

City of Gainesville

*City Hall
200 East University Avenue
Gainesville, Florida 32601*



Meeting Minutes

Tuesday, December 4, 2007

5:30 PM

City Hall, Room 16

Community Development Committee

*Commissioner Scherwin Henry, Chair
Commissioner Jack Donovan, Member
Commissioner Craig Lowe, Member*

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

CALL TO ORDER

The meeting was called to order at 5:37 P.M.

ROLL CALL

Present: Craig Lowe, Jack Donovan and Scherwin Henry

ADOPTION OF THE AGENDA

Approved as recommended.

APPROVAL OF MINUTES

Approve w/correction - under recommendation correct the spelling from "temple" to "template".

070709. Minutes of October 30, 2007 (B)

RECOMMENDATION *The Community Development Committee approve the minutes of October 30, 2007.*

DISCUSSION OF PENDING REFERRALS

070399. Fleet Maintenance Facility Expansion at 405 NW 39th Avenue (B)

Dr. Harnsberger gave a Powerpoint presentation to the Committee. He stated that the Stephen Foster Neighborhood (SFN) would like to focus on a proposal to redevelop the Stephen Foster site which would justify locating the facility at a more appropriate site, one that is suitable for industrial use. He explained that the SFN wanted to include certain variables: 1) revenue generated by the sale of the Stephen Foster site; 2) revenue generated through redevelopment of the Stephen Foster site; and 3) what are the revenue impacts on adjacent properties of the different scenarios. Dr. Harnsberger stated that the land acquisition cost for alternate sites were overestimated in the staff analysis presented on October 30, 2007. The SFN believes that 24 acres (equivalent to the north portion) would be an appropriate size parcel, or a portion of the parcel for a future site. They didn't feel that clearing the entire site was necessary. He noted that the analysis focused on City or GRU owned parcels, and did not include any private land that might be purchased. He indicated that selling the Stephen Foster site will fund land acquisition. Dr. Harnsberger stated that he found it difficult to verify the traffic impact figures or look at alternative methods. He suggested that it was difficult to understand how staff and vehicle time could be estimated. He stated that any use of GRU land would involve the City paying GRU, and the SFN did not understand why that was necessary given that GRU is a

publicly-owned utility. How much money can the City expect to get if the site were redeveloped. The SFN looked at four categories of usage, commercial, apartment, single-family residential and condominium and compared them to properties developed in the last three years. The least intense use is 12 of the 34 acres for commercial purposes. The most intense usage would be to develop the entire parcel as condominiums. If the site were to be placed on the market, the most likely scenario would involve development of just the northern portion of the parcel. He stated that if the City were to sell the site the land should be worth \$5,780,000. By getting the parcel back on the tax rolls the City would immediately gain \$6,000,000.

Chair Henry asked if the SFN made a comparison on how much would be saved in expanding the fleet facility, because there is a savings there as well.

Dr. Harnsberger stated that his understanding was that the current garage would not be used as a garage, and the full capacity would be built on the eastern portion of the parcel. That capacity has to be built, whether it is built on the existing site, or built somewhere else. He stated there is no savings in terms of utilizing the existing 11,000 square feet because it is not being used as a garage.

Commissioner Lowe asked if the tree farm site is part of the airport land. He stated that the airport has control of those lands.

Fred Murry, Assistant City Manager sated that it was his understanding that the tree farm is airport land.

Dr. Harnsberger stated that they would omit the tree farm site from the analysis.

Dr. Harnsberger reviewed Table 1b (GRU Owned Parcels). He noted that the SFN did not understand why the City would have to buy land from its own utility.

Chair Henry stated that even though it is a publicly-owned utility, GRU is a separate entity.

Commissioner Lowe stated that if GRU gave land to General Government, it would damage their bond rating, and would decrease the one-time General Fund transfer.

Chair Henry asked if the SFN considered the possible contamination on the site that would have to be dealt with before it was sold. He pointed out that it would be a factor that would need to take place before selling the property, because it would be a factor in the cost.

