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, APRIL 8, 2014 -- 6:00 P.M.

The Garden Ridge Planning and Zoning Commission will meet in regular session at 6:00 p.m., Tuesday, April 8, 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 April 4, 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.

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

   Rules for Citizen's Participation:

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

   a. Direct your comments to the entire Commission, not to an individual member, nor to the audience.
   b. Show the Commission the same respect and courtesy that you would like to be shown.
   c. Limit remarks to three (3) minutes per citizen during Item 3.
   d. Citizen comments may be deferred to a specific Business Item set forth in Section 4, below if such comments pertain to such Business Item.

   NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject ***must be limited*** *to a proposal to place the subject on the agenda for a future meeting and any response to a question posed to the Council is limited to either a statement of specific factual information or a recitation of existing policy.* TEX. GOV'T CODE § 551.042.

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

   a) A petition by Wheeler Division, APAC-Texas, Inc. for a Special Use Permit for the purpose of asphalt products manufacturing on property owned by Hanson Aggregates

and located at 20762 F.M. 2252, Garden Ridge, Texas (Discussion item only. Public Hearing to be conducted May 13, 2014. Possible action on petition on May 13, 2014.)

b) A petition by Wheeler Division, APAC-Texas, Inc. for variances to Ordinance 13-122008 for asphalt products manufacturing on property owned by Hanson Aggregates and located at 20762 F.M. 2252, Garden Ridge, Texas:
   i. 7.2.6. - Structures must be compatible with, and complimentary in scale and appearance with, a commercial district adjacent to a primarily residential municipality. Exterior work and storage areas shall be screened from public view.
   ii. 7.2.7. – Height Regulation: No structure shall exceed two and one-half (2-1/2) stories (thirty-five feet) in height.
   iii. 7.2.8.3. – Side Yard: Paved alley rights-of-way of fifteen (15) feet width down each side property line shall provide access to the rear alley.
   iv. 7.2.8.4. – Rear Yard: A paved alley right-of-way of fifteen (15) feet width shall run the length of the rear property line.
   v. 7.2.10. – Parking: Table 1, Table of Off Street Parking Requirements. 20. Manufacturing, wholesaling, and processing establishments. One (1) paved parking space per 800 square feet gross floor area.
   vi. 7.2.11. – Construction Standards: Buildings shall be or not less than ninety (90) percent masonry or masonry veneer construction on the first floor level fronting paved public streets, excluding openings.
   vii. 8.3. – Structure Height within City.
   viii. 8.4. (8.4.1. - 8.5.2.) - Fences, Walls and Plants.
   ix. 8.6 (8.6.1.-8.6.2.) - Line-of-Sight (Sight Line) Requirements.
   x. 12.1.3.1. – All applications for Specific Use Permits shall be submitted with site plans drawn to scale and showing the general arrangement of essential the project, together with essential requirements such as off-street parking facilities, locations of buildings and used to be permitted, means of ingress and egress to public streets, and type of visual screening such as walls, planting and fences, the location of adjacent residences and buildings and the location and area coverage of all outside lighting.
   xi. 12.2 – (12.2.1.-12.2.2) Certificates of Occupancy.

   (Discussion item only. Public Hearing to be conducted May 13, 2014. Possible action on petition on May 13, 2014.)

c) A petition by Industrial Asphalt, LLC for a Special Use Permit for the purpose of a Hot Mix Asphalt manufacturing plant at 0 F.M. 2252 on property owned by Hanson Aggregates and further located northwest of the intersection of F.M. 2252 and Old Nacogdoches Road in Garden Ridge, Texas
   (Discussion item only. Public Hearing to be conducted May 13, 2014. Possible action on petition on May 13, 2014.)

d) A petition by Industrial Asphalt, LLC for variances to Ordinance 13-122008 for the purpose of a Hot Mix Asphalt manufacturing plant at 0 F.M. 2252 on property owned by Hanson Aggregates and further located northwest of the intersection of F.M. 2252 and Old Nacogdoches Road in Garden Ridge, Texas:
   i. 7.2.7. – Height Regulation: No structure shall exceed two and one-half (2-1/2) stories (thirty-five feet) in height.

ii. 7.2.8.3. – Side Yard: Paved alley rights-of-way of fifteen (15) feet width down each side property line shall provide access to the rear alley.
iii. 7.2.8.4. – Rear Yard: A paved alley right-of-way of fifteen (15) feet width shall run the length of the rear property line.
iv. 7.2.11. – Construction Standards: Buildings shall be or not less than ninety (90) percent masonry or masonry veneer construction on the first floor level fronting paved public streets, excluding openings.

(Discussion item only. Public Hearing to be conducted May 13, 2014. Possible action on petition on May 13, 2014.)

e) Garden Ridge Unified Development Ordinance Draft dated April 1, 2014

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 March 11, 2014 Regular meeting of the Planning and Zoning Commission

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

6. Adjournment

AGENDA NOTICES:

Decorum Required:

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

Action by Council Authorized:

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

Executive Sessions Authorized:

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

Attendance By Other Elected or Appointed Officials:

It is anticipated that members of the City Council, other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the City Council, other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which

occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

Shelley Goodwin, TRMC
City Secretary

This is to certify that I, Shelley Goodwin, posted this Agenda at 12:30 p.m. April 4, 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, Site # 1.
Wheeler Asphalt Products Manufacturing

Planning and Zoning Form 3

APPLICATION FOR SPECIAL USE PERMIT (INDUSTRIAL Zone; I-1)

(Type or Print)

1. Date: 2/19/14 Case #: _____

2. Applicant Name: Michael (First) A. (Middle) Brown (Last)

Doing Business as: Wheeler Division, APAC-Texas, Inc. (First) (Middle) (Last)

Texas Sales & Use Tax Permit Number: TXN#: 58-1401466

3. Mailing Address: 1 Chisholm Trail, Suite 450 (Street)

Round Rock (City) TX (State) 78681 (Zip)

Phone: (512)- 861-7126

4. Physical Address of Business: 20762 FM 2252 (Street)

Garden Ridge (City) Texas (State) 78266 (Zip)

Phone: ( )-

5. Applicant's relationship to property or business:
Sole owner ( ) Part owner ( ) Other; Lessee to Owner, Hanson Aggregates (Specify)

(If not sole owner, furnish a notarized letter of authorization from all owners as attachment 1.)

6. Legal description of property on which business is to be located:

Plat: Lot(s) N/A Block(s) N/A

Subdivision A-671, Sur- 95 Woodruff

Acreage: 34.003 (If acreage, provide separate metes and bounds description as attachment 2.)

Property Deed recorded in Comal County Volume # 153 Page # 145 and Vol.# 147 Page# 430

7. Existing use of property; Not being used

8. Use of property being requested (Be specific and give details - attach additional sheets as needed):

Asphalt Products Manufacturing

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P&Z
Form 3
App. for S.U.P.
Hanson Aggregates Site #
Wheeler Asphalt Products Manufacturing

9. Give dimensioned map with north orientation, scaled 100 or 200 feet per inch, of the property 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 for which variance is requested, 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: ___

None

12. The undersigned hereby requests that the property identified in this application be approved for the Special Use(s) requested above in accordance with in accordance with Garden Ridge City Ordinance 13, section 12. I consent to the posting of hearing notices on the said property. I understand that the information provided herein might be used by the City of Garden Ridge for sending required notices to adjacent property owners, if required. 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.

13. Applicant Signature: _____

____ 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 Special Use Permit fee per Garden Ridge City Ordinance 11.

--------- CITY USE ONLY ---------

Special Use Permit

		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, if required	
	Notice of public hearing, if required	
	Public hearing conducted, if required	
	P&Z decision on Special use Permit	
	P&Z recommendation to City Council	
City Council:	Notice to adjoining property owners, if required	
	Notice of public hearing, if required	
	Public hearing conducted, if required	
City Admin.:	Applicant notified of Council Decision	

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Attachment #1

Hanson
HEIDELBERGCEMENT Group
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 Parkway
Garden Ridge, TX 78266

February 21, 2014

RE: Authorization for Special Use and Variance

To Whom It May Concern,

Hanson Aggregates, LLC owns the following certain tracts of real property located within the City of Garden Ridge, TX city limits:

- Site #1: 20762 FM 2252, Garden Ridge, TX; Tax Property ID: 81121 and 81117
- Site #2: 21335 FM 2252, Garden Ridge, TX; Tax Property ID: 78311

Hanson hereby authorizes Wheeler Division, APAC-Texas, Inc. to submit and obtain a variance for the referenced property for the operation of a Hot Mix Asphalt Plant.

HANSON AGGREGATES LLC,

a Delaware limited liability company

By: _____

Name: Jon Morrish

Title: President, South Region

ACKNOWLEDGEMENT

STATE OF TEXAS §
§
COUNTY OF Dallas §

This instrument was acknowledged before me on February 21, 2014, by Jon Morrish, President, South Region of Hanson Aggregates LLC, a Delaware corporation, on behalf of said corporation.

SEAL

TAMMIE L. JIMENEZ
Notary Public, State of Texas
My Commission Expires
November 16, 2014

_____
Notary Public, State of Texas

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Version No #1 - Legal Description
(Attachment #2)

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. 25° 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. 309.15 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. 1,078.8 feet, N. 45° 56' E. 55.4 feet, N. 70° 56' E. 51.4 feet to the beginning of a curve; Thence in a Northeasterly 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.

Hanson Site #1 - Legal Description
(Attachment #2

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. 201106008226 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' 35" WEST, A DISTANCE OF 693.19 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.

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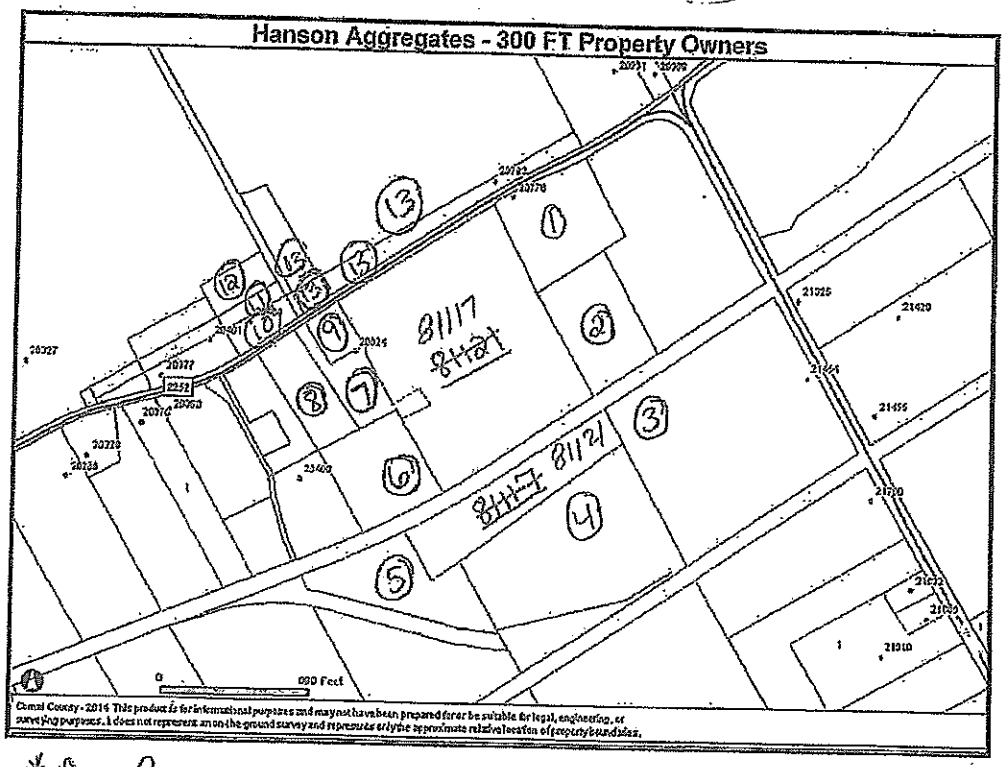
/8

Hanford Agg., Site #1

Comal County Map Output

Attachment #3



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

Attachment #4

Hanson Agg. Site #1

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

	Geographic Location	Property ID	Name	Address	City	State	Zip	Legal Description
1.)	To the Northeast	361894	TRICON PRECAST LTD	15055 HENRY RD	HOUSTON	TX	77060	A-67A-671 SUR- 95 E WOODRUFF, ACRES 8.4561 SUR- 95 E WOODRUFF, ACRES 8.455
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	81116	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	

