

710 EAST SAN AUGUSTINE

DEER PARK, TEXAS 77536

Minutes

of

A PRELIMINARY PUBLIC HEARING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF DEER PARK, TEXAS, HELD IN THE CITY HALL, 710 EAST SAN AUGUSTINE STREET, SEPTEMBER 05, 2017 BEGINNING AT 7:00 P.M. ON THE REQUEST FROM THE CITY OF DEER PARK ON THE PROPOSED AMENDMENTS TO ORDINANCE 3886, TO ALLOW THE USE OF EXTERNAL SHIPPING CONTAINERS UNDER CERTAIN CONDITIONS IN THE GENERAL COMMERCIAL ZONING DISTRICT, WITH THE FOLLOWING MEMBERS PRESENT:

DANIELLE WENDEBURG	CHAIRMAN
DOUGLAS COX	COMMISSIONER
DON TIPPIT	COMMISSIONER
RAY BALUSEK	COMMISSIONER
STAN GARRETT	COMMISSIONER

OTHER CITY OFFICIALS PRESENT WERE:

SHANNON BENNETT	CITY SECRETARY
LARRY BROTHERTON	BUILDING OFFICIAL

1. NOTICE OF PRELIMINARY PUBLIC HEARING - The Preliminary Public Hearing was opened by the City Secretary reading the Notice of Preliminary Public Hearing. (Exhibit A)
2. HEARING OPENED FOR THOSE PERSONS DESIRING TO SPEAK IN FAVOR OF THE REQUEST – Chairman Wendeburg opened the hearing for those wishing to speak in favor of the request.
 - a. Daniel Morales, 20319 Forest Spring, Texas commented, “Thank you for being here tonight and thank you for having me and allowing me to briefly speak on the variance request of this proposed amendment. Walmart is trying to seek a little change in the ordinance to allow the use of shipping containers. One of the things that Walmart offered a couple of years ago was to reintroduce layaways. This helps our customers be able to plan for the holidays, because of this we have to store merchandise in the store. It has become so popular that we can not hold it in the store anymore so we have been using shipping containers. This method is something that allows parents and our customers to plan ahead. Many do not have credit cards or the ability to shop online are able to come to our store and be able to set up a payment plan ahead so that they can have Christmas for the holidays for their family. We take in a lot of merchandise.

We separate it and put as much as we can in our stores. At some point, we need to start using shipping containers to put some of this merchandise in. For the most part, it is merchandise that is on layaway, but we also store some merchandise for the holidays in the containers. Sometimes, one day you will have layaway in that container and some days, you will have replaced it with general merchandise that customers are looking for. We would not be looking to put more than 40 containers on our lot. The intention is to make sure they are hidden from the view of our building itself so there is no view from the main road or in front our store. They would only be temporary in nature so that we would begin in this year in October but they would be removed by the end of December. I believe we have talked about some dates, but I would have to double check. Next year layaway starts approximately in September. We would begin a little earlier, just depending on how much layaway we are going to have. A lot of times we would like to have these prepositioned so we can begin to put merchandise in there. That is the basics of this request and I am glad to answer any questions. I also brought our store manager with me who runs the store here in Deer Park and she can also answer questions if you have any.”

Commissioner Balusek asked, “Will the maximum number of containers would be forty?”

Mr. Morales answered, “That is correct.”

Commissioner Balusek commented, “I see here we have the one hundred days consecutive if you bring them in October, I understand. Would we ever have the containers there for more than one hundred days within a one year period? ”

Mr. Morales answered, “Correct. We would only have them there for barring a remodel and I think that even on remodels we would not have forty containers. Barring a remodel, which we are doing about every seven to ten years, we would not have the need to have containers outside of the holiday season. I hope that answered your question.”

Commissioner Balusek asked, “Yes.”

Commissioner Tippit asked, “Will this also be fenced?”

Mr. Morales answered, “We have discussed to make sure it is fenced from public view.”

Chairman Wendeburg asked, “What is your title with Walmart?”

Mr. Morales answered, “Director of Public Affairs.”

Commissioner Cox asked, “It appears you currently have some already in the back. Is that the staging area?”

Mr. Morales answered, “That is correct, for the remodel.”

Commissioner Cox asked, “Is that the staging area?”

Mr. Morales answered, “They would have to also be on the asphalt as well. It would have to be in the rear of the store.”

Chairman Wendeburg asked, “Won’t it take up the parking for the pickup section?”

Mr. Morales answered, “No, I don’t think she would allow that either because she likes that program.”

Larry Brotherton, Building Official commented, “In the discussions with Staff, it is in the northwest corner, far from East Boulevard as possible.

Mr. Morales commented, “Thank you.”

3. HEARING OPENED FOR THOSE PERSONS DESIRING TO SPEAK AGAINST THE REQUEST - Chairman Wendeburg opened the hearing for those wishing to speak against the request. No one spoke.
4. HEARING CLOSED – Chairman Wendeburg closed the public hearing at 7:07 p.m.

ATTEST:

APPROVED:

Shannon Bennett, TRMC
City Secretary

Danielle Wendeburg, Chairman
Planning and Zoning Commission