



AGENDA ITEM SUMMARY

District Impacted

- 1 = Wolosin
- 2 = Woolard
- 3 = Scott
- 4 = Boddie
- 5 = Macaluso
- All

Agenda Date	<i>March 9, 2021</i>
Requested Action	<p>CONSIDER ON SECOND READING ORDINANCE NO. 2021-11; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 3, SECTION 14, REZONING 7.33 ACRES LOCATED AT 134 GARDEN STREET (KAD NOS. 20006 AND 20007), 119 AND 125 ADLER STREET (KAD NO. 20009 AND 20010) FROM R-1, MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT TO RN-1, NEIGHBORHOOD RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (<i>Greenway Cottage Builders, LLC/ Dave Luciani, applicants original request was for R-2 zoning.</i>)</p>
Contact Person	Laura Haning, Planning and Community Development Director
Background Information	<p>The property under consideration consists of four parcels; two that front Garden Street and two that front Adler Road for a total acreage of 7.33 acres. The original request by the developer was for an R-2 zoning in which he originally proposed 37 single family residential lots.</p> <p>Prior to the December P&Z meeting, the City hosted a community outreach meeting for this project. This was an online meeting between the developer and the owners of the properties within 200 feet. The meeting was a Zoom meeting attended by approximately 18 property owners, City Council member Ty Wolosin, Dave Luciani (developer), and city staff. During the meeting, the plan for the site was shared and the residents had the opportunity to discuss the development, express concerns and share their opinions and desired modifications.</p> <p>The Planning and Zoning Commission considered the R-2 zoning at the December meeting. There was still much concern expressed by the community regarding the development. The number of units, two story homes, the access onto Garden Street and drainage through the area were the major concerns voiced.</p>

The item was Tabled the item until further discussion could be had by the community.

After the P&Z meeting, a small neighborhood meeting (with 4 property owners) was held by David Spencer (a resident on Kitty Kat Lane) and staff coordinated another outreach meeting. Ten property owners and the P&Z subcommittee consisting of Tim Bannwolf and Joe Anzollitto attended, some live and some via Zoom. After much discussion, Mr. Luciani revised his plan for the site and stated that he would prefer a more restrictive zoning of RN-1. The RN-1 would allow for 5,400 sf lots, but would not allow townhomes; thereby alleviating the neighbors concern regarding potential townhomes. He then provided two plan options; one with 21-5,400 sf lots along the Garden Street side and several cottages along the Adler Street side, and the other with 27-5,400 sf lots throughout, both provided access off of Adler and a new access point off of an extension of Advogt Street (through the Old No. 9 trail).

This item was considered again at the January 4th P&Z meeting in which several of the neighbors spoke in favor of the revised plan. The Commission considered the plan when they made their recommendation for zoning and made a recommendation for RN-1 for the 5.53 acres currently fronting Garden Street and R-1 for the 1.8 acres fronting Adler.

Since that vote by the Commission, Chairman Bannwolf and Mr. Anzollitto (the chair of the subcommittee) spoke with Mr. Luciani who expressed concern over the split zoning recommendation. He stated that splitting the zoning made the project difficult to finance. Mr. Luciani asked that the Commission allow him to present his concerns and reconsider the revised zoning before making a final recommendation to Council. Chairman Bannwolf felt that it would be appropriate to allow Mr. Luciani to explain his issue with the split zoning and for the Commission to possibly reconsider their recommendation to Council. The Commission reconsidered the proposed zoning at the February 1st meeting where the Commission did change their recommendation to RN-1 for the entire 7.33 acre site by a vote of 6-0.

While the plan was discussed quite a bit, some of what was promised can't be enforced by ordinance. But Mr. Luciani has professed his intent to follow-thru with what he's promised the neighbors. The City will work with Mr. Luciani to support the connection to Advogt; however because he'll need to cut through the Old No. 9 trail, the TPWD (Texas Parks and Wildlife Dept) will need to review and approve the plans as well. This could be an opportunity though to work through some drainage issues in the

