

**Planning Commission
Regular Meeting Minutes
May 4, 2021**

Members Present

Chair Lee Edwards
Vice Chair Stanley Laskowski
Ron Reaves
Thomas Meyer
Chad Nolte
Creighton Tubb
Jerry Sonier
John Mathis

Staff Present

Christopher J. Looney, Planning Director
Frank Onion, Assistant City Attorney
Melissa Reynolds, First Assistant City Engineer
Holly Mullins, Senior Planner
Matt Greene, Planner
Matthew Simmont, Planner
Sam Hunter, Planning Technician
Maddison O'Kelley, Assistant Planner

Members Absent

Shaun Gibson

1. The above meeting was called to order by Chair Edwards at 6:00 p.m.

2. ROLL CALL

Roll was called, and a quorum was declared.

3. APPROVAL OF MINUTES

Motion by Vice Chair Laskowski, seconded by Commissioner Sonier, to approve the regular meeting minutes of April 6, 2021 with revisions. Motion carried (6-0-0).

4. CITIZENS COMMUNICATION

William Rodgers, 16 La Mesa, asked for clarification on zoning.

Discussion followed.

Glen Young, 2749 Ridgeforest Dr, asked for clarification on Citizen Communication.

Discussion followed.

5. CONSENT AGENDA

A) FP21-0132 Approval of the final plat for Simon Street Subdivision.

Applicant/Owner: Moeller & Associates (James Ingalls, P.E.)

B) FP21-0133 Approval of the final plat for Deer Crest Subdivision, Unit 3.

Applicant/Owner: HMT Engineering & Surveying (Bill Ball, P.E.)

C) FP21-0138 Approval of the final plat for Mission Hill Park.

Applicant/Owner: Pape-Dawson Engineers (Todd Blackmon, P.E.)

Motion by Vice Chair Laskowski, seconded by Commissioner Sonier, to approve the consent agenda with staff recommendations. Motion carried (8-0-0).

6. ITEMS FOR CONSIDERATION

Chair Edwards requested to move items 6B through 6G to be considered ahead of item 6A with no objections from the Commission.

B) SUP20-267 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow a variety of residential and non-residential development on

approximately 49.5 acres out of the A-103, Sarah Dewitt Survey, addressed at 514 & 720 W. Zipp Road, from “R-1A-6.6” Single Family District to allow uses allowed in the following zoning districts: “MU-B” High Intensity Mixed Use, “R-1A-4” Single-Family Small Lot Residential, “ZH-A” Zero Lot Line Home and “R-2A” Single and Two-Family Residential. *Applicant: Thor Thornhill, HMT Engineering & Surveying; Owner: Gregory Family Revocable Trust, Rosemarie L Gregory; Case Manager: Matthew Simmont.*

Mr. Simmont presented and recommended approval.

Chair Edwards asked if there were any questions for staff.

Discussion followed on additional information provided prior to the meeting.

Chair Edwards asked if the applicant would like to speak.

Caren Williams-Murch, 144 Sage Meadows, provided clarification on the project to address concerns from surrounding residents and the city.

Discussion followed on two story structures, the type of housing allowed, and the proposed Walnut alignment.

Chair Edwards opened the public hearing and asked if anyone wished to speak.

Chris Canton, 2713 Ridge Path Dr, stated opposition to the request citing transportation, land use.

William Rodgers, 16 La Mesa Dr, stated opposition to the request in line with prior comments.

Jyoti Canton, 2713 Ridge Path Dr, stated opposition to the request in line with prior comments.

Lauren Stevenson, 2709 Ridge Path Dr, stated they are not opposed to the request so long as the residential buffer is maintained and cited concerns with the development.

Kristen York, 2757 Ridgeforest Dr, asked about a pre-existing easement along the rear of the residential development.

Glen Young, 2749 Ridgeforest, stated opposition to the request citing surrounding neighborhood context and in line with prior comments.

Robert & Kelly Yanez, 2761 Ridgeforest Dr, stated opposition in line with prior comments.

