



# City of Garden Ridge

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

## AGENDA PLANNING AND ZONING COMMISSION REGULAR MEETING TUESDAY, AUGUST 11, 2020, 6:00 P.M.

The Garden Ridge Planning and Zoning Commission will meet in a regular session on Tuesday, August 11, 2020, at 6:00 p.m. 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 providing time, place, date, and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretative 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 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:

1. Direct your comments to the entire Commission, not to an individual member, nor to the audience.
2. Show the Commission the same respect that you would like to be shown.
3. End your speaking at the time allotted below.

#### b) Speaking:

1. First citizen comment period.
  - i. You are required to sign up to speak and you are limited to one 3-minute period.
2. Second citizen comment period.
  - i. You are not required to sign up and you are limited to one 2-minute period.
3. State your name and address before your comments begin.
4. 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. Approvals and Authorizations

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

- a) Approval of Minutes for June 10, 2020, Planning and Zoning Commission Regular Meeting.
- b) Petition by Tony Overman for a Garden Home development on property zoned Neighborhood Services (B-1), for a depth into the property along F.M. 2252 of three hundred (300) feet, and remainder of property zoned Office and Professional (B-2), located at 19780 F.M. 2252, Garden Ridge, Texas, further described as Lot 1, Clay Subdivision. The petition requests the following variances to Ordinance No. 13-122018:
  - 5.1.2.4. Garages. Every house shall have at least a two (2) car garage, either attached or detached. The petition requests a minimum of a one (1) car garage.
  - 5.1.2.5.2. Impervious Cover. Total impervious cover for a lot including residence, driveway, pools, outbuildings, and other structures shall not exceed thirty-five (35) percent of the lot area. The petition requests seventy-five (75) percent.

- 5.1.7.2.1. Lot Size. Any lot or tract of land located within the City of Garden Ridge and served by a public water supply system shall have a minimum area of thirty-two thousand six hundred seventy (32,670) square feet. The petition requests a minimum lot size of four thousand four hundred (4,400) square feet.
- 5.1.7.2.2. Lot Width. Each lot shall front upon a public street and shall have a minimum of one hundred twenty (120) feet at the front property line as shown on the plat. On a cul-de-sac, the frontage shall be a minimum of fifty (50) feet at the front property line. The petition requests a minimum of forty (40) feet per lot fronting a public street and minimum of twenty-eight (28) feet for lots on a cul-de-sac.
- 5.1.7.2.3. Front Yard. There shall be a front yard having a minimum setback of forty-five (45) feet. The petition requests fifteen (15) feet.
- 5.1.7.2.4.1. Side Yards: Corner Lots. The street-adjacent side yards of corner lots shall have a minimum setback of twenty-five (25) feet. The side yard adjacent to the street shall have a minimum setback of fifteen (15) feet, or as modified for interior lots. The petition requests eight (8) feet for corner lot side setback.
- 5.1.7.2.4.2. Side Yards: Interior Lots. There shall be a side yard on each side of all interior lots of not less than fifteen (15) feet. The petition requests a five (5) foot interior lot setback.
- 5.1.7.2.5. Rear Yard. There shall be a rear yard having a depth of at least twenty-five (25) feet. The petition requests a minimum fifteen (15) foot rear yard depth.
- 5.1.9. House Size. The main residential structure on each lot, exclusive of basements, porches, garages, breezeways, and residential outbuildings, shall contain at least two thousand (2,000) square feet of habitable space. The petition requests a minimum of one thousand six hundred (1,600) square feet.
- 8.4.9. Fences. Side or rear fences facing any paved street shall be of metal, rock or brick masonry, cement or stucco finished cement block, wood, or chain link. The petition requests vinyl fences up to a maximum of four (4) feet in height for front, side, and rear yards.
- 8.4.11. Fences. Fences over two (2) foot high and forward of the front plane of the residence shall be metal, brick, rock or cement masonry, columns, or support structure matching that of the main structure. The petition requests vinyl picket fences up to four (4) feet in height for front, side, and rear yards.
- Appendix 2, Sign Regulations. 3.c. Master Pylon Signs. One free standing master pylon sign not exceeding six (6) feet in width and sixteen (16) feet in height. The petition requests to have extended entrance masonry rock signage nineteen (19) feet in length and five (5) feet in height.

The petition requests the following variances to Ordinance No. 7-042006:

- Article 1, Section 3, Definitions. A. Alley: A minor public right of way not intended to provide the primary means of access to abutting lots, which is used primarily for vehicular service access to the back or sides of properties abutting on a street. The petition requests primary access to residences from an alley instead of a street.
  - Section 7. Standards and Specifications. B. Streets. 10.a. All streets in such subdivision shall have a right of way of at least sixty (60) feet and a pavement width (exclusive of curbing) of at least twenty-four (24) feet. The petition requests a forty-six (46) foot right of way and twenty (20) foot pavement width.
1. Hold a public hearing.
  2. Discuss and make a recommendation regarding the petition.
- c) Petition by Tony Overman, for the issuance of a Special Use Permit for a Garden Home development consisting of approximately sixty-five (65) to seventy (70) garden homes, with associated streets, alleys, and drainage, on property zoned Neighborhood Services (B-1), for a depth into the property along F.M. 2252 of three hundred (300) feet, and remainder of property zoned Office and Professional (B-2), located at 19780 F.M. 2252, Garden Ridge, Texas, further described as Lot 1, Clay Subdivision.
1. Hold a public hearing.
  2. Discuss and make a recommendation regarding the petition.

## 6. **Business Items**

The following are for discussion, consideration, and action.

### a) Discussions/Reports/Updates

1. Items applicable to the Planning and Zoning Commission discussed at the July and August City Council Meetings.
2. Update on TxDOT projects.
3. 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. Make recommendations related to application of ordinance provisions to commission members, if needed.
4. Draft Zoning Ordinance.
  - i. Discuss and make possible recommendations related to the Draft Zoning Ordinance.
  - ii. Discuss and make possible recommendations related to the Strategic Committee.
  - iii. Discuss and make possible recommendations related to City Staff's role and future workload.

### b) Future Agenda Items

1. Commissioners input on agenda items.
2. Announce date, time, and location for next meeting (September 8, 2020, at 6:00 p.m. at City Hall).

## 7. **Citizen Comment Period – limited to 20 minutes total**

See “Rules for Citizen’s Participation” under Item 4.

## 8. **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 Commission Authorized:** The Commission may vote or act upon any item within this agenda.

**Attendance by Other Elected or Appointed Officials:** It is anticipated that members of the City Council, other city boards, commissions, and/or committees may attend the meeting in numbers that may constitute a quorum of the City Council, 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.

This is to certify that I, Marisa Spencer, posted this Agenda at 10:00 a.m. on August 5, 2020, on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.

  
Marisa Spencer  
City Secretary



# City of Garden Ridge

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

## MINUTES PLANNING AND ZONING COMMISSION REGULAR MEETING TUESDAY, JUNE 9, 2020, 6:00 P.M.

### **Commissioners Present:**

Chair Dr. Miller  
Vice-Chair Karen Diaz  
Commissioner Jesse Valdez  
Commissioner Kerim Jacaman  
Commissioner David Dauer

### **Commissioners Absent:**

Commissioner David Heier (Excused Absence)  
Commissioner Kitty Owen (Excused Absence)

### **City Staff, City Councilmembers, or Other Commissioners Present:**

Nancy Cain, City Administrator  
Marisa Spencer, 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, June 9, 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 – limited to 30 minutes total**

Tony and Chris Overman signed up to speak; however, they both stated they intended to speak during their presentation agenda item.

### **5. Business Items**

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

#### **a) Presentations**

##### **1. Apple Creek Village Garden Home Development Proposal by Overman Properties.**

Tony Overman and Chris Overman, Overman Properties, presented "Apple Creek Village Garden Homes Concept Plan and Development for City of Garden Ridge" (see attached) and displayed pictures of the Cotton Crossing Subdivision located in New Braunfels.

The Commission discussed the proposal as well as current City Ordinances with Tony and Chris Overman, City Attorney Cynthia Trevino, and City Administrator Nancy Cain. Nancy Cain, City Administrator, spoke regarding the process for applying for a Special Use Permit and Variance Requests.

#### **b) Approvals**

##### **1. Approval of Minutes for March 10, 2020, Planning and Zoning Commission Regular Meeting.**

**Motion:** A motion was made by Commissioner Valdez, seconded by Commissioner Dauer, to approve the minutes for March 10, 2020, Planning and Zoning Commission Regular Meeting. The Commission voted four (4) for and none (0) opposed. The motion carried unanimously.

**c) Discussions/Reports/Updates**

- 1. Items applicable to the Planning and Zoning Commission discussed at the March 17 and March 24, 2020, City Council Emergency Meetings and the May 11, 2020, City Council Special Meeting.**

Nancy Cain, City Administrator, provided the Commission with an update on the items applicable to the Planning and Zoning Commission discussed at the March 17 and March 24, 2020, City Council Emergency Meetings and May 11, 2020, City Council Special Meeting. She spoke regarding the First Amendment to the Declaration of Local Disaster and the Precautionary Public Health Measures approved by City Council.

