MINUTES

PLANNING AND ZONING COMMISSION MEETING

BOERNE POLICE AND MUNICIPAL COURT COMPLEX, 124 OLD SAN ANTONIO ROAD

Monday, May 7, 2018 – 6:00 p.m.

Minutes of the Planning and Zoning Commission Meeting of May, 7th 2018

Present: Ricky Gleason, Cal Chapman, Patrick Cohoon, John Hollinshead, Israel Pena, Richard Sena, Paula Hayward, Joe Davis

Absent: Tres Paxton

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

Registered/
Recognized Guests: Jeff Carroll, Leah Hollinshead, Dave Luciani, Emily Green, Julia Wiegand, Albert Turgon, Carlos Garcia, Lawrence Workman

1. CALL TO ORDER – 6:00 PM

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

2. 2018-379 Approval of Planning and Zoning Commission Minutes of the meeting held April 2, 2018.

COMMISSIONER COHOON MADE A MOTION TO APPROVE THE APRIL 2, 2018 MINUTES. COMMISSIONER PENA SECONDED THE MOTION. THE MOTION CARRIED 7-0.

3. CONFLICTS OF INTEREST

Commissioner Cohoon declared conflicts of interest on items 16 and 17.

4. CITIZENS' COMMENTS:

Mayor Michael Schultz spoke in regards to his appreciation for Chairman Hollinshead for his years of serving on the Planning and Zoning Commission.

PUBLIC HEARING

5a. 2018-371 To consider the proposed permanent zoning of 140 Enterprise

Parkway, a total of 4.987 acres, from the temporary zoning of R-A, Single-Family Residential - Agricultural District to I-Industrial District, KAD No. 12259 and 12255 (Heller - Bird Real Properties LLC).

There were no comments.

Chairman Hollinshead closed the Public Hearing at 6:07 P.M.

6. 2018-372 Make recommendation to City Council to consider the proposed permanent zoning of 140 Enterprise Parkway, a total of 4.987 acres, from the temporary zoning of R-A, Single-Family Residential - Agricultural District to I-Industrial District, KAD No. 12259 and 12255 (Heller - Bird Real Properties LLC).

Ms. Laura Talley described the property's location. She stated the permanent zoning request for Industrial is fitting for the location. The property was recently annexed and now requires permanent zoning. The property owner previously entered into a development agreement to allow development of the site prior to annexation. The owner has constructed an automobile dealership which will now become a non-conforming use. Staff recommends approval of the industrial zoning based on surrounding zoning.

The Planning department received the following responses to the zoning request; 3 property owners were in favor, 3 property owners were in opposition and 1 property owner was neutral.

COMMISSIONER PENA MADE A MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL TO RECONSIDER THE PROPOSED PERMANENT ZONING OF 140 ENTERPRISE PARKWAY, A TOTAL OF 4.987 ACRES, FROM THE TEMPORARY ZONING OF R-A, SINGLE-FAMILY RESIDENTIAL - AGRICULTURAL DISTRICT TO I-INDUSTRIAL DISTRICT, KAD NO. 12259 AND 12255 (HELLER-BIRD REAL PROPERTIES LLC). COMMISSIONER COHOON SECONDED THE MOTION. THE MOTION CARRIED 7-0.

PUBLIC HEARING

7a. 2018-367 To consider the proposed permanent zoning of the Wastewater Treatment and Recycling Center, KAD No. 38976, a total of 13.327

acres located at 41 Old San Antonio Road, from the temporary zoning of R-A, Single-Family Residential - Agricultural District to B-2R, Highway Commercial - Restricted District (City of Boerne).

There were no comments.

Chairman Hollinshead closed the Public Hearing at 6:14 P.M.

8. 2018-369 Make recommendation to City Council to consider the proposed permanent zoning of the Wastewater Treatment and Recycling Center, KAD No. 38976, a total of 13.327 acres located at 41 Old San Antonio Road, from the temporary zoning of R-A, Single-Family Residential - Agricultural District to B-2R, Highway Commercial - Restricted District (City of Boerne).

Ms. Laura Talley described the site location for the city's wastewater treatment plant, she stated that the B-2R zoning is appropriate based on surrounding uses and zoning. Staff is recommending approval.

COMMISSIONER SENA MADE A MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL TO CONSIDER THE PROPOSED PERMANENT ZONING OF THE WASTEWATER TREATMENT AND RECYCLING CENTER, KAD NO. 38976, A TOTAL OF 13.327 ACRES LOCATED AT 41 OLD SAN ANTONIO ROAD, FROM THE TEMPORARY ZONING OF R-A, SINGLE-FAMILY RESIDENTIAL - AGRICULTURAL DISTRICT TO B-2R, HIGHWAY COMMERCIAL - RESTRICTED DISTRICT (CITY OF BOERNE). COMMISSIONER CHAPMAN SECONDED THE MOTION. THE MOTION CARRIED 7-0.

