MINUTES

PLANNING AND ZONING COMMISSION MEETING

BOERNE POLICE AND MUNICIPAL COURT COMPLEX, 124 OLD SAN ANTONIO ROAD

Monday, July 9th, 2018 – 6:00 p.m.

Minutes of the Planning and Zoning Commission Meeting of July 9, 2018

Present: Rick Gleason, Cal Chapman, Patrick Cohoon, Joe Davis, Israel Pena, Richard Sena, Paula Hayward, Bob Cates, Chesney Dunning

Staff Present: Laura Talley, Susana Ramos, Stephanie Kranich, Sheldon Cravey, Riley Metcalfe, Sean Reich, Dan Blankenship

Registered/
Recognized Guests: Denise Dever, Bill Thomas, Daphne Luttrell, Brian Fowler, Scott Wilson, John Knight, Travis Robertson, Robert Thornton, Chelsy Houy, Kathy Grassie, William Dever, Bob Grassie, Laura Roberson, Jeff Carroll, Tom Adelstein, Jay and Judy Huston, Bob and Judy Elkour, Charlie Lunsford, Joanne Thonton, Libby Lunsford, Cindy Fowler, Jody Joy, Sandra Bannister, Pauline Royer, Tiffany Tillman, Davis Cupit, Mary Pratt, Bill McNaught, Eleanor Van Wagner, Todd Van Wagner, Peggy Hedrick

1. CALL TO ORDER – 6:00 PM

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

Chairman Davis asked for a Moment of Silence and led the Pledge of Allegiance to the United States Flag and to the Texas Flag.

2. APPROVAL OF MINUTES

2018-507 Approval of Planning and Zoning Commission Minutes of the meeting held June 4, 2018.

COMMISSIONER SENA MADE A MOTION TO APPROVE THE PLANNING AND ZONING COMMISSION MINUTES OF THE MEETING HELD JUNE 4, 2018. COMMISSIONER COHOON SECONDED THE MOTION. THE MOTION CARRIED 8-0.

3. CONFLICTS OF INTEREST

There were none.

4. PUBLIC COMMENTS:

Mr. Scott Wilson, 4355 Paradise Point, representative of Southglen, spoke in regards to the TCEQ violations related to the Southglen development. Mr. Wilson explained that they are responsible developers and will address any violations. Most of the findings were related to failures with drainage during heavy rains. Mr. Wilson stated the plan submitted by Matkin Hoover to TCEQ was for needed revisions to the drainage. Mr. Wilson stated the scheduled completion date for repairs will be 30 days. Once the work has been completed and resolved the violations will be processed and removed against the developer.

Mr. Bill Thomas, 34 Old Fredericksburg Road, spoke in opposition of the Kendall Gateway Study due to the selected route.

Mr. John Kight, 114 Glade Drive, spoke in support of the Kendall Gateway Study.

5. PUBLIC HEARING

2018-503 To consider the proposed rezoning at the corner of East Highland and Schweppe (0.428 acres - KAD 21623) from R-1, Medium-Density Single-Family District to R-4, Multi-Family Residential District (Robert S. Thornton LP).

Commissioner Davis opened the Public Hearing at 6:17 P.M.

Mr. Robert Thornton, 29134 Old Fredericksburg Road and Mr. Travis Robertson, 313 Frey, owners and developers of the property, explained their vision of the four unit loft project and their request for rezoning. Mr. Thornton described the design of the units. The units are free-standing and will have five feet of space between each unit, which will assist in saving trees. The units will provide a walk-ability as the location is one-block off of Main Street and inspired by the historic architect of the main street area.

Ms. Daphne Luttrell, 201 East Highland, owner of the property directly

next to the proposed development, expressed her concern in regards to the five foot set-back, exterior lighting and the height of buildings.

Commissioner Davis closed the Public Hearing at 6:24 P.M.

2018-504 Make recommendation to City Council regarding the proposed rezoning at the corner of East Highland and Schweppe (0.428 acres - KAD 21623) from R-1, Medium-Density Single-Family District to R-4, Multi-Family Residential District (Robert S. Thornton LP).

Ms. Laura Talley described the property's location and the purpose for the rezoning request. The request for multi-family zoning is due to the developer's plan to build four individual units on one lot. The units will all be limited in height to two-stories. The existing large oak trees will be saved. Any lighting will require down-lighting and must meet specific height requirements per the ordinance. Staff is supportive and recommends approval.

