

AGENDA
PLANNING AND ZONING COMMISSION MEETING
BOERNE CITY HALL
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Monday, September 8, 2025 – 6:00 p.m.

A quorum of the Planning and Zoning Commission will be present during the meeting at: 447 N. Main St., Boerne, TX 78006

EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE: THE PLANNING AND ZONING COMMISSION MAY, AS PERMITTED BY LAW, ADJOURN INTO EXECUTIVE SESSION AT ANY TIME TO DISCUSS ANY MATTER LISTED BELOW AS AUTHORIZED BY TEXAS GOVERNMENT CODE §551.071 (CONSULTATION WITH ATTORNEY)

1. CALL TO ORDER – 6:00 PM

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

4. CONSENT AGENDA: All items listed below within the consent agenda are considered routine by the Planning and Zoning Commission and may be enacted with one motion. There will be no separate discussion of items unless there is a Commission member or citizen request, in which event the item may be moved to the general order of business and considered in its normal sequence.

A. [2025-444](#) CONSIDER THE APPROVAL OF THE MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF AUGUST 4, 2025.

5. REGULAR AGENDA:

- A. [2025-445](#) HOLD A PUBLIC HEARING AND 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.
- B. [2025-447](#) HOLD A PUBLIC HEARING AND CONSIDER A PROPOSED PLANNED UNIT DEVELOPMENT (PUD) FOR A 6.46 ACRE TRACT OF LAND, LOCATED AT 727A JOHNS ROAD.
- C. [2025-452](#) CONSIDER A REQUEST FOR A VARIANCE TO CHAPTER 2.11.10(A), LEFT TURN LANES, OF THE ENGINEERING DESIGN MANUAL FOR A PROPERTY LOCATED AT 109 AMMANN ROAD (KCAD 310823 AND 11864).

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

- A. [2025-453](#) Texas APA Conference October 21st and 22nd in Bryan/College Station.
- B. [2025-454](#) Agenda posting deadline update.

7. ADJOURNMENT

s/s Nathan Crane

Administrative Officer

CERTIFICATION

I herby certify that the above notice of meeting was posted on the 2nd day of September, 2025 at 4:15 p.m.

s/s Kylie Nettles

Administrative Assistant

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City Hall 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 Planning and Community Development Department at 830-248-1501.

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.

MINUTES
PLANNING AND ZONING COMMISSION MEETING
BOERNE CITY HALL
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Monday, August 4, 2025 – 6:00 p.m.

Present 5 - Vice Chair Lucas Hiler, Commissioner Susan Friar,
Commissioner Cody Keller, Commissioner Bill Bird, and
Commissioner Carlos Vecino

Absent 2 - Chairman Tim Bannwolf, and Commissioner Bob Cates

1. CALL TO ORDER – 6:00 PM

Vice Chair Hiler called the Planning and Zoning Commission meeting to order at 6:00PM.

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

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. PUBLIC COMMENTS:

Sam McGee, a local business owner and resident with addresses at 604 S Main and 133 Fair Springs, had numerous concerns about Buc-ee's. He requested that the city limit the project's footprint. He said that an excessive number of pumps will worsen traffic, strain emergency medical services, and contribute to noise pollution. McGee also noted that declining property values are a serious issue, particularly for a town like Boerne. He believes that reducing the scope of the project will better preserve the community's balance and quality of life.

Kristine Ackerman, who lives at 623 Menger Springs, used the Best Western development to illustrate her concerns, which she said was built too close to the adjacent villas, negatively affecting neighboring homes. She fears Buc-ee's will have similar consequences, including pollution, transient activity, and proximity to residential areas, all of which could lower property values. While she acknowledged that Buc-ee's made efforts to minimize its neighborhood impact, she insisted that the development be kept as small as possible to protect the community.

Denise Bruchmiller of 373 Menger Springs echoed concerns about traffic and questioned whether current traffic studies are still valid. She raised issues regarding light pollution, environmental degradation, and the potential for declining property values. Mrs. Bruchmiller also stressed the importance of maintaining Boerne's dark sky standards and called for the Buc-ee's project to be scaled down as much as possible to align with the community's character.

Dan Mathis of 164 Creek Springs criticized the lack of transparency and detailed public information for the Buc-ee's project. He recalled a meeting with a Buc-ee's representative in 2017 and acknowledged some proposed mitigation measures such as a smaller sign, water conservation efforts, and dark sky compliance. However, he was still troubled about the project's overall scale, especially the brightness and size of signage and lighting. Mathis warned that the development could degrade Boerne's appearance, quality of life, and property values. He strongly supported limiting the project's size and denying any additional land requests.

Paula Rieker, who resides at 101 Creek Springs, shared her fear of the significant impact Buc-ee's will have on neighboring areas. She criticized the lack of detailed information available to the public and cautioned against a "rubber-stamp" approach to approving additional acreage. Rieker highlighted that taxpayers are bearing the financial burden for much of the road construction associated with the project. She encouraged local officials to renegotiate the agreement in a way that benefits Boerne residents and supported the completion of a comprehensive traffic study.

Kristen McGee, of 133 Fair Springs, voiced frustration over the lack of readily available information regarding the Buc-ee's development. She called for increased transparency from Buc-ee's about their long-term intentions and questioned whether the project fits Boerne's identity, especially on I10 as one of the main entrances into Boerne. McGee commented on conflicting priorities, such as the need for safety versus the desire to preserve dark skies.

4. CONSENT AGENDA:

A. CONSIDER APPROVAL OF THE MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF JULY 7, 2025.

The minutes were approved.

A MOTION WAS MADE BY COMMISSIONER FRIAR, SECONDED BY COMMISSIONER BIRD, TO APPROVE THE MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF JULY 7, 2025.. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 2 - Chairman Bannwolf, and Commissioner Cates

B. A REQUEST FOR FINAL PLAT APPROVAL FOR RANCHES AT CREEKSIDE, UNITS 7 & 8, GENERALLY LOCATED AT 125 STATE HIGHWAY 46.

The plat was approved.

A MOTION WAS MADE BY COMMISSIONER FRIAR, SECONDED BY COMMISSIONER BIRD TO APPROVE ITEM 4.B OF THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 2 - Chairman Bannwolf, and Commissioner Cates

5. DISCUSSION ITEMS:

Nathan Crane, Director of Planning, discussed upcoming trainings with commissioners.

A. Cyber security training deadline is August 8, 2025.

B. Ethics training deadline is August 11,2025.

C. Texas APA Conference, October 22nd-24th in Bryan/College Station.

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

No comments were made.

7. ADJOURNMENT

Vice Chair Hiler adjourned the meeting at 6:27p.m.

APPROVE

CHAIRMAIN

ATTEST

ADMINISTRATIVE ASSISTANT



AGENDA ITEM SUMMARY

Agenda Date	September 8, 2025
Requested Action	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.
Contact Person	Tyler Holyoak, Planner II (830) 248-1628, tcain@boerne-tx.gov
Background Information	<p>BACKGROUND:</p> <p>The property is 5.155 acres in size and is owned by Buc-ee’s LTD. This property is part of a larger approximately 29.8 acres that is owned by Buc-ee’s LTD.</p> <p>The City entered into a 380 Economic Development Agreement with Buc-ee’s LTD., effective August 19, 2016. This property (5.155 acres) was included within the Agreement.</p> <p>The property is designated as Auto-Oriented Commercial on the Future Land Use Map. The property was zoned B-2 Highway Commercial on June 23, 2020.</p> <p>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 Council approved the rezoning to B-2 Highway Commercial on June 23, 2020.</p> <p>On July 2021, the City Council adopted the new Unified Development Code, which included the rezoning of properties throughout the City to ensure consistency with the updated regulations. As part of this action the B-2 District was retired.</p> <p>In mid-2025, Buc-ee’s informed the city of its intent to utilize the eastern portion of the 5.155-acre tract for expanded parking. During review of this request, staff discovered that the parcel had erroneously not been reassigned a zoning classification under the Unified</p>

	<p>Development Code (UDC) adopted in July 2021 and, accordingly, retained its existing B-2 (Highway Commercial) zoning designation.</p> <p>The UDC adoption did include the adoption of the Scenic Interstate Corridor Overlay District, therefore the property is subject to the regulations of the overlay district.</p> <p>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 C3 (Community Commercial). As a result, the owner may proceed with platting and construction activities under the assumption that the property is zoned C3. While this determination guides immediate development review, it requires ratification through the public process.</p> <p>Ratifying a zoning district is the formal process of confirming and validating a property's zoning designation. This ensures that district boundaries, permitted uses, and regulations are consistent with the adopted Unified Development Code and applicable state law. Ratification provides clarity and certainty for property owners, developers, and the public by formally affirming the zoning designation. The ratification process follows the same public procedures as a rezoning.</p> <p>REQUEST:</p> <ol style="list-style-type: none"> 1. Ratify the legal determination that the zoning of the property is C3 (Community Commercial). <p>ANALYSIS:</p> <p>The Planning and Zoning Commission and City Council consider the following items in their review. Below is a summary of staff analysis.</p> <ol style="list-style-type: none"> 1. Whether the C3 District is consistent with the Comprehensive Master Plan. 2. Whether the C3 District aligns with the intent, permitted uses, and development standards of the retired B-2 District. 3. Whether the C3 District is compatible with existing and anticipated future land uses.
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	<p><u><i>Comprehensive Master Plan</i></u></p> <ul style="list-style-type: none"> • The City’s Future Land Use Map designates this property as Auto-Oriented Commercial. • The Auto-Oriented Commercial land use category is intended for areas that will be developed to support local and regional non-residential businesses that rely on higher traffic volumes (e.g., I-10 and portions of SH 46). These areas are typically comprised of nonresidential uses of varying lot sizes and intensities and configured in a manner that predominantly serves the automobile. • The two most common zoning districts along the IH-10 Corridor are: C3 (Community Commercial) and C4 (Regional Commercial). • The C3 (Community Commercial) District is consistent with the Comprehensive Plan. <p><u><i>Proposed Zoning District</i></u></p> <ul style="list-style-type: none"> • There are four commercial zoning districts within Boerne: <ul style="list-style-type: none"> ○ C1 – Neighborhood Commercial ○ C2 – Transitional Commercial ○ C3 – Community Commercial ○ C4 – Regional Commercial • Using the Auto-Oriented Commercial Future Land Use Category and applicable development regulations, staff reviewed the C2, C3, and C4 districts in comparison to the B-2 district. Based on the purposes, permitted uses, and development standards, the B-2 district is most consistent with the C3 and C4 districts. A summary table of these findings is attached. • In addition, staff also reviewed the citywide rezoning to determine which zoning districts were used to replace the B-2 District along IH-10. Staff found that the C3 and C4 were the most used Districts to replace the B-2 District. Further, the adjacent Buc-ee’s-owned parcels were reassigned the C3 District. • The proposed zoning district aligns with the Community Commercial (C3) category.
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	<p><u><i>Compatibility with Surrounding Land Uses</i></u></p> <ul style="list-style-type: none">• The proposed zoning will be compatible with future developments in this area. The properties on the west and south are zoned C-3 (Community Commercial). Properties on the west across IH-10 are zoned I1 (Storage and Transportation), I2 Light Industrial, and C4 (Regional Commercial).• The nearest single-family subdivision is approximately 880 feet west of the proposed site. <p>FINDINGS:</p> <p>The proposed ratification meets the following findings:</p> <ul style="list-style-type: none">• The proposed C3 District is consistent with the Comprehensive Master Plan and Future Land Use Map.• The C3 District aligns with the intent, permitted uses, and development standards of the retired B-2 District.• The proposed C3 District will result in compatible land use relationships.• The proposed C3 District was used to replace the retired B2 District on surrounding properties. <p>RECOMMENDATION:</p> <p>The Planning and Zoning Commission should hold a public hearing and make a recommendation to the City Council regarding the ratification of the C3 (Community Commercial) District for the subject site.</p> <p>MOTIONS FOR CONSIDERATION:</p> <p>The following motions are provided to assist the Commission’s decision.</p> <p>I move that the Planning and Zoning Commission accept the findings and recommend APPROVAL of the zoning ratification.</p> <p>OR</p> <p>I move that the Planning and Zoning Commission recommend the (alternative zoning district) for the subject property based on the following findings: (The Commission will need to state the reasons for their recommendation).</p>
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Strategic Alignment	
Financial Considerations	N/A
Citizen Input/Board Review	<p>A notice of the Planning Commission hearing of September 8 was published in the Boerne Star on August 24, 2025. Letters were mailed out to 18 properties (14 unique property owners) within 500 feet on August 20, 2025. A public hearing sign was posted on the subject property on August 21, 2025 to notice the Zoning Ratification request in anticipation of the September 8th P&Z meeting.</p> <p>One individual outside of the 500 ft. notice area submitted written comments to the case manager in opposition to the request as of 9/2/2025.</p>
Legal Review	This action is needed to meet statutory requirements.
Alternative Options	The Commission may recommend approval; approval in part; denial; or denial in part. Each condition or reason for denial must be directly related to the requirements of city regulations and may not be arbitrary.
Supporting Documents	<p>Attachment #1 - Aerial Map</p> <p>Attachment #2 - Future Land Use Map</p> <p>Attachment #3 - Zoning Map</p> <p>Attachment #4 - Environmental Constraints Map</p> <p>Attachment #5 - Written Responses</p> <p>Attachment #6 - Buc-ee's 380 Development Agreement</p> <p>Attachment #7 - Ordinance No. 2020-18 - B-2 Zoning Pre-UDC</p> <p>Attachment #8 - C3 Zoning Determination Letter</p> <p>Attachment #9 - Buc-ee's Project Briefing</p>

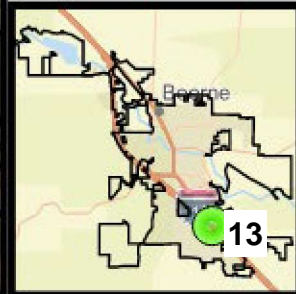
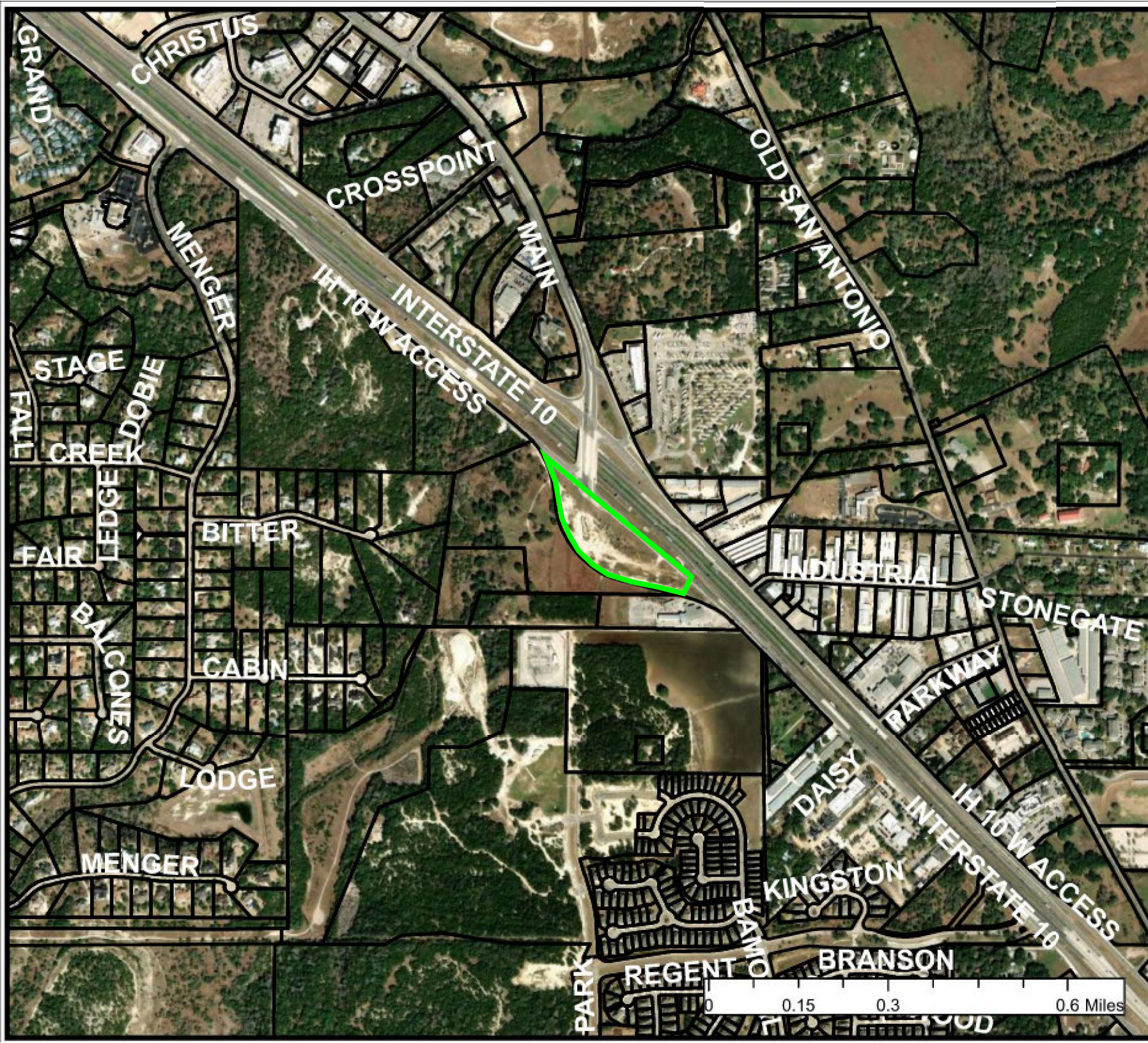


SUBJECT PROPERTY

5.155 acre tract(s)
immediately to the
east of the property
generally located at
33375 Interstate 10
W, Boerne, Texas,
78006

Legend

-  Parcels
-  Subject Property





SUBJECT PROPERTY

5.155 acre tract(s)
immediately to the
east of the property
generally located at
33375 Interstate 10
W, Boerne, Texas,
78006

Legend

 Subject Property


Future Land Use

 Auto-Oriented
Commercial

 Business Park

 Neighborhood
Commercial

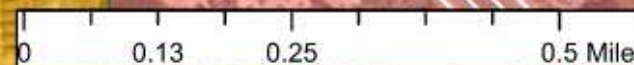
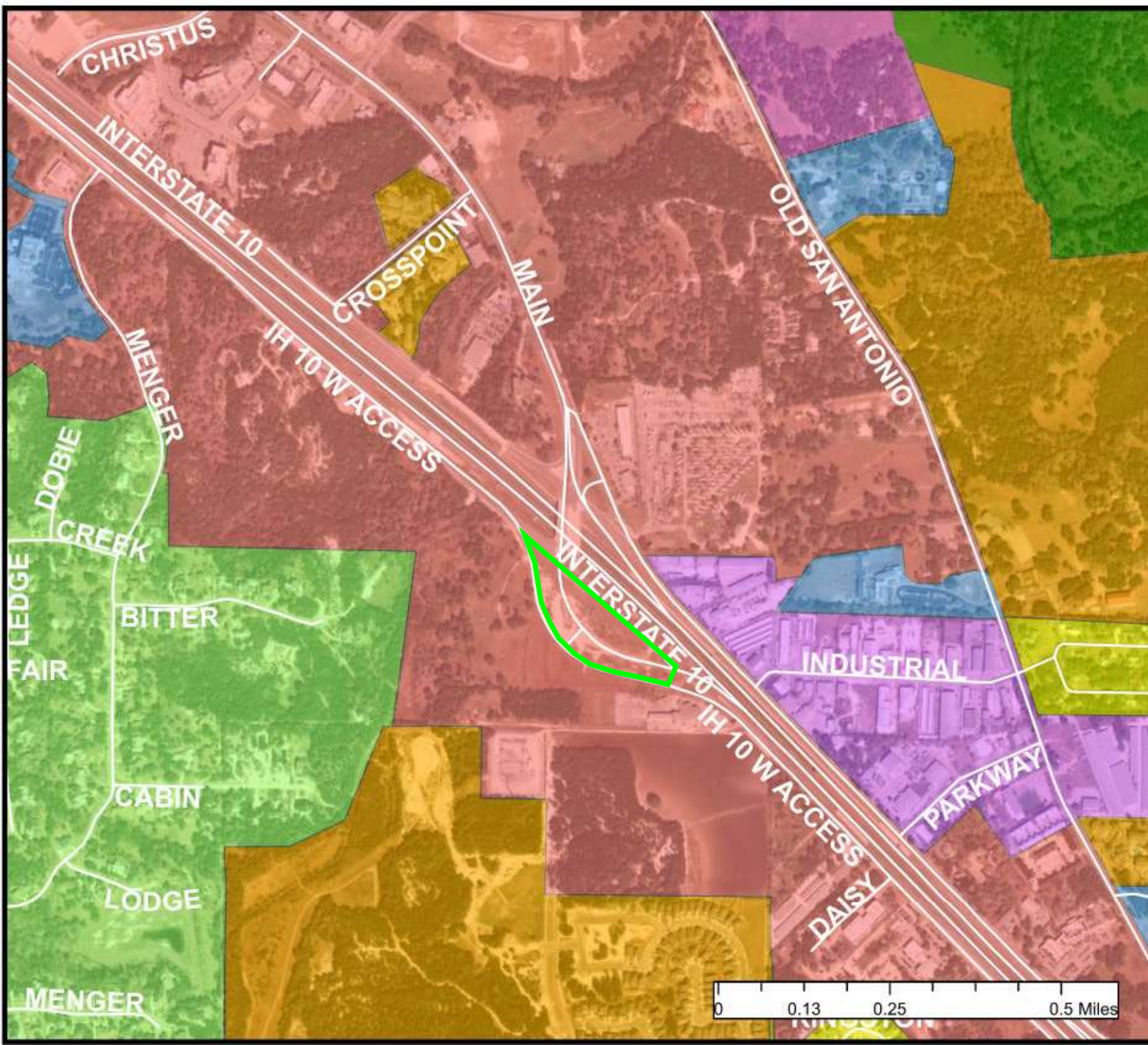
 Neighborhood
Residential

 Parks and Open
Space

 Public and
Institutional

 Rural Estate

 Transitional
Residential






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W, Boerne, Texas,
78006











Zoning Ratification:

C3-SICO

Legend

 Subject Property

Boerne Zoning

-  C2
-  C3
-  C4
-  CITY
-  I1
-  I2
-  R1-L
-  R2-N
-  RE
-  RM

Overlay Districts

-  Heritage Corridor
-  Scenic Interstate Corridor





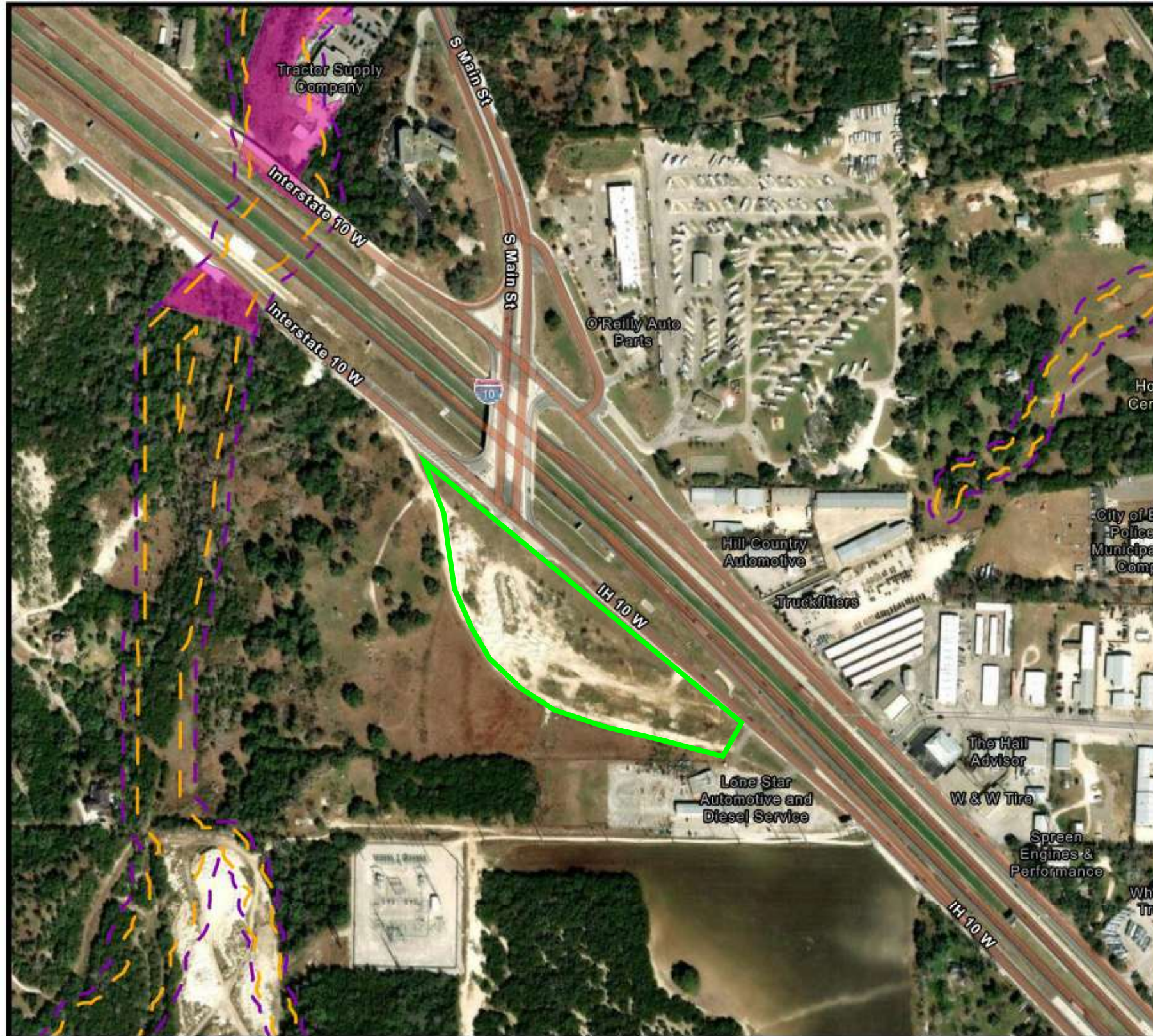


SUBJECT PROPERTY

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33375 Interstate 10
W, Boerne, Texas,
78006

Legend

-  Subject Property
-  DPZ 1
-  DPZ 2
-  SARA Floodplain
-  SARA Floodway



From: [REDACTED]
Sent: Friday, June 27, 2025 9:22 PM
To: P&ZCommissioners <PZCommissioners@ci.boerne.tx.us>
Subject: Bucee's and Goodwill hearings on July 7th

Please - DO NOT MOVE FORWARD WITH APPROVING THESE TWO PROPOSED BUSINESS REQUESTS!

1. An article appeared today on MySA.com with Chris Shadrock informing the public of Bucee's request for development approval of just under 4 acres of land adjacent to their existing development. Just because Bucee's hasn't anticipated the need for the almost 4 additional acres for an expanded parking area they now want approved, doesn't mean they should be allowed to be approved! You can't convince me they have been sitting on their land purchase for over 10 years with no idea they would have a shortage of parking for customers???? Ridiculous! Why would this land pop up for use so suddenly, if there isn't some "behind the scenes" monetary incentives causing this request to even come up for consideration? It was purchased from TXDOT???

Bucee's needs to make the land use they presently have approval for work for them - NOT WITH PURCHASING/UTILIZING ADDITIONAL LAND!! TAXPAYERS HAVE HAD ENOUGH! Please do not approve this, we do not need any further concrete, asphalt and contaminated runoff from this land, nor do we need any more traffic congestion and thoroughfares there. Bucee's can live with their underestimated needs or just move on up or down the road.

2. Goodwill - to open a Goodwill store in our town, no matter where it might be located, will impact ALL of our existing Thrift Shops in Boerne. Boerne's thrift shops are VERY well established and provide highly consistent, beneficial support and relief to many causes and agencies in Boerne. (I donate to the local stores, not Goodwill, no matter what!) Goodwill is looking out only for high salaries for their top management and employees positions, and will not be involved with supporting our community or local thrift stores. Also, even though people donate within their local community to Goodwill, Goodwill sometimes transports donated items to other stores that are running low on

inventory. Kerrville has a store that Boerne residents can use. Furthermore, their pricing tiers for

selling donated items is quite out of the norm for a "used" merchandise store. Used items are priced fairly close to the retail price for items in a regular retail store.

Please deny their request.

Thank you,

Lu Rae M. Baggs

ECONOMIC DEVELOPMENT AGREEMENT

THIS ECONOMIC DEVELOPMENT AGREEMENT (this "Agreement") is made and entered into by and among the City of Boerne, a Texas home-rule municipal corporation ("City") and Buc-ee's, Ltd., a Texas limited partnership ("Developer"), on this 29th day of August, 2016 ("Effective Date"). City and Developer are sometimes individually referred to herein as a "Party" and are sometimes collectively referred to herein as the "Parties".

