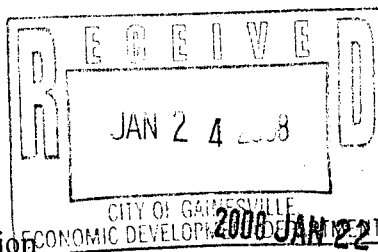


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cc of Mgr  
Clerk

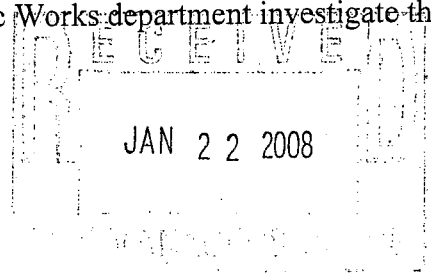
January 20<sup>th</sup>, 2008

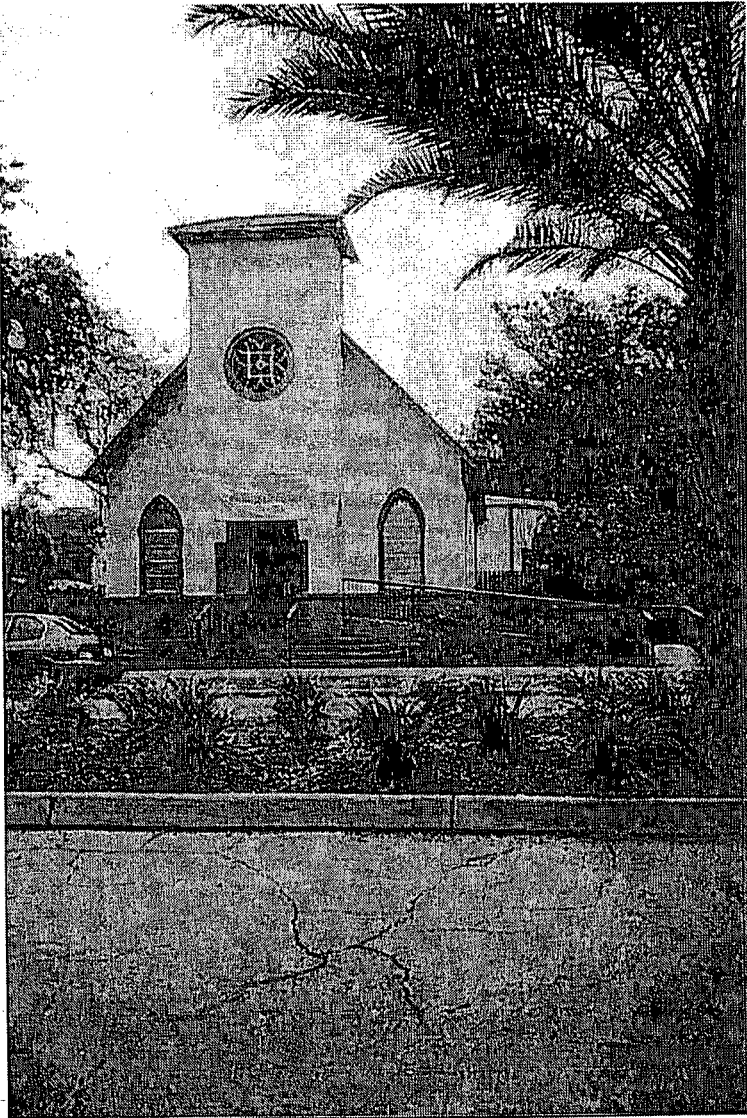
TO: The City of Gainesville, City Commission  
FROM: Austin Gregg, NE Historic District resident  
RE: Petition 112PDV-07PB and related 115LUC-07PB (café located in office/residential zone)

AM 11: 52

This rezoning is a BAD idea, is anti-neighborhood, will have a negative impact on the value of nearby homes, will cause traffic and parking in the area to be even worse than it already is, and set a bad precedence for every neighborhood in the city with a similar buffer zone.

- If approved these zoning changes will set a precedent that will open the door to the commercial development of NE 1<sup>st</sup> Street (between University Avenue and NE 8<sup>th</sup> Avenue). If Fat Tuscan is permitted the city will have no legal recourse to refuse other such enterprises along this street. What kind of Pandora's Box are you opening?
- In the words of a senior city planning staff member, this zoning modification "will change things." Meaning, of course, that once one such commercial enterprise is permitted on NE 1<sup>st</sup> Street others will follow. The precedence will have been established, be irreversible, contentious, and no doubt spawn litigation.
- Future commercial enterprises on NE 1<sup>st</sup> Street might not be as seemingly quaint and supposedly "neighborhood-oriented" as Fat Tuscan. Who is to say a beer-drinking establishment catering to college students couldn't open up on the street? How about a seafood restaurant? (See photos on following pages.)
- Fat Tuscan will inevitably contribute to the parking woes residents already face on NE 2<sup>nd</sup> and NE 3<sup>rd</sup> Streets (between NE 7<sup>th</sup> Ave. and NE 8<sup>th</sup> Ave). Parking on these two streets is virtually a free-for-all, with illegally parked cars being the norm rather than the exception. (See photos.)
- Available parking on NE 2<sup>nd</sup> Street between NE 7<sup>th</sup> Avenue and NE 8<sup>th</sup> Avenue already is insufficient, and furthermore has just been significantly reduced by the city. I count 10 spaces now left – and they are usually all taken. This means the overflow from residents AND Fat Tuscan customers will bleed over to NE 3<sup>rd</sup> St.
- Why doesn't the city mandate a traffic and parking study for these petitions?
- Traffic on NE 8<sup>th</sup> Avenue is going to get much worse as the result of the new super-duper Wal-Mart on Waldo Road. People trying to enter the parking lot of Jay Reeves & Associates (to visit Fat Tuscan) will cause hazardous traffic situations in an already tricky area to navigate. You should have the Public Works department investigate this.





