</i> . As regards the provisions of the stormwater management sections of this chapter:
318 319	1. Stormwater facilities shall function as per the approved final development plan/final plat. Failure to comply with this provision shall be a violation of this Code.
320 321 322 323 324	2. During construction if the city manager or designee observes that the stormwater facilities are not functioning in accordance with the permitted site plan or subdivision construction design plan, in addition to other remedies provided for in this section, no certificate of occupancy shall be issued until such time as the facilities are corrected and are functioning properly.
325 326 327	3. Any stormwater facility that is found by the city manager or designee to be contributing to mosquito control problems is in violation of this article and the property owner shall immediately correct the problem at the owner's expense.
328 329 330 331 332 333 334 335	4. Prior to construction of a stormwater facility, a pollution prevention plan shall be submitted to the city manager or designee for approval. The pollution prevention plan shall detail specific best management practices for installation on a construction site and that when installed have the net effect of preventing a deposit, obstruction, damage or process problem to any of the city's stormwater management facilities or to the surface waters of the state. If such deposit, obstruction, damage or process problem occurs this occurrence shall be a violation of this article and the property owner shall cause the deposit or obstruction to be immediately removed or cause the damage or process problem to be immediately repaired.
336 337 338 339	Discharge from any facility that causes a deposit, obstruction, damage or process problem to any of the city's stormwater management facilities or to the surface waters of the state is a violation of this article and the property owner shall cause the deposit or obstruction to be immediately removed or cause the damage or process problem to be immediately repaired.

- 340 5. Any temporary or permanent erosion or sedimentation control device that is unable to
- perform continuous effective control shall be a violation of this article and the property owner
- shall immediately correct the control device so that it performs continuous effective control.
- 343 Such correction or repair shall be taken at the owner's expense.
- 6. If an approved maintenance plan is not being adhered to, the property owner shall be in
- violation of this article and shall immediately resume adherence to the approved maintenance
- 346 plan.
- 7. Should any person violate the provisions of this section, the city manager or designee shall
- require the alleged violator to take corrective measures. In the event the alleged violator does
- not immediately correct the violation, the city may, depending upon the severity of the
- violation, take the following actions:
- a. If the city manager or designee finds a violation of this article or a violation of any
- provision of a property owner's pollution prevention plan, which has been provided to the city,
- is not immediately rectified, the city manager or designee shall notify the property owner of
- 354 the violation within five calendar days of inspection and shall give the property owner a
- reasonable time to correct the violation. Should the violation continue beyond the time
- specified for correction, the city manager or designee shall issue a notice of violation to the
- 357 alleged violator and shall notify the code enforcement board to request a hearing. The board,
- 358 through its clerical staff, shall schedule a hearing, and written notice of such hearing shall be
- hand delivered or mailed to the property owner as provided in section 2-390 of the Code of
- Ordinances. In the case of notice provided under subsection 2-390(a), notice shall be given at
- least seven calendar days in advance of the hearing, not counting the day of the hearing. If the
- violation is corrected and then recurs or if the violation is not corrected by the time specified
- 363 for correction by the inspector, the case may be presented to the board even if the violation has
- been corrected prior to the board hearing.
- b. Notwithstanding any other provision of this section, if the city manager or designee finds a
- violation of this article in relation to a city-issued permit or finds a violation of the pollution
- prevention plan has occurred that presents an imminent risk to the environment, the city
- manager or designee may issue a cease and desist order for any and all development on the site
- related to the permit. Any person receiving such an order for cessation of operations shall
- immediately comply with the requirements thereof. It shall be a violation of this Code for any
- person to fail to or refuse to comply with a cease and desist order issued once written notice of
- the cease and desist order is delivered by hand delivery or by certified mail, return receipt
- 373 requested, to the person to whom the permit is issued.
- 374 If the city manager or designee issues a cease and desist order pursuant to this Code, the
- property owner shall immediately cease all work on the site until the violation is corrected or
- 376 mitigated. The property owner shall have the right to appeal to the appropriate reviewing
- authority the administrative decision of the city manager or designee to issue a cease and desist
- order and shall show cause why the cease and desist order should be lifted. Any appeal shall
- 379 not stay the cease and desist order.

- 380 8. The city manager or designee may enter into consent agreements, assurances or voluntary
- compliance documents establishing an agreement with any user responsible for
- 382 noncompliance. Such documents shall include specific action to be taken by the user to correct
- 383 the noncompliance within the time period as specified in the document. Such documents may
- 384 provide for judicial enforcement.
- 9. In addition to all remedies provided above, in the event of failure to comply with any
- requirement of this section or in the event a violation of this section is occurring in the absence
- of a city-issued permit, the city manager may request the city attorney's office seek injunctive
- relief in a court of equitable jurisdiction so that the property owner will cease any and all
- activity on the site.
- 390 10. The remedies provided in this section shall not be exclusive, and are in addition to any
- other remedies available to the county, state or federal government; and the city may seek
- whatever remedies are authorized in Code against any person or user for violating the
- 393 provisions of this section.
- B. Landscape and tree management. As regards the provisions of the landscape and tree
- management sections, the enforcing official shall regularly inspect properties within the city to
- determine whether the areas devoted to landscape materials are in accordance with the
- provisions of these sections. Whenever the enforcing official finds any violation of the
- 398 provisions of the landscape and tree management sections, he/she shall institute enforcement
- 399 proceedings as follows:
- 400 1. Notice. The enforcing official shall issue a code violation to the owner of the property,
- 401 which shall be given either by personal delivery or by deposit in the United States mail in an
- 402 envelope marked certified mail, postage prepaid, addressed to the owner as listed on the
- 403 current tax assessor's tax roll. The notice of code violation shall include:
- 404 a. A location of the property either by street address or legal description.
- 405 b. A statement indicating the nature of the violation and the reason or reasons why the notice
- 406 of violation is issued.
- 407 c. A specification of the subsection or subsections of the landscape and tree management
- 408 sections upon which the notice of violation is based.
- 409 d. If corrective action will bring the areas devoted to landscape materials into compliance with
- 410 these sections, a statement of the nature and extent of such action, repairs or alterations
- 411 necessary to remedy the violation in accordance with the performance standards provided in
- 412 subsection B.4. of this section.
- e. If corrective action is necessary for compliance, the city shall specify the time for
- 414 performing such action, such time not to be less than ten nor more than 90 calendar days.
- 415 f. The name or names of persons upon whom the notice of violation is served.

23

CODE: Words stricken are deletions; words underlined are additions.

- 416 g. A statement advising that the city may institute legal proceedings as provided herein.
- 417 h. A statement advising of the procedures available for review of the action of the enforcing
- 418 official as set out in article III and section 30-8.11.
- 419 2. Appeals and variances. An appeal to the appropriate reviewing authority of the decision of
- 420 the enforcing official or a petition for variance as provided in this chapter, if applicable, shall
- 421 operate to stay further proceedings by the enforcing official until final disposition.
- 422 3. Failure to comply. If corrective action is not taken within the time specified in the notice of
- 423 violation, or if an appeal is taken and corrective action is not taken in accordance with the
- 424 decision of the appropriate reviewing authority, then the enforcing official may institute further
- 425 proceedings as provided by the enforcement provisions of this chapter.
- 426 $\underline{14}$. Performance standards. Performance standards for regulated trees shall be as follows:
- a. *Purpose*. In order to assist the enforcing official, the code enforcement board and/or
- 428 appropriate judicial forum in remedying a violation of the landscape and tree management
- sections of this article and ordering appropriate corrective action against the owner of the
- property as listed on the current tax assessor's tax roll, or other address of record, and/or the
- person committing any violation of these sections, there are adopted the following performance
- standards which meet the objectives of these sections.
- 433 b. *Minimum requirements*.
- i. A tree that was established in compliance with a development order but which has been
- removed from the site or has died shall be replaced with a tree that meets the requirements of
- this article. The species should be the same as specified on the approved landscaping plan. If a
- different species is desired, it shall fill the required function for example, a small flowering
- 438 tree cannot replace a high quality shade tree. Whenever required street trees are removed to
- allow for infrastructure improvement projects along a street, they shall be replaced by the
- entity responsible for the improvement project.
- 441 ii. High quality heritage trees shall be used as mitigation trees for any trees that were removed
- without a permit. Mitigation trees should be planted on site in all the locations that would be
- required by code to bring the landscaping into compliance with current standards have been
- filled. The remainder of the mitigation trees may, as determined by the city manager or
- designee, be established on other appropriate sites within the city limits or may be given to the
- 446 city tree-planting program.
- 447 iii. All replacement or mitigation trees shall be nursery-grown trees. They may be balled and
- burlapped, tree spaded or containerized.
- 449 iv. Replacement or mitigation trees shall be located in approximately the same location as the
- regulated tree that has died or has been removed from the site, unless such location does not

451 452	meet utility separation requirements or would conflict with other requirements in the chapter in which event the location shall be determined by the city manager or designee.
453 454 455	v. Replacement or mitigation trees may only be planted during the months of November through March, unless the trees are containerized or the site is served by an automatic irrigation system.
456 457 458 459 460 461	vi. The total sum of the caliper inches of replacement or mitigation trees shall equal, at a minimum, to the total sum of the caliper inches of the regulated trees which were removed without a permit. If a <u>regulated</u> tree <u>was</u> removed without a permit was a high quality heritage tree, then the required mitigation shall be double what is required as in mitigation in this article. It shall be assumed that the tree removed without a permit was in fair or better condition.
462 463 464 465 466 467 468	5. Reinspection. The enforcing official shall inspect the property upon completion of all corrective action or order issued pursuant to the landscape and tree management sections of this article to determine compliance. The enforcing official shall then reinspect the property approximately one month thereafter and then at four-month intervals to ensure compliance. If at any time the enforcing official determines that the corrective action is not successful, he/she shall notify the owner and/or resident of the property as provided in subsection B.1. of this section.
469	Section 5. The Clerk of the Commission is directed to record this ordinance in the Public
470	Records of Alachua County, Florida.
471	Section 6. If any word, phrase, clause, paragraph, section or provision of this ordinance
472	or the application hereof to any person or circumstance is held invalid or unconstitutional, such
472 473	
	or the application hereof to any person or circumstance is held invalid or unconstitutional, such
473	or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance that can be given
473 474	or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid or unconstitutional provision or application, and to this end the
473 474 475	or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.
473 474 475 476	or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable. Section 7. All ordinances or parts of ordinances in conflict herewith are to the extent of
473 474 475 476 477	or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable. Section 7. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

480

481	PASSED AND ADOPTED this	day of	, 2023.
482			
483			
484			
485		HARVEY WARD	
486		MAYOR	
487			
488	Attest:	Approved as to form	m and legality:
489			
490			
491			
492	OMICHELE D. GAINEY	DANIEL M. NEE	
493 494	CITY CLERK	INTERIM CITY A	TTORNEY
495 496	This ordinance passed on first reading this	day of	, 2023.
497 498	This ordinance passed on second reading this _	day of	, 2023
499			



City of Gainesville Agenda Report

File #: 2022-537

Agenda Date: February 2, 2023

Department: Sustainable Development

Title: 2022-537 Rezone from Urban Transect Zone U9 to Planned Development

(PD) (PB21-00220 ZON) (B)

Department: Sustainable Development

Description: Ordinance No. 2022-537: An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 1.11 acres of property generally located at the NW corner of the intersection of SW 2nd Avenue and SW 10th Street, as more specifically described in this ordinance, from Urban 9 (U9) to Planned Development (PD); providing land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: N/A

Explanation: This ordinance will rezone approximately 1.11 acres of property located at the NW corner of the intersection of SW 2nd Avenue and SW 10th Street from Urban 9 (U9) to Planned Development (PD). This ordinance was generated by an application from the private property land owners. The City Plan Board held a public hearing on May 26, 2022, where it voted to deny the approval of this rezoning.

The purpose of the planned development (PD) district is to provide a particularized zoning district that recognizes unique conditions, allows design flexibility, and promotes planned diversification and integration of uses and structures, which other zoning districts cannot accommodate, while also retaining the city commission's authority to establish such limitations and regulations as it deems necessary to protect the public health, safety, and general welfare.

This ordinance requires two hearings and will become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 2022-536 becomes effective as provided therein.

Strategic Connection:

Goal 3: A Great Place to Live and Experience

Recommendation: The City Commission adopt the proposed ordinance.



City of Gainesville Department of Sustainable Development Planning Division

PO Box 490, Station 11 Gainesville, FL 32627-0490 306 NE 6th Avenue P: (352) 334-5022 F: (352) 334-2648

CITY PLAN BOARD STAFF REPORT

PUBLIC HEARING DATE: April 28th, 2022

PROJECT NAME AND NUMBER: PB-21-00219 LUC/PB-21-00220 ZON 1026 SW 2nd Ave and

106 SW 10th St

APPLICATION TYPE: Land Use Amendment/Zoning Change

RECOMMENDATION: Approve with Conditions

CITY PROJECT CONTACT: Forrest Eddleton, Planner

APPLICATION INFORMATION:

Applicant: CHW Professional Consultants on behalf of CA Ventures

Property Owner(s): Gainesville Historic Properties, LLC and Second Avenue Investments, LLC

Related Petition(s): PB-21-00220 ZON 1026 SW 2nd Ave and 106 SW 10th St

Legislative History: N/A

Neighborhood Workshop: Yes, held on December 15th, 2021

SITE INFORMATION:

Address: 1026 SW 2nd Ave. and 106 SW 10th St.

Parcel Number(s): 13249-000-000 and 13263-000-000 (eastern portion of)

Acreage: 1.11 +/- acres
Existing Use(s): Office

Land Use Designation(s): Urban Mixed-Use High (UMUH)

Zoning Designation(s): Urban 9 (U9)

Overlay District(s): None. A portion of the project area is covered by the 100ft University Heights

South Historic District Compatibility Buffer

Transportation Mobility Program Area (TMPA): Zone A



Figure 1 Location Map



Figure 2 Aerial with Historic District



Figure 3 Historic District 100ft Compatibility Buffer

ADJACENT PROPERTY CHARACTERISTICS:

	EXISTING USE(S)	LAND USE DESIGNATION(S)	ZONING DESIGNATION(S)	
North	Single Family, Multi- family Residential (Townhomes, Condominiums)	Mixed Use Residential (MUR), Urban Mixed-Use High (UMUH)	Urban 5 (U5), Urban 9 (U9)	
South	Office, Multi-family Residential	Mixed Use Residential (MUR) Urban 5 (U5		
East	Mixed-Use Commercial, Multi-family Residential (High-rise)	Urban Core (UC)	Downtown (DT)	
West	Office, Commercial/Restaurant, Multi-family (Condominiums)	Urban Mixed-Use High (UMUH)	Urban 9 (U9)	



Figure 4 Surrounding Land Use



Figure 5 Surrounding Zoning

PURPOSE AND DESCRIPTION:

This petition is privately initiated by CHW Inc, the agent, on behalf of Gainesville Historic Properties, LLC and Second Avenue Investments, LLC, the property owners. The PUD and PD request an increase in allowable height, an increase to allowable density, and modifications to compatibility requirements in order to facilitate the provision of "workforce-rate housing in perpetuity." The modifications to the Land Use and Zoning standards are intended to "promote inclusion of additional market rate units to be built to help offset the cost of providing workforce rate units within the development."

¹ CHW Inc, Justification Report, Pg.3, Submitted 4/8/2022

² CHW Inc, *Justification Report*, Pg.3, Submitted 4/8/2022

This proposal has been submitted in conjunction with petition PB-21-00220 ZON. The associated development project will include two (2) buildings separated by SW 1st Place as a small street/alley between. Both buildings are proposed to include an internal structured parking garage. The northern building is proposed to be five (5) stories and the southern, larger, building is proposed to be five stories on the north western portion of the building and twelve (12) stories on the remaining portion (See Appendix B). The first floor units of both buildings are proposed to have access to the street. The southeast corner of the larger building is proposed to be designed to engage the roundabout at SW 2nd Ave and SW 10th Street with the primary entrance and access to a leasing office or similar type use that activates that corner. Additional design details, are included in Appendix A, within the Justification Report and Appendix B for the Elevations document.

STAFF ANALYSIS:

Staff analysis is based on current Comprehensive Plan and Land Development Code regulations applicable to the subject properties. Analysis is also based on the PUD/PD review criteria outlined by the Comprehensive Plan and the Land Development Code. Currently, the properties have an UMUH land use and U9 zoning designation. Among other elements, density, total height in feet, number of stories, and design criteria are governed by the UMUH and U9 designations. These existing standards are outlined in Table 1 below at basic maximums allowed and are juxtaposed with the proposed maximums.

In addition, a significant portion of subject project area is within 100 feet of the University Heights South Historic District (see Figure 3 above). As such, staff analysis also includes a review and assessment of the University Heights South Historic District. Maximums in reference to required Historic District compatibility buffers are also included in the table below.

	Existing Land Use (UMUH) and Zoning (U9)	Historic District 100ft Compatibility Buffer ³	Proposed Maximums
Density	100 du/ac by right (125 du/ac with SUP) =	6 du/building	204 du⁴ (~184 du/ac)⁵
	111 units (138 units with SUP)	(single family,	
		attached, or small-	
		scale multi-family)	
Bedrooms	Bedrooms (2.75 Multiplier) ⁶ :	N/A	557 Bedrooms
	305 (379 with SUP)		
Stories	6_Stories (8 with bonus) ⁷	4 Stories	12 stories (southern
			building), <u>5</u> stories
			(northern building)
Height	88 feet (116ft with bonus)	60 feet	<u>120</u> feet 7 inches
Building	20ft minimum, 25ft maximum (from back	N/A	14 feet (at intersection of
Placement	of curb)		SW 2 nd Ave and SW 10 th
			St.

Table 1 Development Maximums

The staff analysis and recommendation are based on the review criteria for Planned Use Developments outlined in the Future Land Use Element of the Comprehensive Plan. Staff responses to the review criteria are highlighted in **bold** below. Policy 4.1.3 requires that proposed changes to the Future Land Use Map must consider, but is not limited to, the following:

1. Consistency with the Comprehensive Plan

The proposed land use change and rezoning are generally consistent with the Comprehensive Plan in that they directly impact or address multiple goals and policies of the Future Land Use Element (FLUE), the Housing Element, and the

³ Land Development Code Sec. 30-4.8

⁴ 10% of units provided will be workforce rate in perpetuity

⁵ Maximum allowable density in Land Development Code is 175 du/ac, with bonus, under DT zoning

⁶ Land Development Code Sec. 30-4.8

⁷ Land Development Code Sec. 30-4.9 – Bonuses include increases to number of stories and height when various improvements are provided i.e.: useable open space, tree preservation, structured parking, transit facilities, undergrounding/relocating utilities, and/or the provision of affordable housing

Transportation Mobility Element. Specifically, the proposal addresses Goal 1 of the FLUE by providing workforce rate and market rate housing options within walking distance of the University of Florida, Santa Fe's Blount Center, Innovation Square, and the Downtown district. Providing workforce rate housing also addresses the Housing Element's overall goal of providing a variety of housing types and densities and supporting the provision of affordable housing.⁸ In addition, the proposed infill redevelopment will bring increased density to an area with a variety of existing uses within close proximity to one another including restaurants, essential goods, offices, and educational facilities. The increased density will also protect and promote viable transit, pedestrian, and cycling choices along the SW 2nd Avenue corridor and SW 10th Street.

The Comprehensive Plan also utilizes the Planned Use District "to allow the consideration of unique, innovative, or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of the surrounding land uses."9 PUD proposals are intended to allow a mix of uses and/or unique design features. Planned Development (PD) zoning districts are also intended to "provide a particularized zoning district that recognizes unique conditions, allows design flexibility, and promotes planned diversification and integration of uses and structures." There has been significant discussion in the community of a "housing crisis" and shortage of available, affordable housing across income levels. The City Commission, by commissioning planning studies and establishing associated policy directives, has strongly stated the desire to foster and support more opportunities for development projects to include affordable and/or workforce housing. By offering to devote 10% of proposed units to be reserved for households earning between 50% and 80% Area Median Income (AMI) in perpetuity staff believes that this proposal meets the threshold of "unique" and "innovative" 10 while also addressing multiple goals of the Comprehensive Plan.

⁸ Comprehensive Plan – Housing Element Objectives 1.2 and 1.5

⁹ Comprehensive Plan – Future Land Use Element Policy 4.1.1

¹⁰ Also addresses Comprehensive Plan – Housing Element Policy 1.5.1

2. Compatibility and surrounding land uses

Located between the University of Florida and Downtown, the project site is situated between multiple land uses of varying types and intensities. Directly to the east is Infinity Hall, a five story multi-family residential building. Directly to the southeast is Innovation Square, a vibrant, mixed-use tech start-up hub. Both locations are under DT zoning and Urban Core land use designations, the tallest, the most dense, and most intense designations in the city. The subject property has UMUH land use and U9 zoning which is very similar to multiple project sites in the area that have undergone recent redevelopment. The north, west, and south sides of the subject parcels however, are directly adjacent to the University Heights South Historic District. This district is significantly less dense with less intense uses and development is limited in height to four stories and 60 feet. Roughly half of the project area is within the 100 foot Historic District Compatibility Buffer which, in addition to height restrictions, also limits the number of units per building to six and in the form of small-scale multi-family structures. Further analysis of the Historic District is included in its own section below. To address these limitations and restrictions to compatibility, the applicant is requesting that relief from these requirements be granted through the PUD/PD review and approval process.

3. Environmental impacts and constraints

There are no regulated environmental resources on site and no significant impacts or constraints.

4. Support for urban infill and/or redevelopment

The proposed project will provide high-density development by replacing existing single-story office buildings and surface parking in the city's urban core.

5. Impacts on affordable housing

The proposed project will have a direct positive impact on the provision and availability of workforce rate housing by reserving, in perpetuity, 10% of the units on site for households earning between 50% and 80% AMI. The proposal would permanently add 20 workforce rate dwelling units to the city's housing stock located in close proximity to downtown, UF, and the urban core.

6. Impacts on the transportation system

The density increase due to redevelopment of the site will be largely offset by the existence of robust pedestrian and bicycling infrastructure along SW 2nd Avenue and SW 10th Street. There are also numerous transit stops and bus routes that serve and or connect directly to the project area. While some on site structured parking will be provided, the limited number will encourage the use of alternative transportation modes and will limit the increase in vehicular traffic.

7. An analysis of the availability of facilities and services

Levels of Service will not be negatively impacted by the proposed project and existing utility capacity will be able to accommodate the redevelopment.¹¹

8. Need for additional acreage in the proposed future land use category

In this case, the additional acreage devoted to PUD land use will facilitate the provision of workforce housing of which there is a significant need.

9. Discouragement of urban sprawl

The proposed project is high-density redevelopment, provides additional housing opportunities in the city's urban core, and does not meet the definition of urban sprawl in Florida Statutes.¹²

10. Need for job creation, capital investment, and economic development to strengthen and diversify the City's economy

The redevelopment will immediately provide construction jobs and property management jobs (administration, skilled labor, etc.) once built. The proposed project will contribute to the strength and diversity of the City's economy by providing multiple types of housing, specifically workforce rate with market rate, within close proximity to amenities and job opportunities.

¹¹ CHW Inc, Justification Report, Submitted 4/8/2022

¹² Florida Statute – Section 163.3164 and 163.3177(6)(a)9

11. Need to modify land use categories and development patterns within antiquated subdivisions

The subject parcels are not within an "antiquated subdivision." 13

In addition, Section 30-3.17 of the Land Development Code outlines the review criteria for rezoning to a PD district:

A. Consistent with Comprehensive Plan. A PD application may only be approved if it is consistent with the Comprehensive Plan.

See item 1 above.

See item 1 above.

B. Conformance to PD purpose. A PD application may only be approved if it is in conformance with the purpose of PDs as articulated in section 30-3.15.

- Encourage flexible land development that sustainably uses land and infrastructure, reduces transportation needs, conserves energy, and maximizes the preservation of natural resources.
- 2. Allow the integration of different land uses and densities in one development that would not otherwise be provided for in other zoning districts in this chapter, and which encourage compatibility in overall site design and scale both internal and external to the project site.
- 3. Permit outstanding and innovative residential and nonresidential developments with quality-of-life design features, such as an integration of housing types and accommodation of changing lifestyles within neighborhoods; design that encourages internal and external convenient and comfortable travel by foot, bicycle, and transit through such strategies as pedestrian scale, a building orientation generally toward streets and sidewalks, parking located to the side or rear of buildings, narrow streets, modest setbacks, front porches, connected streets, multiple connections to nearby land uses, terminated vistas, recessed garages, alleys, enhances landscaping, and mixed-uses.

¹³ As defined by Florida Statute – Section 163.3164

- 4. Provide flexibility to meet changing needs, technologies, economics, and consumer preferences and allows for ingenuity and imagination in the planning and development of relatively large tracts.
- 5. Achieve overall coordinated building and facility relationships and infill development, and eliminate the negative impacts of unplanned and piecemeal development.
- C. Internal compatibility. All uses proposed within a PD shall be compatible with other proposed uses; that is, no use may have any undue adverse impact on any neighboring use, based on the streetscape, treatment of pedestrian ways and circulation, motor vehicle circulation, and the separation and buffering of parking areas and sections of parking areas; the existence or absence of, and the location of, focal points and vistas, open spaces, plazas, recreational areas and common areas, and use of existing and proposed landscaping; use of the topography, physical environment and other natural features; use and variety of building setback or build-to lines, separations and buffering; use and variety of building groupings, building sizes, architectural styles, and materials; variety and design of dwelling types; particular land uses proposed, and conditions and limitations thereon; and any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of any proposed use within the PD.

The proposed uses are market rate and workforce rate housing with associated amenities and accessory uses. Uses are integrated throughout the building and, as detailed in the applicant's Justification Report, there will be equal access to the same finishes and amenities for all residents.

D. External compatibility. All uses proposed within a PD shall be compatible with existing and planned uses of properties surrounding the PD; that is, no internal use may have any avoidable or undue adverse impact on any existing or planned surrounding use, nor shall any internal use be subject to undue adverse impact from existing or planned surrounding uses. An evaluation of the external compatibility of a PD should be based on the following factors: adjacent existing and proposed uses, design of the development, traffic circulation, and density and intensity.

The proposed project will provide some positive benefits to external compatibility specifically improvements to pedestrian and bicycle infrastructure. Improvements to the overall streetscape via stoops, upgraded street landscaping, and building

materials are also included in the proposal. Compatibility with properties to the east, namely Infinity Hall and Innovation Square is relatively seamless particularly when the full by-right development potential is taken into account.

However, the north, west, and south sides of the proposed project are within the University Heights South Historic District which is characterized by one and two story single-family and small-scale multi-family structures. Any project at the subject site, designed and developed to the highest and best use allowable by the UMUH land use and U9 zoning, would stand in stark contrast to the surrounding properties. In an attempt to address this, the applicant has worked with Planning staff, Historic Preservation staff, and the City Architect to reduce height and building massing particularly on the portions of the project that are affected by the 100 foot Compatibility Buffer. The significant increase in density and intensity should be strongly considered and/or mitigated in any final decision (see Figure 6).

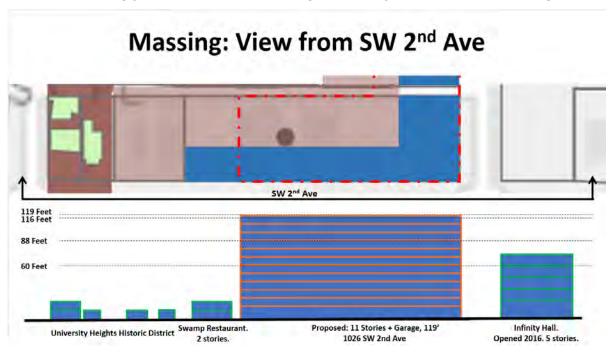


Figure 6 Massing View

E. *Intensity of development*. The residential density and intensity of use of a PD shall be compatible with and shall have no undue adverse impact upon the physical and environmental characteristics of the site and surrounding lands, and shall comply with the

policies and density limitations set forth in the Comprehensive Plan. Within the maximum limitation of the Comprehensive Plan, the permitted residential density and intensity of use in a PD may be adjusted upward or downward in consideration of the following factors: the availability and location of public and utility services and facilities; the trip capture rate of development; and the degree of internal and external connectedness of streets.

See item D above. In addition, any change in the intensity of traffic above what is allowed by right is expected to be minimal.

F. Usable open spaces, plazas and recreation areas. Usable open spaces, plazas and recreation areas provided within a PD shall be evaluated based on conformance with the policies of the Comprehensive Plan and the sufficiency of such areas to provide appropriate recreational opportunities, protect sensitive environmental areas, conserve areas of unique beauty or historical significance, enhance neighborhood design, and encourage compatible and cooperative relationships between adjoining land uses.

Proposed usable open spaces conform to Comprehensive Plan policies.

Neighborhood design is enhanced by providing ground-floor access to individual units via stoops. The primary entryway on the corner of SW 2nd Ave and SW 10th St, in addition to other areas with outdoor seating or other urban furniture, will also provide positive neighborhood design.

G. *Environmental constraints*. The site of the PD shall be suitable for use in the manner proposed without hazards to persons either on or offsite from the likelihood of increased flooding, erosion or other dangers, annoyances or inconveniences. Condition of soil, groundwater level, drainage and topography shall all be appropriate to the type, pattern and intensity of development intended. The conditions and requirements of the protection of resources article shall be met.

There are no known environmental constraints in the project area.

H. External transportation access. A PD shall be located on, and provide access to, a major street (arterial or collector) unless, due to the size of the PD and the type of uses proposed, it will not adversely affect the type or amount of traffic on adjoining local streets. Access shall meet the standards set in chapter 23 and chapter 30, article VI. Connection to existing or planned adjacent streets is encouraged. The trip generation report shall be signed by a

professional engineer registered in the state when there is a difference between the traffic report provided by the petitioner and the concurrency test.

The project location provides easy access to virtually every mode of transportation the City offers. Vehicular parking is limited but is offset by access to robust and integrated alternative modes of transportation.

Internal transportation access. Every dwelling unit or other use permitted in a PD shall have access to a public street directly or by way of a private road, pedestrian way, court or other area that is either dedicated to public use or is a common area guaranteeing access. Permitted uses are not required to front on a dedicated public road. Private roads and other access ways shall be required to be constructed so as to ensure that they are safe and maintainable.

Dwelling units and amenity uses have access to the public streets via ground floor access along SW 1st Place or doorways to building entrances or doorways to individual units. Parking circulation will be internal to the proposed structured parking and pedestrians and cyclists will have access to improved sidewalks, bike lanes, and streetscapes.

J. Provision for the range of transportation choices. Sufficient off-street and on-street parking for bicycles and other vehicles, as well as cars, shall be provided. Parking areas shall be constructed in accordance with such standards as are approved by the city commission to ensure that they are safe and maintainable and that they allow for sufficient privacy for adjoining uses. When there is discretion as to the location of parking in the project, it is strongly encouraged that all motor vehicle parking be located at the rear or interior side of buildings, or both. The design of a PD should, whenever feasible, incorporate appropriate pedestrian and bicycle access ways so as to provide for a variety of mobility opportunities. Connection to all sidewalks, greenways, trails, bikeways, and transit stops along the perimeter of the PD is required. Where existing perimeter sidewalks do not exist, sidewalks shall be provided by the development.

Redevelopment of the site will result in the reduction of driveways and curb-cuts. Pedestrians and cyclists will have access to sidewalks and bike facilities that are directly connected to the buildings thereby eliminating or significantly reducing conflicts with vehicles.

ANALYSIS OF THE UNIVERSITY HEIGHTS SOUTH HISTORIC DISTRICT:

The proposed project is at the meeting point between the Historic District and the Innovation District and at a prominent roundabout intersection which connects the two. The proposed project is also bordered on three sides by the University Heights-South Historic District. The district is roughly 6 ½ blocks long, with its northern boundary at SW 1st Avenue (including properties on both sides of the street) and its southern boundary at SW 6th Avenue (including properties on both sides of the street.) The district's primary east/west boundaries are SW 10th Street and SW 12th Street, with some portions of outlying blocks also included (see Figure 7). At the time the University Heights-South Historic District was designated in 2002, the boundaries were drawn in this configuration, which carved out the southeast corner of the block where the proposed project is located, because previously existing buildings were non-historic and would soon be demolished. This would have increased the percentage of non-contributing parcels, resulting in a weaker district proposal.

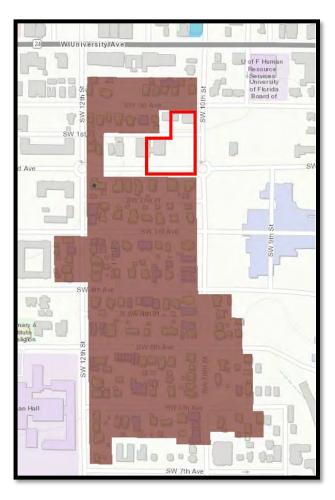


Figure 7 University Heights South Historic District

The University Heights-South Historic District was designated in 2002, and includes 150 contributing structures and 32 non-contributing structures (see Appendix C: Historic District Images). The areas of significance for which it was designated include architecture, community planning and social history, and its period of significance is 1920s to 1950s. This period of significance was determined because of the neighborhood's primary periods of development, including the original subdivision platting in 1925 and the secondary major expansion in post-WWII. The University Heights-South district is a historically and architecturally significant neighborhood that was primarily residential at the time of designation. It is significant for the concentration of buildings which reflect those architectural styles prevalent in Florida from the 1920s to the early 1950s and includes fine examples of Craftsman, Tudor Revival, Mediterranean Revival and Colonial Revival. The scale of the District is one and two stories, with setbacks of the structures that are largely uniformed and reinforced by the use of traditional building materials – wood, brick, and chert. The district is east of the University of Florida campus and primarily serves the housing needs of the school. Several of the residential structures along the corridors of travel have been converted to small office/commercial, especially along S.W. 2nd Avenue.

The University Heights Historic District was determined to be significant in community planning, architecture, and local history. It exemplifies the typical pattern of settlement during that time period and is distinct for its social, economic, physical and historic relationship to the University. It is also significant as one of Gainesville's primary residential areas of the first half of the twentieth century and as the physical remaining evidence of the Florida real estate boom activity in Gainesville during the 1920s.

The zoning of the parcels located within the Historic District is U5. For most historic districts in Gainesville, the maximum building height allowed within that 100' buffer is three stories (36'). University Heights-South is the only district that allows an additional floor. The maximum building height allowed is four stories (and 60', measured to the top plate of the 4th floor).

Existing Surrounding Structures

The historic integrity of the University Heights – South Historic District is very much intact, and it is characterized by modest one and two-story buildings. The properties to the south of the project parcel, across the street from SW 2nd Avenue, are primarily 1 and 2 story historic structures. Some

of the buildings that were formerly residential have been converted to office space. All the buildings facing SW 2nd Avenue on this block are contributing structures to the historic district, many having just been renovated or rehabilitated (see Figure 8). The properties to the north of the project parcel, across the street from SW 1st Avenue, are also all contributing structures to the historic district and are 1 and 2 story buildings. Directly to the west of the project site is the popular and famous "Swamp" restaurant, which recently relocated from its long-time location in the midtown area. Currently under construction, the Swamp is two-stories in height. To the east of the project site, across the street from SW 11st Street, is Infinity Hall. It is currently the tallest structure in the immediate vicinity of this portion of SW 2nd Avenue at 5 stories in height. Infinity Hall runs the length of the block along SW 10th Street but is narrow along the SW 2nd Avenue side. It faces Midpoint Park, a large event venue for outdoor activities and food trucks which provides almost an entire block of green space for local residents.



Figure 8 Near-by Contributing Structures



Figure 9 Near-by Contributing Structures

Compatibility Buffer

The parcels on which this project is proposed are not within the historic district boundaries and are not under the review purview of the City's Historic Preservation Board. However, a significant portion of the proposed project falls within the 100' compatibility buffer, which was created to limit directly adjacent development that is out of scale with the district either visually or through intensity of use. Historic districts in Gainesville are additionally protected by the 100-foot buffer from having large scale multi-family projects built on directly adjacent properties. Section 30-4.8 (D), in the Development Compatibility section in the Zoning Code, says "Multi-family development shall contain no more than six dwelling units per building and shall be in the form of single-family dwellings, attached dwellings, or small-scale multi-family when located within 100 feet of any property that is in a single-family zoning district, the U1 district, or a designated historic district."

ARCHITECTURAL ANALYSIS AND PREVIOUS PLANNING EFFORTS:

The architectural diversity that the Historic District is known for includes brick, wood frame vernacular structures, bungalows clad in stucco or wood, Mediterranean Revivals with rough-faced stucco, and the rare and valuable chert, a type of limestone that was quarried locally. The proposed southern building along SW 2nd Avenue offers a nod to the historic district's typical materials by cladding most of the ground floor in a modular brick. Large expanses of windows with multiple panes are also a window type more often found in historic buildings than in modern multi-family high-rise structures. However, above the ground floor, the bulk of the two buildings' facades are proposed to be clad in cement panels, corrugated metal panels, and colored metal panels, none of which are typical materials utilized within the historic district.

Multimodal Corridors Vision(ing) Study

In October, 2018, a study was completed for the SW 2nd Avenue and SW 4th Avenue corridors, connecting the University of Florida to Downtown Gainesville through the Innovation District. This study, prepared by the University of Florida, Innovation Square, and CHW Professional Consultants, identified several goals, including developing strategies for creating comfortable environmental conditions along the corridors; to include elements like shade structures, water features, and exploring sustainable and Low Impact Development (LID) systems. One of the urban design elements reviewed included the densities of existing buildings, and recommendations for potential infill. The five-story structure, Infinity Hall, is characterized as a "High Density" structure across from the potential project site, which is surrounded on all other sides by low density buildings. The study recommends to provide "careful infill developments within residential neighborhoods" and that "care should be taken not to provide development that will overwhelm existing neighborhoods," (page 87 of the report) (see Figure 10).



Character Districts

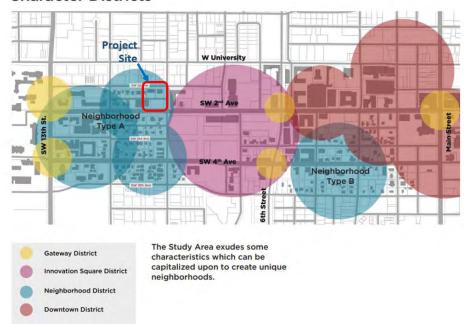


Figure 10 Districts from the Vision(ing) Study, 2018

Innovation Square Master Plan and Development Framework

In 2012 The University of Florida commissioned Perkins-Will to craft a study and associated development framework for the Innovation District. The report focused on the area's potential for collaboration and the "collision" of strong community and a premiere research institution. The ultimate goal was to create a district where the two motivations would be combined to provide a highly livable, and walkable neighborhood that also precipitated some of the most creative products and people in the world, "all in a place where people live truly fulfilled and rich lives."



Figure~11~Image~from~Innovation~District~Development~Framework,~2012,~Perkins+Will~

It is important to point out that these previous planning efforts do not carry the weight or force of law, code, or regulation. These documents do however provide insight as to the long term vision for the district. While these should be taken simply as "visioning" tools, they should not be construed as sources of requirements or restrictions on development proposals in of themselves.

COMPREHENSIVE PLAN PD/PUD INTENT:

As previously stated, the PUD and PD processes are intended "to allow the consideration of unique, innovative, or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of the surrounding land uses." PUD proposals are intended to allow a mix of uses and/or unique design features. Planned Development (PD) zoning districts are also intended to "provide a particularized zoning district that recognizes unique conditions, allows design flexibility, and promotes planned diversification and integration of uses and structures."

There has been significant discussion in the community of a "housing crisis" and shortage of available, affordable housing across income levels. The City Commission, through commissioning planning studies and establishing associated policy directives, has strongly stated the desire to foster and support more opportunities for development projects to include affordable and/or workforce housing. Despite challenges to compatibility and surrounding character, by offering to devote 10% of proposed units to be reserved for households earning between 50% and 80% Area Median Income (AMI) in perpetuity staff believes that this proposal meets the threshold of "unique" and "innovative" while also addressing multiple goals of the Comprehensive Plan.

RECOMMENDATION:

Staff recommends approval of PB-21-00219 LUC and PB-21-00220 ZON, with conditions:

- **1.** The applicant must record a restrictive covenant memorializing the provision of 10% of onsite units towards workforce housing in perpetuity.
- 2. Building placement and frontage zones must conform to U9 standards.
- **3.** The applicant must utilize the executed Memorandum of Understanding between the property owners and the Gainesville Housing Authority.
- **4.** Landscape zone standards may be modified in order to protect existing trees but shall take precedence over the provision of public facilities or utilities in design decisions per existing Land Development Code regulations.

DRAFT MOTION FOR CONSIDERATION

I move to approve Petition PB-21-00219 LUC and PB-21-00220 ZON with conditions and recommendations outlined in staff's report and presentation.

POST-APPROVAL REQUIREMENTS:

Development Review and Building Permit approval will be required following hearing by the City Plan Board and approval from the City Commission. Compliance with any special conditions established by the City Plan Board will be reviewed at these stages.

LIST OF APPENDICES:

Appendix A Application Documents

Appendix B Elevations

Appendix C Historic District Images

Appendix D Innovation District Planning Reports/Studies

Appendix A

Application Documents

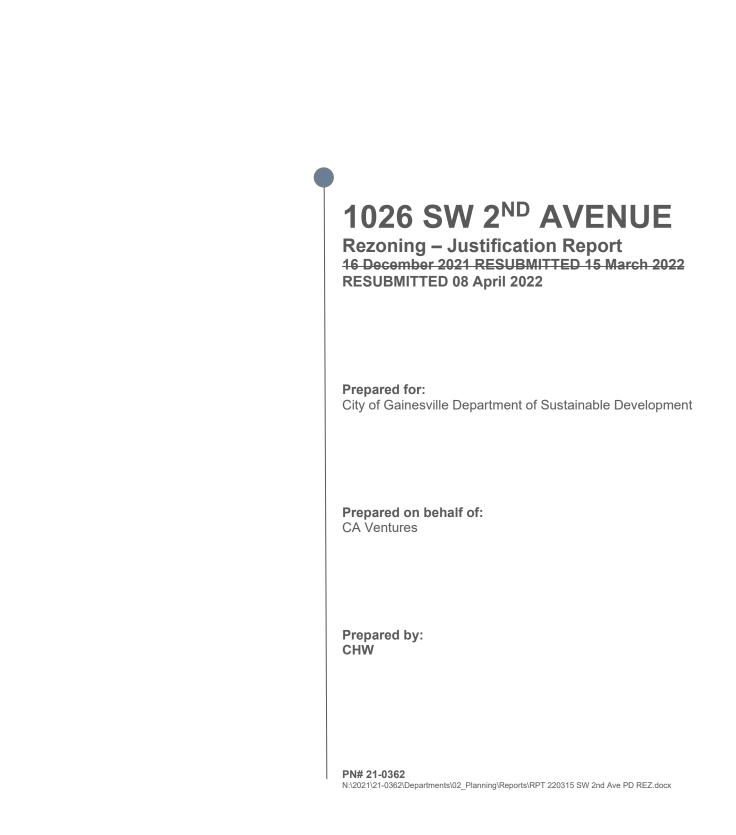


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To: Mr. Andrew Persons, AICP, Director, Department of Sustainable Development

From: Seth Wood, Project Planner, CHW

Date: December 16, 2021 RESUBMITTED March 15, 2022 RESUBMITTED April 8, 2022

Re: 1026 SW 2nd Avenue – Rezoning Application

Jurisdiction:

City of Gainesville

Development Intent:

Multi-family Building with Market- and Workforce-Rate Units

Location Description/Address:

The northwest corner of SW 2nd Avenue and SW 10th Street.

Parcel Numbers:

13249-000-000

13263-000-000 (a portion of)

<u>Site Acreage:</u> ±1.11 acres (Source: CHW Survey)

Existing Future Land Use:

Urban Mixed-Use High Intensity (UMUH)

This land use category allows residential, office/research, retail, and service uses either as stand-alone uses or combined in a mixed-use development format. It is distinguished from other mixed-use categories in that it is specifically established to support research and development in close proximity to the University of Florida main campus. An essential component of the category is orientation of structures to the street and the multimodal character of the area. Developments located within this category shall be scaled to fit the character of the area. Residential density shall be limited to 10 to 100 units per acre with provisions to add up to 25 additional units per acre by Special Use Permit as specified in the land development regulations. Building height shall be limited to 6 stories and up to 8 stories by a height bonus system as established in the Land Development Code. Land development regulations shall set the appropriate zoning densities: the types of uses; criteria; landscaping, pedestrian/vehicular access. Public and private schools, places of religious assembly and community facilities are appropriate within this category.

Proposed Future Land Use:

Planned Use District (PUD)

This land use category is an overlay land use category that may be applied on any specific property in the City. The land use regulations pertaining to this overlay district shall be adopted by ordinance in conjunction with an amendment to the Future Land Use Map of this Comprehensive Plan. The category is created to allow the consideration of unique, innovative or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of the surrounding and land uses environmental conditions of the subject land. This category allows a mix of residential and nonresidential uses and/or unique design features which might otherwise not be allowed in the underlying land use category. Each PUD overlay land use category adopted shall address: density and intensity; permitted uses; access by car, pedestrians, bicycle, and transit; trip generation, trip distribution, and trip capture; environmental features; and, when necessary, buffering of adjacent uses. Planned Development zoning shall be required to implement a PUD land use category.

Existing Zoning District:

Urban 9 Transect (U9)

The U9 Transect is the second-most dense and intense of Gainesville's Transect Zones. It consists of higher density mixed use buildings that accommodate retail, offices, and apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.

Proposed Zoning District:

Planned Development (PD)

The purpose of this district is to provide a particularized zoning district that recognizes unique conditions, allows design flexibility, and promotes planned diversification and integration of uses and structures, which other zoning districts cannot accommodate, while also retaining the City Commission's authority to establish such limitations and regulations as it deems necessary to protect the public health, safety, and general welfare.

Existing Gross Density/Intensity

Density:

Units by right: ±1.11 ac * 100 du/ac = ±111 du Bedrooms: 2.75 * 111 du = ±305 bedrooms

Units with bonus: ± 1.11 ac * 125 du/ac = ± 138 du

Bedrooms: 2.75 * 138 du = 379 bedrooms

Intensity:

±1.11 ac * 90% building coverage * 8 stories = ±348,131.52 sq. ft.

Proposed Maximum Density/Intensity

Density:

Total units¹: 204 du

Bedrooms: 557 bedrooms

Intensity:

No nonresidential uses proposed other than leasing office and residential amenities.

¹ 10% of units provided will be offered at a workforce rate.

Net Change

Approval of this application will result in a potential net increase of **±66 dwelling units**, a potential net increase of **±178 bedrooms**, and a net decrease of up to **±348,131.52 sq. ft.** of nonresidential uses.

Site-specific Development Standards and Requests

- Maximum number of dwelling units: 204 dwelling units
- Maximum number of bedrooms: 557 bedrooms
- Maximum height for southern building: 11 stories / 120 feet 7 inches
- Minimum building placement standard at intersection of SW 2nd Avenue and SW 10th Street: 14 ft.
- Relief from Historic District six dwelling units per building limit

Further detail provided in Section 6 of this report.

Workforce Rate Housing Formula

- Workforce rate housing—dwelling units made available at prices affordable by persons earning 50%-80% of Gainesville's Area Median Income (AMI)
- Area Median Income (AMI)—Per United States Department of Housing and Urban Development (HUD), AMI used in an unqualified manner is synonymous with Median Family Income (MFI). When qualified with a percentage, AMI refers to HUD income limits, calculated as percentages of median incomes and include adjustments for families of different sizes¹.
- Per HUD, MFI for the Gainesville Metropolitan Statistical Area (MSA) for a family of four is \$80,800²
- HUD defines households earning less than 80% AMI as "low-income households"³

Gainesville MSA 80% AMI and Rental Rates

Income Limit by Number	Rent Limit/ Month Number of Bedrooms in Unit ⁶			
	50% Al	MI		
1	2	0	1	2
\$25,650	\$29,300	\$641	\$686	\$823
	60% Al	MI		•
1	2	0	1	2
\$30,780	\$35,160	\$769	\$824	\$988
	70% Al	MI		•
1	2	0	1	2
\$35,910	\$41,020	\$897	\$961	\$1,153
	80% Al	MI		•
1	2	0	1	2
\$41,040	\$46,880	\$1,206	\$1,099	\$1,318
	1 \$25,650 1 \$30,780 1 \$35,910	1 2 \$25,650 \$29,300 60% Al 1 2 \$30,780 \$35,160 70% Al 1 2 \$35,910 \$41,020 80% Al 1 2	Num S0% AMI 1 2 0 0	Number of Bedrooms in U

¹ United States Department of Housing and Urban Development, FY 2018 Income Limits: Frequently Asked Questions. Accessed 06 March 2021 from https://www.buduser.gov/nortal/datasets/ii/ii18/FAOs-18r.pdf

https://www.huduser.gov/portal/datasets/ii/ji18/FAQs-18r.pdf

² United States Department of Housing and Urban Development, FY 2021 Median Family Income Documentation System, Gainesville MSA. Accessed 13 December 2021 from https://www.huduser.gov/portal/datasets/ii/ji2/states/Constructure/datasets/ii/ji2/states/Constructure/datasets/ii/ji2/states/Constructure/datasets/ii/ji2/states/Constructure/datasets/ii/ji2/states/constructure/datasets/constructure/datasets/constructure/datasets/constructure/datasets/constructure/datasets/constructure/datasets/constructure/datasets/constructure/datasets/constructure/datasets/constructure/datasets/constructure/datasets/constructure/d

³ Marzo, A. Humanizing Data—Area Median Income (AMI) and Affordable Housing Policy. Retrieved 06 March 2021 from https://www.camoinassociates.com/humanizing-data-area-median-income-ami-and-affordable-housing-policy#:∼:text=Households%20less%20than%2080%25%20of.be%20extremely%20low%2Dincome%20households.

4 US Census Bureau. FY 2021 Median Family Income.

⁵ Florida Housing Finance Corporation, 2021 Income Limits and Rent Limits—Multifamily Rental Programs and CWHIP Homeownership Program. Accessed 13 December 2021 from <a href="https://www.floridahousing.org/docs/default-source/developers-and-property-managers/compliance/limits/florida-housing-rental-programs---2021-mtsp-income-and-rent-limits-(eff-4-1-2021).pdf?sfvrsn=ee8af87b 2

⁶ Florida Housing Finance Corporation, 2021 Income Limits and Rent Limits

2. STATEMENT OF PROPOSED CHANGE

This Rezoning application requests to amend the Official Zoning Atlas designation on ±1.11 acres within the City of Gainesville (Alachua County Tax Parcel 13249-000-000 and a portion of Tax Parcel 13263-000-000) from Urban 9 (U9) to Planned Development (PD). The project site is located on SW 10th Street, between SW 1st Avenue and SW 2nd Avenue. **Figure 1** is an aerial map showing the site's location and adjacent similar urban residential uses.



Figure 1: Aerial Map

The requested rezoning is submitted as a companion to a Small-scale Comprehensive Plan Amendment (SsCPA) Application to amend the site's Future Land Use designation from Urban Mixed Use High Intensity (UMUH) to Planned Use District (PUD). The proposed PD is intended to provide workforce rate housing in perpetuity. Planned Development zoning is required to implement the PUD land use category.

The site-specific development standards proposed for this PD zoning district are as follows:

- Maximum number of dwelling units: 204 dwelling units
- Maximum number of bedrooms: 557 bedrooms
- Maximum height of southern building: 11 stories / 120 feet 7 inches
- Minimum building placement standard of 14 ft. at intersection of SW 2nd Avenue and SW 10th Street.

Landscaping and sidewalks along street frontages will be addressed in the PD development standards, detailed in **Section 6**. These standards largely comply with the underlying U9 Transect zone requirements. The location of landscaping zone may be modified to accommodate any conflicts with existing public utilities, existing established street trees, and infrastructure.

These PD-specific standards promote inclusion of additional market rate units to be built to help offset the cost of providing workforce-rate housing units within the development.

Table 1 and Figures 2 and 4 show the current FLU and Zoning designations adjacent to the project site.

Table 1: Surrounding Future Land Use and Zoning Designations

Direction	Future Land Use Designation	Zoning Designation
North	SW 1st Avenue ROW / SW 1st Place ROW	SW 1st Avenue ROW / SW 1st Place ROW
East	SW 10 th Street ROW / Urban Core	SW 10 th Street ROW / DT Zoning
South	SW 1st Place ROW / SW 2nd Avenue ROW	SW 1 st Place ROW / SW 2 nd Avenue ROW
West	UMUH	UMUH



Figure 2: Existing Future Land Use Map



Figure 3: Proposed Future Land Use Map



Figure 4: Existing Zoning Map



Figure 5: Proposed Zoning Map

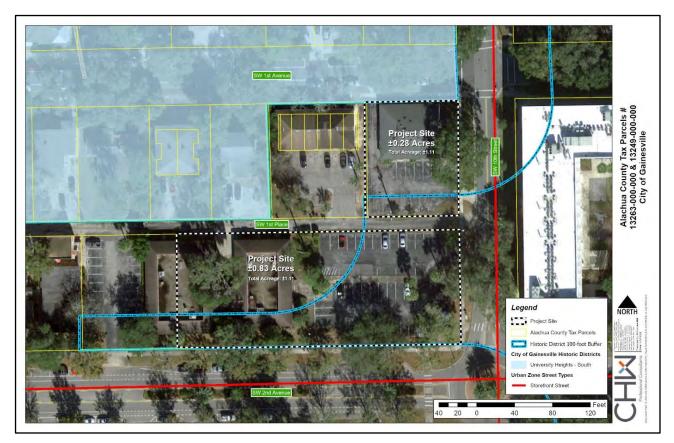


Figure 6: Historic District Buffer Map

3. IMPACT ANALYSIS

IMPACT ON RESIDENTIAL STREETS

The site today is primarily surface parking and aged, single-story office/medical buildings, accessed via SW 1st Place. The site is located on the western side of SW 10th Street, with SW 1st Avenue on its northern border, SW 2nd Avenue on its southern border, and the alley of SW 1st Place through the center. SW 10th Street and SW 2nd Avenue are both Storefront Streets. SW 1st Avenue is a local street, and SW 1st Place is a 15 ft.-wide paved area historically used as an alley. The parking areas included with this development will be accessed via SW 1st Place, in accordance with Land Development Code Section 30-4.15.B.3. and in line with how parking areas along SW 1st Place are accessed today. This use may result in a *decrease of traffic* on nearby streets when compared to the site's current maximum development potential. See traffic impact calculations provided in this report.

Given the project site's urban context, heavy single-occupancy vehicle usage by residents is not anticipated. The walkability of the area allows easy use of alternative transportation modes, such as walking, bicycling, and scooters, and puts residents in close proximity to many of their daily needs, recreation, and entertainment offerings. The site is well served by Gainesville's Regional Transit System (RTS) bus network, connecting residents to many other parts of the City without needing a private vehicle. Curb cuts on SW 2nd Avenue will be removed in subsequent redevelopment, increasing pedestrian safety and creating a more consistent pedestrian experience along the streetscape. Redevelopment to follow this rezoning will place priority on walking, bicycling, other person-powered vehicles, and transit.

A site-specific development standard requested as part of this PD is a 14-foot minimum setback for the eastern boundary of the project site at the corner of SW 2nd Avenue and SW 10th Street. This setback differs from the 20-foot minimum setback standard required for the rest of the project site's eastern frontage. This request is made for three reasons: (1) to allow design flexibility accommodating the irregular shape of the back-of-curb line around the roundabout; (2) to ensure that the final building will adhere to the underlying minimum building frontage requirements of the existing U9 Transect; and (3) to facilitate a building design that provides ample pedestrian space at the intersection. While the building plan will still fill the space between minimum and maximum setbacks, the space on the ground floor will be open and welcoming, allowing pedestrians to traverse and gather at a safe distance from the roundabout and creating a comfortable destination in the pedestrian realm.

IMPACT ON NOISE AND LIGHTING

The City Land Development Code (LDC) has specific criteria for ensuring adjacent properties are not negatively impacted by onsite noise, odor, and light. The proposed development has parking and a refuse area internal to the building that further prevents any noise, glare, or odor effects on surrounding properties.

Lighting of the proposed development shall adhere to the applicable standards in LDC §30-6.12 to prevent light trespass, light glare, and light pollution. A photometric plan demonstrating this will be submitted with development plans following land use and zoning application approvals. Additionally, the proposed development is located in a highly urbanized area of downtown Gainesville, with similar multifamily developments and commercial properties throughout the surrounding area.

ENVIRONMENTAL FEATURES

As shown in **Figure 6**, the existing developed site does not possess any significant environmental features and is not located in any environmentally protected areas. The site is currently fully developed, with very little impervious surface area remaining.

The site is relatively flat, with elevation ranging from ±160 feet to ±163 feet. With the site's ultimate redevelopment, Stormwater Management Facilities (SMF) will address water quantity and quality conditions as appropriate, consistent with City of Gainesville and Water Management District requirements. SMF will be provided in underground vaults. If available, credits in the appropriate City of Gainesville stormwater credit basin facility may be purchased to address water quantity attenuation. This issue will be addressed at the development review phase.

According to the National Resources Conservation Service (NRCS), the onsite soil is Kanapaha Sand, 0 to 5 Percent Slopes (Hydro. Group: A/D), as shown in **Figure 7**. This soil type is common in the surrounding area, proving capable for urban development patterns.



Figure 7: Topography, Wetlands, and FEMA Floodplain Map

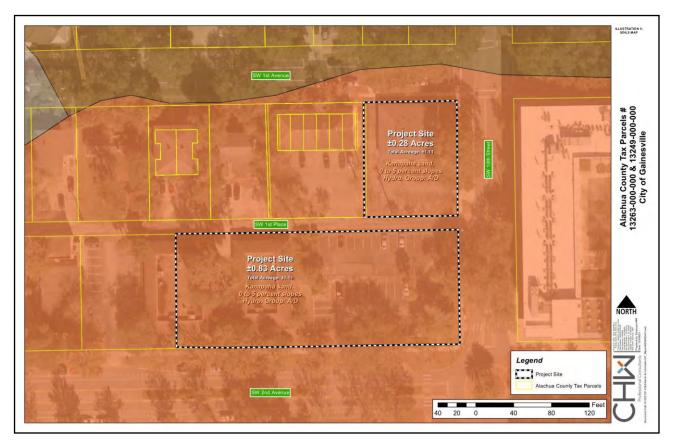


Figure 8: Natural Resources Conservation Service (NRCS) Soils Map

HISTORIC AND ARCHEOLOGICAL RESOURCES

The project site itself is not located within a historic district and does not possess documented historical sites or structures. If any items of historical or archeological significance are discovered within the project site during permit approval or development, it will be reported to the appropriate governmental body for further analysis.

COMMUNITY CONTRIBUTIONS

The proposed residential redevelopment opportunity, made possible by this rezoning, will enable the highest and best use of underutilized land in urbanized downtown Gainesville in the following ways:

- Providing pedestrian-scale public realm enhancements;
- Increasing the area's housing supply and diversity, both by type of units available and by pricepoint offered;
- Empowering more residents to utilize alternative forms of transportation by locating them proximate to daily wants and needs;
- Providing well-located workforce-rate housing in perpetuity, giving more of Gainesville's community access to employment opportunities at the City's core, near major employers; and
- Providing unique architectural and design characteristics.

POTENTIAL LONG-TERM ECONOMIC BENEFITS

Redevelopment of this urban site, made possible by the requested PD zoning, will provide increased supply of vital housing opportunities in a growing area of the City. This redevelopment will create construction job opportunities and will put more potential future employees proximate to existing and future employers. Redevelopment of the site also will signal reinvestment in the core urban area,

demonstrating the value of an urban lifestyle and encouraging more members of the workforce to locate in the core of the City. More residents, in turn, can increase tax revenues for the City. This can also reduce the reliance on services in the urban cluster and on lower density, suburban development forms.

The most significant long-term economic benefit of this project, arguably, will be the guarantee of more workforce rate housing in perpetuity in the heart of urbanized Gainesville. As Gainesville continues to grow, a constant and diverse demand for housing grows with it. A major portion of this demand is for workforce-rate housing for the City's essential service personnel. These personnel include nurses, adjunct professors, teachers, civil servants, and persons working in the service industries.

According to The Florida Agency for Workforce Innovation Labor Market Statistics (2005), much of Florida is employed in low-paying service sector industries, and many of these employees earn less than the median wage. As housing costs rise across the City, County, and across the State, many of these workers find themselves having to live further from their jobs in order to afford housing. These increased distances result in longer commutes, added pressure on transportation infrastructure, increased congestion, and increased pollution from single occupancy vehicle usage. Some workers are compelled to leave the State entirely, which affects the ability of businesses to recruit and retain workers¹.

"Workforce housing" or "workforce-rate housing" are terms used generally by policymakers and housing advocates to refer to housing that is affordable to lower income families and essential workforce personnel. This project uses these terms specifically to refer to dwelling units available at prices affordable by persons and households earning between 50% and 80% of the Gainesville Metropolitan Statistical Area (MSA) Area Median Income (AMI). AMI, when qualified with a percentage such as 80%, refers to the income limits established by the United States Department of Housing and Urban Development (HUD), calculated as percentages of median incomes and adjusted for household size². Households earning less than 80% AMI are defined by HUD as "low-income households."

Housing is defined as "affordable" in this context when a household spends no more than 30% of its income on housing costs—i.e., rent or mortgages—each month. Beyond that 30% spending amount, a household is considered "burdened." This unofficial "30% rule" is widely used in housing policy and discussion, and in 1981 was first established as a threshold in an amendment to the 1965 Housing and Urban Development Act related to the provision of rent supplements by the federal government⁵. These incomes, and the resultant rental limits, for the Gainesville MSA are detailed in **Table 2**.

¹ Urban Land Institute Terwilliger Center for Workforce Housing (July 2009). *Community Workforce Housing Innovation Pilot (CWHIP) Program:* A Model for Replication.

² United States Department of Housing and Urban Development, FY 2018 Income Limits: Frequently Asked Questions. Accessed 06 March 2021 from https://www.huduser.gov/portal/datasets/il/il18/FAQs-18r.pdf

³ Marzo, A. Humanizing Data—Area Median Income (AMI) and Affordable Housing Policy. Retrieved 06 March 2021 from https://www.camoinassociates.com/humanizing-data-area-median-income-ami-and-affordable-housing-policy#:~:text=Households%20less%20than%2080%25%20of.be%20extremely%20low%2Dincome%20households

policy#:~:text=Households%20less%20than%2080%25%20of,be%20extremely%20low%2Dincome%20households

4 Schwartz, M., Wilson, E. Who Can Afford to Live in a Home? A Look at Data from the 2006 American Community Survey. *US Census Bureau*. Accessed 06 March 2021.

⁵ S. 1022.—Housing and Community Development Amendments of 1981. Accessed 06 March 2021 from https://www.congress.gov/bill/97th-congress/senate-bill/1022

Table 2: 80% AMI Income Limit and Rent Limit for Gainesville Metropolitan Statistical Area

	Income Limit by Number of P Catego	Rent Limit/ Month Number of Bedrooms in Unit ³			
		50% AN	ΛI		
	1	2	0	1	2
	\$25,650	\$29,300	\$641	\$686	\$823
Gainesville		60% AN	ΛI		
MSA	1	2	0	1	2
MFI*:	\$30,780	\$35,160	\$769	\$824	\$988
\$80,800 ¹		70% AN	ΛI		
	1	2	0	1	2
	\$35,910	\$41,020	\$897	\$961	\$1,153
		80% AN	ΛI		
	1	2	0	1	2
	\$41,040	\$46,880	\$1,026	\$1,099	\$1,318

^{*}Median Family Income (MFI) reference is for a family of four.

The conditions of this PUD and PD, when adopted by the City Commission, will guarantee that 10% of dwelling units onsite are reserved for persons and households earning between 50% and 80% AMI <u>in perpetuity</u>. By guaranteeing workforce rate housing in the heart of downtown Gainesville for years to come, this PD has the potential to help retain and attract the essential workers that make up the backbone of Florida's economy, thus bolstering the vitality and longevity of Gainesville's economy for the future. It will also reduce strain on the transportation system and public utilities, compared to the strain caused by residents moving further from the City center into rural County properties.

¹ United States Department of Housing and Urban Development, FY 2021 Median Family Income Documentation System, Gainesville MSA. Accessed 15 December 2021 from https://www.huduser.gov/portal/datasets/il/il2021/select_Geography.odn

² Florida Housing Finance Corporation, 2021 Income Limits and Rent Limits—Multifamily Rental Programs and CWHIP Homeownership Program. Accessed 13 December 2021 from https://www.floridahousing.org/docs/default-source/developers-and-property-managers/compliance/limits/florida-housing-rental-programs---2021-mtsp-income-and-rent-limits-(eff-4-1-2021).pdf?sfvrsn=ee8af87b_2

³ Florida Housing Finance Corporation, 2021 Income Limits and Rent Limits

LEVEL OF SERVICE (LOS)

This application is being submitted concurrently with a SsCPA application that requests the Planned Use District FLU designation for the subject property. Approval of these applications will change the site's maximum intensity permitted onsite. The calculations for determining both the existing and proposed maximum *permitted* development potential has been summarized in **Table 2**.

Table 3: Existing and Proposed Maximum Permitted Development Potential

Existing FLU / Zoning	Proposed FLU / Zoning
UMUH / U9 (±1.11 ac)	PUD / PD (±1.11 ac)
Existing Maximum Permitted Density	Proposed Maximum Permitted Density
By right: ±1.11 ac * 100 du/ac = ±111 du	
Beds: 111 du * 2.75 = ±305 beds	204 du
With bonus: ±1.11 ac * 125 du/ac = ±138 du	557 beds
Beds: 138 * 2.75 = ±379 beds	
Existing Maximum Nonresidential Intensity	Proposed Maximum Nonresidential Intensity
±1.11 ac * 90% building coverage * 8 stories =	No nonresidential uses proposed other than
±348,131.52 square feet	leasing office and residential amenities.

Net Change

- Net increase of **±66 dwelling units**;
- Net increase of ±178 bedrooms; and
- Net <u>decrease</u> of ±348,131.52 square feet of nonresidential uses.

Please note—for comprehensive planning purposes, the analysis of potential impacts based on existing FLU/Zoning assumes a development program of only first-floor nonresidential development and full density.

Roadways / Transportation

Table 4a: Projected Trip Generation

Trip Generation									
	ITE LU	Variable	Daily	Daily AM Peak			PM Peak		
Land Use	Code	Beds, KSF	Total	Total	In	Out	Total	In	Out
Off-Campus Student Apartment	225	557	1,742	61	25	36	137	69	68
Non-Vehicular Multi-Moda	Non-Vehicular Multi-Modal Reduction ¹			12	5	7	29	14	15
Net New Trips (utilizing pass-by and multi-modal reduction)			1,385	49	20	29	108	55	53

Estimated Non-Vehicular Multi-Modal Trips are based on a Multimodal study prepared for the City of Gainesville (updated July 2013) based on The
Estates Apartments. The Estates provides the closest comparison to the SW 4th Avenue Apartments based on its location and proximity to UF. Multimodal rates are provided during the AM peak (41%) and PM peak (23%) but are not provided for the daily total. The Daily Non-Vehicular Multi-Modal
Trips were estimated as the average (32%) of the AM and PM.

Table 4b: Existing Trip Generation

Trip Generation									
Londillon	ITE LU	Variable	Daily		AM Peak			PM Peak	
Land Use	Code	Beds, KSF	Total	Total	In	Out	Total	In	Out
Off-Campus Student Apartment	225	379	1,203	43	18	25	94	47	47
Non-Vehicular Multi-Moda	Non-Vehicular Multi-Modal Reduction ¹			18	7	11	22	11	11
Shopping Center ²	820	43.516	3,414	41	25	16	294	141	153
Shopping Center Pass	-by 34% ³		1,161	14	9	5	100	48	52
Gross Trips (Before Multi-modal and Pass-by Trip Reduction)		4,617	84	43	41	388	188	200	
Net New Trips (without multi-modal reduction used for analysis)		3,456	70	34	36	288	140	148	
Net Trips (utilizing pass-by and m	ulti-modal	reduction)	3,071	52	27	25	266	129	137

Estimated Non-Vehicular Multi-Modal Trips are based on a Multimodal study prepared for the City of Gainesville (updated July 2013) based on The
Estates Apartments. The Estates provides the closest comparison to the SW 4th Avenue Apartments based on its location and proximity to UF. Multimodal rates are provided during the AM peak (41%) and PM peak (23%) but are not provided for the daily total. The Daily Non-Vehicular Multi-Modal
Trips were estimated as the average (32%) of the AM and PM.

Conclusion: As shown above, the proposed PUD FLU and PD Zoning District are anticipated to generate **1,686 fewer potential daily trips** (3,071 net new total daily trips – 1,385 net new total daily trips) than the UMUH FLU's and U9 Zoning District's maximum development potential. Approval of the applications <u>will not</u> result in adjacent roadways operating below City of Gainesville adopted Level of Service (LOS).

The site is located within the City's Transportation Mobility Program Area (TMPA) Zone A. Development within TMPA Zone A is required to provide any transportation modifications that are site-related and required for operational or safety reasons, as well as transportation mobility requirements listed in City Comprehensive Plan Transportation Mobility Element, Policy 10.1.4., items a.-e. There is no fee associated with TMPA Zone A. However, all new multifamily residential development shall fund the capital transit costs associated with transit service needs.

^{2.} The fitted curve equation was used in all cases, when available, except during the AM peak of the Shopping Center, where the average rate was used. Under this scenario the point cluster is closer to the average rate line for the size of development being proposed.

^{3.} The ITE Trip Generation Manual does not provide pass-by rates for AM and weekday, therefore, the PM pass-by rate of 34% is used for all scenarios.

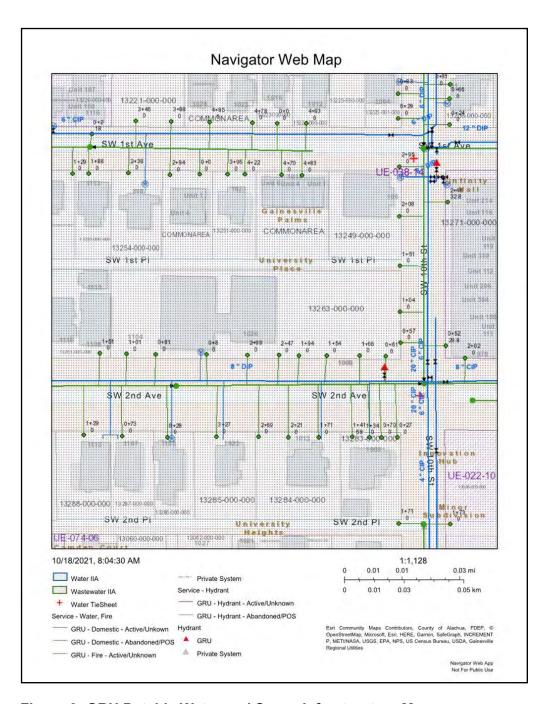


Figure 9: GRU Potable Water and Sewer Infrastructure Map

Potable Water

Based on the Gainesville Regional Utilities (GRU) map provided (**Figure 8**), the site currently connects to a 8" Ductile Iron Pipe (DIP) water main within the SW 2nd Avenue right-of-way via meter, and a 6" Cast Iron Pipe (CIP) within the SW 10th Street right-of-way.

Table 5: Projected Potable Water Demand

Land Use	Units ¹	Generation Rate ^{2,3}	Estimated Demand (GPD)
Proposed (Max Potential)			
Residential	204	200 gallons / du / day	96,043.2
Existing (Max Potential)			
Residential	138	200 gallons / du / day	64,970.4
Retail	43,516.44	0.1 gallons / square foot of floor space	4,351.6
Subtotal:	-	•	69,322
Net Demand	-	<u>-</u>	26,721.2

- 1. Units are calculated as follows:
 - Residential units are based on number of units permitted by Gainesville Land Development Code and PD Ordinance.
 - b. Nonresidential units are based on maximum square feet permitted by Gainesville Land Development Code.
- 2. Generation rates per Ch. 62-6.008, F.A.C. and City of Gainesville Comprehensive Plan Potable Water and Wastewater Data and Analysis Report.
- 3. Residential number of units and gpd estimated to be 2.354 person per unit, per City of Gainesville Comprehensive Plan, Potable Water and Wastewater Data and Analysis Report

Conclusion: Approval of this request may result in a **net increase in usage of 26,721.2 gallons per day**, based on the site's maximum development potential. The projected potable water demand **will not** negatively impact the City's adopted LOS.

Sanitary Sewer

As shown on the GRU map provided (**Figure 8**), the site is served by multiple active GRU service laterals that connect to active GRU gravity mains in the SW 2nd Avenue and SW 10th Street rights-of-way.

Table 6: Projected Sanitary Sewer Demand

Land Use	Units ¹ Generation Rate ^{2,3}		Estimated Demand (GPD)
Proposed (Max Potentia	ıl)		
Residential	204	113 gallons / du / day	54,264.4
Existing (Max Potential)			
Residential	138	113 gallons / du / day	36,708.3
Retail	43,516.44	0.1 gallons / square foot of floor space	4,351.6
Subtotal:	-	-	41,059.9
Net Demand	-	-	13,204.5

- 1. Units are calculated as follows:
 - Residential units are based on number of units permitted by Gainesville Land Development Code and PD Ordinance.
 - b. Nonresidential units are based on maximum square feet permitted by Gainesville Land Development Code.
- 2. Generation rate per Ch. 64E-6.008, F.A.C. and City of Gainesville Comprehensive Plan Potable Water and Wastewater Data and Analysis Report.
- 3. Residential number of units and gpd estimated to be 2.354 person per unit, per City of Gainesville Comprehensive Plan, Potable Water and Wastewater Element Data and Analysis Report

Conclusion: Approval of this request may result in a **net increase in usage of 13,204.5 gallons per day**, based on the site's maximum development potential. The projected potable water demand **will not** negatively impact the City's adopted LOS.

Solid Waste

Table 7: Projected Solid Waste Demand and Capacity

Land Use	Maximum Units ¹	Solid Waste Generated ² (Tons Per Year)					
Proposed (Max. Potential)							
Residential	204	387.192					
Existing (Max. F	Existing (Max. Potential)						
Residential	138	261.924					
Nonresidential	43,516.44	95.301					
Subtotal	-	357.225					
Net Demand	-	29.967					
Leveda Brown E	nvironmental Park and Transfer Station Capacity ³	20 years					

- 1. Units are calculated as follows:
 - Residential units are based on number of units permitted by Gainesville Land Development Code and PD Ordinance.
 - b. Nonresidential units are based on maximum square feet permitted by Gainesville Land Development Code.
- 2. Formulas per Sincero and Sincero: Environmental Engineering: A Design Approach, Prentice Hall, NJ, 1996
 - a. Residential: # of dwelling units * 2.6 persons per dwelling unit * 0.73 per capita
 - b. Nonresidential: (((12 lbs. / 1,000 sq. ft. / day * square footage) * 365) / 2,000))
- 3. Source: Alachua County Comprehensive Plan, Solid Waste Element, Objective 1.4

Conclusion: As calculated in **Table 7**, solid waste facility capacity exists to adequately serve the proposed uses. The applications' approval **would not** negatively impact the adopted LOS. The Leveda Brown Environmental Park and Transfer Station has the capacity to process various components of the solid waste stream for the next 20 years. This facility has adequate capacity to meet the proposed land use amendment's change in demand.

Education Facilities

Table 8: Potential Student Generation

Land Use	Unite	Units Elementary Middle		dle	High			
(ITE)	Office	Rate ¹	Total	Rate ¹	Total	Rate ¹	Total	
Proposed (Max. P	Proposed (Max. Potential)							
Multi-Family Residential	204	0.09	19	0.03	7	0.03	7	
Existing (Max. Pot	ential)							
Multi-Family Residential	138	0.09	13	0.03	5	0.03	5	
Net Change		-	6	-	2	-	2	

^{1.} Source: Alachua County Public Schools Five Year District Facilities Plan

Conclusion: Approval of this request may result in a **potential net increase of 6 elementary-school age children; 2 middle-school age children;** and **2 high-school age children at project build-out** compared to the residential units currently allowed on this site. The project site is in the school zones of Carolyn Beatrice Parker Elementary School, Kanapaha Middle School, and Gainesville High School, per available Alachua County Growth Management resources. School impacts **will** be fully assessed in a school concurrency review at development plan approval.

Recreation Facilities

Table 9: LOS Standards for Parks

Park ^{1,2}	Adopted LOS Standard ¹	Existing LOS ¹
Local Nature/Conservation	6.00 ac.	15.71 ac.
Community Park	2.00 ac.	2.13 ac.
Neighborhood Park	.80 ac.	1.33 ac.
Total Acres per 1000	8.80 ac.	19.73 ac.

^{1.} Source: City of Gainesville Comprehensive Plan, Recreation Element

Conclusion: Approval of this application will increase the theoretical impact to the City's recreational facilities but **will not** cause them to operate below the adopted LOS. As Table 9 indicates, the City's Existing LOS for parks exceed the Adopted LOS, meaning the City has more recreational facilities available than the minimum required to serve the existing population.

The project site is proximate to the Downtown Connector, linking urban trails to the Gainesville-Hawthorne Rail Trail. The Downtown Connector also links the site to Depot Park, and many other facilities within the City of Gainesville and Alachua County.

^{2.} Park standards are in acres per 1,000 people

4. Consistency with City of Gainesville Comprehensive Plan

This section identifies specific City of Gainesville Comprehensive Plan Goals, Objectives, and Policies and explains how this rezoning application is consistent with each and otherwise in compliance, as that term is defined in Chapter 163, Florida Statutes. Text from the City of Gainesville is provided in normal font while consistency and compliance statements are provided in **bold font**.

The proposed PD Zoning District is consistent with the following Comprehensive Plan goals, objectives, and policies:

FUTURE LAND USE ELEMENT

GOAL 1 IMPROVE THE QUALITY OF LIFE AND ACHIEVE A SUPERIOR, SUSTAINABLE DEVELOPMENT PATTERN IN THE CITY BY CREATING AND MAINTAINING CHOICES IN HOUSING, OFFICES, RETAIL, AND WORKPLACES, AND ENSURING THAT A PERCENTAGE OF LAND USES ARE MIXED, AND WITHIN WALKING DISTANCE OF IMPORTANT DESTINATIONS.

The proposed redevelopment, made possible by this rezoning and its companion SsCPA, will improve the quality of life in Gainesville by providing a superior pattern of sustainable new market rate and workforce rate housing choices within walking distance of numerous important destinations within the City's urban core. These destinations include the urban Publix, restaurants, essential goods, cultural organizations, and educational facilities, such as the University of Florida and Santa Fe College. The proposed development will also help the City achieve this goal sustainably, by providing infill redevelopment in the urbanized area of Downtown Gainesville. Such development utilizes existing infrastructure, rather than requiring the extension of infrastructure.

Policy 1.1.1 To the extent possible, all planning shall be in the form of complete and integrated communities containing housing, shops, workplaces, schools, parks and civic facilities essential to the daily life of the residents.

The proposed rezoning will, by facilitating appropriate redevelopment, contribute to a complete, integrated community in the City's burgeoning Innovation District, by locating market rate and workforce rate housing in close proximity to the daily needs of residents.

Policy 1.1.2 To the extent possible, neighborhoods should be sized so that housing, jobs, daily needs and other activities are within easy walking distance of each other.

The Innovation District and surrounding neighborhoods create a mixed-use development pattern, with higher education, housing, jobs, daily needs, and other activities in close proximity to one another. The proposed redevelopment, made possible by this rezoning, will continue this pattern by placing new housing opportunities within walking distance of employment, entertainment, shopping, and more in the urban core of Downtown Gainesville.

The proposed rezoning, by implementing the related, proposed Plan Amendment, also will encourage and stimulate reinvestment and potential adaptive reuse of nearby underutilized Historic District properties. Currently, only one property on the project site's context block is listed as claiming a Homestead exemption, per the Alachua County Property Appraiser, indicating the majority of the buildings are either being utilized for nonresidential purposes or rental housing. There is a general lack of long-term investment in the context area at present, as can be seen by condition of several properties.

In comparison to more robust districts, the invigoration from reinvestment is likely to stimulate added ownership opportunities for those desiring to be within the core downtown area as they transition through stages of their lives and careers.

Objective 1.2 Protect and promote viable transportation choices (including transit, walking and bicycling, and calmed car traffic).

The subject site is located within walking, bicycling, and transit distance of many of the daily needs of residents. The project site is also located in an area hospitable to these active transportation modes. This area will be made more hospitable to pedestrians in the redevelopment resultant of this rezoning, with enhanced pedestrian facilities implemented along site frontages. The area will be made more welcoming to pedestrians in redevelopment with an activated ground floor, inclusive of residential amenities. Furthermore, the site is located on multiple RTS routes, making accessing transit simple for residents and employees. The ease of access promotes alternative nonmotorized transportation choices, as well as potentially reduce single-occupant car traffic and the Vehicle Miles Traveled (VMT) by residents and neighbors.

Objective 1.5 Discourage the proliferation of urban sprawl.

The proposed rezoning would allow infill redevelopment, which in turn aims to achieve the highest and best use of a compact piece of land in urbanized Gainesville. This redevelopment opportunity offers an alternative to the conversion of greenfield property west of the University, and utilizes infrastructure already in place, rather than requiring costly extensions of infrastructure systems.

This proposed rezoning demonstrates the possibilities of urban infill redevelopment, thus discouraging the proliferation of urban sprawl. Additional details are provided in Section 5 of the report included with the companion SsCPA application.

GOAL 2 Redevelop areas within the city, as needed, in a manner that promotes quality of life, transportation choice, a healthy economy, and discourages sprawl.

The proposed infill redevelopment, made possible by these applications, will address this goal in multiple ways:

- Promote quality of life improvements by increasing the City's housing stock and diversity in close proximity to education, business, and job opportunity;
- Promote transportation choice by placing a large number of residents in a walkable, urbanized area of the city's downtown, with pedestrian-friendly sidewalks, adequate bicycle infrastructure, and bus system connectivity;
- Promote a healthy economy by placing both patrons and employees near established businesses; and
- Discourage urban sprawl by redeveloping the core of the City with new housing vertically, rather than converting greenfield land into new housing, sprawling the City horizontally and requiring the costly extension of infrastructure.

Policy 4.1.1 Land Use Categories on the Future Land Use Map shall be defined as follows:

Planned Use District (PUD):

This land use category is an overlay land use category that may be applied on any specific property in the City. The land use regulations pertaining to this overlay district shall be adopted by ordinance in conjunction with an amendment to the Future Land Use Map of this Comprehensive Plan. The category is created to allow the consideration of unique, innovative or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of

the surrounding land uses and environmental conditions of the subject land. This category allows a mix of residential and nonresidential uses and/or unique design features which might otherwise not be allowed in the underlying land use category. Each PUD overlay land use category adopted shall address: density and intensity; permitted uses; access by car, pedestrians, bicycle, and transit; trip generation, trip distribution, and trip capture; environmental features; and, when necessary, buffering of adjacent uses. Planned Development zoning shall be required to implement a PUD land use category.

A SsCPA application has been submitted concurrently with this application requesting to change the FLU category of the project site from Urban Mixed Use High Intensity to PUD, and the applicant requests that the rezoning be considered at this time pursuant to §163.3184(12), Fla. Stat. The proposed rezoning will make possible a unique and innovative use of the site. This PD will allow greater density, a greater number of bedrooms, and a greater number of building stories relative to what is currently allowed per the Land Development Code. The PD Ordinance will address density; permitted uses; access by car, pedestrians, bicycle, and transit.

The planning-level traffic analysis provided with this application demonstrates trip generation, trip distribution, and trip capture. There are no significant environmental features on this site. The PD will ensure compatibility with the character of the surrounding area, including the high-density, high-intensity development to the north on University Avenue and elsewhere on SW 2nd and SW 4th Avenues, and the adjacent land within the Urban Core Future Land Use classification.

This application is submitted concurrently with a rezoning application requesting the implementing Planned Development (PD) zoning, and the applicant requests that the rezoning be considered at this time pursuant to Sec. §163.3184(12), Fla. Stat. In addition, the proposed PD requires inclusion of conditions dedicating 10% of the units to workforce-rate housing in perpetuity; such conditions are not allowed in a straight zoning category. The reservation will be memorialized in a recorded instrument, approved as to form by the City Attorney.

- Policy 4.1.3 The City will review proposed changes to the Future Land Use Map by considering factors such as, but not limited to, the following:
 - 1. Consistency with the Comprehensive Plan;

The proposed SsCPA, submitted concurrently with this application, is consistent with the Comprehensive Plan, as illustrated in this section.

2. Compatibility and surrounding land uses;

The proposed SsCPA is compatible with the surrounding urban area and surrounding land uses. To the site's immediate east is the City's highest density/intensity Future Land Use and Zoning district classifications, Urban Core/Downtown Transect (DT). There are multiple other multi-story multifamily residential buildings close to the project site. The surrounding land uses offer a mix of residential and nonresidential uses, and are also zoned for high density, higher intensity development.

3. Environmental impacts and constraints;

The subject site has no significant environmental features such as floodplains, wetlands, or protected habitats. The ultimate redevelopment has the potential for environmental benefits due to the reduced vehicle miles traveled by residents and neighbors, and the efficient and sustainable reuse of urbanized land rather than the use of greenfield land outside the city center.

4. Support for urban infill and/or redevelopment;

The proposed FLUM Amendment, proposed concurrent to this rezoning, supports urban infill redevelopment by facilitating a high-density development in Gainesville's downtown urban core. The resultant redevelopment will fill in a piece of land in urbanized Gainesville in a way that demonstrates its full potential. The site is currently developed with single-story, aged concrete block structures and surface-level parking lots.

5. Impacts on affordable housing;

The proposed FLUM Amendment will have a positive impact on Gainesville's affordable housing stock. The PUD requests an increase in density, which will, in turn, enable sufficient market rate housing to offset the cost of providing workforce rate housing to residents earning 50% to 80% AMI in perpetuity. Workforce rate units will share the same interior finishes and onsite amenities as market rate units. The applicant has worked with the Gainesville Housing Authority to craft a Memorandum of Understanding (MOU) for administration of affordable housing provisions of the proposed PUD/PD ordinances. The MOU was unanimously approved on February 22nd, 2022.

6. Impacts on the transportation system;

As demonstrated in Section 3 of this report, the redevelopment that may follow this rezoning and Plan Amendment is expected to have a minimal impact on the area's existing transportation system compared to the site's existing maximum development potential. The site's redevelopment anticipated by the proposed PUD will encourage walking, bicycling, and transit use, as the site is located in the urban core, adjacent to nonresidential uses that serve daily needs and public transportation systems. Furthermore, the proposed redevelopment will have a parking ratio of 0.05, meaning there will be substantially fewer parking spaces than residents in the development. This will encourage residents to opt for alternative transportation modes and minimize the number of private cars being brought to and driven in the area.

7. An analysis of the availability of facilities and services;

As demonstrated in Section 3 of this report, the proposed FLUM Amendment is expected to minimally increase demand on the City's potable water and sanitary sewer infrastructure relative to what is currently possible on the site with current FLU and zoning. This increase will be within the capacity of the infrastructure. Section 3 also demonstrates that potential demand on solid waste infrastructure can be accommodated by the City's solid waste infrastructure.

The site utilizes existing public facilities and services supplied by Gainesville Regional Utilities (GRU) and the City of Gainesville Public Works Department. Any infill/redevelopment on the site will retain the use of this infrastructure and these services.

8. Need for the additional acreage in the proposed future land use category;

This application seeks to increase the subject site's development potential through an increase in density compared to the current U9 zoning district; an increase in the number of floors permitted in the U9 zoning district standards; and an increase in the number of dwelling units per building permitted within 100 feet of the nearby historic district relative to that permitted by current compatibility standards. These changes, possible only with the proposed PUD FLU and this rezoning, are necessary to enable innovative redevelopment and the provision of workforce rate housing in the area.

9. Discouragement of urban sprawl as defined in Section 163.3164, F.S., and consistent with the requirements of Subsection 163.3177(6)(a)9., F.S.;

This rezoning application is submitted concurrently with a SsCPA application, which also includes a justification report. As detailed in Section 5 of the SsCPA justification report, the intended nonresidential infill redevelopment does not constitute urban sprawl as defined in Section 163.3164, F.S. and is consistent with the standards found within Subsection 163.3177(6)(a)9., F.S.

10. Need for job creation, capital investment, and economic development to strengthen and diversify the City's economy; and

The proposed redevelopment, made possible by the FLUM Amendment when adopted, will create construction jobs for approximately two years. Once constructed, the redevelopment will create permanent apartment staff jobs related to administrative, support, and skilled labor duties. Redevelopment will invest significant capital into the area, signaling reinvestment and adaptive reuse. The new structures will contribute to the strength and diversity of the City's economy by increasing the supply of job-seekers and essential workers living in close proximity to job opportunities.

11. Need to modify land use categories and development patterns within antiquated subdivisions as defined in Section 163.3164, F.S.

The project site is not located within an antiquated subdivision. "Antiquated subdivision" is defined in Section 163.3164, F.S. as "a subdivision that was recorded or approved more than 20 years ago and that has substantially failed to be built and the continued buildout of the subdivision in accordance with the subdivision's zoning and land use purposes would cause an imbalance of land uses and would be detrimental to the local and regional economies and environment, hinder current planning practices, and lead to inefficient and fiscally irresponsible development patterns as determined by the respective jurisdiction in which the subdivision is located."

