



**CITY OF LEON VALLEY**  
**PLANNING & ZONING COMMISSION**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, May 23, 2023 at 6:30 PM

**AGENDA**

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**1. CALL TO ORDER AND ROLL CALL**

**2. APPROVAL OF ZONING COMMISSION MINUTES**

1. Planning & Zoning Commission - Regular Meeting - April 25, 2023

**3. NEW BUSINESS**

1. Presentation, Public Hearing, and Discussion to Consider a Recommendation on a Replat, with Variance Requests, of 0.3342-acre Tract of Land, Being Lot 4, Block 3, CB 9903, Brisa Estates at Leon Valley Subdivision, Located at 5301 Brisa Estates - M. Teague, Planning and Zoning Director

**4. ANNOUNCEMENTS BY COMMISSIONERS AND CITY STAFF**

In accordance with Section 551.0415 of the Government Code, topics discussed under this item are limited to expressions of thanks, congratulations or condolence; information regarding holiday schedules; recognition of a public official, public employee or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial or community event; and announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

**5. ADJOURNMENT**

**Executive Session.** The Planning & Zoning Commission of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development).

**Sec. 551.0411. MEETING NOTICE REQUIREMENTS IN CERTAIN CIRCUMSTANCES:** (a) Section does not require a governmental body that recesses an open meeting to the following regular business day to post notice of the continued meeting if the action is taken in good faith and not to circumvent this chapter. If an open meeting is continued to the following regular business day and, on that following day, the governmental body continues the meeting to another day, the governmental body must give written notice as required by this subchapter of the meeting continued to that other day.

**Attendance by Other Elected or Appointed Officials:** It is anticipated that members of other City boards, commissions and/or committees may attend the open meeting in numbers that may constitute a quorum. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of any other boards, commissions and/or committees of the City, whose members may be in attendance in numbers constituting a quorum. These members of other City boards, commissions, and/or committees may not deliberate or act on items listed on the agenda. [Attorney General Opinion – No. GA-0957 (2012)].

I hereby certify that the above **NOTICE OF PUBLIC MEETING(S) AND AGENDA OF THE LEON VALLEY CITY COUNCIL** was posted at the Leon Valley City Hall, 6400 El Verde Road, Leon Valley, Texas, and remained posted until after the meeting(s) hereby posted concluded. This notice is posted on the City website at <https://www.leonvalleytexas.gov/meetings>. This building is wheelchair accessible. Any request for sign interpretive or other services must be made 48 hours in advance of the meeting. To plan, call (210) 684-1391, Extension 216.

**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary  
May 17, 2023 4:10 PM





**City of Leon Valley**  
**PLANNING AND ZONING COMMISSION**  
**MEETING MINUTES**  
**6:30 PM – APRIL 25, 2023**  
**Leon Valley City Council Chambers**  
**6400 El Verde Road, Leon Valley, TX 78238**

## 1. CALL TO ORDER AND ROLL CALL

Chair Catherine Rowse called the Planning and Zoning Commission meeting to order at 6:36 PM.

### PRESENT

Commissioner	Andrea Roofe	Place 2	Arrived – 6:39 PM
Commissioner	Philip Campos	Place 3	
Commissioner	Pat Martinez	Place 4	
Chair	Cassie Rowse	Place 5	
2nd Vice Chair	Erick Matta	Place 6	
Commissioner	Richard Blackmore	Place 7	
2nd Alternate	Hilda Gomez	Seated to Vote	
3rd Alternate	David Perry		
Council Liaison	Benny Martinez	Council Place 1	

### ABSENT

1st Vice Chair	Edward Alonzo	Place 1	Excused
1st Alternate	Kimberly Bohl		Excused

Also in attendance were Planning and Zoning Director Mindy Teague and Public Works Director Melinda Moritz.

