

AGENDA
PLANNING AND ZONING COMMISSION MEETING
BOERNE CITY HALL
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Monday, February 7, 2022 – 6:00 p.m.

EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE: THE PLANNING AND ZONING COMMISSION MAY, AS PERMITTED BY LAW, ADJOURN INTO EXECUTIVE SESSION AT ANY TIME TO DISCUSS ANY MATTER LISTED BELOW AS AUTHORIZED BY TEXAS GOVERNMENT CODE §551.071 (CONSULTATION WITH ATTORNEY)

1. CALL TO ORDER – 6:00 PM

Pledge of Allegiance to the United States Flag

Pledge of Allegiance to the Texas Flag

(Honor the Texas flag, I pledge allegiance to thee, Texas – one state under God, one and indivisible.)

2. CONFLICTS OF INTEREST

3. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the Planning and Zoning Commission on any issue. The Planning and Zoning Commission may not discuss any presented issue, nor may any action be taken on any issue at this time. (Attorney General opinion – JC-0169)

4. CONSENT AGENDA

- 4.A. [2022-209](#) THE MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF DECEMBER 6, 2021.

Attachments: [Official Meeting Minutes 21-1206](#)

- 4.B. [2022-225](#) CONSIDER APPROVAL OF A REQUEST FOR A 30-DAY TIME EXTENSION FOR COMMONS AT MENDER CREEK UNIT 7 PRELIMINARY PLAT, 5.05 ACRES, 3 NON-RESIDENTIAL LOTS, 1 OPEN SPACE LOT, AND 0.38 ACRES OF RIGHT-OF-WAY (KAD NO. 39338).

Attachments: [Summary - Commons at MC Un 7 22-0207](#)
[Att 1 - Location Map](#)
[Att 2 - Aerial Map CMC Unit 7](#)
[Att 3 - Request 30-Day Extension](#)
[Att 4 - Commons of Menger Creek Unit 7 Plat 10-21-21](#)
[Att 5 - APPROVED Commons at Menger Creek Feb2018](#)
[Att 6 - Memo Review 1 Comments CMC Unit 7](#)
[Att 7 - Redlines CMC Unit 7](#)

5. EXECUTIVE SESSION:

- 5.A. **2022-242** Commission initiated rezonings and Planned Development Districts (PDD's) and Planned Unit Development (PUD) conditions of approval.

6. REGULAR ITEMS:

- 6.A. [2022-210](#) TO CONSIDER THE PROPOSED SPECIAL USE PERMIT FOR SHORT-TERM RENTAL IN A R2-M, MODERATE-DENSITY RESIDENTIAL DISTRICT LOCATED AT 402 HERFF STREET (IRONS & GRAHAMS ADDITION LOT 163 AND 164, 0.3815 ACRES, KAD 23583). (VIVA GETAWAYS, LLC/ HENRY MUNOZ).

- I. STAFF PRESENTATION
- II. PUBLIC HEARING
- III. MAKE RECOMMENDATION

Attachments: [Summary - 402 Herff Street - SUP STR](#)
[Att 1 - Location Map](#)
[Att 2 - Aerial Zoning Map](#)
[Att 3 - Street View](#)
[Att 4 - 21-1221 BOND Report](#)

- 6.B. [2022-230](#) UNTABLE THE PROPOSED ZONING OF 27.7 ACRES LOCATED AT 1670 RIVER ROAD FROM HOL, HOLDING, TO R4-L, LOW-DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (A10298 - SURVEY 180 M I LEAL, 27.7 ACRES, KAD 14141, 14142, AND 14143) (JEREMY WILLIAMS/ EMBREY).

- 6.C. [2022-211](#) CONSIDER THE PROPOSED ZONING OF 27.7 ACRES LOCATED AT 1670 RIVER ROAD FROM HOL, HOLDING, TO R4-L, LOW-DENSITY

MULTI-FAMILY RESIDENTIAL DISTRICT (A10298 - SURVEY 180 M I LEAL, 27.7 ACRES, KAD 14141, 14142, AND 14143) (JEREMY WILLIAMS/ EMBREY).

