

**FINAL - MINUTES
OF THE NEW BRAUNFELS PLANNING COMMISSION
REGULAR MEETING OF TUESDAY, MAY 6, 2025**

1. CALL TO ORDER

Chair Sonier called the meeting to order at 6:02pm.

2. ROLL CALL

The following Commissioners were present:

Commissioner Angela Allen

Commissioner Randall Allsup

Commissioner Ben Miedema

Commissioner Vicky Rudy

Commissioner Jessica Shcaefer

Commissioner Chase Taylor

Vice-Chair Chad Nolte

Chair Jerry Sonier

The following Commissioners were absent:

Commissioner Taylor Chafin

3. APPROVAL OF MINUTES

A) Approval of the April 1, 2025 regular meeting minutes.

Motion by Vice-Chair Nolte, seconded by Commissioner Miedema, to approve the April 1, 2025 regular meeting minutes. Motion carried unanimously (8-0-0).

4. CITIZENS' COMMUNICATIONS

This time is for citizens to address the Planning Commission on any issues or items NOT on the agenda. It is a violation of the Texas Open Meetings Act for the Commission to address, discuss or take action on any items not on the agenda. In addition to this venue, citizens may also email any comments to planning@newbraunfels.gov. Emailed comments will be distributed to the Planning Commission.

No one spoke.

5. INDIVIDUAL ITEMS FOR CONSIDERATION

A) PZ25-0096 Public hearing and recommendation to City Council to rezone approximately 38 acres out of the R Perez Survey 28, Abstract

460, and the J Stark Survey 277, Abstract 530, from R-1 (Single Family District) and APD (Agricultural/Pre-Development District) to R-1A-5.5 (Single Family Residential District), located northwest of the property currently addressed at 2815 State Highway 46 West

Commissioner Allsup recused himself and left the dais at 6:04pm.

Amanda Mushinski presented the aforementioned item and recommended approval.

Chair Sonier asked if there were any questions for staff.

Chair Sonier invited the applicant to speak on the item.

Ashley Farimond elaborated on the request, discussing the existing and surrounding zoning, the intent of the request, conceptual plans for the project, the property's relation to the regional transportation plan and hike & bike plan, drainage, and proposed landscaping and buffering.

Discussion followed on residential buffering as well as the price point, lot size, and design of the proposed development.

Further discussion followed on property zoning, home prices, and the intended end product of the development.

Chair Sonier opened the public hearing and asked if anyone would like to speak on the item.

Eleven individuals spoke in opposition of the item and one individual asked clarifying questions.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further questions or motion.

Discussion followed on potential amendments to the requested zone change, and lot size allowances under alternate zoning districts.

Chair Sonier invited the applicant to speak on the item.

Discussion followed on procedures regarding potential amendments to the requested zone change.

Motion by Commissioner Taylor, seconded by Commissioner Schaeffer, to recommend denial of the item to City Council. Motion carried unanimously (7-0-0).

Chair Sonier called for a brief recess at 6:58pm.

Chair Sonier reconvened the meeting at 7:07pm.

- B) SUP25-103 Public hearing and recommendation to City Council to rezone approximately 35 acres consisting of Lot 1, Block 1 of the FM 1102 35-Acre Tract Subdivision, from R-1A-6.6 AH (Single-Family District with Airport Hazard Overlay) and M-1A AH (Light Industrial District with Airport Hazard Overlay) to R-3L AH SUP (Multifamily Low Density District with Airport Hazard Overlay and a Type 1 Special Use Permit to allow multiple single-family dwelling units with alternate design standards), currently bounded by Hunter Road to the north and FM 1102 to the south, and situated at the intersection of Hunter Road and Rolling Field.

Mary Lovell presented the aforementioned item and recommended approval with the conditions listed in the staff report.

Chair Sonier asked if there were any questions for staff.

Discussion followed on the design of the proposed development.

Chair Sonier invited the applicant to speak on the item.

Shannon Mattingly elaborated on the request, discussing the size and existing zoning of the subject property, the intended project design, development standards allowed under both the existing and proposed zonings, conditions of the proposed SUP, communication efforts with neighboring property owners, and the proposed density of the project.

Discussion followed on the design of the proposed development, surrounding land use, development standards in similar residential zoning districts, and right-of-way dedication requirements.

Chair Sonier opened the public hearing and asked if anyone would like to speak on the item.

Twelve individuals spoke in opposition of the item, one individual

spoke in favor of the item, and two individuals asked questions to clarify the request.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further questions or motion.

Discussion followed on city growth and rights to develop, the intent and suitability of the proposed zoning district, service capacity of utilities, the existing zoning, potential conditions for a recommendation to City Council, the proposed design of the development, street maintenance, and conditions proposed by the applicant under the requested SUP,

Chair Sonier reopened the public hearing.

One individual asked for clarification regarding the intent of the request.

Discussion followed on the intent of the request and the uses allowed under the existing zoning.

