



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, FEBRUARY 16, 2016 -- 6:00 P.M.

The Garden Ridge Planning and Zoning Commission will meet in a scheduled regular at 6:00 p.m., Tuesday, February 16, 2016 in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas. This is an open meeting, open to the public, subject to the Open Meetings Law of the State of Texas, and as required by law, notice is hereby posted on January 12, 2016 before 5:00 p.m., providing time, place, date and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting.

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

Rules for Citizen's Participation:

The Planning and Zoning Commission welcomes citizen participation and comments at all of their Commission Meetings. As a courtesy to your fellow citizens and out of respect to our elected officials, we request that if you 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 and to three (3) minutes per citizen during Item 6.
- d) Citizens' comments will be limited to one (1) hour in Item 3 and thirty (30) minutes in Item 6.
- e) 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 Commission 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

- a) Rezoning request by David Pencsak for Lot 1, Clay Subdivision, 19780 FM 2252, from B-1 Neighborhood Services District and B-2 Office and Professional District to L-1 Light Industrial District

- 1) Public Hearing
- 2) Approval or Disapproval recommendation

- b) Parks Committee update regarding projects affected by zoning regulations.

- c) Request for street light at F.M. 3009 at Teakwood.

5. Administrative Items

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

- a) Minutes of the January 12, 2016 Regular meeting of the Planning and Zoning Commission
- b) Items discussed at the February 3, 2016 City Council Regular Meeting
- c) Set date, time and location for next meeting

6. Citizen's Participation: - 3 minute limit per citizen.

See "Rules for Citizen's Participation" under Item 3.

7. 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 12:05 pm February 11, 2016 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



City of Garden Ridge

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

January 28, 2016

NOTICE OF PUBLIC HEARING

Dear Property Owner,

The Planning and Zoning Commission of the City of Garden Ridge, Texas will conduct a public hearing on Tuesday, February 16, 2016 at 6:00 p.m. The public hearing will be held in the Garden Ridge City Hall Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas.

The purpose of the public hearing will be to consider a petition by David Pencsak for rezoning from Office and Professional (B2) District to Light Industrial (LI) District that portion of Lot 1, Clay Subdivision that begins 300' in from F.M. 2252 and extends to the rear property line of said property located at 19780 F.M. 2252, Garden Ridge, Texas.

A plat map, site map of current zoning of property, site map of proposed zoning of property and adjacent property owners list and location map are contained as attachments.

This notice gives you the opportunity to express your support of, or objections to, this proposed action. Please feel free to call City Hall at 210-651-6632 if you need additional information on this matter.

