



AGENDA PLANNING AND ZONING COMMISSION

PUBLIC HEARING AND VOTING SESSION
TUESDAY, JANUARY 8, 2013 -- 6:00 P.M.

The Garden Ridge Planning and Zoning Commission will meet for a public hearing and voting session at 6:00 p.m., Tuesday, January 8, 2013 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 on January 4, 2013 before 5:00 p.m., providing time, place, date and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting.

1. Call to Order
2. Roll Call
3. Citizen Comments – limited to 3 minutes each

Rules for Citizen's Participation:

The Planning and Zoning Commission welcomes citizen participation and comments at all of their Commission Meetings. As a courtesy to your fellow citizens and out of respect to our elected officials, we must request that if you wish to speak, that you follow these guidelines.

- a. Direct your comments to the entire Commission, not to an individual member, nor to the audience.
- b. Show the Commission the same respect and courtesy that you expect to be shown to you.
- c. Limit remarks to three (3) minutes.

*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 Council is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042.*

4. Business Items

The Commission may discuss, consider and/or make recommendations to Council to approve or disapprove the following items:

- a. A petition by Tony Overman for a variance to Ordinance 7-042006, Article V, Section 7, Paragraph C.1. Alleys, for the Tuscan Village Subdivision at the southeast corner of the intersection of FM 3009 and FM 2252. Ordinance 7 requires a 22' alley ROW in business areas which is in conflict with Ordinance 13 requiring a 15' alley ROW
- b. A petition by Tony Overman for a variance to Ordinance 7-042006, Section 7, Article B, Streets, Paragraph 7, for cul-de-sac diameter for Tuscan Village Subdivision at the southeast corner of the intersection of FM 3009 and FM 2252
- c. Preliminary Plat for the Tuscan Village Subdivision commercial lot subdivision consisting of 13.532 acres of land, situated in the City of Garden Ridge, Comal County, Texas being part of a called 13.532

acre remnant of a 116 acre tract out of the Geo. M. Dolson Survey Number 96, Abstract Number 120, and further located at the southeast corner of the intersection of FM 3009 and FM 2252

- d. Entry monument sign and landscape design for the Forest of Garden Ridge IV Subdivision entrance located on the west side of Bat Cave Road northwest of its intersection with Schoenthal Road
- e. Declaration of Covenants, Conditions and Restrictions for Forest of Garden Ridge IV Subdivision

5. Administrative Items

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

- a. Approve or disapprove the minutes of the December 11, 2012 meeting of the Planning and Zoning Commission.
- b. Set date, time and location for next meeting.

6. 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 Council Authorized:

The Commission may vote and/or act upon any item within this Agenda. The Commission reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

Executive Sessions Authorized:

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance By Other Elected or Appointed Officials:

It is anticipated that members of the City Council, other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the 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.


Shelley Goodwin, TRMC
City Secretary

This is to certify that I, Shelley Goodwin, posted this Agenda at 1:30 p.m. January 4, 2013 on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.


Shelley Goodwin, TRMC
City Secretary