



City of Garden Ridge

9400 Municipal Parkway
Garden Ridge, Texas 78266-2600
(210) 651-6632
Fax (210) 651-9638

AGENDA PLANNING AND ZONING COMMISSION

REGULAR SESSION
TUESDAY, OCTOBER 8, 2013 -- 6:00 P.M.

The Garden Ridge Planning and Zoning Commission will meet in regular session at 6:00 p.m., Tuesday, October 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 October 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 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) Appointments/reappointments of Planning and Zoning Commissioner's to Place 1, Place 4, Place 5 and Place 6 for two year terms of office expiring September 30, 2015

- b) Election of Planning and Zoning Commission Chair and Vice Chair
 - c) Ordinance regarding organization of, appointment to and responsibilities of city commissions and ad hoc committees of the City of Garden Ridge (Discussion only item)
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 August 13, 2013 Regular meeting of the Planning and Zoning Commission
 - b) Approve or disapprove the minutes of the September 3, 2013 Special meeting of the Planning and Zoning Commission.
 - c) 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:

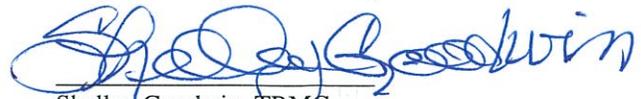
This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the 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 9:30 a.m. October 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

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF GARDEN RIDGE, TEXAS A
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN
RIDGE, TEXAS, ADOPTING POLICIES AND GUIDELINES FOR THE
CITY OF GARDEN COMMISSION AND COMMITTEE APPOINTMENT
PROCESS**

WHEREAS, the City of Garden Ridge, Texas (the “City”) City Council must appoint and/or re-appoint members to various Commissions and Ad Hoc Committees as outlined in City Ordinances; and

WHEREAS, the City Council wishes to establish a policy for these appointments as outlined in Section 1; and

WHEREAS, the City Council, upon approval of these policies and guidelines, shall utilize the procedures as a guide for all future appointments upon approval of this Resolution; and the City Council retains the discretion to defer from these policies and guidelines as they see fit.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF GARDEN RIDGE, TEXAS:**

Section 1 – Definitions

“City” means the City of Garden Ridge, Texas.

“Excused Absence” means an absence which results from a medical issue of a commission member or a relative of the member, or from an unexpected factor beyond the control of the commission member.

“Regular Meeting” means only the regularly scheduled meetings of a commission, and does not include any special meetings, workshops, or committee meetings of a commission.

“Voluntary Absence” means an absence other than an Excused Absence.

Section 2 – City Commissions

Sec. 2.01. List of City Commissions

- (a) The City shall have three commissions to make reports, recommendations or requests for action to the City Council as follows:
 - (i) The Planning and Zoning Commission: The Planning and Zoning Commission will be governed by, and will report and make recommendations and/or requests for action to, the City Council with regard to all matters governed by Ordinance 7, Ordinance 13, Ordinance 19 and Ordinance 55 or as otherwise permitted or required by state law.
 - (ii) The Water Commission: The Water Commission will be governed by, and will report and make recommendations and/or requests for action to, the City Council with regard to all matters governed by Ordinance 7, Ordinance 54 and Ordinance 61, except as otherwise provided in such ordinances.
 - (iii) The Quarry Commission: The Quarry Commission will be governed by, and will report and make recommendations and/or requests for action to, the City Council with regard to all matters governed by Resolution 200-08-02-01 and Resolution 104-092002.
- (b) All City commissions shall be recommending bodies to the City Council.
- (c) Any provisions of Ordinance 13, Ordinance 54, Resolution 200-08-02-01 or Resolution 104-092002 relating to the appointment of members or alternative members to a commission or the organization and meetings of such commission that are contrary to the provisions of this Ordinance are hereby repealed and shall be null and void.

Sec. 2.02. Open meetings; agenda items.

