

CITY OF GAINESVILLE

PLANNING AND ZONING COMMISSION MINUTES  
REGULAR MEETING

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2:00 p.m.

Wednesday, March 21, 1990

**Members Present:** Don Hawkins, Van Knight, Luann Shortnacy, Chris Kaden, Russell Duncan, Allen Fleitman and John Schmitz.

**Members Absent:** None.

**Staff Present:** Gene Cravens, Pat Payne and David Hall.

**Visitors Present:** List attached.

The meeting was called to order by Chairman Van Knight at 2:05 p.m.

The **second item on the agenda** was consideration and approval of the minutes from the regular meeting of February 21, 1990. A motion was made by Russell Duncan and seconded by Luann Shortnacy to accept the minutes as presented. Motion carried by the following votes: Ayes: Duncan, Kaden, Hawkins, Shortnacy, Knight and Schmitz. Nays: None. Absent: Fleitman

The **third item on the agenda** was consideration and recommendation on a request by Brad Kane for renewal of a Specific Use Permit for a two-year period at 1920 Refinery Road for a mobile home to be used as security purposes only. The area is zoned I-2. Mr. Knight asked Mr. Cravens to comment. Mr. Cravens gave a slide presentation on the area where the mobile home is located. He said that children play around the area and could be hurt on the equipment if allowed to play there.

Mr. Knight asked if anyone wanted to speak in favor of the request. Don Kane spoke stating the intention of the request as being for security. Mr. Knight asked if anyone wanted to speak in opposition; there was none. After no further discussion, a motion was made by Russell Duncan and seconded by Luann Shortnacy to **recommend approval** of the Specific Use Permit for a two year period. Motion carried by the following votes: Ayes: Duncan, Kaden, Hawkins, Shortnacy, Knight and Schmitz. Nays: None. Absent: Fleitman.

The **fourth item of business** was consideration and recommendation on a request by C. R. Ford, Fixed Base Operator at the Gainesville Municipal Airport, for a Specific Use Permit for a two-year period to allow a mobile home for security purposes only. Mr. Knight asked Mr. Cravens if he wanted to comment. Again, Mr. Cravens gave a slide presentation of the area at the Airport and the location of the mobile home, or travel trailer in this request. Mr. Cravens indicated that

the mobile home will sit at the rear of the main hanger where the water and sewer hookups are located. Increased activity at the Airport has prompted the need for the security building with more people visiting the Airport for various functions and activities. Also, people have been entering the Airport late at night, and as Mr. Ford stated, are also driving on the runways. Mr. Ford emphasized the need for the security trailer.

Mr. Knight asked if anyone else wanted to speak in favor of the request; there was none. He then asked if anyone wanted to speak in opposition; there was none. After no further discussion, a motion was made by Don Hawkins and seconded by Chris Kaden to **recommend approval** of the Specific Use Permit for a two year period for the mobile home/trailer, to be used for security purposes only. Motion carried by the following votes: Ayes: Duncan, Kaden, Hawkins, Shortnacy, Knight and Schmitz. Nays: None. Absent: Fleitman.

The **fifth item on the agenda** was consideration and recommendation on a request by The Gainesville Hospital District to rezone the property on which the Gainesville Memorial Hospital sits and also adjacent property they own from Single Family Three (SF-3) to Office. On the same request and in the same area, the Planning and Zoning Commission was asked to consider and make recommendation, as requested by Staff, for rezoning on other property adjacent to the property owned by the Hospital District to be zoned from Single Family Three to Office, all of which is in conformity with the current land usage and adjacent zoning to the west; this area (to the west) was zoned Office (O) in September, 1986. This entire area is contained within the city block encompassing the hospital.

Mr. Cravens explained the intent of the Hospital in their request for rezoning. They wish to open an out-patient clinic in a house which fronts on Myrtle Street. The present hospital parking lot will be used for patient and clinic parking and the structure will be entered from the rear of the building.

Mr. Knight asked if anyone wanted to speak in favor of the request. Mr. Ward Knott, 1425 Myrtle Street spoke and stated he is in favor of the clinic. The Hospital personnel contacted him along with other neighbors and canvassed their opinions concerning the rezoning. He then talked with the residents in the area on both sides of the street and indicated they are agreeable to the rezoning, with one condition, and that being that a No Parking area to be posted in front of 1415 Myrtle, the house to be used for clinic and out-patient purposes. He said he felt the sign would alleviate traffic congestion if patients tried to park on Myrtle Street rather than on the hospital parking lot.

Mr. Knight asked if anyone representing the hospital would care to speak for the rezoning request. David Sherrod spoke and explained the intent of the Hospital District to convert the house at 1415 Myrtle Street into an out-patient clinic. The rear door will be used as the entry, and landscaping and repairs will be done.

Mr. Gerald Culwell, Hospital Administrator, spoke stating again the hospital's position on rezoning.

