

MINUTES
PLANNING AND ZONING COMMISSION MEETING
BOERNE POLICE AND MUNICIPAL COURT COMPLEX, 124 OLD SAN ANTONIO ROAD
Monday, May 6, 2019 – 6:00 p.m.

Minutes of the Planning and Zoning Commission meeting of May 6, 2019

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

Members Absent: Israel Pena

Staff Present: Laura Talley, Susana Ramos, Stephanie Kranich, Barrett Squires, Sean Reich, Dan Blankenship, Nick Colonna, Robert Lee

Registered/

Recognized Guests: Jeff Carroll, Bill Walters, Suzanne Rittimann, Gene Rackley, Travis Roberson, Robert Thornton, Daphne Luttrell, Patrica Kerlin, John Briggs, Tom Kartrude, Larry Holder, Jeff Hutzler

1. CALL TO ORDER – 6:00 PM

Chairman Davis called the Planning and Zoning Commission meeting to order at 6:02 P.M.

Present 6 - Commissioner Patrick Cohoon, Commissioner Paula Hayward, Vice Chair Cal Chapman, Chairman Joe Davis, Commissioner Chesney Dunning, and Commissioner Bob Cates

Absent 1 - Commissioner Israel Pena

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

[2019-344](#) Approval of Planning and Zoning Commission Minutes of the meeting held March 21st, 2019 and April 1st, 2019.

COMMISSIONER CHAPMAN MADE A MOTION TO APPROVE THE PLANNING AND ZONING COMMISSION MINUTES OF THE MEETING HELD MARCH 21ST, 2019 AND APRIL 1ST, 2019. COMMISSIONER CATES SECONDED THE MOTION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 7 - Commissioner Cohoon, Commissioner Hayward, Sena, Vice Chair Chapman, Gleason, Commissioner Dunning, and Commissioner Cates

Absent: 1 - Commissioner Pena

3. CONFLICTS OF INTEREST

Commissioner Cohoon declared conflicts of interest on item numbers 8 and 14.

4. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the City Council on any issue. City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. (Attorney General opinion – JC-0169)

Mr. Tom Kartrude, 128 Lone Star, stated his reasons for moving to Boerne and expressed his concerns regarding future development around waterways to make sure future flooding issues are controlled at best. He urged the Commission to implement the Master Plan action items to assist with Low Impact Development.

Mr. John Briggs, 504 Schweppe, stated his opposition to the rezoning of 134 Oak Park.

Ms. Suzanne Rittmann, 423 Oak Park, stated her opposition to the rezoning of 134 Oak Park.

Ms. Daphne Luttrell, 201 East Highland, stated her opposition to the rezoning of 134 Oak Park.

Ms. Patricia Kerlin, 206 Hickman, stated her opposition to the rezoning of 134 Park.

5. PUBLIC HEARING

[2019-345](#)

- a. Consider the proposed rezoning at 134 Oak Park Drive (0.428 acres - KAD 21630) from R-1, Medium-Density Single-Family District to B-1, High Density Residential and Neighborhood Commercial District. (Robert S. Thornton)

Chairman Davis opened the Public Hearing at 6:25 P.M.

Mr. Travis Roberson, 313 Frey Street, and Mr. Robert Thorton, 29034 Old Fredericksburg Road, both owners of the property explained the request for rezoning on the property. The property was platted in the early 1800s, and currently consists of an old brick structure that is fronting the old original highway and thoroughfare of Boerne. The structure is currently abandoned and boarded up. The request for the rezoning allows for the restoration and public use for the current structure which is what the community wanted through the implementation of the Master Plan. The future land use plan is what guides the future of Boerne's development and the property's location is located at the beginning of the Hill Country Mile and the area is intended for neighborhood and commercial activities. A single family use or single family residence would not provide the best use for the existing structure with the history it has. The structure was designed as a gas station located in a residential area. The owners proposed to refurbish the gas station into a low impact, family friendly bistro and the design of the proposed parking lot is developed with low impact in mind. The use for the current structure and property is the right spot for this business and the rezoning. Mr. Roberson addressed the parking question and concerns with the comparison of the property on the corner of main street and how poorly designed their parking was. Mr. Roberson stated there will be an estimated 17 parking spots that will allow for traffic flow.

