



AGENDA ITEM SUMMARY

District Impacted

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

AGENDA DATE	<i>February 11, 2020</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. (J Willis Harpole)
STAFF'S RECOMMENDED ACTION (be specific)	Approve or Deny on first reading Ordinance No. 2019-48; amending Zoning Ordinance No. 2007-64, amending Article 3, Section 13, permanently zoning 4.37 acres located at 36 Herff Road to R-A, Rural Residential. (Staff recommends a B-1 zoning.)
CONTACT PERSON	Laura Talley, Planning and Community Development Director
SUMMARY	<p>In July of 2019 this property was annexed into the city limits. It was one of 9 contiguous properties annexed. Upon annexation, the properties automatically received an interim zoning of R-A, Residential-Agricultural (which is the most restrictive zoning we have). The next step was to permanently zone the properties.</p> <p>History: 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 Herff Road to four-lanes dramatically changed the dynamics of this area.</p>

	<p>In August of 2019, Staff's recommendation to the Planning and Zoning Commission of a B-1 (High-Density Residential and Neighborhood Commercial District) zoning designation was based on the reasons stated above and it was in adherence to the City's Future Land Use plan. The Planning and Zoning Commission, after much discussion recommended by a vote of 6-1 that the property remain the R-A, Residential-Agricultural. 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 were not in place yet, they recommended the most restrictive zoning. They were uncomfortable with placing a commercial zoning on these properties without knowing what type of development might occur and how it would affect Menger Creek.</p> <p>The property was then considered by City Council in October of 2019 but was Tabled for essentially the same reason that the Commission was concerned about... how development would occur along Menger Creek, in the flood plain. Council voted to Table this and wait for the incorporation of Integrated Stormwater into the ordinances. That has occurred and now we understand what type of development can occur around the flood plain area.</p> <p>We now need to move forward with zoning of the property.</p> <p>The properties initially annexed and considered for zoning in this area that were north of this property and outside of the flood plain were zoned B-1, High-density Residential and Neighborhood Commercial by Council. It made sense based on the Future Land Use Plan, the surrounding uses, and the proximity to the busy intersection and SoBo.</p> <p>Staff still is of the opinion that the appropriate zoning is B-1 for all the reasons stated above. Any kind of development on this site near the flood plain will be very limited. On the north side of Herff Road, there is an easily developable area, but on the south side of Herff Road the developable area is extremely limited with a commercial zoning and if zoned residential, there is one very small area that might be able to be developed where it is outside of the flood plain.</p>
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	

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

