AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
December 13, 2016 – 6:00 PM

1. CALL TO ORDER – 6:00 PM

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG
PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG
(Honor the Texas flag, I pledge allegiance to thee, Texas – one state under God, one and indivisible.)

2. CONFLICTS OF INTEREST

3. 2016-1135 INTRODUCTION AND PRESENTATION OF MASTER PLAN UPDATE PROCESS AND COMMUNITY INVOLVEMENT PLAN.

Attachments: Summary

4. 2016-1131 CONSIDER MAYORAL APPOINTMENTS TO THE MASTER PLAN STEERING COMMITTEE.

Attachments: AIS mayoral appt
Boerne Master Plan Update - Committee List Rev 12.8.16

5. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the City Council on any issue. City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. (Attorney General opinion – JC-0169)

6. 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.

A. 2016-1129 APPROVAL OF MINUTES OF NOVEMBER 22, 2016 (Regular), MINUTES OF NOVEMBER 30, 2016 (Special Called Joint Ethics Training) AND MINUTES OF DECEMBER 1, 2016 (Transportation Meeting).

Attachments: Minutes 16.1122
Minutes 16.1130
Minutes 16.1201

B. 2016-1114 CONSIDER ON SECOND READING ORDINANCE NO. 2016-47; AN ORDINANCE AMENDING ORDINANCE NO. 2014-21, AUTHORIZING THE INSTALLATION OF STOP SIGNS, ESTABLISHING SPEED LIMITS AND DESIGNATING NO PARKING AREAS IN CHAMPION HEIGHTS SUBDIVISION PHASE 2 AND 3; AND PROVIDING FOR A PENALTY NOT TO EXCEED $200 FOR EACH VIOLATION OF THIS ORDINANCE.

Attachments: AIS Champion Heigts Traffic Control 2.doc
Ordinance No. 2016-47
Champion Hts Speed & Parking Aerial.pdf

C. 2016-1115 CONSIDER ON SECOND READING ORDINANCE NO. 2016-48; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY. (21.688 Acres located at 1700 River Road at the request of the City of Boerne, Property Owner Shirley Rittimann)

Attachments: Summary
Ordinance No. 2016-48
Att 1 - description and survey
Att 2 - LOCATION MAP
Att 3 - Aerial for 1700 River Road
Additional map - aerial

D. 2016-1074 CONSIDER RESOLUTION NO. 2016-R123; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Oil Distributor Truck for Street

Department)

Attachments: AIS Distributor Truck.doc
2016-R123 Purchase Oil Distributor truck

E. 2016-1126 ANNUAL REVIEW TO THE CITY OF BOERNE'S INVESTMENT POLICY.

Attachments: Investment Policy - Review 2016
InvstPol,16.17 Final
Broker-Dealer List

7. PUBLIC HEARING – To Hear Comments On The Following:

A. 2016-1093 PROPOSED ANNEXATION OF 26.582 ACRES OF LAND LOCATED AT 17 HERFF ROAD - KAD NOS. 12536, 15847, 15848, AND 15849 AT THE REQUEST OF JAMES AND DEBORAH ROERIG. (Second of Two Hearings)

Attachments: Summary
Public Hearing_16.1213 annexation 17 Herff & proposed uses at 119,Outl
Att 1 - LOCATION MAP
Att 2 - Aerial
Att 3 - Petition and Survey

B. 2016-1094 PROPOSED APPLICATION OF AN ENTRANCE CORRIDOR OVERLAY DISTRICT TO 44 AND 46 OLD SAN ANTONIO ROAD, KAD NOS: 42070, 15863, 14796, AND 42069. (Howell R Moore, Michelle L Moore, Vicki Reid Moore, Leon Grivell III- First of One Hearing)

Attachments: Summary
Public Hearing_16.1213
Att 1 - LOCATION MAP
Att 2- Aerial

C. 2016-1095 PROPOSED REZONING OF 119 EBNER STREET, A TOTAL OF 1.179 ACRES, FROM R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT, KAD NO. 18954. (Groff Land Enterprises LP- First of One Hearing)

Attachments: Summary
Public Hearing
Att 1 - LOCATION MAP
Att 2 - Aerial Map

D. 2016-1096 PROPOSED REZONING OF OUTLOT 55 ON EBNER STREET, A TOTAL OF 1.2 ACRES, FROM R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT, KAD NO. 20071. (Stan Scott, requestor. New Property Owner, Robert Thornton - First of One Hearing)

Attachments: Summary
Public Hearing
Att 1 - LOCATION MAP
Att 2 - Aerial

E. 2016-1097 PROPOSED REZONING OF 303 EBNER STREET, A TOTAL OF 1.235 ACRES, FROM R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT, KAD NO. 18958. (Pico Propane Operating LLC- First of One Hearing)

