



MEETING MINUTES

Planning & Zoning Commission

Thursday, August 12, 2014

4:00 PM

City Hall, 200 Rusk Street, Council Chambers

Members Present: Emmanuel Albarado, Teresa McElreath, Lynn Monden, Lynette Scruggs
Members Absent: Nathan Dempsey, William Koontz, Bill Williams
Staff Present: Linda Ames, Lynette Pettigrew, Julia Smith
Visitors Present: Jayleane Smith
Chair: Lynn Monden

Item 1 - Declaration of Quorum

With a quorum present, Chair Monden called the meeting to order at 4:00 pm.

Item 2 - Oath of Office

Kay Lunnon, City Secretary, administered the Oath of Office to appointed Commissioner Emmanuel Albarado.

Item 3 - Approval of Minutes

Commissioner McElreath moved to approve the minutes from the July 22, 2014, meeting as presented by staff, and Commissioner Scruggs seconded the motion. All present voted AYE. Motion carried unanimously.

Item 4 – Work Session: Discuss Potential Zoning Changes for the Primary Corridors and Central Area District in the City of Gainesville

Chair Monden read the case into the record.

Community Services Director, Julie Smith, offered background information. She explained that because the Planning and Zoning Commission over the last year began to experience an increase in re-zoning requests in the downtown area, or Central Area District, and along the primary corridors of the City (California, Broadway, and Grand), the Commission thought it might be time to revisit what zones permit what uses in these areas and whether those zones are still appropriate given the growth Gainesville is experiencing. For instance, the Planning and Zoning Commission recently recommended and Council voted to approve a request to rezone 401 W California from General Commercial (C-2) to Central Area District. Though the Commission (and Council) unanimously supported the request, the Commission expressed concern about piecemealing zoning by individual parcels rather than within a more general context of a particular zone. She explained that zoning is about creating the fabric of a community – the built environment – in a way that makes sense as you transition from one zone to another. The horizon for such planning is long term and the implementation (because of grandfathered uses) even longer. Working with a 20-, 30-, or even a 50-year horizon is a challenge but important.

Given the scope of the task at hand, CSD Smith recommended starting with the *Central Area District*, the heart of the community, and working out from there. She acknowledged the Main Street Manager, Lynette

Pettigrew, in the audience, along with Jayleane Smith, a member of the Main Street Board and Director of the Morton Museum of Cooke County. Both are interested in supporting the Commission's effort as it applies to the downtown area. CSD Smith also mentioned that she and MSM Pettigrew discussed the possibility of renaming the Central Area District to The Historic District to better describe the area as well as to give it the name often used for the historic county seats/downtown squares in Texas.

Chair Monden agreed that "Central Area District" does not identify the area well.

CSD Smith suggested that the effort of reviewing the zoning in these areas will take numerous work sessions. By way of example, she described the areas around the Central Area District. Immediately to the north, northeast, and south are Single-Family Two Residential (SF-2) zones. Residential zones work well against historic areas, because historic areas often cater to and depend on pedestrian traffic (and residents can easily walk to the downtown if they live close by). Downtowns often, like Gainesville, permit loft-living (another form of residential use) compatible with single-family residential uses. However, as you leave the Central Area District zone (CA) and go either east or west, the adjacent zone is General Commercial (C-2). General commercial permits over forty different types of uses, some relatively intensive compared to those permitted in the Central Area District. This can cause for an abrupt transition between the CA and C-2 zones. The Code does have a more restrictive commercial zone (C-1) that may be worth considering as providing a smoother zoning transition between CA and C-2.

Commissioner McElreath recalled that, because you could not locate a gas station in C-1 and the need for gas stations was significant for the downtown area, it may be why those areas were zoned C-2.

CSD Smith responded it makes good sense to have a gas station serve the downtown area especially if you can locate it close to the IH-35 corridor – a very intensive-zoned corridor for all the obvious reasons. CSD Smith said Commissioner McElreath's observation begs another point: it may be that the Commission would like to consider changing the uses permitted in each of the commercial zones to provide service-oriented uses to locate closer to downtown and/or permit residential lofts in other commercial zones besides CA. For instance, when the Commission considered uses it would permit for the commercial tract for Black Hill Farm, you all said no gas stations, because there is one across the street. That illustrates the need to take into account the surrounding zoning and its permitted uses as well as grandfathered uses. It gets complicated quickly. These considerations, and many others not yet touched on, are the reason this process to reconsider the zoning districts in these areas is likely to be a long process. By breaking it down into areas, starting with the Central Area District, it may make it a bit easier to tackle. She suggested the Commission identify what in the current zoning makes the area feel awkward or unworkable and then brainstorm what solutions it might see.