Attachment #4

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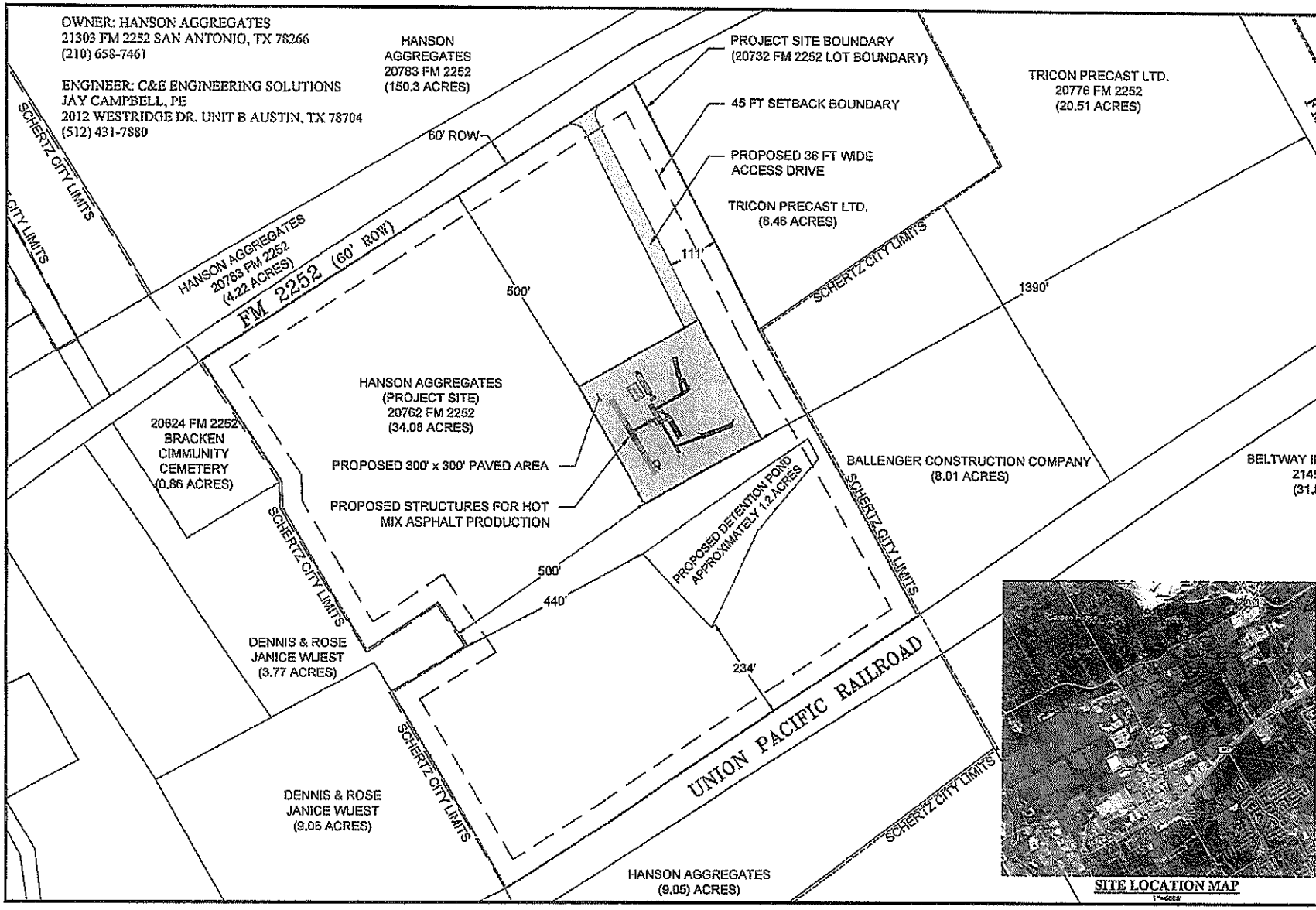
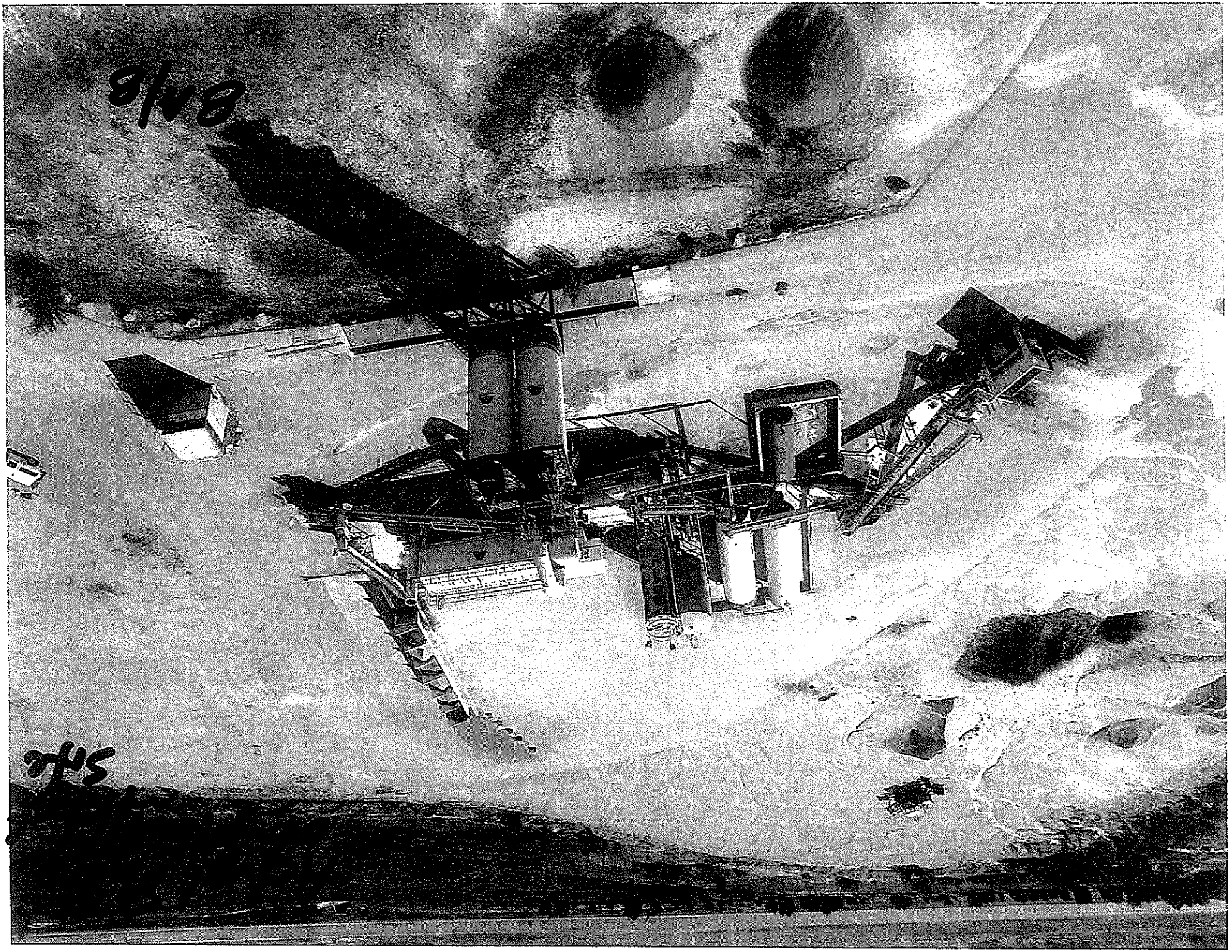
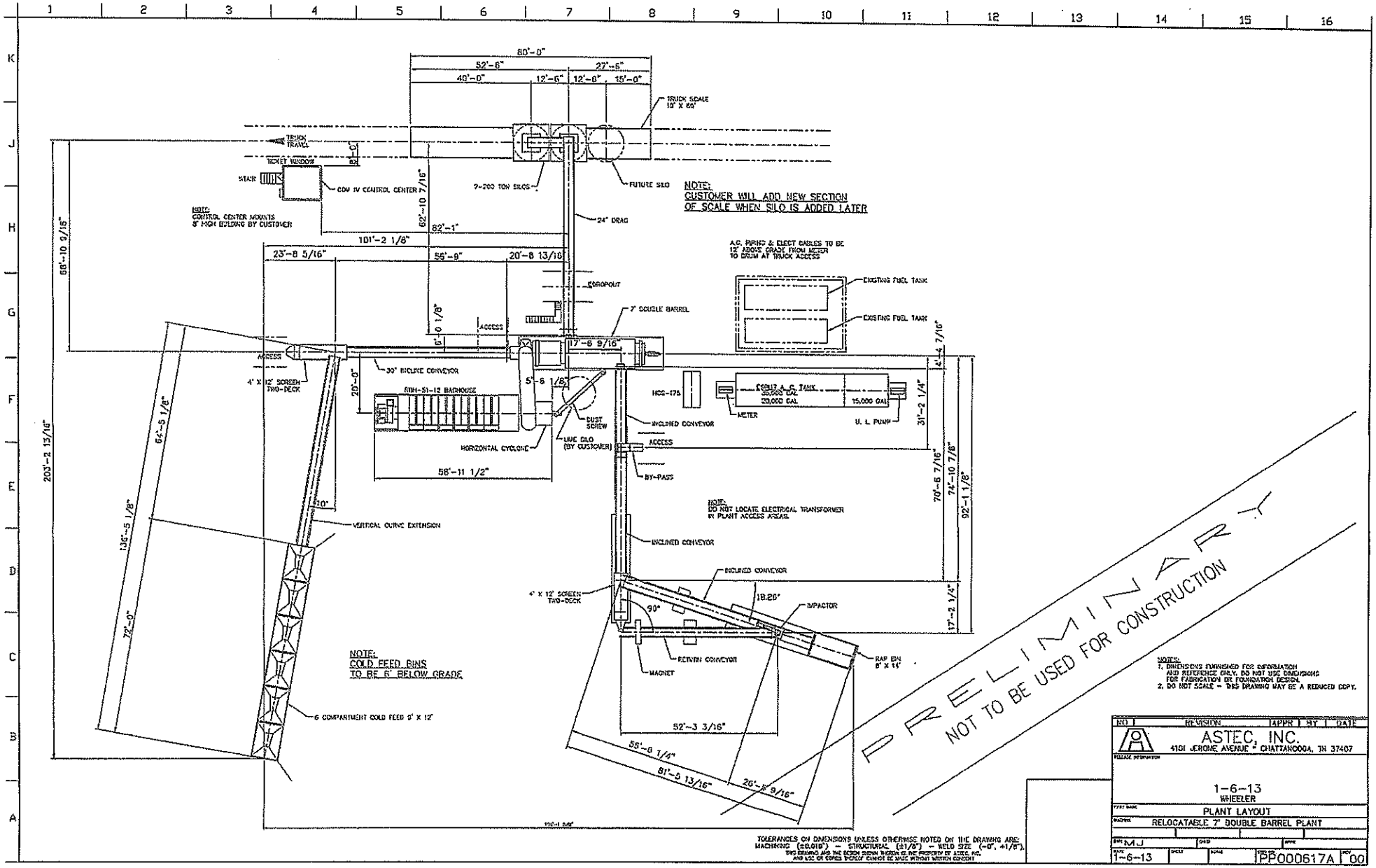


Attachment #5




80'-0"
52'-6"
27'-6"
40'-0"
12'-6"
12'-6"
15'-0"
TRUCK SCALE 10' X 60'
TENON TRAVEL
TICKET WINDOW
STAIR
CSM IV CONTROL CENTER
NOTE: CONTROL CENTER MOUNTS 8' HIGH BUILDING BY CUSTOMER
2-200 TON SILOS
FUTURE SILO
NOTE: CUSTOMER WILL ADD NEW SECTION OF SCALE WHEN SILO IS ADDED LATER
24" DRAG
62'-10 7/16"
82'-1"
101'-2 1/8"
55'-10 9/16"
23'-8 5/16"
55'-9"
20'-8 13/16"
CLEANOUT
7' DOUBLE BARREL
A.C. PIPING & ELECT CABLES TO BE 12" ABOVE GRADE FROM METER TO DRUM AT TRUCK ACCESS
EXISTING FUEL TANK
EXISTING FUEL TANK
ACCESS
30" INCLINE CONVEYOR
4' X 12' SCREEN TWO-DECK
20'-0"
RDH-51-12 BAGHOUSE
5'-6 1/8"
17'-6 9/16"
HCS-175
COBALT A.C. TANK 20,000 GAL
15,000 GAL
METER
U. L. PUMP
DUST SCREW
LIVE SILO (BY CUSTOMER)
HORIZONTAL CYCLONE
INCLINED CONVEYOR
ACCESS
BY-PASS
56'-11 1/2"
203'-2 13/16"
64'-5 1/8"
136'-5 1/8"
72'-0"
20°
VERTICAL CURVE EXTENSION
NOTE: DO NOT LOCATE ELECTRICAL TRANSFORMER IN PLANT ACCESS AREAS.
INCLINED CONVEYOR
INCLINED CONVEYOR
4' X 12' SCREEN TWO-DECK
18.20'
90°
IMPACTOR
RETURN CONVEYOR
MAGNET
RAP BIN 8' X 16'
NOTE: COLD FEED BINS TO BE 6' BELOW GRADE
6 COMPARTMENT COLD FEED 5' X 12'
52'-3 3/16"
56'-8 1/4"
81'-5 13/16"
26'-5 9/16"
4'-4 7/16"
31'-2 1/4"
70'-6 7/16"
74'-10 7/8"
92'-1 1/8"
17'-2 1/4"
PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION
NOTES:
1. DIMENSIONS FURNISHED FOR INFORMATION AND REFERENCE ONLY. DO NOT USE DRAWINGS FOR FABRICATION OR FOUNDATION DESIGN.
2. DO NOT SCALE - THIS DRAWING MAY BE A REDUCED COPY.
NO | REVISION | APPR | BY | DATE
ASTEC, INC.
4101 JEROME AVENUE - CHATTANOOGA, TN 37407
RELEASE INFORMATION
1-6-13
WHEELER
TITLE BLOCK
PLANT LAYOUT
MACHINE
RELOCATABLE 7' DOUBLE BARREL PLANT
DRN MJ
CHKD
SCALE
APPR
DATE 1-6-13
SHEET
SCALE
DRG NO PP000617A
REV 00
TOLERANCES ON DIMENSIONS UNLESS OTHERWISE NOTED ON THE DRAWING ARE: MACHINING (±0.010") - STRUCTURAL (±1/8") - WELD SIZE (-0", +1/8").
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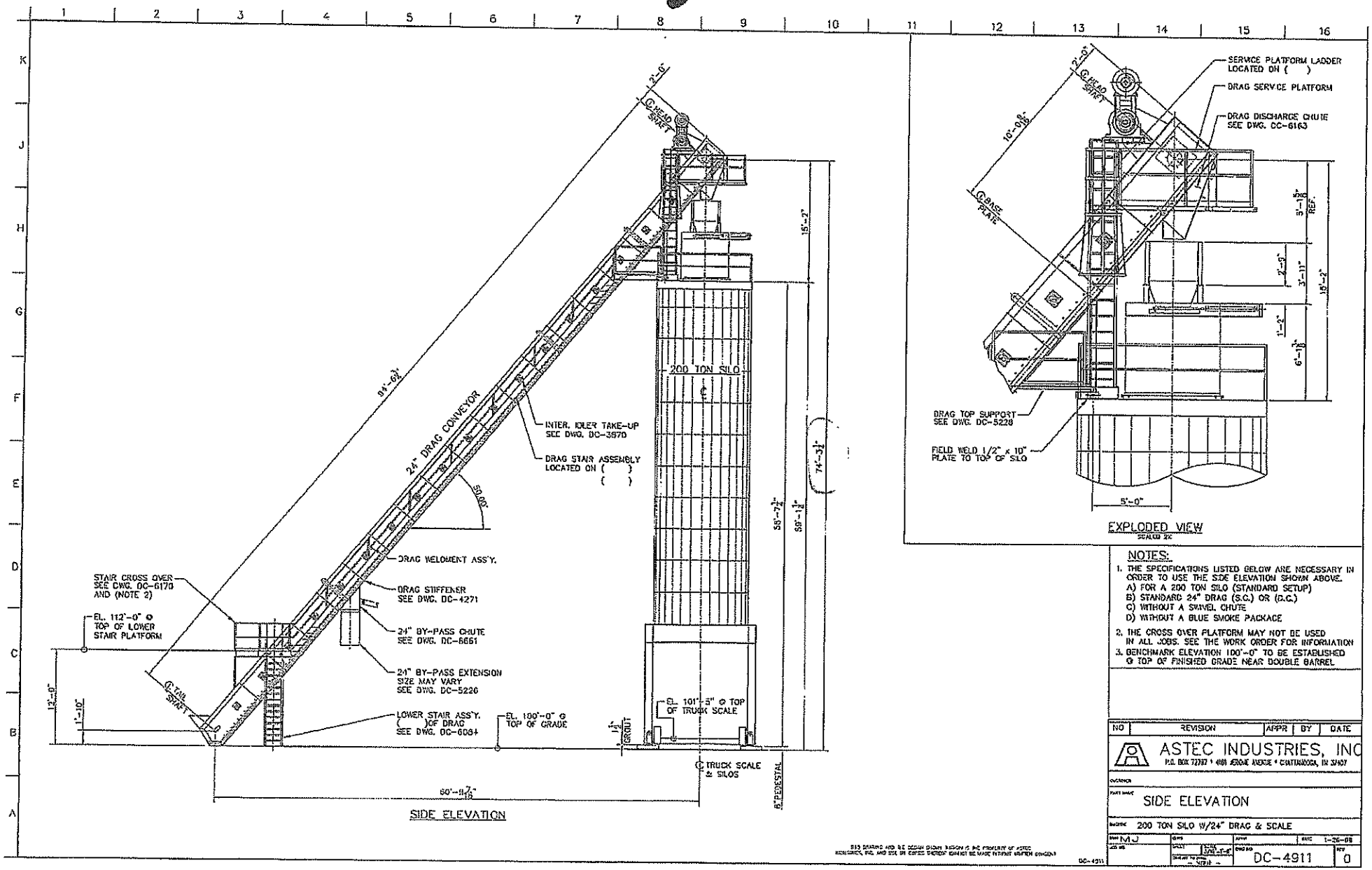
88/8

Actual Silo height = 80'



NOTES:

1. THE SPECIFICATIONS LISTED BELOW ARE NECESSARY IN ORDER TO USE THE SIDE ELEVATION SHOWN ABOVE.
   A) FOR A 200 TON SILO (STANDARD SETUP)
   B) STANDARD 24" DRAG (S.C.) OR (D.C.)
   C) WITHOUT A SWIVEL CHUTE
   D) WITHOUT A BLUE SMOKE PACKAGE
2. THE CROSS OVER PLATFORM MAY NOT BE USED IN ALL JOBS. SEE THE WORK ORDER FOR INFORMATION
3. BENCHMARK ELEVATION 100'-0" TO BE ESTABLISHED @ TOP OF FINISHED GRADE NEAR DOUBLE BARREL

NO	REVISION	APPR	BY	DATE

ASTEC INDUSTRIES, INC
P.O. BOX 72787 • 4101 JEROME AVENUE • CHATTANOOGA, TN 37407

CUSTOMER

PART NAME: SIDE ELEVATION

MODEL: 200 TON SILO W/24" DRAG & SCALE

DRWN	MJ	DATE	1-26-08
CHK'D		SCALE	1"=1'-0"
APPR		DWG NO	DC-4911
		REV	0

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DC-4911

8 c/8

Hanson Aggregates, Site#1
Wheeler Asphalt Products Manufacturing

Planning and Zoning Form 2
APPLICATION FOR VARIANCE (INDUSTRIAL ZONE, Z-1)
(Type or Print)

1. Date: 2/7/14 Case #: _____

2. Applicant Name: Wheeler DIVISION, APAC-Texas, Inc. c/o Michael A. Brown
(First) (Middle) (Last)

3. Mailing Address: 1 Chisholm Trail Suite 450
(Street)
Round Rock TX 78681
(City) (State) (Zip)

Phone: (512) 861-7120

4. Applicant's relationship to property:
Sole owner ( ) Part owner ( ) Other; Lessee to Owner, Hanson Aggregates
(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: Property ID - 81117

Plat: Lot(s) — Block(s) —

Subdivision; A-671, Sur-95, 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 and Vol.# 127 Page# 430

7. Cite City Ordinance number, page and paragraph from which variance is needed: (See Supplement to P&Z Form 2, Item 7)
Ordinance 13, pg. 34-35, Sect. 7 (7.2.6., 7.2.7, 7.2.8.3, 7.2.8.4, 7.2.10., 7.2.11), Section 8 (8.1, 8.3, 8.4, 8.6), Sect. 12 (12.1.3.1, 12.2) and Ordinance 19, Sect 1-15;

8. State what you want to do instead: Furnish and install the Asphalt Products Manufacturing Plant as it was designed and manufactered by ASTEC.

9. Give reason why a variance should be granted (cost alone is not acceptable):
Industrial plant equipment involved in Asphalt Products Manufacturing, exceeds 35 feet heights; Asphalt Plants are private facilities, that do not include public rights of way, driveways, alleys, etc.

10. If you are requesting a variance from City Ordinance 13 requirements, give a 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.

11. 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 for which variance is requested, on another map of larger scale, as attachment 5.