- 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. 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.**

Cynthia Trevino, City Attorney, provided the Commission with various legal and procedural updates to the Draft Zoning Ordinance and spoke regarding Chapter 380 of the Local Government Code.

The Commission discussed the revised Draft Zoning Ordinance and use charts contained in the Draft Zoning Ordinance provided by Freese and Nichols, Inc. The Commission provided edits, comments, and questions to the City Administrator, City Secretary, and City Attorney.

**d) Future Agenda Items**

- 1. Commissioners input on agenda items.**

Chair Dr. Miller requested to discuss the Strategic Committee's role in the Zoning Ordinance revision process. He also requested to discuss City staff's ability to handle the future workload related to the Zoning Ordinance.

Commissioner Dauer requested to receive an update on TxDOT projects.

- 2. Announce date, time, and location for next meeting (July 14, 2020, at 6:00 p.m. at City Hall).**

Chair Dr. Miller stated the next Planning and Zoning Commission Regular Meeting is scheduled for Tuesday, July 14, 2020, at 6:00 p.m. at City Hall.

**6. Citizen Comment Period – limited to 20 minutes total**

No one wished to speak.

**7. Adjournment**

**Motion:** A motion was made by Commissioner Valdez, seconded by Vice-Chair Diaz, to adjourn. The Commission voted four (4) for and none (0) opposed. The motion carried unanimously. There being no further business, the Tuesday, June 9, 2020, Planning and Zoning Commission Regular Meeting was adjourned at 7:39 p.m. by Chair Dr. Miller.

ATTEST:

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Dr. Jim Miller  
Chair

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Marisa Spencer  
City Secretary



**LEGAL NOTICE**  
**NOTICE OF PUBLIC HEARINGS**  
**CITY OF GARDEN RIDGE**  
**PLANNING AND ZONING COMMISSION**  
**AND CITY COUNCIL**

**The Planning and Zoning Commission of the City of Garden Ridge, Texas, will conduct a public hearing on Tuesday, August 11, 2020, at 6:00 p.m.** in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.

**The City Council of the City of Garden Ridge, Texas, will conduct a public hearing on Thursday, August 13, 2020, at 6:00 p.m.** in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.

The public hearings will be to consider a petition by Tony Overman for a Garden Home development on property zoned Neighborhood Services (B-1), for a depth into the property along FM 2252 of three hundred (300) feet, and remainder of property zoned Office and Professional (B-2), located at 19780 FM 2252, Garden Ridge, TX, further described as Lot 1, Clay Subdivision. The petition requests the following variances to Ordinance No. 13-122018:

5.1.2.4. Garages. Every house shall have at least a two (2) car garage, either attached or detached. The petition requests a minimum of a one (1) car garage.

5.1.2.5.2. Impervious Cover. Total impervious cover for a lot including residence, driveway, pools, outbuildings, and other structures shall not exceed thirty-five (35) percent of the lot area. The petition requests seventy-five (75) percent.

5.1.7.2.1. Lot Size. Any lot or tract of land located within the City of Garden Ridge and served by a public water supply system shall have a minimum area of thirty-two thousand six hundred seventy (32,670) square feet. The petition requests a minimum lot size of four thousand four hundred (4,400) square feet.

5.1.7.2.2. Lot Width. Each lot shall front upon a public street and shall have a minimum of one hundred twenty (120) feet at the front property line as shown on the plat. On a cul-de-sac, the frontage shall be a minimum of fifty (50) feet at the front property line. The petition requests a minimum of forty (40) feet per lot fronting a public street and minimum of twenty-eight (28) feet for lots on a cul-de-sac.

5.1.7.2.3. Front Yard. There shall be a front yard having a minimum setback of forty-five (45) feet. The petition requests fifteen (15) feet.

5.1.7.2.4.1. Side Yards: Corner Lots. Street-adjacent side yards of corner lots shall have a minimum setback of twenty-five (25) feet. Side yard adjacent to the street shall have a minimum setback of fifteen (15) feet, or as modified for interior lots. The petition requests eight (8) feet for corner lot side setback.

5.1.7.2.4.2. Side Yards: Interior Lots. There shall be a side yard on each side of all interior lots of not less than fifteen (15) feet. The petition requests a five (5) foot interior lot setback.

5.1.7.2.5. Rear Yard. There shall be a rear yard having a depth of at least twenty-five (25) feet. The petition requests a minimum fifteen (15) foot rear yard depth.

5.1.9. House Size. The main residential structure on each lot, exclusive of basements, porches, garages, breezeways, and residential outbuildings, shall contain at least two thousand (2,000) square feet of habitable space. The petition requests a minimum of one thousand six hundred (1,600) square feet.

8.4.9. Fences. Side or rear fences facing any paved street shall be of metal, rock or brick masonry, cement or stucco finished cement block, wood, or chain link. The petition requests vinyl fences up to a maximum of four (4) feet in height for front, side, and rear yards.

8.4.11. Fences. Fences over two (2) foot high and forward of the front plane of the residence shall be metal, brick, rock or cent masonry, columns, or support structure matching that of the main structure. The petition requests vinyl picket fences up to four (4) feet in height for front, side, and rear yards.

Appendix 2, Sign Regulations. 3.c. Master Pylon Signs. One free standing master pylon sign not exceeding six (6) feet in width and sixteen (16) feet in height. The petition requests to have extended entrance masonry rock signage nineteen (19) feet in length and five (5) feet in height.

The petition requests the following variances to Ordinance No. 7-042006:

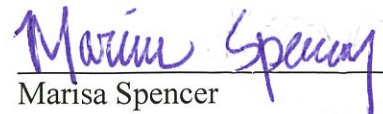
Article 1, Section 3, Definitions. A. Alley: A minor public right of way not intended to provide the primary means of access to abutting lots, which is used primarily for vehicular service access to the back or sides of properties abutting on a street. The petition requests primary access to residences from an alley instead of a street.

Section 7. Standards and Specifications. B. Streets. 10.a. All streets in such subdivision shall have a right of way of at least sixty (60) feet and a pavement width (exclusive of curbing) of at least twenty-four (24) feet. The petition requests a forty-six (46) foot right of way and twenty (20) foot pavement width.

This notice gives you the opportunity to express your support of, or objection to, the proposed variances. The public is invited and welcome to attend the public hearings and may submit oral comments. Alternatively, written comments on this matter may be submitted ***up to two (2) hours before the meeting*** via email to [citysecretary@ci.garden-ridge.tx.us](mailto:citysecretary@ci.garden-ridge.tx.us). Please include your name and address when submitting any written comments.

The meetings can be viewed live on the City's YouTube Channel and will be archived on the City's Website for on demand viewing. Please feel free to contact City Hall at 210-651-6632 if you need additional information on this matter.

This is to certify that I, Marisa Spencer, posted this Legal Notice at 5:00 p.m. on July 23, 2020, on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.

  
Marisa Spencer  
City Secretary

Planning and Zoning Form 2  
APPLICATION FOR VARIANCE  
(Type or Print)

1. Date: 7-2-20 Case #: \_\_\_\_\_

2. Applicant Name: Tony Overman  
(First) (Middle) (Last)

3. Mailing Address: 18965 FM 2252  
(Street)  
Garden Ridge, Texas 78266  
(City) (State) (Zip)

Phone: (210) 317-1998

4. Applicant's relationship to property:  
Sole owner ( ) Part owner ( ) Other: under contract  
(Specify)  
(If not sole owner, furnish a notarized letter of authorization from all owners as attachment 1.)

5. Property location: 19780 FM 2252  
(Street address or street property front)

6. Legal description:

Plat: Lot(s) 1 Block(s) \_\_\_\_\_

Subdivision: CLAY Subdivision

Acreage: 15.214 (If acreage, provide separate metes and bounds description as attachment 2.)

Property Deed recorded in Comal County Volume # 12 Page # 1666

7. Cite City Ordinance number, page and paragraph from which variance is needed: \_\_\_\_\_

See attachment A

8. State what you want to do instead: Desire to build Garden Homes

9. Give reason why a variance should be granted (cost alone is not acceptable): \_\_\_\_\_

See Attachment A

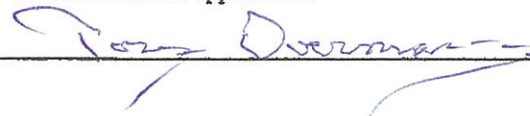
10. If you are requesting a variance from City Ordinance 13 requirements, give a dimensioned map with north orientation, scaled 100 or 200 feet per inch, of the property to be rezoned showing all streets and parcels of land within 300 feet of the property as attachment 3. Key each adjoining land parcel to a list of current owners and addresses as attachment 4.

11. Give site plan showing location, dimensions and uses of existing or proposed structures, easements, water sources, fences, curb cuts, street and alley right-of-way lines within one foot of property for which variance is requested, on another map of larger scale, as attachment 5.

