



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, MARCH 11, 2014 -- 6:00 P.M.

The Garden Ridge Planning and Zoning Commission will meet in regular session at 6:00 p.m., Tuesday, March 11, 2014 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 March 7, 2014 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) A petition by Hanson Aggregates to rezone Property ID 81117 from Residential Agricultural (RA) to Industrial Zone District (Z-1) a 34.083 acre tract out of a 42.539 acre tract of land out of the Edward Woodruff Survey No. 95, Comal County, Texas, and being a part of that certain tract of land conveyed by Hugo Moehrig by deed dated December 23, 1966 and recorded in Volume 153 on page 145 of the Deed Records of Comal County, Texas; and a part of that certain tract of land conveyed by Gilbert Moehrig by deed dated March 12, 1962 and recorded in Volume 127 on page 430 of the Deed Records of Comal County, Texas; Save and Except a parcel of land containing 8.456 acres of land out of the Edwin Woodruff Survey No. 95, Abstract No. 671, Comal County, Texas further being out of that certain called 42.539 acre parcel of land described in Volume 659, Page 31 of the official public records of Comal County, Texas (hereinafter referred to as the parent tract) and located at 20762 F.M. 2252, Garden Ridge, Texas.
- b) A petition by Hanson Aggregates to rezone Property ID 81121 from Residential Agricultural (RA) to Industrial Zone District (Z-1) a 9.046 acre tract of land out of the Edward Woodruff Survey No. 95, Comal County, Texas, and a part of that certain tract of land conveyed by Hugo Moehrig by deed dated December 23, 1966 and recorded in Volume 153 on page 145 of the Deed Records of Comal County, Texas and located south and adjacent to 20762 F.M. 2252, Garden Ridge, Texas.

5. Public Hearings

The Planning and Zoning Commission will conduct Public Hearings to receive input on the following:

- a) A petition by Hanson Aggregates to rezone Property ID 81117 from Residential Agricultural (RA) to Industrial Zone District (Z-1) a 34.083 acre tract out of a 42.539 acre tract of land out of the Edward Woodruff Survey No. 95, Comal County, Texas, and being a part of that certain tract of land conveyed by Hugo Moehrig by deed dated December 23, 1966 and recorded in Volume 153 on page 145 of the Deed Records of Comal County, Texas; and a part of that certain tract of land conveyed by Gilbert Moehrig by deed dated March 12, 1962 and recorded in Volume 127 on page 430 of the Deed Records of Comal County, Texas; Save and Except a parcel of land containing 8.456 acres of land out of the Edwin Woodruff Survey No. 95, Abstract No. 671, Comal County, Texas further being out of that certain called 42.539 acre parcel of land described in Volume 659, Page 31 of the official public records of Comal County, Texas (hereinafter referred to as the parent tract) and located at 20762 F.M. 2252, Garden Ridge, Texas.
- b) A petition by Hanson Aggregates to rezone Property ID 81121 from Residential Agricultural (RA) to Industrial Zone District (Z-1) a 9.046 acre tract of land out of the Edward Woodruff Survey No. 95, Comal County, Texas, and a part of that certain tract of land conveyed by Hugo Moehrig by deed dated December 23, 1966 and recorded in Volume 153 on page 145 of the Deed Records of Comal County, Texas and located south and adjacent to 20762 F.M. 2252, Garden Ridge, Texas.
- c) An Ordinance amending Ordinances 13-122008 and 7-092006 of the City of Garden Ridge, Texas related to the required lot size, lot width, front, side and rear yard

dimensions applicable to residential lots that are non-conforming to current requirements established by the subdivision and zoning ordinances of the City of Garden Ridge, Texas; providing for an effective date.

6. Business Items (continued)

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

- d) A petition by Hanson Aggregates to rezone Property ID 81117 from Residential Agricultural (RA) to Industrial Zone District (Z-1) a 34.083 acre tract out of a 42.539 acre tract of land out of the Edward Woodruff Survey No. 95, Comal County, Texas, and being a part of that certain tract of land conveyed by Hugo Moehrig by deed dated December 23, 1966 and recorded in Volume 153 on page 145 of the Deed Records of Comal County, Texas; and a part of that certain tract of land conveyed by Gilbert Moehrig by deed dated March 12, 1962 and recorded in Volume 127 on page 430 of the Deed Records of Comal County, Texas; Save and Except a parcel of land containing 8.456 acres of land out of the Edwin Woodruff Survey No. 95, Abstract No. 671, Comal County, Texas further being out of that certain called 42.539 acre parcel of land described in Volume 659, Page 31 of the official public records of Comal County, Texas (hereinafter referred to as the parent tract) and located at 20762 F.M. 2252, Garden Ridge, Texas.
- e) A petition by Hanson Aggregates to rezone Property ID 81121 from Residential Agricultural (RA) to Industrial Zone District (Z-1) a 9.046 acre tract of land out of the Edward Woodruff Survey No. 95, Comal County, Texas, and a part of that certain tract of land conveyed by Hugo Moehrig by deed dated December 23, 1966 and recorded in Volume 153 on page 145 of the Deed Records of Comal County, Texas and located south and adjacent to 20762 F.M. 2252, Garden Ridge, Texas.
- f) An Ordinance amending Ordinances 13-122008 and 7-092006 of the City of Garden Ridge, Texas related to the required lot size, lot width, front, side and rear yard dimensions applicable to residential lots that are non-conforming to current requirements established by the subdivision and zoning ordinances of the City of Garden Ridge, Texas; providing for an effective date.
- g) A petition by Jean Brannon, Brannon Properties, for a variance to Ordinance 55-112004, 7.b., for the placement of two additional real estate signs on property listed for sale and property being zoned Residential-Agricultural (RA) with frontage located on FM 2252 and extending to Doerr Lane
- h) Progress report on developing Comprehensive Land Use Ordinance for the City of Garden Ridge

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 February 10, 2014 Regular 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 11:30a.m. March 7, 2014 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



Hanson Aggregates

Southwest Area South Region
300 E. John Carpenter Freeway
Irving, TX 75062
Phone 972.653.3778
www.lehighhanson.com

City Of Garden Ridge
9400 Municipal Pkwy
Garden Ridge, TX 78266

February 7, 2014

RE: Hanson Aggregates Rezoning Request

To Whom It May Concern,

Lehigh Hanson, also known as Servtex Materials, intends to submit an application for the rezoning of two parcels that represent approximately 51 total acres and is located adjacent to and south of FM 2252. This property is currently unimproved and has been most recently been used as an agricultural site for producing hay. The current zoning classification according to the City of Garden Ridge zoning map is Residential Agricultural (RA). Lehigh Hanson proposes to rezone these two parcels to Industrial (Z1).

Per Ordinance 13 and in compliance with intended land use for Industrial (Z1) zoning, Lehigh Hanson would market this site for lease to a tenant that would produce, ship, store, etc. products such as concrete, or asphalt, or stone, and cement.

The Servtex Materials operation consists of more than 2,000 acres, all of which expect these two subject parcels are zoned as Industrial (Z1). Rezoning these two parcels will allow for consistent zoning on all Lehigh Hanson property within the City of Garden Ridge

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Wilson", with a long horizontal line extending to the right.

