

MINUTES

CITY OF GAINESVILLE  
PLANNING AND ZONING COMMISSION MEETING

2:00 p.m.

December 16, 1987

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

**Members Absent:** Jim Purcell.

**Staff Present:** Pat Payne, Bill Gaither, Gilbert Villa, Vaughan McDaries, Council Representative Martha Davis, Tim Reiger (Councilman) and Mayor Charles Woolfolk.

**Visitors Present:** List attached.

The meeting was called to order by Chairman Van Knight, Jr. at approximately 2:08 p.m.

The second item on the agenda was approval of the Minutes from the November 18, 1987 meeting. Luann Shortnacy made a motion to approve the minutes as presented with Chris Kaden seconding the motion. Motion carried by the following votes: Ayes: Van Knight, Luann Shortnacy, Chris Kaden, Russell Duncan, Allen Fleitman and Don Hawkins Nays: None. Absences: Jim Purcell.

The third item on the agenda was consideration and recommendation of a request from the First State Bank to rezone a part of Lot 1, Block 2, Berend Addition (also being 1611 Throckmorton Street), from SF-3 to Commercial. Allen Fleitman stated he would be abstaining from voting on this request as he was representative for the First State Bank and would make a presentation for it.

Mr. Fleitman stated that the request of the First State Bank was to bring the property into compliance with its usage because it has been used commercially since approximately 1975 since an auto repair shop was constructed on it. He further stated that the bank wants to sell the property and there are no specific plans at the present time to use the property for any particular business venture.

Mr. Leroy Rowley spoke next stating that his opposition to the business, which has existed on that property for a number of years, was the pollution, trash, weeds and rats and insects which resulted because of the location of the business close to his fence line running east and west between the properties. He said

that the previous owner told him that all permits and zoning had been taken care of prior to the building of the business. Mr. Rowley further stated that he wonders now why the property was not zoned Commercial at that time. Mr. Gaither explained to Mr. Rowley that changing the zoning of the property would not change the use of it.

After no further discussion, a motion was made by Don Hawkins and seconded by Chris Kaden to **recommend approval** for the rezoning request from SF-3 to Commercial. Motion carried by the following votes: Ayes: Don Hawkins, Chris Kaden, Russell Duncan, Luann Shortnacy and Van Knight. Nays: None. Abstaining: Allen Fleitman. Absences: Jim Purcell.

The **fourth item on the agenda** was consideration and recommendation of a request by Mrs. Garland Vandever to rezone a part of Lot 1, Block 2, Berend Addition, a vacant lot, (south of the property just rezoned) from SF-3 to Commercial. A motion was made by Don Hawkins and seconded by Luann Shortnacy to **recommend approval** for the rezoning request. Motion carried by the following votes: Ayes: Don Hawkins, Luann Shortnacy, Chris Kaden, Russell Duncan and Van Knight. Nays: None. Abstaining: Allen Fleitman. Absences: Jim Purcell.

The **fifth item listed on the agenda** was the discussion of the Wheeler Creek South proposed subdivision Preliminary Plat. Mr. Knight asked Mr. Gaither to explain the nature of the discussion. Mr. Gaither recalled the letter he wrote to Mr. Kerry Maroney, P.E., making suggested changes to the originally submitted Preliminary Plat of the Wheeler Creek South proposed subdivision. A copy was given to all Planning and Zoning Commission members for their consideration and review. Mr. Gaither introduced Mr. Kerry Maroney and Mr. Scott McMahon, representatives of the developer, Mr. R. L. Foree of Dallas, Texas. Mr. Maroney explained the eighteen concerns as were listed in the letter from Mr. Gaither to Mr. Maroney on November 24, 1987, as follows:

1. **Using an old existing sewer line already in place on the property.** Mr. Maroney stated that was fine with them and they would use most of it by relocating part of the line and utilizing the remainder of it.
2. **All sewer lines should be placed at the front of all lots in the parkways, rather than at the rear.** Mr. Maroney said they have no problem with moving them to the front of the lots and will result in a cost saving measure to them. Water will be on one side of the street and sewer on the other side of the street.
3. **Side yard setbacks indicated as being fifteen feet.** Mr. Maroney said it is no problem to change that to twenty five foot setbacks, including side yards for corner lots. He stated it was an oversight on their part.