- (a) All City commissions shall hold Regular Meetings once a month or as necessary in light of the business pending before such commission. At each commission's first meeting in October of a calendar year, the commission

shall select a monthly meeting day and time, and the chair shall notify the City Secretary of such selection. If the commission wishes to meet less than monthly, the City Council must approve the commission's decision.

(b) All city commissions shall comply with the standards for open meetings as prescribed by state law for members of governmental bodies.

(c) The agenda for each Regular Meeting or other meeting of a city commission shall be approved by the City Administrator before publication and shall include a citizen comment period.

Sec. 2.03. Compensation.

(a) All commission members shall serve as volunteers without compensation.

Sec. 2.04. Organization.

(a) Each Commission shall consist of seven (7) qualified members and two (2) qualified alternate members, each of whom shall reside in the City. The members and alternates shall be appointed by City Council in accordance with Section 2.05.

(b) At each commission's first meeting in October of a calendar year, the commission shall select a chair and vice chair, and the chair shall inform the City Secretary of such selections.

(c) The chair or vice chair shall conduct the meetings of the commission and the City Secretary, or his or her delegate, shall transcribe the minutes of all commission meetings.

(d) The chair of each City commission, or his or her delegate, shall report back to the City Council after each Regular Meeting or other meeting of the commission and keep the City Council informed as to the activities of the commission.

(e) If a commission deems it necessary and appropriate to make a recommendation to or request action from the City Council, the chair, or his or her delegate, shall prepare a written memo to the City Administrator and the City Council summarizing the basis for the recommendation or request for action as well as the deliberations of the commission and the vote of the commission related to that

recommendation or request for action. Such written memoranda shall be delivered to the City Administrator or City Secretary with sufficient time for inclusion in the City Council meeting packets and by the deadline provided to the chair by the City Administrator or City Secretary.

- (f) The City Council may appoint any council member as an ex-officio non-voting member to any City commission, as the City Council deems necessary or appropriate. Only one council member may serve as an ex-officio non-voting member of a given City commission at any given time.
- (g) Any City council member may attend, ask questions and participate in discussions of matters pending before a City commission during a commission meeting, except when required to abstain by state law.

Sec. 2.05. Appointments and Vacancies.

- (a) The City Council shall appoint each member and alternate member of a City commission.
- (b) To be eligible for appointment and continued service on a commission, all commission members and alternate members shall reside in the City.
- (c) In making appointments, the City Council shall interview each candidate interested in serving on a commission and shall consider each candidate's (i) civic interest, (ii) general knowledge of the Community, (iii) independent judgment, (iv) interest in the subject matter of the commission's business, and (v) the candidate's available time to plan for, and attend, all commission meetings. It is the intent of the City Council that commission members shall, by reason of diversity of their individual occupations and backgrounds, constitute commissions that are broadly representative of the Community as a whole. This interview shall take place in an open meeting, as defined by state open meetings law.
- (d) The term of office for each appointed member or alternate member to a commission shall be two (2) years, and at least three (3) members and one (1) alternate member of a commission shall be subject to appointment or re-appointment each year, provided however, that all

appointed members of a commission on the date of the adoption of this Ordinance shall remain on such commission for the remainder of their current term of office, and one the new alternate members to be appointed under this Ordinance shall have an initial term of only one (1) year.

- (e) City commissions shall not make recommendations to City Council regarding the individuals to be considered for appointment as members or alternative members of a commission.
- (f) Appointments to all city commissions shall be made in September of each year with terms to commence on October 1, the first day of the city's fiscal year, or as a vacancy occurs.
- (g) In the event of the vacancy of a member position on a Commission, that vacancy shall be filled as follows:
 - i. if there are two alternate members on a City commission, by the alternate member whose term of office expires on the same date as the departing member that vacated his or her position,
 - ii. if there is only one alternate member, by that alternate member; or
 - iii. in the event there are no alternate members, by the City Council after such vacancy has been advertised on the City's website and in the Grapevine for at least one month prior to any appointment, and such appointment shall be for the remainder of the unexpired term of such position.
- (h) Vacancies for alternate member positions may be filled by the City Council at any time, and shall be for the remainder of the unexpired term of such position.

