

MINUTES
PLANNING AND ZONING COMMISSION MEETING
BOERNE CITY HALL
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street

Monday, October 6, 2025 – 6:00 p.m.

Present 6 - Vice Chair Lucas Hiler, Commissioner Bob Cates, Commissioner Susan Friar, Commissioner Cody Keller, Commissioner Bill Bird, and Commissioner Carlos Vecino

Absent 1 - Chairman Tim Bannwolf

1. CALL TO ORDER – 6:00 PM

2. CONFLICTS OF INTEREST

3. PUBLIC COMMENTS:

4. CONSENT AGENDA:

The Commission pulled the minutes from the consent agenda for discussion. Commissioner Friar noted that the agenda item regarding the PUD did not include the seven stipulations, as well as the two additional stipulations, and that these were not reflected in the minutes.

Director Crane acknowledged the oversight and stated that the item could be pulled and brought back at the next meeting once the necessary corrections have been made.

A. CONSIDER APPROVAL OF THE MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 8, 2025.

5. REGULAR AGENDA:

A. HOLD A PUBLIC HEARING AND CONSIDER A REQUEST FOR A SPECIAL USE PERMIT (SUP) FOR AN ACCESSORY DRIVE-THRU LOCATED AT 31500 INTERSTATE 10 (SCOOTER’S COFFEE).

JoAnn Marie Aldrade, Planning Department, was called to present. She reviewed the site plan and project requirements, noting that the proposal includes a 668 sq. ft. building with no indoor seating, featuring drive-thru and walk-up service only. All necessary utilities are available at the site.

Discussion on this project was previously held on August 19, and staff

recommendations (four) were included.

Commissioner Hiler asked about traffic in the area. Engineering & Mobility Director Jeff Carroll stated that the City has been reviewing the Cascade Cavern Road project, which is federally funded but currently delayed. He added that other developers are being considered for mitigation improvements.

Public Hearing opened at 6:13 PM.

Comments received:

Bobby Yelverton - NAPA Auto Parts store owner, stated he had no concerns with Scooter's Coffee developing on the site and encouraged the Commission to move forward.

Andrew & Shaughnessy Davis, 113 Wild Rose Hill, owners of Scooter's Coffee, stated they also own the Kerrville location, which is a top-performing store. They highlighted their active community involvement through fundraisers and donations and noted that they have lived in Boerne for five years.

Public Hearing closed at 6:15 PM.

Commissioner Bird asked whether the southeast portion of the property includes a deeded easement that the coffee shop will utilize. Director Crane confirmed that it is an existing easement.

Commissioner Vecino inquired about traffic backing up on the service road and asked for a timeframe. Director Carroll confirmed that peak traffic occurs between 7:30 and 8:30 a.m. due to nearby school traffic, not because of the businesses in the area. He added that traffic concerns are minimal since the types of businesses nearby have different peak hours (morning coffee vs. lunch rush).

Commissioner Friar stated that she supports the project and believes it is a great location. She asked where overflow cars would go if the drive-thru line

becomes long. Andrew Davis responded that Scooter's Coffee operates efficiently, averaging two minutes per car with a full crew, and that they have a rush plan in place for morning peak hours.

A MOTION WAS MADE BY COMMISSIONER BIRD, SECONDED BY COMMISSIONER CATES, TO APPROVE A REQUEST FOR A SPECIAL USE PERMIT (SUP) FOR AN ACCESSORY DRIVE-THRU LOCATED AT 31500 INTERSTATE 10 (SCOOTER'S COFFEE). TO INCLUDE 4 STIPULATIONS 1) THE PROPOSED USE SHALL CONFORM TO THE NARRATIVE AND SITE PLAN DATE STAMPED SEPTEMBER 24, 2025. 2) FINAL DESIGN AND INSTALLATION OF THE PROPOSED BIORETENTION/LOW IMPACT DEVELOPMENT (LID) FEATURE SHALL BE SUBJECT TO STAFF APPROVAL TO ENSURE COMPLIANCE WITH UDC CHAPTER 8 ENVIRONMENTAL DESIGN REQUIREMENTS. 3) FINAL DESIGN AND INSTALLATION OF ESCAPE LANE SHALL BE SUBJECT TO STAFF APPROVAL TO ENSURE COMPLIANCE WITH UDC ACCESS AND CIRCULATION STANDARDS. 4) IN ACCORDANCE WITH UDC SEC, 2-5.D.8.A.III, THE SPECIAL USE PERMIT SHALL EXPIRE WITHIN TWO YEARS FROM THE DATE OF APPROVAL IF NO PHYSICAL IMPROVEMENTS ARE MADE, AND A CERTIFICATE OF OCCUPANCY IS NOT ISSUED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 6 - Vice Chair Hiler, Commissioner Cates, Commissioner Friar, Commissioner Keller, Commissioner Bird, and Commissioner Vecino

B. CONSIDER A VARIANCE REQUEST TO CHAPTER 2.12.2, DRIVEWAY THROAT LENGTH, OF THE ENGINEERING DESIGN MANUAL.(902 River Road, Lot PT-3, Block 7)

Commissioner Hiler announced that Agenda Items 5B through 5E would not be discussed or considered this evening, items have been withdrawn by applicant.

