



Planning and Zoning Commission Minutes

Tuesday, March 9, 2021 | 4:00 PM

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

Chairperson Present:

Phil Neeley

Commissioners Present:

Gina Dill, Nathan Dempsey, and Dan Doss

Commissioners Absent:

Patrick Abu, and Cal Koontz

Staff Present:

Calvin Manuel, Community Development Director, Administrative Assistant Jessie Redfearn, and Planning and Permit Technician David Lauteren

Visitors Present:

Eric V. (Lone Star Solar), John Grussel, Dharla Wall (Wall property Management)

Item A – Call to Order/Roll Call

Commissioner Neelley called the meeting to order at 4:00 PM. Commissioner Abu and Commissioner Koontz were absent from the meeting.

Item B- Discuss, consider, and possible action on the selection of a Chairperson and Vice-Chairperson by the Planning and Zoning Commission.

Commissioner Neelley made a motion to nominate himself for Chairperson of the Planning and Zoning Commissioner. The motion was seconded by Commissioner Dempsey. All present voted Aye. The motion carried unanimously.

Chair Neelley made a motion to nominate Commissioner Dempsey the position of Vice-Chairperson of the Planning and Zoning Commission. The motion was seconded by Commissioner Doss. All present voted Aye. The motion carried unanimously.

Item C – Discuss, consider, and possible action on the approval of the minutes from February 9, 2021 Planning and Zoning Commission meeting.

Commissioner Dill made a motion to approve the minutes. Chair Neelley seconded the motion. All present voted AYE. The motion carried unanimously.

Item D – Hold a public hearing to receive comments regarding a request to amend a special Use Permit (SUP) for a solar farm located at County Road 404 (16.129 acres), northeast of the Gainesville Municipal Airport. (PID #5705)

The public hearing was opened at 4:05 p.m.

Eric Ma, Lone Star Solar, addressed the Planning and Zoning Commission explaining the reason for the request and the ownership situation regarding the property.

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The public hearing was opened at 4:07 p.m.

Item E – Discuss, consider, and possible action on a request to amend a special Use Permit (SUP) for a solar farm located at County Road 404 (16.129 acres), northeast of the Gainesville Municipal Airport. (PID # 5705)

CDD Manuel informed the commission that Pen-Tex Electric Co-op is leasing the property to Lone Star Solar, LLC. CDD Manuel made presented the backstory behind the item which is Lone Star Solar needed the expiration stipulation amended to appease the bank that is financing the solar farm project.. CDD Manuel presented his recommended amendment for the expiration stipulation which read as follows: “If the use is discontinued for more than 12 months, then the Special Use Permit would be void.”

Vice-Chair Dempsey made a motion to approve the item as presented. The motion was seconded by Commissioner Doss. All present voted aye. The motion carried unanimously.

Item F- Hold a public hearing to receive comments on a zone change request by Big Ellum Properties, LLC to rezone plus or minus 3.38 acres of land, generally located on Justice Center Blvd, approximately 600 feet north of West US Highway 82, legally described as Sam Enderby Office Park Addition, Lots 9 through 15 in W.C. Winters Survey, Abstract Number 1086, from C-3, Outdoor Commercial zoning to MF-1, Moderate Density Multi-Family zoning.

The public hearing was opened at 4:10 p.m.

There was not any interested parties present to speak.

The public hearing was closed: 4:11 p.m.

Item G- Discuss, consider and possible action on a zone change request by Big Ellum Properties, LLC to rezone plus or minus 3.38 acres of land, generally located on Justice Center Blvd, approximately 600 feet north of West US Highway 82, legally described as Sam Enderby Office Park Addition, Lots 9 through 15 in W.C. Winters Survey, Abstract Number 1086, from C-3, Outdoor Commercial zoning to MF-1, Moderate Density Multi-Family zoning.

CDD Manuel present the staff report on the item referencing the location map included in the agenda packet.

Commissioner Doss inquired into the possibility that the zone change request would be considered spot zoning.

CDD Manuel explained that with the recent the zone change request made by Big Ellum Properties, LLC that the proposed zone change request was adjacent to compatible zoning districts.

Chair Neelley made a motion approve the item as presented. The motion was seconded by Commissioner Dill. All present voted Aye. The motion carried unanimously.

Item H – Discuss, consider and possible action on a Preliminary Plat of Lots 1-16, Block A of Bellum Estates Addition, being plus or minus 6.25 acres out of the W.C. Winters Survey, Abstract Number 1086, generally located on Justice Center Blvd approximately 725 feet north of the northeast intersection of West U.S. Highway 82 and Justice Center Blvd.

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Item I – Hold a public hearing to receive comments on an ordinance amending Appendix A: Zoning, Article III: Use of Land or Premises, Section 3.3: Special Use Permits, Subsection B Short Term Rentals.

The public hearing was opened at 4:15 p.m.

Dharla Wall, Wall Property Group, expressed her support for the ordinance amendment, and that she requested an amendment to the ordinance through a member of City Council.

The public hearing was closed at 4:21 p.m.

Item J - Discuss, consider, and possible action on an ordinance amending Appendix A: Zoning, Article III: Use of Land or Premises, Section 3.3: Special Use Permits, Subsection B Short Term Rentals.

CDD Manuel presented the staff item which included the facts that there has not been any issues with the current short term rental properties in the City, and that staff was in support of the ordinance amendment.

Commissioner Doss asked about standards for short term rental from other cities on stay.

CDD Manuel responded that the standards for short term rental stays range across the board.

Commissioner Doss stated that he does not feel that removal of the 180 day maximum rental requirement is going to cause any nuisances.

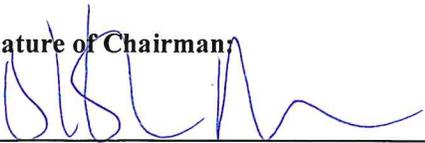
Commissioner Dempsey was concerned of the safety of people staying at short term rentals.

CDD Manuel explained that all short term rentals have to obtain a Certificate of Occupancy which ensures that they comply with the 2015 International Fire Code.

Item K - Adjourn

The meeting was adjourned at 4:27 p.m.

Signature of Chairman:



Date 4/13/21

Signature of Secretary:



Date 4/13/21