Sec. 2.06. Membership on more than one board or commission.

- (a) A person may not be appointed as a member of more than one City commission, except where:

(i) the City Council determines that there are not a sufficient number of qualified citizens interested in serving on a City commission; or

(ii) the person is appointed as an alternate on a different City commission.

Sec. 2.07. Limitation on successive terms of office.

- (a) This section will apply prospectively only to all commission members and alternate members as of October 1, 2013.
- (b) A person may not be appointed to a term of office on a commission if the person has served three (3) consecutive terms of office on that same commission immediately prior to the term for which the appointment is being considered.
- (c) For purposes of this section, a person is deemed to have served a term of office on a commission if the person serves as a member or alternate member for at least one-half of a two (2) year term on a commission.
- (d) This section does not apply to service on a different City commission or where good cause exists to appoint a person for a third or longer consecutive term. For this purpose, good cause shall be determined by the City Council, and includes but is not limited to, circumstances in which:
 - (i) more than one-half of the members of a City commission are inexperienced with the work of the commission, in which case members may be reappointed for only one additional term; or
 - (ii) there are not a sufficient number of qualified citizens interested in serving on such city commission.
- (e) A person who is not eligible for reappointment to a commission under this section remains ineligible for a period of one (1) year from the date the person's term expires.

- (f) A person who is not eligible for reappointment to a commission under this section is eligible for appointment to a different City commission.

Sec. 2.08. Absence from meetings.

- (a) The Voluntary Absence of a commission member or alternate member from either (i) two consecutive Regular Meetings of the commission or (ii) more than 25 per cent of the commission's Regular Meetings during a fiscal year of the City will result in automatic resignation of the member from the commission.
- (b) The chair of a commission shall be responsible for determining whether an absence is an Excused Absence, except in the event the chair is absent, and in which case the vice chair shall be responsible for determining whether an absence is an Excused Absence. A determination by the chair or vice chair under this subsection is subject to appeal to the entire commission.
- (c) The chair or vice chair of a commission will inform the City Secretary and the member in question of the automatic resignation of a member of the commission under subsection (a) or (b), and the City Secretary shall submit the member's position to the City Council for appointment of a replacement under Section 2.05.

Sec. 2.09. Special Requirements for Appointment to the Planning and Zoning Commission.

- (a) To be qualified to take office, a newly appointed member must have attended an orientation meeting with the City Administrator and chair of the Planning and Zoning Commission, and must have attended a seminar on land use, environmental and planning issues approved by the City Administrator. Attendance at required training before a person is appointed as a member must have occurred within three years prior to the appointment for the training to satisfy these requirements.
- (b) The City Administrator or chair will advise newly appointed members who do not already meet these requirements of the date and location of approved seminars, and will facilitate their registration and attendance at the seminars. The members are entitled to reimbursement for reasonable costs of attendance.

- (c) If a newly appointed member does not already meet these attendance requirements at the time of appointment, and the member fails to fulfill these attendance requirements within three (3) months of being appointed, the appointment is automatically rescinded and the City Council will make a new appointment.

Section 3 – Ad Hoc Committees

Sec. 3.01- Ad Hoc Committees

- a) The City Council may, from time to time, create Ad Hoc Committees as it deems necessary or appropriate to conduct studies and special projects.
- b) The City Council shall appoint members to Ad Hoc Committees.
- c) The City Council shall define the purpose, scope of study or special project for which the Ad Hoc Committee is established.
- d) The City Council shall establish the term of each Ad Hoc Committee established, and such term shall not exceed two years.
- e) Ad Hoc Committees will be governed by, and will report and make recommendations and/or requests for action to, the City Council with regard to all matters defined in its scope of study or special project.