1/8

(Supplement to PZ Form 2 Pg. 52, Item 7) Site #1

Request for Variance's to COGR Ordinances:

Ordinance #:	Page #:	Paragraph #:
13	34	Section 7.2. Z-1 Industrial Zone District (Z-1) 7.2.6. Structures and uses for Asphalt Products Manufacturing Plants will be compatible with other Industrial Zone preferred activities (ie. Cement, Concrete, Brick, Asphalt, Stone, Crushed Rock), so the Plant Stuctures will not be compatible with nor will they be complementary in scale or appearance with a commercial district adjacent to a primarily residential municipality; and, the Asphalt Products Manufacturing Plant exterior work and storage areas (material stockpiles) around the plant will not be screened from public view, due to the lay of the land.
13	34	7.2.7 Height Regulation: Several pieces of the Asphalt Products Manufacturing Planat will exceed the 35 foot height restriction. The tallest structures will be approximately eighty feet (80') above the plant ground site elevation. (see attached elevation drawings)
13	34	7.2.8.3. Side Yard: There will be a private paved driveway to provide ingress and egress to the Asphalt Products Manufacturing Plant. Additionally, the area around Plant will be paved. The paved areas will be able to accomodate Tractor Trialers hauling materials into and away from the Plant, therefore, Emergency vehicles will also be able to use the same ingress and egress that is intended for the authorized haul vehicles. There will not be any paved alley public Right of Way's down each side of the property line nor will there be a rear property line public right of way alley. Signs will be posted to inform the traveling public that the driveway is private and only authorized vehicles will be permitted to access the Plant Site.
13	35	7.2.8.4 Rear Yard: There will not be any paved alley public right of ways along the rear property line (see explanation for 7.2.8.3 above).
13	35	7.2.10. Parking: Table 1, Table of Off Street Parking Requirements, does not apply to an Industrial Zoned, Asphalt Products Manufacturing Plant, however, there will be adequate storage space during Plant Operation for authorized vehicles on one side of the driveway or around the plant scales, so that traffic on FM 2252 will not be impacted.
13	35	7.2.11. Construction Standards: No Buildings or Structures are planned to front FM 2252, therefore masonry requirements would not be applicable to the Asphalt Product Manufacturing Plant.
13	36	Section 8, General Provisions 8.1. Plats, 8.3 Structure Height within City, 8.4. Fences, Walls and Plants and 8.6. Line-of-Sight (sight line) requirements do not apply to Industrial Zoned, Asphalt Products Manufacturing.
13	45	Section 12, Conditional Uses 12.1.3.1. The Asphalt Products Manufacturing Plant site is private and is intended only for authorized vehicles and personnel. Therefore, the site plans will not include off-street public parking facilities. Crushed stone, sand and recycled asphalt products stockpiles will provide some visual screening between FM 2252 to the North and the Schertz City Limits to the West of the Plant Site, however, there is not any type of planned walls, fences or plantings. Outside lighting, will be pointing down, and the Plant Site will be greater than five hundred feet from the nearest residences.
13	45	Section 12, Conditional Uses 12.2. Certificates of Occupancy. There will be prefabricated modular buildings on the site, a scalehouse, lab, motor control center and an office trailer, that are intended to be occupied by authorized personnel only. In addition to the modular pieces listed above, the Asphalt Products Manufacturing Plant too is made up of prefabricated components. The modular Plant components will be delivered to the site and then field erected and or assembled in accordance with the manufacturers drawings. The Asphalt Products Manufacturing equipment is not intended for human occupancy.
19	all	Ordinance 19, Section 1-15, Attachments and Amendments The COGR Ordinance 19, building construction requirements to protect the health, safety and welfare of the Citizens of Garden Ridge is based on Residential and Commercial building projects, which are unlike a relocateable Industrial Asphalt Products Manufacturing Plant. The construction site will include a temporarary and permanent erosion and sedimentation control plan, a storm water plan, grading, base and paving. The prefabricated Manufacturing Plant itself, will be delivered to the site, via on road truck loads and will be assembled at the site. Utilities (Electricity, Natural Gas and Water Services) will be provided to the site, from existing commercial services nearby. No sewer is planned to be installed, so temporary toilet services will be utilized at the site. Therefore, Ordinance 19, along with its most current attachments and amendments should only be applied to this project when applicable.

52A

1A/B

P&Z
Form 2
App. for Variance
Hanson Aggregates Site #1
Wheeler Asphalt Products Manufacturing

12. Identify any deed restrictions on agriculture, residential, business or other use. If none, so state: ___
None

13. The undersigned hereby requests that the variance identified in this application are granted, 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 might be used by the City of Garden Ridge for sending required notices to adjacent property owners, if required. 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: Michael A. Bourn

____ Attachments:
1. Owner(s) letters of authorization, if applicable (Attachment #1)
2. Metes and Bounds description of property, if applicable (Attachment #2)
3. Map of property (Attachment #3)
4. List of adjacent property owners (Attachment #4)
5. Site plan (Attachment #5)
6. Check for variance fee per Garden Ridge City Ordinance 11.

--------- CITY USE ONLY ---------
VARIANCE REQUEST

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

2/8

Attachment #1

Hanson
HEIDELBERGCEMENTGroup
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 Parkway
Garden Ridge, TX 78266

February 21, 2014

RE: Authorization for Special Use and Variance

To Whom It May Concern,

Hanson Aggregates, LLC owns the following certain tracts of real property located within the City of Garden Ridge, TX city limits:

- Site #1: 20762 FM 2252, Garden Ridge, TX; Tax Property ID: 81121 and 81117
- Site #2: 21335 FM 2252, Garden Ridge, TX; Tax Property ID: 78311

Hanson hereby authorizes Wheeler Division, APAC-Texas, Inc. to submit and obtain a variance for the referenced property for the operation of a Hot Mix Asphalt Plant.

HANSON AGGREGATES LLC,

a Delaware limited liability company

By: _____

Name: Jon Morrish

Title: President, South Region

ACKNOWLEDGEMENT

STATE OF TEXAS §
§
COUNTY OF Dallas §

This instrument was acknowledged before me on February 21, 2014, by Jon Morrish, President, South Region of Hanson Aggregates LLC, a Delaware corporation, on behalf of said corporation.

SEAL

TAMMIE L. JIMENEZ
Notary Public, State of Texas
My Commission Expires
November 16, 2014

_____
Notary Public, State of Texas

3/8

Horizon Estates Legal Description
Attachment #2

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 7,627.05 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. 25° 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. 10.9 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. 1,078.8 feet, N. 45° 56' E. 55.4 feet, N. 76° 56' E. 51.4 feet to the beginning of a curve; Thence in a Northeasterly 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. 651.8 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.

Hanson Site #1 - Legal Description
Attachment #2

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. 201106009226 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. 201006013406) 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' 35" 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° 48' 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".

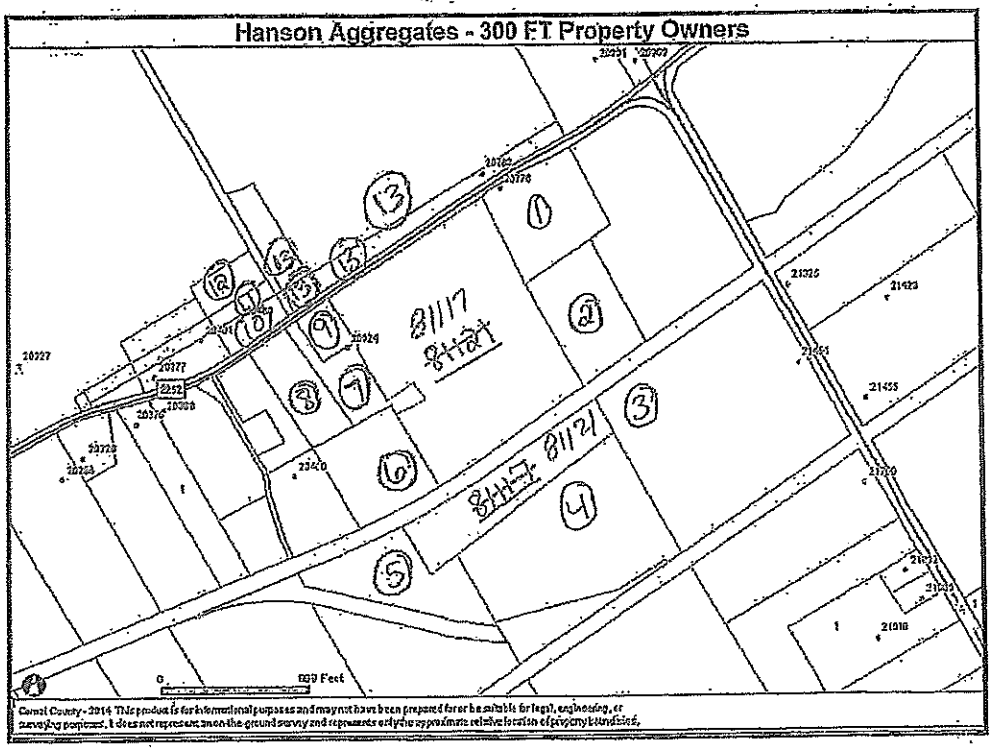
LEAVING A TOTAL ACREAGE OF 34.083.

2/2

Hanson Agg., Site #1

Comal County Map Output

Attachment #3



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

6/6

Attachment #4

Hanson Agg., Site #1

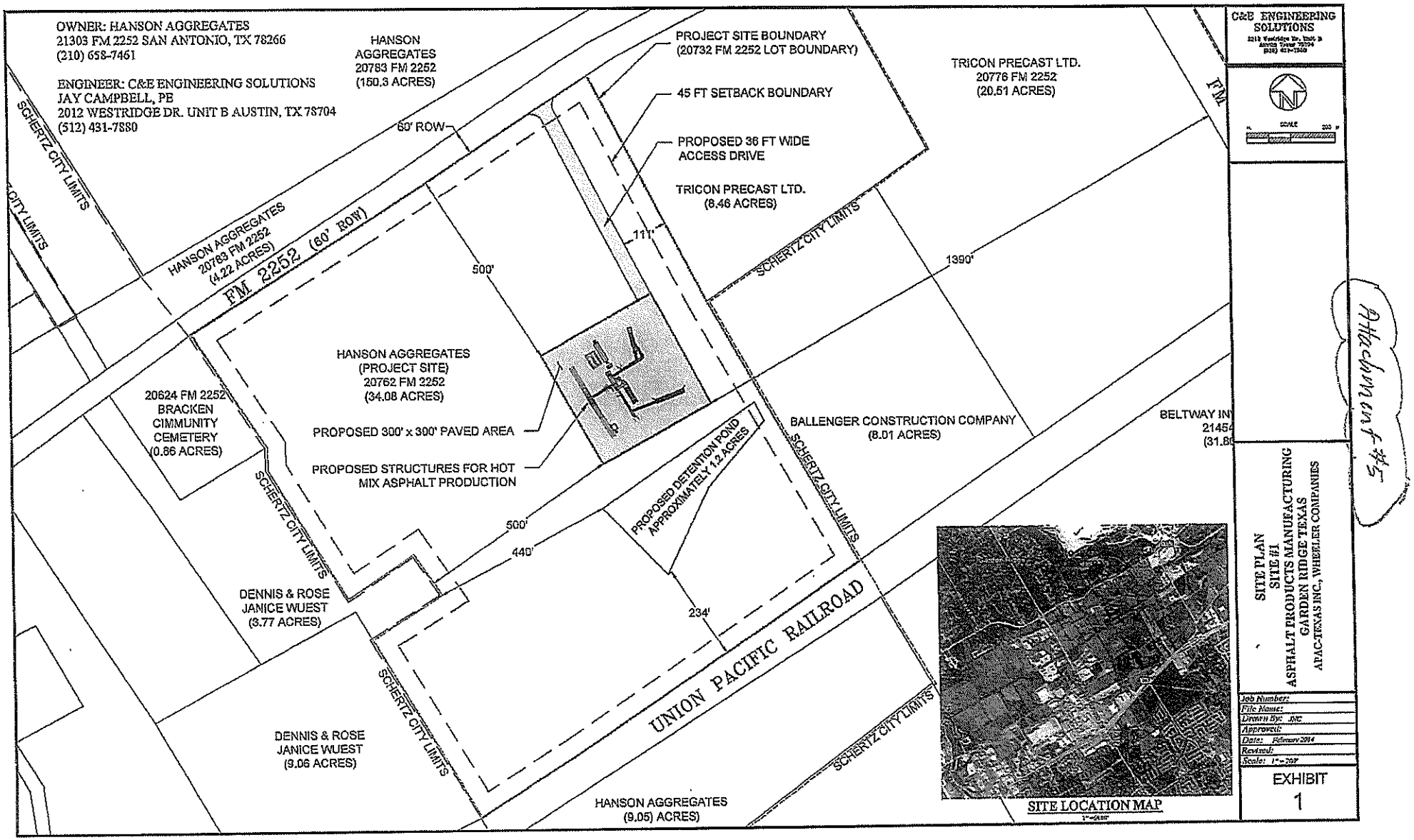
Attachment #4

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

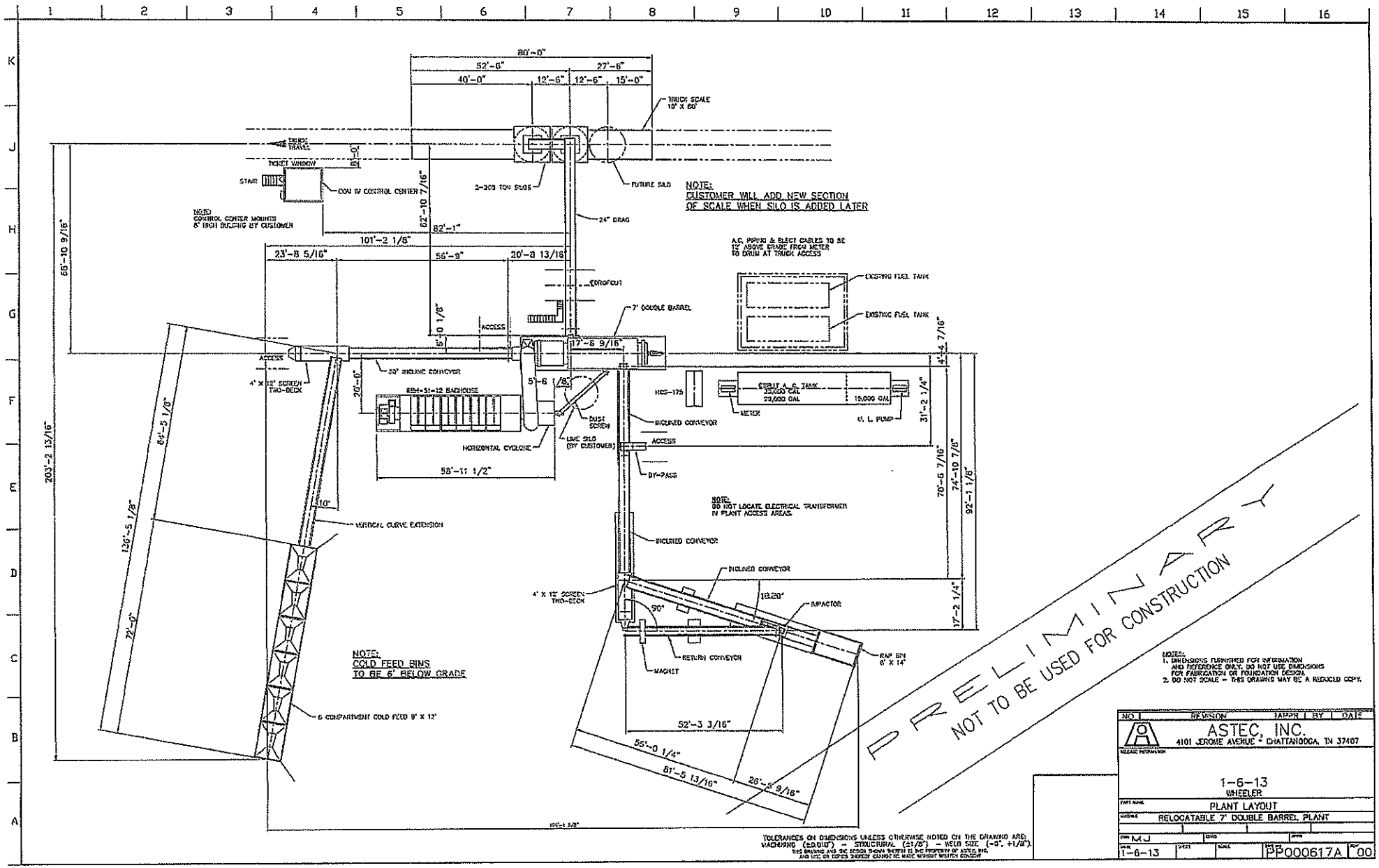
	Geographic Location	Property ID	Name	Address	City	State	Zip	Legal Description
1.)	To the Northeast	381894	TRICON PRECAST LTD	15055 HENRY RD	HOUSTON	TX	77060	A-67A-671 SUR- 95 E WOODRUFF, ACRES 8.4561 SUR- 95 E WOODRUFF, ACRES 8.456
2.)	To the Southeast	375400	BALLENGER CONSTRUCTION COMPANY	24200 N FM 509	HARLINGEN	TX	78550-2152	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	

