

**MINUTES OF THE SPECIAL CALLED MEETING  
CITY OF RIVER OAKS  
PLANNING AND ZONING COMMISSION  
AUGUST 29, 2011**

**MEMBERS PRESENT:**

LORI WATSON, CHAIRPERSON  
JAMES MYRICK, VICE-CHAIRMAN  
KATHY RODDEN, PLACE 3  
PAUL SIMPSON, PLACE 4  
BRAD GALLMAN, PLACE 5  
RUTH ANN TEAGUE, ALTERNATE # 1  
SHERRIE DAST, ALTERNATE # 2  
JOANN GORDON, COUNCIL LIAISON

**STAFF PRESENT:**

MARVIN GREGORY, ZONING ADMINISTRATOR (ZA)  
JAMES HATLEY, PUBLIC WORKS DIRECTOR  
STEVE SANDERS, BUILDING INSPECTOR  
SUSAN STEWART, ZONING SECRETARY

**1. CALL TO ORDER**

**At 6:30 p.m. Chairperson Watson called the meeting to order; a quorum was present.**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

Council Liaison Gordon delivered the Invocation. Kathy Rodden led the pledge of allegiance to the United States Flag.

**3. MEMBER ROLL CALL**

Member roll call was recorded with all members present.

**4. APPROVAL OF MINUTES FROM THE AUGUST 8, 2011 SPECIAL CALLED MEETING**

Vice-Chairman Myrick noted that Member Gallman was no longer the Vice-Chairman as indicated in the minutes.

**Vice-Chairman Myrick moved, seconded by Member Simpson, to approve the Minutes of the August 8, 2011 meeting with the noted change. All voted "Aye."**

**5. PUBLIC HEARING:** in order to receive testimony and comments from the public regarding the proposed preliminary and site plan application of **Quik Trip Corporation** involving 4.0755 acres of land located in a "C-3" Commercial Zoning District at **2601 Jacksboro HWY** in River Oaks, Texas in order to replat Lots 15, 16A, 16D and 16E in the Rockwood Terrace Addition as Block 5, Lots 15R and 16R-1 in the Rockwood Terrace Addition. **(Zoning Case # PZ 2011-13).**

At 6:33 p.m. Chairperson Watson opened the public hearing.

ZA Gregory presented the site plan and preliminary plat for Quik Trip at 2601 Jacksboro Highway which is zoned C-3. The proposed use and the sale of alcohol are allowed in C-3 and a specific use permit to sell alcohol will not be required. The future use of the second pad site

was mentioned but details are not available at this time. The property is near the flood plain but meets all the criteria as required. Quik Trip is in the process of obtaining a portion of the public right of way from TXDOT and therefore the site plan is only a preliminary. A final site plan will be required.

A representative from Quik Trip was present to explain the blue prints provided to Board Members. The proposed store will be the newest layout titled Gen 3.

Linda Claridge, member of John Knox Church, was present with the church pastor to seek clarification. Mrs. James, property owner on Shenna, stated that she would prefer the trees be left untouched. The Quik Trip representative reviewed the plan, stating that the green space that is in the flood plain will remain as a buffer between the Quik Trip and the church and neighborhood.

At 6:56 p.m. Chairperson Watson closed the public hearing.

6. **ACTION FROM PUBLIC HEARING:** Consider Planning and Zoning Commission recommendation to the City Council regarding the proposed preliminary and site plan application of **Quik Trip Corporation** involving 4.0755 acres of land located in a "C-3" Commercial Zoning District at **2601 Jacksboro HWY** in River Oaks, Texas in order to replat Lots 15, 16A, 16D and 16E in the Rockwood Terrace Addition as Block 5, Lots 15R and 16R-1 in the Rockwood Terrace Addition. **(Zoning Case # PZ 2011-13).**

**Chairperson Watson moved, seconded by Vice-Chairperson Myrick, to approve the site plan and preliminary replat for Quik Trip as presented. All voted "Aye."**

7. **PUBLIC HEARING:** in order to receive to receive public comment and testimony on the proposed request from Applicant (Rodney Orand) to change the zoning classification of Block 16, Lot 10, Castleberry Gardens Addition from a "C-1" Commercial Zoning District to "PC" Planned Commercial Zoning District in order to operate a Nursery not permitted in a "C-1" Commercial Zoning District in conjunction with the pre-existing permitted use of the rear of the property for a telecommunications tower. **(Zoning Case # PZ 2011-14).**

At 6:59 p.m. Chairperson Watson opened the public hearing.

ZA Gregory presented the request of Rodney Orand to rezone the property from C-1 to Planned Commercial (PC) in order to allow outdoor nursery storage and telecommunications tower at the back. The site plan includes the provisions for a nursery as well as for a telecommunications tower since one currently exists on the property. The proposal includes two drive approaches creating a circular driveway. There is an existing service road to the tower. There will not be an office on the property; the office is located at 1915 Roberts Cut Off.

After much discussion, the board requested the following: a uniform fence across the front matching the one at 1915 Roberts Cut Off, side fencing on the north side of the property that meets building code (perhaps "horse fencing as requested by Mr. Orand), and fencing at the rear of the property that is of a screening material allowing privacy between the property and the residential neighbor. The circular driveway must be concrete with one approach at a

minimum of 16-feet and the other a minimum of 20-feet. The project must be completed within 120 days.

