



City of Garden Ridge

"A way of life, not just a place to live"

**PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, MAY 8, 2018, 6:00 P.M.**

The Garden Ridge Planning and Zoning Commission will meet in a regular meeting at 6:00 p.m., Tuesday, May 8, 2018 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 4, 2018 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 to the City Secretary 48 hours prior to this meeting.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Citizen Comment Period – limited to 30 minutes total

Rules for Citizens' Participation:

The Planning and Zoning Commission welcomes citizen participation and comments at all Commission Meetings. The Commission offers citizens the opportunity to address them by signing up to speak prior to the meeting. If you speak, you follow these guidelines:

- a) Respect and courtesy:
 - i. Direct your comments to the entire Commission, not to an individual member, nor to the audience.
 - ii. Show the Commission the same respect that you would like to be shown.
 - iii. End your speaking at the time allotted below.
- b) Speaking:
 - i. First citizen comment period
 - a. You are required to sign up to speak.
 - b. You are limited to one 3 minute period.
 - ii. Business item period
 - a. You are required to sign up to speak.
 - b. You are limited to one 3 minute period.
 - iii. Second citizen comment period
 - a. You are not required to sign up.
 - b. You are limited to one 2 minute period.
 - iv. State your name and address before your comments begin.
 - v. You are only allowed to speak once per topic, unless also speaking during a posted Public Hearing.

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 Commission is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042.*

5. Business Items

The following items are for discussion, consideration and action.

a) Approvals

- i. Approval of Minutes for April 10, 2018 Planning and Zoning Commission Regular Meeting
- ii. Resignation of Shawn Willis, Chair and Commissioner Place 6.
 - a. Make a recommendation to City Council regarding resignation.
- iii. A petition by David and Kerri Theriault for a variance to Ordinance 13-062017, Section 5, Residential, Paragraph 5.1.7.2.4.2, Interior Lots, there shall be a side yard of all interior lots of not less than fifteen (15) feet. The petition is for the encroachment of three (3) feet into the fifteen (15) foot side yard for the construction of a sunroom at 19722 Bat Cave Road, Garden Ridge, Texas 78266 and further described as Lot 1A, Block 1, The Park at Garden Ridge.
 - a. Presentation by petitioner.
 - b. Hold and public hearing to receive comments for or against the petition.
 - c. Discussion and make a recommendation to the City Council.
- iv. An Ordinance of the City Council of the City of Garden Ridge, Texas amending the Comprehensive Planning and Zoning Ordinance for the City, establishing zoning regulations; providing policies and procedures pursuant to the Texas Local Government Code; comprehensive zoning district regulations; zoning map; general provisions; use, height and area regulations; special uses and structures; conditional uses; site plans; visual screening; off-street parking and loading regulations; non-conforming buildings and uses; zoning district boundary verification procedures; zoning of annexed areas; administrative rules and procedures; definitions; appendices; providing other provisions relating to the subject; providing for the administration, enforcement, and amendment thereof; providing a savings clause and for the repeal of all other ordinances in conflict herewith; prescribing a penalty for violations and establishing each day of such violation as a separate offense; providing for severability; and providing an effective date.
 - a. Receive proposed changes and review the proposed Ordinance.
 - b. Discuss and make possible recommendation on future meetings or direction regarding Ordinance development process.

b) Discussions/Reports

- i. Items discussed at the May 2, 2018 City Council Regular Meeting.
- ii. Discussion of Future Agenda Items
 - a. Set date, time and location for next meeting (June 12, 2018)

6. Citizen's Participation: - limited to 20 minutes total.
See "Rules for Citizen's Participation" under Item 4.
7. 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 Council may vote or act upon any item within this Agenda. The Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matter listed below, as authorized by Title 5, Chapter 55, of the Texas Government Code.

