



AGENDA ITEM SUMMARY

Agenda Date

May 7, 2025

Requested Action

Consider a request for a Special Use Permit (SUP) to allow for a drive-thru in the C2 – Transitional Commercial Zoning District within the SOBO – South Boerne Overlay District located at 84 Herff Lane.

Contact Person

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Background Information**BACKGROUND:**

The property is located at 84 Herff Road. It is owned by Boerne Commons, Ltd. and the applicant is Mark Santos of LJA Engineering, Inc.

The property is designated Auto-Oriented Commercial on the Future Land Use Map.

The property is located within the city limits, zoned C2 (Transitional Commercial), and falls within the SOBO overlay district (South Boerne).

The SOBO overlay district, as detailed in UDC Chapter 3, Section 3.14, establishes additional use, design, and development standards to promote the unique development of the area. The area is divided into three unique character zones and should include commercial, mixed-use, and residential developments.

A Development Agreement for Commons at Menger Creek was approved by the City Council on March 9, 2009. A Master Development Plan was approved by the Planning and Zoning Commission (Commission) on June 15, 2017. A revision to the master plan was approved by the Commission on February 12, 2018. The Final plat for this site, Commons at Menger Unit 11, was approved by the Commission on May 6, 2024 and recorded July 2, 2025.

An accessory drive-thru is allowed in the C-2 zoning district subject to review and approval of a Special Use Permit (SUP) (UDC Chapter 3, Section 3.7).

	<p>The Planning and Zoning Commission discussed this proposed development, including the drive-thru and site design, at the March 3, 2025, Commission meeting.</p> <p>A Boerne Neighborhood Discussion (BND) Meeting was held on April 15, 2025, to gather input from the community. Three community members attended the meeting.</p> <p>REQUEST:</p> <ol style="list-style-type: none">1. The applicant is requesting a Special Use Permit (SUP) to allow an accessory drive-thru (coffeehouse).2. The proposed coffeehouse with the accessory drive-thru is 2,400 S.F. and will have an attached retail space that's 3,900 S.F.3. The drive-thru includes stacking for 11 vehicles and the site features 36 parking spaces.4. The hours of operation are 5:00 AM – 9:00 PM seven days a week. <p>ANALYSIS:</p> <p>The Planning and Zoning Commission must determine whether the proposed use meets the requirements of Section 2.5.D.4 of the UDC (Attachment 7) prior to making a recommendation on the Special Use Permit. The applicant bears the responsibility of demonstrating compliance. Below is a summary of staff analysis:</p> <p><u><i>Compatibility and Consistency with Comprehensive Master Plan</i></u></p> <ul style="list-style-type: none">• The property is designated as Auto-Oriented Commercial on the Future Land Use Map within the City's Comprehensive Master Plan; this district is intended for commercial developments that rely on higher traffic volumes, serve local and regional areas, and are designed to be auto-oriented. Primary uses include: automobile sales/services, brew pubs, convenience stores, daycares, office, retail, and restaurants.• New developments in this district should have access from arterial roadways or new collectors that are designed for higher traffic volumes. Sites should also be developed with elevated landscaping and incorporate bicycle and pedestrian accessibility. This development will take access from an arterial road (Herff Rd), will exceed minimum landscaping requirements, and have designated bicycle parking. <p><u><i>Compatibility with Zoning District, and UDC</i></u></p>
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- The proposed accessory drive-thru may be allowed within the C2 zoning district with the approval of a SUP, this allows for an evaluation of compatibility with the surrounding context.
- Surrounding properties are zoned C2 (Transitional Commercial) and R4-L (Low-Density Multi-family Residential); the entire area is within the SOBO overlay district.
- The subject site is located within the SOBO overlay district mixed-use character zone (MU-CZ). This zone is for small to mid-scale commercial development (retail, restaurant, office) uses, mid-scale mixed use buildings, and multi-dwelling structures.

Evaluation of Design, Configuration, and Operation

- The proposed design includes 1 multi-tenant building with 2 suites. The first is a 2,400 S.F. suite for the coffeehouse and the second is a 3,900 S.F. suite for retail use. The applicant intends to attract a retail use without offsetting peak traffic generating times then the coffeehouse to activate the site throughout the day without overburdening the onsite vehicle facilities.
- The coffeehouse and drive-thru will operate seven days a week, from 5:00am – 9:00pm.
- The applicant has submitted plans addressing potential concerns such as visual impacts, noise, and traffic. The landscape plan features large and medium sized trees being planted in the rear of the property and small trees along the drive-thru. This layered vegetated screen appears to mitigate potential impacts of the drive-thru on neighboring properties. The development will be complying with the Dark Sky Ordinance, ensuring there is no light trespass affecting the rear properties.