RECITALS:

WHEREAS, Developer is contemplating the purchase of land consisting of approximately 35 acres, including, but not limited to, two (2) tracts of land within the city of Boerne, being more specifically described by metes and bounds in **Exhibit A** attached hereto and incorporated herein ("Property") and being generally depicted on the site plan labeled **Exhibit B** attached hereto and incorporated herein ("Site Plan"); and

WHEREAS, in accordance with Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code, City may establish and provide for the administration of a program for making loans and grants of public money to promote state or local economic development and to stimulate business and commercial activity within the City; and

WHEREAS, in accordance with Chapter 380, Texas Local Government Code, the City hereby establishes such a program to provide incentives and financial assistance to the Developer to encourage and promote the development of the Property thereby enhancing and stimulating business and commercial activity in the City; and

WHEREAS, as a material inducement to Developer to purchase the Property and develop the Project (hereinafter defined) on the Property, the City has agreed to offer incentives to Developer, including, but not limited to, a sales tax rebate for a period of twenty (20) years, which will enable Developer to develop the Project on the Property; and

WHEREAS, as a material inducement to Developer to purchase the Property and develop the Supplemental Project (hereinafter defined) on the Property, the City has agreed to offer incentives to Developer, including, but not limited to, a sales tax rebate for a period of twenty (20) years, which will enable Developer to develop the Supplemental Project on the Property; and

WHEREAS, as a material inducement to Developer to purchase the Property and develop the Project and the Supplemental Project on the Property, City has agreed to cause the timely construction of certain off-site utility infrastructure (as hereinafter set forth in this Agreement), at City's sole cost and expense; and

WHEREAS, Developer has agreed, in exchange for and as consideration for the funding by City, to satisfy and comply with certain terms and conditions hereinafter set forth; and

WHEREAS, City has concluded and hereby finds that this Agreement substantially advances a legitimate interest of the City by promoting economic development, attracting new consumers to the City, expanding the sales tax base of the City, increasing employment, and generating new tax revenue for jurisdictions in Kendall County, which will help stimulate the overall local economy; and

WHEREAS, the City Council of the City of Boerne voted to authorize this Agreement on the 9th day of August, 2016.

NOW, THEREFORE, for and in consideration of Ten Dollars (\$10.00) and the promises and the mutual agreements set forth herein, the receipt and sufficiency of which are acknowledged, the Parties hereby agree as follows:

ARTICLE I THE PROJECT

1. Project. Developer intends to construct, or cause to be constructed, a retail development consisting of a Buc-ee's travel center being no less than 50,000 square feet and providing no less than 90 fueling positions ("Project") on a portion of the Property ("Project Tract"). During the Project Term (defined in Article II, 1a), the Project will (i) provide at least 170 full time equivalent jobs within the first 12 months of the Project Term and (ii) will not promote the servicing and/or fueling of 18 wheel or similar vehicles (excepting those 18 wheel or similar vehicles delivering merchandise, supplies and/or fuel to the Project).

2. Supplemental Project. Developer intends to subdivide that portion of the Property not utilized for the Project into one or more tracts of land (each being a "Supplemental Tract") for the purpose of developing, leasing and/or selling the Supplemental Tracts for commercial purposes. The development of each individual Supplemental Tract shall constitute a separate "Supplemental Project".

ARTICLE II ECONOMIC INCENTIVES

1. Project Economic Development Grant. City shall pay to Developer an economic development grant in the form of periodic payments made solely from the 1.5% City Sales and Use Tax Revenue Received by the City from the Project pursuant to Chapter 380 of the Texas Local Government Code ("Project Economic Development Grant"). The Project Economic Development Grant is comprised exclusively of a Project City Payment (hereinafter defined) and shall be payable to Developer during the Project Term, unless this Agreement is earlier terminated pursuant to the terms hereof. Developer understands and agrees that City is not certifying or otherwise encumbering any funds for the Project Economic Development Grant and does not have any monies for the same. Developer agrees not to make any claims against City for any monies other than those from the 1.5% City Sales and Use Tax Revenue Received by the City from the Project.

a. Project City Payment. City shall make quarterly payments to Developer from sales and use tax revenues pursuant to Chapter 380 of the Texas Local Government Code in the amount of 50% of the 1.5% City Sales and Use Tax Revenue Received by the City from the Project ("Project City Payment") for the prior quarter. The Project City Payment shall be paid to Developer in quarterly installments for Sales and Use Taxes received by the City from the Property with the quarter beginning January 1 following the year the Project opens for business to the public on the Property ("Opening Day") and shall continue for a period of twenty (20) years ("Project Term"). Such quarterly installment Project City Payments shall be made by the City to the Developer on the last business day of May, August, November and February with the first payment being made on the last day of May following the January 1 after Opening Day. If this Agreement is not terminated prior to its expiration, the final Project City Payment to Developer shall be that portion

of the City Sales and Use Tax Received by the City from the Project as of the date of the expiration of the Project Term.

b. City Sales and Use Tax Received by the City from the Project. The "City Sales and Use Tax Received by the City from the Project" is defined as an amount equal to (i) 1.50% of the taxable sales and taxable purchases generated by the Project during the Project Term, regardless of when said amount is received by City. The Project Economic Development Grant shall be paid to Developer after the City Sales and Use Tax Received by the City from the Project has been paid to City by the collecting authority net of discounts and state fees, and therefore always run in arrears; therefore, the Project Economic Development Grant shall be deemed to include City Sales and Use Tax Received by the City from the Project during the Project Term but received by the City after the expiration thereof, including, but not limited to, those monies received by City after the collection period because of delinquency or protest. Further, the City Sales and Use Tax Received by the City from the Project shall be paid to Developer by the City notwithstanding supplementation, modification and/or amendment to any City Ordinance existing upon the Effective Date of this Agreement.

c. Project Economic Development Grant Limitation. City's obligation to pay the Project Economic Development Grant to Developer shall be restricted to City Sales and Use Tax Received by the City from the Project. City shall not be obligated to pay the Project Economic Development Grant from ad valorem taxes or any other source of revenue. The payment or delivery of any Project Economic Development Grant hereunder shall not be an admission of the Developer's unqualified entitlement to same. The City retains the right to review the Developer's entitlement to and will require any corrective action as may be supported by this Agreement, including without limitation, requiring the Developer to refund any overpayment to the City within thirty (30) days of such demand or the right of the City to withhold all or part of a Project Economic Development Grant for such overpayment. The Developer's obligations under this paragraph shall survive termination of this Agreement.

2. Supplemental Project Economic Development Grant. City shall pay to Developer an economic development grant in the form of periodic payments made solely from City Sales and Use Tax Received by the City from each Supplemental Project pursuant to Chapter 380 of the Texas Local Government Code ("Supplemental Project Economic Development Grant"). The Supplemental Project Economic Development Grant is comprised exclusively of a Supplemental Project City Payment (hereinafter defined). Each Supplemental Project shall have the same commencement date and expiration date as the Project Term. Developer understands and agrees that City is not certifying or otherwise encumbering any funds for the Supplemental Project Economic Development Grant and does not have any monies for the same. Developer agrees not to make any claims against City for any monies other than those from the City Sales and Use Tax Received by the City from each Supplemental Project.

a. Supplemental Project City Payment. City shall make payments to Developer from sales and use tax revenues pursuant to Chapter 380 of the Texas Local Government Code in the amount of 50% of the 1.5% City Sales and Use Tax Received by the City from each Supplemental Project. The Supplemental Project City Payment for each Supplemental Project shall be paid to Developer in quarterly installments beginning January 1 following the year said Supplemental Project opens for business to the public on the Property and shall continue until the expiration of the Project Term (each being "Supplemental Project Term"). Such quarterly installment Supplemental Project City Payments shall be made by the City to the Developer on the last business day of May, August,

November and February. The first quarterly installment Supplemental Project City Payments shall be made by the City to the Developer on the last business day of May following the January 1 after the Supplemental Project opens for business. If this Agreement is not terminated prior to its expiration, the final Supplemental Project City Payment to the Developer for each Supplemental Project shall be that portion of the City Sales and Use Tax Received by the City from said Supplemental Project as of the date of the expiration of the Project Term.

b. City Sales and Use Tax Received by the City from each Supplemental Project. The "City Sales and Use Tax Received by the City from each Supplemental Project" is defined as an amount equal to 1.50% of the taxable sales and taxable purchases generated by each Supplemental Project during said Supplemental Project Term, including, but not limited to, those monies received after the collection period because of delinquency or protest. The Supplemental Project Economic Development Grant is calculated and paid after taxes have been paid to City, and therefore always run in arrears; therefore, the Supplemental Project Economic Development Grant shall be deemed to include City Sales and Use Tax Received by the City from each Supplemental Project during each Supplemental Project Term but received by the City after the expiration thereof.

c. Supplemental Project Economic Development Grant Limitation. City's obligation to pay the Supplemental Project Economic Development Grant to Developer shall be restricted to City Sales and Use Tax Received by the City from the Supplemental Projects. City shall not be obligated to pay the Supplemental Project Economic Development Grant from ad valorem taxes or any other source of revenue. The payment or delivery of any Supplemental Project Economic Development Grant hereunder shall not be an admission of the Developer's unqualified entitlement to same. The City retains the right to review the Developer's entitlement to and will require any corrective action as may be supported by this Agreement, including without limitation, requiring the Developer to refund any overpayment to the City within thirty (30) days of such demand or the right of the City to withhold all or part of a Project Economic Development Grant for such overpayment. The Developer's obligations under this paragraph shall survive termination of this Agreement.

3. Extension of Water, Sanitary Sewer, Electric, and Gas to the Property. On or before 90 days following the commencement of construction of the Project on the Property, City shall, at the City's sole cost and expense, for purposes of serving the full development and use of the Property for the Project and the Supplemental Project:

a. Extend (or cause to be extended) to the northwestern Property boundary line and make available for connection by Developer a sanitary sewer main being no less than twelve (12) inches in diameter, such sanitary sewer main shall be located as depicted on Exhibit B;

b. Extend (or cause to be extended) to the southwestern Property boundary line and make available for connection by Developer a water main being no less than twelve (12) inches in diameter, such water main shall be located as depicted on Exhibit B; further,

- (i) City will be wholly responsible for the installation and costs associated with any necessary off Property water main looping; and
- (ii) Developer will be wholly responsible for the installation and costs associated with any necessary on Property water main looping.

c. Provide (or cause to be provided) to the eastern Property boundary line and make available for connection, a 3-phase overhead primary electric distribution line, such electric distribution line shall be located as depicted on Exhibit B; and

d. Provide (or cause to be provided) to the eastern Property boundary line and make available for connection a 6-inch natural gas distribution main capable of providing a service flow no less than 776 cfm at 5 psi, such location of the natural gas distribution main shall be located as depicted on Exhibit B.

Collectively the above referenced sanitary sewer line, water line, electric service and natural gas service shall be referred to as "Utilities."

4. Credit Towards City Fees. City shall provide Developer with a credit towards any City-related fees and costs (i.e. impact, permit, etc.) in the amount of Two Hundred Twenty-three Thousand Two Hundred Eighty-five and No/100 Dollars (\$223,285.00). In the event the City does not receive the Grant (defined below), Developer shall not be entitled to receive this credit towards any City related fees and costs. If the City provided such credit, in whole or in part, towards any City-related fees, the Developer is obligated to reimburse the City for the payment of such City-related fee within thirty (30) days of receipt of a written statement of an unconditional denial of said Grant from the granting authority.

5. Transfer of Texas Department of Transportation Right-of-Way. The Texas Department of Transportation ("TxDot") owns in fee simple a tract of land contiguous to the Property, which TxDot tract of land is more particularly described on **Exhibit C**, attached hereto and incorporated herein and generally depicted on the Site Plan ("TxDot Tract"). Pursuant to that one certain letter from TxDot dated July 26, 2016, copy attached hereto as **Exhibit D**, TxDot has represented that, with respect to the TxDot Tract, *"Upon the completion of the I-10/BUS 87 S interchange and frontage road project, TxDot will consider the excess right of way on the south side of the intersection as highlighted in the attached layout as surplus and subject to sale in accordance with our rules and regulations concerning disposition of surplus roadway right of way."* Pursuant to §202.021, Texas Transportation Code, the Parties acknowledge that the City has a priority right to purchase the TxDot Tract if TxDot sells said property. However, the City hereby agrees that if and when any portion of the TxDot Tract other than that portion upon which Buc-ee's Way ROW is to be built, is offered to the City for sale, the City (1) will waive its priority right to purchase said tract and (2) use good faith efforts to allow Developer, as the abutting property owner, the right to purchase the TxDot Tract as allowed an abutting property owner under *Tex. Transp. Code § 202.021*. For the purposes of the program, incentives and financial assistance created in this Agreement, if an and when all or any portion of the TxDot Tract is transferred and conveyed to Developer, the description of the Property contained herein above and described on Exhibit A, attached hereto, shall be deemed modified to additionally encompass that portion of the TxDot Tract actually transferred and conveyed to Developer.

6. Extension of Buc-ee's Way ROW. The Parties acknowledge that the development of the Project is dependent upon the extension of Main Street west of Interstate 10, more particularly described by metes and bounds in **Exhibit E** attached hereto and generally depicted on the Site Plan (hereinafter "Buc-ee's Way ROW"). A portion of the land upon which the Buc-ee's Way ROW shall be located is on the TxDOT Tract ("TxDot Portion of Buc-ee's Way ROW") and the other portion is on the Property ("Developer Portion of Buc-ee's Way ROW") (collectively referred to as "Buc-ee's Way ROW Land"). Developer hereby agrees to transfer and convey to the City the Developer Portion of Buc-ee's Way ROW if and when City has sufficient authority to begin construction on the TxDot Portion of Buc-ee's Way ROW. The City hereby agrees that it will immediately enter into good faith discussions with TxDot and Developer in an attempt

to obtain authority from TxDot to begin construction of the Buc-ee's Way ROW on the TxDot Portion of Buc-ee's Way ROW as soon as possibly allowed by TxDot ("TxDot Authority"). Further, conditioned upon obtaining TxDot Authority, the City hereby agrees that within 150 days following the commencement of the construction of the Project, City will build and complete the construction of the Buc-ee's Way ROW, at its sole cost and expense. Construction of the Buc-ee's Way ROW shall be designed and constructed as a Primary Collector street per plans and specifications in accordance with the City of Boerne Subdivision Ordinance and the Master Thoroughfare Plan. If TxDot Portion of Buc-ee's Way ROW is transferred and conveyed to Developer subsequent to the date the City begins construction of the Buc-ee's Way ROW, Developer agrees to transfer and convey to the City the TxDot Portion of the Buc-ee's Way ROW.

7. Texas Capital Fund Grant. The Parties shall use their best commercial efforts to obtain a grant from the Texas Capital Fund to supplement the costs associated with the improvements required in Article II, Sections 3, 4, 5 and 6 herein ("Grant"). Developer shall pay for any fees reasonably related and necessary to the City's application for said Grant. Developer agrees that it shall use its best efforts to obtain the Grant by filing the necessary applications and committing to the State of Texas' minimum requirements to obtain said Grant.

8. Funding for Improvements. At the City's written request and if permitted by law, the Parties will use good faith efforts to enter into a separate agreement that provides for the Developer to initially pay for the extension of the Utilities and/or extension of Buc-ee's Way ROW (items for which the City is responsible for providing at City's sole expense) with the promise of reimbursement by the City in no more than five (5) annual installments.

ARTICLE III COMPANY REQUIREMENTS

1. Conveyance of Right-of-Way for Extension of Buc-ee's Way. Developer shall, at no cost to the City, convey the Buc-ee's Way Extension Right-of-Way to the public for its intended purpose. Such Buc-ee's Way Extension Right-of-Way must comply with the requirements for a City Primary Collector contained within the Subdivision Ordinance and the major Thoroughfare Plan in effect. Such Right-of-Way conveyance shall either (a) be reflected on a plat filed of record or (b) be evidenced by separate instrument from Developer (or other party as the case may be) to the public. City hereby represents and warrants to Developer that City shall not require Developer to construct or pay for any portion of the Buc-ee's Way Extension in connection with Developer's development and use of the Property. Developer hereby represents and warrants to the City that the Developer shall not require the City to pay for any portion of the land for the Right-of-Way being conveyed for the Buc-ee's Way Extension.

2. Conveyance of Utility Easements. Developer shall, at no cost to the City, convey to the City any and all easements reasonably necessary as determined by the City Manager or his designated representative, to extend Utilities to and through the Property. Such easement conveyance shall either (a) be reflected on a plat filed of record or (b) be evidenced by separate instrument from Developer (or other party as the case may be) to the public (such form easement is attached as **Exhibit F**). City hereby represents and warrants to Developer that City shall not require Developer to construct or pay for any portion of the Utility improvements required herein. Developer hereby represents and warrants to the City that the Developer shall not require the City to pay for any portion of the Utility Easements being conveyed for the Extension of the Utilities.

3. Dedication of Open Space Under separate agreement Developer shall, at no cost to the City, convey to the City an area of open space and park land no less than 5 acres restricted to open space for the benefit of the City generally depicted on the Site Plan ("Park Land") which is attached hereto as Exhibit B. Notwithstanding anything to the contrary, said Park Land shall be used in the computation of any open space, impervious cover, or drainage area requirements for the design, permitting, and completion of the Project and the Supplemental Project as required by the City of Boerne Subdivision Ordinance.

4. Reporting Requirements. No later than thirty (30) days after the close of each quarter during the Project Term, Developer will provide City with a copy of the Texas Sales and Use Tax Return that Developer submits to the Comptroller of the State of Texas relating to Developer's remission of City Sales and Use Tax Received by the City from the Project as a result of the operation of the Project and the Supplemental Project ("Report"). Upon written request of the City, Developer will promptly provide to the City the business name and/or filing name used for filing with the Texas Comptroller's Office by any owner or lessee of the Project and/or Supplemental Project[s] as is necessary to calculate any Project City Payment or Supplemental Project City Payment due under the terms of this Agreement.

5. Developer Representations. Developer makes the following covenants and warrants to City, and agrees to timely and fully perform the following obligations and duties:

- a. Developer is authorized to do business and is in good standing in the State of Texas and shall remain in good standing in the State of Texas during the Project Term and the Supplemental Project Term. As used herein, the term "good standing" means the status of Developer with the Comptroller of the State of Texas shall be "Active".
- b. No litigation or governmental proceeding is pending or, to the knowledge of Developer, threatened against or affecting Developer that may result in any material adverse change in Developer's business or operation.
- c. No bankruptcy proceedings or other similar proceedings are currently pending or contemplated and Developer has not been informed of any potential involuntary bankruptcy proceedings.
- d. Developer shall remain current and in good standing with all sales taxes, property taxes, fees and other recurring charges of the City of Boerne, the State of Texas, and Kendall County taxing jurisdictions throughout the Project Term and the Supplemental Project Term.

ARTICLE IV MISCELLANEOUS PROVISIONS

1. Default; Remedies. Any Party to this Agreement that believes that the other Party to this Agreement has defaulted in the performance of any condition, term, representation and/or obligation owed to that Party under this Agreement shall within ten (10) business days after discovery of said default, give written notice of the default to the defaulting Party, specifying in detail the provision or provisions of this Agreement that have allegedly been breached and what specific action must be taken to cure or correct the default.

- a. Developer Event of Default. Developer shall be in default under this Agreement if it fails to timely comply with any term, covenant, representation or condition of or made in this

Agreement. The foregoing is referred to herein as a "Developer Event of Default". City may terminate this Agreement in the event of a Developer Event of Default if, after giving Developer ninety (90) days prior written notice of the occurrence of a Developer Event of Default, Developer fails to either cure the default within said ninety (90) day period or such longer period as may be allowed by the City, which shall be City's sole and exclusive remedy for a Developer Event of Default. If the City terminates this Agreement due to the Developer's Event of Default, City is no longer obligated to provide the Developer with any Article II Economic Incentives.

b. City Event of Default. City shall be in default under this Agreement if City fails to timely comply with any term, covenant or condition of this Agreement. The foregoing is referred to herein as a "City Event of Default". If, after giving City ninety (90) days prior written notice of the occurrence of a City Event of Default, City fails to cure the default within said ninety (90) day period or such longer period as may be allowed by Developer, Developer shall have all rights in law or in equity.

c. Change of Applicable Law. City may terminate this Agreement without an Event of Default by Developer and effective immediately if any state or federal statute, regulation, Texas Supreme Court case law, or other law renders this Agreement illegal, including, but not limited to, binding Texas case law holding that an agreement under Chapter 380 rebating taxes, such as this Agreement, is an unconstitutional debt.

d. Damages Allowed. Notwithstanding anything contained in this Agreement to the contrary, under no circumstance shall either Party be entitled to punitive, special or consequential damages.

2. No Waiver. Nothing contained in this Agreement shall be construed in any way to limit or to waive the City's sovereign immunity except that the City and Developer hereby acknowledge and agree that this Agreement is subject to the provisions of Subchapter I of Chapter 271, Texas Local Government Code, as amended. The City agrees that its immunity from suit is waived for the limited purpose of adjudicating a claim for breach of this Agreement, which is subject to the terms and conditions of Subchapter I of Chapter 271, Texas Local Government Code.

3. Chapter 245 Waiver. Nothing in this Agreement shall be implied to vest any rights in the Parties. In addition, nothing contained in this Agreement shall constitute a "permit" as defined in Chapter 245, Texas Local Government Code. COMPANY WAIVES ANY STATUTORY CLAIM UNDER CHAPTER 245 OF THE TEXAS LOCAL GOVERNMENT. THIS SECTION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

4. Applicability of Ordinances. Developer acknowledges and agrees that this Agreement does not alter the applicability of the ordinances of City. Further, this Agreement does not waive or limit any of the obligations of Developer to City under any other ordinance whether now existing or in the future arising. This Agreement: (i) is not in any manner to be considered a waiver by the Parties of any requirement contained in the City's ordinances and/or development requirements; (ii) will not and does not conflict with the City's ordinances and/or development requirements, and in the event of such a conflict the terms of the City's ordinances and/or development requirements control; and (iii) does not modify any of the City's ordinances and/or development requirements. Where silent in this Agreement, the terms of City's ordinances and/or development requirements shall control.

5. Separate Status. NONE OF THE TERMS OR PROVISIONS OF THIS AGREEMENT SHALL BE DEEMED TO CREATE A PARTNERSHIP BETWEEN OR AMONG THE PARTIES IN THEIR RESPECTIVE BUSINESSES OR OTHERWISE, NOR SHALL IT CAUSE THEM TO BE CONSIDERED JOINT VENTURES OR MEMBERS OF ANY JOINT ENTERPRISE. IN EXECUTING THIS AGREEMENT AND IN PERFORMING THEIR RESPECTIVE OBLIGATIONS, EACH PARTY IS ACTING INDEPENDENTLY. THE CITY ASSUMES NO RESPONSIBILITIES OR LIABILITIES TO ANY THIRD PARTIES IN CONNECTION WITH THIS AGREEMENT, AND THE COMPANY AGREES TO INDEMNIFY, DEFEND AND HOLD THE CITY HARMLESS FROM ANY SUCH LIABILITIES RELATING TO THIS AGREEMENT TO THE EXTENT THAT SUCH LIABILITIES ARISE SOLELY AND DIRECTLY AS A RESULT OF A NEGLIGENT OR INTENTIONAL ACT OR OMISSION OF COMPANY.

6. Construction and Interpretation.

a. Whenever required by the context of this Agreement, (i) the singular shall include the plural, and vice versa, and the masculine shall include the feminine and neuter genders, and vice versa, and (ii) use of the words "including", "such as", or words of similar import, when following any general term, statement or matter, shall not be construed to limit such statement, term or matter to specific terms, whether or not language of non-limitation, such as "without limitation" or "but not limited to" are used with reference thereto, but rather shall be deemed to refer to all other items or matters that could reasonably fall within the broadest scope of such statement, term or matter.

b. The captions preceding the text of each article and section of this Agreement are included only for convenience of reference. Captions shall be disregarded in the construction and interpretation of this Agreement. Capitalized terms are also selected only for convenience of reference and do not necessarily have any connection to the meaning that might otherwise be attached to such term in a context outside of this Agreement.

c. This Agreement may be executed in several counterparts, each of which shall be deemed an original. The signatures to this Agreement may be executed and notarized on separate pages, and when attached to this Agreement shall constitute one (1) complete document.

7. Revenue Sharing Agreement. The City designates this Agreement as a revenue sharing agreement, thereby entitling the City to request Sales and Use Tax information from the State Comptroller, pursuant to Section 321.3022 of the Texas Tax Code, as amended.

8. Assignability. Developer may assign or transfer its rights (including the right to receive payments), duties and obligations under this Agreement to any person or entity only with prior written approval and consent by City, which approval shall not be unreasonably withheld, conditioned or delayed. However, City hereby consents to an assignment of the Developer of its rights, (including the right to receive payments), duties and obligations under this Agreement to an affiliate, subsidiary or related party of Developer, provided City is given thirty (30) days' advance written notice of such assignment.

9. Severability. If any provision hereof shall be finally declared void or illegal by any court or administrative agency having jurisdiction, the entire Agreement shall not be void; but the remaining provisions shall continue in effect as nearly as possible in accordance with the original intent of the Parties.

10. Complete Agreement. This Agreement represents the complete agreement of the Parties with respect to the subject matter hereof and supersedes all prior written and oral matters related to this

Agreement. Any amendment to this Agreement must be in writing and signed by all Parties hereto or permitted or approved assignees.

11. Exhibits. All exhibits attached to this Agreement are incorporated herein by reference and are expressly made part of this Agreement as if copied verbatim.

12. Notice. Any notice or demand, which any party is required to or may desire to serve upon the other, must be in writing, and shall be sufficiently served if (i) personally delivered, (ii) sent by registered or certified mail, postage prepaid, or (iii) sent by commercial overnight carrier, and addressed to:

If to City:

City of Boerne
Attn: City Manager
402 E. Blanco
Boerne, TX 78006

If to Developer:

Buc-ee's, Ltd.
Attn: Arch H. Aplin III
327 FM 2004
Lake Jackson, Texas 77566

or such other address or addresses which any Party may be notified in writing by any other Party to this Agreement.

Such notice shall be deemed to have been served (a) four (4) business days after the date such notice is deposited and stamped by the U.S. Postal Service, except when lost, destroyed, improperly addressed or delayed by the U.S. Postal Service, or (b) upon receipt in the event of personal service, or (c) the first business day after the date of deposit with an overnight courier, except when lost, destroyed or improperly addressed; provided, however, that should such notice pertain to the change of address to either of the Parties hereto, such notice shall be deemed to have been served upon receipt thereof by the Party to whom such notice is given.

13. Force Majeure. In the event any Party is rendered unable, wholly or in part, by force majeure to carry out any of its obligations under this Agreement, it is agreed that on such Party's giving notice and full particulars of such force majeure in writing to the other Party as soon as possible after the occurrence of the cause relied upon, then the obligations of the Party giving such notice, to the extent it is affected by force majeure and to the extent that due diligence is being used to resume performance at the earliest practicable time, shall be suspended during the continuance of any inability but for no longer period. Such cause shall as far as possible be remedied with all reasonable dispatch.

The term "force majeure" as used herein, shall include, but not be limited to, acts of God, strikes, lockouts or other industrial disturbances, acts of the public enemy, war, blockades, insurrections, riots, epidemics, landslides, lightening, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrests and restraints of governments and people, explosions, breakage or damage to

machines or pipelines and any other inabilities of either party, whether similar to those enumerated or otherwise and not within the control of the parties claiming such inability, which by the exercise of due diligence and care such party could not have avoided.

14. Forum Selection. This Agreement and the relationship between the Parties shall be governed and interpreted under the laws of Texas without regard to any conflict of laws provision. Venue for any suit arising out of any relationship between the Parties shall be the appropriate court in the county in which the Property is located.

15. Appointment of Representatives. To further the commitment of the Parties to cooperate in the implementation of this Agreement, the Parties shall designate and appoint a representative to act as a liaison between the Parties. The initial representative for the City shall be the City Manager or his designee ("City Representative"), and the initial representative for Developer shall be Stan Beard ("Developer Representative"). The representatives shall be available at all reasonable times and places to discuss and review the performance of the Parties to this Agreement and the development of the Property pursuant to the Site Plan.

16. Effective Date. This Agreement shall be binding and take effect only upon all Parties signatures hereto, attachment of all required exhibits, and receipt by the Parties of a fully executed copy hereof. For the purposes of timetables provided in this Agreement, the Effective Date shall be the date first above written.

17. Representation of Authority. City represents and warrants to Developer that it is duly authorized and empowered to enter into this Agreement, subject to the terms and conditions contained therein, and has the legal authority to make a grant to Developer as provided in this Agreement. Developer represents and warrants that it is duly authorized and empowered to enter into this Agreement, subject to the terms and conditions contained herein.

18. Signature Warranty Clause. The signatories to this Agreement represent and warrant that they have the authority to execute this Agreement on behalf of the Parties, respectively.

19. Legal Contest. This Agreement is entered into in accordance with applicable law as understood by the Parties. In the event any part, provision or paragraph hereof shall become unenforceable by reason of judicial decree or determination, the Parties agree to the extent possible to ensure that all other provisions of this Agreement, including the intent of this Agreement, be honored and performed.

20. Economic Incentives Constitute a Program. This Agreement constitutes an economic development program to promote state or local economic development and to stimulate business and commercial activity in the City and the area annexed for limited purposes pursuant to Article III, Sec. 52-a, Texas Constitution and Chapter 380, Texas Local Government Code.

21. Public and Confidential Information. Information provided by or on behalf of Developer pursuant to this Agreement that Developer considers to be proprietary and/or confidential and marked as such shall be maintained by City as confidential to the extent allowed by law. If proprietary financial or trade secret information is requested under the Texas Public Information Act ("Act"), City shall follow the standards set out in the Act and under the Texas Attorney General's procedures for such requests and Developer shall be responsible for defending the confidentiality of such information.

22. Automatic Termination. In the event Developer elects not to proceed with the acquisition of the Property or the development of the Project, Developer will notify City in writing and this Agreement and the obligations of the Parties hereunder shall automatically terminate and be of no further force or effect as of the date of such notice. Should this Agreement automatically terminate per the terms of this Section, Developer will reimburse the City for all Article II Economic Incentives made to, or on behalf of, Developer under this Agreement with interest at the City's weighted average yield of its investment portfolio from the date the Article II Economic Incentives were made to, or on behalf of, the Developer to the date of repayment. Developer's obligation to reimburse the City for Article II Economic Incentives made to Developer survives termination of this Agreement.

