

City of Gainesville

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



Meeting Minutes

Tuesday, October 30, 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 5:34 PM.

ROLL CALL

Present: Craig Lowe, Jack Donovan and Scherwin Henry

ADOPTION OF THE AGENDA

Approved with additional backup (Cost Estimates for the Public Works Facility; and Comparison of Other Public Works Facilities)

APPROVAL OF MINUTES

070509. Minutes of September 13, 2007 (B)

RECOMMENDATION *The Community Development Committee approve the minutes of September 13, 2007.*

Approved as Recommended

DISCUSSION OF PENDING REFERRALS

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

Mr. Fred Murry, Assistant City Manager gave an overview of the 39th Avenue Garage project. He stated that on September 13, 2007, the CDC directed staff to provide additional information on the 39th Avenue Fleet Management Facility and the Public Works Center. He explained that information was requested regarding environmental studies, regulatory agencies, survey of the ditch to determine whether it was on City property, the noise consultant contract and a noise study report. He indicated that staff's opinion had not changed, and the site could be legally used for the intended purpose. He noted the City Attorney's office received two legal opinions from private sector Attorneys.

Nicolle Smith, Assistant City Attorney stated that legal staff reviewed a memorandum prepared by Attorney Andrews. She noted that Mr. Andrew made the argument that the ordinance that zones the property a Municipal Service Center was not specific enough. She stated that it was staff's opinion that the general description is similar to other PS zoning ordinances, and they stand by their memorandum dated September 12, 2007. She explained that the zoning ordinance that adopted the PS zoning on the property specified the use, and nonconformity was not an issue because it is actually a permitted use on the property. She stated that Attorney Hawkins made the

argument that the City Clerk's records were not kept in a manner that could be clearly identified. He stated that the zoning atlas was not attached to the related ordinance. Ms. Smith indicated that, in 1982, the City adopted an ordinance for a citywide rezoning and the map was attached to that ordinance. She explained that the Clerk also has a zoning atlas that is kept in a separate place from the ordinances. She noted that it was Mr. Hawkins contention that he could not make a connection since the ordinance and the zoning atlas were kept in different locations. Ms. Smith explained that, given the comprehensive citywide rezoning there is no way to keep those items together. She noted that it was Mr. Hawkins assessment that the City needed to rezone the 39th Avenue property because there was a lack of zoning designation. She pointed out that, if that were true, all of the zoning adopted at that time would be questionable.

Dr. Parsons stated that there is nothing to physically tie into the parcel on which the garage stands to the zoning map which states Municipal Service Center, therefore there was no legal connection.

Mr. Murry stated that the CDC also requested that staff look at the values of the properties in the area, the available acreage on the GRU site, comparisons of other public works facilities, cost analysis of sites and city-owned property, and properties on the east side of the City.

Commissioner Lowe asked staff about the value of the 34 acres if placed on the market and sold to the public. He also asked if such a sale would take into account all of the specific environmental issues of the site, and if the Superfund site would have an impact.

Mr. Murry indicated that there would be a cost for general demolition and preparation of the site to be sold. He stated that staff would hire a consultant to help develop a new site. The issue about the Superfund site could have an impact on the cost estimate.

Commissioner Donovan asked how it would affect the single-family neighborhood values if the City sold the property for residential development.

Chair Henry stated that the value would be contingent on the nature of the development if the property were sold. He stated that environmental remediation on part of the facility would have to be considered in the cost as well.

Dr. Harnsberger stated that areas requiring environmental remediation did not make the entire 34 acres as unusable, however it was something the City should be exploring.

Mr. Siebein, President and Principal Consultant of Siebein Associates Inc, stated that his firm is an architecturally environmental consulting firm. He explained the he has worked on 1200 plus projects around the world dealing with environmental acoustics. He stated that the study of the 39th Avenue site consisted of several elements that measured the existing noise levels in the residential areas that adjoin the fleet maintenance facility. He showed a PowerPoint presentation to the Committee.