3/8



Attachment #5

Site
B/B



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NO.	REVISION	APPR.	BY	DATE

ASTEC, INC.
4101 JEROME AVENUE • CHATTANOOGA, TN 37407

RELEASE INFORMATION

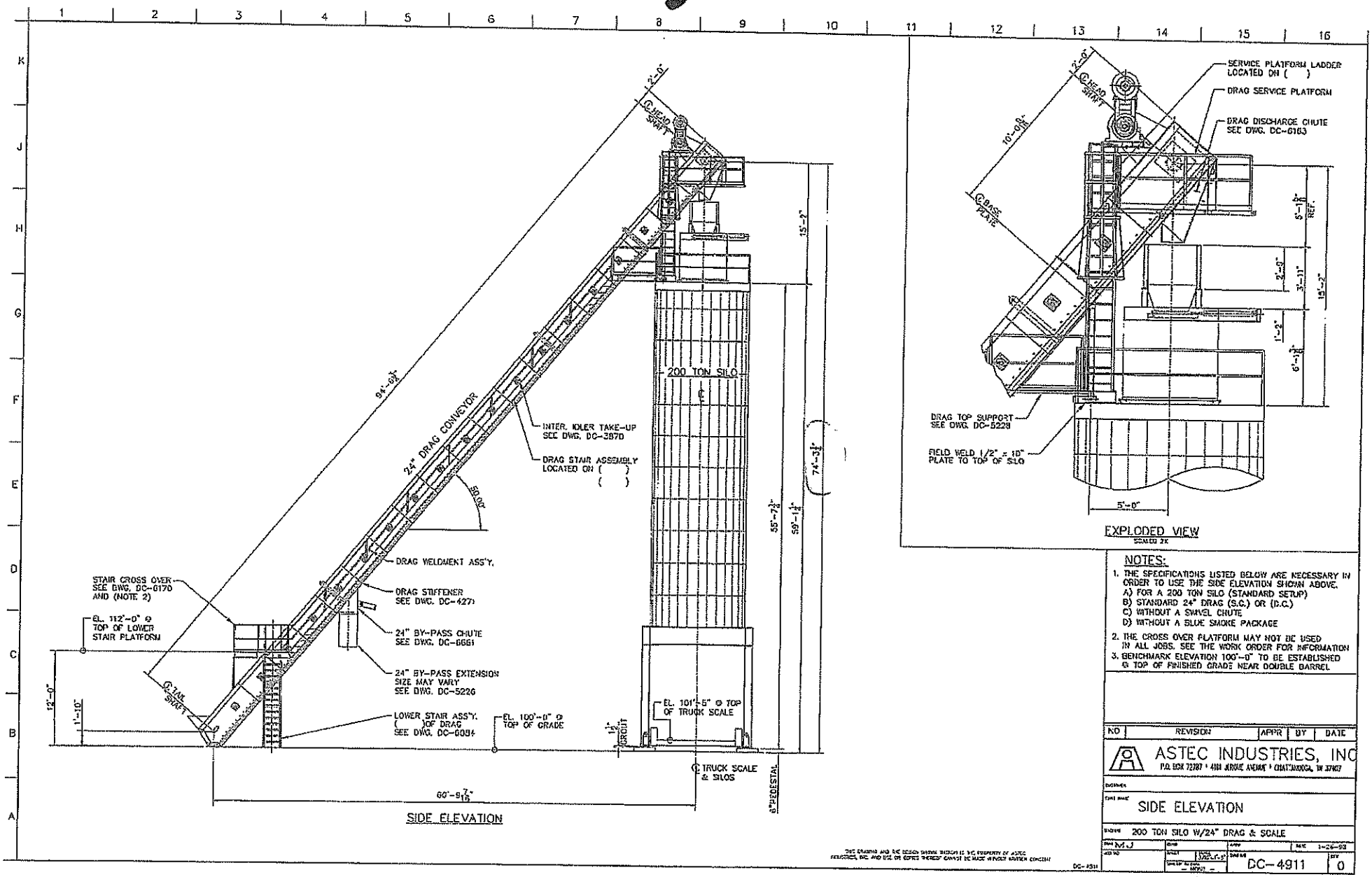
1-6-13
WHEELER

PART NAME: PLANT LAYOUT
ASSEMBLY: RELOCATABLE 7' DOUBLE BARREL PLANT

DRWN: MJ | CHKD: | APPR:
DATE: 1-6-13 | SHEET: | SCALE: | JOB NO: BP000617A | REV: 00

80/8

Actual Silo height = 80'



NOTES:

1. THE SPECIFICATIONS LISTED BELOW ARE NECESSARY IN ORDER TO USE THE SIDE ELEVATION SHOWN ABOVE.
   A) FOR A 200 TON SILO (STANDARD SETUP)
   B) STANDARD 24" DRAG (S.C.) OR (D.C.)
   C) WITHOUT A SWIVEL CHUTE
   D) WITHOUT A BLUE SMOKE PACKAGE
2. THE CROSS OVER PLATFORM MAY NOT BE USED IN ALL JOBS. SEE THE WORK ORDER FOR INFORMATION
3. BENCHMARK ELEVATION 100'-0" TO BE ESTABLISHED @ TOP OF FINISHED GRADE NEAR DOUBLE BARREL

NO	REVISION	APPR	BY	DATE

ASTEC INDUSTRIES, INC
P.O. BOX 72787 • 4101 JEROME AVENUE • CHATTANOOGA, TN 37407

SIDE ELEVATION

200 TON SILO W/24" DRAG & SCALE

DC-4911 | 0

THIS DRAWING AND THE DESIGN SHOWN THEREON IS THE PROPERTY OF ASTEC INDUSTRIES, INC. AND USE OR COPIES THEREOF CANNOT BE MADE WITHOUT WRITTEN CONSENT

8 C/8

7.1.8.1. Lights shall not aim beyond the owner's property line nor illuminate adjoining Residential District lots to more than five (5) foot-candles measured at the point of highest intensity.

7.2. Z-1 INDUSTRIAL ZONE DISTRICT (Z-1).

7.2.1. Use Restrictions: The Z-1 Industrial Zone District is intended primarily for mining, excavation, quarrying, processing, storage, warehousing, shipping and manufacturing of such products as cement, concrete, brick, asphalt, stone, crushed rock and similar type products and will include related activities associated with such operations. No person shall use, or cause to be used, land nor erect or convert a building to any use other than:

7.2.1.1. Any use permitted in the Office and Professional (B-2) District that meets the requirement thereof.

7.2.1.2. Any use permitted in the Neighborhood Service (B-1) District that meets the requirement thereof.

7.2.1.3. Any use permitted in the Light Industrial (LI) District that meets the requirements thereof.

7.2.2. The City shall not be responsible for, nor shall the City assume any liability or responsibility for the exercise of plant on-site security or traffic control within industrial plant sites. The City will provide police response for emergencies or calls for service.

7.2.3. The City is not responsible nor liable for roads, parking lots, sidewalks, drainage or water retention structures, or any maintenance thereon within industrial plant sites.

7.2.4. The City is not responsible for, nor shall the City assume any liability or responsibility for providing industrial water and wastewater treatment facilities. These are a responsibility of the industrial plant owner.

7.2.5. Location of the Industrial Zone: The Z-1, Industrial Zone District shall have direct access to existing and future arterial thoroughfares and railway lines and will, in all instances, be separated from areas zoned Single Family Residential by non residential districts or by natural "buffer-zone" barriers. Should any part of the area to be zoned Z-1 be adjacent to an existing area zoned Single Family Residential, a "buffer-zone" separation shall be required. The type of separation shall be determined and mandated by City Council prior to approving any area for Z-1 District zoning.

7.2.6. Structures and uses must be compatible with, and complementary in scale and appearance with, a commercial district adjacent to a primarily residential municipality. Exterior work and storage areas shall be screened from public view.

7.2.7. Height Regulation: No structure shall exceed two and one-half (2-1/2) stories (thirty-five feet) in height.

7.2.8. Area Regulations:

7.2.8.1. Lot Size: The minimum area for a Z-1 lot shall be as required for sewerage and waste water treatment of the planned industrial activity, required setbacks and buffer zone for any adjacent residential District, but in no case less than 32,670 square feet unless located partially or totally over the Edwards Aquifer Recharge Zone, or is not served by a public water supply system, then it shall have a minimum area of 43,560 square feet.

7.2.8.2. Front Yard: There shall be a front yard having a minimum setback of forty-five (45) feet.

7.2.8.3. Side Yard: Paved alley rights-of-way of fifteen- (15) feet width down each side property line shall provide access to the rear alley.

7.2.8.4. Rear Yard: A paved alley right-of-way of fifteen- (15) feet width shall run the length of the rear property line. When the rear yard backs on a RA or R District, a minimum of twenty-five (25) feet including alley right-of-way shall be provided

7.2.9. Impervious Cover: Impervious coverage (buildings, pavements etc.) shall not be more than one-half (1/2) of the lot area and must, in any case, allow adequate open area for wastewater treatment and disposal.

7.2.10. Parking: See Table 1. Off Street Parking Requirements.

7.2.11. Construction Standards: Buildings shall be of not less than ninety (90) percent masonry or masonry veneer construction on the first floor level fronting paved public streets, excluding openings.

7.2.12. Exterior Lighting:

7.2.12.1. Lights shall not aim beyond the owner's property line nor illuminate adjoining Residential District lots to more than five (5) foot-candles measured at the point of highest intensity.

7.3. AQUIFER PROTECTION (AP) DISTRICT.

7.3.1. Use restrictions: The AP District is an overlay district for protection of City well sites and aquifer recharge features from biological and chemical contamination. The District surrounds each City well site and geologic recharge feature, within the Edwards Aquifer recharge zone, for a radius of fifteen hundred (1500) feet. Within the AP District, no use or activity is permitted that presents a danger of bacteriologic, chemical or radioisotope pollution of the ground water aquifer.

7.3.1.1. Specific prohibitions include: cemeteries; liquid transmission pipelines; petroleum and chemical processing, production, mixing, transmission or transfer facilities; petroleum or chemical storage tanks and vats; wood treatment facilities; sewage treatment plants, wet wells, pumping station or drainage ditch for industrial waste discharges or wastes from sewage treatment systems, sewage sludge disposal or effluent irrigation areas; livestock and animal pens, feedlots, or abandoned and improperly sealed wells

TABLE 1
TABLE OF OFF STREET PARKING REQUIREMENTS

1. Current Americans with Disabilities Act requirements with regard to allocation of spaces and building access apply.

2. Professional offices and studios. One (1) paved space per 300 square foot of gross floor area.

3. Libraries, museums, art galleries, clubs, lodges. One (1) paved space per 300 square foot of gross floor area.

4. General business, retail, clinics, and personal service establishment. One (1) paved space per 200 square foot of gross retail/sales service area and one (1) paved space per 800 square foot gross storage, processing or display area, or one (1) paved space per 400 square foot of combined retail sales/service area and display area.

5. Restaurants, cafeterias, delicatessens, and other food serving facilities, except drive-ins. One (1) paved space per 100 square foot of gross area.

6. Drive-in food service facilities where customers are served in their vehicles. Two (2) paved spaces per 100 square foot of gross area with a minimum of twenty (20) paved spaces for on-premise consumption

7. Automotive, lumber, plant nursery, and affiliated activities. One (1) paved space per 200 square foot of gross retail sales/service floor area, and one (1) paved space per 800 square foot of enclosed storage and/or display area, and one (1) paved space per 200 square foot of open sales/storage/display area.

8. Commercial recreation and amusement, dance hall, nightclub, tavern. One (1) paved space per 800 square foot of outdoors recreational area, and one (1) paved space per 200 square foot of indoors recreational area exceeding 20,000 square foot, and one (1) paved space per 100 square foot of associated indoor use.

9. Hotel and motel establishments. One (1) paved space per guest room and one (1) paved space per two (2) employees (associated independent general commercial and/or recreational areas open to public require additional spaces as given elsewhere in this table.

10. Shopping malls, exceeding 200,000 square foot gross leasable area (excluding theatres). Five (5) spaces per 1,000 square foot gross leasable area

11. Theatres, clubs, gymnasiums, convention halls, assembly halls, stadiums, funeral homes, church. One (1) paved space per four (4) seats, or (a) one (1) space per 800 square foot of outdoor recreational area, (b) one (1) paved space per 200 square foot of indoor recreational area exceeding 20,000 square foot and (c) one (1) space per 100 square foot of associated indoor use, whichever is greater.

12. Hospitals. One (1) paved space for each two (2) beds plus one paved space for each hospital or staff doctor plus one (1) paved space for each five (5) employees; parking for each group to be physically separate from other users and identified by user group.

13. Neighborhood services and facilities. Two (2) paved spaces per classroom and two (2) paved spaces per office.

14. Child-care facilities. One (1) paved space per ten (10) children and one paved space per office.

15. Elementary or primary schools. Two (2) paved spaces per classroom and two (2) paved spaces per office.

16. Middle or junior schools. Three (3) paved spaces per classroom and three (3) paved spaces per office.
17. Senior or secondary schools. Six (6) paved spaces per classroom and six (6) paved spaces per office.
18. College or trade school. Ten (10) paved spaces per classroom and ten (10) paved spaces per office.
19. Research and development activities. One (1) paved space per 800 square foot gross floor area.
20. Manufacturing, wholesaling, and processing establishments. One (1) paved space per 800 square foot gross floor area.
21. Warehousing. One (1) paved space per 2,000 square foot gross area.
22. Miniwarehouses. Three (3) paved spaces per office area.
23. Institutions and homes for children, elderly, convalescent, and sanitariums. One (1) paved space per four beds.
24. Housing for elderly and/or handicapped. One (1) paved space per dwelling unit.
25. College fraternities and sororities. One (1) paved space per bed.

SECTION 8
GENERAL PROVISIONS

8.1. PLATS. All land uses, other than farm and ranch agriculture uses allowed under the Residential-Agriculture District shall be platted following procedures in City Ordinance #7, as amended, at time of the rezoning application. All lots less than ten (10) acres shall be platted prior to any new construction. All applications for a building permit to construct a new building, including accessory buildings, shall be accompanied by a plot plan prepared and certified by a registered engineer or land surveyor. The plot plan shall be drawn to scale with all dimensions showing accurately size, exact location of all new construction and a drainage plan related to adjacent lots.

8.2. FLOOD HAZARD AREAS. The use and development of all properties located within designated areas as identified and depicted on the official flood hazard map of the City shall be guided by and conform to the provisions of the Garden Ridge Flood Hazard Ordinance #36, as amended.

8.3. STRUCTURE HEIGHT WITHIN CITY.

8.3.1. No tower, pole or other artificial structure (except residential chimney and utility vents and certain broadcast reception antennas) may exceed the ridgeline of the largest building on a lot unless specifically authorized by City ordinance or written authorization from City Council.

8.4. FENCES, WALLS AND PLANTS.

8.4.1. Fences immediately surrounding individual trees or shrubs for wildlife exclusion are excepted from all but the height restrictions and repair requirements of this Ordinance.

8.4.2. Height of fences shall not exceed six (6) feet. Pedestrian gates- incorporated into a fence- which are forty (40) inches, or less, wide shall not exceed seven (7) feet in height including ornamentation. The support structures for the above pedestrian gates shall not exceed eight (8) feet in height inclusive of any ornamentation or fixtures. All other fence gates and support structures shall not exceed seven and one-half (7.5) feet in height including ornamentation or fixtures.

8.4.3. Fences shall be kept in good repair.

8.4.4. Fences shall not be within or across a City owned right-of-way, drainage channel or waterway.

8.4.5. Support columns or posts for fences crossing drainage or utility easement shall be at least twelve (12) feet apart. They shall allow removal of the fence for passage through or improvement of the easement.

8.4.6. Fences in, or crossing, drainage easements shall not impede natural drainage. The property owner is responsible for keeping the drainage easement free flowing and clear of obstructing debris.

8.4.7. Barbed wire fence is prohibited in subdivisions and on lots smaller than ten (10) acres.

8.4.8. Electric fence is prohibited along lot lines within subdivisions unless used with a non-electric fence. Electrical fences must have warning signs at intervals no less than twenty (20) feet.

8.4.9. Side or rear fences facing any paved street shall be of metal (sheet metal is prohibited), rock or brick masonry, cement (fencecrete) or stucco finished cement block, wood or chain link. Masonry or cement fences must have an engineered concrete footing and be structurally bound with cement or mortar. Gates and support structures shall be of matching materials consistent with function. Metal or wood may be used for gates in masonry fences.

8.4.10. Fences equal to, or less than, two (2) foot high constructed forward of the front plane of the residence shall be of metal, brick, stone or cement masonry matching that of the main structure. Gates shall be metal.

8.4.11. Fences over two (2) foot high and forward of the front plane of the residence shall be metal (sheet metal is prohibited) with metal, brick, rock, or cement masonry, columns or support structure matching that of the main structure. Such fence, including columns, shall not obstruct more than half of the view through the fence. Property fronting Farm to Market (FM) 2252 and FM 3009 may have solid fence (sheet metal is prohibited). Gates and support structures shall be of matching materials consistent with function. Metal may be used for gates in masonry fences. Gates in metal fencing shall be of metal matching the design of the fence.

8.4.12. Perennial plants, shrubs or trees shall be placed in front of, and along the entire length of, any fence over two (2) foot high which faces a paved street and which -- exclusive of support columns or posts -- obstructs more than ten (10) percent of the view through the fence at heights over two (2) foot. Plants shall be in place within ninety (90) days of fence completion. Plants shall be at least 24 inches high when planted. Plants, at maturity, shall be capable of covering fifty (50) percent of the fence. The City may direct removal of the fence at owner's expense if plants are not in place within ninety (90) days of fence completion.

