

MINUTES
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
JANUARY 28, 2025 – 6:00 PM

Minutes of the Regular Called City Council meeting of January 28, 2025.

Present: **6 -** Mayor Frank Ritchie, Mayor Pro Tem Ty Wolosin, Council Member Sharon D. Wright, Council Member Quinten Scott, Council Member Bret A. Bunker, and Council Member Joseph Macaluso

Staff Present: Ben Thatcher, Sarah Buckelew, Lori Carroll, Nathan Crane, Mike Mann, Mick McKamie, Mike Raute, Kristy Stark, Chastity Valdes, and Danny Zincke.

Recognized / Registered Guests: Jacquelyn Burrer, Tammy Miller, John-Mark Matkin, Mario and Grace San Miguel, and Joshua Valenta.

1. CALL TO ORDER – 6:00 PM

Mayor Ritchie called the City Council meeting to order at 6:00 p.m.

Mayor Ritchie provided the Invocation and led the Pledge of Allegiance to the United States Flag and to the Texas Flag.

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. PUBLIC COMMENTS:

No comments were received.

4. 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.

Council Member Macaluso commented on Consent Agenda item D. - that because a property is annexed into the city doesn't mean that the zoning will be approved as requested.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECOND BY COUNCIL MEMBER SCOTT TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

A. CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF JANUARY 14, 2025.

THE MINUTES WERE APPROVED.

B. CONSIDER RESOLUTION NO. 2025-R05; A RESOLUTION ESTABLISHING PROCEDURES FOR A GENERAL ELECTION FOR MAY 3, 2025. (Considerar la resolución numero 2025-R05; una resolución que establece los procedimientos para la elección general del 3 de mayo, 2025)

THE RESOLUTION WAS APPROVED.

C. CONSIDER RESOLUTION NO. 2025-R06: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, CALLING FOR A SPECIAL ELECTION ON MAY 3, 2025 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY PROPOSED AMENDMENTS TO THE EXISTING BOERNE HOME RULE CHARTER, STATING THE SUBJECT MATTER OF THE PROPOSED AMENDMENTS TO THE CITY CHARTER TO BE VOTED UPON AT SAID ELECTION, PROVIDING THE FORM OF THE BALLOT FOR SUCH ELECTION, DESIGNATING THE POLLING PLACES, DIRECTING AND

GIVING NOTICE OF SUCH ELECTION, AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION. (Una resolución de la ciudad de Boerne, Texas, llamando para una elección especial el 3 de Mayo de 2025 para el propósito de enviar a los votantes calificados de la ciudad enmiendas propuestas a la carta de la regla del hogar de la ciudad, declarando el asunto de las enmiendas propuestas a la carta de la ciudad para ser votado en esta dicha elección, proporcionando la forma de la boleta dicha elección, designando los lugares de votación, dirigiendo y dando aviso de dicha elección, y proporcionando detalles relacionados con la realización de dicha elección.)

THE RESOLUTION WAS APPROVED.

- D. CONSIDER RESOLUTION NO. 2025-R07; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING THE REQUEST AND SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF APPROXIMATELY 6.46 +/- ACRES OF LAND LOCATED AT 727A JOHNS ROAD, BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARING. (Set Public Hearing for February 25, 2025)

THE RESOLUTION WAS APPROVED.

- E. CONSIDER APPROVAL OF THE CITY OF BOERNE INVESTMENT POLICY AND BROKER-DEALER LIST.

THE INVESTMENT POLICY AND BROKER-DEALER LIST WAS APPROVED.

8. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:

Mayor Ritchie convened the City Council into Executive Session at 6:04 p.m.

- B. SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY; PENDING OR CONTEMPLATED LITIGATION.

No action was taken.

- A. SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY;

SPENCER RANCH.

No action was taken.

9. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.

Mayor Ritchie reconvened City Council into Open Session at 6:51 p.m.

No action was taken.

REGULAR AGENDA:**5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:**

- A. RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION, HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE NO. 2025-01; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, ZONING 71.12 ACRE TRACT FROM A HOL-INTERIM HOLDING ZONING DISTRICT TO R2-M MODERATE DENSITY RESIDENTIAL ZONING DISTRICT, LOCATED AT WEST STATE HIGHWAY 46 (KAD NO. 307605 AND 316184; A10360 - SURVEY 179 NEWTON & TAYLOR 71.12 ACRES) TO ALLOW FOR A SINGLE FAMILY SUBDIVISION. (FORESTAR (USA) REAL ESTATE GROUP INC. AND CONTINENTAL HOMES OF TEXAS, LP)**

Mayor Ritchie called on Nathan Crane, Planning Director, to present the zoning request. Director Crane reviewed the steps involved in considering property zoning and displayed a map of the property under discussion. He explained that the original request was for R-2M zoning for the 71.12-acre parcel. Providing background on the Spencer Ranch project, he outlined the current development agreement. He also noted that the Planning and Zoning Commission voted 6-0 to recommend denial of the R-2M zoning request. Despite this recommendation, the applicant requested that the matter proceed to City Council for consideration.

