

MINUTES

CITY OF GAINESVILLE  
PLANNING AND ZONING COMMISSION MEETING

FEBRUARY 11, 1987

Members Present: Van Knight, Jr., Russell Duncan, Allen  
Fleitman, Mrs. Luann Shortnacy, Don  
Hawkins, and Jim Purcell

Member Absent: Peter Hyde

Staff Members Present: Barry LeBaron and Pat Payne

Visitors Present: List Attached

The meeting was called to order by Chairman Van Knight, Jr.  
at 2:00 P.M.

The second item of business listed on the Agenda was approval of the Minutes from the January 14, 1986 meeting. The Minutes were amended to read that members absent also included Mr. Jim Purcell. A motions made by Mr. Allen Fleitman to accept the minutes as amended with Mr Russell Duncan seconding the Motion. Motion carried unanimously.

The third item of business listed on the Agenda was the request of Gina Spurgeon, Agent, to rezone lots 4, 5, and par of 6, Block 114, of the Gainesville Addition, and also being 1207 S. Grand Avenue, from Single Family Two to Commercial. Mr. Knight asked for any discussion for the request and Ms. Spurgeon spoke first stating her reasons for wanting the Commercial zoning was for the Mahoney Realty Agency she works for to utilize the property to its potential, since they are trying to sell the property. She stated that there is already a large area of commercial property around it, and the property being almost three acres, could be utilized best if it were commercial. She further stated that at the present time there are no specific plans for the property nor is there a contract for the property. She stated that Robert Baker owns the property. Mr. Knight then ask if anyone else would like to speak for or against the request. Mr. A. F. Cook spoke in opposition, stating that he lives at 1030 Moss Street, adjacent to the property in question. He said the area is predominately family dwelling units, with a small portion zoned commercial. He pointed out that there is already too much noise and disturbance with the trucking firm that goes up and down the street and previously with the feed store that utilized feed grinders all night during the summer months. He also stated that the traffic congestion is very

heavy with the high school traffic using that street as a thoroughfare. Mr. Knight asked if there was further opposition and there was none. Mr. Hawkins spoke next asking how this area fit into the Master Plan for Grand Avenue. Mr. LeBaron explained that the Master Plan from the '60's showed Moss Street as a thoroughfare, but did not pinpoint any commercial areas that small. He said he didn't feel that the requested zoning was in conflict with anything that was already zoned in that area. Mr. Hawkins asked Ms. Spurgeon why the request for a commercial zoning, rather than general retail or office. She indicated that her agency felt that due to the location and the size of the property that commercial zoning would be more beneficial and better suited due to the marketing potential of that area. Brenda Morschell spoke next in favor of the request. She too works for Mahoney Realtors. She reiterated on the same thoughts that Ms. Spurgeon had already elaborated on, concerning the reasons for rezoning the property, adding that also if the property were rezoned to commercial, due to the City recognizing cumulative zoning, the property could also be utilized for general retail or office zoning. Mr. Don Hawkins spoke next stating that he felt there was a "hodge-podge" of zoning on South Grand Avenue, but, in fact, he is not opposed to commercial zoning of that site. Mr. LeBaron stated that the Grand Avenue Study is approximately 70% completed, and the Study could be extended to also include the South Grand Avenue area down to Anthony Street. The Board, in general, felt that the area needs to be protected from a mixture of development. Mr. Knight then explained to Ms. Spurgeon that if the request was denied, it could not be presented to the Board for another year. She stated that she would withdraw her request with the suggestion that that portion of South Grand Avenue from the old railroad tracks south to Anthony have a survey study done on it to determine the best possible usage of the area. No action was taken on the request.

The fourth item of business on the agenda was the request of Mr. Richard Klement and Mr. Billy Keed to rezone .92 acres in the G.D. Hill and Mund Surveys from Single Family to Multi Family. Mr. Knight asked Mr. LeBaron if he had any comments on the request. Mr. LeBaron stated that the original request was for a strip of land 400' by 100'. But, he stated that the applicant had requested an amendment to the request to include an additional 50' on the north end of the strip of land, which would be 100' long and 450' wide. He pointed out that due to the legalities of the notification process, the adjoining and adjacent neighborhood was not legally entitled to be notified of the request change due to their being out of the 200' notification zone limits. But, he said the applicant agreed that it was the ethical thing to do to notify these property owners because of the impact the zoning change might have on their property if it passed. He also explained that the

additional requested 50' enhanced the proposed request for utilization of utilities for the site. Mr. Knight then opened discussion and asked Mr. Reed if he had any comments in favor of his request. Mr. Reed spoke stating the intentions for the rezone request. He explained that a company he has been talking with wants to construct a retirement village on the site. He presented pictures as to the general facade of the proposed buildings, with 40 units being proposed and being federally funded. With no one else speaking in favor, Mr. Knight asked if there was anyone to speak in opposition and Mr. Ken Hutchinson spoke. He stated that a buffer zone had been established approximately one year ago for the Arkansas Drive area and now he feels that if the site is rezoned to Multi Family, the Arkansas Drive area will be "fenced in" with no more room for future expansion. Mr. Sam Woody spoke next in opposition and also presenting a petition of names in opposition of the request. Ms. Ann Land and Jerrie Dumas also spoke in opposition. Mr. LeBaron pointed out that prior to any construction on the site for Multi Family development, there has to be a site plan submitted before a building permit can be obtained. It was also pointed out that Gainesville only has one Multi Family zoning classification, with that one including anything that qualifies for Multi Family. After further discussion among the Board members regarding the existing buffer zone area which would separate the proposed site for rezoning from the Arkansas Drive area, Mr. Russell Duncan made a motion with a second by Mr. Don Hawkins to recommend approval to the City Council. The motion carried unanimously.

