

**PLANNING COMMISSION
Regular Meeting Minutes
April 2, 2019**

MEMBERS PRESENT

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

STAFF PRESENT

Jordan Matney, Assistant City Manager
Christopher J. Looney, Planning & Community Development Director
Stacy Snell, Assistant Director
Frank Onion, Assistant City Attorney
Melissa Reynolds, Assistant City Engineer
Holly Mullins, Senior Planner
Matt Greene, Planner
Matthew Simmont, Planner
Maddison O'Kelley, Planning Technician

MEMBERS ABSENT

John Mathis

The above meeting was called to order by Chair Edwards at 6:00 p.m. in the New Braunfels Council Chambers.

ROLL CALL

Roll was called, and a quorum was declared.

APPROVAL OF MINUTES

Motion by Commissioner Laskowski, seconded by Commissioner Meyer, to approve the regular meeting minutes of January 30, 2019 and the regular meeting minutes of February 5, 2019. Motion carried (8-0-0).

CITIZENS COMMUNICATION

None.

CONSENT AGENDA

PL-18-166 Approval of the preliminary plat for Spring Valley Subdivision, Unit 2.

(Applicant: Moeller & Associates; Case Manager: M. Simmont)

PL-19-006 Approval of the final plat for Klein Road C-Store.

(Applicant: Up Engineering; Case Manager: M. Greene)

PL-19-009 Approval of the preliminary plat for Deer Crest Subdivision, Unit 2.

(Applicant: HMT Engineering & Surveying; Case Manager: H. Mullins)

PL-19-012 Approval of the revised final plat for Deer Crest Subdivision, Unit 1.

(Applicant: HMT Engineering & Surveying; Case Manager: H. Mullins)

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

ITEMS FOR CONSIDERATION

PZ-19-003 Public hearing and recommendation to City Council regarding the proposed amendment to the "Cotton Cottages" Planned Development District (CCPD) Concept Plan, Detail Plan and related Development Standards, comprising 5.732 acres out of Lot 2A-1, F & M Hanz Estate Resubdivision, located on the south side of Hanz Drive between Loop 337 and Gruene Road.

(Applicant: Michael Flume; Case Manager: M. Greene)

Mr. Greene summarized the request and stated Staff recommended approval.

Commissioner Meyer asked if the amendments would continue to restrict short-term rentals on the property.

Mr. Greene stated that is correct.

Chair Edwards asked if anyone wished to speak in favor.

No one spoke.

Chair Edwards asked if anyone wished to speak in opposition.

No one spoke.

Motion by Commissioner Laskowski, seconded by Vice Chair Reaves, to close the public hearing. Motion carried (8-0-0).

Motion by Commissioner Meyer, seconded by Commissioner Nolte, to recommend approval to City Council regarding the proposed amendment to the "Cotton Cottages" Planned Development District (CCPD) Concept Plan, Detail Plan and related Development Standards, comprising 5.732 acres out of Lot 2A-1, F & M Hanz Estate Resubdivision, located on the south side of Hanz Drive between Loop 337 and Gruene Road. Motion carried (8-0-0).

PZ-19-004 Public hearing and recommendation to City Council regarding the proposed rezoning to apply a Special Use Permit to allow the short-term rental of a single-family residence in the "C-2" General Business District, addressed at 352 W. Mill Street.

(Applicant: Leslie Lammers and Tom Tumlinson; Case Manager: M. Simmont)

Mr. Simmont summarized the request and stated Staff recommended approval with the following conditions:

1. The applicant will complete construction of the proposed paved driveway and parking areas.
2. The residential character of the property must be maintained.
3. The property will remain in compliance with the approved site plan. Any significant changes to the site plan will require a revision to the SUP.

Chair Edwards invited the applicant to speak.

Leslie Lammers and Tom Tumlinson, 480 W. Mill Street, stated they were the applicants. Ms. Lammers stated they were currently operating two short-term rentals in New Braunfels and they lived close to the subject property which would allow oversight of the rental.

Commissioner Meyer asked the applicants if they would agree with reducing the maximum occupancy.

Discussion followed regarding the provided floor plan and occupancy standards.

Chair Edwards asked if anyone wished to speak in favor.

No one spoke.

Chair Edwards asked if anyone wished to speak in opposition.

No one spoke.

Motion by Commissioner Laskowski, seconded by Commission Tubb, to close the public hearing. Motion carried (8-0-0).

Motion by Commissioner Sonier, seconded by Commissioner Nolte, to recommend approval to City Council regarding the proposed rezoning to apply a Special Use Permit to allow the short-term rental of a single-family residence in the "C-2" General Business District, addressed at 352 W. Mill Street, with Staff recommendations.

Commissioner Laskowski expressed concerns regarding the maximum occupancy, citing the lack of common area in the home. He stated he believed the maximum occupancy should be limited to eight adults.

Motion by Commissioner Laskowski to amend the original motion to restrict the maximum occupancy to eight adults, seconded by Commissioner Gibson.

Discussion followed.

The motion failed (2-6-0) with Chair Edwards, Vice Chair Reaves, Commissioners Sonier, Meyer, Nolte, and Tubb in opposition.

Original motion by Commissioner Sonier, seconded by Commissioner Nolte, to recommend approval to City Council regarding the proposed rezoning to apply a Special Use Permit to allow the short-term rental of a single-family residence in the "C-2" General Business District, addressed at 352 W. Mill Street, with Staff recommendations. Motion carried (6-2-0) with Commissioners Laskowski and Gibson in opposition.

