

An aerial architectural rendering of a coastal park development. On the left, a tall, modern building with a stepped facade stands near a parking lot with several cars. The park features lush greenery, palm trees, and a large, curved, tiered seating area. A winding path leads through the park towards a body of water. In the water, there are small boats and a circular structure. The sky is a soft, hazy blue with a few birds flying. The title 'the Bay' is overlaid in a large, stylized font, with 'the' in light blue and 'Bay' in white.

the Bay

City Commission
March 20, 2023

The Bay Park Comprehensive Plan Map and Text Amendment

BPC Team

Bill Waddill, AICP

*Chief Implementation Officer
The Bay Park Conservancy*

Philip DiMaria, AICP, CNU-A

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Planners

Kimley-Horn and Associates

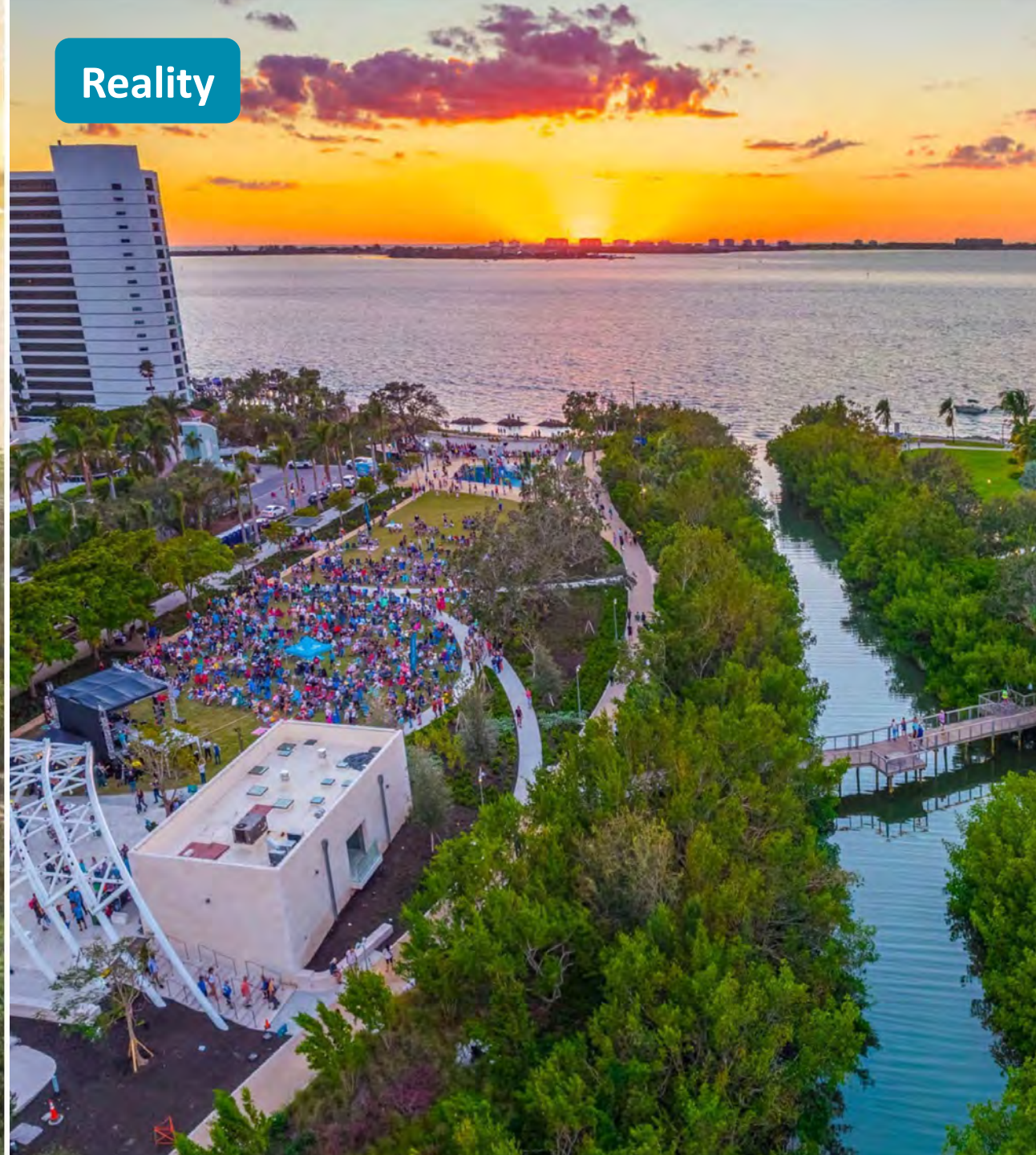
Bill Merrill, Esq.

