



**PLANNING AND ZONING COMMISSION  
REGULAR MEETING**  
City Council Chambers of La Vernia City Hall  
102 E. Chihuahua Street, La Vernia, Texas 78121

March 1, 2022  
6:30 p.m.

**AGENDA**

**1. Call to Order**

**2. Invocation, Pledge of Allegiance and Texas Pledge**

**3. Citizens to be Heard**

*(At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to be Heard section no council action may take place and no council discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the council may extend this time at their discretion)*

**4. Consent Agenda**

*(All consent agenda items are considered routine by Planning & Zoning and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner requests an item be removed and considered separately.)*

A. Approve the minutes from the November 18, 2021 Meeting

**5. Public Hearing**

A. Public Hearing to receive public comments regarding the granting of a Specific Use Permit for a drive-thru lane for a retail space located at 13867 US Hwy 87 W Ste. 2., La Vernia, Texas 78121.

**6. Discussion & Action**

A. Discuss and consider recommendation on the approval regarding the granting of a Specific Use Permit for a drive-thru lane for a retail space located at 13867 US Hwy 87 W Ste. 2, La Vernia, Texas 78121.

**7. Items Specific to Future Line Items on the Agenda**

**8. Adjourn**

**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.

The Planning and Zoning Commission for the City of La Vernia reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.071 (Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), and §551.086 (Economic Development), and any other provisions under Texas law that permits a governmental body to discuss a matter in closed executive session.

The City of La Vernia Planning and Zoning Commission meetings are available to all persons regardless of disability. This facility is wheelchair accessible parking spaces are available. Requests for accommodations, should you require special assistance, must be made 48 hours prior to this meeting. Braille is not available. Please contact the City Secretary at (830) 779-4541 or email [bporter@lavernia-tx.gov](mailto:bporter@lavernia-tx.gov).

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above named La Vernia Planning and Zoning Commission is a true and correct copy of said Notice and that I posted true and correct copy of said Notice on the bulletin boards, of the City Hall of said City of La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **February 25<sup>th</sup>, 2022 at 4:30 P.M.** and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.



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Brittani Porter, City Secretary



City of La Vernia  
102 E. Chihuahua St.  
La Vernia, Texas 78121  
Joint City Council & Planning and Zoning Meeting

**IN PERSON & VIDEO CONFERENCE**

November 18, 2021  
5:45 PM

**Minutes**

1. **Call to Order** – Mayor Gregory called the City Council meeting to order at 5:46 PM and declared a quorum. Members absent: Mayor Pro-Tem Poore.

(PZ) Chairman Gordon Bake called the Planning and Zoning meeting to order at 5:47 PM and declared a quorum. Members absent: Commissioner Tanneberger.

2. **Citizens to be Heard** – there were no citizens to be heard.

3. **Public Hearing**

- A. Public hearing to receive public comments regarding the re-zone of the four (4) properties listed below from present classification to C-2 General Commercial - all properties below are contiguous and requested by the same property owner:
- .507 acres more or less, out of the Francisco Herrera Survey No.6, Abstract No. 15, City of La Vernia, La Vernia, Texas 78121; (RA)
  - 1.51 acres more or less, out of the Francisco Herrera Survey No. 6, Abstract No. 15, 14138 US Hwy 87 W, Lot 102A, City of La Vernia, La Vernia, Texas 78121; (C-1)
  - 1.26 acres more or less, out of the Francisco Herrera Survey No. 6, Abstract No. 15, 14114 US Hwy 87 W, Lot 102B, City of La Vernia, La Vernia, Texas 78121; (C-1)
  - .66 acres more or less, out of the Francisco Herrera Survey No. 6, Abstract No. 15, 14086 US Hwy 87 W, Lot 103, City of La Vernia, La Vernia, Texas 78121 (C-1)

