

**ESCAMBIA COUNTY HOUSING FINANCE AUTHORITY
REQUEST FOR PROPOSALS (RFP)
FOR
PURCHASE AND DEVELOPMENT OF PROPERTY
LOCATED AT 625 OLIVE ROAD, PENSACOLA, FLORIDA**

PROPOSAL NO.: ECHFA 2024-01

The Escambia County Housing Finance Authority (hereinafter referred to as the “Authority”) owns certain real property appropriate for development as affordable residential use property. You are advised that the Authority will accept Proposals for the sale and development of the property as generally described below. All interested parties are invited and encouraged to submit proposals. The specifications for the proposal may be obtained from the Authority by contacting fran.jones@escambiahfa.com or lisa.bernau@escambiahfa.com or by telephone at (850) 432-7077 or (800) 388-1970.

All submissions must be in the form described in the specifications and must include at least one (1) signed original of the proposal executed by a person with legal authority to bind the Proposer and one (1) complete electronic copy. Submissions must be received by the Authority by May 6, 2024 no later than 4:00 p.m. (Central Standard Time). Proposals may be delivered to the Authority’s Office located at 700 South Palafox Street, Suite 310, Pensacola, Florida, 32502. Submittals received after the closing time will be returned unopened. Multiple submittals from the same entity will not be accepted and will be returned unopened. All submittals shall be sealed and marked in the manner prescribed. Responses must be clearly marked as follows:

**Proposals for Purchase and Development of Property
Located at 625 Olive Road, Pensacola, Florida**

Any questions concerning the proposal should be addressed and submitted in writing to:

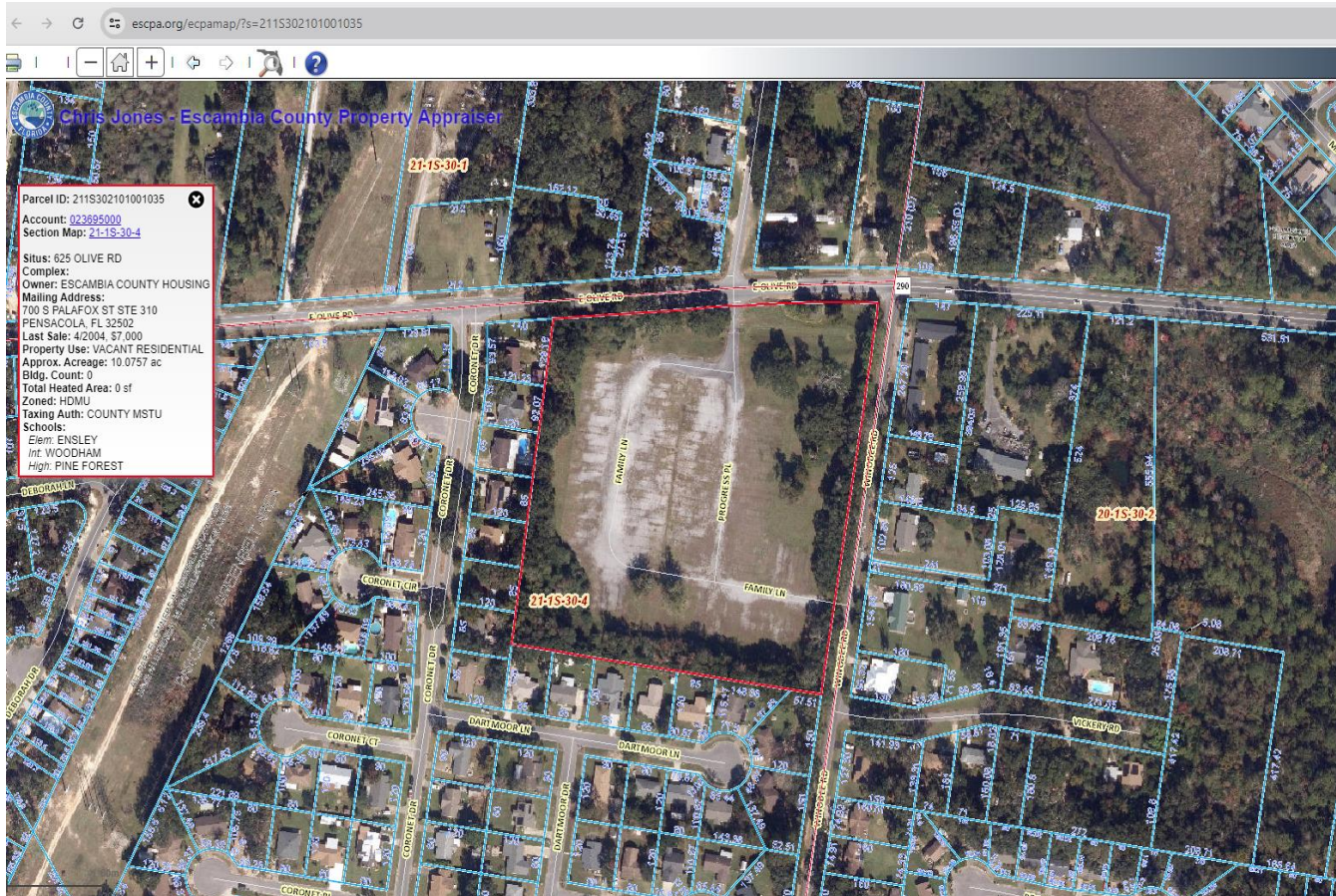
**Fran Jones, Director of Housing
Escambia County Housing Finance Authority
700 South Palafox Street, Suite 310
Pensacola, FL 32502
(850) 432-7077
fran.jones@escambiahfa.com**

The Authority adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to Authority services, programs, and activities. Please call (850) 432-7077 for further information. Requests must be made at least 48 hours in advance of the event in order to allow the Authority time to provide the requested services.

The Authority reserves the right to accept or reject any or all submissions, to waive any proposal informalities and to re-advertise for submission when deemed in the best interest of the Authority.

Sandra J. Ward, Chair
Escambia County Housing Finance Authority

Notice to Interested Parties:
AUTHORITY to Receive Proposals for Purchase and Development
of Property Located at 625 Olive Road, Pensacola Florida



Approximately 10-acre parcel of undeveloped vacant land located at 625 Olive Road, Pensacola, Florida
(Convenient to Interstate 10 and 110 in the vicinity of University Mall Town Center/ Davis Highway Commercial Corridor and lying between Davis Highway and US Highway 29N in unincorporated Escambia County, Florida)

The AUTHORITY hereby formally requests submission of proposals for the Purchase and Development of Property located at 625 Olive Road, Pensacola Florida from experienced, financially sound residential developers, contractors, investors, or other qualified parties.