Sincerely,



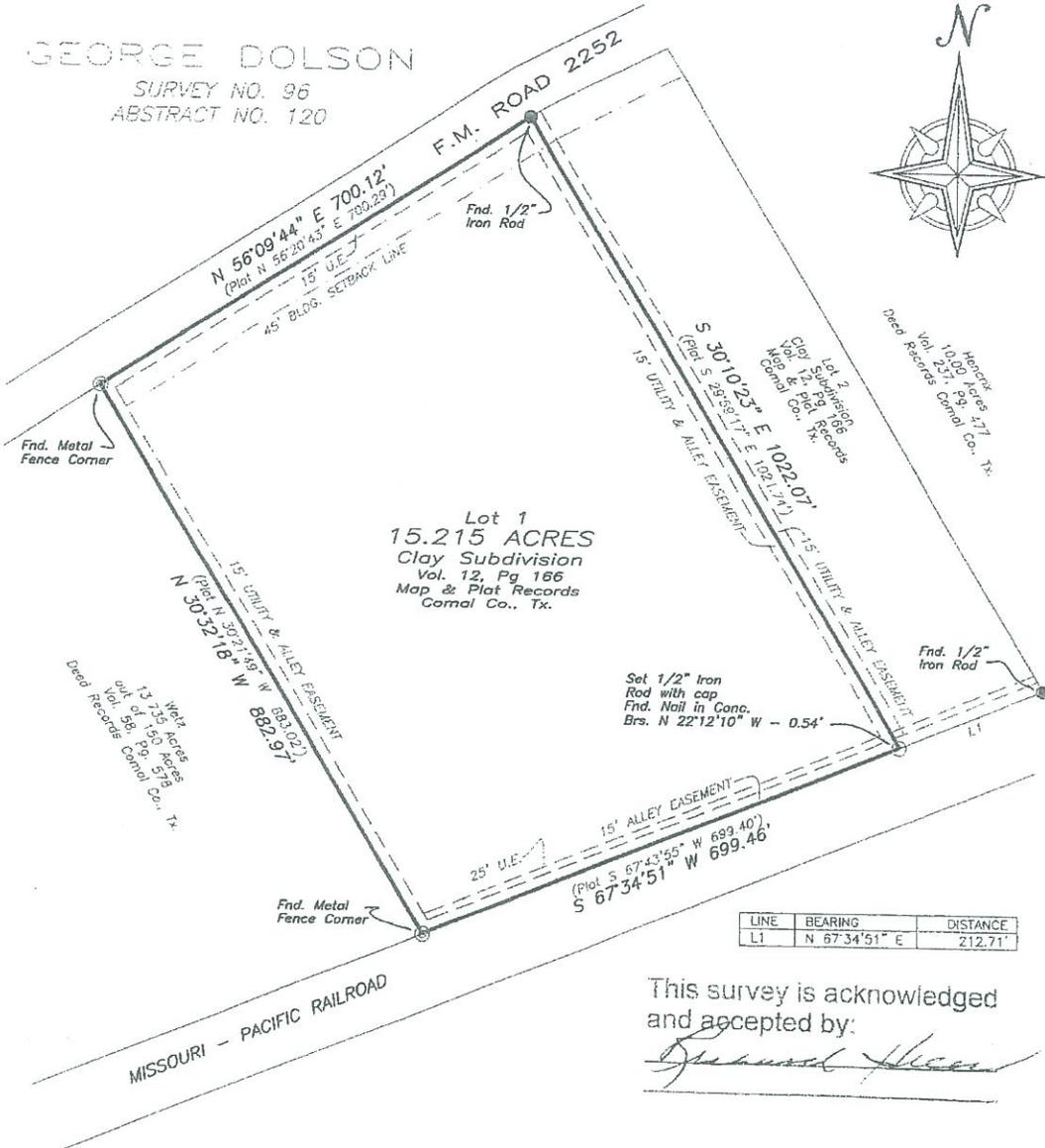
Shelley Goodwin
City Secretary

3 Enclosures:

1. Plat Map
2. Site Map of Current Zoning
3. Site Map of Proposed Zoning
4. Adjacent Property Owners list and location map

GEORGE DOLSON

SURVEY NO. 96
ABSTRACT NO. 120

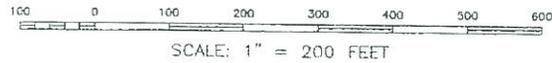


Lot 1
15.215 ACRES
Clay Subdivision
Vol. 12, Pg 166
Map & Plat Records
Comal Co., Tx.

LINE	BEARING	DISTANCE
LI	N 67°34'51" E	212.71'

This survey is acknowledged
and accepted by:
Guaranteed Home

ALL SET PINS ARE 1/2" REBAR
WITH A YELLOW PLASTIC CAP
STAMPED "FORD ENG. INC."



BEARING SHOWN ARE ORIENTED TO
LAMBERT GRID, TEXAS SOUTH CENTRAL
ZONE, NAD 83

SUBJECT PROPERTY DOES NOT LIE
WITHIN THE 100 YEAR FLOOD PLAIN
AS PER FIRM MAP No. 480148 0001 B
DATED APRIL 30, 1986

STATE OF TEXAS:
COUNTY OF COMAL:

I, REX L. HACKETT, DO HEREBY CERTIFY THAT
THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY
MADE ON THE GROUND AND UNDER MY SUPERVISION.



R.L.H.
REX L. HACKETT R.P.L.S. NO. 5573
SURVEYED: 12-21-2006
PROJECT NO.: 2247.00
DRAWN BY: R.L.H.



FORD ENGINEERING INC.

