STATE OF FLORIDA RECEIVED FLORIDA HOUSING FINANCE CORPORATION 12 APR 19 PM 1: 54

FLORIDA HOUSING FINANCE CORPORATION

MEDVIN APARTMENTS II, LTD.,

Petitioner,

VS.

Application No. 2011-216C 2011 Universal Cycle

FHFC FILE NO.: 2012-017UC

FLORIDA HOUSING FINANCE CORPORATION,

Respon	dent.
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PETITION FOR ADMINISTRATIVE HEARING

Petitioner Medvin Apartments II, Ltd. ("Petitioner"), pursuant to sections 120.569 and 120.57(1), Florida Statutes, and rules 28-106.201 and 67-48.005, Florida Administrative Code, files this petition for a formal administrative hearing concerning the 2011 Universal Cycle Final Scoring Summary Report for Petitioner's proposed development, Brickell Gate, and states:

1. The sole issue in this proceeding is whether Respondent Florida Housing Finance Corporation ("Florida Housing") erred by not awarding two proximity tie-breaker points to Brickell Gate for its proximity to a "public library." Petitioner provided information to Florida Housing demonstrating that the Brickell Eco Library and Resource Center is within .25 miles of the Brickell Gate's "tie-breaker measurement point." For that reason, and because the Brickell Eco Library meets the definition of "public library" in Florida Housing's Universal Application Instructions ("Instructions"), Florida Housing erred by awarding Brickell Gate zero proximity tie-breaker points for proximity to a library.

Parties

- 2. The agency affected in this proceeding is Florida Housing, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The agency's file number is 2011-216C.
- 3. The Petitioner is Medvin Apartments II, Ltd., 2950 SW 27th Avenue, Suite 200, Miami, Florida 33133. The Petitioner's telephone numbers are 305-476-8118 (phone) and 305-476-1557 (facsimile).
- 4. The Petitioner's attorney is Donna E. Blanton, Radey Thomas Yon & Clark, P.A., 301 S. Bronough Street, Suite 200, Tallahassee, Florida, 32301. The attorney's telephone numbers are 850-425-6654 (phone) and 850-425-6694 (facsimile).

Notice

5. The Petitioner received notice of the Final Scoring Summary Report on March 29, 2012, along with a memorandum to all applicants and a notice of rights from Kevin Tatreau, Florida Housing's Director of Multifamily Development Programs.

Substantial Interests

6. The Petitioner's substantial interests are affected by the Final Scoring Summary Report because Medvin Apartments II, Ltd. timely filed an application with Florida Housing for Housing Credits in the 2011 Universal Cycle in connection with the development of Brickell Gate, an apartment complex in Miami, Florida. But for the erroneous determination that Brickell Gate was not entitled to two proximity tie-breaker points for a public library, Brickell Gate would have been in the funding range in the 2011 Universal Cycle. As a result of Florida Housing's scoring error, Brickell Gate's proximity tie-breaker point total in the Final Scoring Summary Report will make it non-competitive for funding in the 2011 Universal Cycle.

Background

- 7. Florida Housing is a public corporation organized under Chapter 420, Florida Statutes, to provide and promote the public welfare by administering the governmental function of financing and refinancing houses and related facilities in Florida in order to provide decent, safe, and affordable housing to persons and families of low, moderate, and middle income. Florida Housing is governed by a Board of Directors consisting of nine individuals appointed by the Governor and confirmed by the Florida Senate.
- 8. Florida Housing provides funding through a number of different federal and state programs to assist in the development of affordable housing in this state. As required by the federal government, the state each year adopts a Qualified Allocation Plan ("QAP"), which is incorporated into Florida Housing's rules. The QAP sets forth the selection criteria and the preferences for developments that will be awarded Housing Credits each year. *See* Rule 67-48.002(94), Fla Admin. Code. In most years Florida Housing conducts a "Universal Cycle," through which applicants for certain Florida Housing multi-family programs submit a single application (the "Universal Cycle Application") by which projects are evaluated, scored, and competitively ranked. *See* Ch. 67-48, Fla. Admin. Code. The requirements for participating in the cycle are governed by Part V of Chapter 420, Florida Statutes; Rule Chapter 67-48; and by the Instructions and forms that are incorporated by reference into Florida Housing's rules. R. 67-48.004(1)(a), Fla. Admin. Code.
- 9. Among the programs included in the Universal Cycle is the Housing Credit program, which was created in section 42 of the Internal Revenue Code by the federal government in 1986. Housing Credits (also called tax credits) come in two varieties: competitively awarded nine percent credits and non-competitively awarded four percent credits.

For the nine percent credits, the federal government annually allocates to each state a specific amount of credits using a population-based formula. Housing Credits are a dollar-for-dollar offset to federal income tax liability over a 10-year period. A developer awarded Housing Credits often sells the future stream of credits to a syndicator, which in turn sells the credits to investors seeking to shelter income from federal income taxes. The developer receives cash equity for the credits with no associated debt.

- applicants greatly exceeds the amount of housing credits available. Thus, Florida Housing has developed ranking and selection criteria that require applicants to meet certain "threshold" requirements, as well as earn points for various aspects of the proposed development in order to be eligible for an allocation of credits. In the 2011 cycle, applicants are eligible for a maximum of 79 application points. *See* Instructions, p. iii. Because many applicants will score the maximum number of points, Florida Housing also has developed a series of tie-breakers, including an award of up to six points for a demonstrated ability to proceed and an award of up to 37 points for proximity to certain services, such as transit facilities, a grocery store, a medical facility, a public school, a public park, a community center, a pharmacy, and a public library. *Id.*, p. iv. Florida Housing also awards credits based on certain geographic and demographic factors. Finally, a lottery is used to prioritize developments for an allocation of housing credits. Because of the competitive nature of the program, applicants often must achieve the maximum number of points available in order to be eligible for housing credits in a particular cycle.
- 11. Florida Housing's rules also contemplate a multiple-round scoring process that allows competing applicants to identify possible scoring errors and deficiencies in each others' applications. R. 67-48.004, Fla. Admin. Code. First, Florida Housing issues "preliminary

scores" based on a review of each applicant's submitted application. Id., R. 67-48.004(3). Then competitors are allowed to submit "Notices of Possible Scoring Errors" ("NOPSEs") to Florida Housing identifying potential mistakes that Florida Housing made in its scoring process. Id., R. 67-48.004(4). Florida Housing then issues a second set of scores based on its review of the NOPSEs. Id., R. 67-48.004(5). Applicants then are allowed to submit "cures" intended to correct errors or omissions in the original application, whether identified by Florida Housing or by a competitor in a NOPSE. Cures, with some exceptions, may be submitted in circumstances where the applicant either failed to achieve threshold or did not score the maximum number of available points. Id., R. 67-48.004(6). Competitors then have another chance to notify Florida Housing of errors that applicants made in their cures. They may submit "Notices of Alleged Deficiencies" ("NOADs') identifying "issues created by document revisions, additions, or both" when a competing applicant submitted a cure. Id., R. 67-48.004(7). Finally, after taking into account the NOADs, Florida Housing issues final scores for each proposed development in the form of a Final Scoring Summary Report. Id., R. 67-48.004(9). These final scores come with a point of entry for each applicant to challenge any of Florida Housing's scoring decisions concerning its own application. R. 67-48.005(1), Fla. Admin. Code.

Definition of "Public Library"

12. For the first time, Florida Housing in the 2011 cycle awarded points to proposed developments that were in close proximity to a "public library," which is among so-called Tier 2 services, which also include a public park, a community center, and a pharmacy. Applicants could receive up to eight points for proximity to Tier 2 services. Instructions, p. iv. In order to

Certain items, not at issue in this case, must be included in an original application and may not be cured. R. 67-48.004(14), Fla. Admin. Code.

receive the maximum of two points for each Tier 2 service, a proposed development's "tie-breaker measurement point" must be within .25 miles of the service. *Id.*, Part III.A.10.a.(2)(c) (page 37).² Lesser points, measured in quarter-point increments, are awarded for proposed developments where the tie-breaker measurement point is farther away. For example, a development with a tie-breaker measurement point two miles away from a particular service would only earn .25 proximity tie-breaker points. *Id*.

13. The phrase "public library" is broadly defined in the Instructions:

Public Library – For purposes of proximity tie-breaker points, a Public Library means a library that is part of a city, county, or regional public library system or cooperative and has materials available for the public to borrow at no cost.

Instructions, Part III.A.10.a.(2)(c)(iv) (page 36). Florida Housing's definition of "public library" itself does not provide any guidance as to what constitutes a "city, county, or regional public library system or cooperative," nor is it clear if the phrase "city, county, or regional" modifies the phrase "public library system or cooperative" or just "public library system." There are no definitions or other information anywhere else in the statutes, rules, or Instructions governing the Universal Cycle that provide guidance as to what constitutes a "public library." A search of the general Florida Statutes also uncovers no definition of "city, county, or regional public library system or cooperative" or of such subsets of that phrase as "regional public library system" or "library cooperative."

The tie-breaker measurement point is "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 Development. For a Development which consists of Scattered Sites, this means the 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." R. 67-48.002(114), Fla. Admin. Code.

Section 257.40 addresses, but does not define, "library cooperatives." It states:

example, Merriam-Webster's on-line dictionary definition of "public library" is "a nonprofit library maintained for public use and usually supported in whole or in part by local taxation." Webster's Third New International Dictionary of the English Language (1991) defines "library" as "a room, a section or series of sections of a building, or a building itself given over to books, manuscripts, musical scores, or other literary and sometimes artistic materials (as paintings or musical recordings) usually kept in some convenient order for use but not for sale." These definitions – as is Florida Housing's – are general, illustrating that there are many different types of libraries. Florida Housing could have narrowly defined the phrase "public library," but it chose not to do so, instead broadly defining it to encompass many types of library facilities. When a term used in a statute or rule is not defined, it should be given its plain and ordinary meaning. *See, e.g., Nehme v. Smithkline Beecham Clinical Labs*, 863 So. 2d 201, 204 (Fla. 2003). "When necessary, the plain and ordinary meaning of words can be ascertained by

It is the intent of the Legislature to meet the educational and informational needs of the residents of this state by encouraging and assuring cooperation among libraries of all types for the development of library services. It is the further intent of the Legislature to foster cooperative programs to meet the needs of state residents which cannot be met independently by local libraries; to build upon the strength of local libraries and to augment their resources with regional and statewide services; to maintain local autonomy and to make cooperation in regional or statewide activities voluntary; and to recognize programs of cooperation undertaken by libraries and provide for state financial assistance to encourage library cooperative development.

(Emphasis supplied); see also §§ 267.171 (authorizing local units of government to establish multicounty libraries, which are not defined); 257.41 (authorizing libraries to establish non-profit library cooperatives "for the purpose of sharing resources."). Although section 257.41 does not define "library cooperatives," it states: "Library cooperatives shall be constituted of more than one type of library, including any combination of academic, school, special, state institutional, and public libraries." (Emphasis supplied).

reference to a dictionary." *Id.* Thus, Florida Housing's definition of "public library" must be broadly construed.

15. Notably, Florida Housing's definitions of other services are much more precise than the definition of "public library." For example, the definition of "grocery store" in Part IIIA.10.a.(2)(b)(i) of the Instructions provides in relevant part:

Grocery Store – For purposes of proximity tie-breaker points, a Grocery Store means a retail establishment, open to the public, regardless of a requirement of a membership fee, consisting of 4,500 square feet or more of contiguous air conditioned space available to the public, which as its major retail function sells groceries, including foodstuffs, fresh and packaged meats, produce and dairy products, which are intended for consumption off-premises, and household supplies, such as Publix Super Markets, Winn Dixie Stores, Super Wal-Mart Stores, etc. "Grocery Store" does not include any retail establishment which sells groceries in addition to its major retail function, such as the sale of gasoline, drugs, or sundries, where the sale of groceries is not a major retail function, based on allocated space or on gross sales, such as CVS Drug Stores, Walgreen Drug Stores, Dollar General Stores, Family Dollar Stores, etc.

16. Unlike the definition of "public library," the definition of "grocery store" includes physical space requirements, a size requirement, acceptable examples of a "grocery store," and unacceptable examples of a "grocery store." All other defined services also include these or additional types of details so that applicants know what qualifies for points and what does not. For example, an eligible "senior center" must be among specific properties identified on a list of senior centers. *See* Part IIIA.10.a.(2)(b)(iii) of the Instructions. The definition of "public park" makes clear that it must be an outdoor location that is at least one acre in size, is listed with and maintained by a local government department that manages parks and for which no admission fee is required, and that "[1]ocations that are not intended for the general public will not be considered such as dog parks, skate parks, and golf courses." *Id.* at Part

Florida Housing's definition of "grocery store" has evolved over the years, at least in part because of litigation concerning whether or not a particular establishment met the definition.

III.A.10.a.(2)(c)(i). Attached as **Exhibit A** is a chart showing the elements of Florida Housing's definitions of "grocery store," "public school," "senior center," "medical facility," "public park," "community center, "pharmacy," and "public library." (Full definitions for all of these services are found in Part III.A.10.a. of the Instructions). The chart illustrates the level of detail and guidance provided in the other definitions, which is in sharp contrast with the definition of "public library," which provides little of either. The lack of detail and guidance for only one of the eight services must be construed as intentional.

- 17. Florida Housing, in making determinations about whether applicants have met the requirements of its rules and Instructions, is required to adhere to the plain language of those rules and Instructions. See, e.g., SAS Fountains at Pershing Park v. Florida Housing Finance Corp., DOAH Case No. 10-8219, Recommended Order, at ¶ 78 ("Respondent cannot add additional requirements into the qualification process after the fact.") (September 30, 2010). This general rule applies to the award of proximity tie-breaker points, which must be based on the plain language of the definitions of identified services. Florida Housing in this cycle already has recognized the importance of adhering to the plain language of its definitions by restoring proximity tie-breaker points for a public park another proximity service included for the first time in this year's cycle to two proposed developments, Campbell Landings (2011-132C) and Urban Edge (2011-235C). See Composite Exhibit B (Final Scoring Summary Reports for Campbell Landings and Urban Edge; NOPSEs relating to the public park; and the applicants' cures relating to the public park).
- 18. Both Campbell Landings and Urban Edge sought two points for their proximity to the Pinellas Trail Linear Park. A NOPSE filed in connection with both applications alleged that the park "is merely a bike trail in the City street" and that the applicants should not be entitled to

points. When NOPSE scores were released, Florida Housing removed the proximity tie-breaker points for public park, stating: "Evidence provided in a NOPSE calls into question whether the Public Park listed on the Surveyor Certification for Competitive HC Applications form meets the definition of Public Park. A linear bike trail is a location not intended for use by the general public." *Id.* In other words, the agency initially had determined, independent of its definition of a public park, that a linear bike trail was not "park enough" for Florida Housing.

