



City of Garden Ridge

9400 Municipal Parkway
Garden Ridge, Texas 78266-2600
(210) 651-6632
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AGENDA PLANNING AND ZONING COMMISSION REGULAR MEETING TUESDAY, DECEMBER 13, 2016 -- 6:00 P.M.

The Garden Ridge Planning and Zoning Commission will meet in a regular meeting at 6:00 p.m., Tuesday, December 13, 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 December 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-

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

- a) Develop list of qualifications for professional planning services and guideline for interviewing of a professional planner for development of a Master Land Use Plan for the City of Garden Ridge
- b) Develop scope of project to be accomplished by professional planner in the development of a Master Land Use Plan for the City of Garden Ridge

5. Administrative Items

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

- a) Minutes
 - i. November 7, 2016 City Council and Planning and Zoning Commission Joint Meeting
 - ii. November 15, 2016 Planning and Zoning Commission Special Meeting
- b) Items discussed at the December 7, 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 12:30 p.m. on December 9, 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



MINUTES OF CITY COUNCIL AND PLANNING AND ZONING COMMISSION
JOINT MEETING,
NOVEMBER 7, 2016

City Council Members Present:

Mayor Nadine Knaus
Mayor Pro-Tem John McCaw
Councilmember Todd Arvidson
Councilmember Bryan Lantzy
Councilmember Larry Thompson
Councilmember Shelby Trial

City Council Member Absent:

None

Planning and Zoning Commissioners present:

Chairman Sam Stocks
Vice Chairman Frank Dansby
Commissioner Kay Bower
Commissioner Greg Czerniak
Commissioner Shawn Willis

Planning and Zoning Commissioner Absent:

Commissioner David Heier
Commissioner Kitty Owen

City Staff Present:

Nancy Cain, City Administrator
Cynthia Trevino, City Attorney
Charles Zech, City Attorney
Shelley Goodwin, City Secretary

1. Call to Order

With a quorum of the City Council and Planning and Zoning Commission Members present, Mayor Knaus called the Joint meeting of the Garden Ridge City Council and Planning and Zoning Commission to order at 6:30 p.m. on Monday, November 7, 2016, in the City Council Chambers in Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Citizen's Participation- 3 minute limit per citizen

No one wished to speak.

3. Presentation and discussions on Comprehensive Master Land Use Planning, annexation, economic development and zoning principals in a General Law city.

Charles Zech, City Attorney, introduced himself and defined the reasons to have a Comprehensive Master Land Use. He also provided a PowerPoint presentation (see attached) regarding Comprehensive Master Land Use, annexation, economic development and zoning principals.

The City Council and Planning and Zoning Commission discussed timeframe and annexation. They also discussed the three subdivisions along F.M. 2252, traffic and the need for a vision for the development of F.M. 2252.

Charles Zech, City Attorney, recommended hiring a professional Planner with municipal experience and then update the City's Zoning Ordinance for a Planned Development District so changes to the property along F.M. 2252 can be regulated for future development. He suggested when the Land Use Plan is amended it is done in conjunction with amending zoning and subdivision ordinances. He also suggested before going to the City of San Antonio, to have a plan and reasons why it would be better for them to release the Bracken area to Garden Ridge.

4. Citizen's Participation – Limit remarks to three (3) minutes per citizen

Kay Bower, 8947 Garden Ridge Dr., stated she feels amending the Sign Ordinance is also important and needs to be completed.

Olm Culpepper, 22110 Christobal Dr., stated he represents a buyer for a property on F.M. 2252 and it is currently zoned RA and they would like it to be rezoned to B1 so the property can be sold. He stated to rezone the zoning ordinance calls for a Master Plan for the development and he hopes this requirement is eliminated during the zoning ordinance update.

Jean Brannon, Brannon Properties, LLC., she encouraged the City Council to not draw out this process and to consider owners of property who are currently trying to sell along F.M. 2252.

5. Adjournment

There being no further business, the Monday, November 7, 2016 Garden Ridge City Council and Planning and Zoning Commission joint meeting was adjourned at 8:47 p.m. by Mayor Knaus.

Nadine Knaus
Mayor

Sam Stocks
Planning and Zoning Commission Chair

ATTEST

Shelley Goodwin, TRMC
City Secretary



City of Garden Ridge

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MINUTES OF PLANNING & ZONING COMMISSION SPECIAL SESSION TUESDAY, NOVEMBER 15, 2016

Commissioners present:

Chairman Sam Stocks
Vice Chairman Frank Dansby
Commissioner Kay Bower
Commissioner Kitty Owen
Commissioner Shawn Willis

Commissioners Absent:

Commissioner Greg Czerniak
Commissioner David Heier

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 Special Meeting of the Garden Ridge Planning and Zoning Commission to order at 6:00 p.m. on Tuesday, November 15, 2016 in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Citizen Comments

Jean Brannon, Brannon Properties, LLC., she encouraged the Planning and Zoning Commission to consider changing the zoning of the vacant property along F.M. 2252 to B1. She stated she has a buyer who is interested in the property if restaurants and shops were allowed.

