

MINUTES
DESIGN REVIEW MEETING
BOERNE CITY HALL
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 N. MAIN
Thursday, August 11, 2022 - 6:00 PM

THE CITY OF BOERNE DESIGN REVIEW COMMITTEE 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).

Minutes of the Design Review Committee of August 11, 2022, at 5:30 p.m.

Present: 4- Chairman Chris Taylor, Commissioner Cody Keller, Commissioner Chris Harthcock, Commissioner Carr Stokes

Absent: 1- Commissioner Shelly Condra

Staff Present: Laura Haning, Ryan Bass, Ryan Lewis, Krystal Brown

Present Virtually: Mick McKamie

Recognized/ Registered Guests: Josh Valenta, Tom McCarthy

1. CALL TO ORDER – 6:00 PM

Chairman Taylor called the Design Review Committee order at 6:00 p.m.

2. CONFLICT OF INTEREST

No conflicts were declared.

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

No comments were received.

4. CONSENT AGENDA

- 4.A. [2022-644](#) THE MINUTES OF THE DESIGN REVIEW COMMITTEE MEETING OF JULY 14, 2022.

A MOTION WAS MADE BY COMMITTEE MEMBER KELLER, SECONDED BY COMMITTEE MEMBER HARTHCOCK, TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEA: 3- COMMITTEE MEMBER KELLER, COMMITTEE MEMBER HARTHCOCK, COMMITTEE MEMBER STOKES

Approved: 3-0

5. REGULAR AGENDA

- 5.A. [2022-645](#) CONSIDER A PROPOSED CREATIVE ALTERNATIVE TO THE 2018 ZONING ORDINANCE, ARTICLE 3, GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 08 COMMERCIAL CENTER DESIGN STANDARDS AND ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS, 33, NORTH HERFF ROAD OVERLAY DISTRICT FOR THE LEGACY AT CIBOLO, UNIT 1, BLOCK 2, LOT 1 (1.38 ACRES) (KCAD 301674) AND LOT 2 (1.34 ACRES) (KCAD 301675) (HERFF 17 GROUP, LLC). TAKE NECESSARY ACTION.

Ms. Laura Haning, City Planning & Community Development Director, presented the proposed creative alternatives stating there are multiple items to be considered and each would be voted on individually.

Mr. Ryan Bass, City Environmental Planner/Urban Forester, spoke on the first creative alternative. 222 sq ft encroaches the landscape/utility easement located along Herff Rd with the intent to provide root protection.

Mr. Josh Valenta, with Matkin Hoover, clarified where the 222 sq ft would be located.

Ms. Haning and Mr. Bass spoke on the different types of landscape screening methods.

Mr. Bass presented the second creative alternative. The proposed parking between the main building and the front setback exceeds the 15% maximum in an effort to save trees in the area and to promote better traffic circulation.

Mr. Valenta explained the second creative alternative in more detail.

Mr. Bass presented the third creative alternative. The primary facade of the building will occupy 92% on the front building line and will be set at 80' in an effort to preserve trees in the area, remain consistent with adjacent developments, maximize parking and promote better traffic circulation.

Mr. Valenta explained the third creative alternative in more detail.

Mr. Bass presented the fourth creative alternative. The proposed layout is set back 10' for most of the frontage on Herff Rd. 12 parking spaces encroach on the easement in an effort to provide root protection and tree preservation.

Mr. Valenta explained the fourth creative alternative in more detail.

Mr. Bass presented the fifth creative alternative. A street wall will be achieved with the landscape design which will allow a transition from the public realm to the private realm. Primary facade will occupy 92% of Front Building line. Front Building Line will be set at 80' to maximize tree saving efforts, to have consistency with the adjacent developments, to maximize parking, and to promote better traffic circulation.

Mr. Valenta explained the fifth creative alternative in more detail.

Mr. Bass presented the sixth creative alternative. The parking that is proposed between the principal building and the front set back is proposed in an effort to preserve the trees, remain consistent with developments in the area, to maximize parking and to promote better

traffic circulation.

Mr. Valenta explained the sixth creative alternative in more detail.

Committee Member Keller asked questions regarding tree preservation.

Mr. Tom McCarthy, the applicant & property owner, spoke on preserving the three oak trees on the front of the property.

Mr. Valenta explained how adjustments to the original site plan have been made with the intent to preserve these trees.

A MOTION WAS MADE BY COMMITTEE MEMBER KELLER, SECONDED BY COMMITTEE MEMBER HARTHCOCK, TO APPROVE PROPOSED CREATIVE ALTERNATIVE 01 TO THE 2018 ZONING ORDINANCE, ARTICLE 3, GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 08 COMMERCIAL CENTER DESIGN STANDARDS AND ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS, 33, NORTH HERFF ROAD OVERLAY DISTRICT FOR THE LEGACY AT CIBOLO, UNIT 1, BLOCK 2, LOT 1 (1.38 ACRES) (KCAD 301674) AND LOT 2 (1.34 ACRES) (KCAD 301675) (HERFF 17 GROUP, LLC) WITH THE CONDITION THAT THE BEST PRACTICES FOR ROOT PROTECTION ARE UTILIZED FOR THE TREES THAT ARE IDENTIFIED TO BE PRESERVED. . THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEA: 3- COMMITTEE MEMBER KELLER, COMMITTEE MEMBER HARTHCOCK, COMMITTEE MEMBER STOKES

