



City of Garden Ridge

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

MINUTES PLANNING AND ZONING COMMISSION REGULAR MEETING TUESDAY, OCTOBER 9, 2018, 6:00 P.M.

Commissioners Present:

Chair Dr. Jim Miller
Vice-Chair Mark Hausheer
Commissioner Karen Diaz
Commissioner Kitty Owen
Commissioner David Ringle
Commissioner David Heier

Commissioners Absent:

Vacant position

City Staff Present:

Nancy Cain, City Administrator
Cynthia Trevino, City Attorney
Marisa Spencer, Interim City Secretary

Other City Councilmembers or Commissioners Present:

Mayor Pro-Tem John McCaw
Councilmember Kay Bower
Ken Kneupper, Wildlife Management Advisory Commissioner
Jesus Valdez, Water Commissioner

1. Call to Order

With a quorum of the Planning and Zoning Commission Members present, Chair Dr. Miller, called the regular meeting of the Garden Ridge Planning and Zoning Commission to order at 6:00 p.m. on Tuesday, October 9, 2018, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Roll Call

See above

3. Pledge of Allegiance

Dr. Miller, Chair, led the Pledge of Allegiance.

4. Citizen Comment Period – limited to 30 minutes total

No one signed up to speak.

5. Business Items

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

a) Approvals/Recommendations.

i. Approval of Minutes for September 11, 2018, Planning and Zoning Commission Regular Meeting.

Motion: A motion was made by Commissioner Heier, seconded by Commissioner Hausheer, to approve the minutes for September 11, 2018, Planning and Zoning Commission Regular Meeting. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

ii. Receive recommendations and consideration of appointment of Planning and Zoning Commission Chair and Vice Chair for a one-year term.

Chair Dr. Miller stated he is open to remaining Chair of the Planning and Zoning Commission for another year. Commissioner Hausheer also stated he is open to remaining Vice-Chair of the Planning and Zoning Commission for another year.

Motion: A motion was made by Commissioner Diaz, seconded by Commissioner Ringle, to appoint Commissioner Dr. Jim Miller as Chair and Commissioner Mark Hausheer as Vice-Chair of the Planning and Zoning Commission for a one-year term. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

ii. Planning and Zoning Commission Place 6 vacancy (term expiring September 30, 2019).

1. Interview possible candidate/candidates.

Chair Dr. Miller stated the candidates would come up to the podium one at a time in the order in which the Commission received their applications then all candidates would come up together to allow each applicant to address questions from the Commissioners. The Commission interviewed and reviewed resumes from George Chambers, David Dauer, and Astrid Weiser in that order. Commissioners then asked additional questions and allowed each candidate to provide their responses.

Chair Dr. Miller thanked the Commissioners for their inquisitive questions and the candidates for their time. He stated this would be a difficult decision since there is only one vacancy, but encouraged the candidates to continue seeking opportunities to get involved in the City.

2. Make a recommendation to the City Council for appointment of Commissioner.

Motion: A motion was made by Commissioner Diaz, seconded by Commissioner Owen, to recommend to City Council the appointment of David Dauer for the Planning and Zoning Commission Place 6 vacancy with term expiring September 30, 2019. The Commission voted four (4) for and one (1) opposed (Commissioner Ringle). The motion passed by a vote of 4-1.

b) Discussions/Reports/Updates.

i. 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.

1. Receive proposed changes and review the proposed Ordinance.

Cynthia Trevino, City Attorney, explained City Council has provided some direction regarding the Zoning and Subdivision rewrites and the Commission would be receiving further assistance to combine their individual work into a single document. She reviewed Chair Dr. Miller's homework regarding the Retail Anchor District (see attached).

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

Cynthia Trevino, City Attorney, suggested Commissioners continue working with their homework assignments, focusing on policy portion decisions for each district in order for a document to be drafted with the combined districts. Chair Dr. Miller suggested to table making any recommendations to City Council until more information regarding assistance is obtained and to allow time for City Council approval to fill the Commission's vacancy.

ii. Fiscal Analysis of Proposed Utility Infrastructure to Support Growth in FM 2252 / FM 3009 Area (Fiscal Impact Analysis)

Nancy Cain, City Administrator, stated the Commission now has the most updated version of the Fiscal Impact Analysis and this item does not require any action or recommendation from the Commission. The Commission discussed the changes made to this document from previous versions.

iii. Direction from City Council regarding Zoning and Subdivision Ordinance rewrites.

Nancy Cain, City Administrator, stated she is waiting for a cost proposal for Freese and Nichols, Inc. to provide assistance with the Zoning and Subdivision Ordinance rewrites. She stated this information should be available for the Commission at their next meeting.

iv. Direction from City Council to amend Ordinance 13-062017, deleting section 5.1.13 regarding the 70-foot Extreme High Voltage electric transmission easement and incorporating flag pole construction and installation as reflected in Resolution 442-102018.