23. Final Termination. If a term, covenant or condition of this Agreement does not have an earlier express termination date, all terms covenants and conditions of this Agreement shall automatically terminate upon the expiration of the Project Term.

24. During the Term of this Agreement, the Developer agrees not to knowingly employ any undocumented workers and if convicted of a violation under 8 U.S.C. § 1324a(f), the Developer shall repay the City all Payments made plus any other funds received by, or made on behalf of, the Developer from the City as of the date of such violation, such payment being due within 120 business days after the date the City is notified by the Developer of such violation, with interest at the City's weighted average yield of its investment portfolio from the date the such Article II Economic Incentive was made to, or on behalf of, Developer to the date of the repayment. In no event shall any provision hereof be deemed to have waived any defense the Developer may have to any allegation of a violation of 8 U.S.C. § 1324a(f).

25. Within thirty (30) days following a written request therefore, the Company will provide to the City a letter from Company certifying that they are in compliance with this Agreement. Such request shall be made no more than once each calendar year.

26. Incorporation of Recitals. The Recitals set forth hereinabove are declared true and correct and are hereby incorporated into and made a part of this Agreement for all purposes.

(Signature Page Follows)

8/29/2016
Date

CITY:

CITY OF BOERNE

By: Ronald C. Bowman
Ronald C. Bowman, City Manager

ATTEST:

Lori A. Carroll
LORI A. CARROLL, City Secretary

Approved as to form:

[Signature]
City Attorney's Office

DEVELOPER:

BUC-EES, LTD

By: Buc-ee's Management, LLC,
a Texas limited liability company,
its general partner

8/15/16
Date

By: Arch H. Aplin III
Arch H. Aplin III, its President

LIST OF EXHIBITS

Exhibit A	Description of Property
Exhibit B	Site Plan
Exhibit C	TxDot Tract
Exhibit D	TxDot Letter dated July 26, 2016
Exhibit E	Buc-ee's Way ROW description
Exhibit F	Form Utility Easement

EXHIBIT A

Description of Property

A Metes and Bounds description, mutually acceptable to the parties, to be attached when completed and made part of this Agreement

EXHIBIT B

SITE PLAN

Copyright 2016 Ratcliff Engineering Services, L.L.C.
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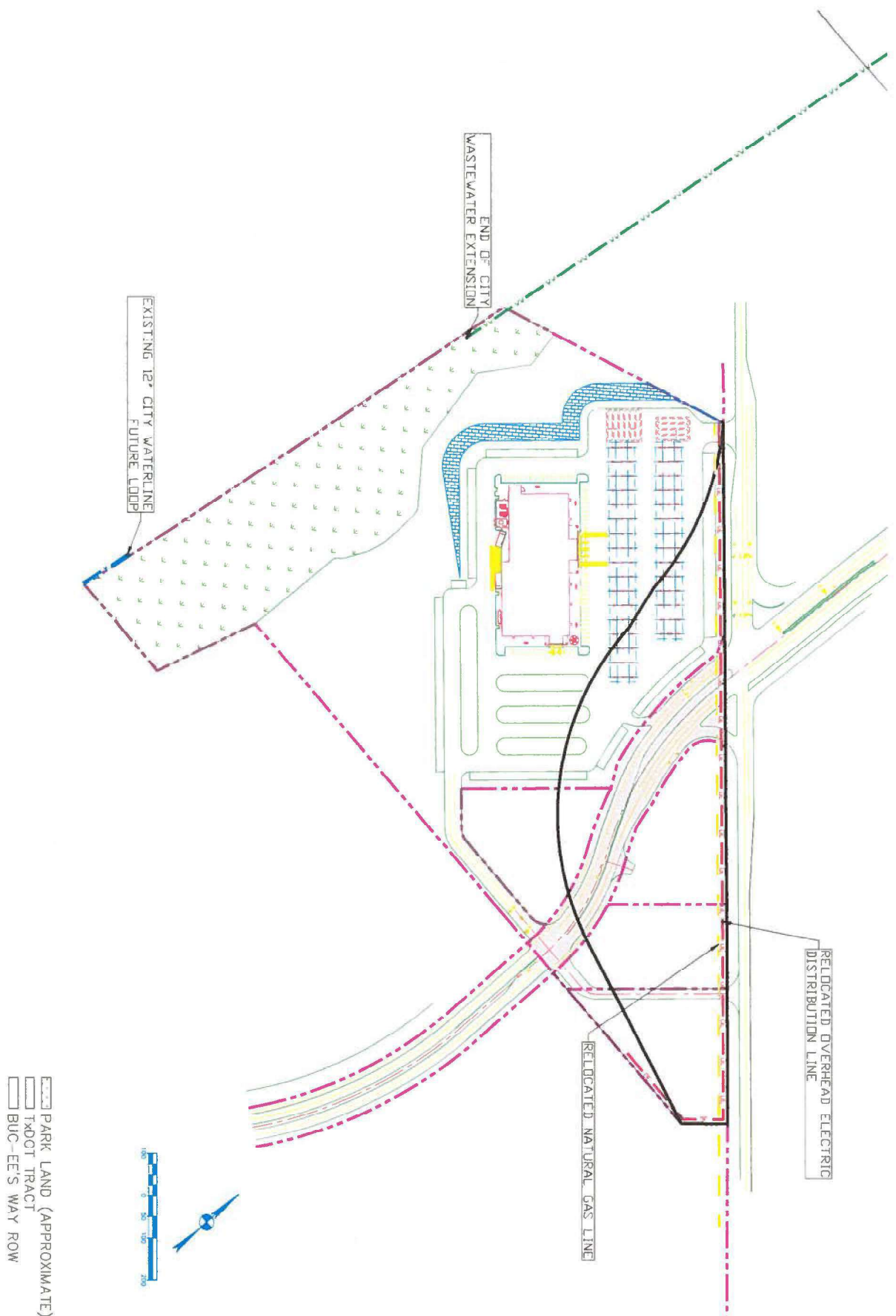


EXHIBIT B SITE PLAN BUC-EE'S - BOERNE BUSINESS 87 & INTERSTATE HIGHWAY 10 BUC-EE'S, LTD.	SHEET INFORMATION DATE: 08-12-2016 PROJECT NO: 00030-12 DESIGNED BY: JSC GROUP BY: JSC APPROVED BY: JSC FILE NAME: BUC-EE'S PLAT NAME: 1107 ISSUED FOR PERMIT REVIEW & BIDDING ONLY ISSUED FOR CONSTRUCTION		 RATCLIFF ENGINEERING SERVICES, L.L.C. P.O. BOX 17881 GALVESTON, TEXAS 77552 OFFICE (409) 555-7887 TSPS FORM #1424	REVISIONS NO. DESCRIPTION DATE 1 PRELIMINARY
	SHEET: EXH-B OF: 07			REVISIONS NO. DESCRIPTION DATE 1 PRELIMINARY

EXHIBIT C

TXDOT Tract

A Metes and Bounds description, mutually acceptable to the parties, to be attached when completed and made part of this Agreement

EXHIBIT D

TXDOT Letter



4615 N.W. LOOP 410, SAN ANTONIO, TEXAS 78229-0928 | 210.615.1110 | WWW.TXDOT.GOV

July 26, 2016

Mike Schultz
Mayor, City of Boerne
402 E. Blanco Rd.
Boerne, TX 78006

Dear Mayor Schulz:

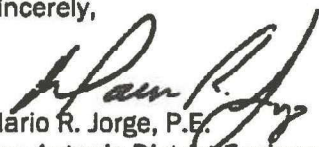
The following should address the requested consideration discussed at our coordination meeting on July 21, 2016.

Upon completion of the I-10/BUS 87 S interchange and frontage road project, TxDOT will consider the excess right of way on the south side of the intersection as highlighted in the attached layout as surplus and subject to sale in accordance with our rules and regulations concerning the disposition of surplus roadway right of way.

Once the specific area is surveyed and delineated, we will coordinate with our Real Estate Management Group who will be handling the sale process. The surplus sale process will begin when the construction of the I-10/BUS 87 S. interchange and frontage road project is finalized or at a minimum substantially complete.

Thank you for your interest in our transportation system. If you have any questions, please contact me.

Sincerely,

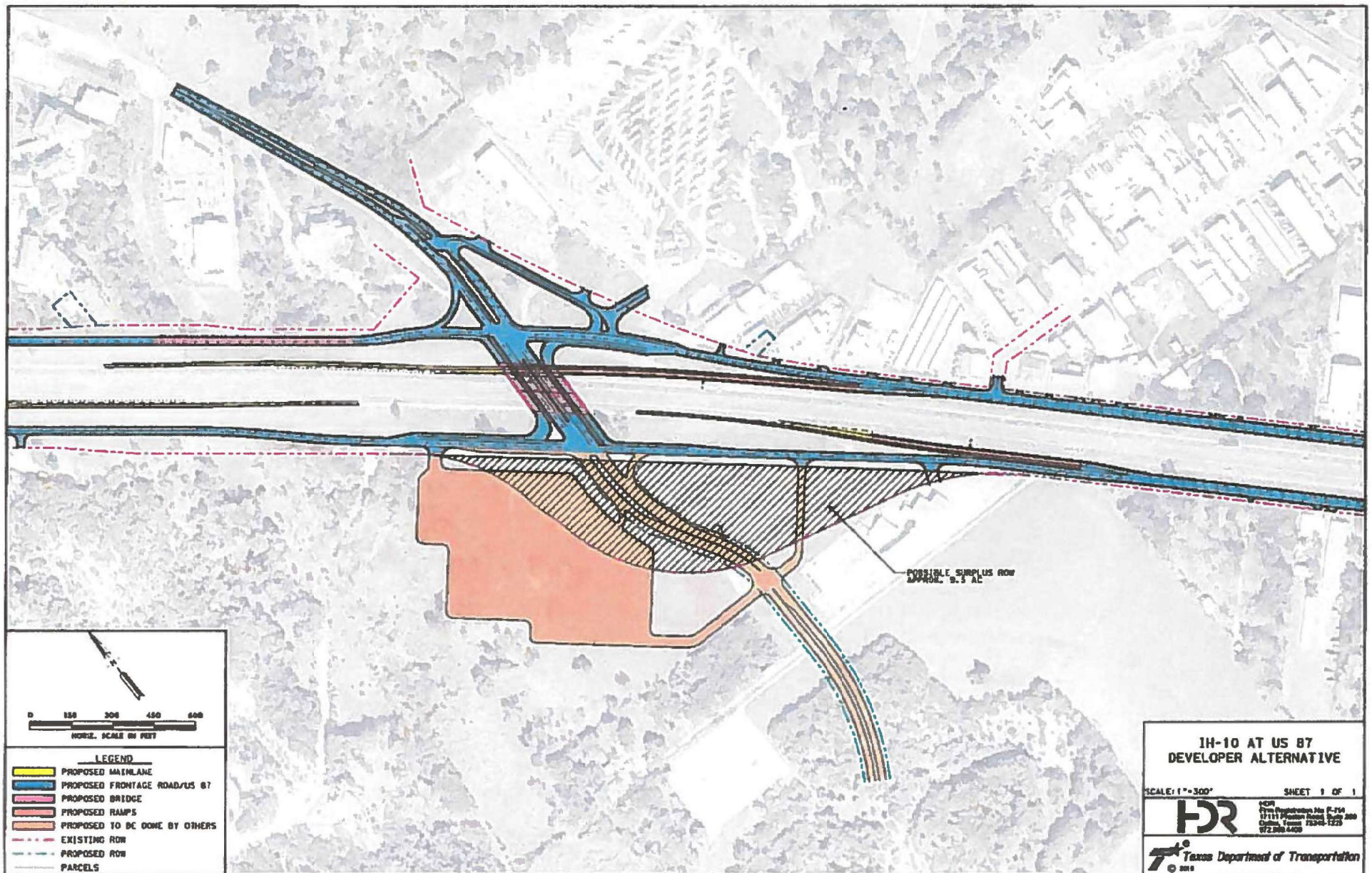


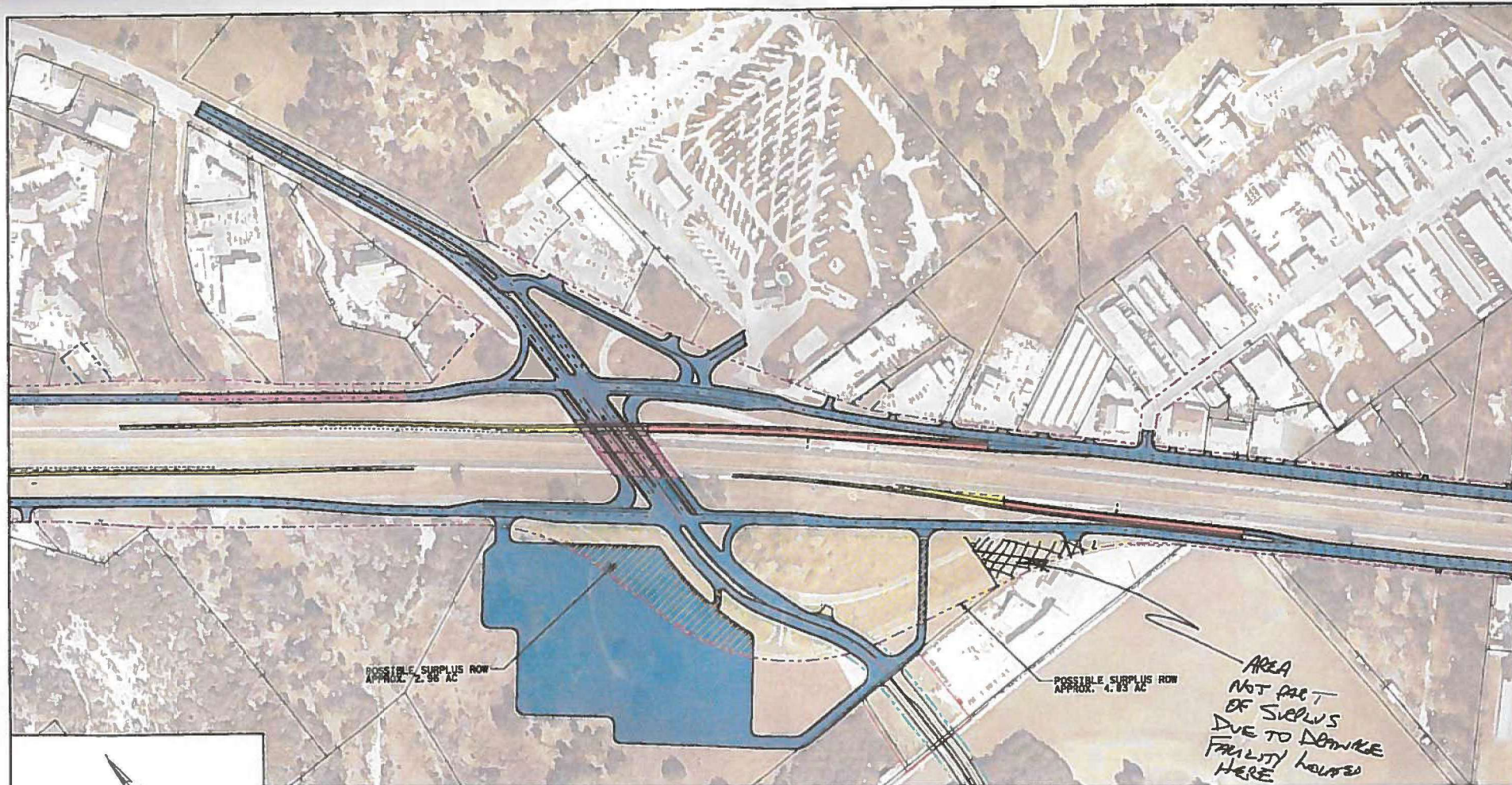
Mario R. Jorge, P.E.
San Antonio District Engineer

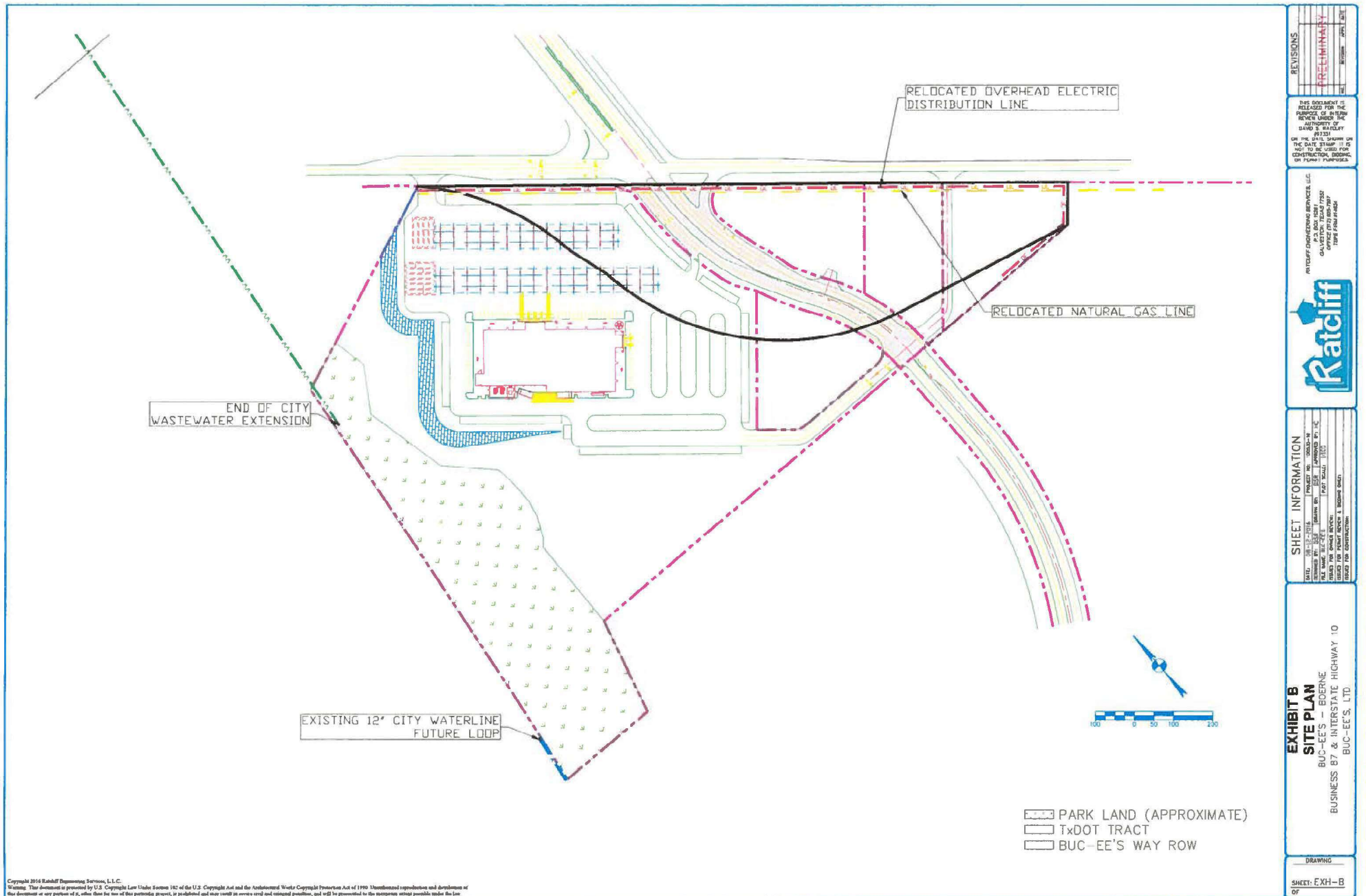
OUR VALUES: People • Accountability • Trust • Honesty

OUR MISSION: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

An Equal Opportunity Employer







REVISIONS	DATE	BY	APP'D
PRELIMINARY			

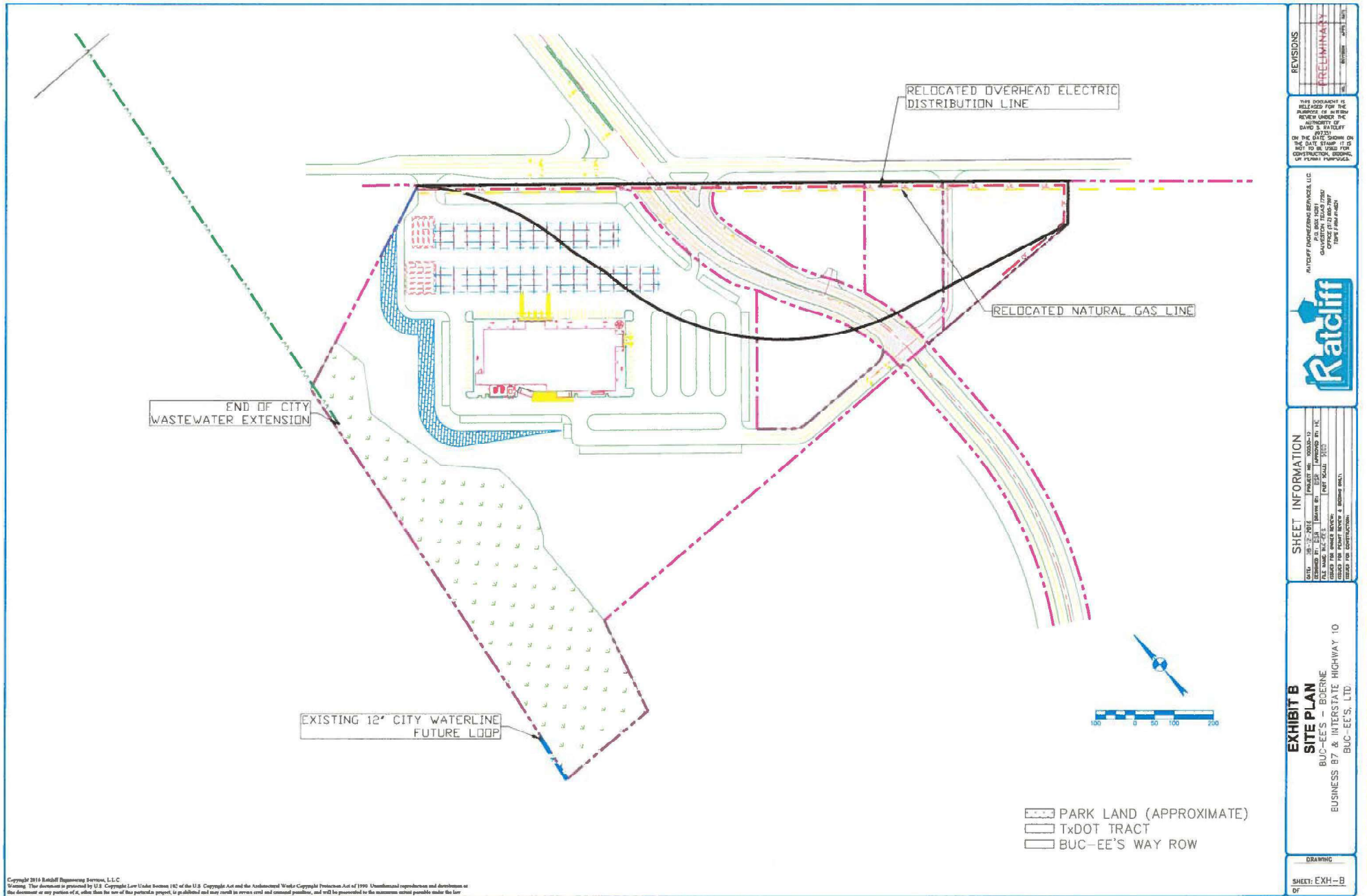
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RATCLIFF ENGINEERING SERVICES, L.L.C.
 P.O. BOX 1081
 COLUMBIA, MO 65202
 PHONE (314) 480-7807
 FAX (314) 480-7808



SHEET INFORMATION	
DATE: 08-12-2016	PROJECT NO: 10000-10
DESIGNED BY: JSE	DESIGNED BY: JSE
CHECKED BY: JSE	CHECKED BY: JSE
DATE FOR PRINT: 08-12-2016	DATE FOR PRINT: 08-12-2016
DATE FOR CONSTRUCTION: 08-12-2016	DATE FOR CONSTRUCTION: 08-12-2016

EXHIBIT B
SITE PLAN
BUC-EE'S - BOERNE
BUSINESS 87 & INTERSTATE HIGHWAY 10
BUC-EE'S, LTD.
DRAWING
SHEET: EXH-B
OF



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RATCLIFF ENGINEERING SERVICES, LLC P.O. BOX 1007 CANTON, MISSISSIPPI 39021 OFFICE (771) 860-7897 FAX (771) 860-7897	
Ratcliff	
SHEET INFORMATION DATE: 08-12-2016 PROJECT NO: 20050-12 DESIGNED BY: [Signature] DRAWN BY: [Signature] APPROVED BY: [Signature] CHECKED BY: [Signature] SCALE: 1"=100' STATUS: FOR REVIEW & REVISION PREPARED FOR: BUC-EE'S, LTD.	
EXHIBIT B SITE PLAN BUC-EE'S - BOERNE BUSINESS 87 & INTERSTATE HIGHWAY 10 BUC-EE'S, LTD.	
DRAWING SHEET: EXH-B OF	

EXHIBIT E

Buc-ee's Way ROW Description

A Metes and Bounds description, mutually acceptable to the parties, to be attached when completed and made part of this Agreement

EXHIBIT F

Form Utility Easement

**PERMANENT EASEMENT
FOR UTILITIES**

Grantor:

Grantor's Mailing Address (including county):

Grantee: City of Boerne, A Municipal Corporation,
of Kendall County, Texas

Grantee's Mailing Address (including county):

Post Office Box 1677,
Boerne, Kendall County, Texas

Property:

All those certain tracts, pieces, or parcels of land, lying and being situated in the County of Kendall, State of Texas, described as _____ (the "Property").

Grant of Easement:

For and in consideration the sum of TEN AND NO/100 DOLLARS (\$10.00), the benefits to be derived herefrom, and other good and valuable consideration, all paid to and received by the undersigned from the Grantee, the receipt and sufficiency of which is hereby acknowledged and confessed, the undersigned Grantor GRANTS, SELLS, and CONVEYS unto the Grantee an easement and right-of-way over, and upon the Property (the "Easement") for the following purposes.

Utilities, including, without limitation, sewer, water, gas, electric, telephone and cable television, with all necessary and/or desirable lines, laterals and/or appurtenances thereto (the "Utilities").

Said Easement being a _____ foot (____') wide strip of land, described in Exhibits "A" and "B" attached hereto and made a part hereof for all purposes.

Together with the right of ingress and egress over passable areas of the Grantor's adjacent land, when the delineated entrance point that abuts public right-of-way is obstructed and/or inaccessible, either in whole or in part, in order to access or leave the Easement for the purpose of constructing, reconstructing, inspecting, patrolling, operating, maintaining, repairing, and removing the Utilities; the right to place new or additional Utilities in the Easement and to change the size of the Utilities within the Easement; the right to relocate along the same general direction of the Utilities; the right to remove from the Easement all trees and parts thereof, or other obstructions, which reasonably endanger or may reasonably interfere with the efficiency of the Utilities; and the right to place temporary structures for use in constructing or repairing the Utilities.

TO HAVE AND TO HOLD the above described Easement unto the Grantee, its successors and assigns, until the Easement shall be abandoned by the Grantee, as evidenced by a Certificate of Abandonment executed by the Mayor or his designated representative.

This Easement is MADE and ACCEPTED subject to the following:

1. The Grantor specifically reserves the right to use all or any part of the Easement for any purpose, which does not damage, destroy, injure, and/or unreasonably interfere with the Grantee's use of the Easement. However, the easement shall be kept clear of all structures, trees, large plants and other improvements.
2. The Grantee shall make commercially reasonable efforts to ensure the damage to the Property is minimized and will at all times, after doing any work in connection with the Utilities, restore the Property to the condition in which the Property was found before such work was undertaken to the extent that such restoration is reasonable in accordance with the Grantee's usual and customary practices.
3. The Grantee shall install double swing gates with a minimum clear opening of twelve (12) feet wide wherever fences cross the Easement.

Each person signing this Permanent Easement for Utilities represents and warrants that he or she is duly authorized and has the legal capacity to enter into and execute this Permanent Easement for Utilities. Grantor warrants and represents to Grantee that execution of this Permanent Easement for Utilities and the performance of such Grantor's obligations hereunder have been duly authorized and that the Permanent Easement for Utilities is valid and legally binding on such Grantor and is enforceable in accordance with its terms

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed on this _____ day of _____, 20__ A.D.

By: _____

[Notary Page Follows]

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 20__ A.D., by

_____.

(Seal)

Notary Public In and For
The State of Texas
My Commission Expires: _____
Printed Name of Notary:

ORDINANCE NO. 2020-18

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 13, PERMANENT ZONING OF 5.155 ACRES OF TXDOT RIGHT-OF-WAY LOCATED AT IH-10 WEST (IH-10 "SURPLUS NORTH" TRACT THAT ADJOINS THE FUTURE BU-CEES DEVELOPMENT LOCATED AT 33375 IH-10 WEST) TO B-2, HIGHWAY COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Boerne has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of Boerne; and

WHEREAS, the TxDOT right-of-way is currently roadway and it is not zoned; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the City Council desires to amend the Zoning Map by zoning 5.155 acres of TxDOT right-of-way located at IH-10 West (IH-10 "Surplus North" tract that adjoins the future Buc-ees development located at 33375 IH-10 West) to B-2, Highway Commercial District;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

Section 1.