ENGINEERING PLANNING DEVELOPMENT
10927 WYVE DRIVE, SUITE 104, SAN ANTONIO, TEXAS 78217
TEL: (210) 590-4777 FAX: (210) 590-4940
www.fordengineering.com

PLAT SHOWING
LOT 1
CLAY SUBDIVISION
15.215 ACRES
SITUATED IN THE GEORGE DOLSON
SURVEY NO. 96, ABSTRACT NO. 120
BEING ALL OF LOT 1 OF THE
CLAY SUBDIVISION AS SHOWN
ON A PLAT RECORDED IN VOLUME
12, PAGE 166 OF THE MAP AND PLAT
RECORDS OF COMAL CO., TX.

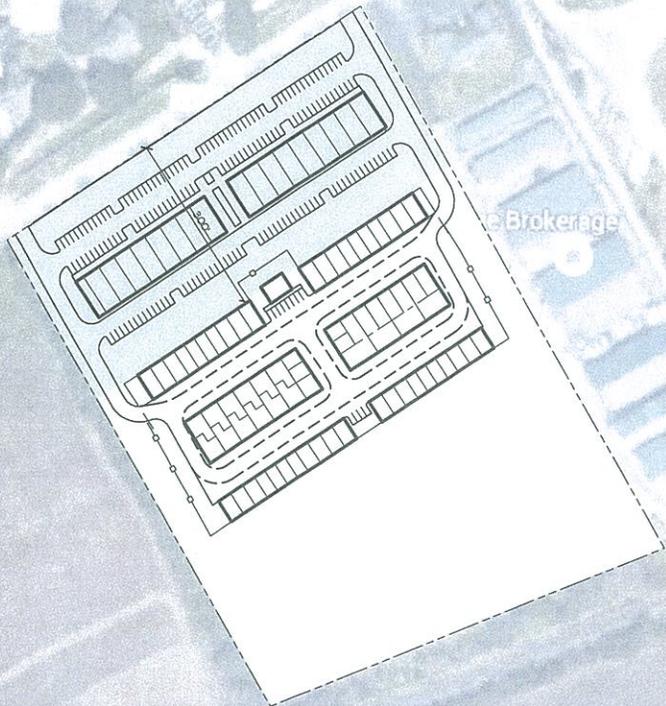
Garden Ridge Church of Christ

Triple B Electric Inc

Brokerage

E-Z Mart

Capparelli's
Pizza & Italian



1 CURRENT ZONING

SCALE: 1" = 200'



ZONING LEGEND

-  **B-1 NEIGHBORHOOD SERVICE**
USES ALLOWED: GENERAL RETAIL, CLOTHES STORE, BEAUTY PARLOR, DRUG STORE, HARDWARE OR APPLIANCE STORE, DRY CLEANER, RESTAURANT, CAFE, MINOR AUTO REPAIR AND SERVICE...ETC REFER TO ODR. 13 FOR ADDITIONAL USES ALLOWED
-  **B-2 OFFICE PROFESSIONAL**
USES ALLOWED: ANIMAL CLINIC, BANK, DAY CARE, OFFICE BUSINESS, OR PROFESSIONAL PARK...ETC REFER TO ODR. 13 FOR ADDITIONAL USES ALLOWED

