

MINUTES

CITY OF GAINESVILLE
PLANNING AND ZONING COMMISSION

2:00 p.m.

November 9, 1988

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

Members Absent: John Schmitz and Allen Fleitman.

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

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 of and approval of the minutes from the October 12 meeting. A motion was made by Russell Duncan and seconded by Luann Shortnacy to approve the minutes as presented. Motion carried by the following votes: Ayes: Duncan, Shortnacy, Knight, Hawkins, and Kaden. Nays: None. Absent: Schmitz and Fleitman.

The third item on the agenda was consideration of and recommendation on a request from Billy W. Beckes for water service outside the corporate limits of the City of Gainesville. Mr. Knight asked Mr. Cravens to comment on the request. Mr. Cravens stated that the property belonging to Mr. Beckes is across the road from land that was annexed in 1984 and Mr. Beckes has agreed to abide by City regulations for water service outside the City limits, including one and a half times City water rates as well as incurring all costs in extending the water line across the gravel road to his property.

Mr. Knight asked Mr. Beckes if he would care to comment. Mr. Beckes said he had read the rules and regulations given to him some time ago and wants a meter set for City water service.

Mr. Knight asked if anyone else would care to comment for or against said request; there were none.

After no further discussion, a motion was made by Chris Kaden and seconded by Don Hawkins to **recommend approval** to Council of the request for water service outside the City limits at one and a half the regular City water rate. Motion carried by the

following votes: Ayes: Duncan, Shortnacy, Knight, Hawkins, and Kaden. Nays: None. Absent: Schmitz and Fleitman. Mr. Cravens explained that the request would go before the City Council for final consideration on November 15, 1988.

The fourth item on the agenda was consideration and recommendation on the Interstate 35 Development Standards Ordinance for the City of Gainesville. Mr. Knight asked Mr. Cravens to briefly review the proposed ordinance for the property owners and City residents who were in attendance for the public hearing. Mr. Cravens expounded briefly on the background of the ordinance and on each section contained in it.

Mr. Knight then opened the public hearing for comments from the audience. Mr. Russell Sims asked questions pertaining to the designated area covered by the ordinance. He asked if the area would be zoned Commercial; he was told it would not--Mr. Knight reassured the audience there would be no change in the present zoning.

Mr. Walter Vincent asked questions pertaining to existing structures and was concerned if materials would be available to the general public for their information on the Corridor Standards. He was also concerned about a dumping area north of his property on the west side of I-35. He was assured that only fill dirt and rock were dumped there.

Debbie Hermes, of Star Street, asked ..."how much space would be left for residential to be built".... She was concerned that too much property was "left for Commercial and Industrial". She was assured that no rezoning was taking place, and Mr. Cravens pointed out the existing zoning districts to her, including Single Family Residential areas. He also assured her that only development standards were being implemented by the Ordinance. She also asked why the area was so large. At that time she presented a petition signed by her surrounding neighbors [attachment]. A point of reasoning she made in presenting the petition was that the 2:00 p.m. time for the public hearing was extremely inconvenient for most of her neighbors. Mr. Knight told her that there would also be an evening public hearing before City Council for convenience of those who could not attend the daytime hearing. Mr. Hawkins asked Ms. Hermes exactly what the people were protesting [in the petition] and she replied by saying they were protesting the rezoning. Again, she was assured there was no rezoning. She also asked what effect the [overlay] zone would have on taxes. She was again reassured it would not affect taxes. Mr. Knight explained to her that the City is attempting to promote good and decent development along Interstate 35 at some future time. Mr. Vincent asked if it would be an enhancement to the property "already there". Mr. Knight answered it would.

Mr. Duncan also told Ms. Hermes that industries and business could build and develop now in the present zoning districts,

which would be close to her home, but after the Corridor Regulations are enacted, the City can control how they are built, and not devalue the surrounding property. Ms. Hermes asked if the traffic would be affected, and she was told there would be no noticeable effect on traffic unless there is development in the area.

Bob Weber of Hamilton, Texas, who owns property in the proposed Corridor, asked if existing industrial property would be affected and he was told it would not. He then asked how the proposed ordinance would promote business. He also said he felt the proposed regulations would be feasible for the whole City. Mr. Knight told him that due to the aesthetic rules of the proposed Ordinance, he felt that new businesses would want to come into the City and build knowing that ugly, nonconforming structures would not be built next to them. He also said he felt it would give the Chamber of Commerce more leeway in promoting the City for business and industrial prospects.

Mr. R. D. Clack asked if his property in the 400 block of West California Street would be affected by the proposed regulations as long as he wants to live in it. He was assured it would not.

Mr. Villa stated that one of the rules of the proposed ordinance is outlawing the portable signs with flashing lights. Other things that are not in the Zoning Ordinance, Sign Ordinance, or Building Code, i.e. specifics of building, landscaping, will be addressed. Mr. Villa then presented the question of remodeling within the Corridor and how it would be handled. Mr. Cravens said it was not specifically addressed, but would be taken care of.

