



City of Garden Ridge

9400 Municipal Parkway
Garden Ridge, Texas 78266-2600
(210) 651-6632
Fax (210) 651-9638

AGENDA PLANNING AND ZONING COMMISSION REGULAR SESSION TUESDAY, MAY 13, 2014 -- 6:00 P.M.

The Garden Ridge Planning and Zoning Commission will meet in regular session at 6:00 p.m., Tuesday, May 13, 2014 in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas. This is an open meeting, open to the public, subject to the Open Meetings Law of the State of Texas, and as required by law, notice is hereby posted on May 9, 2014 before 5:00 p.m., providing time, place, date and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting.

1. Call to Order
2. Roll Call
3. Citizen Comments – limited to 3 minutes each

Rules for Citizen's Participation:

The Planning and Zoning Commission welcomes citizen participation and comments at all of their Commission Meetings. As a courtesy to your fellow citizens and out of respect to our appointed officials, we request that if you wish to speak, that you please follow these guidelines.

- a. Direct your comments to the entire Commission, not to an individual member, nor to the audience.
- b. Show the Commission the same respect and courtesy that you would like to be shown.
- c. Limit remarks to three (3) minutes per citizen during Item 3.
- d. Citizen comments may be deferred to a specific Business Item set forth in Sections 4, 5 and 6 below if such comments pertain to such Business Item.

*NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject **must be limited** to a proposal to place the subject on the agenda for a future meeting and any response to a question posed to the Council is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042.*

4. Business Items

The Commission may discuss, consider and/or make recommendations to Council to approve or disapprove the following items:

- a) A petition by Garry Lugar and Richard Winkler for rezoning from Residence- Agriculture (RA) District to Light Industrial (LI) District

- i. 2.52 acres of land, situated in the Vicente Micheli Survey No. 114, Abstract No. 383 in Comal County, Texas; being out of that certain 27.594 acre tract of land recorded in Volume 242, Page 143 of the Deed Records of Comal County, Texas and further located at 19080 Nacogdoches Loop, Garden Ridge, Texas
- ii. 4.98 acre tract of land in the City of Garden Ridge, Texas out of the Vicente Micheli Survey No. 114, Comal County, Texas and being out the Remainder of a 27.594 acre tract conveyed to Versielene Buehring in deed recorded in Volume 242, Page 143, Deed Records, Comal County, Texas and further located at 19080 Nacogdoches Loop

(Discussion items only. Public Hearings and possible action will be scheduled for June 9, 2014.)

- b) Master Plan for Winco Contractor's Office/Shop and equipment/construction material storage to be located at 19080 Nacogdoches Loop
(Discussion item only. Master Plan cannot be approved until property rezoned.)
- c) Petition by The Waters Church requesting permission from the City of Garden Ridge for the placement of a sign on city property located at 9357 Schoenthal Road with sign location further described as where F.M. 3009 intersects Miller Lane and Schoenthal Road
- d) Petition by The Waters Church requesting a variance to Ordinance 55-112004 for the placement of a 4 foot wide by 6 foot long by 6 feet in height sign on property owned by the City of Garden Ridge located at 9357 Schoenthal Road and further located as where F.M. 3009 intersects Miller Lane and Schoenthal Road with such sign to be used as a directional sign to The Waters Church located at 9324 Schoenthal Road
- e) Request from Larry Rheinlaender that improvements on parts of lots located within the City of Garden Ridge in the Plaza Oaks Center not be subject to City of Garden Ridge ordinances

5. Public Hearings

The Planning and Zoning Commission will conduct Public Hearings to receive input on the following:

- a) A petition by Wheeler Division, APAC-Texas, Inc. for a Special Use Permit for the purpose of asphalt products manufacturing on property owned by Hanson Aggregates and located at 20762 F.M. 2252, Garden Ridge, Texas
- b) A petition by Wheeler Division, APAC-Texas, Inc. for variances to Ordinance 13-122008 for asphalt products manufacturing on property owned by Hanson Aggregates and located at 20762 F.M. 2252, Garden Ridge, Texas:
 - i. 7.2.6. - Structures must be compatible with, and complimentary in scale and appearance with, a commercial district adjacent to a primarily residential municipality. Exterior work and storage areas shall be screened from public view.
 - ii. 7.2.7. - Height Regulation: No structure shall exceed two and one-half (2-1/2) stories (thirty-five feet) in height.
 - iii. 7.2.8.3. - Side Yard: Paved alley rights-of-way of fifteen (15) feet width down each side property line shall provide access to the rear alley.
 - iv. 7.2.8.4. - Rear Yard: A paved alley right-of-way of fifteen (15) feet width shall run the length of the rear property line.

- v. 7.2.10. – Parking: Table 1, Table of Off Street Parking Requirements. 20. Manufacturing, wholesaling, and processing establishments. One (1) paved parking space per 800 square feet gross floor area.
 - vi. 7.2.11. – Construction Standards: Buildings shall be or not less than ninety (90) percent masonry or masonry veneer construction on the first floor level fronting paved public streets, excluding openings.
 - vii. 8.3. – Structure Height within City.
 - viii. 8.4. (8.4.1. - 8.5.2.) - Fences, Walls and Plants.
- c) A petition by Industrial Asphalt, LLC for a Special Use Permit for the purpose of a Hot Mix Asphalt manufacturing plant at 0 F.M. 2252 on property owned by Hanson Aggregates and further located northwest of the intersection of F.M. 2252 and Old Nacogdoches Road in Garden Ridge, Texas
- d) A petition by Industrial Asphalt, LLC for variances to Ordinance 13-122008 for the purpose of a Hot Mix Asphalt manufacturing plant at 0 F.M. 2252 on property owned by Hanson Aggregates and further located northwest of the intersection of F.M. 2252 and Old Nacogdoches Road in Garden Ridge, Texas:
- i. 7.2.7. – Height Regulation: No structure shall exceed two and one-half (2-1/2) stories (thirty-five feet) in height.
 - ii. 7.2.8.3. – Side Yard: Paved alley rights-of-way of fifteen (15) feet width down each side property line shall provide access to the rear alley.
 - iii. 7.2.8.4. – Rear Yard: A paved alley right-of-way of fifteen (15) feet width shall run the length of the rear property line.
 - iv. 7.2.11. – Construction Standards: Buildings shall be or not less than ninety (90) percent masonry or masonry veneer construction on the first floor level fronting paved public streets, excluding openings.
6. Business Items (Continued)
- The Commission may discuss, consider and/or make recommendations to Council to approve or disapprove the following items:
- f) A petition by Wheeler Division, APAC-Texas, Inc. for a Special Use Permit for the purpose of asphalt products manufacturing on property owned by Hanson Aggregates and located at 20762 F.M. 2252, Garden Ridge, Texas
- g) A petition by Wheeler Division, APAC-Texas, Inc. for variances to Ordinance 13-122008 for asphalt products manufacturing on property owned by Hanson Aggregates and located at 20762 F.M. 2252, Garden Ridge, Texas:
- i. 7.2.6. - Structures must be compatible with, and complimentary in scale and appearance with, a commercial district adjacent to a primarily residential municipality. Exterior work and storage areas shall be screened from public view.
 - ii. 7.2.7. – Height Regulation: No structure shall exceed two and one-half (2-1/2) stories (thirty-five feet) in height.
 - iii. 7.2.8.3. – Side Yard: Paved alley rights-of-way of fifteen (15) feet width down each side property line shall provide access to the rear alley.
 - iv. 7.2.8.4. – Rear Yard: A paved alley right-of-way of fifteen (15) feet width shall run the length of the rear property line.
 - v. 7.2.10. – Parking: Table 1, Table of Off Street Parking Requirements. 20. Manufacturing, wholesaling, and processing establishments. One (1) paved parking space per 800 square feet gross floor area.

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 - vii. 8.3. – Structure Height within City.
 - viii. 8.4. (8.4.1. - 8.5.2.) - Fences, Walls and Plants.
 - h) A petition by Industrial Asphalt, LLC for a Special Use Permit for the purpose of a Hot Mix Asphalt manufacturing plant at 0 F.M. 2252 on property owned by Hanson Aggregates and further located northwest of the intersection of F.M. 2252 and Old Nacogdoches Road in Garden Ridge, Texas
 - i) A petition by Industrial Asphalt, LLC for variances to Ordinance 13-122008 for the purpose of a Hot Mix Asphalt manufacturing plant at 0 F.M. 2252 on property owned by Hanson Aggregates and further located northwest of the intersection of F.M. 2252 and Old Nacogdoches Road in Garden Ridge, Texas:
 - v. 7.2.7. – Height Regulation: No structure shall exceed two and one-half (2-1/2) stories (thirty-five feet) in height.
 - vi. 7.2.8.3. – Side Yard: Paved alley rights-of-way of fifteen (15) feet width down each side property line shall provide access to the rear alley.
 - vii. 7.2.8.4. – Rear Yard: A paved alley right-of-way of fifteen (15) feet width shall run the length of the rear property line.
 - viii. 7.2.11. – Construction Standards: Buildings shall be or not less than ninety (90) percent masonry or masonry veneer construction on the first floor level fronting paved public streets, excluding openings.
 - j) Garden Ridge Unified Development Ordinance update
7. Administrative Items
- The Commission may discuss, consider and/or take possible action on the following items:
- a) Approve or disapprove the minutes of the April 8, 2014 Regular meeting of the Planning and Zoning Commission
 - b) Set date, time and location for next meeting.
8. Adjournment

AGENDA NOTICES:

Decorum Required:

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

Action by Council Authorized:

The Commission may vote and/or act upon any item within this Agenda. The Commission reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

Executive Sessions Authorized:

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance By Other Elected or Appointed Officials:

It is anticipated that members of the City Council, other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the City Council, other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.


Shelley Goodwin, TRMC
City Secretary

This is to certify that I, Shelley Goodwin, posted this Agenda 1:45 p.m. May 9, 2014 on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.


Shelley Goodwin, TRMC
City Secretary

Planning and Zoning Form 1
APPLICATION FOR CHANGE OF ZONING
 (Type or Print)

1. Date: _____ Case #: _____
 2. Applicant Name: Garry Lugar
Richard Winkler
 (First) (Middle) (Last)

3. Mailing Address: 18954 FM 2252
 (Street)
Garden Ridge TX. 78266
 (City) (State) (Zip)

Phone: (210) 651-6783

4. Applicant's relationship to property to be rezoned:
 Sole owner () Part owner (☒) Other; _____
 (Specify)
 (If not sole owner, furnish a notarized letter of authorization from all owners as attachment 1.)

5. Property location: Nacogdoches Loop Rd.
 (Street address or street property front)

6. Legal description:

Plat: Lot(s) _____ Block(s) _____

Subdivision: _____

2.52Ac

Acreage: 4.98Ac (If acreage, provide separate metes and bounds description as attachment 2.)

Property Deed recorded in Comal County Volume # _____ Page # _____

7. Existing use of property: Residential / Agricultural

8. Proposed use of property: Light Industrial, office/shop, equipment
and construction material storage.

9. Give dimensioned map with north orientation, scaled 100 or 200 feet per inch, of the property to be rezoned showing all streets and parcels of land within 300 feet of the property as attachment 3. Key each adjoining land parcel to a list of current owners and addresses as attachment 4.

10. Give site plan showing location, dimensions and uses of existing or proposed structures, easements, water sources, fences, curb cuts, street and alley right-of-way lines within one foot of property to be rezoned, on another map of larger scale, as attachment 5.

11. Identify any deed restrictions on agriculture, residential, business or other use. If none, so state:
None Identified.

REC#: 00147909 4/23/2014 10:20 AM
 TRAN: 112.0000 P&Z VARIANCE FEES
 OPER: CASH TERM: 001
 REF#: 28137 UG

MINCO ZONING APPLICATION
 P&Z VARIANCE FILING
 TENDERED: 500.00
 APPLIED: 500.00
 CHANGE: 0.00
 1 CHG(S)
 500.000R



Engineering Co., P.L.L.C.
CIVIL CONSULTANTS - LAND PLANNERS

TBPE FIRM NO. 13260

April 23, 2014

City of Garden Ridge
9400 Municipal Pkwy
Garden Ridge, TX. 78266

Attn: Nancy Cain

TRANSMITTAL LETTER

Re: Winco Tract – 2.52Ac & 4.98Ac Tract
Rezoning Application

Mrs. Cain,

Please see the attached re-zoning application and associated as requested in the City of Garden Ridge ordinances. The items pertaining to this submittal package are as listed below:

- 1.) Zoning Application Signed By Owners
- 2.) Letter of Authorization By Owners
- 3.) Metes & Bounds Descriptions of Both Properties
- 4.) Map of Adjacent Property Owners within 300', Including Property Owner List on Map.
- 5.) Site Plan.
- 6.) Fee Check In The Amount of \$500.

Please let me know if you have any questions or need additional information.

Thanks,

Jeff Smith, P.E.
Manager – JKS Engineering Co., PLLC



Winco Contractors

18954 FM 2252
Garden Ridge, TX 78266-2703

Main: 210-651-3419
Fax: 210-651-5857
Estimating: 210-651-3419

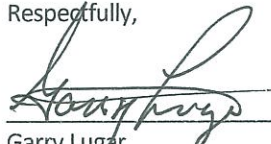
April 17, 2014

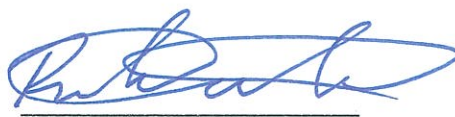
City of Garden Ridge
Planning and Zoning
9400 Municipal Pkwy
Garden Ridge, TX 78266

Re: Owners Letter of Authorization

I, Garry Lugar and Richard Winkler, owners of the 2.52 acre and 4.98 acre tracts as described in the Zoning and Platting Applications, hereby give Jeffrey S. Smith, P.E. authorization to speak on our behalf regarding the City of Garden Ridge required Zoning and Platting process related to the aforementioned tracts.

Respectfully,


Garry Lugar


Richard Winkler

THE STATE OF TEXAS §

COUNTY OF COMAL §

This document was acknowledged before me on April 17, 2014 by Garry M. Lugar, Owner.





NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

THE STATE OF TEXAS §

COUNTY OF COMAL §

This document was acknowledged before me on April 17, 2014 by Richard Winkler, Owner.





NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



BRACKEN VOLUNTEER FIRE DEPARTMENT

(210) 651-5762

23600 FM 3009 - SAN ANTONIO, TX 78266

04/22/2014

Jeff Smith
JKS Engineering Co.
P.O. Box 1161
La Vernia, TX 78121

Regarding: Winco Construction conceptual plan

After discussing the the project's concept with Richard it is the fire department's recommendation that the the 15 foot alley requirement can be abated if the final design is true to the concept. We require that the project meet the requirements of the International Fire Code 2006 edition as adopted by the city of Garden Ridge.

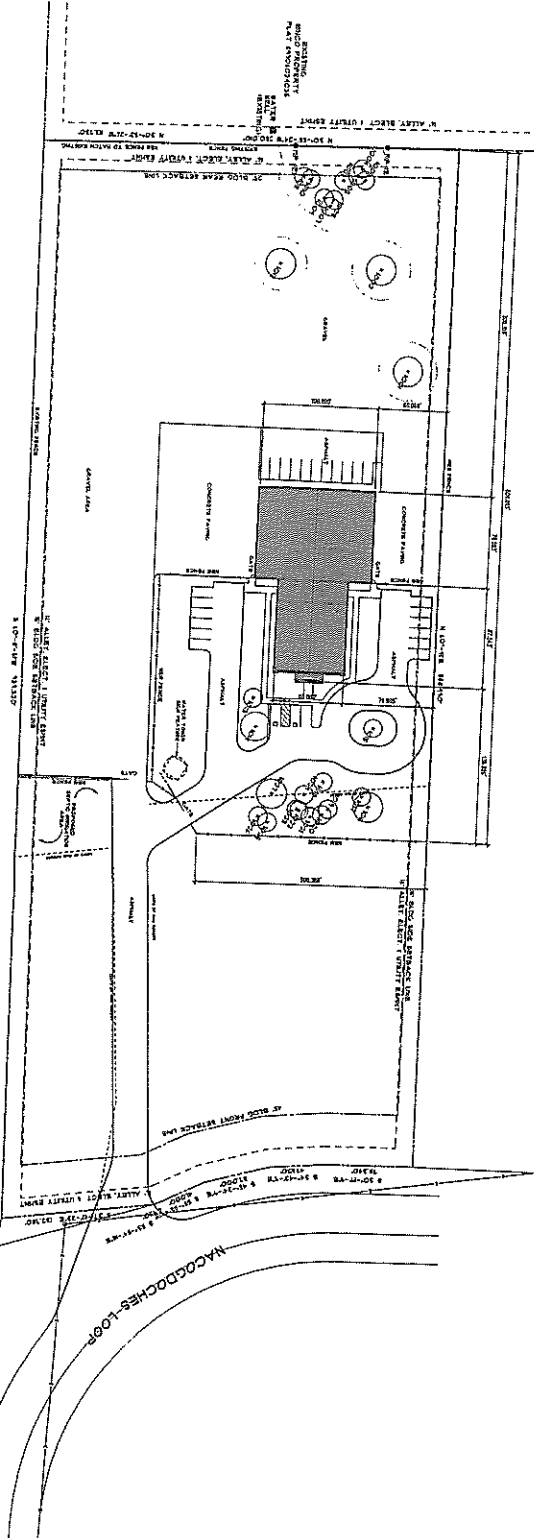
If you have any questions or comments, please call me.

Best regards,

William J. Anz
Assistant Chief

SITE PLAN

RR 100' R.O.W.



DATE: 4/22/2014
PROJECT: 13-0040
SHEET: 101
SCALE: 1/8" = 1'-0"

NO.	DATE	DESCRIPTION
1	4/22/2014	ISSUED FOR PERMIT

NO.	DATE	DESCRIPTION
1	4/22/2014	ISSUED FOR PERMIT

NO.	DATE	DESCRIPTION
1	4/22/2014	ISSUED FOR PERMIT

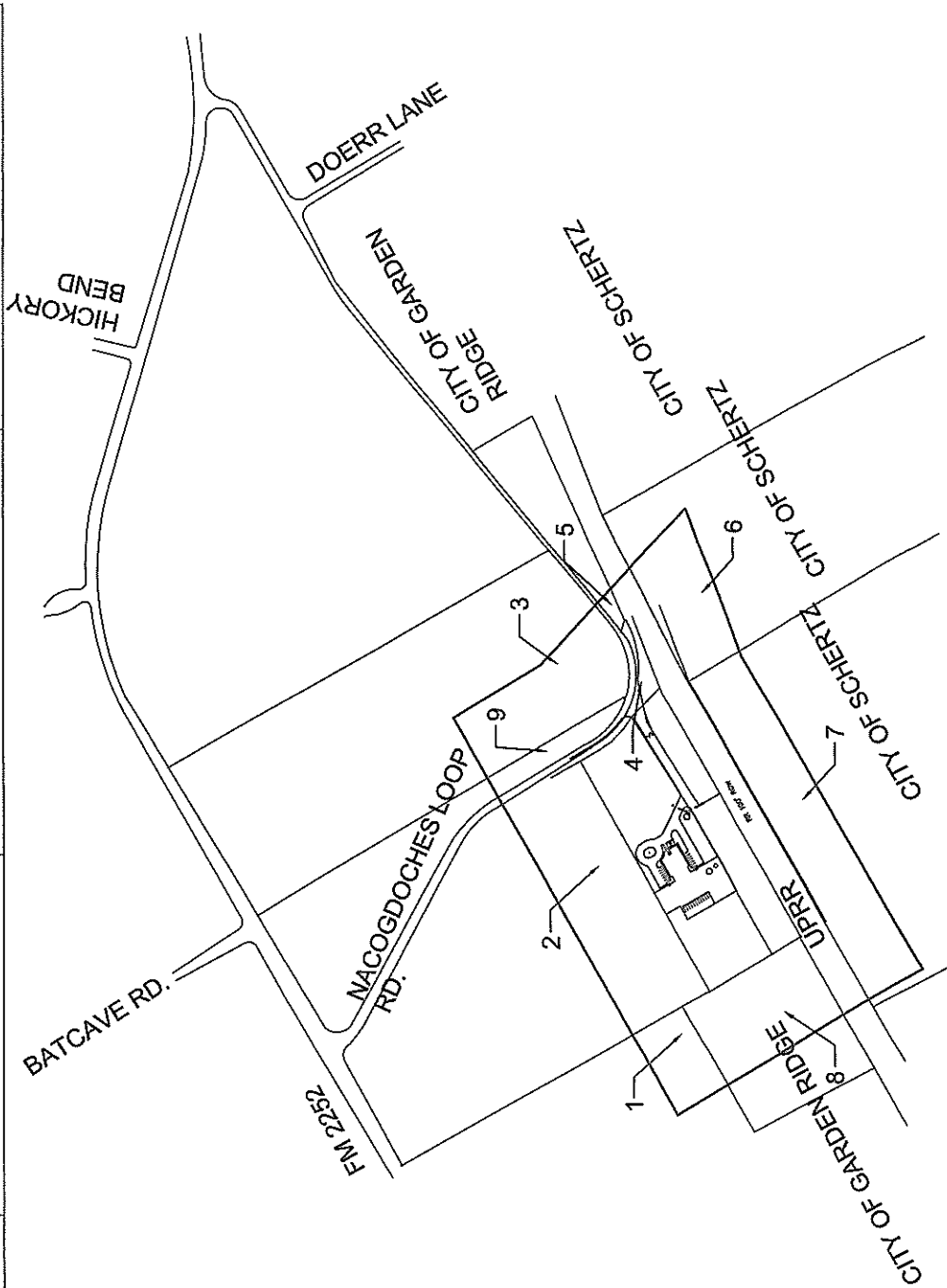
NO.	DATE	DESCRIPTION
1	4/22/2014	ISSUED FOR PERMIT

NO.	DATE	DESCRIPTION
1	4/22/2014	ISSUED FOR PERMIT



Hospitality Design Group
RESTAURANT ARCHITECTURE + INTERIORS + FURNITURE
4505 MACCODOCHES LOOP, SUITE 200
DALLAS, TEXAS 75244
TEL: 214.831-3660

ADJOINING PROPERTY CONTACTS LIST		
TRACT NUMBER	OWNER NAME	CITY LIMITS
1	ROLLIN D. PESTER	GARDEN RIDGE
2	VERSIELENE B. ORMOND	GARDEN RIDGE
3	RANDY & CAROLINE COTTINGHAM	GARDEN RIDGE
4	BERNICE S. FRISENHANN	GARDEN RIDGE
5	ARNOLD A. & ANGELINE A. MOOS	GARDEN RIDGE
6	SUSAN HAYES LUCKETT TR	SCHERTZ
7	EDGAR & EDNA BURKHARDT	SCHERTZ
8	WINCO CONTRACTORS	GARDEN RIDGE
9	SULTON PRODUCING CORP	GARDEN RIDGE



SCALE 1"=100'

FOR INTERIM REVIEW ONLY
THIS DOCUMENT IS FOR REVIEW ONLY. IT IS NOT TO BE USED FOR BIDDING OR CONSTRUCTION PURPOSES.
NAME: JEFFERY S. SMITH
P.E. NO.: 707748



Date: August 22, 2006
Project No: 7748.00

Page 1 of 2

FIELDNOTES FOR 2.52 ACRES

Field notes describing 2.52 acres of land, situated in the Vincente Micheli Survey No. 114, Abstract No. 383 in Comal County, Texas; being out of that certain 27.594 acre tract of land recorded in Volume 242, Page 143 of the Deed Records of Comal County, Texas and being more particularly described as follows:

BEGINNING at a metal corner post found on the Northwestern right of way for Union Pacific Railroad previously the International and Great Northern Railroad (station 12517+08 to station 12721+70) (map in Volume 9, Page 15 of the Union Pacific Railroad archives), for the Southeastern corner of the Winco Subdivision as shown on a map recorded in Volume 12, Page 208 of the Map and Plat Records of Comal County, Texas, the same being the Southwestern corner of the said 27.594 acre tract, for the Southwestern corner of this 2.52 acre tract of land;

THENCE: N 30° 52' 26" W – 113.73 feet along the Eastern line of the said Winco Subdivision, the Western line of the said 27.594 acre tract to a ½ inch iron rod with yellow plastic cap marked "Ford Eng. Inc." set for the Northwestern corner of this 2.52 acre tract of land;

THENCE: N 60° 08' 51" E – 541.08 feet across the said 27.594 acre tract to a ½ inch iron rod with yellow plastic cap marked "Ford Eng. Inc." set for a corner of this 2.52 acre tract of land;

THENCE: N 57° 27' 19" E – 384.16 feet continuing across the said 27.594 acre tract to a fence corner found on the Western line of Nacogdoches Loop Road (R.O.W. varies) for the Northeastern corner of this 2.52 acre tract of land;

THENCE: S 37° 00' 23" E – 132.78 feet along the Eastern line of the said 27.594 acre tract, the Western line of the said 0.037 acre tract of land to a wooden corner post found on the Northwestern line of the said Union Pacific Railroad right of way, for the Southeastern corner of the said 27.594 acre tract, the Southwestern corner of the said 0.037 acre tract, for the Southeastern corner of this 2.52 acre tract of land;

F FORD ENGINEERING, INC.

Page 2 of 2

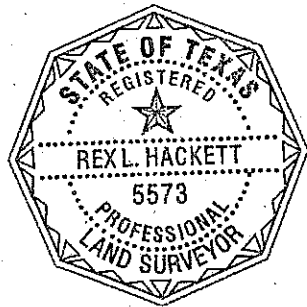
THENCE: S 60°08'51" W – 939.32 feet along the Southern line of the said 27.594 acre tract of land, the Northern line of the said Union Pacific Railroad right of way to the **POINT OF BEGINNING** and containing 2.52 acres of land.

Reference Bearing is NAD 83 Texas State Plane Coordinate System.

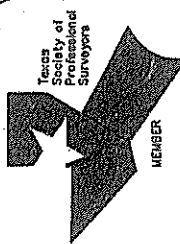
Corresponding plat prepared.

774800fn

REVISED 10-02-06




Rex L. Hackett
Registered Professional Land Surveyor
License Number 5573



GEO. DONLSON
SURVEY NO. 96
ABSTRACT NO. 120

BERNICE S. FRIEDENHAIN et al
TRACT 2
0.037 ACRES
VOLUME 173, PAGE 245
DEED RECORDS

NACOGDOCHES
LOOP
(R.O.W. VARIES)

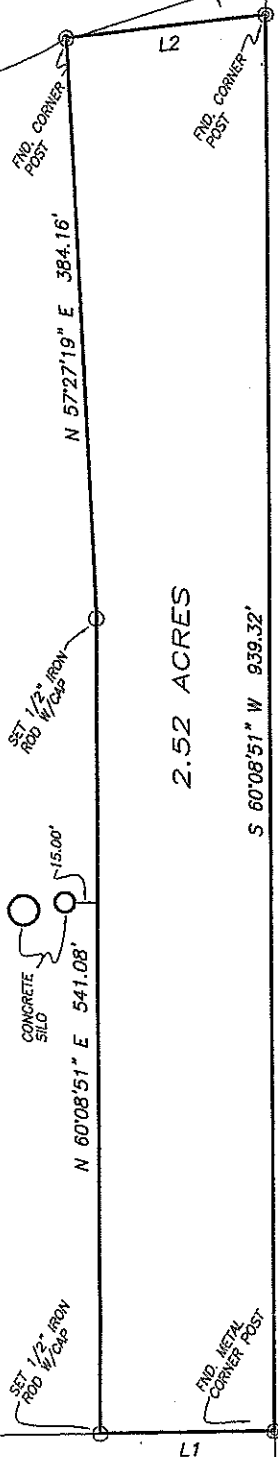


VICENTE MICHELI
SURVEY NO. 114
ABSTRACT NO. 383

VERSELENE BUEHRING
REMAINING
27.594 ACRES
VOLUME 242, PAGE 145
DEED RECORDS
COMAL COUNTY, TEXAS

LINE	BEARING	DISTANCE
L1	N 30°52'26" W	113.73'
L2	S 37°00'23" E	132.78'

WINCO SUBDIVISION
6.017 ACRES
VOL. 12, PAGE 208
MAP AND PLAT RECORDS
COMAL COUNTY, TEXAS



UNION PACIFIC RAILROAD
100' R.O.W.
(INTERNATIONAL & GREAT NORTHERN RAILROAD)
STATION 12517+08 TO STATION 12721+70
RIGHT OF WAY MAP V-9
15

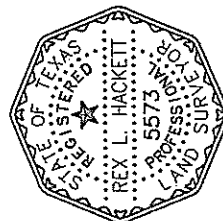
STATE OF TEXAS:
COUNTY OF TEXAS:

I, REX L. HACKETT DO HEREBY CERTIFY THAT
THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY
MADE ON THE GROUND BY MEN WORKING UNDER
MY SUPERVISION.