Dr. Harnsberger stated that they had no way of estimating that cost. He agreed that possible contamination would be reflected in the value of the land. He stated that the existing site was appraised from Jean Chalmers of Coldwell-Parrish at 2.5 million, which is slightly higher than the Alachua County Property Appraisers evaluation of the property.

Commissioner Lowe asked if that was an actual appraisal by a Property Appraiser, or a market analysis.

Dr. Harnsberger stated that is was a market analysis.

Dr. Harnsberger reviewed possible scenarios and noted that the most likely was redevelopment of 10 acres of property closest to 39th Avenue as Commercial, and 14 acres as Apartment or Multi-Family Residential. He indicated that it was expected that the increase and the property values that will naturally occur with redevelopment to generate close to \$600,000 a year in revenue. He stated that, for the upcoming City Commission presentation, the SFN will focus on a revised version of Table 2. He stated that immediately to the east of the site is the "Varsity Villas" site which was once a mobile home park. It is currently sited for redevelopment. He stated that the redevelopment taking place on the adjacent property demonstrates that area of town could support new projects.

Commissioner Lowe asked if the remaining 10 acres of activity is located under one of the scenarios, and the account for new construction to accommodate those activities. He asked about the Traffic Management System which was to be located at the current site, and if the numbers account for any loss of grants or revenues.

Dr. Harnsberger stated that they did not account for the new construction of activities, and did not account for any loss or revenues for the Traffic Management System.

Commissioner Donovan noted that there were questions from the last meeting that had not been answered. He pointed out that the sites suggested by the SFN are examples, but there were other sites available. He asked about the Airport Industrial site.

Erik Bredfeldt, Planning and Development Director, explained that the City Commission had taken a policy direction toward Wind Hazard Research Facility, and asked staff to retain that parcel. He noted that the Commission has an existing contract on Lot 6 for the proposed location Owens and Minor, which is a medical supply/distribution center. Other property is available, however, the Commission wished to wait until they heard back from the University of Florida.

Commissioner Donovan stated that staff researched locations and did not come up with anything they felt worked, and part of the role of the SFN would be to identify sites that are viable for the project.

Dr. Harnsberger stated that the SFN tried to focus on City-owned parcels, so there is no land acquisition costs involved. He noted that there would be money available for land acquisition if the current site were sold. He agreed that placing the expanded garage on the proposed location made fiscal sense, but that assumes that protecting a neighborhood is worth zero, and obviously that is not the case. He indicated that the SFN believed redevelopment would provide a path for financing, relocation and generating revenues for the City in the long run.

Robert Pearce, SFN resident stated that he didn't attend the last meeting and he wished to make some comments. He asked if there is an urgency to redevelop at this time (consolidation of GRU and City vehicle maintenance). He suggested that property might not be readily available or optimal at this point in time, and other

property might become available later on. He noted that when the existing Fleet Maintenance Facility was built in 1965, it was on the outskirts of the City. He stated that entrenchment of industrial type uses at the existing location would not be consistent with revitalization and the financial reinvestment of the SFN, and would also have an impact on the neighborhood to the east. He suggested that the City look at the long term use of the existing property. He stated that the City made use of the property in various ways, some of which do not adversely affect the neighborhood, and some that do. He indicated that the industrial uses were the bad ones. He stated that the noise study shows that the City is in daily violation of its own noise ordinance and asked why the City had not shut those operations down.

Mr. Murry stated that the noise study indicated that there were times of periods when the City might be in violation of the noise ordinance, but it was not constant. He stated that staff could comply with the noise ordinance, but some of those actions would make it out of compliance with other regulations. One of the issues is that compliance has to do with the back-up warning device on equipment. If they remove the warning device it would be an OSHA violation.

Mr. Pearce stated the violations included diesel engines, front-end loaders and dump trucks. He pointed out that, according to the noise study, in order to be in compliance, the City would have to build a 30-foot masonry wall. He stated that if the City holds the public to certain standards, the City should follow them, too. He suggested that it didn't seem to be very financially practical to build a sound barrier for the types of noises that are produced at the location.

