

	<div data-bbox="1235 218 1474 457"> <p>District Impacted</p> <ul style="list-style-type: none"> <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input checked="" type="checkbox"/> 4 = Fowler <input type="checkbox"/> 5 = Macaluso <input type="checkbox"/> All </div> <p style="text-align: center;">AGENDA ITEM SUMMARY</p>
AGENDA DATE	<i>June 11, 2019</i>
DESCRIPTION	<p>CONSIDER ON FIRST READING ORDINANCE NO. 2019-15; 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 14, REZONING 0.428 ACRES LOCATED AT 134 OAK PARK DRIVE (KAD NO. 21630) FROM R-1, MEDIUM-DENSITY SINGLE-FAMILY DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.</p>
STAFF'S RECOMMENDED ACTION (be specific)	<p>Approve On First Reading Ordinance No. 2019-15; Amending The Zoning Ordinance No. 2007-64, Captions, "Zoning Ordinance Of The City Of Boerne, Texas", Dated December 18, 2007, By Amending Article 3, Section 14, Rezoning 0.428 Acres Located At 134 Oak Park Drive (KAD No. 21630) From R-1, Medium-Density Single-Family District To B-1, High-Density Residential And Neighborhood Commercial District.</p>
CONTACT PERSON	<p>Laura Talley, Planning and Community Development Director</p>
SUMMARY	<p>The owner is requesting a rezoning of their property from R-1, Medium-Density Residential to B-1, High-Density Residential and Neighborhood Commercial District. The applicants (Travis Roberson and Robert Thornton) plan to preserve the vacant gas station building and create a neighborhood restaurant/café at the current location.</p> <p>The 2018 Master Plan Future Land Use identifies this area as Expanded Downtown and supports this area as part of an Urban Neighborhood Activity Center.</p> <p>An Urban Neighborhood Activity Center, as envisioned, includes an expanded mixed-use downtown (with urban character) which is supported and strengthened by existing residential housing and high density/infill housing which is also supported in this district. This rezoning will enhance the goal of the Plan by further reinforcing the Oak Park neighborhood as a walkable neighborhood with a sense of place.</p>

	<p>The B-1 zoning would best meet the intended objective of providing small scale neighborhood commercial uses. The B-1 (commercial) zoning will promote the opportunity for preservation of the existing structure to more closely resemble its past use. As an R-1 (residential zoning) the developers could subdivide the property and construct two homes on the site. The original structure potentially could be modified to be made a home; however, the design of the structure and its placement on the site makes it a difficult fit as a home because the building's location is already nonconforming to residential lot setbacks and cannot be added to within those setbacks.</p> <p>The structure was constructed as a gas station in 1920 (Rackley Gas Station). In the historic district survey performed by U.T.S.A., the old gas station is identified as a contributing structure. Known as a "House-Type Gas Station", these were primarily constructed in the early 1920s in response to push back on the growing gas station trends in neighborhoods. This structure has never been used as anything other than for commercial uses. The structure is not protected by any historic designation and could be demolished to make way for two conforming residential homes.</p> <p>The B-1 zoning, even though it doesn't guarantee preservation of the old gas station, would encourage the continuation of the original structure and encourages walkability within the neighborhood. The original gas station's location on the site is positioned to make commercial use of the site. On-site parking will be required. Standards for parking area lighting will have to adhere to the most stringent lighting criteria required by ordinance as well as providing for a buffer fence to screen the development from the residential uses.</p> <p>Staff sent out notification letters to property owners within 200' of the property, with 4 responses received in favor and 3 responses received in opposition.</p> <p>The Land Use Plan supports this type of use on this site (Expanded Downtown), therefore it is not considered spot zoning. The rezoning does require City Council approval, but no conditions may be placed upon the zoning as that is considered contract zoning and is illegal.</p> <p>Staff is supportive of the B-1 zoning. The Planning and Zoning Commission recommended approval by a vote of 7-0.</p>
COST	

SOURCE OF FUNDS	
ADDITIONAL INFORMATION	

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