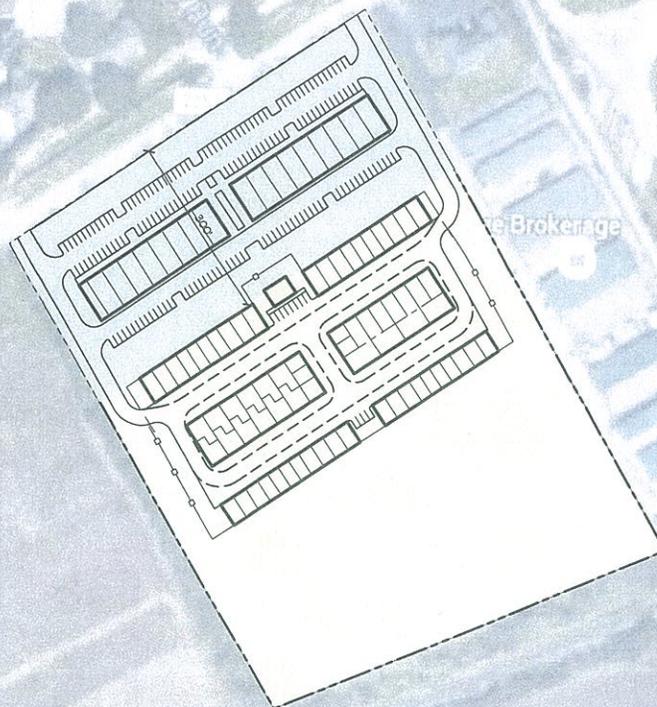
Garden Ridge Church of Christ

Triple R Real Estate

Real Estate Brokerage

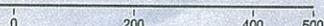
E-Z Mart

Capparelli's
Pizza & Italian



1 PROPOSED ZONING

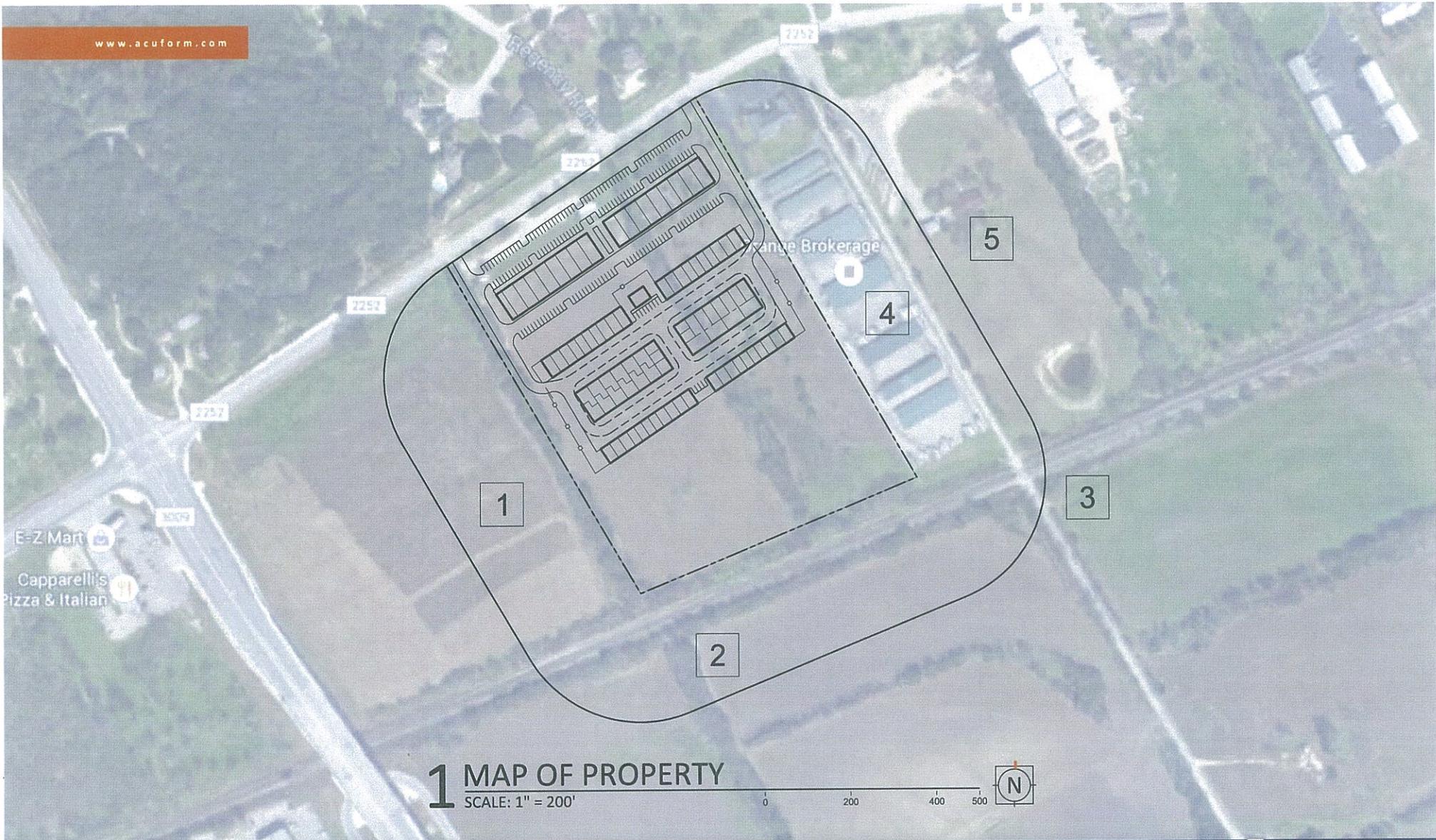
SCALE: 1" = 200'



