

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL GRANTING A ZONE CHANGE FROM B-3 COMMERCIAL DISTRICT WITH SO SUSTAINABILITY OVERLAY DISTRICT ZONING, TO PD PLANNED DEVELOPMENT DISTRICT, WITH B-3 COMMERCIAL DISTRICT AND NO SO, SUSTAINABILITY ZONING ON APPROXIMATELY 2.85 ACRES AT 6758 POSS ROAD; MORE SPECIFICALLY DESCRIBED AS CB 4445K BLK1 LOT 2; PROVIDING FOR REPEALER, SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS Chapter 211 of the Vernon's Local Government Code empowers cities to enact zoning regulations and provide for their administration, enforcement, and amendment; and

WHEREAS the City has previously deemed it necessary and desirable to adopt zoning regulations to provide for the orderly development of property within the City, in order to promote the public health, safety, and welfare of the residents of the City; and

WHEREAS the Leon Valley Code of Ordinances Chapter 15 Zoning constitutes the City's Zoning regulations and requires property to be zoned in accordance with proper designations as defined by the City; and

WHEREAS the Planning and Zoning Commission of the City of Leon Valley provided adequate notice and held a public hearing in accordance with Chapter 15 of the Leon Valley Code of Ordinances; and

WHEREAS the Planning and Zoning Commission of the City of Leon Valley has recommended not granting a zone change from B-3 Commercial District with SO Sustainability Overlay District Zoning, to PD Planned Development District, with B-3 Commercial District and No SO, Sustainability Zoning at the subject location; and

WHEREAS the City Council of the City of Leon Valley now desires to grant zone change, as requested but to include the following restrictions: (B-3 restrictions) automobile accessories, retail sales and installation, and/or repair incidental, automobile accessories parts and components, automotive and boat storage, automotive lubrication service facility, automotive parts and components, automotive retail related uses, automotive service station, automotive and truck sales, automotive and vehicle storage, car wash, and motorcycle sales, repair and service, repair shops for tires or wheels.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, THAT:

SECTION 1. The subject location - being specifically described as CB 4445K Blk 1 Lot 2 - which is currently zoned B-2, Retail District, with SO, Sustainability Overlay District Zoning, shall hereafter bear the zoning classification of PD, Planned Development

District with B-3 Commercial District base zoning and further subject to the attached Exhibit A.

SECTION 2. The PD, Planned Development District Zoning established herein shall be limited further in that the following uses shall not be permitted: automobile accessories-retail sales with installation and/or repair incidental; automotive accessories-parts and components; automotive and boat storage; automotive lubrication service facility; automotive parts and components; automotive rental related uses; automotive service station; automotive and truck sales; automotive and vehicle storage; car wash; motorcycle sales, repair and service; repair shops for tires or wheels.

SECTION 2. This ordinance shall be cumulative of all provisions of the City of Leon Valley, Texas, except where provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event, conflicting provisions of such Ordinance are hereby repealed.

SECTION 11. It is hereby declared to be the intention of the City Council of the City of Leon Valley that this Ordinance is not severable.

SECTION 12. The ordinance shall be effective upon passage and publication as required by law.


PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 2nd day of November 2021.

APPROVED



CHRIS RILEY
MAYOR

Attest :


SAUNDRA PASSAILAIGUE, TRMC
City Secretary



Approved as to Form: City Attorney

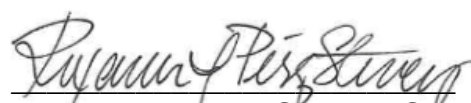

ROXANA PEREZ STEVENS
City Attorney

EXHIBIT A

PROPOSED PLANNED DEVELOPMENT DISTRICT PROJECT PLAN

6758 POSS ROAD DEVELOPMENT

Submitted by STS Partners, LP

To

The City of Leon Valley

Sept 2021

Article 1. General

The property is approximately 2.85 Acres at 6758 Poss Road; Generally Located on the East Side of Poss Road and Approximately 400 Feet South of Bandera Road.

