



NOTICE OF SPECIAL MEETING

May 5, 2020

SHENANDOAH PLANNING AND ZONING COMMISSION

STATE OF TEXAS
COUNTY OF MONTGOMERY
CITY OF SHENANDOAH

AGENDA

This meeting will be closed to in person attendance by the public. A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code. Telephonic and videoconferencing capabilities will be utilized to allow individuals to address the Board. Emails may also be submitted. **Members of the public are entitled to participate remotely by WebEx.**

Citizens may register to join the meeting by call-in with the following meeting information

Phone number 408-418-9388

Meeting Number (access code) 620 991 022

Password 72727788

Audio from the meeting will be recorded as usual.

NOTICE IS HEREBY GIVEN that the Special Meeting of the Shenandoah Planning and Zoning Commission will be held on Tuesday, May 5, 2020 at 6:00 p.m. at the City of Shenandoah Municipal Complex, 29955 IH-45 North, Shenandoah, Texas for the purpose of considering the following:

1. CALL TO ORDER
2. CALL OF ROLL

CITIZEN'S FORUM (CALL IN ONLY)

3. CITIZENS FORUM

Citizens are invited to speak for three (3) minutes on matters relating to city government that relate to agenda or non-agenda items. Speakers are asked to stand up to address the Planning and Zoning Commission and give their name and address before expressing their concerns.

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 the Planning and Zoning Commission shall be limited to a proposal to place the subject on the agenda of a future meeting.

INDIVIDUAL CONSIDERATION

4. Presentation of a Planning and Zoning Commission Preliminary Report regarding the proposed zoning amendment for Special Use Permit Mixed Beverage Restaurant Permit with Food and Beverage Certificate. The proposed zoning amendment is for 1644 Research Forest Drive, Suite 100, Shenandoah, Texas.

5. Public Hearing regarding the proposed zoning amendment for Special Use Permit Mixed Beverage Restaurant Permit with Food and Beverage Certificate. The proposed zoning amendment is for 1644 Research Forest Drive, Suite 100, Shenandoah, Texas.
6. Presentation of an Planning and Zoning Commission Preliminary Report regarding the zoning amendment to amend Special Use Permit Ordinance No. O-18-005 providing for a minimum square footage of retail use, parking structure, and granting an extension to the expiration of the special use permit. The proposed zoning amendment is for 5.1923 acres of land in Restricted Reserve "A" of the Eastwood Village Replat No.1 recorded on Cabinet Z, Sheet 3434 M.R.M.C.
7. Public Hearing regarding the proposed zoning amendment to amend Special Use Permit Ordinance No. O-18-005 providing for a minimum square footage of retail use, parking structure, and granting an extension to the expiration of the special use permit. The proposed zoning amendment is for 5.1923 acres of land in Restricted Reserve "A" of the Eastwood Village Replat No.1 recorded on Cabinet Z, Sheet 3434 M.R.M.C.
8. Consideration and possible to approve or deny Minutes of the December 17, 2019 Regular Meeting, January 7, 2020 Special Meeting and January 21, 2020 Regular Meeting of the Planning and Zoning Commission.
9. City Administration Updates

COMMISSIONER'S INQUIRY

10. Commissioner's Inquiry

The Planning and Zoning Commission may inquire about a subject not specifically listed on this agenda. Responses are limited to a recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision shall be limited to a proposal to place the subject on the agenda of a future meeting.

ADJOURN

There is the potential for a quorum of City Council members at this meeting.

City Hall is wheelchair accessible. A sloped entry is available at the entrance with specially marked parking spaces available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (281) 298-5522 or Fax (281) 367-2225 for further information.

I certify that the attached notice of meeting was posted on the bulletin board at City of Shenandoah Municipal Complex, 29955 IH-45 North, Shenandoah, Texas, on the 30th day of April, 2020 at 9:45 a.m.



Jackie Thompson, Deputy City Secretary





Shenandoah Planning and Zoning Commission

AGENDA REPORT

AGENDA DATE: <u>May 5, 2020</u>	PREPARED BY: <u>Jackie Thompson</u>
DEPARTMENT: <u>Community Development</u>	EXHIBITS: <u>Preliminary Report, Property Location, SUP Application</u>

SUBJECT/PROCEEDING:

Preliminary Report regarding the proposed zoning amendment for a special use permit for a Mixed Beverage Restaurant Permit with Feed and Beverage Certificate. The proposed zoning amendment is for 1644 Research Forest, Suite 100, Shenandoah, Texas.

Public Hearing regarding the proposed zoning amendment for a special use permit for a Mixed Beverage Restaurant Permit with Feed and Beverage Certificate. The proposed zoning amendment is for 1644 Research Forest, Suite 100, Shenandoah, Texas.

RECOMMENDED ACTION:

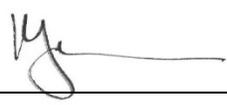
BACKGROUND/DISCUSSION:

Lama Mediterranean Cuisine, located at 1644 Research Forest Drive, Suite 100 has requested a Special Use Permit to allow for a Mixed Beverage (On-Premise) Permit with Food and Beverage Certificate.

The Special Use Permit will the following permits be issued to the property.
Mixed Beverage Permit (MB) – Permit Authorizes the holder to sell mixed beverages form unsealed containers and wine, beer, ale, and malt liquor in container of any legal size for on-premise consumption.
Food and Beverage Certificate (FB) - A Food and Beverage Certificate may be issued to the holder of a Beer Retailer's On-Premise Permit or Wine and Beer Retailer's Permit if food service is the primary business being operated on the licensed premise or to the holder of a Mixed Beverage Permit or Private Club Permit if food service is available on the premises and the gross receipts of alcoholic beverages do not exceed 50% of total gross receipts.

The business is located in the "NS" – Neighborhood Service Zoning District.

APPROVALS:

DEPARTMENT HEAD	<u></u>	DATE: <u>April 28, 2020</u>
CITY ADMINISTRATOR	<u></u>	DATE: <u>April 28, 2020</u>

**Shenandoah Planning & Zoning Commission
May 5,2020 and May 19, 2020 Public Hearing
Preliminary Report**

Subject: Lama Mediterranean Cuisine has requested a Special Use Permit (SUP) at 1644 Research Forest Drive, Suite 100, Shenandoah, TX to allow for a Special Use Permit for a Mixed Beverage Permit with Food and Beverage Certificate.

Public Hearings: Planning & Zoning Commission –May 5, 2020
Planning & Zoning Commission – May 19, 2020
City Council – May 27, 2020

Current Zoning District: “NS” Neighborhood Service Zoning District

Proposed SUP: An alcohol permit is required to allow the sale of wine and beer for on-site consumption within any zoning district in the City. The requested SUP for a mixed beverage permit will allow the sale of mixed beverages from unsealed containers and wine beer, ale and malt liquor in containers from any legal size for on premise consumption. The SUP will be applicable to 1644 Research Forest Drive, Suite 100, Shenandoah, TX.

Prepared by: Jackie Thompson
Community Development Manager

Date Prepared: April 28, 2020



LAMA MEDITERRANEAN CUISINE AMRON, LLC

City of Shenandoah
29955 Interstate 45 North
Shenandoah, TX 77381

February 25, 2020

Dear City of Shenandoah,

My name is Alireza Amron, Managing Member of Amron, LLC and the owner of Lama Mediterranean Cuisine. My restaurant is located at 1644 Research Forest Dr, Suite 100, Shenandoah, TX 77381. I am in the process of applying for a MB (Mixed Beverage Permit) and FB (Food and Beverage Certificate) with the Texas Alcoholic Beverage Commission. I would like to request an Alcoholic Beverage Special Use Permit from the City of Shenandoah. Please let me know if you need further information.

Sincerely,



Alireza Amron



1644 Research Forest Dr
Suite 100
Shenandoah, TX 77381
281-292-5262



TEXAS ALCOHOLIC
BEVERAGE COMMISSION

Texans Helping Businesses & Protecting Communities

ON-PREMISE
PREQUALIFICATION PACKET

L-ON (9/2019)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13 Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit. All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website. www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: Original Add Late Hours Only License/Permit Number _____
 Reinstatement Reinstatement and Change of Trade Name License/Permit Number _____
 Change of Location Change of Location and Trade Name License/Permit Number _____

2. Type of On-Premise License/Permit
 BG Wine and Beer Retailer's Permit LB Mixed Beverage Late Hours Permit
 BE Beer Retail Dealer's On-Premise License MI Minibar Permit
 BL Retail Dealer's On-Premise Late Hours License CB Caterer's Permit
 BP Brewpub License FB Food and Beverage Certificate
 V Wine & Beer Retailer's Permit for Excursion Boats PE Beverage Cartage Permit
 MB Mixed Beverage Permit RM Mixed Beverage Restaurant Permit with FB
 O Private Carrier's Permit -Brewpubs (BP) with a BG only E Local Cartage Permit - Wine/Beer retailers (BG) Only

3. Indicate Primary Business at this Location
 Restaurant Sporting Arena, Civic Center, Hotel Bar
 Grocery/Market Sexually Oriented Miscellaneous _____

4. Trade Name of Location (Name of restaurant, bar, store, etc.)
LAMA MEDITERRANEAN CUISINE

5. Location Address
 1644 RESEARCH FOREST DR, STE 100

City SHENANDOAH	County MONTGOMERY	State TX	Zip Code 77381
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6. Mailing Address 1644 RESEARCH FOREST DR, STE 100	City SHENANDOAH	State TX	Zip Code 77381
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7. Business Phone No. 281-29-5262	Alternate Phone No. 281-706-6347	E-mail Address momm1336@yahoo.com
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OWNER INFORMATION

8. Type of Owner
 Individual Corporation City/County/University
 Partnership Limited Liability Company Other _____
 Limited Partnership Joint Venture
 Limited Liability Partnership Trust

9. Owner of Business/Applicant (Name of Corporation, LLC, etc.)
AMRON, LLC

PRIMARY CONTACT PERSON

The primary contact person should be a person who can answer questions TABC may have about the application. The contact phone and email are mandatory and must be active and updated regularly. If additional information is needed, it will be requested from this contact person. Delays in responding to requests may delay the processing and approval of your license/permit.

