

City of Boerne

Buc-ee's Project Briefing

AUGUST 27, 2025



Presented By:
City Manager's Office



Collaboration • Integrity • Service • Excellence • Respect

Table of Contents

Introduction.....	1
Executive Summary.....	1
Economic Development (DA) – Buc-ee’s Obligations and City Commitments	3
Zoning History, Procedural Observations, and Vesting Rights.....	5
Signage.....	7
Traffic Impact Analysis (TIA) – Requirements, Findings, and Status	10
Utility Infrastructure Requirements and Status.....	12
Plan Submittals and Permit Requests to the City of Boerne	15
Community Opposition and Engagement.....	16
Project Timeline and Milestones	18
Next Steps and Monitoring	21
Conclusion and Acknowledgments	22

Buc-ee's Boerne Project Briefing: A Historical Record

Introduction

The purpose of this document is to establish a factual, chronological record of the Buc-ee's project in Boerne, Texas. It provides a clear account of the events, decisions, and obligations that have shaped the project over nearly a decade, drawing primarily from official records of the Planning and Zoning Commission, the City Council, the Boerne Kendall County Economic Development Corporation (BKEDC), and other contractual or public proceedings. This document also outlines Buc-ee's commitments as defined by formal agreements with the City, including development requirements, infrastructure responsibilities, and related conditions tied to approval.

The intent of this record is transparency. By compiling information from meeting minutes, ordinances, staff reports, agreements, and archived correspondence, the City seeks to present a comprehensive and verifiable account. Wherever possible, this report avoids speculation, relying instead on official records and documented outcomes.

Creating such a record presents unique challenges. The majority of the City Council members, Planning and Zoning Commissioners, BKEDC staff, and City staff directly involved in the early stages of the project are no longer in those positions. As a result, much of the institutional memory surrounding the project has diminished, requiring a deliberate reconstruction of events from available documentation.

This report should therefore be considered a living record. While it reflects the best available information as of its preparation, additional facts may come to light through future research or new developments in the project's implementation. When that occurs, appendices or updates may be added to maintain an accurate and evolving history.

Ultimately, this document is intended to serve as a reliable reference for decision-makers, stakeholders, reporters, residents and the general public. By documenting the project's history and obligations in detail, the City aims to ensure that ongoing discussion about the Buc-ee's development rests on verified facts rather than incomplete or anecdotal accounts. In doing so, it supports informed decision-making, promotes public trust, and provides a technical historical record that balances clarity with precision.

Executive Summary

This comprehensive briefing consolidates City records to document the history and current status of the Buc-ee's project at I-10 and Business 87.

The concept of bringing Buc-ee's to Boerne originated in 2015, when the Boerne Kendall County Economic Development Corporation (BKEDC) first initiated outreach

conversations with the company. These early efforts established the foundation for the project.

The City Manager at that time had a phone call with Beaver Aplin soon after the EDC contacts started, and shortly afterward, staff in the city manager's office began discussions with planning, finance, and utilities staff regarding the feasibility of completing the likely needed infrastructure and 380 agreement to bring a Buc-ee's development to Boerne. City staff conducted a comprehensive cost-benefit analysis, including contacting New Braunfels (the nearest existing Buc-ee's) to get accurate estimates for projecting AV and sales tax revenues, utility revenues, and assessing the impacts on roads, police, fire, and other city services. Recent agreements related to 380 incentives used by other cities were examined to determine the size of incentives awarded to Buc-ee's in different parts of Texas. Multiple meetings took place over the years among the city of Boerne staff, EDC staff, Buc-ee's staff, and the Texas Department of Transportation (TxDOT) staff.

The City of Boerne's documented involvement began in 2016, when City Council formally approved an Economic Development Agreement (DA) with Buc-ee's, Ltd. under Chapter 380 of the Texas Local Government Code. Since that time, the project's progress has been closely tied to TxDOT led interchange and access road improvements, City utility relocations, and plan approvals.

Key policy framework changes after the project's 2016 approval have shaped how the City manages its review processes: adoption of the Boerne Master Plan (2018) and the Unified Development Code (UDC, 2021), which consolidated development regulations into a single document and strengthened standards for dark sky, drainage, landscaping, and design.

From the outset, both Buc-ee's and the City have worked within the timelines and requirements set by TxDOT, whose major roadway construction took years longer than forecast and significantly delayed Buc-ee's schedule. The original construction target was for an opening in 2019-2020. Additionally, several elements originally approved in the 2016 DA remain binding, while current staff continue working with Buc-ee's to align newer aspects of the project with updated community standards.

Initial grading and public-infrastructure work began in February 2025; vertical construction and fuel systems require additional permits still under review. In summer 2025, Buc-ee's finalized the acquisition of a TxDOT surplus tract along I-10 for accessory parking, which requires a zoning ratification. A public hearing on this request is expected in September 2025.

This document is intended to provide a transparent, fact based record of the project's history, decisions, and obligations, ensuring that current and future discussions are grounded in verified information.

Economic Development Agreement (DA) – Buc-ee’s Obligations and City Commitments

On August 9, 2016, the Boerne City Council approved an Economic Development Agreement (DA) under Chapter 380 of the Texas Local Government Code with Buc-ee’s, Ltd. The purpose of the agreement was to encourage the construction of a large-format Buc-ee’s Family Travel Center in Boerne, with the goal that this flagship project would generate significant ad-valorem, sales tax, and utility revenue, create jobs, and stimulate surrounding commercial growth.