PUBLIC HEARING

9a. 2018-375 To consider the proposed use of Automobile Sales in a B-2, Highway Commercial District located at 30725 and 30775 Interstate-10 West (.382 acres - KAD 12202 and +/- .71 acres out of 1.627 acres KAD 12288) (Michael Buie).

There were no comments.

Chairman Hollinshead closed the Public Hearing at 6:18 P.M.

10. 2018-376 Make recommendation to City Council to consider the proposed use of Automobile Sales in a B-2, Highway Commercial District located at 30725 and 30775 Interstate-10 West (.382 acres - KAD

12202 and +/- .71 acres out of 1.627 acres KAD 12288) (Michael Buie).

Ms. Laura Talley described the lot boundaries and stated the proposed use will be Hovey Motors. Automobile Sales requires City Council approval.

COMMISSIONER PENA MADE A MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL FOR THE PROPOSED USE OF AUTOMOBILE SALES IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 30725 AND 30775 INTERSTATE-10 WEST (.382 ACRES - KAD 12202 AND +/- .71 ACRES OUT OF 1.627 ACRES KAD 12288) (MICHAEL BUIE). COMMISSIONER DAVIS SECONDED THE MOTION. THE MOTION CARRIED 7-0.

PUBLIC HEARING

11a. 2018-377 To consider the proposed use of Automobile Sales in a B-2, Highway Commercial District located at 30775 and 30875 Interstate-10 West (+/- .68 acres out of 1.627 acres - KAD 12288 and +/- .86 acres out of 5.587 acres - KAD 63761) (Michael Buie).

There were no comments.

Chairman Hollinshead closed the Public Hearing at 6:21pm

12. 2018-378 Make recommendation to City Council to consider the proposed use of Automobile Sales in a B-2, Highway Commercial District located at 30775 and 30875 Interstate-10 West (+/- .68 acres out of 1.627 acres - KAD 12288 and +/- .86 acres out of 5.587 acres - KAD 63761) (Michael Buie).

Ms. Laura Talley described the location of the property and the proposed use will be a Polaris dealership. A Polaris dealership is considered Automobile Sales and does require City Council approval. Staff is supportive and recommends approval.

COMMISSIONER HAYWARD MADE A MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL TO CONSIDER THE PROPOSED USE OF AUTOMOBILE SALES IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 30775 AND 30875 INTERSTATE-10 WEST (+/- .68 ACRES OUT OF 1.627 ACRES - KAD 12288 AND +/- .86 ACRES OUT OF 5.587 ACRES - KAD 63761) (MICHAEL BUIE). COMMISSIONER DAVIS SECONDED THE MOTION. THE MOTION CARRIED 7-0.

PUBLIC HEARING

13a. 2018-373 To consider the proposed rezoning of 5.48 acres at 235 Frey Street (KAD 15884) from R-1, Medium-Density Single-Family District to R-2, Moderate-Density Residential District (Boerne United Pentecostal Church, at the request of Dave Luciani).

Mr. Lawrence Workman, 220 Frey, was opposed.

Mr. Albert Turgon, 516 Oak Park, was neutral but concerned about lighting and traffic.

Mr. Dave Luciani, builder/developer, stated the homes would be single-story. He explained the homes will be roughly 1,800 square feet garden homes.

Chairman Hollinshead closed the Public Hearing at 6:33 P.M.

14. 2018-374 Make recommendation to City Council to consider the proposed rezoning of 5.48 acres at 235 Frey Street (KAD 15884) from R-1, Medium-Density Single-Family District to R-2, Moderate-Density Residential District (Boerne United Pentecostal Church, at the request of Dave Luciani).

Mr. Laura Talley described the proposed plans for the property . The proposed lots would be around 5,600 square feet. The homes would be single-story. The current zoning would allow for 18-21 homes and the proposed plan would allow 25 homes to be built. The proposed development would be a gated community. This lot is a good location for residential infill. Staff is supportive and recommends approval.

Commissioner Hollinshead asked if the development would require street lighting. Ms. Talley stated there would be a requirement for street

lighting.

Commissioner Sena asked where the church would go and Ms. Talley stated it would be moved or torn down. Commissioner Sena asked about sidewalks being added. Ms. Talley stated that they would be required to build a small section of sidewalk but the City is reviewing the need for sidewalks along Oak Park and understand from a safety standpoint its a priority.

Commissioner Cohoon had concerns of only having the one-way in and one-way out. Ms. Talley stated the Fire Marshal was satisfied with the access and the placement of the fire-hydrants. Any development over 30 homes would require a second access point.

