



Meeting Minutes
 Regular Meeting of the
 Oak Point Planning & Zoning
 Commission
 Tuesday September 7, 2021
 6:00 P.M.
 Oak Point City Hall
 100 Naylor Road
 Oak Point, Texas 75068

1. Call to Order, Roll Call, and Announce a Quorum is Present

Chairperson Coleman called the meeting to order at 6:00 p.m. with the following roll call:

Brent Coleman	Chairperson	Present
Jeff Stafford	Vice Chairperson	Present
Barney Carrington	Commissioner	Present
David Garb	Commissioner	Present
Bill Gusick	Commissioner	Present
Richard Shine	Commissioner	Present
Kevin Tam	Commissioner	Present
Debbie Peterman	Alternate	Present
Jerry Raye	Alternate	Present – arrived at 6:20 pm

City staff present:

Stephen Ashley	City Manager
Joni Vaughn	City Secretary

City Council present:

Dena Meek	Mayor
John Lusk	Mayor Pro Tem
Scott Dufford	Deputy Mayor Pro Tem
David McBeth	Council Member
Kirk Hawrysis	Council Member

2. Pledge of Allegiance and Pledge to the Texas Flag

Chairperson Coleman led the pledges of allegiance.

3. Public Comment

No one came forward to speak.

4. Consider and act upon minutes from the August 3, 2021, regular meeting of the Planning & Zoning Commission.

Vice Chairperson Stafford made a motion to approve the minutes of the August 3, 2021 regular meeting of the Planning & Zoning Commission; motion seconded by Commissioner Carrington.

Motion Passed 7-0

5. Consider and act upon a request from OPLE Prairie Oaks Development, Inc. to approve a request for a final plat for Prairie Oaks Phase 4, located in the Marsella Jones Survey, Abstract 662, consisting of 183 single family lots and 14 HOA lots for a total of 56.447 acres.

City Planner Coker explained the request for a final plat for Prairie Oaks Phase 4 and answered questions.

Vice Chairperson Stafford made a motion to recommend approval of a final plat for Prairie Oaks Phase 4, located in the Marsella Jones Survey, Abstract 662, consisting of 183 single family lots and 14 HOA lots for a total of 56.447 acres; motion seconded by Commissioner Gusick.

Motion Passed 7-0

6. Public Hearing to hear comments regarding a proposed zoning change for PD-9 to allow for 50-foot front setbacks instead of the required 100-foot front setbacks.

Chairperson Coleman opened the Public Hearing at 6:06 p.m.

No one from the public came forward to speak.

City Secretary Vaughn reported that Angela Watson-Fellner submitted a reply form in favor of the request.

Chairperson Coleman closed the Public Hearing at 6:08 p.m.

7. Consider and act to recommend amending Ordinance No. 2011-07-326, PD-9 to amend the minimum front yard setback from 100 feet to 50 feet for Block A, Lots 1-3 and 9-22 of the Prestonwood Polo and Country Club Addition, City of Oak Point, Denton County, Texas.

City Planner Coker explained the request for a zoning change and answered questions from the Commissioners.

Vaughn Miller, property owner, gave a Power Point presentation explaining his project and his request for a change in the front setback. He answered questions from the Commissioners.

Vice Chairperson Stafford made a motion to recommend approval of an Ordinance amending PD-9 to change the minimum front yard setback from 100 feet to 50 feet for Block A, Lots 1-3 and 9-22 of the Prestonwood Polo and Country Club Addition, City of Oak Point, Denton County, Texas; motion seconded by Commissioner Carrington.

Motion Passed 7-0

8. Discussion regarding zoning change for the Lily tract.

City Secretary Vaughn read the following email from City Attorney Moore:

"I understand there is a City initiated zoning matter for consideration. I understand the applicant (Billy Turner, Brian Goldstein) received approval at the July 2021 P&Z meeting approving a preliminary plat. The application for preliminary plat caused the applicant to "vest" with the rules in effect at the time of application. The vested rights statute is contained in Chapter 245 of the Texas Local Government Code.

Section 245.002 of the Texas Local Government Code generally "[e]ach regulatory agency (the "City") shall consider the approval, disapproval, or conditional approval of an application for a permit solely on the basis of any orders, regulations, ordinances, rules, expiration dates, or other properly adopted requirements in effect at the time: (1) the original application for the permit is filed."

The term "original application for the permit" would include an application for a preliminary plat."

There was no further discussion of the matter.

9. Discussion regarding zoning change for accessory structures from Special Use Permits to Special Exceptions or Variance.

City Manager Ashley explained the difference between Special Use Permits, Special Exceptions, and Variances. He reported that the City will move forward with this zoning change and it will come to Planning and Zoning Commission and City Council next month.

10. Future Agenda Items

No future items were discussed.

11. Adjourn


Chairperson Coleman adjourned the meeting at 6:57 p.m.



Brent Coleman, Chairperson



ATTEST:



Joni Vaughn, City Secretary