Nancy Cain, City Administrator, stated City Council agreed to direct the Planning and Zoning Commission to amend Ordinance 13-062017, deleting section 5.1.13 and adding section 8.7 (see attached). She also stated this would require a public hearing be conducted at the next Planning and Zoning Commission regular meeting then the Commission could make a recommendation to City Council.

v. Items discussed at the October 3, 2018, City Council Regular Meeting.

Chair Dr. Miller stated all items discussed at the October 3, 2018, City Council Regular Meeting regarding the Planning and Zoning Commission had already been discussed.

c) Future Agenda Items.

i. Commissioners input on agenda items.

Commissioner Ringle requested to discuss the possibility and legal requirements within Texas Government Code 551 of using the City's website to publicly discuss the Zoning and Subdivision Ordinance rewrites. He also requested having a discussion in regards to designating one social media site for City communications.

ii. **Announce the date, time and location for next meeting (November 13, 2018, at 6:00 p.m. at City Hall).**

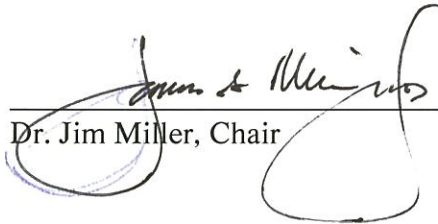
Chair Dr. Miller announced the next Planning and Zoning Commission Regular Meeting will be on Tuesday, November 13, 2018, at 6:00 p.m. at City Hall.

6. **Citizen's Participation: - limited to 20 minutes total.**

No one wished to speak.

7. **Adjournment**

There being no further business, the Tuesday, October 9, 2018, Planning and Zoning Commission Regular Meeting was adjourned at 8:37 p.m. by Chair Dr. Miller.


Dr. Jim Miller, Chair

ATTEST:


Marisa Spencer
Interim City Secretary

C- 1 Light Retail District

It is the intent of the light retail district to encourage the establishment of small scale, limited impact businesses such as specialized personal services, boutique shops selling specialty items and artisan workshops and some limited office and professional services integration. Therefore, light retail and service uses are subject to the following standards:

- a. **The following uses are prohibited:** art and craft studios with welding and heavy machinery, attached wireless transmission facilities, animal boarding, auto service facilities, banks including credit unions, and check cashing facilities, car washes, donation centers, dry cleaning, flea markets, food sales with a commercial kitchen of greater than 500 square feet, fortune tellers/psychic readers, gasoline and fuel sales, gun or firearm shops, hair salons, heavy equipment sales, industrial uses, Laundromats, machinery repair and services, manufactured home sales, mini-warehouses, monopoles, mortuaries, nail salons, pawn shops, portable building sales, recycling centers, residential uses, self-enclosed monopoles, self-service storage, sexually oriented businesses, shooting ranges, tanning salons, tattoo and piercing shops, wholesale nurseries, vehicle sales, vehicle rental or leasing, and wrecking yards
- b. All permitted uses shall have no more than 2,000 total square feet of sales floor, service areas accessible to the public, food preparation areas, and manufacturing areas.

Masonry construction

The structure shall be of no less than 90% masonry or masonry veneer construction on the first floor level excluding openings. However a maximum of 50% of the first 2 stories or floors of a building may be constructed in glass.

Roof treatments

All roof mounted mechanical equipment shall be screened on all 4 sides.

Roof mounted photovoltaic solar panels are not considered roof

mounted mechanical equipment for the purposes of this district, but any form of electrical conveyance equipment shall be screened.

PARKING LOTS

All surface parking areas or lots shall contain areas constructed, planted and maintained as landscape islands, peninsulas or medians and shall contain shade trees to reduce the thermal impact of parking lots.

- **Landscape area**

Twenty square feet of pervious landscape areas shall be provided within the parking lot for each parking stall located between the building line and the street right-of-way.

- **Shade trees**

A minimum of one shade tree is required for every 12 parking stalls provided. In order to maximize the distribution of shade, shade trees shall be planted throughout the interior of the parking lot so that no parking stall is located further than 50 feet from the trunk of a tree. Planting areas for each tree shall have a minimum undisturbed pervious area of at least 100 square feet and have a minimum interior dimension of 8 feet wide exclusive of the curb dimensions and shall be planted or covered with grass, mulch, ground cover, or other approved landscape materials.

These areas shall also be free of other structures such as lighting or utility poles.

PARKING LOT SCREENING

- Vehicular parking areas shall be screened from street view and adjacent properties using methods as described below.
- Screening shall be achieved through one of the following :
 - A planting screen (hedge); a berm; a wall; or a combination of any of the preceding.
 - Live screening shall be a minimum of 2 feet at the time of planting with a mature height of 3 to 4 feet within two years.
 - Live screening shall be planted in a prepared bed at least 3 feet in width
- Plantings, fences, or walls shall be set back a minimum of 3

feet from the curve or wheel stop to allow for the overhang of the vehicle.

- Screening shall not be required between properties for parking spaces provided in conjunction with shared access and/or shared parking between those properties.

