

**MINUTES**  
**PLANNING AND ZONING COMMISSION MEETING**  
**BOERNE CITY HALL**  
**447 North Main Street**  
**Monday, January 4, 2021 – 6:00 p.m.**

Minutes of the Planning and Zoning Commission Meeting of January 4, 2021 at 6:00 p.m.

Present 7- Chairman Tim Bannwolf, Vice Chairman Patrick Cohoon, Commissioner Joe Anzollitto, Commissioner Bill Bird, Commissioner Ricky Gleason, Commissioner Bob Cates, and Commissioner Chesney Dunning

Staff Present: Barbara Quirk, Jeff Thompson, Jeff Carroll, Cheryl Rogers, Laura Talley, Barrett Squires, Rebecca Pacini, Sara Serra-Bennett, Heather Wood, Krystal Brown

Recognized/ Registered Guests: Carissa Cox, Christina Ryrholm, Mike Afsous, Gerald Payne, Shelley Bailey, Harriet Payne, Scott Billingsley, Jim Ludwig, Mary Ludwig, Mike Vlieger, Ginger Vlieger, Don Rawls, Dinah Rawls, Joe Davis, Tricia Turner, Mark Turner, Kelly Sutton, Julie Sutton, JoAnn Calk, Wade Aday, Julianne Bartell, Patrick Bartell, Tyler Smurr, Henry Friesenhahn, Tina Friesenhahn, Heather Smurr, Sherri Layton, Steve Layton, Susan Greenlees, David Greenlees, Keri Sandvig, Tim McCloskey, Steve Jones, Margaret Jones, Jeff Stewart, Bobby Oliver, Ruth Ann Lucchelli, Larry Stadelman, Pam Lucian, Dave Luciani, Jesse Soens, David Brooks, Carol Shultz, Charles R. Francis, Paula Wells, Martha Addington, Arleen Skwara, Tony Skwara, David Stiles, Lucas Hiler, Chris Snyder, Denise Mazour, Jed Mazour, Blake Butry, Lynn Stokes, Christine Jacobs, Cody Keller, David Spencer, Dan Waters, Daniel Clayton, Bobby Zayne, Josh Valenta, Cali Redd, David Phillip, Kathy Phillip, Coy McCollum, Lori McCollum, Daniel Clayton, Lisa Clayton, Lynn Stokes, Christina Howe, Eve Betancourt, Sandra Pizzini, Larry Pizzini Jr., Ryan Waikem, Elizabeth Moreno, Renee Buchanan, Veronika Brown

1. CALL TO ORDER – 6:00 PM

Chairman Bannwolf called the Planning and Zoning Commission to order at 6:01 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

Commissioner Cohoon declared conflicts with items 5.D. and 5.E.

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 6:05 p.m.

Joe Davis, resident at 122 Creekside Terrace, spoke on behalf of his client who may be impacted by zoning changes in the new Unified Development Code. He expressed concerns with his client possibly not having an opportunity to address these zoning modifications.

4. 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.

### 4.A. [2020-742](#) THE MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF DECEMBER 7, 2020

A MOTION WAS MADE BY COMMISSIONER COHOON, SECONDED BY COMMISSIONER DUNNING, TO APPROVE THE MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF DECEMBER 7, 2020. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEA: 6-** JOE ANZOLLITTO, BILL BIRD, PATRICK COHOON, RICKY GLEASON, BOB CATES, CHESNEY DUNNING

**Approved: 6-0**

## 5. REGULAR AGENDA:

- 5.A. [2020-743](#) TO CONSIDER THE PROPOSED REZONING OF 7.33 ACRES LOCATED AT 134 GARDEN STREET (KAD 20006, 20007, 20009 AND 20010) FROM R-1, MEDIUM- DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, TO R-2, MODERATE - DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT (GREENWAY COTTAGE BUILDERS, LLC/ DAVE LUCIANI).

I. STAFF PRESENTATION

II. PUBLIC HEARING

III. MAKE RECOMMENDATION

A MOTION WAS MADE BY COMMISSIONER CATES, SECONDED BY COMMISSIONER ANZOLLITTO, TO UNTAX THE PROPOSED REZONING OF 7.33 ACRES LOCATED AT 134 GARDEN STREET (KAD 20006, 20007, 20009 AND 20010) FROM R-1, MEDIUM- DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, TO R-2, MODERATE - DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT (GREENWAY COTTAGE BUILDERS, LLC/ DAVE LUCIANI). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEA: 6-** JOE ANZOLLITTO, BILL BIRD, PATRICK COHOON, RICKY GLEASON, BOB CATES, CHESNEY DUNNING

**Approved: 6-0**

Ms. Sara Serra-Bennett, City Planner II, presented the proposed rezoning.

