



070490

September 4, 2007

Dear Historic Preservation Board Members,

On June 12, 2007, the Historic Preservation Board heard and unanimously denied petition 36COC-07HPB. An appeal to the City Commission was submitted by the applicant, Wheelbarrow & the Car (item #070196). The City Commission heard the appeal on July 16, 2007 at a Special Meeting. The item was continued until August 27, 2007 with the City Manager's suggestion of mitigation. At the August 27, 2007 City Commission meeting, the appeal was continued. A copy of an email between City legal staff and the petitioner's attorney is attached, as well as the agreement letter signed by Mr. Fogler and Mr. Bredfeldt.

The following is the understood agreement emailed to the applicant's attorney, Mr. Ansbacher from City Staff Attorney, Nicolle Smith:

- (1) Today, your client and city staff are requesting the City Commission send this item back to a regularly scheduled Historic Preservation Board (HPB) meeting (recognizing advertising/notice requirements) for further consideration and to continue the appeal hearing until such time as the matter has been heard by the HPB.
- (2) In the event the HPB hears your client's submission and grants a mutually acceptable Certificate of Appropriateness (COA), your client will withdraw the appeal.
- (3) In the event the HPB hears your client's submission and denies a COA or approves a COA with conditions that are not acceptable to your client, the appeal will be scheduled for the next possible (recognizing advertising/notice requirements) CCOM meeting after the HPB hearing.

Your client has voluntarily agreed to this procedure (as evidenced by your letter dated August 24, 2007 and the letter signed by Mr. Bredfeldt and Mr. Fogler dated August 24, 2007) and will not assert same against the City Commission as a failure to "render its decision promptly."

The applicants and City staff met on July 31, 2007 in the City Manger's office. Ideas were exchanged and the applicants submitted a revised plan reflecting City staff comments. Subsequent meetings with the applicant have resulted in a project that has a reduced impact on the street edge. On S.W. 6th Avenue, the buildings have been reduced to two and three stories. A four-story building is behind the building at the street and has been moved to within five feet of the alley in an effort to minimize height impact.

The City of Gainesville City Staff recommends **APPROVAL** of 36COA-07HPB, as amended.

Henrichs, Darlene

From: Smith, Nicolle M
Sent: Monday, August 27, 2007 10:46 AM
To: Bredfeldt, Erik A
Cc: Henrichs, Darlene; Hilliard, Ralph W
Subject: FW: The Wheelbarrow & the Car - Historic Preservation Board appeal (item #070196)

FYI - Marion will be providing a copy of this to the Clerk, Mayor and Commissioners today (along with Erik's letter and Attorney Ansbacher's letter)

From: Sidney F. Ansbacher [mailto:SAnsbacher@Gray-robinson.com]
Sent: Monday, August 27, 2007 10:20 AM
To: Smith, Nicolle M.
Cc: Paula L. Delaney; hpa007@aol.com; rfogler@cox.net
Subject: RE: The Wheelbarrow & the Car - Historic Preservation Board appeal (item #070196)

i agree

ps--best regards to m.r

Sidney F. Ansbacher

Shareholder

GrayRobinson, P.A.

50 North Laura Street, Suite 1100

Jacksonville, Florida 32202

Main: 904-598-9929 | Fax: 904-598-9109

GRAY | ROBINSON
 ATTORNEYS AT LAW

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From: Smith, Nicolle M. [mailto:smithnm@cityofgainesville.org]
Sent: Monday, August 27, 2007 10:13 AM
To: Sidney F. Ansbacher
Subject: The Wheelbarrow & the Car - Historic Preservation Board appeal (item #070196)

Good Morning Mr. Ansbacher -- As we discussed this morning, I wish to confirm our mutual understanding of how the above appeal will proceed:

8/27/2007

(1) Today, your client and city staff are requesting the City Commission send this item back to a regularly scheduled Historic Preservation Board (HPB) meeting (recognizing advertising/notice requirements) for further consideration and to continue the appeal hearing until such time as the matter has been heard by the HPB.

(2) In the event the HPB hears your client's submission and grants a mutually acceptable Certificate of Appropriateness (COA), your client will withdraw the appeal.

(3) In the event the HPB hears your client's submission and denies a COA or approves a COA with conditions that are not acceptable to your client, the appeal will be scheduled for the next possible (recognizing advertising/notice requirements) CCOM meeting after the HPB hearing.

Your client has voluntarily agreed to this procedure (as evidenced by your letter dated August 24, 2007 and the letter signed by Mr. Bredfeldt and Mr. Fogler dated August 24, 2007) and will not assert same against the City Commission as a failure to "render its decision promptly."

If you would kindly send a quick email in response to confirm our understanding, I will provide a copy to the City Commission and Clerk at or before the meeting at 1pm today.

Thank you -- Nicolle

Nicolle M. Smith
Assistant City Attorney II
City of Gainesville
PO Box 1110
Gainesville, Florida 32602
(352) 334-5011
Fax: (352) 334-2229

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CITY OF GAINESVILLE

Department of Economic Development

August 23, 2007

Reid Fogler
Wheelbarrow & the Car, Inc
235 S E 11 Place
Gainesville, FL 32601

Dear Mr Fogler:

As you know, per City Commission direction on July 16, 2007, we have been working together in order to come to an accommodation regarding the proposed project to be located on SW 6th Avenue, between SW 10th Street and SW 12th Street in the University Heights - South Historic District. This has been pursued in the context of an appeal of denial by the Historic Preservation Board on your proposed project. The appeal was continued by the City Commission to Monday, August 27, 2007.

Recently, you provided staff with a modified version of the original project indicating a lower building profile along SW 6th Avenue consisting of two and 3 story buildings with increased setbacks and a four story building to the north along the alley separated from the SW 6th Avenue buildings. The buildings along SW 6th Avenue contained architectural features emphasizing horizontal elements and are compatible with the adjacent contributing historic structures.

We appreciate the steps you have taken to modify the original project and believe them to be a significant step in the right direction. In addition to these steps, staff recommends that you lower the building located in the northwest corner of the subject property along the alley from four stories to three stories in order to improve perimeter compatibility.

If this modification, in addition to the aforementioned modifications you have proposed, can be included within context of the modified project design, then staff can recommend approval of the project at the next meeting of the Historic Preservation Board. We ask further that you agree to a continuance of the appeal scheduled to be heard on Monday, August 27 to allow this item to come to the Historic Preservation Board for review. Furthermore, we ask that you provide all appropriate materials to staff in order to schedule your appearance before the next Historic Preservation Board.

Staff believes that this approach allows consideration of the modified project proposal by the appropriate entity and represents a reasonable and balanced resolution to this specific case.

If you concur with this approach, we ask that you signify by signing below. Upon receiving this concurrence, we will recommend to the City Commission through the City Clerk's Office that this item be continued and staff will schedule your modified project to be heard by the Historic Preservation Board at its next meeting.

Sincerely,

Erik A. Bredfeldt
Director

Concurred to by:

Reid Fogler, Wheelbarrow & the Car, Inc

Date

8-24-07



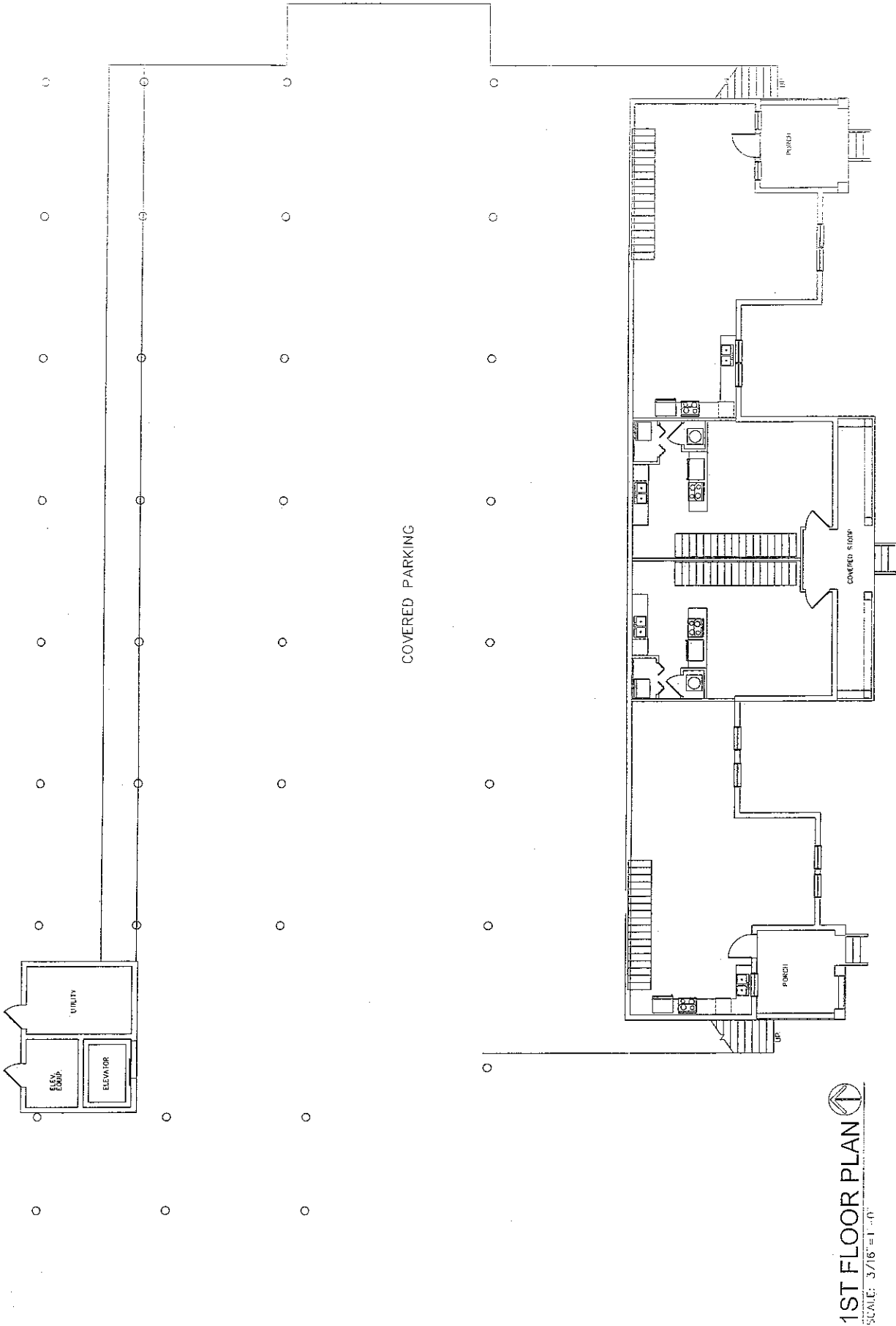
RICARDO CAVALLINO
 AND ASSOCIATES, INC.
 ARCHITECTS - PLANNERS
 22 54 CUM - DRIVE
 GONNERSVILLE, FL 32601
 352-377-1354 (F)
 352-377-1354 (C)
 A.A. 022855

WOODBURY ROW - PHASE 2

PROJECT: WOODBURY ROW
 PHASE 2
 SHEET: 1 OF 2
 DATE: 11-18-2011
 DRAWN BY: J.C.
 CHECKED BY: J.C.
 PROJECT NO.: 11-001

A2.0

064070



1ST FLOOR PLAN
 SCALE: 3/16" = 1'-0"



RICARDO CAVALLINO
AND ASSOCIATES INC.
ARCHITECTURE - PLANNING
A.A. 0002800
22 DE SUEVA, WY 304
352-277-1251 (TX)
352-277-1255 (FL)
CAROLINA, FL 32804

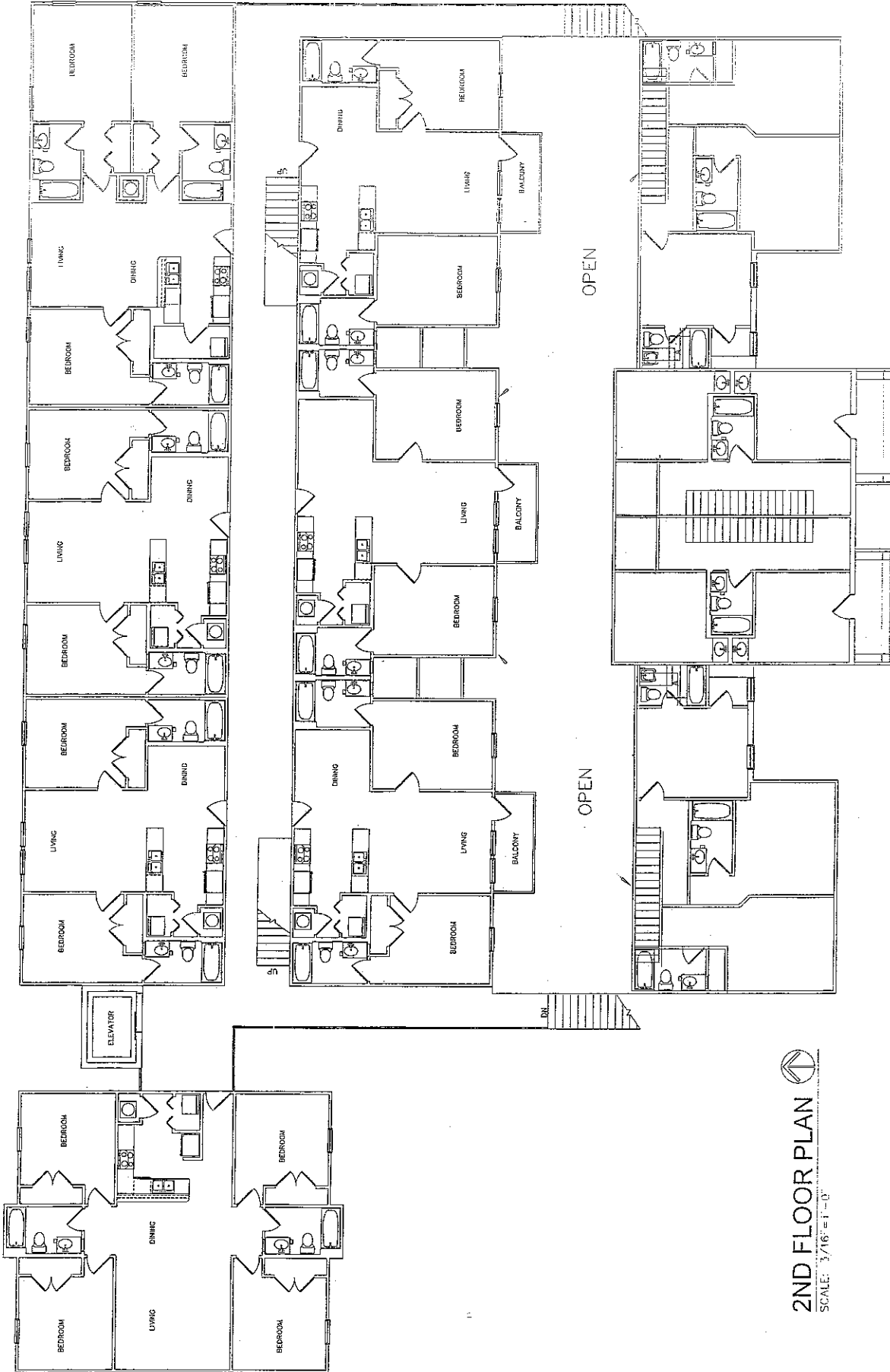
WOODBURY ROW - PHASE 2

PROJECT NO. 1000000000
DATE: 04/11/2007
DRAWN BY: J. B. BROWN
CHECKED BY: J. B. BROWN
SCALE: AS SHOWN
PROJECT: WOODBURY ROW PHASE 2
SHEET: 2 OF 2

DATE: 04/11/2007
DRAWN BY: J. B. BROWN
CHECKED BY: J. B. BROWN
SCALE: AS SHOWN
PROJECT: WOODBURY ROW PHASE 2
SHEET: 2 OF 2

A3.0

064070



2ND FLOOR PLAN
SCALE: 3/16" = 1'-0"



