City of Boerne	AGENDA ITEM SUMMARY District Impacted
AGENDA DATE	October 1, 2018
ITEM NUMBER	7.
DESCRIPTION	CONSIDER THE MASTER PLAN FOR SPENCER RANCH, A 71.12 ACRE TRACT OF LAND LOCATED IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF BOERNE AT 10 SPENCER ROAD (KAD NO. 14916). TAKE NECESSARY ACTION.
STAFF'S	APPROVE THE MASTER PLAN FOR SPENCER RANCH, A 71.12 ACRE
RECOMMENDED ACTION (be specific)	TRACT OF LAND LOCATED IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF BOERNE AT 10 SPENCER ROAD (KAD NO. 14916).
DEPARTMENT	Planning and Community Development
CONTACT PERSON	Laura Talley, Director
SUMMARY	The property under consideration is located at 10 Spencer Road. This proposed master planned community is in the Extraterritorial Jurisdiction (ETJ) of Boerne along State Highway 46 west of IH-10 near the intersection with Coughran Road. The proposed plan identifies three phases of development; for a total of 209 homes, 17.98 acres of open space with an average density of 2.94 units per acre. The proposed use of this property conforms to Future Land Use Map designation of this area as Neighborhood residential. It also provides right-of-way dedication as is identified on the City's Thoroughfare Plan. The developer has worked with TxDOT and aligned this section of the thoroughfare plan with Coughran Road.
	This is the second development in the ETJ that has been presented to the City that is proposing to provide public water and sewer from Kendall West Utility (KWU). State law (Section 212.003) allows municipalities limited regulatory authority over developments in the ETJ that are provided public water and sewer. A municipality shall not regulate (1) the use of any building; (2) the bulk, height, or number of buildings constructed; (3) the size of a building; or (4) the number of residential units that can be built per acre of land. Therefore, we cannot, by law, control density in the ETJ. We may however restrict impervious cover in order to provide environmental protection within the City's extraterritorial jurisdiction (ETJ) and protect the natural and

ecological resources.

	Article 9 in our subdivision ordinance defines the criteria for development in the ETJ that is provided water and sewer services. The regulatory entity for a utility that provides water or sewer is controlled by TCEQ. If any property is using a public utility provider, other than the City of Boerne, they must follow our subdivision regulations and also specifically, Article 9 which regulates impervious cover. TCEQ regulates public utility providers. As required by our Subdivision Ordinance, phased developments
	require a master plan submittal. The master plan is the first step in the platting process and is only required to demonstrate the location of the development, a north arrow, surrounding property information, total acreage and number of lots, streets, unit locations with lot sizes, streams, density and open space. A master plan gives the Commission and staff an idea of what is planned for the site and is used as a guide to follow unit development as plats are reviewed. A master plan is unique to the City of Boerne. A master plan is not a State requirement, it is the City of Boerne submittal requirement. It is simply for our guidance. It can be amended and often is when the developer gets into the detail of platting the project.
	The Master Plan meets the criteria of our ordinance and staff recommends approval.
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	

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