Public hearing was opened at 5:47 PM. Melissa Schulze, Texan representative and their Engineers were present for any questions. Mr. and Mrs. Hughes stated no question they were against this request. He expressed concerned over the pollution that The Texan fuel station would put off to include the run off. Additional concerns were the Livestock on the property that drinks from a single pond and the potential of the run off from the fueling station going on to their property and potentially the pond. He stated they dealt with trash from HEB but they were good about picking it up. Concerns over the lights and noise as they sit higher than HEB was another concern. He stated the picture on the television was nice but if you drive around, they aren't that nice after a few years. Noise pollution, traffic pollution and hours of operation to include the mobile home park next door. He stated they are happy people. With four gas stations within ¾ miles apart and one being ran out already, there will be bad properties. He stated other gas stations have had leaks within the city, and once they leak there is nothing you can do about it – livestock gets sick. He stated it doesn't fit and it is not good for the city. Mrs. Vega, owner of the mobile home park, expressed her concerns for

her tenants that would be within a few distance of the gas station that would include, the environment, potential health hazard, lights and noise, traffic and not knowing the hours of operation of the store upon completion but as well as the construction. Mr. Hughes said they are right on top of this, and will be dealing with this every day of the week. Mrs. Vega expressed her concerns for the church across the street, It's not a safe distance from the church across the street. She stated the Mini-Mart went out of business, why not revamp that store. Mrs. Hughes stated that she had a bad experience with fuel in her car from a tank crashing. When the surface is washed, where does that run off go? Mr. Hughes stated they already get run-off. If oil and gas are a part of the run-off, where is it going to go with livestock and horses on their property. Mrs. Hughes asked is there not some legal or safe distance that they are bound to for putting a gas station next to neighbors since benzine lingers in the same spot for a while? Mayor Gregory stated that would be a TCEQ requirement as the city would not regulate. Mrs. Hughes stated it was the city's job to protect the community and citizens of the town.

- B. Public hearing to receive public comments regarding the re-zone of 15010 US Hwy 87 W, City of La Vernia, Lot 101B, 48.563 acres more or less from present classification C-2 General Commercial, to C-1 Commercial Retail.**

Public hearing was opened up at 5:58 PM.

Mr. Ramzinski spoke in regards to the concerns of flooding with the potential of the housing development. Mayor Gregory advised the plans would go through City Engineer. He advised that when property owners change, they have to do a full hydrology study, detention ponds within the landscape and such. He stated to keep in mind that when property changes ownership it is the responsibility of the new owner for anything detrimental to neighboring properties – that's the plight of development. He was advised that he received notification because of the rezone however he would need to keep an eye out for agendas posted on portals. He was advised citizens have the opportunity to speak for 3 minutes and he can join in on workshops and meetings as they are open to the public.

Public hearing was closed at 6:02 PM.

- C. Public hearing to receive public comments regarding the re-zone of 100 Micah Pt. Rd., Lot 2L, Sec 2, 0.276 acres, from present classification R-2 General Residence to C-1 Commercial Retail.**

Public hearing was opened at 6:04 PM and with no comments it was closed at 6:05 PM.

**MOTION:** Commissioner Hennette made a motion to approve the present classification from R-2 to C-2, seconded by Commissioner Robles. **Motion passed: 3-0.**

- D. Discuss and consider action on updating Section 38-406 (d) temporary classroom of the La Vernia Code of Ordinances.**

**(PZ) Motion:** Commissioner Jacobs made a motion to approve updating Section 38-406 (d) temporary classroom of the La Vernia Code of Ordinances, seconded by Commissioner Hennette. **Motion passed: 4-0.**

(CC) MOTION: Councilwoman Recker made a motion to approve updating Section 38-406 (d) temporary classroom of the La Vernia Code of Ordinances, seconded by Councilwoman Hutchinson. **Motion passed: 4-0.**

4. **Adjourn (City Council Only)** – Councilwoman Recker made a motion to adjourn the meeting, seconded by Councilwoman Hutchinson. Meeting was adjourned at 6:15 PM and all Councilmembers were in favor.

