

CITY OF GAINESVILLE
PLANNING AND ZONING COMMISSION

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2:00 p.m.

April 12, 1989

Members Present: Van Knight, Don Hawkins, Chris Kaden, and Luann Shortnacy,

Members Absent: Russell Duncan, John Schmitz and Allen Fleitman.

Staff Present: Gene Cravens, Pat Payne, and Gilbert Villa.

Visitors Present: Shirley Lusk (LWU).

The meeting was called to order by Chairman Van Knight at 2:14 p.m.

The **second item on the agenda** was consideration of and approval of the minutes from the March 8, 1989 meeting. A motion was made by Don Hawkins and seconded by Luann Shortnacy to approve the minutes as presented. Motion carried by the following votes: Ayes: Knight, Hawkins, Shortnacy, and Kaden. Nays: None. Absent: Duncan, Fleitman and Schmitz.

The **third item on the agenda** was discussion of the Wheeler Creek South Subdivision. Mr. Knight asked Mr. Cravens to present discussion. Mr. Cravens stated that he had had several discussions with the engineering firm [re: Kerry Maroney] from Wichita Falls, which firm had drawn the preliminary plat and engineered all improvements for the proposed subdivision. He had also talked with the R. L. Foree company [owner of the property] and he said from all he could determine, the Foree company has, in all probability, abandoned the project since the death of Mr. Foree. The church [re: Eddie Jones] which had bought the two corner lots [being zoned Neighborhood Service] has since tried to sell those lots; however, since the Final Plat was not filed of record, the lots were originally sold illegally by metes and bounds and cannot be resold nor can a building permit be issued on that property. Mr. Cravens said Kerry Maroney suggested that an amended preliminary plat for those two lots only could be submitted in order for the two NS lots to be developed without the remainder of the subdivision being involved. He said he felt that, in his opinion, that procedure would only circumvent the City's Subdivision Regulations, because "...that's not a partial subdivision plat and is only stretching the imagination". He further explained the problem with Mr. Jones trying to sell the property to a local person who wants to build a home there and the problem has nothing to do with the City- it is not the City's problem. It could only cause problems in the future if the amended preliminary plat were submitted and accepted, because if it were allowed to be a partial subdivision, then the City is not doing its job by planning for future utilities and streets;

maybe later the Foree Company will come back and try to sell the property off lot by lot, which precedent would already be set, causing a piecemeal subdivision.

Mr. Kaden pointed out that the drainage on the property, which has been an issue, would only be made worse if proper planning were not implemented. Mr. Cravens emphasized that the Planning and Zoning Board has the authority to take action to rescind the original preliminary plat since a year has passed since the final approval of same and nothing has been done to further the development of the subdivision or file the Final Plat. He also said the Planning and Zoning Board has to take some type of action, either being to rescind the preliminary plat or extend the time, and P & Z voted to extend the time for one month at last month's meeting. Mr. Cravens said he had asked the Foree Company for a letter asking for an extension, but has not received anything. He also said if the Final Plat is submitted, the City can hold off approving it until all improvements are in place. Mr. Hawkins asked if the Board were in a position to rescind the plat. Mr. Cravens said, after voting to extend their time by thirty days (or until next meeting date [this date]), they still haven't replied to requests for action. However, since this was only a discussion item, there can be no action taken on it at this time. Mr. Knight suggested that proper action be taken at the May 10 meeting and if the Foree Company presents a new plan before that time, it will be considered. The Board was in agreement.

The **fourth item on the agenda** was discussion of the proposed ordinance regulating recallable material within the City. Mr. Cravens explained two changes in the draft ordinance he had for consideration. Nancy Williams suggested changes in the draft ordinance. Specific Use Permits were discussed for various types of recycling centers. Don Hawkins asked about grandfathering certain recycling units. Mr. Cravens said what is in place will be grandfathered. The Board agreed that a public hearing be held in May for hearing and recommendation of the proposed recycling ordinance.

The **fifth item on the agenda** was discussion on the proposed Sign Ordinance. Mr. Cravens presented suggested changes he had made in the proposed ordinance since last meeting. He said he had edited the section on real estate signs. He also said he and Mr. Villa had gone around the City and surveyed signs to try and establish a standard for various types of signs within the City. He then gave a slide presentation to illustrate his point.

Don Hawkins asked what cities Mr. Cravens drafted the Sign Ordinance on. Mr. Cravens explained that Denton, McKinney, Denison, Lewisville ordinances, etc., along with model ordinances, were used. Mr. Hawkins said he felt that Gainesville is a unique town compared to other cities, with those others being "growth" cities with quite a bit of activity. He suggested that other smaller towns' ordinances be considered in drafting our sign ordinance. He said it might also alleviate the need for Specific Use Permits or Variances. Mr. Cravens replied by saying he felt, by input of the Council and others, that major changes needed to be made concerning signage throughout the City, with signage on the Interstate being controlled by the newly

adopted I-35 Corridor Standards Ordinance. He also said a portion of preferences in sign sizes is personal choice and the impact the adopted sign ordinance will have will be far reaching. Mr. Knight also pointed out that the object is not to make a hardship on local merchants, but at the same time, be able to regulate what is in place and what will be coming into the City. Mr. Cravens said he and Mr. Villa would research signs throughout the City again and present discussion at the May 10 meeting, with a public hearing to be held in June.

The sixth item on the agenda was discussion on pending projects. Mr. Cravens stated that he felt that the Grand Avenue Study should be completed and also the new Subdivision Regulations considered once again before any other projects are undertaken.

After no further business the meeting was adjourned at 3:05 p.m.