Dr. Parsons, SFN resident stated that it is pointless to construct a wall because it would have to wrap around the whole site - 150 feet from the neighborhood.

Mr. Pearce stated that industrial uses should not be placed next to single-family neighborhoods because they are incompatible.

Ms. Muir, SFN resident stated that the City needed to build the wall out of concrete block instead of wood.

Commissioner Donovan stated that there were questions that needed to be addressed by staff: 1) if public use and zoning was sufficient and currently adequate; 2) the eastern portion of the property; 3) noise from the materials site; 4) testing of sirens; 5) expansion of the operations (is it going to remain in the exact footprint, or would it expand in the future; and 6) responsibility for pollution from Koppers and how that issue would be resolved.

Chair Henry stated that City Legal staff had informed the Committee that the City was in compliance with the zoning on the site.

Commissioner Donovan indicated that he believed that the SFN would present a neighborhood statement on the issue at the meeting.

Commissioner Lowe stated that it was also his understanding that there would be a presentation from the SFN, but the presentation might not necessarily be from one group. He suggested that it could be from individuals that wished to speak on the

matter.

Ms. Susan Fairforest, LCSW, stated that the neighborhood had been meeting as a group once a week, and also exchanging emails and phone calls. She indicated that she hopes the Committee will consider Dr. Harnsberger's presentation. She explained that the SFN was concerned about doing a presentation. She indicated that SFN advisors informed them that when the SFN suggested alternate sites someone from the City would say that those sites were not viable and the SFN should not suggest sites because they don't have the technical expertise to determine a suitable location. She requested that the Committee ask staff to research the viability of sites currently owned by the City and GRU, and private land owners.

Ms. Barbara Ruth, SFN resident mentioned that if the University has a lock on future sites it would be more land from which the City would not receive revenue. She asked what would happen to the money if GRU sold its current garage facility.

Chair Henry stated that the University would not outright own the land at the Airport.

Mr. Bredfeldt stated that the University's plans would involve some type of lease arrangement.

Mr. Jerry Williamson, SFN resident stated that he lives a mile west of the property and he is concerned not so much about the noise issues, but with the general pollution that is coming from the site. He cited a report from Planning staff about the ongoing activities on the southern 10 acres that are in violation of the St. John's River Water Management District guidelines. He indicated that he hoped the Commission would take this as an opportunity to mitigate what he considers to be serious blight and a potential threat to the health and well being of all the citizens that live in the SFN adjacent to the property.

Dave Mays, of Dave Mays Automotive stated that the ill-designed northeast industrial park (40 feet away from the nearest neighbors), has been in existence since the late 1950's, and coexisted with the neighbors in the area. He stated that the existing site is not stable and will not be viable with its present use in the future. He stated that the land north towards the airport is ideal for noise making businesses.

Ms. Muir stated that noise is not a small issue. She also indicated that she didn't know that the SFN group existed. She asked the Committee to put themselves in their shoes and think about the issue "would you like to see this in your own backyard".

Commissioner Donovan stated that the noise consultant indicated that the proposed 30-foot berm on the south quarter of the property would need a wood or masonry support.

Commissioner Lowe pointed out that the wall wouldn't need to be 30 feet all the way around, only the southern portion. He explained that it could continue at a lower level all the way up to 39th Avenue.

Ms. Selma Faucher, SFN resident stated that she has lived in the neighborhood since 1973. She indicated that it didn't make sense to spend that much money on a wall.

She suggested that there could be some type of compromise. Her compromises are: put up the wall but don't let the facility expand; don't allow increases in sound levels, make it a less polluting environment, and remove the piles of dirt so the air is not contaminated by Koppers. She suggested that the City should wait for a couple of years and look for a better site. She asked why the City was centralizing all of the activity in one place.

Chair Henry indicated that the parameters of centralization included cost and efficiency.

Commissioner Donovan stated that the timeframe for the project relates to GRU's relocation, which is taking place. He explained that the planning, construction and relocation needed to move faster than two years.

Commissioner Lowe stated that the redevelopment of the current GRU site would occur in the next 18-24 months. He pointed out that the current GRU center is in terrible condition near collapse.

