

**MINUTES OF THE REGULAR MEETING
CITY OF RIVER OAKS
PLANNING AND ZONING COMMISSION
FEBRUARY 18, 2013**

MEMBERS PRESENT:

LORI WATSON, CHAIRPERSON, PLACE 1
JAMES MYRICK, VICE-CHAIRMAN, PLACE 2
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 MEMBERS PRESENT:

MARVIN GREGORY, ZONING ADMINISTRATOR
SUSAN STEWART, ZONING SECRETARY

MEMBERS ABSENT:

PAUL SIMPSON, PLACE 4 (PERSONAL)

1. CALL TO ORDER

Chairperson Watson called the Regular Meeting of the River Oaks Planning and Zoning Commission to order at 6:30 p.m. on Monday February 18, 2013 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

Roll Call was recorded as follows: Paul Simpson absent with excuse.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Member Gallman delivered the invocation. Chairperson Watson led the pledge of allegiance.

3. APPROVAL OF MINUTES FROM THE MEETING OF OCTOBER 18, 2012 SPECIAL CALLED MEETING AND DECEMBER 11, 2012 SPECIAL CALLED JOINT MEETING WITH CITY COUNCIL AND EDC

Vice-chairman Myrick moved, seconded by Member Rodden, to approve the Minutes of the Meeting of October 18, 2012 and December 11, 2012 as presented. All voted "Aye."

Chairperson Watson announced that Alternate Member # 1 Teague would serve as a voting member for this meeting only.

4. Public Hearing: Texas in order to receive citizen comments on the proposed zoning text amendment as requested for **by Karl Klement Properties d/b/a River Oaks Shopping Center specifically at 5500 River Oaks Blvd.** in order for the City to consider revising Section 15.B "Use Regulations" specifically under 15B.6 of the River Oaks Zoning Ordinance # 920 as codified into the River Oaks Code of Ordinances (2006) in Chapter 14, Exhibit "A" as follows:

- *Revising use regulations in C-2 Commercial Zoning Districts in Section 15B # 6 regarding the use regulation of "Cleaning, dyeing and pressing works; laundry and washaterias, providing that the floor area does not exceed 3,000 square feet for separate or combined uses" changing the existing use requirement by increasing the maximum allowable floor area from 3000 to 3,220 square feet (Zoning Case # 2013-01).*

At 6:36 p.m. Chairperson Watson opened the public hearing.

ZA Gregory reviewed the applicant's request for a text amendment to the zoning ordinance to increase the square footage requirement from 3000 to 3200 square feet for washateria uses.

Staff presented the following recommendation: 6. "Cleaning, dyeing and pressing works; laundry and washaterias, providing that the floor area does not exceed 3,000 square feet for separate or combined uses unless otherwise approved separately by the city council taking into consideration the following factors:

- a. Safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site.
- b. Safety from fire hazard, and measures for fire control.
- c. Noise or odor producing elements and adverse effect on adjacent properties.
- d. Location, lighting and type of signs, and relation of signs to traffic control and adverse effect on adjacent properties.
- e. Street size and adequacy of pavement width for traffic reasonably expected to be generated by the proposed use around the site and in the immediate neighborhood.
- f. Adequacy of parking, as determined by requirements of this Ordinance for off-street parking facilities for similar uses; location of ingress and egress points for parking and off-street loading spaces.
- g. Compatibility with existing or permitted uses on adjacent properties, as relates to building height, bulk, scale, open spaces and landscaping.
- h. Such other means as will secure and protect the public health, safety, morals and general welfare."

ZA Gregory reported that notices were mailed and published as required by law. Staff received no opposition and 3 responses in favor of the variance.

Karl Klement, property owner, presented photos of his other locations. Mr. Klement indicated that this location may be a 24-hour location with video surveillance for safety.

At 6:53 p.m. Chairperson Watson closed the public hearing.

5. **Action From Public Hearing:** Consider recommendation to the City Council on the proposed zoning text amendment as requested for **by Karl Klement Properties d/b/a River Oaks Shopping Center specifically at 5500 River Oaks Blvd.** in order for the City to consider revising Section 15.B "Use Regulations" specifically under 15B.6 of the River Oaks Zoning Ordinance # 920 as codified into the River Oaks Code of Ordinances (2006) in Chapter 14, Exhibit "A" as follows:

- *Revising use regulations in C-2 Commercial Zoning Districts in Section 15B # 6 regarding the use regulation of "Cleaning, dyeing and pressing works; laundry and washaterias, providing that the floor area does not exceed 3,000 square feet for separate or combined uses" changing the existing use requirement by increasing the maximum allowable floor area from 3000 to 3,220 square feet (Zoning Case # 2013-01).*

Vice-Chairman Myrick moved, seconded by Member Rodden, to recommend the Zoning Text Amendments to Ordinance 820-2012 to 15B # 6 in Zoning Case #2013-01 as revised: 6. "Cleaning, dyeing and pressing works; laundry and washaterias, providing that the floor area does not exceed 3,000 square feet for separate or combined uses unless otherwise approved separately by the city council taking into consideration the following factors:

- a. Safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site.
- b. Safety from fire hazard, and measures for fire control.
- c. Noise or odor producing elements and adverse effect on adjacent properties.
- d. Location, lighting and type of signs, and relation of signs to traffic control and adverse effect on adjacent properties.
- e. Street size and adequacy of pavement width for traffic reasonably expected to be generated by the proposed use around the site and in the immediate neighborhood.
- f. Adequacy of parking, as determined by requirements of this Ordinance for off-street parking facilities for similar uses; location of ingress and egress points for parking and off-street loading spaces.
- g. Compatibility with existing or permitted uses on adjacent properties, as relates to building height, bulk, scale, open spaces and landscaping.
- h. Such other means as will secure and protect the public health, safety, morals and general welfare."

All voted "Aye."

6. 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.

7. ACTION FROM EXECUTIVE SESSION

None.

8. ADJOURN

At 6:58 p.m. Chairperson Watson moved, seconded by Member Teague, to adjourn the meeting. All voted "Aye".

APPROVED THIS 22nd DAY OF JULY 2013:

BY:


Lori, Watson, Chairperson
Planning and Zoning Commission

ATTEST:


Susan Stewart,
Zoning Secretary