Milton Ward, owner of Gainesville Livestock on Refinery Road, expressed his concerns regarding the future expansion and/or remodeling or renovation of his business and the probable obstacles he may be faced with in conforming with the proposed development standards of the Interstate 35 Corridor regulations, such as loading docks and cattle chutes. He asked if there would be a grandfather clause for the existing businesses. Mr. Cravens explained there is a section in the proposed ordinance for variances. Mr. Hawkins stated he felt this issue should be addressed for an orderly change that existing businesses may want to take, even though they may not presently conform to the proposed ordinance.

Barbara Balthrop asked if manufactured homes, modular homes or double wide mobile homes would be allowed in the Corridor. Mr. Knight told her that was the next agenda item to be addressed.

Johnny Thompson said he felt three readings should be adhered to when adopting the ordinance so everyone could have the chance to be familiarized with it.

Mr. Cravens and the Planing and Zoning Commission agreed that the remodeling issue should be addressed. Mr. Dresher stated that this ordinance is additional development standards for a particular area of the City, so the provisions which are not specifically covered in the amendment [the proposed ordinance] will then be addressed in the main Zoning Ordinance, such as for variances; this would also be self-evident for non-conforming structures, such as the sale barn. Mr. Hawkins said something should be "tied to it" [the proposed ordinance] to prevent politics from entering in and protect the people [existing businesses] in order for redevelopment [in case of a disaster] to conform as much as possible with the new rules and also help the property owners to continue.

J. A. Enderby spoke next stating that he is "all for" the proposed ordinance, but he feels the sale barn should be protected against any over zealous rules which would prevent redevelopment in a reasonable manner.

Ms. Hermes asked why only I-35 is involved in the stated development standards. Mr. Knight explained that it is a primary area due to it being so visible to thousands of people who drive through the City on the Interstate. He also told her that there are several other key areas in the City which will be addressed later on for new and stronger development standards.

Leona Schmitz asked why the boundaries outlined for the Corridor were designated as they are. Mr. Cravens explained that the Staff tried to stay with the thousand foot distance either side of the Interstate as close as possible and also follow street lines rather than to have an arbitrary line exactly a thousand feet that would run through the middle of properties without any logic.

Mr. Hawkins explained to the audience that the property either side of the Interstate is already zoned Commercial, but construction, at this time, is not regulated from being shoddy construction built next to a quality built structure, or loading docks being built next to residential properties that would be disturbing twenty four hours a day, or glaring lights all night into neighborhoods. Residential properties will be protected, and protection for home owners, as well as having a pleasing eye appeal for the City, is the motive for the proposed ordinance.

Mrs. Meyers asked about signs. Mr. Knight told her that the existing signs would not be presently affected, but any new signs would be controlled after adoption of the proposed ordinance.

After no further discussion, a motion was made by Don Hawkins and seconded by Luann Shortnacy to table the I-35 Corridor Development Standards until December 14, 1988, with the **public hearing remaining open** until that time. Motion carried by the following votes: Ayes: Duncan, Shortnacy, Knight, Hawkins, and Kaden. Nays: None. Absent: Schmitz and Fleitman.

Mary Jackson of Star Street, who was late arriving at the public hearing, asked if certain companies or businesses could be prevented from coming in to build, such as businesses that sell alcoholic beverages, or a sexually oriented business. She was assured that this type of business has recently been addressed and an ordinance passed regarding the regulation of those types. She also asked about property values and taxes and was assured that the regulations proposed for I-35 should not affect her property and home in any way.

The fifth item on the agenda was discussion of amendments to the Zoning Ordinance establishing a Single Family Four (SF-4) designation for residential development and an area for such development. Mr. Cravens said that the proposed SF-4 zoning will allow innovative housing construction techniques, including modular and manufactured housing. He explained the definitions included with the proposed ordinance for manufactured homes, mobile homes and modular homes. The development standards were also discussed. The requirement of "twenty two feet wide" was discussed and it was decided that the twenty two feet would be designated as twenty two feet in minimum depth after placement on lot. This requirement will eliminate single wide mobile homes. All other requirements, which do not conflict with the proposed SF-4 standards, will be the standard SF-3, as designated in the Zoning Ordinance, i.e., setbacks. The subject of minimum square footage was discussed and 800 square feet was established as the minimum square footage allowable for any residential structure in SF-4 residential zoning.

Mr. Cravens explained that the Zoning Ordinance would be amended to include an SF-4 zoning designation, but a separate ordinance would be enacted to specify certain area/areas of the City for SF-4 residential.

Underpinning and the set up of any modular home structure was discussed as well as parking requirements, with requirements for SF-3 being the standards to abide by.

Locations within the City for designation of SF-4 zoned areas were discussed. Mr. Cravens told the Planning and Zoning Commission members that the Single Family Four amendment to the Zoning Ordinance would be put in place and adopted first and then an ordinance designating the area/areas would be adopted.

Mr. Villa suggested that a time limit be established for placement and/or building of residential structures within proposed SF-4 zoning districts. A ninety-day time limit was suggested.

November 30 was selected for a special meeting to further discuss and finalize the SF-4 zoning designation for consideration and recommendation at the December 14 meeting. Areas for the designation will also be brought forth for consideration and

recommendation. The Planning and Zoning Commission members agreed to informally meet the next day (11/9) at 11:00 a.m. for on-site inspections throughout the City to discern what area/areas of the City would best be served by the SF-4 zoning designation.

After no further business the meeting was adjourned at 3:55 p.m.