

CITY OF GAINESVILLE
PLANNING AND ZONING COMMISSION
MINUTES

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2:00 p.m.

Wednesday, May 13, 1992

Members Present: Chris Kaden, Don Hawkins, Marge Clement, and Roy Brewer.

Members Absent: David Hutcherson, Bill Bibby and Vince Rippy.

Staff Present: Lyle Dresher, Pat Payne, and David Hall

Visitors Present: List.

The meeting was called to order at 2:11 p.m.

The **first item of business on the agenda** was the swearing in of newly appointed member, Roy Brewer.

The **second item of business on the agenda** was consideration and action on the minutes from the regular meeting of April 8, 1992. A motion was made by Chris Kaden and seconded by Marge Clement to approve the minutes as presented. Motion carried by the following vote: Ayes: Chris Kaden, Don Hawkins, Marge Clement, and Roy Brewer. Nays: None. Absent: David Hutcherson, Bill Bibby and Vince Rippy. Abstentions: None.

The **third item of business on the agenda** was consideration and action on the minutes from the special meeting of April 29, 1992. A motion was made by Marge Clement and seconded by Chris Kaden to approve the minutes as presented. Motion carried by the following vote: Ayes: Chris Kaden, Don Hawkins, Marge Clement, and Roy Brewer. Nays: None. Absent: David Hutcherson, Bill Bibby and Vince Rippy. Abstentions: None.

The **fourth item of business on the agenda** was consideration and action on the site plan review, as requested by Burton Oil Company-Charles Burton, owner, for the proposed construction of a gasoline service station facility at the northeast corner of California and Culberson Streets intersection.

Mr. Hawkins asked Mr. Burton if he would like to explain what he was planning to do. Mr. Burton responded by presenting a copy of the site plan to the Board. He said he has leased the tract from Alice McCarley, where a service station has been, and has also subleased additional space on the north side of the tract from Thurman Scivally (owner of Scivally's Grocery Store, located on the same McCarley tract of land) to build a Mobil gasoline facility along with a small

convenience store in that space. Mr. Burton explained: "It's very small and the architects originally thought it was too small, but as they began to lay it out, they were able to work out a design that will fit into that site." Variances have already been obtained for setbacks for the building, canopy, and sign (Board of Adjustment and Appeals-04/21/92). He continued by saying the landscape plan for 10% of tract space has been reviewed and will be close, but probably will be able to be met (Re: I-35 Corridor requirements).

Mr. Hawkins asked Mr. Drescher to make comments regarding the interests of the City. Mr. Drescher explained that the concerns are as follows: 1) Egress and ingress from the bays is a concern for the California and Culberson Streets traffic, particularly for out-of-town visitors who are not familiar with the City-stacking of traffic being a primary concern. 2) Curb cut will be restricted by the State. Mr. Drescher introduced Darlene Linder from the State's Highway Department office. 3) Other concerns pertain to the I-35 Corridor Regulations (Standards), with one being the landscape plan. He said that it can probably be met; some good ideas have been submitted as far as materials and a planting plan. 4) Screening requirements, i.e. service items, refuse containers, etc. 5) Fuel trucks and the time frame for delivery; also how they will get onto property; and if they will block the islands. 6) Is there an agreement with Mr. Scivally to use his lot for unloading fuel.

Mr. Hawkins asked Ms. Linder if the curb cut shown on the site plan is less than required. She answered it is. A 36' opening is what is desirable with a maximum of 45' being allowed. She continued by saying that the permits for the openings/curb cuts are issued out of Wichita Falls and Mr. Burton will have to apply through that office for the entrances. She requested that the entrance on California Street be as far east as possible to allow for as much storage as possible at the signal at the intersection. Mr. Hawkins asked Mr. Burton if he can be in compliance with the Highway Department's requirements and still retain enough footage for the openings; he replied he could.

