

AGENDA
PLANNING AND ZONING COMMISSION MEETING
BOERNE CITY HALL
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Monday, August 3, 2026 – 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.

[2026-327](#) Consider approval of the Minutes for the Planning and Zoning Commission Meeting of July 6, 2026.

Attachments: [UnofficialMeetingMinutes-Jul62026](#)

5. REGULAR AGENDA:

[2026-325](#) Consider the un-tabling of a request for a Variance to Chapter 6, Section 6-2(b)(1)(a). Lot frontage requirement, of the Unified Development Code for a property generally located at Christus Parkway and Herff Road (KCAD 153703)

[2026-324](#) Consider a request for a Variance to Chapter 6, Section 6-2(b)(1)(a). Lot frontage requirement, of the Unified Development Code for a property generally located at Christus Parkway and Herff Road (KCAD 153703)

Attachments: [AIS - Crunch Fitness Variance](#)
[Attachment 1 - Ariel View Map](#)
[Attachment 2 - Zoning Map](#)
[Attachment 3 - Future Land Use Map](#)
[Attachment 4 - Environmental Constraints Map](#)
[Attachment 5 - Variance Application](#)
[Attachment 6 - Proposed Site Plan](#)
[Attachment 7 - Recorded Plat](#)
[Attachment 8 - Site Plan with Driveway Distances](#)

6. DISCUSSION

[2026-326](#) Discuss proposed 2026 Unified Development Code (UDC) Amendments (Phase 1)

Attachments: [AIS - 2026 Phase 1 UDC Amendments](#)

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

[2026-337](#) APA Texas Chapter will be hosting the APATX26 Conference in Irving, TX on October 14-16, 2026 and Ethics and Cyber Training completion.

8. ADJOURNMENT

s/s Nathan Crane

Administrative Officer

CERTIFICATION

I herby certify that the above notice of meeting was posted on the 28th day of July,
2026 at 5:00 p.m.

s/s Misti Rains

Executive 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, July 6, 2026 – 6:00 p.m.

Minutes of the regular called Planning and Zoning Commission Meeting of July 6, 2026.

Present 7 - Chairman Lucas Hiler, Secretary/Treasurer Bob Cates, Commissioner Susan Friar, Vice Chair Cody Keller, Commissioner Bill Bird, Commissioner Carlos Vecino, and Commissioner Chris Taylor

Staff Present: William Willingham, Nathan Crane, Ben Simmons, Anne Bransford, Misti Rains, Maria Garcia, Krystal Barrera, Abigail Knott, Barrett Squires

Guest Speakers: Patrick Dennis, Kelly Jones

Recognized/Registered Guests: Patrick Dennis, Kelly Jones, Skylar Long

1. CALL TO ORDER

Chairman Lucas Hiler called the meeting to order at 6:00 p.m.

Chairman Lucas Hiler led the pledge of allegiance to the United States Flag, honored the Texas flag followed by moment of silence.

2. CONFLICTS OF INTEREST

No conflicts of interest declared.

3. OATH OF OFFICE

[2026-295](#) ADMINISTER OATH OF OFFICE FOR PLANNING AND ZONING COMMISSION PLACE 6 AND PLACE 7; LUCAS CHARLES HILER AND CHRIS TAYLOR.

Crystal Barrera, Notary, administered the Oath of Office for Chairman Lucas Hiler and Commissioner Chris Taylor.

Chairman Hiler welcomed the Commission and thanked Commissioner Taylor for joining the Planning and Zoning team.

4. PUBLIC COMMENTS

Guest Speaker Patrick Dennis, on behalf of Menger Springs Senior Living Communities, greeted the Commission. He introduced a request to install a street sign located on Balcones Rd. and then a second sign following the first install.

Commissioner Lucas Hiler addressed Mr. Dennis and let him know the process to request sign installations with the City of Boerne and permit process.

The next speaker, Kelly Jones, stated that she will wait to speak during regular agenda item 6A 2026-278.

5. CONSENT AGENDA

[2026-284](#) CONSIDER APPROVAL OF THE MINUTES FOR THE PLANNING AND ZONING COMMISSION MEETING OF JUNE 1, 2026.

THE MINUTES WERE APPROVED.

A MOTION WAS MADE BY COMMISSIONER FRIAR, SECONDED BY VICE CHAIR KELLER, TO APPROVE THE MINUTES FOR THE PLANNING AND ZONING COMMISSION MEETING OF JUNE 1, 2026. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 7 - Chairman Hiler, Secretary/Treasurer Cates, Commissioner Friar, Vice Chair Keller, Commissioner Bird, Commissioner Vecino, and Commissioner Taylor

6. REGULAR AGENDA

[2026-278](#) CONSIDER A REQUEST FOR A VARIANCE TO CHAPTER 6, SECTION

6-2(B)(1)(A). LOT FRONTAGE REQUIREMENT, OF THE UNIFIED
DEVELOPMENT CODE FOR A PROPERTY GENERALLY LOCATED AT
CHRISTUS PARKWAY AND HERFF ROAD (KCAD 153703)

Ben Simmons, Planner I, presented on item 6A. Request is being made on behalf of Applicant Pape-Dawson Engineers on behalf of owner, Santa Rosa Health Care Corporation. The request is being made to not allow for a lot to have frontage along a public right of way.

Property is zoned C3, Community Commercial with background was shared as 7.762 acres, currently platted as Menger Place Subdivision Unit 1 Lot 2A (Replat) and applicant would like to replat into four parcels. It is within the Sobo Hybrid Commercial Character Zone and seeks to prioritize auto-oriented development while retaining some walkable elements and multi-modal traffic.

An environmental constraints map along with a future land use map of the property was presented. The design seeks to prioritize commercial uses with vehicular access along major roads and thoroughfares. There is SARA Floodplain on this property.

The variance request is in relation to UDC, Section 6-2B-1A which states that all lots shall have frontage on a public right of way. Cottage developments may provide frontage on a shared access/utility easement provided at either the front or rear of the lot line. No residential lot shall have frontage on collector (primary or secondary) or arterial roadways, unless otherwise approved by city manager.

A current recorded plat was presented to the commission along with the proposed subdivision replat.

For a variance all five findings must be met: 1. Unnecessary Hardship including financial; proposed replat stems from the desired layout and enforcement of this standard would not result in hardship. 2. No change in Use; The variance will not authorize any use other than the uses the zoning district and overlay district already allow. 3. Unique Circumstances related to the property and general conditions; not a unique

circumstance 4. Does not weaken the general purpose of ordinance & essential character of the district; variance requested could negatively impact access to site 5. No adverse impact on public health, welfare and safety; variance would still need to meet all applicable access, fire and building standards.

If approved, staff recommended the following stipulations:

1. Prior to issuance of City construction release permit or commencement of construction, the applicant shall obtain a formal driveway permit from the Texas Department of Transportation (TXDOT) for any proposed access onto Main Street.
2. The project shall comply with all applicable standards, procedures and requirements set forth in the City of Boerne Unified Development Code (UDC).
3. All site improvements, infrastructure, drainage and access designs shall conform to the requirements of the city of Boerne Engineering Manual, subject to review and approval by the Engineer.

Commissioner Bob Cates reviewed two images he submitted for question, asking where the access is in relation to the images shown. Was questioning if the access would be crossing the concrete ditch. Simmons confirmed yes. Next ask was questioning how far this access is from the Randolph Brooks location.

Abigail Knott, City Engineer, relayed that at this time no plans have been submitted or approved by the city. The applicant is needing to reach out to TXDOT to get a TXDOT permit first so that the City can understand what the requirements from TXDOT would be and then would work with them on the driveway. There is an access easement that's already set on the plat.