Commissioner McElreath commented that the existing zoning served a purpose, in the past, for our small town like the gas station scenario. However, now that the downtown is growing, it may be a good time to figure out if we want to better tailor uses for certain areas.

Commissioner Albarado asked whether California, east of Grand where the Meador Funeral Home and the CPA office are located, is zoned C-2.

CSD Smith answered, yes; C-2 zoning goes east to Clements. She speculated that the 2008 zoning effort tried to provide zoning for commercial uses along these major corridors though there are some isolated zoning areas that accommodated the existing uses. It may make sense to honor the existing uses for other reasons, too, such as providing areas for manufactured housing. It is probably preferable to keep *the manufactured*

housing where it is currently located and allow those areas to build-out rather than to grandfather existing manufactured housing in and designate a new area for future manufactured housing.

Chair Monden commented that was exactly what they had done. She said they had to work around uses already existing and working, like the mobile home parks.

CSD Julie Smith added that it is important not to just identify areas of concern but also those areas that are working well. If it is working, why would the Commission change it? She also encouraged the Commission to think about not just how a certain use is working within its boundaries but also how well it works within the larger framework of the city limits.

Commissioner Albarado said that, generally speaking, the downtown area, the historical area, seemed to be more exclusive in the types of uses it permits.

CSD Smith pointed out that while that was true, only the CA district also allows a residential use (lofts). From that perspective, the CA district is more intense than C-1 which restricts uses similarly to CA but does not allow lofts. From this point of view, C-1 might be seen as the most exclusive.

Commissioner Albarado asked what was meant by "lofts."

CSD Smith described lofts as second or third story apartments located above retail and commercial uses at ground level (as often can be found around the square).

Chair Monden provided the example of a business owner whose business was on the ground floor and whose residence was above it.

CSD Smith asked if anyone knew why California/Broadway out east of town to Radio Hill Road had been zoned SF-2 given the future likelihood of it developing commercially.

Chair Monden commented that because it was already residential, they just kept it residential. It includes some nice homes along that particular street, though some may not be.

Commissioner McElreath agreed and pointed out that it is residential from Clements Street east.

CSD Smith observed that rezoning is not about demolishing houses or terminating existing uses. Changing zones won't change use overnight. Even if it could, such a scenario is rarely economically supportable. Existing uses are grandfathered in until those uses or the buildings they are in go away. Zoning is, however, about opening up the corridor to other possibilities. For instance, perhaps C1 uses would work nicely amongst the existing residential, not unlike the SF-2 zoning adjacent to the CA zoning downtown. It's just a thought. There's a lot of residential mixed into this corridor even where it was already rezoned to C-2.

Chair Monden commented that eventually she thinks the town will need some services out that way.

CSD Smith added that with Chalmers subdivision and the school and the GISD buildings to the north, California at Radio Hill creates a natural traffic loop on the east side of the City.

Chair Monden observed that it did and that is the type of issue the Commission would like to address during this process.

MSM Pettigrew said that areas will be zoned that contain grandfathered uses but that in fifty years under new zoning, those areas will likely turn commercial.

Chair Monden said that because of the traffic coming from Lake Kiowa to US 82, she could see the need for a convenience store and gas station and similar services on that side of town.

Commissioner McElreath commented that the Chalmers subdivision plat showed a C-2 parcel to allow for a convenience store.

Chair Monden said she wanted to see these services come to Gainesville, because this means that there is growth in Gainesville. She loves the way Denton has grown and developed downtown; she had a second store there once, but in the past 10 years Denton's downtown changed significantly.

CSD Smith observed that having a commuter rail stop in Denton drove the commercial and retail development much faster than it otherwise would have developed.

Chair Monden stated that we are 15 years behind them. Now is a good time to build that future vision. We have to put the vision out there to garner the commitment to realize that vision and move forward.

CSD Smith added that as part of that vision it may be important to look at the entrances to Gainesville which occur primarily along US 82 and IH-35. These corridors are primarily zoned C-2, Outdoor Commercial (C-3), and Industrial (I). The main difference between C-2 and C-3 is that C-3 allows outdoor sales and storage. Gainesville is currently zoned similarly to Lindsay in that storage is permitted along US 82 coming into town. Lindsay has just seen a mini-storage permit come into town for US 82. You may or may not want people to judge Gainesville by what they first see along US 82. On the other hand, you do not want to zone yourself out of economic viability. Another important intersection is I-35 and California. Unfortunately, this occurs below grade. I say unfortunately, because it is a beautiful intersection given the park, the zoo, and the new Medal of Honor Park.

MSM Pettigrew agreed and said the only way you would see the intersection from IH-35 is if you are a passenger and know to look down.

