MINUTES
SPECIAL CALLED PLANNING AND ZONING COMMISSION WORKSHOP
BOERNE CITY HALL
447 North Main Street
Monday, May 10, 2021 – 6:00 p.m.

MINUTES OF THE SPECIAL CALLED PLANNING AND ZONING COMMISSION MEETING OF MAY 10, 2021 AT 6:00 P.M.

PRESENT 5 - CHAIRMAN TIM BANNWOLF, COMMISSIONER CHESNEY DUNNING, COMMISSIONER BILL BIRD, COMMISSIONER LUCAS HILER, COMMISSIONER BOB CATES

LATE 1- COMMISSIONER PATRICK COHOON

ABSENT 1- COMMISSIONER ANZOLLITTO

STAFF PRESENT: BARBARA QUIRK, LAURA HANING, HEATHER WOOD, ANTONY MOY, REBECCA PACINI, SARA SERRA-BENNETT

REGISTERED/RECOGNIZED GUESTS: CARISSA COX, JACK SHORT, JOHN FRIESENHAHN, CHAD CARPENTER, LARRY LESTER, LYNN ENGSTROM

1. CALL TO ORDER – 6:00 PM

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

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

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. 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 6:02 p.m.

John Friesenhahn, resident at 106 Fabra Street and business owner of Imagine Homes, spoke regarding concerns with several of his projects being stuck in the middle of old regulations and proposed new regulations in the Unified Development Code (UDC). He also voiced concerns with the City's determination of an existing oak tree (that could possibly die) that has prevented his plan to extend Hosack Street across School Street.

Commissioner Cohoon arrived at 6:06 p.m.

Chairman Bannwolf closed public comments at 6:10 p.m.

3. 2021-457 CONSIDER MOTION TO AMEND ACTION TAKEN ON MAY 3RD TABLING CONSIDERATION OF THE PROPOSED CREATIVE ALTERNATIVE FOR THE PROPERTY LOCATED AT 33565 INTERSTATE HIGHWAY 10 (KAD 15876, A10441 SURVEY 183 J SMALL, 0.829 ACRES) (CHAD CARPENTER) TO ORDER THAT THE CREATIVE ALTERNATIVE ITEM BE TAKEN UP FOR CONSIDERATION ON MAY 10, 2021. TAKE NECESSARY ACTION.

Ms. Barbara Quirk clarified the appropriate motion to amend an action taken on May 3rd, 2021.

A MOTION WAS MADE BY COMMISSIONER CATES, SECONDED BY COMMISSIONER BIRD, TO AMEND ACTION TAKEN ON MAY 3RD TABLING CONSIDERATION OF THE PROPOSED CREATIVE ALTERNATIVE FOR THE PROPERTY LOCATED AT 33565 INTERSTATE HIGHWAY 10 (KAD 15876,

A10441 SURVEY 183 J SMALL, 0.829 ACRES) (CHAD CARPENTER) TO ORDER THAT THE CREATIVE ALTERNATIVE ITEM BE TAKEN UP FOR CONSIDERATION ON MAY 10, 2021. THE MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

YEA: 5- COMMISSIONER CATES, COMMISSIONER BIRD, COMMISSIONER HILER, COMMISSIONER DUNNING, COMMISSIONER COHOON

NAY: 0

Approved: 5-0

4. 2021-458 CONSIDER THE PROPOSED CREATIVE ALTERNATIVE FOR THE PROPERTY LOCATED AT 33565 INTERSTATE HIGHWAY 10 (KAD 15876, A10441 SURVEY 183 J SMALL, 0.829 ACRES) (CHAD CARPENTER) TO ALLOW MORE THAN 15% OF THE PARKING IN FRONT OF THE BUILDING. TAKE NECESSARY ACTION.

Ms. Haning, Director of Planning and Community Development, presented the proposed creative alternative.

Mr. Chad Carpenter, developer of the proposed creative alternative, spoke regarding the placement of the building, the redesigned plan to move the dumpster to back left of site, and engineering costs he has endured since being annexed into the city. He expressed concerns with his plan being delayed due to being tabled at the last meeting, and the difficulties small businesses face when trying to develop with limited resources for all of the city's regulations.

Commissioner Bird expressed appreciation for Mr. Carpenter's flexibility in moving the dumpster on the plan.

Commissioner Dunning questioned the distance from the placement of the dumpster to the property next door.

Ms. Haning clarified that there is currently nothing developed on the property next door.

A MOTION WAS MADE BY COMMISSIONER COHOON, SECONDED BY COMMISSIONER BIRD, TO APPROVE THE PROPOSED CREATIVE ALTERNATIVE FOR THE PROPERTY LOCATED AT 33565 INTERSTATE HIGHWAY 10 (KAD 15876, A10441 SURVEY 183 J SMALL, 0.829 ACRES) (CHAD CARPENTER) TO ALLOW MORE THAN 15% OF THE PARKING IN FRONT OF THE BUILDING. THE MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

YEA: 5- COMMISSIONER CATES, COMMISSIONER BIRD, COMMISSIONER HILER, COMMISSIONER DUNNING, COMMISSIONER COHOON

NAY: 0

Approved: 5-0

5. 2021-459 DISCUSSION REGARDING THE REVISED CITYWIDE ZONING MAP AND THE UNIFIED DEVELOPMENT CODE (UDC) CHAPTERS 1-9 TO SPECIFICALLY INCLUDE THE ZONING TABLE OF USES AND THE OVERLAY DISTRICTS.

Ms. Haning gave an update on UDC public notifications/community outreach efforts to date. She explained that all documents related to the UDC are now online for the public review process and reviewed the UDC project timeline.

Carissa Cox, Planner with Mosaic, explained base zoning and overlay categories, gave an update on the process of amendments to codes and overlays, and reviewed the Overlay Districts At-A-Glance sheets and zoning map.

Commission discussion topics included overlay districts, public input and subcommittee comments that are being considered with UDC modifications, non-conforming uses, commercial uses, zoning interactive map, and Special Use Permits (SUPs).

Chairman Bannwolf opened pubic comments at 7:41 p.m.

Jack Short shared his appreciation to the Commission for extra meetings that were held for the UDC. He had a question regarding the River Road overlay specific to the setbacks changing and when they will be updated on the website.

Ms. Haning clarified setback changes in the River Road overlay are now on the website.

Ms. Lynne Engstrom spoke expressing her interest in the UDC process and local government. She also expressed concerns with the clarity of zoning maps that are online.

6. ADJOURNMENT

Chairman Bannwolf adjourned the Planning and Zoning Commission at 7:47 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 herby certify that the above notice of meeting was posted on the 7th day of May, 2021 at 5:20 p.m.

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Secretary