COMMISSIONER SENA MADE A MOTION TO MAKE RECOMMENDATION TO CITY COUNCIL REGARDING THE PROPOSED REZONING AT THE CORNER OF EAST HIGHLAND AND SCHWEPPE (0.428 ACRES - KAD 21623) FROM R-1, MEDIUM DENSITY SINGLE FAMILY DISTRICT TO R-4, MULTI-FAMILY RESIDENTIAL DISTRICT (ROBERT S. THORNTON LP). COMMISSIONER COHOON SECONDED THE MOTION. THE MOTION CARRIED 8-0.

PUBLIC HEARING

2018-505 To consider the proposed adoption of the City of Boerne's 2018 Comprehensive Master Plan.

Commissioner Davis opened the Public Hearing at 6:27 P.M.

Dr. Brian Folwer, 116 Pecan Street, stated his concerns regarding the Boerne Master Plan. Dr. Fowler re-read some of the public comments received for the published Master Plan.

Mr. Harold Zuflacht, stated that he represents Kendall County residents,

stated his concerns regarding the Master Plan and his opposition to the Kendall Gateway route and requested a new route.

Mr. Bill McNaught, stated his concerns and opposition regarding the Master Plan and the Kendall Gateway route and the effect it will have on property values near the route.

Ms. Denise Dever, 53 Silent Spring, stated her concerns and opposition regarding the Master Plan and the Kendall Gateway study.

Ms. Mary Pratt, 104 Spring Creek Road, stated her concerns and opposition regarding the Kendall Gateway route and asked to postpone the approval.

Ms. Pauline Royer, 456 Prado Crossing, stated her concerns and opposition regarding the Kendall Gateway route and asked the Master Plan not be approved.

Mr. Larry Genra, stated his concerns and opposition regarding the Kendall Gateway Study and had not known about the study until recently.

Commissioner Davis closed the Public Hearing at 6:48 P.M.

2018-506 Make recommendation to City Council regarding the proposed adoption of the City of Boerne's 2018 Comprehensive Master Plan.

Ms. Laura Talley, stated the Kendall Gateway is reflected in the future land-use plan, if by chance the Kendall Gateway isn't adopted than the Master Plan will be updated to reflect that change. The city has been working on the Master Plan for over 18 months with a combination of open houses, steering committee meetings and public hearings.
Ms. Talley spoke about the recommended edits from City Council regarding the Master Plan. They included improvements to help encourage development to the North Main area of town, including a aquatic facility or natatorium and adjust some timelines. In addition attract higher paying jobs and to seek economic development initiatives

to expand and diversify employment. Ms. Talley explained the Kendall Gateway Study and its inclusions in the Master Plan, she stated the Master Plan and Kendall Gateway Study are two separate plans. When the Master Plan is complete various ordinances will be revised.

Commissioner Davis spoke about the proposed Kendall Gateway study and stated the need for alternative routes for mobility around and throughout the region.

Matt Bucchin, representative from Halff Associates, spoke regarding the updates to the Master Plan. The updated Master Plan includes six chapters, which covers population projections, vision statement, development of the future land-use plan, transportation route options, recommendations of prioritzations, community outreach, development for protecting the character of the City and incentives for development. The Master Plan will consist of annual updates, and progress reports along with a five and ten year update.

Commissioner Hayward commented that she did not want this Plan to sit on the shelf as did the 2006 Master Plan and the RUDAT study and expressed understanding of the citizen's concerns.

Commissioner Sena stated that he appreciated the vision of what the community will look like 10-15 years and that the P&Z Commission needs to focus on the good work that has been included in the Master Plan and not to lose sight of that. It is separate of the Kendall Gateway Study.

Commissioner Pena stated his concerns regarding the citizen's emails and feedback. He requested the Kendall Gateway route be labeled more clearly that it is a proposed route. Ms. Talley stated that we can make that revision to the Master Plan.

Commissioner Chapman stated that he would like to wait another four weeks to review the revisions before approving.

Commissioner Davis stated that omitting the Kendall Gateway Study

would be irresponsible.

Commissioner Cohoon stated his concerns regarding the inclusion of the Kendall Gateway Study in the Boerne Master Plan when it hasn't been approved.

COMMISSIONER COHOON MADE A MOTION TO MAKE RECOMMENDATION TO CITY COUNCIL REGARDING THE PROPOSED ADOPTION OF THE CITY OF BOERNE'S 2018 COMPREHENSIVE MASTER PLAN WITH THE CONDITION OF REVISING THE LANGUAGE IN EFFORTS TO ASSIST WITH CLEARING UP ANY CONFUSION BETWEEN THE 2018 MASTER PLAN AND THE KENDALL GATEWAY STUDY. IN ADDITION TO REMOVE THE KENDALL GATEWAY STUDY ROUTE FROM THE FUTURE LAND-USE MAP AS WELL AS INCLUDE THE RECOMMENDATIONS MADE BY CITY COUNCIL. COMMISSIONER PENA SECONDED THE MOTION. THE MOTION FAILED 2-6 (COMMISSIONERS DUNNING, CATES, HAYWARD, SENA, CHAPMAN AND GLEASON DISSENTED).