Mr. Mark Hurm, LLC asked if a structural engineer had been involved in the determination of the condition of the GRU facility.

Commissioner Lowe stated that he was told by GRU staff that the facility would need to be replaced.

Mr. Murry stated that whatever action the City takes, it had to go into the budgetary process at least sometime next September. He explained that if the City goes with the 39th Avenue site, it will take 12-18 months to put out an RFP. However, if the City finds a new location it could take a year just to go through the redesign, and redevelopment phase which could take about two years. He stated that at the same time, the 5th Avenue garage would have to be replaced. He stated that the Committee was to hear the SFN presentation tonight, develop a template for staff to respond to the previous meeting's questions, and report back to the Committee in January.

Robert (didn't provide last name), a citizen stated that he didn't understand why Commissioner Donovan stated there was no presentation given by the SFN. He pointed out that Dr. Harnsberger gave a half-hour presentation.

Commissioner Donovan stated that what he asked for was an over-arching neighborhood presentation, to be sure he understood the process. He asked whether it constituted one presentation or if there would be more input.

Chair Henry stated that the citizen misunderstood the Committee's intentions. He noted that the Committee had heard Dr. Harnsberger's presentation and other SFN's views through several meetings. He stated that the Committee was entrusted by the citizens of Gainesville to determine a course of action that would serve not only the SFN, but the citizenry at large. He pointed out that, when the City had to make a decision, there would always be some segment of the population that would be affected by that decision. He indicated that the Committee wanted enough information to share with Commissioners in order to make the best decision for all parties involved.

Commissioner Lowe suggested that there could be a compromise where the site of the operations would have less impact on the neighborhoods than it does at the present time. He agreed that the neighbors comments were valuable to the discussion.

Ms. Faucher stated that she would like the facility to move west, but if that is not possible in the two-year timeframe, then the City and the SFN should compromise. She stated that she is worried about the pollution factor in the neighborhood.

Ms. Deidre Bryan, SFN resident asked the Committee what they thought of Mr. Harnsberger's presentation. She stated that two meetings ago, the Committee charged staff with realistically exploring, in more detail, some of the alternate sites.

Commissioner Donovan stated that staff did bring a list of alternate sites to the last meeting, and that he was not in a position to accept a compromise. He noted that the point was made that, "isn't there other opportunities and has the City explored them". He indicated that the SFN analysis helps the Committee see the framework a little differently. He indicated that he was open to a compromise, but even more than that, he would like to seek another viable location, but didn't want to raise any false hope.

Ms. Bryan stated that she has been collecting noise complaints and had received close to 50. She indicated one of the things that affected her most is that she keeps hearing people say "sure I'll sign it, but the City Commission doesn't care about the old neighborhoods".

Mr. Pearce stated that he wished to speak to the issue of the City Attorney. He indicated that the City Attorney had given an opinion that a motor vehicle repair facility is a permitted use on the property. He noted that it was important to remember that the City Attorney's office is the attorney for the petitioner, the City itself, and that they are paid to say whatever will benefit their client.

Chair Henry stated that he disagreed with Mr. Pearce. He indicated that the City paid City Attorney's staff to be professional and truthful. He pointed out that their job was to interpret the law, and the City has very good staff of high integrity.

Mr. Pearce stated that he believes his comments were somewhat justified because the Code stated that on PS zoned parcels, each use should be specified in the language that places the classification on the parcel. He indicated that a motor vehicle repair facility was not a specified use included in the ordinance. He pointed out that the City's justification, as approved by the City Attorney's office, is that on the zoning map, it is written in the upper right hand corner "municipal service center." He stated that it is the responsibility of the City to initiate a petition to add motor vehicle repair facility as a permitted use on the parcel.

Commissioner Donovan stated that Mr. Pearce's question should be answered to determine if it is presenting something that the City Attorney's office has not considered. He suggested that they could examine the original ordinance to which he referred.