8.4.13. Fences on commercial and industrial property shall be metal (sheet metal is prohibited), rock or brick masonry, cement (fencecrete) or stucco finished cement block or chain link. Commercial and industrial property, where it adjoins residential lots, shall have a rock or brick masonry, cement (fencecrete) or stucco finished cement block fence six (6) feet high. The City may require higher fences when recommended by the city engineer for abatement of visual or physical agent impact. Masonry or cement fences must have an engineered concrete footing and be structurally bound with cement or mortar. No fence may be forward of the front plane of commercial or industrial structures when the property abuts residential lots. Gates and support structures, inclusive of ornamentation and fixtures, shall be of matching height and materials consistent with function. Metal may be used for gates in masonry fences.

8.4.14. Perimeter fencing for subdivisions shall be metal (sheet metal is prohibited), rock or brick masonry, cement (fencecrete) or stucco finished cement block. Masonry or cement fences must have an engineered concrete footing and be structurally bound with cement or mortar. Gates and support structures shall be of matching materials consistent with function. Metal may be used for gates in masonry fences.

8.4.15. Retaining walls shall be timber, concrete, concrete or brick masonry or stone. Cement block must have stucco, brick or stone facing. Retaining walls over three- (3) foot high must be structurally sound as determined by an engineer's evaluation.

8.4.16. Existing fences and walls must comply with this Ordinance at time of replacement or repair of over thirty (30) percent of the structure.

8.4.17. Subdivision entry way structures and gates shall be approved by the City as part of the subdivision plat review.

8.4.18. All automatic control gates shall have a clearly visible manual over-ride.

8.5. Landscaping is required for all areas disturbed by construction of new buildings and additions over 300 square feet. Landscaping shall be completed within one (1) year from the date of issuance of the Certificate of Occupancy, or final building approval.

8.5.1. Lawn areas must be planted with drought tolerant grasses or other drought tolerant ground cover vegetation. No more than twenty (20) percent of the landscape area can be in St. Augustine grass. On lots over 1.25 acres, ten (10) percent of the landscape area must be xeriscape. The use of

gravel, pebbles, or any type of small rock as ground cover for front yard lawn areas is restricted to no more than twenty-five (25) percent of the yard area in front of the front wall of the structure, excluding driveways. Xeriscape landscaping techniques shall be used as much as possible.

8.5.2. No person shall remove oak trees over ten (10) inch diameter or elm trees over eight (8) inch diameter from any lot except in the area approved by the City Architect for the primary structure, permanent outbuildings, driveways and recreational facilities.

8.6. LINE-OF-SIGHT (SIGHT LINE) REQUIREMENTS.

8.6.1. No fence, wall, hedge, or shrub planting which restricts sight-lines at elevations between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines, or in the case of a rounded corner, property lines extended (see Figure 2).

8.6.2. No fence, wall, hedge, or shrub planting which restricts sight-lines at elevations between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any lot within fifteen (15) feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distance of such intersections unless the foliage line is maintained at sufficient height to prevent obstructions of such sight lines. (see Figure 3)

SECTION 12
CONDITIONAL USES

12.1. SPECIFIC USE PERMITS.

12.1.1. Authority to Issue. Use shall not be made of any property in commercial or industrial districts, nor shall any buildings be constructed thereon, added to, or altered in any way (maintenance and repairs alone excepted) without the prior issuance of a specific use permit. The City Council may, upon notice to adjoining property owners and after public hearings before the Planning and Zoning Commission and City Council, authorize the issuance of a specific use permit for use allowed in the governing Zoning District. The issuance of such specific use permit shall, in each case, be deemed to constitute an amendment to this ordinance. Possession of a specific use permit for existing structures shall not be construed as meeting this requirement. Significant changes in use activity resulting in increased emissions (air, water, waste etc.), physical agent (noise, light, heat vibration etc.) levels at the property line, or increase in commercial vehicle traffic by more than twenty percent, shall require a new specific use permit. Upon application, Council may approve transfer of an existing Permit expiring solely because of a change in property or business ownership to a new owner without hearings provided that there shall be no change in the kind and level of permitted activity.

12.1.2. Purpose of Hearing. The purpose of such hearings by the Planning and Zoning Commission and by the City Council shall be to determine that the granting of the Specific Use Permit will not adversely affect the character and appropriate use of the adjoining area or neighborhood; will not substantially depreciate the value of adjacent and nearby properties for the use in accordance with the regulations in the zoning district in which they are located; will be in keeping with the spirit and intent of this Ordinance; will not adversely affect the implementation of the Comprehensive Plan; will comply with the applicable standards of the district in which located; and will not adversely affect traffic, public health, public utilities, public safety, and the general welfare.

12.1.3. Application for Specific Use Permit.

12.1.3.1. All applications for Specific Use Permits shall be submitted with site plans drawn to scale and showing the general arrangement of essential the project, together with essential requirements such as off-street parking facilities, locations of buildings and uses to be permitted, means of ingress and egress to public streets, and type of visual screening such as walls, planting and fences, the location of adjacent residences and buildings and the location and area coverage of all outside lighting.

12.1.3.2. No Specific Use Permit shall be granted unless the applicant, owner and the grantee of the Specific Use Permit shall in writing accept to be bound by and comply with the terms of the Specific Use Permit, in such form as may be approved and provided by the City Council. Specific Use Permits expire upon change in property ownership.

12.1.3.3. All applications for Specific Use Permits shall be in writing, signed and filed with the City Secretary for presentation to the Planning and Zoning Commission for official processing using Planning and Zoning Form 3. The Planning and Zoning Commission shall have a minimum of thirty (30) days for processing.

12.2. CERTIFICATES OF OCCUPANCY.

12.2.1. In granting a Specific Use Permit, the City Council may impose conditions which shall be complied with by the grantee before a certificate of occupancy may be issued by the Council for the use of such buildings on such property pursuant to such permit. Such conditions shall not be construed as conditions precedent to the granting of the Specific Use Permit or the change in zoning of such property, but shall be construed as conditions precedent to the granting of a Certificate of Occupancy.

12.2.2. No person shall use, occupy or change the use of a building hereafter erected or structurally altered in **any district**, until a Certificate of Occupancy shall have been issued by the City Council, stating that such building complies with all applicable provisions and regulations of the City.

12.3. CHURCHES AND SCHOOLS.

12.3.1. Churches and schools are subject to the above requirements for Special Use Permits regardless of the District in which they are located. The following applies as minimum requirements for granting a Special Use Permit for churches and schools located in the Residence-Agriculture District, the Single Family Dwelling District, the Office and Professional District and the Neighborhood Service District.

12.3.2. The land area of churches and schools located within residential districts shall not exceed three (3) percent of the residential district area.

12.3.3. Height Regulation: No structure shall exceed two and one-half (2-1/2) stories (thirty-five feet) in height.

12.3.4. Area Regulations:

12.3.4.1. Lot Size. The minimum lot size shall be as required for sewerage and waste water treatment of the maximum level of church or school activity, but in no case less than 32,670 square feet (ft^2) unless located partially or totally over the Edwards Aquifer Recharge Zone, or is not served by a public water supply system, then it shall have a minimum area of 43,560 ft^2.

12.3.4.2. Front Yard: There shall be a front yard having a minimum setback of forty-five (45) feet for buildings and twenty-five (25) feet for parking areas.

12.3.4.3. Side Yard: None, except where the use sides on a RA or R District, where a minimum side yard of fifteen (15) feet shall be provided. At least one (1) alley right-of-way of fifteen- (15) feet width shall be provided for access to the rear alley. The City shall determine required right-of-way improvements based upon location, type and density of projected structures.

12.3.4.4. Rear Yard: An alley right-of-way of fifteen- (15) feet width shall run the length of the rear property line. When the rear yard backs on a RA or R District, a minimum of twenty-five (25) feet including alley right-of-way shall be provided. The City shall determine required right of way improvements based upon location, type and density of projected structures.

12.3.5. Impervious Cover: Impervious coverage (buildings, pavements etc.) shall not be more than one-half (1/2) of the lot area and must, in any case, allow adequate open area for wastewater treatment and disposal.

12.3.6. Parking: See Table 1. Off Street Parking Requirements.

12.3.7. Construction Standards: Buildings shall be of not less than ninety (90) percent masonry or masonry veneer construction on the first floor level excluding openings.

12.3.8. Exterior Lighting:

12.3.8.1. Light fixtures shall be below the building roofline.

12.3.8.2. Lights shall not aim beyond the owner's property line nor illuminate adjoining property to more than five (5) foot-candles measured at the point of highest intensity.

WESTWARD
Environmental. Engineering. Natural Resources.

March 25, 2014

City of Garden Ridge
Building Permits/Inspections Department
9400 Municipal Pkwy.
Garden Ridge, TX 78266

Project No.: 10233-178

Subject: **Industrial Asphalt, LLC**
Ramming Six Facility – Special Use Permit and Variances
0 FM 2252, Garden Ridge, Comal County, Texas

To Whom It May Concern:

Enclosed please find our application for a Special Use Permit for the proposed Ramming Six hot mix asphalt facility, belonging to Industrial Asphalt, LLC, to be located on the Hanson Quarry property at 0 FM 2252, Garden Ridge, TX. The nature of the proposed facility is consistent with the subject property's zoning designation of Z-1 Industrial (ie: quarrying, processing, asphalt manufacturing, etc.).

It is anticipated that the nature of operations at the proposed facility will require a variance from height, side & rear yard, and construction standards (relating to the use of a mobile office building) requirements. An application for the appropriate Variances is also included here.

Westward Environmental, Inc. (**WESTWARD**) will serve as the technical contact for Industrial Asphalt, LLC on this project. If you have any questions or require further information, please contact the **WESTWARD** office at 830-249-8284.

Respectfully submitted,
WESTWARD ENVIRONMENTAL, INC.

Curt G. Campbell, PE
Engineering Manager
TX License No. 106851 | Firm No. 4524

Distribution: Addressee
Mr. John Ramming – Industrial Asphalt, LLC
WEI File 10233-178

REC#: 00146689 3/25/2014 1:38 PM
TRAN: 112.0000 P&Z VARIANCE FEES
OPER: CASH TERM: 001
REF#: 031428 JH
SPECIAL USE PERMIT RAMMING
P&Z VARIANCE FILING 650.00CR
TENDERED: 650.00 1 CHECK(S)
APPLIED: 650.00-
CHANGE: 0.00

Planning and Zoning Form 3

APPLICATION FOR SPECIAL USE PERMIT

(Type or Print)

1. Date: 3/25/14 Case #: _____

2. Applicant Name: Industrial Asphalt, LLC
(First) (Middle) (Last)

Doing Business as: N/A
(First) (Middle) (Last)

Texas Sales & Use Tax Permit Number: 17427660273

3. Mailing Address: 9020 North Capital of Texas Highway, Bldg. 2, Ste. 250
(Street)

Austin TX 78759
(City) (State) (Zip)

Phone: (512)-251-3713

4. Physical Address of Business: 0 FM 2252
(Street)
Garden Ridge TX 78266
(City) (State) (Zip)

Phone: (512)-251-3713

5. Applicant's relationship to property or business:
Sole owner ( ) Part owner ( ) Other; Business owner, leasing property from Hanson Aggregates
(Specify)
(If not sole owner, furnish a notarized letter of authorization from all owners as attachment 1.)

6. Legal description of property on which business is to be located:

Plat: Lot(s) _____ Block(s) _____

Subdivision _____

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

Property Deed recorded in Comal County Volume # 120 Page # 714

7. Existing use of property; Limestone quarry

8. Use of property being requested (Be specific and give details - attach additional sheets as needed):
Existing use of the property is the Hanson Aggregates rock quarry. Proposed use is for a Hot Mix Asphalt manufacturing plant. Raw materials (ie: aggregate, sand, Recycled Asphalt Product (RAP)) are mixed with liquid asphalt and stabilizers to produce asphalt for paving projects. See attached for more information.

9. Give dimensioned map with north orientation, scaled 100 or 200 feet per inch, of the property 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 for which variance is requested, 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: None

12. The undersigned hereby requests that the property identified in this application be approved for the Special Use(s) requested above in accordance with in accordance with Garden Ridge City Ordinance 13, section 12. I consent to the posting of hearing notices on the said property. I understand that the information provided herein might be used by the City of Garden Ridge for sending required notices to adjacent property owners, if required. 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.

13. Applicant Signature: _____

____ 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 Special Use Permit fee per Garden Ridge City Ordinance 11.

--------- CITY USE ONLY ---------

Special Use Permit

		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, if required	
	Notice of public hearing, if required	
	Public hearing conducted, if required	
	P&Z decision on Special use Permit	
	P&Z recommendation to City Council	
City Council:	Notice to adjoining property owners, if required	
	Notice of public hearing, if required	
	Public hearing conducted, if required	
City Admin.:	Applicant notified of Council Decision	

EXHIBIT A

TRACT 1:
Being 676.787 acres of land, a part of the Valentine Bennett Survey No. 105, the Valentine Bennett Survey No. 104, George Schlather Survey No. 673, Julius Drumm Survey No. 500, John Nelson Survey No. 97, and the Nathaniel Conner Survey No. 100 1/2, Comal County, Texas; and being a part of that certain tract of land conveyed by E. O. Eikel, et ux, to Servtex Materials Co. by deed recorded in Volume 92 on page 131 of the Deed Records of Comal County, Texas; a part of that certain tract of land conveyed by William Hierholzer by deed dated October 15, 1940 and recorded in Volume 72 on page 629 of the Deed Records of Comal County, Texas; a part of that certain tract of land conveyed by Willie Warnecke by deed dated May 29, 1936 and recorded in Volume 66 on page 256 of the Deed Records of Comal County, Texas; a part of that certain tract of land conveyed by Benjamin Elley by deed dated October 5, 1940 and recorded in Volume 72 on page 631 of the Deed Records of Comal County, Texas; all of that certain tract of land conveyed by Emil Moehrig by deed dated April 1, 1952 and recorded in Volume 98 on page 276 of the Deed Records of Comal County, Texas; all of that certain tract of land conveyed by Harry Knibbe by deed dated June 20, 1936 and recorded in Volume 66 on page 325 of the Deed Records of Comal County, Texas; all that certain tract of land conveyed by Emil Moehrig by deed dated March 3, 1953 and recorded in Volume 100 on page 252 of the Deed Records of Comal County, Texas; 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; 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 an iron pin and corner post in the Northwest line of F.M. Road 1337 set for the South corner of the above described Hugo Moehrig to Servtex Materials Co. tract of land by deed recorded in Volume 153, page 145 of the Deed Records of Comal County, Texas, for the South corner of the herein described 676.787 acre Tract 1;

THENCE with the fence, N. 27° 35' W. 146.25 feet, N. 29° 27' W. 647.50 feet and S. 60° 38' W. 216.80 feet to an iron pin in the Northeast line of a 20.0 foot lane, set for a South corner of this tract;

THENCE with the Northeast line of the said 20.0 foot Lane, N. 29° 59' W. 2,046.50 feet to an iron pin found in the Southeast line of Survey No. 615, set N. 65° 34' E. 20.50 feet from the West corner of Survey No. 500, for a West corner of this tract;

THENCE with the fence, the Southeast line of Survey No. 615, N. 61° 17' 30" E. 577.20 feet to an iron pin and corner post set for the East corner of Survey No. 615, for a re-entrant corner of this tract;

THENCE with the fence, the Northeast line of Survey No. 615, the Southwest line of Survey No. 673, N. 29° 15' W. 2,460.85 feet to a corner post set for a West corner of this tract;

THENCE with the fence, N. 67° 35' E. 727.65 feet and N. 59° 02' E. 944.50 feet to a corner post set for a re-entrant corner of this tract;

THENCE with the fence, N. 29° 25' 30" W. 1,270.30 feet to an iron pin set for the South corner of 40.000 acre Tract 7, for a West corner of this tract;

THENCE with the Southeast line of Tract 7, N. 57° 26' E. 1,243.25 feet to an iron pin on top of bluff of Comal Creek, set for the East corner of the said Tract 7, for a North corner of this tract;

THENCE with the top of bluff of Comal Creek as follows: S. 57° 08' E. 121.25 feet, S. 58° 43' E. 301.10 feet, and S. 76° 33' 30" E. 1,144.0 feet to the beginning of a fence on the South side of Comal Creek;

THENCE with the fence and South side of Comal Creek as follows: S. 73° 36' E. 38.80 feet, S. 80° 24' E. 89.05 feet, S. 88° 12' 30" E. 37.25 feet, S. 76° 19' E. 95.25 feet, S. 74° 33' E. 49.30 feet, N. 82° 59' E. 39.10 feet, N. 29° 22' E. 11.50 feet, N. 44° 58' E. 42.70 feet, S. 85° 26' E. 81.45 feet, S. 79° 39' E. 48.0 feet, S. 72° 14' 30" E. 77.60 feet, S. 57° 04' E. 34.40 feet, S. 81° 30' 30" E. 29.05 feet, N. 78° 09' E. 25.10 feet, S. 87° 47' E. 25.0 feet, S. 79° 07' E. 150.45 feet, S. 87° 56' E. 53.50 feet, N. 89° 42' E. 26.40 feet and S. 81° 12' E. 169.40 feet to a corner post, a Northeast corner of this tract;

THENCE with the fence, S. 58° 19' E. 12.05 feet, S. 34° 15' E. 64.15 feet, S. 29° 34' E. 116.10 feet, S. 29° 50' E. 143.15 feet, S. 28° 24' E. 65.95 feet, N. 47° 19' E. 17.15 feet, N. 63° 56' E. 57.90 feet, N. 81° 52' E. 444.35 feet, N. 84° 59' E. 758.05 feet and S. 88° 49' E. 729.90 feet to a corner post set for an East corner of this tract;

THENCE S. 60° 02' W. 1,432.05 feet to a 12 inch Cedar Post set for a re-entrant corner of this tract;

THENCE with the fence, S. 29° 16' E. 2,798.65 feet, S. 34° 01' E. 10.0 feet, and S. 46° 32' E. 74.10 feet to an iron pin in the Northwest line of Nacogdoches Road, set for the East corner of this tract;

THENCE with the Northwest line of Nacogdoches Road as follows: S. 53° 35' W. 80.70 feet, S. 50° 53' W. 114.80 feet, S. 46° 21' W. 83.35 feet, S. 44° 50' 30" W. 266.0 feet, S. 46° 56' W. 542.85 feet, S. 47° 18' W. 353.45 feet, S. 46° 52' W. 322.15 feet, and S. 54° 34' W. 1,394.45 feet to an iron pin and corner post set for a South corner of this tract;

THENCE with the fence, N. 29° 47' W. 893.05 feet to a corner post, a re-entrant corner of this tract;

THENCE with the fence, S. 60° 03' W. 678.95 feet to a corner post set for a re-entrant corner of this tract;

THENCE with the fence, S. 30° 18' E. 921.0 feet to a corner post in the Northwest line of the aforesaid F.M. Road 1337, set for a Southeast corner of this tract;

THENCE with the Northwest line of F.M. Road 1337 as follows: THENCE in a Southwesterly direction along the arc of a circular curve to the right having a radius of 1,875.08 feet, a length of arc distance of 76.0 feet to the end of said curve;

THENCE S. 64° 47' W. 248.20 feet, S. 58° 05' W. 250.20 feet, S. 59° 49' 30" W. 107.0 feet, S. 57° 26' W. 1,051.9 feet and S. 56° 55' W. 78.90 feet to the place of beginning.