## 2. APPROVAL OF ZONING COMMISSION MINUTES

### 1. Planning & Zoning Commission - Regular Meeting – April 25, 2023

Chair Rowse asked that the minutes reflect an excused absence for Commissioner Pat Martinez for the previous meeting. Commissioner Philip Campos noted that he was present at the previous meeting and the minutes should reflect that change as well.

Commissioner Erick Matta made a motion to approve the minutes with corrections, which was seconded by Commissioner Richard Blackmore. The motion carried unanimously.

Chair Rowse then proposed to move New Business item 3.2 ahead of Item 3.1, as the persons present in the audience were at the meeting to hear the proposal. By consensus, the Item was moved.

### 3. NEW BUSINESS

2. Presentation, Public Hearing, and Discussion to Consider a Recommendation on a Request to Amend Planned Development District (PDD) #2022-31, being a 9.180 Acre Unplatted Parcel of Land Located at the Corner of Evers Road and Seneca Drive, P-4A, ABS 530, CB 4432 - M. Teague, Planning and Zoning Director

Planning and Zoning Director Mindy Teague presented the case information, and a brief discussion was held between Commissioners, Public Works Director Melinda Moritz, and Planning and Zoning Director Mindy Teague regarding the request to amend the original PDD to relocate the entrance due to a utility pole conflict, reduce the number of housing units from 94 to 67, and to retain the ability to construct the original number of units if need be.

Property Owner Mr. Samir Chehade presented the amendment information, and a discussion was held between the Commissioners, Public Works Director Melinda Moritz, and attendees regarding the purpose of decreasing the number of homes, retention pond, setbacks from other properties, potential start date for project.

Mr. Chehade then introduced Mr. Drake Thompson with Texas Homes, who stated that he had been in the home building business for a long period of time and then discussed the reasons for reducing the number of units in this project, mostly being based on current market conditions. A brief discussion was held regarding average square footage of homes, location of development, price range and plot size.

Chair Catherine Rowse opened the public hearing at 7:31PM.

Residence from the area spoke, noting their concerns regarding flooding, parking, car break ins, deer, traffic, dumping and crime. Residence also spoke regarding wanting new houses in the area and the retention pond being a good idea.

The following residents spoke in opposition: Roland Soto and Larry Fay.

The following residents spoke in favor: Karen Nolan Tom Nolan

Resident Sandra Morgan stated that she had seen trash and debris being dumped on the property.

Chair Catherine Rowse closed the public hearing at 7:49PM.

Commissioner Philip Campos made a motion for approval of the proposed amendments to PDD #2022-31, which was seconded by Commissioner Andrea Roofe. The motion carried unanimously.

Voting Yea: Commissioners Campos, Roofe, Martinez, Matta, Blackmore, Chair Rowse, and 2<sup>nd</sup> Alternate Gomez.

Voting Nay: None

1. Presentation and Discussion to Consider a Recommendation on a Request to Waive Fees for an Amendment to Planned Development District #2022-31 - M. Teague, Planning and Zoning Director

Planning and Zoning Director Mindy Teague presented the case information, noting that the \$5,000 fee for amending a PDD was the same as a fee for a new PDD and that the application and review process was much simpler for an amendment. Mrs. Teague suggested a fee of \$1,000, which was in keeping with the amount of work required by staff for this project.

Chair Catherine Rowse opened the public hearing at 7:55 PM and seeing nobody wished to speak closed the public hearing at 7:55 PM.

Commissioner Erick Matta made a motion to recommend approval as presented, which was seconded by Commissioner Andrea Roofe.

