



AGENDA ITEM SUMMARY

Agenda Date	June 11, 2024												
Requested Action	PRESENTATION, PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE NO. 2024-08; AN ORDINANCE ANNEXING APPROXIMATELY 71.474 ACRES BEING A PORTION OF RIGHT-OF-WAY ON WEST STATE HIGHWAY 46 AND A PORTION OF WEST STATE HIGHWAY 46 (KAD. NO. 307605); TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY.												
Contact Person	Nathan Crane, AICP Planning Director ncrane@boerne-tx.gov (830) 248-1521												
Background Information	<p>REQUEST:</p> <ol style="list-style-type: none"> 1. Consider on first reading an ordinance for the voluntary annexation of 71.474 acres. 2. The request is divided into two separate areas totaling 71.474 acres and includes a combination of road right-of-way and private property. The remaining acreage within the development will be considered at a future date. <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: left;">Area</th> <th style="text-align: left;">Owner</th> <th style="text-align: left;">Acres</th> </tr> </thead> <tbody> <tr> <td>ROW</td> <td>TxDOT (State Highway 46)</td> <td>.354</td> </tr> <tr> <td>5</td> <td>Forestar Real Estate Group Inc.</td> <td>71.120</td> </tr> <tr> <td>Total</td> <td></td> <td>71.474</td> </tr> </tbody> </table> <ol style="list-style-type: none"> 3. In accordance with Section 2.5 of the Unified Development Code, the property will be designated as a Holding (HOL) district until such time as the property is permanently zoned by the Council. Individual landowners will be responsible for applying to rezone their property. 	Area	Owner	Acres	ROW	TxDOT (State Highway 46)	.354	5	Forestar Real Estate Group Inc.	71.120	Total		71.474
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BACKGROUND:

The property is part of the City's Extra-Territorial Jurisdiction (ETJ) and has been designated as Neighborhood Residential on the Future Land Use Map.

Spencer Ranch Development Agreement

The Spencer Ranch Development Agreement was approved by the Council on June 8, 2021. The agreement includes approximately 183 acres. As part of this agreement, the property is to be annexed into the City. The development plan includes single family, mixed use residential, office, commercial and mixed use.

Municipal Service Plan

A Municipal Service Plan (MSP) is required as part of each annexation. The MSP outlines how property in the annexed area will be served with municipal services. The Municipal Service Plan (MSP) was included as part of the development agreement.

Texas Water will be the permanent water and sewer provider. The City of Boerne will be responsible for Fire, Police, Road Maintenance, and all other government functions.

Access to the site is provided from Highway 46 through a new proposed collector known as Spencer Ranch Boulevard. The 2023 Mobility Master Plan identifies Spencer Ranch as a Collector Road. It also identifies Frederick's Creek as a location for a future trail.

Birch at Spencer Ranch

The single-family portion of the development is known as the Birch at Spencer Ranch. The development includes 209 single-family homes on 71.12 acres. The density is 2.93 units per acre. Kendall County has issued a permit to allow grading of the site for the single-family portion of the development. The Planning and Zoning Commission has approved the final plats for phases 1A, 1B, and 2 and the preliminary plat for phase 3.

Plat recordation is contingent on the construction of Spencer Ranch Boulevard and approval from the Federal Emergency Management Association (FEMA) of a LOMR (Letter of Map Revision).

	<p>MOTIONS FOR CONSIDERATION:</p> <p>The following motions are provided to assist the Council’s decision.</p> <ul style="list-style-type: none"> - I move that the City County APPROVE on first reading Ordinance #2024-08 approving the voluntary annexation of 71.47 acres. - I move that the City Council DENY the request for annexation based on the following findings: (The Council will need to state the reasons for the denial).
Item Justification	<input checked="" type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Infrastructure Investment <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Customer Pull <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Service Enhancement <input type="checkbox"/> Mitigate Risk <input type="checkbox"/> Process Efficiency <input checked="" type="checkbox"/> Master Plan Recommendation <input type="checkbox"/> Other:
Strategic Alignment	B2 – Advancing Master Plan Recommendations
Financial Considerations	N/A
Citizen Input/Board Review	<p>The private property owners provided consent to the annexation and approval of a municipal service plan with approval of the Development Agreement.</p> <p>TxDOT was notified of the annexation in February 2024. No comments have been received. Municipal Service Plans are not required for roadways.</p> <p>On May 14, 2024, the Council set a date and time for a public hearing to be held on June 11, 2024.</p>
Legal Review	This action is a statutory requirement for annexation.
Alternative Options	N/A
Supporting Documents	<p>Ordinance No. 2024-08. Spencer Ranch Development Agreement Executed June 16, 2021 Annexation Area Map Spencer Ranch Area 5 Map Location Map & Legal Description</p>

