

**Planning Commission
Regular Meeting Minutes
October 4, 2023**

Members Present

Chair Lee Edwards
Vice Chair Ron Reaves
Angela Allen
Kurt Andersen-Vie
Taylor Chafin
Bernard Miedema
Jerry Sonier

Members Absent

Chad Nolte
Cinderella Von Hach

Staff Present

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

1. CALL TO ORDER

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 Commissioner Chafin, seconded by Commissioner Sonier, to approve the Regular Meeting Minutes of September 6, 2023, as presented. Motion carried (7-0-0).

4. CITIZENS COMMUNICATION

The following individuals spoke at this time: Kate Villanueva

5. BRIEFINGS

No items.

6. CONSENT AGENDA

- A) FP23-0363 Approval of the final plat establishing Spring Valley Subdivision, Unit 3, with conditions.** *(Applicant: INK Civil; James Ingalls, P.E.; Owner: Stephen Lieux; Case Manager: Laure Middleton)*
- B) FP23-0361 Approval of the final plat establishing Pecan Crossing Commercial Subdivision, with conditions.** *(Applicant: INK Civil; James Ingalls, P.E.; Owner: HW Pecan Crossing, LLC; Charlie Aycock; Case Manager: Laure Middleton)*

Motion by Commissioner Sonier, seconded by Commissioner Miedema, to approve the consent agenda. Motion carried (7-0-0).

7. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) SUP23-265 Public hearing and recommendation to City Council to rezone 0.38 acres out of New City Block 4071, Schneider Addition, Lots 7 & 8, from SND-1 (Special Neighborhood District-1) to R-3L (Multifamily Low-Density District) currently addressed at 605 South Santa Clara Avenue.** *(Applicant: Killen, Griffin & Farrimond PLLC, James B. Griffin; Owner: Matthew T. Goles; Case Manager: Amanda Mushinski)*

Amanda Mushinski presented the aforementioned item and recommended approval as stated in the staff report.

Chair Edwards asked if there were any questions for staff.

Discussion followed on R-3L height restrictions.

Chair Edwards invited the applicant to speak.

James Griffin elaborated on the request with the aid of a presentation.

Discussion followed on the design of the residential units and parking lot of the proposed development, as well as ownership of the residential units and R-3L development standards.

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

The following individuals spoke in opposition of the request: Donald Zercher, Tim Word, Stacie Zercher.

Matthew Simmont provided clarification regarding zone change procedures and code requirements regarding new development.

Chair Edwards closed the public hearing.

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

Discussion followed on revisions made to the original proposal, public notification procedures, the need for middle housing developments, current and previous zoning of the area, and development standards of SND-1 and R-3L.

Commissioner Miedema left the dais at 6:51pm.

Commissioner Miedema returned to the dais at 6:54pm.

Discussion followed on public notification procedures, and current SND-1 zoning of the property.

Motion by Commissioner Sonier, seconded by Commissioner Miedema, to recommend approval to City Council regarding the proposed rezoning of 0.38 acres out of New City Block 4071, Schneider Addition, Lots 7 & 8, from SND-1 (Special Neighborhood District-1) to R-3L (Multifamily Low-Density District) currently addressed at 605 South Santa Clara Avenue. Motion carried (4-3-0) with opposition from Commissioner Chafin, Commissioner Allen, and Commissioner Sonier.

- B) SUP23-303 Public hearing and recommendation to City Council to rezone 3.058 acres out of the A.P. Fuquay Survey No. 35, Abstract No. 155, Comal County, Texas from C-1Br37 AH (General Business District with Restrictions and Airport Overlay) to C-1Br37 AH SUP (General Business District with Restrictions and Airport Overlay, with a Special Use Permit), located northwest of Hunter Road, between Old FM 306 and FM 306. (Applicant: Joseph Reeves & Susan Reeves; Owner: Big Daisy Realty, LLC; Case Manager: Mary Lovell)**

Mary Lovell stated that the applicant had requested a postponement of the item and that new public notification will be made prior to another public hearing.

Matthew Simmont clarified that the item was postponed from the September 6, 2023 Planning Commission meeting to be heard at the October 4, 2023 meeting, and stated that the applicant had changed their application in that time. Simmont stated new public notification will be sent out for the revised request and that no vote was needed at this time.

