



## AGENDA ITEM SUMMARY

### District Impacted

- ☐ 1 = Anzolitto
- ☐ 2 = Woolard
- ☐ 3 = Boyd
- ☒ 4 = Cisneros
- ☐ 5 = Colvin
- ☐ All

<b>DESCRIPTION</b>	CONSIDER ON FIRST READING ORDINANCE NO. 2017-15; 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 26.582 ACRES LOCATED AT 17 HERFF ROAD (KAD NOS. 12536, 15847, 15848, AND 15849) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO MU-2, MIXED-USE COMMUNITY DISTRICT AND R-4, MULTI-FAMILY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. <i>(CT 17 Herff Land LP)</i>
<b>STAFF'S RECOMMENDED ACTION (be specific)</b>	CONSIDER ON FIRST READING ORDINANCE NO. 2017-15; 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 26.582 ACRES LOCATED AT 17 HERFF ROAD (KAD NOS. 12536, 15847, 15848, AND 15849) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO MU-2, MIXED-USE COMMUNITY DISTRICT AND R-4, MULTI-FAMILY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. <i>(CT 17 Herff Land LP)</i>
<b>DEPARTMENT</b>	Planning and Community Development
<b>CONTACT PERSON</b>	Laura Talley
<b>SUMMARY</b>	<p>The 17 Herff property has recently been annexed and is now under consideration for permanent zoning of MU-2, Mixed Use Community and R-4, Multifamily.</p> <p>The Land Use Plan from the 2006 Master Plan identifies this area as Neighborhood Residential which allows 5 – 10 dwelling units per acre. This would potentially allow +/- 130 homes on the site.</p> <p>A number of factors have changed over the last few of years that has affected the dynamics for all properties along Herff Road. It is staff's opinion that the Land Use Plan for this area is out of date and requires modification. We are currently in the process now of reviewing the</p>

	<p>Master Plan and updating the Land Use Plan. The Master Plan and Land Use Plan are guides and not controlling ordinances and are not property specific. It is not uncommon for the City to zone a property differently than the Land Use Plan indicates for a number of reasons.</p> <p>As traffic concerns on River Road, particularly Hwy 46 East, have mounted, we were tasked with finding routes to help relieve congestion off of River Road and downtown. With the development of 5,000+ additional homes on the east side of town and traffic counts now over 14,000 trips per day on Hwy 46 East, the expansion of Herff Road was necessary to move traffic quickly off of Hwy 46 to Main Street and then onto IH-10. This was known in 2008 when the TIA (traffic impact analysis) for Esperanza was completed and the development agreement was created calling for a \$2.3 million expansion of Herff Road. The \$11 million expansion of the roadway to four-lanes was recently completed by Kendall County. So what was once a quiet two-lane street is now a four-lane Arterial that takes traffic off of Hwy 46 East and directs it to Main Street (Hwy 87) and IH-10. The properties that directly adjoin Herff Road have clearly been affected by this change.</p> <p>The properties that directly adjoin 17 Herff are Herff Farm and City Park. City Park houses the city pool, soccer fields, tennis courts and the Cibolo Nature Center. Herff Farm is a 60 acre property with commercial uses in an agricultural setting. It is home to the Farmers Market, community gardens, the historic Herff home and it provides a venue for events and classes. Across the street from 17 Herff is 23 acres of vacant land that is currently zoned R-1. Staff anticipates that this property will likely request rezoning to be developed as commercial as well for all the same reasons. In the area there are a mix of residential uses that includes Green Meadows Subdivision (single family), Burning Tree (Condominiums) and Village at Herff (Townhomes). There is an intersection at Oak Park with a light that will serve as the main access off of Herff Road into this property. Cibolo Creek is located on City property that runs behind this site. The creek is anywhere from 300 feet to 120 from this property line. This property is outside of what is described as a Riparian Zone.</p> <p><i>“Riparian areas are lands that occur along watercourses and water bodies. Typical examples include flood plains and streambanks. They are distinctly different from surrounding lands because of unique soil and vegetation characteristics that are strongly influenced by the presence of water.”</i> <b>USDA Natural Resources Conservation Service</b></p> <p>Staff recognizes that any development near a creek should be considered with more scrutiny. That is why in 2012 the City added a section to its ordinances that provides stream corridor setbacks.</p>
--	--