10. Contact Person: KEVIN OR KRISTIN MCLEROY	Relation to Business: LICENSING SERVICE - AALP
Phone (mandatory): 936-539-4959	Email (mandatory): aalpserveu@gmail.com

TABC DATESTAMP

11. Are you, the applicant a veteran-owned business? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
12. Are you, the applicant a Historically Underutilized Business (HUB)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
13. As indicated on the chart, enter the individuals that pertain to your business type: (For additional space, use Form L-OIC)			
Individual/Individual Owner		Limited Liability Company/All Officers or Managers	
Partnership/All Partners		Joint Venture/Venturers	
Limited Partnership/All General Partners		Trust/Trustee(s)	
Corporation/All Officers		City, County, University/Official	
Last Name AMRON	First Name ALIREZA	MI	Title MANAGING MEMBER
Last Name	First Name	MI	Title
Last Name	First Name	MI	Title

MEASUREMENT INFORMATION

Section 109.31 et seq.

14. Will your business be located within 300 feet of a church or public hospital? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<i>NOTE: For churches or public hospitals measure from front door to front door, along the property lines of the street fronts and in a direct line across intersections.</i>			
15. Will your business be located within 300 feet of any private/public school, day care or child care facility? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
15.a If "YES," are the facilities located on different floors or stories of the building? <input type="checkbox"/> Yes <input type="checkbox"/> No			
<i>NOTE: For private/public schools, day care centers and child care facilities measure in a direct line from the nearest property line of the school, day care center or child care facility to the nearest property line of the place of business, and in a direct line across intersections.</i>			
<i>NOTE: For multistory building: businesses may be within 300 feet of a day care center or child care facility as long as the facilities are located on different floors of the building.</i>			
<i>NOTE: If located on or above the fifth story of a multistory building: measure in a direct line from the property line of the private/public school to property line of your place of business in a direct line across intersections vertically up the building at the property line to the base of the floor on which your business is located.</i>			
16. Will your business be located within 1,000 feet of a private school? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
17. Will your business be located within 1,000 feet of a public school? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

60-DAY SIGN

18. If required under Section 11.391 and 61.381, enter the exact date the 60-Day sign was posted at your location.	Exact Date (MM/DD/YYYY) 02-24-2020
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ALL APPLICANTS

19. IF YOUR LOCATION IS NOT WITHIN THE CITY LIMITS, CHECK HERE
I, the applicant, have confirmed I am not located in the city limits of any city, therefore, city certifications are not required.

COMPLETE THE FOLLOWING CHECKLIST BEFORE SUBMITTING YOUR APPLICATION

Per Sec. 102.01, a tied house is defined as any overlapping ownership between those engaged in the alcoholic beverage industry at different levels of the three-tier system. No person having an interest in a permit issued by TABC may secure or hold, directly or indirectly, an ownership interest in a business on a different level.

All required forms have been completed.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have reviewed all forms to ensure they are complete.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have obtained all required local and state certifications (pages 3-5).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
All application packets have been notarized.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Phone numbers and email address for Contact Person are up to date.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
All additional documentation as required by the application packets is attached	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If required, out of state criminal history checks are attached (PHS #7).	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Certification of publication in local newspaper has been completed (page 5).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
A copy of the newspaper publication is attached (page 5).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

WARNING AND SIGNATURE

IF APPLICANT IS SHOWN AS:

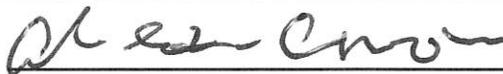
- Proprietorship
- Partnership
- Corporation
- Limited Partnership
- Limited Liability Partnership
- Limited Liability Company

WHO MUST SIGN:

- Individual Owner
- Partner
- Officer
- General Partner
- General Partner
- Officer/Manager

WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "...a person who makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the Commission and required to be sworn commits an offense punishable by imprisonment in the Texas Department of Criminal Justice for not less than 2 nor more than 10 years."

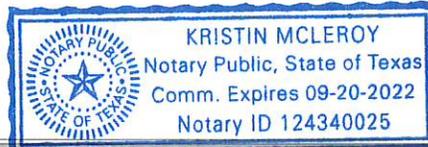
I, UNDER PENALTY OF LAW, HEREBY SWEAR THAT I HAVE READ ALL THE INFORMATION PROVIDED IN THE APPLICATION AND ANY ATTACHMENTS AND THE INFORMATION IS TRUE AND CORRECT. I ALSO UNDERSTAND ANY FALSE STATEMENT OR REPRESENTATION IN THIS APPLICATION CAN RESULT IN MY APPLICATION BEING DENIED AND/OR CRIMINAL CHARGES FILED AGAINST ME. I ALSO AUTHORIZE THE TEXAS ALCOHOLIC BEVERAGE COMMISSION TO USE ALL LEGAL MEANS TO VERIFY THE INFORMATION PROVIDED.

PRINT NAME ALIREZA AMRON SIGN HERE 

TITLE MANAGING MEMBER

Before me, the undersigned authority, on this 25th day of Feb, 2020, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.

SIGN HERE 
NOTARY PUBLIC



SEAL

CERTIFICATE OF CITY SECRETARY (FOR MB, RM & V)

Section 11.37

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a "wet" area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

SIGN HERE _____, TEXAS
City Secretary/Clerk City

SEAL

CERTIFICATE OF CITY SECRETARY (FOR BG & BE)

Section 11.37 & 61.37

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a "wet" area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

Election for given location was held for:

- legal sale of all alcoholic beverages
- legal sale of all alcoholic beverages except mixed beverages
- legal sale of all alcoholic beverages including mixed beverages
- legal sale of beer/wine (17%) on-premise **AFTER** Sept. 1, 1999
- legal sale of beer/wine (14%) on-premise **BEFORE** Sept. 1, 1999

OR IF ABOVE DOES NOT APPLY:

Be advised the location must have had two election passages per Section 25.14 or Section 69.17 of the TABC Code. One for beer and wine off-premise and one for mixed beverage.

- legal sale of beer and wine for off-premise consumption only

AND EITHER:

- legal sale of mixed beverages

OR

- legal sale of mixed beverages in restaurants by food and beverage certificate holders (applicant must apply for FB with BG or BE)

SIGN HERE _____, TEXAS
City Secretary/Clerk City

SEAL

CERTIFICATE OF CITY SECRETARY FOR LATE HOURS LICENSE/PERMIT

(LB & BL)

Chapters 29 & 70 et seq.

I hereby certify on this _____ day of _____, 20____, that one of the below is correct:

- The governing body of this city has by ordinance authorized the sale of **mixed beverages** between midnight and 2:00 A.M.; or
- The governing body of this city has by ordinance authorized the sale of **beer** between midnight and _____ A.M.; or
- The population of the city or county where premises are located was 500,000 or more according to the 22nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001; or
- The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

SIGN HERE _____, TEXAS
City Secretary/Clerk City

SEAL

CERTIFICATE OF COUNTY CLERK (FOR MB, RM & V)

Section 11.37

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is in a "wet" area for such license/permit, and is not prohibited by any valid order of the Commissioner's Court.

SIGN HERE _____ COUNTY
County Clerk

SEAL

CERTIFICATE OF COUNTY CLERK (FOR BG & BE)

Section 11.37 & 61.37

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is in a "wet" area and is not prohibited by any valid order of the Commissioner's Court.

Election for given location was held for:

- legal sale of all alcoholic beverages
- legal sale of all alcoholic beverages except mixed beverages
- legal sale of all alcoholic beverages including mixed beverages
- legal sale of beer/wine (17%) on-premise **AFTER** Sept. 1, 1999
- legal sale of beer/wine (14%) on-premise **BEFORE** Sept. 1, 1999

OR IF ABOVE DOES NOT APPLY:

Be advised the location must have had two election passages per 25.14 or 69.17 of the TAB Code. One for beer and wine off-premise and one for mixed beverage.

- legal sale of beer and wine for off-premise consumption only

AND EITHER:

- legal sale of mixed beverages

OR

- legal sale of mixed beverages in restaurants by food and beverage certificate holders (applicant must apply for FB with BG or BE)

SIGN HERE _____ COUNTY
County Clerk

SEAL

CERTIFICATE OF COUNTY CLERK FOR LATE HOURS LICENSE/PERMIT (LB & BL)

Chapters 29 & 70 et seq.

I hereby certify on this _____ day of _____, 20____, that one of the below are correct:

- The Commissioner's Court of the county has by order authorized the sale of **mixed beverages** between midnight and 2:00 A.M.; or
- The Commissioner's Court of the county has by order authorized the sale of **beer** between midnight and _____ A.M.; or
- The population of the city or county where premises are located was 500,000 or more according to the 22nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001; or
- The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

SIGN HERE _____ **COUNTY**
County Clerk

SEAL

COMPTROLLER OF PUBLIC ACCOUNTS CERTIFICATE

Section 11:46 (b) & 61:42 (b)

This is to certify on this _____ day of _____, 20____, the applicant holds or has applied for and satisfies all legal requirements for the issuance of a Sales Tax Permit under the Limited Sales, Excise and Use Tax Act or the applicant as of this date is not required to hold a Sales Tax Permit.

