

060417

CITY
OF
GAINESVILLE

INTER-OFFICE COMMUNICATION

Item No. 13

TO: City Plan Board

DATE: August 17, 2006

FROM: Planning Division Staff

SUBJECT: Petition 112SVA-06 PB, J David Knapp, agent for Shands Hospital. Pursuant to Section 30-192(b), City of Gainesville Land Development Code, to vacate, abandon, and close that portion of Southwest 14th Street located between Southwest 12th Avenue and Southwest 13th Avenue. Related to Petition 110SUP-06PB.

Recommendation

Staff recommends approval of Petition 112SVA-06PB, with conditions.

Explanation

This is a request to vacate a portion of Southwest 14th Street to facilitate the development of a Cancer Hospital and associated facilities.

The City Plan Board and City Commission shall consider the following criteria in determining whether the public welfare would be best served by the proposed action:

1. **Whether the public benefits from the use of the subject right-of-way as part of the city street system.**

When the Little Gandy neighborhood was a viable neighborhood decades ago, the immediate residences living in the Little Gandy neighborhood were probably the only members of the public that benefited from the local streets and alleys located there. The Little Gandy neighborhood was basically cut-off from the rest of the City's local street network because the neighborhood is bounded by Archer Road to the north, US 441 (Southwest 13th Street) to the east, Southwest 16th Avenue to the south, and Southwest 16th Street and the VA federal property to the west.

2. **Whether the proposed action is consistent with the City's comprehensive plan.**

Staff finds that the proposed action would be consistent with the City's Comprehensive Plan because the object of continued revitalization and redevelopment of the urbanized areas bordering the University of Florida campus.

3. Whether the proposed action would violate individual property rights.

Staff finds that the proposed action should not violate any individual property rights. The petitioner is requesting the vacation and closing of only those street rights-of-way that abut property that the petitioner owns. Direct access to all other properties, not owned by the petitioner, has or will be retained by the City of Gainesville. In addition, all existing utilities, both public and private, will be protected and retained for those residences still living in the neighborhood.

4. The availability of alternative action to alleviate the identified problems.

If the proposed streets and alleys were not allowed to be vacated the viability of the proposed project would be jeopardized because of the lack of contiguous land needed for the development.

5. The effect of the proposed action on traffic circulation.

Because of the isolation of the Little Gandy neighborhood from the rest of the City's network of local street circulation patterns and because of the number of properties owned by the petitioner within the neighborhood, City staff does not believe that the actions being proposed will adversely affect the City's traffic circulation patterns. In the decades to come the traffic circulation patterns, within the cancer hospital development area, should be improved as the petitioner acquires additional properties.

6. The effect of the proposed action on crime.

The development of a hospital campus of this size and scope over the next several decades should provide the area with a positive impact as it relates to criminal activities. There should also be much more private security in the area associated with the new development.

7. The effect of the proposed action upon the safety of pedestrian and vehicular traffic.

This development will be incorporating the use of both surface parking lots and vertical garage parking for vehicles. A fully established sidewalk circulation system will be required of the petitioner throughout the hospital campus area. Presently there are no sidewalks existing within the Little Gandy neighborhood. They do, however, exist along the perimeter roads surrounding the neighborhood. In addition to the sidewalk system that will be required, the petitioner will be employing the use of a small bus type system to ferry visitors and staff back and forth between the hospital and the surface lots and parking garage.

8. The effect of the proposed action on the provision of municipal services including, but not limited to emergency service and waste removal services.

The effect of the proposed action should not adversely impact municipal services in the area.

9. The necessity to relocate utilities, both public and private.

The petitioner will relocate, as needed, all existing utilities located within the current rights-of-way at their expense. There should be no interruption in service of any of the utilities, public or private, to the remaining residential dwellings.

10. The effect the proposed action will have on property values in the immediate and surrounding areas.

The action of the street vacations along with the proposed development should increase greatly the property values in the remainder of the neighborhood and surrounding areas.