[Signature]
REX L. HACKETT

R.P.L.S. NO. 5573

SURVEYED: 07-28-06
PROJECT NO.: 7748.00
REVISED: 10-02-06



PLAT SHOWING:
2.52 ACRES
SITUATED IN THE VICENTE MICHELI
SURVEY NO. 114, ABSTRACT NO. 383
AND BEING A PORTION OF THAT CERTAIN
27.594 ACRE TRACT OF LAND
RECORDED IN VOLUME 242, PAGE 143
OF THE DEED RECORDS OF
COMAL COUNTY, TEXAS

FORD
ENGINEERING
INC.

ENGINEERING • PLANNING • DEVELOPMENT
10927 WYE DRIVE, SUITE 104, SAN ANTONIO, TEXAS 78217
TEL: (210) 590-4777 FAX: (210) 590-4940
www.fordengineering.com



Field Notes of 4.98 Acre Tract

A 4.98 Acre (217,095 square feet, more or less) Tract of land in the City of Garden Ridge, Texas, out of the Vicente Micheli Survey No. 114, Comal County, Texas, and being out the Remainder of a 27.594 Acre Tract conveyed to Versielene Buehring in deed recorded in Volume 242, Page 143, Deed Records, Comal County, Texas, and being more fully described as follows, with bearings based on the Texas Coordinate System as established from the North American Datum of 1983 (CORS96) for the South Central Zone:

- BEGINNING:** At a 1/2" iron rod found with cap stamped "Ford" in the northeast line of Lot 1, WINCO Subdivision, recorded in Volume 12, Page 208, Map and Plat Records, Comal County, Texas, for the west corner of a 2.52 Acre Tract conveyed to Garry Lugar and Richard Winkler in Document No. 200606051140, Official Public Records, Comal County, Texas, the south corner of the Remainder of the 27.594 Acre Tract, this Tract and the POINT OF BEGINNING:
- THENCE:** N 30°55'24" W, with the northeast line of Lot 1, the southwest line of the Remainder of the 27.594 Acre Tract and this Tract, a distance of 250.01 feet to a 1/2" iron rod set with cap stamped "RICKMAN RPLS 5826," for the west corner of this Tract;
- THENCE:** N 60°41'00" E, departing the northeast line of Lot 1, across the Remainder of the 27.594 Acre Tract, with the northwest line of this Tract, a distance of 888.49 feet to a fence post found in the southwest right of way line of Nacogdoches Loop (Variable Width ROW) for the north corner of this Tract;
- THENCE:** With the southwest right of way line of Nacogdoches Loop and the northeast line of the Remainder of the 27.594 Acre Tract and this Tract, the following calls and distances:
- S 30°19'09" E, a distance of 78.34 feet to a 1/2" iron rod set with cap stamped "RICKMAN RPLS 5826" for an angle point;
- S 34°42'09" E, a distance of 47.10 feet to a 1/2" iron rod set with cap stamped "RICKMAN RPLS 5826" for an angle point;
- S 45°24'09" E, a distance of 57.00 feet to a 1/2" iron rod set with cap stamped "RICKMAN RPLS 5826" for an angle point;
- S 55°55'09" E, a distance of 41.00 feet to a 1/2" iron rod set with cap stamped "RICKMAN RPLS 5826" for an angle point;
- S 53°54'18" E, a distance of 6.92 feet to a fence post found for the north corner of the 2.52 Acre Tract, the east corner of the Remainder of the 27.594 Acre Tract and this Tract;

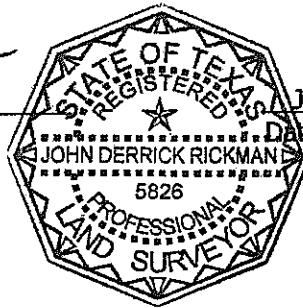
THENCE: Departing the southwest right of way line of Nacogdoches Loop, with the northwest line of the 2.52 Acre Tract, and the southeast line of the Remainder of the 27.594 Acre Tract and this Tract, the following calls and distances:

S 57°26'17" W, a distance of 384.16 feet to a fence post found for an angle point;

S 60°07'49" W, a distance of 540.78 feet to the Point of Beginning and containing 4.98 acres of land in the City of Garden Ridge, Comal County, Texas, according to a survey made on the ground by Rickman Land Surveying on July 10, 2013.



J. Derrick Rickman, RPLS No. 5826



July 11, 2013

Date Signed

Flood Statement:
According to the Flood Insurance
Rate Map (FIRM) No. 48091C0485F,
dated September 2, 2009, the
property is located in Zone X. Areas
determined to be outside the 0.2%
annual chance floodplain.

Remainder of 27.594 Acre Tract
Versieline Buehring
Volume 252, Page 143
Deed Records
Comal County, Texas

4.98 Acres
217,095 Square Feet

2.52 Acre Tract
Garry Lugert, Richard Minkler
Doc. No. 200905051140
Official Public Records
Comal County, Texas

6.017 Acres
Lot 1
WINCO Subdivision
Volume 12, Page 208
Map & Plat Records
Comal County, Texas

P.O.B.

UNION PACIFIC RAILROAD

UNION PACIFIC RAILROAD

LINE	BEARING	DISTANCE
L1	S 30°19'09" E	78.34'
L2	S 34°42'09" E	47.10'
L3	S 45°24'09" E	57.00'
L4	S 55°55'09" E	41.00'
L5	S 53°54'18" E	6.92'

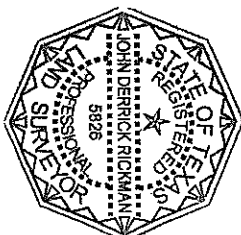


SURVEY OF A 4.98 ACRE (217,095 SQUARE FEET, MORE OR LESS), TRACT OF LAND IN THE CITY OF GARDEN RIDGE, TEXAS, OUT OF THE VICENTE MICHEL SURVEY NO. 114, COMAL COUNTY, TEXAS, AND BEING OUT OF THE REMAINDER OF A 27.594 ACRE TRACT CONVEYED TO VERSIELENE BUEHRING IN DEED RECORDED IN VOLUME 242, PAGE 143, DEED RECORDS, COMAL COUNTY, TEXAS.

- SURVEY NOTES:
1. Based on State Plane Coordinate NAD83, South Central Zone.
 2. The Ties Computed were provided to Surveyor at time of the Survey.
 3. Not all improvements shown.

CERTIFICATION:
THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE ON THE GROUND ON JULY 10, 2013, OF THE PROPERTY SHOWN HEREON

J. Derrick Rickman, RPLS No. 5926



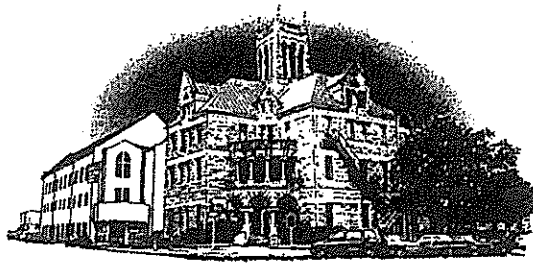
LEGEND

These standard symbols will be found in the drawing.

- E · E - Overhead Electric
- X — Fence
- ⊙ 1/2" Iron Pin Set
- Edge of Asphalt
- ⊙ Water Faucet
- ⊙ Utility Pole
- ⊙ Sign
- Lathe found on line
- ⊙ Guy Wire
- ⊙ 1/2" Iron Rod Found w/cap "Ford"
- ⊙ Fence Post

Rickman Land Surveying

419 Big Bend Canyon Lake, Texas 78133 Phone (830) 534-2539
www.rickmanlandsurveying.com TBPLS Firm No. 101919-00



Comal County

OFFICE OF COMAL COUNTY ENGINEER

April 22, 2014

Re: Street Name & Address Verification

To Whom It May Concern:

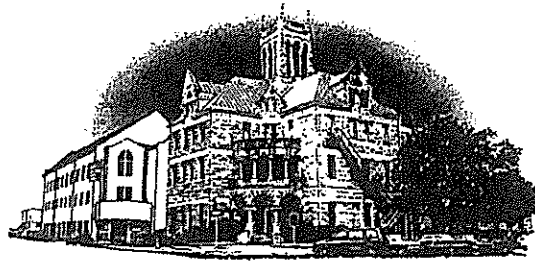
Please be advised that one of the street name and address associated to the following property is currently:

Property ID	Description	Physical Addresses
146046	A-383 SUR-114 V MICHELI, ACRES 2.52	19080 NACOGDOCHES LP GARDEN RIDGE TX 78266

If I can be of further assistance, please feel free to contact me.

Thank you,

Emily Ranft
Address Coordinator



Comal County

OFFICE OF COMAL COUNTY ENGINEER

April 22, 2014

Re: Street Name & Address Verification

To Whom It May Concern:

Please be advised that one of the street name and address associated to the following property is currently:

Property ID	Description	Physical Addresses
146046	A-383 SUR-114 V MICHELI, ACRES 2.52	19080 NACOGDOCHES LP GARDEN RIDGE TX 78266

If I can be of further assistance, please feel free to contact me.

Thank you,

Emily Ranft
Address Coordinator

City Administrator

From: Ranft, Emily <ranfte@co.comal.tx.us>
Sent: Tuesday, April 22, 2014 12:49 PM
To: Susan Braden
Cc: City Administrator
Subject: RE: Addressing for combined tracts
Attachments: 19080 NACOGDOCHES LOOP.pdf

Susan,

Based on the site design provided, it appears the use of 19080 Nacogdoches Loop is appropriate for the final usage of the combined lots. The verification letter attached only references PID 146046 since the plat has not been recorded.

Thank you,
Emily

From: Susan Braden [<mailto:SBraden@wincocontractors.com>]
Sent: Tuesday, April 22, 2014 10:24 AM
To: Ranft, Emily
Subject: Addressing for combined tracts

Per our conversation, attached is the basic site design for the new properties we discussed for ADDRESSING.

Thanks☺

Susan Braden
Winco Contractors
sbraden@wincocontractors.com

From: Ranft, Emily [<mailto:ranfte@co.comal.tx.us>]
Sent: Tuesday, April 22, 2014 9:00 AM
To: Susan Braden
Subject: RE: Mail for Emily Ranft

Susan,

Typically for platted tracts of land addresses are not finalized until the plat is recorded. Do you know what the combined tracts are going to be used for/how they will be developed?

Thank you,
Emily

From: Susan Braden [<mailto:SBraden@wincocontractors.com>]
Sent: Thursday, April 17, 2014 11:16 AM
To: Wilson, Thomas G.
Subject: Mail for Emily Ranft

We have 2 properties adjacent to each other that we are in process of combining both tracts into 1 plat. We need to inquire as to what ADDRESS these 2 tracts will ultimately have. I have looked them up with the GIS on you website

MINUTES
REGULAR CITY COUNCIL MEETING
WEDNESDAY JUNE 4, 1997-7:00 P.M

The Garden Ridge City Council met in regular session at 7:00 p.m. on Wednesday, June 4, 1997, in the municipal court building. This was an open meeting, open to the public subject to the Open Meeting Laws of the State of Texas, and as required by law, was duly posted on May 30, 1997 at 5:00 p.m., giving notice of time, place, date and agenda thereof.

1. Call to Order.

Mayor Feibelman called the Council to order at 7:00 p.m. for a regular meeting and read aloud the above captioned heading of the posted agenda.

2. Roll Call.

All Councilmembers present except Councilmember Foley . (ill)

3. Pledge of Allegiance.

The pledge of allegiance was lead by Karla Flink, Troop 1265.

4. Citizens' Comments.

a. David Wood expressed concern about the Entex franchise agreement in reference to where the gas company could dig. He felt that the agreement was giving them power to decide to dig anywhere in the City without the City's knowledge.

b. Camille Brotze said that she felt the new format for the Grapevine was well received. She inquired about the repair in the future of the sign at Teakwood Drive.

5. Approval of City Council Minutes: Regular City Council Meeting of March 5, 1997, April 2, May 7 and Called City Council Meeting of May 12, 1997.

Mayor Feibelman asked that the minutes of May 7, 1996 be removed until the next meeting.

The motion was made by Councilmember Eckhardt, seconded by Councilmember Harris to approve the minutes with the corrections made of March 5, 1997, April 2, 1997 and the called meeting of May 12, 1997. The vote was 4 to 0. The motion passed.

6. New Business: Discuss and Consider Approval/Disapproval of the following:

- a. An Ordinance Authorizing and Allowing Under the Act Governing the Texas Municipal Retirement Systems, Restricted Prior Service Credit To Employees Who Are Members Of the System For Service Previously Performed For Various Other Public Entities For Which They Have Not Received Credited Service; And Establishing An Effective Day For The Ordinance.

Eric Davis, District Manager for TMRS was present to explain the provision. He explained that this option provided for employees who could qualify under 4 different classes. This provision gave the employee only time credit, no monetary value. In order for the employee to qualify, the

City must adopt the ordinance. The provisions were (1) for any municipality in the United States, (2) with any Council of Governments in Texas, (3) DWF Airport Authority and (4) previous forfeited time from any of 5 statewide systems. It basically allows continuity of public employment.

Mr. Davis said that HB 1113 passed this past session will open up the restricted prior credit service for any employee from the federal government to the local government throughout the United States. The HB 1113 does not have any cost to the City potentially but could have an actuarial cost.

Mr. Davis reviewed the current options that the City had adopted

The motion was made by Councilmember Eckhardt, seconded by Councilmember Harris to adopt an ordinance authorizing and allowing under the act governing the Texas Municipal Retirement Systems, restricted prior service credit to employees who are members of the system for service previously performed for various other public entities for which they have not received credited service; and establishing an effective date of July 1, 1997. The vote was 4 to 0. The motion passed.

b. Act on Recommendation from Water Commission for Water Well Permit to Garry Lugar

Mayor Feibelman said that the Water Commission approved the water well permit to Garry Lugar with the caveat that if the City in the future extended the water system, the owner would be required to connect to the city water service.

The motion was made by Councilmember Sanders, seconded by Councilmember Eckhardt to approve the water well permit to Garry Lugar with the caveat if the City in the future extended the water system, the owner would be required to connect to the city water service. The vote was 4 to 0. The motion passed.

c. An Ordinance Granting Entex, A Division Of Noram Energy Corp., Its Successors and Assigns, The Right, Privilege And Franchise For A Period Of Twenty (20) Years To Construct, Lay, Maintain, Operate, Extend, Remove, Replace and Repair A System Of Pipelines, Gas Mains, Laterals and Attachments And All Desirable Instrumentalities In, Under, Over, Across, and Along Any and All Streets, Avenues, Parkways, Squares, Alleys and All Other Public Places In The City of Garden Ridge, Comal County, Texas For the Purpose of Transporting, Distributing, Supplying and Selling Gas (Natural and/or Artificial And/Or Mixed) For Heating, Lighting, Power, And For All Other Purposes For Which Gas May Be Used, To Said Municipality, Its Inhabitants and Others; Providing Conditions Controlling The Use Of Public Thoroughfares and Extensions Therein; Establishing Standards Of Service; Providing For Payment Of Two Percent (2%) Of The Gross Receipts From the Sale Of Gas To Residential And Commercial Customers Within the City; Providing For Acceptance; Providing A Severability Clause; Making Miscellaneous Provisions; And Repealing All Ordinances In Conflict Herewith.

Mr. Ernest Radeleff, District Manager, was present stating the ordinance was for a twenty year period compared to the twenty-five year agreement which was expiring. A clause had been added to allow a change in the 2% gross receipt when and if the state approved the increase of the franchise tax.

Mr. Radeleff addressed the concerns of Mr. Wood assuring him that restrictions are stringent when it comes to street cuts and placement of the utilities. Mr. Radeleff was not aware of any problems brought about the construction of the gas lines.

The discussion lead to the possibility of amending the permitting procedures of utility companies working in the City. This would give the City more control to be assured the utilities were placed properly.

The motion was made by Councilmember Eckhardt, seconded by Councilmember Sanders, to approve an ordinance granting Entex, a division of Noram Energy Corp., its successors and assigns, the right, privilege and franchise for a period of twenty (20) years to construct, lay, maintain, operate, extend, remove, replace and repair a system of pipelines, gas mains, laterals and attachments and all desirable instrumentalities in, under, over, across, and along any and all streets, avenues, parkways, squares, alleys and all other public places in the City of Garden Ridge, Comal County, Texas for the purpose of transporting, distributing, supplying and selling gas (natural and/or artificial and/or mixed) for heating, lighting, power, and for all other purposes for which gas May Be used, to said municipality, its inhabitants and others; providing conditions controlling the use of public thoroughfares and extensions therein; establishing standards of service; providing for payment of two percent (2%) of the gross receipts from the sale of gas to residential and commercial customers within the city; providing for acceptance; providing a severability clause; making miscellaneous provisions; and repealing all ordinances in conflict herewith. The vote was 4 to 0. The motion passed.

d. Appoint Mayor Pro Tem.

The motion was made by Councilmember Harris, seconded by Councilmember Loftin to appoint Councilmember Eckhardt as Mayor Pro Tem for the next term. The vote was 4 to 0. The motion passed.

e. Discuss July 4th and 25th Anniversary Events.

Mayor Feibelman said that the July 4th and 25th anniversary event will be held at the City Park on July 4th. The Lions Club would prepare the food for the July 4th event with the City paying for the meals and beverages. The residents of the City and their guest are invited. Council approved the funds to host the 25th anniversary celebration. The City had ordered 250 T-shirts, 500 hats and 200 koozie with the 25th anniversary logo on them. The T-shirts and hats will be sold at cost plus the applicable sales tax. The koozie's will be given away.

A bike parade will be held, the winners will receive T-shirts and koozie as prizes.

Councilmember Eckhardt asked that a special cake be made for the 25th anniversary celebration.

f. Membership in Randolph Metrocom Chamber of Commerce.

Mayor Feibelman recommended that the City join the Chamber of Commerce since we are the only area City not a member. The annual charge is \$150.00.

The motion was made by Councilmember Harris, seconded by Councilmember Sanders, to become a member of the Randolph Metrocom Chamber of Commerce. The vote was 4 to 0. The motion passed.

g. Decide on Salary and Benefits for Position of Chief of Police.

Mayor Feibelman recommended that a salary be established for the position of Chief of Police. It was the consensus of the Council to leave open the salary depending on the experience of the person. The motion was made by Councilmember Harris, seconded by Councilmember Sanders to leave the salary open depending on the experience of the person. The vote was 4 to 0. The motion passed.

h. Update on Signs for Park Lane and Country Oaks Subdivision Entry Signs.

Mayor Feibelman reported that the both signs would be replaced for less than \$1,000.00. The work on the Country Oaks sign was completed, the contractor did a beautiful job on the stone work. The Park Lane sign will be replaced for less than \$100.00.

The motion was made by Councilmember Harris, seconded by Councilmember Eckhardt to put lettering on both sides of the Park Lane sign. The vote was 4 to 0. The motion passed.

i. Approve Planning and Zoning Commission Member Mary Lou Flink and Accept Resignation of Gary Fitts.

Mayor Feibelman said that Gary Fitts reported he would not be able to serve because his job required some traveling.

The motion was made by Councilmember Harris, Councilmember Eckhardt to accept the resignation of Gary Fitts. The vote was 4 to 0. The motion passed.

The motion was made by Councilmember Harris, seconded by Councilmember Eckhardt to accept the approve of Planning and Zoning Commission Member Mary Lou Flink. The vote was 4 to 0. The motion passed.

j. Establish Cut Off Date to Accept Applications for the Positions of Chief of Police and City Administrator

Mayor Feibelman asked to establish a cut off date since there had been 27 applications received after the review process started.

The motion was made by Councilmember Sanders, seconded by Councilmember Harris to establish a cut off date of June 4, 1997 for the City Administrator and Chief of Police. The vote was 4 to 0. The motion passed.

Councilmember Eckhardt would like to keep the applications that came in after June 4, to be considered if the position is reopened.

7. Reports from City Officials and City Councilmembers:

a. Councilmember Eckhardt asked the status of the McKenna sign and the ground storage tank.

Mayor Feibelman said the McKenna group had until June 19 to reapply for the variance and at that time hopefully reconcile the sign compliance. If the problem can not be resolved with this last attempt by Chairman Wood then the Mayor will be willing to enforce the violation.

Mayor Feibelman said on the subject of the ground storage, that the engineer was looking at the project. It was the opinion of Mr. Brown and the Mayor that if an elevated storage tank was built the ground storage tank was unnecessary.

b. Councilmember Loftin asked that repair of the Teakwood Drive sign be put on the agenda for discussion.

c. Chairman Wood announced a public hearing would be held on June 19, 1997 to consider rezoning request from Mr. Clay on a golf driving/range. The City Council will meet at a called meeting on June 23, 1997 to consider the request.

The meeting convened in Executive Session at 8:20 p.m.

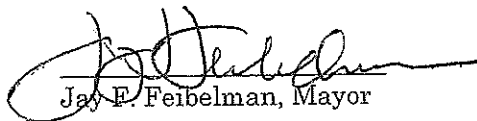
9. EXECUTIVE SESSION

Executive Session to Discuss and Evaluate the Applicants for the Positions of Chief of Police and City Administrator of the City of Garden Ridge Pursuant to Section 551.074(a)(1) Gov't Code.

The meeting reconvened in open session at 9:44 p.m.

The meeting adjourned at 9:46 p.m.

Passed and Approved this 2nd day of July, 1997.


Jay E. Feibelman, Mayor

ATTEST:


Judy Tokar, City Secretary

Minutes of the City of Garden Ridge Water Commission Meeting

Tuesday, May 27, 1997

Items 1 & 2

The meeting was called to order by Chairman Fordiani at 7:00 p.m. Commissioner Pyland was absent. Also in attendance were the Mayor, the Water Company General Manager, Jeff Brown and one private citizen.

Item #3

Minutes of the Commission Meeting held on April 29, 1997 were reviewed. A motion was made by Commissioner Gay to approve the minutes, seconded by Commissioner Pawelek. Motion was approved unanimously.

Item #4

There were no citizens' comments.

Item #5

Next the Commission considered a written request by Mr. J. Luger to be allowed to drill a well on a property on the west side of FM 2252, close to Nacogdoches Loop. Chairman Fordiani asked Jeff Brown to give the group a brief overview of the cost associated with the City providing water to this property. Jeff indicated that it is approximately 1130 feet from the FM 2252 well site to this property. Jeff contacted the City Engineer to get some preliminary costs. Garcia Wright told Jeff to use a cost of \$20 per lineal foot of pipe for a total \$22,600. This assumes a 6" line. In addition, there will be either, some boring under the state right-of-way, or, as an alternative we would have to cut the road at Nacogdoches Loop. The cost of boring is around \$120 per lineal foot, which brings the total cost to around \$26,000.

In response to a question from Chairman Fordiani, Mr. Luger's representative indicated that the well would be located close to the railroad tracks about 150 feet from the front of the property. At this point, the Mayor told the group that the area where this property is located is currently classified as L-1 (Light Industrial), which the City's current ordinance does not address. Presently, this area is an agricultural/residential area. The Mayor feels that the City Council will have to give Mr. Luger a variance to allow an industry in this area, which he does not believe would be a problem. Chairman Fordiani also told the group that in the past, the Commission has recommended to City Council that permits for private wells be granted based on the following criteria:

- Cost
- Precedence
- Availability of Water

We have precedent (i.e., two wells located behind the McKenna Health Center). Responding to a question from the Mayor, Jeff indicated that the cost of drilling an individual well would be around \$7,000 to \$10,000 as compared with the \$26,000 to extend the City's water lines. Commissioner Pawelek reminded the group that in the past when the Commission has made a recommendation to Council to grant an individual well permit, a provision has been added to insure that if the City extends its water service to the area under consideration, the property would then be connected to the City's water system.

In response to a request from Chairman Fordiani, Jeff recommended to the Commission that this application for a well permit be approved. Motion was made by Commissioner Pawelek to recommend to City Council that this application for a private well be approved with the caveat that if in the future the

City's water system is extended to this area, the Owner be obligated to tie into the City's water system. Motion seconded by Commissioner Gay, and approved unanimously.

Item #6

Commissioner Fitts asked Jeff for a report regarding the work that is taking place in the area of last month's water line break at Meadow Rue and Hoya Lane. Jeff indicated that the City has some "minor" dressing up to do, and that the homeowner alongside the culvert is replacing the open channel with a covered corrugated metal pipe. Commissioner Fitts asked the Mayor whether or not this work was approved by the City Engineer. The Mayor told the group that he could not find any written records regarding this work, and he assumes that it was a "hand shake" agreement between our past Mayor and the homeowner. The Mayor told the group that based on the information he was given regarding this work it is a good deal for the City, one that eliminates an "eyesore" and sets the responsibility for the upkeep of the pipe on the homeowner. The Mayor has also been told that the pipe can handle the amount of water flow that currently runs through the culvert.

Commissioner Pawelek asked for an update on the status of the motion made by the Commission last April regarding the 140-unit development at the Krueger tract. The Mayor indicated that this issue came up for Council consideration but that no information was discussed regarding hookup costs. The developer has not given Council a plat, and at this point all he has is a "go ahead" to proceed with his planning. Impact fees and cost of individual hookups has not been established. Commissioner Pawelek asked about the work that was being done next to the McKenna Health Center. The Mayor informed the group that the work was being done by Southwestern Bell to install fiber optic cable. Commissioner Pawelek recommended that the City contact Southwestern Bell to obtain the information on the size and location of the cable for future reference.

Commissioner Pawelek also told the group that former Mayor Millikin contacted him after the April meeting to confirm that the Gifford Hill location that has previously been proposed as the location for an elevated water tank is indeed the highest point within the City limits.

Jeff Brown indicated that there have been a few breaks in the last month. In addition there were some problems with the well at FM 2252. At this time, the float cable is broken for the site gage at the ground storage tank at the FM 2252 site.

Chairman Fordiani informed the group that he has asked Jeff to become more involved in all of the water issues as they related to the work of the Water Commission. The Mayor informed the group that Jay Millikin is supposed to write a letter to TNRCC requesting that the City of Garden Ridge be relieved of its responsibility of providing water to the Marbach area. The Commission was not aware of the status of this letter. The Mayor gave the group details regarding the party to honor former Mayor Millikin to be held Sunday June 8th.

Item #7

Motion made by Commissioner Pawelek, and seconded by Commissioner Gay to adjourn the meeting. Meeting adjourned at 7:26 p.m.

By:



Carmen B. Abad-Fitts, *Secretary*

9324 Schoenthal Road / Garden Ridge TX 78266

p 210 913-4608 \ www.waterschurch.com



April 28, 2014

Nancy Cain
Garden Ridge City Administrator
9400 Municipal Parkway
Garden Ridge, TX 78266-2366

Re: Waters Church Sign

Ms. Cain:

The Waters Church, newly located (1 year) at 9324 Schoenthal Road, is respectfully requesting permission from the City of Garden Ridge, to place a church sign approximately where FM 3009 intersects with Miller Lane and Schoenthal Road (Attachment 1). Additionally, the Waters Church is respectfully requesting a variance to the City of Garden Ridge Ordinance #55-112004 in order to place the sign on city owned property.

The purposes of the church sign are both informational and directional in that it would inform both north and south bound travelers on FM 3009 of the church's existence and location on the south east side of Schoenthal (Attachment 1). As it is now, it is relatively impossible for people traveling in either direction on FM 3009 to know of our church's existence and physical location on the south east side of Schoenthal off FM 3009.