- I. STAFF PRESENTATION
- II. PUBLIC HEARING
- III. MAKE RECOMMENDATION

Attachments:

[Summary -1670 River Road](#)
[Att 1 - Embrey Letter for PZ Packet](#)
[Att 2 - Aerial Map](#)
[Att 3 - Location Map](#)
[Att 4 - Proposed Zoning Map](#)
[Att 5 - Overlay District](#)
[Att 6 - Table of Uses](#)
[Att 7 - Master Plan](#)
[Att 8 - Boerne Champion 46 PDD w note](#)
[Att 9 - Site Plan](#)
[Att 10 - Conceptual Plan](#)
[Att 11 - UDC - Overlay - Entrance Corridors](#)
[Att 12 - 21-1019 BOND Report - 1670 River Road](#)
[Att 13 - 21-1215 BOND Report - 1670 River Road](#)
[Att 14 - Proposed Thoroughfare Plan](#)

6.D. [2022-240](#) UNTABLE THE PLANNED DEVELOPMENT DISTRICT FOR 27.7 ACRES LOCATED AT 1670 RIVER ROAD (A10298 - SURVEY 180 M I LEAL, 27.7 ACRES, KAD 14141, 14142, AND 14143) (JEREMY WILLIAMS/ EMBREY).

6.E. [2022-241](#) TO CONSIDER THE PLANNED DEVELOPMENT DISTRICT FOR 27.7 ACRES LOCATED AT 1670 RIVER ROAD (A10298 - SURVEY 180 M I LEAL, 27.7 ACRES, KAD 14141, 14142, AND 14143) (JEREMY WILLIAMS/ EMBREY).

- I. STAFF PRESENTATION
- II. PUBLIC HEARING
- III. MAKE RECOMMENDATION

Attachments: [Summary -1670 River Road](#)
[Att 1 - Embrey Letter for PZ Packet](#)
[Att 2 - Aerial Map](#)
[Att 3 - Location Map](#)
[Att 4 - Proposed Zoning Map](#)
[Att 5 - Overlay District](#)
[Att 6 - Table of Uses](#)
[Att 7 - Master Plan](#)
[Att 8 - Boerne Champion 46 PDD w note](#)
[Att 9 - Site Plan](#)
[Att 10 - Conceptual Plan](#)
[Att 11 - UDC - Overlay - Entrance Corridors](#)
[Att 12 - 21-1019 BOND Report - 1670 River Road](#)
[Att 13 - 21-1215 BOND Report - 1670 River Road](#)
[Att 14 - Proposed Thoroughfare Plan](#)

6.F. [2022-213](#)

TO CONSIDER THE PROPOSED REZONING OF 22.157 ACRES LOCATED AT 1650 RIVER ROAD FROM C2, TRANSITIONAL COMMERCIAL TO C3, COMMUNITY COMMERCIAL DISTRICT(A10298 - SURVEY 180 M I LEAL, 8.472 ACRES AND A10298 - SURVEY 180 MI LEAL 13.685 ACRES, KAD 222979 AND 43311) (474 LTD (C/O 474 MANAGEMENT, LLC, GENERAL PARTNER; C/O LD CHRISTIANSON, PRESIDENT)).

- I. STAFF PRESENTATION
- II. PUBLIC HEARING
- III. MAKE RECOMMENDATION

Attachments: [Summary - 1650 River Road Rezoning](#)
[Att 1 - Location Map](#)
[Att 2 - Current Zone](#)
[Att 3 - Proposed Zone](#)
[Att 4 - Table of Uses - C2 C3](#)
[Att 5 - Overlay District](#)
[Att 6 - UDC - Overlay - Entrance Corridors](#)
[Att 7 - Land Use Plan](#)
[Att 8 - Survey](#)
[Att 9 - B.O.N.D. Report](#)

- 6.G. [2022-226](#) CONSIDER CONDITIONAL APPROVAL FOR SHORELINE PARK PHASE 6 FINAL PLAT, 27.33 ACRES, 64 RESIDENTIAL LOTS, 8 OPEN SPACE LOTS, AND 5.16 ACRES OF RIGHT-OF-WAY (KAD NO. 12851, 12852, 302218, 302219, AND 305752) AS IS PROVIDED BY ARTICLE 2, SECTION 2.04.001 B OF THE SUBDIVISION ORDINANCE AND BASED ON COMMENTS STATED IN STAFF'S REVIEW MEMO.

Attachments: [Summary - Shoreline Park Ph 6 Final Plat](#)
[Att 1 - Location Map](#)
[Att 2 - Aerial Map](#)
[Att 3 - Shoreline Park Ph 6 Final Plat](#)
[Att 4 - Approved Master Plan](#)
[Att 5 - Memo Review 2 Comments Shoreline Ph 6 Final Plat](#)
[Att 6 - Redlines Shoreline Park Ph 6 20220204](#)

- 6.H. [2022-229](#) CONSIDER CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT FOR SHORELINE PARK PHASE 7, 27.40 ACRES, 68 RESIDENTIAL LOTS, 4 OPEN SPACE LOTS, AND 3.45 ACRES OF RIGHT-OF-WAY (KAD NO. 12852, 305752, AND 302219).