11. The effect of the proposed action on geographic areas, which may be impacted.

The neighborhood will transition from a residential area to a medical complex the will serve the public.

12. The effect of the proposed action on the design and character of the area.

The design and character of the neighborhood will change from a 1940s-50s style single-family/multi-family neighborhood to a large, modern, Cancer Medical Center Campus.

The recommendation to approve Petition 112SVA-06PB, with conditions, is based, in part, on the comments from the following departments.

City Departments and Utilities

GRU - Real Estate Division: GRU must retain a PUE over the existing roadway to cover any existing utilities that may exist unless or until the petitioner relocates the utilities at their expense.

Bellsouth: BellSouth has no objections to closing the following streets and alleys after all customers have disconnected service. We have a fiber cable leaving SW13th Street west on SW 14th Avenue, then south on SW 14th Street. We cannot close SW14th Avenue or SW 14th Street in these areas of our fiber cable unless developer wants to pay for relocating cable.

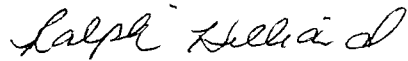
Cox: Cox Communications has highlighted aerial coax cable that is in the area. The owner is aware of all costs. It will be at their expense if going underground. No fiber in the area.

Public Works Department: Staff has reviewed the following street vacation request in the "Little Gandy" subdivision and finds them acceptable with regards to those matters of the Street Vacation Criteria concerning the Public Works Department (items 2 (a), 3, 7, 8, 9 & 10) from a surveyor's perspective.

Fire: Approvable

Planning Division: Approval of the street vacation is conditional upon the following: 1.) The Special Use Permit/Site Plan for the "Shands Cancer Hospital" development must be approved by the City of Gainesville. 2.) The second reading of the ordinance approving the street vacation of a portion of Southwest 14th Street located between Southwest 12th Avenue and Southwest 13th Avenue shall be coordinated with the final sign-off of the site plans for "Shands Cancer Hospital".

Respectfully submitted,

A handwritten signature in cursive script that reads "Ralph Hilliard".

Ralph Hilliard
Planning Manager

Reviewing Department: GRU REAL ESTATE
Checking Official: KRISTIE BEWER, GRU LAND RIGHTS COORDINATOR
Phone No.: 393-1231
Return to: Planning Division - Box 12
P.O. Box 490, Gainesville, FL 32602
Room 158, Thomas Center B
Phone 334-5023; Fax 334-3259

PETITION #: 112SVA-06-PB
(SW 14 STREET)

Response due date:

Planner:

RECOMMENDATION:

Based upon the below criteria and any other relevant considerations, please indicate your recommendation concerning this request.

EXISTING WATER line

* Retain PUE over R/W

Checking Official Signature: K Brewer

Date: 8/1/06

Francis, Gene G.

From: Durbin, Patrick R.
Sent: Wednesday, July 26, 2006 12:45 PM
To: Francis, Gene G.
Cc: Melzer, Richard A.
Subject: Shands Street Vacations

Gene,

I have reviewed the following street vacation requests in the "Little Gandy " subdivision and find them acceptable with regard to those matters of the Street Vacation Criteria concerning the Public Works Department (items 2 (a), 3, 7, 8, 9 & 10) from a Surveyor's perspective.

1. 111SVA-06PB
- * 2. 112SVA-06PB
3. 113SVA-06PB
4. 114SVA-06PB
5. 115SVA-06PB
6. 1115SVA-06PB

I have also reviewed the descriptions and sketches for each requests and find them to be complete, accurate and consistent with the requirements of Chapter 61G17-6 of the Florida Administrative Code (Minimum Technical Standards), particularly section .006 concerning descriptions of land boundaries. I have marked up a master sketch of the neighborhood provided by the petitioner with the extent of each vacation highlighted and returned it to Rick. Let me know if you have any questions/ concerns regarding these petitions.

