

MINUTES
PLANNING AND ZONING COMMISSION MEETING
BOERNE CITY HALL
447 North Main Street
Monday, July 6, 2020 – 6:00 p.m.

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

Present **6-** Chairman Tim Bannwolf, Commissioner Patrick Cohoon,
Commissioner Ricky Gleason, Commissioner Chesney Dunning,
Commissioner Bill Bird, and Commissioner Joe Anzollitto

Absent **2-** Commissioner Bob Cates, Commissioner Kyle Kana

Staff Present: Tim Handren, Ben Thatcher, Barbara Quirk, Chris Shadrock,
Amy Breedlove, Laura Talley, Barrett Squires, Mike Raute, Rebecca Pacini,
Heather Wood, Shelby Allen

Recognized/ Registered Guests: Joe Davis, Cal Chapman, Paula Hayward,
Christina Ryrholm, Nathan Burkhalter, Vic Vaughn, Ron Woodruft, Patti
Mainz, Taylor Allen

1. CALL TO ORDER – 6:00 PM

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

Chairman Tim Bannwolf asked everyone to observe a Moment of Silence
and led the Pledge of Allegiance to the United States Flag and to the
Texas Flag.

2. CONFLICTS OF INTEREST

Chairman Tim Bannwolf declared a conflict with agenda item 9.

Commissioner Patrick Cohoon declared a conflict with agenda items 7.A.

and 8.A.

3. COMMENTS FROM BEN THATCHER, CITY MANAGER FOR BOERNE.

City Manager Ben Thatcher introduced himself to the Planning and Zoning Commission and expressed his gratitude to the Commission for their public service to the Boerne community.

4. ACKNOWLEDGEMENT OF RECENTLY RESIGNED PLANNING AND ZONING COMMISSIONERS, JOE DAVIS, PAULA HAYWARD AND CAL CHAPMAN.

Mayor Handren, City Manager Ben Thatcher and Planning and Community Development Director Laura Talley presented awards to former Planning and Zoning Commissioners Joe Davis, Cal Chapman and Paula Hayward.

5. 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)

No public comments were received.

6. 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.

6.A. [2020-411](#) CONSIDER THE MINUTES OF THE REGULAR PLANNING AND ZONING COMMISSION MEETING OF JUNE 1, 2020.

A MOTION WAS MADE BY COMMISSIONER GLEASON, SECONDED BY COMMISSIONER DUNNING TO APPROVE THE MINUTES OF THE REGULAR PLANNING AND ZONING COMMISSION MEETING OF JUNE 1, 2020 AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5- Commissioner Cohoon, Commissioner Dunning, Commissioner Anzollitto, Commissioner Bird, and Commissioner Gleason

Absent: 2 - Commissioner Cates, and Commissioner Kana

Approved: 5-0

7. PUBLIC HEARING

- 7.A.** [2020-412](#) CONSIDER THE PROPOSED USE REQUEST FOR A RESTAURANT WITH A DRIVE-THRU LOCATED AT 101 SOUTH MAIN STREET (KAD 19960) IN A B-3, CENTRAL BUSINESS DISTRICT (PATRICE MAINZ).

At 6:17p.m. Commissioner Cohoon recused himself and stepped away from the dais.

Patti Mainz, 209 Wollschlaeger, spoke in regards to public advantages of having a drive-thru approved for her business located at 101 South Main Street.

Chairman Bannwolf closed the Public Hearing at 6:19p.m.

8. TAKE ANY NECESSARY ACTION RESULTING FROM THE PUBLIC HEARINGS:

- 8.A.** [2020-413](#) MAKE RECOMMENDATION TO CITY COUNCIL REGARDING THE PROPOSED USE REQUEST FOR A RESTAURANT WITH A DRIVE-THRU LOCATED AT 101 SOUTH MAIN STREET (KAD 19960) IN A B-3, CENTRAL BUSINESS DISTRICT (PATRICE MAINZ).

Ms. Laura Talley spoke referencing Staff recommendation to deny to City Council the proposed use request for a restaurant with a drive-thru located at 101 South Main.

