City of Garden Ridge

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AGENDA
PLANNING AND ZONING COMMISSION

SPECIAL SESSION
TUESDAY, SEPTEMBER 3, 2013 -- 6:00 P.M.

The Garden Ridge Planning and Zoning Commission will meet in regular session at 6:00 p.m., Tuesday, September 3, 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 August 30, 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.

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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 appointed officials, we request that if you wish to speak, that you please 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 would like to be shown.
c. Limit remarks to three (3) minutes per citizen during Item 3.
d. Citizen comments may be deferred to a specific Business Item set forth in Section 4, below if such comments pertain to such Business Item.

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) Review and discuss a petition by Wes Kleckley for the following variance for property located on the north side of F.M. 2252 on the west side and adjacent to the property located at 19295 F.M. 2252, further known as Howell Park Lots 2 and 3:

i) Ordinance 13 – Section 6.1.4.5, Impervious Cover: Requiring that impervious coverage shall not be more than one-third (1/3) of the lot area with petitioner requesting impervious cover of 48% on Lot 2 and 48% on Lot 3.

5. Public Hearing
The Planning and Zoning Commission will conduct a Public Hearing to receive input on the following:

a) A petition by Wes Kleckley for the following variances for property located on the north side of F.M. 2252 on the west side and adjacent to the property located at 19295 F.M. 2252, further known as Howell Park Lots 2 and 3:

i. Ordinance 13 – Section 6.1.4.5, Impervious Cover: Requiring that impervious coverage shall not be more than one-third (1/3) of the lot area with petitioner requesting impervious cover of 48% on Lot 2 and 48% on Lot 3.

6. Business Items (continued)
The Planning and Zoning Commission may discuss, consider and/or take possible action on the following items:

b) A petition by Wes Kleckley for a Master Plan for Howell Park Lots 2 and 3, located on the north side of F.M. 2252 on the west side and adjacent to the property located at 19295 F.M. 2252

c) A petition by Wes Kleckley for the following variances for property located on the north side of F.M. 2252 on the west side and adjacent to the property located at 19295 F.M. 2252, further known as Howell Park Lots 2 and 3:

i) Ordinance 13 – Section 6.1.4.5, Impervious Cover: Requiring that impervious coverage shall not be more than one-third (1/3) of the lot area with petitioner requesting impervious cover of 48% on Lot 2 and 48% on Lot 3.

d) A petition by Wes Kleckley for issuance of a Special Use Permit for construction and operation of an approximately 6,245 square foot office building on Lot 3 and an approximately 6,500 square foot office building on Lot 2 in the Howell Park subdivision situated in Office and Professional (B2) District zoning with the Special Use Permit reflecting variances granted. The property is further located on the north side of F.M. 2252 on the west side and adjacent to the property located at 19295 F.M. 2252.

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

a. Approve or disapprove the minutes of the August 13, 2013 meeting of the Planning and Zoning Commission.

b. Set date, time and location for next meeting.

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 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 4:00 p.m. August 30, 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