



## AGENDA ITEM SUMMARY

### District Impacted

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

### Agenda Date

August 11, 2022

### Requested Action

Consider a proposed creative alternative to the 2018 Zoning Ordinance, Article 3, General Prohibitions and Requirements, Section 08 Commercial Center Design Standards and Article 5, Zoning Districts and Use Regulations, 33, North Herff Road Overlay District for the Legacy at Cibolo, Unit 1, Block 2, Lot 1 (1.38 Acres) (KCAD 301674) and Lot 2 (1.34 Acres) (KCAD 301675) (Herff 17 Group, LLC). Take necessary action.

### Contact Person

Ryan Bass, Environmental Planner / Urban Forester

### Background Information

The applicant entered into a Development Agreement with the City in 2018. As a result of vesting to the date of the DA, the City of Boerne 2018 development regulations apply to this project. The 2018 zoning ordinances allowed for creative alternatives for the design sections of the ordinance. The zoning for the property in 2018 was an MU-1 which came with design standards that were created for a mixed-use walkable environment. The property also fell into the North Herff Road Overlay District which has additional setback and screening requirements. The applicant now has a developer for the site and is requesting creative alternatives to develop the site for retail/restaurant/office uses.

#### Landscape Setback Distance:

Zoning Ord Art 5, Section 33.D. NH - North Herff Road Overlay District, Setbacks.

The landscape setbacks contained herein should be measured from Herff Road and do not necessarily reflect the lot front setback. A landscape setback shall be ten feet (10') measured from the right-of-way and outside of any easement. It shall be used only for the purpose of landscaping or screening and shall not be utilized for parking or internal circulation or drive purposes, except that a driveway may cut through for the purpose of reaching the area behind the setback

#### Creative Alternative Request:

10' landscape setback is provided for most of Herff Rd frontage. 222 sq. ft. encroaches on easement to provide root protection area and facilitate saving Oak tree across the drive.

**Parking, Requirement:**

Zoning Ord, Article 5, Section 33.F.3. NH - North Herff Road Overlay District, Parking.

No more than 15% of the required parking spaces may be located between the principal building front building line and the front set back.

Creative alternative Request: Parking proposed between principal building and front setback is proposed to exceed 15% to maximize tree-saving efforts, to have consistency with the adjacent developments, to maximize parking, and to promote better traffic circulation.

**Required Front Building Line, Requirement:**

Zoning Ord, Article 3, Section 3.08.002.A.2 Commercial Center Design Standards, Building Frontage and Orientation, Required Frontage and Orientation

The primary façade shall occupy at least 75% of the Required Front Building Line, except:

On secondary or support streets that are not the primary pedestrian and retail streets of the Center, the Planning Commission may approve a building façade that occupies as little as 30% of the Front Building Line, provided it does not impair the design standards for the public streetscape and is consistent with the site design of adjacent property; and where on-site parking is permitted to the side of the building, according to Subsection 3.08.005 an Alternative Street Wall of between 3 and 5 feet and matching the materials or ornamentation of the building shall be at the extension of the Front Building Line to screen parking areas.

Creative alternative Request:

Primary facade will occupy 92% of Front Building line. Front Building Line will be set at 80' to maximize tree-saving efforts, to have consistency with the adjacent developments, to maximize parking, and to promote better traffic circulation.

**Parking Design and Circulation, Requirements:**

Zoning Ord, Article 3, Section 3.08.005.A. and D. Parking Design and Circulation and Screening Requirements:

(3.08.005.A) On-street and shared central parking areas shall be the primary parking strategy for commercial development.

All parking shall be setback at least 10' from the lot frontage with a 3'-5' high landscape screen or alternative street wall, or located behind the building.

(3.08.005.D) A building shall occupy at least 50% of the Required Front Building Line on the lot.

An Alternative Street Wall of between 3 and 5 feet and matching the materials or ornamental features of the building, or shall be used to screen the parking at the extension of the Front Building Line. Alternatively, the parking may be screened by landscape.

**Creative alternative:**

The layout maximizes the number of parking spaces relative to commercially feasible alternatives. The parking is set back at least 10' for most of Herff Rd frontage. 12 parking spaces encroach on easement to provide root protection area and facilitate saving Oak tree across the drive. 3'-5' high landscape screen will be provided with grade and vegetative coverage. Reference Front Building Line Percentage on previous comment.

**Buildings, Requirement:**

Zoning Ord, Article 5, Section 3.08.008.B Design Guidelines. Buildings: Buildings should be built to the front-lot line in most circumstances and occupy a significant portion of the lot frontage.

**Creative alternative:**

A street wall will be achieved with the landscape design which will allow a transition from the public realm to the private realm. Primary facade will occupy 92% of Front Building line. Front Building Line will be set at 80' to maximize tree saving efforts, to have consistency with the adjacent developments, to maximize parking, and to promote better traffic circulation.

**Sites, Requirement:**

Zoning Ord, Article 5, Section 3.08.008.C. Design Guidelines. Sites: Any On-site parking should be located behind buildings out of view from public streets, wherever possible. When located on the sides of buildings, parking areas should be screened from the streetscape by a combination of ornamental walls and landscape materials, matching the design and creating a continuation of the street wall.

High-impact site elements, storm water facilities, storage areas, or loading areas and should be limited or located and designed to minimize impact on the streetscape design. Design site utility areas to perform multiple functions wherever possible, such as parking areas designed to host occasional special events or designed with landscape and screening that infiltrates storm water.

**Creative alternative:**

Parking proposed between principal building and front set-back is proposed to maximize tree saving efforts, to have consistency with the adjacent developments, to maximize parking, and to promote better

	traffic circulation.
<b>Item Justification</b>	<div> <div> <input type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Drive Down Risk <input type="checkbox"/> Master Plan Recom. </div> <div> <input type="checkbox"/> Infrastructure Investment <input checked="" type="checkbox"/> Customer Demand <input type="checkbox"/> Service Enhancement <input type="checkbox"/> Process Efficiency <input type="checkbox"/> Other: _____ </div> </div>
<b>Financial Considerations</b>	None
<b>Citizen Input/Board Review</b>	None
<b>Legal Review</b>	None
<b>Alternative Options</b>	
<b>Supporting Documents</b>	Attached are exhibits.