Ms. Laura Talley spoke regarding the connection and use of the Old No. 9 trail as it relates to the proposed development.

Chairman Bannwolf called the Public Hearing to order at 6:23 p.m.

Christine Jacobs, resident at 127 Adler, spoke regarding her preference of Plan A that has been presented. She mentioned concerns with privacy and traffic from the proposed development.

Cody Keller, owner of 159 Adler and 163 Adler, spoke regarding the

proposed plans, specifically Plan A. He expressed concerns with the current property owner. He further expressed appreciation to Mr. Luciani, developer of the property, for the time he took to redesign the layout of the proposed development.

David Spencer, resident at 149 Kitty Kat Lane, spoke regarding the neighborhood meetings he attended with fellow neighbors. He expressed appreciation to City Councilman Ty Woolison, the Planning and Zoning Commission and City staff. He explained the wide range of potential issues with this property, his belief that Plan A is a better plan, and encouraged the Commission to support Plan A.

David Luciani, resident at 109 Saddle Club Circle and developer, explained his experience with this development process. He explained his design to include luxury one story accommodations and that he felt that an RN-1 zoning would be more appropriate based on his new plan.

Chairman Bannwolf closed the Public Hearing at 6:36 p.m.

Discussion ensued regarding various zoning categories appropriate for the property/project, the differences in the two presented plans(Plan A, Plan B), and the connectivity of this site plan to exterior streets.

Ms. Laura Talley, Director of Planning and Community Development, explained a development agreement is not being considered for this development.

A MOTION WAS MADE BY COMMISSIONER ANZOLLITTO, SECONDED BY COMMISSIONER CATES, TO RECOMMEND THE REZONING OF 7.33 ACRES LOCATED AT 134 GARDEN STREET (KAD 20006, 20007, 20009 AND 20010) FROM R-1, MEDIUM- DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, TO RN-1, NEIGHBORHOOD RESIDENTIAL DISTRICT (GREENWAY COTTAGE BUILDERS, LLC/ DAVE LUCIANI).

Discussion continued regarding the basis of the proposed project being on a good faith commitment. Commissioner Dunning had concerns with

a verbal commitment from the developer leaving the site open to other prospective developers once rezoned if Mr. Luciani's plan does not go through.

Commissioner Gleason proposed to amend the main motion to apply RN-1 to a portion of triangle (5.53 acres) and the 1.8 acres in North West area fronting Adler to remain R-1.

A MOTION WAS MADE BY COMMISSIONER GLEASON, SECONDED BY COMMISSIONER BIRD, TO AMEND THE MAIN MOTION TO APPLY RN-1, NEIGHBORHOOD RESIDENTIAL DISTRICT, TO PORTION OF TRIANGLE (5.53 ACRES) AND THE 1.8 ACRES IN NORTH WEST AREA FRONTING ADLER TO REMAIN R-1, MEDIUM- DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT. THE MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

**AMENDMENT ALONE**

**YEA: 4-** JOE ANZOLLITTO, BILL BIRD, RICKY GLEASON, CHESNEY DUNNING

**NAY: 2-** BOB CATES, PATRICK COHOON

**Approved: 4-2**

**MOTION AS AMENDED - 6-0**

**YEA: 6-** JOE ANZOLLITTO, BILL BIRD, PATRICK COHOON, RICKY GLEASON, BOB CATES, CHESNEY DUNNING

**Approved: 6-0**

- 5.B.**     [2020-744](#)     TO CONSIDER THE PROPOSED REZONING OF 5.33 ACRES LOCATED AT 744 WEST SAN ANTONIO ROAD (KAD 14367) FROM R-1, MEDIUM-DENSITY RESIDENTIAL DISTRICT, TO R-4, MULTI-FAMILY RESIDENTIAL DISTRICT (GUILLERMO J. CAVAZOS)

I. STAFF PRESENTATION

## II. PUBLIC HEARING

## III. MAKE RECOMMENDATION

Ms. Sara Serra-Bennett presented the proposed rezoning.

Chairman Bannwolf opened the Public Hearing at 7:05p.m.

Gerald Payne, resident at 105 Hagen Drive, spoke in opposition of the proposed rezoning and development. He mentioned concerns of noise and property values decreasing.