ZONING LEGEND

B-1 NEIGHBORHOOD SERVICE (NO CHANGE)
USES ALLOWED: GENERAL RETAIL, CLOTHES STORE, BEAUTY PARLOR, DRUG STORE, HARDWARE OR APPLIANCE STORE, DRY CLEANER, RESTAURANT, CAFE, MINOR AUTO REPAIR AND SERVICE...ETC REFER TO ODR. 13 FOR ADDITIONAL USES ALLOWED

LI LIGHT INDUSTRIAL
USES ALLOWED: OFFICES SERVING NEIGHBORHOOD NEEDS, COMMERCIAL SERVICES, MAJOR AUTOMOTIVE REPAIR, WAREHOUSING...ETC REFER TO ODR. 13 FOR ADDITIONAL USES ALLOWED. A SPECIFIC USE APPROVAL IS REQUIRED.



1 MAP OF PROPERTY

SCALE: 1" = 200'



4. ADJACENT PROPERTY OWNERS

10223 McAllister Fwy. Ste 205
San Antonio, Texas 78216

210 829 1600 P.



January 26, 2016

Nancy Cain
City Administrator, Garden Ridge
9400 Municipal Pkwy.
Garden Ridge, TX 78266

Re: Garden Ridge Garage Condos
19780 FM2252, Garden Ridge, TX 78266

In accordance with the application for change of zoning, please see the mailing address of neighboring property owners within 300' of subject parcel.

1 (TRACT IMMEDIATELY SW OF SUBJECT)

Custom Clinics, LLC
18965 FM 2252
Garden Ridge, TX 78266-2561

2 (TRACT SOUTH OF PROPERTY)

BNSF Railway Company
2500 Lou Menk Dr - AOB-3
Fort Worth, TX 76131-2828

3 (TRACT SE OF PROPERTY)

Vanessa Brown
302 Shangrila Ln
New Braunfels, TX 78130-8243

4 (MINI-STORAGE TO EAST)

CF&M Properties
19834 FM 2252
Garden Ridge, TX 78266-2798

5 (TRACT EAST OF MINI-STORAGE)

Martin & Phoebe Hendrix
19862 FM 2252
San Antonio, TX 78266-2604



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MINUTES OF PLANNING & ZONING COMMISSION REGULARY SESSION TUESDAY, JANUARY 12, 2016

Commissioners present:

Chairman Sam Stocks
Commissioner Kay Bower
Commissioner Greg Czerniak
Commissioner David Heier
Commissioner Kitty Owen
Commissioner Shawn Willis

Commissioners Absent:

Vic Chairman Frank Dansby

Also Present:

Nancy Cain, City Administrator
Shelley Goodwin, City Secretary

1. Call to Order

With a quorum of the Planning and Zoning Commission Members present, Sam Stocks, Chair called the Regular Meeting of the Garden Ridge Planning and Zoning Commission to order at 6:00p.m. on Tuesday, January 12, 2016 in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Citizen Comments-

Leigh Doerr, 10009 Calley Circle, Bob Doerr spoke on behalf of his wife. He stated on the Garden Ridge Master Plan the area proposing the change is zoned B-1 Neighborhood Services District and B-2 Office and Professional District. He feels any other zoning would create traffic and other issues for Regency Oaks

Steve Wissner, 9902 Katharine Glen, stated he moved into Regency Oaks because he wanted a quiet neighborhood. He encouraged the Planning and Zoning Commission to not allow the proposed zoning change because of the traffic and the type of businesses this zoning will bring.

Dr. Jim Miller, 9910 Marie Meadow, stated he is the President of Regency Oaks Homeowners Association and encouraged the Planning and Zoning Commission to postpone their decision until after their annual HOA meeting. He stated this will allow him to find out more about the project, so he can discuss it with the other residents in his neighborhood.

3. Business Items

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

- a) Rezoning request by David Pencsak for Lot 1, Clay Subdivision, 19780 MF 2252, from B-1 Neighborhood Services District and B-2 Office and Professional District to L-1 Light Industrial District.**

Commissioner Willis filed a disclosure affidavit stating engaged in professional business services.

