

MINUTES OF PLANNING AND ZONING COMMISSION FOR MARCH 14, 2003 RESCHEDULED MEETING

MEMBERS PRESENT: **DAVID WRIGHT, BILL WILLIAMS,
LUPE LOZANO, RANDY JONES AND TOM CARSON**

MEMBERS ABSENT: **JAN RUSSELL**

STAFF PRESENT: **Carlos Vigil and Marcia McLaughlin**

VISITORS PRESENT: **LIST AVAILABLE**

MEETING OPENED: **5:04 P.M.** **MEETING ADJOURNED:** **6:00 P.M.**

The First item of business was:

To call the meeting to order.

The Second item of business was to hear citizen comments: There were none presented.

The Third item of business was to approve the minutes from the meeting of February 11, 2003.

Mr. Wright made a motion to accept the minutes as written, seconded by Ms. Lozano

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

The Fourth item of business was to consider and make a recommendation for a Specific Use Permit to operate a Bed & Breakfast for the property located at 604 S. Denton St. requested by Mr. & Mrs. Roger Purdy. Case # PZ-15-03

Staff made a presentation that this request meets the requirements of the SUP for the operation of the Bed & Breakfast, however if the accessory bedroom becomes a part of the Bed & Breakfast operation, an additional parking space will need to be provided. There was one written opposition submitted in writing and presented to the P&Z Commissioners. After a presentation by Mr. Russell Duncan, the representative for this request, the P&Z made a recommendation to approve the SUP.

Ms. Lozano made a motion to approve the Specific Use Permit for the Bed & Breakfast, seconded by Mr. Jones.

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

The Fifth item of business was to consider and make a recommendation for a Specific Use Permit for the sale of beer and wine at 1003 N. Grand Ave., known as Total Petroleum, and requested by Sunshine Beverage. Case # PZ-16-03.

Staff made a presentation that this request did not meet the distance requirements of the ordinance due to GISD property located within 300', however the ordinance allows the sale of off premise consumption of beer and wine with an approved SUP. Rev. Fincher of Central Baptist Church spoke in opposition to granting of the SUP. After a presentation by Ken Baca, the Total Petroleum Representative the P&Z Commissioners made a recommendation to approve the SUP.

Mr. Carson made a motion to approve the Specific Use Permit request, seconded by Mr. Wright.

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

The Sixth item of business was to consider and make a recommendation for a Specific Use Permit to operate a game room at 3020 E. Highway 82, submitted by Ms. Regina Martin. Case # PZ-17-03.

Staff made a presentation that the game room operation had changed owners and that a new SUP would have to be granted for Regina Martin, although she will continue the operation as the previous owner. Since there were not any changes on the operations of the game room, the request adhered to all the requirements of the ordinance. Staff recommended that the temporary sign at the front of the building be brought into compliance with the sign ordinance and a permanent sign be installed after review with staff and the necessary sign permits. Regina Martin was present and agreed to comply with the sign ordinance. The P&Z Commissioners made a recommendation to approve the SUP for a two (2) year period.

Mr. Wright made a motion to approve the Specific Use Permit Request, seconded by Mr. Jones.

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

The Seventh item of business was to consider and make a recommendation for Specific Use Permit to operate a game room for the property located at 1900 W. Highway 82, requested by Mr. C.R. Kelley. Case # PZ-18-03.

Staff made a presentation that this request meets all the requirements of the ordinance. There was one opposition presented to the Commissioners about the sponsoring by a Non-profit entity and the possible payout of cash. Staff recommended that all future signs for this location adhere to the sign ordinance and that the antenna next to the building not be used for mounting signs.

Mr. Carson directed staff to request from the Cooke County Attorney a written interpretation on the status of game rooms from the Attorney General.

After consideration and discussion, the P&Z Commissioners made a recommendation to approve.

Mr. Wright made a motion to approve the request for the Specific Use Permit, seconded by Mr. Williams.

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

The Eighth item of business was to consider and make a recommendation on a Final Plat - for 1022 E. Pecan submitted by Mr. Dennis Potts for Gainesville Area Habitat For Humanity. Case # PZ-19-03.

Staff made a presentation that the replat does not meet the standard requirements of the ordinance for SF-2 and that this replat would create two substandard lots. The major issue with the subdivision is that of life-safety for fire protection. The 15' driveway does not allow for adequate access to the rear of the property.

Mr. Wright made a motion to approve the wavier of the \$ 500.00 application fee and to deny the final plat, seconded by Ms. Lozano.

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

The Ninth item of business was to consider and make a recommendation on a Zoning District Change - Deleted

The Tenth item of business was to consider and make a recommendation for a Street Name Change from Fair Park Blvd. To Medal of Honor Blvd. submitted by Medal of Honor Host City Board and represented by Mr. Don Pettigrew. Case # PZ-21-03.

Staff presented the request. There were three representatives from the Ramada Inn in opposition to the street name change. The objection was due to the investment that the Ramada Inn had made on advertising and promotions with the Fair Park Blvd. name. They argued the change would impact their business. The P&Z Commissioners discussed possible alternatives. Mr. Pettigrew mentioned that he could not agree to any other name with MOH board approval. The P&Z Commissioners made a recommendation that the street name be denied but that Medal of Honor Way be considered as a designation.

Mr. Jones made a motion to deny the Street Name Change, seconded by Ms. Lozano.

Mr. Jones made a motion to recommend Medal of Honor Way as a designation, seconded by Ms. Lozano.

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

The Eleventh Item of business was to review guidelines for Historic Preservation.

Staff presented the guidelines for preservation of Historic structures in the downtown/mainstreet area. A discussion was held on the appeals process. The Commissioners stated that they would like to have all appeals regarding any objections to the guidelines presented to the board for consideration. They would like to discuss these guidelines in more detail when the full board is present.

Without further business to discuss the meeting was adjourned @ 6:00 p.m.