Chair Edwards closed the public hearing.

Discussion followed on the difference between a Planned Development District and SUP and further clarification on lot dimensions and easements.

Chair Edwards asked if there were any further questions or a motion.

Motion by Vice Chair Laskowski, seconded by Commissioner Meyer, to recommend approval to City Council of the proposed rezoning to apply a Special Use Permit to allow a variety of residential and non-residential development on approximately 49.5 acres out of the A-103, Sarah Dewitt Survey, addressed at 514 & 720 W. Zipp Road, from “R-1A-6.6” Single Family District to allow uses allowed in the following zoning districts: “MU-B” High Intensity Mixed Use, “R-1A-4” Single-Family Small Lot Residential, “ZH-A” Zero Lot Line Home and “R-2A” Single and Two-Family Residential with conditions to extend the 125-foot wide R-1A-4, ZH-A, and R-2A residential to the North East corner of 2705 Ridge Path Dr, and include a detention pond adjacent to the Ridgemont Subdivision and W Klein Rd, and to not allow windows or balconies on

second story residences facing the Ridgemont subdivision. Motion carried (7-0-1) with Commissioner Tubb in opposition.

C) SUP21-115 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow residential use in the M-2 Heavy Industrial District and short term rental of a single-family residence on approximately 0.15 acres out of the AM Esnaurizar A-1 Survey No. 1, addressed at 747 Oasis Street. Applicant: Kathleen Lund; Owner: Holly Gardener; Case Manager: Holly Mullins.

Mrs. Mullins presented and recommended approval with conditions as listed in the staff report.

Chair Edwards asked if there were any questions for staff.

Discussion followed on off-street parking.

Chair Edwards asked if the applicant would like to speak.

Kathleen Lund, 747 Oasis St, provided intent behind the request.

Discussion followed on the proposed driveway.

Chair Edwards opened the public hearing and asked if anyone wished to speak.

William Rodgers, 16 La Mesa, asked if the property would be made ADA compliant with remodeling.

Discussion followed.

Chair Edwards closed the public hearing.

Chair Edwards asked if there were any further questions or a motion.

Motion by Commissioner Vice Chair Laskowski, seconded by Commissioner Sonier, to recommend approval to City Council of the proposed rezoning to apply a Special Use Permit to allow residential use in the M-2 Heavy Industrial District and short term rental of a single-family residence on approximately 0.15 acres out of the AM Esnaurizar A-1 Survey No. 1, addressed at 747 Oasis Street with staff conditions. Motion carried (8-0-0).

D) SUP21-122 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow short term rental of a single-family dwelling in the "C-3" Commercial District, addressed at 306 E. Faust Street. Applicant/Owner: Jeffrey A Coultas; Case Manager: Matt Greene.

Mr. Greene presented and recommended approval with conditions as listed in the staff report.

Chair Edwards asked if there were any questions for staff.

Discussion followed for clarification of the request.

Chair Edwards asked if the applicant would like to speak.

Jeff Coultas, 306 E Faust, provided intent and context behind the request.

Chair Edwards opened the public hearing and asked if anyone wished to speak.

Douglas Miller, 1735 Canyon Way, stated he is the property owner of number 16 and cited support for the request.

William Rodgers, 16 La Mesa, asked for clarification of the request and asked about ADA compliance.

Discussion followed on ADA standards.

Darrel Panozzo, 219 E Faust, stated he is in favor of the request in line with prior comments.

Chair Edwards closed the public hearing.

Chair Edwards asked if there were any further questions or a motion.

Motion by Commissioner Reaves, seconded by Commissioner Meyer, to recommend approval to City Council of the proposed rezoning to apply a Special Use Permit to allow short term rental of a single-family dwelling in the "C-3" Commercial District, addressed at 306 E. Faust Street. Motion carried (8-0-0).