Voting Yea: Commissioners Campos, Martinez, Roofe, Matta and Chair Rowse and 2<sup>nd</sup> Alternate Gomez

Voting Nay: Commissioner Blackmore

3. Discussion and Public Hearing to Consider a Recommendation on a Non-Specified Use Request to Allow the Use "Bar" in the O-1 Office with a Specific Use Permit, and in the B-1 Small Business, B-2 Retail, B-3 Commercial, and I-1 Industrial Zoning Districts without a Specific Use Permit (SUP), to Allow the Use "Entertainment – Indoor" in the B-2 and B-3 Zoning Districts without an SUP, and the Use "Entertainment – Outdoor" to be Allowed in the B-2, B-3, and I-1 Zoning Districts without an SUP- R. Salinas, Director of Economic Development

Director of Economic Development Roque Salinas presented the case and a discussion was held regarding SUP requirements for a bar in an area zoned for offices, that Bandera Road backs up into a neighborhood for almost its entire length, the number of vacant properties and spaces on Bandera Road, family-oriented bar or mixed-use bar, why change the code, problems, police, revenue, safety, Master Plan content, the Longtab Brewing Company, mitigating risks, restrictions on establishments, the existing noise ordinance, revitalizing the city, and the community wanting more entertainment in area.

Chair Catherine Rowse opened the public hearing at 8:43 PM and seeing nobody wished to speak, she closed the public hearing at 8:43 PM. She then asked the Commissioners to vote on each amendment separately as follows:

**Entertainment - Outdoor - Change B-2, B-3, and I-1 to permitted in the Permitted Use Table**

Commissioner Pat Martinez made a motion to approve the change as presented, which was seconded by Commissioner Philip Campos.

Voting Yea: Commissioners Martinez, Campos, Roofe, Matta and Chair Rowse  
Voting Nay: Commissioner Blackmore and 2nd Alternate Gomez

**Entertainment - Indoor - Change B-2, B-3, and I-1 to permitted in the Permitted Use Table**

Commissioner Andrea Roofe made a motion to approve the change as presented, which was seconded by Commissioner Philip Campos.

Voting Yea: Commissioners Roofe, Campos, Martinez, Matta, and Chair Rowse

Voting Nay: Commissioners Blackmore and 2<sup>nd</sup> Alternate Gomez

**Bar - Change to SUP in O-1 and Permitted in B-1, B-2, B-3, and I-1 in the Permitted Use Table**

Commissioner Erick Matta made a motion to approve the change as presented, which was seconded by Commissioner Andrea Roofe.

Chair Catherine Rowse requested a roll call vote. Planning and Zoning Director Mindy Teague proceeded with a roll call vote as follows:

Voting Yea - Commissioners Campos, Matta, Chair Rowse, and Martinez

Voting Nay - Commissioner Blackmore and 2<sup>nd</sup> Alternate Gomez

Chair Rowse announced the motion carried.

4. Workshop to Discuss Revisions to the Leon Valley Code of Ordinances, Chapter 15 Zoning to Eliminate the General, Sustainability, and Commercial/Industrial Standards and Districts - M. Teague, Planning and Zoning Director

Planning and Zoning Director Mindy Teague presented the information, and a brief discussion was held between the Commissioners and Public Works Director Melinda Moritz to approve moving the definitions, intent, parking, landscaping, and lighting requirements from the General Overlay Standards to other pertinent areas of the Zoning Code. Ms. Moritz noted that the changes would be brought back to the Commissioners as red lined text at a later date.

**4. ANNOUNCEMENTS BY COMMISSIONERS AND CITY STAFF**

Chair Catherine Rowse reminded everyone to go vote.

Commissioner Campos asked that snacks be made available at the meetings.

## 5. ADJOURNMENT

Chair Catherine Rowse announced the meeting adjourned at 8:55 pm.

*These minutes were approved by the Leon Valley Planning & Zoning Commission on the 22<sup>nd</sup> of May 2023.*

APPROVED

\_\_\_\_\_  
CATHERINE ROWSE  
CHAIR

ATTEST: \_\_\_\_\_

**ELIZABETH AGUILAR**  
PERMIT TECHNICIAN

**ZONING COMMISSION STAFF REPORT**

**DATE:** May 23, 2023  
**TO:** Zoning Commission  
**FROM:** Mindy Teague, Planning and Zoning Director  
**THROUGH:** Crystal Caldera, City Manager

**SUBJECT:** The Planning and Zoning Commission is being asked to consider a Replat, with Variance Requests, of a 0.3342 acre tract of land, being Lot 4, Block 3, CB 9903, Brisa Estates at Leon Valley Subdivision, located at 5301 Brisa Estates.

