



AGENDA ITEM SUMMARY

Agenda Date	July 23, 2024
Requested Action	APPROVE ORDINANCE NO. 2024-14; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, ZONING 6 TRACTS CONSISTING OF APPROXIMATELY 16.612 ACRES OF LAND LOCATED NORTH OF THE INTERSECTION OF DAISY LANE AND IH-10, LEGALLY DESCRIBED AS A10441 - SURVEY 183 J SMALL 5.534 ACRES (KAD 15889), A10441 - SURVEY 183 J SMALL 5.218 ACRES (KAD 15846), A10730 - SURVEY 185 J M MCCULLOUGH 4.66 ACRES (KAD 17397), A10730 - SURVEY 185 J M MCCULLOUGH 0.65 ACRES (KAD 17398), A10247 - SURVEY 186 S HEWES 0.34 ACRES (KAD 13723), AND A10730 - SURVEY 185 J M MCCULLOUGH 0.21 ACRES (KAD 17405); KENDALL COUNTY, TEXAS, FROM INTERIM HOLDING (HOL) ZONING DISTRICT TO COMMUNITY COMMERCIAL ZONING DISTRICT AND SCENIC INTERSTATE CORRIDOR OVERLAY DISTRICT (C3- SICO). (Balous Miller, zoning 16.612 acres from HOL to C3-SICO)
Contact Person	Nathan Crane, AICP Planning Director ncrane@boerne-tx.gov (830) 248-1521
Background Information	BACKGROUND: The site is approximately 16.612-acres and is generally located along Interstate 10 (IH-10), north of Daisy Lane. The property owner has applied for annexation. Upon annexation, the property is automatically placed into Interim Holding (HOL) Zoning District. The applicant has asked that the annexation and zoning be considered concurrently. The property owner also owns approximately 45.52 acres adjacent to the these parcels. UDC Section 2.5.C.5. outlines the approval criteria for a zoning amendment. The Commission may recommend that the application be: approved; approved in part; denied; or denied in part.

	<p>REQUEST:</p> <ul style="list-style-type: none">• The applicant is requesting to zone property from Interim Holding (HOL) Zoning District to Community Commercial Zoning District and Scenic Interstate Corridor Overlay District (C3- SICO).• They have requested annexation and zoning to prepare the property for speculative commercial development. <p>ANALYSIS:</p> <p><u>Comprehensive Master Plan</u></p> <ul style="list-style-type: none">• The 2018 Comprehensive Master Plan provides guidance for decisions related to the City’s zoning map to consistently work toward the desired growth pattern. The Future Land Use Map (FLUM) graphically illustrates this growth pattern using general future land uses. The property is designated as Auto-oriented Commercial in the FLUM (Attachment 2).• The Auto-oriented Commercial land use category is intended for areas that will be developed to support local and regional nonresidential businesses that rely on high traffic volume. It is primarily located along IH-10 and Bandera Road. The Primary uses identified in the Comprehensive Master Plan include assembly uses, automobile sales, offices, retail sales, etc.• A key element in the Master Plan is to provide adequate area for non-residential development. Currently there are only 102 acres of vacant commercial property within the city. The zoning would provide an additional approx. 16.612 acres for future commercial development.• There does not appear to be any historical or cultural places or areas of value on the property.• The proposed zoning is consistent with the Comprehensive Master Plan. <p><u>Compatibility with Surrounding Land Uses</u></p> <ul style="list-style-type: none">• The surrounding property is predominantly developed as commercial and zoned C3 (Attachment 3). A single-family subdivision, Regent Park, is located to the southwest of the Subject Property; however, only a small section of the subdivision abuts the Subject Property (approx. 110 FT) and is a 2.969-acre open space reserve.
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	<ul style="list-style-type: none"> The proposed zoning district will be compatible with the existing and future developments in this area. <p><u>Infrastructure</u></p> <ul style="list-style-type: none"> This site will be served by City water, wastewater, and natural gas. The City has capacity to serve the property under the proposed zoning designation. Electric power is provided by Bandera Electric. <p>FINDINGS:</p> <p>The proposed zoning meets the following findings:</p> <ul style="list-style-type: none"> It is in substantial conformance with the Comprehensive Master Plan. The proposed zoning will result in compatible land use relationships. The proposed zoning meets the requirements of Section 2.5.C.5 of the UDC. <p>RECOMMENDATION:</p> <p>Staff recommends that the City Council accept the recommendation from the Planning and Zoning Commission, hold a public hearing and APPROVE on first reading the proposed zoning.</p> <p>MOTIONS FOR CONSIDERATION:</p> <p>The following motions are provided to assist the Commission’s decision.</p> <ul style="list-style-type: none"> I move that the City Council receive the recommendation from the Planning and Zoning Commission, accept the findings and APPROVE on first reading Ordinance No. 2024-14. I move that the City Council DENY the rezoning based on the following findings: (The Council will need to state the reasons for the denial). 	
Item Justification	<input checked="" type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Mitigate Risk <input checked="" type="checkbox"/> Master Plan Recommendation	<input type="checkbox"/> Infrastructure Investment <input checked="" type="checkbox"/> Customer Pull <input type="checkbox"/> Service Enhancement <input type="checkbox"/> Process Efficiency <input type="checkbox"/> Other:

Strategic Alignment	<p>B1 – Utilizing data to drive smart decision-making.</p> <p>B2 – Advancing master plan recommendations.</p> <p>F3 – Maintaining a balanced and diversified economy.</p>
Financial Considerations	N/A
Citizen Input/Board Review	<p>Notice of the Planning & Zoning Commission public hearing was published in the Boerne Star on June 16, 2024. Letters were sent to 33 property owners within 500 feet, and a public notice was posted on the property on June 16, 2024.</p> <p>Five comments were received in favor of the proposed zoning. One comment was received opposing the proposed rezoning (Attachment 4).</p> <p>The Planning and Zoning Commission held a public hearing on this item at their July 1, 2024, meeting and voted 5-0 to recommend approval of the zoning. No one spoke in favor or opposition of the request.</p> <p>Notice of the City Council public hearing was published in the Boerne Star on July 7, 2024. No comments have been received.</p>
Legal Review	This action is a statutory requirement for zoning approval.
Alternative Options	The Council may recommend approval; approval in part; denial; or denial in part.
Supporting Documents	<p>Ordinance No. 2024-14</p> <p>Project Narrative</p> <p>Future Land Use Map</p> <p>Zoning Map</p> <p>Boerne Star – Public Notice</p> <p>Citizen Comments</p> <p>Section 2.5.C.5 Approval Criteria</p>