

PLANNING AND ZONING COMMISSION

SPECIAL MEETING

April 18, 1994

2:00 p.m.

Members Present: Jan Russell, Robyn Byars, Roy Brewer, Bill Williams, Marge Clement

Members Absent: Joyce Rigler and Debra Beavers

Staff Present: Mike Land and Pat Payne

Visitors: List

The first item of business was calling the special meeting to order by Chairman Bill Williams at 2:05 p.m.

The second item of business was consideration and recommendation on a proposed amendment to the Zoning Ordinance of the City of Gainesville, Texas, amending Section 8-109, Retail and Service Type Uses, to allow Handcraft and Art Objects Sales in the Office (O) land use zoning districts by Specific Use Permit.

Mr. Williams reviewed the staff report with the Board. After a brief discussion, a motion was made by Roy Brewer and seconded by Robyn Byars to recommend approval of the amendment to the Zoning Ordinance to allow Arts and Handcraft Objects Sales in the Office (O) zoning districts, to be heard by the City Council on May 3, 1994. Mr. Williams asked Margaret Hays and Betty Buttolph if they had any comments regarding the proposed amendment; they replied they did not—they were happy with the submitted amendment. Motion carried by the following votes: Ayes: Russell, Byars, Brewer, Williams. Nays: None. Absences: Beavers & Rigler. Abstentions: Clement.

The third item on the agenda was consideration and recommendation on a request by Earl and Marge Clement for a Specific Use Permit to allow the operation of an Art and Handcraft [fabrics] store at 1218 E. California Street, also being part of Lot 3, Block 6, Clement 1st Addition. Said area is zoned Office (O). Mr. Williams verified with Ms. Payne the objective of the proposed Specific Use Permit. She replied that it was to be a crafts and fabric store. She explained that the Specific Use Permit, if recommended for approval, would have to have a specific time frame placed upon it. Roy Brewer made a motion to recommend approval of the Specific Use Permit for an Arts and Handcraft/Fabric store at 1218 E. California Street with a time frame set on it to run with the life of the store as proposed. Ms. Clement verified that it would be called Passtime Fabrics. Motion carried by the following vote: Ayes: Russell, Byars, Brewer, Williams. Nays: None. Absences: Beavers & Rigler. Abstentions: Clement. This item will also be presented to the City Council for their consideration at their regular meeting of May 3, 1994.

The fourth item on the agenda was a Site Plan Review as requested by Tom Bush for the Chief Truckstop at 1932 N. I-35, located due south of

the present Comfort Inn Motel.

Mr. Land pointed out that Mr. Bush was present to answer any questions, and some spot elevations would be discussed. Mr. Land said that the I-35 Corridor Site Plan Checklist had been gone over with Mr. Bush and thus far the Site Plan was being followed fairly close. There seemed to be no outstanding problems. The only issue that was discussed to any length was the drainage and runoff from the property. Milton Ward, owner of Gainesville Livestock Auction, was present and said that he wanted Mr. Bush to really consider causing the runoff water to be diverted to the front [west] in order to keep more of the same problem from inundating his property even more than it is already from other properties around him.

Mr. Land explained further that the drainage issue has been addressed with Mr. Bush, Tim Morris-the City Engineer, and the Public Works Director who has been in touch with the Department of Transportation regarding drainage out to the right-of-way [I-35]. Mr. Bush verified that he was trying to get the water problem issue resolved in order that everyone would be satisfied. He said that 85% of the water will go toward the I-35 Service Road and then go south.

Mr. Land further explained that the property is approximately 580' deep, with the project itself only going back 384'. That will give a pervious area between this project and Refinery Road, where Mr. Ward's business is situated.

Mr. Williams said he was satisfied with the Site Plan as presented as long as Mr. Bush was aware of the possible problems with the drainage.

Marge Clement asked about obtaining a Certificate of Occupancy. Mr. Bush said the drainage is part of the criteria that has to be met before a C.O. can be obtained, and signed by the Building Official, prior to the project being totally complete and ready for business.

After no further discussion and comments by anyone, a motion was made by Marge Clement and seconded by Robyn Byars to accept the Site Plan Review as presented for the Chief Truckstop as presented by Tom Bush. Motion carried by the following vote: Ayes: Russell, Byars, Clement, Williams. Nays: None. Absences: Beavers & Rigler. Abstentions: Brewer.

The fifth item on the agenda was consideration of a Site Plan Review for Harper's Restaurant at 4319 N. I-35, also being a 2.42 acre tract of land out of the Sarah Smith Survey, which property lies due south of the Gainesville Factory Shops. Mr. Land explained that the proposed 229-seat restaurant site is located within a triangular area. He then presented and explained various features of the site plan. The Board reviewed the plans and Mr. Land explained that the building location and setbacks meet the requirements of the I-35 Corridor Regulations. The proposed landscaped area equals over 35% of the property area. One issue is regarding the landscape buffer. But due to the total amount of grassy and landscaped areas, the Board can grant that if the intent of the I-35 Regulations are met. Mr. Harper explained that no other freestanding signs will be used on the

property except for the one billboard which has recently been built on the very north end [corner] of the site. There will be a sign on the building, but that is all.

Mr. Land continued by saying that there is a residential structure directly south of the restaurant property, and the I-35 Regulations addresses screening and separation of these types of properties. Mr. Harper explained that there is already thick vegetation at the south end of his property and the residential property can hardly be seen through it. Mr. Land also explained that even though utilities are required to be underground for any new construction in the Corridor, there is already TU Electric and Cooke County Co-op lines in place. The only lines Mr. Harper will be required to bury will be the lines he creates with the proposed restaurant.

After no further discussion, a motion was made by Roy Brewer and seconded by Marge Clement to approve the Site Plan Review, as presented and with the minor variations as presented, for Harper's Restaurant at 4319 N. I-35. Motion carried by the following vote: Ayes: Russell, Byars, Clement, Williams, Brewer. Nays: None. Absences: Beavers & Rigler. Abstentions: None. Mr. Harper said he plans for the restaurant to be completed for an August 20 Grand Opening, which is the one-year anniversary of the Factory Shops.

After no further discussion, the meeting adjourned at 2:28 p.m.