**SPONSOR(S):** N/A

**PURPOSE**

The purpose of this item is to consider a recommendation on a replat of 0.3342-acre tract of land, being Lot 4, Block 3, CB 9903, Brisa Estates at Leon Valley Subdivision, located at 5301 Brisa Estates.

The owner is asking for variances to delay construction of a sidewalk and connecting to water and sewer until the building permit stage. Staff has no objection to this variance request.

The property owner intends to construct a home.

The City Engineer has determined that the plat is substantial conformance with Chapter 10 Subdivision Regulations.

Platting is required prior to any construction.

A total of 21 letters were sent to property owners within 200' of this request. As of this writing:

- 0 Letters in favor
- 0 Letters received in opposition.
- 1 Letters returned undeliverable.

**SEE LEON VALLEY**

Social Equity: Requiring replatting protects all property owners surrounding this site in the assurance of orderly development.

Economic Development: Replatting this property will allow for construction of a single-family dwelling.

Environmental Stewardship: Building construction will conform to the 2021 International Codes.

**FISCAL IMPACT:**

The applicant has paid all fees associated with replatting. The construction of a new home will increase ad valorem taxes.

**STRATEGIC GOALS**

Goal # 1 - Economic Development · Objective F – Promote Leon Valley

**RECOMMENDATION**

After careful review, Staff has no objection to this request.

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
 City Secretary



# PZ-2022-38

## Replat

### 5301 Brisa Estates

Mindy Teague  
Planning & Zoning Director  
Planning and Zoning Meeting  
May 23, 2023

# Summary

- Question
  - The Planning and Zoning Commission is being asked to consider approval of a replat, with variance requests
  - This is a 0.33-acre tract of land, being Lot 4, Blk 3, CB 9903, Brisa Estates – Subdivision, generally located at 5301 Brisa
- Options
  1. Approval
  2. Denial
  3. Conditional approval
- Declaration
  - It recommended the replat be approved per state law

# Background

- The property owner wishes to construct a single-family home, but is required to replat the lot in order to build
- The applicant is requesting variances to delay construction of a sidewalk and connecting to water and sewer until the building permit stage
- Per the City Engineer the replat meets all the requirements
- Platting is required prior to any construction