*Land Use and Environmental Lawyer, Shareholder
Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A.*

Aspirations



Reality



THE BAY PARK TRANSFORMING A PARKING LOT INTO A PARK

SITE AERIAL, NOV 2022

APPROVED MASTER PLAN

Guiding Principles



Aspiration/Transformation

Imagine the possibilities of The Bay



Green and Blue Oasis

Celebrate natural beauty and restore environmental health



Connected and Accessible for All

A walkable, safe district linking communities and neighborhoods to The Bay



Enlivened Destination

A gathering place for family, friends, and fun



Cultural Vitality

A hub for free arts and culture



Economic Sustainability

A financially feasible, sustainable, long-term success

Route to Implementation



BAYFRONT 20:20

Bayfront 20:20 is formed. The goal was to create consensus among community and neighborhood leaders about what the future could be for the Bayfront.



SPBO IS FORMED AS A NON-PROFIT 501c3

The Sarasota Bayfront Planning Organization is formed as a non-profit 501c3.



MASTER PLAN APPROVED

On September 6, 2018, the Sarasota City Commission approved the Master Plan developed by the SBPO and Sasaki.



PHASE 1 SITE PLAN APPROVED

On March 8, 2021 the Sarasota City Commission approved the Phase 1 Site Plan.

2013

2014

2015

2016

2017

2018

2019

2020

2021

GUIDING PRINCIPLES ADOPTED

Through the outreach of Bayfront 20:20, community groups begin to sign on board for a unified common vision statement.



MASTER PLAN TEAM SELECTED

After an exhaustive global search, Sasaki is chosen to proceed with a master plan of The Bay.



PARTNERSHIP AGREEMENT APPROVED

The Sarasota City Commission unanimously voted to approve a new partnership.



TIF APPROVED

The City & County Commissions establish TIF for capital improvements in The Bay Park.



AMENDED PARTNERSHIP AGREEMENT APPROVED

In November 2021, Sarasota City Commission approved the amended Partnership Agreement to accelerate park development and save money



The Unanimously Approved Bay Park Master Plan

340+

Community/Public Meetings

15,300+

Meeting Attendees

462+

Free Programs/Events in 2022

61,500+

2022 Event Attendees including 50K for 10 DATB Grand Opening

16,900+

Followers on Social Media

966,500+

Reached on Social Media

200+

Informational Videos

1,750+

Founding Friends of The Bay

1,000,000+

Total Connections Through January 2023

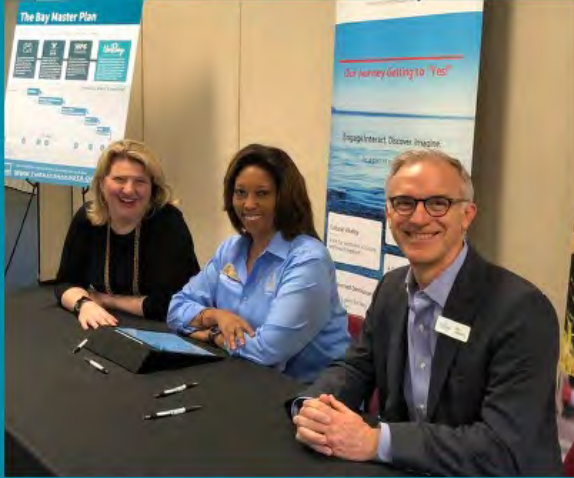
4 Community Surveys

7,600+

Survey Respondents

Extensive Community Engagement

February



April



May



June



Major Themes

An aerial photograph of a coastal park area. In the foreground, there's a green lawn with some people and a small structure. A winding path leads through lush green trees towards a body of water. In the background, modern buildings are visible under a bright, hazy sky. The overall scene is a blend of urban development and natural park space.