Mr. Knight asked if there were further comments or discussion from the Board. There was none. A motion was made by John Schmitz and seconded by Luann Shortnacy to **recommend approval** of rezoning of property from Single Family Three (SF-3) to Office (O), for purposes of conformity in zoning for properties in and around the Gainesville Memorial Hospital. Motion carried by the following vote: Ayes: Duncan, Kaden, Hawkins, Shortnacy, Knight, Schmitz and Fleitman. Nays: None. Absent: None. (NOTE: The zoning is as follows: [1] Hospital request on property they own: Lots 18, 19 and 20, Block 154, Gainesville Addition; Lot 3, Block 2, W. E. Woods Addition; and Lots 1a and 2c, Block 2, Robert E. Lee Addition. [2] Administrative request for rezoning by Staff: 12a and 12b, Block 154, Gainesville Addition; Lots 1, 2, 4a, 4b, Block 2, W. E. Woods Addition; and Lots 1b, 1c, and 2b, Block 2, Robert E. Lee Addition.)

The **sixth item of business** was consideration and recommendation on an administrative request for rezoning of the west side of the 700 block of North Grand Avenue from General Retail (GR) to Commercial (C).

Mr. Cravens gave a slide presentation depicting the area for the requested zoning. He explained that the east side of Grand Avenue (700 Block) is currently zoned Commercial. On the west side, businesses include a used car lot, a pawn shop, a fast food restaurant and a couple of older houses, one of which is in the process of being moved out. He also explained that Grand Avenue is a combination of Commercial and Retail businesses and, again, the zoning should be in conformance with businesses which are already established, as long as the zoning also conforms to other zoning in the area.

Mr. Knight asked if anyone present wanted to speak for or against the request. Mr. Lonnie Bishop asked what impact the rezoning would have on taxes for properties abutting the Commercial zoning. He was told the rezoning would no impact on taxes for abutting property owners. Louise Harrison also spoke concerned about the impact of taxes and the proposed rezoning on her property at 715 and 717 N. Morris.

After no further discussion, a motion was made by Don Hawkins and seconded by John Schmitz to **recommend approval of the proposed rezoning** from General Retail (GR) to Commercial (C). Motion carried by the following votes: Ayes: Duncan, Kaden, Hawkins, Shortnacy, Knight, Fleitman and Schmitz. Nays: None. Absent: None.

The **seventh item of business** was consideration and recommendation on an administrative request to rezone a five-block area in the northwest portion of the City from Single Family Three (SF-3) to Single Family Four (SF-4). Mr. Cravens explained that the request was prompted by a request from the Mill/Muller Church of Christ to place a double wide manufactured home on the church property for a parsonage. Therefore, staff felt since new streets were being built in that area, Single Family Four zoning, which allows for manufactured homes or innovative housing, would be of benefit to the betterment of that particular neighborhood.

Mr. Knight questioned the practicality of rezoning another area to SF-4 because the double wide mobile home which has been placed in one of the original SF-4 zoned areas has not been brought up to standards and rezoning another area before control of what is already in place may not be feasible at this time.

Mr. Knight then asked if anyone would care to speak either in favor or against the proposed rezoning. Samuel Johnson, Jr. spoke and stated he is against the rezoning for the south side of Foreman Street, east side of Fields Street, north side of Muller Street and west side of Buck Street. He said there are no vacant properties or delapidated structures in that area and sees no reason to rezone it.

Mr. Cravens said he had no objections to removing that small area from the remainder of the requested site for rezoning; approximately four blocks would then be affected by the proposed SF-4 zoning, which area would be bounded by Muller, Culberson, Scott and Buck Streets.

After no further discussion, a motion was made by Russell Duncan and seconded by Allen Fleitman to approve the amended request for an area bounded by Muller, Culberson, Scott and Buck Streets to be rezoned from Single Family Three (SF-3) to Single Family Four (SF-4). Motion carried by the following vote: Ayes: Duncan, Kaden, Hawkins, Shortnacy, Knight, Fleitman and Schmitz. Nays: None. Absent: None.

The **eighth item on the agenda** was consideration and recommendation on an amendment to the Zoning Ordinance regulating flea markets/swap meets within the City. Mr. Cravens explained that the changes recommended by P & Z from the March meeting have been written into the proposed ordinance which included: allowing food preparation in accordance with local health regulations; allowing for dust resistant surfaces, rather than dust proof; and providing rest room facilities according to local health regulations.

Allen Fleitman said he has been to several flea markets and it is not unusual to find vendors with animals or fowl, such as dogs, cats, chickens, peacocks, etc. He said he wasn't sure that matter should be ruled out entirely if it would draw sellers, and if regulations were such as to completely control animals in if they were caged. Mr. Hawkins said he didn't see any reason to have any type of animals at a flea market. He said it causes too much of a sanitation problem. After discussion concerning regulation of certain types of animals, Mr. Russell said he felt that all animals should be banned from flea markets held within the City.

Mr. Fleitman also expressed his concern of not allowing overnight "lodging". He explained that many vendors come into flea markets and have their own mobile trailers they stay in or, in some instances, the vendors stay in their self-contained campers in order to protect their property or merchandise.

Mr. Kaden asked how the flea markets would be regulated; and would they be checked regularly.

Mr. Cravens said he would review the items mentioned for revision and re-present the proposed ordinance amendment at the April meeting.

Mr. Cravens also explained that the proposed project for the service station remodeling at the corner of California and Culberson Streets has been cancelled. The project had been submitted to P & Z previously.

After no further business the meeting was adjourned at 3:26 p.m.