That Article 3, Section 13, of the Zoning Ordinance of the City of Boerne, Texas, and particularly the Zoning Map of the City of Boerne, is amended by zoning the following described tracts of land:

5.155 acres of TxDOT right-of-way located at IH-10 West (IH-10 "Surplus North" tract that adjoins the future Buc-ees development located at 33375 IH-10 West) to B-2, Highway Commercial District.

Section 2.

That the Zoning Maps of the City of Boerne be amended to indicate the previously described change.

July 31, 2025

Mr. Stan Beard, Jr.
Director: Real Estate and Development
327 FM 2004
Lake Jackson, TX 77566

RE: Zoning Determination for 5.155 acres located at 33375 IH-10 West

Dear Mr. Beard:

This letter serves as a formal zoning determination for the 5.155-acre property located at IH-10 West (IH-10 "Surplus North" tract that adjoins the future Buc-ee's development located at 33375 IH-10 West) within the City of Boerne, Kendall County, Texas, as shown on the attached exhibit.

The property was previously zoned B-2 under the City's former zoning ordinance by City Council in June 2020 (Ordinance No. 2020-18). With the adoption of the Unified Development Code (UDC) in July 2021 (Ordinance No. 2021-21), the B-2 zoning district was retired and is no longer in use, and a new zoning district was not assigned to this property.

Upon review of the current UDC and an evaluation of the intent and use provisions of the former B-2 designation, the City has determined that the appropriate corresponding zoning district under the UDC is C-3 (Community Commercial). This determination has been made in accordance with the City's authority to interpret and apply zoning classifications in cases where legacy zoning districts no longer exist.

This determination will be presented to the Planning & Zoning Commission for recommendation and to the City Council for formal ratification. The target date for Planning & Zoning Commission consideration is September 8, 2025, due to the Labor Day holiday. In the meantime, this letter may serve as the City's official position regarding the applicable zoning designation for purposes of development review. Accordingly, your team may proceed with platting and construction activities under the assumption that the property is zoned C-3, consistent with this determination.

If you have any questions regarding this determination, please do not hesitate to contact our office.

Respectfully,



Nathan Crane, AICP
Planning Director
City of Boerne

Cc: file



447 N. Main Street, Boerne, TX 78006
Phone: 830-249-9511 Fax: 830-249-9264

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City of Boerne

Buc-ee's Project Briefing

AUGUST 27, 2025



Presented By:
City Manager's Office



Collaboration • Integrity • Service • Excellence • Respect

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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.



AGENDA ITEM SUMMARY

Agenda Date	September 8, 2025
Requested Action	Conduct a Public Hearing and consider a proposed Planned Unit Development (PUD) for a 6.46 acre tract of land, located at 727A Johns Road.
Contact Person	Francesca Linder, AICP, Assistant Planning Director (830) 248-1528 flinder@boerne-tx.gov
Background Information	<p>PRIOR REVIEW:</p> <p>On April 7, 2025, the Planning and Zoning Commission discussed the proposed development for the property.</p> <p>On June 2, 2025, the Commission considered a request to rezone the property from Interim Hold (HOL) Zoning District to Duplex Residential (R3-D) Zoning District within the Scenic Interstate Corridor (SIC) Overlay District to allow for a 30-lot duplex subdivision.</p> <p>Based on the results of the public hearing, the applicant decided to withdraw the original request and propose a Planned Unit Development (PUD).</p> <p>PUD's are regulated by Section 3.8 Flexible Zoning Tool in the UDC. One of the purposes of a PUD is to provide flexibility in the planning and construction of project. PUD's are reviewed and approved using the process found in Chapter 2 Procedures of the UDC for rezonings.</p> <p>BACKGROUND:</p> <p>The city has received an annexation, zoning, and PUD request for a 6.46-acre parcel of land located at 727A Johns Road. The property is owned by Dennis Spinelli and Carter Feldhoff, Centerline Engineering and Consulting, is the applicant.</p> <p>The property is designated as Transitional Residential on the Future Land Use Map.</p>

	<p>A Boerne Neighborhood Discussion (BND) Meeting was held on January 21, 2025, to gather input from the community. Three community members attended the meeting.</p> <p>REQUEST:</p> <ol style="list-style-type: none">1. The applicant is requesting a Planned Unit Development (PUD) for a 6.46 acre tract of land, located at 727A Johns Road to allow for 29 dwelling units. The proposed density is 5.58 units per acre.2. The PUD includes 1.74 acres of community open space. <p>ANALYSIS:</p> <p>The Planning and Zoning Commission must determine whether the proposed zoning meets the requirements of Section 2.5.C.5 of the UDC prior to making a recommendation on the Planned Unit Development. The applicant bears the responsibility of demonstrating compliance. Below is a summary of staff analysis:</p> <p><u><i>Compatibility and Consistency with Comprehensive Master Plan</i></u></p> <ul style="list-style-type: none">• The 2018 Comprehensive Master Plan provides guidance for decisions related to the City’s zoning map to consistently work toward the desired growth pattern. The Future Land Use Map (FLUM) graphically illustrates this growth pattern using general future land uses. The property is designated as Transitional Residential in the FLUM.• Transitional Residential areas are designed for higher-density housing with a mix of housing types, distinct from lower-density Neighborhood Residential. These areas are auto-oriented, with streets, driveways, parking, and garages as dominant features. They serve as a buffer between Neighborhood Residential and more intensive nonresidential uses. Primary land uses include:<ul style="list-style-type: none">○ Single-family attached residential, multi-family, personal care, and parks.• The 2018 Comprehensive Master Plan outlines several goals and guiding principles for the continued development of Boerne. These goals include:
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- *“Diversify housing and employment opportunities through a focus on the character and quality of development and redevelopment around Boerne.”*
- *“Foster the development of new neighborhoods comprised of diverse and quality housing options (i.e., a range of price, size, and design preferences) to meet the needs of a growing workforce and multigenerational life-cycle community”*

- The proposed development includes 29 duplex units. Each unit would be individually plated, enabling each unit to be individually owned and occupied. This framework would encourage owner-occupied units that typically appeal to first time home buyers, young families, and retirees.
- The proposed PUD is consistent with the Comprehensive Master Plan.

Compatibility with Surrounding Land Uses

- The proposed use is compatible with the current and future development in the area. The table below describes the adjacent land designation, zoning district, and use:

Adjacent Land Designations & Use			
<i>Direction</i>	<i>FLUM</i>	<i>Zoning</i>	<i>Use</i>
North	Transitional Residential	R4-L (Low Density Multi-Family Residential)	Multi-Family (171 Units)
East	Public & Institutional and Transitional Residential	CIV (Civic and Institutional)	Fabra Elementary School
South	Neighborhood Residential	R2-M (Moderate Density Residential)	The Villas at Hampton Place
West	Auto-Oriented Commercial	C3 (Community Commercial)	Vacant

	<p><u><i>Infrastructure</i></u></p> <ul style="list-style-type: none"> • The parcel has access to right-of-way on its southern boundary at the Hampton Way cul-de-sac. This is a local neighborhood street within The Villas at Hampton Place neighborhood. However, the PUD would restrict access to Hampton Way and would instead rely on private easements to provide access to the development. • The parcel also has access to a private cross-access road along the western boundary of this parcel. The current agreement only allows for a 25-foot wide access point for this parcel. The applicant will be required to show legal use of this easement. • Engineering and Mobility has requested stipulations to address street design, access, and compliance with development standards. • The applicant is also in discussions with the Boerne Independent School District to obtain a 26 feet emergency access easement through their property east of the subject tract. This easement would be required to ensure safety for this development. • Upon annexation this site will be served by City water, wastewater, electric and natural gas. The City has the capacity to serve the site. <p><u><i>Preservation of historical or cultural areas</i></u></p> <ul style="list-style-type: none"> • This parcel is the site of Lex Sanitarium, a Recorded Texas Historic Landmark (RTHL). Any proposal to move or modify this structure will require approval from the Texas Historical Commission and the City of Boerne's Historic Landmark Commission. The applicant/property owner is aware of this requirement and has expressed their intent to move the structure but retain it on site. <p><u><i>Environmental</i></u></p> <ul style="list-style-type: none"> • This parcel has a significant Drainageway Protection Zone (DPZ) running east-west through the center of the property. It is estimated that the area within the DPZ is approximately one acre. No development will be permitted within the DPZ. The size and location of the DPZ will be verified during the review of the plat.
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	<p>FINDINGS:</p> <ul style="list-style-type: none">• The proposed rezoning is consistent with the Comprehensive Master Plan.• The proposed PUD is compatible with existing and future land uses.• The request is consistent with the approval criteria listed in the Unified Development Code 2.5.C.5. <p>RECOMMENDATION:</p> <p>The Planning and Zoning Commission should hold a public hearing and determine if the request meets the requirements of UDC 2.5.C.5 Approval Criteria. If the Commission chooses to recommend approval, staff recommends the inclusion of the following stipulation(s):</p> <ol style="list-style-type: none">1. The PUD shall substantially conform to the PUD Plan Packet date stamped September 2, 2025.2. An emergency access easement shall be approved by BISD that meets all City and Fire Code requirements.3. All private streets shall be designed and constructed in accordance UDC and applicable construction details for publicly dedicated streets as described in UDC 7.4(B)4. Gated entrance layout to comply with requirements of UDC 7.5(B) and EDM 2.9.15. All dead end roadways shall comply with EDM 2.1.106. Street layouts, drainage features, utilities, or other improvements shown herein are conceptual only and shall not be considered approved for construction. Final design and construction are subject to full compliance with all City codes, ordinances, and standards.7. This PUD shall be null and void if any of these conditions are not met. Additionally, the PUD must comply with the expiration and amendment regulations outlined in UDC 2-5. <p>MOTIONS FOR CONSIDERATION:</p> <p>The following motions are provided to assist the Commission’s decision.</p> <p>I move that the Planning and Zoning Commission accept the findings and recommend APPROVAL of the proposed Planned Unit Development (PUD) for a 6.46 acre tract of land, located at 727A Johns Road subject to the seven stipulation(s) recommended by staff.</p>
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	<p>OR</p> <p>I move that the Planning and Zoning Commission recommend DENIAL of the proposed Planned Unit Development (PUD) for a 6.46 acre tract of land, located at 727A Johns Road. (The Commission will need to state the reasons for denial, referencing specific regulations in the UDC.)</p>
Strategic Alignment	
Financial Considerations	N/A
Citizen Input/Board Review	<p>A BND meeting for this request was held on January 21, 2025. Text message notifications were sent to neighbors in a geo-targeted area surrounding the project and 3 community members attended.</p> <p>A Public Hearing to be held by the Planning & Zoning commission was previously scheduled for February 3, 2025. While this public hearing was canceled, notice of the Planning & Zoning Commission public hearing was published in the Boerne Star on January 19, 2025. Letters were sent to 74 property owners within 500 feet, and a public notice was posted on the property on January 19, 2025. Staff received 2 written correspondence, 1 opposed to the request and 1 in favor of the request.</p> <p>The Planning & Zoning Commission discussed this proposed rezoning at the public meeting held on April 7, 2025</p> <p>Notice of the Planning & Zoning Commission public hearing for rezoning the property was published in the Boerne Star on May 18, 2025. Letters were sent to 74 property owners within 500 feet, and a public notice was posted on the property on May 18, 2025. 1 additional written correspondence was received in response to this notice, however they also submitted a response January 2025. A total of 3 written correspondences were received, 2 in favor (from 1 property owner) and 1 opposed.</p> <p>Several community members shared concerns centering around allowing access to this development through Hampton Court. The rezoning request was withdrawn by the applicant at the meeting.</p> <p>Notice of the Planning & Zoning Commission public hearing for the PUD was published in the Boerne Star on August 28, 2025. Letters were sent to 74 property owners within 500 feet, and a public notice was posted</p>

	on the property on August 28,2025. A total of 3 written correspondence were received, 2 in favor (from 1 property owner) and 1 opposed.
Legal Review	No action is required for this discussion item.
Alternative Options	No action is required for this discussion item.
Supporting Documents	Attachment 1: Aerial Map Attachment 2: Future Land Use Map Attachment 3: Zoning Map Attachment 4: Environmental Constraints Map Attachment 5: PUD Plan Packet Attachment 6: Written Correspondence Attachment 7: UDC Sec. 2-5.C.5 Approval Criteria

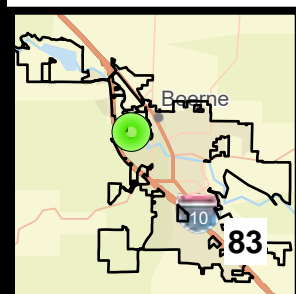
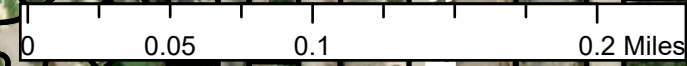
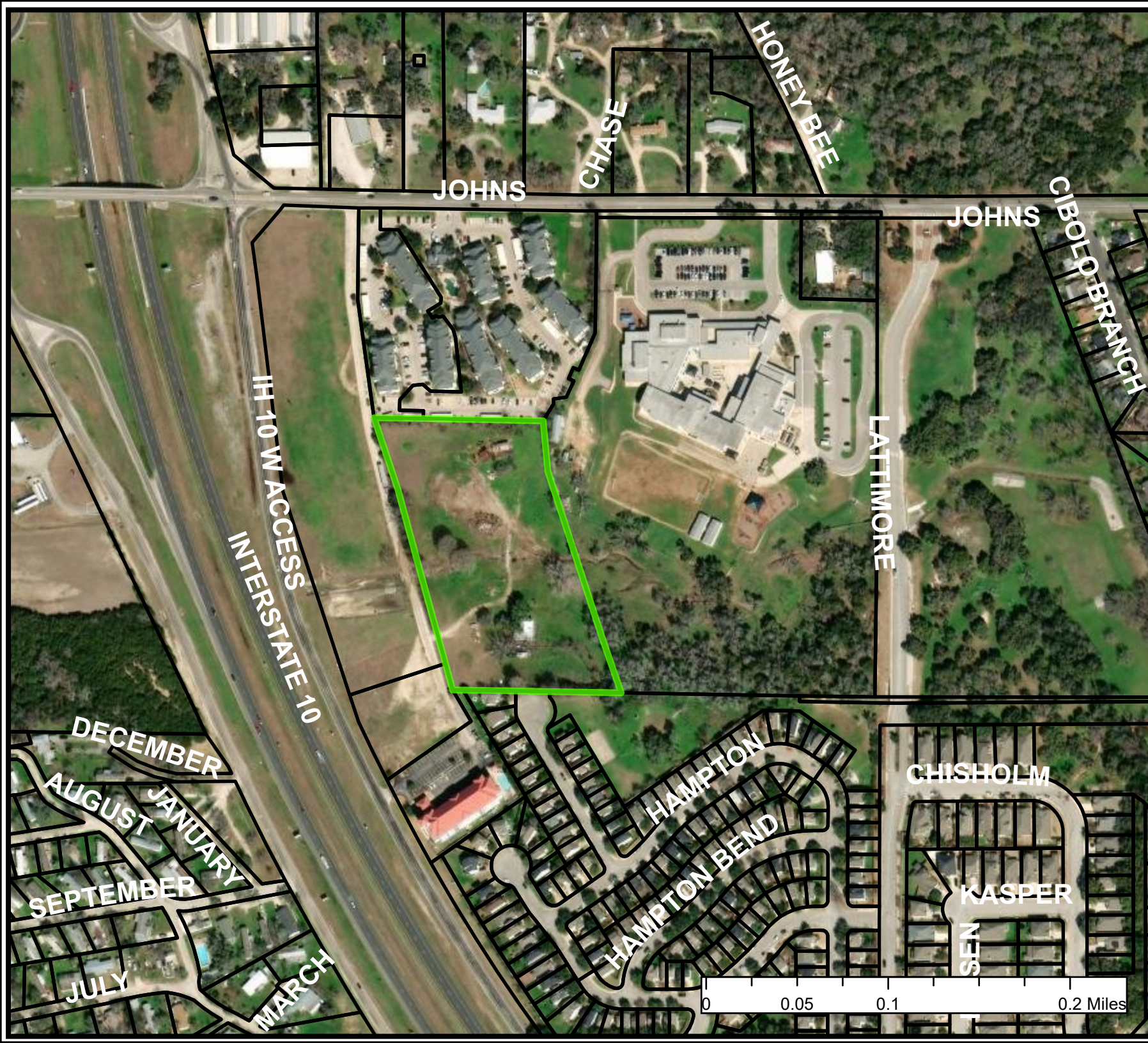


SUBJECT PROPERTY

727A Johns Rd.

Legend

-  SUBJECT PROPERTY
-  Parcels



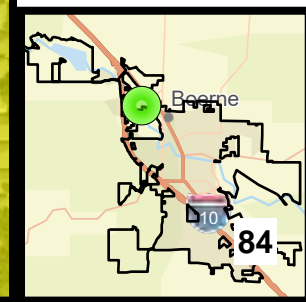
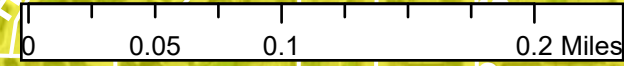
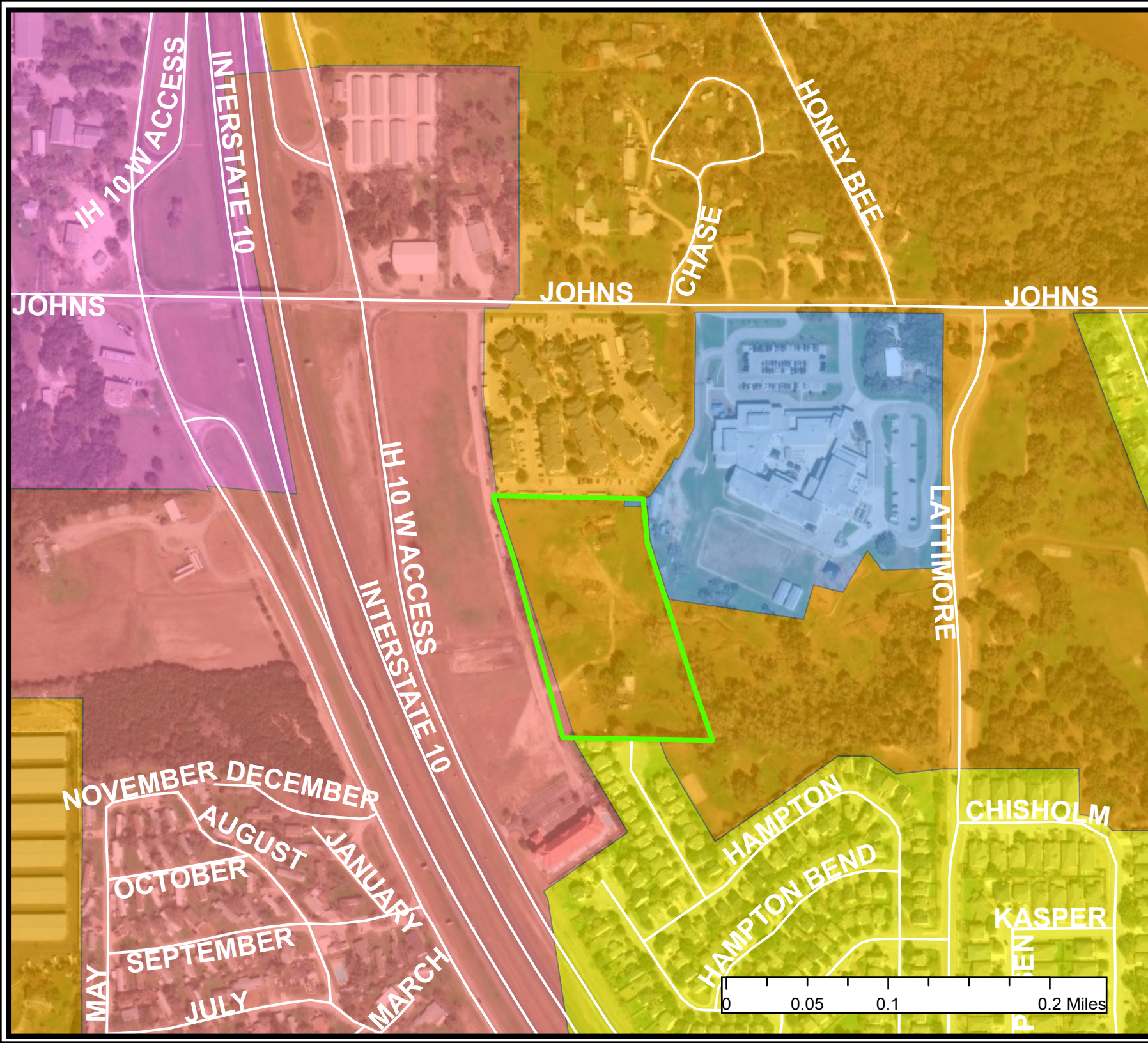


SUBJECT PROPERTY

727A Johns Rd.

Legend

-  SUBJECT PROPERTY
- FLU**
-  Auto-Oriented Commercial
-  Neighborhood Commercial
-  Neighborhood Residential
-  Public and Institutional
-  Transitional Residential





SUBJECT PROPERTY
727A Johns Rd








Current Zoning
None

Proposed Zoning
R3-D



Legend

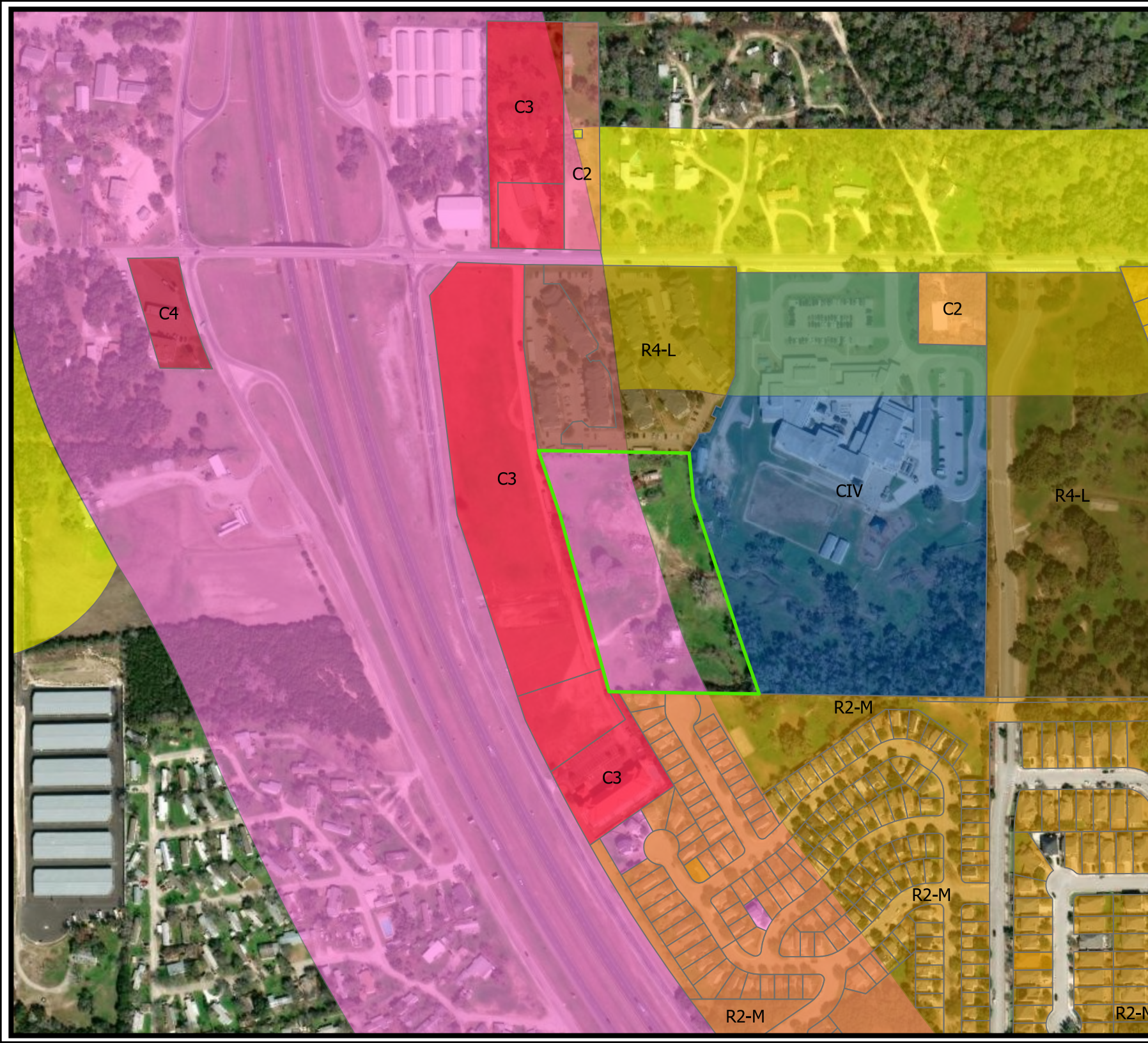
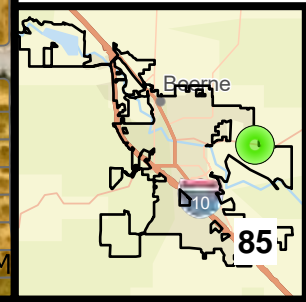
 SUBJECT PROPERTY

Boerne Zoning

-  C2
-  C3
-  C4
-  CIV
-  R1-M
-  R2-M
-  R4-L

Overlay Districts

-  Entrance Corridor
-  Scenic Interstate Corridor








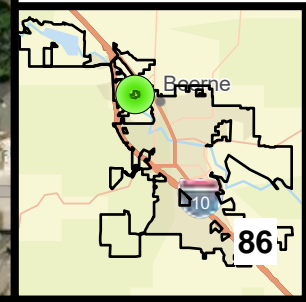
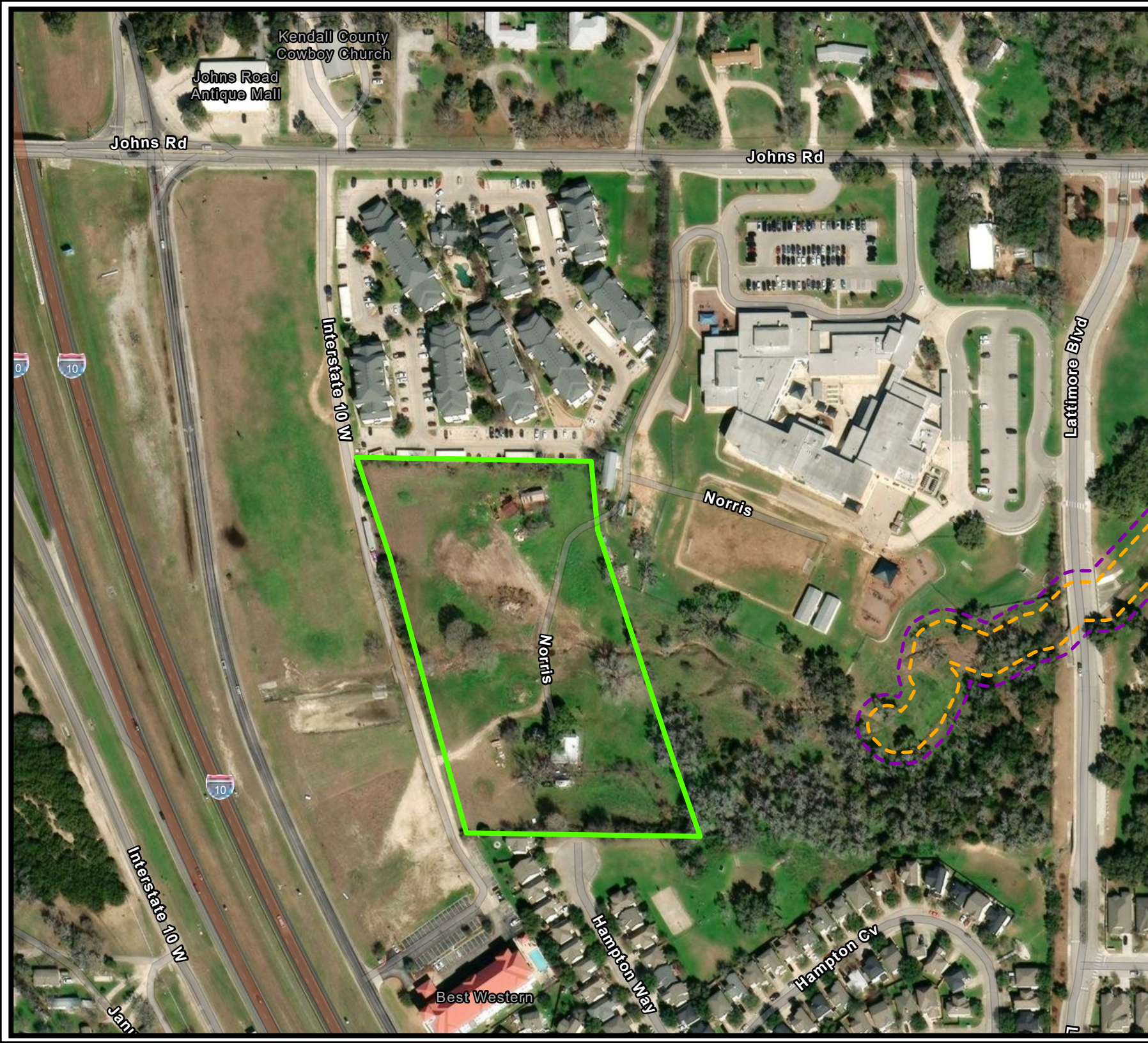


SUBJECT PROPERTY

727A Johns Rd.