4. All protective covenants should be shown on the Plat. He said they would rather not show it on the Plat and show it, as submitted, on a separate document. Mr. Gaither said that would be fine.
5. Provision 9-A, Building Restrictions, re: One Hundred Year Flood Plain. There is no FEMA map on this new area and will not be put out until the City requests so. Mr. Maroney said the 725 foot floor elevation indicated on the Preliminary Plat is due to a present elevation of 724.5 in Joy Acres and there has been no water in those houses. The present elevation is 722 and 723 feet for the new development. He requested that the City request FEMA to establish a "...or one foot above the Hundred Year Elevation". The 725 foot elevation allows building sites on all lots.
6. Lining up Willow Way with the existing Willow Way across the road and deleting the flared effect at the entrance from F.M. 678. Mr. Maroney, again, indicated that would be no problem and the street will be straightened out.
7. Easements for all existing water and sewer lines should be shown on the Plat and as dedicated easements and also should be five feet each side of proposed utility lines. Mr. Maroney said that would be no problem.
8. Pedestrian easement to be at different location than shown and directed toward Edison School. Again, Mr. Maroney said it would be no problem.
9. Open drainage channel extending from F.M. 678 South should be underground storm sewer rather than open drainage channel as shown on Plat. Mr. Maroney said that there is a problem with that request. He said they are proposing a concrete-lined channel at the rear of the Commercial/Neighborhood Service tracts. He indicated the main problem with changing the type of drainage channel is the volume of water which runs off F.M. 678 which would require such a large underground storm sewer that the development costs would be intolerable. Again, he indicated that he would rather go with open concrete channel in order to hold the surface grade along with the lay of the land as much as possible in order to keep sufficient fall to the creek. He said that they do not intend for the channel to be an open earthen channel-but concrete lined. Mr. Gaither indicated his opposition to the open channel is appearances and the whole development would look much better in the long run if the storm sewers are all under ground. However, he said he felt better knowing that it would be concrete lined rather than an earthen channel. Mr. Maroney said he would keep it about ten to twelve feet wide and as shallow as possible, maybe two to three feet. Mr. Kaden suggested that maybe a buffer

type zone could be established around the open channel with shrubs or anything that would have a screening effect. Mr. Maroney indicated that a channel type, concrete lined storm drainage is not unusual.

Patty Haagen spoke next expressing her disapproval of the corner lots which have been designated as Commercial/Neighborhood Service. She also pointed out that an open drainage "ditch" could cause problems concerning children as they go to and from Edison School as well as causing an accumulation of trash and causing a possible mosquito problem to develop. She also stated a concern over the tri-way intersection at California, Broadway and Rosedale Streets, which may become heavier with traffic with the Wheeler Creek South Development. Mr. Maroney assured her that they (the developers) are concerned about the intersection and have previously talked with the Highway Department regarding improvements for that area. But he said they have been told that "that portion of F.M. 678 east to F.M. 3092 does not warrant priority as far as the State's concerned because there is not that much development along...between those areas". However, he said, after talking with the Design Engineer with the Highway Department, the "reworking of the intersection at California and 678, also the traffic control and signalization of 3092 are in their five-year plan and are estimated to be in the fourth or fifth year."

Mr. Jim Thomason, Principal of Edison School, spoke next stating his disapproval also of the corner lots specified to be Commercial/Neighborhood Service due to the walking traffic of the children who come and go from the school. He indicated that there have been numerous problems in Gainesville due to elementary schools being located too near convenience stores and he, employees of the school and parents are against the idea of a convenience store being built on the proposed Commercial/Neighborhood Service zoned lots.

Scott McMahon spoke next stating that one of those sites could possibly be utilized for a church site as an alternative.

Again, Mr. Maroney stipulated those corner tracts had to be developed either for Commercial or Neighborhood Service in order "to make the development go".