Thanks, Pat

Patrick R. Durbin, PSM
Surveyor, Public Works Department
City of Gainesville
Office: (352) 334-2062
E-mail: durbinpr@ci.gainesville.fl.us

7/21/06

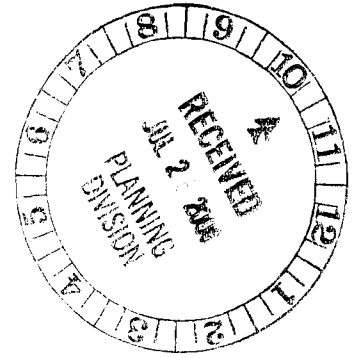
Gene Francis,

Bell South has no objections to closing the following streets and alleys after all customers have disconnected service.

1. 111 SVA-06 PB-
- *2. 112 SVA-06 PB
3. 113 SVA-06 PB
4. 114 SVA-06 PB
5. 115 SVA-06 PB
6. 116 SVA-06 PB

Also Petition # 96 SVA-06 PB we have working lines in one of the two cables feeding from 3rd Ave North to 2nd Avenue. When all workers are disconnected (by customer) we will retire cables. We have a fiber cable leaving SW 3rd St west on SW 14th Ave then south on SW 14th Street. We can not close 14th Ave or SW 14th Street in these areas of our fiber cable unless developer wants to pay for relocating cable.

Thanks
Everett M. Sparks
(352) 331-9147
fax # 352 331-9021



Reviewing Department: Cox Communications – 6020 NW 43rd Street, 32653
Checking Official: Wesley Benton
Phone No.: 337-2171 (mobile 339-1396)
Return to: Planning Division - Box 12
P.O. Box 490, Gainesville, FL 32602
Room 158, Thomas Center B
phone 334-5023; fax 334-3259

PETITION NO. 1125VA-06PB Response due date:

Planner: . 334-5022

Staff discussion of proposed street closing at Development Review Staff Meeting in the First Step Center, Room 119, Thomas Center B, Gainesville, Florida on Monday, August 22, 2005.

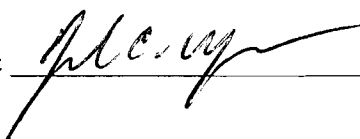
RECOMMENDATION:

Based upon the below criteria and any other relevant considerations, please indicate your recommendation concerning this request.

Cox Communications HAS HIGHLIGHTED AERIAL
COAX CABLE THAT IS IN THIS AREA.

OWNER AWARE OF ALL COST, WILL BE AT
THEIR EXPENCE IF GOING UNDERGROUND.

NO FIBER IN THIS HIGHLIGHTED AREA.

Checking Official Signature:  Date: 7-24-06

11 August 2006

City of Gainesville
Dept. of Community Development
P.O. Box 490
Gainesville, FL 32606-0490

Re: Little Gandy Neighborhood

Attn: City Plan Board Members

I am writing to express the concerns of our Family relative to the City Plan Board Meeting scheduled for Thursday, August 17, 2006.

Our Family has been in residence in our home at 1322 SW 12th Avenue since 1934.

The primary concern of our Family is with Petition # 112SVA-06PB (corrected item) to vacate, abandon and close that portion of Southwest 14th Street located between Southwest 12th Avenue and Southwest 13th Avenue.

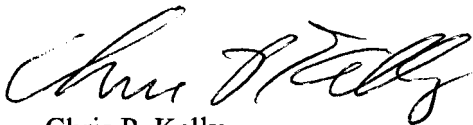
Our position is that closure of the specified portion of Southwest 14th Street would impair the execution of routine City services, U.S.Mail and other delivery and emergency services attributed to City residences.

The proposed petition would isolate and limit routing access to the two Family residences remaining in the Little Gandy neighborhood.

We have included for your information the letter of introduction from Shands HealthCare and our response to the proposal.

