

MINUTES
PLANNING AND ZONING COMMISSION MEETING
BOERNE CITY HALL
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Monday, October 2, 2023 – 6:00 p.m.

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF
OCTOBER 2, 2023 AT 6:00 P.M.

PRESENT: CHAIRMAN TIM BANNWOLF, VICE CHAIR LUCAS HILER,
COMMISSIONER BILL BIRD, COMMISSIONER CARLOS VECINO,
COMMISSIONER BOB CATES, COMMISSIONER SUSAN FRIAR,

ABSENT: COMMISSIONER TERRY LEMOINE

STAFF PRESENT: MICK MCKAMIE, BARRETT SQUIRES, HEATHER WOOD,
SARA SERRA-BENNETT, REBECCA PACINI, CHERYL ROGERS, ANDREW
WILKINSON, NATHAN CRANE

RECOGNIZED AND REGISTERED GUESTS: ALEX RUDD, JENNY BINGHAM,
FEDERICO CAVAZOS, GUILLERMO CAVAZOS

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

Chairman Bannwolf called the Planning and Zoning Commission to order
at 6:00 p.m.

2. ACKNOWLEDGEMENT OF FORMER PLANNING AND ZONING COMMISSIONER
PATRICK COHOON'S SERVICE TO THE COMMUNITY.

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.)

3. CONFLICTS OF INTEREST

No conflicts were declared.

4. 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)

No comments were received.

5. CONSENT AGENDA

A MOTION WAS MADE BY COMMISSIONER HILER, SECONDED BY COMMISSIONER FRIAR, TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEA: 6 - CHAIRMAN BANNWOLF, COMMISSIONER HILER, COMMISSIONER FRIAR, COMMISSIONER VECINO, COMMISSIONER CATES, COMMISSIONER BIRD

NAY: 0

APPROVED: 6-0

5.A. [2023-702](#) THE MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 11, 2023.

5.B. [2023-705](#) A REQUEST FOR A 30-DAY TIME EXTENSION FOR THE PRELIMINARY PLAT OF ESPERANZA PHASE 3E, GENERALLY LOCATED NORTHEAST OF NORTHEAST OF ESPERANZA BOULEVARD AND FORTUNA. (EXTRA-TERRITORIAL JURISDICTION)

5.C. [2023-706](#) A REQUEST FOR A 30-DAY TIME EXTENSION FOR UPPER CIBOLO MAJOR DEVELOPMENT PLAT GENERALLY LOCATED AT 3 UPPER CIBOLO CREEK ROAD. (EXTRA-TERRITORIAL JURISDICTION)

6. REGULAR AGENDA

- 6.A. [2023-703](#) CONSIDER REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A 90 UNIT ONE- AND TWO-BEDROOM MULTI-FAMILY DWELLING PROJECT ON 5.0 ACRES (17.82 DU/AC) LOCATED AT 318 WATER STREET (KAD 42514) AND 319 WATER STREET (KAD 42515) IN THE C3 (COMMUNITY COMMERCIAL) AND THE SCENIC INTERSTATE CORRIDOR OVERLAY (IC) DISTRICTS.

I. STAFF PRESENTATION

II. PUBLIC HEARING

III. MAKE RECOMMENDATION

Rebecca Pacini, City Planner III, presented the proposed special use permit.

Chairman Bannwolf opened the public hearing at 6:16 p.m.

Alex Rudd spoke regarding concerns with density, traffic, multi-family projects, and water supply.

Rebecca Pacini introduced the applicant Federico Cavasos who gave a presentation on the proposed project.

Chairman Bannwolf closed the public hearing at 6:27 p.m.

Commission discussion ensued regarding concerns with traffic, impact on local school districts, the survivability rate of proposed relocation of trees, additional water consumption generated by multi-family dwellings, and supply and demand for multi-family developments.