PZ-19-005 Public hearing and recommendation to City Council regarding the proposed rezoning to apply a Special Use Permit to allow the short-term rental of a single-family residence in the "C-O" Commercial Office District on 1.795 acres out of the AP Fuquay Survey 35 A-15, addressed at 1193 Gruene Road.

(Applicant: T.M. Savell; Case Manager: H. Mullins)

Mrs. Mullins summarized the request and stated Staff recommended approval with the following conditions:

1. The residential character of the property must be maintained.
2. The property will remain in compliance with the approved site plan. Any significant changes to the site plan will require a revision to the SUP.
3. All Supplemental Standards of Section 144-5.17-4 will be met.

Chair Edwards invited the applicant to speak.

Mark Savell, 1193 Gruene Road, stated he was the applicant. Mr. Savell stated he believed a short-term rental would be appropriate for the property and neighborhood.

Chair Edwards asked if anyone wished to speak in favor.

No one spoke.

Chair Edwards asked if anyone wished to speak in opposition.

No one spoke.

Motion by Commissioner Laskowski, seconded by Commissioner Gibson, to close the public hearing. Motion carried (8-0-0).

Motion by Commissioner Laskowski, seconded by Vice Chair Reaves, to recommend approval to City Council regarding the proposed rezoning to apply a Special Use Permit to allow the short-term rental of a single-family residence in the "C-O" Commercial Office District on 1.795 acres out of the AP Fuquay Survey 35 A-15, addressed at 1193 Gruene Road, with Staff recommendations. Motion carried (8-0-0).

PL-18-165 Discuss and consider the preliminary plat for Spring Valley Subdivision, Unit 1, with a waiver.

(Applicant: Moeller & Associates; Case Manager: M. Simmont)

Mr. Simmont summarized the request and stated Staff recommended approval, with the waiver, with the following requirements:

1. Provide an updated copy of the Travelstead Master Plan consistent with the plat phasing boundary.
2. Update the sidewalk notes to include all common/HOA lots.
3. Updated TIA report shall be submitted with the preliminary plat.
4. Revise plat notes #10 and #11 to reflect the correct number of lots.
 - a. Revise "Lot Summary" table on page 3 accordingly.
5. Remove 55-foot radius label on roundabout at NE terminus of Jennifer Way.
6. Hammerhead turnaround at SW terminus of Jennifer Way shall be *depicted and labeled* as an easement with a dashed line type.
7. Provide access to lot 901, block 1. Either combine lots 900 and 901, block 1 into one lot, or combine lots 901 and 902, block 1 into one lot. In both cases, defined drainage easement shall remain within dashed line boundary with dimensions.
 - a. Revise plat notes #3.2 and #4 to conform with changes.
8. Revise all "D.E." lot labels to "drainage" lots. Note: drainage *easements* shall be defined with a dashed line boundary and dimensioned within non-buildable lots.
9. Abandon 20-foot sewer line R.O.W. agreement (Doc. No. 200206024485, OPRCCT).
 - a. Provide recorded abandonment documentation.

Discussion followed regarding street connectivity.

Commissioner Gibson expressed concerns regarding the traffic impact on Stone Gate Drive and pedestrian safety.

Discussion followed.

Chair Edwards invited the applicant to speak.

James Ingalls, Moeller & Associates, stated he would speak on behalf of the applicant.

Motion by Commissioner Laskowski, seconded by Commissioner Sonier to approve the preliminary plat for Spring Valley Subdivision, Unit 1, with a waiver, with Staff recommendations. Motion carried (8-0-0).

PL-19-008 Discuss and consider the final plat for Veramendi EST No. 1, with a waiver.

(Applicant: Veramendi PE – Brisbane, LLC; Case Manager: M. Simmont)

Mr. Simmont summarized the request and recommended approval, with the waiver.

Motion by Vice Chair Reaves, seconded by Commissioner Gibson, to approve the final plat for Veramendi EST No. 1, with the waiver. Motion carried (8-0-0).

PL-19-010 Public hearing and consideration of the replat of Lots 3, 4 and a portion of Lot 2, Block 4, New City Block 5078, establishing Lots 3R and 4R.

(Applicant: Wayne Davis; Case Manager: M. Simmont)

Mr. Simmont summarized the request and recommended approval.

Commissioner Sonier left the dais at 6:38 p.m.

Chair Edwards invited the applicant to speak.

Chris Van Herde, HMT Surveying & Engineering, stated he would answer questions on behalf of the applicant.

Chair Edwards asked if anyone was in favor.

No one spoke.

Chair Edwards asked if anyone wished to speak in opposition.

No one spoke.

Motion by Commissioner Laskowski, seconded by Commissioner Nolte, to close the public hearing. Motion carried (7-0-0).

Motion by Commissioner Laskowski, seconded by Commissioner Tubb, to approve the replat of Lots 3, 4 and a portion of Lot 2, Block 4, New City Block 5078, establishing Lots 3R and 4R. Motion carried (7-0-0).

DIRECTORS REPORT

Mr. Looney provided a brief update for the Commission regarding the Ad Hoc Planning Group. He stated the next meeting will be held on April 17, 2019 and there would be discussion regarding drainage, roadway warranties and Homeowner's Associations.

Mr. Looney introduced the Commission to Jordan Matney as the new Assistant City Manager. The Commission welcomed her.

Commissioner Sonier returned to the dais at 6:42 p.m.

ADJOURNMENT

There being no further business, Chair Edwards adjourned the meeting at 6:42 p.m.



Chair

Date

