

**MINUTES**  
**PLANNING AND ZONING COMMISSION MEETING**  
**BOERNE POLICE AND MUNICIPAL COURT COMPLEX, 124 OLD SAN ANTONIO ROAD**  
**Monday, February 12th, 2018 – 6:00 p.m.**

Minutes of the Planning and Zoning Commission Meeting of February 12, 2018.

Present: Ricky Gleason, Cal Chapman, Patrick Cohoon, John Hollinshead, Paula Hayward, Tres Paxton, Joe Davis

Absent: Israel Pena, Richard Sena

Staff Present: Laura Talley, Susana Ramos, Stephanie Kranich, Sheldon Cravey, Jeff Thompson, Riley Metcalfe, Sean Reich

Registered/

Recognized Guests: Becky Carroll, Maria Breen, Jeff Carroll, Hazel Martinez, Jerry Martinez, Larry Lester, Bob Cates, Phillip Bell, Lance Lira, Lori Rogers, Ed Rogers, Suzanne Young, Steve Young, Dorene Oesteniecher, Don Oesteniecher, Drake Thompson, Joshua Valenta, John Taylor, Stephanie Taylor, Don Knight, Jerrod Smith, Andrew Conaghan, Emily Green, Shannon Young, Ben Bunker, JoLynn Fisher

1. CALL TO ORDER – 6:00 PM

Chairman Hollinshead called the P&Z Commission meeting to order at 6:00 P.M.

2. APPROVAL OF MINUTES

[2018-199](#) Approval of Planning and Zoning Commission Minutes of the meeting held January 8, 2018.

**COMMISSIONER CHAPMAN ASKED TO TABLE THE MINUTES. COMMISSIONER CHAPMAN MADE A MOTION TO TABLE THE MINUTES OF THE MEETING HELD JANUARY 8, 2018. COMMISSIONER HAYWARD SECONDED THE MOTION. THE MOTION CARRIED 6-0.**

3. CONFLICTS OF INTEREST

Commissioner Cohoon declared a conflict of interest on item numbers 5,

6 and 11. Commissioner Gleason declared a conflict of interest on item numbers 9 and 10.

4. PUBLIC COMMENTS:

There were none.

PUBLIC HEARING

5.        [2018-198](#)        To consider the use of a Parking Lot in a B-2, Highway Commercial District for a proposed lot located at 1434 South Main Street (fronting the proposed Herff Road extension - KAD 49470) (Larry Lester).

There were no comments.

6.        [2018-200](#)        Make recommendation to City Council regarding the use of a Parking Lot in a B-2, Highway Commercial District for a proposed lot located at 1434 South Main Street (fronting the proposed Herff Road extension - KAD 49470) (Larry Lester).

Ms. Laura Talley explained the property is a parcel that has frontage off of main street. There is no current development on the property; however the City has entered into a contractual agreement with the property owner to provide a right of way for Herff Road. As a result there will be an alleyway dedicated to separate the developable area and the parking lot. Ms. Talley explained, the separate parking lot may be used as parking credits for this property. The City caused a hardship for Mr. Lester by creating the alleyway/easement that separates the two. The Board of Adjustments approved the substandard lot. Staff is supportive.

**COMMISSIONER DAVIS MADE A MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL REGARDING THE USE OF A PARKING LOT IN A B-2, HIGHWAY COMMERCIAL DISTRICT FOR A PROPOSED LOT LOCATED AT 1434 SOUTH MAIN STREET (FRONTING THE PROPOSED HERFF ROAD EXTENSION - KAD 49470). COMMISSIONER PAXTON SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

PUBLIC HEARING

7.        [2018-201](#)        To consider the proposed rezoning of 946 Adler (1.519 acres -

KAD 14178) from R-E, Single-Family Residential-Estate District to B-1, High-Density Residential and Neighborhood Commercial District (Linda Lira).

Ms. Shannon Young, 315 Harvest Garden. Ms. Young was against the rezoning.

Ms. Dorene Oesteniecher, 110 Stone Creek Drive. Ms. Oesteniecher was against the rezoning.

Mr. Lance Lira, 210 Vista Bure. Mr. Lira, the owner of the business, explained the request for rezoning.