The City’s goals were clear: expand its ad valorem and sales tax base, generate new utility revenues for electric, water, gas, and wastewater treatment, create significant employment opportunities, and attract complementary commercial activity. Providing ad valorem value to the Boerne Independent School District without increasing student population and subsequent service demand was also a consideration. By connecting Buc-ee’s development to infrastructure upgrades, the City aimed to use the project as a way to increase utility and road capacity in the area. The agreement resulted from a partnership among the City of Boerne, the Boerne Kendall County Economic Development Corporation (BKEDC), and Kendall County Commissioners Court.

Key Terms of the 2016 Agreement

The 2016 DA established mutual obligations for both the City and Buc-ee’s.

- **The Buc-ee’s Project**
The primary facility was defined as a minimum 50,000 square foot Family Travel Center, ultimately planned at 53,471 square feet, with at least 90 fueling positions. The agreement prohibited fueling of 18-wheelers, except for delivery trucks, and required creation of at least 170 full-time equivalent jobs within one year of opening.
- **Supplemental Projects**
Buc-ee’s retained the ability to subdivide unused land into commercial tracts. Each supplemental tract could receive incentives under the same terms as the main travel center, thereby encouraging complementary development. Fast forward to today, from the original intent of the DA, a decision has been made that these supplemental projects are no longer planned for the site since all purchased land is now being used for the fueling facility, adjacent parking lot, and additional buffer/open space.
- **Economic Incentives**
The City agreed to provide Buc-ee’s a sales tax rebate equal to 50% of the City’s 1.5% sales tax collected from the Travel Center for twenty years. Supplemental projects would qualify for the same rebate during that same term. Rebates would be paid quarterly, in arrears, and only on actual tax receipts. Importantly, the DA did not offer property tax abatements or incentives from any other City revenues,

including utilities. Kendall County established an agreement that mirrored the city's new sales tax rebate at the same level (50% of their 0.5% sales tax collected for 20 years).

- **City Infrastructure Commitments**

The City committed, at its sole cost, to extend 12-inch sanitary sewer and water mains, provide three-phase electric service, and install a six-inch natural gas line to the site boundaries within 90 days of construction start. The City also committed to construct "Buc-ee's Way," a primary collector road extending Main Street west of I-10. Additionally, the City agreed to waive its right of first refusal on certain TxDOT surplus right-of-way so Buc-ee's could acquire it, and to provide a \$223,285 credit toward City fees if a Texas Capital Fund grant was secured. Another side note: since the adoption of the DA, the Texas Capital Fund (TCF) Infrastructure and Real Estate Development Program, which provided grants to non-entitlement communities (cities with populations under 50,000 and counties under 200,000) for public infrastructure and real estate development to support job creation, is no longer active and is not accepting applications.

- **Developer Commitments**

In return, Buc-ee's agreed to convey the right-of-way for Buc-ee's Way and provide necessary utility easements at no cost. The company also committed to dedicate at least five acres as park or open space, remain current on all taxes and fees, and provide quarterly sales tax reports necessary for rebate calculations.

- **Performance and Compliance**

The DA required Buc-ee's to comply with all applicable City ordinances and permitting standards upon submittal of first development application. The agreement could be terminated in cases of default, change in law, or a decision by Buc-ee's not to proceed. Repayment provisions applied for violations such as the employment of undocumented workers. The agreement's term runs for twenty years beginning January 1 following the store's opening, with all supplemental project rebates expiring concurrently.

Publicly Stated Economic Impact

When the project was announced in August 2016, officials and company representatives highlighted its projected economic benefits. Buc-ee's anticipated creating over 170 full-time jobs, generating approximately \$25 million in taxable sales annually, contributing \$180,000 annually in school taxes, and making a \$40 million private capital investment.

At the time, then-Mayor Mike Schultz emphasized the long-term benefits: *"This will be huge in the dividends that it will pay in our community for years and years to come."* A Buc-ee's spokesperson underscored the site's advantages, citing Boerne's location on the interstate, its strong community, and its employment base.

The BKEDC had worked for more than a year on the proposal before Buc-ee's filed its formal application for development incentives on July 19, 2016.

Follow-Up Actions on the Agreement

On April 13, 2020, the City issued a funding request letter to Buc-ee's under Article II, Section 8 of the agreement. The City proposed that Buc-ee's front the costs of utility extensions and Buc-ee's Way construction, with reimbursement distributed over five years. This structure was intended to keep the project on schedule by ensuring that infrastructure obligations could be met without delay.

Key Takeaways

For stakeholders, several points are essential in understanding the 2016 agreement:

- The DA provided no property tax abatements—only a partial sales tax rebate tied directly to actual taxable sales.
- All incentives are performance-based, with no upfront cash outlays from the City.
- Infrastructure commitments were designed to serve both Buc-ee's and other surrounding properties.
- Public value was supported by measurable forecasts, binding reporting requirements, and a clear compliance framework.