Cates inquired about how far the access easement distance is from the drive and how far apart does it need to be. Knott responded that an

interior street is an 800 foot separation distance for Boerne standards not TXDOT's, however she was not certain of the distance from this drive to the access easement. It is TXDOT right-a-way.

Cates asked about the cost to build an access and Knott explained as she did not know a cost she can confirm that it is not complicated. It is merely a driveway and ditch.

Chairman Lucas Hiler questioned if Christus Parkway is sufficient or is it a right in only driveway off Main Street seemingly thinking that it's not just an engineering question but more so fire code for appropriate fire access. TXDOT does have a vested interest to ensure its a safe exit.

Nathan Crane, Planning Director, reiterated that what the Commission would be considering is whether this lot needs to have frontage on a public street. An application has to go through the review process, which is the first step.

Vice Chair Cody Keller stated, if they approve, TXDOT would still need to review and approve so it would have to be subject to TXDOT approval to have access along Main Street.

Matthew Cushman, Civil Engineer Representative for Pape-Dawson Engineers, addressed Commission stating the original plat had TXDOT approval for a driveway that's across from the Menger Place Subdivision as right in, right out as this is how it was originally recorded. It has some flood plain issues and fill requirements. His team is trying to initially look into a flag lot option to be able to create some out parcels that could be sold and then have interior driveways similar to a condo regime. He stated that a TXDOT permit is necessary for drainage so there's no adverse impact with culvert improvements since there is already a drainage easement present.

Item was voted unanimously to table.

A MOTION WAS MADE BY SECRETARY/TREASURER CATES, SECONDED BY VICE CHAIR KELLER, TO TABLE THE REQUEST FOR A VARIANCE TO CHAPTER 6, SECTION 6-2(B)(1)(A). LOT FRONTAGE REQUIREMENT, OF THE UNIFIED DEVELOPMENT CODE FOR A PROPERTY GENERALLY LOCATED AT CHRISTUS PARKWAY AND HERFF ROAD (KCAD 153703). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 7 - Chairman Hiler, Secretary/Treasurer Cates, Commissioner Friar, Vice Chair Keller, Commissioner Bird, Commissioner Vecino, and Commissioner Taylor

[2026-273](#) HOLD A PUBLIC HEARING AND CONSIDER AND MAKE A RECOMMENDATION TO CITY COUNCIL REGARDING THE PROPOSED AMENDMENT TO THE UNIFIED DEVELOPMENT CODE ADOPTED ON JANUARY 14, 2025, INCLUDING BUT NOT LIMITED TO:

- Chapter 1 - Historic Landmark Commission, Design Review Committee, Planning and Zoning Commission
- Chapter 2 - Design Review Committee and sign variances
- Chapter 3 - Design Review Committee and creative alternatives
- Chapter 9 - Design Review Committee
- Appendix A - Definitions - Design Review Committee

Public hearing was opened by Chairman Lucas Hiler at 6:29 p.m., retracted and reopened at 7:03 p.m.

William Willingham, Planner II, presented on duties reassigned, UDC amendment have already been taken to Historic Landmark Commission (HLC) for recommended approval.

It is for recommended to approve UDC. Dissolve the Design Review Committee (DRC) has been dissolved and duties have been transferred to HLC and Planning and Zoning (P&Z). Roles have been reassigned. TX State Senate Bill SB 1883 background was presented.

Creative alternative role has been transferred to P&Z; sign variances and sign certificates HLC.

Adjustment of officer appointment is in alignment with resolution

2026-R30 that allows Chair and Vice Chair to be designated by Mayor. Steps of this process were presented to the Commission.

Chairman Lucas Hiler asked for examples and the opportunity to review education about creative alternatives. Willingham responded that the Planning Department can offer training to assist. Landscaping and parking minimums were given as examples in William's presentation.

Commissioner Susan Friar asked about sign approvals going to HLC. William responded that signs for a Certificate of Appropriateness (COA) and/or variance approvals will be voted on through HLC.

Commissioner Friar asked if there was a shortage of volunteers. Nathan Crane, Planning Director, responded that the City of Boerne Mayor reviewed requirements for the Commission Boards and by doing this, understood how to distribute the assignments.

Chairman Hiler closed the Public Hearing at 7:04 p.m.

Mr. Crane relayed updates regarding workshops for phase 1 of the UDC Amendments will be held at the August P&Z Meeting. Phase 2 sometime in the fall.

A MOTION WAS MADE BY COMMISSIONER BIRD, SECONDED BY COMMISSIONER TAYLOR TO APPROVE THE RECOMMENDATION TO CITY COUNCIL REGARDING THE PROPOSED AMENDMENT TO THE UNIFIED DEVELOPMENT CODE ADOPTED ON JANUARY 14, 2025, INCLUDING BUT NOT LIMITED TO:

- **CHAPTER 1 - HISTORIC LANDMARK COMMISSION, DESIGN REVIEW COMMITTEE, PLANNING AND ZONING COMMISSION**
- **CHAPTER 2 - DESIGN REVIEW COMMITTEE AND SIGN VARIANCES**
- **CHAPTER 3 - DESIGN REVIEW COMMITTEE AND CREATIVE ALTERNATIVES**
- **CHAPTER 9 - DESIGN REVIEW COMMITTEE**
- **APPENDIX A - DEFINITIONS - DESIGN REVIEW COMMITTEE. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

Yeah: 7 - Chairman Hiler, Secretary/Treasurer Cates, Commissioner Friar, Vice Chair Keller, Commissioner Bird, Commissioner Vecino, and Commissioner Taylor

[2026-297](#)**ELECTION OF SECRETARY FOR THE PLANNING AND ZONING COMMISSION**

Nomination was made for Commissioner Bob Cates, motion made by Commissioner Susan Friar, seconded by Commissioner Bill Bird.

Commissioner Cates has seven years experience.

A MOTION WAS MADE BY COMMISSIONER BOB CATES, SECONDED BY COMMISSIONER SUSAN FRIAR, TO APPROVE THE ELECTION OF SECRETARY FOR THE PLANNING AND ZONING COMMISSION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 7 - Chairman Hiler, Secretary/Treasurer Cates, Commissioner Friar, Vice Chair Keller, Commissioner Bird, Commissioner Vecino, and Commissioner Taylor

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

Nathan Crane, Planning Director, spoke on City of Boerne Commission Ethics and relayed information regarding the upcoming annual cyber security training and AI training.

He stated that deadline needs to be met, or participant will not be able to vote in future meetings.

The Texas APA Round Rock, TX conference is upcoming and geared towards planning and zoning. Chairman Hiler spoke about his past experience. Commissioner Bob Cates asked Mr. Crane about ethics section regarding conflict of interest.

Mr. Crane clarified the document needs to be signed and submitted to the recording secretary before the agenda item is presented at any meeting.

8. ADJOURNMENT

Chairman Lucas Hiler adjourned the meeting at 7:11 p.m.

