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: June 27, 2024
PROJECT NAME AND NUMBER: Sherwin Williams Oakwood Commons – LD24-000044 SUP
APPLICATION TYPE: Special Use Permit
RECOMMENDATION: Approve with Conditions
CITY PROJECT CONTACT: Phimetto D. Lewis, Planner III

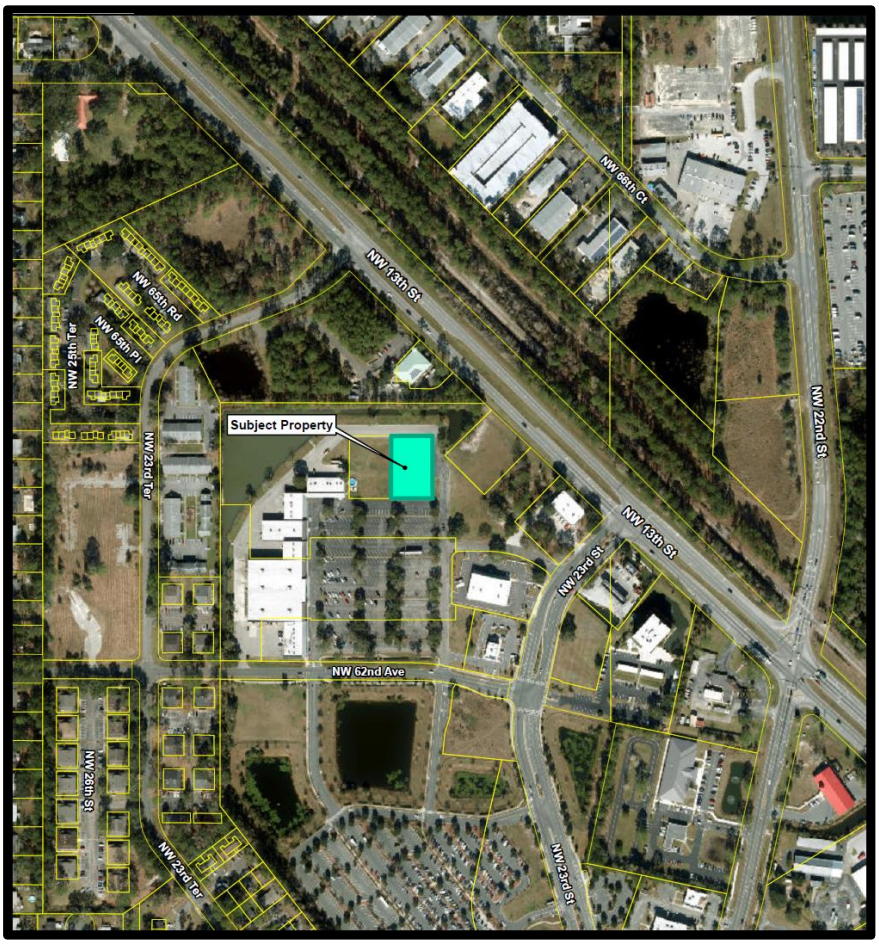


Figure 1: Location Map

APPLICATION INFORMATION:

Applicant: Capstone Partners

Property Owner(s): Oakwood Gainesville Parcells, LLC

Related Petition(s): LD23-000172

Legislative History: N/A

Neighborhood Workshop: 4/11/2024

SITE INFORMATION:

Address: 6304 NW 23rd St

Parcel Number(s): 06014-030-005

Acreage: 1.25 +/- acres

Existing Use(s): Mixed Use Medium Intensity (MU-2)

Land Use Designation(s): Mixed-Use Medium (MUM)

Zoning Designation(s): Mixed Use Medium Intensity (MU-2)

Overlay District(s): Tertiary Zone, Murphree Wellfield Protection Area

Annexation: 1979

Transportation Mobility Program Area (TMPA): Zone B

ADJACENT PROPERTY CHARACTERISTICS:

	EXISTING USE(S)	LAND USE DESIGNATION(S)	ZONING DESIGNATION(S)
North	Commercial	Planned Use District (PUD)	Planned Development (PD)
South	Commercial	Mixed-Use Medium (MUM)	Mixed Use Medium Intensity (MU-2)
East	Commercial	Mixed-Use Medium (MUM)	Mixed Use Medium Intensity (MU-2)
West	Residential	Residential Medium (RM)	Multiple-Family Residential (RMF-7)

PURPOSE AND DESCRIPTION:

This petition is privately initiated by the property owner and requests a Wellfield Special Use Permit to allow a retail paint store within the tertiary zone of the Murphree Wellfield Protection area. The project site is located at 6250 NW 23rd St. and includes tax parcel 06014-030-005. It covers approximately 0.62 acres and is situated within the Oakwood Commons Shopping Center. The zoning classification of the property is Mixed Use Medium Intensity (MU-2), aligning with the Future Land Use designation of Mixed-Use Medium (MUM). Proposed construction consists of a single-story +/- 4,000 square foot single-tenant commercial building with paved parking and drive areas.

STAFF ANALYSIS AND RECOMMENDATION:

The staff analysis and review is based on the criteria for issuing a Special Use Permit as shown in Division 5 of Article III of the Land Development Code.

Special Use Permit Review Criteria

In accordance with Section 30-3.24 no Special Use Permit shall be approved by the City Plan Board unless the following findings are made concerning the proposed special use:

A. **The proposed use or development is consistent with the Comprehensive Plan and the Land Development Code.**

The proposed use and development aligns with both the Comprehensive Plan and the Land Development Code. The petition has undergone plan review which ensures compliance with the required standards. The following Comprehensive Plan objectives and policies are relevant to the proposed development type and land use designation of the subject property:

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.

Objective 4.1

The City shall establish land use categories that allow sufficient acreage for residential, commercial, mixed-use, office, industrial, education, agricultural, recreation, conservation, public facility, and institutional uses at appropriate locations to meet the needs of the projected population and that allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites. Land use categories associated with transect zones are intended to

encourage a more efficient and sustainable urban from by allowing a range of housing, employment, shopping and recreation choices and opportunities in a compact area of the City.

Policy 4.1.1 Land Use Categories on the Future Land Use Map shall be defined as follows:

Mixed-Use Medium-Intensity (MUM): 12-30 units per acre

This land use category allows a mixture of residential, office, and business uses concentrated in mapped areas. When implemented by the Corporate Park zoning district, this category is appropriate for corporate office facilities and mixed -use office oriented development. Light assembly, fabrication, and processing uses within fully enclosed structures may be allowed as specially regulated uses through a Special Use Permit process established in the Land Development Code. Public and private schools, institutions of higher learning, places of religious assembly and community facilities shall be appropriate in this category. Such development shall function as a neighborhood center serving multiple neighborhoods or a community-serving retail and/or office center. It is not expected that these areas shall be expanded significantly during this planning period. Land development regulations shall ensure a compact, pedestrian environment for these areas, and provide guidelines for the compatibility of permitted uses. Residential development shall be limited to 12 to 30 units per acre. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. Unified developments that include a residential and non-residential component (either horizontally or vertically mixed) shall not be required to meet the minimum density requirements. Intensity will be controlled, in part, by adopting land development regulations that establish height limits of 5 stories or less; however, height may be increased to a maximum of 8 stories by Special Use Permit. Land development regulations shall establish the thresholds for the percentage of mixed uses for new development or redevelopment of sites 10 acres or larger. At a minimum, the land development regulations shall encourage that: at least 10 percent of the floor area of new development or redevelopment of such sites be residential; or, that the surrounding area of equal or greater size than the development or redevelopment site, and within 1/4 mile of the site, have a residential density of at least 6 units per acre. Residential use shall not be a required development component for public and private schools, institutions of higher learning, places of religious assembly and community facilities. Buildings in this land use category shall face the street and have modest front setbacks.

B. **The proposed use or development is compatible with the existing land use pattern and future uses designated by the Comprehensive Plan. Factors by which compatibility of the proposed use or development shall be reviewed include scale, height, mass and bulk, design, intensity, and character of activity.**

The proposed use is in line with the current land use pattern and conforms to the future uses outlined by the Comprehensive Plan. Factors such as scale, height, mass and bulk, design, intensity, and activity character have been assessed to ensure compatibility with the surrounding area**.**

C. **The proposed use will not adversely affect the health, safety, and welfare of the public.**

The review and approval from Alachua County Hazardous Waste validates that the proposed storage of hazardous materials will not adversely affect the health, safety, and welfare of the public. Storage of materials will be required to adhere to the Alachua County Hazardous Materials Management Code.

D. **Ingress and egress to the property, proposed structures, and parking/loading/service areas is provided and allows for safe and convenient automobile, bicycle, and pedestrian mobility at the site and surrounding properties.**

The site plan for the property has been reviewed and approved by appropriate City Staff for proper access, parking, and loading.

E. **Off-street parking, service, and loading areas, where required, will not adversely impact adjacent properties zoned for single-family residential use.**

There are no adjacent properties zoned for single-family residential use. Off-street parking, service, and loading areas have been evaluated for compatibility with the surrounding existing development as part of associated development plan LD23-000172.

F. **Noise, glare, exterior lighting, or odor effects will not negatively impact surrounding properties.**

Per the staff and environmental assessment, the proposed use does not introduce adverse impacts concerning noise, glare, exterior lighting, or odors. Materials storage will occur indoors and will adhere to the Alachua County Hazardous Materials Management Code.

G. **There is adequate provision for refuse and service/loading areas, and these areas shall be reviewed for access, screening, location on the site, and pedestrian/bicycle mobility and safety. Outdoor storage or display areas, if included, will not adversely impact surrounding properties and shall be reviewed for screening and location on the site.**

Provision of refuse and service/loading areas has been reviewed as part of the associated development plan, LD23-000172, and is determined to be adequate. There are no proposed outdoor storage or display areas.

H. **Necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use or development.**

The site's alignment with existing public utilities, such as water and wastewater systems, underscores thorough planning to maintain balanced and sufficient services. Details in project file LD23-000172 encompass evaluations of utility capacity, service connectivity, and infrastructure reliability, highlighting the project's preparedness and compatibility with utilities.

I. **Screening and buffers are proposed of such type, dimension, and character to improve compatibility and harmony of the proposed use and structure with the uses and structures of adjacent and nearby properties.**

The adjacent land uses are mainly commercial and compatibility buffers between properties have been provided.

J. **The hours of operation will not adversely impact adjacent properties zoned for single-family residential use.**

The proposed hours of operation from 7 am to 6 pm will not have a negative impact on neighboring properties. There are no single-family zoned properties adjacent to the subject property.

K. **Any special requirements set forth in the Land Development Code for the particular use involved are met.**

There are no special requirements specified for the proposed use.

Wellfield Special Use Permit Review Criteria

Sec. 30-3.30.B Review criteria – Secondary and tertiary zone.

The development or use will be reviewed using the following mandatory criteria:

1. The criteria for special use permits provided in section 30-3.24 have been met.

The project fully complies with the requirements specified for special use permits outlined in Section 30-3.24 as outlined above.

2. The proposed use or development will not endanger the city's potable water supply.

The proposed storage plan is adequate in ensuring that the storage of materials will not endanger the city’s potable water supply.

3. The necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use and development. The development must be connected to the potable water and wastewater system.

The seamless integration of the site with existing public utilities, such as water and wastewater systems, underscores careful planning to prevent service overload or inadequacy. Details within project file LD23-000172 encompass evaluations of utility capacity, service connectivity, and infrastructure reliability, highlighting the project's preparedness and compatibility with utility services.

4. There has been proper abandonment, as regulated by the applicable water management district or state agency, of any unused wells or existing septic tanks at the site. An existing septic tank may remain if it is used solely for domestic waste and if it meets all applicable state and local regulations.

There are no idle wells or septic tanks present at the site.

5. There is no current or proposed underground storage of petroleum products or hazardous materials at the development site in the secondary zone. There is no current or proposed underground storage of hazardous materials at the development site in the tertiary zone. There is no current or proposed underground storage of petroleum products at the development site in the tertiary zone unless approved by the GRU General Manager or designee.

There is no proposed underground storage of petroleum products or hazardous materials.

6. The applicant is in compliance with the requirements of the Alachua County Hazardous Materials Management Code, and all applicable state and federal regulations.

The City's Environmental Coordinator and Alachua County's review confirms the project's compliance with local and broader regulatory frameworks, underscoring a comprehensive approach to hazardous materials management. This alignment not only fulfills legal obligations but also underscores the project's commitment to upholding environmental and safety standards and will not adversely impact surrounding properties.

Sherwin-Williams will maintain 7,400 gallons of paint with a 10% fluctuation. Flammables and combustibles of classes 1B, 1C, 2, and 3B will be stocked, adhering to local hazardous materials regulations. Storage complies with IFC Section 5704.3.6.

Inventory and Storage Compliance:

- Sherwin-Williams will maintain a stock of 7,400 gallons of paint, allowing for a 10 percent variance. The inventory comprises flammable and combustible materials of classes 1B, 1C, 2, and 3B, excluding class 1A, ensuring compliance with local hazardous materials regulations.

Display and Storage Protocols:

- All combustible and flammable materials will be displayed and stored according to IFC Section 5704.3.6. This entails using metal shelving, not

exceeding six feet in height, for sales area displays, and placing warehouse/staging area products on the floor, not exceeding four feet in height. Adequate aisle spacing of a minimum of four feet will ensure safety and accessibility.

Quantity Restrictions:

- Class 1B and 1C materials will not exceed 250 gallons, class 2 materials will not exceed 240 gallons, and class 3B materials will not exceed 40 gallons of the total gallonage. Water-based paints, exempt from classification, will make up the remaining gallons. This controlled distribution minimizes risk and promotes safe handling.

Packaging and Processing:

- Products will be packaged in pint, quart, gallon, and five-gallon containers. No processing activities will occur on-site, further reducing the risk of hazardous material exposure or accidents.

Spill Response and Training:

Each store will maintain a spill kit as per Sherwin-Williams policy to promptly and safely manage hazardous liquid spills. Employees will be trained to locate and use the spill kit and follow spill response procedures outlined in the LiveSafe Chapter 2 manual, ensuring effective emergency response.

7. The development property addresses environmental features such as wetlands, creeks, lakes, sinkholes, and soils to ensure that hazardous materials will not endanger the potable water supply and the environmental features.

The property underwent review for compliance with the City's Land Development Code (LDC). No regulated natural resources were found on-site. The stormwater system is designed to manage water effectively, and soil management prevents adverse impacts. Surrounding commercial development minimizes ecological impact, safeguarding the potable water supply and environmental integrity.

RECOMMENDATION

Staff recommends approval with conditions of Petition LD24-000044 Wellfield Protection Special Use Permit.

DRAFT MOTION FOR CONSIDERATION

Approve with conditions petition LD24-000044 Wellfield Protection Special Use Permit.

CONDITIONS OF APPROVAL

1. The applicant must adhere to Alachua County’s Hazardous Materials Management Code (HMMC).

POST-APPROVAL REQUIREMENTS:

An occupancy permit will be required following approval from the City Plan Board. Compliance with any special conditions established by the City Plan Board will be reviewed at this stage.

LIST OF APPENDICES:

Appendix A **Application Documents**

Appendix B **Maps and Tables**

Appendix A

Application Documents

City of Gainesville
Department of Sustainable Development

Special Use Permit Application

Project Name: Sherwin Williams Oakwood Commons	**Tax Parcel Number:** 06014-030-005
Property Address: 6250 NW 23rd Street	
First Step Meeting Date: 09/12/2023	**Neighborhood Workshop Date:** 04/11/2024

Project Description: Please include the existing and proposed use of the property.

The Sherwin Williams Oakwood Commons project is a proposed single-tenant commercial retail paint store. The site exists as a vacant outparcel within the Oakwood Commons commercial subdivision. This Special Use Permit is required due to the proposed development being located within the Tertiary Wellfield Zone.

Surrounding Property Information: List all uses surrounding the subject property under "Existing Use." Staff is available to supply zoning and land use information.

	Zoning	Land Use	Existing Use
North	PD	PUD	Retail Carpet Store
South	MU-2	MUM	Parking Lot
East	MU-2	MUM	Future Car Wash
West	MU-2	MUM	Vacant Outparcel

Owner(s) of Record	
Name(s): Richard Baer, President, American Commercial Realty, Corp., Authorized Representative	
Mailing Address: 300 Avenue of the Champions, Suite 140, Palm Beach Gardens, FL 33418	
Phone: (561) 775-1300	Email: baer@amcomrealty.com

Applicant/Project Coordinator	
Name: Zach Ford	Company: Capstone Partners
Mailing Address: 328 CR 101, Oxford, MS 38655	
Phone: (228) 236-8151	E-mail: zach@capstone.dev
Additional users to be granted access for e-plan review:	
Name: Jack Enstrom, PE, Kimley-Horn and Associates, Inc.	E-mail: jack.enstrom@kimley-horn.com
Name:	E-mail:

To the Applicant:

- The City of Gainesville will notify owners of property within 400 feet of the subject property of this application.
- No Application of a Special Use Permit shall be entertained within 2 years after the denial or withdrawal of a request for the same use for the same property.
- The City Plan Board's decision concerning a Special Use Permit may be appealed by the applicant to a hearing officer within 30 days of the date notification of the decision is sent by certified mail to the applicant.

Applicant Signature: Zach Ford **Date:** 4/1/24

2024-463A

Planning Division
PO BOX 490, Station 11
Gainesville, FL 32627
Ph: 352-334-5023
Email: planning@gainesvillefl.gov

Property Owner Affidavit

Property Information
Tax Parcel Number(s): 06014-030-005
Property Address: NW 23rd Street
Describe Application Type: Minor (Rapid) Site Plan Application for Sherwin Williams Oakwood Commons

Owner(s) of Record	
Name(s): Richard Baer, Presidet, American Commercial Realty, Corp., Authorized Representative	
Company: Oakwood Gainesville Parcels LLC	
Mailing Address: 300 Avenue of the Champions, Suite 140	
Phone: 561-775-1300	Email: baer@amcomrealty.com

Applicant/Project Coordinator	
Name: Jack Enstrom, P.E.	
Company: Kimley-Horn and Associates, Inc.	
Mailing Address: 189 S. Orange Avenue, Suite 1000, Orlando, FL 32801	
Phone: (407) 427-1648	E-mail: jack.enstrom@kimley-horn.com

I hereby certify that I am the owner of the subject property or a person having a legal or equitable interest therein. I authorize the above listed agent to act on my behalf for the purposes of this application.

Property Owner Signature: _____ Oakwood Gainesville Parcels LLC, a Florida Limited Liability Company By: Live Oak Shoppes Group, LLC, its Manager By: American Commercial Realty, Corp., Its Authorized Representative **Date:** 11/27/23

Printed Name: Richard Baer, President

The foregoing affidavit is acknowledged before me this 27 day of November, 2023, by Richard Baer who is/are personally known to me, or who has/have produced N/A as identification.

JARED WAYNE HARPER
Notary Public - State of Florida
Commission # HH 399182
My Comm. Expires May 16, 2027
Bonded through National Notary Assn.

State of Florida

Signature of Notary Public _____

2024-463A

AGENT AUTHORIZATION FORM

FOR THE "*SHERWIN WILLIAMS OAKWOOD COMMONS*" PROJECT LOCATED IN ALACHUA COUNTY, FLORIDA

I, *RICHARD BAER, PRESIDENT OF AMERICAN COMMERCIAL REALTY CORP., AUTHORIZED REPRESENTATIVE FOR OAKWOOD GAINESVILLE PARCELS, LLC* AS THE OWNER OF THE REAL PROPERTY DESCRIBED AS FOLLOWS, *ALACHUA COUNTY PARCEL ID NO. 06014-030-005*, DO HEREBY AUTHORIZE TO ACT AS MY/OUR AGENT(S) *HUGH MONTEITH; SHW DAVENPORT, LLC AND JACK ENSTROM, P.E.; KIMLEY-HORN AND ASSOCIATES, INC.*, TO EXECUTE ANY PETITIONS OR OTHER DOCUMENTS NECESSARY TO AFFECT THE APPLICATION APPROVAL REQUESTED AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS, *CITY OF GAINESVILLE PERMITS, GAINESVILLE REGIONAL UTILITIES PERMITS, SRWMD PERMITS, FDEP PERMITS,* AND TO APPEAR ON MY/OUR BEHALF BEFORE ANY ADMINISTRATIVE OR LEGISLATIVE BODY IN THE COUNTY CONSIDERING THIS APPLICATION AND TO ACT IN ALL RESPECTS AS OUR AGENT IN MATTERS PERTAINING TO THE APPLICATION.

Oakwood Gainesville Parcels, LLC a Florida Limited Liability Company
By: Live Oak Shoppes Group, LLC, Its Manager
By: American Commercial Realty, Corp.,
Its Authorized Representative

_____ Date: 11/27/23
Signature of Property Owner

Richard Baer
President
Print Name Property Owner

STATE OF FLORIDA :
COUNTY OF Palm Beach :

I certify that the foregoing instrument was acknowledged before me this 27 day of November 2023 by Richard Baer. He/she is personally know to me or has produced N/A as identification and did / did not take an oath.

Witness my hand and official seal in the county and state stated above on the 27 day of November, in the year 2024.

_____
Signature of Notary Public
Notary Public for the State of Florida

(Notary Seal)

JARED WAYNE HARPER
Notary Public - State of Florida
Commission # HH 399182
My Comm. Expires May 16, 2027
Bonded through National Notary Assn.