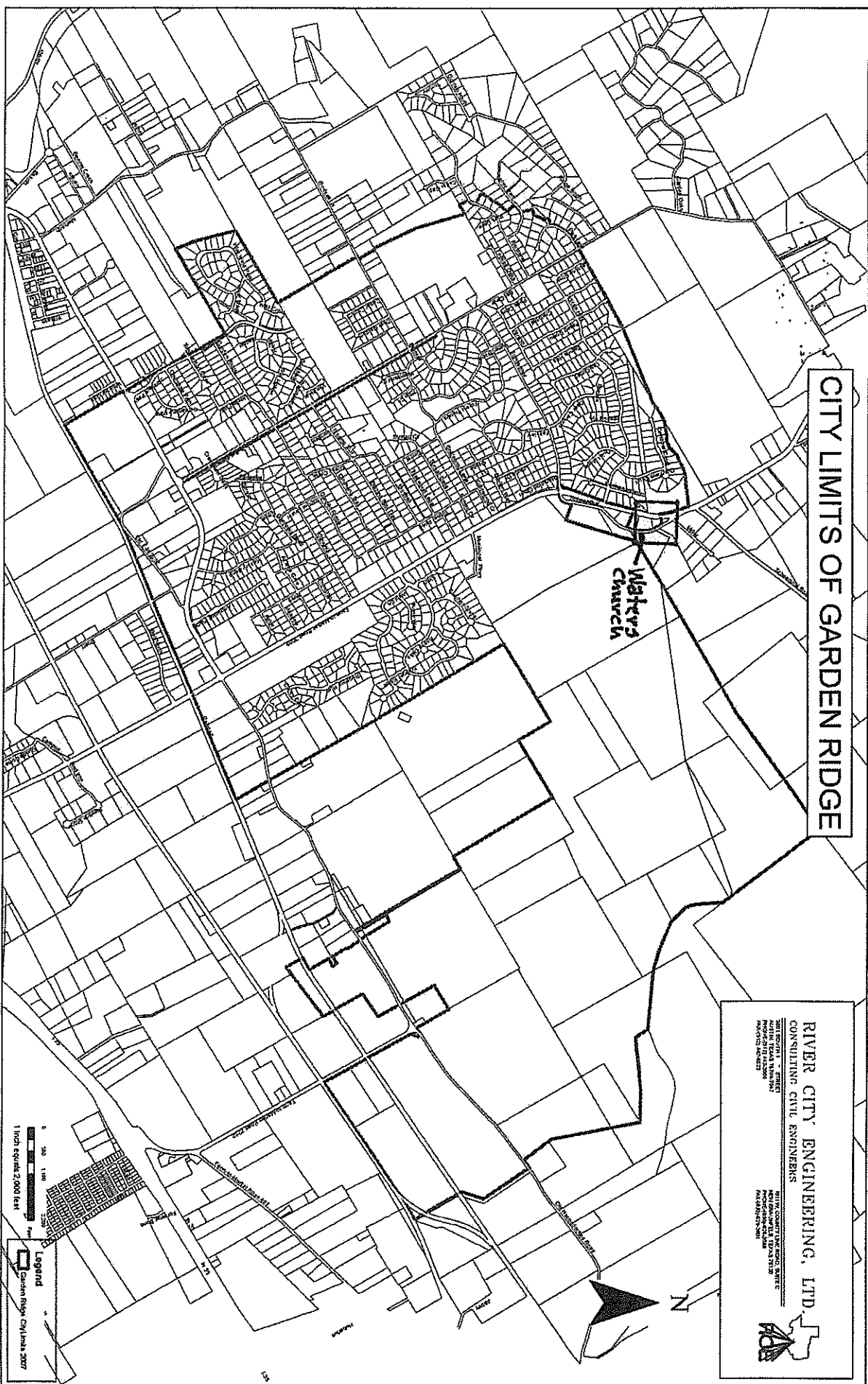
We propose the sign be constructed of either painted (~1" tubular steel) or wood. The sign dimensions would be 4 feet wide (vertical dimension) by 6 feet long (horizontal dimension). The overall height of the sign (ground to top) would be 6 feet. The information (verbiage) to be placed on the sign can be seen on Attachment 2.

Thank you in advance for your time and consideration of our requests.

Sincerely,

Kelly Craighead
Senior Pastor
The Waters Church - www.waterschurch.com

Attachment 1 - Sign and Church Location Maps (2 pages)
Attachment 2 - Waters Church Sign Verbiage



CITY LIMITS OF GARDEN RIDGE

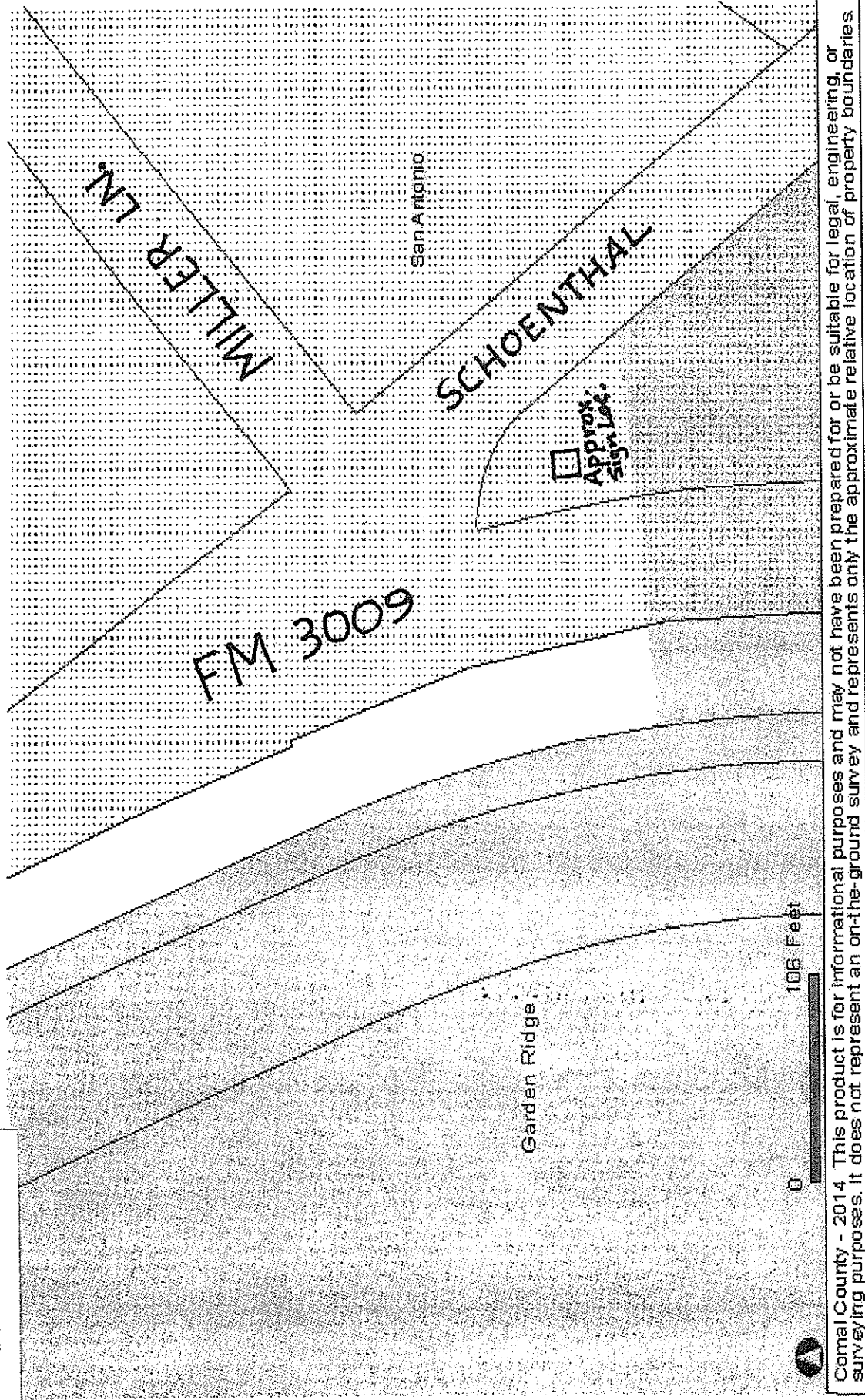
RIVER CITY ENGINEERING, LTD.
CONSULTING CIVIL ENGINEERS
1000 10th Avenue SW
Nashville, TN 37203
615-259-1234
FAX 615-259-1235



Scale
1 inch equals 2,000 feet

Legend
Garden Ridge City Limits 2027

ATCH 1
Detail



Comal County - 2014. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



COME THIRSTY

LEAVE REFRESHED

May 8, 2014

Ms. Nancy Cain, City Administrator
City of Garden Ridge
9357 Schoenthal Road
Garden Ridge, Texas 78266

Dear Ms. Cain:

Attached, please find the following:

1. Copy of plat of property.
2. Overhead view of property
3. Copy of letter from City of Garden Ridge dated March 7, 2000.

The request of action is in reference only for lots #1 Thru #8 located off Whisper Oak Drive located at the very south end of the city off FM 2252, Nacogdoches Road at the city limits{see attached}.

Less than 100' of this property is within the city limits of Garden Ridge. The balance of this property is OUTSIDE the City Limits. Out of this 100', 25' is to be left for green belt area per your request. This original variance was given to us mainly to save and preserve all the trees in that area.

These lots are fairly narrow and thus require alot of planning to work around the trees where possible.

Since, in probably most cases, the majority of the structure will be outside the City limits of Garden Ridge, I am requested that permits not be required for the buildings except in the case where the entire structure would fall within Garden Ridge City limits, where normal permits would then be required.

Granting me this request would allow me to save and preserve many more of the trees where alot of the trees are more than 50 years old. The trees are what makes Garden Ridge a beautiful place and we want to do whatever we can to save them.

I respectfully thank you in advance for your understanding and ask your help in this matter.

Thank you.



Larry Rheinlaender
8950 Garden Ridge Drive
San Antonio, Texas 78266
210.651.6485 Office



City of Garden Ridge

9357 Schoenthal Road
Garden Ridge, Texas 78263-2600
(210) 651-6632
Fax: (210) 651-9638

March 7, 2000

Mr. Larry Rheinlaender
8950 Garden Ridge Drive
Garden Ridge, TX 78266

Dear Mr. Rheinlaender,

This will provide written confirmation that Garden Ridge City Council, meeting in regular session on March 1, 2000, approved the Final Plat for Plaza Oaks Center (Wilkie Surveying Inc. Plat # 980390 dated 1 March 2000). Plat approval includes a Variance waiving City Ordinances 7 and 13 requirements for paved alley ways in consideration for Developer providing a twenty five (25) greenbelt along the rear of Lots one (1) through nine (9) as shown on the Plat.

Council understands no supporting infrastructure of roads, water well or water distribution mains are within the City limits. Any improvements on parts of lots within the City limits of garden Ridge shall be subject to Garden Ridge City Ordinances.

Council also approved your request (letter dated March 2, 2000) for waiver of fees for the Plat resubmittal.

Mike Castro
City Administrator

cc:
Office of Comal County Engineer
(attn: Betty Lien, Subdivision Coordinator)
City of San Antonio Planning and Subdivisions
(attn: Elizabeth Carol)
Garcia & Wright (Roger Engelke)
Wilkie Surveying Inc. (Jerry Wilkie)

Address Map for Plaza Oak Center



February 21, 2000

From: Garden Ridge Planning and Zoning Commission

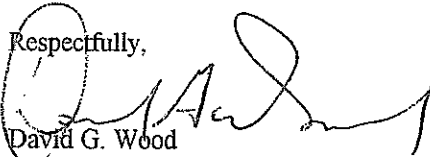
To: Garden Ridge City Council

Subject: Final Plat – Plaza Oaks Center

Commission reviewed subject Plat at their regular meeting of February 17, 2000. Commission recommends Council approve the Plat. Plat approval includes a Variance waiving Ordinance 7 requirements for paved alley ways around lots in consideration for Developer providing a twenty five (25) greenbelt along the rear of Lots one (1) through nine (9) as shown on the Plat.

Most of the property comprising the development lies outside the City. No infrastructure improvements are within the City limits and any future improvements within the City shall be subject to City Ordinance.

Respectfully,



David G. Wood
Chairman, Planning and Zoning

cc: Larry Rheinlaender

City Administrator

From: Tracey Blackwell <tblackwell1@satx.rr.com>
Sent: Friday, May 09, 2014 8:20 AM
To: 'Kiki WARDEN'; 'Ben Barranco'; 'Bob Gunnarson'; 'NGOODART@satx.rr.com'; ed@fordengineering.com; 'Johnell1'; 'Larry Blades'; City Administrator; 'Cindy Miller'; 'Richard Holloway'
Cc: Rohawk96@aol.com; jpfonte1@aol.com; theresabirkle@gmail.com; jan.dg@live.com; marian@lava.net; kate.kohl@yahoo.com; sduemler@satx.rr.com; clausrly@aol.com; tracey@goaccess.cc; bobdoerr@sbcglobal.net; gailmcLeod@satx.rr.com; gurr2@swbell.net; DHeilmann@protitletx.com; janknightmartin@gmail.com; jenkins87@aol.com; kittyvince@satx.rr.com; svl@att.net; lauriekhageman@gmail.com; lrietz@earthlink.net; patstokes@satx.rr.com; tracey@tblackwellinsurance.com
Subject: Notice of Public Hearing.....
Attachments: Hanson Quarry.pdf

Here is the letter that went out to everyone about the public hearing but conveniently it only went out to 14 individuals/businesses. Hmmm wonder why they didn't advise every one of the upcoming business deal. Please note this is HUGE for our community! We need to rally together against this business moving into our city. We already have to deal with the quarry blasting but let's not add this to the mix!!!!

Tracey Blackwell

From: Kiki WARDEN [<mailto:kikiwarden@msn.com>]
Sent: Thursday, May 08, 2014 1:40 PM
To: Ben Barranco; Tracey Blackwell; Bob Gunnarson; NGOODART@satx.rr.com; ed@fordengineering.com; Johnell1; Larry Blades; Nancy Cain; Cindy Miller; kikiwarden@msn.com; Richard Holloway
Subject: ALERT-Proposed Asphalt Plant in Garden Ridge!!!!!!

Garden Ridge Planning and Zoning Commission will be having a public forum on a proposed asphalt plant being put in by the Hanson Quarry on Tuesday, May 13 at 6 p.m. I do not think our community is fully aware of this. I have been searching the internet and found the following information:

Cons:

- dramatic drop in property value
- site after site reported an awful smell
- operates 24 hrs a day-road paving done at night-trucks roaring through all night hauling
- appear to strive to meet only minimum standards of today
- once built they are impossible to control or stop
- little over site
- damage to roads by continual heavy traffic
- does not employ Garden Ridge people
- communities are suing all over the country
- I could find no happy community
- We must remember that they are only interested in their financial needs and not our community.
- You do not see Hanson employees (administrators) living in our community.

Pro:
perhaps taxes

The question I have is: If Hanson abides by minimum standards at best today at its quarry and will not recognize obvious damage to homes from blasting, what makes anyone think they will be responsible with an asphalt mixing company. Many of our homeowners, like myself, are 100% sure the quarry has damaged their homes and have documentation by homeowner's insurance companies to support them.

Hanson is always saying that that quarry was here first... Now we have a chance to stop future problems.

The only sites I could find about asphalt plants that was positive were linked to the business and lobbyists for them.

I cannot believe our city government would even consider such a plant going in. Schertz has warehouses and lite industry. They know better than to let this go on.

The community needs to be rallied.

So disappointed in our city for considering this.

PLEASE FORWARD TO ANYONE IN OUR COMMUNITY!

March 14, 2014

NOTICE OF PUBLIC HEARING

Dear Property Owner,

The City Council of the City of Garden Ridge, Texas will conduct a public hearing on April 2, 2014 at 6:00 p.m. The public hearing will be held in the Garden Ridge City Hall Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas.

The purpose of the public hearing will be to consider:

- A) A petition by Hanson Aggregates to rezone Property ID 81117 from Residential Agricultural (RA) to Industrial Zone District (Z-1) a 34.083 acre tract out of a 42.539 acre tract of land out of the Edward Woodruff Survey No. 95, Comal County, Texas, ~~and being a part of that certain tract of land conveyed by Hugo Moehrig by deed~~ dated December 23, 1966 and recorded in Volume 153 on page 145 of the Deed Records of Comal County, Texas; and a part of that certain tract of land conveyed by Gilbert Moehrig by deed dated March 12, 1962 and recorded in Volume 127 on page 430 of the Deed Records of Comal County, Texas; Save and Except a parcel of land containing 8.456 acres of land out of the Edwin Woodruff Survey No. 95, Abstract No. 671, Comal County, Texas further being out of that certain called 42.539 acre parcel of land described in Volume 659, Page 31 of the official public records of Comal County, Texas (hereinafter referred to as the parent tract) and located at 20762 F.M. 2252, Garden Ridge, Texas.
- B) A petition by Hanson Aggregates to rezone Property ID 81121 from Residential Agricultural (RA) to Industrial Zone District (Z-1) a 9.046 acre tract of land out of the Edward Woodruff Survey No. 95, Comal County, Texas, and a part of that certain tract of land conveyed by Hugo Moehrig by deed dated December 23, 1966 and recorded in Volume 153 on page 145 of the Deed Records of Comal County, Texas and located south and adjacent to 20762 F.M. 2252, Garden Ridge, Texas.

Location maps and a list of adjacent property owners are contained on the attachments.

This notice gives you the opportunity to express your support of, or objection to, this proposed action. Please feel free to call City Hall at (210) 651-6632 if you need additional information.

Sincerely,



Shelley Goodwin, TRMC
City Secretary

Enclosures:

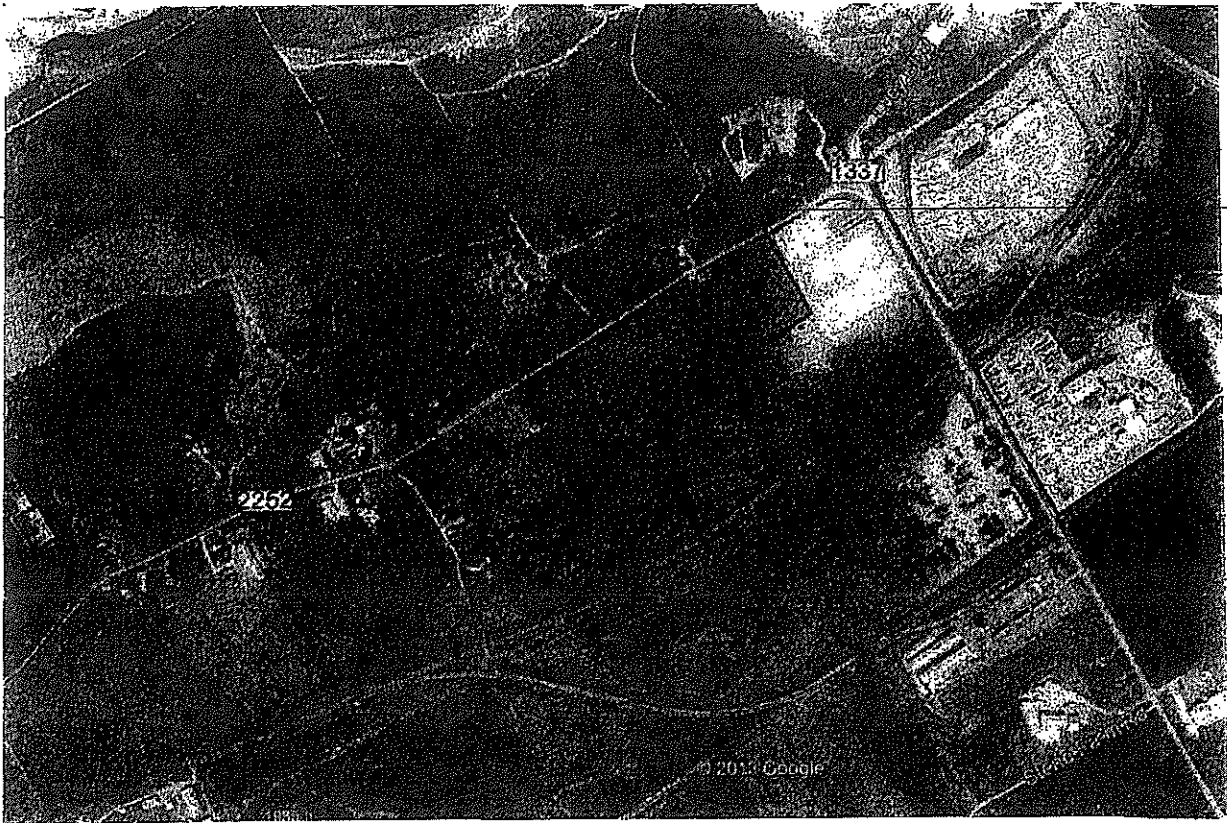
1. Location Map (2 pages)
2. Adjacent Property Owner List and Map (2 pages)

PROPERTY ID – 81117 AND 81121 REZONING MAP

Servtex Materials Plant

City of Garden Ridge, Comal County, TX

February, 2014

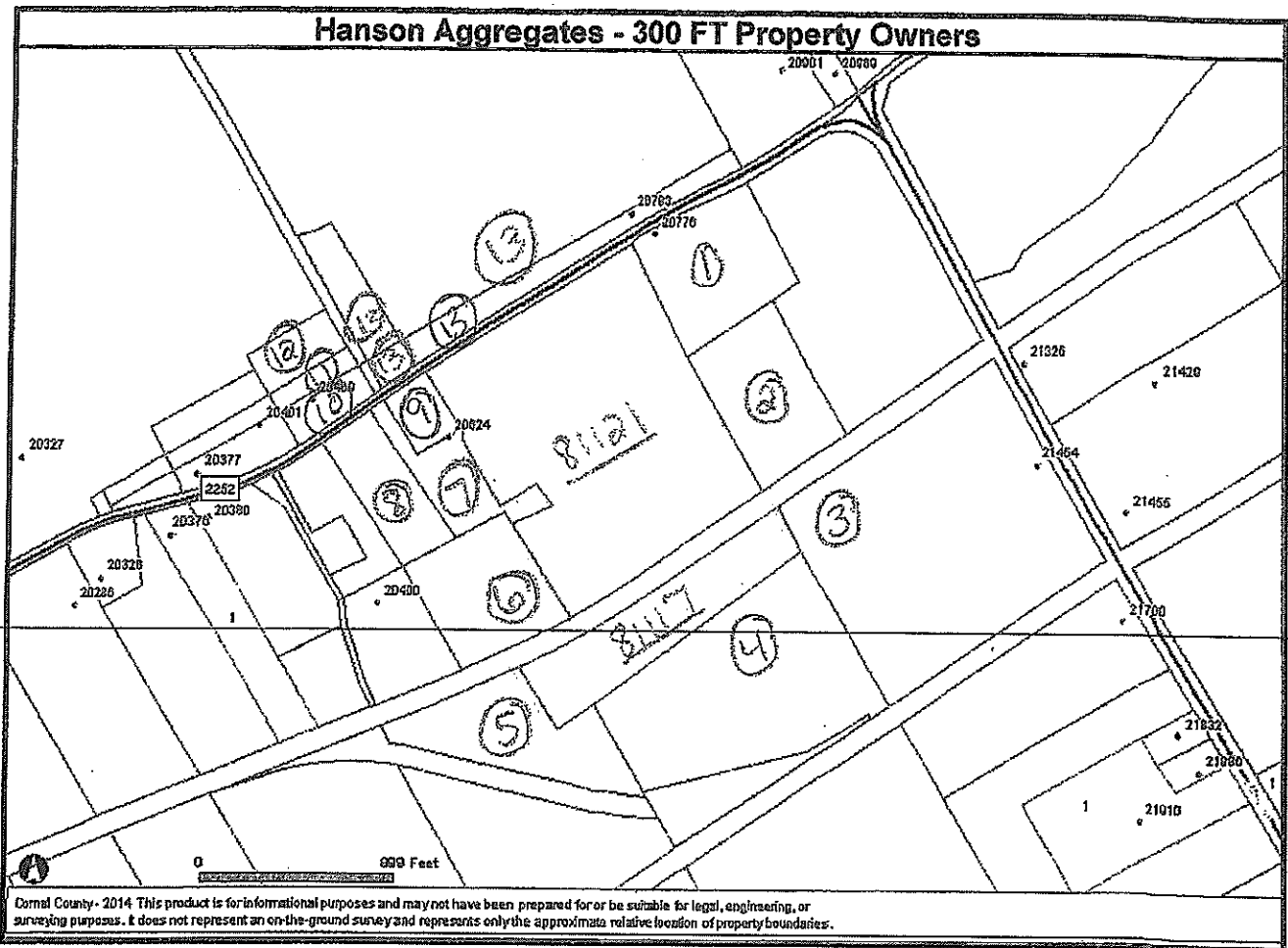


*Highlighted area contains the 2 parcels that are seeking to be rezoned to Industrial.

Hanson Aggregates - A-671 SUR- 95 E WOODRUFF, ACRES 34.083 and A-671 SUR- 95 E WOODRUFF, ACRES 9.046, (FM 2252)

Property ID: 81117 & 81121

Geographic Location		Property ID	Name	Address	City	State	Zip	Legal Description
1.)	To the Northeast	381894	TRICON PRECAST LTD	15055 HENRY RD	HOUSTON	TX	77060	A-671 SUR- 95 E WOODRUFF, ACRES 8.4561
2.)	To the Southeast	375400	BALLENGER CONSTRUCTION COMPANY	24200 N FM 509	HARLINGEN	TX	78550-2192	A-671 SUR- 95 E WOODRUFF, ACRES 8.01
3.)	To the Southeast	81081	BELTWAY INVESTMENTS INC % WASTE MANAGEMENT	2 N LA SALLE ST STE 2400	CHICAGO	IL	60602-3859	A-671 SUR- 95 E WOODRUFF, ACRES 31.861
4.)	To the South	81129	STEHLE STANLEY E & SUSAN	21650 FM 2252	SCHERTZ	TX	78154-9404	A-671 SUR- 95 E WOODRUFF, ACRES 78.312
5.)	To the Southwest	81144	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-671 SUR- 95 E WOODRUFF, ACRES 31.
6.)	To the Southwest	81140	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-671 SUR- 95 E WOODRUFF, ACRES 9.06
7.)	To the West	81138	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-671 SUR- 95 E WOODRUFF, ACRES 0.95
8.)	To the Northwest	81115	ROSE JANICE WUEST	20469 FM 2252	SAN ANTONIO	TX	78266-2900	A-671 SUR- 95 E WOODRUFF, ACRES 4.425
9.)	To the Northwest	362652	BRACKEN COMMUNITY CEMETERY					A-671 SUR- 95 E WOODRUFF, BRACKEN COMMUNITY CEMETERY
10.)	To the Northwest	146488	ROSE JANICE WUEST 50%	20469 FM 2252	SAN ANTONIO	TX	78266-2900	A-671 SUR- 95 E WOODRUFF, ACRES 4.25
10.)	To the Northwest	146468	WUEST DENNIS ROY 50%	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-671 SUR- 95 E WOODRUFF, ACRES 4.25
11.)	To the Northwest	74513	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-122 SUR-489 J DRUMM, ACRES 0.9
12.)	To the Northwest	74514	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-122 SUR-489 J DRUMM, ACRES 2.
13.)	To the North	74517 81123	HANSON AGGREGATES % MARVIN F POER & COMPANY	P O BOX 52427	ATLANTA	GA	30335	



* Any further zooming in scale would result in parcels not being in view.

Hanson Aggregates, Site # 1.
Wheeler Asphalt Products Manufacturing

Ordinance# 13-122008 City of Garden Ridge

Planning and Zoning Form 3
APPLICATION FOR SPECIAL USE PERMIT (INDUSTRIAL ZONE, 2-1)
(Type or Print)

1. Date: 2/19/14 Case #: _____
2. Applicant Name: Michael A. Brown
(First) (Middle) (Last)
Doing Business as: Wheeler Division, APAA-Texas, Inc.
(First) (Middle) (Last)
Texas Sales & Use Tax Permit Number: TEN#: 58-140466
3. Mailing Address: 1 Chisholm Trail, Suite 450
(Street)
Round Rock TX 78681
(City) (State) (Zip)
Phone: (512)- 861-7120

4. Physical Address of Business: 20762 FM 2252
(Street)
Garden Ridge Texas 78266
(City) (State) (Zip)
Phone: ()-

5. Applicant's relationship to property or business:
Sole owner () Part owner () Other; Lessee to Owner, Hanson Aggregates
(Specify)
(If not sole owner, furnish a notarized letter of authorization from all owners as attachment 1.)

6. Legal description of property on which business is to be located:

Plat: Lot(s) N/A Block(s) N/A
Subdivision A-671, SUR- 95 Woodruff

Acreage: 34.008 (If acreage, provide separate metes and bounds description as attachment 2.)

Property Deed recorded in Comal County Volume # 153 Page # 145 and
Vol. # 147 Page # 430

7. Existing use of property: Not being used

8. Use of property being requested (Be specific and give details - attach additional sheets as needed):

Asphalt Products Manufacturing

P&Z
Form 3
App. for SUP.
Hanson Aggregates Site 4
Wheeler Asphalt Products Manufacturing

Ordinance # 13-1-100 City of Garden Ridge

9. Give dimensioned map with north orientation, scaled 100 or 200 feet per inch, of the property showing all streets and parcels of land within 300 feet of the property as attachment 3. Key each adjoining land parcel to a list of current owners and addresses as attachment 4.
10. Give site plan showing location, dimensions and uses of existing or proposed structures, easements, water sources, fences, curb cuts, street and alley right-of-way lines within one foot of property for which variance is requested, on another map of larger scale, as attachment 5.
11. Identify any deed restrictions on agriculture, residential, business or other use. If none, so state: None
12. The undersigned hereby requests that the property identified in this application be approved for the Special Use(s) requested above in accordance with in accordance with Garden Ridge City Ordinance 13, section 12. I consent to the posting of hearing notices on the said property. I understand that the information provided herein might be used by the City of Garden Ridge for sending required notices to adjacent property owners, if required. I bear full responsibility and liability for any losses or costs incurred by the City, or others, caused by errors or omissions in this application.
13. Applicant Signature: _____

Attachments:

1. Owner(s) letters of authorization, if applicable
2. Metes and Bounds description of property, if applicable
3. Map of property
4. List of adjacent property owners
5. Site plan
6. Check for Special Use Permit fee per Garden Ridge City Ordinance 11.