12. Identify any deed restrictions on agriculture, residential, business or other use. If none, so state: \_\_\_\_

see Attachment A

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: 

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                         | _____ |
|               | P&Z recommendation to City Council               | _____ |
| City Council: | Notice to adjoining property owners, if required | _____ |
|               | Notice of public hearing, if required            | _____ |
|               | Public hearing conducted, if required            | _____ |
| City Admin.:  | Applicant notified of Council Decision           | _____ |
|               | Zoning ordinance change published, if required   | _____ |

# Apple Creek Village Garden Homes

## Concept Plan and Development for

### City of Garden Ridge

To: Planning & Zoning Committee

Submitted by: Tony Overman and Chris Overman w/Overman Properties Mgmt., LLC

Civil Engineers: Dye Engineering, Scott Dye and Mike Wiater

Date: July 2, 2020

#### **Proposed Use**

The proposed property is on 15.2 acres off of FM 2252 adjoining the corner lot of FM 3009 and FM 2252. The property is currently zoned B1 which would include residential for the use of building smaller luxury style garden homes for individuals who no longer need or desire larger homes for their age or position in life. This development is mainly geared toward empty nesters, retired individuals and second home lifestyles.

Many existing residents of Garden Ridge have lived and raised their families in the city of Garden Ridge. These same families deal with the difficult decision as their families are raised and they are left with sometimes very large homes and yards to keep up and take care of. This type of community would solve the problem of losing longtime residents who want to stay, but in the past have been forced to move because of the lack of options in living choices. We have lost many families because there have been no options in the past. We at Overman Properties would like to give those options to those families.

#### **The Developer and his Vision**

The applicant, Tony Overman and his son Chris Overman have lived in Garden Ridge for 30 years. Overman Properties has established its office and roots in the fabric of the city. We have built 5 office complexes, an assisted living, a vet clinic and a wedding venue all in the city of Garden Ridge. This vision that came from Tony Overman has been a desire for many years. This concept has already been built in New Braunfels near the city of Gruene, Texas off Hanz drive called Cotton Crossing. The homes and look of the community were so different and desirable, that they sold out very quickly. It truly is a charming and beautiful new design that you don't see very often.

If you've ever been blessed to see the art work and visions of Norman Rockwell, this is the vision I have for Apple Creek Village. Imagine lamp lit streets with oaks, white picket fences and landscape yards that line the streets. There would be no driveways or cars parked in the front of the houses. This will be a gated community. Each house would be easily accessed from a small driveway in the rear of each house going into their

own private garages. Each house will have some kind of front porch. The designs will be created with 4-5 floor plans ranging from 1,600 sq ft. to 2,200 square feet. Each home will range from a 2 to 3 bedroom/2 bath home with a study and an open living room, kitchen design. All homes will be finished with a high end custom finish out. Each of these homes will be one story with halls and bathrooms to meet the needs of couples desiring ease of aging. These homes will all have minimum yards and the community will have an HOA with very restrictive covenants that keep Apple Creek Village looking beautiful and nicely manicured at all times.

Front Porches required on all homes.

Garages must have rear entry from alley.

Sidewalks will be in front of every home.

Lamp Post will be up and down all streets.

Since the developer owns the corner lot of FM 2252 and FM 3009 and that property has plans to develop a retail center with shops, restaurants, medical offices etc.. This Garden Home community would have a gated private entrance on the side of the property leading into the retail and business area.

### **Current Status of Land and Needs to Develop:**

**Sewer**-----The current 15.2 acres is mainly flat land with a few trees. The site does not have sewer lines for waste water. In order to make this possible, the sewer waste water lines would need to service these lots in order to have Garden Home lots that are considerably smaller in size.

**Zoning**-----We will be requesting a special use permit to build Garden Homes. We will be asking for a multitude of variances considering Garden Homes require smaller lot sizes and set back requirements. Each house will have sewer pump grinders as required by the city and the plan is to tie into the new city waste water lines. The expedited number of garden homes in this neighborhood would be in the vicinity of 65-70 homes predominately for ages of 55+.

**Garden Home Approval by City Council**-----As a resident of Garden Ridge for over 30 years, there has not been any formal approval of Garden Homes. I strongly believe the time has come to revisit and approve moving forward with a new vision and new options for our retired residents, empty nesters and those desiring a smaller home with less upkeep and maintenance.

### **Contact Information:**

Tony Overman      210-317-1998 cell   tony@overmanproperties.com  
Chris Overman      210-8454778 cell   chris@overmanproperties.com

# Apple Creek Village Garden Homes

## Garden Ridge Variance Request with City of Garden Ridge

|                               |                                                                                                                                                                                                                                                                                   |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>B-1 &amp; B-2 Zoning</b>   | Requesting to construct Garden Homes (R – Single Family Dwelling District) with the variances listed below.                                                                                                                                                                       |
| <b>House Size</b>             | Request to build minimum 1,600 sq. ft. of habitable living space.<br><b>Ordinance No. 13-122018, Section 5.1.9</b>                                                                                                                                                                |
| <b>Impervious cover</b>       | Request to increase impervious cover to 75% on each lot out of the 15.214 acres, instead of 35% considering there will be waste water lines and these are very limited lot sizes. <b>Ordinance No. 13-122018, Section 5.1.2.5.2</b>                                               |
| <b>Septic Requirements</b>    | Request to tie into new waste water line provided by City.                                                                                                                                                                                                                        |
| <b>Front Yard Set back</b>    | Request a 15 ft. setback from front property line to structure instead of 45 ft. The whole purpose of this community is to have a smaller yard and floor plan. <b>Ordinance No. 13-122018, Section 5.1.7.2.3</b>                                                                  |
| <b>Side of house Set Back</b> | Requesting a 5 ft. side yard setback instead of 15 ft. in order to keep the look and design of the vision and small neighborhood.<br><b>Ordinance No. 13-122018, Section 5.1.7.2.4.2</b>                                                                                          |
| <b>Rear of house set back</b> | Request minimum of 15 ft. rear setback instead of 25 ft. setback.<br><b>Ordinance No. 13-122018, Section 5.1.7.2.5</b>                                                                                                                                                            |
| <b>Corner Lots</b>            | Requesting an 8 ft. corner lot side set back on street side in order to keep the lot sizes in range of other lots and fit our design.<br><b>Ordinance No. 13-122018, Section 5.1.7.2.4.1</b>                                                                                      |
| <b>Lot Size</b>               | Request to have minimum of 4,400 sq. ft. lot size since these lots would be served by the city's waste water line. The lots would only need to be a fraction of a normal size lot because septic systems would not be required. <b>Ordinance No. 13-122018, Section 5.1.7.2.1</b> |
| <b>Lot Width</b>              | Request to have front facing public street width of 40 ft. per lot instead of a minimum of 120 ft. and 28 ft. for cul-de-sac lots instead of 50 ft. <b>Ordinance No. 13-122018, Section 5.1.7.2.2</b>                                                                             |
| <b>Fences</b>                 | Requesting variance for the use of white vinyl picket fences up to a maximum of 4 ft in height for front, side and rear yards as needed.<br><b>Ordinance No. 13-122018, Sections 8.4.11</b>                                                                                       |
| <b>Subdivision Entry</b>      | Request to have extended entrance masonry rock signage 19' long x 5' high. <b>Ordinance No. 13-122018, Section 8.4.17</b>                                                                                                                                                         |

**Garage**

Request to have 1 car garage instead of 2 car garage. **Ordinance No. 13-122018, Section 5.1.2.4**

**Alley Access**

Requesting primary access from an alley instead of a street.  
**Ordinance No. 7-042006, Article 3, Definitions**

**Street**

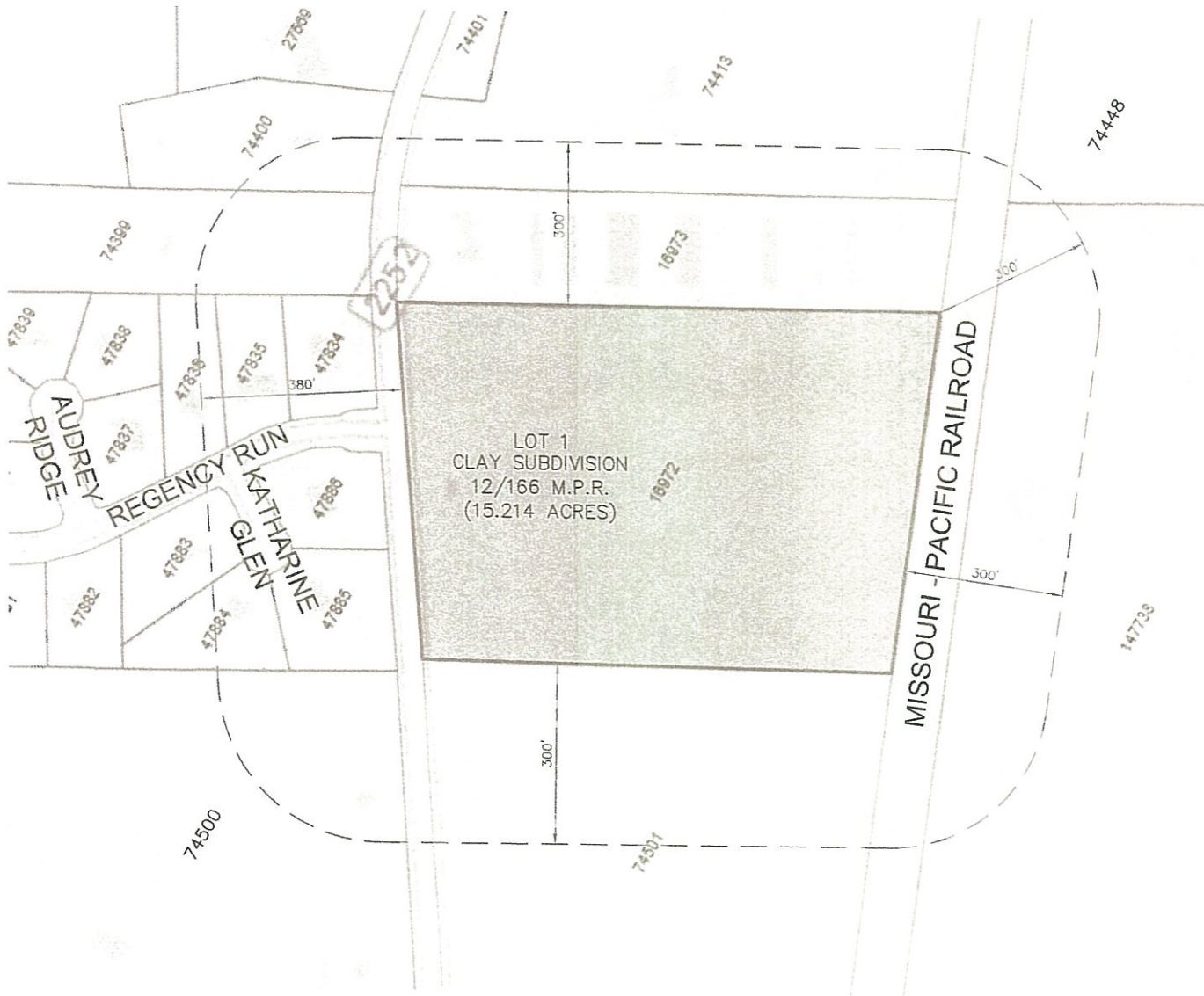
Requesting 46 ft. right-of-way and 20 ft. pavement instead of 60 ft. right-of-way and 36 ft. pavement. **Ordinance 7-042006, Section 7. Standards and Specifications., B, Streets., 10.a.**

