



AGENDA ITEM SUMMARY

District Impacted

- ☐ 1 = Wolosin
- ☒ 2 = Woolard
- ☐ 3 = Vacant
- ☐ 4 = Cisneros
- ☐ 5 = Handren
- ☐ All

AGENDA DATE	March 26, 2019
DESCRIPTION	CONSIDER ON FIRST READING ORDINANCE NO. 2019-10; 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 2.992 ACRES LOCATED AT 1025 E. BLANCO ROAD (KAD NO. 18967) FROM O, OFFICE DISTRICT AND R-1, MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-3, HIGH-DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. <i>(Tommy and Julie Pfeiffer)</i>
STAFF'S RECOMMENDED ACTION (be specific)	Approve on first reading Ordinance No. 2019-10; Amending Zoning Ordinance No. 2007-64, by amending Article 3, Section 14, Rezoning 2.992 acres located at 1025 E. Blanco Road from O, Office District and R-1, Medium-Density Single-Family Residential District to R-3, High-Density Residential District.
CONTACT PERSON	Laura Talley, Planning and Community Development Director
SUMMARY	<p>This property is located on the south side of East Blanco Road. It is a 2.992-acre parcel that is currently zoned O – Office District (+/- 1 acre) along Blanco Road and R-1, Medium-Density Single-Family Residential District (+/- 2 acres) in the rear of the property. The owner is requesting a rezoning of the entire property to R-3, High-Density Residential District.</p> <p>As it is zoned currently it could potentially be developed with five 2-story office buildings and eight 2-story detached homes. The requested rezoning of R-3 could potentially allow development of 48 2-story townhomes. Both of these scenarios are maximum build-out potential for this site based on current and proposed zoning. The site is less than 10-acres and per the subdivision regulations, is not required that they provide open space. Drainage/detention for the site will be considered upon platting and will be assessed based on the actual development that occurs. Comparing potential traffic, there will be less trips from the current vs. proposed residential development (8 peak hour trips current vs. 34 peak hour trips proposed), but the office uses under the current zoning offset these numbers because office traffic is spread out throughout the day. However, office peak hours can be nearly triple the residential based</p>

	<p>on five 3,500 sf office buildings. In either scenario, neither of the traffic numbers are excessive or potentially impactful on the overall traffic pattern for the area and more specifically Blanco Road.</p> <p>There is a development proposed for the site, but the zoning request must be assessed based on the facts at hand. The developer does not own the property yet and as Staff has demonstrated the plan can and likely will change over time and with further evaluation. Council's evaluation of the rezoning request should only be based on whether it conforms to the comprehensive Master Plan (Land Use Plan) and does not negatively impact the surrounding area or the community in a way that cannot be mitigated through development regulations. The developer may and has chosen to represent their thoughts and considerations of the site.</p> <p>Staff presents proposed plans for the site to provide Council and the community full disclosure of what has been presented by the proposed developer. The plans that have been presented for the site have been proposed, but it is not platted, nor can it be platted for this use or density unless the rezoning occurs. The plans submitted are simply concepts that are being considered, but have not been approved. Any consideration of the zoning based on "conditions of" an acceptable plan for the site could be considered as contract zoning.</p> <p>Contract zoning is defined as a City bargaining with a landowner/ developer to create an agreement where the City would convey favorable zoning or rezoning in exchange for the landowner agreeing to "use" or "not use" the land in a certain way. Contract zoning is illegal and thus not allowed.</p> <p>Conditional zoning is allowed as long as it is not arbitrary or capricious and it reasonably relates to the public welfare. There are specific situations when they City may make specific requests of the property owner, but that is only when the use being considered requires specific Council approval (i.e. apartments in a B-2 district or a drive-thru restaurant in a B-3 district).</p> <p>The R-3 zoning district allows for anything from 2,000 sf townhome lots (adjoining walls) to 5,400 sf detached dwellings. It does not allow apartments (R-4) or duplexes (R-D). This property is situated in an area that has already incorporated other infill; to the east are the Village Park townhomes and the Arbor apartments.</p> <p>The R-3 zoning also adheres to the recently approved Master Plan, Future Land Use Plan (Transitional Residential), and the community's expressed desire for walkable infill development in Boerne. This area</p>
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is identified on the Future Land Use map as “Transitional Residential” which is described below:

TRANSITIONAL RESIDENTIAL

Intent & Character

The Transitional Residential future land use category is intended for areas that will be primarily developed with a higher density and with different housing types than which is allowed in Neighborhood Residential. These areas are intended to be developed with an auto-oriented character, meaning that streets, driveways, parking lots, and garages are the dominant view. In general, these areas are intended to provide a transition between lower density Neighborhood Residential and more intensive nonresidential uses.

Appropriate Land Use Types (permitted, limited, or restricted)

The appropriate primary uses allowed in areas designated as Transitional Residential include parks and recreation, personal care homes, safety services, single-family attached residential (including modular housing), multi-family, and schools. Appropriate secondary uses include such things as accessory dwelling units, assembly uses, bed and breakfast lodging, community and group homes, government facilities, home professions, local utility services, and single-family detached residential (including garden homes).

Compatible Zoning Districts

The following existing districts may be compatible with the Transitional Residential future land use category (zoning district modifications may be needed to achieve the envisioned character):

- *R-2, R-3, R-D, and R-4*

Infill housing is characterized as more dense development constructed on vacant, underused lots interspersed among older, existing properties and neighborhoods in established urban neighborhoods. Current urban growth lines still allow for conventional (larger lot) residential development on the periphery of the city, and in most cases this development will follow relatively conventional patterns. Infill development encourages more efficient investment of existing infrastructure because it encourages growth in designated areas where the infrastructure is in place. Infill creates

	<p>walkable communities, reducing the reliance on the automobile as a means of transportation. This helps alleviate traffic congestion and improves the air quality because more compact development can minimize trip generation and reduce driving by promoting walkability. This site is a tenth of a mile from the community theatre and the start of the commercial district and less than a mile to the heart of downtown and is walkable. Infill fosters sustainability of great places to live, work and play.</p> <p>Staff finds that the R-3 zoning district is both appropriate for the location and fills a need for the City at large. Staff sent out notification letters to property owners within 200' of the property, with 3 responses received in favor and 1 response received in opposition. The Planning and Zoning Commission voted 6-1 in favor of the rezoning and Staff is supportive of the rezoning as requested.</p>
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	

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