

**MINUTES OF THE REGULAR MEETING
CITY OF RIVER OAKS
PLANNING AND ZONING COMMISSION
APRIL 23, 2012**

MEMBERS PRESENT:

JAMES MYRICK, VICE-CHAIRMAN
KATHY RODDEN, PLACE 3
BRAD GALLMAN, PLACE 5

STAFF PRESENT:

MARVIN GREGORY, ZONING ADMINISTRATOR (ZA)
STEVE SANDERS, BUILDING INSPECTOR
SUSAN STEWART, ZONING SECRETARY

MEMBERS PRESENT:

LORI WATSON, CHAIRPERSON (ILLNESS)
PAUL SIMPSON, PLACE 4 (PERSONAL CONFLICT)
RUTH ANN TEAGUE, ALTERNATE # 1 (ILLNESS)
SHERRIE DAST, ALTERNATE # 2 (WORK CONFLICT)
JOANN GORDON, COUNCIL LIAISON (WORK CONFLICT)

1. CALL TO ORDER

At 6:31 p.m. Vice-Chairman Myrick called the meeting to order; a quorum was present.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Member Gallman delivered the Invocation. Vice-Chairman Myrick led the pledge of allegiance to the United States Flag.

3. MEMBER ROLL CALL

Member roll call was recorded with Chairperson Watson, Member Simpson, Alternate Member Teague, Alternate Member Dast, and Council Liaison Gordon all absent with excuse.

4. APPROVAL OF MINUTES FROM THE MARCH 26, 2012 REGULAR MEETING
(RESCHEDULED FROM MARCH 19, 2012 DUE TO INCLEMENT WEATHER)

Member Gallman moved, seconded by Member Rodden, to approve the Minutes of the March 26, 2012 meeting as presented. All voted "Aye."

5. PUBLIC HEARING: IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE FINAL DEVELOPMENT PLAT AND SITE PLAN APPROVAL AS SUBMITTED BY CISD IN ORDER TO RENOVATE CASTLEBERRY ELEMENTARY SCHOOL PROPERTY AT 1100 ROBERTS CUT OFF RD./5210 OHIO GARDEN RD. BY BUILDING A NEW 105,290 SQUARE FOOT SCHOOL BUILDING, DEMOLISHING AND/OR RENOVATING OTHER EXISTING BUILDINGS ON THE PROPERTY PURSUANT TO DEVELOPMENT REQUIREMENTS IN "CF" COMMUNITY FACILITIES ZONING. *(ZONING CASE # PZ 2012-03)*

At 6:32 p.m. Vice-Chairman Myrick opened the public hearing.

ZA Gregory reviewed the site plan and final plat request of Castleberry Independent School District (CISD) to construct a 105,290 square foot school building, demolish portions of the existing school buildings and renovate the remainder of the school buildings at 5210 Ohio Garden Road. ZA Gregory reported that CISD has agreed to the recommendation of FC Short to place a fire hydrant inside the property next to the new school with a concrete drive access. ZA Gregory mentioned a traffic concern at the drop off points on Roberts Cut Off and Tulane. CISD plans to create a right turn lane on Roberts Cut Off that would allow traffic traveling north to proceed without congestion. ZA Gregory stated that a meeting with CISD has been requested by the City, including the Police Department, to discuss this concern.

Derek York, representative for CISD, stated that CISD anticipates relocating approximately 500 of the current enrollment for Castleberry Elementary and A.V. Cato (1,400) to the new A.V. Cato on the other side of River Oaks Boulevard. The new Castleberry Elementary and the new A.V. Cato are designed to accommodate 900 students at each location.

Member Gallman asked ZA Gregory if the parking requirements on Ohio Garden are satisfactory. ZA Gregory replied that due to the reduction in the number of students and the drop off location on the other side of the building, the parking on Ohio Garden is satisfactory for parking for the Administration Building. Inspector Sanders added that parking for Reach and Truce would be located on the Merritt side of the building.

John Claridge stated that any right or left turn on Roberts Cut Off creates a "bottle-neck" situation. Mr. Claridge stated that this project was supposed to alleviate traffic but this proposal creates traffic. Seth (last name unknown), representative for CISD, stated that this design was created so that traffic would be drawn off of Roberts Cut Off into a turning lane that would lead directly onto school property. In addition, this design has created many additional parking spaces on school property. Mr. Claridge mentioned that the traffic on Roberts Cut Off is not necessarily school traffic. ZA Gregory stated that this concern could be included in the motion for recommendation to the City Council. Patrick Pharr (sp?), representative for CISD, stated that the proposed parking space at the school allows for twice the volume of parking that currently exists. Board Members discussed alternative traffic solutions that included adding a fourth lane on Roberts Cut Off to allow for a left turn lane for traffic traveling south. CISD representatives explained that district property is only one block long thereby creating a possible bottle-neck issue past the school property. CISD representatives added that in order to widen Roberts Cut Off, private property would be required and that action must be initiated by the City. Discussion occurred related to the congestion that has been created on Barbara Road with the construction of the new A.V. Cato. ZA Gregory stated that the widening of Roberts Cut Off is a matter of discussion with the Council of Governments.