## Apple Creek Village (attachment 4)

### List of Names and Addresses

| <u>No.</u> | <u>CCAD Property ID</u> | <u>Name</u>                                           | <u>Address</u>                                          |
|------------|-------------------------|-------------------------------------------------------|---------------------------------------------------------|
| 1          | 16972                   | Garden Ridge 2252, LLC                                | 19710 Secret Cove<br>Garden Ridge, Texas 78266          |
| 2          | 16973                   | CF&M Storage, LLC                                     | 19834 F.M. 2252, Suite 101<br>Garden Ridge, Texas 78266 |
| 3          | 47834                   | Charles L. & Camilla C. Weeks                         | 19802 Regency Run<br>Garden Ridge, Texas 78266          |
| 4          | 47835                   | Beola E. & Ralph Bradley                              | 19808 Regency Run<br>Garden Ridge, Texas 78266          |
| 5          | 47836                   | David & Alice McCormick<br>Revocable Trust 11-02-2017 | 19902 Regency Run<br>Garden Ridge, Texas 78266          |
| 6          | 47883                   | Hakeem O. & Kenisha L.<br>Ransom                      | 9909 Katharine Glen<br>Garden Ridge, Texas 78266        |
| 7          | 47884                   | Michael L. & Ginger G.<br>Perry                       | 9903 Katharine Glen<br>Garden Ridge, Texas 78266        |
| 8          | 47885                   | Stephen A. & Astrid Wisser                            | 9902 Katharine Glen<br>Garden Ridge, Texas 78266        |
| 9          | 47886                   | Myron S. & Amy A. Friedman                            | 9908 Katharine Glen<br>Garden Ridge, Texas 78266        |
| 10         | 74399                   | David & Tammy Driskill                                | 19831 F.M. 2252<br>Garden Ridge, Texas 78266            |
| 11         | 74400                   | K & A Trust c/o Pamela Fritz                          | 8927 Garden Ridge Drive<br>Garden Ridge, Texas 78266    |
| 12         | 74413                   | Martin E. & Phoebe Hendrix                            | 19862 F.M. 2252<br>Garden Ridge, Texas 78266            |
| 13         | 74446                   | Vanessa Brown                                         | 6320 F.M. 725<br>New Braunfels, Texas 78130             |

|    |        |                      |                                                      |
|----|--------|----------------------|------------------------------------------------------|
| 14 | 74500  | Monroe J. Metz       | 19597 F.M. 2252<br>Garden Ridge, Texas 78266         |
| 15 | 74501  | Custom Clinics, LLC  | 18965 F.M. 2252<br>Garden Ridge, Texas 78266         |
| 16 | 147738 | BNSF Railway Company | 2500 Lou Menk DR. – AOB-3<br>Fort Worth, Texas 76131 |



| NO | DATE       | COMMENTS |
|----|------------|----------|
| 1  | 05-05-2020 |          |
| 2  |            |          |
| 3  |            |          |
| 4  |            |          |
| 5  |            |          |
| 6  |            |          |
| 7  |            |          |
| 8  |            |          |
| 9  |            |          |
| 10 |            |          |

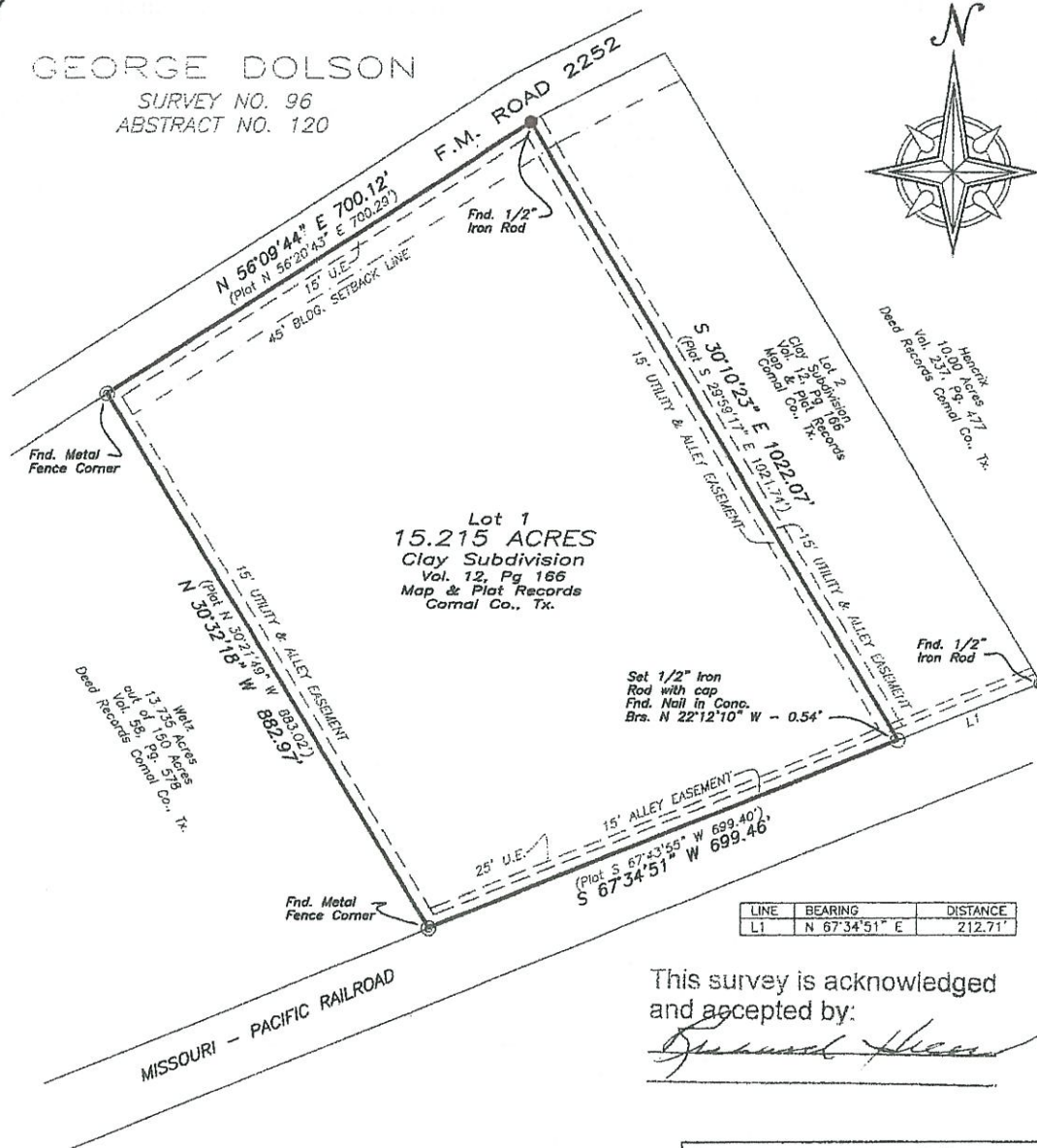
**DYE ENTERPRISES**  
ENGINEERS - SURVEYORS - PLANNERS  
10000 DYE ENTERPRISE DRIVE  
SAN ANTONIO, TEXAS 78217  
TEL: 214-599-1111  
FAX: 214-599-1111

APPLE CREEK VILLAGE  
VARIANCE APPLICATION  
EXHIBIT 3  
CITY OF SAN ANTONIO, COUNTY OF COMAL, STATE OF TEXAS

DRAWN BY: J. J. M.  
CHECKED BY: J. J. M.  
DATE: 05-05-2020  
PROJECT NO.: 2020-001

# GEORGE DOLSON

SURVEY NO. 96  
ABSTRACT NO. 120

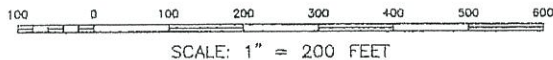


| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | N 67°34'51" E | 212.71'  |

This survey is acknowledged  
and accepted by:

*[Signature]*

ALL SET PINS ARE 1/2" REBAR  
WITH A YELLOW PLASTIC CAP  
STAMPED "FORD ENG. INC."