HOUSING ELEMENT

OVERALL GOAL: ENCOURAGE A SUFFICIENT SUPPLY OF ADEQUATE, DECENT, SAFE, SANITARY, HEALTHY AND AFFORDABLE RENTAL AND OWNER-OCCUPIED HOUSING FOR ALL INCOME GROUPS.

The proposed redevelopment, made possible by this proposed Plan Amendment, will increase the supply of adequate, decent, safe, sanitary, healthy, and affordable rental housing for a broad range of income groups. This supply will be provided in the center of urbanized Gainesville, providing residents with easy access to many of their daily needs and desired uses.

Objective 1.2 Provide a variety of housing types and densities for moderate-income, low-income, very low-income, and extremely low-income people.

The proposed Plan Amendment will provide a variety of housing types, available at both market rate and workforce rate, within two high-density buildings. Residents will live as neighbors, interwoven within the same building, with equal access to all residential amenities. Workforce rate in this instance is defined as 50% to 80% AMI.

Objective 1.5 The City shall collaborate with architects, designers and other housing professionals (providers) to encourage the innovative design of affordable housing.

The proposed Plan Amendment represents an innovative design approach that is trending to include affordable housing, integrating workforce-rate housing, and market rate housing in one building and providing equal access to amenities and interior unit finishes. These innovations are in line with best practices for workforce rate housing, as detailed by the Urban Land Institute in their 2009 report, "Community Workforce Housing Innovation Pilot (CWHIP) Program: A Model for Replication."

These methods include: building housing near employment centers; creating transit-oriented development; increasing density; reserving infrastructure capacity; and allowing flexibility in design standards. This trend is having a much-needed positive effect on the deficit of workforce-rate units in the City of Gainesville.

Policy 1.5.1 The City shall seek innovative ways to encourage affordable housing, which could include use of Alternative building materials, reduced lot size requirements, design competitions for affordable housing, and a design advisory committee to advise housing providers on the development of affordable housing designs.

The proposed Plan Amendment presents an innovative way to encourage affordable housing, by offsetting the cost through increased overall onsite density and allowing minor variation from the design and built form standards of straight zoning. In addition, the applicant has worked with the Gainesville Housing Authority to craft a MOU for administration of affordable housing provisions of the proposed PUD/PD ordinances. The MOU was unanimously approved by the Gainesville Housing Authority on February 22nd, 2022.

TRANSPORTATION MOBILITY ELEMENT

OVERALL GOAL

ESTABLISH A TRANSPORTATION SYSTEM THAT ENHANCES COMPACT DEVELOPMENT, REDEVELOPMENT, AND QUALITY OF LIFE, THAT IS SENSITIVE TO CULTURAL AND ENVIRONMENTAL AMENITIES, AND THAT IMPLEMENTS THE VISION OF THE "YEAR 2035 LONG RANGE TRANSPORTATION PLAN" WITHIN THE CITY OF GAINESVILLE. THE TRANSPORTATION SYSTEM SHALL BE DESIGNED TO MEET THE NEEDS OF PEDESTRIANS, BICYCLISTS, TRANSIT, AND AUTO USERS. SAFETY AND EFFICIENCY SHALL BE ENHANCED BY LIMITATIONS AND CARE IN THE LOCATIONS OF DRIVEWAYS, PROVISION OF SIDEWALK CONNECTIONS WITHIN DEVELOPMENTS, AND AN OVERALL EFFORT TO ENHANCE AND ENCOURAGE PEDESTRIAN MOBILITY THROUGHOUT THE COMMUNITY BY IMPROVEMENT AND PROVISION OF SAFE CROSSINGS, COMPLETE SIDEWALK AND TRAIL SYSTEMS, AND SIDEWALKS OF ADEQUATE WIDTHS. BASIC TRANSPORTATION SHOULD BE PROVIDED FOR TRANSPORTATIONDISADVANTAGED RESIDENTS TO EMPLOYMENT, EDUCATIONAL FACILITIES, AND BASIC SERVICES.

Objective 2.1 Create an environment that promotes transportation choices, compact development, and a livable city.

The proposed Plan Amendment promotes transportation choices, compact development, and a livable city by requesting FLU and zoning designations that will place housing opportunities on walkable, bikeable streets in close proximity to bus stops; enable development of the land with two high-density buildings; and bring more Gainesville residents closer to one another and to opportunity in the core of the City's downtown.

Objective 3.1 Establish land use designations and encourage development plans that reduce vehicle miles traveled and are transit supportive.

The proposed Plan Amendment, and the potential resultant development, reduce Vehicle Miles Traveled (VMT) by placing housing in a walkable, bikeable area that is close to retail and service sources. The proposed Plan Amendment also is transit supportive, as it will allow a large number of dwelling units in an area well-served by Gainesville RTS.

Objective 7.1 Provide multi-modal opportunities and mixed-use development areas to reduce single-occupant automobile trips and reduce vehicle miles traveled.

The proposed Plan Amendment will facilitate a high-density, urban development that will reduce single-occupant automobile trips and reduce the vehicle miles traveled by residents. By building more dwelling units in the walkable, bikeable urban core of Gainesville, residents and visitors alike will have easier, more convenient access to the available transportation alternatives.

5. Consistency with the City of Gainesville Land Development Code

The following identifies how this rezoning application is consistent with the City of Gainesville's Land Development Code (LDC). Language from the LDC is provided in normal font, and the consistency statements are provided in **bold font**.

DIVISION 3. – TEXT AMENDMENTS. LAND USE AND ZONING CHANGES.

Section 30-3.13. - Land Use Change Criteria.

Applications to change the land use category for a property by amending the future land use map of the Comprehensive Plan shall be reviewed according to the following criteria:

A. The goals, objectives, and policies of the Comprehensive Plan.

The project's adherence to the Goals, Objectives, and Policies of the Comprehensive Plan are addressed in detail in Section 4 of this report.

B. The need for additional land in the proposed land use category based on the projected population of the city and the relative availability of the current and proposed land use categories.

The ultimate goal of this application and its companion SsCPA application is to construct a highdensity development in the heart of urban downtown Gainesville that will broaden access to opportunity for a diversity of residents via the provision of both market rate and workforce rate housing. The structure and density necessary to achieve this goal is not possible with the site's current U9 zoning and various overlay districts, nor is it possible with any other zoning district but for the PD zoning district.

The PD zoning district is necessary to increase the site's density compared to the current U9 zoning district; increase the bedroom limit compared to the University of Florida Context Area; and increase the number of dwelling units per building permitted within 100 feet of the University Heights—South Historic District. These changes are only possible with the proposed PUD FLU, and the PD zoning district is required by the City's Comprehensive Plan to implement the PUD.

C. The proposed land use category of the property in relation to surrounding properties and other similar properties.

The redevelopment made possible by the proposed Plan Amendment is compatible with the surrounding properties and surrounding land uses. There are multiple other multi-story, high-density developments close to the project site. The project site is also immediately adjacent to land in the Downtown (DT) zoning district across SW 10th Street, which offers the city's highest by-right density and intensity. The surrounding land uses offer a mix of residential and nonresidential uses. Given the proximity of these high-density developments and the DT zoning district to the project site, the redevelopment made possible by this request demonstrates a logical nexus between itself and the surrounding properties and other similar properties.

While several single parcels exist, with single structures upon them—whether houses or legacy apartments—the trend towards infill multistory development is prevalent throughout the City's core and Innovation District context area.

D. The potential impact of the land use change on adopted level of service standards.

The potential impact of the land use change on adopted Level of Service (LOS) standards is addressed in Section 3 of this report. At full buildout, it is not anticipated that the City's adopted LOS would be negatively affected.

Section 30-3.14. – Rezoning Criteria.

Applications to rezone property shall be reviewed according to the following criteria:

A. Compatibility of permitted uses and allowed intensity and density with surrounding existing development.

The redevelopment allowed by the proposed zoning will be designed in a manner complementary with the growing pattern of development and built form of the surrounding area. Currently, the subject site and the surrounding public realm are underdeveloped relative to the property's U9 zoning and the adjacent DT zoning, with single-story office buildings and surface-level parking lots.

In redevelopment with the proposed PD, the public realm surrounding the project site will be brought into conformance with the more modern Transect zone standards, and the development to occur will be akin to that of the adjacent DT Transect and surrounding context area. This consistency will be guaranteed by the PD conditions, which will reflect the current urban development patterns demonstrated in Gainesville's downtown urban core—dense multi-family housing with pedestrian-oriented streetscape.

B. The character of the district and its suitability for particular uses.

The character of the PD district is most suitable for the uses proposed, as it offers the design flexibility necessary to provide a unique mix of housing choices within one development. A PD zoning for the property will allow an integration of housing types—both market rate and workforce rate housing—that is not possible with the existing U9 zoning. The revenue from these beds will serve to offset the cost of providing a minimum of 10% of dwelling units as workforce housing to persons earning 50% to 80% AMI.

Furthermore, this increased density is only feasible if relief is provided from the U9 building height requirements and the limitations on number of dwelling units per building imposed on development within 100 feet of the University Heights-South Historic District. The District, which wraps the property from the south, west, and north, poses an undue burden on the U9 zoned property and prohibits the site from achieving its entitled zoning.

C. The proposed zoning district of the property in relation to surrounding properties and other similar properties.

There are numerous other multi-story, multifamily buildings close to the project site. The urban redevelopment that will result from this proposed rezoning will be compatible and consistent with these buildings and other higher density, higher intensity structures in the area, and will be in line with the U9 transect and Urban Mixed Use High Intensity Future Land Use development standards. Much of the land in the surrounding area is zoned to be developed similarly, and this growth pattern has become increasingly reflected in Gainesville's urban area in recent years as the Innovation District continues to be built out, and new companies continue to locate in the City of Gainesville.

The proposed PD zoning will ensure this project site is developed appropriately to its context, with respect paid to the surrounding historic area architecturally. The proposed building design, materiality, and form all take cues from the context area, which is reflected in the design standards.

D. Conservation of the value of buildings and encouraging the most appropriate use of land throughout the city.

The subject site is not developed to its highest and best use, and the existing onsite structures are not suitable for repurposing. The site is developed with single-purpose, older structures and surface parking lots. The site is ideally located for the development facilitated by the proposed rezoning – in the core of urbanized Gainesville, close to the University of Florida and other daily needs.

This proposed rezoning will encourage the highest, best, and most appropriate use of the subject site, in alignment with its surroundings and the future the City envisions for the corridor, through the efficient and sustainable use of land that will in turn further housing opportunities and equity goals. The project site is in the dense, intense urban core of the City's downtown, where land is designated for higher density, higher intensity development, and where efficient use of space is crucial. This rezoning will enable ample, diverse housing right next to economic opportunities for residents.

E. The applicable portions of any current city plans and programs such as land use, traffic ways, recreation, schools, neighborhoods, stormwater management and housing.

All applicable portions of current city plans and programs were considered in this application, and will be considered in subsequent proposed development of the subject site. The proposed uses are consistent with the land use pattern and transportation system of the area, which offer an urban style of development. Compatibility of the proposed rezoning as it relates to traffic, schools, and recreation are addressed in Section 3 of this report. At full buildout, it is not anticipated that subsequent redevelopment will negatively impact the City's adopted LOS.

F. The needs of the city for land areas for specific purposes to serve population and economic activities.

The rezoning of this land will increase the economic viability of a currently underutilized portion of urbanized downtown Gainesville. The proposed use will serve multiple populations, including but not limited to, Gainesville's higher-education students, within walking and bicycling distance of the University of Florida and Santa Fe College Blount Center; University of Florida faculty, adjacent to their offices, classrooms, and laboratories; Gainesville's essential workforce, near work opportunities; and persons earning between 50% and 80% AMI, with adequate and safe housing conditions. This rezoning to PD will make it possible for all of these populations and others to coexist as urban neighbors and have equal access to opportunity in the core of downtown Gainesville.

G. Whether there have been substantial changes in the character or development of areas in or near an area under consideration for rezoning.

There has been substantial change in the areas surrounding the project site subject to this rezoning. The nearby University Heights neighborhood, currently largely part of the University Heights—South Historic District, has seen tremendous change in character since its Post-World War II inception. Today, in the area surrounding the project site, very few structures are owner-occupied, with only one parcel on the project site's context block claiming homestead exemption, per the Alachua County Property Appraiser. The area's older structures reflect decades of degradation from lack of maintenance or preservation. The District lacks clear identity, branding, or wayfinding for a sense of place.

When the Historic District was established in 2002, the impetus was to counter growth and its related traffic issues from the University of Florida, Shands, and Alachua General Hospital. Today, much of the Historic District is within the Mixed Use Residential FLU classification and

Urban 5 Transect zoning district. These entitlements encourage growth in the form of moderate density, moderate intensity, and mixed use pedestrian-oriented development.

Much of the land adjacent to the Historic District is within the Urban Mixed Use High Intensity FLU/U9 Transect zoning district or the Urban Core FLU/Downtown Transect zoning district—the second highest density and intensity entitlements in the City and the highest density and intensity entitlements in the City, respectively. The densities and intensities allowed in and around the University Heights-South Historic District today indicate that this area is designated for growth by the City. This desire for growth stands in conflict with the limitations imposed by the District shape and its compatibility buffer. The history and state of the University Heights—South Historic District is discussed in greater detail in Section 7 of this report.

This proposed rezoning and the potential resultant redevelopment will spur reinvestment in the core urban area of Gainesville, demonstrating the value of the area as well as the value of an urban lifestyle. This has the potential to serve as an example of what is possible in the burgeoning Innovation District. The reinvestment in the applicant's property will spur adaptive reuse and reinvestment in the historic properties.

This forward-looking proposed rezoning also offers the ability to address changing needs, economics, and consumer preferences. Consumers are increasingly looking to live an urban lifestyle, and there is an ever-growing demand for workforce housing, both locally and nationally. Gainesville is seeing new urban land use patterns emerging, heightened densities that support local, regional, and national employers, and further development of the Innovation District. Through this urban redevelopment, consumer preference can be better met, and today's workforce can be further encouraged to locate in downtown Gainesville.

H. The goals, objectives, and policies of the Comprehensive Plan.

Alignment of this rezoning application and its companion SsCPA application with the goals, objectives, and policies of the Comprehensive Plan is addressed in Section 4 of this report.

I. The facts, testimony, and reports presented at public hearings.

The information provided in this justification report will be presented at the required public hearings.

- J. Applications to rezone to a transect zone shall meet the following additional criteria:
 - 1. The proposed T-Zone shall provide a logical extension of an existing zone, or an adequate transition between zones.
 - 2. The area shall have had a change in growth and development pattern to warrant the rezoning to a more or less urban T-Zone.
 - 3. The request shall be consistent with the overall City of Gainesville vision for growth and development as expressed in the City of Gainesville Comprehensive Plan.
 - 4. If not adjacent to an existing T-Zone, the rezoning site shall comprise a minimum of ten acres.

This application seeks a PD rezoning, not a Transect Zone. Therefore, these criteria are not applicable. The PD regulations utilize the underlying transect principles and requirements.

DIVISION 4. - PLANNED DEVELOPMENTS Section 30-3.15. Purpose.

1. Purpose. The purpose of the Planned Development (PD) district is to provide a particularized zoning district that recognizes unique conditions, allows design flexibility, and promotes planned diversification and integration of uses and structures, which other zoning districts cannot accommodate, while also retaining the City Commission's authority to establish such limitations and

regulations as it deems necessary to protect the public health, safety, and general welfare. The PD district is designed to:

1. Encourage flexible land development that sustainably uses land and infrastructure, reduces transportation needs, conserves energy, and maximizes the preservation of natural resources.

The potential redevelopment of the subject site's existing surface parking lots and single-story institutional medical offices into a vibrant multifamily residential element reinvests in the area, dramatically reduces transportation needs, creates a sustainable and attainable energy mix, and maximizes the preservation of natural resources through curtailing sprawl into greenfield development outside of the City. The proposed rezoning responds to the community's values as expressed in the adopted Comprehensive Plan policies with infill, urban redevelopment near the core of the City and a burgeoning Innovation District.

More specifically, urban planners deem surface parking lots as a type of place-holder for innovative infill development (Notably, the property appeared as "Vacant Land or Intrusion" in the University Related Thematic Area/East map of the City's ERLA Assoc. Ph II Survey, p. 132., shown below in Figure 10). As the Innovation District continues to take shape and major urban employers continue to attract workers, the need for people residing in the City core will only increase with the concomitant demand for urban housing.

To avoid exacerbation of housing prices, this project provides densities envisioned by the Future Land Use Element and the supporting data and analysis. The subject property in its current condition embodies the underutilization and low density decried in the data and analysis supporting the 2017 FLUE (i.e. "...how low Gainesville's residential densities are in comparison to densities that support transit...").

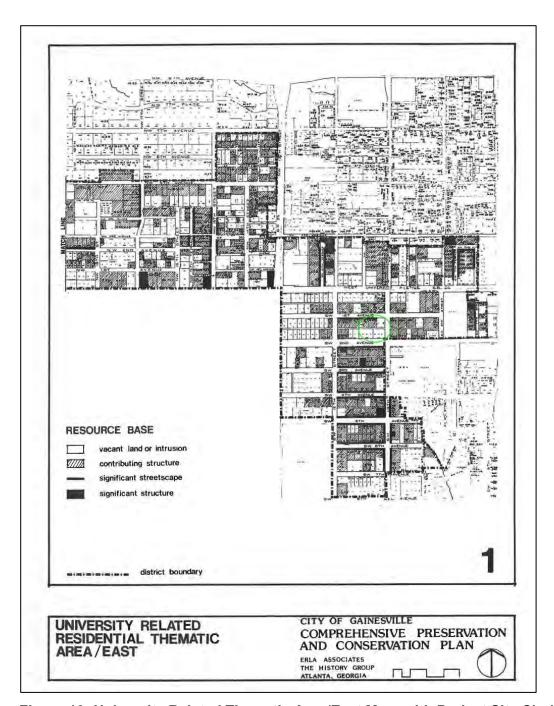


Figure 10: University Related Thematic Area/East Map, with Project Site Circled

The proposed PD includes a voluntary commitment to provide 10% of its units as Workforce Housing in perpetuity. A PD zoning classification is necessary to condition the zoning to require this Workforce Housing in perpetuity (straight zoning may not be conditioned under Florida law). At this time, the applicant has entered into an executed MOU with the Gainesville Housing Authority to provide these Workforce Housing units in perpetuity, as will be memorialized in the PD zoning ordinance and a recorded restrictive covenant. Section 30-4.9, ULDC offers a bonus of two stories for provision of 10% Workforce Housing; in this case, a PD is necessary to implement that bonus given the countervailing historic preservation overlay setback, height, and density limitations. (See related discussion of this internal inconsistency in Section 7 of this report). A PD is necessary to reconcile the internal inconsistency within the Comprehensive Plan and implementing City Code as it relates to this property.

Replacement of surface parking lots—such as the City itself desires at City Parking Lot 10 west of Main Street—with higher density infill development will add necessary population to create a vibrant City. Bringing population to the perimeter of the City core and along the spine of the Innovation District, as this PD proposes, will stabilize and support the urban fabric of civic, cultural, institutional and business uses in the core. Moreover, the delivery of urban services (police, fire, water, and other public infrastructure) will maximize efficiency for taxpayers.

The desired development program requires flexible development standards to further the sustainable use of both the physical property and existing infrastructure. The proposed rezoning requires market rate multifamily development, workforce-rate housing, structured parking areas, residential amenities, underground stormwater management, and rooftop landscaping.

The applicant is proposing organized spaces in the building for wellness and mindfulness activities and maker spaces to support DIY creative, innovative and inventive activities (i.e. podcast/broadcast rooms; greenroom/influencer space; workshops; jam rooms; studios), all supported by best-in-class technology. The proposed PD will afford the additional space needed to accommodate these innovative residential amenities.

The PD zoning mechanism provides relief from certain city historic district compatibility requirements and allows increased density and number of beds via relief from the limitations on number of dwelling units per building associated with development proximate to historic districts. The interplay between these compatibility requirements and the underlying Future Land Use, and the internal inconsistency therein, is discussed in further detail in Section 7 of this report.

Redevelopment within Gainesville's urban core maximizes preservation of overall urban community and global natural resources. Infill redevelopment precludes the conversion of greenfield property and associated urban canopy loss and reduces individual long-term reliance on fossil fuels to transport residents and employees longer distances. The subject site is proximate to key destinations within the City, thereby reducing long-term operational transportation costs. Reducing VMT for residents can help reduce traffic volumes, congestion, air pollution from private vehicles, and conflicts between travel modes. This proposed rezoning will further address the environmental impacts of urban form with rooftop landscaping, which help reduce urban heat island effect.

Redevelopment, facilitated by the proposed rezoning, within the existing urban core conserves energy both during the construction process and in the long-term once the structure is occupied. Based on efficiencies associated with the compact infill development form and the use of modern energy-efficient materials and building technologies, the site's redevelopment maximizes the preservation of natural resources.

Through energy efficient and sustainable buildings materials and forms, housing costs are lowered, both in the short- and long-term perspective.

The anticipated redevelopment facilitated by the proposed rezoning will further conserve energy once constructed in multiple ways. Examples include:

- The use of LED lights;
- Lighting occupancy sensors;
- Lighting and system schedules:
- Adherence to American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standards related to energy efficiency, indoor air quality, and noise control
- Use of low-flow water fixtures and fittings; and
- Use of fly ash concrete in construction, which has a relatively low building material footprint

The developer of the subject site, CA Ventures, is committed to sustainable, energy-efficient construction practices. These include managing construction demotion waste; construction indoor air quality; soil quality; water quality; and airborne/air dust pollution. Residents of CA Ventures' products adhere to Building Owners and Managers (BOMA) Best, Fitwel, or Energy Star Green Building Certifications. It is being investigated at time of writing which certification program is most appropriate for this Gainesville project.

2. Allow the integration of different land uses and densities in one development that would not otherwise be provided for in other zoning districts in this chapter, and which encourage compatibility in overall site design and scale both internal and external to the project site.

The proposed PD integrates a residential use into the heart of the mixed-use Innovation District, bringing necessary populations close to educational, research, and employment opportunities. The proximity of an infill, multistory redevelopment project to institutional, commercial, retail services, and higher educational opportunities builds on the continuum of uses necessary to the urban-zoned elements of this context framework. The proposed PD provides the space necessary for innovative amenities to support its residents (see discussion above), while presenting architectural elements and finishes that respond to the immediate surrounding's design character.

The proposed PD, beyond the provision in a straight-zoning category such as a Transect Zone, allows the practicable integration of market rate and workforce rate housing with equal access to all residential amenities. As opposed to providing traditional workforce housing on more remote properties, the use of the PD facilitates combining workforce rate and market rate housing within the same compact structure in the City's urbanized area. Furthermore, by providing relief from the historic district compatibility requirements regarding number of dwelling units per building, an adequate number of dwelling units per building can be achieved, to construct the necessary number of dwelling units for a financially feasible project.

The PD zoning also permits inclusion of conditions that codify the workforce housing component. Such conditions provide long-term assurance that 10% of residential workforce units will remain on the project site in perpetuity, which is not possible in straight zoning. Furthermore, the overall integrated site design delivers equal housing and social opportunities for all residents due to a PD condition that will require shared access to all amenities, uniform design, and building fitments regardless of whether one resides in market rate or workforce housing, plus convenient access to key locations within Gainesville's urban core.

The proposed PD will be compatible in scale with its external environment, including the multiple other multistory, high-density structures in the context area, and the Urban Core FLU/DT Transect zoning of the Innovation District immediately to the east of the project site on SW 10th Street. The 10th Street façade will reflect the classic, contemporary expression of new buildings in the Innovation District, such as Infinity Hall and the Innovation Hub. The proposed project will be compatible with the nearby University Heights—South Historic District along SW 2nd Avenue. At the pedestrian level, the building façade on SW 2nd Avenue will incorporate masonry detailing, stoops, color selection, canopies, and fenestration inspired by the design of historic Gainesville buildings. Above the pedestrian level, the façade is intended to reflect the clean lines of the Innovation District, with massing breaks to bring down the scale of the façade. Building design will meld the contexts of both the Historic District and Innovation District and use context-sensitive scaling, massing, façade articulation, and multiple building materials to bridge the gap between past and future and create a reinvigorated intersection between the two.

3. Permit outstanding and innovative residential and nonresidential developments with quality-of life design features, such as an integration of housing types and accommodation of changing

lifestyles within neighborhoods; design that encourages internal and external convenient and comfortable travel by foot, bicycle, and transit through such strategies as pedestrian scale, a building orientation generally toward streets and sidewalks, parking located to the side or rear of buildings, narrow streets, modest setbacks, front porches, connected streets, multiple connections to nearby land uses, terminated vistas, recessed garages, alleys, enhances landscaping, and mixed-uses.

See discussion of subsections 1 and 2, which is incorporated herein by reference. In addition, the proposed PD expressly permits outstanding and innovative residential development with quality-of-life design features, such as an integration of housing types, at both workforce and market rate, and accommodation of changing lifestyles. The subject site is adjacent to a neighborhood that has seen tremendous transition since its initial platting at the turn of the 20th century and its Post-World War II housing boom, nearly 70 years ago.

While some contributing structures remain within the adjacent historic district boundaries, the majority of properties are not owner-occupied. Per Alachua County Property Appraiser data, only one property on the project site's context plot claims homestead exemption, indicating that the rest are either nonresidential or rental properties. Many properties reflect decades of degradation from lack of emphasis placed on maintenance / preservation.

Reinvestment in the core Gainesville urban area affords an opportunity for residents to realize the value of an urban lifestyle and promote potential population growth within the context area. In addition, reinvestment and redevelopment of a vacant, underutilized property within the historic district will stabilize the edges of that part of the neighborhood, offering the economic signals necessary to attract reinvestment in the contributing structures, whether for residential or adaptive reuse. Continued vacancy and underutilization will perpetuate the demonstrated decline of the properties nearby.

In many ways redeveloping, reinvesting, and redefining the project site has benefits for both the site itself and the surrounding Innovation District. Public realm improvements will reimagine the surrounding streetscape, providing for convenient, comfortable, and safe travel by foot, bicycle and transit. The pedestrian scale, building orientation, and connection enhances the public realm and improves urban connectivity with streets and sidewalks, structured parking located internal to the buildings, modest setbacks, terminated vistas, alleys, and enhanced streetscaping.

By including workforce rate housing within the same structure as market rate multi-family dwellings, all with uniform design features and accommodations, the PD creates an opportunity for members of Gainesville's more transient higher-education student and faculty population to live side-by-side with permanent workforce residents, or to become permanent workforce residents if they choose to remain in the community. The PD ensures the long-term integration of workforce and market rate housing types by codifying the workforce component within the redevelopment project's PD entitlement documents.

4. Provide flexibility to meet changing needs, technologies, economics, and consumer preferences and allows for ingenuity and imagination in the planning and development of relatively large tracts.

See discussion of subsections 1 and 2, which is incorporated herein by reference. In addition, the proposed PD provides flexibility, above and beyond straight zoning, by entitling redevelopment that meets changing needs, economics, and consumer preferences with the increasing urban-focused residential movement experienced over the last decade. As desire grows to live an urban lifestyle in Gainesville's downtown core, demand for housing increases. Cost increases with that demand so long as supply is constrained.

This proposed PD will introduce new, high-quality, high-density housing construction in the central core of the city downtown, which currently has an expanse of older housing stock, including single-family homes, aged multi-family structures, and conversion units, such as garage apartments. This will meet consumer preference not only for those who purchase market rate housing, but also those that are in need of assistance with workforce rate housing. In this redevelopment, both groups will live side-by-side as neighbors, with equal access to Gainesville's employment opportunities and tremendous social and cultural amenities.

The changing needs, technologies, economics, and consumer preferences are all typified in the proposed PD. Presenting equal access and availability to technologies and access to consumer preference housing for potential residents, irrespective of income level, employs ingenuity in design within a singular site, proximate to the City of Gainesville's largest employment and activity centers such as University of Florida, Santa Fe College Blount Center, UF Health, VA Medical Center, and more.

5. Achieve overall coordinated building and facility relationships and infill development, and eliminate the negative impacts of unplanned and piecemeal development.

See discussion of subsections 1 and 2, which is incorporated herein by reference. In addition, the proposed PD expressly allows the developer to achieve an overall coordinated development and facility relationship upon a small infill redevelopment site, thereby eliminating the negative impacts of unplanned and piecemeal development.

While the building is a mid-rise structure, careful attention is paid to the pedestrian scale design. The building's orientation and focus on primary and secondary streets and sidewalks improves and enhances the outdoor room and realm that has severely degraded since its core construction from the 1950s through the 1970s.

Placing parking access to the rear of and within the building footprint prioritizes the pedestrian's urban realm over the automobile's utility. The creation of modest setbacks, internal parking, and enhanced streetscaping all signal the importance of the citizens and residents over the transitory automobile. The Innovation District is an urbanized, pedestrian-priority district, and the development to result from these applications reflects this and reinforces the City's objectives.

Section 30-3.16. Applicability of Other Regulations.

All building code, housing code and other land use regulations of this chapter are applicable to a PD, except to the extent that they conflict with a specific provision of an approved PD.

Development within the proposed PD will comply with all applicable regulations, except when in conflict with a specific provision as outlined in the proposed PD.

Section 30-3.17. Review Criteria.

In addition to the general review criteria for rezonings provided by this article, the City Plan Board and the City Commission shall evaluate PD applications according to the following additional criteria:

A. Consistent with Comprehensive Plan. A PD application may only be approved if it is consistent with the Comprehensive Plan.

As demonstrated in Section 4 of this report, this PD application is consistent with the City of Gainesville Comprehensive Plan.

B. Conformance to PD purpose. A PD application may only be approved if it is in conformance with the purpose of PDs as articulated in Section 30-3.15.

As detailed previously in this Section, this proposd PD in in conformance with the purpose of PDs, as articulated in the responses to Section 30-3.15. The proposed PD seeks to use land and infrastructure creatively and sustainably in urbanized Gainesville. The potential resultant redevelopment will reduce private automobile demands on transportation infrastructure, efficiently use urban land, and preempt the need to develop more housing on greenfield land on the urban fringes.

The proposed PD will also provide innovative residential development, placing market rate and workforce rate housing together in one building in an area of ample opportunity. A project such as this is only possible with PD zoning, as no other zoning district allows the conditions necessary to actualize this mix of uses and housing types.

C. Internal compatibility. All uses proposed within a PD shall be compatible with other proposed uses; that is, no use may have any undue adverse impact on any neighboring use, based on the streetscape, treatment of pedestrian ways and circulation, motor vehicle circulation, and the separation and buffering of parking areas and sections of parking areas; the existence or absence of, and the location of, focal points and vistas, open spaces, plazas, recreational areas and common areas, and use of existing and proposed landscaping; use of the topography, physical environment and other natural features; use and variety of building setback or build-to lines, separations and buffering; use and variety of building groupings, building sizes, architectural styles, and materials; variety and design of dwelling types; particular land uses proposed, and conditions and limitations thereon; and any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of any proposed use within the PD.

The uses proposed as part of this PD are strictly market rate and workforce-rate housing with associated amenities and accessory uses, i.e. fitness center, study areas, social spaces, leasing office, etc. These two uses will be integrated throughout the building, and residents will share equal access to all amenities.

D. External compatibility. All uses proposed within a PD shall be compatible with existing and planned uses of properties surrounding the PD; that is, no internal use may have any avoidable or undue adverse impact on any existing or planned surrounding use, nor shall any internal use be subject to undue adverse impact from existing or planned surrounding uses. An evaluation of the external compatibility of a PD should be based on the following factors: adjacent existing and proposed uses, design of the development, traffic circulation, and density and intensity.

The proposed uses will not have an adverse impact on neighboring uses. Instead, this redevelopment will confer benefits for neighboring uses, including, but not limited to, public realm improvements, increased customer base for businesses, and increased employee pool for employers. The anticipated redevelopment of the subject site will be consistent in density and design with the maximum development potential of surrounding Future Land Use and zoning classifications.

E. Intensity of development. The residential density and intensity of use of a PD shall be compatible with and shall have no undue adverse impact upon the physical and environmental characteristics of the site and surrounding lands, and shall comply with the policies and density limitations set forth in the Comprehensive Plan. Within the maximum limitation of the Comprehensive Plan, the permitted residential density and intensity of use in a PD may be adjusted upward or downward in consideration of the following factors: the availability and location of public and utility services and facilities; the trip capture rate of development; and the degree of internal and external connectedness of streets.

The density proposed with this PD varies only slightly from that which is permitted in the existing Urban Mixed Use High Intensity Future Land Use and U9 zoning district. This density also aligns with the adjacent Urban Core Future Land Use and DT zoning district. This increase in density is needed so that an adequate supply of market-rate units can be included in the redevelopment to generate the revenue needed to offset the cost of provided workforce rate housing. This will give a greater share of Gainesville residents access to opportunity in the City's urbanized core.

Furthermore, the proposed density is generally compatible with similar structures in the vicinity of the project site. The site is currently underdeveloped, and redevelopment will have no adverse impact on the physical or environmental characteristics of the site or surrounding lands.

F. Usable open spaces, plazas and recreation areas. Usable open spaces, plazas and recreation areas provided within a PD shall be evaluated based on conformance with the policies of the Comprehensive Plan and the sufficiency of such areas to provide appropriate recreational opportunities, protect sensitive environmental areas, conserve areas of unique beauty or historical significance, enhance neighborhood design, and encourage compatible and cooperative relationships between adjoining land uses.

Any usable open spaces, plazas, or recreation areas provided within the project site will conform to applicable Comprehensive Plan policies.

G. Environmental constraints. The site of the PD shall be suitable for use in the manner proposed without hazards to persons either on or offsite from the likelihood of increased flooding, erosion or other dangers, annoyances or inconveniences. Condition of soil, groundwater level, drainage and topography shall all be appropriate to the type, pattern and intensity of development intended. The conditions and requirements of the protection of resources article shall be met.

The subject site is suitable for the uses proposed, without causing hazard to persons either on or offsite from increased flooding, erosion, or other dangers, annoyances, or inconvenience. According to the National Resources Conservation Series, the onsite soil is Urban Land. This soil type is suitable for the intended urban infill redevelopment and associated uses. The conditions and requirements of the protection of resources article will be met.

H. External transportation access. A PD shall be located on, and provide access to, a major street (arterial or collector) unless, due to the size of the PD and the type of uses proposed, it will not adversely affect the type or amount of traffic on adjoining local streets. Access shall meet the standards set in Chapter 23 and Chapter 30, Article VI. Connection to existing or planned adjacent streets is encouraged. The trip generation report shall be signed by a professional engineer registered in the state when there is a difference between the traffic report provided by the petitioner and the concurrency test.

The subject site is located at the northwest corner of SW 2nd Avenue and SW 10th Street. Automobile access to parking facilities will be provided via SW 1st Place, a portion of land that

runs east/west, is currently utilized as an alleyway, and bisects the site. This placement of automobile access prioritizes pedestrian safety and comfort over the automobile's utility. These access points are not anticipated to adversely affect the type or amount of traffic on adjoining local streets.

Access will meet the standards set in Chapter 23 and Chapter 30, Article VI.

Internal transportation access. Every dwelling unit or other use permitted in a PD shall have
access to a public street directly or by way of a private road, pedestrian way, court or other
area that is either dedicated to public use or is a common area guaranteeing access.
Permitted uses are not required to front on a dedicated public road. Private roads and other
accessways shall be required to be constructed so as to ensure that they are safe and
maintainable.

Every dwelling unit and amenity use in the proposed PD will have access to public streets via the parking areas and driveways, with ingress/egress on SW 1st Place, or via the doorways provided on the ground floors of the buildings. Internal vehicle circulation will occur within the parking areas. Pedestrians and bicyclists will be able to access the site via sidewalks that directly connect and abut the site.

J. Provision for the range of transportation choices. Sufficient off-street and on-street parking for bicycles and other vehicles, as well as cars, shall be provided. Parking areas shall be constructed in accordance with such standards as are approved by the city commission to ensure that they are safe and maintainable and that they allow for sufficient privacy for adjoining uses. When there is discretion as to the location of parking in the project, it is strongly encouraged that all motor vehicle parking be located at the rear or interior side of buildings, or both. The design of a PD should, whenever feasible, incorporate appropriate pedestrian and bicycle accessways so as to provide for a variety of mobility opportunities. Connection to all sidewalks, greenways, trails, bikeways, and transit stops along the perimeter of the PD is required. Where existing perimeter sidewalks do not exist, sidewalks shall be provided by the development.

Sufficient on-street and off-street parking for vehicles, including but not limited to cars and bicycles, will be provided. All onsite parking facilities will be constructed in accordance with standards approved by the City Commission. Motor vehicle parking will be located within the proposed building, with access from SW 1st Place.

Pedestrians and bicyclists will be able to access the site via sidewalks that directly connect to the buildings without threat of vehicle conflicts. Connection to all sidewalks, bikeways, and transit stops along the perimeter of the PD will be constructed. There are multiple transit stops and routes in the surrounding area.

Section 30-4.8. Development Compatibility

C. Building Height and Massing.

Within 100' of the Following Districts:	Max. Building Height
University Heights—South Historic District	4 stories and 60'
	Measured to the top plate of the 4 th floor.

A portion of the project site is within the 100 feet offset of the University Heights—South Historic District. Redevelopment of this property will adhere to the maximum building height requirement of this section. Buildings or portion of buildings within 100 feet of the University Heights-South Historic District will not exceed 4 stories and 60 feet in height when measured to the top plate of the 4th floor.

- D. Multi-family developments.
 - 1. Generally. Multi-family development shall contain no more than six dwelling units per building and shall be in the form of single-family dwellings, attached dwellings, or small-scale multi-family when located within 100 feet of any property that is in a single-family zoning district, the U1 district, or a designated historic district.

In order to provide a sufficient number of dwelling units at market rate to offset the cost of providing workforce rate housing in this redevelopment, the conditions of this PD seek to provide more than six dwelling units per building in the portions of the project site that are within 100 feet of the University Heights-South Historic District. Relief from this requirement is crucial to facilitate the provision of workforce rate housing within the project. The additional number of dwelling units is paramount for the economics of the project. Relief from this section requirement will facilitate the provision of enough market rate units to generate sufficient revenue to offset the cost of providing workforce rate housing.

6. PLANNED DEVELOPMENT DESIGN STANDARDS

The desired development program includes market rate multifamily development, workforce rate housing, parking areas, and shared residential amenities for all residents. Implementation requires flexible, site-specific development standards. This development program cannot be fully achieved with the site's existing U9 development standards, or any other existing zoning district. Because of this, the PD zoning mechanism is necessary.

The PD zoning mechanism provides relief in the city's historic district compatibility requirements, applied to property within 100 feet of historic districts. The pertinent requirements specifically relate to the number of dwelling units allowed per building. This relief allows adequate number of dwelling units per building to be achieved, thus making it possible to construct the necessary number of dwelling units to achieve a financially feasible project in the marketplace while offering workforce rate units.

The following outlines the requested site-specific development standards of this PD. For ease of reading, it is modeled after Table V-2 of the City of Gainesville's LDC. In instances where PD-specific standards are not detailed, it is to be assumed that the U9 standard applies.

STANDARD	PD
LOT AND BLOCK STANDARDS	
Block Perimeter (max. feet)	2,000'
Lot Width (min. feet)	18'
DENSITY	
Residential Density, max.	204
Number of Bedrooms, max.	557
BUILDING FRONTAGE	
Primary frontage (min)	70%
Secondary frontage (min)	50%
BUILDING PLACEMENT	
Storefront Street, minmax. feet Applicable to SW 2 nd Avenue and SW 10 th Street Measured from back-of-curb	20-25'
Local Street, minmax. feet Applicable to SW 1 st Avenue Measured from back-of-curb	16-21'
SW 1 st Place Setback, min. feet Measured from property line	3'
Side setback, min. feet Measured from property line	0'
Setback at roundabout, intersection of SW 2 nd Avenue and SW 10 th Street Measured from back-of-curb	14'*
BUILDING HEIGHT	
Max. Stories	11
Max. Feet	120'7"
GLAZING	
Min. first floor- multifamily	65%
Min. upper floors – multifamily	15%
PARKING	
Parking ratio (spaces per bed)	0.05

^{*}Due to existing infrastructure and public rights-of-way.

7. University Heights-South Historic District

The Historic Preservation Element (HPE) of the Comprehensive Plan ("Plan"), adopted in 1991, identified nine (9) areas as potential historic districts; five (5) have been established to date. In 2002, the City Commission adopted Ordinance No. 001027 (0-01-64) to create the "University Height District-South" ("District") from the platted University Heights and University Place subdivisions, which the City website describes as follows: "It reflects typical suburban residential growth patterns of Florida cities in the midtwentieth century. It is located between the University of Florida and downtown." The District is included on the Local but not the National Register of Historic Places.

Initially, the impetus for creating the District was to counter what was deemed to be an area "threatened by both university (of Florida) and (Shands AGH) [h]ospital expansions," related traffic congestion and demand for parking. p. 14, HPE Data & Analysis [Legistar 110168D]. Also of interest was the presence of a significant number and concentration of field stone or chert houses in the District. For the record, the hospital was demolished to make way for the Innovation District – a much-vaunted partnership between the University of Florida and City of Gainesville to facilitate job- and research-intensive redevelopment of the former hospital property and its surroundings in proximity to the university campus, multi-modal transportation and downtown amenities. Corresponding high-density residential uses have been encouraged by recent iterations of the Future Land Use Element and the Land Development Code ("LDC"), the latter adopting Transect Zones. These land use and zoning code changes are squarely in conflict with the HPE policies adopted in an earlier era and guided by different policy considerations.

The applicant's proposed PUD-PD reconciles the Plan's internal inconsistency as it relates to this property by furthering the goals, objectives and policies of the FLUE and by providing relief from conflicting LDC restrictions. The subject property's underlying zoning is U9 (Urban 9) – the second-most dense and intense of Gainesville's Transect Zones, and the land use classification is UMUH (Urban Mixed-Use High) – the second highest density land use. (See discussion below).

The 2011 update to the HPE Data & Analysis in its deletion of cautionary language about "plans" for "high-density development" in the District reflects the City's policy shift toward the high-density, walkable development patterns seen today along University Avenue and Second Avenue in the District, which forms a spine through the Innovation District. But the Code's remaining set-back requirements and height limitations for Transect-zoned, high-density properties adjacent to the District (Sec. 30-4.8) preclude achievement of the FLUE goals, objectives and policies. Underutilizing these Transect-zoned properties only perpetuates the suburban sprawl patterns that the City and University have labored to reverse near the Innovation District. Moreover, the ability of applicants to include Workforce Housing units in the core city where most needed and still meet the underwriting requirements of lenders is hampered by the inflexibility and tacit density limitations imposed by these restrictions.

In contrast, the City updated its FLUE and Data & Analysis in 2017. The FLUE update "is intended to complement the Transportation Mobility Element by promoting land use patterns that support transportation choice." The analysis concluded that population data was "useful in recognizing <u>how low Gainesville's residential densities are in comparison to densities that support transit</u>, and in recognizing the in-town development capacity in our existing neighborhood centers." (emphasis added). Because of the consequences of urban sprawl, "key objectives" of the Comprehensive Plan are to promote livable residential densities, neighborhood centers, transportation choice, stabilization of existing city neighborhoods, and mixed use – in short, to reverse sprawl patterns of suburban development.

The FLUE specifically recommends that the City encourage relatively high, albeit well-designed, residential densities near major trip destinations (i.e. employment, school, civic area). "Neighborhoods north, east and south of the University have a large percentage of student residents, but do not

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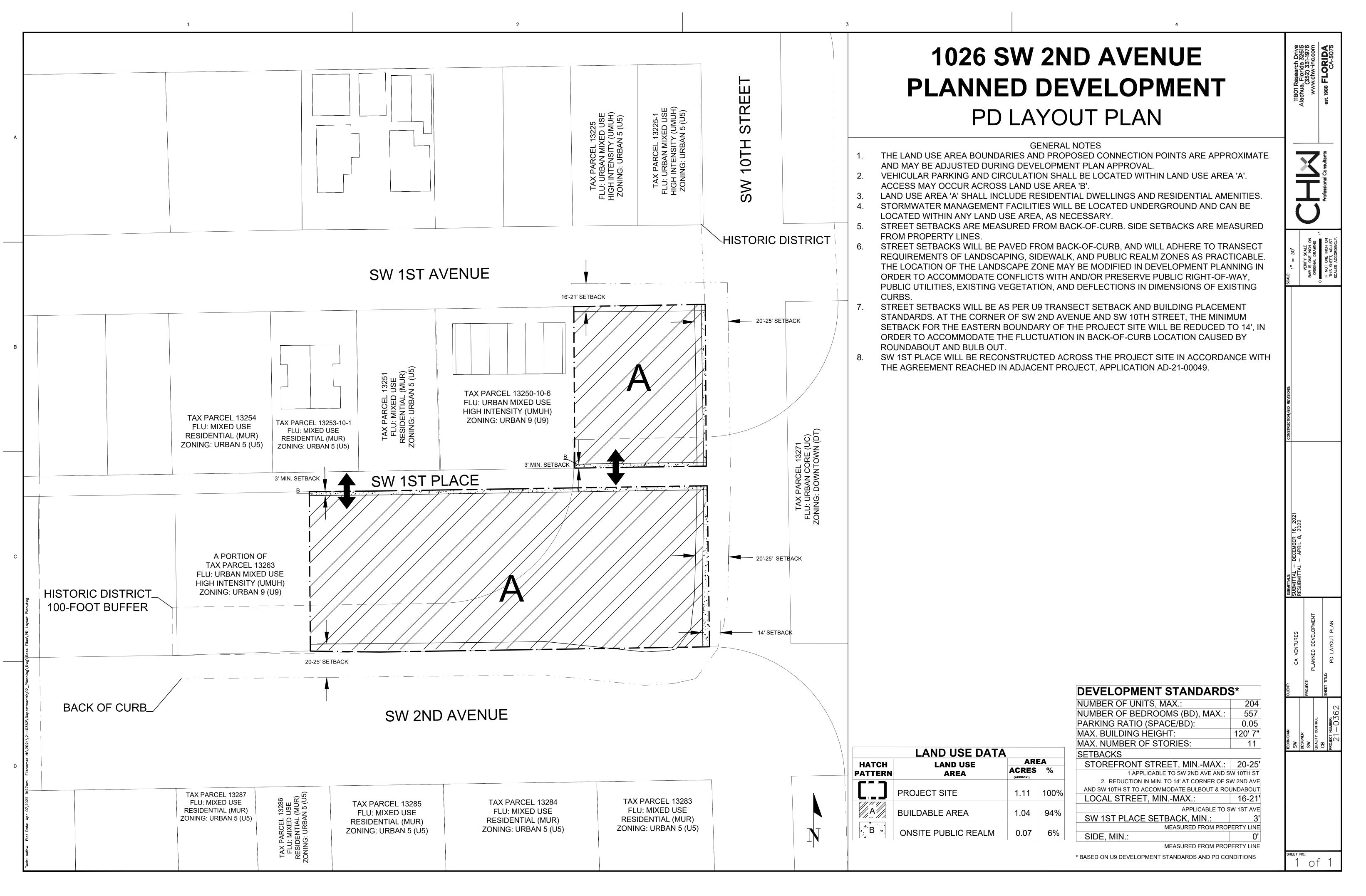
¹ p. 33, HPE Data & Analysis [Legistar 110168D].

accommodate a large enough share of student housing. It is particularly desirable to accommodate student housing close to the to promote citywide transportation choice and several other City objectives. A larger residential population near the University would also be a prime catalyst in revitalizing the downtown. Older neighborhoods close to the downtown continue to include deteriorated dwellings and underutilized parcels, although new housing has been built in ...University Heights...". (FLUE p. 36)(emphasis added). The 2017 Future Land Use Map ("FLUM") designated areas near the University, Santa Fe College and near the downtown core to carry densities up to 100 units east and south of the university.

At the time the District was established in 2002 – presumably to curb plans for high-density development — the city had already revised the underlying zoning of the District's properties to range from "residential high density district" [8-43 and 8-100 units/acre] to "office residential district" [20 units/acre], general office district and medical services district. The District adoption ordinance expressly stated that the underlying zoning districts on the property were neither abandoned nor repealed. There was no inclusion of density or height limitations in Ordinance No. 001027 (0-01-64) for development <u>adjacent</u> to the District.

To implement the community vision advanced 20 years ago and embodied by the 2017 FLUE update, the City revised its zoning code to establish Transect zoning districts. (Sec. 30-4.1, LDC). The subject property bears a U9 (Urban 9) Transect, the second-most dense and intense of the City's Transect Zones. U9 implements the Urban Mixed-Use High (UMUH) Intensity Future Land Use classification of the property. This classification is established to support mixed uses with high-density residential in concert with research and development in close proximity to the University of Florida main campus.

The proposed PUD-PD provides the necessary relief from conflicting LDC requirements to enable the provision of high-density residential development near the Innovation District, University campus and Santa Fe College Blount Center while meeting other major objectives of the City, including provision of Workforce Housing close to major employment centers (i.e. University, Santa Fe College, Circuit Court System, UF Health, and VA Medical Center) and major cultural amenities.



FLORIDA

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PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

PLANNING DIVISION PO Box 490, Station 12 Gainesville, FL 32627-0490 P: (352) 334-5023

F: (352) 334-3259

	PUBLIC NOTICE SIGNAGE AFFIDAVIT
Petition Name	PB 21-219 and PB 21-220
Applicant (Owner or Agent)	CHW
Tax parcel(s)	13249-000-000 and13263-000-000 (a portion of)
Being duly sworn, I depose and say t	he following:
1. That I am the owner or authorize	ed agent representing the application of the owner and the record title holder(s)

- of the property described by the tax parcel(s) listed above;
- 2. That this property constitutes the property for which the above noted petition is being made to the City Of Gainesville;
- 3. That this affidavit has been executed to serve as posting of the "Notice of Proposed Land Use Action" sign(s) which describes the nature of the development request, the name of the project, the anticipated hearing date, and the telephone number(s) where additional information can be obtained. In addition, the applicant has securely posted the sign(s) on the property along each street frontage, at intervals of not more than four hundred' (400) feet, and set back no more than ten (10) feet from the street and visible from the street. If the property does not abut a public right-of-way, signs have been placed at the nearest public right-of-way with an indication of the location of the subject property.
- 4. That the applicant has posted the sign(s) at least fifteen (15) days prior to the scheduled public hearing date; or for Historic Preservation Certificate of Appropriateness applications, at least ten (10) days prior to the scheduled public hearing date.
- 5. That the applicant shall maintain the signs(s) as provided above until the conclusion of the development review and approval process and that the signs shall be removed within ten (10) days after the final action has been taken on the development application.

6. That I (we), the undersigned authority, hereby certify that the foregoing statements are true and correct.

JIM Moort	Seth Wood
8. Applicant (signature)	Applicant (print name)
STATE OF FLORIDA,	RECORDING SPACE
COUNTY OF ALACHUA	
Before me the undersigned, an officer duly commissioned by	
the laws of the State of Florida, on this day	
of kpril , 20 22, personally appeared who having	
been first duly sworn deposes and says that he/she fully	
understands the contents of the affidavit that he/she signed.	/
TRINA LEMAH NOTAT Public NOTAT VIOLED	a C
Public Commission # GG 314838	
My Commission expires: My Comm. Expires Mar 21, 207 Bancad through National, Notary Ass	
Form revised on March 11, 2014. Form location: http://www	



April 7, 2022

Mr. Scott Wright, Planner II City of Gainesville – Department of Mobility P.O. Box 490, Station 58 Gainesville, FL 32627

Re: 1026 SW 2nd Avenue, Trip Generation and Distribution

Dear Scott,

1026 SW 2nd Avenue is a proposed development consisting of off-campus student apartments with approximately 557 beds. The site is proposed at the northwest corner of the intersection of SW 2nd Avenue and SW 10th Street in Gainesville, Florida. There are existing medical-dental office buildings to be removed from this site.

This letter provides the trip generation based on the proposed land uses and the estimated project trip distribution based on the trip distributions of other student apartments in the area.

The Institute of Transportation Engineer's (ITE) Trip Generation Manual, 10th Edition was used to estimate the trip generation of the site based on the proposed development, as provided in **Table 1**.

	Table 1 - Trip Generation								
Lond Hea	ITE LU Code Variable	Daily	AM Peak			PM Peak			
Land Use	TIE LO Code	Beds	Total	Total	In	Out	Total	In	Out
Off-Campus Student Apartment	225	557	1,742	61	25	36	137	69	68
Non-Vehicular Multi-I	Non-Vehicular Multi-Modal Reduction ¹		357	5	7	29	14	15	5
Net New Trips (utilizing multi-modal reduction)		1,385	49	20	29	108	55	53	

(1) Estimated Non-Vehicular Multi-Modal Trips are based on a Multimodal study prepared for the City of Gainesville (updated July 2013) based on Royal Village Apartments. Royal Village provides the closest comparison to the 1026 SW 2nd Avenue Apartments based on its proximity to UF, character, and function. Multi-modal rates are provided during the AM peak (20%) and PM peak (21%) but are not provided for the daily total. The Daily Non-Vehicular Multi-Modal Trips were estimated as the average (20.5%) of the AM and PM.

The project trip distribution is expected to mimic the trip distribution of apartments in the vicinity of this project. Vehicle counts were collected at the following locations to derive the trip distribution for the nearby Lincoln Ventures student apartments. The same trip distribution is utilized to forecast the project trip distribution for this site.

- The Continuum
- The Apartments along SW 3rd Avenue between SW 13th Street and SW 12th Street including Social 28, Courtyards, and Lyncourt Square

The trip distribution calculations are provided in **Attachment 1**. The estimated trip distribution of the project site is provided in **Figure 1**.

CHW is currently preparing design plans for the 12th Street/10th Street One-way Pair. The current plan anticipates that NW/SW 12th Street will be a one-way southbound roadway, for vehicular traffic, and NW/SW 10th Street will be a one-way northbound roadway, for vehicular traffic. The one-way pairs will have only a minor impact on the ultimate origin and destinations as highlighted in **Attachment 1** and **Figure 1**. The One-way Pairs project will have an impact on the project trip and background trip turning movements, which will be detailed in the TIA for this project.

At the intersections of SW 13th Street at SW 2nd Avenue and SW 13th Street at W. University Avenue, the project trip turning movements are estimated based on the turning movements at these intersections. **Attachment 2** provides the calculations for the trip distributions at these intersections.

Sincerely,

CHW

Brian Snyder, P.E. Project Manager

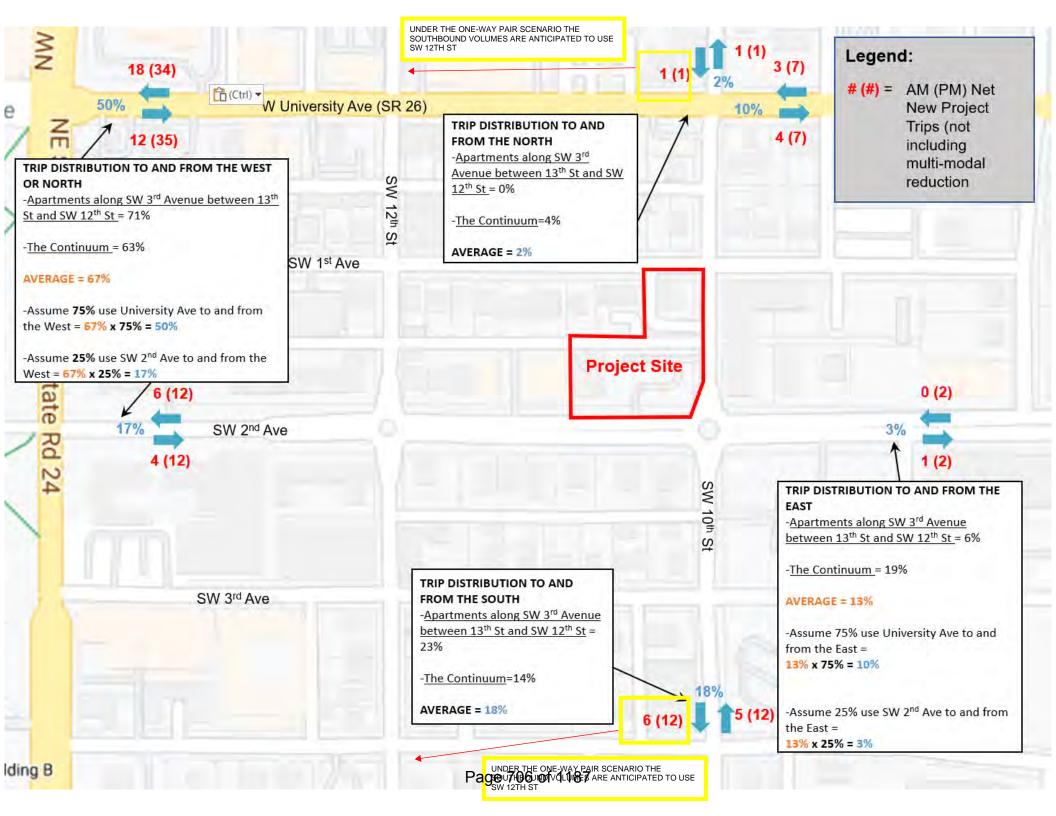
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UNDER THE ONE-WAY PAIR SCENARIO THE SOUTHBOUND VOLUMES ARE ANTICIPATED TO USE SW 12TH ST NN 3 (7) 18 (34) W University Ave (SR 26) NE State Rd 4 (7) 12 (35) SW 12th St Legend: AM (PM) Net New Project Trips (not 24 SW 1st Ave including multi-modal reduction **NE State Project Site** 6 (12) 0 (2) SW 2nd Ave Rd 24 4 (12) 1 (2) SW 10th St SW 3rd Ave UNDER THE ONE-WAY PAIR SCENARIO THE SOUTHBOUND VOLUMES ARE ANTICIPATED TO USE SW 12TH ST Iding B

Figure 1 | Estimated Trip Distribution

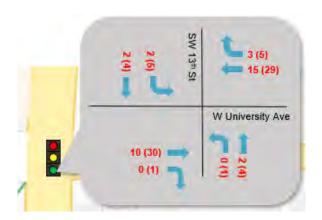
Attachment 1: Trip Distribution Calculations



Attachment 2: Trip Distribution Calculations SW 13th Street

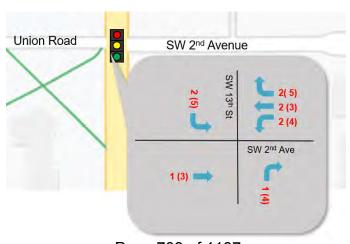
	TO/FROM West Universi	ty
	TO/FROM North on 13th	TO/FROM West on University
	15%	85%
AM IN	2	10
PM IN	5	30
AM OUT	3	15
PM OUT	5	29
	TO/FROM North 13th St	
	TO/FROM West on University	TO/FROM North on 13th
	20%	80%
AM IN	0	2
PM IN	1	- 4
AM OUT	0	2

	Total	% of Total
SBL + WBR	603.5	15%
EBT + WBT	3554.5	85%
From TMC at 13th ST and Unive		% of Total
From TMC at 13th ST and Unive	rsity Ave Total	% of Total



	TO/FROM West 2nd Ave				
	TO/FROM North on 13th	TO/FROM West on Union Dr	TO/FROM South on 13th St		
	39%	25%	36%		
AM IN	2	1			
PM IN	5	3	- 9		
AM OUT	.2	2			
PM OUT	5	3			

	Total	% of Total
SBL + WBR	372	39%
EBT + WBT	232	25%
NBR + WBL	339.5	36%



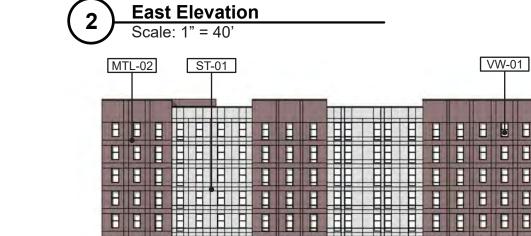
Page 708 of 1187

Appendix B

Elevations



	MATERIAL FINISH KEY
ļ	
MRY 01	MODULAR BRICK - COLOR 1
ST 01	STUCCO - COLOR 1
ST 02	STUCCO - COLOR 2
ST 03	STUCCO - COLOR 3
ST 04	STUCCO - COLOR 4
CPL 01	CEM. PANEL W/ REVEAL SYSTEM - COLOR 1
CPL 02	CEM. PANEL W/ REVEAL SYSTEM - COLOR 2
SF 01	ALUM. STOREFRONT SYSTEM
VW 01	VINYL WINDOW
WD 01	WOOD LOOK PANEL - COLOR 1
MTL 01	GARAGE SCREENING SYSTEM
MTL 02	METAL PANEL - COLOR 1
MTL 03	ALUM. BALCONY RAILING
MTL 04	PREFABRICATED METAL CANOPY
MTL 05	METAL SIGNAGE



CPL-02

MRY-01 SF-01

SW 2nd Ave.



SW 1st Pl.

WD-01

CPL-01

VW-01

CPL-01

MRY-01

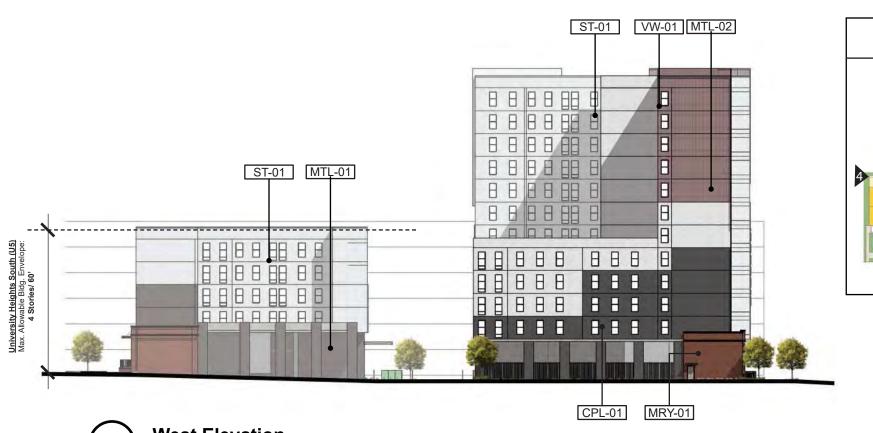
MTL-05

CPL-01

South Elevation Scale: 1" = 40'



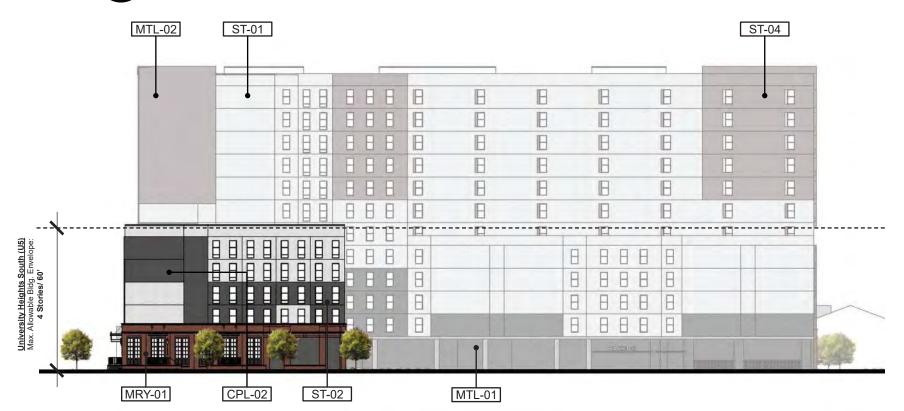






	MATERIAL FINISH KEY			
MRY 01	MODULAR BRICK - COLOR 1			
ST 01	STUCCO - COLOR 1			
ST 02	STUCCO - COLOR 2			
ST 03	STUCCO - COLOR 3			
ST 04	STUCCO - COLOR 4			
CPL 01	CEM. PANEL W/ REVEAL SYSTEM - COLOR 1			
CPL 02	CEM. PANEL W/ REVEAL SYSTEM - COLOR 2			
SF 01	ALUM. STOREFRONT SYSTEM			
VW 01	VINYL WINDOW			
WD 01	WOOD LOOK PANEL - COLOR 1			
MTL 01	GARAGE SCREENING SYSTEM			
MTL 02	METAL PANEL - COLOR 1			
MTL 03	ALUM. BALCONY RAILING			
MTL 04	PREFABRICATED METAL CANOPY			
MTL 05	METAL SIGNAGE			

West Elevation
Scale: 1" = 40'

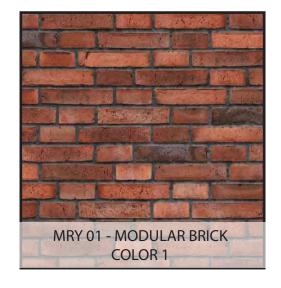


North Elevation
Scale: 1" = 40'

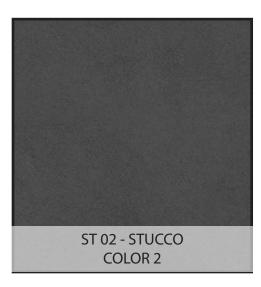


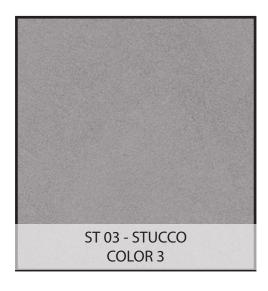


Building Materials

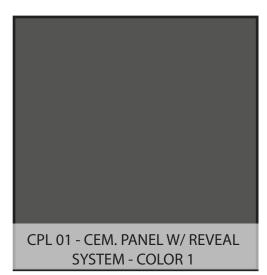


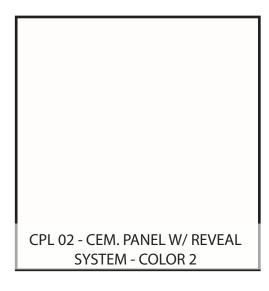










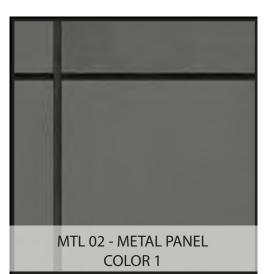


















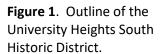




Appendix C

Historic District Images





Proposed project area outlined in red (not to scale).

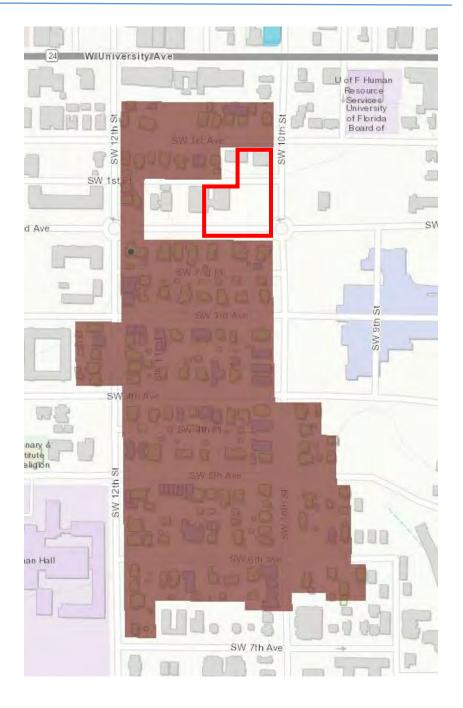






Figure 2. The properties in green are contributing properties within the UH-S Historic District, blue are non-contributing.

Every single property on the block between SW 12^{th} Street and SW 10^{th} Street is a contributing structure.

Photographs 1-7 show those properties that are across the street from the south building of the proposed project, which faces the SW 2nd Avenue corridor.

The character of the street is 1 and 2-story structures, primarily Bungalows, and though many are being utilized as offices, they retain the feeling of residential structures because that is the nature of their size, massing, and form. The historic integrity is intact.



Photo 1. 1125 SW 2nd AVE, *Contributing Structure* in the District



Photo 2. 1113 SW 2nd AVE, *Contributing Structure* in the District





Photo 3. 1107 SW 2nd AVE, *Contributing Structure* in the District



Photo 4. 1103 SW 2nd AVE, *Contributing Structure* in the District





Photo 5. 1023 SW 2nd AVE, *Contributing Structure* in the District



Photo 6. 1013 SW 2nd AVE, *Contributing Structure* in the District









Photo 8. The character of the street, looking east from 1113 SW 2nd Avenue.





Photos 9 and 10.

Reinvestment in properties has happened as recently as this past year. The top photo is google maps, March 2021.

The bottom photo are the same properties, 1103 and 1107 SW 2nd Avenue, but in March 2022.









Figure 3. The properties in green are contributing properties within the UH-S Historic District, blue are non-contributing.

Every property on the north side of the block between SW 12th Street and SW 10th Street is a contributing structure.

Photographs 9-13 show those properties that are across the street from the north building of the proposed project, which faces SW 1st Avenue.

Photograph 14 is a contributing structure which will be to the west of the north building of the proposed project.

The character of the street is 1 and 2-story structures, and though a few are being utilized as multi-unit rentals, they retain the feeling of single family residential structures because that is the nature of their size, massing, and form. The historic integrity of the street is intact.



Photo 9. 1004 SW 1st AVE, *Contributing Structure* in the District



Photo 10. 1012 SW 1st AVE, *Contributing Structure* in the District





Photo 11. 1016 SW 1st AVE, *Contributing Structure* in the District



Photo 12. 1022 SW 1st AVE, *Contributing Structure* in the District





Photo 13. 1022 SW 1st AVE, *Contributing Structure* in the District

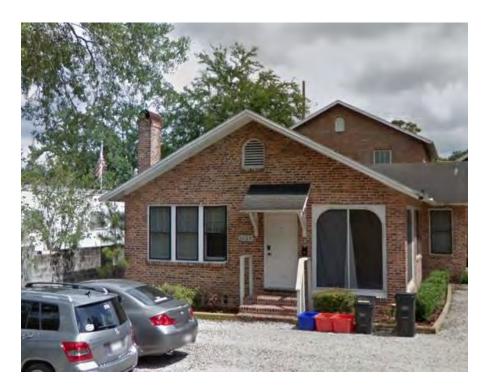


Photo 14. 1023 SW 1st AVE, *Contributing Structure* in the District







Photo 15. The intersection (roundabout) at SW 2nd Avenue and SW 10th Street, looking north. The proposed project would be to the top left of the photo. To the top right, is Infinity Hall, a 5-story structure.



Photo 16. The intersection (roundabout) at SW 2nd Avenue and SW 10th Street, looking south. The proposed project would be to the right of the photo. To the left, is Infinity Hall, a 5-story structure.





Photo 17. Oblique view of Infinity Hall, a 5-story structure, looking north.



Photo 18. Current construction photo of the restaurant "The Swamp," a 2-story structure being built to the west of the proposed project, which would be built to the top right of the photo.





Photos 19 and 20. The character of the blocks further east of the proposed project, on the SW 2^{nd} Avenue corridor, east of the roundabout at SW 2^{nd} Avenue and SW 10^{th} Street. The character of the street here, closer to downtown Gainesville, is four and five stories.







Figure 4. A map showing the 100' buffer extending from the Historic District boundaries. The proposed project is outlined in black and white (two buildings.) The blue dotted line is where the 100' buffer extends to. Much of the proposed project falls within this 100' buffer area.

Source: CHW Justification Report, p. 7.

Appendix D

Innovation District Planning Reports/Studies



SW SECOND & SW FOURTH MULTIMODAL CORRIDORS

CONNECTING THE COMMUNITY "EAST TO WEST"

GAINESVILLE, FL

executive summary

OCTOBER 2018

INTRODUCTION

This executive summary highlights some key elements in the SW 2nd Ave. & SW 4th Ave. Multimodal Corridors Vision(ing) Document. The Visioning project presented a menu of options and recommendations for future work within the corridors. Its purpose was to present various ideas and concepts (and not one master plan or solution) focusing on mobility and urban design. Some of the ideas were incremental – Lighter, Quicker, Cheaper (LQC) initiatives and could take a phased approach, while others were bold, creative and capital-intensive moves.

This precinct presents the opportunity to reinforce east/ west connections in Gainesville and is unique because it can knit together residential areas, open spaces, the Campus, and the community.

CONTENTS

The Why

Goals

Mobility Framework

Urban Design Framework

Implementation

VISION (ing)

SW 2nd Ave. and SW 4th Ave. in Gainesville are important corridors connecting the University of Florida to East Gainesville through the Innovation District and Downtown. Several efforts have been made in the past to efficiently and safely connect these areas with multimodal transportation systems. This Vision(ing) exercise builds on these past efforts to create a destination while stimulating growth of local businesses and economic activity.



GOALS



Create two complementary corridors (SW 2nd Ave & 4th Ave) to work efficiently as destinations and thoroughfares for local and through multimodal traffic; consider the role of SW 3rd Ave and University Ave in this system.



Create a significant walkable pedestrian zone/mall within one of the corridors.



Develop strategies for inclusion of autonomous vehicles, or other cutting edge self-driving vehicle technologies, on one or both corridors.



Explore ideas for connectivity and the corridors' role within the larger context with respect to transportation, transit, land use, economic development, ambiance, etc.



Develop strategies for creating comfortable environmental conditions along the corridors, include elements like shade structures and water features to encourage year-round use, and explore sustainable and Low Impact Development (LID) systems.



Develop a unique and iconic place for the City of Gainesville. In doing so, discover 'moments' along the corridors that will spearhead the vision.

MOBILITY FRAMEWORK

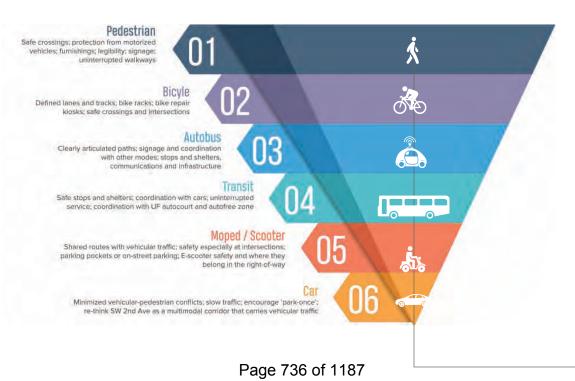
Multimodal corridors allow for the safe and efficient movement of all modes of traffic. With all modes in the corridor, priority must be given to the pedestrian, and the streetscape design should passively and actively provide a hierarchy to the modes.

The goal to reduce or eliminate vehicular activity on SW 2nd Ave could potentially impact access to uses/businesses along it. A study was conducted as part of this Visioning exercise to assess these impacts.

This study revealed that almost all the uses/businesses had alternative access points on SW 3rd Avenue, SW 1st Place or Sw 1st Avenue.

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THE DESIRED MULTIMODAL HEIRARCHY IN THE CORRIDORS IS SHOWN BELOW:



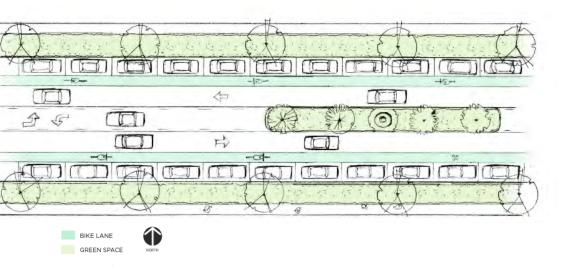


RIGHT OF WAY STUDIES

EXISTING CONDITIONS WEST OF 6TH ST.

Making changes to the streetscape and creating a safer multimodal corridor will occur mostly within the right-of-way (ROW). The following pages present options and recommendations for mobility within the existing rights-of-way.



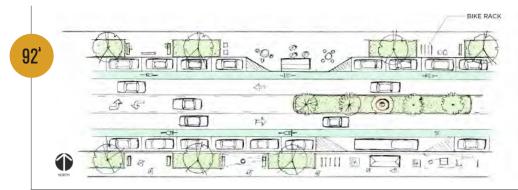


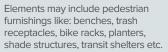
Two (2) typical rights-of-way occur within the SW 2nd Ave corridor. These are 92ft wide (west of 6th St.) and 66ft (east of 6th St). Making changes to the streetscape and creating a safer multimodal corridor will occur mostly within the rights-of-way. Some of the concepts explored are shown on the next few pages.

RIGHT OF WAY STUDIES:

SCENARIO 1: SW 2ND AVE. CONSERVATIVE

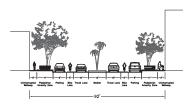
This capitalizes on the existing 11ft- wide park strips to create pockets of public space with pedestrian furnishings and amenities within the right-of-way.



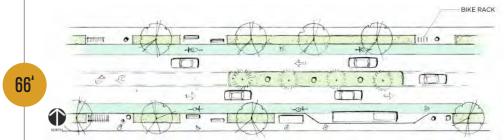


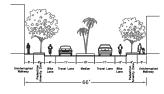
Very little intrusion into existing conditions

Opportunities/new areas for tactical interventions, public art, wayfinding and part of proposed shade network.



92 ft Right-of Way section looking west





66 ft Right-of Way section looking west



SCENARIO 1: SW 2ND AVE.

- 1. All modes allowed
- 2. Cars still have most presence
- 3. Pedestrians linger longer with more furnishings
- 4. Increase in bike facilities like bike racks and repair kiosks
 - Unobstructed Pedestrian Walkway
 - Pedestrian Amenity Area
 - Bike Lane

PROS

Lighter, Quicker, Cheaper (LQC) Project
Can be implemented quickly
Will make a quick impact in the corridor
No new ROW/property acquisition
Opportunities for parklets and cooling stations
Can be first phase of other scenarios
Not capital intensive
Minimum utility impacts

CONS

Not a very bold move

Traffic calming techniques will still have to be employed to make it more pedestrian friendly

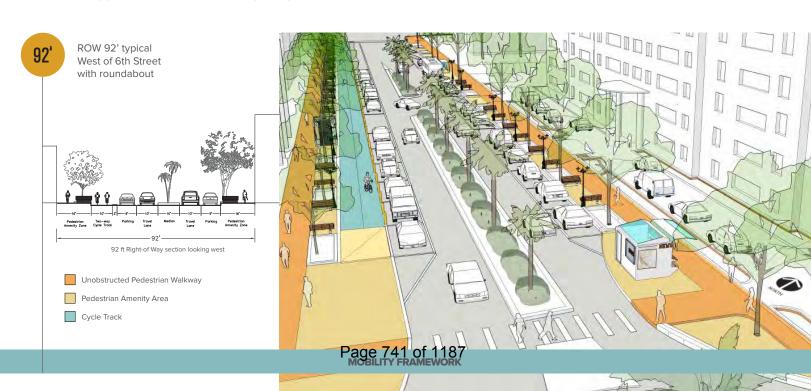
Does not increase bicycle facility width and separation from parked cars



Page 740 of 1187 MOBILITY FRAMEWORK

SCENARIO 2A: SW 2ND AVE. CYCLE TRACK OPTION INTERMEDIATE

This provides a safe protected pathway for cyclists and reduces conflicts with vehicles and pedestrians. It also creates opportunities for streetscape improvements.



SCENARIO 2A: SW 2ND AVE.

CYCLE TRACK OPTION

- 1. All modes allowed
- 2. Introduce a 2-way protected cycle track on one side of the road
- 3. Use cycle track buffer as opportunities for landscaping, art, signage, etc.
- 4. Design intersections to work as signalized intersections or roundabouts
- 5. Greater utility impacts







Artist impression looking east on SW 2nd Ave., showing a 2-way cycle track in place



PROS

Safe travel for bicyclists; fewer conflicts with other modes

More activated streetscape

CONS

Roadway redesign; may be capital intensive

May have several barriers to implementation

Potential conflicts when bicyclists maneuver roundabouts

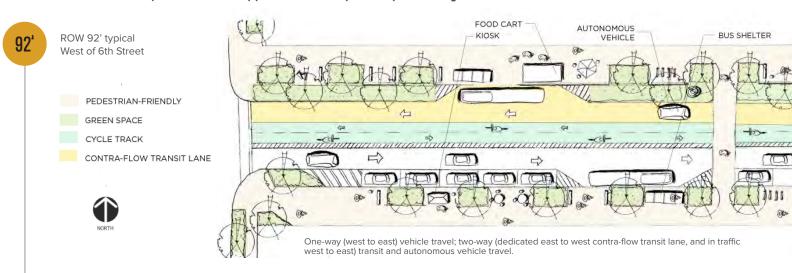
Greater utility impacts

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SCENARIO 2B: SW 2ND AVE. ONE WAY PAIR

INTERMEDIATE

This allows for only one direction of vehicular travel with a contra-flow transit lane. It provides more space for other modes of transportation, and opportunities for public space design.



An alternative is to have either parking on both sides or angle parking instead of the dedicated contra-flow bus lane.

Transit could circulate one-way on SW 2nd Ave/SW 4th Ave as a true circulator. Since distances between the two corridors are very short, this would still be walkable and convenient to users.



PROS

Fewer cars in ROW

Predictable traffic flow

Large areas for public space; possibility of creating a linear park

CONS

Capital intensive

One-way pair may be hard for vehicles to navigate

Mopeds/scooters may be inclined to use cycletrack for contra-flow

Greater utility impacts

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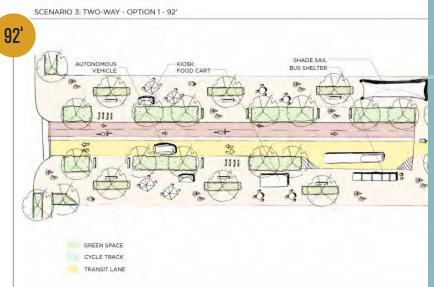
SCENARIO 2B SW 2ND AVE. ONE WAY PAIR

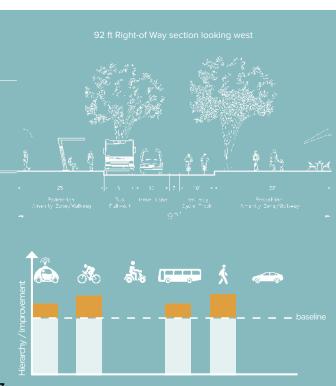
- Create one-way east bound traffic on SW 2nd Ave
- 2. Allow for two-way transit and autonomous vehicle circulation
- 3. Work with adjacent uses to ensure that functional, required, access points are not jeopardized
- 4. Allow more right-of-way for public space.
- 5. Dedicated lane(s) for autonomous vehicles, buses and emergency vehicles
- 6. Dedicated lanes for bicycles
- 7 All modes allowed
- 8. Space dedicated to cars and scooters reduced
- More ROW for public space including pedestrian furnishings, linear parks and bike facilities
- 10. Improved transit and autonomous vehicle facilities

SCENARIO 3A SW 2ND AVE. NO CARS OPTION

BOLD

This is a pedestrian mall that allows for transit such as buses, autonomous vehicles and electric vehicles. It allows for several scales of programmed public space.





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SCENARIO 3A SW 2ND AVE. NO CARS OPTION

- 1 All modes allowed
- 2. Reads as one space
- 3. Pedestrian mall that allows for limited transit such as buses, autonomous vehicles and electric vehicles
- 4. Opportunities for several scales of programmed public space
- 5. Ability to add restaurants, art galleries, small commercial shops, gazebos, kiosks, bike service stations, electronic device charging stations, etc.
- 6. Potential to land lease sites along the newly gained area in the right-of-way for several future amenities

PROS

No cars in ROW; limited pedestrian/vehicular conflict

Great pedestrian placemakin opportunities

Large areas for public space; possibility of creating a linear park

More transit and autonomous vehicle use

Iconic

CONS

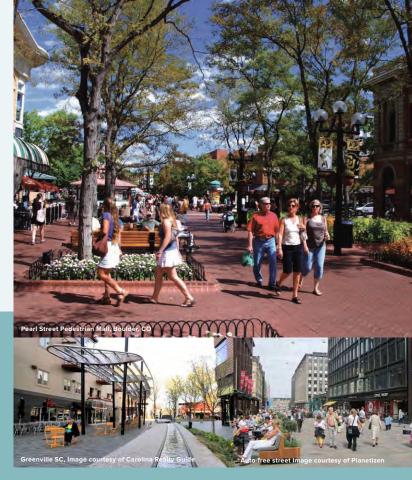
Strain on uses that are car dependent

Capital intensive, requires political will and change in general mindset

Major infrastructure changes to accommodate changes in traffic patterns; impacts on adjacent roads

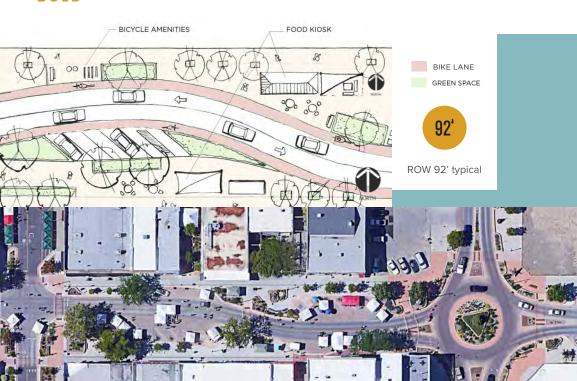
Mopeds/scooters may be inclined to use bicycle facility

Greater utility impacts



RIGHT OF WAY STUDIES:

SCENARIO 3B SW 2ND AVE. CHICANE OPTION

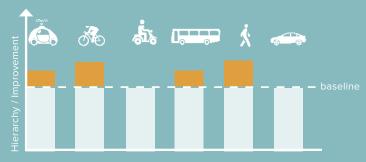


This option can be accommodated only in the 92' ROW and will have to be combined with other options/scenarios.

This Main Street, Grand Junction, CO utilizes chicanes to create a curvilinear roadway that offers several opportunities for multimodal mobility, pedestrian amenities and placemaking. The roadway works with roundabouts as well as as 4-way intersections. The right-of-way is similar to SW 2nd Ave west of 6th St at approximately 92 ft.

SCENARIO 3B SW 2ND AVE. (BOLD) CHICANE OPTION

- 1. Chicane allows for alternate public spaces and can be utilized to create variety and interest
- 2. Curvilinear roadway reduces vehicle speeds and is a good traffic calming strategy
- 3. The whole area reads as one space and the car's presence is not an intrusion
- 4. Allows for the inclusion of several small scale and temporary kiosks, exhibits, galleries etc.
- 5. Cars and mopeds allowed
- 6. More ROW for public space including pedestrian furnishings, linear parks and bike facilities





PROS

Safe

Larger pedestrian area
Rethinks the idea of the public street
Great placemaking opportunities
Traffic calming

CONS

Pedestrian space bisected by vehicular traffic

Potential vehicular/pedestrian conflicts Greater utility impacts

Major infrastructure costs

Main Street, Grand Junction, CO. The curvilinear roadway is 0.62 miles long. Chicanes provide opportunities for placemaking.

ROAD SEGMENT CLOSURE SW 2ND AVE.

These road closures transfer traffic into roadways that are not designed to accommodate heavy traffic; they are very narrow and serve as access to adjacent uses that have parking lots off them.

These scenarios have to be further evaluated as there may be better segments to close as development activity increases and traffic patterns change.





SEGMENT 1

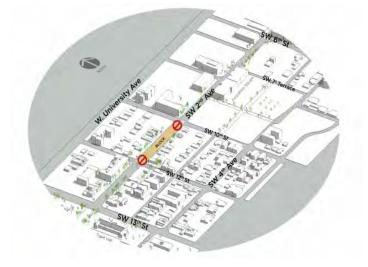
Road closed from SW 9th St. to SW 7th Terrace

Road closure point

ROAD SEGMENT CLOSURE SW 2ND AVE.

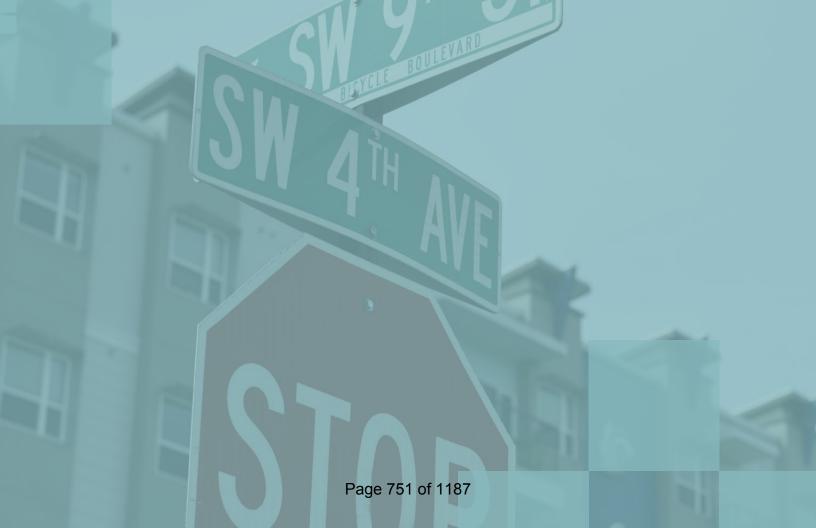
To create festival and events streets, there may be the need to completely block segments of SW 2nd Ave to through traffic on a temporary basis (or a more permanent basis in due course, if feasible). The following study looks at some areas that could be blocked off, based on the least impact to adjacent uses.