David Pencsak, proposed developer, stated he is a resident of Garden Ridge and he began to look for property within the City. He stated he hired Acuform Architecture. He stated the proposed project is commercial and will have some sales. He stated the front of the building will be retail and the back will be garage condos. He stated there will be property restrictions for each owners and the outside of the building will be stone and stucco finish. He also provided a powerpoint of the project. He stated each garage condo will cost an estimated \$90,000 to \$100,000 and there will be 24 hour monitoring

Arron Dahl, Acuform Architecture, provided a summary of the project. He stated the proposed property is currently zoned B-1 and B-2 and they are seeking LI for Light Industrial. He also stated there will be restrictions, 45' set back with landscaping buffer and gated after the front building. He stated he feels this is a good use of this property and there will be very low impact for the area.

The Planning and Zoning Commission discussed the project and the zoning of the property. They also discussed overnight restrictions, cost of the condos, septic tanks and the Special Use Permit process. They also discussed traffic flow, proposed business hours, lighting, rezoning the rear of the property only and covenants for the property.

Nancy Cain, City Administrator, stated the covenants will be part of the specific use permit. She also stated currently the retail portion is allowed.

The Planning and Zoning Commission discussed and agreed by consensus to move the meeting to February 16, 2016 at 6pm, due to other conflicts.

Sam Stocks, Commission Chair, asked if anyone else had questions.

Leigh Doerr, 10009 Calley Circle, inquired to the proposed L1 Light Industrial District being what is allowed for Asphalt Companies.

Nancy Cain, City Administrator, stated L1 Light Industrial District is not the zoning for Asphalt Companies.

Leigh Doerr, 10009 Calley Circle, inquired to the restrictions for buying more than one unit and knocking down the walls between the units.

Astrid Wisser, 9902 Katharine Glen, stated she feels that since these are a type of man cave to show off cars and hold parties, how can you make sure the owners will not be staying over night. She also stated most strip malls have turnovers and if this zoning is granted then the future use of the property can be affected if Mr. Pencsak sells.

Dr. Jim Miller, 9910 Marie Meadow, stated he feels the open area in the back of the property should be considered for septic.

Sam Stocks, Commission Chair, stated the covenants will address these issues.

4. Administrative Items

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

- a) Approve or disapprove the minutes of the November 17, 2015 Regular meeting of the Planning and Zoning Commission**

Motion: Upon a motion made by Commissioner Heier, and seconded by Commissioner Bower, to approve the minutes of the November 17, 2015 Regular Meeting of the Planning and Zoning Commission with corrections. The Planning and Zoning Commission voted six (6) for, none (0) opposed. The motion carried unanimously.

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

Tuesday, February 16, 2016 at 6:00pm.

5. Citizen's Participation- 3 minutes limit per citizen.

Shelby Trial, 21657 Forest Water Circle, stated at the meeting on February 16, 2016 will the Planning and Zoning Commission be making a recommendation at that time to the City Council.

Sam Stocks, Chair, stated at the February 16, 2016 the Planning and Zoning Commission will hold a public hearing and take action on the request. He stated after action is taken the item will go to the City Council with a recommendation from the Planning and Zoning Commission.

6. Adjournment

Motion: Upon a motion made by Commissioner Heier and a second by Commissioner Czernick, the meeting was adjourned at 7:08 p.m.

Sam Stocks, Chair

ATTEST:

Shelley Goodwin, TRMC
City Secretary

SIGN IN TO SPEAK AT THE JANUARY 12, 2016 PLANNING AND ZONING COMMISSION REGULAR MEETING

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Disclaimer:

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NAME	ADDRESS	SUBJECT
1. Leigh Doerr	10009 Calley Circle DR	Rezoning Clay Sub.
2. STEVE WISSEK	9902 KATHARINE GLEN	"
3. Dr. Jim Miller	9910 MARIE MEADOW	Rezoning
4.		
5.		
6.		
7.		
8.		
9.		
10.		

**SIGN IN TO SPEAK AT THE JANUARY 12, 2016
PLANNING AND ZONING COMMISSION REGULAR MEETING**

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	NAME	ADDRESS	SUBJECT
1.		10009 Colby Circle	Rezoning
2.			
3.			
4.			
5.			
6.			
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10.			