



AGENDA ITEM SUMMARY

Agenda Date	July 6, 2026
Requested Action	CONSIDER A REQUEST FOR A VARIANCE TO CHAPTER 6, SECTION 6-2(B)(1)(A). LOT FRONTAGE REQUIREMENT, OF THE UNIFIED DEVELOPMENT CODE FOR A PROPERTY GENERALLY LOCATED AT CHRISTUS PARKWAY AND HERFF ROAD (KCAD 153703).
Contact Person	Benjamin Simmons – Planner I
Background Information	<p>BACKGROUND:</p> <p>This property is owned by Christus Santa Rosa Health Care Corporation, and the applicant is Pape-Dawson engineers.</p> <p>The subject property is recorded as Menger Place Subdivision Unit 1 Lot 2A (REPLAT) and is 7.762 acres.</p> <p>This property is within city limits and is generally located at Christus Parkway and Herff Road. This property is zoned C3 (Community Commercial) and is within the SoBo Hybrid Commercial Character Zone. This project was originally platted with the Menger Place Subdivision Unit 1 plat, which was recorded in 1998. This property was later part of an amending plat, Menger Place Subdivision Amending Plat of Lots 1-4, which was recorded in 2017.</p> <p>As currently platted, the subject property has direct frontage along Christus Parkway and access to South Main Street via a variable width access easement established with the plat in 2017. The applicant is proposing to replat the property into 4 lots with three having direct frontage along Christus Parkway and one having no right of way frontage. The parcel without right of way frontage will have access to South Main Street via the existing variable width access easement.</p> <p>UDC Chapter 6 Section 6-2(B)(1)(A) requires that “All lots shall have frontage on a public right of way”, in the configuration proposed by the applicant, only three of the four parcels would have frontage along a public right of way via Christus Parkway. Parcel D would not have frontage on any public right of way. Instead, Parcel D would utilize an access easement to South Main Street. The proposed lack of frontage</p>

on a public right of way requires a subdivision variance from the Planning and Zoning Commission.

VARIANCE REQUEST:

1. A request from Pape-Dawson engineers, on behalf of Christus Santa Rosa Health Care Corporation requesting a variance to the City of Boerne UDC, Chapter 6, Section 6-2(B)(1)(A), to allow for a lot to not have frontage along a public right of way for Menger Place Subdivision Unit 1 Lot 2A, a property generally located at Christus Parkway and Herff Road.

ANALYSIS:

- In February 2021, City Council adopted the UDC. The items pertaining to lot frontage were included and approved to improve safety, reduce congestion, and provide better access to developments within the city.
- Although the current lot has frontage on Christus Parkway, a public right of way, the proposed layout of this replat will cause one parcel (Parcel D) to not have frontage along this right of way. Given this layout, the applicant is requesting a variance to allow for this parcel not to be required to have frontage along a public right of way and instead have access through an access easement.

FINDING OF FACT – REQUIRED CONDITIONS:

Per the Unified Development Code (UDC), the Planning and Zoning Commission may grant a variance when all five conditions are met. Each condition is presented below, along with staff’s analysis.

- 1. A literal enforcement of the provisions of the requirements will result in unnecessary hardship which does not include a financial hardship.**

UDC Section 6-2(B)(1)(A) states that “All lots shall have frontage on a public right of way”. This section is important because it helps to ensure that all lots have adequate access, which improves safety and prevents a parcel from becoming landlocked due to future developments. The proposed layout of the replat does not comply with this requirement. Literal enforcement would require the applicant to redesign the proposed layout of the replat. This change would still allow for

development of the site just not in the configuration proposed by the applicant. This request does not clearly demonstrate that there is a hardship related to this development as there are other layouts that would allow compliance with this standard. The only hardship for this project is related to the applicants desired layout; enforcement of this standard would not create an unnecessary hardship for the property owner or the applicant.

2. Such variance will not authorize the operation of a use other than one which is specifically authorized for the district in which the subject property is located.

This variance will not authorize any use other than the uses allowed in the C3 (Community Commercial) zoning district or SoBo (South Boerne) overlay district.

3. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not due to or the result of general conditions in the district in which the property is located.

The variance must be a unique circumstance on the property. In this case there is no apparent unique circumstance, the need for a variance is directly related to the layout proposed by the applicant and how they desire to divide this property. There are other layouts that would allow the applicant to develop this property while complying with UDC standards.

4. The variance will not substantially weaken the general purposes of this ordinance or the regulations herein nor alter the essential character of the specific district.

The frontage requirement is in place for several reasons, one of which being that all lots within the city have adequate access. While this lot will have access via South Main Street and Christus Parkway through access easements it will have no direct frontage on a public right of way. This could impact the ability of land to be developed in the future and negatively impact access to the site.

5. The variance will not adversely affect the public health, safety, or welfare.

This variance will not negatively impact public health, safety, or welfare. If granted this variance, the applicant will still have to comply with all applicable access standards, building standards, and fire code standards which will ensure that the development will not adversely affect public health, safety, or welfare.

RECOMMENDATION:

The Planning and Zoning Commission should hold a public meeting and determine if the criteria for a variance have been met and approve or deny the variance request from Pape-Dawson on behalf of Christus Santa Rosa Health Care Corporation to the City of Boerne UDC, Chapter 6, Section 6-2(B)(1)(A), lot frontage requirement, for Menger Place Subdivision Unit 1 Lot 2A.

If the Planning and Zoning Commission accepts the findings and chooses to recommend approval, staff recommends the inclusion of the following stipulation(s):

1. Prior to issuance of City construction release permit or commencement of construction, the applicant shall obtain a formal driveway permit from the Texas Department of Transportation (TxDOT) for any proposed access onto Main Street.
2. The project shall comply with all applicable standards, procedures, and requirements set forth in the City of Boerne Unified Development Code (UDC).
3. All site improvements, infrastructure, drainage, and access designs shall conform to the requirements of the City of Boerne Engineering Design Manual, subject to review and approval by the City Engineer.

MOTIONS FOR CONSIDERATION:

The following motions are provided to assist the Commission's decision.

I move that the Planning and Zoning Commission **APPROVE** the variance request to Unified Development Code Chapter 6-2(B)(1)(A) to waive the requirement for lot frontage along a public right of way subject to the stipulations recommended by staff.

OR

	I move that the Planning and Zoning Commission DENY the variance request to Unified Development Code Chapter 6-2(B)(1)(A) to waive the requirement for lot frontage along a public right of way.
Strategic Alignment	N/A
Financial Considerations	N/A
Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	N/A
Supporting Documents	Attachment 1 – Ariel View Map Attachment 2 – Zoning Map Attachment 3 – Future Land Use Map Attachment 4 – Environmental Constraints Map Attachment 5 – Variance Application Attachment 6 – Proposed Site Plan Attachment 7 – Recorded Plat