Sales Tax Permit Number _____ Outlet Number _____

Print Name of Comptroller Employee _____

Print Title of Comptroller Employee _____

SIGN HERE _____ **FIELD OFFICE** _____

SEAL

PUBLISHER'S AFFIDAVIT (FOR MB, LB, RM, BP, BG, BE, BL & V)

Section 11:39 and 61:38

Name of newspaper		ATTACH PRINTED COPY OF THE NOTICE HERE <u>Hover over to see example</u>
City, County		
Dates notice published in daily/weekly newspaper (MM/DD/YYYY)		
<i>Publisher or designee certifies attached notice was published in newspaper stated on dates shown.</i>		
Signature of publisher or designee		
Sworn to and subscribed before me on this date (MM/DD/YYYY)		
Signature of Notary Public		
SEAL		



Alcoholic Beverage Special Use Permit

City of Shenandoah, Texas
29955 I-45 North
Shenandoah, Texas 77381
281-298-5522
www.shenandoahtx.us

Upon completion return application to Development@shenandoahtx.us

Contact Information

Property Owner(s): Plaza Pines Investments LLC
Address: 723 S Casino Center Blvd 2nd Floor Las Vegas, NV
Zip Code: 89101 Phone: (858) 200-9408
Email Address: zsmith@capital-rev.com
Applicants: Amron, LLC (Alireza Amron, Managing Member)
Address: 16502 N Glade Drive Houston, TX
Zip Code: 77073 Phone: 281-706-6347
Email Address: momm1336@yahoo.com

Parcel Information

Type of Business: Restaurant
Legal Description: 5972162 - Wdlnds Metro Center 62, RES B, ACRES 1.6666
Street Address or Location: 1644 Research Forest Dr, Ste 100 Shenandoah, TX 77381

Submission Information

Description of the type of TABC Liquor License applying for and hours of operation: MB (Mixed Beverage Permit) & FB (Food and Beverage Certificate)
Mon-Thurs 11:00 AM - 9:00 PM
Fri & Sat 11:00 AM - 10:00 PM
Sunday 11:00 AM - 8:00 PM

This application is to be filed with the City of Shenandoah City Secretary:

Attn: City Secretary
29955 Interstate 45 North
Shenandoah, Texas 77381

The application must be submitted with the following:

- Cover letter of request on company letterhead
- A copy of the TABC application of liquor license.

The application must be submitted with a copy of the TABC application for liquor license and receipt for payment.

Each business that sells alcoholic beverages is required to also obtain a Beverage Permit from the City, which is renewed every two years when your State fees are paid. The fee for the Beverage Permit is one Half (1/2) of the State fee at each renewal.

Additional Information

Date Application received by the City Secretary: _____
Amount paid to the State: ^{MB \$6,602.00} ~~FB \$ 776.00~~ / ^{\$7,378.00} City Permit Fee (1/2 of the amount paid to the State): Exempt until 3rd year after issuance
Date Permit Issued: _____ ← Pending → Permit No. _____

Owner(s) of record for the above described parcel:

The Special Use Permit is the first step. Each business that sells alcoholic beverages is required to also obtain a Beverage Permit from the City, which is renewed annually when your State fees are paid. The fee for the Beverage Permit is one half (1/2) of the State fee.

Owner(s) of record for the above described parcel:

Signature: *[Handwritten Signature]* Date: 2-25-2020
Signature: _____ Date: _____
Signature: _____ Date: _____

Note: Signatures are required for all owners of record for the property proposed for Special Use Permit. Attach additional signatures on a separate sheet of paper.

<p>Date Received <i>Office Use</i></p>	
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Public Hearings

Parties in interest and citizens shall have an opportunity to be heard at public hearings conducted by the Planning and Zoning Commission and the City Council before any amendment to a district regulation, restriction, or boundary shall become effective. Regularly scheduled meetings are as follows and will be held accordingly unless public notice has been given of a change of dates:

Planning and Zoning Commission (two public hearings): **3rd Tuesday of every month at 7:00 p.m.**

City Council: **4th Wednesday of every month at 7:00 p.m.**

Protests

If a protest against a proposed zoning change including PDD and SUP requests has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty percent (20%) or more, either of the area of the land included in such a proposed change or those owners of property immediately adjacent to the subject property and extending two hundred feet (200) there from, such zoning change shall not become effective except by a three-fourths (3/4) vote of governing body in accordance with the provisions of Section 211.006 of the Texas Local Government Code.

Resubmission

Rezoning requests which have been heard and decided by the Council of the City of Shenandoah may not be re-filed with the city for six (6) months after the date of such decision by the Council, absent a change in circumstances.

Rezoning requests for the same property to a different classification than the denied request may be re-filed prior to the expiration of six (6) months.



Shenandoah Planning and Zoning Commission

AGENDA REPORT

AGENDA DATE: <u>May 5, 2020</u>	PREPARED BY: <u>Jackie Thompson</u>
DEPARTMENT: <u>Community Development</u>	EXHIBITS: <u>Preliminary Report, Property Location, Permitted Site Plan/Ordinance, SUP Amendment Application,</u>

SUBJECT/PROCEEDING:

Preliminary Report regarding the zoning amendment to amend Special Use Permit Ordinance No. O-18-005 providing for a minimum square footage of retail use, parking structure, and granting an extension to the expiration of the special use permit. The proposed zoning amendment is for 5.1923 acres of land in Restricted Reserve "A" of the Eastwood Village Replat No.1 recorded on Cabinet Z, Sheet 3434 M.R.M.C.

Public regarding the zoning amendment to amend Special Use Permit Ordinance No. O-18-005 providing for a minimum square footage of retail use, parking structure, and granting an extension to the expiration of the special use permit. The proposed zoning amendment is for 5.1923 acres of land in Restricted Reserve "A" of the Eastwood Village Replat No.1 recorded on Cabinet Z, Sheet 3434 M.R.M.C.

RECOMMENDED ACTION:

BACKGROUND/DISCUSSION:

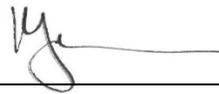
Woodlofts Shenandoah has a special use permit allowing 300-350 multifamily units, 14,500 square feet of retail space and a parking structure (granted on February 14, 2018 and extended on January 23, 2019). The current use permit is scheduled to expire on July 10, 2020 along with the issued building permit if use is not established. Woodlofts Shenandoah has requested an amendment to the current use permit with includes the following:

1. A minimum of 15,000 square feet free standing retail space – an increase from the existing minimum of 14,500
2. Maximum of 285 multifamily units – a decrease from the existing minimum of 300 and maximum of 350 units
3. Extend the expiration of the use permit for an additional 6 months – an extension from the current expiration date on July 10, 2020

The business is located in the "RC" – Retail Commercial Zoning District.

APPROVALS:

DEPARTMENT HEAD  DATE: April 29, 2020

CITY ADMINISTRATOR  DATE: April 29, 2020

**Shenandoah Planning & Zoning Commission
May 5,2020 and May 19, 2020 Public Hearing
Preliminary Report**

Subject: Woodlofts Shenandoah has requested a zoning amendment to amend Special Use Permit Ordinance No. O-18-005 providing for a minimum square footage of retail use, parking structure, and granting an extension to the expiration of the special use permit. The proposed zoning amendment is for 5.1923 acres of land in Restricted Reserve “A” of the Eastwood Village Replat No.1 recorded on Cabinet Z, Sheet 3434 M.R.M.C.

Public Hearings: Planning & Zoning Commission –May 5, 2020
Planning & Zoning Commission – May 19, 2020
City Council – May 27, 2020

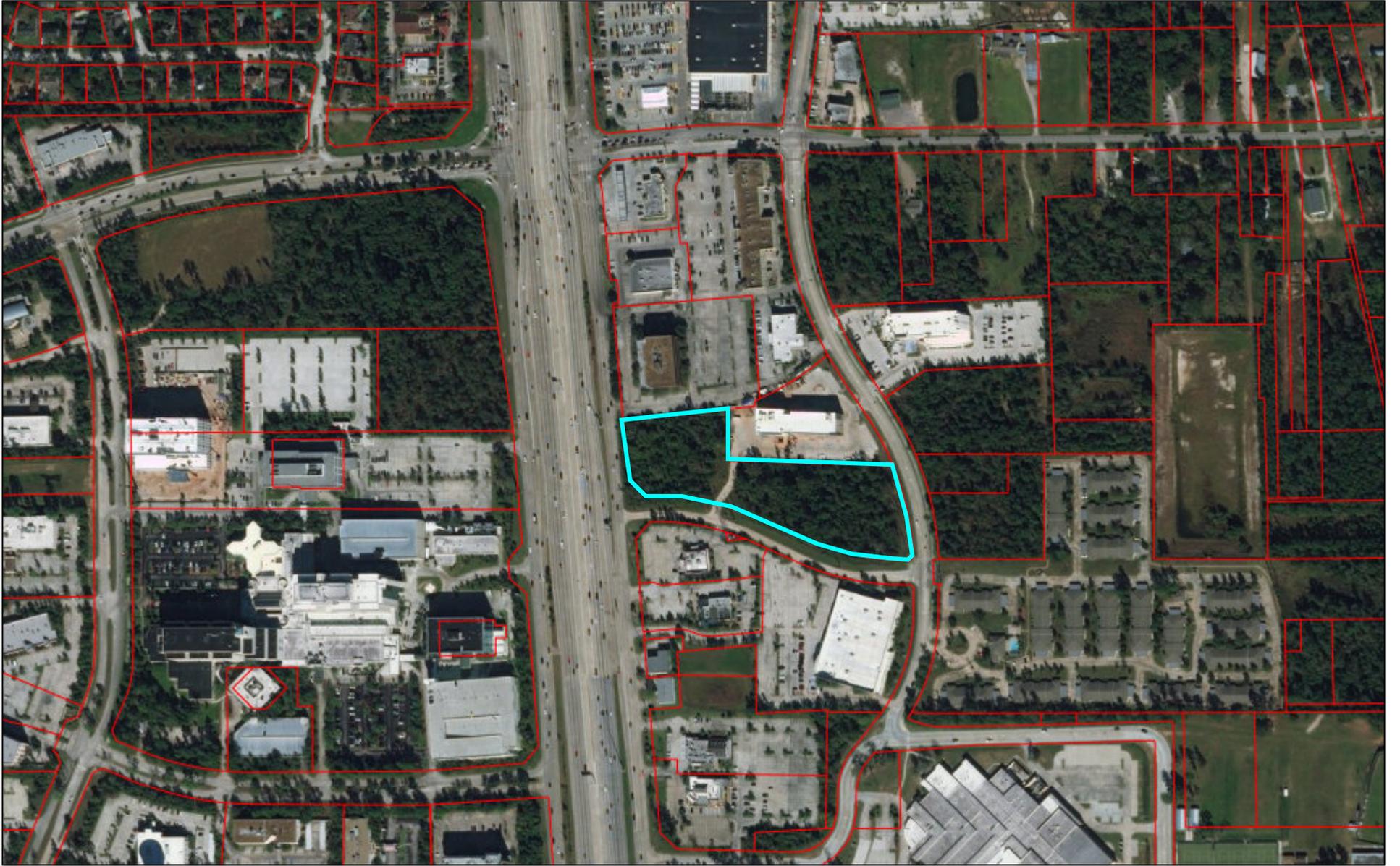
Current Zoning District: “RC” Retail Commercial Zoning District

