

**MINUTES**  
**PLANNING AND ZONING COMMISSION MEETING**  
**BOERNE CITY HALL**  
**RONALD C. BOWMAN CITY COUNCIL CHAMBERS**  
**447 North Main Street**  
**Monday, June 5, 2023 – 6:00 p.m.**

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF  
JUNE 5, 2023 6:00 P.M.

PRESENT - CHAIRMAN TIM BANNWOLF, COMMISSIONER SUSAN FRIAR,  
COMMISSIONER LUCAS HILER, COMMISSIONER BOB CATES,  
COMMISSIONER TERRY LEMOINE, COMMISSIONER BILL BIRD

STAFF PRESENT: MICK MCKAMIE, KRISTY STARK, MIKE RAUTE, HEATHER  
WOOD, SARA SERRA-BENNETT, REBECCA PACINI, JEFF CARROLL, CHERYL  
ROGERS, MARTHA BERNAL, NATHAN CRANE, BEN SIMMONS, RYAN BASS

RECOGNIZED/REGISTERED GUESTS: PATRICK MURPHY

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.

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

None declared.

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)

Chairman Bannwolf opened public comments at 6:01 p.m.

No comments were received.

Chairman Bannwolf closed public comments at 6:01 p.m.

4. [2023-453](#) ADMINISTER OATHS OF OFFICE - CHAIRMAN TIM BANNWOLF, COMMISSIONER LUCAS HILER, COMMISSIONER CARLOS VECINO.

Ms. Heather Wood, Planning Administrative Assistant, administered oaths of office to Chairman Tim Bannwolf, Commissioner Lucas Hiler, and Commissioner Carlos Vecino.

Chairman Bannwolf introduced the City's Planning department summer intern, Mr. Ben Simmons.

5. [2023-460](#) ELECTION OF VICE-CHAIR AND SECRETARY.

A MOTION WAS MADE BY COMMISSIONER CATES, SECONDED BY COMMISSIONER BIRD, TO ELECT COMMISSIONER HILER AS VICE-CHAIR OF THE PLANNING AND ZONING COMMISSION:

THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEA: 7 -** CHAIRMAN BANNWOLF, COMMISSIONER FRIAR, COMMISSIONER CATES, COMMISSIONER LEMOINE, COMMISSIONER HILER, COMMISSIONER BIRD, COMMISSIONER VECINO

**NAY: 0**

A MOTION WAS MADE BY COMMISSIONER HILER, SECONDED BY COMMISSIONER FRIAR, TO REELECT COMMISSIONER CATES AS

SECRETARY OF THE PLANNING AND ZONING COMMISSION:

THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEA: 7 -** CHAIRMAN BANNWOLF, COMMISSIONER FRIAR, COMMISSIONER CATES, COMMISSIONER LEMOINE, COMMISSIONER HILER, COMMISSIONER BIRD, COMMISSIONER VECINO

**NAY: 0**

6. 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 Commission agreed to pull item 6.G. from the Consent Agenda for clarification purposes, and to be considered separate.

A MOTION WAS MADE BY COMMISSIONER CATES, SECONDED BY COMMISSIONER LEMOINE, TO APPROVE CONSENT AGENDA ITEMS 6.A. - 6.F. AND ITEM 6.H.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEA: 7 -** CHAIRMAN BANNWOLF, COMMISSIONER FRIAR, COMMISSIONER CATES, COMMISSIONER LEMOINE, COMMISSIONER HILER, COMMISSIONER BIRD, COMMISSIONER VECINO

**NAY: 0**

- 6.A.**    [2023-452](#)        THE MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF MAY 1, 2023.
- 6.B.**    [2023-461](#)        CONSIDER A REQUEST FOR A 30-DAY TIME EXTENSION FOR BLUFF VIEW MULTI-FAMILY MAJOR SUBDIVISION PLAT (KAD 14386). TAKE NECESSARY ACTION.

- 6.C. [2023-462](#) CONSIDER A REQUEST FOR A 30-DAY TIME EXTENSION FOR UPPER CIBOLO MAJOR DEVELOPMENT PLAT (KAD NO. 36246). TAKE NECESSARY ACTION.
- 6.D. [2023-463](#) CONSIDER A REQUEST FOR A 30-DAY TIME EXTENSION FOR ESPERANZA PHASE 2G FINAL PLAT (KAD NO. 14990, 14991, 15019, 15028, 31043, 300730, AND 310832). TAKE NECESSARY ACTION.
- 6.E. [2023-465](#) CONSIDER CONDITIONAL APPROVAL FOR REGENT PARK UNIT 1, PHASE 5B PRELIMINARY PLAT, 10.833 ACRES, 31 RESIDENTIAL LOTS, 1 OPEN SPACE LOT, AND 0.945 ACRES OF RIGHT-OF-WAY (KAD NO. 294048) AS IS PROVIDED BY ARTICLE 2, SECTION 2.04.001 B OF THE SUBDIVISION ORDINANCE.
- 6.F. [2023-466](#) CONSIDER CONDITIONAL APPROVAL FOR PRINCIPLE HYUNDAI MAJOR DEVELOPMENT PLAT, 3.141 ACRES, 1 NON-RESIDENTIAL LOT (KAD NO. 17373, 17378, AND 17388) BASED ON COMMENTS STATED IN STAFF'S REVIEW MEMO/
- 6.G. [2023-467](#) CONSIDER CONDITIONAL APPROVAL OF COLLECTION AT BOERNE MAJOR SUBDIVISION PLAT, 27.89 ACRES, 2 MULTI-FAMILY RESIDENTIAL LOTS, 2 OPEN SPACE LOTS AND 1.74 ACRES OF RIGHT-OF-WAY (KAD NO. 14142). BASED ON COMMENTS STATED IN STAFF'S REVIEW MEMO.