**Future nightclub? This property has hosted several different venues over the past few years. If Fat Tuscan is approved would the city legally be able to say no?**



Typical daily scene on NE 2nd Street. Note the car in the foreground is illegally parked - a situation that makes the turn off of NE 8th Ave. hazardous. Note the number of cars on the street - and yet the city recently removed at least 3 spaces. No parking is allowed on the west side of the street. If 50% of Fat Tuscan's tables are filled by customers who drive there will be 15 more cars looking to park on NE 2<sup>nd</sup> Street.



NE 3rd Street. Traffic laws in the City of Gainesville? Who cares. Both vehicles are parked facing traffic leaving only a narrow gap to navigate - usually at hazardous speed. Imagine the impact if just 25% of the cars from Fat Tuscan contributed to this situation.

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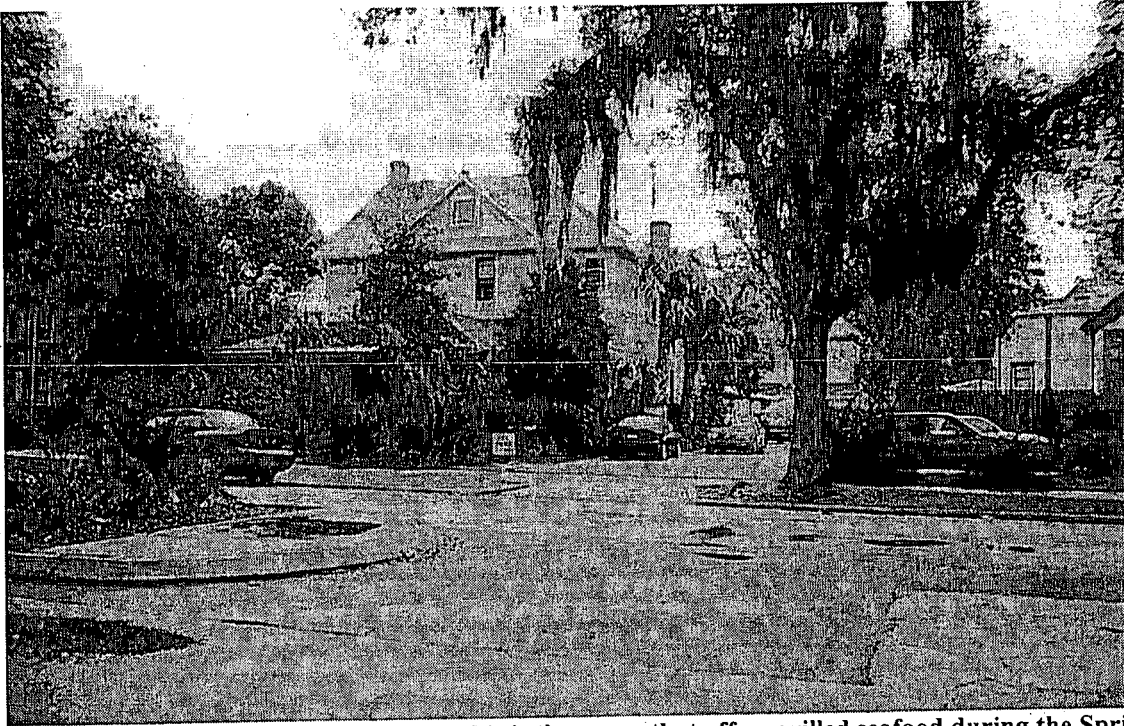
**SFCC's Spring Arts House: Future arts and crafts retail outlet? With commercial ventures like Fat Tuscan allowed on NE 1<sup>st</sup> street how could the city deny the request? And if they did, how long do you suppose it would take before a law suit was filed?**



**Typical parking scene on NE 3rd St. Cars can park on each side of the street, and often do so illegally. Four of the cars in this picture are parked facing traffic... Fat Tuscan will only contribute to this mess.**



- Why did the Plan board go against the recommendations of city staff to limit this commercial operation?
  - They approved a doubling of the seating capacity
  - They extended the operating hours
  - They removed provisions to protect the neighborhood from noise generated by Fat Tuscan
    - Have any of you tried to resolve noise issues through GPD or codes enforcement lately? It is an agonizing process that usually does not work.
  
- If, According to Jay Reeves, “making money is not a primary consideration” of Fat Tuscan what then is the real purpose of this operation? To enhance the value of the property by way of this rezoning?
  
- If these two petitions are approved, the City of Gainesville should include language that revokes the commercial zoning for this property should Fat Tuscan fail or the property be sold. (By way of approving this rezoning, is the city not arbitrarily increasing the value of this property? Is this fair to the other property owners on the street? Is this not quite an incentive for all of them to seek such rezoning?) Having a clause to remove the exception might deter further commercial development of NE 1<sup>st</sup> Street.



**Future seafood restaurant? Remember this is the venue that offers grilled seafood during the Spring Arts Festival. Who is to say the owner wouldn't want to expand? If Fat Tuscan is approved, what will stop them?**