- C) PZ23-0336 Public hearing and recommendation to City Council to rezone 0.255 acres out of Walnut Hills Subdivision, Lot 1, from R-2 (Single-Family and Two-Family District) to C-1A (Neighborhood Business District), currently addressed at 1417 North Walnut Avenue. (Applicant/Owner: Xiaohuan Huang; Case Manager: Amanda Mushinski)**

Amanda Mushinski presented the aforementioned item and recommended approval as stated in the staff report.

Chair Edwards asked if there were any questions for staff.

Discussion followed on parking lot development standards.

Chair Edwards invited the applicant to speak.

Katie Fritch, representing the owner, stated they were present to answer any questions.

Discussion followed on parking requirements and ownership of adjacent properties.

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 Vice-Chair Reaves, seconded by Commissioner Sonier, to recommend approval to City Council regarding the proposed rezoning of 0.255 acres out of Walnut Hills Subdivision, Lot 1, from R-2 (Single-Family and Two-Family District) to C-1A (Neighborhood Business District), currently addressed at 1417 North Walnut Avenue. Motion carried (7-0-0).

- D) PZ23-0349 Public hearing and recommendation to City Council to rezone approximately 25.59 acres out of the John Thompson Survey No. 21, Abstract No. 608, Comal County, Texas, from APD (Agricultural/Pre-development District) to R-3H (Multifamily High Density District), TH-A (Townhome Residential District), and C1-B (General Business District), currently addressed at 1890 FM 1044. (Applicant: Sergio Lozano-Sanchez, P.E.; Owner: FM 1044 Real Estate, LLC; Case Manager: Mary Lovell)**

Mary Lovell presented the aforementioned item and recommended approval as stated in the staff report.

Commissioner Sonier left the dais at 7:06pm.

Discussion followed on the proposed number of units per acre, height restrictions, and public improvement requirements on County Line Rd.

Commissioner Sonier returned to the dais at 7:09pm

Chair Edwards invited the applicant to speak.

Sergio Lozano elaborated on the request discussing development configuration, zoning of the property, distances to nearby residents, the dedication of land for public improvements, and stated an intent to communicate with neighboring residents regarding the proposed development.

Discussion followed on project renderings, the height of the proposed buildings, parking, and fencing.

Matthew Simmont clarified that the request was to change the base zoning districts of the property and that no design component was required with the request, but any proposed development would need to comply with applicable building codes and setbacks and other development standards of multifamily developments and of the proposed zoning district.

Discussion followed on public improvement requirements.

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

The following individuals spoke in opposition of the request: Nashawn Meneley, Ken Winslow, Laurel Winslow, Angela Staab, John Malik, Derrik Haley, Karma Delgado, Rodney Doyle, and Tommy Basik.

Kate Villanueva asked about the potential of traffic light installation at County Line Rd and FM 1044 when the roadway is extended.

Discussion followed on public improvement requirements and process, access, proposed uses, and multifamily development standards.

Commissioner Miedema left the dais at 7:33pm.

Commissioner Miedema returned to the dais at 7:35pm.

Discussion then followed on TxDOT roadway regulations, drainage requirements, ownership of multifamily developments, and traffic.

Tommy Vasek then spoke in opposition of the item.

Chair Edwards closed the public hearing.

Discussion followed on topographic characteristics of the area and drainage, the zone change request, and the presented concept plan for the proposed development.

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

Motion by Vice-Chair Reaves, seconded by Commissioner Allen, to recommend denial to City Council regarding the proposed rezoning of 25.59 acres out of the John Thompson Survey No. 21, Abstract No. 608, Comal County, Texas, from APD (Agricultural/Pre-development District) to R-3H (Multifamily High Density District), TH-A (Townhome Residential District), and C1-B (General Business District), currently addressed at 1890 FM 1044. Motion passed (6-1-0) with Chair Edwards in opposition.

8. STAFF REPORT

No items.

9. ADJOURNMENT

There being no further business, Chair Edwards adjourned the meeting at 7:45pm.

Chair

Date