



City of Garden Ridge

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

MINUTES PLANNING AND ZONING COMMISSION REGULAR MEETING TUESDAY, FEBRUARY 11, 2020, 6:00 P.M.

Commissioners Present:

Chair Dr. Jim Miller
Vice-Chair Karen Diaz
Commissioner Kerim Jacaman
Commissioner David Heier
Commissioner Jesse Valdez
Commissioner Kitty Owen

Commissioners Absent:

Commissioner David Dauer (Unannounced Absence)

City Staff, City Councilmembers, or Other Commissioners Present:

Marisa Spencer, City Secretary
Kat Balbi, Assistant City Secretary
Cynthia Trevino, City Attorney
Councilmember Kay Bower

1. Call to Order

With a quorum of the Planning and Zoning Commissioners 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, February 11, 2020, in the City Council Chambers of 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:

Martha Stipp, 21007 Cedar Branch, spoke regarding Ordinance No. 23, Ordinance No. 55, and the Draft Zoning Ordinance.

5. Business Items

The following items are for discussion, consideration, and action.

a) Approvals

1. Approval of Minutes for January 14, 2020, Planning and Zoning Commission Regular Meeting.

Motion: A motion was made by Commissioner Heier, seconded by Commissioner Owen, to approve the minutes for January 14, 2020, Planning and Zoning Commission Regular Meeting. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

b) Discussions/Reports/Updates

1. Items applicable to the Planning and Zoning Commission discussed at the February 5, 2020, City Council Regular Meetings.

Chair Dr. Miller stated City Council approved the Commission's recommendation to amend Resolution No. 439, eliminating the second regular meeting a month effective March 2020.

2. **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.**

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

The Commission had nothing to discuss related to application of ordinance provisions at this time.

3. **Freese and Nichols, Inc. for Zoning Ordinance rewrite assistance.**

- i. **Discuss and make possible recommendations related to the Draft Zoning Ordinance.**

The Commission discussed the revised Draft Zoning Ordinance provided by Freese and Nichols, Inc. and provided edits, comments, and questions to the City Secretary and City Attorney. The Commission agreed by consensus to focus on reviewing the use charts contained in the Draft Zoning Ordinance during the Commission's March meeting.

c) Future Agenda Items

1. **Commissioners input on agenda items.**

None at this time.

2. **Announce date, time, and location for next meeting (February 20, 2020, at 6:00 p.m. at City Hall).**

Chair Dr. Miller stated the next Planning and Zoning Commission Regular Meeting is scheduled for Thursday, February 20, 2020, at 6:00 p.m. at City Hall.

6. **Citizen Comment Period:** No one wished to speak.

7. Adjournment

Motion: A motion was made by Commissioner Owen, seconded by Commissioner Valdez, to adjourn. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Tuesday, February 11, 2020, Planning and Zoning Commission Regular Meeting was adjourned at 8:32 p.m. by Chair Dr. Miller.

ATTEST:

Dr. Jim Miller, Chair

Marisa Spencer
City Secretary

**SIGN IN TO SPEAK AT THE FEBRUARY 11, 2020
PLANNING AND ZONING COMMISSION REGULAR MEETING
CITIZEN COMMENT PERIOD**

Rules for Citizens' Participation:

The 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 must 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. Second citizen comment period
 1. You are not required to sign up.
 2. You are limited to one 2-minute period.
- iii. State your name and address before your comments begin.
- iv. 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	TELEPHONE NUMBER (OPTIONAL)	SUBJECT
1. Martha Stipp	21007 Cedar Branch		Ordinance 23+55
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City of Garden Ridge

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

MINUTES

PLANNING AND ZONING COMMISSION REGULAR MEETING

THURSDAY, FEBRUARY 20, 2020, 6:00 P.M.

Commissioners Present:

Chair Dr. Jim Miller
Vice-Chair Karen Diaz
Commissioner Kerim Jacaman
Commissioner David Heier
Commissioner David Dauer
Commissioner Kitty Owen

Commissioners Absent:

Commissioner Jesse Valdez (Voluntary Announced Absence)

City Staff, City Councilmembers, or Other Commissioners Present:

Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Kat Balbi, Assistant City Secretary
Cynthia Trevino, City Attorney
Mayor Larry Thompson
Mayor Pro-Tem John McCaw
Councilmember Lisa Swint
Councilmember Bryan Lantzy
Councilmember Todd Arvidson
Councilmember Kay Bower

1. Call to Order

With a quorum of the Planning and Zoning Commissioners present, Chair Dr. Miller called the regular meeting of the Garden Ridge Planning and Zoning Commission to order at 6:00 p.m. on Thursday, February 20, 2020, in the City Council Chambers of 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. Approvals and Authorizations

The following are for discussion, consideration, and action.