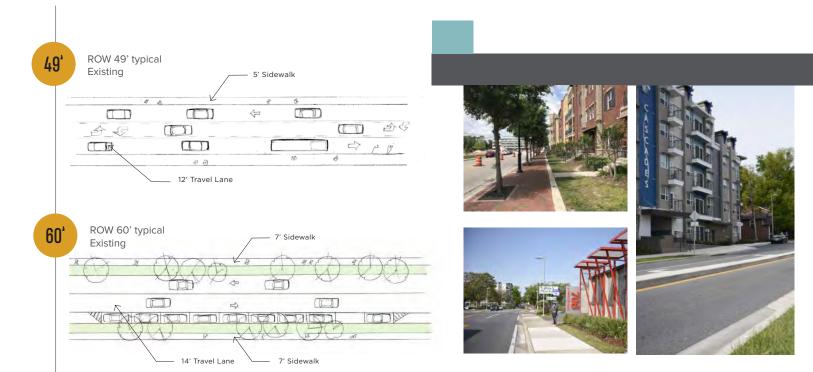


SEGMENT 2

Road closed from SW 12th St. to SW 10th St.

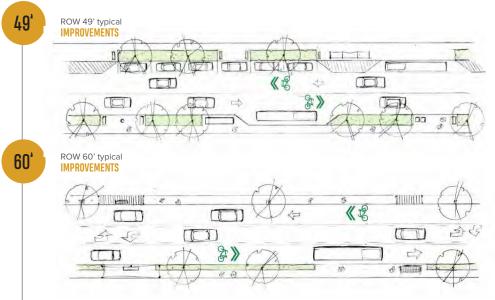


EXISTING CONDITIONS SW 4TH AVE.



STREETSCAPE IMPROVEMENTS SW 4TH AVE. SHARROW OPTION

"Shared Lane Markings (SLMs), or "sharrows," are road markings used to indicate a shared lane environment for bicycles and automobiles. Among other benefits, shared lane markings reinforce the legitimacy of bicycle traffic on the street, recommend proper bicyclist positioning, and may be configured to offer directional and wayfinding guidance... it is not a facility type and should not be considered a substitute for bike lanes, cycle tracks, or other separation treatments where these types of facilities are otherwise warranted or space permits." - National Association of City Transportation Officials (NACTO)



Sharrow signs are typically painted on pavements in the travel line or on signs in the right-of-way.



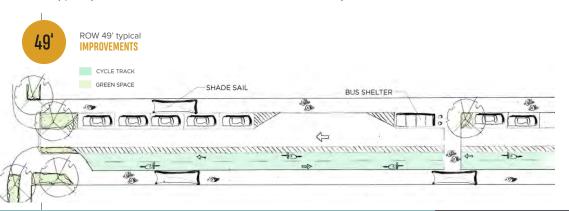






SCENARIO 1.3 SW 4TH AVE. ONE WAY PAIR OPTION

An alternative scenario where traffic travels west to east on SW 4th Ave. can also be feasible if the overall one-way pair system is deemed to work better as an anticlockwise system.



- 1. All modes allowed
- 2. Create one-way West bound traffic on SW 4th Ave.
- 3. Allow for two-way transit and autonomous vehicle circulation.
- 4. Work with adjacent uses to ensure that functional, required, access points are not jeopardized
- Allow More ROW for public space including pedestrian furnishings, linear parks and bike facilities
- 6. Dedicated lanes for bicycles
- 7. Space dedicated to cars and scooters reduced

PROS

Predictable traffic flow

Larger areas for public space; possibility of creating a linear park

CONS

Capital intensive

One-way pair may be hard for vehicles to navigate

Mopeds/scooters may be inclined to use cycle track for contra-flow

Greater utility impacts

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AUTONOMOUS/ELECTRIC VEHICLE NETWORK

Starting Terminus and Autonomous Vehicle Importances

The project is a partnership between the University of Florida (UF), FDOT, and City of Gainesville (RTS).

The demo route is between 14-40 SW 2nd St. and 198 SW 2nd St in SW 2nd Ave corridor. Eventually the shuttle route would extend west to UF's proposed autocourt in front of Tigert Hall and east to Depot Park

The vehicles are manufactured by Easy Miles with Transdev Services, Inc as vendors.





URBAN DESIGN FRAMEWORK

Urban Design addresses all elements of the public realm which tie together to make a place, district or city function.

Creating a successful and vibrant public realm requires a thoughtful approach to balancing these elements to provide comfort for users, support economic development and promote sustainable development.

The project site does not exist in isolation, but is one of several potential redevelopment areas within the City of Gainesville. It also lies adjacent to several parcels that have been slated for future development either by public or private entities. Care must be taken to ensure that the development language established for this corridor sets a good benchmark and precedent for future development.

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REGIONAL CONTEXT

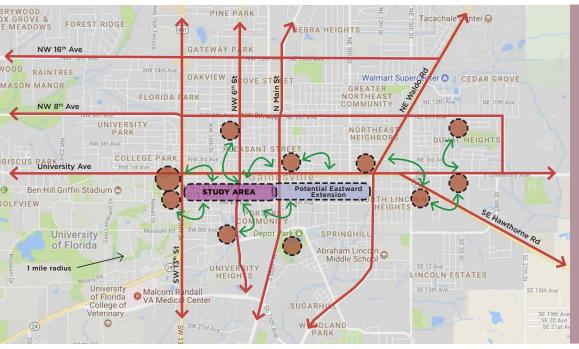












Connections to the proposed autocourt.

Gateway features in the vicinity of Tigert Hall.

Coordination with 2018 Landscape Masterplan and Transportation and Parking Strategic Plan.

Inclusion of campus open spaces, such as Ocala Pond on SW 13th St. & SW 5th Ave into the proposed open space network to create a seamless transition to campus.

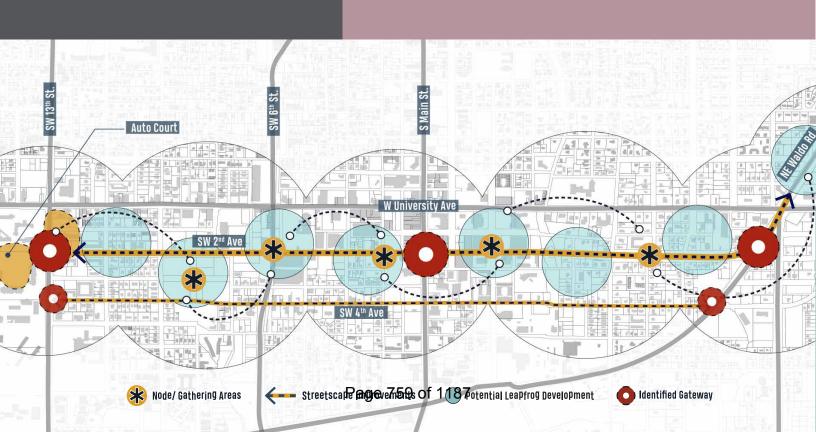
Use the corridors to celebrate Innovation Square as a central node. In other words, let activity climax at Innovation Square.

Create a destination that attracts residents, as well as local and regional visitors.

Weave into an urban fabric that spurs off leap-frog development of other districts of varying scales with different experiences.

URBAN DESIGN PRINCIPALS

GATEWAYS CONNECTING THE COMMUNITY "EAST TO WEST"



UTILITIES & INFRASTRUCTURE

Capitalize on existing systems and networks for future development.

Fill gaps in infrastructure and plan to underground utility lines where possible.

LAND USE

Create a mix of uses and allow opportunities for 24-hour use of the area. Promote walkability to encourage walking from one activity/use to another.

AMBIANCE

Plan infill developments to tighten the street wall, reduce gaps, and encourage pedestrian activity.

Create a desirable balance of the natural and the built environments – introducing placemaking components while maintaining natural elements.

STREETSCAPE

Build upon existing initiatives for streetscape texture and materiality on both corridors (especially on SW 2nd Ave).

Introduce more pedestrian-friendly streetscape improvements and furnishings.

Identify pockets of opportunities in existing parkstrips and include tactical urbanism initiatives. Identify places for shade structures, parklets and cooling stations.

BUILDING FORM

Create massing and greater heights with consistent build-to and setback lines within the core to encourage pedestrian activity.

Locate large parking areas must be located to the side and rear of buildings to allow pedestrians to engage directly with building frontages.

Adopt building design standards that create a consistent streetscape experience. This should include providing direction on use of design elements such as fenestration, entrance locations, service access, materiality, etc.

TRANSPORTATION & CIRCULATION

Create more pedestrian friendly spaces and activities.

Use existing transit lines and transit infrastructure to allow for more pedestrianization of one or both corridors.

Utilize cutting-edge autonomous vehicle technology, wherever possible.

Use elements like bollards, planters and on-street parking to buffer pedestrian zones from automobile traffic.

Use one-stop parking with parking garages, and plan them within a comfortable walking radius zones from automobile traffic.

Use one-stop parking with parking garages, and plan them within a comfortable walking radius.

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ENVIRONMENTAL CONTROL

Utilize existing tree canopies as part of a shade network.

Capitalize on regularity of building setbacks to incorporate shade structures, like awnings where possible.

Develop a shade network with cooling stations.

URBAN DESIGN FRAMEWORK

Vacant or underdeveloped sites should be developed into a mix of uses to support the corridors' economic development. At the same time, these developments will bring infill to fill gaps and strengthen the street wall to encourage pedestrian activity.

Carefull infill developments along the corridor will help to compliment existing developments.

^{*}The volumes shown do not represent specific buildings but rather development potential



PUBLIC ART FRAMEWORK

Public art or works of public art are defined as, but not limited to, the following: sculptures, engravings, mobiles, mosaics, site-specific installations, cravings, murals, graffiti, statues, fresco, bas-relief, etc.

The objective of public art is to enrich and enliven the public realm, fostering a sense of community and identity of a place. Art involving local artists creates a sense of ownership which strengthens local culture.

ART AXIS An "Arts Axis" concept is being proposed by UF's Landscape Masterplan.

The goal of the Arts Axis is to connect the Cultural Plaza at UF with the South Main/ Depot Avenue emerging arts district via College of the Arts (Inner Dr @ SW 13th St). Parts of this route will run along/engage the SW 2nd Ave and/or SW 4th Ave corridor.

The eventual route had not been finalized as of the publishing of this Study in 2018. The Arts Axis is intended to provide navigation and interest through a series of outdoor installations.



RETAIL, STOREFRONTS



Sidewalk Cafe



Programmed Median



Outdoor Dining Area



Cafe/Kiosks in Public Space



Outdoor Dining Area



Sidewalk Cafe



WAYFINDING AND SIGNAGE

Well-designed, and placed, wayfinding and signage will help all users and transportation modes to navigate the corridors. Different sign types that should be employed include

Street name signs
Informational signs
Pedestrian-oriented signs
Vehicular-oriented signs
Directional signs
Building signs
Advertising signs, etc.













SHADE NETWORK

Designing for pedestrian and outdoor activity in the summer months in Gainesville requires a strategic approach to mitigate high temperatures and humidity. The proposed shade network incorporates elements such as shade structures, awnings, trees, cooling stations, pocket parks etc., at frequent locations along the corridors to provide relief to users.











STRUCTURES, PAVILIONS, KIOSKS.

Small-scale and temporary structures help to animate and define urban spaces. These structures bring a variety of design and architectural styles while bringing in color, whimsical elements and engage users.

They are also very functional when programmed for activities such as the following:







Restaurants

Cafes; ice cream shops

Candy stores

Concessions

Food carts

Exhibitions and galleries

Shade structures

Umbrellas; outdoor dining

Bookstores; newsstands

Bike service stations

Bike share stations

Bike racks and bike storage

Storage sheds; service and utility hubs

Seasonal



LIGHTER, QUICKER, CHEAPER (LQC) PROJECTS & TACTICAL URBANISM

Tactical Urbanism is "a city, organizational, and/or citizen-led approach to neighborhood building using short-term, low-cost, and scalable interventions to catalyze long term change." Examples include: complete streets, parklets, pedestrian plazas etc. Also known as "DIY Urbanism, guerrilla urbanism, planning-by-doing, urban acupuncture, or urban prototyping," its main function is quick, feasible, applied action and results in highly effective LQC projects.

Parklets

A parklet is a sidewalk extension that provides room to accommodate pedestrian amenities like seating and landscape elements.



Social Infrastructure

Social infrastructure like pocket libraries are open cultural spaces that are accessible from the street, and invite users to share the joys of reading with the community & neighbors.



Play Areas

Play areas are a pop-up space that can accommodate different types of play using art, colorful, creative materials. With its interim transformation, this can attract children to play and engage in the space.





IMPLEMENTATION

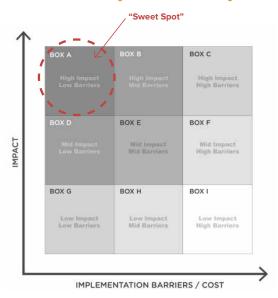
SW SECOND AND SW FOURTH MULTIMODAL CORRIDORS

DOWNTOWN GAINESVILLE 🗢

In many cases, planning and visioning documents create excitement at the onset and through the visioning process; however, most projects die at this stage. Therefore, **implementation strategies** are necessary to ensure that projects are pulled 'off the shelf' and into reality.

PROJECT PRIORITIZATION MATRIX

A Project Prioritization Matrix (PPM) is a tool that is used to identify, categorize, and prioritize a list of projects by potential impacts to the project vision, or area, and potential barriers to implementation. To implement the Vision successfully, a program of recommended measures has been established. These have been categorized under two categories: DO's & DON'TS. These will serve as an underlying 'constitution' for future work in the project area.



Box A (High Impact/Low Barriers)

Lower speed limit on 2nd Ave Move RTS buses from 2nd to 4th Food trucks/container shops/ 'Glass Boxes';

kiosks; cafes

Events/ Festivals/ Branding

Art (Quick; murals etc.)

Design Guidelines

Autonomous Vehicles (Free rides)

Upgrade transit stops Incentives (Business)

Security (tactical, perception, lighting)

Box B (High Impact/Mid Barriers)

Pocket parks
Restaurants/outdoor cafes
Supporting infrastructure for autonomous vehicles

'Transit Info System' Wavfinding

Box C (High Impact/High Barriers)

Art (Interactive fixtures; larger installations, signature art pieces)

Corridor re-design

Engage building frontages (awnings, colonnades, arcades etc.)

ROW reconstruction - Big picture/sections of roadway

4th Ave capacity reallocation

Improve street lighting

Structured parking (Public + Private)

Box E (Mid Impact/Mid Barriers)

Power for events Corridor Wi-Fi

Box F (Mid Impact/High Barriers)

Access Control

VISION

executive summary **OCTOBER 2018**

CORRIDORS

STEERING COMMITTEE

UF Planning, Design & Construction Linda Dixon Lee Nelson **UF Innovation Square LLC** John Fleming **Trimark Properties** Sarah Vidal-Finn Gainesville CRA

CONTRIBUTORS

Jesus Gomez Gainesville RTS Krvs Ochia Gainesville RTS **UF Transportation and Parking Services** Scott Fox **Erik Lewis UF Planning, Design & Construction** Debbie Leistner City of Gainesville Public Works

PREPARED BY CHW PROFESSIONAL CONSULTANTS

E.J. Bolduc III, PLA Vice President Donald Buaku, AICP Urban Design/Planning Landscape Architecture Laurie Hall, PLA Poojitha Vadana **Urban Design** Brian Snyder, PE Traffic Engineering Missy Boyer, AIGA **Document Design**





INNOVATION SQUARE.

DEVELOPMENT FRAMEWORK

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"It is not the strongest of the species that survive, nor the most intelligent, but the one most responsive to change."

- Charles Darwin

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For the past half-century commercial scientific research has been carried out in research 'parks': remote, internally focused environments. This is no longer the only model for research development. In the highly competitive world of scientific research, people want to work and live in highly connected communities.

INNOVATION SQUARE is committed to seeing this vision become a reality. By closely aligning the need for a research district with the vision and goals of the University of Florida and the City of Gainesville, this plan puts in place a clear framework for development within which opportunities for employment will emerge, capitalizing on the strength of the workforce in the region, and ultimately where research and researchers will thrive.

DEVELOPMENT FRAMEWORK.

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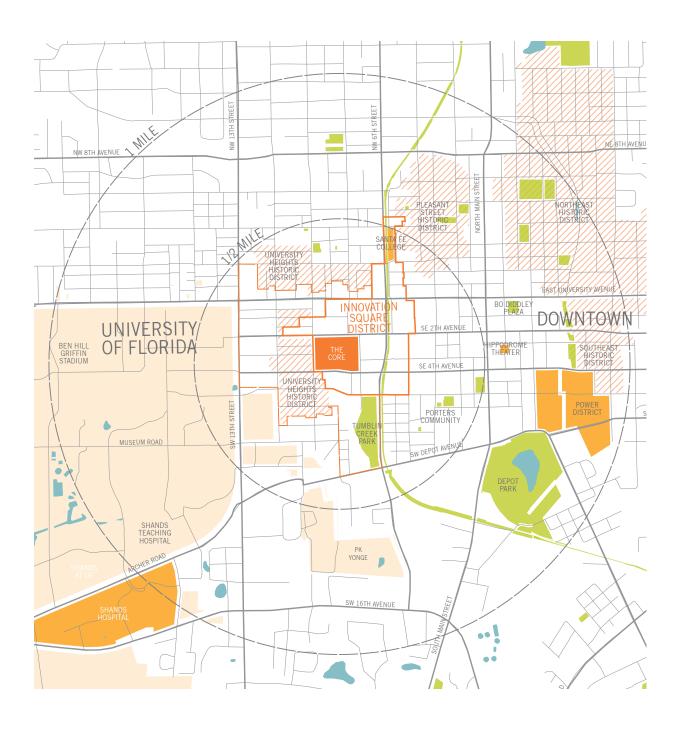
DEVELOPMENT FRAMEWORK.

INTRODUCTION

Cities are growing around the world as people are moving from rural and suburban areas to be a part of the phenomenon that is urban life. While there are many reasons for this, the primary motivation is our need for human interaction and the myriad benefits that emerge from this interaction. For millennia the trend has been for populations to congregate in order to engage with others; to create and innovate through the collision of people and ideas. There may have been dips in this progress over time, but the general trend has remained strong and continues today.

In the face of emergent technologies that would seem to promote isolation, the reverse has in fact been happening. While we spend more time online and communicating electronically, we have also been spending more time face to face with our fellow citizens; in cafes, restaurants, shops, parks, and other public places. It is this interaction that is emerging as the foundation for the heightened exchange of ideas and the proliferation of innovation.

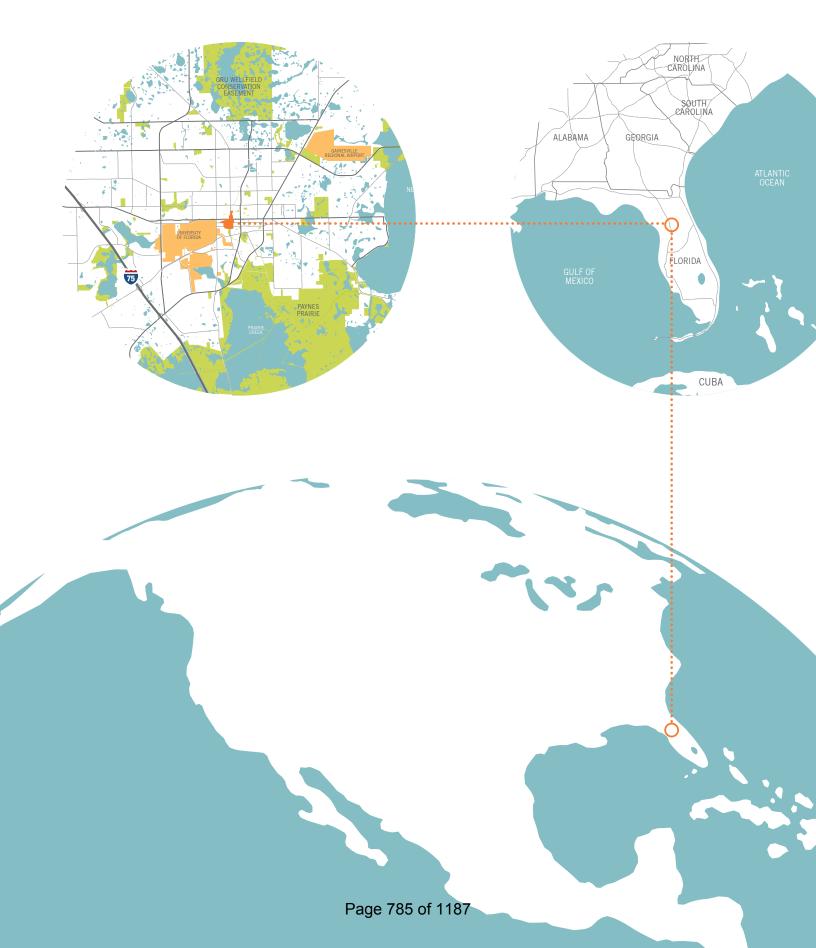
Innovation is predicated on this human collision. Its very nature is taking ideas and making them better, in many cases through avenues that were never intended or conceived of by the originator. This interaction is critical to the process, and there is real value in creating an environment in which this is not only allowed but incentivized at every level. This incentive is captured through a heightened sense of community, through making it as easy as possible to do the things that promote innovation. Much of world makes demands on us that get us further from this goal. In this community, this district, and this project, the aim is to facilitate the great ideas, the inventions, and the information that will propel us closer to more fulfilling and sustainable communities: a better future for all of us.



Gainesville, the University of Florida, and the surrounding areas of north central Florida, contain a unique mixture of the ingredients needed for this to happen. The area has a strong community and a premiere research institution. The combination of the two provides a highly livable, walkable, adaptable and sustainable environment within which

significant research and associated activities will thrive, building on past successes and expanding the positive alliances and partnerships that are precipitating some of the most creative and innovative products, companies and solutions in the world. And all in a place where people live truly fulfilled and rich lives.





DEVELOPMENT FRAMEWORK, INTRODUCTION.

COMMUNITY

Successful communities are built on strong, lasting foundations. They last through time, building on past success, and they grow, leveraging to full advantage the breadth and diversity of elements within the geography of the community. Gainesville continues to build on its rich history and tradition, and the myriad resources of the city that have produced one of the premiere education and research environments in the world, as well as a great place to live.

Like many inland cities in the U.S., Gainesville was founded at a prime location along a proposed rail line; the Florida Railroad Company's line stretching from Cedar Key to Fernandina Beach. In the first decade of the 20th century, Gainesville lobbied for the new University of Florida by offering land, money and an agreement to "furnish water to the University without charge." This turned out to be a prescient strategy, and one that has been repeated over the years as the city continues to provide innovative ways to build a better city. The state accepted the city's offer and the Gainesville campus opened for registration on September 24, 1906. Classes began two days later for the 102 students enrolled. The city and university became models for both civic and educational excellence. Beginning in the 1970's, the university diversified and expanded into one of the top universities in the nation. Today, the University of Florida is a leading public research university situated in what Money magazine called "the best place to live" in the United States; the Gainesville community. With a focus on excellence in research, teaching, and technology, the University of Florida and Gainesville are positioned to take full advantage of the future. The community is consistently ranked in the top tier of cities to live and was even acknowledged by the AARP as the "best place to reinvent yourself."

The elements that have created this highly productive and livable environment are embedded in the fabric of the city. Unlike many emerging research communities, Gainesville is simply taking advantage of its attributes, while others must create anew that which is innately woven throughout this community. Gainesville is home to a deep and deeply talented workforce,

PAST Alachua County extends from Georgia border to

1824

Florida becomes 27th state of USA

1845

Seat of Alachua County moves to Gainesville

1853

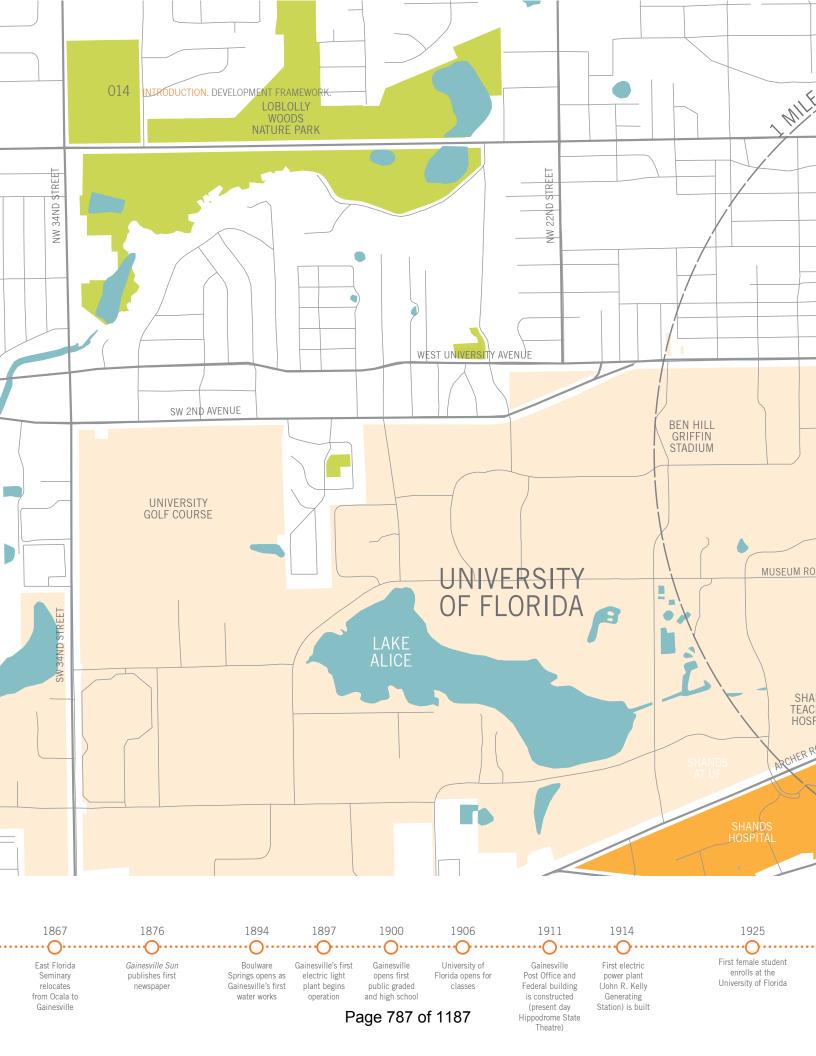
Florida Railroad Gainesville

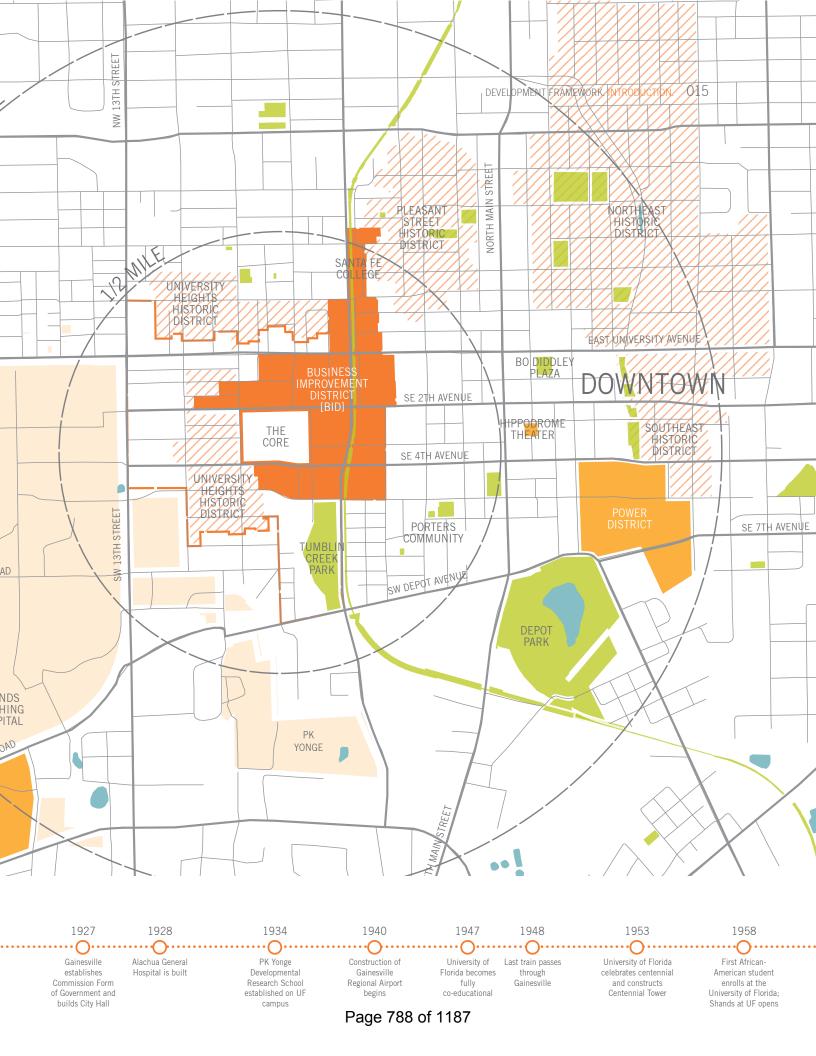
1859

Freedman's Bureau opens Union Academy in Gainesville

1866

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supported by the graduates of both the University of Florida and Santa Fe College. This workforce will continue to grow as the economic and scientific benefits at Innovation Square unfold in the coming years. And like the pre-existing workforce, Innovation Square has a development platform, regulatory structure and high-performing infrastructure that either in place or underway, and expanding, to accommodate development today. All of these elements combine to create an environment that is building on the foundation and history of the city and the university to move the community forward through the twenty-first century.

This community, however, is comprised of much more than just the University and the City. There is a rich fabric and diversity that propels the community beyond the typical college town as evidenced by the following examples.

Affiliated with the University of Florida Health Science Center. Shands Healthcare is one of the Southeast's premier health systems and rated in the top 50 hospitals.

Alachua County and the City of Gainesville that have both established levels of excellence and inspiration in the execution of civic and public works programs, leading initiatives in transportation, streamlined regulatory systems, and innovative systems for sustainable operations.

The astounding transformation of Gainesville's downtown is being led by the Gainesville Community Redevelopment Agency (CRA), engaging in innovative and creative programs for bringing life and diversity back into the community.

The Chamber of Commerce has formed Innovation Gainesville (iG), a community initiative to harness innovation to create jobs in health and green technologies and thereby to raise the standard of living in our community.

Santa Fe College, emerging as a premier college, offers a unique advantage to this research community, preparing students for positions within the research and associated fields.

Progress Corporate Park is a research park with a 25 year successful track record of growth and incubation, including the significant track record of the Sid Martin Biotech Incubator, all creating a productive setting for the many bioscience, tech and other companies attracted to northwest Alachua County. It has fostered growth in innovation and provides a collaborative and supportive platform for interaction with Innovation Square.

The Alachua County School System is one of the premier systems in Florida, with achievements such as the state's highest SAT scores, four of the best high schools in the nation and one of the best International Baccalaureate programs in the world.

Gainesville Regional Utilities (GRU) is advancing the platform and operation of the necessary and complex systems into an efficient and responsive framework that provides state-of-theart support for future research-based development, including systems for communication, power, water, and others.

The Power District is a 12-acre adaptive-use and brownfield redevelopment project that is planned for parts of the existing GRU campus located just south of downtown. The district will integrate and accommodate uses that support the goals Innovation Gainesville.

Depot Park is a former brownfield repurposed as a highly sustainable city park including the restored historic train depot and proposed home to a science and innovation museum.

This community is exceptional in ways that go beyond the individual successes of any of its distinguished elements. It is truly unique in its facility for collaboration: in the Gainesville community, strength emerges from an understanding of the benefit of collective participation; participation that includes partnerships between both the public and private sectors. The citizens' desire for livability, walkability, adaptability and sustainability are the very principles that cultivate innovation and strengthen the economic and cultural viability of the community.

1962

1974

1981

1985

2009

2010

2011

Development

FUTURE

University of Florida establishes Division of Sponsored

Research (DSR)

Federal Building is renovated for Hippodrome State Theatre

Gainesville Community Redevelopment Agency (CRA) is established

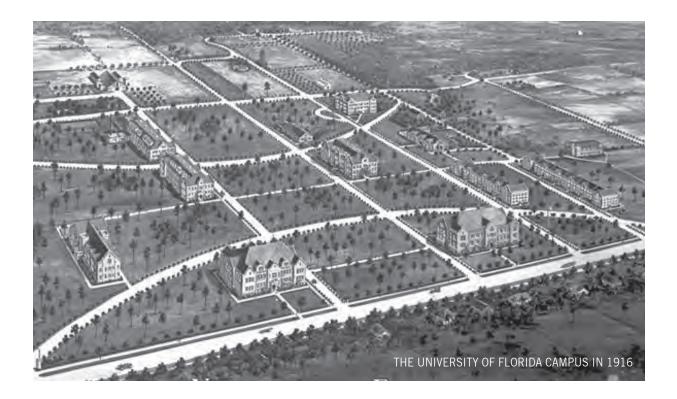
University of Florida joins Association of American Universities (AAU)

Shands Cancer Hospital and Critical Care Center opens

Alachua General Hospital is demolished: Construction of Florida Innovation Hub begins







THE UNIVERSITY OF FLORIDA

The University of Florida is one of the nation's largest and most comprehensive institutions of higher learning with more than 50,000 students. A top-tier research university, UF received \$678 million in research awards, including \$394 million of health-related research in 2009-2010, representing a significant portion of the state's intellectual and economic commitment to biotechnology. UF's sixteen colleges and more than one hundred research, service and education centers, bureaus and institutes are mostly located on the 2,000-acre campus west of Downtown Gainesville, which houses more than 900 buildings including a core Campus Historic District.

UF was created during the 1905 reorganization of higher education in Florida that consolidated public institutions into three universities segregated by race and gender. One of the four institutions included under the UF banner, and the oldest educational institution in Florida, was the East Florida Seminary (est. 1853 in Ocala) located in Gainesville. The City of Gainesville successfully lobbied to host the new campus, by offering 500 acres of land west of the City, purchase of the seminary site and free water. The core campus was constructed between 1906 and 1925 in southern collegiate Gothic style. The University's signature colors of orange and blue and alligator mascot were established soon after its creation, in the 1910s. The first female student enrolled in 1925 although the University did not become fully coeducational until 1947.

Post WWII, the University underwent a large expansion aided by the GI Bill and parallel to the population boom in Florida. Returning veterans increased the University's enrollment to 7500 students in 1947. Many high-tech industries, and most notably the Space Program, moved to the Sunshine State, fostering a vibrant research environment in the state's higher education institutions. In 1953, the University celebrated its centennial, commemorated with the construction of the





Century Tower. An ambitious, \$50m expansion campaign created a new health campus (today's Health Science Center and Shands Teaching Hospital at UF), along with expanded facilities for the growing student body. The University's first African-American student enrolled in 1958, paving the way for today's racially and ethnically diverse student population.

The University's growing research environment was formalized in 1962 under the Division of Sponsored Research (DSR), established by the Florida Legislature to facilitate, manage, stimulate and expand a balanced research program at the University of Florida. In 1985, the University of Florida joined the prestigious Association of American Universities (AAU), an organization of leading research universities devoted to maintaining a strong system of academic research and education. The University of Florida Research Foundation (UFRF) was established a year later to promote, encourage and provide assistance to the research activities of the University faculty, staff and students. The UF Office of Technology Licensing (OTL) has worked since 1985 to bring UF research to the market for public benefit. UF currently

leads among public universities in the transfer of research discoveries to the marketplace. Royalty and licensing income exceeds \$30 million annually and technologies developed at UF have led to the founding of more than 100 companies.

Among the institutions affiliated with the University of Florida is the PK Yonge Developmental Research School, located southeast of the UF campus. Established in 1934 in what is now Norman Hall, the school serves 1150 students in kindergarten through twelfth grade, developing innovative solutions to educational concerns in the state of Florida, in collaboration with the UF College of Education. UF also owns and operates the Baby Gator Child Development Centers in Gainesville, which offer high quality care to children ages 6 weeks to five years.

Located in the heart of Midtown Gainesville in close proximity to UF and Shands, Innovation Square will help strengthen UF's leading role in transformational research in the United States

SHANDS AT THE UNIVERSITY OF FLORIDA

Shands Healthcare, affiliated with the University of Florida Health Science Center, is one of the premier health systems in the Southeast. It operates two academic medical centers (Shands at UF and Shands Jacksonville), four community hospitals, a network of outpatient rehabilitation centers and two home-health agencies with more than 1,500 UF-affiliated and community physicians offer essential care as well as advanced diagnostic and medical services to communities throughout north central and northeast Florida.

Shands at UF is a private, not-for-profit hospital that specializes in tertiary care of critical patients with more than 500 physicians representing 110 medical specialties. It has been nationally ranked by the U.S. News and World Report and draws patients from around the nation for specialized care in cancer and trauma care, transplantation and neurosurgery. UF physicians at Shands are also the official medical providers for NASA, serving as the medical support team for every launch and landing at the Kennedy Space Center.

Shands at UF opened in 1958 through the dedicated efforts of Florida state senator William A. Shands to serve as the primary teaching hospital for the UF College of Medicine (est.1956).

The College of Medicine has since grown into the J. Hillis Miller Health Science Center, encompassing six colleges, a statewide network of affiliated hospitals and clinics including Shands Hospital at UF as the flagship teaching hospital and the neighboring Veterans Affairs Medical Center of Gainesville. Shands' affiliation with the UF Health Science Center allows patients to benefit from the latest medical knowledge and technology.

In 2008, the University of Florida, H. Lee Moffitt Cancer Center & Research Institute, and Shands at UF formed a partnership to develop world-class programs in cancer care, research and prevention. The partnership has led to opening in 2009 of the 500,000 square foot Shands Cancer Hospital and Medical Center, the first hospital in the Southeast to be awarded Leadership in Energy and Environmental Design Gold Certification (LEED Gold) from the U.S. Green Building Council.

The partnership between the University of Florida and Shands at UF continues at the core of Innovation Square, located on the former site of Shands AGH (est. Alachua General Hospital, 1928).





CITY OF GAINESVILLE

Gainesville, Florida has long been a leader in education and scientific research. It is home to the University of Florida (est. 1853, in Gainesville since 1905) and has an educated population with 39% holding bachelor's degrees or higher (national average is 24%). A small city by population (114,375 living within the City and 258,555 in the metropolitan area), Gainesville has been successful in attracting more incubators per capita than any other U.S. city, and has led U.S. cities in its exemplary implementation of solar feed-in tariffs. In 2009, the U.S. Department of Commerce recognized Gainesville for its collaborative approach to economic development through education and workforce development. Gainesville is projected to have the highest percentage growth of creative class jobs in the nation over the next decade (The Atlantic). All of this is not surprising for a City whose origins lie in private enterprise centered on railroads and state-sponsored higher education.

Gainesville is one of twelve cities built along the route of the cross-state Florida Railroad in mid-19th century. The new city, which became the new county seat for Alachua after Newnansville, was named after General Edmund P. Gaines, who commanded troops in Florida during the second Seminole war. The original city was a grid of eight blocks centered on a courthouse square. Gainesville was incorporated four years after the Civil War in 1869.

The history of education in Gainesville began in 1856 with the Gainesville Academy, which became the East Florida Seminary in 1866 when the latter, Florida's first state-sponsored

institution of higher learning, moved from Ocala to Gainesville. The Union Academy, a high school, was established that same year to serve the city's black community. Gainesville's educational institutions grew as the city prospered through cotton, gin and citrus trade, and later, phosphate mining. Gainesville Sun published its first paper in 1876. The city was largely rebuilt following a series of fires in 1884, including landmark brick structures such as the 1886 redbrick County Courthouse (demolished 1961) of which the clock tower remains at the corner of Main and University Streets today.

By the turn of the century, Gainesville was the largest inland city in Florida with a population of close to 4000 people. It had public water system, and private gas and electricity service. Passenger and freight trains from six directions passed through the heart of the City, travelling down West Main Street with stops at the Atlantic Coast Line Station north of Courthouse Square (now part of Santa Fe College), or the Gainesville Depot (1850, 1907) on Depot Avenue.

In 1905, Gainesville lobbied successfully to host the campus for the University of Florida, created by the merger of public colleges, by offering land and money and agreeing to furnish water without charge. The neo-Gothic campus was erected between 1906 and 1925 west of Downtown. The City enlarged its limits, paved downtown streets and added new facilities, including its first electric power plant (now called John R. Kelly Generating Station) in 1914. Grand residences were built by the city's white elite in the northeast sector while the black community continued to grow in East Gainesville burdened by



strict segregation laws. The Alachua General Hospital opened in 1928 on West Masonic Street (today's 2nd Ave), between the Downtown and the University.

The booming City and the University went through difficult times through the Great Depression, whose economic impacts were less severe due to the emergent tung oil industry. The post-depression era brought federal investment to Gainesville, resulting in the construction of the Gainesville Airport in 1940. Gainesville, like many Florida cities, grew its population and agricultural economy during WWII to serve the numerous military bases that were established around the state.

The return of veterans after the war further boosted the city's population, as many enrolled in the University of Florida. 7500 students enrolled in 1947. Gainesville's population also doubled between 1940 and 1950, reaching 26,861 residents. The University underwent its first great expansion through the 1950s, adding new facilities and a health campus. The City also upgraded its facilities and services and replaced the old system of named streets by a quadrant system of numbered streets. Post WW-II, many high-tech industries, and most notably the Space Program, moved to the Sunshine State, advancing scientific research at the state's higher-education institutions.

Gainesville continued to grow throughout the second half of the 20th century, following the prevailing suburban model focused on the automobile. The last train passed through Gainesville in 1948. The University became the driving force behind Gainesville's economy, demographics and politics, continuing to expand with new colleges and facilities, integrated by gender and by race in 1947 and 1958, respectively.

As UF rose to national prominence into the 70s and 80s, the City focused on redeveloping its Downtown area which had suffered from decades of neglect and demolition of historic structures during decades of suburban and car-oriented growth. In 1974, City-funded planning efforts by the UF College of Architecture led to the renovation of the 1911 Federal Building (Post Office) into the Hippodrome State Theater. The Gainesville Community Redevelopment Agency (CRA) was established in 1981 to alleviate urban blight by forming innovative partnerships between communities and the private sector.

Today, the City has five Historic Districts (University Heights Historic Districts, North and South; Pleasant Street Historic District; and Northeast and Southeast Residential Districts), and fourteen registered historic structures. The 70 acre University of Florida Campus Historic District has thirty-two registered structures as well as one registered open space, the Plaza of the Americas. The Downtown and the University area has witnessed new pedestrian-oriented, mixed-use developments in the last decade. The demolition, in 2010, of the former Alachua General Hospital has provided the impetus for the development of a mixed-use research neighborhood - Innovation Square - connecting the University to Downtown along SW 2nd Avenue.



GAINESVILLE COMMUNITY REDEVELOPMENT AGENCY

The Gainesville Community Redevelopment Agency (CRA) is engaged in innovative and creative programs to improve economic conditions and breathe life back into Gainesville's inner urban core. The CRA operates in four community redevelopment areas in the heart of Gainesville's urban core: Eastside, Fifth Avenue/Pleasant Street, Downtown and College Park/University Heights.

A healthy urban core is critical for the vitality, character, and well being of a community and the CRA's redevelopment efforts strive to improve the quality of life, as well as stimulate new investment and economic activity to support existing business and attract new businesses to the area.

Urban redevelopment is a catalyst that can bring economic benefits to the rest of the City and nowhere is that more evident than in Innovation Square's projected impact upon Gainesville. The CRA has been a mobilizing force in laying the groundwork for the vision and redevelopment efforts of Innovation Square. The CRA has taken the lead in coordinating public and private efforts to ensure that the full economic development potential of the area is maximized. Efforts have included a comprehensive infrastructure analysis to understand current and future utility, transportation, and other needs to effectively plan and execute infrastructure improvements to meet the needs of Innovation Square. The CRA has spearheaded an

initiative to overhaul the zoning standards and framework for the site. The new zoning code is streamlined and simplified in order to better serve the needs of the City and developers, and to provide the flexibility and innovation necessary to support the world-class businesses and cutting edge technologies that will come to define Innovation Square.

Innovation Square will be literally supported on all sides by ambitious CRA redevelopment efforts in each of its adjoining neighborhoods including, the creation of a signature park, creative mixed-use redevelopment of soon-to-be vacated industrial lands, constructing new homes on abandoned vacant lots, new residential developments and retail options to the downtown and infrastructure upgrades to meet anticipated demands. Novel economic development programs go hand in hand with the physical infrastructure and redevelopment efforts to support the retail development, small business growth and job creation that play a monumental role in the turnaround of these neighborhoods.

The CRA's holistic approach to the redevelopment of Innovation Square which thoughtfully leverages the potential of surrounding neighborhoods is designed to support the dynamic growth and energy that Innovation Square will bring.

GAINESVILLE CHAMBER OF COMMERCE + INNOVATION GAINESVILLE [iG]

Representing more than 1,250 Gainesville area businesses with 70,000 employees, the Gainesville Chamber of Commerce (GCC) has been instrumental in charting the way for Gainesville's growth into a global center for scientific research and innovation. Founded in 1924, the Chamber has a simple mission: "to make it easier for members to do business every day." To this end, the Chamber provides business and community support, and aggressively lobbies for its members' interests at the city, county, regional and state levels. The Gainesville Area Chamber of Commerce was granted 5-Star Accreditation by the U.S. Chamber of Commerce, placing it among the top 1% of Chambers nationwide, with only six Chambers receiving this distinguished 5-Star rating this year.

Among the community initiatives supported by the GCC is the Gainesville Technology Enterprise Center (GTEC), a community organization providing early stage technology startup companies with tools, training and infrastructure to help them grow and develop into financially viable technology enterprises. As the community's high-tech business incubator, GTEC has been successful in attracting emerging companies to relocate to Gainesville to take advantage of its strategic services. The Chamber's partnership with FloridaWorks ensures the availability of the skilled workforce to meet the needs of local businesses.

Innovation Gainesville (iG) is recent community-wide initiative sponsored by Gainesville Chamber of Commerce and Alachua County's Council for Economic Outreach (CEO) to bring Gainesville to the forefront of emerging technological fields. Innovation Gainesville brings together leaders from business, academia, government and other supporting institutions, as well as hundreds of residents who are committed to Gainesville's transformation into an vibrant urban environment that fosters innovation. iG promotes the Five Elements of Innovation —Live, Learn, Speak, Invest, Celebrate— through its advocacy, events, website and blog. iG's focus on community and quality of life resonates in the planning principles behind Innovation Square, a 24/7 live/ work/play urban research environment that is sought after by emerging technology companies and their employees.





SANTA FE COLLEGE

For 45 years, Santa Fe College has focused on education and service, with an innovative spirit and a commitment to excellence.

Today Santa Fe College is a premier college with a national reputation that attracts students from throughout Florida and beyond. The College offer Associate's and Bachelor's degrees and at least 90 career and technical programs. More than 17,000 students are degree-seeking and nearly 12,000 attend non-credit classes in community education or enrichment.

Santa Fe was created in 1965 as part of the State of Florida's strategic goal to offer higher education opportunities within driving distance to all Florida residents. The College opened in 1966 with fewer than 1,000 students in an unused high school building in midtown Gainesville.

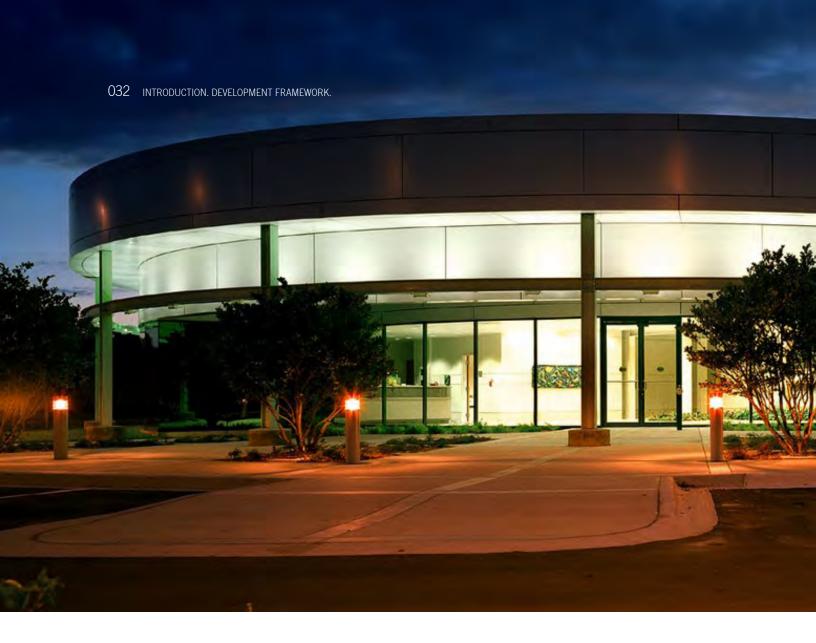
Since then, Santa Fe has grown and expanded considerably, offering a wide variety of programs and services in keeping with our mission of education and community service. The College now offer classes at seven campus sites conveniently located within the Alachua/Bradford County area. The SF Blount Center and Center for Innovation and Economic

Development (CIED) is within two blocks of UF's Innovation Square in downtown Gainesville. SF's Perry Center for **Emerging Technologies** is located directly across the highway from Progress Park and related biotech industry clusters in Alachua.

Santa Fe is a member of the prestigious League for Innovation in the Community College and ranks among the top nationally for the number of Associate degrees awarded each year. Last year, SF ranked #1 among all community colleges in the nation, in the percentage of students who complete their degree programs.

Santa Fe partners with the University of Florida to offer several UF degrees on campus or on line. More than 1,000 SF graduates transfer each year to UF. The college also partners with area school boards, offering dual enrollment opportunities for high school students.

The faculty of Santa Fe is known for its commitment to excellence in teaching and the administration of Santa has been consistent and steady, with only four presidents over the 45 year history.



PROGRESS CORPORATE PARK

Progress Corporate Park is a research and development center located in the city of Alachua, about fifteen miles northwest of the University of Florida, bordering the 7000-acre San Felasco Hammock Preserve State Park. It was established in 1984 by the University of Florida Foundation (UFF) and private partners as a research park that brings together university technology projects and private start-up companies for the benefit of both. Its first building, the 59,000SF Progress Center was completed in 1987, followed by the renowned Sid Martin Biotechnology Incubator in 1994. The Park currently has eighteen buildings housing more than 1,200 employees and over thirty businesses and centers. Two thirds of the Park businesses specialize in bioscience or technology, and about eighty percent are spinoff companies from the University

of Florida. Among them is RTI Biologics (Nasdaq: RTIX), a leading provider of sterile biological implants for surgeries around the world.

The Progress Corporate Park has contributed greatly to the commercialization of UF biomedical research for the benefit of the public. Since 1995, Sid Martin Biotech Incubator companies have attracted more than \$300 million in equity investment, \$175 million in contracts and grants, as well as talent, capital, and collaborative opportunities for the University of Florida. The UF Center of Excellence for Regenerative Health Biotechnology (CERHB) was established in 2003 at the Park to stimulate research and facilitate commercialization of technologies that will provide



treatments and cures for human diseases, as well as create new companies and high wage jobs for Florida. Its FDA-compliant facility, Florida Biologix®, provides biologic drug development services to companies and research institutions. Progress Park also partners with Santa Fe College and Santa Fe High School (ACPS) in providing training and education in life sciences and industrial biotechnology.

ALACHUA COUNTY

The area in and around Alachua County was inhabited by the Timucuan Indians by the time of the Spanish arrival to Florida in early 16th century. Following periods of Spanish and British colonial rule and numerous wars between the colonial powers, the Seminoles and the United States, the state of Florida became part of the United States in 1845.

Today's Alachua County includes only a portion of its lands that extended from northern Georgia to below Port Charlotte at its creation in 1824. It has an area of 970 square miles in Northern Florida centered on the county seat at Gainesville. The county population in the 2010 census was recorded as 258,555, which continues a three-decade long trend of slowing population growth that still remains above the national average (13.5% between 2000 and 2010, in contrast to 9.7% nationwide). Alachua County is part of the Gainesville Metropolitan Statistical Area (Gainesville MSA), which also includes Gilchrist County to its west. The county is crossed by Interstate-75, which connects Gainesville to Atlanta to the north, and St. Petersburg/Tampa and Fort Lauderdale to the south.

The name "Alachua" is thought to include the Timucuan word for sinkhole, a common feature of the Florida landscape. About 9.8 percent of the county area is water, including the Newnans, Orange and Santa Fe lakes. The county land outside the city of Gainesville is composed mainly of conservation areas and agricultural lands, with nine incorporated cities and towns. Its economy, which was based on sugar and cotton plantations during the colonial and early American periods, is now largely focused around education, research and services centered on the University of Florida, in Gainesville. The county has maintained a strong employment economy in the last two decades and currently has a rate of unemployment that is two points below the national average (9.3%) and more than three points above the Florida average (10.5%, June 2011).

In addition to the various natural and community benefits in Alachua County, it is also located in Florida's High Tech Corridor program, a regional economic development initiative whose mission is to grow high tech industry and innovation in the region through research, workforce and marketing partnerships.





THE ALACHUA COUNTY SCHOOL SYSTEM

Alachua County Public Schools have led the way in preparing students for a high-tech future with their early commitment to technology use in the classroom, dedication to charter and magnet school programs. The School District includes 24 elementary schools, 7 middle schools, 7 high schools, 13 charter schools and 8 other educational centers serving a student population of 29,533 in the Gainesville area and Alachua County.

The first public high school in Gainesville, Gainesville Graded and High School, was established in 1900 on East University Avenue to accommodate white children in twelve grades. It was renamed in Eastside Elementary in 1923 and relocated to a new school building at SW 7th St and West University Avenue. (Gainesville Academy, a private school for boys and girls was established in 1856 and operated as a high school under the name of East Florida Seminary from 1877 to 1906). African-American students attended the Union Academy, a pioneering junior high school established soon after the Civil War, which was expanded and renamed Lincoln High School in 1923. In 1926, Lincoln became the second fully accredited African-American high school in Florida. Both high schools were relocated to modern buildings in the 1950s. The original Gainesville High School building now houses the ACPS offices (Kirby Smith Building), while the Lincoln High School building operates as the A. Quinn Jones Center under ACPS.

The county's educational system has received national accolades for all levels of education. The early education program, which is offered at each one of the county's elementary schools, has been nationally recognized as a model. Students at ACPS high schools have historically held the highest SAT scores and the highest passing rate in Advanced Placement tests within the state of Florida. Four Alachua County High Schools were listed in Newsweek's 2010 list of America's Best High Schools, including Eastside High School in Gainesville, which was ranked #18 in the nation based on participation in Advanced Placement, International Baccalaureate, or Cambridge exam programs. The district has one of the largest and most successful International Baccalaureate programs in the world and has pioneered the use of mobile technology labs in the nation.

The success of the Alachua County Public Schools is further testament to Gainesville community's support of education. The district holds more than 350 partnerships with local businesses and organizations which provide about \$2.4 million worth of resources and 700,000 hours of voluntary service to ACPS schools and students each year. The district also has partnership programs with the University of Florida and Santa Fe College, which provide unique educational opportunities for students.



GAINESVILLE REGIONAL UTILITIES [GRU]

The distribution of utilities to Gainesville homes began in 1887 with the founding of the private Gainesville Electric & Gas Company. In 1891, the city purchased Boulware Springs to provide water to its residents: it was the offer of free water that partially convinced the University of Florida to locate in Gainesville. The sewer system was established in 1907. The City took over the electricity service in 1912 and built its first power plant, now called the John R. Kelly Generating Station, in 1914 on SE 4th Avenue.

The City's utility services were organized under Gainesville Regional Utilities in 1972. Today, Gainesville Regional Utilities provides electric, natural gas, water, wastewater and telecommunications services to Gainesville homes and businesses, along with the latest technology and sustainable services including reclaimed water and landfill gas distribution, incentives and support for solar electric and water heating systems and remote metering, and infrared scanning and inspection. GRU provides direction, rebates and incentives for homes and businesses reducing energy and water use, while simultaneously implementing projects to improve power generation efficiency. In 2007, GRU built the South Energy Center for the new Shands Cancer Hospital - the second such

facility built in the nation— that converts natural gas into electricity, chilled water and steam at double the efficiency of a centralized power plant.

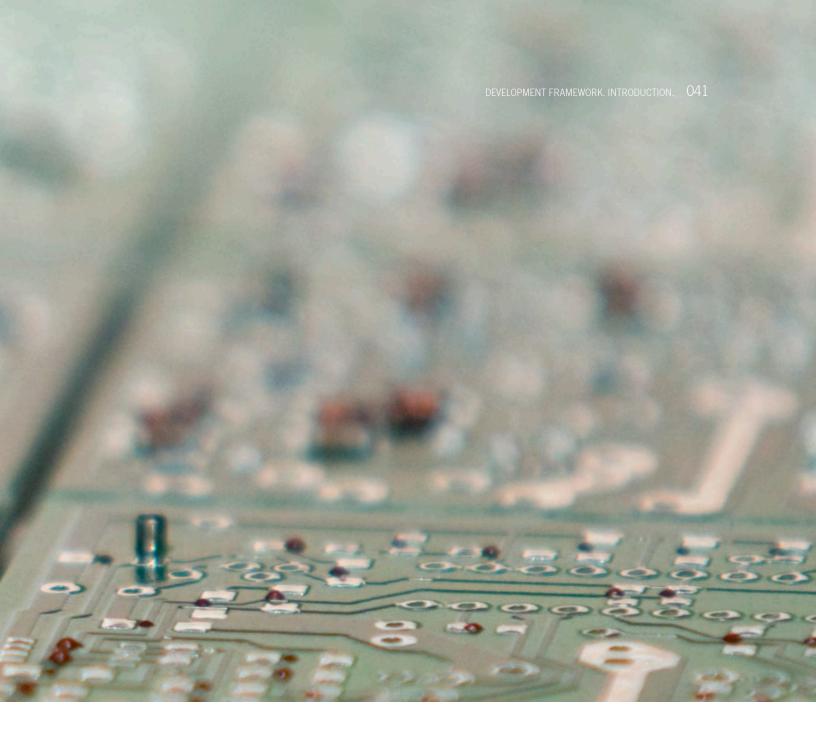
GRU's stewardship of the environment extends beyond utilities into the community with park and water projects. The 62-acre Kanapaha Botanical Gardens is irrigated with reclaimed water provided by GRU and work is underway to create a summerhouse at the Gardens to demonstrate sustainable building practices with GRU sponsorship. GRU joined with the local Audubon Society to create one of the area's premier wildlife observatories at Chapman's Pond with water features supplied by the reclaimed water program. GRU was also instrumental in the restoration of Boulware Springs, which supplied the city's water between 1891 and 1977, into a park with nature trails that is now designated as an American Water Landmark and listed on the National Register of Historic Places. The Utilities' most ambitious program, however, is the plan to construct a 125-acre water enhancement wetland south of the city's Main Street Water Reclamation Facility to reestablish the natural sheetflow of water from the Sweetwater Branch to the 21,000-acre Paynes Prairie.



POWER DISTRICT

As Gainesville Regional Utilities (GRU) transitions its operations into its new headquarters, approximately 12 acres of land in the heart of the city becomes open for redevelopment. The Gainesville Community Redevelopment Agency (CRA), in partnership with community organizations, is working to plan the transformation of the Power District into an interesting, eclectic neighborhood that includes retail and light industrial in new structures and in adapted maintenance and service buildings from GRU's past.

The Power District enjoys a prime location adjacent to Downtown, Depot Park, and historic intown neighborhoods. Reintegrating former utility yards back into the fabric of the community is a huge redevelopment challenge; if executed properly, it will strengthen Gainesville's urban neighborhoods and provide tremendous economic development benefits to the entire community. Much work is underway to help ensure successful, thoughtful redevelopment in the Power District. Behind-the-scenes activities such as outreach, utility



coordination, planning, and regulatory framework issues continue, in preparation for GRU's vacation of the area, which is scheduled for late 2011. GRU will continue to occupy its administrative building and the John R. Kelly Generating Station will remain in operation on site.

The Power District is envisioned to host the light manufacturing components of innovation companies that are located at the proposed Innovation Square.

DEPOT PARK

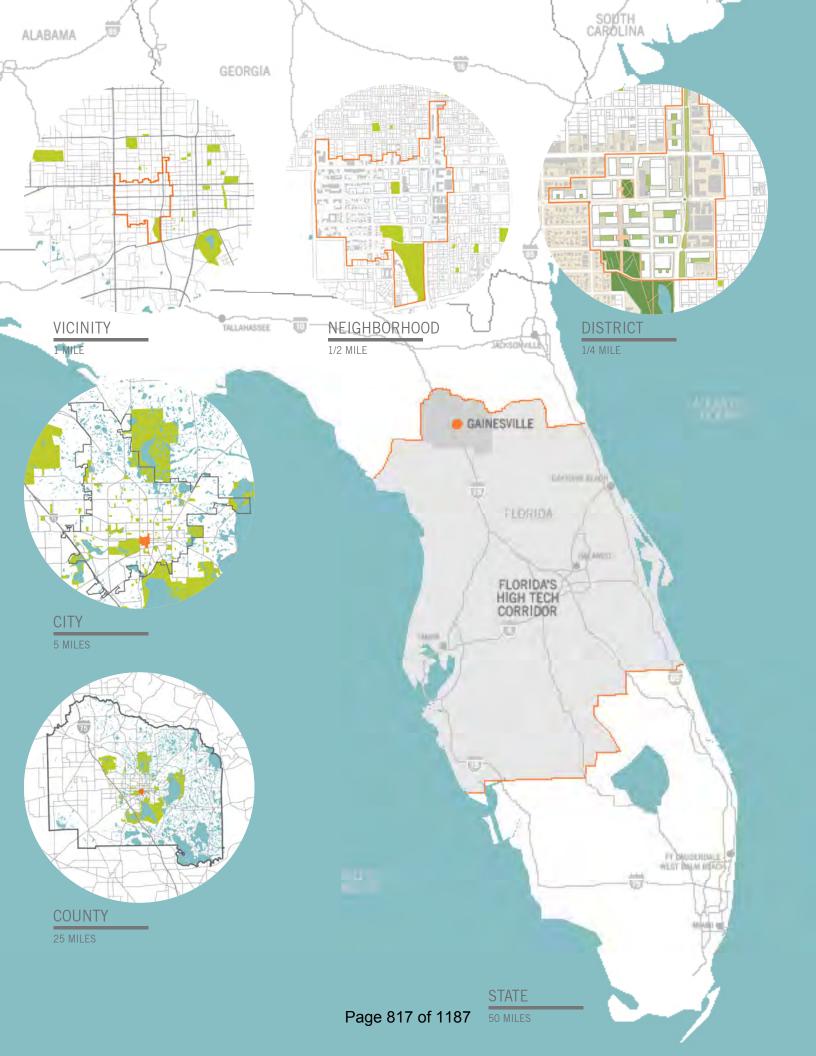
Gainesville Depot Park is an EPA-supported brownfields assessment and restoration project that has been transforming the abandoned industrial zone around Gainesville's historic train depot into a public park with recreational stormwater elements.

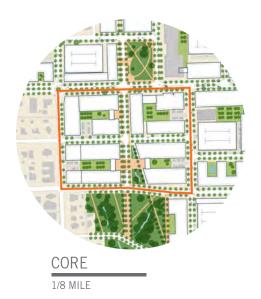
The brownfield cleanup, which began in 2000, includes the buildings and contaminants left by the operations of the former Gainesville Gas Company coal gas plant. The coal tar that covers portions of the site was excavated and removed for off-site treatment to create a stormwater basin that will capture and treat the stormwater runoff from the downtown area. The basin is one of many stormwater remediation efforts that Gainesville is currently undertaking to address the issue of environmental contamination of the Alachua Sink in Paynes Prairie, which connects to the Floridan Aquifer. The stormwater basin is also expected to reduce downtown redevelopment costs by preserving scarce land area for business creation, rather than stormwater detention. The hope is that the stormwater park will act as a catalyst for improving public health and safety, encouraging neighborhood revitalization and restoring community pride. The collaborative clean-up effort is coordinated through the City's redevelopment agency, CRA.

The project also includes the rehabilitation of the Old Gainesville Depot with city and state funds. The station is located along the Gainesville-Hawthorne Trail, a rail-to-trails project that connects the downtown Gainesville and the GRUrestored Boulware Springs Park to the Paynes Prairie Preserve State Park, Lochloosa Wildlife Management Area and the City of Hawthorne to the east of Gainesville.

The Gainesville Community Redevelopment Agency (CRA) is also exploring an opportunity/partnership with the Cade Museum Foundation to situate a science and innovation center in Depot Park in 2013. The museum concept is undergoing development and is oriented toward incorporating the themes of Inspiration, Invention, and Innovation. The museum stems from the vision of Dr. Robert Cade, a pioneering University of Florida researcher and inventor of Gatorade.







DEVELOPMENT FRAMEWORK, INTRODUCTION.

DISTRICTS

Innovation Square is envisioned as one among a series of interrelated districts within the larger community; districts that create symbiotic relationships, providing benefits for all. Innovation Square District, positioned as an intense zone for research and research related activities, will develop and deliver resources and opportunities beyond its boundaries. And conversely, the larger community will contribute resources that benefit the core district. These relationships are a critical element of a successful system and are the cornerstone of the project. The districts span geography and program, and provide an organizational structure within which the myriad elements of the community can be leveraged to best advantage for success in the future development of the district as well as development beyond the district into the surrounding neighborhoods into the broader region. They are organized in the following manner:

County. The entirety of the county, comprising all of the elements, inclusive, that constitutes the regional vitality of the greater Gainesville area. City. The city is the fulcrum through which regional, local, and subsidiary matters are aligned. Vicinity. The convergence of geographically proximate entities that impact and are impacted by the development of Innovation Square, including the University of Florida campus, downtown Gainesville, the Shands hospitals, and others not in the neighborhood proper. Neighborhood. The political boundary, and zoning district, generally understood as University Heights, including the surrounding residential areas, the mixed use areas along University Avenue and other establishments comprising this district. Innovation Square District (ISD). This is a newly constituted body that is comprised of mixed use properties that provide a centrally located local authority to oversee the specifics of development in this area. Core. The core is the central four-block area in which the highest intensity of research activity is located.

The districts are intended as general area distinctions that foster efficient and appropriate decision making processes to provide for successful interaction of the multiple constituencies throughout the broader community. As the project unfolds and matures, it is reasonable that the parameters of each district might be adjusted to suit future conditions.



DEVELOPMENT FRAMEWORK, INTRODUCTION.

RESEARCH

Innovation Square is first and foremost a research-oriented development. As such, it is imperative that research is of utmost consideration in planning and implementation decisions. These decisions should be guided by knowledge of global trends and initiatives in research, general issues pertaining to the development of research communities, and specific research considerations for Innovation Square.

The global research environment is changing constantly. These changes range from specific research endeavors to global shifts in research methodology, all of which affect the planning of environments that foster innovative research. The exponential growth in scientific knowledge in the recent years, for example, has resulted in a host of "new sciences," including genomics, proteomics, bioinformatics, nanotechnology, and robotics. This growing list of scientific concentrations shows tremendous potential to radically alter the teaching and practices of medicine, engineering and agriculture among other fields and the processes of manufacture. The global evolution of research will have direct impact on the constitution of Innovation Square, as it unfolds in the coming years and decades.

THE GLOBAL RESEARCH ENVIRONMENT

In many ways, the scientific process has been turned on its head. Forget the image of the lone scientist toiling away in isolation. Today, science is collaborative on a global scale. Alliances are multinational and strategic, yet competition is fierce and speed is all-important.

The scientific workforce is globalizing as well. Science is no longer the stronghold of a few privileged countries. Nations worldwide have awakened to the fact that economic growth is now fueled by knowledge and ideas, and that realization is transforming global economics. Governments in many countries are generating strategies to develop research within their country to improve their citizens' quality of life. Recognizing the growing value of this human capital, newcomers to research science are creating incentives and increasingly attracting



non-native scientists to their growing job markets. Now aided by technology, advances in science and a heightened awareness of research and collaborative opportunities, the global research landscape is changing as nations commit their most important resources to developing their scientific capabilities. Many developing countries are focused on becoming players in the global economy, and this will have impact upon the decisions that are made at Innovation Square, and in the broader Gainesville community.

Interdisciplinary research worldwide has revolutionized science as researchers now routinely collaborate with the well-founded expectation that new ideas will develop from

multiple scientific fields. Behavioral sciences involve three-dimensional virtual models of spaces that stimulate a specific activity to better understand how a patient reacts to a specific issue or condition. Highly sophisticated imaging equipment is also helping to provide answers and opportunities. Translational research is the bridge from discovery to delivery. In medicine it has a clinical goal or target, while in other fields there are more practical applications such as plant genomes, improved crops and biofuels.

Education is the international foundation of success for individuals as well as for nations. Recent models for education include hands-on research, interactive classrooms

and the use of the latest technologies. In this globalized and interdisciplinary research environment, research institutions such as the University of Florida are emerging as regional leaders while creating national and international partnerships with governments, private industry and other universities. An urban research neighborhood such as Innovation Square creates those opportunities for collaboration and will be successful in attracting the creative workforce that is reshaping the way that scientific research is conducted today.

The key for many investors and research institutions navigating this changing environment is to determine which research studies are the most important. Since the creation of its Division of Sponsored Research (DSR) in 1962, the University of Florida has strategically grown its research in the biosciences and technology in collaboration with Shands HealthCare (est. 1958). The University invested heavily in a robust research framework in the 1980s by establishing the University of Florida Research Foundation (UFRF), Office of Technology Licensing (OTL) and Progress Corporate Park, which have been instrumental in elevating UF to its globally-recognized position of importance in bioscience and technology research today. These institutions have been critical to UF's success in transferring research discoveries to the marketplace for public benefit, providing funds to further advance research at UF labs. Two UF-affiliated centers located at Progress Corporate Park - Sid Martin Biotech Incubator (est. 1995) and The UF Center of Excellence for Regenerative Health Biotechnology (est. 2003) - have placed Gainesville on the global map of biotech research and business hubs. The Florida Innovation Hub, which is soon to be completed at Innovation Square, will be the latest addition to UF's globally connected web of sophisticated research facilities. Already successful in aligning federal, state and local resources and institutions, Innovation Square is in a unique position to succeed at a global level.

GROWING A RESEARCH COMMUNITY IN THE 21ST CENTURY

As the nature of research changes, it is critical that the planning framework for designing the spaces that house the research accommodates these changes. As collaboration becomes paramount, research conversations move out of the confines of the laboratory and into the community at large. Research buildings transition into research communities, uniquely structured to support interdisciplinary research and development on a world-class level within the confines, at least geographically, of a dedicated village.

Research parks, clusters of high-tech research, development and/or manufacturing concerns, are nothing new, of course. The world's first research park started in the early 1950s and foreshadowed what is known today as Silicon Valley. North Carolina's Research Triangle Park was another early innovation. In the ensuing decades, the world took notice of the wealth creation potential and technology-spurred growth of these clusters, especially Silicon Valley, and research parks became commonplace in the USA, Western Europe, and Japan.

Research parks foster innovation through knowledge partnerships among businesses, academia and economic development organizations. They are best known for nurturing startup companies "spun out" from a university or company. Whether hosting large or small players, research parks enable unique, symbiotic relationships that speed and enhance the development of all parties. They also create new jobs, new industries and new solutions. According to a 2007 study by

Battelle Memorial Institute nearly 800 US firms had graduated from park incubators in the previous five years, while only 13 percent failed. About one-quarter of those graduate companies remained in their park, while fewer than 10 percent left the region. The study also found that each job created in a research park generates 2.57 local jobs.

The key to creating a top-talent science community in the 21st century lies in attracting the right people. To that end, no premium lifestyle amenity is spared. Leading research communities today integrate science, business and academics into holistic environments that include residential lifestyles and amenities. In this way, the design of a progressive research center is a task of community formation. Beyond creating the best-in-class research infrastructure, today's research districts are creating idyllic, multi-cultural communities whereby work and play are fascinatingly intertwined.

In today's model research environment, amenities such as housing, retail, schools and recreation all center around research facilities. Traffic is minimal as researchers and other community members easily walk or bike to work and other destinations. Because everything is close at hand researchers can take a midday break to exercise, relax, lunch with family, or tend to a simple chore. Researchers have more time to think, see what others are doing and share ideas outside the lab environment, all of which provides fertile ground for discoveries to be accelerated and life to be enjoyed to the fullest.

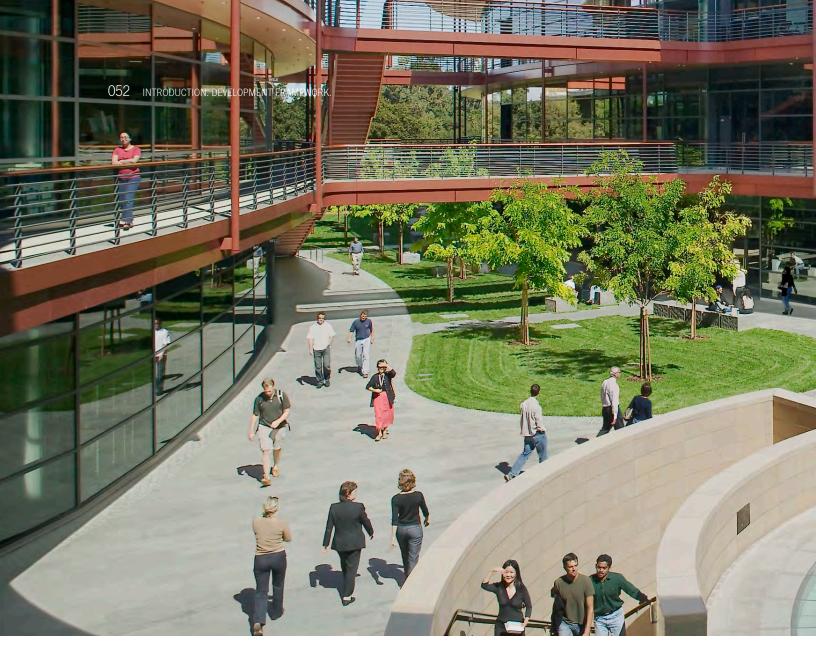
RESEARCH AT INNOVATION SQUARE

These issues outline the general conditions used to create a successful research community. They are used as a guide to understanding and implementing development strategies for research communities in general. However, all sites are not the same, nor do they all have the same existing conditions, or even programmatic intent. In order to reconcile the general recommendations with the specifics of this project, the recommendations and information outlined in this broad strategic document must be translated into a clear, simple, usable set of guidelines for the development of Innovation Square that recognize and respond to the particular opportunities and challenges in this community.

Innovation Square presents a number of unique opportunities as well as several challenges in planning for a highly integrated environment. First among the opportunities is the location directly adjacent to the University of Florida. This co-location provides future research professionals with unequaled access to research infrastructure and technology at the University, as well as the intellectual capital of the academic researchers. The relationship between the two will foster increased innovation and productivity within the research and academic communities. It is this relationship, and the open exchange of ideas between the two that offers opportunities beyond those found in a traditional research park setting. Because of this, it is critical the project is designed to reinforce this dynamic framework in every way possible.

Successful research districts will require continuous investment of capital by universities, non-profit institutions, private industry, government agencies (local, state, and national) as well as individuals who understand the long-term nature of this type of opportunity. The investment is returned to the community by the creation of new jobs, services and tax revenue. Just like the Research Triangle leveraged the





universities around it, and Silicon Valley grew out of Stanford Industrial Park, Innovation Square will leverage influential organizations in the area – bringing together the collective influence of The University of Florida, Shands Healthcare, Progress Corporate Park and other local and regional players like Santa Fe College, CRA, GRU and the City of Gainesville.

Innovation Square is being planned as a sustainable urban neighborhood with green, energy-efficient buildings that provide state-of-the-art laboratories with ample natural indirect light, thoughtful interior design, inviting work spaces and support spaces to encourage interaction and promote blue-sky research, or "curiosity-driven science". Innovation Square is also envisioned to become a leading center of green technology research in alignment with the global

mobilization of scientists to find solutions to climate change, high energy costs and the diminishing of energy sources, especially with the rapid growth of developing countries. New discoveries in these areas will be key drivers in the global economy for the next 10 to 12 years. In addition to offering environmental benefits, "green collar jobs" are expected to create employment opportunities. Discoveries in this field will be faster to market than discoveries focused on human health because the review process will be easier than what is required for new drugs, encouraging a strong focus on green research in the next decade.

A RESEARCH BAZAAR

In the district setting itself, interaction will be facilitated through the careful disposition of the various elements that



provide an armature for discourse. Simply put, the district will be designed to make meeting and exchanging ideas and information a commonplace. It is accomplished with centrally located, highly animated public spaces that foster collaboration, much as a local market in a traditional town facilitates interaction among its citizens. The remote laboratory will no longer be the only theater for research, but the streets, courtyards and common interior spaces will themselves be literal extensions of the laboratory. And these areas will have ancillary programs: cafes, restaurants, boutiques, technology centers, conference facilities, as well as shaded outside areas that are required to see this vision fulfilled.

Along with these opportunities there will be challenges. Innovation Square is located in a very specific place in the world and development guidelines, requirements and codes must be calibrated to respond to the particular ecological, climatic, cultural and economic realities of the region to insure that the places created are as usable and comfortable as possible. Care must be taken to consider these attributes and address them in appropriate ways to align the vision for Innovation Square with the reality of living in it.

These and other challenges are carefully considered and tested to guide the development of the city through regulation. The following section describes in detail the conceptual framework and application of these principles for the transformation of the existing redevelopment area into a rich and vibrant community.

Innovations cluster in places
like Silicon Valley because
the ideas cross corridors
and streets more easily than
continents and seas.

- Edward Glaeser, "The Triumph of the City"

PRINCIPLES

"All truly great thoughts are conceived by walking."

- Friedrich Nietzsche

DEVELOPMENT FRAMEWORK.

PRINCIPLES

The primary act of city building, whether for a new city or research district, is the creation of the physical public realm. This act deals specifically with the conversion of land into an urban framework of streets and infrastructure, public spaces and buildings, and block and lot configurations. The urban framework, particularly the configuration of streets and blocks, provides a long-term structure for changing patterns of land use, building form and building occupancies. How this structure is designed is vital to the performance of a city. Small yet easily developable blocks are the key to creating a city that not only allows, but promotes public activity through its walkability. The formation of such a public framework is the first step toward livability, sustainability, and adaptability; all within the context of a strong community. The strategic projection of a public framework has a long history in the constitution of enduring cities, from the Roman use of the 'cardo' and 'decumanus' to Oglethorpe's plan for Savannah, or the Commissioners' Plan of 1811 for the city of Manhattan. These plans all passed from regulatory documents to constructed places, and have all survived adaptations throughout the maturation of each.

In the Commissioners Plan of 1811, the solution to the challenge of projecting the future city lay in a framework that simply described the parts of the city that would be public and the parts that would be private: its streets and its blocks. The streets had the dual purpose of accommodating the collective needs of the citizenry, while also locating these elements in a place that would remain forever fixed and thus predictable. The fixed nature of the public infrastructure ensured an inherent sustainability within the urban system; whereby little or no modification is required for public infrastructure to accommodate almost limitless variation in private development. Due to the time in which the plan was created, the city also had to remain walkable; the blocks were designed to be small enough to facilitate the movement of people through the city. In this plan, private parcels (blocks) were left open to various endeavors as needed or desired, from small brownstones to the Empire State Building. While Gainesville is not Manhattan, the principles are the same. Gainesville has evolved over time such that it is, a highly livable, walkable, adaptable and sustainable community, and it will continue to strengthen these characteristics into the 21st century.

LIVABILITY

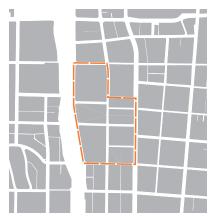
Livability is simply the state of well being of the citizens of a community. This well being emerges from the presence of those components of our city that provide us with an environment within which we can thrive mentally, physically and socially. In the context of Innovation Square, livability is predicated on the notion that it should be as easy as possible to live a rich and interactive life without relying on an automobile for the majority of one's daily routine. Places to drop off laundry, provide day-care for children, throw a ball with the dog, buy groceries, grow vegetables, see a play and meet friends for dinner should be located within the immediate community; an area that is within walking distance of homes. And those places that lay outside the comfortable walking distance should be accessible by multiple means of transportation.

In this scenario livability requires the existence of a highly functional system of moving people and goods that is focused on the quality of the process, not the speed at which these events unfold. The success of this requires a number of focused efforts. The design of the streets is predicated on ease of walking and pedestrian safety, not solely efficiency of moving cars. The proliferation of mixed uses is incentivized, even demanded, at all levels to ensure ease of access to a multitude of daily needs by the inhabitants and users of the district. In order to ensure the success of this environment, decisions must be predicated on results that contribute to the stated goals of the district.

Ultimately this is a strategy for creating a place where people want to live, and where they thrive as a result living in this place.







TECHNOLOGY SQUARE ATLANTA, GEORGIA



MISSION BAY
SAN FRANCISCO, CALIFORNIA



INNOVATION SQUARE



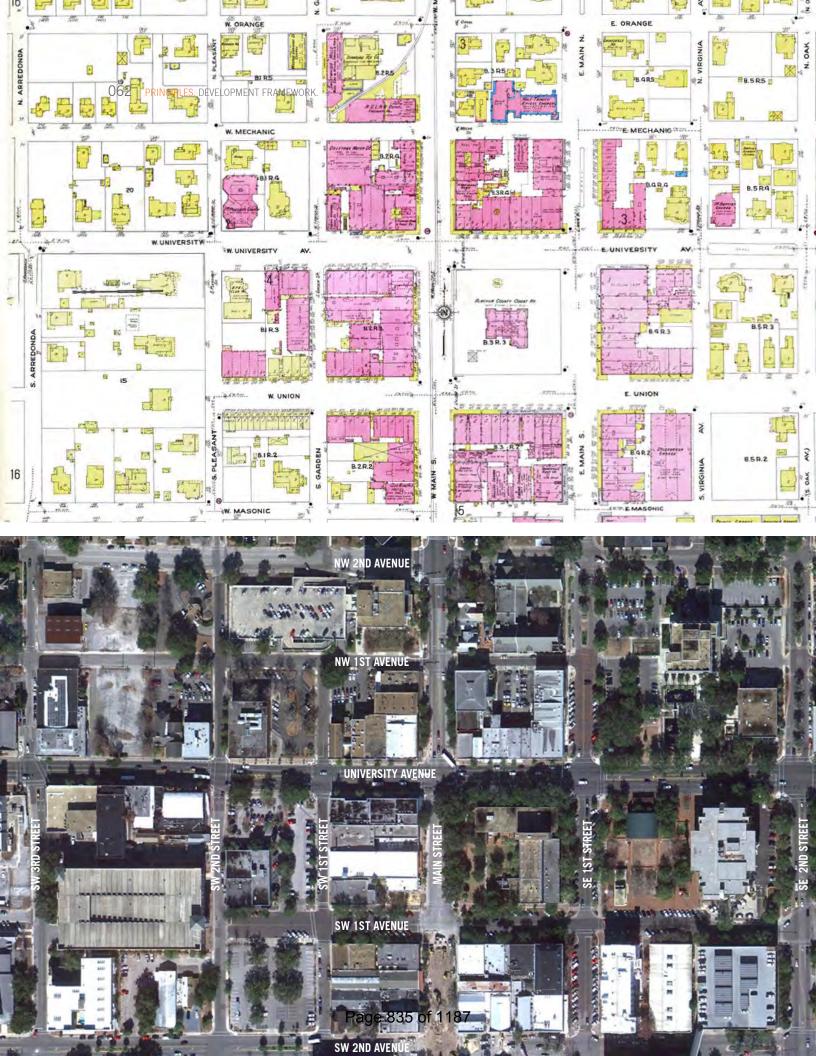
WALKABILITY

Walkability is critical to the success of a community and to the health of its citizens. If one can, and desires, to walk in a particular place it indicates that there is alignment of a number of factors that make successful cities and towns. A walkable community is made up of a highly connected system of streets that supports healthy activity. Walkability is a bellwether for the success or failure of communities. If streets are highly animated with pedestrian activity, it is a clear indication that the ingredients of an urban system have successfully. Things are happening in the streets.

But beyond the physical attributes of a walkable city is the crucial nature of human interaction that occurs in places where there are many people on the streets, and by extension in those places that line the streets; cafes, restaurants,

shops and parks. Great care must be taken to ensure that the spaces created in this district provide the highest level of physical comfort for pedestrians. Buildings should always be built close to the street, creating that sense of enclosure that foments a feeling of safety, and ground floor uses should be as highly interactive and animated as possible, providing a rich mixture of events and textures to the passer-by. And the streets should be designed with this in mind, with appropriately sized sidewalks, ample tree canopies, and other elements that provide a backdrop for this critical activity.

In the design and execution of this district these critical elements must remain at the center of the process. As these ideas are reinforced, the potential of the entire district is greatly expanded.



ADAPTABILITY

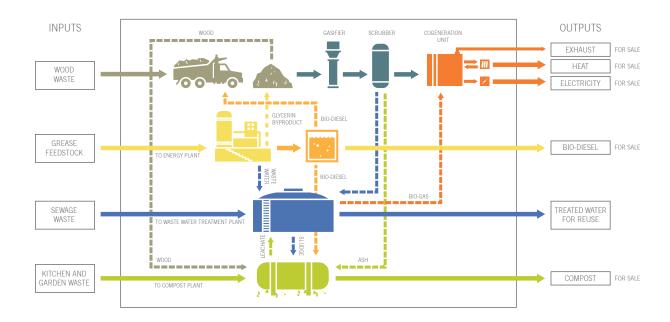
Adaptability is key to the continued success of any community. Adaptability relies upon the existence of a framework into which components can be inserted, changed, modified and replaced with minimal impact on the larger framework. The framework, if it is to be successful in accommodating this adaptation, must provide the collectively produced resources that each of the individual entities needs to operate. It requires that the framework is permanent. Permanence of the framework is the characteristic of this relationship that allows for the adaptability and flexibility of individual projects. This system allows for measured and appropriate responses to the multitude of conditions - economic, technological and cultural - that are susceptible to change over time.

There is a hierarchy of importance of the elements of the city that leads to the creation of an adaptable system. Some things are more important than others in consideration of the operation of the whole environment. Seemingly benign decisions that are made for the expediency of a particular project can cause significant damage to the future operation of the district.

The public rights-of-way are the single most important element in this composition. They are the repository for everything that serves the individual development; infrastructure, people, visibility, service, and context. Along with streets, the block itself is of critical importance. Each block must be of a dimensional capacity that allows for a wide variety of uses, and facilitates ease of development, but must never be larger than is required for this purpose. In the hierarchy of adaptability streets and blocks are the key.

It is important to remember that sometimes people just have to cross the street to get from one place to another.

Right. Gainesville in [1] 1922 and [2] 2011.



SUSTAINABILITY

Sustainability is the aligning one's goals; to reduce carbon output, to increase healthy food production, to create a lasting community, for instance, and one's actions such that the result of the actions is the realization of the goals. It is simply the alignment of our actions with our goals.

As such, sustainability is not a single project but a comprehensive strategy for creating better communities; from the energy sources used to power appliances to the way waste is removed from the site. In many ways this is a constant process of experimentation. There are no absolute answers to the questions posed by each project. But if each is assessed relative to itself and other projects, and each is rigorously tested through the life of the project, courses can be changed to address those less successful strategies, tactics, and components of the projects. As important as low energy consumption may be, the quality of life of the residents of the

community and their long-term economic well-being are also critical to the creation of sustainable communities.

Sustainability is a principal that is embedded in the foundation of Innovation Square. The district itself is envisioned as a testing area for sustainable initiatives and investigations, not just in the labs, but throughout the community. Each element of the district is part of the experiment and research, and each should be thought of as a platform for innovation.

This district is an opportunity to clearly and successfully align our goals and actions as they relate to sustainability.



Lowly, unpurposeful and random as they appear, sidewalk contacts are the small changes from which a city's wealth of public life must grow.

- Jane Jacobs, "The Death and Life of Great American Cities"



"As we envision it,
Innovation Square will be
unlike anything you've
seen. In fact, it will be
nothing short of a complete
re-invention of the town
square concept."

- UF President Bernie Machen

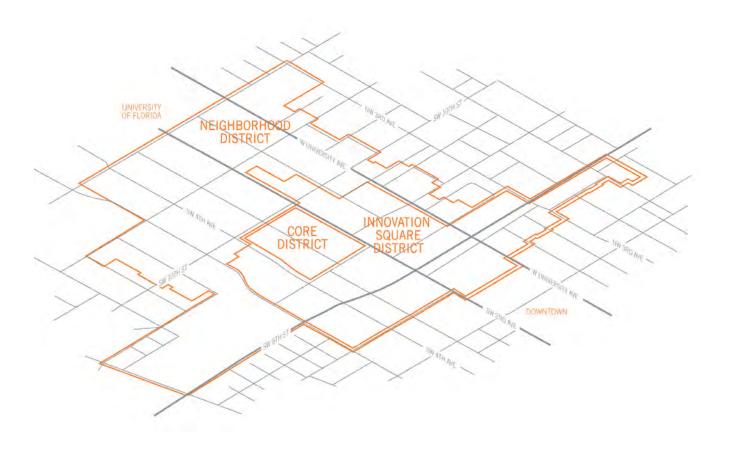
DEVELOPMENT FRAMEWORK.

ELEMENTS

The development framework for Innovation Square consists of six critical elements; districts, grid, greenway, streets, parking and uses. Layered together, these elements are vital in implementing a sensitive and systematic approach to creating a dynamic research community within the existing urban fabric of midtown Gainesville.

