



Legislation Text

File #: 061156., **Version:** 1

Gainesville Greens Development Agreement (NB)

This is a request that the developer's agreement for the proposed Gainesville Greens development be updated to reflect the recently approved 12 month extension to the option on City Lot 10.

On March 15, 2006 Equity Venture, the developer of the Gainesville Greens project requested an extension of the option on City Lot 10. On April 23, 2007, the City Commission approved the extension of the option on Lot 10 for a period not to exceed 12 months, ending June 17, 2008. Due to this, the development agreement signed with the CRA will no longer be current. The current development agreement requires construction to be completed prior to the new option extension approved by the City Commission. Staff recommends that the development agreement be extended by one year.

As background on the development and RFP process to date, Section 163.380(2) of Florida Statutes provides that interests in real property acquired by a Community Redevelopment Agency (CRA) may be disposed of in accordance with reasonable disposal procedures. Section 163.380(3), Florida Statutes, provides that prior to disposing of interests in real property, notice shall be published soliciting proposals from developers, which are to be submitted within 30 days after publication. Thereafter the CRA shall consider any such submitted proposals and accept such proposals as it deems to be in the public interest.

The City has optioned Lot 10 to the CRA, which, pursuant to the authority provided by that statute, issued a Request for Proposal on June 17, 2005. On September 19, 2005, the CRA considered four proposals that had been submitted in accordance with the above procedures and ranked as highest the proposal submitted by Gainesville Greens, a mixed-use residential development proposal. Gainesville Greens has taken a number of steps toward development. During this process, Alachua County Environmental Protection identified a source of underground pollution on the development site; this contamination is a remnant of previous dry-cleaning activity on the site. Based on this information, County staff and neighboring property owners expressed concern regarding the spread of this contamination caused by onsite drilling related to the Gainesville Greens development. Gainesville Greens responded to the situation and stated that the development would not utilize a deep pile foundation system. Rather, a mat foundation was agreed upon. On May 31, 2007, staff received notice from the developer that Gainesville Greens now intends to pursue a deep pile foundation as engineering work has determined that a mat foundation will not adequately support the proposed building. Such a deviation will necessitate that the development attain a new preliminary site plan approval. Additionally, the issue again raises concerns with Alachua County EPD that deep pile borings may contribute to the spread of existing contamination. The applicant has met with CRA, City, and County EPD staff regarding the issue. At this time, engineering studies indicate that the spread of pollution as a result of the pile foundation is unlikely. However the developer will pursue additional engineering studies and will formulate a revised action plan that explores all options for contaminant management in greater detail.

None

Executive Director to the CRA: Authorize the Executive Director to execute all appropriate documents prepared by the CRA Attorney that will allow for the extension of the development agreement by one year.