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**MINUTES OF PLANNING & ZONING COMMISSION
REGULAR SESSION
TUESDAY, AUGUST 13, 2013**

Commissioners present:

Sam Stocks, Chair
Frank Dansby, Vice Chair arrived at 6:15pm
Harvey Bell
David Heier
Walter Lamar
Kitty Owen

Commissioners Absent:

Kay Bower

Also Present:

Nancy Cain, City Administrator
Shelley Goodwin, City Secretary

1. Call to Order

With a quorum of the Planning and Zoning Commission Members present, Sam Stocks, Chairman called the Regular Meeting of the Garden Ridge Planning and Zoning Commission to order at 6:00p.m. on Tuesday, August 13, 2013 in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266

2. 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.

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3. 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 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**

Wes Kleckley introduced himself and Shane Klar, Moeller & Associates Engineering Solutions. He stated he is petitioning the City of Garden Ridge in order to construct a professional office building; this building would be 6,000 to 6,500 square feet and single story. He stated he is requesting several variances, but also a variance to the impervious cover requirements which is not on this agenda; he is requesting 48% to allow adequate professional office space and additional parking availability, while also maintaining to buffer between the adjacent residents.

- b) **Review and discuss 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 7 – Section 7.C. 1.: Requiring alleys of not less than 22 feet in right of way and pavement width of 18 feet shall be installed in all business and industrial areas.**
 - ii) **Ordinance 7 – Section 7.C. 2.: Requiring alleys not less than 15 feet from the property or easement shall be provided along each property or easement line.**
 - iii) **Ordinance 13 – Section 6.1.4.3.: – Side Yard: Requiring alley rights of way of 15 foot width down each side property line shall provide access to the rear alley.**
 - iv) **Ordinance 13 – Section 6.1.4.4.: Rear Yard: Requiring an alley right of way of a 25 foot width shall run the length of the rear property line in an Office and Professional (B2) District that backs onto a Residential Single Family (R) District.**

Wes Kleckley, stated he and Mr. Klar had meet with the Bracken Fire Department regarding the alleys the 15 foot alley requirements. A copy of the approval letter from the Fire Department was provided.

- c) **Review and discuss 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.**

Wes Kleckley stated currently the property is two undeveloped commercial lots that are zoned B-2, and the request for the Special Use Permit is for construction purposes in conjunction with the variance requests.

4. Public Hearings

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 7 – Section 7.C. 1.: Requiring alleys of not less than 22 feet in right of way and pavement width of 18 feet shall be installed in all business and industrial areas.**

Sam Stocks, Planning and Zoning Chair, opened the public hearing at 6:20pm and asked if anyone wished to speak. No one did so; Mr. Stocks closed the public hearing at 6:21pm.

The Planning and Zoning Commission discussed the alleys and the fire hydrants.

- ii) **Ordinance 7 – Section 7.C. 2.: Requiring alleys not less than 15 feet from the property or easement shall be provided along each property or easement line.**

Sam Stocks, Planning and Zoning Chair, opened the public hearing at 6:22pm and asked if anyone wished to speak. No one did so; Mr. Stocks closed the public hearing at 6:30pm.

The Planning and Zoning Commission discussed the set back from the easement, drainage, and the future tenants. They also discussed that Lot 2 will be built on first.

- iii) **Ordinance 13 – Section 6.1.4.3.: – Side Yard: Requiring alley rights of way of 15 foot width down each side property line shall provide access to the rear alley.**

Sam Stocks, Planning and Zoning Chair, opened the public hearing at 6:30pm and asked if anyone wished to speak. No one did so; Mr. Stocks closed the public hearing at 6:30pm.

- iv) **Ordinance 13 – Section 6.1.4.4.: Rear Yard: Requiring an alley right of way of a 25 foot width shall run the length of the rear property line in an Office and Professional (B2) District that backs onto a Residential Single Family (R) District.**

Sam Stocks, Planning and Zoning Chair, opened the public hearing at 6:30pm and asked if anyone wished to speak. No one did so; Mr. Stocks closed the public hearing at 6:31pm.