Mr. Hawkins brought up discussion regarding the unloading of gasoline. He asked if the tanks would be located under the canopy, he was told they would not-they would be buried to the farther most part of the north side of the tract. Mr. Burton said he had talked with Mr. Scivally and asked if the transport trucks could pull onto his property, at the edge of Mr. Burton's tract, after daily closing of the business in order to unload. Mr. Burton said Mr. Scivally agreed to that (this was agreed to be put into a formal, written agreement as an addendum to original contract with Mr. Scivally).

The traffic on California Street (relating to turn-ins to the proposed gas station facility) was discussed at length. Roy Brewer asked if "it" would be any different than what it was [before-with the former station]. Mr. Drescher said the new facility will be a much more desirable place to stop and get fuel than before. Mr. Hawkins said his main concern with traffic is for the vehicles that exit from I-35, and want to make a left-hand turn into the proposed gasoline facility, blocking traffic and also causing the risk of pulling in front of

other vehicles. Mr. Hawkins suggested that a double yellow stripe (center stripe) be painted on California Street, but Ms. Linder said she felt it would not deter the traffic from making the left-hand turns. Mr. Dresher suggested that the Highway Department be asked to paint the stripes to divide California Street into four lanes (into the 500 Block where the street narrows) for smoother flow of vehicular traffic; that way, there could be a marked left-hand lane for turning. Mr. Hawkins suggested that the Highway Department be contacted and asked to study this area of concern. Egress from the proposed station onto Culberson Street was also discussed.

The proposed landscaping plan was then discussed. Mr. Hawkins asked if the submitted plan would interfere with visibility of exiting traffic. Low profile plantings were suggested in order to alleviate that problem. It was agreed that no trees would be used.

An area for a dumpster was discussed. Mr. Burton said he would not need a dumpster-he would not have enough refuse and trash to justify the need for one. He continued by saying that he would only need four, thirty gallon trash containers for a five-day pick-up. He has made arrangements for the disposal of cardboard boxes from the convenience store section of the facility.

Mr. Hawkins asked if there will be curbing on the north side of the tract; Mr. Burton replied there will not. He further answered Mr. Hawkins question of exiting vehicles from the station being allowed to exit onto the Scivally parking lot; there is no formal agreement at this time, but Mr. Scivally has agreed orally to allow traffic to use a corner of his lot to get onto Culberson Street.

Chris Kaden asked what was the size of the proposed building. Mr. Burton replied that it is approximately 836 square feet.

Mr. Burton was asked what hours of operation would the station observe. He replied that the hours would be from approximately 5:30 a.m. to 12:00 a.m.

Discussion on water meter and service was presented and Mr. Dresher said they (the Utilities Department) believe the water service comes off California Street and the sewer service is off of Culberson Street. That will be decided later.

Mr. Hawkins said that approval should emphasize and stipulate that the site plan be subject to Mr. Burton designing the fuel tank fillers as such in order that the tankers can pull behind, to the north, of the property and fill the tanks from off of the property; and the entrance off of California Street will be adjusted according to the permitting requirements of the State (Highway Department).

Mr. Burton was asked if the lease with Mr. Scivally will reflect the aforementioned item of concern. Mr. Burton said an addendum will be added to indicate the concerns and requirements of the Board.

After no further discussion, a motion was made by Roy Brewer and seconded by Marge Clement to approve the site plan for the new service station facility at the corner of California and Culberson Streets subject to: 1) a written agreement with Mr. Scivally that the fuel tankers can use his property to park while filling the fuel tanks, and 2) subject to the requirements of the Highway Department permitting requirements for the entrance off of California Street. Motion carried by the following votes: Ayes: Kaden, Clement, Hawkins and Brewer. Nays: None. Absent: Rippy, Bibby, and Hutcherson. Abstentions: None.

An informal item of business was presented by Mr. Drescher. He gave the Board members copies of the new job description for the Director of Planning and Community Development. This position will replace the position of the Assistant City Manager in the department of Community Development, which was formally held by Gene Cravens who resigned in April, 1992. He said a capable person would have to be considered because the duties within that department take a lot of time and effort to keep the planning and inspection functions of the City moving at an efficient and steady pace.

After no further business the meeting was adjourned at 3:00 p.m.