The fifth item of business on the Agenda was discussion of the proposed zoning plan for the Sam Enderby property on West Highway 82, west of Floral Drive. Mr. LeBaron presented discussion and reiterated on the previous Planning and Zoning meeting when the Board members met and drove to the site to try and determine the best zoning possibility for that area. He presented a map with the results of the Board's discussion as to the various zoning areas for that site, with MF, SF-G, 2F, SF-2, I-1 and C being the proposed suggestions for rezoning, from Agricultural. After discussion among the Board members and after making some minor adjustments, the Board agreed to accept the proposed rezoning of the area and recommend it for Public Hearing at the March 11, 1987 Planning and Zoning meeting. Van Knight asked that Mr. Sam Enderby be notified of the proposed zoning changes on his property.

The fifth item of business on the Agenda was the proposed zoning plan of the West side of the 1000 Block of Ritchey Street to established medical related office facilities adjacent to the Gainesville Memorial Hospital, by rezoning it to Office classification. Mr. LeBaron explained the reasons for doing so by stating that since the Side Yard

Amendment to the Zoning Ordinance was passed, the lots in that area are not limited to less space for development. He also pointed out that the area where the hospital is located should also be rezoned, due to the fact that it is still under a Single Family Two classification, with a Specific Use Permit still being utilized for its location and usage. Mr. Fleitman suggested that the West side of the block be rezoned first and later determine what to do about rezoning the hospital area, since they own other property around it also. Mr. LeBaron indicated that he would contact Mr. Jim Bluthne, who had property rezoned in that area to General Retail a few months ago to let him know what the plan is for the area.

The seventh item of business on the Agenda was discussion by Mr. LeBaron of the definitions and usage of service stations, body shops and repair shops located within the City. He pointed out that one of the Priorities established in 1986 for Gainesville was prohibition of junked and abandoned vehicles. However, he indicated that there needs to be a better defined term of what abandoned and junked vehicles really are and where they are not allowable. He also pointed out that in the present Zoning Ordinance, definitions of various businesses are not always clear as to their specific usage and that some of the definitions are lacking what "they are not". Mr. LeBaron indicated that one way of controlling the amount of junked vehicles, or indisposed vehicles, is to use colored stickers to verify length of time the vehicle is parked. He further expounded on the idea of an ordinance to define the definitions of service stations, body shops and repair shops and the enforcement of regulations for each. Discussion further ensued among the Board members concerning regulations with the various shops and stations and the storage of parts and junked vehicles that may be associated with them. Mr. LeBaron explained that an ordinance will have to be written to cover these areas of concern, whereas normally the only ordinance that is written is one on abandoned vehicles. He said that after once an ordinance is drafted, a Public Hearing would be held to present the ordinance for discussion and recommendation. Mr. Knight suggested that the ordinance, once drafted and proposed, should be discussed among the Planning and Zoning Commission members for any changes or alterations that may need to be made before presentation for Public Hearing. Mr. LeBaron said he would try to have an ordinance drafted for presentation to the Planning and Zoning Commission for the March meeting.

The eighth item of business on the Agenda was consideration of a proposed Zoning Ordinance revision on the "cumulative provisions" of the Ordinance. Mr. LeBaron presented discussion as to what the City is trying to approach and accomplish through the present Zoning Ordinance and also what the City can accomplish by a revision of the Ordinance

with more distinct descriptions for each zoning district. He further discussed a list of "Purposes" which were included with the Agenda packet, which Purposes included a description for each zoning district and also which eliminated some zoning districts which are not applicable to the City, such as a Parking Zone. He presented a copy of an excerpt from the Gainesville Zoning Ordinance to each P & Z member outlining each zoning district through a matrix system. He explained that the Zoning Ordinance needs to be more specific and specify which districts need to have what uses allowed in them and what format does the Zoning Ordinance need to look like and to take on. Should it be the approach of just a matrix system because it's easy to look up. Mr. LeBaron explained that the system is deceiving due to one not looking far enough down on the chart to include all the information needed. After further discussion among the Board members, Mr. LeBaron suggested that a workshop be held in the near future to reformat the Zoning Ordinance and began putting ideas together that need to be used in the some zones, but don't want in other zones and putting together a non-cumulative type of ordinance.

He also explained that another item that he felt should be included in a workshop is the draft of the Subdivision Regulations. After discussion among the Board members, it was decided to set up a workshop for Planning and Zoning Commission members on February 26, 1987, at 7:00 p.m., in the Council Chamber

The last item of business to discuss was attendance for the training workshop for Planning and Zoning to be held by the North Texas Council of Governments in Arlington on February 20, on Comprehensive Planning.

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