



AGENDA ITEM SUMMARY

District Impacted

- ☐ 1 = Wolosin
- ☐ 2 = Woolard
- ☐ 3 = Scott
- ☒ 4 = Fowler
- ☐ 5 = Macaluso
- ☐ All

AGENDA DATE	<i>October 22, 2019</i>
DESCRIPTION	CONSIDER ON FIRST READING ORDINANCE NO. 2019-48; 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 4.37 ACRES LOCATED AT 36 HERFF ROAD (KAD NO. 15865) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (<i>J Willis Harpole</i>)
STAFF'S RECOMMENDED ACTION (be specific)	Table Ordinance No. 2019-48 until January 14, 2020.
CONTACT PERSON	Laura Talley, Planning and Community Development Director
SUMMARY	<p>In July this property was annexed into the city limits. It was one of 9 contiguous properties annexed. Upon annexation, the properties automatically receive a temporary zoning of R-A, Residential-Agricultural (which is the most restrictive zoning we have). The next step is to permanently zone the properties. We are now giving those properties a zoning.</p> <p>The 2006 Land Use Plan identified this area as Neighborhood Residential. Then the update of the Land Use Plan after completion of the 2010 Comprehensive Plan identified this area as a potential site for mixed use due to its location at the intersection of Old San Antonio and Herff Road. It was apparent back in 2010 that traffic would naturally find its way down the two-lane Herff Road to Old San Antonio and from Old San Antonio to IH-10 and it seemed to be a natural fit for some type of mixed use. Then the expansion of Herff Road from River Road to Main Street in 2016 significantly affected the properties that directly adjoin Herff Road. The \$11+ million expansion of the Herff Road to four-lanes dramatically changed the dynamics of this area.</p> <p>Staff's recommendation to the Planning and Zoning Commission of a B-1 (High-Density Residential and Neighborhood Commercial District)</p>

	<p>zoning designation was based on the reasons stated above and is in adherence to the City's Future Land Use plan. The Planning and Zoning Commission, after much discussion recommended that the property remain the R-A, Residential-Agricultural, by a vote of 7-0. The concerns expressed by the Commission were basically centered on a desire to make sure that when development occurs in this area that it be developed with consideration of the proposed LID/Stormwater ordinance revisions. Since those revisions are not in place yet, they did not want to recommend a less stringent zoning. They were uncomfortable with placing a commercial zoning on these properties without knowing what might be the ultimate development of the properties. Staff recommends tabling the agenda items that were of concern to the Planning and Zoning Commission until January 14, 2020, to allow time for the drainage ordinance revisions to be implemented.</p> <p>We mailed notices of the zoning to all the property owners within 200 feet as required by ordinance, and we also mailed letters to the owners of the property. We received three mailed responses, one in favor and two in opposition and heard two citizens speak in opposition of the zoning. The property owners did not attend the meeting. When the properties were being annexed Staff spoke to the property owners and advised them at that time that the zoning would likely be based on the Land Use Plan.</p> <p>MASTER PLAN: The Future Land Use Plan describes the area being used as "Neighborhood Commercial". The "Neighborhood Commercial" future land use category is intended for areas that will be developed primarily as nonresidential uses that are of an appropriate use, scale, and design that is compatible with abutting or nearby residential uses. These areas are intended to be of a more suburban character. The appropriate primary uses allowed in areas designated as Neighborhood Commercial include assembly uses, day / adult care, community and group homes, hotels (boutiques), offices (including medical), parks and recreation, personal care homes, retail sales and services (with design and scale limitations), restaurants, safety services, and schools. Appropriate secondary uses include such things as assembly uses, local utility services, and government facilities. All these activities are compatible with a B-1 zone.</p>
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	

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