Tim Wilson

Resource Manager – Region South

tim.wilson@hanson.com

MEMO# 00145164 2/18/2014 12:53 PM
TRAN: 112.0000 P&Z VARIANCE FEES
OPER: CASH TERM: 001
REF#: 21171942 JH
REZONING HANSON ID 81117
P&Z VARIANCE FILING 500.0000R

Lehigh Hanson
HEIDELBERGCEMENT Group

Lehigh Hanson
300 E. John Carpenter Freeway
Suite 1645
Irving, TX 75062
Direct: 972.653.3733
Cell: 214.542.8170

Heather.Williamson@lehighhanson.com
www.lehighhanson.com

February 7, 2014

City of Garden Ridge
Attn: Nancy Cain – City Administrator
9400 Municipal Parkway
Garden Ridge, Texas 78266

Subject: Application for Rezoning of Property ID 81117 & 81121

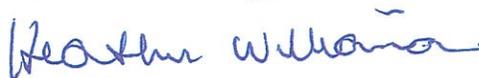
Dear Ms. Cain,

Please find enclosed the application for the 2 parcels of land that Hanson Aggregates LLC owns that wish to be rezoned to Industrial. Also, a check for the rezoning fees is included.

Upon receiving these applications, Hanson is hoping to be considered for rezoning of these 2 tracts on the next Planning and Zoning Committee meeting on March 11. Please let me know if there is anything else that you need from us.

Thank you for your time and patience with this matter.

Regards,



Heather Williamson, RPL
Land Manager - Southwest Area

MEMO: 00145164 2/18/2014 12:53 PM
TRAN: 112.0000 P&Z VARIANCE FEES
OPER: CASH TERM: 001
REF#: 21171942 JH
REZONING HANSON ID 81117
P&Z VARIANCE FILING 500.0000R

Planning and Zoning Form 1
APPLICATION FOR CHANGE OF ZONING
(Type or Print)

1. Date: 1-21-2014 Case #: _____

2. Applicant Name: Hanson Aggregates
(First) (Middle) (Last)

3. Mailing Address: 300 E John Carpenter Fwy Suite 1045
(Street)
Irving Tx 75062
(City) (State) (Zip)

Phone: (972) 653-3733

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

5. Property location: 20762 FM 2252 Garden Ridge, TX 78266
(Street address or street property front)

6. Legal description:

Plat: Lot(s) — Block(s) —

Subdivision: A-671 Sur-95 E Woodruff

Acreage: 34.083 (If acreage, provide separate metes and bounds description as attachment 2.)

Property Deed recorded in Comal County Volume # 153 Page # 145 & 127/430

7. Existing use of property: VACANT pasture

8. Proposed use of property: Asphalt, concrete, or ready mix plant

9. Give 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.

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 to be rezoned, 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: No restrictions

12. Reason for requesting zoning change (attach additional sheet if needed): See attached letter

13. The undersigned hereby requests that the property identified in this application be reclassified from: Residence - Agriculture district to: Industrial district, 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 will be used by the City of Garden Ridge for sending required notices to adjacent property owners. 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: Heather Williamson
(Land manager)

✓ 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 zoning change fee per Garden Ridge City Ordinance 11.

----- CITY USE ONLY -----
CHANGE OF ZONING

		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'	_____
	Notice of public hearing	_____
	Public hearing conducted	_____
	P&Z decision on rezoning	_____
City Council:	P&Z recommendation to City Council	_____
	Notice to adjoining property owners'	_____
	Notice of public hearing	_____
City Admin.:	Public hearing conducted	_____
	Applicant notified of Council Decision	_____
	Zoning ordinance change published	_____

Legal Description for Property ID – 81117, City of Garden Ridge, Comal County, TX

Being 42.539 acres of land out of the Edward Woodruff Survey No. 95, Comal County, Texas, and being a part of that certain tract of land conveyed by Hugo Moehrig by deed dated December 23, 1966 and recorded in Volume 153 on page 145 of the Deed Records of Comal County, Texas; and a part of that certain tract of land conveyed by Gilbert Moehrig by deed dated March 12, 1962 and recorded in Volume 127 on page 430 of the Deed Records of Comal County, Texas, and said 42.539 acre tract of land described more particularly by metes and bounds as follows:

FROM a corner post set for the Southernmost East corner of the above described Hugo Moehrig to Servtex Materials Co. tract; Thence with the Northeast line of the said Hugo Moehrig tract, N. 30° 41' W. 237.55 feet to a corner post in the Southeast line of the Missouri Pacific Railroad; Thence crossing the said Missouri Pacific Railroad ROW, N. 30° 27' E. 100.0 feet to a corner post in the Northwest line of said Missouri Pacific Railroad, set for the East corner and POINT OF BEGINNING of the herein described 42.539 acre Tract 6;

THENCE with the Northwest line of said Missouri Pacific Railroad, S. 56° 04' W. 539.90 feet to the beginning of a curve; Thence in a Southwesterly direction along the arc of a circular curve to the right having a radius of 7,827.05 feet, a length of arc distance of 567.75 feet to a corner post set for the South corner of this tract;

THENCE with the fence, N. 30° 23' W. 518.0 feet to an iron pin set for the South corner of a Cemetery tract;

THENCE with the common line between the said Cemetery tract and this tract, as follows: N. 59° 20' E. 198.50 feet, N. 26° 22' W. 102.90 feet, and S. 58° 31' W. 201.20 feet to a corner post set for the West corner of said Cemetery tract;

THENCE with the fence, N. 29° 54' W. 411.70 feet to a corner post in the Southeast line of the Bracken Cemetery tract;

THENCE with the common line between the said Bracken Cemetery tract and this tract N. 55° 48' E. 18.9 feet and N. 33° 11' 30" W. 308.15 feet to an iron pin and corner post in the Southeast line of F.M. Road 1337, set for the West corner of this tract;

THENCE with the Southeast line of F.M. Road 1337, as follows: N. 62° 34' E. 50.8 feet, N. 57° 26' E. 1,078.3 feet, N. 45° 56' E. 55.4 feet, N. 70° 56' E. 51.4 feet to the beginning of a curve; Thence in a North-easterly direction along the arc of a circular curve to the right having a radius of 2,048.7 feet, a length of arc distance of 215.9 feet to the end of said curve; Thence N. 64° 47' E. 248.2 feet to the beginning of a curve; Thence in a Northeasterly direction along the arc of a circular curve to the left having a radius of 1,945.1 feet, a length of arc distance of 85.60 feet to a corner post set for the North corner of this tract;

THENCE with the fence, S. 28° 46' E. 534.3 feet to a corner post set for an East corner of this tract;

THENCE S. 56° 09' W. 651.0 feet to a corner post set for a re-entrant corner of this tract;

THENCE with the fence, S. 29° 00' E. 723.55 feet to the place of beginning.

