



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, JULY 12, 2016 -- 6:00 P.M.

The Garden Ridge Planning and Zoning Commission will meet in a scheduled regular at 6:00 p.m., Tuesday, July 12, 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 July 9, 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) Presentation and update on proposed revisions to Sign Ordinance 55 establishing, regulating and restricting the size, use, height and the location of signs in the City of Garden Ridge and the extraterritorial jurisdiction areas of the City of Garden Ridge; prescribing procedures for requesting sign variances; prescribing an application fee for all signs with the exclusion of residential real estate signs.

5. Administrative Items

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

- a) Minutes of the June 14, 2016 Planning and Zoning Commission Meeting
- b) Items discussed at the July 6, 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 4:00 pm July 7, 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



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MINUTES OF PLANNING & ZONING COMMISSION REGULAR SESSION TUESDAY, JUNE 14, 2016

Commissioners present:

Vice Chairman Frank Dansby
Commissioner Kay Bower
Commissioner Greg Czerniak
Commissioner David Heier
Commissioner Shawn Willis

Commissioners Absent:

Chairman Sam Stocks
Commissioner Kitty Owen

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, Frank Dansby, Vice Chair called the Regular Meeting of the Garden Ridge Planning and Zoning Commission to order at 6:00p.m. on Tuesday, June 14, 2016 in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Citizen Comments

All citizens who signed up, stated they wished to speak during the Agenda Item.

3. Business Items

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

- a) **Petition by Sahota Holdings, LLC c/o Ravinder Sahota, for rezoning of a 2.080 acre tract at the southwest corner of FM 2252 and Nacogdoches Loop, from Residence Agriculture (RA) District to Neighborhood Service District (B-1) for a convenience store and car wash.**

- i. Hold a Public Hearing to receive comments regarding the petition**
- ii. Make a recommendation of approval or disapproval to the City Council**

Andrew Barboza, KFW Engineers, reviewed the proposed project, zoning, drainage, setbacks, lighting and landscaping. He also reviewed the utilities, environmental compliance within the Edwards Aquifer Transition Zone and the signage for the proposed project.

The Planning and Zoning Commission discussed the car wash hours and the additional variances the project will need; impervious cover and alleyway. They also discussed the future plans to widen F.M. 2252 and placing the vacuum area for the car wash on the site map.

Frank Dansby, Planning and Zoning Commission Vice Chair opened the public hearing at 6:21 pm and asked if anyone wished to speak.

Bryan Lantzy, 20515 Wahl Lane, encouraged the Planning and Zoning Commission to wait on making decisions on rezoning any property on FM 2252 until after the Comprehensive Master Plan has been completed. He stated the City Council is still moving forward and he wants to make sure that future rezoning of properties will work with the proposed Plan and the attractiveness of the City of Garden Ridge.

Stephen Elsdon, 19407 Arrowood Place, stated he has a concern that only adjacent property owners to the proposed rezoning were notified of the Public Hearing. He also stated he has a concern with this proposed zoning goes against the Garden Ridge motto, "Not just a place to live, but a way of life".

Lawrence Sansone, 19462 Arrowood Place, encouraged the Planning and Zoning Commission to disapprove the proposed rezoning of this property. He also encouraged the Planning and Zoning Commission to allow the residents the opportunity to review the proposed Master Development Plan.

Orville "Bubba" Buchhorn, 19423 Arrowood Place, provided a list of members of the Arrowood neighborhood who have signed stating they disapprove of the proposed rezoning (see attached). He encouraged the Planning and Zoning Commission to postpone any rezoning until after the Comprehensive Master Plan has been approved.

Jack Nunes, 19411 Arrowood Place, stated he has reviewed the documents provided for this rezoning and Master Development Plan and feels there are too many unresolved issues for approval. He encouraged the Planning and Zoning Commission to deny the rezoning.

Bud Brooks, 21023 Plum Ranch, encouraged the Planning and Zoning Commission to deny the rezoning request. He stated he is concerned that this rezoning is not part of the overall plan for the City of Garden Ridge. He also stated he feels this development does not go along with the Garden Ridge motto.

Frank Dansby, Planning and Zoning Commission Vice Chair, asked if anyone else wished to speak. No one did so he closed the public hearing at 6:39 p.m.

The Planning and Zoning Commission recessed its open meeting and reconvene in Executive Session:

Pursuant to Texas Government Code Chapter 551.071 (legal advice) receive legal advice from attorney regarding legal requirements for rezoning.

Frank Dansby, Planning and Zoning Commission Vice Chair announced the Planning and Zoning Commission will recess into Executive Session at 6:39 pm, in accordance with Section Code 552.071, to consult with legal counsel.

Frank Dansby, Planning and Zoning Commission Vice Chair, adjourned the Executive Session at 7:20 p.m. and the Planning and Zoning Commission reconvened back into regular session.

Motion: Upon a motion made by Commissioner Czerniak, and seconded by Commissioner Heier, to recommend to the City Council the disapproval of the petition by Sahota Holdings, LLC c/o Ravinder Sahota, for rezoning of a 2.080 acre tract at the southwest corner of FM 2252 and Nacogdoches Loop, from Residence Agriculture (RA) District to Neighborhood Service District (B-1) for a convenience store and car wash. The Planning and Zoning Commission voted five (5) for, none (0) opposed. The motion carried unanimously.