Mr. Ben Bunker with MatkinHoover Engineering, 127 Sabine Road, spoke in reference to traffic case studies for drive-thru and non drive-thru coffee shops.

Ms. Patti Mainz, property owner, explained the logistics of the coffee shop and her plan to prepare a second area at the back of the shop to produce coffee.

A MOTION WAS MADE BY COMMISSIONER GLEASON, SECONDED BY COMMISSIONER ANZOLLITTO, TO TABLE THE PROPOSED USE REQUEST FOR A RESTAURANT WITH A DRIVE-THRU LOCATED AT 101 SOUTH MAIN STREET (KAD 19960) IN A B-3, CENTRAL BUSINESS DISTRICT (PATRICE

MAINZ), UNTIL THE PLANNING AND ZONING COMMISSION CAN MEET AGAIN IN TWO WEEKS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4- Commissioner Dunning, Commissioner Anzollitto, Commissioner Bird, and Commissioner Gleason

Recused: 1- Commissioner Cohoon

Absent: 2 - Commissioner Cates, and Commissioner Kana

Approved: 4-0

Commissioner Cohoon returned to the dais at 7:15 p.m.

9. ACTION ITEMS:

- 9.A.** [2020-414](#) CONSIDER CONDITIONAL APPROVAL OF THE DEVELOPMENT PLAT FOR TOYOTA OF BOERNE, LOT 1A, 17.823 ACRES LOCATED AT 31205 IH-10 WEST (KAD NO. 47908, 62028, 12290.) TAKE NECESSARY ACTION.

Chairman Bannwolf recused himself and stepped away from the dais.

Commissioner Cohoon took the place of the Chair.

Ms. Rebecca Pacini spoke in reference to the proposed conditional approval of the development plat for Toyota of Boerne. She stated that the plat meets criteria and Staff recommends approval.

Taylor Allen, engineer with WGI, spoke in regards to drainage and the installation of two detention ponds that will help decrease the amount of storm water leaving the site. He further addressed the tree preservation plan to include saving the largest heritage and legacy trees.

Ms. Laura Talley spoke regarding use material conditions and construction standards relating to ordinances.

Vic Vaughn, owner of Toyota of Boerne, spoke referencing the planning process, saving trees and his willingness to cooperate with the City.

A MOTION WAS MADE BY COMMISSIONER ANZOLLITTO, SECONDED BY COMMISSIONER BIRD, TO APPROVE THE CONDITIONAL APPROVAL OF THE DEVELOPMENT PLAT FOR TOYOTA OF BOERNE, LOT 1A, 17.823 ACRES LOCATED AT 31205 IH-10 WEST (KAD NO. 47908, 62028, 12290.) TAKE NECESSARY ACTION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4- Commissioner Dunning, Commissioner Anzollitto, Commissioner Bird, and Commissioner Gleason

Recused: 1- Chairman Tim Bannwolf

Absent: 2 - Commissioner Cates, and Commissioner Kana

Approved: 4-0 (Commissioner Cohoon as Chair no vote)

Chairman Tim Bannwolf return to the dais at 7:36p.m.

10. DISCUSSION ITEM:

10.A. UNIFIED DEVELOPMENT CODE TIMELINE UPDATE

Ms. Laura Talley provided updates on the Unified Development Code and the overlay district surveys.

10.B. PROCEDURES FOR PLANNING AND ZONING COMMISSION MEETINGS

Chairman Bannwolf spoke in reference to the Public Comments section of the current agenda layout. Discussion ensued by commissioners regarding the agenda layout.

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

No comments were made from Legal Counsel.

12. 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 INCLUDING IF THEY MEET THE QUALIFICATIONS IN SECTIONS 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION REGARDING REAL PROPERTY), 551.073 (DELIBERATION REGARDING GIFTS), 551.074 (PERSONNEL/OFFICERS), 551.076 (DELIBERATION REGARDING SECURITY DEVICES), AND SECTION 551.087 (DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS) OF CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. (If needed)

The Planning and Zoning Commission did not convene into Executive Session.

13. ADJOURNMENT

Chairman Tim Bannwolf adjourned the Planning and Zoning Commission meeting at 7:58 p.m.

Chairman

Secretary