

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

Monday, November 3, 2025 – 6:00 p.m.

Present **7 -** Chairman Tim Bannwolf, Vice Chair Lucas Hiler, Commissioner Bob Cates, Commissioner Susan Friar, Commissioner Cody Keller, Commissioner Bill Bird, and Commissioner Carlos Vecino

Staff Present: Kristy Stark, Nathan Crane, Franci Linder, Lissette Jimenez, Jeff Carroll, Liz Huvalla, Ben Simmons, Jo-anmarie Andrade, Barrett Squires, Mick McKamie, Chris Dingman, and Siria Arreola.

Recognized/Registered Guests: Dana Mathes, Denise Bruchmiller, Lance Kyle, Virginia Nikolich, Tanji Patton, Albert Turon, Mark Hawkins, and Kristi Ackerman.

1. CALL TO ORDER – 6:00 PM

Chairman Bannwolf called the Planning and Zoning Commission meeting to order at 6:00 p.m.

Chairman Bannwolf led the Pledge of Allegiance to the United States Flag and the Texas Flag.

2. CONFLICTS OF INTEREST

Commissioner Keller declared a conflict of interest with Agenda item 5A.

3. PUBLIC COMMENTS:

Dana Mathis, 164 Creek Springs, thanked everyone for their leadership and for clarifying the status of the 5 acre parcel being zoned for Buc-ee's.

Lance Kyle, 226 Cascade Caverns Rd., made comments regarding Scooter's

Coffee, including observations about parking spaces and current use of the adjacent dirt lot by Bill Miller's employees.

Denise Bruchmiller, 373 Menger Springs, spoke regarding the Traffic Impact Analysis (TIA) for Buc-ee's. She raised questions regarding data that was not considered.

Tanji Patton, 635 Menger Springs, thanked the commission for listening to citizens' concerns and for delaying the rezoning decision on the Buc-ee's tract. She mentioned concerns about the project remain but expressed appreciation for the commission's work and consideration.

Albert Turgon, 516 Oak Park, expressed concern with the Siena Court developer's performance, noting that the Cottages development has been problematic, with some units involved in pending litigation and the developer failing to complete projects in a timely manner.

Mark Hawkins, 530 Oak Park, who currently resides in the Cottages, provided the commission with a packet detailing items the developer has not completed in the Cottages on Oak Park. The speaker expressed concern that residents moving into Siena Court could face similar issues.

Kristy Ackerman, 623 Menger Springs, thanked the commission for listening and addressing citizen concerns. She expressed concerns regarding the number of entrances and exits for the Buc-ee's site.

4. CONSENT AGENDA:

A MOTION WAS MADE BY COMMISSIONER FRIAR, SECONDED BY COMMISSIONER KELLER, TO APPROVE THE CONSENT AGENDA REMOVING THE MINUTES OF SEPTEMBER 8, 2025, UNTIL THE NEXT MEETING AND REMOVING AGENDA ITEM 4C FROM THE CONSENT AGENDA FOR REGULAR DISCUSSION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 7 - Chairman Bannwolf, Vice Chair Hiler, Commissioner Cates, Commissioner Friar, Commissioner Keller, Commissioner Bird, and Commissioner Vecino

- A. [2025-555](#) CONSIDER APPROVAL OF THE MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 8, 2025 AND MEETING OF OCTOBER 6, 2025.
- B. [2025-557](#) CONSIDER APPROVAL FOR ESPERANZA 3H MAJOR SUBDIVISION FINAL PLAT, GENERALLY LOCATED NORTHEAST OF ESPERANZA BOULEVARD AND FORTUNA STREET. (EXTRA TERRITORIAL JURISDICTION)
- C. [2025-558](#) CONSIDER APPROVAL FOR SIENA COURT GARDEN HOMES FINAL PLAT GENERALLY LOCATED NORTHEAST OF DALLEY STREET AND FREY STREET.

Assistant Planning Director, Franci Linder, displayed maps, including the Future Land Use Map and Environmental Constraints Map, noting that the property is within the Lower Glenrose boundary and buffer. She reported that the preliminary plat was approved by the Planning and Zoning Commission in 2018, along with the final plat.