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 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 at 9:50 a.m. on May 2, 2018 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



**MINUTES OF PLANNING & ZONING COMMISSION
REGULAR MEETING
TUESDAY, APRIL 10, 2018**

Commissioners present:

Chair Shawn Willis
Vice Chair Dr. Jim Miller
Commissioner Karen Diaz
Commissioner Mark Hausheer
Commissioner David Heier
Commissioner David Ringle

Commissioners Absent:

Commissioner Kitty Owen

Also Present:

Nancy Cain, City Administrator
Cynthia Trevino, City Attorney
Shelley Goodwin, City Secretary

1. Call to Order

With a quorum of the Planning and Zoning Commission Members present, Shawn Willis, Chair called the Regular Meeting of the Garden Ridge Planning and Zoning Commission to order at 6:00 p.m. on Tuesday, April 10, 2018 in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Citizen Comments

No one wished to speak.

3. Business Items

a) Approvals

i. Approval of Minutes for March 13, 2018 Planning and Zoning Commission Regular Meeting

Motion: Upon a motion made by Commissioner Heier, and seconded by Vice Chair Dr. Miller, to approve the Minutes for March 13, 2018 Planning and Zoning Commission Regular Meeting. The Planning and Zoning Commission voted five (5) for, none (0) opposed (Commissioner Ringle was not present for this vote). The motion passed unanimously.

ii. An Ordinance of the City Council of the City of Garden Ridge, Texas amending the Comprehensive Planning and Zoning Ordinance for the City, establishing zoning regulations; providing policies and procedures pursuant to the Texas Local Government Code; comprehensive zoning district regulations; zoning map; general provisions; use, height and area regulations;

special uses and structures; conditional uses; site plans; visual screening; off-street parking and loading regulations; non-conforming buildings and uses; zoning district boundary verification procedures; zoning of annexed areas; administrative rules and procedures; definitions; appendices; providing other provisions relating to the subject; providing for the administration, enforcement, and amendment thereof; providing a savings clause and for the repeal of all other ordinances in conflict herewith; prescribing a penalty for violations and establishing each day of such violation as a separate offense; providing for severability; and providing an effective date.

a. Receive and review the proposed Ordinance.

Cynthia Trevino, City Attorney, reviewed the proposed changes and stated there are areas that will need some additional discussion on what Garden Ridge wants. She stated these changes will mainly be focused on FM 2252 and FM 3009.

The Planning and Zoning Commission discussed short-term rentals, landscaping and tree preservation measures, architectural standards, and lot sizes. They also discussed getting public input from residents on the revision of Ordinance 13. The Commission discussed having a matrix reflecting the changes and add page #s to the drafts they are sent.

b. Discuss and make possible recommendation on future meetings or direction regarding Ordinance development process.

Shawn Wills, Planning and Zoning Commission Chair, asked that the Commissioners review Sections 7 and 8. He requested the Commissioners submit their edits and questions to the City Administrator or City Secretary by April 25th, for them to forward to the City Attorney.

b) Discussions/Reports

i. Training Opportunities

a. Planning and Zoning Workshop (Friday, April 20, 2018 from 9 a.m.- 2:30 p.m.at 8700 Tesoro Dr., Ste. 100, San Antonio)

Nancy Cain, City Administrator, stated TML is offering a Planning and Zoning Workshop on Friday, April 20th. She also stated our law firm is putting on this workshop and we will need to post a Notice of Quorum.

ii. Items discussed at the April 4, 2018 City Council Regular Meeting.

Nancy Cain, City Administrator, stated the Planning and Zoning Commission did not have any items on the City Council Regular Meeting held on April 4, 2018.

iii. Discussion of Future Agenda Items

1. Set date, time and location for next meeting (May 8, 2018)

Shawn Wills, Planning and Zoning Commission Chair, announced the next Planning and Zoning Commission Meeting is scheduled for May 8, 2018.

Commissioner Ringle stated he would like to add a discussion on public forum boards.