Districts. The districts define the three areas within and contributing to the operation of Innovation Square. The core is the high intensity area of science and technology research; the Innovation Square District (ISD) is the lager self regulating collection of commercial landowners within which the research and its associated development will unfold; and the vicinity district is the larger area of influence including the residential neighborhoods along with other areas that comprise this part of Gainesville, Grid. The grid is the underlying physical structure that clearly delineates between the public and private realm, it is permanent, establishing mobility and development within the district. Greenway. The greenway gives a geographical as well as emotional center to the district. Streets. The streets define the level of hierarchy within the district, establishing areas of activity, access, recreation and reflection, as well as design criteria for these critical elements. Parking. Parking strategically addresses the reality of a needed infrastructure, addressing the needs of today by insuring adequate levels to promote development, but further providing a strategy that addresses the future of a changing and as-yet undefined market, along with a realignment of accessibility and modes of transportation throughout the city. Uses. Uses provide a roadmap for providing he richness of activity and collision of members of the community, and for the myriad elements needed to successfully live and work in a particular city district.

The precise implementation of these critical elements establishes a layered relationship between differing urban systems. While each of the elements maintains individual operational characteristics, when they are appropriately combined, they provide the means to achieving the commonly held vision that is the foundation for Innovation Square, a diverse and vibrant community that provides a backdrop for innovation.



DISTRICTS

Innovation Square itself is envisioned as one of three symbiotic districts within the larger context of the region. These central districts define, benefit, and support each other: the Vicinity district, the Innovation Square District (ISD) and the Core District.

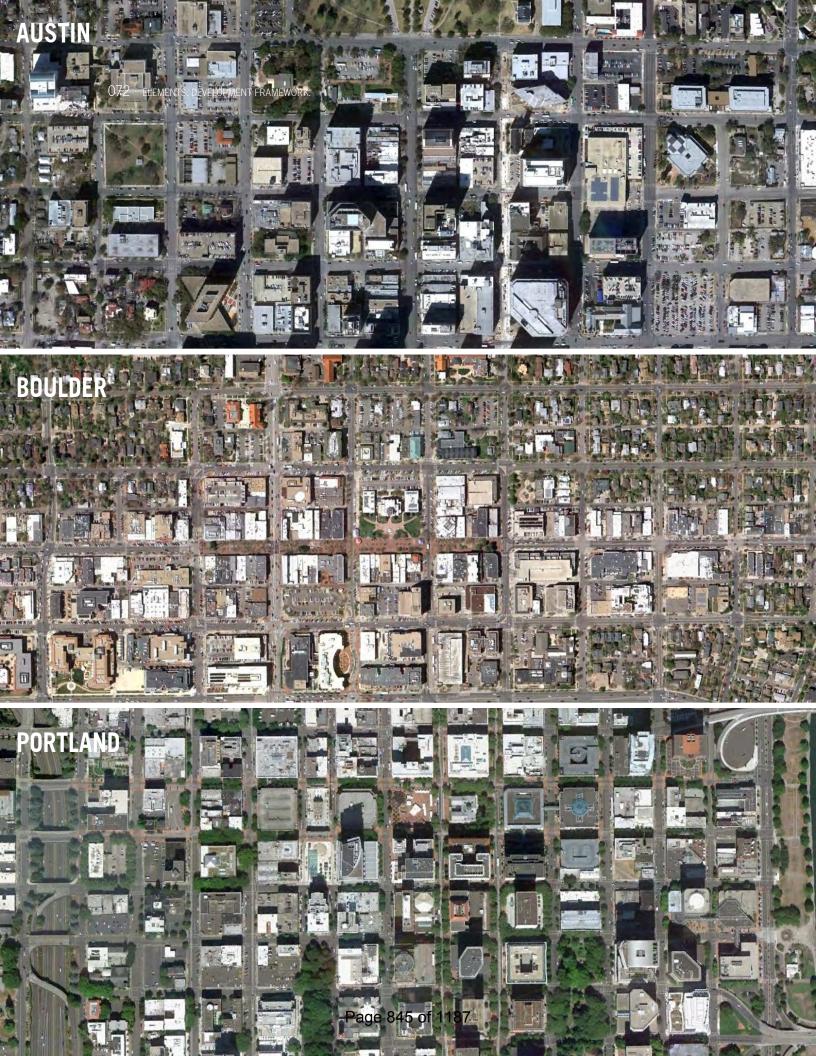
Core District. The Core District, controlled exclusively by the University of Florida, is the heart of the research community and is at the physical center. It is the catalyst for redevelopment and investment within Innovation Square. While the Core District is the central research and innovation center, the surrounding ISD is a mixed-use improvement district focused on supporting the Core District with support services as well as additional research opportunities.

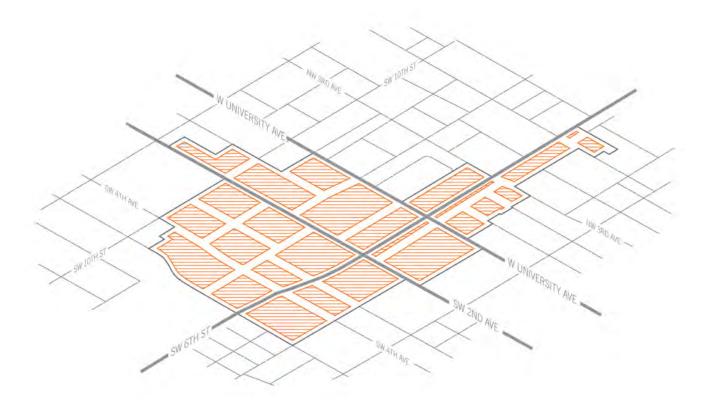
Innovation Square District. The ISD is a self-regulating body that is constituted to ensure a higher level of design, service, collaboration and sustainability in the area's redevelopment process, thus ensuring a comprehensive approach to overall development. The ISD shares in the responsibility of implementing the vision for the district, maintaining the common public realm, proactively engaging businesses and residents within the community and recruiting new users to not only the district but to the larger Gainesville community.

Vicinity District. The Vicinity District includes parts of the surrounding University Heights historic district, a neighborhood of predominately single-family homes and the West University Ave commercial corridor, areas that are of direct benefit to Innovation Square and that will benefit from the ISD redevelopment.

Innovation Square is not merely that area bounded by the ISD. It is made up of the myriad benefits and opportunities that the city and region have to offer.







GRID

The grid is a sustainable framework that allows for adaptation of uses, programs and development types over time. The relationship between Innovation Square and the surrounding community is unified through the presence of the grid, a series of permanent public rights-of-way. The interconnected grid of streets promotes movement within the district, the surrounding neighborhoods and larger Gainesville community.

The grid allows for researchers, residents and visitors to traverse the district easily. In this movement, multiple variations in paths and path types are essential in creating spaces that add a level of richness that can only be found in cities.

The projection of new streets across the existing "superblock" within the district subdivides the larger former Alachua General Hospital site into smaller development blocks. This process of subdivision increases the flexibility in use, type and phasing for future development while protecting the commonly held structure of the grid as the foundation of the public framework.

The grid further allows for adaptation of program based on the fluctuation of the market and of unforeseen district needs and opportunities. The grid encourages a conservative, phased approach to development, focusing infrastructure improvements on what is needed at a particular time. This approach is what has allowed the physical structure of the City of Gainesville to successfully evolve over time and will continue to allow for the program of Innovation Square to unfold with positive and lasting impact to the existing structure of the City.





GREENWAY

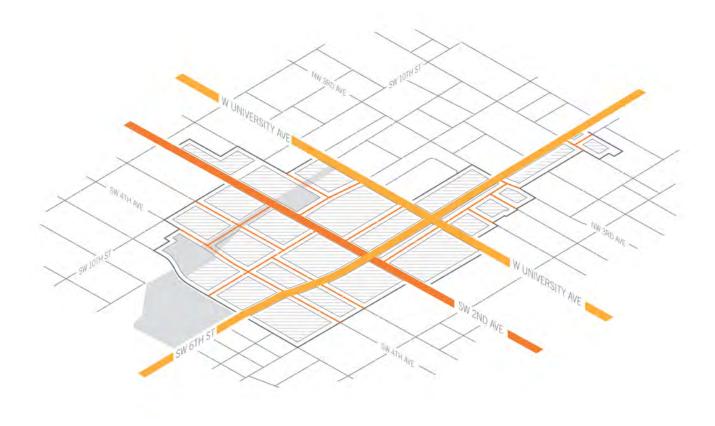
The Greenway is the principal physical organizing structure within Innovation Square. It is the binding element and central focal point within the district. It creates a pedestrian connection between the active northern mixed-use section of the district and southern, predominately residential and recreational edges of the district. It is a series of varying gathering spaces such as squares, plazas, parks, and streets; all for researchers, residents and visitors to interact and collaborate.

The series of spaces are within the public realm, defined by the presence of public streets and reinforced as discrete spaces by the placement private buildings along its edges. Plazas promote activity; streets allow for accessibility; squares encourage assemblies; while parks allow for reflection. The greenway connects to the individual building lobbies, commercial uses, research labs and other active ground floor uses, all in the service of promoting collaboration and collision. While the greenway resides within the structure of the grid, it modulates vehicular access, allowing for north south connectivity to occur with limited service opportunities, thus giving character to particular areas of the development and promoting richness through variation. The central square will allow for informal gatherings as well as large events. The use of materials will be minimal, used to the define edges of spaces, provide opportunities for seating and include flexible lawn areas.

The greenway also addresses a significant stormwater initiative within the district. The infrastructure system in the greenway allows stormwater to be addressed before entering the underground system with varying integrated water quality measures, as well as provides an armature for experimentation in water quality and quantity mitigation initiatives.

Within a dense urban fabric, it provides a vital, public, greenspace, encouraging walkability within a comfortable and rich outdoor environment.





STREETS

Streets are based on the hierarchy of space within Innovation Square. The existing conditions, as well as the vision for the district, define the function of each street and how new development and existing uses connect to the public realm. Streets must be addressed as spaces for people and most importantly for the success of Innovation Square, for socializing and interacting.

Higher intensity streets encourage more active uses, influencing building program, design and accessibility in order to create a more vibrant public realm. Secondary streets have fewer requirements allowing greater flexibility to address many of the necessary functions and requirements of varying land uses and building programs such as service and utilities.

In the plan for Innovation Square, West University Avenue, Southwest 2nd Avenue, and Southwest 6th Street are prioritized; significant in how they function, how they are used and how they are perceived. They are the streets that provide the highest level of public interaction and are the repositories for the highest intensity of commercial activity.

Streets are critical to the formation of Innovation Square. They are the first impression of Innovation Square for future researchers, residents and visitors. Along with addressing the basic level of operation, they must also be programmed, well designed, well maintained and safe. These elements are crucial in creating a place that encourages not only collaboration among researchers but clearly defines a unique sense of place unlike that of other typical research parks commonly developed in the past.





PARKING

To create a vibrant district, encourage walkability and promote alternative forms of transportation, parking has been removed from the Core District of Innovation Square and has been reduced within the overall ISD. Shared parking decks have been strategically placed based on walking distances, flexibility of the block structure, transportation considerations and adjacent uses.

Decks have been located on blocks that allow for maximum flexibility in size, design and accessibility. Uses with higher traffic demands, such as retail and hotel have been located in closer proximity to the parking structures.

The phasing of parking implementation and alternative transit initiatives are part of the basic strategy relative to addressing current and future parking needs. Initially an adequate amount of parking is provided through existing and repurposed parking lots to provide for an influx of commuters.

As new projects are developed, existing surface parking lots will be transformed into buildings. Along with the development of additional buildings, new parking structures within the ISD will be phased to coincide with new development. As the district becomes denser additional parking demands should decrease, on a per-capita basis, as alternative modes of transportation increase. As such, new parking might not be necessary, reinforcing the goal of reducing the cost and impact of vertical parking on the character of the neighborhood and realizing more varied opportunities for transportation.

The disengagement of parking requirements from the individual development or building allows for these events to unfold in the most appropriate manner possible, and not result in too little or too much parking. As with the block structure, the system allows for flexibility moving into the future to insure that development decisions align with the vision and operation of the district.





USES

Innovation Square integrates varying land uses and building programs that serve not only the larger goals of the research community but those of the community. While the core district will be the center of the research focused uses, significant retail, restaurant, residential and hospitality as well as additional lab and supportive space shall be integrated throughout the district.

Retail and restaurants shall be located along major street corridors and key intersections, complimenting existing surrounding uses. In addition, these amenities will be integrated into the research and residential buildings. The stores shall be accessible from the street with outdoor areas designed to generate activity. Retail and restaurants are externally focused; designed as essential elements of the street and the life of the street.

The residential program and buildings will address research focused residents and the needs of their families as well as address diversity of citizens, creating a richer environment. The district will allow researchers to be located in close proximity to work, encouraging walkability to work as well as to supporting locations of goods and services throughout the district. Various public spaces, such as parks and plazas are dispersed throughout the district offering opportunities for active and passive recreation and enjoyment.

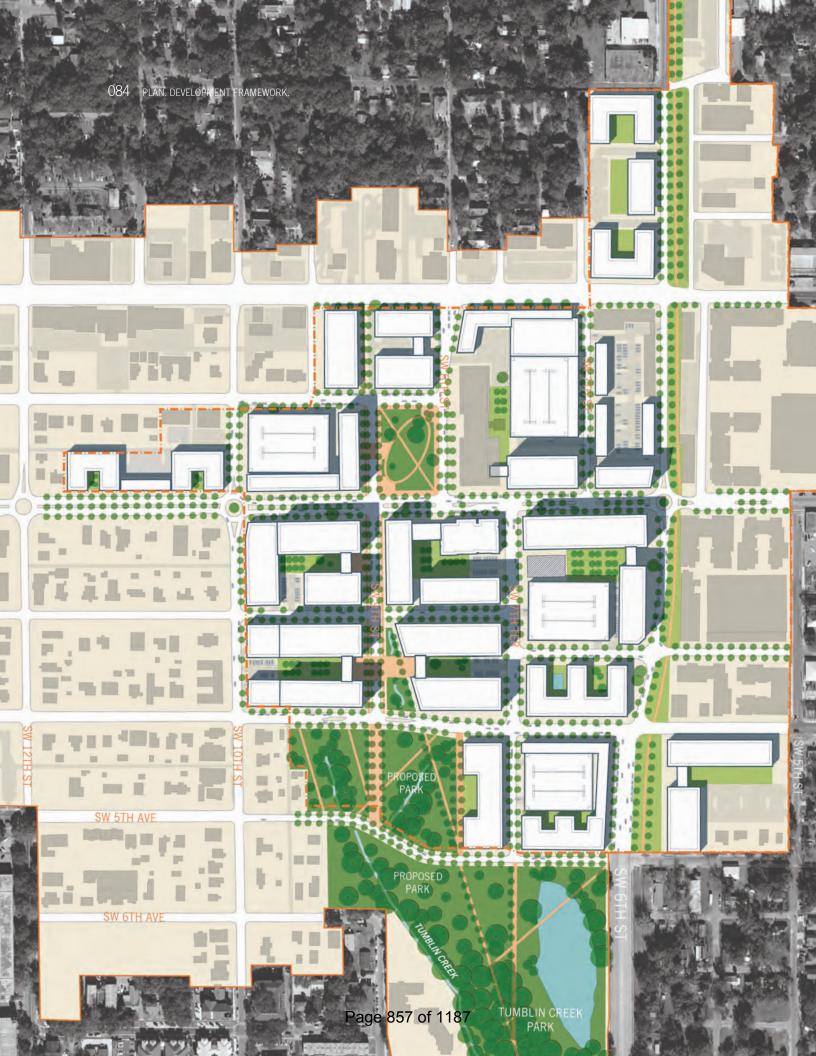
The high level of mixed uses will allow the district to provide a long-term and sustainable foundation for a lifestyle that is predicated on the health and well-being of the citizens of the district. And it will provide the various components that are necessary for living out day-to-day lives all within easy access to residents, researchers, and visitors alike.

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A hundred years after we are gone and forgotten, those who never heard of us will be living with the results of our actions.

- Oliver Wendell Holmes

DEVELOPMENT FRAMEWORK.



DEVELOPMENT FRAMEWORK.



The elements of the district, as described in the previous section, are the constituent parts of any successful urban development strategy. These elements, however, must be allocated both geographically as well as temporally; they must unfold across an area and emerge through time in a well-choreographed process that ensures the alignment of the vision and the execution of the project. As such, plan can be considered both a noun and a verb. As a noun, the plan is a document that delineates where and how the parts of the district are located. As a verb, the plan is an active process and a series of projections that indicate the number of elements and the frequency with which they appear. Each of these characteristics of the plan will change over time, but while many elements of the plan are changeable, it is the plan that sets in place the relative importance of each of these elements; those that may change more freely, and those that may not.

The plan clearly delineates the development framework for Innovation Square. It defines the physical elements of the vision and how each element interacts within the plan. The plan also clearly describes a preferable relationship among the elements of the plan and the sequencing of their implementation. The plan anticipates that the elements that constitute the public realm will be less open to change; more permanents, while allowing for significant flexibility within the private realm, allowing each building's design and program to vary while adhering to the broader requirements of the plan.

The essential elements within the plan include: Uses. The types of uses as well as the desired mix; Phasing. The larger strategy for implementation over time; Projections. The degree of development and population growth that might occur as the project is developed; Landscape. Regulating the elements within the public realm; Transportation. A strategy to balance projected growth with multiple accessibility opportunities and options; Utilities. A general district-wide strategy for sharing resources and minimizing redundancies of resources, as well as providing an operational framework.





Left. This image is a detail aerial of the Innovation Square District (ISD) that indicates the envisioned vibrancy and overall potential for the area. It describes the general character and quality of the area, and it should act as a visual guide for future development.

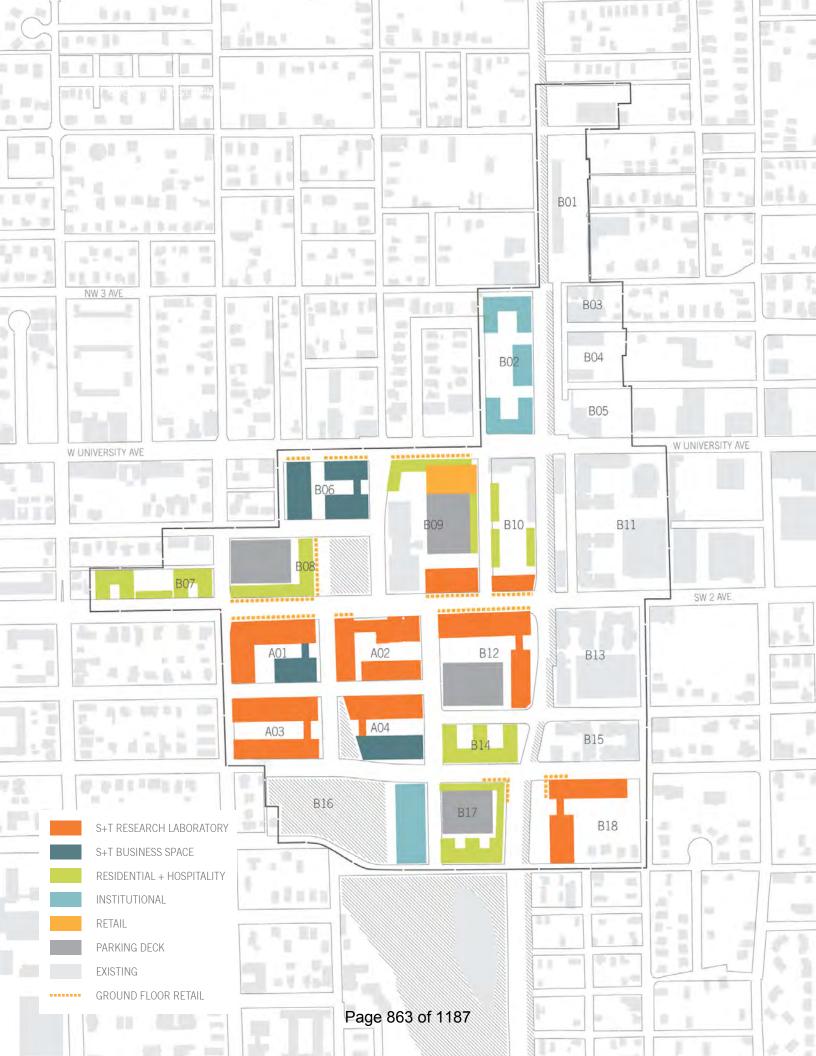
Above. This image is a broader aerial view that indicates the proximity of the ISD to both downtown Gainesville and the University of Florida. The district, as is clearly evident in this image, will provide a seamless link between downtown and the University, as well as a stage for innovation.



Above. This image is a perspective view of the proposed greenway through the heart of the Core District, as well as a threshold to Tumblin Creek and the trail systems beyond. It clearly describes the intention of bringing a flexible and well-designed natural component into the urban framework.

Right. This image, across 2nd Avenue, and into the new square, describes the vibrant pubic framework, the people, the landscape, the commuters, the residents all harmoniously creating the context for a truly collaborative and rich living and working environment.



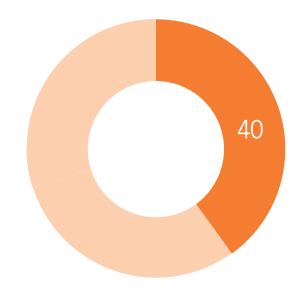


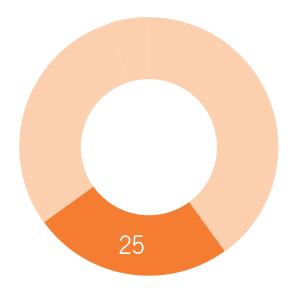
DEVELOPMENT FRAMEWORK, PLAN.

Supported by recent initiatives such as the Partnership for Sustainable Communities (PSC) at the federal level, many US towns and cities today are seeking to reverse their half-century long focus on remote, disconnected development patterns that have been correlated with countless adverse health and environmental effects ranging from epidemic obesity to air and water pollution. Following this logic, the US Centers for Disease Control and Prevention (CDC) has described a "healthy community" as one where homes, business, schools, churches and parks are found in close proximity to each other, allowing reduced automobile use and increased physical activity and social engagement; or more simply, a mix of uses all located in the same area. It is with this in mind that Innovation Square addresses the dispersal of uses throughout the district.

Such walkable and mixed-use environments are not new to Gainesville. Downtown Gainesville has gained new life in recent years with the addition of new residences, hotels and storefronts to its historic mix of government buildings, offices, entertainment and single-family homes. The City of Gainesville has recently created the Urban Mixed Use – 2 (UMU-2) Zoning District to enable a similar transformation of midtown, the area in Gainesville in which Innovation Square is located. This will transform midtown from an area dominated with surface parking and empty lots to a 24/7 live/work/play environment that promotes retail and office uses that serve surrounding neighborhoods and enhance the development of the local innovation economy, as well as the broader regional economy. The proposed land use plan for the Innovation Square District (ISD) demonstrates the process through which mixed-use development can be achieved within the ISD.

The zoning ordinance, in concert with the urban block structure, allows for great flexibility in the distribution of uses within the area. But along with this flexibility, it is critical to ensure that enough of each of the uses emerges to facilitate the broader goals of creating a district that provides a foundation for innovation and economic development based on the associated industries.





40%

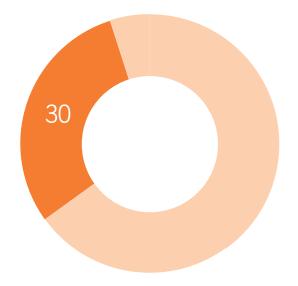
SCIENCE + TECHNOLOGY RESEARCH LABORATORY

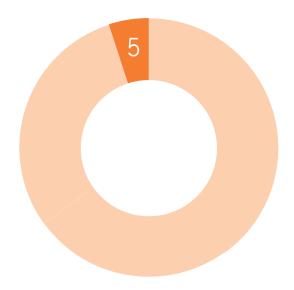
Science and technology research and laboratory uses comprise the greatest percentage of projected development and remain at the core of the district vision. The uses in these areas are primarily organized to facilitate scientific research, as both wet and dry lab faclities. The structures will house principal investigators, researchers, and support staff for the myriad research avenues that emerge in the district. These users represent the critical group that will benefit significantly from the addition and dispersal of the other uses in the vicinity. In addition, these uses require enhanced physical and technological support and infrastructure beyond other typical uses found in cities.

25%

SCIENCE + TECHNOLOGY **BUSINESS SPACE**

Science related start-up companies or more established companies working in the science and technology fields will utilize this office space for meeting and collaboration space that is primarily concerned with the business of technology, research and innovation. These users might be associated with laboratory facilities within the ISD, at affiliated sites such as Progress Park, provide primary office and dry-lab space for the company, or serve as an area for light manufacturing associated with the particular research. These uses may be located throughout the entire district, and they are incentivized to provide additional, ancillary uses, such as restaurant, retail, cultural and other uses that enhance the vibrant mix of uses in the district.





30%

RESIDENTIAL + HOSPITALITY

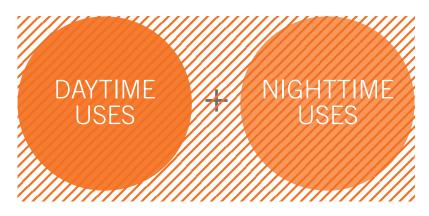
COMMERCIAL RETAIL

Residential and hospitality uses are critical to the success of the district; for researchers support staff, and visitors alike. While residential uses are located throughout the ISD, they are envisioned as being more heavily located at the edges of the District. This strategy helps insure that there is a transition between the district and established residential neighborhoods such as University Heights.

In addition, the plan envisions residential programs such as themed housing that brings together innovators, entrepreneurs and others in a live/learn/work environment that encourages the collision that drives innovation. And hospitality uses ranging from boutique hotels to flexible rentals for visiting scientists and business people will help spur further collaboration and provide the District with a vibrant mix of long and short-term residents and visitors.

Pedestrian-oriented, ground-floor uses; restaurants, cafés, retail stores, galleries, boutiques, local services, and other staples of highly animated street life are incentivized, and in specific areas, required as a critical part of providing goods and services to those working and living within the district. These uses will expand in number and scope as the area is developed, ultimately providing a mature level of services that responds to the needs of those living and working in the area.

TYPICAL DEVELOPMENTS



INNOVATION SQUARE



Above. Historically research has taken place in areas that are remote from residential districts, and moreover, remote from dayto-day uses such as restaurants and retail. At Innovation Square uses will converge with each other such that all of one's needs; work, community, living, cultural institutions, will be located within easy walking and biking distance. Daytime and nighttime uses will merge into a seamless relationship among all the various parts. As such, the methodology for projecting growth is highly interactive between the uses, and support elements; parking, services, and others, are complementary, no longer based on a direct ratio, but rather based on a fluid response to district needs as opposed to an individual project need.

DEVELOPMENT FRAMEWORK, PLAN.

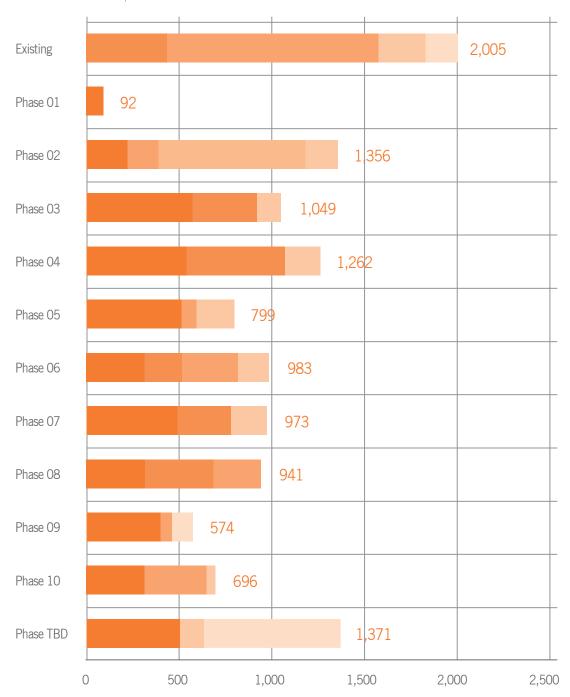
POPULATION PROJECTIONS

Projecting into the future is by nature an inexact science, but in the process of planning for the redevelopment of a district, it is essential. While the exact population growth, building square footage build-out, or number of new restaurants may be unknowable, there are general parameters that can be utilized to provide the basis for making decisions moving forward. Projections offer not only an estimate of what might come to pass, but also a characterization of what is preferable in the disposition of a district. Projections are also critical for preparing for service requirements, from transportation to power. Infrastructure and utilities must be constructed prior to the majority of development in such a way that it accommodates specific development but minimizes the expenditure of resources beyond that which is needed. With these projections public utilities can be sized, power capacities can be allocated, mitigating systems implemented, and other elements of the redevelopment can be organized to provide a fluid response to development pressure as it emerges.

The projections detailed in the following pages reflect a combination of uses and mixes that will provide the rich interaction necessary for the district to thrive, as well as a realistic magnitude of development based on current capacities, and market conditions. They represent overall development projections in terms of the number and types of people that will be occupying the spaces, especially as these are associated with the development phase projections. They are categorized as overall, research, residential, and support; restaurants, retail, cultural and other collectively utilized uses. Further specificity is applied to each of the broad categories as appropriate.

These numbers are sure to change both in composition as well as magnitude as the future unfolds, and as such, the following charts, graphs and spreadsheets are simply a snapshot of the potential at a particular time. The operational asset in the projection structure is the database behind the graphic representation. This database should be managed throughout the development process, refining projections based on changing market trends, successes and failures in the development process, as well as updating current development. In this way, a tool that is typically rendered obsolete shortly after its implementation can become an adaptable and useful indication of the trajectory of the district as it unfolds over time.

POPULATION GROWTH, PER PHASE



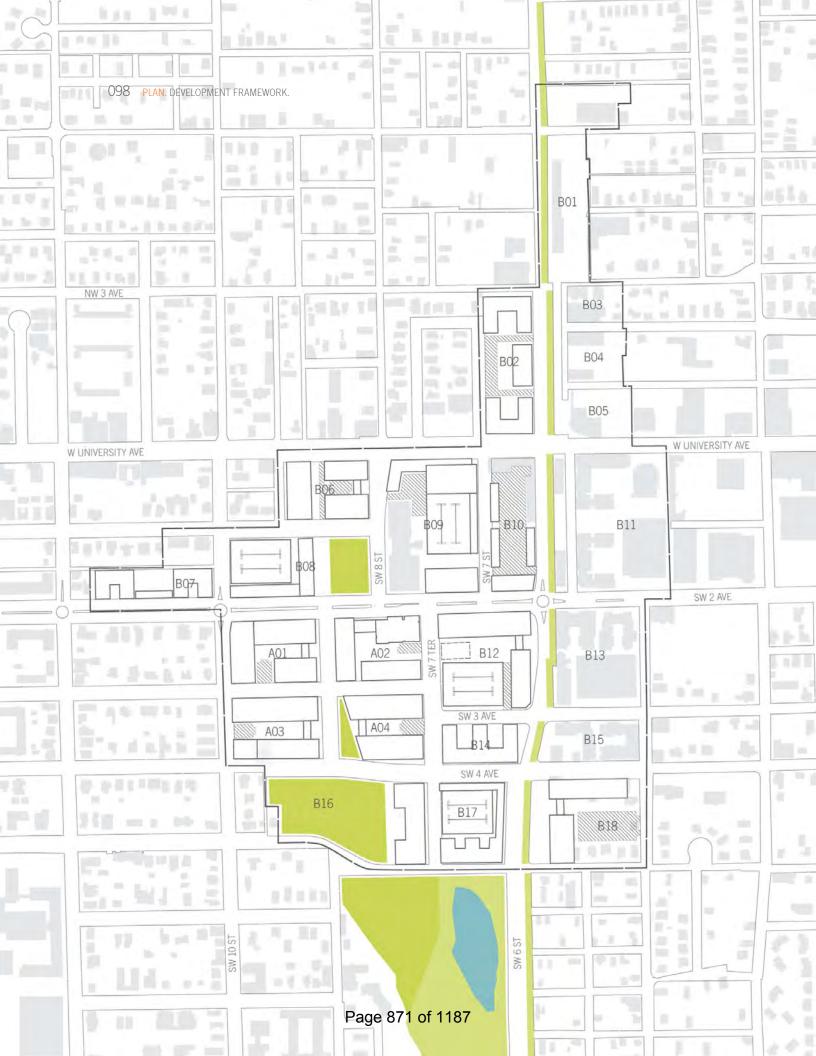
POPULATION BY PHASE

These graphs and charts represent a general projection of population increase in a phased structure. The projections are for general guidance with respect to planning for services and utilities that will be required to accommodate this growth.

They are further categorized by the proposed major uses in the district. The phases are not tied to a specific time frame as the project will ultimately unfold due to both internal and external conditions.

POPULATION GROWTH, PER PHASE

	SCIENCE + TE		RESIDENTIAL + HOSPITALITY				
	RESEARCH LABORATORY	BUSINESS SPACE	RESIDENTIAL	HOTEL	RETAIL	INSTITUTIONAL	TOTAL
Existing	0	435	1,139	0	255	177	2,005
Phase 01	92	0	0	0	0	0	92
Phase 02	220	0	169	792	175	0	1,356
Phase 03	571	350	0	0	128	0	1,049
Phase 04	538	531	0	0	192	0	1,262
Phase 05	512	0	81	0	207	0	799
Phase 06	313	200	304	0	167	0	983
Phase 07	490	290	0	0	193	0	973
Phase 08	316	369	256	0	0	0	941
Phase 09	399	0	63	0	0	113	574
Phase 10	313	0	333	0	50	0	696
Phase TBD	503	0	0	0	130	738	1,371
TOTAL [new]	4,267	1,740	792	1,243	10,096	850	8,853
TOTAL [existing+new]	4,267	2,175	792	1,497	12,101	1,027	10,603



DEVELOPMENT FRAMEWORK, PLAN.

PHASING

With multiple stakeholders, various landowners and fluctuating market conditions, Innovation Square must maintain flexibility in its approach to implementation. While the emphasis is on science and technology research, it is important to develop services in conjunction with the core uses in order to create a diverse and vibrant community. Phasing focuses on developing a strong central identity for the district while also allowing growth to occur organically over time. The growth projections are based on numerous factors including future building program, infrastructure improvements, existing building life spans and other critical relationships. Each phase has multiple components allowing for options on building type and schedule.

Initial investment concentrates on developing the research element within the Core District. Subsequent phasing continues to focus on investment within or immediately adjacent to the core, building a concentration of activity and shared resources. Significant infrastructure, including stormwater upgrades and public space delineation, are targeted early allowing future flexibility and quickly defining a sense of place for the district. Parking is served by existing surface lots initially. Parking structures are timed to maintain a conservative parking to building ratio until such time as the projected density supports alternative transportation opportunities.

There are several key drivers in the projection process, including an initial focus on completing a substantial segment of the research program, identifying and implementing critical infrastructure upgrades, aligning the parking structures with time-critical development needs, and finally, organizing the phasing is such a way as to continually reinforce the sense of place that is envisioned for the district. The relationships outlined in the phase process should result in a development strategy and execution that addresses both the quality of the place and the degree of economic development, both metrics for the return on the community's investments.

These phases are not tied to a specific time frame as the project will ultimately unfold due to both internal and external conditions.



PHASE ONE

The initial phase is scheduled for completion in the fall of 2011, with the construction of the Innovation Hub - a 45,000 s.f. incubator space comprised of research lab spaces and business spaces located on Block A2. Parking for the facility will be located in Block A4 and other the surrounding surface lots. The Ayers Building will be renovated providing a mix of retail, lab and business space totaling approximately 170,000 sf.* The district chiller plant will be strategically located within Block B12 to maintain future flexibility within the block and provide a water source backbone for future development. This phase will also include public investment in the W. 6th Street Rail-Trail.

NEW DEVELOPMENT, PER PHASE

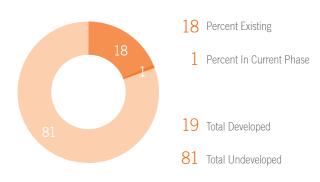
	SQUARE FOOTAGE DEVELOPED		POPULATION	ON PROJECTED
	PHASE 1	CUMULATIVE	PHASE 1	CUMULATIVE
S+T Research Laboratory	46,000	46,000	92	92
S+T Business Space	0	0	0	0
Residential + Hospitality	0	0	0	0
Commercial Retail	0	0	0	0
Institutional	0	0	0	0
Total Development	46,000	46,000	92	92

PARKING, PER PHASE

	PHASE 1	CUMULATIVE
Surface Lot	42	977
On-Street	-	220
Deck	-	1,560
Total Available	-	2,757
Total Needed	-	2,079
Difference	-	678

NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





PHASE TWO

Phase Two includes the proposed, privately developed, Infusion Technology Center located at the corner of Southwest 2nd Avenue and Southwest 4th Avenue. Parking for the facility will be located in Block A3 and Block A4 as well as other surrounding surface lots. This phase includes the hotel and residential incubator. Ground floor retail fronting Southwest 2nd Avenue is included but may remain flex space until the market matures. The development of the central square is a key element in defining a sense of place within the district. In addition, the development of the northern expansion of Tumblin Creek Park will help address critical infrastructure issues.

NEW DEVELOPMENT, PER PHASE

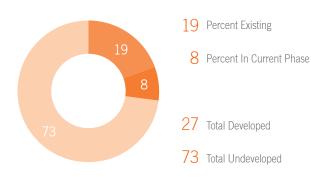
	SQUARE FOO	TAGE DEVELOPED	POPULATI	ON PROJECTED
	PHASE 2	CUMULATIVE	PHASE 2	CUMULATIVE
S+T Research Laboratory	110,000	156,000	220	312
S+T Business Space	0	0	0	0
Residential + Hospitality	260,000	260,000	960	960
Commercial Retail	35,000	35,000	175	175
Institutional	0	0	0	0
Total Development	405,000	451,000	1,356	1,448

PARKING, PER PHASE

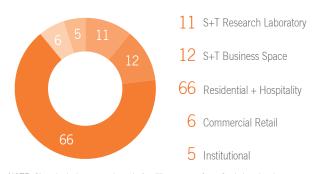
	PHASE 2	CUMULATIVE
Surface Lot	133	1,110
On-Street	0	220
Deck	771	2,331
Total Available	-	3,661
Total Needed	-	2,484
Difference	-	1,178

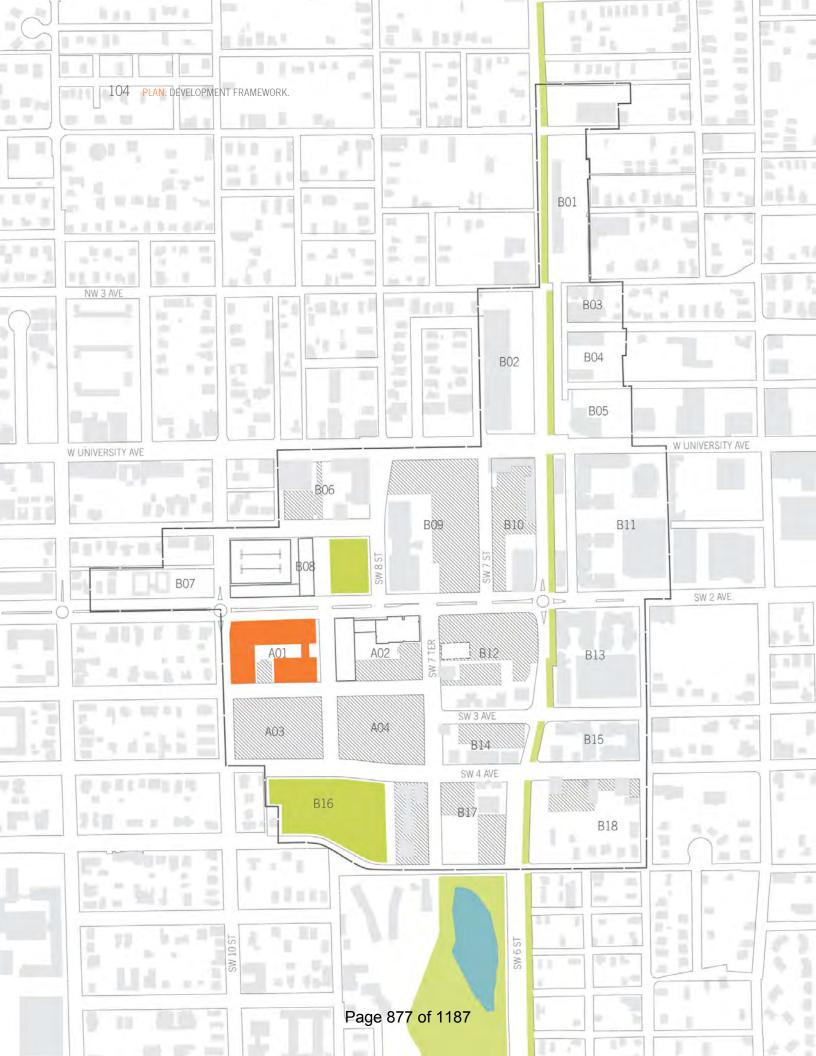
NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





PHASE THREE

Development is focused on completing block A1. Significant infrastructure includes the implementation of the Southwest 3rd Avenue between Southwest 10th Street and Southwest 7th Terrace. This street is defined as a local street and will be used primarily for circulation and service access to adjacent blocks. Building program includes additional S+T research lab space as well as supporting services. Ground floor retail will front Southwest 2nd Avenue. A common lobby will front the proposed greenway. Parking for the facility will be located in Block A3 and Block A4 as well as other the surrounding surface lots.

NEW DEVELOPMENT, PER PHASE

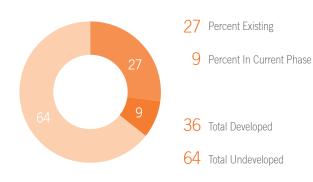
	SQUARE FOOTAGE DEVELOPED		POPULATION	ON PROJECTED
	PHASE 3	CUMULATIVE	PHASE 3	CUMULATIVE
S+T Research Laboratory	285,000	441,000	571	883
S+T Business Space	140,000	140,000	350	350
Residential + Hospitality	0	260,000	0	960
Commercial Retail	25,700	60,700	128	304
Institutional	0	0	0	0
Total Development	451,000	902,000	1,049	2,497

PARKING, PER PHASE

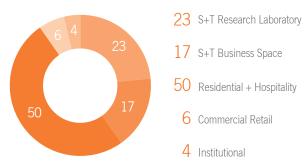
	PHASE 3	CUMULATIVE
Surface Lot	198	1,308
On-Street	0	220
Deck	0	2,331
Total Available	-	3,859
Total Needed	-	2,935
Difference	-	925

NOTE: One space per thousand square feet for new development.

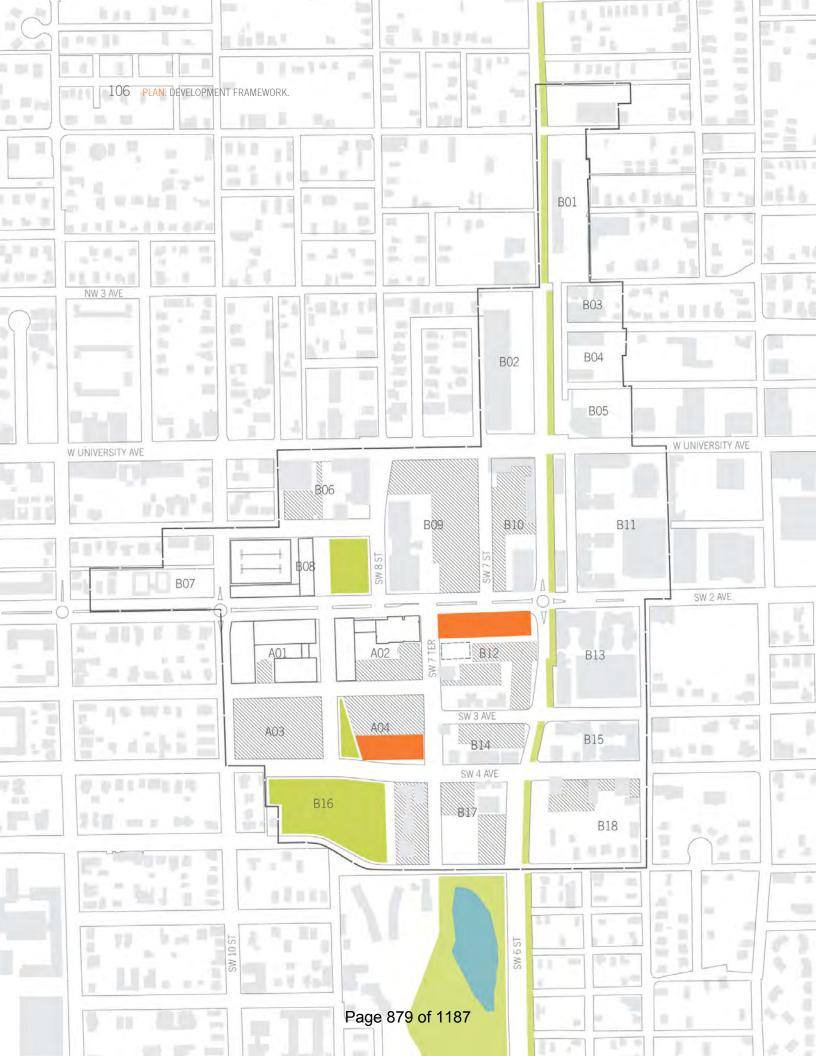
PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT



NOTE: Chart includes approximately 1 million square feet of existing development within the ISD boundaries.



PHASE FOUR

Development is concentrated on building synergy along the two major axes within the district. The first building on Block B12 will be developed to include new research lab space with ground floor retail fronting Southwest 2nd Avenue. Building services shall be accessed from Southwest 7th Terrace. A second building will be developed on Block A4, fronting Southwest 4th Avenue. Building program will include S+T office and supporting services. Key infrastructure will include additional pedestrian spaces along the greenway.

NEW DEVELOPMENT, PER PHASE

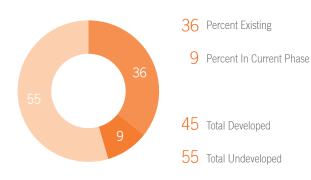
	SQUARE FOO	TAGE DEVELOPED	POPULAT	ION PROJECTED
	PHASE 4	CUMULATIVE	PHASE 4	CUMULATIVE
S+T Research Laboratory	269,000	711,000	538	1,421
S+T Business Space	212,000	352,000	531	881
Residential + Hospitality	0	260,000	0	960
Commercial Retail	38,500	99,200	192	496
Institutional	0	0	0	0
Total Development	520,000	1,420,000	1,262	3,759

PARKING, PER PHASE

	PHASE 4	CUMULATIVE
Surface Lot	-264	1,044
On-Street	0	220
Deck	0	2,331
Total Available	-	3,595
Total Needed	-	3,455
Difference	-	140

NOTE: One space per thousand square feet for new development.

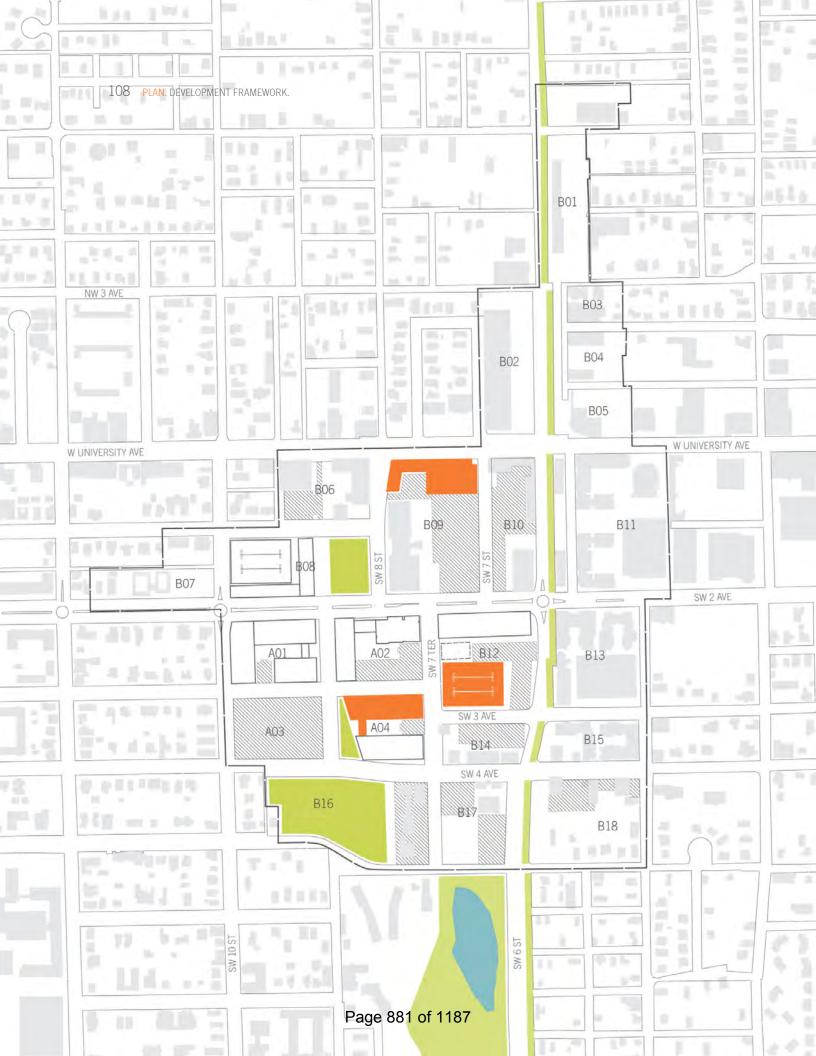
PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT



NOTE: Chart includes approximately 1 million square feet of existing development within the ISD boundaries.



PHASE FIVE

Development is concentrated on expanding goods and services vital to a growing community and addressing future parking needs. New buildings include a grocery store with ancillary retail fronting University Avenue, creating an edge to the district along the City's major east - west corridor. The grocery store will share the existing surface parking lot with the adjacent Ayers Medical building within Block B9. In addition a proposed building on Block A4 will complete the development of the block. Program uses include new lab and research space. The parking deck on Block B12 will serve the developing core of the district.

NEW DEVELOPMENT, PER PHASE

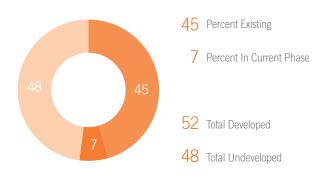
	SQUARE FOO	TAGE DEVELOPED	POPULATI	ON PROJECTED
	PHASE 5	CUMULATIVE	PHASE 1	CUMULATIVE
S+T Research Laboratory	256,000	966,000	512	1,933
S+T Business Space	0	352,000	0	881
Residential + Hospitality	48,500	308,000	81	1,041
Commercial Retail	41,400	141,000	207	703
Institutional	0	0	0	0
Total Development	346,000	1,770,000	799	4,558

PARKING, PER PHASE

	PHASE 5	CUMULATIVE
Surface Lot	-226	818
On-Street	0	220
Deck	780	3,111
Total Available	-	4,149
Total Needed	-	3,801
Difference	-	349

NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





PHASE SIX

Development is concentrated along the eastern edge of the district towards Southwest 6th Avenue. New residential on Block B14 will define the southern edge of the district. Parking for the facility will be located temporarily on Block B17. New buildings will be developed within Block B9 and B10 providing research lab, administrative, and residential as well as ground floor retail fronting Southwest 2nd Avenue. This will complete the build out along Southwest 2nd Avenue. A significant infrastructure improvement will be the development of a parking structure on Block B9. Development area will be preserved to allow for a residential liner to be built fronting Southwest 7th Terrace.

NEW DEVELOPMENT, PER PHASE

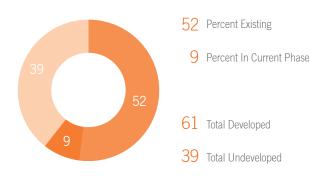
	SQUARE FOO	SQUARE FOOTAGE DEVELOPED		ATION PROJECTED
	PHASE 6	CUMULATIVE	PHASE 6	CUMULATIVE
S+T Research Laboratory	156,000	1,120,000	313	2,246
S+T Business Space	80,000	433,000	200	1,081
Residential + Hospitality	182,000	490,000	304	1,345
Commercial Retail	33,300	174,000	167	869
Institutional	0	0	0	0
Total Development	452,000	2,220,000	983	5,541

PARKING, PER PHASE

	PHASE 6	CUMULATIVE
Surface Lot	65	883
On-Street	4	224
Deck	771	3,883
Total Available	-	4,990
Total Needed	-	4,253
Difference	-	737

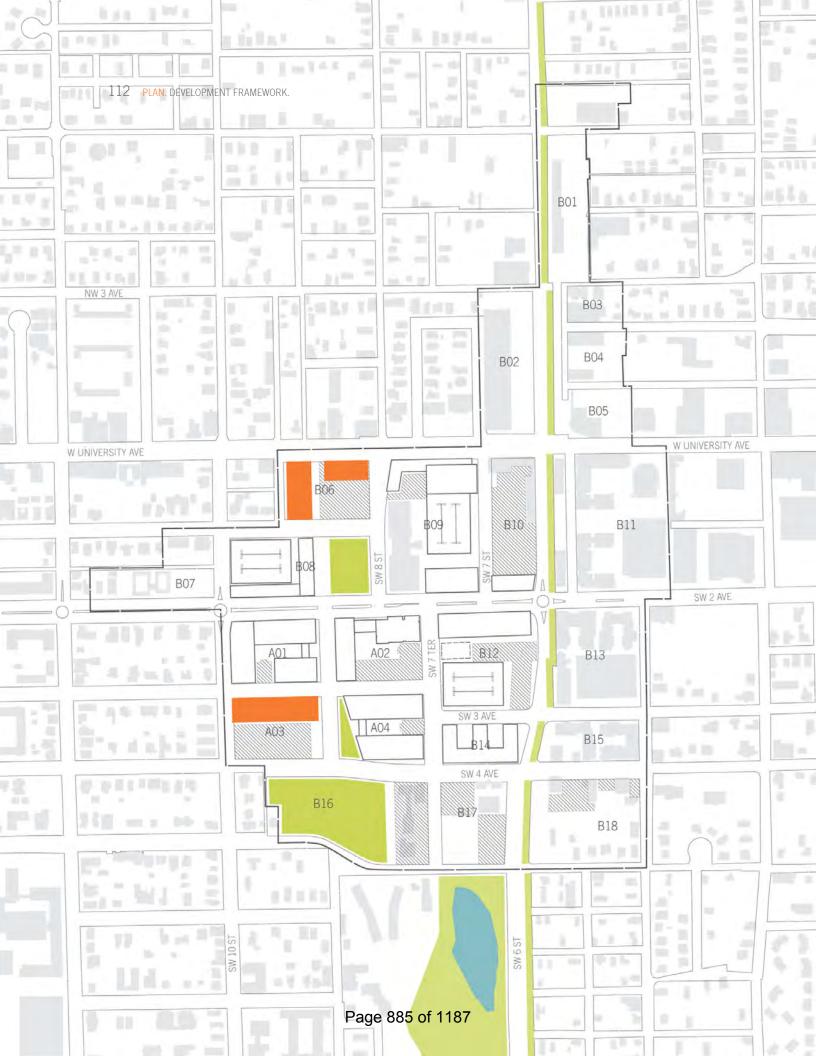
NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





PHASE SEVEN

Development is concentrated on upgrading the existing facilities with new development fronting University Avenue. Building program will include additional S+T administrative uses as well as ground floor retail. Parking will utilize the adjacent parking structure within Block B8. In addition, new building program within Block A3 will include additional S+T lab research space. Parking for the facility will utilize the existing parking structure on Block B12. Building service and loading shall be accessed from Southwest 10th Street or Southwest 3rd Avenue.

NEW DEVELOPMENT, PER PHASE

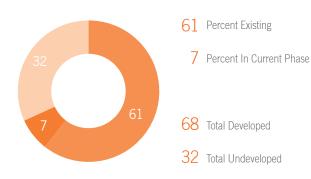
	SQUARE FOO	SQUARE FOOTAGE DEVELOPED		ON PROJECTED
	PHASE 7	CUMULATIVE	PHASE 7	CUMULATIVE
S+T Research Laboratory	245,000	1,370,000	490	2,736
S+T Business Space	116,000	548,000	290	1,371
Residential + Hospitality	0	490,000	0	1,345
Commercial Retail	38,700	213,000	193	1,063
Institutional	0	0	0	0
Total Development	400,000	2,620,000	973	6,515

PARKING, PER PHASE

	PHASE 7	CUMULATIVE
Surface Lot	-183	700
On-Street	0	224
Deck	0	3,883
Total Available	-	4,807
Total Needed	-	4,652
Difference	-	154

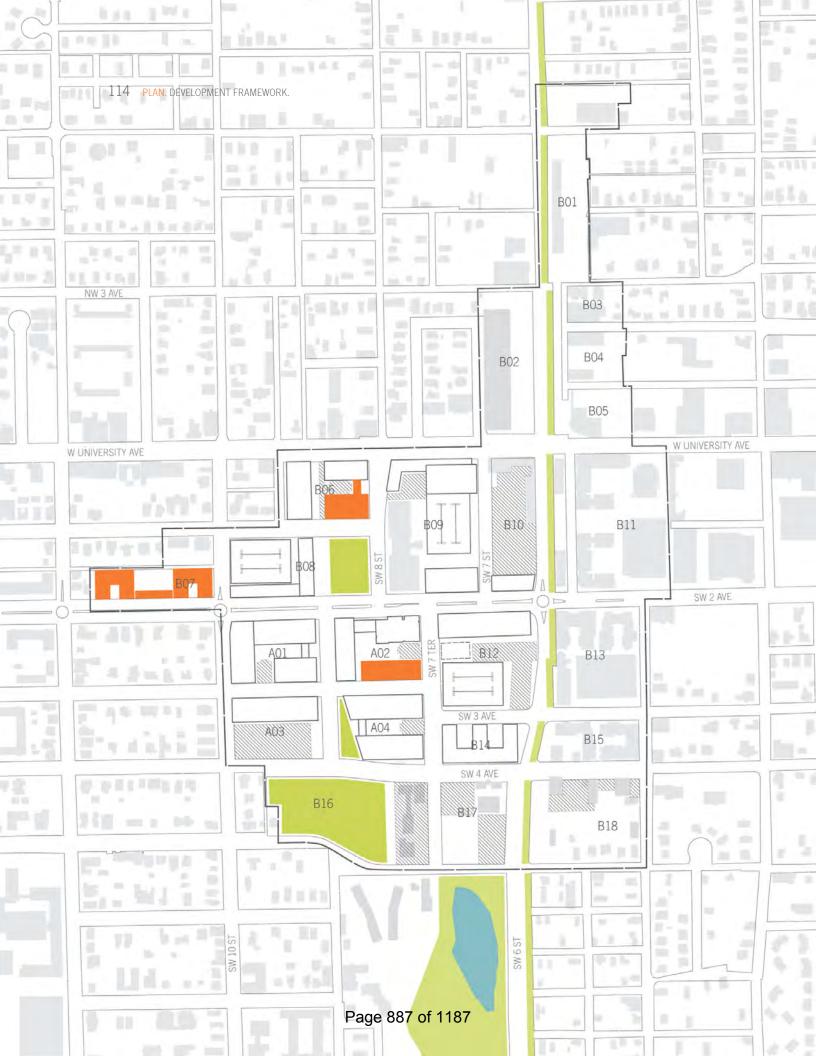
NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





PHASE EIGHT

New buildings on Blocks A2 and B6 will include both S+T research lab and office program. There is opportunity for additional retail on Block B6 fronting the central plaza. The development of residential elements for Block B7 will allow for a transition between the core of Innovation Square and the adjacent University Heights neighborhood. A key infrastructure element is the pedestrian connection from the central plaza to University Avenue through Block B6. Parking will be accommodated in the existing parking structures within the district.

NEW DEVELOPMENT, PER PHASE

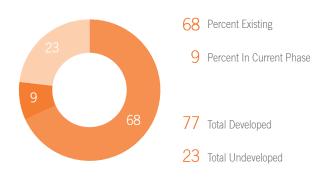
	SQUARE FOO	TAGE DEVELOPED	POPULATION	ON PROJECTED
	PHASE 8	CUMULATIVE	PHASE 8	CUMULATIVE
S+T Research Laboratory	158,000	1,530,000	316	3,052
S+T Business Space	148,000	696,000	369	1,740
Residential + Hospitality	153,000	644,000	256	1,601
Commercial Retail	0	213,000	0	1,063
Institutional	0	0	0	0
Total Development	459,000	3,080,000	941	7,455

PARKING, PER PHASE

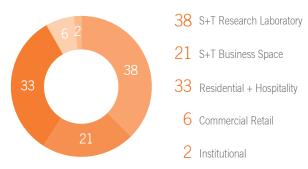
	PHASE 8	CUMULATIVE
Surface Lot	-44	656
On-Street	0	224
Deck	0	3,883
Total Available	-	4,763
Total Needed	-	5,111
Difference	-	-349

NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





PHASE NINE

Development is concentrated on framing the expanded Tumblin Park with development. New program includes a Baby Gator Child and Research center on Block B16, optimizing adjacency to the park and favorable vehicular circulation. Baby Gator may be included in an earlier phase depending on funding. Additional S+T research lab space shall be located in Block A3. Parking will be accommodated in the existing parking structures within the district.

NEW DEVELOPMENT, PER PHASE

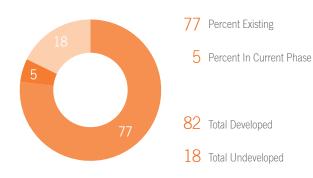
	SQUARE FOO	TAGE DEVELOPED	POPULATI	ON PROJECTED
	PHASE 9	CUMULATIVE	PHASE 9	CUMULATIVE
S+T Research Laboratory	199,000	1,730,000	399	3,450
S+T Business Space	0	696,000	0	1,740
Residential + Hospitality	37,500	681,000	63	1,663
Commercial Retail	0	213,000	0	1,063
Institutional	45,000	45,000	113	113
Total Development	282,000	3,360,000	574	8,029

PARKING, PER PHASE

	PHASE 9	CUMULATIVE
Surface Lot	-104	552
On-Street	0	224
Deck	0	3,883
Total Available	-	4,659
Total Needed	-	5,393
Difference	-	-734

NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





PHASE TEN

Development is concentrated on infill development along Southwest 6th Avenue. New residential program shall be located on Blocks B10 and B17. S+T research lab space shall complete Block B12. There is an opportunity for retail at the corner of Southwest 4th Avenue and Southwest 6th Street creating a small activity node. Block 10 will include a new parking structure that will also serve block B16.

NEW DEVELOPMENT, PER PHASE

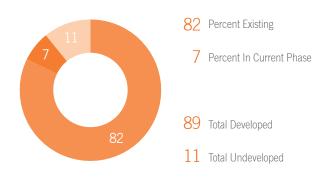
	SQUARE FOO	SQUARE FOOTAGE DEVELOPED		ON PROJECTED
	PHASE 10	CUMULATIVE	PHASE 10	CUMULATIVE
S+T Research Laboratory	157,000	1,880,000	313	3,764
S+T Business Space	0	696,000	0	1,740
Residential + Hospitality	200,000	881,000	333	1,996
Commercial Retail	10,000	223,000	50	1,113
Institutional	0	45,000	0	113
Total Development	366,000	3,730,000	696	8,725

PARKING, PER PHASE

	PHASE 10	CUMULATIVE
Surface Lot	-120	432
On-Street	0	224
Deck	648	4,531
Total Available	-	5,187
Total Needed	-	5,759
Difference	-	-573

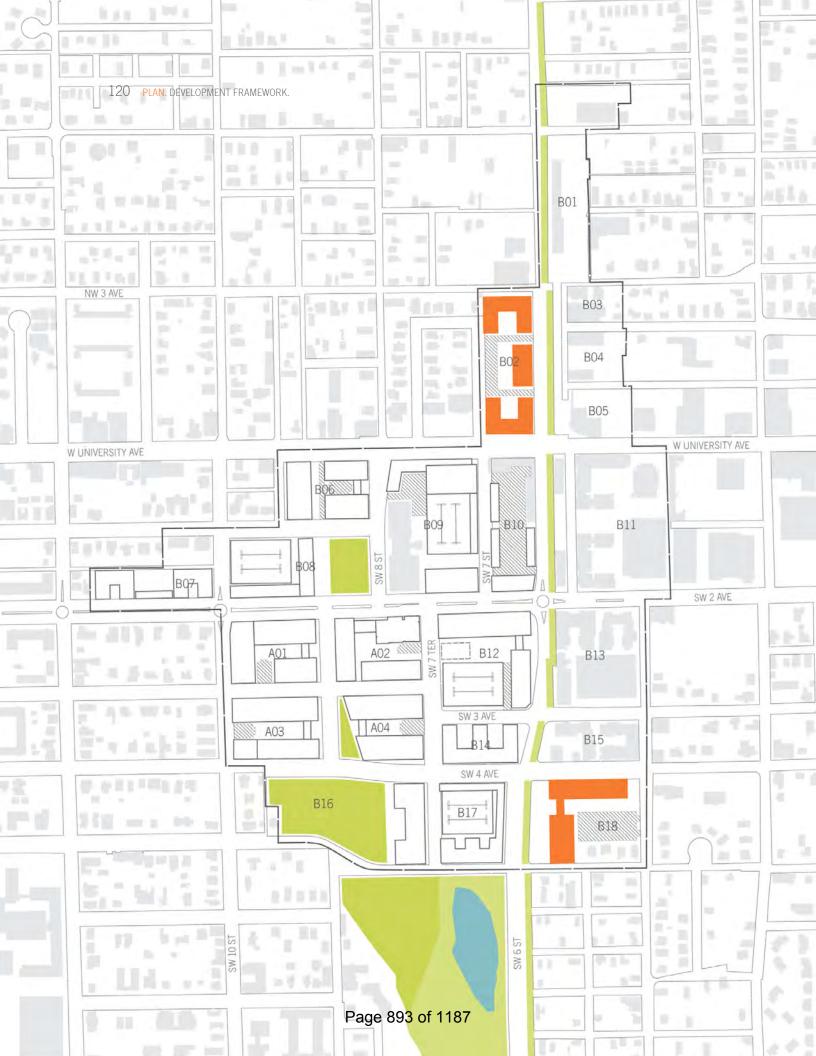
NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





FUTURE OPPORTUNITIES

There are several areas where future opportunities exist, but the projections for development are not included in the phase structure. The primary area that will see development unfold is the Santa Fe College campus and associated sites in the area. This information will be incorporated as the planning effort for this area matures. The secondary area where future opportunities exist is at Block B18. This area is a critical transition area between the district and the mature neighborhoods to the south. As the project unfolds the specific nature of this development will need to be analyzed to ensure compatibility with the contiguous blocks as well as the overall development patterns of the area.

NEW DEVELOPMENT, PER PHASE

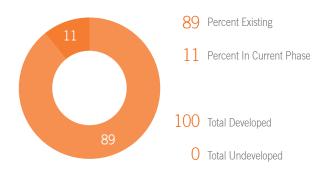
	SQUARE FOO	TAGE DEVELOPED	POPULATION	ON PROJECTED
	FUTURE	CUMULATIVE	FUTURE	CUMULATIVE
S+T Research Laboratory	252,000	2,130,000	503	4,267
S+T Business Space	0	696,000	0	1,740
Residential + Hospitality	0	881,000	0	1,996
Commercial Retail	26,000	249,000	130	1,243
Institutional	295,000	340,000	738	850
Total Development	573,000	4,300,000	1,371	10,096

PARKING, PER PHASE

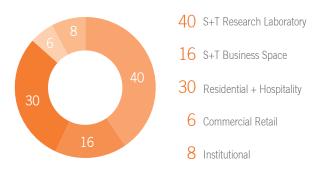
	FUTURE	CUMULATIVE
Surface Lot	113	545
On-Street	0	224
Deck	0	4,531
Total Available	-	5,300
Total Needed	-	6,332
Difference	-	-1,032

NOTE: One space per thousand square feet for new development.

PERCENT OF DEVELOPMENT COMPLETE



USE PERCENTAGES WITHIN THE DISTRICT





DEVELOPMENT FRAMEWORK, PLAN.

RESEARCH BUILDINGS

Research buildings are complex projects with myriad requirements for programming, spatial relationships, and technical requirements. They require an intensity and rigor in design and execution that is beyond most conventional buildings. And when these buildings are located collectively, in a district or park, the success of each is reinforced by the success of its neighbors.

INTEGRATED DESIGN PROCESS

More than any specific requirement or guideline is the notion that collaboration is critical to the successful operation of research buildings. There are many ways to foster this among the designers, constructors and users of the facilities. Buildings nowadays – especially research laboratories are complex pieces of machinery with many parts - some moving, some static, but all requiring careful attention. The design of these buildings requires different kinds of expertise – architectural, site planning, structural, HVAC and plumbing. Relying upon a multi-disciplinary and collaborative team, the Integrated Design Process provides a means to explore and implement sustainable design principles effectively on a project while staying within budgetary and scheduling constraints. The design of a successful research building should address the following:

DESIGN FOR COLLABORATION AND INTERACTION

Interdisciplinary research is fundamental to the basic programming strategy of the research facilities. Labs and collaborative spaces should be designed to support human interaction and encourage cross-pollination among disciplines. Work areas should be flexible, inviting and provocative. Open spaces, rather than cubicles, should be filled with energy and activity. Generous space and equipment are dedicated to collaborative work. Each floor features conference and seminar rooms, and a restaurant and coffee shop beckon interaction. At its core, each building design should recognize that gatherings in social settings are profoundly important science incubators.

ADAPTABILITY

Another key element of research buildings is adaptability. As the laboratory is being re-evaluated the focus is now on the project team and the process used to conduct research, which can change almost daily. The focus is no longer on the amount of net square feet or linear feet of bench required. The laboratory space will be flexible and adaptable enough to support the research teams, designed for change and allowing individual lab groups to rearrange their labs to suit their needs.

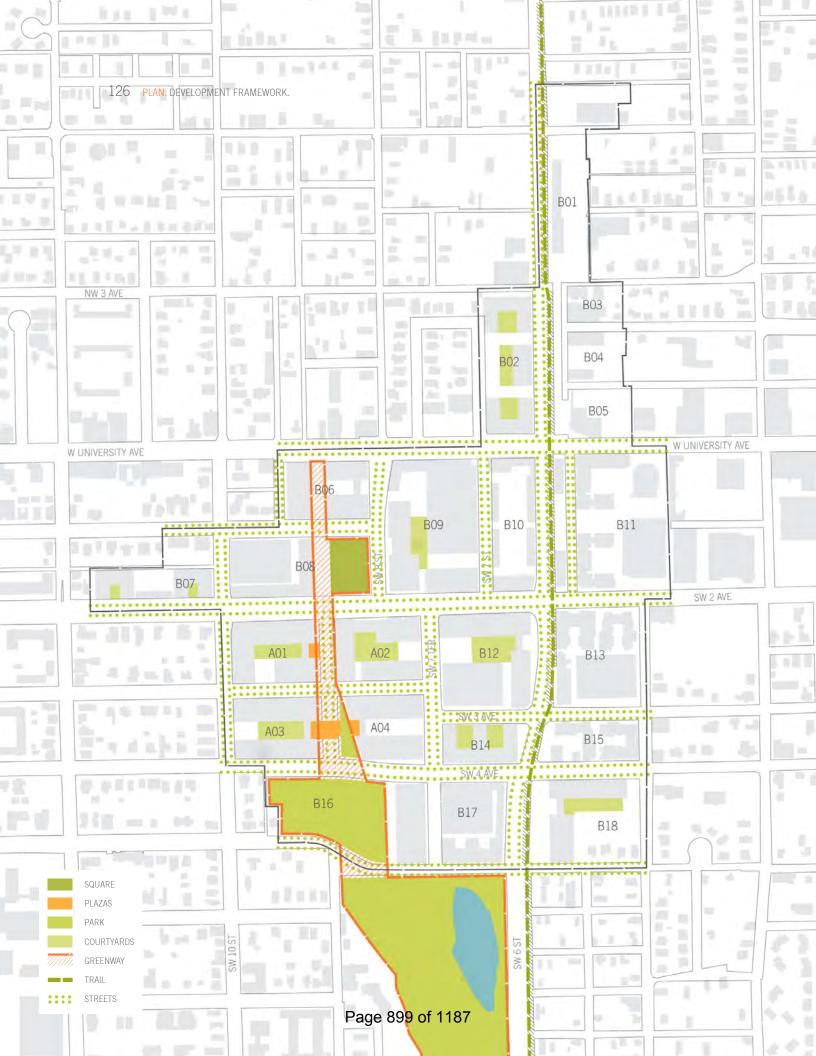
HIGH-PERFORMANCE BUILDINGS

Sustainable considerations are critical to the success of the project and there are a number of strategies for increasing the sustainable operation of the buildings. Factors that should be considered include: orientation, sunshading and daylighting, chilled beams, radiant ceilings, airflow sampling, energy recovery and energy star equipment. Buildings should be individually metered to verify performance.

LEAN MANAGEMENT PROCESS

The research industry is beginning to re-evaluate the way it works and is attempting to be more scientific in its research process. Research buildings should be designed leaner - at least 65% efficient to use the facilities more effectively and have less wasted space. Innovation Square will have access to warehouse-storage facilities near the district to bring supplies in each day. This means research buildings should be used more for research and less for storage. This also means less storage will provide more flexibility to change and accommodate the research programs.





DEVELOPMENT FRAMEWORK, PLAN.

LANDSCAPE

Landscape supports the overall vision for the Innovation District, defining in greater detail, the types of spaces within the district. Landscape encompasses the common pedestrian areas within the district. These spaces are designed for people, encouraging pedestrian movement along with critical infrastructure elements within the district. Not all spaces are located within the public realm but each contributes to the unique character of the district while enhancing the quality of life of researchers, residents, students and visitors. These spaces provide opportunities for gatherings, collaboration and reflection. The goal of the Landscape is provide a spatial strategy to define areas of development within the district.

Spaces within the public realm at Innovation Square include the greenway, streetscape, plazas, parks, and trails. These spaces are permanent, they are held collectively and their use is not restricted. They encourage freedom of movement, allowing for alternative forms of transportation, establishing commerce and promoting recreation. The greenway is a collection of multiple spaces, establishing a pedestrian spine that connects University Ave to Tumblin Park. Streets, the most important element of the public realm, must be designed for people. Sidewalk widths must be generous, trees must be plentiful and activity must be encouraged. Parks provide opportunities for recreation and integrated stormwater strategies. The 6th Street Rail-Trail allows for greater non-vehicular connectivity to the surrounding community. Courtyards are located within the private realm, in conjunction with the adjacent buildings. They are of significant importance within the district. They are smaller spaces, focused on internal collaboration and smaller gatherings within each block creating spaces between buildings.

The use of plant and hardscape materials within the district should create a sense of place while integrating into the existing fabric of the larger community. Guiding principles include: the use of appropriate native and naturalized drought resistant plant material, minimize the use of water as feature within the district, focus lawn in areas for larger gatherings and recreational opportunities, implement art at focal points within public and private spaces and reduce the need for irrigation and excessive maintenance.



GREENWAY

The Greenway provides a pedestrian connection between University Avenue to the north and Tumblin Creek Park to the south. The greenway consists of three primary zones; the square, the green street, and the expansion of Tumblin Creek Park. In addition to the three primary components of the greenway, multiple pedestrian spaces are located within these three zones that offer different experiences and program.

The first zone is located at the intersection of 2nd Avenue and 8th Street. The square is framed on three sides by public streets, and on the fourth, by a drive that serves the hotel, as well as the square itself. The square, taking cues from the great local squares of European cities, provides a large public gathering area as well as a central focal point within the district. There are no programmed elements within the square allowing for flexibility in use and design. The square is envisioned as the central space around which commercial development emerges. It provides a significant foundation for the daily interaction of residents and workers, as well as a place for special events. The ultimate design of the space should reflect the simplicity of the European squares to which it refers, as well as maintain the existing tree canopy to reinforce and retain the character of the district.

The second zone within the greenway is the green street; the stretch of the newly created 9th Street that connects 2nd Avenue to the north and 4th Avenue to the south. The street is a critical pedestrian and vehicular connection within the larger circulation network. It also addresses and anticipates a general stormwater infrastructure strategy for the district as well as areas north in the basin. The street is an active pedestrian space, with multiple building entrances fronting the street. Several smaller plazas are located to interact with building entrances, creating opportunities for outdoor interaction and collaboration among researchers and residents. A plaza at SW 4th St delineates the transition between the more urban green street and the expanded Tumblin Creek Park while providing an active use at the parks edge.

The third zone is the park that expands the existing Tumblin Creek Park, a three acre area between 4th Avenue and 5th Avenue. The park addresses the need for recreational space and captures the existing natural ecosystem for the district. In addition to pulling the natural systems into the district and reinforcing the connection to the larger trail system in the region, the park also creates critical connections to the larger stormwater systems, and offers a potential location for water quality and quantity resources.

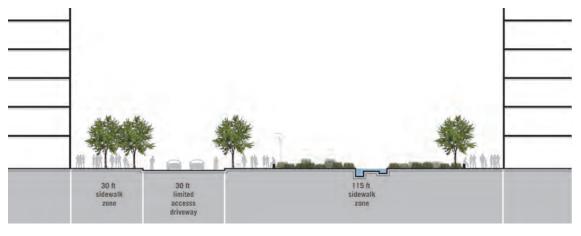




SECTION A-A'



SECTION B-B'

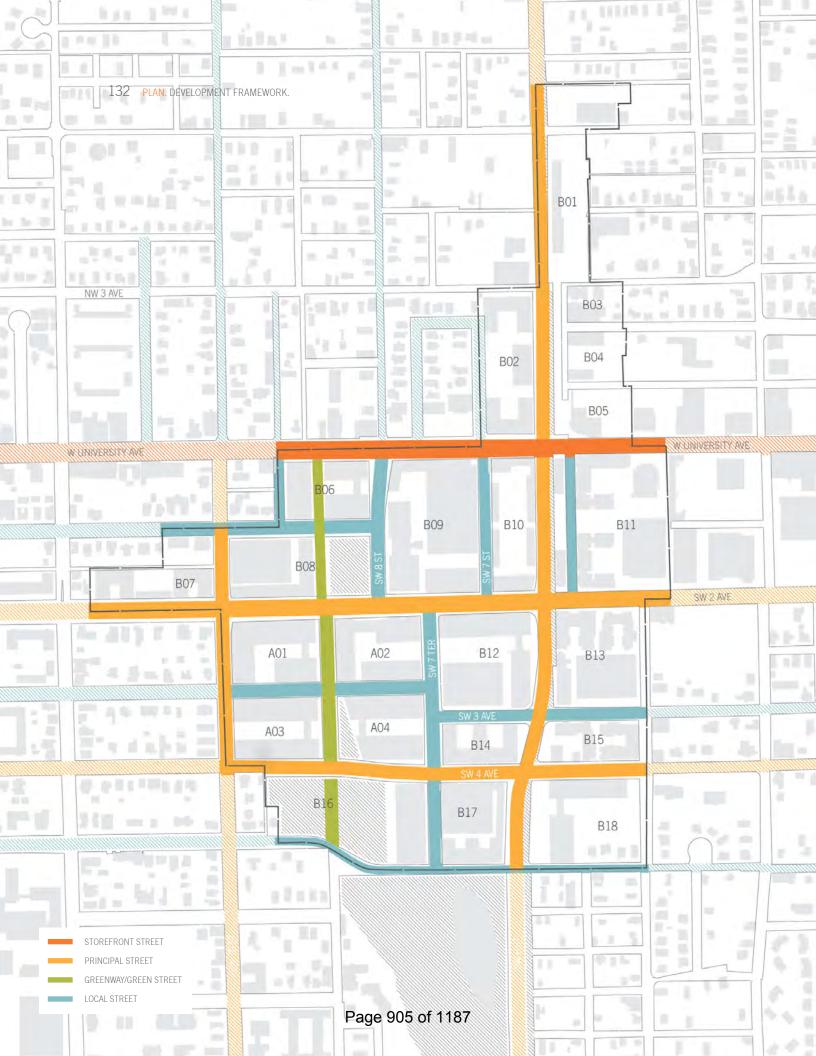


SECTION C-C'











STREET TYPOLOGIES

Streets are the most important element of any city or district.

The disposition of the street system provides the framework upon which the character of the area emerges. Streets provide a means for transportation, but they also bind communities together by creating a commonly held and occupiable series of public and accessible spaces. Streets foster integration, collaboration and are a major element driving economic development. The design of streets directly affects how they function and ultimately the way the city, town or district is used. They influence whether the street is used primarily for commuter traffic; moving great numbers of people great distances. Or they can be designed to accommodate both commuter traffic, a well as for pedestrian activities, cyclists, and other opportunities. This strategy allows for the emergence of the elements of a district that create a vibrant environment; restaurants, retail, all designed as more humanscaled environments for collaboration, leisure and commerce. In the hierarchy of a street system, high intensity streets will include active public spaces such as restaurants and coffee shops with outdoor seating and other similar uses that are adequately separated from the drive lanes.

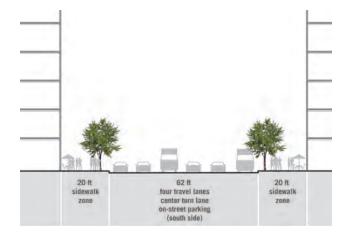
In addition to the qualitative benefits of a well-designed street, streets can also promote public health by encouraging walking between places and stimulating social interaction. As such, streets should be designed for people; pedestrians, cyclists, and commuters, all organized in a harmonious system that allows the district to operate successfully.

Innovation Square has three primary street types that provide a clear hierarchy of importance and operational level. Each type designates the specific components of the streets: the dimension of the sidewalks, the location of street trees, additional planting, site furnishings, materials and lighting. This consistency in design helps unify the district. Furthermore it indicates how each street is intended to function within the larger context of the district and surrounding community by providing guidance for the type of building program at ground floor level intended to further activate the street, or in some cases, allow for utility services to operate. In following the organizational structure of the street types, each new development will reinforce the intended nature of each of the streets, while seamlessly integrating into the surrounding urban fabric.



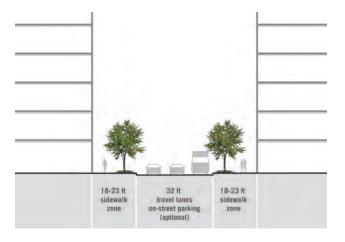






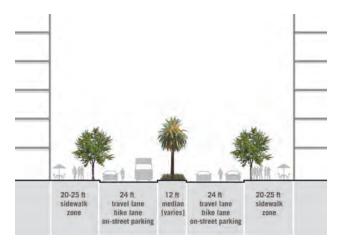
STOREFRONT STREET

University Avenue is the only Storefront Street within the Innovation Square District (ISD). A Storefront Street is a traditional "main street" retail corridor within the city. It is an active pedestrian and cycling environment that also addresses increased vehicular activity. In this street type, ground floor uses are predominately retail and restaurant, along with other uses that promote high-intensity activity and commerce. Onstreet parking is provided to the greatest extent possible. Street trees provide shade for pedestrians and outdoor dining areas, and the ground plane is predominately hardscape.



LOCAL STREET

Local streets are designed for both local, less intense pedestrian activity, connecting cycling access and less intense traffic in general. They are also designated as the preferred access points for service and parking. Active use is not required at the ground floor for buildings or parking structures. Pedestrian traffic will be less than that on other, higher intensity, streets. Streetscape requirements are directed towards less pedestrian activity, with narrower sidewalks and more planted areas. In addition, in order to help maintain the significant tree canopy throughout the district, the landscape zone is larger to allow for ample growing area for street trees of significant canopy size.



PRINCIPAL STREET

The Principal Street is a significant street within Innovation Square. This street type is an arrival street, acting as a gateway to the district. The street is active with both pedestrian and vehicular circulation. Building program requires active ground floor uses, such as retail, restaurants, galleries and building lobbies with clear visibility to and from the street. Ground floor restaurants are encouraged to provide outdoor dining areas. While vehicular access drives are permitted they are discouraged on Principal Streets. A wide sidewalk zone is required with street trees and minimal planting along with street furniture and pedestrian scale lighting. Along SW 2nd Avenue, a central median is heavily landscaped and on-street parking is provided to support adjacent retail services. Bicycle lanes are provided to increase cycling connectivity to the larger network.





SQUARE

Squares are public open spaces typically bounded on all sides by streets or public buildings. They are large enough to accommodate public gatherings but small enough to feel comfortable in crossing. Squares, when successful, function as the geographical and emotional center of a city or district. Uses around squares are typically programmed for activity.

2nd Avenue, 8th Street, 1st Avenue and a proposed new street bound the square. The square is characterized by hardscape elements with permeable pavement treatments and canopy trees reinforcing the geometry of the space. The canopy trees are envisioned in configurations that provide both order and shade, especially along seating and circulation areas. Gracious lawns or hardscape surfaces are provided to maintain flexibility for various types of gatherings, but also to reinforce the ceremonial nature of the central square. The square is further envisioned as a backdrop for art exhibits, sculpture, performances, festivals, and other cultural events that will further enrich the district. Outdoor seating areas and shading are also envisioned to further provide opportunities for outdoor gatherings and interaction. Stormwater strategies are integrated into the space through low-impact design approaches.

PLAZA

Plazas are generally urban public spaces, framed on multiple sides by a combination of buildings and streets. They typically occur at significant points of entry or as central gathering spaces within a district.

There are two primary plazas within the district, both located along SW 9th Street. While the specific qualities of each will vary, both will be primarily characterized by hardscape elements and have an architectural character, reinforced spatially with canopy trees and other elements. Canopy trees and palms will be planted in configurations that enhance the experience of the plaza and provide shade along seating and pedestrian movement areas. Stormwater strategies are integrated into the space through low-impact design approaches. As with the square, cultural installations are envisioned and a vehicle for creating further vibrancy and a rich experience along the greenway. Outdoor seating areas and architectural canopies can further provide opportunities for outdoor gatherings and interaction. Educational signage within the plazas is an appropriate option for revealing the characteristics of the site as well as the historical significance, both man-made and natural.

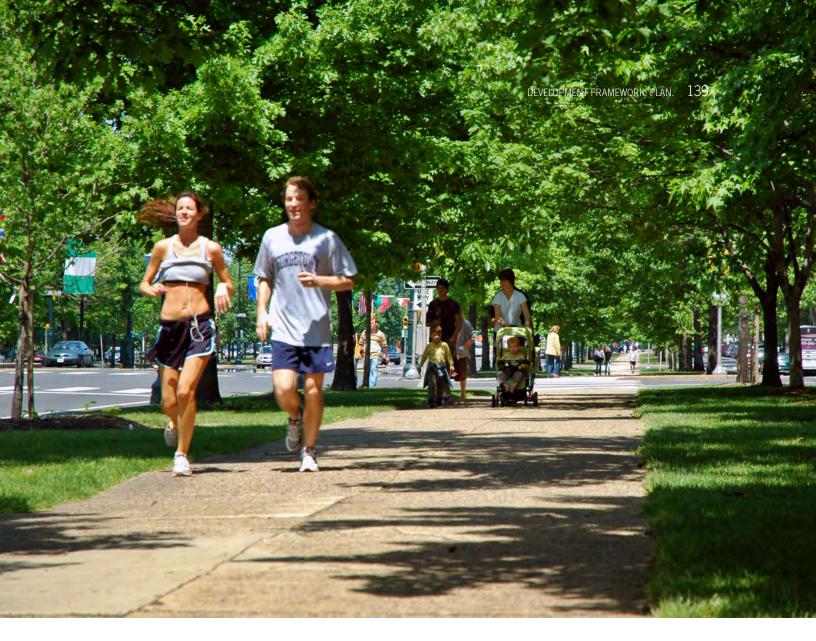


PARK

The park is located at the southern end of the Greenway. Large lawn areas will serve multiple purposes allowing for active and passive recreation. Stormwater management strategies will be integrated into the overall program of the park allowing for flexibility in use as well as potentially addressing stormwater capacity and water quality. The existing canopy trees shall be preserved, and expanded. The existing stream channels shall be daylighted. Permeable hardscape materials shall be limited and sidewalks are generally located at the edges of the larger open spaces or to create direct connections between heavy pedestrian traffic routes. The expansion of the park to the south will allow for pedestrian and bicycle movement between the park and Tumblin Creek Park as well as to the larger, regional trail system.

COURTYARD

Courtyards are spaces located between buildings and are predominantly open to the sky. They provide private or semi-private areas for informal outdoor gathering, studying and collaboration. They are predominately hardscape places with landscape material along the edges or as a central focal point. Trees are to be planted in configurations that reinforce the spatial geometry of the courtyard and provide shade for the seating areas. The use of shrubs and groundcovers is encouraged to create a sense of security and differentiate the intimate spaces from the surrounding buildings. Stormwater strategies are integrated into the space through low-impact design approaches. Courtyards are internal to the blocks and are accessed through the buildings or open pedestrian connections.



TRAIL

The W. 6th Street Rail-Trail provides a linear greenway within the district. The trail is part of larger multi-use trail system that utilizes off-street trails and on-street bike lanes for alternative transportation opportunities. The trail connects the district to the emerging Depot Park area to the south and Depot Avenue Rail-Trail. Connections to the south provide trail access to Paynes Prarie and beyond to the City of Hawthorne. The Depot Ave Rail-Trail provides a connection to Shands hospitals on Archer Road to the west and the Airport Industrial Park passing through the future mixed use Power District to the east. Trails are an integral part of the district, especially as they relate to increased connectivity for pedestrians and cyclists.



