

AGENDA
PLANNING AND ZONING COMMISSION MEETING
BOERNE POLICE AND MUNICIPAL COURT COMPLEX, 124 OLD SAN ANTONIO ROAD
Monday, September 11, 2017 – 6:00 p.m.

Present: John Hollinshead, William Paxton, Richard Sena, Ricky Gleason, Joe Davis, Paula Hayward, Cal Chapman and Patrick Cohoon

Absent: Israel Pena

Staff Present: Laura Talley, Planning and Community Development Director, Susana Ramos, Recording Secretary & Planner III, Sheldon Cravey, IT, Sean Reich, Public Works Engineer, Jeff Thompson, Deputy City Manager

1. CALL TO ORDER – 6:00 PM
2. APPROVAL OF MINUTES

[2017-677](#) Approval of Planning and Zoning Commission Minutes of the meeting of August 7, 2017.

Tabled

3. CONFLICTS OF INTEREST DECLARATION

There were none.

4. CITIZENS' COMMENTS:

Scott Ellis stated that he has concerns about the proposed Overlook at Boerne. He commented that it is questionably zoned and the road is not big enough for the amount of people that the development would bring. Patricia Ellis stated that she is worried that there will be a heavy traffic impact if the Overlook at Boerne Preliminary Plat is approved. She commented that she is concerned for the pedestrians with all of the added traffic. Jim Grossman stated that he is concerned about the current zoning of the Overlook at Boerne property. Debby Thompson states that she is concerned about the Overlook at Boerne because the visibility. She commented that she does not want lights shining into her windows and it will create traffic issues.

5. PUBLIC HEARING

- 5a. [2017-678](#) To consider the proposed use request of multi-dwelling structures in a B-2, Highway Commercial District, a total of 6.089 acres, for a site located within The Commons at Menger Creek Master Development Plan.

Laura Talley introduced the proposed development. Ms. Talley stated that it is not a typical multi-family development. It is an age restricted, one-story, duplex style development. All the units will be lease units. Alan Noll, the developer, discussed the project and the use of the property. He detailed the layout of the units and why leasing the units is more attractive to older people. There will be a driveway connection between this development and Franklin memory care.

6. [2017-679](#) Make recommendation to City Council to consider the proposed use request of multi-dwelling structures in a B-2, Highway Commercial District, a total of 6.089 acres, for a site located within The Commons at Menger Creek Master Development Plan.

COMMISSIONER SENA MOVED TO RECOMMEND CITY COUNCIL TO APPROVE THE PROPOSED USE. COMMISSIONER SENA WITHDREW HIS MOTION.

COMMISSIONER SENA MOVED TO RECOMMEND TO CITY COUNCIL APPROVAL OF THE PROPOSED USE WITH THE LIMITATIONS OF 36 HOUSING UNITS LIMITED TO ONE STORY. COMMISSIONER CHAPMAN SECONDED THE MOTION. MOTION CARRIED 7-0.

7. PUBLIC HEARING

- 7a. [2017-680](#) To consider the proposed revisions to the City of Boerne Zoning Ordinance No. 2007-64, Article 1, In General, Section 06. Definitions, Article 3, General Prohibitions and Requirements, Section 08. Commerical Center Design Standards, Section 09. Combined Commercial Design Standards.

Laura Talley stated that City Council approved a resolution regarding Nodes in the city limits. Staff has updated the zoning ordinance to include the definition of Nodes in the ordinance and references the design manual for Nodes in the design guidelines. Staff also edited the section of the ordinance that refers to lots adjacent to and adjoining streets and creeks. This section was modified to clarify the meaning of "fronting".

8. [2017-681](#) Make recommendation to City Council to consider the proposed revisions to the City of Boerne Zoning Ordinance No. 2007-64, Article 1, In General, Section 06. Definitions, Article 3, General Prohibitions and Requirements, Section 08. Commerical Center Design Standards, Section 09. Combined Commercial Design Standards.

COMMISSIONER CHAPMAN MOVED TO RECOMMEND TO CITY COUNCIL APPROVAL OF THE PROPOSED REVISIONS. COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION CARRIED 7-0.

ITEMS FOR DISCUSSION/ACTION

9. [2017-682](#) Consider approval for the preliminary plat for Overlook at Boerne (37 residential lots, 3 open space lots). Take necessary action.

Laura Talley addressed many issues that the public has for this property. The plat meets the criteria of the ordinance and recommended approval of the preliminary plat.

COMMISSIONER DAVIS MOVED TO APPROVE THE PRELIMINARY PLAT FOR THE OVERLOOK AT BOERNE (37 RESIDENTIAL LOTS, 3 OPEN SPACE LOTS). COMMISSIONER COHOON SECONDED THE MOTION. THE MOTION CARRIED 5-2.

10. [2017-683](#) Consider approval for the development plat for Boerne ISD Administration Building. Take necessary action.

Laura Talley introduced the development plat. Ms. Talley stated that the development plat met the criteria as set forth in the ordinance and recommended approval of the plat.