5. **Discussion/Action**

A. **Discuss and consider recommendation to City Council on the rezone of :**

- a. .507 acres more or less, out of the Francisco Herrera Survey No.6, Abstract No. 15, City of La Vernia, La Vernia, Texas 78121; (RA)
- b. 1.51 acres more or less, out of the Francisco Herrera Survey No. 6, Abstract No. 15, 14138 US Hwy 87 W, Lot 102A, City of La Vernia, La Vernia, Texas 78121; (C-1)
- c. 1.26 acres more or less, out of the Francisco Herrera Survey No. 6, Abstract No. 15, 14114 US Hwy 87 W, Lot 102B, City of La Vernia, La Vernia, Texas 78121; (C-1)
- d. .66 acres more or less, out of the Francisco Herrera Survey No. 6, Abstract No. 15, 14086 US Hwy 87 W, Lot 103, City of La Vernia, La Vernia, Texas 78121 (C-1)

MOTION: Commissioner Jacobs made a motion to table the recommendation to City Council, seconded by Commissioner Hennette. **Motion passed: 4-0.**

B. **Discuss and consider recommendation to City on the rezone of 15010 US Hwy 87**

Dustin Skogman, representative with Lennar, stated the reason for request for the re-zone was because the current zoning, C-2, restricts the lot size and would like to rezone to C-1 at 5,000 sq. ft to add more homes. He stated they would like to be in the low \$200k to gear more towards teachers, LEO and fireman. Looking at approximately 50 extra lots with the rezone to C-1 which would total approx. 194 homes with the request. Commissioner Jacobs stated that he did not believe it was a good idea for the community, price point would affect neighboring properties and communities and subdivisions. Commissioner Hennette stated she understands that the price point would hit the teacher, fire, LEO community however it's a double edge sword. Commissioner Jacobs stated that keeping it C-2 to keep it relatively similar to what we currently have within the city. City Administrator stated you can not build residential in C-2. Councilman Gilbert mentioned that they could rezone to R-1. Mr. Skogman stated they did a 5-mile radius study of La Vernia to see the price point and it was a \$400k however the price point for teachers, fireman and City employees is not \$400k. He stated they are just trying to keep it a good price point for the city and help the city grow; San Antonio is coming this way.

MOTION: Commissioner Jacobs made a recommendation to deny the request, seconded by Commissioner Robles.

MOTION AMENDED: Commissioner Jacobs made a recommendation to deny the request and to re-zone from C-2 to R-1, seconded by Commissioner Hennette. **Motion passed: 4-0.**

**6. Items Specific to Future Line Items on the Agenda**

**7. Adjourn** – Commissioner Hennette made a motion to adjourn the meeting, seconded by Commissioner Jacobs. Meeting was adjourned at 6:50 PM and all members were in favor.

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Brittani Porter, City Secretary

Date Received 01/31/2022  
Permit/Receipt No. \_\_\_\_\_  
Fee Paid \$100.00 by c/c

City of La Vernia  
Specific Use Permit  
102 E. Chihuahua Street  
P.O. Box 225, La Vernia, TX 78121  
(830) 779-4541 • Metro/Fax (830) 253-1198  
[bporter@lavernia-tx.gov](mailto:bporter@lavernia-tx.gov)



Land ownership must be verified with a notarized statement. If the applicant is acting as the agent for the property owner, the property owner must provide a signed and notarized letter authorizing the agent to act on their behalf, and the letter must accompany the application.

Name Clifton L. Clemons

Mailing Address 539 Whitetail Dr. Adkins TX 78101

Telephone 512-541-6982 Fax \_\_\_\_\_ Mobile 512-541-6982 Email cliftonclemons@hotmail.com

Property Address/Location 13867 US Hwy 87 W LaVernia TX 78121 Property ID No 53589

Legal Description  
Name of Subdivision Silverado Hills Commercial Park

Lot(s) 7A-2 Block(s) \_\_\_\_\_ Acreage .962

Existing Use of Property Vacant

Proposed Use of Property (attach additional or supporting information if necessary) See Attached

Current Zoning C-1

Proposed use of Property and/or Reason for Request (please explain in detail and attach additional pages if needed):  
1. Car Wash (self service; automated) and 2. CLIMATE CONTROLLED Self Storage; Mini-Warehouse (no outside storage of boats, rv's and trailers)  
Please see attached for a preliminary depiction of the proposed development of the property. The attachments are examples and not final renderings and are not to scale.

**Attachments:**

- Accurate metes and bounds description of the subject property (or other suitable legal description)
- Survey exhibit and other appropriate exhibits as deemed necessary by the city including, but not limited to, site plans, maps, architectural elevations, and information about proposed uses.
- Notarized statement verifying land ownership and if applicable, authorization of land owner's agent to file the zoning change request.