SCREENING OF MECHANICAL EQUIPMENT

All mechanical equipment (e.g. Air handling equipment, compressors, duct work, transformers, and elevator equipment,) including roof mounted equipment, shall be screened from view from all public rights of way and adjoining properties.

Screening shall consist of be constructed of the following materials depending on the location of the equipment to be screened. When possible, material should be consistent with primary building materials. Planting screens, brick, stone, or other similar masonry materials, redwood, cedar, treated wood or other similar materials, or metal screening or louvers painted to blend with the primary building would all be acceptable.

SCREENING OF WASTE OR RECYCLING CONTAINERS

All waste or and or recycling containers shall be completely screened from public view from any adjoining street. All enclosures are to be at least 1 foot above the height of the waste container.

Dumpsters shall be placed on reinforced concrete pads that are a minimum of 6 inches in thickness and sloped to drain. Screening shall be provided on all four sides and be comprised of brick, stone, reinforced concrete or other similar masonry materials. Redwood, cedar, pressure treated wood or other similar materials would be acceptable. Screening comprised of large evergreen shrubs may also be acceptable as an alternative.

Dumpster enclosures shall have steel frame gates with spring-loaded hinges or the equivalent. The enclosures shall have fasteners to keep

the gate closed and tie backs to secure the gate in the open position when assessed.

SCREENING OF LOADING DOCKS

Loading and service areas shall be located at the rear of buildings and be completely screened from public view at any adjoining street or property line.

Screening shall be provided on three sides of the area by a wall or other screening mechanism, not less than 8 feet in height. The wall should have a similar finish to the primary structure or screening comprised of large evergreen shrubs may be proposed as an alternative.

BUFFER YARDS

Buffer yards are required between certain land uses to prevent or minimize potential nuisances such as noise or light and to provide a transition between uses that may not be compatible with each other. Landscaping required within buffer yards shall be provided in addition to landscaping required in other sections of the light retail district. All open space within a buffer yard shall be planted with grass or other vegetative ground cover. No light fixtures, parking, Dumpsters, storage, recreation facilities, accessory buildings, or alleys shall be permitted within the required buffer yard. A buffer yard may be interrupted in order to provide access (either pedestrian or vehicular) to adjacent parcels.

A buffer yard shall consist of the following: A 15 foot wide planting area; with one shade tree, two evergreen ornamental trees and eight evergreen shrubs per each 50 linear feet of buffer yard.

5.1.12. Regarding new construction, driveways shall be constructed only of concrete, stone, or brick pavers unless City Engineer approval is given for use of an alternate masonry material. No person shall use asphalt pavement for a driveway surface.

~~5.1.13. Regarding new construction, location of houses, swimming pools, metal fences, metal play ground equipment and accessory or outbuildings, on any lot having an Extreme High Voltage electric transmission easement shall be at least seventy (70) feet from the center of such easement.~~

5.1.14. Exterior Lighting.

5.1.14.1. Light fixtures shall be below the building roofline.

5.1.14.2. 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.

5.1.14.3. No single light fixture or cluster of fixtures shall exceed 150-watt capacity.

5.1.14.4. Any variance shall meet the criteria of not causing increased illumination off the property.

5.2. COUNTRY CLUB DISTRICT (CC).

5.2.1. Use Restrictions: The Country Club (CC) District is property for use by country clubs which provide member services such as: social activity (socials, dances, music, art events, legal games); on-premises food and beverage service; space for business meeting and other private functions; sports activities involving indoor or outdoor courts, swimming and fishing; non-motor powered boating.

5.2.1.1. The construction and operation of a golf course, driving range or power boating are prohibited in CC districts.

5.2.2. The Club is responsible for all on-site security. The City will provide police response for emergencies or calls for service.

5.2.3. The City is not responsible, nor liable for roads, parking lots, sidewalks, drainage or water retention structures, or any maintenance thereon within CC districts.

5.2.4. Height Regulation: No structure shall exceed two and one-half (2-1/2) stories (thirty-five feet) in height.

5.2.5. Area Regulations:

5.2.5.1. Lot Size: The minimum area for an CC lot shall be as required for sewerage and waste water treatment of the planned club activity, but in no case less than 32,670 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.

5.2.5.2. 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.

5.2.5.3. Side Yard: None, except where the use sides on a RA or R District, where a minimum side yard of twenty-five (25) 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.

5.2.5.4. 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)

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)

8.7. FLAG POLES

- 8.7.1. *Flag poles are not considered a structure and may not be installed in an easement or public right-of-way.*
- 8.7.2. *In Residential Zoning Districts flag poles may not exceed twenty-five (25) feet in height and may not be installed no closer than the height of the flag pole from side and rear property lines or from a paved roadway or street.*
- 8.7.3. *In all other Zoning Districts flag may not exceed thirty-five (35) feet in height and may not be installed no closer than the height of the flag pole from side and rear property lines or from a paved roadway or street.*