

**BEFORE THE
FLORIDA HOUSING FINANCE CORPORATION**

**REDDING DEVELOPMENT
PARTNERS, LLC.**

Petitioner,

vs.

**FLORIDA HOUSING FINANCE
CORPORATION,**

Respondent.

**FHFC Case No. 2016-009BP
FHFC RFA No. 2015-106
Petitioner's Application No. 2016-042C**

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**FORMAL WRITTEN PROTEST AND PETITION FOR
FORMAL ADMINISTRATIVE PROCEEDINGS**

Pursuant to Sections 120.569 and 120.57(1) and (3), Fla. Stat., and Florida Housing Finance Corporation Request for Application (“RFA”) No. 2015-106, at Section Six, and Rules 28-106.205 and 67-60.009, Fla. Admin. Code; Petitioner REDDING DEVELOPMENT PARTNERS, LLC, (“Petitioner” or “Redding”), an applicant for funding in Florida Housing Finance Corporation Request for Applications (“RFA”) No. 2015-106 for Housing Credit Financing for Affordable Housing Developments located in Medium and Small Counties, hereby files its formal written protest to contest the proposed funding decisions of Respondent Florida Housing Finance Corporation in RFA 2015-106; and particularly the proposed determinations not to fund Petitioner’s Application No. 2016-042C for Redding Redevelopment in Seminole County, and the proposed determinations that Applicants 2016-019C (The Pines), 2016-055C (Madison Palms), 2016-076C (Grove Manor), 2016-093C (Brownsville Manor), and 2016-067C (Grand Palms) are either eligible for consideration for funding, or that they achieve the maximum available application scores of 28 points. In support of this Protest and Petition, Petitioner state as follows:

Parties

1. The agency affected is the Florida Housing Finance Corporation (the "Corporation", "Florida Housing," or "FHFC"), whose address is 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The solicitation number assigned to this process for the award of competitive federal law income housing tax credits ("tax credits" or "HC"), plus State Apartment Incentive Loan ("SAIL") financing for some applicants, is RFA 2015-106. By notice posted on FHFC's website on Friday, January 29, 2016, copy attached hereto as Exhibit "A," FHFC has given notice of its intent to award tax credits to nine (9) applicants, excluding Redding Redevelopment, but including Madison Palms and Grove Manor. FHFC also posted notice at the same time of its determination of which applicants were "eligible" for consideration for funding and which were not (Redding Redevelopment, Madison Palms, Grove Manor, and Brownsville Manor were among the eligible applicants); a copy of that posting is attached as Exhibit "B."

2. Petitioner, Redding Redevelopment Partners, LLC, ("Petitioner" or "Redding") is a Florida limited partnership, whose business address is 205 E. Central Blvd., Suite 304, Orlando, Florida 32801. For purposes of this proceeding, Petitioner's address is that of its undersigned counsel, M. Christopher Bryant, Oertel, Fernandez, Bryant & Atkinson, P.A., P.O. Box 1110, Tallahassee, Florida 32302-1110, telephone number 850-521-0700, facsimile number 850-521-0720, email cbryant@ohfc.com.

3. Redding submitted an application, assigned Application No. 2016-042C, in RFA 2015-106 seeking an award of tax credits in the annual amount of \$1,510,000. Petitioner proposed to construct a 90-unit development in Seminole County, with all 90 units to be set-aside for low income tenants making at or below 60% of Area Median Income ("AMI")

(including 10% of the units for Extremely Low Income tenants making at or below 40% AMI). FHFC has announced its intention to award funding to nine (9) Developments, excluding Redding.

Notice

4. On Friday, January 29, 2016, at approximately 9:55 a.m., Petitioner and all other participants in RFA 2015-106 received notice that FHFC had determined whether applications were eligible or ineligible for consideration for funding, and to select certain eligible applicants for awards of tax credits and SAIL (if requested), subject to satisfactory completion of the credit underwriting process. Such notice was provided by the posting of two spreadsheets, one listing the “eligible” and “ineligible” applications in RFA 2015-106 (copy attached as Exhibit “B”) and one identifying the applications which Respondent proposed to fund (copy attached as Exhibit “A”) on the Florida Housing website, www.floridahousing.org. Petitioner timely filed a Notice of Protest, with attachments, on Wednesday, February 3, 2016, copy attached as Exhibit “C.” Petitioner’s Formal Written Protest and Petition for Formal Administrative Proceedings is being filed within 10 calendar days of that notice; the tenth day fell on Saturday, February 13, 2016, so by operation of Rule 28-106.103, Fla. Admin. Code, the filing deadline was extended to Monday, February 15, 2016.

Substantial Interest Affected

5. Petitioner’s substantial interests are being determined in the instant proceeding because Petitioner is an applicant for low income housing tax credit funding whose application was deemed eligible for consideration for funding but was preliminarily denied funding. Petitioner cannot develop its proposed development for low income tenants without the award of the requested funding.

RFA 2015-104 Ranking and Selection Process

6. Through the RFA 2015-106 process, FHFC seeks to award up to an estimated \$10,763,426 of Housing Credits to applicants in Medium Counties, and \$1,438,031 of Housing Credits to applicants in Small Counties. In addition, SAIL financing will be provided to successful applicants in Small Counties and to certain applicants in Medium Counties, but neither Redding nor any of the applicants it contends are ineligible applied for a SAIL loan. Generally, applicants must agree to set-aside at least 80% of the units for persons making at or below 60% of Area Median Income (“AMI”). In this RFA, applicants were also required to set-aside at least 10% of the units for tenants who are considered “Extremely Low Income” (“ELI”), which is a lower percentage of AMI that varies by county. For Seminole County, where Petitioner proposes to construct its development, the ELI level is 40% of AMI.

7. Applicants request in their applications a specific dollar amount of housing credits to be given to the Applicant each year for a period of 10 years. Applicants typically sell the rights to that future stream of income tax credits (through the sale of almost all of the ownership interest in the Applicant entity) to an investor to generate a portion of the capital necessary to construct the development.

8. Applicants in this RFA are assigned numerical scores in three areas. Those areas are General Development Experience of the applicant’s developer (5 points), Local Government Contributions to the proposed development (5 points), and Proximity to services needed by tenants of the development (up to 18 points).

9. For Proximity, applicants may select among several categories of community services, some of which are limited to applicants applying in only certain Demographic categories (Family or Elderly). All applicants may designate a Transit Service, a Grocery Store,

and a Medical Facility. Elderly category applicants may designate a Pharmacy, and Family category applicants may designate a Public School. Each of those types of services is defined within the RFA.

10. Within the proximity category of “Transit Service,” applicants may select between a Public Bus Stop, a Public Bus Transfer Stop, a Public Bus Rapid Transit Stop, and, in certain Medium Counties, a Public Rail Station. Elderly category applicants may also select Private Transportation. Each of the various Transit Service options is specifically defined in the RFA. With particular relevance to several of the applicants who Petitioner is challenging, a “Public Bus Stop” is defined as:

[A] fixed location at which passengers may access one or two routes of public transportation via buses. The Public Bus Stop must service at least one bus route with scheduled stops at least hourly during the times of 7 a.m. to 9 a.m. and also during the times of 4 p.m. to 6 p.m. Monday through Friday, excluding holidays, on a year-round basis.

RFA at p. 22.

11. The services on which an applicant intends to rely for proximity points must be identified on a Surveyor Certification Form submitted with the application. The applicant must identify the precise location of the selected service, and must provide latitude and longitude coordinates for each service in degrees, minutes, and seconds, represented to two decimal places. Such precision in coordinates would locate the service to a particular geographic point that is no more than a few square inches in size.

12. For Transit Services, the RFA specifies that the coordinates for the service “must represent the location where passengers may embark or disembark the bus or train.” RFA at p. 25. For the other Community Services, the coordinates “must represent a point that is on the

doorway threshold of an exterior entrance that provides direct public access to the building where the service is located.” RFA at p. 25.

13. Applicants are assigned various points for each selected service based on how far the service coordinates are from a “Development Location Point” (“DLP”) on the proposed Development site. The DLP must be on the development site, and must be within 100 feet of a residential building existing or to be constructed as part of the proposed Development.

14. If the proposed Development consists of “Scattered Sites,” the DLP must be on a site with the most residential units on it. A “Scattered Site” is defined in FHFC Rule 67-48.002(104), Fla. Admin. Code, as a site “comprised of real property that is not contiguous,” meaning parcels that do not touch at a point or along the boundary. If a public street or roadway separates two or more parcels that make up the applicant’s site, then it is considered a Scattered Site. So, for example, if a 50 unit development was proposed to be constructed on two parcels separated by a public roadway, and one of the parcels would hold 30 units and the other 20 units, the DLP would have to be on the 30 unit parcel.

15. Applicants are assigned a decreasing proximity score for each service the farther it is from the DLP, based on points gradations set out in the RFA. For example, for Medium County applicants who have designated a Public Bus Stop, the applicant will receive 2.0 points if the Stop is less than or equal to 0.20 miles from the DLP; 1.5 points if it is more than 0.20 miles away but less than or equal to 0.30 miles away; 1.0 points if it is more than 0.30 miles away but less than or equal to 0.4 miles away; and so on until 0 points are awarded for a Bus Stop more than 0.5 miles away.

16. The maximum proximity points that can be awarded for various services are as follows:

Public Bus Stop: 2.0

Public Bus Transfer Stop: 6.0

Grocery Store, Medical Facility, Pharmacy, or Public School: 4.0

17. A Medium County applicant must achieve at least 7.0 total Proximity Points to be considered eligible for funding; that score is thus a threshold requirement. A Medium County applicant who achieves at least 9.0 total Proximity Points will automatically be awarded the maximum proximity score of 18 points.

18. Finally, an applicant whose proposed development site is covered by an existing Declaration of Trust between a Public Housing Authority (“PHA”) and the U.S. Department of Housing and Urban Development (“HUD”) will receive a 3.0 point boost towards its proximity score. These points are only awarded if the Applicant properly documented the Declaration of Trust existence with a verifying letter from the PHA, submitted with its Application.

19. The RFA included several funding goals, including a “Small County Florida Keys Area Funding Goal” and a “Medium County Non-DDA/Non-QCT Family Demographic Funding Goal,” to fund two proposed applications in Medium Counties that are not in geographic areas designated as Difficult Development Areas (“DDA”) or Qualified Census Tract (“QCT”). Neither Redding nor the applicants it is challenging applied in any of the Funding Goal categories.

20. Florida Housing received 98 Applications seeking funding in RFA 2015-106. Two developments were proposed in one Small County and 96 were proposed in 21 different Medium Counties. Currently, FHFC proposes to award funding to nine (9) developments: one (1) in a Small County and eight (8) in Medium Counties.

21. The applications were received, processed, deemed eligible or ineligible, scored, and ranked, presumably pursuant to the terms of RFA 2015-106; FHFC Rule Chapters 67-48 and 67-60, Fla. Admin. Code; and applicable federal regulations. Applications are considered for funding only if they are deemed “eligible,” based on whether the Application complies with Florida Housing’s various application content requirements. Each Application is awarded a score of up to 28 points, of which up to 18 points are available for proximity to services needed by the tenants of the development, 5 points for General Development Experience of the Developer of the proposed development, and up to 5 points for proof of a local government contribution to the development. Of the 98 Applications submitted to FHFC in RFA 2015-106, eighty-eight (88) were found “eligible,” and ten (10) were found ineligible. The spreadsheet created by Florida Housing and attached hereto as Exhibit “B” identifies all eligible and ineligible applications (and other relevant information).