Mr. Sean Reich stated the options regarding the looping requirements for the development and surrounding future developments.

Commissioner Gleason asked if this would be the highest amount of density in the requested zoning. Ms. Talley explained this specific zoning could allow town-homes or up to two and half stories tall.

COMMISSIONER PENA MADE A MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL TO CONSIDER PROPOSED REZONING OF 5.48 ACRES AT 235 FREY STREET (KAD 15884) FROM R-1, MEDIUM-DENSITY SINGLE-FAMILY DISTRICT TO R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT (BOERNE UNITED PENTECOSTAL CHURCH, AT THE REQUEST OF DAVIS LUCIANI). COMMISSIONER CHAPMAN SECONDED THE MOTION. THE MOTION CARRIED 6-1. (COMMISSIONER GLEASON DISSENTED).

15. 2018-363 Consider a preliminary plat for El Chaparral Boerne located at 36 Old San Antonio Road (KAD No. 15903) (2 commercial lots). Take necessary action.

Ms. Laura Talley described the preliminary plat for two commercial lots. The plat meets the requirements of the ordinance. Staff recommends

approval.

COMMISSIONER CHAPMAN MADE A MOTION TO APPROVE A PRELIMINARY PLAT FOR EL CHAPARRAL BOERNE LOCATED AT 36 OLD SAN ANTONIO ROAD (KAD NO. 15903) (2 COMMERCIAL LOTS). COMMISSIONER COHOON SECONDED THE MOTION. THE MOTION CARRIED 7-0.

16. 2018-364 Consider a Preliminary plat of The Commons at Menger Creek, Unit 2A, Lots 12C-12D, Block A; Lots 1-7, Block B; Lots 1-3, Block C. (10 residential lots, 2 open space lots) Take necessary action.

Ms. Laura Talley described the preliminary plat of 10 residential lots and 2 open space lots. The end lot line will be shifted to assist with saving a large oak tree. The plat meets the requirements of the ordinance. Staff recommends approval.

COMMISSIONER DAVIS MADE A MOTION TO APPROVE A PRELIMINARY PLAT OF THE COMMONS AT MENGER CREEK, UNIT 2A, LOTS 12C-12D, BLOCK A; LOTS 1-7, BLOCK B; LOTS 1-3, BLOCK C. (10 RESIDENTIAL LOTS, 2 OPEN SPACE LOTS). COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION CARRIED 6-0. (COMMISSIONER COHOON ABSTAINED)

17. CONSENT AGENDA: All items listed below within the Consent Agenda are considered to be routine by the Planning and Zoning Commission and may be enacted with one motion. There will be no separate discussion of items unless a Commission Member or citizen so requests, in which event the item may be moved to the general order of business and considered in its normal sequence. The following final plat shall be approved unconditionally.

a. 2018-365 Miller Subdivision Plat, Block 2, Lots 1 & 2. (2 lots).

b. 2018-366 Lester Subdivision, Block 1, Lots 2A, 2B, 2C (3 lots)

COMMISSIONER CHAPMAN MADE A MOTION TO APPROVE THE ITEMS ON THE CONSENT AGENDA. COMMISSIONER DAVIS SECONDED THE MOTION. THE MOTION CARRIED 6-0. (COMMISSIONER COHOON ABSTAINED)

18. CONSENT AGENDA: All items listed below within the Consent Agenda are considered to be routine by the Planning and Zoning Commission and may be enacted with one motion. There will be no separate discussion of items unless a Commission Member or citizen so requests, in which event the item may be moved to the general order of business and considered in its normal sequence. The following final plat shall be approved conditionally as is stated in the Subdivision Ordinance Article 2, Section 04. Final Plat Approval, Subsection 2.04.001 B Conditional Approval.

a. 2018-368 Cottages on Oak Park, (17 residential lots, 4 open space lots)

b. 2018-370 The Ranches at Creekside Unit 4B (43 Residential lots, 1 open space lot)

COMMISSIONER DAVIS MADE A MOTION TO APPROVE THE ITEMS ON THE CONSENT AGENDA. COMMISSIONER COHOON SECONDED THE MOTION. THE MOTION CARRIED 7-0.

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

Ms. Talley spoke regarding the upcoming Kendall Gateway Study, May 23rd at the Boerne Middle School South. There will be maps available for viewing and to make comments on. There is a Master Plan Steering committee meeting, May 15th from 5:30-7:30pm and a Joint Meeting for Master Plan May 21st from 7-9pm.

Mr. Jeff Thompson, Deputy City Manager, expressed his appreciation towards Chairman John Hollinshead for the years of commitment on the P&Z Commission.

20. ADJOURNMENT

The Planning and Zoning Commission meeting adjourned at 7:07 P.M.

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P&Z Chairman

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P&Z Secretary