Approved: 3-0

A MOTION WAS MADE BY COMMITTEE MEMBER KELLER, SECONDED BY COMMITTEE MEMBER HARTHCOCK, TO APPROVE PROPOSED CREATIVE ALTERNATIVE 02 TO THE 2018 ZONING ORDINANCE, ARTICLE 3, GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 08 COMMERCIAL CENTER DESIGN STANDARDS AND ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS, 33, NORTH HERFF ROAD OVERLAY DISTRICT FOR THE

LEGACY AT CIBOLO, UNIT 1, BLOCK 2, LOT 1 (1.38 ACRES) (KCAD 301674) AND LOT 2 (1.34 ACRES) (KCAD 301675) (HERFF 17 GROUP, LLC). THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEA: 3- COMMITTEE MEMBER KELLER, COMMITTEE MEMBER HARTHCOCK, COMMITTEE MEMBER STOKES

Approved: 3-0

A MOTION WAS MADE BY COMMITTEE MEMBER HARTHCOCK, SECONDED BY COMMITTEE MEMBER STOKES, TO APPROVE PROPOSED CREATIVE ALTERNATIVE 03 TO THE 2018 ZONING ORDINANCE, ARTICLE 3, GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 08 COMMERCIAL CENTER DESIGN STANDARDS AND ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS, 33, NORTH HERFF ROAD OVERLAY DISTRICT FOR THE LEGACY AT CIBOLO, UNIT 1, BLOCK 2, LOT 1 (1.38 ACRES) (KCAD 301674) AND LOT 2 (1.34 ACRES) (KCAD 301675) (HERFF 17 GROUP, LLC). THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEA: 3- COMMITTEE MEMBER KELLER, COMMITTEE MEMBER HARTHCOCK, COMMITTEE MEMBER STOKES

Approved: 3-0

A MOTION WAS MADE BY COMMITTEE MEMBER KELLER, SECONDED BY COMMITTEE MEMBER HARTHCOCK, TO APPROVE PROPOSED CREATIVE ALTERNATIVE 04 TO THE 2018 ZONING ORDINANCE, ARTICLE 3, GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 08 COMMERCIAL CENTER DESIGN STANDARDS AND ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS, 33, NORTH HERFF ROAD OVERLAY DISTRICT FOR THE LEGACY AT CIBOLO, UNIT 1, BLOCK 2, LOT 1 (1.38 ACRES) (KCAD 301674) AND LOT 2 (1.34 ACRES) (KCAD 301675) (HERFF 17 GROUP, LLC) WITH THE CONDITION THAT THE LANDSCAPE DESIGN UTILIZE A MAJORITY OF PLANTS FROM THE APPROVED LIST AS IDENTIFIED IN THE UNIFIED DEVELOPMENT CODE WITH A MINIMUM HEIGHT OF 3FT-5FT FOR

SCREENING PURPOSES. THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEA: 3- COMMITTEE MEMBER KELLER, COMMITTEE MEMBER HARTHCOCK, COMMITTEE MEMBER STOKES

Approved: 3-0

A MOTION WAS MADE BY COMMITTEE MEMBER KELLER, SECONDED BY COMMITTEE MEMBER STOKES, TO APPROVE PROPOSED CREATIVE ALTERNATIVE 05 TO THE 2018 ZONING ORDINANCE, ARTICLE 3, GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 08 COMMERCIAL CENTER DESIGN STANDARDS AND ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS, 33, NORTH HERFF ROAD OVERLAY DISTRICT FOR THE LEGACY AT CIBOLO, UNIT 1, BLOCK 2, LOT 1 (1.38 ACRES) (KCAD 301674) AND LOT 2 (1.34 ACRES) (KCAD 301675) (HERFF 17 GROUP, LLC). THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEA: 3- COMMITTEE MEMBER KELLER, COMMITTEE MEMBER HARTHCOCK, COMMITTEE MEMBER STOKES

Approved: 3-0

A MOTION WAS MADE BY COMMITTEE MEMBER HARTHCOCK, SECONDED BY COMMITTEE MEMBER KELLER, TO APPROVE PROPOSED CREATIVE ALTERNATIVE 06 TO THE 2018 ZONING ORDINANCE, ARTICLE 3, GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 08 COMMERCIAL CENTER DESIGN STANDARDS AND ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS, 33, NORTH HERFF ROAD OVERLAY DISTRICT FOR THE LEGACY AT CIBOLO, UNIT 1, BLOCK 2, LOT 1 (1.38 ACRES) (KCAD 301674) AND LOT 2 (1.34 ACRES) (KCAD 301675) (HERFF 17 GROUP, LLC). THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEA: 3- COMMITTEE MEMBER KELLER, COMMITTEE MEMBER HARTHCOCK, COMMITTEE MEMBER STOKES

Approved: 3-0

6. COMMENTS FROM COMMITTEE/LEGAL COUNSEL/STAFF – NO DISCUSSION OR ACTION MAY TAKE PLACE.

No comments were received.

7. ADJOURNMENT

Chairman Taylor adjourned the Design Review Committee at 7:09 p.m.

Chairman

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 5th day of August, 2022 at 5:30 p.m.

Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

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 by calling the Planning and Community Development Office at 830-248-1501.

Pursuant to Section 30.06 Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to section 30.07 Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.