SAVE AND EXCEPT THE TRACT BELOW:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 8.456 ACRES OF LAND OUT OF THE EDWIN WOODRUFF SURVEY NO. 95, ABSTRACT NO. 671, COMAL COUNTY, TEXAS, FURTHER BEING OUT OF THAT CERTAIN CALLED 42.539 ACRE PARCEL OF LAND DESCRIBED IN VOLUME 659, PAGE 31 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS (HEREINAFTER REFERRED TO AS THE PARENT TRACT); SAID 8.456 ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A ½ INCH REBAR FOUND ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF F.M. 2252 FOR THE NORTHEASTERLY CORNER AND POINT OF BEGINNING OF THIS PARCEL, SAME BEING THE NORTHEASTERLY CORNER OF SAID PARENT TRACT AND THE MOST NORTHERLY NORTHWEST CORNER OF THE RESIDUE OF THAT CERTAIN 28.517 ACRE PARCEL OF LAND DESCRIBED IN DOCUMENT NO. 201006013408 OF SAID OFFICIAL PUBLIC RECORDS;

THENCE DEPARTING SAID RIGHT-OF-WAY LINE AND WITH THE COMMON LINE OF SAID PARENT TRACT WITH SAID 28.517 ACRE PARCEL, SOUTH 28° 39' 29" EAST (BASIS OF BEARINGS (OBTAINED FROM SAID DOCUMENT NO. 201006013408)), A DISTANCE OF 532.14 FEET (CALLED SOUTH 28° 46' EAST, 534.3 FEET IN SAID VOLUME 659, PAGE 31 AND SOUTH 28° 39' 29" EAST, 532.14 FEET IN SAID DOCUMENT NO. 201006013408) TO A FENCE POST FOUND FOR THE SOUTHEASTERLY CORNER OF THIS PARCEL, SAME BEING AN INTERIOR CORNER OF SAID 28.517 ACRE PARCEL;

THENCE CONTINUING WITH THE COMMON LINE OF SAID PARENT TRACT WITH A PORTION OF SAID 28.517 ACRE PARCEL AND THAT CERTAIN CALLED 8.010 ACRE PARCEL OF LAND DESCRIBED IN DOCUMENT NO. 20100608226 OF SAID OFFICIAL

PUBLIC RECORDS, SOUTH 56° 11' 57" WEST, A DISTANCE OF 650.92 FEET (CALLED SOUTH 56° 09' WEST, 651.0 FEET IN SAID VOLUME 659, PAGE 31 AND SOUTH 56° 12' 15" WEST, 650.92 FEET IN SAID DOCUMENT NO. 201006013408) TO A FENCE POST FOUND FOR THE SOUTHWESTERLY CORNER OF THIS PARCEL, SAME BEING THE NORTHWESTERLY CORNER OF SAID 8.010 ACRE PARCEL;

THENCE SEVERING SAID PARENT TRACT, NORTH 27° 19' 15" WEST, A DISTANCE OF 603.19 FEET TO A FENCE POST FOUND ON THE AFOREMENTIONED RIGHT-OF-WAY LINE OF F. M. 2252 FOR THE NORTHWESTERLY CORNER OF THIS PARCEL;

THENCE WITH SAID RIGHT-OF-WAY LINE, THE FOLLOWING FIVE (5) COURSES:

- 1) NORTH 46° 03' 45" EAST, A DISTANCE OF 55.40 FEET (CALLED NORTH 45° 56' EAST, 55.4 FEET) TO A ½ INCH REBAR SET FOR ANGLE;
- 2) NORTH 71° 03' 45" EAST, A DISTANCE OF 51.40 FEET (CALLED NORTH 70° 56' EAST, 51.4 FEET) TO A ½ INCH REBAR SET FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;
- 3) ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2048.70 FEET, A DELTA ANGLE OF 5° 30' 22", A CHORD BEARING OF NORTH 61° 44' 00" EAST, AND A CHORD DISTANCE OF 196.81 FEET, AN ARC LENGTH OF 196.88 FEET (CALLED 215.9 FEET) TO A ½ INCH REBAR SET FOR THE END OF SAID CURVE;
- 4) NORTH 64° 47' 00" EAST, A DISTANCE OF 248.20 FEET (CALLED NORTH 64° 47' EAST, 248.2 FEET) TO A ½ INCH REBAR SET FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;
- 5) ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1945.10 FEET, A DELTA ANGLE OF 2° 31' 17", A CHORD BEARING OF NORTH 62° 49' 38" EAST, AND A CHORD DISTANCE OF 85.59 FEET, AN ARC LENGTH OF 85.60 FEET (CALLED 85.6 FEET) TO THE POINT OF BEGINNING AND CONTAINING 8.456 ACRES OF LAND, AS SURVEYED AND FOUND ON THE GROUND ON SEPTEMBER 7, 2012 WITH ALL ½ INCH REBARS SET BEING TOPPED WITH A YELLOW CAP STAMPED "LAMBERTS SURVEYING".

LEAVING A TOTAL ACREAGE OF 34.083.

Hanson Aggregates - A-671 SUR- 95 E WOODRUFF, ACRES 34.083 and A-671 SUR- 95 E WOODRUFF, ACRES 9.046, (FM 2252)

Property ID: 81117 & 81121

<u>Geographic</u>		<u>Property ID</u>	<u>Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Legal Description</u>
<u>Location</u>								
1.)	To the Northeast	381894	TRICON PRECAST LTD	15055 HENRY RD	HOUSTON	TX	77060	A-671 SUR- 95 E WOODRUFF, ACRES 8.4561
2.)	To the Southeast	375400	BALLENGER CONSTRUCTION COMPANY	24200 N FM 509	HARLINGEN	TX	78550-2192	A-671 SUR- 95 E WOODRUFF, ACRES 8.01
3.)	To the Southeast	81081	BELTWAY INVESTMENTS INC % WASTE MANAGEMENT	2 N LA SALLE ST STE 2400	CHICAGO	IL	60602-3959	A-671 SUR- 95 E WOODRUFF, ACRES 31.861
4.)	To the South	81129	STEHLE STANLEY E & SUSAN	21650 FM 2252	SCHERTZ	TX	78154-9404	A-671 SUR- 95 E WOODRUFF, ACRES 76.312
5.)	To the Southwest	81144	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-671 SUR- 95 E WOODRUFF, ACRES 31.
6.)	To the Southwest	81140	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-671 SUR- 95 E WOODRUFF, ACRES 9.06
7.)	To the West	81138	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-671 SUR- 95 E WOODRUFF, ACRES 0.86
8.)	To the Northwest	81115	ROSE JANICE WUEST	20469 FM 2252	SAN ANTONIO	TX	78266-2900	A-671 SUR- 95 E WOODRUFF, ACRES 4.425
9.)	To the Northwest	362652	BRACKEN COMMUNITY CEMETERY					A-671 SUR- 95 E WOODRUFF, BRACKEN COMMUNITY CEMETERY
10.)	To the Northwest	146488	ROSE JANICE WUEST 50%	20469 FM 2252	SAN ANTONIO	TX	78266-2900	A-671 SUR- 95 E WOODRUFF, ACRES 4.25
10.)	To the Northwest	146488	WUEST DENNIS ROY 50%	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-671 SUR- 95 E WOODRUFF, ACRES 4.25
11.)	To the Northwest	74513	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-122 SUR-499 J DRUMM, ACRES 0.9
12.)	To the Northwest	74514	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-122 SUR-499 J DRUMM, ACRES 2.
13.)	To the North	74517 81123	HANSON AGGREGATES % MARVIN F POER & COMPANY	P O BOX 52427	ATLANTA	GA	30355	

Planning and Zoning Form 1
APPLICATION FOR CHANGE OF ZONING
(Type or Print)

1. Date: 1-21-2014 Case #: _____
2. Applicant Name: Hanson Aggregates
(First) (Middle) (Last)
3. Mailing Address: 300 E John Carpenter Fwy Suite 1145
(Street)
Irving Tx 75062
(City) (State) (Zip)
Phone: 972-653-3733

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

5. Property location: 0 FM 2252 Garden Ridge, Tx 78266
(Street address or street property front)

6. Legal description:

Plat: Lot(s) — Block(s) —
Subdivision: A-671 Sur-95 E Woodruff
Acreage: 9.046 (If acreage, provide separate metes and bounds description as attachment 2.)
Property Deed recorded in Comal County Volume # 153 Page # 145

7. Existing use of property: VACANT PASTURE

8. Proposed use of property: Asphalt, concrete, or ready mix plant

9. Give 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.

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 to be rezoned, 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: No restrictions.