DEVELOPMENT FRAMEWORK, PLAN.

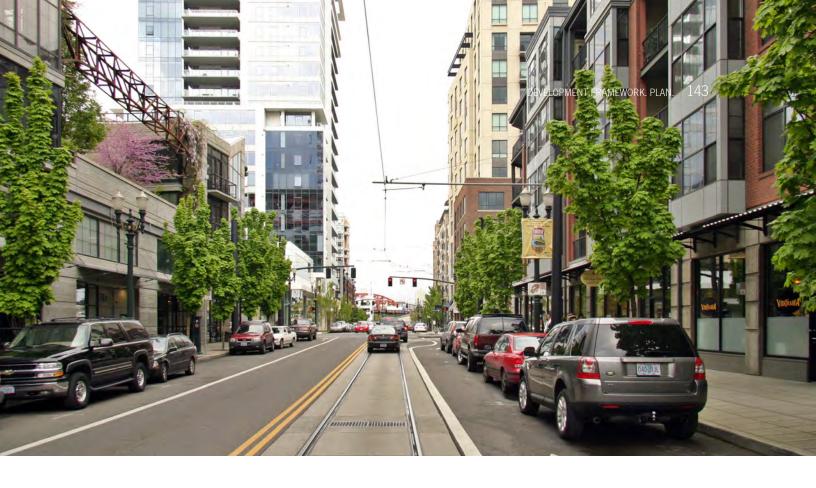
TRANSPORTATION

Today's successful cities all share an underlying quality: they understand that services must be provided for a traveling public that has changed dramatically since the early 1970's. As the population continues to evolve in dynamic ways, cities are realizing that the transportation policies they implement have direct and lasting impacts on the future performance of the city as a whole. As with other critical elements in the design and development of Innovation Square, transportation planning requires a collaborative and thoughtful platform upon which to build the systems that will accommodate the future growth of the district, and its connection to the city and region beyond. The underlying methodology for this process is one of alignment of the myriad users of transportation, and their specific needs, and the various existing and proposed modes of transportation available to those users.

Innovation Square is emerging as a mixed-use, pedestrian-oriented neighborhood as well as a local and regional destination. The area is quickly becoming a desirable place to live for a number of different people; those employed in Gainesville, those seeking affordable housing, seniors, and others who generally desire a more comprehensive, urban lifestyle. This will precipitate a need for more choice and options in the way we move through the city. In order to respond to this changing environment, Innovation Square is designed to take advantage of emerging user demands and to establishing an effective and operationally sustainable transportation system. There are numerous travel determinants impacting mode choice based upon the nature of the trip and the characteristics of the trip maker. Trip purpose can influence the traveler's selection of a particular travel option. Someone may decide to drive, carpool or take a taxi to a business meeting, while they opt to use the bus or bicycle to a destination of a more recreational nature. On average, eighty percent of one's trips are to non-work destinations, such as the doctor's office, grocery shops, or the homes of friends and families. Certain types of trips are more easily accomplished using transit or other alternatives to the car.





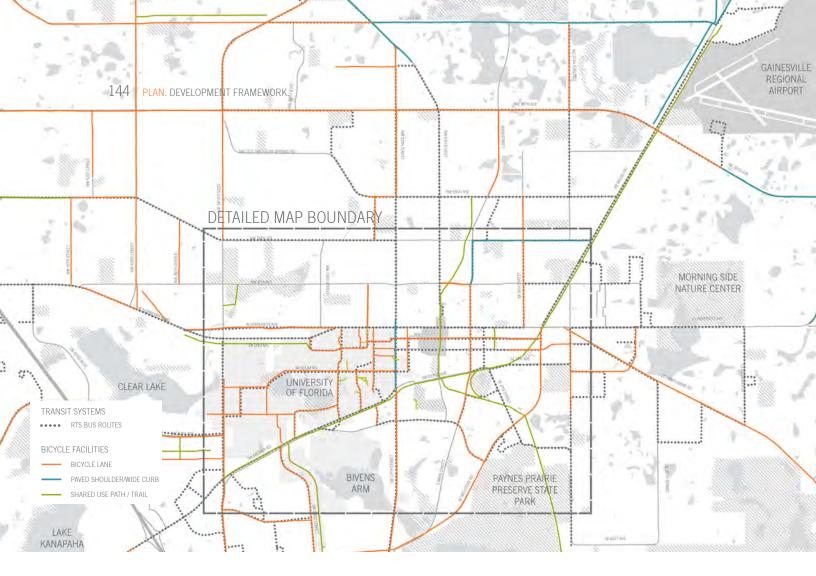


The capacity to estimate and adapt to these various demands is fundamental to the mission of Innovation Square. A vital component of the successful future of the district is the creation of a transportation system that addresses the current needs of today but is flexible enough to serve future demands, as the district matures. Innovation Square will be accessible through multiple transportation alternatives that clearly and appropriately match the travel demands of the changing population. This will ensure that the area achieves its maximum potential and maintains its success, as both an environment for innovation as well as a rich and rewarding place to live.

The transportation plan for the district will also be highly connected to the university, city and county, as well as regional plans. Gainesville currently provides a robust biking system, as well as a cutting-edge regional transit system. Innovation Square will build on these significant assets and provide a platform for increasing accessibility. Issues that are addressed in the process include; trip purpose, time of day (congestion levels), job types, transit availability and frequency, cost and availability of parking, trip length (time), proximity of stores and services, as well a others that provide the data and influence specific factors in the future design and deployment of the system.

Demographic and economic conditions are changing. The traditional nuclear family appears to be a thing of the past, as do the associated housing preferences and travel patterns. One must now consider both social aspects and individual choices when designing future transportation systems. In the near future, Gainesville will, like the rest of the country, experience historic and significant population shifts. The babyboomer generation will begin to retire and often seek smaller houses closer to the city. A shift towards having fewer children later in life is emerging and the percentage of households with young children is at its lowest recorded. These changes are also propagating a rise in the student population and demand for more economical modes of travel, such as transit. Further, these modes typically appeal to people from around the world who seek out urban settings where they are employed in highpaying research sector jobs. As these changes continue to unfold, travel needs will be significantly different than they were in past decades. Innovation Square is creating an environment in which these alternative accessibility options can thrive and support the district well into the future.

Cities that invest heavily in building robust transportation systems offering a variety of travel options will be best equipped to serve their changing demographics and best positioned to attract new jobs and skilled workers.



EXISTING TRANSPORTATION SYSTEM

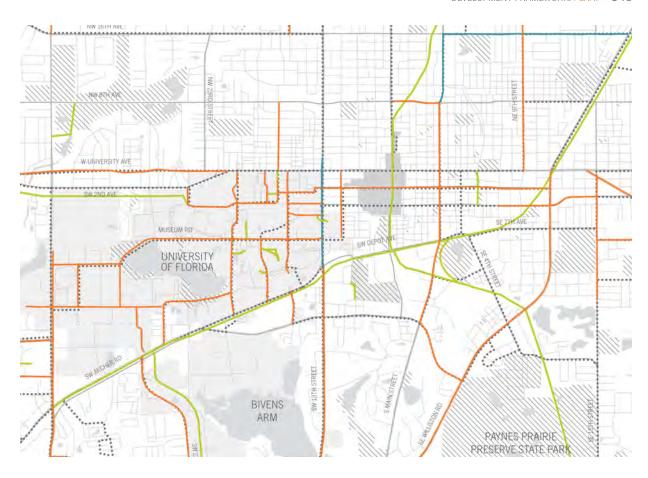
The City of Gainesville currently has a robust transit system as well as a well-operating transportation network. The central city and environs enjoy a well-connected grid system that offers a number of travel routes, a pedestrian-scaled environment, bicycle facilities and vehicular travel speeds that are appropriate to a vibrant, urban area, as well as to less central urban area. In addition to this extensive road network, the city is also served by the Gainesville Regional Transit System (RTS). The Gainesville Regional Airport is also increasing its presence as a regional airport.

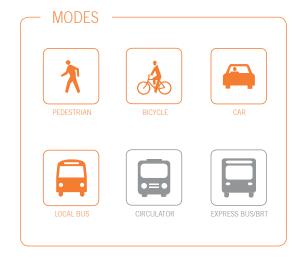
The present transit system of buses favors successfully addresses medium distance, rush-hour travel as well as internal circulation for students. There are over 30 routes of varying headways serving the greater Gainesville area, of which three serve Innovation Square. The RTS system is also flexible and has the ability to modify headways and routes as needed due to changing transit patterns, events, and development pressures around the city. The routes are comprehensive and well-tracked. The system utilizes an on-

line, real-time locator for all busses in the system ensuring the most convenient accessibility to each route. Further the RTS has implemented a SmartTraffic management system for real-time updates and modifications to traffic flows for optimum efficiency.

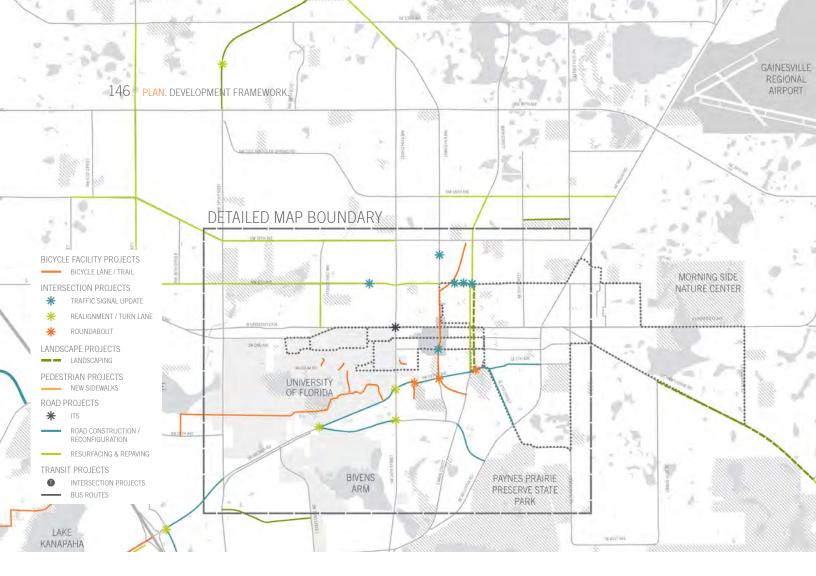
The bicycle infrastructure is a vital component of the system with approximately 100 miles of lanes and trails. Automobile drivers support the local commuter and recreational bicycle culture in their general acceptance and regard for bicyclists even on streets where striped bike lanes are not present. Gainesville and the University of Florida (UF) continue to successfully promote and fund a multi-modal system that is the envy of other cities throughout the country. The framework for a high quality system is in place and is continuing to expand.

A number of modes of transportation are currently in place, and the number of users accommodated is expanding.









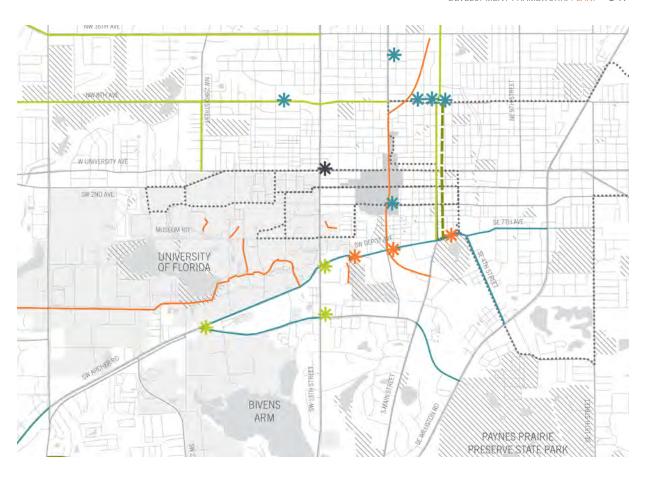
FUNDED TRANSPORTATION IMPROVEMENTS

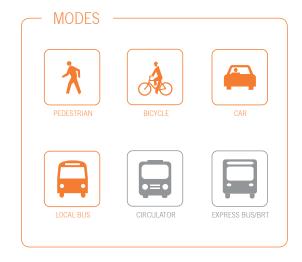
Looking into the near future, Gainesville is maintaining its support for a balanced transportation system. Near term, funded transportation improvements cover a wide range of projects from expansion of bicycle facilities and signal upgrades to the improvement and maintenance of the street network itself. Specific improvements such as the resurfacing of key streets and streetscape enhancements on South Main Street shows that the City is seeking to maintain the condition of its grid for motorists while keeping its streets pedestrianfriendly. Bicycle infrastructure is continuing to be expanded and supported by the addition of new facilities such as the completion of Archer and Bivens Braid Trails, the UF Campus Greenway, and a new dedicated bike path along W. 6th Street, which will directly serve Innovation Square.

The Gainesville area also benefits from active regional involvement and interest in the various planning efforts. An extensive bus rapid transit (BRT) and express bus system is prioritized for the greater Gainesville area. Funding

for right-of-way is being set aside on some projects and Intelligent Transportation System (ITS) applications are being introduced, including an interchangeable message sign for the 13th Street corridor. Other Transportation System Management (TSM) measures such as intersection signal-timing updates along 8th Avenue and the construction of several roundabouts along Depot Avenue are part of the City's overall transportation strategy, which will improve traffic flow in the vicinity of Innovation Square.

The funded transportation improvements will significantly add to the type and availability of a number of modes of transportation that are currently in place, and the number of users accommodated will expand greatly as the future systems are expanded or introduced.









IDEAL TRANSPORTATION SYSTEM

As projects like Innovation Square continue to spur a renewed interest in Gainesville's urban core, the city is positioned to take advantage of the opportunity to balance both the mobility and accessibility aspects of its transportation system. The principle of mobility - the ability to quickly and easily travel between destinations - is often at odds with accessibility, which emphasizes making destinations easy to get to for as many people as possible. And the future of the region's transportation system is poised to realign these needs with the operation of the system.

Innovation Square is predicated on the idea that the maximum number of users are efficiently served by the appropriately implemented modes of transportation. As such, the district will be a major driver in the pursuit of the following enhancements to the already high-performing overall system: expanded bicycling facilities, stronger and more responsive local bus system, introduction of express bus systems, expansion of the current transfer facilities, both in capacity

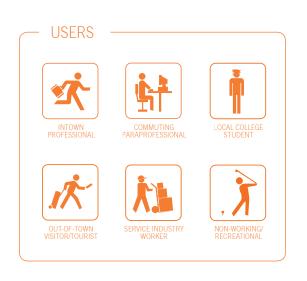
and transit types, support of an expanded traffic management system, among others.

Innovation Square is committed to enhancing the overall system through advanced technology to improve system efficiencies, vehicle trip reduction to reduce motor vehicle demand and land-use compatibility with multi-modal solutions, including the reduction of parking needed in the district, and the surrounding areas. The future transportation planning, as it continues through he life of the project, will include further accessibility analyses, investment strategies, prioritization of project implementation and other components to insure ease of movement and the highest level of accessibility possible.

The system is ultimately set up to allow for the community to address future transportation needs without closing off avenues of future innovation, but rather opening up the infrastructure to accommodate the most appropriate solutions to the challenges, as they reinforce the fundamental







idea of the interactive nature of cities, and the production of innovative human interaction.

FURTHER OPPORTUNITIES AND INITIATIVES

The implementation of a bike share program for UF students would place the University in the forefront of reducing vehicular trips for mid-day short range trips. The installation of bike racks and bike stations in the Innovation Square District (ISD) would greatly enhance the visibility and usage of bicycle travel throughout the District.

An internal District circulator shuttle service is envisioned for the future effectiveness of coordinated transportation and parking systems. Running short-trip shuttle service within the District can address short-trip circulation needs for lunch trips, meetings and errands. Such service significantly increases the chances for success of any BRT or express bus service being implemented in the future.

Transit and park and ride facilities are being analyzed and will be implemented to provide an environment that does not impair or discourage pedestrian circulation.

Community benefits of transit investments will be maximized by incentivizing residential and jobs development in proximity of local and regional bus and future BRT service.

Current assessment of the organization of a Transportation Management Organization (TMO) administered through the Innovation Square District will benefit the overall operation of the area. TMOs leverage private funds with public sources to fund programs and incentives. Combined with diligent management of paid parking, TMO programs can encourage area residents, employees and shoppers to choose transit,

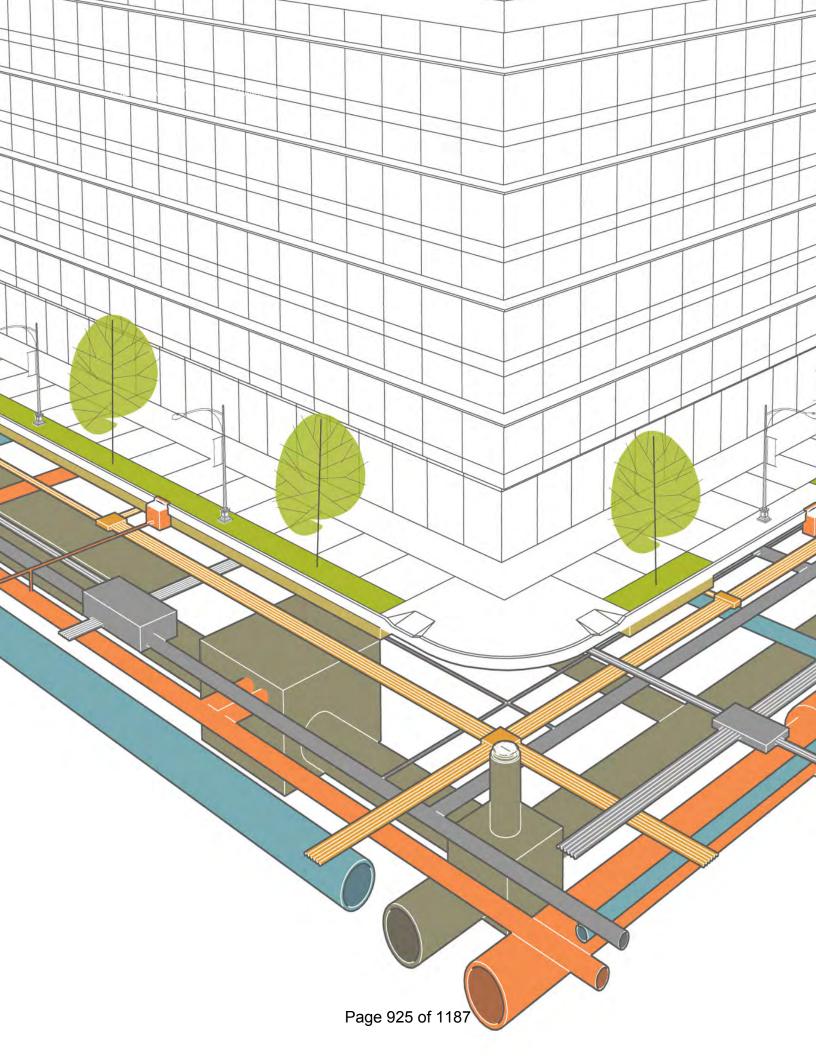
walking, bicycling, ride-sharing and telecommuting over driving.

While Innovation Square is designed with the best bicycle, pedestrian and vehicular solutions, these streets are a portion of an area-wide system. As such, the district will continue to coordinate with areas beyond its specific boundaries to ensure efficient and appropriate operations.

Ultimately establishing a method for prioritizing and linking identified transportation improvements to appropriate funding mechanisms is an important piece of an implementation effort. Typically, projects are listed by funding source. However it is more effective to identity necessary projects and programs in a systematic nature regardless of project sponsor and this will be the foundation for prioritizing projects related to Innovation Square. This process is designed to display the necessary system and project sponsorship opportunities that can then be identified by responsible party, while also allowing for inevitable changes in the methods through which infrastructure will be funded. This will help ensure that the proposed systems are both responsive unfold in the appropriate sequence.

Transportation systems are extremely complex, and they have significant impact on the manner in which cities are developed. Innovation Square is providing a platform for the continued growth of a robust and highly efficient system. It is a system that will align the myriad users present in a rich and vibrant community with the transportation support needed to see the successful development of a truly livable, walkable, adaptable, sustainable, and most importantly for transportation, accessible district, city and region.





DEVELOPMENT FRAMEWORK, PLAN.

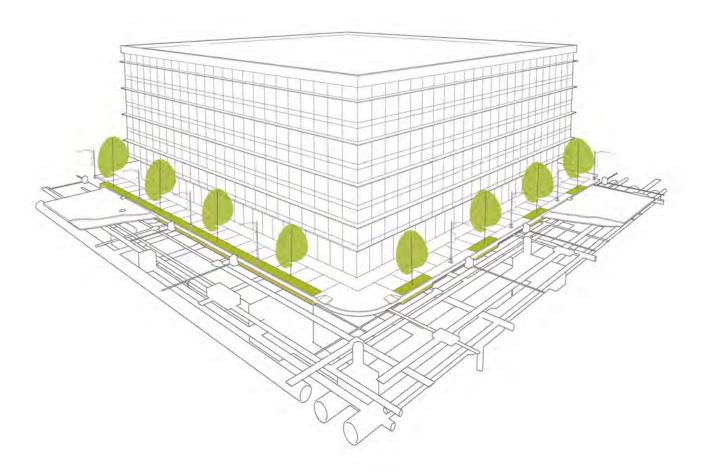
UTILITIES + SERVICES

Utilities and services are critical to the operation of any development project in the city. Elements such as underground sewer pipes, overhead power lines, and cell phone towers are omnipresent in the cities they inhabit and often go unnoticed by the people they serve. A great deal of effort is required to ensure that the infrastructure necessary to meet a growing customer base is constructed and maintained in a timely fashion. People demand that the lights will always turn on, the water will always flow, and that wireless data coverage is uniform. Public works departments and utility companies have the difficult task of maintaining a careful balance between the timely expansion of infrastructure and services and the availability of funds for this purpose.

At Innovation Square, these systems are even more important as the buildings that will comprise the development district have very specific requirements. These advanced buildings will push the limit of services already provided in the area requiring that additional infrastructure be provided. However, these buildings also have the opportunity to push beyond convention and find strategies to be self-sustaining; even providing surplus resources in some cases. These buildings have the potential to be part of the supply as well as part of the demand.

Another important consideration is the sequence in which any new utility construction takes places. To the casual observer these systems are often considered "out-of-sight and out-ofmind" but the reality is that these systems have a very real impact on the everyday world we experience: the placement of street lights along a sidewalk can affect pedestrian movement; the location of sewer grates can create a hazard for bicyclists, and locating building services and access has a significant impact on the qualitative aspects of the district. All utilities have accessibility needs for maintenance and repair.

The Innovation Square District (ISD) is envisioned as a district that can accommodate all potential users, as well as those associated activities that are necessary to the operation of each of the users in the district. As such, this section highlights key issues and general considerations for the major utilities within the Innovation Square District (ISD). The system of utilities is envisioned as a highly functioning infrastructure backbone that allows development to occur with minimal difficulty, insuring efficient and appropriate interaction and support for future development.

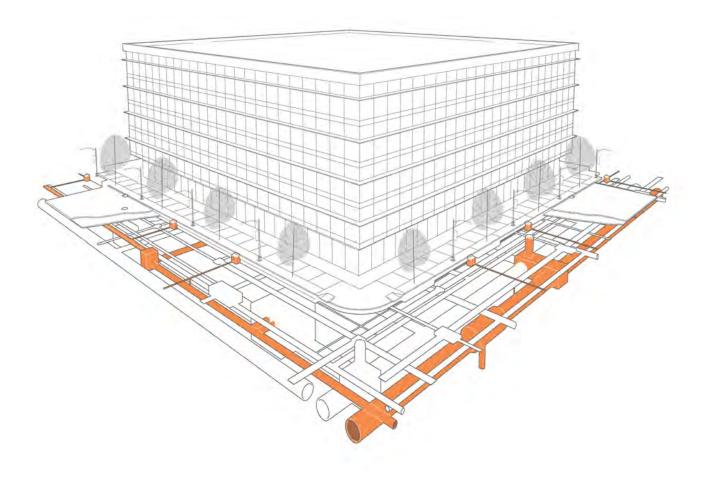


LANDSCAPE

The landscape features of the district are the primary elements that drive the district's character. The trees, plants, fountains, planters, furniture, surface materials and other elements that constitute the design of the exterior spaces, both public and private, require a highly refined system to insure they perform at the highest level. The district provides myriad opportunities for alternative methods of addressing the issues pertaining to landscape, including innovative planting strategies and systems, embracing new technologies and testing their operational efficacy as part of the animation of the public realm, as well as supporting the basic research agenda for the district.

In addition to the operational and technical aspects of the landscape, however, is the creation of a lasting and memorable design strategy. The district utilizes appropriate plants to reflect the nature of the area, foregrounds the large shade trees that create the canopies throughout the city, and give Gainesville a significant part of its character. And beyond this, the landscape is designed to bridge between the natural landscape of Tumblin Creek Park and the more ceremonial and urban center in the new square.

As a component of infrastructure, the success of the landscape strategy is equally contingent upon those elements that can be seen as well as those that can't.

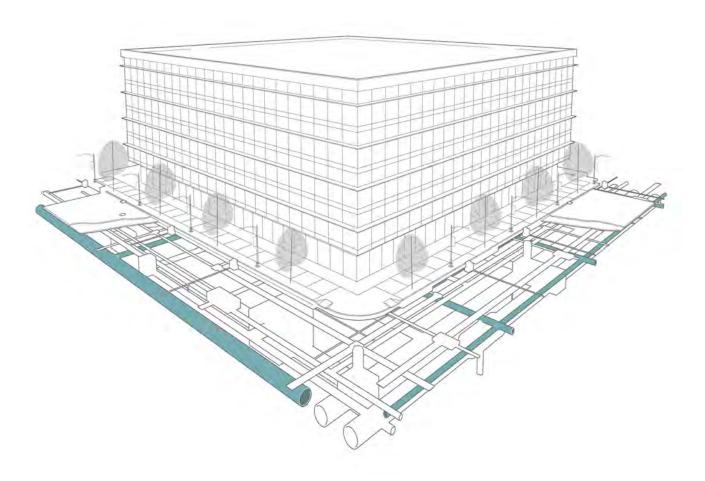


STORMWATER

Stormwater management is a critical issue in the operation of a city or district. This is true of both the quantity of stormwater as well as the quality of stormwater as it moves through the local system and into the regional watershed. The ISD offers an opportunity to address these issues through district-wide management systems as well as project specific guidelines, all operating in concert to mitigate the negative environmental aspects of increased development.

The City of Gainesville Public Works Department established design standards for the conveyance of runoff from a 10year storm event. This standard has fueled a new analysis of the city's stormwater capabilities. Many recommendations have emerged from this and other studies. As a response to the continuing challenges with water management, the ISD is envisioned as a testing ground for innovative responses to these challenges.

Setting standards for conveyance and upgrading infrastructure are not the only ways to address stormwater requirements. The Innovation Square District (ISD) is in a unique position to implement progressive standards for stormwater management. For example, building design guidelines should be established for the district. There are multiple opportunities for addressing these issues, and all should be considered in the infrastructure operations within the district.



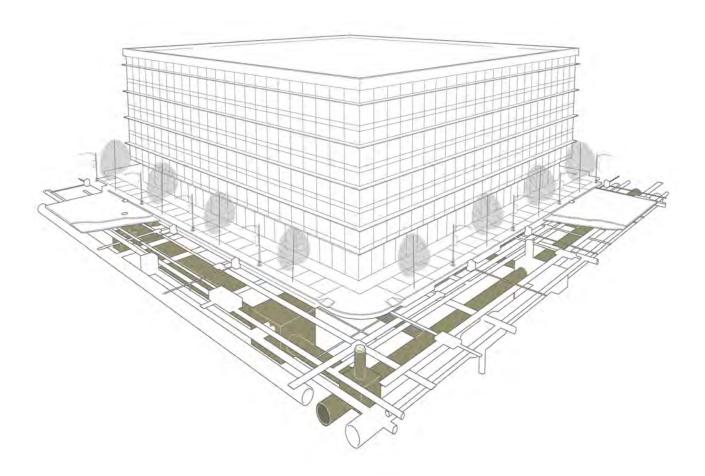
WATER

Water is a critical component and resource in the development of a city or district. While water supplies are difficult to manage, and can be finite, or intermittent, however water consumption is something that can certainly be managed. In the Innovation Square District (ISD), the goal is to minimize resource expenditure through a rigorous series of efficiency guidelines and measures.

The City of Gainesville depends on the Floridian Aquifer for its supply of fresh water. While the CRA infrastructure study found that no deficiencies exist in potable water supply for the Innovation Square District (ISD), building design guidelines implemented in the district could reduce future demand and

ultimately lower utility costs. These strategies can also provide a foundation for conservation of a significant natural resource.

Much of the program in the ISD, especially the heavy research programs, requires significant amounts of water. But they also offer the opportunity to test and experiment with conservation systems that can be utilized throughout the region as well as within the district itself. As with all resources associated with the operation of the district, conservation of water offers a unique opportunity to lead the research into sustainable methods for future development that depends on this natural resource.

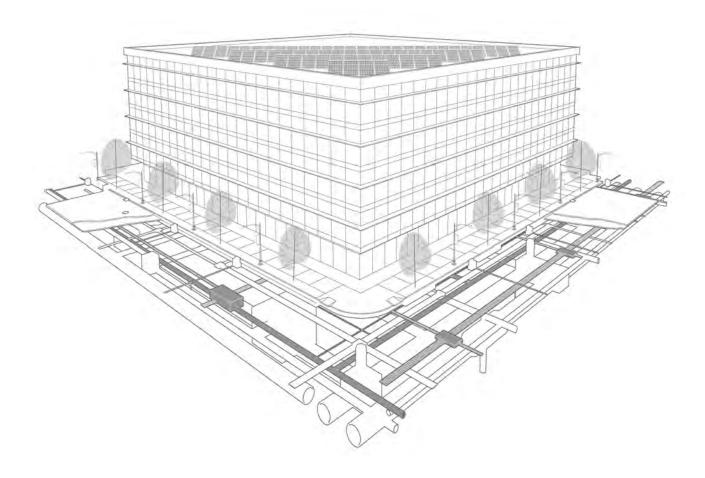


WASTEWATER

A separate sewage system from stormwater, wastewater sewage systems transport blackwater to municipal facilities for treatment and discharge. Gainesville Regional Utilities has two wastewater treatment facilities: Kanapaha Water Reclamation Facility and Main Street Water Reclamation Facility. These facilities cycle treated water back to the community for use in irrigation, water features, industrial uses, and environmental restoration.

Strategies for addressing treatment and conveyance of wastewater have applications that can be translated for use at Innovation Square. For example, greywater, water that results from human use (sinks, baths, washing machines, etc) but is

not suitable for human consumption, can be utilized in systems that provide individual buildings the ability to simultaneously reclaim used water while decreasing demand of potable water. Systems that capture greywater can redirect the water for use in flushing toilets or landscape irrigation. In addition to decreasing potable water demand, these water reclamation systems also have the added benefit of decreasing energy consumption, use of water treatment facilities and provide improved groundwater recharge, all working within the systematic framework designed to minimize the expenditure of resources.



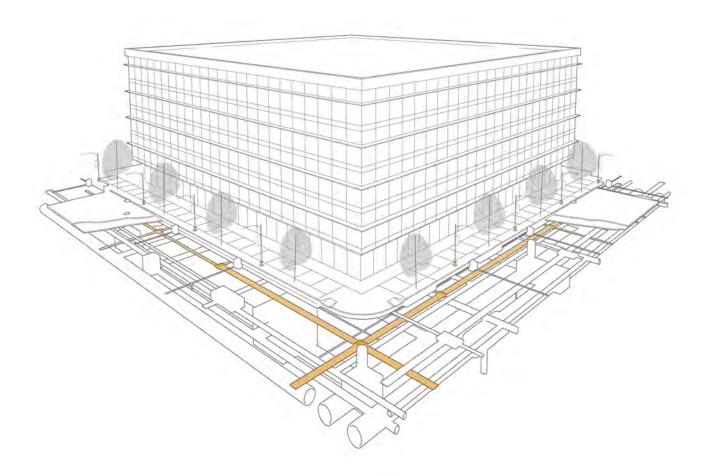
POWER

Gainesville Regional Utilities (GRU) serves approximately 80,000 customers within a service area of 130 square miles. GRU owns and operates two power plants; the John R. Kelly Generating Station located in downtown Gainesville and the Deerhaven Generating Station located near the city of Alachua. The plants rely on natural gas, fuel oil and low sulfur coal to produce electricity.

Meeting today's growing energy demands is a prominent issue both locally and globally. Rising energy costs across the globe and concerns over unsustainable development have inspired a movement to seek out cheaper, cleaner and more sustainable energy sources. The Innovation Square District (ISD) is positioned to address these issues and provide a model for other development.

The CRA study indicates that while adequate electrical infrastructure is in place to meet existing demand, improvements will be required to support new development. Given the research-based nature of new development the potential for increased demand on the electrical grid and necessary improvements is significant. Guidelines for the construction of these facilities should incorporate strategies that work towards energy self-sufficiency and even generation.

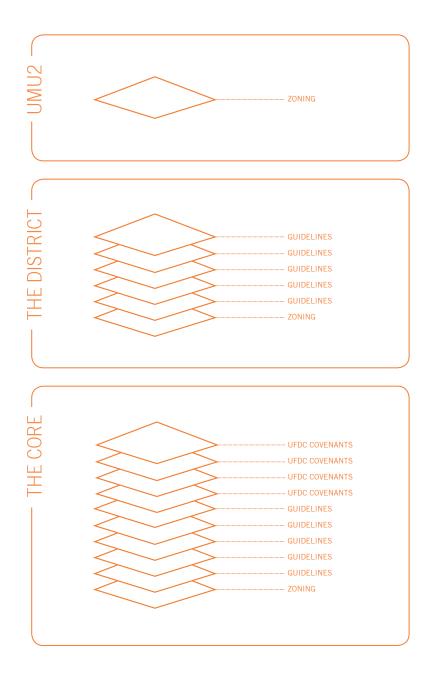
In addition to resource conservation, there are also specific requirements for power within the district. Continuous power supplies, district-wide redundancy and specific high-power requirements are all anticipated as elements within the district.



COMMUNICATIONS

Through the Gainesville Regional Utilities (GRU), GRUCom provides state of the art communications systems for the city and beyond. The district will be serviced by the GATOR NET SM fiber-optic internet access infrastructure; a solely digital all-fiber-optic network. GRU is further preparing for enhanced service to the district, including the co-location of expandable server farms to accommodate the high demand anticipated for the district. As with other infrastructure components, the communications systems will be fully-functional and readily accessible to each project as it comes on line, allowing for a simple, plug-and-play interaction between the individual needs and the services provided throughout the district.

Communications are essential to the successful operation of the district and are central to both the short-term ease of installation and connection as well as the long-term adaptability to insure leading edge connectivity and performance.



Above. The diagram describes the nested relationship between the various design and development regulations and guidelines. The foundation is the flexible, accommodating base zoning district, the Urban Mixed Use-2 District. In the Innovation Square District, with the constitution of a BID (see p. 166), a higher level of oversight ensures the vision for the district is maintained. And, finally, in the areas directly managed by the University of Florida Development Corporation, requirements for building performance and operation are provided through the direct agreements between the individual developer and the UFDC. The overlapping system ensures that great flexibility and innovation remain at the forefront of the development process while providing the necessary guidance for specific conditions to create a stable and lasting district.

DEVELOPMENT FRAMEWORK, PLAN.

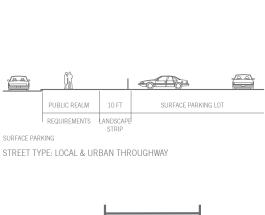
REGULATIONS

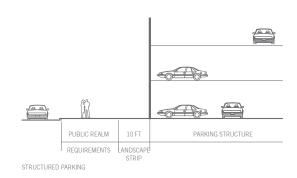
The most important aspect of the constitution of a city is the regulatory framework through which the city is constructed. More than any individual project or initiative, the land development code establishes a city's form and character. In light of the impact regulation has on the future development of the Innovation Square District (ISD), it is critical that the regulatory framework operate clearly from three specific perspectives:

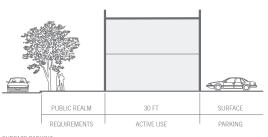
- it must stem directly from the vision that citizens of Gainesville have for their city;
- it must be methodically pre-tested to understand its impacts under true development scenarios; and
- it must be neatly choreographed with other regulations and codes, and with the future development of the area.

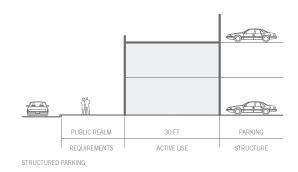
In order to accomplish this, and to set a foundation upon which regulations foster and incentivize those elements that support research and livability, the City of Gainesville has adopted a progressive set of regulations that not only makes this possible but makes it highly probable. The best land development codes bring vision to reality through careful organization, logic, and a simplicity that yields a code that is easy to understand and navigate. The approach in this instance is to consider these elements fundamental to the creation of a regulatory structure that operates as intentionally and efficiently as possible.

The regulations for this district are created to promote and encourage redevelopment of the existing commercial in this area. The district is intended to encourage pedestrian mobility and to allow uses compatible with each other and with surrounding residential areas which are consistent with the land use policies of the comprehensive plan. Furthermore, this district will allow for establishments engaged in conducting research and experimental development in the physical, engineering or life sciences, in order to facilitate technology transfer from institutions of higher learning to the market place.

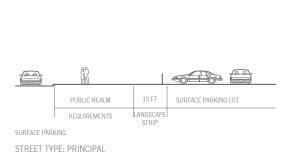


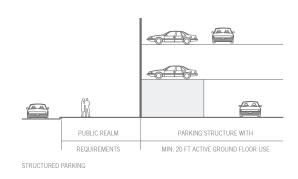












This code establishes standards for land development in order to: (1) Provide a mixture of residential, commercial and office/research uses that are complementary to the residential and mixed-use character of the district; (2) Encourage the renovation of existing structures; (3) Promote the integration of pedestrian traffic and vehicular traffic; (4) Promote retail and office uses that serve the surrounding neighborhoods; and (5) Promote office/research uses that serve the needs of the University and the community.

The basic vision for the district is codified and embedded in the regulatory structure. It is reinforced through a process the

yields clarity of intent and execution through simplicity; simple charts, simple maps, simple sentences and simple diagrams.

The elements all serve to reinforce the clear relationship between the public and private realms in the district; the lasting public backbone into which the flexible and adaptable individual developments unfold. This simplicity and clarity ensures that these ideals are institutionalized and have a life beyond the single project, or single term.

The operation of the code is such that administration is streamlined, variations, when appropriate, are adopted, definitions are minimized, information is centrally located and

SIMPLE CHARTS SIMPLE MAPS SIMPLE DIAGRAMS

	URBAN THROUGHWAY	STOREFRONT STREETS	PRINCIPAL STREETS	LOCAL STREETS PRIVATE STREETS
LANDSCAPE ZONE (MIN)	8 F00T	5 F00T	5 F00T	8 F00T
STREET TREE SPACING	35 FOOT ON CENTER (MIN)			
	50 FOOT ON CENTER (MAX)			
SIDEWALK ZONE (MIN)	8 F00T	10 F00T	10 FOOT	10 FOOT
BUILD-TO-LINE	25-80 FOOT SETBACK FROM	20 FOOT SETBACK FROM	20 FOOT SETBACK FROM	18 FOOT SETBACK FROM
(NON-RESIDENTIAL USES)	THE BACK OF CURB			
BUILD-TO LINE	30-80 FOOT SETBACK FROM	20 FOOT SETBACK FROM	25 FOOT SETBACK FROM	23 FOOT SETBACK FROM
(RESIDENTIAL USES)	THE BACK OF CURB			

easily apprehended. Those few elements that are of critical importance to the success of the district are clearly described, while the remaining elements are left open to innovation and creativity. And regulations are structured around simple, transparent sentences and diagrams to confirm alignment of goals and outcomes, and to avoid unintended consequences.

This entire system is choreographed to provide assurances to all involved that the district will emerge as envisioned, but that it will also foster innovative strategies for addressing the way we live and research within the district. As the future unfolds, as technology changes, and as we further refine the characteristics of building livable communities, this organization and framework will allow adaptation, but never at the expense of the public good, and never granting the individual need at the expense of the collective well-being.

INNOVATION SQUARE DISTRICT (ISD)

Beyond the jurisdictional regulations there are additional elements of the development process that require a higher level of oversight than can be offered within the flexibility of the underlying regulations. There are a number of ways to address this challenge, but the most efficient and equitable system is the constitution of a Business Improvement District.

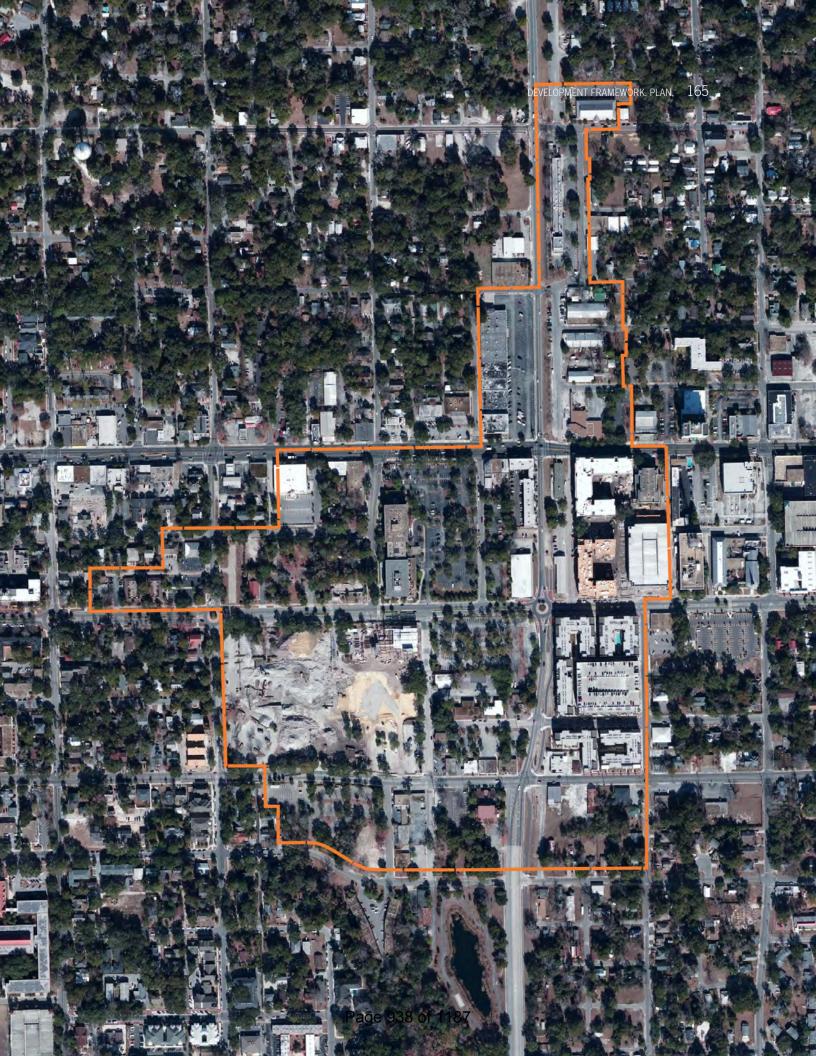
A Business Improvement District (BID) is a defined area in a city, typically with a particular consistency of character and vision, within which businesses contribute by tax or fee in order to fund improvements within the district's boundaries. It is also a vehicle through which development can be monitored and guided to ensure that each project reinforces the basic goals and vision of the area. BIDs typically provide services, such as cleaning streets, providing security, making capital improvements, construction of pedestrian and streetscape enhancements, and marketing the area. The services provided by a BID are supplemental to those already provided by the municipality, but are more focused on the specific needs of the district. At Innovation Square the various partners work toward a single goal, but they provide different, although complementary, services. The city provides the legal oversight for the development of the area, the CRA provides financial, planning and construction support for various public components of the district, Gainesville Regional Utilities provides coordination and implementation of the services and utilities that are required for the district, and the BID provides specific oversight pertaining to the private design and construction process, as well as general district oversight. The boundaries between each of the partners are not absolute, however, and much of the coordination will include all four of the partners working collaboratively through the process, as well as others such as Alachua County, the Chamber, and others, depending on the particular issues at hand. The value of the BID is the central coordinating entity that ensures the greatest degree of collaboration and clarity of purpose through the development process.

In this system, property owners in the area pay a consensually determined tax or fee that is used to provide funding for the operation of the BID but also for selected projects that the BID deems critical to the success of the district. Residences, non-profits, and governmental entities are usually exempt from making any contributions. The universal contribution of the business owners in the district helps avoid the free rider situation that can hamper voluntary organizations. A BID may be operated by a nonprofit organization or by a quasi-governmental entity. The governance of a BID is the responsibility of a board composed of some combination of property owners, businesses, and government officials. The management of a BID is the job of a paid administrator, usually called an executive director, or of a management company.

In addition, a BID Development Review Committee (made up of various representatives of BED members) can be established that assists in the oversight of the development process. This committee acts as the intermediary between a development team and the larger jurisdictional authorities. In this district, the city's regulations have been formulated such that there is significant flexibility in the zoning. The Development Review Committee is charged with aligning the goals of the district, specifically, with the broad regulatory requirements of the city.

The combination of the clear and flexible zoning regulations and the efficient and equitable Business Improvement District works in concert to provide the optimum relationship between requirements and opportunities. In this system creativity and originality, along with speed and efficiency, of development are fostered, while the vision and its vital characteristics are exigent and, ultimately, ensured throughout the district.

Right. The figure shows the proposed boundaries of the Innovation Square District in orange.





DEVELOPMENT FRAMEWORK.

CONCLUSIO

Innovation Square represents a significant opportunity to transform the way we develop the world in which we live. As the 21st century unfolds, changes will emerge that we can't possibly yet predict. We can, as we have for the past century, plan for our future based on projections of what we know will come, or we can accept the fact that the future is to a large degree unknowable. At Innovation Square we understand that the future, while unpredictable, is also abundant with opportunity. As such the district provides a framework within which these opportunities may be realized as effortlessly as possible. The system is predicated on the idea that decisions should be made that offer the best possible outcome relative to our vision and goals for the district. These decisions should be based on thoughtfulness and research, not merely the repetition of previous models. And further, the implementation of these decisions should be incentivized. It should be easy to do things, build things, and make things that align with the goals of the district. And the elements that make up the district; the regulations, infrastructure, transportation, and others, should facilitate this process.

But freedom to develop, innovate and create requires not just flexibility, but also a durable foundation upon which these events transpire. This foundation is comprised of the few very critical elements that ensure the enduring nature of the district. These simple, clear and permanent elements are foregrounded in the plan for Innovation Square and reinforced through the basic principles - livability, walkability, adaptability and sustainability. Further, each of the individuals involved in the process is obligated to make decisions that further the principles of the district and to make decisions that benefit the district, city and region as a whole. Each is obligated to understand the impact of individual actions on the collectively held vision for the community and for building the physical backdrop that allows for the greatest capacity for accommodating future opportunities without compromising the principals of the district.

We believe that Innovation Square is the environment in which the elements of research converge with the elements of everyday life to provide an incomparable place to create.

IMAGE CREDITS

Images by Perkins+Will unless otherwise noted

Gainesville Community Redevelopment Agency. 026, 043

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Progress Corporate Park. 032-033

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EPILOGUE

I have worked in different places throughout the region, country and world, and for myriad clients, to plan and build communities. I have never experienced a community that has responded with such common purpose and focus as this community. In the process of preparing the Development Framework, I met with numerous stakeholders in the community, from every possible background, and with widely ranging perspectives on the area. Yet there was an unprecedented consistency among everyone involved regarding the potential for the redevelopment of the district, the future value of research as an engine for innovation and the need for collaboration of all those involved in this common pursuit. Jurisdictional officials, elected officials, representatives of the educational institutions, developers, neighbors, business leaders, utilities providers and others all worked together to provide an atmosphere in which the completion of the plan, the required regulatory changes, and the implementation of the infrastructure all materialized in a matter of months. And this transpired within a thoroughly considered and rigorous process and analysis. In my career this is an unprecedented situation, and one that promises a level of success for the district that I predict will be a model for others throughout the world.

David Green
Principal, Perkins+Will
Professor of Practice, Georgia Institute of Technology



Innovation Square University of Florida www.innovationsquare.ufl.edu/

Contact Ed Poppell University of Florida Development Corporation 352.392.1336

ORDINANCE NO. 2022-537

1 2

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 1.11 acres of property generally located at the NW corner of the intersection of SW 2nd Avenue and SW 10th Street, as more specifically described in this ordinance, from Urban 9 (U9) to Planned Development (PD); providing land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

9 10 11

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13

14

WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the Florida Constitution, including the exercise of any power for municipal purposes not expressly prohibited by law; and

- 15 **WHEREAS,** Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a
- 16 Comprehensive Plan to guide the future development and growth of the city; and
- 17 **WHEREAS,** Section 163.3177(6), Florida Statutes, requires the City of Gainesville Comprehensive
- 18 Plan to include a Future Land Use Element with a Future Land Use Map that designates the future
- 19 general distribution, location, and extent of the uses of land for residential, commercial, industry,
- agriculture, recreation, conservation, education, public facilities, and other categories of the
- 21 public and private uses of land, with the goals of protecting natural and historic resources,
- 22 providing for the compatibility of adjacent land uses, and discouraging the proliferation of urban
- sprawl; and
- 24 **WHEREAS,** the City of Gainesville is required by Section 163.3202, Florida Statutes, to adopt or
- amend and enforce land development regulations that are consistent with and implement the
- 26 Comprehensive Plan and that are combined and compiled into a single land development code
- 27 for the city; and

- 28 **WHEREAS**, the City of Gainesville Land Development Code (Chapter 30 of the City of Gainesville
- 29 Code of Ordinances) establishes zoning districts to implement the Comprehensive Plan and land
- development regulations on specific classifications of land within the city; and
- 31 WHEREAS, this ordinance, which was noticed as required by law, will amend the Zoning Map
- 32 Atlas by rezoning the property that is the subject of this ordinance to Planned Development (PD)
- 33 district; and
- 34 **WHEREAS,** PD district zoning is a zoning category that allows landowners or developers to submit
- unique proposals that are not addressed or otherwise provided for in the zoning districts and
- land development regulations established by the City of Gainesville Land Development Code; and
- 37 WHEREAS, the PD zoning district, including all of its unique and specific land development
- regulations, is freely negotiated and voluntarily agreed to by the owner/developer of the subject
- 39 property, thereby precluding any claims or actions under Florida law regarding regulatory
- 40 takings, the Bert J. Harris, Jr., Private Property Rights Protection Act, development exactions
- 41 under common law or Section 70.45, Florida Statutes, or the affordable housing provisions in
- 42 Section 125.01055, Florida Statutes; and
- 43 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
- 44 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant
- to Section 163.3174, Florida Statutes, held a public hearing on May 26th, 2022, to consider this
- 46 application and provide a recommendation to the City Commission; and
- 47 **WHEREAS**, at least ten days' notice has been given once by publication in a newspaper of general
- 48 circulation notifying the public of this proposed ordinance and of public hearings in the City Hall
- 49 Auditorium located on the first floor of City Hall in the City of Gainesville; and

51	WHEREAS, public hearings were held pursuant to the notice described above at which hearings
52	the parties in interest and all others had an opportunity to be and were, in fact, heard; and
53	WHEREAS, the City Commission finds that the rezoning of the subject property will be consistent
54	with the City of Gainesville Comprehensive Plan when the amendment to the Comprehensive
55	Plan adopted by Ordinance No. 2022-536 becomes effective as provided therein.

- NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,

 FLORIDA:
- **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the following property from Urban 9 (U9) to Planned Development (PD):

See legal description attached as **Exhibit A** and made a part hereof as if set forth in full. The location of the property is shown on **Exhibit B** for visual reference. In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.

SECTION 2. The use and development of the property described in Section 1 of this ordinance must be consistent with the PD layout plan and building elevations attached as Exhibit C and made a part hereof as if set forth in full, as well as the regulations listed below. Except as expressly provided in Exhibit C and the conditions below, the use, regulation, and development of the property will be governed as if it were zoned Urban 9 (U9) and all development must be in conformance with and regulated by the Land Development Code in effect at the time of development approvals.

- 1. Allowable uses, as defined in the City's Land Development Code, by right are as follows:
 - a. Multi-family dwelling
 - b. Single room occupancy residence
- c. Alcoholic beverage establishment

75		d.	Business services
76		e.	Civic, social, or fraternal organization
77		f.	Day care center
78		g.	Drive-through facility
79		h.	Emergency shelter
80		i.	Exercise studio
81		j.	Farmers market
82		k.	Health services
83		1.	Hotel or motel
84		m.	Laboratory, medical or dental
85		n.	Library
86		0.	Light assembly, fabrication and processing
87		p.	Medical marijuana dispensing facility
88		q.	Microbrewery, microwinery, or microdistillery
89		r.	Office
90		s.	Office (medical, dental, or other health-related service)
91		t.	Personal services
92		u.	Place of religious assembly
93		٧.	Professional school
94		w.	Public administration building
95		х.	Recreation, indoor
96		у.	Research development or testing facility
97		z.	Restaurant
98		aa.	Retail sales
99		bb.	Social service facility
100		cc.	Veterinary services
101		dd.	Vocational or trade school
102 103	2.		velopment may have no more than 204 dwelling units, and may have no more than drooms.
104 105	3.		imum building height of 12 stories is allowed for any portions of a building lying the University Heights-South Historic District 100-foot buffer (District Buffer). A

maximum building height of 60 feet and 5 stories is allowed for any portions of a building

lying within the District Buffer.

106

- 4. A minimum of 10% of the residential dwelling units developed must be Affordable Housing Units. Affordable Housing Units means units that are affordably priced for households earning between 50% and 80% of the Gainesville Metropolitan Statistical Area (MSA) Area Median Income (AMI), as established by the United States Department of Housing and Urban Development (HUD). Affordably priced means that no more than 30% of household income is spent on housing. These units must remain permanent Affordable Housing Units through a binding legal document as approved to form and legality by the City Attorney's Office and recorded in the Public Records of Alachua County, Florida, which ensures that the units will permanently (for the life of the development) remain Affordable Housing Units.
 - 5. Affordable Housing Units must be constructed such that all unit finishes are identical to market-rate units and locations within the structure are equally dispersed relative to market-rate units. In addition, occupants of Affordable Housing Units must have equal access to all amenities constructed on the property, relative to market-rate units.
 - 6. During development plan review, the owner/developer shall submit a list of building materials and architectural standards for review, subject to approval by the City Manager or designee, to ensure that all development within the PD is consistent with the elevations and this ordinance.
 - 7. Building facades oriented toward SW 10th Street must have non-reflective, transparent windows or glazing area covering at least 65 percent of their surface area at pedestrian level (between 3 feet above grade and 8 feet above grade) on the first floor. Operable entrance doors must be included in the calculation of total surface area for purposes of glazing. Building facades oriented toward SW 2nd Avenue will have a minimum first floor glazing of 30%. Building facades for upper floors will have a minimum 15% glazing.
 - 8. The PD is located in Zone A of the Transportation Mobility Program Area (TMPA). Prior to the second reading of this ordinance, the owner/developer shall sign a TMPA Zone A Agreement or agreement for transportation mitigation based on the program in effect at the time.
 - 9. The development must incorporate the following building placement and other standards as set forth in the table:
 - Minimum building placement standard of 14 ft. at the intersection of SW 2nd Avenue and SW 10th Street.

STANDARD	PD
LOT AND BLOCK STANDARDS	
Block Perimeter (max. feet)	2,000'
Lot Width (min. feet)	18'
DENSITY	
Residential Density, max.	204
Number of Bedrooms, max.	557
BUILDING FRONTAGE	
Primary frontage (min)	70%

Secondary frontage (min)	50%		
BUILDING PLACEMENT			
Storefront Street, minmax. feet Applicable to SW 2 nd Avenue and SW 10 th Street Measured from back-of-curb	20-25'		
Local Street, minmax. feet Applicable to SW 1st Avenue Measured from back-of-curb	16-21'		
SW 1 st Place Setback, min. feet Measured from property line	0'		
Rear Setback, min. feet Applicable to SW 1st PL (alley)	3'		
Side setback, min. feet Measured from property line	0'		
Setback at roundabout, intersection of SW 2 nd Avenue and SW 10 th Street Measured from back-of-curb	20-25' for first floor; 14' for any overhangs above first floor		
BUILDING HEIGHT			
Max. Stories	12		
Max. Feet	126'1"		
GLAZING			
Min. first floor- multifamily	30%		
Min. upper floors – multifamily	15%		
PARKING			
Parking ratio (spaces per bed)	0		

- 10. Landscaping must include a minimum 5-foot wide landscape zone along SW 2nd Avenue and SW 10th Street. The location of the landscape zone may be modified by the City Manager or designee at development plan review in order to accommodate any Florida Department of Transportation (FDOT) right-of-way and public utility conflicts.
- 11. Sidewalks must be a minimum of 10-foot wide on SW 2nd Avenue and SW 12th Street. Sidewalk on SW 1st Avenue must be a minimum of 6-foot wide. Sidewalk areas may include street furniture, trash cans, light poles, and similar infrastructure.
- 12. All parking must be internal to the development structure or on-street; no surface parking is allowed on the site. There must be a minimum of one bicycle space per 3 bedrooms, and one scooter/moped space per 6 bedrooms. On-street parking spaces may be converted to a pick-up/drop-off lane, subject to FDOT and City of Gainesville approval.
- 13. The owner/developer shall fund at its full cost and expense any operational and safety modification(s) to the surrounding public rights-of-way which are deemed necessary by the City or County in conjunction with the final development plan.
- 14. A maximum of one (1) primary access point per building is allowed for the PD, off of the alley to the rear of the site, as preliminarily depicted on the PD Layout Plan attached as **Exhibit C**.

160 161 162 163 164 165 166	15. Each building must include a primary public entrance oriented toward the public right-of-way, and may be located at the building corner facing the intersection of two streets. Additional entrances may be provided on other sides of the building. Primary public entrances must be operable, clearly-defined, and highly-visible. In order to emphasize entrances, they must be accented by a change in materials around the door, recessed into the façade (alcove), or accented by an overhang, awning, canopy, or marquee. Building frontages along the street must have functional entrances at least every 150 feet.
168	SECTION 3. The conditions and requirements in this ordinance will remain effective until such
169	time as, upon either the City or the property owner(s) filling an application for rezoning, the City
170	adopts an ordinance rezoning the subject property to another zoning district consistent with the
171	Comprehensive Plan and Land Development Code.
172	SECTION 4. The City Manager or designee is authorized and directed to make the necessary
173	changes to the Zoning Map Atlas to comply with this ordinance.
174	SECTION 5. If any word, phrase, clause, paragraph, section, or provision of this ordinance or the
175	application hereof to any person or circumstance is held invalid or unconstitutional, such finding
176	will not affect the other provisions or applications of this ordinance that can be given effect
177	without the invalid or unconstitutional provision or application, and to this end the provisions of
178	this ordinance are declared severable.
179	SECTION 6. All ordinances or parts of ordinances in conflict herewith are to the extent of such
180	conflict hereby repealed.
181	SECTION 7. This ordinance will become effective immediately upon adoption; however, the
182	rezoning will not become effective until the amendment to the City of Gainesville Comprehensive
183	Plan adopted by Ordinance No. 2022-536 becomes effective as provided therein.
184	

PASSED AND ADOPTED this _____ day of October, 2022.

	·
	LAUREN POE
	MAYOR
Attest:	Approved as to form and legality:
OMICHELE D. GAINEY	 DANIEL M. NEE
CITY CLERK	INTERIM CITY ATTORNEY
This ordinance passed on first r	reading the day of November, 2022.
·	- · · · · · · · · · · · · · · · · · · ·
This ordinance passed on adop	tion reading the day of December, 202

Exhibit A to Ordinance 2022-537



LEGAL DESCRIPTION

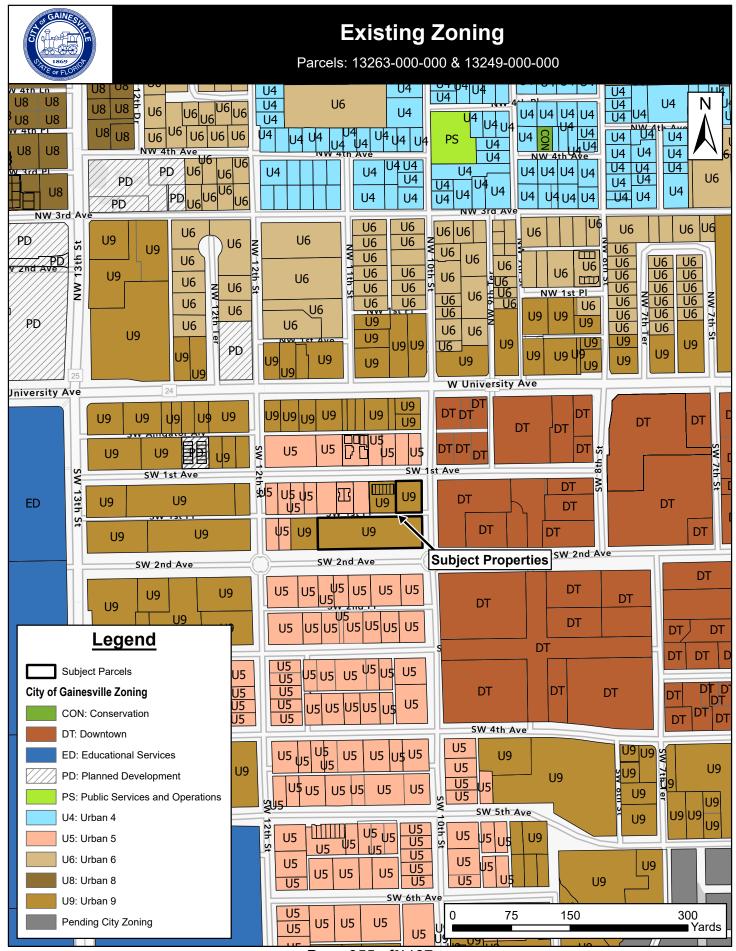
DATE: February 22, 2022 **CLIENT:** CA Ventures **PROJECT NO: 21-0362**

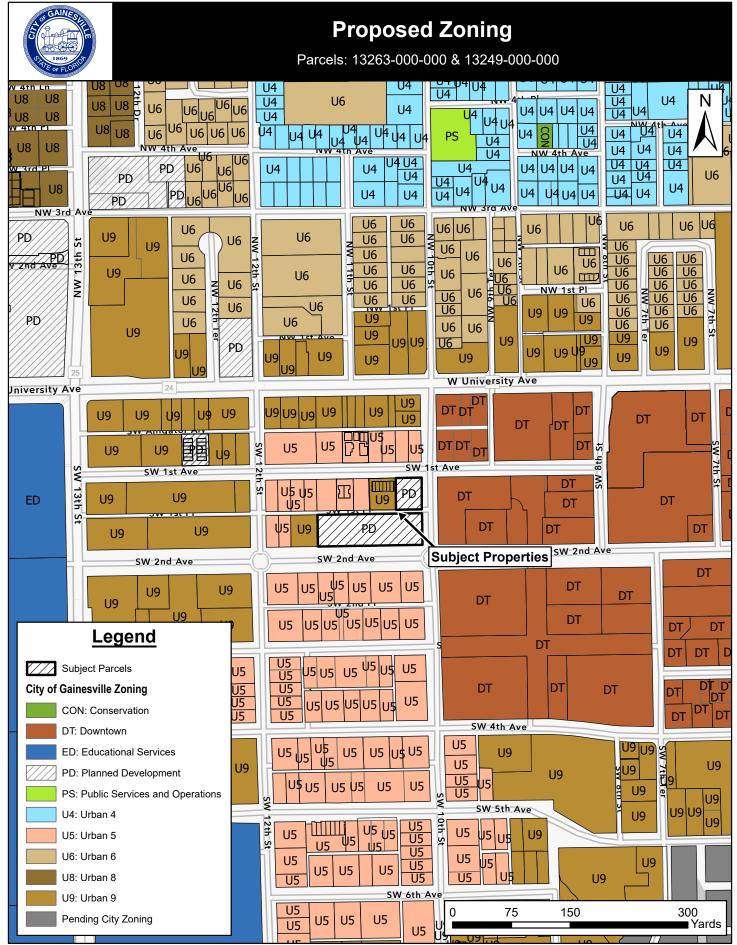
PARCEL 1

LOT 1 AND 2, BLOCK 5, UNIVERSITY PLACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "A", PAGE 77 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

PARCEL 2

LOTS 19, 20, 21, 22, 23 AND 24, BLOCK 5, UNIVERSITY PLACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "A", PAGE 77 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.





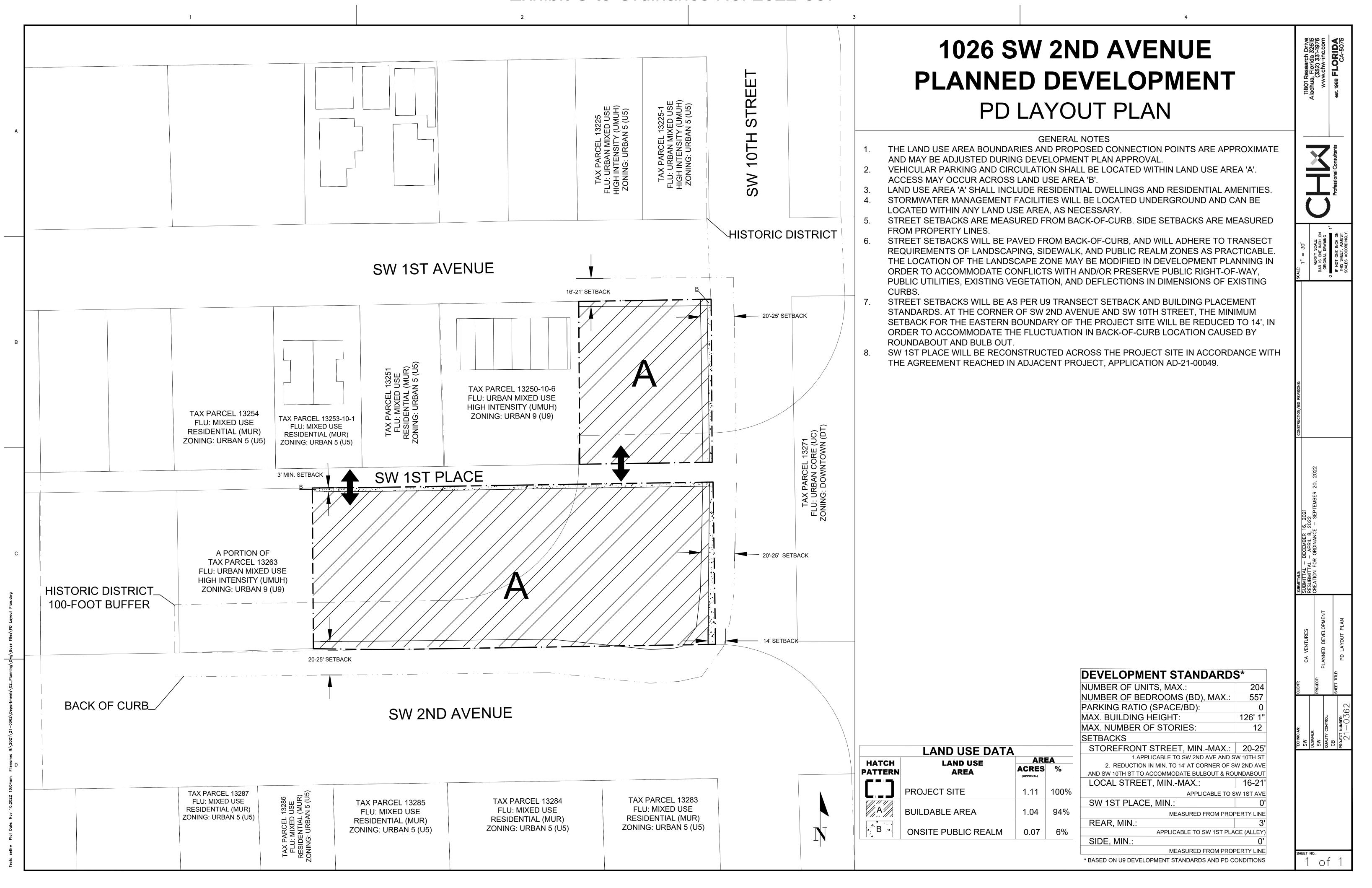


Exhibit C to Ordinance 2022-537

SW 1st Ave.



CPL-01 VW-01 MRY-01

	MATERIAL FINISH KEY		
MRY 01	MODULAR BRICK - COLOR 1		
ST 01	STUCCO - COLOR 1		
ST 02	STUCCO - COLOR 2		
ST 03	STUCCO - COLOR 3		
ST 04	STUCCO - COLOR 4		
CPL 01	CEM. PANEL W/ REVEAL SYSTEM - COLOR 1		
CPL 02	CEM. PANEL W/ REVEAL SYSTEM - COLOR 2		
SF 01	ALUM. STOREFRONT SYSTEM		
VW 01	VINYL WINDOW		
WD 01	WOOD LOOK PANEL - COLOR 1		
MTL 01	GARAGE SCREENING SYSTEM		
MTL 02	METAL PANEL - COLOR 1		
MTL 03	ALUM. BALCONY RAILING		
MTL 04	PREFABRICATED METAL CANOPY		
MTL 05	METAL SIGNAGE		







MRY-01 SF-01

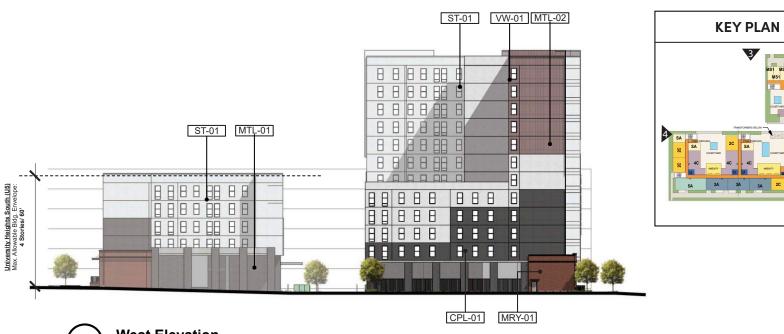
SW 2nd Ave.

SW 2nd Ave. | Gainesville, FL

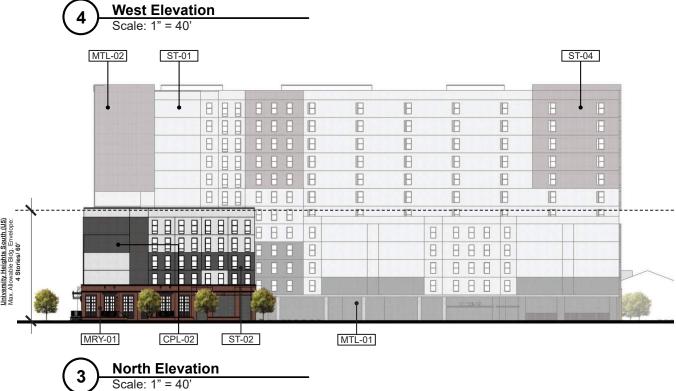
April 08, 2022

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Exhibit C to Ordinance 2022-537



	MATERIAL FINISH KEY			
145)/ 04	A A D D D D D D D D D D D D D D D D D D			
MRY 01	MODULAR BRICK - COLOR 1			
ST 01	STUCCO - COLOR 1			
ST 02	STUCCO - COLOR 2			
ST 03	STUCCO - COLOR 3			
ST 04	STUCCO - COLOR 4			
CPL 01	CEM. PANEL W/ REVEAL SYSTEM - COLOR 1			
CPL 02	CEM. PANEL W/ REVEAL SYSTEM - COLOR 2			
SF 01	ALUM. STOREFRONT SYSTEM			
VW 01	VINYL WINDOW			
WD 01	WOOD LOOK PANEL - COLOR 1			
MTL 01	GARAGE SCREENING SYSTEM			
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MTL 04	PREFABRICATED METAL CANOPY			
MTL 05	METAL SIGNAGE			







SW 2nd Ave. | Gainesville, FL

April 08, 2022

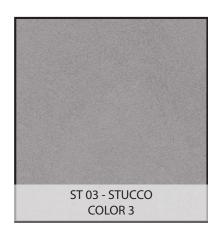
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Building Materials

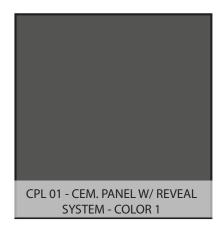


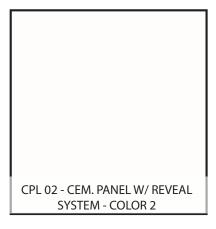
































SW 2nd Ave. | Gainesville, FL

April 08, 2022

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ORDINANCE NO. 2022-537

1 2

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 1.11 acres of property generally located at the NW corner of the intersection of SW 2nd Avenue and SW 10th Street, as more specifically described in this ordinance, from Urban 9 (U9) to Planned Development (PD); providing land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

9 10 11

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WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the Florida Constitution, including the exercise of any power for municipal purposes not expressly prohibited by law; and

- 15 **WHEREAS,** Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a
- 16 Comprehensive Plan to guide the future development and growth of the city; and
- 17 **WHEREAS,** Section 163.3177(6), Florida Statutes, requires the City of Gainesville Comprehensive
- 18 Plan to include a Future Land Use Element with a Future Land Use Map that designates the future
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- sprawl; and
- 24 **WHEREAS,** the City of Gainesville is required by Section 163.3202, Florida Statutes, to adopt or
- amend and enforce land development regulations that are consistent with and implement the
- 26 Comprehensive Plan and that are combined and compiled into a single land development code
- for the city; and

- 28 **WHEREAS**, the City of Gainesville Land Development Code (Chapter 30 of the City of Gainesville
- 29 Code of Ordinances) establishes zoning districts to implement the Comprehensive Plan and land
- development regulations on specific classifications of land within the city; and
- 31 WHEREAS, this ordinance, which was noticed as required by law, will amend the Zoning Map
- 32 Atlas by rezoning the property that is the subject of this ordinance to Planned Development (PD)
- 33 district; and
- 34 **WHEREAS,** PD district zoning is a zoning category that allows landowners or developers to submit
- unique proposals that are not addressed or otherwise provided for in the zoning districts and
- land development regulations established by the City of Gainesville Land Development Code; and
- 37 WHEREAS, the PD zoning district, including all of its unique and specific land development
- regulations, is freely negotiated and voluntarily agreed to by the owner/developer of the subject
- 39 property, thereby precluding any claims or actions under Florida law regarding regulatory
- 40 takings, the Bert J. Harris, Jr., Private Property Rights Protection Act, development exactions
- 41 under common law or Section 70.45, Florida Statutes, or the affordable housing provisions in
- 42 Section 125.01055, Florida Statutes; and
- WHEREAS, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
- 44 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant
- to Section 163.3174, Florida Statutes, held a public hearing on May 26th, 2022, to consider this
- 46 application and provide a recommendation to the City Commission; and
- 47 **WHEREAS**, at least ten days' notice has been given once by publication in a newspaper of general
- 48 circulation notifying the public of this proposed ordinance and of public hearings in the City Hall
- 49 Auditorium located on the first floor of City Hall in the City of Gainesville; and

51	WHEREAS, public hearings were held pursuant to the notice described above at which hearings
52	the parties in interest and all others had an opportunity to be and were, in fact, heard; and
53	WHEREAS, the City Commission finds that the rezoning of the subject property will be consistent
54	with the City of Gainesville Comprehensive Plan when the amendment to the Comprehensive
55	Plan adopted by Ordinance No. 2022-536 becomes effective as provided therein.

- NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,

 FLORIDA:
- **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the following 59 property from Urban 9 (U9) to Planned Development (PD):

See legal description attached as **Exhibit A** and made a part hereof as if set forth in full. The location of the property is shown on **Exhibit B** for visual reference. In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.

SECTION 2. The use and development of the property described in Section 1 of this ordinance must be consistent with the PD layout plan and building elevations attached as Exhibit C and made a part hereof as if set forth in full, as well as the regulations listed below. Except as expressly provided in Exhibit C and the conditions below, the use, regulation, and development of the property will be governed as if it were zoned Urban 9 (U9) and all development must be in conformance with and regulated by the Land Development Code in effect at the time of development approvals.

- 1. Allowable uses, as defined in the City's Land Development Code, by right are as follows:
 - a. Multi-family dwelling
 - b. Single room occupancy residence
- c. Alcoholic beverage establishment

7	75	d.	Business services
7	76	e.	Civic, social, or fraternal organization
7	17	f.	Day care center
7	78	g.	Drive-through facility
7	79	h.	Emergency shelter
8	30	i.	Exercise studio
8	31	j.	Farmers market
8	32	k.	Health services
8	33	l.	Hotel or motel
8	34	m.	Laboratory, medical or dental
8	35	n.	Library
8	36	0.	Light assembly, fabrication and processing
8	37	p.	Medical marijuana dispensing facility
8	38	q.	Microbrewery, microwinery, or microdistillery
8	39	r.	Office
Ģ	00	s.	Office (medical, dental, or other health-related service)
ç	01	t.	Personal services
Ģ	92	u.	Place of religious assembly
ç	93	٧.	Professional school
ç	94	w.	Public administration building
ç	95	х.	Recreation, indoor
ç	96	у.	Research development or testing facility
Ģ	97	z.	Restaurant
ç	98	aa.	Retail sales
ç	99	bb.	Social service facility
10	00	cc.	Veterinary services
10)1	dd.	Vocational or trade school

- 2. The development may have no more than **274** dwelling units, and may have no more than **725** bedrooms.
- 3. A maximum building height of 12 stories is allowed.
- 4. A minimum of 10% of the residential dwelling units developed must be Affordable Housing Units means units that are affordably priced for

103

104

105

- households earning between 50% and 80% of the Gainesville Metropolitan Statistical Area (MSA) Area Median Income (AMI), as established by the United States Department of Housing and Urban Development (HUD). Affordably priced means that no more than 30% of household income is spent on housing. These units must remain permanent Affordable Housing Units through a binding legal document as approved to form and legality by the City Attorney's Office and recorded in the Public Records of Alachua County, Florida, which ensures that the units will permanently (for the life of the development) remain Affordable Housing Units.
 - 5. Affordable Housing Units must be constructed such that all unit finishes are identical to market-rate units and locations within the structure are equally dispersed relative to market-rate units. In addition, occupants of Affordable Housing Units must have equal access to all amenities constructed on the property, relative to market-rate units.
 - 6. During development plan review, the owner/developer shall submit a list of building materials and architectural standards for review, subject to approval by the City Manager or designee, to ensure that all development within the PD is consistent with the elevations and this ordinance.
 - 7. Building facades oriented toward SW 10th Street must have non-reflective, transparent windows or glazing area covering at least 65 percent of their surface area at pedestrian level (between 3 feet above grade and 8 feet above grade) on the first floor. Operable entrance doors must be included in the calculation of total surface area for purposes of glazing. Building facades oriented toward SW 2nd Avenue will have a minimum first floor glazing of 30%. Building facades for upper floors will have a minimum 15% glazing.
 - 8. The PD is located in Zone A of the Transportation Mobility Program Area (TMPA). Prior to the second reading of this ordinance, the owner/developer shall sign a TMPA Zone A Agreement or agreement for transportation mitigation based on the program in effect at the time.
 - 9. The development must incorporate the following building placement and other standards as set forth in the table:
 - Minimum building placement standard of 14 ft. at the intersection of SW 2nd Avenue and SW 10th Street.

STANDARD	PD		
LOT AND BLOCK STANDARDS			
Block Perimeter (max. feet)	2,000'		
Lot Width (min. feet)	18'		
DENSITY			
Residential Density, max.	204		
Number of Bedrooms, max.	557		
BUILDING FRONTAGE			
Primary frontage (min) 70%			
Secondary frontage (min)	50%		
BUILDING PLACEMENT			

Storefront Street, minmax. feet Applicable to SW 2 nd Avenue and SW 10 th Street Measured from back-of-curb	20-25'	
Local Street, minmax. feet Applicable to SW 1st Avenue Measured from back-of-curb	16-21'	
SW 1 st Place Setback, min. feet Measured from property line	0'	
Rear Setback, min. feet Applicable to SW 1st PL (alley)	3'	
Side setback, min. feet Measured from property line	0'	
Setback at roundabout, intersection of SW 2 nd Avenue and SW 10 th Street Measured from back-of-curb	20-25'	
BUILDING HEIGHT		
Max. Stories	12	
Max. Feet	126'1"	
GLAZING		
Min. first floor- multifamily	30%	
Min. upper floors – multifamily	15%	
PARKING		
Parking ratio (spaces per bed)	0	

- 10. Landscaping must include a minimum 5-foot wide landscape zone along SW 2nd Avenue and SW 10th Street. The location of the landscape zone may be modified by the City Manager or designee at development plan review in order to accommodate any Florida Department of Transportation (FDOT) right-of-way and public utility conflicts.
- 11. Sidewalks must be a minimum of 10-foot wide on SW 2nd Avenue and SW 12th Street. Sidewalk on SW 1st Avenue must be a minimum of 6-foot wide. Sidewalk areas may include street furniture, trash cans, light poles, and similar infrastructure.
- 12. All parking must be internal to the development structure or on-street; no surface parking is allowed on the site. There must be a minimum of one bicycle space per 3 bedrooms, and one scooter/moped space per 6 bedrooms. On-street parking spaces may be converted to a pick-up/drop-off lane, subject to FDOT and City of Gainesville approval.
- 13. The owner/developer shall fund at its full cost and expense any operational and safety modification(s) to the surrounding public rights-of-way which are deemed necessary by the City or County in conjunction with the final development plan.
- 14. A maximum of one (1) primary access point per building is allowed for the PD, off of the alley to the rear of the site, as preliminarily depicted on the PD Layout Plan attached as **Exhibit C**.
- 15. Each building must include a primary public entrance oriented toward the public right-ofway, and may be located at the building corner facing the intersection of two streets. Additional entrances may be provided on other sides of the building. Primary public entrances must be operable, clearly-defined, and highly-visible. In order to emphasize

161 162 163 164	entrances, they must be accented by a change in materials around the door, recessed into the façade (alcove), or accented by an overhang, awning, canopy, or marquee. Building frontages along the street must have functional entrances at least every 150 feet.	
165	SECTION 3. The conditions and requirements in this ordinance will remain effective until such	
166	time as, upon either the City or the property owner(s) filling an application for rezoning, the City	
167	adopts an ordinance rezoning the subject property to another zoning district consistent with th	
168	Comprehensive Plan and Land Development Code.	
169	SECTION 4. The City Manager or designee is authorized and directed to make the necessary	
170	changes to the Zoning Map Atlas to comply with this ordinance.	
171	SECTION 5. If any word, phrase, clause, paragraph, section, or provision of this ordinance or the	
172	application hereof to any person or circumstance is held invalid or unconstitutional, such finding	
173	will not affect the other provisions or applications of this ordinance that can be given effect	
174	without the invalid or unconstitutional provision or application, and to this end the provisions of	
175	this ordinance are declared severable.	
176	SECTION 6. All ordinances or parts of ordinances in conflict herewith are to the extent of such	
177	conflict hereby repealed.	
178	SECTION 7. This ordinance will become effective immediately upon adoption; however, the	
179	rezoning will not become effective until the amendment to the City of Gainesville Comprehensive	
180	Plan adopted by Ordinance No. 2022-536 becomes effective as provided therein.	
181		
182	PASSED AND ADOPTED this day of October, 2022.	
183		
184 185	LAUREN POE	

186		MAYOR
187		
188	Attest:	Approved as to form and legality:
189		
190		
191	OMICHELE D. GAINEY	DANIEL M. NEE
192	CITY CLERK	INTERIM CITY ATTORNEY
193		
194		
195		
196	This ordinance passed on first reading the _	day of November, 2022.
197		
198	This ordinance passed on adoption reading	the day of December, 2022.

Exhibit A to Ordinance 2022-537



LEGAL DESCRIPTION

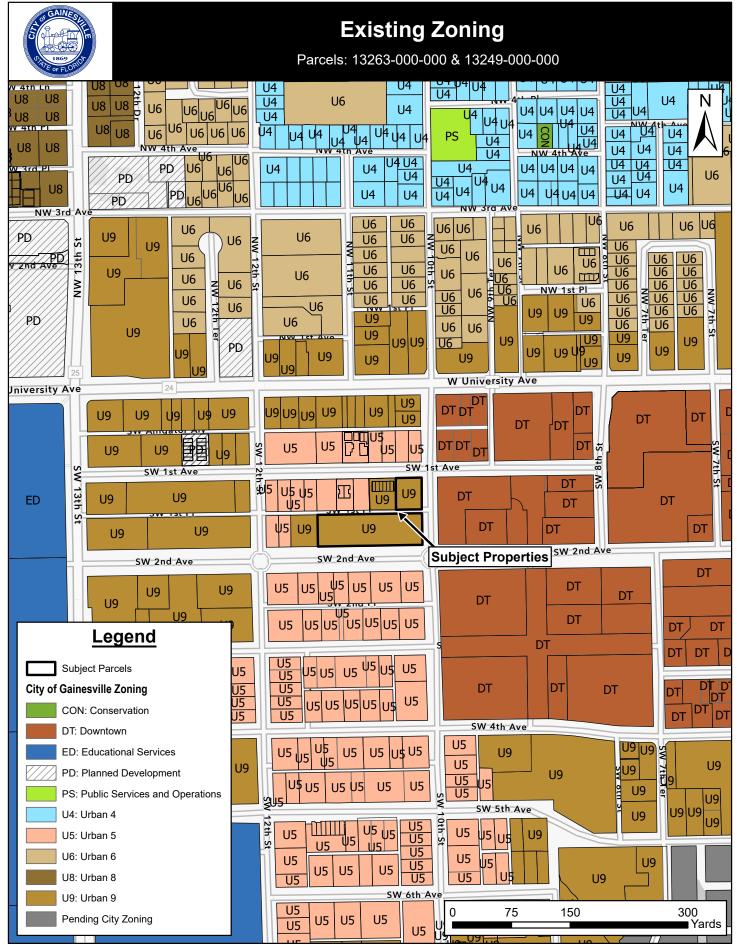
DATE: February 22, 2022 **CLIENT:** CA Ventures **PROJECT NO: 21-0362**

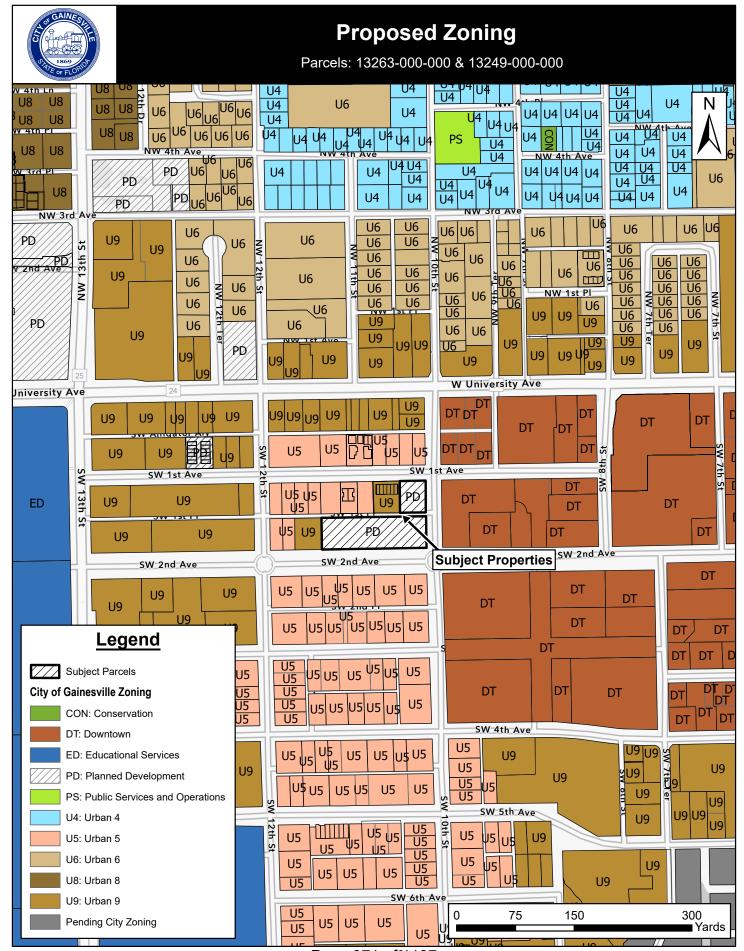
PARCEL 1

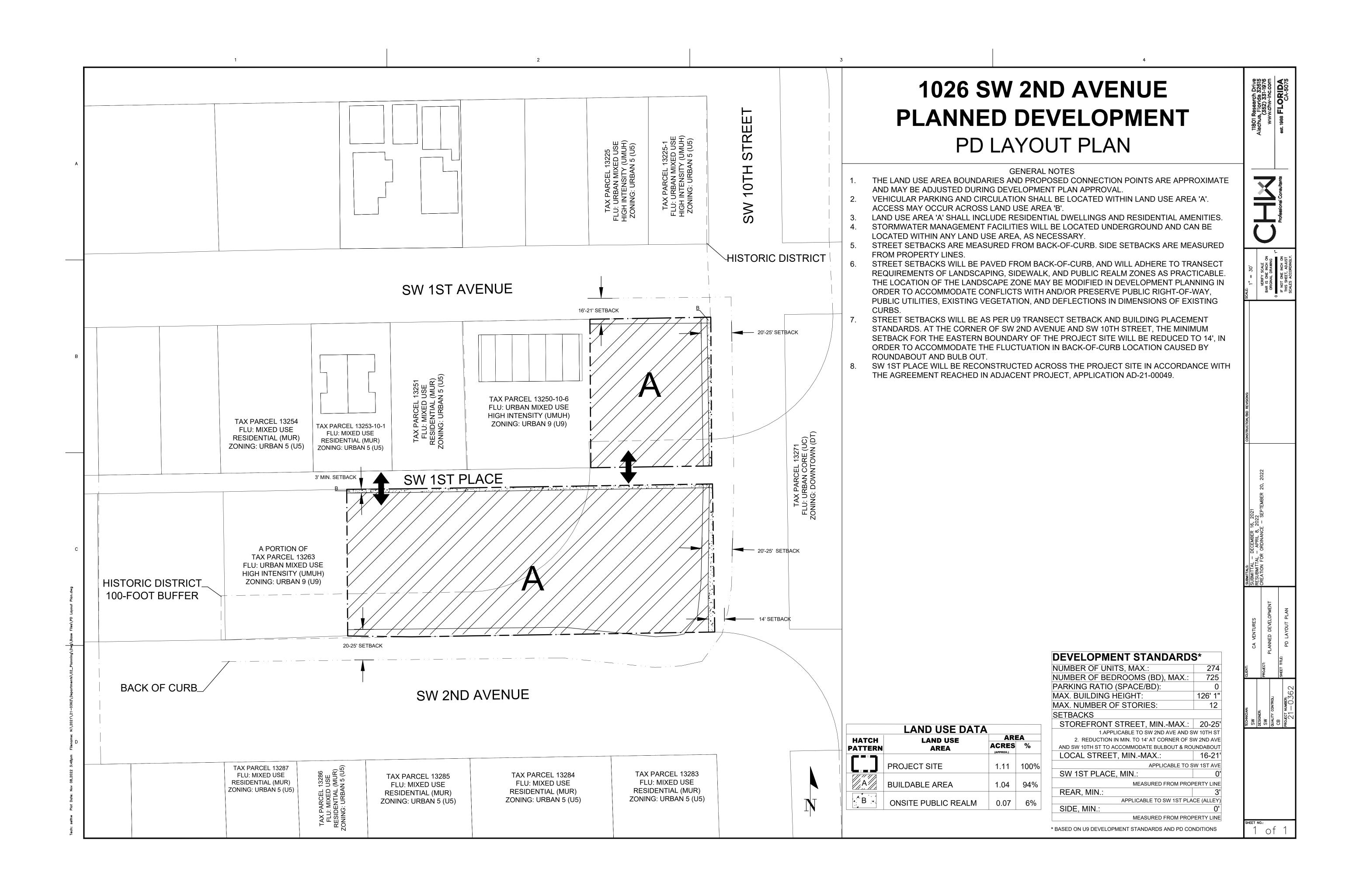
LOT 1 AND 2, BLOCK 5, UNIVERSITY PLACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "A", PAGE 77 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

PARCEL 2

LOTS 19, 20, 21, 22, 23 AND 24, BLOCK 5, UNIVERSITY PLACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "A", PAGE 77 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.