22. The RFA specifies an “Application Sorting Order” to rank applicants for potential funding. The Sorting Order instructions are separately applied to the list of eligible Small County Applications and eligible Medium County Applications.

23. The first consideration in sorting eligible applications for potential funding is Application scores. The maximum score an Applicant can achieve is 28 points. Both Small County applicants in RFA 2015-106 were deemed eligible, and both received a score of 28 points.

24. Many applicants achieve tie scores, and in anticipation of that occurrence FHFC designed the RFA and rules to incorporate a series of “tie breakers.” The tie-breakers for applicants in this RFA, in order of applicability, are:

(a) First, by a Development Category Funding Preference, in favor of New Construction and certain Rehabilitation applications over certain other Rehabilitation applications. Redding, The Pines, Madison Palms, Grand Palms, Grove Manor, and Brownsville Manor were all deemed by Florida Housing to satisfy this preference.

(b) Second, if necessary, by a Per Unit Construction Funding Preference. Redding, The Pines, Madison Palms, Grand Palms, Grove Manor, and Brownsville Manor were all deemed by Florida Housing to satisfy this preference.

(c) Third, by a “Leveraging Classification” that, generally, favors the least expensive 80% of applicants in each Development Category (New Construction or Rehabilitation) over the most expensive 20%. Redding, The Pines, Madison Palms, Grand Palms, Grove Manor, and Brownsville Manor were all deemed by Florida Housing to be in the least expensive group (Group A).

(d) Next, if necessary, satisfaction of a Florida Job Creation preference, which applies a formula to reflect the estimated number of jobs created per \$1 million of funding. Redding, The Pines, Madison Palms, Grand Palms, Grove Manor, and Brownsville Manor were all deemed to satisfy this preference.

(e) Lastly, if necessary, by randomly assigned lottery number. Lottery numbers often play a role in the selection of applications for funding in FHFC’s RFAs, and they were significant in the selection of Medium County applicants for funding in this RFA.

25. FHFC employs a “Funding Test” to be used in the selection of applications for funding in this RFA. The “Funding Test” requires that the amount of Housing Credits funding

remaining (unawarded) when a particular application is being considered for selection must be enough to fully fund that applicant's Housing Credit request amount; partial funding will not be given.

26. In selecting among eligible applicants for funding, FHFC also applies a "County Award Tally." The County Award Tally is designed to prevent a disproportionate concentration of funded developments in any one county. Generally, before a second application can be funded in any given county, all other counties which are represented by an eligible applicant must receive an award of funding.

27. The RFA set out an order of funding selection for eligible applicants, after eligible applicants were ranked. That funding selection, subject in all cases to the Funding Tests and the County Award Tally, is as follows:

- (1) One Florida Keys Area Application;
- (2) If possible, additional Small County applications from outside of Monroe County, until no Small County application can satisfy the Funding Test;
- (3) The highest ranked Medium County Non-DDA/Non-QCT Family Demographic application involving a Public Housing Authority ("PHA");
- (4) The highest ranked Medium County Non-DDA/Non-QCT Family Demographic application not involving a PHA; and
- (5) The highest ranked Medium County Applications that did not apply as Non-DDA/Non-QCT Family Demographic Applicants, until no further applications can satisfy the Funding Test.

28. Following eligibility determinations and applications of funding preferences and the selection process, Florida Housing selected nine applicants for funding, including eight in

Medium Counties: For those funded applications listed as “Other Medium County,” all such application were preliminarily deemed by Florida Housing to have achieved perfect application scores of 28, were deemed to satisfy all “tie-breakers” described *supra*, and had the lottery numbers shown.

Florida Keys Area Goal:	2016-088CS, Vaca Bay, Monroe County
Medium County Non-DDA/ Non-QCT Family Demographic Goal PHA:	2016-008CS, Woodland Park Ph. I, Alachua County
Medium County Non-DDA/ Non-QCT Family Demographic Goal, Non-PHA:	2016-006CS, Pinnacle at Hammock Crossing, Bay County
Other Medium County:	2016-020C, Madison Vale, Osceola County, #3 2016-076C, Grove Manor, Polk County, # 4 2016-067C, Grand Palms, Manatee County, # 6 2016-055C, Madison Palms, Brevard County, # 7 2016-043C, Abigail Court, Pasco County, # 9 2016-019C, The Pines, Volusia County, # 12

29. Florida Housing also identified those applications it deemed eligible and ineligible. Petitioner Redding, though not selected for funding, was deemed eligible, as was Brownsville Manor, 2016-093C. The next 7 eligible but unfunded applicants with scores of 28 points, satisfying the “tie-breaker” preferences described *supra*, are as follows:

2016-094C, Madison County II, Osceola County, # 8

2016-032C, Fox Apartments, Pasco County, # 11

2016-007C, Sandhill Sound, Pasco County, # 13

2016-066C, Hammock Ridge, Hernando County, # 14

2016-054C, Residences at Fort King, Pasco County, # 15

2016-093C, Brownsville Manor, Escambia County, # 16

2016-042C, Redding Development, Seminole County, # 17

No applicant is currently selected for funding from Seminole County, the county in which Redding is located; nor is another Seminole County applicant ranked ahead of Redding. Four of the eligible unfunded applicants on this list are from Counties from which an application has already been selected for funding (Osceola and Pasco), so they would not be selected for funding before Redding Redevelopment due to the County Test. If any three of the five Applicants challenged in this Petition (Grove Manor, Madison Palms, Grand Palms, The Pines, and Brownsville Manor) were either declared ineligible or scored fewer than 28 points, Redding would be selected for funding.

Scoring and Eligibility Determinations of Competing Applications

2016-019C The Pines

30. Applicant 2016-019C, The Pines, submitted a surveyor certification form identifying alleged locations of a Public Bus Stop, a Grocery Store, a Medical Facility, and a School. The total raw Proximity Score generated by these designations, based on their claimed distance, was 1.0 for Public Bus Stop; 1.5 for Grocery; 3.5 for Medical Facility; and 4.0 for School, for a total of 10.0. This would result in Proximity Points of 18.

31. The Pines should not be awarded Proximity Points for its claimed Medical Facility or for its Public School. The loss of either of these services would result in The Pines achieving a raw Proximity Score of less than 7.0, rendering it ineligible under the terms of the RFA.

32. The claimed Medical Facility is Deland Family Medicine. This medical practice is not currently accepting new patients, and has not been since November of 2015. It also does not accept Medicaid patients, only private pay and most insurance. Presumably, at least some low income resident of The Pines may be Medicaid enrollees.

33. The coordinates provided for the Medical Facility are not on “the doorway threshold of an exterior entrance that provides direct public access to the building where the service is located.” Deland Family Medicine is located in a building with a financial institution, Space Coast Credit Union. The Credit Union has several drive-through lanes on the west side of the building. The coordinates given by The Pines are for those drive-through lanes. The public doorway entrance to the building, and to the Medical office, are on the east side of the building.

34. As to the School designated by The Pines, it provided coordinates for a vehicle drop-off point for the students arriving at or leaving the School. It is not for the doorway threshold of an exterior entrance providing access to the School.

35. Without the Medical Facility Proximity Points, The Pines would receive only a 6.5 Proximity Score, below the 7.0 needed for a Medium County applicant to be eligible. Without the Public School points, The Pines would receive only a 6.0 Proximity Score, again below the minimum score necessary for eligibility.

2016-055C – Madison Palms

36. Madison Palms should have been deemed ineligible to be considered for funding because it failed to establish availability of sewer service. Instead of using the “Verification of Availability of Infrastructure – Sewer” form contained in the RFA, Madison Palms obtained a letter from the City of West Melbourne. Assuming such a letter is an otherwise acceptable substitute for a completed form, this letter does not contain all of the representations in the form.

37. Specifically, the form notes that the signor of the form confirms that “Sewer Capacity... is available to the proposed Development....” By contrast, in specific reference to the “Capacity Element” of “Capacity within Regional lift station (Children’s Home Lift Station),” the letter states “TBD” and “Projected sewer flows need to be provided by the City.” So, the City is expressly stating that it does not know if there is a lift station capacity to accommodate the Madison Palms development. The application should have been deemed ineligible for failure to demonstrate sewer capacity.

38. Madison Palms also should not have been awarded a sufficient Proximity Score to achieve the Maximum Proximity Points of 18. Specifically, it should not have received any Public Bus Stop points, dropping its Proximity Score from 9.5 to 8.0, which is below the 9.0 Score necessary to be awarded 18 Proximity Points.

39. Madison Palms claimed a Public Bus Stop at coordinates that when plotted, depict a point at the Melbourne Square Mall, in front of Macy’s Department Store. The bus line that serves this stop, Route 21, does not stop at this location during the 7 a.m. to 9 a.m. time period, as required by the terms of the RFA; and it stops there only once between 4 p.m. and 6 p.m. There is another stop at this Mall, approximately 0.33 miles away from the “stop” designated by Madison Palms, at which Route 21 does stop during the morning commute time, but it is not this stop. If Madison Palms had designated the actual Public Bus Stop at the Mall, it would have been too far from Madison Palms’ DLP to warrant any Transit Service Points.

40. As a result of losing the 1.5 Proximity Score for Transit Service, Madison Palms’ total Proximity Score would drop from 9.5 to 8.0. It would not receive the award of 18 Proximity Points, its total Application Score would drop from 28 to 18, and thus it would not be ranked ahead of Redding.

2016-067C Grand Palms

41. Applicant 2016-067C, Grand Palms, claimed for proximity point purposes a CVS pharmacy at 520 1st Street West in Bradenton, at a distance of 1.02 miles from the applicant's DLP. The Pharmacy accounts for 2.0 of Grand Palms' 10.0 proximity points, which yielded it a Proximity Score of 18.0, and a Total Application Score of 28.0.

42. The coordinates provided by Grand Palms are not on the doorway threshold, as required by the RFA. The coordinates are in a parking lot that appears to be 75 feet away from the doorway threshold. If Grand Palms was awarded no Pharmacy proximity points, its Proximity Score would be only 8.0 and its Application Score would be only 18.0 points, and it would not be ranked ahead of Redding.

2016-76C Grove Manor

43. Grove Manor claimed proximity points for being 0.37 miles from a Public School, and for being 0.01 miles from a Public Bus Stop, which is worth 2.0 proximity points. Grove Manor also claimed that a Medical Facility is 1.86 miles away (for 0.5 points) and a Grocery Store is 0.74 miles away (for 3.0 points). Grove Manor is proposed for construction for a site that covered by a Declaration of Trust between the Lake Wales Housing Authority and HUD, which is worth another 3.0 points. So, as currently scored, Grove Manor has a total of 12.5 proximity points, for which it was awarded a proximity score of 18 (and a total application score of 28).

44. Neither the claimed Public School nor Public Bus Stop qualifies under Florida Housing's RFA, and no proximity score should have been awarded for those two services. As a result, Grove Manor would have only 6.5 proximity points, and would fall short of the 7.0 proximity score necessary to be deemed eligible. Even if only the Public School, and not the Bus Stop, was disallowed, Grove Manor or at least would only have 8.5 proximity points, short of the

9.0 proximity score necessary for a Medium County applicant to be awarded the maximum Proximity Points of 18. Without a Proximity Score of 18, a Medium County applicant not applying for a specific Funding Goal would be not be competitive and would not be selected for funding, given the number of eligible Medium County applicants seeking funding in this RFA.