12. Reason for requesting zoning change (attach additional sheet if needed): See attached letter

13. The undersigned hereby requests that the property identified in this application be reclassified from: Residential - Agriculture district to: Industrial district, 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 will be used by the City of Garden Ridge for sending required notices to adjacent property owners. 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: Heather Wilhoiser
(Land Manager)

- 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 zoning change fee per Garden Ridge City Ordinance 11.

----- CITY USE ONLY -----
CHANGE OF ZONING

		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'	_____
	Notice of public hearing	_____
	Public hearing conducted	_____
	P&Z decision on rezoning	_____
City Council:	P&Z recommendation to City Council	_____
	Notice to adjoining property owners'	_____
	Notice of public hearing	_____
City Admin.:	Public hearing conducted	_____
	Applicant notified of Council Decision	_____
	Zoning ordinance change published	_____

Legal Description for Property ID – 81121, City of Garden Ridge, Comal County, TX

Being 9.046 acres of land out of the Edward Woodruff Survey No. 95, Comal County, Texas, and a part of that certain tract of land conveyed by Hugo Moehrig by deed dated December 23, 1966 and recorded in Volume 153 on page 145 of the Deed Records of Comal County, Texas, and described more particularly by metes and bounds as follows:

BEGINNING at a corner post set for the Southernmost South corner of the above described Hugo Moehrig to Servtex Materials Co. tract, for the South corner of the herein described 9.046 acre Tract 5;

THENCE with the fence, N. 29° 50' 30" W. 341.70 feet to a corner post in the Southeast line of the Missouri Pacific Railroad, set for the West corner of this tract;

THENCE with the fence, the Southeast line of the said Missouri Pacific Railroad in a Northeasterly direction along the arc of a circular curve to the left having a radius of 7,927.05 feet, a length of arc distance of 699.25 feet to the end of said curve; Thence N. 56° 04' E. 534.0 feet to a corner post set for the North corner of this tract;

THENCE with the fence, S. 30° 41' E. 237.55 feet to a corner post set for the East corner of this tract;

THENCE with the fence, S. 53° 52' W. 1,443.20 feet to the place of beginning.

Hanson Aggregates - A-671 SUR- 95 E WOODRUFF, ACRES 34.083 and A-671 SUR- 95 E WOODRUFF, ACRES 9.046, (FM 2252)

Property ID: 81117 & 81121

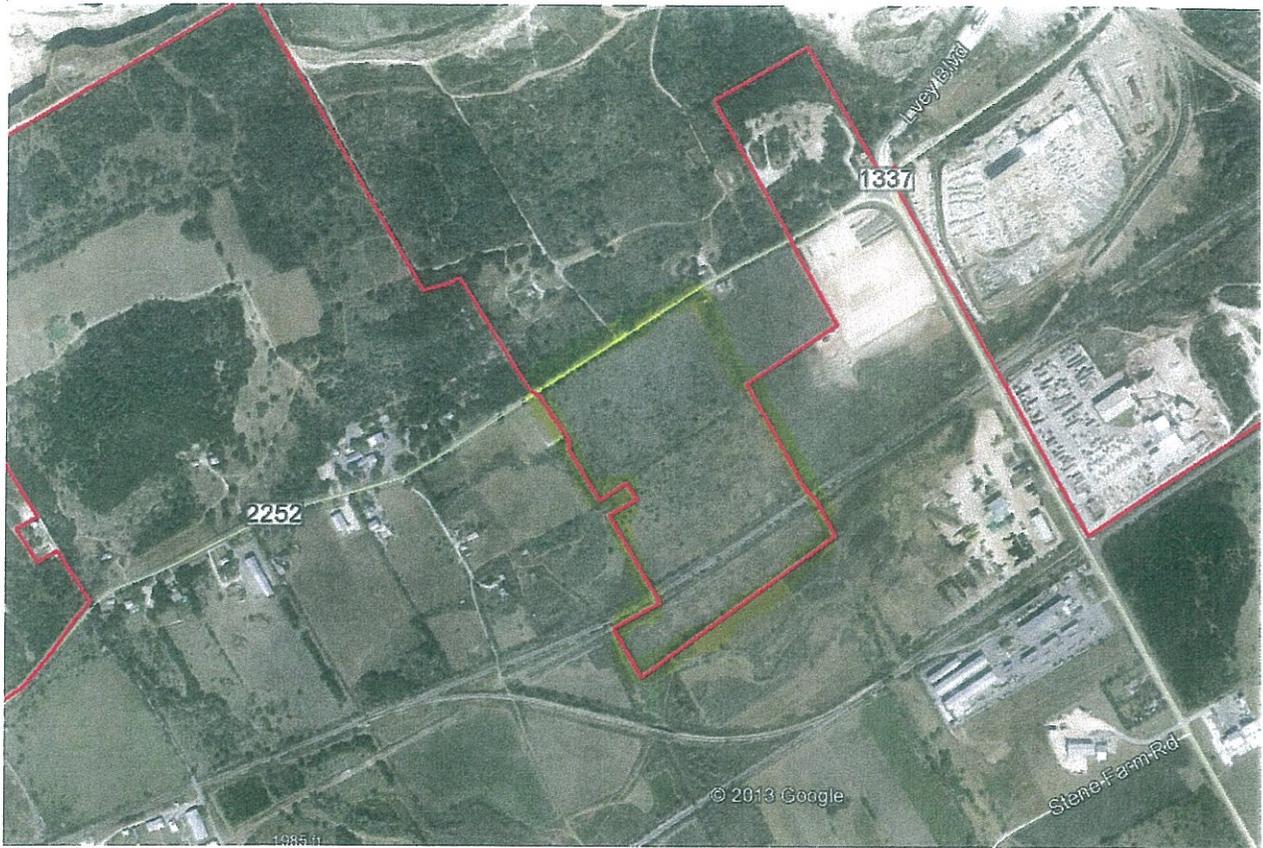
<u>Geographic Location</u>	<u>Property ID</u>	<u>Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Legal Description</u>
1.) To the Northeast	381894	TRICON PRECAST LTD	15055 HENRY RD	HOUSTON	TX	77060	A-671 SUR- 95 E WOODRUFF, ACRES 8.4561 SUR- 95 E WOODRUFF, ACRES 8.456
2.) To the Southeast	375400	BALLENGER CONSTRUCTION COMPANY BELTWAY INVESTMENTS INC % WASTE MANAGEMENT	24200 N FM 509 2 N LA SALLE ST STE 2400	HARLINGEN CHICAGO	TX IL	78550-2192 60602-3959	A-671 SUR- 95 E WOODRUFF, ACRES 8.01 A-671 SUR- 95 E WOODRUFF, ACRES 31.861
3.) To the Southeast	81081						
4.) To the South	81129	STEHLE STANLEY E & SUSAN	21650 FM 2252	SCHERTZ	TX	78154-9404	A-671 SUR- 95 E WOODRUFF, ACRES 76.312
5.) To the Southwest	81144	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-671 SUR- 95 E WOODRUFF, ACRES 31.
6.) To the Southwest	81140	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-671 SUR- 95 E WOODRUFF, ACRES 9.06
7.) To the West	81138	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-671 SUR- 95 E WOODRUFF, ACRES 0.86
8.) To the Northwest	81115	ROSE JANICE WUEST	20469 FM 2252	SAN ANTONIO	TX	78266-2900	A-671 SUR- 95 E WOODRUFF, ACRES 4.425 A-671 SUR- 95 E WOODRUFF, BRACKEN COMMUNITY CEMETERY
9.) To the Northwest	362652	BRACKEN COMMUNITY CEMETERY					
10.) To the Northwest	146488	ROSE JANICE WUEST 50%	20469 FM 2252	SAN ANTONIO	TX	78266-2900	A-671 SUR- 95 E WOODRUFF, ACRES 4.25
10.) To the Northwest	146488	WUEST DENNIS ROY 50%	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-671 SUR- 95 E WOODRUFF, ACRES 4.25
11.) To the Northwest	74513	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-122 SUR-499 J DRUMM, ACRES 0.9
12.) To the Northwest	74514	WUEST DENNIS R & ROSE JANICE	20400 FM 2252 UNIT 2	SAN ANTONIO	TX	78266-2873	A-122 SUR-499 J DRUMM, ACRES 2.
13.) To the North	74517 81123	HANSON AGGREGATES % MARVIN F POER & COMPANY	P O BOX 52427	ATLANTA	GA	30355	

