



PLANNING & ZONING COMMISSION MEETING

102 E. Chihuahua St., La Vernia, Texas 78121 March 07, 2023

6:30 PM

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 on 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 Councilmember requests an item be removed and considered separately.)

A. Minutes from 02-07-23 regular planning and Zoning Meeting

5. Public Hearing

Public hearing regarding the request for A Special Use Permit (SUP) to allow for a drive-thru in the C-1 zoning district regarding the space specifically known as 427 Bluebonnet Rd, LA VERNIA, TEXAS 78121 legally known as CITY OF LA VERNIA, LOT 441K, ACRES 7.59 BLUEBONNET RD LA VERNIA, TX 78121, and more specifically described as RBFCU ETM, which will occupy only a portion of this parcel as described in the attachment

- A.1 Open Public Hearing
- **A.2** Requestor presentation
- **A.3** Staff presentation
- A.4 Receive Public Comments
- A.5 Close Public Hearing
- **A.6** Discuss and consider action regarding recommendation to City Council regarding Ordinance Number 030923-01 the SUP for RBFCU ETM
- Public hearing regarding the request for CHANGE OF ZONING DISTRICT CLASSIFICATION FROM THE PRESENT CLASSIFICATION OF C2 TO C1 (RETAIL) regarding the space specifically known as CITY OF LA VERNIA, 15010 US HWY 87 W, LA VERNIA, TEXAS 78121 LEGALY KNOW AS CITY OF LA VERNIA,

LOT 101B, ACRES 46.6996, LA VERNIA, TEXAS, currently owned by Bonnie Chessher

- **B.1** Open Public Hearing
- **B.2** Requestor presentation
- **B.3** Staff presentation
- **B.4** Receive Public Comments
- **B.5** Close Public Hearing
- **B.6** Discuss and consider action regarding a recommendation to City Council regarding Ordinance Number 030923-02 the Rezone of **5010 US HWY 87 W, LA VERNIA, TEXAS 78121**

6. Discussion & Action

A. Discuss and consider action on making a recommendation to the City Council regarding Ordinance No. 030923-03 for pre-development meetings prior to the development of subdivisions or large commercial projects

- 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 leaves the meeting, and if refused, an order of removal.

The City Council 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 §551.087 (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 Council meetings is available to all persons regardless of disability. The facility is wheelchair-accessible parking spaces are available. Request 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 Lboyd@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 a true and correct copy of said Notice on the bulletin boards of the City Hall of said La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on March 3, 2023, at 5:00 PM and remained so posted continuously for at least 72 Hours preceding the scheduled time of the said meeting.

Lindsey Wheeler, City Secretary



Section 4. Item A.





102 E. Chihuahua St., La Vernia, Texas 78121 February 07, 2023 6:30 PM

MINUTES

1. Call to Order

Meeting Called to order at 6:30 pm

Commissioner Jacobs was absent

2. Invocation, Pledge of Allegiance and Texas Pledge

Chairwoman Hennette led the invocation and 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 of the speaker. A time limit of three minutes per speaker is permitted; the council may extend this time at their discretion.)

There were no Citizens to be heard

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 Councilmember requests an item be removed and considered separately.)

A. Approve minutes from the January 17, 2023 - Regular Meeting.

Commissioner Tanneberger made a motion to accept the consent agenda as presented, seconded by Commissioner Witherell, all in favor MOTION PASSED

5. Public Hearing

- A. A. Public hearing regarding the request to replat 105 Juniors PI, Lot 2, Block 2 of Westover Subdivision, Unit 2.
 - A.1 Open Public Hearing
 - A.2 Requestor presentation
 - A.3 Staff presentation
 - A.4 Receive Public Comments
 - A.5 Close Public Hearing
 - A.6 Discuss and consider approval of a replat of 105 Juniors PI

The public hearing opened at 6:31 pm

The owners of 105 Juniors Place Presented

No staff Presenttaion

No public Comments

The public Hearing closed at 6:33 pm

Commissioner Witherell made a motion to approve the re-plat at 105 Juniors Place, seconded by Commissioner Raushuber, all in favor, MOTION PASSED

6. Discussion

Discuss Ch. 38 Sec. 38-403. - Landscaping standards.
 Chairwoman Hennette suggests that the staff take another look at the landscape code compliance of the office building located at Walnut Springs

7. Items Specific to Future Line Items on the Agenda

Potential future discussion regarding requirement for sidewalks in new developments

8. Adjourn

Commissioner Tanneberger made a motion to adjourn the meeting at 6;47 pm, seconded by Commissioner Witherell, all in favor, meeting adjourned at 6:47 pm

DECORUM REQUIRED

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order to 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.

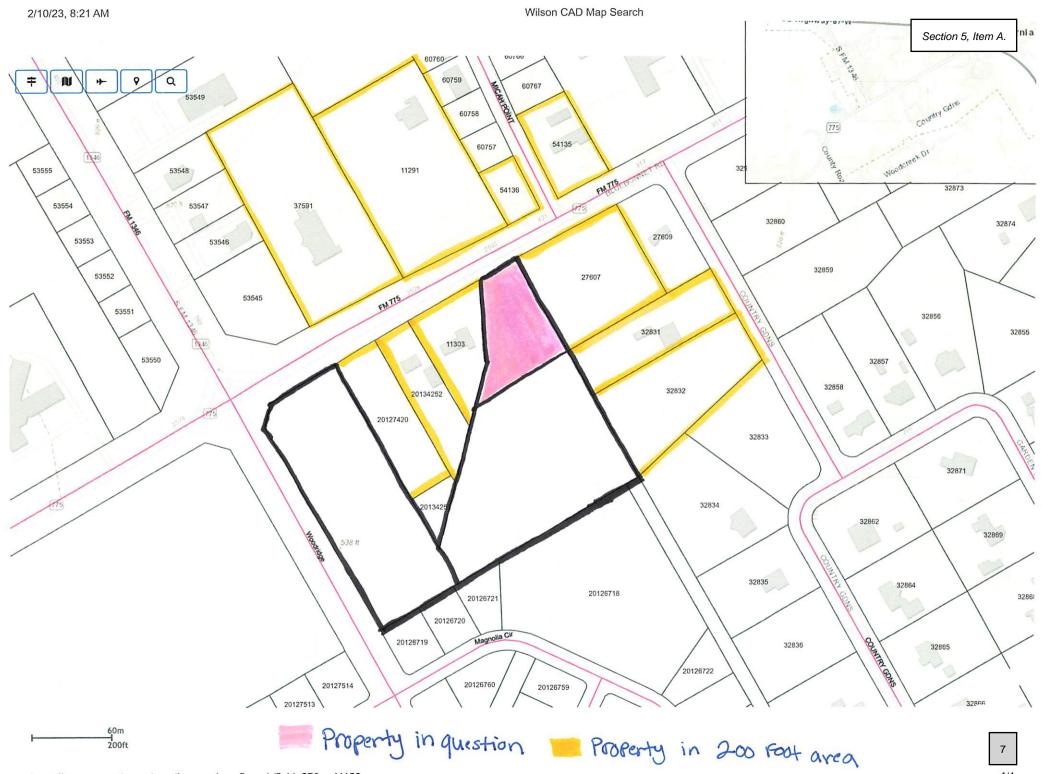
The City Council for the City of La Vernia reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.071 (Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), and §551.087 (Economic Development), and any other previsions under Texas law that permits a governmental body to discuss a matter in closed executive session.

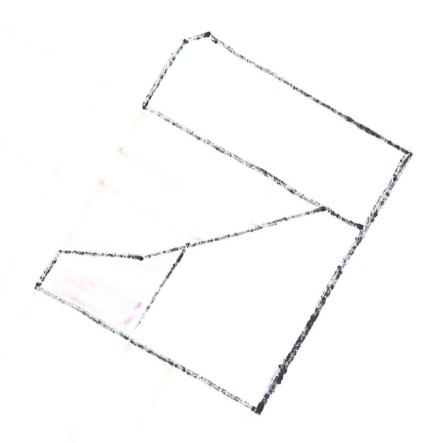
The City of La Vernia Council meetings are available to all persons regardless of disability. The facility is wheelchair accessible parking spaces are available. Request for accommodations, should you require special assistance, must be made 48 hours prior to this meeting. Braille is not available. Please contact the City Secretary at (830) 779-4541 or email Lboyd@lavernia-tx.gov.

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Section		

Lindsey Wheeler, City Secretary





Legal Public Notice NOTICE OF PUBLIC HEARINGS

PROPOSED SPECIFIC USE PERMIT

LA VERNIA PLANNING AND ZONING COMMISSION AND LA VERNIA CITY COUNCIL

Notice is hereby given that the City of La Vernia Planning and Zoning Commission will conduct a Public Hearing at 6:30 P.M. on the 7th day of February 2023: and the La Vernia City Council will conduct a Public Hearing at 6:30 P.M. on the 9th day of February 2023; with both Hearings to be held at the La Vernia City Hall, 102 East Chihuahua Street, La Vernia Texas 78121 at which time all interested parties shall have the opportunity to be heard with respect to the following proposed change for the property described as follows:

A Specific Use Permit (SUP) to allow for a drive-thru in the C-1 zoning district located at 427 Bluebonnet Rd, LA VERNIA, TEXAS 78121 legally known as CITY OF LA VERNIA, LOT 441K, ACRES 7.59 BLUEBONNET RD LA VERNIA, TX 78121, and more specifically known as RBFCU ETM



NOTICE OF PUBLIC HEARING

The City of La Vernia Planning & Zoning Commission and the La Vernia City Council will hold a public hearing at the request of RBFCU regarding the space specifically known as:

427 Bluebonnet Rd, LA VERNIA, TEXAS 78121 legally known as CITY OF LA VERNIA, LOT 441K, ACRES 7.59 BLUEBONNET RD LA VERNIA, TX 78121, and more specifically described as RBFCU ETM, which will occupy only a portion of this parcel as described in the attachment

Request: A Special Use Permit (SUP) to allow for a drive-thru in the C-1 zoning district

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.