	<p>Essentially a stream corridor setback provides a natural buffer based on the amount of water that flows through an area – the larger the watershed that feeds the creek, the larger the setback. Around the stream, the area shall remain natural and just outside of that area development is limited. This is true for all perennial creeks in Boerne, not just Cibolo Creek. In this case the setback is 100 feet from the centerline of the creek. 17 Herff is outside of the stream corridor setback.</p> <p>Based on the following factors: expansion of Herff Road from two lanes to four lanes, the impact of traffic from Hwy 46, the surrounding uses of commercial to the south (Herff Farm and Village at 32 Herff), commercial to the north (River Road and Herff) and the addition of high density residential (townhomes and condos) – see attached, it is staff’s opinion and Planning and Zoning Commission’s recommendation by a vote of 7-1 that 17 Herff be permanently zoned MU-2 and R-4.</p> <p>The MU-2 district has more stringent design criteria and is more limiting regarding apartments (only 50 units within 1,000 feet of each other) so the recommendation to include an R-4 on 12 acres was to limit the multi-family density but allow community living along the open space areas. It was Staff and the Planning and Zoning Commission’s opinion that high density can fit in nicely adjacent to City Park. Our ordinances require that residential developments incorporate sidewalks and trails that connect one neighborhood to another and provide 20% open space which generally means each development has acres of open space in addition to backyards for people to enjoy. People in apartments typically are not afforded that type of availability to open space. It is Staff’s belief that apartment dwellers should be allowed those opportunities as well whenever possible. We felt that limiting the acreage for the apartments would accomplish this without overwhelming the property with density. The remaining property would then be allowed to develop as an MU-2 with commercial/retail uses that will also have accessibility to the sidewalks and trails. The proposed zoning would create another area in addition to SoBo that is pedestrian friendly and easily accessed by nearby neighborhoods promoting the live/work/play environment.</p> <p>This property is located at the light at Oak Park and Herff Road which presents an attractive opportunity to mitigate impact on mobility on Herff Road. The light at this location will provide the primary access and will control accessibility and movement of traffic to and from the site. Staff has included an exerpt from a Harvard study that speaks to the traffic specifically from the multi-family vs. single family residential.</p>
--	---

	<p><i>Traffic:</i>  <i>On average, apartment residents own fewer cars than single-family homeowners: the latter average two cars per household compared with only one for the former. Beyond that, single-family housing generates more automobile trips per household.</i></p> <p><i>On weekdays, a single-family detached house generates 42 percent more trips than does a unit in an apartment. The difference is even greater on the weekend: 58 percent more trips on Saturdays, and 50 percent more trips on Sundays. <b>Excerpt from Joint Center for Housing Studies - Harvard University</b></i></p> <p>Staff continues to believe that the proposed zoning provides for the highest and best use for the site. It is in alignment with the goals stated during the South Boerne (SoBo) study encouraging mixed use, “live/work/play” development, as well as with the City’s Economic Development Work Plan to bring high quality commercial development to Boerne at the same time providing for diversity of housing options.</p> <p>The gain in revenue to the City from a balance of economic sources versus relying on current tax payers is crucial to the long term, financial viability of the City. New revenue from ad valorem tax, sales tax, and utilities provide funding for quality of life projects and all the programs and services the City provides. These include funding of public safety, road improvements, parks, trails, and the library as examples.</p> <p>The Planning and Zoning Commission voted 7-1 in favor of the zoning and Staff recommends approval of the MU-2 and R-4 zoning.</p>
<b>COST</b>	
<b>SOURCE OF FUNDS</b>	
<b>ADDITIONAL INFORMATION</b>	

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