TRACT 2:
Being 138.274 acres of land out of the John Nelson Survey No. 97, Comal County, Texas, and being; a part of that certain tract of land conveyed by Benjamin Elley by deed dated October 5, 1940 and recorded in Volume 72 on page 631 of the Deed Records of Comal County, Texas; a part of that certain tract of land conveyed by Willie Warnecke by deed dated May 29, 1936 and recorded in Volume 66 on page 256 of the Deed Records of Comal County, Texas; a part of that certain tract of land conveyed by William Hierholzer by deed dated October 15, 1940 and recorded in Volume 72 on page 629 of the Deed Records of Comal County, Texas; all of that certain tract of land conveyed by C. Zamora by deed dated March 9, 1956 and recorded in Volume 108 on page 24 of the Deed Records of Comal County, Texas; all of that certain tract of land conveyed by Louis Wuest by deed dated October 3, 1959 and recorded in Volume 118 on page 69 of the Deed Records of Comal County, Texas; all of that certain tract of land conveyed by William Hierholzer by deed dated August 12, 1937 and recorded in Volume 68 on page 303 of the Deed Records of Comal County, Texas; a part of that certain tract of land conveyed by E. O. Eikel by deed dated November 9, 1949 and recorded in Volume 92 on page 131 of the Deed Records of Comal County, Texas, and said 138.274 acre tract of land described more particularly by metes and bounds as follows:

BEGINNING at a corner post in the Northwest line of the Missouri Pacific Railroad, set for the East corner of the above described E. O. Eikel to Servtex Materials Co. tract of land by deed recorded in Volume 92 on page 131 of the Deed Records of Comal County, Texas, for the East corner of the herein described 138.274 acre tract;

THENCE with the Northwest line of the said Missouri Pacific Railroad, S. 56° 04' W. 3,891.85 feet to an iron pin and corner post in the Northeast line of F.M. Road 1337, set for the South corner of this tract;

THENCE with the Northeast line of F.M. Road 1337, N. 28° 52' W. 1,157.50 feet and N. 16° 51' E. 141.40 feet to a corner post in the Southeast line of Nacogdoches Road, set for a West corner of this tract;

THENCE with the Southeast line of Nacogdoches Road as follows: N. 53° 54' E. 1,245.80 feet, N. 46° 52' E. 324.60 feet, N. 48° 15' E. 288.75 feet, N. 46° 11' E. 603.90 feet, N. 45° 23' E. 27.50 feet, N. 45° 16' E. 380.60 feet, N. 53° 11' E. 166.40 feet, and N. 53° 16' E. 1,125.55 feet to a corner post set for the North corner of this tract;

THENCE with the fence, S. 34° 06' E. 1,298.95 feet, and S. 20° 54' W. 564.45 feet to the place of beginning.

Adjacent Property Owners (within 300')	Mailing Address	City	State	Zip
TRICON PRECAST LTD	15055 HENRY RD	GARDEN RIDGE	TX	78266
LONESTAR LEASING & MGMT CO LLC	17090 JORDAN	GARDEN RIDGE	TX	78266
HANSON AGGREGATES	P O BOX 52427	GARDEN RIDGE	TX	78266
GREEN VALLEY SPECIAL UTILITY DISTRICT	PO BOX 99	GARDEN RIDGE	TX	78266

Agent Authorization Form
For Required Signature
City of Garden Ridge

I Jon Morrish,
Print Name

President – South Region,
Title - Owner/President/Other

of Hanson Aggregates (Landowner),
Corporation/Partnership/Entity Name

have authorized John Ramming
Print Name of Agent/Engineer

of Industrial Asphalt, LLC
Print Name of Firm

to represent and act on the behalf of the above named Corporation, Partnership, or Entity for the purpose of preparing and submitting this plan application to the City of Garden Ridge for the review and approval consideration of regulated activities.

SIGNATURE PAGE:

Applicant's Signature (Jon Morrish) 03/28/14
Date

THE STATE OF Texas §

County of Dallas §

BEFORE ME, the undersigned authority, on this day personally appeared Jon Morrish known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed same for the purpose and consideration therein expressed.

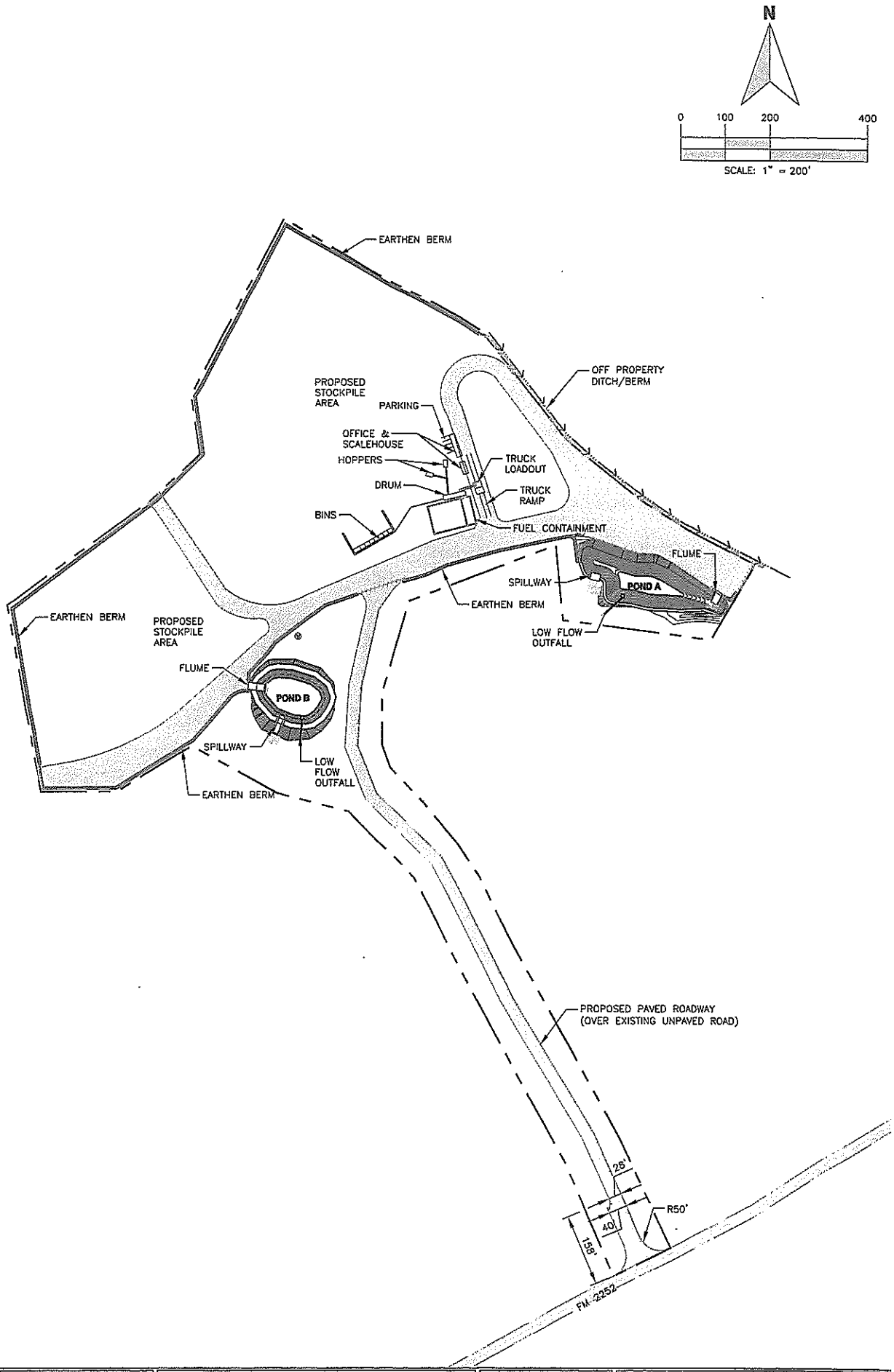
GIVEN under my hand and seal of office on this 28 day of March, 2014.

Kimberly Smith
NOTARY PUBLIC

KIMBERLY SMITH
Notary Public, State of Texas
My Commission Expires
August 08, 2017

Kimberly Smith
Typed or Printed Name of Notary

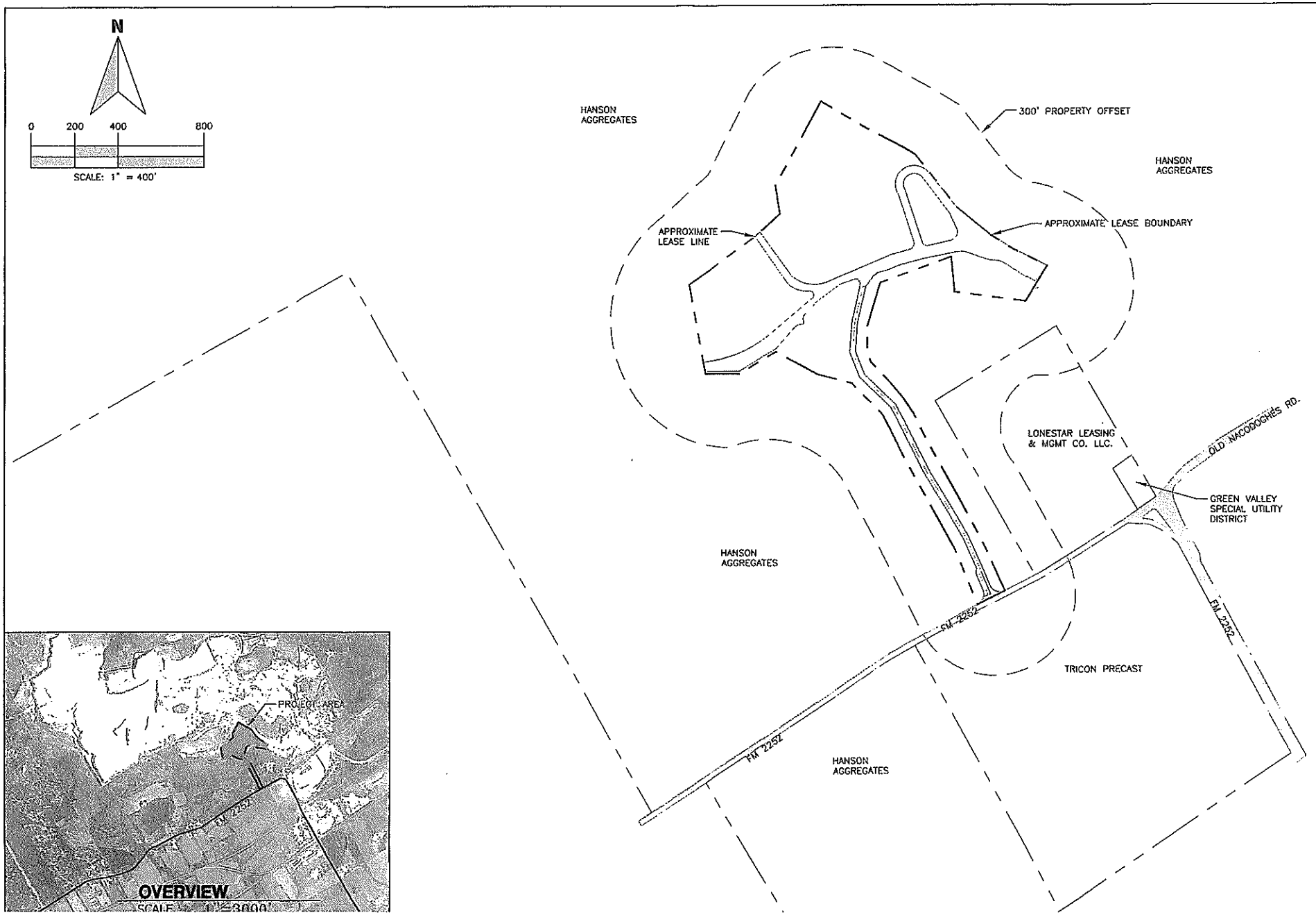
MY COMMISSION EXPIRES: 8.8.17



SHEET #: 2 OF	IMAGE: 2012 BAT CAVE SE	**ATATTCHMENT 5** SPECIFIC USE PERMIT INDUSTRIAL ASPHALT, LLC GARDEN RIDGE, TX	3/26/14 BRET GARRETT CAMPBELL 106851 LICENSED PROFESSIONAL ENGINEER
	ISSUE DATE: 03/26/2014		
	DRAWN BY: DJM		
	CHECKED BY: CGC		

REV.	DESCRIPTION	BY	DATE

WESTWARD
Environmental. Engineering. Natural Resources.
P.O. Box 2205 Boerne, Texas 78006



WESTWARD
Environmental Engineering, Natural Resources.
P.O. Box 2205 Boerne, Texas 78006
(830) 249-8284 Fax: (830) 249-0221

3/26/14

ADJACENT PARCEL MAP
RAMMING & QUARRY
INDUSTRIAL ASPHALT, LLC
GARDEN RIDGE, TX

REV.	DESCRIPTION	BY	DATE

IMAGE:	2012 BAT CAVE SE
ISSUE DATE:	03/26/2014
DRAWN BY:	DJM
CHECKED BY:	CGC
SCALE:	1" = 400'

SHEET #: 1

REC#: 00146690 3/25/2014 1:39 PM
TRAN: 112.0000 P&Z VARIANCE FEES
OPER: CASH TERM: 001
REF#: VOLLEB JH
VARIANCE RAMMING
P&Z VARIANCE FILING 250.00CR
TENDERED: 250.00 1 CHECK(S)
APPLIED: 250.00-
CHANGE: 0.00

Planning and Zoning Form 2
APPLICATION FOR VARIANCE
(Type or Print)

1. Date: 3/25/14 Case #: _____

2. Applicant Name: Industrial Asphalt, LLC
(First) (Middle) (Last)

3. Mailing Address: 9020 North Capital of Texas Highway, Bldg. 2, Ste. 250
(Street)
Austin TX 78759
(City) (State) (Zip)

Phone: (512)- 251-3713

4. Applicant's relationship to property:
Sole owner ( ) Part owner ( ) Other; Business owner, leasing property from Hanson Aggregates
(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; _____

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

Property Deed recorded in Comal County Volume # 120 Page # 714

7. Cite City Ordinance number, page and paragraph from which variance is needed: _____
Ord. 13, pg. 34: 7.2.7, 7.2.8.3,
Ord. 13, pg. 35, 7.2.8.4, 7.2.11

8. State what you want to do instead: Please see attached.

9. Give reason why a variance should be granted (cost alone is not acceptable): Please see attached.

10. If you are requesting a variance from City Ordinance 13 requirements, give a 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.

11. 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 for which variance is requested, on another map of larger scale, as attachment 5.

12. Identify any deed restrictions on agriculture, residential, business or other use. If none, so state: ___
None

13. The undersigned hereby requests that the variance identified in this application are granted, 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 might be used by the City of Garden Ridge for sending required notices to adjacent property owners, if required. 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: _____

____ 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 variance fee per Garden Ridge City Ordinance 11.

--------- CITY USE ONLY --------
VARIANCE REQUEST

		Date
	Application received	_____
City Admin.:	Application verified	_____
	Fee received $_____ Check #_____	_____
	Application sent to P&Z	_____
	Owners' acceptance of application	_____
	Notice to adjoining property owners, if required	_____
P&Z:	Notice of public hearing, if required	_____
	Public hearing conducted, if required	_____
	P&Z decision on variance	_____
	P&Z recommendation to City Council	_____
	Notice to adjoining property owners, if required	_____
City Council:	Notice of public hearing, if required	_____
	Public hearing conducted, if required	_____
	Applicant notified of Council Decision	_____
City Admin.:	Zoning ordinance change published, if required	_____

8. State what you want to do instead:

7.2.6

Industrial Asphalt, LLC (IA) intends to construct a Hot Mix Asphalt Plant which will include elements such as storage silos that may extend more than 35 feet above the ground.