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1. PROJECT PURPOSE/OVERVIEW

The AUTHORITY wishes to receive proposals from qualified entities that wish to purchase the AUTHORITY's property with covenants to build a top-quality affordable residential development.

Property Reference #: 211S302101001035

Legal Description:

LEGAL DESCRIPTION:

A portion of Lots 35 and 36, Section 21, Township 1 South, Range 30 West; Escambia County, Florida according to plat recorded in Deed Book 2 at page 90 of the public records of said County more particularly described as follows:

Commence at the southeast corner of the North Half of said Lot 36, also known as the southeast corner of Lot 1 according to Deed Book 87 at page 550; thence North 82 degrees 38'05" West along the south line of said Lot 36 for a distance of 30.00 feet to the west right of way line of Winodee Road (60' R/W) for the point of beginning.

Thence continue North 82 degrees 38'05" West along said south line, also being the north line of Parcel A, Carlisle Subdivision Unit #1 according to plat recorded in Plat Book 9 at page 14, for a distance of 630.91 feet to the east line of said Carlisle Subdivision Unit #1; thence North 07 degrees 22'40" East along said east line for a distance of 590.47 feet to the south right of way line of Olive Road (66' R/W); thence North 85 degrees 03'00" East (this course and the next course are long said south right of way line) for a distance of 346.52 to the point of curvature of a circular curve concave to the south, having a radius of 3670.32 feet and delta angle of 04 degrees 37'51"; thence northeasterly along the arc of said curve for an arc distance of 296.65 feet (chord distance of 296.57 feet and chord bearing of North 87 degrees 21'56" East) to the west right of way line of said Winodee Road (60' R/W); thence South 07 degrees 21'07" West along said west right of way line for a distance of 715.88 feet to the point of beginning.

All lying and being in Section 21, Township 1 South, Range 30 West, Escambia County, Florida. Containing 9.52 acres, more or less.

ALSO:

Parcel A, Carlisle Unit No. 1, a subdivision of a portion of Section 21, Township 1 South, Range 30 West, Escambia County, Florida as recorded in Plat Book 9 at Page 14 of the Public Records of said county.

This AUTHORITY-owned parcel is being made available for sale for development of affordable housing that is consistent with the surrounding residential neighborhoods and will provide high quality mixed income, workforce housing for families in Escambia County. Proposals including mixed use components are encouraged; however, it is the developer's responsibility to ensure that any proposed use will be consistent with Escambia County zoning and use requirements.

General Description of Subject Property

The large parcel, approximately 10 acres in size, is located in Escambia County's urban area slightly north of the City limits of the City of Pensacola. The parcel has over 650' of paved

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frontage directly on Olive Road, a well-traveled east/west corridor linking areas west of Davis Highway with areas lying to the east, terminating at Scenic Highway (US 90). It is primarily surrounded by single family residential subdivisions. The AUTHORITY is seeking proposals for purchase of the property with covenants to build a high quality affordable residential development providing mixed income, workforce housing for families in Escambia County. Any development should add value to the local residential market by affording families access to a quality, mixed income residential setting that is fully compliant with all applicable zoning, subdivision, permitting and building code requirements. Mixed use components are encouraged but not required. The AUTHORITY, in its sole discretion, will select the proposal that is the best proposal taking into account both the monetary compensation offered and the development proposal presented, as applicable.

Zoning/Land Use Requirements

The parcel, located at 625 Olive Road in unincorporated Escambia County, is zoned High Density Mixed Use (HDMU) with a Future Land Use designation of Mixed Use Urban (MU-U). According to the Escambia County Land Development Code the zoning and future land use designations are compatible with respect to density and allowable uses (see Zoning & FLU Maps and relevant excerpts from the Escambia County Land Development Code included as **Exhibits “E” & “F”**). The Property is largely cleared, with the exception of a well-established tree line (buffer) bordering the property on the East, South and West parameters as well as a few large trees interspersed on the parcel’s interior. The property elevation is well above 100’ with a minimal slope toward Olive Road (virtually level). It is located in Flood Zone X and has not been prone to flooding, even in severe rain events in recent Escambia County history. Currently, there are 2 small retention areas located on the property (associated with the prior development described in the following section) and stormwater is ultimately managed through ditches located in the County right-of-way along Olive Road and Winodee Road. Stormwater drainage and retention will have to be addressed as part of the development review and approval process administered by Escambia County, Florida and will depend on the density and type of development proposed. See additional Site Maps and related information depicting current site conditions included in **Exhibits “B”, “C” & “D”**. Escambia County does provide an opportunity for developers to secure preliminary review and comment regarding proposals through its Development Review Committee which convenes every Wednesday afternoon for this purpose - contact: developmentreview@myescambia.com

The site information provided above is for the convenience of the Proposer, **however, Proposers shall be solely responsible for proper verification and confirmation of the development alternatives, requirements and limitations associated with the property.**

No Known Environmental Conditions

The AUTHORITY is not aware of unusual existing regulated environmental conditions that could render development of this site infeasible. The property was developed for use as an emergency (mobile home) housing site following Hurricane Ivan in 2004, but those improvements were removed by the U.S. Corp of Engineers following the completion of the Ivan recovery mission. The property has been used by Mastec North America, Inc. as a staging area for the installation

of underground overhead laterals and utilities infrastructure since 2023 pursuant to a temporary license agreement ending December 31, 2024. Purchasers should plan to obtain any environmental assessments they desire at their own expense. The AUTHORITY will make no representations or warranties regarding environmental conditions of the property. The property is offered “as is where is.”

Special Designations impacting Subject Property

This property is not located within an Escambia County Community Redevelopment Area (CRA) or Enterprise Zone. However, the property is immediately adjacent to the currently designated Ensley CRA with the Olive Road serving as the southernmost boundary. Florida Housing Finance Corporation has designated the area as a 2024 Geographic Area of Opportunity.

2. PROPOSAL REQUIREMENTS

Proposals submitted in response to the RFP must include all the required information delineated below. Failure to provide complete information and details adequate to fully evaluate the proposal may be cause for rejection of your proposal:

The Proposal should include the following components:

A. Identification of Proposer (Purchaser)

Identify the Proposer who wishes to purchase the property and provide documentation of financial capacity to consummate the purchase of the property at the stipulated AUTHORITY minimum or the price offered by the Proposer.

B. Purchase Price/Offer by Proposer

Proposer must state the purchase price offered. In addition to the completed and signed forms provided in **Exhibit “A”**, Proposer shall present a formal purchase contract/offer for consideration by the AUTHORITY.

C. Timeline for Closing

Proposer shall provide a timeline or schedule denoting the schedule for closing on the purchase, to include any provision for due diligence by the Proposer (Purchaser).

