

ORDINANCE NO. 2017-80

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, ARTICLE 5 SECTION 3, PERMITTED USES, TABLE 5-1, AUTHORIZING THE USE OF MULTI-DWELLING STRUCTURES IN A B-2, HIGHWAY COMMERCIAL DISTRICT DESCRIBED AS 6.089 ACRES OUT OF 65.011 ACRES FOR A SITE LOCATED WITHIN THE COMMONS AT MENDER CREEK MASTER DEVELOPMENT PLAN LOCATED AT 20 OLD SAN ANTONIO ROAD (KAD NO. 39338)

WHEREAS, the City Council of the City of Boerne has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of Boerne; and

WHEREAS, the City Council is required to permanently zone properties that have been annexed into the City; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the City Council desires to authorize the permitted use of multi-dwelling in a B-2, Highway Commercial District, described as 6.089 acres out of 65.011 acres for a site located within the Commons at Menger Creek Master Development Plan located at 20 Old San Antonio Road (KAD No. 39338) with the following restrictions: That the total number of units not exceed 36; that they be no taller than one-story; and that the design of the structures be in a cottage architectural style.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

Section 1.

That Article 5, Section 3, of the Zoning Ordinance of the City of Boerne, Texas, and particularly the Permitted Use of multi-dwelling structures in a B-2, Highway Commercial District, described as 6.089 acres out of 65.011 acres for a site located within the Commons at Menger Creek Master Development Plan located at 20 Old San Antonio Road (KAD No. 39338) with the following restrictions:

1. That the total number of units not exceed 36;
2. That they be no taller than one-story; and
3. That the design of the structures be in a cottage architectural style

Section 2.

That all provisions of the Code of Ordinances of the City of Boerne not herein amended or repealed shall remain in full force and effect.

Section 3.

That all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

Section 4.

That if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force

and effect.

Section 5.

This ordinance will take effect upon the second and final reading of same.

PASSED AND APPROVED on this the first reading the 24th day of October, 2017.

PASSED, APPROVED AND ADOPTED on this the second reading the ____ day of November, 2017.

APPROVED:

ATTEST:

Mayor

City Secretary

APPROVED AS TO FORM:

A handwritten signature in blue ink, consisting of a large, stylized 'A' followed by a horizontal line.

City Attorney