My Commission Expires: May 16, 2027

2024-463A

October 11, 2023

Future Sherwin-Williams TBD NW 23rd Street, Gainesville, Florida, 32653

Dear Inspector,

The following is information on the paint product that The Sherwin-Williams Company plans to stock for sale at the subject store. Inventory is for direct sale to costumers from this location, this is not a distribution center. This location will be a mercantile operation. Our new store order consists of:

- The total gallons of paint to be stocked for sale will be 7,400 gallons, with a 10 percent fluctuation in either direction.
- The balance of the paint will be combined flammables and combustibles classes 1B, 1C, 2, and 3B.
- NO class 1A will be stocked.
- All combustibles and flammables will be displayed and stored in accordance with IFC Section 5704.3.6. Product in the Sales Area will be displayed on metal shelving, not to exceed a height of six feet. Product in the Warehouse/Staging Area will be placed on the floor, not to exceed a height of four feet.
- All aisles will be spaced at a minimum of four feet.
- Of this total gallonage, no more than 250 gallons will be 1B and 1C, no more than 240 gallons will be class 2, and no more than 40 gallons will be class 3B.
- Of this total gallonage, the remaining gallons will be water-based paints, exempt from classification.
- Product for sale is packaged in pint, quart, gallon, and five-gallon containers.
- No processing of any kind will be done at this location.
- Per Sherwin-Williams policy, each store is required to:
    - Have a spill kit readily accessible to provide a prompt and safe means to clean and dispose of hazardous liquids.
    - All employees must be informed of the location of the spill kit.
    - All store employees must be trained in a safe manner of responding to a spill of hazardous liquids.
    - All employees shall become familiar with the spill response procedures presented in our LiveSafe Chapter 2 manual.

If any additional information is required, please do not hesitate to contact me.

Sincerely,

Clint E. Craven, MBA
Project Engineer
678.953.7766
clint.e.craven@sherwin.com

City of
Gainesville

2024-463A

Wellfield Protection Permit

Date: **March 19, 2024**

Name of Business: **Sherwin Williams Oakwood Commons**

Wellfield Zone:____ Primary____ Secondary__**X**__ Tertiary (Check One)

Proposed use of building: (Attach a detailed statement regarding the use of the property, why the property should be granted a permit, and addressing each of the (8) findings listed.)

Please indicate the following: ____ Reuse of existing building __**X**__ New construction Reuse of existing building/plan: Please attach a layout showing how the building and property will be used. All storage, display, office and parking areas must be shown. New construction: Please schedule a First Step Meeting (352) 334-5055. Afterwards, submit plans in accordance with instructions given in First Step.

After an assessment by appropriate Gainesville Regional Utilities, Alachua County Environmental, Public Works and Community Development Staff, the City Manager or designee may approve and issue a Wellfield protection permit in the tertiary and secondary zones in accordance with Article VII, Development Review Process, based on the following findings:

(1) That the proposed use or development will not endanger the city's potable water supply.

(2) That necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use and development. The development must be connected to the potable water and wastewater system.

(3) That the use or development conforms to the city's comprehensive plan.

(4) That the proposed use complies with all federal, state and local laws, rules, regulations, and ordinances now and hereafter in force which may be applicable to the use of the site.

(5) That there has been proper abandonment, as regulated by the relevant water management district or state agency, of any unused wells or existing septic tanks at the site. An existing septic tank may remain if it is used solely for domestic waste and if it meets all applicable state and local regulations.

(6) That the use is not listed as a use subject to the specially regulated industry use provisions in Section 30-70.

(7) There is no current proposed underground storage of petroleum products and/or hazardous material, as defined in the Alachua County Hazardous Materials Management Code, at the development site.

(8) That the applicant is in compliance with the requirements of the Alachua County Hazardous Materials Management Code, and all applicable state and federal regulations.

Applicant signature Zach Ford **Date** 4/1/24

Zach Ford, Capstone Partners

Official Use Only

Staff Review (check one):

GRU	**Approved [ ]**	**Approved w/conditions [ ]**	**Denied [ ]**
ACEPD	**Approved [ ]**	**Approved w/conditions [ ]**	**Denied [ ]**
Planning	**Approved [ ]**	**Approved w/conditions [ ]**	**Denied [ ]**

Approval Staff______________________________ **Date**______________

Kimley»Horn

Memorandum

To: City of Gainesville

From: Jack Enstrom, PE

Date: April 11, 2024

RE: ***Sherwin Williams Oakwood Commons – Wellfield Special Use Permit***

A neighborhood workshop to discuss the Sherwin Williams Oakwood Commons Wellfield Special Use Permit occurred on Thursday, April 11, 2024. The workshop was held virtually via Microsoft Teams from 6:00 PM - 6:30 PM. This required Neighborhood Workshop was conducted in accordance with City of Gainesville ordinance number. 200722 § 3.

Kimley-Horn opened the meeting at 5:55 PM to display all exhibits and documents for public observation and comment. The formal presentation was scheduled to start at 6:05 PM to allow for attendees to join the meeting.

Zero (0) individuals attended the meeting from the public, therefore there was no public comment or request for additional information. Kimley-Horn (Jack Enstrom, PE and John Dean, EI) and Capstone Partners (Zach Ford) attended the meeting to represent the applicant team.

The meeting was advertised by posted notice, in which signs were posted on March 27, 2024, and mailed notices were sent on March 27, 2024, directly to all nearby property owners within 400 feet of the planned development.

The following items are provided as an attachment to this summary:

1. Copy of the mailed notice to property owners within 400 ft.
2. Copy of address labels used for property owner notification.
3. Posted notice photographs.
4. Wellfield Special Use Permit documents.

kimley-horn.com | 200 S. Orange Avenue, Suite 600, Orlando, FL 32801 | 407 898 1511

2024-463A

Planning Division
PO Box 490, Station 11
Gainesville, FL 32627
Ph: 352-334-5023
Email: planning@gainesvillefl.gov

Neighborhood Workshop Mailed Notice Affidavit

Petition (Project) Name	Sherwin Williams Oakwood Commons
Applicant (Owner or Agent)	Jack Enstrom, PE, Kimley-Horn and Associates, Inc. (Authorized Agent)
Tax parcel(s)	06014-030-005
Date of Neighborhood Workshop	04/11/2024
Date of Mailed Notice	03/27/2024
Number of Notices Mailed	Nine (9)

Being duly sworn, I depose and say the following:

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 mailed notice has been provided to all owners of property located within 400 feet of the subject property and to all neighborhood associations registered with the city and located within one-half-mile of the property, as well as to any other persons, organizations, or agencies as deemed appropriate by the city manager or designee.
4. That the mailed notice describes the nature of the development request, the name of the project, the anticipated meeting date, how to attend, and the telephone number(s) where additional information can be obtained.
5. That I (we), the undersigned authority, hereby certify that the foregoing statements are true and correct.

_____ Applicant (signature)

Jack Enstrom, Kimley-Horn Applicant (print name)

STATE OF FLORIDA, **COUNTY OF ORANGE** Before me the undersigned, an officer duly commissioned by the laws of the State of Florida, on this 28th day of March, 2024, 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. Charlene Kunold Notary Public My Commission expires: 2/19/2026	**RECORDING SPACE**

Notary Public State of Florida
Charlene Kunold
My Commission
HH 190797
Exp. 2/19/2026

2024-463A

Neighborhood Workshop Notice
06014-030-002 Sherwin Williams
ADVANCE AUTO PARTS INC
4900 FRONTAGE RD S
LAKELAND FL 33615-3151

Neighborhood Workshop Notice
06014-304-001 Sherwin Williams
GAINESVILLE CARPET & FLOORING
6510 NW 13TH ST
GAINESVILLE FL 32653-1549

Neighborhood Workshop Notice
06014-030-005 Sherwin Williams
OAKWOOD GAINESVILLE PARCELS LLC
300 AVENUE OF THE CHAMPIONS #140
PALM BEACH GARDENS FL 33418

Neighborhood Workshop Notice
92060-537-900 Sherwin Williams
CSX TRANSPORTATION INC
500 WATER ST TAX DEPARTMENT J-910
JACKSONVILLE FL 32202-4423

Neighborhood Workshop Notice
06014-030-004 Sherwin Williams
LIVE OAK SHOPPES GROUP LLC
300 AVE OF THE CHAMPIONS #140
PALM BEACH GARDEN FL 33418

Neighborhood Workshop Notice
06014-030-003 Sherwin Williams
PROFITO SUSAN K TRUSTEE
3901 S MCCRACKEN RD
VERNALIS CA 95385

Neighborhood Workshop Notice
06014-030-006 Sherwin Williams
DOLLAR TREE STORES INC
500 VOLVO PARKWAY
CHESAPEAKE VA 23320

Neighborhood Workshop Notice
06014-030-001 Sherwin Williams
MODWASH LLC
736 CHERRY ST
CHATTANOOGA TN 37402

Neighborhood Workshop Notice
06014-304-000 Sherwin Williams
WARREN FAMILY HOLDINGS I LLC
502 NW 16TH AVE
GAINESVILLE FL 32601-4201

Sec. 30-3.24. Review criteria.

No special use permit shall be approved by the city plan board unless the following findings are made concerning the proposed special use. The burden of proof on the issue of whether the development, if completed as proposed, will comply with the requirements of this chapter remains at all times on the applicant.

A. The proposed use or development is consistent with the Comprehensive Plan and the Land Development Code.

B. The proposed use or development is compatible with the existing land use pattern and future uses designated by the Comprehensive Plan. Factors by which compatibility of the proposed use or development shall be reviewed include scale, height, mass and bulk, design, intensity, and character of activity.

C. The proposed use will not adversely affect the health, safety, and welfare of the public.

D. Ingress and egress to the property, proposed structures, and parking/loading/service areas is provided and allows for safe and convenient automobile, bicycle, and pedestrian mobility at the site and surrounding properties.

E. Off-street parking, service, and loading areas, where required, will not adversely impact adjacent properties zoned for single-family residential use.

F. Noise, glare, exterior lighting, or odor effects will not negatively impact surrounding properties.

G. There is adequate provision for refuse and service/loading areas, and these areas shall be reviewed for access, screening, location on the site, and pedestrian/bicycle mobility and safety. Outdoor storage or display areas, if included, will not adversely impact surrounding properties and shall be reviewed for screening and location on the site.

H. Necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use or development.

I. Screening and buffers are proposed of such type, dimension, and character to improve compatibility and harmony of the proposed use and structure with the uses and structures of adjacent and nearby properties.

J. The hours of operation will not adversely impact adjacent properties zoned for single-family residential use.

K. Any special requirements set forth in the Land Development Code for the particular use involved are met.

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.

Policy 4.1.1 Land Use Categories on the Future Land Use Map shall be defined as follows:

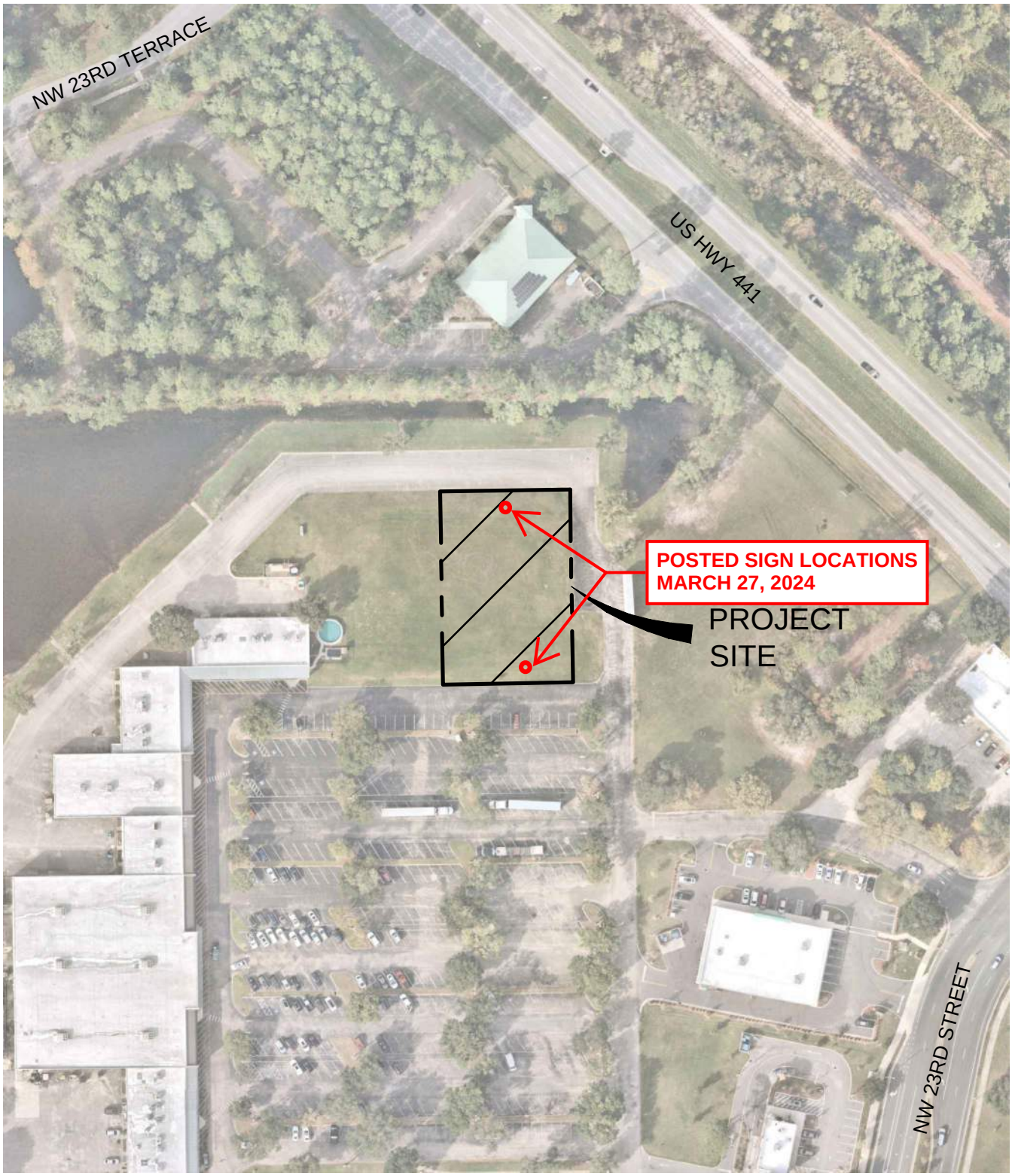
Industrial (IND)

The Industrial land use category identifies those areas appropriate for manufacturing, fabricating, distribution, extraction, wholesaling, warehousing, recycling, and other ancillary uses. Other uses may be allowed in this land use category as specified in an adopted ordinance rezoning property to Planned Development District (PD). Land development regulations shall determine the appropriate scale of uses and consider the externalities of such uses. Intensity will be controlled by adopting land development regulations that establish height limits of 5 stories or less.

Objective 4.1

The City shall establish land use categories that allow sufficient acreage for residential, commercial, mixed-use, office, industrial, education, agricultural, recreation, conservation, public facility, and institutional uses at appropriate locations to meet the needs of the projected population and that allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites. Land use categories associated with transect zones are intended to encourage a more efficient and sustainable urban from by allowing a range of housing, employment, shopping and recreation choices and opportunities in a compact area of the City.

2024-463A



SCALE N.T.S. DESIGNED BY JGE DRAWN BY JGE CHECKED BY JGE	Kimley»Horn © 2024 KIMLEY-HORN AND ASSOCIATES, INC. 200 S. ORANGE AVENUE, SUITE 600, ORLANDO, FL 32801 PHONE (407) 898-1511 WWW.KIMLEY-HORN.COM CA 00000696	DATE PROJECT NO. 049670000	SHERWIN WILLIAMS OAKWOOD COMMONS	DESIGN ENGINEER: FLORIDA P.E. LICENSE NO.:	SHEET NO.: A-2

2024-463A

SCALE N.T.S. DESIGNED BY JGE DRAWN BY JGE CHECKED BY JGE	Kimley»Horn 200 S. ORANGE AVENUE, SUITE 600, ORLANDO, FL 32801 PHONE (407) 898-1511 WWW.KIMLEY-HORN.COM CA 00000696	DATE PROJECT NO. 049670000	SHERWIN WILLIAMS OAKWOOD COMMONS	DESIGN ENGINEER: FLORIDA P.E. LICENSE NO.:	SHEET NO.: A-2

2024-463A

SCALE N.T.S. DESIGNED BY JGE DRAWN BY JGE CHECKED BY JGE	Kimley»Horn © 2024 KIMLEY-HORN AND ASSOCIATES, INC. 200 S. ORANGE AVENUE, SUITE 600, ORLANDO, FL 32801 PHONE (407) 898-1511 WWW.KIMLEY-HORN.COM CA 00000696	DATE PROJECT NO. 049670000	SHERWIN WILLIAMS OAKWOOD COMMONS	DESIGN ENGINEER: FLORIDA P.E. LICENSE NO.:	SHEET NO.: A-2

Appendix B

Maps and Tables

CONSTRUCTION PLANS

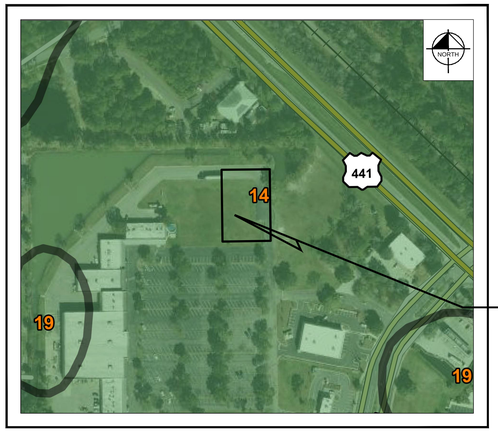
FOR

SHERWIN WILLIAMS OAKWOOD COMMONS

CITY OF GAINESVILLE CASE NO. LD23-000172

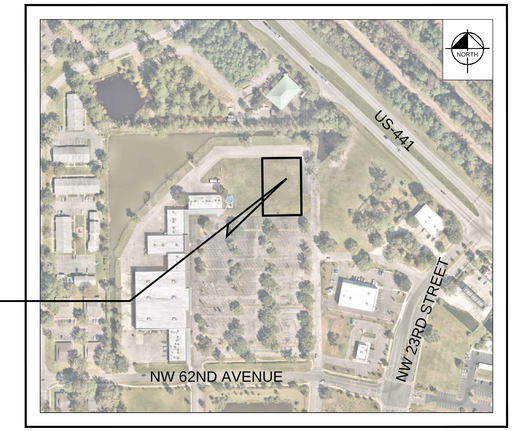
CITY OF GAINESVILLE PARCEL ID NO.
06014-030-005
6250 NW 23RD STREET
CITY OF GAINESVILLE, FLORIDA

MAY 1, 2024



SOILS MAP
N.T.S.

14 POMONA SAND, 0 TO 2 PERCENT SLOPES A/D



AERIAL MAP
N.T.S.

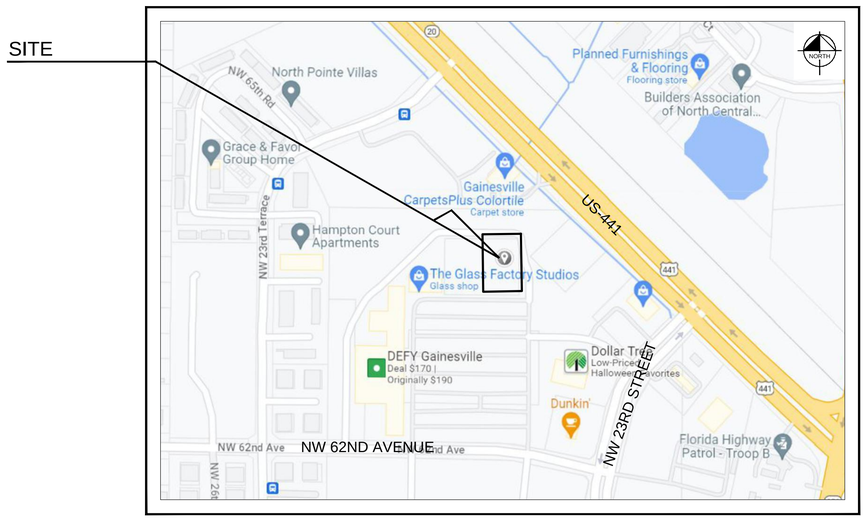
LEGAL DESCRIPTION

THE EAST HALF OF THE EXPANSION LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 4465, PAGE 517, PUBLIC RECORDS OF ALACHUA COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF THE EXPANSION LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 4465, PAGE 517, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF SAID LANDS SOUTH 00 51'41" EAST, A DISTANCE OF 200.03 FEET TO THE SOUTHEAST CORNER OF SAID EXPANSION LANDS; THENCE SOUTH 89 07'20" WEST, A DISTANCE OF 134.97 FEET ALONG THE SOUTH LINE OF SAID EXPANSION LANDS; THENCE DEPARTING SAID SOUTH LINE, THENCE NORTH 00 47'60" WEST, A DISTANCE OF 200.13 FEET TO THE NORTH LINE OF SAID EXPANSION LANDS; THENCE ALONG SAID NORTH LINE NORTH 89 09'49" EAST, A DISTANCE OF 134.75 FEET TO THE POINT OF BEGINNING.

STORM CALCULATIONS					
	EXISTING CONDITIONS		PROPOSED CONDITIONS		CHANGE
	ACRES	%	ACRES	%	
IMPERVIOUS SURFACE	0.00	0.0%	0.26	42%	+42%
PERVIOUS SURFACE	0.62	100%	0.36	58%	-42%
TOTALS	0.62		0.62		

TOTAL PROPOSED IMPERVIOUS SURFACE COVER:
0.26 AC (11,489 S.F.)



SECTION 13, TOWNSHIP 09S, RANGE 19E

LOCATION MAP
N.T.S.

INDEX OF SHEETS

UTILITY PROVIDERS

POTABLE WATER/SEWER/ GAS/POWER:
GAINESVILLE REGIONAL UTILITIES
PO BOX 147117 STATION #A105
GAINESVILLE, FL 32614
CONTACT: WILL DOUGHERTY
PHONE: (352) 393-1645

CABLE/TELEPHONE:
COX CABLE
7401 FLORIDA BOULEVARD
BATON ROUGE, LA 70806
CONTACT: TODD ARDOIN
PHONE: (337) 281-9889

THE DEVELOPMENT SHALL COMPLY WITH THE FLORIDA FIRE PREVENTION CODE.