D. Credentials

a. Identify the Proposer and Key Staff, to include the development team’s organizational structure, presented in graphic form, and the names, affiliation and addresses of all principals.

b. Proposer Qualifications and Experience: The professional qualifications and experience of the team specific to the type of development proposed for the property and evidence of prior successful completion of developments of a similar type and level of complexity, preferably in Escambia County or the State of Florida.

E. Project Proposal

Provide both pictorial and written descriptions of the proposed site development plan for the property, all associated enhancements to the property and improvements to public rights-of-way adjoining the property.

F. Affordability Components

Proposer must specify the number of affordable residential units that will be made available through the proposed development of the property and how affordability will be maintained, if applicable.

Preference is given for mixed income workforce units serving families. If units are single-family residences, the initial sales price should be less than 90% of the median sales price for single family residences in Escambia County.

Proposals including mixed use development are encouraged but not required. It is the developer's responsibility to ensure that any proposed use will be consistent with Escambia County zoning and land use requirements.

G. Development Schedule

Development Schedule should include all milestones, from planning/design/permitting through construction and sale.

H. Local Government Preference/Contribution Application

Any Proposer wishing to apply for a local government preference/contribution in connection with a proposal to the Florida Housing Finance Corporation is advised that compliance with conditions established by Escambia County, Florida. County applications will be posted to their website at <https://myescambia.com/our-services/neighborhood-human-services/neighborhood-enterprise/rental-programs>.

County contact information is as follows:

Escambia County Neighborhood
Enterprise Division FHFC Housing
Tax Credit Applications
Garett Griffin, Division
Manager 221 Palafox
Place, Suite 305
Pensacola, FL 32502

Questions may be submitted to: GRGriffin@myescambia.com

No assurance is made that Escambia County will designate any project for a local government preference/contribution.

3. **GENERAL CONDITIONS FOR PROPOSALS**

To ensure acceptance, all Proposers submitting a response to this AUTHORITY RFP shall abide by the following conditions, attached specifications, and proposal form(s) unless otherwise specified. Proposals that are not submitted in the requested format presented herein or that do not comply with stipulated conditions, may be subject to rejection by the AUTHORITY.

- a. **Award Determination to be Based on Best Interest of the AUTHORITY:** There is no obligation on the part of the AUTHORITY to select any purchase offer or award any contract to any Proposer. The AUTHORITY reserves the right to select a purchase offer, award a contract or enter an agreement, or negotiate a contract or agreement with the responsible submitter providing the most responsive or best alternative(s) which is most advantageous to and in the best interest of the AUTHORITY. The AUTHORITY may allow a contingency based on Florida Housing award of tax credit or Escambia County approval for local government contribution in its sole discretion. The AUTHORITY shall be the sole authority for all final decisions regarding submissions, rejections, ranking, selection, award and any resulting purchase or development agreement or contract.
- b. **Anticipated Project Timeline:** The AUTHORITY expects to complete the review, ranking and selection process within one week from the Proposal submission date specified elsewhere in this RFP.
- c. **Exceptions to Specifications:** To assure equal consideration in evaluating submissions, any exceptions to or deviations from the requested information as written herein must be noted and fully explained by the Proposer. The AUTHORITY shall make the final determination as to the acceptability of any such exceptions.
- d. **Interpretations:** All questions concerning the RFP specifications or conditions shall be directed in writing to the AUTHORITY, or as instructed on the Request for Proposal Page on the AUTHORITY's website (www.escambiahfa.com), at least ten (10) days prior to the Proposal submittal deadline date. Inquiries must refer to the proposed item(s) or service(s) and the date of the Proposal submittal deadline. Interpretations will be made in the form of an addendum placed on the AUTHORITY's website. The AUTHORITY shall not be responsible for any other explanation or interpretation beyond that in the RFP section of the AUTHORITY website.
- e. **Legal Requirements:** All applicable provisions of Federal, State, County, AUTHORITY and other applicable local laws including all ordinances, rules, and regulations shall govern the submittal and evaluation of all proposals received in response to these specifications, and shall govern any and all claims between person(s) submitting a proposal response hereto and the AUTHORITY, by and through its officers, employees and authorized representatives. A lack of knowledge by the submitter concerning any of the aforementioned shall not constitute a cognizable defense against the legal effect thereof. The submitter agrees that it will

not discriminate on the basis of race, creed, color, national origin, religion, sex, age, familial status or disability.

- f. **Licenses, Registration and Certificates:** Each submitter shall possess at the time of its submission all licenses, registrations and certificates necessary to engage in the carry out the tasks outlined in the Proposal (or for any contracting if the work to be performed necessitates a particular type of contractor or specialty contractor) in Escambia County. Proposer must also possess all licenses, registrations and certificates necessary to comply with federal, state and local laws and regulations having applicability to this solicitation.
- g. **Mistakes:** Submitters are expected to examine the conditions, scope of work, proposal prices, mathematical calculations or extensions, and all instructions pertaining to the item(s) or service(s) involved in performance under the tenets of the RFP. Failure to do so will be at the proposer's risk. Where unit prices are stipulated, unit process rather than sum totals shall be used in determining contract award.
- h. **Permits and Taxes:** The submitter shall procure all permits, pay all charges, fees, and taxes, and give all notices necessary and incidental to the due and lawful prosecution of the purchase or purchase and development of the property as outlined herein.
- i. **Prohibited Conduct by Bidders:** Upon the publication of any solicitation for sealed bids, requests for proposals, requests for qualifications, or other solicitation of interest or invitation to negotiate by any authorized representative of the AUTHORITY, the AUTHORITY's Board, any party interested in submitting a bid, proposal, or other response reflecting an interest in participating in the purchasing or contracting process shall be prohibited from engaging in any communication **pertaining to formal solicitations** with any member of the AUTHORITY's Board or any member of a selection/evaluation committee for RFPs/RFQs, whether directly or indirectly or through any representative or agent, whether in person, by mail, by facsimile, by telephone, by electronic communications device, or by any other means of communication, until such time as the AUTHORITY has completed all action with respect to the solicitation.
- j. **Proposal Withdrawals:** No proposal may be withdrawn after closing time for receipt of proposals for a period of one hundred twenty (120) days thereafter. Selection of the Proposer shall be deemed to be legally binding at the time of selection by AUTHORITY's Board.
- k. **Protests:** Protests of the selection or intended selection of a Proposer for purchase or purchase and development of the Property must be in writing and received by the AUTHORITY within three (3) working days of the notice of selection. A detailed explanation of the protest must be included. It is the responsibility of the Proposer to ensure that the protest is received by the AUTHORITY within the time parameters outlined.

