

**Planning Commission
Regular Meeting Minutes
May 7, 2024**

Members Present

Chair Lee Edwards
Vice-Chair Ron Reaves
Angela Allen
Bernard Miedema
Chad Nolte
Jerry Sonier

Members Absent

Kurt Andersen-Vie
Taylor Chafin

Staff Present

Nathan Brown, Assistant City Attorney
Jean Drew, Assistant Director of Planning & Development Services
Matthew Simmont, Planning Manager
Mary Lovell, Senior Planner
Amanda Mushinski, Planner
Colton Barker, Assistant Planner

1. CALL TO ORDER

The meeting was called to order by Chair Edwards at 6:00pm.

2. ROLL CALL

Roll was called and a quorum was declared.

3. APPROVAL OF MINUTES

Motion by Commissioner Sonier, seconded by Commissioner Miedema, to approve the Regular Meeting Minutes of March 5, 2024 and April 2, 2024, as presented. Motion carried unanimously.

4. CITIZENS COMMUNICATION

No one spoke.

5. BRIEFINGS

FEMA Presentation on flood risk regulation.

Brad Case conducted the presentation via Zoom.

Brief discussion followed on flood plain regulation and how properties located within the floodplain are affected when developing.

6. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) ORD24-130 Public hearing and recommendation to City Council to amend Chapter 144 Zoning, Section 5.12, Automobile or trailer sales rooms or yards or sales of outdoor merchandise. (Presented by Mary Lovell, CNU-A, Senior Planner)**

Mary Lovell presented the above-mentioned item and recommended approval with the recommendations listed in the staff report.

Chair Edwards asked if there were any questions for staff.

Discussion followed on the intent of the proposed amendment and who would be affected by the change.

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 further discussion or a motion.

Motion by Commissioner Sonier, seconded by Commissioner Nolte, to recommend approval with staff recommendations to City Council regarding proposed amendments to Chapter 144 Zoning, Section 5.12, Automobile or trailer sales rooms or yards or sales of outdoor merchandise. Motion carried (6-0-0).

- B) SUP24-090 Public hearing and recommendation to City Council to rezone 0.1275 acres out of City Block 5101, Lot S 101 of W 55 of Lot 91 from M-1 (Light Industrial District) to M-1 SUP (Light Industrial District, with a Special Use Permit for Short-Term Rental of a Residence), currently addressed as 311 E Torrey St. (Applicant: Two Eleven Investments, LLC, Kristy Russo, DBA; Owner: Excalibur Properties 723; Case Manager: Amanda Mushinski, CNU-A, Planner)**

Amanda Mushinski presented the above-mentioned item and recommended approval with the conditions listed in the staff report.

Chair Edwards asked for confirmation of the zoning district of the property.

Chair Edwards invited the applicant to speak.

Jerry Simmons elaborated on the request and provided a brief history of the property.

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 further discussion or a motion.

Motion by Commissioner Sonier, seconded by Commissioner Miedema, to recommend approval with staff recommendations to City Council regarding a proposed rezoning of approximately 0.1275 acres out of City Block 5101, Lot S 101 of W 55 of Lot 91 from M-1 (Light Industrial District) to M-1 SUP (Light Industrial District, with a Special Use Permit for Short-Term Rental of a Residence), currently addressed as 311 E Torrey St. Motion carried (6-0-0).

- C) SUP24-117 Public hearing and recommendation to City Council to rezone approximately 9.8 acres out of Lot 4A-R & 5A-R, Block 10, Town of Gruene Subdivision and Lot 12B, Block H, Cypress Rapids at Gruene Section 1 Subdivision, from R-2 AH (Single-Family and Two-Family District, Airport Hazard Overlay) and C-2 AH (General Business District, Airport Hazard Overlay) to R-2 AH SUP (Single-Family and Two-Family District, Airport Hazard Overlay with a Special Use Permit for a Parking Lot) and C-2 AH SUP (General Business District, Airport Hazard Overlay with a Special Use Permit for a Parking Lot), located northeast of the intersection of Gruene Road and Sunnybrook Drive. (Applicant: Katherine Crowe & TJ Grossi, Schumann Consulting; Owner: Gruene Texas 90 LLC; Case Manager: Mary Lovell, CNU-A, Senior Planner)**

Mary Lovell presented the above-mentioned item.

Chair Edwards asked if there were any questions for staff.

Discussion followed on the proposed use of the property as a parking lot, residential buffer wall requirements and process, applicant requested deviations from city code, and staff recommended conditions.

Chair Edwards invited the applicant to speak.

TJ Grossi addressed the Commissions concerns regarding residential buffer wall requirements and elaborated on the request with the aid of a presentation.

Discussion followed on applicant proposed deviations from city code, previous use of the property and its current condition, drainage, irrigation, landscaping, residential buffering, parking lot striping, and

communication efforts with neighboring residents.

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

The following individuals spoke in favor of the item: Brooke Irely.

Chair Edwards closed the public hearing.

Chair Edwards asked if there were further discussion or a motion.

Motion by Commissioner Sonier, seconded by Commissioner Nolte, to recommend approval of the item with staff recommended conditions to City Council. Motion carried unanimously (6-0-0).

Grossi requested clarification as to what the Commission motioned to recommend to City Council as there were staff recommended conditions that the applicant did not agree with.

Commissioner Sonier stated he would like to rescind his previous motion.

Motion by Commissioner Miedema, seconded by Commissioner Sonier to reopen discussion of the item. Motion carried unanimously.

Motion by Commissioner Sonier, seconded by Commissioner Nolte, to withdraw and revise the original motion. Motion carried unanimously.

Discussion followed clarifying the desired recommendation of the Commission, requested deviations from City Code to be included, access, the current state of trees on the property, planned improvements, effects on neighboring properties, and opposition to the request.

Chris Wilson stated that the residents in the area did not want the required residential buffer wall and discussed a concern for privacy.

Motion by Chair Edwards, seconded by Commissioner Sonier to recommend approval of the item to City Council with the following conditions and allowances:

1. Plant up to the total number of caliper inches of trees that would be required under the current code (parking lot shade trees and residential buffer trees, calculated to be 189. Applicant may also opt to pay a fee into the city's tree mitigation fund at a rate of \$175.00 per caliper inch, for the remainder of the caliper inches that the applicant opts not to plant on the subject property.
2. Submit a tree removal permit before applying for a building permit and plant any required replacement trees on the subject property or pay the appropriate fees into the city's tree mitigation fund.
3. Hand-watering is allowed as an alternative to installing an irrigation system.
4. Allow the existing 6-foot-tall wood fences separating the subject property and the adjacent residential properties instead of the six-foot-tall (minimum) to eight-foot-tall (maximum) solid screen residential buffer wall.
5. Utilize wheel stops to delineate parking spaces.
6. A 5-foot planting strip in between rows as shown on the submitted exhibit instead of the 180square feet minimum area island requirement for single-row parking.
7. Development of the site is to be in compliance with all of the standard construction requirements for the approved use at the time of construction permit, including drainage plans, traffic impact analysis, driveway location, and landscaping that is not otherwise described.

Motion carried unanimously.

7. ADJOURNMENT

There being no further business, Chair Edwards adjourned the meeting at 7:40pm.

Chair _____

Date _____