- 1. Embeds The Bay in the City Plan**
- 2. Brings northern 8.83 acres of park into Bay Park “Zone” (MR 5 Land Use Category)**
- 3. One set of rules for the twice unanimously approved Master Plan**
- 4. Simplifies implementation through new Bay Park Zone (excludes Phase 1)**
- 5. Follows through on the directive from the Community “More Park, Faster”**
- 6. Protects The Bay as a public park**

“We Want More Bay Sooner!”



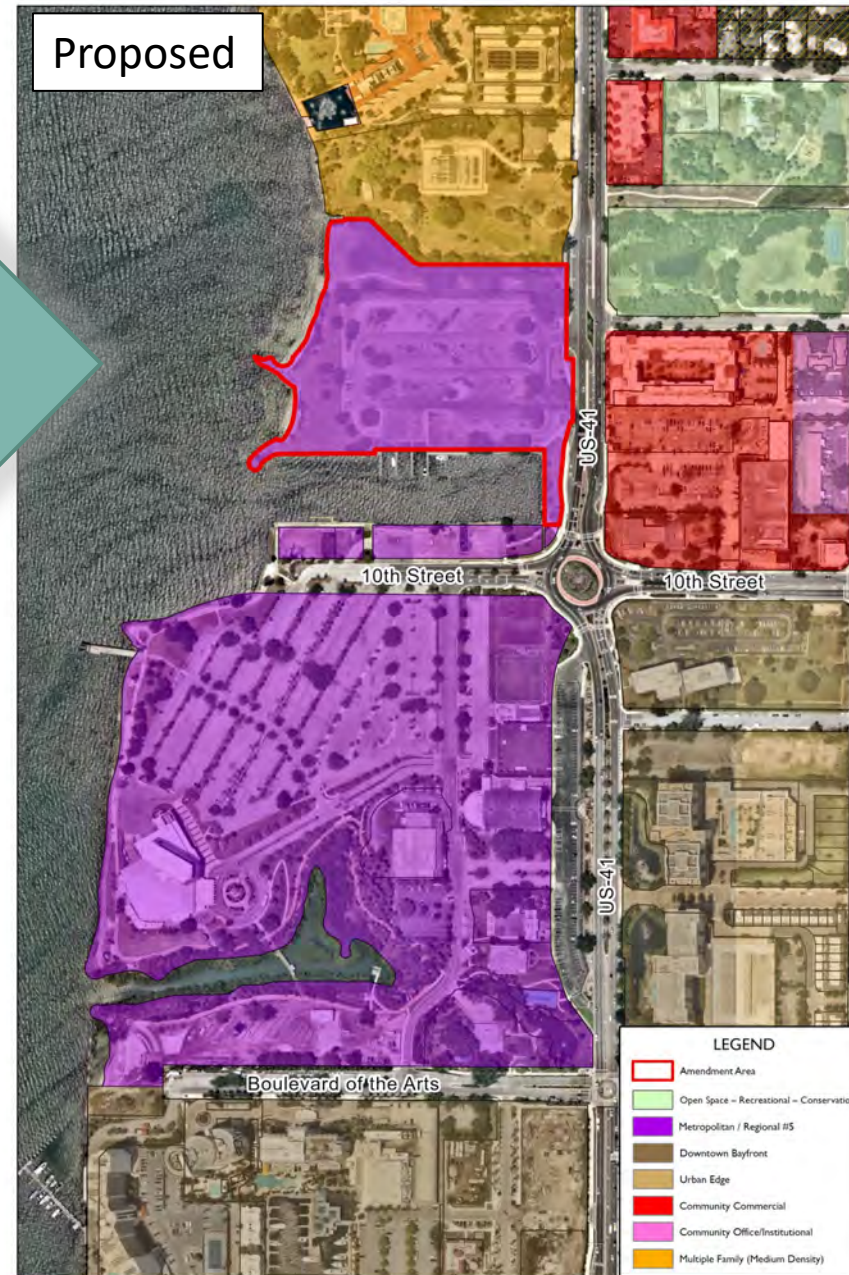
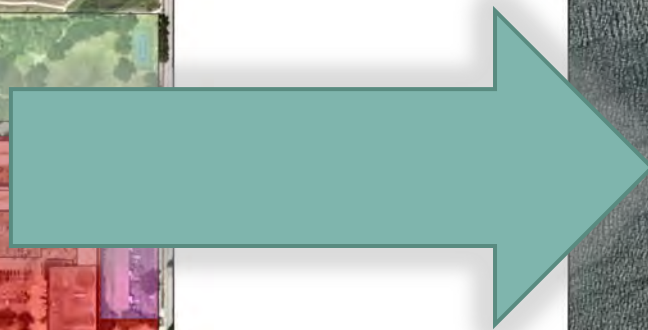
Map Amendment Overview