- l. Public Entity Crimes:** By submitting a proposal each proposer is confirming that the company has not been placed on the convicted vendors list as described in Florida Statue §287.133 (2) (a).
- m. Public Records:** Any material submitted in response to this Request for Proposal will become a public document pursuant to Florida Statue §119.07. This includes material which the responding proposer might consider to be confidential or a trade secret. Any claim of confidentiality is waived upon submission, effective after opening the proposal pursuant to Florida Statue §119.07.
- n. Rejection of Proposals:** The AUTHORITY reserves the right to accept or reject any or all proposals, to award proposals on a split-order basis by item or service number (if applicable), to waive any irregularities, technicalities, or informalities, and to re-advertise for proposals when deemed in the best interest of the AUTHORITY.
- o. Sealed Proposals:** The specifications and all executed proposal forms must be submitted in a sealed envelope. All proposals must be signed by an authorized representative of the Proposer. The face of the proposal envelope shall be plainly marked identifying this RFP and the date of the proposal opening. It shall be the sole responsibility of the proposer to assure receipt of proposal at the office of the AUTHORITY prior to the published time for the proposal submittal deadline. No proposal will be accepted after closing time for receipt of proposals; **nor will any offers by telephone, fax, internet or email be accepted.**
- p. State Law Application:** The law of the State of Florida shall be the law applied in the resolution of any action, claim or other proceeding arising out of this contract.
- q. Venue:** Venue for any claim, action or proceeding arising out of this contract shall be the state courts of Escambia County, Florida.

Materials other than those generally specified herein shall not be considered and shall not be submitted. No material or substantial additions, modifications or substitutions shall be made to the submissions subsequent to the submission deadline, unless so requested by the AUTHORITY.

4. SUBMISSION SCHEDULE, PROCEDURES AND LOCATIONS

April 22, 2024

RFP Advertisement

May 14, 2024

2:00 PM (CST) Deadline for written questions

Submit written questions to:

**Lisa Bernau, Executive Director
AND
Fran Jones, Director of Housing
Escambia County Housing Finance Authority
700 South Palafox Street, Suite 310
Pensacola, Florida 32502
Lisa.bernau@escambiahfa.com
Fran.jones@escambiahfa.com**

May 21, 2024

Not later than 2:00 p.m. (CST) - Deadline date for submission of Proposals

Proposal submissions must be marked:

**RFP FOR PURCHASE AND DEVELOPMENT OF
PROPERTY LOCATED AT 625 OLIVE ROAD,
PENSACOLA, FLORIDA**

Proposal submission must be received at:

**Escambia County Housing Finance Authority
700 South Palafox Street, Suite 310
Pensacola, FL 32502**

Proposal submissions must be accompanied by a signed Proposal Submittal Form (**Exhibit "A"**), a formal purchase contract/offer for consideration by the AUTHORITY, and a 5% Bid Binder. The Bid Binder shall be in the form of a cashier's check or certified check made payable to the Escambia County Housing Finance Authority. The Bid Binder is refundable if the proposal is not selected by the AUTHORITY. If the proposal is selected by AUTHORITY, the Bid Binder will be applied toward the final purchase price upon successful culmination of negotiations.

TBD

Oral presentations (if necessary)

* All dates listed are subject to change

5. SUBMITTAL PACKAGE REQUIREMENTS

A complete proposal submission package consisting of one (1) hard copy original and one electronic copy must be included in the sealed proposal. Mail proposals must be received at the office of the AUTHORITY no later than the deadline noted above.

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Proposal submissions **must** be accompanied by a signed Proposal Submittal Form (**Exhibit “A”**), a formal purchase contract/offer for consideration by the AUTHORITY, and a 5% Bid Binder. The Bid Binder shall be in the form of a cashier’s check or certified check made payable to the Escambia County Housing Finance Authority. The Bid Binder is refundable if the proposal is not selected by the AUTHORITY. If the proposal is selected by AUTHORITY, the Bid Binder will be applied toward the final purchase price upon successful culmination of negotiations.

6. BASIS FOR SELECTION

Written proposals shall be reviewed and ranked by a Review Committee selected by the AUTHORITY. The written proposals will be evaluated and ranked based on the *criteria enumerated below*. The Review Committee may recommend award based solely on the ranking of written proposals. However, at the discretion of the Review Committee, two or more respondents may be asked to provide oral presentations to the committee. Upon receipt of the Review Committee’s recommendation, the Executive Director may elect to recommend a selection or award to the AUTHORITY’s Board or may reject all the proposals.

- a. The extent to which the proposal fulfills the objectives and requirements contained herein, particularly items and concepts noted in the “Project Overview” above.
- b. Purchase Price
- c. Affordability Components, including:
 - 1) The quality of the development proposed for the property;
 - 2) The experience and qualifications of the development team.
 - 3) The creation of affordable workforce housing with set-asides or, if the development will be single family, affordable purchase prices specified.
 - 4) The timeline for completion of the sale or sale/development of the property.
- d. The anticipated benefits to the surrounding neighborhood or the community at large. Examples of such benefits could include, but are not limited to:
 - 1) Returning the property to taxable status.
 - 2) Actual and/or planned investment.
 - 3) Planned stormwater retention, infrastructure, street improvements or other enhancements.
 - 4) Creation of desirable enhancement(s) for the benefit of the surrounding neighborhood(s), such as mixed-use development.
 - 5) Provision for on-site park and/or neighborhood green space.
 - 6) Plans to complement surrounding land uses and neighborhood characteristics.

- e. The architectural quality and character of the proposed development, including:
 - 1) The compatibility of the proposed development with adjacent existing neighborhood.
 - 2) The compatibility of the proposed site development pattern with adjacent existing and planned development.
 - 3) The use of appropriate and compatible materials and details.
 - 4) The appropriateness of structure height and massing with adjacent existing land use.

7. OTHER GENERAL CONDITIONS

- a. The Review Committee reserves the right to request any additional information, as needed, from any or all Proposers.
- b. All proposals are subject to all applicable laws and regulations governing the sale, use and/or development of land.
- c. The Proposer shall provide presentations if requested by the Review Committee.
- d. No Proposer shall assign its proposal or any rights or obligations thereunder without the written consent of the AUTHORITY.
- e. The Proposer affirms that its Principals are of lawful age and that no other person, firm or corporation has any interest in this proposal or the contract proposed to be entered into unless such person, firm or corporation has been specifically identified in the proposal.
- f. The Proposer affirms that its proposal is made without any understanding, agreement or connection with any other person, firm, or corporation making a proposal for the same purpose and is in all respects fair and without collusion or fraud.
- g. The Proposer affirms that it is not in arrears to Escambia County or the City of Pensacola upon debt or contract and is not a defaulter, as surety or otherwise, upon any obligation to Escambia County or the City of Pensacola.
- h. The Proposer has carefully read the provisions, terms and conditions of the proposal document and does hereby agree to be bound thereby.