(continuation of proposed changes by letter of 11/24/87)

10. Depiction of existing fifteen inch sewer line should be located on Plat. Situation has been discussed and resolved earlier.
11. All of Wheeler Creek drainage channel easement should be included within area of dedicated Plat and legal description shown (southeast corner of proposed development). Mr. Maroney indicated there is no problem with that suggestion

and also taking in the east side of the Creek for easement. He also said that they propose to dedicate that area to the City of Gainesville.

12. **Proposed Willow Way cul-de-sac is too long.** Mr. Maroney stated that the 600 foot maximum for cul-d-sacs in the Subdivision Regulations seems to be a unique regulation and he said he doesn't exactly know what to do about it. He said they would set another fire hydrant anywhere along the extra length in order to have adequate fire protection. A main problem would be losing lots if another street were cut into Willow Way.

Mr. Maroney was asked about the Multi-Family proposed designated lot on the west side of the development and if a street could possibly be cut through there. Again he stated that that needed to be left as is in the proposed plans as possible condominiums, garden homes or town houses. Mr. McMahon said those types of homes would be essential for conformity to the rest of the neighborhood.

13. **Proposed area to be dedicated to City as green space and clearly delineated as separate item with legal description.** Mr. Maroney said that after talking with Mr. Gaither, he explained that that area is Lot 1 and Block 2 which already has a legal description and they have no problem with writing field notes around that.
14. **Proposed drainage channel in southeast part of proposed development.** Mr. Maroney said (as discussed previously) it will be grass lined. It will handle the water which comes off Bridle Lane and drains south/southeast.
15. **Street construction specifications to be shown to City prior to final development of streets and approval of Final Plat.** Mr. Maroney said that would be fine.
16. **Approval from Corps of Engineers for discharge into Wheeler Creek.** Mr. Maroney indicated they will not be changing water sheds but they may have to meet with the Corps in order to finalize the drainage in that area.
17. **Areas shown for apartments and commercial area should not be designated at this time on the plats, but only as numbered lots.** Mr. Maroney said his only concern with that was that everything should understand that the proposed subdivision will not be feasible unless those lots can be zoned Commercial. He said Neighborhood Service will probably be the designated zoning and without this zoning, the development will serve no purpose and may not be developed due to high development costs.

18. Concern with traffic flow around proposed Commercial/Neighborhood Service and apartment designated zoning. Discussion had previously been addressed as to the traffic flow which somewhat depends on the Highway Department and their cooperation with the City as to redirecting traffic and with the erection of traffic control devices.

(conclusion of discussion of suggested changes)

Mr. Gaither asked Mr. Maroney about electrical lines in the proposed development and Mr. Maroney indicated they are prone toward underground lines with no gas service in the development. The electrical and telephone service lines will probably be located in the rear of the lots.

Mr. Hawkins asked that more study be done on the Willow Way cul-de-sac. Mr. Knight asked that there be more thought on a pedestrian easement to the school.

Mr. Maroney indicated there are 87 lots on the present proposed Preliminary Plat. Mr. Gaither then said that he understood that 1800 square feet will be the minimum square footage of the homes in the proposed subdivision.

Mr. Maroney said the Commercial tract and the apartment tract will be given a lot number at the present time and the green space (open space) will be indicated as dedicated space. He also said a revised water and sewer Preliminary Layout will be sent to the City. Also a setback easement on the lots which border F.M. 678 will be shown. Mr. Hawkins suggested that set-back restrictions be put on the Commercial/Neighborhood Service tracts.

**NOTE:** After further review of the Preliminary Platting requirements, Mr. Gaither advised the developer, Mr. Maroney, after the meeting, that the platting requirements do require that the proposed zoning be shown on the plat. The developer said he would do so.

The sixth item on the agenda, discussion of the new proposed Subdivision Regulations, was postponed until a further time due to time limitations. The next meeting will be January 13, 1988.

After no further business the meeting was adjourned by Mr. Knight at approximately 3:50 p.m.