Chairman

Executive Assistant



AGENDA ITEM SUMMARY

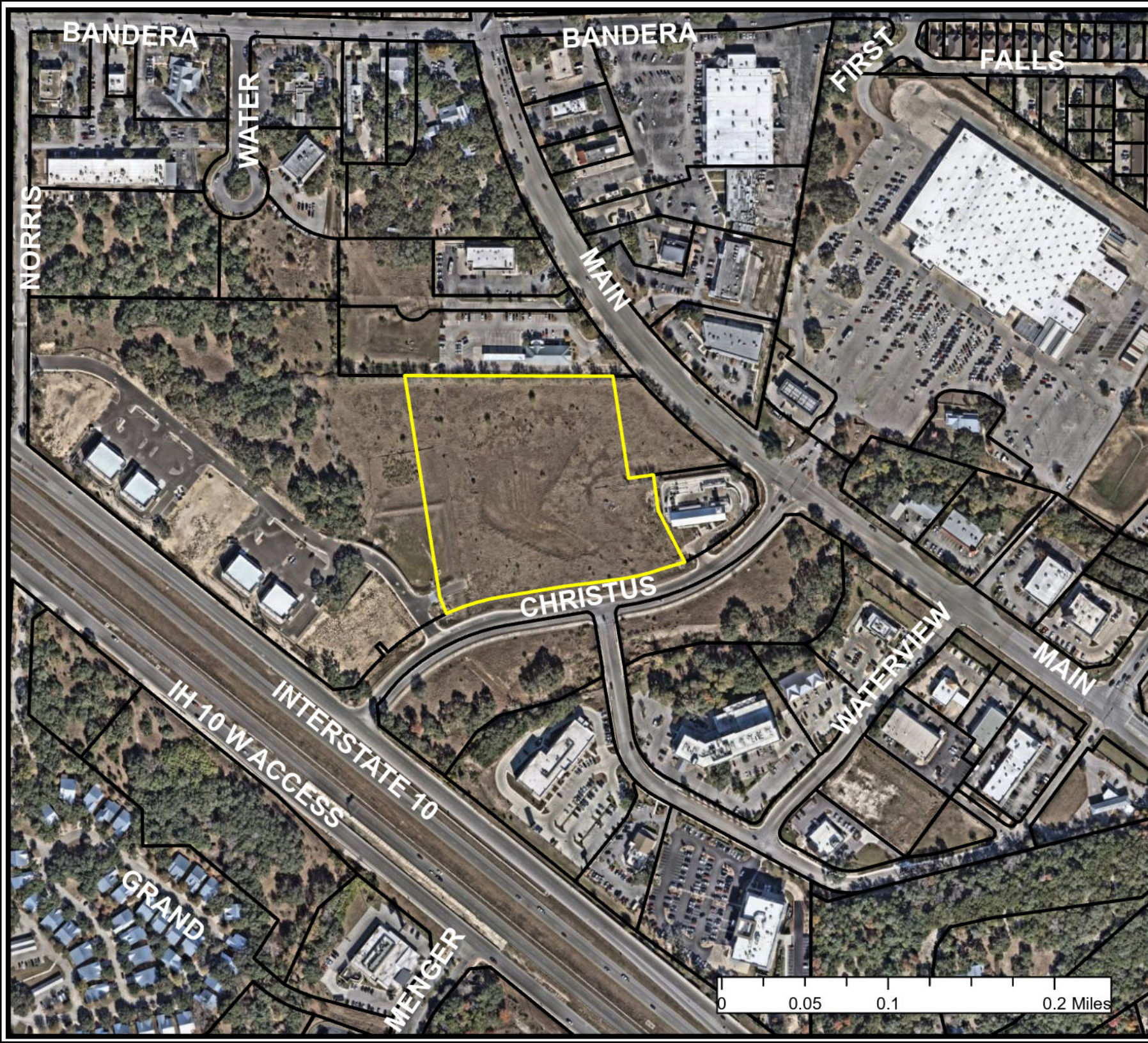
Agenda Date	August 3, 2026
Requested Action	CONSIDER A REQUEST FOR A VARIANCE TO CHAPTER 6, SECTION 6-2(B)(1)(A). LOT FRONTAGE REQUIREMENT, OF THE UNIFIED DEVELOPMENT CODE FOR A PROPERTY GENERALLY LOCATED AT CHRISTUS PARKWAY AND HERFF ROAD (KCAD 153703).
Contact Person	Benjamin Simmons – Planner I
Background Information	PRIOR REVIEW: The proposed variance for this property was presented to the Planning and Zoning Commission at the July 6, 2026, meeting. The Commission voted to table the item pending additional information. The information has been provided, and the item is being brought forward tonight for a determination on the proposed variance. BACKGROUND: This property is owned by Christus Santa Rosa Health Care Corporation, and the applicant is Pape-Dawson engineers. The subject property is recorded as Menger Place Subdivision Unit 1 Lot 2A (REPLAT) and is 7.762 acres. This property is within city limits and is generally located at Christus Parkway and Herff Road. This property is zoned C3 (Community Commercial) and is within the SoBo Hybrid Commercial Character Zone. This project was originally platted with the Menger Place Subdivision Unit 1 plat, which was recorded in 1998. This property was later part of an amending plat, Menger Place Subdivision Amending Plat of Lots 1-4, which was recorded in 2017. As currently platted, the subject property has direct frontage along Christus Parkway and access to South Main Street via a variable width access easement established with the plat in 2017. The applicant is proposing to replat the property into 4 lots with three having direct frontage along Christus Parkway and one having no right of way frontage. The parcel without right of way frontage will have access to

	South Main Street via the existing variable width access easement. The proposed driveway within the access easement will be approximately 200 feet to the nearest driveway to the north and approximately 600 feet to the intersection of Main Street and Christus Parkway. UDC Chapter 6 Section 6-2(B)(1)(A) requires that “All lots shall have frontage on a public right of way”, in the configuration proposed by the applicant, only three of the four parcels would have frontage along a public right of way via Christus Parkway. Parcel D would not have frontage on any public right of way. Instead, Parcel D would utilize an access easement to South Main Street. The proposed lack of frontage on a public right of way requires a subdivision variance from the Planning and Zoning Commission. VARIANCE REQUEST: 1. A request from Pape-Dawson engineers, on behalf of Christus Santa Rosa Health Care Corporation requesting a variance to the City of Boerne UDC, Chapter 6, Section 6-2(B)(1)(A), to allow for a lot to not have frontage along a public right of way for Menger Place Subdivision Unit 1 Lot 2A, a property generally located at Christus Parkway and Herff Road. ANALYSIS: • In February 2021, City Council adopted the UDC. The items pertaining to lot frontage were included and approved to improve safety, reduce congestion, and provide better access to developments within the city. • Although the current lot has frontage on Christus Parkway, a public right of way, the proposed layout of this replat will cause one parcel (Parcel D) to not have frontage along this right of way. Given this layout, the applicant is requesting a variance to allow for this parcel not to be required to have frontage along a public right of way and instead have access through an access easement. FINDING OF FACT – REQUIRED CONDITIONS: Per the Unified Development Code (UDC), the Planning and Zoning Commission may grant a variance when all five conditions are met. Each condition is presented below, along with staff’s analysis.
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	1. A literal enforcement of the provisions of the requirements will result in unnecessary hardship which does not include a financial hardship. UDC Section 6-2(B)(1)(A) states that “All lots shall have frontage on a public right of way”. This section is important because it helps to ensure that all lots have adequate access, which improves safety and prevents a parcel from becoming landlocked due to future developments. The proposed layout of the replat does not comply with this requirement. Literal enforcement would require the applicant to redesign the proposed layout of the replat. This change would still allow for development of the site just not in the configuration proposed by the applicant. This request does not clearly demonstrate that there is a hardship related to this development as there are other layouts that would allow compliance with this standard. The only hardship for this project is related to the applicants desired layout; enforcement of this standard would not create an unnecessary hardship for the property owner or the applicant. 2. Such variance will not authorize the operation of a use other than one which is specifically authorized for the district in which the subject property is located. This variance will not authorize any use other than the uses allowed in the C3 (Community Commercial) zoning district or SoBo (South Boerne) overlay district. 3. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not due to or the result of general conditions in the district in which the property is located. The variance must be a unique circumstance on the property. In this case there is no apparent unique circumstance, the need for a variance is directly related to the layout proposed by the applicant and how they desire to divide this property. There are other layouts that would allow the applicant to develop this property while complying with UDC standards.
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	4. The variance will not substantially weaken the general purposes of this ordinance or the regulations herein nor alter the essential character of the specific district. The frontage requirement is in place for several reasons, one of which being that all lots within the city have adequate access. While this lot will have access via South Main Street and Christus Parkway through access easements it will have no direct frontage on a public right of way. This could impact the ability of land to be developed in the future and negatively impact access to the site. 5. The variance will not adversely affect the public health, safety, or welfare. This variance will not negatively impact public health, safety, or welfare. If granted this variance, the applicant will still have to comply with all applicable access standards, building standards, and fire code standards which will ensure that the development will not adversely affect public health, safety, or welfare. RECOMMENDATION: The Planning and Zoning Commission should hold a public meeting and determine if the criteria for a variance have been met and approve or deny the variance request from Pape-Dawson on behalf of Christus Santa Rosa Health Care Corporation to the City of Boerne UDC, Chapter 6, Section 6-2(B)(1)(A), lot frontage requirement, for Menger Place Subdivision Unit 1 Lot 2A. If the Planning and Zoning Commission accepts the findings and chooses to recommend approval, staff recommends the inclusion of the following stipulation(s): 1. Prior to issuance of City construction release permit or commencement of construction, the applicant shall obtain a formal driveway permit from the Texas Department of Transportation (TxDOT) for any proposed access onto Main Street. 2. The project shall comply with all applicable standards, procedures, and requirements set forth in the City of Boerne Unified Development Code (UDC). 3. All site improvements, infrastructure, drainage, and access designs shall conform to the requirements of the City of Boerne Engineering Design Manual, subject to review and approval by
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	the City Engineer. MOTIONS FOR CONSIDERATION: The following motions are provided to assist the Commission’s decision. I move that the Planning and Zoning Commission accept the findings and APPROVE the variance request to Unified Development Code Chapter 6-2(B)(1)(A) to waive the requirement for lot frontage along a public right of way subject to the stipulations recommended by staff. OR I move that the Planning and Zoning Commission DENY the variance request to Unified Development Code Chapter 6-2(B)(1)(A) to waive the requirement for lot frontage along a public right of way based on the following findings: (The Commission will need to draft appropriate findings).
Strategic Alignment	N/A
Financial Considerations	N/A
Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	N/A
Supporting Documents	Attachment 1 – Ariel View Map Attachment 2 – Zoning Map Attachment 3 – Future Land Use Map Attachment 4 – Environmental Constraints Map Attachment 5 – Variance Application Attachment 6 – Proposed Site Plan Attachment 7 – Recorded Plat