(End – **Exhibits A – F** follow)

**PROPOSAL SIGNATURE FORM
RFP ECHFA 2024-01
PURCHASE AND DEVELOPMENT OF PROPERTY
LOCATED AT 625 OLIVE ROAD, PENSACOLA, FLORIDA**

I (WE) _____ certify that this Proposal is true and correct to the best of my (our) knowledge and belief, that no other persons other than those herein named has any interest in this proposal or in the contract to be taken, and that it is made without any connection with any other person or persons making a proposal for the same articles, and it is in all respects fair and without collusion or fraud. The undersigned further declares that he has carefully examined the Request For Proposals and is thoroughly familiar with their provisions.

Date: _____

Signature: _____

Name/Title: _____

Address: _____

Date: _____

Signature: _____

Name/Title: _____

Address: _____

Attest: _____
Print Name:

Attest: _____
Print Name:

To receive consideration for award, this signature sheet, the above Proposal Submittal Form, a formal purchase contract/offer and a certified check or cashier's check in the amount of the required Bid Binder must be returned as part of your response.

EXHIBIT "B"
Site Location Map
625 Olive Road, Pensacola, FL

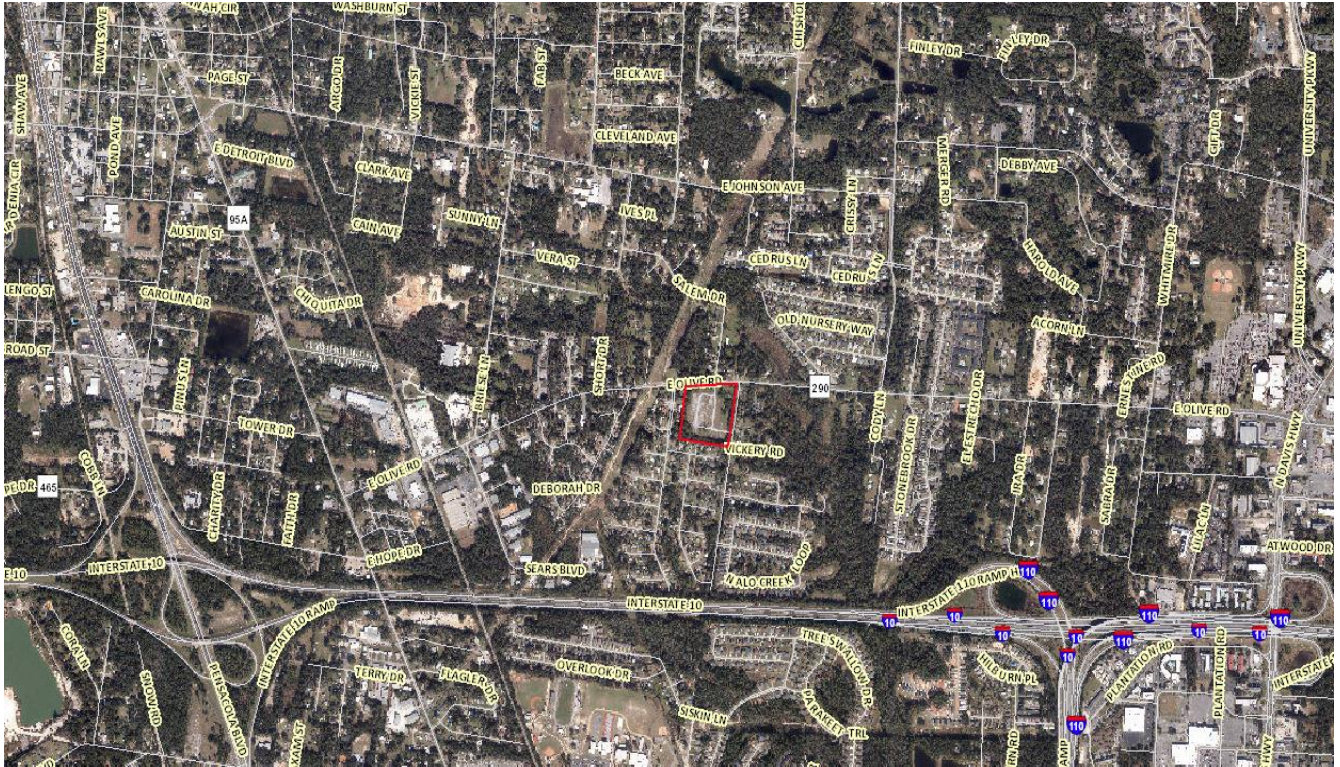


EXHIBIT "C"
Site Location- Aerial
625 Olive Road



EXHIBIT "D"
Parcel Dimensions
625 Olive Road

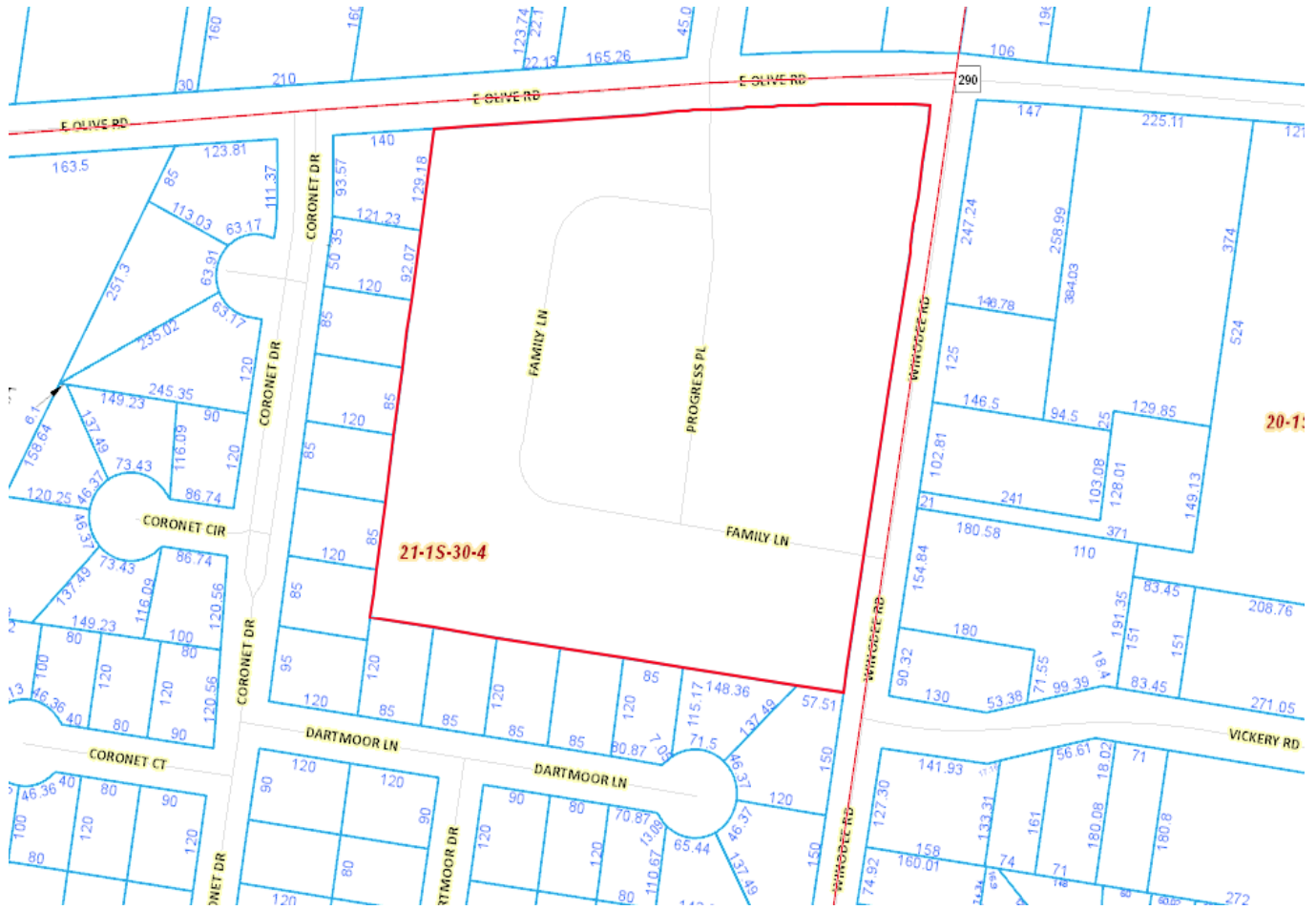
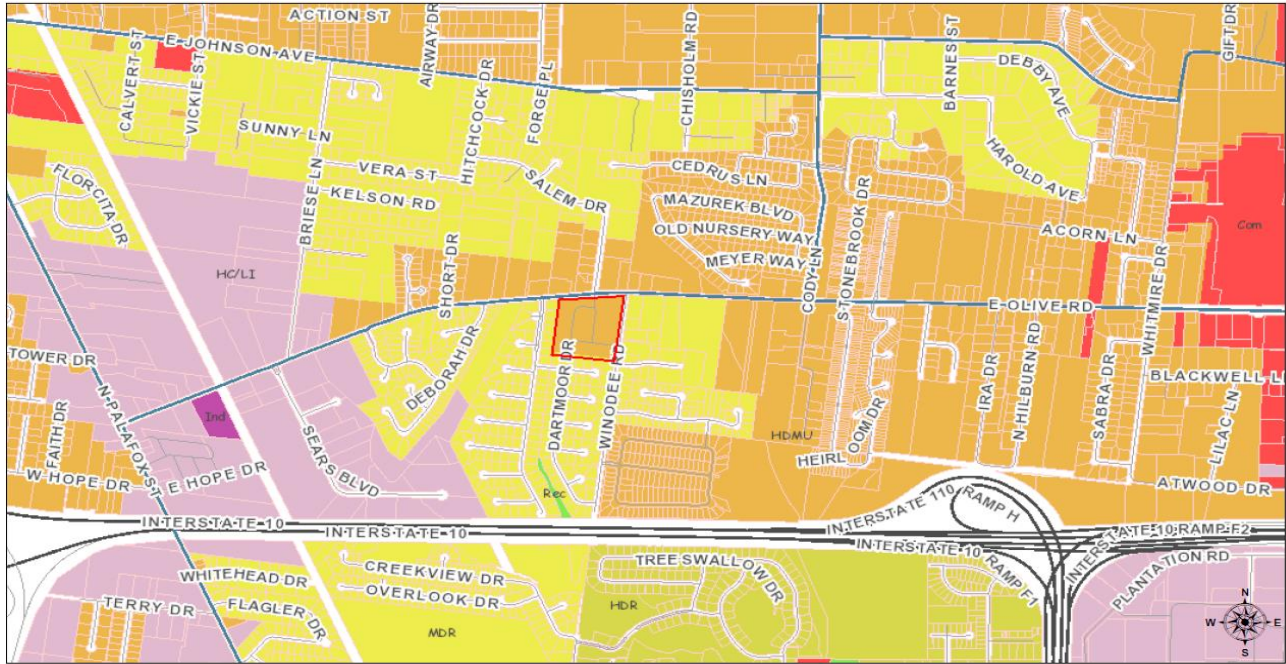


EXHIBIT "E"

Escambia County Zoning and Future Land Use Maps

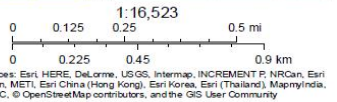
625 Olive Road

Zoning Map: High Density Mixed Use (HDMU)



September 14, 2017

- | | | |
|---------------------|----------------------|--------------|
| polygonLayer | Streets | — COLLECTOR |
| Override 1 | — PRINCIPAL ARTERIAL | — LOCAL ROAD |
| | — MINOR ARTERIAL | □ Parcels |



2017

Future Land Use: Mixed Use – Urban (MU-U)

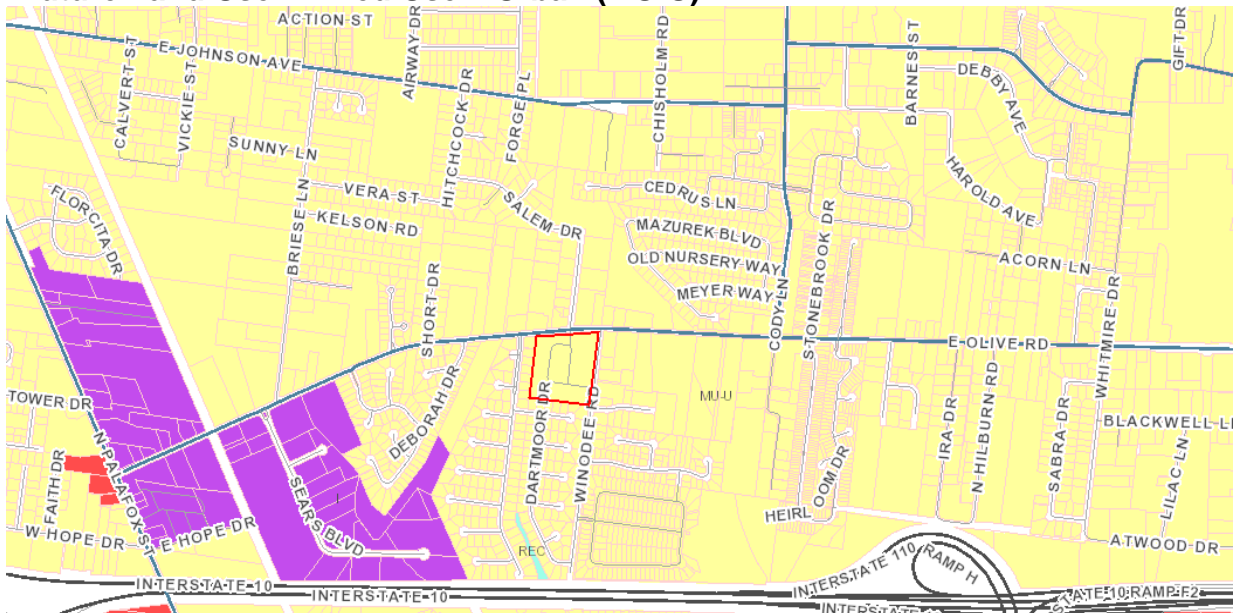


EXHIBIT “F”