45. Grove Manor's claimed public school is Roosevelt Academy, at a claimed distance of 0.37 miles. Roosevelt Academy is operated by the Polk County School District, but the "principal admission criterion" for admission to the school is not "geographic proximity to the school," as required by Florida Housing's definition of "Public School" in this RFA. See, RFA 2015-106 at p. 23, Section Four A.6.c.(2)(b).

46. Roosevelt Academy is an "ESE" only school (Exceptional Student Education) – for Special Needs students. As noted on the school's website, its student population "is comprised of ESE students who choose to come to us because they have not been successful in the traditional school because the focus is primarily academic." It continues: "the real success of the program centers around the behavior management program." The school's mission statement states "We strive to be the haven of success for those students who have tried and failed using the standard curriculum at the zone school." This reference to "the zone school" is particularly telling, as it contrasts Roosevelt Academy with the school for which the student is otherwise zoned – i.e., the school for which geographic proximity to the school is the principal admission criterion.

47. Without the 4.0 points awarded for its claimed "public school," Grove Manor would receive only 8.5 proximity score instead of the 12.5 preliminarily awarded. This is less than the 9.0 proximity score necessary to receive the Maximum 18 Proximity Points. See, RFA at p. 21, Section Four A.6.b.(2)(b).

48. For its Transit Service, Grove Manor claimed a Public Bus Stop at a claimed distance of 0.01 miles, and provided coordinates for the claimed Stop. A Public Bus Stop is defined in the RFA as “a fixed location at which passengers may access one or two routes of public transportation via buses;” and further states that the stop “must service at least one bus route with scheduled stops at least hourly during the times of 7 a.m. to 9 a.m. and also during the times of 4 p.m. to 6 p.m. Monday through Friday.”

49. Grove Manor’s claimed bus stop is served by the Southbound Route 35 of the Lakeland Area Mass Transit District, known as the Citrus Connection. That stop does not meet the hourly stop requirement. The stop is only served by the Route 35 bus only one time during the morning commute times of 7 a.m. to 9 a.m., and only one time during the afternoon commute times of 4 p.m. to 6 p.m. Instead of receiving the 2.0 points for a Public Bus Stop, Grove Manor should have received 0 Transit Service points.

50. Without the Public School and Public Bus Stop points, Grove Manor’s proximity score would drop from 12.5 points for the claimed distances from services (2.0 for Public Bus Stop, 3.0 for Grocery Store, 0.5 for Medical Facility, 4.0 for Public School, and 3.0 for PHA Declaration of Trust), to 6.5. It would be deemed ineligible for falling short of the 7.0 Proximity Points needed to be eligible for consideration. Grove Manor should, at a minimum, receive no more than 8.5 proximity points, for no valid Public School; or should be deemed ineligible.

2016-093C Brownsville Manor

51. Brownsville Manor proposed to construct an 87 unit development in Escambia County. According to the site control documentation submitted as Attachment 15 to the Brownsville Manor application, the site consists of two parcels divided by a public roadway,

North X Street. The proposed site plan for Brownsville Manor was included in a submittal to the Escambia County Board of County Commissioners for consideration on October 8, 2015.

52. The site plan and an aerial photograph shows the two parcels that make up the Brownsville Manor site, and where the Applicant's Development Location Point is located. The DLP is located on the parcel located west of North X Street. All 87 of the residential units are proposed for construction on the parcel located east of North X Street. In fact, according to the site plan, the only portions of the proposed development that would be located west of North X Street are a community garden, picnic pavilion, 55 parking spaces, and future parking - 0 residential units. Further, the DLP is more than 100 feet from a proposed residential building for the development; it is over 325 feet away from the nearest residential building; and is about 295 feet away from the nearest point on the east side of North X Street.

53. The RFA is clear that, on a scattered site development, the RFA is clear that "For a Development which consists of Scattered Sites, [DLP] means a single point on the site with the most units that is located within 100 feet of a residential building existing or to be constructed as part of the proposed Development." Since Brownsville Manor's DLP is not on the site with the most proposed residential units (or, indeed, with any residential units) and is not within 100 feet of a residential building, the DLP must be disregarded, and the Applicant should received 0 proximity points. As a result, it is not eligible for consideration for funding.

54. Even if Brownsville Manor's DLP is considered valid, Brownsville Manor should receive no Transit Service proximity points. Brownsville Manor provided coordinates for a point that it identified as a Public Bus Transfer Stop, at a claimed distance of 1.71 miles. If true, that would provide Brownsville with a Transit Score of 3.0 points. Together with the Community Services claimed by Brownsville Manor (Supermarket, Medical Facility, and Pharmacy),

Brownsville achieved a total Proximity Score of 11.5 points, which, because it is at least a Score of 9.0, entitles Brownsville to 18 Proximity Points.

55. Even if otherwise found eligible, Brownsville should not have been awarded any Transit Service Proximity Points. The coordinates it provided are not for a Bus Stop at all. They are for a point on a sidewalk on North L Street in Pensacola. While the sidewalk is near the transit agency's headquarters, and there are locations on that parcel where passengers may embark and disembark from buses, the nearest actual embarkation/disembarkation point is approximately 155 feet away from Brownsville's designated point. Brownsville cannot supplement its application and its surveyor certification by designating another point. Brownsville is thus not entitled to any Transit Service Proximity Score.

56. Without the 3.0 Transit Service Score, Brownsville's Total Proximity Points drop from 11.5 to 8.5. While Brownsville would then still be considered an "eligible" application with 8.5 Total Proximity Points, it would not achieve the 9.0 Points necessary to be awarded a Proximity Score of 18.0. Its total application score would drop from 28 to 18.5, and it would not be competitive. Specifically, it would not rank ahead of Redding.

Disputed Issues of Material Fact

57. Petitioner has initially identified the following disputed issues of material fact, which it reserves the right to supplement as additional facts become known to it.

- (a) Whether Applicant 2016-019C, The Pines, incorrectly identified the alleged location of a Medical Facility and Public School, by not providing coordinates for the doorway threshold of an exterior entrance to the service. Petitioner contends that it did.

- (b) Whether the award of any Medical Facility or Public School proximity points to The Pines would be contrary to the RFA, arbitrary, capricious, clearly erroneous, and contrary to competition. Petitioner contends that it would.
- (c) Whether The Pines should have received enough proximity points to be eligible for consideration for funding. Petitioner contends that it should not have.
- (d) Whether a determination that The Pines received enough proximity points to be eligible for consideration for funding would be contrary to the RFA, arbitrary, capricious, clearly erroneous, and contrary to competition. Petitioner contends that it would.
- (e) Whether Applicant 2016-055C, Madison Palms, demonstrated the availability of sewer service to its proposed site. Petitioner contends that it did not.
- (f) Whether Madison Palms should be deemed ineligible for failure to establish the availability of sewer service to its proposed site. Petitioner contends that it should.
- (g) Whether the acceptance of Madison Palms' sewer service letter from the City of West Melbourne would be contrary to the RFA, and arbitrary, capricious, clearly erroneous, and contrary to competition. Petitioner contends that it would.
- (h) Whether the "Public Bus Stop" identified by Madison Palms in its application satisfies Florida Housing's definition of a Public Bus Stop. Petitioner contends that it does not, and contends that the award of any proximity points to Madison Palms for its Public Bus Stop would be contrary to the RFA, arbitrary, capricious, clearly erroneous, and contrary to competition.

(i) Whether, even if its application was deemed “eligible” for consideration for funding, Madison Palms would achieve the necessary minimum proximity score to receive a total proximity score of 18 and a total application score of 28. Petitioner contends that it would not, and that the award of full points to Madison Palms would be contrary to the RFA, arbitrary, capricious, contrary to competition, and clearly erroneous.

(j) Whether Applicant 2016-76C, Grove Manor, identified a Public School for proximity points that meets Florida Housing’s definition of a Public School. Petitioner contends that it did not, and that the award of any proximity points for that school would be contrary to the RFA, arbitrary, capricious, clearly erroneous, and contrary to competition.

(k) Whether Roosevelt Academy in Polk County is a school for which the principal admission criterion is geographic proximity to the school. Petitioner contends that it is not.

(l) Whether the “Public Bus Stop” identified by Grove Manor in its application satisfies Florida Housing’s definition of a Public Bus Stop. Petitioner contends that it does not, and that the award of any proximity points for that Public Bus Stop would be contrary to the RFA, arbitrary, capricious, clearly erroneous, and contrary to competition.

(m) Whether Grove Manor is entitled to at least the 7.0 proximity points necessary to be deemed eligible for consideration for funding. Petitioner contends that it is not, and that Grove Manor is only entitled to 6.5 proximity points, and is therefore ineligible for consideration for funding.

- (n) Whether Applicant 2016-093C, Brownsville Manor, is proposed to be constructed on a Scattered Site. Petitioner contends that it is.
- (o) Whether Brownsville Manor's DLP is located on the parcel on which the majority of its residential units are proposed to be constructed. Petitioner contends that it is not, and that in fact no residential units (only parking and amenities) are located on the parcel with the DLP.
- (p) Whether Brownsville Manor's DLP was located within 100 feet of a proposed residential building. Petitioner contends that it is not.
- (q) Whether, as a result of the Brownsville Manor DLP being located on the one of the two parcels making up its site that does not have the majority of the residential units, and not being located within 100 feet of a residential building, Brownsville Manor is entitled to no proximity points. Petitioner contends that Brownsville Manor is entitled to no proximity points.
- (r) Whether the award of any proximity points to Brownsville Manor would be contrary to FHFC's rules and to the RFA, and would be arbitrary, capricious, contrary to competition, and clearly erroneous.
- (s) Whether, even if Brownsville Manor's DLP is considered valid, the coordinates provided for its Public Bus Transfer Stop in fact represent a point whether passengers may embark or disembark from a bus. Petitioner contends that it does not, and that Brownsville Manor is not entitled to any Transit Service Proximity Points.
- (t) Whether, without any Transit Service Proximity Points, Brownsville Manor would be entitled to sufficient total Proximity Points to be assigned a

Proximity Score of 18 points and a total Application score of 28. Petitioner contends that Brownsville would not be entitled to those scores; would be entitled to, at most, only 8.5 proximity points and a total application score of 18.5.

(u) Whether a determination that Brownsville Manor is entitled to 18 Proximity Points and 28 Total Application Points would be contrary to the terms of the RFA, and would be arbitrary, capricious, contrary to competition, and clearly erroneous. Petitioner contends that it would.

(v) Whether Applicant 2016-067C, Grand Palms, incorrectly identified the alleged location of a Pharmacy, by not providing coordinates for the doorway threshold of an exterior entrance to the service. Petitioner contends that it did.

(w) Whether the award to Grand Palms of more than 8.0 proximity points, and more than 18.0 Total Application Points, would be contrary to the RFA, arbitrary, capricious, contrary to competition, and clearly erroneous. Petitioner contends that it would.

(x) Whether, if any three of the five applications 2016-019C The Pines, 2016-055C Madison Palms, 2016-067C Grand Palms, 2016-076C Grove Manor, and 2016-093C Brownsville Manor, are declared ineligible or receive application scores of less than 28 points, Redding Redevelopment would be entitled to be selected for funding. Petitioner contends that it would.

