



**MINUTES  
REGULAR MEETING – PLANNING & ZONING COMMISSION  
Monday, December 6th, 2021**

*Commissioners:*  
*Derrick Park, Chair*  
*D. Leroy Klice, Vice-Chair*  
*Kim Campbell., Secretary*  
*Scott Lindsey, Member*  
*James McClain, Member*  
*Lance Brooks, Alternate*  
*Vacant, Alternate*

*City Staff:*  
*Ben Hartman, Director of Development Svcs.*  
*Brian Guenzel, Planning and Zoning Manager*

**IMPORTANT! PLEASE NOTE:**

**This is an open meeting conducted in-person and by videoconference. Citizens, City Staff and City Council are encouraged to participate in the meeting by videoconference in order to allow the City to follow the CDC's social distancing guidelines in an effort to slow the spread of the Coronavirus (COVID-19) pandemic. Please see details found at the bottom of the agenda.**

Pursuant to Section 551 of the Texas Government Code, notice is hereby given of a Regular Meeting of the Planning & Zoning Commission to be held on **Monday December, 6th, 2021, at 6:30 p.m.**, in the Ronald Reagan Room of the Red Oak Municipal Center, 200 Lakeview Parkway, Red Oak, Texas, and by videoconference as authorized by Section 551.127 of the Texas Government Code, at which time the following will be discussed and considered:

- I. **CALL TO ORDER** -The most senior commissioner will call the meeting to order, declare quorum if present, and declare notices legally posted pursuant to the Open Meetings Act.

**TIME 6:30pm**

- II. **CONSENT AGENDA** -All items listed below are considered to be routine by the Planning and Zoning Commission and will be enacted with one motion. There will be no separate discussion of the items unless a Commissioner or citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence. Approval of the consent agenda authorizes the Administrative Official or designee to place each item on the City Council agenda in accordance with the Planning and Zoning Commission's recommendations.

- A. Consideration of approving the Minutes of the following Meeting Minutes of the City of Red Oak Planning & Zoning Commission:
  - i. November 1st, 2021

**VOTE: Approved 5-0**

**III. NEW BUSINESS**

- B. Conduct a public hearing and consider amending Planned Development-70 (PD-70) to provide for changes to the development plan, including but not limited to height, building entrance changes, materials, docks, screening of mechanicals (penthouses), and the general appearance of the building elevations, located at 102 Bowie Dr further described as 5.78 acres on Lot 2R Block D, of the Red Oak Industrial Park, in the City of Red Oak, Texas (Case Z21036). *Requested by the applicant by Four B's*

**VOTE: Approved 3-2 as presented to include a max height of 53' 4" for the penthouses and a maximum number of 10 penthouses. Otherwise the plans as submitted. Extensive discussion on height and materials and the general appearance of the building. P&Z convened twice in to Executive Session at 6:32-6:47PM and 7:24-7:35PM.**

- C. Conduct a public hearing and consider a zoning change from Commercial -1 (C-1) to a Planned Development (PD) to address site impacts from TXDOT takings including but not limited to signs, landscaping, parking, and setbacks, located at 285 E Ovilla Rd, further described as .73 acres on Lot 4RR-1 of Block E of Red Oak Estates, in the City of Red Oak, Texas (Case Z21035). *Requested by O-Reilly Auto Parts*

**VOTE Approved 5-0**

- D. Conduct a public hearing and consider a zoning change from Agricultural Zoning (AG) to Single Family R-2 (R-2), located at 121 Hillcrest, further described as .89 acres on Lot 6 Block C of Bowmar Acres, in the City of Red Oak, Texas Case (Z21034). *Requested by Jorge Cumes*

**VOTE Approved 5-0 (note: clarification that the plans submitted were not part of the zoning and the grasscrete as seen on the site plan was not approved, this request was only for straight zoning to R-2)**

- E. Conduct a public hearing and consider approving a residential replat for Meadow Ridge being 130 Townhome lots on approximately 28 acres of the 41 acres out of the J. Nugent Survey in the City of Red Oak. Please note that this replat complies with current zoning district Planned Development PD-96 requirements and is not changing the zoning, and this residential replat generally is the same as the originally approved final plat approved in 2019 (Case P21029). *Requested by Kyle Hogue.*

**VOTE Approved 5-0**

- F. Conduct a public hearing and consider amending the City of Red Oak's Zoning Ordinance to allow for the City Manager or designee to initiate City-wide and property specific zoning changes to the Zoning Map and/or Zoning and Subdivision code of ordinances (Z21038). *Case Requested by the City Council of Red Oak*

**VOTE Approved 5-0**

- G. Conduct a public hearing and consider amending the City of Red Oak's Zoning Ordinance to allow for the temporary use of shipping containers for storage of retail goods in Highway Oriented (HO), Commercial-1 (C-1), Commercial-2 (C-2), and areas within a Planned Development that permits retail uses as listed in the HO, C-1, or C-2 Zoning Districts (Case Z21039). *Requested by the City Council of Red Oak*

**VOTE Approved 5-0**

- H. Conduct a public hearing and consider approving an update to the City of Red Oak's Official Zoning Map. The update of the map only reflects the changes in zoning districts as previously approved by ordinance through November of 2021 (Case Z21037). *Recurring request by City Council of Red Oak*

**VOTE Approved 5-0**

- I. Discussion item, no vote will be held, to discuss the "use" of "restaurants with private clubs" and other zoning or City or State laws as they may apply to the sale of alcohol in the City of Red Oak. *Requested by Commissioner McClain.*

**The lack of approval by an election for alcohol sales was discussed as a concern for economic impact and as a disincentive in attracting and supporting restaurants to Red Oak. The issue of "private club" was discussed as it pertains to zoning as differentiated from TABC laws.**

**IV. EXECUTIVE SESSION**


The Planning & Zoning Commission reserves the right to convene in Executive Session(s) during this meeting pursuant to the following Sections of the Government Code of the State of Texas:

1. Pursuant to Sec. 551.071 consultation with its Attorney: The Planning & Zoning Commission may conduct private consultations with its attorneys when the Planning & Zoning Commission seeks the advice of its attorney concerning any item on this agenda or a matter in which the duty of the attorney to the Planning & Zoning Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code:
  - Consultation with City Attorney regarding Case # Z21036

**P&Z convened twice in to Executive Session at 6:32-6:47PM and 7:24-7:35PM.**

V. ADJOURNMENT

TIME 8:17pm

Attested: Name  Title: Chair Date: 1/4/22  
Prepared: Name Brian Guenzel Title: P&Z Manager Date: 12.7.21