7.2.8.3 & 7.2.8.4

IA intends to develop the lease area as an industrial facility. Alleys will not be necessary for access around the perimeter of the development. Emergency access to the site is provided through the main access utilized by the site trucks.

7.2.11

IA intends to place a mobile trailer onsite as a plant office. This temporary structure will not have masonry or masonry veneer.

9. Give reason why a variance should be granted (cost alone is not acceptable):

7.2.6

The design of the Hot Mix Plant is dictated largely by industry standard. To facilitate daily operations, silos must be elevated enough to allow for trucks to drive underneath them. Baghouses must be mounted on top of silos and include elevated vents to properly filter contaminants.

7.2.8.3 & 7.2.8.4

Alleys are not practicable or necessary at this site. Sufficient room for the ingress and egress of large trucks is a necessary part of the normal daily operation of the plant. Emergency vehicles should be able to easily access the plant. Please see attached site plan for more detail.

7.2.11

A mobile office building is more conducive to the nature of operations at a Hot Mix Plant than a permanent structure. The mobile office may need to be relocated due to changing market demand and operational logistics.

EXHIBIT A

TRACT 1:
Being 676.787 acres of land, a part of the Valentine Bennett Survey No. 105, the Valentine Bennett Survey No. 104, George Schlather Survey No. 673, Julius Drumm Survey No. 500, John Nelson Survey No. 97, and the Nathaniel Conner Survey No. 100 1/2, Comal County, Texas; and being a part of that certain tract of land conveyed by E. O. Eikel, et ux, to Servtex Materials Co. by deed recorded in Volume 92 on page 131 of the Deed Records of Comal County, Texas; a part of that certain tract of land conveyed by William Hierholzer by deed dated October 15, 1940 and recorded in Volume 72 on page 629 of the Deed Records of Comal County, Texas; a part of that certain tract of land conveyed by Willie Warnecke by deed dated May 29, 1936 and recorded in Volume 66 on page 256 of the Deed Records of Comal County, Texas; a part of that certain tract of land conveyed by Benjamin Elley by deed dated October 5, 1940 and recorded in Volume 72 on page 631 of the Deed Records of Comal County, Texas; all of that certain tract of land conveyed by Emil Moehrig by deed dated April 1, 1952 and recorded in Volume 98 on page 276 of the Deed Records of Comal County, Texas; all of that certain tract of land conveyed by Harry Knibbe by deed dated June 20, 1936 and recorded in Volume 66 on page 325 of the Deed Records of Comal County, Texas; all that certain tract of land conveyed by Emil Moehrig by deed dated March 3, 1953 and recorded in Volume 100 on page 252 of the Deed Records of Comal County, Texas; 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; 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 an iron pin and corner post in the Northwest line of F.M. Road 1337 set for the South corner of the above described Hugo Moehrig to Servtex Materials Co. tract of land by deed recorded in Volume 153, page 145 of the Deed Records of Comal County, Texas, for the South corner of the herein described 676.787 acre Tract 1;

THENCE with the fence, N. 27° 35' W. 146.25 feet, N. 29° 27' W. 647.50 feet and S. 60° 38' W. 216.80 feet to an iron pin in the Northeast line of a 20.0 foot lane, set for a South corner of this tract;

THENCE with the Northeast line of the said 20.0 foot Lane, N. 29° 59' W. 2,046.50 feet to an iron pin found in the Southeast line of Survey No. 615, set N. 65° 34' E. 20.50 feet from the West corner of Survey No. 500, for a West corner of this tract;

THENCE with the fence, the Southeast line of Survey No. 615, N. 61° 17' 30" E. 577.20 feet to an iron pin and corner post set for the East corner of Survey No. 615, for a re-entrant corner of this tract;

THENCE with the fence, the Northeast line of Survey No. 615, the Southwest line of Survey No. 673, N. 29° 15' W. 2,460.85 feet to a corner post set for a West corner of this tract;

THENCE with the fence, N. 67° 35' E. 727.65 feet and N. 59° 02' E. 944.50 feet to a corner post set for a re-entrant corner of this tract;

THENCE with the fence, N. 29° 25' 30" W. 1,270.30 feet to an iron pin set for the South corner of 40.000 acre Tract 7, for a West corner of this tract;

THENCE with the Southeast line of Tract 7, N. 57° 26' E. 1,243.25 feet to an iron pin on top of bluff of Comal Creek, set for the East corner of the said Tract 7, for a North corner of this tract;

THENCE with the top of bluff of Comal Creek as follows: S. 57° 08' E. 121.25 feet, S. 58° 43' E. 301.10 feet, and S. 76° 33' 30" E. 1,144.0 feet to the beginning of a fence on the South side of Comal Creek;

THENCE with the fence and South side of Comal Creek as follows: S. 73° 36' E. 38.80 feet, S. 80° 24' E. 89.05 feet, S. 88° 12' 30" E. 37.25 feet, S. 76° 19' E. 95.25 feet, S. 74° 33' E. 49.30 feet, N. 82° 59' E. 39.10 feet, N. 29° 22' E. 11.50 feet, N. 44° 58' E. 42.70 feet, S. 85° 26' E. 81.45 feet, S. 79° 39' E. 48.0 feet, S. 72° 14' 30" E. 77.60 feet, S. 57° 04' E. 34.40 feet, S. 81° 30' 30" E. 29.05 feet, N. 78° 09' E. 25.10 feet, S. 87° 47' E. 25.0 feet, S. 79° 07' E. 150.45 feet, S. 87° 56' E. 53.50 feet, N. 89° 42' E. 26.40 feet and S. 81° 12' E. 169.40 feet to a corner post, a Northeast corner of this tract;

THENCE with the fence, S. 58° 19' E. 12.05 feet, S. 34° 15' E. 64.15 feet, S. 29° 34' E. 116.10 feet, S. 29° 50' E. 143.15 feet, S. 28° 24' E. 65.95 feet, N. 47° 19' E. 17.15 feet, N. 63° 56' E. 57.90 feet, N. 81° 52' E. 444.35 feet, N. 84° 59' E. 758.05 feet and S. 88° 49' E. 729.90 feet to a corner post set for an East corner of this tract;

THENCE S. 60° 02' W. 1,432.05 feet to a 12 inch Cedar Post set for a re-entrant corner of this tract;

THENCE with the fence, S. 29° 16' E. 2,798.65 feet, S. 34° 01' E. 10.0 feet, and S. 46° 32' E. 74.10 feet to an iron pin in the Northwest line of Nacogdoches Road, set for the East corner of this tract;

THENCE with the Northwest line of Nacogdoches Road as follows: S. 53° 35' W. 80.70 feet, S. 50° 53' W. 114.80 feet, S. 46° 21' W. 83.35 feet, S. 44° 50' 30" W. 266.0 feet, S. 46° 56' W. 542.85 feet, S. 47° 18' W. 353.45 feet, S. 46° 52' W. 322.15 feet, and S. 54° 34' W. 1,394.45 feet to an iron pin and corner post set for a South corner of this tract;

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THENCE with the fence, S. 30° 18' E. 921.0 feet to a corner post in the Northwest line of the aforesaid F.M. Road 1337, set for a Southeast corner of this tract;

THENCE with the Northwest line of F.M. Road 1337 as follows: THENCE in a Southwesterly direction along the arc of a circular curve to the right having a radius of 1,875.08 feet, a length of arc distance of 76.0 feet to the end of said curve;

THENCE S. 64° 47' W. 248.20 feet, S. 58° 05' W. 250.20 feet, S. 59° 49' 30" W. 107.0 feet, S. 57° 26' W. 1,051.9 feet and S. 56° 55' W. 78.90 feet to the place of beginning.

TRACT 2:
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BEGINNING at a corner post in the Northwest line of the Missouri Pacific Railroad, set for the East corner of the above described E. O. Eikel to Servtex Materials Co. tract of land by deed recorded in Volume 92 on page 131 of the Deed Records of Comal County, Texas, for the East corner of the herein described 138.274 acre tract;

THENCE with the Northwest line of the said Missouri Pacific Railroad, S. 56° 04' W. 3,891.85 feet to an iron pin and corner post in the Northeast line of F.M. Road 1337, set for the South corner of this tract;

THENCE with the Northeast line of F.M. Road 1337, N. 28° 52' W. 1,157.50 feet and N. 16° 51' E. 141.40 feet to a corner post in the Southeast line of Nacogdoches Road, set for a West corner of this tract;

THENCE with the Southeast line of Nacogdoches Road as follows: N. 53° 54' E. 1,245.80 feet, N. 46° 52' E. 324.60 feet, N. 48° 15' E. 288.75 feet, N. 46° 11' E. 603.90 feet, N. 45° 23' E. 27.50 feet, N. 45° 16' E. 380.60 feet, N. 53° 11' E. 166.40 feet, and N. 53° 16' E. 1,125.55 feet to a corner post set for the North corner of this tract;

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HANSON AGGREGATES	P O BOX 52427	GARDEN RIDGE	TX	78266
GREEN VALLEY SPECIAL UTILITY DISTRICT	PO BOX 99	GARDEN RIDGE	TX	78266

7.1.8.1. Lights shall not aim beyond the owner's property line nor illuminate adjoining Residential District lots to more than five (5) foot-candles measured at the point of highest intensity.

7.2. Z-1 INDUSTRIAL ZONE DISTRICT (Z-1).

7.2.1. Use Restrictions: The Z-1 Industrial Zone District is intended primarily for mining, excavation, quarrying, processing, storage, warehousing, shipping and manufacturing of such products as cement, concrete, brick, asphalt, stone, crushed rock and similar type products and will include related activities associated with such operations. No person shall use, or cause to be used, land nor erect or convert a building to any use other than:

7.2.1.1. Any use permitted in the Office and Professional (B-2) District that meets the requirement thereof.

7.2.1.2. Any use permitted in the Neighborhood Service (B-1) District that meets the requirement thereof.

7.2.1.3. Any use permitted in the Light Industrial (LI) District that meets the requirements thereof.

7.2.2. The City shall not be responsible for, nor shall the City assume any liability or responsibility for the exercise of plant on-site security or traffic control within industrial plant sites. The City will provide police response for emergencies or calls for service.

7.2.3. The City is not responsible nor liable for roads, parking lots, sidewalks, drainage or water retention structures, or any maintenance thereon within industrial plant sites.

7.2.4. The City is not responsible for, nor shall the City assume any liability or responsibility for providing industrial water and wastewater treatment facilities. These are a responsibility of the industrial plant owner.

7.2.5. Location of the Industrial Zone: The Z-1, Industrial Zone District shall have direct access to existing and future arterial thoroughfares and railway lines and will, in all instances, be separated from areas zoned Single Family Residential by non residential districts or by natural "buffer-zone" barriers. Should any part of the area to be zoned Z-1 be adjacent to an existing area zoned Single Family Residential, a "buffer-zone" separation shall be required. The type of separation shall be determined and mandated by City Council prior to approving any area for Z-1 District zoning.

7.2.6. Structures and uses must be compatible with, and complementary in scale and appearance with, a commercial district adjacent to a primarily residential municipality. Exterior work and storage areas shall be screened from public view.

7.2.7. Height Regulation: No structure shall exceed two and one-half (2-1/2) stories (thirty-five feet) in height.

7.2.8. Area Regulations:

7.2.8.1. Lot Size: The minimum area for a Z-1 lot shall be as required for sewerage and waste water treatment of the planned industrial activity, required setbacks and buffer zone for any adjacent residential District, but in no case less than 32,670 square feet unless located partially or totally over the Edwards Aquifer Recharge Zone, or is not served by a public water supply system, then it shall have a minimum area of 43,560 square feet.

7.2.8.2. Front Yard: There shall be a front yard having a minimum setback of forty-five (45) feet.

7.2.8.3. Side Yard: Paved alley rights-of-way of fifteen- (15) feet width down each side property line shall provide access to the rear alley.

7.2.8.4. Rear Yard: A paved alley right-of-way of fifteen- (15) feet width shall run the length of the rear property line. When the rear yard backs on a RA or R District, a minimum of twenty-five (25) feet including alley right-of-way shall be provided

7.2.9. Impervious Cover: Impervious coverage (buildings, pavements etc.) shall not be more than one-half (1/2) of the lot area and must, in any case, allow adequate open area for wastewater treatment and disposal.

7.2.10. Parking: See Table 1. Off Street Parking Requirements.

7.2.11. Construction Standards: Buildings shall be of not less than ninety (90) percent masonry or masonry veneer construction on the first floor level fronting paved public streets, excluding openings.

7.2.12. Exterior Lighting:

7.2.12.1. Lights shall not aim beyond the owner's property line nor illuminate adjoining Residential District lots to more than five (5) foot-candles measured at the point of highest intensity.

7.3. AQUIFER PROTECTION (AP) DISTRICT.

7.3.1. Use restrictions: The AP District is an overlay district for protection of City well sites and aquifer recharge features from biological and chemical contamination. The District surrounds each City well site and geologic recharge feature, within the Edwards Aquifer recharge zone, for a radius of fifteen hundred (1500) feet. Within the AP District, no use or activity is permitted that presents a danger of bacteriologic, chemical or radioisotope pollution of the ground water aquifer.

7.3.1.1. Specific prohibitions include: cemeteries; liquid transmission pipelines; petroleum and chemical processing, production, mixing, transmission or transfer facilities; petroleum or chemical storage tanks and vats; wood treatment facilities; sewage treatment plants, wet wells, pumping station or drainage ditch for industrial waste discharges or wastes from sewage treatment systems, sewage sludge disposal or effluent irrigation areas; livestock and animal pens, feedlots, or abandoned and improperly sealed wells

Agent Authorization Form
For Required Signature
City of Garden Ridge

I Jon Morrish,
Print Name

President – South Region,
Title - Owner/President/Other

of Hanson Aggregates (Landowner),
Corporation/Partnership/Entity Name

have authorized John Ramming
Print Name of Agent/Engineer

of Industrial Asphalt, LLC
Print Name of Firm

to represent and act on the behalf of the above named Corporation, Partnership, or Entity for the purpose of preparing and submitting this plan application to the City of Garden Ridge for the review and approval consideration of regulated activities.

SIGNATURE PAGE:

Applicant's Signature (Jon Morrish) 03/28/14
Date

THE STATE OF Texas §

County of Dallas §

BEFORE ME, the undersigned authority, on this day personally appeared Jon Morrish known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed same for the purpose and consideration therein expressed.

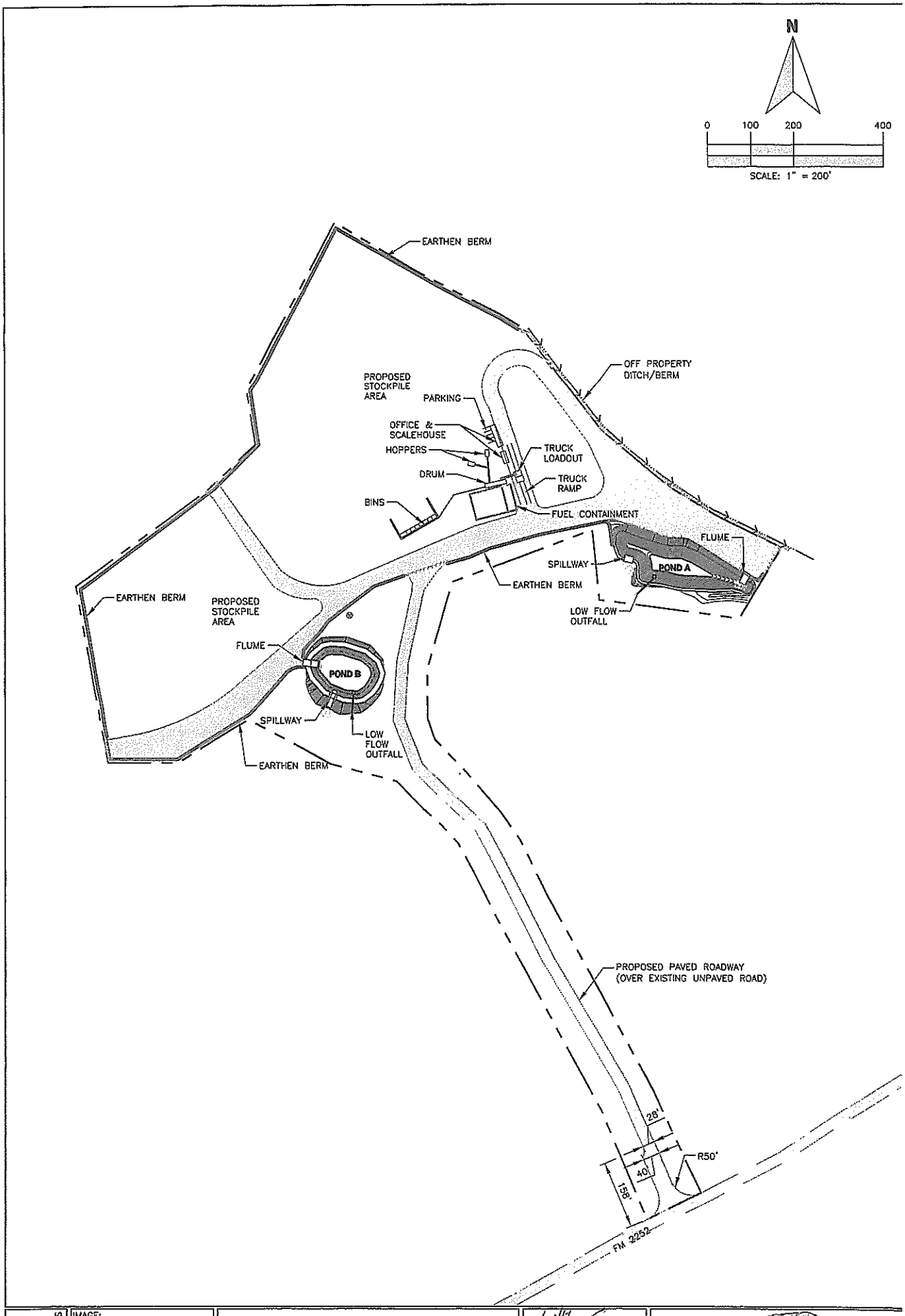
GIVEN under my hand and seal of office on this 28 day of March, 2014.