Mr. Larry Holder, 508 Schweppe, wanted the property owners requesting

the rezoning to address the parking concerns.

Ms. Suzanne Rittmann, 423 Oak Park, expressed her concerns regarding parking and stated a request for the City to label no parking on the curbs along that area on Oak Park to help cut down on where people park.

Mr. Gene Rackley, English Oaks, stated his father was born in the original structure and his grandparents ran the gas station. There was a small travel lodge located on the property as well. The gas station closed down during the war. Mr. Rackley stated he is excited about the request and the refurbishment of the property.

Ms. Daphne Luttrell, asked questions regarding who sets the parking, lighting standards.

Mr. John Briggs, 504 Schweppe, stated his opposition of the rezoning request.

Chairman Davis closed the Public Hearing at 6:49 P.M.

6. ITEMS FOR ACTION

7. [2019-346](#) Make recommendation to City Council regarding the proposed rezoning at 134 Oak Park Drive (0.428 acres - KAD 21630) from R-1, Medium-Density Single-Family District to B-1, High Density Residential and Neighborhood Commercial District. (Robert S. Thornton)

Ms. Laura Talley explained the proposed rezoning request from R-1 medium density single family district, to B-1 High density residential and neighborhood commercial district. Ms. Talley stated this was originally brought to Commission a few years ago by the property owners however the request was withdrawn. The Master Plan and Land Use Plan show the best use of the area is in the expanded downtown historic district for urban neighborhood activity center. The request for the rezoning is based on the Land Use Plan for future use, B-1 is part of that. The City would like to keep the structure and have it preserved and allows for the locals to enjoy and still provide as a walkable business. A B-1 that

touches any residential district requires a minimum of 6 foot fencing, there will be lighting height restrictions and 1-story structure height. The building at the property site sits on the corner, commercial structures in a B-1 requires for the building to be upfront which is how the current structure is placed. On-street parking will be limited as there are restrictions as a corner lot, there possibly would be 4-5 on-street parking. Ms. Talley stated there could be a possibility to add a bike line on Oak Park to assist with slowing down auto traffic. Ms. Talley explained the noise ordinance and the regulations of noise control. There will be design districts that will force development to be more urban in design. Staff is supportive and recommends approval based on the downtown historic plan and the Land Use Plan.

Commissioner Sena asked for assistance from the City to slow traffic down on Oak Park.

Commissioner Dunning asked the potential hours of the proposed business's operating at the location.

Commissioner Cates stated this proposed idea fits the idea of the Master Plan and what the community was asking for.

Commissioner Hayward asked regarding the possible placement of a cross-walk to assist with pedestrian traffic. Ms. Talley stated yes this would be possible and easier since it is a City street.

Commissioner Cohoon asked regarding making the current structure as a historic landmark. Mr. Nick Colonna stated the property owner would have to request the structure to become an historic landmark designation.

Commissioner Dunning asked regarding the expansion of the sidewalks to assist pedestrians in the area. Ms. Talley stated it would be a good idea for the area possible with the thoroughfare and as new construction is coming in down the street.

COMMISSIONER CATES MADE A MOTION TO MAKE RECOMMENDATION TO CITY COUNCIL REGARDING THE PROPOSED REZONING AT 134 OAK PARK DRIVE (0.428 ACRES - KAD 21630) FROM R-1, MEDIUM-DENSITY SINGLE-FAMILY DISTRICT TO B-1, HIGH DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT. (ROBERT S. THORNTON). COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 7 - Commissioner Cohoon, Commissioner Hayward, Sena, Vice Chair Chapman, Gleason, Commissioner Dunning, and Commissioner Cates

Absent: 1 - Commissioner Pena

8. [2019-347](#) Consider approval and make recommendation to City Council regarding deviations from the requirements as set forth in the City of Boerne Subdivision Ordinance No. 2007-56, Article 3, Planning and Community Design Standards, Table 3-4 Street Cross-Section Standards for The Commons at Menger Creek, 59.06 acres located at 20 Old San Antonio Road. (KAD No. 39338)

Item withdrawn.

9. [2019-348](#) Consider the approval of a revised Master Plan for Ranches at Creekside Subdivision, (249.4415 acres), located at 125 E. State Highway 46 (KAD No. 49167). Take necessary action.

