Planning Commission
Regular Meeting Minutes
November 2, 2021

Members Present
Chair Lee Edwards
Vice Chair Stanley Laskowski
Ron Reaves
Jerry Sonier
Creighton Tubb
Kurt Andersen-Vie
Shaun Gibson
Chad Nolte
John Mathis

Staff Present
Christopher J. Looney, Director of Planning and Development Services
Frank Onion, Assistant City Attorney
Jean Drew, Assistant Director of Planning and Development Services
Stacy Snell, Planning Manager
Garry Ford, Assistant Public Works Director/ City Engineer
Holly Mullins, Senior Planner
Matthew Simmont, Senior Planner
Matt Greene, Senior Planner
Sam Hunter, Assistant Planner

Members Absent

Creighton Tubb

1. **The above meeting was called to order by Chair Edwards at 6:00 p.m.**

2. **ROLL CALL**
Roll was called at 6:00pm, and a quorum was declared.

3. **APPROVAL OF MINUTES**
Motion by Vice Chair Laskowski, seconded by Commissioner Sonier, to approve the regular meeting minutes of October 6, 2021 as presented. Motion carried (8-0-0).

4. **CITIZENS COMMUNICATION**
Jessica Haughton spoke on her concern over the lack of sidewalks to the New Braunfels Middle School on Settlers Crossing.

5. **CONSENT AGENDA**
   - A) **FP21-0359 Approval of the final plat for Highland Ridge, Unit 1 with conditions.**
     Applicant: HMT Engineering & Surveying (Chris Van Heerde, P.E.)
     Owner: HVH Homes, LLC (Derek Milikien)
   - B) **FP21-0361 Approval of the final plat for Courtyard Business Center, Unit 5 with conditions.**
     Applicant: INK Civil (James Ingalls, P.E.)
     Owner: Hollmig Family Partnership; Craig Hollmig

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

6. **INDIVIDUAL ITEMS FOR CONSIDERATION**
A) SUP21-318 Public hearing and recommendation to the City Council regarding a proposed rezoning to apply a Special Use Permit to allow 75 dwelling units where lot area allows a maximum of 64, through the conversion of existing hotel guestrooms into studio apartments in the "C-3 AH" Commercial District Airport Hazard Overlay, on Lots 3C and 3D, JM Subdivision, addressed at 1533 IH-35 North. *Applicant/Owner Dan Norville, Vivo Investment Group; Case Manager: Holly Mullins*

Mrs. Mullins presented and recommended approval as stated in staff report, with the condition that the site plan be approved with the Type 2 Special Use Permit.

Chair Edwards asked if there were questions for staff.

No one spoke.

Chair Edwards asked if the applicant would like to speak.

Dan Norville stated he is present to answer any questions and elaborated on the request.

Discussion followed on the amenities being provided and the reasoning, the time frame of the rentals, the other Vivo apartments in the county, the style of housing, square footage per unit, and government subsidy.

Chair Edwards asked if anyone would like to speak in favor of the request.

No one spoke.

Chair Edwards asked if anyone would like to speak in opposition of the request.

No one spoke.

Chair Edwards closed the public hearing.

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

Motion by Vice Chair Laskowski, seconded by Commissioner Sonier, to recommend approval of the proposed rezoning to apply a Special Use Permit to allow 75 dwelling units where lot area allows a maximum of 64, through the conversion of existing hotel guestrooms into studio apartments in the "C-3 AH" Commercial District Airport Hazard Overlay, on Lots 3C and 3D, JM Subdivision, addressed at 1533 IH-35 North. Motion carried (8-0-0).

B) ORD21-369 Public Hearing and recommendation to the City Council of an ordinance to revise sections of the Code of Ordinances regarding the approval and/or appeals authority in: Chapter 144, Zoning, Section 5.1, Parking, loading, stacking and vehicular circulation, Section 5.22, Nonresidential and Multi-family Design Standards, Section 5.23, Temporary vending operations, and, Section 5.24, Temporary mobile storage units; Chapter 118, Subdivision Platting, Section 118-11, Waiver, Section 118-44, Blocks, and, Section 118-49, Sidewalks; and, amendments to Appendix D, Fee Schedule, Section A schedule of development fees. *Case Manager: Maddison O'Kelley*

Ms. O'Kelley presented and recommended approval as stated in the staff report.