PROJECT TEAM

OWNER & APPLICANT:
SHW DAVENPORT, LLC.
328 COUNTY ROAD 101, OXFORD, MS 38655
CONTACT: HUGH MONTEITH
EMAIL: ZACH@CAPSTONE.DEV

CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
189 S ORANGE AVENUE, SUITE 1000, ORLANDO, FL 32801
CONTACT: JACK ENSTROM, P.E.
EMAIL: JACK.ENSTROM@KIMLEY-HORN.COM

SURVEYOR:
RESERVE GEOSPATIAL
221 EDGEWOOD DRIVE, CLERMONT, FL 34711
INFO@RESERVEGEO.COM
PHONE: 407-383-8394

LANDSCAPE ARCHITECT:
KIMLEY-HORN AND ASSOCIATES, INC.
189 S ORANGE AVENUE, SUITE 1000, ORLANDO, FL 32801
CONTACT: MATTHEW FRANKO, PLA
EMAIL: MATT.FRANKO@KIMLEY-HORN.COM

PREPARED BY
Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
200 S. ORANGE AVE, SUITE 600, ORLANDO, FL 32801
PHONE: 407-898-1511
WWW.KIMLEY-HORN.COM REGISTRY No. 35106

Always call 811 two full business days before you dig to have underground utilities located and marked.
Sunshine811.com

Chad J Wise

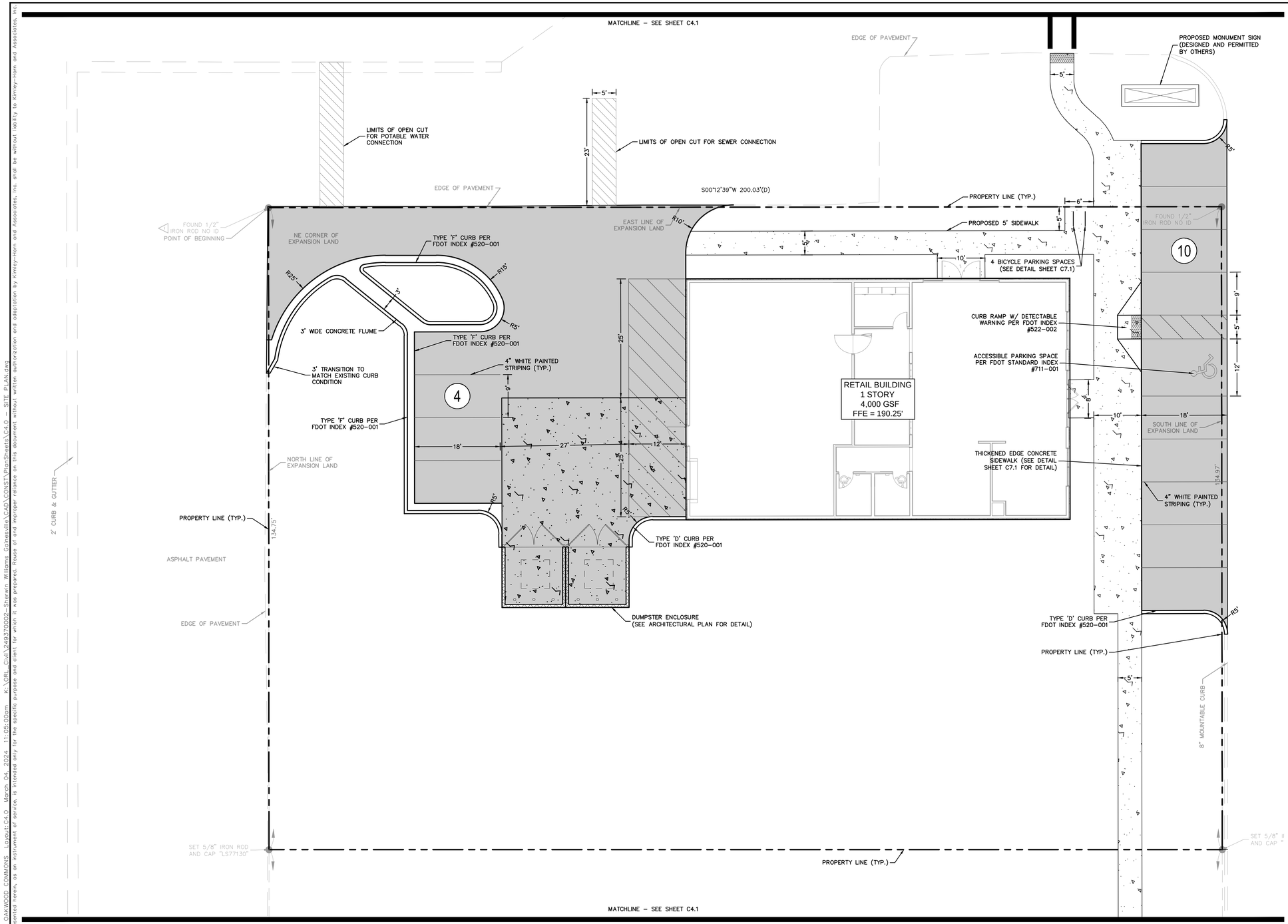
JACK G. ENSTROM LICENSE No. 86212 STATE OF FLORIDA PROFESSIONAL ENGINEER 05/01/2024

CHAD J. WISE, P.E. « STATE OF FLORIDA LICENSE NUMBER PROFESSIONAL ENGINEER

SHERWIN WILLIAMS OAKWOOD COMMONS
05/01/2024
ENGINEER'S PROJECT No. 249370002

REVISIONS:

No.	DESCRIPTION	DATE



GRAPHIC SCALE IN FEET
0 5 10 20

SITE DATA:

PROJECT AREA:	26,982 SF (0.62 AC)
FUTURE LAND USE:	REGIONAL ACTIVITY CENTER
EXISTING ZONING:	MU-2
EXISTING USE:	VACANT
PROPOSED USE:	COMMERCIAL
PROPOSED BUILDING HEIGHT:	1 STORY
PROPOSED IMPERVIOUS AREA:	11,489 SF (0.26 AC) 42.5%

PARKING REQUIREMENT

1 SPACE PER 250 SQUARE FEET OF FLOOR AREA W/ 10% FOR BICYCLE
4000 SF / 250 SQFT = 16 SPACES MAXIMUM
16 * 0.1 = 1.6 BICYCLE = 2 BICYCLE SPACES

PARKING PROVIDED

PROPOSED HANDICAP SPACES (12'X18.5'):	1 SPACES
PROPOSED REGULAR SPACES (9'X18.5'):	13 SPACES
PROPOSED ON-SITE SPACES:	14 SPACES

NOTES:

1. ALL CURB DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
2. BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING UNLESS OTHERWISE NOTED.
3. REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL BUILDING DIMENSIONS.
4. REFER TO SIGNAGE PLANS FOR MONUMENT SIGN DETAILS.
5. SEE MEP PLANS FOR ELECTRICAL DRAWINGS.
6. ALL PROPOSED ON-SITE STRIPING AND PAVEMENT MARKING WILL BE PAINTED UNLESS OTHERWISE NOTED AND IN ACCORDANCE WITH FDOT INDEX 711-001.

LEGEND

- PROPERTY LINE (TYP.)
- PROPOSED ASPHALT PAVEMENT (SEE DETAIL SHEET C7.1)
- PROPOSED CONCRETE SIDEWALK (SEE DETAIL SHEET C7.1)
- PROPOSED HEAVY DUTY CONCRETE PAVEMENT SECTION (SEE DETAIL SHEET C7.1)

Always call 811 two full business days before you dig to have underground utilities located and marked.
Sunshine811.com

No.	REVISIONS	DATE	BY

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
200 S. ORANGE AVENUE, SUITE 800, ORLANDO, FL 32801
PHONE: 407-898-1511
WWW.KIMLEY-HORN.COM REGISTRY No. 35106

Jack Enstrom
2024.03.04
13:56:21-05'00'

LICENSED PROFESSIONAL ENGINEER
JACK G. ENSTROM
No. 56810
STATE OF FLORIDA
PROFESSIONAL ENGINEER

KHA PROJECT	249370002
DATE	03/01/2024
SCALE	AS SHOWN
DESIGNED BY	JGE
DRAWN BY	JBD
CHECKED BY	JGE

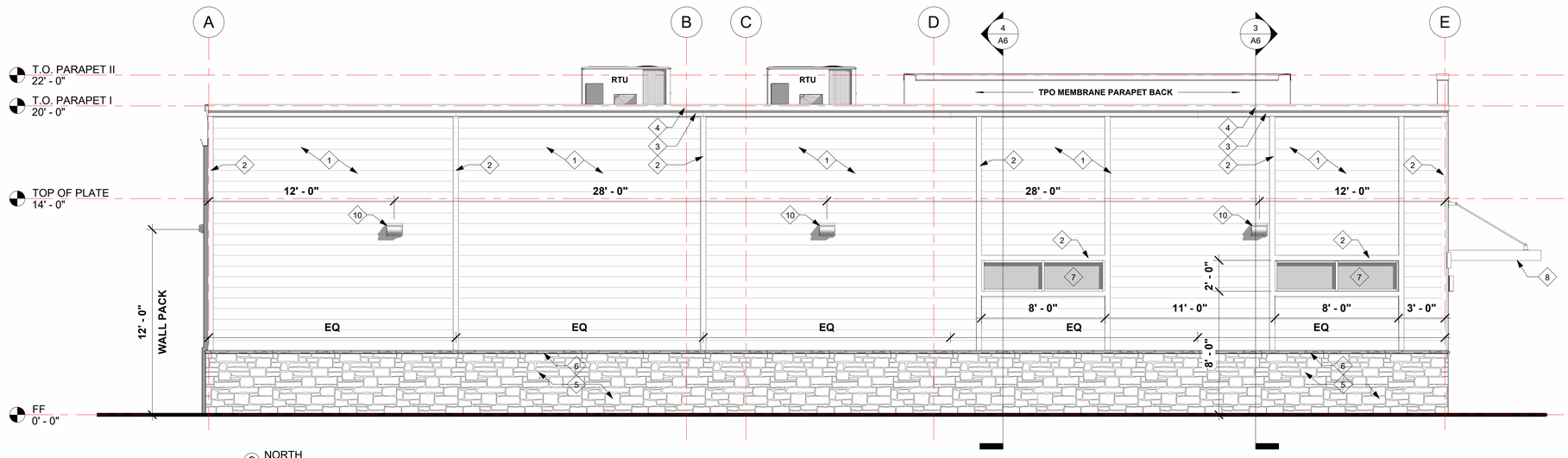
SITE PLAN

SHERWIN WILLIAMS OAKWOOD COMMONS
CITY OF GAINESVILLE FLORIDA

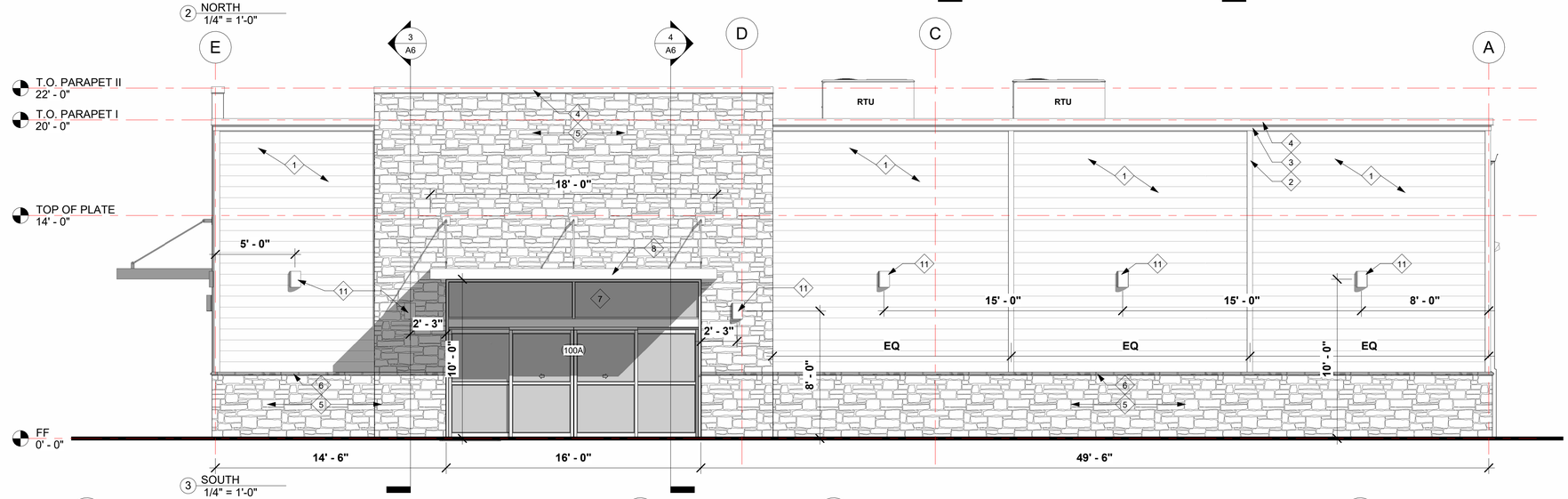
SHEET NUMBER
C4.0

MATERIAL KEY

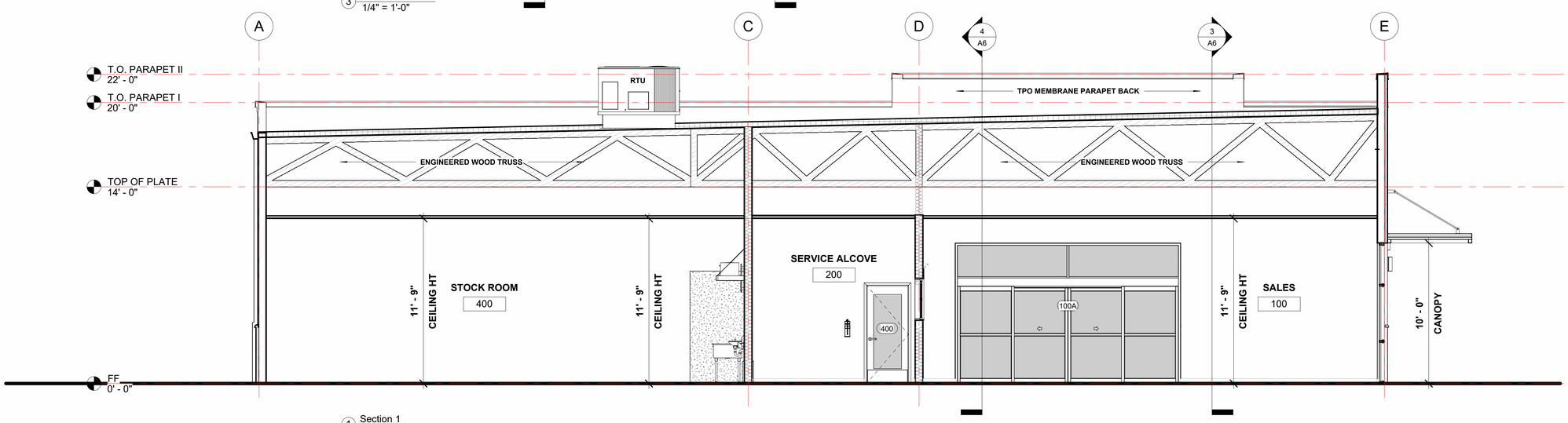
1. HARDI-PLANK LAP SIDING 7.25" WIDTH
2. HARDI-TRIM 3.5" WIDTH
3. HARDI-TRIM 7.25" & 3.5" WIDTH BUILT UP PARAPET CORNICE
4. PARAPET CAP FLASHING 3" FACING W/ HEMMED DRIP EDGE
5. CULTURED STONE VENEER
6. CULTURED STONE VENEER SILL CAP
7. STOREFRONT- INSULATED STOREFRONT W/ 1" GLASS
8. AWNING- PREFAB METAL WALL MOUNTED CANOPY
9. DOWNSPOUT & GUTTER
10. LIGHTING- WALL PACK
11. LIGHTING- DECORATIVE WALL SCONCE



2 NORTH
1/4" = 1'-0"



3 SOUTH
1/4" = 1'-0"



1 Section 1
1/4" = 1'-0"

Ironwood PLLC.
ARCHITECTURE
Jess W. May, Architect, AIA
1420 North Lamar Blvd, Oxford, MS 38655

SEAL:

STATE OF FLORIDA
JESS W. MAY
AR101517
REGISTERED ARCHITECT

E-SIGNATURE:

RDM3 LLC

RETAIL PAINT STORE
GAINESVILLE, FL

Revision Log

EXT. ELEVATIONS & SECTIONS

Project Number	SW2305
Date	11/28/23

A5

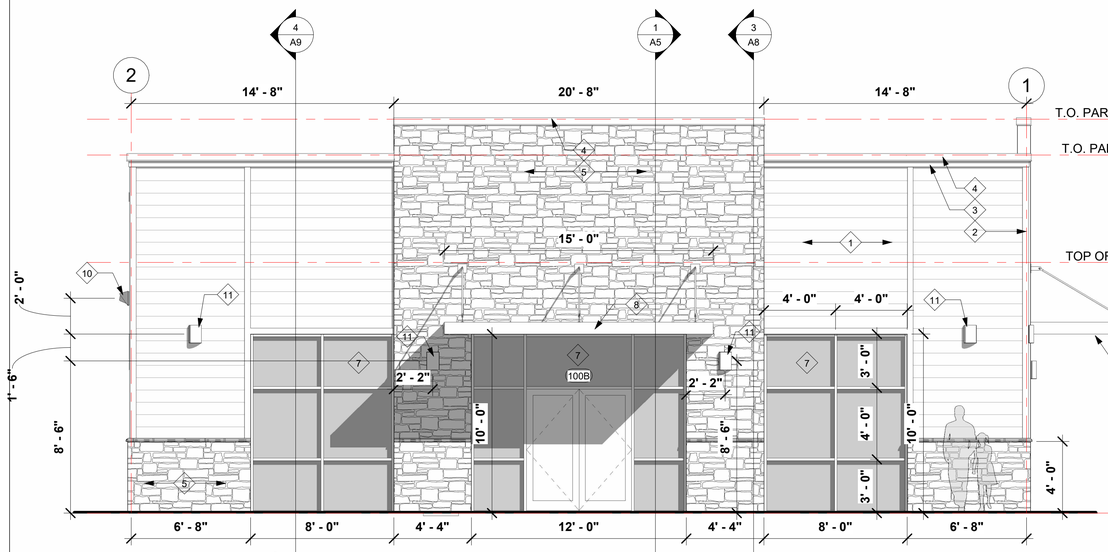
Scale 1/4" = 1'-0"

12/4/2023 11:54:13 AM

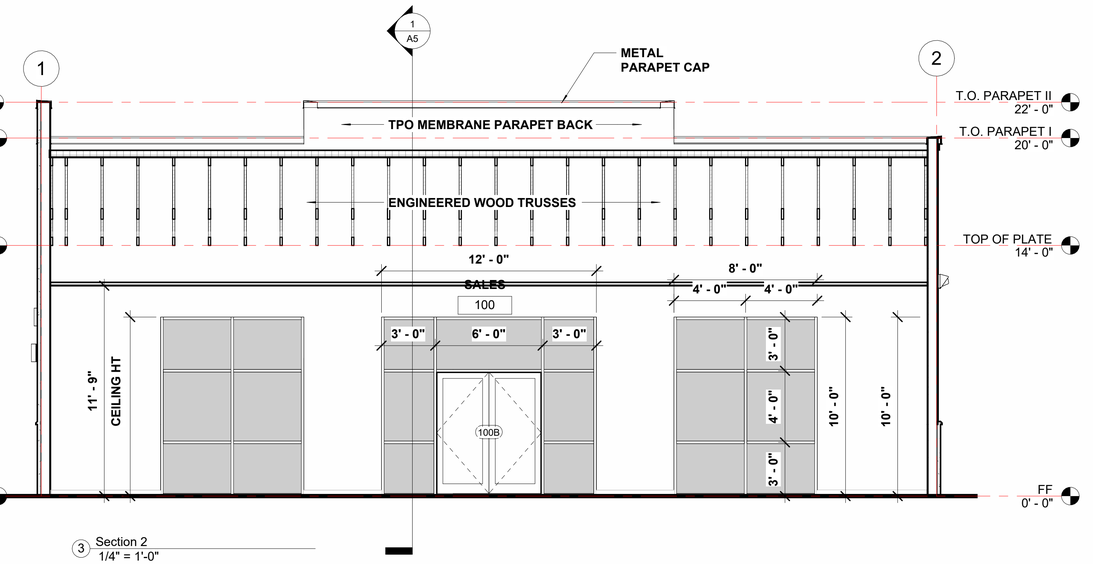
CONSTRUCTION DOCUMENTS

MATERIAL KEY

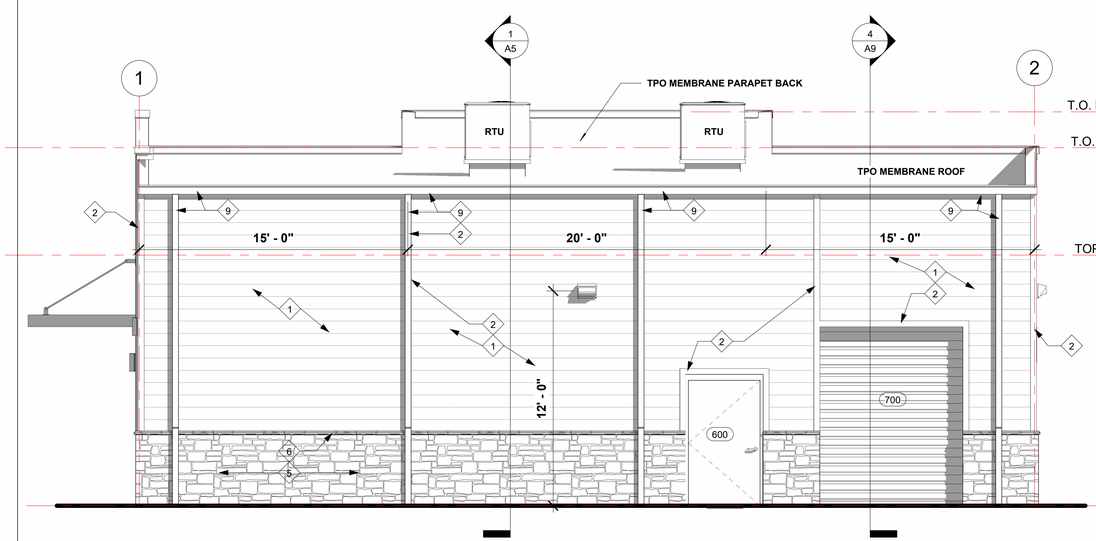
1. HARDI-PLANK LAP SIDING 7.25" WIDTH
2. HARDI-TRIM 3.5" WIDTH
3. HARDI-TRIM 7.25" & 3.5" WIDTH BUILT UP PARAPET CORNICE
4. PARAPET CAP FLASHING 3" FACING W/ HEMMED DRIP EDGE
5. CULTURED STONE VENEER
6. CULTURED STONE VENEER SILL CAP
7. STOREFRONT- INSULATED STOREFRONT W/ 1" GLASS
8. AWNING- PREFAB METAL WALL MOUNTED CANOPY
9. DOWNSPOUT & GUTTER
10. LIGHTING- WALL PACK
11. LIGHTING- DECORATIVE WALL SCONCE



