

January 11, 2008

To: Fred Murry
Assistant City Manager
City of Gainesville

Re: Motor Vehicle Repair Facility at the City Public Works Compound

Mr. Assistant City Manager:

All of the evidence gathered to date suggests that during the citywide rezoning process in 1982, the City neglected to follow through with all of the Code requirements associated with the rezoning of the Public Works Compound parcel to PS—specifically regarding the specific uses to be permitted on the subject parcel and the particular location of those uses on the parcel. The PS zoning district regulations were established for the purpose of providing for the wide variety of public services and uses needed by both the city and its residents, while ensuring that the specific uses permitted on PS parcels are compatible with the surrounding properties and uses.

My opinion is that many of the contentious issues associated with the subject parcel at present could have been avoided if the requirements in the Code had simply been followed at the time of rezoning. It is also my opinion that following through with those requirements at present, even though belatedly, is the proper course of action for the city to follow, and will produce the most appropriate resolution.

Towards that end, I ask the Community Development Committee to consider the following three recommendations. At the Special City Commission meeting in February, I will be prepared with a complete PowerPoint presentation detailing the specifics associated with this issue.

Recommendations #1 & #2 address the specific deficiencies associated with the rezoning of this parcel to PS in 1982--and would remedy the cloud of uncertainty regarding the specific uses permitted on the subject parcel and where those specific uses are to be located on the parcel. Recommendation #3 addresses a current, documented adverse impact on the parcel.

Recommendation #1

In order to satisfactorily address the cloud of uncertainty surrounding *both the current and the future permitted uses* allowed on the Public Works Compound property:

It is recommended that prior to submitting another site plan petition to the DRB regarding any future development on this parcel, the city should initiate a zoning ordinance clearly specifying the specific uses permitted on the subject property, per PS zoning district requirements. Zoning ordinances are heard by the full City Commission.

Sec. 30-75. Public services and operations district (PS).

- (c) Uses permitted by right. **The specific use(s) permitted on the subject property shall be specified as a part of the ordinance which places this classification on a particular area of ground**

Many residents of the Stephen Foster Neighborhood strongly feel that a motor vehicle repair facility is not an appropriate use on the City's Public Works Compound parcel. That issue would be an integral element of the discussion regarding the specific uses permitted on the parcel--a discussion the city neglected to have during the hearing process at the time this parcel was rezoned to PS in 1982.

Recommendation #2

In order to satisfactorily address the majority of the concerns regarding the potential adverse impacts associated with the specific uses included in the zoning ordinance:

It is recommended that the aforementioned zoning ordinance include a preliminary development plan indicating the general area on the parcel where the various permitted uses are to be located, per PS zoning district requirements.

Sect. 30-75. Public services and operations district (PS).

(f) Additional Requirements

(7) Preliminary development plan . . .

(a) Intent. A preliminary development plan is intended to help further the purpose of this district by providing the plan board and the city commission with . . . site specific conditions which will assist the city plan board and the city commission in their decision making process relating to the accommodation of the proposed use(s) . . . to minimize any potential negative impacts on surrounding properties.

Recommendation #3

In order to satisfactorily address the adverse impacts associated with the current stockpiling and distribution of road-building materials on the southern portion of the Public Works Compound parcel (which is in chronic violation of the city's noise ordinance—as demonstrated by the city's own noise study--and which cannot be practically mitigated):

It is recommended that the city's stockpiling and distribution of road-building materials be expeditiously removed from the parcel and that such uses not be included as permitted uses in the aforementioned zoning ordinance.

It is intended that these three recommendations, in combination, will serve to remedy the majority of the neighborhoods concerns regarding the uses and future development on this parcel, will minimize the adverse impacts to surrounding properties and Springstead Creek—and will accommodate the city's needs in an appropriate manner.

Thank you for your consideration.

Sincerely,



Robert Pearce
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Gainesville, FL 32609