*A denied application is ineligible for reconsideration for one year.*

The undersigned hereby requests rezoning of the above described property as indicated:

Clifton L. Clemons  
Signature of Owner(s)/Agent

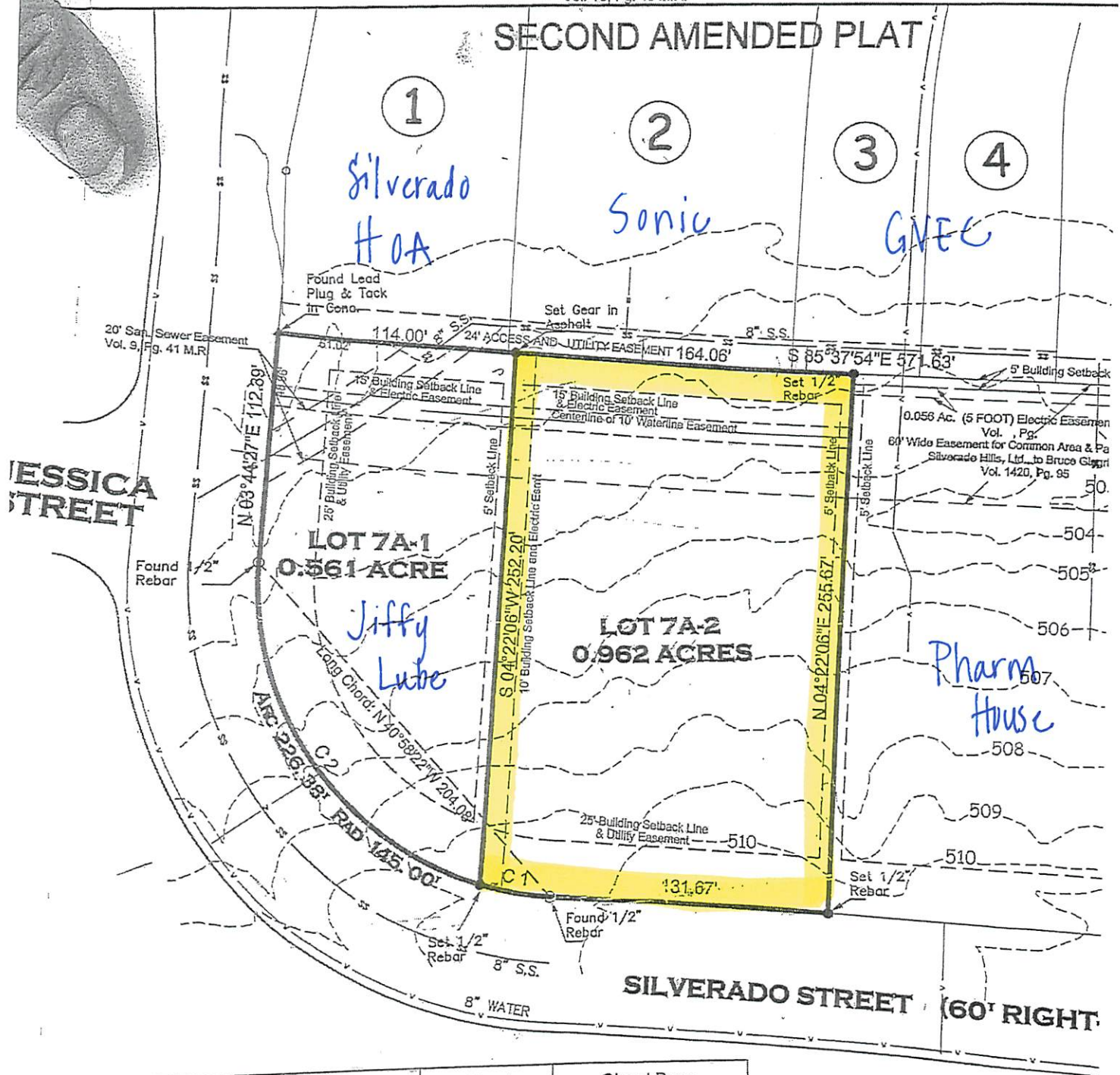
1/28/2022  
Date

For Office Use Only	
Date of Publication <u>02-19-2022</u>	Date of P&Z Public Hearing <u>03-01-2022</u>
Date of 200 Ft Notices <u>02-23-2022</u>	Date of Council Public Hearing <u>03-10-2022</u>
Ordinance No. <u>03/022-01</u>	Approved _____ Denied _____

# FIRST AMENDED PLA!

Vol. 10, Pg. 46 M.R.

