

POSSIBILITIES FOR AN ADAPTIVE REUSE OF THE HISTORIC BETHEL GARAGE – A FORMER REGIONAL TRANSIT SYSTEM INFORMATION OFFICE



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THE BUILDING

General Building Characteristics

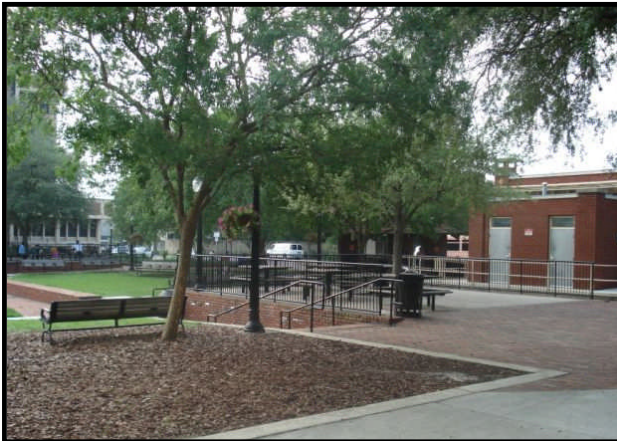
The Regional Transit System ticket office and bus stop at SW 1st Street and SW 1st Avenue is a historic gas station that is known locally as the Bethel Garage. The unique building is characterized by simple lines. It is approximately square with a flat roof and perhaps its most striking feature is the large carport overhang which is supported by two pillars at the southern corners.

The building was recently vacated by the Regional Transit System and is owned by the City of Gainesville. It includes two bathrooms that occupy nearly half of the building's approximately 500 square feet. The third room, which was the main office space when used as a Transit System Information Center, includes additional plumbing for a small sink and water fountain.



Despite its small size, the building boasts four doors, four full size windows and two smaller windows adjacent to the main door. The exterior brick is in generally good condition. However, other exterior features, such as the flat roof and woodwork around doors and windows, will require repairs.

The Site



Bethel Garage sits on one large land parcel that includes The Plaza Park. The area to the north and east of the site is primarily characterized by government office buildings. The area to the south and west of the site is composed of downtown commercial uses including restaurants, clubs and shops.

The downtown Hampton Inn will be constructed directly across the street from the Bethel Garage and hundreds of new

residential units are proposed for the immediate area.

Rehabilitating the Bethel Garage

Potential uses for the Bethel Garage are limited primarily by its size. This study examines reuse of the building as a food and beverage use requiring a full kitchen. However, much of the renovation work required will be necessary regardless of the end use. The following items will need to be addressed to complete an adequate rehabilitation of the historic building:

- Leaking roof
- Damaged tile ceiling
- Inadequate electrical system
- Inadequate air conditioning unit
- Deteriorating exterior woodwork and paint
- Deteriorating bus shelter

Additional work that must be completed to accommodate a food and beverage use includes:

- Upgrading plumbing
- Providing food storage
- Removing one bathroom to accommodate food preparation space needs
- Providing adequate outdoor seating for customers
- Updating the layout of the patio area at the rear of the building

THE MARKET

Market Basics

As a retail project, the Bethel Garage is very small and will have little impact on the overall retail market in Gainesville. Likewise, quantifying the Gainesville retail market at any scale for which data is available will prove almost completely irrelevant. The project will be driven by its immediate surroundings and by the behavior of three main groups; office workers, college students and new downtown residents.

The Bethel Garage site is ideally located to take advantage of daytime downtown office worker demand. Government workers make up the bulk of downtown employment. Alachua County employs more than 800 workers and the City of Gainesville employs about 1900 workers. For the purposes of the Bethel Garage project we are interested only in workers who are located adjacent to the site and likely travel to or around The Plaza on a regular basis.

By estimating the square footage of office buildings close to the site and assuming one office worker per 350 total square feet, one can roughly estimate that about 1000 office workers are within the immediate Bethel Garage “market” during a workday. We will assume there are 260 workdays in a year during the feasibility analysis in the next section.

Nearly 50,000 students attend the University of Florida. It is not unreasonable to assume that about the same number of students will be in the Bethel Garage market area (within a short walk of the site) during late night hours (about 11:00 PM to 2:30 AM) as there are office workers during the day. Also, we will assume the same number of nights out on the town in a year as there are workdays. However, please take note of the following important points articulated by a number of late night patrons and workers:

1. From the perspective of a college student frequenting the downtown, the Bethel Garage site is on the eastern edge of what is considered Downtown. Additionally, when departing from clubs and other establishments, the site is in the opposite direction of most student housing.
2. There are relatively few options for late night food service Downtown.

These two points will likely balance each other out. Late night food service has a greater range of possible sales. The food and beverage use at the Bethel Garage will have to overcome some location disadvantages and the college crowd’s tendency to frequent a few “hot spots.” However, therein lies the great potential of late night food service. Many college towns have a late night establishment that has become an institution of by providing basic late night food service.

New Downtown residents make up the final market demand component. About 800 units are in the pipeline in Downtown. Projects like Jefferson at 2nd Avenue, a student housing oriented project, are high density projects (900 bedrooms) that will put college students much closer to the Bethel Garage site. Other projects are geared toward professionals who work downtown. Additionally, the Hampton Inn project will create temporary downtown residents who are more likely to eat out than permanent residents. Permanent residents will likely form the smallest portion of market demand. It is likely that a relatively high percentage of hotel guests would frequent a food and beverage use at the Bethel Garage site. However, these guests represent a small portion of the total market.