PROPERTY ID – 81117 AND 81121 REZONING MAP

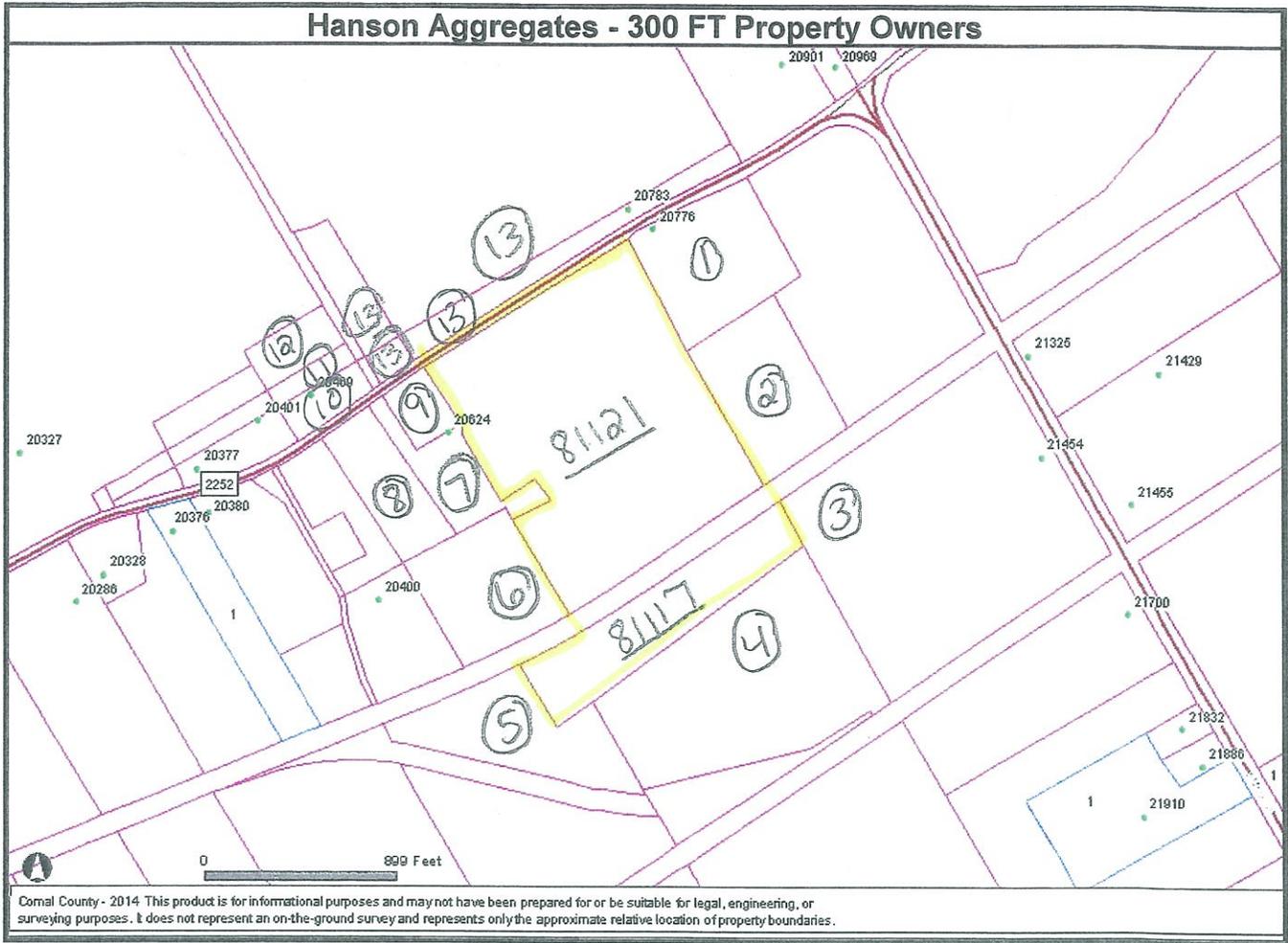
Servtex Materials Plant

City of Garden Ridge, Comal County, TX

February, 2014



*Highlighted area contains the 2 parcels that are seeking to be rezoned to Industrial.



* Any further zooming in scale would result in parcels not being in view.

LEGAL NOTICE

NOTICE OF PUBLIC HEARING
CITY OF GARDEN RIDGE
PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of the City of Garden Ridge, Texas will conduct a public hearing on March 11, 2014 at 6:00 p.m. The public hearing will be held in the Garden Ridge City Hall Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas.

The purpose of the public hearing will be to consider:

- A) A petition by Hanson Aggregates to rezone Property ID 81117 from Residential Agricultural (RA) to Industrial Zone District (Z-1) a 34.083 acre tract out of a 42.539 acre tract of land out of the Edward Woodruff Survey No. 95, Comal County, Texas, and being a part of that certain tract of land conveyed by Hugo Moehrig by deed dated December 23, 1966 and recorded in Volume 153 on page 145 of the Deed Records of Comal County, Texas; and a part of that certain tract of land conveyed by Gilbert Moehrig by deed dated March 12, 1962 and recorded in Volume 127 on page 430 of the Deed Records of Comal County, Texas; Save and Except a parcel of land containing 8.456 acres of land out of the Edwin Woodruff Survey No. 95, Abstract No. 671, Comal County, Texas further being out of that certain called 42.539 acre parcel of land described in Volume 659, Page 31 of the official public records of Comal County, Texas (hereinafter referred to as the parent tract) and located at 20762 F.M. 2252, Garden Ridge, Texas.
- B) A petition by Hanson Aggregates to rezone Property ID 81121 from Residential Agricultural (RA) to Industrial Zone District (Z-1) a 9.046 acre tract of land out of the Edward Woodruff Survey No. 95, Comal County, Texas, and a part of that certain tract of land conveyed by Hugo Moehrig by deed dated December 23, 1966 and recorded in Volume 153 on page 145 of the Deed Records of Comal County, Texas and located south and adjacent to 20762 F.M. 2252, Garden Ridge, Texas.