CITY USE ONLY
Special Use Permit

		Date
City Admin.:	Application received	_____
	Application verified	_____
	Fee received \$ _____ Check # _____	_____
	Application sent to P&Z	_____
P&Z:	Owners' acceptance of application	_____
	Notice to adjoining property owners, if required	_____
	Notice of public hearing, if required	_____
	Public hearing conducted, if required	_____
	P&Z decision on Special use Permit	_____
City Council:	P&Z recommendation to City Council	_____
	Notice to adjoining property owners, if required	_____
	Notice of public hearing, if required	_____
City Admin.:	Public hearing conducted, if required	_____
	Applicant notified of Council Decision	_____

Attachment #1



City of Garden Ridge
9400 Municipal Parkway
Garden Ridge, TX 78266

Hanson Aggregates
Southwest Area South Region
300 E. John Carpenter Freeway
Irving, TX 75082
Phone 972.653.3778
www.lehighhanson.com

February 21, 2014

RE: Authorization for Special Use and Variance

To Whom It May Concern,

Hanson Aggregates, LLC owns the following certain tracts of real property located within the City of Garden Ridge, TX city limits:

- Site #1: 20762 FM 2252, Garden Ridge, TX; Tax Property ID: 81121 and 81117
- Site #2: 21335 FM 2252, Garden Ridge, TX; Tax Property ID: 78311

Hanson hereby authorizes Wheeler Division, APAC-Texas, Inc. to submit and obtain a variance for the referenced property for the operation of a Hot Mix Asphalt Plant.

HANSON AGGREGATES LLC,
a Delaware limited liability company

By: [Signature]

Name: Jon Morrish

Title: President, South Region

ACKNOWLEDGEMENT

STATE OF TEXAS

§

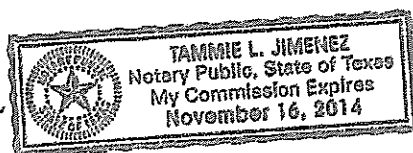
§

COUNTY OF Dallas

§

This instrument was acknowledged before me on February 21, 2014, by Jon Morrish, President, South Region of Hanson Aggregates LLC, a Delaware corporation, on behalf of said corporation.

SEAL



[Signature]
Notary Public, State of Texas

Section 1. Legal Description
Attachment #2

Legal Description for Property ID - 81117, City of Garden Ridge, Comal County, TX

Being 42.539 acres of land out of the Edward Woodruff Survey No. 95, Comal County, Texas, and being a part of that certain tract of land conveyed by Hugo Moshrig by deed dated December 22, 1966 and recorded in Volume 153 on page 145 of the Deed Records of Comal County, Texas; and a part of that certain tract of land conveyed by Gilbert Moshrig by deed dated March 12, 1962 and recorded in Volume 127 on page 430 of the Deed Records of Comal County, Texas; and said 42.539 acre tract of land described more particularly by metes and bounds as follows:

FROM a corner post set for the southernmost West corner of the above described Hugo Moshrig to Servtex Materials Co. tract; Thence with the Northwest line of the said Hugo Moshrig tract, N. 30° 41' W. 237.55 feet to a corner post in the Southeast line of the Missouri Pacific Railroad; Thence crossing the said Missouri Pacific Railroad ROW, N. 30° 27' E. 100.0 feet to a corner post in the Northwest line of said Missouri Pacific Railroad, set for the East corner and POINT OF BEGINNING of the herein described 42.539 acre tract;

THENCE with the Northwest line of said Missouri Pacific Railroad, S. 56° 04' W. 539.90 feet to the beginning of a curve; Thence in a Southwesterly direction along the arc of a circular curve to the right having a radius of 7,827.85 feet, a length of arc distance of 567.75 feet to a corner post set for the South corner of this tract;

THENCE with the fence, N. 30° 23' W. 518.0 feet to an iron pin set for the South corner of a Cemetery tract;

THENCE with the common line between the said Cemetery tract and this tract, as follows: N. 59° 20' E. 198.50 feet, N. 26° 22' W. 102.90 feet, and S. 58° 31' W. 201.20 feet to a corner post set for the West corner of said Cemetery tract;

THENCE with the fence, N. 29° 54' W. 411.70 feet to a corner post in the Southeast line of the Bracken Cemetery tract;

THENCE with the common line between the said Bracken Cemetery tract and this tract N. 55° 48' E. 18.9 feet and N. 33° 11' 30" W. 208.15 feet to an iron pin and corner post in the Southeast line of F.M. Road 1337, set for the West corner of this tract;

THENCE with the Southeast line of F.M. Road 1337, as follows: N. 62° 34' E. 50.8 feet, N. 57° 26' E. 1,078.8 feet, N. 45° 56' E. 55.4 feet, N. 70° 56' E. 51.4 feet to the beginning of a curve; Thence in a Northeasterly direction along the arc of a circular curve to the right having a radius of 1,044.7 feet, a length of arc distance of 235.0 feet to the end of said curve; Thence N. 64° 47' E. 248.2 feet to the beginning of a curve; Thence in a Northeasterly direction along the arc of a circular curve to the left having a radius of 1,945.1 feet, a length of arc distance of 85.60 feet to a corner post set for the North corner of this tract;

THENCE with the fence, S. 26° 46' E. 534.3 feet to a corner post set for an East corner of this tract;

THENCE S. 56° 09' W. 451.0 feet to a corner post set for a re-entrant corner of this tract;

THENCE with the fence, S. 29° 00' E. 723.55 feet to the place of beginning.

Hanson Site #1 - Legal Description
(Attachment #2)

SAVE AND EXCEPT THE TRACT BELOW:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 8.456 ACRES OF LAND OUT OF THE EDWIN WOODRUFF SURVEY NO. 95, ABSTRACT NO. 671, COMAL COUNTY, TEXAS, FURTHER BEING OUT OF THAT CERTAIN CALLED 42.539 ACRE PARCEL OF LAND DESCRIBED IN VOLUME 659, PAGE 31 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS (HEREINAFTER REFERRED TO AS THE PARENT TRACT); SAID 8.456 ACRE PARCEL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH REBAR FOUND ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF F.M. 2252 FOR THE NORTHEASTERLY CORNER AND POINT OF BEGINNING OF THIS PARCEL, SAME BEING THE NORTHEASTERLY CORNER OF SAID PARENT TRACT AND THE MOST NORTHERLY NORTHWEST CORNER OF THE RESIDUE OF THAT CERTAIN 28.517 ACRE PARCEL OF LAND DESCRIBED IN DOCUMENT NO. 201006013408 OF SAID OFFICIAL PUBLIC RECORDS;

THENCE DEPARTING SAID RIGHT-OF-WAY LINE AND WITH THE COMMON LINE OF SAID PARENT TRACT WITH SAID 28.517 ACRE PARCEL, SOUTH 28° 39' 20" EAST (BASIS OF BEARINGS OBTAINED FROM SAID DOCUMENT NO. 201006013408), A DISTANCE OF 532.14 FEET (CALLED SOUTH 28° 46' EAST, 534.3 FEET IN SAID VOLUME 659, PAGE 31 AND SOUTH 28° 39' 20" EAST, 532.14 FEET IN SAID DOCUMENT NO. 201006013408) TO A FENCE POST FOUND FOR THE SOUTHEASTERLY CORNER OF THIS PARCEL, SAME BEING AN INTERIOR CORNER OF SAID 28.517 ACRE PARCEL;

THENCE CONTINUING WITH THE COMMON LINE OF SAID PARENT TRACT WITH A PORTION OF SAID 28.517 ACRE PARCEL AND THAT CERTAIN CALLED 8.010 ACRE PARCEL OF LAND DESCRIBED IN DOCUMENT NO. 201106002226 OF SAID OFFICIAL

PUBLIC RECORDS, SOUTH 56° 11' 57" WEST, A DISTANCE OF 650.92 FEET (CALLED SOUTH 56° 09' WEST, 650.92 FEET IN SAID VOLUME 659, PAGE 31 AND SOUTH 56° 12' 15" WEST, 650.92 FEET IN SAID DOCUMENT NO. 201006013408) TO A FENCE POST FOUND FOR THE SOUTHWESTERLY CORNER OF THIS PARCEL, SAME BEING THE NORTHWESTERLY CORNER OF SAID 8.010 ACRE PARCEL;

THENCE SEVERING SAID PARENT TRACT, NORTH 27° 10' 15" WEST, A DISTANCE OF 603.19 FEET TO A FENCE POST FOUND ON THE AFOREMENTIONED RIGHT-OF-WAY LINE OF F.M. 2252 FOR THE NORTHWESTERLY CORNER OF THIS PARCEL;

THENCE WITH SAID RIGHT-OF-WAY LINE, THE FOLLOWING FOUR (4) COURSES:

1) NORTH 46° 03' 45" EAST, A DISTANCE OF 55.40 FEET (CALLED NORTH 45° 56' EAST, 55.4 FEET) TO A 1/2 INCH REBAR SET FOR ANGLE;

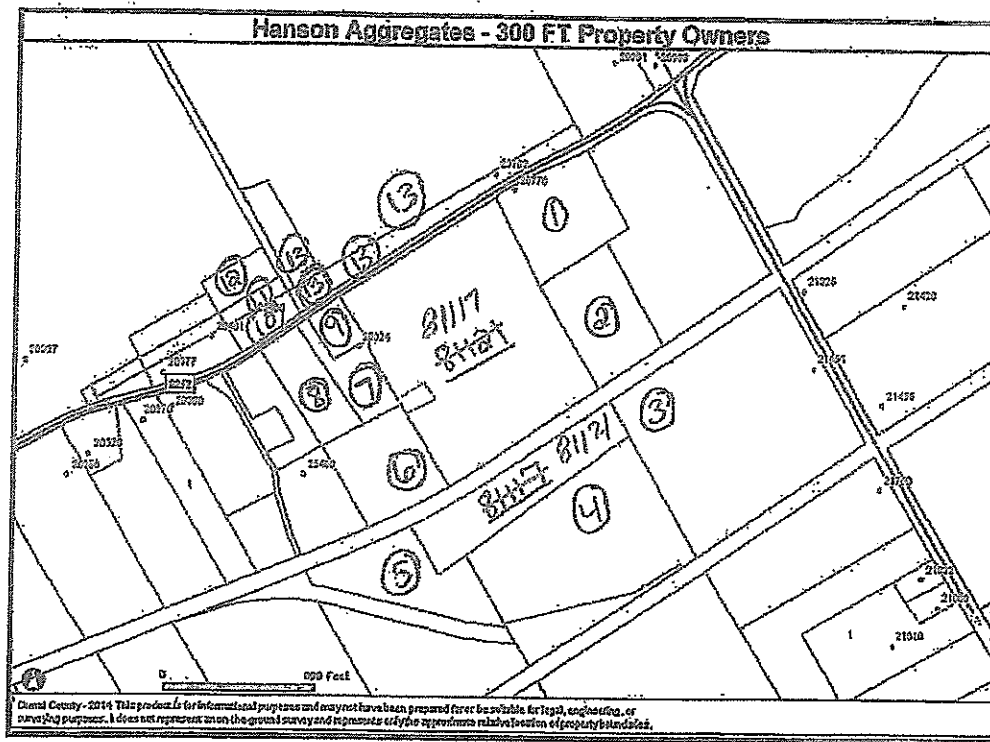
2) NORTH 71° 03' 45" EAST, A DISTANCE OF 51.40 FEET (CALLED NORTH 70° 56' EAST, 51.4 FEET) TO A 1/2 INCH REBAR SET FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

3) ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2048.70 FEET, A DELTA ANGLE OF 5° 20' 22", A CHORD BEARING OF NORTH 61° 44' 03" EAST, AND A CHORD DISTANCE OF 196.61 FEET, AN ARC LENGTH OF 196.68 FEET (CALLED 215.9 FEET) TO A 1/2 INCH REBAR SET FOR THE END OF SAID CURVE;

4) NORTH 64° 47' 00" EAST, A DISTANCE OF 248.20 FEET (CALLED NORTH 64° 47' EAST, 248.2 FEET) TO A 1/2 INCH REBAR SET FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

5) ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1945.16 FEET, A DELTA ANGLE OF 2° 31' 17", A CHORD BEARING OF NORTH 62° 40' 38" EAST, AND A CHORD DISTANCE OF 25.59 FEET, AN ARC LENGTH OF 65.69 FEET (CALLED 85.6 FEET) TO THE POINT OF BEGINNING AND CONTAINING 8.456 ACRES OF LAND, AS SURVEYED AND FOUND ON THE GROUND ON SEPTEMBER 7, 2012 WITH ALL 1/2 INCH REBARS SET BEING TOPPED WITH A YELLOW CAP STAMPED "LAMBERTS SURVEYING".

LEAVING A TOTAL ACREAGE OF 34.083.



* Any further zooming in scale would result in parcels not being in view.

Hanson Agg, Site #4

Attachment #4

Attachment #4

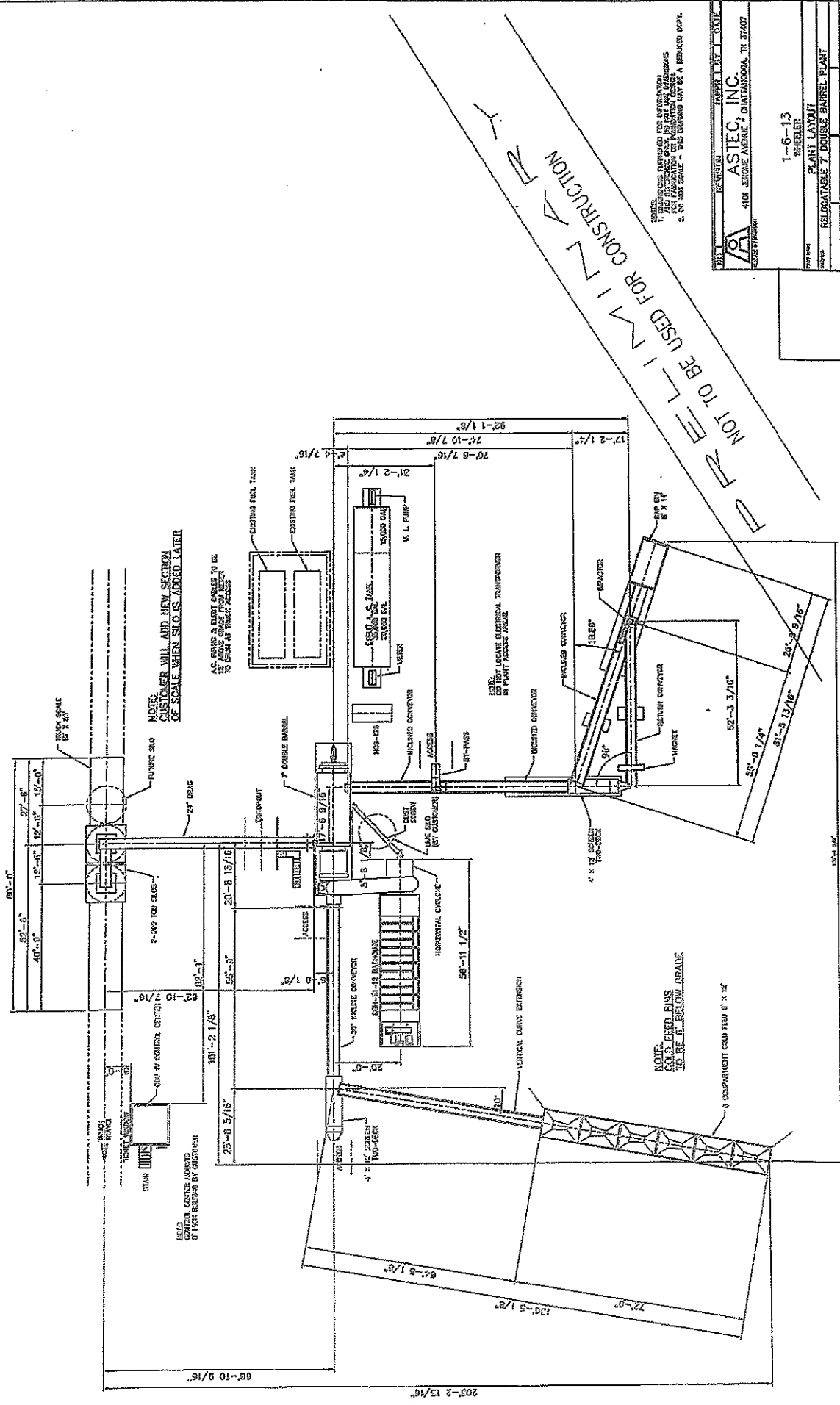
Hanson Aggregates - A-671 SUR- 95 E WOODRUFF, ACRES 34.093 and A-671 SUR- 95 E WOODRUFF, ACRES 9.046, (FM 2252)

Property ID: 81117 & 81121

Geographic Location	Property ID	Name	Address	City	State	Zip	Legal Description
1.) To the Northeast	381694	TRICON PRECAST LTD	15955 HENRY RD	HOUSTON	TX	77060	A-671 SUR- 95 E WOODRUFF, ACRES 8.456
2.) To the Southeast	375400	BALLENGER CONSTRUCTION COMPANY	24200 N FM 509	HARLINGEN	TX	78550-2192	A-671 SUR- 95 E WOODRUFF, ACRES 8.01
3.) To the Southwest	81081	BELTWAY INVESTMENTS LLC % WASTE MANAGEMENT	12 N LA SALLE ST STE 2400	CHICAGO	IL	60602-3999	A-671 SUR- 95 E WOODRUFF, ACRES 31.691
4.) To the South	81128	STEHLE STANLEY E & SUSAN	21650 FM 2252	SCHERTZ	TX	78164-9404	A-671 SUR- 95 E WOODRUFF, ACRES 76.312
5.) To the Southwest	81144	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78265-2873	A-671 SUR- 95 E WOODRUFF, ACRES 31.
6.) To the Southwest	81140	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78265-2873	A-671 SUR- 95 E WOODRUFF, ACRES 9.06
7.) To the West	81139	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78265-2873	A-671 SUR- 95 E WOODRUFF, ACRES 0.86
8.) To the Northwest	81115	ROSE JANICE WUEST	20469 FM 2252	SAN ANTONIO	TX	78265-2900	A-671 SUR- 95 E WOODRUFF, ACRES 4.428
9.) To the Northwest	382552	BRACKEN COMMUNITY CEMETERY					COMMUNITY CEMETERY
10.) To the Northwest	146489	ROSE JANICE WUEST 50%	20409 FM 2252	SAN ANTONIO	TX	78265-2900	A-671 SUR- 95 E WOODRUFF, ACRES 4.25
11.) To the Northwest	146408	WUEST DENNIS ROY 50%	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78265-2873	A-671 SUR- 95 E WOODRUFF, ACRES 4.25
12.) To the Northwest	74513	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78265-2873	A-122 SUR-499 J DRUMM, ACRES 0.9
13.) To the North	74517 81123	HANSON AGGREGATES % HARVIN F POER & COMPANY	20400 FM 2252 UNIT 2 P O BOX 52427	SAN ANTONIO ATLANTA	TX GA	78265-2873 30655	A-122 SUR-499 J DRUMM, ACRES 2.



1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16



NOTES:
1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

ASTEC, INC.	DATE	1-6-13
4101 E. 10TH AVENUE, DENVER, CO 80231	BY	WHEELER
PROJECT	PLANT LAYOUT	
DESCRIPTION	RELAYABLE 7 DOUBLE BARREL PLANT	
SCALE	1" = 10'	
PROJECT NO.	13-000017A	

88/8

[illegible]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-19-2010 BY 60322 UCBAW/SJS

Hanson Aggregates, Site #1
Wheeler Asphalt Products Manufacturing

Ordinance 13-12-008 City of Garden Ridge

Planning and Zoning Form 2
APPLICATION FOR VARIANCE (INDUSTRIAL ZONE, ETC.)
(Type or Print)

1. Date: 2/7/14 Case #: _____
2. Applicant Name: Wheeler Division, APAE Texas, Inc. c/o Michael A. Brown
(First) (Middle) (Last)
3. Mailing Address: 1 Chisholm Trail Suite 450
(Street)
Round Rock TX 78681
(City) (State) (Zip)
Phone: (512) 861-7120
4. Applicant's relationship to property:
Sole owner () Part owner () Other; Lessee to Owner, Hanson Aggregates
(Specify)
(If not sole owner, furnish a notarized letter of authorization from all owners as attachment 1.)
5. Property location: 20762 FM 2252, Garden Ridge, TX 78266
(Street address or street property front)
6. Legal description: Property ID-81117
Plat: Lot(s) _____ Block(s) _____
Subdivision: A-671, Sur-95, Woodruff
Acreage: 34.083 (If acreage, provide separate metes and bounds description as attachment 2.)
Property Deed recorded in Comal County Volume # 153 Page # 145 and
Vol. # 127 Page # 430
7. Cite City Ordinance number, page and paragraph from which variance is needed: Ordinance 13, pp. 34-35, Sect. 7 (7.2.6, 7.2.7, 7.2.8.3, 7.2.8.4, 7.2.10, 7.2.11),
Section 8 (8.1, 8.3, 8.4, 8.6), Sect. 12 (12.1.3.1, 12.2) and Ordinance 12, Sect. 1-15; See Supplement to PZ Form 2, Item 7
8. State what you want to do instead: Furnish and install the Asphalt
Products Manufacturing Plant as it was designed and
manufactured by AOTEC.
9. Give reason why a variance should be granted (cost alone is not acceptable):
Industrial plant equipment involved in Asphalt Products Manufacturing,
exceeds 35-foot heights. Asphalt Plants are prime facilities that
do not include public rights of way, driveways, alleys, etc.
10. If you are requesting a variance from City Ordinance 13 requirements, give a dimensioned map with north orientation, scaled 100 or 200 feet per inch, of the property to be rezoned showing all streets and parcels of land within 300 feet of the property as attachment 3. Key each adjoining land parcel to a list of current owners and addresses as attachment 4.
11. Give site plan showing location, dimensions and uses of existing or proposed structures, easements, water sources, fences, curb cuts, street and alley right-of-way lines within one foot of property for which variance is requested, on another map of larger scale, as attachment 5.

Supplement to Pg 2 Form 2
Pg 52, Item 7

Site #1

Request for Variance's to COGR Ordinances:

Ordinance #:	Page #:	Paragraph #:
13	34	Section 7.2. Z-1 Industrial Zone District (Z-1) 7.2.6. Structures and uses for Asphalt Products Manufacturing Plants will be compatible with other Industrial Zone preferred activities (ie. Cement, Concrete, Brick, Asphalt, Stone, Crushed Rock), so the Plant Structures will not be compatible with nor will they be complementary in scale or appearance with a commercial district adjacent to a primarily residential municipality; and, the Asphalt Products Manufacturing Plant exterior work and storage areas (material stockpiles) around the plant will not be screened from public view, due to the lay of the land.
13	34	7.2.7 Height Regulation: Several pieces of the Asphalt Products Manufacturing Plant will exceed the 35 foot height restriction. The tallest structures will be approximately eighty feet (80') above the plant ground site elevation. (see attached elevation drawings)
13	34	7.2.8.3. Side Yard: There will be a private paved driveway to provide ingress and egress to the Asphalt Products Manufacturing Plant. Additionally, the area around Plant will be paved. The paved areas will be able to accommodate Tractor Trailers hauling materials into and away from the Plant, therefore, Emergency vehicles will also be able to use the same ingress and egress that is intended for the authorized haul vehicles. There will not be any paved alley public Right of Way's down each side of the property line nor will there be a rear property line public right of way alley. Signs will be posted to inform the traveling public that the driveway is private and only authorized vehicles will be permitted to access the Plant Site.
13	35	7.2.8.4 Rear Yard: There will not be any paved alley public right of ways along the rear property line (see explanation for 7.2.8.3 above).
13	35	7.2.10. Parking: Table 1, Table of Off Street Parking Requirements, does not apply to an Industrial Zoned, Asphalt Products Manufacturing Plant, however, there will be adequate storage space during Plant Operation for authorized vehicles on one side of the driveway or around the plant scales, so that traffic on FM 2252 will not be impacted.
13	35	7.2.11. Construction Standards: No Buildings or Structures are planned to front FM 2252, therefore masonry requirements would not be applicable to the Asphalt Product Manufacturing Plant.
13	36	Section 8, General Provisions 8.1. Plats, 8.3 Structure Height within City, 8.4. Fences, Walls and Plants and 8.6. Line-of-Sight (sight line) requirements do not apply to Industrial Zoned, Asphalt Products Manufacturing.
13	45	Section 12, Conditional Uses 12.1.3.1. The Asphalt Products Manufacturing Plant site is private and is intended only for authorized vehicles and personnel. Therefore, the site plans will not include off-street public parking facilities. Crushed stone, sand and recycled asphalt products stockpiles will provide some visual screening between FM 2252 to the North and the Schertz City Limits to the West of the Plant Site, however, there is not any type of planned walls, fences or plantings. Outside lighting, will be pointing down, and the Plant Site will be greater than five hundred feet from the nearest residences.
13	45	Section 12, Conditional Uses 12.2. Certificates of Occupancy. There will be prefabricated modular buildings on the site, a scalehouse, lab, motor control center and an office trailer, that are intended to be occupied by authorized personnel only. In addition to the modular pieces listed above, the Asphalt Products Manufacturing Plant too is made up of prefabricated components. The modular Plant components will be delivered to the site and then field erected and or assembled in accordance with the manufacturers drawings. The Asphalt Products Manufacturing equipment is not intended for human occupancy.
19	all	Ordinance 19, Section 1-15, Attachments and Amendments The COGR Ordinance 19, building construction requirements to protect the health, safety and welfare of the Citizens of Garden Ridge is based on Residential and Commercial building projects, which are unlike a relocatable Industrial Asphalt Products Manufacturing Plant. The construction site will include a temporary and permanent erosion and sedimentation control plan, a storm water plan, grading, base and paving. The prefabricated Manufacturing Plant itself, will be delivered to the site, via on road truck loads and will be assembled at the site. Utilities (Electricity, Natural Gas and Water Services) will be provided to the site, from existing commercial services nearby. No sewer is planned to be installed, so temporary toilet services will be utilized at the site. Therefore, Ordinance 19, along with its most current attachments and amendments should only be applied to this project when applicable.

Pt 2
Form 2,
App. for Variance
Harrison Aggregates Site #1
Wheeler Asphalt Products Manufacturing

Ordinance# 13-1...08 City of Garden Ridge

12. Identify any deed restrictions on agriculture, residential, business or other use. If none, so state: none

13. The undersigned hereby requests that the variance identified in this application are granted, in accordance with Garden Ridge City Ordinance 13. I consent to the posting of hearing notices on the said property. I understand that the information provided herein might be used by the City of Garden Ridge for sending required notices to adjacent property owners, if required. I bear full responsibility and liability for any losses or costs incurred by the City, or others, caused by errors or omissions in this application.

14. Applicant Signature: Michael A. Evans

Attachments:

1. Owner(s) letters of authorization, if applicable (Attachment #1)
2. Metes and Bounds description of property, if applicable (Attachment #2)
3. Map of property (Attachment #3)
4. List of adjacent property owners (Attachment #4)
5. Site plan (Attachment #5)
6. Check for variance fee per Garden Ridge City Ordinance 11.

CITY USE ONLY
VARIANCE REQUEST

		Date
City Admin.:	Application received	_____
	Application verified	_____
	Fee received \$ _____ Check # _____	_____
	Application sent to P&Z	_____
P&Z:	Owners' acceptance of application	_____
	Notice to adjoining property owners, if required	_____
	Notice of public hearing, if required	_____
	Public hearing conducted, if required	_____
	P&Z decision on variance	_____
City Council:	P&Z recommendation to City Council	_____
	Notice to adjoining property owners, if required	_____
	Notice of public hearing, if required	_____
City Admin.:	Public hearing conducted, if required	_____
	Applicant notified of Council Decision	_____
	Zoning ordinance change published, if required	_____

Attachment #1



City of Garden Ridge
9400 Municipal Parkway
Garden Ridge, TX 78266

Hanson Aggregates
Southwest Area South Region
300 E. John Carpenter Freeway
Irving, TX 76062
Phone 972.653.3778
www.lehighhanson.com

February 21, 2014

RE: Authorization for Special Use and Variance

To Whom It May Concern,

Hanson Aggregates, LLC owns the following certain tracts of real property located within the City of Garden Ridge, TX city limits:

- Site #1: 20762 FM 2252, Garden Ridge, TX; Tax Property ID: 81121 and 81117
- Site #2: 21335 FM 2252, Garden Ridge, TX; Tax Property ID: 78311

Hanson hereby authorizes Wheeler Division, APAC-Texas, Inc. to submit and obtain a variance for the referenced property for the operation of a Hot Mix Asphalt Plant.

HANSON AGGREGATES LLC,

a Delaware limited liability company

By: 

Name: Jon Morrish

Title: President, South Region

ACKNOWLEDGEMENT

STATE OF TEXAS

§

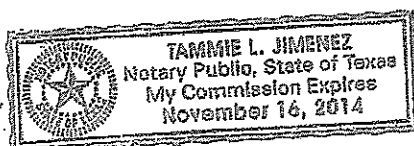
COUNTY OF Dallas

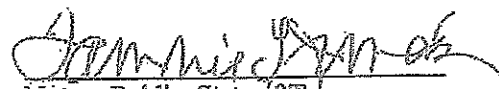
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This instrument was acknowledged before me on February 21, 2014, by Jon Morrish, President, South Region of Hanson Aggregates LLC, a Delaware corporation, on behalf of said corporation.

