

**Planning Commission
Regular Meeting Minutes
December 1, 2020**

Members Present

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

Staff Present

Christopher J. Looney, Planning Director
Stacy Snell, Planning Manager
Frank Onion, Assistant City Attorney
Jeff Jewell, Director of Economic and
Community Development
Holly Mullins, Senior Planner
Matt Greene, Planner
Matthew Simmont, Planner
Sam Hunter, Planning Technician

Members Absent

Shawn 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 Member Sonier, to approve the regular meeting minutes of November 4, 2020. Motion carried (7-0-1) with Chair Edwards abstaining.

4. CITIZENS COMMUNICATION

Chair Edwards stated in person communication had been temporarily suspended due to COVID-19 and encouraged the public to send their comments in emails to planning@nbtexas.org which will be distributed to the Commissioners.

5. CONSENT AGENDA

FP20-0263 Approval of the final plat for Laubach Subdivision Unit 5 with conditions.

Applicant: Tim Gorena; HMT Engineering & Surveying

FP20-0264 Approval of the final plat for Laubach Subdivision Unit 6 with conditions.

Applicant: Tim Gorena; HMT Engineering & Surveying

FP20-0265 Approval of the final plat for Solms Landing Collector, Phase 1A.

Applicant: Nick Reynolds; KFW Engineers

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

A) Presentation and discussion of Workforce Housing Advisory Committee Initiatives and work plan.

Mr. Jewell presented on the formation and progress of the Workforce Housing Action Committee, affordable housing conditions in New Braunfels, and next steps & initiatives.

Discussion followed on developer fees and code requirements.

Commissioner Reaves asked about the scope of the committee.

Discussion followed.

Discussion followed on input for potential solutions.

Maria Flasher, 622 Ridgehorn, stated her struggles with buying a home in New Braunfels.

Sandra Harrison, 2753 Ridgehorn, stated concerns with affordable housing affecting local property values.

Discussion followed.

Stephanie Kokkeby, 2750 Ridgeforest, stated she agreed with the previous comment.

Kristin York, 2757 Ridgeforest, commented on upcoming item E.

Chair Edwards stated item E will be addressed and open to public comment later on in the meeting.

Discussion followed on the previous concerns raised.

Joe Ward, 2727 Ridgearbor, asked questions on item E.

Chair Edwards asked to address Item E as the next item.

Motion by Vice Chair Laskowski, seconded by Member Nolte, to address item E as the next item in the agenda.

E) 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 all 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; Owner: Gregory Family Revocable Trust; Case Manager: Matthew Simmont.

Mr. Simmont stated the applicant requested postponement of the item.

Discussion followed on the intent of the postponement.

Chair Edwards asked if the applicant could comment on the nature of the postponement.

Chris Krim, 290 S Castell Street, HMT, stated the applicant is asking for postponement to review comments and concerns from the public.

Discussion followed.

Motion by Commissioner Meyer, seconded by Commissioner Sonier, allow the applicant to postpone consideration 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 all 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. Motion carried (8-0-0).

Discussion followed on the public notice.

Motion by Commissioner Meyer, seconded by Commissioner Sonier, to amend the previous motion to include the requirement of public notice for any changes made before the January 5, 2021 regular meeting. Motion carried (8-0-0).

B) PZ20-0203 Public hearing and recommendation to City Council regarding a proposed rezoning of approximately 38 acres out of Subdivision No. 112 of the A.M. Esnaurizar Eleven League Grant, located on SH 46 South, adjacent to Stonegate Subdivision, from “APD” Agricultural/Pre-Development District and “PD” Planned Development District to “ZH-A” Zero Lot Line Home District. Applicant/Owner: Rick Rodriguez, Brass Real Estate Growth Fund IV LP; Case Manager: Matt Greene.

Mr. Greene presented and recommended approval.

Chair Edwards asked if there were any questions.

Discussion followed for clarification on the current Planned Development zoning on the subject property and vehicular access into and out of the subdivision.

Discussion followed.

Commissioner Reaves asked about drainage.

Mr. Greene stated this has not been discussed at the zoning level.

Chair Edwards asked if the applicant would like to speak.

Taylor Allen, WGI Engineering, 710 W Hausman Rd, elaborated on previous discussion.

Discussion followed.

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

Sean Smith, representing the developer, 85 NE Loop 410, stated he is able to answer any further questions from the commission.

Chair Edwards asked if anyone wanted to speak in opposition.

No one spoke.

Chair Edwards closed the public hearing.