Legend

-  SUBJECT PROPERTY
-  DPZ 1
-  DPZ 2
-  SARA Floodplain
-  SARA Floodway



Planned Unit Development (PUD) Narrative

Project Name: John's Estates Addition

Location: 727A Johns Rd., Boerne, Texas

Current Zoning Designation: HOL (Holding)

I. Base Zoning Category

The base zoning category proposed for this Planned Unit Development (PUD) is R3-D, which permits detached single-family residential dwellings at moderate densities. This zoning aligns with the "Transitional Residential" land use designation in the 2018 Boerne Master Plan (Technical Version, pg. 98), which lists R-2, R-3, R-D, and R-4 as compatible zoning districts.

II. Development Summary

Land Use Component	Acreage
Total Tract Area	6.46 acres
Private Right-of-Way Dedication	1.29 acres
Combined Residential Lot Area	3.47 acres
Community Open Space (Total)	1.74 acres

III. Residential Development Details

Per Boerne UDC Chapter 3, Section 3.2 (Zoning Districts & Dimensional Standards)

- **Total Dwelling Units Proposed: 29**
- **Net Developable Residential Area: 3.47 acres (excluding ROW and community open space)**
- **Net Density: 5.58 dwelling units per acre**

This density complies with the intent and scale of the R3-D zoning classification and reflects a compatible level of development for Boerne's Transitional Residential areas.

IV. Non-Residential Development

- **Non-Residential Acreage: N/A**
 - **Gross Non-Residential Floor Area: N/A**
 - **No commercial, institutional, or mixed uses are proposed. The development is strictly residential, as allowed under UDC §2.5.4 and §3.2.4 for PUDs with R3-D base zoning.**
-

V. Community Open Space & Amenities

Per Boerne UDC Chapter 7, Section 7.1.6 (Open Space Requirements for Residential Development)

- **Community Lot (NW Corner): 0.26 acres**
- **Community Lot (South Boundary): 0.44 acres**
- **Designated Protection Zone (DPZ): 1.04 acres of preserved green space**
- **Total Community Open Space: 1.74 acres**

Features:

- **Preservation of Historic Structure:**
 - **A historic building will be relocated to the 0.26-acre Northwest community lot and repurposed as a shared neighborhood facility.**
- **Additional Amenities:**
 - **Open lawn areas, greenbelt-style space in the DPZ, and integrated pedestrian-friendly layout.**

Compliance:

- **UDC Minimum Requirement (15% of 6.46 acres): 0.969 acres**
- **Actual Provided: 1.74 acres → Exceeds UDC requirement**
- **Reduction Requested: None**

VI. UDC Zoning & PUD Approval Criteria Compliance

A. Zoning Map Amendment Criteria – UDC §2.5.5.C.5

1. Consistency with Comprehensive Plan

- **R3-D zoning supports the vision of the “Transitional Residential” category in the Master Plan, emphasizing compatibility with nearby R-2 to R-4 zones.**

2. Protection of Adjacent Property Use

- **No connection will be made to the existing Hampton Way cul-de-sac.**
- **A 5’ non-access easement will be recorded along the property line to prevent future right-of-way extension, per UDC §6.3.E.1.a.**

3. Adequacy of Infrastructure & Utilities

- The City of Boerne is able to serve the site with existing infrastructure systems (water, sewer, roadways, and stormwater). No off-site upgrades or utility mitigation are required under UDC §2.5.5.C.5.b.iii.

4. Protection of Historic/Cultural Assets

- The historic structure on-site will be preserved and repurposed in a designated community space lot, consistent with UDC §3.1.3 and §7.1.6.B.

5. Meets Citywide Public Need

- The proposed 29-lot residential development contributes to Boerne's housing supply and balances growth with green space and neighborhood preservation.

6. No Detriment to Public Health, Safety, or Welfare

- All access, fire response, drainage, and density standards are met or exceeded.

B. PUD-Specific Criteria – UDC §2.5.4.C

1. Project Size Under 10 Acres

- The total tract area is 6.46 acres, qualifying the site for PUD consideration. Constraints such as limited access and historic preservation justify the flexible zoning approach.

2. Density and Land Use Compatibility

- At 5.58 dwelling units per acre, the development aligns with the adjacent Villas at Hampton Place, Unit 2 and other surrounding neighborhoods zoned for transitional residential use.

3. Community-Wide Objectives Fulfilled

- The development preserves historic resources, provides more than the required amount of open space, and delivers needed residential units in a growth-managed format.

4. Compatibility Resolution and Public Benefit

- **Access Management:**
 - **Primary Access:** Provided through a 20' easement from the John's Crossing Addition (Vol. 880, Pg. 859 & 872; amended Vol. 954, Pg. 373–387); a gate will be installed in compliance with UDC Ch. 8, Art. II, §D103.5-1
 - **Emergency Access:** 12' easement from New Fabra Elementary School (Vol. 8, Pg. 185–189), expanded via coordination with Boerne ISD; gate and knock box provided
 - **Hampton Way Cul-de-sac:** Though compliant (496' length and 19 homes), it will not be used for connection; a 5' non-access easement will ensure separation
- **Defined Public Benefits:**
 - **Preservation of a local historic building**
 - **Community green space well above minimum code**
 - **Improved pedestrian layout and context-sensitive design**

VII. Conclusion

This Planned Unit Development (PUD) proposes 29 residential lots on 3.47 acres of net developable land with a density of 5.58 units per acre, consistent with R3-D zoning. The site includes 1.29 acres of private right-of-way and 1.74 acres of publicly accessible green and community space. With strong alignment to the Boerne Master Plan and full compliance with the Unified Development Code, this project provides an appropriate and beneficial land use transition, preserves local heritage, and enhances neighborhood character.

We respectfully request approval of this PUD and zoning amendment.

Planning Commission Hearing date:

Planning Department
447 N. Main St.
Boerne, TX 78006
830-248-1501
planning@boerne-tx.us
www.boerne-tx.gov



Zoning Change Application

Property Owner: Dennis Spinelli

Applicant (if Different than owner): _____

Address: 331 Fifth St., Comfort, Tx 78013

Mobile: (830) 446-0264 Home: _____ Office: _____

Email: _____

Status of Applicant: ☒ Owner ☐ Tenant ☐ Prospective Purchaser

Other (specify): _____

Representative: Carter Feldhoff (Centerline)

Address: 101 Woods of Boerne Blvd, Boerne, Tx 78008

Mobile: (281) 798-3074 Home: _____ Office: (806) 470-8686

Email: cfeldhoff@thecenterline.com

Location: 727A Johns Rd.

Current Zoning: HOL Holding

Requested Use: PUD Planned Unit Development

Area of Request (sq.ft./Acres): 281397 Sq. Ft./6.46 Acres Property ID: 14393

Legal Description: A10310 - SURVEY 178 LOCKMAR 6.462 ACRES

Reason for Request: Property has challenges fitting with traditional zoning, PUD was suggested by planning

I Certify that the preceding information provided is accurate:

Signature: [Signature] Date: 8/5/2025
Property Owner

Signature: Carter Feldhoff Date: 08/05/2025
Applicant/Agent

*If the applicant is a person other than the owner, a letter of authorization must be provided from owner. Signature indicates authorization for plat application and acceptance of waiver statement.

FOR OFFICIAL USE ONLY

Date received: _____ Received by: _____

Filing Fee: _____ Approved by: _____

Purpose

This table provides a comparison between the standards of the **proposed Planned Unit Development (PUD)** and the **adopted standards of the Boerne Unified Development Code (UDC)**. It outlines each requested deviation, including:

- The UDC section being modified
- The standard being deviated from
- The proposed PUD alternative
- A justification for each deviation
- Mitigation measures, if applicable

Comparison Table

UDC Section	UDC Standard	Proposed PUD Standard	Deviation	Justification	Proposed Mitigation
Ch. 6, Sec. 6.3.E(1)(a)	Cul-de-sac maximums: • Max length: 600 ft • Max units: 25	Do not connect to existing Hampton Way cul-de-sac (496 ft, 19 units)	Deviation from expected internal street connectivity	Preserves neighborhood integrity and prevents cut-through traffic. Hampton Way functions within UDC limits and will remain isolated.	A 5' non-access easement will be recorded to prohibit future ROW connection.
Ch. 6, Sec. 6.3 (Access & Circulation)	Two public access points required	One public access point via 20' reciprocal access easement Secondary 12' emergency-only easement	Only one full public access	The site is landlocked with limited access. Only one feasible ingress/egress point exists.	Emergency access to be widened with Boerne ISD coordination and equipped with a gated knock box . Primary access will be gated per UDC Ch. 8, Art. II, Sec. D103.5-1 .
Ch. 3, Sec. 3.2 (Dimensional Standards – R3-D)	Preferred lot/block structure:	Curvilinear design with single cul-de-sac	Alternative layout	Site constraints and intent to preserve historic structure and green space	Includes pedestrian connectivity, preserved open space, and low-

UDC Section	UDC Standard	Proposed PUD Standard	Deviation	Justification	Proposed Mitigation
	gridded or hybrid layout			justify non-grid design	impact internal circulation
Ch. 7, Sec. 7.1.6 (Community Open Space)	Minimum 15% of site = 0.969 acres (based on 6.46 acres)	1.74 acres provided	Exceeds UDC standard	Provides additional open space for aesthetics, usability, and historic preservation	No mitigation needed – exceeds code requirement
Ch. 2, Sec. 2.5.4.C (PUD Requirements)	PUDs must be <10 acres and demonstrate constraints	Site = 6.46 acres , with access constraints and historic structure	Meets size but invokes flexibility clause	Historic structure preservation and access limitations warrant use of PUD standards	Historic site preserved; open space expanded; emergency access improved

Conclusion

All proposed deviations from the UDC are justified through:

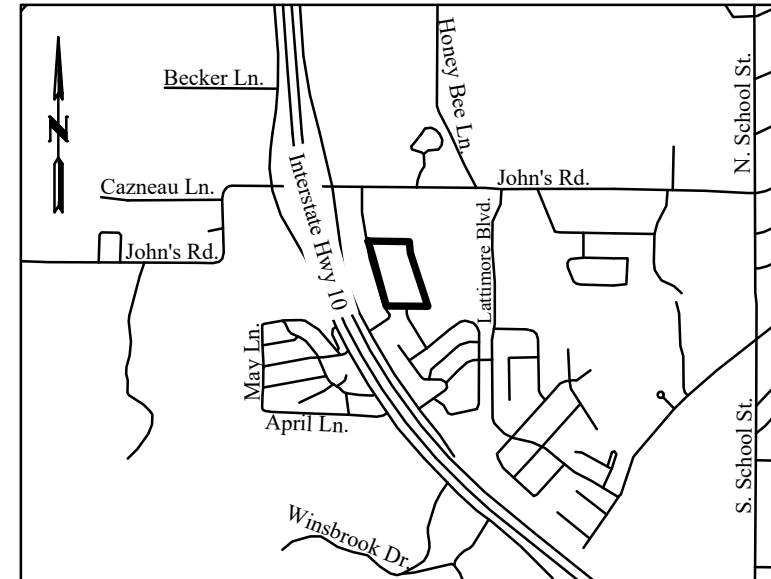
- Physical and access-related constraints
- The preservation of a historic building
- Design flexibility to enhance community livability

Each modification includes either mitigation or results in a public benefit that exceeds minimum city requirements. This PUD reflects responsible, contextual land use planning in line with Boerne’s vision and adopted development standards.

Lots 1 thru 34,
John's Estates Addition,

A PLANNED UNIT DEVELOPMENT OF 6.46 ACRES OF LAND OUT OF
THE ANTON LOCKMAR SURVEY, SECTION No. 178, ABSTRACT No.
31, KENDALL COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 6.46
ACRE TRACT RECORDED IN COUNTY CLERK FILE No. 2020-350671,
OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS

VICINITY MAP
Scale: 1" = 2000'



GENERAL SURVEYOR NOTES:

- Heavy Lines indicate plat limits.
- All streets, alleys and easements within plat limits are herein dedicated, unless noted otherwise.
- Any relocation or revision of existing facilities shall be at the subdivider's expense. Compensation shall be made prior to the recording of this final plat.
- All existing or proposed utility services to and on tracts indicated by this plat shall be contained in the public right-of-way and public or private utility easements. Utility service installation requested at a future date and not within an easement indicated by this plat, shall be within a proper utility easement granted by the owner of said property by separate recorded instrument prior to the provision of such service. Such easements shall be at the expense of the entity requesting such installation.
- All easements herein granted shall entitle the city or the utility company using such easements to the right to remove, repair or replace any lines, pipes, conduits, or poles within such easements as may be determined by the city or utility company without the city or utility company being responsible or liable for the replacement of improvements, paving, or surfacing of the easement necessitated by such repair, removal, or replacement. Easements designated or intended for vehicular passage (utility and emergency) or pedestrian access shall not be fenced or otherwise obstructed.
- Any easements or rights-of-way shown as 'to be dedicated by separate instrument' are shown on the plat for information purposes only. This plat does not dedicate said easements.
- The survey information shown hereon was prepared from the result of an on the ground survey of the property shown hereon, and has been completed substantially in compliance with the Professional and Technical Standards promulgated by the Texas Board of Professional Land Surveying Practices Act, Section 663. 13.
- Blanket garbage collection easement as required for service within the plat limits is herein granted.
- Bearings and Coordinate values shown hereon are based upon the Texas Coordinate System, North Central Zone, NAD83 Datum.
- Distances and areas shown hereon are based on horizontal grid measurements in U.S. feet.
- A proposed Seven foot (7') wood privacy fence will buffer the PUD from other zones along the property boundary line.

PLAT SUMMARY TABLE

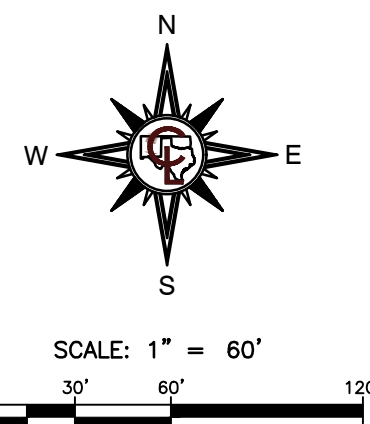
Total acreage for Easements	= 1.61 Acres
Total Number of Residential Lots	= 29
Total acreage of Right-of-Way	= 1.26 Acres (55021 Sq. Ft.)
Private	= 1.26 Acres
Public	= 0.00 Acres
Total acreage	= 6.46 Acres
Percent of impervious cover	= 60%
Total acreage of parkland/open-space	= 1.73 Acres (75466 Sq. Ft.)

LEGEND

- - Set 1/2" Iron Rod with Cap
- "CEC 10194378"
- - Found 1/2" Iron Rod
- - Plat Limits
- - City Limits
- - Lot Line
- - - - - Adjoiner Lot Line
- - - - - Easement Line - As Described
- - - - - DPZ Centerline
- N - Northing
- E - Easting
- DPZ - Drainage Protection Zone
- x - Block No.

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BRG.	CHORD DIST.
C1	99°14'58"	13.00'	22.52'	15.29'	S 34°02'03" W	19.81'
C2	2°27'48"	152.00'	6.53'	3.27'	S 84°53'25" W	6.53'
C3	90°22'57"	13.00'	20.51'	13.09'	N 48°41'12" W	18.45'
C6	4°33'29"	329.00'	26.17'	13.09'	N 12°37'22" W	26.17'
C7	1°53'56"	60.00'	1.99'	0.99'	N 13°57'09" W	1.99'
C8	33°25'13"	60.00'	35.00'	18.01'	N 3°42'26" E	34.50'
C9	2°48'49"	60.00'	2.95'	1.47'	N 19°00'38" E	2.95'
C10	37°42'23"	60.00'	39.49'	20.49'	N 1°14'58" W	38.78'
C11	40°14'51"	60.00'	42.15'	21.99'	N 40°13'35" W	41.29'
C12	65°58'13"	60.00'	69.08'	38.94'	S 86°39'54" W	65.33'
C13	50°58'05"	60.00'	53.37'	28.60'	S 28°11'45" W	51.63'
C14	38°08'41"	60.00'	39.95'	20.74'	S 16°21'38" E	39.21'
C15	27°36'11"	60.00'	28.91'	14.74'	S 49°14'04" E	28.63'
C16	17°12'15"	60.00'	18.02'	9.08'	S 54°26'02" E	17.95'
C17	30°55'47"	60.00'	32.39'	16.60'	S 30°22'01" E	32.00'
C18	7°12'51"	271.00'	34.12'	17.08'	S 11°17'42" E	34.10'
C19	4°11'32"	271.00'	19.83'	9.92'	S 5°35'30" E	19.82'
C20	89°37'03"	13.00'	20.33'	12.91'	S 41°18'48" W	18.32'
C21	5°59'01"	210.00'	21.93'	10.98'	N 83°07'49" E	21.92'
C22	84°09'32"	13.00'	19.10'	11.74'	S 57°46'55" E	17.42'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 87°05'45" E	7.72'
L2	N 87°05'45" E	2.75'
L3	S 87°05'45" W	3.53'



OWNER	SURVEYOR	ENGINEER
Dennis Spinelli	Justin Cantwell	Daniel Wetzel
331 Fifth St., Comfort, Tx 78013	8312 Upland Ave., Lubbock, Tx 79424	8312 Upland Ave., Lubbock, Tx 79424
	(806) 470-8686	(806) 470-8686

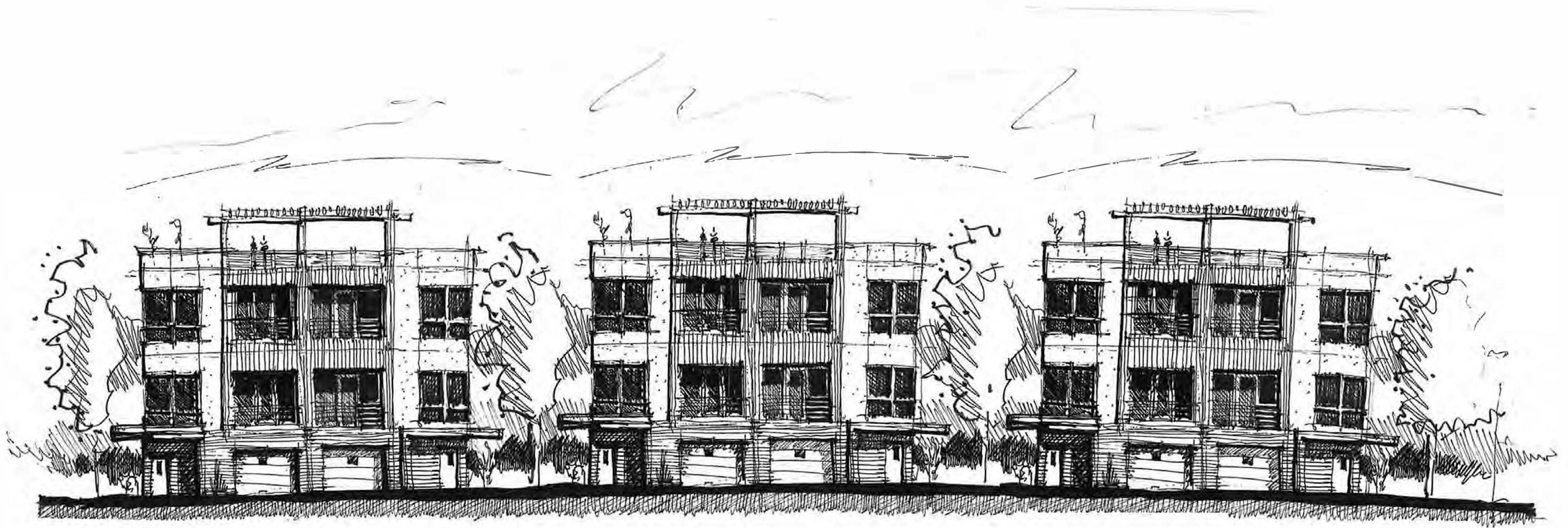
PLANNED UNIT DEVELOPMENT

Lots 1 thru 29,
John's Estates Addition,
Anton Lockmar Survey,
Section 178, Abstract 311,
Boerne, Kendall County, Texas

Total ± 6.46 Acres September 2, 2025



CENTERLINE
8312 Upland Avenue, Lubbock, Texas 79424
(806) 470-8686
TBPB Reg. No. F-16713, TBPB Reg. No. 10194378
OKLAHOMA CA NO. 8646



SPINELLI'S TOWN HOUSE DEVELOPMENT

Johns Road in BOERNE, TX

07.24.20



SPINELLI'S TOWN HOUSE DEVELOPMENT

Johns Road in BOERNE, TX

07.24.20



SPINELLI'S TOWN HOUSE DEVELOPMENT

Johns Road in BOERNE, TX

07.24.20



SPINELLI'S TOWN HOUSE DEVELOPMENT
Johns Road in BOERNE, TX

07.24.20



SPINELLI'S TOWN HOUSE DEVELOPMENT
Johns Road in BOERNE, TX

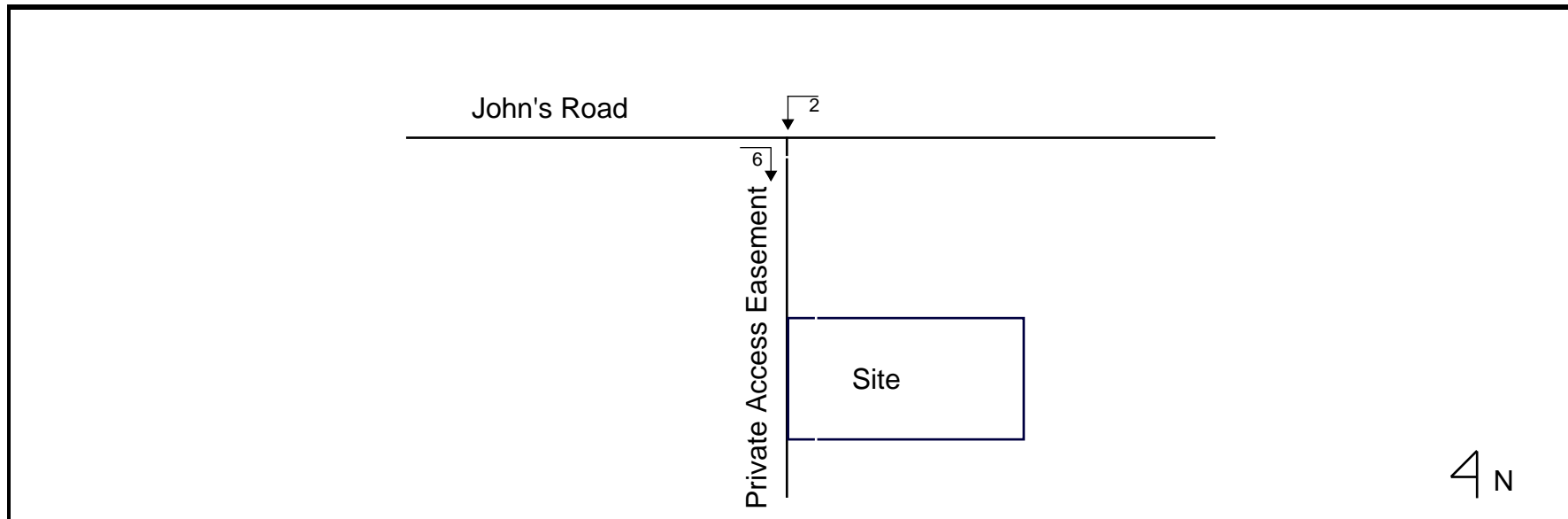
07.24.20



Turn Lane Evaluation Worksheet City of Boerne, Texas

Development Name: John's Road
Applicant: Centerline
Legal Description (Lot, Block): John's Estates Addition, Lots 1-32
Case / Plat Number: _____ Date: 9-2-2025

Peak Period PM
Land Use (s) Multifamily Housing (Mid Rise)
Total PHT 13
Inbound Volume 8



Reviewed By _____

Worksheet Last Updated: 1/9/2018



Border Street Worksheet City of Boerne, Texas

Development Name:	John's Road
Applicant:	Centerline
Legal Description (Lot, Block):	John's Estates Addition
Case / Plat Number:	Date: 9-2-2025

Adjacent Street Name IH 10 - John's Rd

MTP Classification Residential

Development Frontage? Yes <input checked="" type="radio"/> No <input type="radio"/>	Centerline	Development Frontage? Yes <input checked="" type="radio"/> No <input type="radio"/>
Required ROW Per MTP/UDC		
Required Pavement Width Per Classification		
ROW Dedication (Required - Existing, from centerline)		
Additional Pavement Required (from centerline)		

Pavement Width
12.5

Pavement Width
12.5

Right-of-way Width
12.5

Pavement Width
12.5

Right-of-way Width
12.5

ROW Dedication 0

Pavement Widening 0

Reviewed By _____



Notice of Planning and Zoning Commission Public Hearing

Case Manager: Francesca "Franci" Linder

☎: 830-248-1528

Email: flinder@boerne-tx.gov

The City of Boerne has received an application described below, and you are encouraged to attend the public hearing as an interested party. You will have the opportunity to express your opinion either in support or opposition to the request by mailing the response portion of this notice or by emailing the case manager listed above. Please contact the case manager if you have questions or need further information. Your participation in this process is encouraged. You may watch the proceedings of this meeting by visiting the City's official webpage.

Meeting Location: Boerne City Hall - City Council Chambers
447 North Main Street
Boerne, TX – 78006

Date and Time: Monday, February 3, 2025
6:00 p.m.

Proposal: Zoning change request from a HOL-Interim Zoning District to R3-D Duplex Residential Zoning District for a 6.46 acre tract of land, generally located at 727A Johns Road (KAD: 14393).

Authorized Agent: Carter Feldhoff, Centerline Engineering & Consulting, LLC

CASE: Rezone – 727A Johns Road (FL)

PZ – February 3, 2025

Please return this notice whether or not you plan to attend the hearing. For further information, please call 830-248-1501.

Name: MICHAEL SCHOENBRUN

Address: 70 NE LOOP 410 #450, SAN ANTONIO, TX 78216

() In Favor

☒ Oppose

Reason: I represent the owner of the commercial frontage ON IH10. WE OBJECT TO THE PROPOSED ACCESS THROUGH OUR PRIVATE DRIVE. THIS DRIVE WAS NOT INTENDED FOR THIS USE. IT IS MY UNDERSTANDING THAT THE ~~THE~~ SINGLE ACCESS POINT ALLOWED BY PRIVATE DOCUMENTS DOES NOT MEET FIRE CODE. SEE IH10 JOHNS RD, LTD.

INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE

Planning Department: 447 N. Main St. | Boerne, TX 78006

Phone: (830) 248-1528

Email: flinder@boerne-tx.gov



Notice of Planning and Zoning Commission Public Hearing

Case Manager: Francesca "Franci" Linder

☎: 830-248-1528

Email: flinder@boerne-tx.gov

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Proposal: Zoning change request from a HOL-Interim Zoning District to R3-D Duplex Residential Zoning District for a 6.46 acre tract of land, generally located at 727A Johns Road (KAD: 14393).

Authorized Agent: Carter Feldhoff, Centerline Engineering & Consulting, LLC

CASE: Rezone – 727A Johns Road (FL)

PZ – February 3, 2025

Please return this notice whether or not you plan to attend the hearing. For further information, please call 830-248-1501.

Name: Cindy Brockwell

Address: 274 English Oaks Cir., Boerne

Reason: ☒ In Favor () Oppose
Next to existing apartments and motel is fine.
It is not next door to single housing.

Cindy Brockwell

INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE

Planning Department: 447 N. Main St. | Boerne, TX 78006

Phone: (830) 248-1528 Email: flinder@boerne-tx.gov

CASE: 727A Johns Road

PZ – June 2, 2025

Please return this notice whether or not you plan to attend the hearing. For further information, please call 830-248-1501 or email planning@boerne-tx.gov.

Name:

Cindy Brockwell

Address:

274 English Oaks Circle, Boerne

Reason:

☒ Favor () Oppose
yes! Much better than more apartments
or another hotel.

INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE

Planning Department: 447 N. Main St. | Boerne, TX 78006

Phone: 830-248-1528

Email: flinder@boerne-tx.gov

Sec. 2-5. - Zoning procedures.

...

C. Property zoning and rezoning.

...

5. Approval criteria.

- a. In making a determination regarding a proposed zoning amendment, planning and zoning commission, and the city council shall consider the criteria of this section. No single factor shall be controlling in the decision-making process.
- b. *Criteria for approval of a zoning amendment.*
 - i. The proposed zoning amendment is consistent with the comprehensive plan;
 - ii. The proposed amendment will not prevent the use and enjoyment of a neighboring property that is currently exercising a permitted use;
 - iii. The city is able to adequately service the new use or new development with the needed streets, water supply, sanitary sewers, and other public services and utilities, or mitigation measures are in place to ensure the city's ability to adequately service the change in use of the subject property, or documentation from the service provider verifying ability to provide adequate service, if utility service is provided by an entity other than the city;
 - iv. The proposed amendment will not inhibit the preservation and protection of, or negatively impact the view, accessibility or performance of historical or cultural places and areas that are of value to the community;
 - v. The proposed amendment meets a significant, city-wide public need or purpose (affordable housing, economic development, etc.); and/or
 - vi. Any other factors which will substantially affect the public health, safety, morals, or general welfare of the city.