4. Citizen's Participation: - 20 minute limit.

Larry Thompson, 22026 Cristobal Dr., informed the Commission that the training TML is offering is the same training that Garden Ridge has paid our attorneys to conduct here.

Kay Bower, 8947 Garden Ridge Dr., thanked Shawn Willis, Chair and Commissioner Heier for attending the Commission Ordinance Meeting.

5. Adjournment

Motion: Upon a motion made by Commissioner Diaz, and seconded by Vice Chair Dr. Miller, the meeting was adjourned at 7:14 p.m.

Shawn Willis, Chair

ATTEST:

Shelley Goodwin, TRMC
City Secretary

**SIGN IN TO SPEAK AT THE APRIL 10, 2018
PLANNING AND ZONING COMMISSION REGULAR MEETING**

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 - ii. Show the Commission the same respect that you would like to be shown.
 - iii. Show the Commission courtesy by ending your speaking at the time allotted below.
- b) Speaking:
 - i. First citizen comment period
 - a. You are required to sign up to speak.
 - b. You are limited to one three (3) minutes period.
 - ii. Business item period
 - a. You are required to sign up to speak.
 - b. You are limited to one three (3) minutes period.
 - iii. Second citizen comment period
 - a. You are not required to sign up.
 - b. You are limited to one two (2) minutes period.
 - iv. State your name and address before your comments begin.
 - v. You are only allowed to speak once per topic, unless also speaking during a posted Public Hearing.

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NAME

ADDRESS

SUBJECT

1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____

City Secretary

From: Shawn Willis <shawn.willis@acuform.com>
Sent: Monday, April 30, 2018 11:40 AM
To: Mayor
Cc: City Administrator; City Secretary
Subject: Planning & Zoning Resignation

Mayor Thompson,

I regret to inform you that am formally submitting my resignation to the Planning and Zoning Commission. Circumstances have changed in my life and I am no longer able to meet the obligations of the commission and will not be able to perform the tasks required. I have enjoyed my time on the Commission and will look forward to serving again in the future when the time is right.

Please express my apologies to the Commission and Council for any disruption or inconvenience this may cause. My resignation will be effective immediately.

Regards,

Shawn Willis | Principal

Acuform Architecture

10223 McAllister Fwy., Suite 205, San Antonio, Texas 78216

P: 210.829.1600 | **E:** shawn.willis@acuform.com | **vcard**

Planning | Project Management | Architecture | Interiors



City of Garden Ridge

"A way of life, not just a place to live"

LEGAL NOTICE

NOTICE OF PUBLIC HEARING CITY OF GARDEN RIDGE PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of the City of Garden Ridge, Texas will hold a public hearing on Tuesday, May 8, 2018 at 6:00 pm. The hearing will be in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas.

The hearing will consider the following:

A petition by David and Kerri Theriault for a variance to Ordinance 13-062017, Section 5, Residential, Paragraph 5.1.7.2.4.2, Interior Lots, there shall be a side yard of all interior lots of not less than fifteen (15) feet. The petition is for the encroachment of three (3) feet into the fifteen (15) foot side yard for the construction of a sunroom at 19722 Bat Cave Road, Garden Ridge, Texas 78266 and further described as Lot 1A, Block 1, The Park at Garden Ridge.

The public is invited to attend and submit oral or written comments on this matter.

S/: Shelley Goodwin, TRMC
City Secretary



City of Garden Ridge

"A way of life, not just a place to live"

April 20, 2018

NOTICE OF PUBLIC HEARING

Dear Property Owner,

The Planning and Zoning Commission of the City of Garden Ridge, Texas will hold a public hearing on Tuesday, May 8, 2018 at 6:00 pm. The hearing will be in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas.

The hearing will consider the following:

A petition by David and Kerri Theriault for a variance to Ordinance 13-062017, Section 5, Residential, Paragraph 5.1.7.2.4.2, Interior Lots, there shall be a side yard of all interior lots of not less than fifteen (15) feet. The petition is for the encroachment of three (3) feet into the fifteen (15) foot side yard for the construction of a sunroom at 19722 Bat Cave Road, Garden Ridge, Texas 78266 and further described as Lot 1A, Block 1, The Park at Garden Ridge.