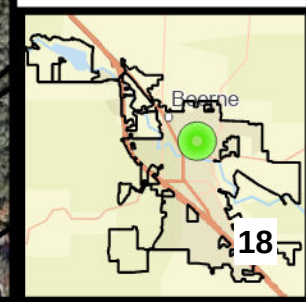
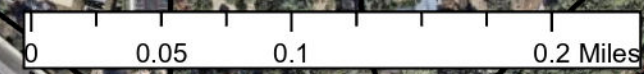


SUBJECT PROPERTY

Boerne Fitness Tract

Legend

-  Parcels
-  SUBJECT PROPERTY





SUBJECT PROPERTY Boerne Fitness Tract

Current Zoning
C3
SoBo Overlay

Legend

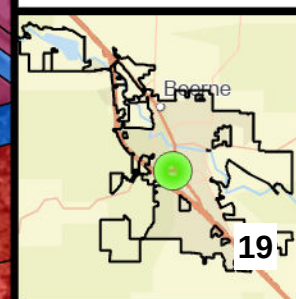
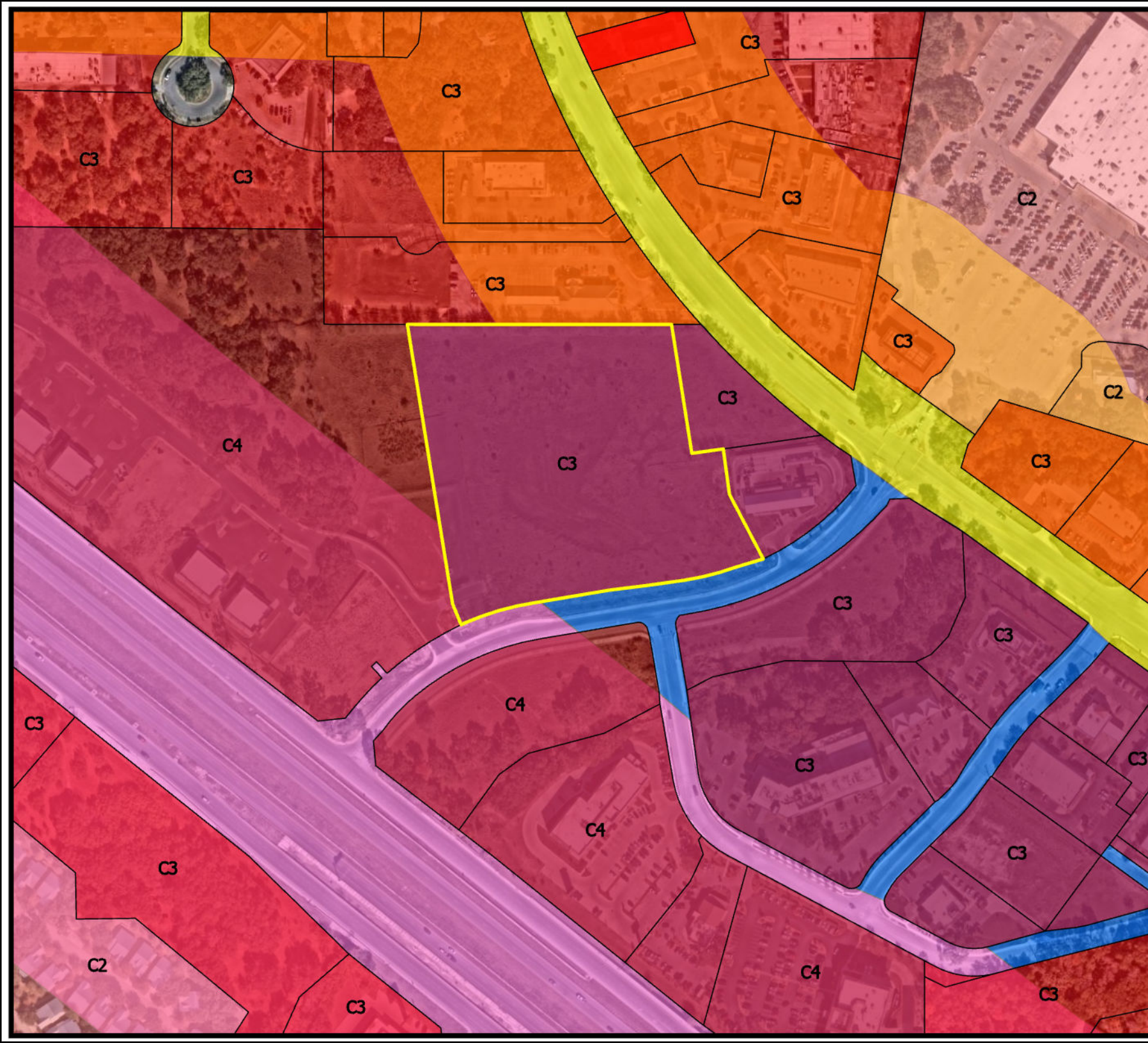
 SUBJECT PROPERTY

