

**MINUTES**  
**SPECIAL CALLED MEETING of the**  
**PLANNING AND ZONING COMMISSION**  
**CITY COUNCIL CHAMBERS**  
**200 S. RUSK ST., GAINESVILLE, TEXAS**  
**May 16, 2005, 4:00 P.M.**

**MEMBERS PRESENT: Jan Russell, Dr. John Gage, Randy Jones, David Wright & Bill Williams**

**MEMBERS ABSENT: Lupe Lozano**

**STAFF PRESENT: Carlos Vigil & Linda Webb**

**VISITORS PRESENT: Sharon Prestage, Nita Murphy, Scott Wooldridge, Wilburn Smith, Alan Fleitman, Sheila Smith, James Wilson, Raj Patel, Ketan Patel, and Roy Brewer.**

**MEETING OPENED: 4:10 P.M. MEETING ADJOURNED: 5:05 P.M.**

The **First item** of business was to call the meeting to order.

The **Second item** of business was Citizen Comments. There were none presented.

The **Third item** of business was to approve the minutes from the meeting of April 26, 2005.

Mr. Wright made a motion to accept the minutes as written. Seconded by Dr. Gage.

The motion carried by the following vote: AYES: Williams, Russell, Gage, Jones, Wright NAYS: None  
ABSENT: Lozano ABSTENTION: None.

**The Fourth item of business was – Sign Variance** - to consider and make a recommendation for an oversized banner located at Exotic Productions 3839 E. Hwy. 82, Gainesville, Texas. Case # PZ-03-05.

After a presentation by staff, the Commissioners made a recommendation to deny the variance for an oversized banner due to non-compliance with the Sign Ordinance. There was not anyone present to represent the request.

Dr. Gage made the motion to deny the variance request, with a second by Mr. Jones.

The motion carried by the following vote: AYES: Williams, Russell, Gage, Jones, Wright NAYS: None:  
ABSENT: Lozano ABSTENTION: None.

**The Fifth item of business was – Sign Variance** - to consider and make a recommendation to replace existing wooden sign structure with a metal mono-pole structure located on the South side of Hwy. 82, between 834 and 926 Summit Ave., Gainesville, Texas. Submitted by Roy Brewer. Case # PZ-08-05.

After a presentation by staff, Roy Brewer stated that there would never be alcohol, tobacco, or tattoo ads displayed on the double sided sign. The mono-pole would enhance the looks of the sign compared to the wooden structure that is there now.

**Fifth Item – continued-**

Mr. Wright made a motion to allow the sign structure to be changed to a mono-pole. Dr. Gage seconded the motion.

The motion carried by the following vote: AYES: Williams, Wright, Gage, and Jones. NAYS: Russell. ABSENT: Lozano ABSTENTION: None.

**The Sixth item of business was – Specific Use Permit -** to consider and make a recommendation for the property located at 1821 Arkansas to operate as a Child Day Care Facility. Submitted by Jack and Dustie Jones. Case # PZ-06-05.

Mr. Wright made a motion to approve a 2 year SUP and recommend renewal process and fees be looked at by the City Council and make all Day Care SUP's issued in 2005 recto-active to coordinate with the Councils decision. Dr. Gage seconded the motion.

The motion carried by the following vote: AYES: Williams, Russell , Gage, Jones, and Wright: NAYS: None ABSENT: Lozano. ABSTENTION: None.

**The Seventh item of business was – Specific Use Permit -** to consider and make a recommendation for a 6 year Specific Use Permit for the property located at 110 S. Howeth to operate a Child Day Care Facility. Submitted by Nita Murphy. Case # PZ-07-05.

Staff explained that the new Health Officer checked the status of the day cares in the City and found that the Specific Use Permits had not been renewed and that child day care facilities needed to be registered through a SUP. Dr. Gage informed the commission and visitors that he had called area cities and the one time fee for Specific Use Permits were from \$85.00 to \$300.00. The commissioners agreed that the SUP renewal fees needed to be evaluated by staff for City Council consideration.

Mr. Jones made a motion to approve the Specific Use Permit for 2 years and attach reworded Ordinance for recommendation by City Council. The motion was seconded by Mrs. Russell.

The motion carried by the following vote: AYES: Williams, Russell , Gage, Jones, and Wright: NAYS: None: ABSENT: Lozano: ABSTENTION: None.

**The Eighth item of business was – Specific Use Permit-** to consider and make a recommendation for a Specific Use Permit for the property located at 1109 Magnolia Street to operate as a Child Day Care Facility. Submitted by Sharon Prestage. Case # PZ-08-05.

Ms. Russell made a motion to approve a Specific Use Permit for 2 years and recommend City Council look at renewal process. Mr. Jones seconded the motion.

The motion carried by the following vote: AYES: Williams, Russell , Gage, Jones, and Wright. NAYS: None ABSENT: Lozano. ABSTENTION: None.

**The Ninth item of business was – Sign Variance –** to consider and make a recommendation for a 4" X 8" sign to be placed at the SW corner of FM. 678 and 3092. Submitted by Scott Wooldridge for Colonade Homes. Case #PZ-13-05.

Mr. Wooldridge explained the sign would help with the marketing plan and help people find the location of the

Chalmers Estates Subdivision and the new homes for sale.

**Ninth Item – continued:**

Mr. Jones made the motion to approve the variance for an off premise temporary sign with the following stipulations:

- Sign must be removed in 18 months or at the completion of Phase I of new home construction(which ever comes first).
- Appearance of sign must be maintained at all times.

Dr. Gage seconded the motion.

The motion carried by the following vote: AYES: Williams, Gage, Jones, and Wright. NAYS: Russell. ABSENT: Lozano. ABSTENTION: None.

**The Tenth item of Business was – Zoning District Change** – to consider and make a recommendation for the property located at 1715 N. I-35, from Agriculture (A) to Commercial (C). Submitted by Raj Patel. Case #PZ-14-05.

Staff made presentation of zoning and presented a petition in opposition of zoning change. None of the signatures were from property owners within the 200' radius. Most of the signatures did not have an address. The zoning change follows the Comprehensive Land Use Plans and the goal of developing the I-35 Corridor as a commercial zone. This site is conducive for a commercial development and compliments other recent development, within this quadrant.

Mr. Wright made a motion to change the zoning from Agriculture (A) to Commercial (C). Mr. Jones seconded the motion.

The motion carried by the following vote: AYES: Williams, Gage, Jones, Wright, and Russell. NAYS: None. ABSENT: Lozano. ABSTENTION: None.

**The Eleventh item of business was – Site Plan Approval** – to consider and make a recommendation for the Site Plan of a proposed Comfort Suites Hotel to be located at 1715 N. I-35, Gainesville, Texas. Submitted by Raj Patel. Case #PZ-13-05.

Staff presented site plan for the 4 story, 72 room hotel. The site plan also includes a commercial site pad for a complimentary venture at the front of the site. Commissioners agreed that the site plan complies with the I-35 Corridor regulations and the hotel will be an enhancement to the area.

Ms. Russell made the motion to recommend approval of site plan to the City Council. Dr. Gage seconded the motion.

**The Twelfth item of business was – Staff Report –**

No business at this time.

**Adjourned: 5:05 p.m.**