- 19. Both applicants submitted cures explaining that the Pinellas Trail Linear Park satisfies each of the elements of Florida Housing's actual definition of "public park". (1) It is an outdoor public location; (2) it is at least one acre in size; (3) it is listed and maintained by a Local Government Department (Pinellas County Parks and Preserves Department) and (4) it does not require a fee. *Id.* Florida Housing wisely restored the applicants' two proximity tie-breaker points for a public park when the Final Scoring Summary Reports were released, thus recognizing that the definitions must be followed when awarding proximity tie-breaker points.
- 20. The same reasoning should be applied to the award of proximity tie-breaker points for Brickell Gate's proximity to a "public library." Moreover, unlike Florida Housing's definition of "public park," which is precise, the definition of "public library" is broad. Therefore, in accordance with its broad definition, Florida Housing should accept as a "public library" many different types of libraries and should not exclude those that someone decides are not "library enough."

Public Park — For purposes of proximity tie-breaker points, a Public Park means an outdoor public location that is at least one acre in size, is listed with and maintained by a Local Government department that manages parks, and for which no admission fee is required. Locations that are not intended for the general public will not be considered such as dog parks, skate parks, and golf courses.

⁵ The full definition provides:

Scoring of the Brickell Gate Application

- 21. When Florida Housing issued its Preliminary Scores on January 19, 2012, Brickell Gate received 1.25 proximity tie-breaker points for its proximity to the Miami Dade County Main Library.⁶ Because the proposed development did not receive the maximum available points for proximity to a library, Brickell Gate was entitled to submit a "cure" relating to scoring. In its cure, Brickell Gate submitted a revised Surveyor Certification Form (Exhibit 25) substituting the Brickell Eco Library and Resource Center ("Eco Library") as the closest public library. *See* Exhibit C. The cure explained that the Eco Library is within .25 miles of Brickell Gate's tie-breaker measurement point and, therefore, Brickell Gate is entitled to two full points for proximity to a public library.
- 22. The cure also explained that the Eco Library was opened on December 5, 2011, by Dream in Green, Inc., a non-profit organization headquartered in the Brickell area, and that the Eco Library's mission is "to promote environmental awareness by partnering with other libraries and educational institutions to provide free access to books and other resources about 'green' issues to the general public." As part of its cure, Brickell Gate attached documents demonstrating that the Eco Library has agreements with Florida International University ("FIU") as "part of a library cooperative with the Florida International University's Library System" and with the FIU Office of Sustainability, which pledged resource materials and training. Additionally, a letter attached to the cure explained that the Eco Library "is part of a cooperative with the Miami International University of Art and Design," and additional documents explained that the Eco Library has an agreement with the Little Green Library, which is part of the Broward County library system. Thus, the cure explained that the Eco Library is part of several

Proximity to all services is identified on a Surveyor Certification Form, which must be included as Exhibit 25 to Universal Cycle applications.

regional library cooperatives. See also Composite Exhibit D (affidavit from Dream in Green, including pictures of the facility).

- 23. Seven competing applicants submitted NOADs attacking the Eco Library on various grounds. Although each of the NOADs argued that Brickell Gate should not receive two proximity tie-breaker points for the Eco Library, the reasoning of the NOADs varied.
- 24. When Florida Housing issued its Final Scoring Summary Report for Brickell Gate on March 28, 2012, no points were awarded for proximity to a public library. In the section of the report entitled "Reason(s) for Failure to Achieve Selected Proximity Tie-Breaker Points" Florida Housing stated:

The Applicant provided a new Surveyor Certification for Competitive HC Applications form with Brickell Eco Library as a replacement for the Miami Dade County Main Library previously submitted. <u>Based on evidence provided in several NOADs</u>, the Brickell Eco Library does not meet the definition of Public Library as defined in Part III.A.10.a.(2)(c)(iv) of the 2011 Universal Application Instructions.

(Emphasis supplied). A copy of the Final Scoring Summary Report is attached as **Exhibit E**.

25. Florida Housing did not explain which arguments in the NOADs it found persuasive or why Florida Housing believes Eco Library does not meet the definition of "public library." Consequently, Brickell Gate is forced to dispute a vast array of arguments made in the various NOADs, many of which may not even have been relevant in Florida Housing's decision.

Disputed Issues of Material Fact and Law

- 26. Disputed issues of material fact and law, including the arguments made in the NOADs, include:
- a. Whether the Eco Library "was created/funded by the applicant to score Tier 2 tie-breaker proximity points for a library" and whether that is relevant under Florida Housing's definition of "public library";

- b. Whether the "library opened, without fanfare, by the Application Deadline to try to meet Florida Housing's definition" and whether that is relevant under Florida Housing's definition of "public library";
- c. Whether the Eco Library is contrary to "the intent when Florida Housing requested that developers provide housing next to services," and if deemed to contradict the intent, whether Florida Housing can add additional requirements into its definitions after its rules are finalized;
- d. Whether the Eco Library qualifies as a "cooperative," a term that is not defined in Florida Housing's rules, and whether Florida Housing can deviate from the plain and ordinary meaning of this term;
- e. Whether a typo on a website made the "exact and accurate location" of the Eco Library unclear to Florida Housing, despite an uncontested Surveyor Certification Form identifying the exact latitude and longitude of the Eco Library;
- f. Whether the Eco Library meets the definition of "public library" in the Instructions;
 - g. Whether the definition of "public library" in the Instructions is ambiguous;
- h. Whether the Eco Library is authorized under the City of Miami's newly adopted zoning code, whether the use restrictions under the new zoning code apply to a building permitted under a prior zoning code, and whether that is relevant under Florida Housing's definition of "public library";
- i. Whether the Building Certificate issued to the Brickell Eco Library by the City of Miami includes accurate information, and whether that is relevant under Florida Housing's definition of "public library";

- j. Whether the construction of a bathroom in the Brickell Eco Library "was done using falsified documentation and fraudulent authorizations," and whether that is relevant under Florida Housing's definition of "public library";
- k. Whether the Eco Library has materials available to the public at no cost as required by the definition of "public library";
- 1. Whether the Eco Library is "a bare retail storefront, with hardly any books" and whether that is relevant under Florida Housing's definition of "public library";
- m. Whether "[t]here are no library cards or registration required to take a book, and whether that is relevant under Florida Housing's definition of "public library";
- n. Whether there is "no way to search for or request other books from other libraries" and whether that is relevant under Florida Housing's definition of "public library";
- o. Whether Florida Housing has a responsibility to provide clear, unambiguous definitions of services that qualify for proximity tie-breaker points and that adequately put applicants on notice of what will and will not be accepted; and
- p. Whether Florida Housing must apply generally accepted definitions of terms that are not otherwise defined in applying its rules and Instructions to Petitioner.
- 27. Ultimate facts alleged, including those that warrant reversal or modification of the proposed agency action, are: (i) the Eco Library meets the definition of "public library" in the Instructions; (2) the Eco Library is within .25 miles of the Brickell Gate tie-breaker measurement point; and (3) Brickell Gate is entitled to two Tier 2 proximity tie-breaker points for proximity to a public library.
- 28. Rules and statutes that require reversal of the proposed agency action are the Florida Housing Finance Corporation Act (sections 420.501 et. seq., Florida Statutes), sections

120.569 and 120.57(1), Florida Statutes, and rule chapter 67-48, Florida Administrative Code, including the Universal Application Instructions, which are incorporated by reference into the rules. An explanation of how the facts in this petition relate to specific provisions of the Instructions has been included above.

29. Based on the foregoing, the Petitioner respectfully requests that Florida Housing transfer this petition to the Division of Administrative Hearings ("DOAH") for assignment of an Administrative Law Judge ("ALJ") to conduct an administrative hearing pursuant to sections 120.569(1) and 120.57(1), Florida Statutes. The Petitioner further requests entry of a Recommended Order finding that Brickell Gate is entitled to two proximity tie-breaker points for its proximity to a public library as defined in the Instructions, and that Florida Housing enter a Final Order adopting the Recommended Order of the ALJ.

Dated: 4-19-12

Respectfully submitted,

Donna E. Blanton

Florida Bar No. 948500

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Attorney for Medvin Apartments II, Ltd.

EXHIBIT A

DEFINITIONAL REQUIREMENTS	Grocery	Public School	Senior Center	Medical Facility	Park	Community Center	Pharmacy	Public Library
Physical Space	"a retail establishment, open to the public"	NONE	NONE	NOME	"an outdoor public location"	"an air-conditioned facility"	NONE	NONE
Size	"4500 SF"	NONE	NONE	NONE	1 Acre	NONE	NONE	NONE
Hour	NONE	NONE	NOWE	"at least five days per week"	NONE	"at least 20 hours a weekand in which the public may enjoyactivities at least five (5) days per week."	open to the general public at least five (5) days per week	NONE
Operating	"regardless of a requirement of a membership feeas its major retail function selfs groceries, including foodstuffs, fresh and packaged meats, produce and dairy products, which are intended for consumption off-premises, and household supplies"	where the principal admission criterion is the geographic proximity to the school"	"provides a broad spectrum of services suited to the diverse needs and interests of independent older persons"	"provides general medical treatment or general surgical servicesto any physically sick or injured person."	"for which no admission fee is required."	"publicly sponsored social, recreational or educational activities"	"operating under a valid permitwithout the requirement of a membership fee"	^t has materials available for the public to borrow at no cost."
Acceptable Examples	"Publix Super Markets, Winn Dixie Stores, Super Wal-Mart Stores, etc."	"including a charter school"	"among the properties identified on the 2011 FHFC Senior Center List, effective 12-9-10"	"(that does not require a prior appointment)"	NONE	NOME	NONE	NONE
Unacceptable Examples	"does not include any retail establishment which sells groceries in addition to its major retail function, such as major retail function, such as sundries, where the sale of groceries is not a major retail function, based on allocated space or on gross sales, such as CVS Drug Stores, Valignen Drug Stores, Dollar General Stores, Family Dollar Stores,	"except for a charter school that is not generally available to appropriately aged children in the radius area."	Any property NOT on the 2011 FHFC Senior List would not qualify	No	"Locations that are not intended for the general public will not be considered such as dog parks, skate parks, and golf courses."	NO)	anon'	NOO.
Regulatory	NONE	Public schools are not regulated by FHFC, but are regulated by other governmental entities	NONE	Medical facilities are not regulated by FHFC, but are regulated by other governmental entities	"listed with and maintained by a Local Government department that manages parks"	"listed with and maintained by "listed with and maintained by a local Government department that manages department that manages community centers"	"S. 465.018, F.S."	NONE
Definitional Requirements per Service	9	4	8	4	S	4	3	1

EXHIBIT B

Scoring Summary Report

File #: 2011-132C Development Name: Campbell Landings

As of: 03/27/2012

Met Threshold		reliminary	口のこのと		Final Ranking
	N/X	, 	>	 >	
Total Points	79	79.00	79.00	79.00	
Ability to Proceed Tie-Breaker Points	9	6.00	9.00	6.00	
Proximity Tie-Breaker Points	37	34.50	32.50	34.50	
Eligible for 1/8th Mile Ranking Preference	N/λ	z	z	z	
Eligible for Age of Development Tie-Breaker Ranking Preference	N/>	Z	Z	z	
Eligible for Concrete Construction Tie-Breaker Ranking Preference	N/A	X	>	>	
Eligible for Florida General Contractor Tie-Breaker Ranking Preference	N/A	>	>	>	
RA Level Classification (preference given to the lowest RA Level Classification)	1-6	9	9	9	

Scores:

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Item #	Part	Section		Subsection Description	Maximum Available Points	Preliminary	NOPSE	Final	Final Ranking
				Developer					
18	≝	B.	1.c.	Housing Credit Development Experience	3.00	3.00	3.00	3.00	
				Construction Features and Amenities					
28	Ш.	B.	3.a.	Optional - NC & Rehab. Units	00.6	9.00	9.00	9.00	
38	Ξ.	В.	3.b.	Optional - All Developments Except SRO	12.00	12.00	12.00	12.00	
38	111.	В.	3.c.	Optional - SRO Developments	12.00	0.00	0.00	00.0	
4S	Ξ.	В.	3.d.	Optional - Universal Design & Visitability	10.00	10.00		10.00	
58	III.	В.	5.a.(1)	Green Building Features (NC & Redev.)	7.00	00.0	0.00	00.0	
58	III.	В.	5.a.(2)	Green Building Certification (NC & Redev.)	10.00	10.00	10.00	10.00	
58	Ш.	В.	5.b.	Green Building Features (Rehab. & Preserv.)	10.00	0.00	00.00	00.0	
				Set-Aside Commitments					
89	III.	E.	1.b.(2)	Special Needs Households	4.00	4.00	4.00	4.00	
7.8	<u>:</u>	ші	1.b.(3)	Total Set-Aside Commitment	3.00	3.00	3.00	3.00	
88	111.	Ë.	3.	Affordability Period	2.00	5.00	5.00	5.00	
				Resident Programs					
9S	Ξ.	ъ.	1.	Programs for Non-Elderly & Non-Homeless	00.9	00.0	00.0	00.00	
88	;	ш	2.	Programs for Homeless (SRO & Non-SRO)	00.9	00.0	00.00	00.00	
88	<u>:</u>	Т .	3.	Programs for Elderly	00.9	00.9	9.00	6.00	
10S	III.	Ή.	4.	Programs for All Applicants	8.00	8.00	8.00	8.00	
				Local Government Contributions					
118	.≥	Α.		Contributions	2.00	5.00	5.00	5.00	
				Local Government Incentives					
128	١٧.	В.		Incentives	4.00	4.00	4.00	4.00	

Ability To Proceed Tie-Breaker Points:

# mej	Part	Item # Part Section	Subsection Description	Description	Maximum Available Points	Preliminary	NOPSE	Final	Final Ranking
4	≡	ن ن	-	Site Plan/Plat Approval	1.00	1.00	1.00	1.00	
2A	Ë	رن ن	3.a.	Availability of Electricity	1.00	1.00	1.00	1.00	-
3A	i i	ر ن	3.b.	Availability of Water	1.00	1.00	1.00	1.00	
4A	≡	S	3.c.	Availability of Sewer	1.00	1.00	1.00	1.00	
5A	≡	ر ن	3.d.	Availability of Roads	1.00	1.00	1.00	1.00	
6A	≡	O.	4.	Appropriately Zoned	1.00	1.00	1.00	1.00	

Proximity Tie-Breaker Points:

	11. Y	I I DAMINITY TIC-DICENCE I OMICS							
					Maximum Available				Final
Item #	Part	Section	Subsection Description	Description	Points	Preliminary	NOPSE	Final	Ranking
				Transit Services					
1P	Ξ	Ą	10.a	Public Bus Stop	2.00	0.00	0.00	0.00	
1P	Ë	Ą.	10.a	Public Bus Transfer Stop or Public Bus Transit Stop	6.00	6.00	6.00	6.00	
1P	Ē	Ą.	10.a	Public Rail Station	7.00	0.00	00.00	0.00	
				Tier 1 Services					
2P	Ē	A.	10.a	Grocery Store	4.00	3.50	3.50	3.50	
3P	≡	∢	10.a	Public School	4.00	0.00	00.00	0.00	
3P	=	Ą.	10.a	Senior Center	4.00	4.00	4.00	4.00	
4P	≝	A.	10.a	Medical Facility	4.00	4.00	4.00	4.00	
				Eligible for Tier 1 Service Score Boost (Yes/No)		Z	Z	Z	-
				Total Tier 1 Service Score	12.00	11.50	11.50	11.50	
			-	Tier 2 Services				•	
5P	Ë	A.	10.a	Public Park	2.00	2.00	0.00	2.00	
6P	≡	A.	10.a	Community Center	2.00	1.50	1.50	1.50	
7P	=	A.	10.a	Pharmacy	2.00	1.75	1.75	1.75	
8P	ij	Ą.	10.a	Public Library	2.00	1.75	1.75	1.75	
				FHFC Proximity List					- [
9P	≡	Y.	10.b	Proximity to Developments on FHFC Development Proximity List	10.00	10.00		10.00 10.00	-

3/27/2012 11:09:18 AM

3/27/2012 11:09:18 AM

Reason(s) for Failure to Achieve Selected Proximity Tie-Breaker Points:

5P Evidence provided in a NOPSE calls into question whether the Public Park listed on the Surveyor Certification for Competitive HC Applications form meets the definition of Public Park. A linear bike trail is a location not intended for use by the general surveyor and the properties of the propert			
tion whether the Public Park listed on the ications form meets the definition of Public Park.		Pated As Result	Docorrad A Populación
tion whether the Public Park listed on the ications form meets the definition of Public Park.		ממנים זיום יוססתונ	JUSSEL SK DADI INCOL
ications form meets the definition of Public Park.		וייי	i
ications form meets the definition of Public Park.	בווי וויס סוני ו	したこと	T.52
ar bike trail is a location not intended for use by the general public.	Cations form mosts the Jepsies of Prince .		5
ar bike trail is a location not intended for use by the general purific			
ial bind that is a location not intended for use by the general public	Or bite trail is a language and in the second secon		
	all blue train is a location not intended for use by the general public		

Additional Application Comments:

Item #	Part	Section	Item # Part Section Subsection	Description	Comment(s)	Created as	Rescinded as
1C	E	Ą.	10.b.	Proximity to Developments on FHFC Development Proximity List	The Application qualifies for 10 automatic proximity points at Part III.A.10.b.(1) of the Application.	Preliminary	Kesult of
2C	>	ю́		Developer Fee	The Applicant provided a Commitment to Defer Developer Fee form from both Co-Developers, with each Developer committing to defer \$2,130,000 during construction and permanent financing. The total maximum combined amount of deferred Developer Fee allowed is \$2,130,000, which is the amount utilized by Florida Housing as a source of construction and permanent financing.	Preliminary	

Copy

UNIVERSAL APPLICATION PACKAGE NOTICE OF POSSIBLE SCORING ERROR (NOPSE) REQUEST FOR REVIEW FORM

Notice of Possible Scoring Error(s) regarding Application No. 2011- 132C (one Application number per notice) Number of Issues For Review Part / Section / Subsection / Exhibit No. <u>25</u> 1 $\overline{\Pi}$ <u>A</u> <u>10.a</u> 1 Total Number of Issues For Review Submitted by Authorized Representative for Application Number 2011- 061C Signature of Authorized Representative for above-designated Application.

All notices must be submitted in accordance with subsection 67-48.004(4), F.A.C., and should contain enough information for staff to evaluate them. This will include, but may not be limited to, a detailed description of the issue being identified and action requested by the submitting Applicant, such as reduction of score or threshold failure. Attach additional pages if necessary. All notices should be submitted in typewritten form.

Signature:

Michael A. Hartman

Print Name:

<u>COPY</u> NOPSE TRACKING NO.

Brief Statement of Explanation regarding Application No. 2011 - 132C

Provide a separate brief statement for each NOPSE

At Exhibit 25, Applicant submitted Pinellas Trail Linear Park as its Public Park. As shown on the attached Google aerial, Pinellas Trail is not a park at the location indicated (it is merely a bike trail in the City street), nor is it a park than can be used by all residents; i.e.; young children playing on this section of Pinellas Trail would be in danger of being hit by cars. The Application Instructions state "...a Public Park means an outdoor public location that is at least one acre in size, is listed with and maintained by a Local Government department that manages parks, and for which no admission fee is required. Locations that are not intended for the general public will not be considered such as dog parks, skate parks, and golf courses." Per our examination of Pinellas Trail, it is not intended for the general public and therefore fails the definition of Public Park.

Therefore, the Applicant should lose the 2.00 Proximity Tie-Breaker Points awarded for a Public Park.

2019 UNIVERSAL CYCLE - SURVEYOR CERTIFICATION FOR COMPETITIVE HC APPLICATIONS

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BARGORIES. 2013 67-48.034(1/x), F.-71.007(1/x), F.-AC.

This nentification, consists of 2 pages. This certification may not be signed by the Applicant, by any related planties of the Applicant, or by any Principals or Figure 20 Beneficial Science of the Applicant. If the certification is inspressingly eigened, the Application will not be eligible to receive proximity tie-breaker points. The Application may still be eligible for amountain points. The certification may be phonocopied. To be considered for scoring purposes, at least page 1 of the 2 page certification form unusable provided by the Applicant.

Google

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Beaches & **Outdoors**

Arts & Culture

Dining & Entertainment **Events &**

Cities &

Maps & **Planning** Hotels & Rentals



fred marquis pinellas trail

12020 Walsingham Rd. Largo, FL 33778 727-549-6099 , 727-582-2100 fax: 727-582-2550

http://www.pinellascounty.org/trailgd



Pinellas Bike Trail

Top Features

- · Pets on Leash Allowed
- Bicycling
- · Wheelchair-friendly

Description

A unique linear park extending nearly 50 miles from St. Petersburg to Tarpon Springs, with great hiking, walking and biking.

Amenities

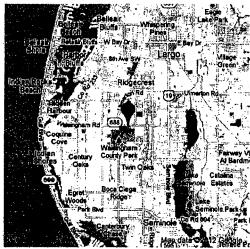
Bicycling

Wheelchair-friendly

Pets on Leash Allowed

City/County Park Hours: 7am to dusk

Map and Directions



Attractions nearby

Restaurants nearby

Learn More

ARTICLE: Explore St. Pete Area Arts Districts on Foot

ARTICLE: Pet-Friendly Places

ARTICLE : Explore Outdoors: St. Pete Clearwater Area

Preserves

ARTICLE: A Child's Adventure Tale

ARTICLE Romantic Weekend Getaway in St

Pete/Clearwater ARTICLE : Clearwater

ARTICLE: St. Pete/Clearwater Parks & Preserves ARTICLE: Great Places to Run or Walk in St

Pete/Clearwater

Meetings

Media

Travel Trade

Sports

Film

Weddings

BEACHES

St. Pete Beach Clearwater Beach Fort De Soto Park Honeymoon Island HOTELS

Hotels Condos Motels Bed & Breakfasts Superior Small Lodging **EXPERIENCES**

Restaurants Family Attraction Outdoors Culture

COMMUNITIES

St. Petersburg St. Pele Beach Clearwater Beach Tarpon Springs

EVENTS What's on No January

February March April |

MAPS & **GETTING HERE** Weather & Temps Airport Info **Driving Distances**

Interactive Maps

LANGUAGE Spanish German

WEDDINGS Reception Venues Hotel Venues More >>

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Sand Key Park More >>

More >>

Golf & Sports GLBT More >>

More>>

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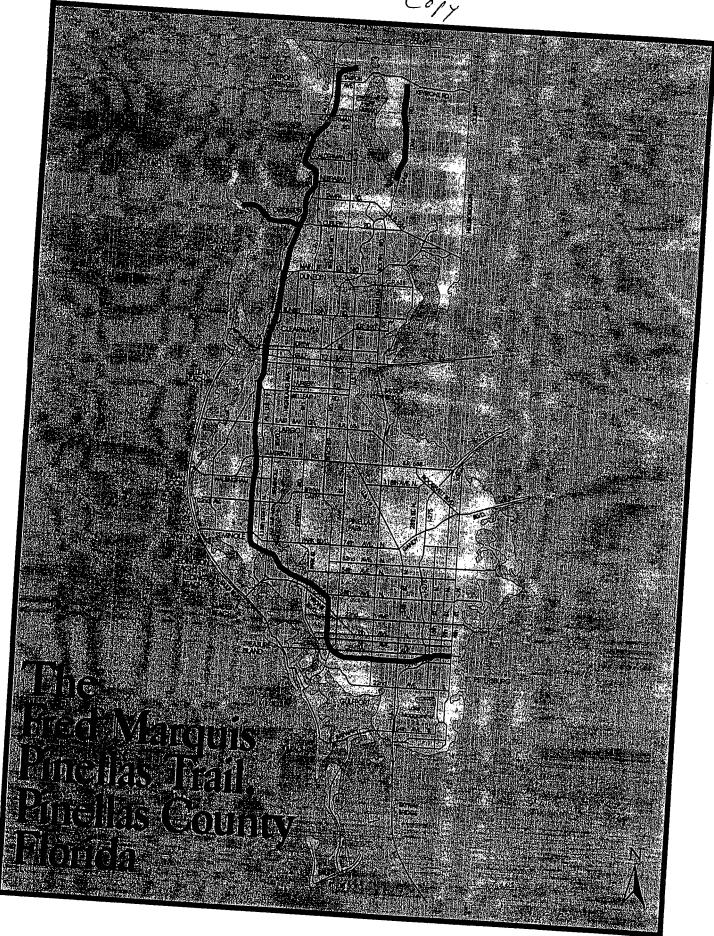
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St. Petersburg/Clearwater Area Convention & Visitors Bureau: 13805 58th Street North, Suite 2-200, Clearwater, Ft. 33760.

Copy



Downtown St. Petersburg- Tropicana Field to Demen's Landing

Downtown St. Petersburg is by far the busiest destination on the Pinellas Trail with Downtown St. Petersburg is by far the busiest destination on the Pinelias Itali with over 65 restaurants, hundreds of shops and galleries, plenty of museums, parks and a wide range of attractions from Tampa Bay to Tropicana Field. To help you navigate, you need to know that all streets run north/south, while all avenues run east/west. Certrain Avenue is the dividing line between north and south avenues, and Dr. M. L. King Jr. Street delineates the 900 block of east/west address numbers. There are bike racks Street delineates the 900 block of east/west address numbers. There are bike racks everywhere and plenty to see and do. You can be anything you want in St. Petc, but you

13th Sc

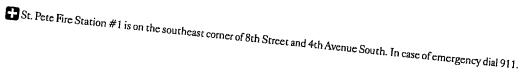
The Coney Island Grill is on Dr. M. L. King Jr. St. just south of 3rd Avenue Northwhile The Hooker Tea Company, Pacuigo Café, Parkshore Grill and Marketplace Express are all along Beach Drive on either side of 3rd Avenue North. The Daily Grind Café and all along beach Drive on either side of ord Avenue Porth. The Daily Offind Cale and Zapata's Mexican Restaurant are on 2nd Avenue North between 1st Street and Beach Drive, BayWalk, on 2nd Ave. N. between 1st and 2nd Streets, hosts Ammazza Pizza, Street and Post of the Tokyo Sushi Cafe The Ben & Jerry's Ice Cream, Grarzzi Ristorante, Grill 121 and the Tokyo Sushi Café. The Ben & Jerry's Ice Cream, Gratzzi Ristorante, Gnii 121 and the Tokyo Sushi Cate. The Piet, on the east end of 2nd Avenue North, offers Burger Bay, Café Morrows, Captain Al's, Cha Cha Coconuts, The Columbia Restaurant, Cones Ice Cream and the Hong Kong Corner, Café 10-0-One is on 1st Avenue N. between 11th Street and M. L. King Corner, Café 10-0-One is on 1st Avenue N. between 11th Street and M. L. King Corner, Café 10-0-One is on 1st Avenue N. between 11th Street and M. L. King Corner, Café 10-0-One is on 1st Avenue N. between 11th Street and M. L. King Corner, Café 10-0-One is on 1st Avenue N. between 11th Street and M. L. King Corner, Café 10-0-One is on 1st Avenue N. between 11th Street and M. L. King Café North Carlotte Café North Carlotte Carlot Street with The Chatterbox Grill on the southwest corner of 1st Ave. North and King Street, With The Chatterbox Onli on the southwest corner of 1st Ave. North and King Street. Tangiers' Deli, Bada Bing Pizza and The Globe Coffee Lounge are on 1st Avenue N, between 5th and 6th Streets, The Gaslight Gournet Deli is on 1st Ave. N. herween 4th and 5th Streets and Euro Gruss Burgage is on 3td Streets Burgag Avenue IV. Derween 3tn and our Streets, 1 ne Gastight Goulinet Den is on 1st Cave. 17. between 4th and 5th Streets and Five Guys Burgers is on 3rd Street between 1st and 1st. 2nd Avenues North. Ratchada Thai is on the southeast corner of 3rd St. and 1st 2nd Avenues North. Ratchada 'Thai is on the southeast corner of 3rd St. and 1st Avenue N., while Tangelo's, Joey Brooklyn's Pizza and Angie's Café are on 1st Avenue N. between 2nd and 3rd Streets. Starbuck's is on the northeast corner of 2nd Street and 1st Avenue North, with The Atlanta Bread Company on 1st Avenue North between 1st and 2nd Streets. The Full Monty Frozen Yogurt clothes 2nd Street between 1st and 2nd Avenues North. Savannah's Café,DJ's Café and Chang Mai Thai are along Central just west of 11th Street (the roundabout). while The Bohemia Café between 1st and 2nd Avenues North. Savannan's Cate, DJ's Care and Chang Mai 1 nai at along Central just west of 11th Street (the roundabout), while The Bohemia Café is on Central between 11th Street and M. L. King Street. There's a Subway on the Central Coffee Change on Central between 5th and 6th Streets the Central Coffee Shop are on Central between 5th and 6th Streets.

The King and I Thai, Grillside Central, Lonni's Sandwiches, The Cupcake Spot and The Schokolad Chocolate Factory are on Central Avenue between 4th and 5th Streets.