- Comprehensive Plan Map amendment is proposed for an 8.83-acre portion of the Park (Centennial Park).
- The current Future Land Use of the 8.83-acre property: Open Space-Recreation-Conservation
 - Not consistent with rest of the properties within The Bay Park nor does it accommodate the intended uses within the approved Bay Park Master Plan (Canal District).
 - Self-restricting the intensity allowed by Metropolitan / Regional #5 to match the intensity allowed by the existing Open Space-Recreation-Conservation Future Land Use classification.

Map Amendment Overview (cont.)

- The change in land use classification will allow The Bay Park to be under a uniform regulatory structure, which will provide consistency and predictability for neighbors, The Bay Park Conservancy, and other agencies.
- **Request:** Amend this portion of The Bay Park to Metropolitan / Regional #5 to be consistent with the rest of the park and the approved Bay Park Master Plan.

Comprehensive Plan Map Amendment



Text Amendment Overview

- To facilitate the development of The Bay Park, a historic investment in the future of Sarasota's cultural and civic space, a Future Land Use Chapter **text amendment is proposed to provide policy-level guidance for the creation of the Bay Park Zone (BPZ).**



The Future Land Use Chapter

Sarasota City Plan

and

Support Document

Future Land Use Text Amendment

- 2.13 added to Objective 2 - Land Development Regulations (LDRs) section of the Sarasota City Plan:
 - **2.13 - Bay Park Zone (BPZ):** *Within the Land Development Regulations, the City shall implement the Bay Park Zone district to provide for a park and cultural facilities with a flexible mixed-use district that permits uses including but not limited to parks and open space, government uses, restaurants, performing arts centers, museums and cultural facilities, galleries, retail, and mixed-use development with a maximum residential allowance for 10 live/work units within Metropolitan Regional Land Use Classification No. 5 (The Bay Park). An administrative review process shall be incorporated within the zoning code and utilized for the BPZ district to provide for long-term flexibility in the implementation of The Bay Park Master Plan as originally approved by the City Commission on September 6, 2018, as amended.*

Future Land Use Text Amendment

- General Characteristic #5 under the Metropolitan-Regional Land Use Classification to be amended:
 - “Existing and Planned Primary Uses embraced by this classification which are identified on the “Future Land Use Plan Map” as follows:
 1. Airport activities, Car Rental Agencies, Hotels/Motels, and Development consisting of Office, Entertainment, Education, Commercial Retail, and Service, and Church uses - (Sarasota-Bradenton Airport);
 2. Institution of higher learning, Museum, Entertainment; - (University of South Florida / Ringling Museum of Art / Asolo Theatre);
 3. Retirement Center - (Plymouth Harbor);
 4. Recreation, Entertainment, Residential, and Non-residential Uses - (Ed Smith Sports Complex);
 5. ~~Recreation, Entertainment, Museum, and Cultural Facilities – (Civic Center Complex);~~
Uses associated with The Bay Park, consistent with Action Strategy 2.13 - (The Bay Park);
 6. Fairground activities - (Sarasota County Fairgrounds); Sarasota City Plan – Future Land Use Plan Adopted – May 17, 2017 LU – 68
 7. Commercial tourist shopping center - (St. Armands Circle);
 8. Hospital activities, Professional/Medical Offices, Medical Laboratories - (Sarasota Memorial Hospital);
 9. Regional shopping center - (South Gate Shopping Center); and 10. Downtown Retirement Center - (The Pines of Sarasota) (amended by Ordinance No. 16-5152).”