We would appreciate your attention in this matter as a consideration of the overall planning process.

Sincerely,



Chris P. Kelly
1322 SW 12th Ave
Gainesville, FL 32608-1102
352-376-6948

2 Encl



11 August 2006

Mr. William J. Robinson
Senior Vice President and
Chief Financial Officer
Shands HealthCare

Re: Conversation 29 June 2006

Dear Mr. Robinson,

In response to your message of 28 June 2006 and our phone conversation 29 June 2006 I was surprised to receive your letter of an offer to purchase dated 14 July 2006.

As I explained in our conversation, following the untimely death of our Mother in January, our family has no immediate plans to make any changes in reference to the residence in the little Gandy neighborhood which has been our Family Home since 1934.

We fully understand and appreciate that our once rural neighborhood has changed and grown along with the City, University of Florida and Shands HealthCare and are generally familiar with the initial site plan for the 200-bed cancer hospital.

We appreciate your interest; however, as stated in our phone conversation making any change to the Family Home is not a priority with us at the current time. There are several alternatives relative to the property that must be evaluated before any decision can be made. We will contact you when these evaluations have been made.

Thank you again for the courtesy of the call of introduction and subsequent letter.

Sincerely,



Chris P. Kelly
For the Kelly Family

Cc: Kerry Kelly

SHANDS HealthCare

July 14, 2006

William J. Robinson
Senior Vice President and
Chief Financial Officer

Mr. Chris Kelly
1322 SW 12th Avenue
Gainesville, FL 32608-1102

Dear Mr. Kelly,

I wanted to formally follow-up and send you my contact information should you want to discuss the sale of your properties at 1214 SW 13th Street and 1322 SW 12th Avenue, Gainesville, FL.

The properties have become an import part of the site plan for the Shands Cancer Hospital and are likely to maintain that value as we develop plans for access to the facility, parking, walking areas and green space. In essence, the properties are worth more to Shands now than they are likely to be when the planning process is complete.

I understand that you want to keep the property in the family for a period of time. Would you consider a purchase with provisions that the properties would remain intact and you would have full rights to use them, as is, for a period of time? This would provide the family with capital that could be used to acquire property elsewhere while giving us a date certain when the properties would be available for inclusion in our site plans.

Shands is willing to pay \$1M if we could enter into an agreement by September 1, 2006 conveying the properties on or before December 1, 2006. We would give you and your family an unencumbered right to use the property as is for a year.

When you are ready, we are prepared to fashion a transaction that will meet your needs.

Please call me if you would like to discuss this matter, my contact information is below.

Sincerely,



William J. Robinson
Chief Financial Officer

WJR/vlh

Quasi-Judicial Registration Form

Name: (please print) MACK TYNER III

Address: 1805 NW 22 TERR, GVL, 32605

Telephone Number: 352-538-2458

Please indicate whether you are for or against this petition: FOR ___ or AGAINST X (mark "X")

Please indicate whether you are requesting a Formal Hearing: YES ___ or NO X (mark "X")

Complete the following section of the form **only** if you are requesting a **formal quasi-judicial hearing**:

(Please refer to the enclosed Quasi-Judicial Hearing sheet contained in this mail-out for more information.)

As an affected person receiving notice of the public hearing on **Petition 110SUP-06 PB**, I hereby request that the City Plan Board conduct a formal quasi-judicial hearing as described above.

Signature: _____

This form and exhibits to be presented to the City Plan Board must be returned no less than 7 days prior to the Public Hearing when the petition is scheduled to be heard as stated in the notification letter to you.