G's Rotisserie Grill and the Primi Urban Café are on 4th Street between Central and the Primi Urban Café are on 4th Street between Central and the Primi Urban Café are on 4th Street between Central and the Primi Urban Café are on 4th Street between Central and the Primi Urban Café are on 4th Street between Central and the Primi Urban Café are on 4th Street between Central and the Primi Urban Café are on 4th Street between Central and the Primi Urban Café are on 4th Street between Central and the Primi Urban Café are on 4th Street between Central and the Primi Urban Café are on 4th Street between Central Avenue between Central and Café are on 4th Street between Central and Café are on 4th Street between Central Avenue between Central 1st Avenue North, while The Green Chili Indian Bistro is on Central Avenue between 3rd and 4th Streets. The Athenian Garden and The Burrito Boarder are on 3rd Street between Central Avenue and 1st Avenue South, with The Lucky Dill on the northeast corner of Central Avenue. and 3rd Street. Zurrito's is on 3rd Street just south of

Fortunato's Pizza, the Central Avenue Oyster Bar, Chappy's Louisiana Kitchen, the Central Café and Organics, The Garden Recraigner and Suburar are all along Central Avenue between 2nd and 3rd Streets. The Ruona Vira Ristorante is on 1st Avenue Portunato's Pizza, the Central Avenue Cyster Bar, Chappy's Louisiana Kitchen, the Central Cate and Organics, The Gardand Subway are all along Central Avenue between 2nd and 3rd Streets, The Buona Vita Ristorante is on 1st Avenue Court between 2nd and 3rd Streets. The Midroup Restaurant and Subway are all along Central Avenue between 2nd and 3rd Streets. The Buona Vita Ristorante is on 1st Avenue South between 3rd and 4th Streets, while Café Alma is on 1st Avenue South between 2nd and 3rd Streets. Restaurant is on the southwest corner of 1st Avenue South and 2nd Street, while the Z Grille is on 3rd Streets. The Midtown same intersection. The Red Mesa Cantina is on 3rd Street at 2nd Avenue South, the Hong Kong buffet is on the southeast corner of that shopping center on 3rd Street at 3rd Avenue South. There's a Starbuck's on the corner of 1st Street and 4th Avenue South and the ord Avenue South and there's a Domino's Pizza on 8th Street at 4th Avenue South. The China Kitchen and a Subway are in the shopping center on 3rd Street at 3rd Avenue South. There's a Starbuck's on the corner of 1st Street and 4th Avenue South and the Barnes & Noble bookstore on the southeast corner of 3rd Street and 5th Avenue South has its own cafe.

- The Downtown Food Mart is on M. L. King Street at 2nd Avenue North, the Central Quick Stop Deli is on Central Avenue between 6th and 7th Streets, John's Variety is on 4th Street between 2nd and 3rd Avenues North and The Food Mart is on the Southeast corner of 4th Street at 1st Avenue North There's a Public gracery store on 3rd Street inst south of 2nd Avenue South between 6th and 7th Streets, John's Variety is on 4th Street between 2nd and 3rd Avenues I vortin and 1 ne rood Mart is on the southeast corner of 4th Street at 1st Avenue North. There's a Publix grocery store on 3rd Street just south of 2nd Avenue South
- 砂The 66 Fixed bicycle shop offers sales and service on 1st Avenue North just west of M. L. King Street.
- The Courtyard Marriott is on the northwest corner of 4th Street and 3rd Avenue North, with America's Best Inn on 3rd Avenue North just east of 4th Street. The Pier Hotel is on 2nd Avenue North between 2nd and 3rd Streets and The Williams Park Plaza Hotel is on 1st Avenue North between 3rd and 4th Streets. The Hampton Inn Suites are on Beach Drive at Central Avenue.
- Campbell Park runs along the south side of 5th Avenue South east of 16th Street, Williams Park is at 4th Street and 1st Avenue North and Straub Park is herveen Reach and Share Drives porth of 2nd Avenue North Demen's Landing is on Thomas Payer the Campbell Park runs along the south side of 5th Avenue South east of 10th Street, williams Park is at 4th Street and 1st Avenue North and Straub Park is between Beach and Shore Drives north of 2nd Avenue North. Demen's Landing is on Tampa Bay at the There are public restrooms on 2nd Avenue North at Shore Drive.
- There are parking garages between 1st and 2nd Ave. N. between 1st and 2nd St. and between Central Ave. and 1st Ave. S. between 1st and 2nd Streets.
- The St. Peterburg Police Department is on Central Avenue at 13th Street and the Greyhound bus station is on M. L. King Street and the Greyhound bus station I nest, reterourg rouce Department is on Central Avenue at 15th Street and the Greynoung ous station is on M. L. Ning Street and Street and Avenue North. The Chihuly Collection will be on the northeast corner of Central Avenue and 8th Street and the Milliams Dick on the Southwest corner of Sth Street and 3rd Avenue North. Williams Dick on 4th Street and 1st Just south or 2nd Avenue North. The Oninuty Collection will be on the northeast corner of Central Avenue and 8th Street and the Mirror Lake Public Library is on the southwest corner of 5th Street and 3rd Avenue North. Williams Park, on 4th Street at 1st Mirror Lake Public Library is on the southwest corner of 5th Street and 5rd Avenue North, williams Park, on 4th Street at 1st Avenue North, is a PSTA bus hub. The Museum of Fine Arts and the Museum of History are both on 2nd Avenue North on either side of Charles Drive RayMalk on 2nd Avenue North between 1st and 2nd Create of feet diving and antestainment including the Avenue North, is a PS 1A Dus nub. The iviuseum of rine Arts and the iviuseum of Pristory are both on 2nd Avenue North on either side of Shore Drive. BayWalk, on 2nd Avenue North between 1st and 2nd Streets, offers dining and entertainment, including the side of Shore Drive. Baywark, on And Avenue Profit Detween 1st and And Streets, offers dining and entertainment, including the Muvico 20 movie theater. The Piet, at the east end of 2nd Avenue North, offers dining, entertainment, shopping and a great view of both Tampa Bay and downtown Cr. Dete from the observation deck



Page | of G Pages

CURE TRACKING NO.

Carlot I

2011 CURE SUMMARY FORM

This Cure Summary Form is submitted with regard to Application No. 2011- 132 cand exhibits listed below (please list the parts, sections, subsections, and exhibits in the order they appr

and pertains to the Application and	"" palts, sections, subsections, y Report);	of Mark this Column if Item No. indicated in	10" column(s) resulted Trom NOPSE Scoring and	X - Tv (Kr., 4) 330		** () () () () () () () () () (The second secon
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2011 CURE FORM

(Submit a SEPARATE form for EACH reason relative to EACH Application Part, Section, Subsection, and Exhibit)

Part The atta	Section A sched information is submitry Report because:	Subsection 10.a.	Exhibit No.	25 (if applic
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		2011 Universal	Crea	ted hv:
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	Reason Score Not Maxed	Item NoS		
	Reason Ability to Proceed Score Not Maxed	Item NoA		
	Reason Failed Threshold	Item NoT		
	Reason Proximity Points Not Maxed	Item No. 5 p		\boxtimes
	Additional Comment	Item NoC		
2.	Other changes are neces This revision or addition resulting from a cure to I (if applicable).			

Brief Statement of Explanation regarding Cure for Application No. 2011-

The Applicant identified the Pinellas Trail as its Public Park for Proximity Tie-Breaker Points. A NOPSE claimed the Pinellas Trail was not a park, but "merely a bike trail in the City street," and that it could not be used by all residents.

The NOPSE challenger cited a "Google Aerial" as its basis to challenge the Pinellas Trial as a qualifying park. Florida Housing provided the following explanation when it scored the Pinellas Trial as a non qualifying park: "Evidence provided in a NOPSE calls into question whether the Public Park listed on the Surveyor Certification for Competitive HC Applications form meets the definition of Public Park."

Page 36 of the Application Instructions define a Public Park as:

- An outdoor public location;
- 2. At least one acre in size, and
- 3. Listed with and maintained by a Local Govt department that 4. For which no fee is required.

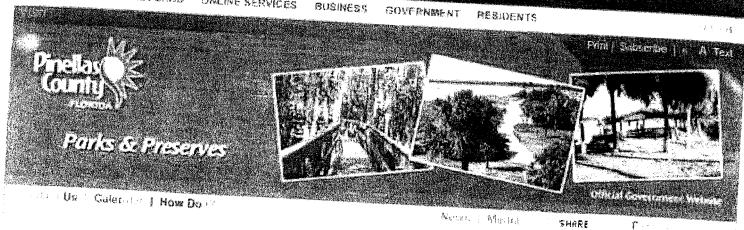
As shown in the Pinellas County Parks and Preserves website (pages attached). The Pinellas Trail is a protected greenspace for "walking, jogging, skating, and biking." Further, the County website states that the Pinellas County Parks & Conservation Resources Department is responsible for the Trails maintenance and operating costs.

- 1. Is an outdoor public location;
- 2. Is at least one acre in size (extends from downtown St Pete to the
- 3. Is listed and maintained by a Local Government Department (Pinellas County Parks and Preserves Department), and 4. Does not require a fee.

Further, as noted on the County Parks website, the Pinellas Trail serves "runners, bicyclists, walkers, skaters and other outdoor enthusiasts." The Pinellas Trail is not a single-purpose park (like a skate park, golf course etc), but is a "unique, protected greenspace" according to the County Parks website.

In light of the foregoing, the Pinellas Trail clearly meets the definition of a Public Park, as defined in the Application Instructions, and Florida Housing should reinstate the 2.0 proximity tie-breaker points awarded during preliminary scoring.

In the event that Florida Housing does not accept the above explanation, attached is a Surveyor's Certificate showing that the development is within .50 miles of Campbell Park. This will result in the Applicant being awarded 1.75 proximity tiebreaker points. The Applicant is reserving its right to challenge Florda Housing's NOPSE determination that the Pinellas Trail is not a qualifying Public Park.



Parks & Preserves Home

Select a Park / Preserve

General Info / Hours

Boat Ramps / Beach Parking

Managed Areas

Reserve a Campaite

Reserve a Picnic Shelter

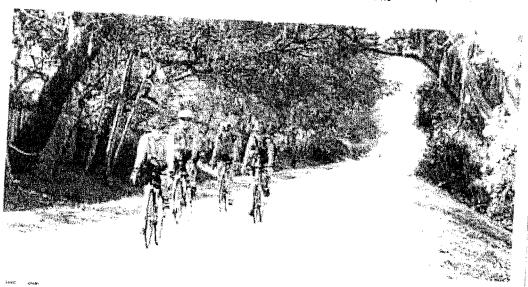
vate Events / Weddings 🔻

Publications

Trails / Nature Walks

Volunteer in Parks

Darks Conservation Resources Administration 12520 Ulmerton Road Largo, FL 33774 (727) 582-2100 Johnson Us.



inellas Trail

Parks & Conservation Resources 12520 Ulmerton Road Largo, FL 33774 (727) 549-6099 Park Ranger (727) 582-2100

The Fred Marquis Pinellas Trail is a linear park and recreation trail currently extending from St. Petersburg to Tarpon Springs. The Trail, created along an abandoned railroad corridor, provides a unique, protected greenspace for walking, jogging, skating, and biking. Pinellas County Parks & Conservation Rescources is responsible for the Trail's maintenance and operating costs.

Mileage Maps:

All trail maps are in our format:

Pinellas Trail Locator Mag OVERVIEW MOR Of the Trail Mucage: Nach Section Mileage South Section

Individual Pinellas Trail Maps: (Note: Individual maps could have changed.)

Lecuna Sormas Syvilliandon Sphing Crystal Beach

About the Pinelias Trail:

distory Umeline Art on the Pinellas Lieil Irail Awards Trail Rules

Other Information:

BIKE/SKATE REplais near Tout Bikes on Duses : For information on bus routes near the Trail,

Palm Harbor/Ozona North Dunedin Honsympon Island Ital Spur Downtown Dunedin North Clearwater Downtown Clearwater South Cleanwater/North Largo South Largo North Seminole Seminole Bay Pines Area Tyrone Area Pasadena Area North Gulfport Area St. Petersburg 34th St. area St. Petersburg 34th St. to Trop St. Petersburg Downtown Man Icona Levend All maps in one

360° Views of Pinellas Trail:

Cross Bayou
Dunedin
Honeymoon Island
Stevenson Creek
Tarpon Springs
Taylor Park

please call the Pinellas Suncoast Transit Authority at (727) 540-1900.

Pinelias Trail as an Interactive GIS Man. select the "Parks and Recreation " category called "Fred Marquis Trail"

Volunteer - Pinellas Trails Inca volunteer citizens fund-raising group who support the trail. Progress Energy Trail (1) Pinallas Trailways Bicycle Lanes (1) Blueways Padding Trail (1)

Free Pinellas Trail Guide Map: (all maps are online)

The Guide to the Pinelias Trail is a convenient, pocket-sized filp chart map for navigating the Trail. The trail guide details rest stops, service stations, restaurants, pay phones, bicycle ships, park areas, and much more along the entire length of the Pinelias Trail.

You can pick up a trail guide at the Park Office, area libraries, chambers of commerce, bicycle shops, or at the Pinellas County Courthouse Information Desk.

For more information, please call (727) 464-8200 or write to: Pinelias County Planning Department, 600 Cleveland Street, Suite 750, Clearwater, FI 33755.

Trail News:

Emergency Response Decais on Trail Pinellas Trail 20th Anniversary &



Most Pinellas County residents have bicycled, walked, jogged or in-line skated on it. The Fred Marquis Pinellas Trail, a project that is the source of great community pride, is a multi-use trail everyone can enjoy.

The Fred Marquis Pinellas Trail is a linear park and recreation trail currently extending from St. Petersburg to Tarpon Springs. The trail, created along an abandoned railroad corridor, provides a unique, protected greenspace for walking, jogging, skating, and biking. The County's Parks & Conservation Resources Department is responsible for the trail's maintenance and operating costs.

When completed this unique linear park will convert approximately 47 miles of unused railroad easement and other rights of way into a trail for runners, bicyclists, walkers, skaters and other outdoor enthusiasts. The trail now extends

from northernmost Pinellas County to the southern end of the county, offering Pinellas County citizens a diversified recreational opportunit

To help everyone enjoy the trail, there are some basic rules.

The trail is only open during daylight hours.

Alcoholic beverages are prohibited.

Pedestrians and handicapped have the right of way, wheelchairs should use the pedestrian lanes and electric handicap wheelchairs are always

Bicyclists are required to obey all traffic controls and signals.

Bicyclists are not permitted to wear headphones at any time

Under age 16, they must wear a helmet.

Electric bicycles are prohibited.

Bicyclists and skaters should obey the posted speed limits. No racing, race training or pace lines. Skaters should use the bicycle lanes, and both skaters and cyclists should give an audible warning when passing.

Motorized vehicles (except electric handicap wheelchairs, maintenance, law enforcement and emergency vehicles) are prohibited.

Horses are prohibited.