- b) Petition by Sahota Holdings, LLC c/o Ravinder Shota, for Master Development Plan for a 2.080 acre tract at the southwest corner of FM 2252 and Nacogdoches Loop for a convenience store and car wash**
 - i. Make a recommendation of approval or disapproval to the City Council**

Motion: Upon a motion made by Commissioner Willis, and seconded by Commissioner Bower, to recommend to the City Council the disapproval of the petition by Sahota Holdings, LLC c/o Ravinder Sahota, for the Master Development Plan for a 2.080 acre tract at the southwest corner of FM 2252 and Nacogdoches Loop for a convenience store and car wash. The Planning and Zoning Commission voted five (5) for, none (0) opposed. The motion carried unanimously.

- c) Entrance and sign design for The Woods of Garden Ridge at Misty Arbor and Bindseil Lane**

Eugene Patillo, The Woods of Garden Ridge, reviewed the entrance and sign design which will be located at Misty Arbor and Bindseil Lane. He stated the measurements would be 6' sign mounted on top of a 2' footer, 2' wide and 18'8 1/2" long.

The Planning and Zoning Commission discussed the proposed sign and the specs of signs allowed in Ordinance 55.

Nancy Cain, City Administrator, read Ordinance 55 for sign specs and the definition of perimeter.

Motion: Upon a motion made by Commissioner Bower, and seconded by Commissioner Heier, to recommend to the City Council the disapproval as presented of the entrance and sign design for The Woods of Garden Ridge at Misty Arbor and Bindseil Lane. The Planning and Zoning Commission voted five (5) for, none (0) opposed. The motion carried unanimously.

4. Administrative Items

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

a) Minutes of the May 10, 2016 Planning and Zoning Commission Meeting

Motion: Upon a motion made by Commissioner Heier, and seconded by Commissioner Czernick, to approve the minutes of the May 10, 2016 Planning and Zoning Commission. The Planning and Zoning Commission voted five (5) for, none (0) opposed. The motion carried unanimously.

b) Items discussed at the June 1, 2016 City Council Regular Meeting

Nancy Cain, City Administrator, stated the City Council did not discuss or take action on any Planning and Zoning Commission matters.

c) Set date, time and location for next meeting

Tuesday, July 12, 2016 at 6:00pm.

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

No one wished to speak.

6. Adjournment

Motion: Upon a motion made by Commissioner Bower and a second by Commissioner Heier, the meeting was adjourned at 7:40 p.m.

Frank Dansby, Vice Chair

ATTEST:

Shelley Goodwin, TRMC
City Secretary

**SIGN IN TO SPEAK AT THE JUNE 14, 2016
PLANNING AND ZONING COMMISSION REGULAR MEETING**

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NAME	ADDRESS	SUBJECT
1. STEPHEN F. ELSDEN	20515 WATKINS LN 19107 Arrowood Plaz.	SAHOTA Valley LLC Proposal.
2. EUGENE DATTINO	11 LYNN BATTIS LN SATF	REP FOR WOODS @ BARDEN RIDGE
3. LAWRENCE SANSONE	19462 Arrowood PL	- SAHOTA - zoning
4. Bob Buchholz	19423 Arrowood	Re zoning
5. JACK MUNS	19411 Arrowood PL	Re zoning
6. Bud Breaks	21023 Plumwood PL	Percent of 6031 Status Re-zoning
7.		
8.		
9.		
10.		

To The City of Garden Ridge Planning and Zoning Commission

Sam Stocks, Chairman
Frank Dansby, Vice Chairman
Greg Czerniak, Commissioner
David Heier, Commissioner
Kitty Owen, Commissioner

Re: Rezoning of Tract at the Corner of FM2252 and Nacogdoches Loop Rd.

We the undersigned residents of the City of Garden Ridge do hereby express our **disapproval** of the requested rezoning of the aforementioned tract, and **disapprove** of the construction and development of the proposed gas station, convenience store, fast food facility, and car wash.

Basis for Disapproval

1. **Impervious Cover-** The application clearly states there will be a variance request for greater than 1/3 impervious cover. The subject tract is located directly adjacent to our worst City flooding zone which has just been improved with the new concrete drainage ditch between Arrowood Estates and Garden Ridge Estates. During our recent rains of May and June 2016, the detention pond for this drainage area was full, approximately 4' deep, unable to discharge any faster in the direction of the proposed development. Additional runoff created by the proposed project would further hinder the discharge, creating possible flooding events again for Arrowood Estates and Garden Ridge Estates.
2. **Traffic Safety-** The proposed site lies along FM2252 in a short section of curved roadway, located approximately equidistant between the main entrances to both Arrowood Estates and Garden Ridge Estates. Additionally, Nacogdoches Loop enters this curve as well, from the back side of the proposed site. Additional traffic generated at the site could create significant traffic congestion and safety issues. Please note that Arrowood Estates is a single dead end street, with the only access being FM2252, forcing those residents to navigate directly into and through the increased congestion with already limited visibility.
3. **Increased Traffic-** As much as we all love Garden Ridge, we understand our traffic in the area will increase and we will learn to deal with it. However, activities for this site would not do anything to streamline traffic flow, or make it more efficient.
4. **Noise, Odor, and Lighting-** Car washes are not quiet facilities, with blowers and vacuums and brushes running. Additionally, traffic noise carries at night and normally by 10pm FM2252 is a very quiet street. Some in our neighborhood greatly enjoy that quiet on a regular basis. If you have been around car washes using recycled water, you will know the odor can be horrendous at times. Our prevailing winds will carry all this noise and odor directly to the adjoining neighborhoods. With the facility planning to operate 18 hours per day, there will be a constant light glow into both neighborhoods until at least midnight each night.
5. **Crime and or Mischievous Acts-** FM2252 experiences the bulk of service and or emergency calls for Police in Garden Ridge. Having the proposed convenience store will provide a legitimate