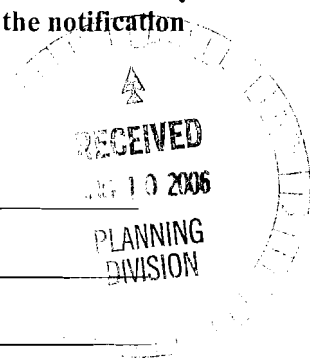
Attorney Information (If applicable):

Name: (please print) _____

Address: _____

Signature: _____

Telephone Number: _____



1) SW 14th ST should not be closed - It is a Federal Mail Route, the only safe exit to the neighborhood and traversed by hundreds of pedestrians and autos daily. Mack Tyner

- 13) **Petition 112SVA-06PB** – **J. David Knapp, agent for Shands Hospital.** Pursuant to **Section 30-192(b), City of Gainesville Land Development Code, to vacate abandon and close Southwest 14th Street located between Southwest 12th Avenue and Southwest 13th Avenue.**

Gene Francis, Planner, requested the Board to change the typo of the address in the petition from Southwest 14th Terrace to Southwest 14th Street.

Refer to petition 110SUP-06PB for scope and details.

Motion By: David Gold	Seconded By: Lauren McDonell
Moved To: Approve with Staff conditions and recommendations; with newly revised conditions 1 and 2, and newly created condition 8.	Upon Vote: Carried 4 – 0.

11) Petition 110SUP-06PB - J. David Knapp, agent for Shands Hospital. A Special Use Permit with associated development plan review to construct an 8 story cancer hospital and parking garage. Zoned:UMU-2 (urban mixed-use, district 2). Located between Archer Road and Southwest 14th Avenue and between Southwest 13th Street and Southwest 16th Street.

Gene Francis, Planner, gave Planning staff power point presentation. Mr. Francis stated this hospital will be located across the street from the existing Shands Medical Center where University Centre Hotel used to be and will house an emergency trauma center with a Helipad.

The petitioner's agents; J. David Knapp, with Flagg and Associates, Patrice Boyes and Brad Pollick, Vice President of Facilities Development for Shands gave a presentation of the structure and design of the proposed building and discussed why the Gainesville Community is in need of a facility like this, noting that Shands is the only medical center in the State of Florida that receives medical referrals from every county. Mr. Knapp summarized the few changes that have occurred from the last public meeting as:

- ✦ the bridge to connect from the new location to the main Shands hospital is not functional. The new building is much higher than the existing Shands building so they are adding a double tunnel under the street, one for services the other for patients and the public.
- ✦ they have recycled about 93% of the materials that were in the University Centre Hotel and are still perusing sustainability for the lead certification.
- ✦ now have a surface retention pond
- ✦ an additional parking lot has been added because parking got a little small with the main entrance still remaining in the same location.

David Gold inquired as to the parking garage plans and how to make it look friendlier on the 13th Street side. Mr. Francis stated that retail shops would be added to that side of the building which is the closest to the road. Mr. Gold further inquired about the parking garage and the stacking problem that may occur. Mr. Knapp stated there will be a right turn in and a right turn out onto 13th Street and does not believe there will be a stacking problem. Mr. Gold stated he was concerned that the stormwater facility north of the parking garage, looks rectangular and wants to know if that basin will contain water and have extensive landscaping around it. Mr. Knapp stated yes and is trying to balance the capacity with the shape so it would not look rectangular as requested in the Ordinance. Mr. Knapp further stated they are looking at wet type trees to put in that area.

Mr. Gold inquired if Mr. Knapp expects patients from big Shands to be using this new parking garage. Mr. Knapp stated the garage is going to be gated and controlled. Mr. Gold stated he loves the idea of the pedestrian bridge that was proposed initially because Archer Road is a dangerous intersection and patients and visitors will be crossing the street. Mr. Knapp stated they are looking at safety operational issues with DOT relative to lights and their sequence countdowns for pedestrians.

Mr. Wyatt Bowers with PBS and J, who has done a lot of transportation work on this project, explained they are placing a concrete separator medium that is approximately 6 feet wide in the middle of the street, and if at a later point in time the road is needed to be widened, for example to get a traffic signal with a turn lane, they will be able to use another 6 feet to total 12 feet.