Harriette Payne, resident at 105 Hagen Drive, spoke in opposition of the proposed rezoning and development. She expressed concerns with the placement being in the middle of residential development.

David Styles, resident at 112 Windsor Drive, addressed his concerns regarding increased traffic on Lattimore as a short cut through the subdivision and the potential increase of students at Fabra Elementary School.

Dinah Rawls, 112 Hagen Drive, spoke stating concerns with the Future Land Use plan and she questioned the transitional residential zoning. She also expressed concerns with the developer not willing to meet with the neighborhood, future property values being negatively impacted, and possible noise and light pollution.

Scott Billingsley, resident at 209 West Hosack, spoke addressing potential units per acre and height requirements in the proposed zoning. He commented on property values that could be negatively impacted by the proposed rezoning.

Lucas Highler, 607 North School Street, spoke in opposition of the proposed rezoning and development. He expressed concerns with the developer not willing to meet with the community at this stage of planning and concerns with traffic and drainage.

Henry Friesenhahn, resident at 225 Ludwig Drive, spoke in opposition of the proposed rezoning and development. He mentioned concerns with privacy, property values and the sustainability of the infrastructure in the area.

Heather Smurr, resident at 109 Calk Lane, spoke in opposition of the proposed rezoning and development. She expressed concerns with drainage, speeding traffic down West San Antonio Avenue, flooding and light pollution. She further mentioned concerns with Fabra Elementary being overcrowded with new students if apartments were allowed to be built in this area.

Blake Butry, resident 228 Creed Drive, spoke regarding issues with traffic, the vision for Boerne and what else would be allowed in a R-4 zoning.

Lynn Stokes, resident at 809 West San Antonio Avenue, spoke in opposition of the proposed development, specifically the high density allowed in the proposed rezoning R-4 classification.

Dan Waters, resident at 125 Hagen, spoke in opposition of the proposed rezoning/development and shared some of the same concerns as other citizens.

Steve Clayton, spoke in opposition of the proposed rezoning/development and shared some of the same concerns as other citizens.

David Greenlees, resident at 213 Ludwig Drive, spoke in opposition of the proposed rezoning/development and shared some of the same concerns as other citizens.

Bobby Oliver, resident at 109 Hagen Drive, spoke in opposition of the proposed rezoning/development and shared some of the same concerns as other citizens.

Bobby Lane, resident at 309 Fischer Drive, spoke in opposition of the

proposed rezoning/development and shared some of the same concerns as other citizens.

Larry Pazini, resident at 6 Calk Lane, spoke in opposition of the proposed rezoning/development and shared some of the same concerns as other citizens.

Susan Greenlees, 213 Ludwig Drive, spoke stating concerns with possible increase in crime and traffic. She further mentioned vandalism issues they currently experience with landscape lights and she asked the audience to stand in opposition.

Josh Valenta, 217 Sparkling Springs Drive, spoke on behalf of the property owner. He mentioned the design idea is for approximately 20 fourplex structures(single building with four units) and referenced the Boerne Master Plan.

Cali Redd, spoke on behalf of the property owner stating their intention of developing single story units. She further mentioned that the property was not originally in the city limits when purchased and the financial burdens now placed on the property owner for rezoning.

Chairman Bannwolf closed Public Hearing at 8:02 p.m.

Ms. Talley clarified that the Land Use Plan identifies this area as transitional residential and the zoning ordinance supplemental height regulations provide height restraints.

Discussion ensued regarding transitional residential and missed opportunities by the property owner for collaboration with the neighbors.

Mr. Valenta spoke on behalf of his client stating they would likely be willing to meet with neighbors in the community and concerned citizens.

Discussion continued regarding the property owner's right to request



zoning without community involvement, not having appropriate infrastructure to support this type of development and clarification that the city does not make recommendation.

A MOTION WAS MADE BY COMMISSIONER GLEASON, SECONDED BY COMMISSIONER CATES, TO DENY THE PROPOSED REZONING OF 5.33 ACRES LOCATED AT 744 WEST SAN ANTONIO ROAD (KAD 14367) FROM R-1, MEDIUM-DENSITY RESIDENTIAL DISTRICT, TO R-4, MULTI-FAMILY RESIDENTIAL DISTRICT (GUILLERMO J. CAVAZOS). THE MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

**YEA: 6-** JOE ANZOLLITTO, BILL BIRD, PATRICK COHOON, RICKY GLEASON, BOB CATES, CHESNEY DUNNING

**Denied: 6-0**

- 5.C. [2020-745](#) TO CONSIDER THE PROPOSED REZONING OF 3.57 ACRES LOCATED AT 322 NORTH PLANT AVENUE (KAD 1999) FROM R-1, MEDIUM-DENSITY RESIDENTIAL DISTRICT, TO R-3, HIGH-DENSITY RESIDENTIAL DISTRICT (VICTOR SHEELY/ SOURCE TEXAS, LLC)

I. STAFF PRESENTATION

II. PUBLIC HEARING

III. MAKE RECOMMENDATION

Ms. Sara Serra-Bennett presented the proposed rezoning.

