



AGENDA ITEM SUMMARY

District Impacted

- ☐ 1 = Haberstroh
- ☐ 2 = Woolard
- ☐ 3 = Boyd
- ☐ 4 = Cisneros
- ☐ 5 = Bergmann
- ☐ All

ITEM NO:	
AGENDA DATE:	
DESCRIPTION:	A Resolution Authorizing The City Manager To Enter Into And Manage A Development Agreement With JCH 1670 River Rd Investment LLC. As Per Chapter 43 & Section 212.172 Texas Local Government Code
RECOMMENDED ACTION (be specific)	Pass Authorizing The City Manager To Enter Into And Manage A Development Agreement With JCH 1670 River Rd Investment LLC. As Per Chapter 43 & Section 212.172 Texas Local Government Code
DEPARTMENT	City Attorney and Planning and Community Development
CONTACT PERSON	Kirsten Cohoon
SUMMARY	<p>At our April City Council workshop City Staff recommended that certain properties be annexed. Several of the properties were along HWY 46 East and had either wildlife and or agricultural exemptions. Mrs. Janette Hamilton owned the property at 1670 River Road (please see the location map and aerial at attachments 1 & 2) when the planning staff spoke to her several years ago about her options. The property subsequently was placed into an LLC - JCH 1670 River RD Investment LLC. When the Planning Staff contacted the LLC, we included information pertaining to the options of (1) being annexed by the City of Boerne; or (2) entering into a Chapter 43 & Section 212.172 Development Agreement with the City.</p> <p>Under Texas Local Government Code Chapter 43.035, before certain tax exempt status properties may be annexed, the City must offer the property owner the option of entering into a Development Agreement (DA) with the municipality. The DA shall "(A) guarantee the continuation of the extraterritorial status of the area; and (B) authorize the enforcement of all regulations and planning authority of the municipality that do not interfere with the use of the area for agriculture, wildlife management, or timber." In short, it allows the City to manage the property's future use as though it were located in the City but provides the property owner the contractual guarantee that the property will remain unchanged as long as the use of the property is the same. The DA will restrict the future development of the property other than for the addition of an accessory structure to</p>

	<p>a single family residence that may currently exist on the property.</p> <p>The partners in the JCH 1670 River Rd Investment LLC chose to enter into the Development Agreement for a term of five years. After the expiration of the five years, the Development Agreement may be extended or the Property may be annexed.</p> <p>We have attached a copy of the DA as well as the plat of the property for your information</p> <p>Staff recommends that City Council authorize the City Manager to enter into and manage the Development Agreement with JCH 1670 River Rd Investment Group LLC.</p>
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	
POWER POINT ?	

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