

**CANCELED**  
**SPECIAL CALLED PLANNING AND ZONING COMMISSION WORKSHOP**  
**BOERNE CITY HALL 447 NORTH MAIN STREET**  
**Monday, October 5, 2020**  
**4:00 p.m.**

1. CALL TO ORDER – 4:00 PM
2. 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)
3. WORKSHOP TO DISCUSS THE UPDATES TO THE UNIFIED DEVELOPMENT CODE.
4. COMMENTS FROM COMMISSION/LEGAL COUNSEL/STAFF – No discussion or action may take place.
5. 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 ABOVE AS AUTHORIZED BY CHAPTER 551 CODE §551.071 (CONSULTATION WITH ATTORNEY)
6. ADJOURNMENT.

**MINUTES**  
**PLANNING AND ZONING COMMISSION MEETING**  
**BOERNE CITY HALL 447 NORTH MAIN STREET**  
**Monday, October 5, 2020**  
**6:00 p.m.**

Minutes of the Regular Planning and Zoning Commission Meeting of October 5, 2020 at 6:00 p.m.

**Present 7-** Chairman Tim Bannwolf, Vice Chairman Patrick Cohoon (Zoom Meeting), Commissioner Joe Anzollitto, Commissioner Kyle Kana (Zoom Meeting), Commissioner Ricky Gleason, Commissioner Bob Cates, and Commissioner Chesney Dunning

**Absent 1-** Commissioner Bill Bird

**Staff Present:** Jeff Thompson, Barbara Quirk, Jeff Carroll, Cheryl Rogers, Michael Mann, Laura Talley, Barrett Squires, Rebecca Pacini, Heather Wood,

**Recognized/ Registered Guests:** Christina Ryrholm, Michael Bowie, Ben Bunker, Jason Linle, Jerry Knippa, Rufus Stephens, Ben Eldredge, and Melissa Snow

1. CALL TO ORDER – 6:00 PM

ROLL CALL

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.)

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

Chairman Bannwolf requested to move Item Number 9 up the agenda after Item 5.A. All Commissioners present were in favor.

2. CONFLICTS OF INTEREST

Chairman Bannwolf declared conflicts with Item Number 9.

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)

Jerry Knippa, resident at 113 Old San Antonio Road, spoke in opposition of the proposed permanent zoning of 103 Old San Antonio Road.

Melissa Snow, resident at 149 Oak Acres Road, spoke regarding concerns with the Shoreline Park development not having approved water treatment and waste water treatment plans. She proposed restrictive

covenants such as expanding riparian area in the plans, to consider only allowing native grasses that will hold water better to mitigate any flooding, only allowing native trees to be grown and to require rainwater attachments for each house to help eliminate rainwater runoff to Boerne City Lake.

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.

The Minutes were approved.

4.A. [2020-567](#) CONSIDER THE MINUTES OF THE REGULAR PLANNING AND ZONING COMMISSION MEETING OF AUGUST 31, 2020

The Minutes were approved.

5. REGULAR AGENDA:

5.A. [2020-568](#) TO CONSIDER THE PROPOSED PERMANENT ZONING OF 8.5345 ACRES LOCATED AT 103 OLD SAN ANTONIO ROAD (KAD 38831) FROM R-A, RESIDENTIAL AGRICULTURAL, TO R-4, MULTIFAMILY RESIDENTIAL DISTRICT (William G. Graham, Fraser H. Graham, John J. Laroche).

I STAFF PRESENTATION

II PUBLIC HEARING

Laura Talley, Director of Planning and Community Development, presented the proposed permanent zoning for a property located 103 Old San Antonio Road. She explained that no action will be required because the applicant has temporarily withdrawn the request. The developer for the property wants to provide more details with the layout and concept plan for what they are considering for the location. She mentioned that this property was recently annexed into the city, is now in the zoning stage and a full Public Hearing will be held in November with more details provided for this proposed zoning.

Mr. Rufus Stephens, resident at 205 Bess Street and Trustee of Cibolo Preserve, spoke regarding the conserved and protected land around 103 Old San Antonio Road, concerns about water quality issues, rainwater runoff to Cibolo Creek, and concerns from wildlife conservation regarding dark sky issues.

Ben Eldrede, spoke regarding Mr. Knippa who has gifted the land next to 103 Old San Antonio Road. He stated that the land is under a conservation easement, and is to be maintained for public benefit, to the benefit of wildlife and to maintain the character of Boerne. He further mentioned the natural area that currently exists, and public input received from recent picture-based surveys, sent out by the consultant for the Unified Development Code, that revealed the desire to see a more rural, natural character along the corridor.