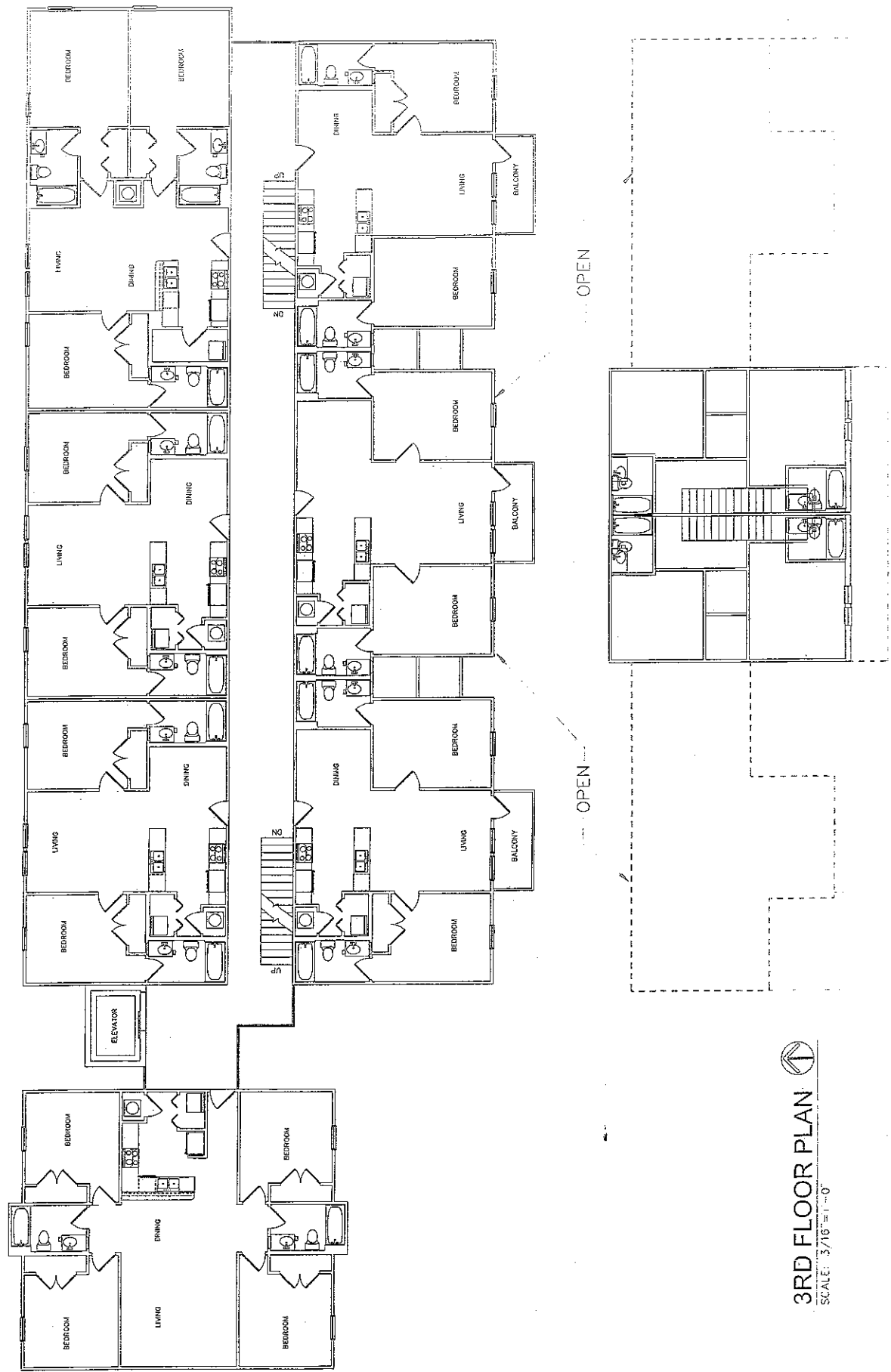
**RICARDO CAVALLINO
ARCHITECTURE & ASSOCIATES, INC.**
ARCHITECTS - PLANNERS
A.A. 020585
225 SE 5TH AVENUE
SUITE 200
MIAMI, FL 33131
TEL: 305-371-1250
FAX: 305-371-1251

WOODBURY ROW - PHASE 2

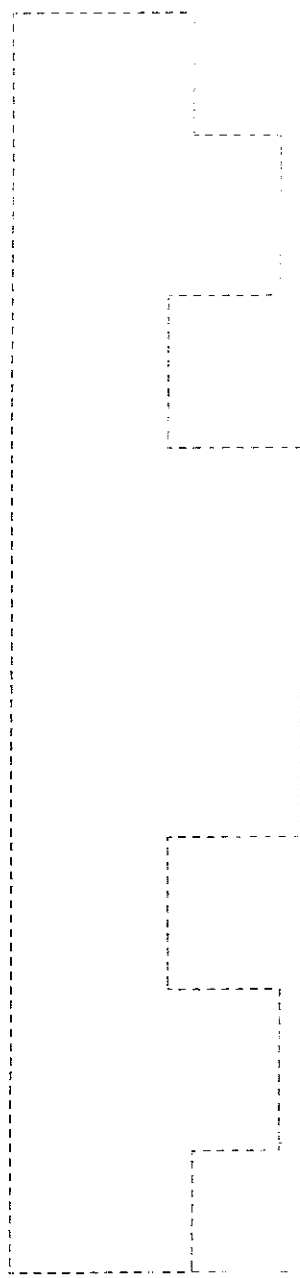
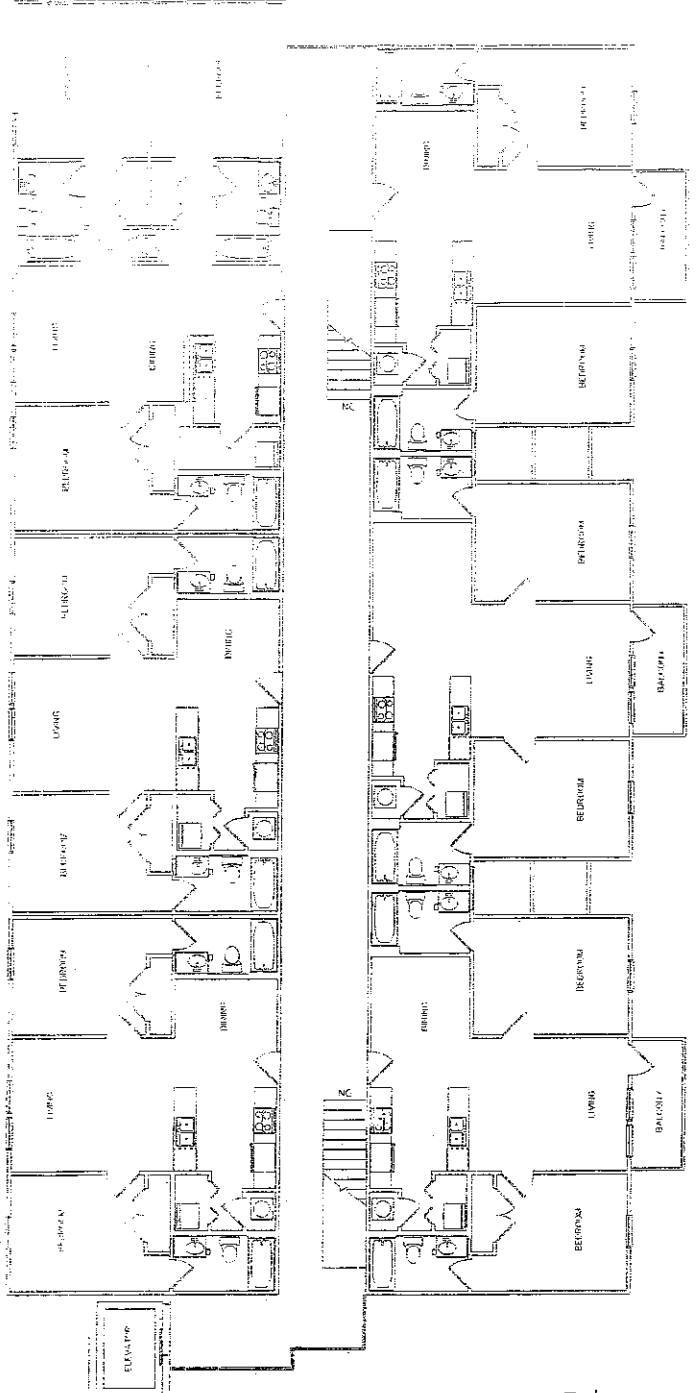
DATE: 08/27/2003
PROJECT: WOODBURY ROW
SHEET: 303
SCALE: 1/8"=1'-0"
DATE: 08/27/2003

A4.0

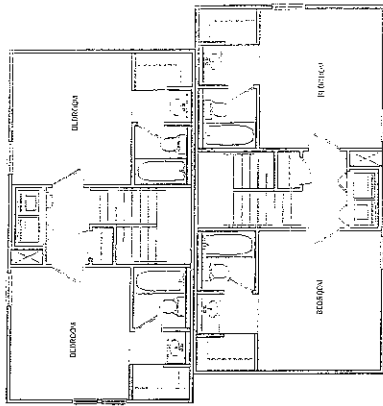
064070



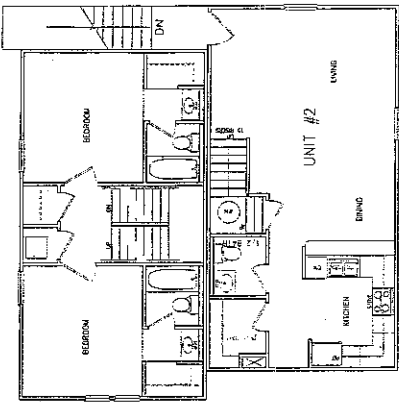
3RD FLOOR PLAN
SCALE: 3/16"=1'-0"