- b) **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.**

Sam Stocks, Planning and Zoning Chair, opened the public hearing at 6:31pm and asked if anyone wished to speak. No one did so; Mr. Stocks closed the public hearing at 6:31pm.

5. **Business Items (continued)**

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

- a) **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**

Nancy Cain, City Administrator, announced that a public hearing for a variance for imperious cover would need to be posted and held before the Commission could approve the Master Plan request, Special Use Permit request and the request for Ordinance 13 regarding Impervious Cover.

The Planning and Zoning Commission agreed by consensus to hold a special meeting on September 3, 2013 in order to hold a public hearing on the variance request for imperious cover and to vote on Master Plan and Special Use Permit.

- b) 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 7 – Section 7.C. 1.: Requiring alleys of not less than 22 feet in right of way and pavement width of 18 feet shall be installed in all business and industrial areas.**
 - ii) Ordinance 7 – Section 7.C. 2.: Requiring alleys not less than 15 feet from the property or easement shall be provided along each property or easement line.**
 - iii) Ordinance 13 – Section 6.1.4.3.: – Side Yard: Requiring alley rights of way of 15 foot width down each side property line shall provide access to the rear alley.**
 - iv) Ordinance 13 – Section 6.1.4.4.: Rear Yard: Requiring an alley right of way of a 25 foot width shall run the length of the rear property line in an Office and Professional (B2) District that backs onto a Residential Single Family (R) District.**

Motion: Upon a motion made by Commissioner Owen and a second by Commissioner Bell, to recommend the City Council approval of 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: Ordinance 7 – Section 7.C. 1.: Requiring alleys of not less than 22 feet in right of way and pavement width of 18 feet shall be installed in all business and industrial areas, Ordinance 7 – Section 7.C. 2.: Requiring alleys not less than 15 feet from the property or easement shall be provided along each property or easement line, Ordinance 13 – Section 6.1.4.3.: – Side Yard: Requiring alley rights of way of 15 foot width down each side property line shall provide access to the rear alley, and Ordinance 13 – Section 6.1.4.4.: Rear Yard: Requiring an alley right of way of a 25 foot width shall run the length of the rear property line in an Office and Professional (B2) District that backs onto a Residential Single Family (R) District. The Planning and Zoning Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

- c) 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.**

Nancy Cain, City Administrator, stated this item will have to be voted on at the special meeting on September 3, 2013.

d) Final Plat for The Woodlands of Garden Ridge, Unit 2 located on the west side of Bat Cave Road northwest of its intersection with Schoenthal Road

Burt Welmann, with KFW Developers, read the letter written by River City Engineering dated August 12, 2013 regarding concerns with the proposed plat. He stated on items 1. 4-7 these have been addressed with Mr. Montgomery, River City Engineering.

The Planning and Zoning Commission discussed their concern with the construction activity that is currently taken place at the Twisted Oaks Emergency Entrance. The Commission addressed the issue with the construction not using Bat Cave as their entrance and exits.

Motion: Upon a motion made by Commissioner Dansby and a second by Commissioner Bell, the Planning and Zoning Commission voted five (5) for and none (0) opposed, to recommend the City Council approval of Final Plat for The Woodlands of Garden Ridge, Unit 2 located on the west side of Bat Cave Road northwest of its intersection with Schoenthal Road contingent upon all construction traffic is stopped from using the Twisted Oaks Emergency Entrance effective August 14, 2013 or the Planning and Zoning Commission will recommend to the City Council to deny the Final Plat. The motion carried unanimously.

6. Administrative Items

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

- a. Approve or disapprove the minutes of the June 11, 2013 meeting of the Planning and Zoning Commission.**

Motion: Upon a motion made by Commissioner Dansby and a second by Commissioner Owen, the Planning and Zoning Commission voted five (5) for and none (0) opposed, for the approval the minutes of June 11, 2013 meeting of the Planning and Zoning Commission. The motion carried unanimously.