Proffers

1. As part of the Zoning Code Text Amendment to implement this Comprehensive Plan Amendment, the Zoning Code Text Amendment will include the following language as a new Section IV-501(c)(6) regarding administrative site plans:

(6) In the Bay Park Zone district:

- a. *New commercial developments that independently result in less than 10,000 square feet of gross floor area.*
- b. *Additions to commercial developments that independently result in less than 5,000 square feet of gross floor area and the addition does not result in the building being larger than 10,000 square feet of gross floor area.*

2. As part of the Zoning Code Text Amendment to implement this Comprehensive Plan Amendment, the Zoning Code Text Amendment will include the following language as a new Section IV-201(b)(1)(i) to require a community workshop for administrative site plans for the BPZ district:

(i) Administrative site plans in the Bay Park Zone district.

Bay Park Zone District

- Excludes Phase 1 (as it is complete)
- Excludes Large Buildings from Administrative Review (e.g. SPAC)



Partnership Agreement with the City

SECOND AMENDMENT TO PARTNERSHIP AGREEMENT BETWEEN THE CITY OF SARASOTA AND THE BAY PARK CONSERVANCY, INC.

This is the Second Amendment to the Partnership Agreement entered into between the City of Sarasota, Florida and The Bay Park Conservancy, Inc. ("BPC") with an effective date of April 24, 2019 and is dated this 3rd day of January, 2021. These entities are referred to collectively herein as "the parties".

WHEREAS, City is a municipal corporation of the State of Florida; and,

WHEREAS, City is the owner of a parcel of real property approximately fifty three (53) acres in size which is bounded on the west by the waters of Sarasota Bay, on the east by N. Tamiami Trail (U.S. 41), on the south by Boulevard of the Arts and on the north by properties owned by Florida Power & Light Co. and International Barter Exchange, and includes the 15,441 SF parcel having a street address of 1000 Boulevard of the Arts added as a part of the Second Amendment to the Partnership Agreement on October 21, 2019; and,

WHEREAS, the catalyst for this initiative was Bayfront 20:20 formed in November, 2013, to facilitate a community dialogue that resulted in a statement of Vision and Guiding Principles (**Exhibit A**) for the transformation of the city-owned site into a public park; and,

WHEREAS, the Vision and Guiding Principles for the redevelopment of the site were endorsed by the City Commission on February 17, 2015; and,

WHEREAS, the City Commission agreed to the formation of a planning committee, the Sarasota Bayfront Planning Organization (the "SBPO"), in July 2016, to recommend a Master Plan for development of the site; and,

WHEREAS, the SBPO led a disciplined, open, and transparent process which resulted in the approved Master Plan adopted by the City Commission on September 9, 2018; and,

WHEREAS, on March 8, 2021 the City Commission approved a Site Plan for the first phase of the park which is currently being developed; and,

WHEREAS, the approved Master Plan and Phase 1 Site Plan are intended to guide the transformation and development of the site into an iconic city park to be known as The Bay Park with development to occur generally over the next ten years; and,

WHEREAS, the SBPO transitioned into The Bay Park Conservancy, Inc. (BPC) which has operated for nearly three years as the exclusive design, planning and development, co-funding, and operating partner of the City of Sarasota, and has established credibility and trust as a dependable partner committed to creating, building, and operating a public park that is financially feasible, operationally responsible, and environmentally sustainable; and,

WHEREAS, BPC has demonstrated its commitment to sustainability best practices and high environmental standards throughout current and planned implementation projects; and

WHEREAS, City and the BPC have a common goal to fully implement The Bay Park Master Plan as soon as is possible for the enjoyment of Sarasota's citizens; and,

WHEREAS, City and the BPC have a demonstrated track record of partnership under the existing terms of this Partnership Agreement ("PA"), and have learned what works well in the current PA to further this common goal, and what should be improved, changed or eliminated to enable The Bay Park to be completed sooner for a lot lower cost.