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

Motion by Vice Chair Laskowski, seconded by Commissioner Tubb, to recommend approval to City Council of the proposed rezoning of approximately 38 acres out of Subdivision No. 112 of the A.M. Esnaurizar Eleven League Grant, located on SH 46 South, adjacent to Stonegate Subdivision, from “APD” Agricultural/Pre-Development District and “PD” Planned Development District to “ZH-A” Zero Lot Line Home District. Motion carried (5-3-0) with Commissioner Reaves, Commissioner Mathis, and Commissioner Meyer in opposition.

C) SUP20-254 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow a single family residential use in the “M-1” Light Industrial District on 0.22 acres out of Lots 240 and 241 NCB 2014, addressed at 394 N Market Avenue. Case Manager: Holly Mullins.

Mrs. Mullins presented and recommended approval.

Chair Edwards asked if there were any questions for staff.

Chair Edwards asked if the applicant would like to speak.

Kay Kobeski, 394 N Market Ave, stated she is present to answer any questions for staff.

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

No one spoke.

Chair Edwards asked if anyone wanted to speak in opposition.

No one spoke.

Chair Edwards closed the public hearing.

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

Motion by Commissioner Sonier, seconded by Commissioner Reaves, to recommend approval to City Council of the proposed rezoning to apply a Special Use Permit to allow a single family residential use in the "M-1" Light Industrial District on 0.22 acres out of Lots 240 and 241 NCB 2014, addressed at 394 N Market Avenue with staff recommendations. Motion carried (8-0-0).

D) SUP20-258 Public hearing and recommendation to City Council regarding a proposed amendment to an existing Special Use Permit for an animal shelter to allow an additional building and parking lot for the purpose of spaying and neutering dogs and cats at 3353 Morningside Drive. Applicant/Owner: Humane Society of the New Braunfels Area (Sarah Hammond); Case Manager: Matt Greene.

Mr. Greene presented and recommended approval of the request.

Chair Edwards asked if there were any questions for staff.

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

No one spoke.

Chair Edwards asked if anyone wanted to speak in opposition.

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 Sonier, to recommend approval to City Council of the proposed amendment to an existing Special Use Permit for an animal shelter to allow an additional building and parking lot for the purpose of spaying and neutering dogs and cats at 3353 Morningside Drive. Motion carried (8-0-0).

F) ORD19-249 Public hearing and recommendation of an ordinance amending Chapter 144, Zoning, Section 144-1.4, Definitions, to include new use terms; Sections 3.3 and 3.4 Zoning districts and regulations for property zoned prior to and subsequent to June 22, 1987, and Section 3.8, Walnut Special District, to temporarily suspend Building Design Standards; Section 4.2, Land Use Matrix,

to identify districts allowing the new uses; Section 5.1, Parking, to identify parking standards for new uses and to clarify parking requirements; Section 5.4 to clarify accessory structure requirements; and, Section 5.21, General Provisions, to clarify exceptions for front porches in yard setbacks, and to clarify rear yard requirements for lots abutting drainage easements. Case Manager: Jean Drew.

Mrs. Drew presented on the proposed code amendments.

Chair Edwards asked if there were any questions for staff.

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

No one spoke.

Chair Edwards asked if anyone wanted to speak in opposition.

No one spoke.

Chair Edwards closed the public hearing.

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

Motion by Commissioner Sonier, seconded by Vice Chair Laskowski, to recommend approval to City Council of the proposed ordinance amending Chapter 144, Zoning, Section 144-1.4, Definitions, to include new use terms; Sections 3.3 and 3.4 Zoning districts and regulations for property zoned prior to and subsequent to June 22, 1987, and Section 3.8, Walnut Special District, to temporarily suspend Building Design Standards; Section 4.2, Land Use Matrix, to identify districts allowing the new uses; Section 5.1, Parking, to identify parking standards for new uses and to clarify parking requirements; Section 5.4 to clarify accessory structure requirements; and, Section 5.21, General Provisions, to clarify exceptions for front porches in yard setbacks, and to clarify rear yard requirements for lots abutting drainage easements. Motion carried (8-0-0).

G) WVR20-225 Consideration of a waiver to Section 118-44 of the Subdivision Platting Ordinance to allow block lengths to exceed 1,200 feet in the proposed Preserve at Elm Creek Subdivision.

Applicant: William B. Ball, P.E., HMT Engineering & Surveying; Owner: JHJ Land and Cattle Company Holdings, LLC.; Case Manager: Matthew Simmont

Mr. Simmont presented. Staff recommended approval to three of the proposed eight block waivers:

1. Two blocks adjacent to the existing Vintage Oaks at the Vineyard subdivision since the proposed development is limited to the existing street layout of the adjacent subdivided property.
2. One block adjacent FM 2722, staff recognizes TxDOT's preference of limiting the number of access points along the minor arterial.