SEAL




Notary Public, State of Texas

Homestead File # Legal Description
Attachment # 2

Legal Description for Property ID - 81117, City of Garden Ridge, Comal County, TX

Being 42.539 acres of land out of the Edward Woodruff Survey No. 98, Comal County, Texas, and being a part of that certain tract of land conveyed by Hugo Moehrig by deed dated December 23, 1966 and recorded in Volume 153 on page 145 of the Deed Records of Comal County, Texas, and a part of that certain tract of land conveyed by Gilbert Moehrig by deed dated March 12, 1962 and recorded in Volume 127 on page 430 of the Deed Records of Comal County, Texas, and said 42.539 acre tract of land described more particularly by metes and bounds as follows:

FROM a corner post set for the Southernmost East corner of the above described Hugo Moehrig to Savvtek Materials Co. tract; Thence with the Northeast line of the said Hugo Moehrig tract, N. 30° 41' W. 237.55 feet to a corner post in the Northeast line of the Missouri Pacific Railroad; Thence crossing the said Missouri Pacific Railroad NW 1/4, N. 30° 24' W. 100.0 feet to a corner post in the Northwest line of said Missouri Pacific Railroad, set for the East corner and POINT OF BEGINNING of the herein described 42.539 acre Tract 6;

THENCE with the Northwest line of said Missouri Pacific Railroad, S. 56° 04' W. 539.90 feet to the beginning of a curve; Thence in a Southwesterly direction along the arc of a circular curve to the right having a radius of 7,827.05 feet, a length of arc distance of 567.75 feet to a corner post set for the South corner of this tract;

THENCE with the fence, N. 30° 23' W. 516.0 feet to an Iron pin set for the South corner of a Cemetery tract;

THENCE with the common line between the said Cemetery tract and this tract, as follows: N. 59° 20' E. 198.50 feet, N. 26° 22' W. 192.90 feet, and S. 58° 31' W. 201.20 feet to a corner post set for the West corner of said Cemetery tract;

THENCE with the fence, N. 29° 54' W. 411.70 feet to a corner post in the Southeast line of the Bracken Cemetery tract;

THENCE with the common line between the said Bracken Cemetery tract and this tract N. 55° 48' E. 18.9 feet and N. 33° 11' 30" W. 308.15 feet to an Iron pin and corner post in the Southeast line of F.M. Road 1237, set for the West corner of this tract;

THENCE with the Southeast line of F.M. Road 1237, as follows: N. 62° 34' E. 50.8 feet; N. 57° 26' E. 1,078.8 feet; N. 45° 56' E. 55.4 feet, N. 70° 56' E. 51.4 feet to the beginning of a curve; Thence in a North-easterly direction along the arc of a circular curve to the right having a radius of 2,848.7 feet, a length of arc distance of 225.9 feet to the end of said curve; Thence N. 66° 47' E. 248.2 feet to the beginning of a curve; Thence in a Northeasterly direction along the arc of a circular curve to the left having a radius of 1,945.1 feet, a length of arc distance of 85.60 feet to a corner post set for the North corner of this tract;

THENCE with the fence, S. 20° 46' E. 534.3 feet to a corner post set for an East corner of this tract;

THENCE S. 56° 05' W. 651.0 feet to a corner post set for a re-entrant corner of this tract;

THENCE with the fence, S. 29° 00' E. 723.55 feet to the place of beginning.

Hanson Site #1, Legal Description
(Attachment #2)

SAVE AND EXCEPT THE TRACT BELOW:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 8.456 ACRES OF LAND OUT OF THE EDWIN WOODRUFF SURVEY NO. 95, ABSTRACT NO. 671, COMAL COUNTY, TEXAS, FURTHER BEING OUT OF THAT CERTAIN CALLED 42.539 ACRE PARCEL OF LAND DESCRIBED IN VOLUME 659, PAGE 31 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS (HEREINAFTER REFERRED TO AS THE PARENT TRACT); SAID 8.456 ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH REBAR FOUND ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF F.M. 2252 FOR THE NORTHEASTERLY CORNER AND POINT OF BEGINNING OF THIS PARCEL, SAME BEING THE NORTHEASTERLY CORNER OF SAID PARENT TRACT AND THE MOST NORTHERLY NORTHWEST CORNER OF THE RESIDUE OF THAT CERTAIN 28.517 ACRE PARCEL OF LAND DESCRIBED IN DOCUMENT NO. 201006013408 OF SAID OFFICIAL PUBLIC RECORDS;

THENCE DEPARTING SAID RIGHT-OF-WAY LINE AND WITH THE COMMON LINE OF SAID PARENT TRACT WITH SAID 28.517 ACRE PARCEL, SOUTH 28° 39' 20" EAST (BASED ON BEARINGS OBTAINED FROM SAID DOCUMENT NO. 201006013408), A DISTANCE OF 552.14 FEET (CALLED SOUTH 28° 40' EAST, 554.3 FEET IN SAID VOLUME 659, PAGE 31 AND SOUTH 28° 39' 20" EAST, 552.14 FEET IN SAID DOCUMENT NO. 201006013408) TO A FENCE POST FOUND FOR THE SOUTHEASTERLY CORNER OF THIS PARCEL, SAME BEING AN INTERIOR CORNER OF SAID 28.517 ACRE PARCEL;

THENCE CONTINUING WITH THE COMMON LINE OF SAID PARENT TRACT WITH A PORTION OF SAID 28.517 ACRE PARCEL AND THAT CERTAIN CALLED 8.010 ACRE PARCEL OF LAND DESCRIBED IN DOCUMENT NO. 20100603226 OF SAID OFFICIAL

PUBLIC RECORDS, SOUTH 56° 11' 57" WEST, A DISTANCE OF 650.92 FEET (CALLED SOUTH 56° 09' WEST, 651.0 FEET IN SAID VOLUME 659, PAGE 31 AND SOUTH 56° 12' 15" WEST, 650.92 FEET IN SAID DOCUMENT NO. 201006013408) TO A FENCE POST FOUND FOR THE SOUTHWESTERLY CORNER OF THIS PARCEL, SAME BEING THE NORTHWESTERLY CORNER OF SAID 8.010 ACRE PARCEL;

THENCE SPLITTING SAID PARENT TRACT, NORTH 27° 10' 15" WEST, A DISTANCE OF 601.19 FEET TO A FENCE POST FOUND ON THE AFOREMENTIONED RIGHT-OF-WAY LINE OF F.M. 2252 FOR THE NORTHWESTERLY CORNER OF THIS PARCEL;

THENCE WITH SAID RIGHT-OF-WAY LINE, THE FOLLOWING FIVE (5) COURSES:

1) NORTH 46° 03' 45" EAST, A DISTANCE OF 55.40 FEET (CALLED NORTH 45° 50' EAST, 55.4 FEET) TO A 1/2 INCH REBAR SET FOR ANGLE;

2) NORTH 71° 03' 45" EAST, A DISTANCE OF 51.40 FEET (CALLED NORTH 70° 50' EAST, 51.4 FEET) TO A 1/2 INCH REBAR SET FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

3) ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2048.70 FEET, A DELTA ANGLE OF 8° 20' 23", A CHORD BEARING OF NORTH 61° 41' 00" EAST, AND A CHORD DISTANCE OF 196.31 FEET, AN ARC LENGTH OF 196.88 FEET (CALLED 215.9 FEET) TO A 1/2 INCH REBAR SET FOR THE END OF SAID CURVE;

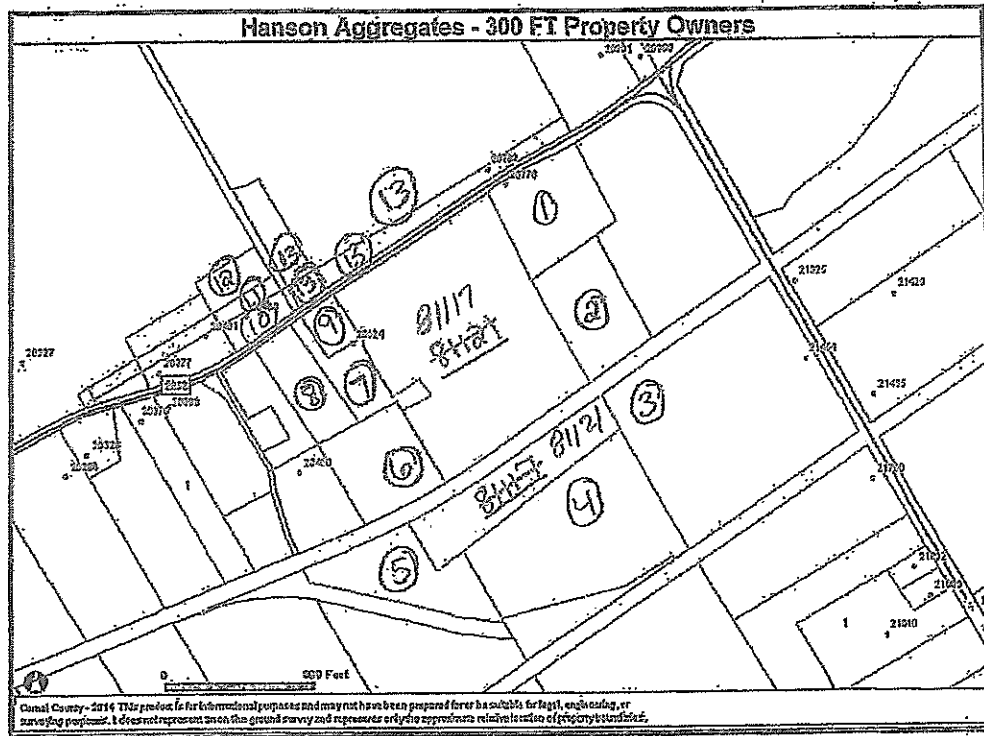
4) NORTH 64° 47' 00" EAST, A DISTANCE OF 248.20 FEET (CALLED NORTH 64° 47' EAST, 248.2 FEET) TO A 1/2 INCH REBAR SET FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

5) ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1945.18 FEET, A DELTA ANGLE OF 2° 31' 17", A CHORD BEARING OF NORTH 62° 49' 35" EAST, AND A CHORD DISTANCE OF 65.59 FEET, AN ARC LENGTH OF 65.60 FEET (CALLED 65.6 FEET) TO THE POINT OF BEGINNING AND CONTAINING 8.456 ACRES OF LAND, AS SURVEYED AND FOUND ON THE GROUND ON SEPTEMBER 7, 2012 WITH ALL 1/2 INCH REBAR SET BEING TOPPED WITH A YELLOW CAP STAMPED "LAMBERTS SURVEYING".

LEAVING A TOTAL ACREAGE OF 34.083.

2/2

5/6



* Any further zooming in scale would result in parcels not being in view.

Hanson Agg, Site #1

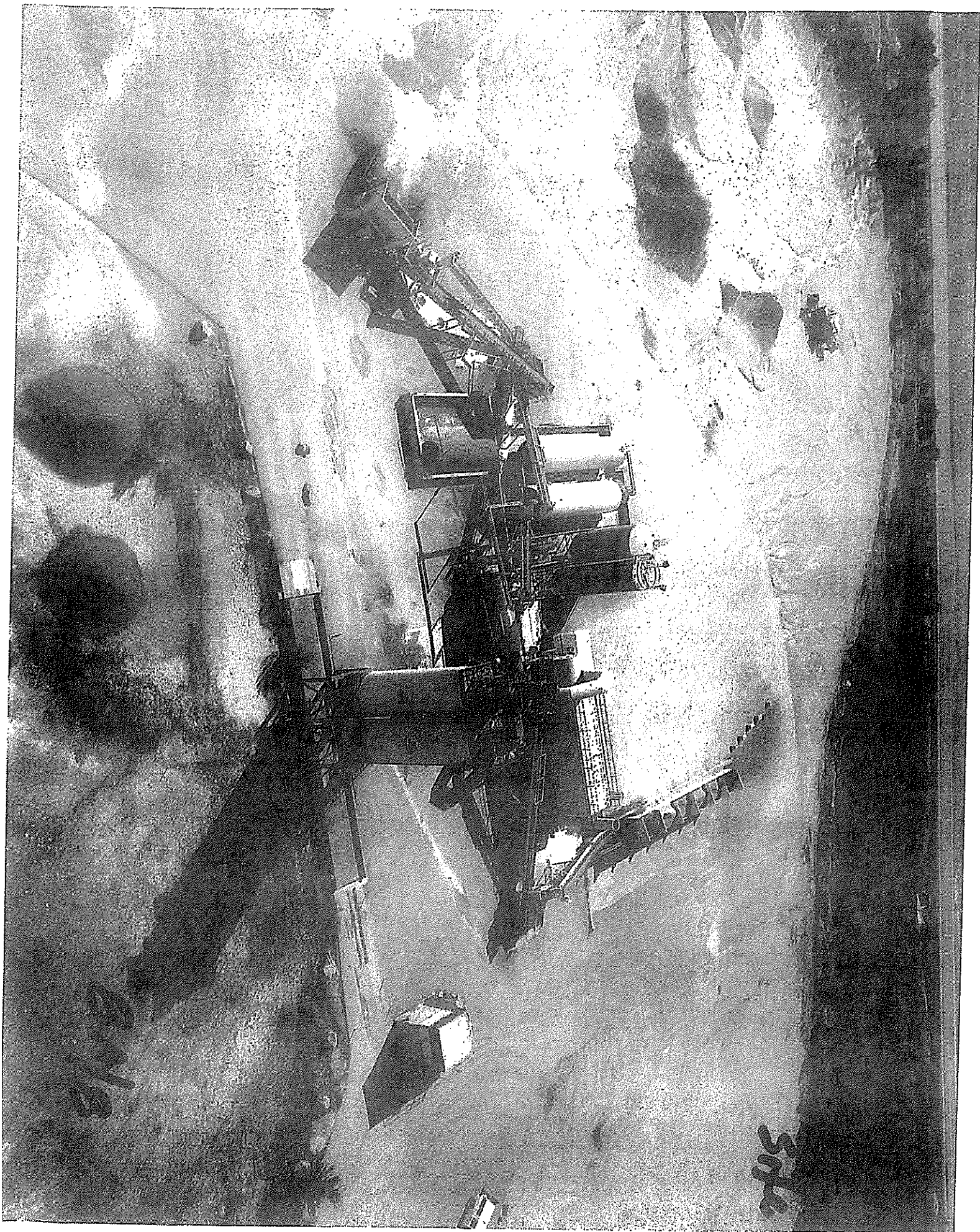
Attachment #4

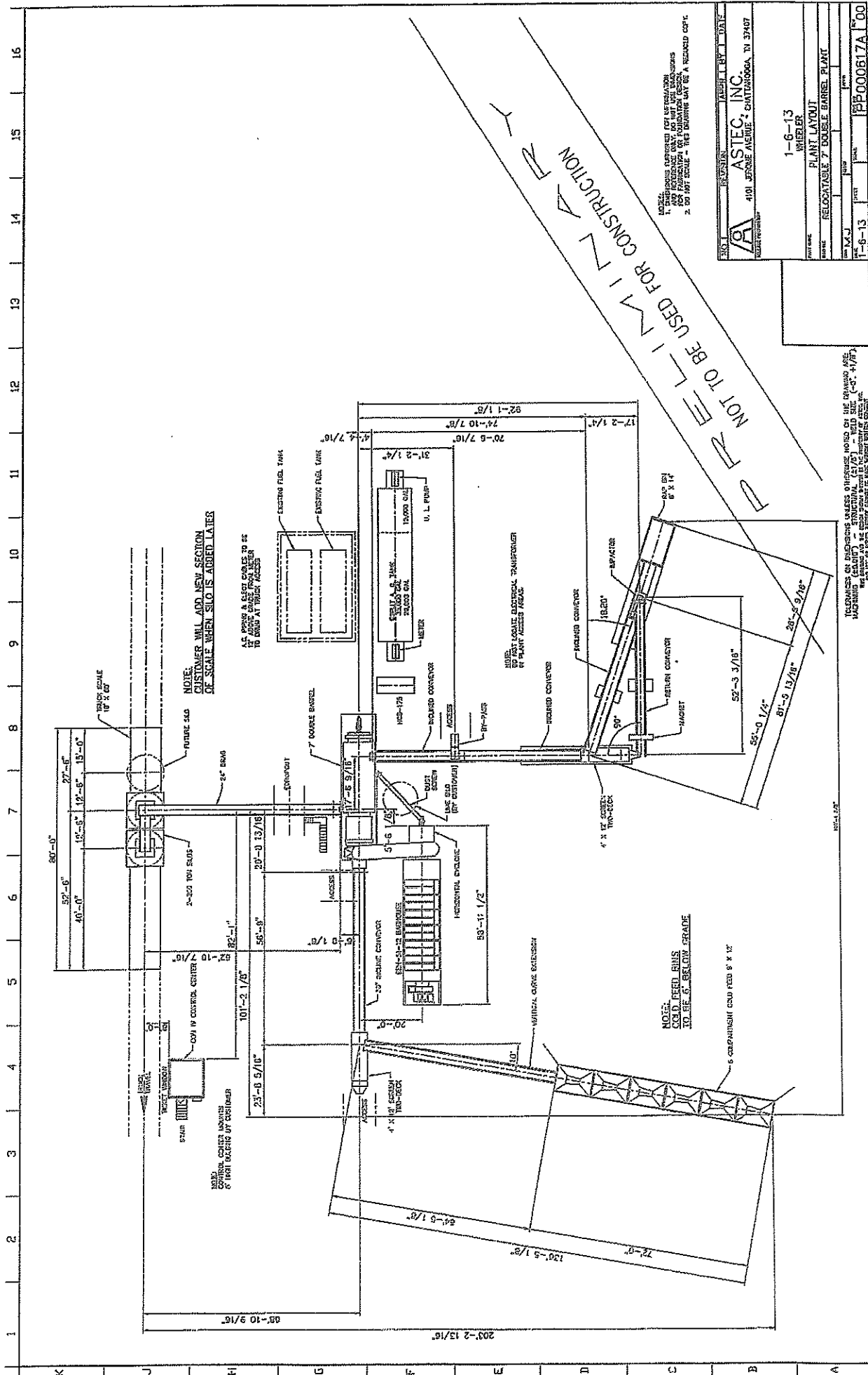
Attachment #4

Hanson Aggregates - A-671 SUR-95 E WOODRUFF, ACRES 34.083 and A-671 SUR-95 E WOODRUFF, ACRES 9.046, (FM 2532)

Property ID: 81417 & 81421

Geographic Location	Property ID	Name	Address	City	State	Zip	Legal Description
1.) To the Northeast	301084	TRICON PRECAST LTD	15055 HENRY RD	HOUSTON	TX	77060	A-671 SUR-95 E WOODRUFF, ACRES 8.4551
2.) To the Southeast	375400	BALLENGER CONSTRUCTION COMPANY	28200 N FM 509	HARLINGEN	TX	78550-2192	SUR-95 E WOODRUFF, ACRES 0.459
3.) To the Southwest	81001	BELTWAY INVESTMENTS INC	12 N LA SALLE ST STE 2400	CHICAGO	IL	60612-3559	A-671 SUR-95 E WOODRUFF, ACRES 8.01
4.) To the South	81129	STEELE STANLEY E & SUSAN	21650 FM 2252	SCHERTZ	TX	78154-0404	A-671 SUR-95 E WOODRUFF, ACRES 0.1861
5.) To the Southwest	81144	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78265-2873	A-671 SUR-95 E WOODRUFF, ACRES 78.312
6.) To the Southwest	81140	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78265-2873	A-671 SUR-95 E WOODRUFF, ACRES 31.
7.) To the West	81138	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78265-2873	A-671 SUR-95 E WOODRUFF, ACRES 8.05
8.) To the Northwest	81115	ROSE JANICE WUEST	20469 FM 2252	SAN ANTONIO	TX	78265-2900	A-671 SUR-95 E WOODRUFF, ACRES 0.68
9.) To the Northwest	82359	BRACKEN COMMUNITY CEMETERY					A-671 SUR-95 E WOODRUFF, ACRES 4.425
10.) To the Northwest	148468	ROSE JANICE WUEST 60%	20469 FM 2252	SAN ANTONIO	TX	78265-2900	COMMUNITY CEMETERY
10.) To the Northwest	148408	WUEST DENNIS ROY 60%	30400 FM 2252 UNIT 2	SAN ANTONIO	TX	78265-2873	A-671 SUR-95 E WOODRUFF, ACRES 4.25
11.) To the Northwest	74513	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78265-2873	A-422 SUR-409 J DRUMM, ACRES 0.9
12.) To the Northwest	74514	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78265-2873	A-422 SUR-409 J DRUMM, ACRES 2.
13.) To the North	81123	HANSON AGGREGATES	P.O. BOX 52427	ATLANTA	GA	30355	




$$\frac{30}{00}$$

[illegible]

המחלקה לבריאות הציבור, משרד הבריאות, מודיעת כי בשבועות האחרונים נרשמו במקרים מסוימים עלייה בשיעור התלכודת של חיידקי *Salmonella* (סלמונלה) במזון בקר. במקרים אלו, נמצאה התלכודת של חיידקי סלמונלה במזון בקר, וזוהי תופעה נדירה. במקרים אחרים, נמצאה התלכודת של חיידקי סלמונלה במזון בקר, וזוהי תופעה נדירה. במקרים אחרים, נמצאה התלכודת של חיידקי סלמונלה במזון בקר, וזוהי תופעה נדירה.

- 7.1.8.1. Lights shall not aim beyond the owner's property line nor illuminate adjoining Residential District lots to more than five (5) foot-candles measured at the point of highest intensity.

7.2. Z-1 INDUSTRIAL ZONE DISTRICT (Z-1).

- 7.2.1. Use Restrictions: The Z-1 Industrial Zone District is intended primarily for mining, excavation, quarrying, processing, storage, warehousing, shipping and manufacturing of such products as cement, concrete, brick, asphalt, stone, crushed rock and similar type products and will include related activities associated with such operations. No person shall use, or cause to be used, land nor erect or convert a building to any use other than:
- 7.2.1.1. Any use permitted in the Office and Professional (B-2) District that meets the requirement thereof.
- 7.2.1.2. Any use permitted in the Neighborhood Service (B-1) District that meets the requirement thereof.
- 7.2.1.3. Any use permitted in the Light Industrial (LI) District that meets the requirements thereof.
- 7.2.2. The City shall not be responsible for, nor shall the City assume any liability or responsibility for the exercise of plant on-site security or traffic control within industrial plant sites. The City will provide police response for emergencies or calls for service.
- 7.2.3. The City is not responsible nor liable for roads, parking lots, sidewalks, drainage or water retention structures, or any maintenance thereon within industrial plant sites.
- 7.2.4. The City is not responsible for, nor shall the City assume any liability or responsibility for providing industrial water and wastewater treatment facilities. These are a responsibility of the industrial plant owner.
- 7.2.5. Location of the Industrial Zone: The Z-1, Industrial Zone District shall have direct access to existing and future arterial thoroughfares and railway lines and will, in all instances, be separated from areas zoned Single Family Residential by non residential districts or by natural "buffer-zone" barriers. Should any part of the area to be zoned Z-1 be adjacent to an existing area zoned Single Family Residential, a "buffer-zone" separation shall be required. The type of separation shall be determined and mandated by City Council prior to approving any area for Z-1 District zoning.
- 7.2.6. Structures and uses must be compatible with, and complementary in scale and appearance with, a commercial district adjacent to a primarily residential municipality. Exterior work and storage areas shall be screened from public view.
- 7.2.7. Height Regulation: No structure shall exceed two and one-half (2-1/2) stories (thirty-five feet) in height.
- 7.2.8. Area Regulations:
- 7.2.8.1. Lot Size: The minimum area for a Z-1 lot shall be as required for sewerage and waste water treatment of the planned industrial activity, required setbacks and buffer zone for any adjacent residential District, but in no case less than 32,670 square feet unless located partially or totally over the Edwards Aquifer Recharge Zone, or is not served by a public water supply system, then it shall have a minimum area of 43,560 square feet.
- 7.2.8.2. Front Yard: There shall be a front yard having a minimum setback of forty-five (45) feet.
- 7.2.8.3. Side Yard: Paved alley rights-of-way of fifteen- (15) feet width down each side property line shall provide access to the rear alley.

7.2.8.4. Rear Yard: A paved alley right-of-way of fifteen- (15) feet width shall run the length of the rear property line. When the rear yard backs on a RA or R District, a minimum of twenty-five (25) feet including alley right-of-way shall be provided

7.2.9. Impervious Cover: Impervious coverage (buildings, pavements etc.) shall not be more than one-half (1/2) of the lot area and must, in any case, allow adequate open area for wastewater treatment and disposal.

7.2.10. Parking: See Table 1. Off Street Parking Requirements.

7.2.11. Construction Standards: Buildings shall be of not less than ninety (90) percent masonry or masonry veneer construction on the first floor level fronting paved public streets, excluding openings.

7.2.12. Exterior Lighting:

7.2.12.1. Lights shall not aim beyond the owner's property line nor illuminate adjoining Residential District lots to more than five (5) foot-candles measured at the point of highest intensity.

7.3. AQUIFER PROTECTION (AP) DISTRICT.

7.3.1. Use restrictions: The AP District is an overlay district for protection of City well sites and aquifer recharge features from biological and chemical contamination. The District surrounds each City well site and geologic recharge feature, within the Edwards Aquifer recharge zone, for a radius of fifteen hundred (1500) feet. Within the AP District, no use or activity is permitted that presents a danger of bacteriologic, chemical or radioisotope pollution of the ground water aquifer.

7.3.1.1. Specific prohibitions include: cemeteries; liquid transmission pipelines; petroleum and chemical processing, production, mixing, transmission or transfer facilities; petroleum or chemical storage tanks and vats; wood treatment facilities; sewage treatment plants, wet wells, pumping station or drainage ditch for industrial waste discharges or wastes from sewage treatment systems, sewage sludge disposal or effluent irrigation areas; livestock and animal pens, feedlots, or abandoned and improperly sealed wells

TABLE 1
TABLE OF OFF STREET PARKING REQUIREMENTS

1. Current Americans with Disabilities Act requirements with regard to allocation of spaces and building access apply.
2. Professional offices and studios. One (1) paved space per 300 square foot of gross floor area.
3. Libraries, museums, art galleries, clubs, lodges. One (1) paved space per 300 square foot of gross floor area.
4. General business, retail, clinics, and personal service establishment. One (1) paved space per 200 square foot of gross retail/sales service area and one (1) paved space per 800 square foot gross storage, processing or display area, or one (1) paved space per 400 square foot of combined retail sales/service area and display area.
5. Restaurants, cafeterias, delicatessens, and other food serving facilities, except drive-ins. One (1) paved space per 100 square foot of gross area.
6. Drive-in food service facilities where customers are served in their vehicles. Two (2) paved spaces per 100 square foot of gross area with a minimum of twenty (20) paved spaces for on-premise consumption
7. Automotive, lumber, plant nursery, and affiliated activities. One (1) paved space per 200 square foot of gross retail sales/service floor area, and one (1) paved space per 800 square foot of enclosed storage and/or display area, and one (1) paved space per 200 square foot of open sales/storage/display area.
8. Commercial recreation and amusement, dance hall, nightclub, tavern. One (1) paved space per 800 square foot of outdoors recreational area, and one (1) paved space per 200 square foot of indoors recreational area exceeding 20,000 square foot, and one (1) paved space per 100 square foot of associated indoor use.
9. Hotel and motel establishments. One (1) paved space per guest room and one (1) paved space per two (2) employees (associated independent general commercial and/or recreational areas open to public require additional spaces as given elsewhere in this table.
10. Shopping malls, exceeding 200,000 square foot gross leasable area (excluding theatres). Five (5) spaces per 1,000 square foot gross leasable area
11. Theatres, clubs, gymnasiums, convention halls, assembly halls, stadiums, funeral homes, church. One (1) paved space per four (4) seats, or (a) one (1) space per 800 square foot of outdoor recreational area, (b) one (1) paved space per 200 square foot of indoor recreational area exceeding 20,000 square foot and (c) one (1) space per 100 square foot of associated indoor use, whichever is greater.
12. Hospitals. One (1) paved space for each two (2) beds plus one paved space for each hospital or staff doctor plus one (1) paved space for each five (5) employees; parking for each group to be physically separate from other users and identified by user group.
13. Neighborhood services and facilities. Two (2) paved spaces per classroom and two (2) paved spaces per office.
14. Child-care facilities. One (1) paved space per ten (10) children and one paved space per office.
15. Elementary or primary schools. Two (2) paved spaces per classroom and two (2) paved spaces per office.