Item withdrawn.

10. [2019-349](#) Consider the approval of the Preliminary Plat for Esperanza 2C (22 residential lots, four open space lots), (8.818 acres) (KAD No. 15028). Take necessary action.

Ms. Susana Ramos, explained the approval request for a preliminary plat of 22 residential lots, and four open space lots. Staff is supportive and recommends approval.

COMMISSIONER SENA MADE A MOTION TO APPROVE THE PRELIMINARY PLAT FOR ESPERANZA 2C (22 RESIDENTIAL LOTS, FOUR OPEN SPACE LOTS), (8.818 ACRES) (KAD NO. 15028). COMMISSIONER COHOON SECONDED THE MOTION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 7 - Commissioner Cohoon, Commissioner Hayward, Sena, Vice Chair Chapman, Gleason, Commissioner Dunning, and Commissioner Cates

Absent: 1 - Commissioner Pena

11. [2019-350](#) Consider the Conditional Approval of the Development Plat for 110 Old San Antonio Business Park, (5.006 acres) located at 110 Old San Antonio Road (KAD No. 41136). Take necessary action.

Ms. Susana Ramos, explained the request for a conditional approval of the plat for 100 Old San Antonio Business Park. There was a contractor-use request back in 2016 and the use will be met through permitting. Staff is supportive and recommends approval.

COMMISSIONER DUNNING MADE A MOTION TO APPROVE THE CONDITIONAL APPROVAL OF THE DEVELOPMENT PLAT FOR 110 OLD SAN ANTONIO BUSINESS PARK, (5.006 ACRES) LOCATED AT 110 OLD SAN ANTONIO ROAD (KAD NO. 41136). COMMISSIONER GLEASON SECONDED THE MOTION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 7 - Commissioner Cohoon, Commissioner Hayward, Sena, Vice Chair Chapman, Gleason, Commissioner Dunning, and Commissioner Cates

Absent: 1 - Commissioner Pena

12. [2019-351](#) Consider the approval of the Preliminary Plat for the City of Boerne Cemetery North II Extension (160 lots), (0.2184 acre) located at 700 N. School Street (KAD No. 19824). Take necessary action.

Ms. Susana Ramos explained the request for approval of the preliminary plat. Staff is supportive and recommends approval.

COMMISSIONER GLEASON MADE A MOTION TO APPROVE THE PRELIMINARY PLAT FOR THE CITY OF BOERNE CEMETERY NORTH II EXTENSION (160 LOTS), (0.2184 ACRE) LOCATED AT 700 N. SCHOOL STREET (KAD NO. 19824).

COMMISSIONER DUNNING SECONDED THE MOTION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 7 - Commissioner Cohoon, Commissioner Hayward, Sena, Vice Chair Chapman, Gleason, Commissioner Dunning, and Commissioner Cates

Absent: 1 - Commissioner Pena

13. 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 unconditionally.

- [2019-359](#) a. The Final Plat for the City of Boerne Cemetery North II Extension (160 lots), (0.2184 acre) located at 700 N. School Street (KAD No. 19824).

Ms. Susana Ramos explained the request for the Final Plat approval. Staff is supportive and recommends approval.

COMMISSIONER GLEASON MADE A MOTION TO APPROVE THE FINAL PLAT FOR THE CITY OF BOERNE CEMETERY NORTH II EXTENSION (160 LOTS), (0.2184 ACRE) LOCATED AT 700 N. SCHOOL STREET (KAD NO. 19824). COMMISSIONER COHOON SECONDED THE MOTION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 7 - Commissioner Cohoon, Commissioner Hayward, Sena, Vice Chair Chapman, Gleason, Commissioner Dunning, and Commissioner Cates

Absent: 1 - Commissioner Pena

14. ITEMS FOR DISCUSSION

- [2019-361](#) a. Development ideas for The Commons at Menger Creek, 59.06 acres located at 20 Old San Antonio Road (KAD No. 39338) considering various options for development design that may include streets, access, trail systems.

Item withdrawn.

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

16. ADJOURNMENT

Chairman Davis adjourned the Planning and Zoning meeting at 9:10 P.M.

P&Z Chairman

P&Z Secretary