Commissioner Lowe asked if the noise readings at the southernmost portion of the site were taken during times when the material handling facility was in operation.

Mr. Siebein, indicated that they were.

Commissioner Lowe asked if the noise ordinance dealt with the fleet maintenance facility and not with the materials handling area.

Mr. Siebein explained that, in order for the activities to comply with the noise ordinance there would have to be a 30-foot wall and berm, with a dense vegetative buffer maintained between the neighborhood and the earthmoving street operations facility. He noted that there would also have to be a 150-foot minimum distance from the roadway to where the street operations could actually occur. He indicated that to be in compliance, the City needs to close vehicular access from 2nd Street to the compound.

Teresa Scott, Public Works Director, indicated that a 150-foot minimum distance would eliminate many of the operations on that side of the creek. She noted that is the part of the facility where they store materials and street sweeping equipment.

Stu Pearson, Engineering Manager, stated that the site is about 10 acres and 8 ½ acres is presently in use.

Commissioner Donovan asked about the impact of noise from where they measured and if they measured at the property line. He stated that the more rigorous noise ordinances would be reaching the levels that were measured.

Commissioner Donovan asked if heavy vehicles were the source of the noise. Mr. Siebein stated that the 94 decibel level was measured 10 feet from a street sweeper, and would not be what someone inside a residence would hear.

Commissioner Donovan asked about the conclusions and recommendations that the sound levels from operations be reduced from their present levels. He asked if that phrase "stated likely" should be changed to "or could be reduced." He asked if the police sirens test was done with the vehicles outside the building.

Mr. Siebein stated that the phrase "stated likely" should be changed to "or could be reduced". The test for the police sirens was done outside the buildings. He stated the reduction of noise if tested inside the building would be 30 decibels less than when it is measured outside.

Milton Reid, General Services Director, stated that staff developed a worse case scenario for all of the activities. He explained that the only siren test that could not be done inside the building was the ladder truck. He noted that, under normal operations the patrol cars are tested once every three months.

Dr. Parsons commented that it has been his experience since living in the neighborhood that the City workers like to play with the sirens, and that they are very loud and continuous on many occasions.

Ms. Parsons stated that a neighbor had mentioned to her that sirens were being tested day and night, and the radios were very loud.

Ms. Fairforest, LCSW, asked if the noise study was performed on GRU vehicles. She asked about the activities on the south side of the parcel, and the noise to the east of the parcel, which is zoned for mobile home and residential.

Mr. Siebein stated that there weren't any specific measurements for GRU vehicles, and that they didn't take the property to the east into consideration. He stated that if the facility were to move east, a buffer wall would have to be erected. He indicated that he would look into the eastern part of the property, and report back to the Committee.

Chair Henry stated that the consultant was trying to convey that they did not test GRU trucks specifically. He noted that the tests were performed on a class of industrial type vehicles which would be similar to possible trucks that GRU uses.

Mr. Williamson, SFN resident, stated that the sound from the construction equipment on the south side of the facility is audible throughout the daytime.

Chair Henry asked what would the 30-foot wall be constructed of, and if that wall could be supported since that area floods.

Mr. Siebein stated that a civil engineer or landscape architect would have to design the wall. He explained that he usually sees a berm that comes up part of the way, and is topped with either a concrete or heavy timber wall.

Chair Henry asked if the proposed building would have insulation. He suggested that staff service vehicles with sirens on a certain day, so the residents wouldn't have to deal with the sounds on multiple days. He asked how much a 30-foot wall would cost.

Mr. Reid stated that he plans to insulate the entire side of the building. He explained that they don't have a specific schedule servicing the vehicles that use sirens. He noted that Fleet operated from 7:00 am to 7:00 pm, and that 99 percent of the testing of sirens is done inside, except for the ladder truck. He stated that if staff is working on a vehicle outside, it's idling. He indicated that staff rarely exceeded the noise ordinance. He pointed out that for the past 18 months, staff has been instructed to pull the garage doors down if they must perform tasks that would exceed certain noise levels. He indicated that the neighbors have been invited to join one of the operating procedures.