3. Business Items

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

Sam Stocks, Chair moved Agenda Items 3. e) i. and ii. up to be considered first.

e) Nominations and vote on:

i. Planning and Zoning Commission Chair

Motion: Upon a motion made by Commissioner Dansby, and seconded by Commissioner Owen, to appoint Sam Stocks as the Planning and Zoning Commission Chair. The Planning and Zoning Commission voted five (5) for, none (0) opposed. The motion carried unanimously.

ii. Planning and Zoning Commission Vice-Chair

Motion: Upon a motion made by Commissioner Bower, and seconded by Commissioner Owen, to appoint Frank Dansby as the Planning and Zoning Commission Vice- Chair. The Planning and Zoning Commission voted five (5) for, none (0) opposed. The motion carried unanimously.

a) The Final Plat for the Woods of Garden Ridge, Unit 3.

Rick Gray, P.E., KFW Engineer, stated the plat before the Planning and Zoning Commission is the Final Plat for the Woods of Garden Ridge, Unit 3. He reviewed the plat and stated this plat will complete the Woods of Garden Ridge.

The Planning and Zoning Commission discussed the issues with contractors still using Twisted Oaks instead of Bindsell. They also discussed the letter provided by the Garry Montgomery, River City Engineer recommending approval and reminding KFW that all construction traffic shall use the Bindsell entrance to the subdivision.

Nancy Cain, City Administrator, stated the City has placed signs on Twisted Oak, but if you see someone trying to use the back entrance please report it to the Police Department. She stated she will also have the Building Inspector remind the contractors of the situation on Twisted Oaks when he sees them.

Motion: Upon a motion made by Commissioner Dansby, and seconded by Commissioner Willis, to recommend to the City Council the approval of the Final Plat for the Woods of Garden Ridge, Unit 3. The Planning and Zoning Commission voted five (5) for, none (0) opposed. The motion carried unanimously.

b) 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.

Cynthia Trevino, City Attorney, reviewed the proposed revisions to Sign Ordinance 55.

The Planning and Zoning Commission discussed election signs, portable signs, and signs mounted on vehicles. They also discussed flag placement, height and quantity of flags allowed. They also discussed temporary sign placement, manner, quantity, and size. The Commission reviewed the grandfathered signs within the City.

Cynthia Trevino, City Attorney, stated she would make the changes and provide the updated proposed revisions at the next regular meeting.

c) **Discussion on current zoning ordinance in regards to the number of structures allowed on properties.**

Commissioner Bower stated she asked for this item to be placed on the agenda. She stated she noticed a resident was remodeling and added another building to their property, but has attached the building to the main homestead by also adding a sidewalk. She stated she feels by adding a sidewalk to a separate structure should not be considered as the same structure.

Nancy Cain, City Administrator, read the Ordinance and what it allows.

The Planning and Zoning Commission discussed amending the Ordinance 13 to clarify and correct this issue.

Cynthia Trevino, City Attorney, stated she would bring back wording for a temporary fix until the Planning and Zoning Commission can go through the entire Ordinance 13.

d) **Comprehensive Master Land Use Plan**
i. **Goals/plans/timeline to develop recommendation**
ii. **Land Use along F.M. 2252**

Sam Stocks, Planning and Zoning Commission Chair stated he feels when discussing the Comprehensive Master Land Use Plan goals and plans there should be consideration given to the 1.9 miles of undeveloped land along F.M. 2252 and the 3 subdivisions that could be impacted by development. He also stated he feels the Commission needs to consider the smells, light pollution, hours of operations, noise, traffic, stop signs and visual effects of the development in this area.

The Planning and Zoning Commission discussed Mr. Stocks concerns and felt that with the proper zoning and other requirements these issues will be controlled.

Nancy Cain, City Administrator, reminded the Commission that during the Joint Meeting with the City Council the attorney stated the City did not have to have a Comprehensive Master Plan, but should have a Land Use Master Plan. She suggested the Commission focus on what you want to see zoning of F.M. 2252 in relationship to how they want to see that area developed. She suggested by hiring a professional Planner with Municipal experience they will be able to help with the best type of zoning and the process for arriving at the vision the City wants to create. She also reviewed the current zoning map and what is allowed within each zoning.

The Planning and Zoning Commission discussed the rezoning of F.M. 2252 and the different types of zoning and what types of businesses would allow the City to receive sales taxes. They also discussed getting citizen input on what they vision F.M. 2252 should look like. The Commission discussed the City hiring a planner, the process and what a planner can do for the City.

Motion: Upon a motion made by Commissioner Dansby, and seconded by Commissioner Owen, to recommend to the City Council hire a professional Planner to assist with the development of Land Use Master Plan and other zoning issues along F.M. 2252. 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

i. September 8, 2016 City Council and Planning and Zoning Commission Town Hall Meeting

ii. September 13, 2016 Planning and Zoning Commission Meeting

Motion: Upon a motion made by Commissioner Owen, and seconded by Commissioner Dansby, to approve the minutes of September 8, 2016 City Council and Planning and Zoning Commission Town Hall Meeting and September 13, 2016 Planning and Zoning Commission Meeting . The Planning and Zoning Commission voted five (5) for, none (0) opposed. The motion carried unanimously.

b) Items discussed at the November 2, 2016 City Council Regular Meeting

Nancy Cain, City Administrator, stated the City Council did not discuss any Planning and Zoning Commission item at their November 2, 2016 City Council Regular Meeting.

c) Set date, time and location for next meeting

Tuesday, December 13, 2016 at 6:00 p.m. if necessary.

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

No one wished to speak.

6. Adjournment

Motion: Upon a motion made by Commissioner Dansby and a second by Commissioner Owen, the meeting was adjourned at 8:50 p.m.

Sam Stocks, Chair

ATTEST:

Shelley Goodwin, TRMC
City Secretary