8. [2018-202](#) Make recommendation to City Council regarding the proposed rezoning of 946 Adler (1.519 acres - KAD 14178) from R-E, Single-Family Residential-Estate District to B-1, High-Density Residential and Neighborhood Commercial District (Linda Lira).

Ms. Laura Talley explained the property was annexed years ago. Ms. Talley stated nearby businesses are more industrial rather than commercial. Drainage and detention of the site were considered and run-off from the site would not be allowed to increase. Staff is supportive of the zoning request. Commissioner Hayward asked what zoning would a daycare be allowed, Ms. Talley explained that B-1 would be the best option for this location. Ms. Talley stated the character districts have to adhere to the zoning.

**COMMISSIONER CHAPMAN MADE A MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL REGARDING THE PROPOSED REZONING OF 946 ADLER (1.519 ACRES - KAD 14178) FROM R-E, SINGLE FAMILY RESIDENTIAL-ESTATE DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT. COMMISSIONER COHOON SECONDED THE MOTION. THE MOTION CARRIED 6-0.**

#### PUBLIC HEARING

9. [2018-203](#) To consider the proposed rezoning of a portion of 34 Shooting Club Road (4.2 acres fronting North Main Street - KAD 14943)

from I, Industrial District to B-2R, Highway Commercial - Restricted District (Urfan Dar).

There were no comments.

10. [2018-204](#) Make recommendation to City Council regarding the proposed rezoning of a portion of 34 Shooting Club Road (4.2 acres fronting North Main Street - KAD 14943) from I, Industrial District to B-2R, Highway Commercial - Restricted District (Urfan Dar).

Ms. Laura Talley explained there was an interest for a medical office building to be placed in this location; however the current zoning would not allow for that use. The property is currently zoned as industrial. Ms. Talley reached out to TXDOT to see if street or driveway access would be appropriate. Ms. Talley intends to recommend allowing office uses in industrial zones. Staff is supportive of the request.

**COMMISSIONER HAYWARD MADE A MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL REGARDING THE PROPOSED REZONING OF THE PORTION OF 34 SHOOTING CLUB ROAD (4.2 ACRES FRONTING NORTH MAIN STREET - KAD 14943) FROM I, INDUSTRIAL DISTRICT TO B-2R, HIGHWAY COMMERCIAL. COMMISSIONER COHOON SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

11. [2018-190](#) Consider a Master Plan for The Commons at Menger Creek, 59.06 acres located 20 Old San Antonio Road (KAD No. 39338). Take necessary action.

Ms. Laura Talley explained the revision would be for fewer single family residences, and an increase of apartment units. Staff is supportive. Commissioner Hayward was concerned with multiple driveways on the primary and secondary circulation routes; limiting the walkability of SoBo. Ms. Talley stated that a driveway would require a variance. Commissioner Chapman asked if the density has increased with this plan, and if there will be more traffic with this plan. Ms. Talley affirmed that there will likely be more density than the previous plan.

**COMMISSIONER DAVIS MADE A MOTION TO APPROVE THE MASTER PLAN FOR THE COMMONS AT MENDER CREEK, 59.06 ACRES LOCATED AT 20 OLD SAN ANTONIO ROAD (KAD NO. 39338) COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION CARRIED 4-1. COMMISSIONER PAXTON OPPOSED.**

12. [2018-193](#) Consider a Master Plan for The Legacy at Cibolo, 26.654 acres located at 17 Herff Road (KAD No. 12536, 15848, AND 15849 (CT 17 Herff Land LP). Take necessary action.

Ms. Laura Talley explained that City Council approved the zoning for apartments in the rear. Ms. Talley stated that the Master Plan meets the criteria of the ordinance. Ms. Talley explained that the development provided CCR's that restrict development of the site. Staff recommends approval of the Master Plan as submitted.

**COMMISSIONER DAVIS MADE A MOTION TO APPROVE A MASTER PLAN FOR THE LEGACY AT CIBOLO, 26.654 ACRES LOCATED AT 17 HERFF ROAD (KAD NO. 12536, 15848 AND 15849 (CT 17 HERFF LAND LP). COMMISSIONER COHOON SECONDED THE MOTION. THE MOTION CARRIED 6-0.**

13. [2018-194](#) Consider the preliminary plat for the Replat of Menger Place Subdivision, creating two (2) commercial lots, at a total of 5.852 acres located along Christus Parkway (KAD No. 153705). Take necessary action.

