



NOTICE OF REGULAR MEETING

June 16, 2020

SHENANDOAH PLANNING AND ZONING COMMISSION

STATE OF TEXAS
COUNTY OF MONTGOMERY
CITY OF SHENANDOAH

AGENDA

NOTICE IS HEREBY GIVEN that the Regular Meeting of the Shenandoah Planning and Zoning Commission will be held on Tuesday, June 16, 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

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. Consideration and possible action to elect the Planning and Zoning Commission Officers for the remainder of 2019-2020.
5. Presentation of a Planning and Zoning Commission Preliminary Report regarding the proposed zoning amendment for Special Use Permit Wine and Beer Retailers (On-Premise) Permit with Food and Beverage Certificate. The proposed zoning amendment is for 1500 Research Forest Drive, Suite 240, Shenandoah, Texas.
6. Public Hearing regarding the proposed zoning amendment for Special Use Permit Wine and Beer Retailers (On-Premise) Permit with Food and Beverage Certificate. The proposed zoning amendment is for 1500 Research Forest Drive, Suite 240, Shenandoah, Texas.
7. Consideration and possible action to recommend to City Council approval or denial regarding the proposed zoning amendment for Special Use Permit Wine and Beer Retailers (On-Premise) Permit with Food and Beverage Certificate. The proposed zoning amendment is for 1500 Research Forest Drive, Suite 240, Shenandoah, Texas.

8. Discussion regarding updates to the Comprehensive Plan
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 12th day of June, 2020 at 11:20 a.m.



Jackie Thompson, Deputy City Secretary





Shenandoah Planning and Zoning Commission

AGENDA REPORT

AGENDA DATE: <u>June 16, 2020</u>	PREPARED BY: <u>Jackie Thompson</u>
DEPARTMENT: <u>Community Development</u>	EXHIBITS: <u>N/A</u>

SUBJECT/PROCEEDING:

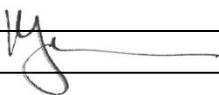
Consideration and possible action to elect the Planning and Zoning Commission Officers for the remainder of 2019-2020

RECOMMENDED ACTION:

BACKGROUND/DISCUSSION:

In accordance with the Planning and Zoning Bylaws the Commission must designate a Chairman and Vice Chairman. With Chairman Ash reaching his maximum term limit the Commission shall elect a replacement.

APPROVALS:

DEPARTMENT HEAD	<u></u>	DATE: <u>June 12, 2020</u>
CITY ADMINISTRATOR	<u></u>	DATE: <u>June 12, 2020</u>



Shenandoah Planning and Zoning Commission

AGENDA REPORT

AGENDA DATE: <u>June 16, 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 Wine and Beer Retailers (On-Premise) Permit with Food and Beverage Certificate. The proposed zoning amendment is for 1500 Research Forest, Suite 240, Shenandoah, Texas.

Public Hearing regarding the proposed zoning amendment for a special use permit for a Wine and Beer Retailers (On-Premise) Permit with Food and Beverage Certificate. The proposed zoning amendment is for 1500 Research Forest, Suite 240, Shenandoah, Texas.

Consideration and possible action to recommend approval or denial to City Council regarding the proposed zoning amendment for a special use permit for a Wine and Beer Retailers (On-Premise) Permit with Food and Beverage Certificate. The proposed zoning amendment is for 1500 Research Forest, Suite 240, Shenandoah, Texas.

RECOMMENDED ACTION:

BACKGROUND/DISCUSSION:

Ploy Thai Cuisine, located at 1500 Research Forest Drive, Suite 240 has requested a Special Use Permit to allow for a Wine and Beer Retailers (On-Premise) Permit with Food and Beverage Certificate.

The Special Use Permit will the following permits be issued to the property.

Wine and Beer Retailers (On-Premise) (BQ) – Permit authorizes the sell for consumption on or off the premises where sold but not for resale, beer, ale, malt liquor and wine not more than 14% or 17% (Section 251.81). Requires adequate seating area for customers.

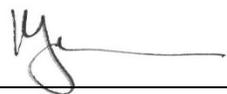
Food and Beverage Certificate (FB) - A Food and Beverage Certificate may be issued to the holder of a Beer Retailer's On-Premise Permit or Wine and Beer Retailer's Permit if food service is the primary business being operated on the licensed premise or to the holder of a Mixed Beverage Permit or Private 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 

DATE: June 12, 2020

CITY ADMINISTRATOR 

DATE: June 12, 2020

**Shenandoah Planning & Zoning Commission
May 19, 2020 and June 17, 2020 Public Hearing
Preliminary Report**

Subject: Ploy Thai Cuisine has requested a Special Use Permit (SUP) at 1500 Research Forest Drive, Suite 240, Shenandoah, TX to allow for a Special Use Permit for a Wine and Beer (On-Premise) Permit with Food and Beverage Certificate.

Public Hearings: Planning & Zoning Commission –May 19, 2020
Planning & Zoning Commission –June 17, 2020
City Council – June 24, 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 Wine and Beer Retailers (On-Premise) permit authorizes the sell for consumption on or off the premises where sold but not for resale, beer, ale, malt liquor and wine not more than 14% or 17% (Section 251.81). Requires adequate seating area for customers. The SUP will be applicable to 1500 Research Forest Drive, Suite 240, Shenandoah, TX.

