



AGENDA ITEM SUMMARY

District Impacted

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

AGENDA DATE

October 10, 2017

DESCRIPTION

CONSIDER ON SECOND READING ORDINANCE NO. 2017-78; 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 14, REZONING 6.099 ACRES LOCATED AT 36 OLD SAN ANTONIO ROAD (KAD NO. 15903), FROM R-E, SINGLE-FAMILY RESIDENTIAL ESTATE DISTRICT TO B-2R, HIGHWAY COMMERCIAL-RESTRICTED DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. *(Cortes)*

STAFF'S RECOMMENDED ACTION (be specific)

APPROVE ON SECOND READING ORDINANCE NO. 2017-; 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 14, REZONING 6.099 ACRES LOCATED AT 36 OLD SAN ANTONIO ROAD (KAD NO. 15903), FROM R-E, SINGLE-FAMILY RESIDENTIAL ESTATE DISTRICT TO B-2R, HIGHWAY COMMERCIAL-RESTRICTED DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. *(Cortes)*

CONTACT PERSON SUMMARY

Laura Talley

The property under consideration is located at 36 Old San Antonio Road. El Chaparral restaurant is looking for a new site in Boerne and have chosen this location to remodel the existing home for use as a restaurant.

The property abuts a B-2 zoning district, the SoBo area and is across from the property Council designated for use as an Assembly. The developer has requested a more restrictive B-2R zoning. The B-2R zoning district is a little more limited in uses than a B-2 and is more restrictive in height. The B-2R allows "limited" restaurants, while B-2 allows "general" restaurants. The difference essentially being that a restaurant at this location would not be allowed amplified music and the bar service is geared specifically to food service - less of a bar service area. Staff is supportive of the more restrictive zoning of B-2R in this location. The B-2R district will allow us the opportunity to apply the Entrance Corridor overlay to this site as well.

Restaurant (Limited). Any business engaged in the preparation and retail sale of food and beverages, which offers live entertainment without amplified sound or which sells alcoholic beverages as an accompaniment to meals, provided that at least 75% of the gross floor area of the

	<p>business including preparation and serving area is dedicated to the retail sale of food.</p> <p>Restaurant (General). Any business engaged in the preparation and retail sale of food and beverages which offers live entertainment with amplified sound or sells alcoholic beverages as an accompaniment to meals, provided that such beverages produce less than 50 percent of the gross revenue of the business. A business in which the sale of alcoholic beverages produces 50 percent or more of gross revenue is a bar or nightclub.</p> <p>The Planning and Zoning Commission recommended approval of the B-2R zoning by a vote of 4-1.</p>
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	

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