Zoning History, Procedural Observations, and Vesting Rights

Background and Initial Zoning Actions (2020)

In preparation for the Buc-ee's development, zoning adjustments were required for TxDOT-owned right-of-way adjacent to the proposed site. In 2020, Buc-ee's and TxDOT jointly requested that the land be rezoned to B-2 Highway Commercial, consistent with adjacent Buc-ee's-owned parcels.

The rezoning process followed all statutory procedures under Texas Local Government Code Chapter 211. On May 4, 2020, the Planning and Zoning (P&Z) Commission voted unanimously to recommend approval. City Council approved the request unanimously on both first reading (June 9, 2020) and final reading (June 23, 2020). No opposition was voiced at either P&Z or Council hearings.

The total area rezoned amounted to 5.15 acres, divided by a planned future connection to Tilbury Boulevard. Once adopted, this zoning classification was binding and could not be removed without due process.

Subsequent Property Acquisition (2023)

In summer 2023, Buc-ee's began the process of officially acquiring the remaining 2.5-acre TxDOT tract of the total 5.15 acres on the west side of the project. This expansion reflected the company's long-term site plan but did not alter the zoning framework established in 2020.

Discovery of Oversight During Parking Expansion Proposal (2025)

In mid-2025, Buc-ee's informed the City of its intent to utilize the eastern portion of the 5.15-acre tract for expanded parking. During review of this request, staff discovered that the parcel had not been reassigned a zoning classification under the Unified Development Code (UDC) adopted in July 2021.

This omission represented an administrative oversight. When the UDC replaced prior zoning categories — including the B-2 Highway Commercial district — the 5.15-acre parcel was inadvertently left without an updated designation. This clerical gap persisted for nearly four years, even though the 2020 rezoning itself remained valid and uncontested.

Zoning Determination and Proposed Correction (2025)

On July 31, 2025, following consultation with the City Attorney, the Planning Director issued a formal zoning determination. The determination concluded that the most appropriate UDC equivalent to the retired B-2 district was C-3 Community Commercial.

The reasoning was threefold:

- C-3 zoning most closely aligns with the intent and uses of the former B-2 Highway Commercial category.
- Surrounding parcels in the immediate area are already classified as C-3, ensuring consistency.
- Development for these parcels under C-3 zoning requires compliance with modern standards governing parking, landscaping, dark-sky lighting, and stormwater detention.

While the determination guides immediate development review, it requires ratification through the public process:

- September 8, 2025 (target): Planning and Zoning Commission to consider the proposed classification and make a recommendation.
- Subsequent City Council action: Final decision following P&Z recommendation.

Property Owner's Position and Rights

Under Texas Local Government Code, the property owner retains the right to review and, if desired, contest the proposed classification. Buc-ee's may present evidence that another UDC district more closely reflects the intent of the original B-2 zoning.

Key Takeaways for Stakeholders

- The 2020 rezoning to B-2 Highway Commercial was fully compliant, and properly noticed.
- The 2021 omission during UDC adoption was an administrative oversight, not a reversal of the earlier rezoning.
- The proposed C-3 classification is intended to preserve the original commercial development intent.
- The formal public process in 2025 ensures transparency, public participation, and final ratification by P&Z and City Council.

Signage

Overview

Signage for the Buc-ee's travel center has remained one of the most visible and debated aspects of the project. For many residents, the issue symbolizes the broader tension between Boerne's economic development aspirations and the community's desire to preserve its aesthetic identity and transparent governance.

Early Discussions and Development Agreement Context

Correspondence from 2016–2017 shows that Buc-ee's and City staff considered including signage provisions in the original Economic Development Agreement (DA). Draft proposals envisioned:

- One primary Buc-ee's sign up to 500 square feet in area and approximately 75 feet in height, subject to a field study.
- Co-location of tenant signage for adjacent tracts on the same sign pole to avoid multiple high-rise signs.
- Standard monument signs (no taller than 8 feet, no larger than 64 square feet) for individual pad site street frontages.

These ideas were intended to balance Buc-ee's visibility requirements with community concerns about sign proliferation. Ultimately, however, the language was not incorporated into the executed 2016 agreement.

Regulatory Background

At the time, Boerne's sign ordinance, established in 2008, set the following baseline limits for freeway-oriented, self-supported signs located within 100 feet of Interstate 10:

- Height: 40 feet maximum.
- Area: 100 square feet maximum for single establishments; up to 250 square feet for commercial complexes.

The ordinance also contained a specific exception: under Section BB(4)(c), the Sign Review Committee—consisting of the Chief of Police, the Fire Marshal, and the Director of Planning and Community Development—could administratively approve larger or taller signs if site-specific conditions justified it. The committee could authorize up to 75 feet in height and 300 square feet in area. Importantly, this process was administrative and did not require public hearings or City Council involvement.

