



MINUTES
PLANNING AND ZONING COMMISSION REGULAR MEETING
TUESDAY, APRIL 9, 2019, 6:00 P.M.

Commissioners Present:

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

Commissioners Absent:

None

City Staff Present:

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

Other City Councilmembers or Commissioners Present:

Mark DuBois, Quarry 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 6:02 p.m. on Tuesday, April 9, 2019, 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

Chair Dr. Miller led the Pledge of Allegiance.

4. Citizen Comment Period – limited to 30 minutes total

Teresa Jetter, 20839 FM 3009, spoke regarding the petition by Wilfredo Aguayo for the installation of an amateur communications antenna.

Tom Nelson, 9433 Bluebell, spoke regarding the petition by Wilfredo Aguayo for the installation of an amateur communications antenna.

5. Business Items

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

a) Approvals/Recommendations.

i. Approval of Minutes for February 21, 2019, Planning and Zoning Commission Regular Meeting.

Motion: A motion was made by Commissioner Owen, seconded by Commissioner Diaz, to approve the minutes for February 21, 2019, Planning and Zoning Commission Regular Meeting. The Commission voted six (6) for and none (0) opposed. The motion carried unanimously.

ii. Consider a petition by Northeast Bible Church for issuance of a Special Use Permit for the addition of a proposed Worship Center of approximately 14,295 square feet and a Waypoint Lobby of approximately 4,225 square feet and to include modification of the outfall structure of the existing detention pond to reduce the outflow discharge rate from the pond. Northeast Bible Church is located on Lot 1, Block 1, Northeast Bible Church Subdivision, further located at 19185 F.M. 2252, Garden Ridge, Comal County, Texas, on property zoned Residence-Agriculture (RA).

Chair Dr. Miller stated he would like to conduct the public hearing first to receive citizen comments for or against the petition before the review and discussion among the Commission and the Commission agreed.

2. Hold a public hearing to receive comments for or against the petition.

Chair Dr. Miller opened the public hearing at 6:13 p.m. and invited anyone from the public to come up to the podium if they have any comments regarding the petition.

Four (4) citizens spoke during the public hearing and provided comments for and against the Special Use Permit for Northeast Bible Church (see attached).

Chair Dr. Miller closed the public hearing at 6:21 p.m.

1. Review and discuss documentation.

The Commission discussed citizen concerns regarding the drainage, the current and proposed detention pond, noise complaints, and lighting. The Commission agreed they would like to hear from the Northeast Bible Church representative and the KFW Engineers representative that are in attendance.

Eric Wilbert, Northeast Bible Church, spoke regarding the church's desires of being committed to their great neighbors while also maintaining compliance with City Ordinances. He stated the church is aware of the complex drainage issue which is why they have been working with the City Engineer to help mitigate the issue and reduce the flow of water. He spoke regarding the current drainage structure versus the proposed new drainage structure. He stated this is the first instance of noise complaints and lighting concerns that he is aware of, but those would be looked into.

Andy Curruth, KFW Engineers, spoke regarding attempting to reduce the outflow discharge rate from the detention pond to pre-development conditions, the preliminary plans to modify the outfall structure of the existing detention pond, and the proposal of creating a concrete junction box.

Nancy Cain, City Administrator, explained an interceptor channel was not built by the developer at the time of development in The Park at Garden Ridge Subdivision. Cynthia Trevino, City Attorney, explained since the City did not install anything that failed, the City is not at fault but Northeast Bible Church has worked with the City Engineer to attempt to mitigate the drainage issues.

3. Make a recommendation to the City Council.

Motion: A motion was made by Commissioner Owen, seconded by Commissioner Heier, to receive detailed information, guidance, and recommendations from the City Engineer at the next Planning and Zoning Commission meeting regarding concerns raised about the detention pond and water impacts to the community in order to make an informed recommendation to City Council. The Commission voted five (5) for and one (1) opposed (Vice-Chair Hausheer). The motion passed by a vote of 5-1.