Access, Circulation, and Parking

- The site will have one access directly to Herff Rd (an arterial roadway); it will also have cross-access through an ingress-egress easement at the rear of the property. This easement connects through the adjacent properties to Gallant Fox Lane and Belair Stable Road (future development).
- The drive-thru will have stacking for 11 vehicles. The SOBO overlay district has a standard parking requirement of 1 space per 300 SF. Using this ratio, the site requires a minimum of 21 parking spaces including 1 space being ADA compliant. The applicant is proposing 36 parking spaces with 2 ADA spaces. Per the UDC, they are allowed to exceed their minimum parking requirement by 10% without issue but must mitigate any parking spaces over the 10% threshold. They are proposing to do this with a combination of increased landscaping and utilizing a permeable paving system.

	<ul style="list-style-type: none">• A Peak Hour Traffic (PHT) Generation Worksheet was submitted, showing 228 Saturday peak trip generation. <p><u>Environmental Considerations</u></p> <ul style="list-style-type: none">• The proposed development is expected to maintain approximately 75% impervious cover, below the maximum of 80% allowed by the UDC.• A landscape plan complies with the SOBO overlay district and UDC. It includes a mix of 31 medium and small trees.• This property is subject to a LOMR (Letter of Map Revision) and is no longer located with the FEMA floodplain. <p><u>Utilities</u></p> <ul style="list-style-type: none">• The property plat was recorded on July 2, 2024 and includes a variable width drainage easement and 30 FT utility easement along Herff Road; these will facilitate drainage and access to water, sewer, and electrical services. The plat also features a 26 FT ingress/egress easement near the rear of the property. <p>FINDINGS:</p> <ul style="list-style-type: none">• The request to allow a SUP for the drive-thru is consistent with the Comprehensive Master Plan.• The request to allow a SUP for a drive-thru is consistent with the criteria listed in the Unified Development Code 2.5.D. <p>RECOMMENDATION:</p> <p>Based on alignment with the Comprehensive Master Plan and compliance with requirements outlined in UDC Sec 2-5.D Special use permits, staff recommends that the Planning and Zoning Commission accept the findings and recommend APPROVAL of the Special Use Permit to allow a drive-thru in the C2 zoning district and SOBO overlay district.</p> <p>MOTIONS FOR CONSIDERATION:</p> <p>The following motions are provided to assist the Commission’s decision.</p> <p>I move that the Planning and Zoning Commission accept the findings and APPROVE the request for a Special Use Permit to allow a drive-thru in the C2 zoning district and SOBO overlay district.</p> <p>OR</p> <p>I move that the Planning and Zoning Commission DENY the request for</p>
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	a Special Use Permit to allow a drive-thru in the C2 zoning district and SOBO overlay district. (The Commission will need to state the reasons for denial, referencing specific regulations in the UDC.)
Strategic Alignment	C1 – Offering quality customer experiences. C3 – Collaborating with community partners to enhance quality of life.
Financial Considerations	N/A
Citizen Input/Board Review	<p>A BND meeting for this request was held on April 15, 2025. Text message notifications were sent to neighbors in a geo-targeted area surrounding the project and three community members attended.</p> <p>Notice of the Planning & Zoning Commission public hearing was published in the Boerne Star on April 20, 2025. Letters were sent to 3 property owners within 500 feet, and a public notice was posted on the property on April 18, 2025. No written correspondence was received in response to the request.</p>
Legal Review	This action is needed to meet statutory requirements.
Alternative Options	The Commission must approve, approve with conditions, extend the review, or disapprove the plat. Each condition or reason for denial must be directly related to requirements of city regulations and may not be arbitrary.
Supporting Documents	<p>Attachment 1 – Aerial Map</p> <p>Attachment 2 – Future Land Use Map</p> <p>Attachment 3 – Zoning Map</p> <p>Attachment 4 – Environmental Constraints</p> <p>Attachment 5 – Project Narrative</p> <p>Attachment 6 – Site Plan</p> <p>Attachment 7 – UDC Sec. 2-5.D.4 Special Use Permit Approval Criteria</p>