To gain insight into the commission's reasoning for its denial, Mayor Ritchie invited Planning and Zoning Commission Chairman Tim Bannwolf to speak. Chairman Bannwolf cited concerns about Highway 46 being a two-lane roadway, which could be overwhelmed by high-density development. He referenced multiple accidents on the roadway and noted that a traffic signal would not be constructed until the development was fully built out.

Mayor Ritchie then asked if any representatives of Spencer Ranch were present and wished to address the council. Kevin DeAnda with Ortiz McKnight, PLLC introduced himself as a representative of both Forestar (USA) Real Estate Group, Inc. and Continental Homes of Texas, LP. He stated that the developer had been working with city staff since 2018 and that the project had always been intended for single-family residential development. The initial Master Plan was approved in 2018 for the 71.12 acres as well as the development agreement and Plats for Phase 1A, 1B, 2, with 3 pending approval. The property was annexed into the city limits in June 2024. He noted that zoning was officially filed in October 2024 and have complied with the city's regulations and that a Traffic Impact Analysis had been completed. He also emphasized that Spencer Ranch Road which is four lanes was completed and included in the city's thoroughfare plan. Since the master plan was approved, the density has been reduced from 209 units to 201 units.

Mayor Ritchie opened the Public Hearing at 7:14 p.m.

No comments were received.

Mayor Ritchie closed the Public Hearing at 7:15 p.m.

City Council discussion ensued regarding the consideration of an R2-N zoning designation instead of R2-M. At the time the development agreement was approved, the property was outside the city limits, and the platting process commenced. Since then, Kendall County declined to assume responsibility for the roadway, leading the City Council to annex the development. Further discussion covered options such as replatting, a split zoning approach, and TxDOT improvements to accommodate increased traffic. Miguel from Forestar (USA) Real Estate Group stated that utilities are in place for the first 50 lots

and that a bridge has been constructed, ensuring infrastructure readiness. John-Mark Matkin, the property developer, noted that TxDOT has approved the construction of Spencer Ranch Road and that all city requirements have been met.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT TO APPROVE ON FIRST READING ORDINANCE NO. 2025-01; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, ZONING 71.12 ACRE TRACT FROM A HOL-INTERIM HOLDING ZONING DISTRICT TO R2-N NEIGHBORHOOD RESIDENTIAL ZONING DISTRICT, LOCATED AT WEST STATE HIGHWAY 46 (KAD NO. 307605 AND 316184; A10360 - SURVEY 179 NEWTON & TAYLOR 71.12 ACRES) TO ALLOW FOR A SINGLE FAMILY SUBDIVISION. (FORESTAR (USA) REAL ESTATE GROUP INC. AND CONTINENTAL HOMES OF TEXAS, LP)

A SECONDARY MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER WRIGHT, THAT THIS ORDINANCE BE TABLED ON FIRST READING ORDINANCE NO. 2025-01; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, ZONING 71.12 ACRE TRACT FROM A HOL-INTERIM HOLDING ZONING DISTRICT TO R2-M MODERATE DENSITY RESIDENTIAL ZONING DISTRICT, LOCATED AT WEST STATE HIGHWAY 46 UNTIL FEBRUARY 25, 2025 TO ALLOW FOR MORE DISCUSSION (KAD NO. 307605 AND 316184; A10360 - SURVEY 179 NEWTON & TAYLOR 71.12 ACRES) TO ALLOW FOR A SINGLE FAMILY SUBDIVISION. (FORESTAR (USA) REAL ESTATE GROUP INC. AND CONTINENTAL HOMES OF TEXAS, LP). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Bunker, and Council Member Macaluso

Nay: 1 - Council Member Scott

6. CITY MANAGER'S REPORT:

Mayor Ritchie called on City Manager Ben Thatcher.

A. MONTHLY PROJECTS UPDATE.

City Manager Ben Thatcher reviewed and provided an update on various city projects. He extended appreciation to city staff for providing updated information in their workplans.

7. COMMENTS FROM COUNCIL – No discussion or action may take place.

Mayor Ritchie expressed gratitude to the developer of Spencer Ranch and city staff for facilitating an informative discussion. He emphasized the importance of the City Council making well-informed decisions that serve the best interests of the community.

Additionally, Mayor Ritchie reminded the audience that in 2020, voters considered 13 charter amendments, all of which were approved except for one - extending the term limits for City Council members and the Mayor to three years. This year, the hope is that the amendment will pass, as it plays a crucial role in ensuring continuity in leadership. He noted that understanding the complexities of city government takes time.

10. ADJOURNMENT

Mayor Ritchie adjourned the City Council meeting at 8:08 p.m.

Approved:

Mayor

Attest:

City Secretary