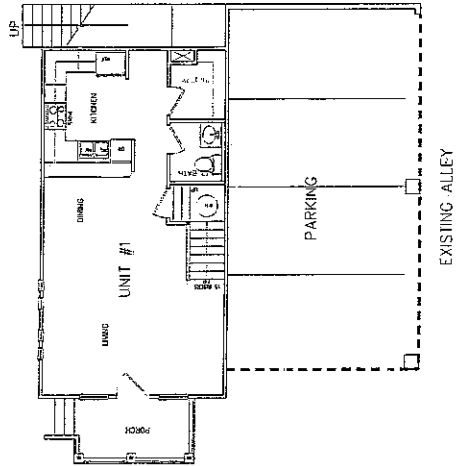
4TH FLOOR PLAN
 SCALE: 3/16"=1'-0"



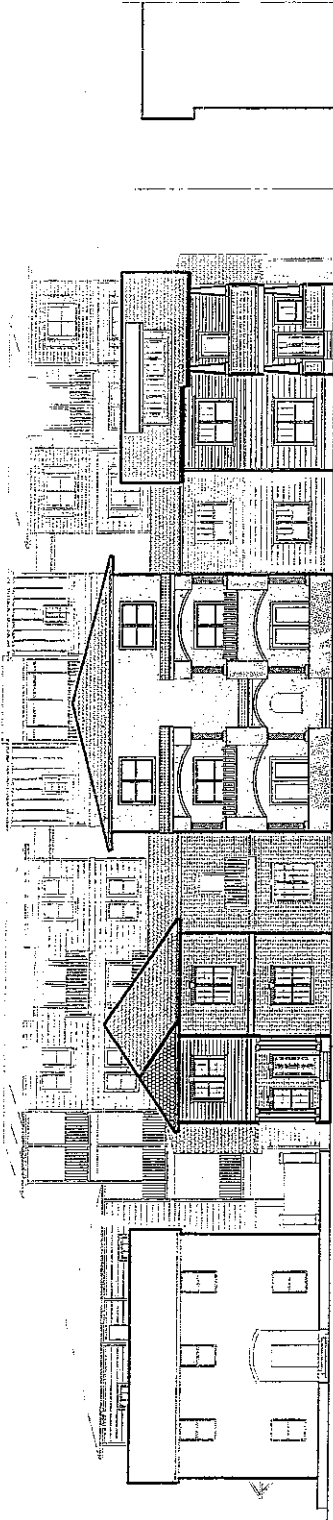
NEW 3-STORY BLDG BEHIND #1120
 BEHIND 1120 S.W. 5TH AVENUE
THIRD FLOOR PLAN
 3/16" = 1'-0"



NEW 3-STORY BLDG BEHIND #1120
 BEHIND 1120 S.W. 5TH AVENUE
SECOND FLOOR PLAN
 3/16" = 1'-0"



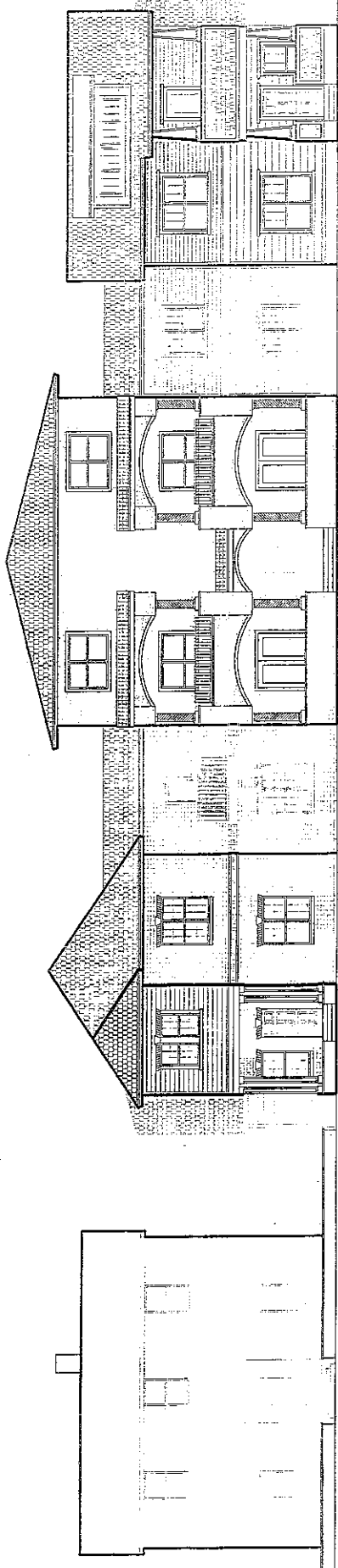
NEW 3-STORY BLDG BEHIND #1120
 BEHIND 1120 S.W. 5TH AVENUE
FIRST FLOOR PLAN
 3/16" = 1'-0"



EXISTING 2-STORY RESIDENTIAL BUILDING TO REMAIN
 SOUTH ELEVATION
 1114 S.W. 6TH AVENUE

SOUTH ELEVATION
 S.W. 6TH AVENUE ELEVATION

ADJACENT EXISTING
 2-STORY
 RESIDENTIAL BUILDING



EXISTING 2-STORY RESIDENTIAL BUILDING TO REMAIN
 SOUTH ELEVATION
 1114 S.W. 6TH AVENUE

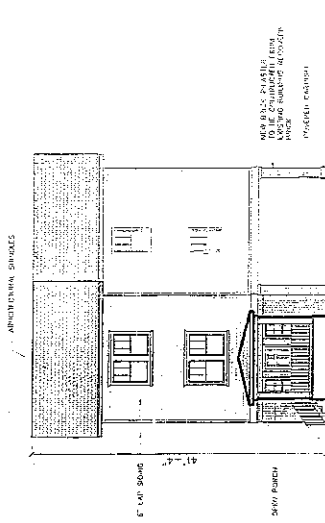
SOUTH ELEVATION
 S.W. 6TH AVENUE ELEVATION



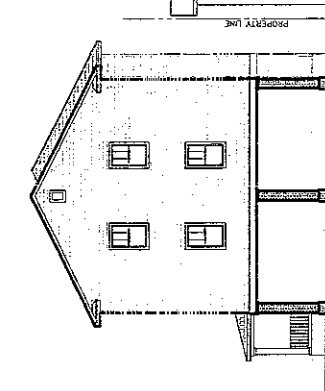
NEW EAST BUILDING
 EAST ELEVATION

ALLEY

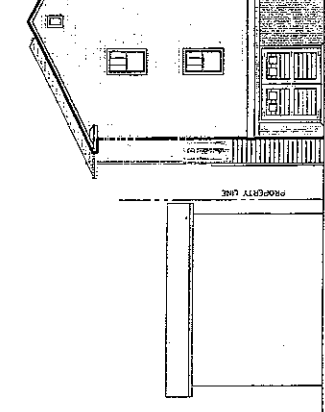
COMPOSITE EAST ELEVATION



MODIFIED GARAGE BUILDING
 EAST ELEVATION
 BEHIND 1101 S.W. 5TH AVENUE



MODIFIED GARAGE BUILDING
 SOUTH ELEVATION
 BEHIND 1101 S.W. 5TH AVENUE



MODIFIED GARAGE BUILDING
 NORTH ELEVATION
 BEHIND 1101 S.W. 5TH AVENUE

ADJACENT EXISTING
 2-STORY BUILDING

ADJACENT EXISTING
 2-STORY BUILDING

ADJACENT EXISTING
 2-STORY BUILDING



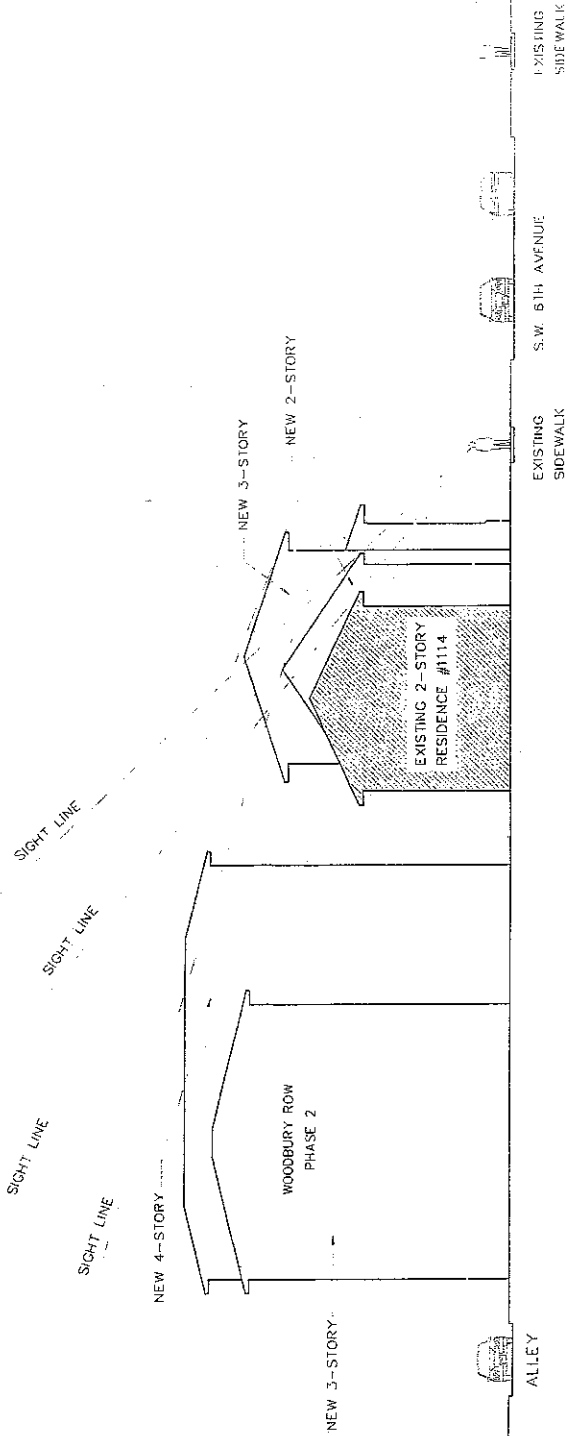
RICARDO CAVALLINO
AND ASSOCIATES, INC.
ARCHITECTURE-PLANNING
2235 W. 15TH AVENUE, SUITE 100
DENVER, COLORADO 80202
303-733-1100