Buc-ee's Sign Application History

- October 24, 2017 – City Council Action: Buc-ee's sought variances to allow a sign as tall as 100 feet. One motion to deny outright was made; another attempted to authorize a 77-foot sign. Both motions failed, leaving the ordinance standards intact.
- December 19, 2017 – Buc-ee's submitted a new signage application and supporting documents requesting the Sign Committee meet and consider approval as allowed under the ordinance under Section BB(4)(c). They requested that the sign review committee approve a 75-foot sign—the maximum height permitted administratively. It is not entirely clear when the sign committee met, as there is no official agenda or minutes since this was an administrative committee. One can assume that the committee met within 10 business days of December 19th, since the ordinance clearly stated that part of the process, as advised by the City Attorney.
- January 25, 2018 – Buc-ee's submits the official city sign permit application.
- March 23, 2018 - Buc-ee's sends the planning director a letter summarizing the signage agreed upon as allowed by the sign committee.
- April 27, 2018 – The planning director sends a letter to Buc-ee's stating that the Sign Committee had approved the sign at 75 ft. The committee's decision did not return to the Council because the ordinance explicitly authorized the committee to act independently within that limit.
- April 30, 2018 – Sign permit application officially approved by staff.

- May 3, 2018 – Sign permit issued to Buc-ee's.

The committee's report established:

1. Buc-ee's could erect one self-supporting sign of 75 feet in height and 300 square feet in area.
2. One adjacent development tract could host a 40-foot sign, but additional tracts could not.
3. All other signage must comply with ordinance requirements in effect at the time of permit application.

Buc-ee's later confirmed it would utilize the 75-foot sign and forgo use of the secondary 40-foot sign.

Public Concerns and Controversy

The signage issue has continued to animate opposition, particularly because of how the sequence unfolded:

- **Transparency Concerns:** Residents perceived the administrative approval as circumventing the Council's 2017 denial. In reality, the ordinance created two distinct paths: (1) variance (requiring Council consideration) and (2) administrative review (via staff designated committee). Buc-ee's pursued the latter after the variance was denied, a choice legally permissible under the ordinance.
- **Aesthetic Compatibility:** Many argued that the scale of the 75-foot sign was inconsistent with Boerne's desired character and gateway vision.
- **Dark Sky Standards:** Kendall County and the City have adopted "Dark Sky" measures to reduce light pollution. Residents expressed doubt that Buc-ee's signage and lighting would comply, given the travel center's large scale. Staff has consistently required Buc-ee's to meet applicable Dark Sky provisions as codified in the 2019 ordinances.

Vesting Rights and Applicable Standards

Under Texas Local Government Code Chapter 245, development projects "vest" to the regulations in place when a qualifying application is filed. Buc-ee's submitted its initial qualifying development application (preliminary plat) in 2019, securing its rights to be reviewed under the City's ordinances as they existed at that time.

As a result, even though the City has since updated its sign ordinance, Buc-ee's signage is governed by the 2019 standards. The 75-foot sign was approved under those rules and remains legally valid.

This principle is often misunderstood and labeled as "special treatment." In fact, vesting rights are a state law designed to ensure predictability for (building) permit applicants and developers: once a project begins under a certain set of rules, later changes cannot retroactively apply. While this sometimes frustrates communities seeking to apply newer, stricter standards, it reflects a balance established in Texas law between municipal authority and property rights.

Key Takeaways for Stakeholders

1. Buc-ee's initial request for a variance above 100 feet was denied by City Council in 2017.
2. In late 2017, the company lawfully pursued administrative approval under a separate ordinance provision, resulting in a 75-foot sign.
3. The administrative process did not require Council approval or public hearings, which fueled perceptions of a "backroom" decision.
4. Buc-ee's signage remains subject to Dark Sky and other requirements applicable under the 2019 vested ordinances.
5. The signage history illustrates both the limits of Council discretion under state law and the importance of clarifying how multiple regulatory processes intersect.

Traffic Impact Analysis (TIA) – Requirements, Findings, and Status

City TIA Code Framework

Since 2009, the City of Boerne has required Traffic Impact Analyses (TIAs) for developments that generate significant traffic. These requirements, now incorporated into the Unified Development Code (UDC), apply throughout the permitting process—including zoning, platting, site development, and building permit stages.

Key provisions include:

- **Trigger Threshold:** Any project generating more than 100 additional peak-hour trips must submit a full TIA.
- **Scope:** Studies evaluate impacts within a two-mile radius, covering roadway segments, access points, and intersection operations.

- Performance Standard: Traffic is graded by “Level of Service” (LOS), ranging from A (free-flow) to F (failing). Boerne requires projects to ensure intersections operate at LOS C or better.
- Mitigation Obligations: Where intersections already operate below LOS C, developers must prevent conditions from worsening by more than 10% beyond background growth. Acceptable mitigation measures include turn lanes, pavement widening, signal upgrades, pedestrian facilities, or access controls.

These requirements ensure that major developments like Buc-ee’s do not impose disproportionate traffic burdens on surrounding infrastructure.

Buc-ee’s TIA History

Because of its projected scale and customer volume, the Buc-ee’s Travel Center required a full TIA. The first study was prepared in May 2017, but rapid changes in roadway conditions, particularly TxDOT’s reconstruction of the I-10 frontage roads and replacement of the South Main Street bridge, quickly rendered it outdated. City staff required updated analyses before any site development permit could be approved.

Review Timeline:

- May 8, 2017 - Initial TIA prepared by Buc-ee’s consultants.
- October 10, 2019 - City Planning forwards 2017 TIA to the City’s third-party traffic consultant for review.
- October 23, 2019 - City provides technical comments.
- November 8, 2019 - New City engineering staff begin coordination of responses.
- May 2, 2024 - Buc-ee’s submits Site Development Permit (SDP) package with the outdated 2017 TIA.
- May 10, 2024 - Application deemed deficient (unapproved TIA, missing building plans, and missing TxDOT approvals).
- May 20, 2024 - City advises Buc-ee’s to update TIA to reflect post-TxDOT construction roadway network.
- July 30, 2024 - TIA Submittal #2 received.
- September 6, 2024 - City issues comments on TIA Submittal #2.
- September 16, 2024 - TIA Submittal #3 submitted.