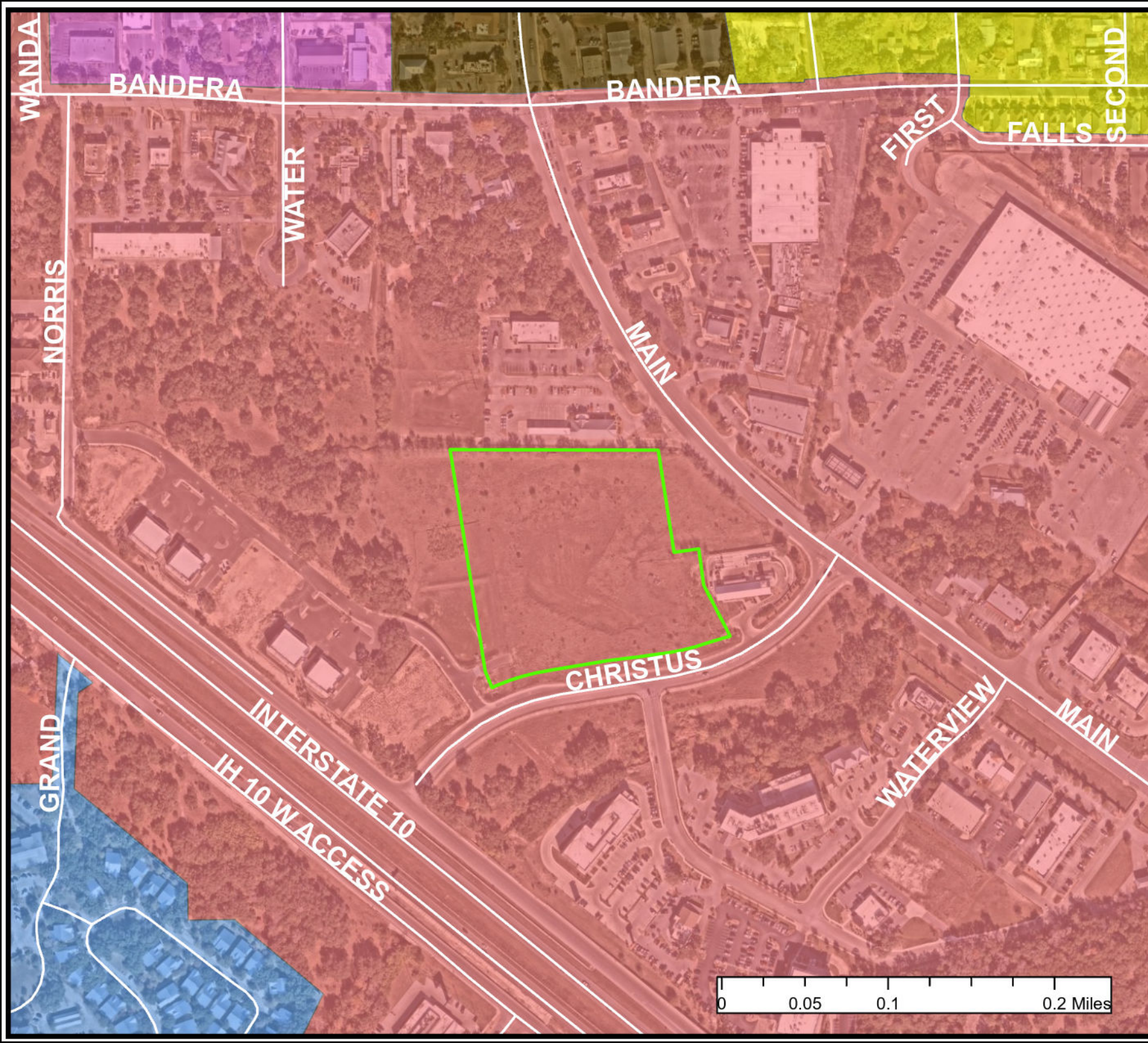
Boerne Zoning

-  C2
-  C3
-  C4

Overlay Districts

-  Entrance Corridor
-  Scenic Interstate Corridor
-  South Boerne (SoBo)



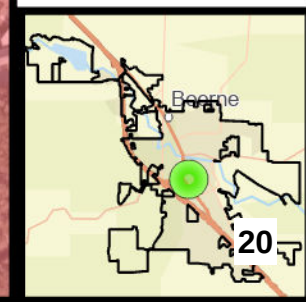
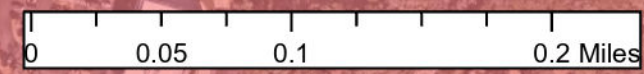


SUBJECT PROPERTY

Boerne Fitness Tract

Legend

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



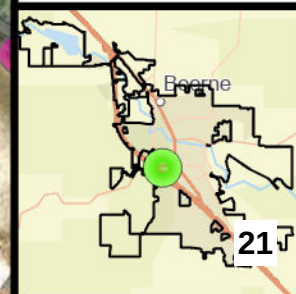
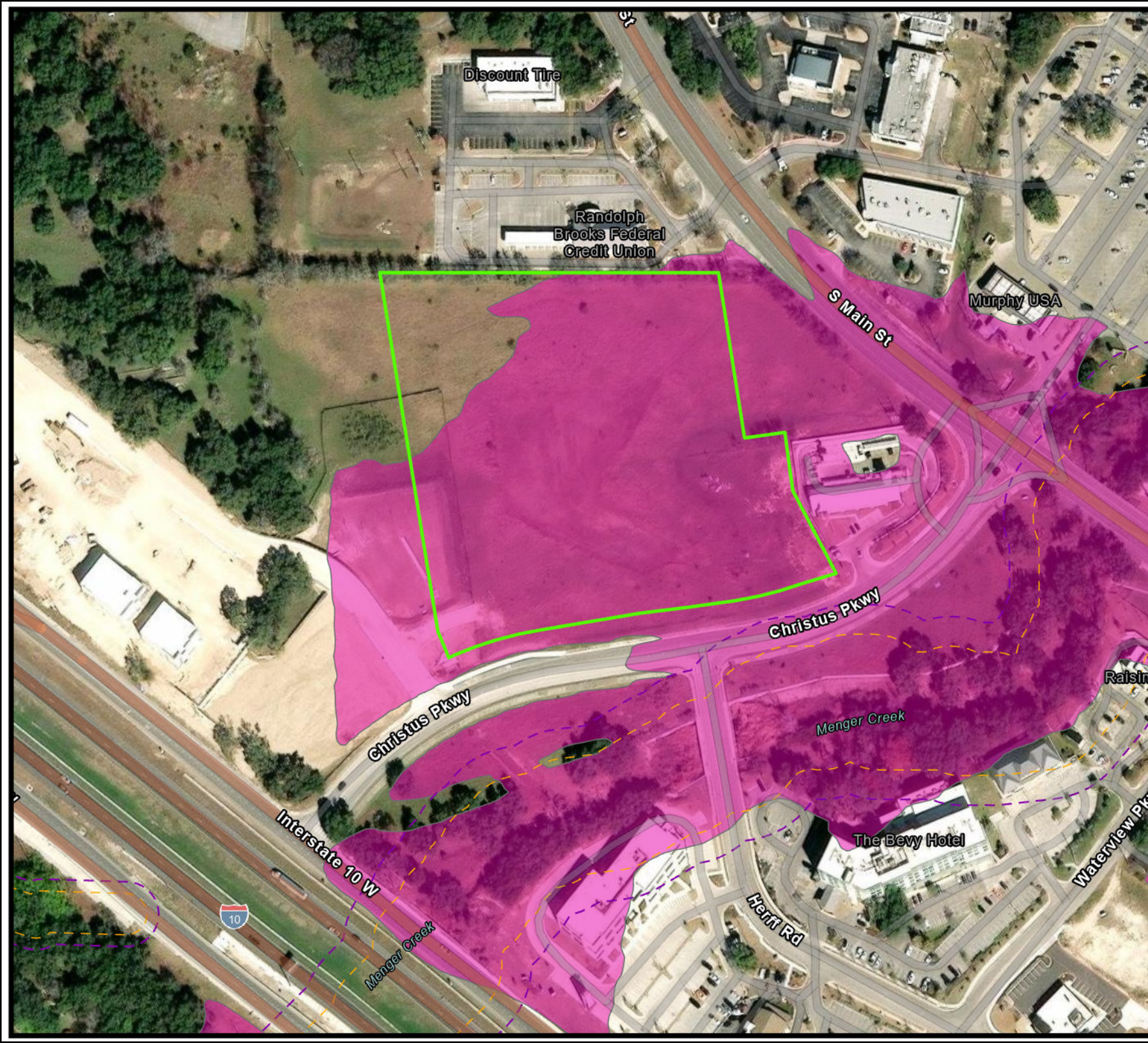


SUBJECT PROPERTY

Boerne Fitness Tract

Legend

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



**CITY OF BOERNE
PLANNING AND ZONING COMMISSION**

VARIANCE APPLICATION

Stacey Weichert, P.E.