Attachments: Summary
Public Hearing
Att 1 - LOCATION MAP
Att 2 - Aerial Map

F. 2016-1098 PROPOSED USE OF AUTOMOBILE SALES IN A B-2, HIGHWAY COMMERCIAL DISTRICT AT INTERSTATE 10, KAD NO. 22677. (Bryan Hardeman - First of One Hearing)

Attachments: Summary
Public Hearing
Att 1 - LOCATION MAP
Att 2 - Aerial Map

8. TAKE ANY NECESSARY ACTION RESULTING FROM THE PUBLIC HEARING:

A. 2016-1099 CONSIDER ON FIRST READING ORDINANCE NO. 2016-49; AN ORDINANCE AMENDING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED

DECEMBER 18, 2007, BY AMENDING ARTICLE 5, SECTION 25, APPLYING AN ENTRANCE CORRIDOR OVERLAY DISTRICT DESIGNATION TO 2.811 ACRES LOCATED AT 44 AND 46 OLD SAN ANTONIO ROAD (KAD NOS. 42070, 15863, 14796, AND 42069); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Howell R Moore, Michelle L Moore, Vicki Reid Moore, Leon Grivell III)

Attachments: Summary
Ordinance No. 2016-49
Att 1 - LOCATION MAP
Att 2- Aerial
Att 3 - Zoningmap

B. 2016-1100 CONSIDER ON FIRST READING ORDINANCE NO. 2016-50; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 3, SECTION 14, REZONING 1.179 ACRES LOCATED AT 119 EBNER STREET (KAD NO. 18954), FROM R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Groff Land Enterprises LP)

Attachments: Summary
Ordinance No. 2016-50
Att 1 - LOCATION MAP
Att 2 - Aerial Map
Att 3 - Zoning Map
Att 4 - B-1 Uses

C. 2016-1101 CONSIDER ON FIRST READING ORDINANCE NO. 2016-51; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 3, SECTION 14, REZONING 1.2 ACRES LOCATED AT OUTLOT 55 ON EBNER STREET (KAD NO. 20071),

FROM R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Stan Scott, Requestor. New Property Owner, Robert Thornton)

Attachments:
Summary
Ordinance No. 2016-51
Att 1 - LOCATION MAP
Att 2 - Aerial
Att 3 - Zoning Map
Att 4
Att 5
Att 6

D. 2016-1102 CONSIDER ON FIRST READING ORDINANCE NO. 2016-52; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 3, SECTION 14, REZONING 1.235 ACRES LOCATED AT 303 EBNER STREET (KAD NO. 18958), FROM R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Pico Propane Operating LLC)

Attachments:
Summary
Ordinance No. 2016-52
Att 1 - LOCATION MAP
Att 2 - Aerial Map
Att 3 - Zoning Map
Att 4 - B-1 Uses

E. 2016-1103 CONSIDER ON FIRST READING ORDINANCE NO. 2016-53; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, ARTICLE 5, SECTION 3 PERMITTED USES, TABLE 5-1,

AUTHORIZING THE USE OF AUTOMOBILE SALES IN A B-2, HIGHWAY COMMERCIAL DISTRICT AT INTERSTATE 10 (KAD NO. 22677), A TOTAL OF 9.963 ACRES. (Bryan Hardeman)

Attachments:
Summary
Ordinance No. 2016-53
Att 1 - LOCATION MAP
Att 2 - Aerial Map
Att 3 - Zoning Map
Att 4 - B-2 Uses
Att 5 - Site Plan
Att 6 - letter of use request automobile sales
Att 7 - row dedication

9. 2016-1130 UPDATE ON POSSIBLE ROADWAY, DRAINAGE AND SIDEWALK BOND ELECTION.

Attachments:
AIS Potential Bond Projects
Sidewalks Bond Issue
No Bonds Projects

10. 2016-1120 CONSIDER ON FIRST READING ORDINANCE NO. 2016-54; AN ORDINANCE AMENDING ORDINANCE NO. 2016-29, ESTABLISHING THE DESIGNATION OF NO PARKING AREAS WITHIN THE CITY OF BOERNE; AND PROVIDING FOR A PENALTY OF NOT MORE THAN $200 FOR EACH VIOLATION. (No parking along Charger Blvd. during school days)

Attachments:
AIS Charger Blvd Parking Restrictions.doc
Ordinance No. 2016-54
charger blvd no parking.jpg
chs traffic flow change 112816 blue.pdf

11. **2016-1132** CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2016-55; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A.

12. 2016-1127 CONSIDER ORDINANCE NO. 2016-55; AN ORDINANCE AMENDING ORDINANCE NO. 2015-30; CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2015-2016, BEGINNING OCTOBER 1, 2015 AND ENDING

SEPTEMBER 30, 2016."