COMMISSIONER CATES MADE A MOTION TO TABLE THE AGENDA ITEM. COMMISSIONER CHAPMAN SECONDED THE MOTION. THE MOTION CARRIED 6-2 (COMMISSIONERS COHOON AND PENA DISSENTED).

2018-409 Consider conditional approval of the Development plat for LIV at Boerne, (11.762 acres) located at 3 Shooting Club Road (KAD No. 14421) (One Multi-family Lot). Take necessary action.

Ms. Laura Talley explained the multi-family development and the request for conditional approval. The development will be age restricted, multi-family development. The development will be three-story apartment complex in the center and cottages built around the apartments. There will be a total of 168 units. Staff is supportive and recommends approval.

COMMISSIONER SENA MADE A MOTION TO CONDITIONALLY APPROVE THE DEVELOPMENT PLAT FOR LIV AT BOERNE, (11.762 ACRES) LOCATED AT 3 SHOOTING CLUB ROAD (KAD NO. 14421) (ONE MULTI-FAMILY LOT). COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION CARRIED 8-0.

2018-485 Consider unconditional approval of the Development plat for The Commons at Menger Creek, Lot 2A, Block A, Unit 4 (1.594 acres)

located along Herff Road (KAD No. 39338) (One commercial Lot). Take necessary action.

Ms. Laura Talley described the development's location. Staff is supportive and recommends approval.

COMMISSIONER PENA MADE A MOTION TO UNCONDITIONALLY APPROVE THE DEVELOPMENT PLAT FOR THE COMMONS AT MENGER CREEK, LOT 2A, BLOCK A, UNIT 4 (1.594 ACRES) LOCATED ALONG HERFF ROAD (KAD NO. 39338). COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION CARRIED 8-0.

2018-486 Consider a Preliminary Subdivision plat for Legacy at Cibolo Unit 2 at 17 Herff Road (One Multi-family Lot). Take necessary action.

Ms. Laura Talley described the development and preliminary plat approval for Unit 2. Staff is supportive and recommends approval.

COMMISSIONER COHOON MADE A MOTION TO APPROVE A PRELIMINARY SUBDIVISION PLAT FOR LEGACY AT CIBOLO UNIT 2 AT 17 HERFF ROAD (ONE MULTI-FAMILY LOT). COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION CARRIED 8-0.

2018-491 Consider the approval for a Preliminary Subdivision plat for Southglen Phase VI and VII located along Cascade Caverns Road (67 Residential Lots, two open space lots). Take necessary action.

Ms. Laura Talley described the subdivision plat. Staff is supportive and recommends approval.

COMMISSIONER HAYWARD MADE A MOTION TO APPROVE A PRELIMINARY SUBDIVISION PLAT FOR SOUTHGLEN PHASE VI AND VII LOCATED ALONG CASCADE CAVERNS ROAD (67 RESIDENTIAL LOTS, TWO OPEN SPACE LOTS). COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION CARRIED 8-0.

9. CONSENT AGENDA

2018-492 Legacy at Cibolo Unit 1 (7 commercial Lots)

Ms. Laura Talley stated Legacy at Cibolo Unit 1 has not provided their financial guarantee as a result it will be considered conditionally approved and therefore the plat will not be recorded with the county. As a result the agenda item will be taken off the consent agenda and considered a regular agenda item.

2018-493 Replat of Menger Place Lot 5 (3 commercial lots)

COMMISSIONER CHAPMAN MADE A MOTION TO APPROVE THE ITEMS FROM THE CONSENT AGENDA, WITH THE FOLLOWING CONDITIONS THAT ITEM 9A BE REMOVED FROM THE CONSENT AGENDA AND APPROVED CONDITIONALLY AND THAT THE REMAINING CONSENT AGENDA BE APPROVED. COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION CARRIED 8-0.

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

Ms. Laura Talley introduced the new Assistant City Manager, Dan Blankenship to the Commission.

11. ADJOURNMENT

The Planning and Zoning Commission meeting adjourned at 8:30 P.M.

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P&Z Chairman

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P&Z Secretary