Concise Statement of Ultimate Facts, Relief Sought, and Entitlement to Relief

58. As its concise statement of ultimate fact, Redding asserts that The Pines (Applicant 2016-019C) is not eligible for consideration for funding; that Madison Palms (2016-055C) is not eligible for funding or, if eligible, is entitled to only 8.0 proximity points and 18

total points; that Grand Palms, 2016-067C, is entitled to only 8.0 proximity points and 18.0 application points; that Grove Manor (2016-076C) is not eligible for funding, or, if eligible, is entitled to only 8.5 proximity points and a total of 18.5 application points; that Brownsville Manor (2016-093C) is not eligible for funding or, if eligible, is entitled to only 8.5 proximity points and a total of only 18.5 application points; and any determination that Redding should not be selected for funding would be arbitrary (not supported by facts), capricious (contrary to facts), contrary to competition, clearly erroneous, and contrary to FHFC's RFA and applicable and governing rules.

59. To the extent Florida Housing disputes any material factual allegations in this Petition, Petitioner demands that this Petition be forwarded to the Division of Administrative Hearings for Assignment of an Administrative Law Judge to conduct formal evidentiary proceedings, after affording the parties adequate time for case preparation and discovery.

60. Petitioner seeks entry of recommended and final orders finding any determination that Redding is not entitled to an award of funding to be contrary to the RFA terms, and arbitrary, capricious, clearly erroneous, and contrary to competition. Petitioner is entitled to this relief by the terms and conditions of the FHFC's RFA; by FHFC Rule Chapters 67-48 and 67-60, Fla. Admin. Code; and by Chapters 120 and 420, Florida Statutes, including but not limited to Sections 120.569, 120.57(1) and (3), Florida Statutes.

Request for Settlement Meeting

61. Pursuant to Section 120.57(3)(d), Fla. Stat., Redding requests an opportunity to meet with Florida Housing to resolve this matter by mutual agreement within seven business days after filing. Redding reserves the right to agree to extend the time for such a settlement meeting.

FILED AND SERVED this 15th day of February, 2016.



M. CHRISTOPHER BRYANT
Florida Bar No. 434450
OERTEL, FERNANDEZ, BRYANT
& ATKINSON, P.A.
P.O. Box 1110
Tallahassee, Florida 32302-1110
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ATTORNEYS FOR REDDING DEVELOPMENT
PARTNERS, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing Formal Written Protest and Petition for Formal Administrative Proceedings has been filed by hand delivery with the Agency Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, and a copy via Hand Delivery to the following this 15th day of February, 2016:

Hugh R. Brown, General Counsel
Florida Housing Finance Corporation
227 North Bronough Street, Suite 5000
Tallahassee, Florida 32301-1329
Hugh.Brown@floridahousing.org


ATTORNEY

Exhibits to Redding Development Petition

- A. FHFC Board - Approved 2015-106 Funding Recommendations, posted January 29, 2016
- B. FHFC Board - Approved 2015-106 Eligibility and Ineligibility Determinations, posted January 29, 2016
- C. Petitioner Redding Redevelopment's Notice of Protest, filed February 3, 2016
- D. Applicant 2016-019C, The Pines, Surveyor Certification Form (Attachment 14)
- E. Aerial Photographs showing The Pines' Medical Facility and Public School coordinate locations and public doorway locations
- F. Applicant 2016-055C, Madison Palms, Sewer Service Verification letter (Attachment 12)
- G. Applicant 2016-055C, Madison Palms, Surveyor Certification Form (Attachment 14)
- H. Applicant 2016-076C, Grove Manor, Surveyor Certification Form (Attachment 14)
- I. Excerpts of Website for Roosevelt Academy in Polk County
- J. Applicant 2016-093C, Brownsville Manor, Site Plan as submitted to Escambia County; Aerial view showing DLP in relation to proposed building; and Street View and Aerial View of Public Bust Transfer Stop
- K. Applicant 2016-093C, Brownsville Manor, Surveyor Certification Form (Attachment 14)

Total HC Available for RFA	12,201,457.00
Total HC Allocated	11,791,028.00
Total HC Remaining	410,429.00
Total SAIL Allocated	10,560,000.00

Application Number	Name of Development	County	Name of Contact Person	Name of Developers	HC Funding Amount	SAIL Funding Amount	Total Points	Development Category Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
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Application selected to meet the Florida Keys Area Goal

2016-088CS	Vaca Bay Senior Apartments	Monroe	Donald W Paxton	WOB Beneficial Development 16 LLC	1,000,000.00	3,500,000	28	Y	Y	A	Y	91
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Application selected to meet goal to fund a second small county Application in a county other than Monroe
 There were no eligible small county Applications in a county other than Monroe

Medium County Non-DDA/Non-OCT Family Demographic Funding Goal, PHA Application

2016-009CS	Woodland Park Phase I	Alachua	David O. Deutch	Pinnacle Housing Group, LLC; GHA Development, LLC	1,155,000.00	3,840,000	28	Y	Y	A	Y	5
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Medium County Non-DDA/Non-OCT Family Demographic Funding Goal, Non-PHA Application

2016-006CS	Pinnacle at Hammock Crossings	Bay	David O. Deutch	Pinnacle Housing Group, LLC	1,114,000.00	3,220,000	28	Y	Y	A	Y	21
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Other Medium County Applications selected

2016-020C	Madison Vale	Osceola	Patrick E Law	American Residential Development, LLC	1,510,000.00		28	Y	Y	A	Y	3
2016-076C	Grove Manor	Polk	Lori Harris	Norstar Development USA, LP; LWHA Development, LLC	1,503,740.00		28	Y	Y	A	Y	4
2016-067C	Grand Palms	Manatee	Timothy M. Morgan	ILC Florida Development, LLC	1,323,535.00		28	Y	Y	A	Y	6
2016-055C	Madison Palms	Brevard	James R. Hoover	TVC Development, Inc.	1,255,481.00		28	Y	Y	A	Y	7
2016-043C	Abigail Court	Pasco	James R. Hoover	TVC Development, Inc.	1,419,272.00		28	Y	Y	A	Y	9
2016-019C	The Pines	Volusia	Clifton E. Phillips	Roundstone Development, LLC	1,510,000.00		28	Y	Y	A	Y	12

On January 29, 2016, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion and staff recommendation to select the above Applications for funding and invite the Applicants to enter credit underwriting.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

2015-106 Medium Small Geo RFA All Applications

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Demo. Commitment	Total Set Aside Units	HC Funding Amount	SALI Funding Amount	Eligible For Funding?	Per Unit Construction Funding Preference	Development Category	Total Corp Funding Per Set-Aside	Leveraging Classification	Florida Job Creation Preference	Lottery Number
Eligible Applications																
2016-005C	The Pointe at Valencia Village	Osceola	M	Todd M. Wind	Pierne Affordable Development, LLC	F	100	1,510,000		Y	Y	NC	104,538.46	A	Y	30
2016-006CS	Pinnacle at Hammock Crossings	Bay	M	David O. Deutch	Pinnacle Housing Group, LLC	F	92	1,114,000	3,220,000	Y	Y	NC	108,978.26	A	Y	21
2016-007C	Sandhill Sound	Pasco	M	Briane E Hefner	Southport Development, Inc. a Washington Corporation doing business in Florida as Southport Development Services, Inc.	E	90	1,500,000		Y	Y	NC	99,807.69	A	Y	13
2016-008CS	Woodland Park Phase I	Alachua	M	David O. Deutch	Pinnacle Housing Group, LLC; GHA Development, LLC	F	96	1,155,000	3,840,000	Y	Y	Redev	108,281.25	A	Y	5
2016-009C	Braden Terrace	Manatee	M	Briane E Hefner	Southport Development, Inc. a Washington Corporation doing business in Florida as Southport Development Services, Inc.	F	96	1,380,000		Y	Y	NC	99,519.23	A	Y	95
2016-010C	Orange Avenue Redevelopment Phase 4	Leon	M	Milton R Pratt, Jr	The Michaels Development Company 2, LLC; Tallahassee Housing Professionals, LLC	F	84	1,510,000		Y	Y	Redev	107,549.73	A	Y	86
2016-011C	The Pointe at Edgewater	Volusia	M	Todd M. Wind	Pierne Affordable Development, LLC	F	100	1,510,000		Y	Y	NC	90,425.77	A	Y	78
2016-014C	Palm Trace	Volusia	M	Joseph Chambers	Gardner Capital Development Florida, LLC	F	60	1,100,000		Y	Y	NC	109,788.46	A	Y	53
2016-015C	Woodland Lake Apartments	Pasco	M	Donald W Paxson	WOB Beneficial Development 16 LLC	F	80	1,469,330		Y	Y	NC	109,987.83	A	Y	45
2016-016CS	Caja Place	Morroe	S	Marlin C Flynn	Tri-Star Affordable Development, LLC	F	42	1,000,000	3,500,000	Y	Y	NC	114,065.93	B	N	36
2016-017C	Ashland Grove	Escambia	M	Briane E Hefner	Southport Development, Inc. a Washington Corporation doing business in Florida as Southport Development Services, Inc.	E	88	1,150,000		Y	Y	NC	117,513.64	B	Y	28
2016-018C	Exchange at Seven Hills	Pasco	M	James E. Dyal	Forty-Nine Acres Development, LLC	F	112	1,510,000		Y	Y	NC	93,337.91	A	Y	20
2016-019C	The Pines	Volusia	M	Cifton E. Phillips	Roundsstone Development, LLC	F	100	1,510,000		Y	Y	NC	104,538.46	A	Y	12
2016-020C	Madison Vale	Osceola	M	Patrick E Law	American Residential Development, LLC	E	82	1,510,000		Y	Y	NC	82,865.85	A	Y	3
2016-021C	Fort King Colony Senior Apartments	Pasco	M	William T. Fahlri	The Richman Group of Florida, Inc.	E	100	1,510,000		Y	Y	NC	104,538.46	A	Y	93
2016-022C	Brookhaven Post	Polk	M	Briane E Hefner	Southport Development, Inc. a Washington Corporation doing business in Florida as Southport Development Services, Inc.	F	80	1,150,000		Y	Y	NC	129,375.00	B	Y	85
2016-023C	Encore Park	Escambia	M	Christopher A. Akbari	ITEX Development, LLC	F	72	1,139,894		Y	Y	NC	109,505.19	A	Y	76