The public is invited to attend and submit oral or written comment on this matter.

S/: Shelley Goodwin, TRMC
City Secretary

LEGAL NOTICE

NOTICE OF PUBLIC HEARING
CITY OF GARDEN RIDGE
PLANNING AND ZONING COMMISSION

The City of Garden Ridge Planning and Zoning Commission will conduct a Public Hearing on March 11, 2014 at 6:00 p.m. in the City of Garden Ridge City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas.

The hearing will consider the following:

An Ordinance amending Ordinances 13-122008 and 7-092006 of the City of Garden Ridge, Texas related to the required lot size, lot width, front, side and rear yard dimensions applicable to residential lots that are non-conforming to current requirements established by the subdivision and zoning ordinances of the City of Garden Ridge, Texas; providing for an effective date.

The public is invited to attend and submit oral or written comments on this matter.

S/: Shelley Goodwin, TRMC
City Secretary

AN ORDINANCE AMENDING ORDINANCES 13-122008 AND 7-092006 OF THE CITY OF GARDEN RIDGE, TEXAS RELATED TO THE REQUIRED LOT SIZE, LOT WIDTH, FRONT, SIDE AND REAR YARD DIMENSIONS APPLICABLE TO RESIDENTIAL LOTS THAT ARE NON-CONFORMING TO CURRENT REQUIREMENTS ESTABLISHED BY THE SUBDIVISION AND ZONING ORDINANCES OF THE CITY OF GARDEN RIDGE, TEXAS; PROVIDING FOR AN EFFECTIVE DATE

RECITALS:

WHEREAS, the City of Garden Ridge, Texas, since incorporation, has had varied lot size, lot width and yard dimension regulations within its Zoning and Subdivision regulations, as passed by the City Council;

WHEREAS, the City of Garden Ridge, Texas finds that certain residential lots within the city were platted from the period of July 6, 1972 through June 6, 1992 meeting the then current lot size, lot width and yard dimension requirements in effect at the time, but no longer meet the current requirements and are considered non-conforming;

WHEREAS, the City of Garden Ridge, Texas finds that the City is faced with the development/redevelopment of non-conforming lots within subdivisions platted prior to June 7, 1992;

WHEREAS, the City of Garden Ridge, Texas finds that in order to maintain consistent subdivision lay-out, ensure orderly development and maintain property values, it is proper and just to allow the lot size, lot width and yard dimension requirements in effect at the time a particular residential lot was last subdivided and platted to be applicable to any current application for a permit to develop or construct improvements on a non-conforming lot or lots;

WHEREAS, the City of Garden Ridge, Texas finds that regardless of the date of the platted lot, the minimum area requirement of 32,670 square feet should continue to apply to any such lot or tract served by a public water supply system that is partially or entirely over the Edwards Aquifer Recharge Zone and that the minimum area requirement of 43,560 square feet should continue to apply to any such lot or tract of land as provided for in the "Rules of Comal County, Texas, for Private Sewerage Facilities, 1987" as amended;

WHEREAS, the City of Garden Ridge, Texas has conducted all legal conditions precedent, completed all required public hearings and considered this ordinance at a properly noticed and conducted meeting pursuant to the Texas Open Meetings Act, finds the adoption of this ordinance is in the best interest of the City;

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

- 1) The lot size, lot width and yard dimension requirements in effect at the time a particular residential lot was last subdivided and platted are applicable to and shall supersede current lot size, lot width and yard dimension requirements for a permit to develop or construct improvements on a non-conforming residential lot in the City;
- 2) The above provision lot size requirement does not apply to and regardless of the date of the platted lot, the minimum area requirement of 32,670 square feet shall continue to apply to any such lot or tract served by a public water supply system that is partially or entirely over the Edwards Aquifer Recharge Zone and that the minimum area requirement of 43,560 square feet shall continue to apply to any such lot or tract of land as provided for in the "Rules of Comal County, Texas, for Private Sewerage Facilities, 1987" as amended;
- 3) The effective date of this Ordinance is the date of its adoption.

Passed and Approved by the City Council of the City of Garden Ridge, Texas on this _____ day of _____, 2014.

Andrew Dalton, Mayor

Attest:

Shelly Goodwin
City Secretary

Brannon Properties LLC

Jean Brannon

Broker/Owner, MA, CPS, ePRO
9233 Gloxinia Drive
Garden Ridge, TX 78266
Cell: (210) 392-4200
Office: (210) 651-4770
Fax: (210) 651-6939
Email: mmoveable@aol.com

Planning and Zoning Commission

Garden Ridge, TX 78266

March 5, 2014

The purpose of my letter to you is to ask for a variance or exception to Ordinance 55, stating that one real estate sign(for sale), per property is allowed in Garden Ridge.

The situation for the FM 2252 property for which I am representing my client, has a ¹²⁶⁰100 foot, plus frontage on FM 2252 alone. The property frontage then wraps around to Nacogdoches Loop, and from there, continues by means of a sharp left turn to 100 feet on Doerr Lane.

I am requesting permission to use two additional signs because of this unusual configuration, and lack of visibility for such sign placement.. The sign to be placed on Doerr Lane is about 50 feet from being in Guadalupe County. Sign sizes that I will use, conform to the stated Garden Ridge requirements.

WE all have a common goal of keeping Garden Ridge , the beautiful community it is, and I think

You will agree that the addition of two signs as indicated on the enclosed photo/graphics, will not depart from this goal.