- September 30, 2024 - City issues comments on Submittal #3.
- October 11, 2024 - Technical review of SDP #2 concludes; application marked deficient.
- July 14, 2025 - TIA Submittal #4 received.
- August 14, 2025 - City issues comments on Submittal #4 (latest review to date).

This cycle reflects both the complexity of the project and the City's insistence on keeping traffic data current with TxDOT's evolving highway improvements.

Findings and Next Steps

The Buc-ee's project will not be allowed to open until all required TIA findings are addressed. Mitigation measures recommended by the approved TIA must be implemented in coordination with TxDOT before the facility begins operation.

At present, City review of the latest (fourth) TIA submittal is ongoing. Site development permits remain incomplete pending resolution of traffic concerns, building permit submissions, and final TxDOT approvals.

Transparency and Public Value

This record demonstrates that Buc-ee's has been held to the same traffic standards as any other large-scale development in Boerne. When older traffic studies became outdated, City staff required updated submittals and withheld approvals until deficiencies were addressed. Far from being expedited, the Buc-ee's project has undergone repeated technical review to ensure compliance with adopted code and regional transportation conditions.

Utility Infrastructure Requirements and Status

Early Coordination (2016–2018)

Utility planning for the Buc-ee's project began in 2016 following the execution of the Chapter 380 Economic Development Agreement. Early discussions covered:

- Water and Sewer: Initial work focused on sizing water meters and exploring options to extend sewer service via a new Suggs Creek Sewer Main.
- Natural Gas and Electric: Early designs contemplated rerouting City utilities in a straight alignment along TxDOT's proposed eastbound frontage road.
- TxDOT Right-of-Way (ROW): TxDOT's policy to delay dedication of surplus ROW until completion of its I-10 Frontage Road reconstruction — along with the

replacement of the South Main Street bridge — prevented the City from relocating utilities then envisioned in its original timeline.

At this stage, staff in the City Manager's Office led coordination efforts, supported by the Planning Department and Economic Development staff.

Renewed Planning (2019–2021)

As TxDOT projects advanced, Buc-ee's and the City returned to utility planning. Key milestones included:

- 2019–2020: Continued discussions addressed sewer main routing along Suggs Creek and securing easements.
- September 2019: Buc-ee's engineers committed to designing the Suggs Creek Sewer Extension and began coordination with TxDOT on a permitted I-10 crossing.
- February 2021: The City obtained a sewer easement from an adjoining property, enabling the main alignment.
- March 2022: The City approved Buc-ee's sewer plans with conditions requiring TxDOT permitting and tree removal approvals.

Because TxDOT released surplus ROW incrementally, the City modified its gas and electric relocation plans, shifting alignments into the Buc-ee's Way corridor rather than the frontage road ROW anticipated in the 2016 agreement.

Construction and ROW Acquisitions (2022–2024)

- March–November 2022: Buc-ee's negotiated phased ROW purchases from TxDOT, including the Buc-ee's Way corridor.
- February 2024: Boerne City Council formally requests the transfer of ROW from TxDOT to the City from surplus ROW for future roadway development.
- May 2024: The State of Texas formally approves the transfer of surplus ROW no longer needed by TxDOT, per approval of the Texas Transportation Commission in Minute Order 116671, directly to the City of Boerne for the Buc-ee's Way Extension (recorded at Kendall Courthouse 5/30/24).
- June 2024: The City contracted Schneider Engineering to design natural gas and electric relocations.

- October 2024: Buc-ee's submitted a final plat. Because plat approval (and corresponding easements) was still pending, the City requested separate dedication instruments for the necessary utility easements.

Sewer Construction Coordination (2025)

In early 2025, Buc-ee's sought to begin construction of the Suggs Creek Sewer Main. Because the 380 Agreement obligated the City to reimburse the project in full, the City Attorney advised that municipal procurement law required competitive bidding. The City assisted Buc-ee's in preparing bid documents, but the first bid opening in February 2025 was cancelled due to incomplete specifications.

The project remains pending re-bid. City staff continue to provide technical support to Buc-ee's as complete bid documents are prepared.

Utility Relocations (2025)

- July 2025: Buc-ee's completed roadway embankment work on Buc-ee's Way, providing a corridor for gas and electric lines.
- August 2025: The City substantially completed relocation of the natural gas main.
- October 2025 (anticipated): Completion of the relocated electric distribution line, subject to material availability.

Summary

The utility work for the Buc-ee's project highlights the interdependence of private development, TxDOT infrastructure schedules, and municipal obligations under the 380 Agreement.

Key takeaways include:

- ROW Dependencies: TxDOT's phased dedication of ROW delayed utility relocations and required adjustments to original plans.
- Sewer Extension: Buc-ee's elected to lead construction of the Suggs Creek Sewer Main to meet its timeline, but municipal bidding requirements created additional procedural steps.
- Gas and Electric Relocation: Years of revised planning are culminating in near-complete relocations, now aligned along Buc-ee's Way.