AGENDA ITEM SUMMARY

Agenda Date	September 8, 2025
Requested Action	Consider a request for a variance to chapter 2.11.10(a), left turn lanes, of the Engineering Design Manual (EDM) for a property located at 109 Ammann Road (KCAD310823 and 11864).
Contact Person	Abigail Knott – City Engineer
Background Information	<p>The applicant requests a variance to the City’s Engineering Design Manual (EDM) for the property at 109 Ammann Road to remove the requirement to construct a left-turn lane on Ammann Road. The applicant’s request is based upon the limited primary operations only being Sunday mornings between 10:15 a.m. and 11:15 a.m.</p> <p>BACKGROUND:</p> <p>In February 2021, City Council adopted the Engineering Design Manual concurrent with the Unified Development Code (UDC). In April 2023, City Council adopted amendments to the Engineering Design Manual, including a revised lower threshold for left-turn lanes. The current EDM requires left turn lanes to be provided at intersections and site access points when the projected left turning movements are 5 or more vehicles during the peak hour of traffic.</p> <p>Turn lanes at driveways and intersections serve several key purposes:</p> <ul style="list-style-type: none"> • Improved Safety: Separating vehicles from through traffic reduces the likelihood of rear-end and angle collisions. • Reduced Congestion: Turn lanes keep through traffic moving by removing slower turning vehicles from the main travel lane. • Better Access: Drivers entering or exiting private driveways can do so more safely and with less delay. • Long-Term Benefit: As traffic volumes grow, these improvements ensure that both public roadways and private developments function well together.

	<p>ANALYSIS:</p> <p>The site at 109 Ammann Road is approximately 18.14 acres and is within the City’s Extraterritorial Jurisdiction (ETJ). Ammann Road is a classified roadway on both the city and county throughfare plans; a “Collector” Road on the city plan and “Major” Road on the county’s plan. The section of Ammann Road adjacent to the project is under the jurisdiction of Kendall County. It is currently a rural two-lane road without turn lanes, curbs, or shoulders with a speed limit of 45 mph.</p> <p>The proposed development is a 47,423 square foot new church facility. Two driveways are proposed with the project: one driveway with full access and a second gated location for emergency access only.</p> <p>Per the traffic data provided by the applicant, the proposed project is required by City’s EDM to provide both a right deceleration lane and a left turn lane at the proposed project driveway.</p> <p>VARIANCE REQUEST:</p> <p>Per the provided variance application, the applicant proposes to utilize a uniformed police officer on-site during Sunday services to direct traffic instead of construction of the left turn lane on Ammann Road.</p> <p><u>MOTIONS FOR CONSIDERATION:</u></p> <p>The following motions are provided to assist the Commission’s decision.</p> <ul style="list-style-type: none"> - I move that the Planning and Zoning Commission APPROVE the variance request to Engineering Design Manual Chapter 2.11 to waive construction of a left-turn lane on Ammann Road. - I move that the Planning and Zoning Commission DENY the variance request to Engineering Design Manual Chapter 2.11 to waive construction of a left-turn lane on Ammann Road.
Item Justification	<div> <input type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Infrastructure Investment </div> <div> <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Customer Pull </div> <div> <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Service Enhancement </div> <div> <input type="checkbox"/> Mitigate Risk <input type="checkbox"/> Process Efficiency </div> <div> <input type="checkbox"/> Master Plan Recommendation <input checked="" type="checkbox"/> Other: <u>Variance Request</u> </div>

Strategic Alignment <i>(Example: C2 – Customer Feedback, B1 – Data Driven Decision)</i>	N/A
Financial Considerations	N/A
Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	N/A
Supporting Documents	Variance Application, Variance Exhibit, Letter received from Kendall County, City Thoroughfare plan, County Thoroughfare plan

CITY OF BOERNE
PLANNING AND ZONING COMMISSION

VARIANCE APPLICATION

APPLICANT: The Bridge Boerne PHONE NO. _____

PROPERTY ADDRESS: 109 Ammann Road, Boerne, TX 78006

LOT: _____ BLOCK: _____ SUBDIVISION: See attached Cover Letter; see also Exhibit "A"

OWNER: The Bridge Boerne PHONE NO. _____
(If different from Applicant)

MAILING ADDRESS FOR NOTIFICATION OF PENDING COMMISSION MEETING:

Owner is giving Killen, Griffin & Farrimond, PLLC authority to represent him/her at the
hearing. (Applicant)



(Owner's Signature)

8/2/25

(Date)

1. Applicant is making a request from the Boerne Subdivision Ordinance
(Article & Section No. Subdivision Ordinance Section 2.06.002)

Check one: (X) Variance () Appeal () Special Exception

2. Describe request:
See attached Cover Letter.

3. Applicant hereby requests this case be reviewed by the Planning and Zoning Commission for a decision. I do hereby certify that the above statements are true and correct.



(Applicant's Signature)

8/2/25

(Date)

**CITY OF BOERNE
PLANNING & ZONING COMMISSION
ZONING VARIANCE WORKSHEET**

Commission's Power to Grant Variances.

The Planning and Zoning Commission may grant a variance from the requirements of this ordinance when, in the Commission's judgment, the application of a subdivision standard to a particular property or project meets the required findings of section 2.06.002 of the Subdivision Ordinance.

Procedures for Variances.

The subdivider shall submit to the City Manager a written application for each variance which is requested, 14 days prior to the meeting at which the variance is to be considered, along with the appropriate filing fee established by City Council. The Planning and Zoning Commission shall not consider any action on the variance request until this fee has been paid. The findings of the Commission, together with the specific facts upon which such findings are based, shall be incorporated into the minutes of the Commission meeting at which the variance is granted.

In order to make a finding of hardship and to grant a variance, the Planning and Zoning Commission must determine that all of the following conditions are met. State how your request meets these conditions.

Findings Required for Variances.

A variance to the standards in the subdivision ordinance may be granted where the Planning and Zoning Commission finds that the following conditions exist:

- A. Are there unusual topographic or other physical conditions of the land or surrounding area, and these conditions are not typical to other lands in the area.

See attached Cover Letter.

- B. Is the condition beyond the control of the subdivider and is not due to the convenience or needs of a specific application or development proposal.

See attached Cover Letter.

- C. Is the deviation minimal from the required standard necessary to allow a more appropriate design.

See attached Cover Letter.

- D. Will the variance alter, negate or negatively impact the ability to meet any specific standard contained in the City of Boerne Zoning Ordinance.

See attached Cover Letter.

- E. Demonstrate that the required standard is inapplicable to the specific site, so that the proposed plat equally or better meet all of the following:
1. The goals and policies of the Master Plan;
 2. The purposes of these regulations; and
 3. The intent of the standards.

See attached Cover Letter.

- F. Will the variance have an adverse affect on existing adjacent landowners, potential future landowners in and adjacent to the subdivision, existing or potential development within any area of impact of the proposed subdivision.

See attached Cover Letter.

- G. Will the variance negatively impact efficient development of the land and surrounding areas based on sound planning principles and the goals and policies of the Master Plan. See attached Cover Letter.
-

- H. Will the variance adversely impact the general health, safety and welfare of the public.

See attached Cover Letter.

Each subdivision standard for which a variance is requested shall be specifically identified as a Note on the final plat.

Conditions.

In granting approval of a subdivision with a variance, the Planning Commission may prescribe conditions to secure the objectives and interest of the City, and to enforce the purpose and intent of these regulations. In granting a variance, the Commission shall prescribe only conditions that it deems necessary to or desirable in the public interest.



Cover Letter, Letter of Authorization, and Documentation of Authority



July 31, 2025

City of Boerne
Planning Department
447 N. Main Street
Boerne, TX 78006

RE: Variance Request for approximately 18.143 acres, located at 109 Ammann Rd., in the Extraterritorial Jurisdiction (“ETJ”) of Boerne, Texas (KCAD Property ID Nos. 310823 and 11864; *see* Exhibit “A”)

To Whom It May Concern:

The Bridge Boerne d/b/a The Bridge Fellowship respectfully submits this request for a variance from Section 2.11.10(a) of the City of Boerne (“City”) Engineering Design Manual (“Code”) for the construction of a church located at 109 Ammann Road, Boerne, Texas 78006 (“Subject Property”). The Code provision requires a full left-turn lane when projected turning movements exceed five vehicles per hour. On behalf of The Bridge Fellowship, we request that the City review and approve this variance based on the considerations outlined below. Due to the unique characteristics of the proposed development and its minimal and infrequent traffic impact, we believe the turn lane requirement should be waived.

The proposed development consists of a new church facility (“Project”). The Project’s primary operations are limited to Sunday mornings between 10:15 a.m. and 11:15 a.m., with an estimated 559 trips during that single weekly peak hour. Outside of that timeframe, the Project will generate minimal, if any, traffic. As confirmed by the Traffic Impact Analysis (“TIA”) prepared by Kimley-Horn, while a left-turn lane is technically triggered by City code, it is not required under Texas Department of Transportation (“TxDOT”) thresholds and is not operationally recommended given the infrequency and short duration of the turning volumes. The TIA excerpts are included with this request (see Exhibit “C”).

The Subject Property is in the City’s ETJ, along a relatively rural section of Ammann Road with limited surrounding development and low traffic activity. The Project’s weekly use pattern distinguishes it from higher intensity projects that generate consistent weekday traffic. In this context, the standard left-turn lane requirement does not align with the actual use or setting and imposes an unnecessary burden that does not improve overall traffic operations.

The need for this variance arises from the nature of the proposed land use and the characteristics of the surrounding area. Applying infrastructure requirements designed for high-volume, multi-day uses to a one-day-per-week operation results in a disproportionate and unnecessary obligation. The variance requested is narrow and well-supported. It seeks only to omit the full left-turn lane at Driveway 1 (*see* Exhibit “D”). To ensure safe site access, the Project will utilize a uniformed police officer on-site during Sunday services to direct traffic, simulating the effect of signalized

control. This solution supports safety and traffic flow without requiring permanent infrastructure. The variance does not conflict with the City's development standards.

Additionally, under the City's rough proportionality standard in Section 4.5 of the Engineering Design Manual, infrastructure requirements must be reasonably related to the development's impact. The TxDOT turn lane analysis, combined with the TIA and Level of Service ("LOS") projections, shows that the construction of a full left-turn lane may exceed what is proportionate for this Project. The TIA confirms all relevant intersections are projected to operate at a LOS B level under full build-out conditions (*see* Exhibit "C").

The proposed variance does not negatively impact nearby properties or future development. The traffic generated by the Project occurs during off-peak periods, and nearby land uses are low-density and low-traffic. With police-directed traffic control in place and no existing congestion, there is no anticipated adverse impact to adjacent parcels. Moreover, the variance supports the City's planning principles and goals by avoiding unnecessary infrastructure that provides no functional benefit. Importantly, the variance will not compromise public health, safety, or welfare. With traffic management in place during the singular day peak period, the Project is expected to operate efficiently and safely. Low background traffic volumes, limited turning activity, and on-site traffic control prevent potential risks to the traveling public.

In summary, the Project meets all the findings required for a variance under Section 2.06.002 of the Subdivision Ordinance. We respectfully request that the Planning and Zoning Commission approve this variance request and allow the Project to proceed without construction of the full left-turn lane.


Included with this correspondence please find the following documents:

1. Property Information (*see* Exhibit "A");
2. Property Maps (*see* Exhibit "B");
2. TIA Excerpts (*see* Exhibit "C"); and
3. Site Plan (*see* Exhibit "D").

If you have any questions regarding this matter, please do not hesitate to email me at rob@kgftx.com or call me at (210) 960-2750.

Sincerely,

KILLEN, GRIFFIN & FARRIMOND, PLLC

BY: 
Rob Killen

July 31, 2025

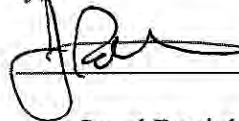
City of Boerne
Planning Department
447 N. Main Street
Boerne, TX 78006

To Whom It May Concern:

My name is Jared Patrick, and I am the Lead Pastor and Director on behalf of The Bridge Boerne ("Applicant"). The Applicant owns the property located at 109 Ammann Road, Boerne, TX 78006. Applicant hereby authorizes Killen, Griffin & Farrimond, PLLC (c/o Rob Killen and Melissa Killen) to serve as its representative in connection with the submittal and processing of the variance application and all other approvals necessary for development of the approximately 18.143-acre property located at 109 Ammann Road, Boerne, TX 78006, further identified as Kendall County Appraisal District ID numbers 11864 and 310823, in the City of Boerne, Kendall County, Texas.

Sincerely,

By:



Name: Jared Patrick

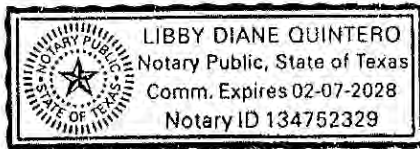
STATE OF TEXAS


§
§
§

COUNTY OF Kendall

BEFORE ME, the undersigned authority, on this day personally appeared **Jared Patrick** who acknowledged that he is authorized to execute this document.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 2nd day of August, 2025.




Notary Public, State of Texas

Printed Name: Libby Diane Quintero

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	803508235	Entity Type:	Domestic Nonprofit Corporation
Original Date of Filing:	December 23, 2019	Entity Status:	In existence
Formation Date:	N/A	Non-Profit Type:	N/A
Tax ID:	32072952149	FEIN:	
Duration:	Perpetual		
Name:	The Bridge Boerne		
Address:	PO BOX 955 Boerne, TX 78006-0955 USA		

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	INITIAL ADDRESS
Last Update	Name	Title	Address			
April 3, 2021	Jared Patrick	Lead Pastor	P.O. Box 955 Boerne, TX 78006 USA			
April 3, 2021	Jared Patrick	DIRECTOR	P.O. Box 955 Boerne, TX 78006 USA			

Instructions:


 To place an order for additional information about a filing press the 'Order' button.



Exhibit A – Kendall County Appraisal District Property ID Nos. 310823 and 11864

Kendall AD Property Search

Property Details

Account		
Property ID:	11864	Geographic ID: 1-0053-0209-0019
Type:	R	Zoning:
Property Use:		Condo:
Location		
Situs Address:	109 AMMANN RD TX	
Map ID:	WRE-	Mapsco:
Legal Description:	A10053 - SURVEY 209 P BRYAN 10.48 ACRES	
Abstract/Subdivision:	A10053	
Neighborhood:	(AMMANN) AMMANN RD	
Owner		
Owner ID:	5428435	
Name:	THE BRIDGE BOERNE	
Agent:		
Mailing Address:	DBA THE BRIDGE FELLOWSHIP PO BOX 955 BOERNE, TX 78006	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$743,500 (+)
Market Value:	\$743,500 (=)
Agricultural Value Loss: ⓘ	\$742,610 (-)
Appraised Value: ⓘ	\$890 (=)
HS Cap Loss: ⓘ	\$0 (-)

Circuit Breaker: ⓘ	\$0 (-)
Assessed Value:	\$890
Ag Use Value:	\$890

VALUES DISPLAYED ARE 2025 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.

Information provided for research purposes only. Legal descriptions and acreage amounts are for Appraisal District use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Owner: THE BRIDGE BOERNE %**Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	KENDALL APPRAISAL DISTRICT	0.000000	\$743,500	\$890	\$0.00	
GKE	KENDALL COUNTY	0.382700	\$743,500	\$890	\$3.41	
SBN	BOERNE ISD	0.990900	\$743,500	\$890	\$8.82	
WCC	COW CREEK GROUNDWATER	0.005000	\$743,500	\$890	\$0.04	

Total Tax Rate: 1.378600

Estimated Taxes With Exemptions: \$12.27

Estimated Taxes Without Exemptions: \$10,249.89

Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
WDLF	Wildlife	10.48	456,509.00	0.00	0.00	\$743,500	\$890

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2025	\$0	\$743,500	\$890	\$890	\$0	\$890
2024	\$0	\$743,500	\$1,090	\$1,090	\$0	\$1,090
2023	\$0	\$857,730	\$670	\$670	\$0	\$670
2022	\$0	\$380,530	\$670	\$670	\$0	\$670
2021	\$0	\$292,660	\$670	\$670	\$0	\$670
2020	\$0	\$225,120	\$670	\$670	\$0	\$670
2019	\$0	\$225,120	\$670	\$670	\$0	\$670
2018	\$0	\$225,120	\$670	\$670	\$0	\$670
2017	\$0	\$225,120	\$670	\$670	\$0	\$670

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
3/7/2022	WD-VL	WARRANTY DEED/VENDORS LIEN	KAUFMANN TACTICAL FIREARMS TEXAS LLC	THE BRIDGE BOERNE			367768
2/10/2017	GWA	GENERAL WARRANTY DEED	KAUFMANN THOMAS L & THEODORA E	KAUFMANN TACTICAL FIREARMS TEXAS LLC	1566	1	
10/26/1992	Conv	CONVERSION	MISHKY EMERY L & EVA M	KAUFMANN THOMAS L &			

Estimated Tax Due

If Paid: 07/09/2025



Year	Taxing Jurisdiction	Tax Rate	Market Value	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount/Penalty & Interest	Attorney Fees	Amount
2024	KENDALL COUNTY	0.382700	\$743,500	\$1,090	\$4.17	\$4.17	\$0.00	\$0.00	\$0.00	\$0.00
2024	BOERNE ISD	0.990900	\$743,500	\$1,090	\$10.80	\$10.80	\$0.00	\$0.00	\$0.00	\$0.00
2024	COW CREEK GROUNDWATER	0.005000	\$743,500	\$1,090	\$0.05	\$0.05	\$0.00	\$0.00	\$0.00	\$0.00
	2024 Total:	1.378600			\$15.02	\$15.02	\$0.00	\$0.00	\$0.00	\$0.00
2023	KENDALL COUNTY	0.382700	\$857,730	\$670	\$2.57	\$2.65	\$0.00	\$0.00	\$0.00	\$0.00
2023	BOERNE ISD	0.993200	\$857,730	\$670	\$6.65	\$6.85	\$0.00	\$0.00	\$0.00	\$0.00
2023	COW CREEK GROUNDWATER	0.005000	\$857,730	\$670	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2023 Total:	1.380900			\$9.25	\$9.53	\$0.00	\$0.00	\$0.00	\$0.00
2022	KENDALL COUNTY	0.387700	\$380,530	\$670	\$2.59	\$2.59	\$0.00	\$0.00	\$0.00	\$0.00
2022	BOERNE ISD	1.178600	\$380,530	\$670	\$7.90	\$7.90	\$0.00	\$0.00	\$0.00	\$0.00
2022	COW CREEK GROUNDWATER	0.005000	\$380,530	\$670	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2022 Total:	1.571300			\$10.52	\$10.52	\$0.00	\$0.00	\$0.00	\$0.00
2021	KENDALL COUNTY	0.412700	\$292,660	\$670	\$2.76	\$2.76	\$0.00	\$0.00	\$0.00	\$0.00
2021	BOERNE ISD	1.204600	\$292,660	\$670	\$8.07	\$8.07	\$0.00	\$0.00	\$0.00	\$0.00
2021	COW CREEK GROUNDWATER	0.005000	\$292,660	\$670	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2021 Total:	1.622300			\$10.86	\$10.86	\$0.00	\$0.00	\$0.00	\$0.00
2020	KENDALL COUNTY	0.412700	\$225,120	\$670	\$2.76	\$2.76	\$0.00	\$0.00	\$0.00	\$0.00
2020	BOERNE ISD	1.251900	\$225,120	\$670	\$8.38	\$8.38	\$0.00	\$0.00	\$0.00	\$0.00
2020	COW CREEK GROUNDWATER	0.005000	\$225,120	\$670	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2020 Total:	1.669600			\$11.17	\$11.17	\$0.00	\$0.00	\$0.00	\$0.00

2019	KENDALL COUNTY	0.412700	\$225,120	\$670	\$2.76	\$2.76	\$0.00	\$0.00	\$0.00	\$0.00
2019	BOERNE ISD	1.284000	\$225,120	\$670	\$8.60	\$8.60	\$0.00	\$0.00	\$0.00	\$0.00
2019	COW CREEK GROUNDWATER	0.005000	\$225,120	\$670	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2019 Total:	1.701700			\$11.39	\$11.39	\$0.00	\$0.00	\$0.00	\$0.00
2018	KENDALL COUNTY	0.412700	\$225,120	\$670	\$2.77	\$2.77	\$0.00	\$0.00	\$0.00	\$0.00
2018	BOERNE ISD	1.354000	\$225,120	\$670	\$9.07	\$9.07	\$0.00	\$0.00	\$0.00	\$0.00
2018	COW CREEK GROUNDWATER	0.005000	\$225,120	\$670	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2018 Total:	1.771700			\$11.87	\$11.87	\$0.00	\$0.00	\$0.00	\$0.00
2017	KENDALL COUNTY	0.412700	\$225,120	\$670	\$2.77	\$2.77	\$0.00	\$0.00	\$0.00	\$0.00
2017	BOERNE ISD	1.354000	\$225,120	\$670	\$9.07	\$9.07	\$0.00	\$0.00	\$0.00	\$0.00
2017	COW CREEK GROUNDWATER	0.005000	\$225,120	\$670	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2017 Total:	1.771700			\$11.87	\$11.87	\$0.00	\$0.00	\$0.00	\$0.00
2016	KENDALL COUNTY	0.412700	\$225,120	\$670	\$2.76	\$2.76	\$0.00	\$0.00	\$0.00	\$0.00
2016	BOERNE ISD	1.316000	\$225,120	\$670	\$8.82	\$8.82	\$0.00	\$0.00	\$0.00	\$0.00
2016	COW CREEK GROUNDWATER	0.005000	\$225,120	\$670	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2016 Total:	1.733700			\$11.61	\$11.61	\$0.00	\$0.00	\$0.00	\$0.00
2015	KENDALL COUNTY	0.386700	\$225,120	\$670	\$2.59	\$2.59	\$0.00	\$0.00	\$0.00	\$0.00
2015	BOERNE ISD	1.294000	\$225,120	\$670	\$8.67	\$8.67	\$0.00	\$0.00	\$0.00	\$0.00
2015	COW CREEK GROUNDWATER	0.005000	\$225,120	\$670	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2015 Total:	1.685700			\$11.29	\$11.29	\$0.00	\$0.00	\$0.00	\$0.00
2014	KENDALL COUNTY	0.394000	\$225,120	\$670	\$2.64	\$2.64	\$0.00	\$0.00	\$0.00	\$0.00
2014	BOERNE ISD	1.294000	\$225,120	\$670	\$8.67	\$8.67	\$0.00	\$0.00	\$0.00	\$0.00
2014	COW CREEK GROUNDWATER	0.005000	\$225,120	\$670	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2014 Total:	1.693000			\$11.34	\$11.34	\$0.00	\$0.00	\$0.00	\$0.00

2013	KENDALL COUNTY	0.394000	\$225,120	\$670	\$2.64	\$2.64	\$0.00	\$0.00	\$0.00	\$0.00
2013	BOERNE ISD	1.294000	\$225,120	\$670	\$8.67	\$8.67	\$0.00	\$0.00	\$0.00	\$0.00
2013	COW CREEK GROUNDWATER	0.005000	\$225,120	\$670	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2013 Total:	1.693000			\$11.34	\$11.34	\$0.00	\$0.00	\$0.00	\$0.00
2012	KENDALL COUNTY	0.395000	\$225,120	\$670	\$2.65	\$2.68	\$0.00	\$0.00	\$0.00	\$0.00
2012	BOERNE ISD	1.294000	\$225,120	\$670	\$8.67	\$8.75	\$0.00	\$0.00	\$0.00	\$0.00
2012	COW CREEK GROUNDWATER	0.005000	\$225,120	\$670	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2012 Total:	1.694000			\$11.35	\$11.46	\$0.00	\$0.00	\$0.00	\$0.00
2011	KENDALL COUNTY	0.370000	\$198,110	\$650	\$2.40	\$2.47	\$0.00	\$0.00	\$0.00	\$0.00
2011	BOERNE ISD	1.314000	\$198,110	\$650	\$8.54	\$8.80	\$0.00	\$0.00	\$0.00	\$0.00
2011	COW CREEK GROUNDWATER	0.005000	\$198,110	\$650	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2011 Total:	1.689000			\$10.97	\$11.30	\$0.00	\$0.00	\$0.00	\$0.00
2010	KENDALL COUNTY	0.370000	\$198,110	\$650	\$2.40	\$2.40	\$0.00	\$0.00	\$0.00	\$0.00
2010	BOERNE ISD	1.314000	\$198,110	\$650	\$8.54	\$8.54	\$0.00	\$0.00	\$0.00	\$0.00
2010	COW CREEK GROUNDWATER	0.005000	\$198,110	\$650	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2010 Total:	1.689000			\$10.97	\$10.97	\$0.00	\$0.00	\$0.00	\$0.00
2009	KENDALL COUNTY	0.370000	\$355,850	\$650	\$2.40	\$2.40	\$0.00	\$0.00	\$0.00	\$0.00
2009	BOERNE ISD	1.330000	\$355,850	\$650	\$8.65	\$8.65	\$0.00	\$0.00	\$0.00	\$0.00
2009	COW CREEK GROUNDWATER	0.005000	\$355,850	\$650	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2009 Total:	1.705000			\$11.08	\$11.08	\$0.00	\$0.00	\$0.00	\$0.00
2008	KENDALL COUNTY	0.370000	\$299,110	\$650	\$2.40	\$2.40	\$0.00	\$0.00	\$0.00	\$0.00
2008	BOERNE ISD	1.330000	\$299,110	\$650	\$8.65	\$8.65	\$0.00	\$0.00	\$0.00	\$0.00
2008	COW CREEK GROUNDWATER	0.005000	\$299,110	\$650	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2008 Total:	1.705000			\$11.08	\$11.08	\$0.00	\$0.00	\$0.00	\$0.00

2007	KENDALL COUNTY	0.370000	\$196,100	\$650	\$2.46	\$2.46	\$0.00	\$0.00	\$0.00	\$0.00
2007	BOERNE ISD	1.330000	\$196,100	\$650	\$8.83	\$8.83	\$0.00	\$0.00	\$0.00	\$0.00
2007	COW CREEK GROUNDWATER	0.005000	\$196,100	\$650	\$0.04	\$0.04	\$0.00	\$0.00	\$0.00	\$0.00
	2007 Total:	1.705000			\$11.33	\$11.33	\$0.00	\$0.00	\$0.00	\$0.00
2006	KENDALL COUNTY	0.370000	\$178,160	\$650	\$2.41	\$2.41	\$0.00	\$0.00	\$0.00	\$0.00
2006	BOERNE ISD	1.620000	\$178,160	\$650	\$10.54	\$10.54	\$0.00	\$0.00	\$0.00	\$0.00
2006	COW CREEK GROUNDWATER	0.005000	\$178,160	\$650	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2006 Total:	1.995000			\$12.98	\$12.98	\$0.00	\$0.00	\$0.00	\$0.00
2005	KENDALL COUNTY	0.370000	\$178,160	\$650	\$2.40	\$2.40	\$0.00	\$0.00	\$0.00	\$0.00
2005	BOERNE ISD	1.740000	\$178,160	\$650	\$11.31	\$11.31	\$0.00	\$0.00	\$0.00	\$0.00
	2005 Total:	2.110000			\$13.71	\$13.71	\$0.00	\$0.00	\$0.00	\$0.00
2004	KENDALL COUNTY	0.370000	\$140,120	\$650	\$2.22	\$2.22	\$0.00	\$0.00	\$0.00	\$0.00
2004	BOERNE ISD	1.620000	\$140,120	\$650	\$9.72	\$9.72	\$0.00	\$0.00	\$0.00	\$0.00
	2004 Total:	1.990000			\$11.94	\$11.94	\$0.00	\$0.00	\$0.00	\$0.00
2003	KENDALL COUNTY	0.380000	\$137,290	\$650	\$2.01	\$2.01	\$0.00	\$0.00	\$0.00	\$0.00
2003	BOERNE ISD	1.660000	\$137,290	\$650	\$8.80	\$8.80	\$0.00	\$0.00	\$0.00	\$0.00
	2003 Total:	2.040000			\$10.81	\$10.81	\$0.00	\$0.00	\$0.00	\$0.00
2002	KENDALL COUNTY	0.364290	\$150,910	\$650	\$1.82	\$1.82	\$0.00	\$0.00	\$0.00	\$0.00
2002	BOERNE ISD	1.665000	\$150,910	\$650	\$8.33	\$8.33	\$0.00	\$0.00	\$0.00	\$0.00
	2002 Total:	2.029290			\$10.15	\$10.15	\$0.00	\$0.00	\$0.00	\$0.00
2001	KENDALL COUNTY	0.365000	\$125,760	\$650	\$1.96	\$1.96	\$0.00	\$0.00	\$0.00	\$0.00
2001	BOERNE ISD	1.620000	\$125,760	\$650	\$8.67	\$8.67	\$0.00	\$0.00	\$0.00	\$0.00
	2001 Total:	1.985000			\$10.63	\$10.63	\$0.00	\$0.00	\$0.00	\$0.00
2000	KENDALL COUNTY	0.370000	\$68,120	\$650	\$1.85	\$1.85	\$0.00	\$0.00	\$0.00	\$0.00
2000	BOERNE ISD	1.520000	\$68,120	\$650	\$7.60	\$7.60	\$0.00	\$0.00	\$0.00	\$0.00
	2000 Total:	1.890000			\$9.45	\$9.45	\$0.00	\$0.00	\$0.00	\$0.00

Kendall AD Property Search

Property Details

Account		
Property ID:	310823	Geographic ID: 1-0053-0209-1027
Type:	R	Zoning: BD
Property Use:		Condo:
Location		
Situs Address:	AMMANN RD TX	
Map ID:	WRE-BD	Mapsco:
Legal Description:	A10053 - SURVEY 209 P BRYAN 7.663 ACRES	
Abstract/Subdivision:	A10053	
Neighborhood:	(AMMANN) AMMANN RD	
Owner		
Owner ID:	5428435	
Name:	THE BRIDGE BOERNE	
Agent:		
Mailing Address:	DBA THE BRIDGE FELLOWSHIP PO BOX 955 BOERNE, TX 78006	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$543,650 (+)
Market Value:	\$543,650 (=)
Agricultural Value Loss: ⓘ	\$542,630 (-)
Appraised Value: ⓘ	\$1,020 (=)
HS Cap Loss: ⓘ	\$0 (-)

Circuit Breaker: ⓘ	\$0 (-)
Assessed Value:	\$1,020
Ag Use Value:	\$1,020

VALUES DISPLAYED ARE 2025 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.