NOW THEREFORE, in consideration of the foregoing and of the mutual promises and covenants contained herein and other good and valuable considerations, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. Purpose of Agreement:

The primary purpose of this Partnership Agreement is to develop a signature public park on Sarasota Bay, to deliver on the promise of the approved Master Plan, and to complete implementation of The Bay Park in a cost-efficient, expeditious and high-quality manner. This agreement will enable a high-functioning, long-lasting partnership between City and the Bay Park Conservancy. This agreement will clearly define the roles of each party and propose a simple, streamlined process by which The Bay Park will be designed and planned, funded and built, operated and sustained.

2. BPC Organizational Structure:

BPC shall maintain its current status under the U.S. Internal Revenue Code as a 501(c)(3) not-for-profit organization while this Partnership Agreement is in effect. BPC shall have a Board of Directors consisting of not less than seven (7) and not more than fifteen (15) members. The Board of Directors shall include three (3) non-voting ex officio members; two ex officio directors shall be appointed by City, with one director appointed by majority vote of the City Commission and the other director appointed by the City Manager. The third ex officio director shall be a representative of Sarasota County Government and may be appointed as determined by the Board of County Commissioners.

3. General Relationship Between the Parties:

The parties agree to work together at all times in good faith to implement the approved Master Plan for The Bay Park, to communicate on a regular basis, to keep each other fully informed as to the activities of the other, to act as partners, and to maintain at all times formal representatives who shall serve as a point of contact for communications. The parties will operate and interact in the spirit of good faith and cooperation, with certain authority and responsibilities delegated to BPC as more fully specified herein, to avoid duplication of costs, redundancy and to promote the most efficient and sustainable use of resources for The Bay

Partnership Agreement with the City

Park. However, City shall remain the sole and exclusive owner of all real property comprising The Bay Park and shall become the owner of all improvements constructed within the park.

4. General Responsibilities of BPC:

- A. BPC will have the exclusive responsibility for the following to implement the approved Master Plan:
 1. The approved Master Plan fulfills the original Partnership Agreement requirement for an agreed conceptual park design and plan; and, thus, fully satisfies the requirement of and eliminates the need for a separate Implementation Plan.
 2. BPC shall prepare all applications for development approvals required to construct The Bay Park and shall file such applications with City. City (or its contractors) may separately initiate improvements that align with the Guiding Principles and the approved Master Plan. BPC (or its designee) will continue to apply for required permits for smaller site area improvements such as landscape and irrigation, lighting replacement, site furnishing replacement, etc.
 3. BPC shall determine the sequence in which areas of the approved Master Plan are implemented.
 4. BPC shall incorporate sustainable best design practices, including for example softening and improving the resiliency of the shoreline, meeting or exceeding current FEMA standards and applying effective renewable energy and stormwater treatment strategies for The Bay Park.
 5. As part of the original Partnership Agreement, BPC prepared a Financial Plan for The Bay Park which outlined proposed public and private funding sources for capital improvements and for operational expenses. City and BPC co-funding responsibilities are delineated in **Section 6** of this LTPA.
 6. BPC has established an endowment for the benefit of The Bay Park. The corpus of and all income from the endowment shall be used exclusively in furtherance of the approved Master Plan consistent with the mission and purpose of BPC. In the event of the termination of BPC, these funds shall be given to a non-profit foundation mutually agreeable to the parties to be used for The Bay Park. Alternatively, these funds shall be expended in accordance with private donor or City imposed restrictions, if applicable.
 7. BPC shall evaluate the future use and management of all existing City-owned and operated, or leased buildings within The Bay Park, excluding the Van Wezel Performing Arts Hall and the Beatrice Friedman Symphony Center for as long as the Sarasota Orchestra occupies the building.
 8. BPC shall continue proven community outreach which enables engagement and input. The Community and Neighborhood Working Group, which includes representatives from all adjacent neighborhood organizations, and other stakeholders in the community, will meet semi-annually. In addition, BPC will continue to meet with the community on subjects of mutual interest. Meetings of the Bay Park Conservancy Board of Directors will continue to be noticed and open to the public. BPC will continue to dialogue with the