Proposed SUP: Woodlofts Shenandoah has a special use permit allowing 300-350 multifamily units, 14,500 square feet of retail space and a parking structure. The current use permit is scheduled to expire on July 10, 2020 if use is not established. Woodlofts Shenandoah has requested an amendment to the current use permit with includes the following:

1. A minimum of 15,000 square feet free standing retail space
2. Maximum of 285 multifamily units
3. Extend the expiration of the use permit for an additional 6 months

Prepared by: Jackie Thompson
Community Development Manager

Date Prepared: April 29, 2020





THE WOODLOFTS

SHENANDOAH, TEXAS

OWNER
5.2 SHENANDOAH, LTD.
 a Joint Venture of
 Buckhead Investment Partners, Inc.
 and NorthGulf ZSP

2536 Amherst Street, Suite F
 Houston, TX 77005
 Phone Number: 713-522-1800
 Contact: Matthew J. Morgan
 E-mail: mjm@buckfund.com

ARCHITECT
EDI INTERNATIONAL, INC.

10550 Richmond Ave. Suite 160
 Houston, TX 77042
 Phone Number: 713-375-1400
 Fax Number: 713-375-1600
 Contact: Brit L. Perkins, AIA, LEED A.P.
 E-mail: Brit.perkins@edi-international.com

STRUCTURAL
VERTIKA

11777 Katy Freeway, Suite 5505
 Houston, TX 77079
 Phone Number: 832-448-2000
 Fax Number: () () ()
 Contact: Tom Bellace
 E-mail: tbellace@vertika-se.com

CIVIL
CALVIN MORGAN P.E.

350 Bluff View
 Wimberley, Texas 78676
 Phone Number: 713-201-1111
 Contact: Calvin Morgan
 E-mail: morgancalvin122@gmail.com

M.E.P.
**JORDAN & SKALA
 ENGINEERS**

17855 North Dallas Parkway, 320
 Dallas, Texas 75287
 Phone Number: 469-385-1616 Ext. 1337
 Contact: Stephen Way
 E-mail: sway@jordanskala.com

LANDSCAPE
EDI INTERNATIONAL, INC.

10550 Richmond Ave. Suite 160
 Houston, TX 77042
 Phone Number: 713-375-1400
 Fax Number: 713-375-1600
 Contact: Don Henry
 E-mail: don.henry@edi-international.com

INTERIORS
FAULKNER DESIGN

3232 McKinney Avenue, St.1170
 Dallas, Texas 75204
 Phone Number: 214-922-8008
 Contact: Ann Mueller
 E-mail: amueller@faulknerdesign.com

ISSUED FOR PERMIT RESUBMISSION (06-19-2015)



10550 Richmond Avenue
 SUITE 160
 HOUSTON, TEXAS 77042
 (713) 375-1400
 FAX (713) 375-1600
 www.EDI-international.com
 TEXAS CALIFORNIA NEW YORK

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 E-mail: amueller@faulknerdesign.com

THE WOODLOFTS
 SHENANDOAH, TEXAS
 WOODLOFTS PARTNERS, LLC.



01-09-2019
 ARCHITECT: BRITTEN L. PERKINS
 LICENSE NO.: 12130
 COMPANY: EDI INTERNATIONAL, INC.
 FIRM ID #: 44526-00

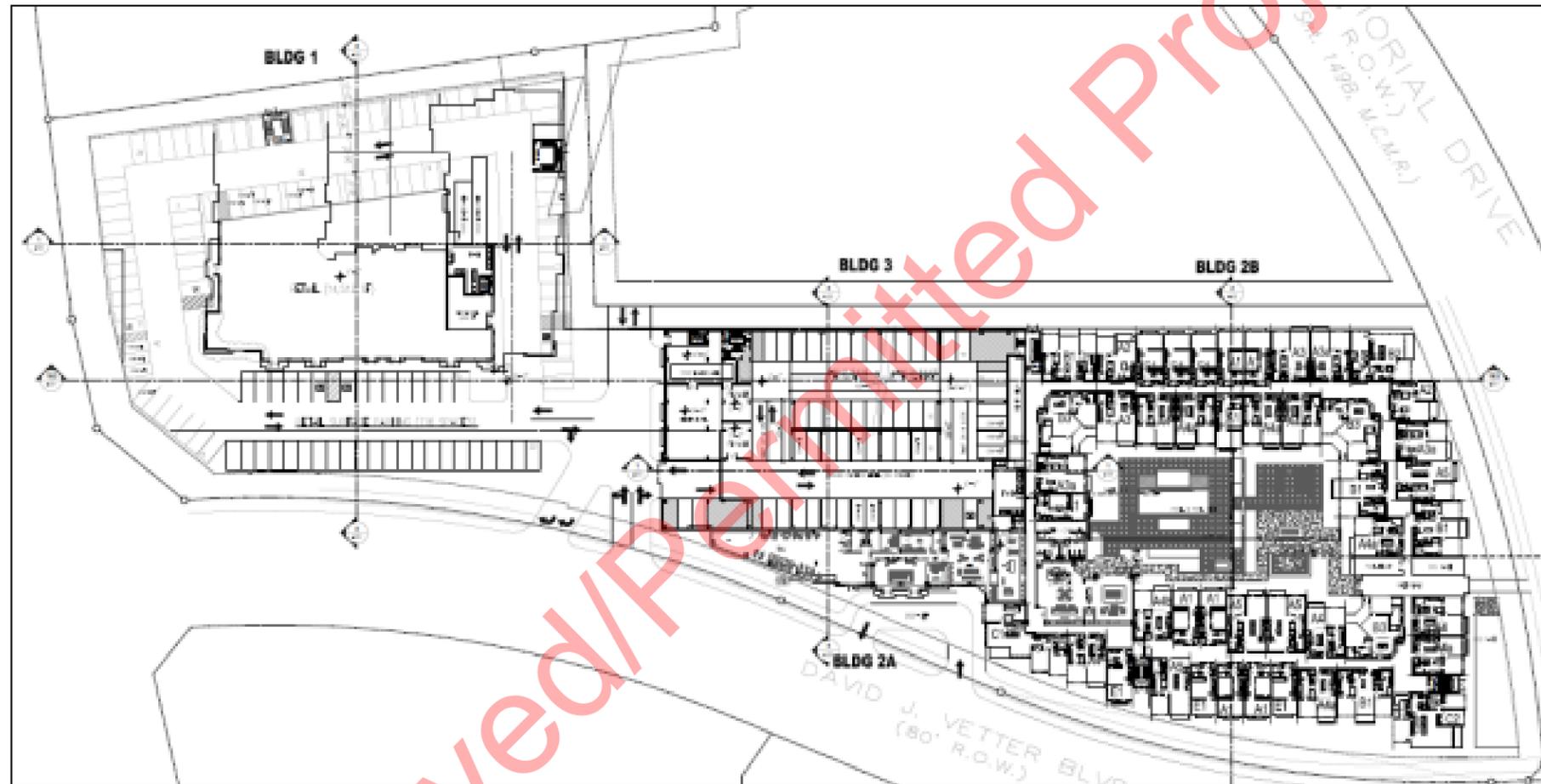
NO.	DATE	ISSUE
05.20.2015		Permit Revisions
06.19.2015		Owner Revisions
07.31.2015		GMP Comments & CD Revisions
01.09.2019		Owner Revisions

Project Number: 14321.000
 Issued: EXTERIOR REVISIONS
 Issue Date: JANUARY 17, 2019

DRAWING TITLE
 COVER SHEET

DRAWING NUMBER
 G000
 COVER SHEET

First Floor



ORDINANCE NO. O-19-004

AN ORDINANCE OF THE CITY OF SHENANDOAH, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 102, SO AS TO APPROVE AN EXTENSION OF A SPECIAL USE PERMIT FOR 5.1923 ACRES OF LAND IN RESTRICTED RESERVE "A" OF THE EASTWOOD VILLAGE REPLAT NO. 1 RECORDED ON CABINET Z, SHEET 3434 M.R.M.C TO ALLOW A MINIMUM SQUARE FOOTAGE OF RETAIL USE AND PARKING STRUCTURE; PROVIDING FOR A PENALTY IN THE AMOUNT OF \$2,000 FOR VIOLATIONS THEREOF; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property described in this ordinance is currently has a zoning classification of Retail Commercial (RC); and

WHEREAS, ON February 14, 2018, the City Council granted a Special Use Permit (SUP) to Restricted Reserve "A" of the Eastwood Village Replat NO. 1 recorded on Cabinet Z, Sheet 3434 M.R.M.C; and

WHEREAS, the Special Use Permit provides a minimum square footage of retail space; and

WHEREAS, the current Special Use Permit will expire on February 14, 2019; and

WHEREAS, the owner has requested an extension of the special Use Permit; and

WHEREAS, Section 7.6.5 of the Integrated Development Code allows the City Council to extend a Special Use Permit; and

WHEREAS, the City Council believes that it is in the best interest of the City to approve an extension of the Special Use Permit; and

WHEREAS, the City Council finds that such change would not be detrimental to the public health, safety, or general welfare in the City of Shenandoah, and as well, the owners and occupants thereof.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHENANDOAH, TEXAS, THAT:

Section 1. The Special Use Permit issued to Restricted Reserve "A" of the Eastwood Village Replat NO. 1 recorded on Cabinet Z, Sheet 3434 M.R.M.C by Ordinance No. O18-005 is extended until August 14, 2019.

