

AGENDA
PLANNING AND ZONING COMMISSION MEETING
BOERNE POLICE AND MUNICIPAL COURT COMPLEX, 124 OLD SAN ANTONIO ROAD
Monday, December 4, 2017 – 6:00 p.m.

Minutes of the Planning and Zoning Commission Meeting of December 4, 2017.

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 Ramons, Stephanie Kranich, Sheldon Cravey, Jeff Thompson, Kirsten Cohoon, Sean Reich, Robert Lee

Registered/

Recognized Guests: Charlie Riddle, Bill Walters, Jeff Carroll, Glenn Cummings, Robert Clark

1. CALL TO ORDER – 6:00 PM

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

2. APPROVAL OF MINUTES

[2017-889](#) Approval of Planning and Zoning Commission Minutes of the meeting held November 6, 2017.

Laura Talley commented that the November 6, 2017 minutes had minor corrections to the original minutes that Commissioners received. Consolidation of the minutes were made to the public comments to reduce the length of the minutes, making them more specific who was for or against. Commissioner Chapman called for motion on the minutes from November 6, 2017 and Commissioner Paxton seconded, with the conditions that minutes to be written in past-tense and item number two have the word changed to minutes from minute, number six to include the word Shoreline Park before the word development.

COMMISSIONER CHAPMAN MADE A MOTION TO APPROVE THE MINUTES OF NOVEMBER 6, 2017. COMMISSIONER PAXTON SECONDED THE MOTION. THE MOTION WAS PASSED WITH A VOTE OF 6-0.

3. CONFLICTS OF INTEREST

Commissioner Cohoon declared conflicts of interest on items five, six and ten.

4. PUBLIC COMMENTS:

Chairman Hollinshead called for comments from the audience. Robert Clark stated his appreciation but also his concerns with the Shoreline Park development regarding the run off due to steep slopes and commented about his concerns regarding the process of approval for the development. Glen Cummings stated he was opposed to the zoning and lacked confidence with the City's Leadership or the P& Z commissioners. Chairman Hollinshead closed the public comments.

5. PUBLIC HEARING

- 5a.** [2017-890](#) To consider the proposed use of a gymnasium in a B-2R, Highway Commercial - Restricted District located at 129 Old San Antonio Road (KAD 62676).

Charlie Riddle, a representative for Brad Wells's requested for approval of a use at 129 Old San Antonio Road for a future gym to allow for Ninja Warrior training geared towards youth. The location is currently 6,000 sq feet zoned as a B-2R, and the gym would be 4,000 of that sq. footage. There is an opportunity to provide youth who are home schoolers a place for day activities as well as provide afterschool care for the near by schools.

- 6.** [2017-891](#) Make recommendation to City Council to consider the proposed use of a gymnasium in a B-2R, Highway Commercial - Restricted District, located at 129 Old San Antonio Road (KAD 62676).

Laura Talley explained the property is zoned as B-2R and under current zoning a gym under 3,000 sq. ft would be acceptable without city council approval. However, the proposed gym would be 4,000 sq. ft and

therefore, does require city council approval. The gym would be going into an existing building onsite, and aren't planning to expand the building. The property backs up to a storage facility to the rear and vacant lots to the left of the building. There will be a plan to make improvements to the entrance corridor and landscaping. The company name is Ninja City, and the gym is geared towards children and is an obstacle course. The company does not plan to expand the location. There will not be lighting added in the parking lot, but will be added lighting alongside the building. There were three responses from neighboring properties that were in favor of the requested change of use for the gym's location.

COMMISSIONER DAVIS MADE A MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL. COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION WAS PASSED WITH A VOTE OF 5-0.

7. [2017-892](#) Consider the Master Development Plan for Shoreline Park, a 99.9 acre tract of land located in the Extraterritorial Jurisdiction (ETJ) of the City of Boerne at 122 Ranger Creek Road (KAD No. 12851, 12852, and part of 12854). Take necessary action.

Laura Talley explained the Master Development Plan for Shoreline Park located in Extraterritorial Jurisdiction. The Master Development Plan is a conceptual plan and provides guidance to help put all the puzzle pieces together to help provide a clear picture of the development to help consider the plan. The developer has met all of the required criteria of the Master Development Plan for the site. The developer agreed to provide a drainage study with the preliminary plat for the entire Master Development Plan to explain how the water run-off would be handled. Mrs. Talley recognized the concern of this development and confirmed that staff would oversee the platting process of the subdivision regulations and work closely with the county for recommended changes, it will be a joint process as it is located in the Extraterritorial Jurisdiction (ETJ). Staff recommends approval of the Master Development Plan. Mrs. Talley confirmed that the Public Works Director was satisfied with the information submitted, Mrs. Talley noted that the information isn't normally required but that the developer has agreed to submit it upfront. Commissioner Davis confirmed the difference between the current

Master Plan and the previously submitted Master plan was the language in the box, stating the commitment that the developer will submit the drainage analysis with the first preliminary plat. Mrs. Talley explained there would be a drainage analysis report submitted with the first preliminary plat which will then be presented to the Commissioners to be reviewed and asked for approval. Commissioner Chapman stated that this development would be a first for both the City and the Commission in terms of the requested platting with the addition to the water supply protection zoning.

COMMISSIONER DAVIS MADE A MOTION TO RECOMMEND APPROVAL OF THE MASTER PLAN WITH THE CONDITION THAT THE DRAINAGE ANALYSIS SET FORTH BY THE CITY OF BOERNE ORDINANCES AND THE ZONING GUIDELINES PROVIDED BE MET WITH THE FIRST UNIT ON THE PRELIMINARY PLAT. COMMISSIONER CHAPMAN SECONDED THE MOTION. THE MOTION WAS PASSED WITH A VOTE OF 6-0.