- iii. **Consider a petition by Wilfredo Aguayo for the installation of an amateur communications antenna. Antenna will be a self-support crank up tower with maximum extension height of 33 feet supporting a 10-foot mast for total height of 40 to 45 feet and 12 feet in height when fully retracted. Antenna will be located on a concrete footing approximately 7 feet behind the rear plane of the residence at 20740 Timber Rose. Antenna tower will be further located 150 feet from street, over 100 feet from side property lines and 75 feet from rear property line. The property location is further described as Garden Ridge Estates 4, Block 1, Lot 36 and 37 and A-581 Sur 441 ½, Garden Ridge, Comal County, Texas, on property zoned Single Family Dwelling (R) District.**

1. Review and discuss documentation.

Chair Dr. Miller stated he would like each Commissioner to provide their thoughts on this matter based on the documentation provided in their packet prior to conducting the public hearing. The Commission discussed the antenna tower design, height, primary use, and possible interference issues.

2. Hold a public hearing to receive comments for or against the petition.

Chair Dr. Miller opened the public hearing at 7:18 p.m. and invited anyone from the public to come up to the podium if they have any comments regarding the petition.

One (1) citizen spoke during the public hearing and provided comments regarding the Special Use Permit for Wilfredo Aguayo at 20740 Timber Rose (see attached).

Chair Dr. Miller closed the public hearing at 7:20 p.m.

Wilfredo Aguayo, 20740 Timber Rose, spoke regarding his petition for the installation of an amateur communications antenna and provided the Commission with additional documents; however, these documents conflicted with the information he originally provided to the City for the Special Use Permit.

3. Make a recommendation to the City Council.

Motion: A motion was made by Commissioner Heier, seconded by Vice-Chair Hausheer, to deny the petition by Wilfredo Aguayo for the installation of an amateur communications antenna as submitted. The Commission voted five (5) for and one (1) opposed. The motion passed by a vote of 5-1 (Commissioner Owen abstained).

b) Discussions/Reports/Updates.

i. Freese and Nichols, Inc. for Zoning Ordinance rewrite assistance.

1. Update on technical committee meetings.

Vice-Chair Hausheer spoke regarding the amount of time spent reviewing and discussing the document with Freese and Nichols, Inc. Nancy Cain, City Administrator, stated the Commission should receive the document within the next few weeks. Chair Dr. Miller spoke regarding the Commission having joint meetings with City Council.

2. Discussion of items related to Zoning Ordinance rewrite, if needed.

Chair Dr. Miller stated there was nothing to discuss at this time.

ii. Items discussed at the April 3, 2019, City Council Regular Meeting.

Chair Dr. Miller spoke regarding items discussed at the April 3, 2019, City Council Regular Meeting including a Marketing Plan for the City of Garden Ridge and the anonymous letter mailed to residents that had implications regarding the Planning and Zoning Commission's decisions made over the last few years.

iii. TxDOT expansion layout as it pertains to FM 2252 in the City of Garden Ridge.

The Commission agreed by consensus to move this item to the next agenda and have the large maps spread out over a few tables to review and discuss.

iv. Ordinance No. 210-022018 An Ordinance of the City Council of the City of Garden Ridge adopting board and commission policy and procedures; providing that this Ordinance shall be cumulative of all Ordinances; providing a severability clause; providing a savings clause; and providing an effective date.

1. Discuss and make recommendations related to application of ordinance provisions to commission members, if needed.

Chair Dr. Miller stated the Commission does not have any provisions to discuss at this time.

The Commission discussed the most recent AACOG training in which Vice-Chair Hausheer and Commissioner Diaz attended, and Commissioner Owen viewed the training through the live stream.

c) Future Agenda Items.

i. Commissioners input on agenda items.

Commissioner Owen requested the rolling agenda item related to items discussed at City Council meetings be clarified on future agendas.

Vice-Chair Hausheer requested to discuss live streaming of the Planning and Zoning Commission meetings.

ii. Announce the date, time, and location for next meeting (April 18, 2019, at 6:00 p.m. at City Hall).

Chair Dr. Miller announced the next Planning and Zoning Commission Regular Meeting will be on Thursday, April 18, 2019, at 6:00 p.m. at City Hall.