WOODBURY ROW - PHASE 2

PROJECT NO. 1110
DATE: 11/19/2017
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: 1/16" = 1'-0"

A11.0

0670490



NORTH-SOUTH SECTION PROFILE

1/16" = 1'-0"

What I Would Like to See -- Please read letter for more detail

Antonia Greene

Homeowner of 1026-28 SW 6th Avenue

6/12/07

One to two story houses (no higher) throughout the neighborhood -- stick to the historic scale, massing, height, setbacks, size, etc., so only true aesthetic enhancements can occur, not degradation and fracturing and destruction. The goal of a Historic District should not be cramming the most possible rental apartments onto a denuded lot or lots, but... well, historic preservation! Guidelines say: "Not recommended: 1 Designing new buildings whose massing and scale is inappropriate . . ."

Support preservation and renewal over new construction in the Historic District. The district is very small and there is plenty of space outside of it to pursue the city's desire to increase density. The continued existence of the Historic district as such depends on it. Irreplaceable historic buildings and the atmosphere of the street have intrinsic, inherent value.

Keep the character of the historic district intact. Don't fracture the neighborhood fabric (Guidelines) by arbitrarily knocking down "non-contributing" structures, which may be contributing much in the way of compatibility. The new one may contribute far less than the one you demolished, as would sadly be the case with 1102 SW 6th Avenue vs. the proposals I have seen for its replacement.

Keep setbacks intact, so the relative positions of the houses are in balance. No sheer cliffs looming over smaller houses. The "step away" is far from adequate to mitigate the problem and protect any home from this blight.

Keep setbacks intact to ensure saving and keeping a balanced spread of large, graceful, tall trees, which distinguish the neighborhood. Protect all these trees--they took many years to grow.

Maintain the lovely views by maintaining the historic building heights and sizes and massing, again, with compatible front and side setbacks. We like to see nature, not walls.

Wildlife--the trees provide an excellent bird habitat, and we enjoy their fresh songs daily.

Do not demolish any historic buildings, for instance, by rating them in descending order and allowing demolition of members of significant groupings, such as the related chert structures, 1114 SW 6th Avenue/1116 SW 6th Avenue, and 517 SW 12th Street/517C SW 12th Street, as well as the alleys. These groupings are characteristic and quaint and have been referred to as compatible with "the new urbanism." (Found on city website.) **Maintain the standard of no demolition allowed unless a building is literally falling apart and the owner has genuinely attempted to shore it up/fix it.** Willful neglect should not be rewarded. Protect special assets, such as chert, etc.

Do not demolish any non-contributing building unless you are going to replace it with something MORE compatible with the neighborhood, a clear improvement in design as it relates to the historic properties, and the same 1 to 2 stories and other aspects that define the character of the neighborhood, NOT something that is simply designed to cram in as many rental apartments as possible, while making a gesture to the historic area by "breaking down" of the facade into miscellaneous components which do not mitigate the hugeness and in-your-face presence of the new buildings.

Guidelines enjoin avoidance of "fracturing the neighborhood fabric". 1102 SW 6th Avenue is part of the character of the Historic District (per City of Gainesville's brochure, "A Citizen's Guide to Living in a Historic District,") and greatly contributes aesthetically in terms of scale, massing, height setbacks from the road and neighbors, general appearance though not of the same period, and beautiful, large trees which

are characteristic of the neighborhood. If demolition were to be allowed, I would like to see a 1 to 2 story building with the same length and width as the existing building, leaving the trees, setbacks from the street and neighbors, and **contributing at least all of the aforementioned characteristics in greater degree than the existing building.** There is no other rationale for it.

Honor the promise of the Historic District, per article I found while on the City of Gainesville website, describing the many benefits of historic preservation: **“Homebuyers are willing to pay for the assurance that the neighborhood surrounding their homes will remain unchanged over time.”** What has been proposed is severe, drastic change.

Don't build anything where next-door neighbor has to face a high wall replacing open views and the property is robbed of light by massive facade of new building. No encroachment of shade degrading the growth environment of the landscape and robbing residents of enjoyment of outdoor spaces of the property

Protect my property and environment -- no rowdy noise of “bad eggs” that turn up in multiple unit apartment complexes. No glut of cars and fumes from increasingly overburdened streets, and no parking garage.

Don't destroy your next-door neighbors' quality of life because you don't live there.

Encourage homeowners who want to refurbish homes to live in (we are not extinct!) and who have a stake in the environment, the historic and natural preservation, and the quality of life in the district, as well as those who rent out spaces but who care about preserving the quality of life and character of the district.

Allow accessory structures only (size of main building or smaller, etc.) to be built in the yards behind houses and don't carve out space between the backs of houses fronting on parallel streets, in order to cram in more massive, taller buildings, such as has been done (but no building ensued) between SW 4th and SW 5th Avenue. Again, no looming structures, whether to the side or to the back of existing structures. Keep within size, dimensions, height, massing, setbacks, etc., of existing historic structures, namely 1 to 2 stories

Let's not trample the Historic District, but preserve and enhance it!

Mr. Jay Reeves, Chair, and
 Members of the Historic Preservation Board
 Re: Board approval, Petition 36COA-07HPB
 Historic Preservation Board Meeting/Hearing April 3, 2007

Reid Fogler/The Wheelbarrow and the Car, Inc. seek demolition of 1102 SW 6th Avenue, 1116 SW 6th Avenue, garage behind 1101 SW 5th Avenue, and replacement with 4-story student housing. I note **this will NOT in the least, contrary to the description in these petitions, resemble Woodbury Row**. I note that the previous incarnations of this petition have also included 1114 SW 6th Avenue, 1122 SW 6th Avenue, 1128 SW 6th Avenue, 517 SW 12th Street, 517C SW 12th Street, and future plans are expected to include all or most of these.

I further note that together with Woodbury Row, these properties comprise virtually a city block (the 1100 block of SW 5th Avenue through to the 1100 block of SW 6th Ave.,) lacking only one corner property owned by someone else, and possibly the alleys. The current petition is styled "Woodbury Row, Phase II," with "Woodbury Row, Phase III" planned to reintroduce the remaining properties, (with the possible exception of 1114 SW 6th Avenue, which then would be surrounded by and in the shadow of the tall, massive new structures.)

The comments herein apply equally whether the proposed demolition and new construction would cover all or part of the group of properties. Nothing of this magnitude has been built in the University Heights South Historic District.

Dear Mr. Chairman and Members of the Board:

I have lived at 1026-1028 SW 6th Avenue, right next door on the east side of the above-mentioned 1102 SW 6th Avenue, for 8 years, of which I have owned the property 1½ years. I love and enjoy this neighborhood.

The lovely neighborhood, as you know, consists of 1930's suburban style homes, 1 to 2 stories, many of beautiful brick or chert with delicate brick trim, good-sized spacing between each, sizeable setbacks from the sidewalk, small front lawns, side and back yards, tall, full trees and birds, and it is quiet—an area that cries for maintenance, care, upkeep, refurbishing and renewal, and enjoyment, not neglect, demolition and replacement with massive cubes replacing every square foot of ground and air space with apartment housing, butted up against neighboring small structures, some of whom now have a tiny space between them and the new building on one side, but the normal side yard and distance to the neighbor on the other side, looking unbalanced and dwarfed in the shadow of the new neighbor looming overhead.

We already have one such situation at the other end of the block, and the current even taller and more massive proposed structure now threatens to take over, dominate, and destroy the neighborhood by replacing existing buildings and covering all available land with even bigger and taller buildings of a totally different character. It would replace unique, irreplaceable buildings with ordinary, massive, and totally forgettable structures which would be appropriate in the ample areas outside the historic district, more hospitable to large apartment complex living.