2015-106 Medium Small Geo RFA All Applications

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Demo. Commitment	Total Set Aside Units	HC Funding Amount	SALL Funding Amount	Eligible For Funding?	Per Unit Construction Funding Preference	Development Category	Total Corp Funding Per Set-Aside	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2016-024C	Brightview Senior	Volusia	M	Donald W Paxton	WOB Beneficial Development 16 LLC	E	80	1,488,921		Y	Y	NC	111,454.33	B	Y	68
2016-026C	Crestfield Manor	Hernando	M	Jonathan L Wolf	Crestfield Manor Developer, LLC	E	80	1,320,000		Y	Y	NC	114,230.77	B	Y	52
2016-028C	East Pointe Place, Phase II	Lee	M	David O. Deutch	Pinnacle Housing Group, LLC; Southwest Florida Affordable Housing Choice Foundation, Inc.	F	64	1,190,000		Y	Y	NC	111,347.96	B	Y	35
2016-029C	Woodwinds	Lake	M	Shawn Wilson	NB Woodwinds Developer, LLC; Blue Sky Clermont Developer, LLC	F	96	1,510,000		Y	Y	NC	108,894.23	A	Y	27
2016-031C	Bristol Manor	Seminole	M	Jonathan L Wolf	Bristol Manor Developer, LLC	E	70	1,150,000		Y	Y	NC	113,736.26	B	Y	10
2016-032C	Ashford Pointe	Seminole	M	Jonathan L Wolf	Ashford Pointe Developer, LLC	E	68	1,125,000		Y	Y	NC	114,536.20	B	Y	2
2016-033C	VISTA DEL SOL II APARTMENTS	Oceola	M	DEION R LOWERY	DRL VDS II DEVELOPMENT LLC	E	75	1,350,000		Y	Y	NC	107,792.31	A	Y	92
2016-034CS	Hallmark Village	Escambia	M	Christopher A. Albari	ITEX Development, LLC	F	110	1,155,000	3,850,000	Y	Y	NC	94,500.00	A	Y	83
2016-035C	TERRA POINTE II APARTMENTS	Oceola	M	DEION R LOWERY	DRL TP II DEVELOPMENT LLC	E	75	1,510,000		Y	Y	NC	90,500.00	A	Y	75
2016-036C	History Tree Apartments	Oceola	M	Joseph Chambers	Gardner Capital Development Florida, LLC	F	83	1,510,000		Y	Y	NC	108,946.71	A	Y	67
2016-037C	Oceola Landing	Oceola	M	Joseph Chambers	Gardner Capital Development Florida, LLC	E	110	1,510,000		Y	Y	NC	95,034.97	A	Y	58
2016-038C	Silver Pointe	Marion	M	Joseph Chambers	Gardner Capital Development Florida, LLC	F	90	1,510,000		Y	Y	NC	100,473.08	A	Y	50
2016-039C	Zephyr Preserve	Pasco	M	Joseph Chambers	Gardner Capital Development Florida, LLC	E	70	1,280,000		Y	Y	NC	109,503.30	A	Y	42
2016-040C	Amaryllis Park Place	Sarasota	M	David O. Deutch	Pinnacle Housing Group, LLC; SHA Affordable Development, LLC	E	84	1,510,000		Y	Y	NC	107,649.73	A	Y	34
2016-041C	Orange Avenue Redevelopment Phase 1	Leon	M	Milton R Pratt, Jr	The Michaels Development Company 2, LLC; Tallahassee Housing Professionals, LLC	E	90	1,510,000		Y	Y	Redev	100,473.08	A	Y	25
2016-042C	Redding Redevelopment	Seminole	M	Joseph Chambers	Sanford Redevelopment Partners, LLC; SHA Development, LLC	E	90	1,510,000		Y	Y	NC	100,473.08	A	Y	17
2016-043C	Abigail Court	Pasco	M	James R. Hoover	TVC Development, Inc.	E	90	1,419,272		Y	Y	NC	109,174.77	A	Y	9
2016-044C	Generation Point Phase I	Oceola	M	David O. Deutch	Pinnacle Housing Group, LLC	F	80	1,510,000		Y	Y	NC	102,578.37	A	Y	98
2016-045C	Pinewood Terrace Apartments	Escambia	M	Brian J Parent	JPM Development LLC; Westbrook Housing Development LLC	F	96	1,509,500		Y	Y	NC	94,162.32	A	Y	90
2016-047C	Waverly Place Senior Apartments	Escambia	M	Brian J Parent	JPM Development LLC; Westbrook Housing Development, LLC	E	94	1,509,500		Y	Y	NC	96,165.77	A	Y	73
2016-048C	Kelli Grove	Lee	M	James R. Hoover	TVC Development, Inc.	E	100	1,509,440		Y	Y	NC	90,392.23	A	Y	65

2015-106 Medium Small Geo RFA All Applications

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Demo. Commitment	Total Set Aside Units	HC Funding Amount	SALL Funding Amount	Eligible For Funding?	Per Unit Construction Funding Preference	Development Category	Total Corp Funding Per Set-Aside	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2016-049C	Jacaranda Terrace	Manatee	M	Brian J Parent	JPM Development LLC, Westbrook Housing Development LLC	E	80	1,403,000		Y	Y	NC	105,022.64	A	Y	57
2016-050C	Warley Park	Lake	M	Jonathan L Wolf	Warley Park Developer, LLC	E	102	1,510,000		Y	Y	NC	102,488.69	A	Y	49
2016-051C	Varria	Polk	M	Shawn Wilson	Blue Sky Communities, LLC	F	96	1,510,000		Y	Y	NC	108,894.23	A	Y	40
2016-052C	Madison Oaks	Pasco	M	Timothy M. Morgan	JIC Florida Development, LLC	E	72	1,308,252		Y	Y	NC	108,811.34	A	Y	32
2016-053C	Winkler Place Senior Apartments	Lae	M	Brian J Parent	JPM Development LLC, Westbrook Housing Development LLC	E	94	1,509,500		Y	Y	NC	96,165.77	A	Y	24
2016-054C	Residences at Fort King	Pasco	M	Brian J Parent	JPM Development LLC, Westbrook Housing Development LLC	E	94	1,509,500		Y	Y	NC	96,165.77	A	Y	15
2016-055C	Madison Palms	Brevard	M	James R. Hoover	TVC Development, Inc.	E	80	1,255,481		Y	Y	NC	108,647.39	A	Y	7
2016-056C	SUGG Redevelopment	Manatee	M	Joseph Chambers	SUGG I DEVELOPER, LLC; HACB DEVELOPMENT, LLC	E	80	1,458,000		Y	Y	NC	109,139.71	A	Y	97
2016-057C	Nathan Ridge	Clay	M	James R. Hoover	TVC Development, Inc.	E	100	1,152,728		Y	Y	NC	103,745.52	A	Y	89
2016-058C	The Reserve at Malibu Point	Osceola	M	Clifton E. Phillips	Roundstone Development, LLC	F	80	1,333,582		Y	Y	NC	99,826.31	A	Y	80
2016-059C	Cardinal Place Senior Apartments	Volusia	M	Brian J Parent	JPM Development LLC, Westbrook Housing Development LLC	E	60	1,050,000		Y	Y	NC	104,798.08	A	Y	72
2016-060C	Champions' Landing	Osceola	M	Joseph Chambers	Gardner Capital Development Florida, LLC	E	90	1,510,000		Y	Y	NC	100,473.08	A	Y	64
2016-062C	River Terrace	Citrus	M	Matthew Rieger	HTG River Terrace Developer, LLC,;	E	100	1,510,000		Y	Y	NC	104,538.46	A	Y	47
2016-063C	Arbours at Vero Beach	Indian Riv	M	Sam T Johnston	Arbour Valley Development, LLC	E	80	1,481,878		Y	Y	NC	110,927.12	B	Y	39
2016-064C	Arbours at Zephyrhills	Pasco	M	Sam T Johnston	Arbour Valley Development, LLC	E	80	1,481,878		Y	Y	NC	110,927.12	B	Y	31
2016-065C	West Lake Apartments	Polk	M	Matthew A Rieger	HTG West Lake Developer, LLC; Polk County Housing Developers, Inc.	E	100	1,510,000		Y	Y	NC	90,425.77	A	Y	22
2016-066C	Hammock Ridge	Hernando	M	Matthew A Rieger	HTG Hammock Ridge Developer, LLC	F	104	1,510,000		Y	Y	NC	100,517.75	A	Y	14
2016-067C	Grand Palms	Manatee	M	Timothy M. Morgan	JIC Florida Development, LLC	E	72	1,323,535		Y	Y	NC	110,082.48	A	Y	6
2016-068C	Garter Crossing	Osceola	M	James R. Hoover	TVC Development, Inc.	E	70	1,096,315		Y	Y	NC	108,426.76	A	Y	87
2016-069C	The Fountains at Hidden Lake	Citrus	M	Clifton E. Phillips	Roundstone Development, LLC	E	100	1,486,527		Y	Y	NC	89,020.10	A	Y	79
2016-070C	Woodland Manor	Polk	M	Matthew Rieger	HTG Woodland Manor Developer, LLC,;	F	102	1,510,000		Y	Y	NC	102,488.69	A	Y	71
2016-071C	SilverSmith Pointe	Manatee	M	Joseph Chambers	Gardner Capital Development Florida, LLC	F	90	1,510,000		Y	Y	NC	100,473.08	A	Y	62

2015-106 Medium Small Geo RFA All Applications

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Demo. Commitment	Total Set Aside	HC Funding Amount	S&L Funding Amount	Eligible For Funding?	Per Unit Construction Funding Preference	Development Category	Total Corp Funding Per Set-Aside	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2016-072C	P Street Commons	Escambia	M	Renée Sandell	The Paces Foundation, Inc.	F	72	1,377,025		Y	Y	NC	114,531.43	B	Y	54
2016-073C	Madison Ridge	Citrus	M	Bowen A Arnold	DDA Development, LLC	F	80	1,510,000		Y	Y	NC	113,032.21	B	Y	46
2016-074C	Pelican Pointe Apartments	Bay	M	Kimberly K. Murphy	Royal American Development, Inc.	F	78	1,118,107	2,730,000	Y	Y	NC	111,595.68	B	Y	37
2016-075C	Golden Grove	Lake	M	Matthew A Rieger	HTG Golden Developer, LLC	F	57	1,027,976		Y	Y	NC	107,999.91	A	Y	29
2016-076C	Grove Manor	Polk	M	Lori Harris	Norstar Development USA, LP; LWHA Development, LLC	F	84	1,503,740		Y	Y	NC	107,203.44	A	Y	4
2016-077C	Cypress Bayou Apartments	Hernando	M	Hana K Eskra	Gorman & Company, Inc.	F	92	1,510,000		Y	Y	NC	98,288.88	A	Y	94
2016-078C	Sunrise Park II	Polk	M	Lori Harris	Norstar Development USA, LP; LWHA Development, LLC	F	52	737,959	2,080,000	Y	Y	NC	110,480.98	A	Y	77
2016-079C	Zephyr Senior Housing	Pasco	M	Hana K Eskra	Gorman & Company, Inc.	E	90	1,510,000		Y	Y	NC	100,473.08	A	Y	69
2016-080C	Sunrise Heights	St. Lucie	M	Lori Harris	Norstar Development USA, LP; PPHA Development, LLC	E	77	1,445,000		Y	Y	NC	112,380.87	B	Y	44
2016-082C	Fox Apartments	Pasco	M	Joseph Chambers	Gardner Capital Development Florida, LLC	F	60	1,110,000		Y	Y	NC	110,786.54	A	Y	11
2016-083C	Woodbridge Place Senior Apartments	Volusia	M	Brian J Parent	JPM Development LLC; Westbrook Housing Development LLC	E	94	1,509,500		Y	Y	NC	96,165.77	A	Y	84
2016-084C	Venetian Walk II	Sarasota	M	Lori Harris	Norstar Development USA, LP; Venetian Walk Developers, LLC	F	52	954,500		Y	Y	NC	109,922.82	A	Y	59
2016-085C	The Art House	Leon	M	Joseph Chambers	Gardner Capital Development Florida, LLC	E	59	1,200,000		Y	Y	NC	110,534.55	A	Y	51
2016-086C	West Park Place	Escambia	M	Donald W Paxton	WOB Beneficial Development 16 LLC	F	88	1,510,000		Y	Y	NC	102,756.56	A	Y	26
2016-087C	Central Village Townhomes	Hernando	M	Donald W Paxton	WOB Beneficial Development 16 LLC	F	80	1,510,000		Y	Y	NC	113,032.21	B	Y	1
2016-088C	Vera Bay Senior Apartments	Monroe	S	Donald W Paxton	WOB Beneficial Development 16 LLC	E	46	1,000,000	3,500,000	Y	Y	NC	104,147.16	A	Y	91
2016-089C	The Village Lofts	Manatee	M	Donald W Paxton	WOB Beneficial Development 16 LLC	F	80	1,510,000		Y	Y	NC	113,032.21	B	Y	74
2016-090C	Summerset Senior Apartments	Pasco	M	Donald W Paxton	WOB Beneficial Development 16 LLC	E	80	1,510,000		Y	Y	NC	113,032.21	B	Y	66
2016-091C	Heathrow Villas	Seminole	M	Joseph Chambers	Gardner Capital Development Florida, LLC	F	91	1,450,000		Y	Y	NC	110,312.76	A	Y	41
2016-093C	Brownsville Manor	Escambia	M	Renée Sandell	The Paces Foundation, Inc.	E	87	1,510,000		Y	Y	NC	109,937.57	A	Y	16
2016-094C	Madison Crossing II	Osceola	M	Patrick E Law	American Residential Development, LLC	E	86	1,510,000		Y	Y	NC	79,011.63	A	Y	8
2016-095C	Madison Trails	Osceola	M	Patrick E Law	American Residential Development, LLC	E	82	1,510,000		Y	Y	NC	82,865.85	A	Y	81
2016-096C	Andrew Landing	Volusia	M	James R. Hoover	TVC Development, Inc.	E	82	1,305,189		Y	Y	NC	110,194.19	A	Y	56