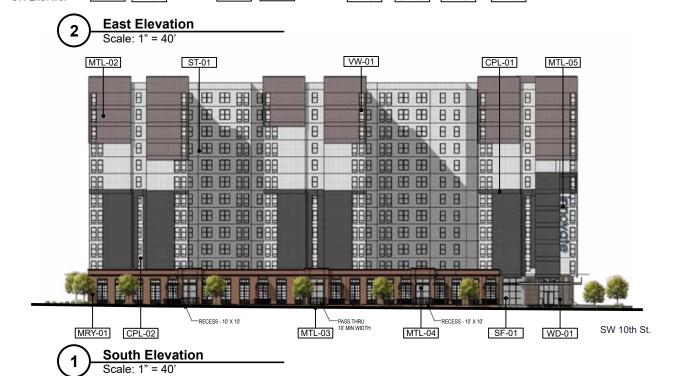








	MATERIAL FINISH KEY				
MRY 01	MODULAR BRICK - COLOR 1				
ST 01	STUCCO - COLOR 1				
CPL 01	CEM. PANEL W/ REVEAL SYSTEM - COLOR 1				
CPL 02	CEM. PANEL W/ REVEAL SYSTEM - COLOR 2				
SF 01	ALUM. STOREFRONT SYSTEM				
VW 01	VINYL WINDOW				
WD 01	WOOD LOOK PANEL - COLOR 1				
MTL 02	METAL PANEL - COLOR 1				
MTL 03	ALUM. BALCONY RAILING				
MTL 04	PREFABRICATED METAL CANOPY				
MTL 05	5 METAL SIGNAGE				
•					





Building Materials

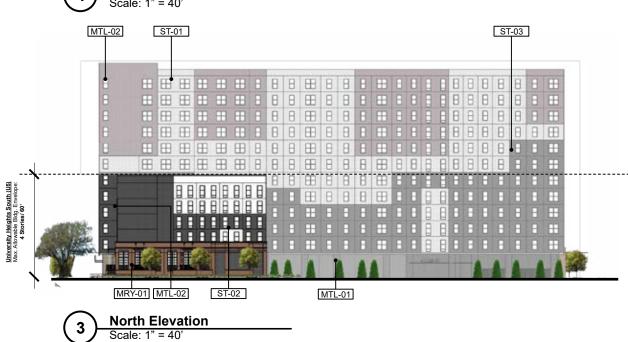
SW 2ND AVE | GAINESVILLE, FL

October 07, 2022

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MATERIAL FINISH KEY				
MRY 01	MODULAR BRICK - COLOR 1			
ST 01	STUCCO - COLOR 1			
ST 02	STUCCO - COLOR 2			
ST 03	STUCCO - COLOR 3			
ST 04	STUCCO - COLOR 4			
CPL 01	CEM. PANEL W/ REVEAL SYSTEM - COLOR 1			
CPL 02	CEM. PANEL W/ REVEAL SYSTEM - COLOR 2			
SF 01	ALUM. STOREFRONT SYSTEM			
VW 01	VINYL WINDOW			
WD 01	WOOD LOOK PANEL - COLOR 1			
MTL 01	GARAGE SCREENING SYSTEM			
MTL 02	METAL PANEL - COLOR 1			
MTL 03	ALUM. BALCONY RAILING			
MTL 04	PREFABRICATED METAL CANOPY			
MTL 05	METAL SIGNAGE			



VENTURES

dwell design studio Building Envelope/ Massing

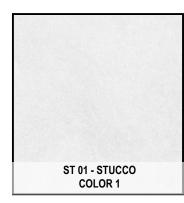
SW 2ND AVE | GAINESVILLE, FL

October 07, 2022

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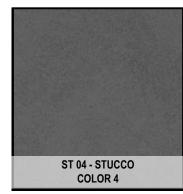
Building Materials

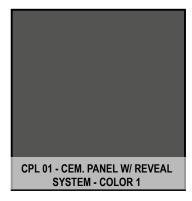


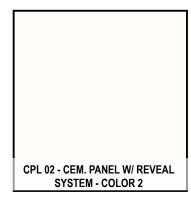










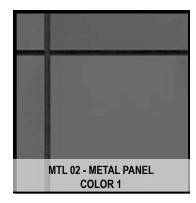






















Building Envelope/ Massing

SW 2ND AVE | GAINESVILLE, FL

October 07, 2022

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Gainesville

PB-21-00219 LUC and PB-21-00220 ZON 1026 SW 2nd Ave and SW 10th St

Department of Sustainable Development Forrest Eddleton

November 17, 2022

PB-21-00219 LUC and PB-21-00220 ZON 1026 SW 2nd Avenue and SW 10th Street

- Land Use Change from Urban Mixed Use High(UMUH) to Planned Use District (PUD)
- Zoning Change from Urban 9 (U9) to Planned Development (PD)
- PD/PUDs intended to facilitate "unique" and "innovative" proposals
- Current proposal requests relief from Land Development Code (LDC) requirements in order to facilitate providing workforce rate housing in perpetuity
- Requests:
 - An increase to the allowable height
 - An increase to allowable density
 - Modifications to compatibility requirements related to Historic Districts

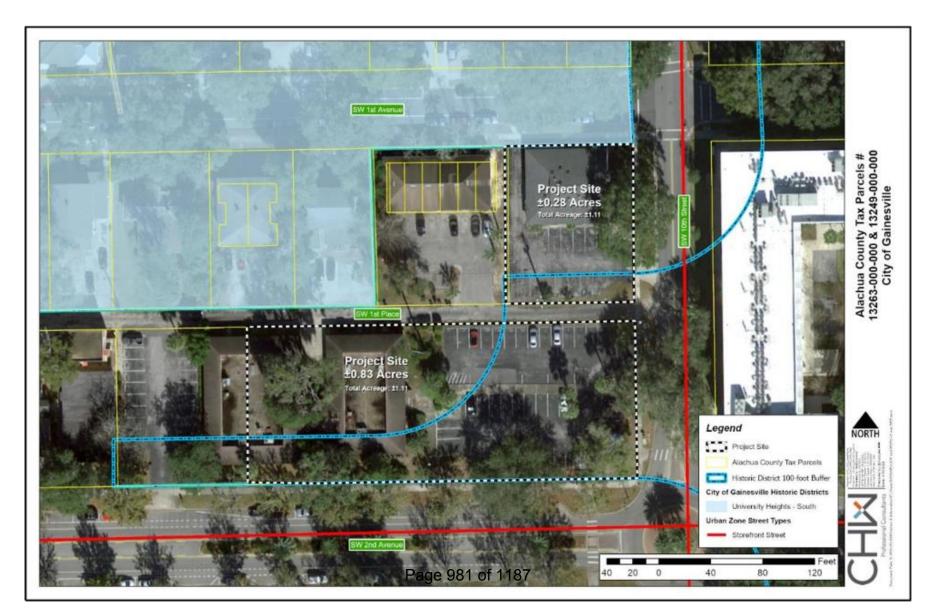
Project Location



Project Location



Project Location



Current Land Use



Current Zoning



Building Details



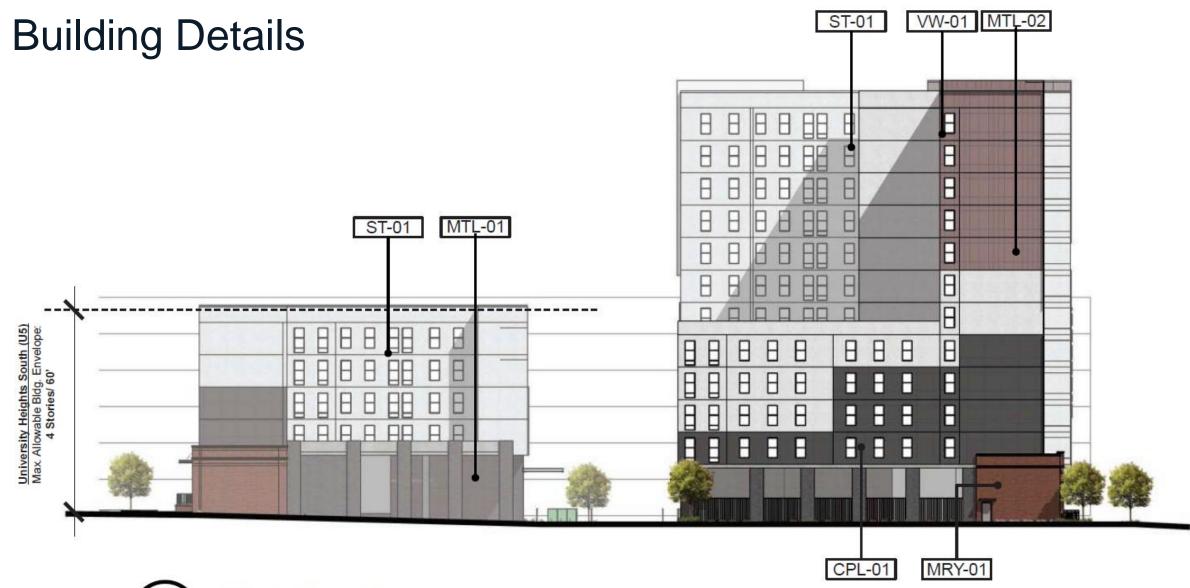
2 East Elevation
Scale: 1" = 40' Page 984 of 1187

Building Details

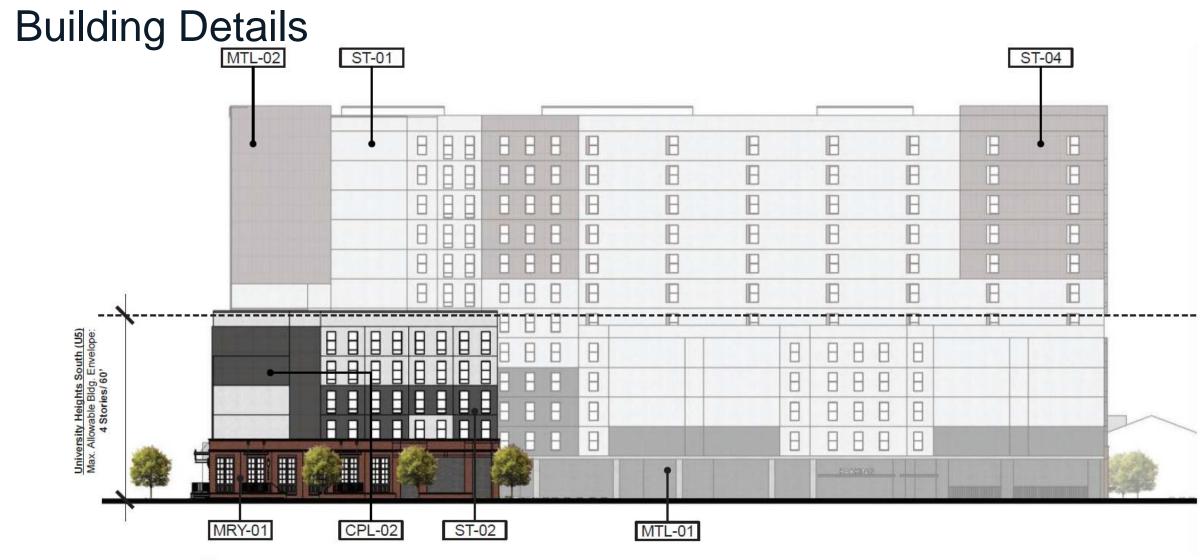


South Elevation
Scale: 1" = 40'

Page 985 of 1187



West Elevation
Scale: 1" = 40' Page 986 of 1187



North Elevation
Scale: 1" = 40'

Page 987 of 1187

Project Details

	Existing Land Use (UMUH) and Zoning (U9)	Historic District 100ft Compatibility Buffer	Proposed Maximums
Density	100 du/ac by right (125 du/ac with SUP) = 111 units (138 units with SUP)	6 du/building (single family, attached, or small-scale multi- family)	204 du (~184 du/ac)
Bedrooms	Bedrooms (2.75 Multiplier): 305 (379 with SUP)	N/A	557 Bedrooms
Stories	6 Stories (8 with bonus)	4 Stories	12 stories (southern building), 5 stories (northern building)
Height	88 feet (116ft with bonus)	60 feet	120 feet 7 inches
Building Placement	20ft minimum, 25ft maximum (from back of curb)	N/A	14 feet (at intersection of SW 2 nd Ave and SW 10 th St.
	Page 988 of 1	187	

PB-21-00219 LUC and PB-21-00220 ZON 1026 SW 2nd Avenue and SW 10th Street

- Policy 4.1.3 Criteria for changes to Future Land Use
 - Consistency with Comprehensive Plan
 - Compatibility and Surrounding Land Uses
 - Environmental Impacts and Constraints
 - Support for urban infill and/or redevelopment
 - Impacts on Affordable Housing
 - Impacts on Transportation
 - Analysis of Availability of Facilities and Services
 - Discouragement of Urban Sprawl
 - Need for Job Creation, Capital Investment, and Economic Development to Strengthen and Diversify the City's Economy

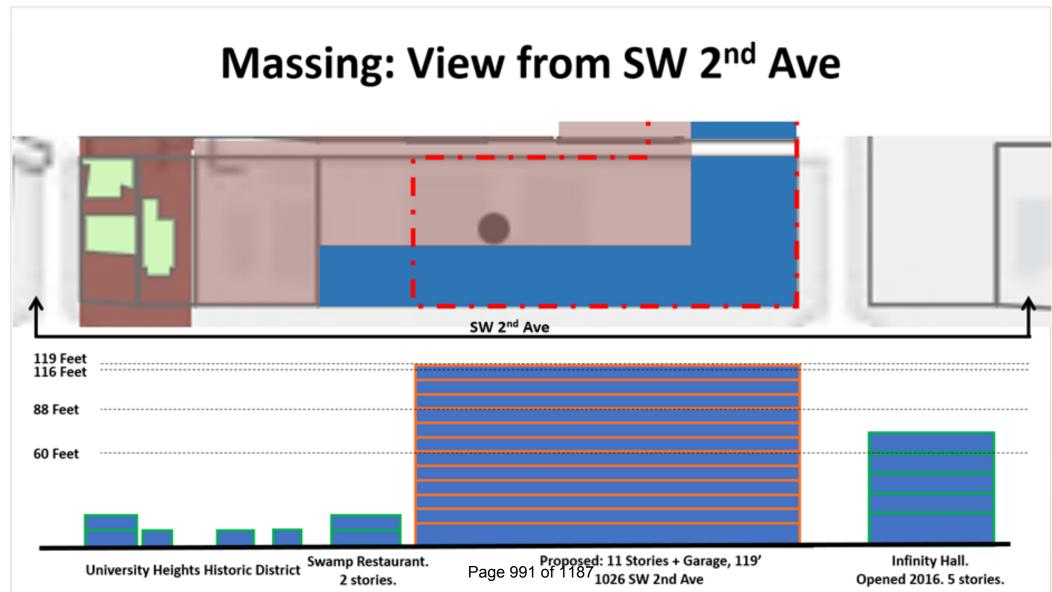
 Page 989 of 1187

PB-21-00219 LUC and PB-21-00220 ZON 1026 SW 2nd Avenue and SW 10th Street

Section 30-3.17 of LDC Criteria

- Consistent with Comprehensive Plan
- Conformance to PD Purpose
- Internal Compatibility
- External Compatibility

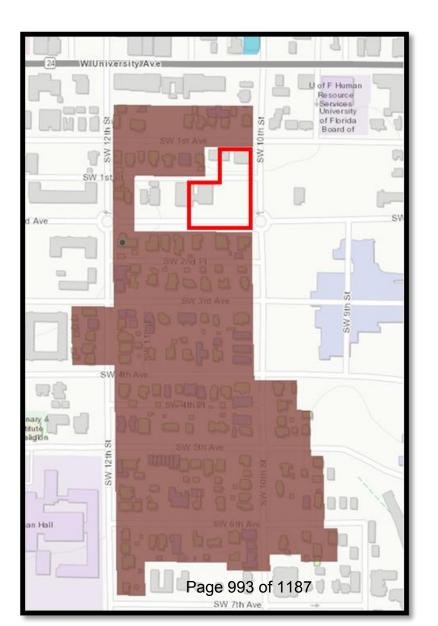
External Compatibility



PB-21-00219 LUC and PB-21-00220 ZON 1026 SW 2nd Avenue and SW 10th Street

- Section 30-3.17 of LDC Criteria
 - Intensity of Development
 - Useable Open Spaces, Plazas, and Recreation Areas
 - Environmental Constraints
 - External Transportation Access
 - Internal Transportation Access
 - Provision for the Range of Transportation Choices

University Heights South Historic District





University Heights South Historic District – Existing Surrounding Structures



Historic District 100ft Compatibility Buffer

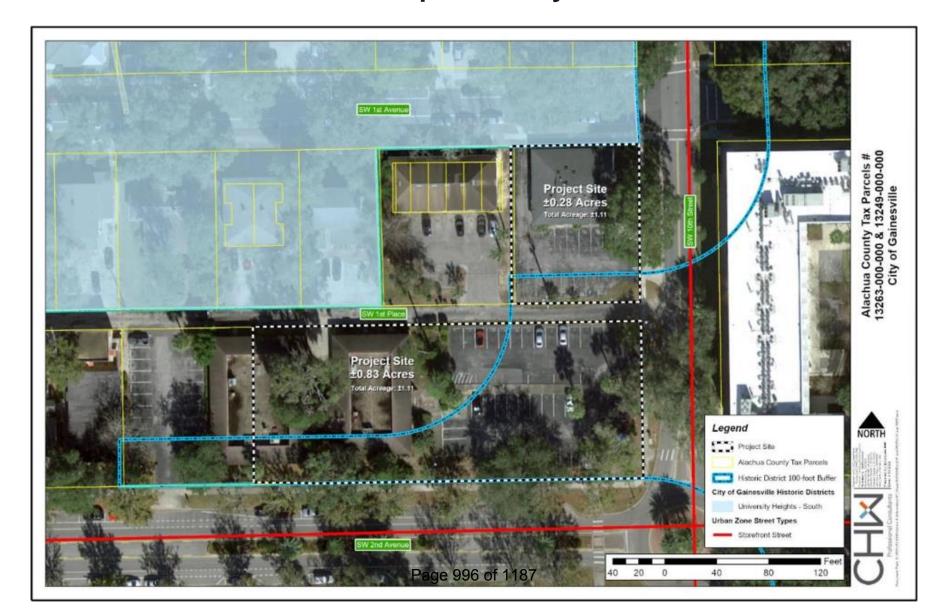


Photo 1. 1125 SW 2[™] AVE, *Contributing Structure* in the District



Photo 2. 1113 SW 2nd AVE, *Contributing Structure* in the District



Photo 3. 1107 SW 2nd AVE, *Contributing Structure* in the District



Photo 4. 1103 SW 2nd AVE, **Contributing Structure** in the District



Photo 5. 1023 SW 2nd AVE, *Contributing Structure* in the District



Photo 6. 1013 SW 2nd AVE, **Contributing Structure** in the District



Photo 7. 1005 SW 2nd AVE, *Contributing Structure* in the District



Photo 8. The character of the street, looking east from 1113 SW 2™ Avenue.



Photos 9 and 10.

Reinvestment in properties has happened as recently as this past year. The top photo is google maps, March 2021.

The bottom photo are the same properties, 1103 and 1107 SW 2rd Avenue, but in March 2022.





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Photo 9. 1004 SW 1* AVE, Contributing Structure in the District



Photo 10. 1012 SW 1* AVE, *Contributing Structure* in the District



Photo 11. 1016 SW 1st AVE, Contributing Structure in the District



Photo 12. 1022 SW 1* AVE, Contributing Structure in the District



Photo 13. 1022 SW 1* AVE, **Contributing Structure** in the District



Photo 14. 1023 SW 1[∞] AVE, **Contributing Structure** in the District





Photo 15. The intersection (roundabout) at SW 2rd Avenue and SW 10th Street, looking north. The proposed project would be to the top left of the photo. To the top right, is Infinity Hall, a 5-story structure.



Photo 16. The intersection (roundabout) at SW 2nd Avenue and SW 10nd Street, looking south. The proposed project would be to the right of the photo. To the left, is Infinity Hall, a 5-story structure.



Photo 17. Oblique view of Infinity Hall, a 5-story structure, looking north.



Photo 18. Current construction proage the Office of all 1876 Swamp," a 2-story structure being built to the west of the proposed project, which would be built to the top right of the photo.

Architectural Analysis and Previous Planning and Design Efforts



Photos 19 and 20. The character of the blocks further east of the proposed project, on the SW 2rd Avenue corridor, east of the roundabout at SW 2rd Avenue and SW 10th Street. The character of the street here, closer to downtown Gainesville, is four and five stories.



Architectural Analysis and Previous Planning and Design Efforts





Architectural Analysis and Previous Planning and Design Efforts

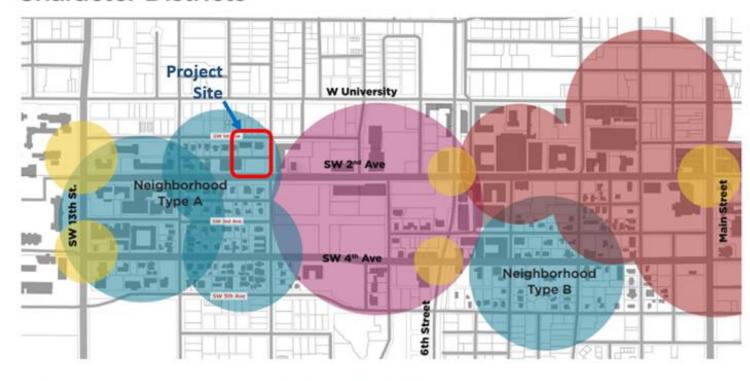




Multimodal Corridors and Vision(ing) Study



Character Districts

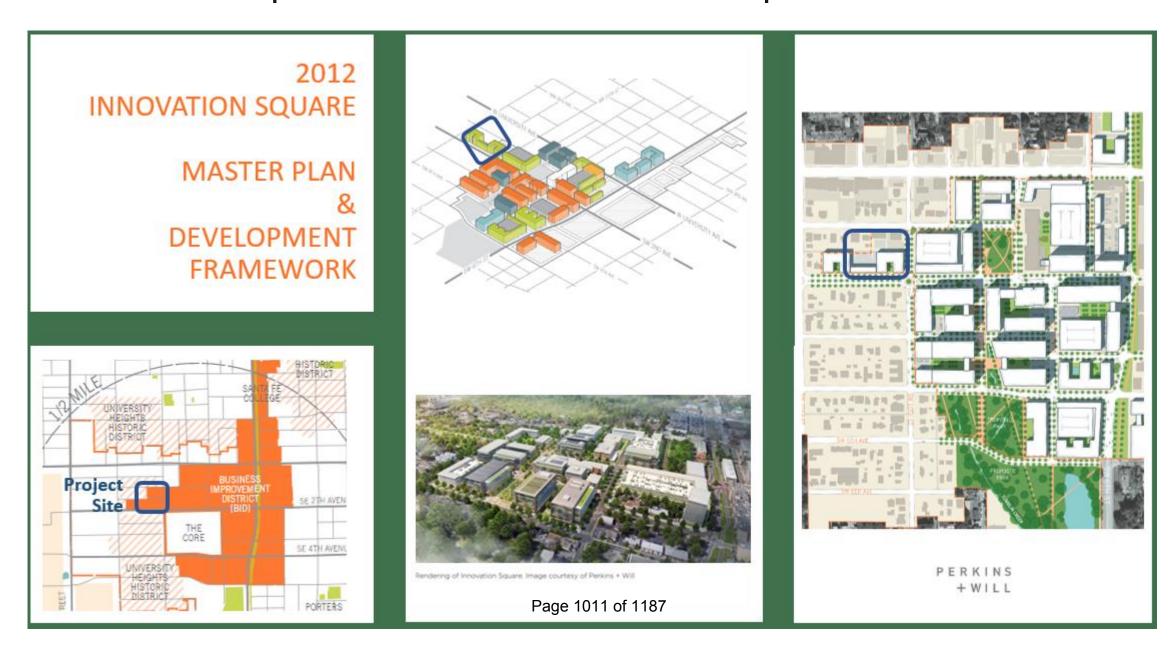




The Study Area exudes some characteristics which can be capitalized upon to create unique neighborhoods.

Page 1010 of 1187

Innovation Square Master Plan and Development Framework



Innovation Square Master Plan and Development Framework



Comprehensive Plan and PD/PUD Intent:

- Intended to "allow the consideration of unique, innovative, or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of the surrounding land uses."
- PD District are intended to "provide a particularized zoning district that recognizes unique conditions, allows design flexibility, and promotes planned diversification and integration of uses and structures."
- Proposal provides for 10% of proposed units to be reserved for households earning between 50% and 80% Area Median Income in perpetuity

Recommendation:

Staff recommends approval of PB-21-00219 LUC and PB-21-00220 ZON, with conditions:

- 1. The applicant must record a restrictive covenant memorializing the provision of 10% of on-site units towards workforce housing in perpetuity.
- 2. Building placement and frontage zones must conform to U9 standards.
- 3. The applicant must utilize the executed Memorandum of Understanding between the property owners and the Gainesville Housing Authority.
- 4. Landscape zone standards may be modified in order to protect existing trees but shall take precedence over the provision of public facilities or utilities in design decisions per existing Land Development Code regulations.

Associated Recommendations:

City Plan Board voted to recommend that the City Commission deny both PB-21-00219 LUC and PB-21-00220 ZON at it's meeting on April, 28th, 2022.

The Historic Preservation Board passed a resolution (2022-03) opposing the requested land use and zoning changes on May 3rd, 2022.

The City Commission voted in support of a "third option" which included a southern building that extended the 12 story portion of the building across the entire building.

Thank You

Gainesville

PB-21-00219 LUC and PB-21-00220 ZON 1026 SW 2nd Ave and SW 10th St

Department of Sustainable Development Forrest Eddleton

February 2nd, 2023

PB-21-00219 LUC and PB-21-00220 ZON 1026 SW 2nd Avenue and SW 10th Street

- Land Use Change from Urban Mixed Use High(UMUH) to Planned Use District (PUD)
- Zoning Change from Urban 9 (U9) to Planned Development (PD)
- PD/PUDs intended to facilitate "unique" and "innovative" proposals
- Current proposal requests relief from Land Development Code (LDC) requirements in order to facilitate providing workforce rate housing in perpetuity
- Requests:
 - An increase to the allowable height
 - An increase to allowable density
 - Modifications to compatibility requirements related to Historic Districts

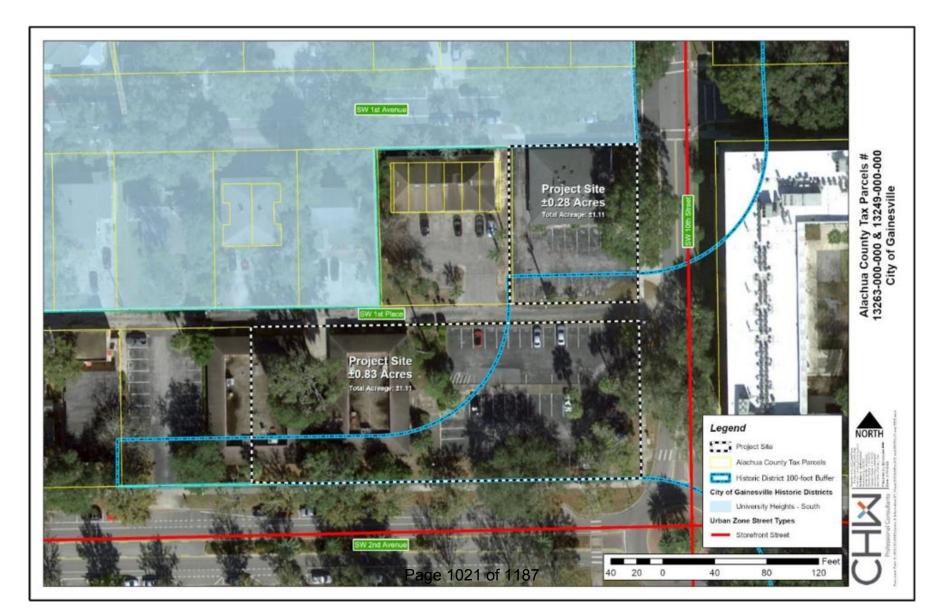
Project Location



Project Location



Project Location



Current Land Use



Current Zoning



Building Details

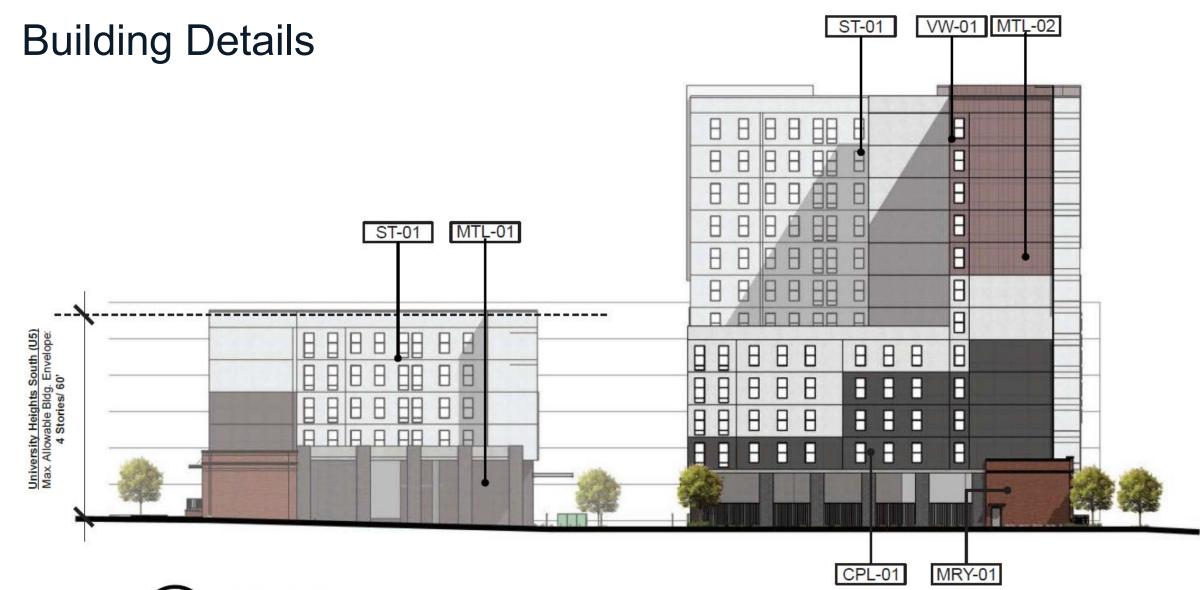


2 East Elevation
Scale: 1" = 40' Page 1024 of 1187

Building Details

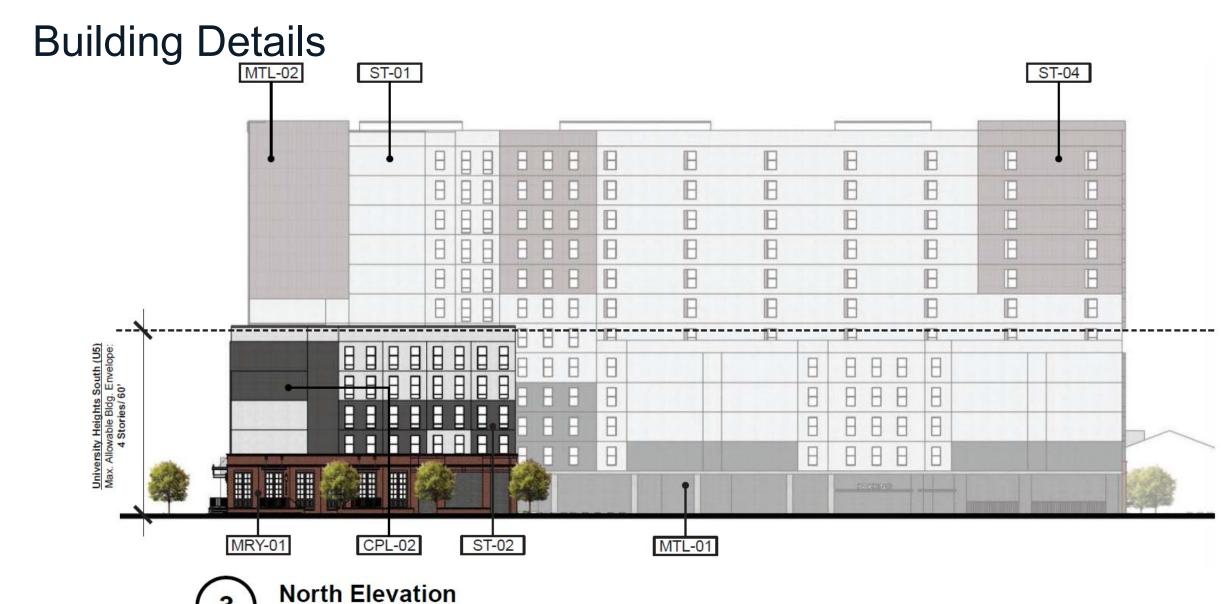


South Elevation
Scale: 1" = 40'



West Elevation

Scale: 1" = 40' Page 1026 of 1187



Scale: 1" = 40'
Page 1027 of 1187

Project Details

	Existing Land Use (UMUH) and Zoning (U9)	Historic District 100ft Compatibility Buffer	Proposed Maximums
Density	100 du/ac by right (125 du/ac with SUP) = 111	6 du/building	204 du (~184 du/ac)
	units (<u>138</u> units with SUP)	(single family, attached,	
		or small-scale multi-	
		family)	
Bedrooms	Bedrooms (2.75 Multiplier):	N/A	557 Bedrooms
Dearooms	305 (379 with SUP)	14/7	<u>oor</u> beardonis
	900 (973 With 551)		
Stories	6_Stories (8 with bonus)	4 Stories	12 stories (southern building),
			<u>5</u> stories (northern building)
Height	88 feet (116ft with bonus)	60 feet	120 feet 7 inches
Building	20ft minimum, 25ft maximum (from back of curb)	N/A	14 feet (at intersection of SW
Placement			2 nd Ave and SW 10 th St.
	Page 1028 of	1187	

PB-21-00219 LUC and PB-21-00220 ZON 1026 SW 2nd Avenue and SW 10th Street

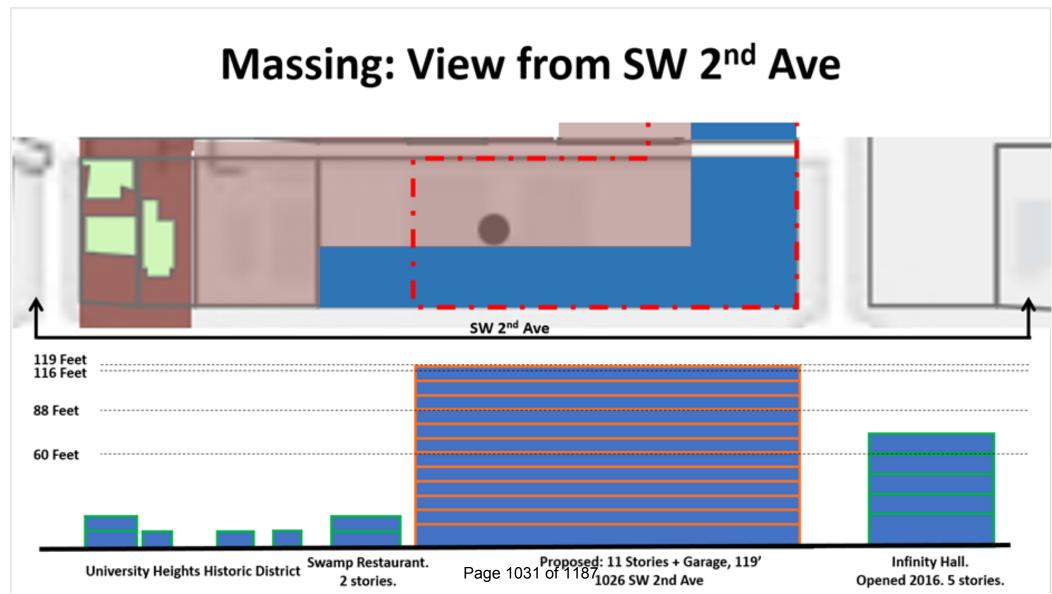
- Policy 4.1.3 Criteria for changes to Future Land Use
 - Consistency with Comprehensive Plan
 - Compatibility and Surrounding Land Uses
 - Environmental Impacts and Constraints
 - Support for urban infill and/or redevelopment
 - Impacts on Affordable Housing
 - Impacts on Transportation
 - Analysis of Availability of Facilities and Services
 - Discouragement of Urban Sprawl
 - Need for Job Creation, Capital Investment, and Economic Development to Strengthen and Diversify the City's Economy

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PB-21-00219 LUC and PB-21-00220 ZON 1026 SW 2nd Avenue and SW 10th Street

- Section 30-3.17 of LDC Criteria
 - Consistent with Comprehensive Plan
 - Conformance to PD Purpose
 - Internal Compatibility
 - External Compatibility

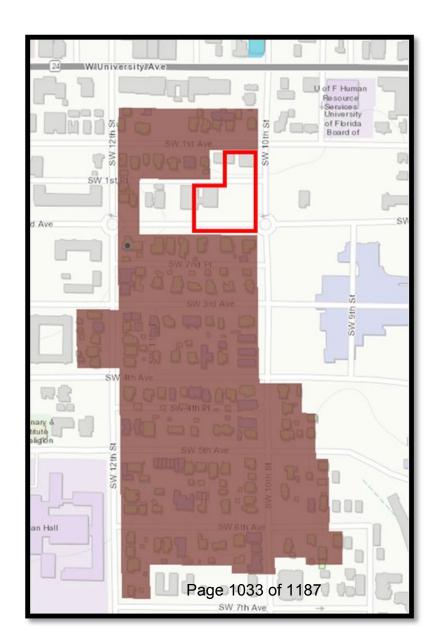
External Compatibility



PB-21-00219 LUC and PB-21-00220 ZON 1026 SW 2nd Avenue and SW 10th Street

- Section 30-3.17 of LDC Criteria
 - Intensity of Development
 - Useable Open Spaces, Plazas, and Recreation Areas
 - Environmental Constraints
 - External Transportation Access
 - Internal Transportation Access
 - Provision for the Range of Transportation Choices

University Heights South Historic District







Historic District 100ft Compatibility Buffer

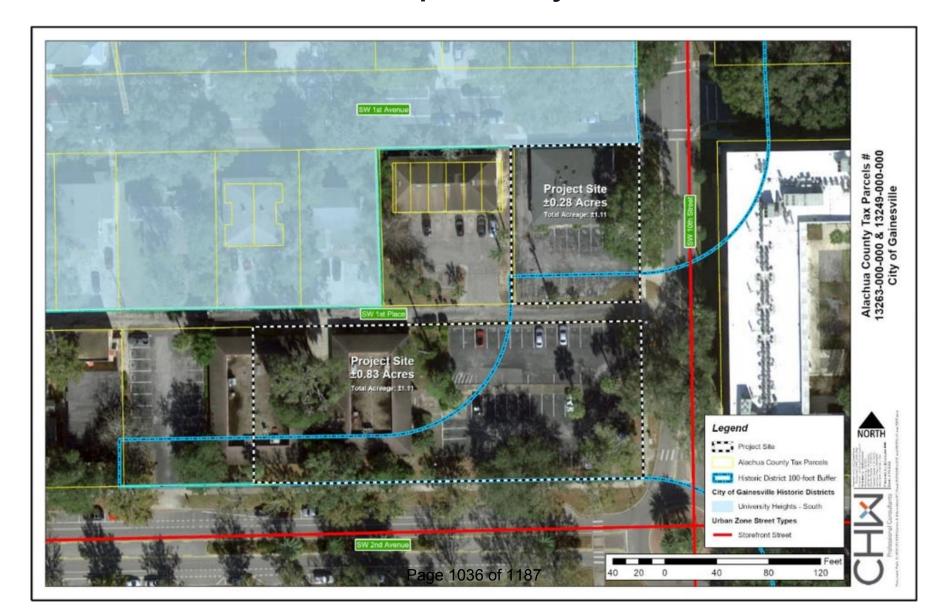


Photo 1. 1125 SW 2[™] AVE, *Contributing Structure* in the District



Photo 2. 1113 SW 2[™] AVE, *Contributing Structure* in the District



Photo 3. 1107 SW 2nd AVE, *Contributing Structure* in the District



Photo 4. 1103 SW 2nd AVE, **Contributing Structure** in the District



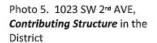




Photo 6. 1013 SW 2nd AVE, *Contributing Structure* in the District



Photo 7. 1005 SW 2nd AVE, *Contributing Structure* in the District



Photo 8. The character of the street, looking east from 1113 SW 2™ Avenue.



Photos 9 and 10.

Reinvestment in properties has happened as recently as this past year. The top photo is google maps, March 2021.

The bottom photo are the same properties, 1103 and 1107 SW 2[∞] Avenue, but in March 2022.





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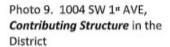




Photo 10. 1012 SW 1st AVE, Contributing Structure in the District



Photo 11. 1016 SW 1st AVE, Contributing Structure in the District



Photo 12. 1022 SW 1* AVE, Contributing Structure in the District



Photo 13. 1022 SW 1* AVE, *Contributing Structure* in the District



Photo 14. 1023 SW 1st AVE, **Contributing Structure** in the District



University Heights South Historic District – Existing Surrounding Structures



Photo 15. The intersection (roundabout) at SW 2rd Avenue and SW 10th Street, looking north. The proposed project would be to the top left of the photo. To the top right, is Infinity Hall, a 5-story structure.



Photo 16. The intersection (roundabout) at SW 2nd Avenue and SW 10nd Street, looking south. The proposed project would be to the right of the photo. To the left, is Infinity Hall, a 5-story structure.

University Heights South Historic District – Existing Surrounding Structures



Photo 17. Oblique view of Infinity Hall, a 5-story structure, looking north.



Photo 18. Current construction proage the 46t of all 1876 Swamp," a 2-story structure being built to the west of the proposed project, which would be built to the top right of the photo.

Architectural Analysis and Previous Planning and Design Efforts



Photos 19 and 20. The character of the blocks further east of the proposed project, on the SW 2rd Avenue corridor, east of the roundabout at SW 2rd Avenue and SW 10th Street. The character of the street here, closer to downtown Gainesville, is four and five stories.



Architectural Analysis and Previous Planning and Design Efforts





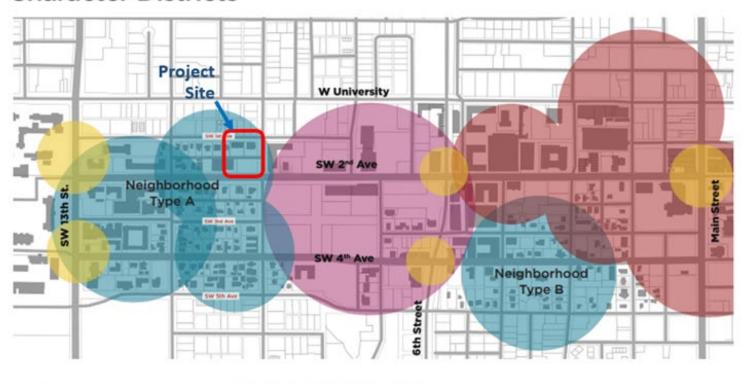
Architectural Analysis and Previous Planning and Design Efforts



Multimodal Corridors and Vision(ing) Study



Character Districts



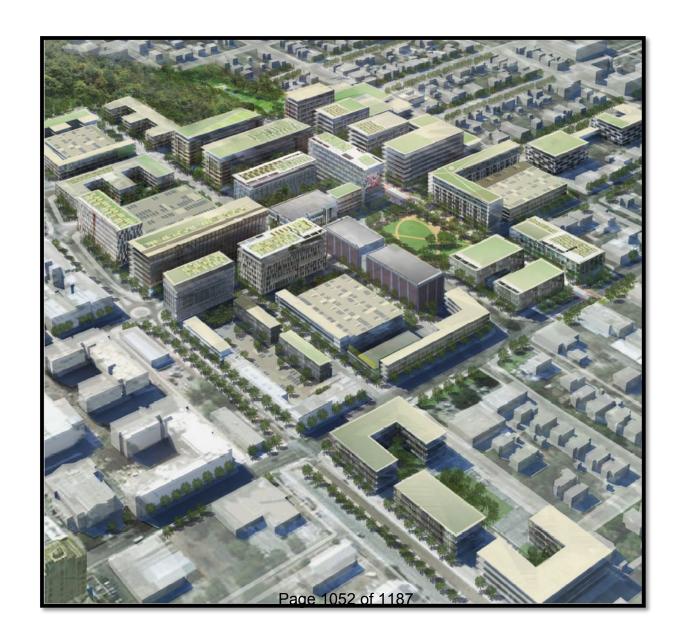


The Study Area exudes some characteristics which can be capitalized upon to create unique neighborhoods.

Innovation Square Master Plan and Development Framework



Innovation Square Master Plan and Development Framework



Comprehensive Plan and PD/PUD Intent:

- Intended to "allow the consideration of unique, innovative, or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of the surrounding land uses."
- PD District are intended to "provide a particularized zoning district that recognizes unique conditions, allows design flexibility, and promotes planned diversification and integration of uses and structures."
- Proposal provides for 10% of proposed units to be reserved for households earning between 50% and 80% Area Median Income in perpetuity

Original Recommendation:

Staff recommended approval of PB-21-00219 LUC and PB-21-00220 ZON, with conditions:

- 1. The applicant must record a restrictive covenant memorializing the provision of 10% of on-site units towards workforce housing in perpetuity.
- 2. Building placement and frontage zones must conform to U9 standards.
- 3. The applicant must utilize the executed Memorandum of Understanding between the property owners and the Gainesville Housing Authority.
- 4. Landscape zone standards may be modified in order to protect existing trees but shall take precedence over the provision of public facilities or utilities in design decisions per existing Land Development Code regulations.

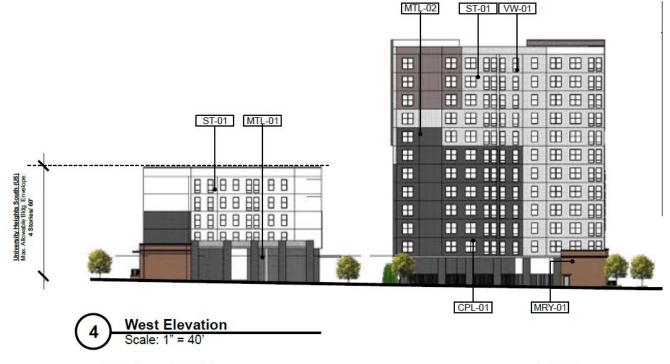
Associated Recommendations:

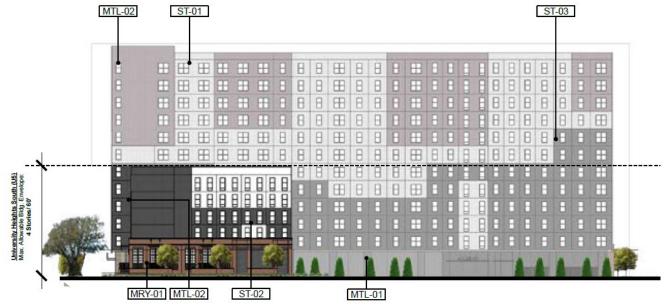
City Plan Board voted to recommend that the City Commission deny both PB-21-00219 LUC and PB-21-00220 ZON at it's meeting on April, 28th, 2022.

The Historic Preservation Board passed a resolution (2022-03) opposing the requested land use and zoning changes on May 3rd, 2022.

On November 17th, 2022 The City Commission voted in support of a "third option" which included a southern building that extended the 12 story portion of the building across the entire building.

"Third Option"





North Eleval 1056 of 1187
Scale: 1" = 40"

Staff Recommendation:

Upon review and analysis of the "third option," staff maintains its original recommendation from November 17th, 2022 along with the presented associated conditions.

Thank You



City of Gainesville Agenda Item Report

File Number: 2023-70

Agenda Date: February 2, 2023

Department: City Attorney

Title: 2023-70 Residential Rental Unit Permit Program (B)

Department: Office of the City Attorney

Description: Ordinance No. 2023-70: An ordinance of the City of Gainesville, Florida, amending the Residential Rental Unit Permits program by amending Section 2-339 – *Applicable Codes and Ordinances* and by amending Chapter 14.5, Article I titled "Residential Rental Unit Permits"; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: N/A

Explanation: This ordinance will amend the Residential Rental Unit Permit Program by amending Section 2-339 – *Applicable Codes and Ordinances* and by amending Chapter 14.5, Article I titled "Residential Rental Unit Permits." On September 17, 2020, the City Commission adopted the Residential Rental Unit Permit Program, as since amended, to eliminate substandard residential rental units by creating a permit and inspection program that requires all regulated residential rental units within the City to meet certain minimum property maintenance and energy efficiency standards. The purpose of this ordinance is to provide clarity and improve upon issues that have been learned since the City's implementation of the program.

This ordinance requires two hearings and will become effective immediately upon adoption at second reading.

Strategic Connection: N/A

Recommendation: The City Commission adopt the proposed ordinance.

23

ORDINANCE NO. 2023-70

2 An ordinance of the City of Gainesville, Florida, amending the Residential Rental 3 Unit Permits program by amending Section 2-339 - Applicable Codes and 4 Ordinances and by amending Chapter 14.5, Article I titled "Residential Rental 5 Unit Permits"; providing directions to the codifier; providing a severability 6 clause; providing a repealing clause; and providing an effective date. 7 8 9 WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for 10 municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the 11 Florida Constitution, including the exercise of any power for municipal purposes not expressly 12 prohibited by law; and 13 WHEREAS, the City of Gainesville, Florida ("City") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and the Municipal Home Rule 14 15 Powers Act; and 16 WHEREAS, on September 17, 2020, the City Commission adopted a Residential Rental Unit Permit 17 Program, as since amended, to eliminate substandard residential rental units by creating a permit 18 and inspection program that requires all regulated residential rental units within the City to meet 19 certain minimum property maintenance and energy efficiency standards; and 20 WHEREAS, the purpose of the amendments to the City's Residential Rental Unit Permit Program 21 as provided by this ordinance is to address certain provisions to provide clarity and improve upon 22 issues that have been learned since the City's implementation of the program; and

24 circulation notifying the public of this proposed ordinance and of public hearings to be held by 25

WHEREAS, at least ten days' notice has been given once by publication in a newspaper of general

the City Commission of the City of Gainesville; and

- WHEREAS, the public hearings were held pursuant to the published notice described at which
- 27 hearings the parties in interest and all others had an opportunity to be and were, in fact heard;
- 28 and
- 29 WHEREAS, the City Commission has reviewed the recommended amendments as provided
- 30 herein and has determined that they serve a valid public purpose and are in the best interest of
- 31 the public health, safety, and general welfare of the City and its residents.
- 32 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,
- 33 **FLORIDA:**
- 34 **SECTION 1.** Section 2-339. *Applicable Codes and Ordinances* of the Code of Ordinances is
- amended as follows. Except as amended herein, the remainder of Section 2-339 remains in full
- ³⁶ force and effect.
- 37 Chapter 2 ADMINISTRATION

38

39 ARTICLE V. – BOARDS

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41 DIVISION 6. – CIVIL CITATIONS

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Sec. 2-339. – Applicable codes and ordinances.

Section	Description	Class	Penalty
	Not having a residential rental unit permit Violations of the Residential Rental Unit Permit program	II	\$250.00

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- SECTION 2. Article I titled "Residential Rental Unit Permits" within Chapter 14.5 of the Code
- of Ordinances is amended as follows. Except as amended herein, the remainder of Chapter 14.5
- remains in full force and effect.

49 Chapter 14.5 – MISCELLANEOUS BUSINESS REGULATIONS

ARTICLE I. - RESIDENTIAL RENTAL UNIT PERMITS

Sec. 14.5-1. Purpose and intent.

The purpose and intent of this article is to eliminate substandard residential rental units by creating a permit and inspection program that requires all regulated residential rental units within the city to meet minimum property maintenance and energy efficiency standards.

Sec. 14.5-2. Definitions.

Throughout this article, the following words and phrases have the meanings defined below unless the text of the article or section in which used clearly indicates otherwise. Any word or phrase used in this article that is not defined below will have the common dictionary meaning most appropriate to the context in which such word or phrase is used.

Living standards means those property maintenance and energy efficiency standards set forth in section 14.5-4.

Occupant means any person age 18 or older who resides in a regulated residential rental unit.

 Owner means a person who or entity which alone, jointly, or severally with others, or in a representative capacity (including, without limitation, an authorized agent, attorney, executor, personal representative, or trustee), has legal or equitable title to a regulated residential rental unit.

Regulated residential rental unit (or regulated unit) means a condominium, co-op, timeshare, quadraplex, triplex, duplex, or single-family dwelling that is not occupied by the owner and that is rented (whether for free, for charitable purposes, or in exchange for money or other consideration) in whole or in part (such as a room) to a person unrelated to the owner, for periods of at least 30 consecutive days or one calendar month (whichever is less). This definition expressly excludes public lodging establishments regulated by the state pursuant to F.S. Pt. I of Ch. 509, and dormitories.

Unrelated to the owner means any person who is not interrelated to the owner as a spouse, domestic partner, child, stepchild, foster child, parent, stepparent, foster parent, brother, sister, grandparent, grandchild, aunt, uncle, niece, nephew, father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, legal guardian, or domestic servant, as evidenced by written documentation of such relationship.

Sec. 14.5-3. Annual residential rental unit permits.

Each regulated unit must have a current annual permit. Each owner shall make application for a permit at least ten business days prior to allowing an occupant to reside in a regulated unit. Each annual permit issued by the city is valid from October 1 (or date of issuance) to September 30 of the following year. In the event of a change in ownership of a regulated unit, the permit may be transferred to the new owner subject to a new application and payment of the permit fee set forth in Appendix A. Renewal permit applications must be submitted on or before October 1 of each year. A permit may not be issued, renewed, or transferred for a unit with uncorrected living standard violations. The owner shall submit a completed permit application (for the initial permit, each renewal, and any transfer), on the form provided by the city, that includes all of the following requirements:

- (a) A confirmation by the owner that they will provide each occupant with a complete copy (hard copy or electronic copy) of the following documents prior to the signing of the lease or other written document granting occupancy, or prior to occupancy if there is no written document between the occupant and the owner: the current version of the "Florida's Landlord/Tenant Law" brochure prepared by the Florida Department of Agriculture and Consumer Services; the current version of the "Tenant Bill of Rights and Responsibilities" prepared by the city, which must include the minimum standards in the current version of the city-provided self-inspection checklist; and the most recent U.S. Department of Energy Home Energy Score for the regulated unit prepared by the city and provided to the owner. In addition, the owner shall maintain on file, and allow the city to inspect same upon request, a receipt signed by each occupant confirming they received the above documents prior to signing a lease (or other written document) or prior to commencing residency, whichever is applicable, in the regulated unit.
- (b) The name, mailing address, email address, and telephone number of the owner to receive communications from the city concerning the permit and this article, or alternatively, the owner may provide the name, mailing address, email address, and telephone number of an agent physically located within Alachua County whom the owner has authorized to receive communications from the city concerning the permit and this article.
- (c) Payment of the permit fee set forth in Appendix A, Schedule of fees, rates and charges.

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Sec. 14.5-4. Living standards.

- 120 (a) Property maintenance: An owner shall ensure that eEach regulated unit under the owner's

 121 authority must meets all requirements of article II titled "Property Maintenance Code" of

 122 chapter 13 of the City Code of Ordinances.
- 123 (b) Energy efficiency: An owner shall ensure that eEach regulated unit under the owner's
 124 authority must meets the following energy efficiency requirements:
- 125 (1) Attic insulated to a minimum of R-19 and then a minimum of R-30 by 12:01 a.m. on October 1, 2026.
- 127 (2) Attic access is weather stripped and insulated to a minimum of R-30.
- 128 (3) All visible duct joints sealed using mastic or a combination of mastic and fiberglass mesh 129 tape, pressure sensitive foil tape (UL181AP), or heat sensitive foil tape (UL 181AH), and 130 all ducts insulated to a minimum of R-4 with appropriate commercially available 131 insulation material.
 - (4) Fireplace chimneys that are in working condition must have working dampers, doors, or closures. Fireplaces that are not in working condition and are sealed to prevent use do not have to meet these requirements.
- 135 (5) Plumbing system is free of visible leaks.
- 136 (6) All showerheads must be 2.5 gal/min flow rate or less, as evidenced by imprinting on the showerhead or documentation maintained by the owner.
- 138 (7) All faucets must have aerators with a 2.5 gal/min flow rate or less, as evidenced by documentation maintained by the owner.
 - (8) All toilets must be 3 gal/flush or less (use of a volume reduction device to achieve this is acceptable) and 1.6 gal/flush or less by 12:01 a.m. on October 1, 2026.
 - (9) Water heater(s) have a visible and properly functioning temperature/pressure relief valve (TPRV).
- (10) Water heater pipes insulated for the first three feet from the unit (excepting gas units)with appropriate commercially available insulation.
- 146 (11) All visible exterior water lines not in enclosed space must be insulated with appropriate commercially available insulation.
 - (12) HVAC system(s) must have maintenance performed by a currently licensed HVAC or mechanical contractor at least once within the past 24 months, as evidenced by documentation maintained by the owner, and have a filter installed that is appropriately sized for the system(s) and regularly changed according to the manufacturer's recommendation.
- 153 (13) Programmable thermostat connected to HVAC system by 12:01 a.m. on October 1, 2026.

(14) Wall, window, or other single room or small space cooling units in good repair, property secured and air-sealed, and with a filter installed that is appropriately sized for the unit(s).

Sec. 14.5-5. Education; inspections.

- (a) The City will conduct compliance inspections on a four-year rolling cycle, with the goal that each regulated unit will be inspected at least once every four years for compliance with this article. In addition, with every other compliance inspection, the city will prepare and provide to the owner a U.S. Department of Energy Home Energy Score for the regulated unit. Inspections may also be conducted more frequently or as a result of a complaint received by the city. Notwithstanding the foregoing, the city will investigate complaints filed under the property maintenance code in accordance with the provisions therein provided in article II of chapter 13 of the Code of Ordinances. The owner should complete and maintain the city-provided self-inspection checklist prior to any city inspections, as the checklist provides guidance as to the areas that will be inspected.
- (b) Written notice of an inspection will be provided via certified mail to the owner and posted at the regulated unit at least seven calendar days prior to the city conducting the inspection. Inspections will take place at a reasonable time during regular business hours. If the unit is not occupied, the owner shall give consent and shall be present at the time of the inspection. If the unit is occupied, an occupant shall give consent and shall be present at the time of the inspection. If the owner or occupant (as applicable) refuse to consent to the inspection, the city may obtain an inspection warrant pursuant to F.S. § 933.20 et seq., prior to conducting the inspection.

Sec. 14.5-6. Enforcement and penalties.

- (a) Enforcement. Failure to meet living standards. If upon inspection the city manager or designee has reasonable grounds to believe that a regulated unit does not meet the living standard(s) If an owner or any associated regulated unit is in violation of this article according to the reasonable discretion of the city, the city will pursue the enforcement procedure set forth in division 6 or division 8 (as applicable) within article V of chapter 2 of the Code of Ordinances. In addition, if living standard violation(s) are not corrected and such violation(s) constitute a health, safety, or welfare hazard to the occupant, the city manager or designee may revoke the permit. The City will not take any enforcement action against an occupant or any action that prevents an occupant's ongoing occupancy of a regulated unit, but the owner may be subject to liability in accordance with division 6 or division 8 (as applicable) within article V of chapter 2 of the Code of Ordinances. A permit may not be issued, renewed, or transferred for a unit with uncorrected living standard violations. Any fines imposed by any enforcement proceedings will stop accruing, and be calculated as due and payable to the city, upon the date of occurrence of any of the following events:
 - (1) The owner or a regulated unit is no longer in violation of this article; or
 - (2) The regulated unit has been relinquished by the owner by sale, foreclosure, or other action that dispossesses the owner of title to the regulated unit.

- (b) Extraordinary hardship. Any owner who cannot comply with a particular living standard may
 request an extraordinary hardship exception from the city manager or designee. The owner
 shall have the burden of demonstrating the existence of an extraordinary hardship by
 submittal of an application that sets forth facts demonstrating:
 - (1) The hardship is due to unique building or site characteristics with an explanation of why the living standard cannot be met;
 - (2) The owner did not create the hardship by taking actions that makes the property unable to meet the living standard; and
 - (3) There are no feasible alternatives for compliance. Examples of extraordinary hardship may include, but are not limited to, where there is insufficient space or the presence of attic flooring will not allow the installation of the required insulation or where the wastewater line serving the unit prevents the installation of a low flush toilet. Cost or inconvenience are not considered extraordinary hardships.
 - (c) Failure to apply for permit. If the city manager or designee has reasonable grounds to believe that a regulated unit is occupied without a permit in violation of this article, the owner shall be sent a permit application and the owner shall, within 30 days of the date the permit application was sent, either: a) provide evidence that a permit is not required, or b) submit a complete permit application. Failure to either provide evidence that a permit is not required or submit a complete permit application within 30 days of the date the application was sent will subject the owner(s) to a civil citation and/or the city may seek injunctive relief to prevent the unit from being rented. Fines imposed by any enforcement proceedings will stop accruing, and be calculated as due and payable to the city, upon the date of occurrence of any of the following events:
 - (1) A permit is obtained for the regulated unit;
 - (2) The regulated unit is no longer occupied in violation of this article;
 - (3) The regulated unit has been relinquished by the owner by sale, foreclosure, or other action that dispossesses the owner of title to the regulated unit; or
 - (4) The permit year for which the fines accrued ends.

SECTION 3. It is the intent of the City Commission that the provisions of Sections 1 and 2 of this ordinance become and be made a part of the Code of Ordinances of the City of Gainesville, Florida, and that the sections and paragraphs of the Code of Ordinances may be renumbered or relettered in order to accomplish such intent.

231	SECTION 4.	If any word, phrase, clause,	paragraph, section, or pro	vision of this ordinance or
232	the application	on hereof to any person or c	ircumstance is held invalid	or unconstitutional, such
233	finding will n	ot affect the other provisions	s or applications of this or	dinance that can be giver
234	effect withou	ut the invalid or unconstitut	ional provision or applica	tion, and to this end the
235	provisions of	this ordinance are declared se	everable.	
236	SECTION 5.	All ordinances or parts of ord	dinances in conflict herewit	th are to the extent of such
237	conflict herek	oy repealed.		
238	SECTION 6.	This ordinance will become	effective immediately upor	adoption.
239				
240	PASSED AND	ADOPTED this	day of	, 2023.
241				
242 243			HARVEY L. WARD	
244 245			MAYOR	
245 246 247	Attest:		Approved as to form and	legality:
248 249				
250	OMICHELE D.	GAINEY	DANIEL M. NEE	
251 252	CITY CLERK		INTERIM CITY ATTORNEY	
253	This ordinanc	e passed on first reading this	day of	, 2023.
254255	This ordinand	e passed on second reading the	his day of	, 2023.



City of Gainesville Agenda Report

File #: 2022-366

Agenda Date: February 2, 2023

Department: City Attorney

Title: 2022-366 Ordinance Specifying the Standards and Duties Of The City

Internal Auditor (B)

Department: Office of the City Attorney

Description: Ordinance No. 2022-366: An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances by revising the duties of the City Internal Auditor; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Fiscal Note: N/A

Explanation:

The internal audit function helps management of the city accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of various enterprise risk management, control, and governance processes by providing independent assurance and consulting services. The professional standards governing the City Internal Auditor require that the ordinances of the organization specify the standards and duties that the Auditor is required to follow. The Code of Ordinances should be changed to include these duties and standards. Including these duties will help ensure the Auditor remains accountable to certain standards, fulfills its function, and provides specific services to the City. These ordinances will replace Resolution 150127. Applicable and relevant details from Resolution 150127 have been included in the policies and procedures of the City Auditor.

Strategic Connection: N/A

Recommendation: The City Commission adopt the proposed ordinance and repeal Resolution 150127.

ORDINANCE NO. 2022-366

1 2 3 4 5	An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances by revising the duties of the city internal auditor; providing a severability clause; providing a repealing clause; and providing an immediate effective date.
6 7	WHEREAS, the internal audit function helps management of the City accomplish its
8	objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness
9	of various enterprise risk management, control and governance processes by providing
10	independent assurance and consulting services; and
11	WHEREAS, at least 10 days' notice has been given by publication in a newspaper of
12	general circulation notifying the public of this proposed ordinance and of public hearings to be
13	held by the City Commission of the City of Gainesville; and
14	WHEREAS, public hearings were held pursuant to the notice described above at which
15	hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.
16	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
17	CITY OF GAINESVILLE, FLORIDA:
18	Section 1. Division 3, Article III, of Chapter 2 of the Code of Ordinances of the City of
19	Gainesville is amended to read as follows:
20	Sec 2-176. – Duties <u>Responsibilities</u> .
21	In addition to the duties stated in Section 3.05 of the City Charter, the city internal
22	auditor shall:
23	(a) Perform financial and performance audits as well as attestation engagements in
24	accordance with Generally Accepted Governmental Auditing Standards
25	(GAGAS).

1	(b)	Perform or cause to be performed investigations of fraud, waste, and abuse
2		allegations.
3	(c)	Perform all other duties, including GAGAS defined "nonaudit services" or
4		"professional services other than audits or attestation engagements" assigned by
5		the city commission.
6	(d)	Assist the audit and finance committee in establishing factors to use for the
7		evaluation of external auditors, issuing request for qualifications, evaluating and
8		ranking external auditor candidates.
9	(e)	Perform the duties of inspector general.
10		
11	The cit	y internal auditor shall:
12	<u>(a)</u>	Develop a risk-based audit plan and conduct periodic enterprise risk assessments
13		to inform the risk-based audit plan;
14	<u>(b)</u>	With respect to the city commission, boards, and all city functions, perform audit
15		engagements that include financial, operational/performance, compliance, and
16		information technology audits, and nonaudit and advisory services and
17		consultations in accordance with professional standards;
18	<u>(c)</u>	Based on risk, review or audit any city functions where an attestation or opinion
19		will be made by the city internal auditor on its effectiveness, control, design
20		and/or efficiency; and/or conformity to organizational policies, procedures, and
21		applicable laws and regulations;
22	<u>(d)</u>	Respond to and perform special requests (which are not in the risk-based audit
23		plan) by other charter officers depending upon available resources and potential
24		to add value to the city, as determined by the city internal auditor;

1	<u>(e)</u>	Conduct follow up of audit issues and management action plans to ensure
2		management has adequately mitigated identified risks;
3	<u>(f)</u>	Manage the city's designated fraud reporting process (which allows for
4		anonymous reporting) and conduct occupational fraud investigations relating to
5		city programs and operations, in accordance with professional standards;
6	<u>(g)</u>	Maintain internal policies, procedures and guidelines for the conduct of internal
7		audit activities;
8	<u>(h)</u>	Report internal audit activities to the audit committee and city commission; and
9	<u>(i)</u>	Perform the duties of inspector general.
10	Sec. 2-177	7 Authority to appoint and remove subordinate employees.
11	The in	ternal auditor shall appoint and remove all subordinate employees in the internal
12	auditor's offic	se.
13	The ci	ty internal auditor shall:
14	<u>(a)</u>	Be independent from the other charter officers and report directly to the city
15		commission;
16	<u>(b)</u>	Have the independent ability to allocate audit resources, set audit frequencies,
17		select subjects, determine scope of work, and apply audit techniques required to
18		accomplish audit objectives;
19	<u>(c)</u>	Have continual unrestricted access to all functions, records, property, and
20		personnel of the city in meeting its specific audit objectives, unless otherwise
21		prohibited by law; and

1	Have the cooperation of city personnel and city contractors performing work on
2	behalf of the city in relation to performance of audit engagement activity, unless
3	otherwise prohibited by law.
4	Sec. 2-178 Audit committee; selection of external auditor.
5	Pursuant to F.S. § 218.391, the city commission shall appoint a committee who audit
6	committee or other committee designated by the city commission shall establish factors to use
7	to evaluate external auditor candidates, cause a notice of issuance of request for proposals to be
8	issued when the city seeks to contract with an external auditor, evaluate and rank the external
9	auditor proposals and make recommendations to the city commission on the ranking of
10	proposals. The city internal auditor shall assist the committee in establishing factors to use for
11	the solicitation and evaluation of external auditors.
12 13	Sec. 2-179. – Professional Standards.
14	The city internal auditor provides independent, objective assurance and consulting
15	services designed to add value and improve the city's operations. In order to provide
16	independent, objective assurance and consulting services to improve the city's operations, the
17	city internal auditor shall follow the Institute of Internal Auditors International Standards for the
18	Professional Practice of Internal Auditing (IPPF) and the United States Government
19	Accountability Office Generally Accepted Government Auditing Standards (GAGAS). The city
20	internal auditor shall utilize the Association of Certified Fraud Examiners Manual and Code of
21	Ethics for conducting occupational fraud investigations. The city internal auditor will maintain
22	an internal quality assurance and improvement program and will undergo a Peer Review
23	engagement periodically, which renders an independent opinion on conformance to the
24	professional standards.

1 2	Secs. 2- 179 - <u>2-180</u> —2-195 Reserved.		
3	Section 2. It is the intention of the City Commission that the provisions of Section 1 of thi		
4	ordinance become and be made a part of the Code of Ordinances of the City of Gainesville, Florida		
5	and that the sections and paragraphs of this	ordinance may be renum	abered or relettered in order to
6	accomplish such intentions.		
7	Section 3. If any word, phrase, claus	e, paragraph, section, or	provision of this ordinance or
8	the application hereof to any person or ci	rcumstance is held inva	alid or unconstitutional, such
9	finding will not affect the other provisions or	r applications of this ord	inance that can be given effec
10	without the invalid or unconstitutional prov	vision or application, and	d to this end the provisions of
11	this ordinance are declared severable.		
12	Section 4. All ordinances, parts of ordinances, and resolutions in conflict herewith are to		
13	the extent of such conflict hereby repealed,	including Resolution No	. 150127.
14	Section 5. This ordinance shall become effective immediately upon adoption.		
15	PASSED AND ADOPTED this	day of	, 2022.
16 17 18 19 20 21		LAUREN POE MAYOR	
23 24 25	Attest:	Approved as to	form and legality:
26272829	OMICHELE D. GAINEY CITY CLERK	DANIEL M. N INTERIM CIT	EE Y ATTORNEY
30	This ordinance passed on first reading this _	day of	, 2022.
31 32			

ORDINANCE NO. 2022-366

1 2 3 4 5	An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances by revising the duties of the city internal auditor; providing a severability clause; providing a repealing clause; and providing an immediate effective date.
6 7	WHEREAS, the internal audit function helps management of the City accomplish its
8	objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness
9	of various enterprise risk management, control and governance processes by providing
10	independent assurance and consulting services; and
11	WHEREAS, at least 10 days' notice has been given by publication in a newspaper of
12	general circulation notifying the public of this proposed ordinance and of public hearings to be
13	held by the City Commission of the City of Gainesville; and
14	WHEREAS, public hearings were held pursuant to the notice described above at which
15	hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.
16	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
17	CITY OF GAINESVILLE, FLORIDA:
18	Section 1. Division 3, Article III, of Chapter 2 of the Code of Ordinances of the City of
19	Gainesville is amended to read as follows:
20	Sec 2-176. – Duties Responsibilities.
21	In addition to the duties stated in Section 3.05 of the City Charter, the city internal
22	auditor shall:
23	(a) Perform financial and performance audits as well as attestation engagements in
24	accordance with Generally Accepted Governmental Auditing Standards
25	(GAGAS).

1	(b)	Perform or cause to be performed investigations of fraud, waste, and abuse
2		allegations.
3	(c)	Perform all other duties, including GAGAS defined "nonaudit services" or
4		"professional services other than audits or attestation engagements" assigned by
5		the city commission.
6	(d)	Assist the audit and finance committee in establishing factors to use for the
7		evaluation of external auditors, issuing request for qualifications, evaluating and
8		ranking external auditor candidates.
9	(e)	Perform the duties of inspector general.
10 11	The city	y internal auditor shall:
11	The city	y internal auditor shan.
12	<u>(a)</u>	Develop a risk-based audit plan (which is a plan that ensures internal audit
13		activity is focused on the organization's top risks and is created by prioritizing
14		risks and estimating resources) and conduct periodic enterprise risk assessments
15		(which requires assessing risks in alignment with the City's strategic objectives)
16		to inform the risk-based audit plan;
17	<u>(b)</u>	With respect to the city commission, boards, and all city functions, perform audit
18		engagements that include financial, operational/performance, compliance, and
19		information technology audits, and nonaudit and advisory services and
20		consultations in accordance with professional standards;
21	<u>(c)</u>	Based on risk, review or audit any city functions where an attestation or opinion
22		will be made by the city internal auditor on its effectiveness, control, design
23		and/or efficiency; and/or conformity to organizational policies, procedures, and
24		applicable laws and regulations;

1	<u>(d)</u>	Respond to and perform special requests (which are not in the risk-based audit
2		plan) by other charter officers depending upon available resources and potential
3		to add value to the city, as determined by the city internal auditor;
4	<u>(e)</u>	Conduct follow up of audit issues and management action plans to ensure
5		management has adequately mitigated identified risks;
6	<u>(f)</u>	Manage the city's designated fraud reporting process (which allows for
7		anonymous reporting) and conduct occupational fraud investigations relating to
8		city programs and operations, in accordance with professional standards;
9	<u>(g)</u>	Maintain internal policies, procedures and guidelines for the conduct of internal
10		audit activities;
11	<u>(h)</u>	Report internal audit activities to the audit committee and city commission; and
12	<u>(i)</u>	Perform the duties of inspector general.
13	G A 1	
13	Sec. 2-177	Authority-to appoint and remove subordinate employees.
14	The in	ternal auditor shall appoint and remove all subordinate employees in the internal
15	auditor's offic	e.
16	The cit	y internal auditor shall:
17	<u>(a)</u>	Be independent from the other charter officers and report directly to the city
18		commission;
19	<u>(b)</u>	Have the independent ability to allocate audit resources, set audit frequencies,
20		select subjects, determine scope of work, and apply audit techniques required to
21		accomplish audit objectives;

1	<u>(c)</u>	Have continual unrestricted access to all functions, records, property, and	
2		personnel of the city in meeting its specific audit objectives, unless otherwise	
3		prohibited by law; and	
4	<u>(d)</u>	Have the cooperation of city personnel and city contractors performing work on	
5		behalf of the city in relation to performance of audit engagement activity, unless	
6		otherwise prohibited by law.	
7	Sec. 2-17	8 Audit committee; selection of external auditor.	
8	Pursu	ant to F.S. § 218.391, the eity commission shall appoint a committee who audit	
9	committee or	other committee designated by the city commission shall establish factors to use	
10	to evaluate e	xternal auditor candidates, cause a notice of issuance of request for proposals to be	
11	issued when	the city seeks to contract with an external auditor, evaluate and rank the external	
12	auditor propo	osals and make recommendations to the city commission on the ranking of	
13	proposals. The city internal auditor shall assist the committee in establishing factors to use for		
14	the solicitation	on and evaluation of external auditors.	
15	Sec. 2-17	9. – Professional Standards.	
16 17	The c	ity internal auditor provides independent, objective assurance and consulting	
18	services desig	gned to add value and improve the city's operations. In order to provide	
19	independent,	objective assurance and consulting services to improve the city's operations, the	
20	city internal	auditor shall follow the Institute of Internal Auditors International Standards for the	
21	Professional	Practice of Internal Auditing (IPPF) and the United States Government	
22	Accountabili	ty Office Generally Accepted Government Auditing Standards (GAGAS). The city	
23	internal audi	tor shall utilize the Association of Certified Fraud Examiners Manual and Code of	
24	Ethics for con	nducting occupational fraud investigations. The city internal auditor will maintain	
	CODE: Words	4 stricken are deletions; words <u>underlined</u> are additions; words <u>double underlined</u> are revisions made	

at first reading..

- an internal quality assurance and improvement program and will undergo a Peer Review
- 2 engagement periodically, which renders an independent opinion on conformance to the
- 3 professional standards.
 - Secs. 2-179-2-180—2-195. Reserved.

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- **Section 2.** It is the intention of the City Commission that the provisions of Section 1 of this ordinance become and be made a part of the Code of Ordinances of the City of Gainesville, Florida, and that the sections and paragraphs of this ordinance may be renumbered or relettered in order to accomplish such intentions.
- **Section 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding will not affect the other provisions or applications of this ordinance that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.
- **Section 4.** All ordinances, parts of ordinances, and resolutions in conflict herewith are to the extent of such conflict hereby repealed, including Resolution No. 150127.

17

Section 5. This ordinance shall become effective immediately upon adoption.	
PASSED AND ADOPTED	this day of September, 2022.
	LAUREN POE
	MAYOR
	WITTOK
Attest:	Approved as to form and legality:
OMICHELE D. GAINEY	DANIEL M. NEE
CITY CLERK	INTERIM CITY ATTORNEY
This ordinance passed on first readi	ng this day of September, 2022.
This ordinance passed on second re-	ading this day of September, 2022.

RESOLUTION No. 970187

PASSED: <u>August 11, 1997</u>

A RESOLUTION APPROVING AND ADOPTING

CITY AUDITOR RESPONSIBILITIES

AND ADMINISTRATIVE PROCEDURES.

WHEREAS, the City Charter was amended by a special act of the legislature to establish the Office of the City Auditor and broadly define the duties and responsibilities of the Office, and

WHEREAS, Resolution No. R-81-10 was adopted by the City Commission on February 2, 1981, Resolution No. R-83-68 was adopted by the City Commission on October 17, 1983, and Resolution No. R-85-37 was adopted by the City Commission on May 20, 1985 for the purpose of clarifying and more precisely defining the procedures to be followed by the City Auditor in carrying out required responsibilities under the City Charter, and

WHEREAS, the City Commission has determined that said Resolutions should be improved in clarity and scope;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

- Section 1. That Resolutions No. R-81-10, R-83-68 and R-85-37 adopted February 2, 1981, October 17, 1983 and May 20, 1985, respectively, are hereby rescinded.
- Section 2. That the CITY AUDITOR RESPONSIBILITIES AND ADMINISTRATIVE PROCEDURES attached hereto as EXHIBIT A, are hereby approved as the procedures to be followed by the City Auditor in carrying out responsibilities required under the City Charter.
- Section 3. This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Gainesville, and it is accordingly so resolved.

PASSED AND ADOPTED this 11th day of August, 1997.

	Bruce L. Delaney, Mayor-Commissioner	
ATTEST:		
Kurt M. Lannon, Clerk of the Commission	Marion J. Radson, City Attorney	

EXHIBIT A

CITY OF GAINESVILLE, FLORIDA CITY AUDITOR RESPONSIBILITIES AND ADMINISTRATIVE PROCEDURES

SECTION 1. Organizational Status and Independence

- The City Auditor is a Charter Officer of the City of Gainesville, as provided for in the City A. Charter, and as such is appointed by, serves at the pleasure of, and reports directly to the City Commission.
- B. The City Commission recognizes that independence in fact and in appearance is an essential precondition for the effective performance of the City Auditor's responsibilities in conducting internal audits of City organizations, programs, functions and activities. It is therefore adopted as a basic principle that the Office of the City Auditor shall be free of any authority over its funding and administrative functions other than that exercised directly by the City Commission.
- C. The City Auditor shall have such assistants and employees as are necessary to perform required duties and that are provided for by the City Commission. The personnel policies and procedures to be followed shall be those of the City, except that the City Auditor shall be the final administrative authority in personnel matters relating to the City Auditor's Office, under the general supervision of and subject to the approval of the City Commission.
- D. Each year, in accordance with the schedule established for the preparation and presentation to the City Commission of the City Manager's proposed budget, the City Auditor shall prepare a budget proposal for the Office and present same to the Audit and Finance Committee of the City Commission. Upon approval, the proposed budget will be transmitted to the City Manager for inclusion without changes in the proposed City Budget, and will be considered by the City Commission along with the proposed budgets of all other City departments and Offices.
- E. As a general rule, neither the City Auditor nor any member of the Office staff shall conduct, supervise or otherwise participate in an audit of an activity for which they were responsible or within which they were employed during the preceding two years. However, such participation

may be authorized by the City Commission when it has been demonstrated to their satisfaction that such responsibility or employment would not materially impair the objectivity and independence of the auditor.

SECTION 2. Responsibility to Exercise Due Professional Care

- A. In carrying out the required responsibilities, the City Auditor is to exercise due professional care. This requires that the City Auditor perform duties in conformity with Generally Accepted Government Auditing Standards, making all reasonable efforts to ensure that audit results are supported by factual information and impartial judgment.
- B. This provision recognizes that the quality of audit results depends upon the degree to which auditors employ high professional standards in performing their work and places responsibility on the City Auditor for making reasonable efforts to ensure this is done. It does not imply that the Office of the City Auditor or individual auditors accept unlimited responsibility for disclosing impropriety, inefficiency, ineffectiveness or non-compliance. Nor does it preclude inadvertent auditing errors from taking place.
- C. To provide reasonable assurance that due professional care will be employed in conducting audits, the City Auditor will establish audit standards, policies and procedures and will ensure that these are followed by audit staff. These standards, policies and procedures will be consistent with generally accepted professional practice and with applicable laws and regulations.
- D. Government Auditing Standards promulgated by the United States Government Accountability Office require that each audit organization conducting audits in accordance with these standards have an appropriate internal quality control system in place and undergo an external quality control review. Organizations conducting audits in accordance with these standards should have an external quality control review at least once every three years by an organization not affiliated with the organization being reviewed. The external quality control review should determine whether the organization's internal quality control system is in place and operating effectively to provide reasonable assurance that established policies and procedures and applicable auditing standards are being followed. To provide assurance that the City Auditor's Office has fulfilled required responsibilities and complied with Government Auditing Standards, the City Auditor will arrange for an external quality control review every three years to be completed by September 30

of every third year since the prior review. The firm or organization selected to perform the review will be approved by the City Commission prior to the review and upon completion, the results of the review will be reported in writing to the City Commission. The peer review process should include procedures designed to obtain input from the other Charter Officers.

SECTION 3. Nature, Objective and Scope of Audit Work

- The Office of the City Auditor is an independent appraisal activity within the City organization for A. the review of operations as a service to the City Commission and City management. Audit work carried out by the Office functions as a general control by measuring and evaluating the effectiveness of other City controls.
- B. The objective of audit work carried out by the Office is to assist all members of the City Commission and City management in the effective discharge of their responsibilities by furnishing them with analyses, appraisals, recommendations, counsel and information concerning the activities reviewed.
- C. The scope of audit work carried out by the Office may be concerned with any phase of City activities where service may be rendered to the City Commission or to City management. This involves going beyond the accounting and financial records to obtain a full understanding of the operations under review, and involves such activities as:
 - (1) Reviewing and appraising the soundness, adequacy, and application of accounting, financial, electronic data processing and other operating controls and promoting effective control at reasonable cost.
 - (2) Ascertaining the extent of compliance with applicable laws and regulations and with established policies, plans and procedures.
 - (3) Ascertaining the extent to which City assets are accounted for and safeguarded from losses of all kinds.
 - (4) Ascertaining the sufficiency, validity and reliability of accounting and statistical data developed within the organization.
 - (5) Appraising the economy, efficiency and effectiveness of City organizations, programs, functions and activities.
 - (6) Recommending measures to the City Commission and City management for improving operations.

SECTION 4. Responsibilities for Planning

- A. The City Auditor shall develop and submit to the City Commission for approval by resolution a strategic plan, which shall cover a minimum of three years and a maximum of five years. The strategic plan shall be submitted to the City Commission every three years, three months following City Commission acceptance and approval of the External Quality Control Review described in Section 2(d). The strategic plan shall include, but shall not necessarily be limited to:
 - (1) a statement of general goals and objectives to be accomplished;
 - (2) major exposure areas;
 - (3) identification of major areas to be audited, and specification of the general nature and timing of audit work in each area; and
 - (4) projected staffing requirements.
- B. The City Auditor shall submit an Annual Audit Plan to the City Commission for approval by resolution by October 1 of each fiscal year. The Annual Audit Plan shall include identification of the scope of each audit to be conducted in terms of the organizations, programs, functions and activities to be audited and in terms of the audit elements to be addressed. The audits identified in the Annual Audit Plan will be classified by type in accordance with those specified in *Government Auditing Standards*, promulgated by the United States General Accounting Office as follows:

(1) Financial Audits

Financial audits provide an independent assessment of whether an entity's reported financial information such as financial condition, results, and use of resources are presented fairly in accordance with recognized criteria. Financial audits include financial statements audits and other related financial audits.

(2) Performance Audits

Performance audits provide findings or conclusions based on an evaluation of sufficient, appropriate evidence against identified criteria. Performance audits provide objective analysis to assist management and those charged with governance and oversight in using the information to improve program performance and operations, reduce costs, facilitate decision-making by parties with responsibility to oversee or initiate corrective action, and contribute to public accountability. Performance audits include government entities, organizations, programs, activities and functions.

(3) Attestation Engagements

Attestation engagements cover a broad range of financial or nonfinancial objectives on a subject matter or assertion that is the responsibility of another party. An attestation engagement may be one of three types: Examination, Review, or Agreed-Upon Procedures.

(4) Nonaudit Services

Nonaudit services are professional services such as an investigation of fraud, waste or abuse. Forecasting, evaluating, and analyzing alternative plans may also be included as a nonaudit service.