Staff recommended that, if approved, the following stipulations be included with the plat: 1. The recorded plat shall substantially conform to the final plat date stamped October 20, 2025. 2. Prior to final acceptance, all existing or proposed fences/retaining walls not included as part of the public improvements will need to have permits submitted, reviewed, and approved. This includes providing gates crossing utility easements. 3. Prior to final acceptance of the public improvements the developer must conduct all required testing of the water & sewer infrastructure and make any repairs necessary to meet City Specifications as determined by the City Engineer. This includes, but is not limited to: a.) Repaving the entire cul-de-sac. b.) Adding additional concrete to connect the outfall of the Cottages of Oak Park and the inlet in Siena Court 4. A 2-year, 20% warranty bond shall be provided at final acceptance. 5. Prior to recordation, finance guarantee shall be provided for the current cost of streets, drainage, and utilities improvements if these improvements have not been accepted by the City. 6. The Final Plat shall not be recorded until all clerical corrections have been revised as determined by the Planning Director.

Discussion was held regarding property taxes and plat approvals. Staff noted that while applicants were previously required to provide proof of current property taxes, state law no longer allows the city to request this. Legal staff will review the applicable property code.

Concerns were raised by the Commission Members regarding prior performance of the developer on other projects. Staff clarified that plat approvals relate to the design of the property, not ownership, and the commission does not have authority to deny a plat based on prior development issues. Questions were raised about the inspection process and how public works items are ensured to be completed. Staff confirmed that inspections occur throughout the construction process, including walls, fences, and other improvements.

Commissioners discussed the limits of their authority, noting that state law restricts local governments' ability to enforce certain actions. Reference was made to the Unified Development Code Section 2-6, noting that if a plat is denied, all reasons must be clearly stated, including applicable sections of law, the Comprehensive Plan, and performance standards.

A MOTION WAS MADE BY COMMISSIONER KELLER, SECONDED BY VICE CHAIR HILER, TO DENY THE SIENA COURT GARDEN HOMES FINAL PLAT, GENERALLY LOCATED NORTHEAST OF DALLEY STREET AND FREY STREET PER THE UNIFIED DEVELOPMENT CODE SECTION 2-6 A.8.G. NON-CONFORMITY WITH CITY OF BOERNE'S COMPREHENSIVE PLAN. PERFORMANCE STANDARDS FAIL TO ACHIEVE ENVISIONED CHARACTER OF THE AREA. (BOERNE MASTER PLAN, PAGE 87). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 7- Chairman Bannwolf, Vice Chair Hiler, Commissioner Cates, Commissioner Friar, Commissioner Keller, Commissioner Bird, and Commissioner Vecino

5. REGULAR AGENDA:

- A. [2025-559](#) CONSIDERATION OF A REQUEST TO RATIFY THE ZONING DESIGNATION OF C3 – SICO (COMMUNITY COMMERCIAL WITHIN THE SCENIC INTERSTATE CORRIDOR OVERLAY DISTRICT), AS

DETERMINED THROUGH LEGAL REVIEW OF THE UNIFIED DEVELOPMENT CODE, FOR AN APPROXIMATELY 5.155-ACRE PROPERTY LOCATED ON IH-10 WEST. THIS TRACT, KNOWN AS THE IH-10 "SURPLUS NORTH" TRACT, ADJOINS THE FUTURE BUC-EE'S DEVELOPMENT AT 33375 IH-10 WEST.

Commissioner Keller recused himself from the discussion and stepped away from the dais.

Mr. Nathan Crane, Planning Director, displayed a map and explained that the property is currently designated B-2 Highway Commercial, a designation retained from 2020 despite the retirement of the B-2 district in the City's Unified Development Code (UDC) adopted in July 2021. He noted that the Buc-ee's project can proceed under either zoning designation and that any action taken at this meeting would not impact the site of the building.

Mr. Crane provided a comparison between B2 and C3 zoning, noting that the property adjoins other commercial parcels along the IH corridor, the majority of which are C3 or C4, and that C3 is the UDC equivalent to the retired B-2 district. He also noted that the property is subject to the Scenic Interstate Corridor Overlay District. Mr. Crane explained that ratifying the C3 zoning through this public process would formally confirm the property's zoning designation, providing clarity and certainty for the owner, developers, and the public.

Discussion ensued regarding the proposed zoning and development agreement for the property. Concerns were raised about not considering C1 zoning due to the size of the project. It was noted that the property is surrounded by C3 zoning and does not back up to a residential neighborhood, making C1 inappropriate.

Comments included acknowledgment of concessions made by the developer and a suggestion to allow additional time to finalize the development agreement. Questions were raised regarding the timeline for action.