Marketability

There is clearly a large market for food and beverage uses in downtown Gainesville, and the Bethel Garage will be a very small business. The emphasis should not be on whether or not there is a market for this use, because there is. A well run business that appeals to a wide range of people from the office lunchtime crowd, the college student crowd, and the resident crowd should have no problem generating the modest revenue stream necessary to make this a successful business. The marketability of the project is what will ultimately determine the feasibility of a Bethel Garage adaptive reuse. In order to adequately capture market demand from the aforementioned three categories, the following issues must be addressed:

1. Visibility: this is especially important considering restrictions on altering the exterior of a historic structure
2. Food quality and marketability
3. Public safety
4. Accessibility and quality of accommodations

Strategies for Success

The following strategies address the four marketability concerns.

1. Print advertising and signage consistent with the historic character of the building are the likely solutions to visibility problems. This will be a public / private project and the City will be invested in seeing the project succeed. Since government employees happen to be one of the target audiences, it makes sense to use direct advertising, such as several mass emails to government employees, to inform them of the new eatery.
2. It is vitally important that the food and beverage use appeals to a broad range of people. Also, the use must be attractive to two distinct groups of people, office

workers at lunchtime and college students at 2:00 AM. A smoothie or ice cream use would require less upfit, but would not offer office workers a meal nor would it fulfill a late night desire for something heavy and substantial. There are reasons for the ubiquitous pizza joint. A use that provides a simple yet substantial fare will likely be the most successful business for this location. Pizza is not an option due to space constraints. However, numerous options spanning traditional American fare and foreign specialties can provide what potential customers will be seeking.

We recommend the food and beverage use serve standard American fare with enough options on the menu to satisfy most people. However, selection must be balanced against the need for a simple menu do to severe space (storage) constraints at the Bethel Garage. Furthermore, since a familiar genre of food will be used, it is very important that the quality be above average and in some way distinguishable from similar fare at other establishments.

3. Public safety, or the perception of public safety, is an important component of this project. Since this is an outdoor eatery, it is imperative that patrons of the Bethel Garage feel safe in The Plaza. Strategies that enhance the perception of public safety include ensuring there is adequate lighting in the park and, during periods with no public safety incidents, publicizing the success of the Downtown's safety record.

Other subtle strategies, such as creating a wall of potted plants to screen off the Plaza from the Bethel Garage, can act to align the eatery area with the well lit Downtown establishments across the street to the southwest and the soon-to-be built hotel directly across the street. This strategy would not serve to completely block the view or passage into the Park, thereby retaining the benefit of increasing usage of the Plaza while still psychologically separating eaters from activity in The Park.

4. An array of outdoor seating will be necessary to accommodate patrons. Metal tables and chairs are ideal and would need to be chained at night. A permanent locking system that attaches the furniture to metal hardware sunk in concrete could also work. A more expensive option would be permanent seating similar to the tables already installed at the rear of the building.

FINANCIAL FEASIBILITY

The following budget shows necessary budget items to conduct an adaptive reuse of the Bethel Garage into a food and beverage use requiring a grill, grease collection system, and updated plumbing. It is assumed that updates to the electrical and HVAC system would be required regardless of the use. Items shown in blue and underlined are dependent on the final type of use for the project.

HVAC	\$2,850
Roofing	\$2,200
<u>Plumbing</u>	<u>\$13,610</u>
Electrical	\$4,500
Interior / Exterior Repairs	\$7,000
Ceiling and tile repair	\$1,000
Shelter partial demolition	\$2,875
<u>Additional Exterior Seating</u>	<u>\$3,200</u>
<u>Rear patio brickwork</u>	<u>\$3,500</u>
<u>Rear patio remove ramp</u>	<u>\$4,000</u>
Landscaping	\$1,500
<u>Worktop freezer</u>	<u>\$3,600</u>
<u>Profit and Overhead</u>	<u>\$7,475</u>
<u>Contingency @ 5%</u>	<u>\$2,492</u>
<u>Total</u>	<u>\$59,802</u>

This is a total cost for this historic reuse of approximately \$120 per square foot. This is slightly more than one might expect for a renovation of a building this size. However, when considering the size of the building and the significant alterations that will be required to the building and to separate exterior components of the property, the costs are appropriate. Next, we will examine the likely revenue that the project will generate, and therefore be able to estimate appropriate rents for this space.

Using assumptions presented in the market section of this report, we created estimates for the likely revenue that could be generated by this project. The assumptions were as follows:

- 1,000 workers within easy walking distance of the site
- 1,000 college students downtown on an average night while school is in session
- About 800 new residents (including hotel guests) within the market area
- An approximate capture rate of 4% of the total possible market
- A maximum supportable rent equal to 9% of total revenues (10% is considered by many experts to generally be the maximum supportable rent for many businesses)
- \$5.50 spent per patron

The results are shown in the table on the proceeding page.

Annual Revenue for Various Sales Scenarios

Scenario	office lunch number of customers	office annual revenue	late night student number of customers	late night student revenue	number of customers other	revenue other	total revenue	supportable rent @ 9% of revenue
Low Revenue	25	\$ 35,750	20	\$ 28,600	20	\$ 28,600	\$ 92,950	\$ 8,366
Likely Revenue	40	\$ 57,200	40	\$ 57,200	30	\$ 42,900	\$ 157,300	\$ 14,157
High Revenue	65	\$ 92,950	75	\$ 107,250	50	\$ 71,500	\$ 271,700	\$ 24,453
Low Student Revenue	40	\$ 57,200	20	\$ 28,600	40	\$ 57,200	\$ 143,000	\$ 12,870
High Student Revenue	40	\$ 57,200	75	\$ 107,250	40	\$ 57,200	\$ 221,650	\$ 19,949
Low Office Revenue	25	\$ 35,750	40	\$ 57,200	40	\$ 57,200	\$ 150,150	\$ 13,514
High Office Revenue	65	\$ 92,950	40	\$ 57,200	40	\$ 57,200	\$ 207,350	\$ 18,662
Low Other Revenue	40	\$ 57,200	40	\$ 57,200	20	\$ 28,600	\$ 143,000	\$ 12,870
High Other Revenue	40	\$ 57,200	40	\$ 57,200	50	\$ 71,500	\$ 185,900	\$ 16,731

This table demonstrates the sensitivity of revenue to reasonable estimates of the likely range of patrons. It becomes clear that attracting only 10 additional people per category is the difference between a viable business and one that will not survive. Also, only the high revenue scenario met expectations of per-square-foot revenue for a small food and beverage use. These findings suggest a rent of approximately \$24 per foot, or \$1,000 per month would be appropriate for the space. If rent were set at \$24 per square foot, the project would realize a return on investment after approximately five years. The project appears to be feasible, however profit margins are very slim unless the business can capture a substantial share of the office market and overcome obstacles to becoming a staple among college students.