Mr. Murry suggested that any wall would need to meet hurricane standards and could cost \$2,000,000.

Dr. Harnsberger stated that the neighbors have a number of concerns with respect to the usage. He indicated that the neighbors were concerned about long term usage of that property. He suggested that if the facility was expanded to 24,000 square feet that they can expect to expand operations in the future.

Mr. Siebein explained how the sound measurements were recorded.

Chair Henry asked how long the proposed expansion will serve the needs of the Public Works Department before another expansion was required.

Mr. Reid stated that as far as Fleet is concerned it would be 16-20 years. He doesn't see much growth in the size of the fleet.

Mr. Reid reviewed the breakdown of the costs for alternative sites with the Committee.

Dr. Parsons stated that there has never been any specific ordinance that has allowed the City the right to have an industrial garage on the PS zoned land. He suggested that the garage in its current form would not be acceptable if constructed under modern standards.

Chair Henry asked which of the other properties was best for a new site.

Mr. Reid stated that the best recommended sites are: 1) the existing Public Works Compound; and 2) North Main Street; and 53rd Avenue.

Mr. Murry stated that if the City builds on the GRU site it would only be temporary because GRU would need the property if it has to expand their facilities.

Mr. Reid Rivers, Electric Engineering Manager for GRU, reviewed the GRU map showing what land is available. The site located on North Main Street is an irregular-shape site. It contains wetlands that would have to be mitigated, conservation areas, and a wildlife corridor. There are areas of the site that are set aside for recharge areas and other uses. Twenty-five of the acres are totally undevelopable under the wetland ordinance. The current development plan that GRU is planning for covers 78 of the usable acres on the site, 65 of those acres are actual buildings and pavement, etc. That leaves two areas on the site which GRU is setting aside for future expansion. One area which is approximately 2.2 acres and another area that is approximately 11.8 acres. A portion of the site is very northern which hits the primary wellfield and all of the remaining sites in the secondary portion of the wellfield. GRU has plans for the two areas that are set aside for expansion. There are three proposals: 1) the expansion of the GRUcom utility; 2) the data center on the site; and 3) the gas distribution utility. This is in the schematic design stage, and GRU doesn't expect to have a completed design until the first part of 2009, and doesn't expect construction to be completed until the late 2010-2011.

Commissioner Donovan asked how many stories are the buildings, and if they have to be built in four separate buildings. He asked if the parking is paved or storied. He stated that if the City is looking for building space, they should try to get the most efficient use of the property.

Mr. Reid stated that the largest building on the site is the warehouse. The warehouse is designed for high bay storage (2-3 stories in height). The only buildings located on the south side which are adjacent to the yard are two stories on the front half. The back half is higher because it will contain shops (shops require higher ceilings). He stated that they are industrial-type buildings, and would probably be built of a concrete structure. One of the goals of the project is to build a Leed Silver Design

and GRU has been looking at a number of possibilities to meet the Leed requirements. Mr. Reid stated that the parking would be a mix of pavement or storied. GRU will be using pervious and impervious surface in the parking area, trying to meet the Leed requirements.

Ms. Fairforest asked about the land the property could be built on. She also asked if the City figured in the cost of demolition on the existing building, site separation, architect and engineering plans. She asked when considering travel impact (trip charges) did the City consider the cost of the vehicles currently traveling to the present parcel, and the cost for the wall.

Mr. Reid stated that the land the property could be built on would not encompass the whole parcel. Staff used the same per acre price of the parcel that they compared it to. The City did include the cost of the land. He stated that the City did not include the cost of demolition on the existing site, site separation, architect and engineering plans because they will be transferring staff. There will be some costs involved in that, but that might be a wash, because if they move to the east side, they would not be relocating the building material, or the service center. He stated they will relocate staff into the service building, and that the travel impacts are included in the costs.