A property survey, site plan and a list of adjacent property owners are contained in 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

3 Enclosures:

1. Property Survey
2. Site Plan
3. Adjacent Property Owner List

March 27, 2018

To Whom This May Concern,

We are asking for a screened in porch for my daughter Caroline who is handicapped. She doesn't get out a lot and this would be a blessing for her to sit out side and not be eaten up by bugs and to enjoy the sunshine. We are also asking for a variance for a sidewalk for Caroline around the north corner of the house to aide in a fire escape for it is hard for her to walk on uneven ground she can easily fall. She has CP and Contractions of her legs and knees. She also has a uneven gate.

Respectfuliy,

David and Kerri Theriault

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: David Therman

____ 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	_____
City Admin.:	Public hearing conducted, if required	_____
	Applicant notified of Council Decision	_____
	Zoning ordinance change published, if required	_____

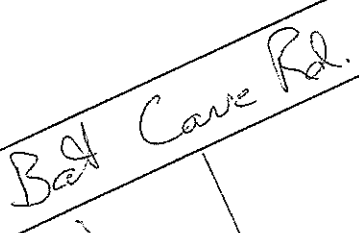
13

Distance between
porch and neighbors
approx. 150' 15'

Screened
over
approx. 150'

Porch
Garage
Driveway

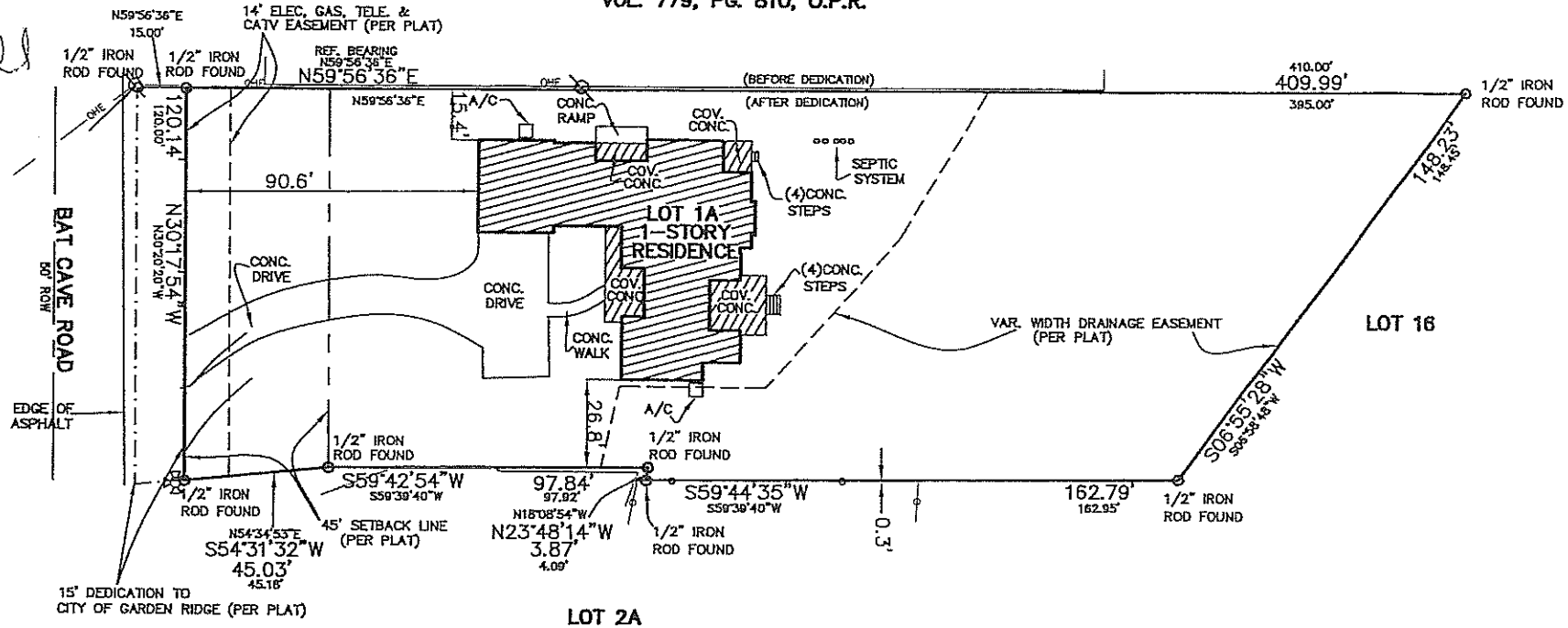
House
S
of
Basic Land



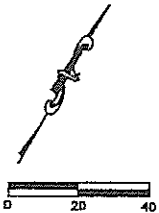
1410

This survey is acknowledged
and accepted by: 

