



Planning and Zoning Commission Minutes

Tuesday, July 14, 2020 | 4:00 PM

City Hall, 200 South Rusk Street, Gainesville, TX, Council Chambers

Chairperson Present:	Lynn Monden
Commissioners Present:	Cal Koontz, Phil Neelley, Dan Doss, Gina Dill, and Nathan Dempsey
Commissioners Absent:	Patrick Abu
Staff Present:	Calvin Manuel, Community Development Director, Audrey Hamilton, Administrative Assistant, Jennifer Ekstrand, Code Compliance Officer, and Diana Alcalá, City Secretary
Visitors Present:	Steve Gordon, Bernie Gordon, Connie Lancaster, John Lancaster, Damian Krahl, Linda Schumacher, Van Knight, Teresa Blank, and Eddie Shauf

Item A – Call to order.

Chairman Monden called the meeting to order at 4:03 p.m. Commissioners absent were Nathan Dempsey, and Patrick Abu.

Item B – Swearing-in of appointed Commissioners by City Secretary.

Diana Alcalá, City Secretary swore in Commissioner Koontz, and Commissioner Neelley.

Item C – Discuss, consider, and possible action on the May 12, 2020 Planning and Zoning Commission meeting minutes.

Commissioner Koontz moved to approve the minutes as presented, the motion was seconded by Commissioner Doss. The motion carried unanimously.

Commissioner Dempsey arrived at the meeting at 4:10 p.m.

Item D – Hold a public hearing to receive comments regarding a request from Krahl Real Estate, LLC to rezone approximately 0.52 acres of land located at 1305 East California Street from Single-Family Two District (SF-2) zoning to General Commercial (C-2) zoning. (PID#1813)

Chairman Monden opened the public hearing at 4:08 p.m.

CDD Manuel presented the staff report which included the impact the zone change would have on traffic, future plans for the location, and explained why the applicant was able to request the C-1 zoning after disapproval of the previous request for C-2, General Commercial.

Bernie Gordon, 1403 East California Street, handed out a copy of the petition that was presented to City Council for the previous zoning request by Krahl Real Estate, LLC. Mrs. Gordon read the types of businesses allowed in Restricted Commercial (C-1) zoning district and expressed the negative impact that the zoning would have on the surrounding neighborhood.

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Eddie Shauf, 1314 East California Street, expressed that she has a buyer for her property within 200 feet of the property requesting to be rezoned. Her potential buyer is concerned about being having a business in the neighborhood.

Steve Gordon, 1403 East California Street, expressed his position against the rezoning request. Mr. Gordon proceeded to present the history of the home surrounding the property in question, and expressed how the zone change would affect the historic neighborhood.

Teresa Blank, 1411 East California Street, yielded her allotted time to speak to Mr. Steve Gordon.

Connie Lancaster, 1306 East California Street, expressed her position against the zone change request due to the historic character of neighborhood which her family and guest at her bed and breakfast enjoy the historic neighborhood.

Van Knight, 1 Fox Hollow, expressed his support of the Krahl Real Estate, LLC rezone request. Mr. Knight stated that Mr. Krahl and Ms. Schumacher will keep the property clean. Also, the Mr. Krahl and Ms. Schumacher have been good stewards of the community. Mr. Knight also stated that he does not own any property within 200 feet of the property.

Linda Schumacher, 1105 Olive Street, stated that Schumacher & Krahl, P.C. has been in business over twenty (20) years and has outgrown the current location. The property that they are seeking to relocate to has been vacant over 3 years.

Damian Krahl, 1105 Olive Street, presented a packet to the Commission which contained a proposed deed restriction to only allow professional offices at the location. Mr. Krahl proceeded to explain that their current location has been good fit for their accounting firm and the community over the years. Mr. Krahl explained that he thought the proposed deed restriction would resolve the issue with the request based on the comments from the previous request for C-2 but it has not alleviated the surrounding property owners concerns. Mr. Krahl proceeded to explain that the front of the property would not change if they are able to occupy the building.

Chairman Monden closed the public hearing at 4:21 p.m.

Item E – Discuss, consider, and possible action regarding a request from Krahl Real Estate, LLC to rezone approximately 0.52 acres of land located at 1305 East California Street from Single-Family Two District (SF-2) zoning to General Commercial (C-2) zoning. (PID#1813)

CDD Manuel explained that deed restrictions are unenforceable by the City. The surrounding neighbors would have to sue the owner of the property with the deed restriction to enforce the document.

Commissioner Dill expressed that she is still against the rezoning request.

Commissioner Neelley expressed his concern for stifling business especially for a business that will have minimal impact of the neighborhood. Commissioner Neeley also expressed his confusion on the resistance of the Planning and Zoning Commission and surrounding neighbors. Commissioner Neeley also expressed his appreciation for the concerns of the surrounding neighbors.

Chairman Monden expressed her confidence is Krahl Real Estate, LLC would maintain the property. Chairman Monden also expressed that understands the neighbors concerns.

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Commissioner Neelley made a motion approve the rezoning request with the deed restriction. Commissioner Doss seconded the motion. The motion passed 5-1. Commissioner Dill voted against the motion.

Item F – Adjourn.

The meeting adjourned at 4:30 p.m.

Signature of Chairman:

Stephen Menden

Date

8-11-20

Signature of Secretary:

Audrey Hamilton

Date

8-11-2020