



## AGENDA ITEM SUMMARY

### District Impacted

- ☐ 1 = Anzollitto
- ☐ 2 = Woolard
- ☒ 3 = Boyd
- ☐ 4 = Cisneros
- ☐ 5 = Colvin
- ☐ All

### AGENDA DATE

August 22, 2017

### DESCRIPTION

CONSIDER RESOLUTION NO. 2017-R63; A RESOLUTION OF THE CITY OF BOERNE AUTHORIZING THE USE OF PARK PROPERTY OWNED BY THE CITY OF BOERNE AND DESIGNATED AS PARKLAND; CONFIRMING PROPER NOTICE OF AN OFFICIAL DETERMINATION TO USE THE REAL PROPERTY; CONDUCTING A PUBLIC HEARING PRIOR TO APPROVAL OF USE OF SAID PROPERTY FINDING THAT THERE IS NO FEASIBLE AND PRUDENT ALTERNATIVE TO THE USE AND THAT THE PROJECT INCLUDES ALL REASONABLE PLANNING TO MINIMIZE HARM TO THE REMAINING PARKLAND; AND AUTHORIZING THE CITY MANAGER TO ENGAGE IN FURTHER NEGOTIATIONS REGARDING THE USE OF REAL PROPERTY.

### STAFF'S RECOMMENDED ACTION (be specific)

Approve Resolution No. 2017-R63; A Resolution Of The City Of Boerne Authorizing The Use Of Real Property Owned By The City Of Boerne And Designated As Parkland; Confirming Proper Notice Of An Official Determination To Use The Real Property; Conducting A Public Hearing Prior To Approval Of Use Of Said Property Finding That There Is No Feasible And Prudent Alternative To The Use And That The Project Includes All Reasonable Planning To Minimize Harm To The Remaining Parkland; And Authorizing The City Manager To Engage In Further Negotiations Regarding The Use Of Park Property.

### CONTACT PERSON

Laura Talley

### SUMMARY

The property under consideration is located at 513 East San Antonio Ave, (KAD 34962) and is 0.4426 acres. The property is owned by the City of Boerne and was deeded to the city by Mrs. Ellis to be used as a park. The property remains undeveloped as a park and there is no plan for the development of this lot. Robert Thornton and Travis Roberson with RS Thornton have approached the city regarding a parking lot on a portion of this park site that would provide much needed Old No. 9 trailhead and community parking.

As per the requirements of state law, before using this property for anything other than park land, we must provide notice to the public of the proposed use. We have posted three notices for the public and are now holding this public hearing in compliance with the Texas Parks and Wildlife Code Chapter 26.

	<p>The Council must consider the following:</p> <p>(1) whether there is no feasible and prudent alternative to the use of the land; and</p> <p>(2) the project includes all reasonable planning to minimize harm to the land, as a park, resulting from the use.</p> <p>The property will be used to serve the Old No 9 Trail along with other in-town parking needs. It serves as a good location for mid-trail parking and could even serve as overflow parking during large downtown events along Main Street (i.e. Dickens on Main) and at our Main Plaza park (i.e. Market Days). While we do have parking at the south end of the trail along Esser there is no mid-trail parking. Additionally, there is no other city owned land that would serve this purpose as well. Approval of this use will make our trail more accessible. In addition, RS Thornton will add amenities to the remainder of the park area (i.e. benches and perhaps some stretching stations, along with a sidewalk to the trail). The park will be named in honor of Mrs. Ellis.</p> <p>If Council approves the use of a portion of the parkland as a trailhead and a community parking lot, staff will bring forward a use agreement with R.S. Thornton at a later meeting for consideration. This use agreement will allow RS Thornton to use a portion of the parking lot during business hours in exchange for the construction of the lot and the amenities.</p> <p>Staff is supportive of the use of a trailhead and community parking lot at this location.</p>
<b>COST</b>	n/a
<b>SOURCE OF FUNDS</b>	n/a
<b>ADDITIONAL INFORMATION</b>	Location and aerial maps

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