Citizen Betty Weddle stated that the property is proposed to be used for storage only and parking should not be a concern. Chairperson Watson stated that the proposal would allow for expansion of the existing business that could create the need for additional parking. Mr. Orand indicated that the circular drive would provide additional parking.

Mr. Orand stated that the merchandise that is sold in River Oaks should provide tax dollars to River Oaks and the same with merchandise sold in Fort Worth, however he has not had the opportunity to set up two offices.

At 8:00 p.m. Chairperson Watson closed the public hearing.

**8. ACTION FROM PUBLIC HEARING:** Consider Planning and Zoning Commission recommendation to the City Council regarding the proposed request from Applicant (Rodney Orand) to change the zoning classification of Block 16, Lot 10, Castleberry Gardens Addition from a "C-1" Commercial Zoning District to "PC" Planned Commercial Zoning District in order to operate a Nursery not permitted in a "C-1" Commercial Zoning District in conjunction with the pre-existing permitted use of the rear of the property for a telecommunications tower. ***(Zoning Case # PZ 2011-14).***

Mr. Orand sketched the preferred layout for Board Members to view. There was much discussion related to the service road to the telecommunications tower. ZA Gregory stated that the deed to the property would dictate the specifications for the service road and the tower. ZA Gregory responded to concern that the project may not be finished in a timely manner, stating that the ordinance could include a clause that if an approved certificate of occupancy is not obtained by the required time, the property could be required to be returned to its natural state. Board Members determined that additional information was necessary.

At 9:03 p.m. Chairperson Watson reopened the public hearing and announced that the public hearing would remain open and be continued on September 8, 2011 at 6:30 p.m.

**No action was taken.**

**9. 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.**

**10. ACTION FROM EXECUTIVE SESSION**

**None.**

11. ADJOURN

**At 9:04 p.m. Vice-Chairman Myrick moved, second by Member Simpson, to adjourn the meeting. All voted "AYE."**

**APPROVED THIS 8<sup>th</sup> DAY OF SEPTEMBER 2011**

  
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**Chairperson of Planning/Zoning Commission**

**ATTEST:**

  
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**Susan Stewart, Zoning Secretary**

# RIVER OAKS PLANNING AND ZONING COMMISSION

August 29, 2011

To Mayor and City Council:

On this date, **August 29, 2011** the Planning and Zoning Commission of the City of River Oaks, met at 6:30 P.M. in accordance to the Rules and Procedures. As a part of that Meeting the P & Z requests and **recommends** to the Mayor and to the City Council the following:

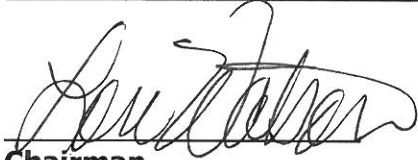
The P & Z of the City of River Oaks voted, 5 Ayes and 0 Nays to recommend to the City Council of River Oaks to:

**Approve the Site Plan and preliminary replat of Lots 15, 16A, 16D and 16E in the Rockwood Terrace Addition as Block 5, Lots 15R and 16R-1 in the Rockwood Terrace Addition. (Zoning Case # PZ 2011-13).**

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**APPROVED THIS THE 29th DAY OF AUGUST 2011 BY:**



**Chairman  
Planning and Zoning Commission**

**ATTEST:**



**Susan Stewart  
Zoning Secretary**

# RIVER OAKS PLANNING AND ZONING COMMISSION

September 8, 2011

To Mayor and City Council:

On this date, **August 29, 2011** the Planning and Zoning Commission of the City of River Oaks met at 6:30 P.M. in accordance to the Rules and Procedures and held a legal Public Hearing on the Site Plan Approval and the rezoning of property at 1917 Roberts Cut Off from a C-1 Commercial Zoning District to "PC" Planned Commercial Zoning. The Public Hearing was continued until **September 8, 2011** in order for the applicant to present a detailed site plan. **Following the Public Hearing continuance on September 8, 2011**, the P & Z requests and **recommends** to the Mayor and to the City Council the following:

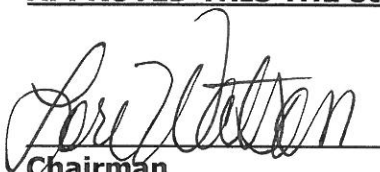
The P & Z of the City of River Oaks voted, 4 Ayes and 1 Nay to recommend to the City Council of River Oaks to approve the rezoning request subject to the following recommended revisions:

1. The Record Owner must provide the Zoning Administrator by no later than 2:00 P.M. on Friday, September 9, 2011 with a notarized affidavit regarding the intended sale of the property to **Rodney Orand** and/or authorization for **Rodney Orand** to make application with the City of River Oaks to rezone the property at 1917 Roberts Cut Off to a Planned Commercial Zoning District; and
2. the revisions highlighted in yellow in the Ordinance draft to be fully complied with; and
3. that if the applicant does not comply with all the requirements contained in the ordinance within 120 days from the date of approval, the property be cleared and returned to its former unimproved state and that all improvements and nursery products be totally removed from the property; and
4. that the 120-day time limit not be further extended.

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**APPROVED THIS THE 8th DAY OF SEPTEMBER 2011 BY:**



**Chairman  
Planning and Zoning Commission**

**ATTEST:**



**Susan Stewart  
Zoning Secretary**