At 7:08 p.m. Vice-Chairman Myrick closed the public hearing

6. ACTION FROM PUBLIC HEARING: CONSIDER PLANNING & ZONING COMMISSION RECOMMENDATION TO THE CITY COUNCIL FOR APPROVAL OF THE **FINAL DEVELOPMENT PLAT AND SITE PLAN APPROVAL** AS SUBMITTED BY CISD IN ORDER TO RENOVATE CASTLEBERRY ELEMENTARY SCHOOL PROPERTY AT 1100 ROBERTS CUT OFF RD./5210 OHIO GARDEN RD. BY BUILDING A NEW 105,290 SQUARE FOOT SCHOOL BUILDING, DEMOLISHING AND/OR RENOVATING OTHER EXISTING BUILDINGS ON THE PROPERTY PURSUANT TO

DEVELOPMENT REQUIREMENTS IN "CF" COMMUNITY FACILITIES ZONING. (**ZONING CASE # PZ 2012-03**)

Member Gallman inquired about any written response received from the notices mailed out to the surrounding properties. ZA Gregory stated that Staff had received one in favor and one in opposition to the request.

Member Gallman moved, seconded by Member Rodden, to accept the site plan and plat approval as presented.

Vice-Chairman Myrick asked if the board would like to consider adding any contingencies related to traffic. Member Gallman deferred this topic to the Police Department.

All voted "Aye."

7. **Public Hearing:** In order to receive public comment and testimony on **Site Plan Approval** as submitted by **Giggles Therapy LLC** in order to *construct on the property at 905 Roberts Cut Off Rd. a new 4,800 square foot commercial building that shall meet all development requirements for structures constructed in a "C-1" Commercial Zoning District.* Afterwards, the existing 2,488 square foot building on the property shall be demolished and removed from the property. (**Zoning Case # PZ 2012-04**)

At 7:11 p.m. Vice-Chairman Myrick opened the public hearing.

ZA Gregory presented the request at 905 Roberts Cut Off to construct a 4,800 square foot building followed by demolition of the existing structure. ZA Gregory mentioned that a rear emergency access from Cody Court is included in the plan. ZA Gregory stated that the site plan meets all the requirements in C-1 Commercial Zoning District. ZA Gregory mentioned a potential traffic issue and requested that the Cody Court access be accessible if necessary to alleviate traffic congestion on Roberts Cut Off. ZA Gregory reported that Staff had received two written responses in favor and one opposed to the request.

Jeff Jones, Imperial Construction, was present. Mr. Jones agreed to ZA Gregory's request that the Cody Court access be accessible if necessary. Mr. Jones stated that the owner anticipates 35 full time students with the most active time being the summer months. Mr. Jones stated that the building would be 100% masonry. Inspector Sanders stated that a new driveway and approach is in the proposal that would allow access to the rear of the property to that would also be used as a fire lane.

At 7:20 p.m. Vice-Chairman Myrick closed the public hearing

8. **ACTION FROM PUBLIC HEARING:** Consider Planning & Zoning Commission recommendation to the City Council for approval of the **Final Development Plat and Site Plan Approval** as submitted by **Giggles Therapy LLC** in order to *construct on the property at 905 Roberts Cut Off Rd. a new 4,800 square foot commercial building that shall meet all development requirements for structures constructed in a "C-1" Commercial Zoning District.* Afterwards, the existing 2,488 square foot building on the property shall be demolished and removed from the property. (**Zoning Case # PZ 2012-04**)

Member Rodden moved, seconded by Member Gallman, to recommend to the City Council the approval of the final plat and site plan. All voted "Aye."

9. **EXECUTIVE SESSION** pursuant to Chapter 551, Texas Government Code, 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:

Sec. 551.071: Pending or contemplated litigation or to seek advice from Attorney

None called for.

10. ACTION FROM EXECUTIVE SESSION

None.

11. ADJOURN

At 7:22 p.m. Member Gallman moved, seconded by Member Rodden, to adjourn the meeting. All voted "AYE."

APPROVED THIS 18th DAY OF OCTOBER 2012



**James Myrick, Vice-Chairman
Planning/Zoning Commission**

ATTEST:



Susan Stewart, Zoning Secretary