Funding for the Bethel Garage rehabilitation will likely be provided by the CRA or City, but could be provided by a developer or tenant who would be willing to enter into a long-term lease agreement. In the latter scenario the developer or tenant would pay for the rehabilitation and would be compensated for this risk by being allowed to rent the facility at a nominal rate for a long period of time. Obviously a tenant would use the building directly while a developer would sublet the building.

Given the small size of the building and the high turnover rate of small businesses, a developer would be the likely candidate for this type of deal. The City would receive financial benefits in addition to not paying for the rehabilitation up front. For example, public funds would not have to be used to search for a tenant. It is likely that a developer interested in this deal would have a network of likely tenants and would thus be able to more efficiently rent the space. The following table shows when the City or a developer can expect a return on investment given several rent scenarios. Assuming 10 percent of annual rents are used for maintenance or placed in a maintenance reserve, it will take approximately five to seven years to see a return on the initial investment. Therefore, a developer entering into a long-term lease would likely seek a term of at least eight to twelve years to generate a profit and cover risk.

A third option involves subdividing the current parcel and selling the Bethel Garage either before or after the project is complete. Deed restrictions can limit the use of and alterations to the property.

<u>Return of Investment</u>		
Annual Rent	Approximate Price per Square Foot	Years to Return Initial Investment
\$10,000	\$20	6.65
\$12,000	\$24	5.54
\$14,000	\$28	4.75

Assumptions: 1) 10% of annual rents used for maintenance 2) triple net lease (rent includes all expenses) 3) rents increases at same rate as inflation

IMPLEMENTATION STEPS

1. **Begin networking** – This is something the CRA staff already does, but it won't hurt to redouble your efforts early on. This is an unusual project and the tenant will likely be someone local, not a large chain.
2. **Ensure that existing regulations allow project** – The next step is to ensure that all aspects of the project are compatible with current zoning, building codes and regulations for historic buildings. Current zoning of Central City District should allow the project as described in this report. Relevant land development code language is attached in appendix A. Highlighted sections are especially relevant to this project.
3. **Identify likely tenants** – It's best to line up a tenant as early as possible. However, if this isn't possible it is still better to identify likely tenants and make sure the renovations include the upfits they would need.
4. **Explore long-term leasing** – In this case long-term only means between 5 to 12 years if the tenant is footing most of or all of the bill for renovation. An even shorter lease is possible if the tenant is simply filling a small funding gap.
5. **Conduct Rehabilitation**
6. **Sign Tenant**
7. **Assist in marketing new downtown business and new Plaza amenity**

APPENDIX A – LAND DEVELOPMENT CODE

**CODE OF ORDINANCES, CITY OF GAINESVILLE, FL; CODIFIED THROUGH
ORDINANCE NO. 060275, ADOPTED MARCH 26, 2007 (SUPPLEMENT NO. 26)**

PART II CODE OF ORDINANCES

CHAPTER 30, LAND DEVELOPMENT CODE

ARTICLE IV, USE REGULATIONS

DIVISION 4. BUSINESS AND MIXED USE ZONING DISTRICTS

SECTION 30-36: CENTRAL CITY DISTRICT (CCD)

Sec. 30-66. Central city district (CCD).

(a) Purpose. The central city district is established to provide a means to improve the physical, economic, social and cultural character of downtown Gainesville. The ultimate goal of the district is to maintain the downtown as a focal point of the community and a setting for people to live, work, shop and be entertained without leaving the district. This goal will be accomplished by allowing commercial services, professional, administrative, governmental and community services, financial services, entertainment and cultural activities, and medium to high density housing, as individual or mixed land uses, and by providing design standards and guidelines intended to preserve and enhance the downtown's distinctive physical attributes as mandated by the city comprehensive plan.

(b) Objectives.

- (1) Promote the central city district as a focal point of the community by providing for a variety of office, business, public and cultural activities;
- (2) Provide for the development of housing at urban densities
- (3) Provide for cafes and for the conduct of concerts, festivals and other specified activities outside of enclosed buildings;
- (4) Promote the integration of pedestrian traffic with vehicular traffic;
- (5) Encourage the use of design standards and guidelines to promote development and redevelopment which is sensitive to architectural resources, preserves visual quality, enhances visual unity and accommodates pedestrians; and
- (6) Encourage a continuous urban facade along streets, sidewalks and pedestrian ways to maintain a strong urban character.

(c) Permitted uses.

