



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. 2019-43; 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 0.5 ACRES LOCATED AT 32840 INTERSTATE 10 WEST (KAD NO. 26884) FROM I, INDUSTRIAL DISTRICT TO B-2, HIGHWAY COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (<i>Kenneth W. Seamans</i>)
STAFF'S RECOMMENDED ACTION (be specific)	Approve or deny on first reading Ordinance No. 2019-43; Amending Zoning Ordinance No. 2007-64 by amending Article 3, Section 14, rezoning 0.5 acres located at 32840 Interstate 10 West (KAD No. 26884) from I, Industrial District to B-2, Highway Commercial District.
CONTACT PERSON	Laura Talley, Planning and Community Development Director
SUMMARY	<p>The property located at 32840 Interstate 10 West is currently zoned as I, Industrial District. The owner is requesting B-2, Highway Commercial District.</p> <p>Staff made a recommendation to the Planning and Zoning Commission to deny the rezoning request leaving the Industrial zoning which would be in adherence to the City's Future Land Use Plan. The Planning and Zoning Commission made an initial recommendation to deny the rezoning to adhere to the Land Use Plan, but after further consideration and discussion, requested that they be allowed to reconsider this item and then voted 5-2 to rezone the property to B-2, Highway Commercial District. The Commission initially understood that they were required to follow the Land Use Plan, but then were advised by the city attorney that they were not compelled to follow the Land Use Plan, but should use it as a guide in zoning. The Commission felt that the uses of Industrial along IH-10 were unattractive and not conducive to an Entrance Corridor appeal. There are multiple uses along IH-10 that are B-2 uses and the Commission felt that allowing office or retail along IH-10 would be a more effective use of the land. They recommended to Council that the property be zoned B-2 allowing for the proposed use of a real estate office.</p>

COMPREHENSIVE MASTER PLAN: The Future Land Use Plan identifies this area to be Business / Office Park. The Business / Office Park category is intended to create opportunities for the City's to proposed employment / commercial activity centers. These areas will be developed to support various employment opportunities related to light manufacturing, light industrial, or warehousing uses, all primarily consisting of indoor uses. These areas are strategically located with easy access to I-10 to maximize opportunities for new development and ease of access for big trucks.

Per the Comprehensive Master Plan, the appropriate primary uses allowed in areas designated as Business / Office Park include assembly uses, automobile sales and services, brew pubs and night clubs, convenience stores, contractor services, funeral homes or mortuaries, large vehicle sales and services, manufacturing (indoor operations), mini-warehouses, offices (including medical), trade schools, and warehouse retail and wholesale uses. Appropriate secondary uses include such things as local utility services, government facilities, and transportation uses.

Under our current ordinances, an Industrial zoning district only allows office complexes with City Council approval. This site is a small site and does not fit the criteria for office complex or business park, which in general are large campuses.

- *Major Office or Office Complex. A business which is not an accessory to another use devoted primarily to professional services or the management of the affairs of a business or other organization, as distinguished from the actual production of goods by that business or organization. Individual units of gross leasable area may be more than 30,000 square feet in a single building or group of buildings, and each owner or tenant may employ more than 100 employees on premises. Examples include large scale professional services or major corporate offices or headquarters.*
- *Business Park or Campus. A mixed-use development which includes a number of separate office, commercial, wholesaling, and compatible laboratory, industrial and other uses which primarily support the function or employees of those uses, and which is designed and developed as an integrated unit. Each of the individual establishments or uses contained within the business park must be a permitted use in the district in which the business park is located, and*

	<p><i>all on-site functions or operations of these uses must be conducted entirely inside a building.</i></p> <p>Staff advised the Commission that with less than 200 acres of industrial area in the city limits and less than 20% of that area remaining undeveloped (on the north end of town) there is a scarce amount of industrial area. Staff does not believe losing any industrial area to commercial (B-2) is supportable. Due to the scarcity of industrial land our Future Land Use Plan contemplates an expansion in the Business/Office Park (industrial) on the south side of Boerne. The property owner has requested the rezoning because he would like to provide offices along IH-10. There are other nonconforming office uses around this location which additionally consumes what should be “industrial”. A B-2 district also allows other commercial uses such as Retail and Restaurant which would open this property up to those type of uses as well. Under the proposed changes (Unified Development Code) to the ordinances, and in accordance with the Comprehensive Master Plan, Office uses in support of manufacturing, assembly, technology/innovation would be supported. Offices should be allowed in industrial only if they support those types of functions or if they are a large type complex.</p> <p>The uses on this site prior to this request have been a furniture manufacturer, a saddle/leather work shop and a small engine repair shop. All of which functioned as industrial and all of which had a small office component to them.</p>
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	

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