- a) **Petition by Shawn M. Willis on behalf of ACTC Investments, for property zoned Office and Professional (B-2), located at 18875 F.M. 2252, Garden Ridge, Texas, further described as Lot 10, Block 12, Forest of Garden Ridge Subdivision. The petition requests the following variances to Ordinance No. 13-122018, Section 6, Commercial Zones, 6.1. Office and Professional District (B-2):**
 - **6.1.4.5. Impervious Cover:** Impervious coverage (buildings, pavements, etc.) shall not be more than one-third (1/3) of the lot area and must, in any case, allow adequate open area for wastewater treatment and disposal. The petition requests impervious cover of forty-two percent (42%).
 - **6.1.4.3. Side Yard:** Alley rights-of-way of fifteen (15) feet down each side property line shall provide access to the rear alley. The City shall determine required right-of-way improvements based upon location, type, and density of projected structures. The petition requests to eliminate the side yard alley due to interference with natural drainage of the property.

Shawn Willis, ACTC Investments, spoke regarding the property located at 18875 F.M. 2252 and presented the petition requesting two (2) variances to Ordinance No. 13-122018, Section 6. Commercial Zones, 6.1. Office and Professional District (B-2). He stated the petition requests a variance to Paragraph 6.1.4.5. Impervious Cover to increase impervious cover from one-third (1/3) of the lot area to forty-two percent (42%), and Paragraph 6.1.4.3. Side Yard to eliminate the side yard alley due to interference with natural drainage of the property. Tracey Blackwell spoke regarding her involvement in the community, her business, and the purchase and development process of the property.

1. Hold a public hearing.

Chair Dr. Miller opened the public hearing at 6:22 p.m. to receive comments for or against the petition.

Twelve (12) citizens spoke during the public hearing (see attached).

Chair Dr. Miller closed the public hearing at 6:51 p.m. He thanked the citizens for providing their input and spoke regarding the process of the Planning and Zoning Commission being a recommending body appointed by the City Council; therefore, the Commission does not contain any elected officials nor do they have the ability to make any final decisions.

2. Discuss and make a recommendation regarding the petition.

The Commission discussed questions and concerns with the City Engineer, the City Attorney, and City Staff regarding impervious cover, side yard alley rights-of-way, signage, and previous variances.

Motion: A motion was made by Commissioner Dauer, seconded by Vice-Chair Diaz, to recommend to City Council the approval of the petition by Shawn M. Willis on behalf of ACTC Investments requesting a variance to Ordinance No. 13-122018, Section 6, Commercial Zones, 6.1 Office and Professional District (B-2), 6.1.4.5. Impervious Cover, allowing impervious cover of forty-two percent (42%) for the property located at 18875 F.M. 2252, Garden Ridge, Texas, further described as Lot 10, Block 12, Forest of Garden Ridge Subdivision. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Commissioner Owen, seconded by Commissioner Jacaman, to recommend to City Council the approval of the petition by Shawn M. Willis on behalf of ACTC Investments requesting a variance to Ordinance No. 13-122018, Section 6, Commercial Zones, 6.1 Office and Professional District (B-2), 6.1.4.3. Side Yard, eliminating the side yard alley due to interference with natural drainage of the property located at 18875 F.M. 2252, Garden Ridge, Texas, further described as Lot 10, Block 12, Forest of Garden Ridge Subdivision. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

b) Petition by Shawn M. Willis on behalf of ACTC Investments, for the issuance of a Special Use Permit for construction and operation of a one (1) story 8,974 square foot professional business office building, with associated sidewalks and parking spaces, on property zoned Office and Professional (B-2), located at 18875 F.M. 2252, Garden Ridge, Texas, further described as Lot 10, Block 12, Forest of Garden Ridge Subdivision.