This sequence illustrates the City's good-faith efforts to meet its contractual obligations while adhering to state procurement laws, balancing project timelines with public accountability.

Plan Submittals and Permit Requests to the City of Boerne

Overview of the Review Process

In addition to public hearings before the Planning and Zoning Commission and the City Council, much of the technical review of a development occurs directly between applicants and City staff. This administrative process — used for all projects in Boerne — ensures that applications comply with adopted codes and ordinances before formal approval. Developers typically submit detailed plans to staff, who then provide comments or corrections; applicants revise and resubmit until compliance is achieved.

For Buc-ee's, this iterative process has been especially extensive. Initial plan submittals began in 2019, and apart from a pause in 2022 during ongoing TxDOT construction, new filings have occurred every year. Activity has accelerated since 2023, once TxDOT completed its I-10 interchange and frontage road reconstruction, enabling Buc-ee's to proceed with its site development.

Chronology of Major Permit Applications

The following represents the key plan submittals and permits filed by Buc-ee's with the City of Boerne:

- June 15, 2023 - Building Permit: Filed to initiate vertical construction planning for the primary travel center structure.
- April 19, 2024 - Grading Permit: Requested for initial earthwork on the site, including cut-and-fill operations and site stabilization.
- May 2, 2024 - Site Development Permit (SDP): First comprehensive submission of site engineering plans. Ultimately deemed incomplete due to the outdated TIA, missing building plans, and missing TxDOT approvals.
- May 10, 2024 - Tree Removal Permit: Submitted in conjunction with early clearing work.
- June 12, 2024 - Floodplain Development Permit: Required due to the project's proximity to drainage features and floodplain-regulated areas.
- March 3, 2025 - Tree Removal Permit: Second application tied to revised site clearing plans.
- March 18, 2025 - Zoning Verification Permit: Filed to confirm zoning designations for parcels involved in the expanded site plan.
- April 16, 2025 - Site Development Permit (Resubmittal): Updated SDP incorporating corrections and revised technical studies.

- April 30, 2025 - Tree Removal Permit: Supplemental permit for expanded clearing tied to revised layouts.
- July 17, 2025 - Right-of-Way Permit: Requested to perform utility and roadway work within the Buc-ee's Way corridor.

Observations

- Multiple Iterations: The number of permits and re-submittals reflects both the project's scale and the complexity of aligning private development timelines with TxDOT construction schedules and City regulatory requirements.
- Compliance-Oriented Process: Each permit category — grading, floodplain, tree removal, site development — serves a specific compliance function under the City's codes and ordinances. This ensures that development proceeds in stages only when all requirements are met.
- Adaptive Review: As Buc-ee's has revised its site plan in response to neighborhood input, TxDOT ROW releases, and utility coordination, new submittals have been required. This iterative cycle is standard for large, multi-year projects.

Community Opposition and Engagement

Public Concerns and Organized Opposition (2016–2019)

From the moment Buc-ee's was publicly announced in August 2016, the proposal became one of the more contested development issues in Boerne's modern history. While City officials and the Boerne Kendall County Economic Development Corporation emphasized projected benefits — including more than 170 full-time jobs, \$25 million annually in taxable sales, and significant new sales tax revenues — many residents saw the project as a direct challenge to Boerne's identity, character, and livability.

Residents voiced their concerns in public hearings, written comments, and organized campaigns. Facebook groups became a focal point for opposition, and a way to express visible frustration.

The primary concerns raised included:

- Traffic Congestion - The projected thousands of additional vehicle trips per day were seen as exacerbating congestion on I-10 and South Main Street, both already under pressure from regional growth.
- Lighting Impacts - Opponents worried about the loss of night-sky visibility due to glare and skyglow from a 24-hour facility.

- Noise Pollution - Continuous customer traffic and delivery operations raised fears of round-the-clock noise impacts.
- Environmental Risks - Concerns focused on stormwater runoff, groundwater contamination from underground fuel storage, and impacts to local creeks and aquifers.
- Property Values and Community Fit - Residents argued that the scale and intensity of the project were incompatible with Boerne's small-town image and would reduce the value of nearby homes.
- Transparency and Process - Some residents perceived that the 2016 incentive agreement and subsequent approvals limited opportunities for meaningful public participation, fueling perceptions of a "backroom deal."

These themes recurred in City Council and Planning & Zoning Commission hearings between 2016 and 2019. They remain documented in meeting minutes and recordings preserved on the City's website.

Coordination with Adjacent Neighborhood

Recognizing that the most direct impacts would fall on the Menger Springs subdivision immediately west of the project site, Buc-ee's, Ltd. engaged with the Menger Springs Homeowners Association (HOA) during the formal design process. With City planning staff facilitating, these discussions resulted in a negotiated redesign that addressed several neighborhood concerns.

On December 10, 2021, the City's Design Review Committee unanimously approved a revised site plan incorporating the following key changes:

- Relocation of fueling stations and parking areas farther from the neighborhood boundary to reduce light, noise, and visual impacts.
- Expanded landscape buffers with native plantings, tree canopy restoration, and berming to create separation between the project and adjacent homes.
- Dark Sky-compliant lighting with shielded fixtures to minimize glare and skyglow.
- Ecological enhancements, including the installation of a monarch butterfly waystation, intended to integrate the site more harmoniously with the surrounding environment.