Ms. Laura Talley stated the plat meets the criteria of the ordinance. Staff recommends approval.

**COMMISSIONER COHOON MADE A MOTION TO APPROVE THE PRELIMINARY PLAT FOR THE REPLAT OF MENDER PLACE SUBDIVISION, CREATING TWO (2) COMMERCIAL LOTS, AT A TOTAL OF 5.852 ACRES LOCATED ALONG CHRISTUS PARKWAY (KAD NO. 153705). COMMISSIONER DAVIS SECONDED THE MOTION. THE MOTION CARRIED 6-0.**

14. [2018-195](#) Consider the preliminary plat for BDSP - Scenic Loop Rd Subdivision, creating three (3) commercial lots, at total of 5.006

acres located at 31500 IH 10 (KAD No. 12146). Take necessary action.

Ms. Laura Talley explained the location of the property being at Scenic Loop and I-10. Commissioner Cohoon asked if there was an entrance corridor. Ms. Talley stated everything along I-10 is part of the entrance corridor. The plat meets the criteria of the ordinance. Staff recommends approval.

**COMMISSIONER PAXTON MADE A MOTION TO APPROVE THE PRELIMINARY PLAT FOR BDSP - SCENIC LOOP RD SUBDIVISION, CREATING THREE (3) COMMERCIAL LOTS, AT TOTAL OF 5.006 ACRES LOCATED AT 31500 IH 10 (KAD NO. 12146). COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION CARRIED 6-0.**

15.     [2018-196](#)     Consider a request for a variance to the Subdivision Ordinance, Article 3, Block Sizes and Arrangement, Section 3.04.002.E.1.a, Cul-de-sac and Disconnected Street Limitations for Bent Tree Subdivision located along FM 1376 (Sisterdale Rd) (KAD No. 13824). Take necessary action.

Ms. Laura Talley explained the variance request. The property is in our ETJ. Kendall West Utilities provides water and the County Fire Marshal approves plans. City Deputy Fire Marshal, Robert Lee, stated that the looping of water was a concern. Josh Valenta, the engineer for the developer, stated that the water will be looped. Ms. Talley stated that staff is supportive of the variance.

**COMMISSIONER COHOON MADE A MOTION TO APPROVE THE REQUEST FOR A VARIANCE TO THE SUBDIVISION ORDINANCE, ARTICLE 3, BLOCK SIZES AND ARRANGEMENT, SECTION 3.04.002.E.1.A, CUL-DE-SAC AND DISCONNECTED STREET LIMITATIONS FOR BENT TREE SUBDIVISION LOCATED ALONG FM 1376. COMMISSIONER DAVIS SECONDED THE MOTION. THE MOTION CARRIED 6-0.**

16.     [2018-197](#)     Consider the preliminary plat for Bent Tree Subdivision - Unit 1, creating 41 residential lots and four (4) open space lots, a total of

65.5 acres located along FM 1376 (Sisterdale Rd) (KAD No. 13824). Take necessary action.

Ms. Laura Talley explained this is the same subdivision as the request for variance, upon approval of the variance, staff recommends approval of the preliminary plat.

**COMMISSIONER COHOON MADE A MOTION TO APPROVE THE PRELIMINARY PLAT FOR BENT TREE SUBDIVISION - UNIT 1, CREATING 41 RESIDENTIAL LOTS AND FOUR (4) OPEN SPACE LOTS, A TOTAL OF 65.5 ACRES LOCATED ALONG FM 1376 (SISTERDALE RD) (KAD NO. 13824). COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION CARRIED 6-0.**

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

Ms. Laura Talley needs two commissioners for a subcommittee meeting. Commissioner Chapman and Commissioner Paxton stated they would be available for a subcommittee meeting.

18. ADJOURNMENT

The Planning and Zoning Commission meeting adjourned at 7:05 P.M.

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P&Z Chairman

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P&Z Secretary