Shawn Willis provided a presentation regarding the issuance of a Special Use Permit for construction and operation of a one (1) story 8,974 square foot professional business office building. He spoke regarding the proposed building materials, architectural elevations, site lighting, signage, landscaping plans, vegetative screening, and the wood fence originally proposed being removed from the architectural site plan.

1. Hold a public hearing.

Chair Dr. Miller opened the public hearing at 7:32 p.m. to receive comments for or against the petition.

Four (4) citizens spoke during the public hearing (see attached).

Chair Dr. Miller closed the public hearing at 7:40 p.m.

2. Discuss and make a recommendation regarding the petition.

The Commission discussed questions and concerns with the City Engineer, the City Attorney, and City Staff regarding the Special Use Permit, signage, fencing, utility easements, and building permits.

Shawn Willis stated the property owner would add the six foot (6') wooden fence back to the site plan between the property line of Lot 8, Block 12, The Woods of Bracken Subdivision and Lot 10, Block 12, Forest of Garden Ridge Subdivision. He further stated that installation of the fence will conform to the standards of the Garden Ridge Bracken Homeowners Association.

Motion: A motion was made by Commissioner Heier, seconded by Commissioner Owen, to recommend to City Council the approval of the petition by Shawn M. Willis on behalf of ACTC Investments for the issuance of a Special Use Permit for construction and operation of a one (1) story 8,974 square foot professional business office building, with associated sidewalks and parking spaces, on property zoned Office and Professional (B-2), located at 18875 F.M. 2252, Garden Ridge, Texas, further described as Lot 10, Block 12, Forest of Garden Ridge Subdivision. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

5. Citizen Comment Period – limited to 20 minutes total

Chair Dr. Miller reviewed the rules for Citizen Comment Period.

Billy Chamberlin, 8810 Comanche Path, spoke regarding the Special Use Permit requested for the property located at 18875 FM 2252, stating he appreciates the owner compromising by adding the fence back to the site plans.

Rod Chamberlain, 8807 Cherokee Path, spoke regarding the Special Use Permit requested for the property located at 18875 FM 2252, stating he appreciates the owner compromising by adding the fence back to the site plans.

6. Adjournment

Motion: A motion was made by Vice-Chair Diaz, seconded by Commissioner Owen, to adjourn. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Thursday, February 20, 2020, Planning and Zoning Commission Regular Meeting was adjourned at 7:53 p.m. by Chair Dr. Miller.

Dr. Jim Miller, Chair

ATTEST:

Marisa Spencer
City Secretary

FEBRUARY 20, 2020, PLANNING AND ZONING COMMISSION REGULAR MEETING

PUBLIC HEARING(1) – PETITION FOR VARIANCES

PLEASE WRITE YOUR NAME AND ADDRESS.

1. ~~Billy Chamberlin 8810 Comanche Path~~
2. Billy Chamberlin 8810 Comanche Path
3. Terry Gruney 5802 Wildwood Lane
4. ~~Rod Chamberlin 8807 Cherokee Path~~
5. Charles Reed 8903 Comanche Path
6. Rebecca Sassette 8914 Comanche Path
7. Jennie Kuenzel 19003 Seminole Pass
8. Mary G. Hunsley 8910 Comanche Path
9. Stephen Gallett 8907 Comanche Path
10. Wes Kleckley 19515 Windswept Cove
11. K. Keith Hunsley 19003 Seminole Pass
12. Rebecca Nante 8730 Bindseil Lane S
13. Clyde Minkus 4439 CR433 Stockdale TR. 78160
- 14.
- 15.
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- 19.
- 20.

(Signed here before meeting began / before public hearing was opened)
Spoke w/ him (Kat) ✓ (MS)

FEBRUARY 20, 2020, PLANNING AND ZONING COMMISSION REGULAR MEETING

PUBLIC HEARING(2) – PETITION FOR SPECIAL USE PERMIT

PLEASE WRITE YOUR NAME AND ADDRESS.