APPLICANT: Vice President of Pape-Dawson **PHONE NO.** (210) 375-9000

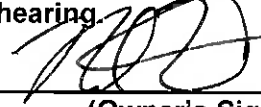
PROPERTY ADDRESS: (KCAD ID 153703) NWQ Christus Pkwy & Herff Rd, Boerne, TX 78006

LOT: 2A **BLOCK:** _____ **SUBDIVISION:** Menger Place Subdivision Unit 1 (Replat)

OWNER: Christus Santa Rosa Health Care Corporation **PHONE NO.** _____
(If different from Applicant)

MAILING ADDRESS FOR NOTIFICATION OF PENDING COMMISSION MEETING:
2000 NW Loop 410, San Antonio, TX 78213
Attn: Stacey Weichert

Owner is giving Pape-Dawson authority to represent him/her at the
hearing _____ (Applicant)

 Neal Ford 5-29-26
(Owner's Signature) System Dir Real Estate (Date)

1. Applicant is making a request from the Boerne Subdivision Ordinance
(Article & Section No. Chapter 6, Sec. 6-2(B)(1)(a))

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

2. Describe request:

Applicant respectfully requests a variance from current City of Boerne Subdivision Design lot line frontage requirement to allow for one (1) non-residential/commercial lot frontage along S Main Street on a shared access/utility easement provided at the front of the lot line which is allowed specifically only for Cottage developments.

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)

6/1/26
(Date)

June 1, 2026

Variance Request
c/o Planning & Community Development Staff
Planning and Zoning Commission
City of Boerne
447 N Main Street
Boerne, TX 78006

Re: Crunch Fitness – Boerne Tract (Menger Place Subdivision Lot 2A 7.762-acre Site)
Variance Request for UDC Chapter 6, Section 6-2(B)(1)(a)

Dear City of Boerne Planning and Zoning Commission:

This letter serves as a formal request for the consideration of a variance for the further subdivision of the 7.762-acre Crunch Fitness – Boerne Tract and proposed development as it relates to commercial lot frontage along a public right-of-way. The existing lot lines were established in 2017 for the subject site, which is also known as Lot 2A of the Menger Place Subdivision Amending Plat recorded in Volume 8, Page 370 of the Plat Records of Kendall County, Texas (ref. Attachment A). Lot 2A was established with direct frontage to the south along Christus Parkway, and frontage to the northeast along S Main Street (US Hwy 87) by way of a variable width access easement established concurrently with the 2017 amending plat.

We are writing to request a variance regarding UDC Chapter 6, Section 6-2(B)(1)(a) which in part reads:

B. Lot Lines

(1) Frontage.

(a) All lots shall have a frontage on a public right-of-way. Cottage developments may provide frontage on a shared access/utility easement provided at either the front or rear of the lot line.

The site is currently undeveloped land with Community Commercial (C3) zoning and is bordered by commercially zoned property to the west (C4), north and east (C3) within the Hybrid Commercial Character Zone of the City of Boerne SoBo Regulating Plan (ref. Attachment B). The SoBo district establishes parameters for development including architectural design, building materials, prohibitive signage, and specific setback requirements. More specifically, the Hybrid Commercial Character Zone focuses on auto-oriented development with an emphasis on linking regional destinations and utilizing cross-access driveways.

The amending plat establishing the variable width access easement on Lot 3A for the benefit of Lot 2A also includes TxDOT Note 3 which specifically allows for a single access driveway located at the most northern point from the existing traffic signal at S Main Street and Christus Parkway to be aligned across from the Menger Crossing Shopping Center.

As presented in Attachment C, the proposed replat layout further subdivides Lot 2A into four (4) lots with general orientation and width to depth ratios between 1:3 and 2:1 per UDC Section 6-2(B)(4). The layout in Attachment C proposes a single access point from Christus Parkway, as expressly required by the City Engineering and Mobility Staff during a Pre-Development Meeting on March 5, 2026. The proposed layout in Attachment C also includes a single access point on S Main Street (US Hwy 87) in accordance with the amending plat TxDOT Note 3 (ref. Attachment A) which follows the graphical representation of access in the SoBo Regulating Plan (ref. Attachment B).

We respectfully request that a variance be granted to allow for the proposed subdivision of Lot 2A with access as presented in Attachment C. If the owner complies strictly with the provisions of the lot line requirements in the UDC, there can be no development that includes out-parcel pads without requesting a variance from the previously mentioned UDC Section 6-2(B)(4) which restricts “piano key” or “flag lots”. Considering that there is an exception for Cottage developments in the UDC to count a shared access easement as frontage at the front lot line of the rear tract (Parcel D), that the plat included this easement with notes from TxDOT for the drive to serve the development specifically as proposed in Attachment C, and that the SoBo Regulating Plan depicts this same proposed access point, we submit this request as a reasonable variance for the proposed commercial subdivision that is in harmony with the existing entitlements to date. Furthermore, this hardship is unique to the land rather than personal circumstance and is not the result of the owner’s own actions.

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.

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?

The property is relatively flat with slopes typical of the surrounding area. There are no exposed rock outcroppings, atypical mounds/depressions, or notable elevation changes. The site resembles other commercial lots other than the fact that the lot is restricted to one access point from Christus Parkway at Herff Road. This lot extends deep from Christus Parkway without direct frontage for access at S Main Street (US Hwy 87), which is not typical for other larger commercial tracts which require secondary access for fire protection and peak hour traffic mitigation. It’s reasonable to assume the platted variable width easement and TxDOT note on the recorded 2017 amending plat represent an intent for access to the subject site from the rear, which supports the current variance request.

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?

Yes, the need for secondary access is typical for large commercial developments to provide fire protection and peak hour traffic mitigation. The current layout for Lot 2A can only support one type of commercial development and does not allow the owner to develop the property as proposed and in conformance to UDC regulations unless the owner purchases Lot 3A, which is an undue hardship and beyond the control of the subdivider.

Is the deviation minimal from the required standard necessary to allow a more appropriate design?

Yes, as discussed above, the intent for access from S Main Street (US Hwy 87) to the subject site has been documented in the 2017 amending plat as well as the SoBo Regulating Plan. There is currently an allowance for one type of development to count an access easement as frontage along a public right-of-way, so the requested variance is minimal from alternate layout options and is in harmony with the intent of existing entitlements.

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

No, since the proposed variance is related to lot frontage and access will be provided, there is no anticipated negative impact or inability to meet every other UDC standard the proposed commercial development is required to follow.

Demonstrate that the required standard is inapplicable to the specific site, so that the proposed plat equally or better meets 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.***

As mentioned herein, the site does fall within the Hybrid Commercial Character Zone of the City of Boerne SoBo Regulating Plan (ref. Attachment B). The goals and policies of the SoBo Hybrid Commercial Character Zone are to promote auto-oriented commercial development with an emphasis on cross-access driveways and linking regional destinations. The intent of the standards is to provide primary and secondary circulation routes as depicted in the SoBo Regulating Plan with specific notes in the UDC that the general location of intersections and connectivity of the circulation shall not change. The proposed subdivision with access points shown in Attachment C conforms to the SoBo circulation paths and satisfies the general intent of the SoBo Regulating Plan, as it relates to decreasing queuing on arterial/collectors by allowing for internal site circulation and connectivity from Christus Parkway to S Main Street (US Hwy 87). Furthermore, if the variance is granted, the proposed development will follow all other City of Boerne UDC and Engineering Design Manual requirements.