Ryan Bass, City Environmental Planner / Urban Forester, explained that he spoke with a local tree relocation company and it is feasible to safely relocate trees but it is very expensive. Relocated trees are likely to have a higher survivability rate under normal rainfall patterns; drought stressed trees present more complications and currently the city does not have regulations in place to enforce proper tree relocation. However, it is possible that the city may be able to issue a two-year warranty bond to ensure survivability of relocated trees. He clarified that the city has

not received a tree inventory at this time so the size, health, or growth pattern of the trees onsite are unknown. He also explained that the current site plan could potentially run into some issues with space requirements for fire access (depending on where trees are relocated).

A MOTION WAS MADE BY COMMISSIONER CATES, SECONDED BY COMMISSIONER HILER, TO MAKE A RECOMMENDATION TO CITY COUNCIL TO DENY A SPECIAL USE PERMIT TO ALLOW A 90 UNIT ONE- AND TWO-BEDROOM MULTI-FAMILY DWELLING PROJECT ON 5.0 ACRES (17.82 DU/AC) LOCATED AT 318 WATER STREET (KAD 42514) AND 319 WATER STREET (KAD 42515) IN THE C3 (COMMUNITY COMMERCIAL) AND THE SCENIC INTERSTATE CORRIDOR OVERLAY (IC) DISTRICTS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEA: 6 - CHAIRMAN BANNWOLF, COMMISSIONER HILER, COMMISSIONER FRIAR, COMMISSIONER VECINO, COMMISSIONER CATES, COMMISSIONER BIRD

NAY: 0

DENIED: 6-0

- 6.B.** [2023-704](#) A REQUEST FOR APPROVAL FOR THE FINAL PLAT OF RANCHES AT CREEKSIDE UNIT 6, GENERALLY LOCATED AT 125 STATE HIGHWAY 46.

Sara Serra-Bennett, City Planner II., presented the final plat and confirmed that there is no commercial zoning in this subdivision; it is strictly residential.

Commission discussion ensued regarding concerns brought to the Commission from residents of the Ranches at Creekside subdivision at a past meeting; concerns were specific to drainage, the amenity center being completed, and construction of a few roads that created some flooding issues.

Cheryl Rogers, City Engineer, spoke regarding drainage concerns; there is a drainage easement where water is being collected and channeled so that water will not flow to neighbors behind the amenity center. She explained that they are under construction of three units and no

concerns with infrastructure at this time - everything is going smoothly. She confirmed that the amenity center plans have been reviewed and approved. They have their building permit for the amenity center and from City standpoint they are released to begin construction.

Applicant, Jeff Hutzler with Greenland Ventures, spoke regarding Boulder Creek and Cold Water Creek (the roads have been fixed and homeowners are satisfied). He clarified that they are in compliance with no deviation from approved infrastructure plans reviewed by city staff. He explained that they plan to begin construction of the amenity center within 7-10 days. It should take 7-8 months, with a goal of May 1, 2024 for completion.

A MOTION WAS MADE BY COMMISSIONER HILER, SECONDED BY COMMISSIONER FRIAR, TO APPROVE THE FINAL PLAT OF RANCHES AT CREEKSIDE UNIT 6, GENERALLY LOCATED AT 125 STATE HIGHWAY 46. THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEA: 6 - CHAIRMAN BANNWOLF, COMMISSIONER HILER, COMMISSIONER FRIAR, COMMISSIONER VECINO, COMMISSIONER CATES, COMMISSIONER BIRD

NAY: 0

APPROVED: 6-0

7. DISCUSSION ITEM

7.A. [2023-722](#) PLANNING AND ZONING COMMISSION REGULAR SCHEDULED MEETING DATES

Nathan Crane, Interim Planning Director, presented a few options for possibly changing regular Planning and Zoning Commission meeting dates in order for commissioners to have more time to review meeting packet details. Overall the commission decided to keep the regular meeting dates on the first Monday of each month, but would like the information to go out sooner than 5 p.m. the Friday prior to the meeting.

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

There were no further comments.

9. ADJOURNMENT

Chairman Bannwolf adjourned the Planning and Zoning Commission at 7:11 p.m.

Approve:

Chairman

Attest:

Secretary