2015-106 Medium Small Geo RFA All Applications

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Demo. Commitment	Total Set Aside Units	HC Funding Amount	SAU Funding Amount	Eligible For Funding?	Per Unit Construction Funding Preference	Development Category	Total Corp Funding Per Set-Aside	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2015-098C	Hearth Brook Senior Apartments	Marion	M	Brian J Parent	JPM Development LLC, Westbrook Housing Development LLC	E	94	1,509,500		Y	Y	NC	96,165.77	A	Y	23
2015-099C	Cassie Gardens	Clay	M	James R. Hoover	TYC Development, Inc.	E	96	1,155,000		Y	Y	NC	108,281.25	A	Y	96
2015-100C	Retreat at Seven Hills	Pasco	M	James E. Dyal	Forty-Nine Acres Development, LLC	E	110	1,510,000		Y	Y	NC	95,034.97	A	Y	88
2015-101C	Huntington Place Apartments	Pasco	M	Brian J Parent	JPM Development LLC, Westbrook Housing Development LLC	E	57	1,009,000		Y	Y	NC	106,006.28	A	Y	63
2015-102C	Highland Grove Senior Apartments	Pasco	M	Brian J Parent	JPM Development LLC, Westbrook Housing Development LLC	E	94	1,509,500		Y	Y	NC	96,165.77	A	Y	38

Ineligible Applications

2015-012C	Monroe Place Senior Apartment Homes	Seminole	M	Todd M. Wind	Pierme Affordable Development, LLC	E	102	1,510,000		N	Y	NC	102,488.69		Y	70
2015-013C	TIERRA GRANDE APARTMENTS	Osceola	M	DEION R LOWERY	DRL TG DEVELOPMENT LLC	E	75	1,350,000		N	Y	NC	107,792.31		Y	61
2015-025C	Village Point Apartments	Hernando	M	Jay P. Brock	Atlantic Housing Partners, L.L.L.P.	F	91	1,510,000		N	Y	NC	114,877.43		Y	60
2015-027C	Vista Point Apartments	Hernando	M	Jay P. Brock	Atlantic Housing Partners, L.L.L.P.	F	91	1,510,000		N	Y	NC	114,877.43		Y	43
2015-030C	Moon Lake View	Pasco	M	Brianne E Heffner	Southport Development, Inc. a Washington Corporation doing business in Florida as Southport Development Services, Inc.	E	108	1,510,000		N	Y	NC	96,794.87		Y	18
2015-046C	Regal Club	Seminole	M	Jay P. Brock	Atlantic Housing Partners, L.L.L.P.	F	70	1,474,805		N	Y	NC	114,499.97		Y	82
2015-061C	Sunstar Grove	Lake	M	Matthew A Rieger	HTG Sunstar Developer, LLC	E	75	1,351,661		N	Y	NC	107,924.93		Y	55
2015-081C	Abington View	Okaloosa	M	William J Rea	Rea Ventures Group, LLC, William J Rea, Jr, Eric Bufenbarger	F	80	968,268		N	Y	NC	108,930.15		Y	19
2015-092C	Creechton Creek Senior Apartments	Sarasota	M	Donald W Paxton	WOB Beneficial Development 16 LLC	E	80	1,506,860		N	Y	NC	112,797.16		Y	33
2015-097C	Halifax Harbor Senior Apartments	Volusia	M	Donald W Paxton	WOB Beneficial Development 16 LLC	E	80	1,510,000		N	Y	NC	113,032.21		Y	48

On January 29, 2015, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion to adopt the scoring results above.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

**BEFORE THE
FLORIDA HOUSING FINANCE CORPORATION**

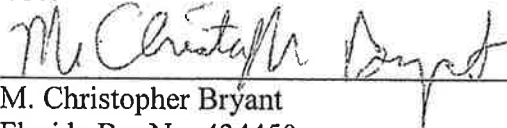
RE: RFA 2015-106, Housing Credit Financing of Affordable Housing Developments Located in Medium and Small Counties
Notice of Protest by Redding Development Partners, LLC, Application No. 2016-042C

NOTICE OF PROTEST

Pursuant to Section 120.57(3), Fla. Stat.; Rule 67-60.009(2), Fla. Admin. Code; and RFA 2015-106 at Section Six, REDDING DEVELOPMENT PARTNERS, LLC., Application No. 2016-042C, hereby gives notice of its intent to protest the proposed awards of funding contained on the RFA 2015-106 Review Committee Recommendations, copy attached as Exhibit A. Exhibit A was approved by the Florida Housing Finance Corporation Board of Directors on Friday, January 29, 2016, and was posted on the Corporation's website at 9:55 a.m. on that date.

FILED this 3rd day of February, 2016.


RECEIVED
16 FEB -3 AM 9:10
FLORIDA HOUSING
FINANCE CORPORATION



M. Christopher Bryant
Florida Bar No. 434450
Oertel, Fernandez, Bryant & Atkinson, P.A.
P.O. Box 1110
Tallahassee, Florida 32302-1110
Telephone: 850-521-0700
Telecopier: 850-521-0720
cbryant@ohfc.com
Attorneys for Redding Development Partners, LLC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one copy of the foregoing has been filed via Hand Delivery with the Agency Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, this 3rd day of February, 2016.



Attorney

Exhibit C
Page 1 of 2

2015-106 Review Committee Recommendations

Total HC Available for RFA	12,201,457.00
Total HC Allocated	11,791,028.00
Total HC Remaining	410,429.00
Total SAIL Allocated	10,560,000.00

Application Number	Name of Development	County	Name of Contact Person	Name of Developers	HC Funding Amount	SAIL Funding Amount	Total Points	Development Category Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
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Application selected to meet the Florida Keys Area Goal

2016-038C3	Vaca Bay Senior Apartments	Monroe	Donald W Paxton	WOB Beneficial Development 16 LLC	1,000,000.00	3,500,000	28	Y	Y	A	Y	91
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Application selected to meet goal to fund a second small county Application in a county other than Monroe
There were no eligible Small County Applications in a county other than Monroe

Medium County Non-DDA/Non-QCT Family Demographic Funding Goal, PHA Application

2016-008C3	Woodland Park Phase I	Alachua	David O. Deutch	Primeade Housing Group, LLC, GHA Development, LLC	1,155,000.00	3,840,000	28	Y	Y	A	Y	5
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Medium County Non-DDA/Non-QCT Family Demographic Funding Goal, Non-PHA Application

2016-006C3	Pinacle at Hammock Crossings	Bay	David O. Deutch	Pinacle Housing Group, LLC	1,114,000.00	3,220,000	28	Y	Y	A	Y	21
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Other Medium County Applications selected

2016-020C	Madison Vale	Osceola	Patrick E Law	American Residential Development, LLC	1,510,000.00		28	Y	Y	A	Y	3
2016-075C	Grove Manor	Polk	Leif Harris	Norstar Development USA, LP, LUMIA Development, LLC	1,509,740.00		28	Y	Y	A	Y	4
2016-067C	Grand Palms	Manatee	Timothy M. Morgan	JIC Florida Development, LLC	1,323,335.00		28	Y	Y	A	Y	6
2016-055C	Madison Palms	Brevard	James R. Hoover	TYC Development, Inc.	1,255,481.00		28	Y	Y	A	Y	7
2016-043C	Abigail Court	Polk	James R. Hoover	TYC Development, Inc.	1,419,272.00		28	Y	Y	A	Y	9
2016-019C	The Pines	Volusia	Clifton E. Phillips	Roundstone Development, LLC	1,510,000.00		28	Y	Y	A	Y	12

On January 29, 2016, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion and staff recommendation to select the above Applications for funding and invite the Applicants to enter credit underwriting.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

Attachment

14

SURVEYOR CERTIFICATION FORM

Name of Development: The Pines

Development Location: 1308 S. Clara Ave Deland, FL

(At a minimum, provide the address number, street name and city, and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county). If the Development consists of Scattered Sites, the Development Location stated above must reflect the Scattered Site where the Development Location Point is located.)

The undersigned Florida licensed surveyor confirms that the method used to determine the following latitude and longitude coordinates conforms to Rule 5J-17, F.A.C., formerly 61G17-6, F.A.C.:

**All calculations shall be based on "WGS 84" and be grid distances. The horizontal positions shall be collected to meet sub-meter accuracy (no autonomous hand-held GPS units shall be used).*

State the Development Location Point. ²	N <u>29</u> Degrees	<u>00</u> Minutes	<u>19.46</u> Seconds (represented to 2 decimal places)	W <u>81</u> Degrees	<u>18</u> Minutes	<u>29.04</u> Seconds (represented to 2 decimal places)
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To be eligible for proximity points, Degrees and Minutes must be stated as whole numbers and Seconds must be represented to 2 decimal places.