Chair Sonier closed the public hearing.

Motion by Commissioner Schaeffer, seconded by Commissioner Allen, to recommend denial of the item to City Council. Motion carried (6-1-0), with Chair Sonier in opposition.

C) PZ25-0071 Public hearing and recommendation to City Council to rezone approximately 4 acres out of the J M Veramendi Survey, Abstract 2, from R-2 AH (Single-Family and Two-Family District with Airport Hazard Overlay) to C-4A AH (Resort Commercial District with Airport Hazard Overlay), currently addressed at 1251 Ervendberg Avenue

Commissioner Allsup returned to the dais at 8:03pm.

Commissioner Rudy stepped away from the dais at 8:04pm and returned at 8:05pm.

Amanda Mushinski presented the aforementioned item and recommended approval.

Chair Sonier asked if there were any questions for staff.

Discussion followed on nearby property zoning.

Chair Sonier invited the applicant to speak on the item.

Justin Holiday elaborated on the request, discussing the current condition and use of the property, the intent of the request, the zoning and uses of surrounding properties, communication efforts with neighboring property owners, and conceptual plans to utilize the property.

Discussion followed on the conceptually proposed use of the property.

Commissioner Miedema left the dais at 8:15pm.

Chair Sonier opened the public hearing and asked if anyone would like to speak on the item.

Two individuals spoke in opposition of the item, and one individual asked clarifying questions.

Commissioner Miedema returned to dais at 8:18pm.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further questions or motion.

Discussion followed on the current use of the subject property, use of surrounding properties, and the conceptually proposed use of the property.

Motion by Commissioner Rudy, seconded by Commissioner Allsup, to recommend approval of the item to City Council. Motion failed (3-5-0), with Commissioner Allen, Commissioner Miedema, Commissioner Schaeffer, Commissioner Taylor, and Vice-Chair Nolte in opposition.

Chair Sonier called a brief recess at 8:25pm.

Chair Sonier reconvened the meeting at 8:32pm.

D) PZ25-0095 Public hearing and recommendation to City Council to

rezone approximately 3.5 acres out of the J M Veramendi Survey, Abstract 2, from R-2 (Single-Family and Two-Family District) to M-1A (Light Industrial District), currently addressed at 556 Krueger Canyon

Amanda Mushinski presented the aforementioned item and recommended approval.

Chair Sonier asked if there were any questions for staff.

Chair Sonier invited the applicant to speak on the item.

LC Robbins elaborated on the request, discussing the intended use of the property, use of adjacent properties, and previously completed flood studies.

Brief discussion followed on buffering requirements for adjacent property located outside city limits and city jurisdiction.

Chair Sonier opened the public hearing and asked if anyone would like to speak on the item.

One individual spoke in favor of the item.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further questions or motion.

Motion by Vice-Chair Nolte, seconded by Commissioner Miedema, to recommend approval of the item to City Council. Motion carried unanimously, (8-0-0).

E) PZ25-0101 Public hearing and recommendation to City Council to rezone approximately 7 acres out of the J M Veramendi Survey, Abstract 2, from R-2 (Single-Family and Two-Family District), R-2 SUP (Single-Family and Two-Family District with an SUP to allow Commercial Uses), and C-1B (General Business District) to C-1B (General Business District), currently addressed at 2944 and 2956 Loop 337

Amanda Mushinski presented the aforementioned item and recommended approval.

Chair Sonier asked if there were any questions for staff.

No one spoke.

Chair Sonier invited the applicant to speak on the item.

Rusty Standt stated he was present to answer any questions.

Brief discussion followed on the intent of the request, if any buffering would be required for adjacent property located outside city limits, development requirements for the subject property, and city jurisdiction.

Chair Sonier opened the public hearing and asked if anyone would like to speak on the item.

No one spoke.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further questions or motion.

Discussion followed on the existing special use permit associated with the property, uses allowed by both the existing zoning and the requested zoning, and the uses allowed by the zoning of nearby developed properties.

Motion by Commissioner Taylor, seconded by Commissioner Rudy, to recommend approval of the item to City Council. Motion carried unanimously, (8-0-0).

F) PZ25-0105 Public hearing and recommendation to City Council to rezone approximately 0.1 acres out of the Church of Christ Subdivision, Block 1, Lot 1, and the Alyssa Way Subdivision, Block 1, Lot 1, from R-1 (Single-Family District) to C-1B (General Business District), located at the northeast corner of Alyssa Way and the State Highway 46 West intersection

Amanda Mushinski presented the aforementioned item and recommended approval.

Chair Sonier asked if there were any questions for staff.

No one spoke.

Chair Sonier invited the applicant to speak on the item.

Shannon Mattingly, elaborated on the request, discussing the existing zoning of the property and the intent of the request.

Chair Sonier opened the public hearing and asked if anyone would like to speak on the item.

No one spoke.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further questions or motion.