3 ACRES
VOL. 779, PG. 810, O.P.R.



LOT 2A



LEGEND	N45°00'00"E 100.00'	RECORD INFORMATION	S45°00'00"W 100.00'	AS MEASURED IN FIELD	☒ WOOD FENCE	☒ WIRE FENCE	☒ CHAIN LINK FENCE
	☐ PROPERTY CORNER MONUMENTATION	☐ GUARD SET	☒ CONCRETE CURB	☒ FIRE HYDRANT	☒ TRANSFORMER	☒ ELECTRIC BOX	☒ TELEPHONE PEDESTAL
☒ RETAINING WALL	☒ AC	☒ TREE	☒ WATER METER	☒ WATER VALVE	☒ SAN. SEWER MANHOLE	☒ CLEAN OUT	☒ LIGHT POST
							☒ OVERHEAD ELECTRIC LINE
							☒ WATER FLOW

SUBJECT TO RECORDED RESTRICTIVE COVENANTS AND/OR EASEMENTS AS FOLLOWS:

DOCUMENT #	<u>200706043829</u>	OFFICIAL PUBLIC RECORDS	VOL. <u>66</u>	PAGE <u>607</u>	RECORDS
DOCUMENT #	<u>200806039107</u>	OFFICIAL PUBLIC RECORDS	VOL. <u>87</u>	PAGE <u>482</u>	RECORDS
DOCUMENT #	<u>201106013459</u>	OFFICIAL PUBLIC RECORDS	VOL. _____	PAGE _____	RECORDS
DOCUMENT #	<u>201606005069</u>	OFFICIAL PUBLIC RECORDS	VOL. _____	PAGE _____	RECORDS



STEPHEN G. COOK ENGINEERING, INC. 12000 STARCREST, SUITE 107
REGISTERED LAND SURVEYORS SAN ANTONIO, TEXAS 78247-4117
TBPE FIRM # F-184 210/481-2533 * FAX: 210/481-2150
TBPLS # 10005400 WWW.SGCE.NET

1. A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, OF THE PROPERTY DESCRIBED HEREON. I FURTHER CERTIFY THAT ENCROACHMENTS, EASEMENTS AND RIGHT-OF-WAYS VISIBLE ON SITE ARE SHOWN HEREON. SETBACKS AND EASEMENTS SHOWN ARE FROM RECORDED COUNTY DOCUMENT RECORDS. MUNICIPAL RESTRICTIONS ARE NOT SHOWN.