Property Information (the “Property”):

Address: 6758 Poss Road
Legal Description: CB 5784 Blk 4 Lot 64 Quality Subd
Owner: STS Partners, LP
Existing Zoning: B-3 Commercial District with SO, Sustainability Overlay District.
Tract: As illustrated in Appendix C

Article 2. Land Use

The Land Use of the Property shall be changed to:

A. Base Zoning

The use and development of the Property shall comply with the zoning requirements of the B-3, Commercial, without the Overlay District - General requirements, and without the SO, Sustainability District requirements, except as hereinafter modified.

B. Supplemental Use Regulations

Additional Allowed Uses: The following uses shall be permitted by right on the property, in addition to the uses permitted by the base zoning:

- i. The Development of a Mixed-Use project, with Townhouses and Apartment-Style Condos or lofts, like the one proposed in attached Site Plan Concept (Appendix A), and complying with the attached Building Standards (Appendix B)
- ii. Restaurants with Outside Dining in Mixed-Use Building facing Poss Rd, like the one proposed in attached Site Plan Concept (Appendix A)

Article 3. Appendices

3.01 Site Plan and Fire Plan Concepts

Attached as Appendix A

3.02 Building Standards

Attached as Appendix B

3.03 Property Survey

Attached as Appendix C

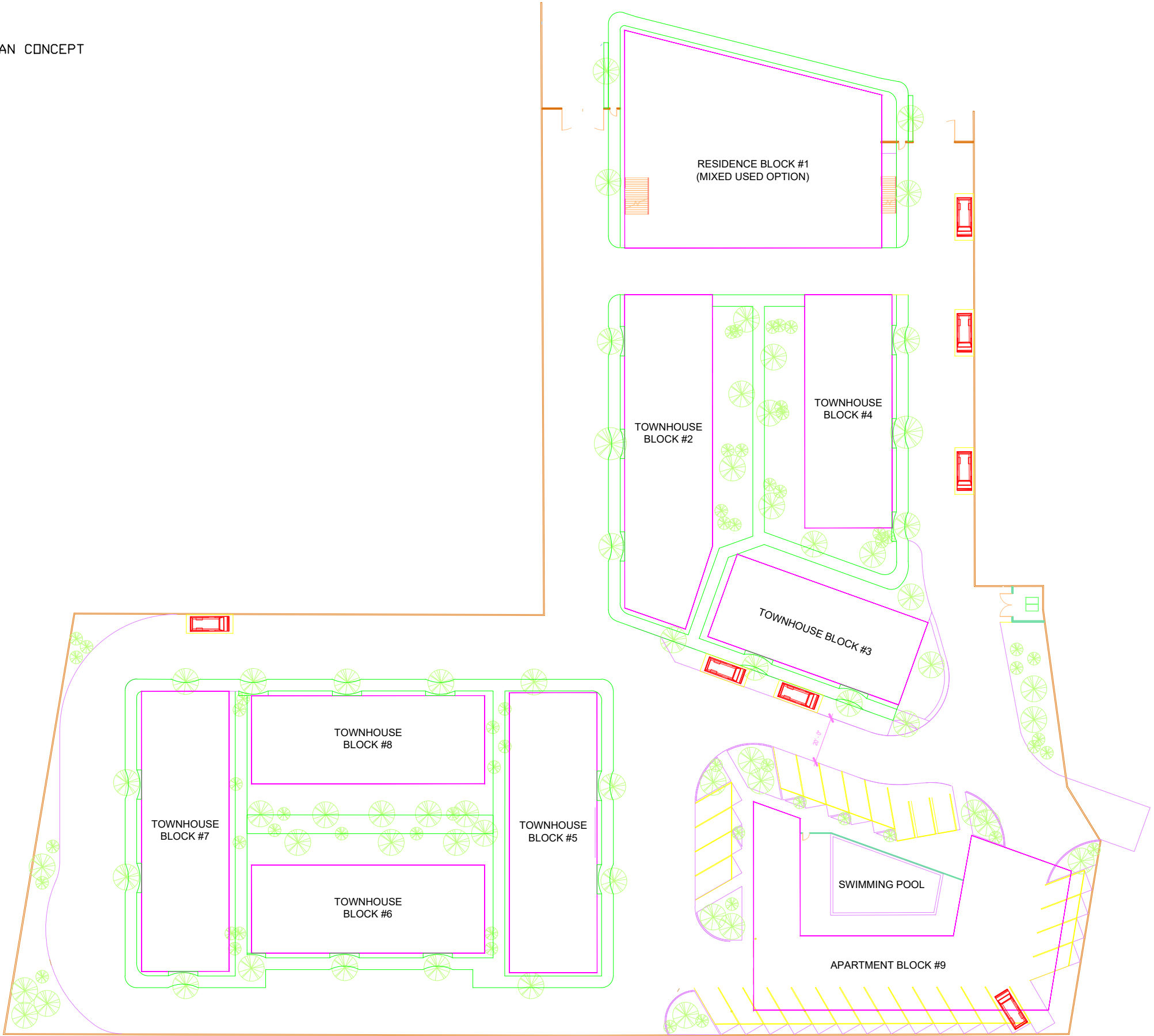
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ADDRESS: 6758 POSS RD.