Attachments: Budget Amendments AIS - Sept 2016 #2
Ordinance No. 2016-55
Budget Amendments Sept 2016 #2

13. 2016-1104 CONSIDER ON FIRST READING ORDINANCE NO. 2016-56; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY (22.558 acres located at 128 and 214 Cascade Caverns Road at the request of ML&E Landquest Cascade Caverns, LLC - Southglen Subdivision Phase 1)

Attachments: Summary
Ordinance No. 2016-56
Att - 1 LOCATION MAP
Att - 2 aerial for southglen

14. 2016-1133 CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2016-57; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A.

15. 2016-1086 CONSIDER ORDINANCE NO. 2016-57; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING CHAPTER 9 ENTITLED "FLOOD DAMAGE PREVENTION", ARTICLE 4 ADMINISTRATION, SECTION A, DESIGNATION OF THE FLOOD PLAIN ADMINISTRATOR; PROVIDING FOR A PENALTY OF NOT MORE THAN $1,000.00 FOR EACH VIOLATION.

Attachments: AIS Flood Plain Ordinance
Ordinance No. 2016-57

16. 2016-1116 CONSIDER RESOLUTION NO. 2016-R124; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING THE PETITION AND SETTING THE DATE, TIME, AND PLACE FOR TWO

PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (4.088 acres located at 47 Old San Antonio Road at the request of Priscilla Jean Heard)

Attachments: Summary
2016-R124 Annexation Petition 47 Old San Antonio Rd
Att 1 - LOCATION MAP
Att 2 - aerial
Att 3 - Survey

17. 2016-1121 CONSIDER RESOLUTION NO. 2016-R125; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND _____ FOR THE PARKS AND RECREATION MASTER PLAN 2017-2027.

Attachments: Parks Master Plan AIS
2016-R125 parks master plan
Burditt/ Boerne Parks Master Plan Scope of Service

18. RECEIVE RECOMMENDATIONS FROM THE PLANNING AND ZONING COMMISSION AND SET PUBLIC HEARINGS FOR JANUARY 10, 2017:

A. 2016-1122 PROPOSED REZONING OF 215 WANDA STREET (LOT 13A-1), A TOTAL OF 1.44 ACRES, FROM R-1, MEDIUM-DENSITY RESIDENTIAL DISTRICT AND B-2, HIGHWAY COMMERCIAL DISTRICT TO O, OFFICE DISTRICT, KAD NO. 50728 (Fred Hausheer)

Attachments: Summary
Att 1 - LOCATION MAP
Att 2 - Aerial map
Att 3 - 215 Wanda Zoning Map
Att 4 - 215 Wanda Street Rezone Application04112016
Att 5 - O Uses
B-2 Uses
R-1 Uses

B. 2016-1123 PROPOSED USE OF A LONG TERM CARE FACILITY IN A B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD

COMMERCIAL DISTRICT AT 502 SCHOOL STREET, KAD NO. 14412 (Genevieve Jones) AND A PORTION OF 536 S. SCHOOL STREET, KAD NO. 14381, +/- 0.9 ACRES. (Anita Lewis Asher Et Al)

Attachments:
Summary
Att 1 - LOCATION MAP
Att 2 - aerial
Att 3 - Zoning Map
Att 4 - Land Use Plan revised 12.11.12
Att 5 - SITE PLAN
Att 6 - B-1 Uses

C. 2016-1124 PROPOSED REVISIONS TO THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, ARTICLE 1, IN GENERAL, SECTION 06. DEFINITIONS, ARTICLE 3, GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 02. OUTDOOR LIGHTING, SECTION 08. COMMERCIAL CENTER DESIGN STANDARDS, SECTION 09. COMBINED COMMERCIAL DESIGN STANDARDS, SECTION 10. ON-SITE PARKING REQUIREMENTS, AND ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS.

Attachments:
Summary
Att 1 - SoBo_ Updates_12.05.16
Att 2 - SoBo Regulating Plan

D. 2016-1125 PROPOSED USE OF AN ASSEMBLY IN A RE-1, LOW-DENSITY SINGLE FAMILY DISTRICT AT 35 OLD SAN ANTONIO ROAD, KAD NO. 38977 (Belleori Holdings, LLC).

Attachments:
Summary
Att 1 - LOCATION MAP
Att 2 - Aerial Map
Att 3 - Zoning Map
Att 4 - RE-1 Uses
Att 5 - site plan
Att 6 - use request letter 35 old sa

19. COMMENTS FROM COUNCIL/LEGAL COUNSEL/STAFF – No discussion or action may take place.

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

A. 2016-1136 SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATION.

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

22. ADJOURNMENT

_____

s/s Ronald C. Bowman
City Manager

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 9th day of December, 2016 at 4:30 p.m.

_____

s/s Lori A. Carroll
City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The Police / Municipal Court Complex is wheelchair accessible. Access to the building and special parking is available at the front entrance of the building. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 830-249-9511.

Pursuant to Section 30.06 Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to section 30.07 Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.