BEARING SHOWN ARE ORIENTED TO  
LAMBERT GRID, TEXAS SOUTH CENTRAL  
ZONE, NAD 83

SUBJECT PROPERTY DOES NOT LIE  
WITHIN THE 100 YEAR FLOOD PLAIN  
AS PER FIRM MAP No. 480148 0001 B  
DATED APRIL 30, 1986

STATE OF TEXAS:  
COUNTY OF COMAL:

I, REX L. HACKETT, DO HEREBY CERTIFY THAT  
THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY  
MADE ON THE GROUND AND UNDER MY SUPERVISION.

*[Signature]*  
REX L. HACKETT

R.P.L.S. NO. 5573



SURVEYED: 12-21-2006  
PROJECT NO.: 2247.00  
DRAWN BY: R.L.H.



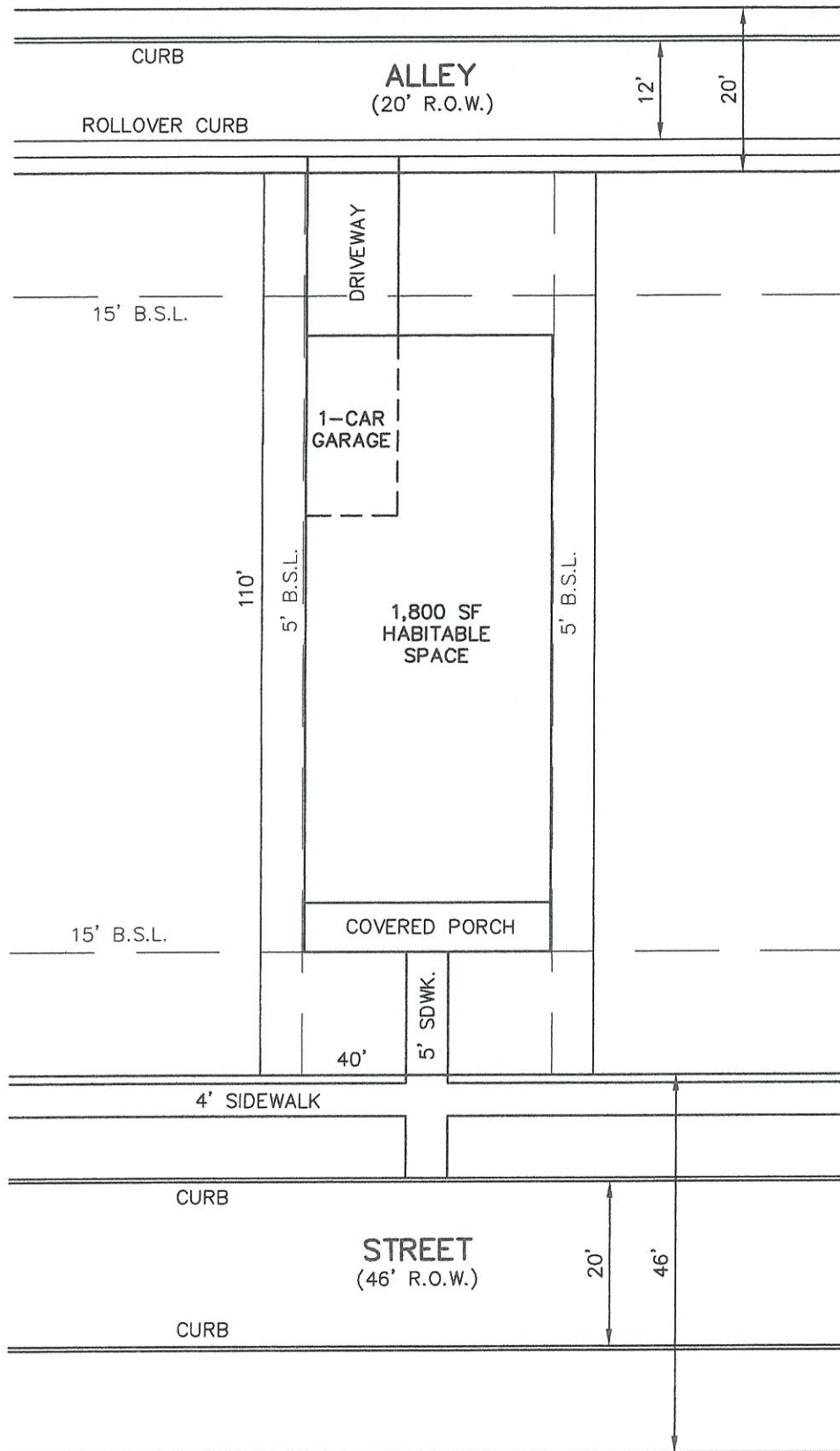
**FORD ENGINEERING INC.**

ENGINEERING PLANNING DEVELOPMENT  
10927 WYE DRIVE, SUITE 104, SAN ANTONIO, TEXAS 78217  
TEL: (210) 590-4777 FAX: (210) 590-4940  
www.ford-engineering.com

PLAT SHOWING

LOT 1  
CLAY SUBDIVISION  
15.215 ACRES  
SITUATED IN THE GEORGE DOLSON  
SURVEY NO. 96, ABSTRACT NO. 120  
BEING ALL OF LOT 1 OF THE  
CLAY SUBDIVISION AS SHOWN  
ON A PLAT RECORDED IN VOLUME  
12, PAGE 166 OF THE MAP AND PLAT  
RECORDS OF COMAL CO., TX.





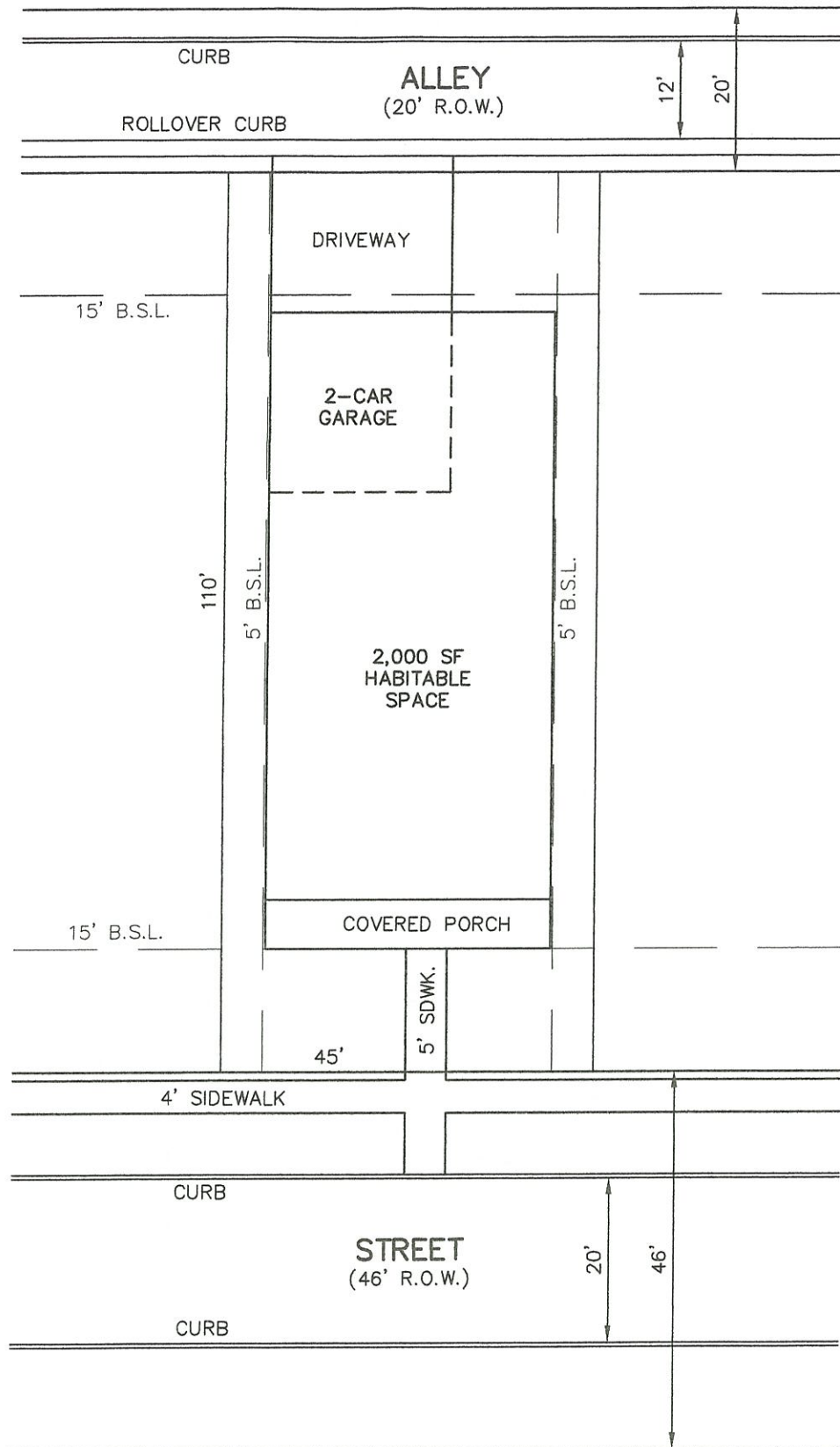
(S)