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

Sam Stocks, Chair, reported the next meeting will be held on Tuesday, September 3, 2013 at 6:00p.m.

7. Adjournment

Motion: Upon a motion made by Commissioner Dansby and a second by Commissioner Bell, the meeting was adjourned at p.m.

Sam Stocks, Chair

ATTEST:

Shelley Goodwin, TRMC
City Secretary

**SIGN IN TO SPEAK AT THE AUGUST 13, 2013
PLANNING AND ZONING COMMISSION REGULAR MEETING**

Rules for Citizen's Participation:

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

Disclaimer:

Any disruptive behavior, including shouting or derogatory statements or comments, will 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.

NAME

ADDRESS

SUBJECT

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City of Garden Ridge

9400 Municipal Parkway
Garden Ridge, Texas 78266-2600
(210) 651-6632
Fax (210) 651-9638

MINUTES OF PLANNING & ZONING COMMISSION REGULAR SESSION TUESDAY, SEPTEMBER 3, 2013

Commissioners present:

Frank Dansby, Vice Chair
Harvey Bell
Kay Bower
David Heier
Walter Lamar arrived at 6:05pm

Commissioners Absent:

Kitty Owen
Sam Stocks, Chair

Also Present:

Nancy Cain, City Administrator
Shelley Goodwin, City Secretary

1. Call to Order

With a quorum of the Planning and Zoning Commission Members present, Sam Stocks, Chairman called the Regular Meeting of the Garden Ridge Planning and Zoning Commission to order at 6:05p.m. on Tuesday, August 13, 2013 in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266

2. 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.

No one wished to speak.

3. 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.**

Wes Kleckley stated he is the developer of the proposed property. He stated he is requesting the variance to Ordinance 13-Impervious Cover for 48% on each lot. He stated he is building closer to FM2225, adding more than the required number of parking spaces, and leaving a large green space area at the back of the property to act as a buffer.

The Planning and Zoning Commission discussed the required number of parking spaces, the driveway, setback to FM 2252, and the vegetation.

4. 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.**

Frank Dansby, Planning and Zoning Commission Vice-Chair, opened the public hearing at 6:22pm and asked if anyone wished to speak. No one did so; Mr. Dansby closed the public hearing at 6:23pm

5. Business Items (continued)

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

- a) 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**

Motion: Upon a motion made by Commissioner Lamar and a second by Commissioner Heier, the Planning and Zoning Commission voted four (4) for and none (0) opposed, to recommend the City Council approval of 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 . The motion carried unanimously.

b) 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.

Motion: Upon a motion made by Commissioner Lamar and a second by Commissioner Heier, the Planning and Zoning Commission voted four (4) (Vice Chair Dansby voting) for and one (1) opposed (Commissioner Bower), to recommend the City Council approval of 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: 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. The motion carried.

c) 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.

Motion: Upon a motion made by Commissioner Heier and a second by Commissioner Lamar, the Planning and Zoning Commission voted four (4) for and none (0) opposed, to recommend the City Council approval of 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. The motion carried unanimously.

6. 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.

Nancy Cain, City Administrator, reported the minutes of the August 13, 2013 meeting will on the October 8, 2013 Planning and Zoning Commission meeting.

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

Nancy Cain, City Administrator announced the next meeting will be held on Tuesday, October 8, 2013 at 6:00pm.

7. Adjournment

Motion: Upon a motion made by Commissioner Bower and a second by Commissioner Heier, the meeting was adjourned at 6:28 p.m.

Frank Dansby, Vice-Chair

ATTEST:

Shelley Goodwin, TRMC
City Secretary

**SIGN IN TO SPEAK AT THE SEPTEMBER 3, 2013
PLANNING AND ZONING COMMISSION REGULAR MEETING**

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- b. Show the City Council the same respect and courtesy that you expect to be shown to you.
- c. Limit remarks to three (3) minutes.

Disclaimer:

Any disruptive behavior, including shouting or derogatory statements or comments, will 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.

NAME

ADDRESS

SUBJECT

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____