Respectfully,



Jean Brannon

Broker/Owner

Brannon Properties, LLC

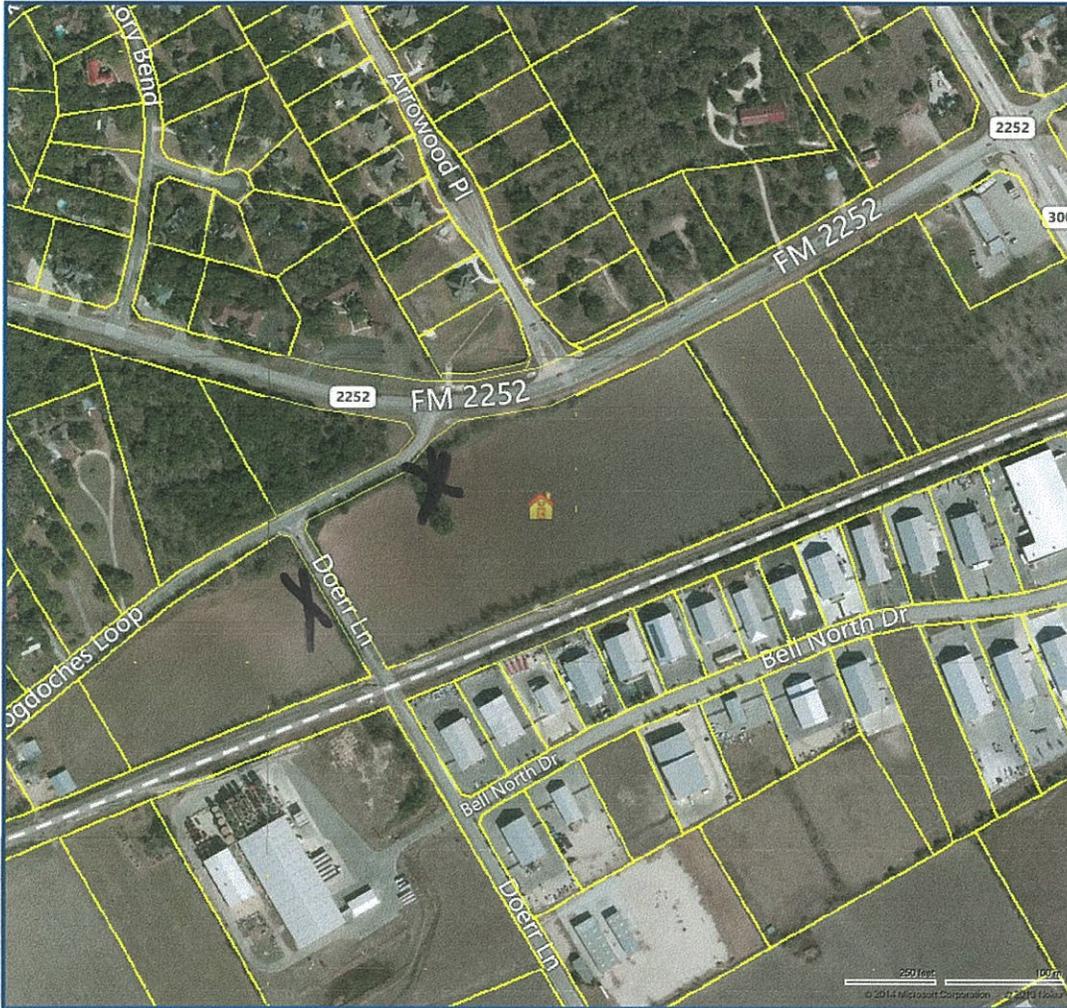
210 392-4200



Independent Broker

Print | Email | Save | Copy

Need Help



Map for Parcel Address: TX, Parcel ID: 740-12-000-2703

COPYRIGHT © 2014 COURTHOUSE RETRIEVAL SYSTEM. ALL RIGHTS RESERVED.
Information Deemed Reliable But Not Guaranteed.
Contact SABOR at 210-593-1200 for Help.

14 p+Z

Brannon Properties LLC

9233 Gloxinia Drive
Garden Ridge, TX 78266

Brannon Properties LLC

Sandy Brannon
Owner/Realtor® BBA
Cell: (210) 410-3531
FAX: (210) 651-6939
9233 Gloxinia Drive
San Antonio, TX 78266
E-mail: horsesenses1@aol.com
Website: www.BrannonProperties.com



An Independent Broker

Brannon Properties LLC

Jean Brannon
Broker/Owner, MA, CPS, e-Pro
Cell: (210) 392-4200
9233 Gloxinia Drive
San Antonio, TX 78266
E-mail: mmoveable@aol.com
Website: www.BrannonProperties.com



An Independent Broker

- d. Height – the dimension of any sign from the ground to the highest point above the ground, including any type of framing or supporting structures.
4. City Districts. To carry out the purpose of provisions of this ordinance the City is divided into eight (8) districts, as designated below. For the purpose of establishing and maintaining a sound, stable, and desirable development program within the territorial and extra-territorial limits of Garden Ridge, the City Council may, from time to time, amend the boundaries in any city District. The eight (8) districts presently designated in the City are as follows:
 - a. RA Residential/Agricultural District.
 - b. R Single Family Dwelling District.
 - c. CC Country Club District
 - d. B-1 Neighborhood Service District.
 - e. B-2 Office and Professional District.
 - f. LI Light Industrial District
 - g. Z-1 Industrial Zone District
 5. Requests For Variances. All requests for variances to this ordinance, with exception in 5.a., shall be made in writing; they must be signed; and they must be filed with the City Secretary for subsequent presentation to the Planning & Zoning Commission for review and consideration. It is the responsibility of the applicant to apply to the Planning & Zoning Commission for a desired presentation of his or her request for variance. The Planning & Zoning Commission shall have a minimum of thirty (30) days and a maximum of ninety (90) days for review and consideration of such requests and will, upon completion of such review and consideration, forward their recommendations to the City Council with a recommendation for approval or disapproval. Any variance approved by the City Council is valid for a period of one year from the date of approval.
 - a. Temporary signs or banners advertising non-profit organizations may be approved by the Mayor or City Administrator if period of display does not exceed 30 days and signs or banners do not exceed three. All other restrictions within this ordinance apply. City Council members shall be notified of such actions taken by the Mayor or City Administrator at the next regular City Council meeting.
 6. Sign Regulation in the City's Extra-Territorial Jurisdiction. Signs within the city's extra-territorial jurisdiction must be in full compliance with rules governing signs within the City.
 7. Sign Regulations in the RA (Residential/Agricultural), the R (Single Family Dwelling) and the CC (Country Club) Districts are as follows:
 - a. Church or School signs.- One (1) sign, which shall not exceed fourteen (14) feet in perimeter and six (6) feet in height, is authorized for placement on the church or school property.
 - b. Realty or Realtor signs: One (1) unlighted sign, which shall not exceed ten (10) feet in perimeter and six (6) feet in height and is pertaining to the sale or lease of a house/building or premises. The sign must be posted on the property being leased or sold and the sign must be removed

immediately upon the sale or lease of such house/building or premises. On residential real estate, property on which an "Open House" showing is being held, not more than two (2) unlighted signs not to exceed ten (10) feet (each) in perimeter and six (6) feet in height are authorized for a maximum period of three days preceding the date of the "Open House" showing and must be removed within twenty-four (24) hours after the scheduled date for the "Open House" showing. In no instance will an open house sign be allowed to remain in place for more than five (5) days at any one time or for more than ten (10) days in any single month.

- c. Construction Signs: One (1) unlighted sign not exceeding ten (10) feet in perimeter and six (6) feet in height is authorized for the primary contractor building a residence or premises, or at a location where ongoing construction such as swimming pools, sprinkler systems, fences, room additions and etc. are in progress. Such signs shall not be attached to a tree. Additional signs for subcontractors, such as individuals or companies hired to install plumbing, wiring, landscaping, roofing and etc., or for banking or lending institutions are prohibited on the promises. The primary contractors sign will be removed immediately upon occupancy of the residence/building.
 - d. Garage sale Signs: A total of two (2) unlighted temporary signs not exceeding six (6) feet (each) in perimeter and three (3) feet in height will be permitted to advertise home garage sales. Under no circumstances will such signs be posted on open highways, utility poles, or on City, County or state highway/utility easements. Such signs are authorized for a period of three days immediately preceding the date of the sale and must be removed within twenty-four (24) hours after the sale date.
 - e. Trespassing or Posted Property Type Signs: Such signs shall be unlighted and not exceed six (6) feet in perimeter and eight (8) feet in height. Such signs shall be placed at least one hundred fifty (150) feet from another trespassing or posted property sign on the same property.
 - f. Subdivision Signs (advertising lots for sale): Two (2) ground signs, not exceeding twenty-four (24) feet (each) in perimeter and ten (10) feet in height may be erected to announce a legally approved subdivision or land development and must be removed when eighty percent (80%) of the lots or parcels are sold. While subdivision-signs may have indirect lighting, flashing lights, or moving parts are not permitted. A parcel of land must be at least ten (10) acres in size or have at least ten (10) separately platted lots in order to qualify as a subdivision for the purposes of this ordinance.
8. Sign Regulations in the B-1 (Neighborhood Service), the B-2 (Office and Professional), the MU (Municipal Use), the LI (Light Industrial) and the Z-1 (Industrial Zone) Districts. In addition to all sign regulations approved for the RA (Residential/Agricultural) and the R (Single Family Dwelling) Districts, the following sign regulations apply to the B-1, the B-2, the MU, The LI and the Z-1 Districts:
- a. Business Advertising Signs. One (1) business advertising sign not exceeding twenty-four feet in perimeter is authorized for each business in the district. Advertising signs shall be attached to the building and will advertise only articles, services or products which are offered within the building to which said sign is attached. Such signs shall not protrude above the outside walls of such buildings and will protrude no more than one foot from the face of the walls of such buildings.
 - b. Commercial Real Estate Signs. One (1) sign, not exceeding twenty (20) feet in perimeter and six (6) feet in height may be erected on the premises to advertise the sale or lease of a commercial



