

**PLANNING AND ZONING COMMISSION  
SPECIAL CALL MEETING MINUTES  
MONDAY, AUGUST 21, 2023**

**Commissioners Present:**

Jamie Wilson . . . . .Chairman  
George Mortimer..... Commissioner  
Robert Vigil..... Commissioner  
Tiffany Bell..... Commissioner  
Daryl Cowart..... Commissioner  
Becky Westmoreland ..... Commissioner

**Commissioners Absent:**

Michael Hennigan. . . . . Vice Chairman

**City Council Members Present:**

Brad Childs

**City Council Members Absent:**

Larry Spears, Jr.  
Terrie Salter  
Caroline Hennigan  
Mary McKenna  
Paul Burch  
David Bailey

**Staff Present:**

Kelvin Knauf, Director of Planning & Community Development  
Wendy Lloyd, Planning Secretary  
Divon Williams, Deputy Director of Planning & Community Development  
Mike Kunst, City Manager

Chairman Wilson called the Planning & Zoning meeting to order at 5:30 p.m.

**CITIZEN COMMENTS**

None

**PLANNING & ZONING COMMISSION DISCUSSION/ACTION ITEMS**

- a. **Case No. 23:12.** Consider and possible action on a final plat submitted by QT South LLC for the Quik Trip 7944 Addition located at 2495 Highway 62 North in the extraterritorial jurisdiction of the City of Orange.

Mr. Knauf stated this is the plat that is for the Quik Trip store that is going in just north of the Blue Beacon truck wash out on Highway 62. The preliminary plat was approved back in 2021 and now they're ready for the final plat. It doesn't meet the ordinance requirement in several aspects. They just paid me the fees to the city so they did meet that one. There's still a letter to the planning and zoning commission that's required. The date of

preparation needs to be put on the plat. The address needs to be put on the plat for the property as well. There's some other issues that are not ordinance violations but just things that we will need to work out with them. One is the width of the utility easement that when they installed the water line, they did not install the water line inside the easement so we need to work out whether to widen the easement or move the water line. So, it's those kinds of issues. Other than that, this is a very good development out on Highway 62. When the first talked to us about it they indicated that they may request annexation into the city but I have not heard anymore from them about that. It may be coming back for annexation. Now annexations don't go before planning and zoning commission, they go before council.

Chairman Wilson stated if they annex in would that also mean that area around would annex in or just them. Mr. Knauf stated just them. Chairman Wilson stated so the water line, that's not our issue either is it? Mr. Knauf stated it's technically not an ordinance violation. The easement that they have on there meets the ordinance requirement but we just need to talk to them. I think they're working now discussing with the contractor whether to move the line or widen the easement. So, we will be working through that.

Commissioner Vigil stated if they are annexed is there appropriate fire protection water lines present in that vicinity so there will be minimal impact. Mr. Knauf stated yes.

Commissioner Mortimer stated if I understand this basically there's just a few things that do not meet the ordinance currently. However, those are things for the most part can be changed or submitted. If we these approve this basically on those changes being met. Mr. Knauf stated right if you conditionally approve it upon all ordinance requirements being met then that is what we would suggest. Commissioner Mortimer stated tell me what happens, I know that through state legislature things have changed or will change coming up. When does that change take place? Mr. Knauf stated September 1<sup>st</sup> and then we will need to change the subdivision ordinance. Commissioner Mortimer stated if they don't meet this and we conditionally approve it today and they have not completed that, what happens after September 1<sup>st</sup> with this? Mr. Knauf stated well then we keep sending it back until they do meet the ordinance requirements if that's what the council tomorrow night approve. If it's conditionally approved, then it's not approved until all the ordinance requirements are met. Commissioner Mortimer stated I understand but with the state legislature what changes could cause a problem? Mr. Knauf stated nothing to this. We would just continue on with this like we are now since it's under the current procedure. We would just continue with that current procedure. When we have gone forth with the new subdivision ordinance then that's when we will change if that's approved. If council approves the change to delegate things like this to me.

Chairman Wilson stated just so we are all clear. The conditions are that they pay their fee. Commissioner Bell stated he said they paid that today. Mr. Knauf stated yes they paid it today. Mr. Knauf stated they need to submit a letter. Then they need to put the date of preparation on the plat and the address.

Commissioner Mortimer motioned to recommend conditional approval  
Commissioner Bell 2<sup>nd</sup>

**Vote: 6 – 0**

**Motion Carries**

**b.** Discussion concerning the Texas Open Meetings Act.

City Manager, Mike Kunst discussed the Texas Open Meetings Act with the commission.

**PLANNING & ZONING APPROVAL OF MINUTES**

- a. **Consider the minutes of the July 18, 2023, Planning and Zoning Commission meeting.**

Commissioner Bell motioned to approve

Commissioner Vigil 2<sup>nd</sup>

**Vote: 6 – 0**

**Motion Carries**

**Chairman Wilson adjourned the Planning and Zoning Commission meeting at 5:44 p.m.**