

# MINUTES OF PLANNING AND ZONING COMMISSION FOR OCTOBER 08, 2002 MEETING

**MEMBERS PRESENT:** DAVID WRIGHT, TOM CARSON, BILL WILLIAMS,  
AND ROBIN BYARS

**MEMBERS ABSENT:** RANDY JONES, LUPE LOZANO JAN RUSSELL

**STAFF PRESENT:** Carlos Vigil, Patricia Adams and Marcia McLaughlin

**VISITORS PRESENT:** LIST AVAILABLE

**MEETING OPENED:** 4:05 P.M. **MEETING ADJOURNED:** 5:15 P.M.

**The First item of business was:**

To call the meeting to order.

**The Second item of business was Citizen Comments:**

No comments

**The Third item of business was to approve the minutes from the meeting of September 10, 2002:**

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

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

**The Fourth Item Zoning District Change:** To consider and make a recommendation for case # PZ-17-02 for a new Sonic to be located at 301 W. California Street.

After a presentation given by the staff, this request is for rezoning from Central Area (CA) to Commercial ( C ). The Ordinance was written so that a drive in restaurant would not be allowed in the Central Area District. The zoning ordinance defines restaurant or eating establishment with drive in service, as a building or portion thereof where food and beverages are sold in a form ready for consumption, takes place or is designed to take place outside the confines of the building. The plat record shows this to be a parcel land being lots 1, 2, 5, 6, 7, and 8 and parts of lot 3. The property is adjacent to the Diamond Shamrock station and is proposed to be a second

Sonic drive in restaurant. The site plan shows a driveway access onto California St. and is the only consideration that we were working with TXDOT on, because California Street is a state road, and the close proximity of the driveway to Chestnut Street was a concern that TXDOT should address. The drainage proposal was not a requirement since there was an existing building there and drainage improvements are not necessary. All parking requirements as proposed from the site plan are in compliance with the zoning ordinance, and this plan was submitted to the Main Street Board since this is in the Main Street district and they approved the Rezoning, but also with some stipulations for the type of construction, color, and signs. We have the list from the Main Street Board. There is a sign proposal and I believe that the pole sign will have to go through a variance because of the Braum's sign which is right across the street from it, but the monument sign may be approved if it is outside the sight triangle.

The Commission stated that they were looking at the recommendations and have those been conveyed to the Sonic?

The Commission made a recommendation to approve the Rezoning for the Sonic Drive in Restaurant. With the following stipulations:

1. The monument sign will be placed on California Street
2. The sign pole sign will be on the back side off Weaver Street.
3. Use the period lighting.

Mr. Wright made a motion to recommend approval of the rezoning, seconded by Mr. Carson.

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

**The Fifth item of business was to consider and discuss the Alcoholic Beverage Ordinance.**

After discussion by the Commission and staff members, the Commission made a recommendation for approval to City Council Ordinance.

Mr. Byars made a motion to recommend approval of the Alcohol Beverage Ordinance, seconded by Mr. Carson.

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

Adjourned: 5:15 p.m.