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

No, on the contrary: since the site is surrounded by master-planned property to the west and existing commercial development to the north, the proposed variance will not have an impact to those adjacent properties. The further subdivision of Lot 2A as shown in Attachment C will complete the planned connectivity to Lots 1A & 3A presented in the 2017 amending plat and provide for secondary access and internal circulation in conformance with the ultimate development depicted in the SoBo Regulating Plan.

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?

As previously noted, the site is currently zoned C3 within the Hybrid Commercial Character Zone of the SoBo Overlay District and future development is subject to the development regulations of the City of Boerne UDC and Engineering and Design Manual regardless of the variance approval. The variance will not negatively impact efficient development of the land and surrounding areas since the proposed subdivision and layout is in harmony with the intent of the overlay and depictions within the SoBo Regulating Plan.

Will the variance adversely impact the general health, safety, and welfare of the public?

No, considering the intent for access at this location has been documented in the existing entitlements for approximately ten years or more, access and addressing to the proposed subdivided Parcel D will be from S Main Street (US Hwy 87) which will provide additional connectivity from major City of Boerne thoroughfares, keep larger parking areas further from Christus Parkway, and support the planned connectivity and internal circulation shown in the SoBo Regulating Plan. This variance will allow for the proposed hybrid commercial development intended in the SoBo overlay as shown in Attachment C and will promote economic development instead of limiting the site to a single large lot without any outparcels. The approval of the variance, which will allow the proposed development to proceed, outweighs the current restriction on further subdivision which limits this tract to a very specific commercial product.

In my professional opinion, the proposed variance request remains in harmony with the spirit and intent of the UDC, and will not adversely affect the health, safety, or welfare of the public.

Thank you for your consideration, and if you have any questions or require additional information, please do not hesitate to contact our office at your earliest convenience.

Sincerely,
Pape-Dawson Consulting Engineers, LLC



Stacey Weichert, P.E.
Vice President

Attachments

- Attachment A – Menger Place Subdivision Amending Plat (Vol. 8, Pg. 370, PR) (Sep. 2017)
- Attachment B – City of Boerne SoBo Regulating Plan (Nov. 2016)
- Attachment C – Proposed Subdivision Layout

P:\141\48\00\1_ADMIN\14_APPLICATIONS\141_DRAFT\VARIANCE\260528 BOERNE P&Z VARIANCE.DOCX

ATTACHMENTS

ATTACHMENT A
Menger Place Subdivision
Amending Plat
(Vol. 8, Pgs. 370-372, PR)

STATE OF TEXAS
COUNTY OF KENDALL

Origins Filed
Darlene Hermin
COUNTY CLERK OF SAID COUNTY,
DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE
DAY OF *Sept*, A.D. *2017* AT *3:55 P.M.* AND DULY RECORDED
THE *Gen* DAY OF *Sept*, A.D. *2017* AT *3:55 P.M.* IN THE RECORDS OF
OF SAID COUNTY,
IN BOOK VOLUME *8* ON PAGE *375-376*

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS
DAY OF *September*, A.D. *2017*
Darlene Hermin
COUNTY CLERK, KENDALL COUNTY, TEXAS
BY: *Paula J. Jagger*, DEPUTY

STATE OF TEXAS
COUNTY OF KENDALL

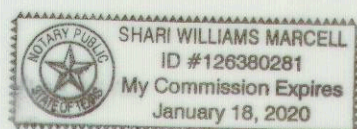
THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY
AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED
AS PRIVATE, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS,
EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION
THEREIN EXPRESSED.

JKRK LIMITED PARTNERSHIP LP
1376 S. MAIN ST
BOERNE, TEXAS 78006

OWNER, LOT 1A
John B. Fode
John B. Fode, Pres.
DULY AUTHORIZED AGENT

STATE OF TEXAS
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED
John B. Fode, KNOWN TO ME TO BE THE PERSON WHOSE
NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO
ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS
THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS *25th* DAY OF *August*
A.D. *2017*.



Shari H. Marcell
NOTARY PUBLIC
KENDALL COUNTY, TEXAS

TXDOT NOTES:

- (1) FOR DEVELOPMENTS DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER AND/OR LANDOWNER SHALL BE RESPONSIBLE FOR ADEQUATE SETBACK AND/OR SOUND ABATEMENT MEASURES FOR PRESENT AND/OR FUTURE NOISE MITIGATION.
- (2) THE DEVELOPER AND/OR THE LANDOWNER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO THE DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT-OF-WAY.
- (3) INTERSECTION AND/OR DRIVEWAY ACCESS TO THE STATE HIGHWAY WILL BE REGULATED AS DIRECTED BY THE CURRENT EDITION OF THE TXDOT ACCESS MANAGEMENT MANUAL. A SINGLE ACCESS DRIVEWAY WILL BE GRANTED TO THIS DEVELOPMENT LOCATED ON US 87 BUS. AT THE MOST NORTHERN POINT FROM THE EXISTING TRAFFIC SIGNAL (CHRISTUS PARKWAY). THE PROPOSED DRIVEWAY IS ACROSS FROM AN EXISTING DRIVEWAY TO THE MENDER CROSSING SHOPPING CENTER. ANY EXISTING CURB CUTS ALONG US 87 BUS. ARE TO BE CLOSED AND VERTICAL CONCRETE CURB AND SIDEWALK INSTALLED PER TXDOT DESIGN SPECIFICATIONS.
- (4) IF SIDEWALKS ARE REQUIRED BY TXDOT OR THE APPROPRIATE CITY ORDINANCE, THE LOCATION, THE DESIGN, AND SPECIFICATIONS SHALL ADHERE TO TXDOT REQUIREMENTS WHEN PERMITTED IN TXDOT RIGHT-OF-WAY. A TDLR INSPECTION REPORT WILL BE REQUIRED.
- (5) TXDOT WILL USE THE CURRENT EDITIONS OF THE APPROPRIATE MANUALS WHEN ISSUING PERMITS, TYPICAL MANUALS, USED, BUT NOT LIMITED TO ARE: TXDOT ACCESS MANAGEMENT MANUAL, SAN ANTONIO DISTRICT DRIVEWAY, SIDEWALK, LANDSCAPING, AND DRAINAGE PERMIT PACKAGE, TXDOT ROADWAY DESIGN MANUAL, TXDOT HYDRAULIC MANUAL, TXDOT CONSTRUCTION SPECIFICATIONS, AND TXDOT STANDARD SHEETS WHEN THE SITE DEVELOPS.

PLAT NOTES:

FENCE NOTES:
GATES ACROSS EASEMENT: DOUBLE SWING GATES SHALL BE INSTALLED WHEREVER FENCES CROSS UTILITY AND DRAINAGE EASEMENTS.

OBSTRUCTIONS OF DRAINAGE: ADEQUATE STRUCTURES SHALL BE PROVIDED TO ALLOW THE UNHINDERED PASSAGE OF ALL STORM AND DRAINAGE FLOWS WHEREVER FENCES CROSS DRAINAGE EASEMENTS.

SIDEWALK NOTES:
FIVE-FOOT WIDE REINFORCED CONCRETE SIDEWALKS (INCLUDING CURB RAMPS) SHALL BE INSTALLED IN THE SIDEWALK EASEMENT WHERE PROVIDED, OR ADJACENT TO CURBS WHERE NO SIDEWALK EASEMENT IS PROVIDED, OF EACH LOT FRONTING A PUBLIC STREET AT SUCH TIME AS THAT LOT IS DEVELOPED.