A public hearing for this request is scheduled before the Planning & Zoning Commission on Tuesday, March 7th, 2023 at 6:30 PM and City Council on Thursday, March 9th, 2023 at 6:30 PM. Both meetings will be held at 102 E. Chihuahua St., Council Chambers, and are open to the public. To submit written comments please complete the information below, including your signature, and return to:

Mail: City of La Vernia Lindsey Wheeler PO Box 225 La Vernia, Texas 78121

ernia, Texas 78121 Email: Lboyd@lavernia-tx.gov

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

Lindsey Wheeler, City Secretary

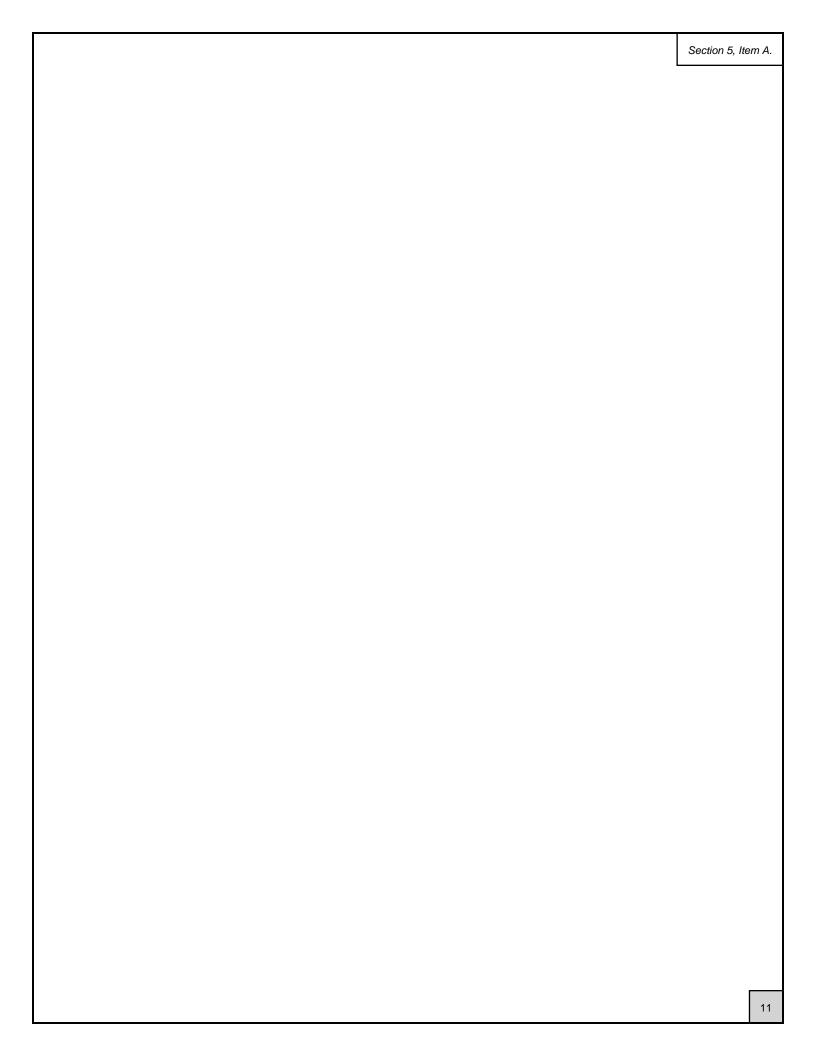
YOUR OPINION MATTERS – DETACH AND RETURN

circle one

I am (in favor) (opposed) to the proposed Special Use Permit (SUP) to allow for a drive-thru in the C-1 zoning district for the property described as 427 Bluebonnet Rd, LA VERNIA, TEXAS 78121 legally known as CITY OF LA VERNIA, LOT 441K, ACRES 7.59 BLUEBONNET RD LA VERNIA, TX 78121, and more specifically described as RBFCU, which will occupy only a portion of this parcel as described in the attachment

Name:	
Address:	_
Signature:	_
Comments:	

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



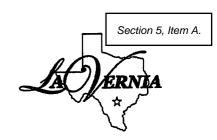
Date Received	<u>61-30-23</u>
Permit/Receipt I	No
Fee Paid	¥250.00

Date of 200 Ft Notices

Ordinance No. 030923-01

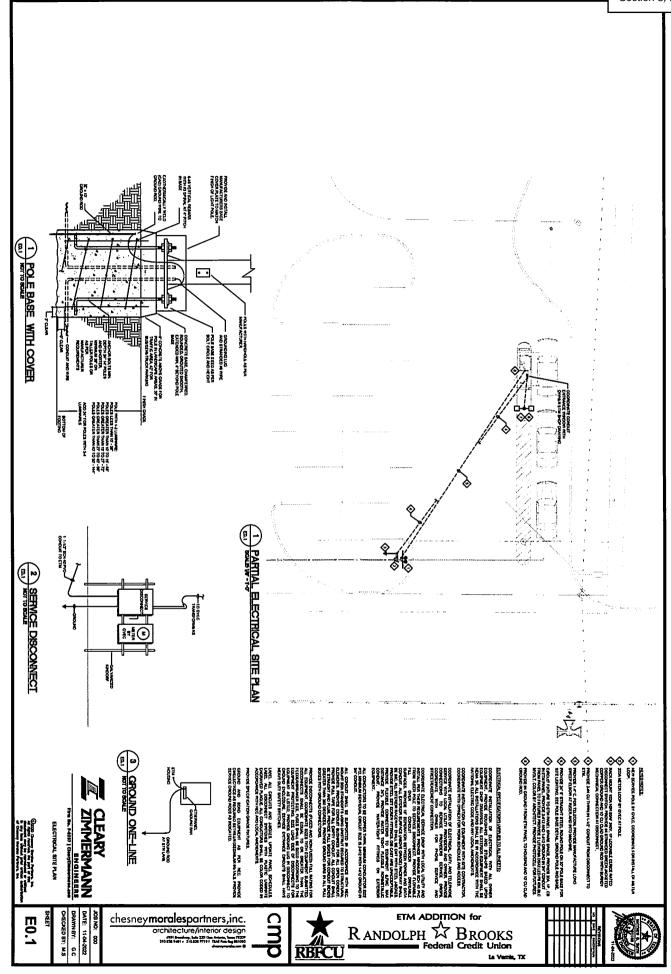
City of La Vernia **Specific Use Permit**

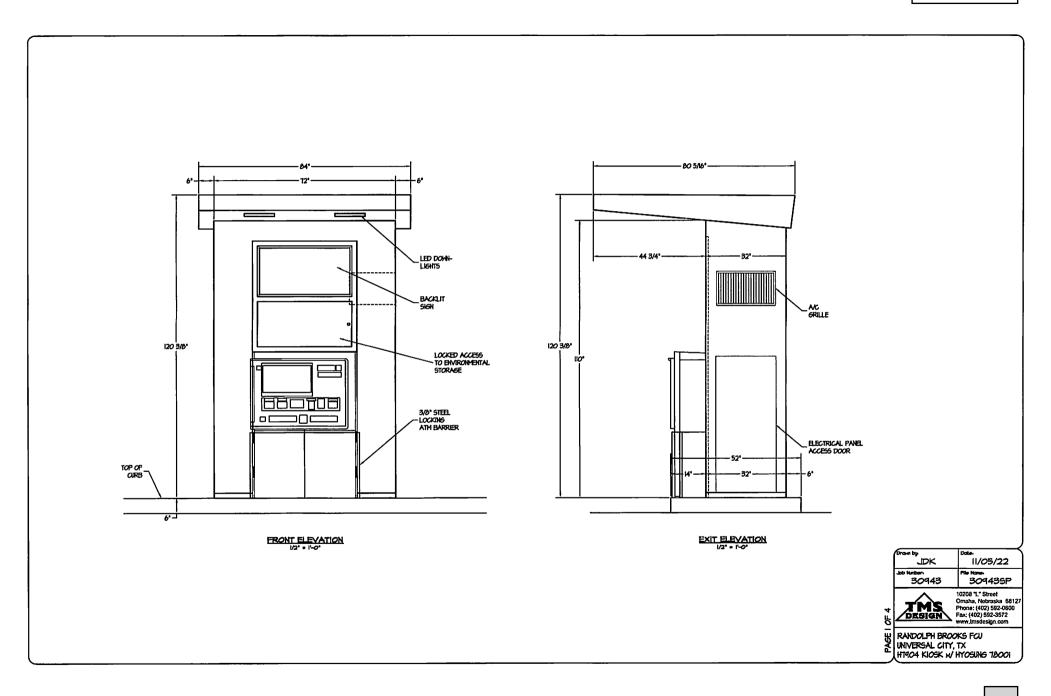
102 E. Chihuahua Street P.O. Box 225, La Vemia, TX 78121 (830) 779-4541 • Metro/Fax (830) 253-1198