DESCRIPTION: PROPOSED FIRE PLAN CONCEPT



DATE: 2021-09-02
ADDRESS: 6758 POSS RD.
DESCRIPTION: PROPOSED SITE PLAN CONCEPT



APPENDIX B

PROPOSED STANDARDS FOR MIXED-USE DEVELOPMENT AS PER PROPOSED IN THE SITE PLAN CONCEPT IN APPENDIX A, WHICH SUPERCEDES THIS APPENDIX AND THE STANDARDS ATTACHED BELOW WHEN IN CONFLICT

A. Land use.

1. A gated community with Mixed-Use, Residential uses in the form of townhouses as well as buildings featuring apartment style condos or lofts are allowed.
2. Residential uses above nonresidential uses at-grade shall be permitted by right and defined as a mixed-use building. Lobbies to upper stories may be located at grade level.
3. General standards. Approval of a specific use permit, landscaping requirements, sign standards, performance standards, and requirements for nonconforming structures shall follow the procedures established by the zoning ordinance, or as illustrated in APPENDIX A.

B. Building height and site area regulations.

- a. Buildings shall not exceed 50 feet or 4 stories, whichever is greater unless it qualifies as a landmark building, in which case the landmark feature may be up to 25% greater than the remainder of the building height as approved by the director.
- b. However, buildings on properties abutting Poss Rd., may be constructed up to 4 stories or 60 feet.
- c. Portions of any buildings within 100 feet of a single-family zoned residential lot may not exceed 45 feet in height or 2.5 stories.

C. Building orientation.

1. frontage, except at street intersections, where a facade containing a primary building entrance may be curved or angled toward an intersection.

D. Cross-access drives.

Refer to APPENDIX A

E. Automobile parking

Refer to APPENDIX A. Street Parking on Poss Rd. is allowed.

F. Bicycle parking.

1. Goals. Bicycle parking is required in order to encourage the use of bicycles by providing safe and convenient places to park bicycles.