Chair Monden shared that having had her store downtown for many years the problem she experienced was that people have not focused on a common vision and goal of what we want downtown to look like. I see all the hard work Lynette (MSM Pettigrew) has done for Main Street and now with the Chamber. I think we tried really hard in 2008 to at least lay the foundation for a citywide vision. I now hear that you are calling us to refine that vision and make any merited course adjustments here and there. That's what I liked about Black Hill Farm; they had a vision to look like a small town, even though it is new. It will fit in to who we are. We should at least pick up the pieces and go in a similar direction.

CSD Smith shared a recent experience: a couple came to her office after having traveled to Bricktown, OK. To make that project work, the Mayor had asked for a .01 tax increase to fund the development of what would be an entertainment center – a serious vision. One of the aesthetic requirements of the development was that all the buildings would have to be constructed with the same brick. The referendum passed but not by a large margin. However, since the initiative has been so successful, it is very hard to find any citizen who will admit they voted against it. It's a good example of a successfully implemented vision.

Commissioner McElreath asked whether the staff had any recommendations.

CSD Smith answered that, no, the policy direction was entirely up to the Commission.

Commissioner McElreath asked whether the Commission could add lofts to the permissible uses in C-1.

CSD Smith answered, yes, the Commission could. She suggested starting downtown and working outward to determine the transition of uses.

Commissioner Albarado said that he was somewhat an outsider and a relative newcomer to the town. He noticed that the courthouse is surrounded by attorney offices. Though that is convenient for the attorneys (and he noted he is an attorney), it may not make the most sense for the public. Attorney offices do not encourage night life via restaurants or patios where people are encouraged to congregate downtown. Commissioner Albarado asked whether the Commission is able to say, "We don't want offices there?"

Chair Monden said that they tried to encourage that, but the people who owned the buildings were not willing. Then the County took up the whole square, which made managing downtown an even greater challenge. She said the Commission must aggressively sell the vision to keep the downtown alive.

Commissioner Albarado agreed noting that at 5:01, downtown turns into a ghost town.

CSD Smith asked the Commission how they would like to move forward. It seemed to her that the downtown area is the most contentious and very important. Perhaps a good way to start the process, she suggested, is to have a work session just for the downtown. During that session, the Commission could have MSM Pettigrew describe the Historic Overlay District and what the Main Street Board vision is for downtown.

Commissioner Scruggs said she would like the Commission to also address new construction requirements in the downtown area to avoid the current loophole. She wanted to take care of that going forward.

CSD Smith offered to get together with MSM Pettigrew and put together an outline that included topics the Commission might want to discuss. At the work session, the Commission could pick and choose what it would like to discuss as well as add new topics. Staff could then take the Commission's input and formulate a recommendation for consideration at the next work session. The following work session could then focus on the next area of town (California, for instance).

Chair Monden asked MSM Pettigrew to speak from the Main Street perspective and share how other communities have addressed these issues around their historical districts/downtowns. She also asked for any specific examples that might apply to Gainesville.

MSM Pettigrew said that the City of McKinney has a good progressive but strong preservation heart with a full time staff person to act as the Historic Preservation Officer. Denton also has a strong Main Street program.

Commissioner McElreath commented that the problem with Denton is that their courthouse is no longer their courthouse.

Chair Monden said that the courthouse issue is no small challenge. In Gainesville, the County was not interested in working with the City or in developing and pursuing a vision. And McKinney has had their program in place for a very long time. They are 25 years ahead of Gainesville.

CSD Smith noted that most county seats in Texas had similar challenges – the counties generally own the historic courthouses and the ground they sit on. However, this has not stopped cities from developing their downtowns into vibrant day – and night – commercial and retail venues. Denton is a good example of that. But they are much bigger, and they have a rail station. CSD Smith offered to get together with MSM Pettigrew and research smaller communities similar in size to Gainesville who have successful downtowns to see what programs they are implementing. Gainesville has a good start with its existing plan. Now it's time to consider refining that plan as Chair Monden mentioned before.

Commissioner McElreath added it will be important to get everybody on the same page.

Chair Monden said that will require promoting the plan and selling it to the people. One of the things she'd like addressed is simply the visibility – or invisibility – of the square. When she moved her store to Grand, everyone could find it. They were surprised that the store was previously downtown for years – they had never even seen it.

CSD Smith said that is a very good issue to address going forward. What that tells her from a planning perspective is that the square may be too congested to permit drivers, as well as pedestrians, to see what stores are downtown. It also means that it is difficult to come in to downtown in your vehicle, though it may be great on foot. She noted that if you are in your vehicle, it is difficult to park and get in and out. This is one place Main Street can shine. Other towns encourage parking one block off of downtown so that they can give up parking on the square to add islands with big planters that open up the viewscape. This makes stores and restaurants more visible. Passersby see their friends sitting at the tables in front of the restaurants Commissioner Albarado was envisioning and will want to join them. These types of developments translate into stronger economies and also stronger neighborhoods and communities.