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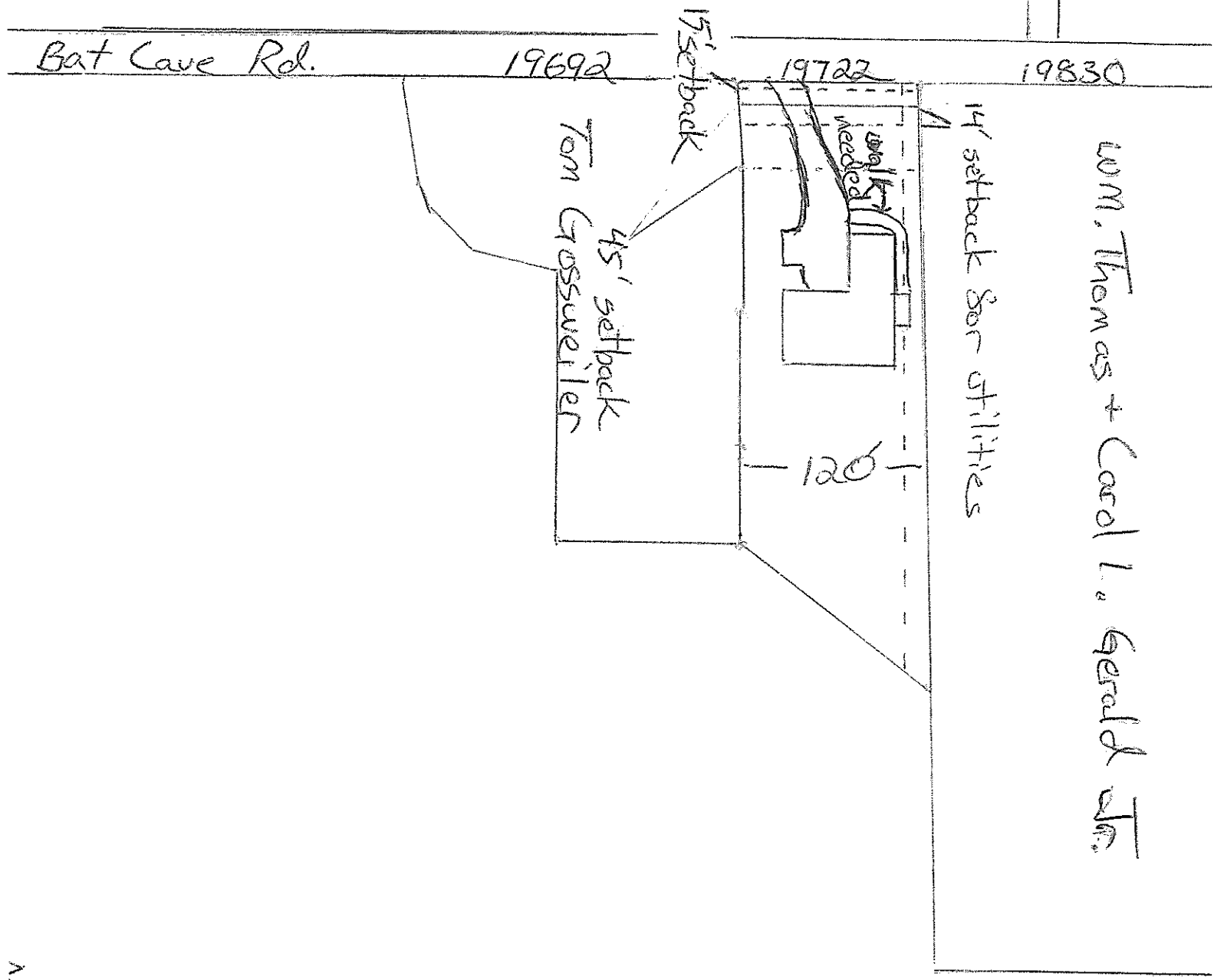
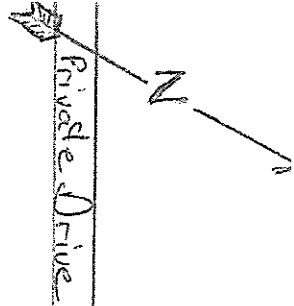
STEPHEN G. COOK, RPLS.