Information provided for research purposes only. Legal descriptions and acreage amounts are for Appraisal District use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Owner: THE BRIDGE BOERNE %**Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	KENDALL APPRAISAL DISTRICT	0.000000	\$543,650	\$1,020	\$0.00	
GKE	KENDALL COUNTY	0.382700	\$543,650	\$1,020	\$3.90	
SBN	BOERNE ISD	0.990900	\$543,650	\$1,020	\$10.11	
WCC	COW CREEK GROUNDWATER	0.005000	\$543,650	\$1,020	\$0.05	

Total Tax Rate: 1.378600

Estimated Taxes With Exemptions: \$14.06

Estimated Taxes Without Exemptions: \$7,494.76

Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
WDLF	Wildlife	7.66	333,800.28	0.00	0.00	\$543,650	\$1,020

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2025	\$0	\$543,650	\$1,020	\$1,020	\$0	\$1,020
2024	\$0	\$543,650	\$1,250	\$1,250	\$0	\$1,250
2023	\$0	\$543,650	\$620	\$620	\$0	\$620
2022	\$0	\$278,240	\$620	\$620	\$0	\$620

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
3/7/2022	WD-VL	WARRANTY DEED/VENDORS LIEN	KAUFMANN THOMAS L & THEODORA E	THE BRIDGE BOERNE			367768
8/16/1993	Conv	CONVERSION	ASHCROFT ROBERT L &	KAUFMANN THOMAS L & THEODORA E	399	583	
4/29/1992	Conv	CONVERSION	AGUILAR FELIX M & SUSIE	AGUILAR FELIX M & SUSIE	365	584	

Estimated Tax Due

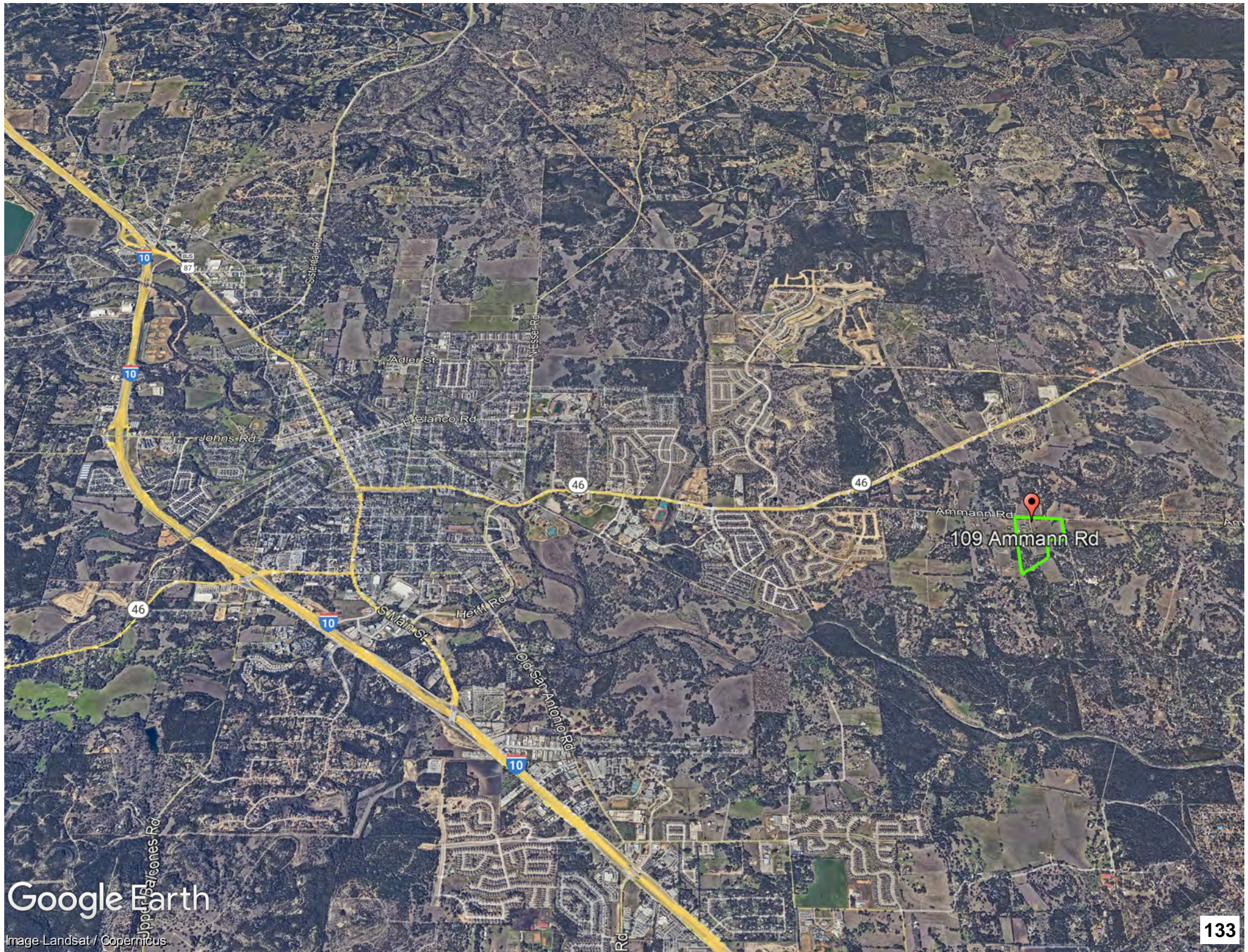
If Paid: 07/10/2025



Year	Taxing Jurisdiction	Tax Rate	Market Value	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount/Penalty & Interest	Attorney Fees	Amount
2024	KENDALL COUNTY	0.382700	\$543,650	\$1,250	\$4.79	\$4.79	\$0.00	\$0.00	\$0.00	\$0.00
2024	BOERNE ISD	0.990900	\$543,650	\$1,250	\$12.39	\$12.39	\$0.00	\$0.00	\$0.00	\$0.00
2024	COW CREEK GROUNDWATER	0.005000	\$543,650	\$1,250	\$0.06	\$0.06	\$0.00	\$0.00	\$0.00	\$0.00
	2024 Total:	1.378600			\$17.24	\$17.24	\$0.00	\$0.00	\$0.00	\$0.00
2023	KENDALL COUNTY	0.382700	\$543,650	\$620	\$2.38	\$2.45	\$0.00	\$0.00	\$0.00	\$0.00
2023	BOERNE ISD	0.993200	\$543,650	\$620	\$6.16	\$6.35	\$0.00	\$0.00	\$0.00	\$0.00
2023	COW CREEK GROUNDWATER	0.005000	\$543,650	\$620	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2023 Total:	1.380900			\$8.57	\$8.83	\$0.00	\$0.00	\$0.00	\$0.00
2022	KENDALL COUNTY	0.387700	\$278,240	\$620	\$2.41	\$2.41	\$0.00	\$0.00	\$0.00	\$0.00
2022	BOERNE ISD	1.178600	\$278,240	\$620	\$7.31	\$7.31	\$0.00	\$0.00	\$0.00	\$0.00
2022	COW CREEK GROUNDWATER	0.005000	\$278,240	\$620	\$0.03	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00
	2022 Total:	1.571300			\$9.75	\$9.75	\$0.00	\$0.00	\$0.00	\$0.00



Exhibit B – Property Maps

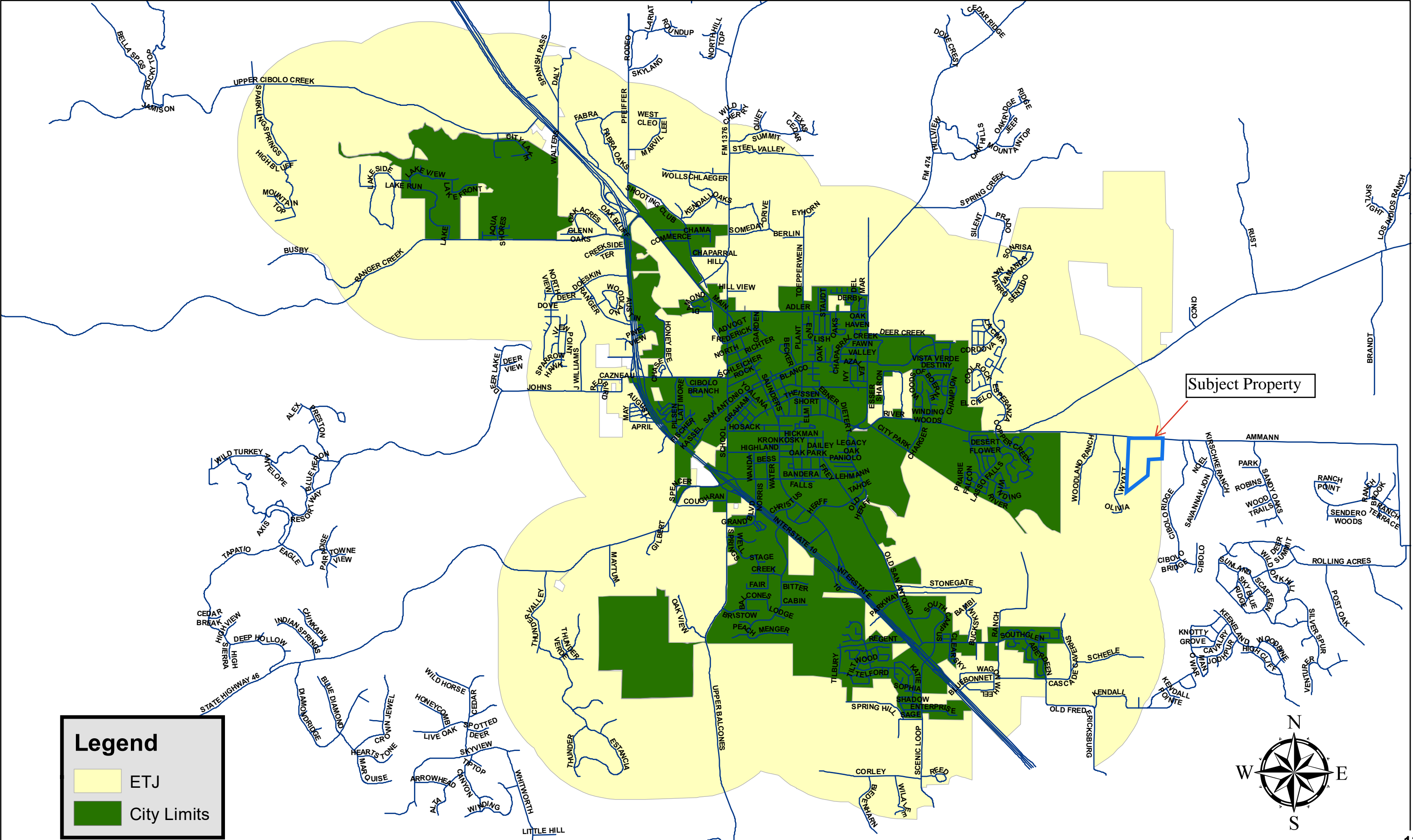


Google Earth

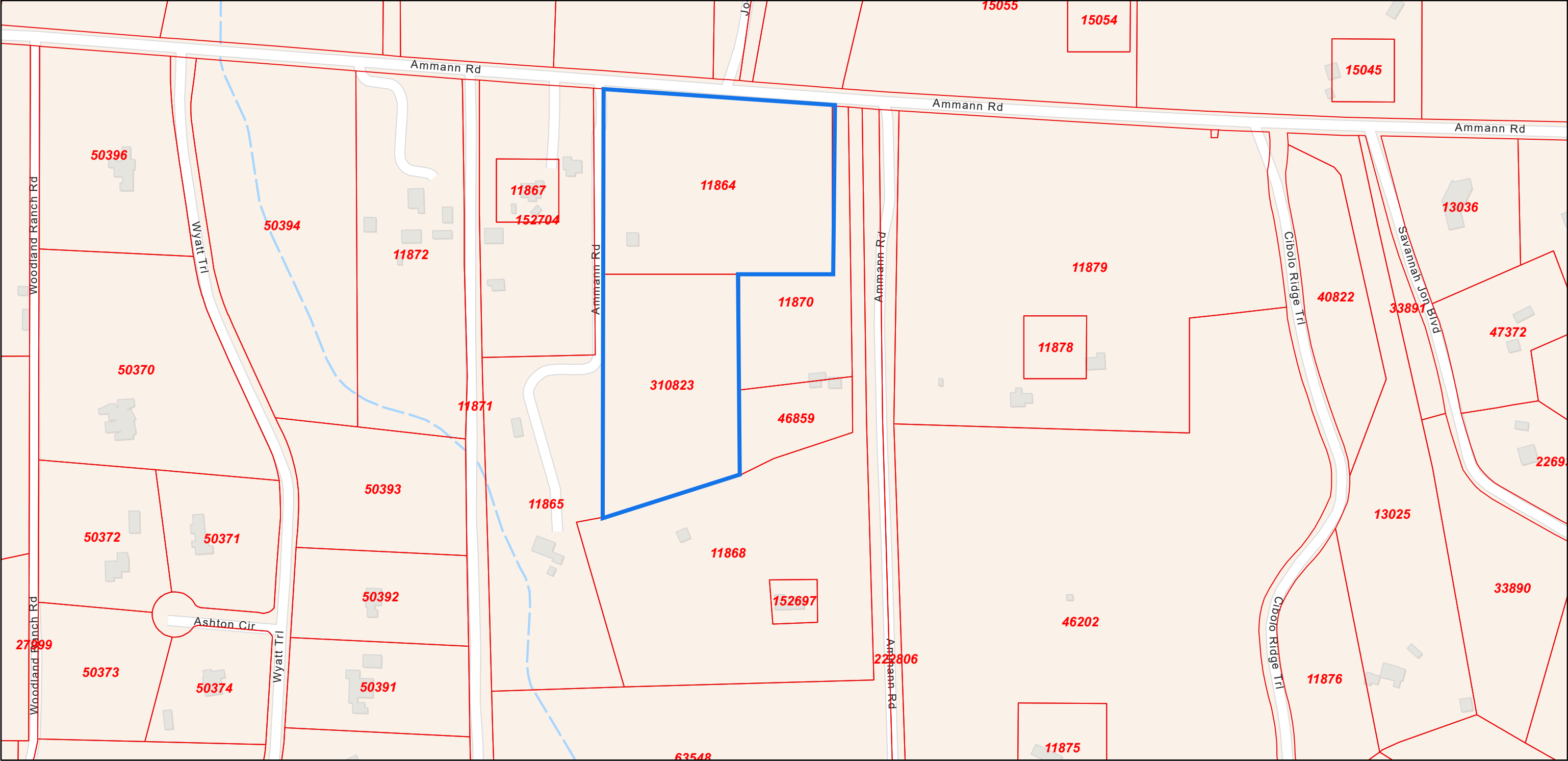
Image Landsat / Copernicus

CITY OF BOERNE ETJ

2024

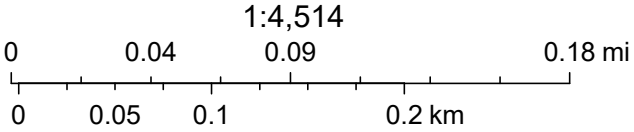


Kendall CAD Web Map



7/16/2025, 10:44:14 AM

 Parcels



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Kendall CAD Web Map



7/16/2025, 10:46:47 AM

 Parcels

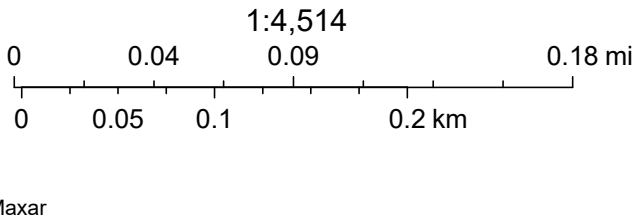




Exhibit C – Select Excerpts from the Traffic Impact Analysis ("TIA")

Traffic Impact Analysis

Bridge Fellowship Church TIA

City of Boerne, Texas

Prepared for:
Bridge Fellowship



Benjamin Plett
5/19/2025

Prepared by:

Kimley»Horn

10814 Jollyville Road, Building IV, Suite 200
Austin, Texas 78759
(512) 418-1771

KH Project No. 068725800

May 19, 2025

Bridge Fellowship Church TIA



MAY 19, 2025

Prepared By:

Kimley»Horn

EXECUTIVE SUMMARY

The proposed Bridge Fellowship Church Development is located south of Ammann Road between Wyatt Trail and Savanajon Boulevard in the City of Boerne, Texas. The project is assumed to be completed in one phase. The development is projected to be completed in 2026. This study determines traffic generation characteristics, analyzes potential traffic-related impacts on the adjacent road network, and identifies mitigation measures. The site is anticipated to contain 54,980 square feet of church.

The site will have access to the surrounding roadway network via Ammann. The westernmost driveway, Driveway 1, is a full-access driveway, and the easternmost driveway, Driveway 2, is an emergency access only driveway. After discussions with review agency staff, the existing intersection of SH 46 at Ammann Road was determined to be analyzed.

Turning movement counts were obtained at the intersection on Sunday, February 9th, 2025. Traffic operations were analyzed at SH 46 at Ammann Road for 2025 Existing conditions, 2027 No Build, and 2027 Site Build-Out conditions. Background traffic was projected to 2027 by applying a 4.5% annual growth factor determined using historical traffic counts in the area.

Site traffic is distributed into and out of the site driveways and onto the street system based on the area street system characteristics, existing traffic patterns, and the location of driveway access to/from the site.

For the proposed land uses, projected site traffic is calculated using the Institute of Transportation Engineers (ITE) *Trip Generation Manual* 11th Edition. The full development is anticipated to generate approximately 269 trips entering and 291 trips exiting on Sunday.

A left-turn lane is warranted per City of Boerne code. A left-turn lane is not warranted per TxDOT code. A left-turn lane is not recommended due to the proposed left-turning traffic occurring only one day per week.

A right-turn lane is recommended at Ammann Road and Driveway 1. The developer will design and construct the turn lane.

No additional improvements are recommended.

The TxDOT area office has given concurrence that no additional action is required on TxDOT facilities as a result of this TIA. **Appendix H** provides the correspondence from TxDOT.

BUILD WITH MITIGATIONS OPERATING CONDITIONS

A mitigation plan must be developed for every development phase considered in a Traffic Impact Analysis. Mitigation plans are designed to show the recommended improvements to bring intersection operations back to Level of Service (LOS) D or to at least the operating conditions of the No Build scenario.

Analysis of the 2027 Build-Out scenarios showed all intersections operate at acceptable LOS.

All vehicles are projected to be able to queue on-site. Detailed Synchro reports are provided in **Appendix E**.

INTERSECTION CAPACITY ANALYSIS

Kimley-Horn conducted a traffic operations analysis to determine potential capacity deficiencies in 2027 and at the study intersections. The acknowledged source for determining overall capacity is the *Highway Capacity Manual*.

ANALYSIS METHODOLOGY

Capacity analysis results are listed in terms of Level of Service (LOS). LOS is a qualitative term describing operating conditions a driver will experience while traveling on a particular street or highway during a specific time interval. It ranges from “A” (very little delay) to “F” (long delays and congestion). **Table 5** shows the definition of level of service for signalized and unsignalized intersections. LOS D is the threshold for acceptable operations for signalized intersections.

Table 5 – Level of Service

Level of Service	Signalized Intersection Average Total Delay (sec/veh)	Unsignalized Intersection Average Total Delay (sec/veh)
A	≤10	≤10
B	>10 and ≤20	>10 and ≤15
C	>20 and ≤35	>15 and ≤25
D	>35 and ≤55	>25 and ≤35
E	>55 and ≤80	>35 and ≤50
F	>80	>50

Definitions provided from the Highway Capacity Manual, Special Report 209, Transportation Research Board, 2010.

Study area intersections were analyzed based on average total delay for signalized intersections. For the unsignalized analysis, the level of service (LOS) is defined for each controlled approach.

Where possible, HCM 7th analysis is used. For intersections not possible to analyze using HCM 7th, HCM 2000 is used. Calculations for the level of service at the study intersections are provided in **Appendix E**.

TURN LANE ANALYSIS

Ammann Road is currently maintained by Kendall County, the county does not currently have posted turn lane criteria, therefore both TxDOT and City of Boerne criteria were considered in the turn lane analysis. The results of both the City of Boerne and TxDOT analysis are as follows:

A left-turn lane is warranted per City of Boerne code. A left-turn lane is not warranted per TxDOT code. A left-turn lane is not recommended due to the proposed left-turning traffic occurring only one day per week.

A right-turn lane is recommended at Ammann Road and Driveway 1. The developer will design and construct the turn lane.

TXDOT TURN LANE ANALYSIS

TxDOT's Table 4-17, *Guide for Left-Turn Lane Warrants for Urban and Suburban Arterials*, from their Roadway Design Manual, requires that a left turn lane be constructed when the left-turning volume on the minor road is at least 15 vehicles and the major road volume is at least 300 vehicles during the peak hour.

Similarly, per the TxDOT Roadway Design Manual, a right deceleration turn lane must be provided at the approach to a driveway that generates 50 or more peak-hour vehicles turning into a driveway on a roadway with a posted speed limit above 45 MPH.

Tables 8 and 9 show the results of the TxDOT standards turn lane analysis.

Table 8 – TxDOT Left-Turn Lane Analysis

Location	SUN Peak			Left-Turn Lane Required?
	Westbound-Left Volume	EB Thru-Volume	WB Thru-Volume	
Ammann Road & Driveway 1	13	94	117	No

Table 9 – TxDOT Right-Turn Lane Analysis

Location	SUN Peak			Right-Turn Lane required?
	Eastbound-Right Volume	EB Thru-Volume	WB Thru-Volume	
Ammann Road & Driveway 1	256	94	117	Yes

CITY OF BOERNE TURN LANE ANALYSIS

The City of Boerne's Engineering Design Manual requires left-turn lanes when projected turning movements are 5 vehicles or more per hour.

Table 10 shows the results of the City of Boerne turn lane analysis.

Table 10 – City of Boerne Turn Lane Analysis

Location	SUN Peak	Left-Turn Lane required?
	Left-Turn	
Ammann Road & Driveway 1	13	Yes

While a left-turn lane is warranted per City of Boerne code, it is not recommended due to the proposed left-turning traffic occurring only one day per week (Sunday) during a relatively short timeframe. Additionally, adjacent street traffic unrelated to the site is relatively low during this period and TxDOT thresholds are not met for a left-turn lane.

SIGHT DISTANCE

ISD should be measured from a 3.5-foot height of the driver's eye (as they are turning out of the proposed driveway) to an object 4.25 feet above the roadway surface (approaching the driveway from either direction). The location of the driver's eye should be 18 feet from the edge of the major roadway to represent the typical position of the driver's eye on a minor road or driveway.

The speed limit on Ammann Road is 45 mph. The following are the intersection sight distance (ISD) requirements for Driveway 1:

- Per AASHTO's *A Policy on Geometric Design of Highways and Streets*:
 - Design ISD – Case B1, Left turn from stop: 500'
 - Design ISD – Case B2, Right turn from stop: 430'


Appendix F shows that the proposed driveway meets and satisfies the sight distance requirements.

ROUGH PROPORTIONALITY

Per Section 4.5 of the City of Boerne Engineering Design Manual (EDM), the developer's portion of the costs may not exceed the amount required for infrastructure improvements that are roughly proportionate to the proposed development. An analysis using vehicle-miles of travel in the PM peak hour for the proposed development was conducted. The acknowledged source for trip generation rates is the 11th edition of *Trip Generation Manual* published by the Institute of Transportation Engineers (ITE).

Based on the data in **Table 11**, the developer's proportionate share to the proposed development is **\$2,221,748.83**.

Table 11 – Rough Proportionality Calculation



Rough Proportionality Worksheet
City of Boerne, Texas

Development Name: Bridge Fellowship Church

Applicant: Benjamin Plett

Legal Description (Lot, Block): A10053 - SURVEY 209 P BRYAN 10.48 ACRES

Case / Plat Number: Date: 3/31/2025

Worksheet Last Updated: 6/15/2022

DEMAND - Traffic Generated by Proposed Development

Peak Hour Selection: SUN

Land Use Type:	Development Unit:	Intensity:	AM/PM Peak Hour Trip Rate:	Trip Length: (miles)	Demand: (vehicle-miles)	Impact of Development: (\$)
Church	1,000 SF	54	10.36	1	559.44	2,221,748.83

Custom Trip Generation Info:

TOTAL DEMAND PLACED ON THOROUGHFARE SYSTEM:

0.00

\$0

Estimated Average Cost Per Vehicle Mile: **\$3,971.38**

RECOMMENDATIONS, MITIGATIONS, AND CONCLUSIONS

This study analyzes traffic impacts of the proposed development located in the City of Boerne, Texas. The scenarios studied include – Existing conditions, 2027 No Build, and 2027 Build-Out.

Analysis of the 2027 Build-Out scenarios showed all intersections operate at acceptable LOS.

A left-turn lane is warranted per City of Boerne code. A left-turn lane is not warranted per TxDOT code. A left-turn lane is not recommended due to the proposed left-turning traffic occurring only one day per week.

A right-turn lane is recommended at Ammann Road and Driveway 1. The developer will design and construct the turn lane.

No additional improvements are recommended.

The TxDOT area office has given concurrence that no additional action is required on TxDOT facilities as a result of this TIA. **Appendix H** provides the correspondence from TxDOT.

CERTIFICATION STATEMENT

I hereby certify that this report complies with the City Guidelines and with applicable technical requirements of the City of Boerne and is complete to the best of my knowledge.

KIMLEY-HORN AND ASSOCIATES

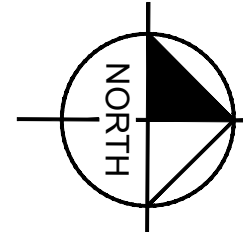
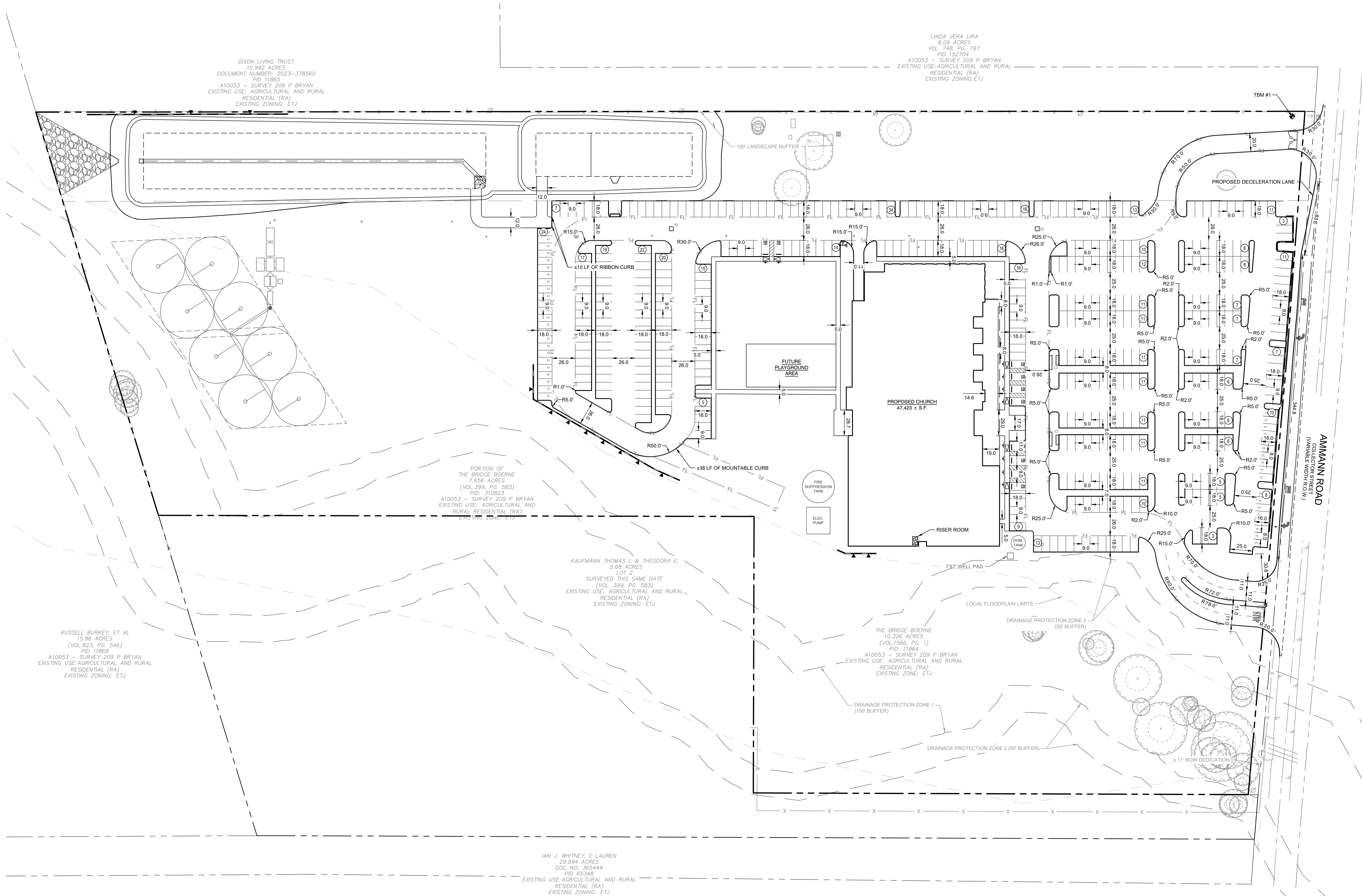


Benjamin Plett, P.E., PTOE
Project Manager



Exhibit D – Site Plans

Plotted By:Gomez, Athens July 31, 2025 08:23:18am K:\SNA_Civil\08725800_Bridge\Drawings\CAD\Drawings\4-1\08725800.dwg
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



GRAPHIC SCALE IN FEET
0 25 50 100

LEGEND	
---	PROPERTY BOUNDARY
- - - -	PROPOSED SAWCUT LINE
FL	PROPOSED FIRE LANE
⊙	PROPOSED PARKING COUNT
⊞	PROPOSED ACCESSIBLE PARKING SPACE
⊞	PROPOSED BARRIER FREE RAMP
⊞	PROPOSED SANITARY SEWER MANHOLE
⊞	PROPOSED CURB INLET
⊞	PROPOSED FIRE HYDRANT
⊞	EXISTING POWER POLE

NOTES	
1.	ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
2.	REFER TO ARCHITECTURAL CONSTRUCTION DRAWINGS FOR EXACT BUILDING DIMENSIONS. REFER TO LANDSCAPE ARCHITECT'S PLANS FOR DIMENSIONS AND DETAIL OF HARDSCAPE.
3.	ALL CURB RADII ARE 3 FEET UNLESS DIMENSIONED OTHERWISE.
4.	BUILDING, MECHANICAL EQUIPMENT AND SIGNS ARE SHOWN HEREON FOR REFERENCE ONLY. REFER TO CONSTRUCTION PLANS OF THOSE ITEMS FOR LOCATIONS AND DIMENSIONS.
5.	ALL CONSTRUCTION SPECIFICATIONS WITHIN CITY RIGHT-OF-WAY AND EASEMENTS SHALL COMPLY WITH CITY OF BOERNE STANDARDS. PRIOR APPROVAL TO USE ANY NON-STANDARD MATERIAL IS REQUIRED.