SECTION 3-2.9 OF THE ESCAMBIA COUNTY LAND DEVELOPMENT CODE (LDC) REQUIREMENTS FOR “HDMU” ZONING DISTRICT (THE ZONING DISTRICT THAT INCLUDES SUBJECT SITE)

Sec. 3-2.9 - High density mixed-use district (HDMU).

- (a) *Purpose.* The high density mixed-use (HDMU) district establishes appropriate areas and land use regulations for a complimentary mix of high density residential uses and compatible nonresidential uses within urban areas. The primary intent of the district is to provide for a mix of neighborhood retail sales, services and professional offices with greater dwelling unit density and diversity than the low density mixed-use district. Additionally, the HDMU district is intended to rely on urban street connectivity and encourage vertical mixes of commercial and residential uses within the same building to accommodate a physical pattern of development characteristic of village main streets and older neighborhood commercial areas. Residential uses within the district include all forms of single- family, two-family and multifamily dwellings.
- (b) *Permitted uses.* Permitted uses within the HDMU district are limited to the following:
- (1) *Residential.* The following residential uses are allowed throughout the district, but if within a commercial (C) future land use category they are permitted only if part of a predominantly commercial development.
 - a. Group living, excluding dormitories, fraternity and sorority houses, and residential facilities providing substance abuse treatment, post-incarceration reentry, or similar services.
 - b. Manufactured (mobile) homes, including manufactured home subdivisions, but excluding new or expanded manufactured home parks.
 - c. Single-family dwellings (other than manufactured homes), detached or attached, including townhouses and zero lot line subdivisions.
 - d. Two-family and multifamily dwellings.See also conditional uses in this district.
 - (2) *Retail sales.* Small-scale (gross floor area 6000 sq. ft. or less per lot) retail sales including medical marijuana dispensing facilities, sales of beer and wine, but excluding sales of liquor, automotive fuels, or motor vehicles, and excluding permanent outdoor storage, display, or sales.
See also conditional uses in this district.
 - (3) *Retail services.* The following small-scale (gross floor area 6,000 square feet or less per lot) retail services, excluding outdoor work or permanent outdoor storage:
 - a. Bed and breakfast inns.
 - b. Boarding and rooming houses.
 - c. Child care facilities.
 - d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners, and tattoo parlors.
 - e. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.

- f. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, but excluding major motor vehicle or boat service or repair.
- g. Restaurants and brewpubs, including on-premises consumption of alcoholic beverages, but excluding drive-in or drive-through service and brewpubs with distribution of alcoholic beverages for off-site sales.

See also conditional uses in this district.

(4) *Public and civic.*

- a. Preschools and kindergartens.
- b. Emergency service facilities, including law enforcement, firefighting, and medical assistance.
- c. Foster care facilities.
- d. Places of worship.
- e. Public utility structures, excluding telecommunications towers.

See also conditional uses in this district.

(5) *Recreation and entertainment.*

- a. Marinas, private only.
- b. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

(6) *Industrial and related.* No industrial or related uses.

(7) *Agricultural and related.* Agricultural production limited to food primarily for personal consumption by the producer, but no farm animals.

(8) *Other uses.* [Reserved.]

(c) *Conditional uses.* Through the conditional use process prescribed in chapter 2, the BOA may conditionally allow the following uses within the HDMU district:

(1) *Residential.*

- a. Dormitories.
- b. Fraternity and sorority houses.
- c. Manufactured (mobile) home parks.

(2) *Retail sales.* Medium-scale (gross floor area greater than 6,000 square feet per lot, but no greater than 35,000 square feet) retail sales, including sales of beer and wine and automotive fuels, but excluding sales of motor vehicles and liquor, and excluding permanent outdoor storage, display, or sales.

(3) *Retail services.*

- a. Medium-scale (gross floor area greater than 6,000 square feet per lot, but no greater than 35,000 square feet) retail services, excluding motor vehicle service and repair.
- b. Restaurants and brewpubs with drive-in or drive-through service and brewpubs with the distribution of on-premises produced alcoholic beverages for off-site sales.
- c. Small-scale (gross floor area 6,000 square feet or less per lot) major motor vehicle service and repair, excluding painting or body work and outdoor work.

(4) *Public and civic.*

- a. Broadcast stations with satellite dishes and antennas, excluding towers.
- b. Cemeteries, including family cemeteries.
- c. Clubs, civic and fraternal.
- d. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.
- e. Cinerators.
- f. Educational facilities not among the permitted uses of the district. Funeral establishments.
- g. Hospitals.
- h. Offices for government agencies or public utilities.
- i. Public utility structures exceeding the district structure height limit and telecommunications towers of any height, excluding any industrial uses.
- j. Warehousing or maintenance facilities for government agencies or public utilities.

(5) *Recreation and entertainment.*

- a. Amusement arcade centers and bingo facilities.
- b. Golf courses, tennis centers, swimming pools and similar active outdoor recreational facilities, including associated country clubs.
- c. Parks with permanent restrooms or outdoor event lighting.

(6) *Industrial and related.* Microbreweries, microdistilleries, and microwineries.

(7) *Agricultural and related.*

- a. Horses or other domesticated equines kept on site, and stables for such animals, only as a private residential accessory with a minimum lot area of two acres and a maximum of one animal per acre.
- b. Veterinary clinics.

(8) *Other uses.*

- a. Self-storage facilities with a maximum lot area of one acre and outdoor storage limited to operable motor vehicles and boats. No vehicle rental.
- b. Structures of permitted uses exceeding the district structure height limit, excluding telecommunications towers.