Motion by Commissioner Miedema, seconded by Vice-Chair Nolte, to recommend approval of the item to City Council. Motion carried unanimously, (8-0-0).

G) SUP25-094 Public hearing and recommendation to City Council to rezone approximately 0.30 acres out of Villa Rio, Block 1, Lot 2 from C-3 (Commercial District) to C-3 SUP (Commercial District with a Special Use Permit for Short-Term Rental of a Residence), currently addressed as 463 Barcelona Drive

Dana Moses presented the aforementioned item and recommended approval with the conditions listed in the staff report.

Chair Sonier asked if there were any questions for staff.

Brief discussion followed regarding neighboring properties response to the item and land use in the area.

Chair Sonier invited the applicant to speak on the item.

Gerardo Aguire stated he was present for any questions.

No one spoke.

Chair Sonier opened the public hearing and asked if anyone would like to speak on the item.

No one spoke.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further questions or motion.

Motion by Commissioner Miedema, seconded by Vice-Chair Nolte, to recommend approval of the item to City Council. Motion carried unanimously, (8-0-0).

H) SUP25-088 Public hearing and recommendation to City Council to rezone 0.25 acres out of the Mission Oaks Unit 5 Subdivision, Block 14, Lot 11, from R-3 (Multifamily District) to R-3 SUP (Multifamily District with a Special Use Permit for Short Term Rental), currently addressed at 13 & 15 Moss Rock Drive

Mary Lovell presented the aforementioned item and recommended approval with the conditions listed in the staff report.

Chair Sonier asked if there were any questions for staff.

Discussion followed on the existing zoning and use of both the subject property and surrounding properties, and short-term rental regulations.

Chair Sonier opened the public hearing and asked if anyone would like to speak on the item.

One individual spoke in opposition of the item.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further questions or motion.

Commissioner Rudy asked if a 3/4ths vote from City Council would be required to approve the item.

Mary Lovell confirmed.

Motion by Commissioner Schaeffer, seconded by Commissioner Taylor, to recommend denial of the item to City Council. Motion carried (7-1-0) with Commissioner Allen in opposition.

I) SUP25-084 Public hearing and recommendation to City Council to rezone approximately 0.21 acres out of the City Block 1059

Subdivision, Block 1059, Lot 7, from C-3 (Commercial District) to C-3 SUP (Commercial District with a Special Use Permit for Short Term Rental), currently addressed at 380 Kessler Street

Dana Moses presented the aforementioned item and recommended approval with the conditions listed in the staff report.

Chair Sonier asked if there were any questions for staff.

Brief discussion followed on short-term rental regulations regarding property maintenance.

Chair Sonier invited the applicant to speak on the item.

Bruce Schwarz stated he was available to answer any questions.

Discussion followed on the condition of the property and intended improvements.

Brief discussion followed on notification requirements.

Chair Sonier opened the public hearing and asked if anyone would like to speak on the item.

No one spoke.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further questions or motion.

Motion by Vice-Chair Nolte, seconded by Commissioner Allen, to recommend approval of the item with staff recommendations to City Council. Motion carried unanimously, (8-0-0).

J) Public hearing and recommendation to City Council regarding amendments to the City's Code of Ordinances in Chapter 144 Zoning, Section 1.4, Definitions and 5.3-4, Additional residential buffering requirements

Mary Lovell presented the aforementioned item and recommended approval.

Chair Sonier asked if there were any questions for staff.

Discussion followed on staff analysis on the potential impact of the proposed amendment.

Chair Sonier opened the public hearing and asked if anyone would like to speak on the item.

Two individuals spoke in opposition of the item, and two individuals spoke in favor of the item.

Discussion followed on the existing noise ordinance, enforcement, the language of the proposed amendment, potential alternatives to the proposed amendment, and challenges with the existing ordinance.

Chair Sonier continued the public hearing.

Three individuals spoke in opposition of the item.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further questions or motion.

Planning & Development Services Director Christopher Looney provided additional clarification of the item, discussing the history of the existing noise ordinance, the intent of the proposed amendments, enforcement capability, challenges regarding definitions, and potential revisions that could be made to the proposed amendments that could be included with the Commission's recommendation to City Council.

Discussion followed on potential revisions to the proposed amendments and enforcement challenges under the current noise ordinance.

Chair Sonier reopened public hearing.

One individual spoke in opposition of the item.

Chair Sonier closed the public hearing.

Discussion followed on potential alternatives to the proposed amendments.

Motion by Commissioner Schaeffer, seconded by Vice-Chair Nolte, to

recommend approval of the item with revisions to City Council. Motion carried (6-1-1) with Commissioner Allsup in opposition and Commissioner Taylor abstaining from the vote.

6. **ADJOURNMENT**

There being no further business Chair Sonier adjourned the meeting at 9:50pm.

By: _____
COMMISSION CHAIR

Attest:

COMMISSION LIAISON