It is important to note that these modifications exceeded the baseline requirements of the Unified Development Code (UDC) and reflected a collaborative compromise between the developer, the neighborhood, and the City.

City Response and Outcome

City officials consistently acknowledged the intensity of community opposition but emphasized that the Buc-ee's project will meet all applicable zoning, subdivision, and development code standards. Traffic, lighting, and drainage were subject to enforceable requirements under the UDC and TxDOT access management, and noise was regulated under the City's Code of Ordinances.

At the same time, the City pointed to broader community benefits embedded in the 2016 agreement and subsequent approvals: significant job creation, long-term sales tax growth, extension of public infrastructure that would serve multiple properties, and the dedication of public open space.

Despite the continuing opposition, Buc-ee's advanced through its required approvals. Construction, delayed by TxDOT's multi-year interchange and frontage road projects, finally began in 2025. The controversy surrounding the project remains emblematic of the balance that fast-growing communities must navigate — preserving local character while accommodating regional economic forces and development pressures.

Project Timeline and Milestones

Early Discussions and Agreement (2015–2016)

In the summer of 2015, the Boerne Kendall County Economic Development Corporation (BKEDC) initiated preliminary conversations with City leadership about recruiting Buc-ee's to Boerne. Discussions between representatives from BKEDC, City officials, and Buc-ee's executives began exploration for potential sites along I-10.

On July 26, 2016, the City Council held its first Executive Session discussion on the matter, though no action was taken at that time. The project became public on August 8, 2016, when local media reported that Buc-ee's was seeking incentive agreements from both the City and Kendall County for a proposed \$40 million travel center investment, expected to create approximately 175 jobs.

The following day, August 9, 2016, the City Council approved a Chapter 380 Economic Development Agreement (DA) with Buc-ee's, Ltd. through Resolution 2016-R72. The agreement laid out terms for incentives, infrastructure extensions, and project requirements. Media coverage following the approval cited an anticipated opening in 2020 with around 170 new jobs.

Early Development and Signage Disputes (2017–2018)

The first public controversy arose around signage. On October 24, 2017, Buc-ee's requested a variance for a 100-foot sign. After residents spoke in opposition, the City Council denied both the 100-foot proposal and an alternative motion for a 77-foot sign.

In March 2018, Buc-ee's sought approval through the City's Sign Review Committee process, which operated under then-current ordinances. The Planning Department approved a sign permit allowing one 75-foot sign for the travel center tract and one 40-foot sign for an adjacent tract.

That same year, Boerne adopted its new Master Plan (August 28, 2018) following extensive community engagement: 13 focus groups, 11 committee meetings, three public workshops, 1,700 survey responses, and multiple joint sessions with Council and P&Z. The adopted plan emphasized supporting a diverse economy, job creation, and destination amenities, while reinforcing land use compatibility.

Vesting and Initial Applications (2019–2020)

Buc-ee's filed its first formal development applications in 2019, vesting the project to the ordinances in effect that year. That same year, the City launched its Unified Development Code (UDC) project to consolidate all development-related ordinances into a single document.

- October 7, 2019 - Buc-ee's submitted a preliminary plat. After extensive revisions, the plat was presented to P&Z for approval.
- October 19, 2019 - Initial infrastructure plans were submitted, covering utilities, drainage, sewer, and street improvements.

In 2020, the City issued a funding request under the DA, asking Buc-ee's to advance funding and complete the construction of offsite utilities and Buc-ee's Way, with the City reimbursing over time.

The same year, TxDOT and Buc-ee's requested rezoning of a 5.15-acre tract of TxDOT right-of-way to B-2 Highway Commercial. P&Z unanimously recommended approval on May 4, 2020, and the City Council adopted Ordinance 2020-18 on June 23, 2020 approving the B-2 zoning.

Also in 2020, the preliminary plat for 29.22 acres — the core Buc-ee's site — was approved by P&Z without conditions. No members of the public spoke at the hearing. In November 2020, the City approved the purchase of a sanitary sewer easement to serve the site.

Neighborhood Coordination and Design Adjustments (2021–2022)

Throughout 2021, Buc-ee's and the City facilitated discussions with the Menger Springs HOA. These meetings resulted in significant design changes, including relocation of fuel pumps, expanded landscape buffers, and compliance with Dark Sky measures.

On December 12, 2021, the City's Design Review Committee unanimously approved the updated layout, noting the inclusion of ecological features such as a monarch

butterfly waystation. At a December 14, 2021 Council meeting, members acknowledged Buc-ee's responsiveness to neighborhood concerns.

In 2022, Buc-ee's continued refining its plans to address City requirements on lighting, landscaping, and traffic.

Infrastructure Preparations and Renewed Permitting (2023–2024)

By 2023, with TxDOT's interchange projects nearing completion, Buc-ee's activity intensified.

- May 22, 2023 - Buc-ee's submitted its fifth round of public infrastructure plans since 2019.
- June 15, 2023 - The company applied for its building permit.