Chairman Bannwolf opened the Public Hearing at 8:15 p.m.

Chris Snyder, resident at 334 N. Plant Avenue, expressed concerns with density of proposed rezoning, traffic, and water runoff.

James Mazour, resident at 309 N. Plant Ave, spoke regarding the possible drainage issues and questioned what development is allowed in a R-3 zoning classification.

Laura Talley clarified some differences in R-1, R-2, and R-3 zoning, specific to how many residential lots/units are allowed and lot sizes.

Josh Valenta, 217 Sparkling Springs, spoke on behalf of the applicant. He mentioned their participation in a neighborhood outreach meeting and that his client may possibly be receptive to a R-2 zoning.

Chairman Bannwolf closed Public Hearing at 8:27 p.m.

Discussion ensued regarding drainage concerns and density allowed in a R-3 and R-2.

Ms. Talley explained how drainage would be handled and that drainage is addressed with every development.

A MOTION WAS MADE BY COMMISSIONER ANZOLLITTO, SECONDED BY COMMISSIONER COHOON, TO RECOMMEND THE REZONING OF 3.57 ACRES LOCATED AT 322 NORTH PLANT AVENUE (KAD 1999) FROM R-1, MEDIUM-DENSITY RESIDENTIAL DISTRICT, TO R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT (VICTOR SHEELY/ SOURCE TEXAS, LLC). THE MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

**YEA: 6-** JOE ANZOLLITTO, BILL BIRD, PATRICK COHOON, RICKY GLEASON, BOB CATES, CHESNEY DUNNING

**Approved: 6-0**

- 5.D.**     [2020-746](#)     TO CONSIDER THE PROPOSED REZONING OF 6.479 ACRES LOCATED IN THE COMMONS AT MENDER CREEK ON OLD SAN ANTONIO ROAD (KAD 300529) FROM B-2, HIGHWAY COMMERCIAL TO R-2, MODERATE DENSITY RESIDENTIAL (ALAN NAUL/J-B BOERNE REALTY, LP).

Commissioner Cohoon recused himself from items 5.D. and 5.E. and left the dais at 8:34 p.m.

Ms. Sara Serra-Bennett presented the proposed rezoning.

Experienced technical difficulties with members who were attending via Zoom at 8:37p.m.

Resumed meeting at 8:46 p.m.

Chairman Bannwolf opened the Public Hearing at 8:51 p.m.

Alan Naul, resident at 3899 Maple Avenue, Dallas, Texas and property owner of proposed development, spoke regarding the idea to attract younger professionals and empty nesters with this luxury townhome concept.

Chairman Bannwolf closed the Public Hearing at 8:55 p.m.

Ms. Laura Talley clarified the amount of units allowed in a R-2 zoning classification.

Discussion ensued regarding parking/guest parking, details of street widths and accessibility to the property.

A MOTION WAS MADE BY COMMISSIONER CATES, SECONDED BY COMMISSIONER GLEASON, TO APPROVE THE PROPOSED REZONING OF 6.479 ACRES LOCATED IN THE COMMONS AT MENDER CREEK ON OLD SAN ANTONIO ROAD (KAD 300529) FROM B-2, HIGHWAY COMMERCIAL TO R-2, MODERATE DENSITY RESIDENTIAL (ALAN NAUL/J-B BOERNE REALTY, LP). THE MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

**YEA: 5-** JOE ANZOLLITTO, BILL BIRD, RICKY GLEASON, BOB CATES, CHESNEY DUNNING

**Approved: 5-0**

- 5.E. [2020-747](#) TO CONSIDER THE PROPOSED PLANNED UNIT DEVELOPMENT (PUD) PLAN, FOR 6.479 ACRES LOCATED IN THE COMMONS AT MENDER CREEK ON OLD SAN ANTONIO ROAD (KAD 300529) (ALAN NAUL/ J-B BOERNE REALTY, LP)

## I. STAFF PRESENTATION

## II. PUBLIC HEARING

## III. MAKE RECOMMENDATION

Ms. Laura Talley presented the proposed Planned Unit Development.