TABLE INSET:

SIC	Uses	Conditions
	USES BY RIGHT:	
	Adult day care homes	In accordance with article VI

	Alcoholic beverage establishments	In accordance with article VI
	Any accessory uses customarily and clearly incidental to any permitted principal use	
	Bed and breakfast establishments	
	Compound uses	
	Day care centers	In accordance with article VI
	Dormitories	In accordance with article VI
	Eating places	Including sidewalk cafes in accordance with this section 30-66(e)
	Farmers markets	In accordance with article VI
	Multifamily dwellings up to 150 units per acre	
	Outdoor cafes	As defined in article II and in accordance with article VI
	Personal fitting and sales of orthopedic or prosthetic appliances	
	Places of religious assembly	In accordance with article VI
	Public service vehicles	In accordance with article VI
	Roominghouses	In accordance with article VI
	Single-family dwellings	
	Structured parking	As regulated by the special area plan for traditional city
	Townhouses	
	Two-family dwellings	
GN-074	Veterinary services	Only within enclosed buildings and in accordance with article VI
IN-0752	Animal specialty services, except veterinary	Only within enclosed buildings
GN-078	Landscape and horticultural services	
MG-	Building construction -	

15	General contractors and operative builders	
MG-17	Construction - Special trade contractors	
IN-2261	Finishers of broadwoven fabrics of cotton	
IN-2262	Finishers of broadwoven fabrics of manmade fiber and silk	
MG-27	Printing, publishing and allied industries	
MG-41	Local and suburban transit and interurban highway passenger transportation	
MG-43	U.S. Postal Service	
GN-472	Arrangement of passenger transportation	
MG-48	Communications	Accessory transmission, retransmission, and microwave towers up to and including 100 feet in height in accordance with article VI
MG-52	Building materials, hardware, garden supply	Excluding mobile home dealers (GN-527)
MG-53	General merchandise stores	
MG-54	Food stores	Excluding gasoline pumps as accessory uses
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishings and equipment stores	
MG-59	Miscellaneous retail	Excluding fuel dealers (GN-598), junkyards and salvage yards
Div. H	Finance, insurance and real estate	Excluding cemetery subdividers and developers (IN-6553)
GN-	Hotels and motels	

701		
MG-72	Personal services	Excluding funeral services and crematories (GN-726)
MG-73	Business services	Excluding disinfecting and pest control services (IN-7342)
MG-76	Miscellaneous repair services	Excluding welding repair (IN-7692) and armature rewinding shops (IN-7694)
MG-78	Motion pictures	Excluding drive-in theaters (IN-7833)
MG-79	Amusement and recreation services	Only within enclosed structures, and excluding go-cart rental and raceway operations
MG-80	Health services	Excluding hospitals (GN-806) and including nursing and personal care facilities (GN-805) in accordance with article VI
MG-81	Legal services	
MG-82	Educational services	Including private schools, in accordance with article VI
GN-832	Individual and family social services	
GN-833	Job training and vocational rehabilitation services	
GN-839	Social services, not elsewhere classified	Excluding rehabilitation centers
MG-84	Museums, art galleries and botanical and zoological gardens	
MG-86	Membership organizations	
MG-87	Engineering, accounting, research, management and related services	Within enclosed buildings
MG-89	Services, not elsewhere classified	
Div. J	Public administration	Excluding correctional institutions (IN-9223)
	USES BY SPECIAL USE PERMIT	
	Accessory transmission,	In accordance with article VI

	retransmission and microwave towers over 100 feet in height	
	Community residential homes over 14 persons	In accordance with article VI
	Emergency shelters	
	Food distribution center for the needy	In accordance with article VI
	Other uses (including light assembly or packaging)	Within completely enclosed structures; no outdoor storage, truck traffic limited to that normal to commercial activities such as grocery stores, loading docks and mechanical equipment must be screened, and sound attenuation shall be provided to any adjacent residential area or area in actual residential use; no access to any residential street; must meet industrial buffers. Storage of hazardous materials in accordance with the county hazardous materials management code
	Rehabilitation centers	In accordance with article VI
	Residences for destitute people	In accordance with article VI
	Social service homes and halfway houses	In accordance with article VI
GN-726	Funeral services and crematories	In accordance with article VI

(d) Dimensional requirements. All principal and accessory structures shall be located and constructed in accordance with the following requirements:

(1) Nonresidential. There are no minimum front side or rear yard setbacks. There are also no minimum lot size, lot width or lot depth requirements.

(2) Single-family dwellings. These structures shall be located on lots meeting the minimum dimensions as shown below. This section is specifically designed to allow for zero lot line housing and other unique single-family designs, as well as conventional single-family housing. It allows for smaller, relatively narrow lots, as compared to other districts permitting single-family use, and provides for flexibility in design concepts that which are compatible with existing uses in the area.

- a. Minimum lot area: 3,600 square feet.
- b. Minimum lot depth: 90 feet.
- c. Minimum yard setbacks: 1
 1. Side: 5 feet (except that, where adjoining lots are developed at the same time under single ownership, one side of each lot may have no yard setback if the setback for the adjoining yard is at least 10 feet).
 2. Rear: 20 feet.
- d. Minimum yard setbacks for accessory structures: 5 feet for rear; same as principal building for sides.

1 See Traditional City overlay for front build-to line.

(3) Two-family dwellings and townhouses.

TABLE INSET:

			Townhouses	Two-Family Dwellings
1.	Minimum lot depth		90 ft.	90 ft.
2.	Minimum lot area		1,800 sq. ft. per unit	3,150 sq. ft.
3.	Minimum yard setbacks: 2			
	i.	Side	10 ft. on ends of row	
	ii.	Rear	15 ft.	20 ft.
4.	Minimum yard setbacks for accessory structures		5 ft. for rear; same as principal building for sides	5 ft. for rear; same as principal building for sides

2 See Traditional City overlay for front build-to line.

(4) Multi-family dwellings. There are no minimum front, side or rear yard setbacks. There are also no minimum lot size, lot width or lot depth requirements.

(5) Maximum building height in CCD for all buildings. 12 stories by right; additional stories by special use permit. In addition to criteria listed at Sec. 30-233, a special use permit for buildings over 12 stories shall be issued only if the following findings are made:

- No more than 150 feet of horizontal first story facade will be allowed without an entrance, which is defined to be an operable door;
- Sidewalks along the street edge shall be at least 10 feet wide;
- There is at least 80% building lot frontage;
- The first story is at least 10 feet in floor to ceiling height; and
- The first story contains only retail, service, and/or restaurant uses when the first story fronts an "A" street or other primary street or streets as determined by the City Manager or designee or appropriate reviewing board.

(e) Additional requirements.

