



AGENDA ITEM SUMMARY

District Impacted

- ☐ 1 = Haberstroh
- ☐ 2 = Woolard
- ☐ 3 = Boyd
- ☐ 4 = Cisneros
- ☒ 5 = Bergmann
- ☐ All

DESCRIPTION:

CONSIDER ON SECOND READING ORDINANCE NO. 2016-04; 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 13, PERMANENT ZONING OF 1 ACRE LOCATED AT 125 OLD SAN ANTONIO ROAD AND 1 ACRE LOCATED AT 127 OLD SAN ANTONIO ROAD (KAD 62674 AND 62675) FROM R-A, SINGLE FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO B-2R, HIGHWAY COMMERCIAL-RESTRICTED DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (*Wiley and Kathy Cloud*)

STAFF'S RECOMMENDED ACTION (be specific)

Approve On Second Reading Ordinance No. 2016-04; 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 13, Permanent Zoning Of 1 Acre Located At 125 Old San Antonio Road And 1 Acre Located At 127 Old San Antonio Road (KAD: 62674 And 62675) From R-A, Single Family Rural Residential-Agricultural District To B-2R, Highway Commercial-Restricted District; Repealing All Ordinances In Conflict; Containing A Severance Clause; And Declaring An Effective Date. (*Wiley And Kathy Cloud*)

DEPARTMENT

Planning and Community Development

CONTACT PERSON

Laura Talley

SUMMARY

An overview of all four lots under consideration for permanent zoning – 125, 127, 129 and 131 Old San Antonio

Background:

We recently completed the annexation of four adjoining properties for a total of 11.65 acres along Old San Antonio Road. Within the 11.65 acre annexation are two developments, the Cloud Business Park which consists of Alamo Gage on one acre and two vacant one-acre lots and the Texas Ten Oaks Storage facility on 6 ½ acres.

The three lot Cloud Business Park was subdivided in 2007 and approved by the Kendall County Commissioners. The development

receives water from a private provider and the Cloud's designed and installed the necessary onsite waste disposal systems for the lots.

Texas Ten Oaks Storage was platted in the county and approved by the Planning and Zoning Commission in 2008.

Alamo Gage and Ten Oaks are both uses compatible with our Industrial zoning designation. The established uses and their proximity to Industrial and commercial uses is the basis of staff's recommendation to the Planning and Zoning Commission that the properties be permanently zoned Industrial.

Planning and Zoning Commission Meeting:

During the discussion of the items at the Planning and Zoning meeting one of the commissioners initiated discussion regarding their vision of the area. The commissioner stated that the area as identified in the Land Use Plan was residential and that there was no need for the Industrial zoning to jump across Old San Antonio Road regardless of the existing uses. In the commissioners opinion the area should be residential and if the property was zoned residential the existing uses would become non-conforming and over time as they deteriorated or ceased to exist any new uses would have to conform and be residential.

When we adopted the Future Land Use Plan in 2006, none of this area (with the exception of the two schools) was developed. The Land use Plan is in need of updating and that will be done with the update of the Master Plan this year. It does currently identify this area as residential with a density of 5 to 10 units per acre. Please look at the series of aerals between the years 2006 to 2015 to show you how the area developed. If over the last 8 years, the property had not been developed in the county as a business park, then perhaps the whole area could have developed as residential. This 11.65 acre area, as it exists now, is no longer appropriate for residential zoning. There are only two more lots that can be developed on this site and they not only front Old San Antonio, but they are surrounded by existing Industrial. Staff is confident that the industrial area would not expand beyond this point because it abuts a county residential area to the north and apartments to the east and south.

It does not seem prudent to purposely zone an area into obsolescence as recommended by the Planning and Zoning Commission simply based on an outdated land use plan. Thus staff continues to support

	<p>the Industrial zoning for this area.</p> <p>If the area is zoned as commercial we can then apply the Entrance Corridor Overlay District to the properties. Then design criteria and screening can be applied to any future improvements.</p> <p><u>Consideration of 125 and 127 Old San Antonio</u></p> <p>125 and 127 Old San Antonio are vacant 1-acre lots fronting Old San Antonio Road. They have recently been annexed and therefore require permanent zoning. The property owner has requested that the properties be zoned I – Industrial. The current uses on the adjoining lots are industrial type uses and these properties are being marketed as such. The properties are located across the street from the south industrial park and staff is supportive of the commercial zoning on this site.</p> <p><u>Vote from the January 12 City Council meeting</u></p> <p>Council voted unanimously to approve a B-2R zoning district for these properties.</p>
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	

This summary is not meant to be all inclusive. Supporting documentation is attached.