## TYPICAL LOT LAYOUT

(SMALL LOT)

IMPERVIOUS COVER = 57.1%

SCALE: 1"=20'



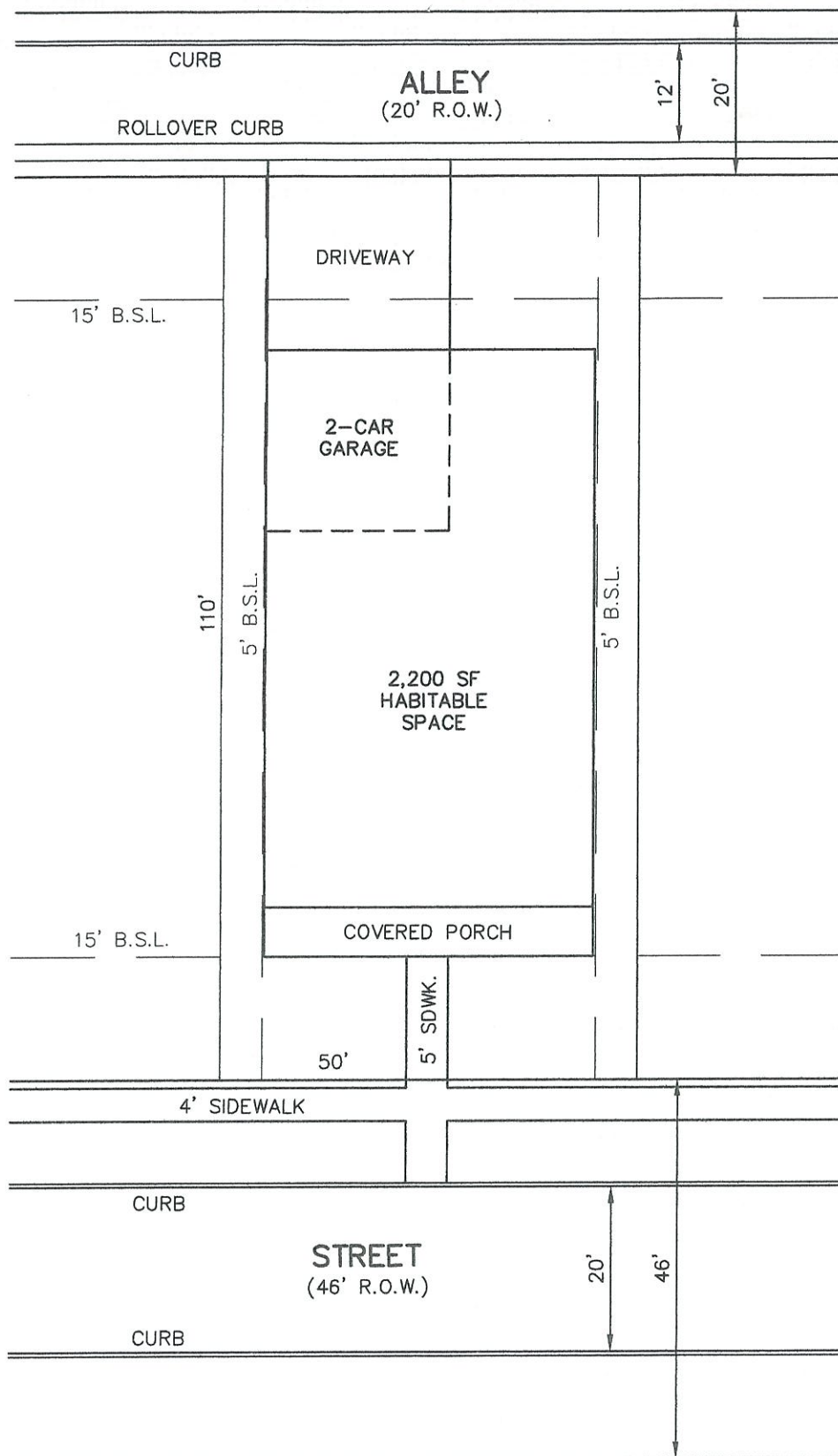
(M)

## TYPICAL LOT LAYOUT

(MEDIUM LOT)

IMPERVIOUS COVER = 63.4%

SCALE: 1"=20'



(L)

## TYPICAL LOT LAYOUT

(LARGE LOT)

IMPERVIOUS COVER = 62.9%

SCALE: 1"=20'



# City of Garden Ridge

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

## **LEGAL NOTICE** **NOTICE OF PUBLIC HEARINGS** CITY OF GARDEN RIDGE PLANNING AND ZONING COMMISSION AND CITY COUNCIL

**The Planning and Zoning Commission of the City of Garden Ridge, Texas, will conduct a public hearing on Tuesday, August 11, 2020, at 6:00 p.m.** in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.

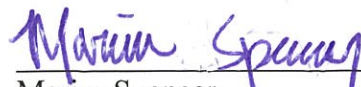
**The City Council of the City of Garden Ridge, Texas, will conduct a public hearing on Thursday, August 13, 2020, at 6:00 p.m.** in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.

The public hearings will be to consider a petition by Tony Overman, for the issuance of a Special Use Permit for a Garden Home development consisting of approximately sixty-five (65) to seventy (70) garden homes, with associated streets, alleys, and drainage, on property zoned Neighborhood Services (B-1), for a depth into the property along F.M. 2252 of three hundred (300) feet, and remainder of property zoned Office and Professional (B-2), located at 19780 F.M. 2252, Garden Ridge, Texas, further described as Lot 1, Clay Subdivision.

This notice gives you the opportunity to express your support of, or objection to, the proposed variances. The public is invited and welcome to attend the public hearings and may submit oral comments. Alternatively, written comments on this matter may be submitted ***up to two (2) hours before the meeting*** via email to [citysecretary@ci.garden-ridge.tx.us](mailto:citysecretary@ci.garden-ridge.tx.us). Please include your name and address when submitting any written comments.

The meetings can be viewed live on the City's YouTube Channel and will be archived on the City's Website for on demand viewing. Please feel free to contact City Hall at 210-651-6632 if you need additional information on this matter.

This is to certify that I, Marisa Spencer, posted this Legal Notice at 5:00 p.m. on July 23, 2020, on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.

  
Marisa Spencer  
City Secretary

Planning and Zoning Form 3  
**APPLICATION FOR SPECIAL USE PERMIT**  
(Type or Print)

1. Date: 7-2-20 Case #: \_\_\_\_\_

2. Applicant Name: TONY Overman  
(First) (Middle) (Last)

Doing Business as: Apple Creek Village  
(First) (Middle) (Last)

Texas Sales & Use Tax Permit Number: \_\_\_\_\_

3. Mailing Address: 18965 FM 2252  
(Street)  
Garden Ridge, Texas 78266  
(City) (State) (Zip)

Phone: (210)- 317-1998

4. Physical Address of Business: 19780 FM 2252  
(Street)  
Garden Ridge, Tx. 78266  
(City) (State) (Zip)

Phone: ( ) - Same

5. Applicant's relationship to property or business:  
Sole owner ( ) Part owner ( ) Other; under contract  
(Specify)  
(If not sole owner, furnish a notarized letter of authorization from all owners as attachment 1.)

6. Legal description of property on which business is to be located:

Plat: Lot(s) 1 Block(s) \_\_\_\_\_

Subdivision Clay Subdivision

Acreage: 15.214 (If acreage, provide separate metes and bounds description as attachment 2.)

Property Deed recorded in Comal County Volume # 12 Page # 1666

7. Existing use of property; Vacant Land

8. Use of property being requested (Be specific and give details - attach additional sheets as needed):

see Exhibit A attach. 3

9. Give dimensioned map with north orientation, scaled 100 or 200 feet per inch, of the property showing all streets and parcels of land within 300 feet of the property as attachment 3. Key each adjoining land parcel to a list of current owners and addresses as attachment 4.

10. Give site plan showing location, dimensions and uses of existing or proposed structures, easements, water sources, fences, curb cuts, street and alley right-of-way lines within one foot of property for which variance is requested, on another map of larger scale, as attachment 5.

11. Identify any deed restrictions on agriculture, residential, business or other use. If none, so state: \_\_\_\_

NONE

12. The undersigned hereby requests that the property identified in this application be approved for the Special Use(s) requested above in accordance with in accordance with Garden Ridge City Ordinance 13, section 12. 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.