C. The Annual Audit Plan may be amended during the year with the approval of the City Commission.

SECTION 5. Audit Requests by Charter Officers

A Charter Officer may request audits through the routine annual audit planning process. Alternatively, a Charter Officer may request that the City Auditor conduct audits, special studies or other activities which were not included in the Annual Audit Plan. If in the opinion of the City Auditor, the request may have a significant impact on the Annual Audit Plan, such requests will be presented to the City Commission by the City Auditor along with a recommendation as to whether the audit should be undertaken. If approved by the City Commission, such audits will be incorporated into the Annual Audit Plan. Upon completion of these services, the written report documenting the results of the review will be issued to the requesting Charter Officer. In accordance with the report processing procedures defined in Section 9 of this Resolution, the requesting Charter Officer will provide a written response to the City Auditor regarding recommendations made in the report. In the event there is disagreement between the City Auditor and the Charter Officer receiving the requested consulting services, the matter will be presented to the Audit and Finance Committee for resolution. In any event the City Auditor will then inform the City Commission in writing that a review has been performed and a written report is available upon request.

SECTION 6. Audit Coordination

- A. In the selection of audit areas, the determination of audit scope, and the timing of audit work, the City Auditor shall consult and cooperate with Federal and State auditors and the City's external auditors so that desirable audit coverage is provided and audit effort may be properly coordinated.
- B. The City Auditor shall be responsible for coordinating all financial audits of the City conducted by Federal auditors, State auditors, or certified public accounting firms. Specifically, the City Auditor shall:
 - In consultation with the Charter Officers, identify all audit requirements of the City.
 - Recommend to the City Commission whether such audits should be conducted by the Office of the City Auditor or by external auditors.
 - If the audit is to be conducted by external auditors, prepare a request for proposal (RFP) for City Commission approval. The RFP will include evaluative criteria to be used in rating proposals.
 - Prepare a list of firms to receive the RFP for City Commission approval.
 - Transmit, receive, evaluate and rate all proposals.
 - Refer the ratings to the City Commission for review and preparation of a recommendation to the City Commission of the firm to be selected.
 - Assist the City Attorney in drafting a contract which ensures that the firm selected is bound to fulfill the requirements of the audit.
 - Monitor the progress of the audit and report regularly to the City Commission on the progress of the audit.
 - During the course of the audit, advise City management in dealing with any questions or concerns that may arise.
 - Receive the final audit report after the opinion has been signed, review the report to ensure that contractual terms have been fulfilled, and transmit the report to the City Commission with a recommendation for acceptance or rejection. In some cases, the law may require that the audit report be submitted directly to the federal grantor agency. In such cases, the City Auditor will comply with applicable law and will inform the City Commission of the action taken.
 - Based on a review of the audit report and any accompanying management letter, recommend to the City Commission and City management any actions necessary to correct deficiencies in internal control, accounting procedures or compliance with applicable laws and regulations.

C. The Charter Officers shall ensure that all audit requirements for programs under their authority are made known to the City Auditor in time for the City Auditor to carry out required responsibilities for audit coordination, and they shall inform the City Auditor of any notification received of audits to be conducted by Federal or State auditors. In addition, the financial statements remain the representation of management, and it therefore remains management's responsibility to ensure that they are prepared properly and to work with any contract auditors, Federal auditors, or State auditors on a day-to-day basis to provide the accounting records and other information necessary for the examination.

SECTION 7. Report of Irregularities

If the City Auditor discovers apparent violations of law or apparent instances of misconduct by a City official or employee, or information that indicates occurrences of this nature may be reasonably anticipated, a decision will be made as to whether the irregularity results in a potential criminal offense or a deviation from administrative policy. If a criminal offense is deemed to have occurred, the City Auditor will immediately suspend the administrative audit, notify the City Attorney and the Chief of Police via the City Manager (or their written designee) requesting a criminal investigation. The City Auditor will provide, at the request of the Chief of Police, any technical and professional services necessary to assist in the criminal investigation. The portion of the administrative audit involving the criminal investigation will remain suspended until the criminal investigation is concluded. The Chief of Police and the City Attorney may also decide to notify the State Attorney in accordance with their requirements in conducting the investigation. When the investigation is concluded through issuance of an arrest warrant or a finding that no criminal offense has taken place, the City Auditor shall resume the administrative audit and promptly report the situation in writing concurrently to each member of the City Commission, the City Attorney, and the appropriate Charter Officer. The Chief of Police will assist the City Auditor in the audit by supplying all information which is not protected by State Statute.

If a deviation from administrative policy is deemed to have occurred, the City Auditor will include the deviation in the audit report and follow the report processing procedures set forth in Section 9 of this Resolution. Nothing in this Section will preclude the City Auditor from consulting with the Gainesville Police Department or the City Attorney's Office if, in the City Auditor's professional opinion, clarification of the type and nature of an irregularity is necessary.

SECTION 8. Audit Reports to the City Commission

- A. The City Auditor shall prepare a written report of the results of each audit conducted by the Office.
- B. The City Auditor shall submit each report to the City Commission, or notification that a report has been issued as described under the agreed upon circumstances described in Section 5, shall file a copy with the Clerk of the Commission, and shall retain a copy in the Office as a permanent record.
- C. If appropriate, the audit report shall contain the professional opinion of the City Auditor or the contract auditor concerning the financial statements issued by the audited entity, or, if an opinion cannot be expressed, then a declaration to that effect with an explanation.
- D. The City Auditor shall include in each audit report:
 - a statement of the scope of the audit work performed.
 - a statement of all material audit findings, with recommendations for desirable action.
 - a response addressing the audit findings and recommendations submitted by the
 - appropriate Charter Officer or in cases where the audited entity is not under the authority of a Charter Officer, by the highest official of the audited entity.

SECTION 9. Report Processing Procedures

- A. Upon completion of the final draft of an audit report, and prior to submission of the report to the City Commission, the City Auditor shall transmit a copy of the report to management of the audited entity and to other appropriate officials for review.
- B. Within thirty (30) days after receiving the report, the appropriate Charter Officer or other appropriate official will prepare an official written response to the findings and recommendations contained within the report and transmit the response to the City Auditor.
- C. The official response will address each recommendation presented in the audit report and will specify whether the recommendation is:
 - accepted and implemented;
 - accepted with implementation pending;

- under study; or
- rejected.

In the first three cases, the date of implementation or the date when implementation is expected or study is to be completed will be specified. In the fourth case, the response will include an explanation of why the recommendation is rejected.

- D. The official written response will be included verbatim in the audit report issued to the City Commission by the City Auditor.
- E. In cases where the complexity or timing of the audit report creates circumstances which render the thirty day response time unreasonable, the City Auditor may extend the response deadline by a reasonable amount of time. If no response is received within the appropriate timeframe from the transmittal of the report to officials of the audited entity, the City Auditor will issue the audit report without the response unless a further extension of the deadline is granted by the City Commission.

SECTION 10. Responsibilities for Follow-Up on Audits

Follow-up is the action taken to correct a weak control situation that has been identified by the auditor and reported to management. The initial responsibility for follow-up is clearly that of management. If management fails to take action or subordinates fail to implement the decision, the City Auditor's Office has a responsibility to report that situation.

The timing of the City Auditor's follow-up will depend on a variety of factors. For instance, if the recommendations result from the audit of an area that receives an annual audit, follow-up can be done during the following annual audit. For recommendations that require immediate attention, a follow-up of 30 days may be appropriate. In general, the City Auditor will adhere to the following system for follow-up on outstanding audit recommendations:

- (1) Upon approval of the City Auditor's original report and management's response by the City Commission, the recommendations and expected date of implementation are recorded. On an annual basis the City Auditor will follow-up with management on the status of open recommendations.
- (2) The responsible management official will provide a written status report to the appropriate Charter Officer who will report the recommendation status to the City Auditor.

(3) Upon notification that corrective action has been taken to implement the recommendation, the City Auditor will take the necessary steps to verify that corrective action has been taken.

The City Auditor will provide an annual report to the Audit and Finance Committee listing the status of outstanding recommendations.

SECTION 11. Records

The City Auditor shall retain for at least the period of time required under Florida Public Records Law, a complete file of each audit report and each report of other examinations, investigations, surveys and reviews made under the City Auditor's authority. The file should include audit workpapers and other supportive material directly pertaining to the report.

SECTION 12. Budget Reviews

- A. Each year, subsequent to the submission of the proposed City budget to the City Commission by the City Manager, the City Auditor shall review the General Fund revenue estimates included in the proposed budget. Upon completion of the review, the City Auditor shall transmit to the City Commission a memorandum stating whether in the City Auditor's opinion the revenue estimates were prepared using data and methods which provide reasonable assurance that the projected amount of revenue will be realized.
- B. Upon the request of the City Commission, the City Auditor shall review other selected portions of the proposed budget submitted to the City Commission by the Charter Officers. Such reviews will be conducted according to priorities set by the City Commission.

SECTION 13. Access to Records and Property

All officers and employees of the City shall furnish to the City Auditor any information and records within their custody and respond to any questions regarding powers, duties, activities, organization, property, financial transactions and methods of business that in the City Auditor's opinion are required to conduct an audit and to perform the requisite duties. Further, they shall provide access for the City Auditor to inspect all City property, equipment and facilities within their custody and to observe any operations for which they are responsible. Access shall include readily available user accounts for all information technology programs, databases, software applications and other electronic information storage assets.

The City Auditor shall be made aware of all audits performed by internal or external parties at the earliest stage of planning or contracting for audit, attestation, or investigative services (excluding criminal investigations by the Gainesville Police Department or other law enforcement agencies).

SECTION 14. Contract Auditors, Consultants and Experts.

Upon approval of the City Commission, the City Auditor may obtain the services of certified public accountants, qualified management consultants, or other professional experts necessary to assist the City Auditor in the performance of required duties.

ORDINANCE NO. 2022-366

1 2 3 4 5	An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances by revising the duties of the city internal auditor; providing a severability clause; providing a repealing clause; and providing an immediate effective date.
6 7	WHEREAS, the internal audit function helps management of the City accomplish its
8	objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness
9	of various enterprise risk management, control and governance processes by providing
10	independent assurance and consulting services; and
11	WHEREAS, at least 10 days' notice has been given by publication in a newspaper of
12	general circulation notifying the public of this proposed ordinance and of public hearings to be
13	held by the City Commission of the City of Gainesville; and
14	WHEREAS, public hearings were held pursuant to the notice described above at which
15	hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.
16	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
17	CITY OF GAINESVILLE, FLORIDA:
18	Section 1. Division 3, Article III, of Chapter 2 of the Code of Ordinances of the City of
19	Gainesville is amended to read as follows:
20	Sec 2-176. – Duties <u>Responsibilities</u> .
21	In addition to the duties stated in Section 3.05 of the City Charter, the city internal
22	auditor shall:
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24	accordance with Generally Accepted Governmental Auditing Standards
25	(GAGAS).

1	(b)	Perform or cause to be performed investigations of fraud, waste, and abuse
2		allegations.
3	(c)	Perform all other duties, including GAGAS defined "nonaudit services" or
4		"professional services other than audits or attestation engagements" assigned by
5		the city commission.
6	(d)	Assist the audit and finance committee in establishing factors to use for the
7		evaluation of external auditors, issuing request for qualifications, evaluating and
8		ranking external auditor candidates.
9	(e)	Perform the duties of inspector general.
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11	The cit	y internal auditor shall:
12	<u>(a)</u>	Develop a risk-based audit plan (which is a plan that ensures internal audit
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14		risks and estimating resources) and conduct periodic enterprise risk assessments
15		(which requires assessing risks in alignment with the City's strategic objectives)
16		to inform the risk-based audit plan;
17	<u>(b)</u>	With respect to the city commission, boards, and all city functions, perform audit
18		engagements that include financial, operational/performance, compliance, and
19		information technology audits, and nonaudit and advisory services and
20		consultations in accordance with professional standards;
21	<u>(c)</u>	Based on risk, review or audit any city functions where an attestation or opinion
22		will be made by the city internal auditor on its effectiveness, control, design
23		and/or efficiency; and/or conformity to organizational policies, procedures, and
24		applicable laws and regulations;

1	<u>(d)</u>	Respond to and perform special requests (which are not in the risk-based audit
2		plan) by other charter officers depending upon available resources and potential
3		to add value to the city, as determined by the city internal auditor;
4	<u>(e)</u>	Conduct follow up of audit issues and management action plans to ensure
5		management has adequately mitigated identified risks;
6	<u>(f)</u>	Manage the city's designated fraud reporting process (which allows for
7		anonymous reporting) and conduct occupational fraud investigations relating to
8		city programs and operations, in accordance with professional standards;
9	<u>(g)</u>	Maintain internal policies, procedures and guidelines for the conduct of internal
10		audit activities;
11	<u>(h)</u>	Report internal audit activities to the audit committee and city commission; and
12	<u>(i)</u>	Perform the duties of inspector general.
13	Sac 2 177	Authority to appoint and remove subardinate employees
		Authority to appoint and remove subordinate employees.
14	The in	ternal auditor shall appoint and remove all subordinate employees in the internal
15	auditor's offic	e.
16	The cit	ty internal auditor shall:
17	<u>(a)</u>	Be independent from the other charter officers and report directly to the city
18		commission;
19	<u>(b)</u>	Have the independent ability to allocate audit resources, set audit frequencies,
20		select subjects, determine scope of work, and apply audit techniques required to
21		accomplish audit objectives;

1	<u>(c)</u>	Have continual unrestricted access to all functions, records, property, and
2		personnel of the city in meeting its specific audit objectives, unless otherwise
3		prohibited by law; and
4	<u>(d)</u>	Have the cooperation of city personnel and city contractors performing work on
5		behalf of the city in relation to performance of audit engagement activity, unless
6		otherwise prohibited by law.
7	Sec. 2-17	8 Audit committee; selection of external auditor.
8	Pursu	ant to F.S. § 218.391, the city commission shall appoint a committee who audit
9	committee or	other committee designated by the city commission shall establish factors to use
10	to evaluate e	xternal auditor candidates, cause a notice of issuance of request for proposals to be
11	issued when	the city seeks to contract with an external auditor, evaluate and rank the external
12	auditor propo	osals and make recommendations to the city commission on the ranking of
13	proposals. <u>T</u>	the city internal auditor shall assist the committee in establishing factors to use for
14	the solicitation	on and evaluation of external auditors.
15 16	Sec. 2-17	9. – Professional Standards.
17	The c	ity internal auditor provides independent, objective assurance and consulting
18	services desig	gned to add value and improve the city's operations. In order to provide
19	independent,	objective assurance and consulting services to improve the city's operations, the
20	city internal	auditor shall follow the Institute of Internal Auditors International Standards for the
21	Professional	Practice of Internal Auditing (IPPF) and the United States Government
22	Accountabili	ty Office Generally Accepted Government Auditing Standards (GAGAS). The city
23	internal audi	tor shall utilize the Association of Certified Fraud Examiners Manual and Code of
24	Ethics for con	nducting occupational fraud investigations. The city internal auditor will maintain

1	an internal quality assurance and improvement program and will undergo a Peer Review			
2	engagement periodically, which renders an independent opinion on conformance to the			
3	professional standards.			
4	Secs. 2- 179 - <u>2-180</u> —2-195 Reserved.			
5 6	Section 2. It is the intention of the City Commission that the provisions of Section 1 of the			
7	ordinance become and be made a part of the Co	de of Ordinances of the City of Gainesville, Florida,		
8	and that the sections and paragraphs of this ord	linance may be renumbered or relettered in order to		
9	accomplish such intentions.			
10	Section 3. If any word, phrase, clause, j	paragraph, section, or provision of this ordinance or		
11	the application hereof to any person or circu	umstance is held invalid or unconstitutional, such		
12	finding will not affect the other provisions or ap	pplications of this ordinance that can be given effect		
13	without the invalid or unconstitutional provision or application, and to this end the provisions o			
14	this ordinance are declared severable.			
15	Section 4. All ordinances, parts of ord	inances, and resolutions in conflict herewith are to		
16	the extent of such conflict hereby repealed, inc	luding Resolution No. 150127.		
17	Section 5. This ordinance shall become	e effective immediately upon adoption.		
18	PASSED AND ADOPTED this	day of, 2023.		
19 20 21 22 23 24 25		HARVEY I. WARD, JR. MAYOR		
26 27 28 29 30	Attest: OMICHELE D. GAINEY	Approved as to form and legality: DANIEL M. NEE		
50	CITICILLE D. CITILL			

1 CITY CLERK

INTERIM CITY ATTORNEY

2

This ordinance passed on first reading this _____ day of _______, 2023.

4

5 This ordinance passed on second reading this _____ day of ______, 2023.



City of Gainesville Agenda Report

File #: 2022-380

Agenda Date: February 2, 2023

Department: Sustainable Development

Title: 2022-380 Request To Vacate A Right-of-way (LD22-000009 SVA) (B)

Department: Sustainable Development

Description: Ordinance No. 2022-380: An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close certain portions of a public right-of-way generally located near 4232 and 4210 NW 6th Street, as more specifically described in this ordinance; providing directions to the City Clerk; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: N/A

Explanation: This ordinance was privately initiated will vacate, abandon, and close a certain public right-of-way generally located in the area of a 25-foot wide unnamed street abutting 4232 and 4210 NW 6th Street. The ROW is an unpaved and unclaimed grass strip between the subject parcels property line and the NW 6th Street ROW. Currently the strip is unimproved with the exception of a white metal fence and landscaping associated with the adjacent use as a pre-school/daycare. Staff have confirmed that the ROW has not been a part of any City controlled maintenance program. The ROW to be vacated is approximately 11,203 sq.ft. (0.26 acres) in total.

Per Section 30-3.41 of the Land Development Code, the City Commission may vacate a public right-of-way only upon its finding that the criteria in both 1 and 2 as provided below have been met:

- The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest, which shall be based on a consideration of the following:
 - a. Whether the public benefits from the use of the subject right-of-way as part of the city street system;
 - b. Whether the proposed action is consistent with the Comprehensive Plan;
 - c. Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards;

- d. Whether the proposed action would deny access to private property;
- e. The effect of the proposed action upon public safety;
- f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic;
- g. The effect of the proposed action upon the provision of municipal services including, but not limited to, emergency service and waste removal;
- h. The necessity to relocate utilities both public and private; and
- i. The effect of the proposed action on the design and character of the area.
- 2. If the public right-of-way is a street, the city shall not vacate the right-of-way except if the following additional criteria are met:
 - a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;
 - b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops:
 - c. The loss of the street is necessary for the construction of a high density, mixeduse project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses; and
 - d. There is no reasonably foreseeable need for any type of transportation corridor for the area.

This ordinance requires two readings and will become effective immediately upon adoption.

Strategic Connection:

Goal 3: A Great Place to Live and Experience

Recommendation: City Commission to adopt the proposed ordinance.



City of Gainesville Department of Sustainable Development Planning Division

PO Box 490, Station 11 Gainesville, FL 32627-0490 306 NE 6th Avenue P: (352) 334-5022 F: (352) 334-2648

CITY PLAN BOARD STAFF REPORT

PUBLIC HEARING DATE: August 25th, 2022

PROJECT NAME AND NUMBER: LD22-000009 SVA

APPLICATION TYPE: Right-of-Way Vacation (Quasi-Judicial)

RECOMMENDATION: Approve

CITY PROJECT CONTACT: Forrest Eddleton, Planner

APPLICATION INFORMATION:

Agent/Applicant: Brian Murphy, 3002 Surveying, LLC

Adjacent Property Owner(s): Steph & Hans Solutions, LLC (Luis Fabian)

Related Petition(s): AD-21-00181 (Minor Development), LD-000008 (Rezone from PD to OF)

Legislative History: N/A

Neighborhood Workshop: Yes, held on April 7th, 2022.

SITE INFORMATION:

Address: A 25-foot-wide unnamed street abutting 4232 and 4210 NW 6th Street

Parcel Number(s): 08138-011-001 and 08141-001-000

Acreage: 0.26 +/- acres of ROW

Existing Use(s): Unidentified Public Right-of-Way

Land Use Designation(s): O (Office)

Zoning Designation(s): Planned Development (PD), Pending request to rezone to Office (OF)

Overlay District(s): Tertiary Wellfield Zone

Transportation Mobility Program Area (TMPA): Zone B

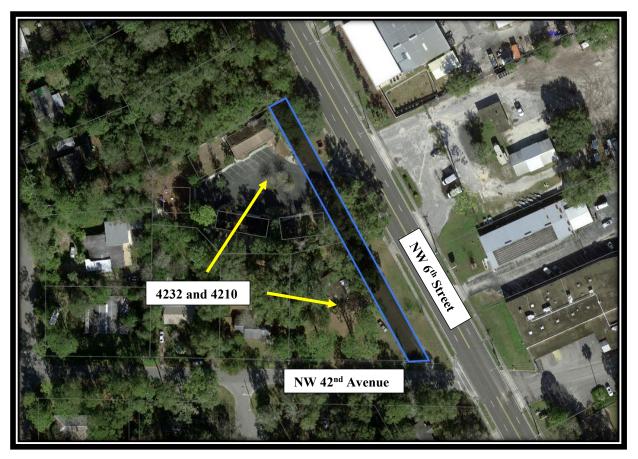


Figure 1 Location Map



Figure 2 Location and Zoning Map



Figure 3 Location

ADJACENT PROPERTY CHARACTERISTICS:

	EXISTING USE(S)	LAND USE DESIGNATION(S)	ZONING DESIGNATION(S)
North	Vacant	Office (O)	Office (OF)
South	Single-Family, Multi-Family	Single-Family (SF), Residential Low (RL), Mixed Use Low (MUL)	Residential Single-Family-1 (RSF-1), Residential Multi- Family-5 (RMF-5), Mixed- Use -1 (MU-1)
East	Industrial	Industrial (IND)	Limited Industrial (I-1)
West	Single-Family	Single-Family (SF)	Residential Single-Family-1 (RSF-1)

PURPOSE AND DESCRIPTION:

This petition is privately initiated by Steph & Has Solutions, LLC (Luis Fabian), owner of parcel 08141-001-000 and 08141-013-001 and requests to vacate a 25ft wide, roughly 413.5ft long right-of-way (ROW) that abuts the above parcels to the east. The ROW is an unpaved and unclaimed grass strip between the subject parcel's property line and the NW 6th Street ROW. Currently the is unimproved with the exception of a white metal fence and landscaping associated with the adjacent use as a pre-school/daycare. Staff have confirmed that the ROW has not been a part of any City controlled maintenance program and was essentially unknown until identified by the applicant. The ROW to be vacated is approximately 11,203 sq.ft. (0.26 acres) in total.

STAFF ANALYSIS AND RECOMMENDATION:

The staff recommendation is based on the review criteria stated in Section 30-3.41. Right-of-way vacation in the Land Development Code and in Policy 10.2.1 of the Transportation Mobility Element of the Comprehensive Plan. The following review criteria are stated below:

- 1. The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest, which shall be based on a consideration of the following:
 - a. Whether the public benefits from the use of the subject right-of-way as part of the city street system;
 - b. Whether the proposed action is consistent with the Comprehensive Plan;
 - c. Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards;
 - d. Whether the proposed action would deny access to private property;
 - e. The effect of the proposed action upon public safety;
 - f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic;
 - g. The effect of the proposed action upon the provision of municipal services including, but not limited to, emergency service and waste removal;
 - h. The necessity to relocate utilities both public and private; and
 - i. The effect of the proposed action on the design and character of the area.
- 2. If the public right-of-way is a street, the city shall not vacate the right-of-way except if the following additional criteria are met:
 - a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;

- b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;
- c. The loss of the street is necessary for the construction of a high density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses; and
- d. There is no reasonably foreseeable need for any type of transportation corridor for the area.

ANALYSIS

- 1. The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest, which shall be based on a consideration of the following:
 - a. Whether the public benefits from the use of the subject right-of-way as part of the city street system;

The requested area for ROW vacation had been unused but has recently been enclosed by fencing. The ROW was previously unknown to City staff and has not served a public purpose. The ROW vacation will allow for a larger, more cohesive, developable area and will provide for a secure outdoor area for the associated daycare/pre-school.

b. Whether the proposed action is consistent with the Comprehensive Plan;

The subject ROW vacation is consistent with the goals, objectives, and policies of the Comprehensive Plan. Specifically, the proposed action is consistent with Policy 10.2.1 of the Transportation Mobility Element, which outlines conditions that are appropriate for right-of-way vacation, as further outlined in criteria 2.a-2.d below.

Additionally, the subject right-of-way vacation is consistent with Policy 1.2.1 of the Future Land Use Element which states that the City may vacate street right-of-way only if it does not prevent reasonable connection for existing and future public transit, pedestrian, and non-motorized and motorized vehicle trips. Connection and access opportunities, as they exist currently, will remain unaffected by the requested ROW vacation. Northwest 6th Street and the adjacent sidewalk will remain unaffected in terms of access. Vacating the subject area will continue to allow for connections to existing and future public transit, pedestrian, and non-motorized and motorized vehicle trips.

c. Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards;

The existing block perimeter is roughly 2700ft and will remain unaffected following the proposed ROW vacation.

d. Whether the proposed action would deny access to private property;

The abutting property owners have fenced in the subject ROW to provide additional security for the associated daycare/pre-school on the northern parcel and the residence on the southern parcel. This has separated the existing sidewalk along NW 6th Street from the adjacent, unimproved ROW. If approved, the vacated ROW would deny public access to what will then be private property. No other nearby properties are served by the ROW.



Figure 4 Street View of Northern Parcel

e. The effect of the proposed action upon public safety;

The proposed ROW vacation will not impact public safety. The subject properties will still be able to be serviced by fire, police, garbage collection, and other essential services.

- f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic;
 The proposed ROW vacation will not negatively impact pedestrian safety or vehicular traffic. Existing sidewalks will remain unaffected by the ROW vacation. Fire, police, and other emergency vehicle access will not be affected.
- g. The effect of the proposed action upon the provision of municipal services including, but not limited to, emergency service and waste removal;

The proposed ROW vacation will not impact the ability for the existing properties to be served by emergency and waste collection services. The surrounding street grid and

vacant surrounding property will continue to provide opportunities for municipal service provision.

h. The necessity to relocate utilities both public and private; and

There are no existing utilities to be relocated as part of this ROW vacation. Any necessary rights for public utility easements will be established or reserved.

i. The effect of the proposed action on the design and character of the area.

The proposed street vacation will impact the design or character of the area by allowing private use and ownership of the subject ROW. To the east, properties are industrial in character and vacating the ROW will have little to no effect on the character of those properties. On the west side of NW 6th Street, vacating the ROW will allow the applicant to keep fencing that has been installed and will effectively bring the property line 25 feet closer to the sidewalk. While the fencing can serve to make the pedestrian streetscape feel more confined, vacating the ROW will allow for greater flexibility in design options which could include improvements to landscaping and visual screening.

2. If the public right-of-way is a street, the city shall not vacate the right-of-way except if the following additional criteria are met:

a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;

The ROW is not a street as defined and recognized by city staff. Vacating the ROW will not limit reasonably foreseeable future bicycle/pedestrian use.

b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;

The proposed ROW vacation will not foreclose any non-motorized access to adjacent land uses or transit stops.

c. The loss of the street is necessary for the construction of a high density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses; and

The subject street vacation is not necessary for construction of new development.

d. There is no reasonably foreseeable need for any type of transportation corridor for the area.

The proposed ROW vacation will not affect the need or establishment of a transportation corridor for the area.

RECOMMENDATION

Staff recommends approval of Petition LD22-000009 SVA.

DRAFT MOTION FOR CONSIDERATION

Move to approve Petition LD22-000009 SVA.

POST-APPROVAL REQUIREMENTS:

The subject petition is required to be heard by the City Commission at a public hearing where it will be considered for further action.

LIST OF APPENDICES:

Appendix A Application Documents

Appendix B Comprehensive Plan Goals, Objectives and Policies

<u>Appendix C</u> Land Development Code Regulations

Appendix D Maps

Appendix A

Application Documents



APPLICATION TO VACATE PUBLIC RIGHT-OF-WAY PLANNING & DEVELOPMENT SERVICES

OFFICE USE ONLY		
Petition No.	Fee: \$	
Date:	EZ Fee: \$	
1 st Step Mtg Date: Tax Map No.		
Abutting Property Owners Petition City Commission Petition		
Account No. 001-660-6680-3401 []		
Account No. 001-660-6680-1124 (Enterprise Zone) []		
Account No. 001-660-6680-1125 (Enterprise Zone Credit []		

Applicant Information (Please PRINT)				
Name: Steph & Hans Solutions, LLC				
Address: 4232 NW 6th Street				
City: Gainesville				
State: Florida Zip: 32609				
Phone: 352 872-8621 Fax:				
Attn: Luis Fabian				

CRITERIA FOR VACATION OR CLOSURE

At the public hearing, the City Commission shall consider the following criteria in determining whether the general public welfare would be best served by the proposed action:

- 1. Whether the public benefits from the use of the subject right-of-way as part of the city street system.
- 2. Whether the proposed action is consistent with the city's comprehensive plan.
- 3. Whether the proposed action would violate individual private property rights.
- 4. The availability of alternative action to alleviate the identified problems.
- 5. The effect of the proposed action upon traffic circulation.
- 6. The effect of the proposed action upon crime.
- 7. The effect of the proposed action upon the safety of pedestrians and vehicular traffic.
- 8. The effect of the proposed action upon the provision of municipal services including but not limited to emergency services and waste removal services.
- 9. The necessity to relocate utilities both public and private.
- 10. The effect the proposed action will have upon property values in the immediate and surrounding areas.
- 11. The effect of the proposed action on geographic areas which may be impacted.
- 12. The effect of the proposed action on the design and character of the area.

Certified Cashier's Receipt:

Under the provisions of Section 30-192(b) of the Land Development Code, City of Gainesville, THE ABUTTING PROPERTY OWNERS/THE CITY COMMISSION hereby petition(s) to have the following public right-of-way vacated (a legal description and a map is required): See attached legal description and map.			
provide more i	nformation, if need	right-of-way (please add ed): petween the FDOT ROW a	
For Vacation of	or Closure responses	est side of NW 6th Street. This land is outside of	the FDOT ROW for
•	50	eeded or likely to be need being maintained by the	
3			
back to the fee owner	rs of the property out of whents. The local title compan	oning public property effects an autich the street was carved. The Cities will be able to track the accret	y of Gainesville does not issue any
The signature of owners.	all abutting property o	owners is required for petition	ons initiated by property
		ERTY OWNERS' INFORM	
PARCEL NO.	PROPERTY OWNER	ADDRESS 4210 NW 6th Street	SIGNATURE
08141-001-000 08138-013-001	Luis Fabian * Luis Fabian *	4232 NW 6th Street	
00100 010 001	2010 1 001011		
	-		
	* Steph & Hans So	utions, LLC	

dates as adopted by the City Plan Board (Development Review Board application cut-off dates). A copy of the schedule may be obtained from the Planning Division, Room 158, Planning Counter, Thomas Center B, 306 NE 6th Avenue. Phone: 334-5022.

Petition must be filed with the Department of Community Development in accordance with the application cut-off

Petitioner's Signature:

Date.

Page 1110 of 1187
Phone: 352-334-5023

PROPERTY OWNER AFFIDAVIT

Owner Name: Steph & Hans Solutions,	IIC		
Address: 4232 NW 6th Street	Phone: 352 872-8621		
Gainesville, FL 32609	Filone. 332 672-3021		
	veying IIC		
/ toporte i tottillo:			
Address: 3700 NW 91St., Suite A200	Phone: 352 538-1320		
Gainesville, FL 32606			
Parcel No.: 8138-11,12,13,14 &15 and			
Acreage: 1.51	S: 20 T: 9 R: 20		
Requested Action: Vacate unused City	of Gainesville Right of Way		
I hereby certify that: I am the owner of	the subject property or a person having a		
legal or equitable interest therein. I autho			
behalf for the purposes of this application	n.		
Property owner signature:	ral		
Printed name: Luis Fabian			
2017			
Date: 4-4-22			
1/1			
The foregoing affidavit is acknowledged	before me this 4th day of		
April , 2023 by Wis Feren , who is/are			
personally known to me, or who has/have	e produced 11/		
as identification.			
Les reserrantes de la constante de la constant	TANEISHA S JAMERSON		
1.0	Notary Public - State of Fiorida		
₹	Commission # HH 044902 OFF My Comm. Expires Sep 21, 2024		
NOTARY SEAL Bonded through National Notary Assn.			
NOTALL OLAL			
Signature of Notary Public, State of <u></u>			
	THE OF MOTORY PUBLIC STOLE OF 21		

Justification Report for Vacation of NW 6th Street Right-of-Way

Article III, Division 8, Section 30-3.41 of the City of Gainesville Land Development regulations establishes the requirements and review criteria for the vacation of public rights-of-way.

Review criteria. Rights-of-way may only be vacated by the city commission upon its finding that the criteria in both 1. and 2. as provided below have been met:

- 1. The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest, which shall be based on a consideration of the following:
 - a. Whether the public benefits from the use of the subject right-of-way as part of the city street system;

Magnolia Heights Subdivision, Recorded in Plat Book "D" Page 12 of the Alachua County Official Records, included unnamed side streets and traffic medians labelled "islands for shrubbery" on both the West side of the platted subdivision, along US 441, and along the East side of Magnolia Heights, along **NW 6**th **street (State Road 20).**

The unnamed street, East and parallel to US 441, on the Western side of Magnolia Heights, have previously been vacated by the City of Gainesville through a series of ordinances.

NW 6^{th} Street is a 66 foot right-of-way (R/W) owned and maintained by the Florida Department of Transportation (FDOT). The City of Gainesville has confirmed that they do not currently claim, nor maintain any portion of right-of-way, in the area immediately West of, and parallel to, NW 6th Street and immediately East of the Magnolia Heights subdivision. According to the most recent FDOT R/W map, the unnamed street running parallel to SR20 has a calculated width of 25 feet, and the Traffic Island / Median, has a dimension of 30', which is also shown on the aforementioned Plat map for Magnolia Heights. FDOT has claimed 3' of the 30' shrubbery screen, but the area West of the 66' right-of-way and is not claimed by the FDOT, per their right-of-way map, and is not maintained R/W by the City of Gainesville. This area is used for GRU utilities including water sewer and gas. Quit claim deeds were used to convey this unclaimed strip of land over to adjacent land owners in the already vacated portions of right-of-way along NW 6th Street and easement granted back to GRU for its use. The FDOT had conducted a resurfacing project in 2006, at which time they performed an alignment survey of this portion of SR20 (60th Street) and per discussions with the FDOT, they do not have any plans to widen or improve this section of NW 6th Street. Based on recent surveys of Lots 13, 14 and 19 of Block "D" in the Magnolia Heights Subdivision, and a retracement of the 2006 alignment of this portion of S.R. 20, the closest public use of the Right of Way is the sidewalk, which is within the State R/W of S.R.20. There is no evidence of public use nor need of public use of the portion of traffic island and unnamed street / right of way, proposed for vacation.

Upon examination from site visits, field surveys, and analysis of historical imagery neither the traffic island, nor the unnamed street in question have ever been developed as intended by the plat map. Additionally, all of the areas East of Blocks "A" and "D" and West of S.R. 20 appear to be maintained by the property ownersapplicant since development of the site.

- b. Whether the proposed action is consistent with the Comprehensive Plan; **The** proposed action is consistent with the Comprehensive Plan by bringing the lot lines into uniformity with the remainder of the FDOT R/W, as represented in the areas North and South of the Magnolia Heights subdivision, along the Western Right of Way of S.R. 20 (NW 6th street). where the city has already taken the action to vacate and quit claim deed these areas.
- c. Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards; *The proposed vacation will assist land owners with adding additional area to their existing, adjoining parcels.*
- d. Whether the proposed action would deny access to private property; *The proposed action will not deny access to private property.*
- e. The effect of the proposed action upon public safety; *The proposed action will not have any negative impacts to public safety. It should enhance public safety by allowing the owner(s) to provide security and maintenance of the area which has been the case historically.*
- f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic; The proposed action will not affect pedestrian and vehicular traffic. Pedestrian traffic is accommodated with a paved sidewalk along both sides of NW 6th street, which is located within the FDOT right-of-way. Paved pedestrian access points from the public side walk to buildings are required and addressed in the LDR's during site development. Existing vehicular access drives will not be affected by the vacation of the 25' right-of-way or quit claim deeding the adjacent 30' shrubbery strip (utility strip).
- g. The effect of the proposed action upon the provision of municipal services including, but not limited to, emergency service and waste removal;

Neither waste removal nor emergency services will be impacted.

h. The necessity to relocate utilities both public and private;

Existing public and private utilities will not require relocation; however, Public Utility Easements will likely be required, if they don't already exist The applicant agrees to

convey any easements over and across any portion of the proposed property to be vacated.

- i. The effect of the proposed action on the design and character of the area. The proposed action will not affect the design and character of the area in a negative way. The west side of NW 6th street in the area of concern is a transition area from the more intense Limited Industrial zoning and Industrial land use to a less intense Office zoning as development is transitioned to residential single family to the west of the office zoning. The action will make the vacated area consistent with the right-of way lying North and South of Magnolia Heights subdivision. There is evidence of occupation by some of the property owners along the portion of right-of-way in question.
- 2. If the public right-of-way is a street, the city shall not vacate the right-of-way except if the following additional criteria are met:
 - a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use; **Neither the** *traffic island nor the unnamed street have ever been developed. The sidewalks for State Road 20 (NW 6th street) are owned and maintained by the FDOT. The area under question is outside of the FDOT right-ofway.*
 - b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops; *The area is not utilized for non-motorized access or transit stops.*The parcels will be provided with paved sidewalk access to the public sidewalk in the FDOT right-of-way as part of the site plan review process.
 - c. The loss of the street is necessary for the construction of a high density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses; *The area to be vacated has historically been occupied for landscaping and maintained by the applicant.*
 - d. There is no reasonably foreseeable need for any type of transportation corridor for the area. The transportation corridor in this area is part of the FDOT roadway system. The FDOT does not have any plans that would require the use of this area. Any hypothetical expansion of NW 6th street would likely require the acquisition of these lands by the Florida Department of Transportation.

Neighborhood Workshop The Kidz House April 7, 2022 7:00 PM

Summary of Neighborhood Workshop Discussion:

The Neighborhood Workshop for the rezoning of 4232 NW 6th Street from PD Planned Development to OF Office was held on April 7, 2022 at the Kidz House, 4232 NW 6th Street at 7:00 pm. The following documents were made available for review during the workshop:

Neighborhood Workshop Notice with Allowable Uses Attachment

Zoning Map in Color

Land Use Map in Color

Proposed Site Plan Drawing

Proposed Building Floor Plan and Elevation Drawing

Right-Of-Way Vacate Drawing

Sign-In Sheet

In attendance were Gary Dounson, Civil Engineer; Luis Fabian, Owner of the property to be rezoned; and Jeffery & Harriet Roth, neighbors who own and reside in one of the adjacent residential properties.

The purpose of the rezoning was explained to the Roths in addition to the request to vacate adjacent city of Gainesville right-of-way. Harriet Roth expressed a concern about traffic and the speed limit on NW 6th Street and asked if the speed limit could be lowered. It was pointed out that NW6th Street is owned and maintained by the FDOT as State Road 20.

The Roths asked when construction would start and about how long would it last. Gary Dounson explained the construction could not start until completion of the rezoning and permitting process which would probably take until June or July. Mr. Fabian estimated construction would commence sometime after the completion of the permitting and would last 6 to 8 months.

Mr. Roth asked what were the plans for the adjacent parcel to the north. Mr. Fabian mentioned that he knew the owner of that parcel but was not aware of any development plans for it.

The Roths indicated they were in favor of the project and asked how they could support it. Gary Dounson suggested they send an email to him expressing their support.

The Roths left the meeting around 7:30 pm and Gary Dounson and Luis Fabian waited until 8 pm to see if anyone else from the community would show-up however there was no additional attendance. The Neighborhood Workshop ended at 8 pm.

NEIGHBORHOOD WORKSHOP SIGN-IN SHEET THE KIDZ HOUSE REZONING 4/7/2022 7:00 PM

NAME
Gary Pouncon - Engineer Luig Fabian - Owner Jeffrey Roth - neighbor jeffrothiz @gmail.com Hannel (114-
Luis Fablan - Owner
Jeffra Roth - neighbor jeffrothiz @ Comail.com
Hanny Rall -
The state of the s
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L

Neighborhood Workshop Notice
5th Avenue
ROBERTA PARKS
616 NW 8 ST
GAINESVILLE, FL 32602

Neighborhood Workshop Notice Ashton ROXANNE WATKINS 4415 NW 58 AVE GAINESVILLE, FL 32653

Neighborhood Workshop Notice
Azalea Trails
MARIE SMALL
1265 SE 12 AVE
GAINESVILLE, FL 32601

Neighborhood Workshop Notice Black Acres/Black Pines REGINA HILLMAN 506 NW 30 STREET GAINESVILLE, FL 32607 Neighborhood Workshop Notice Capri JOHN DOLES 4539 NW 37 TER GAINESVILLE, FL 32605

h

Neighborhood Workshop Notice
Carol Estates South
BECKY RUNNESTRAND
1816 NE 16 TER
GAINESVILLE, FL 32609

Neighborhood Workshop Notice Cedar Grove II HELEN HARRIS 1237 NE 21 ST GAINESVILLE, FL 32641 Neighborhood Workshop Notice Creekwood HELEN SCONYERS 2056 NW 55 BLVD. GAINESVILLE, FL 32653

Neighborhood Workshop Notice
Debra Heights
SARAH POLL
PO BOX 359004
GAINESVILLE, FL 32635

Neighborhood Workshop Notice Northwood at Possum Creek WES WHEELER 4728 NW 37 WAY GAINESVILLE, FL 32601 Neighborhood Workshop Notice
Duval
GILBERT S MEANS, SR
PO BOX 7
GAINESVILLE, FL 32641

Neighborhood Workshop Notice
Edgewood Hills
BONNIE O'BRIAN
2329 NW 30 AVE
GAINESVILLE, FL 32605

Neighborhood Workshop Notice Elizabeth Place GALE FORD 715 NW 23 ST GAINESVILLE, FL 32607 Neighborhood Workshop Notice LEE NELSON DIRECTOR OF REAL ESTATE – UF PO BOX 113135 GAINESVILLE, FL 32611-3135

Neighborhood Workshop Notice Gateway Park HAROLD SAIVE 1716 NW 10 TER GAINESVILLE, FL 32609 Neighborhood Workshop Notice Golfview CHRIS MONAHAN 222 SW 27 ST GAINESVILLE, FL 32607 Neighborhood Workshop Notice Greater Northeast Community MIRIAM CINTRON 915 NE 7 AVE GAINESVILLE, FL 32601

Neighborhood Workshop Notice Grove Street MARIA HUFF-EDWARDS 1102 NW 4 ST GAINESVILLE, FL 32601 Neighborhood Workshop Notice
Hazel Heights
ALLAN MOYNIHAN
PO BOX 357412
GAINESVILLE, FL 32635

Neighborhood Workshop Notice Hibiscus Park CAROL BISHOP 2616 NW 2 AVE GAINESVILLE, FL 32607

<u>Neighborhood Workshop Notice</u> Hidden Lake GEORGE KASNIC 2116 NW 74 PL GAINESVILLE, FL 32653 Neighborhood Workshop Notice Ironwood NANCY TESTA 4207 NE 17 TER GAINESVILLE, FL 32609

Neighborhood Workshop Notice Kensington Park MAXINE HINGE 5040 NW 50 TER GAINESVILLE, FL 32606 Neighborhood Workshop Notice Kingswood Court BARBARA KELLEHER 5350 NW 8 AVE GAINESVILLE, FL 32605 Neighborhood Workshop Notice Kirkwood JANE BURMAN-HOLTON 701 SW 23 PL GAINESVILLE, FL 32601

<u>Neighborhood Workshop Notice</u> Lamplighter LARRY NICHOLSON (PROP MGR) 5200 NE 50 DR GAINESVILLE, FL 32609 <u>Neighborhood Workshop Notice</u> Landmark Woods JACK OSGARD 4332 NW 12 PL GAINESVILLE, FL 32605 Neighborhood Workshop Notice Landmark Woods PETER JANOSZ 3418 NW 37 AVENUE GAINESVILLE, FL 32605 Neighborhood Workshop Notice Woodland Terrace PETER PRUGH 207 NW 35 ST GAINESVILLE, FL 32605

Neighborhood Workshop Notice Mason Manor JOANNA LEATHERS 2550 NW 13 AVE

GAINESVILLE, FL 32605

Neighborhood Workshop Notice Northwood SUSAN W WILLIAMS P.O. BOX 357492 GAINESVILLE, FL 32653

<u>Neighborhood Workshop Notice</u> Oakview DEBRA BRUNER 914 NW 14 AVE GAINESVILLE, FL 32601

<u>Neighborhood Workshop Notice</u> Pine Park DELORES BUFFINGTON 721 NW 20 AVE GAINESVILLE, FL 32609

Neighborhood Workshop Notice
Porters Community
GIGI SIMMONS
712 SW 5 ST
GAINESVILLE, FL 32601

Neighborhood Workshop Notice Raintree RONALD BERN 1301 NW 23 TER GAINESVILLE, FL 32605

Neighborhood Workshop Notice Royal Gardens DOUGLAS BURTON 2720 NW 27 PL GAINESVILLE, FL 32605

Neighborhood Workshop Notice Southeast Evergreen Trails MAUREEN RESCHLY 1208 SE 22 AVE GAINESVILLE, FL 32641

Neighborhood Workshop Notice
Stephen Foster
ROBERT PEARCE
714 NW 36 AVE
GAINESVILLE, FL 32609

Neighborhood Workshop Notice Lincoln Estates DORIS EDWARDS 1040 SE 20 ST GAINESVILLE, FL 32601

Neighborhood Workshop Notice Mill Pond HAROLD HANEL 309 NW 48 BLVD GAINESVILLE, FL 32607

<u>Neighborhood Workshop Notice</u> Northeast Neighbors SHARON BAUER 1011 NE 1 AVE GAINESVILLE, FL 32601

Neighborhood Workshop Notice Phoenix APRIL JONES 3214 SW 26 TERR, APT B GAINESVILLE, FL 32608

Neighborhood Workshop Notice Kirkwood KATHY ZIMMERMAN 1127 SW 21 AVE GAINESVILLE, FL 32601

Neighborhood Workshop Notice Rainbows East JOE THOMAS 5014 NW 24 TER GAINESVILLE, FL 32605

<u>Neighborhood Workshop Notice</u> Ridgeview ROB GARREN 1805 NW 34 PL GAINESVILLE, FL 32605

Neighborhood Workshop Notice Shadow Lawn Estates CONNIE SPITZNAGEL 3521 NW 35 PL GAINESVILLE, FL 32605

Neighborhood Workshop Notice Springhill/Mount Olive VIVIAN FILER 1636 SE 14 AVE GAINESVILLE, FL 32641

Neighborhood Workshop Notice Suburban Heights BETH GRAETZ 4321 NW 19 AVE GAINESVILLE, FL 32605 Neighborhood Workshop Notice North Lincoln Heights ANDREW LOVETTE SR. 430 SE 14 ST GAINESVILLE, FL 32601

Neighborhood Workshop Notice Northwest Estates VERN HOWE 3710 NW 17 LN GAINESVILLE, FL 32605

Neighborhood Workshop Notice
Appletree
JUDITH MORROW
3616 NW 54 LANE
GAINESVILLE, FL 32653

Neighborhood Workshop Notice Pleasant Street DOTTY FAIBISY 505 NW 3 ST GAINESVILLE, FL 32601

Neighborhood Workshop Notice Rainbows End SYLVIA MAGGIO 4612 NW 21 DR GAINESVILLE, FL 32605

<u>Neighborhood Workshop Notice</u> Ridgewood KERRI CHANCEY 1310 NW 30 ST GAINESVILLE, FL 32605

Neighborhood Workshop Notice South Black Acres DEANNA MONAHAN 14 SW 32 ST GAINESVILLE, FL 32607

<u>Neighborhood Workshop Notice</u> Springtree KATHY MEISS 2705 NW 47 PL GAINESVILLE, FL 32605

Neighborhood Workshop Notice Sugarfoot Community/Anglewood KELLY AISSEN 4306 SW 5 AVE GAINESVILLE, FL 32607 Neighborhood Workshop Notice Sugarhill CYNTHIA COOPER 1441 SE 2 TER GAINESVILLE, FL 32601

<u>Neighborhood Workshop Notice</u> Pinebreeze JUDITH MEDER 3460 NW 46 PLACE GAINESVILLE, FL 32605

Neighborhood Workshop Notice Ashton ROXANNE WATKINS 4415 NW 58 AVE GAINESVILLE, FL 32653

Neighborhood Workshop Notice Porters INA HINES 320 SW 5 AVE GAINESVILLE, FL 32601

Neighborhood Workshop Notice University Park ROBERT MOUNTS 1639 NW 11 RD GAINESVILLE, FL 32605-5319

Neighborhood Workshop Notice University Park RICHARD DOTY 2158 NW 5 AVENUE GAINESVILLE, FL 32605

Neighborhood Workshop Notice BOBBIE DUNNELL 3118 NE 11 TER GAINESVILLE, FL 32609 <u>Neighborhood Workshop Notice</u> Sutters Landing PETER REBMAN 3656 NW 68 LN GAINESVILLE, FL 32653

Neighborhood Workshop Notice University Village BRUCE DELANEY 1710 NW 23 ST GAINESVILLE, FL 32605

Neighborhood Workshop Notice Pineridge BERNADINA TUCKER 721 NW 20 AVENUE GAINESVILLE, FL 32609

Neighborhood Workshop Notice
Duckpond
STEVE NADEAU
2821 NW 23 DR
GAINESVILLE, FL 32605

Neighborhood Workshop Notice Front Porch Florida, Duval JUANITA MILES HAMILTON 2419 NE 8 AVE GAINESVILLE, FL 32641

<u>Neighborhood Workshop Notice</u> School Board VICK McGRATH 3700 NE 53 AVE GAINESVILLE, FL 32609

Neighborhood Workshop Notice Millennium Bank DANNY GILLILAND 4340 NEWBERRY RD GAINESVILLE, FL 32607

<u>Neighborhood Workshop Notice</u> MAC MCEACHERN 1020 SW 11 TER GAINESVILLE, FL 32601

Neighborhood Workshop Notice
JAMES WOODLAND
225 SE 14 PL
GAINESVILLE, FL 32601

Neighborhood Workshop Notice BELLINGTON'S CUSTOM SERVICE % BRAXTON LINTON 1907 SE HAWTHORNE RD GAINESVILLE, FL 32641 Neighborhood Workshop Notice
Turkey Creek Forest Owners Assn
ATTN: URBAN DIRECTOR
4055 NW 86 BLVD
GAINESVILLE, FL 32653

Neighborhood Workshop Notice Forest Ridge/Henderson Heights MARCIA GREEN 2215 NW 21 AVENUE GAINESVILLE, FL 32605

<u>Neighborhood Workshop Notice</u> Appletree CHRIS GARCIA 5451 NW 35 DR GAINESVILLE, FL 32653

<u>Neighborhood Workshop Notice</u> Duckpond MELANIE BARR 216 NE 5 ST GAINESVILLE, FL 32601

Neighborhood Workshop Notice
Porters Community
GIGI SIMMONS
712 SW 5 STREET
GAINESVILLE, FL 32601

Neighborhood Workshop Notice University of Florida LINDA DIXON PO BOX 115050 GAINESVILLE, FL 32611

Neighborhood Workshop Notice Florida Bank LAUDE ARNALDI 13840 W NEWBERRY RD NEWBERRY, FL 32669

Neighborhood Workshop Notice
Stephen Foster Neighborhood Assoc, Inc
SANDRA WATTS KENNEDY
514 NW 31 LANE
GAINESVILLE, FL 32609

Neighborhood Workshop Notice
Bivens North Association
PENNY WHEAT
2530 SW 14 DR
GAINESVILLE, FL 32608

Neighborhood Workshop Notice KAREN BILLINGS 2123 NW 72 PL GAINESVILLE, FL 32653

NEIGHBORHOOD WORKSHOP

A neighborhood workshop will be held to discuss a rezoning to OF General Office on a 0.82 acre parcel located at 4232 NW 6th Street, Gainesville, FL to allow the construction of a new 2400 square feet day care building. In addition to Day Care facilities, General Office zoning allows a multitude of other uses such as Business Services, Emergency Shelters and Health Services. Please see the complete list of permitted uses attached. A request is also made to vacate approximately 0.24 acres of unused City of Gainesville Right-of-Way on the West side of SR 20 (NW6th Street) along the east property line of 4232 and 4210 NW 6th Street. This is not a public hearing. The purpose of the meeting is to inform neighboring property owners of the nature of the proposal to seek their comments.

The meeting will be held on Thursday April 7, 2022 at 7:00 pm at The Kidz House Day Care Center at 4232 NW 6th Street, Gainesville, FL. Contact person: Gary Dounson (352) 871-4701.

Section 30-4.18. Density Bonus Points.

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- 2 Development criteria described in the density bonus points manual, when met, shall allow increases in
- 3 development intensity based upon the limits in this section. These increases in intensity shall be allowed
- 4 should a developer propose to undertake a project that will result in a development sensitive to the
- 5 unique environmental and developmental needs of the area. For each criterion met by the developer,
- 6 certain points shall be credited to the project. Those points, calculated in accordance with the Density
- 7 Bonus Points Manual, shall determine the maximum allowable density.

Table V - 6: Permitted Density Using Density Bonus Points

	MF-6		IF-7	RMF-8			
Points	Max	Points	Max	Points	Max		
	residential		residential		residential		
	density		density		density		
	(du/ac)		(du/ac)		(du/ac)		
0	10	0	14	0	20		
26	11	20	15	16	21		
52	12	39	16	30	22		
79	13	59	17	46	23		
108	14	79	18	59	24		
138+	15	98	19	75	25		

DIVISION 4. MIXED-USE AND NONRESIDENTIAL

Section 30-4.19. Permitted Uses.

- 12 The following table contains the list of uses allowed, and specifies whether the uses are allowed by right
- 13 (P), accessory to a principal use (A), or by special use permit approval (S). Blank cells indicate that the
- use is not allowed. No variances from the requirements of this section shall be allowed.

15 Table V - 7: Permitted Uses in Mixed-Use and Nonresidential Districts.

Tubic V 7.1 cillitica Osco III													
	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	ВА	ВТ	BI	W	1-1	1-2
RESIDENTIAL													
Single-family house		Р	-	Р	Р	-	-	-	-	-	Р	-	-
Attached dwellings		Р	Р	Р	Р	-	-	-	-	-	-	-	-
Multi-family dwellings		Р	Р	Р	Р	S	-	-	-	-	Р	-	-
Accessory dwelling units	30-5.33	Α	Α	Α	Α	-	-	-	-	-	Р	-	-
Adult day care homes	30-5.2	Р	Р	Р	Р	Р	Р	-	-	Р	-	-	-
Community residential homes (up to 6 residents)	30-5.6	Р	Р	Р	Р	-	-	-	-	-	Р	-	-
Community residential homes (more than 14 residents)	30-5.6	1	Р	Р	Р	1	-	1	1	1	Р	-	-
Community residential homes (7 to 14 residents)	30-5.6	Р	Р	Р	Р	-	-	-	-	-	Р	-	-

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	ВТ	BI	W	1-1	1-2
Dormitory, large	30-5.8	1	ı	ı	S	-	ı	•	-	1	ı	-	-
Dormitory, small	30-5.8	S	S	S	Р	-	S	-	-	-	-	-	-
Family child care homes	30-5.10	Р	1	Р	Р	-	1	-	-	-	Р	-	-
NONRESIDENTIAL													
Alcoholic beverage	30-5.3	S	S				Р		Р	Р		Р	Р
establishments	30-3.3)	,	_	_	_	-		Г	Г	-	Г	Г
Assisted living facility		Р	Р	-	Р	-	ı	-	-	-	Р	-	-
Armor systems manufacturing and assembly	30-5.16	Р	-	-	-	-	-	-	-	-	-	-	-
Bed and breakfast													
establishments	30-5.4	Р	Р	S	S	-	Р	-	Р	-	-	-	-
Business services		Р	Р	_	P	Р	Р	Р	Р	Р	Р	Р	Р
Car wash facilities	30-5.5	S	S	_	-	-	Р	P	S	P	Р	P	Р
Civic, social & fraternal	000.0						,			_	-	-	
organizations		Р	Р	-	-	-	Р	Р	Р	Р	-	-	-
Daycare center	30-5.7	Р	Р	Р	Р	Р	Р	-	-	Р	Р	-	-
Drive-through facility	30-5.9	Р	Р	-	-	-	Р	Р	Р	Р	Р	Р	Р
Emergency shelters		Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р
Equipment sales, rental and		-	_	-		_	1	-	_			Р	Р
leasing, heavy		_	_	_	_	-	-	_	-	_	-	Р	Р
Equipment sales, rental and		_	Р	Р	Р	_	Р	Р	_	Р	Р	Р	Р
leasing, light			'	'	'					'	'	'	
Food distribution center for	30-5.12	_	-	_	_	-	S	_	S	S	-	_	_
the needy	20 - 2-						- 1						
Food truck	30-5.35	Р	Р	Α	Α	Р	Р	Р	Р	Р	Р	Р	Р
Fuel dealers		S	S	-	-	-	S	Р	-	-	-	Р	Р
Funeral homes and crematories		Р	Р	Р	Р	-	Р	Р	-	-	-	-	-
Gasoline/alternative fuel													
stations	30-5.13	S	S	-	-	-	Р	Р	Р	S	Р	S	S
Go-cart raceway and rentals													
(indoor and outdoor)		-	-	-	-	-	-	-	-	-	-	S	S
Health services		Р	Р	Р	Р	Р	-	_	_	-	Р	_	_
Hotels and motels		S	S	_	-	S	Р	-	Р	Р	S	-	_
Ice manufacturing/vending	20 = 22							_					
machines	30-5.38	-	-	-	-	-	S	S	S	Α	Α	Α	Α
Industrial	30-5.14	-	-	-	-	-	-	-	-	-	-	Р	Р
Job training and vocational			D				D			D	Р	D	
rehabilitation services		1	Р			-	Р	-	-	Р	Ρ	Р	-
Junkyard/Salvage Yard	30-5.15	-	-	-	-	-	-	-	-	-	-	S	Р
Laboratories, medical and		Р	Р	Р	Р	Р	Р	-	_	Р	Р	Р	Р
dental		•			•	•	•			•			

	Use Standards	MU-1	Z-UM	OR	JO.	dЭ	SNB	ВА	18	18	M	1-1	1-2
Large-scale retail		ı	Р	-	ı	-	Р	Р	Р	Р	ı	-	1
Libraries		1	Р	-	-	Р	-	-	-	-	Р	-	-
Light assembly, fabrication, and processing	30-5.16	Р	Р	-	S	S	S	Р	1	Р	Р	Р	Р
Liquor stores		Р	Р	_	-	_	Р	Р	Р	_	Р	_	_
Medical marijuana dispensing facility		Р	Р	A^1	A^1	S	Р	Р	Р	Р	Р	S	S
Microbrewery													
Microwinery Microdistillery³	30-5.17	S	Р	-	-	-	Р	-	Р	Р	Р	Р	Р
Mini-warehouses, self-storage		1	-	-	-	-	-	Р	-	Р	Р	Р	Р
Museums and art galleries		Р	Р	Р	Р	Р	Р	-	Р	Р	Р	-	-
Offices		Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р
Offices, medical and dental		Р	Р	Р	Р	Р	Р	-	Р	-	Р	-	-
Outdoor storage, principal use	30-5.19	ı	ı	-	ı	-	ı	-	ı	S	Р	Р	Р
Parking, surface (as a principal use)	30-5.20	ı	S	-	ı	1	S	Р	-	Р	Р	1	-
Passenger transit or rail stations		S	S	-	-	Р	Р	Р	Р	Р	Р	Р	-
Personal services		Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р
Places of religious assembly	30-5.21	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-
Public administration buildings		Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-
Public maintenance and storage facilities			-	-	-	-	-	-	-	Р	Р	Р	Р
Public parks		S	S	S	S	Р	Р	Р	Р	Р	Р	Р	Р
Recreation, indoor		Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р
Recreation, outdoor		-	1	-	1	-	S	Р	Р	S	-	Р	Р
Recycling centers		-	S	-	-	-	S	-	-	-	S	S	Р
Rehabilitation centers	30-5.24	S	S	S	S	-	S		ı	S	ı	S	
Research, development and testing facilities		1	1	-	1	Р	Р	-	-	Р	Р	Р	Р
Residences for destitute people	30-5.22	S	S	S	S	-	S	-	S	-	-	-	-
Restaurants		Р	Р	-	S	Р	Р	Р	Р	Р	Р	Р	Р
Retail nurseries, lawn and garden supply stores		Р	Р	-	-	-	Р	Р	-	Р	Р	Р	-
Retail sales (not elsewhere classified)		Р	Р	-	-	S	Р	Р	Р	Р	Р	S	S
Schools, elementary, middle & high (public & private)		Р	Р	S	S	-	Р	-	-	-	Р	-	1
Schools, professional		Р	Р	Р	Р	Р	Р	Р	-	Р	Р	Р	Р

	S												
	Use Standards	1-1	1-2				S						
	Use	MU-1	MU-2	OR	OF	СР	BUS	ВА	ВТ	BI	8	1-1	1-2
Schools, vocational and trade		1	Р	Р	Р	-	Р	Р	-	Р	Р	Р	Р
Scooter or electric golf cart sales		Р	Р	-	1	1	Р	Р	-	Р	-	Р	-
Sexually-oriented cabarets	30-5.23	-	-	-	-	-	-	-	Р	-	-	-	Р
Sexually-oriented motion picture theaters	30-5.23	-	-	-	-	-	-	-	Р	-	-	-	Р
Sexually-oriented retail store	30-5.23	-	-	-	-	-	Р	-	Р	-	-	-	Р
Simulated gambling establishments		-	-	-	1	1	-	-	-	-	-	-	-
Skilled nursing facility		Р	Р	1	Р	Р	Р	-	-	-	Р	-	-
Social service facility	30-5.25	S	S	S	S	ı	ı	-	ı	-	Р	S	S
Solar generation station	30-5.27	-	1	-	ı	ı	ı	-	ı	Р	ı	Р	Р
Truck or bus terminal/maintenance facilities		-	-	-	-	-	-	Р	Р	Р	Р	Р	Р
Vehicle repair	30-5.28	-	-	-	-	-	-	Р	Р	Р	-	Р	Р
Vehicle rental		1	1	-	1	1	Р	Р	Р	Р	Р	Р	-
Vehicle sales (no outdoor display)		-	-	-	-	-	Р	Р	Р	Р	-	Р	-
Vehicle sales (with outdoor display)		1	ı	1	1	1	1	Р	1	Р	1	Р	Р
Vehicle services	30-5.28	S	S	-	-	-	Р	Р	Р	Р	S	Р	Р
Veterinary services	30-5.29	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р
Warehouse/distribution facilities (<100,000 SF)		-	-	-	1	1	-	-	-	Р	Р	Р	Р
Warehouse/distribution facilities (>100,000 SF)		1	1		1	1	-	1	-	Р	Р	Р	Р
Waste management facilities		-	-	-	-	-	-	-	-	S	ı	Р	Р
Wholesale trade		-	-	-	-	-	-	S	-	Р	Р	Р	Р
Wireless communication facilities	30- 5.30												

1 **LEGEND**:

- 2 P = Permitted by right; S = Special Use Permit; A = Accessory; Blank = Use not allowed.
- 1 = Only when accessory to and in the same building as health services or offices of physicians, dentists,
 and other health practitioners.
- 5 2 = Accessory to and in the same building as health services and comprising less than 25% of the gross 6 floor area of the building.
- 7 3 = Prohibited where adjacent to single-family zoned property.



The Gainesville Sun | The Ledger Daily Commercial | Ocala StarBanner News Chief | Herald-Tribune PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

gary dounson Gary Dounson & Associates, Inc. 2830 NW 41St ST # D Gainesville FL 32606-6667

STATE OF FLORIDA, COUNTY OF ALACHUA

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is of the legal clerk of the Gainesville Sun, a newspaper published at Gainesville in Alachua County, Florida; that the attached copy of advertisement, being a in the matter of in the Court, was published in said newspaper in the issues dated or by publication on the newspaper's website, if authorized, on:

03/23/2022

and that the fees charged are legal. Affiant further says that the Gainesville Sun is a newspaper published at Gainesville, in Alachua County, Florida, and that the said newspaper has heretofore been continuously published in said County, Florida, each and has been entered as periodicals matter at the post office in Gainesville, in Alachua County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

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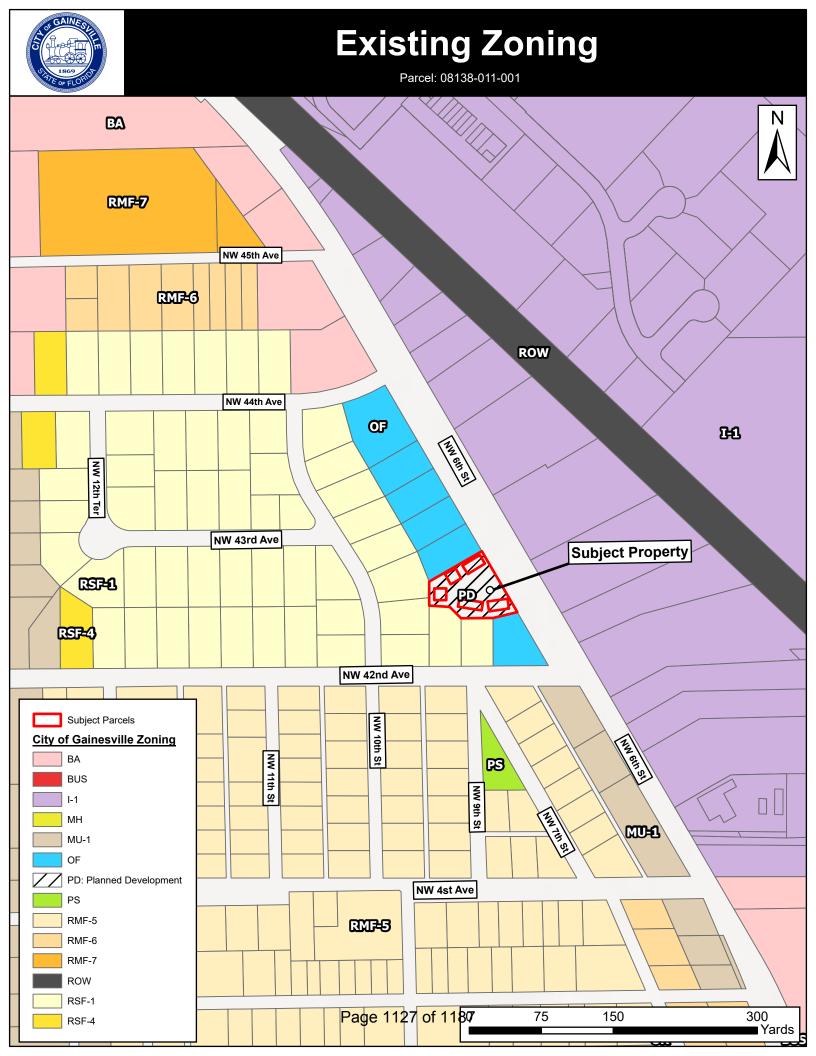
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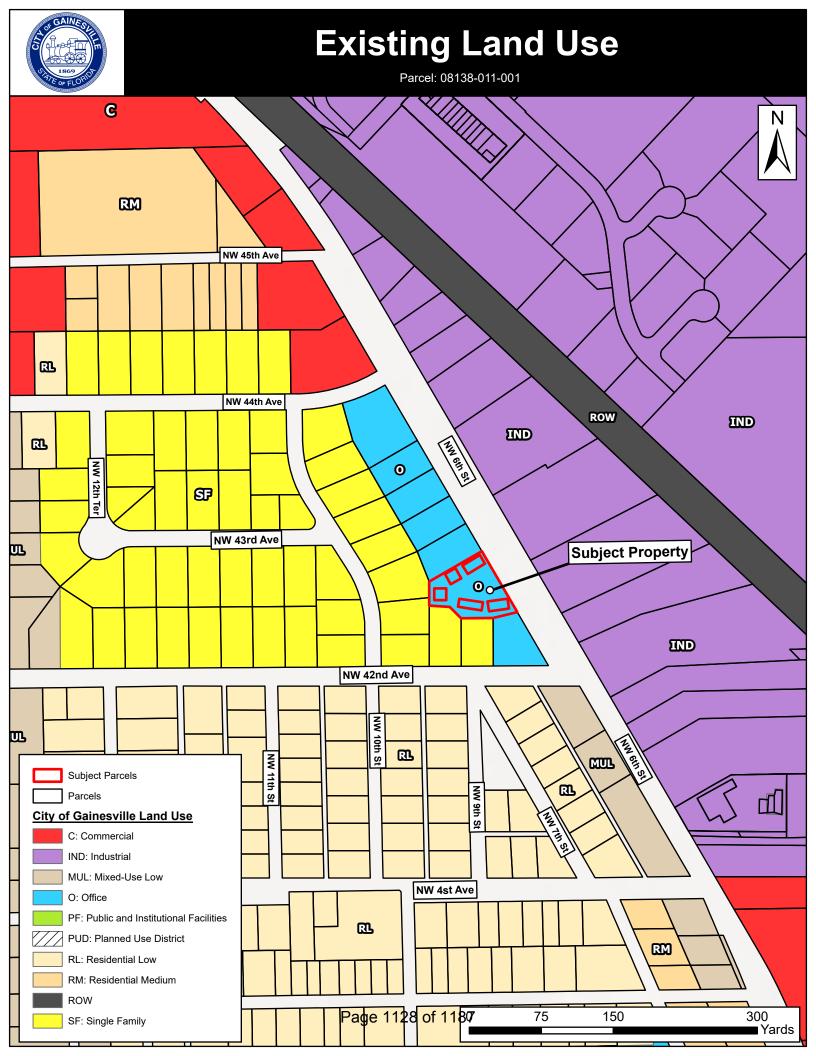
SARAH BERTELSEN Notary Public State of Wisconsin

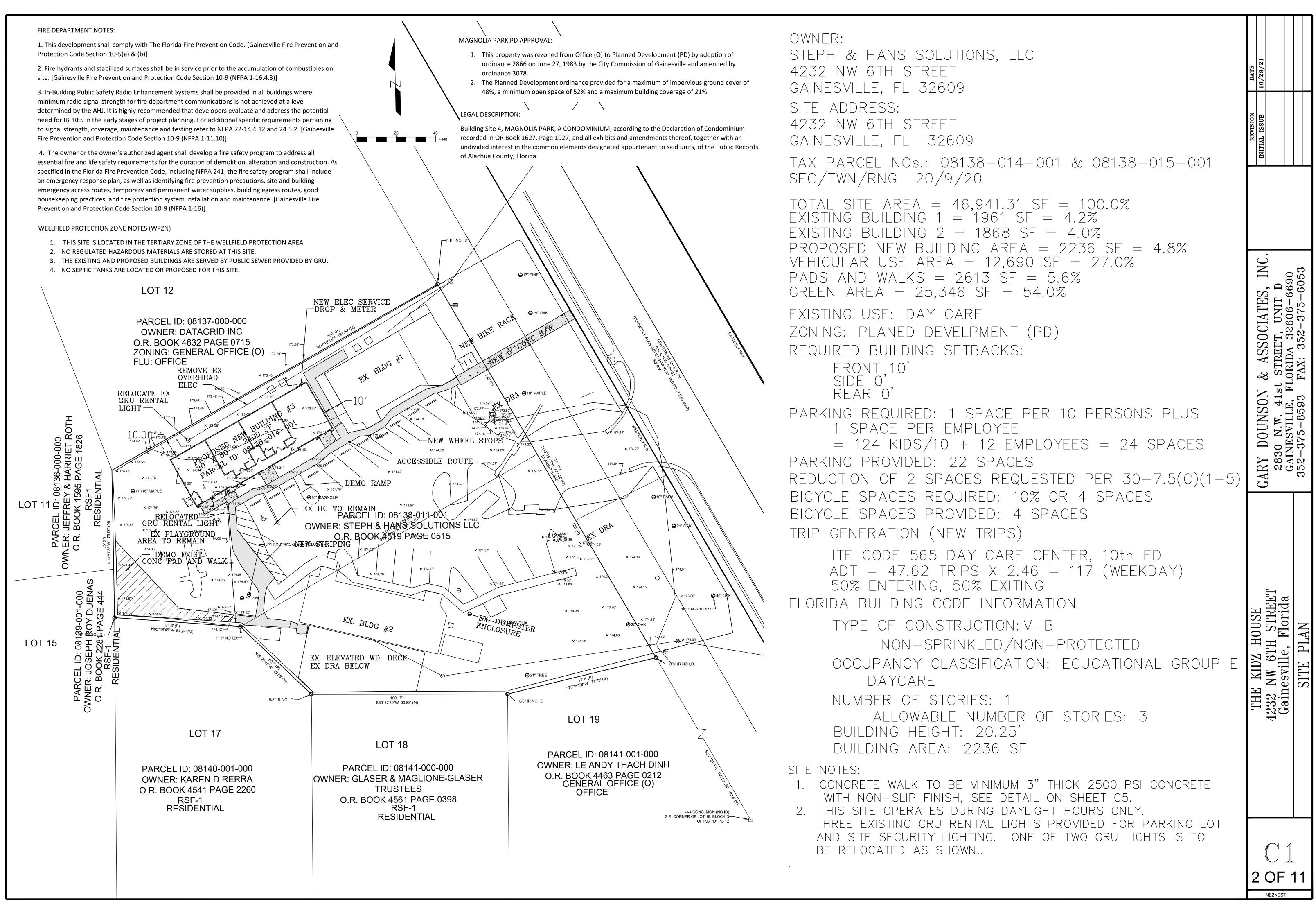
PUBLIC NOTICE

property line of 4232 and 4210 NW 6th Street. This is not a public OF General Office on a 0.82 acre parcel located at 4232 NW 6th square feet day care building. A request is also made to vacate approximately 0.24 acres of unused City of Gainesville Right-of-Way on the West side of SR 20 (NW6th Street) along the east A neighborhood workshop will be held to discuss a rezoning to property owners of the nature of the proposal and to seek their Street, Gainesville, FL to allow the construction of a new 2500 Phearing. The purpose of the meeting is to inform neighboring

Gainesville, FL. Contact person: Gary Dounson (352) 871-4701. The meeting will be held on Thursday April 7, 2022 at 7:00 pm at The Kidz House Day Care Center at 4232 NW 6th Street,

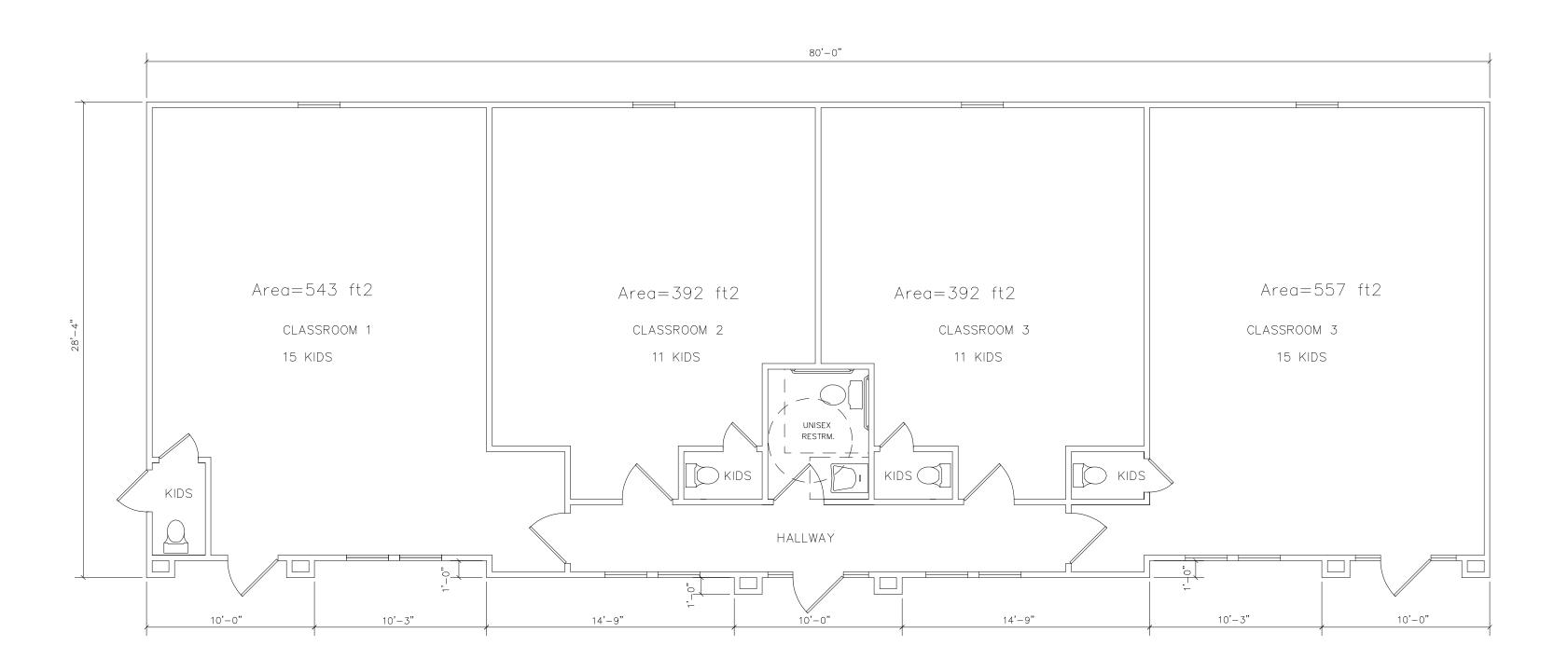






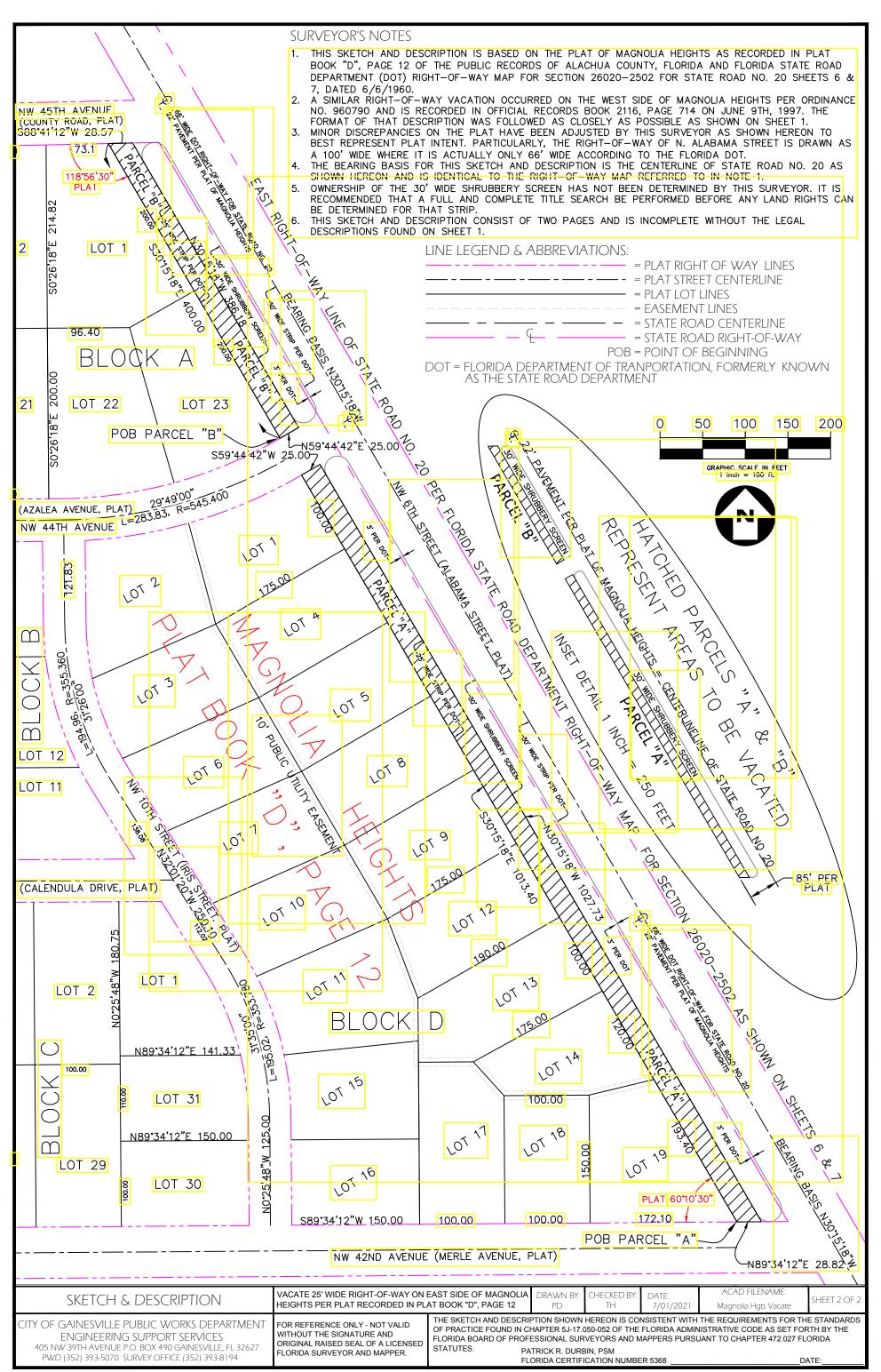


BLDG.3 SOUTH ELEVATION 3/16"=1'-0"



BLDG.3 FLOOR PLAN 2,236 SF 3/16"=1'-0"

BUILDING DATA: TYPE OF CONSTRUCTION: TYPE V-B -- OCCUPANCY: EDUCATIONAL GROUP E; DAY CARE



Appendix B

Comprehensive Plan Goals, Objectives, and Policies

Comprehensive Plan Transportation Mobility Element

Objective 10.2:

The City shall promote multi-modal transportation choice by adopting the following policies that encourage an interconnected street network, encourage redevelopment, and specially regulate developments with 30 or more acres, and by adopting the Existing Transit Hubs & Transit Supportive Areas Map as part of the Transportation Mobility Map Series.

Policy 10.2.1

The City shall not close or vacate streets except under the following conditions:

- a) the loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;
- b) the loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;
- c) the loss of the street is necessary for the construction of a high density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses; and
- d) there is no reasonably foreseeable need for any type of transportation corridor for the area.

Comprehensive Plan Future Land Use Element

Objective 1.2:

Protect and promote viable transportation choices (including transit, walking and bicycling, and calmed car traffic).

Policy 1.2.1:

The City may vacate street right-of-way only if it does not prevent reasonable connection for existing and future public transit, pedestrian, and non-motorized and motorized vehicle trips.

Appendix C

Land Development Regulations

Sec. 30-3.41. Right-of-way vacations.

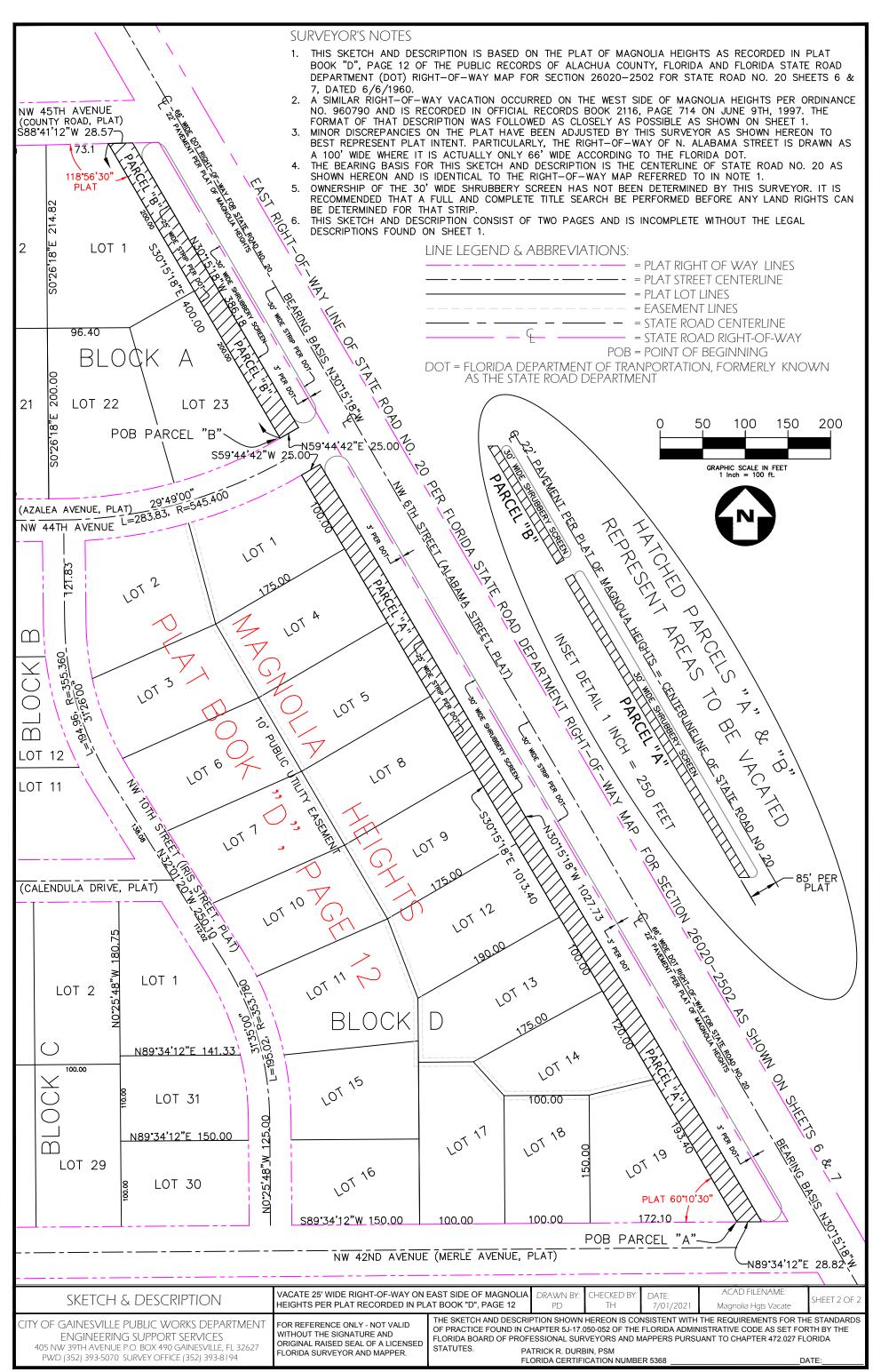
- A. Review procedures.
 - 1. *Application*. An application to vacate a public right-of-way may be submitted by either the city commission or by all the owners of land abutting the subject right-of-way.
 - 2. Board review. Applications to vacate a public right-of-way shall be reviewed by the city plan board and the city commission according to the criteria provided in this section, with notice of the board hearings provided in accordance with law and this article. The city plan board's review shall be a recommendation to the city commission. Prior to the public hearing before the city plan board, the application shall be reviewed by city staff in accordance with the development plan review process as stated in this article.
- B. *Review criteria*. Rights-of-way may only be vacated by the city commission upon its finding that the criteria in both 1. and 2. as provided below have been met:
 - 1. The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest, which shall be based on a consideration of the following:
 - a. Whether the public benefits from the use of the subject right-of-way as part of the city street system;
 - b. Whether the proposed action is consistent with the Comprehensive Plan;
 - Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards;
 - d. Whether the proposed action would deny access to private property;
 - e. The effect of the proposed action upon public safety;
 - f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic;
 - g. The effect of the proposed action upon the provision of municipal services including, but not limited to, emergency service and waste removal;
 - h. The necessity to relocate utilities both public and private; and
 - i. The effect of the proposed action on the design and character of the area.
 - 2. If the public right-of-way is a street, the city shall not vacate the right-of-way except if the following additional criteria are met:
 - a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;
 - b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;
 - The loss of the street is necessary for the construction of a high density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses; and
 - d. There is no reasonably foreseeable need for any type of transportation corridor for the area.

Sec. 30-3.41. Right-of-way vacations.

- A. Review procedures.
 - 1. *Application*. An application to vacate a public right-of-way may be submitted by either the city commission or by all the owners of land abutting the subject right-of-way.
 - 2. Board review. Applications to vacate a public right-of-way shall be reviewed by the city plan board and the city commission according to the criteria provided in this section, with notice of the board hearings provided in accordance with law and this article. The city plan board's review shall be a recommendation to the city commission. Prior to the public hearing before the city plan board, the application shall be reviewed by city staff in accordance with the development plan review process as stated in this article.
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 - 1. The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest, which shall be based on a consideration of the following:
 - a. Whether the public benefits from the use of the subject right-of-way as part of the city street system;
 - b. Whether the proposed action is consistent with the Comprehensive Plan;
 - c. Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards;
 - d. Whether the proposed action would deny access to private property;
 - e. The effect of the proposed action upon public safety;
 - f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic;
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 - h. The necessity to relocate utilities both public and private; and
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 - 2. If the public right-of-way is a street, the city shall not vacate the right-of-way except if the following additional criteria are met:
 - a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;
 - b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;
 - The loss of the street is necessary for the construction of a high density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses; and
 - d. There is no reasonably foreseeable need for any type of transportation corridor for the area.

