

MINUTES OF REGULAR MEETING
FEBRUARY 15, 2021
PLANNING & ZONING COMMISSION

1. CALL TO ORDER

The meeting was called to order by Chairman Stephens at 6:00 p.m.

2. CALL OF ROLL

Commissioners present Mr. Wes Stephens, Mr. Jim Pollard , Mr. Stephen Seay, & Mr. Rob Cloninger; Mr. Mark Hendon. Also present were Jackie Thompson, Stacie Newsom & Officer John Ferrand

3. CITIZENS FORUM

Responses to inquiries are limited by state law to a recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision by Planning and Zoning Commission shall be limited to a proposal to place that subject on the agenda of a future meeting.

Ester Lum stated she has non agenda items to for question's. In the City Council meeting had someone from Interfaith ministry that asked to put a proposal on the City Council agenda. Is there any intent to put this on a future agenda? What is the status to the completion of David Memorial to highway 242? Gloria's restaurant that was to be built? Jackie Thompson advised it was a potential developer that was seeking a resolution of support for multifamily development on Tamina Road. The Gloria's is moving forwarded and coming before the commission. Regarding the completion of David Memorial the last that was heard was the City was waiting on the City of Conroe for funding for completing their portion of it. Alex Warmath stated item number 7, concerning the late hour, he doesn't think the City residents would like to see happen. It creates problems, when people are drinking way into the night.

4. Planning and Zoning Commission preliminary report regarding the proposed zoning regulation amendment for Planned Development District # 14 (PDD # 14).

The developer has requested a zoning regulation amendment of PDD #14 to include the following: Reduction of required retail square footage from 15,000 to 5,000, remove restriction of personal services and banking uses within the zoning district, provide for a PILOT based on 15,000 square feet of retail space, increase allowable building height of reserve A from a single story to two story, update language on the City impact fee ordinance and future agreement with a point of sale agreement, reduce minimum square footage required of each unit from 900-850. The property is located along I-45 & David Memorial is proposed to be reservoir A which will be retail restaurant space , the multi family will be on the back side of the property towards David Vetter & David Memorial Dr.

5. Public hearing regarding the proposed zoning regulation amendment for Planned Development District # 14 (PDD # 14).

OPEN PUBLIC HEARING AT 6:08 P.M.

There was a question from last meeting about the PILOT. Jackie Thompson advised in the agenda pack it reference the restaurant to establish the fee of the ordinance. There is a reletting of the section E and that talks about payment of the PIOLT for reservoir A will be complete or the implantation of the PIOLT before reservoir B which is the multi – family will obtain a TCO or a CO for occupancy, the terms as to who is required to make that payment that will be worked out between the two property owners, it is guaranteed per zoning.

CLOSED PUBLIC HEARING AT 6:12 P.M.

6. Consideration and possible action to recommend to City Council approval or denial regarding the proposed zoning regulation amendment for Planned Development District #14 (PDD#14).

COMMISSIONER ROB CLONINGER MADE A MOTION TO RECOMMEND TO CITY COUNCIL APPROVAL REGARDING THE PROPOSED ZONING REGULATION AMENDMENT FOR PLANNED DEVELOPMENT DISTRICT #14 (PDD#14), SECOND BY COMMISSIONER JIM POLLARD

MOTION CARRIED UNANIMOUSLY

7. Presentation of a Planning and Zoning Commission preliminary report regarding the proposed zoning amendment for a special use permit for a Mixed Beverage Permit (On Premise) with late hours. The proposed zoning amendment is for Katz's located at 19315 IH 45, Shenandoah, Texas 77381.

For your concertation for Mixed Beverage (on-premise) with late hours permit. The proposed development is Katz's Deli located at 19315 IH 45 Shenandoah, Texas, this is to the reservoir A, along I-45 and David Memorial Dr. Barry Katz spoke about the late hours permit, stating that all the other locations have this, except this one. The restaurant is primary ten percent alcohol dine in sales. Staff is TABC certified, which is required. Katz's at this location has beer and wine, until midnight, and 1:00 p.m. on Saturday nights. After midnight you still have costumers come in to have dinner and would like a drink.

