



City of Garden Ridge

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

MINUTES

CITY COUNCIL SPECIAL MEETING

THURSDAY, FEBRUARY 20, 2020, 7:00 P.M.

(began upon conclusion of the Planning and Zoning Commission regular meeting)

Councilmembers Present:

Mayor Larry Thompson
Mayor Pro-Tem John McCaw
Councilmember Lisa Swint
Councilmember Bryan Lantzy
Councilmember Todd Arvidson
Councilmember Kay Bower

Councilmembers Absent:

None

City Staff Present:

Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Kat Balbi, Assistant City Secretary
Cynthia Trevino, City Attorney
Pat Lackey, City Engineer

1. Call to Order

With a quorum of the City Councilmembers present, Mayor Thompson called the special meeting of the Garden Ridge City Council to order at 8:00 p.m. on Thursday, February 20, 2020, 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: Mayor Thompson led the Pledge of Allegiance and the Texas Pledge.

4. Approvals and Authorizations

The following are for discussion, consideration, and action.

Mayor Thompson spoke regarding this City Council special meeting mirroring the Planning and Zoning Commission regular meeting that just concluded, stating in the interest of expediency it was determined to conduct these separate meetings back to back. He also spoke regarding the differences between City Council and Commissions, stating all Commissions are recommending bodies to the City Council.

- 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.

1. Receive recommendation from Planning and Zoning Commission.

Chair Dr. Miller stated the Commission received a presentation from the petitioner, conducted a public hearing, and unanimously voted 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), 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%) for the property located at 18875 F.M. 2252, Garden Ridge, Texas, further described as Lot 10, Block 12, Forest of Garden Ridge Subdivision.

Chair Dr. Miller stated the Commission received a presentation from the petitioner, conducted a public hearing, and unanimously voted 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), Paragraph 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.

2. Hold a public hearing.

Mayor Thompson opened the public hearing at 8:08 p.m. to receive comments for or against the petition.

Two (2) citizens spoke during the public hearing (see attached).

Mayor Thompson closed the public hearing at 8:13 p.m.

3. Discuss and take action on recommendation.

The City Council discussed the petition requesting variances to Ordinance No. 13-122018, Commercial Zones, the Office and Professional District, impervious cover variances and standards, and the site plans attached with the petition, posing additional questions to the petitioner, the City Engineer, the City Attorney, and City Staff.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Swint, to approve the Planning and Zoning Commission's recommendation and grant the variance to Ordinance No. 13-122018, Section 6. Commercial Zones, 6.1. Office and Professional District (B-2), 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%), submitted 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 City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Lantzy, to approve the Planning and Zoning Commission's recommendation and grant the variance to Ordinance No. 13-122018, Section 6. Commercial Zones, 6.1. Office and Professional District (B-2), Paragraph 6.1.4.3. Side Yard, to eliminate the side yard alley due to interference with natural drainage of the property, submitted 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 City Council 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.

1. Receive recommendation from Planning and Zoning Commission.

Chair Dr. Miller stated the Commission received a presentation from the petitioner, conducted a public hearing, and unanimously voted 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.

2. Hold a public hearing.

Mayor Thompson opened the public hearing at 8:33 p.m. to receive comments for or against the petition.

Two (2) citizens spoke during the public hearing (see attached).

Mayor Thompson closed the public hearing at 8:35 p.m.

3. Discuss and take action on recommendation.

Mayor Thompson provided the petitioner the opportunity for any additional comments; the petitioner thanked the City Council and declined from any further comments.

The City Council discussed the petition for the issuance of a Special Use Permit and Ordinance No. 13-122018, posing additional questions to the petitioner, the City Engineer, the City Attorney, and City Staff.

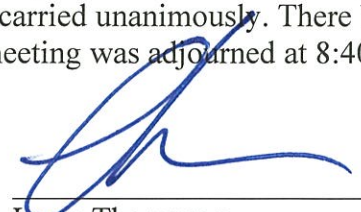
Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Swint, to approve the Planning and Zoning Commission's recommendation and issue the Special Use Permit submitted by Shawn M. Willis on behalf of ACTC Investments, for construction and operation of a one (1) story 8,974 square 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, to include the installation of a six foot (6') wooden fence that conforms to the standards of the Garden Ridge Bracken Homeowners Association between the property line of Lot 8, Block 12, The Woods of Bracken Subdivision and Lot 10, Block 12, Forest of Garden Ridge Subdivision, as shown on the Architectural Site Plan originally submitted. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

5. Citizen Comment Period – limited to 20 minutes total

No one wished to speak.

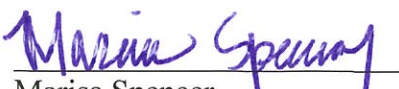
6. Adjournment

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Bower, to adjourn. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Thursday, February 20, 2020, City Council special meeting was adjourned at 8:40 p.m. by Mayor Thompson.



Larry Thompson
Mayor

ATTEST



Marisa Spencer
City Secretary

FEBRUARY 20, 2020, CITY COUNCIL SPECIAL MEETING

PUBLIC HEARING(1) – PETITION FOR VARIANCES

PLEASE WRITE YOUR NAME AND ADDRESS.

1. Billy Chamberlin 8810 Comanche Path
2. Red Chamberlin 8807 Cherokee Path.

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FEBRUARY 20, 2020, CITY COUNCIL SPECIAL MEETING

PUBLIC HEARING(2) – PETITION FOR SPECIAL USE PERMIT

PLEASE WRITE YOUR NAME AND ADDRESS.

1. Rod Chamberlain 8807 Cherokee Path.

2. Billy Chamberlain 8810 Comanche Path

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