(1) General conditions. All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-67 and article IX, and the Traditional City overlay.

(2) Projections over right-of-way. Projections may, in the CCD, project over any public right-of-way used for sidewalks or other pedestrian walkways when in conformance with the Florida Building Code and, when permitted by the public entity responsible for the right-of-way by the granting of an easement or other appropriate property right.

(3) Sidewalk cafes.

- a. Sidewalk cafes may be operated in conjunction with a permitted principal use provided a license therefor is first issued by the city manager. The city manager is authorized to issue revocable licenses, terminable upon 15 days' notice, for the use of public right-of-way for sidewalk cafes, provided all requirements of this chapter are met, the principal use and sidewalk cafe are in compliance with the requirements of this Code, the owner of the principal use agrees in writing to maintain the portion of the right-of-way where the sidewalk cafe exists, the owner of the principal use agrees in writing to hold the city harmless for any personal injury or property damage resulting from the existence or operation of the sidewalk cafe and the condition and maintenance of the right-of-way upon which it is located, and the owner of the principal use annually furnishes evidence of general liability insurance in the amount of \$100,000.00 per person and \$200,000.00 per occurrence with the city as additional named insured. A license for a sidewalk cafe must be renewed upon the change of ownership of the permitted principal use.
- b. This license shall only permit use of the sidewalk up to 5 feet from the curblineline of the street and from any fire hydrants. A minimum 5-foot wide clear pedestrian path shall be maintained at all times, except where a sidewalk cafe is adjacent to a lane of traffic with no on-street parking, and located on an arterial street. In such cases, a minimum 6-foot wide clear pedestrian path on the sidewalk shall be maintained at all times. A license issued to a sidewalk cafe that serves an eating place, as defined in section 30-23, may include the area adjacent to the curblineline, when adjacent to on-street parking, if there is sufficient public sidewalk to maintain a 5-foot wide clear pedestrian path. The width of a required clear pedestrian path may be increased by the city manager or designee if deemed necessary for pedestrian circulation. No such license shall authorize the use or obstruction of a sidewalk located within the triangular area at the intersection of 2 streets as defined in section 30-341.
- c. Every sidewalk cafe that serves an alcoholic beverage establishment, as defined in section 30-23, shall be defined by an enclosure or barrier of at least 3 feet in height, measured from the ground or sidewalk level, except for an entrance/exit of customary width. If the alcoholic beverage establishment does not operate between the hours of 8:00 a.m. and 6:00 p.m., elements of the enclosure shall not be permanently affixed to the sidewalk, unless otherwise required by a governmental entity. A sidewalk cafe that serves an eating place, as defined in section 30-23, shall not be required to have an enclosure or barrier. If a business owner does not provide a permanent enclosure or barrier to define the area of use, all chairs, tables, elements of the barrier or enclosure and related items shall be moved inside the building for storage when the cafe is closed, or be securely stored adjacent to the building. If enclosures or barriers are provided, they shall be designed to ensure access to the public right-of-way by people with disabilities. Such enclosures or barriers may consist of screens, planters, fencing or other material that defines that area of use. Unless otherwise specified in this section, provided that the business operates four out of seven days a week and is in operation by 6:00 p.m. each business day, such enclosure and other improvements may be permanently affixed to the sidewalk, provided they are removed, and the sidewalk repaired to its original condition, upon termination of the license or abandonment of the sidewalk cafe use. If at any time, parts or part of the enclosure are removed or withdrawn to such an extent that the enclosure is no longer sufficient to meet the requirements stated herein, all obstruction of the right-of-way must be removed. The city manager or designee is authorized to revoke any license issued pursuant to this section if it is determined by the city manager or designee that the licensee has violated the terms of the license agreement or this section.
- d. No heating or cooking of food or open flames shall be allowed in the sidewalk cafe area. (Ord. No. 3777, § 1, 6-10-92; Ord. No. 3918, § 6, 11-15-93; Ord. No. 3947, § 1, 1-24-94; Ord. No. 3963, § 1, 3-14-94; Ord. No. 4075, § 9, 5-8-95; Ord. No. 950862, § 7, 11-13-95; Ord. No. 951420, § 6, 7-8-96; Ord. No. 970449, § 2, 5-11-98; Ord. No. 980273, § 5, 11-9-98; Ord. No. 991153, § 1, 9-11-00; Ord. No. 030752, § 3, 5-10-04; Ord. No. 030762, § 1, 7-12-04)

Cross references: Downtown minimum property standards, § 6-231 et seq.

Sec. 30-67. General provisions for business and mixed use districts.

(a) Development plan approval. Prior to the issuance of a building permit within any business or mixed use district, development plan approval, in accordance with article VII, is required.

(b) Parking. In order to receive and maintain a valid certificate of occupancy within all business or mixed use districts, the parking requirements shall be complied with as set forth in article IX.

(c) Landscaping. In order to receive and maintain a valid certificate of occupancy within all business or mixed use districts, the landscaping requirements shall be complied with as set forth in article VIII.

(d) Signs. In order to receive and maintain a valid certificate of occupancy within all business or mixed use districts, the sign requirements shall be complied with as set forth in article IX.

(e) Flood control. Prior to the issuance of a building permit in any business or mixed use district, the provisions of the flood control district, article VIII, shall be complied with where applicable.

(f) Access to business uses. Where a parcel of property used for nonresidential use in any business or mixed use district abuts more than one street, access from either street to such property will be permitted only if no property in an RSF-1, RSF-2, RSF-3, RSF-4 or RC residential district or shown for single-family residential use on the future land use map of the comprehensive plan lies immediately across such street from such business or mixed use zoned property; provided, however, access may be permitted from any collector or arterial as shown in the comprehensive plan; and provided, further, that one point of access shall be permitted in any case, notwithstanding other provisions of this subsection.