Transit Service - State the latitude and longitude coordinates for one (1) Transit Service on the chart below.²

	Latitude			Longitude		
Public Bus Stop	N <u>29</u> Degrees	<u>0</u> Minutes	<u>16.86</u> Seconds (represented to 2 decimal places)	W <u>81</u> Degrees	<u>18</u> Minutes	<u>8.96</u> Seconds (represented to 2 decimal places)
Public Bus Transfer Stop	N _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)	W _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)
Public Bus Rapid Transit Stop	N _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)	W _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)
SunRail Station, MetroRail Station, or TriRail Station	N _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)	W _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)
Using the method described above*, the distance (rounded up to the nearest hundredth of a mile) between the coordinates of the Development Location Point and the coordinates of the Transit Service is:						<u>0.34</u> Miles

Community Services - State the Name, Address and latitude and longitude coordinates of the closest service(s) on the chart below.³

Grocery Store:	Latitude			Longitude		
Name - <u>Sav A Lot</u> Address - <u>221 S Woodlawn Blvd</u> <u>Deland</u>	N <u>29</u> Degrees	<u>1</u> Minutes	<u>31.47</u> Seconds (represented to 2 decimal places)	W <u>81</u> Degrees	<u>18</u> Minutes	<u>11.02</u> Seconds (represented to 2 decimal places)
Using the method described above*, the distance (rounded up to the nearest hundredth of a mile) between the coordinates of the Development Location Point and the coordinates of the Grocery Store is:						<u>1.41</u> Miles

Initials of Surveyor DV

SURVEYOR CERTIFICATION FORM

Medical Facility:	Latitude			Longitude		
Name - <u>Deland Family Medicine</u> Address - <u>1450 S. Woodlawn Blvd</u> <u>Suite 300 Seland</u>	N <u>29</u> Degrees	<u>0</u> Minutes	<u>12.03</u> Seconds (represented to 2 decimal places)	W <u>81</u> Degrees	<u>18</u> Minutes	<u>12.78</u> Seconds (represented to 2 decimal places)
Using the method described above*, the distance (rounded up to the nearest hundredth of a mile) between the coordinates of the Development Location Point and the coordinates of the Medical Facility is:						<u>0.32</u> Miles
Pharmacy:	Latitude			Longitude		
Name - _____ Address - _____	N _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)	W _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)
Using the method described above*, the distance (rounded up to the nearest hundredth of a mile) between the coordinates of the Development Location Point and the coordinates of the Pharmacy is:						_____ Miles
Public School:	Latitude			Longitude		
Name - <u>Southwestern Middle School</u> Address - <u>605 W New Hampshire Ave</u> <u>Deland</u>	N <u>29</u> Degrees	<u>0</u> Minutes	<u>25.44</u> Seconds (represented to 2 decimal places)	W <u>81</u> Degrees	<u>18</u> Minutes	<u>49.72</u> Seconds (represented to 2 decimal places)
Using the method described above*, the distance (rounded up to the nearest hundredth of a mile) between the coordinates of the Development Location Point and the coordinates of the Public School is:						<u>0.37</u> Miles

If the Corporation discovers that there are any false statements made in this certification, the Corporation will forward a copy to the State of Florida Department of Business and Professional Regulation for investigation.

CERTIFICATION Under penalty of perjury, I declare that the foregoing statement is true and correct.

Daniel L. Van Horn
Signature of Florida Licensed Surveyor

4267
Florida License Number of Signatory

Daniel L. Van Horn
Print or Type Name of Signatory

Please note: This form may be modified by Florida Housing Finance Corporation per Section 67-60.005, F.A.C.

This certification consists of 3 pages. This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant. If the certification is inappropriately signed, the Application will not be eligible to receive proximity points. If this certification contains corrections or 'white-out', or if it is altered or retyped, the form will not be considered. The certification may be photocopied. To be considered for scoring purposes, at least pages 1 and 2 of this 3 page certification form must be provided by the Applicant.



SURVEYOR CERTIFICATION FORM

¹"Scattered Sites," as applied to a single Development, means a Development site that, when taken as a whole, is comprised of real property that is not contiguous (each such non-contiguous site within a Scattered Site Development, a "Scattered Site"). For purposes of this definition "contiguous" means touching at a point or along a boundary. Real property is contiguous if the only intervening real property interest is an easement provided the easement is not a roadway or street.

²"Development Location Point" means a single point selected by the Applicant on the proposed Development site that is located within 100 feet of a residential building existing or to be constructed as part of the proposed Development. For a Development which consists of Scattered Sites, this means a single point on the site with the most units that is located within 100 feet of a residential building existing or to be constructed as part of the proposed Development.

³The latitude and longitude coordinates for all Proximity Services must represent a point as outlined on the Coordinates Location Chart set out below. The coordinates for each service must be stated in degrees, minutes and seconds, with the degrees and minutes stated as whole numbers and the seconds represented to 2 decimal places. If the degrees and minutes are not stated as whole numbers and the seconds are not represented to 2 decimal places, the Applicant will not be eligible for proximity points for that service.

Coordinates Location Chart																									
Service	Location where latitude and longitude coordinates must be obtained																								
Community Services	Coordinates must represent a point that is on the doorway threshold of an exterior entrance that provides direct public access to the building where the service is located.																								
Transit Services	<p>For Public Bus Stop, Public Bus Rapid Transit Stop, Public Bus Transfer Stop, TriRail Rail Stations and MetroRail Rail Stations, coordinates must represent the location where passengers may embark and disembark the bus or train.</p> <p>For the following Phase 1 SunRail Rail Stations, coordinates must represent the location where passengers may embark and disembark the train:</p> <p style="text-align: center;"><u>Phase 1 SunRail Station Name</u></p> <table border="0"> <tr> <td>Altamonte Springs Station</td> <td>Church Street Station</td> </tr> <tr> <td>DeBary Station</td> <td>Florida Hospital Station</td> </tr> <tr> <td>Lake Mary Station</td> <td>LYNX Central Station</td> </tr> <tr> <td>Longwood Station</td> <td>Maitland Station</td> </tr> <tr> <td>Orlando Amtrak/ORMC Station</td> <td>Sund Lake Road Station</td> </tr> <tr> <td>Sanford/SR46 Station</td> <td>Winter Park/Park Ave Station</td> </tr> </table> <p>For the following Phase 2 SunRail Rail Stations, coordinates must represent coordinates listed below:</p> <table border="0"> <thead> <tr> <th><u>Phase 2 SunRail Station Name</u></th> <th><u>Coordinates</u></th> </tr> </thead> <tbody> <tr> <td>Deland Amtrak Station</td> <td>N 29 01 02.25, W 81 21 09.24</td> </tr> <tr> <td>Meadow Woods Station</td> <td>N 28 23 12.19, W 81 22 26.59</td> </tr> <tr> <td>Ocoola Parkway Station</td> <td>N 28 20 35.55, W 81 23 24.07</td> </tr> <tr> <td>Kissimmee Amtrak Station</td> <td>N 28 17 34.93, W 81 24 17.37</td> </tr> <tr> <td>Poinciana Industrial Park Station</td> <td>N 28 15 32.04, W 81 29 08.17</td> </tr> </tbody> </table>	Altamonte Springs Station	Church Street Station	DeBary Station	Florida Hospital Station	Lake Mary Station	LYNX Central Station	Longwood Station	Maitland Station	Orlando Amtrak/ORMC Station	Sund Lake Road Station	Sanford/SR46 Station	Winter Park/Park Ave Station	<u>Phase 2 SunRail Station Name</u>	<u>Coordinates</u>	Deland Amtrak Station	N 29 01 02.25, W 81 21 09.24	Meadow Woods Station	N 28 23 12.19, W 81 22 26.59	Ocoola Parkway Station	N 28 20 35.55, W 81 23 24.07	Kissimmee Amtrak Station	N 28 17 34.93, W 81 24 17.37	Poinciana Industrial Park Station	N 28 15 32.04, W 81 29 08.17
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Poinciana Industrial Park Station	N 28 15 32.04, W 81 29 08.17																								

If there is no exterior public entrance to the Community Service, then a point should be used that is at the exterior entrance doorway threshold that is the closest walking distance to the doorway threshold of the interior public entrance to the service. For example, for a Pharmacy located within an enclosed shopping mall structure that does not have a direct public exterior entrance, the latitude and longitude coordinates at the doorway threshold of the exterior public entrance to the enclosed shopping mall that provide the shortest walking distance to the doorway threshold of the interior entrance to the Pharmacy would be used.

Applicants may use the same latitude and longitude coordinates for the Grocery Store, Medical Facility and/or Pharmacy if the Grocery Store, Medical Facility and/or Pharmacy is housed at the same location.

Street View of location of The Pines Medical Facility Coordinantes



Red balloon marks The Pines medical facility coordinantes location; yellow star is building public doorway



Southwestern Middle School

Red balloon marks The Pines' Public School coordinates location; no doorway



ATTACHMENT 12

MAYOR
Hal J. Rose

DEPUTY MAYOR
Bill Mettrick

COUNCIL MEMBERS
Pat Bontley
Stephany Eley
Barbara A. Smith
John "Coach" Tice
Andrea Young



West Melbourne

FLORIDA

Public Works Department
Keith Mills, Deputy City Manager/
Public Works Director
City Hall
2240 Minton Road
West Melbourne, FL 32904
Phone: (321) 837-7777
Fax: (321) 768-2390
www.westmelbourne.org

October 5, 2015

Mr. Ryan Hoover
TVC Development, Inc.
3030 Hartley Road, Suite 310
Jacksonville, FL 32257

Project: RFA-2015-106, Madison Palms, Northwest of the intersection of Canal Street and West Court in the City of West Melbourne, Florida-Sewer Availability

Dear Mr. Hoover:

This letter is in regard to your request for the City of West Melbourne to sign the Availability of Infrastructure-Sewer Capacity form based on the August 10, 2015 conceptual plan you provided to the City. Please be advised that the City operates a wastewater utility and currently provides sewer service to properties located on West Court in the vicinity of your proposed project.

Sewer capacity is available for your project at the Ray Bullard Water Reclamation Facility (RBWRF-Sewer Plant). However, you will be required to construct improvements needed to extend sewer onto your site and to ensure that there is adequate capacity at the regional lift station that would serve the site once a sewer extension is constructed. The City has not been provided with estimated sewer flows from your project and so is not in a position to evaluate downstream lift station capacity at this time as it relates specifically to your project. Table 1-1 provides a summary of sanitary sewer system components as it relates to your site.

Table 1-1 summarizes the various sewer capacity elements considered:

Capacity Element	Available?	Action Required
Treatment Capacity at Plant	Yes	None
Capacity within Regional lift station (Children's Home Lift Station)	TBD	Projected sewer flows need to be provided to the City
Gravity sewer available at the property	No	Gravity line extension would need to be constructed by the project
Force main available at the property	No	None-no force main available to connect to

There is a 6" stub out available on West Court to possibly service this project. The 6" may need to be replaced with an 8" if engineering calculations show the 6" to be insufficient. Due to the number of units possible at build-out of both parcels, an on-site lift station may be required with the receiving manhole having to be lined. The project engineer would have to determine the effects to the downstream "Children's Home" lift station. Existing pumps within this lift station may need to be upsized in order to accept this project's flow. The cost of this sewer connection including the upgrading of the lift station would be born solely by your project.

This determination is a non-binding determination. Pursuant to Chapter 70 of the Land Development Regulations, you will have the ability to reserve capacity for your project for a period of up to 1 year. If you would like to initiate the process for capacity Reservation, please contact the Planning and Economic Development Department and they will guide you through the steps that are needed. We also request that your Engineer coordinate with us in regard to any additional notes we would like to see incorporated to the final administrative review of the project.

Should you have any further questions or concerns, please feel free to contact me at 321-837-7777

Sincerely,



Keith Mills,
Public Works Director

Cc: Christy Fischer, Planning and Economic Development Director
Chris Murphy, Adjunct City Engineer

ATTACHMENT 14

SURVEYOR CERTIFICATION FORM

Name of Development: Madison Palms

Development Location: North west of the intersection of Canal St and West Ct. in the city of West Melbourne, Florida.

(At a minimum, provide the address number, street name and city, and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county). If the Development consists of Scattered Sites, the Development Location stated above must reflect the Scattered Site¹ where the Development Location Point is located.)