C. CONSIDER A VARIANCE REQUEST TO CHAPTER 5.2 (B)(2)(C), ACCESS AND ON-SITE CIRCULATION, OF THE UNIFIED DEVELOPMENT CODE. (902 River Road, Lot PT-3, Block 7)

No discussion. No action.

D. CONSIDER A VARIANCE REQUEST TO CHAPTER 5.6(B)(3)(B), ON-SITE PARKING FOR NONRESIDENTIAL PROPERTIES, OF THE

UNIFIED DEVELOPMENT CODE.(902 River Road, Lot PT-3, Block 7)

No discussion. No action.

- E. **CONSIDER A VARIANCE REQUEST TO CHAPTER 7.5(A)(2), ROADWAY ACCESS DESIGN STANDARDS, OF THE UNIFIED DEVELOPMENT CODE.(902 River Road, Lot PT-3, Block 7)**

No discussion. No action.

6. DISCUSSION ITEMS:

- A. **PRESENTATION OF PROPOSED UPDATES TO THE UNIFIED DEVELOPMENT CODE.**

Planning Director Nathan Crane presented proposed amendments to the Unified Development Code (UDC). He explained that discussion would take place at this meeting, followed by a public hearing and potential approval at a future meeting. The amendments would then be presented to City Council for two readings.

The proposed changes address HB 3699 (Subdivisions) and HB 3492 (Plan Review and Inspection Fees). Director Crane also outlined proposed updates related to water conservation, xeriscaping, and impervious cover, explaining how the new processes would be implemented and presented to the Commission.

Commissioner Cates asked when the Commission would receive the actual language of the amendments and how much time they would have to review it. Director Crane confirmed that the material would be included in the meeting packet and available for review over the weekend prior to the next meeting.

Commissioner Frair asked for clarification regarding subdivision and platting responsibilities-specifically, whether any authority would be removed from the Commission. Director Crane explained that under HB 3699, the Commission would no longer review major subdivisions, as these would be replaced with a Master Development Plan process. Commissioner Frair also expressed concern that the proposed \$150 water conservation rebate for rainwater capture is not a strong enough incentive and requested reconsideration of that amount. Director Crane noted that any changes to

the rebate would require City Council approval. Ryan Bass Environmental Manager, added that several residents have expressed interest in rainwater collection and that staff is considering revisiting the incentive program.

Commissioner Hiler recommended moving consideration of this item to December, allowing the Commission and community sufficient time to review the proposed amendments. Assistant City Manager Kristy stated that she had no issue delaying the presentation and agreed to provide the proposed changes earlier to allow additional review time. Commissioner Cates requested that staff provide a redlined version of the proposed changes for clarity. Commissioner Friar suggested scheduling a workshop in November to discuss the amendments in more detail.

B. DARK SKY PRESENTATION

Ryan Bass presented an overview of the Dark Sky Ordinance, which outlines outdoor lighting and illumination requirements. He noted that City Council approved the initiative in 2020, allowing the City to move forward with its application for official Dark Sky Community designation.

Commissioner Hiler asked how existing developments can become more Dark Sky compliant. Mr. Bass explained that when businesses apply for remodel permits, staff encourages them to incorporate Dark Sky improvements. Additionally, if a business experiences significant building loss or reconstruction, they are asked to meet Dark Sky standards.

Commissioner Bird inquired about the lighting at the Nissan project and whether it meets Dark Sky requirements. M. Bass stated that the Nissan site is not fully Dark Sky compliant, though staff worked with Honda to improve lighting at their location to better align with Dark Sky principles. Commissioner Bird also asked if any incentives exist for retrofitting lighting to meet Dark Sky standards. Mr. Bass responded that he is aware of such programs in Austin, but is not aware of similar incentives in smaller cities.

Commissioner Vecino commented that residential lighting issues appear to be less of a concern than commercial ones. Mr. Bass agreed, noting that when complaints are received regarding residential lighting, the City will ask

Code Enforcement to respond.

7. COMMENTS FROM COMMISSION/LEGAL COUNSEL/STAFF - No discussion or action may take place

No comments received.

8. ADJOURNMENT

6:58 PM

s/s Nathan Crane

Administrative Officer