Chair Polshek suggested the applicant/petitioner should move the building back additional feet to compensate for the narrow strip on such a high speed road to make Southwest 13th Street a pedestrian friendly gateway corridor of the City of Gainesville. Gene Francis stated that the requirement for the setback of the Building from the curb is 15 feet.

Chair Polshek inquired if second floor parking area is going to be screened. Mr. Knapp stated yes there has been no problem with that. Chair Polshek asked if the façade on the south side of the garage facing State Road 441 can be improved because it is not very pleasant. Mr. Knapp stated that he will look at it. Chair Polshek stated he would like the proposed building to be facing Archer Road interacting with the street since it will be active.

Citizen Mike Tyner stated he is representing his parents who live on 14th Street has no objection to closing any of the alleyways but does not want 14th Street to be closed as it is traveled by hundreds of pedestrians everyday and does not believe that the citizens should give up that roadway to Shands to put water on it that is going to run down on State Road 441. Mr. Tyner further stated his family owns 4 of the 6 lots and Shands owns the other 2. Citizen Chris Kelly stated in way of introduction his father's name is on the power plant building and on behalf of his family would prefer not to have 14th Street closed.

Citizen George Decal stated that he supports the Shands proposal. Mr. Decal requested the applicant/petitioner to revisit the bike/pedestrian trail that comes down 12th Avenue and the road that curves around the bike/pedestrian trail.

The Board inquired what's Staff's position to the closing of 14th Street. Mr. Francis stated the petitioner owns it on either side and Staff has no problems with the street vacation as long as there are easements. Mr. Knapp added that they will be totally replacing the roads and spoke with the Post Master who spoke with his carrier and stated that there should be no problem in delivering mail as usual.

Patrice Boyes, petitioner's agent, stated she would like the Board to adopt the language Staff has provided in condition 4, condition 3, condition 1 and Findings (A) on pages 3 and 4 of Mr. Francis's comments and use the language about the exceptions. Ms Boyes further stated that the Wetland Code is structured in such a way that there is a zero tolerance for any kind of impact to the wetland buffers or wetland for any purpose. Ms. Boyes stated that the applicant feels that it would be in the public's interest to have cancer patients enjoy the environment they are trying to create and would like the Board to keep an open mind and entertain the applicant's proposal without closing the door. Ms. Boyes stated based on UPD's evaluation the door has been shut that the proposal for the healing garden in this particular use for whatever reason does not meet avoidance and minimization standards. Ms. Boyes added that the City code double dips where public interest is concerned, it takes

the UMAM public interests tests and applies it twice. Dean Mimms, Chief Comprehensive Planner, stated the Wetland Ordinance is very specific and very clear that the ordinance must be met; it is the code that drives it.

Ms. Boyes clarified to the Board what changes and exemptions they are requesting in the Findings Section on pages 3 and 4 from the Staff Recommendations sheet:

- ✦ Condition 1 – replace last sentence with “All city requirements must be met prior to final approval. The applicant will obtain all necessary approvals from other government agencies with jurisdiction.
- ✦ Condition 2 – The petition must register its Helipad with the Federal Aviation Administration for the roof of the new Shand’s Cancer Hospital and provide the City Staff with a copy of that approval.
- ✦ Condition 8 (adding a new condition) “the petitioner is hereby granted an exception to the central corridor design standards from the following requirements;
 - a) creating a significant pedestrian entrance on the front of the Cancer Hospital that fronts on Archer Road
 - b) no more than 150 ft of horizontal façade without creating an entrance having an operable entrance door
 - c) in the Southwest 13th Street Special Area Plans no building should be no wider than 100 ft when parallel in the street
 - d) the parking garage be allowed to be 300 ft in width.

Motion By: David Gold	Seconded By: Adam Tecler
Moved To: Approve with Staff conditions and recommendations; with newly revised conditions 1 and 2, and newly created condition 8.	Upon Vote: Carried 4 – 0.