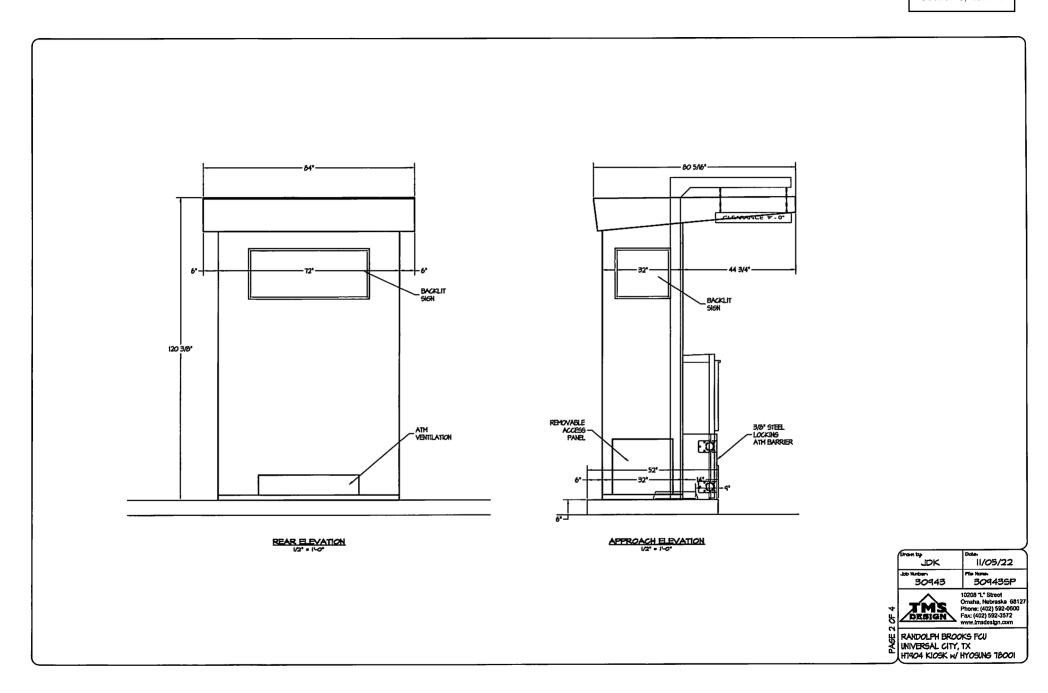


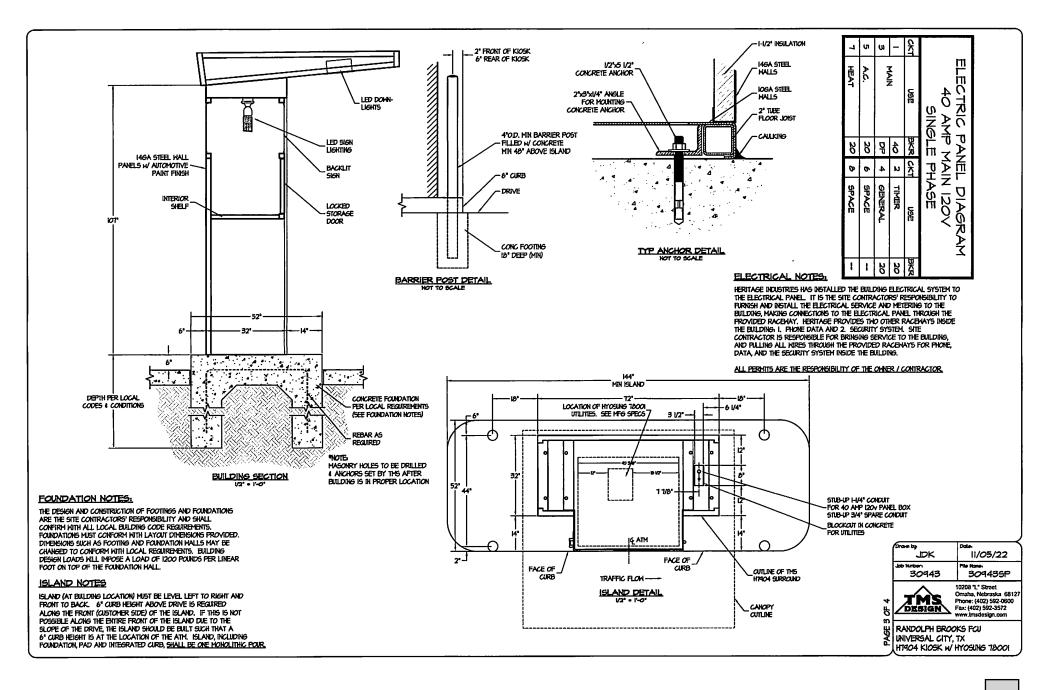
Land ownership must be verified with a notarized statement. If the applicant is acting as the agent for the property owner, the property owner must provide a signed and notarized letter authorizing the agent to act on their behalf, and the letter must accompany the application. Name MJS Development Mailing Address 4395 FM 775 La Vernia, TX 78121 Email jschoe1047@aol.com Mobile 2105088060 Fax Telephone Property Address/Location 427 Bluebonnet Property ID No Name of Subdivision The Silos of Woodbridge Farms Legal Description Lot(s) Acreage Existing Use of Property Parking lot and retail space Proposed Use of Property (attach additional or supporting information if necessary Current Zoning C1 Proposed use of Property and/or Reason for Request (please explain in detail and attach additional pages if needed): Rbfcu came to the city for a location to place and ETM. They were referred to MJS. RBFCU and MJS designed the master plan to include the ETM. This was all sent out for public approval then approved by P & Z and City Council. Please approve the SUP. **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: former Parly un# 14689 1-27.23 Signature of Owner(s)/Agen For Office Use Only Date of P&Z Public Hearing 02 Date of Publication ___ Date of Council Public Hearing (

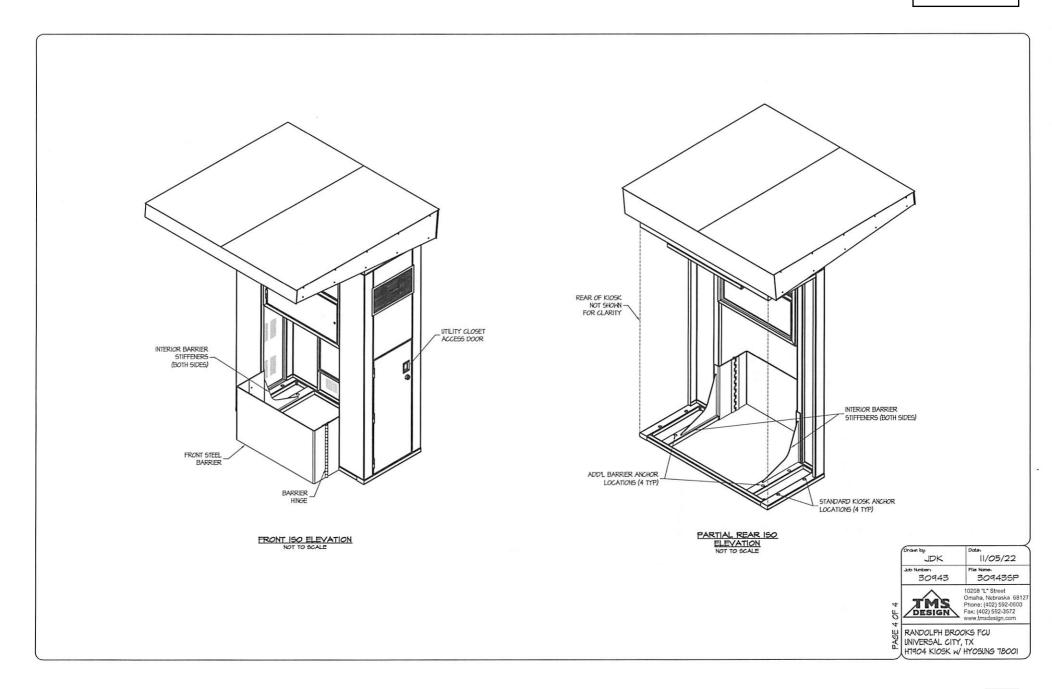
Approved Denied

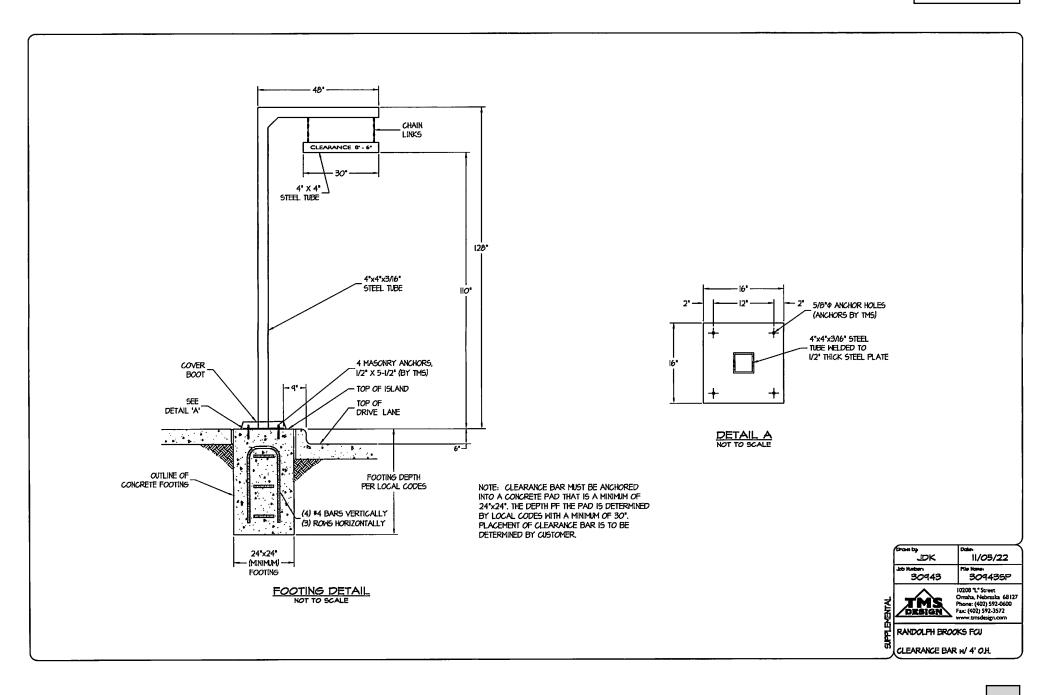












CIVIL CONSTRUCTION PLANS **FOR** WOODBRIDGE COMMERCIAL SUBDIVISION SITE WORK, SWPPP, DRAINAGE, AND UTILITIES

SUBMITTED BY :

artem Camelro

1/11/23 DATE

ARTURO CAMACHO JR. REGISTERED PROFESSIONAL ENGINEER NO. 91711

415 EMBASSY OAKS, SUITE 205 SAN ANTONIO, TEXAS 78216 PH. (210) 341-6200 FAX (210) 341-6300

BENCHMARKS

TXDOT BENCHMARK ELEV. = 527.79 N = 13,677,573.6710 E = 2 246 137 0468

NOTE TO CONTRACTOR:

1. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL ENSURE THAT THE NOTICE OF INTENT (NOI) HAS BEEN FILED AND POSTED ONSITE FOR PUBLIC AND THE TYPES REPORT ARE AVAILABLE AT A LOCATION 20 MINUTES FROM THE SITE.

CONTRACTOR SHALL INSTALL STORM WATER POLLUTION PREVENTION CONTROLS PRIOR TO ANY SITE PREPARATION WORK (DEMOLITION, EXCAVATION, GRUBBING, ETC.)