Much of the neighborhood, Mr. Reid Fogler has attempted to obtain approval to demolish and replace with a huge 4-story apartment housing complex including parking garage. He has, for the moment, reduced the number of buildings he is petitioning to demolish to 3, including the contributing historic 2-story chert garage apartments, 1116 SW 6th Ave., that belong with the 2-story chert house on the street, 1114 SW 6th Avenue, as well as 1102 SW 6th Avenue which sits on a large lot with tall, beautiful trees, and the garage behind 1101 SW 5th Avenue, carving out plenty of land in and around remaining buildings on which to construct a massive, 4-story apartment complex.

Thank you for allowing me the opportunity to tell you why I oppose and request you deny the above proposed demolition and replacement of structures with massive new structures, whether these 3 or all of the historic buildings he owns and has planned to demolish, whether "just" 1102 SW 6th Avenue as the only "non-contributing" structure or including any or all of the historic area that he owns.

My reasons are **(1) incompatibility with the character of the street and neighborhood** (per Design Guidelines for New Construction, p. 183,) **(2) the irreplaceability of the buildings** (the loss of even one such building, such as 1116, the chert 2-story garage apartments, would break up and vastly diminish the impact of the grouping) **and their contribution to that character**, and **(3) quality of life issues due to the severe impact of the proposed new larger-scale development on existing historic properties (Guidelines, p. 183), notably my home as immediate next door neighbor to 1102 SW 6th Avenue, where Mr. Fogler has told me he plans to place the eastern wall, a 4-story cliff looming over my house and small yard, only 14.5 ft. from the wall of my house, (8 ft. from the property line).**

Please try to put yourselves in my position, having that on top of you, including a smelly, fummy parking garage abutting your house and back yard. In the current plan, the open wall of the parking garage would be 8 feet from my property line including back yard; it would be 14.5 feet from my house wall. **It must be hard for Mr. Fogler to put himself in my shoes, since where he lives there is no chance of something like this happening to him, but he doesn't mind inflicting it on his next-door neighbors in University Heights.**

Page 184 goes on to mention, "Without careful attention to overall design, materials, **scale, massing, and setbacks**, contemporary construction in an Historic District can **threaten the coherence of the historic context**." I observe that this is certainly the case here.

It would in fact **eradicate and replace a large area with something completely different**. I don't see the benefit of new construction in the neighborhood when it would require the demolition of valuable, irreplaceable buildings (however many or few, when each is part of an interwoven context, such as the four chert structures,) and destroy the fabric of a beautiful, old neighborhood, while areas outside the Historic District are conveniently nearby and still near UF. Even 1102 fits in well with the neighborhood, and its large lot has a number of **large, beautiful trees, which are also "contributing" greatly to the neighborhood!**

The Guidelines state that **"the Secretary of the Interior's Standards are oriented toward rehabilitation of existing historic buildings."** I thought that was the idea of having a Historic district. What is the **meaning of Historic Preservation** if we can suddenly **ravage and even completely lose an entire historic neighborhood where we live through drastic, unwanted change?**

How will people feel who have put an effort into preservation and renovation of their property in good faith, following all the rules in the smaller things, only to find that another person can just demolish buildings and large chunks of neighborhoods wholesale? It is **inconsistent** and will create a climate to discourage the efforts of owners.

A recent study from UF based on surveys of more than 1500 Floridians showed that **“Historic preservation enhances the quality of life of Floridians through economic and cultural contributions to an improved sense of place.”** (University of Florida News, 12/20/06)

While looking at the **City of Gainesville website**, I found a document, “Historic Preservation Element Data and Analysis”. It likewise talks about the **benefits of Historic Preservation—economic development, neighborhood preservation and revitalization, improved property values, etc.**

It is good to read these things that sound so optimistic generally, but it is discouraging to me when **destructive things are threatening to happen around me.** There’s more.

It states on page 2, **“Homebuyers are willing to pay for the assurance that the neighborhood surrounding their homes will remain unchanged over time.”** No sooner had I purchased my home, than this threat to the historic neighborhood and to my well-being, of impending drastic and disruptive change, was presented to me by Mr. Fogler. I feel I have been or am about to be robbed! Isn’t something wrong with this picture?

Mr. Fogler’s holdings include 4 buildings having original chert with brick trim, of which he has for the moment removed 3 from the above petition to demolish and replace, but the other one remains (1116, 2-story garage apartment), and the 1114 main 2-story house would be closely crowded in by mammoth structures beside and behind it, instead of partnering with it’s junior edition.

I understand **these chert buildings, while rarely found elsewhere, are characteristic of the Gainesville area, as well as being beautiful.** Two of these structures are on the street and two are behind their respective houses as one and two-story garage apartments, labeled “accessory structures,” and there is an alley behind them, actually an east-west alley and a north-south alley.

In the above document, p. 3, mention is made of the character of such arrangements. “The University Related Residential Thematic Area **neighborhoods near the university campus include single-family homes, garage apartments, duplexes, and two-story walk-up apartments. . . Alleyways are as much a part of the historic districts as they are of new urbanist design.”**

This writer must have been walking around and observing our neighborhood! These buildings are historic and ought not to be rated in “descending order of importance” for the purpose of selective demolition!! **The above entire grouping should be preserved and the smaller buildings (such as 1116) valued along with the larger ones.** No piecemeal demolition, please! All the buildings contribute to the character of the area. Wood buildings can also be painted attractive colors for curb appeal instead of drab for demolition appeal.

Why don't we become a model of preservation of irreplaceable structures, instead of rewarding neglect and devaluation, by allowing demolition and replacement? This is not the spirit of Historic Preservation.

I understand that a historic district exists to preserve, protect and renew the historic structures, and that **even the non-contributing building "is still part of the character of the historic neighborhood,"** according to the City of Gainesville's brochure, "A citizen's guide to Living in a Historic District".

New construction should never trump preservation by requiring the tearing down of historic buildings, nor should it overwhelm or destroy a neighborhood.

I read in the new Guidelines that "New construction should complement historic architecture. Through sound planning and design, it can respect and reinforce the existing patterns of a historic district." p. 183. I understand that the **Secretary of the Interior has promulgated similar massing of buildings in historic districts.** Local City Guidelines say "Good infill design. . . uses significant patterns, such as **height**, materials, roof form, **massing**, **setbacks** and the rhythm of openings and materials to **insure that a new building fits within the context.**" (Guidelines, p. 183)

That distinctly sounds like 1 to 2 story, relatively small structures with setbacks from the street and from neighboring properties to be on the scale of existing ones. Until new construction began, all the houses and apartments in the area were 1 to 2 stories. That is still the case for SW 6th Avenue, except for the brand new "Stratford Court," on the corner, and I strongly urge that we keep it at 1 to 2 stories to preserve the character of the neighborhood.

The **massiveness of the multiple-unit structure which Reid Fogler has told me he is going to build 4 stories high, 8 feet from my property line (which property line is only about 6.5 feet from my house on its small lot,) with a parking garage on the ground floor, going from the sidewalk many feet deep (front to back), deep enough to have multiple complete units on each floor front to back as well as down the street, taking out all the trees, is totally incompatible with the neighborhood.** **The idea of "breaking down" the huge facade into smaller "elements" will do nothing to mitigate this incompatibility of massiveness that is totally out of scale.** Similarly, putting a postage stamp of chert or other stone on the facade as a gesture to the neighborhood in no way compensates for the losses incurred by the neighborhood.

The project bears no resemblance to the Woodbury Row row houses as he has advertised, and calling it "**Woodbury Row -- Phase II**" is absurd and misleading. The planned construction are not "**row houses,**" would have a footprint many times of that of Woodbury Row, and (as 1102 is a large lot centered between SW 12th Street and SW 10th Street) would "**fracture the neighborhood fabric**" (warned against by Guidelines, p. 182.)

Woodbury Row, in row house style and in contrast to the above-described plan, consists of only 7 apartments—each of which is 3 stories high, and the building is only one apartment deep, approximately 20-some-odd feet deep as I recall, and was built on a large existing parking lot, most of which still provides ample parking behind the building. Woodbury Row is also approximately 40 feet from the neighboring building owned by someone else.

Since the approximately 97 parking spaces were rented out to students by the previous owner, the adding of the 7 apartments of Woodbury Row while eliminating the renting of spaces had to have actually reduced the amount of automobile traffic around that area, unlike the proposed project which would **drastically increase congestion in an already overcrowded street.**

This proposed project is 1/3 taller (than Woodbury Row), longer, much deeper, and far more massive, with nearly non-existent setbacks, butting it up against my house, cutting down tall trees which for years have enhanced the scenic quality of the neighborhood, using all the land area available, with multiple one-story apartment units stacked up four high, which would **dwarf and overshadow neighboring ones.** If I'm not mistaken, it would break new ground as the first 4-story building in the historic district and set a **most destructive precedent.**

This would **not provide "design compatibility" or "reduce the impact of new construction on existing historic properties," (Guidelines p. 183.)** The impact would be great by putting a 4-story high sheer cliff 8 feet from my property line, 14.5 feet from my historic, contributing home, instead of what is there now, a one story structure about 16.5 feet from my property line and 23 feet from my house, affording from my entrance landing a lovely, scenic view of the neighborhood of lovely houses and tall trees, with the sound of birds, sunsets against the silhouettes of the large trees, etc.