13. Applicant Signature: Rony Duerman

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 Special Use Permit fee per Garden Ridge City Ordinance 11.

----- CITY USE ONLY -----  
Special Use Permit

|               |                                                  | 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 Special use Permit               | _____ |
| 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           | _____ |

## **Apple Creek Village Exhibit A** (attachment 3)

### **Request for Special Use Permit** under section 12.1.1

These are the variance request that Apple Creek Station, LLC is requesting from the planning and zoning committee for Garden Ridge, Texas.

**Location of Property:** 19780 FM 2252, Garden Ridge, Texas 78266 15.214 acres of land from Clay Subdivision Lot 1, Volume 12, Page 1666 Map 7 Plot Records, Comal County, Texas

#### **Items listed for Variances Request:**

**Use of Property:** This property is to be used for building a much very high end nicely finished out Garden Homes with smaller yards and smaller square footages in floor plan. The city is losing many residents each year from people who are empty nesters or of an age that a large home and yard become too much upkeep and work. These type of high end well finished out homes will give those residents an option to remain in the city and yet not have the burden of keeping up large yards and houses. Garden Homes require very small lot sizes, thus the reason for requesting variances with set-backs, square footages and need for waste water line.

**Description of Homes:** Each home will range in size from 1,600 sq. ft. up to 2,200 sq. Each home will have a front porch. Each home as a requirement by the developer will have a different color of siding, different stone or brick and a different structural look. As you drive or walk down the street, no house will look identical to any other house. Masonry will be required on every home according to the HOA requirements.

**Covenants & Restrictions:** This subdivision will be monitored and held to a very high standard through an organized HOA. These restrictions will keep the community looking beautiful and maintaining the property values for all residents. Small Pools will be allowed if the lot allows for it.

**Landscape:** The FM 2252 street frontage will have a 5 ft. rock wall protecting the privacy and aesthetic look while maintaining an attractive curb appeal. The streets will be lined with pre-planted trees and old fashioned lamp poles. Each lot and home will be required to meet landscape requirements by the HOA.

**Streets & Alleyways:** The HOA will not allow any overnight parking in the public streets. Parking can occur on one side of the street during a certain number of hours during the day set by the HOA. There will be no garages, driveways or parking in front of homes. All garages will have rear access only. The alleyway will be private and maintained by the HOA. There will be one entrance off of FM 2252 with ingress and egress from that entrance. Since this is a master plan development, there will be an entrance that has ingress and egress from the middle of the

property going into a future planned commercial retail center that corners FM 2252 and FM 3009 that is owned by Overman Properties.

**Waste Water Dependency:** This Garden Home community cannot function without the use of a city waste water system. It is the request of the developer that the city provide a waste water line that enters through the back of the property. Each home will have a grinder pump that feeds into a main line that connects to the city main waste water line.

## Apple Creek Village (attachment 4)

### List of Names and Addresses

| <u>No.</u> | <u>CCAD Property ID</u> | <u>Name</u>                                           | <u>Address</u>                                          |
|------------|-------------------------|-------------------------------------------------------|---------------------------------------------------------|
| 1          | 16972                   | Garden Ridge 2252, LLC                                | 19710 Secret Cove<br>Garden Ridge, Texas 78266          |
| 2          | 16973                   | CF&M Storage, LLC                                     | 19834 F.M. 2252, Suite 101<br>Garden Ridge, Texas 78266 |
| 3          | 47834                   | Charles L. & Camilla C. Weeks                         | 19802 Regency Run<br>Garden Ridge, Texas 78266          |
| 4          | 47835                   | Beola E. & Ralph Bradley                              | 19808 Regency Run<br>Garden Ridge, Texas 78266          |
| 5          | 47836                   | David & Alice McCormick<br>Revocable Trust 11-02-2017 | 19902 Regency Run<br>Garden Ridge, Texas 78266          |
| 6          | 47883                   | Hakeem O. & Kenisha L.<br>Ransom                      | 9909 Katharine Glen<br>Garden Ridge, Texas 78266        |
| 7          | 47884                   | Michael L. & Ginger G.<br>Perry                       | 9903 Katharine Glen<br>Garden Ridge, Texas 78266        |
| 8          | 47885                   | Stephen A. & Astrid Wisser                            | 9902 Katharine Glen<br>Garden Ridge, Texas 78266        |
| 9          | 47886                   | Myron S. & Amy A. Friedman                            | 9908 Katharine Glen<br>Garden Ridge, Texas 78266        |
| 10         | 74399                   | David & Tammy Driskill                                | 19831 F.M. 2252<br>Garden Ridge, Texas 78266            |
| 11         | 74400                   | K & A Trust c/o Pamela Fritz                          | 8927 Garden Ridge Drive<br>Garden Ridge, Texas 78266    |
| 12         | 74413                   | Martin E. & Phoebe Hendrix                            | 19862 F.M. 2252<br>Garden Ridge, Texas 78266            |
| 13         | 74446                   | Vanessa Brown                                         | 6320 F.M. 725<br>New Braunfels, Texas 78130             |

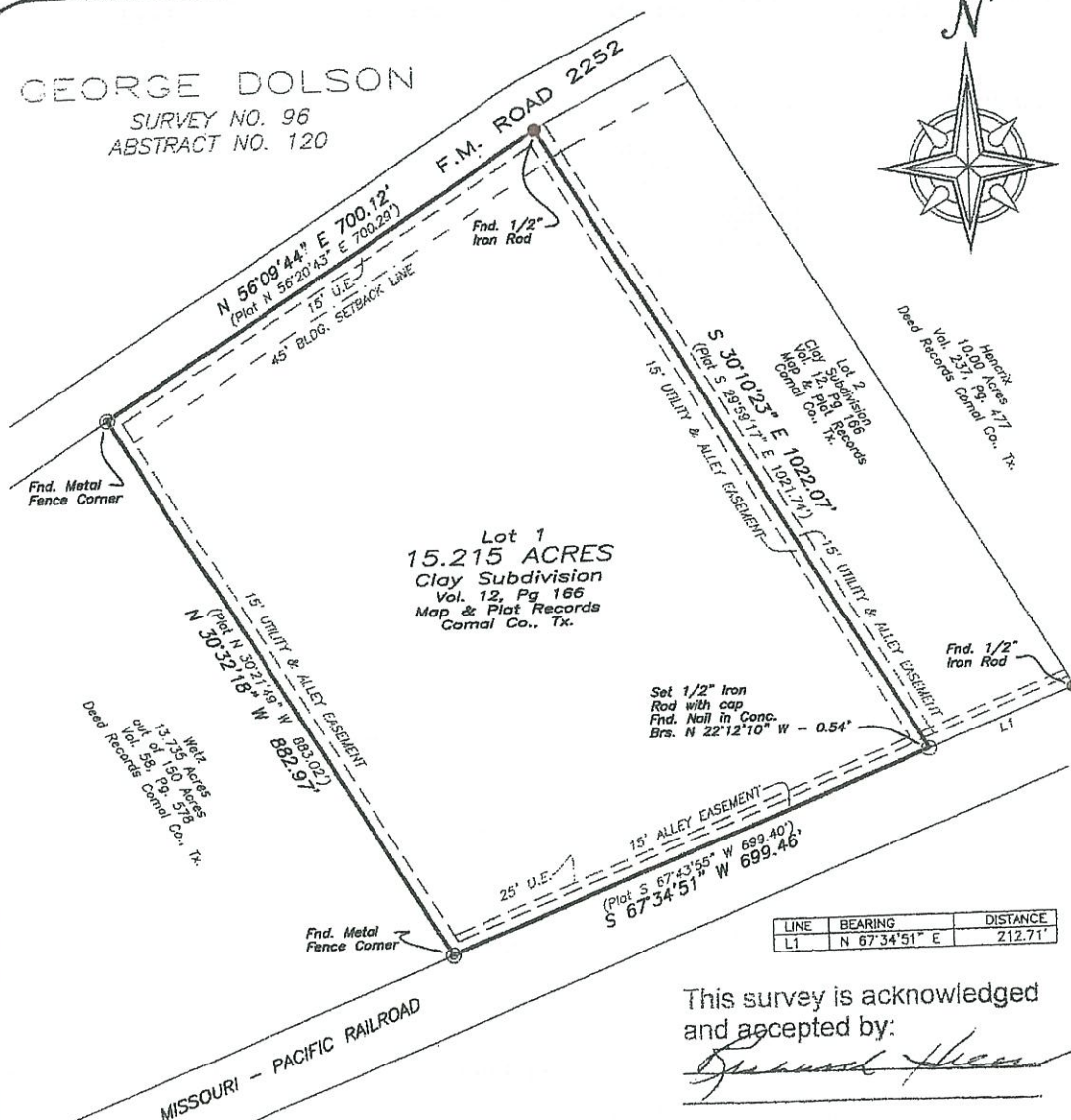
|    |        |                      |                                                      |
|----|--------|----------------------|------------------------------------------------------|
| 14 | 74500  | Monroe J. Metz       | 19597 F.M. 2252<br>Garden Ridge, Texas 78266         |
| 15 | 74501  | Custom Clinics, LLC  | 18965 F.M. 2252<br>Garden Ridge, Texas 78266         |
| 16 | 147738 | BNSF Railway Company | 2500 Lou Menk DR. – AOB-3<br>Fort Worth, Texas 76131 |





# GEORGE DOLSON

SURVEY NO. 96  
ABSTRACT NO. 120



| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | N 67°34'51" E | 212.71'  |

This survey is acknowledged and accepted by:

*[Signature]*

BEARING SHOWN ARE ORIENTED TO LAMBERT GRID, TEXAS SOUTH CENTRAL ZONE, NAD 83

ALL SET PINS ARE 1/2" REBAR WITH A YELLOW PLASTIC CAP STAMPED "FORD ENG. INC."