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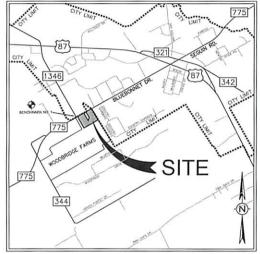
8. THE CONTRACTOR IS RESPONSIBLE FOR PROTECTING DOSTING FACILITIES TITING DAMAGE AND COST OF REPORT TO DESTING FACILITIES AND IMPROVALED AS A RESULT OF THE CONTRACTOR'S WORK, MY DOSTING, PROMEDIT, CURRE, BILLINGS, CONTRACTOR AT HIS DEPORT, UNITHY REPORTEDING, THESE, DIC. DAMAGE OR REDWOOD WILL BE RESPONSED BY THE CONTRACTOR AT HIS DEPORT.

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9. THE LOCATION OF ALL DISTING UTILITIES SHOWN ON THESE PLANS HAS BEEN BASED UPON RECORD INFORMATION ONLY AND MAY NOT MATCH LOCATIONS AND/OR REPTIES AS CONSTRUCTORS HAVE CONTRACTOR SHALL CONTACT EACH OF THE ANNOUND, LITTLEY, FOR ASSISTANCE IN DESTINION UTILITY LOCATIONS AND DEPTIHS PROPERT DESCENSION ANY CONSTRUCTIONS AND DEPTIHS PROPERT DESCENSION ANY CONSTRUCTION.

CONSTRUCTION CONTRACTOR SHALL FILED YERPY LOCATIONS OF ALL UTILITY CROSSNOS (BOTH VERTICALLY AND HORIZONIALLY) PROPERT DESCENSION ANY CONSTRUCTION.





VICINITY MAP

SUBMITTAL DATE: JANUARY 2023

LEGAL DESCRIPTION

BEING A 9.057-ACRE TRACT OF LAND OUT OF THE JUAN DELGADO SURVEY, SECTION B, ABSTRACT B, WILSON COUNTY, TEXAS, SAME TRACT ALSO A PART OF A 141-ACRE TRACT OF LAND AS DESCRIBED AND RECORDED IN VOLUME 1339, PAGE 380 TO LOREN NICHOLAS FRYAR, OFFICIAL PUBLIC RECORDS OF WILSON COUNTY,

> DEVELOPER: MJS DEVELOPMENT, LLC 4395 F.M. 775 LA VERNIA, TX 78121

CAMACHO-HERNANDEZ & ASSOCIATES PROJECT NO.: 219042.03

INDEX

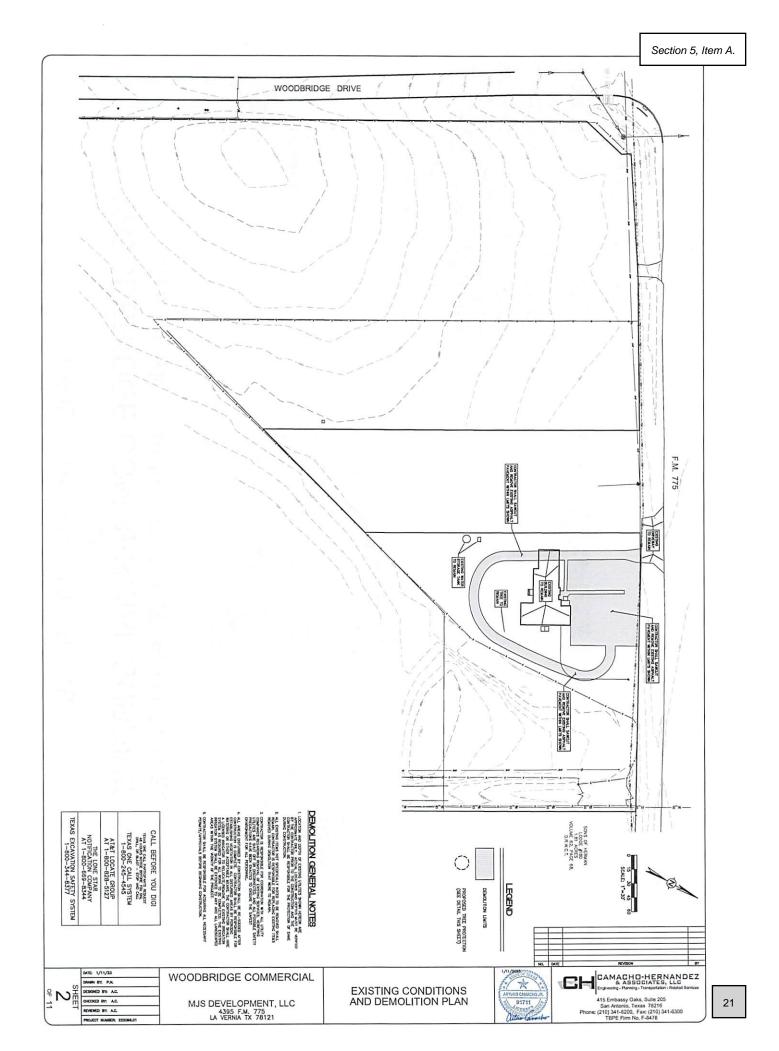
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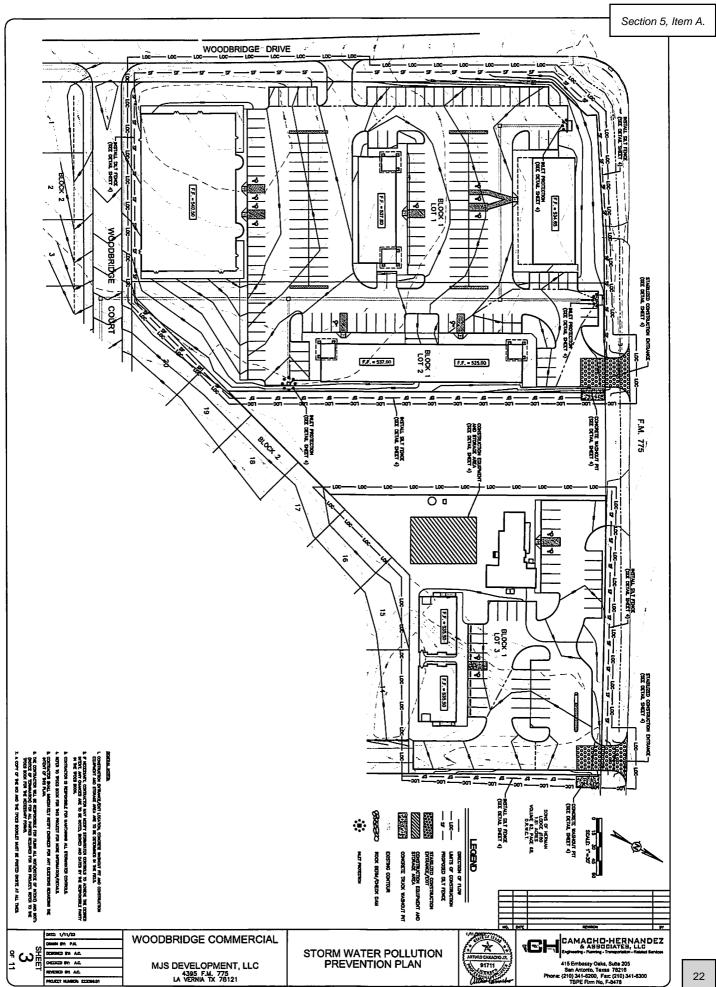
SITE DETALS (SHEET 1 OF 2) SITE DETAILS (SHEET 2 OF 2)

CAMACHO-HERNANDEZ

San Antonio, Texas 78216 Phone: (210) 341-6200, Fax: (210) 341-6300 TBPE Firm No. F-8478





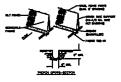


CAMACHO-HERNANDEZ & ASSOCIATES, LLC

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STORM WATER POLLUTION PREVENTION DETAILS

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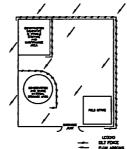


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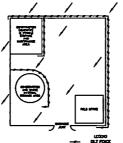
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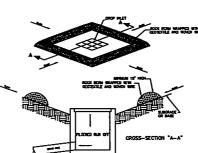
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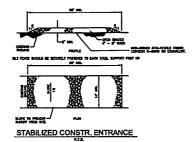


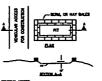




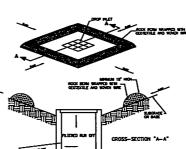
ROCK BERM/CHECK DAM

(DIECK DAM WITHIN CHANNEL)



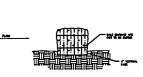


- CONCRETE TRUCK WASHOUT PIT

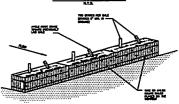


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INLET PROTECTION DETAIL



EMBEDDING DETAIL



ANCHORING DETAIL

- NA.

- Com hi man i was a land i had
- ---

WOODBRIDGE COMMERCIAL MJS DEVELOPMENT, LLC 4385 F.M. 775 LA VERNA TX 78121

SHEET 4

OF 11

SITE AND DIMENSIONAL CONTROL PLAN

WOODBRIDGE COMMERCIAL

MJS DEVELOPMENT, LLC 4395 F.M. 775 LA VERNIA TX 78121

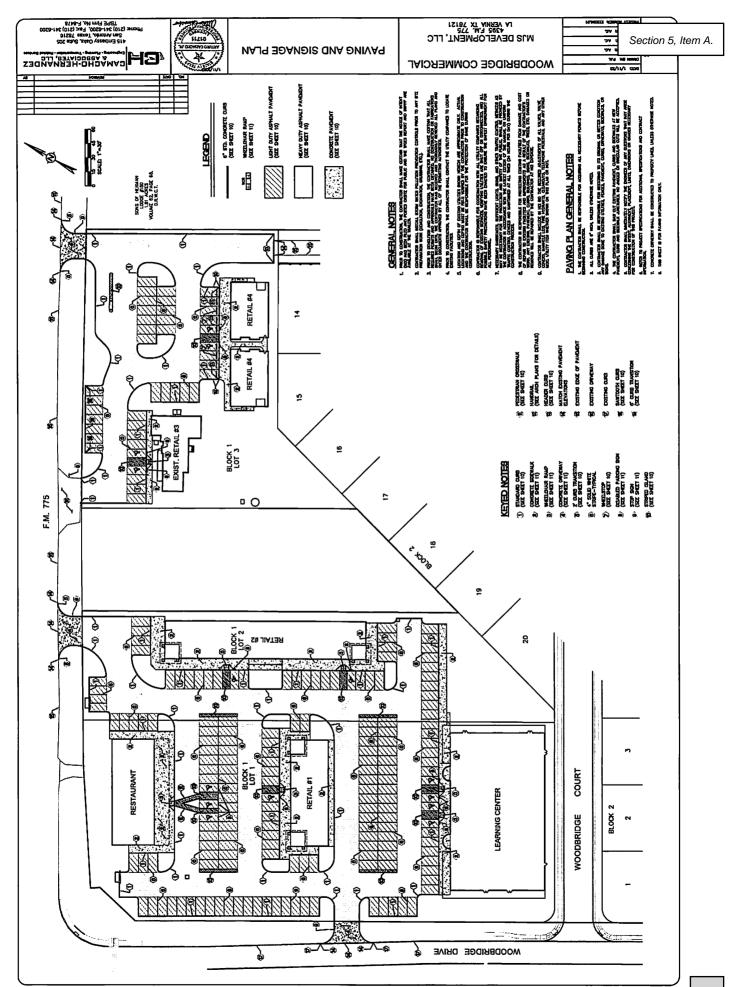
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D17711

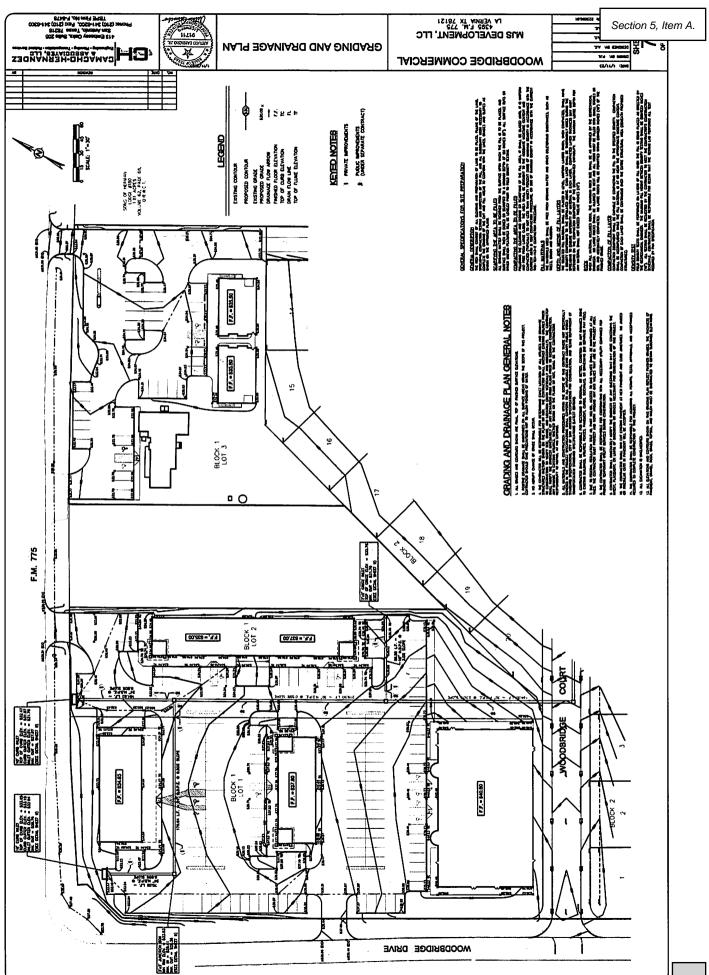
CAMACHO-HERNANDEZ

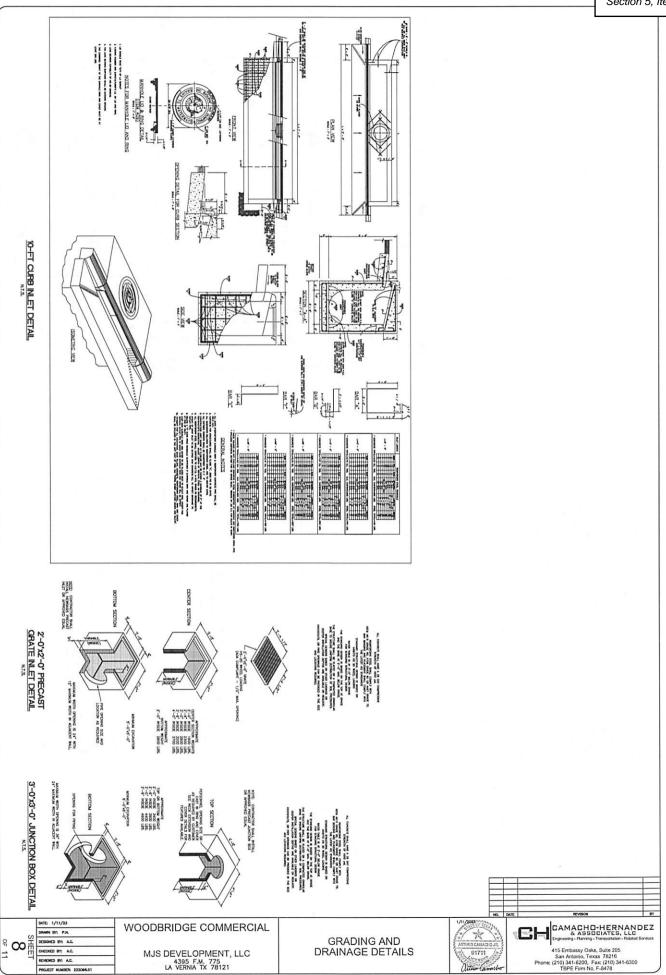
& ASSICIATES, LLC

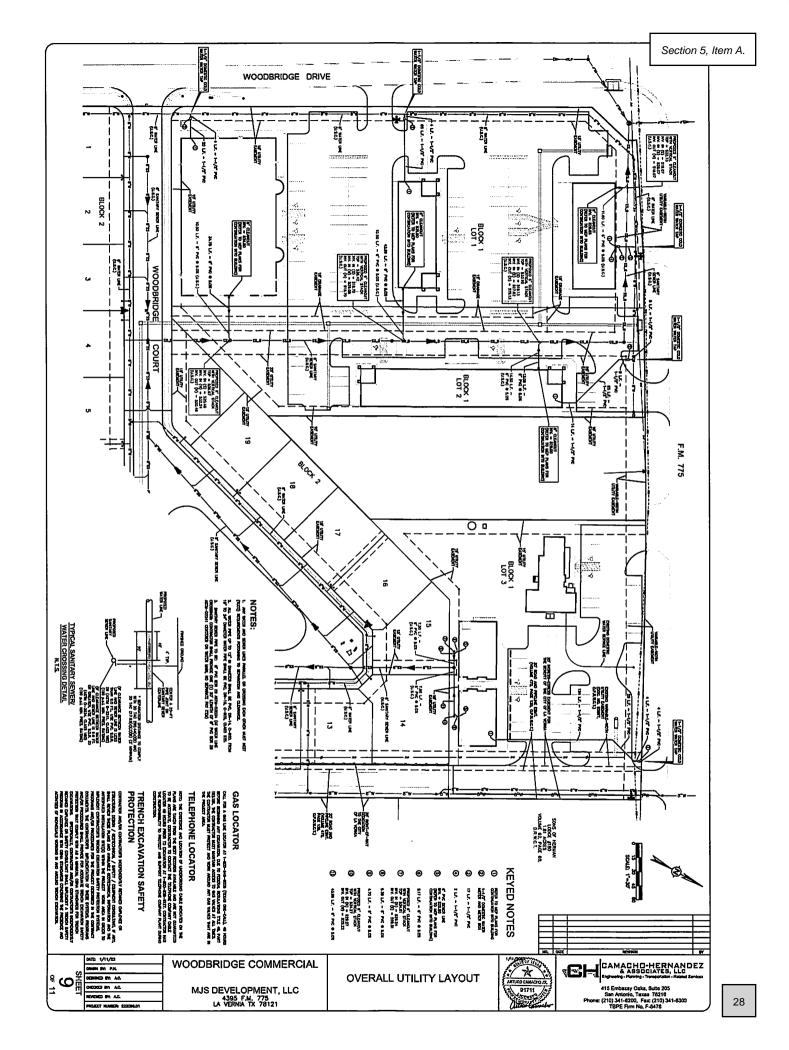
Engineering - Floring - Transportation - Related Services

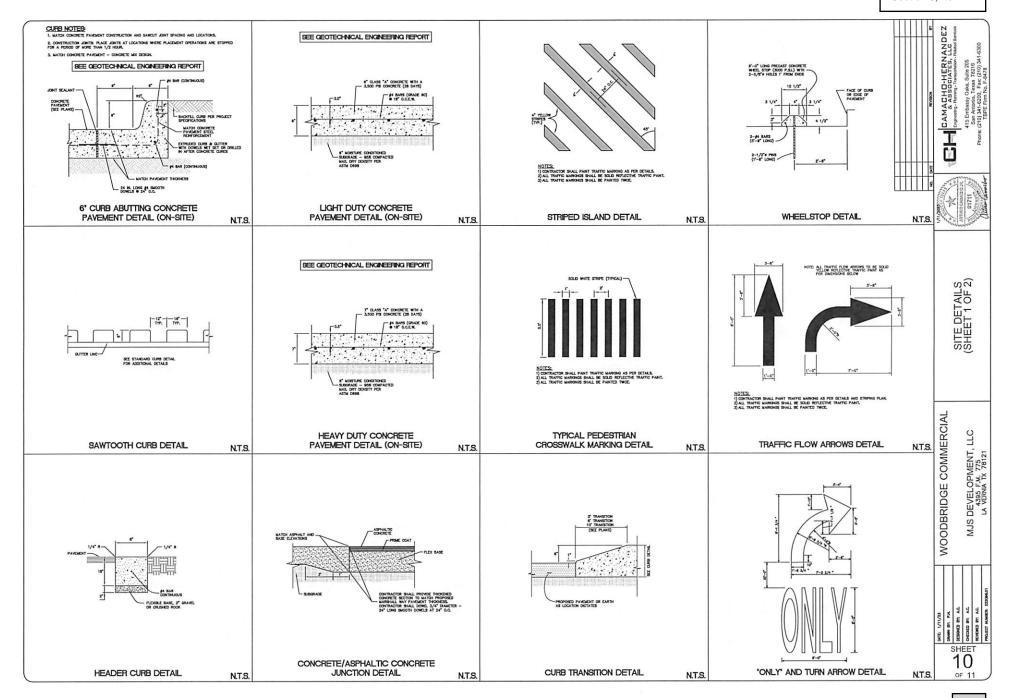
415 Embassy Oaka, Suite 205 San Antonio, Texas 78210 Phone: (210) 341-6200, Fax: (210) 341-6300 TBPE Firm No, F-8478

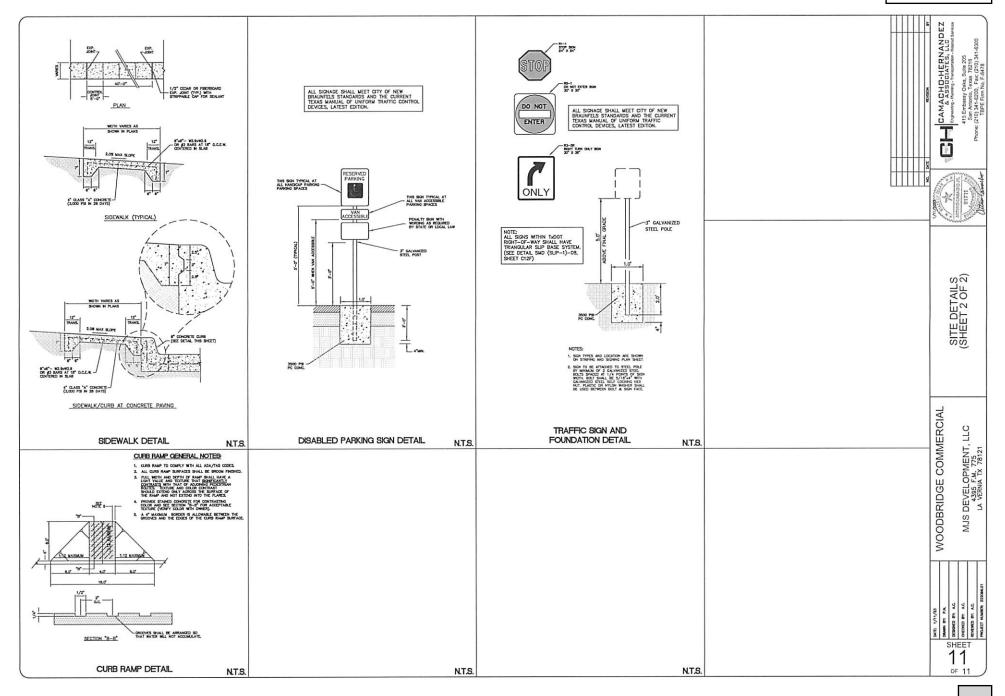


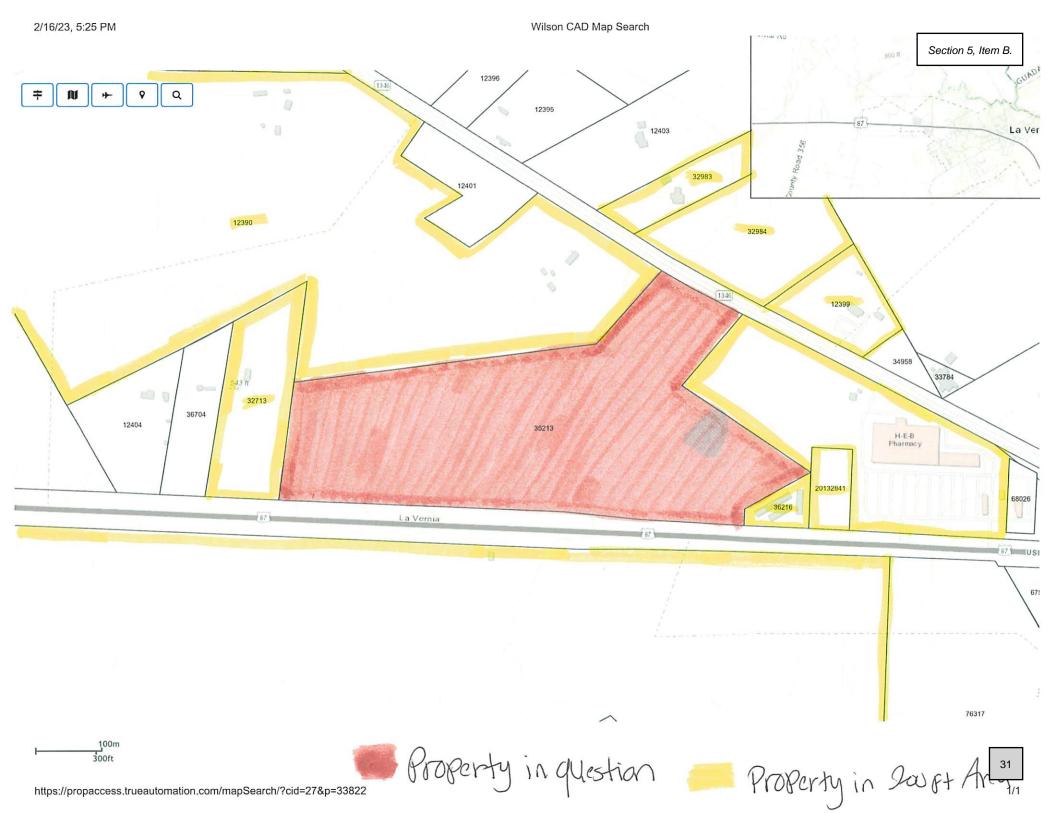












LEGAL PUBLIC NOTICE

NOTICE OF PUBLI Section 5, Item B. CT

CLASSIFICATION

LA VERNIA PLANNING AND ZONING COMMISSION AND LA VERNIA CITY COUNCIL

The La Vernia Planning and Zoning Commission will hold a public hearing on Tuesday, March 7th at 6:30 PM & City Council will hold a public hearing on Thursday, March 9th at 6:30 PM in the City Council Chambers located at 102 E. Chihuahua Street, La Vernia to receive public comment and testimony on the application to rezone the following four (1) property by property owner: Bonnie Chessher and potential partners NP Homes LLC 1.15010 US Hwy 87 W, La Vernia Texas 78121,

All property subject to the rezoning is located in Wilson County, Texas.

City of La Vernia, Lot 101B, Acres 46,6996

From present classifications of C-2 General Commercial to C-1 Commercial Retail



NOTICE OF PUBLIC HEARING

The City of La Vernia Planning & Zoning Commission and the La Vernia City Council will hold a public hearing at the request of NP Homes regarding the space specifically known as:

15010 US HWY 87 W, LA VERNIA, TEXAS 78121 legally known as CITY OF LA VERNIA, LOT 101B, ACRES 46.6996, Owned by Bonnie Chessher

Request: A Re-zone from the existing zoning of c2- General Commercial to C-1 Retail district

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.

A public hearing for this request is scheduled before the Planning & Zoning Commission on Tuesday, March 7th, 2023 at 6:30 PM and City Council on Thursday, March 9th, 2023 at 6:30 PM. Both meetings will be held at 102 E. Chihuahua St., Council Chambers, and are open to the public. To submit written comments please complete the information below, including your signature, and return to:

Mail: City of La Vernia Lindsey Wheeler PO Box 225

La Vernia, Texas 78121

Email: <u>Lboyd@lavernia-tx.gov</u>

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

Lindsey Wheeler, City Secretary

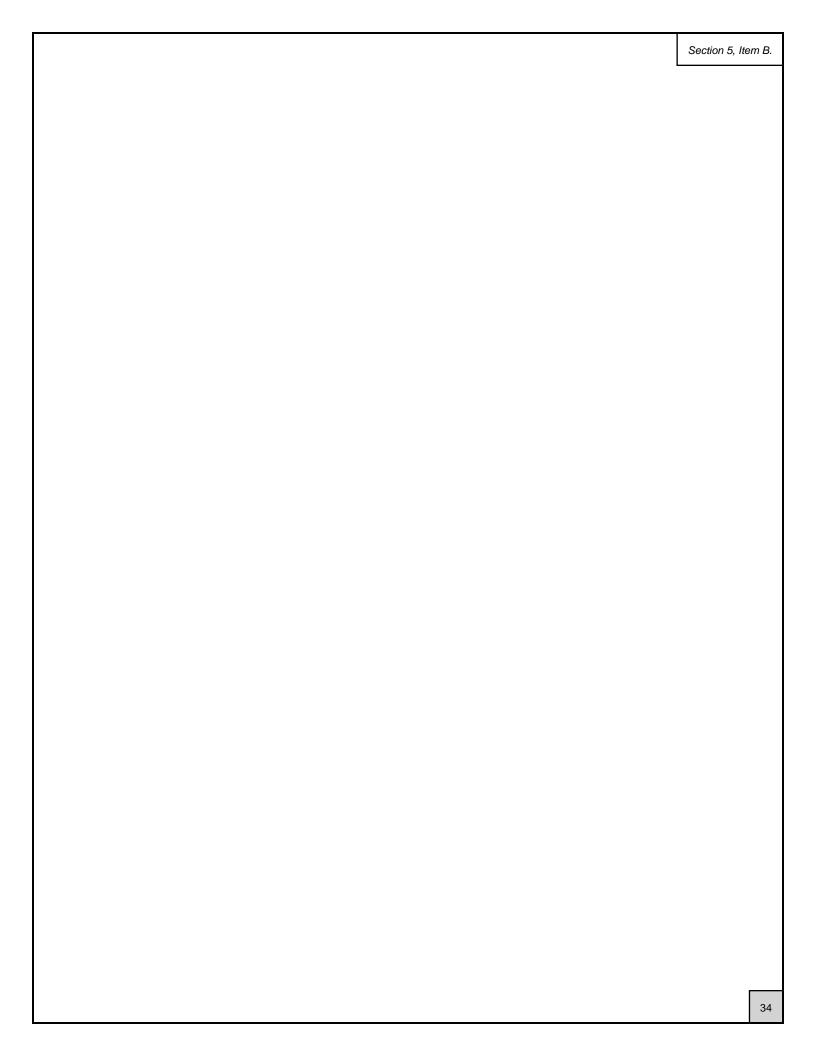
YOUR OPINION MATTERS – DETACH AND RETURN

circle one

I am (in favor) (opposed) to the proposed Re-zone from the existing zoning of c2- General Commercial to C-1 Retail district for the property described as 15010 US HWY 87 W, LA VERNIA, TEXAS 78121 legally known as CITY OF LA VERNIA, LOT 101B, ACRES 46.6996, Owned by Bonnie Chessher

