

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
January 12, 2021 – 6:00 PM

Due to the COVID-19 pandemic, this meeting is being held telephonically only as allowed by the Governor of Texas during this public health emergency. Please do not attend the meeting in person.

You may join the City Council Meeting:

Join Zoom Meeting by computer:

<https://us02web.zoom.us/j/87080424003?>

pwd=Zy8vQ09MczFVWklLaFN1NmNqT3d6QT09

Meeting ID: 870 8042 4003

Passcode: 2499511

or dial by phone:

877 853 5247 US Toll-free

888 788 0099 US Toll-free

Meeting ID: 870 8042 4003

During the meeting, the City Council may meet in executive session, as to the posted subject matter of this City Council meeting, under these exceptions of Chapter 551 of the Texas Government Code; Sections 551.071 (Consultation with Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Gifts), 551.074 (Personnel/Officers), 551.076 (Deliberation Regarding Security Devices), and Section 551.087 (Deliberation Regarding Economic Development Negotiations).

1. CALL TO ORDER – 6:00 PM

ROLL CALL

INVOCATION

2. CONFLICTS OF INTEREST

3. [2021-114](#) RECEIVE AN UPDATE FROM THE TRANSPORTATION PLANNING COMMITTEE.

Presenter: Tim Handren

4. [2021-113](#) PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the City Council on any issue, in compliance with LGC Section 551.007. City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. (attorney general opinion - JC-0169)

5. **CONSENT AGENDA:** All items listed below within the Consent Agenda are considered to be routine by the City Council and may be enacted with one motion. There will be no separate discussion of items unless a Council Member or citizen so requests, in which event the item may be moved to the general order of business and considered in its normal sequence.

- A. [2021-100](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF DECEMBER 8, 2020.

Presenter: City Secretary Lori Carroll

- B. [2021-103](#) CONSIDER ON SECOND READING ORDINANCE NO. 2020-30; 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 0.494 ACRES LOCATED AT 115 STAHL STREET (KAD NO. 20028) FROM R-3, HIGH-DENSITY RESIDENTIAL DISTRICT, TO R-4, MULTI-FAMILY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (At the request of Bichouse LLC, Gerhard M. Schruf)

Presenter: Planning & Community Development Director Laura Talley

- C. [2021-104](#) CONSIDER ON SECOND READING ORDINANCE NO. 2020-31; 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 5.01 ACRES LOCATED AT 30 CASCADE CAVERNS ROAD (KAD NO. 25666) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO O, OFFICE DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A

SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (At the request of Las Cascadas Holdings)

Presenter: Planning & Community Development Director Laura Talley

- D. [2021-115](#) CONSIDER RESOLUTION NO. 2021-R01; A RESOLUTION ESTABLISHING PROCEDURES FOR A GENERAL ELECTION FOR MAY 1, 2021. (Considerar la resolución número 2021-R01; una resolución que establece los procedimientos para la elección general del 1 de mayo, 2021)

Presenter: City Secretary Lori Carroll

- E. [2021-105](#) CALL FOR A PUBLIC HEARING REGARDING THE ADOPTION OF THE REVISED CITY OF BOERNE ZONING MAP AND UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS ON FEBRUARY 9, 2021 AT 6:00 P.M.

Presenter: Planning & Community Development Director Laura Talley

F. RECEIVE THE RECOMMENDATIONS FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR FEBRUARY 9, 2021 ON THE FOLLOWING:

- a. [2021-106](#) PROPOSED REZONING OF 5.53 ACRES LOCATED AT 134 GARDEN STREET (KAD NOS. 20006 AND 20007) FROM R-1, MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, TO RN-1, NEIGHBORHOOD RESIDENTIAL DISTRICT AND LEAVING THE R-1 ZONING FOR 1.8 ACRES LOCATED AT 119 AND 125 ADLER STREET (KAD NOS. 20009 AND 20010) AND A SMALL NORTHWEST PORTION OF 134 GARDEN STREET. (TOTAL PROJECT OF 7.33 ACRES - GREENWAY COTTAGE BUILDERS, LLC/ DAVE LUCIANI, PROPERTY OWNER REQUESTED R-2 ZONING)

Presenter: Planning & Community Development Director Laura Talley

- b. [2021-107](#) PROPOSED REZONING OF 3.57 ACRES LOCATED AT 322 NORTH PLANT AVENUE (KAD NO. 1999) FROM R-1, MEDIUM-DENSITY RESIDENTIAL DISTRICT, TO R-2, MODERATE DENSITY RESIDENTIAL. (VICTOR SHEELY/ SOURCE TEXAS, LLC)

Presenter: Planning & Community Development Director Laura Talley

- c. [2021-108](#) PROPOSED REZONING OF 6.479 ACRES LOCATED IN THE

COMMONS AT MENGER CREEK ON OLD SAN ANTONIO ROAD (KAD NO. 300529) FROM B-2, HIGHWAY COMMERCIAL TO R-2, MODERATE DENSITY RESIDENTIAL (ALAN NAUL/J-B BOERNE REALTY, LP).