16. Middle or junior schools. Three (3) paved spaces per classroom and three (3) paved spaces per office.
17. Senior or secondary schools. Six (6) paved spaces per classroom and six (6) paved spaces per office.
18. College or trade school. Ten (10) paved spaces per classroom and ten (10) paved spaces per office.
19. Research and development activities. One (1) paved space per 800 square foot gross floor area.
20. Manufacturing, wholesaling, and processing establishments. One (1) paved space per 800 square foot gross floor area.
21. Warehousing. One (1) paved space per 2,000 square foot gross area.
22. Miniwarehouses. Three (3) paved spaces per office area.
23. Institutions and homes for children, elderly, convalescent, and sanitariums. One (1) paved space per four beds.
24. Housing for elderly and/or handicapped. One (1) paved space per dwelling unit.
25. College fraternities and sororities. One (1) paved space per bed.

**SECTION 8
GENERAL PROVISIONS**

- 8.1. PLATS. All land uses, other than farm and ranch agriculture uses allowed under the Residential-Agriculture District shall be platted following procedures in City Ordinance #7, as amended, at time of the rezoning application. All lots less than ten (10) acres shall be platted prior to any new construction. All applications for a building permit to construct a new building, including accessory buildings, shall be accompanied by a plot plan prepared and certified by a registered engineer or land surveyor. The plot plan shall be drawn to scale with all dimensions showing accurately size, exact location of all new construction and a drainage plan related to adjacent lots.
- 8.2. FLOOD HAZARD AREAS. The use and development of all properties located within designated areas as identified and depicted on the official flood hazard map of the City shall be guided by and conform to the provisions of the Garden Ridge Flood Hazard Ordinance #36, as amended.
- 8.3. STRUCTURE HEIGHT WITHIN CITY.
- 8.3.1. No tower, pole or other artificial structure (except residential chimney and utility vents and certain broadcast reception antennas) may exceed the ridgeline of the largest building on a lot unless specifically authorized by City ordinance or written authorization from City Council.
- 8.4. FENCES, WALLS AND PLANTS.
- 8.4.1. Fences immediately surrounding individual trees or shrubs for wildlife exclusion are excepted from all but the height restrictions and repair requirements of this Ordinance.
- 8.4.2. Height of fences shall not exceed six (6) feet. Pedestrian gates- incorporated into a fence- which are forty (40) inches, or less, wide shall not exceed seven (7) feet in height including ornamentation. The support structures for the above pedestrian gates shall not exceed eight (8) feet in height inclusive of any ornamentation or fixtures. All other fence gates and support structures shall not exceed seven and one-half (7.5) feet in height including ornamentation or fixtures.
- 8.4.3. Fences shall be kept in good repair.
- 8.4.4. Fences shall not be within or across a City owned right-of-way, drainage channel or waterway.
- 8.4.5. Support columns or posts for fences crossing drainage or utility easement shall be at least twelve (12) feet apart. They shall allow removal of the fence for passage through or improvement of the easement.
- 8.4.6. Fences in, or crossing, drainage easements shall not impede natural drainage. The property owner is responsible for keeping the drainage easement free flowing and clear of obstructing debris.
- 8.4.7. Barbed wire fence is prohibited in subdivisions and on lots smaller than ten (10) acres.
- 8.4.8. Electric fence is prohibited along lot lines within subdivisions unless used with a non-electric fence. Electrical fences must have warning signs at intervals no less than twenty (20) feet.
- 8.4.9. Side or rear fences facing any paved street shall be of metal (sheet metal is prohibited), rock or brick masonry, cement (fencecrete) or stucco finished cement block, wood or chain link. Masonry or cement fences must have an engineered concrete footing and be structurally bound with cement or mortar. Gates and support structures shall be of matching materials consistent with function. Metal or wood may be used for gates in masonry fences.

- 8.4.10. Fences equal to, or less than, two (2) foot high constructed forward of the front plane of the residence shall be of metal, brick, stone or cement masonry matching that of the main structure. Gates shall be metal.
- 8.4.11. Fences over two (2) foot high and forward of the front plane of the residence shall be metal (sheet metal is prohibited) with metal, brick, rock, or cement masonry, columns or support structure matching that of the main structure. Such fence, including columns, shall not obstruct more than half of the view through the fence. Property fronting Farm to Market (FM) 2252 and FM 3009 may have solid fence (sheet metal is prohibited). Gates and support structures shall be of matching materials consistent with function. Metal may be used for gates in masonry fences. Gates in metal fencing shall be of metal matching the design of the fence.
- 8.4.12. Perennial plants, shrubs or trees shall be placed in front of, and along the entire length of, any fence over two (2) foot high which faces a paved street and which -- exclusive of support columns or posts -- obstructs more than ten (10) percent of the view through the fence at heights over two (2) foot. Plants shall be in place within ninety (90) days of fence completion. Plants shall be at least 24 inches high when planted. Plants, at maturity, shall be capable of covering fifty (50) percent of the fence. The City may direct removal of the fence at owner's expense if plants are not in place within ninety (90) days of fence completion.
- 8.4.13. Fences on commercial and industrial property shall be metal (sheet metal is prohibited), rock or brick masonry, cement (fencecrete) or stucco finished cement block or chain link. Commercial and industrial property, where it adjoins residential lots, shall have a rock or brick masonry, cement (fencecrete) or stucco finished cement block fence six (6) feet high. The City may require higher fences when recommended by the city engineer for abatement of visual or physical agent impact. Masonry or cement fences must have an engineered concrete footing and be structurally bound with cement or mortar. No fence may be forward of the front plane of commercial or industrial structures when the property abuts residential lots. Gates and support structures, inclusive of ornamentation and fixtures, shall be of matching height and materials consistent with function. Metal may be used for gates in masonry fences.
- 8.4.14. Perimeter fencing for subdivisions shall be metal (sheet metal is prohibited), rock or brick masonry, cement (fencecrete) or stucco finished cement block. Masonry or cement fences must have an engineered concrete footing and be structurally bound with cement or mortar. Gates and support structures shall be of matching materials consistent with function. Metal may be used for gates in masonry fences.
- 8.4.15. Retaining walls shall be timber, concrete, concrete or brick masonry or stone. Cement block must have stucco, brick or stone facing. Retaining walls over three- (3) foot high must be structurally sound as determined by an engineer's evaluation.
- 8.4.16. Existing fences and walls must comply with this Ordinance at time of replacement or repair of over thirty (30) percent of the structure.
- 8.4.17. Subdivision entry way structures and gates shall be approved by the City as part of the subdivision plat review.
- 8.4.18. All automatic control gates shall have a clearly visible manual over-ride.
- 8.5. Landscaping is required for all areas disturbed by construction of new buildings and additions over 300 square feet. Landscaping shall be completed within one (1) year from the date of issuance of the Certificate of Occupancy, or final building approval.
- 8.5.1. Lawn areas must be planted with drought tolerant grasses or other drought tolerant ground cover vegetation. No more than twenty (20) percent of the landscape area can be in St. Augustine grass. On lots over 1.25 acres, ten (10) percent of the landscape area must be xeriscape. The use of

gravel, pebbles, or any type of small rock as ground cover for front yard lawn areas is restricted to no more than twenty-five (25) percent of the yard area in front of the front wall of the structure, excluding driveways. Xeriscape landscaping techniques shall be used as much as possible.

- 8.5.2. No person shall remove oak trees over ten (10) inch diameter or elm trees over eight (8) inch diameter from any lot except in the area approved by the City Architect for the primary structure, permanent outbuildings, driveways and recreational facilities.

8.6. LINE-OF-SIGHT (SIGHT LINE) REQUIREMENTS.

- 8.6.1. No fence, wall, hedge, or shrub planting which restricts sight-lines at elevations between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines, or in the case of a rounded corner, property lines extended (see Figure 2).
- 8.6.2. No fence, wall, hedge, or shrub planting which restricts sight-lines at elevations between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any lot within fifteen (15) feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distance of such intersections unless the foliage line is maintained at sufficient height to prevent obstructions of such sight lines. (see Figure 3)

SECTION 12 CONDITIONAL USES

12.1. SPECIFIC USE PERMITS.

12.1.1. Authority to Issue. Use shall not be made of any property in commercial or industrial districts, nor shall any buildings be constructed thereon, added to, or altered in any way (maintenance and repairs alone excepted) without the prior issuance of a specific use permit. The City Council may, upon notice to adjoining property owners and after public hearings before the Planning and Zoning Commission and City Council, authorize the issuance of a specific use permit for use allowed in the governing Zoning District. The issuance of such specific use permit shall, in each case, be deemed to constitute an amendment to this ordinance. Possession of a specific use permit for existing structures shall not be construed as meeting this requirement. Significant changes in use activity resulting in increased emissions (air, water, waste etc.), physical agent (noise, light, heat vibration etc.) levels at the property line, or increase in commercial vehicle traffic by more than twenty percent, shall require a new specific use permit. Upon application, Council may approve transfer of an existing Permit expiring solely because of a change in property or business ownership to a new owner without hearings provided that there shall be no change in the kind and level of permitted activity.

12.1.2. Purpose of Hearing. The purpose of such hearings by the Planning and Zoning Commission and by the City Council shall be to determine that the granting of the Specific Use Permit will not adversely affect the character and appropriate use of the adjoining area or neighborhood; will not substantially depreciate the value of adjacent and nearby properties for the use in accordance with the regulations in the zoning district in which they are located; will be in keeping with the spirit and intent of this Ordinance; will not adversely affect the implementation of the Comprehensive Plan; will comply with the applicable standards of the district in which located; and will not adversely affect traffic, public health, public utilities, public safety, and the general welfare.

12.1.3. Application for Specific Use Permit.

12.1.3.1. All applications for Specific Use Permits shall be submitted with site plans drawn to scale and showing the general arrangement of essential the project, together with essential requirements such as off-street parking facilities, locations of buildings and uses to be permitted, means of ingress and egress to public streets, and type of visual screening such as walls, planting and fences, the location of adjacent residences and buildings and the location and area coverage of all outside lighting.

12.1.3.2. No Specific Use Permit shall be granted unless the applicant, owner and the grantee of the Specific Use Permit shall in writing accept to be bound by and comply with the terms of the Specific Use Permit, in such form as may be approved and provided by the City Council. Specific Use Permits expire upon change in property ownership.

12.1.3.3. All applications for Specific Use Permits shall be in writing, signed and filed with the City Secretary for presentation to the Planning and Zoning Commission for official processing using Planning and Zoning Form 3. The Planning and Zoning Commission shall have a minimum of thirty (30) days for processing.

12.2. CERTIFICATES OF OCCUPANCY.

12.2.1. In granting a Specific Use Permit, the City Council may impose conditions which shall be complied with by the grantee before a certificate of occupancy may be issued by the Council for the use of such buildings on such property pursuant to such permit. Such conditions shall not be construed as conditions precedent to the granting of the Specific Use Permit or the change in zoning of such property, but shall be construed as conditions precedent to the granting of a Certificate of Occupancy.

- 12.2.2. No person shall use, occupy or change the use of a building hereafter erected or structurally altered in any district, until a Certificate of Occupancy shall have been issued by the City Council, stating that such building complies with all applicable provisions and regulations of the City.
- 12.3. CHURCHES AND SCHOOLS.
- 12.3.1. Churches and schools are subject to the above requirements for Special Use Permits regardless of the District in which they are located. The following applies as minimum requirements for granting a Special Use Permit for churches and schools located in the Residence-Agriculture District, the Single Family Dwelling District, the Office and Professional District and the Neighborhood Service District.
- 12.3.2. The land area of churches and schools located within residential districts shall not exceed three (3) percent of the residential district area.
- 12.3.3. Height Regulation: No structure shall exceed two and one-half (2-1/2) stories (thirty-five feet) in height.
- 12.3.4. Area Regulations:
- 12.3.4.1. Lot Size. The minimum lot size shall be as required for sewerage and waste water treatment of the maximum level of church or school activity, but in no case less than 32,670 square feet (ft²) unless located partially or totally over the Edwards Aquifer Recharge Zone, or is not served by a public water supply system, then it shall have a minimum area of 43,560 ft².
- 12.3.4.2. Front Yard: There shall be a front yard having a minimum setback of forty-five (45) feet for buildings and twenty-five (25) feet for parking areas.
- 12.3.4.3. Side Yard: None, except where the use sides on a RA or R District, where a minimum side yard of fifteen (15) feet shall be provided. At least one (1) alley right-of-way of fifteen- (15) feet width shall be provided for access to the rear alley. The City shall determine required right-of-way improvements based upon location, type and density of projected structures.
- 12.3.4.4. Rear Yard: An alley right-of-way of fifteen- (15) feet width shall run the length of the rear property line. When the rear yard backs on a RA or R District, a minimum of twenty-five (25) feet including alley right-of-way shall be provided. The City shall determine required right of way improvements based upon location, type and density of projected structures.
- 12.3.5. Impervious Cover: Impervious coverage (buildings, pavements etc.) shall not be more than one-half (1/2) of the lot area and must, in any case, allow adequate open area for wastewater treatment and disposal.
- 12.3.6. Parking: See Table 1. Off Street Parking Requirements.
- 12.3.7. Construction Standards: Buildings shall be of not less than ninety (90) percent masonry or masonry veneer construction on the first floor level excluding openings.
- 12.3.8. Exterior Lighting:
- 12.3.8.1. Light fixtures shall be below the building roofline.
- 12.3.8.2. Lights shall not aim beyond the owner's property line nor illuminate adjoining property to more than five (5) foot-candles measured at the point of highest intensity.

City Administrator

From: Chelsey Franklin <cfranklin@westwardenv.com>
Sent: Tuesday, April 22, 2014 11:16 AM
To: City Administrator
Cc: Curt Campbell
Subject: FW: Ramming Six Site Layout

Dear Ms. Cain,

Below please find the approval from the Bracken VFD regarding our request for a variance on the requirement for alleys at the Ramming Six site.

Please give Mr. Curt Campbell or me a call if there is any other information that you will need before the next Commission meeting.

Thank you,

The logo for Westward Environmental, Inc. features the word "WESTWARD" in a bold, serif font, with a stylized graphic of a mountain or hills to the left.

Chelsey J. Franklin
Environmental Specialist
Westward Environmental, Inc.
Phone: (830) 249-8284
Fax: (830) 249-0221
4 Shooting Club Rd.
Boerne, Texas 78006

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From: bill [<mailto:TXArsonCop@sbcglobal.net>]
Sent: Thursday, April 10, 2014 4:01 PM
To: Chelsey Franklin
Cc: Chief Zipp
Subject: Re: Ramming Six Site Layout

Ms, Franklin,

Per our conversation today the Bracken Fire Department has no problems with a variance for dedicated alleys as described in Ordinance 13 provided our equipment will be able to access all of the property.

William (Bill) Anz
Assistant Chief/Fire Marshal
Bracken V.F.D.
210 651-5762 ph
210 651-9467 fax
NFIRS ID: CS 305

From: Donald

Sent: 10 April, 2014 2:46 PM
To: Bill Anz
Subject: Fw: Ramming Six Site Layout

Donald Zipp
Fire Chief
Bracken VFD
210 651-5762 ph
210 651-9467 fax
NFIRS ID CS305

From: Chelsey Franklin
Sent: Wednesday, April 09, 2014 15:49
To: brackenvfd@sbcglobal.net
Cc: Curt Campbell
Subject: Ramming Six Site Layout

Dear Mr. Zipp,

Thank you for speaking with me this afternoon regarding the proposed Hot Mix Plant (HMP) and requested variances in Garden Ridge. As we discussed, my client, Industrial Asphalt, LLC, is requesting a variance on the requirement for dedicated alleys as described in City Ordinance 13. Industrial Asphalt, LLC (IA) intends to develop their lease area as an industrial facility. Alleys will not be practicable or necessary for this site. Sufficient room for the ingress and egress of large trucks is a necessary part of the normal daily operation of the plant. Emergency vehicles should be able to easily access the plant. Please see the attached site plan for details.

Should you have any questions or require any additional information, please contact our office at 830-249-8284. We are happy to help in any way we can.

Thank you,

The logo for Westward Environmental, Inc. features the word "WESTWARD" in a bold, serif font, with a stylized graphic of a mountain or hills above the letters "T" and "A".

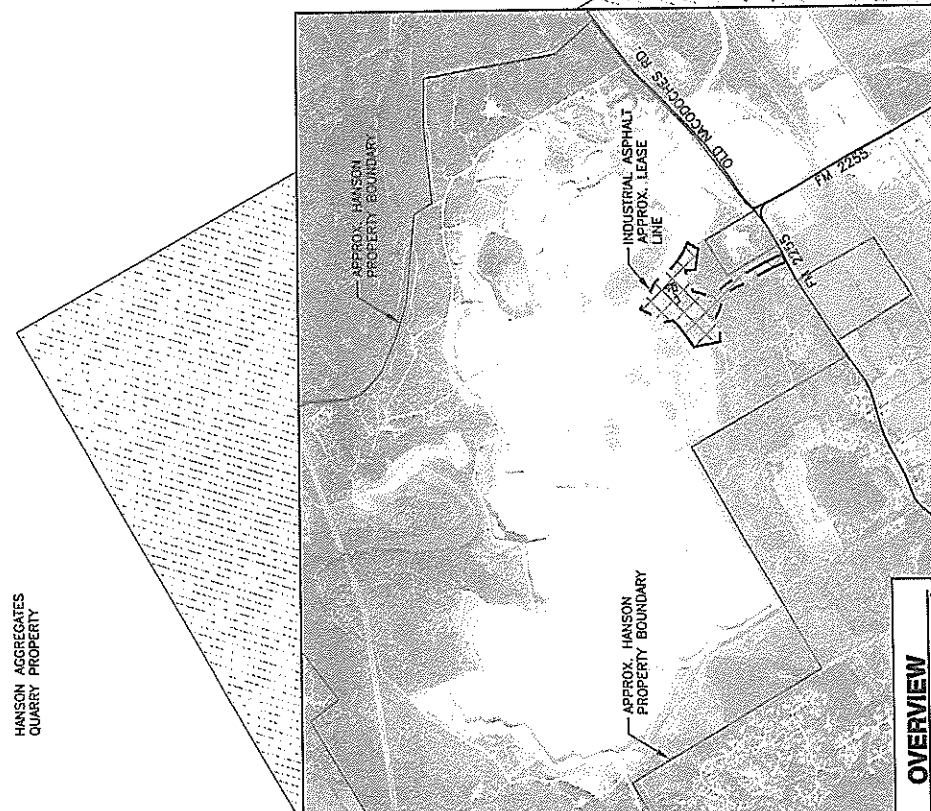
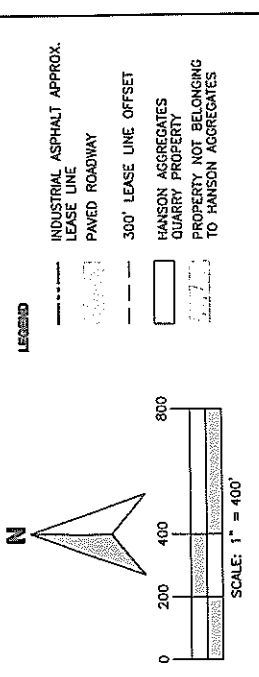
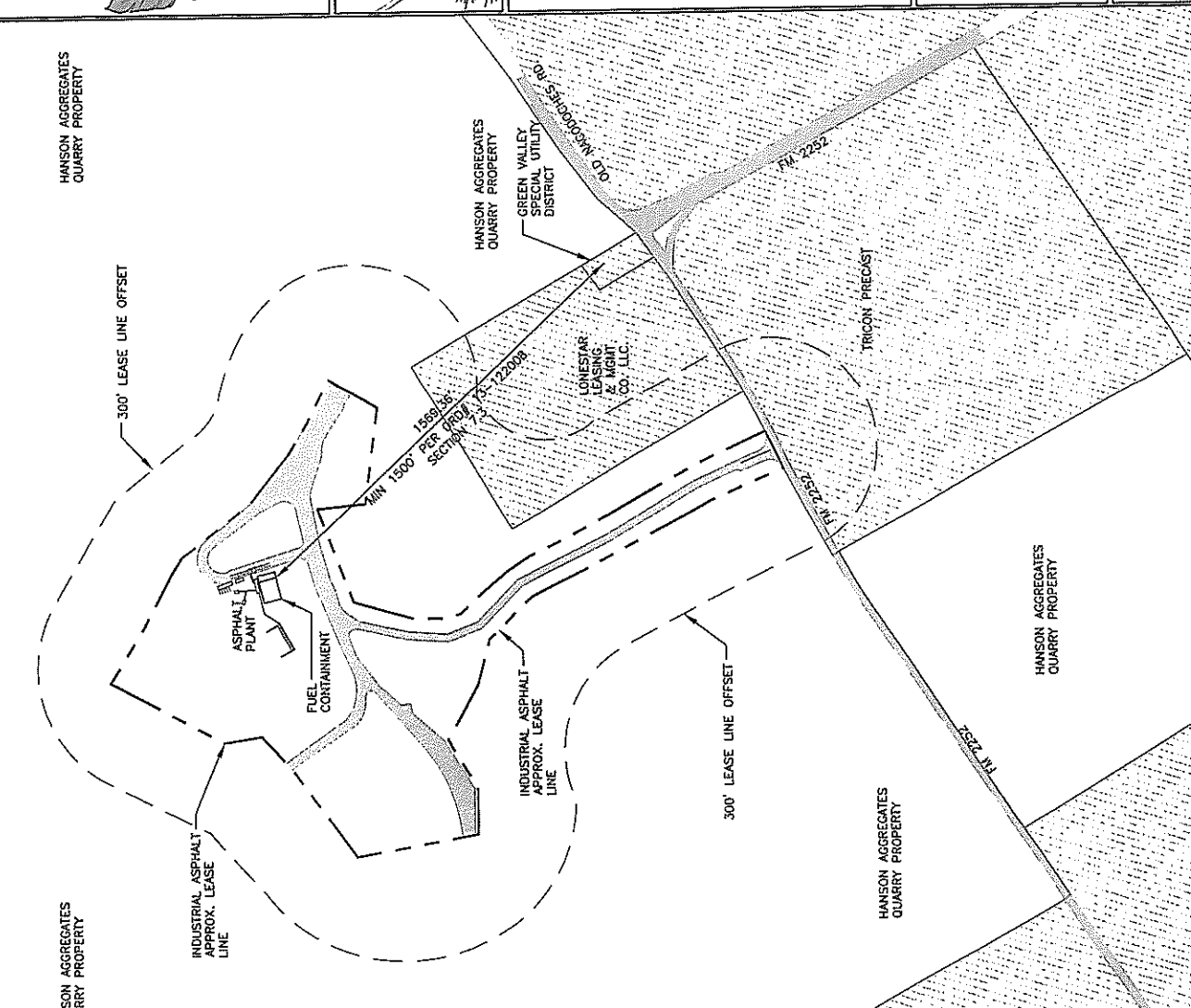
Chelsey J. Franklin
Environmental Specialist
Westward Environmental, Inc.
Phone: (830) 249-8284
Fax: (830) 249-0221
4 Shooting Club Rd.
Boerne, Texas 78006

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REV	DESCRIPTION	BY	DATE
	ADJACENT PARCEL MAP INDUSTRIAL ASPHALT, LLC GARDEN RIDGE, TX		

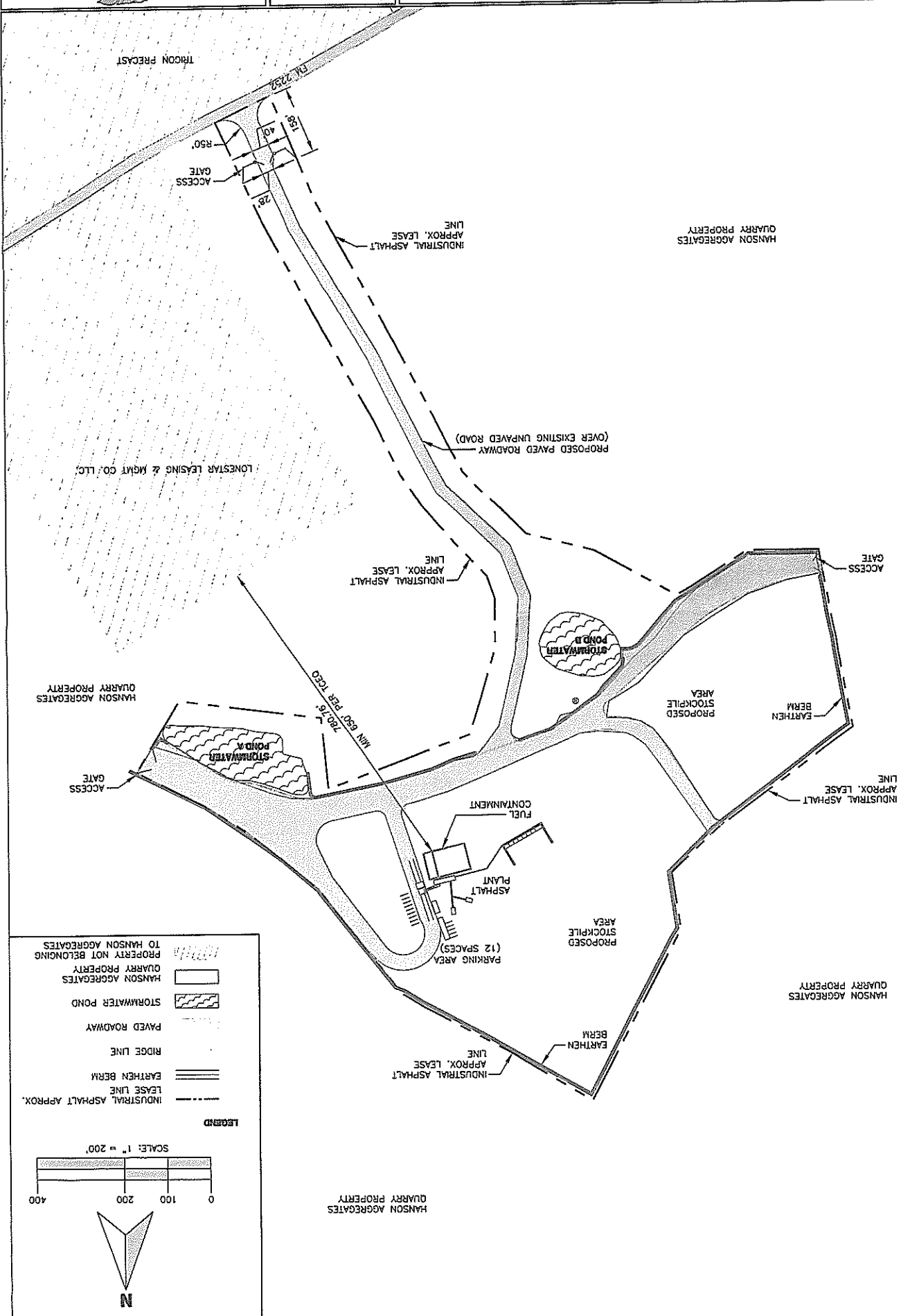
JOB #:	10233-178
SCALE: 1" = 400'	
CHECKED BY:	CGC
DRAWN BY:	JMS
ISSUE DATE:	04/24/2014
2012 BAT CAVE SE	
IMAGE:	





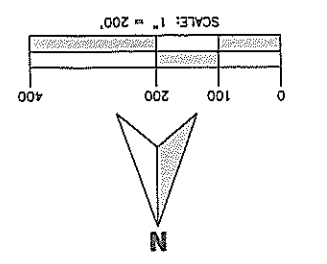
REV.	DESCRIPTION	BY	DATE
	SPECIFIC USE PERMIT INDUSTRIAL ASPHALT, LLC GARDEN RIDGE, TX		

JOB #:	10233-178
SCALE: 1" =	200'
CHECKED BY:	CGC
DRAWN BY:	JJS
ISSUE DATE:	04/24/2014
IMAGE:	NONE



LEGEND

	INDUSTRIAL ASPHALT APPROX. LEASE LINE
	EARTHEN BERM
	RIDGE LINE
	PAVED ROADWAY
	STORMWATER POND
	HANSON AGGREGATES QUARRY PROPERTY
	PROPERTY NOT BELONGING TO HANSON AGGREGATES





March 25, 2014

City of Garden Ridge
Building Permits/Inspections Department
9400 Municipal Pkwy.
Garden Ridge, TX 78266

Project No.: 10233-178

**Subject: Industrial Asphalt, LLC
Ramming Six Facility – Special Use Permit and Variances
0 FM 2252, Garden Ridge, Comal County, Texas**

To Whom It May Concern:

Enclosed please find our application for a Special Use Permit for the proposed Ramming Six hot mix asphalt facility, belonging to Industrial Asphalt, LLC, to be located on the Hanson Quarry property at 0 FM 2252, Garden Ridge, TX. The nature of the proposed facility is consistent with the subject property's zoning designation of Z-1 Industrial (ie: quarrying, processing, asphalt manufacturing, etc.).

It is anticipated that the nature of operations at the proposed facility will require a variance from height, side & rear yard, and construction standards (relating to the use of a mobile office building) requirements. An application for the appropriate Variances is also included here.

Westward Environmental, Inc. (WESTWARD) will serve as the technical contact for Industrial Asphalt, LLC on this project. If you have any questions or require further information, please contact the WESTWARD office at 830-249-8284.