Ms. Rebecca Pacini, City Planner III., presented the major development plat and stated the conditions of approval for this plat.

Commissioner Cates questioned if the road dedication on the plat falls under current or past Code, and questioned whether the floodplain lines shown on the plat fall under Federal Emergency Management Agency (FEMA) or San Antonio River Authority (SARA) standards.

Ms. Pacini clarified that the plat is required to meet prior Code (Code prior to April 11, 2023).

Ms. Cheryl Rogers, City Engineer, explained the difference in new vs. older Codes specific to road widths; pavement width is similar in both,

however, road width requirements were made more narrow in the updated UDC. She also confirmed that both FEMA and SARA floodplain lines should be shown on the plat. FEMA is the regulatory floodplain, but the City has adopted SARA as best available information to follow. An outstanding comment that must be addressed is to make sure they are using the correct SARA floodplain line, as lines do not match on the presented plat.

A MOTION WAS MADE BY COMMISSIONER HILER, SECONDED BY COMMISSIONER BIRD, TO CONDITIONALLY APPROVE THE COLLECTION AT BOERNE MAJOR SUBDIVISION PLAT, 27.89 ACRES, 2 MULTI-FAMILY RESIDENTIAL LOTS, 2 OPEN SPACE LOTS AND 1.74 ACRES OF RIGHT-OF-WAY (KAD NO. 14142) BASED ON COMMENTS STATED IN STAFF'S REVIEW MEMO AND WITH THE FOLLOWING ADDITIONAL CONDITIONS:

Compliance with UDC 2.8.B. Parkland Dedication and UDC 2.6.A.11.b.iv. (b)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

**NAY: 1 -** COMMISSIONER CATES

**6.H.**     [2023-468](#)     CONSIDER CONDITIONAL APPROVAL OF COMMONS AT MENDER CREEK UNIT 7 FINAL PLAT 5.05 ACRES, 3 NON-RESIDENTIAL LOTS, 1 OPEN SPACE LOT AND 0.38 ACRES OF RIGHT-OF-WAY (KAD 39338). BASED ON COMMENTS STATED IN STAFF'S REVIEW MEMO.

**7. REGULAR AGENDA:**

**7.A.**     [2023-469](#)     CONSIDER CONDITIONAL APPROVAL OF THE FINAL PLAT FOR SHORELINE PARK PHASE 7, 25.95 ACRES, 67 RESIDENTIAL LOTS, 4 OPEN SPACE LOTS, AND 3.45 ACRES OF RIGHT-OF-WAY (KAD NO.

12852 AND 305752). BASED ON COMMENTS STATED IN STAFF'S REVIEW MEMO.

Ms. Rebecca Pacini, City Planner III., presented the final plat. She confirmed that right-of-way on this plat should be 3.36 acres not 3.45 acres as posted. She explained that there are no outstanding comments and that the plat meets all requirements of the subdivision ordinance; the conditional approval is regarding infrastructure construction.

Commissioner Cates asked for clarification regarding a previously discussed 300 foot setback buffer from the lake that the developer had verbally agreed to and if there has been any Texas Commission on Environmental Quality (TCEQ) violations.

Ms. Cheryl Rogers confirmed that a condition could be added to the plat to show the lot line at a 300 foot setback from the lake shoreline, as previously agreed by the developer.

Mr. Jeff Carroll, Engineering and Mobility Director, confirmed that there are no open or outstanding violations and that KB Homes has been very proactive to address any concerns.

Mr. Mick McKamie, Associate City Attorney, clarified that any conditions placed on a plat must specifically refer to a section in the subdivision ordinance.

A MOTION WAS MADE BY COMMISSIONER CATES, SECONDED BY COMMISSIONER FRIAR, TO CONDITIONALLY APPROVE THE FINAL PLAT FOR SHORELINE PARK PHASE 7, 25.95 ACRES, 67 RESIDENTIAL LOTS, 4 OPEN SPACE LOTS, AND 3.45 ACRES OF RIGHT-OF-WAY (KAD NO. 12852 AND 305752) WITH THE INFRASTRUCTURE REQUIREMENT AND TO REFLECT A 300 FT. BUFFER ZONE FROM THE BOERNE CITY LAKE SHORELINE:

THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEA: 7 -** CHAIRMAN BANNWOLF, COMMISSIONER FRIAR, COMMISSIONER CATES, COMMISSIONER LEMOINE, COMMISSIONER HILER, COMMISSIONER

BIRD, COMMISSIONER VECINO

**NAY: 0**

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

Reminder of Cyber Security Training.

9. ADJOURNMENT

Chairman Bannwolf adjourned the Planning and Zoning Commission at 6:31 p.m.

\_\_\_\_\_  
Chairman

CERTIFICATION

I herby certify that the above notice of meeting was posted on the 2nd day of June, 2023 at 5:30 p.m.

\_\_\_\_\_  
Secretary