Section 2. All provisions of the ordinances of the City of Shenandoah in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Shenandoah, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 3. The provisions of this Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent.

Section 4. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the code of Ordinances of the City of Shenandoah, and upon conviction, shall be punished by a fine not to exceed the sum of TWO THOUSAND AND NO/100

DOLLARS (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 5. It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable and the invalidity of any section, clause or provision or part or portion of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section 6. This Ordinance shall become effective immediately upon its passage and publication as required by law. If the use is not established by August 14, 2019 and no extension is approved, the Special Use Permit will expire by its own terms.

PASSED, APPROVED AND ADOPTED this the 23rd day of January, 2019.

CITY OF SHENANDOAH, TEXAS



M. RITCHEY WHEELER, Mayor

ATTEST:



COURTNEY CLARY, City Secretary



APPROVED AS TO FORM:



WILLIAM C. FEREBEE City Attorney

WOODLOFTS SHENANDOAH

March 11, 2020

City of Shenandoah Planning & Zoning Commission
City of Shenandoah City Council

RE: Application to modify Special Use Permit for The WoodLofts, a previously approved residential and retail project in Shenandoah's Retail Commercial District

Dear Ladies and Gentlemen:

On behalf of Woodlofts Shenandoah, Ltd., Owner of a 5.1923-acre tract of land located at the northeast corner of Interstate 45 North and David J. Vetter Boulevard in the City of Shenandoah's Retail Commercial Zone, we hereby respectfully request the City of Shenandoah to modify and extend the term of the attached **Special Use Permit**, Ordinance 0-19-004 originally valid until July 23, 2019, and subsequently extended until July, 2020, by virtue of Owner submitting full set of construction drawings and obtaining a building permit for the project.

The current SUP allows Owner to immediately finance and start construction of The WoodLofts, a proposed Class A+, institutional-quality, mixed-use project consisting of 350 multifamily residential units and a minimum of 14,500 square feet of sales-tax paying retail space on the site.

However, our investor group is demanding that we scale down the overall number of multifamily units and segregate the apartment and retail uses into separate-but-related executions due to the overall size and risk profile of the currently permitted transaction; based on the continuing escalation in construction costs and a desire to develop the best, most efficient project possible, Owner has therefore decided to redesign certain aspects of The WoodLofts to make it more cost-effective to build and operate, to address our investors' requirements and to most closely match the current demand in the market. We therefore request being placed on the next agenda of the Planning & Zoning Commission for an initial hearing to consider the following proposed changes:

1. AMENDMENT REQUEST

- The primary request is to amend the current SUP to allow the concurrent development of two components of a single project, namely: a retail building on the western portion of the tract fronting I-45, and a market-rate rental multifamily component substantially similar to the currently permitted one on the eastern portion, specifically as follows:

Retail component: A minimum of 15,000 of net rentable square feet of sales-tax-paying retail in a single story free-standing building with surface parking of sufficient scale to meet the City's parking code. This minimum is 500 net rentable square feet larger than what is required by the current SUP.

Woodlofts Shenandoah, Ltd.

2536 Amherst Street, Suite F, Houston, Texas 77005 (713) 522-1800

Residential component: A maximum of 285 multifamily rental units, each containing an average of 900 gross square (in conformance with the current SUP language), plus amenities as presently designed and permitted, over a maximum of five floors, plus a multi-level parking structure. This revised maximum unit count is 65 fewer apartment units of the same average size as in the current SUP. The currently permitted design for the building on this part of the property would be very simply modified to add one additional level of apartments and parking, respectively.

- Several additional changes will include the elimination of the currently permitted below-grade parking level under the garage and the front retail building and parking lot, and the elimination of the pedestrian bridge between the prior version's garage and the front building above the retail level.
- All uses (restaurants, cafes, shops, and apartments) will be parked to City of Shenandoah parking code requirements without variances.
- What will not be changed are all other currently designed and permitted aspects of the Class A apartments with full, state-of-the-art amenities (pool, whirlpool, dog spa, gym, yoga studio, package lockers, interior air conditioned corridors, concrete path eight feet wide along the east, south, and west boundaries, board room, and television room / theater).

2. EXTENSION REQUEST

- Concurrently with the amendment of the SUP, we respectfully request an extension of the Special Use Permit for an additional six (6) months in order for Owner to (a) revise and resubmit the plans and specifications to the City of Shenandoah in order to receive revised building permits to construct the project, and (b) complete and document the required multi-level project financing required for the project. While every effort would be made to start construction by July 1, 2020, we are requesting additional time from an abundance of caution.

Based on the terms of both the existing and the requested amended Special Use Permit, The WoodLofts conforms with all of the City of Shenandoah's ordinances. In addition, we believe that The WoodLofts perfectly conforms with the uses and project type intended by the city planners and its citizens for its highly visible Retail Commercial Zone, by providing a carefully designed, lively, dense, urban, mixed-use, and economically productive project, while helping the city reach its strategic objectives outlined in its Comprehensive Plan.

Based on the fact that a Special Use Permit and a Building Permit were previously issued by the City, it is Owner's intention to re-submit the same plans and specifications which were previously approved for the building on the eastern portion of the property, but with the revisions noted

above. In addition, a single-level detached retail building will be designed to meet the needs of current suburban retail tenants.

Given that The Woodlands area multifamily market and job market have suffered recent disruptions, including the sale of Anadarko and the withdrawal of half their employees from their signature towers, as well as current geopolitical and macroeconomic events, we and our investors believe that the rental rates and lease-up velocity we need to achieve are more realistic with this revised and slightly down-sized program. The mixing of uses horizontally in this revised plan, rather than vertically as in the current one, will address our investor requirements and ensure the successful lease-up and operation of both projects.

We also believe the timing is ideal to begin construction of The WoodLofts in mid-2020, as we are presently scheduled and prepared to do. As we have indicated before, The WoodLofts will be a unique, visible project, providing highly amenitized housing for the cohort of younger white-collar working professionals now lacking in the City of Shenandoah.

Respectfully submitted,

Woodlofts Shenandoah, Ltd.

By Woodlofts Partners, LLC
Its general partner



Digitally signed by Kevin M. Kirton
DN: cn=Kevin M. Kirton,
o=Funding Incorporated,
ou=Corporation,
email=kmk@buckfund.com, c=US
Date: 2020.03.10 18:11:41 -05'00'

Kevin M. Kirton
Manager

Jay Rippeto
Manager

WOODLOFTS SHENANDOAH

March 11, 2020

City of Shenandoah Planning & Zoning Commission
City of Shenandoah City Council

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Respectfully submitted,

Woodlofts Shenandoah, Ltd.

By Woodlofts Partners, LLC
Its general partner

Kevin M. Kirton
Manager



Jay Rippetto
Manager

THE WOODLOFTS



REQUEST FOR MODIFICATION AND EXTENSION
OF CURRENT SPECIAL USE PERMIT



THE WOODLOFTS



- OVERVIEW
- SITE
- PROJECT
- DEVELOPMENT TEAM

OVERVIEW

Project	Infill, rental multifamily residential and retail project in the city of Shenandoah, Texas, in the Woodlands Area, one of the nation's fastest growing and most vibrant suburban communities
Site	Development-ready, fully-entitled 5.1923 acres across the freeway from The Woodlands, at the northeast corner of I-45 North and David J. Vetter Boulevard in the City of Shenandoah, Texas, between Lake Woodlands Dr. and Research Forest Dr.
Location	Interstate highway frontage, within a small, zoned and highly restrictive city, with excellent access, entitlements, and visibility as well as proximity to significant office, medical, retail, restaurant, hospitality, entertainment and residential offerings
Trends / Drivers	Powerful real estate demand drivers: demographic and corporate growth, rapid development of the commercial corridor between The Woodlands and Springwoods Village, large new corporate campuses (ExxonMobil, Southwestern Energy, HP Enterprise and American Bureau of Shipping), corporate relocations and expansions within Hughes Landing project in The Woodlands
Target Markets	<u>Residential</u> : Young professional workers and renters by choice, primarily in the health care, service, engineering and energy fields <u>Retail</u> : Destination/specialty restaurants, coffee shops and upscale bars



S I T E

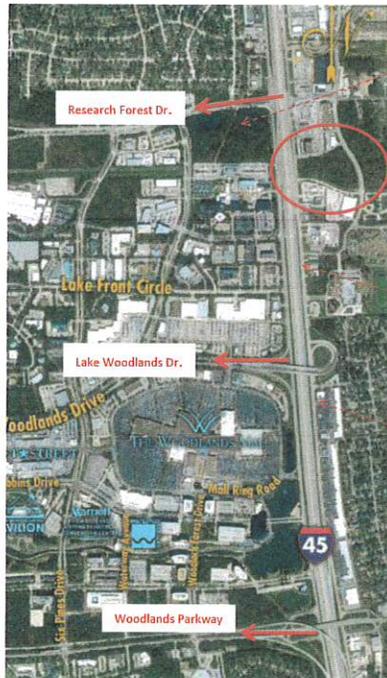


THE WOODLOFTS
Ⓢ

Recent Construction Activity Next to the Site



- 5.1923-acre vacant site
- Special Use Permit previously obtained from City of Shenandoah, Texas
- Frontage on three streets: I-45 North frontage road, David J. Vetter Boulevard and David Memorial Drive
- Next to existing restaurants, entertainment, office and retail
- Two hotels recently built next to site, and another now under construction
- Excellent visibility from I-45
- Between 2 of the 4 access roads leading into The Woodlands
- Unlimited northbound and southbound access to and from I-45