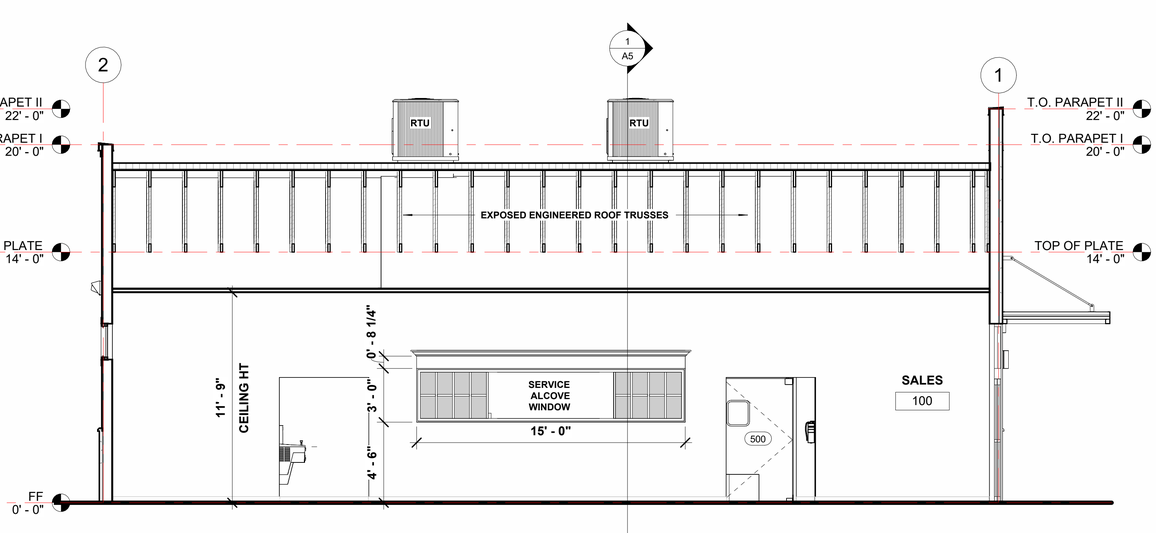
1 EAST
1/4" = 1'-0"



3 Section 2
1/4" = 1'-0"



2 WEST
1/4" = 1'-0"



4 Section 3
1/4" = 1'-0"

Ironwood PLLC
ARCHITECTURE
Jess W. May, Architect, AIA
1420 North Lamar Blvd, Oxford, MS 38655

SEAL:

STATE OF FLORIDA
JESS W. MAY
AR101517
REGISTERED ARCHITECT

E-SIGNATURE:

RDM3 LLC

RETAIL PAINT STORE
GAINESVILLE, FL

Revision Log

EXT. ELEVATIONS & SECTIONS

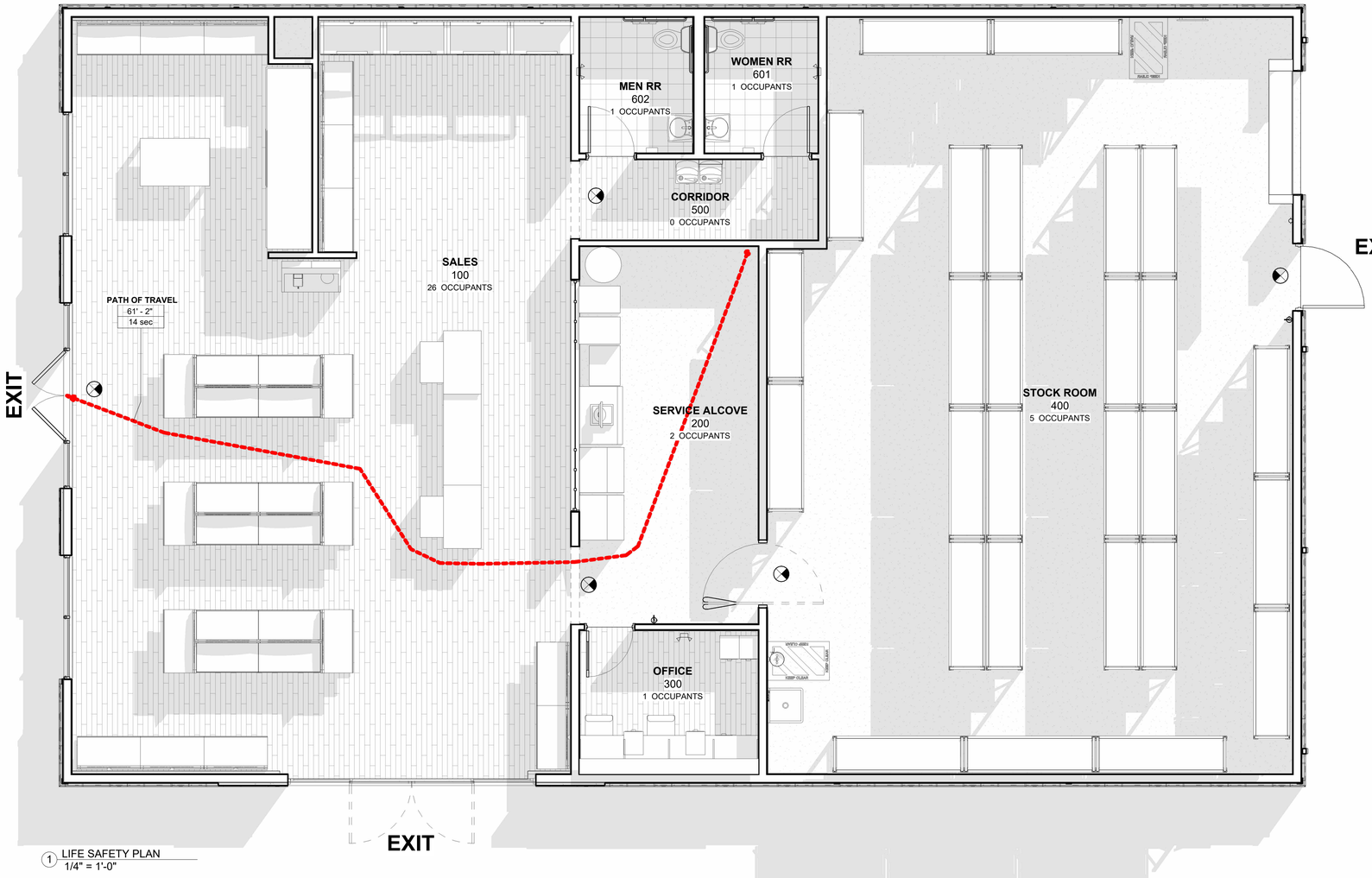
Project Number	SW2305
Date	11/28/23

A6

Scale	1/4" = 1'-0"

12/4/2023 11:54:21 AM

CONSTRUCTION DOCUMENTS



1 LIFE SAFETY PLAN
1/4" = 1'-0"

LIFE SAFETY LEGEND

- WALL MOUNTED EXIT SIGN
- 10# ABC FIRE EXTIGUISHER
- DUAL HEAD LED EMERGENCY LIGHTING
- TRAVEL DISTANCE

NOTE:
SEE ELECTRAL LIGHTING PLANS FOR ADDITIONAL EMERGENCY LIGHTING INFORMATION

Ironwood PLLC.
ARCHITECTURE
Jess W. May, Architect, AIA
1420 North Lamar Blvd. Oxford, MS 38655

SEAL:

STATE OF FLORIDA
JESS W. MAY
AR101517
REGISTERED ARCHITECT

E-SIGNATURE:

RDM3 LLC

RETAIL PAINT STORE
GAINESVILLE, FL

Revision Log

LIFE SAFETY PLAN

Project Number	SW2305
Date	11/28/23

G2

Scale: As indicated

12/4/2023 11:53:57 AM

CONSTRUCTION DOCUMENTS

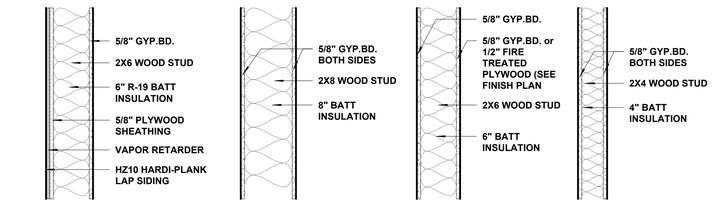
1ST FLOOR PLAN GENERAL NOTES

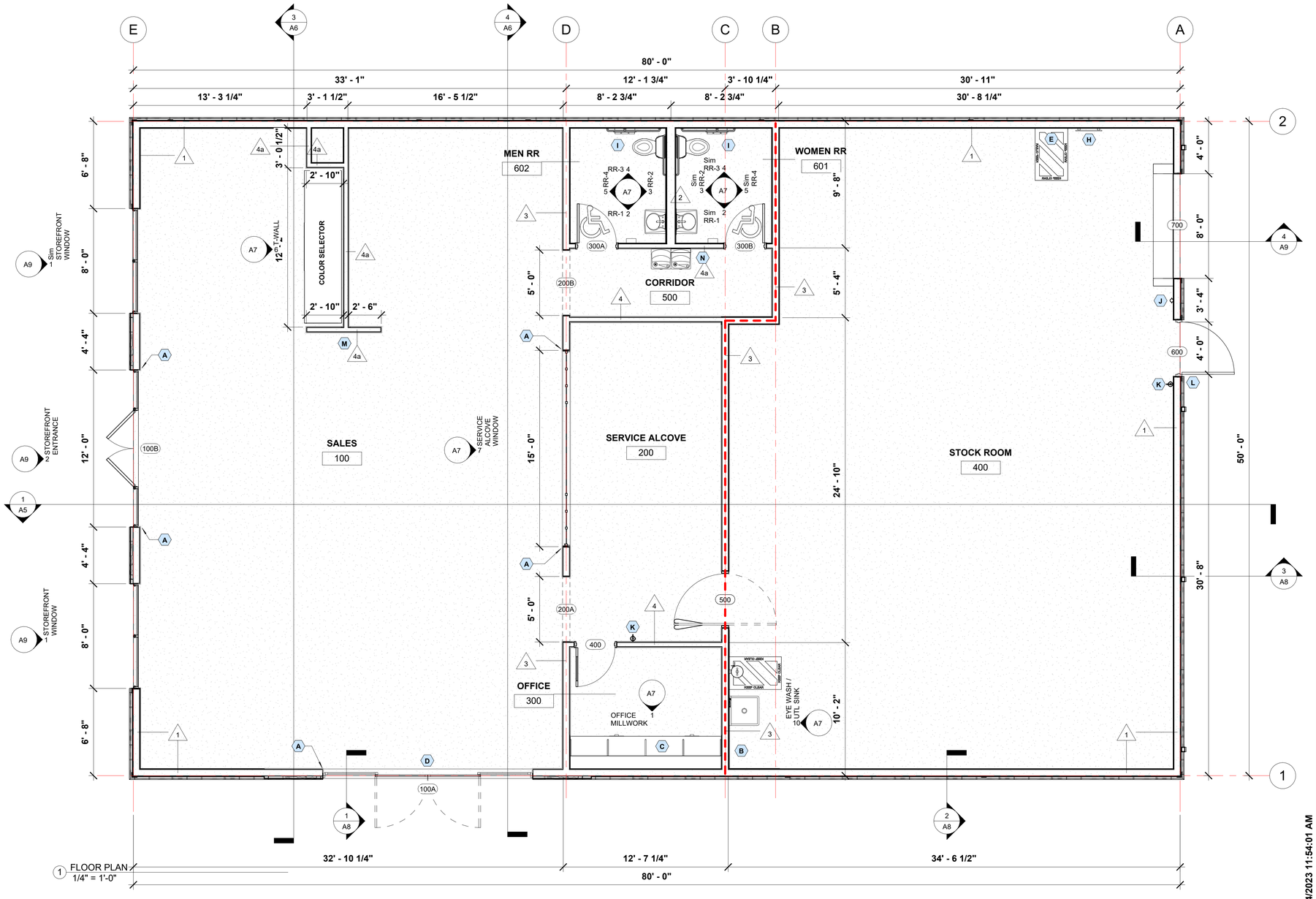
1. G.C. SHALL COORDINATE, SUPPLY AND INSTALL ANY BLOCKING (FIRE RATED) AS REQUIRED FOR THE SECURITY, MILLWORK, FURNITURE INSTALLER OR OTHER VENDORS OR SUB-CONTRACTORS..
2. ALL DIMENSIONS ARE TO FACE OF STUD UNLESS OTHERWISE NOTED.
3. DO NOT SCALE DRAWINGS. IF REQUIRED DIMENSIONS ARE NOT INDICATED, THE G.C. SHALL NOTIFY ARCHITECT FOR RESOLUTION.
4. VERIFY ALL SITE CONDITIONS AND NOTIFY THE TENANT AND THE ARCHITECT OF ANY DISCREPANCIES IN THE PLANS.
5. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY BRIDGING AND BRACING REQUIRED TO SECURE DRYWALL AND TO MAINTAIN FIRE OR SOUND RATING WHERE REQUIRED.
6. ALL GYPSUM WALLBOARD PARTITION JOINTS SHALL BE LOCATED SO THAT PANELS EDGES FALL ON ALTERNATE STUDS. ALL JOINTS SHALL BE TAPED, MUD, & FINISHED AS PER THE GYPSUM ASSOCIATION LATEST GUIDELINES, TO RECEIVE NEW WALL TREATMENT AND FINISHES.

1ST FLOOR PLAN KEY NOTES

- A PROVIDE GYPSUM BOARD CONTROL JOINTS AS REQUIRED, 30'-0" MAX.
- B INSTALL 3'W X 3'H X 5/8" PIECE OF PLYWOOD ON WALL FOR COMPUTER HARDWARE. TOP OF BOARD AT 8' - 6". PAINT TO MATCH WALLS.
- C PROVIDE SHELVES & COUNTERTOP W/ SUPPORT BRACKETS AND WALL BLOCKING. SEE INT. ELEVATION
- D AUTOMATIC SLIDING ENTRANCE DOORS
- E LOCATION OF SURFACE MOUNTED ELECTRICAL PANELS. REFER TO ELECTRICAL DRAWINGS FOR MORE INFORMATION. PROVIDE 5/8" FIRE RATED PLYWOOD BACKBOARD PAINTED TO MATCH WALL COLOR.
- F NEW ROLLING OVERHEAD DOOR.
- G N/A
- H LOCATION OF PHONE AND DEMARC. PROVIDE 5/8" PLYWOOD BACKBOARD PAINTED TO MATCH WALL
- I BLOCKING IN RESTROOMS FOR FIXTURES & GRAB BARS. REFER TO ADA REQUIREMENTS FOR MOUNTING HTS.
- J DRAWING STORAGE TUBE
- K WALL MOUNT #10 ABC FIRE EXTINGUISHER.
- L EXTERIOR FREEZE-PROOF HOSE BIBB
- M TELEVISION MOUNT BLOCKING
- N DRINKING FOUNTAIN MOUNT BLOCKING

WALL ASSEMBLY KEY





Ironwood PLLC
ARCHITECTURE
Jess W. May, Architect, AIA
1420 North Lamar Blvd. Oxford, MS 38655

SEAL:

E-SIGNATURE:

RDM3 LLC

RETAIL PAINT STORE
GAINESVILLE, FL

Revision Log

FLOOR PLAN

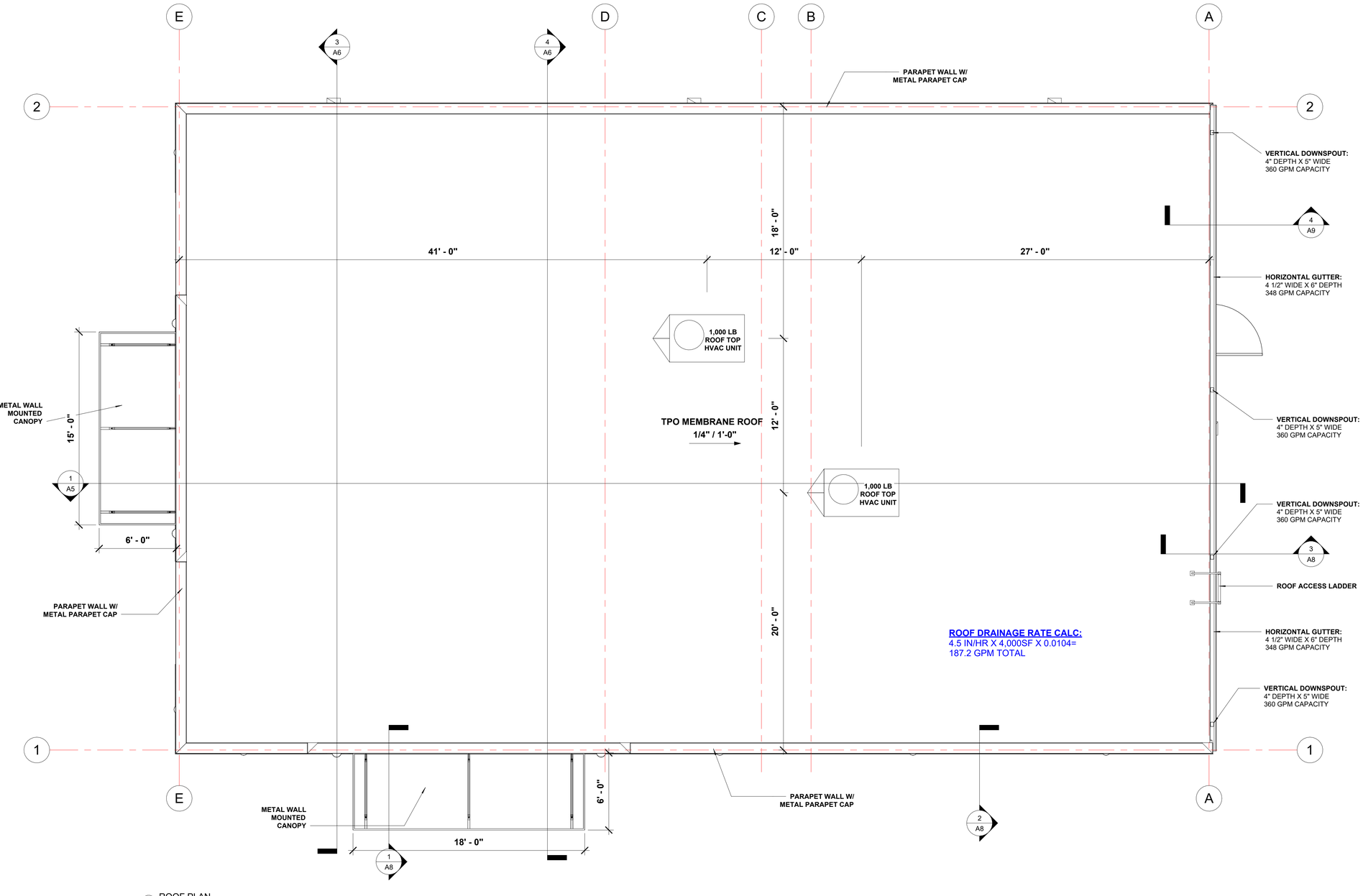
Project Number	SW2305
Date	11/28/23

A1

Scale: As indicated

12/4/2023 11:54:01 AM

CONSTRUCTION DOCUMENTS



1 ROOF PLAN
1/4" = 1'-0"

Ironwood PLLC.
ARCHITECTURE
Jess W. May, Architect, AIA
1420 North Lamar Blvd. Oxford, MS 38655

DISCLAIMER:

SEAL:

STATE OF FLORIDA
JESS W. MAY
AR101517
REGISTERED ARCHITECT

E-SIGNATURE:

RDM3 LLC

RETAIL PAINT STORE
GAINESVILLE, FL

Revision Log

ROOF PLAN

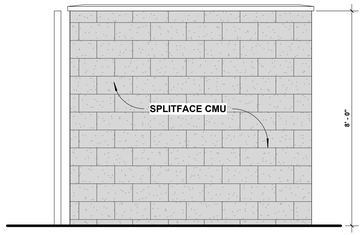
Project Number	SW2305
Date	5/9/2024

A3

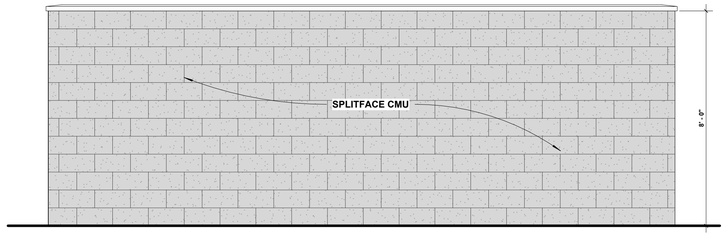
Scale 1/4" = 1'-0"

