

Celery Fields Sell Out, Part II



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Advocates for Sarasota's celebrated birding and recreation park, the Celery Fields, gained a victory in June when the Planning Commission recommended denial of James Gabbert's petition to build an industrial waste recycling facility on Celery Fields' lands. But that doesn't mean the Celery Fields is safe.

Last year, Sarasota County put the 11- and 7-acre public lands at the southwest and northwest corners of Apex Road and Palmer Boulevard up for sale by issuing Invitations to Negotiate (ITN). The County sale offer resulted in just one bidder proposing an incompatible use for each parcel of land: County official James Gabbert, with his industrial waste project, and the now departed Restaurant Depot, purveyor of wholesale restaurant supplies. Restaurant Depot flew the coop when the firm understood the ferocity of public opposition to their project. Mr. Gabbert's industrial waste facility proposal comes before the Board of County Commissioners on Aug. 23. While the Planning Commission's recommendation to deny the project is positive, this ill-wrought industrial proposal is not dead. Testimony during the Planning Commission meeting shined a light on prolific political donor Gabbert's inside track.

In the fifth hour of the June 1 public hearing, City of Sarasota Director of Neighborhood and Development Services Tim Litchet came to the podium to give public input on Gabbert's proposed industrial waste transfer facility. Seeing a City official give public input to the County against a development project is rare. I've never seen it happen.

Mr. Litchet explained his position and credentials, and thanked the Planning Commissioners for their service. He stated he had reviewed County's staff's report, which was well prepared and pointed out "weak areas and potential pitfalls" with the plan. First, he noted it was interesting that the County chose to dispose of the property by issuing an Invitation to Negotiate (ITN) rather than an Request for Proposal (RFP). Mr. Litchet noted that an RFP would have solicited the highest bid for the property, while an ITN allows the County more flexibility to get both "the use and the person they want."

It has been widely reported that Mr. Gabbert's businesses donated over \$17,000 to the campaigns of four of five sitting County Commissioners, along with \$10,000 to a local Political Action Committee (PAC).

Mr. Litchet then went on to say that the County apparently wants to make the site a dump or recycling center because the applicant (Gabbert) was “apparently instrumental in drafting the changes to relevant zoning section 5.3.5.b.2.b, as reflected in ordinance 2016-08... that was a new designer ordinance which really only applies to this site which reduces the dump recycling center acreage from 35 acres to 15, and it appears to allow the dump recycling center to not necessarily be in an enclosed building.” Litchet then relayed how the designer ordinance specifically reducing the industrial recycling land requirement from 35 acres to 15 acres for Mr. Gabbert’s project was approved on Dec. 14, a full month after Gabbert submitted his Nov. 13 dump recycling center petition. “How do you file a petition utilizing new zoning code language that has not even been approved? he asked. “I don’t think you can legally do that”.

Keen observers may have noticed that the parcel the County has put up for sale is 11 acres (10.74 acres, to be exact). The designer ordinance requires 15 acres for the proposed recycling dump. What about the missing 4 acres? Take a look:



In the photo above, the public's land, 10.74 acres at the SW corner of Apex and Palmer, is numbered "1".

Mr. Gabbert's company, TST Ventures, owns 4 acres west of the public's land (number 2 in the photo). TST Ventures also owns the long, skinny 1.62 acre land parcel south of both the public's 11 acres and TST Ventures' 4 acres. The 1.62 acre land parcel is number 3 in the photo.

TST Ventures purchased the 4 acres west of the County's property in April 2015, just one year before the County put the SW corner of Apex and Palmer up for sale via an ITN (Invitation to Negotiate). Gabbert-owned TST Ventures paid \$100,000 for those 4 acres; the 2015 assessed value was \$361,700. The purchase price was \$261,700 below assessed value. Market value is typically higher than assessed value.

Looking back a few years further, Mr. Gabbert attempted to site an industrial waste transfer facility less than a mile from the current proposal. In 2014, Mr. Gabbert had proposed an industrial waste transfer facility at 700 Cattlemen Rd (east of I75, where the north end Packinghouse Rd meets Cattlemen). Gabbert LLC purchased that 7 acre property in 2013 for \$625K. Gabbert's 2014 TST Ventures industrial waste transfer facility proposal didn't come to fruition. He sold the 700 Cattlemen Rd. property in June 2015 for 1.8 million, two months after buying the 4 acres at 6150 Palmer Blvd for 100K.

Many people profit through real estate & vacant land investments, and flipping land. With County land and real estate transactions, a free market is operating when the County serves the public interest. Mr. Gabbert is a County official, an elected member of the County Charter Review Board. He is benefiting from a "designer ordinance" for his proposed recycling dump, and he was able to negotiate a purchase price on land that was a fraction of it's assessed value. The public better not count him out when it comes to negotiating with the County on getting his recycling dump through!

While other industrial waste facilities must be on 35 acres, Mr. Gabbert has been successful in getting a special law passed reducing that requirement to 15 acres solely for his project, with no guarantees that the facility be enclosed. Given the applicant's success at gaming the system, let's recognize that public outcry is the only thing that has stopped this train wreck. An industrial land use near a premier ecotourism wildlife habitat would be a spectacular betrayal of community planning, interest and investment. The Sarasota Board of County Commissioners can embrace our community vision and chart a different course. If the public wants to drive a stake in the heart of this polluting blight, we all better show up at the County Commission meeting on Aug. 23.

This article is found on the website THE DETAIL at: <https://thedetail.net/2017/07/05/celery-fields-sell-out-part-ii/>

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