FINAL SURVEY



LOT(S) 1A BLOCK 1 N.C.B. -
THE PARK AT GARDEN RIDGE DOCUMENT # 200706043713
OF THE MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS.
WITNESS MY HAND AND SEAL THIS 19 DAY OF SEPTEMBER 20 16
BUYER DAVID THERIAULT AND KERRI THERIAULT
ADDRESS 19722 BAT CAVE ROAD GF NO. 116002032
STEPHEN G. COOK, INC. JOB NO. 550-003-008 DRAWN BY: G.S. DISK: CAD/W SURV. BY: AP/GT

ACH 1000 (A)



ALL 1 . R 2







Variance
Property Owner List (w/in 200')

19722 Bat Cave

W.T. and Carol L. Geraldts
19830 Bat Cave Road
Garden Ridge, Texas 78266

Thomas and Marisa Gossweiler
19692 Bat Cave Road
Garden Ridge, Texas 78266

Park of Garden Ridge Homeowner's Association Inc.
c/o Raymond Pitzen
19534 Creekview Oaks
Garden Ridge, Texas 78266

Kay Morris
19781 Bat Cave Road
Garden Ridge, Texas 78266

Ronald K. and Lillian D. Oswalt
19914 Lloyds Park
Garden Ridge, Texas 78266

Rafael D. and Kristi K. Marfil
19693 Bat Cave Road
Garden Ridge, Texas 78266

Robert E. and Kathleen F. Shearer
19877 Bat Cave Road
Garden Ridge, Texas 78266

Future Agenda Items

Planning and Zoning Commission

June 12, 2018

Agenda deadlines:

14 days before Meetings	(5/29/18)	Planning & Zoning Commission and Staff items are due
11 days before Meetings	(6/1/18)	Planning & Zoning Commission Chair review agenda. City Attorney is sent the agenda to approval
7 days before Meetings	(6/5/18)	Post Agenda on bulletin board Planning and Zoning Commission will receive packet (allowing a day and half for corrections and additional information to be added)
5 days before Meetings	(6/7/18)	Post Agenda Packet to City Website @ noon
3 days before Meetings	(6/8/18)	(72 hours) – Local Government Code requirement for posting

Red=City Council Purple=Quarry Commission
Planning & Zoning =Green Water Commission= Blue
Pink=Impact Fee Committee
Wildlife Management Advisory Commission=Brown
City Events=

Sun	Mon	Tues	Wed	Thur	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Approval

- Minutes 5-8-18

Petition/Public Hearings/Recommendation

Discussion/Reports

- City Council Update
- Future Agenda Items
 - Set next meeting (if necessary) July 10, 2018 @ 6

Executive Session

July 10 2018

Agenda deadlines:

14 days before Meetings	(6/26/18)	Planning & Zoning Commission and Staff items are due
11 days before Meetings	(6/29/18)	Planning & Zoning Commission Chair review agenda. • City Attorney is sent the agenda to approval
7 days before Meetings	(7/3/18)	Post Agenda on bulletin board • Planning and Zoning Commission will receive packet (allowing a day and half for corrections and additional information to be added)
5 days before Meetings	(7/5/18)	Post Agenda Packet to City Website @ noon

1

Red=City Council Purple=Quarry Commission
Planning & Zoning =Green Water Commission= Blue
Pink=Impact Fee Committee
Wildlife Management Advisory Commission=Brown
City Events= Holiday-July 4th Celebration and Parade

Sun	Mon	Tues	Wed	Thur	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	0	0		

Approval

1. Minutes 6-12-18

Petition/Public Hearings/Recommendation

1. Zoning Ordinance and Subdivision Ordinance

Discussion/Reports

1. City Council Update
2. Future Agenda Items
 - a. Announce next meeting August14, 2018.
3. Education Plan

Executive Session

PENDING FUTURE AGENDA ITEMS

1. MLUP Ordinance clean up (*Trevino*)
2. Public Forum Board (*Ringle*)