SCALE: 1" = 200 FEET

SUBJECT PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN AS PER FIRM MAP No. 480148 0001 B DATED APRIL 30, 1986

STATE OF TEXAS:  
COUNTY OF COMAL:

I, REX L. HACKETT, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND AND UNDER MY SUPERVISION.

REX L. HACKETT

SURVEYED: 12-21-2006  
PROJECT NO.: 2247.00  
DRAWN BY: R.L.H.

R.P.L.S. NO. 5573

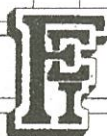


**FORD ENGINEERING INC.**

ENGINEERING PLANNING DEVELOPMENT  
10927 MYE DRIVE, SUITE 104, SAN ANTONIO, TEXAS 78217  
TEL: (210) 590-4777 FAX: (210) 590-4940  
www.fordengineering.com

PLAT SHOWING

LOT 1  
CLAY SUBDIVISION  
15.215 ACRES  
SITUATED IN THE GEORGE DOLSON  
SURVEY NO. 96, ABSTRACT NO. 120  
BEING ALL OF LOT 1 OF THE  
CLAY SUBDIVISION AS SHOWN  
ON A PLAT RECORDED IN VOLUME  
12, PAGE 166 OF THE MAP AND PLAT  
RECORDS OF COMAL CO., TX.



# FORD ENGINEERING, INC.

Date: January 2, 2007  
Project No: 2247.00

Page 1 of 1

## FIELDNOTES FOR 15.215 ACRES

Field notes describing 15.215 acres of land, situated in the George Dolson No. 96, Abstract No. 120 and being all of Lot 1 of the Clay Subdivision as shown on a plat recorded in Volume 12, Page 166 of the Map and Plat Record of Comal County, Texas; being more particularly described as follows:

**BEGINNING** at a ½ inch iron rod found on the Southeastern line of Farm Market Road No. 2252, for the Westernmost corner of Lot 2, of the said Clay Subdivision, the same being the Northernmost corner of said Lot 1 of the Clay Subdivision, for the Northernmost corner of this 15.215 acre tract of land;

**THENCE:** S 30° 10' 23" E - 1,022.07 feet along the Southwestern line of said Lot 2, the Northeastern line of said Lot 1 to a ½ inch iron rod with yellow plastic cap marked "Ford Eng. Inc." set for the Easternmost corner of said Lot 1, the Southernmost corner of said Lot 2 on the Northwestern line of Missouri - Pacific Railroad, for the Easternmost corner of this 15.215 acre tract of land, from which a nail in concrete found bears N 22° 12' 10" W - 0.54 feet and a ½ inch iron rod found for the Easternmost corner of said Lot 2 bears N 67° 34' 51" E - 212.71 feet;

**THENCE:** S 67° 34' 51" W - 699.46 feet along the Northwestern line of the said Missouri - Pacific Railroad R.O.W., the Southeastern line of said Lot 1 of the Clay Subdivision to a Metal Fence corner found for the Southeastern corner of that certain 13.735 acres out of a 150 acre tract of land recorded in Volume 58, Page 578 of the Deed Records of Comal County, Texas, for the Southernmost corner of this 15.215 acre tract of land;

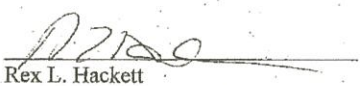
**THENCE:** N 30° 32' 18" W - 882.97 feet along the Northeastern line of the said 13.735 acre tract, the Southwestern line of said Lot 1 of the Clay Subdivision to a Metal Fence corner found on the Southeastern line of said Farm Market Road No. 2252, for the Northernmost corner of the said 13.735 acre tract, the Westernmost corner of said Lot 1, for the Westernmost corner of this 15.215 acre tract of land;

**THENCE:** N 56° 09' 44" E - 700.12 feet along said line to the **POINT OF BEGINNING** and containing 15.215 acres of land.

*Reference Bearing is NAD 83 Texas State Plane Coordinate System.*

Corresponding plat prepared.  
Project No: 2247.00



  
Rex L. Hackett  
Registered Professional Land Surveyor  
License Number 5573

10927 WYE DRIVE,

SUITE 104,

SAN ANTONIO, TEXAS 78217

(210) 590-4777

FAX: 590-4940

1-800-332-3109

Web Site: [www.fordengineering.com](http://www.fordengineering.com)

# Planning and Zoning Commission

## Rolling Attendance

|         | 9/19/19<br>Regular<br>Meeting | 11/12/19<br>Regular<br>Meeting | 1/14/20<br>Regular<br>Meeting | 2/11/20<br>Regular<br>Meeting | 2/20/20<br>Regular<br>Meeting | 3/10/20<br>Regular<br>Meeting | 6/9/20<br>Regular<br>Meeting | 8/11/20<br>Regular<br>Meeting |
|---------|-------------------------------|--------------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|------------------------------|-------------------------------|
| Miller  | P                             | P                              | P                             | P                             | P                             | VAA                           | P                            |                               |
| Diaz    | P                             | P                              | P                             | P                             | P                             | P                             | P                            |                               |
| Jacaman | P                             | P                              | P                             | P                             | P                             | VAA                           | P                            |                               |
| Valdez  | P                             | P                              | P                             | P                             | VAA                           | P                             | P                            |                               |
| Heier   | P                             | P                              | VAA                           | P                             | P                             | P                             | E                            |                               |
| Dauer   | E                             | P                              | P                             | UA                            | P                             | P                             | P                            |                               |
| Owen    | P                             | P                              | P                             | P                             | P                             | P                             | E                            |                               |

**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<br>Regular<br>Meeting | 2/5/2020<br>Regular<br>Meeting | 3/4/2020<br>Regular<br>Meeting | 6/3/2020<br>Regular<br>Meeting | 7/1/2020<br>Regular<br>Meeting | 8/5/2020<br>Regular<br>Meeting | 9/2/2020<br>Regular<br>Meeting | 10/7/2020<br>Regular<br>Meeting | 11/4/2020<br>Regular<br>Meeting | 12/2/2020<br>Regular<br>Meeting | Total for<br>year |
|---------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|---------------------------------|---------------------------------|---------------------------------|-------------------|
| Miller  | P                              | P                              | P                              | P                              | P                              |                                |                                |                                 |                                 |                                 | 5                 |
| Diaz    |                                | P                              |                                | P                              |                                |                                |                                |                                 |                                 |                                 | 2                 |
| Jacaman |                                |                                |                                |                                |                                |                                |                                |                                 |                                 |                                 | 0                 |
| Valdez  | P                              | P                              | P                              | P                              | P                              |                                |                                |                                 |                                 |                                 | 5                 |
| Heier   |                                |                                |                                |                                | P                              |                                |                                |                                 |                                 |                                 | 1                 |
| Dauer   |                                |                                |                                |                                |                                |                                |                                |                                 |                                 |                                 | 0                 |
| Owen    |                                |                                | P                              |                                |                                |                                |                                |                                 |                                 |                                 | 1                 |



Met requirements in Ordinance 210  
NOT met requirements in Ordinance 210

# Future Agenda Items

## Planning and Zoning Commission

### September 8, 2020 Regular Meeting

|                               |              |                                                                                               |
|-------------------------------|--------------|-----------------------------------------------------------------------------------------------|
| <b>14</b> days before Meeting | (08/25/2020) | Commission and Staff items are due                                                            |
| <b>11</b> days before Meeting | (08/28/2020) | City Administrator and Chair review agenda.<br>City Attorney is sent the agenda for approval. |
| <b>7</b> days before Meeting  | (09/01/2020) | Post Agenda and Commission will receive packet                                                |
| <b>4</b> days before Meeting  | (09/04/2020) | Post Agenda Packet to City Website                                                            |
| <b>3</b> days before Meeting  | (09/05/2020) | (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

### October 13, 2020 Regular Meeting

|                               |              |                                                                                               |
|-------------------------------|--------------|-----------------------------------------------------------------------------------------------|
| <b>14</b> days before Meeting | (09/29/2020) | Commission and Staff items are due                                                            |
| <b>8</b> days before Meeting  | (10/05/2020) | City Administrator and Chair review agenda.<br>City Attorney is sent the agenda for approval. |
| <b>7</b> days before Meeting  | (10/06/2020) | Post Agenda and Commission will receive packet                                                |
| <b>4</b> days before Meeting  | (10/09/2020) | Post Agenda Packet to City Website                                                            |
| <b>3</b> days before Meeting  | (10/10/2020) | (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

National Night Out = Yellow

| 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  |

#### Approvals/Discussions/Reports

1. Minutes
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#### PENDING FUTURE AGENDA ITEMS

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