5/9/2024 4:29:46 PM

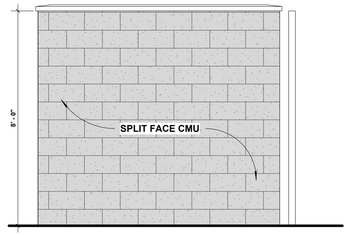
CONSTRUCTION DOCUMENTS



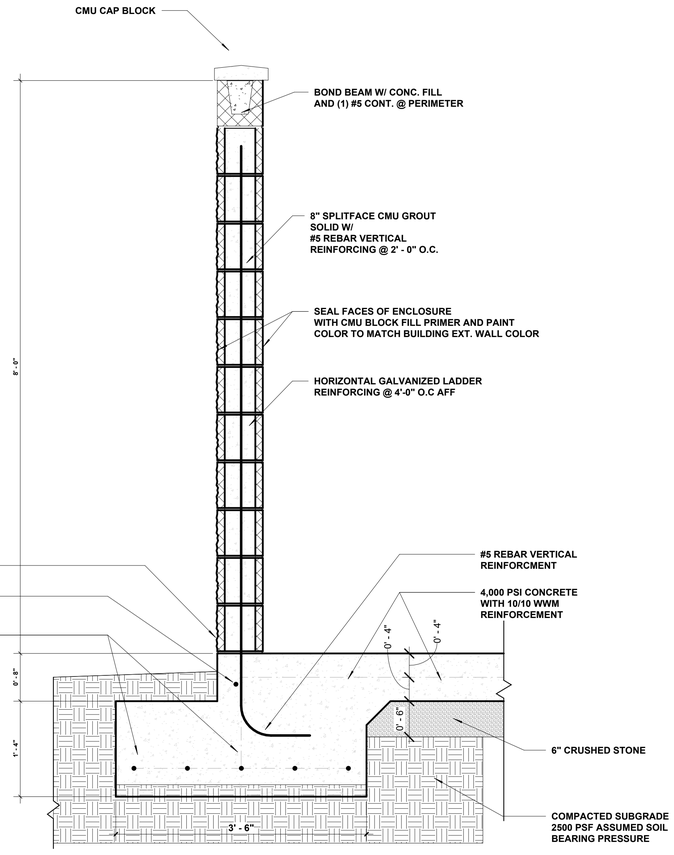
SIDE ELEVATION



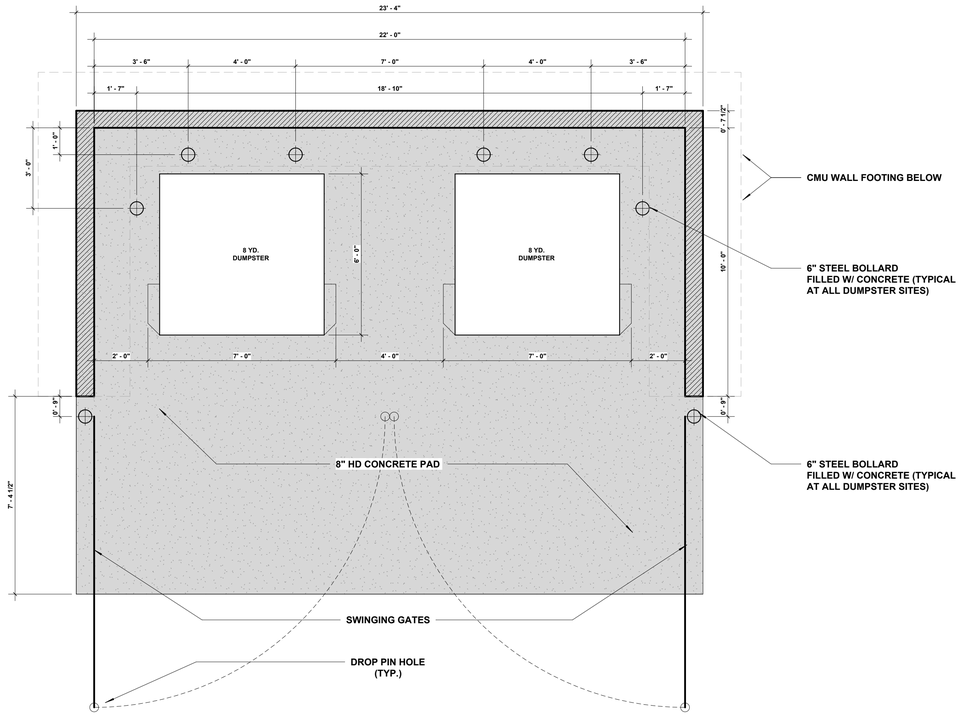
BACK ELEVATION

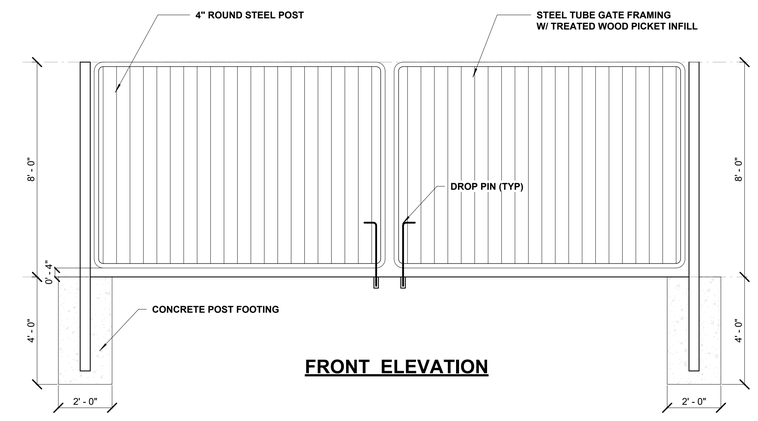


SIDE ELEVATION



2 DUMPSTER ENCLOSURE WALL SECTION
1" = 1'-0"





FRONT ELEVATION

1 DUMPSTER ENCLOSURE PLAN & ELEV
3/8" = 1'-0"

Ironwood PLLC.
ARCHITECTURE
Jess W. May, Architect, AIA
1420 North Lamar Blvd. Oxford, MS 38655

SEAL:

STATE OF FLORIDA
JESS W MAY
AR101517
REGISTERED ARCHITECT

E-SIGNATURE:

Jess W May

Digitally signed by Jess W May
Date: 2024.06.06 15:34:30 -05'00'

RDM3 LLC

RETAIL PAINT STORE
GAINESVILLE, FL

Revision Log

DUMPSTER ENCLOSURE

Project Number	SW2305
Date	6/6/2024

G4

Scale: As indicated

6/6/2024 3:31:08 PM

CONSTRUCTION DOCUMENTS

Minor Modification

PERMITTEE:
Richard Baer
American Commercial Realty, Corp.
300 Avenue of the Champions
Ste. 140
Pam Bch Gdns, FL. 33418-3615

PERMIT NUMBER: ERP-001-205589-6
DATE ISSUED: March 27, 2024
DATE EXPIRES: March 27, 2029
COUNTY: A l a c h u a
TRS: T9S, R19E, S13

PROJECT: Sherwin Williams at Oakwood Commons

Upon completion, the approved entity to which operation and maintenance may be transferred pursuant to rule 62-330.310 and 62.330.340 or 40B-4.1130, Florida Administrative Code (F.A.C.) shall be:

Richard Baer
American Commercial Realty, Corp
300 Avenue of the Champions
Ste 140
Palm Bch Gdns, FL,33418-3615

Based on the information provided to the Suwannee River Water Management District (District),the subject proposed project has met the qualifications found in subsection 62-330.315, F.A.C., and qualifies for a minor modification of the existing permit. This minor modification is hereby in effect for the activity description below:

The previous minor modification was for the construction of 0.61 acres of impervious area on a total project area of 1.15 acres. This minor modification is for the construction of 0.26 acres of impervious area on a total project area of 0.62 acres that was previously authorized under ERP-001-205589-2. The design engineer has certified that the proposed conditions do not exceed the allowable conditions of the master system. The project shall be constructed in accordance with the application package submitted, plans, and calculations submitted and certified by Jack Enstrom, P.E., Kimley-Horn on or before March 19, 2024. The permittee shall adhere to all permit conditions and/or requirements as well as perform anyrequired reporting, monitoring, or inspections in accordance with the original permit.

This authorization does not exempt you from obtaining permits from any other regulatory agency. Any modifications to the authorized plans shall require reconsideration by the District prior to commencement of construction.

Approved By: Sara Zybell

Sara Zybell Ferson
Professional Engineer
District Staff

2024-463A

REPORT OF GEOTECHNICAL CONSULTING SERVICES

Proposed Sherwin Williams
5725 NW 34th Boulevard
Gainesville, Alachua County, Florida

UES Project No. 0230.2300098.0000
UES Report No. 2039943

Prepared for:

Capstone Partners
P.O. Box 1177
Oxford, MS 38655

Prepared by:

Universal Engineering Sciences, LLC
4475 SW 35th Terrace
Gainesville, Florida 32608
(352) 372-3392

September 15, 2023

Materials Testing
Geotechnical Engineering
Environmental
Building Sciences & Safety
Inspections & Code Compliance
Virtual Design Consulting

September 15, 2023

Capstone Partners
P.O. Box 1177
Oxford, MS 38655

Attention: Mr. Zach Ford

Reference: **Report of Geotechnical Consulting Services**
Proposed Sherwin Williams Store
5725 NW 34th Boulevard
Gainesville, Alachua County, Florida
UES Project No. 0230.2300098.0000
UES Report No. 2039943

Mr. Ford:

Universal Engineering Sciences, LLC (UES) has completed the geotechnical engineering services for the subject project in Gainesville, Alachua County, Florida. This geotechnical Report is submitted in satisfaction of the contracted scope of services as summarized in UES Proposal No. 2031420, dated July 26, 2023.

This Report presents the results of our field subsurface exploration and laboratory soil testing programs, recommendations for foundation and pavement design, as well as geotechnical site preparation.

We appreciate the opportunity to have assisted you on this project and look forward to a continued association. Please do not hesitate to contact our office if you should have any questions, or to assist your office with the remaining phases of project design and construction.

Respectfully submitted,

UNIVERSAL ENGINEERING SCIENCES, LLC
Certificate of Authorization 549

DN: c=US, o=UNIVERSAL ENGINEERING SCIENCES INC., ou=A01410D00000177402A3F400000198B, cn=Keith L Butts
Date: 2023.09.15 12:10:44 -04'00'

Jacob Parker
Staff Engineer

Keith L. Butts, P.E.
Regional Manager
Florida P.E. No. 53986

This item has been electronically signed and sealed by Keith L. Butts, PE on the date adjacent to the seal using Digital Signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

TABLE OF CONTENTS

APPENDIX A

APPENDIX B

1.0 INTRODUCTION

1.1 GENERAL

In this report, we present the results of the subsurface exploration of the site for the proposed Sherwin Williams located in Gainesville, Alachua County, Florida. We have divided this report into the following sections:

- SCOPE OF SERVICES - Defines what we did,
- FINDINGS - Describes what we encountered,
- RECOMMENDATIONS - Describes what we encourage you to do,
- LIMITATIONS - Describes the restrictions inherent in this report,
- APPENDICES - Presents support materials referenced in this report.

2.0 SCOPE OF SERVICES

2.1 PROJECT DESCRIPTION

The project site was located at 5725 NW 34th Boulevard in Gainesville, Alachua County, Florida. We understand that the proposed project will include the development of a Sherwin Williams store. The project site was clear at the time of our field exploration. A concept site plan was provided to UES. Based on the provided site plan, we understood the proposed development would include constructing an approximately 4,000 square-foot retail store with associated paved parking/drive areas.

Our office was not provided with any other construction-related information other than that discussed herein. If our understandings and assumptions of project issues are incorrect our conclusions and recommendations will not be considered valid until we have had the opportunity to review all pertinent issues. Considering the limitations stated above and based on prior experience with structures of this type, we assumed the following structural loading conditions: ground floor slab loads not exceeding 200 psf, a maximum of 3 kips per linear feet (klf) on wall footings, and a maximum load of 30 kips on individual footings. We understand the building construction will require minimal structural fill placement operations (2 feet or less) for building pad construction.

If our foundation loading estimates and assumptions have been incorrect, we should be advised so that we may review our engineering evaluations, conclusions and recommendations. If our understandings and assumptions of project issues are incorrect our conclusions and recommendations will not be considered valid until we have had the opportunity to review all pertinent issues. The above constitutes all of the project information provided to our office at the time of this report preparation.

We note that our authorized scope of services and this Report do not address any other project elements, such as ponds, earth retaining walls, sidewalks, or slope stability issues that may be part of the overall project site plan. Since other site improvements could have detrimental effects on the performance of a foundation system at this site, UES, or another

qualified geotechnical consultant, should be consulted to review the entire site development plan and conduct additional services as required to minimize any impact of associated improvements on foundation performance.

2.2 PURPOSE

The purposes of this exploration were:

- To explore the prevailing site subsurface conditions within the proposed building footprint, and pavement areas,
- To perform a series of laboratory tests on selected subsurface soil specimens, recovered from the field exploration program to assist with engineering soil classifications,
- To evaluate the subsurface response to anticipated structural loadings and discuss the groundwater level characteristics,
- To evaluate and discuss geotechnical issues deemed relevant to the proposed on-site building construction,
- To prepare building foundation design and construction recommendations,
- To discuss technical suitability of subgrade soils for pavement section support and provide parameters for pavement design.

This report presents an evaluation of site conditions on the basis of traditional geotechnical procedures for site characterization. The recovered samples were not examined, either visually or analytically, for chemical composition or environmental hazards. UES would be pleased to provide these services, if you desire.

Our exploration was confined to the zone of soil likely to be stressed by the proposed construction. Our work did not address the potential for surface expression of deep geological conditions such as sinkholes. This evaluation requires a more extensive range of field services than performed in this study. We will be pleased to conduct an investigation to evaluate the probable effect of the regional geology upon the proposed construction, if you desire.

2.3 FIELD EXPLORATION

The field geotechnical testing activities were completed on September 8, 2023. Field tests for the geotechnical study included four (4) soil test borings to a depth of 20 feet below the ground surface within the limits of the proposed building footprint area, and three (3) soil test borings to a depth of 6 feet below the ground surface within the proposed pavement areas. The actual test locations shown are approximate and were staked in the field by UES personnel using existing landmarks and site features. All boreholes were backfilled upon field

work completion. The soil test boring locations have been shown on the attached Boring Location Plan.

Representative portions of the subsurface soil samples recovered were transported to our Gainesville soils laboratory. The soil samples were visually classified by a member of our geotechnical staff. It should be noted that soil conditions might vary between soil test boring locations, and between the subsurface soil strata interfaces which have been shown on the Boring Logs. The soil test boring data reflect information from the specific test locations only.

2.3.1 Standard Penetration Test (SPT) Borings

Seven (7) penetration tests were performed within the proposed building footprint and pavement area in accordance with ASTM Procedure D-1586, *Penetration Test and Split-Barrel Sampling of Soils*. This test procedure generally involved driving a 1.4-inch I.D. split-tube sampler into the soil profile in six-inch increments for a minimum distance of 18 inches using a 140-pound hammer free-falling 30 inches. The total number of blows required to drive the sampler the second and third 6-inch increments has been designated as the N-value and provides an indication of in-place soil strength, density, and consistency.

2.4 LABORATORY TESTING

2.4.1 Visual Classification

The soil samples recovered from the soil test borings were returned to our laboratory where a member of our geotechnical staff visually reviewed the field descriptions in accordance with ASTM D-2488. We then selected representative soil samples for laboratory testing. Using the results of the laboratory tests, our visual examination, and our review of the field boring logs we classified the soil borings in accordance with the current Unified Soil Classification System (USCS).

2.4.2 Index Testing

Laboratory testing was performed on selected samples of the soils encountered in the field exploration to better define soil composition and properties. Testing was performed in accordance with ASTM procedures and included Percent Passing No. 200 Sieve (ASTM D-1140) and Natural Moisture Content (ASTM D-2216). The test results have been presented on the attached Boring Logs.

3.0 FINDINGS

3.1 GENERAL AREA SOIL INFORMATION

The United States Department of Agriculture (USDA) *Soil Survey of Alachua County, Florida* describes the near-surface soil profile on the project parcel as Pomona sand, 0 to 2 percent slopes.

Pomona sand, 0 to 2 percent slopes is described as nearly level and poorly drained soil. Pomona sand, 0 to 2 percent slopes has an apparent high water at a depth between 0 to 1 foot below the ground surface. Relevant engineering index properties for Pomona sand, 0 to 2 percent slopes have been summarized below in Table 1.

Table 1 – Relevant Engineering Index Properties of Pomona sand, 0 to 2 percent slopes

Depth, Inches	Texture	Classification	% Passing #200 Sieve	Plasticity Index	Shrink-swell Potential	Permeability
0 – 5	Sand	SP, SP-SM	2-12	NP	Low	6.0 to 20 in/hr
5-16	Sand, fine sand	SP, SP-SM	2-12	NP	Low	6.0 to 20 in/hr
16-24	Sand, fine sand	SP-SM, SM	5-15	NP	Low	0.6 to 20 In/hr
24-43	Sand, fine sand	SP, SP-SM	2-12	NP	Low	2.0 to 20 In/hr
43-84	Sandy clay loam, sandy loam, sandy clay	SC, SM-SC, SM	25-50	NP-16	Low	0.2 to 2.0 In/hr

3.2 SURFACE CONDITIONS

UES personnel visited the project site prior to and during the performance of the field portion of this geotechnical study. Our on-site observations have been summarized as follows. At the time of our exploration, the project parcel was clear and was adjacent to an existing strip retail center.

3.3 SUBSURFACE CONDITIONS

The results of our field exploration and laboratory analysis, together with pertinent information obtained from the borings, such as soil profiles, penetration resistance and groundwater levels have been shown on the boring logs included in Appendix B. The Key to Boring Logs, Soil Classification Chart has also been included in Appendix B. The soil profiles were prepared from field logs after the recovered soil samples were examined by a member of our geotechnical staff. The stratification lines shown on the boring logs represent the approximate boundaries between soil types and may not depict exact subsurface soil conditions. The actual soil boundaries may be more transitional than depicted. Generalized profiles of the soils encountered at our boring locations have been presented in Table 2. For more detailed soil profiles, please refer to the attached boring logs.

TABLE 2 - GENERALIZED SOIL PROFILE

Typical Depth (feet, bls)		Soil Description	Range of SPT "N" Values (blows/ft)
From	To		
Surface	4 to 8	Very loose to dense SAND with silt and silty SAND (SP-SM, SM)	2 to 22
4 to 8	20+	Loose to very dense (phosphatic) clayey/very clayey SAND with/without limerock, silt, and wood (possible root), silty SAND [SC, SM] and very soft to stiff (phosphatic) sandy clay [CH, CL]	1/12" to 54

*+ denotes maximum termination depth of the borings

3.4 GROUNDWATER DEPTH

The groundwater level was encountered at depths between approximately 2.5 to 6.5 feet below the ground surface at the time of our exploration. Fluctuations of perched groundwater level conditions on this project parcel could be expected to occur seasonally as a result of rainfall, surface runoff, and nearby construction activities.

3.5 LABORATORY TESTING

The soil samples recovered from the field exploration program were placed in containers and returned to our soils laboratory, where a member of our geotechnical staff visually examined and classified the samples. Laboratory soil tests are performed to aid in the classification of the soils, and to help in the evaluation of engineering characteristics of the soils. Representative soil samples were selected for moisture content and percent fines determination testing. The test results have been presented on the attached boring logs.

3.5.1 Percent Passing No. 200 Sieve

Certain recovered soil samples were selected to determine the percentage of fines. In these tests the soil sample was dried and washed over a U.S. No. 200 mesh sieve. The percent of soil by weight passing the sieve was the percentage of fines or portion of the sample in the silt and clay size range. This test was conducted in accordance with ASTM Procedure D-1140, *Standard Test Methods for Amount of Material in Soils Finer than the No. 200 Sieve.*

3.5.2 Moisture Content

Certain recovered soil samples were selected to determine their moisture content. The moisture content was the ratio expressed as a percentage of the weight of water in a given mass of soil to the weight of the solid particles. These tests were conducted in accordance with ASTM Procedure D-2216, *Standard Test Method for Laboratory Determination of Water (Moisture) Content of Soil and Rock.*

4.0 RECOMMENDATIONS

4.1 GENERAL

The following recommendations have been made based upon a review of the attached soil test data, our understanding and stated assumptions regarding the proposed structure, and experience with similar structures and subsurface conditions. UES must review the preliminary and final foundation and grading plans, including structural design loads to validate all recommendations rendered herein. Without such review our recommendations should not be relied upon for final design or construction of the structure.

Additionally, if subsurface conditions are encountered during construction, which were not encountered in the borings, report those conditions immediately to us for observation and recommendations.

4.2 GEOTECHNICAL CONSIDERATIONS

Recommendations for foundation design are dependent, among other factors, on the amount of total settlement and more importantly differential settlement between various structural elements that can be safely tolerated by the individual structures.

It should be noted that differential settlement underneath the proposed structure is a function of the uniformity or variability of the subsurface conditions within the zone of influence of the building footprint. The more uniform the subsurface conditions, the less the differential settlement. If the anticipated total and differential settlements estimated in section 4.4.5 of this report exceed the tolerable limits as set forth by the Structural Engineer, we should be advised so that we may consider other foundation system alternatives.

The surficial strata of silty/clayey soils prevalent on the site will generally exhibit sensitivity to even slight changes in moisture content and will lose most of their strength when wet. When such moisture sensitive soils are exposed to construction traffic, a loss of soil strength may result. After disturbance and when wet, these fine-grained soils may rut and deflect significantly, do not provide adequate subgrade support, and require remediation or moisture conditioning. It has not been uncommon for construction equipment to severely disturb the upper several feet of the subgrade during initial phases of site earthwork operations, especially when site preparation work has been performed while the soil was wet. This may result in the need for both undercutting and replacement of the disturbed soil or drying and re-compaction of the affected soil.