(g) Outdoor storage and sales. All principal uses in any business or mixed use district shall be contained within completely enclosed buildings, except as otherwise specifically provided as a permitted use. When not so specifically provided, outdoor storage or display of goods and commodities not contained within completely enclosed buildings is prohibited, except the following uses under the conditions prescribed herein:

(1) Outdoor promotional sales, special event sales and the sale of seasonal or temporary goods and commodities other than farmers markets. The city manager may issue a permit for the sale of certain goods and commodities which are strictly of a temporary nature, other than for farmers markets, provided the following conditions and requirements are met:

a. Such sales shall not be permitted on public rights-of-way; provided, however, that in areas zoned CCD such sales and displays may be permitted on sidewalks only; and provided, further, that parades and art shows may be permitted on public rights-of-way under such conditions as are otherwise provided by ordinances and policies of the city commission.

b. The sales period for seasonal or temporary goods, such as Christmas trees, shall not exceed 30 days; promotional sales such as characterized by the so-called "midnight madness," "truck sale," "tent sale" or "sidewalk sale" shall not exceed 72 hours; and special event sales such as may be permitted in conjunction with a parade, festival or other such event shall not exceed the specified period approved for such event. No more than one permit per applicant per location shall be issued in any given six-month period for seasonal type sales, and no more than one special use permit per applicant per location shall be issued in any given 60-day period of time for promotional type sales.

c. Application for a permit under the provisions herein shall be examined and approved by the appropriate departments of the city to ensure protection of the public health, safety and general welfare. In addition to normal concerns of each such department, particular attention shall be given to traffic flow and control, auto and pedestrian safety, and the effect which such use and activity will have on surrounding uses, particularly where the adjoining use is residential.

d. When, in the opinion of the city manager, it is deemed necessary, the applicant may be required to post a bond or otherwise provide adequate assurance that the site of the selling activity will be returned to its original or an improved state when the selling activity has ceased.

(2) *Outside accessory display and storage.*

a. The development review board or city plan board at development plan review may authorize accessory display and storage outside of enclosed buildings if specifically requested and designated on a development plan. The proposal must be in accordance with the overall design and conditions of the development plan. If such use is located within 20 feet of a public right-of-way, it shall be enclosed by a screening wall, fence or hedge that is not less in height than two-thirds the height of any equipment or fixtures used or any material stored or offered for sale, and such wall, fence or hedge shall be at least 50 percent opaque. The outdoor storage and display must be clearly incidental or accessory to the principal use of the property and shall be limited to not more than 25 percent of the total stock of the principal use.

b. An independent request (not in connection with an existing request for development plan review) to allow outside accessory display and storage may be permitted by the development review board through the same terms as stated in subsection (g)(2)a. of this section.

(3) *Temporary outdoor alcoholic beverage sales for University of Florida Home Football Game Day events, in the University Context Area.*

The city manager or designee may issue a permit for outdoor alcoholic beverage sales in the University Context Area provided the following conditions and requirements are met:

a. The business conducting the sale must be an existing business in a permanently fixed location operating with an alcoholic beverage license issued by the State of Florida.

b. The temporary sale event must be conducted on the site where the business is located. The site of the temporary sale event must be owned or leased by the business as part of the normal daily operations of the business. Businesses located in a development consisting of several stores sharing the area to be used by the temporary sale event must have the permission of the owner of the development and the consent of the tenants that share the space.

c. The area used for the temporary sales event can not be more than 1.5 times the square footage of the on-site business conducting the sale. Permits for the use of the area will be issued for the period of the day before the football game and the day of the football game.

d. All permit applications must include a site plan sketch showing the location, access, barriers delineating the event site from other public areas and all other details of the site. All permit applications must be submitted to the city manager or designee, along with the fee as set out in Appendix A of this Code at least ten days prior to the event.

e. All permit applications must include a report detailing how many people are expected to attend, the capacity of any proposed temporary structures, whether there will be outdoor entertainment, a plan for the storage and pickup of garbage during and after the sale event, and a public safety plan detailing how the permittee will maintain crowd control and public safety, and comply with the city's noise ordinance.

f. Permit applications shall be examined by the appropriate departments of the city to ensure protection of the public health, safety and general welfare. In addition to normal concerns of each such department, particular attention will be given to traffic flow and

control, auto and pedestrian safety, and the effect that the use and activity will have on surrounding uses, particularly where the adjoining use is residential. The permit may be approved with conditions or denied by the city manager or designee based on these factors.

(h) Shopping centers in business zones. Any nonresidential development within any district, except CCD and MU-2, which consists of 50,000 square feet or more of gross floor area, shall comply with the additional requirements for neighborhood shopping centers as detailed in subsection 30-64(d)(3). Minimum parking requirements for such developments shall be based on either the required parking for the particular use(s) or the requirements as set forth for the shopping centers, whichever is the lesser.

(i) Temporary emergency shelters. Use of buildings in the business and mixed use districts for temporary emergency shelters may be permitted by the city manager or designee, provided the following conditions and requirements are met:

- (1) The city manager or designee finds that a temporary emergency exists due to manmade or natural causes which warrant the temporary use of buildings for shelter.
 - (2) Emergency shelter operation shall be limited to 14 consecutive days and a total of 90 days in a calendar year.
 - (3) Emergency shelters shall not allow more than one person per 30 square feet of net floorspace.
 - (4) Pursuant to city codes and ordinances and approval of the appropriate departments, emergency shelters shall have adequate and safe wiring, running water, restrooms, emergency lighting, smoke detectors and emergency exits.
 - (5) Second and third floors of buildings shall not be used for emergency shelter purposes unless a protected means of egress is provided.
 - (6) If electric power is not initially provided to a building to be used for emergency shelter purposes, such power may be provided to the building pursuant to city codes and ordinances and approval of the appropriate department(s).
- (Ord. No. 3777, § 1, 6-10-92; Ord. No. 3963, § 8, 3-14-94; Ord. No. 970449, § 3, 5-11-98; Ord. No. 000903, § 1, 5-14-01; Ord. No. 020590, § 4, 4-14-03)