Respectfully submitted,
WESTWARD ENVIRONMENTAL, INC.

Curt G. Campbell, PE
Engineering Manager
TX License No. 106851 | Firm No. 4524

Distribution: Addressee
Mr. John Ramming – Industrial Asphalt, LLC
WEI File 10233-178

Office PO. Box 2205 Boerne, TX 78006

Texas Registered Engineering Firm # F-4524



Main 830.249.8284 | Fax 830.249.0221

Texas Registered Geoscience Firm # 50112

westwardenv.com

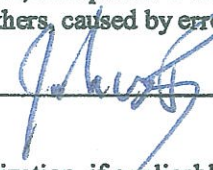
REC'D: 00146689 3/25/2014 1:38 PM
TRAN: 112.0000 P&Z VARIANCE FEES
OPER: CASH TERM: 001
Ordinance# 13-122008 City of Garden Ridge
SPECIAL USE PERMIT RAVING
P&Z VARIANCE FILING 650.0000
TENDERED: 650.00 1 CHECK(S)
APPLIED: 650.00
CHANGE: 0.00

Planning and Zoning Form 3
APPLICATION FOR SPECIAL USE PERMIT
(Type or Print)

1. Date: 3/25/14 Case #: _____
2. Applicant Name: Industrial Asphalt, LLC
(First) (Middle) (Last)
Doing Business as: N/A
(First) (Middle) (Last)
Texas Sales & Use Tax Permit Number: 17427660273
3. Mailing Address: 9020 North Capital of Texas Highway, Bldg. 2, Ste. 250
(Street)
Austin TX 78759
(City) (State) (Zip)
Phone: (512)-251-3713
4. Physical Address of Business: 0 FM 2252
(Street)
Garden Ridge TX 78266
(City) (State) (Zip)
Phone: (512)-251-3713
5. Applicant's relationship to property or business:
Sole owner () Part owner () Other; Business owner, leasing property from Hanson Aggregates
(Specify)
(If not sole owner, furnish a notarized letter of authorization from all owners as attachment 1.)
6. Legal description of property on which business is to be located:
Plat: Lot(s) _____ Block(s) _____
Subdivision _____
Acreage: X (If acreage, provide separate metes and bounds description as attachment 2.)
Property Deed recorded in Comal County Volume # 120 Page # 714
7. Existing use of property; Limestone quarry
8. Use of property being requested (Be specific and give details - attach additional sheets as needed):
Existing use of the property is the Hanson Aggregates rock quarry. Proposed use is for a Hot Mix Asphalt manufacturing plant. Raw materials (ie: aggregate, sand, Recycled Asphalt Product (RAP)) are mixed with liquid asphalt and stabilizers to produce asphalt for paving projects. See attached for more information.

9. Give dimensioned map with north orientation, scaled 100 or 200 feet per inch, of the property showing all streets and parcels of land within 300 feet of the property as attachment 3. Key each adjoining land parcel to a list of current owners and addresses as attachment 4.
10. Give site plan showing location, dimensions and uses of existing or proposed structures, easements, water sources, fences, curb cuts, street and alley right-of-way lines within one foot of property for which variance is requested, on another map of larger scale, as attachment 5.
11. Identify any deed restrictions on agriculture, residential, business or other use. If none, so state: None

12. The undersigned hereby requests that the property identified in this application be approved for the Special Use(s) requested above in accordance with in accordance with Garden Ridge City Ordinance 13, section 12. I consent to the posting of hearing notices on the said property. I understand that the information provided herein might be used by the City of Garden Ridge for sending required notices to adjacent property owners, if required. I bear full responsibility and liability for any losses or costs incurred by the City, or others, caused by errors or omissions in this application.

13. Applicant Signature: 

Attachments:

1. Owner(s) letters of authorization, if applicable
2. Metes and Bounds description of property, if applicable
3. Map of property
4. List of adjacent property owners
5. Site plan
6. Check for Special Use Permit fee per Garden Ridge City Ordinance 11.

----- CITY USE ONLY -----
Special Use Permit

		Date
City Admin.:	Application received	_____
	Application verified	_____
	Fee received \$ _____ Check # _____	_____
	Application sent to P&Z	_____
P&Z:	Owners' acceptance of application	_____
	Notice to adjoining property owners, if required	_____
	Notice of public hearing, if required	_____
	Public hearing conducted, if required	_____
	P&Z decision on Special use Permit	_____
City Council:	P&Z recommendation to City Council	_____
	Notice to adjoining property owners, if required	_____
	Notice of public hearing, if required	_____
	Public hearing conducted, if required	_____
City Admin.:	Applicant notified of Council Decision	_____

EXHIBIT ATRACT 1:

Being 676.787 acres of land, a part of the Valentine Bennett Survey No. 105, the Valentine Bennett Survey No. 104, George Schlather Survey No. 673, Julius Drumm Survey No. 500, John Nelson Survey No. 97, and the Nathaniel Conner Survey No. 100 1/2, Comal County, Texas; and being a part of that certain tract of land conveyed by E. O. Eikel, et ux, to Servtex Materials Co. by deed recorded in Volume 92 on page 131 of the Deed Records of Comal County, Texas; a part of that certain tract of land conveyed by William Hierholzer by deed dated October 15, 1940 and recorded in Volume 72 on page 629 of the Deed Records of Comal County, Texas; a part of that certain tract of land conveyed by Willie Warnecke by deed dated May 29, 1936 and recorded in Volume 66 on page 256 of the Deed Records of Comal County, Texas; a part of that certain tract of land conveyed by Benjamin Elley by deed dated October 5, 1940 and recorded in Volume 72 on page 631 of the Deed Records of Comal County, Texas; all of that certain tract of land conveyed by Emil Moehrig by deed dated April 1, 1952 and recorded in Volume 98 on page 276 of the Deed Records of Comal County, Texas; all of that certain tract of land conveyed by Harry Knibbe by deed dated June 20, 1936 and recorded in Volume 66 on page 325 of the Deed Records of Comal County, Texas; all that certain tract of land conveyed by Emil Moehrig by deed dated March 3, 1953 and recorded in Volume 100 on page 252 of the Deed Records of Comal County, Texas; part of that certain tract of land conveyed by Gilbert Moehrig by deed dated March 12, 1962 and recorded in Volume 127 on page 430 of the Deed Records of Comal County, Texas; part of that certain tract of land conveyed by Hugo Moehrig by deed dated December 23, 1966 and recorded in Volume 153 on page 145 of the Deed Records of Comal County, Texas; and described more particularly by metes and bounds as follows:

BEGINNING at an iron pin and corner post in the Northwest line of F.M. Road 1337 set for the South corner of the above described Hugo Moehrig to Servtex Materials Co. tract of land by deed recorded in Volume 153, page 145 of the Deed Records of Comal County, Texas, for the South corner of the herein described 676.787 acre Tract 1;

THENCE with the fence, N. 27° 35' W. 146.25 feet, N. 29° 27' W. 647.50 feet and S. 60° 38' W. 216.80 feet to an iron pin in the Northeast line of a 20.0 foot lane, set for a South corner of this tract;

THENCE with the Northeast line of the said 20.0 foot Lane, N. 29° 59' W. 2,046.50 feet to an iron pin found in the Southeast line of Survey No. 615, set N. 65° 34' E. 20.50 feet from the West corner of Survey No. 500, for a West corner of this tract;

THENCE with the fence, the Southeast line of Survey No. 615, N. 61° 17' 30" E. 577.20 feet to an iron pin and corner post set for the East corner of Survey No. 615, for a re-entrant corner of this tract;

THENCE with the fence, the Northeast line of Survey No. 615, the Southwest line of Survey No. 673, N. 29° 15' W. 2,460.85 feet to a corner post set for a West corner of this tract;

THENCE with the fence, N. 67° 35' E. 727.65 feet and N. 59° 02' E. 944.50 feet to a corner post set for a re-entrant corner of this tract;

THENCE with the fence, N. 29° 25' 30" W. 1,270.30 feet to an iron pin set for the South corner of 40.000 acre Tract 7, for a West corner of this tract;

THENCE with the Southeast line of Tract 7, N. 57° 26' E. 1,243.25 feet to an iron pin on top of bluff of Comal Creek, set for the East corner of the said Tract 7, for a North corner of this tract;

THENCE with the top of bluff of Comal Creek as follows: S. 57° 08' E. 121.25 feet, S. 58° 43' E. 301.10 feet, and S. 76° 33' 30" E. 1,144.0 feet to the beginning of a fence on the South side of Comal Creek;

THENCE with the fence and South side of Comal Creek as follows: S. 73° 36' E. 38.80 feet, S. 80° 24' E. 89.05 feet, S. 88° 12' 30" E. 37.25 feet, S. 76° 19' E. 95.25 feet, S. 74° 33' E. 49.30 feet, N. 82° 59' E. 39.10 feet, N. 29° 22' E. 11.50 feet, N. 44° 58' E. 42.70 feet, S. 85° 26' E. 81.45 feet, S. 79° 39' E. 48.0 feet, S. 72° 14' 30" E. 77.60 feet, S. 57° 04' E. 34.40 feet, S. 81° 30' 30" E. 29.05 feet, N. 78° 09' E. 25.10 feet, S. 87° 47' E. 25.0 feet, S. 79° 07' E. 150.45 feet, S. 87° 56' E. 53.50 feet, N. 89° 42' E. 26.40 feet and S. 81° 12' E. 169.40 feet to a corner post, a North-east corner of this tract;

THENCE with the fence, S. 58° 19' E. 12.05 feet, S. 34° 15' E. 64.15 feet, S. 29° 34' E. 116.10 feet, S. 29° 50' E. 143.15 feet, S. 28° 24' E. 65.95 feet, N. 47° 19' E. 17.15 feet, N. 63° 56' E. 57.90 feet, N. 81° 52' E. 444.35 feet, N. 84° 59' E. 758.05 feet and S. 88° 49' E. 729.90 feet to a corner post set for an East corner of this tract;

THENCE S. 60° 02' W. 1,432.05 feet to a 12 inch Cedar Post set for a re-entrant corner of this tract;

THENCE with the fence, S. 29° 16' E. 2,798.65 feet, S. 34° 01' E. 10.0 feet, and S. 46° 32' E. 74.10 feet to an iron pin in the Northwest line of Nacogdoches Road, set for the East corner of this tract;

THENCE with the Northwest line of Nacogdoches Road as follows: S. 53° 35' W. 80.70 feet, S. 50° 53' W. 114.80 feet, S. 46° 21' W. 83.35 feet, S. 44° 50' 30" W. 266.0 feet, S. 46° 56' W. 542.85 feet, S. 47° 18' W. 353.45 feet, S. 46° 52' W. 322.15 feet, and S. 54° 34' W. 1,394.45 feet to an iron pin and corner post set for a South corner of this tract;

THENCE with the fence, N. 29° 47' W. 893.05 feet to a corner post, a re-entrant corner of this tract;

THENCE with the fence, S. 60° 03' W. 678.95 feet to a corner post set for a re-entrant corner of this tract;

THENCE with the fence, S. 30° 18' E. 921.0 feet to a corner post in the Northwest line of the aforesaid F.M. Road 1337, set for a Southeast corner of this tract;

THENCE with the Northwest line of F.M. Road 1337 as follows: THENCE in a Southwesterly direction along the arc of a circular curve to the right having a radius of 1,875.08 feet, a length of arc distance of 76.0 feet to the end of said curve;

THENCE S. 64° 47' W. 248.20 feet, S. 58° 05' W. 250.20 feet, S. 59° 49' 30" W. 107.0 feet, S. 57° 26' W. 1,051.9 feet and S. 56° 55' W. 78.90 feet to the place of beginning.

TRACT 2:

Being 138.274 acres of land out of the John Nelson Survey No. 97, Comal County, Texas, and being; a part of that certain tract of land conveyed by Benjamin Elley by deed dated October 5, 1940 and recorded in Volume 72 on page 631 of the Deed Records of Comal County, Texas; a part of that certain tract of land conveyed by Willie Warnecke by deed dated May 29, 1936 and recorded in Volume 66 on page 256 of the Deed Records of Comal County, Texas; a part of that certain tract of land conveyed by William Hierholzer by deed dated October 15, 1940 and recorded in Volume 72 on page 629 of the Deed Records of Comal County, Texas; all of that certain tract of land conveyed by C. Zamora by deed dated March 9, 1956 and recorded in Volume 108 on page 24 of the Deed Records of Comal County, Texas; all of that certain tract of land conveyed by Louis Wuest by deed dated October 3, 1959 and recorded in Volume 118 on page 69 of the Deed Records of Comal County, Texas; all of that certain tract of land conveyed by William Hierholzer by deed dated August 12, 1937 and recorded in Volume 68 on page 303 of the Deed Records of Comal County, Texas; a part of that certain tract of land conveyed by E. O. Eikel by deed dated November 9, 1949 and recorded in Volume 92 on page 131 of the Deed Records of Comal County, Texas, and said 138.274 acre tract of land described more particularly by metes and bounds as follows:

BEGINNING at a corner post in the Northwest line of the Missouri Pacific Railroad, set for the East corner of the above described E. O. Eikel to Servtex Materials Co. tract of land by deed recorded in Volume 92 on page 131 of the Deed Records of Comal County, Texas, for the East corner of the herein described 138.274 acre tract;

THENCE with the Northwest line of the said Missouri Pacific Railroad, S. 56° 04' W. 3,891.85 feet to an iron pin and corner post in the Northeast line of F.M. Road 1337, set for the South corner of this tract;

THENCE with the Northeast line of F.M. Road 1337, N. 28° 52' W. 1,157.50 feet and N. 16° 51' E. 141.40 feet to a corner post in the Southeast line of Nacogdoches Road, set for a West corner of this tract;

THENCE with the Southeast line of Nacogdoches Road as follows: N. 53° 54' E. 1,245.80 feet, N. 46° 52' E. 324.60 feet, N. 48° 15' E. 288.75 feet, N. 46° 11' E. 603.90 feet, N. 45° 23' E. 27.50 feet, N. 45° 16' E. 380.60 feet, N. 53° 11' E. 166.40 feet, and N. 53° 16' E. 1,125.55 feet to a corner post set for the North corner of this tract;

THENCE with the fence, S. 34° 06' E. 1,298.95 feet, and S. 20° 54' W. 564.45 feet to the place of beginning.

Adjacent Property Owners (within 300')	Mailing Address	City	State	Zip
TRICON PRECAST LTD	15055 HENRY RD	GARDEN RIDGE	TX	78266
LONESTAR LEASING & MGMT CO LLC	17090 JORDAN	GARDEN RIDGE	TX	78266
HANSON AGGREGATES	P O BOX 52427	GARDEN RIDGE	TX	78266
GREEN VALLEY SPECIAL UTILITY DISTRICT	PO BOX 99	GARDEN RIDGE	TX	78266

Agent Authorization Form
For Required Signature
City of Garden Ridge

I Jon Morrish
Print Name

President – South Region
Title - Owner/President/Other

of Hanson Aggregates (Landowner)
Corporation/Partnership/Entity Name

have authorized John Ramming
Print Name of Agent/Engineer

of Industrial Asphalt, LLC
Print Name of Firm

to represent and act on the behalf of the above named Corporation, Partnership, or Entity for the purpose of preparing and submitting this plan application to the City of Garden Ridge for the review and approval consideration of regulated activities.

SIGNATURE PAGE:

[Signature]
Applicant's Signature (Jon Morrish)

03/28/14
Date

THE STATE OF Texas §

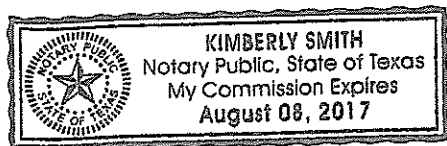
County of Dallas §

BEFORE ME, the undersigned authority, on this day personally appeared Jon Morrish known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed same for the purpose and consideration therein expressed.

GIVEN under my hand and seal of office on this 28 day of March, 2014.

[Signature]
NOTARY PUBLIC

Kimberly Smith
Typed or Printed Name of Notary



MY COMMISSION EXPIRES: 8.8.17

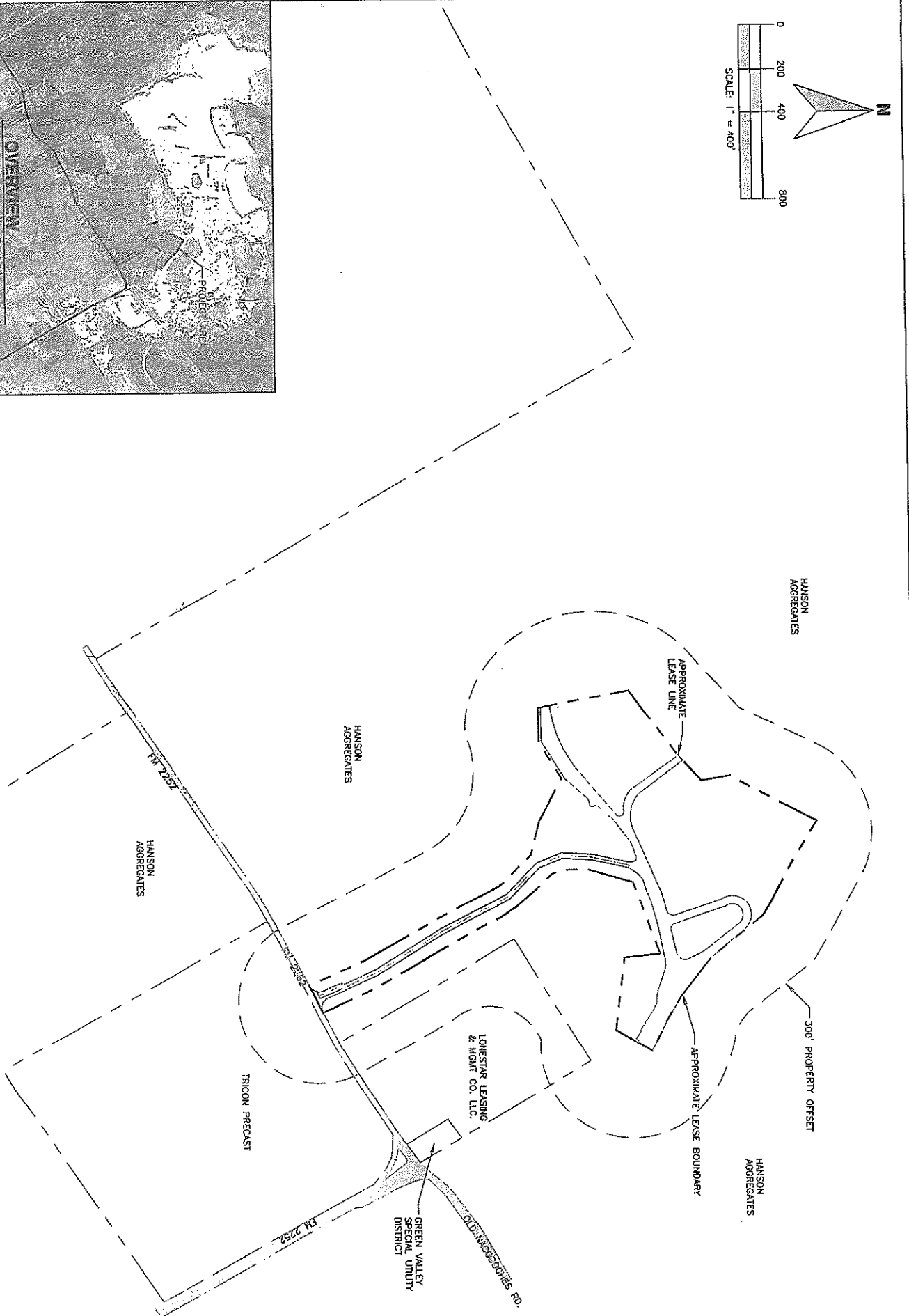
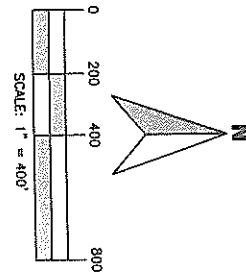
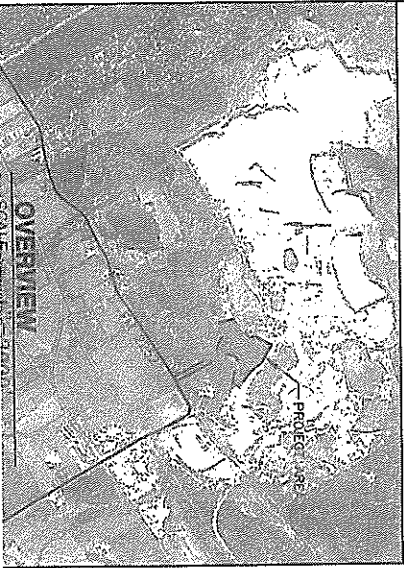


IMAGE:	2012 BAT CAVE SE
ISSUE DATE:	03/26/2014
DRAWN BY:	DJM
CHECKED BY:	CGC
SCALE:	1" = 400'

ADJACENT PARCEL MAP			
RAMMING 6 QUARRY			
INDUSTRIAL ASPHALT, LLC			
GARDEN RIDGE, TX			
REV.	DESCRIPTION	BY	DATE



WESTWARD
 Environmental Engineering, Natural Resources.
 P.O. Box 2205 Boerne, Texas 78006
 (830) 249-8284 Fax: (830) 249-0221
 TBPE REG. NO.: F-4524

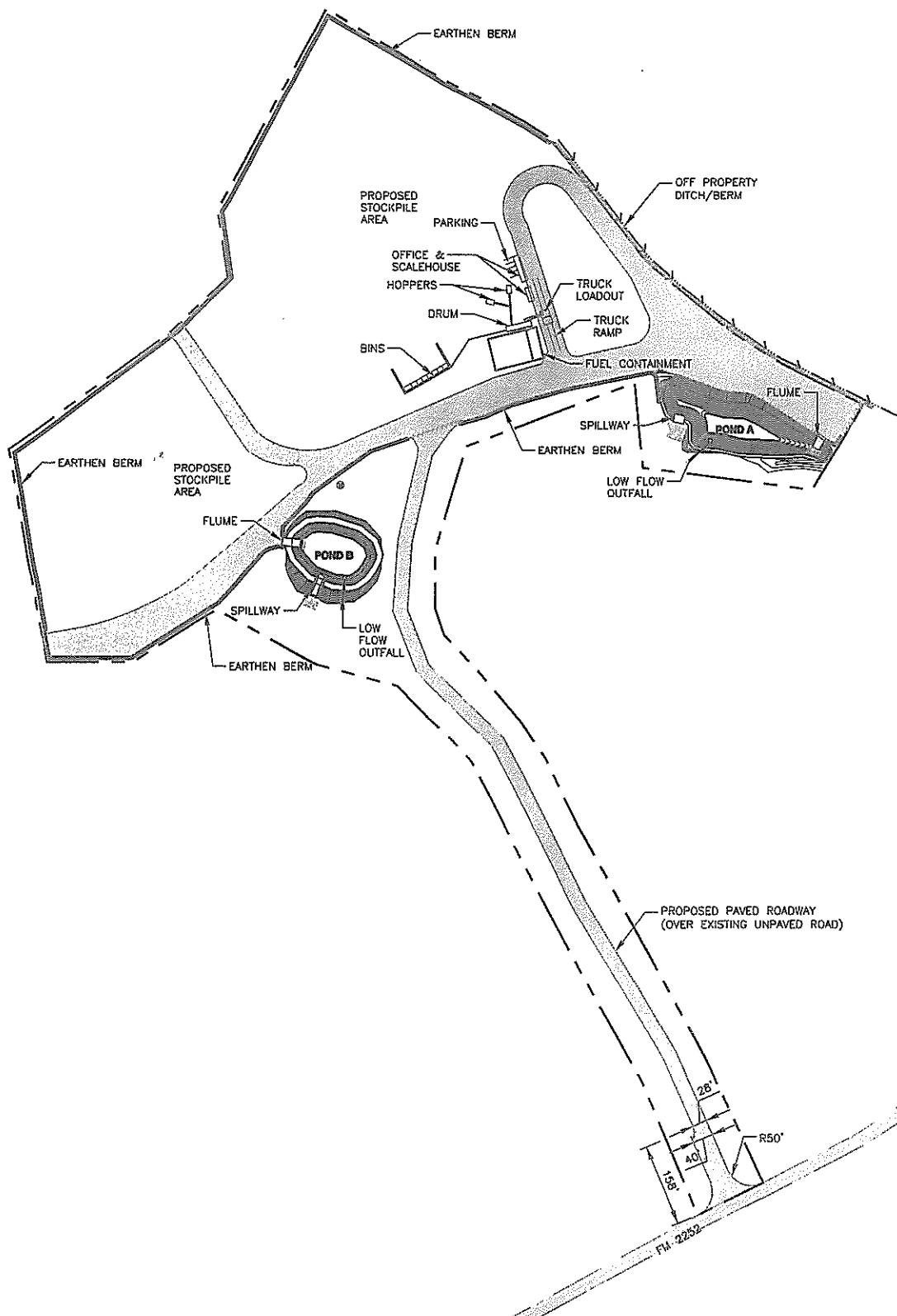
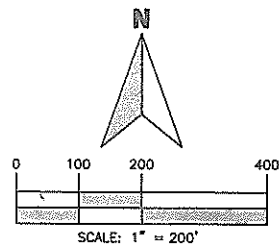
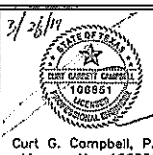


IMAGE:	2012 BAT CAVE SE
ISSUE DATE:	03/26/2014
DRAWN BY:	DJM
CHECKED BY:	CGC
SCALE:	1" = 200'
JOB #:	10233-178

ATTACHMENT 5
SPECIFIC USE PERMIT
INDUSTRIAL ASPHALT, LLC
GARDEN RIDGE, TX

REV.	DESCRIPTION	BY	DATE



WESTWARD
Environmental Engineering, Natural Resources
P.O. Box 2205 Boerne, Texas 78006
(830) 249-8284 Fax: (830) 249-0221
TBPE REG. NO.: F-4524

Planning and Zoning Form 2
APPLICATION FOR VARIANCE
(Type or Print)

1. Date: 3/25/14 Case #: _____

2. Applicant Name: Industrial Asphalt, LLC
(First) (Middle) (Last)

3. Mailing Address: 9020 North Capital of Texas Highway, Bldg. 2, Ste. 250
(Street)
Austin TX 78759
(City) (State) (Zip)

Phone: (512)-251-3713

4. Applicant's relationship to property:
Sole owner () Part owner () Other: Business owner, leasing property from Hanson Aggregates
(Specify)
(If not sole owner, furnish a notarized letter of authorization from all owners as attachment 1.)

5. Property location: 0 FM 2252 Garden Ridge TX 78266
(Street address or street property front)

6. Legal description:

Plat: Lot(s) _____ Block(s) _____

Subdivision; _____

Acreage: _____ (If acreage, provide separate metes and bounds description as attachment 2.)

Property Deed recorded in Comal County Volume # 120 Page # 714

7. Cite City Ordinance number, page and paragraph from which variance is needed: _____
Ord. 13, pg. 34: 7.2.7, 7.2.8.3,
Ord. 13, pg. 35, 7.2.8.4, 7.2.11

8. State what you want to do instead: Please see attached.

9. Give reason why a variance should be granted (cost alone is not acceptable): Please see attached.

10. If you are requesting a variance from City Ordinance 13 requirements, give a dimensioned map with north orientation, scaled 100 or 200 feet per inch, of the property to be rezoned showing all streets and parcels of land within 300 feet of the property as attachment 3. Key each adjoining land parcel to a list of current owners and addresses as attachment 4.

11. Give site plan showing location, dimensions and uses of existing or proposed structures, easements, water sources, fences, curb cuts, street and alley right-of-way lines within one foot of property for which variance is requested, on another map of larger scale, as attachment 5.

12. Identify any deed restrictions on agriculture, residential, business or other use. If none, so state: _____

None

13. The undersigned hereby requests that the variance identified in this application are granted, in accordance with Garden Ridge City Ordinance 13. I consent to the posting of hearing notices on the said property. I understand that the information provided herein might be used by the City of Garden Ridge for sending required notices to adjacent property owners, if required. I bear full responsibility and liability for any losses or costs incurred by the City, or others, caused by errors or omissions in this application.

14. Applicant Signature: [Signature]

Attachments:

1. Owner(s) letters of authorization, if applicable
2. Metes and Bounds description of property, if applicable
3. Map of property
4. List of adjacent property owners
5. Site plan
6. Check for variance fee per Garden Ridge City Ordinance 11.