## SECOND AMENDED PLAT



Curve	Radius	Length	Chord	Chord Bear.
C1	145.00'	32.66'	32.59'	N 79°14'30" W
C2	145.00'	193.71'	179.63'	N 34°31'11" W

(Original) Silverado Hills Commercial Park - Vol. 9, Pg. 41 M.R.  
 Silverado Hills Commercial Park First Amended - Vol. 10, Pg. 46 M.R.

The Purpose of this Second Amended Plat is to replat Lot 7A into Lots 7A-1 and 7A-2.

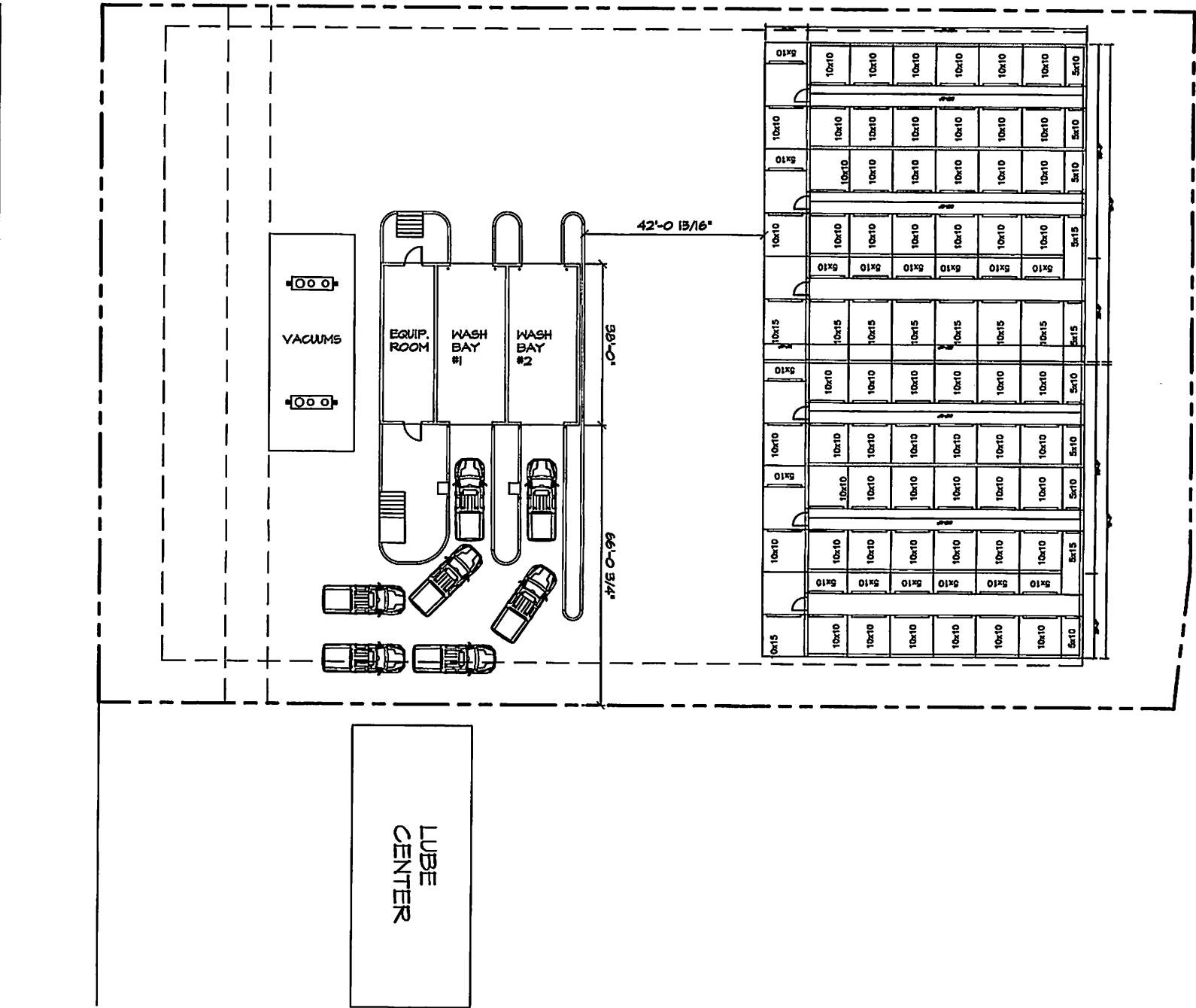
### BETTERS WORTH & ASSOCIATES, INC.