8. Public hearing regarding the proposed zoning amendment for a special use permit for a Mixed Beverage Permit (On Premise) with late hours. The proposed zoning amendment is for Katz's located at 19315 IH 45, Shenandoah, Texas 77381.

OPEN PUBLIC HEARING AT 6:15 P.M.

Ester Lum stated the statics records that are so clear that 3:00 a.m. in the morning that is the worst time for accidents, and she just recently found out during a council meeting a few weeks ago about a horrible double fatality involving an intoxicated driver whom had 21 drinks in five hours, and so obviously that TABC training doesn't always work. How did that happen? And that accident was right here in Shenandoah, so I'm very much

opposed to late hours, and if its only ten percent of the business I think these people that want to drink they can go home and do it. All these business are too close to 45. And I'm sure everyone in this room has been on 45, and you have seen the craziness that goes on. I'm not talking at midnight, I'm seeing it during the day. So how much more is this going to be exacerbated when you have late at night and people have been drinking too much. I oppose it, Shenandoah has a very bad accident that happens in its boundaries ten or twelve years ago. Due to this very thing. We need to send a message, be strong, not going to do this. Ray Orsak stated echo Esters comments.

CLOSED PUBLIC HEARING AT 6:18 P.M.

9. Consideration and possible action to recommend to City Council approval or denial of the proposed zoning amendment for a special use permit for a Mixed Beverage Permit (On Premise) with late hours. The proposed zoning amendment is for Katz's located at 19315 IH 45, Shenandoah, Texas 77381

COMMISSIONER MARK HENDON MADE THE MOTION TO RECOMMEND TO CITY COUNCIL APPROVAL OF THE PROPOSED ZONING AMENDMENT FOR A SPECIAL USE PERMIT FOR A MIXED BEVERAGE PERMIT (ON PREMISE) WITH LATE HOURS. THE PROPOSED ZONING AMENDMENT IS FOR KATZ'S LOCATED AT 19315 IH 45, SHENANDOAH, TX 77381 SECOND BY COMMISSIONER ROB CLONINGER

MOTION CARRIED UNANIMOUSLY

10. Review and discussion regarding the Integrated Development Code.

Continued discussion of the C3 zone, weather a special use permit is required or not. Keeping and removing several different category.

11. Discussion and possible action regarding the March Regular Commission Meeting.

Jackie Thompson stated the regular planning & zoning meeting falls the week of spring break, possible discussing it being moved to March 22, 2022.

12. Consideration and possible action to approve or deny the minutes of the November 16, 2021 Regular Planning and Zoning Commission Meeting.

COMMISSIONER ROB CLONINGER MADE A MOTION TO APPROVE THE NOVEMBER 16,2021 REGULAR OF THE PLANNING ANS ZONING COMMISSION, SECOND BY COMMISSIONER STEVE SEAY

MOTION CARRIED UNANIMOUSLY

13. City Administration updates

Jackie advised none at this time

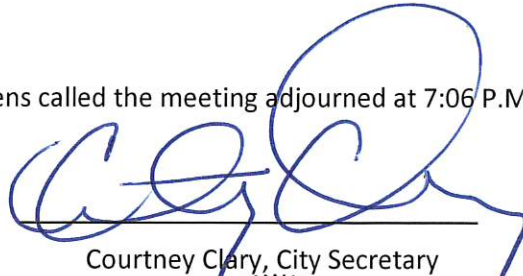
14. Commissioner's Inquiry

None at this time

ADJOURN

Chairman Stephens called the meeting adjourned at 7:06 P.M.

SUBMITTED BY:



Courtney Clary, City Secretary

DATE APPROVED:



Chairman Stephens