The Commission called on owner Mr. Alan Naul to approach the lectern. Mr. Naul spoke regarding the planned layout for the townhomes presented and explained that the home builder would be Gehan Homes.

Chairman Bannwolf opened the Public Hearing at 9:06 p.m.

Chairman Bannwolf closed the Public Hearing at 9:07 p.m.

A MOTION WAS MADE BY COMMISSIONER GLEASON, SECONDED BY COMMISSIONER DUNNING, TO APPROVE THE PROPOSED PLANNED UNIT DEVELOPMENT (PUD) PLAN, FOR 6.479 ACRES LOCATED IN THE COMMONS AT MENDER CREEK ON OLD SAN ANTONIO ROAD (KAD 300529) (ALAN NAUL/ J-B BOERNE REALTY, LP). THE MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

**YEA: 5-** JOE ANZOLLITTO, BILL BIRD, RICKY GLEASON, BOB CATES, CHESNEY DUNNING

**Approved: 5-0**

Chairman Bannwolf allowed items 8 and 9 to be moved up the agenda at 9:10 p.m. All Commissioners present agreed.

8. [2020-751](#) CONSIDER A REQUEST FOR A VARIANCE TO THE SUBDIVISION ORDINANCE, ARTICLE 3, DRAINAGE AND FLOOD HAZARDS, SECTION 6.03.005 DRAINAGEWAY PROTECTION ZONES FOR A .779 ACRE PARCEL LOCATED AT 320 ROSEWOOD (KAD NO. 26045) (TIM MCCLOSKEY)

Commissioner Cohoon returned to the dais at 9:10 p.m.

Ms. Talley presented the variance request.

Mr. Jeff Carroll, Director of Development Services, gave a presentation regarding drainage and flood hazards. He described what is allowed in different drainage way protection zones and what is allowed under current ordinances. He further explained that a flood plain variance was denied at a Board of Adjustments meeting that was held in December.

Tim McCloskey, resident at 209 E Hosack, spoke regarding the proposed variance and described reasons for the request.

Discussion ensued regarding the two ordinances that are in play for this property.

A MOTION WAS MADE BY COMMISSIONER COHOON, SECONDED BY COMMISSIONER GLEASON, TO TABLE THE REQUEST FOR A VARIANCE TO THE SUBDIVISION ORDINANCE, ARTICLE 3, DRAINAGE AND FLOOD HAZARDS, SECTION 6.03.005 DRAINAGEWAY PROTECTION ZONES FOR A .779 ACRE PARCEL LOCATED AT 320 ROSEWOOD (KAD NO. 26045) (TIM MCCLOSKEY)

Following further discussion, Commissioner Cohoon withdrew his motion and Commissioner Gleason withdrew his second.

A MOTION WAS MADE BY COMMISSIONER CATES, SECONDED BY COMMISSIONER DUNNING, TO DENY THE REQUEST FOR A VARIANCE TO THE SUBDIVISION ORDINANCE, ARTICLE 3, DRAINAGE AND FLOOD HAZARDS, SECTION 6.03.005 DRAINAGEWAY PROTECTION ZONES FOR A .779 ACRE PARCEL LOCATED AT 320 ROSEWOOD (KAD NO. 26045) (TIM MCCLOSKEY). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEA: 6-** JOE ANZOLLITTO, BILL BIRD, PATRICK COHOON, RICKY GLEASON, BOB CATES, CHESNEY DUNNING

**Denied: 6-0**

9. [2020-752](#) CONSIDER A REQUEST FOR A VARIANCE TO THE SUBDIVISION ORDINANCE, ARTICLE 2, PROCEDURES, SECTION 2.02.008 EXPIRATION OF PLAT APPROVAL FOR JOHN'S CROSSING SUBDIVISION LOCATED AT THE SOUTHEAST CORNER OF JOHNS ROAD AND IH-10 (KAD NO. 14392). TAKE NECESSARY ACTION.

Ms. Rebecca Pacini, City Planner III, presented the request for a variance and clarified this would be the second extension.

Mr. Ryan Waikem, 70 North East Loop 410, San Antonio, spoke regarding the process of the plat and delays due to the COVID-19 pandemic.