Commercial reserve owned by Howard Hughes Corporation,

Research Forest is the main access to office corridor in The Woodlands

Traffic count at this point: ~220,000 cars/day

Double I-45 North Exit to enter The Woodlands:

- Lake Woodlands Dr
- Research Forest Dr



PROJECT SITE

Size:	5.1923 acres	
Condition:	Unimproved property. No demolition required	
Improvements:	27-foot wide concrete main drive separating two tracts	
Topography	Flat, wooded	
Storm Water Detention:	Off-site detention through Shenandoah Drainage District #6	
Zoning:	Retail Commercial. Special Use Permit previously obtained for apartment/retail project	
Environmental:	Clean Phase 1 Environmental Report	
Utilities	Domestic Water:	City of Shenandoah
	Sanitary Sewer:	City of Shenandoah
	Storm Sewer:	Drainage District #6
	Gas, Electric, Phone, Cable:	TBD









PROJECT

PROJECTED PROJECT / MODIFICATION OF CURRENT SPECIAL USE PERMIT



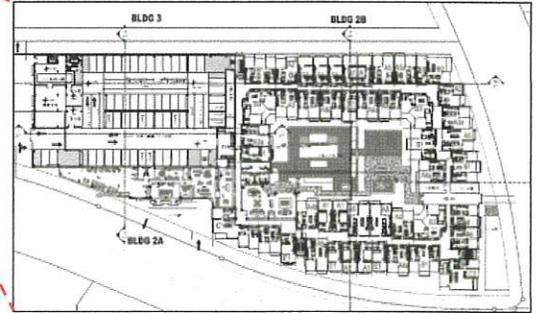
WEST BUILDING

- Minimum of 15,000 sf of net rentable square feet of sales-tax-paying retail
- Single story building
- Surface parking to meet City's parking code.



EAST BUILDING

- Maximum of 285 units multifamily rental units in a 5-story Type III wood-frame building wrapping a multi-level structured concrete garage



THE WOODLOFTS





WEST BUILDING

- A minimum of 15,000 sf of net rentable square feet of sales-tax-paying retail in a single story with surface parking of sufficient scale to meet the City's parking code.



EAST BUILDING

- A maximum of 285 units multifamily rental units in a 5-story Type III wood-frame building wrapping a multi-level structured concrete garage
- The previously approved project included a 4-story building (shown).
- An additional floor of apartments will be added for a total of 5 floors) as well additional parking in the garage to meet City of Shenandoah parking requirements.





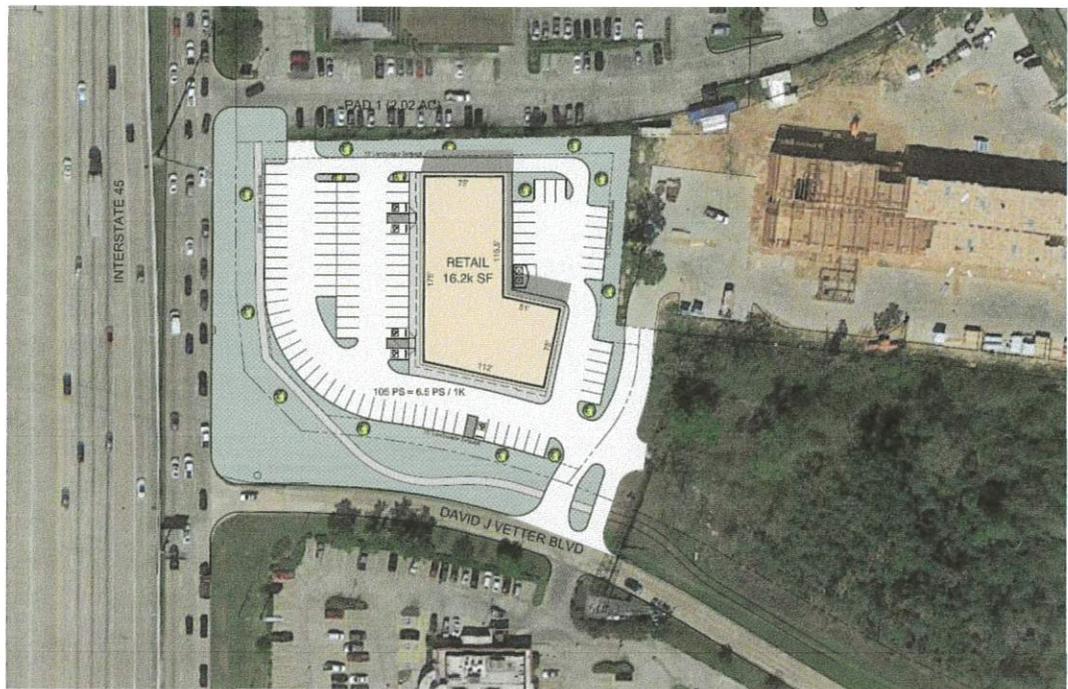
EAST BUILDING

- 5 stories of wood-frame residential
- An additional floor will be added to the existing, fully-permitted project (shown)



WEST BUILDING

- A minimum of 15,000 sf of net rentable square feet of sales-tax-paying retail in a single story building
- Surface parking of sufficient scale to meet the City's parking code.

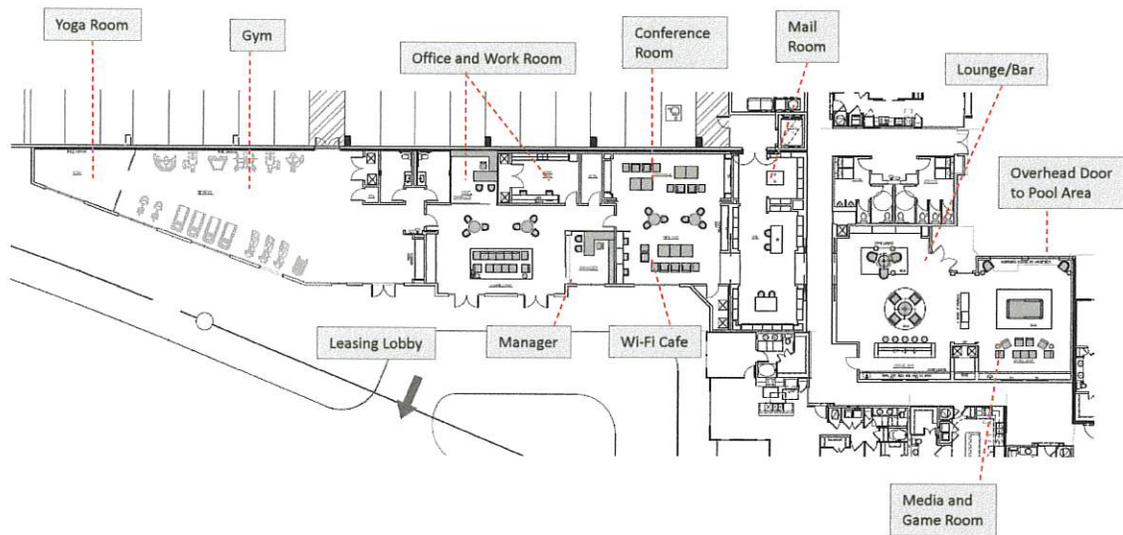




WEST BUILDING



EAST BUILDING COMMON AREAS



DEVELOPMENT TEAM



www.buckfund.com

- Houston-based real estate development firm founded in 1996, and led by Matthew Morgan, President, Kevin Kirton, CEO, and Carlos Gonzalez, Managing Director
- Exclusively focused on development, ownership, and operation of multifamily properties
- Developed 3,000 multifamily units with a value of approximately \$300MM in Texas
- Through an affiliate, has underwritten and closed approximately \$700MM in multifamily loans
- In 2001, Buckhead delivered more units in Houston than any other multifamily developer
- Buckhead currently has over \$330MM worth of development projects in process



1717 Bissonnet
Houston, Texas - 228 units



The Enclave at Quail Crossing
Friendswood, Texas - 264 units



The Ravinia - Houston, Texas
232 units



Enclave at Cornerstone Village
Houston, Texas. 232 units



The Enclave at Copperfield
Houston, Texas - 252 units



The Reserve by the Lake
Houston, Texas - 348 units



The Enclave at Woodbridge
Sugar Land, Texas - 348 units



The Reserve at Woodbridge
Sugar Land, Texas - 288 units



THE WOODLOFTS



DEVELOPMENT TEAM



www.juniperinvestmentgroup.com

- Founded and headquartered in Houston, Texas, Juniper is a multi-family investment firm which has sponsored the acquisition of 122 multifamily properties in 14 states, consisting of 25,151 units with an all-in cost over \$1 billion
- Of the 122 properties acquired, Juniper has sold 74 such assets. The realized, weighted average annual IRR for sold assets is 19.3%
- Juniper's existing portfolio consists of 47 properties representing an aggregate of 9,583 units
- Houston-based First Choice Management Group manages Juniper's multifamily assets and also third-party assets, for a total of 13,722 units in five states. First Choice has an accounting and regional management office in San Antonio, Texas, and regional management offices in Charlotte, NC and Baton Rouge, LA
- Jay Rippeto is the President and founder of Juniper Investment Group, Ltd. and the CEO of First Choice Management Group
- The Juniper team includes Bill Choice, President of First Choice Management Group; Jeffrey Bishop, Senior Vice President of Asset Management; Jeremy Cloud, Senior Vice President of Finance; Zoe Rogers, Vice President of Asset Management; Seth Borland, Vice President of Acquisitions and Development; Sharon Lawrence, Transaction Administrator; and Griffin Marcyes, Associate.