Mr. Murry stated that the information for the cost of the wall did not arrive until late in the week, so it was not included in the costs.

Deidre Bryan SFN resident asked where the GRU vehicles will be parked.

Mr. Reid stated that they are now parked at Springhill, Deerhaven, Kanapaha, and Murphree Water Plant. The vehicles that will be parked at the new site will be the ones that are currently located at the 5th Avenue operations site.

A citizen asked how many vehicles are repaired at the 5th Avenue site and the current site.

Mr. Reid stated that 5th Avenue repairs approximately eight vehicles per day, and the current site repairs approximately 15 vehicles per day.

Mr. Pearson reviewed two maps (Proposal A & B) with the Committee.

Dr. Parsons stated that it was reported that there has been a lot of windblown materials that come from Koppers, and it is very likely that a lot of that material will enter the culvert and be washed directly into Springstead Creek. It is an issue that should be addressed. He stated that there is a physical conduit that emanates from one private parcel across a public parcel and enters a creek from a Superfund site.

Mr. Pearson stated that DEP did some testing and determined that there was arsenic above residential exposure levels, mercury was present, and benzene products were in the sediments. It was determined that after the work crew removed the trash, it could stir up the earth because there is direct contact, which means that orally it could be ingested. The City's activities at this point are limited to traversing the creek, because that is the safety method.

Mr. Murry stated that this issue will be addressed with DEP to see what recourses the City has.

Commissioner Lowe asked if legal staff can get information about the determination of what the status of any prescriptive rights might be, and what are the options with respect to very harmful substances that are traversing the City's property and getting into the creeks.

Mr. Murry will get with the Public Works department to see if the City can identify some type of aqua clean up of the drainage area and to bring a schedule back to the Committee.

Mr. Murry stated that DEP determined that there were violations on: 1) labels of oil containers, 2) filters; 3) unused oil; and 4) a problem with not having the proper equipment of aerosols. The City was also cited for not taking off the lead on the tires, and this has now been taken care of and they have a proper disposal of that.

Sandra Watts Kennedy, SFN resident, asked about the proximity of the parcel to the Stephen Foster Elementary School. She is concerned about the traffic around the school zone.

Mr. Murry stated that 39th Avenue is a major corridor and that type of traffic will be on the corridor.

Mr. Sam Bridges reviewed the property analysis with the Committee.

Dr. Harnsberger asked about the redevelopment potential from the site.

Ms. Kimberly McNeal, SFN resident, asked about all the attention given to a PS zoning. She asked if the City feels comfortable with this type of expansion.

Commissioner Donovan asked staff to report back on: 1) the most viable options the City has; 2) the cost and benefits of each property; 3) include a neighborhood proposal; 4) give the neighborhood a chance to review and comment the City's proposals (critique the pros and cons); 5) neighborhood pros and cons (City critique that impact on property on the eastside, noise mitigation, zoning rights, dates of construction for the new facility and SFN timeline is important); and 6) create a template for the City and neighborhood to formulate their choices.

RECOMMENDATION *Community Development Committee to the City Commission: 1) withdraw the item on the November 5, 2007 City Commission agenda; and 2) continue this item to the next CDC meeting to hear a report from the Stephen Foster Neighborhood.*

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050298

Implementation of the Countywide Visioning and Planning Committee Recommendations (B)

RECOMMENDATION *The Community Development Committee recommended to: 1) ask a representative from the County to be at the next meeting for discussion; 2) authorizing the Mayor to send a letter to various parties requesting a reconvening of the Countywide Visioning and Planning Committee; and 3) that an item be put together for the next joint City/County meeting.*

Continued

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NEXT MEETING DATE

December 4, 2007 - 5:30 PM

ADJOURNMENT

The meeting adjourned at 7:50 PM.

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.