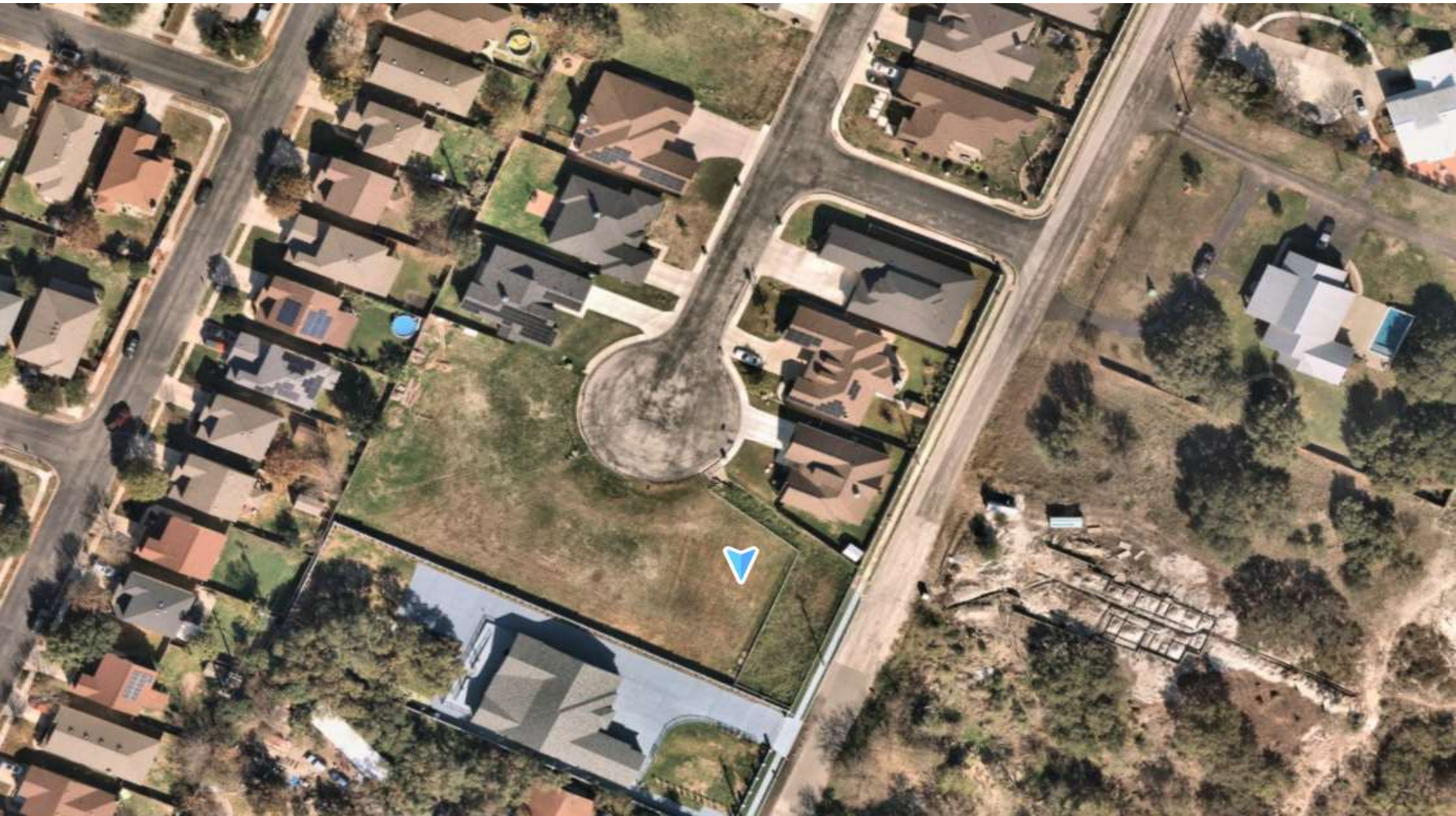
# BCAD Map





# Aerial View

Item 1.