The undersigned Florida licensed surveyor confirms that the method used to determine the following latitude and longitude coordinates conforms to Rule 5J-17, F.A.C., formerly 61G17-6, F.A.C.:

**All calculations shall be based on "WGS 84" and be grid distances. The horizontal positions shall be collected to meet sub-meter accuracy (no autonomous hand-held GPS units shall be used).*

State the Development Location Point: ²	N <u>28</u> Degrees	<u>04</u> Minutes	<u>57.11</u> Seconds (represented to 2 decimal places)	w <u>80</u> Degrees	<u>38</u> Minutes	<u>41.07</u> Seconds (represented to 2 decimal places)
--	------------------------	----------------------	---	------------------------	----------------------	---

To be eligible for proximity points, Degrees and Minutes must be stated as whole numbers and Seconds must be represented to 2 decimal places.

Transit Service - State the latitude and longitude coordinates for one (1) Transit Service on the chart below.³

	Latitude			Longitude		
Public Bus Stop	N <u>28</u> Degrees	<u>04</u> Minutes	<u>51.89</u> Seconds (represented to 2 decimal places)	w <u>80</u> Degrees	<u>36</u> Minutes	<u>52.65</u> Seconds (represented to 2 decimal places)
Public Bus Transfer Stop	N _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)	w _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)
Public Bus Rapid Transit Stop	N _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)	w _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)
SunRail Station, MetroRail Station, or TriRail Station	N _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)	w _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)
Using the method described above*, the distance (rounded up to the nearest hundredth of a mile) between the coordinates of the Development Location Point and the coordinates of the Transit Service is:						<u>0.22</u> Miles

Community Services - State the Name, Address and latitude and longitude coordinates of the closest service(s) on the chart below.³

Grocery Store:	Latitude			Longitude		
Name - <u>Publix</u> Address - <u>2261 W. New Haven Ave.</u> <u>West Melbourne, FL 32904</u>	N <u>28</u> Degrees	<u>04</u> Minutes	<u>40.09</u> Seconds (represented to 2 decimal places)	w <u>80</u> Degrees	<u>39</u> Minutes	<u>35.25</u> Seconds (represented to 2 decimal places)
Using the method described above*, the distance (rounded up to the nearest hundredth of a mile) between the coordinates of the Development Location Point and the coordinates of the Grocery Store is:						<u>0.98</u> Miles

Initials of Surveyor: CPD

SURVEYOR CERTIFICATION FORM

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Applicants may use the same latitude and longitude coordinates for the Grocery Store, Medical Facility and/or Pharmacy if the Grocery Store, Medical Facility and/or Pharmacy is housed at the same location.

RFA 2015-106
(Form Rev.07-15)

Principal:
Debra Edwards

Assistant Principal:
John Dooley

Principal's Secretary:
Marla Outlaw



School Board of Polk
County, Florida

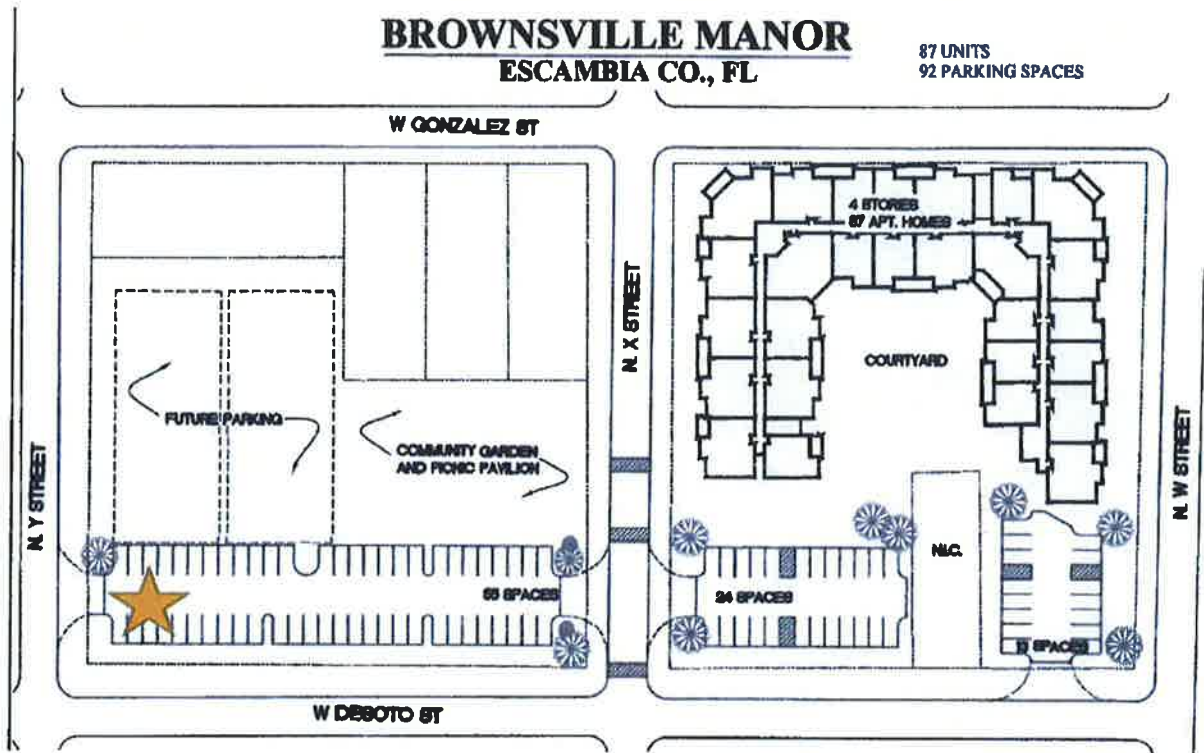
Click [HERE](#) for PCSB's
Nondiscrimination Statement.

2015-2016 School Related Employee of the Year

Marilyn Graham



Site Plan submitted to Escambia County BCC, heard 10/8/15 (DLP indicated by yellow star)



Aerial indicating where the DLP drops using Applicant coordinates



Street view of point used by Brownsville for Public Bus Stop



Coordinates used by Applicant represented by red balloon, actual embark/disembark location at yellow star. Difference of 155 Ft.



Attachment

14

SURVEYOR CERTIFICATION FORM

Name of Development: Brownsville Manor

Development Location: N Y Street at W Desoto Street, Pensacola, Escambia County

(As a minimum, provide the address number, street name and city, and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county). If the Development consists of Scattered Sites, the Development Location stated above must reflect the "scattered site" where the Development Location Point is located.)

The undersigned Florida licensed surveyor confirms that the method used to determine the following latitude and longitude coordinates conforms to Rule 11-17 F.A.C. formerly 61G17-6 F.A.C.

*All calculations shall be based on "NAD 83" and be grid distances. The horizontal positions shall be collected to meet sub-meter accuracy (no autonomous hand-held GPS units shall be used).

State the Development Location Point:	N <u>30</u> Degrees	<u>25</u> Minutes	<u>24.06</u> Seconds (represented to 2 decimal places)	W <u>87</u> Degrees	<u>15</u> Minutes	<u>07.62</u> Seconds (represented to 2 decimal places)
---------------------------------------	------------------------	----------------------	---	------------------------	----------------------	---

To be eligible for proximity points, Degrees and Minutes must be stated as whole numbers and Seconds must be represented to 2 decimal places.

Transit Service - State the latitude and longitude coordinates for one (1) Transit Service on the chart below:

	Latitude			Longitude		
	N Degrees	Minutes	Seconds (represented to 2 decimal places)	W Degrees	Minutes	Seconds (represented to 2 decimal places)
Public Bus Stop						
Public Bus Transfer Stop	N <u>30</u> Degrees	<u>26</u> Minutes	<u>37.41</u> Seconds (represented to 2 decimal places)	W <u>87</u> Degrees	<u>14</u> Minutes	<u>08.76</u> Seconds (represented to 2 decimal places)
Public Bus Rapid Transit Stop	N _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)	W _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)
SeaRail Station, MetroRail Station, or TriRail Station	N _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)	W _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)
Using the method described above*, the distance (rounded up to the nearest hundredth of a mile) between the coordinates of the Development Location Point and the coordinates of the Transit Service is:						<u>1.71</u> Miles

Community Services - State the Name, Address and latitude and longitude coordinates of the closest service(s) on the chart below:

Grocery Store:	Latitude			Longitude		
	N Degrees	Minutes	Seconds (represented to 2 decimal places)	W Degrees	Minutes	Seconds (represented to 2 decimal places)
Name: <u>Barnes Supermarket</u> Address: <u>1612 N Pace Blvd</u> <u>Pensacola, FL 32503</u>	N <u>30</u> Degrees	<u>25</u> Minutes	<u>47.31</u> Seconds (represented to 2 decimal places)	W <u>87</u> Degrees	<u>14</u> Minutes	<u>26.00</u> Seconds (represented to 2 decimal places)
Using the method described above*, the distance (rounded up to the nearest hundredth of a mile) between the coordinates of the Development Location Point and the coordinates of the Grocery Store is:						<u>0.83</u> Miles

Initials of Surveyor W/S

SURVEYOR CERTIFICATION FORM

Medical Facility:	Latitude			Longitude		
Name: <u>Paces Family Practice</u> Address: <u>1500 N Pace Blvd</u> <u>Pensacola, FL 32505</u>	N <u>30</u> Degrees	<u>25</u> Minutes	<u>39.15</u> Seconds (represented to 2 decimal places)	W <u>87</u> Degrees	<u>14</u> Minutes	<u>26.07</u> Seconds (represented to 2 decimal places)
Using the method described above*, the distance (rounded up to the nearest hundredth of a mile) between the coordinates of the Development Location Point and the coordinates of the Medical Facility is:						<u>0.75</u> Miles
Pharmacy:	Latitude			Longitude		
Name: <u>Walgreens</u> Address: <u>700 N Pace Blvd</u> <u>Pensacola, FL 32505</u>	N <u>30</u> Degrees	<u>25</u> Minutes	<u>13.15</u> Seconds (represented to 2 decimal places)	W <u>87</u> Degrees	<u>14</u> Minutes	<u>27.12</u> Seconds (represented to 2 decimal places)
Using the method described above*, the distance (rounded up to the nearest hundredth of a mile) between the coordinates of the Development Location Point and the coordinates of the Pharmacy is:						<u>0.70</u> Miles
Public School:	Latitude			Longitude		
Name: _____ Address: _____	N _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)	W _____ Degrees	_____ Minutes	_____ Seconds (represented to 2 decimal places)
Using the method described above*, the distance (rounded up to the nearest hundredth of a mile) between the coordinates of the Development Location Point and the coordinates of the Public School is:						_____ Miles

If the Corporation discovers that there are any false statements made in this certification, the Corporation will forward a copy to the State of Florida Department of Business and Professional Regulation for investigation.

CERTIFICATION - Under penalties of perjury, I declare that the foregoing statement is true and correct.

William J. Gilbert
Signature of Florida Licensed Surveyor

LS6996
Florida License Number of Signatory

William J Gilbert

Print or Type Name of Signatory

Please note: This form may be modified by Florida Housing Finance Corporation per Section 67-60.005 F.A.C.

This certification consists of 3 pages. This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant. If the certification is inappropriately signed, the Application will not be eligible to receive proximity points. If this certification contains corrections or "white-out", or if it is altered or retyped, the form will not be considered. The certification may be photocopied. To be considered for scoring purposes, at least pages 1 and 2 of this 3 page certification form must be provided by the Applicant.

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