Mr. Hurm indicated that he wished to address the Committee about building construction. He noted that, as a contractor, he had been hearing arguments about cost of construction and noise ordinances. He indicated that he had not heard anything about the current location of the 5th Avenue garage being unacceptable in its current location. He asked if anyone considered deconstructing the 5th Avenue garage, and constructing a new properly built facility.

Chair Henry stated that he is not aware that the matter had been discussed. He noted that GRU decided they need to move because they have outgrown their space, and the current facility did not serve their needs.

Commissioner Lowe stated that there are plans for the 5th Avenue area to house a technology transfer start-up business associated with the University of Florida. He explained that the particular property is not ready yet, the University is taking businesses that could be placed where the GRU operations center is now and placing them on campus instead. If the City does not relocate the GRU operations center, the City will be losing opportunities of that nature, and also it has been cited as a means to provide redevelopment and revitalization of the inner eastside area which has been neglected.

Dr. Harnsberger stated that the benefits for redevelopment are obvious (new jobs, greater revenue, new opportunities). The same is true for the project, it has a value.

Ms. Muir asked the Committee to protect the children at the Stephen Foster School.

Mr. Murry will meet with Ms. Ruth and Dr. Parsons to hash out what is going to be on the matrix. The SFN and the City are to identify key sites, and answer the questions from the previous meeting, and any additional questions that the Committee has and report back in January.

Dr. Parsons asked about the environmental audits that should have been prepared by State law. City staff should be directed to provide those documents.

Mr. Murry stated that staff has engaged the noise consultant to do the study on the eastern side of the property.

Ms. Fairforest stated that the City needs to consider the noise that would come from the 30,000 foot expansion facility, not the current facility.

Mr. Murry stated that he is not sure the City can do an environmental audit until staff has some type of authorization to develop the land, but he will provide an answer to the Committee.

Ms. Fairforest would like some assurance that the SFN has the opportunity to speak at the City Commission meeting on February 18th.

Mr. Murry stated that the meeting scheduled for February 18th is a special meeting which will only be discussing the 39th Avenue garage item.

RECOMMENDATION *Commissioner Donovan stated that the proposed matrix is to answer the following questions: 1) alternative sties and*

prioritization (possible costs and benefits of those sites); 2) the SFN still feels the zoning issue is not resolved (look at what the City and neighborhood's view are; 3) answer the question of the eastern boundary of the property, and what impact any noises would be on the SFN, and also how the noises on the eastern boundary might force the relocation of the current proposed site in a way that could damage the plan (see the whole plan that takes into account the western, eastern and southern boundary for the site; 4) noise generated by work at the materials site; 5) the problem of sirens, especially the testing that has to take place outside of an enclosure; 6) what happens if this site becomes subject to expansion (the number of vehicles going in for repairs) and any facilities that would have to be built to accommodate increased traffic. What control does the neighborhood have, is it expandable, does it need to be expanded. Consider what are the probabilities if the site is to be expanded and what would be the impact on the neighborhood (ten years down the road does the City need to have an expansion capacity); 7) impact statements or environmental audit; 8) statement about the impact of Koppers on the site, the neighborhood, and what the City can do with relation to the proposed site; and 9) the issue of other sites is not yet resolved and the City should reexamine in light of the methodology to see if it is different, considering the resale value of the current compound, and to use that money for other purposes (have the methodology right for assessing which site would be best for the City).

Commissioner Lowe asked that any comparison of sites would need to include the relocation and construction of all the Public Works Compound operations (everything that would have to be done and housed somewhere else). He stated that since the City now has funding for the Traffic Management System, we will need to get the full impact of what relocation would mean for that in terms of still having access to the full funds, and also what would it mean in terms of timing of implementing the Traffic Management System. He stated that if any new plans come forward for the site, what can the City do to increase protection for the creek (i.e. increased buffers around the creek) from activity on the site (natural vegetation) and see if there are restoration efforts that need to be done as well.

Approved as Recommended

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NEXT MEETING DATE*January 17, 2008 - 5:30 P.M.*

ADJOURNMENT

The meeting adjourned at 8:00 P.M.

These minutes are not a verbatim account of this meeting. Tape recordings from which the minutes were prepared are available from the City's Manager's office.