8. [2017-893](#) Consider the proposed creative alternative for Woods of Boerne Commercial Lot 3C, Block 1, located at 1560 State Highway 46 (KAD NO. 296233). Take necessary action.

Laura Talley explained the creative alternative request for Woods of Boerne was for the percentage of parking allowed in front of the building. Mrs. Talley stated she requested and received a detailed landscape plan for the site, in effort to help screen the parking from Highway 46 particularly. Mrs. Talley explained there are drainage easements that run along the front and western-side of the property, the drainage access point will be at the front of the property. As a result, the likely place of the placement of the building will be towards the center of the site. The creative alternative request was strictly for the additional parking in front. Staff is supportive of the request. Commission had concerns regarding the rear parking being next to the rear driveway. Mrs. Talley explained the driveway behind the building location was never intended to be a street and was built to driveway standards. Commission had concerns regarding landscape screening. Mrs. Talley specifically asked the developer to provide a detailed plan of what size trees would be put in and provide plants and bushes of specific height for required screening along with tree mitigation.

COMMISSIONER COHOON MADE A MOTION TO RECOMMEND APPROVAL

WITH THE CONDITION THAT ANY BRUSHY PLANTS BE INSTALLED AT THREE FEET TALL. COMMISSIONER DAVIS SECONDED THE MOTION. THE MOTION WAS PASSED WITH A VOTE OF 6-0.

9. [2017-894](#) Consider the preliminary plat for Legacy at Cibolo, creating 7 commercial lots and one open space lot, a total of 13.45 acres (17 Herff Rd). Take necessary action.

Laura Talley explained the property had already been approved MU-1 zoning, and the preliminary plat in consideration was just the commercial section and it met the criteria of MU-1. The developer will incorporate per the ordinance a five percent open space provided on each lot. One area identified as open space included a very large tree and will be preserved found on lot number two. Commissioner Chapman expressed his concerns about tree root zones and the open space required to provide enough space for the tree. Mrs. Talley confirmed the developer's concern as well to preserve the trees, specifically the large tree on lot number two.

COMMISSIONER CHAPMAN MADE A MOTION TO RECOMMEND APPROVAL. COMMISSIONER PAXTON SECONDED THE MOTION. THE MOTION WAS PASSED WITH A VOTE OF 6-0.

10. [2017-895](#) Consider the preliminary plat for The Commons at Menger Creek, Unit 3 (16 commercial lots and 2 open space lots). Take necessary action.

Laura Talley explained the consideration for the preliminary plat for Legacy at Cibolo was for sixteen commercial lots and two open space lots. The developer has met the criteria of the ordinances. Mrs. Talley explained there will be low impact development as part of our ordinance anywhere a property lot which fronts a street and creek. Commissioner Chapman addressed a question regarding the entrance corridor requirements and how far they extend into the property. Mrs. Talley stated Herff Road is not considered an entrance corridor, however Old San Antonio Road and Main Street are considered entrance corridors.

COMMISSIONER DAVIS MADE A MOTION TO RECOMMEND APPROVAL. VICE CHAIRMAN CHAPMAN SECONDED THE MOTION. THE MOTION WAS PASSED WITH A VOTE OF 5-0.

11. 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.

**COMMISSIONER DAVIS MADE A MOTION TO RECOMMEND APPROVAL.
COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION
WAS PASSED WITH A VOTE OF 6-0.**

- 11a. [2017-896](#) Regent Park Subdivision, Unit 3 (53 residential lots and 3 open space lots).
- 11b. [2017-897](#) Esperanza, Unit 2D (44 residential lots and 1 open space lot).

12. ITEMS FOR DISCUSSION/ACTION

12a. **The Commons at Menger Creek**

Laura Talley introduced Bill Walters and Jeff Carroll to discuss their thoughts and provide a bigger picture of the project as a whole. Jeff Carroll of Kimley-Horn, Boerne, Texas. Jeff, the engineer for the project came forth and introduced himself and provided an update on the project. Jeff explained a flood study of Menger Creek was completed from Cibolo to Interstate 10. Bill Walters of Austin, Tx, developer of the SoBo development came forth and spoke about his previous and current developments in and around the Austin, Tx area. Mrs. Talley explained the development agreement which forces the property off of Bandera to be residential lots in addition to apartment units to allow for a walkable community and park space along the creek with additional trail systems. Mr. Walters spoke again explained in more detail what the development would include such as restaurants, a hardware store, additional retail, senior cottage park, an apartment project and patio homes on the residential lots. Jeff Carroll explained how walkability would connect to existing trail systems and how they would connect to this location.

Commissioner Hayward addressed the question about who the market would be geared towards for this development. Mr. Walters explained the connection between the senior living project in this development and the memory care facility nearby would allow for spouses to be close to each other and allow for walkability between them. The apartment project would be tailored to adults however would not have age-limit restrictions and the candidates for the patio-homes would range from young married couples up to empty nesters.

12b. Master Plan update

Laura Talley briefed the commissioners on the recent Master Plan Steering Committee Meeting presented by Halff Associates. Mrs. Talley explained the results of the online survey, which included 1,720 responses. The highlights of the survey were reviewed, including the critical issues facing Boerne today. Positive responses of the survey included the city's parks, trails, retail and things to do. The downtown historic buildings were important to the majority. Mrs. Talley explained character zones, or character districts, as a concept which allows an area to be designed for specific, identified characteristics of appropriate, specifically zoned areas.

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

14. ADJOURNMENT

The Planning and Zoning Commission meeting adjourned at 7:27 P.M.

P&Z Chairman

P&Z Secretary