We recommend that we be provided the opportunity to review the project plans and specifications to confirm that our recommendations have been properly interpreted and implemented. If the structural loadings or the building locations change significantly from those discussed previously, we request the opportunity to review and possibly amend our recommendations with respect to those changes. The discovery of any subsurface conditions during construction which deviate from those encountered in the borings should be reported to us immediately for observation, evaluation, and recommendations.

The discovery of any subsurface conditions during construction which deviate from those encountered in the borings should be reported to us immediately for observation, evaluation, and recommendations.

4.3 GROUNDWATER CONSIDERATIONS

The groundwater level will fluctuate seasonally depending upon local rainfall. The rainy seasons in North Central Florida are normally between June and September and December and February. Based upon our review of regional hydrogeology and the Alachua County Soil Survey, we estimate the normal seasonal high groundwater level will occur at a depth of approximately 1.5 feet below the existing ground surface at the boring locations.

4.4 BUILDING FOUNDATION

Based on the results of our exploration, we consider the subsurface conditions at the site adaptable for support of the proposed structure when constructed on a properly designed conventional shallow foundation system. Provided the site preparation and earthwork construction recommendations outlined in Section 4.6 of this report are performed, the following parameters may be used for foundation design.

4.4.1 Bearing Pressure

The net maximum allowable soil bearing pressure for use in shallow foundation design should not exceed 2,000 psf. Net bearing pressure is defined as the soil bearing pressure at the foundation bearing level in excess of the natural overburden pressure at that level. The foundations should be designed based on the maximum load which could be imposed by all loading conditions.

4.4.2 Foundation Size

The minimum widths recommended for any isolated column footings and continuous wall footings are 24 inches and 18 inches, respectively. Even though the maximum allowable soil bearing pressure may not be achieved, these width recommendations should control the minimum size of the foundations.

4.4.3 Bearing Depth

The exterior foundations should bear at a depth of at least 18 inches below the finished exterior grades and the interior foundations should bear at a depth of at least 12 inches below the finish floor elevation to provide confinement to the bearing level soils. It is recommended that stormwater be diverted away from the building exteriors to reduce the possibility of erosion beneath the exterior footings.

4.4.4 Bearing Material

The foundations may bear in either the compacted suitable native soils or compacted structural fill. The bearing level soils, after compaction, should exhibit densities equivalent to at least 95 percent of the modified Proctor maximum dry density (ASTM D 1557) to a depth of at least one foot below the foundation bearing level.

4.4.5 Settlement Estimates

Post-construction settlement of the structure will be influenced by several interrelated factors, such as (1) subsurface stratification and strength/compressibility characteristics; (2) footing size, bearing level, applied loads, and resulting bearing pressures beneath the foundations; and (3) site preparation and earthwork construction techniques used by the Contractor. Our settlement estimates for the structure are based on the use of site preparation/earthwork construction techniques as recommended in Section 4.6 of this report. Any deviation from these recommendations could result in an increase in the estimated post-construction settlement of the structure.

Using the recommended maximum bearing pressure, the assumed maximum structural loads and the field data which we have correlated to geotechnical strength and compressibility characteristics of the subsurface soils, we estimate that total settlements of the structure could be on the order of 1 inch or less.

Differential settlement results from differences in applied bearing pressures and variations in the compressibility characteristics of the subsurface soils. Because of the general uniformity of the subsurface conditions and the recommended site preparation and earthwork construction techniques outlined in Section 4.6, we anticipate that differential settlement of the structure should be within tolerable magnitudes (½ inch or less).

4.4.6 Ground Floor Slab

The floor slab can be constructed as a slab-on-grade member using a modulus of subgrade reaction (K) of 125 pci provided the subgrade materials are compacted as outlined in Section 4.6. It is recommended the floor slab bearing soils be covered with an impervious membrane to reduce moisture entry and floor dampness. A 10-mil thick plastic membrane is commonly used for this purpose. Care should be exercised not to tear large sections of the membrane during placement of reinforcing steel and concrete.

4.5 PAVEMENT RECOMMENDATIONS

4.5.1 Assumptions

We assume that a flexible asphaltic pavement section will be used for the pavement areas on this project. The following recommendations have been based on the pavement areas being prepared as recommended in this report.

At the time of this exploration, specific traffic loading information was not provided to us. We have assumed the following conditions for our recommended minimum pavement design.

- the subgrade soils are prepared as described in this report
- a twenty (20) year design life
- terminal serviceability index (Pt) of 2.5
- reliability of 90 percent
- total equivalent 18 kip single axle loads (E_{18}SAL) up to 100,000 for light duty pavements – primarily car and pickup truck traffic (parking stalls)
- total equivalent 18 kip single axle loads (E_{18}SAL) up to 500,000 for heavy duty pavements – occasional heavy truck traffic (entrance drives, services lanes, etc.)

The subsurface data suggests that the subgrade soils consisted of silty sand, and sand with silt. Positive drainage around the roadway area should be established to prevent irrigation and stormwater from migrating into the pavement area.

4.5.2 Asphaltic Pavements

4.5.2.1 Layer Components

Based on the results of our soil borings, the assumed traffic loading information and review of the current FDOT Flexible Pavement Design Manual, our minimum recommended pavement component thicknesses for new construction have been presented in Table 3.

Table 3 – Minimum Asphaltic Pavement Component Thickness				
Service Level	Maximum Traffic Loading	Layer Component		
		Surface Course (inches)	Base Course (inches)	Stabilized Subgrade (inches)
Light Duty	up to 100,000 E_{18}SAL	1½	6	12
Heavy Duty	up to 500,000 E_{18}SAL	2	8	12

4.5.2.2 Stabilized Subgrade

We recommend that the stabilized subgrade materials immediately beneath the base course exhibit a minimum Limerock Bearing Ratio (LBR) of 40 as specified by FDOT compacted to at least 98 percent of the modified Proctor maximum dry density (ASTM D 1557) value.

Stabilized subgrade can be imported materials or a blend of on-site and imported materials. If a blend is proposed, we recommend that the Contractor perform a mix design to find the optimum mix proportions. Crushed limerock or crushed concrete base material could be used to stabilize the subgrade soils to meet the recommended LBR values stated previously. Based on the results of the borings, additional stabilization of the upper sands within many areas of the site may not be necessary in order to achieve a minimum LBR value of 40 and be suitable for use as a stabilized subgrade to support the proposed pavement sections.

Compaction testing of the stabilized subgrade should be performed to full depth at a frequency of at least one (1) test per 5,000 square feet, or a minimum of 4 tests, whichever is greater.

4.5.2.3 Base Course

We recommend the base course material for the new pavement areas be limerock. The limerock should have a minimum LBR of 100 and should be mined from an FDOT-approved source. Place limerock in maximum 6-inch lifts and compact each lift to a minimum density of 98 percent of the modified Proctor maximum dry density.

Compaction testing of the base course should be performed to full depth at a frequency of at least one (1) test per 5,000 square feet, or at least 2 tests, whichever is greater.

4.5.2.4 Surface Course

For the new pavement areas, we recommend that the surfacing consist of FDOT SuperPave (SP) asphaltic concrete. The surface course should consist of FDOT SP-9.5 fine mix for light-duty areas and FDOT SP-12.5 and/or SP-9.5 fine mix for heavy duty areas. Specific

requirements for the SuperPave asphaltic concrete structural course are outlined in the latest edition of FDOT, Standard Specifications for Road and Bridge Construction.

After placement and field compaction, the surfacing should be cored to evaluate material thickness and density. Cores should be obtained at frequencies of at least one (1) core per 5,000 square feet of placed pavement or a minimum of two (2) cores per day's production.

4.5.2.5 Effects of Groundwater

One of the most critical influences on the pavement performance in North Florida is the relationship between the pavement base course and the seasonal high groundwater level. Sufficient separation will need to be maintained between the bottom of base course and the anticipated seasonal high groundwater level. We recommend that the seasonal high groundwater and the bottom of the base course be separated by at least 24 inches for a limerock base course.

In areas where the separation would not be available, we have recommended raising finished site elevations sufficiently to provide the minimum separation or, alternatively, sloping site subgrades to drainage points away from the pavement areas (i.e. perimeter swales and collection areas) to prevent stormwater from collecting under the pavement areas. Additionally, underdrains could be incorporated into the design to capture groundwater and route it away from pavement base and subgrade materials. Please note an underdrain system will require regular maintenance over the useful life of the project to function properly.

4.5.2.6 Landscape Areas

In the event that landscape areas adjacent to the pavements include large mounds (>1 foot) of poorly draining organic topsoil or silty/clayey sands, or the pavement is constructed below surrounding grade, we recommend that landscape drains be provided to protect the roadway against adverse effects from over-irrigation and excess rainfall. Poorly draining organic, silty, and clayey material causes the irrigation and rainwater to perch and migrate laterally into the pavement components, which eventually compromises the integrity of the pavement section.

4.5.2.7 Curbing

Typical curbing is extruded and placed atop the pavement surface. This type of curbing does not act as a horizontal cutoff for lateral migration of storm and irrigation water into the base material and because of this it has been common for base and subgrade materials adjacent to these areas to become saturated, promoting subsequent localized pavement deterioration. Consequently, we have recommended that all pavements abutting landscaped areas be equipped with an underdrain system that penetrates a minimum depth equal to the bottom of stabilized subgrade to intercept trapped shallow water and discharge it into a closed system or other acceptable discharge point.

Alternatively, curbing around any landscaped sections adjacent to the parking lots and driveways could be constructed with full-depth curb sections to reduce horizontal water migration. However, underdrains may still be required dependent upon the soil type and spatial relationships. UES should review final grading plans to evaluate the need and placement of pavement and landscape underdrains.

4.5.3 Construction Traffic

Light duty roadways and incomplete pavement sections will not perform satisfactorily under construction traffic loadings. We recommend that construction traffic (construction equipment, concrete trucks, sod trucks, garbage trucks, dump trucks, etc.) be re-routed away from these roadways or that the pavement section is designed for these loadings.

4.6 SITE PREPARATION

We recommend normal, good practice site preparation procedures. These procedures include: stripping the project site of existing vegetation, topsoil, trees, and any other deleterious material, compacting the subgrade and placing necessary fill or backfill to grade with engineered fill. A more detailed synopsis of this work is as follows:

1. Prior to construction, the location of any existing underground utility lines within the construction area should be established. Provisions should then be made to relocate interfering utilities to appropriate locations. It should be noted that if underground pipes are not properly removed or plugged, they may serve as conduits for subsurface erosion which may subsequently lead to excessive settlement of the overlying structure.

2. Perform remedial dewatering prior beginning any earthwork operations. Dewatering operations should maintain the groundwater level a minimum of two feet below the bottom of any excavations. Dewatering systems should not be decommissioned until the excavation is backfilled two feet above the groundwater level at the time of construction. Further, the site should always be graded to prohibit ponding of stormwater runoff.

3. Strip the proposed construction limits of all grass, roots, topsoil, trees, and other deleterious materials within 5 feet beyond the perimeter of the proposed structure areas and 3 feet beyond pavement areas. Expect typical stripping at this site to depths of 4 to 6 inches. Deeper clearing and grubbing depths may be encountered in deeper organic soils are encountered.

4. Following site clearing, grubbing and rough grading, the same project areas should be proof-rolled using a large, fully loaded rubber-tired vehicle (dump truck) or similar equipment. Proof-rolling will help locate any surficial zones of especially loose or soft or unsuitable soils not encountered in the soil test borings and should help provide more uniformity in the sandy subsurface soil profile. Unusual or unanticipated conditions identified during this process must be immediately brought to the

attention of the UES Geotechnical Engineer. Field density testing is not required during proof-rolling operations.

5. Weak subgrade soils identified during proof-rolling operations should be excavated and removed from the site and replaced with granular fill soils. We recommend that the bottom of all footings be probed to confirm the suitability of the bearing soils. Granular soils used for this purpose should meet the material and placement specifications outlined below.

6. Proof-rolling operations should be followed by surface compaction operations. Compaction operations should be implemented with a compactor of appropriate size and must be used in static mode. The use of vibratory compaction equipment combined with the shallow water levels could create and unstable subgrade requiring additional stabilization and improvement prior to further construction. Surface compaction should be performed until an in-place soil density of 95 percent of the modified Proctor maximum dry density (ASTM D-1557) is achieved to a depth of at least 1 foot below the final subgrade, or foundation bearing elevations, whichever is greater. The subgrade beneath slabs should be compacted to a depth of 1 foot below the beginning grade prior to placing fill.

7. Compaction operations should extend to the limits of the cleared/grubbed project areas. Compaction of the existing, near-surface sandy soils will provide for uniformity of foundation/slab settlements and improve the soils' bearing capacity conditions. Typically, the soil should exhibit moisture contents within ± 2 percent of the modified Proctor optimum moisture content during compaction. A minimum of eight (8) complete coverages (in perpendicular directions) should be made in the building area with the roller to improve the uniformity and increase the density of the underlying sandy soils.

8. Should the bearing level soils experience pumping and soil strength loss during the compaction operations, compaction work should be immediately terminated and (1) the disturbed soils removed and backfilled with dry structural fill soils which are then compacted, or (2) the excess pore pressures within the disturbed soils allowed to dissipate before recompacting.

9. Care should be exercised to avoid damaging any nearby structures while the compaction operation is underway. Prior to commencing compaction, occupants of adjacent structures should be notified, and the existing conditions of the structures be documented with photographs and survey (if deemed necessary). Compaction should cease if deemed detrimental to adjacent structures. UES can provide vibration monitoring services to help document and evaluate the effects of the surface compaction operation on existing structures.

10. Test the subgrade for compaction at a frequency of not less than one test per 2,500 square feet in building areas and 5,000 square feet in pavement areas, or a minimum of three test locations, whichever is greater.

11. Place fill/backfill material, as required. Offsite fill material should contain less than 10 percent passing the No. 200 sieve. Place backfill and fill in uniform 10- to 12-inch loose lifts and compact each lift to a minimum density of 95 percent of the modified Proctor maximum dry density. Verification testing should be performed prior to the next lift being placed.

12. Additionally, we recommend that you test every other column footing, and one (1) test every 50 linear feet of continuous wall footings. Footings should be visually inspected and probed with a static cone penetrometer to verify stability.

4.7 DEWATERING AND EXCAVATION CONSIDERATIONS

Based on the groundwater level conditions encountered, temporary dewatering may be required if construction occurs during the wet season. Where excavations will extend only a few feet below the groundwater level, a sump pump may be sufficient to control the groundwater. Deeper excavations may require well points and/or sock drains to control the groundwater. Regardless of the method(s) used, we recommend drawing down the water level at least 2 feet below the bottom of the excavation or any working surface. The actual method(s) of dewatering should be determined by the Contractor. The design and discharge of the dewatering system must be performed in accordance with applicable regulatory criteria (i.e. water management district, etc.) and compliance with such criteria is the sole responsibility of the Contractor.

Excavations should be sloped as necessary to prevent slope failure and to allow backfilling. As a minimum, temporary excavations below 4-foot depth should be sloped in accordance with OSHA regulations. Where lateral confinement will not permit slopes to be laid back, the excavation should be shored in accordance with OSHA requirements. During excavation, excavated material should not be stockpiled at the top of the slope within a horizontal distance equal to the excavation depth. Provisions for maintaining workman safety within excavations is the sole responsibility of the Contractor.

4.8 CONSTRUCTION RELATED SERVICES

We recommend the Owner retain Universal Engineering Sciences to perform construction materials tests and observations on this project. Field tests and observations include verification of foundation subgrades by performing quality assurance tests on the placement of compacted structural fill and pavement courses. We can also provide concrete testing, pavement section testing, and general construction observation services.

The geotechnical engineering design does not end with the advertisement of the construction documents. The design is an on-going process throughout construction. Because of our familiarity with the site conditions and the intent of the engineering design, we are most qualified to address problems that might arise during construction in a timely and cost-effective manner.

5.0 REPORT LIMITATIONS

This report has been prepared for the exclusive use of ***Capstone Partners*** and other designated members of their Design/Construction Team associated with the proposed construction for the specific project discussed in this report. No other site or project facilities should be designed using the soil information contained in this report. As such, UES will not be responsible for the performance of any other site improvement designed using the data in this report.

This report should not be relied upon for final design recommendations or professional opinions by unauthorized third parties without the expressed written consent of UES. Unauthorized third parties that rely upon the information contained herein without the expressed written consent of UES assume all risk and liability for such reliance.

The recommendations submitted in this report have been based upon the data obtained from the soil borings performed at the locations indicated on the Boring Location Plan and from other information as referenced. This report does not reflect any variations which may occur between the boring locations. The nature and extent of such variations may not become evident until the course of construction. If variations become evident, it will then be necessary for a re-evaluation of the recommendations of this report after performing on-site observations during the construction period and noting the characteristics of the variations.

Borings for a typical geotechnical report are widely spaced and generally not sufficient for reliably detecting the presence of isolated, anomalous surface or subsurface conditions, or reliably estimating unsuitable or suitable material quantities. Accordingly, UES does not recommend relying on our boring information for estimation of material quantities unless our contracted services specifically include sufficient exploration for such purpose(s) and within the report we so state that the level of exploration provided should be sufficient to detect anomalous conditions or estimate such quantities. Therefore, UES will not be responsible for any extrapolation or use of our data by others beyond the purpose(s) for which it is applicable or intended.

All users of this report are cautioned that there was no requirement for UES to attempt to locate any man-made buried objects or identify any other potentially hazardous conditions that may exist at the site during the course of this exploration. Therefore, no attempt was made by UES to locate or identify such concerns. UES cannot be responsible for any buried man-made objects or environmental hazards which may be subsequently encountered during construction that are not discussed within the text of this report. We can provide this service if requested.

During the early stages of most construction projects, geotechnical issues not addressed in this report may arise. Because of the natural limitations inherent in working with the subsurface, it is not possible for a Geotechnical Engineer to predict and address all possible problems. A Geotechnical Business Council (GBC) document entitled "Important Information About Your Geotechnical Engineering Report" appears in Appendix D, and will help explain the nature of geotechnical issues. Further, we present a document in Appendix D, entitled

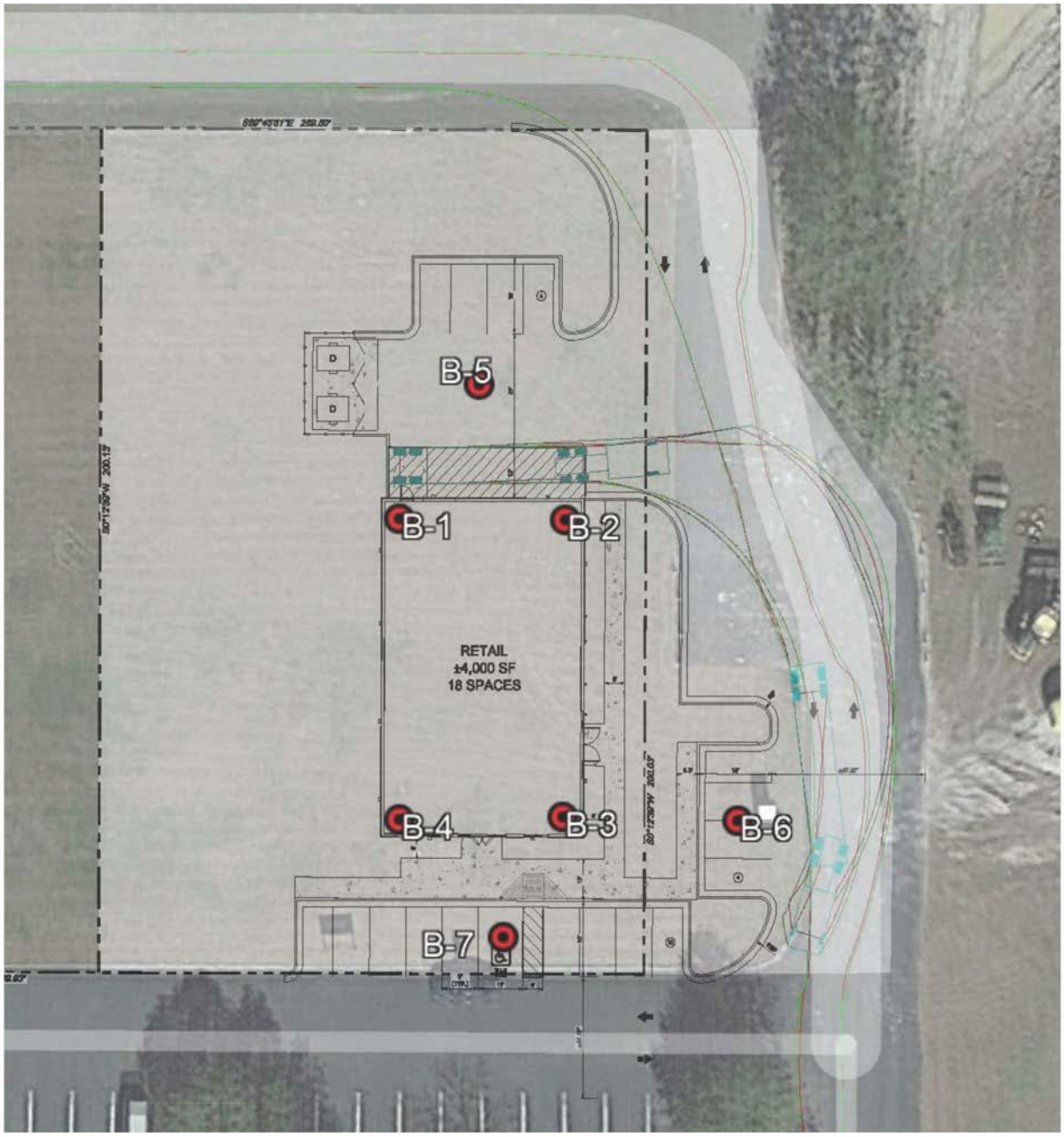
"Constraints and Restrictions", to bring to your attention the potential concerns and the basic limitations of a typical geotechnical report.