APPENDIX B – CONTRACTOR COST ESTIMATES

070321

August 31, 2007

**Bid Proposal Cost Breakdown
for
Bethel Garage Renovation - Gainesville, FL**

HVAC - Bounds Heating & Air, Inc.	\$ 2,850.00
Roofing - David Martin Roofing, Inc.	\$ 2,200.00
Plumbing - Gator Plumbing	\$13,610.00
Electrical - Specialty Wiring	\$ 4,500.00
Exterior / Interior Repairs and Painting - Reber Construction	\$ 7,000.00
Ceiling and Tile Repair - Reber Construction	\$ 1,000.00
Concrete at Shelters - Reber Construction	\$ 6,000.00
Profit and Overhead 15% of total project.	\$ TBD

There is currently no City gas at the location. At this time we did not check for availability. Once we have a set of plans and know what will be occupying the Space it can be further investigated.

REBER CONSTRUCTION
13017 NW 39TH AVENUE
GAINESVILLE, FL 32606
TEL: (352) 665-6653
FAX: (352) 332-1186

070321

BID PROPOSAL

August 27, 2007

Basil Baumann Prost Cole & Associates, Inc.
Attn: Chris Gross
177 Defense Highway, Suite 10
Annapolis, MD 21401

RE: Bethel Garage
Gainesville, FL

Mr. Gross,

As requested, listed below is a breakdown of the bid proposal for the above referenced project.

- ✓ Roof Leaks – Mike Douglas (David Martin Roofing, Inc.) said the building does not need a new roof. The existing roof can be repaired. Please see attached estimate.
- ✓ Exterior and Interior Painting – The paint is peeling on the exterior of the building. We also discovered rotten wood on the East side window that needs to be replaced. The door on the West side also needs repaired. The under side of the carport needs repaired in several places along with being repainted. The estimate for exterior and interior repair and repainting is approximately \$7,000.00
- ✓ Tile Ceiling – The tile ceiling needs to be replaced due to extensive water stains and cupping. We will use fire retardant tile to meet all codes, cost estimate is \$1,000.00
- ✓ 2 Bus Shelters – We recommend pouring the top with concrete, 3' wide and 4" deep with steel, cost estimate \$6,000.00
- ✓ Outdoor Seating – Stools could be added or stand up counter eating. This would be 58' of seating. The stools would have to be able to be chained overnight to prevent theft. Under the carport there is room for tables and chairs seating. Either concrete or metal could be used. Any moveable tables and/or chairs would again have to be chained overnight.

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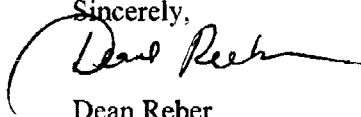
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070321

- ✓ HVAC - A small air conditioning unit in the window will not provide adequate air conditioning for the kitchen area. A new air conditioning system will be required. Please see attached bid from Bounds Heating and Air, Inc.
- ✓ Plumbing - One restroom would be removed in order to put the sinks water heater, grease traps and storage. If a walk in cooler or freezer is required it could be outside of the room used for storage. The back door would then open directly to the cooler. Brick work could disguise the coolers if needed. Please see attached bid by Gator Plumbing & Improvement, Inc. for \$13,610.00
- ✓ Electric - The existing electrical needs upgraded. Currently there is a 100Amp, 16 breaker box inside the building. This is not big enough to handle the needs of the kitchen. I will fax this bid by the electrical subcontractor as soon as I receive it. He is currently waiting to hear back from the City on several items before he can submit his bid.

In closing, most of these upgrades and repairs will all need to be made regardless of what the building is used for. It is hard to put together a bid proposal with no architectural plans. We have prepared this bid with the assumption of it being a hamburger and french fries operation. Any and all cost regarding plans, permits, fees, etc. are not included and are to be taken care of by owner or other designated party. These prices are estimates only based on the minimal information we have given at this time. Firm bids will be submitted once provided with plans. I hope this has been helpful. If you have any further questions or need any further documentation please do not hesitate to call.

Sincerely,



Dean Reber

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FAX: (352) 332-1186

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Bounds Heating and Air

PO box 1617
Newberry, FL 32669
352-472-2761 fax 352-4721809

Proposal by Robert Bounds

Rodney Reber
Down town resterant
Gainesville, Fl

8-24-07**To Install-****For basic food prep Opt-1 - 12,000 btu Fujitsu ductless system****\$2,200.00****For full kitchen Opt-2 - 24,000 but Fujitsu ductless system****\$2,850.00****Quotes are due on completion unless other payment arrangements are made.****No carpentry work or electrical work are included unless otherwise stated.****All work includes one year labor warranty from Bounds HVAC and manufactures warranty on equipment or materials.****Warranty work will be done during normal working hours.****Overtime warranty work will be ½ normal overtime service rate.****No gas piping included.**

070321

DAVID MARTIN ROOFING, INC.**Lic. # CCC057616****13902 NW 112TH AVE.****ALACHUA, FL 32615****Mike Douglas 352-494-3594****Office Number 352-494-7628****Fax Number 386-462-0448****PROPOSAL****DATE: 8/21/07 PROPOSAL #07-215****CUSTOMER: Rodney Reber (Reber Construction)**
JOB Down Town Snack Shop**JOB ADDRESS****PHONE/FAX: cell 665-2337 fax****DMR, Inc. hereby submits specifications and estimates for the following work****Clean roof off (all debris)****Repair roof drain on back section of roof. (Lower roof)****Seal metal roof around complete perimeter with aluminum fibered roof coating.****Seal exposed roof from gravel up (for future protection)****WOODWORK ADDITIONAL LABOR PLUS MATERIAL, LABOR BILLED AT \$35.00 PER MAN HOUR.****DMR, INC. proposes to furnish labor and materials and complete the job in accordance with the
Above specifications for the sum of (TWO THOUSAND TWO HUNDRED DOLLARS AND NOCENTS)
(\$ 2,200.00) With payments to be made upon job completion.**

With my signature, I agree that DMR, Inc. is hereby authorized to proceed with the Job as described above, including specifically any woodwork that becomes necessary. In Addition , I agree to remit payment in full upon completion unless other prior arrangements Are made, and I further agree to pay a finance charge of 18% per annum on any outstanding 30 days after date of invoice, and to pay attorneys fees in the event it becomes necessary for DMR, Inc. to retain an attorney to collect any portion of the invoiced amount.