Chair Edwards asked if there were questions for staff.

Discussion followed on the proposed processes for waivers, escrow, fee schedule, and outside reviewers for developments.

Chair Edwards asked if anyone would like to speak on the item.

No one spoke.

Chair Edwards closed the public hearing.

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

Motion by Vice Chair Laskowski, seconded by Commissioner Sonier, to recommend approval of the

proposed revisions to sections of the Code of Ordinances regarding the approval and/or appeals authority in: Chapter 144, Zoning, Section 5.1, Parking, loading, stacking and vehicular circulation, Section 5.22, Nonresidential and Multi-family Design Standards, Section 5.23, Temporary vending operations, and, Section 5.24, Temporary mobile storage units; Chapter 118, Subdivision Platting, Section 118-11, Waiver, Section 118-44, Blocks, and, Section 118-49, Sidewalks; and, amendments to Appendix D, Fee Schedule, Section A schedule of development fees. Motion carried (8-0-0).

C) WVR21-360 Discuss and consider a waiver from Section 118-49(a) of the Subdivision Platting Ordinance to not require the construction of a 6-foot wide public sidewalk along the Interstate 35 Access Road adjacent to Lot1, Block 1 of the proposed Herber Estates Subdivision. *Applicant: HMT Engineering & Surveying (Bill Ball, P.E.); Owner: John Herber; Case Manager: Matt Greene*

Mr. Greene presented and recommended approval as stated in staff report.

Chair Edwards asked if there were questions for staff.

Discussion followed on the proposed sidewalk by TXDOT and Herber Ln.

Chair Edwards asked if the applicant would like to speak.

Bill Ball stated he was present to answer any questions.

Chair Edwards asked if anyone would like to comment.

No one spoke.

Chair Edwards closed the public comment.

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

Motion by Commissioner Reaves, seconded by Commissioner Sonier, to approve the proposed waiver from Section 118-49(a) of the Subdivision Platting Ordinance to not require the construction of a 6-foot wide public sidewalk along the Interstate 35 Access Road adjacent to Lot1, Block 1 of the proposed Herber Estates Subdivision. Motion carried (8-0-0).

D) WVR21-363 Discuss and consider a waiver request from Section 118-49 of the Subdivision Platting Ordinance to not require construction of a sidewalk along Loop 337 for the Lark Canyon Subdivision Unit 1. *Applicant: Westwood Professional Services (Drew Defendorf); Owner: Meritage Homes (Tonda Alexander); Case Manager: Holly Mullins.*

Mrs. Mullins presented and recommended denial as stated in staff report.

Chair Edwards asked if there were questions for staff.

Discussion followed on surrounding developments' sidewalks and access.

Chair Edwards asked if the applicant would like to speak.

Drew Defendorf elaborated on the intent behind the request and provided additional clarification.

Discussion followed on pedestrian traffic from the nearby school, setback of the sidewalk from the street, and logistics of constructing a sidewalk at this location.

Chair Edwards asked if anyone would like to comment.

Jessica Kokoszka-Haughton stated she is opposed to the request citing concerns over pedestrian access for nearby schools.

Chair Edwards closed the public comment.

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

Motion by Vice Chair Laskowski, seconded by Commissioner Reaves, to deny the proposed waiver request from Section 118-49 of the Subdivision Platting Ordinance to not require construction of a sidewalk along Loop 337 for the Lark Canyon Subdivision Unit 1. Motion carried (8-0-0).

8. STAFF REPORT

Mrs. Snell announced Mrs. Mullin's retirement from the City of New Braunfels.

9 ADJOURNMENT

There being no further business, Chair Edwards adjourned the meeting at 6:56 pm.

Chair

12/07/2021

Date