COMMISSIONER DAVIS MOVED TO APPROVE THE DEVELOPMENT PLAT FOR BOERNE ISD ADMINISTRATION BUILDING. COMMISSIONER COHOON SECONDED THE MOTION. THE MOTION CARRIED 7-0.

11. [2017-684](#) Consider a request for a variance to the Subdivision Ordinance, Article 5, Section 5.02.001, Required Street Improvements and Section 5.02.002, Street Improvement Timing for 115 Adler Road (Pizza Cave - Roxie Orms). Take necessary action.

Laura Talley introduced the property and explained the progress of this development. They have almost 900 feet of frontage and staff does not feel that the required road improvements are proportional to the type of development on this site. Ms. Talley stated that staff is in the process of working with a consultant to update the Traffic Impact Analysis and these types of issues will be covered with that update.

COMMISSIONER HAYWARD MOVED TO GRANT THE VARIANCE TO THE SUBDIVISION ORDINANCE. COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION CARRIED 7-0.

12. [2017-685](#) Consider a creative alternative to Article 3, Section 09 Combined

Commercial Design Standards, Section 3.09.003 Parking, for a proposed restaurant located at 214 West Bandera, KAD 24357 (Dunkin Donuts). Take necessary action.

Laura Talley stated that the Commission recently approved development plat for this site. Ms. Talley explained that the lot is long and narrow and is difficult to development per the typical design standards. The developer plans to screen the parking with landscaping.

COMMISSIONER HAYWARD MOVED TO APPROVE THE CREATIVE ALTERNATIVE. COMMISSIONER DAVIS SECONDED THE MOTION. THE MOTION CARRIED 7-0.

13. [2017-686](#) Consider a request for a variance to the Subdivision Ordinance, Article 4, Section 4.01.001, to allow for plat submittal prior to approval of the Master Plan for 17 Herff Road, KAD 15747, 15748, 15749 (Brown & Ortiz).

Laura Talley stated that the property has recently been permanently zoned MU-1. The developer plans to develop the property along Herff Road as an MU-1 but has requested a rezoning of the back part of the property to R-4. The property is being developed in units and therefore requires a master plan. The developer would like to proceed with platting of the front section, but would like to postpone the master plan until they know the ultimate zoning of the back of the property. James Griffin, attorney for the property owner, explained the process they've been through, the hardship that the extended period of time has caused and spoke in support of the request. Ms. Talley suggested that the Commission only approve the request with the condition that no other units be considered until a master plan has been approved.

COMMISSIONER DAVIS MOVED TO APPROVE THE REQUEST FOR A VARIANCE TO THE SUBDIVISION ORDINANCE WITH THE CONDITION THAT THE DEVELOPER MAY NOT PROCEED WITH ANY OTHER UNITS UNTIL A MASTERPLAN IS APPROVED FOR THE ENTIRE DEVELOPMENT. COMMISSIONER COHOON SECONDED THE MOTION. THE MOTION CARRIED 6-1.

14. [2017-690](#) Consider a request for a variance to the Subdivision Ordinance, Article 3, Section 3.04.004, Lot Access, Minimum Separation for a driveway in a multi-family development located on a .996 acre tract located between S. Plant and Stahl Street, KAD 63697 (Alamo Ridge Investments).

Laura Talley stated that the property is located north of existing apartments and the driveways will be closer than what is allowed by the separation distance requirements of

the ordinance. Ms. Talley stated that the driveway is proposed to be one way in off of Plant Street and one way out off of Stahl.

COMMISSIONER GLEASON MADE A MOTION TO APPROVE THE VARIANCE TO THE SUBDIVISION ORDINANCE. COMMISSIONER COHOON SECONDED THE MOTION. THE MOTION CARRIED 7-0.

15. [2017-691](#) Consider the approval for a preliminary plat for Esperanza, Unit 2D (44 residential lots and one (1) open space lot). Take necessary action.

Laura Talley stated that this plat meets the criteria set forth in the ordinance and also adheres to the master plan for the development. She recommended approval of the preliminary plat.

COMMISSIONER GLEASON MOVED TO APPROVE THE PLAT FOR ESPERANZA, UNIT 2D. COMMISSIONER DAVIS SECONDED THE MOTION. THE MOTION CARRIED 7-0.

16. 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 2.04.001B Conditional Approval.

- a. [2017-692](#) Final plat for Esperanza Phase 2B (33 residential lots, 1 open space lot).
- b. [2017-693](#) Final Plat for Southglen, Unit 8 (1 amenity lot and 1 open space lot).
- c. [2017-694](#) Final Plat for Herff Village, Phase 2 (37 residential lots and 7 open space lots).

COMMISSIONER DAVIS MOVED TO APPROVE THE CONSENT AGENDA. COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION CARRIED 7-0.

17. Discussion Items:**- Ordinance updates low impact development (LID) and LED lighting**

Laura Talley explained the research done regarding low impact development and discussed the pros and cons. Ms. Talley also advised the Commission that staff is allowing some LED lighting in the city using some of the criteria identified in dark skies.

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

19. ADJOURNMENT

P&Z Chairman

P& Z Secretary