

1 Title page

2 Not only is it appropriate to change the Land Use designation on this parcel, I would argue that it is absolutely necessary, *and* that it would be negligent not to do so.

3 The Stephen Foster Neighborhood lies to the west of the site. I have provided you with a Resolution from the Neighborhood Association requesting remediation of the site to residential cleanup target levels. That is our strong desire.

The position has been put forward that unrestricted residential use is an unreasonable cleanup expectation on a superfund site, hence city staff's recommended MU-2 land use, which requires only an industrial/commercial cleanup.

If the city commission ultimately determines that in fact the residential cleanup standard over the entire site is an impossibility, then at the very least, on the western portion of the property where it abuts the residential single family neighborhood, the requirement there, at least, should be to residential cleanup target levels.

The western portion of the parcel is also where residential cleanup target levels could most easily and affordably be attained, because this is where logs are stored prior to treatment, in contrast to the post-treatment storage area on the east. Neither would any of the four primary source contaminant areas have to be substantially involved, which are outlined in red on this map.

I would also argue that MU-1 land use would be a much more appropriate and compatible land use than MU-2, at least on the western half of the parcel.

MU-1 would provide an important transitional land use between the low-intensity residential single-family land use to the west, and the higher intensity uses associated with city staffs proposed MU-2 land use to the east.

4 Future Land Use designations are intended to place various land uses in appropriate locations so as to avoid adversely impacting both residents and the environment.

They are intended to encourage certain forms of development where they are desirable, and to discourage certain forms of development where they are not.

5 There are multiple bases to support changing the Future Land Use designation on this parcel.

6 Koppers is bounded on the north by single family zoning and the city compound; on the east by the CSX rail line, light industry and commercial; on the south by 23<sup>rd</sup> avenue lined with commercial; and on the west by residential single-family zoning. Koppers is no longer on the outskirts of town as it was 60 or 70 years ago, and is the only parcel of land that is operating as heavy industrial manufacturing in the general area.

7 In the course of time, as cities grow and develop, as development patterns evolve, and as environmental awareness increases, land use changes are inherently necessary to ensure high-quality living conditions, and to protect the environment.

8 The current Industrial land use and heavy industrial I-2 zoning allow uses that are no longer appropriate at this location--uses that should be strongly discouraged from continuing.

Changing the Land Use designation is necessary to do that, and the parcel *is* within the designated urban redevelopment area on the future land use maps.

9 The adverse impacts associated with the current uses include

First, the unimpeded, ever-continuing, deep-soil penetration of contaminants that according to GRU experts could reach the well field within 3-4 years, putting the city's drinking water supply in jeopardy.

Second is the daily, continuing buildup of CCA contamination of the soils from the non-contained, open-air storage of the 1000+ utility poles per week treated on the site--serving only to increase the toxicity of the parcel, and the cost of cleaning it up.

Third is the fugitive dust migration of those contaminated soils into the surrounding areas.

10 Fourth is the nuisance noise from a tree de-barker, buzz-saw, and log-loaders--operating sometimes 10 hours a day—which deprives nearby residents peaceful enjoyment of their properties.

Fifth is the stormwater runoff from the site. Even 25 years after being designated a federal superfund cleanup site, there is no stormwater management system on this parcel.

Consequently, huge volumes of contaminated, untreated stormwater runoff from the 90-acre site go directly into Springstead Creek—which in turn flows into Hogtown Creek, Haile sink, and the Floridan aquifer.

Most of the stormwater coming off the site from the most contaminated areas on the east, actually does not even enter the ditch that has been referred to until just before it leaves the property at the north end of the parcel.

We must remember that Springstead Creek is identified as a protected and regulated creek on the city's Surface Waters and Wetlands District Map.

Lastly, there are the adverse impacts to property values around the site resulting from their proximity to a heavy industrial, noisy, contaminated superfund site.

11 Changing the Industrial land use and the I-2 zoning at this point in time:

Does not prohibit the existing uses from continuing.  
It does not render current uses illegal.  
It does, however, prevent further entrenchment and expansion of those uses.

The city should, without question, take whatever steps are necessary to ensure there *is no further* expansion or entrenchment of the multiple injurious types of uses currently associated with this parcel. Changing the land use designation is an integral step necessary to accomplish that.

12 Last May, the City Commission passed a resolution urging and requesting the EPA to require a cleanup of the site to residential cleanup standards so as to reverse both the historic, and the current, continued saturation, penetration, and dispersal of contaminants on, under, and off the site.

13 Both the current Industrial Land Use, *and* city staff's proposed change to MU-2, require only an industrial/commercial level cleanup. It is important for you to understand that with the intensities associated with MU-2, much of the land would be covered over with concrete.

In contrast, a land use designation that includes a detached residential component, such as MU-1, would yield a more robust and desirable residential cleanup requirement.

A cleanup to residential standards, at least on the western half of the property, would allow for redevelopment that is the least toxic, and the most compatible for the location.

14 There is a substantial financial incentive associated with the redevelopment potential of this site.

According to the Alachua County property appraiser, Koppers currently pays only \$24,000 in property taxes per year on 90 acres of land. To put that figure into perspective, I pay more than that on my small handful of old houses in my old NW 5<sup>th</sup> Avenue neighborhood, which total less than 2 acres of land.

A 90 acre parcel, even if redeveloped at single-family density, would generate well over 2 million dollars per year in additional tax revenue. Even if only a relatively small portion of the parcel were redeveloped as multi-family or commercial, the additional tax revenue would be significantly higher than that.

Possibly the city, county, and state governmental agencies could enter into a financial assistance agreement with the responsible parties in order to both relocate the existing facility and to attain the higher-level residential cleanup of the site, *at least* on the west, where the lesser intense uses, and the more robust cleanup would be the most desirable.

- 15 There are multiple Goals, Objectives, and Policies in the City of Gainesville Comprehensive Plan to support changing the land use on this parcel—Very briefly,

**The Future Land Use Element**

Goal 1

Improve the quality of life and achieve a superior, sustainable, development pattern in the city.

Goal 2

Redevelop areas within the city, as needed, in a manner that promotes quality of life, transportation choice, a healthy economy, and discourages sprawl.

- 16 Objective 2.1

Redevelopment should be encouraged to . . . improve the condition of blighted areas, discourage urban sprawl, and foster compact development patterns that promote transportation choice.

The City should identify potential infill and redevelopment sites and develop a strategy for reuse of these sites . . . .

- 17 Goal 3

Achieve the highest long-term quality of life for all Gainesville residents consistent with sound social, economic and environmental principles . . . .

Objective 3.1

The City shall protect environmentally sensitive land . . . .

- 18 Goal 4

The City shall implement regulations that will protect low-intensity uses from the negative impacts of high-intensity uses . . . [which relates to the MU-1/MU-2 question]

Policy 4.2.1

The City shall adopt land development regulations that provide protection for adjacent residential areas and low intensity uses from the impacts of high intensity uses by separating intense uses from low-intensity uses by transitional uses . . . [Again, the MU-1/MU-2 question]

Goal 5

To enhance the city's commitment to improve and maintain the vitality of its neighborhoods.

- 19 **The Stormwater Management Element**

Goal 1

Design, construct and maintain a stormwater management system that ; protects, preserves and enhances desirable water quality conditions, and to the maximum extent feasible, preserves . . .the existing natural systems.

20 **The Conservation Element**

Objective 1.1

Upon adoption of this Plan, the City shall protect all Significant Environmental Lands and Resources identified in the Environmentally Significant Land and Resources map series within the Future Land Use Map Series.

21 **The Potable Water & Wastewater Element**

Goal 1

To provide . . . safe, economic, reliable and environmentally sound water and wastewater utility services.

22 In conclusion,

Changing the land use designation on this parcel will curb any further entrenchment or expansion of the existing pollution-creating uses on the property;

It is in the best interest of the quality of life for nearby residents;

It is in the best interest of our environment;

And it is in the best long-term economic interest of the city.

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I would like to clarify some things about the stormwater runoff from the site and the ditch that has been referred to (in some of your backup material).

Show map

Stormwater from an area along 23<sup>rd</sup> Avenue collects at the southern end of the ditch at south property line of the Koppers parcel, and makes its way northward through the parcel. The red outline is based on the city's stormwater schematics. This stormwater is a relatively minimal consideration—both in terms of quantity, and water quality.

What is of significantly *more* concern is the stormwater runoff going into the ditch *from* the 90-acre Koppers parcel itself.

Stormwater generally flows north-northeast across the site. The contour maps and the aerial photography suggest that most of the stormwater from the west side of the property gravitates to the north before finding its way into the ditch.

More importantly, however, is the stormwater from the east half of the property--the area where thousands of freshly treated poles are stored. This stormwater migrates north-northeastward in correspondence with the general slope of the terrain, much of which temporarily flows off the property where it is then obstructed by the highest CSX rail line. It then flows north, before being redirected back

to the west by the slope of the terrain, finally entering the ditch via multiple gulleys at the north end of the site.

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Mention has been made that it might be inappropriate for the city to change the land use designation on this parcel because koppers was in operation before most of the single family development occurred around it.

Ironically, my personal involvement with land use and zoning issues began almost 20 years ago as a result of a land use change.

Show map

In 1990 the city changed the land use designation on all the non-commercial properties bounded by nw 3<sup>rd</sup> avenue, depot road, 6<sup>th</sup> street, and 13<sup>th</sup> street, from rm and ru to residential high (rh).

All of the several hundred single family dwellings within that 250 acre area, many of which were 80-90 years old, became non-conforming uses as a result of that land use change.

The city wanted higher densities, more mixed uses, and transportation choice.

It took me 8 years to convince the city to amend the language in the rh land use description in order to make my home a conforming use again.

How bizarre that the city had no qualms about approving a land use change that made hundreds of single family homes nonconforming uses, homes that were doing no-one any injury, and refused for 8 years to remedy, but is now saying that it wouldn't be appropriate to change the land use because it's been that doing their business there for a long time

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