Commissioner McElreath observed that those squares are often made-up of one-way streets and not two-way streets. She also asked whether Gainesville permitted food trucks downtown.

MSM Pettigrew answered no.

Commissioner Scruggs cautioned that we do not want to damage the businesses that are here.

Commissioner McElreath suggested that if we could get rid of some of the parking and make the square more pedestrian friendly she thinks that would help both businesses and the night life.

Commissioner Scruggs observed that the County has all that restrictive parking immediately adjacent to the courthouse.

Commissioner McElreath suggested that with respect to the CA zoning, it would be nice to prohibit offices from coming in while the current ones could remain grandfathered in. This might allow us to redefine the area around the square for shops and restaurants.

CSD Smith noted that the CA district is large and expands far beyond the square. She explained that she thought the Commission was saying that they don't want more offices immediately adjacent to the square whereas they may be perfectly appropriate one block over.

Chair Monden explained that at one time we had plans to develop Commerce Street into a commercial/retail corridor so that we formed more of a T than simply a square. *In terms of going forward,*

Chair Monden indicated she would like to hear from MSM Pettigrew what successes and failures others had experienced trying to do similar zoning.

CSD Smith suggested the Commission visit other communities in the evening, after 5:01, and see how they manage to create the on-the-street experience the Commission is seeking.

Commissioner McElreath cautioned comparing Gainesville to Denton given that Denton has two universities.

Commissioner Albarado shared that his home town is about the same size as Gainesville and they created an area that had live music, wine tasting, shops that could stay open late, and people walked the streets enjoying each others' company.

CSD Smith noted that Greenville has managed outside seating with one of its downtown restaurants as well as locating the farmers market nearby. McKinney does a monthly art walk. And Gainesville had a great turnout when they did the art walk and loft tour. The Main Street Board can help create events that create and support a downtown venue feel (Depot Days, etc). Add Commerce going north and you could incorporate it into a pedestrian-focused entertainment venue for the weekend.

MSM Pettigrew noted that though Decatur proper is smaller than Gainesville population-wise, they are Main Street friendly. They might make a good tour-stop as an example of how other places are developing their downtowns.

CSD Smith suggested any trips be made after 5:00 to better observe how evenings are in those downtowns. The Commission could go have dinner and walk around and try to identify what works and what doesn't work. The Commission could then discuss what may apply and how to apply it to Gainesville at the work session.

Chair Monden summarized the various tasks: over the next couple of weeks, the Commission would be responsible for doing some field work in Gainesville to find out what shop owners, pedestrians, and people who frequent downtown do and do not like and what they'd like to see. She commented that the Commission will need home-town support or otherwise the effort will be a struggle. Historically, downtown has not been able to cast a vision in a manner that inspired locals to get on board and support the effort. The Commission now needs to create a vision that people can get excited about and push forward.

Commissioner Albarado asked whether the City has any tax incentives within the Historic District to bring in businesses.

MSM Pettigrew answered that currently the City has no such incentives.

Commissioner McElreath asked if we had a breakdown of the types of businesses Gainesville currently has.

CSD Smith said she would see if she could generate some type of report based on Certificates of Occupancy that would show that.

Chair Monden asked whether staff could answer questions like, "What types of business do we need in Gainesville?"

CSD Smith responded that the question would best be answered by the new GEDC Director, whomever that may be. It will be important to work closely with the new Director as the Commission moves through this process.

Chair Monden asked MSM Pettigrew to identify a downtown are for a field trip for the Commission. She asked CSD Smith to prepare an outline of topics and issues for discussion related to zoning for the downtown at the next work session. She asked her fellow commissioners to be looking and thinking about what changes the Commission would like to see for the historical district. She also asked staff whether the Commission could recommend officially changing the name and calling the zone The Historical District.

CSD Smith replied that, yes, the Commission could make that recommendation. In addition to Chair Monden's charge, she also suggested the commissioners engage their neighbors in conversations about what vision they may have for the downtown.

Chair Monden summed up: "Our assignment is to begin to listen, look and think."

Item 5 – Adjourn

Chair Monden entertained a motion to adjourn. Commissioner Scruggs so moved and Commissioner McElreath seconded. All present voted AYE. Motion carried unanimously. The meeting adjourned at 5:05pm

Signature of Chair:  Date: 8/26/14
Signature of Secretary:  Date: 8-26-14