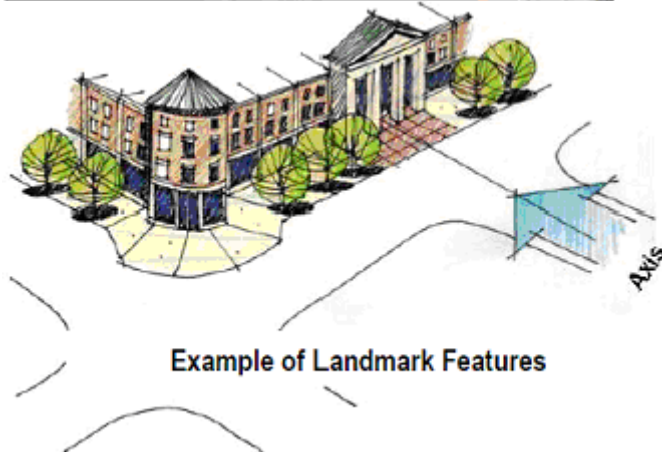
2. Bicycle parking. Bicycle parking shall be provided based on at least one (1) bike rack for each development or one (1) bike rack for each 25 car parking spaces required, whichever is lesser, unless otherwise approved by the director. Bicycle racks shall accommodate a minimum of two bicycles per rack. No more than 10 bicycle racks shall be required per development.
3. Bicycle parking standards.
 - a. Location.
 - i. Required bicycle parking should be located within 50 feet of an entrance to the building.
 - ii. Bicycle parking may be provided within a building, but the location must be easily accessible to bicycles.

G. Supplementary architectural regulations.

1. General
 - a. Landmark elements such as enhanced open spaces and building features.
 - b. Buildings which directly contribute to the attractiveness, safety and function of the street and public areas.
 - c. Buildings which are constructed in a manner, and with materials, that are highly durable and will continue to endure and be attractive over a long time, especially adjacent to public and pedestrian areas.
2. Building standards - Nonresidential and mixed use.
 - a. Building facing Poss Rd shall be designed and constructed in tri-partite architecture so that they have a distinct base, middle and top.

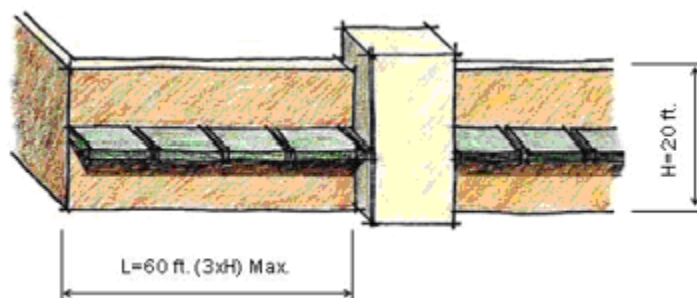
Examples of Single Story Tri-Partite



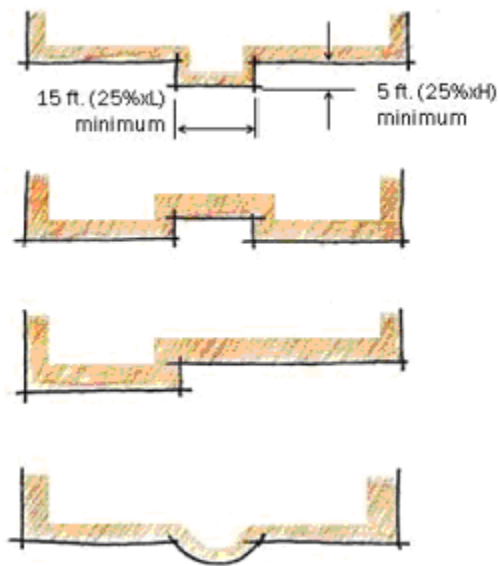


- b. Building articulation. One and two-story facades visible from a public street shall meet the following minimum standards for articulation. Articulation for buildings 3 or more stories in height shall be required for the primary entries and the building's main corners.
- i. Horizontal articulation. No building wall shall extend for a distance equal to 3 times the wall's height without having an offset equal to 25% of the wall's height, and that new plane shall extend for a distance equal to at least 25% of the maximum length of the first plane.
 - ii. Vertical articulation. No horizontal wall shall extend for a distance greater than 3 times the height of the wall without changing height by a minimum of 25% of the wall's height. Pitched roofs shall count toward achieving vertical articulation, provided they are 65 degrees or less from horizontal.

