



City of Garden Ridge

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

MINUTES

PLANNING AND ZONING COMMISSION REGULAR MEETING

TUESDAY, AUGUST 11, 2020, 6:00 P.M.

Commissioners Present:

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

Commissioners Absent:

None

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
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, August 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 – limited to 30 minutes total

Tony Frasco, 8802 Wild Wind Park, spoke regarding garden home development, variance requests, and conducting an environmental and economic impact study.

Curt Carter, 21911 Paseo Corto Drive, spoke regarding garden home development and variance requests.

Cherlyn Krivka, 20631 FM 3009, spoke regarding garden home development and high-density housing.

David Pencsak, 19710 Secret Cove, stated he would like to provide his comments during the public hearing.

Astrid Wisser, 9902 Katherine Glen, spoke regarding garden home development.

Carolyn Collins, 9920 Michelle Hill, spoke regarding garden home development.

William Dawson, 9613 Meadow Rue, spoke regarding garden home development.

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.

Motion: A motion was made by Commissioner Valdez, seconded by Commissioner Dauer, to approve the minutes for June 10, 2020, Planning and Zoning Commission Regular Meeting. The Commission voted six (6) for and none (0) opposed. The motion carried unanimously.

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.**

Tony Overman, Overman Properties, spoke regarding the concept plan, petition for variances to Ordinance No. 13-122018 and Ordinance No. 7-042006, and issuance of a Special Use Permit for a Garden Home development on property located at 19780 FM 2252. He presented images of Overman Properties' vision for the development and spoke regarding the cost and aesthetics of the envisioned garden homes. Tony and Chris Overman, Overman Properties, answered questions from Commissioners.

Nancy Cain, City Administrator, spoke regarding the zoning of the property located at 19780 FM 2252.

1. Hold a public hearing.

Chair Dr. Miller opened the public hearing at 6:46 p.m.

Nineteen (19) citizens spoke regarding the petition (see attached).

Marisa Spencer, City Secretary, read written comments received from twenty-four (24) citizens (see attached).

Chair Dr. Miller closed the public hearing at 8:02 p.m.

2. Discuss and make a recommendation regarding the petition.

The Commission discussed the petition as well as current City Ordinances.

Nancy Cain, City Administrator, and Cynthia Trevino, City Attorney, addressed questions from Commissioners.

Tony Overman, Overman Properties, stated he would like to withdraw his request in its entirety at this time and thanked the Commission for their feedback and volunteer service to the City of Garden Ridge.

- 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.

The petitioner withdrew his request; therefore, this agenda item was not discussed, or considered.

Chair Dr. Miller announced the Planning and Zoning Commission at 9:07 p.m. for a 10-minute break. Chair Dr. Miller reconvened the Planning and Zoning Commission Regular Meeting at 9:18 p.m.

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.

Chair Dr. Miller provided the Commission with an update on items applicable to the Planning and Zoning Commission discussed at the July and August City Council Meetings.

2. Update on TxDOT projects.

Nancy Cain, City Administrator, provided the Commission with an 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.**

Chair Dr. Miller stated City Council agreed by consensus to waive the provision in Ordinance No. 210 that requires Commissioners to attend two (2) City Council regular meetings each calendar year during the current public health emergency.

4. Draft Zoning Ordinance.

- 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 within the Ordinance.

- ii. Discuss and make possible recommendations related to the Strategic Committee.**

The Commission discussed the role and goals of the Strategic Committee, which is composed of Commissioner Dauer, Commissioner Heier, Mayor Pro-Tem McCaw, and Councilmember Lantzy.

- iii. Discuss and make possible recommendations related to City Staff's role and future workload.**

The Commission discussed City Staff's role and future workload as it relates to the Draft Zoning Ordinance.

b) Future Agenda Items

- 1. Commissioners input on agenda items.**

None at this time.

- 2. Announce date, time, and location for next meeting (September 8, 2020, at 6:00 p.m. at City Hall).**

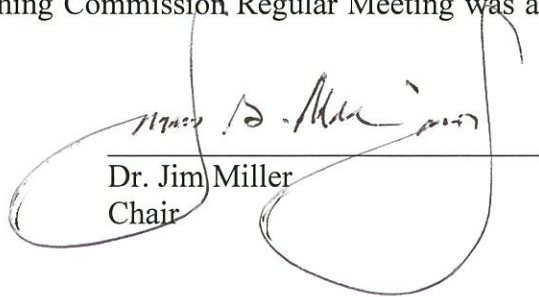
Chair Dr. Miller stated the next Planning and Zoning Commission Regular Meeting is scheduled for Tuesday, September 8, 2020, at 6:00 p.m. at City Hall.

7. Citizen Comment Period – limited to 20 minutes total

Rick Cross, 20637 Wahl Lane, spoke regarding lot sizes and garden home subdivisions.