A MOTION WAS MADE BY COMMISSIONER FRIAR TO APPROVE THE REQUEST TO RATIFY THE ZONING DESIGNATION OF C2-TRANSITIONAL COMMERCIAL, FOR AN APPROXIMATELY 5.155-ACRE PROPERTY LOCATED ON IH-10 WEST. THIS TRACT, KNOWN AS THE IH-10 "SURPLUS NORTH" TRACT, ADJOINS THE FUTURE BUC-EE'S DEVELOPMENT AT 33375 IH-10 WEST. THE MOTION FAILED FOR LACK OF A SECOND.

A MOTION WAS MADE BY COMMISSIONER CATES, SECONDED BY COMMISSIONER BIRD, TO APPROVE THE REQUEST TO RATIFY THE ZONING DESIGNATION OF C3-SICO (COMMUNITY COMMERCIAL WITHIN THE SCENIC INTERSTATE CORRIDOR OVERLAY DISTRICT), AS DETERMINED THROUGH LEGAL REVIEW OF THE UNIFIED DEVELOPMENT CODE, FOR AN APPROXIMATELY 5.155-ACRE PROPERTY LOCATED ON IH-10 WEST. THIS TRACT, KNOWN AS THE IH-10 "SURPLUS NORTH" TRACT, ADJOINS THE FUTURE BUC-EE'S DEVELOPMENT AT 33375 IH-10 WEST. THE MOTION FAILED BY THE FOLLOWING VOTE:

Yeah: 3 - Commissioner Cates, Commissioner Bird, and Commissioner Vecino

Nay: 3 - Chairman Bannwolf, Vice Chair Hiler, and Commissioner Friar

Recused: 1 - Commissioner Keller

A MOTION WAS MADE BY VICE CHAIR HILER, SECONDED BY COMMISSIONER BIRD, TO TABLE UNTIL THE NEXT MEETING THE CONSIDERATION OF A REQUEST TO RATIFY THE ZONING DESIGNATION OF C3- SICO (COMMUNITY COMMERCIAL WITHIN THE SCENIC INTERSTATE CORRIDOR OVERLAY DISTRICT), AS DETERMINED THROUGH LEGAL REVIEW OF THE UNIFIED DEVELOPMENT CODE, FOR AN APPROXIMATELY 5.155-ACRE PROPERTY LOCATED ON IH-10 WEST. THIS TRACT, KNOWN AS THE IH-10 "SURPLUS NORTH" TRACT, ADJOINS THE FUTURE BUC-EE'S DEVELOPMENT AT 33375 IH-10 WEST. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Chairman Bannwolf, Vice Chair Hiler, Commissioner Friar, Commissioner Bird, and Commissioner Vecino

Nay: 1 - Commissioner Cates

Recused: 1 - Commissioner Keller

B. [2025-560](#) CONSIDER APPROVAL ON THE 2026 PLANNING AND ZONING

COMMISSION MEETING DATES.

Commissioner Keller returned to the dais at 7:54 p.m.

Ms. Linder reviewed the 2026 commission meeting dates, noting two date changes: January 12 instead of January 5, and September 14 instead of September 1.

A MOTION WAS MADE BY COMMISSIONER BIRD, SECONDED BY COMMISSIONER KELLER, TO APPROVE THE 2026 PLANNING AND ZONING COMMISSION MEETING DATES. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 7 - Chairman Bannwolf, Vice Chair Hiler, Commissioner Cates, Commissioner Friar, Commissioner Keller, Commissioner Bird, and Commissioner Vecino

6. DISCUSSION ITEMS:**A. [2025-561](#) DISCUSS TEXAS AMERICAN PLANNING AWARDS.**

Mr. Crane reported on recent recognitions received at the Texas APA Conference, where the City earned two planning awards.

The first, the Richard R. Lillie, FAICP Planning Excellence Award, was presented for outstanding planning efforts, highlighting the strong support of the City Council and Planning and Zoning Commission. This marks the second consecutive year the City has received this award.

The second recognition was a Silver Award in Urban Design for the Corridor Enhancement Plan. Parks and Recreation Director, Lissette Jimenez, spoke about the award and the design guide, noting that River Road Park serves as a key example of the guide's application. The same principles will be incorporated into the upcoming Northside Community Park project.

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

No comments were made.

8. ADJOURNMENT

Chairman Bannwolf adjourned the meeting at 8:01 p.m.

Chair

ATTEST:

Planning Director