Building Articulation Examples

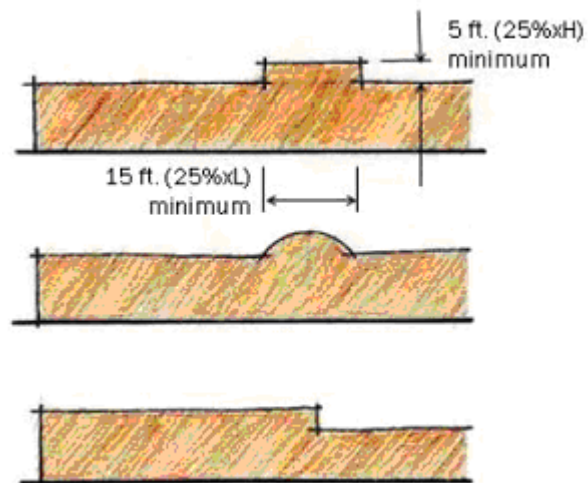


HORIZONTAL Articulation



Possible PLANS

VERTICAL Articulation



Possible ELEVATIONS



3. Architectural features.

Exterior facade materials.

- i. Allowed exterior materials. Allowed exterior surface materials are categorized into three groups:
Group A. Brick, stone and exterior grade stucco applied in a three-step process.
Group B. Stucco, architectural concrete block with integrated color, factory primed cementitious fiberboard (in the form of lap siding or board and batten), colored or stamped tilt-wall, and EIFS
Group C - Accent Metal, wood.
- ii. Prohibited exterior materials. Prohibited exterior surface materials include metal building panels, cinderblock and aggregate finished surfaces.
- iii. Primary facades. The following shall apply to all exterior walls of buildings which are clearly visible from a public street, open space, or active storefront:
 - a) Primary facades, excluding windows, doors, and other openings, shall be constructed of at least 20% Group A materials and up to 80% Group B materials. However, accent materials from Group C may be allowed in limited application for architectural features.
- iv. Secondary facades. The following shall apply to all exterior walls of buildings which are not clearly visible from a public street, open space or active storefront, or are constructed on a property line as one of a series of in-line buildings where the wall will become part of a common wall:
 - a) Walls, excluding windows, doors, and other openings, shall be constructed of a minimum of 20% Group A materials and up to 80% Group B materials.
 - b) Wrapping the primary facade treatment. Secondary facades which are adjacent to the primary facade shall contain the primary facade treatment for at least 10% of its area. This may occur as a simple continuation of the primary facade treatment, or elements such as cornices, bases and vertical elements. In all cases, however, wall surface materials shall wrap the corner, except when located on a common property line.
- v. At least two materials shall be used on all exterior facades.
- vi. Windows and glazing shall be limited to a minimum of 30% and maximum of seventy percent (70%) of each building elevation facing a street or a major access drive.
- vii. Color.
 - a) The dominant color of all buildings shall be muted shades of color. Black shall not be used except as an accent color.

There are no restrictions on accent colors which comprise less than 2.0% of the building face, except that bright and florescent colors are prohibited.

4. Townhouse district standards. (As per APPENDIX A)

5. Retail and mixed-use building standards. (As per APPENDIX A)

- a. Retail uses adjacent to the sidewalk at-grade shall:
 - i. Be constructed to meet fire code separation from any other uses constructed above;
 - ii. Have a minimum clear height of 12 feet between finished floor and the bottom of the structure above. Mezzanines within the retail space shall be allowed per building code;
 - iii. Have an awning or canopy which extends at least 6 feet over the sidewalk for at least 75% of the frontage on any portion of a building. Such awning or canopy shall maintain a minimum 7.5-foot clearance over the sidewalk; and
 - iv. Have highly transparent glass windows for at least 60%, but no greater than 80%, of the ground floor facade. The ground floor shall be excluded from the minimum and maximum window requirement above.
- b. Two zones between back of curb and the building line (As per APPENDIX A)
- c. Build-to line. (As per APPENDIX A)