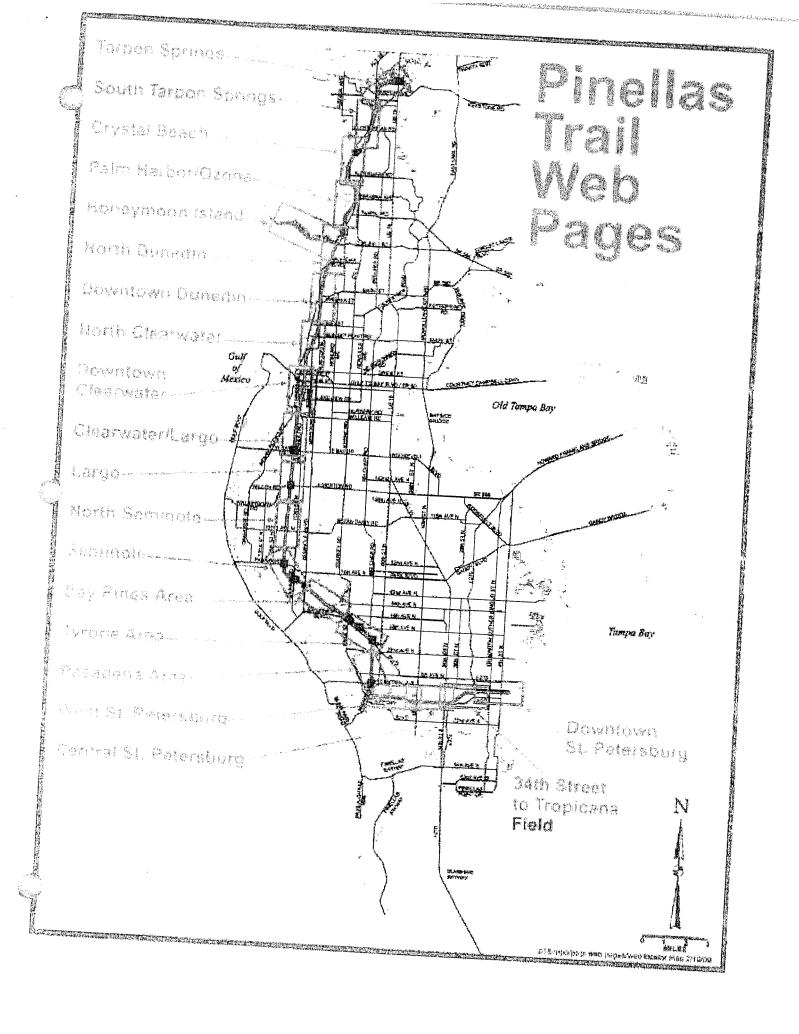
Pets must be kept on a 6-foot leash and under control.

Trail News:

Emergency Response System - Decals

The trail now has an emergency response system with decals! The emergency response system will help keep the trail system safer and enable emergency response vehicles to pinpoint the exact location of an incident. The bright yellow decals are adhered directly onto the trail surface approximately 200 feet apart and have unique location numbers. The decals also provide contact information to report maintenance problems. The decais begin at Demens Landing in downtown St. Petersburg with PT-0000, and continue to east of U.S. Highway 19 in Tarpon Springs, where the Trail currently ends at Melon Street and Keystone Road with PT-0699,

Select Language



2011 UNIVERSAL CYCLE - SURVEYOR CERTIFICATION FOR COMPETITIVE HC APPLICATIONS

Name of Development: Persal Cycle Applicat

Development Location *: NW Corner of the intersection of 6th Street South and 4th Avenue South St. Petersbury

(At a mamman, provide the address assigned by the United States Pretal Service, including the address number, street name and city, or if the address intersection and city if located within a city or (ii) the street name, closest designated intersection and county if formed street of the Development Country of Scattered Size, the Development Location stated above must reflect the Southerd Size where the Tit-Breaker Measurement Point is located.)

The undersigned Florida licensed surveyor confirms that the method used to determine the following latitude and longitude coordinates

Γ	Show the F. A. C.	TOUT TOUT	me method used to determin	te the following latin	Tie-Breaker Messager	orporated area of the
-	State the Tie-Breaker Measurement		the method used to determin	e me tollowing latin	ude and longinus.	round is incaped.)
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- 3	o be eligible for proximing in	Development consists of S	Cattered Size locat	led within 1/2 mile and	deci	mal place)
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Vec. or | \(\sum \) No. (Minut check one if Development consists of Scattered Sites)

To be eligible for proximity tie-breaker points. Degrees and Minutes must be stated as whole numbers and Seconds must be truncated after 1 decimal place. The Corporation will utilize Street Atlas USA 2010, published by DeLorme, to determine the proximity of an eligible service to the proposed Development's Tie-

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

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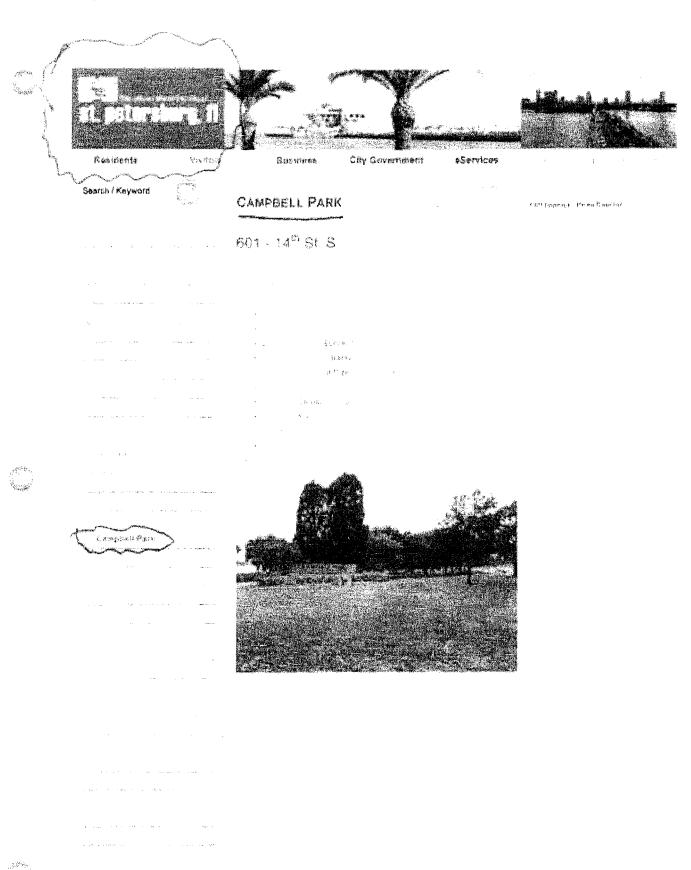
If the Corporation discovers that there are any files statements made in this certification, the Corporation will forward a copy to the State of Florida Department of

jury. I declare that the foregoing statement is true and correct.

	me going statemen	nt is true and correct.	
Confirmations.			
George F. Young, Inc.	Nicholas M. Circello, ps Print or Type Name and 1	SM. Project Summer	
Name of Surveyor	Print or Type Name and 1	Title of Signatory	LS4898
•		Floria.	Florida License Number
UA1016 (Rev. 2-11) 67-48 (004)	THE REAL PROPERTY.		727-822-4317
This certification consists of 2 pages	Xa); 67-21.003(IXa), F.A.C.	Tel	ephone Number (including area code)
Personal Beneficiarias acus Pages	· Illis certification —		MAN ESTE SUDDINGER

Universely. 2-(1)

Priority to the Applicant of Pages. This certification may not be signed by the Applicant, by any related parties of the Applicant or by any Principals or Financial Reconficience of the Applicant or by any Principals or the Applicant or by a This certification, consists of 2 pages. This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beoeficiaries of the Applicant. If the certification is inappropriately stgmed, the Application will not be eligible to receive proximity the breaker points. The Application may still be eligible for automatic points. The Application will not be eligible to receive proximity tie-breaker points. The certification may be photocopied. To be considered for scoring purposes, at least



Scoring Summary Report

File #: 2011-235C Development Name: Urban Edge

As of: 03/27/2012

Met Threshold	Maximum Points/Eligibility	Preliminary	NOBOR	1	i
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Eligible for Age of Development	27	Z	z	z	
Tie-Breaker Ranking Preference	N/X	z	z	Z	
Eligible for Concrete Construction			:	2	
Tie-Breaker Ranking Preference	N/	z	z	Z	
Eligible for Florida General Contractor				<u>-</u>	
Tie-Breaker Ranking Preference	Z >	>	>	 	
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KA Level Classification)	1 - 6	9	9	9	

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Solution Signature 3.00
Subsection Description Developer Construction Features and Amenities Control Optional - No & Rehab Units Coptional - No Developments Except SRO Optional - SRO Developments Coptional - All Developments Coptional - Liviersal Design & Visitability Creen Building Features (NC & Redev.) Creen Building Features (Rehab. & Preser.) Creen Building Features (Rehab. & Preser.) Creen Building Features (Rehab. & Preser.) Coptional Non-Elderly & Non-Homeless Programs for Non-Elderly & Non-Homeless Programs for All Applicants Contributions Local Government Incentives Local Government Incentives Local Government Incentives Local Government Incentives
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	The Applicant folicy to 14 to 14 to 14	manager(s) of SAS Urban Edge Apartments Managers, LLC, the general partner of the American Control of the Control of the American Control of the Co	Pursuant to subsection 67-48.004(5), F.A.C., NOPSE scoring may include financial obligations for which an Applicant or Developer or Principal, Affiliate or Financial Beneficiary of an Applicant or the Developer is in arrears to the Corporation or an agent or assignee of the Corporation as of the due date for NOPSE filing (January 25, 2012). As provided in paragraph 67-48.004(13)(d), F.A.C., following the submission of the "Cures," the Corporation shall reject an Application if the Applicant Corporation shall reject an Application if the Applicant or the Developer or Principal, Affiliate or Financial Beneficiary of the Applicant or the Developer is listed on the January 25, 2012 Past connection with the following Development(s): Beach Village at Palm Coast. The January 25, 2012 Past Due Report is posted to the FHFC Website at http://www.floridahousing.org/PropertyOwnersAndManag ers/PastDueReports/. Payments and questions should be addressed to the servicer.
Description	Principals		Financial Arrears
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Item #	 		T2
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Ability To Proceed Tie-Breaker Points:

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Proximity Tie-Breaker Points:

Page 4 of 5

3/27/2012 10:45:13 AM

Item # Part Section		Subsection Description	Maximum Available				ii ii
		Transit Services	Points	Preliminary	NOPSE	Final	Ranking
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III. A.	10.a	Public Rail Station	9.00	6.00	6.00	6.00	
		Tier 1 Services	7.00	0.00	0.00	0.00	
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						_	

3/27/2012 10:45:13 AM

Reason(s) for Failure to Achieve Selected Proximity Tie-Breaker Points:

Item #	Item # Reason(s)	the second	
4P	The Applicant attempted to cure Item 4P by providing a revised Surveyor Certification for Competitive HC Applications form changing the name of the Medical Facility to All Children's Hospital; however, evidence provided in NOADs demonstrates that All Children's Hospital does not provide general medical treatment to any physically sick or injured	Final	Rescinded As Result
4P	Evidence provided in a NOPSE calls into question whether the latitude and longitude coordinates for the Medical Facility stated on the Surveyor Certification for Competitive HC Applications form are located at Bayfront Medical Center at 701 6th Street S. The NOPSE states that the coordinates are for Bayfront Baby Place and All Children's Hospital, located at 501 6th Avenue South, which does not meet the definition of Medical Facility because it does not provide general medical treatment or general surgical services to any physically sick or injured person. A Surveyor Affidavit provided in the NOPSE provided the corrected latitude and longitude coordinates of Bayfront Medical Center. This revision reduces the proximity tiebreaker score by 0.50 points.	NOPSE	Final
5P	Evidence provided in a NOPSE calls into question whether the Public Park listed on the Surveyor Certification for Competitive HC Applications form meets the definition of Public Park. A linear bike trail is a location not intended for use by the general public.	NOPSE	Final

Additional Application Comments:

	R.	nary result of
	Created as	Preliminary
	Comment(s)	The Application qualifies for 10 automatic proximity points Preliminary at Part III.A.10.b.(1) of the Application.
	Description	Proximity to Developments on FHFC Development Proximity List
	Item # Part Section Subsection	10.b.
;	Section	Ą
	Tan	=
14 11	# Weil	10

Copy UNIVERSAL APPLICATION PACKAGE NOTICE OF POSSIBLE SCORING ERROR (NOPSE) REQUEST FOR REVIEW FORM

Notice of Possible Scoring Error(s) regarding Application No. (one Application number per notice) 2011- 235C Number of Issues Part / Section / Subsection / Exhibit No. For Review $\overline{\Pi}$ <u>A</u> 10.a <u>25</u> $\frac{1}{1}$ $\overline{\Pi}$ $\overline{\underline{\mathbf{C}}}$ 1 <u>26</u> Total Number of Issues For Review 2 Submitted by Authorized Representative for Application Number 2011- 061C Signature of Authorized Representative for above-designated Application. Michael A. Hartman

All notices must be submitted in accordance with subsection 67-48.004(4), F.A.C., and should contain enough information for staff to evaluate them. This will include, but may not be limited to, a detailed description of the issue being identified and action requested by the submitting Applicant, such as reduction of score or threshold failure. Attach additional pages if necessary. All notices should be submitted in typewritten form.

Print Name:

Signature:

NOPSE TRACKING NO

Brief Statement of Explanation regarding Application No. 2011 - 235C

Provide a separate brief statement for each NOPSE

At Exhibit 25, Applicant submitted Pinellas Trail as its Public Park. As shown on the attached Google aerial, Pinellas Trail is not a park at the location indicated (it is merely a bike trail in the City street), nor is it a park than can be used by all residents; i.e.; young children playing on this section of Pinellas Trail would be in danger of being hit by cars. The Application Instructions state "...a Public Park means an outdoor public location that is at least one acre in size, is listed with and maintained by a Local Government department that manages parks, and for which no admission fee is required. Locations that are not intended for the general public will not be considered such as dog parks, skate parks, and golf courses." Per our examination of Pinellas Trail, it is not intended for the general public and therefore fails the definition of Public Park.

Therefore, the Applicant should lose the 2.00 Proximity Tie-Breaker Points awarded for a Public Park.

Copy

Page I of 2

2011 UNIVERSAL CYCLE - SURVEYOR CERTIFICATION FOR COMPETITIVE HC APPLICATIONS

Name of Development Urban Edge (Find III A L of the 2011 Computed Cycle Application)

North east corner of 4th St S and Delmar Terrace, St. Petersburg

s antiqued by the United States Postel Starting, articles of matthew member, stord assess and only, or if the pickers has not yet been tenigened, provide (a) this section and only if Exceed in the matter of the pickers has not yet been tenigened between the control of Exceeding the Depole Court of Exceeding the Court of the section of the Court of the Co

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If the Development consists of Scattered Sites, is a part of the boundary of each Scattered Site located within 1/2 mile of the Scattered Site with the most units?

Yes on 1 No (Most check one if Development consists of Scattered Sites.)