Prepared by: Jackie Thompson
Community Development Manager

Date Prepared: May 15, 2020





Alcoholic Beverage License Service
8556 Katy Freeway, Ste 102, Houston, TX 77024
Phone: 713-682-2100 Cell: 832-794-8800
Email: info@ablstx.com Website: www.ablstx.com

April 22, 2020

City of Shenandoah
29955 I H 45
Shenandoah, TX, 77381

Attn: City Secretary

RE: New Beer and Wine Permit with a Food and Beverage Certificate

Ploy Thai Cuisine
1500 Research Forest Drive, Ste 240
Shenandoah, TX, 77380

Dear Madam:

Enclosed is the Pre-Qualification packet for the above referenced applicant along with your special use city application and required documents. Please place on the next planning and Zoning Meeting.

Once signed, please return in the prepaid UPS return envelope enclosed for your convenience.

If you have any questions or need further information, please do not hesitate to contact me.

Thank you,

A handwritten signature in blue ink that reads 'Ady Perez'. The signature is written in a cursive style with a long horizontal stroke at the end.

Ady Perez

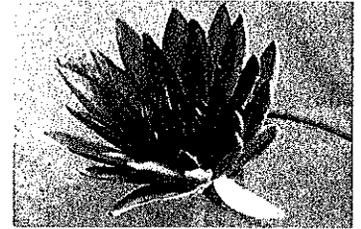
Ploy Thai Cuisine

1500 Research Forest drive

Phone: 281-465-839

Fax: 281-465-839

www.ploythaicuisine.co



January 29, 2020

Dear City of Shenandoah

Please allow this letter to request that my TABC application and Special Use Permit Application be put before the Planning and Zoning Commission at their next meeting for review.

Warm regards,

Patricia Utama Thomas
Owner & CEO
ph_utama@yahoo.com
Phone: 8326934677



TEXAS ALCOHOLIC BEVERAGE COMMISSION

Texans Helping Businesses & Protecting Communities

ABLS
8556 Katy Freeway, Ste 102
Houston, TX 77024
713-682-2100 cell 832-794-8800
judy@ablstx.com ablstx.com

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 [] BE Beer Retail Dealer's On-Premise License [] BL Retail Dealer's On-Premise Late Hours License [] BP Brewpub License [] V Wine & Beer Retailer's Permit for Excursion Boats [] MB Mixed Beverage Permit [] O Private Carrier's Permit -Brewpubs (BP) with a BG only [] LB Mixed Beverage Late Hours Permit [] MI Minibar Permit [] CB Caterer's Permit [] FB Food and Beverage Certificate [] PE Beverage Cartage Permit [] RM Mixed Beverage Restaurant Permit with FB [] 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.) Ploy Thai Cuisine

5. Location Address 1500 Research Forest Drive, Suite 240

City: Shenandoah County: Montgomery State: TX Zip Code: 77380

6. Mailing Address: 918 Owl Landing Dr City: Katy State: TX Zip Code: 77494

7. Business Phone No.: 281-465-8399 Alternate Phone No.: 832-693-4677 E-mail Address: ph_utama@yahoo.com

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.) Ploy Thai Texas, 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: Patricia Thomas Relation to Business: Owner

Phone (mandatory): 832-693-4677 Email (mandatory): ph_utama@yahoo.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 type="checkbox"/> Yes <input checked="" 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 Thomas	First Name Patricia	MI	Title Manager
Last Name Koekkoek	First Name Marinus	J	Title Manager
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) n/a
--	--------------------------------

ALL APPLICANTS

19. IF YOUR LOCATION IS NOT WITHIN THE CITY LIMITS, CHECK HERE <input type="checkbox"/>
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

Patricia Thomas

SIGN HERE



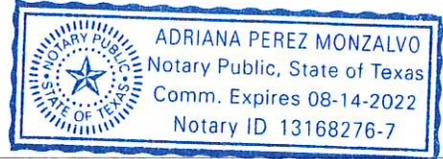
TITLE

Manager

Before me, the undersigned authority, on this 16th day of Jan, 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

City Secretary/Clerk

City

TEXAS

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

City Secretary/Clerk

City

TEXAS

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 Clerk

_____ COUNTY

S E A L

COMPTROLLER OF PUBLIC ACCOUNTS CERTIFICATE

Section 11.46 (b) & 61.42 (b)

This is to certify on this 28 day of January, 2020, 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 32072346987 Outlet Number 000001

Print Name of Comptroller Employee Chiray Bhakta

Print Title of Comptroller Employee enforcement officer

SIGN

HERE _____

FIELD OFFICE 2430 (Houston SW)

S E A L

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 Hover over to see example
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		
S E A L		



Shenandoah Planning and Zoning Commission

AGENDA REPORT

AGENDA DATE: <u>June 16, 2020</u>	PREPARED BY: <u>Jackie Thompson</u>
DEPARTMENT: <u>Community Development</u>	EXHIBITS: _____

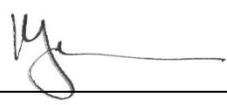
SUBJECT/PROCEEDING:

Discussion regarding updates to the Comprehensive Plan.

BACKGROUND/DISCUSSION:

1. Why update the current Comprehensive Plan
2. Review current Comprehensive Plan maps
3. Review map of undeveloped land in the City and its ETJ
4. Discussion of known potential new developments
5. Discuss areas in need of redevelopment
6. Staff thoughts about future land use

APPROVALS:

DEPARTMENT HEAD	<u></u>	DATE: <u>June 12, 2020</u>
CITY ADMINISTRATOR	<u></u>	DATE: <u>June 12, 2020</u>