* * * * * * * * * * * * * *

APPENDIX A

UES

~~2024-463A~~



LEGEND

BORING LOCATION

NOTE: ALL BORING LOCATIONS SHOWN ARE APPROXIMATE.

N

UES

SHERWIN WILLIAMS
5725 NW 34TH BOULEVARD
GAINESVILLE, FLORIDA

BORING LOCATION PLAN

DRAWN BY:	KD	DATE:	9/15/23	CHECKED BY:	KB	DATE:	9/15/23
SCALE:	NTS	PROJECT NO:	0230.2300098.0000	REPORT NO.:	2039943	PAGE NO:	A - 1

0230.2300098-A

UNIVERSAL ENGINEERING SCIENCES
BORING LOG

2024-463A

PROJECT NO.: 0266.2300098.0000
REPORT NO.: 2039943
PAGE: A-2

PROJECT: PROPOSED SHERWIN WILLIAMS
5725 NW 34TH BOULEVARD
GAINESVILLE, FLORIDA

BORING DESIGNATION: **B-1** SHEET: **1 of 1**
SECTION: TOWNSHIP: RANGE:

CLIENT: CAPSTONE PARTNERS

LOCATION: SEE BORING LOCATION PLAN

REMARKS:

G.S. ELEVATION (ft):
WATER TABLE (ft): 2.5
DATE OF READING: 9/8/23
EST. W.S.W.T. (ft): 1.5

DATE STARTED: 9/8/23
DATE FINISHED: 9/8/23
DRILLED BY: M. BOATRIGHT
TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	SAMPLE	BLOWS PER 6" INCREMENT	N VALUE	W.T.	SYMBOL	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS LL	ATTERBERG LIMITS PI	K (FT./ DAY)	ORGANIC CONTENT (%)
0						Medium dense brown silty SAND [SM]						
1				▽								
2		2-6-7	13	▼		Medium dense light gray silty SAND [SM]						
3						Loose dark brown silty SAND [SM]						
4		8-8-6	14			Loose to medium dense light brown clayey SAND, with silt [SC]	14	14				
5		4-6-3	9									
6												
7		3-6-8	14			Medium dense gray clayey SAND [SC]						
8		9-12-17	29				29	16				
9												
10		4-10-14	24									
11												
12						Very soft green and orange sandy CLAY [CL], trace rock fragments						
13												
14												
15		2-1/12"	1/12"									
16						Loose green slightly phosphatic very clayey SAND [SC], with limerock fragments						
17												
18												
19												
20		2-3-6	9			Boring Terminated at 20'						

NEW LOGO BORING LOG SHERWIN WILLIAMS.GPJ GAINESVILLE TEMPLATE.GDT 9/15/23

UNIVERSAL ENGINEERING SCIENCES
BORING LOG

2024-463A

PROJECT NO.: 0266.2300098.0000
REPORT NO.: 2039943
PAGE: A-3

PROJECT: PROPOSED SHERWIN WILLIAMS
5725 NW 34TH BOULEVARD
GAINESVILLE, FLORIDA

BORING DESIGNATION: **B-2** SHEET: **1 of 1**
SECTION: TOWNSHIP: RANGE:

CLIENT: CAPSTONE PARTNERS
LOCATION: SEE BORING LOCATION PLAN
REMARKS:

G.S. ELEVATION (ft):
WATER TABLE (ft): 6.5
DATE OF READING: 8/29/23
EST. W.S.W.T. (ft): 1.5

DATE STARTED: 8/29/23
DATE FINISHED: 8/29/23
DRILLED BY: S. HILLIGOSS
TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	SAMPLE	BLOWS PER 6" INCREMENT	N VALUE	W.T.	SYMBOL	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS LL	ATTERBERG LIMITS PI	K (FT./ DAY)	ORGANIC CONTENT (%)
0						Dark brown silty SAND [SM]						
1				▽		Medium dense brown and tan SAND, with silt [SP-SM]						
2		1-5-7	12			Medium dense brown and light brown silty SAND [SM]						
3						Medium dense tan and light brown silty SAND [SM]						
4		8-8-6	14			Medium dense brown clayey SAND, with silt [SC] and wood (Possible Root)	13	12				
5		4-4-8	12			Medium dense brown silty SAND [SM]						
6				▼								
7		8-6-5	11			Dense gray very clayey SAND [SC]						
8		6-11-20	31									
9												
10		17-18-22	40									
11												
12												
13												
14						Loose green clayey SAND [SC]						
15		3-4-5	9									
16												
17												
18												
19						Medium dense light green clayey SAND [SC], trace limestone fragments						
20		10-14-13	27			Boring Terminated at 20'						

NEW LOGO BORING LOG SHERWIN WILLIAMS.GPJ GAINESVILLE TEMPLATE.GDT 9/15/23

UNIVERSAL ENGINEERING SCIENCES
BORING LOG

PROJECT NO.:	2024.463A.2300098.0000
REPORT NO.:	2039943
PAGE:	A-4

PROJECT: PROPOSED SHERWIN WILLIAMS
5725 NW 34TH BOULEVARD
GAINESVILLE, FLORIDA

BORING DESIGNATION: **B-3** SHEET: **1 of 1**
SECTION: TOWNSHIP: RANGE:

CLIENT: CAPSTONE PARTNERS

LOCATION: SEE BORING LOCATION PLAN

REMARKS:

G.S. ELEVATION (ft):
WATER TABLE (ft): 2.5
DATE OF READING: 9/8/23
EST. W.S.W.T. (ft): 1.5

DATE STARTED: 9/8/23
DATE FINISHED: 9/8/23
DRILLED BY: M. BOATRIGHT
TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	SAMPLE	BLOWS PER 6" INCREMENT	N VALUE	W.T.	SYMBOL	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS LL	ATTERBERG LIMITS PI	K (FT./ DAY)	ORGANIC CONTENT (%)
0												
1				▽		Loose brown silty SAND [SM]						
2		3-2-4	6	▼								
3						Medium dense gray silty SAND [SM]	13	14				
4		6-7-7	14			Medium dense dark brown and gray silty SAND [SM]						
5		8-7-8	15			Medium dense dark brown silty SAND [SM]						
6						Medium dense brown silty SAND [SM]						
7		8-9-13	22			Dense light brown silty SAND [SM]	13	12				
8		15-18-12	30			Dense to very dense gray clayey SAND [SC]	16	12				
9												
10		13-24-30	54									
11												
12						Stiff green and orange sandy CLAY [CH]						
13												
14												
15		4-5-7	12									
16						Stiff green and gray sandy CLAY [CL], trace phosphate						
17												
18												
19												
20		4-4-5	9			Boring Terminated at 20'						

NEW LOGO BORING LOG SHERWIN WILLIAMS.GPJ GAINESVILLE TEMPLATE.GDT 9/15/23

UNIVERSAL ENGINEERING SCIENCES
BORING LOG

2024-463A

PROJECT NO.: 0266.2300098.0000
REPORT NO.: 2039943
PAGE: A-5

PROJECT: PROPOSED SHERWIN WILLIAMS
5725 NW 34TH BOULEVARD
GAINESVILLE, FLORIDA

BORING DESIGNATION: **B-4** SHEET: **1 of 1**
SECTION: TOWNSHIP: RANGE:

CLIENT: CAPSTONE PARTNERS

LOCATION: SEE BORING LOCATION PLAN

REMARKS:

G.S. ELEVATION (ft):
WATER TABLE (ft): 2.5
DATE OF READING: 9/8/23
EST. W.S.W.T. (ft): 1.5

DATE STARTED: 9/8/23
DATE FINISHED: 9/8/23
DRILLED BY: M. BOATRIGHT
TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	SAMPLE	BLOWS PER 6" INCREMENT	N VALUE	W.T.	SYMBOL	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS LL	ATTERBERG LIMITS PI	K (FT./ DAY)	ORGANIC CONTENT (%)
0												
1				▽		Loose brown silty SAND [SM]						
2		2-2-3	5	▼		Loose dark brown silty SAND [SM]						
3						Medium dense gray SAND, with silt [SP-SM]						
4		8-8-7	15									
5						Loose dark brown silty SAND [SM]						
		4-3-4	7			Loose brown SAND, with silt [SP-SM]						
6												
7		3-3-5	8			Loose to dense gray very clayey SAND [SC]						
8		12-17-20	37									
9												
10		15-15-16	31									
11						Stiff green slightly phosphatic sandy CLAY [CL]						
12												
13												
14												
15		2-5-7	12									
16						Loose green phosphatic clayey SAND [SC]						
17												
18												
19												
20		3-3-4	7			Boring Terminated at 20'						

NEW LOGO BORING LOG SHERWIN WILLIAMS.GPJ GAINESVILLE TEMPLATE.GDT 9/15/23

UNIVERSAL ENGINEERING SCIENCES
BORING LOG

2024-463A

PROJECT NO.:	0266.2300098.0000
REPORT NO.:	2039943
PAGE:	A-6

PROJECT: PROPOSED SHERWIN WILLIAMS
5725 NW 34TH BOULEVARD
GAINESVILLE, FLORIDA

BORING DESIGNATION: **B-5** SHEET: **1 of 1**
SECTION: TOWNSHIP: RANGE:

CLIENT: CAPSTONE PARTNERS

LOCATION: SEE BORING LOCATION PLAN

REMARKS:

G.S. ELEVATION (ft):
WATER TABLE (ft): 2.5
DATE OF READING: 9/8/23
EST. W.S.W.T. (ft): 1.5

DATE STARTED: 9/8/23
DATE FINISHED: 9/8/23
DRILLED BY: M. BOATRIGHT
TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	SAMPLE	BLOWS PER 6" INCREMENT	N VALUE	W.T.	SYMBOL	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS LL	ATTERBERG LIMITS PI	K (FT./ DAY)	ORGANIC CONTENT (%)
0												
1				▽		Brown SAND, with silt [SP-SM]						
						Dark brown SAND, with silt [SP-SM]						
2		1-6-9	15	▼		Medium dense light gray silty SAND [SM]						
3												
4		11-10-6	16			Medium dense dark brown silty SAND [SM]						
5		4-6-4	10			Medium dense light brown clayey SAND [SC]						
6						Medium dense light brown SAND, with silt [SP-SM]						
						Boring Terminated at 6'						

NEW LOGO BORING LOG SHERWIN WILLIAMS.GPJ GAINESVILLE TEMPLATE.GDT 9/15/23

UNIVERSAL ENGINEERING SCIENCES
BORING LOG

PROJECT NO.:	2024-463A.0000.2300098.0000
REPORT NO.:	2039943
PAGE:	A-7

PROJECT: PROPOSED SHERWIN WILLIAMS
5725 NW 34TH BOULEVARD
GAINESVILLE, FLORIDA

BORING DESIGNATION: **B-6** SHEET: **1 of 1**
SECTION: TOWNSHIP: RANGE:

CLIENT: CAPSTONE PARTNERS

LOCATION: SEE BORING LOCATION PLAN

REMARKS:

G.S. ELEVATION (ft):
WATER TABLE (ft): 2.5
DATE OF READING: 9/8/23
EST. W.S.W.T. (ft): 1.5

DATE STARTED: 9/8/23
DATE FINISHED: 9/8/23
DRILLED BY: M. BOATRIGHT
TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	SAMPLE	BLOWS PER 6" INCREMENT	N VALUE	W.T.	SYMBOL	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS LL	ATTERBERG LIMITS PI	K (FT./ DAY)	ORGANIC CONTENT (%)
0												
1				▽		Medium dense brown SAND, with silt and lenses of clayey sand [SC]						
2		2-4-6	10	▼		Medium dense gray SAND, with silt [SP-SM]						
3												
4		6-5-5	10			Medium dense gray and brown SAND, with silt [SP-SM]						
5		4-5-7	12			Medium dense brown silty SAND [SM]						
6						Boring Terminated at 6'						

UNIVERSAL ENGINEERING SCIENCES
BORING LOG

PROJECT NO.:	2024-463A 0238.2300098.0000
REPORT NO.:	2039943
PAGE:	A-8

PROJECT: PROPOSED SHERWIN WILLIAMS
5725 NW 34TH BOULEVARD
GAINESVILLE, FLORIDA

BORING DESIGNATION: **B-7** SHEET: **1 of 1**
SECTION: TOWNSHIP: RANGE:

CLIENT: CAPSTONE PARTNERS

LOCATION: SEE BORING LOCATION PLAN

REMARKS:

G.S. ELEVATION (ft):
WATER TABLE (ft): 2.5
DATE OF READING: 9/8/23
EST. W.S.W.T. (ft): 1.5

DATE STARTED: 9/8/23
DATE FINISHED: 9/8/23
DRILLED BY: M. BOATRIGHT
TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	SAMPLE	BLOWS PER 6" INCREMENT	N VALUE	W.T.	SYMBOL	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS LL	ATTERBERG LIMITS PI	K (FT./ DAY)	ORGANIC CONTENT (%)
0												
1				▽		Very loose brown silty SAND [SM]						
2		1-1-1	2	▼		Very loose dark brown and gray silty SAND [SM]						
3						Loose dark brown silty SAND [SM]	13	18				
4		2-2-3	5			Loose gray and brown silty SAND [SM]						
5						Loose light brown silty SAND [SM]						
		3-2-2	4			Loose light brown silty SAND [SM]						
6						Boring Terminated at 6'						

NEW LOGO BORING LOG SHERWIN WILLIAMS.GPJ GAINESVILLE TEMPLATE.GDT 9/15/23

2024-463A

KEY TO BORING LOGS

SYMBOLS AND ABBREVIATIONS

SYMBOL	DESCRIPTION
N-Value	No. of Blows of a 140-lb. Weight Falling 30 Inches Required to Drive a Standard Spoon 1 Foot
WOR	Weight of Drill Rods
WOH	Weight of Drill Rods and Hammer
	Sample from Auger Cuttings
	Standard Penetration Test Sample
	Thin-wall Shelby Tube Sample (Undisturbed Sampler Used)
RQD	Rock Quality Designation
	Stabilized Groundwater Level
	Seasonal High Groundwater Level (also referred to as the W.S.W.T.)
NE	Not Encountered
GNE	Groundwater Not Encountered
BT	Boring Terminated
-200 (%)	Fines Content or % Passing No. 200 Sieve
MC (%)	Moisture Content
LL	Liquid Limit (Atterberg Limits Test)
PI	Plasticity Index (Atterberg Limits Test)
NP	Non-Plastic (Atterberg Limits Test)
K	Coefficient of Permeability
Org. Cont.	Organic Content
G.S. Elevation	Ground Surface Elevation

UNIFIED SOIL CLASSIFICATION SYSTEM

MAJOR DIVISIONS			GROUP SYMBOLS	TYPICAL NAMES
COARSE GRAINED SOILS More than 50% retained on the No. 200 sieve*	GRAVELS 50% or more of coarse fraction retained on No. 4 sieve	CLEAN GRAVELS	GW	Well-graded gravels and gravel-sand mixtures, little or no fines
			GP	Poorly graded gravels and gravel-sand mixtures, little or no fines
		GRAVELS WITH FINES	GM	Silty gravels and gravel-sand-silt mixtures
			GC	Clayey gravels and gravel-sand-clay mixtures
	SANDS More than 50% of coarse fraction passes No. 4 sieve	CLEAN SANDS 5% or less passing No. 200 sieve	SW**	Well-graded sands and gravelly sands, little or no fines
			SP**	Poorly graded sands and gravelly sands, little or no fines
		SANDS with 12% or more passing No. 200 sieve	SM**	Silty sands, sand-silt mixtures
			SC**	Clayey sands, sand-clay mixtures
FINE-GRAINED SIOLS 50% or more passes the No. 200 sieve*	SILTS AND CLAYS Liquid limit 50% or less		ML	Inorganic silts, very fine sands, rock flour, silty or clayey fine sands
			CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, lean clays
			OL	Organic silts and organic silty clays of low plasticity
	SILTS AND CLAYS Liquid limit greater than 50%		MH	Inorganic silts, micaceous or diamicaceous fine sands or silts, elastic silts
			CH	Inorganic clays or clays of high plasticity, fat clays
			OH	Organic clays of medium to high plasticity
			PT	Peat, muck and other highly organic soils

*Based on the material passing the 3-inch (75 mm) sieve
** Use dual symbol (such as SP-SM and SP-SC) for soils with more than 5% but less than 12% passing the No. 200 sieve

RELATIVE DENSITY
(Sands and Gravels)
Very loose – Less than 4 Blow/Foot
Loose – 4 to 10 Blows/Foot
Medium Dense – 11 to 30 Blows/Foot
Dense – 31 to 50 Blows/Foot
Very Dense – More than 50 Blows/Foot

CONSISTENCY
(Silts and Clays)
Very Soft – Less than 2 Blows/Foot
Soft – 2 to 4 Blows/Foot
Firm – 5 to 8 Blows/Foot
Stiff – 9 to 15 Blows/Foot
Very Stiff – 16 to 30 Blows/Foot
Hard – More than 30 Blows/Foot

RELATIVE HARDNESS
(Limestone)
Soft – 100 Blows for more than 2 Inches
Hard – 100 Blows for less than 2 Inches

MODIFIERS

These modifiers Provide Our Estimate of the Amount of Minor Constituents (Silt or Clay Size Particles) in the Soil Sample
Trace – 5% or less
With Silt or With Clay – 6% to 11%
Silty or Clayey – 12% to 30%
Very Silty or Very Clayey – 31% to 50%

These Modifiers Provide Our Estimate of the Amount of Organic Components in the Soil Sample
Trace – Less than 3%
Few – 3% to 4%
Some – 5% to 8%
Many – Greater than 8%

These Modifiers Provide Our Estimate of the Amount of Other Components (Shell, Gravel, Etc.) in the Soil Sample
Trace – 5% or less
Few – 6% to 12%
Some – 13% to 30%
Many – 31% to 50%

APPENDIX B

UES

2024-463A

Important Information about This

Geotechnical-Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

Geotechnical Services Are Performed for Specific Purposes, Persons, and Projects

Geotechnical engineers structure their services to meet the specific needs of their clients. A geotechnical-engineering study conducted for a civil engineer may not fulfill the needs of a constructor — a construction contractor — or even another civil engineer. Because each geotechnical- engineering study is unique, each geotechnical-engineering report is unique, prepared *solely* for the client. No one except you should rely on this geotechnical-engineering report without first conferring with the geotechnical engineer who prepared it. *And no one — not even you* — should apply this report for any purpose or project except the one originally contemplated.

Read the Full Report

Serious problems have occurred because those relying on a geotechnical-engineering report did not read it all. Do not rely on an executive summary. Do not read selected elements only.

Geotechnical Engineers Base Each Report on a Unique Set of Project-Specific Factors

Geotechnical engineers consider many unique, project-specific factors when establishing the scope of a study. Typical factors include: the client's goals, objectives, and risk-management preferences; the general nature of the structure involved, its size, and configuration; the location of the structure on the site; and other planned or existing site improvements, such as access roads, parking lots, and underground utilities. Unless the geotechnical engineer who conducted the study specifically indicates otherwise, do not rely on a geotechnical-engineering report that was:

- not prepared for you;
- not prepared for your project;
- not prepared for the specific site explored; or
- completed before important project changes were made.

Typical changes that can erode the reliability of an existing geotechnical-engineering report include those that affect:

- the function of the proposed structure, as when it's changed from a parking garage to an office building, or from a light-industrial plant to a refrigerated warehouse;
- the elevation, configuration, location, orientation, or weight of the proposed structure;
- the composition of the design team; or
- project ownership.

As a general rule, *always* inform your geotechnical engineer of project changes—even minor ones—and request an assessment of their impact. *Geotechnical engineers cannot accept responsibility or liability for problems that occur because their reports do not consider developments of which they were not informed.*

Subsurface Conditions Can Change

A geotechnical-engineering report is based on conditions that existed at the time the geotechnical engineer performed the study. *Do not rely on a geotechnical-engineering report whose adequacy may have been affected by*: the passage of time; man-made events, such as construction on or adjacent to the site; or natural events, such as floods, droughts, earthquakes, or groundwater fluctuations. *Contact the geotechnical engineer before applying this report to determine if it is still reliable.* A minor amount of additional testing or analysis could prevent major problems.

Most Geotechnical Findings Are Professional Opinions

Site exploration identifies subsurface conditions only at those points where subsurface tests are conducted or samples are taken. Geotechnical engineers review field and laboratory data and then apply their professional judgment to render an opinion about subsurface conditions throughout the site. Actual subsurface conditions may differ — sometimes significantly — from those indicated in your report. Retaining the geotechnical engineer who developed your report to provide geotechnical-construction observation is the most effective method of managing the risks associated with unanticipated conditions.

A Report's Recommendations Are Not Final

Do not overrely on the confirmation-dependent recommendations included in your report. *Confirmation-dependent recommendations are not final,* because geotechnical engineers develop them principally from judgment and opinion. Geotechnical engineers can finalize their recommendations *only* by observing actual subsurface conditions revealed during construction. *The geotechnical engineer who developed your report cannot assume responsibility or liability for the report's confirmation-dependent recommendations if that engineer does not perform the geotechnical-construction observation required to confirm the recommendations' applicability.*

A Geotechnical-Engineering Report Is Subject to Misinterpretation

Other design-team members' misinterpretation of geotechnical-engineering reports has resulted in costly

problems. Confront that risk by having your geotechnical engineer confer with appropriate members of the design team after submitting the report. Also retain your geotechnical engineer to review pertinent elements of the design team's plans and specifications. Constructors can also misinterpret a geotechnical-engineering report. Confront that risk by having your geotechnical engineer participate in prebid and preconstruction conferences, and by providing geotechnical construction observation.