Presenter: Planning & Community Development Director Laura Talley

- d. [2021-109](#) PROPOSED PLANNED UNIT DEVELOPMENT (PUD) PLAN, FOR 6.479 ACRES LOCATED IN THE COMMONS AT MENGER CREEK ON OLD SAN ANTONIO ROAD (KAD NO. 300529) (ALAN NAUL/ J-B BOERNE REALTY, LP).

Presenter: Planning & Community Development Director Laura Talley

REGULAR AGENDA:

6. PUBLIC HEARINGS, PRESENTATIONS, AND ORDINANCES:

- A. [2021-116](#) PRESENTATION AND PUBLIC HEARING TO CONSIDER THE PROPOSED ADOPTION OF THE REVISED ZONING MAP AND UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS. (First of two hearings)

Presenter: Planning & Community Development Director Laura Talley

- B [2021-119](#) PUBLIC HEARING TO CONSIDER PROPOSED ANNEXATION OF THE FOLLOWING ROADWAYS OR RIGHT-OF-WAY AT THE REQUEST OF THE KENDALL COUNTY (First of two hearings):

Presenter: Development Director Jeff Carroll

- a. [2021-127](#) RANGER CREEK ROAD - FROM THE SOUTHWEST CORNER OF BOERNE WATER TREATMENT PLANT PARCEL, APPROXIMATELY 5,890 FEET WEST OF IH10, IN A WESTERN DIRECTION APPROXIMATELY 4,630 FEET TO THE SOUTHWEST CORNER OF LAKE COUNTRY SUBDIVISION.

Presenter: Development Director Jeff Carroll

- b. [2021-120](#) UPPER BALCONES ROAD NORTHERN PORTION - FROM A POINT APPROXIMATELY 150 FEET SOUTH OF THE INTERSECTION OF UPPER BALCONES AND COUGHRAN ROAD, IN A SOUTHERN DIRECTION, APPROXIMATELY 820 FEET.

Presenter: Development Director Jeff Carroll

- c. [2021-122](#) UPPER BALCONES ROAD SOUTHERN PORTION - FROM A POINT APPROXIMATELY 1,340 FEET SOUTH OF THE INTERSECTION OF UPPER BALCONES AND COUGHRAN ROAD, IN A SOUTHERN DIRECTION, APPROXIMATELY 1,420 FEET.

Presenter: Development Director Jeff Carroll

- d. [2021-123](#) E. SHOOTING CLUB ROAD - THE PORTION SOUTHEAST OF SISTERDALE ROAD (FM 1376).

Presenter: Development Director Jeff Carroll

- e. [2021-124](#) OLD SAN ANTONIO ROAD NORTHERN PORTION - FROM A POINT APPROXIMATELY 2,710 FEET SOUTH OF THE INTERSECTION OF OLD SAN ANTONIO ROAD AND HERFF ROAD, IN A SOUTHERN DIRECTION APPROXIMATELY 1,390 FEET.

Presenter: Development Director Jeff Carroll

- f. [2021-125](#) OLD SAN ANTONIO ROAD SOUTHERN PORTION - FROM A POINT APPROXIMATELY 390 FEET NORTH OF THE INTERSECTION OF OLD SAN ANTONIO ROAD AND INDUSTRIAL DRIVE, IN A SOUTHERN DIRECTION APPROXIMATELY 685 FEET.

Presenter: Development Director Jeff Carroll

- g. [2021-126](#) CASCADE CAVERN ROAD - FROM THE INTERSECTION OF CASCADE CAVERNS ROAD AND OLD FREDERICKSBURG ROAD, APPROXIMATELY 680 FEET WEST.

Presenter: Development Director Jeff Carroll

7. RESOLUTIONS:

- A. [2021-118](#) CONSIDER RESOLUTION NO. 2021-R02; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, ADOPTING A POLICY FOR PUBLIC IMPROVEMENT DISTRICTS.

Presenter: Deputy City Manager Jeff Thompson

8. OTHER ITEMS:

- A. [2021-110](#) CONSIDER REQUEST FROM PANTUSA TOWING & RECOVERY, LLC AS A THIRD PROVIDER FOR THE MASTER TOW TRUCK ROTATION LIST.

Presenter: Police Chief James Kohler

9. CITY MANAGER'S REPORT:

- A. [2021-111](#) STORMWATER UTILITY UPDATE. (Mattick & Thompson)
Presenter: Deputy City Manager Jeff Thompson and Finance Director Sandy Mattick
- B. [2021-112](#) PRESENTATION OF CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION FOR FISCAL YEAR 2018-2019. (Mattick)
Presenter: Finance Director Sandy Mattick

10. COMMENTS FROM COUNCIL – No discussion or action may take place.**11. ADJOURNMENT****CERTIFICATION**

I hereby certify that the above notice of meeting was posted on the 8th day of January, 2021 at 4:00 p.m.

s/s Lori A. Carroll
City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City Hall Complex is wheelchair accessible. Access to the building and special parking is available at the front entrance of the building. Requests for auxiliary aides and special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 830-249-9511.

Pursuant to Section 30.06 Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to section 30.07 Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.