Attachments: [SUMmary - Shoreline Park Ph 7 Prelim Plat](#)
[Att 1 - Location Map](#)
[Att 2 - Aerial Map](#)
[Att 3 - Shoreline Phase 7 Preliminary Plat](#)
[Att 4 - Approved Master Plan - Dec0417 with corrected Note](#)
[Att 5 - Shoreline Park Ph 7 and 6 Overlap](#)

- 6.I. [2022-233](#) CONSIDER CONDITIONAL APPROVAL FOR CORLEY FARMS UNIT 1 FINAL PLAT, 33.05 ACRES, 15 RESIDENTIAL LOTS, 6 OPEN SPACE LOTS, 2 NON-RESIDENTIAL LOTS, AND 7.52 ACRES OF RIGHT-OF-WAY (KAD NO. 12154, 12162, 12231, 12232, & 307737) AS IS PROVIDED BY ARTICLE 2, SECTION 2.04.001 B OF THE SUBDIVISION ORDINANCE AND BASED ON COMMENTS STATED IN STAFF'S REVIEW MEMO.

Attachments: [Summary - Corley Farms Final Plat](#)

[Att 1 - Location Map](#)

[Att 2 - Aerial Map](#)

[Att 3 - Corley Farms MPCP - Boerne West WCID3A 20210511](#)

[Att 4 - Corley Farms Unit 1 Final Plat 220114](#)

[Att 5 - Memo Review 1 Comments Corley Farms Unit 1 Final Plat](#)

[Att 6 - Redlines Corley Farms Unit 1 220204](#)

- 6.J. [2022-234](#) CONSIDER CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT FOR CORLEY FARMS UNIT 3, 49.75 ACRES, 154 RESIDENTIAL LOTS, 2 OPEN SPACE LOTS, AND 7.33 ACRES OF RIGHT-OF-WAY (KAD NO. 12154, 307737, AND 307739) BASED ON COMMENTS STATED IN STAFF'S REVIEW MEMO

Attachments: [Summary - Corley Farms Unit 3 Prelim Plat 22-0207](#)

[Att 1 - Location Map](#)

[Att 2 - Aerial Map Corley Farms Unit 3](#)

[Att 3 - 2021-05-11-Biedenharn Development Agreement Exhibit G](#)

[Att 4 - Corley Farms Unit 3 Prelim Plat](#)

[Att 5 - Memo Review 2 Comments Corley Farms Unit 3 Prelim Plat](#)

[Att 6 - Redline Corley Farms Unit 3 20220204](#)

- 6.K. [2022-235](#) CONSIDER CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT FOR ESPERANZA PHASE 3A, 23.119 ACRES, 49 RESIDENTIAL LOTS, 5 OPEN SPACE LOTS, 0.657 ACRES OF PUBLIC RIGHT-OF-WAY, AND 4.016 ACRES OF PRIVATE RIGHT-OF-WAY (KAD NO. 14990, 45852, AND 15028) BASED ON COMMENTS STATED IN STAFF'S REVIEW MEMO.

Attachments: [Summary - Esperanza Ph 3A Prelim Plat 20220207](#)

[Att 1 - Location Map](#)

[Att 2 - AERIAL MAP Esperanza 3A](#)

[Att 3 - Esperanza Pod GDP Ph 3 and 4 APPROVED 2021-06-07](#)

[Att 4 - Esperanza 3A Prelim Plat](#)

[Att 5 - Memo Review 4 Comments Esperanza Ph 3A Prelim Plat](#)

[Att 6 - Redlines Comments Esperanza 3A 20220203](#)

- 6.L. [2022-236](#) CONSIDER CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT FOR ESPERANZA PHASE 3C, 36.665 ACRES, 57 RESIDENTIAL LOTS, 5 OPEN SPACE LOTS, AND 4.309 ACRES OF PRIVATE

RIGHT-OF-WAY (KAD NO. 14990, 14991, 15019, AND 15028)
BASED ON COMMENTS STATED IN STAFF'S REVIEW MEMO.

Attachments:

[Summary - Esperanza Ph 3C Prelim Plat 20220207](#)

[Att 1 - Location Map](#)

[Att 2 - Aerial Map](#)

[Att 3 - Esperanza Pod GDP Ph 3 and 4 APPROVED 20210607](#)

[Att 4 - Esperanza 3C Prelim Plat](#)

[Att 5 - Memo Review 3 Comments Esperanza Ph 3C Prelim Plat](#)

[Att 6 - Redlines Esperanza 3C 20220203](#)

6.M. [2022-237](#)

CONSIDER CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT FOR ESPERANZA PHASE 3D, 53.078 ACRES, 146 RESIDENTIAL LOTS, 6 OPEN SPACE LOTS, 7.819 ACRES OF PRIVATE RIGHT-OF-WAY, AND 2.959 ACRES OF PUBLIC RIGHT-OF-WAY (KAD NO. 14990, 15028, 42994, AND 45852) BASED ON COMMENTS STATED IN STAFF'S REVIEW MEMO.