(d) *Site and building requirements.* The following site and building requirements apply to uses within the HDMU district:

- (1) *Density.* A maximum density of 25 dwelling units per acre.
- (2) *Floor area ratio.* A maximum floor area ratio of 1.0 within the commercial (C) future land use category and 2.0 within mixed-use urban (MU-U).
- (3) *Structure height.* A maximum structure height of 150 feet above highest adjacent grade.
- (4) *Lot area.* No minimum lot area unless prescribed by use.
- (5) *Lot width.* Except for cul-de-sac lots which shall provide a minimum lot width of 20 feet at the street right-of-way, the following minimum lot widths are required:
 - a. *Single-family detached.* Forty feet at the street right-of-way for single-family detached dwellings.

- b. *Two-family*. Eighty feet at the street right-of-way for two-family dwellings.
 - c. *Multi-family and other*. Eighty feet at the street right-of-way for multi-family dwellings, boarding or rooming houses, or townhouse groups. No minimum lot width required by zoning for other uses.
- (6) *Lot coverage*. Minimum pervious lot coverage of 20 percent (80 percent maximum semi-impervious and impervious cover) for all uses.
- (7) *Structure setbacks*. For all principal structures, minimum setbacks are:
- a. *Front and rear*. Twenty feet in the front and 15 feet in the rear.
 - b. *Sides*. Ten feet on each side of a group of attached townhouses. On each side of all other structures, ten feet or ten percent of the lot width at the street right-of-way, whichever is less, but at least 5 feet. For structures exceeding 35 feet above highest adjacent grade, an additional two feet for each additional ten feet in height, but not required to exceed 15 feet.
 - c. *Corner lots*. Will have one front setback and one side setback.
- (8) *Other requirements*. [Reserved.]
- (e) *Location criteria*. All new nonresidential uses proposed within the HDMU district that are not part of a predominantly residential development or a planned unit development, or are not identified as exempt by district regulations, shall be on parcels that satisfy at least one of the following location criteria:
- (1) *Proximity to intersection*. Along an arterial or collector street and within 200 feet of an intersection with another arterial or collector.
 - (2) *Proximity to traffic generator*. Along an arterial or collector street and within a one-quarter mile radius of an individual traffic generator of more than 600 daily trips, such as an apartment complex, military base, college campus, hospital, shopping mall or similar generator.
 - (3) *Infill development*. Along an arterial or collector street, in an area where already established non-residential uses are otherwise consistent with the HDMU district, and where the new use would constitute infill development of similar intensity as the conforming development on surrounding parcels. Additionally, the location would promote compact development and not contribute to or promote strip commercial development.
 - (4) *Site design*. Along an arterial street and at the intersection with a local street that serves to connect the arterial street to another arterial, and all of the following site design conditions:
 - a. Any intrusion into a recorded residential subdivision is limited to a corner lot.
 - b. Access and stormwater management is shared with adjoining uses or properties to the extent practicable.
 - c. Adverse impacts to any adjoining residential uses are minimized by placing the more intensive elements of the use, such as solid waste dumpsters and truck loading/unloading areas, furthest from the residential uses.
 - (5) *Documented compatibility*. A compatibility analysis prepared by the applicant provides competent substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria, and the proposed use will be able to achieve long-term compatibility with existing and potential uses. Additionally, the following conditions exist:
 - a. The parcel has not been rezoned by the landowner from the mixed-use, commercial, or industrial zoning assigned by the county.
 - b. If the parcel is within a county redevelopment district, the use will be consistent with the

district's adopted redevelopment plan, as reviewed and recommended by the community redevelopment agency (CRA).

- (f) *Rezoning to HDMU.* High density mixed-use zoning may be established only within the mixed-use suburban (MU-S), mixed-use urban (MU-U) or commercial (C) future land use categories. The district is suitable for areas where the intermixing of uses has been the custom, where future uses are uncertain, and some redevelopment is probable. The district inappropriate to provide transitions between areas zoned or used for medium or high density residential and areas zoned or used for commercial. Rezoning to HDMU is subject to the same location criteria as any new nonresidential use proposed within the HDMU district.

(Ord. No. 2015-12, § 1(Exh. A), 4-16-2015; Ord. No. 2015-56, § 3, 12-10-2015; Ord. No. 2016-2, § 1, 1-7-2016; Ord. No. 2016-31, § 1, 8-4-2016; Ord. No. 2016-42, § 1, 12-8-2016; Ord. No. 2017-5, § 2(Exh. B), 1-5-2017; Ord. No. 2019-2, § 2(Exh. B), 1-10-2019)

Table Denoting Zoning and Land Use Consistency

ZONING DISTRICT Specific distribution and extent of uses	FUTURE LAND USE (FLU) CATEGORY General distribution and extent of uses									
	AG max 1du/20ac max 0.25 FAR	AR max 1du/4ac max 0.25 FAR	RC max. 2du/ac max 0.25 FAR	MU-S max 25du/ ac max 1.0 FAR	MU-U max 25du/ ac max 2.0 FAR	C Limited res max 25du/ ac max 1.0 FAR	I No res allowed max 1.0 FAR	P No res allowed	REC No res allowed max 0.5 FAR	CON No res allowed
Agr max 1du/20ac	Yes	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
RR max 1du/4ac	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
RMU max 2du/ac	No, max density	No, max density	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
LDR max 4du/ac	No, max density	No, max density	No, max density	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
LDMU max 7du/ac	No, max density	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
MDR max 10du/ac	No, max density	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
HDR max 18du/ac	No, max density	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
HDMU max 25du/ac	No, max density	No, max density	No, max density	Yes	Yes	Yes	No, uses	No, uses	No, uses	No, uses
Com max 25du/ac	No, max density	No, max density	No, max density	Yes	Yes	Yes	No, res use	No, uses	No, uses	No, uses
HC/LI FLU-restricted max 25du/ac	No, uses	No, uses	No, uses	Use, depend- ent	Yes	Yes	Yes	No, uses	No, uses	No, uses
Ind No res allowed	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	Yes	No, uses	No, uses	No, uses
Rec No res allowed	Yes	Yes	Yes	Yes	Yes	Yes	No, uses	Yes	Yes	No, uses
Con No res allowed	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Pub No res allowed	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	Yes	Yes	No, uses	No, uses

For every combination of mainland zoning district and FLU category represented by the table, "Yes" indicates a zoning district that may be established to implement the FLU. "No" indicates a zoning district that does not implement the FLU and may not be established within the FLU, primarily for the inconsistency noted.

(Ord. No. 2015-12, § 1(Exh. A), 4-16-2015; Ord. No. 2015-56, § 1, 12-10-2015; Ord. No. 2017-33, § 1, 5-25-2017; Ord. No. 2017-34, § 1, 5-25-2017; Ord. No. 2017-40, § 1, 7-6-2017; Ord. No. 2017-65, § 1, 11-30-2017; Ord. No. 2021-39, § 2, 11-4-2021; Ord. No. 2021-24, § 2, 5-20-2021)