Chair Edwards asked if there were any questions for staff.

Chair Edwards asked if the applicant would like to speak.

Bill Ball, HMT, 290 S Castell St, elaborated the nature of the request and the environmental context of the area.

Discussion followed for clarification on the requested waiver.

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

Discussion followed on the motion.

Motion by Vice Chair Laskowski, seconded by Commissioner Sonier, to approve the proposed waiver to Section 118-44 of the Subdivision Platting Ordinance to allow block lengths to exceed 1,200 feet in the proposed Preserve at Elm Creek Subdivision with staff recommendations and with the condition that three (3) additional street projections to adjoining unsubdivided areas are provided with the subdivision; one within each proposed unit, for Units 2, 3 and 4. Motion carried (8-0-0).

H) WVR20-226 Consideration of a waiver to Section 118-46(s)(11) of the Subdivision Platting Ordinance to allow proposed lots to not comply with the minimum required frontage of 100 feet as required for the large lot street standard in the proposed Preserve at Elm Creek Subdivision.
Applicant: William B. Ball, P.E., HMT Engineering & Surveying; Owner: JHJ Land and Cattle Company Holdings, LLC; Case Manager: Matthew Simmont

Mr. Simmont presented and stated staff is in opposition of the request.

Chair Edwards asked if there were any questions for staff.

Discussion followed on the interaction of the applicant's previous request with item 6A.

Chair Edwards asked if the applicant would like to speak.

Bill Ball, 290 S Castell, HMT, provided clarification on the intent behind the request.

Discussion followed on stub-outs and the motion.

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

Motion by Chair Edwards, seconded by Commissioner Sonier, to approve the proposed waiver to Section 118-46(s)(11) of the Subdivision Platting Ordinance to allow proposed lots to not comply with the minimum required frontage of 100 feet as required for the large lot street standard in the proposed Preserve at Elm Creek Subdivision with the condition that the 18 lots must have a minimum of 100 feet of lot width to be measured at the 25-foot front setback (from the front property line). Motion carried (8-0-0).

I) WVR20-260 Consideration of a waiver to Section 118-46(j) of the Subdivision Platting Ordinance to not require a temporary turnaround in Heatherfield Subdivision, Unit 3.
Applicant: Tim Gorena, P.E., HMT Engineering & Surveying; Owner: Pulte Homes of Texas, LP (Sean Miller, Division Director of Land Acquisition); Case Manager: Matt Greene.

Mr. Greene presented and stated staff does not oppose approval of the request.

Chair Edwards asked if there were any questions for staff.

Motion by Vice Chair Laskowski, seconded by Commissioner Sonier, to approve the proposed waiver to Section 118-46(j) of the Subdivision Platting Ordinance to not require a temporary turnaround in Heatherfield Subdivision, Unit 3. Motion carried (8-0-0).

J) WVR20-261 Discuss and consider a recommendation to City Council regarding a request for a waiver to the Subdivision Platting Ordinance to allow payment of escrow in lieu of construction of 4-foot wide public sidewalks adjacent to West Zipp Road for Unit 1 of the Voges Subdivision.
Applicant: Tim Gorena, P.E., HMT Engineering & Surveying; Owner: Rausch Coleman Homes San Antonio, LLC; Case Manager:

Chair Edwards stated the item has been withdrawn by the applicant.

K) WVR20-262 Consideration of a waiver to Section 118-46(j) of the Subdivision Platting Ordinance to not require a temporary turnaround for August Fields Subdivision, Phase 5.
Applicant: Bill Ball, P.E., HMT Engineering & Surveying; Owner: August Fields, LP (Barth Timmerman)

Mr. Greene presented and stated staff does not oppose approval of the request.

Chair Edwards asked if there were any questions for staff.

Chair Edwards opened the item for public comment and asked if anyone wished to speak.

No one spoke.

Chair Edwards closed the public comments.

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

Motion by Vice Chair Laskowski, seconded by Commissioner Tubbs, to approve the proposed waiver to Section 118-46(j) of the Subdivision Platting Ordinance to not require a temporary turnaround for August Fields Subdivision, Phase 5 with staff recommendations. Motion carried (8-0-0).

7. STAFF REPORT

None.

8 ADJOURNMENT

There being no further business, Chair Edwards adjourned the meeting at 8:54 pm.

Chair

Date