

MINUTES
PLANNING AND ZONING COMMISSION MEETING
BOERNE CITY HALL
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Monday, April 3, 2023 – 6:00 p.m.

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF
APRIL 3, 2023 6:00 P.M.

PRESENT - CHAIRMAN TIM BANNWOLF, VICE CHAIR PATRICK COHOON,
COMMISSIONER SUSAN FRIAR, COMMISSIONER LUCAS HILER,
COMMISSIONER BOB CATES, COMMISSIONER TERRY LEMOINE

ABSENT: COMMISSIONER BILL BIRD

STAFF PRESENT: MICK MCKAMIE, LAURA HANING, MIKE RAUTE, HEATHER
WOOD, SARA SERRA-BENNETT, REBECCA PACINI, CHERYL ROGERS,
MARTHA BERNAL

RECOGNIZED/REGISTERED GUESTS: ROBERT IMLER, JANICE BUNCH, LYNN
BELLOW, STACI ALMAGER, DAWN FULGHAM, MARK RAMSOWER, GEORGE
STASKA, STEPHANIE HANKIS, CARI MEREDITH, JAMES MCKNIGHT

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 6:03 p.m.

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)

Stacy Almager, CEO of Hill Country Family Services, spoke in opposition of item 5.A.

Dawn Fulgham, representative of the Hill Country Animal League, spoke in opposition of item 5.A.

4. CONSENT AGENDA: ALL ITEMS LISTED BELOW WITHIN THE CONSENT AGENDA ARE CONSIDERED 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.

A MOTION WAS MADE BY COMMISSIONER COHOON, SECONDED BY COMMISSIONER HILER, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEA: 6- CHAIRMAN BANNWOLF, COMMISSIONER FRIAR, COMMISSIONER COHOON, COMMISSIONER CATES, COMMISSIONER LEMOINE, COMMISSIONER HILER

NAY: 0

4.A. [2023-332](#) THE MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF MARCH 6, 2023.

4.B. [2023-334](#) CONSIDER A REQUEST FOR A 30-DAY TIME EXTENSION FOR REGENT PARK UNIT 1, PHASE 5B PRELIMINARY PLAT (KAD NO. 294048). TAKE NECESSARY ACTION.

- 4.C. [2023-335](#) CONSIDER CONDITIONAL APPROVAL FOR CORLEY FARMS UNIT 1 FINAL PLAT, 33.77 ACRES, 15 RESIDENTIAL LOTS, 6 OPEN SPACE LOTS, 2 NON-RESIDENTIAL LOTS, AND 7.85 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.
- 4.D. [2023-336](#) CONSIDER CONDITIONAL APPROVAL FOR CORLEY FARMS UNIT 2 FINAL PLAT, 56.75 ACRES, 225 RESIDENTIAL LOTS, 7 OPEN SPACE LOTS, AND 12.52 ACRES OF RIGHT-OF-WAY (KAD NO. 12154 & 12184) 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.
- 4.E. [2023-337](#) CONSIDER DISAPPROVAL FOR UPPER CIBOLO MAJOR DEVELOPMENT PLAT, 1.883 ACRES, 1 NON-RESIDENTIAL LOT (KAD NO. 36246) BASED ON COMMENTS STATED IN STAFF'S REVIEW MEMO.
- 4.F. [2023-338](#) CONSIDER CONDITIONAL APPROVAL FOR THE BIRCH AT SPENCER RANCH PHASE 2 FINAL PLAT, 23.09 ACRES, 72 RESIDENTIAL LOTS, 3 OPEN SPACE LOTS, AND 3.57 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.

5. REGULAR AGENDA:

- 5.A. [2023-339](#) CONSIDER THE PROPOSED SPECIAL USE PERMIT (SUP) FOR A THRIFT STORE (NO OUTSIDE STORAGE/ DONATION BIN) IN A C3-EC (COMMUNITY COMMERCIAL, ENTRANCE CORRIDOR OVERLAY DISTRICT) AT 232 WEST BANDERA ROAD (MOOSEHEAD MANOR LOT PT 11, .701 ACRES, KAD 37919) (GOODWILL/ LORI L. JONES)

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

Ms. Sara Serra-Bennett, City Planner II., presented the proposed Special

Use Permit (hereinafter, SUP).

Ms. Janice Bunch, CEO of Goodwill, gave a presentation on their proposal for the thrift shop.

Mr. James McKnight, attorney for Goodwill, spoke regarding mitigation options to address potential concerns of the community. They will have cameras and a risk management team to monitor them when any issue may arise. There will be box trucks that will arrive daily before 8 a.m. to pick up any items that may have been left outside after hours. He further expressed their willingness to address any concerns of the community.

Chairman Bannwolf opened the public hearing at 6:35 p.m.

No comments were received.

Chairman Bannwolf closed the public hearing at 6:36 p.m.

Commission discussion ensued regarding concerns of after hours dumping and what could be done if this occurs. The Commission had questions concerning expiration of the SUP/any conditions if granted, if the SUP is attached to the tenant or the property owner, and if the proposed use is a proper land use in the entrance corridor.

Mr. Mick McKamie, Associate City Attorney, clarified that the proposed SUP is specific to a thrift store and to the property, not tenant. Further, any conditions placed on the SUP would be specific to a thrift store; any future retail use would comply with underlying zoning regulations. The SUP expires when the use is changed.

Ms. Bunch clarified that Goodwill plans to be at this location 7 years.

Mr. McKnight clarified that part of the SUP is site plan specific.

Ms. Laura Haning explained that violators can be cited for dumping if caught.

A MOTION WAS MADE BY COMMISSIONER COHOON, SECONDED BY COMMISSIONER CATES, TO MAKE A RECOMMENDATION TO CITY COUNCIL TO DENY THE PROPOSED SPECIAL USE PERMIT (SUP) FOR A THRIFT STORE (NO OUTSIDE STORAGE/ DONATION BIN) IN A C3- EC (COMMUNITY COMMERCIAL, ENTRANCE CORRIDOR OVERLAY DISTRICT) AT 232 WEST BANDERA ROAD (MOOSEHEAD MANOR LOT PT 11, .701 ACRES, KAD 37919) (GOODWILL/ LORI L. JONES) :

THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEA: 6- CHAIRMAN BANNWOLF, COMMISSIONER FRIAR, COMMISSIONER COHOON, COMMISSIONER CATES, COMMISSIONER LEMOINE, COMMISSIONER HILER

NAY: 0

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

Chairman Bannwolf recognized Commissioner Cohoon for his recent appointment to the Guadalupe-Blanco River Authority Board of Directors.

7. ADJOURNMENT

Chairman Bannwolf adjourned the Planning and Zoning Commission at 7:00 p.m.

Chairman

CERTIFICATION

I herby certify that the above notice of meeting was posted on the 31st day of March, 2023 at 9:30 a.m.

Secretary