

MINUTES
PLANNING AND ZONING COMMISSION MEETING
BOERNE POLICE AND MUNICIPAL COURT COMPLEX, 124 OLD SAN ANTONIO ROAD
Monday, February 3, 2020 – 6:00 p.m.

Minutes of the Planning and Zoning Commission meeting of February 3, 2020

Present: Joe Anzollitto, Cal Chapman, Patrick Cohoon, Joe Davis, Kyle Kana, Bill Bird, Paula Hayward, Bob Cates, Chesney Dunning

Staff Present: Laura Talley, Stephanie Kranich, Cheryl Rogers, Rebecca Pacini, Sara Serra, Mick McKamie, Barbara Quirk, Jeff Thompson, Veronika Vasquez, Robert Lee

Registered/

Recognized Guests: Mark Leon Jr., Christine Jacques, Cheky Houy

1. CALL TO ORDER – 6:00 PM

Chairman Davis called the Planning and Zoning Commission meeting to order at 6:00 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. APPROVAL OF MINUTES

[2020-172](#) Consider the minutes of the Planning and Zoning Commission for the meeting held January 6, 2020.

COMMISSIONER COHOON MADE A MOTION TO APPROVE THE MINUTES OF THE PLANNING AND ZONING COMMISSION FOR THE MEETING HELD JANUARY 6, 2020. COMMISSIONER DUNNING SECONDED THE MOTION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 8 - Commissioner Cohoon, Commissioner Hayward, Vice Chair Chapman, Commissioner Dunning, Commissioner Cates, Commissioner Anzollitto, Commissioner Bird, and Commissioner Kana

3. CONFLICTS OF INTEREST

Commissioner Cohoon had a conflict of interest on items number 6, 7 & 10.

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)

There were none.

5. DISCUSSION

[2020-173](#) a. Unified Development Code - items for future workshop, date for future workshop and timeline for adoption

Ms. Laura Talley spoke regarding future workshop dates and introduced Carissa Cox to go over the timeline of UDC meeting dates.

Ms. Carissa Cox spoke regarding the UDC timeline and future outreach events to get the message out for the upcoming adoption process. The month of February will be formatting and fact-checking while Staff is working on the strategy of the overlay and zoning districts. There will be two hearings held in March and April for the adoption of the UDC, and will be held as joint P&Z Commission and City Council meetings.

6. PUBLIC HEARING

[2020-174](#) a. To consider the proposed rezoning of 0.35 acres located at 32828 Interstate Highway 10 West (KAD 26885) from I, Industrial District to B-2, Highway Commercial District (Christine Jacques).

Chairman Davis opened the Public Hearing at 6:28 P.M.

Ms. Christine Jacques spoke requesting the rezoning from an I to a B-2.

Chairman Davis closed the Public Hearing at 6:29 P.M.

7. [2020-175](#) Make recommendation to City Council regarding the proposed rezoning of 0.35 acres located at 32828 Interstate Highway 10 West (KAD 26885) from I, Industrial District to B-2, Highway

Commercial District (Christine Jacques).

Ms. Sara Bennett explained the request for the property. Currently the property is zoned Industrial and is being requested to be rezoned to a B-2. Staff is supportive and recommends approval of the zoning change to B-2 due to citizen's input and the Commission's support to expand Highway Commercial District.

COMMISSIONER ANZOLLITTO MADE A MOTION TO MAKE RECOMMENDATION TO CITY COUNCIL REGARDING THE PROPOSED REZONING OF 0.35 ACRES LOCATED AT 32828 INTERSTATE HIGHWAY 10 WEST (KAD 26885) FROM I, INDUSTRIAL DISTRICT TO B-2, HIGHWAY COMMERCIAL DISTRICT (CHRISTINE JACQUES). COMMISSIONER DUNNING SECONDED THE MOTION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 7 - Commissioner Hayward, Vice Chair Chapman, Commissioner Dunning, Commissioner Cates, Commissioner Anzollitto, Commissioner Bird, and Commissioner Kana

Recused: 1 - Commissioner Cohoon

8. PUBLIC HEARING

[2020-176](#) a. To consider the use Retirement Community in a B-2 Highway Commercial District, for 6.479 acres on Old San Antonio Road (KAD 300529) (Hunt Propriety).

Chairman Davis opened the Public Hearing at 6:34 P.M.

There were no comments.

Chairman Davis closed the Public Hearing at 6:34 P.M.

9. [2020-177](#) Make recommendation to City Council regarding the proposed use Retirement Community in a B-2 Highway Commercial District, for 6.479 acres on Old San Antonio Road (KAD 300529) (Hunt Propriety).

Ms. Sara Bennett explained the request for a proposed Retirement Community in a B-2, which requires P&Z recommendation and a final consideration by City Council. Ms. Bennett explained the proposed use.