DEVELOPMENT TEAM

Project Developer	WoodLofts Shenandoah, LLC, a JV between Buckhead Investment Partners and Juniper Investment Group	
Architecture	EDI International	
Civil Engineering	Calvin Morgan, PE	
MEP Engineering	Jordan & Skala Engineers	
Landscape Architecture	EDI International	
Interior Architecture	Faulkner Design Group	
Leasing / Management	Greystar	
Retail Leasing	Jones Lang LaSalle	
Structural Engineering	Vertika	
General Contractor	Broadus Construction	

THE WOODLOFTS



Additional information:

WoodLofts Shenandoah, Ltd.

Kevin Kirton
Principal
Buckhead Investment Partners

m 713 894 1937
e kmk@buckfund.com

Jay Rippeto
Chief Executive Officer
Juniper Investment Group

t 713 972 9302
e jay@juniperinvestmentgroup.com

MINUTES OF REGULAR MEETING
December 17, 2019
PLANNING & ZONING COMMISSION

1. CALL TO ORDER

The meeting was called to order by Chairman Ash at 7:00 p.m.

2. CALL OF ROLL

Commissioners present Chairman Ash, Mr. Bob Galatas, Mr. Wally Westbrook , and Mr. Jim Pollard. Also present were Jackie Thompson, Stacie Newsom, and Officer Bledsoe.

Commissioner Mr. Wes Stevens was absent.

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.

Chairman Ash advised none for the record.

4. Consideration and possible action to approve or deny a sign exception to allow for an additional wall sign and existing wall signs (above the allowed number of signs) to remain on the front elevation. The proposed sign exception if for 19103 I-45, Shenandoah Texas.

Mrs. Thompson advised the Commission the Home Depo Store located at Research Forest and I-45 has submitted for a sign exception application for the commission to review based off of a denied set of plans that staff returned to the property. The application includes an additional wall sign, and they would like to leave the existing walls signs on the building at the west elevation. The sign ordinance allows the development one front wall sign and one rear or side wall sign. Plans were denied based off of those sections. The number of permitted sign on the elevation and noted that they were going to have to remove the nonconforming sign, which would be garden center and contractor pickup. Sign A is a new tool sign rental which will be a wall sign on the front elevation, sign C is under the canopy along the doors that say contractor pickup. They have an existing wall sign & a garden center wall sign, with the existing pole sign at I-45. What has prompted this is they are doing expansion to the building to add the tool rental center. The current ordinance would require them at the issuance of a sign permit they would have to remove the garden center sign, and the contractor pickup sign. Commissioner Galatas asked why would you need to take down two to get one. Mrs. Thompson advised they are not allowed signs, they do not comply with the current ordinance. Commissioner Pollard asked if everything was in compliance now? Mrs. Thompson advised no, the site would not be in compliance as it is. Commissioner Pollard asked as it currently is? Mrs. Thompson advised no the site would not be in compliance out of our

current ordinance. Mrs. Thompson ask the reprehensive from Home Depo Rosalyn Holdefield, if she was aware when the signs were originally put up. Mrs. Rosalyn Holdefield advised that they would have all been put up when the building was built. Mrs. Thompson advised that these signs would have been installed previous to our current ordinance. But what the current ordinance does require that the site does come into compliance. So Home Depo would be required to remove these signs or again ask for an exception to allow these specific sign to remain on the site. In addition that the tool rental sign would not be allowed, because they already have a wall sign on the west elevation. Commissioner Galatas stated that he read in there submittal that with the additional square footage that they would be intitled to so many feet of signage, what was that about? Mrs. Thompson advised that would be allowed two square feet for every liner foot, so technical a single wall sign on the front of their building could be increased by forty square feet, with the addition of the twenty foot. But not to be confused they are not expanding the front, they are expanding the side where they are wanting the signage. Commissioner Westbrook asked the existing signage on the building, does it comply with the new business as far as the style? Mrs. Thompson advised, yes. Mrs. Rosalyn Holdefield stated they are not touching the exiting signs, that the signs are now nonconforming, but they were conforming when the opened up the building back years ago. What is causing this, is they are adding a tool rental store to this store, they are expanding adding a little square footage to the store itself. So we are allowed to have signs on all four signs of the building, because we front four sides, I-45, Alexandra Ln, David Memorial Dr, & Tamina Rd. We are not asking for any other additional sign, we are fine, we just want our customers to understand that they now have separate entrance to the tool rental facility, they can enter and exit there, they do not have to deal with the main part of the building at all. And just to point out each one of the signs are over a separate entrance. Chairman Ash asked if the tool renal sign was the only sign on that elevation would it be conforming? Mrs. Thompson advised yes. Commissioner Galatas asked if it was moved to the side would it be allowed. Mrs. Thompson advised that they would still run into the issues that they would be required to take down the garden center & contractor pickup sign. Chairman Ash asked that they rules of the IDC say that even if you were here before the sign ordinance you have to come into compliance. Mrs. Thompson advised, yes, the language reads the issuant of a sign permit for a new or replacement sign shall be subject to condition that all non-conforming sign on the property shall be removed or brought into conformance as part of the issuant of the sign permit. Chairman Ash asked they only way to bring them in to conformance is to remove. Mrs. Thompson advised that they could technical be called directorial sign, but that's the sign limitation, but that would not apply in this. Commissioner Westbrook asked the existing sign that are there match as far as style of letters and things like that everything that we have on the books right now. Mrs. Thompson advised yes, there is no issue with the appearance of the sign, it's the number of signs. Commissioner Westbrook stated that he had a discussion with the City Attorney, Mr. Ferebee, we have an ordinance, and people come, just like tonight, and are asking for additional signs when we have an ordinance, how do we handle that? He stated that this is why ya'll are on the

planning and zoning so you can handle all of this, separately and individually. Chairman Ash stated they could grant an exception for the tool rental sign. Mrs. Thompson advised that you are making an exception for the tool rental sign only, not any of the existing signage. If they wanted to come in and put an illuminated sign that has garden center, then they would have to come back before this commission. Commissioner Westbrook stated that is why he wanted to about the exiting signs if they were in compliance. All we are doing is adding a sign. Mrs. Thompson advised and allowing to keep their existing signs. Commissioner Westbrook stated that it only makes sense to him that when you go into these big stores to know where you are going. Mrs. Thompson advised that this does not grant Home Depo permission to update those sign, just grant the permission remain as they are. Chairman Ash stated that if there was another change then they would need to come back. Mrs. Thompson advised yes. Commission Galatas stated that it is nice to have it case by case, sooner or later all signs will need a facelift Commissioner Westbrook stated that if in the future they wanted to update signs or freshen them up or anything. What effect on this current rules have? Mrs. Thompson advised that the maintance allowance in the sign ordinance would allow for the maintance of the sign. What comes into question by this committee would be if there would be a complete replacement of the sign if it did not fall under that maintenance and repair. So the sign ordinance give prevision to business to maintain and repair their signage up to a certain extent. This has been updated that amount to a more reasonable amount. Commissioner Westbrook asked about an old signage being updated, do they come in with the same size, and same color & same style but made in a shop somewhere, and just take the old one down and put the new one up. Mrs. Thompson advised that it would be hard to answer that, it would really be how the maintance plan is submitted by Home Depo. Mrs. Rosalyn Holdefield stated that if any refresh of the signs with this store will need to be brought back before this commission.

COMMISSIONER WESTBROOK MADE A MOTION TO RECOMMEND APPROVAL FOR A SIGN EXCEPTION TO ALLOW FOR AN ADDITIONAL WALL SIGN AND EXISTING WALL SIGN (ABOVE THE ALLOWED NUMBER OF SIGNS) TO REMAIN ON THE FRONT ELEVATION. THE PROPOSED SIGN EXCEPTION IS FOR 19103 IH 45, SHENANDOAH, TEXAS
COMMISSIONER POLLARD SECONDED THE MOTION.

MOTION CARRIED UNANIMOUSLY

5. Consideration and possible action to approve or deny a sign exception to allow a panel sign to exceed the allowable color requirements. The proposed sign exception is for the panel sign located at 8821 Metropark Drive, Shenandoah, Texas (Dave & Busters).

Mrs. Thompson advised that Dave and Buster has asked to do a face change to the pylon sign, there plans have their logo with their color call outs, based off of their register trademark they do not comply with our color requirements. Chairman Ash stated that we have seen this before. Mrs. Thompson

advised they had, with the buildings. Commissioner Galatas stated the fade of the colors. Mrs. Thompson advised, yes, this will have a white background, black fill with blue lettering and the logo that will have the ray of coloring in it. Chairman Ash asked if it was the same coloring as the building? Mrs., Thompson advised that yes, the trademark information is included in the agenda packet. Chairman Ash stated that the commission decided on the building this was okay. Commissioner Galatas stated that it would be weird to allowing on the building but not the sign.

COMMISSIONER GALATAS MADE A MOTION TO RECOMMEND APPROVAL FOR A SIGN EXCEPTION TO ALLOW A PANEL SIGN TO EXCEED THE ALLOWABLE COLOR REQUIREMENTS. THE PROPOSED SIGN EXCEPTION IS FOR THE PANEL SIGN LOCTAED AT 8821 METROPARK DRIVE, SHENANDOAH TEXAS. COMMISSIONER WESTBROOK SECONDED THE MOTION.