Appendix D

Maps



SKETCH AND LEGAL DESCRIPTION

PARCEL "A"

IN SECTION 20 TOWNSHIP 9 SOUTH RANGE 20 EAST OF ALACHUA COUNTY, FLORIDA

53.55' (M)

S76°12'16"W

SURVEYOR'S NOTES

- THIS SKETCH AND DESCRIPTION IS NOT A SURVEY, BUT INTENDED TO DESCRIBE A PORTION OF PROPERTY DEDICATED AS RIGHT OF WAY AND AS AN ISLAND BUFFER UNDER THE SUBDIVISION "MAGNOLIA HEIGHTS" PLAT BOOK "D" PAGE 12. SAID PROPERTY IS NOT CLAIMED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION, NOR IS MAINTAINED BY THE CITY OF GAINESVILLE.
- SKETCH IS BASED ON FIELD MEASUREMENTS COMPLETED MARCH 10 2021 OF PARCEL 03137-013-01, AND FLORIDA D.O.T. VERIFICATION MEASUREMENTS OF A 2006 ALIGNMENT, SURVEYED BY VOLKERT, CONDUCTED MAY 7TH, 2021.
- BEARINGS ARE BASED ON STATE PLANE FLORIDA NORTH NAD83 (2011 ADJUSTMENT).
- ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING SURVEYOR ARE PROHIBITED WITHOUT THE CONSENT OF THE SIGNING
- ENCUMBRANCES MAY AFFECT THE SUBJECT PROPERTY THAT ARE NOT ILLUSTRATED ON THIS SKETCH.

LEGAL DESCRIPTION: (WRITTEN BY SURVEYOR)

A PORTION OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY **DESCRIBED AS FOLLOWS:**

· 576°17'16"W 77.79' (M) 77.8' (P)

COMMENCE AT THE SOUTHEAST CORNER OF LOT 19 OF BLOCK D OF MAGNOLIA HEIGHTS, A SUBDIVISION AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK D, PAGE 12, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN NORTH 30 DEG. 18 MIN. 09 SEC. WEST, ALONG THE EASTERLY LINE OF SAID LOT 19, A DISTANCE OF 193.61 FEET, TO THE SOUTHEAST CORNER OF LOT 14 OF SAID BLOCK D, AND THE POINT OF BEGINNING; THENCE RUN NORTH 76 DEG. 12 MIN 16 SEC. EAST, ALONG THE NORTHEASTERLY PROJECTION OF THE SOUTH LINE OF SAID LOT 14, A DISTANCE OF 53.55 FEET, TO THE SOUTHWESTERLY RIGHT-OF-WAY OF NW 6TH STREET, ALSO KNOWN AS STATE ROAD 20; THENCE RUN NORTH 30 DEG. 13 MIN. 27 SEC. WEST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY, 234.92 FEET, TO A POINT ON THE NORTHEASTERLY PROJECTION OF THE NORTH LINE OF SAID LOT 13; THENCE RUN SOUTH 60 DEG. 16 MIN. 02 SEC. WEST, ALONG SAID NORTHEASTERLY PROJECTION, 51.72 FEET, TO THE NORTHEAST CORNER OF SAID LOT 13; THENCE RUN SOUTH 60 DEG. 16 MIN. 02 SEC. WEST, ALONG SAID NORTHEASTERLY PROJECTION, 51.72 FEET, TO THE NORTHEAST CORNER OF SAID LOT 13; THENCE RUN SOUTH 60 DEG. 16 MIN. 02 SEC. WEST, ALONG SAID NORTHEASTERLY PROJECTION, 51.72 FEET, TO THE NORTHEAST CORNER OF SAID LOT 13; THENCE RUN SOUTH 60 DEG. 16 MIN. 02 SEC. WEST, ALONG SAID NORTHEAST CORNER OF SAID LOT 13; THENCE RUN SOUTH 60 DEG. 16 MIN. 02 SEC. WEST, ALONG SAID NORTHEAST TO THE ROSTRUCK SAID SAID LOT 13; THENCE RUN SOUTH 60 DEG. 16 MIN. 02 SEC. WEST, ALONG SAID NORTHEAST TO THE ROSTRUCK SAID SAID LOT 13; THENCE RUN SOUTH 60 DEG. 16 MIN. 02 SEC. WEST, ALONG SAID NORTHEAST TO THE ROSTRUCK SAID LOT 13; THE POSTRUCK SAID LOT 13 AND SEC. WEST, ALONG SAID NORTHEAST TO THE ROSTRUCK SAID LOT 13; THE POSTRUCK SAID LOT 13 AND SEC. MEST, ALONG SAID NORTHEAST SAID LOT 13 AND SEC. MEST, ALONG SAID NORTHEAST SAID LOT 13 AND SEC. MEST, ALONG SAID NORTHEAST SAID LOT 13 AND SEC. MEST, ALONG SAID NORTHEAST SAID LOT 13 AND SEC. MEST, ALONG SAID NORTHEAST SAID LOT 13 AND SEC. MEST, ALONG SAID NORTHEAST SAID LOT 13 AND SEC. MEST, ALONG SAID NORTHEAST SAID LOT 13 AND SEC. MEST, ALONG SAID NORTHEAST SAID LOT 13 AND SEC. MEST, ALONG SAID NORTHEAST SAID LOT 13 AND SEC. MEST, ALONG SAID NORTHEAST SAID LOT 13 AND SEC. MEST, THENCE RUN SOUTH 30 DEG. 19 MIN. 00 SEC. EAST, ALONG THE EASTERLY LINE OF LOTS 13 AND 14, A DISTANCE OF 220.22 FEET, TO THE POINT OF BEGINNING.

SYMBOL LEGEND

S.R. 20 66' R/W

(30 MIDE SLAMD FOR SHAUBBERN SCREEN, PERPLAT!

SUBJECT PARCEL LINE ADJOINING PROPERTY LINE RIGHT OF WAY LINE

ABBREVIATIONS

B.K. = BOOK P.B. = PLAT BOOK P.G. = PAGE

R/W = RIGHT-OF-WAY O.R. = OFFICIAL RECORDS

CONTAINING 10,274.5 SQ FEET, MORE OR LESS.

OWNER: GLASER & MAGLIONE-GLASER TRUSTEES O.R. BOOK 4561 PAGE 0398

ID: 08141-000-000

LOT 18 BLOCK D MAGNOLIA HEIGHTS SUBDIVISION PLAT BOOK "D" PAGE 12

P

<u>@</u>

150.25' (M) 150'

PORTION OF PARCEL ID: 08141-013-01 OWNER: STEPH & HANS SOLUTIONS O.R. BOOK 4929 PG 1369 LOT 14 BLOCK D OF MAGNOLIA HEIGHTS SUBDIVISION PLAT BOOK "D" PAGE 12

> PARCEL ID: 08141-001-000 OWNER: STEPH & HANS SOLUTIONS O.R. BOOK 4929 PG 1369

LOT 19 BLOCK D OF MAGNOLIA HEIGHTS SUBDIVISION PLAT BOOK "D" PAGE 12

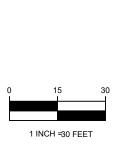
> POINT OF COMMENCEMENT & POINT OF BEGINNING: S.E. CORNER OF LOT 19, BLOCK D

NW 42ND AVE (60' R/W) (MERLE AVE, PER PLAT)

SOUTH LINE OF LOT 19 S89°29'33"W 172.07' (M) 172.1' (P)

UMAMIED STREET ENT)







www.3002inc.com

THE MAP OF THE PROPERTY DESCRIBED HEREON WAS MADE UNDER MY SUPERVISION AND THIS MAP OF SURVEY FURTHER MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTER 5J-17.05, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THE MAP OF SURVEY SHOWN HEREON IS A TRUE AND ACCURATE REPRESENTATION THEREOF TO THE BEST OF MY KNOWLEDGE, BEING SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. IF IIN DIGITAL THE TRONIC SIGNATURE.

Brian E. Murphy Professional Surveyor & Mapper No.7033

Drawn By: B. MURPHY Document Name: 21.21_S&D.dwg Doc.Date/ Time: 4/14/2022 4:23:41 PM Sheet: 1 of 2

CERTIFIED TO:

STEPH & HANS SOLUTIONS

Florida Business License No. LB8313

N89°29'33"E 58.83'

SKETCH AND LEGAL DESCRIPTION

PARCEL "B"

IN SECTION 20 TOWNSHIP 9 SOUTH RANGE 20 EAST OF ALACHUA COUNTY, FLORIDA

SURVEYOR'S NOTES

- THIS SKETCH AND DESCRIPTION IS NOT A SURVEY, BUT INTENDED TO DESCRIBE A PORTION OF PROPERTY DEDICATED AS RIGHT OF WAY AND AS AN ISLAND BUFFER UNDER THE SUBDIVISION "MAGNOLIA HEIGHTS" PLAT BOOK "D" PAGE 12. SAID PROPERTY IS NOT CLAIMED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION, NOR IS MAINTAINED BY THE CITY OF GAINESVILLE.
- SKETCH IS BASED ON FIELD MEASUREMENTS COMPLETED MARCH 10 2021 OF PARCEL 03137-013-01, AND FLORIDA D.O.T. VERIFICATION MEASUREMENTS OF A 2006 ALIGNMENT, SURVEYED BY VOLKERT, CONDUCTED MAY 7TH, 2021.
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- ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING SURVEYOR ARE PROHIBITED WITHOUT THE CONSENT OF THE SIGNING
- ENCUMBRANCES MAY AFFECT THE SUBJECT PROPERTY THAT ARE NOT ILLUSTRATED ON THIS SKETCH.

LEGAL DESCRIPTION: (WRITTEN BY SURVEYOR)

A PORTION OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY **DESCRIBED AS FOLLOWS:**

COMMENCE AT THE SOUTHEAST CORNER OF LOT 19 OF BLOCK D OF MAGNOLIA HEIGHTS, A SUBDIVISION AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK D, PAGE 12, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN NORTH 30 DEG. 18 MIN. 09 SEC. WEST, ALONG THE EASTERLY LINE OF SAID LOT 19, A DISTANCE OF 193.61 FEET, TO THE SOUTHEAST CORNER OF LOT 14 OF SAID BLOCK D, AND THE POINT OF BEGINNING; THENCE RUN NORTH 76 DEG. 12 MIN 16 SEC. EAST, ALONG THE NORTHEASTERLY PROJECTION OF THE SOUTH LINE OF SAID LOT 14, A DISTANCE OF 53.55 FEET, TO THE SOUTHWESTERLY RIGHT-OF-WAY OF NW 6TH STREET, ALSO KNOWN AS STATE ROAD 20; THENCE RUN NORTH 30 DEG. 13 MIN. 27 SEC. WEST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY, 234.92 FEET, TO A POINT ON THE NORTHEASTERLY PROJECTION OF THE NORTH LINE OF SAID LOT 13; THENCE RUN SOUTH 60 DEG. 16 MIN. 02 SEC. WEST, ALONG SAID NORTHEASTERLY PROJECTION, 51.72 FEET, TO THE NORTHEAST CORNER OF SAID LOT 13; THENCE RUN SOUTH 30 DEG. 19 MIN. 00 SEC. EAST, ALONG THE EASTERLY LINE OF LOTS 13 AND 14, A DISTANCE OF 220.22 FEET, TO THE POINT OF BEGINNING

SYMBOL LEGEND

SUBJECT PARCEL LINE ADJOINING PROPERTY LINE RIGHT OF WAY LINE

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Sheet:

2 of 2

Brian E. Murphy Professional Surveyor & Mapper No.7033

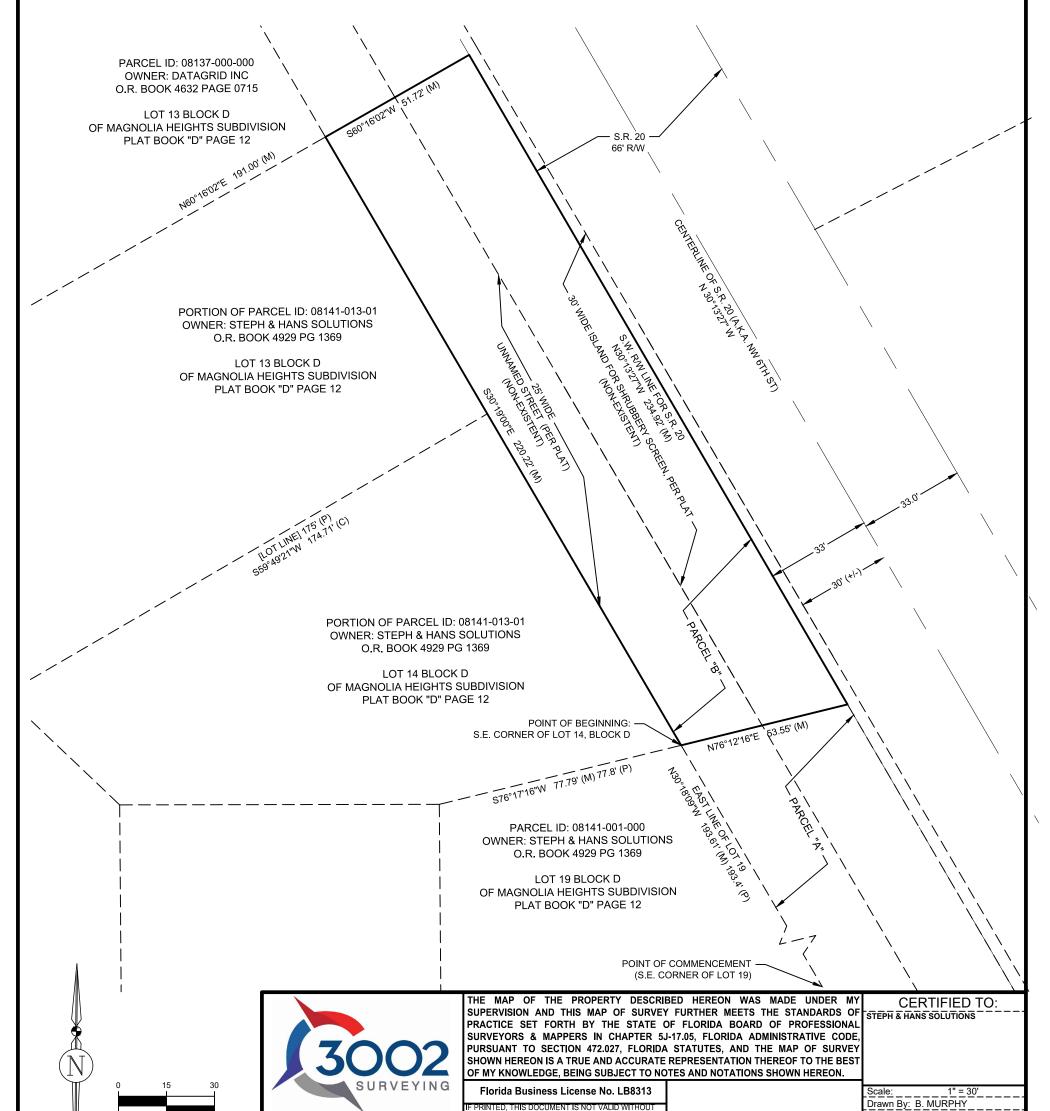
ABBREVIATIONS

B.K. = BOOK P.B. = PLAT BOOK P.G. = PAGE

R/W = RIGHT-OF-WAY

O.R. = OFFICIAL RECORDS

CONTAINING 11,727.2 SQ FEET, MORE OR LESS.



THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. IF IIN DIGITAL

ELECTRONIC SIGNATURE.

12207 NW 39th AVENUE GAINESVILLE, FL 32606

352-535-0307

www.3002inc.com

1 INCH =30 FEET

1 **ORDINANCE NO. 2022-380** 2 3 An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close 4 certain portions of a public right-of-way generally located near 4232 and 4210 5 NW 6th Street, as more specifically described in this ordinance; providing 6 directions to the City Clerk; providing a severability clause; providing a 7 repealing clause; and providing an effective date. 8 9 WHEREAS, pursuant to Section 30-3.41 of the City of Gainesville's Land Development Code 10 (Chapter 30 of the City of Gainesville Code of Ordinances), an application was initiated by the 11 owner(s) of land abutting the subject public right-of-way requesting the City to vacate, 12 abandon, and close the right-of-way; and 13 WHEREAS, the request to vacate the subject public right-of-way was presented to and 14 approved by the appropriate departments of the City of Gainesville; and 15 WHEREAS, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of 16 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency 17 pursuant to Section 163.3174, Florida Statutes, held a public hearing on August 25, 2022, and 18 voted to recommend that the City Commission approve this vacation of public right-of-way; 19 and 20 WHEREAS, at least 10 days' notice has been given once by publication in a newspaper of 21 general circulation notifying the public of this proposed ordinance and of public hearings to be 22 held by the City Commission of the City of Gainesville; and 23 WHEREAS, public hearings were held pursuant to the notice described above at which hearings 24 the parties in interest and all others had an opportunity to be and were, in fact, heard; and 25 WHEREAS, the City Commission finds that the vacation of the subject right-of-way meets the

required criteria in Policy 10.2.1 of the Transportation Mobility Element of the Comprehensive

26

1 Plan and Section 30-3.41 of the Land Development Code. 2 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, 3 FLORIDA: 4 **SECTION 1.** The public right-of-way as legally described in **Exhibit A** is hereby vacated, 5 abandoned, and closed for use by the public generally. 6 **SECTION 2.** The City reserves unto itself, its successors, and assigns a public and private 7 utilities easement over, under, across, and through the property described in Section 1 of this 8 ordinance for the purpose of installing, maintaining, and operating public and private utilities 9 including stormwater management. 10 The City Clerk or designee is authorized to record a true copy of this ordinance SECTION 3. 11 in the public records of Alachua County, Florida. 12 **SECTION 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or 13 the application hereof to any person or circumstance is held invalid or unconstitutional, such 14 finding will not affect the other provisions or applications of this ordinance that can be given 15 effect without the invalid or unconstitutional provision or application, and to this end the

SECTION 6. This ordinance will become effective immediately upon adoption.
 PASSED AND ADOPTED this ______ day of ________, 2023.

provisions of this ordinance are declared severable.

21 22

16

17

18

SECTION 5.

All ordinances or parts of ordinances in conflict herewith are to the extent of

such conflict hereby repealed.

1			
2 3		HARVEY WARD	
3		MAYOR	
4			
5			
6	Attest:	Approved as to form and I	egality:
7			
8			
9			
10	OMICHELE D. GAINEY	DANIEL M. NEE	
11	CITY CLERK	INTERIM CITY ATTORNEY	
12			
13	This ordinance passed on first reading this	day of	, 2023.
14			
15	This ordinance passed on second reading this	day of	, 2023.

Exhibit A to Ordinance 2022-380

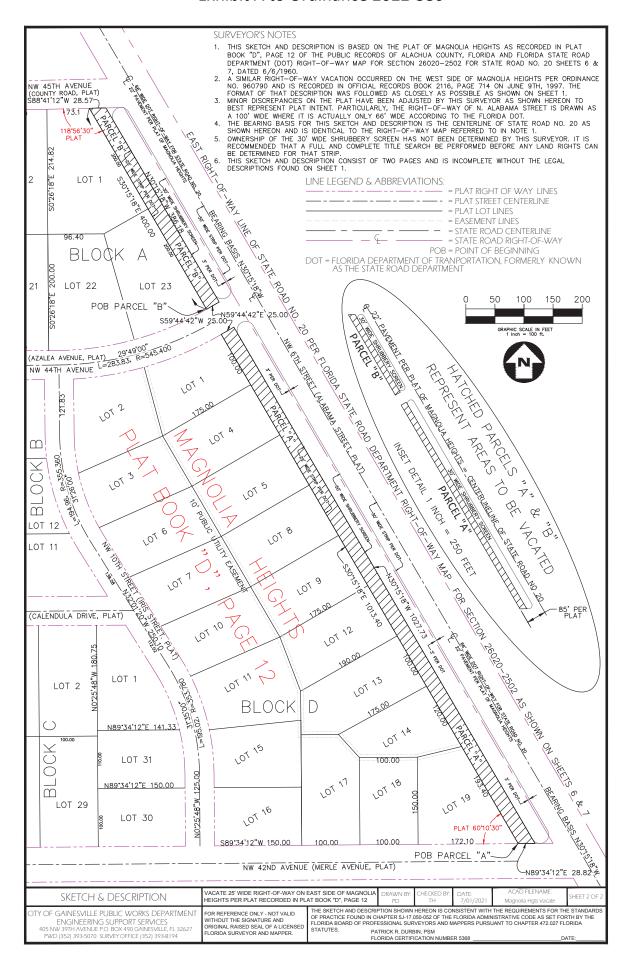


Exhibit A to Ordinance 2022-380

SKETCH AND LEGAL DESCRIPTION PARCEL "A IN SECTION 20 TOWNSHIP 9 SOUTH RANGE 20 EAST OF ALACHUA COUNTY, FLORIDA ABBREVIATIONS R/W = RIGHT-OF-WAY O.R. = OFFICIAL RECORDS B.K. = BOOK P.B. = PLAT BOOK P.G. = PAGE SURVEYOR'S NOTES THIS SKETCH AND DESCRIPTION IS NOT A SURVEY. BUT INTENDED TO DESCRIBE A PORTION OF PROPERTY DEDICATED AS RIGHT OF WAY AND AS AN ISLAND BUFFER UNDER THE SUBDIVISION "MAGROLIA HEIGHTS" PLAT BOOK "O" PAGE 12. SAID PROPERTY IS NOT CLAIMED BY THE PLORIDA DEPARTMENT OF TRANSPORTATION, NOR IS MAINTAINED BY THE CITY OF GAINESVILLE. SKETCH IS BASED ON FIELD MEASUREMENTS COMPLETED MARCH 10 2021 OF PARCEL 03137-013-01, AND FLORIDA D.O.T. VERIFICATION MEASUREMENTS OF A 2006 ALIGNMENT, SURVEYED BY VOLKERT, CONDUCTED MAY 7TH, 2021. BEARINGS ARE BASED ON STATE PLANE FLORIDA NORTH NAD83 (2011 ADJUSTMENT). ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING SURVEYOR ARE PROHIBITED WITHOUT THE CONSENT OF THE SIGNING SURVEYOR. ENCUMBRANCES MAY AFFECT THE SUBJECT PROPERTY THAT ARE NOT ILLUSTRATED ON THIS SKETCH. **LEGAL DESCRIPTION**: (WRITTEN BY SURVEYOR) SYMBOL LEGEND SUBJECT PARCELLINE A PORTION OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: ERTY LINE ADJOINING PROPER RIGHT OF WAY LINE CONTAINING 10,274.5 SQ FEET, MORE OR LESS. PORTION OF PARCEL ID: 08141-013-01 OWNER: STEPH & HANS SOLUTIONS O.R. BOOK 4929 PG 1369 LOT 14 BLOCK D OF MAGNOLIA HEIGHTS SUBDIVISION PLAT BOOK "D" PAGE 12 \$76°17'16"W 777.79' (M) 77.8' (P) PARCEL "A" -LOT 18 BLOCK D MAGNOLIA HEIGHTS SUBDIVISION PLAT BOOK "D" PAGE 12 PARCEL ID: 08141-000-000 OWNER: GLASER & MAGLIONE-GLA TRUSTEES O.R. BOOK 4561 PAGE 0398 PARCEL ID: 08141-001-000 OWNER: STEPH & HANS SOLUTIONS O.R. BOOK 4929 PG 1369 LOT 19 BLOCK D OF MAGNOLIA HEIGHTS SUBDIVISION PLAT BOOK "D" PAGE 12 SOUTH LINE OF LOT 19 S89°29'33"W 172.07' (M) 172.1' (P) N89°29'33"E 58.83' POINT OF COMMENCEMENT & POINT OF BEGINNING: S.E. CORNER OF LOT 19, BLOCK D NW 42ND AVE (60' R/W) (MERLE AVE, PER PLAT) THE MAP OF THE PROPERTY DESCRIBED HEREON WAS MADE UNDER MY SUPERVISION AND THIS MAP OF SURVEY FURTHER MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTER 5.1-17.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THE MAP OF SURVEY SHOWN HEREON IS A TRUE AND ACCURATE REPRESENTATION THEREOF TO THE BEST OF MY KNOWLEDGE, BEING SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON. CERTIFIED TO: Scale: 1" = 30' Drawn By: B. MURPHY Document Name: 21.21_S&D.dwg PRINTED, THIS DOCUMENT IS NOT VALID WITHOUT IE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA CENSED SURVEYOR AND MAPPER. IF IIN DIGITAL DRMAT, PLEASE BE SURE TO VALIDATE THE Brian E. Murphy Professional Surveyor & Mapper No.7033 Ooc.Date/ Time: 4/14/2022 4:23:41 PM

Exhibit A to Ordinance 2022-380

SKETCH AND LEGAL DESCRIPTION PARCEL "B" IN SECTION 20 TOWNSHIP 9 SOUTH RANGE 20 EAST OF ALACHUA COUNTY, FLORIDA R/W = RIGHT-OF-WAY O.R. = OFFICIAL RECORDS B.K. = BOOK P.B. = PLAT BOOK P.G. = PAGE SURVEYOR'S NOTES THIS SKETCH AND DESCRIPTION IS NOT A SURVEY. BUT INTENDED TO DESCRIBE A PORTION OF PROPERTY DEDICATED AS RIGHT OF WAY AND AS AN ISLAND BUFFER UNDER THE SUBDIVISION TMAGROIL HEIGHTS" PLAT BOOK "D" PAGE 12. SAID PROPERTY IS NOT CLAIMED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION, NOR IS MAINTAINED BY THE CITY OF GAINESVILLE. SKETCH IS BASED ON FIELD MEASUREMENTS COMPLETED MARCH 10 2021 OF PARCEL 03137-013-01, AND FLORIDA D.O.T. VERIFICATION MEASUREMENTS OF A 2006 ALIGNMENT, SURVEYED BY VOLKERT, CONDUCTED MAY 7TH, 2021. BEARINGS ARE BASED ON STATE PLANE FLORIDA NORTH NAD83 (2011 ADJUSTMENT). ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING SURVEYOR ARE PROHIBITED WITHOUT THE CONSENT OF THE SIGNING SURVEYOR. ENCUMBRANCES MAY AFFECT THE SUBJECT PROPERTY THAT ARE NOT ILLUSTRATED ON THIS SKETCH. LEGAL DESCRIPTION: (WRITTEN BY SURVEYOR) SUBJECT PARCEL LINE A PORTION OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY ADJOINING PROPERTY LINE RIGHT OF WAY LINE DESCRIBED AS FOLLOWS: DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHLEAST CORNER OF LOT 19 OF BLOCK D OF MAGNOLIA HEIGHTS, A SUBDIVISION AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK D, PAGE 12, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN NORTH 30 DEG. 18 MINL 09 SEC. WEST, ALONG THE EASTERLY LINE OF SAID LOT 19, A DISTANCE OF 193.61 LY RECEIVED FOR THE SOUTHER ASTERLY CONNER OF LOT 14, A DISTANCE OF 193.65 ELY DEFENDED FOR THE SOUTH LINE OF SAID LOT 14, A DISTANCE OF 353.55 EFT, TO THE SOUTHWESTERY RIGHT-OF-WAY OF NOW PLAT STATE ALSO NOWN AS STATE ROAD 20; THENCE RUN NORTH 30 DEG. 13 MIN. 27 SEC. WEST, ALONG SHE SET, TO THE SOUTH LINE OF SAID LOT 14, A LONG SHE AND SOUTHWESTERY RIGHT-OF-WAY OF NOW PLAT STATE ALSO NOWN AS STATE ROAD 20; THENCE RUN NORTH 30 DEG. 13 MIN. 27 SEC. WEST, ALONG SHE SHELV REGISTERY RIGHT-OF-WAY OF A POINT ON THE NORTHEASTERLY PROJECTION OF THE NORTHEAST CORNER OF SAID LOT 13; THENCE RUN SOUTH 30 DEG. 19 MINL 00 SEC. EAST, ALONG THE EASTERLY LINE OF LOTS 13 AND 14, A DISTANCE OF 220.22 FEET, TO THE POINT OF BEGINNING. CONTAINING 11,727.2 SQ FEET, MORE OR LESS. PARCEL ID: 08137-000-000 OWNER: DATAGRID INC O.R. BOOK 4632 PAGE 0715 LOT 13 BLOCK D OF MAGNOLIA HEIGHTS SUBDIVISION PLAT BOOK "D" PAGE 12 PORTION OF PARCEL ID: 08141-013-01 OWNER: STEPH & HANS SOLUTIONS O.R. BOOK 4929 PG 1369 LOT 13 BLOCK D OF MAGNOLIA HEIGHTS SUBDIVISION PLAT BOOK "D" PAGE 12 PORTION OF PARCEL ID: 08141-013-01 OWNER: STEPH & HANS SOLUTIONS O.R. BOOK 4929 PG 1369 LOT 14 BLOCK D OF MAGNOLIA HEIGHTS SUBDIVISION PLAT BOOK "D" PAGE 12 POINT OF BEGINNING: S.E. CORNER OF LOT 14, BLOCK D . \$76°17'16"W 77.79' (M) 77.8' (P) PARCEL ID: 08141-001-000 OWNER: STEPH & HANS SOLUTIONS O.R. BOOK 4929 PG 1369 LOT 19 BLOCK D OF MAGNOLIA HEIGHTS SUBDIVISION PLAT BOOK "D" PAGE 12 POINT OF COMMENCEMENT (S.E. CORNER OF LOT 19) THE MAP OF THE PROPERTY DESCRIBED HEREON WAS MADE UNDER MY SUPERVISION AND THIS MAP OF SURVEY FURTHER MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTER 5.1-17.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THE MAP OF SURVEY SHOWN HEREON IS A TRUE AND ACCURATE REPRESENTATION THEREOF TO THE BEST OF MY KNOWLEDGE, BEING SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON. CERTIFIED TO: Drawn By: B. MURPHY Document Name: 21.21 S&D.dwg F PRINTED, THIS DOCUMENT IS NOT VALID WITHOU THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA ICENSED SURVEYOR AND MAPPER. IF IIN DIGITAL ORNAT, PLEASE BE SURE TO VALIDATE THE Brian E. Murphy Professional Surveyor & Mapper No.7033 oc.Date/ Time: 4/14/2022 4: Sheet: 2 of 2



City of Gainesville
City Plan Board Meeting
MINUTES

August 25, 2022, 6:30 p.m.
City Hall
200 East University Avenue
Gainesville, FL 32601

Members Present: Robert Ackerman, James Blythe, Tina

Certain, Sphia Corugedo, Thomas Hawkins, Jason Hurst, Joshua Ney,

Stephanie Sutton

A. CALL TO ORDER

Sphia Corugedo joined the meeting at 6:57 pm.

Jason Hurst joined the meeting at 7:03 pm.

B. ROLL CALL

C. ADOPTION OF THE AGENDA

Moved by Thomas Hawkins **Seconded by** Joshua Ney

Adopt Agenda

Carried Unanimously

D. APPROVAL OF THE MINUTES

D.1 Approval of Minutes

Moved by James Blythe Seconded by Joshua Ney

Approve Minutes

E. BUSINESS DISCUSSION ITEMS

E.1 6th Street ROW Vacation Petition LD22-000009 SVA. Petition LD22-000009 Gary Dounson (Agent) on behalf of Steph and Hans Solutions, LLC (Owner). Request to vacate a Right-of-way. Located at 4210 and 4232 NW 6th Street.

Staff Presenting: Forrest Eddlenton

Moved by James Blythe Seconded by Joshua Ney

Staff to City Plan Board – Staff recommends approval of Petition LD22-000009 SVA.

Aye (3): Robert Ackerman, James Blythe, and Joshua Ney

Nay (1): Thomas Hawkins

Approved (3 to 1)

E.2 Amend Future Land Use Map from Alachua County High Density Residential and Alachua County Medium Density Residential to City of Gainesville Urban Mixed Use (UMU). Petition LD22-000036 LUC. City of Gainesville, (Applicant) requests to amend the City of Gainesville.

Staff Presenting: Nathaniel Chan

Moved by Thomas Hawkins Seconded by James Blythe

Staff to City Plan Board – Staff recommends approval of Petition LD22-000036 LUC.

Carried Unanimously

E.3 Rezone from Alachua County Multi-Family Residential (R-3) and Alachua County Manufactured/Mobile Home Park (RM) to City of Gainesville Urban 6 (U6).Petition LD22-000037 ZON. City of Gainesville, (Applicant) requests to rezone two (2) properties from Alac

Staff Presenting: Nathaniel Chan

Moved by Thomas Hawkins Seconded by Sphia Corugedo

Staff to City Plan Board – Staff recommends approval of Petition LD22-000036 LUC.

Carried Unanimously

E.4 Amend Future Land Use Map from Mixed Use Office Residential (MOR) to Urban Mixed Use (UMU) and Public and Institutional Facilities (PF). Petition LD22-000056 LUC. City of Gainesville, (Applicant) requests to amend the City of Gainesville Future Land Use

Staff Presenting: Phimetto Lewis

Moved by James Blythe Seconded by Jason Hurst

Staff recommends approval of Petition LD22-000056 LUC.

Aye (5): Robert Ackerman, James Blythe, Sphia Corugedo, Jason Hurst, and Joshua Ney

Abstained (1): Thomas Hawkins

Approved (5 to 0)

E.5 Rezone from RSF-3 Single Family Residential, Urban 3 (U3), Urban 4 (U4), and Urban 6 (U6) to Urban 8 (U8) and Public Services and Operations (PS). Petition LD22-000057 ZON. City of Gainesville, (Applicant) requests to rezone ten (10) properties from RS

Staff Presenting: Phimetto Lewis

Moved by Sphia Corugedo Seconded by Jason Hurst

Staff to City Plan Board – Staff recommends approval of Petition PB-22-00017 ZON

Aye (5): Robert Ackerman, James Blythe, Sphia Corugedo, Jason Hurst, and Joshua Ney

Abstained (1): Thomas Hawkins

Approved (5 to 0)

E.6 Markets West Carwash Special Use Permit Petition LD22-000053 SUP. CHW, Inc (Agent) for Tanglewood Properties of Gainesville, LLC (Owner). Request for a Special Use Permit to allow a carwash use at the subject property. Zoned: Mixed Use 2 (MU-2). Located e

Staff Presenting: Nathaniel Chan

Moved by Sphia Corugedo Seconded by James Blythe

Staff to City Plan Board – Staff recommends approval of Petition LD22-000053 SUP with Conditions.

Aye (5): Robert Ackerman, James Blythe, Sphia Corugedo, Jason Hurst, and Joshua Ney

Approved (5 to 0)

E.7 Sivance Special Use Permit/Wellfield Special Use PermitPetition LD22-000007 SUP. CHW Professional Consultants (Agent) on behalf of Sivance, LLC (Owners). Request for a Special Use Permit and Wellfield Special Use Permit to allow for an expansion of an exi

Staff to City Plan Board – Staff recommends approval with conditions of Petition LD22-000007 SUP.

F. PUBLIC COMMENT

comment - from public

G. MEMBER COMMENT

Item Sivance Special Use Permit/Wellfield Special use Permit. Petition LD22-00007 SUP continued to City Plan Board meeting 9/22/22

H. NEXT MEETING DATE

Next meeting: 9/22/22

I. ADJOURNMENT

7:27 pm



City of Gainesville Agenda Item Report

File Number: 2023-94

Agenda Date: January 25, 2023

Department: Office of the City Clerk

Title: 2023-94 Black History Month Proclamation (B)

Department: Office of the City Clerk

Fiscal Note: N/A

Recommendation: Mrs. Vivian Filer to accept the proclamation.

City of Gainesville, Florida

Office of Mayor Harvey L. Ward Jr. PROCLAMATION

WHEREAS, eager to fill in the historical record for Black Americans, historian Carter G. Woodson created the Association for the Study of African American Life and History in 1915 and founded The Journal of Negro History. It was his conviction that a better understanding of black history would help overcome prejudice in the United States; and

WHEREAS, it was because of this conviction that historian Carter G. Woodson spearheaded "Negro History Week" in 1926, which would become known as "Black History Month." It was his belief that "If a race has no history, if it has no worth-while tradition, it becomes a negligible factor in the thought of the world, and it stands in danger of being exterminated." The month of February marks the recognition of Black History Month. This month-long celebration of Black/African American history has been recognized by the United States government for nearly 40 years; and

WHEREAS, we celebrate the achievements of African Americans and the central role they've played in US history. This Black History Month is important because we are facing a time of unprecedented intolerance. Now, more than ever, we need to stand united and resist these efforts that would take us backwards, not forward; and

WHEREAS, from the Revolutionary War through the abolitionist movement to marches from Selma to Montgomery and across America today, African Americans have remained devoted to the proposition that all of us are created equal, even when their own rights were denied; and

WHEREAS, the City of Gainesville would like to take this time to recognize Black History Month and the contributions African Americans have made to make Gainesville the city that is inclusive to all. The City of Gainesville recognizes the achievements and contributions of African Americans in the areas of Education, Medicine, Politics, Criminal Justice, Religion, Business, the Arts, Social Justice, and so much more; and

WHEREAS, Black History Month has become a central part of African American life and substantial progress has been made in bringing more Americans to appreciate the celebration. I urge all citizens to celebrate our diverse heritage and culture, and continue our efforts to create a world that is more just, peaceful and prosperous for all; and

NOW, THEREFORE, I, Harvey L. Ward Jr, by the authority vested in me as Mayor of the City of Gainesville, do hereby proclaim February, 2023 as

Black History Month

in the City of Gainesville and invite all our neighbors to join me in reflecting on the sacrifices and contributions made by generations of African Americans, and let us resolve to continue our march toward a day when every person knows the unalienable rights to life, liberty and the pursuit of happiness.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Gainesville, Florida, this 24th day of January, A.D., 2023.

Harvey L. Ward Jr. Mayor



City of Gainesville Agenda Item Report

File Number: 2023-114

Agenda Date: February 2, 2023

Department: Office of the City Clerk

Title: 2023-114 Gun Violence Survivors Week Proclamation (B)

Department: Office of the City Clerk

Fiscal Note: N/A

Recommendation: Helen Kirklin with Moms Demand Action to receive the

proclamation.

City of Gainesville, Florida

Office of Mayor Harvey L. Ward Jr. PROCLAMATION

WHEREAS, every year, more than 40,000 Americans are killed with guns and approximately 76,000 more are shot and wounded; and

WHEREAS, every year, on average, 2,849 Floridians are killed in acts of gun violence and 5,267 more are shot and wounded; and

WHEREAS, by early February, more Americans are killed with guns than are killed in our peer countries in an entire calendar year; and

WHEREAS, a gun violence survivor is anyone who has personally experienced gun violence — whether you have witnessed an act of gun violence, been threatened or wounded with a gun, or had someone you know and cared for wounded or killed; and

WHEREAS, forms of gun violence can include, but are not limited to: gun suicides, gun homicides, domestic violence involving a gun, shootings by law enforcement, and unintentional shootings; and

WHEREAS, 59% of American adults, including 71% of Black and 60% of Latin Americans, or someone they care for has experienced gun violence in their lifetime, demonstrating the reach and impact gun violence has in communities across America; and

WHEREAS, firearms are the leading cause of death in the United States for children and teens; and

WHEREAS, people in America in cities across the nation are working to end the senseless violence by advocating for common sense gun safety legislation; and

WHEREAS, by commemorating National Gun Violence Survivors Week on February 1 to February 7, cities across America will raise awareness about gun violence and honor the lives stolen by gun violence; and WHEREAS, on both a national and a local level, Moms Demand Action, Students Demand Action and Mayors Against Illegal Guns have worked diligently and tirelessly to promote commonsense gun laws; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the hands of those who are a danger to themselves or others and encourage responsible gun ownership to help keep our communities safe.

NOW, THEREFORE, I, Harvey L. Ward Jr, by the authority vested in me as Mayor of the City of Gainesville, do hereby proclaim February 1st to February 7th, 2023 as

National Gun Violence Survivors Week

in the City of Gainesville and invite all our neighbors to join me in supporting their community efforts to prevent the tragic effects of gun violence and to honor and value human lives. .

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Gainesville, Florida, this 1st day of February, A.D., 2023.

Harvey L. Ward Jr. Mayor



City of Gainesville Agenda Item Report

File Number: 2023-59

Agenda Date: February 2, 2023

Department: Sustainable Development

Title: 2023-59 Perpetual Easement between NE 26th Terrace and SE 26th Terrace

(B)

Department: Sustainable Development

Description: The Florida Department of Transportation is asking the City Commission for a perpetual easement. This would give FDOT permanent access to install and maintain traffic signals and equipment between NE 26th Terrace and SE 26th Terrace.

Fiscal Note: N/A

Explanation: The Florida Department of Transportation (FDOT) is in the process of acquiring the right of way for constructing and maintaining dynamic blank-out signage between Northeast 26th Terrace and Southeast 26th Terrace along East University Avenue (State Road 26).

FDOT is seeking a Perpetual Easement interest from the City of Gainesville to enable the completion of these improvements, which are in the public or community interest and for public welfare.

The perpetual easement grants the rights to FDOT for constructing and maintaining traffic signalization equipment, including, but not limited to strain pole assemblies, pedestals, pull boxes, conduit, and controller cabinet and to enhance traffic flow and safety within the surrounding area.

Strategic Connection:

Goal 3: A Great Place to Live & Experience

Recommendation: The City Commission authorize the Mayor to sign and the City Clerk to attest the perpetual easement to the Florida Department of Transportation, subject to the approval by the City Attorney as to form and legality.

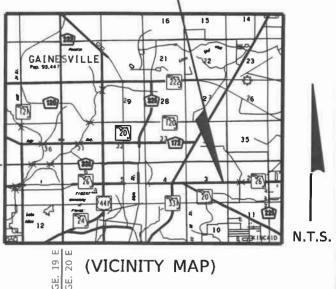
SKETCH OF DESCRIPTION FOR PERPETUAL EASEMENT PARCEL 800 TOWNSHIP 10 SOUTH, RANGE 20 EAST ALACHUA COUNTY, FLORIDA

TWP. 9 S TWP. 10 S

GENERAL NOTES:

- 1) This Sketch Is Based On The Florida State Plane Coordinate System, North Zone (903), North American Datum (NAD 1983), 2011 Adjustment, In U.S. Survey Feet As Shown On Florida Department Of Transportation Right Of Way Map Section 26130-2504, And Deriving A Bearing Of North 89°00'48" East, On The Baseline Of Survey Of State Road No. 26, As Monumented And Field Referenced, Between P.O.T. Station 50+00.00 (Northing: 243848.5812, Easting: 2668992.7517) And P.I.Station 66+90.43 (Northing: 243877.6932, Easting: 2670682.9342).
- 2) Improvements not located except as shown hereon.
- 3) This sketch is not a field survey.
- The sole purpose of this sketch is to graphically illustrate the Perpetual Easement parcel, as directed by the Florida Department of Transportation.
- Attention is directed to the fact that these maps may have been reduced in size by reproduction. This must be considered when scaling data.





PROJECT LEGEND

BASELINE OF SURVEY

EXISTING R/W LINE

PERPETUAL EASEMENT LINE

SUBDIVISION LINE

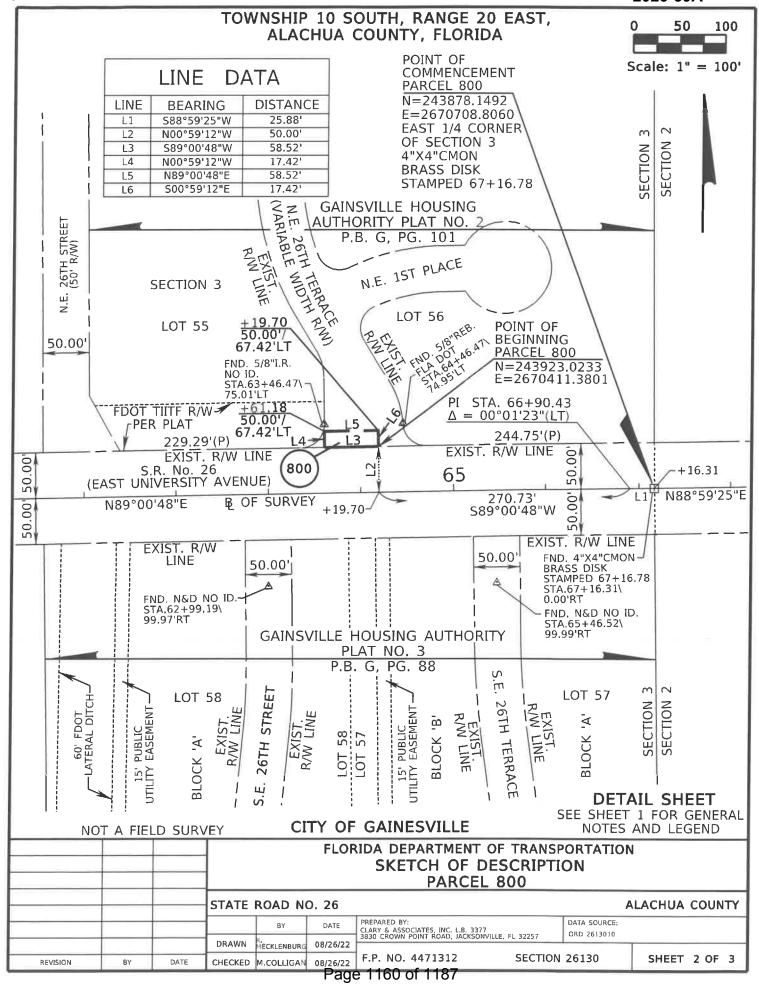
 $\Delta = DELTA$ B = BASELINEČB = CHORD BEARING CH = CHORDCMON=CONCRETE MONUMENT C.R. = COUNTY ROAD D = DEGREE OF CURVE E = EASTING/EASTEXIST. = EXISTING FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION F.P. = FINANCIAL PROJECT ID. = IDENTIFICATION I.R.=IRON ROD I.P.=IRON PIPE L = LENGTHLT. = LEFT

N&D=NAIL AND DISK N.T.S. = NOT TO SCALE

No. = NUMBER N = NORTHING/NORTH(P)=PLAT PC = POINT OF CURVATURE PG. = PAGEPI = POINT OF INTERSECTION PT = POINT OF TANGENCY R = RADIUSREB.=REBAR R/W = RIGHT OF WAY RGE. = RANGES = SOUTHSTA. = STATION S.R. = STATE ROAD T = TANGENT TWP. = TOWNSHIP W = WESTW/ = WITH

NOT A FIELD SURVEY

				FLORIDA DEPARTMENT OF TRANSPORTATION SKETCH & LEGAL DESCRIPTION PARCEL 800							
			STATE ROAD NO. 26 ALACHUA COUNTY								
				BY	DATE	PREPARED BY: CLARY & ASSOCIATES, INC. L.B. 3377 3830 CROWN POINT ROAD, JACKSONVILLE, FL 32257	DATA SOURCE: ORD 2613010				
			DRAWN	R. MECKLENBUR G	08/26/22		ORD 2613010				
REVISIÓN	BY	DATE	CHECKED	M.COLLIGAN 08/26/22		F.P. NO. 4471312 SECTION 2		SHEET 1 OF 3			
					Page	1159 of 1187					



Description Parcel 800

Perpetual Easement

A Part Of N.E. 26TH Terrace (As Per Gainesville Housing Authority Plat No. 2, As Recorded In Plat Book G, Page 101, Of The Public Records Of Alachua County, Florida, Having A Variable Width Right Of Way), In Section 3, Township 10 South, Range 20 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At A 4"x 4"Concrete Monument With Brass Disk Stamped 67+16.78 At The East 1/4 Corner Of Section 3, Township 10 South, Range 20 East, Alachua County, Florida, Also Being A Point On The Baseline Of Survey Of S.R. No. 26 (East University Avenue, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26130-2504, Having An 100.00 Foot Right Of Way). Thence Along Said Baseline Of Survey Of State Road No. 26 (East University Avenue), The Following 2 Courses: (1) South 88°59'25" West, 25.88 Feet; (2) South 89°00'48" West, 270.73 Feet; Thence North 00°59'12" West, A Distance Of 50.00 Feet To The Northerly Existing Right Of Way Line Of Said State Road No. 26 (East University Avenue), And To The Point Of Beginning; Thence South 89°00'48" West, Along Said Northerly Existing Right Of Way Line, A Distance Of 58.52 Feet; Thence North 00°59'12"West, A Distance Of 17.42 Feet; Thence North 89°00'48"East, A Distance Of 58.52 Feet; Thence South 00°59'12"East, A Distance Of 17.42 Feet To The Point Of Beginning.

Containing: 1,019 Square Feet, More Or Less.

I Hereby Certify That To The Best Of My Knowledge And Belief That This Legal Description Is True, Accurate, And Was Prepared Under My Direction.

I Further Certify That Said Legal Description Is In Compliance With The Standards Of Practice As Set Forth By The Florida Board Of Professional Surveyors And Mappers, In Chapter 5J-17, Florida Administrative Code, Pursuant To Section 472.027, Florida Statutes.

Michael J. Colligan, PSM

Professional Surveyor And Mapper No. 6788

3830 Crown Point Road Jacksonville, Florida 32257 Date: September 6, 2022

Not Valid Unless Signed And Sealed

NOT A FIELD SURVEY

				FLORIDA DEPARTMENT OF TRANSPORTATION SKETCH OF DESCRIPTION PARCEL 800						
			STATE ROAD NO. 26				Α	LACHUA COUNTY		
				BY	DATE	PREPARED BY: CLARY & ASSOCIATES, INC. L.B. 3377	DATA SOURCE: ORD 2613010			
			DRAWN	R. MECKLENBURG	08/26/22	3830 CROWN POINT ROAD, JACKSONVILLE, FL 32257	OKD 2613010			
REVISION	BY	DATE	CHECKED	M.COLLIGAN	08/26/22	F.P. NO. 4471312 S	ECTION 26130	SHEET 3 OF 3		

Parcel Information Sheet NOT A DEED - INFORMATION PURPOSES ONLY

T. S. No. N/A R/W Map Sheet No. (SKETCH) Tax Parcel No. N/A

Tax Parcel No. N/A

Section No. 26130

SR No. 26/E University Avenue

Alachua County

F.P. No. 4471312

Parcel No. 800

Perpetual Easement

A perpetual easement for the purpose of constructing and maintaining dynamic signage, in, over, under, upon and through the following described land in Alachua County, Florida, to wit:

A Part Of N.E. 26TH Terrace (As Per Gainesville Housing Authority Plat No. 2, As Recorded In Plat Book G, Page 101, Of The Public Records Of Alachua County, Florida, Having A Variable Width Right Of Way), In Section 3, Township 10 South, Range 20 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At A 4" x 4" Concrete Monument With Brass Disk Stamped 67+16.78 At The East 1/4 Corner Of Section 3, Township 10 South, Range 20 East, Alachua County, Florida, Also Being A Point On The Baseline Of Survey Of S.R. No. 26 (East University Avenue, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26130-2504, Having A 100.00 Foot Right Of Way). Thence Along Said Baseline Of Survey Of State Road No. 26 (East University Avenue), The Following 2 Courses: (1) South 88°59'25" West, 25.88 Feet; (2) South 89°00'48" West, 270.73 Feet; Thence North 00°59'12" West, A Distance Of 50.00 Feet To The Northerly Existing Right Of Way Line Of Said State Road No. 26 (East University Avenue), And To The Point Of Beginning; Thence South 89°00'48" West, Along Said Northerly Existing Right Of Way Line, A Distance Of 58.52 Feet; Thence North 00°59'12" West, A Distance Of 17.42 Feet; Thence North 89°00'48" East, A Distance Of 58.52 Feet; Thence South 00°59'12" East, A Distance Of 17.42 Feet To The Point Of Beginning.

Containing: 1,019 Square Feet, More Or Less.

Parcel Description Verified By: Khmda Kobonson

Date: <u>09/06/2022</u>

Title Information INFORMATION CONTAINED BELOW TO BE VERIFIED BY RIGHT OF WAY ACQUISITION AGENT

Based upon a title search through 00/00/0000 Updated through 00/00/0000

Homestead Property: ☐ Yes ☐ No

Page 1 of 2 Page 1162 of 1187

Marital Status: 🗖 Married	☐ Single	☐ Separated	□ Other			
OWNED BY: (07-PE.13A) City of Gainesville, Florida						
Grantor's Mailing Address:						

SUBORDINATE INTEREST: N/A

07-PE.13-Date: November 18, 2022

T. S. No. N/A R/W Map Sheet No. (SKETCH) Tax Parcel No. N/A

This instrument prepared by or under the direction of:
David M. Robertson
Chief Counsel District Two
Florida Department of Transportation
1109 South Marion Avenue
Lake City, Florida 32025-5874

PARCEL NO. 800.1 SECTION NO. 26130 F.P. NO. 4471312 STATE ROAD NO. 26E/University Ave. COUNTY OF ALACHUA

PERPETUAL EASEMENT

THIS EASEMENT, made this ______ day of _______, 20_____, by the CITY OF GAINESVILLE, FLORIDA, a municipality of the State of Florida, whose mailing address is Post Office Box 490, Gainesville, Florida 32602-0490, grantor, to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, 1109 South Marion Avenue, Lake City, Florida 32025-5874, its successors and assigns, grantee.

WITNESSETH: That the grantor for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the grantee, its successors and assigns, a perpetual easement for the purpose of constructing and maintaining dynamic signage in, over, under, upon and through the following described land in Alachua County, Florida, viz:

SEE **Exhibit "A"**, attached hereto and by reference made a part hereof.

TO HAVE AND TO HOLD the same unto said grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its Mayor, and its seal to be hereto affixed, attested by its City Clerk, the date first above written.

ATTEST:Print Name:	City Of Gainesville, Florida a municipality of the State of Florida
Clerk of the Commission	
Signed, sealed and delivered in the presence of:	
Witness:	BY:
Print Name:	Lauren Poe
	Its Mayor
Witness:	
Print Name:	
	(Corporate Seal)
STATE OF FLORIDA	
COUNTY OF ALACHUA	
or □ online notarization, this da , the 0 the City Of Gainesville, Florida, a municip	cnowledged before me, by means of □ physical presence by of, 20, by Lauren Poe and City Mayor and Clerk of the Commission, respectively, of pal corporation, who are duly sworn, and acknowledged hority from said corporation, as its act and deed, and for tained in said instrument.
(Notary Seal)	Print Name:Notary Public My Commission Expires:
	Approved as to Form and Legality:
	Print Name:

Exhibit "A"

Section No. 26130

SR No. 26/E University Avenue

Alachua County

F.P. No. 4471312

Parcel No. 800

Perpetual Easement

A Part Of N.E. 26TH Terrace (As Per Gainesville Housing Authority Plat No. 2, As Recorded In Plat Book G, Page 101, Of The Public Records Of Alachua County, Florida, Having A Variable Width Right Of Way), In Section 3, Township 10 South, Range 20 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At A 4" x 4" Concrete Monument With Brass Disk Stamped 67+16.78 At The East 1/4 Corner Of Section 3, Township 10 South, Range 20 East, Alachua County, Florida, Also Being A Point On The Baseline Of Survey Of S.R. No. 26 (East University Avenue, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26130-2504, Having A 100.00 Foot Right Of Way). Thence Along Said Baseline Of Survey Of State Road No. 26 (East University Avenue), The Following 2 Courses: (1) South 88°59'25" West, 25.88 Feet; (2) South 89°00'48" West, 270.73 Feet; Thence North 00°59'12" West, A Distance Of 50.00 Feet To The Northerly Existing Right Of Way Line Of Said State Road No. 26 (East University Avenue), And To The **Point Of Beginning**; Thence South 89°00'48" West, Along Said Northerly Existing Right Of Way Line, A Distance Of 58.52 Feet; Thence North 00°59'12" West, A Distance Of 17.42 Feet; Thence North 89°00'48" East, A Distance Of 58.52 Feet; Thence South 00°59'12" East, A Distance Of 17.42 Feet To The **Point Of Beginning**.

Containing: 1,019 Square Feet, More Or Less.

SKETCH OF DESCRIPTION FOR PERPETUAL EASEMENT PARCEL 801 TOWNSHIP 10 SOUTH, RANGE 20 EAST ALACHUA COUNTY, FLORIDA

GENERAL NOTES:

- 1) This Sketch Is Based On The Florida State Plane Coordinate System, North Zone (903), North American Datum (NAD 1983), 2011 Adjustment, In U.S. Survey Feet As Shown On Florida Department Of Transportation Right Of Way Map Section 26130-2504, And Deriving A Bearing Of North 89°00'48" East, On The Baseline Of Survey Of State Road No. 26, As Monumented And Field Referenced, Between P.O.T. Station 50+00.00 (Northing: 243848.5812, Easting: 2668992.7517) And P.I.Station 66+90.43 (Northing: 243877.6932, Easting: 2670682.9342).
- 2) Improvements not located except as shown hereon.
- 3) This sketch is not a field survey.
- 4) The sole purpose of this sketch is to graphically illustrate the Perpetual Easement parcel, as directed by the Florida Department of Transportation.
- 5) Attention is directed to the fact that these maps may have been reduced in size by reproduction. This must be considered when scaling data.



(VICINITY MAP)

PROJECT LEGEND

EASEMENT LOCATION

BASELINE OF SURVEY

EXISTING R/W LINE

PERPETUAL EASEMENT LINE

SUBDIVISION LINE

Δ = DELTA

B = BASELINE

CB = CHORD BEARING

CH = CHORD

CMON=CONCRETE MONUMENT

C.R. = COUNTY ROAD

D = DEGREE OF CURVE

E = EASTING/EAST

EXIST. = EXISTING

FDOT = FLORIDA DEPARTMENT

OF TRANSPORTATION

F.P. = FINANCIAL PROJECT

ID. = IDENTIFICATION

I.R.=IRON ROD

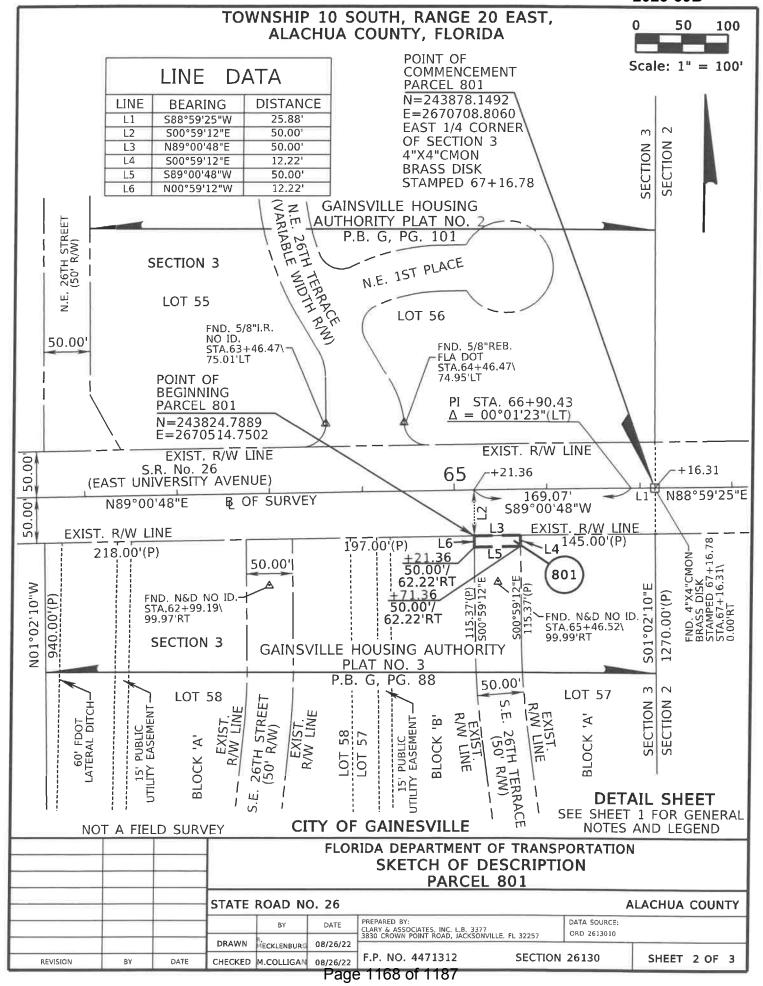
L = LENGTH LT. = LEFT N&D=NAIL AND DISK N.T.S. = NOT TO SCALE

I.P.=IRON PIPE

No. = NUMBER N = NORTHING/NORTH(P)=PLAT PC = POINT OF CURVATURE PG. = PAGEPI = POINT OF INTERSECTION PT = POINT OF TANGENCY R = RADIUSREB.=REBAR R/W = RIGHT OF WAY RGE. = RANGE S = SOUTHSTA. = STATION S.R. = STATE ROAD T = TANGENTTWP. = TOWNSHIP W = WESTW/ = WITH

NOT A FIELD SURVEY

				FLORIDA DEPARTMENT OF TRANSPORTATION SKETCH & LEGAL DESCRIPTION PARCEL 801					
			STATE ROAD NO. 26				ALACHUA COUNTY		
				BY	DATE	PREPARED BY: CLARY & ASSOCIATES, INC. L.B. 3377 3830 CROWN POINT ROAD, JACKSONVILLE, FL 32257	DATA SOURCE:		
			DRAWN	R. MECKLENBURG	08/26/22	3830 CROWN POINT ROAD, JACKSONVILLE, FL 32257	ORD 2613010		
REVISION	BY	DATE	CHECKED	M.COLLIGAN	08/26/22		CTION 26130	SHEET 1 OF 3	
Page 1167 of 1187									



Description Parcel 801

Perpetual Easement

A Part Of S.E. 26TH Terrace (As Per Gainesville Housing Authority Plat No. 3, As Recorded In Plat Book G, Page 88, Of The Public Records Of Alachua County, Florida, Having A 50.00 Foot Right Of Way), In Section 3, Township 10 South, Range 20 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At A 4"x 4"Concrete Monument With Brass Disk Stamped 67+16,78 At The East 1/4 Corner Of Section 3, Township 10 South, Range 20 East, Alachua County, Florida, Also Being A Point On The Baseline Of Survey Of S.R. No. 26 (East University Avenue, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26130-2504, Having A 100.00 Foot Right Of Way). Thence Along Said Baseline Of Survey Of State Road No. 26 (East University Avenue), The Following 2 Courses; (1) South 88°59'25" West, 25.88 Feet; (2) South 89°00'48" West, 169.07 Feet; Thence South 00°59'12" East, A Distance Of 50.00 Feet To The Intersection Of The Southerly Existing Right Of Way Line Of Said State Road No. 26 (East University Avenue), And The Westerly Existing Right of Way Line Of S.E. 26TH Terrace (As Per Gainesville Housing Authority Plat No. 3, As Recorded In Plat Book G, Page 88, Of The Public Records Of Alachua County, Florida, Having A 50.00 Foot Right Of Way), In Section 3, Township 10 South, Range 20 East, Alachua County, Florida, And To The Point Of Beginning: Thence North 89°00'48" East, Along Said Southerly Existing Right Of Way Line Of State Road No. 26 (East University Avenue), A Distance Of 50.00 Feet, To The Easterly Existing Right of Way Line Of Said S.E. 26TH Terrace; Thence South 00°59'12"East, Along Said Easterly Existing Right of Way Line, A Distance Of 12.22 Feet; Thence South 89°00'48"West, A Distance Of 50.00 Feet To Said Easterly Existing Right of Way Line Of S.E. 26TH Terrace; Thence North 00°59'12"West, Along Said Westerly Existing Right of Way Line, A Distance Of 12.22 Feet To The Point Of Beginning.

Containing: 611 Square Feet, More Or Less.

I Hereby Certify That To The Best Of My Knowledge And Belief That This Legal Description Is True, Accurate, And Was Prepared Under My Direction.

I Further Certify That Said Legal Description Is In Compliance With The Standards Of Practice As Set Forth By The Florida Board Of Professional Surveyors And Mappers, In Chapter 5J-17, Florida Administrative Code, Pursuant To Section 472.027, Florida Statutes.

Michael J. Colligan PSM

Professional Surveyor And Mapper No. 6788

3830 Crown Point Road Jacksonville, Florida 32257 Date: September 6, 2022

Not Valid Unless Signed And Sealed

NOT A FIELD SURVEY

				FLORIDA DEPARTMENT OF TRANSPORTATION SKETCH OF DESCRIPTION PARCEL 801						
			STATE ROAD NO. 26				Α	ALACHUA COUNTY		
				BY	DATE	PREPARED BY: CLARY & ASSOCIATES, INC. L.B. 3377	DATA SOURCE:			
			DRAWN	R. MECKLENBURG	08/26/22	3830 CROWN POINT ROAD, JACKSONVILLE, FL 32257	ORD 2613010			
REVISION	BY	DATE	CHECKED	M.COLLIGAN	08/26/22 Page		ECTION 26130	SHEET 3 OF 3		

Parcel Information Sheet NOT A DEED - INFORMATION PURPOSES ONLY

T. S. No. N/A R/W Map Sheet No. (SKETCH) Tax Parcel No. N/A

Section No. 26130

SR No. 26/E University Avenue

Alachua County

F.P. No. 4471312

Parcel No. 801

Perpetual Easement

A perpetual easement for the purpose of constructing and maintaining dynamic signage, in, over, under, upon and through the following described land in Alachua County, Florida, to wit:

A Part Of S.E. 26TH Terrace (As Per Gainesville Housing Authority Plat No. 3, As Recorded In Plat Book G, Page 88, Of The Public Records Of Alachua County, Florida, Having A 50.00 Foot Right Of Way), In Section 3, Township 10 South, Range 20 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At A 4" x 4" Concrete Monument With Brass Disk Stamped 67+16.78 At The East 1/4 Corner Of Section 3, Township 10 South, Range 20 East, Alachua County, Florida, Also Being A Point On The Baseline Of Survey Of S.R. No. 26 (East University Avenue, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26130-2504, Having A 100.00 Foot Right Of Way). Thence Along Said Baseline Of Survey Of State Road No. 26 (East University Avenue), The Following 2 Courses: (1) South 88°59'25" West, 25.88 Feet; (2) South 89°00'48" West, 169.07 Feet; Thence South 00°59'12" East, A Distance Of 50.00 Feet To The Intersection Of The Southerly Existing Right Of Way Line Of Said State Road No. 26 (East University Avenue), And The Westerly Existing Right of Way Line Of S.E. 26TH Terrace (As Per Gainesville Housing Authority Plat No. 3, As Recorded In Plat Book G, Page 88, Of The Public Records Of Alachua County, Florida, Having A 50.00 Foot Right Of Way), In Section 3, Township 10 South, Range 20 East, Alachua County, Florida, And To The Point Of Beginning; Thence North 89°00'48" East, Along Said Southerly Existing Right Of Way Line Of State Road No. 26 (East University Avenue), A Distance Of 50.00 Feet, To The Easterly Existing Right of Way Line Of Said S.E. 26TH Terrace; Thence South 00°59'12" East, Along Said Easterly Existing Right of Way Line, A Distance Of 12.22 Feet; Thence South 89°00'48" West, A Distance Of 50.00 Feet To Said Easterly Existing Right of Way Line Of S.E. 26TH Terrace; Thence North 00°59'12" West, Along Said Westerly Existing Right of Way Line, A Distance Of 12.22 Feet To The Point Of Beginning.

Containing: 611 Square Feet, More Or Less.

Parcel Description Verified By:

Rhonda Robonson

Date: 09/06/2022

Title Information
INFORMATION CONTAINED BELOW TO BE VERIFIED BY
RIGHT OF WAY ACQUISITION AGENT

Based upon a title search through 00/00/0000 Updated through 00/00/0000					
Homestead Property: ☐ Yes ☐ No					
Marital Status: ☐ Married ☐ Single	☐ Separated	□ Other			
OWNED BY: (07-PE.13A) City of Gainesville, Florida					
Grantor's Mailing Address:					

SUBORDINATE INTEREST: N/A

07-PE.13-Date: November 18, 2022

T. S. No. N/A R/W Map Sheet No. (SKETCH) Tax Parcel No. N/A

This instrument prepared by or under the direction of: David M. Robertson Chief Counsel District Two Florida Department of Transportation 1109 South Marion Avenue Lake City, Florida 32025-5874

PARCEL NO. 801.1 SECTION NO. 26130 F.P. NO. 4471312

STATE ROAD NO. 26E/University Ave.

COUNTY OF ALACHUA

PERPETUAL EASEMENT

THIS EASEMENT, made this day of the CITY OF GAINESVILLE, FLORIDA, a municipality of the State of Florida, whose mailing address is Post Office Box 490, Gainesville, Florida 32602-0490, grantor, to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, 1109 South Marion Avenue, Lake City, Florida 32025-5874, its successors and assigns, grantee.

WITNESSETH: That the grantor for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the grantee, its successors and assigns, a perpetual easement for the purpose of constructing and maintaining dynamic signage in, over, under, upon and through the following described land in Alachua County, Florida, viz:

SEE Exhibit "A", attached hereto and by reference made a part hereof.

TO HAVE AND TO HOLD the same unto said grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its Mayor, and its seal to be hereto affixed, attested by its City Clerk, the date first above written.

ATTEST:	City Of Gainesville, Florida
ATTEST: Print Name: Clerk of the Commission	a municipality of the State of Florida
Signed, sealed and delivered in the presence of:	
Witness: Print Name:	BY: Lauren Poe Its Mayor
Witness: Print Name:	
	(Corporate Seal)
STATE OF FLORIDA	
COUNTY OF ALACHUA	
or □ online notarization, this day o , the Cit the City Of Gainesville, Florida, a municipa	owledged before me, by means of □ physical presence of, 20, by Lauren Poe and by Mayor and Clerk of the Commission, respectively, of I corporation, who are duly sworn, and acknowledged prity from said corporation, as its act and deed, and for ned in said instrument.
	Print Name:
(Notary Seal)	Notary Public My Commission Expires:
	Approved as to Form and Legality:
	Print Name:

Exhibit "A"

Section No. 26130

SR No. 26/E University Avenue

Alachua County

F.P. No. 4471312

Parcel No. 801

Perpetual Easement

A Part Of S.E. 26TH Terrace (As Per Gainesville Housing Authority Plat No. 3, As Recorded In Plat Book G, Page 88, Of The Public Records Of Alachua County, Florida, Having A 50.00 Foot Right Of Way), In Section 3, Township 10 South, Range 20 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At A 4" x 4" Concrete Monument With Brass Disk Stamped 67+16.78 At The East 1/4 Corner Of Section 3, Township 10 South, Range 20 East, Alachua County, Florida, Also Being A Point On The Baseline Of Survey Of S.R. No. 26 (East University Avenue, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26130-2504, Having A 100.00 Foot Right Of Way). Thence Along Said Baseline Of Survey Of State Road No. 26 (East University Avenue), The Following 2 Courses: (1) South 88°59'25" West, 25.88 Feet; (2) South 89°00'48" West, 169.07 Feet; Thence South 00°59'12" East, A Distance Of 50.00 Feet To The Intersection Of The Southerly Existing Right Of Way Line Of Said State Road No. 26 (East University Avenue), And The Westerly Existing Right of Way Line Of S.E. 26TH Terrace (As Per Gainesville Housing Authority Plat No. 3, As Recorded In Plat Book G, Page 88, Of The Public Records Of Alachua County, Florida, Having A 50.00 Foot Right Of Way), In Section 3, Township 10 South, Range 20 East, Alachua County, Florida, And To The Point Of Beginning; Thence North 89°00'48" East, Along Said Southerly Existing Right Of Way Line Of State Road No. 26 (East University Avenue), A Distance Of 50.00 Feet, To The Easterly Existing Right of Way Line Of Said S.E. 26TH Terrace: Thence South 00°59'12" East, Along Said Easterly Existing Right of Way Line, A Distance Of 12.22 Feet; Thence South 89°00'48" West, A Distance Of 50.00 Feet To Said Easterly Existing Right of Way Line Of S.E. 26TH Terrace; Thence North 00°59'12" West, Along Said Westerly Existing Right of Way Line, A Distance Of 12.22 Feet To The Point Of Beginning.

Containing: 611 Square Feet, More Or Less.



City of Gainesville Agenda Item Report

File Number: 2023-60

Agenda Date: February 2, 2023

Department: Sustainable Development

Title: 2023-60 Perpetual Easement between NW 13th Street and NW 23rd Avenue

(B)

Department: Sustainable Development

Description: This agenda item requests the City Commission grant a perpetual easement to the Florida Department of Transportation for signal pole construction at NW 13th Street and NW 23rd Avenue.

Fiscal Note: N/A

Explanation: The Florida Department of Transportation (FDOT) is in the process of acquiring the right of way for signal pole construction and maintenance at Northwest 23rd Avenue (State Road 120) and Northwest 13th Street (State Road 25/US 441).

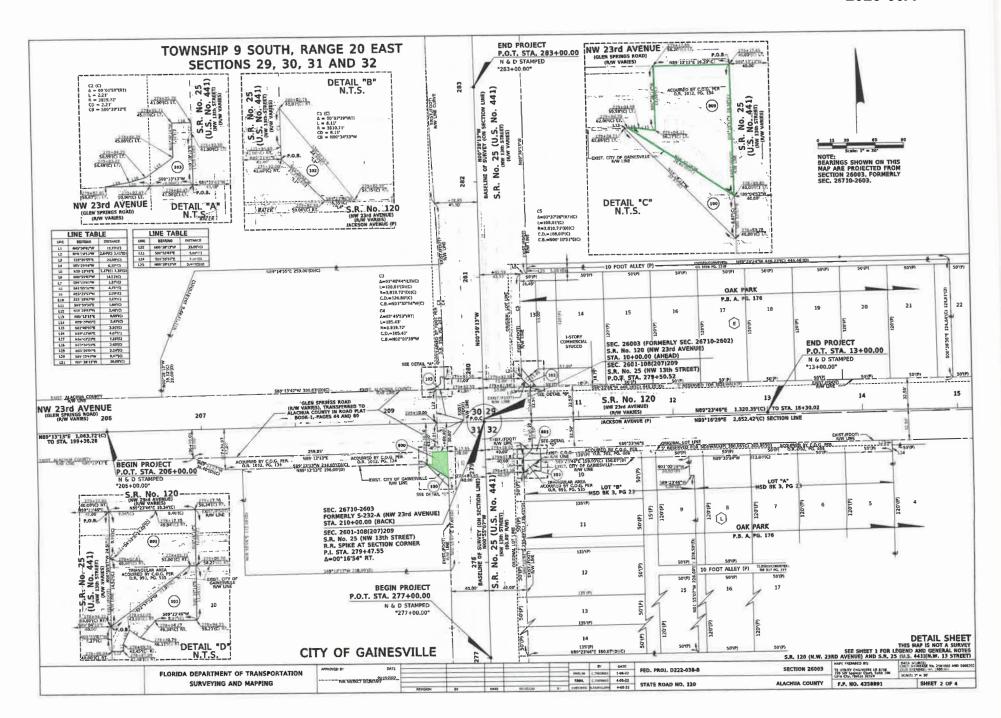
FDOT is seeking a Perpetual Easement interest from the City of Gainesville to enable the completion of these improvements, which are in the public or community interest and for public welfare.

The perpetual easement grants the rights to FDOT for constructing and maintaining traffic signalization equipment, including, but not limited to strain pole assemblies, pedestals, pull boxes, conduit, and controller cabinet and to enhance traffic flow and safety within the surrounding area within the intersection.

Strategic Connection:

Goal 3: A Great Place To Live and Experience

Recommendation: The City Commission: 1) Grant the land rights to the Florida Department of Transportation for the Northwest 13th Street/NW 23rd Avenue project as detailed, and 2) Authorize the Mayor to sign and the City Clerk to attest the perpetual easement to the Florida Department of Transportation, subject to approval by the City Attorney as to form and legality.



Parcel Information Sheet NOT A DEED - INFORMATION PURPOSES ONLY

T. S. No. N/A R/W Map Sheet No. 2 Tax Parcel No. N/A

Section No. 26003

SR No. 120 & SR 25

Alachua County

F.P. No. 4358891

Parcel No. 800

Perpetual Easement

A perpetual easement for the purpose of constructing and maintaining signal pole construction, in, over, under, upon and through the following described land in Alachua County, Florida, to wit:

A Part Of Section 31, Township 9 South, Range 20 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At The Northeast Corner Of Section 31, Township 9 South, Range 20 East, Alachua County, Florida, Thence South 00°55'07" East Along The East Line Of Said Section 31, Also Being The Baseline Of Survey Of State Road 25, Also Known As U.S 441 (A Variable Width Right Of Way, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26003 26710-2602), A Distance Of 30.00 Feet; Thence South 89°13'13" West, A Distance Of 40.00 Feet To The Westerly Existing Right Of Way Line Of Said State Road 25, Being The Point Of Beginning; Thence South 00°55'07" East Along The Westerly Existing Right Of Way Line Of Said State Road 25, A Distance Of 28.00 Feet To The Southerly Existing Right Of Way Line Of State Road 120, Also Known As NW 23rd Avenue (A Variable Width Right Of Way, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26003 26710-2602); Thence North 56°32'16" West Along The Southerly Existing Right Of Way Line Of Said State Road 120, A Distance Of 26.66 Feet; Thence North 89°38'45" East, A Distance Of 2.42 Feet; Thence South 81°08'06" East, A Distance Of 3.36 Feet; Thence North 00°36'14" West, A Distance Of 13.58 Feet; Thence North 89°13'13" East, A Distance Of 16.20 Feet To The Westerly Existing Right Of Way Line Of Said State Road 25, Being The Point Of Beginning.

Containing 375 Square Feet, More Or Less.

Parcel Description Verified By: Khmda Kobonson

Date: 04/06/2022

Title Information INFORMATION CONTAINED BELOW TO BE VERIFIED BY RIGHT OF WAY ACQUISITION AGENT

Based upon a title search through 00/00/0000 Updated through 00/00/0000

Page 1 of 2

Page 1177 of 1187

Homestead Property: ☐ Yes ☐ No					
Marital Status: Married	☐ Single	☐ Separated	□ Other		
OWNED BY: (07-PE.13A) City of Gainesville, Florida					
Grantor's Mailing Address:					
Subardinata Interacto: N/A					

Subordinate Interests: N/A

07-PE.13-Date: August 3, 2022

T. S. No. N/A R/W Map Sheet No. 2 Tax Parcel No. N/A

This instrument prepared by or under the direction of: David M. Robertson Chief Counsel District Two Florida Department of Transportation 1109 South Marion Avenue Lake City, Florida 32025-5874

PARCEL NO. 800.1 SECTION NO. 26003 F.P. NO. 4358891 STATE ROAD NO. 120 & 25 COUNTY OF ALACHUA

PERPETUAL EASEMENT

THIS EASEMENT, made this ______ day of _______, 20_____, by the CITY OF GAINESVILLE, FLORIDA, a municipality of the State of Florida, whose mailing address is Post Office Box 490, Gainesville, Florida 32602-0490, grantor, to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, 1109 South Marion Avenue, Lake City, Florida 32025-5874, its successors and assigns, grantee.

WITNESSETH: That the grantor for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the grantee, its successors and assigns, a perpetual easement for the purpose of constructing and maintaining a signal pole construction in, over, under, upon and through the following described land in Alachua County, Florida, viz:

SEE Exhibit "A", attached hereto and by reference made a part hereof.

TO HAVE AND TO HOLD the same unto said grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its Mayor, and its seal to be hereto affixed, attested by its City Clerk, the date first above written.

ATTEST:	City Of Gainesville, Florida
ATTEST:Print Name:Clerk of the Commission	a municipality of the State of Florida
Signed, sealed and delivered in the presence of:	
Witness: Print Name:	BY:
Witness: Print Name:	- -
	(Corporate Seal)
STATE OF FLORIDA	
COUNTY OF ALACHUA	
or □ online notarization, this day , the City the City Of Gainesville, Florida, a municipal	wledged before me, by means of physical presence of , 2020, by Lauren Poe and Mayor and Clerk of the Commission, respectively, of corporation, who are duly sworn, and acknowledged rity from said corporation, as its act and deed, and for need in said instrument.
(Notary Seal)	Print Name: Notary Public My Commission Expires: Approved as to Form and Legality:
	Print Name:City Attorney

Exhibit "A"

Section No. 26003

SR No. 120 & SR 25

Alachua County

F.P. No. 4358891

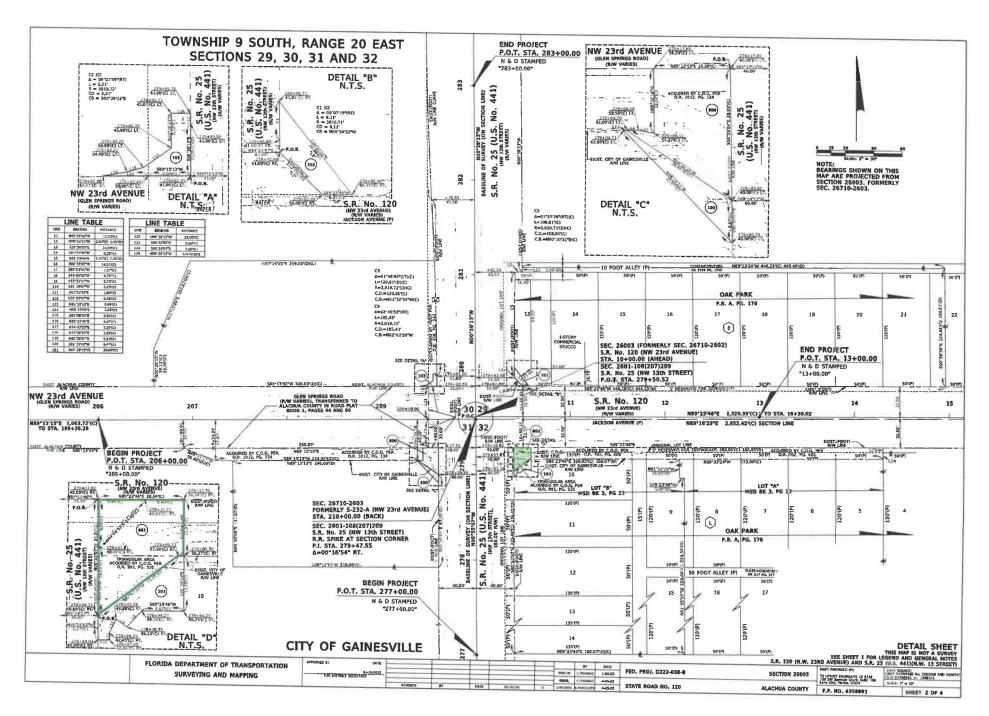
Parcel No. 800

Perpetual Easement

A Part Of Section 31, Township 9 South, Range 20 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At The Northeast Corner Of Section 31, Township 9 South, Range 20 East, Alachua County, Florida, Thence South 00°55′07″ East Along The East Line Of Said Section 31, Also Being The Baseline Of Survey Of State Road 25, Also Known As U.S 441 (A Variable Width Right Of Way, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26003 26710-2602), A Distance Of 30.00 Feet; Thence South 89°13′13″ West, A Distance Of 40.00 Feet To The Westerly Existing Right Of Way Line Of Said State Road 25, Being The Point Of Beginning; Thence South 00°55′07″ East Along The Westerly Existing Right Of Way Line Of Said State Road 25, A Distance Of 28.00 Feet To The Southerly Existing Right Of Way Line Of State Road 120, Also Known As NW 23rd Avenue (A Variable Width Right Of Way, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26003 26710-2602); Thence North 56°32′16″ West Along The Southerly Existing Right Of Way Line Of Said State Road 120, A Distance Of 26.66 Feet; Thence North 89°38′45″ East, A Distance Of 2.42 Feet; Thence South 81°08′06″ East, A Distance Of 3.36 Feet; Thence North 00°36′14″ West, A Distance Of 13.58 Feet; Thence North 89°13′13″ East, A Distance Of 16.20 Feet To The Westerly Existing Right Of Way Line Of Said State Road 25, Being The Point Of Beginning.

Containing 375 Square Feet, More Or Less.



Parcel Information Sheet NOT A DEED - INFORMATION PURPOSES ONLY

T. S. No. N/A R/W Map Sheet No. 2 Tax Parcel No. N/A

Section No. 26003

SR No. 120 & SR 25

Alachua County

F.P. No. 4358891

Parcel No. 801

Perpetual Easement

A perpetual easement for the purpose of constructing and maintaining signal pole construction, in, over, under, upon and through the following described land in Alachua County, Florida, to wit:

A Part Of Section 32, Township 9 South, Range 20 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At The Northwest Corner Of Section 32, Township 9 South, Range 20 East, Alachua County, Florida, Thence South 00°55'07" East Along The West Line Of Said Section 32, Also Being The Baseline Of Survey Of State Road 25, Also Known As U.S 441 (A Variable Width Right Of Way, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26003 26710-2602), A Distance Of 29.53 Feet; Thence North 89°23'46" East, A Distance Of 40.00 Feet To The Intersection Of The Easterly Existing Right Of Way Line Of Said State Road 25 With The Southerly Existing Right Of Way Line Of State Road 120, Also Known As NW 23rd Avenue (A Variable Width Right Of Way, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26003 26710-2602), Being The Point Of Beginning; Thence Continue North 89°23'46" East Along The Southerly Existing Right Of Way Line Of Said State Road 120, A Distance Of 18.34 Feet; Thence South 00°36'14" East, A Distance Of 12.00 Feet; Thence South 89°23'46" West, A Distance Of 1.27 Feet; Thence South 52°57'32" West, A Distance Of 21.05 Feet To The Easterly Existing Right Of Way Line Of Said State Road 25, Thence North 00°55'07 West Along The Easterly Existing Right Of Way Line Of Said State Road 25, A Distance Of 24.50 Feet To The Point Of Beginning.

Containing 326 Square Feet, More Or Less.

Parcel Description Verified By:

Rhonda Robonson

Title Information
INFORMATION CONTAINED BELOW TO BE VERIFIED BY
RIGHT OF WAY ACQUISITION AGENT

Based upon a title search through 00/00/0000 Updated through 00/00/0000

Page 1 of 2

Page 1183 of 1187

Homestead Property: ☐ Yes ☐ No					
Marital Status: Married	☐ Single	☐ Separated	☐ Other		
OWNED BY: (07-PE.13A) City of Gainesville, Florida					
Grantor's Mailing Address:					
Outrouting to Jutous stor. NI/A					

Subordinate Interests: N/A

07-PE.13-Date: August 3, 2022

T. S. No. N/A R/W Map Sheet No. 2 Tax Parcel No. N/A

This instrument prepared by or under the direction of:
David M. Robertson
Chief Counsel District Two
Florida Department of Transportation
1109 South Marion Avenue
Lake City, Florida 32025-5874

PARCEL NO. 801.1 SECTION NO. 26003 F.P. NO. 4358891 STATE ROAD NO. 120 & 25 COUNTY OF ALACHUA

PERPETUAL EASEMENT

THIS EASEMENT, made this ______ day of ______, 20____, by the CITY OF GAINESVILLE, FLORIDA, a municipality of the State of Florida, whose mailing address is Post Office Box 490, Gainesville, Florida 32602-0490, grantor, to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, 1109 South Marion Avenue, Lake City, Florida 32025-5874, its successors and assigns, grantee.

WITNESSETH: That the grantor for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the grantee, its successors and assigns, a perpetual easement for the purpose of constructing and maintaining a signal pole construction in, over, under, upon and through the following described land in Alachua County, Florida, viz:

SEE Exhibit "A", attached hereto and by reference made a part hereof.

TO HAVE AND TO HOLD the same unto said grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its Mayor, and its seal to be hereto affixed, attested by its City Clerk, the date first above written.

ATTEST:	City Of Gainesville, Florida
Print Name: Clerk of the Commission	a municipality of the State of Florida
Signed, sealed and delivered in the presence of:	
Witness: Print Name:	BY: Lauren Poe Its Mayor
Witness: Print Name:	- -
	(Corporate Seal)
STATE OF FLORIDA	
COUNTY OF ALACHUA	
or □ online notarization, this day , the City the City Of Gainesville, Florida, a municipal	wledged before me, by means of physical presence of , 2020, by Lauren Poe and Mayor and Clerk of the Commission, respectively, of corporation, who are duly sworn, and acknowledged rity from said corporation, as its act and deed, and for ned in said instrument.
(Notary Seal)	Print Name:
	Print Name:

Exhibit "A"

Section No. 26003

SR No. 120 & SR 25

Alachua County

F.P. No. 4358891

Parcel No. 801

Perpetual Easement

A Part Of Section 32, Township 9 South, Range 20 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At The Northwest Corner Of Section 32, Township 9 South, Range 20 East, Alachua County, Florida, Thence South 00°55'07" East Along The West Line Of Said Section 32, Also Being The Baseline Of Survey Of State Road 25, Also Known As U.S 441 (A Variable Width Right Of Way, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26003 26710-2602), A Distance Of 29.53 Feet; Thence North 89°23'46" East, A Distance Of 40.00 Feet To The Intersection Of The Easterly Existing Right Of Way Line Of Said State Road 25 With The Southerly Existing Right Of Way Line Of State Road 120, Also Known As NW 23rd Avenue (A Variable Width Right Of Way, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26003 26710-2602), Being The Point Of Beginning; Thence Continue North 89°23'46" East Along The Southerly Existing Right Of Way Line Of Said State Road 120, A Distance Of 18.34 Feet; Thence South 00°36'14" East, A Distance Of 12.00 Feet; Thence South 89°23'46" West, A Distance Of 1.27 Feet; Thence South 52°57'32" West, A Distance Of 21.05 Feet To The Easterly Existing Right Of Way Line Of Said State Road 25; Thence North 00°55'07 West Along The Easterly Existing Right Of Way Line Of Said State Road 25, A Distance Of 24.50 Feet To The Point Of Beginning.

Containing 326 Square Feet, More Or Less.