In 2024, several permits were submitted:

- April 19 - Grading Permit
- May 2 - Site Development Permit
- May 10 - Tree Removal Permit
- June 12 - Floodplain Development Permit

On June 25, 2024, Council approved a professional services agreement with Schneider Engineering to design relocation of City utilities along I-10 and Buc-ee's Way.

Construction and Zoning Ratification (2025)

Early 2025 marked the first visible signs of construction.

- January 22, 2025 - City issued a mass grading permit for Buc-ee's Way and utilities.
- February 26–28, 2025 - Local and regional media reported that initial grading and roadway work had begun.

Buc-ee's submitted additional permits throughout the year:

- March 3 - Tree Removal Permit
- March 18 - Zoning Verification Permit
- April 16 - Site Development Permit

- April 30 - Tree Removal Permit
- July 17 - Right-of-Way Permit

Zoning actions resurfaced in mid-2025. A rezoning request for an accessory parking lot was scheduled for July 7, 2025, but postponed. After sending out public hearing notifications, and prior to the July 7th meeting, staff discovered the previous zoning error made in 2021. City officials confirmed with the City Attorney and clarified that the required zoning action is ratification to align UDC zoning maps with the Council's 2020 approvals.

Public hearings were rescheduled:

- September 8, 2025 - Planning & Zoning Commission to consider ratification.
- September 23, 2025 - City Council scheduled for first reading of the ordinance.

Summary

The Buc-ee's project timeline demonstrates a decade-long process shaped by interagency coordination, evolving City codes, and community dialogue. From initial incentives in 2016 to infrastructure construction in 2025, the project reflects both the challenges of managing large-scale development and the City's commitment to documenting each milestone through transparent public processes.

Next Steps and Monitoring

As of August 2025, two major milestones remain before the Buc-ee's project can transition from infrastructure preparation into full construction.

Accessory Parking Lot Zoning

The eastern portion of the TxDOT surplus tract, which Buc-ee's owns and now intends to use for accessory parking, is undergoing procedural zoning ratification. The Planning and Zoning Commission is scheduled to hold a public hearing and consider the application on September 8, 2025. Should the Commission recommend approval, the City Council will then consider the zoning ordinance on first reading at its September 23, 2025 meeting, with final action to follow.

It is important to note that this accessory parking lot is a standalone parcel, legally and procedurally distinct from the primary Buc-ee's fueling station site. Its zoning and permitting process are independent, and progress on the parking lot does not govern or control progress on the fueling center project.

Vertical Construction Permits

On the fueling station tract, grading, roadway, and utility relocation work has advanced; however, Buc-ee's has not yet received approval for vertical construction. Before the company may proceed with building its main facility or installing fuel systems, it must secure additional permits — most notably, a building permit and fuel-system permits. These approvals are contingent upon successful completion of plan reviews, resolution of outstanding Traffic Impact Analysis comments, and confirmation of compliance with City ordinances applicable under the project's vested rights.

Monitoring and Transparency

City staff will continue monitoring compliance with the 2016 Economic Development Agreement and subsequent approvals. Progress updates will be documented through formal permit reviews, staff reports, and public meetings of the Planning and Zoning Commission and City Council. This approach ensures that both elected officials and the community remain informed at each milestone in the project's advancement.

Conclusion and Acknowledgments

The Buc-ee's project has unfolded over nearly a decade of planning, negotiations, regulatory reviews, and public debate. It stands as one of the more complex development efforts in Boerne's recent history — requiring coordination across multiple agencies, governing bodies, and community stakeholders.

From its inception in 2015 through the present, the project has reflected both the promise of economic growth and the challenges of managing development within a community that treasures its character and quality of life. The City has consistently applied its ordinances, required mitigation where impacts were identified, and worked within the framework of state law governing vested rights and zoning procedures. While disagreements remain, the City's goal is to ensure that decisions are grounded in fact, transparency, and accountability.

This document provides a technical, fact-based record of the project to date. It is not intended to advocate for or against the development, but rather to establish a clear historical account—one that can guide current and future decision-making, foster informed public dialogue, and serve as a reference for community leaders and residents alike.

As the project moves forward, additional updates will be necessary. The accessory parking lot zoning ratification, pending permit approvals for vertical construction, and completion of outstanding infrastructure work will each mark important milestones. The City remains committed to documenting these developments publicly and ensuring that both elected officials and the community remain informed at each step.

Acknowledgments

The preparation of this white paper would not have been possible without the extensive efforts of City staff across multiple departments. Their work included combing through archived records, reviewing meeting minutes, verifying technical data, and providing subject matter expertise. Special thanks are extended to:

- Planning and Zoning Department – for research into zoning history, permitting, and procedural compliance.
- Engineering and Mobility Office – for detailed documentation of traffic impact analyses, roadway planning, and technical reviews.
- Utilities Department – for reconstructing the chronology of water, sewer, gas, and electric infrastructure coordination.
- Boerne Kendall County Economic Development Corporation – for their work in assembling and clarifying the terms and history of the 2016 Economic Development Agreement.
- City Secretary's Office – for maintaining and providing access to public records, minutes, and resolutions.
- Legal Counsel – for guidance on zoning law, vested rights, and contract interpretation.

Finally, acknowledgment is due to the many staff members — past and present — who worked long hours, often behind the scenes, to gather records, review old files, and provide input for this document. Their diligence and professionalism are a testament to the City's commitment to transparency and accountability.