Name:	
Address:	
Signature:	Date:
Comments:	

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



Date	Received		
Date	Keceivea	No. of Concession, Name of Street, or other party of the Concession, Name of Street, or other pa	Contract and Contract and Contract and

Payment			

PETITION FOR VARIANCE La Vernia Zoning Board of Adjustment

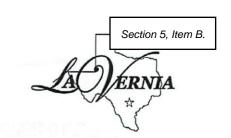
Date 2/10/2023			
I (we) the undersigned, having an interest in prop 15010 US Hwy 87 W, La Vernia, TX		Zoning C-1*	*PENDING
Subdivision	Lot Block P	rop ID No. 35213	TCHANGE REQUES
Property Owner Name Bonnie Chessher	mgan is 1 cts.		mila
Phone	Cell	graventi envigan	0 × 1° 11
Mailing Address 21911 Ranier Ln, San Antonio, TX 7	8260-3525 State TX	_{Zip} _78140	
respectfully request that I (we) be granted the fol established by the Zoning Ordinance of the City	lowing variance(s) to the	e regulations	
 () Permit a change of occupancy from on conforming use permitted in the same classification as the original non-confo by the Board, there shall be in force a Compliance." 	or higher (more restricte rming use. NOTE: Prio	ed) zoning or to application or relie	ef
 () Permit the reconstruction, extension, o conforming use on the lot or tract occu modification not preventing the return of Refer to above "NOTE". 	pied by such building, s	ubject to such building	
(X) Permit the modification of the (X) heigh (X) parking regulations as are necessa subject parcel.			
The variance requested being more particularly to Chpt 38 Art. II Ordinance No. 071212-02, Article Chpt 38 Art. II/			
a maximum height of 45 feet (compared to th			;
1.5 parking spaces per unit (opposed to 1.5 spa	aces per bedroom curre	ntly allowed for C-1 z	- oning)
The petitioner will provide a building plan, ske clearly and accurately depicting the type and			
Explain how the hardship is not contrary to the politeral enforcement of the ordinance would result the ordinance is observed and substantial justice	in unnecessary hardshi		f _
To provide an economically viable multi-	family development	, the height	eng 1
must allow for a three story structure a	nd parking minimum	s at 1.5 spaces pe	r unit -
Nader Karimi	NP Homes LLC	0	100
Nader Karimi, President Signature of Petitioner	Authorized Age	ent ecord or Authorized Agent	9940°

Fee Paid

Date Received	
Permit/Receipt No	

City of La Vernia Zoning Change Application

102 E. Chihuahua Street P.O. Box 225, La Vernia, TX 78121 (830) 779-4541 • Metro/Fax (830) 253-1198



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.

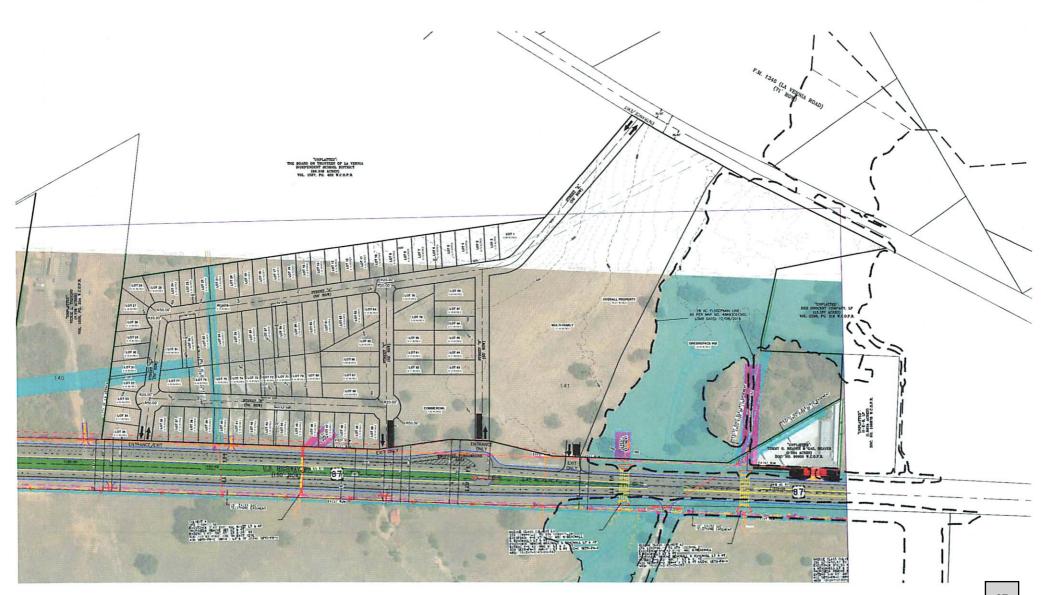
agent to act on their behalf, and the letter must acc Name NP Homes LLC, A Texas Limited Lia		
Mailing Address 21911 Ranier Ln, San Antonio,		
Telephone 361-688-9382 Fax		
Property Address/Location 15010 US Hwy 87 \	W, La Vernia,	TX 78121
Legal Description Name of Subdivision CITY OF LA VERNIA, LO)T 101B, ACRI	ES 46.6996
Lot(s) Block(s)	/	Acreage 46.6996
Existing Use of Property Agriculture/Vacant	the art of thems	d so provincións.
Proposed Use of Property (attach additional or support	ting information if r	necessary) SFR, MF, Commercial
Zoning Change Request: Current Zoning C-2 "Generation Countries Co	ral Commercial" Pr	oposed Zoning C-1 "General Retail"
If "PDD Planned Development District", check if: Cor	ncept Plan	or Detail Plan
Reason for request (please explain in detail and attach	n additional pages	if needed) To accommodate SFR, MF, and Retail
Attachments:	garantes de la re-	and the state of t
Accurate metes and bounds description of the subjet Survey exhibit and other appropriate exhibits as deeplans, maps, architectural elevations, and information Notarized statement verifying land ownership and if zoning change request.	emed necessary by to on about proposed u	the city including, but not limited to, site uses.
A denied application is ineligible	le for reconsideration	on for one year.
The undersigned hereby requests rezoning of the above	e described proper	ty as indicated:
Nader Karimi 02/10/23		2/10/2023
Signature of Owner(s)/Agent		Date
For Offic	ce Use Only	Employed State of the Control of the
Date of Publication		e of P&Z Public Hearing
Date of 200 Ft Notices		e of Council Public Hearing
Ordinance No. <u>071212-02</u>	Арр	proved Denied

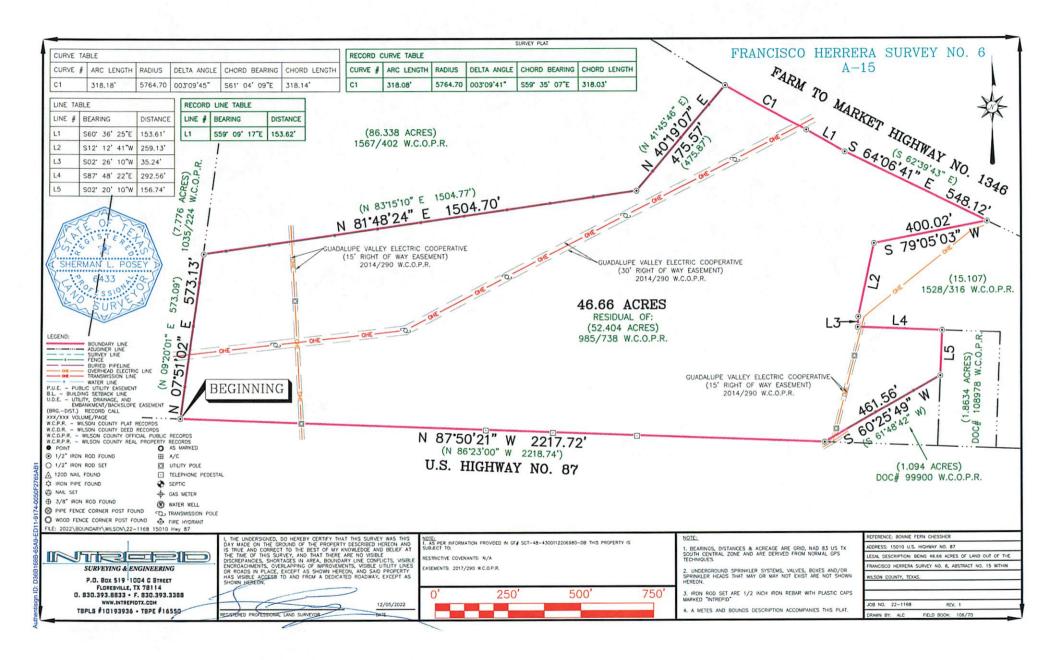
- TOTAL LOTS: 46.27 OVERALL ACRES

 88 RESIDENTIAL LOTS, ~15.31 ACRES

 1 COMMERCIAL LOTS, ~1.55 ACRES

- 1 GREENSPACE AREA, ~12.93 ACRES 1 MULTI-FAMILY LOT, ~11.38 ACRES
- TOTAL ROADS: 5.10 ACRES, 4,406.88 LF, 5 STREETS STREET "A" ~1,934.64 LF
- STREET "B" ~ 605.23 LF
- STREET "C" ~583.01 LF STREET "D" ~445.24 LF STREET "E" ~838.76 LF







LEGAL DESCRIPTION: Being 46.66 acres of land out of the Francisco Herrera Survey No. 6, Abstract No. 15, Wilson County, Texas and also being the residual of that certain 52.404 acre tract described in Volume 985, Page 738 of the Official Public Records of Wilson County, Texas; Said 46.66 acre tract being more particularly described as follows and as surveyed under the supervision of Intrepid Surveying & Engineering Corporation in November, 2022:

BEGINNING at a 1/2 inch iron rod found in the north line of U.S. Highway No. 87 for the southeast corner of that certain 7.776 acre tract described in Volume 1035, Page 224 of said Official Public Records and the southwest corner hereof;

THENCE North 07°51′02″ East a distance of 573.13 feet along the east line of said 7.776 acre tract to a 1/2 inch iron rod found for the southwest corner of that certain 86.338 acre tract described in Volume 1567, Page 402 of said Official Public Records and the northwest corner hereof;

THENCE along the common lines of said 86.338 acre tract, the following 2 courses:

- North 81°48′24″ East a distance of 1504.70 feet to a 1/2 inch iron rod found for an interior corner hereof;
- 2. North 40°19′07″ East a distance of 475.57 feet to a 1/2 inch iron rod found in the southwest line of Farm to Market Highway No. 1346 for the north corner hereof;

THENCE along the common lines of Farm to Market Highway No. 1346, the following 3 courses:

- 1. Following a curve turning to left through an angle of 003°09′41″, having a radius of 5764.70 feet, an arc length 318.18 feet and whose long chord bears South 61°04′09″ East a distance of 318.14 feet to a 1/2 inch iron rod found for a northeast corner hereof;
- 2. South 60°36′25″ East a distance of 153.61 feet to a 1/2 inch iron rod found for a northeast corner hereof;
- 3. South 64°06′41″ East a distance of 548.12 feet to a 1/2 inch iron rod found for the north corner of that certain 15.107 acre tract described in Volume 1528, Page 316 of said Official Public Records and an east corner hereof;

THENCE along the common lines of said 15.107 acre tract, the following 4 courses:

- South 79°05′03" West a distance of 400.02 feet to a 1/2 inch iron rod found for an interior corner hereof;
- South 12°12′41″ West a distance of 259.13 feet to a 1/2 inch iron rod found for a corner hereof:
- South 02°26′10" West a distance of 35.24 feet to a 1/2 inch iron rod found for an interior corner hereof;
- 4. South 87°48′22″ East a distance of 292.56 feet to a 1/2 inch iron rod found for the northwest corner of that certain 1.8634 acre tract described in Document No. 108978 of said Official Public Records and a northeast corner hereof;

THENCE South 02°20′10″ West a distance of 156.74 feet along the west line of said 1.8634 acre tract to a 1/2 inch iron rod found for the north corner of that certain 1.094 acre tract described in in Document No. 99900 of said Official Public Records and a southeast corner hereof;

THENCE South 60°25′49″ West a distance of 461.56 feet along the northwest line of said 1.094 acre tract to a 1/2 inch iron rod found in the north line of U.S. Highway No. 87 for the southwest corner of said 1.094 acre tract and the southeast corner hereof;

THENCE North 87°50′21″ West a distance of 2217.72 feet along the north line of U.S. Highway No. 87 to the **POINT OF BEGINNING** containing 46.66 acres more or less, and as shown on certified plat herewith.

Note: Bearings, distances and acreage shown hereon are NAD 83, South Central Zone and are derived from GPS techniques. Iron Rods set are a 1/2 inch rod with plastic caps marked "INTREPID".

Surveyed by;

Sherman L. Posey, R.P.L.S.

Job# 22-1168.

November 10, 2022

AFFIDAVIT OF BONNIE CHESSHER

THE STATE OF TEXAS §
WILSON COUNTY §

BEFORE ME, the undersigned authority, on this day personally appeared Bonnie Chessher who, being duly sworn by me, deposed and stated under oath as follows:

- My name is Bonnier Chessher. I am over 18 years of age and fully competent to make this Affidavit. The facts stated herein are based on my personal knowledge and are true and correct.
- 2. I am the sole owner of the property identified in the records of the Wilson County Appraisal District as:

Address: 15010 US HWY 87 W, LA VERNIA, TX 78121

Property ID: 35213

Geographic ID 3000-00000-10102

Legal Description: CITY OF LA VERNIA, LOT 101B, ACRES 46.6996

- 3. I hereby authorize NP Homes LLC, a Texas Limited Liability Company, or its agents to submit a Zoning Change Application to the City of La Vernia, Texas, to change the zoning designation of the above referenced property from C-2 "General Commercial District" to C-1 "Retail District", and to take all further action as may be required by the City of La Vernia to obtain final approval for the zone change.
- 4. I hereby authorize NP Homes LLC, a Texas Limited Liability Company, or its agents to submit a Petition for Variance to the Zoning Board of Adjustment for the City of La Vernia, Texas, to obtain variances for the following regulations in the Code of Ordinances City of La Vernia, Texas, codified through Ordinance No. 071212-02 effective 08/29/2022 (Supplement 5):

Sec. 38-208 – Dimensional and development standards
C-1 Retail District
Variance from Maximum Height of 30 ft to 45 ft

Sec. 38-402 (e)(1) – Off-street parking and loading requirements Multifamily, duplex, two-family, condominium, or other similar use

Variance from 1.5 spaces per bedroom to 1.5 spaces per unit

5. Any zoning changes and variance requests shall be subject to final closing of the

Affidavit of Bonnie Chessher

Page 1

transaction conveying the property to NP Homes LLC, or assigns.

Further, the Affiant sayeth naught.

Bonnie Chessher

SUBSCRIBED AND SWORN TO BEFORE ME on this ______ day of ______, 2023 by Bonnie Chessher.

[seal]

CATHY C. HUNT
My Notary ID # 130718419
Expires June 28, 2024

NOTARY PUBLIC IN AND FOR

ORDINANCE NO. 030923-03

AN ORDINANCE OF THE CITY OF LA VERNIA, TEXAS AMENDING LA VERNIA CODE OF ORDINANCES CHAPTER 30 SUBDIVISIONS, ARTICLE III. – GENERAL PLATTING PROCEDURES; SECTION 30-301.- OVERALL DEVELOPMENT CONCEPT.; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, Chapter 216 of the Vernon's Local Government Code empowers a city to enact zoning regulations and provide for their administration, enforcement and amendment; and

WHEREAS, the City has previously deemed it necessary and desirable to adopt sign regulations to provide for the orderly development of property within the City in order to promote the public health, safety, morals and general welfare of the residents of the City, and

WHEREAS, the City of La Vernia Code or Ordinances Chapter 30 which constitutes the City's Subdivision Ordinance requires a property to be developed in accordance with proper designations as defined by this ordinance; and

WHEREAS, the City Council and Planning and Zoning Commission of the City of La Vernia has met and discussed amending the above-mentioned sections of the Subdivision code; and

WHEREAS, the Planning and Zoning Commission of the City of La Vernia has recommended approval of the amendments to the Subdivision Regulations discussed in this ordinance and the proposed amendments are uniform and conforms to the plan and design of the City of La Vernia's Subdivision Ordinance; and

WHEREAS, the City Council of the City of La Vernia believes the amendments will comply with the standards and purpose of the Subdivision Ordinance and are in the best interests of the public safety and the general welfare of the residents of the City of La Vernia;

NOW THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA VERNIA, TEXAS:

Section 1. Sign Regulations Amended.

CHAPTER 26-101.1.- DEFINITIONS; of the City of La Vernia's Code of Ordinances is hereby amended as reflected in the document attached hereto as **Exhibit "A"**.

CHAPTER 26-110.- PERMITTING REGULATIONS of the City of La Vernia's Code of Ordinances is hereby amended as reflected in the document attached hereto as **Exhibit "B"**.

CHAPTER 26-111.- PROHIBITED SIGN TYPES of the City of La Vernia's Code of Ordinances is hereby amended as reflected in the document attached hereto as **Exhibit "C"**.

Section 2. Severability

If any section, subsection, paragraph, or sentence, clause, phrase, or word in this Ordinance, or application thereof, to any person or circumstance is held invalid such holding shall not affect the validity of the remaining portions of the same and the City Council hereby declares it would have passed such remaining portions despite such invalidity.

Section 3 Cumulative

This ordinance is cumulative of all other laws addressing land use regulations and any prohibitions and sanctions that may be imposed under other laws relating to the subjects covered hereunder.

Section 4. Effective Date

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

PASSED, APPROVED, AND ADOPTED THIS 17TH DAY OF NOVEMBER 2022.

	Martin Poore, Mayor City of La Vernia	
ATTEST:		
Lindsey Wheeler, City Secretary City of La Vernia		

Exhibit "A"

Sec. 30-301. - Overall development concept.

- (a) Prior to the submission of a master plan or plat, all commercial developments, and all residential developments consisting of more than two units, the applicant or representative is required to present their proposal to the city. This presentation will be given at a mandatory scheduled pre-development meeting, at which the City Administrator, building, and code enforcement departments, local first responding fire, EMS, and police personnel, health departments, and any other departments or representatives deemed necessary by the City Administrator will be present. At said meeting, comments and advice on the procedures, specifications, and standards required in the local ordinances will be discussed.
- (b) All persons desiring to subdivide land within the area of jurisdiction of this chapter shall first prepare and submit to the commission, not less than ten working days prior to any meeting at which the plat is to be considered, the following information:
- (1) Five black line or blue line copies of an overall development concept encompassing all land owned by the subdivider. The overall concept shall be in compliance with all applicable provisions of this chapter.
- (2) Two black line or blue line prints of the preliminary plans for the furnishing of water, the installation of sanitary sewer facilities, and provisions for storm sewers and general drainage facilities. Topographic contours with intervals of not more than ten feet shall be shown.
- (3) A letter of transmittal giving the name and address of the owner or agent and the person or firm who prepared the plat concept.
- (4) A certificate or letter from a title guaranty company or from an attorney duly licensed to practice law in the state, certifying the following concerning title to the land:
- a. A statement of records examined and date of examination;
- b. Description of the property in question by metes and bounds;
- c. Name of the fee owner as of the date of examination and the date, file number, and volume and page of the recording of the deed involved;
- d. The name of any lien holder together with the date of filing and volume and page of such lien; and
- e. A general description of any easements or fee strips granted, along with the file number, date of filing, and volume and page of recording.
- (5) A nonrefundable check payable to the city in the amount as specified within the fee schedule.

(6) In cases where public streets, alleys, or easements are proposed to be platted across private easement or fee strips, a copy of the instrument establishing such private easement or fee strip shall be submitted. Where a private easement has no defined location, agreement on a defined easement must be reached before submission of final plat.