Kimberly Smith
NOTARY PUBLIC

KIMBERLY SMITH
Notary Public, State of Texas
My Commission Expires
August 08, 2017

Kimberly Smith
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 8.8.17



SHEET #: 2 OF

IMAGE:	2012 BAT CAVE SE
ISSUE DATE:	03/26/2014
DRAWN BY:	DJM
CHECKED BY:	CGC

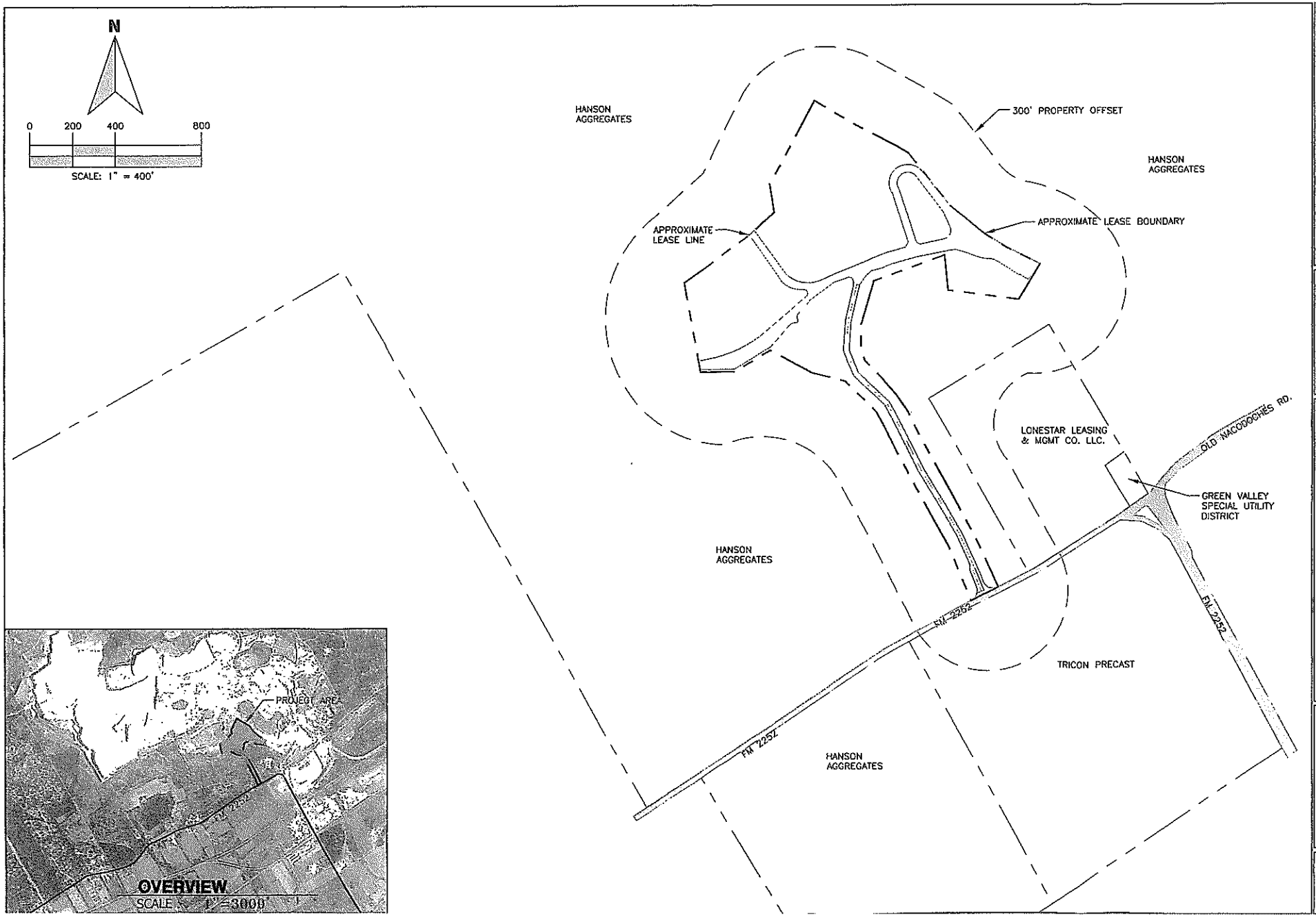
ATATTCHMENT 5

SPECIFIC USE PERMIT
INDUSTRIAL ASPHALT, LLC
GARDEN RIDGE, TX

REV.	DESCRIPTION	BY	DATE

3/24/14

WESTWARD
Environmental. Engineering. Natural Resources.
P.O. Box 2205 Boerne, Texas 78006



WESTWARD
Environmental, Engineering, Natural Resources.
P.O. Box 2205 Boerne, Texas 78006
(830) 249-8284 Fax: (830) 249-0221

ADJACENT PARCEL MAP

RAMMING 6 QUARRY
INDUSTRIAL ASPHALT, LLC
GARDEN RIDGE, TX

REV	DESCRIPTION	BY	DATE

IMAGE:	2012 BAT CAVE SE
ISSUE DATE:	03/26/2014
DRAWN BY:	DJM
CHECKED BY:	CGC
SCALE: 1" =	400'

SHEET #: 1
OF 2

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, MARCH 11, 2014

Commissioners present:
Sam Stocks, Chairman
Harvey Bell
Kay Bower
Frank Dansby
David Heier
Kitty Owen
Shawn Willis

Commissioners Absent:
None

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, March11, 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.

Jean Brannon signed up to speak, but asked to speak during Item 6g.

3. **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.**

The Planning and Zoning Commission took Items3 a) and b) together.

Tim Wilson, Hanson Aggregates, Inc., stated this request for rezoning is for two parcels that total approximately 51 acres and are located south of F.M. 2252. He stated currently this property is zoned Residential Agricultural and would like to be rezoned to Industrial, since their other properties in the same area are zoned Industrial.

The Planning and Zoning Commission discussed the proposed use for the property, proposed zoning and the surrounding properties.

4. **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.**

Sam Stocks, Chair, opened the Public Hearing at 6:19pm and asked if anyone wished to speak. No one wished to speak, so Sam Stocks, Chair, closed the Public Hearing at 6:20pm.

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.**

Sam Stocks, Chair, opened the Public Hearing at 6:21pm and asked if anyone wished to speak. No one wished to speak, so Sam Stocks, Chair, closed the Public Hearing at 6:22pm.

5. **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.**

The Planning and Zoning Commission discussed the safety of that area of F.M. 2252 and the special use permit requirements.

Motion: Upon a motion made by Commissioner Bower and a second by Commissioner Bell, to recommend to the City Council that rezoning of the two petitions as requested be approved:

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.

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 Planning and Zoning Commission voted six (6) for and none (0) opposed. The motion carried unanimously.

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.**

The Planning and Zoning Commission discussed the proposed ordinance and the number of properties that are currently affected by the non-conforming requirements.

Motion: Upon a motion made by Commissioner Dansby and a second by Commissioner Bower, to recommend to the City Council the approval of 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 Planning and Zoning Commission voted six (6) for and none (0) opposed. The motion carried unanimously.

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

Jean Brannon, Brannon Properties, LLC., stated she is requesting two additional signs for property she has listed for sale. She also stated the property that she represents has 1200 feet of frontage alone F.M. 2252 and then wraps around to Nacogdoches Loop and continues around to Doerr Lane for another 100 feet and feels 1 sign is not enough.

The Planning and Zoning Commission reviewed the request, use of property and the size of the property.

Motion: Upon a motion made by Commissioner Owen and a second by Commissioner Dansby, to recommended to the City Council the approval of one (1) sign. Friendly amendment: Upon a friendly amendment to motion made by Commission Bower and a second by Commissioner Willis , to recommend to City Council the approval of a petition by Jean Brannon, Brannon Properties, for a variance to Ordinance 55-112004, 7.b., for the placement of one additional real estate sign on property listed for sale and property being zoned Residential-Agricultural (RA) with frontage located on FM 2252 and extending to Doerr Lane. The Planning and Zoning Commission voted five (5) for and two (2) opposed (Stocks and Dansby). The motion carried.

h) Progress report on developing Comprehensive Land Use Ordinance for the City of Garden Ridge

Ross Fischer, Assistant City Attorney, stated his firm has the opportunity to have two 3 year law students from the University of Texas work for us as part of a class they are taking. He introduced Stephen Pulsipher and Rebecca Bennie and said they would be working on cleaning up our zoning development and sign ordinances.

Stephen Pulsipher reviewed a memorandum and powerpoint regarding an Unified Development Code (see attached). He stated they will provide an outline of the current ordinances that have conflicts or need to be brought up to code before the next Planning and Zoning Commission meeting.

The Planning and Zoning Commission reviewed and discussed the powerpoint and the final document completion date of May.

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 February 10, 2014 Regular meeting of the Planning and Zoning Commission

Motion: Upon a motion made by Commissioner Owen and a second by Commissioner Bell, the Planning and Zoning Commission voted six (6) for and none (0) opposed, for the approval the minutes of February 11, 2014 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, April 8, 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

SIGN IN TO SPEAK AT THE MARCH 11, 2014
WATER COMMISSION REGULAR MEETING

Rules for Citizen's Participation:

The City Council welcomes citizen participation and comments at all of their Council 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 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
1.	Jean Brannon	9233 Gloxinia	Signs
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

MEMORANDUM

TO: City of Garden Ridge Planning and Zoning Commission

FROM: Stephen Pulsipher & Rebecca Bennie
The University of Texas School of Law Legislative Lawyering Clinic

RE: Unified Development Code

DATE: March 11, 2014

PURPOSE

The purpose of this project is to create a unified development code (UDC) for the city of Garden Ridge. This UDC will assist the city council and developers by (1) making the city ordinances more accessible and (2) helping identify internal, statutory, and constitutional contradictions. This memo provides an update on what has been accomplished and an overview of what is left to do.

This memo begins by reviewing what state statutes and city ordinances required to pass the UDC. Next, we discuss the process of drafting the UDC. These steps are, first, drafting an outline and, second, finding and correcting inconsistencies. Finally, we discuss a proposed timeline for the remaining work to be done.

PASSING ZONING AND DEVELOPMENT AMENDMENTS

To pass the UDC the city must hold a hearing and issue notice 16 days or more before the hearing. This is required by state law and city ordinance.

Local Government Code Chapter 211 governs zoning regulations, which includes a Unified Development Code. An amendment requires the same process as the initial adoption of a zoning regulation. Tex. Loc. Gov't Code Ann. § 211.002 (2013). Drafting the UDC (and correcting inconsistencies along the way) would involve amending the existing city ordinances. Thus, the processes required by Chapter 211 must be followed to pass the UDC.

To pass the UDC, the city must hold a public hearing and provide notice of the hearing. A zoning regulation requires the governing body to hold a public hearing. *Id.* §

211.006(a). Notice of the hearing must be given 16 days in advance or earlier. *Id.* Because this is a change for the entire city, rather than a particular property, notice by publication is sufficient. *Id.* Notice is sufficient if "published in an official newspaper or a newspaper of general circulation in the municipality." *Id.*

The City Council must be prepared to clear procedural hurdles, such as a protest, though they are unlikely. If the change is protested, it must then be passed by a 3/4 vote of the governing body. *Id.* § 211.006(d). A protest must be written and signed by the owners of at least 20% of the area affected, meaning, in this case, 20% of the land of the city. *Id.* Since the changes are largely cosmetic, such a protest is unlikely.

The planning and zoning commission plays a central role in passing the UDC. The governing body cannot hold a public hearing until it receives the final report of the zoning commission. *Id.* § 211.007(b). This can be avoided if there is an ordinance allowing the public hearing to be held jointly with the commission public hearing. *Id.* Since Garden Ridge has no such ordinance, the Planning and Zoning Commission and City Council hearings must be held separately.

The city ordinances enact the procedure found in the statute. Garden Ridge, Texas, City Ordinance 13 § 1.

STEP 1: CREATING THE UDC OUTLINE

The fact that many cities have adopted undivided development codes provides some guidance, but the resulting document should be unique to Garden Ridge. The resulting ordinance will lay out the sections of the ordinances in a logical and functional manner. This will make the ordinances more accessible and easier to understand. Landowners, their representatives, city staff and the city council will benefit from an updated, centralized set of development standards.

After reviewing the city ordinances and existing UDCs, we have developed an outline for the Garden Ridge UDC (attached). Each type of regulation will have its own section: "Signs," "Wireless," "Environmental," etc. The attached outline provides a logical and functional structure for the UDC. Of course, there is some flexibility in the order of certain sections.

STEP 2: CHECKING FOR AND CORRECTING INCONSISTENCIES

With the outline complete, it is time to begin integrating the ordinances together. This makes it easier to check for consistency across the code. One of the central benefits of a UDC is the ease with which the unified framework allows review for internal inconsistencies. In addition to internal consistencies, this process will reveal any inconsistencies with current statutory and case law. If any problems are found, we will draft proposed amendments that will keep the city UDC in line with Texas state law.

In addition, we will identify sections which could use improvement for clarity and ease of use. For example, within the zoning regulations, the ordinance has identical lighting requirements for each type of zone. Creating a single rule of general application could simplify and shorten the code.

TIMELINE

Attached is an outline of the proposed Unified Development Code. In the process of reorganizing the existing regulations, it is important that we do the following (a proposed timeline is in parentheses):

1. Identify any portions that are in conflict (March 14).
2. Draft suggestions to fix conflicting portions (March 18).
3. Ensure the UDC is not in conflict with state or constitutional law (March 25).
4. Produce a draft UDC for consideration by the public, the Planning & Zoning Commission, and, ultimately, the City Council (April 8).

Using this timeline, we propose April 8 as the date by which we will have a draft ready to present to the Planning and Zoning Commission (which will require publication of notice no later than March 23).

Garden Ridge Unified Development Code

STATUS REPORT BY:

LEGISLATIVE LAWYERING CLINIC | THE UNIVERSITY *of* TEXAS SCHOOL *of* LAW

Overview

The law – passing amendments to zoning regulations

Drafting

- Step 1 – Creating an outline
- Step 2 – Checking for inconsistencies

Timeline

The law

The UDC is an amendment to a zoning regulation.

An amendment requires a public hearing. Tex. Loc. Gov't Code Ann. § 211.002, 211.006(a).

A public hearing requires notice. *Id.*

Notice must be issued before the 15th day before the hearing.

Notice by publication (published in the official newsletter or a newspaper of general circulation) satisfies this requirement.

Creating the outline

UDCs are common, a unique solution is needed for Garden Ridge.

Attached is the outline we have developed.

The outline allows a logical and functional flow to the law.

Each type of regulation will have its own section.

Checking for inconsistencies

Internal Inconsistencies –

- ensuring that all regulations work together to achieve the vision of the city council.

Legal Inconsistencies –

- ensuring that all regulations comply with state statutes and case law.

Example: Exterior Lighting

Commercial

6.1.7. Exterior Lighting:

6.1.7.1. Lights shall not aim beyond the owner's property line nor illuminate adjoining Residential District lot to more than five (5) foot-candles measured at the point of highest intensity.

Every zone has this identical rule.

Check for consistency and duplication.

Example: Exterior Lighting

Residential

5.2.8. Exterior Lighting:

5.2.8.1. Light fixtures shall be below the building roofline.

5.2.8.2. Lights shall not aim beyond the owner's property line nor illuminate adjoining property to more than five (5) foot-candles measured at the point of highest intensity.

5.2.8.3. No single light fixture or cluster of fixtures shall exceed 150-watt capacity.

5.2.8.4. Any variances to above shall meet the criteria of not causing increased illumination off the property.

Ensure any differences are intentional.

Draft a general rule to ensure consistency.

Draft special rules for intended differences.

Timeline

Identify internal inconsistencies, draft suggestions – March 18.

Check for legal inconsistencies, draft solutions – March 25.

Produce a draft for consideration by the public, the Planning & Zonin Commission, and, ultimately, the City Council. – April 8.

Proposed delivery to the Planning & Zoning Commission – April 8.

Notice must be published by – March 23.

Notice Requirements

Local newspaper

What day of the week is it published?

Must publish notice no later than March 23.