6. Citizen Comment Period – limited to 20 minutes total

J.A. Niland, 9308 Berean Way, spoke regarding Northeast Bible Church, The Park at Garden Ridge Subdivision, and planning for future floods.

Scott Miller, 9312 Berean Way, spoke regarding future planning and concerns regarding the detention pond at Northeast Bible Church.

Mark DuBois, 19530 Creekview Oaks, spoke regarding obtaining detailed information from the City Engineer about the detention pond at Northeast Bible Church and water impacts to the community.

Matt Neely, 19531 Creekview Oaks, spoke regarding The Park at Garden Ridge Subdivision development, cost of a drainage ditch, and water impacts.

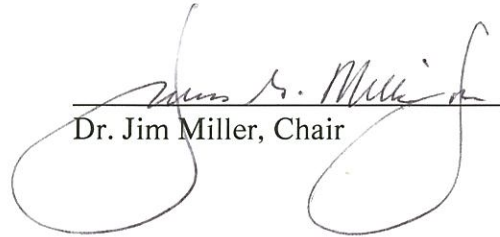
Karen Archondidis, 19527 Creekview Oaks, spoke regarding the joint responsibility of regulating flood areas.

Teresa Jetter, 20839 FM 3009, spoke regarding experiencing interference with technology at her residence.

Juan Trevino, 20810 Timber Rose, spoke regarding experiencing interference with technology at his residence.

7. Adjournment

Motion: A motion was made by Commissioner Owen, seconded by Commissioner Valdez, to adjourn. The Commission voted six (6) for and none (0) opposed. The motion carried unanimously. There being no further business, the Tuesday, April 9, 2019, Planning and Zoning Commission Regular Meeting was adjourned at 8:23 p.m. by Chair Dr. Miller.


Dr. Jim Miller, Chair

ATTEST:


Marisa Spencer
City Secretary

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SIGN IN TO SPEAK AT THE APRIL 9, 2019
PLANNING AND ZONING COMMISSION REGULAR MEETING
CITIZEN COMMENT PERIOD

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 should 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
 1. You are required to sign up to speak.
 2. You are limited to one 3-minute period.
 - ii. Business item period
 1. You are required to sign up to speak.
 2. You are limited to one 3-minute period.
 - iii. Second citizen comment period
 1. You are not required to sign up.
 2. 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*

	NAME	ADDRESS	SUBJECT
1.	TERESA JELER	20859 FM 3009	AM. Comm. Antenna
2.	TOM NELSON	9437 BLUEBELLE	ANTENNA
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APRIL 9, 2019, PLANNING AND ZONING COMMISSION REGULAR MEETING
PUBLIC HEARING (Northeast Bible Church)

PLEASE WRITE YOUR NAME AND ADDRESS.

1. DR. KOREN ARCHONDIS 19527 Creekview Oaks, Garden Ridge TX 78266
2. SCOTT MILLER 9312 Berean Way Garden Ridge TX 78266
3. MATT NEELY 19531 Creekview Oaks Garden Ridge, TX 78266
4. MARK DOBOS 19530 CREEKVIEW OAKS GARDEN RIDGE, TX 78266
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APRIL 9, 2019, PLANNING AND ZONING COMMISSION REGULAR MEETING

PUBLIC HEARING (Wilfredo Aguayo – 20740 Timber Rose)

PLEASE WRITE YOUR NAME AND ADDRESS.

1. JUAN TREVIÑO 20810 Timber Rose GR 78266

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APRIL 9, 2019, PLANNING AND ZONING COMMISSION REGULAR MEETING

Citizen Comment
Period #2

PLEASE WRITE YOUR NAME AND ADDRESS.

21. J.A. Wiland Jr 9308 Boreau Way
22. Scott Miller 9312 Boreau Way Garden Ridge TX 78246
23. Mark DeBois 19530 CREEKVIEW OAKS GARDEN RIDGE TX 78266
24. Matt Neely 14531 Creekview Oaks Garden Ridge TX 78266
25. Karen Archandidis 19527 Creekview Oaks Garden Ridge TX 78266
26. Jena Jellu 20839 FM 3009 Garden Ridge TX 78266
27. Juan Trevino 20810 Timber Rose GR 78266
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