111 EAST MOUNTAIN STREET, SEGUIN, TEXAS 78155

PH: 830.379.5552 FX: 830.379.5553

E-MAIL: Ken@betterworthassoc.com





OPEN  
24/7  
**EXPRESS**  
AUTO WASH

# TOMATIC BUILDING



**Climate Controlled**



OPEN 24/7  
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AUTO WASH

# TOMATIC BUILDING



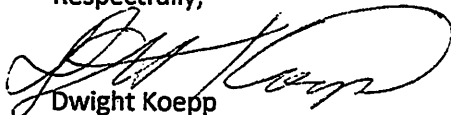
February 15, 2022

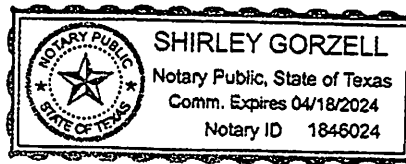
RE: 13867 US Hwy 87 W  
Lot7A-2, Silverado Hills Commercial  
La Vernia, Tx 78121

Dear Ms. Potter:

This letter is to certify that Silverado Hills LTD., is the owner of the above referenced tract. We have authorized Clifton L Clemons to be the landowner's agent for the Specific Use Permit filed with the city on 1/28/2022.

Respectfully,

  
Dwight Koepp  
Secretary – Silverado Hills LTD.



State of Texas County of Wilson

This instrument was acknowledged before me on 2-15-22 (date) by Dwight Koepp, partner(s) on behalf of Silverado Hills LTD., a partnership.

  
(seal) Notary Public Signature



## NOTICE OF PUBLIC HEARING

The City of La Vernia Planning & Zoning Commission will hold a public hearing at the request of Clifton Clemons in the space specifically known as:

13867 US HWY 87 W Ste. 2, Silverado Hills Commercial Park, LOT 7A-2, zoned C-1 Retail

Request: for granting a Specific Use Permit for the purpose of a car wash (self service; automated) and Climate Controlled Self Storage; mini-warehouse (no outside storage of boats, RV's and trailers).

Because your property is located within 200 feet of the request, State Law requires that we notify you of the public hearing. **However, the zoning of your property will not be affected.** The public hearing process allows an opportunity to provide your written opinion of the request. This will aid the Planning Commission in making a recommendation to City Council.

Public hearing for this request are scheduled before the Planning & Zoning Commission on Tuesday, March 1<sup>st</sup>, 2022, and tentatively before City Council on Thursday, March 10<sup>th</sup>, 2022. Both meetings will begin at 6:30 PM in the City Hall Council Chambers, 102 E. Chihuahua St. and are open to the public. To submit written comments please complete the information below, including your signature, and return by Friday, March 4<sup>th</sup>, 2022 to:

Mail: City of La Vernia  
Brittani Porter  
102 E. Chihuahua St.  
La Vernia, Texas 78121

Email: [bporter@lavernia-tx.gov](mailto:bporter@lavernia-tx.gov)

If you have questions, please call Brittani Porter at (830) 779-4541 ext. 3.

Brittani Porter, City Secretary

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### YOUR OPINION MATTERS – DETACH AND RETURN

Circle one

I am ( in favor ) (opposed to) the proposed Special Use Permit for the property described as 13867 US Hwy 87 W Ste. 2., Silverado Hills Commercial Park, LOT 7A-2, La Vernia, Texas 78121.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

**By State Law – Unsigned submission cannot be counted as official comment.**