Based on the overlay and the Master Plan Staff is supportive for the recommendation.

Mr. Mark Lionel, architect for the proposed project, explained the design and amenities designed for seniors living at the apartments. The apartments will be restricted to 55+ in age. The sidewalk on Old San Antonio will be continued for connectivity and walking trails within the property as well. There will be a pedestrian gate access to connect to other properties located outside the proposed apartment complex. The property will be rentals only. The proposed development would include 160 apartment units, with 170 parking stalls to serve the apartment complex.

Commissioner Anzollitto asked regarding the drainage impact for the proposed design site. Ms. Talley stated there will be a drainage detention submittal required and the LID features will now be required as it has been passed for implementation by City Council. The proposed development follows what the SoBo overlay plan which includes high-density residential for a mix of apartments or cottages.

COMMISSIONER CATES MADE A MOTION TO MAKE RECOMMENDATION TO CITY COUNCIL REGARDING THE PROPOSED USE RETIREMENT COMMUNITY IN A B-2 HIGHWAY COMMERCIAL DISTRICT, FOR 6.479 ACRES ON OLD SAN ANTONIO ROAD (KAD 300529) (HUNT PROPRIETY). COMMISSIONER BIRD SECONDED THE MOTION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 7 - Commissioner Cohoon, Commissioner Hayward, Vice Chair Chapman, Commissioner Dunning, Commissioner Cates, Commissioner Bird, and Commissioner Kana

Nay: 1 - Commissioner Anzollitto

10. [2020-178](#) Consider the Preliminary Plat for E. Bandera Residential (7 residential lots, 1 open space lot, 0.034 acre of right-of-way) (2.493 acres) (KAD No. 300528). Take necessary action.

Ms. Rebecca Pacini explained the request for a preliminary plat that exists of 7 residential lots and 1 open space lot. The City entered into a development agreement in 2009 with the property owner and it was recently updated in 2019. The original DA stated no street access off of

Bandera Road, however the DA was updated to allow access off of Bandera Road and each lot of the proposed development will include individual driveways. The open space lot will become part of the pedestrian and emergency access and easements. There are some Heritage trees within the open space which will most likely be removed. Staff is supportive and recommends approval.

Mr. Shawn Berry & Brad Wells, developers and property owners for the proposed project, explained how they came to the current proposed configuration of the lots. The big heritage oaks are located on lot 6 & 7. Mr. Wells is working to keep the lots 70 foot wide and will be building his home on lot 7 and has interest in keeping as many of the trees as possible. The grove of trees on lot 901, the intent will be to keep them. If the City allows to move the lot lines for the utilities will determine which trees will be allowed to keep.

COMMISSIONER DUNNING MADE A MOTION TO APPROVE THE PRELIMINARY PLAT FOR E. BANDERA RESIDENTIAL (7 RESIDENTIAL LOTS, 1 OPEN SPACE LOT, 0.034 ACRE OF RIGHT-OF-WAY) (2.493 ACRES) (KAD NO. 300528). COMMISSIONER BIRD SECONDED THE MOTION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 7 - Commissioner Hayward, Vice Chair Chapman, Commissioner Dunning, Commissioner Cates, Commissioner Anzollitto, Commissioner Bird, and Commissioner Kana

Recused: 1 - Commissioner Cohoon

11. DISCUSSION

[2020-179](#) a. Potential additional meetings - workshop or discussion items

Ms. Laura Talley stated Staff will provide a list each meeting of current developments that Staff is working on. Commission made a comment about requesting in the budget to hire an Arborist for handling and reviewing Tree Preservation.

Mick McKamie stated the City is working to hold developers to the value of trees and determined the worth back to the community. The City is working to establish higher maximum fines and tougher rules to mitigate.

Commissioner Anzollitto had a request for when large developments come along to have the City provide an overall review of the project to provide for better understanding.

[2020-180](#)

b. Process improvements

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

Ms. Laura Talley stated Staff received a revised Tree Preservation Plan for Southglen Phase 11A and they are reviewing and will provide a full report at the new P&Z meeting.

13. ADJOURNMENT

Chairman Davis adjourned the Planning and Zoning Commission meeting at 7:30 P.M.

THE CITY OF BOERNE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE §551.071 (CONSULTATION WITH ATTORNEY).

P&Z Chairman

P&Z Secretary

Rollcall

Rollcall

Present

9 - Commissioner Patrick Cohoon, Commissioner Paula Hayward, Vice Chair Cal Chapman, Chairman Joe Davis, Commissioner Chesney Dunning, Commissioner Bob Cates, Commissioner Joe Anzollitto, Commissioner Bill Bird, and Commissioner Kyle Kana