To be eligible for proximity fire-breaker points, Degrees and Micales must be stated as whole numbers and Seconds must be transcated after I decimal place. The Corporation will utilize fement Atlas USA 2010, published by DeLorme, to determine the proximity of an eligible service to the perposed Development's Tie-

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covers that there are any false statements made in this certification, the Curporation will forward a copy to the State of Florids Department of

CERTIFICATION Ladex penalties of perjury, I declare that the foregoing statement is true and correct

James L. Rickman, Vice President PSM# 5833
Find or Type Name and Tale of Signatory Florids License Number Signature Allen & Company Name of Surveyor

213 8. Dillard Street, Buile 210, Winter Gerden, FL 34787

Address (street address, city, state)

(407) 654-5355

Telephane Number (including stres code)

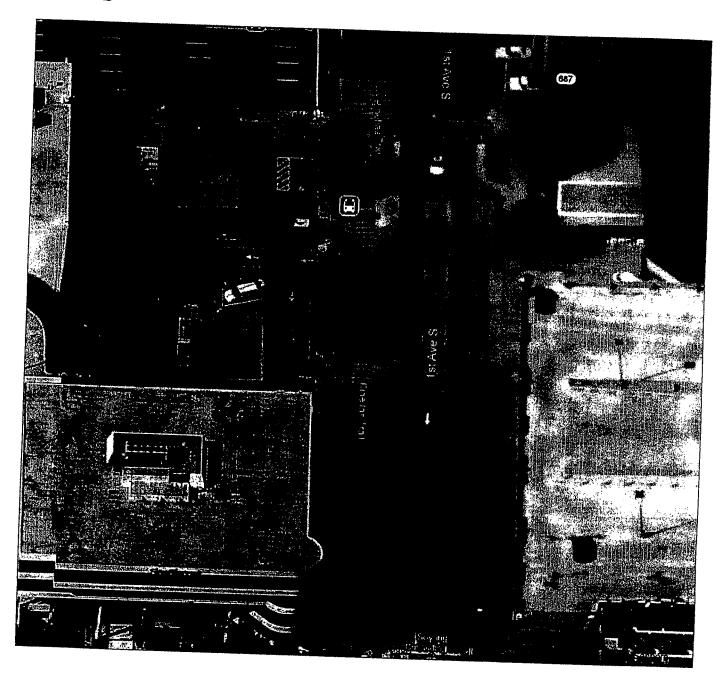
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Google

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Beaches & Outdoors

Arts & Culture

Dining & Entertainment

Events & Festivals

Cities & Towns

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Maps & Planning

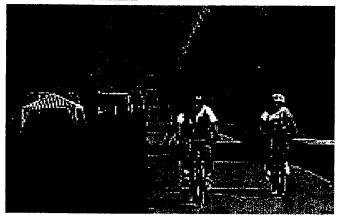
Hotels & Rentals



fred marquis pinellas trail

12020 Walsingham Rd. Largo, FL 33778 727-549-6099 , 727-582-2100 fax: 727-582-2550

http://www.pinellascounty.org/trailgd



Pinellas Bike Trail

Top Features

- · Pets on Leash Allowed
- Bicycling
- · Wheelchair-friendly

Description

A unique linear park extending nearly 50 miles from St. Petersburg to Tarpon Springs, with great hiking, walking and biking.

Amenities

Bicycling Wheelchair-friendly City/County Park Hours: 7am to dusk

Pets on Leash Allowed

Map and Directions



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Learn More

ARTICLE : Explore St. Pete Area Arts Districts on Foot

ARTICLE: Pet-Friendly Places

ARTICLE : Explore Outdoors: St. Pete Clearwater Area

Preserves

ARTICLE : A Child's Adventure Tale

ARTICLE: Romantic Weekend Getaway in St.

Pele/Clearwater ARTICLE : Clearwater

ARTICLE: St. Pete/Clearwater Parks & Preserves ARTICLE: Great Places to Run or Walk in St.

Pete/Clearwater

Meetings

Media

Travel Trade

Sports

Film

Weddings

BEACHES

St. Pete Beach Clearwater Beach Fort De Soto Park Caladesi Island Honeymoon Island HOTELS

Hotels
Condos
Motels
Bed & Breakfasts
Superior Small Lodging

EXPERIENCES Restaurants

Family Attractions Beaches Outdoors Culture COMMUNITIES

St. Petersburg St. Pete Beach Clearwater Clearwater Beach Tarpon Springs EVENTS
What's on Now
January
February
March

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GETTING HERE
Weather & Temps
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French

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St. Petersburg/Clearwater Area Convention & Visitors Bureau: 13805 58th Street North, Suite 2-200, Clearwater, FL 33760.

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More >>

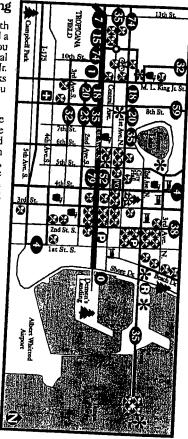


Downtown St. Petersburg-Tropicana Field to Demen's Landing

Downtown St. Petersburg is by far the busiest destination on the Pinellas Trail with over 65 restaurants, hundreds of shops and galleries, plenty of museums, parks and a wide range of attractions from Tampa Bay to Tropicana Field. To help you navigate, you need to know that all streets run north/south, while all avenues run east/west. Central Avenue is the dividing line between north and south avenues, and Dr. M. L. King Jr. Street delineates the 900 block of east/west address numbers. There are bike racks everywhere and plenty to see and do. You can be anything you want in St. Pete, but you

The Coney Island Grill is on Dr. M. L. King Jr. St. just south of 3rd Avenue North while The Hooker Tea Company, Pacuigo Café, Parkshore Grill and Marketplace Express are all along Beach Drive on either side of 3rd Avenue North. The Daily Grind Café and Zapata's Mexican Restaurant are on 2nd Avenue North between 1st Street and Beach Drive. BayWalk, on 2nd Ave. N. between 1st and 2nd Streets, hosts Ammazza Pizza, Ben & Jerry's Ice Cream, Gratzzi Ristorante, Grill 121 and the Tokyo Sushi Café. The Pier, on the east end of 2nd Avenue North, offers Burger Bay, Café Morrows, Captain Al's, Cha Cha Coconuts, The Columbia Restaurant, Cones Ice Cream and the Hong Kong Corner, Café 10-0-One is on 1st Avenue N. berween 11th Street and M. L. King Corner, Café 10-0-One is on 1st Avenue N. berween 11th Street and M. L. King between 4th and 5th Streets and Five Guys Burgers is on 3rd Street between 1st and 2nd Avenues North. Ratchada Thai is on the southeast corner of 3rd St. and 1st Avenue N., while Tangelo's, Joey Brooklyn's Pizza and Angie's Café are on 1st Avenue N. between 2nd and 3rd Streets. Starbuck's is on the northeast corner of 2nd Street and 1st Avenue North, with The Atlanta Bread Company on 1st Avenue North between 1st and 2nd Streets. The Full Monty Frozen Yogurt clothes 2nd Streets between 1st and 2nd Avenues North. Savannah's Café, DJ's Café and Chang Mai Thai are along Central just west of 11th Street (the roundabout), while The Bohemia Café is on Central between 11th Street and M. L. King Street. There's a Subway on the corner of M. L. King Street and Ist Avenue South. Bangkok Thai, The Dome Grill and the Central Coffee Shop are an Central between 5th and 6th Street. the Central Coffee Shop are on Central between 5th and 6th Streets.

The King and I Thai, Grillside Central, Lonni's Sandwiches, The Cupcake Spot and The Schokolad Chocolate Pactory are on Central Avenue between 4th and 5th Streets. G's Rotisserie Grill and the Primi Urban Café are on 4th Street between Central and 1st Avenue North, while The Green Chili Indian Bistro is on Central Avenue between 3rd and 4th Streets. The Athenian Garden and The Burrito Boarder are on 3rd Street between Central Avenue and 1st Avenue South, with The Lucky Dill on the northeast corner of Central Avenue, and 3rd Street. Zurrito's is on 3rd Street just south of



Fortunato's Pizza, the Central Avenue Oyster Bar, Chappy's Louisiana Kitchen, the Central Café and Organics, The Garden Restaurant and Subway are all along Central Avenue between 2nd and 3rd Streets. The Buona Vita Ristorante is on 1st Avenue South between 3rd and 3rd Streets, while Café Alma is on 1st Avenue South between 2nd and 3rd Streets. The Midrown Restaurant is on the southeast corner of 1st Avenue South and 2rd Street, while the Z Grille is on the southeast corner of these Restaurant is on the southwest corner of 1st Avenue South and 2nd Street, while the Z Grille is on the southeast corner of that same intersection. The Red Mesa Cantina is on 3rd Street at 2nd Avenue South, the Hong Kong buffet is on M. L. King Street at 3rd Avenue South and there's a Domino's Pizza on 8th Street at 4th Avenue South. The China Kitchen and a Subway are in the shopping center on 3rd Street at 3rd Avenue South. There's a Starbuck's on the corner of 1st Street and 4th Avenue South and the Barnes & Noble bookstore on the southeast corner of 3rd Street and 5th Avenue South has its own café.

- The Downtown Food Mart is on M. L. King Street at 2nd Avenue North, the Central Quick Stop Deli is on Central Avenue between 6th and 7th Streets, John's Variety is on 4th Street between 2nd and 3rd Avenues North and The Food Mart is on the southeast corner of 4th Street at 1st Avenue North. There's a Publix grocery store on 3rd Street just south of 2nd Avenue South and a CVS drugstore on the southwest corner of 3rd Street and 3rd Avenue South.
- **砂**The 66 Fixed bicycle shop offers sales and service on 1st Avenue North just west of M. L. King Street.
- The Courtyard Marriott is on the northwest corner of 4th Street and 3rd Avenue North, with America's Best Inn on 3rd Avenue North just east of 4th Street. The Pier Hotel is on 2nd Avenue North between 2nd and 3rd Streets and The Williams Park Plaza Hotel is on 1st Avenue North between 3rd and 4th Streets. The Hampton Inn Suites are on Beach Drive at Central Avenue.
- Campbell Park runs along the south side of 5th Avenue South east of 16th Street, Williams Park is at 4th Street and 1st Avenue North and Straub Park is between Beach and Shore Drives north of 2nd Avenue North. Demen's Landing is on Tampa Bay at the
- There are public restrooms on 2nd Avenue North at Shore Drive.
- There are parking garages between 1st and 2nd Ave. N. between 1st and 2nd St. and between Central Ave. and 1st Ave. S.
- The St. Peterburg Police Department is on Central Avenue at 13th Street and the Greyhound bus station is on M. L. King Street Mirror Lake Public Library is on the southwest corner of 5th Street and 3rd Avenue North. Williams Park, on 4th Street at 1st Avenue North, is a PSTA bus hub. The Museum of Fine Arts and the Museum of History are both on 2nd Avenue North on either side of Shore Drive. BayWalk, on 2nd Avenue North between 1st and 2nd Streets, offers dining and entertainment, including the Muvico 20 movie theater. The Pier, at the east end of 2nd Avenue North, offers dining, entertainment, shopping and a great view of both Tampa Bay and downtown St. Pete from the observation deck.

Page 1 of 1 Pages

CURE TRACKING NO.

2011 CURE SUMMARY FOR

722 This Cure Summary Form is submitted with regard to Application No. 2011-235C

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2011 CURE FORM

(Submit a SEPARATE form for EACH reason relative to EACH Application Part, Section, Subsection, and Exhibit)

This Cure Form is being submitted with regard to **Application No. 2011-**235C and pertains to:

Part III Section A Subsection 10.a. Exhibit No. 25 (if applicable)

2.

The attached information is submitted in response to the 2011 Universal Scoring Summary Report because:

Preliminary Scoring and/or NOPSE scoring resulted in the imposition of a failure to achieve maximum points, a failure to achieve threshold, and/or a failure to achieve maximum proximity points relative to the Part, Section, Subsection, and/or Exhibit stated above. Check applicable item(s) below:

	2011 Universal	Creat	ted by:						
	Scoring Summary Report	Preliminary Scoring	NOPSE Scoring						
Reason Score Not Maxed	Item NoS								
Reason Ability to Proceed Score Not Maxed	Item NoA								
Reason Failed Threshold	Item NoT								
Reason Proximity Points Not Maxed	Item No. 5P		\boxtimes						
Additional Comment	Item NoC								
Other changes are necessary to keep the Application consistent: This revision or additional documentation is submitted to address an issue resulting from a cure to Part Section Subsection Exhibit (if applicable)									

Brief Statement of Explanation regarding Application $2011 - \underline{235C}$

Provide a separate brief statement for each Cure

Please see the attached detailed explanation, additional documentation, and other information regarding Proximity Tie-Breaker Point Issue 5P.

235C: Urban Edge - Item 5P: Public Park

The 2/22/2012 Scoring Summary for Application No. 235C identifies as Tie-Breaker Proximity Point Item 5P the following:

Evidence provided in a NOPSE calls into question whether the Public Park listed on the Surveyor Certification for Competitive HC Applications form meets the definition of Public Park. A linear bike trail is a location not intended for use by the general public.

The Applicant hereby provides the following additional documentation and other information to address this issue.

The Public Park identified by the Applicant is the Pinellas Trail. The Scoring Summary's only criticism of the Pinellas Trail is that it is "a location not intended for use by the general public."

The Pinellas Trail is clearly a park intended for use by the general public. An excerpt of the description of the Pinellas Trail from the Pinellas County Parks and Preserves website describes the Pinellas Trail as "a linear park and recreation trail" and "a unique, protected greenspace for walking, jogging, skating, and biking." A copy of the Pinellas County website is attached as Exhibit "A." The Pinellas Trail is further described as "a multi-use trail everyone can enjoy." There are no fees charged for use of the trail.

The website also provides a list of basic rules for use of the trail, including:

* * *

Pedestrians and handicapped have the right of way, wheelchairs should use the pedestrian lanes and electric handicap wheelchairs are always permitted.

* * *

Bicyclists and skaters should obey the posted speed limits ...both skaters and cyclists should give an audible warning when passing.

Motorized vehicles (except electric handicap wheelchairs, maintenance, law enforcement and emergency vehicles) are prohibited.

The trail is clearly designated for multiple forms of public use, and precautions have been taken to insure the safety of pedestrians, wheelchair users, and electric handicap wheelchairs. It is hard to imagine a public park that is <u>more</u> inclusive than the Pinellas Trail.

Florida Housing's definition of "Public Park" does not support the Scoring Summary reason for rejection of the Pinellas Trail. That definition reads:

(i) Public Park – For purposes of proximity tie-breaker points, a Public Park means an outdoor public location that is at least one acre in size, is listed with and maintained by a Local Government department that manages parks, and for which no admission fee is required. Locations that are not intended for the general public will not be considered such as dog parks, skate parks, and golf courses.