SITE DATA TABLE	
GENERAL SITE DATA	
LEGAL DESCRIPTION	A10053 - SURVEY 209 P BRYAN 10.48 ACRES
ZONING	ETJ RESIDENTIAL AND AGRICULTURAL LAND USE
SITE ACREAGE	±18.14
ADDRESS	109 AMMANN RD., BOERNE, TEXAS 78006
BUILDING DATA	
BUILDING SQUARE FOOTAGE	447,423
BUILDING HEIGHT	TBD
PARKING DATA	
REQUIRED PARKING SPACES	488
STANDARD SPACES PROVIDED	435
COMPACT SPACES PROVIDED	42
ACCESSIBLE SPACES PROVIDED	10
TOTAL SPACES PROVIDED	487

BENCHMARK LIST	
TBM #1	RAILROAD SPIKE SET IN POWER POLE APPROXIMATELY 28 FEET SOUTHEAST OF THE NORTHWEST CORNER OF THIS 18.143 ACRES.
ELEVATION:	1,408.71'

CAUTION!!!
EXISTING UNDERGROUND UTILITIES IN THE AREA CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY REPAIRS TO EXISTING UTILITIES DUE TO DAMAGE INCURRED DURING CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES ON THE PLANS.



Project No. 068725800

DATE 7/31/2025
SCALE AS SHOWN
DESIGNED BY ARG
DRAWN BY ARG
CHECKED BY MGM

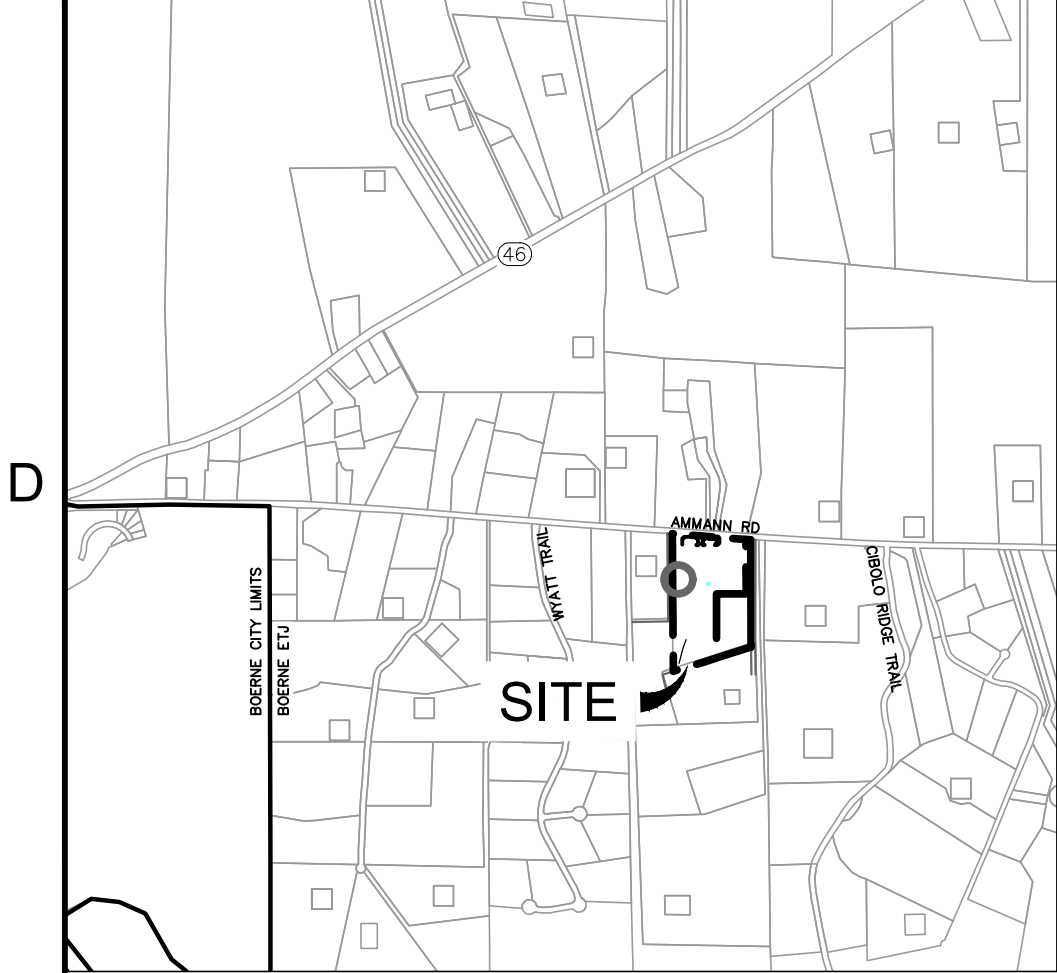
Kimley-Horn
© 2025 KIMLEY-HORN AND ASSOCIATES, INC. TX 78716
10101 RESEARCH AVENUE, SUITE 200
BOERNE, TEXAS 78006
PHONE 214-548-1888 FAX 214-548-1885
WWW.KIMLEY-HORN.COM TBE FIRM NO. 029

The Bridge Fellowship
New Campus
109 Ammann Road
Boerne, Texas 78006

**DIMENSION
CONTROL PLAN**

CONSTRUCTION
DOCUMENTS
C3.0
SHEET TITLE

Plotted By: Gomez, Athena November 11, 2024 03:23:25pm \\kimley-horn.com\YIS_SNA_SNA_Civil\068725600_BridgeFellowship\CAD Exhibits Master Development Plan.dwg
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



LOCATION MAP
1" = 2000'

PREPARED BY

MATTHEW G. MATNEY, P.E.
KIMLEY-HORN AND ASSOCIATES, INC.
10101 REUNION PL, SUITE 400
SAN ANTONIO, TX 78216
PHONE: 210-541-9166
CONTACT: MATTHEW G. MATNEY, P.E.

PROPERTY OWNER

THOMAS L. KAUFMANN
JARED PATRICK
P.O. BOX 761
BOERNE, TX 78006

PROPERTY OWNER

BRIDGE FELLOWSHIP
JARED PATRICK
P.O. BOX 955
BOERNE, TX 78006
PHONE: 210-460-0149

DEVELOPER

BRIDGE FELLOWSHIP
JARED PATRICK
P.O. BOX 955
BOERNE, TX 78006
PHONE: 210-460-0149

FEMA

ACCORDING TO COMMUNITY PANEL NO. 48259C0420F, DATED 12/17/2010 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM), THE ENTIRETY OF THE PROPERTY IS WITHIN ZONE "X" (UN-SHADED) DEFINED BY FEMA AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

COMMUNITY PANEL NO. 48259C0420F
EFFECTIVE DATE: 12/17/2010

SURVEY NOTES

- VERTICAL CONTROL: VERTICAL INFO. SHOWN HEREON ARE BASED ON ACTUAL GPS OBSERVATIONS, TEXAS STATE PLANE COORDINATES SOUTH CENTRAL ZONE, GRID, T.B.M. #1 = "RAILROAD SPIKE SET IN POWER POLE" APPROXIMATELY 26 FEET SOUTHEAST OF THE NORTHWEST CORNER OF THIS 18.143 ACRES. ELEVATION = 1,409.71'
- SURVEYED ON: AUGUST 31, 2022

PROPERTY NOTES

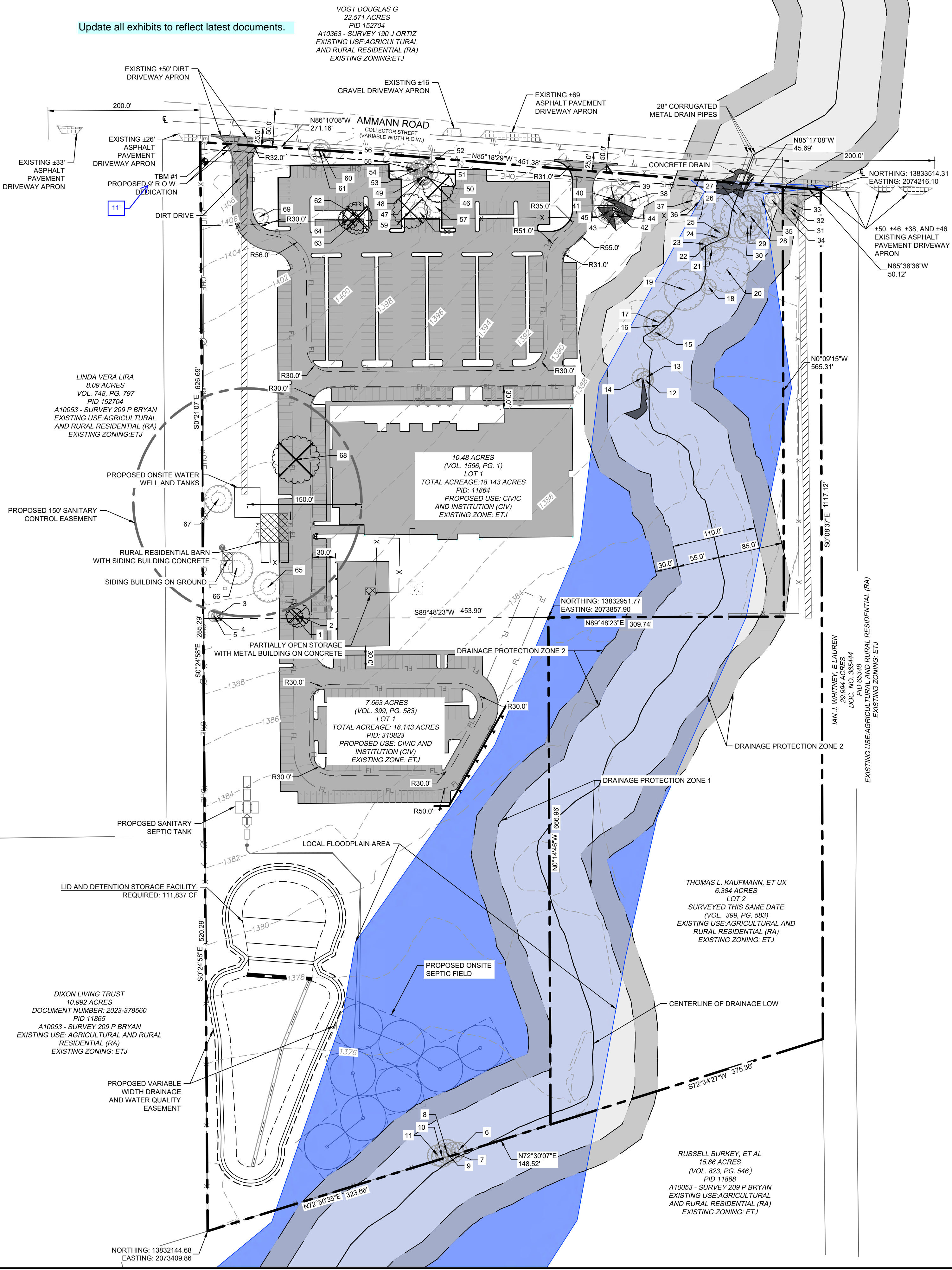
- LEGAL DESCRIPTION: BEING A TOTAL OF 24.527 ACRE TRACT OF LAND OUT OF A 10.48 ACRE TRACT DESCRIBED IN GENERAL WARRANTY DEED, A 7.663 ACRE TRACT, AND A 6.384 ACRE TRACT OF LAND, SITUATED IN THE P. BRYAN SURVEY NO. 209, KENDALL COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT DESCRIBED IN INSTRUMENT TO THE BRIDGE BOERNE, RECORDED IN DOCUMENT NO. 2022-367768, OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY

TREE TABLE		
POINT	TREE	DIAMETER (IN.)
1	HACKBERRY	11
2	HACKBERRY	16
3	OAK	6.5
4	OAK	7
5	OAK	8
6	OAK	10
7	OAK	13.5
8	OAK	16
9	OAK	12
10	OAK	14
11	OAK	14
12	OAK	11
13	OAK	8
14	OAK	13
15	OAK	6.5
16	OAK	19.5
17	OAK	16
18	HACKBERRY	10
19	OAK (TWIN)	27
20	OAK	29.5
21	OAK	16.5
22	OAK	8.5
23	OAK	7.5

TREE TABLE		
POINT	TREE	DIAMETER (IN.)
24	OAK	13.5
25	OAK	12.5
26	OAK	32
27	OAK	33.5
28	OAK	14.5
29	OAK	17
30	OAK	18
31	OAK	11
32	HACKBERRY	16
33	OAK	10
34	OAK	9.5
35	MEXICAN PLUM	18
36	HACKBERRY	11.5
37	HACKBERRY	13
38	CEDAR	24
39	OAK	8.5
40	OAK	6
41	OAK	26
42	OAK	12
43	OAK	16
44	OAK	12
45	OAK	15
46	OAK	20.5

TREE TABLE		
POINT	TREE	DIAMETER (IN.)
47	OAK (MULTI)	13
48	OAK	8.5
49	OAK	12
50	OAK	12
51	OAK	15
52	OAK	14
53	OAK	11.5
54	OAK	6.5
55	OAK	8.5
56	OAK	32
57	HACKBERRY	15
58	OAK	13.5
59	OAK	23
60	OAK	9.5
61	OAK	15
62	OAK	19
63	OAK	20
64	OAK	13.5
65	MESQUITE (TWIN)	20
66	HACKBERRY	21.5
67	OAK	18
68	PECAN	31.5
69	OAK	11.5

Update all exhibits to reflect latest documents.



GRAPHIC SCALE IN FEET
0 40 80 160
SCALE: 1" = 80'

LEGEND

---	PROPERTY BOUNDARY
---	EXISTING LOT LINE
---	EXISTING EASEMENT LINE
---	EXISTING EDGE OF ASPHALT
---	EXISTING OVERHEAD ELECTRIC LINE
---	EXISTING FENCE
---	PROPOSED 150' SANITARY CONTROL EASEMENT
---	FIRE LANE
---	(DASHED LINES INDICATES MIN. DIMENSIONS)
---	EXISTING BUILDING/STRUCTURE
---	EXISTING DIRT DRIVE
---	EXISTING CONCRETE PAD
---	EXISTING DRIVEWAY/ACCESS (ASPHALT)
---	BENCHMARK
---	EXISTING GUY WIRE
---	EXISTING POWER POLE
---	EXISTING TELEPHONE PEDESTAL
---	PROPERTY CORNER PIN
---	EXISTING PROTECTED TREE
---	DRAINAGE PROTECTION ZONE 1 (100' BUFFER)
---	DRAINAGE PROTECTION ZONE 2 (50' BUFFER)
---	SLOPE AREAS OVER 15%
---	PROPOSED IMPERVIOUS COVER (241,402 SQ. FT.)
---	LOCAL FLOODPLAIN

SUMMARY

LOTS (2 TOTAL)	PROPOSED IMPERVIOUS COVER (AC.)	SITE ACREAGE (AC.)
CIVIC AND INSTITUTIONAL (LOT 1)	5.46	18.143
RA-1 (LOT 2)	0	6.384
TOTAL	5.46	24.527

APPROVAL OF THE PLANNING DEPARTMENT

THIS MASTER DEVELOPMENT PLAN OF BRIDGE FELLOWSHIP CHURCH HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING DEPARTMENT OF THE CITY OF BOERNE, TEXAS, AND IS HEREBY APPROVED BY THE DIRECTOR.

DATED THIS _____ DAY OF _____, 20____.

PLANNING DEPARTMENT

Kimley»Horn

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WWW.KIMLEY-HORN.COM TBE FIRM NO. 928

FOR
REVIEW
ONLY

MASTER
DEVELOPMENT
PLAN

BRIDGE FELLOWSHIP
CHURCH
PREPARED FOR
BRIDGE FELLOWSHIP
BOERNE, ETJ
TEXAS

SHEET NUMBER
MDP-1



COUNTY OF KENDALL

County Engineer

201 E. San Antonio Ave., Ste 101
Boerne, TX 78006
Office: 830-249-9343
Fax: 830-249-6206

Mary Ellen Schulle PE, CFM
County Engineer
www.co.kendall.tx.us

August 27, 2025

Attention: Jeffrey Carroll, PE, CFM - Director of Engineering & Mobility – City of Boerne
RE: The Bridge Fellowship Variance Request - 109 Ammann Road

Mr. Carroll,

Kendall County would like to provide the following information and comments pertaining to the variance request for Bridge Fellowship. Our understanding is that the Bridge Fellowship is seeking a variance to the requirement for a turn lane on Ammann Road. Kendall County does not support this variance request as the turn lane is critical for safety on Amman Road. Unfortunately, Kendall County's code does not allow us to require a turn lane based on the traffic volumes presented by Bridge Fellowship and the County is dependent upon the City upholding the turn lane criteria for this project. Please consider the following information pertaining to the proposed turn lane at this site:

- Kendall County believes the left turn lane is necessary for safety and is warranted per the Traffic Impact Analysis. Ammann Road functions as a thoroughfare (and is classified as such on the County's thoroughfare plan) and we need a solution that improves safety on the roadway, not diminishes it.
- Kendall County does not support the use of uniformed officers for traffic control when there are other warranted alternatives available. The use of uniformed officers for traffic control will negatively impact public mobility on a permanent recurring basis for the sole benefit of a single development when there are other warranted alternatives available. In addition, there is no mechanism in place for the County to require the use of uniformed officers.
- The applicant asserts in several instances that requiring the left turn lane may exceed rough proportionality requirements. I disagree with the applicant's assertions as 1) they intend to implement voluntary uniformed officer traffic control to mitigate their traffic impact, which is an acknowledgement that the left turn lane is "reasonably related" to their development, and 2) their roughly proportional exaction is calculated at \$2,221,748.83 (page 36) which will well exceed the combined values of right of way dedication, construction of the right turn lane, and construction of the left turn lane.

Thank you,
Mary Ellen Schulle, PE, CFM
County Engineer
Kendall County

Cc: Commissioner Pct. 2 – Andra M. Wisian

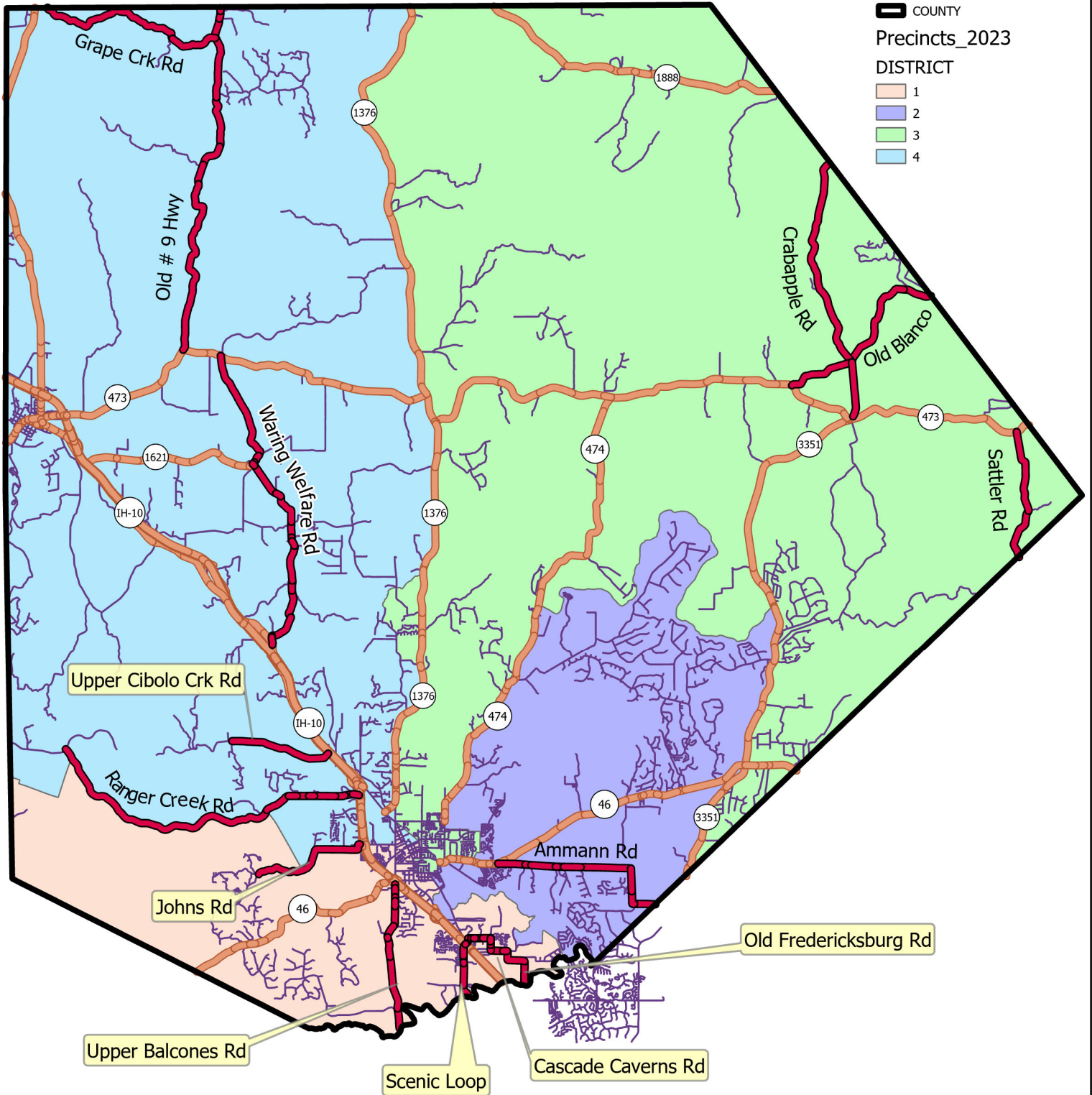
Legend

- Co Rds Select Major
- St_Fed_Hwys
- ROADS Minor
- COUNTY

Precincts_2023

DISTRICT

- 1
- 2
- 3
- 4

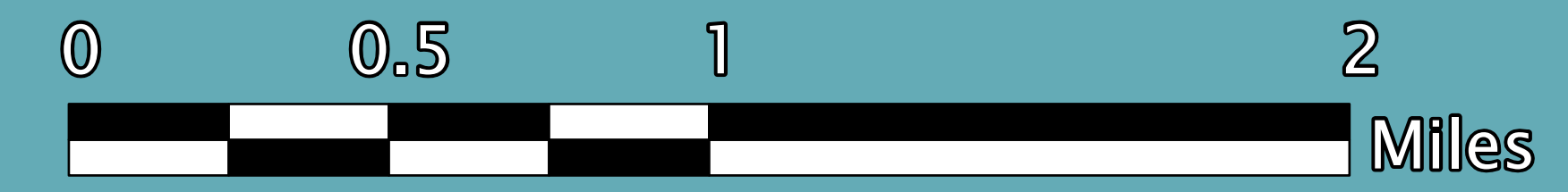


Scale: 1:246,860

0 2.5 5 10 Miles

1 inch equals 4 miles 150

Major Thoroughfare Plan



Legend

- City Limits
- Extraterritorial Jurisdiction

Off-Street Multi-Use Trails

- Trail (Conceptual)
- Trail (Existing)
- Trail (Proposed)

Thoroughfare Plan

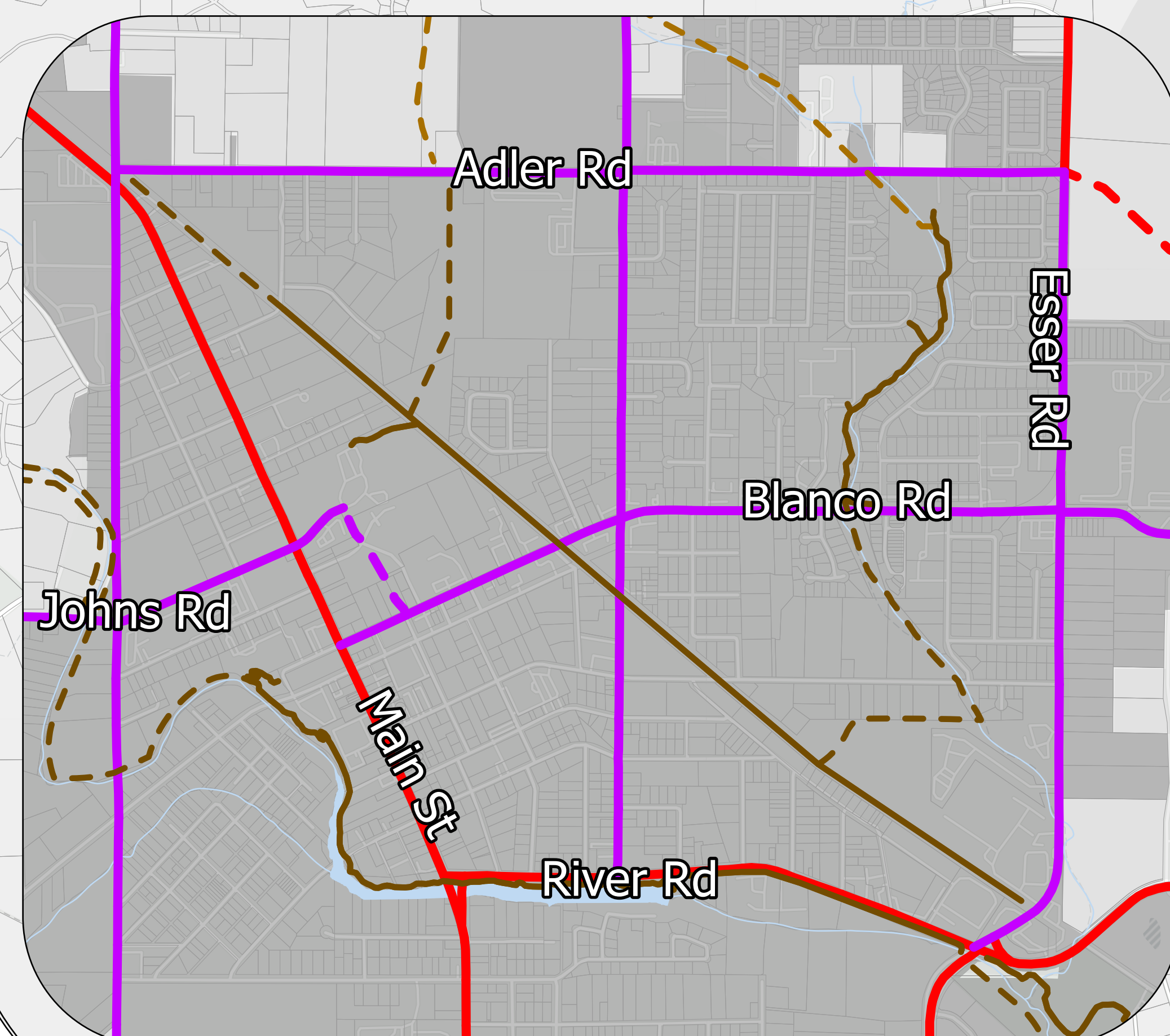
- Arterial (If Developed)
- Arterial (Existing)
- Collector (If Developed)
- Collector (Existing)

Note:

The intended use of this Thoroughfare Plan is to provide for future connectivity if development occurs along the dashed roadways and trails and to provide the ultimate function of roadways as arterials or collectors in the City's transportation network. Final alignments may differ, but the connections are intended to remain between roadway or trail facilities.

Note:

UDC 7.2(F)(2) defines the street cross section standards and right-of-way requirements based on classifications on this map or otherwise required by Code.



The Thoroughfare Master Plan was adopted by City council on 4/11/2023.