I would like you to stand at that spot and enjoy the view, sights, sounds and scents (my tangerine tree is in bloom) and then picture it suddenly replaced by a smelly parking garage topped off by a wall where the only thing that can now be seen is a huge wall with the neighbors' windows at close range.

I invite you to just stand in the shade of a tree at the border of 1102 and 1114 and look in all directions and enjoy the view of light filtering through tall trees and houses. Then imagine all this demolished and replaced with a garish monstrosity that could exist anywhere.

If allowed, Phase II alone will incur degradation and irreparable loss, and if he is allowed to build the entire project, as previously proposed (now Phases II and III,) it will decimate a beautiful, old historic neighborhood, all in complete contradiction to the purposes of a historic district. In fact, he has expressed a goal of purchasing several more properties including mine, contingent on demolition, and sought to virtually eradicate the north side of SW 6th Avenue, the West side of SW 12th Street, and the south side of SW 5th Avenue, all the way east to the alley almost at SW 10th Street and replace it with the above (more than 1.5 city blocks.) His goal has been to go even bigger than what is proposed here or even previously. **If he even builds part of it, he can later argue that more similar buildings would be compatible with what he has already built!**

In fact, I note he is already doing just that. I noticed that in his display on Feb. 6 of 3 photographs titled something like "Neighboring Properties", he has selected the only 3-story elevations in the area, one being his recently built Woodbury Row, and the other being a small 3-story addition to an existing 2-story building, (and the third photo was the ranch house that he wants to demolish,) while omitting the many 1 and 2-story historic structures that make up the historic neighborhood.

This splitting up of the petition in phases can only be intended to establish the drastically different and dominating structures as "typical" of the street, so the remainder of the project, "Phase III," decimating several more historic structures, could be argued to be compatible. Let's keep his entire goal in view.

The full project as previously proposed (now appearing as Phase II and Phase III,) I roughly estimated from the city's brochure, would **demolish at least 5% of the buildings in University Heights South and one beautiful neighborhood**. At that rate, we have only 19 more shots at it until University Heights south is gone. **There truly is only a small, finite amount of special historic area and it should be protected, not squandered.**

* * *

If Mr. Fogler is allowed to build the current project or even if he were to demolish **"only"** 1102 SW 6th Avenue, and build this massive structure there in that spacious area, it would be totally inappropriate for the neighborhood and the following would be the result:

It would chop up the character and appearance of the neighborhood, **"fracture the fabric of the neighborhood,"** which the **Guidelines** warn against, p. 186.

All beautiful, tall trees (per Mr. Fogler) **and** therefore the **bird habitat would be gone**, significant losses in themselves.

It would **totally overshadow my house and put my property in shade** (as Mr. Fogler agrees it would from 12 o'clock on,) jeopardizing my valuable tangerine tree that needs 6-8 hours of sun daily, and other trees and plants, destroy any privacy, and **take away enjoyment of use of the back yard** by the 4 people who live there, myself and 3 tenants, and their visitors.

It would **block sun, fresh air, breezes, view**, enjoyment of seeing the neighborhood while leaving and returning to the house, and **degrade air quality** from all the vehicles coming and going from the ground floor. It would be jarring for pedestrians to look at.

It would force people to **look out their windows right into other people's windows or walls of buildings blocking any view**. Also, many of its inhabitants will have a direct view into my property, such as the back yard, creating privacy issues and curtailing enjoyment of the space.

Very importantly to many of us, due to the **number of units**, it would introduce a factor of **noise and rowdiness** which has been pleasantly lacking until now, with everyone being quiet and respectful, which would **greatly reduce the quality of life, making it hard to sleep, study, etc.** **Mr. Fogler told me he agrees that with that many units you will get some bad, noisy people – it's inevitable. He will not be affected as he lives elsewhere.**

It would **worsen** the already bad **traffic congestion** on the street, which is difficult for two-way traffic to pass through due to there now being parking on both sides of the street and insufficient room for opposing traffic to easily pass through. The ground floor parking garage would be **smelly, unattractive and noisy** to neighbors in itself, their visitors will have to park somewhere, and all the **vehicles will still need to access the street**, further rendering the street impassible, greatly increasing the congestion problem and well as air quality problems. The street parking is already overtaxed, since after the restriction goes off in the afternoon, many students use it to park for night classes, leaving residents hunting.

It would negatively impact my well-being and that of the many student renters who have told me they seek to get away from large apartment buildings and into the small, separate houses, due to reduced noise, more roominess, private yards, etc. It would degrade general living enjoyment to me and those who find it an attraction to rent from me and would make it harder to rent, especially during the year-long (per Mr. Fogler) construction process. The construction being so close by would steal "quiet enjoyment" that leases promise to tenants, as would the presence of the inevitable "bad eggs". Again, Mr. Fogler will not be affected.

It would hurt the potential for the neighborhood and its quality of life, also the reduced quality of life would make it harder to fulfill my plans as a homeowner and landlord of 3 people to gradually make up for the money I have invested and hopefully have something that will make a needed contribution to my retirement in the years to come – this is a long range plan for me.

Even one such building would seriously damage and detract from the neighborhood. The historic district should not be piecemeal because of one non-contributing structure, but should maintain integrity throughout, especially this valuable neighborhood. The ranch house (1102), as the only "non-contributing" structure, does contribute through its desirable qualities of harmonious dimensions, scale, height, massing, setbacks, etc., featuring tall trees, enhancing the aesthetic of the whole instead of "fracturing the fabric of the neighborhood."

* * *

There is not that much area in the University Heights South historic district, so we can't afford to waste what we have. This full project as previously proposed (become Phases II and III,) would demolish very roughly I estimate at least 5% of the buildings and one beautiful neighborhood. We need to encourage people to live here who want to refurbish homes, as some already have and as some are now doing. I would like to suggest more new homeowners be encouraged to move into the area and fix up houses to live in, along with those who fix them up to rent out, and promote renovation, even offering grants, which I believe are available for new construction.

I suggest people who strongly want to demolish structures and replace them with giant complexes, look just a block further east or south and beyond, outside the historic district's perimeter, which is still close to UF, and sell their current holdings to responsible people committed to maintenance, renovation and historic preservation, and keeping the character of the neighborhood. Surely there are nearby neighborhoods outside this small Historic District where new construction would be productive and contribute to the community, allowing us to preserve what is in the District for posterity.

I respectfully request you decline this entire proposal and any other incarnations of it. I would suggest that in the neighborhood in question we preserve existing structures and concentrate on refurbishing and historic preservation, creating incentives for this, whether to attract interested and committed homeowners or those who purchase as rentals.

I have in my hand a mailed advertisement for re-election of City Commissioner Craig Lowe, with one of those optimistic statements I mentioned above. He says, "The strength of our city depends upon the health of our neighborhoods, a clean environment and a dynamic, responsible economy. As your

City Commissioner, I understand that **the decisions we make today** regarding transportation, equality, **land use, redevelopment** and energy **will determine the quality of life for Gainesville.**"

Agreed. Let's make a decision today to preserve and enhance, for now and for the future, the quality of life in and the irreplaceable character of a special historic neighborhood in University Heights South.

Thank you for your kind consideration.

Sincerely,

Antonia Greene

(All the boldface emphasis in this letter is mine.)