8. Adjournment

Motion: A motion was made by Commissioner Owen, seconded by Commissioner Diaz, to adjourn. The Commission voted six (6) for and none (0) opposed. The motion carried unanimously. There being no further business, the Tuesday, August 11, 2020, Planning and Zoning Commission Regular Meeting was adjourned at 9:41 p.m. by Chair Dr. Miller.


Dr. Jim Miller
Chair

ATTEST:


Marisa Spencer
City Secretary

**SIGN IN TO SPEAK AT THE AUGUST 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. Tony FRASCO	8802 Wild Wind Park	_____	ZONING
2. Curt Carter	21911 Paseo Corto Drive	210-936-4128	Mr. Overman's Request
3. Chenlyn Krivka	20631 FM 3009	210-651-9656	" " "
4. DAVID REASHE	9710 SCEPT W	512-965-8026	ZONING
5. Astrid Wisset	9902 Hawthorne Glen	880-747-6249	Zoning
6. Carolyn Collins	9920 Michelle Hill	571-247-8310	Zoning
7. William Dawson	9613 MEADOW RVE	_____	ZONING VARI
8. _____	_____	_____	_____
9. _____	_____	_____	_____
10. _____	_____	_____	_____

AUGUST 11, 2020, PLANNING AND ZONING COMMISSION REGULAR MEETING
OVERMAN PROPERTIES VARIANCE REQUEST PUBLIC HEARING

PLEASE WRITE YOUR NAME AND ADDRESS.

1. Mrs. Fritz 5927 Garden Ridge Dr.
2. Cheryl Krivka 20631 FM 3009
3. Phil He 20914 Misty Arbor
4. William Danka 91613 MEADOW LANE
5. Leigh Doerr 10009 Calley Circle Garden Ridge Tx
6. Tony FASANO 8802 Wilt Wind PARK
7. Ashraf Wiscoor 9902 Katharine Glen
8. Ego Deer 10009 Calley Circle,
9. Julia Dauscher 20914 Misty Arbor
10. Todd M. Hill 19870 BAT CAVE RD GR, TX 78266
11. Dave Frazee 19110 SECRET LV GARDEN RIDGE TX 78266
12. Carmen Soto 19459 Arrowood Pl GR TX 78266
13. Rick Cross 20637 Wahl Ln.
14. Carolyn Collins 9920 Michelle Hill, Garden Ridge, Tx 78266
15. Jackie Collins 8835 Garden Ridge Dr
16. Ron Vogel 21450 PARK LANE Ct.
17. Curt Carter 21911 Paseo Coto Drive
18. Amy Friedman 9908 Katharine Glen
19. Su Gille 20839 FM 3009

AUGUST 11, 2020, PLANNING AND ZONING COMMISSION REGULAR MEETING

OVERMAN PROPERTIES VARIANCE REQUEST PUBLIC HEARING

PLEASE WRITE YOUR NAME AND ADDRESS.

The City Secretary read comments submitted by the following citizens:

- ① Mark Hausheer 20914 Misty Arbor
- ② David and Dawn Hatch 8377 Twisted Oaks
- ③ William J. Dawson 9613 Meadow Rue
- ④ Eric Lamberson 22118 Cristobal Drive
- ⑤ Louis Van de Mark 21942 Paseo Lorto
- ⑥ Jeff Schrantz 21349 Forest Waters Circle
- ⑦ Janice Gail Petro 22023 Deer Canyon Drive
- ⑧ Curtis and Sherry Carter 21911 Paseo Lorto
- ⑨ Vince and Sylvia Guerrero 9215 Bluebell Drive
- ⑩ Erika E. Rodriguez 9328 Blazing Star Trail
- ⑪ Dexter and Catherine Lochnauer 9392 Garden Ridge Drive
- ⑫ Amy Harrell-Lowrimore and Jason Lowrimore 9315 Sumac Lane
- ⑬ Martha Colomere Stipp 24007 Cedar Branch
- ⑭ Sindi and Joe Rosales 21022 Plum Ranch Road
- ⑮ Marianne Sterling 9006 Linnabar Court
- ⑯ Richard Fritz 8927 Garden Ridge Drive
- ⑰ Merlyn and Bourke Corcoran 9545 Goldenrod
- ⑱ Steve Hatley 22117 Paseo Lorto Drive
- ⑲ John Petro 22023 Deer Canyon Drive
- ⑳ Lisa Richter 9241 Garden Ridge Drive
- ㉑ Mary Rethman 9450 Linchona Trail
- ㉒ Jerry Barucky 20806 Woodland Cove
- ㉓ Shannon Brichta 9360 Linchona Trail
- ㉔ Pam Fritz 8927 Garden Ridge Drive

AUGUST 11, 2020
PLANNING AND ZONING COMMISSION REGULAR MEETING
SECOND CITIZEN COMMENT PERIOD

	NAME	ADDRESS	SUBJECT
1.	Rich Cross	20637 Wahl Ln.	Garden Homes
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