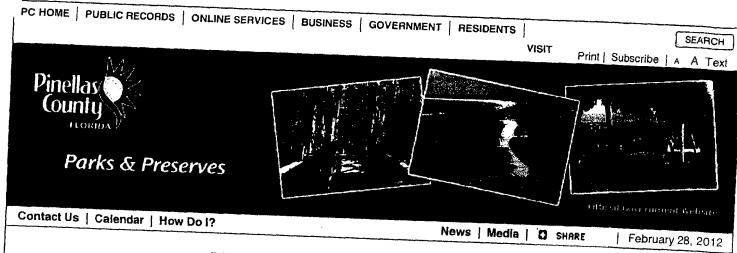
There is no question that the Pinellas Trail is an outdoor public location that is least an acre in size, is listed with and maintained by Pinellas County's Parks and Preserves Department, and charges no admission fee. It is not a dog park, skate park, or golf course. And contrary to the Scoring Summary assertion, it is available to the general public.

It should also be kept in mind that Urban Edge will be an elderly development. Many exercise opportunities available in other public parks that would qualify as a "Public Park" for Florida Housing's purposes may be of no use to many elderly residents because of the strenuous nature of the activity: basketball, baseball, football, soccer, or tennis for example.

Bicycling is a more feasible exercise option for many elderly. Walking is the most feasible, as it requires no specialized equipment and can be done at the walker's own pace. Even wheelchair bound residents can enjoy the benefits of exercise, sunshine, and fresh air on the Pinellas Trail, whereas they would likely be left out of most other outdoor exercise opportunities.

The Applicant should receive the full 2.0 Proximity Tie-Breaker points for Public Park for the Pinellas Trial.

F:\MCB\2624 Atlantic Housing\2012 NOPSEs\Urban Edge Issue 5P.docx







Parks & Conservation Resources

12520 Ulmerton Road Largo, FL 33774 (727) 549-6099 Park Ranger (727) 582-2100

The Fred Marquis Pinellas Trail is a linear park and recreation trail currently extending from St. Petersburg to Tarpon Springs. The Trail, created along an abandoned railroad corridor, provides a unique, protected greenspace for walking, jogging, skating, and biking. Pinellas County Parks & Conservation Rescources is responsible for the Trail's maintenance and operating costs.

Mileage Maps:

All trail maps are in pdf format: 🖸

Pinellas Trail Locator Map Overview Map of the Trail Mileage: North Section Mileage: South Section

Individual Pinellas Trail Maps:

(Note: individual maps could have changed.)

Tarpon Springs
South Tarpon Springs

About the Pinellas Trail:

History
Timeline
Art on the Pinellas Trail
Trail Awards
Trail Rules

Other Information:

Bike/Skate Rentals near Trail
Bikes on Buses ●: For information on bus routes near

Home 🚺 | Weather | Privacy | Parks De Primer Web Hoote Select Language Select a Park / Preserve Powered by Go gland Trail Spur General Info / Hours **Boat Ramps / Beach Parking Managed Areas** Reserve a Campsite Reserve a Picnic Shelter Private Events / Weddings ▽ **Publications** Trails / Nature Walks Volunteer in Parks

Parks & **Conservation Resources** Administration 12520 Ulmerton Road Largo, FL 33774 (727) 582-2100 Contact Us - gmap .

Crystal Beach Palm Harbor/Ozona

Downtown Dunedin North Clearwater Downtown Clearwater

South Clearwater/North Largo

South Largo North Seminole Seminole Bay Pines Area Tyrone Area Pasadena Area North Gulfport Area

St. Petersburg 34th St. area St. Petersburg 34th St. to Trop

St. Petersburg Downtown

Map Icons Legend All maps in one

360° Views of Pinellas Trail:

Cross Bayou Dunedin Honeymoon Island Stevenson Creek Tarpon Springs Taylor Park

the Trail, please call the Pinellas Suncoast Transit Authority at (727) 540-1900.

Pinellas Trail as an Interactive GIS Map. select the "Parks and Recreation " category called "Fred-Marquis Trail"

Volunteer - Pinellas Trails, Inc a volunteer citizens fund-raising group who support the trail. Progress Energy Trail

Pinellas Trailways Bicycle Lanes

Blueways Paddling Trail

Free Pinellas Trail Guide Map: (all maps are online)

The Guide to the Pinellas Trail is a convenient, pocket-sized flip chart map for navigating the Trail. The trail guide details rest stops, service stations, restaurants, pay phones, bicycle ships, park areas, and much more along the entire length of the Pinellas Trail.

You can pick up a trail guide at the Park Office, area libraries, chambers of commerce, bicycle shops, or at the Pinellas County Courthouse Information Desk.

For more information, please call (727) 464-8200 or write to: Pinellas County Planning Department, 600 Cleveland Street, Suite 750, Clearwater, FI 33755.

Trail News:

Emergency Response Decals on Trail Pinellas Trail 20th Anniversary



Most Pinellas County residents have bicycled, walked, jogged or in-line skated on it. The Fred Marquis Pinellas Trail, a project that is the source of great community pride, is a multi-use trail everyone can enjoy.

The Fred Marquis Pinellas Trail is a linear park and recreation trail currently extending from St. Petersburg to Tarpon Springs. The trail, created along an abandoned railroad corridor, provides a unique, protected greenspace for walking, jogging, skating, and biking. The County's Parks & Conservation Resources Department is responsible for the trail's maintenance and operating costs.

When completed this unique linear park will convert approximately 47 miles of unused railroad easement and other rights of way into a trail for runners, bicyclists, walkers, skaters and other outdoor enthusiasts. The trail now extends from northernmost Pinellas County to the southern end of the county, offering Pinellas County citizens a diversified recreational opportunity.

To help everyone enjoy the trail, there are some basic rules:

The trail is only open during daylight hours.

Alcoholic beverages are prohibited.

Pedestrians and handicapped have the right of way, wheelchairs should use the pedestrian lanes and electric handicap wheelchairs are always

Bicyclists are required to obey all traffic controls and signals.

Bicyclists are not permitted to wear headphones at any time

Under age 16, they must wear a helmet.

Electric bicycles are prohibited.

Bicyclists and skaters should obey the posted speed limits. No racing, race training or pace lines. Skaters should use the bicycle lanes, and both skaters and cyclists should give an audible warning when passing.

Motorized vehicles (except electric handicap wheelchairs, maintenance, law enforcement and emergency vehicles) are prohibited. Horses are prohibited.

Pets must be kept on a 6-foot leash and under control.

Trail News:

Emergency Response System - Decals

The trail now has an emergency response system with decals! The emergency response system will help keep the trail system safer and enable emergency response vehicles to pinpoint the exact location of an incident. The bright yellow decals are adhered directly onto the trail surface approximately 200 feet apart and have unique location numbers. The decals also provide contact information to report maintenance problems. The decals begin at Demens Landing in downtown St. Petersburg with PT-0000, and continue to east of U.S. Highway 19 in Tarpon Springs, where the Trail currently ends at Melon Street and Keystone Road with PT-0699.



EXHIBIT C

2011 CURE FORM

(Submit a SEPARATE form for EACH reason relative to EACH Application Part, Section, Subsection, and Exhibit)

This Cure Form is being submitted with regard to pertains to:	Application No. 2011-216C and
Dowt III a	

Part III Section A Subsection 10.a Exhibit No. 25 (if applicable)

The attached information is submitted in response to the 2011 Universal Scoring Summary Report because:

Preliminary Scoring and/or NOPSE scoring resulted in the imposition of a failure to achieve maximum points, a failure to achieve threshold, and/or a failure to achieve maximum proximity points relative to the Part, Section, Subsection, and/or Exhibit stated above. Check applicable item(s) below:

	2011 Universal	Cre	ated by:
	Scoring Summary Report	Preliminary Scoring	NOPSE Scoring
Reason Score Not Maxed	Item NoS		
Reason Ability to Proceed Score Not Maxed	Item NoA		
Reason Failed Threshold	Item NoT		
Reason Proximity Points Not Maxed	Item No. 8P		
Additional Comment	Item NoC		

					
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2011 UNIVERSAL CYCLE - SURVEYOR CERTIFICATION FOR COMPETITIVE HC APPLICATIONS

Name of Development: Brickell Gate

(Part III.A.1. of the 2011 Universal Cycle Application)

Development Location *: See attached

(At a minimum, provide the address sassigned by the United States Postal Service, including the address number, street name and city, or if the address has not yet been assigned, provide (i) the street name, closest designated intersection and county if located within a city or (ii) the street name, closest designated intersection and county if located in the unincorporated area of the county.) * If the Development consists of Scattered Siles, the Development Location stated above must reflect the Scattered Sile where the Tie-Breaker Measurement Point is located.)

The undersigned Florida licensed surveyor confirms that the method used to determine the following latitude and longitude coordinates

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	If the Development consists of Scattered Yes or No (Must check one if	·	1	destinate A		1 _11		1
	THE DEVELOPMENT COnsists of Co			decimal place)	Degrees	Minutes	(truncated after 1	1
	Ver or D V	Sites is a name of				Mannes .	(managert Stiff, I	
	No (Must check one is	on a part of the	nc noundary of an	ch Cause and			decimal place)	1
	The state of the s	. Develonment con-	Total - CD	on occurred Site formed no	Jet.: - 1			ł

If the Development consists of Scattered Sites, is a part of the boundary of each Scattered Site located within 1/2 mile of the Scattered Site with the most units?

To be eligible for proximity tie-breaker points, Degrees and Minutes must be stated as whole numbers and Seconds must be truncated after 1 decimal place. The Corporation will utilize Street Atlas USA 2010, published by DeLorme, to determine the proximity of an eligible service to the proposed Development's Tie-Breaker Manuscrept Point

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

	AC INC PUBLICOS 3	Di longinus .				The Development S Tive
Public Bus Stop	-	- suppriorie (d	pordinates for one (1) Transit Service Latitude	on the chart below	a .	
	N	Mimites	Seconds (many)	W		girade
Public Bus Transfer Stop or Public Bus	N		axec (decimal place)	Degrees	Minutes	Seconds (truncated after 1 decimal place)
Rapid Transit Stop Public Rail Station	Degrees	Minutes	after 1 decimal place)	W		Secondo (a
	N 25 Degrees	Minutes	48.6 Seconds (truncated	w 80	Minutes	Seconds (truncated after 1 decimal place)
Tier 1 and Tier 2 Serv	ices - State the I	Vame Address	after 1 decimal place) and latitude and longitude coordinate	Degrees	11 Minutes	43.6 Seconds (truncated
Grocery Store:			and intuition and longitude coordinate	s of the closest ser	Pire(e) on the -t	after I decimal place)

Degrees Mis	mies after	1 decimal place	Timcated	W 80	11	12.	
Tier 1 and Tier 2 Services - Sente H. 21		necrinal blace		Degrees	1 30	43.6	Seconds (truncated
Tier 1 and Tier 2 Services - State the Name Tier 1 Services: Grocery Store: Name - Public Supermedical	. Address and lati	tude and tonnin	4		Minine	S शीस	i decimal place)
Grocery Store:			ne coominate	s of the close	st service(s) or	n the about to	,
Name - Publix Supermarket			attrode		1 3070	a me cuan beig	YW. "
Address - 134 SW 13 Street, Miami, FL	N 25	45				Lo	ogitude
	Degree			Seconds	w 80	1	
Public School:		S Minutes		icd after I		_ 11	Seconds
Name -			decima	l place)	Degree	s Minutes	(truncated after 1
Address -	N	ľ					decimal place)
	Degree	-	-	Seconds	w	1	The state of the s
Medical Facility:	- Deligion	Minutes		ed after I	**	.	- Seconds
Name - Medico III			decimal	place)	Degrees	Minutes	(inuncated after 1
Address 900 SW 2 Ave. Miami, FL	N 25	45	1				decimal place)
	Degrees		54.3	Seconds	W 80	1	place)
Senior Center:	- 1 -	Minutes	(truncate	vî s flar 1	W_50	11	51.6
Name - It Bravana A			decimal	place)	Degrees	Minutes	(truncated after 1
Address - 700 SW 8 Sucet, Miami, FL	N 25	45					decimal place)
THE STREET, Miami, FL	Degrees	- 1 - 7	57.3	Seconds	W 80	1	
Tier 2 Services:		Minutes	(truncato	dafter t		. 12	21.4 Seconds
Public Park:			decimal o	(lace)	Degrees	Minutes	(Inducated after 1
Name - Southside Park		Latit	ode				decimal place)
Address 100 gru	_ N 25		T			Longi	Inde
Address - 100 SW 11 Street, Miami, FL	- 1,25	45	48.1	Seconds	- 90	1	
Community Center:	Degrees	Minutes	(truncated	Scrones	W_80	Lu	46.0
Name Iose Marie			decimal pl	and I	Degrees	Minutes	(truncated after 1
Name - Jose Marti Community Center Gym	N 25	1 46	1	400)		1.	decimal place)
Address - 434 SW 3 Avenue, Miami, FL		46	10.0	C	- 90		de Chital Brace)
Pharmacy:	Degrees	Minutes	(truncated	Seconds	W 80	11	57.6
Name - Walgreens			decimal pla	anter 1	Degrees	Minutes	(truncated after 1
Address 200 guy	N 25	45				1	decimal when I
Address - 200 SW 13 Street, Miami, FL	- N 22	45	40.8	S	- 00		decimal place)
Public Lib.	Degrees	Minntes	(truncated :	Seconds	W 80	11	51.7
Name - Brighall ri		 	decimal place	mm 1	Degrees	Minutes	- Seconder I
Name - Brickell Eco Library & Resource Center Address 70 SW 12th Street Mignal Ed	N 25	1 45					(truncated after 1 decimal place)
The state of the s	Des	45	44.6	Seconds	- 00		
If the Company	Degrees	Minntes	(truncated at	occopes	W oo	11	39.9
Business and Door discovers that there are any fales	1 17 10		decimal nlac	, ,	W 80 Degrees	Minutes	Seconds Seconds
If the Corporation discovers that there are any false Business and Professional Regulation for investigat CERTIFICATION	statements made	in this certificat	ion the Corn				(truncated after 1 decimal place)

sporation 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 possibles of perjury, I declare that the foregoing statement is true and correct

	1013 IUN - Under nachtisch	copy to the state of Florida Department (
	or perjury, I declare that the	
	Onder possibles of perjury, I declare that the foregoing statement is true and correct.	
	The state of the s	
	- Hellier A. J.	
	Signature 1116 Color Col	
	Noncia C. Jackson Viana	
/	Sea Diversified, Inc. Print or Type Name and Title of Signature	1510
	Sea Diversified, Inc. Print or Type Name and Trike of Signatory	4549
	Name of Surveyor 310 North Swinton Avenue, Delray Beach, FL 33444	Florida License Number
	The of Surveyor Avenue, Defrey Basel, Tr.	
	VAIO16 (Rev. 211)	561-243-4920
1	IMINIS ON THE STATE OF THE STAT	
	67-48.004(1Va)-67 31 222222	Telephone Nime
-	This certification, consists of 2 name The certification, consists of 2 name The Consists o	Telephone Number (including area code)
	O. THE PARTY CHARLES OF J. PARTY TAY	(acor code)

This certification, consists of 2 pages. This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or This certification, consists of 2 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 tic-breaker points. The Application may still be eligible for automatic points. The certification may be photocopied. To be considered for scoring purposes, at least The Corporation will utilize Street Atlas USA 2010, published by DeLorme, using the method described below, to determine the proximity of an eligible service to the proposed Development's Tie-Breaker Measurement Point.