A MOTION WAS MADE BY COMMISSIONER GLEASON, SECONDED BY COMMISSIONER COHOON, TO APPROVE A VARIANCE TO THE SUBDIVISION ORDINANCE, ARTICLE 2, PROCEDURES, SECTION 2.02.008 EXPIRATION OF PLAT APPROVAL FOR JOHN'S CROSSING SUBDIVISION LOCATED AT THE SOUTHEAST CORNER OF JOHNS ROAD AND IH-10 (KAD NO. 14392). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEA: 6-** JOE ANZOLLITTO, BILL BIRD, PATRICK COHOON, RICKY GLEASON, BOB CATES, CHESNEY DUNNING

**Approved: 6-0**

- 5.F. [2020-748](#) TO CONSIDER THE PROPOSED ADOPTION OF THE REVISED ZONING MAP AND AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE (UDC).

I. STAFF PRESENTATION

II. PUBLIC HEARING

Ms. Talley gave an update on the UDC and revised zoning map.

Ms. Carissa Cox, Planner with Mosaic, presented the updates to the UDC to include the overlay districts and development standards to overlays.

Chairman Bannwolf opened the Public Hearing at 10:02 p.m.

Chairman Bannwolf closed the Public Hearing at closed 10:02 p.m.

6. [2020-749](#) CONSIDER THE APPROVAL OF AN ON-SITE SEWAGE FACILITY AT 33565 IH-10 (KAD NO. 15876), AS PROVIDED BY THE CITY OF BOERNE SUBDIVISION ORDINANCE, ARTICLE 7, SECTION 06, ON-SITE SEWAGE FACILITIES, WHICH AUTHORIZES AN ON-SITE SEWER FACILITY RATHER THAN CONNECTION TO THE CITY OF BOERNE SANITARY SEWER SYSTEM. TAKE NECESSARY ACTION.

Ms. Pacini presented the request for approval of an on-site sewage facility.

A MOTION WAS MADE BY COMMISSIONER ANZOLLITTO, SECONDED BY COMMISSIONER GLEASON, TO APPROVE AN ON-SITE SEWAGE FACILITY AT 33565 IH-10 (KAD NO. 15876), AS PROVIDED BY THE CITY OF BOERNE SUBDIVISION ORDINANCE, ARTICLE 7, SECTION 06, ON-SITE SEWAGE FACILITIES, WHICH AUTHORIZES AN ON-SITE SEWER FACILITY RATHER THAN CONNECTION TO THE CITY OF BOERNE SANITARY SEWER SYSTEM. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEA: 6-** JOE ANZOLLITTO, BILL BIRD, PATRICK COHOON, RICKY GLEASON, BOB CATES, CHESNEY DUNNING

**Approved: 6-0**

7. [2020-750](#) CONSIDER A VARIANCE REQUEST TO THE SUBDIVISION ORDINANCE, ARTICLE 7, WATER AND SEWERS, SECTION 01. GENERAL REQUIREMENTS WATER SYSTEMS FOR 33565 IH-10 (KAD 15876) (CHAD & KERRI PROPERTIES, LP). TAKE NECESSARY ACTION.

Ms. Pacini presented the requested variance.

A MOTION WAS MADE BY COMMISSIONER GLEASON, SECONDED BY COMMISSIONER CATES, TO APPROVE A VARIANCE REQUEST TO THE

SUBDIVISION ORDINANCE, ARTICLE 7, WATER AND SEWERS, SECTION 01. GENERAL REQUIREMENTS WATER SYSTEMS FOR 33565 IH-10 (KAD 15876) (CHAD & KERRI PROPERTIES, LP). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEA: 6-** JOE ANZOLLITTO, BILL BIRD, PATRICK COHOON, RICKY GLEASON, BOB CATES, CHESNEY DUNNING

**Approved: 6-0**

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

Ms. Talley requested the Commission to notify the Planning and Community Development department if they intend to be present at the January 21st joint meeting with City Council.

11. 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 AS AUTHORIZED BY CHAPTER 551 CODE §551.071 (CONSULTATION WITH ATTORNEY)

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

12. ADJOURNMENT

Chairman Bannwolf adjourned the Planning and Zoning Commission at 10:10 p.m.

THE CITY OF BOERNE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE §551.071 (CONSULTATION WITH ATTORNEY).

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Chairman

**CERTIFICATION**

I hereby certify that the above notice of meeting was posted on the 30th day of December, 2020 at 5:00 p.m.



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Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS**

**The City Hall Complex is wheelchair accessible. Access to the building and special parking is available at the front entrance of the building. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the Planning and Community Development Department at 830-249-9511.**