Concerns of a Homeowner Living in the Historic District South

Intro:

1. I am extremely disappointed that the City ^{South} Commission has sent this back to the Historic Preservation Board, this time with the recommendation from an ad hoc committee of three city employees and developer Reid Fogler that the revised plan be accepted. As a resident of University Heights South I find this both disconcerting and perplexing.
2. One of the city commissioners on the night of July 16th strongly implied that you, members of the Historic Board were not cooperating with the builder and that you had failed to offer the builder a solution as to why his plan was rejected. As one who has sat in on those meetings carefully listening to the dialogue between the builder and the board, nothing could be further from the truth. This false impression presently in the minds of some of the commissioners must be corrected. The city commissioners must be informed that the builder was offered a reasonable solution, in fact, he was offered "approval with conditions," conditions which he rejected.
3. On the July 16th meeting of the City Commissioners, the city manager suggested that he meet with the builder with the hope that a "compromise" could be reached. Now the word *compromise* is interesting. What does the word mean? It means a settlement between two or more parties in which both agree to accept less than they originally wanted. Now who are the two or more parties in this dispute? Where were the homeowners who strongly believe that all structures in the historic area should be limited to only two stories, but are perhaps willing to compromise by accepting the construction of a three story building? Why were they omitted from the discussion? Regardless of what the builder says, the presentation you heard tonight is a blatant distortion and blurring of the *meaning* of compromise. The builder has not taken one step toward a compromise.
4. While on the topic of word meanings there is the word *substantial*. The Historic Preservation Board recommended the builder make a *substantial* change to his plans, namely, reducing the building from four stories to three. What has been submitted is a cosmetic change. It fails to address the expressed concerns of the members of this board. The builder and his architect were informed by one member of this committee that the "building *is just too large for the Historic District... (and) part of the idea of Historic District is to preserve the integrity of the district and the property surrounding it. ... I think we need to be sensitive to the current owners that live in the area and having a possible structure this large up against their homes.*" How would you feel if your were Antonia Greene, having a four story apartment complex lacking

adequate parking for its residence built fourteen feet from your home. I don't think there is a member of this board, including the builder, his partner, and architect, who would like it. Another said, "as historic board members we need to look at something on a much smaller scale to be more compatible with the neighborhood." Another said, "the scale (of this building) is what bothers me about this project." (If accepted) it could spell the slow death of the character of the district." The member was speaking prophetically for on the October 5th, 2004 meeting of the Historic Preservation Board its members were discussing whether "a 3-story building with the 3rd story in the attic could be compatible." Perhaps some of you may have served on that board. Three years later you are now discussing whether a massive four story build^{is} "compatible." What will it be three years from now? Five, six, seven stories? By voting for this recommendation you will be setting a new standard which no doubt will be challenged by future builders. By accepting this proposal you will be actively contributing to the slow death of the historic district; on the other hand, a vote against will be a vote for history and what history has to say to future generations.

designated for demolition

- 5. Now I would like to point out that one of the buildings designated for destruction by the builder and this committee happens to be a historic building. It is a garage apartment behind the Woodbury home. It should be saved. It represents a certain kind of building used during a certain era. Let me explain. I live on 3rd Ave, and in an alley way there are a number of "garage apartments." There are two such garages on 6th ave. On the first floor there was a utility room for washing clothes along with a garage for the owner to park his vehicles. Upstairs there was a small two bedroom apartment which the owner rented out to students attending the University of Florida. This means that this neighborhood was never purely a residential district, it was both residential and "other use," the "other" being the providing of living quarters for students. Today pressures from developers and the city's desire for increased tax revenues are slowly reducing it to a student ghetto.
- 6. The fact is, because of its proximity to the university, the district is a desirable place for some homeowners to live. It was for that reason, I, a homeowner, moved into the district. Recently two young couples bought homes in the district. It is a trend that should be encouraged by the city and this committee rather than discouraged.

Thesis: I want to remind the board that the decision you make tonight is a moral decision, a decision based on right and wrong and on how human beings behave toward each other. Right and wrong in this case transcends what a "legal" document may say or how it may be interpreted. My concerns are:

- I.that the builder has reduced right and wrong to human “rights” while ignoring any *duty* he might have toward his neighbor. But what about one’s duty to one’s neighbors? Tell Nahuapaxahua story
- A. Because most societies in the world see “neighbors” as being important, as having intrinsic dignity, something bricks and mortar, four story apartments, and tax revenues do not possess. *Duties* and obligations always trump so called *property rights*, which incidentally, are not mentioned in the declaration of Independence.
- B. During the last meeting, I believe, the builder was advised that no “right” to build a four story in 6th Ave. was not implied in the term guidelines. In the minds of the framers of the sentence which included the phrase 4 stories, it was to apply to possible four story buildings on the North side of SW 2nd Ave.
- C. After being informed by the HPB that his building was “massive,” “too huge,” and “incompatible” with the neighborhood, he and his partner nevertheless arranged a meeting in the Commerce building designed to drum up support for his project, completely ignoring the recommendations made by this committee (This meeting occurred just before he brought his rejected plan to the City Commission where some members of commission were led to believe that members of HPB were unreasonable and uncooperative.) During that meeting in the Commerce Building I specifically asked, “*What will you do if the City Commission accepts the recommendation of the HPB and turns down your building plan? Will you sue the city in the same way the Springhill developers intend to do?*” His reply was: “*It is your rights versus mine* ” It is his rights versus the rights of his and my neighbor Antonia Greene.
- D. Now as a linguist I am fully aware that unconscious word order in speech actually conveys *meaning*. For example, we say *Liberal Arts and Science*, not *Science and Liberal Arts*. What does the word order mean? It means that *Liberal Arts* courses designed to help students learn how to live and spend their money is more important than science which deals with our material existence. When we say *parent-child* or *employer-employee* we are unconsciously signaling that a parent and employer are in a superordinate or leadership role while the child and employee are in a subordinate role. Now interestingly, the traditional rule in English grammar, which incidentally is a moral rule, is to say “*You and I will do*” not “*Me and you* ” Now why the moral grammatical rule of “Your before I?” It is to signify that your significant other, your neighbor has intrinsic dignity, should be treated in the same way I myself would like to be treated. Now when Mr. Fogler said, “It is *my rights versus your*” instead of “*your rights verses mine*” he was

unconsciously informing me exactly what he personally thinks of me and my neighbor Antonia Greene, though not stated explicitly. Word order is not meaningless

- E. Will the builder sue the city if his imagined rights are violated. I propose that this is exactly what he will do, for that is exactly what he said he would do a couple of years ago in a meeting in our home where he was laying out his development plan to Antonia Greene. Despite the fact that he knew her building was classified as an historic building, he said he would, if purchased, would have it demolished, fully expecting that the City would grant him permission. He made it clear that if necessary he would bring in lawyers from Miami to argue his case. So my advice to this committee is not to be terribly anxious about what Reid Fogler and his partner will or will not do, just do what is right.

II. The builder has stated that any building less than four stories would be economically impossible.

- A. I would challenge that statement. I believe there are others here who would also challenge that statement. If other builders in the neighborhood are able to demolish homes and put up three story condos and apartments then there should be no reason why this builder should not be able to do the same.
- B. I believe this statement added to win your sympathy in order to cause you, the committee, to relax the standards.
- C. While we certainly should all be interested in the builder's well being, he should not be helped in maximizing profits at the expense of his neighbor, even though it might increase the tax base for the city.

III. Concern #3 involves the problem of parking your car.

- A. If the present plan is approved, it is going to make an impossible situation even worse. The ration between bedrooms and parking spaces in the historic district should be equal, not 60-40 as presently proposed by the builder. In addition the builder should provide additional parking space for guests. It is the right thing to do.
- B. There is a dental student who lives next door who left the Stratford apartments which is just a couple of hundred feet from where the proposed building is to be constructed. The reason she left was over parking. She would come home during the evening and then have to find parking on some other street, if she were so fortunate. She moved to 3rd Ave. where street parking was available, that is, until

a few weeks ago With the building of Camden Courts two houses West of us, parking spaces on the street have disappeared Even in places marked "Private Parking" one will find student car filling you space. It has become a parking war, and for me as a homeowner, very frustrating and troubling.

C Yesterday, as I was mowing the lawn, I noticed that the chinch bugs were destroying it This made me wonder about the last the pest control had come by and sprayed it. I discovered that they had been indeed been by but, simply were not able to find parking space in order to serve me. Is he city going to reimburse me for the financial costs I will incur in repairing my lawn. Would that not be a "neighborly act" on their part?

H. Besides classifying buildings as historic, how about the HPB classifying human behavior in the district in historic terms, that is, what one could do historically versus what we cannot do today, like invite a guest over because there would be a place to park his or her car If historical linguistics, historical geology, historical materialism are accepted classification, then how about the preservation of historical customs.

Conclusion:

1. Let me conclude by saying that while tax revenues, bricks, mortar, and apartment building have value, they do not have dignity. Only human beings have dignity. This is why it is important that we treat our neighbors in the same way that we, individuals all prone to make mistakes, should be treated.

2. Finally, as one who can remember going through the depression as a child, these are very uncertain times. Let me remind everyone here that if we as a nation are hit with a deflationary collapse, a real concern of chairman of the Fed, Ben Bernake, then increased tax revenues will collapse, hedge funds will declare bankruptcy, income rental will decrease, and millions of people will walk away from their homes because they can't pay their mortgages, and people will lose their jobs, including those working in Gainesville.

3. In the words of one financial advisor, "*the collapse of the sub prime mortgage business is merely the first symptom in what will continue to reorder the economic universe.*" Now is the time to get out of debt, not leverage it. Another advisor writes: "*There is no magic elixir we can swallow to cure what ails us. The free market is the only force that can fix this mess. Unfortunately, the fix won't be pretty. Prudent lending standards will return, guaranteeing that real estate prices collapse.*"

4. Now I would suggest that there is one thing we can count on and it is this: *history repeats itself.*

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