Do Not Redraw the Engineer's Logs

Geotechnical engineers prepare final boring and testing logs based upon their interpretation of field logs and laboratory data. To prevent errors or omissions, the logs included in a geotechnical-engineering report should *never* be redrawn for inclusion in architectural or other design drawings. Only photographic or electronic reproduction is acceptable, *but recognize that separating logs from the report can elevate risk.*

Give Constructors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can make constructors liable for unanticipated subsurface conditions by limiting what they provide for bid preparation. To help prevent costly problems, give constructors the complete geotechnical-engineering report, *but* preface it with a clearly written letter of transmittal. In that letter, advise constructors that the report was not prepared for purposes of bid development and that the report's accuracy is limited; encourage them to confer with the geotechnical engineer who prepared the report (a modest fee may be required) and/or to conduct additional study to obtain the specific types of information they need or prefer. A prebid conference can also be valuable. *Be sure constructors have sufficient time* to perform additional study. Only then might you be in a position to give constructors the best information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions.

Read Responsibility Provisions Closely

Some clients, design professionals, and constructors fail to recognize that geotechnical engineering is far less exact than other engineering disciplines. This lack of understanding has created unrealistic expectations that have led to disappointments, claims, and disputes. To help reduce the risk of such outcomes, geotechnical engineers commonly include a variety of explanatory provisions in their reports. Sometimes labeled "limitations," many of these provisions indicate where geotechnical engineers' responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should respond fully and frankly.

Environmental Concerns Are Not Covered

The equipment, techniques, and personnel used to perform an *environmental* study differ significantly from those used to perform a *geotechnical* study. For that reason, a geotechnical-engineering report does not usually relate any environmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated environmental problems have led to numerous project failures.* If you have not yet obtained your own environmental information, ask your geotechnical consultant for risk-management guidance. *Do not rely on an environmental report prepared for someone else.*

Obtain Professional Assistance To Deal with Mold

Diverse strategies can be applied during building design, construction, operation, and maintenance to prevent significant amounts of mold from growing on indoor surfaces. To be effective, all such strategies should be devised for the *express purpose* of mold prevention, integrated into a comprehensive plan, and executed with diligent oversight by a professional mold-prevention consultant. Because just a small amount of water or moisture can lead to the development of severe mold infestations, many mold- prevention strategies focus on keeping building surfaces dry. While groundwater, water infiltration, and similar issues may have been addressed as part of the geotechnical- engineering study whose findings are conveyed in this report, the geotechnical engineer in charge of this project is not a mold prevention consultant; *none of the services performed in connection with the geotechnical engineer's study were designed or conducted for the purpose of mold prevention. Proper implementation of the recommendations conveyed in this report will not of itself be sufficient to prevent mold from growing in or on the structure involved.*

Rely, on Your GBC-Member Geotechnical Engineer for Additional Assistance

Membership in the Geotechnical Business Council of the Geoprofessional Business Association exposes geotechnical engineers to a wide array of risk-confrontation techniques that can be of genuine benefit for everyone involved with a construction project. Confer with you GBC-Member geotechnical engineer for more information.

GEOTECHNICAL BUSINESS COUNCIL
of the Geoprofessional Business Association

8811 Colesville Road/Suite G106, Silver Spring, MD 20910
Telephone: 301/565-2733 Facsimile: 301/589-2017
e-mail: info@geoprofessional.org www.geoprofessional.org

CONSTRAINTS & RESTRICTIONS

2024-463A

The intent of this document is to bring to your attention the potential concerns and the basic limitations of a typical geotechnical report.

WARRANTY

Universal Engineering Sciences has prepared this report for our client for his exclusive use, in accordance with generally accepted soil and foundation engineering practices, and makes no other warranty either expressed or implied as to the professional advice provided in the report.

UNANTICIPATED SOIL CONDITIONS

The analysis and recommendations submitted in this report are based upon the data obtained from soil borings performed at the locations indicated on the Boring Location Plan. This report does not reflect any variations which may occur between these borings.

The nature and extent of variations between borings may not become known until excavation begins. If variations appear, we may have to re-evaluate our recommendations after performing on-site observations and noting the characteristics of any variations.

CHANGED CONDITIONS

We recommend that the specifications for the project require that the contractor immediately notify Universal Engineering Sciences, as well as the owner, when subsurface conditions are encountered that are different from those present in this report.

No claim by the contractor for any conditions differing from those anticipated in the plans, specifications, and those found in this report, should be allowed unless the contractor notifies the owner and Universal Engineering Sciences of such changed conditions. Further, we recommend that all foundation work and site improvements be observed by a representative of Universal Engineering Sciences to monitor field conditions and changes, to verify design assumptions and to evaluate and recommend any appropriate modifications to this report.

MISINTERPRETATION OF SOIL ENGINEERING REPORT

Universal Engineering Sciences is responsible for the conclusions and opinions contained within this report based upon the data relating only to the specific project and location discussed herein. If the conclusions or recommendations based upon the data presented are made by others, those conclusions or recommendations are not the responsibility of Universal Engineering Sciences.

CHANGED STRUCTURE OR LOCATION

This report was prepared in order to aid in the evaluation of this project and to assist the architect or engineer in the design of this project. If any changes in the design or location of the structure as outlined in this report are planned, or if any structures are included or added that are not discussed in the report, the conclusions and recommendations contained in this report shall not be considered valid unless the changes are reviewed and the conclusions modified or approved by Universal Engineering Sciences.

USE OF REPORT BY BIDDERS

Bidders who are examining the report prior to submission of a bid are cautioned that this report was prepared as an aid to the designers of the project and it may affect actual construction operations.

Bidders are urged to make their own soil borings, test pits, test caissons or other investigations to determine those conditions that may affect construction operations. Universal Engineering Sciences cannot be responsible for any interpretations made from this report or the attached boring logs with regard to their adequacy in reflecting subsurface conditions which will affect construction operations.

STRATA CHANGES

Strata changes are indicated by a definite line on the boring logs which accompany this report. However, the actual change in the ground may be more gradual. Where changes occur between soil samples, the location of the change must necessarily be estimated using all available information and may not be shown at the exact depth.

OBSERVATIONS DURING DRILLING

Attempts are made to detect and/or identify occurrences during drilling and sampling, such as: water level, boulders, zones of lost circulation, relative ease or resistance to drilling progress, unusual sample recovery, variation of driving resistance, obstructions, etc.; however, lack of mention does not preclude their presence.

WATER LEVELS

Water level readings have been made in the drill holes during drilling and they indicate normally occurring conditions. Water levels may not have been stabilized at the last reading. This data has been reviewed and interpretations made in this report. However, it must be noted that fluctuations in the level of the groundwater may occur due to variations in rainfall, temperature, tides, and other factors not evident at the time measurements were made and reported. Since the probability of such variations is anticipated, design drawings and specifications should accommodate such possibilities and construction planning should be based upon such assumptions of variations.

LOCATION OF BURIED OBJECTS

All users of this report are cautioned that there was no requirement for Universal Engineering Sciences to attempt to locate any man-made buried objects during the course of this exploration and that no attempt was made by Universal Engineering Sciences to locate any such buried objects. Universal Engineering Sciences cannot be responsible for any buried man-made objects which are subsequently encountered during construction that are not discussed within the text of this report.

TIME

This report reflects the soil conditions at the time of exploration. If the report is not used in a reasonable amount of time, significant changes to the site may occur and additional reviews may be required.

UES

SECTION 1: RESPONSIBILITIES **1.1** *Universal Engineering Sciences, LLC*, and its subsidiaries and affiliated companies ("UES"), is responsible for providing the services described under the Scope of Services. The term "UES" as used herein includes all of UES's agents, employees, professional staff, and subcontractors. **1.2** The Client or a duly authorized representative is responsible for providing UES with a clear understanding of the project nature and scope. The Client shall supply UES with sufficient and adequate information, including, but not limited to, maps, site plans, reports, surveys, plans and specifications, and designs, to allow UES to properly complete the specified services. The Client shall also communicate changes in the nature and scope of the project as soon as possible during performance of the work so that the changes can be incorporated into the work product. **1.3** The Client acknowledges that UES's responsibilities in providing the services described under the Scope of Services section is limited to those services described therein, and the Client hereby assumes any collateral or affiliated duties necessitated by or for those services. Such duties may include, but are not limited to, reporting requirements imposed by any third party such as federal, state, or local entities, the provision of any required notices to any third party, or the securing of necessary permits or permissions from any third parties required for UES's provision of the services so described, unless otherwise agreed upon by both parties in writing.

SECTION 2: STANDARD OF CARE **2.1** Services performed by UES under this Agreement will be conducted in a manner consistent with the level of care and skill ordinarily exercised by members of UES's profession practicing contemporaneously under similar conditions in the locality of the project. No other warranty, express or implied, is made. **2.2** Execution of this document by UES is not a representation that UES has visited the site, become generally familiar with local conditions under which the work is to be performed, or correlated personal observations with the requirements of the Scope of Services. It is the Client's responsibility to provide UES with all information necessary for UES to provide the services described under the Scope of Services, and the Client assumes all liability for information not provided to UES that may affect the quality or sufficiency of the services so described.

SECTION 3: SITE ACCESS AND SITE CONDITIONS **3.1** Client will grant or obtain free access to the site for all equipment and personnel necessary for UES to perform the work set forth in this Agreement. The Client will notify any possessors of the project site that Client has granted UES free access to the site. UES will take reasonable precautions to minimize damage to the site, but it is understood by Client that, in the normal course of work, some damage may occur, and the correction of such damage is not part of this Agreement unless so specified in the Scope of Services. **3.2** The Client is responsible for the accuracy of locations for all subterranean structures and utilities. UES will take reasonable precautions to avoid known subterranean structures, and the Client waives any claim against UES, and agrees to defend, indemnify, and hold UES harmless from any claim or liability for injury or loss, including costs of defense, arising from damage done to subterranean structures and utilities not identified or accurately located. In addition, Client agrees to compensate UES for any time spent or expenses incurred by UES in defense of any such claim with compensation to be based upon UES's prevailing fee schedule and expense reimbursement policy.

SECTION 4: BILLING AND PAYMENT **4.1** UES will submit invoices to Client monthly or upon completion of services. Invoices will show charges for different personnel and expense classifications. **4.2** Payment is due 30 days after presentation of invoice and is past due 31 days from invoice date. Client agrees to pay a finance charge of one and one-half percent (1 ½ %) per month, or the maximum rate allowed by law, on past due accounts. **4.3** If UES incurs any expenses to collect overdue billings on invoices, the sums paid by UES for reasonable attorneys' fees, court costs, UES's time, UES's expenses, and interest will be due and owing by the Client.

SECTION 5: OWNERSHIP AND USE OF DOCUMENTS **5.1** All reports, boring logs, field data, field notes, laboratory test data, calculations, estimates, and other documents prepared by UES, as instruments of service, shall remain the property of UES. Neither Client nor any other entity shall change or modify UES's instruments of service. **5.2** Client agrees that all reports and other work furnished to the Client or his agents, which are not paid for, will be returned upon demand and will not be used by the Client for any purpose. **5.3** UES will retain all pertinent records relating to the services performed for a period of five years following submission of the report or completion of the Scope of Services, during which period the records will be made available to the Client in a reasonable time and manner. **5.4** All reports, boring logs, field data, field notes, laboratory test data, calculations, estimates, and other documents prepared by UES, are prepared for the sole and exclusive use of Client, and may not be given to any other entity, or used or relied upon by any other entity, without the express written consent of UES. Client is the only entity to which UES owes any duty or duties, in contract or tort, pursuant to or under this Agreement.

SECTION 6: DISCOVERY OF UNANTICIPATED HAZARDOUS MATERIALS **6.1** Client represents that a reasonable effort has been made to inform UES of known or suspected hazardous materials on or near the project site. **6.2** Under this agreement, the term hazardous materials include hazardous materials, hazardous wastes, hazardous substances (40 CFR 261.31, 261.32, 261.33), petroleum products, polychlorinated biphenyls, asbestos, and any other material defined by the U.S. EPA as a hazardous material. **6.3** Hazardous materials may exist at a site where there is no reason to believe they are present. The discovery of unanticipated hazardous materials constitutes a changed condition mandating a renegotiation of the scope of work. The discovery of unanticipated hazardous materials may make it necessary for UES to take immediate measures to protect health and safety. Client agrees to compensate UES for any equipment decontamination or other costs incident to the discovery of unanticipated hazardous materials. **6.4** UES will notify Client when unanticipated hazardous materials or suspected hazardous materials are encountered. Client will make any disclosures required by law to the appropriate governing agencies. Client will hold UES harmless for all consequences of disclosures made by UES which are required by governing law. In the event the project site is not owned by Client, Client it is the Client's responsibility to inform the property owner of the discovery of unanticipated hazardous materials or suspected hazardous materials. **6.5** Notwithstanding any other provision of the Agreement, Client waives any claim against UES, and to the maximum extent permitted by law, agrees to defend, indemnify, and save UES harmless from any claim, liability, and/or defense costs for injury or loss arising from UES's discovery of unanticipated hazardous materials or suspected hazardous materials including any costs created by delay of the project and any cost associated with possible reduction of the property's value. Client will be responsible for ultimate disposal of any samples secured by UES which are found to be contaminated.

SECTION 7: RISK ALLOCATION **7.1** Client agrees that UES's liability for any damage on account of any breach of contract, error, omission, or professional negligence will be limited to a sum not to exceed $50,000 or UES's fee, whichever is greater. If Client prefers to have higher limits on contractual or professional liability, UES agrees to increase the limits up to a maximum of $1,000,000.00 upon Client's written request at the time of accepting UES's proposal provided that Client agrees to pay an additional consideration of four percent of the total fee, or $400.00, whichever is greater. If Client prefers a $2,000,000.00 limit on contractual or professional liability, UES agrees to increase the limits up to a maximum of $2,000,000.00 upon Client's written request at the time of accepting UES's proposal provided that Client agrees to pay an additional consideration of four percent of the total fee, or $800.00, whichever is greater. The additional charge for the higher liability limits is because of the greater risk assumed and is not strictly a charge for additional professional liability insurance. **7.2** Client shall not be liable to UES and UES shall not be liable to Client for any incidental, special, or consequential damages (including lost profits, loss of use, and lost savings) incurred by either party due to the fault of the other, regardless of the nature of the fault, or whether it was committed by Client or UES, their employees, agents, or subcontractors; or whether such liability arises in breach of contract or warranty, tort (including negligence), statutory, or any other cause of action. **7.3** As used in this Agreement, the terms "claim" or "claims" mean any claim in contract, tort, or statute alleging negligence, errors, omissions, strict liability, statutory liability, breach of contract, breach of warranty, negligent misrepresentation, or any other act giving rise to liability.

SECTION 8: INSURANCE **8.1** UES represents it and its agents, staff and consultants employed by UES, is and are protected by worker's compensation insurance and that UES has such coverage under public liability and property damage insurance policies which UES deems to be adequate. Certificates for all such policies of insurance shall be provided to Client upon request in writing. Within the limits and conditions of such insurance, UES agrees to indemnify and save Client harmless from and against loss, damage, or liability arising from negligent acts by UES, its agents, staff, and consultants employed by it. UES shall not be responsible for any loss, damage or liability beyond the amounts, limits, and conditions of such insurance or the limits described in Section 7, whichever is less. The Client agrees to defend, indemnify, and save UES harmless for loss, damage or liability arising from acts by Client, Client's agents, staff, and others employed by Client. **8.2** Under no circumstances will UES indemnify Client from or for Client's own actions, negligence, or breaches of contract. **8.3**

To the extent damages are covered by property insurance, Client and UES waive all rights against each other and against the contractors, consultants, agents, and employees of the other for damages, except such rights as they may have to the proceeds of such insurance. **2024-463A**

SECTION 9: DISPUTE RESOLUTION **9.1** All claims, disputes, and other matters in controversy between UES and Client arising out of or in any way related to this Agreement will be submitted to mediation or non-binding arbitration, before and as a condition precedent to other remedies provided by law. **9.2** If a dispute arises and that dispute is not resolved by mediation or non-binding arbitration, then: (a) the claim will be brought in the state or federal courts having jurisdiction where the UES office which provided the service is located; and (b) the prevailing party will be entitled to recovery of all reasonable costs incurred, including staff time, court costs, attorneys' fees, expert witness fees, and other claim related expenses.

SECTION 10: TERMINATION **10.1** This agreement may be terminated by either party upon seven (7) days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof, or in the case of a force majeure event such as terrorism, act of war, public health or other emergency. Such termination shall not be effective if such substantial failure or force majeure has been remedied before expiration of the period specified in the written notice. In the event of termination, UES shall be paid for services performed to the termination notice date plus reasonable termination expenses. **10.2** In the event of termination, or suspension for more than three (3) months, prior to completion of all reports contemplated by the Agreement, UES may complete such analyses and records as are necessary to complete its files and may also complete a report on the services performed to the date of notice of termination or suspension. The expense of termination or suspension shall include all direct costs of UES in completing such analyses, records, and reports.

SECTION 11: REVIEWS, INSPECTIONS, TESTING, AND OBSERVATIONS **11.1** Plan review, private provider inspections, and building inspections are performed for the purpose of observing compliance with applicable building codes. Threshold inspections are performed for the purpose of observing compliance with an approved threshold inspection plan. Construction materials testing ("CMT") is performed to document compliance of certain materials or components with applicable testing standards. UES's performance of plan reviews, private provider inspections, building inspections, threshold inspections, or CMT, or UES's presence on the site of Client's project while performing any of the foregoing activities, is not a representation or warranty by UES that Client's project is free of errors in either design or construction. **11.2** If UES is retained to provide construction monitoring or observation, UES will report to Client any observed work which, in UES's opinion, does not conform to the plans and specifications provided to UES. UES shall have no authority to reject or terminate the work of any agent or contractor of Client. No action, statements, or communications of UES, or UES's site representative, can be construed as modifying any agreement between Client and others. UES's performance of construction monitoring or observation is not a representation or warranty by UES that Client's project is free of errors in either design or construction. **11.3** Neither the activities of UES pursuant to this Agreement, nor the presence of UES or its employees, representatives, or subcontractors on the project site, shall be construed to impose upon UES any responsibility for means or methods of work performance, superintendence, sequencing of construction, or safety conditions at the project site. Client acknowledges that Client or its contractor is solely responsible for project jobsite safety. **11.4** Client is responsible for scheduling all inspections and CMT activities of UES. All testing and inspection services will be performed on a will-call basis. UES will not be responsible for tests and inspections that are not performed due to Client's failure to schedule UES's services on the project, or for any claims or damages arising from tests and inspections that are not scheduled or performed.

SECTION 12: ENVIRONMENTAL ASSESSMENTS Client acknowledges that an Environmental Site Assessment ("ESA") is conducted solely to permit UES to render a professional opinion about the likelihood or extent of regulated contaminants being present on, in, or beneath the site in question at the time services were conducted. No matter how thorough an ESA study may be, findings derived from the study are limited and UES cannot know or state for a fact that a site is unaffected by reportable quantities of regulated contaminants as a result of conducting the ESA study. Even if UES states that reportable quantities of regulated contaminants are not present, Client still bears the risk that such contaminants may be present or may migrate to the site after the ESA study is complete.

SECTION 13: SUBSURFACE EXPLORATIONS **13.1** Client acknowledges that subsurface conditions may vary from those observed at locations where borings, surveys, samples, or other explorations are made, and that site conditions may change with time. Data, interpretations, and recommendations by UES will be based solely on information available to UES at the time of service. UES is responsible for those data, interpretations, and recommendations, but will not be responsible for other parties' interpretations or use of the information developed or provided by UES. **13.2** Subsurface explorations may result in unavoidable cross-contamination of certain subsurface areas, as when a probe or boring device moves through a contaminated zone and links it to an aquifer, underground stream, or other hydrous body not previously contaminated. UES is unable to eliminate totally cross-contamination risk despite use of due care. Since subsurface explorations may be an essential element of UES's services indicated herein, Client shall, to the fullest extent permitted by law, waive any claim against UES, and indemnify, defend, and hold UES harmless from any claim or liability for injury or loss arising from cross-contamination allegedly caused by UES's subsurface explorations. In addition, Client agrees to compensate UES for any time spent or expenses incurred by UES in defense of any such claim with compensation to be based upon UES's prevailing fee schedule and expense reimbursement policy.

SECTION 14: SOLICITATION OF EMPLOYEES Client agrees not to hire UES's employees except through UES. In the event Client hires a UES employee within one year following any project through which Client had contact with said employee, Client shall pay UES an amount equal to one-half of the employee's annualized salary, as liquidated damages, without UES waiving other remedies it may have.

SECTION 15: ASSIGNS Neither Client nor UES may delegate, assign, sublet, or transfer its duties or interest in this Agreement without the written consent of the other party.

SECTION 16: GOVERNING LAW AND SURVIVAL **16.1** This Agreement shall be governed by and construed in accordance with the laws of the jurisdiction in which the UES office performing the services hereunder is located. **16.2** In any of the provisions of this Agreement are held illegal, invalid, or unenforceable, the enforceability of the remaining provisions will not be impaired and will survive. Limitations of liability and indemnities will survive termination of this agreement for any cause.

SECTION 17: INTEGRATION CLAUSE **17.1** This Agreement represents and contains the entire and only agreement and understanding among the parties with respect to the subject matter of this Agreement, and supersedes any and all prior and contemporaneous oral and written agreements, understandings, representations, inducements, promises, warranties, and conditions among the parties. No agreement, understanding, representation, inducement, promise, warranty, or condition of any kind with respect to the subject matter of this Agreement shall be relied upon by the parties unless expressly incorporated herein. **17.2** This Agreement may not be amended or modified except by an agreement in writing signed by the party against whom the enforcement of any modification or amendment is sought.

SECTION 18: WAIVER OF JURY TRIAL Both Client and UES waive trial by jury in any action arising out of or related to this Agreement.

SECTION 19: INDIVIDUAL LIABILTY PURSUANT TO FLORIDA STAT. 558.0035, AN INDIVIDUAL EMPLOYEE OR AGENT OF UES MAY NOT BE HELD INDIVIDUALLY LIABLE FOR NEGLIGENCE.