# Zoning Map

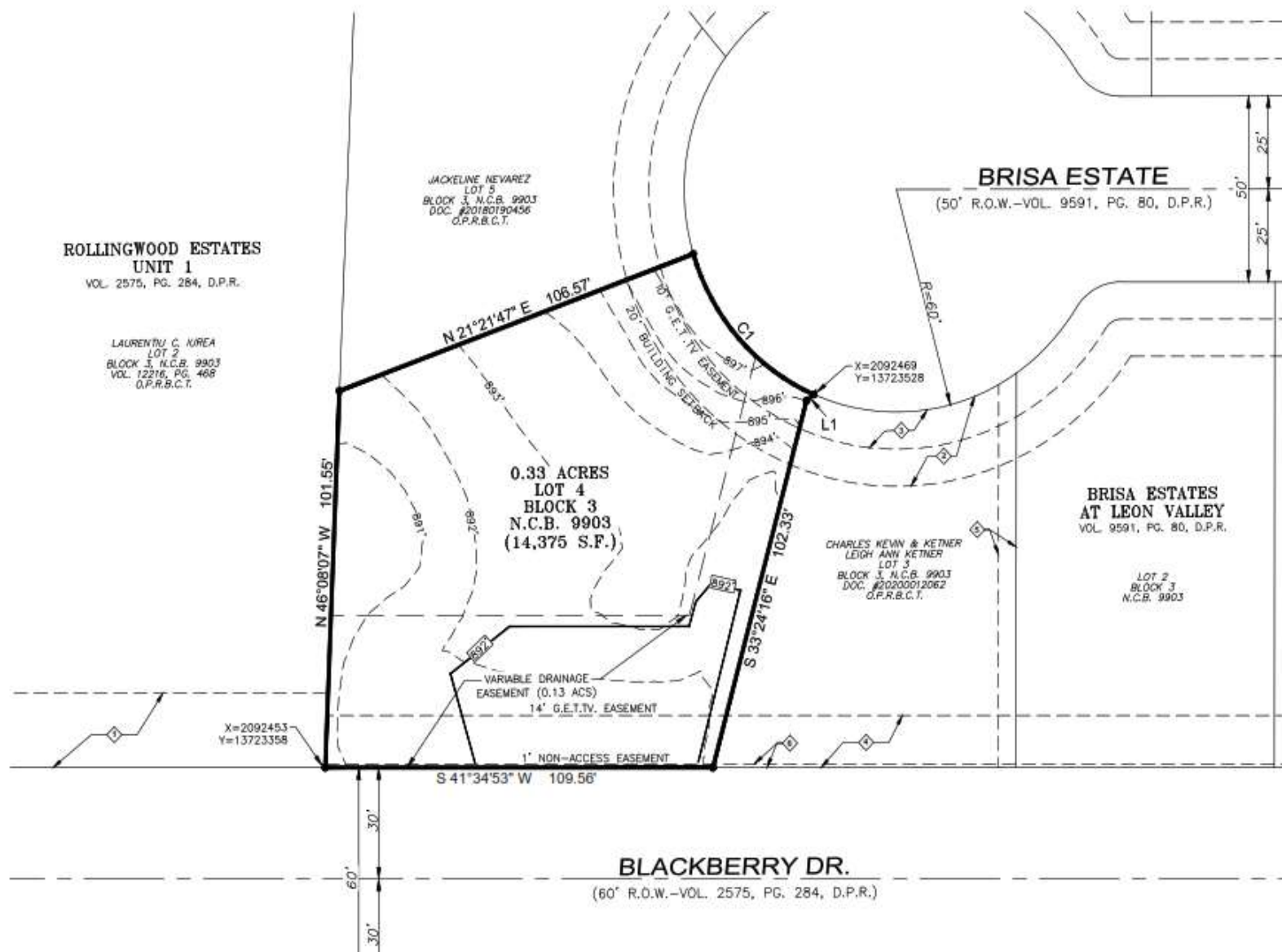
Item 1.



- Parcels
- "B-1" Small Business District
- "B-2" Retail District
- "B-3" Commercial District
- "I-1" Light Industrial District
- "O-1" Office District
- "R-1" Single-Family Dwelling District
- "R-2" Two-Family Dwelling District
- "R-3" Multiple-Family Dwelling District
- "R-3A" Multiple-Family Retirement District
- "R-4" Townhouse District
- "R-5" Mobile Home District
- "R-6" Garden House District
- "R-7" Single-Family Medium Density District
- "RE-1" Residential Estate District
- City Limits

# Replat

Item 1.



# Notification Process

- 21 Letters Sent
- 0 Letter in Favor
- 0 Letters in Opposition
- 1 Letter Undeliverable



# Fiscal Impact

- The development of this lot will increase the ad valorem tax revenue of the city

# S.E.E. Statement

Social Equity: Requiring properties to be platted protects all property owners from potential title concerns

Economic Development: A platted lot is typically more valuable than a non-platted lot in a municipality

Environmental Stewardship: Platting a property assures stormwater concerns are remediated, which protects water sources