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, FEBRUARY 11, 2014**

Commissioners present:

Sam Stocks, Chairman
Kay Bower
David Heier
Shawn Willis
Kitty Owen

Commissioners Absent:

Harvey Bell
Frank Dansby

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, February 11, 2014 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.*

- *Herb Langthorp* (9010 Sumac Cove, Garden Ridge) stated he lives next door to the property requesting a variance. He encouraged the Planning and Zoning Commission to look closely at the drainage due to increase in impervious cover and the access to utilities.
- *Charles Brestle* (20825 Sorrell Lane, Garden Ridge) stated his property is adjacent to the property requesting a variance and is concerned about the drainage and the access to the utilities.

3. Business Items

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

- a) **Petition by Roland E. Garcia for a variance to Ordinance 13-122008, Section 5, Residential, Paragraph 5.1.7.2.2, Lot Width, for a residential lot fronting a public street and located on a cul-de-sac with frontage less than required 50 feet and such frontage being 41.06 feet and described as Lot 3, Block 1, Forest Waters Subdivision and located at 9020 Sumac Cove, Garden Ridge, Texas**

Nancy Cain, City Administrator, stated that Mr. Garcia is requesting a variance to Ordinance 13-122008 which requires 50' or more for residential lot fronting a public street and located on a cul-de-sac on behalf of the property owner Pradip I Upadhyaya. The property at 9020 Sumac Cove has 41.06 frontage. She stated when the plat was approved in 1983, the City of Garden Ridge did not have a lot size ordinance requirement for frontage on a cul-de-sac lot.

Sam Stocks, Chairman, then moved to Item 4a)

Roland Garcia, stated Mr. Upadhyaya purchased the lot which was platted and approved by City Council prior to any minimum lot size. He reviewed the plat with the Commission.

The Planning and Zoning Commission discussed the house facing Sumac Cove vs. Sorrell, entrance and exit, fence design, and the impervious cover.

Sam Stocks, Chairman, then moved back to Item 4a)

- b) **An Ordinance amending Ordinances 13-122008 and 7-092006 of the City of Garden Ridge, Texas related to the required lot size, lot width, front, side and rear yard dimensions applicable to residential lots that are non-conforming to current requirements established by the subdivision and zoning ordinances of the City of Garden Ridge, Texas; providing for an effective date**

Nancy Cain, City Administrator, stated the City Attorney has been asked to work on an amendment to Ordinances 13 and 7 due to late platted prior to 1993 meeting the requirements of then Ordinance 13 rather than the current Ordinance 13.

The Planning and Zoning Commission discussed the proposed amendment and requirement for a public hearing.

The Planning and Zoning agreed by consensus to recommend to the City Council to move forward with the proposed amendments to Ordinance 13 and 7 and to hold a public hearing.

Sam Stocks, Chair, then moved back to Item 3a.

c) Update on City Council direction concerning updating of Ordinance 13 and other interrelated ordinances

Nancy Cain, City Administrator, stated the City Council discussed at their January 9, 2014 meeting creating an Unified Development Ordinance. She stated this will address zoning subdivision development and signs. She also stated with the creation of an Unified Development Ordinance, there will possibly be some Special Meetings.

Ron Fischer, City Attorney, stated 3 law students from University of Texas Law School will be working on combining and cleaning up the City ordinances.

4. Public Hearings

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

- a) Petition by Roland E. Garcia for a variance to Ordinance 13-122008, Section 5, Residential, Paragraph 5.1.7.2.2, Lot Width, for a residential lot fronting a public street and located on a cul-de-sac with frontage less than required 50 feet and such frontage being 41.06 feet and described as Lot 3, Block 1, Forest Waters Subdivision and located at 9020 Sumac Cove, Garden Ridge, Texas**

Sam Stocks, Chair, opened the Public Hearing at 6:06pm and asked if anyone wished to speak.

- *Herb Langthorp* (9010 Sumac Cove, Garden Ridge) stated he has concerns with what will happen to the drainage run off after concrete is poured. He also felt there should be a retaining wall constructed to help with the some of the issues that have occurred from the property at 9020 Sumac Cove.
- *Charles Brestle* (20825 Sorrell Lane, Garden Ridge) stated his property gets quite a bit of run off from 9020 Sumac Cove. He stated also concern with lack of room for the access of the utilities.

Sam Stocks, Chair, closed the Public Hearing at 6:28pm until Mr. Garcia arrived to the meeting.

Sam Stocks, Chair, re-opened the public hearing at 7:00pm and asked if anyone wished to speak.

- *Herb Langthorp* (9010 Sumac Cove, Garden Ridge) stated he would like to walk the property with the building inspector to show drainage and utility issues.
- *Roland Garcia* stated he is doing everything required by the City and the deed restrictions. He also stated he will relay the concerns to the property owner.

Sam Stocks, Chair, closed the public hearing at 7:16pm.

5. Business Items (continued)

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

- a. Petition by Roland E. Garcia for a variance to Ordinance 13-122008, Section 5, Residential, Paragraph 5.1.7.2.2, Lot Width, for a residential lot fronting a public street and located on a cul-de-sac with frontage less than required 50 feet and such**

frontage being 41.06 feet and described as Lot 3, Block 1, Forest Waters Subdivision and located at 9020 Sumac Cove, Garden Ridge, Texas

Motion: Upon a motion made by Commissioner Heir and a second by Commissioner Owen, to recommended to the City Council the approval of the petition by Roland E. Garcia for a variance to Ordinance 13-122008, Section 5, Residential, Paragraph 5.1.7.2.2, Lot Width, for a residential lot fronting a public street and located on a cul-de-sac with frontage less than required 50 feet and such frontage being 41.06 feet and described as Lot 3, Block 1, Forest Waters Subdivision and located at 9020 Sumac Cove, Garden Ridge, Texas. The Planning and Zoning Commission voted four (4) for and one (1) opposed (Stocks). The motion carried.

The Planning and Zoning Commission moved back to Item 4c).

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 December 10, 2013 meeting of the Planning and Zoning Commission.

Motion: Upon a motion made by Commissioner Owen and a second by Commissioner Heier, the Planning and Zoning Commission voted four (4) for and none (0) opposed, for the approval the minutes of December 10, 2013 meeting of the Planning and Zoning Commission. The motion carried unanimously.

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

Sam Stocks, Chairman, reported the next meeting will be held on Tuesday, March 11, 2014 at 6:00p.m. if necessary.

7. Adjournment

Motion: Upon a motion made by Commissioner Owen and a second by Commissioner Heier, the meeting was adjourned at 7:19 p.m.

Sam Stocks, Chairman

ATTEST:

Shelley Goodwin, TRMC
City Secretary