----- CITY USE ONLY -----
VARIANCE REQUEST

		Date
City Admin.:	Application received	_____
	Application verified	_____
	Fee received \$_____ Check #_____	_____
	Application sent to P&Z	_____
P&Z:	Owners' acceptance of application	_____
	Notice to adjoining property owners, if required	_____
	Notice of public hearing, if required	_____
	Public hearing conducted, if required	_____
	P&Z decision on variance	_____
City Council:	P&Z recommendation to City Council	_____
	Notice to adjoining property owners, if required	_____
	Notice of public hearing, if required	_____
	Public hearing conducted, if required	_____
City Admin.:	Applicant notified of Council Decision	_____
	Zoning ordinance change published, if required	_____

Industrial Asphalt, LLC
Ramming Six Hot Mix Asphalt Plant
Application for Variance

8. State what you want to do instead:

7.2.6

Industrial Asphalt, LLC (IA) intends to construct a Hot Mix Asphalt Plant which will include elements such as storage silos that may extend more than 35 feet above the ground.

7.2.8.3 & 7.2.8.4

IA intends to develop the lease area as an industrial facility. Alleys will not be necessary for access around the perimeter of the development. Emergency access to the site is provided through the main access utilized by the site trucks.

7.2.11

IA intends to place a mobile trailer onsite as a plant office. This temporary structure will not have masonry or masonry veneer.

9. Give reason why a variance should be granted (cost alone is not acceptable):

7.2.6

The design of the Hot Mix Plant is dictated largely by industry standard. To facilitate daily operations, silos must be elevated enough to allow for trucks to drive underneath them. Baghouses must be mounted on top of silos and include elevated vents to properly filter contaminants.

7.2.8.3 & 7.2.8.4

Alleys are not practicable or necessary at this site. Sufficient room for the ingress and egress of large trucks is a necessary part of the normal daily operation of the plant. Emergency vehicles should be able to easily access the plant. Please see attached site plan for more detail.

7.2.11

A mobile office building is more conducive to the nature of operations at a Hot Mix Plant than a permanent structure. The mobile office may need to be relocated due to changing market demand and operational logistics.

EXHIBIT ATRACT 1:

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THENCE with the Northwest line of the said Missouri Pacific Railroad, S. 56° 04' W. 3,891.85 feet to an iron pin and corner post in the Northeast line of F.M. Road 1337, set for the South corner of this tract;

THENCE with the Northeast line of F.M. Road 1337, N. 28° 52' W. 1,157.50 feet and N. 16° 51' E. 141.40 feet to a corner post in the Southeast line of Nacogdoches Road, set for a West corner of this tract;

THENCE with the Southeast line of Nacogdoches Road as follows: N. 53° 54' E. 1,245.80 feet, N. 46° 52' E. 324.60 feet, N. 48° 15' E. 288.75 feet, N. 46° 11' E. 603.90 feet, N. 45° 23' E. 27.50 feet, N. 45° 16' E. 380.60 feet, N. 53° 11' E. 166.40 feet, and N. 53° 16' E. 1,125.55 feet to a corner post set for the North corner of this tract;

THENCE with the fence, S. 34° 06' E. 1,298.95 feet, and S. 20° 54' W. 564.45 feet to the place of beginning.

Adjacent Property Owners (within 300')	Mailing Address	City	State	Zip
TRICON PRECAST LTD	15055 HENRY RD	GARDEN RIDGE	TX	78266
LONESTAR LEASING & MGMT CO LLC	17090 JORDAN	GARDEN RIDGE	TX	78266
HANSON AGGREGATES	P O BOX 52427	GARDEN RIDGE	TX	78266
GREEN VALLEY SPECIAL UTILITY DISTRICT	PO BOX 99	GARDEN RIDGE	TX	78266

- 7.1.8.1. Lights shall not aim beyond the owner's property line nor illuminate adjoining Residential District lots to more than five (5) foot-candles measured at the point of highest intensity.

7.2. Z-1 INDUSTRIAL ZONE DISTRICT (Z-1).

- 7.2.1. Use Restrictions: The Z-1 Industrial Zone District is intended primarily for mining, excavation, quarrying, processing, storage, warehousing, shipping and manufacturing of such products as cement, concrete, brick, asphalt, stone, crushed rock and similar type products and will include related activities associated with such operations. No person shall use, or cause to be used, land nor erect or convert a building to any use other than:
 - 7.2.1.1. Any use permitted in the Office and Professional (B-2) District that meets the requirement thereof.
 - 7.2.1.2. Any use permitted in the Neighborhood Service (B-1) District that meets the requirement thereof.
 - 7.2.1.3. Any use permitted in the Light Industrial (LI) District that meets the requirements thereof.
- 7.2.2. The City shall not be responsible for, nor shall the City assume any liability or responsibility for the exercise of plant on-site security or traffic control within industrial plant sites. The City will provide police response for emergencies or calls for service.
- 7.2.3. The City is not responsible nor liable for roads, parking lots, sidewalks, drainage or water retention structures, or any maintenance thereon within industrial plant sites.
- 7.2.4. The City is not responsible for, nor shall the City assume any liability or responsibility for providing industrial water and wastewater treatment facilities. These are a responsibility of the industrial plant owner.
- 7.2.5. Location of the Industrial Zone: The Z-1, Industrial Zone District shall have direct access to existing and future arterial thoroughfares and railway lines and will, in all instances, be separated from areas zoned Single Family Residential by non residential districts or by natural "buffer-zone" barriers. Should any part of the area to be zoned Z-1 be adjacent to an existing area zoned Single Family Residential, a "buffer-zone" separation shall be required. The type of separation shall be determined and mandated by City Council prior to approving any area for Z-1 District zoning.
- 7.2.6. Structures and uses must be compatible with, and complementary in scale and appearance with, a commercial district adjacent to a primarily residential municipality. Exterior work and storage areas shall be screened from public view.
- 7.2.7. Height Regulation: No structure shall exceed two and one-half (2-1/2) stories (thirty-five feet) in height.
- 7.2.8. Area Regulations:
 - 7.2.8.1. Lot Size: The minimum area for a Z-1 lot shall be as required for sewerage and waste water treatment of the planned industrial activity, required setbacks and buffer zone for any adjacent residential District, but in no case less than 32,670 square feet unless located partially or totally over the Edwards Aquifer Recharge Zone, or is not served by a public water supply system, then it shall have a minimum area of 43,560 square feet.
 - 7.2.8.2. Front Yard: There shall be a front yard having a minimum setback of forty-five (45) feet.
 - 7.2.8.3. Side Yard: Paved alley rights-of-way of fifteen- (15) feet width down each side property line shall provide access to the rear alley.

- 7.2.8.4. Rear Yard: A paved alley right-of-way of fifteen- (15) feet width shall run the length of the rear property line. When the rear yard backs on a RA or R District, a minimum of twenty-five (25) feet including alley right-of-way shall be provided
- 7.2.9. Impervious Cover: Impervious coverage (buildings, pavements etc.) shall not be more than one-half (1/2) of the lot area and must, in any case, allow adequate open area for wastewater treatment and disposal.
- 7.2.10. Parking: See Table 1. Off Street Parking Requirements.
- 7.2.11. Construction Standards: Buildings shall be of not less than ninety (90) percent masonry or masonry veneer construction on the first floor level fronting paved public streets, excluding openings.
- 7.2.12. Exterior Lighting:
 - 7.2.12.1. Lights shall not aim beyond the owner's property line nor illuminate adjoining Residential District lots to more than five (5) foot-candles measured at the point of highest intensity.

7.3. AQUIFER PROTECTION (AP) DISTRICT.

- 7.3.1. Use restrictions: The AP District is an overlay district for protection of City well sites and aquifer recharge features from biological and chemical contamination. The District surrounds each City well site and geologic recharge feature, within the Edwards Aquifer recharge zone, for a radius of fifteen hundred (1500) feet. Within the AP District, no use or activity is permitted that presents a danger of bacteriologic, chemical or radioisotope pollution of the ground water aquifer.
 - 7.3.1.1. Specific prohibitions include: cemeteries; liquid transmission pipelines; petroleum and chemical processing, production, mixing, transmission or transfer facilities; petroleum or chemical storage tanks and vats; wood treatment facilities; sewage treatment plants, wet wells, pumping station or drainage ditch for industrial waste discharges or wastes from sewage treatment systems, sewage sludge disposal or effluent irrigation areas; livestock and animal pens, feedlots, or abandoned and improperly sealed wells

Agent Authorization Form
For Required Signature
City of Garden Ridge

I Jon Morrish
Print Name

President – South Region
Title - Owner/President/Other

of Hanson Aggregates (Landowner)
Corporation/Partnership/Entity Name

have authorized John Ramming
Print Name of Agent/Engineer

of Industrial Asphalt, LLC
Print Name of Firm

to represent and act on the behalf of the above named Corporation, Partnership, or Entity for the purpose of preparing and submitting this plan application to the City of Garden Ridge for the review and approval consideration of regulated activities.

SIGNATURE PAGE:

[Signature]
Applicant's Signature (Jon Morrish)

03/28/14
Date

THE STATE OF Texas §

County of Dallas §

BEFORE ME, the undersigned authority, on this day personally appeared Jon Morrish known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed same for the purpose and consideration therein expressed.

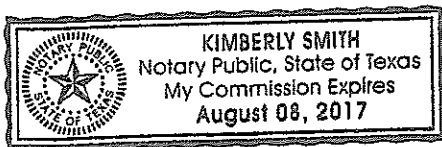
GIVEN under my hand and seal of office on this 28 day of March, 2014.

[Signature]

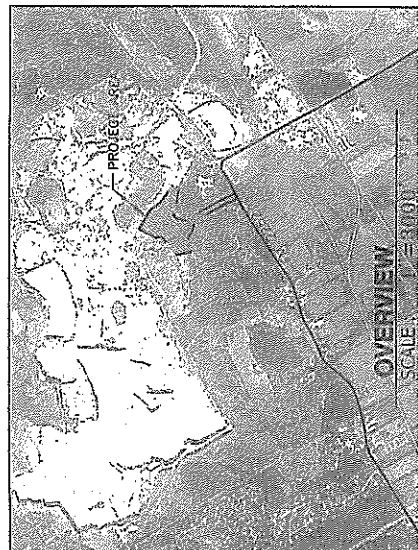
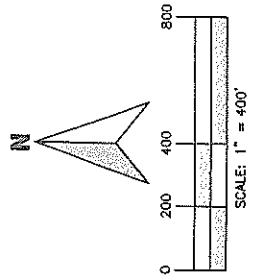
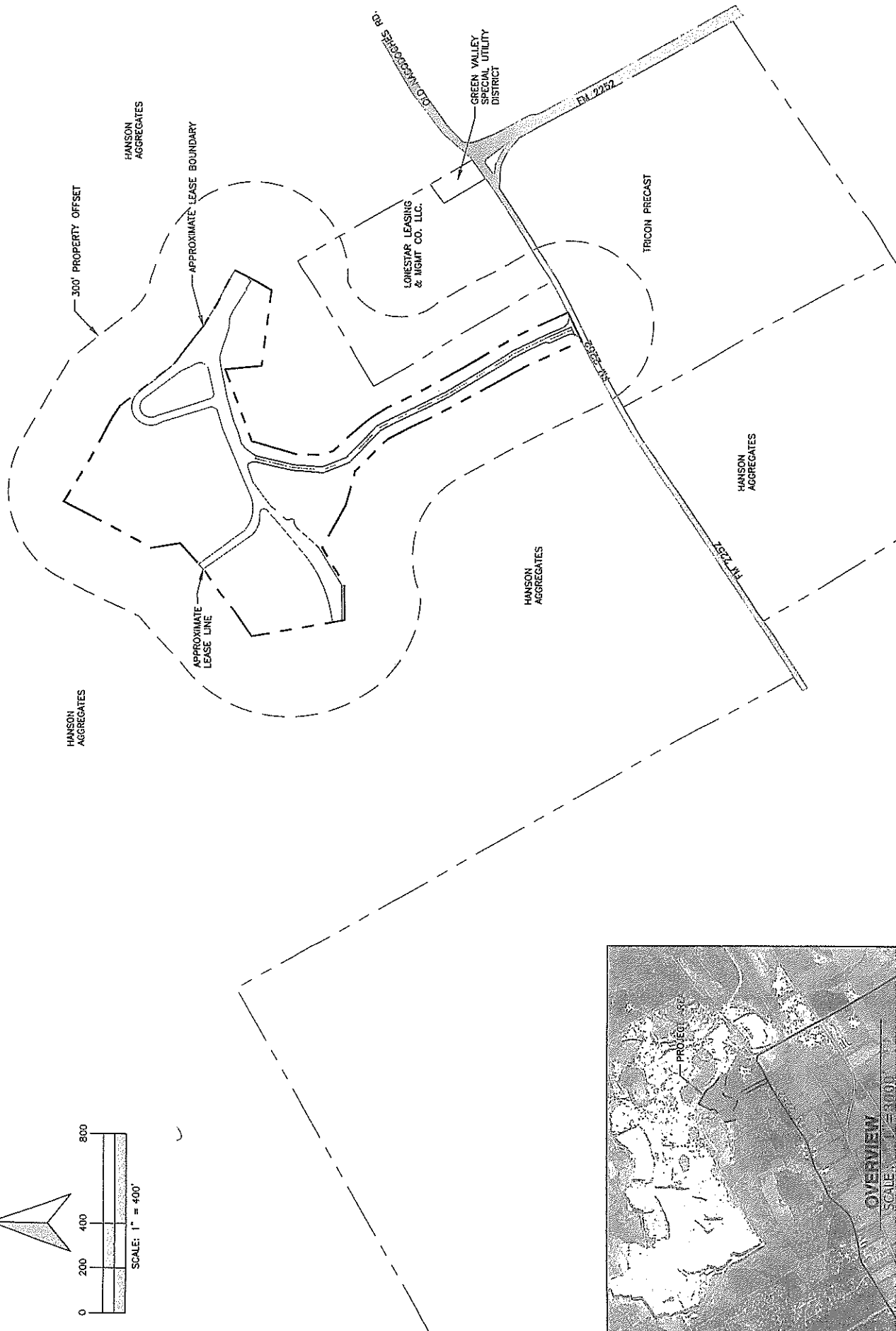
NOTARY PUBLIC

Kimberly Smith

Typed or Printed Name of Notary



MY COMMISSION EXPIRES: 8.8.17



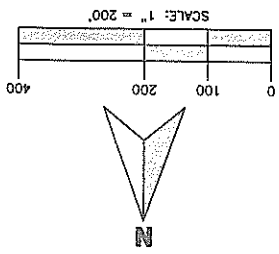
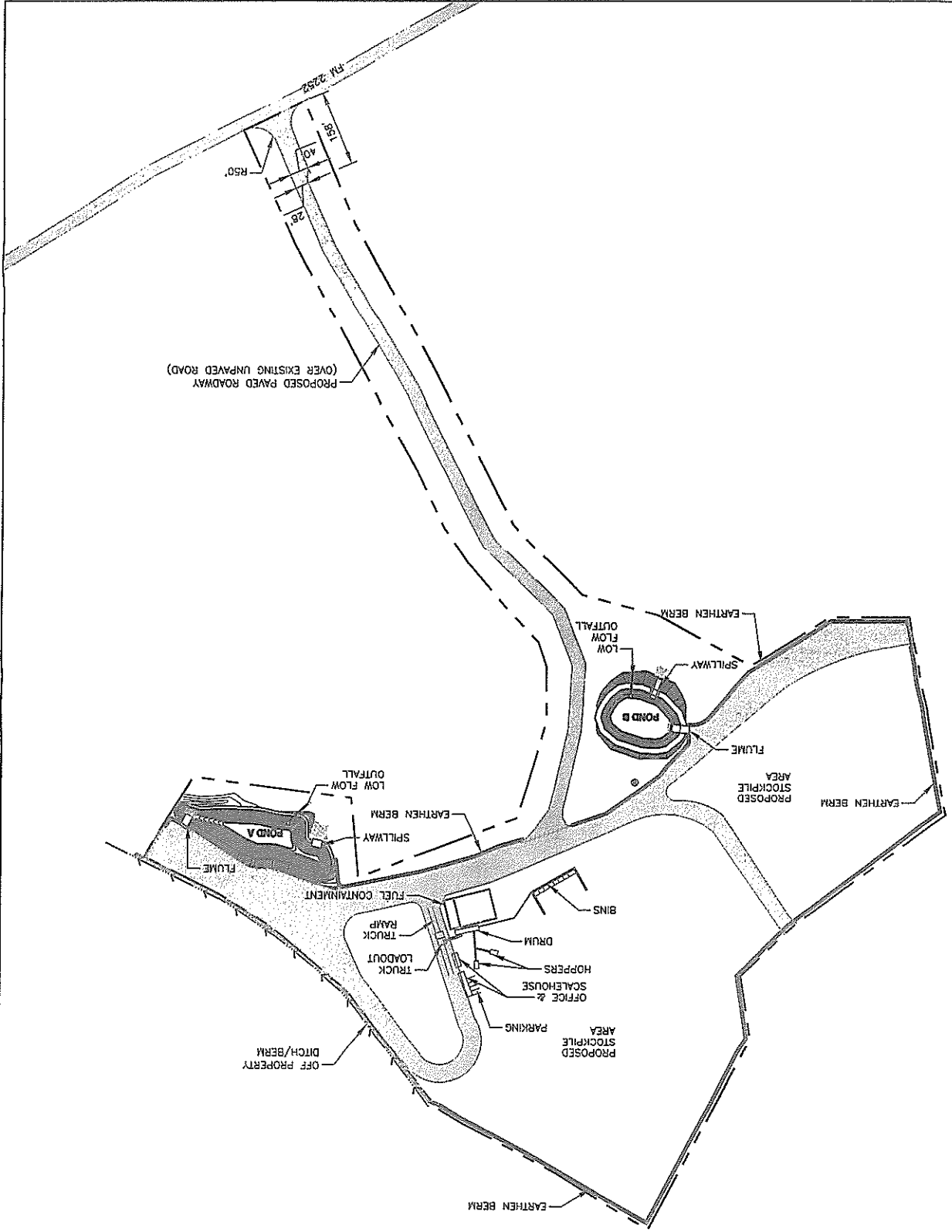
JOB #:	10233-178
SCALE: 1" =	200'
CHECKED BY:	CGC
DRAWN BY:	DJM
ISSUE DATE:	03/26/2014
IMAGE:	2012 BAT CAVE SE

REV:	DESCRIPTION	BY	DATE
	SPECIFIC USE PERMIT		
	INDUSTRIAL ASPHALT, LLC		
	GARDEN RIDGE, TX		

Curt G. Campbell, P.E.
License No. 106851



WESTWARD
Environmental, Engineering, Natural Resources
P.O. Box 2205 Boerne, Texas 78006
(830) 249-8284 Fax: (830) 249-0221
TSP REG. NO.: F-4524





City of Garden Ridge

9400 Municipal Parkway
Garden Ridge, Texas 78266-2600
(210) 651-6632
Fax (210) 651-9638

MINUTES OF PLANNING & ZONING COMMISSION REGULAR SESSION TUESDAY, APRIL 8, 2014

Commissioners present:

Sam Stocks, Chairman
Harvey Bell
Kay Bower
Frank Dansby
David Heier
Kitty Owen (*arrived at 6:04pm and left at 8:40pm*)
Shawn Willis

Commissioners Absent:

None

Also Present:

Nancy Cain, City Administrator
Shelley Goodwin, City Secretary

1. Call to Order

With a quorum of the Planning and Zoning Commission Members present, Sam Stocks, Chairman called the Regular Meeting of the Garden Ridge Planning and Zoning Commission to order at 6:00p.m. on Tuesday, April 8, 2014 in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266

2. Citizen Comments – limited to 3 minutes each**Rules for Citizen's Participation:**

The Planning and Zoning Commission welcomes citizen participation and comments at all of their Commission Meetings. As a courtesy to your fellow citizens and out of respect to our elected officials, we must request that if you wish to speak, that you follow these guidelines.

- a. Direct your comments to the entire Commission, not to an individual member, nor to the audience.
- b. Show the Commission the same respect and courtesy that you expect to be shown to you.
- c. Limit remarks to three (3) minutes.

*NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject **must be limited** to a proposal to place the subject on the Planning & Zoning Commission Minutes*

agenda for a future meeting and any response to a question posed to the Council is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042.

No one wished to speak.

3. Business Items

The Commission may discuss, consider and/or make recommendations to Council to approve or disapprove the following items:

- a) A petition by Wheeler Division, APAC-Texas, Inc. for a Special Use Permit for the purpose of asphalt products manufacturing on property owned by Hanson Aggregates and located at 20762 F.M. 2252, Garden Ridge, Texas (Discussion item only. Public Hearing to be conducted May 13, 2014. Possible action on petition on May 13, 2014.)**

Mike Brown, Wheeler Division, APAC-Texas, Inc., stated he is asking for a petition for a Special Use Permit and the variances requested are for the property located at 20762 F.M. 2252, which is owned by Hanson Aggregates. He stated the permit is for the purpose of manufacturing asphalt products. He reviewed the history of the company and the look of the other plants owned by APAC-Texas, Inc.

- b) A petition by Wheeler Division, APAC-Texas, Inc. for variances to Ordinance 13-122008 for asphalt products manufacturing on property owned by Hanson Aggregates and located at 20762 F.M. 2252, Garden Ridge, Texas:**
 - i. 7.2.6. - Structures must be compatible with, and complimentary in scale and appearance with, a commercial district adjacent to a primarily residential municipality. Exterior work and storage areas shall be screened from public view.**
 - ii. 7.2.7. – Height Regulation: No structure shall exceed two and one-half (2-1/2) stories (thirty-five feet) in height.**
 - iii. 7.2.8.3. – Side Yard: Paved alley rights-of-way of fifteen (15) feet width down each side property line shall provide access to the rear alley.**
 - iv. 7.2.8.4. – Rear Yard: A paved alley right-of-way of fifteen (15) feet width shall run the length of the rear property line.**
 - v. 7.2.10. – Parking: Table 1, Table of Off Street Parking Requirements. 20. Manufacturing, wholesaling, and processing establishments. One (1) paved parking space per 800 square feet gross floor area.**
 - vi. 7.2.11. – Construction Standards: Buildings shall be or not less than ninety (90) percent masonry or masonry veneer construction on the first floor level fronting paved public streets, excluding openings.**
 - vii. 8.3. – Structure Height within City.**
 - viii. 8.4. (8.4.1. - 8.5.2.) - Fences, Walls and Plants.**
 - ix. 8.6 (8.6.1.-8.6.2.) - Line-of-Sight (Sight Line) Requirements.**
 - x. 12.1.3.1. – All applications for Specific Use Permits shall be submitted with site plans drawn to scale and showing the general arrangement of essential the project, together with essential requirements such as off-street parking facilities, locations of buildings and used to be permitted, means of ingress and egress to public streets, and type of visual screening such as walls, planting and fences, the location of**

adjacent residences and buildings and the location and area coverage of all outside lighting.

xi. 12.2 – (12.2.1.-12.2.2) Certificates of Occupancy.

(Discussion item only. Public Hearing to be conducted May 13, 2014. Possible action on petition on May 13, 2014.)

The Planning and Zoning Commission reviewed the variance request and discussed the hours of operation, screening, hours of when hot mix would be made, traffic flow, the lease of the property, noise, odor, lighting of plant, pad site, number of employees, signage, parking and loading, and landscaping.

Mike Brown, Wheeler Division, APAC-Texas, Inc., explained the proposed layout of the property, screening, lighting and traffic flow. He explained that hot mix is made when it is sold, the hours of operations could be 6:30 am until dark, but that when the State or Counties are working on roads at night or on weekends then they could be operating the plant as well. He explained how the noise, dust and odor would be at a minimum because of the design of the plant and the screening. He explained that the way new plants are built the odor and noise aren't as bad as the original plants from years ago and that they will also be governed by TCEQ and environmental permits as well. He also stated APAC-Texas, Inc. goal is to be a good neighbor.

The Planning and Zoning Commission stated the plans needs to reflect the following:

- Building height and include the lights
- Berm and screening
- Driveways
- Parking area
- Pad site
- Signage

The Commission also required the Fire Department review the plan and provide a letter of approval for the proposed variance to the City.

Nancy Cain, City Administrator, reminded Mr. Brown that all construction will need to meet International Building Code.

The Planning and Zoning Commission removed Items x, ix, and xi because a variance was not necessary.

c) A petition by Industrial Asphalt, LLC for a Special Use Permit for the purpose of a Hot Mix Asphalt manufacturing plant at 0 F.M. 2252 on property owned by Hanson Aggregates and further located northwest of the intersection of F.M. 2252 and Old Nacogdoches Road in Garden Ridge, Texas

(Discussion item only. Public Hearing to be conducted May 13, 2014. Possible action on petition on May 13, 2014.)

John Ramming, Ramming Paving Company, Inc. introduced Tommy Mathews, Westward. Mr. Ramming stated the Special Use Permit and the variance request would be for the property located at the intersection of FM 2252 and Old Nacogdoches Road at the top of the hill on Hanson Aggregate's property. He stated the Special Use Permit would be for the purpose of a Hot Mix Asphalt manufacturing plant.

- d) A petition by Industrial Asphalt, LLC for variances to Ordinance 13-122008 for the purpose of a Hot Mix Asphalt manufacturing plant at 0 F.M. 2252 on property owned by Hanson Aggregates and further located northwest of the intersection of F.M. 2252 and Old Nacogdoches Road in Garden Ridge, Texas:
- i. 7.2.7. – Height Regulation: No structure shall exceed two and one-half (2-1/2) stories (thirty-five feet) in height.
 - ii. 7.2.8.3. – Side Yard: Paved alley rights-of-way of fifteen (15) feet width down each side property line shall provide access to the rear alley.
 - iii. 7.2.8.4. – Rear Yard: A paved alley right-of-way of fifteen (15) feet width shall run the length of the rear property line.
 - iv. 7.2.11. – Construction Standards: Buildings shall be or not less than ninety (90) percent masonry or masonry veneer construction on the first floor level fronting paved public streets, excluding openings.

(Discussion item only. Public Hearing to be conducted May 13, 2014. Possible action on petition on May 13, 2014.)

Mr. Ramming stated the proposed plant would be similar to the Wheeler Division request. He pointed out the proposed location of the plant. He also explained because of the location of his proposed site will not be as visible as the Wheeler Division request.

The Planning and Zoning Commission discussed the plant height, buildings, parking site, traffic, sign, odor, screening and berm, and pad site.

Mr. Ramming explained the proposed layout of the property, screening, lighting and traffic flow. He also explained how the noise, dust and odor would be at a minimum because of the design of the plant, the screening and the location. He reported that they too will also be governed by TCEQ and environmental permits as well.

The Planning and Zoning Commission stated the plans needs to reflect the following:

- Building height and include the lights
- Berm and screening
- Buffer
- Driveways
- Parking area
- Pad site
- Stock pile location
- Signage

The Commission also required the Fire Department review the plan and provide a letter of approval for the proposed variance to the City.

Nancy Cain, City Administrator, reported that all building will need to meet International Building Code.

e) Garden Ridge Unified Development Ordinance Draft dated April 1, 2014

Stephen Pulsipher, University of Texas Law Student on behalf of City Attorney, reviewed his memo of similarities, PowerPoint, Conflicts and Suggested Revision Table, and the draft Garden Ridge Unified Development Ordinance.

The Planning and Zoning Commission reviewed and discussed the draft Garden Ridge Unified Development Ordinance, they suggested the following changes:

- City Council remain acting as Zoning Board of Adjustments (not consensus)
- Page 5- Automotive Repair Major on 1 sentence
Boards add City Council acts as ZBOA
- Page 6-Commission add all boards
Crosswalk Way add bikes
- Page 9-Household Pets strike and put in Animal Ordinance
Lot-for identification use lot with block number, tract with metes and bounds or abstract information for property not platted.
- Page 10- Masonry add manufactured rock
change Modular Home to Modular Structure
- Page 11 -Plat change to were Mayor and Engineer sign
and reword
remove last sentence
Plat Minor remove Minor Plat Amendment
- Page 13 Street Line needs clarification
- Page 14 add Tract
- Page 34 (6) b change to less than 50%
- The three structures on single lot should not to include fence, flag pole and mailbox in the total.

The Commission agreed by consensus to review the code and send all recommendation in writing to the City Administrator no later than April 22, 2014.

Mr. Pulsipher stated the formatting still needs to be addressed and he will highlight the areas that remain in conflict.

The Planning and Zoning Commission thanked Mr. Pulsipher and Rebecca Bennie for their hard work on the project.

4. Administrative Items

The Commission may discuss, consider and/or take possible action on the following items:

a) Approve or disapprove the minutes of the March 11, 2014 Regular meeting of the Planning and Zoning Commission

Motion: Upon a motion made by Commissioner Dansby and a second by Commissioner Bower the Planning and Zoning Commission voted six (6) for and none (0) opposed, for the approval the minutes of March 11, 2014 meeting of the Planning and Zoning Commission. The motion carried unanimously.

b) Set date, time and location for next meeting.

Sam Stocks, Chairman, reported the next meeting will be held on Tuesday, May 13, 2014 at 6:00p.m. if necessary.

5. Adjournment

Motion: Upon a motion made by Commissioner Heier and a second by Commissioner Willis, the meeting was adjourned at 9:50 p.m.

Sam Stocks, Chairman

ATTEST:

Shelley Goodwin, TRMC
City Secretary