Service Grocery Store, Public Colonial Vision	Location where latitude and longitud	le coordinates must be obtained
Grocery Store, Public School, Medical Facility, Community Center, Senior Center, Public Library and Pharmacy	Coordinates must represent a point that direct public access to the building whe	is on the doors with the tall of
Public Park		is on the premises; however, the point may not be located in the finite ded for recreational activities. Additionally, if the area closed, the coordinates must represent the public ingress/egress
Public Bus Stop, Public Bus Rapid Transit Stop, Public Bus Transfer Stop and Public Rail Station	With the exception of SunRail Rail Statemay embark and disembark the bus or to coordinates listed below:	ions, coordinates must represent the location where passengers ain. SunRail Rail Stations coordinates must represent the
	Station Name Altamome Springs Station Church Street Station DeBary Station Florida Hospital Station Lake Mary Station Longwood Station LYNX Central Station Mariland Station Orlando Antirak/ORMC Station Sand Lake Road Station Sanford/SR46 Station Winter Park/Park Ave Station	Latitude/Longitude Coordinates N 28 39 50.1, W 81 21 23.4 N 28 32 20.3, W 81 22 50.6 N 28 51 20.3, W 81 19 24.1 N 28 34 21.8, W 81 19 24.1 N 28 34 21.8, W 81 20 17.4 N 28 45 31.8, W 81 19 04.3 N 28 42 04.1, W 81 20 43.4 N 28 32 52.2, W 81 22 51.0 N 28 38 03.7, W 81 21 44.7 N 28 31 39.5, W 81 22 55.6 N 28 27 11.3, W 81 20 1.0 N 28 48 49.8, W 81 17 56.9 N 28 35 51.5, W 81 21 6.0

If there is no exterior public entrance to the Tier 1 or Tier 2 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.

The Applicant may not use any other Tier 1 or Tier 2 Service for multiple point items unless they are separate functioning services that are housed at the same location. For instance, an Applicant may not use a Senior Center as both a Senior Center and a Community Center. However, Applicants may use the same latitude and longitude coordinates for the Grocery Store, Medical Facility and/or Pharmacy is thoused at the same location.

UA1016 (Rev. 2-11) 67-48.004(1)(a): 67-21.003(1)(a), F.A.C.

Page 2 of 2 pages Provide Behind a Tab Labeled "Exhibit 25"

¹ Tie-Breaker Measurement 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 one of the Scattered Sites which comprise the Development site that is located within 100 feet of a residential building existing or to be constructed as part of the proposed Development. In addition, the Tie-Breaker Measurement Point must be located on the site with the most units.

^a If the proposed Development meets the definition of Scattered Sites, a part of the boundary of each Scattered Site must be located within 1/2 mile of the Scattered Site with the most units. "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 casement is not a roadway or street. (See Rule 67-48.002, F.A.C.)

³ The latitude and longitude coordinates for all Proximity Services must represent a point as outlined 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 truncated after one decimal place. If the degrees and points for that service.

EXHIBIT D

BEFORE ME, the undersigned authority ("Affiant") personally appeared, who being by me first duly

1. I am over 18 years of age and duly competent and authorized to provide this Affidavit. I make this Affidavit on my own personal knowledge and not upon information or belief and the statements herein are true and correct.

- 2. I am currently the Executive Director of Dream in Green Inc., a Florida corporation not for
- 3. I was authorized by DIG's board to create The Brickell Eco Library and Resource Center, which is currently located at 70 SW 12th Street, Miami, Florida 33130, (the "Library").
- 4. The Library has been open at its current location since December 5, 2011, and since then has been owned and operated solely by DIG.
- 5. The Library is a special, single subject library meant to further the overall mission of DIG by proffering educational materials to the public at no cost.
- 6. The Library has letters establishing a cooperative arrangement with each of the following organizations or libraries: The Little Green Library in Broward County, Florida International University, Florida International University's Office of Sustainability, and Miami International
- 7. The Library is open to the public Monday through Friday between the hours of 10 am and 4
- 8. The Library is staffed by a full time employee of DIG, who is responsible for maintaining the Library's selection, organizing returns, registering borrowings, and contact holders of overdue borrowings.
- 9. Additionally I am expanding the library's cooperative network and am in discussions with the following organizations: United States Green Building Council (South Florida Chapter), FAU Department of Environmental Education and Miami-Dade County Office of Sustainability. 10. Further the Afflant sayeth naught.

(the remainder of this page left intentionally blank)

Affiant has executed this instrument on this $\underline{19}$ day of April 2012.

Affiant: Gabriole Van Bryce

Executive Director, Dream in Green Inc.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Print Name: DORKER

SUBSCRIBED AND SWORN TO before me this 19 day of April 2012 by Affiant who ____ is personally

known to me or ____ has produced a valid driver's license as identification.

Notary Public

Commission#:

Expires: SEAL

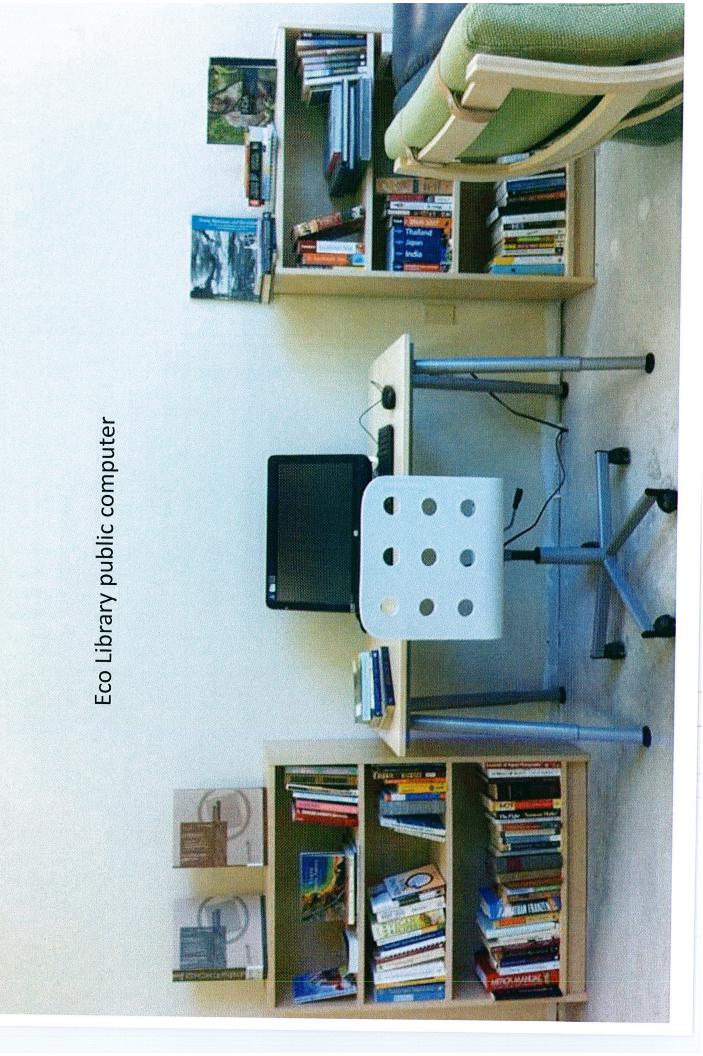
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Brickell eco Library & Record Course

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Single Subject Books



EXHIBIT E

Scoring Summary Report

File #: 2011-216C Development Name: Brickell Gate

As of: 03/27/2012

	Maximum Points/Eligibility	Preliminary	NOPSE	Final	Final Ranking
Met Threshold	N/X	z	z	>)
Total Points	79	79.00	79.00	79.00	
Ability to Proceed Tie-Breaker Points	9	6.00	6.00	6.00	
Proximity Tie-Breaker Points	37	34.25	34.25	34.75	
Eligible for 1/8th Mile Ranking Preference	N/A	z	z	z	
Eligible for Age of Development Tie-Breaker Ranking Preference	N/A	z	z	z	
Eligible for Concrete Construction Tie-Breaker Ranking Preference	N/X	\	>	>	
Eligible for Florida General Contractor Tie-Breaker Ranking Preference	N/X	\	>	>	
RA Level Classification (preference given to the lowest RA Level Classification)	1 - 6	9	ဖ	9	

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	Final Ranking	B																						
	Final		3.00		9.00	12.00	0.00	10.00	0.00	10.00	000		100 %	30.7	3.00	00.0	$\left.\right $	0.00	0.00	6.00	8.00	5.00	2.00	4.00
	NOPSE		3.00		9.00	12.00	0.00	10.00	0.00	10.00	0.00		4 00	200	3.00	2.00		0.00	0.00	6.00	8.00	5.00		4.00
	Preliminary	000	3.00		9.00	12.00	0.00	10.00	0.00	10.00	0.00		4.00	3 00	5.00		0000	0.00	00:00	6.00	8.00	5.00		4.00
Maximum Aveileti	Points	3.00		00 6	12.00	12.00	12.00	10.00	00.7	10.00	10.00		4.00	3.00	5.00		9.00	900	00:0	00.0	8.00	5.00		4.00
tem # Part Section Subsection Description	15 II. B. 1.c. Housing Co. 11.1	Construction	III. B. 3.a. Optional - NC	III. B. 3.b. Ontional All	III. B. 3.c. Optional St.		3	5 2 (2)	5 h	Green Building	Set-Aside Cor	1.D.(Z)	Total Set-Aside	Affordability Pe		Programs for N	III. F. 2. Programs for U	III. F. 3. Promote 1			11S IV A Local Government Contributions	Local Government Incentives	Incentives	

3/27/2012 10:23:32 AM

Threshold(s) Failed:

Item #		Section	Part Section Subsection	Description	Reason(s)	Created as Result of	Rescinded as Result of
-	≡	ن ن	2.	Site Control	The Ground Lease between Carlisle Development Group, LLC, as Tenant, and Miami-Dade County, as Landlord, does not contain a commencement date.	Preliminary	Final
2T	Ξ	C.	2.	Site Control	The Ground Lease is not executed on behalf of the Landlord.	Preliminary	Final
3T	≡	ပ	2.	Site Control	The Ground Lease is incomplete. Section 1.1(j) states that the environmental assessments are described in Exhibit D; however, no Exhibit D was included with the Lease.	Preliminary	Final
T-	=	ن ن	2.	Site Control	Section 8.4(b) of the Ground Lease states that the Lease and the parties' obligations are contingent upon the final approval of the Lease by the Miami-Dade Board of County Commissioners. No evidence was provided that such final approval has been secured.	Preliminary	Final
5T	i	O.	2.	Site Control	The Ground Lease does not reflect the Applicant as the Tenant, and no assignment or sublease was provided.	Preliminary	Final

Ability To Proceed Tie-Breaker Points:

Item #	Part	Section	Part Section Subsection Description	Description	Maximum Available Points	Preliminary	NOPSE	T D	Final Ranking
1A	<u></u>	Ċ.	.	Site Plan/Plat Approval	1.00	1.00			Silving
2A	III.	C.	3.a.	Availability of Electricity	1.00	1,00			
3A	≡	Ö.	3.b.	Availability of Water	1.00	1 00		Ĺ	
4A	=	ن	3.c.	Availability of Sewer	1 00	1 00		T,	
5A	=	ن ن	3.d.	Availability of Roads	1.00	1 00			
6A	<u>=</u>	ن	4.	Appropriately Zoned	1.00	1 00		(

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Proximity Tie-Breaker Points:

<u> </u>	Ranking	D								T												
II.		1										_	L									
	Final				0.00	7.00		4 00	20.5		4.00	4.00	 	12.00		00 0	4 75	5 6	20.7	0.00		10.00
	NOPSE		0	00.0	0.00	7.00		4 00	0	00:0	4.00	3.50	Z	11.50		2 00	7.00	5.50	30.	C7:1		10.00
	Preliminary		00 0	00:0	0.00	nn:/		4 00	00 0	00.0	4.00	3.50	z	11.50		2 00	1 50	100	200.	C7:1		10.00
Maximum Available	Points		2 00	o e	0.00	00.		4.00	4 00	00 7	20.4	4.00		12.00		2.00	0000	00 6	00.0	7.00		10.00
	Subsection Description	Transit Services	Public Bus Stop	Public Bus Transfer Stop or Public Bus Transit Stop	Public Rail Station	T-1 4 P-1.	Her I Services	Grocery Store	Public School	Senior Center	Modion Polity.	Medical Facility	Eligible for Tier 1 Service Score Boost (Yes/No)	Total Tier 1 Service Score	Tier 2 Services	Public Park	Community Center	Pharmacy	Public Library	FHEC Proximity I ist		Proximity to Developments on FHFC Development Proximity List
	- 1		10.a	10.a	10.a			10.a	10.a	10.a	10.3	-0.a				10.a	10.a	10.a	10.a			10.b
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 fem #	#		4	1P	17			2P	3P	3Р	4P					5P	6Р	7P	8P			d fi

Reason(s) for Failure to Achieve Selected Proximity Tie-Breaker Points:

_			
Item #	Item # Reason(s)	Created As Dogult	Doorging A. D. C.
		חופפען פע הפונות	Teschided As Result
n ∞	The Applicant provided a new Surveyor Certification for Competitive HC Applications form with Brickell Eco Library as a replacement for the Miami Dade County Main Library previously submitted. Based on evidence provided in several NOADs, the Brickell Eco Library does not meet the definition of Public Library as defined in Part III.A.10.a.(2)(c)(iv) of the 2011 Universal Application Instructions.	Final	

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Addition	al Applic	Additional Application Comments:	ents:			707	2011-2100 Brickell Gar
Item# P	art Sect	Item# Part Section Subsection	ction	Description	Commenter		
10	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \				(c)hilouino	Created as	Recinded
- 	(:	. Z.e.		Site with Existing	Because the Applicant did act	Result of	Result of
			<u> </u>	Declaration of Trust	PHA certifying that there is an existing Declaration of Trust between the PHA and HUD for the proposed	Preliminary	Final
700	·				Proximity Tie Broker Ties Application is not eligible for the		
=)	÷ ∀	10.b.		Proximity to	The Application gualified for 1.3		
			3 <u>T</u>	on ment	at Part III.A.10.b.(1) of the Application.	Preliminary	
			Pr	Proximity List			