Chairman Bannwolf moved item number 9 up at 6:25 p.m.

Chairman Bannwolf recused himself from the dais at 6:26 p.m. Commissioner Cates assumed the Chair.

9. [2020-570](#) Consider the preliminary plat for Buc-ee's #41, 29.22 acres, 2 nonresidential lots, 1 open space lot, and 1.991 acres of right-of-way (KAD No. 15922 and 15923). Take necessary action.

Rebecca Pacini, AICP, Planner III, with the Planning and Community Development Department, presented the proposed preliminary plat.

A MOTION WAS MADE BY COMMISSIONER DUNNING, SECONDED BY COMMISSIONER GLEASON, TO APPROVE THE PRELIMINARY PLAT FOR BUC-EE'S #41, 29.22 ACRES, 2 NONRESIDENTIAL LOTS, 1 OPEN SPACE LOT, AND 1.991 ACRES OF RIGHT-OF-WAY (KAD NO. 15922 AND 15923). THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 5- COMMISSIONER DUNNING, COMMISSIONER GLEASON, COMMISSIONER ANZOLLITTO, COMMISSIONER COHOON, AND COMMISSIONER KANA

**Approved:** 5-0

Chairman Bannwolf returned to the dais at 6:30 p.m.

6. EXECUTIVE SESSION UNDER SECTION 551.071 OF THE TEXAS GOVERNMENT CODE  
– THE PLANNING AND ZONING COMMISSION WILL ADJOURN INTO EXECUTIVE  
SESSION TO CONSULT WITH THE CITY ATTORNEY REGARDING LEGAL MATTERS  
RELATED TO THE CONDITION OF APPROVAL FOR SHORELINE PARK PHASE 3 & 4  
PRELIMINARY PLAT.

The Planning and Zoning Commission entered into Executive Session at  
6:31 p.m.

7. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATED TO  
THE EXECUTIVE SESSION AS DESCRIBED ABOVE.

Chairman Bannwolf reconvened the Planning and Zoning Commission  
into Open Session at 6:50 p.m.

8. [2020-569](#) Consider the preliminary plat for Shoreline Park, Phase 6, 26.685  
acres, 64 residential lots, 6 open space lots, and 4.74 acres of  
right-of-way (KAD No. 12852, 302218, and 302219). Take  
necessary action.

Rebecca Pacini presented the proposed preliminary plat.

Mr. Jeff Carroll, Director of Development Services, spoke regarding a  
serviceability letter the City received from the utility provider Kendall  
West Utility, LLC (hereafter, KWU) for the Shoreline Park development.  
He mentioned that a new and separate plant is in the planning stages  
for this development and that plants are generally required to plan for  
expansion once they near capacity for water and sewer.

Discussion ensued regarding the capacity at KWU's existing sewage  
treatment plant, drainage concerns, Texas Commission on Environmental  
Quality (TCEQ) regulations, and permits requiring expansion.

Mr. Mike Mann, Director of Utilities, spoke regarding commitments to  
serve and the general process in planning for expansion, as it relates to

the city's Utility department.

Michael Bowie, resident at 103 Lake Spur, spoke in opposition of the Shoreline Park development.

Chairman Bannwolf convened the Planning and Zoning Commission into Executive Session at 7:14 p.m.

Chairman Bannwolf reconvened the Planning and Zoning Commission into Open Session at 7:36 p.m.

A MOTION WAS MADE BY COMMISSIONER CATES, SECONDED BY COMMISSIONER ANZILLITTO, TO TABLE THE PROPOSED PRELIMINARY PLAT FOR SHORELINE PARK, PHASE 6, 26.685 ACRES, 64 RESIDENTIAL LOTS, 6 OPEN SPACE LOTS, AND 4.74 ACRES OF RIGHT-OF-WAY (KAD NO. 12852, 302218, AND 302219). THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 6- COMMISSIONER CATES, COMMISSIONER DUNNING, COMMISSIONER GLEASON, COMMISSIONER ANZOLLITTO, COMMISSIONER COHOON, AND COMMISSIONER KANA

**Approved: 6-0**

10. 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 ABOVE AS AUTHORIZED BY CHAPTER 551 CODE §551.071 (CONSULTATION WITH ATTORNEY)

11. COMMENTS FROM COMMISSION/LEGAL COUNSEL/STAFF – No discussion or action may take place.

Commissioner Gleason mentioned feedback he received from citizens regarding issues with the process of platting older, smaller properties

No comments were made from legal staff.

12. ADJOURNMENT

Chairman Bannwolf adjourned the Planning and Zoning Commission at 7:40 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary