

WHITE OAK PLANNING & ZONING COMMISSION  
MEETING MINUTES  
August 18, 2020

MEMBERS PRESENT: David Puckett, Mike Spencer, Robin Hood, John Frazier, Jo Swanson, Randy Brint, Kevin Berry

MEMBERS ABSENT:

STAFF PRESENT: Charlie Smith, Melba Hart, Leah Brooks, Terry Roach, Jimmy Purcell, Tracey Fears, Brian Russell

GUESTS PRESENT: Melinda Anderson, Melissa Payne, Teresa Mogavero, Connie Byerly, R.A. Byerly, Rhonda Fisher, Randy Fisher, Jim Bardwell, Stephanie McKinney, Larry Payne, Violet Payne, Molly Larison, John C., Stephanie Wiggins, Jessica Kimbrell, Elizabeth Fulton, Alvin Wingo, Amy Wingo, Brett McKinney, Adam Thompson, Ronnie Myer, Jimmy McMahon, Dawne Smith, Denise Futch, Jim Kate, Penny Roe, Harry Roe, Derek Zivney, Shelly Stith, Rick Williams, Mike Gilbert, JD Riley

1. CALL TO ORDER – 5:00 p.m.
2. CONSIDERATION of minutes- July 7, 2020

Mike Spencer moved to approve, seconded by John Frazier. Carried 7-0.

3. PUBLIC HEARING regarding a request from White Oak Properties Company, LLC to rezone 9.50 acres at Abstract 92 GW Hooper Survey Tract 72-01, Section 1, more commonly known as 1503 N. White Oak Road, White Oak, Texas from Agricultural to Retail/Highway Commercial

Chairman Puckett opened the public hearing at 5:01 p.m.

Ronnie Myer and Dawne Smith presented the company's desire to build a 56,000 square foot, \$12 million facility that would house approximately 100-110 beds and include inhouse and outpatient therapy and bring approximately 70-90 jobs to White Oak. Dawne Smith explained the company would like to partner with hospitals to eventually bring doctor offices and a pharmacy to the location.

Adam Thompson, JD Riley, Shelly Stith and Stephanie McKinney spoke in favor of the rezone for the following reasons: the positive financial impact the facility would have on the local economy including small businesses, there is no evidence it would decrease property values and this venture would provide opportunities for the school to partner with the facility in hands-on learning. Stephanie McKinney explained there is not this large of a tract of land in White Oak with these few pipelines running underground as pipelines hinder construction and this property only has two.

Annie Payne, Terry Mogavero, Connie Payne, Melissa Payne, Randy Fisher, Rhonda Fisher, Derek Zivney, Penny Roe, Larry Payne, Robert Byerly spoke against the rezone for the following reasons: the location would have a negative impact on the surrounding properties and degrade the beauty of the landscape, there is a liability concern if residents of the facility wander onto neighboring properties and get injured or drown in the pond, additional traffic during shift changes and with emergency traffic on White Oak road will increase the noise and the possibility of putting the children in peril as well as any unforeseen perils, this facility would increase the noise and light pollution as well as disrupt the tranquility of the environment that is currently in place, the facility is just after money with no consideration on the impact around them, and there is uncertainty whether the City has the infrastructure in place to support such a large facility.

Dawne Smith spoke in response: The emergency traffic using a high average is one per day with 75% caused by patient falls. Some of their other facilities request ambulances not to run sirens when responding because of the negative effect it has on the patients and the surrounding neighborhoods. The facility has measures in place to prevent residents from crossing property lines such as fences and keypads on doors. The company has looked at properties all the way from New Diana to White Oak and this property was the best suited for their needs. They work with the Department of Transportation to ensure traffic can continue to flow smoothly with proper turn lanes. Local suppliers would be given preference by the facility to support the local economy.

Chairman Puckett called a recess at 6:53 p.m.

Reconvene at 7:03 p.m.

With no additional comments, the public hearing was closed at 7:05 p.m.

4. CONSIDERATION of request from White Oak Properties Company, LLC to rezone 9.50 acres at Abstract 92 GW Hooper Survey Tract 72-01, Section 1, more commonly known as 1503 N. White Oak Road, White Oak, Texas from Agricultural to Retail/Highway Commercial

Randy Brint said he researched and found there will be fewer ambulances than is being suggested and is convinced it will not devalue the surrounding properties. He also stated many nursing facilities back up to residential neighborhoods. This project will create jobs and increase tax value.

Mike Spencer said it seems hard to find a downside and sympathizes with the surrounding property owners however no matter where it is located someone will be affected and this project seems the least impactful. He said he would recommend that the SUP go with the rezone but not an outright rezone with no contingencies.

Randy Brint moved to rezone the property from Agricultural to Retail/Highway Commercial with the SUP with the understanding that if the nursing facility is not built it will revert to Agricultural, seconded by Mike Spencer. Carried 6-1 with David Puckett in opposition.

5. PUBLIC HEARING regarding a request from White Oak Properties Company, LLC. for a Special Use Provision Permit (SUP) for a skilled nursing facility to be located at Abstract 92 GW Hooper Survey Tract 72-01, Section 1, more commonly known as 1503 N. White Oak Road

Chairman Puckett opened the public hearing at 7:19 p.m.

With no public comments, the public hearing was closed at 7:20 p.m.

6. CONSIDERATION of request from White Oak Properties Company, LLC for a Special Use Provision Permit (SUP) for a skilled nursing facility to be located at Abstract 92 GW Hooper Survey Tract 72-01, Section 1, more commonly known as 1503 N. White Oak Road

Brint moved to approve the SUP as a contingency for the rezone from Agricultural to Retail/Highway Commercial, seconded by Mike Spencer. Carried 7-0.

7. PUBLIC HEARING regarding a request from Thompson Builders, LLC to rezone properties located at Lot 3 Block 2 Tuttle Addition and Lot 17 Block 1, Thompson #3, more commonly known as vicinity of Ron Boyett Drive and Ruth Street, from Single Family-8 to Single Family-5.5 for the construction of 4 single family houses

Chairman Puckett opened the public hearing at 7:22 p.m.

Adam Thompson stated he would like to rezone these properties from SF-8 to SF-5.5 to continue with the Ron Boyett subdivision and construct 4 single family homes.

With no additional comments, the public hearing was closed at 7:24 p.m.

8. CONSIDERATION of a request from Thompson Builders, LLC to rezone properties located at Lot 3 Block 2 Tuttle Addition and Lot 17 Block 1, Thompson #3, more commonly known as vicinity of Ron Boyett Drive and Ruth Street, from Single Family-8 to Single Family-5.5 for the construction of 4 single family houses

Robin Hood moved to approve, seconded by Kevin Berry. Carried 7-0.

9. CONSIDERATION of request from Rick Williams for a Special Use Provision (SUP) permit to develop a retirement community consisting of 7 homes and a community center at Abstract 38 W.H. Castleberry Survey, Tract 12 Section 6, more commonly known as 710 E. Center St, White Oak, Texas

Rick Williams presented his rules for governing the retirement community as well as a preliminary drawing of the layout and a three-phase construction estimate. Williams also stated there would be an extensive lease agreement that would be included for residents.

Mike Spencer moved to approve, seconded by Jo Swanson. Carried 7-0.

10. WORKSHOP to review the City of White Oak Zoning Code

Mike Spencer moved to table the workshop until the next meeting, seconded by Jo Swanson. Carried 7-0.

11. ADJOURNMENT

Mike Spencer moved to adjourn at 7:36 p.m., seconded by Kevin Berry. Adjourned by consensus.

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David Puckett, Chairman

Attest:

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Leah Brooks, City Secretary/Finance Director