Attachments:

[Summary - Esperanza Ph 3D Prelim Plat 20220207](#)

[Att 1 - Location Map 3D](#)

[Att 2 - AERIAL MAP Esperanza 3D](#)

[Att 3 - Esperanza Pod GDP Ph 3 and 4 APPROVED 20210607](#)

[Att 4 - Esperanza 3D Prelim Plat](#)

[Att 5 - Memo Review 3 Comments Esperanza Ph 3D Prelim Plat](#)

[Att 6 - Redlines Esperanza 3D 20220203](#)

6.N. [2022-227](#)

CONSIDER CONDITIONAL APPROVAL FOR THE BIRCH AT SPENCER RANCH PHASE 1A FINAL PLAT, 7.33 ACRES, 1 NON-RESIDENTIAL LOT, AND 4.71 ACRES OF PRIVATE RIGHT-OF-WAY (KAD NO. 307605, 63687, & 14916) AS IS PROVIDED BY ARTICLE 2, SECTION 2.04.001 B OF THE SUBDIVISION ORDINANCE AND BASED ON COMMENTS STATED IN STAFF'S REVIEW MEMO.

Attachments: [Summary - Birch at Spencer Ranch Ph 1A Final Plat](#)
[Att 1 - Location Map](#)
[Att 2 - AERIAL MAP Birch at Spencer Ranch Ph 1A](#)
[Att 3 - The Birch Ph 1A Final Plat](#)
[Att 4 - MPCP Spencer Ranch Oct0118](#)
[Att 5 - Memo Review 3 Comments Birch 1A Final Plat](#)
[Att 6 - Redlines Birch 1A 20220204](#)

- 6.O. [2022-228](#) CONSIDER CONDITIONAL APPROVAL FOR THE BIRCH AT SPENCER RANCH PHASE 1B FINAL PLAT, 21.27 ACRES, 59 RESIDENTIAL LOTS, 4 OPEN SPACE LOTS, AND 2.61 ACRES OF PRIVATE RIGHT-OF-WAY (KAD NO. 307605) AS IS PROVIDED BY ARTICLE 2, SECTION 2.04.001 B OF THE SUBDIVISION ORDINANCE AND BASED ON COMMENTS STATED IN STAFF'S REVIEW MEMO.

Attachments: [Summary - Birch at Spencer Ranch Ph 1B Final Plat](#)
[Att 1 - Location Map](#)
[Att 2 - AERIAL MAP Birch at Spencer Ranch Ph 1B](#)
[Att 3 - The Birch Ph 1B Final Plat](#)
[Att 4 - MPCP Spencer Ranch Oct0118](#)
[Att 5 - Memo Review 3 Comments Birch 1B Final Plat](#)
[Att 6 - Redlines Birch 1B 20220203](#)

- 6.P. [2022-238](#) CONSIDER A REQUEST FOR A VARIANCE TO THE UNIFIED DEVELOPMENT CODE, CHAPTER 8, SECTION 8.2(A). WATERSHED PROTECTION ZONES, FOR PRINCIPLE HYUNDAI LOCATED AT 1, 3, AND 7 DAISY LANE (KAD NO. 17373, 17378, AND 17388). TAKE NECESSARY ACTION

Attachments: [Summary - Variance Hyundai DPZ 2.7.2022](#)
[Att 1 - Location Map](#)
[Att 2 - AERIAL MAP Principle Hyundai](#)
[Att 3 - Variance Application Hyundai DPZ](#)

7. EXECUTIVE SESSION:

- 7.A. 2022-244 Texas Open Meetings Act.

8. COMMENTS FROM COMMISSION/LEGAL COUNSEL/STAFF - No discussion or action may take place

9. ADJOURNMENT

s/s Laura Haning

Administrative Officer

CERTIFICATION

I herby certify that the above notice of meeting was posted on the 4th day of February, 2022 at 5:30 p.m.

s/s Heather Wood

Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City Hall Complex is wheelchair accessible. Access to the building and special parking is available at the front entrance of the building. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the Planning and Community Development Department at 830-249-9511.

Pursuant to Section 30.06 Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to section 30.07 Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.