

**MINUTES OF THE REGULAR MEETING  
CITY OF RIVER OAKS  
PLANNING AND ZONING COMMISSION  
APRIL 25, 2016**

**MEMBERS PRESENT:**

JAMES MYRICK, CHAIRMAN, PLACE 1  
KATHY RODDEN, PLACE 2  
PAUL SIMPSON, PLACE 4 (AT 7:06 P.M.)  
BRAD GALLMAN, PLACE 5  
HUB MAKARWICH, ALTERNATE 1 (AT 7:04 P.M.)  
SHERRIE UPTMORE DAST, ALTERNATE 2  
JOANN GORDON, COUNCIL LIAISON

**STAFF MEMBERS PRESENT:**

SUSAN STEWART, ZONING SECRETARY  
MARVIN GREGORY, ZONING ADMINISTRATOR

**MEMBERS ABSENT:**

RUTH TEAGUE, VICE-CHAIR, PLACE 3 (WORK CONFLICT)

1. CALL TO ORDER

Chairman Myrick called the Regular Meeting of the River Oaks Planning and Zoning Commission to order at 7:01 p.m. on Tuesday, April 25, 2016 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Member Gallman delivered the invocation. The pledges of allegiance to the United States and the Texas Flags were recited.

3. MEMBER ROLL CALL

The roll call was recorded as follows: Member Teague was absent due to a work conflict; Member Simpson and Alternate Member Makarwich were recorded as absent but arrived late.

It was announced that Alternate Member Dast would serve as a voting member in the absence of Ruth Teague, Place 3 and Alternate Member Makarwich would serve in the absence of Paul Simpson, Place 4 - for this meeting only.

4. APPROVAL OF MINUTES FROM THE MARCH 21, 2016 REGULAR MEETING

Chairman Myrick corrected the minutes to state that Council Member Gordon was present at the meeting.

**Member Dast moved, seconded by Member Gallman, to accept the minutes with the change. All voted "Aye."**

5. **PUBLIC HEARING:** IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON THE PROPOSED SITE PLAN REQUEST PURSUANT TO SECTION 25 OF THE RIVER OAKS COMPREHENSIVE ZONING ORDINANCE AS AMENDED IN ORDER TO CONSTRUCT A NEW 400

SQUARE FOOT RETAIL COMMERCIAL BUILDING WITH CANOPY AS REQUESTED BY BCR RENTALS IN THE WEST RIVER OAKS ADDITION DESCRIBED AS BEING BLOCK 4AR, LOT 1 OTHERWISE KNOWN AS 5400 RIVER OAKS BLVD. PURSUANT TO THE DEVELOPMENT REQUIREMENTS IN THE "C-2" COMMERCIAL ZONING DISTRICT. ***(ZONING CASE # SP 2016-0001)***

The public hearing was opened at 7:06 p.m.

ZA Gregory presented the proposal to construct a 400 square foot building with at 12x12 canopy on a vacant lot. ZA Gregory reported that the site plan includes adequate parking, a drive through window with an additional outside lane, a 25 foot fire lane and refuse container in the back on an aggregate asphalt surface. ZA Gregory reported that the plan meets the landscaping requirements and the setbacks requirements of the zoning ordinance with the only concern being the TXDOT right-of-way.

Jim Minter stated that the recycled aggregate will exceed the PSI requirements. Mr. Minter described an outdoor seating area with charging stations, wifi, and security cameras. Mr. Minter stated that there will be an ADA accessible ramp leading to and ADA compliant restroom accessible from the exterior. Mr. Minter confirmed that the minimum landscaping requirements will be met. Mr. Minter responded to some inquiries regarding indoor seating, stating that no indoor seating will be available at first but there is plenty of room for expansion. Mr. Minter confirmed that a concrete approach would be installed if required.

Chairman Myrick mentioned some type of bumper or buffer for safety near the entrance.

Brief discussion occurred related to the hours and type of foods expected to be served.

CS Gregory confirmed that permits would not be issued until the purchase was complete.

Discussion occurred regarding TXDOT requirements for the driveway and sidewalk to which Mr. Minter agreed all requirements would be met.

The public hearing was closed at 7:40 p.m.

**6. ACTION FROM PUBLIC HEARING:** CONSIDER RECOMMENDATION TO THE CITY COUNCIL REGARDING APPLICATION FOR THE PROPOSED SITE PLAN REQUEST PURSUANT TO SECTION 25 OF THE RIVER OAKS COMPREHENSIVE ZONING ORDINANCE AS AMENDED IN ORDER TO CONSTRUCT A NEW 400 SQUARE FOOT RETAIL COMMERCIAL BUILDING WITH CANOPY AS REQUESTED BY BCR RENTALS IN THE WEST RIVER OAKS ADDITION DESCRIBED AS BEING BLOCK 4AR, LOT 1 OTHERWISE KNOWN AS 5400 RIVER OAKS BLVD. PURSUANT TO THE DEVELOPMENT REQUIREMENTS IN THE "C-2" COMMERCIAL ZONING DISTRICT. ***(ZONING CASE # SP 2016-0001)***

**Member Dast moved, seconded by Member Rodden, to approve the propose site plan request pursuant to Section 25 of the River Oaks Comprehensive Zoning Ordinance as amended in order to construct a new 400 square foot retail commercial building with canopy as requested by BCR Rentals in the West River Oaks Addition described as being Block 4AR, Lot 1 otherwise known as 5400 River**

**Oaks Boulevard pursuant to the development requirements in the C-2 Commercial Zoning District - Zoning Case #SP2016-0001 - with the following recommended revisions: 1) TXDOT approval as discussed and 2) the understanding that the parking lot must meet the 2500 PSI requirement.**

Chairman Myrick inquired about the sign regulations to which Mr. Minter stated that the site plan contains the proposed signs which meet the sign ordinance.

**All voted "Aye."**

7. EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE, THE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO CONVENE INTO EXECUTIVE SESSION(S) FROM TIME TO TIME ON ANY POSTED AGENDA ITEM TO RECEIVE ADVICE FROM ITS ATTORNEY AS PERMITTED BY LAW DURING THIS MEETING. THE PLANNING AND ZONING COMMISSION MAY CONVENE IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:

*Section 551.071: Pending or contemplated litigation or to seek advice from Attorney*

**None called for.**

8. ACTION FROM EXECUTIVE SESSION

**None.**

10. ADJOURN

**At 7:46 p.m. Member Gallman moved, seconded by Member Makarwich, to adjourn the meeting. All voted "Aye".**

**APPROVED THIS 25<sup>TH</sup> DAY OF APRIL 2016**

**ATTEST:**

  
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Susan Stewart, Zoning Secretary

**APPROVED:**

  
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James Myrick, Chairman