volunteers to perform its obligations under this Agreement and to implement the approved Master Plan. BPC shall not hire City employees to function simultaneously as BPC employees. However, this prohibition shall not prevent BPC from hiring City employees for temporary assistance, such as off-duty police officers for assistance with special events. BPC shall be responsible for the training, management, supervision and salaries of all BPC employees. BPC shall maintain a Worker's Compensation policy that includes a waiver of subrogation in favor of City.

3. BPC will implement its Naming Rights Policy appended to this Agreement as **Exhibit D**.

5. General Responsibilities of City:

Prior to and during the time that The Bay Park is under construction, City shall undertake the following obligations to implement the approved Master Plan:

- A. City shall collaborate with BPC to process the approval and permitting, related to the implementation of the approved Master Plan in a cost-effective, expeditious, and efficient manner.
- B. City shall make City staff available to BPC after reasonable advance notice for pre-application conferences so that staff can become familiar with and discuss proposed applications for development approvals with BPC.
- C. City shall cause its staff to make every reasonable effort to respond to inquiries received from BPC regarding implementation of the approved Master Plan and regarding City codes, procedures and requirements in an expeditious, complete, and accurate manner.
- D. City shall consider all applications for development approval filed by BPC to be City-initiated applications not included in the City's Billable Fee System. Additionally, City shall not charge pre-application conference fees to BPC for meetings with City staff associated with BPC applications for development approvals in The Bay Park.
- E. City shall maintain its existing responsibility to provide all basic infrastructure to the site, including by way of example and not limitation, streets, sidewalks and infrastructure for water and sanitary sewer services. City shall undertake funding responsibility for construction and maintenance of new basic infrastructure in The Bay Park as may be required for the implementation of the approved Master Plan. BPC shall coordinate with the appropriate City departments regarding necessary infrastructure upgrades to accommodate the approved Master Plan.
 1. Potable Water, Reclaimed Water and Sanitary Sewer Capital Improvements and Costs: City shall be responsible for all offsite capital improvements and costs necessary for the Bay Park development. City also shall be responsible for the following onsite capital improvements and costs: 1) realignment of the existing, onsite 15-inch diameter sanitary sewer trunk main (within the existing parking lot and within the proposed footprint of the new Sarasota Performing Arts Center (SPAC) as shown on the Bay Park Master Plan – September 2018) to a new, City-approved, north/south alignment along Van Wezel Way and 2) upsizing and realignment of the existing 6-inch potable water main along Van Wezel Way (between the existing 12-inch PVC water main to the south and the existing water mains along 10th Street to the north) to a new, City approved north/south

THE BAY PARK PHASE 2

- Dockside/South Canal District - \$15M
- City Side Cultural District - \$20M
- Sunset Boardwalk / Pier - \$15M
- Western Shoreline ----- \$15M

Subtotal \$65M

MINUS - Gov't Grants ----- (\$12M)
 - Add'l Private ----- (\$5M)

Total TIF backed City bond \$48M

Total Cost of 6 month delay
 = 7% annual inflation x \$65M x
 0.5 years = **\$2,300,000**



Next Steps

- Phase 1 had its Grand Opening with the *10 Days at The Bay* event October 14 – 23, 2022.
 - Strong community enthusiasm to finish the park
 - *“If Phase 1 is a sample of what's to come, it is going to be an amazing place, something Sarasota will enjoy and be proud of for years!” – Park Visitor 1*
 - *“I was so impressed by the whole park and the thought that was put into it. It was beautifully done and looks to be a place that will be enjoyed by families for a long time. Looking forward to seeing what Phase 2 holds.” – Park Visitor 2*
- Zoning Text Amendment to create the Bay Park Zone within the City of Sarasota's Zoning Code (Summer '23).
- Concurrent rezone request to redesignate a portion of The Bay Park to the BPZ district to continue implementation of The Bay Park Master Plan (Summer '23).

THANK YOU

Questions?