MOTION CARRIED UNANIMOUSLY

6. Consideration and possible action to recommend approval or denial the minutes of the November 19, 2019 Regular Meeting of the Planning and Zoning Commission.

COMMISSIONER GALATA MADE A MOTION TO APPROVE THE NOVEMBER 19, 2019 REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION COMMISSIONER POLLARD SECONDED THE MOTION.

MOTION CARRIED UNANIMOUSLY

7. Commissioner's Inquiry.

Commissioner Westbrook asked about Centro, what is the statues? Mrs. Thompson advised that there was a deplanement agreement that was approved at City Council based off of the mediation, the developer will be meeting the masonry material on the front and rear of the homes, and using hardy plank on the side interior elevations, if its exposed to the outside of the development then they will meet the masonry.

ADJOURN

Chairman Ash called the meeting adjourned at 7:22 p.m.

SUBMITTED BY: _____

Courtney Clary, City Secretary

DATE APPROVED: _____

Chairman Ash

MINUTES OF SPECIAL MEETING
January 7, 2020
PLANNING & ZONING COMMISSION

1. CALL TO ORDER

The meeting was called to order by Chairman Ash at 7:00 p.m.

2. CALL OF ROLL

Commissioners present Chairman Ash, Mr. Bob Galatas, Mr. Wes Stevens , Mr. Mark Hendon, and Mr. Jim Pollard. Also present were Jackie Thompson, Stacie Newsom, and Officer 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.

Chairman Ash advised none for the record.

4. Presentation of an Planning and Zoning Commission Preliminary Report regarding the proposed zoning amendment for Special Use Permit for Medical Services: General. The proposed zoning amendment is for 1500 Research Forest Drive, Suite 120, Shenandoah Texas.

Mrs. Thompson advised IV Bar the Woodlands has requested this special use permit for 1500 Research Forest Dr. Suite 120. The use permit would allow the applicant to provide service which include intravenous vitamin therapy, compression therapy, and intramuscular vitamin injections. The definition of medical services is outlined in the agenda report. Based off the location of neighborhood services of this facility they are required to have a special use permit. This is the first of two public hearings & a respective of IV Bar of the Woodlands is here if you have any questions..

5. Public Hearing regarding the proposed zoning amendment for Special Use Permit for Medical Services: General. The proposed zoning amendment is for 1500 Research Forest Drive, Suite 120, Shenandoah, Texas.

Open public hearing at 7.02

Commissioner Galatas asked if you need a doctor on site to do IV's? Rachel Koen with the IV Bars stated no, by the State of Texas they just have a medical director that over sees, and provides all of their protocols. They do require their selves to have a license medic or an RN. Commissioner Galatas asked could a person just show up and state they do not feel good, give me an IV and it happens? Rachel Koen stated that yes. Chairman Ash asked general people come in and it would take a hour? Rachel Koen stated that they have one that can take about ten minutes. Chairman Ash asked how is this paid for?

Rachel Koen stated, cash or credit. Commissioner Galatas stated not medical ? Rachel Koen stated no, out of pocket. Chairman Ash asked if they pay sales tax. Rachel Koen stated she did not know. Chairman Ash stated that he kind of like this, but wanting to know if this is generating sales tax. Commissioner Stevens asked if Rachel Koen was an operator of one of the stores? Rachel Koen stated yes, she has one Heights & Sugarland. Commissioner Stevens asked when you charge a customer, do you charge sales tax? Rachel Koen stated that she does not do that, that her people do that. She had never noticed. Commissioner Galatas asked how much a drip runs? Rachel Koen stated anywhere from ninety nine dollars up to two hundred and twenty five. Chairman Ash stated that she had listed three things that she will do. Rachel Koen stated that you can get the compression therapy for your legs and arms. It can help speed up recovery and helps with blood flow. Commissioner Stevens asked which one of the spaces would be occupied? Rachel Koen stated where the flower shop use to be. Commissioner Stevens asked what drew her to Shenandoah? Rachel Koen stated she grew up in Magnolia and went to school in Aldine. Chairman Ash asked if this was a franchise? Rachel Koen stated that no, it was a partnership & want start franchise until this year. Commissioner Stevens asked how many stores does the partnership operate? Rachel Koen stated that she and him have three, but he has about twenty. Commissioner Hendon asked do they do a membership basic? Rachel Koen stated that yes, they do. They just did a full year of membership and someone had a great ideal to do couples membership. Chairman Ash asked if it gives you a discount on the fees? Rachel Koen stated half off. Commission Galatas asked if they would carry insurance in case someone got an infection? Rachel Koen stated yes she has full coverage. Commissioner Pollard asked when they are planning on opening? Rachel Koen stated in two week, staffing has been the hardest, but she could have supplies here in two days. Commissioner Pollard asked how she was going to advertise it? Rachel Koen stated by an Instagram page, Facebook, reach out to the community, go to the area gyms and let them know. Commissioner Pollard stated that she could contact the community impact and they would run something for free. Commissioner Stevens stated that he had no other questions, but would like to follow up on the sales tax. Mrs. Thompson advised that yes she would follow up on the sales tax. Chairman Ash stated that he likes that it will draw people to the site, and would love it more if it generate sales tax. Commissioner Stevens stated that to the special use permit in the neighborhood services zone he does not see any impact on the residents adjacent or nearby. Commissioner Hendon stated that you have the Cryo four suites down. Chairman Ash closed the public hearing at 7:10 p.m.

6. City Administration Updates.

Mrs. Thompson advised that she would be sending out a yearlong calendar, just keep in mind that the special meeting are contingent upon request by applicant, and once again after she is able to confirm a quorum. They will be on there just to identify those dates, but will not be set meetings. And of course she will continue to send out the week prior reminder and follow up with the agenda closer to the end of the week before the meeting. Commissioner Stevens asked would we have a second meeting at a regular meeting? Mrs. Thompson advised yes.

7. Commissioner's Inquiry

Commissioner Galatas asked if there was any update to when the Groagans Mill Sign would be put back? Mrs. Thompson advised that no, the only thing she had was that there was a crew out the next day getting measurements. Commissioner Galatas stated that it was gone and been gone for about six months.

ADJOURN

Chairman Ash called the meeting adjourned at 7:11 p.m.

SUBMITTED BY: _____
Courtney Clary, City Secretary

DATE APPROVED: _____

Chairman Ash

MINUTES OF REGULAR MEETING
January 21, 2020
PLANNING & ZONING COMMISSION

1. CALL TO ORDER

The meeting was called to order by Chairman Ash at 7:00 p.m.

2. CALL OF ROLL

Commissioners present Chairman Ash, Mr. Wes Stevens , Mr. Mark Hendon, Mr. Bob Galatas and Mr. Jim Pollard. Also present were Jackie Thompson, Stacie Newsom, and Officer 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.

Chairman Ash advised none for the record.

4. Presentation of an Planning and Zoning Commission Preliminary Report regarding the proposed zoning amendment for Special Use Permit for Medical Services: General. The proposed zoning amendment is for 1500 Research Forest Drive, Suite 120, Shenandoah Texas.

Mrs. Thompson advised this is the second of two public hearings for the IV Bar the Woodlands has requested this special use permit for 1500 Research Forest Dr. Suite 120. The use permit would allow the applicant to provide service which include intravenous vitamin therapy, compression therapy, and intramuscular vitamin injections. The property is located in the neighborhood services zoning district. The definition of medical services is outlined in the agenda report. Last time the commission did discuss, or raised the question if this use would provide sales tax for the City. After speaking with the comptrollers, the services provided would not be subject to sales tax. Commissioner Hendon asked if the membership would? Mrs. Thompson advised no.

5. Public Hearing regarding the proposed zoning amendment for Special Use Permit for Medical Services: General. The proposed zoning amendment is for 1500 Research Forest Drive, Suite 120, Shenandoah, Texas.

Open public hearing at 7.02

Chairman Ash stated that his concern was that the Birthing Center paid money in lieu of sales tax, but they are in a different district. Mrs. Thompson advised that yes they are in a district that specifies they have to generate sales tax, they are in the RC zone. This one is in the neighborhood services and there is no requirements for services in this district to provide the sales tax. Commissioner Stevens stated

that's because its general retail anyways. Mrs. Thomson advise yes, professional services and everyday uses. Chairman Ash asked that's what these would be considered professional services? Mrs. Thompson advised that yes, technically that it is a medical service, but it's a daily professional services, or amenities used by the residents.

Closed public hearing at 7:03

6. Consideration and possible action to recommend to City Council approval or denial regarding the proposed zoning amendment for Special Use Permit for Medical Service: General. The proposed zoning amendment is for 1500 Research Forest Drive, Suite 120, Shenandoah, Texas.

COMMISSIONER HENDON MADE A MOTION TO RECOMMANEND APPROVAL FOR CITY COUNCIL REGARDING THE PROPOSED ZONING AMENDMENT FOR SPECIAL USE PERMIT FOR MEDICAL SERVICE, 1500 RESEARCH FOREST DR. SUITE 120, SHENANDOAH, TEXAS COMMISSIONER POLLARD SECOND THE MOTION.

MOTION CARRIED UNANIMOUSLY

7. Consideration and possible to approved or deny Minutes of the November 25, 2019 Regular Meeting of the Planning and Zoning Commission.

COMMISSIONER GALATAS MADE A MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 25, 2019 REGULAR MEETING COMMISSIONER POLLARD SECON THE MOTION.

MOTION CARRIED UNANIMOUSLY

8. City Administration Updates

Mrs. Thompson advised the Woodloft project which is the multi-family retail mixed use at intersection David Memorial and David Vetter did come in and pull their permit, it was issued last week.

9. Commissioner's Inquiry

None for the record

ADJOURN

Chairman Ash called the meeting adjourned at 7:05 p.m.

SUBMITTED BY: _____

Courtney Clary, City Secretary

DATE APPROVED: _____

Chairman Ash