E) CS21-0128 Public hearing and recommendation to City Council regarding a request for acceptance of approximately 110 acres out of the WJ Ragsdale A-268 Survey and the AM Esnaurizar A-20 Survey, into the City of New Braunfels extraterritorial jurisdiction (ETJ), located near the intersection of FM 758 and SH 123 North. Applicant: Dennis Wilkerson; Case Manager: Holly Mullins.

Mrs. Mullins presented.

Chair Edwards asked if there were any questions for staff.

Chair Edwards asked if the applicant would like to speak.

No one spoke.

Chair Edwards opened the public hearing and asked if anyone wished to speak.

No one spoke.

Chair Edwards closed the public hearing.

Chair Edwards asked if there were any further questions or a motion.

Motion by Commissioner Reaves, seconded by Commissioner Meyer, to recommend approval to City Council of the proposed request for acceptance of approximately 110 acres out of the WJ Ragsdale A-268 Survey and the AM Esnaurizar A-20 Survey, into the City of New Braunfels extraterritorial jurisdiction (ETJ), located near the intersection of FM 758 and SH 123 North. Motion carried (8-0-0).

F) CS21-0139 Discuss and consider a recommendation to City Council regarding a variance request to allow a proposed business, addressed at 494 North Seguin Avenue, to provide alcohol sales (wine and beer, on premises consumption) within 300 feet of a church. Applicant: Rashmi Bhat; Case Manager: Maddison O'Kelley, Assistant Planner.

Ms. O'Kelley presented the request.

Chair Edwards asked if there were any questions for staff.

Discussion followed on the public notice.

Chair Edwards asked if the applicant would like to speak.

Rashmi Bhat, 224 Limestone Creek, stated they were available to answer any questions.

Discussion followed on if the church was contacted by the applicant.

Chair Edwards opened the public hearing and asked if anyone wished to comment.

William Rodgers, 16 La Mesa Dr, asked for clarification of the request.

Discussion followed for clarification.

Chair Edwards asked if there were any further questions or a motion.

Motion by Commissioner Sonier, seconded by Commissioner Mathis, to recommend approval to City Council of the proposed variance request to allow a proposed business, addressed at 494 North Seguin Avenue, to provide alcohol sales (wine and beer, on premises consumption) within 300 feet of a church. Motion carried (8-0-0).

G) Proposed ordinance revision to sections 144 -1.3, Definitions, to define efficiency/studio apartments, and to 144-5.1-3 Schedule of required spaces to identify parking standards for efficiency/studio apartments. Case Manager: Jean Drew.

Mrs. Drew presented the request.

Chair Edwards asked if there were any questions for staff.

Discussion followed on clarification of parking requirements and if a public hearing was needed.

Commissioner Reaves left the meeting at 8:19 pm.

Motion by Vice Chair Laskowski, seconded by Commissioner Tubb, to table Item 6A and discuss Item 7A. Motion passed (7-0-0).

A) Presentation and discussion regarding proposed City of New Braunfels drainage policy changes. Melissa Reynolds, First Assistant City Engineer.

Mrs. Reynolds presented.

Chair Edwards asked if there were any questions for staff.

Discussion followed on the proposed changes.

7. STAFF REPORT

A) Discuss and consider shifting to in-person/virtual hybrid Commission meetings.

Discussion followed on how the hybrid meetings would be conducted, if each commissioner was comfortable with going back to in-person meetings, and protocol on masks.

Motion by Commissioner Sonier, seconded by Commissioner Mathis, to shift back to in-person meetings at the next regular meeting. Motion passed (6-1-0) with Commissioner Meyer abstained.

Motion by Vice Chair Laskowski, seconded by Commissioner Sonier, to shift back to in-person/virtual hybrid meetings at the next regular meeting then shifting to only in-person for the months following. Motion passed (6-1-0) with Commissioner Meyer abstained.

Motion by Vice Chair Laskowski, seconded by Commissioner Sonier, to remove item 6A from the table. Motion passed (7-0-0).

8 ADJOURNMENT

There being no further business, Chair Edwards adjourned the meeting at 9:20 pm.

Chair

Date