SIGNATURE _____

DATE _____

GATOR PLUMBING & IMPROVEMENT, INC.

070321

GORDON O. BAKER
and

2604 N.E. 18th Terrace
Gainesville, Florida 32609

Patricia A. Baker
Owners

(352) 372-4657 - 376-9952
Fax 378-7564

TO: Dean Reber

Date 8-21-07

Job: Old Bethel Garage, SE 1st ST., Gville, fl.

We propose to do the above Job, with all Rough-In material,
all Labor & below listed fixtures, for the sum of: \$13,610.00.
Payment to be made as follows: Invoices billed, are due Upon
Completion, In Full. Services charges of 1 1/2 % of the Unpaid
balance, Per month, After 30 Days.

- 1 ea. 3-Compartment sink, Free-standing, w/faucets & trim, 3-Lift
& Turn strainers, S.S.
- 1 ea. Hot water heater, 40 gal., electric, EM, e/trim
- 1 ea. Grease Trap, 70 lb., above floor w/trim
- 1 ea. Prep sink, 20"x17", w/Gooseneck faucet w/wrist handles
& trim, SS
- 1 ea. Hand sink, 20"x17" w/Gooseneck faucet w/wrist handles
& trim, SS
- (A) Sewer from Existing
- (B) Water from Existing
- (C) We will Demo concrete, patch-back is by Others.

FAXED
08-22-07

Authorized Signature: 
Gator Plumbing & Impr., Inc.

NOTE: This proposal may be withdrawn by us, if not accepted within
30 days.

NOTE: If you accept our proposal,
please SIGN & DATE it, and return
it to our office BEFORE work can
begin.

Signature

Witness

Specialty Wiring
340 SW 254th Street
Newberry, FL 32669
352-472-7820

070321

August 25, 2007

To: Dean Reber

This proposal is for the electrical remodel of the Downtown Bus Depot. This proposal is based only on the information given verbally to me and will be adjusted when prints are provided. The total of this proposal is \$ 4,500.00 and includes;

- 1 – 200 amp 40 circuit panel back to back with meter
- 6 – 20 amp general purpose receptacles.
- 2 – Dedicated 20 amp circuits.
- 3 – Single pole switches.
- 1 – Weatherproof receptacle.
- 2 – Paddle fan outlets on outside porch area.
- 4 – Lighting outlets.
- 2 – Circuit for Heat and AC system.
- 1 – 30 amp water heater circuit.
- 2 – 50 amp 240 volt equipment circuits.

Price does not include;

- Any conduit or service wire from line side of meter. This will have to be determined later by GRU.
- Any light fixtures or equipment.

Price is guaranteed if job starts within 120 of this price and raw materials don't increase more than 15%.

All wiring will be in copper with minimum 12 gauge. All electrical work will conform to all current codes.

if approved, sign and fax to 352-472-7362

Thank You for Your Consideration

BID PROPOSAL

October 1, 2007

Basil Baumann Prost Cole & Associates, Inc.
Attn: Chris Gross
177 Defense Highway, Suite 10
Annapolis, MD 21401

RE: Bethel Garage
Gainesville, FL

Mr. Gross,

As requested, listed below are the estimates for the bus station shelter and the patio area.

1). Bus Shelter

- ✓ To remove and cap the water and electric \$1,5000
- ✓ Pay telephone to be removed by others.
- ✓ After the water, electric and telephone have been removed from the bus shelter it can be demo'd and hauled away by O'Steen Brothers, Inc. for \$5,750. They will have to do traffic control and barricades.
- ✓ *Demo of horizontal structure only - \$2,875*

2). Patio area at rear of building

- ✓ Brick work on the pavement totals 343SF. This can not be estimated based on square footage as it will need to be patched in (8) places. Approximate cost \$3,500.
- ✓ The walkway behind the building is 4' wide and 33' long with a slope of 0 to 16". The wall North of it is 0 to 14". If the walk is to be filled in, (1) row of brick will have to be added to the North wall. (1) step will have to be added on the East end and only part of the rail can be removed. Approximate cost with brick walkway \$4,000.

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- ✓ Due to rusting, all the rails need to be sanded and repainted. Rails should be completely sanded and primed with a rust prevention primer and then painted with (2) coats of a quality oil paint. Approximate cost \$1,200.
- ✓ I think it would be better to cut out a 3' section on the NW corner and have one 6" step at a cost of \$500.
- ✓ The building and all walk areas need to be power washed. If the bus shelter is to remain it should also be power washed. It looks as though there has been no regular maintenance cleaning done. Approximate cost \$1,500.
- ✓ The walk on the East side is a handicap ramp going from one level to another. Due to Alachua County building codes it can not be removed. It is 4' x 18' and has a slope of 0 to 17".
- ✓ The walk behind the building is also a handicap ramp. I don't think current County building codes will let it be raised and steps put in. If you need additional information on this please feel free to call me.
- ✓ Alachua County building codes requires when one level is over 1 step (7 3/4" max.) higher or lower than the next level you must have a handrail. This is most of the area of the project.

If you need any further documentation or have any additional questions please do not hesitate to call me.

Sincerely,

Dean Reber

REBER CONSTRUCTION

13017 NW 39TH AVENUE

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