1. Billy Chamberlin 8810 Comanche Path
2. Rob Chamberlain 8807 CITRONELLE PATH
3. Herb Heenandy 8910 Comanche Path
4. Keith Hunt 19003 Seminole PASS

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FEBRUARY 20, 2020

PLANNING AND ZONING COMMISSION REGULAR MEETING

CITIZEN COMMENT PERIOD

NAME	ADDRESS	SUBJECT
1. Billy Chamberlin	8810 Comanche Path	
2. Rob Chamberlin	8807 Citereke Path	
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Planning and Zoning Commission

Rolling Attendance

	4/9/19 Regular Meeting	4/18/19 Regular Meeting	5/16/19 Regular Meeting	6/11/19 Regular Meeting	6/20/19 Regular Meeting	7/9/19 Regular Meeting	7/18/19 Regular Meeting	8/13/19 Regular Meeting	9/19/19 Regular Meeting	11/12/19 Regular Meeting	1/14/20 Regular Meeting	2/11/20 Regular Meeting	2/20/20 Regular Meeting	3/10/20 Regular Meeting
Miller	P	P	P	P	P	P	P	P	P	P	P	P	P	
Diaz	P	P	VAA	P	P	P	VAA	P	P	P	P	P	P	
Jacaman						P	P	P	P	P	P	P	P	VAA
Valdez	P	P	P	P	VAA	P	P	P	P	P	P	P	VAA	
Heier	P	P	P	P	P	VAA	P	VAA	P	P	VAA	P	P	
Dauer	P	P	P	P	P	P	P	P	E	P	P	UA	P	
Owen	P	P	P	P	P	P	P	P	P	P	P	P	P	

P: Present

E: Excused allowed in Ordinance 210

VAA: Voluntary Announced Absence

UA: Unannounced Absence

Planning and Zoning Commission's Attendance for 2020 City Council Regular Meetings

	1/2/2020 Regular Meeting	2/5/2020 Regular Meeting	3/4/2020 Regular Meeting	4/1/2020 Regular Meeting	5/6/2020 Regular Meeting	6/3/2020 Regular Meeting	7/1/2020 Regular Meeting	8/5/2020 Regular Meeting	9/2/2020 Regular Meeting	10/7/2020 Regular Meeting	11/4/2020 Regular Meeting	12/2/2020 Regular Meeting	Total for year
Miller	P	P	P										3
Diaz		P											1
Jacaman													
Valdez	P	P	P										3
Heier													
Dauer													
Owen			P										1

	Met requirements in Ordinance 210
	NOT met requirements in Ordinance 210

Future Agenda Items

Planning and Zoning Commission

April 14, 2020 Regular Meeting

14 days before Meeting	(03/31/2020)	Commission and Staff items are due
8 days before Meeting	(04/06/2020)	City Administrator and Chair review agenda. City Attorney is sent the agenda for approval.
7 days before Meeting	(04/07/2020)	Post Agenda and Commission will receive packet
4 days before Meeting	(04/10/2020)	Post Agenda Packet to City Website
3 days before Meeting	(04/11/2020)	(72 hours) – Local Govt. Code requirement for posting

City Council = Red

Quarry Commission = Purple

Planning & Zoning = Green

Water Commission = Blue

Wildlife Management Advisory Commission = Brown

Municipal Court = Gray

City Holiday = Orange

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		

Approvals/Discussions/Reports

1. Minutes
2. Freese and Nichols, Inc. / Zoning Ordinance / Ordinance 210
3. Future Agenda Items: Commissioner Input / Set next meeting

May 12, 2020 Regular Meeting

14 days before Meeting	(03/28/2020)	Commission and Staff items are due
8 days before Meeting	(05/04/2020)	City Administrator and Chair review agenda. City Attorney is sent the agenda for approval.
7 days before Meeting	(05/05/2020)	Post Agenda and Commission will receive packet
4 days before Meeting	(05/08/2020)	Post Agenda Packet to City Website
3 days before Meeting	(05/09/2020)	(72 hours) – Local Govt. Code requirement for posting

City Council = Red

Quarry Commission = Purple

Planning & Zoning = Green

Water Commission = Blue

Wildlife Management Advisory Commission = Brown

Municipal Court = Gray

City Holiday = Orange

Sun	Mon	Tues	Wed	Thur	Fri	Sat
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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						

Approvals/Discussions/Reports

1. Minutes
2. Freese and Nichols, Inc. / Zoning Ordinance / Ordinance 210
3. Future Agenda Items: Commissioner Input / Set next meeting

PENDING FUTURE AGENDA ITEMS

- Ordinance No. 55 (temporary signs/time restriction on temporary signs)