SIX-FOOT WIDE REINFORCED CONCRETE SIDEWALKS (INCLUDING CURB RAMPS) SHALL BE INSTALLED IN THE SIDEWALK EASEMENT WHERE PROVIDED, OR ADJACENT TO CURBS WHERE NO SIDEWALK EASEMENT IS PROVIDED, OF EACH LOT TO BE INSTALLED ALONG U.S. 87, INTERSTATE 10, AND THE NORTH SIDE OF THE PROPOSED COLLECTOR ROAD.

TEN-FOOT WIDE REINFORCED CONCRETE SIDEWALKS (INCLUDING CURB RAMPS) SHALL BE INSTALLED ON THE PROPERTY LINE OF EACH LOT ALONG THE SOUTH SIDE OF THE PROPOSED COLLECTOR ROAD.

TAX CERTIFICATE:
TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN VOLUME *598*, PAGE *58*, KENDALL COUNTY OFFICIAL RECORDS.
63

EASEMENT NOTES:

ALL PROPERTIES DESIGNATED AS EASEMENTS SHALL OR MAY BE UTILIZED FOR THE FOLLOWING PURPOSES:

DRAINAGE EASEMENT:

DRAINAGE, WATER DIVERSION, AND SANITARY CONTROL, INCLUDING WITHOUT LIMITATION, WALLS, BED, EMBANKMENTS, SPILLWAYS, APPURTENANCES, AND OTHER ENGINEERED DEVICES (THE "DRAINAGE SYSTEM").

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER THE ADJACENT LAND TO OR FROM THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE DRAINAGE SYSTEM; THE RIGHT TO CHANGE THE SIZE THEREOF; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE DRAINAGE SYSTEM; THE RIGHT TO CREATE AND/OR DREDGE A STREAM COURSE, REFILL, OR DIG OUT SUCH STREAM COURSE, ESTABLISH OR CHANGE STREAM EMBANKMENTS WITHIN THE EASEMENT, INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER GAPS, AND PROTECTING RAILS; 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 DRAINAGE SYSTEM; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE DRAINAGE SYSTEM.

WITH RESPECT TO THE DRAINAGE SYSTEM, IT IS EXPRESSLY AGREED AND UNDERSTOOD BY ALL PARTIES HERETO, THAT THE INTENTION IS TO IMPROVE CONDITIONS OF SANITATION AND WATER DRAINAGE CONTROL ON THE PROPERTY FOR THE BENEFIT OF THE PROPERTY, ADJACENT PROPERTY, AND THE COMMUNITY, BUT THE CITY DOES NOT GUARANTEE THAT SUCH CONTROL WORK WILL BE EFFECTIVE, NOR DOES THE CITY ASSUME ANY ADDITIONAL LIABILITY WHATSOEVER FOR THE EFFECTS OF FLOOD, STANDING WATER, OR DRAINAGE ON OR TO THE PROPERTY, OR ANY OTHER PROPERTY OR PERSONS THAT MIGHT BE AFFECTED BY SAID STREAM, WASH, OR GULLY IN ITS NATURAL STATE OR AS CHANGED BY THE CITY.

MENDER PLACE SUBDIVISION

AMENDING PLAT OF LOTS 1-4 CREATING LOTS 1A, 2A, 3A & 4A (ADMINISTRATIVELY APPROVED)

BEING A 29.693 ACRE TRACT OF LAND LOCATED IN THE J. SMALL SURVEY NO. 183, ABSTRACT NO. 441, KENDALL COUNTY, TEXAS, AND BEING LOTS 1, 2, 3, & 4, REPLAT OF MENDER PLACE SUBDIVISION, RECORDED IN VOLUME 6, PAGES 152-154, PLAT RECORDS OF KENDALL COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF KENDALL

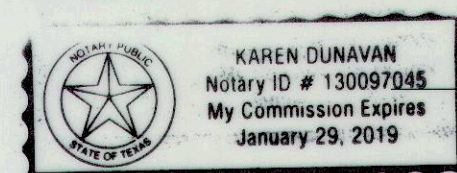
THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY
AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED
AS PRIVATE, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS,
EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION
THEREIN EXPRESSED.

CHRISTUS HEALTH
6363 N. HWY 161
IRVING, TEXAS 75038

OWNER, LOTS 2A, 3A & 4A
Dean Alexander
Dean Alexander, President/CEO
DULY AUTHORIZED AGENT

STATE OF TEXAS
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED
Dean M. Alexander, KNOWN TO ME TO BE THE PERSON WHOSE
NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO
ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS
THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS *29th* DAY OF *August*
A.D. *2017*.



Karen Dunavan
NOTARY PUBLIC
KENDALL COUNTY, TEXAS

APPROVAL OF THE PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT AS FOLLOWS:

THIS MENDER PLACE SUBDIVISION AMENDING PLAT OF LOTS 1-4
CREATING LOTS 1A, 2A, 3A & 4A HAS BEEN SUBMITTED TO AND
CONSIDERED BY THE PLANNING AND COMMUNITY DEVELOPMENT
DEPARTMENT OF THE CITY OF BOERNE, TEXAS, AND IS HEREBY
APPROVED BY SUCH DEPARTMENT.

DATED THIS *5th* DAY
OF *September*, A.D., 20*17*.

BY: *Laura H. Talley*
LAURA H. TALLEY
PLANNING AND COMMUNITY
DEVELOPMENT DIRECTOR

TREE PRESERVATION NOTES:

1. ALL EXISTING TREES DENOTED ON THIS PLAN TO BE PRESERVED AS SHOWN AND PROTECTED AT THE ROOT PROTECTION ZONE (RPZ). THE RPZ SHALL BE DETERMINED BY TREE SIZE (RECOMMENDED 12" [1.0'] RADIUS FROM TRUNK FOR EVERY 1" DIAMETER OF TRUNK AT 4.5' FROM GROUND) WITH A MINIMUM 5' DIAMETER FROM THE TRUNK.
2. A (CHAINLINK OR ORANGE MESH FENCE) BARRIER AROUND THE RPZ SHALL BE ERECTED AND MAINTAINED UNTIL CONSTRUCTION IS COMPLETED.
3. RPZ SHALL BE SUSTAINED IN A NATURAL STATE AND SHALL BE FREE FROM VEHICULAR OR MECHANICAL TRAFFIC; NO FILL, EQUIPMENT, LIQUIDS, OR CONSTRUCTION DEBRIS SHALL BE PLACED INSIDE THE PROTECTIVE BARRIER.
4. THE RPZ SHALL BE COVERED WITH 6" OF COARSE MULCH TO REDUCE MOISTURE STRESS.
5. ANY DAMAGE DONE TO EXISTING TREE CROWNS OR ROOT SYSTEMS SHALL BE REPAIRED IMMEDIATELY. ALL WOUNDS TO LIVE OAKS WILL BE PAINTED WITH PRUNING PAINT WITHIN 30 MINUTES AFTER DAMAGE. ROOTS EXPOSED DURING CONSTRUCTION OPERATIONS WILL BE CUT CLEANLY.
6. THE PROPOSED FINISHED GRADE AND ELEVATION OF LAND WITHIN THE ROOT PROTECTION ZONE OF ANY TREE TO BE PRESERVED SHALL NOT BE RAISED OR LOWERED MORE THAN 3". WELLING AND RETAINING METHODS ARE ALLOWED OUTSIDE THE RPZ.
7. THE RPZ SHALL REMAIN PERVIOUS, I.E. GROUND COVER OR TURF AT COMPLETION OF LANDSCAPE DESIGN.

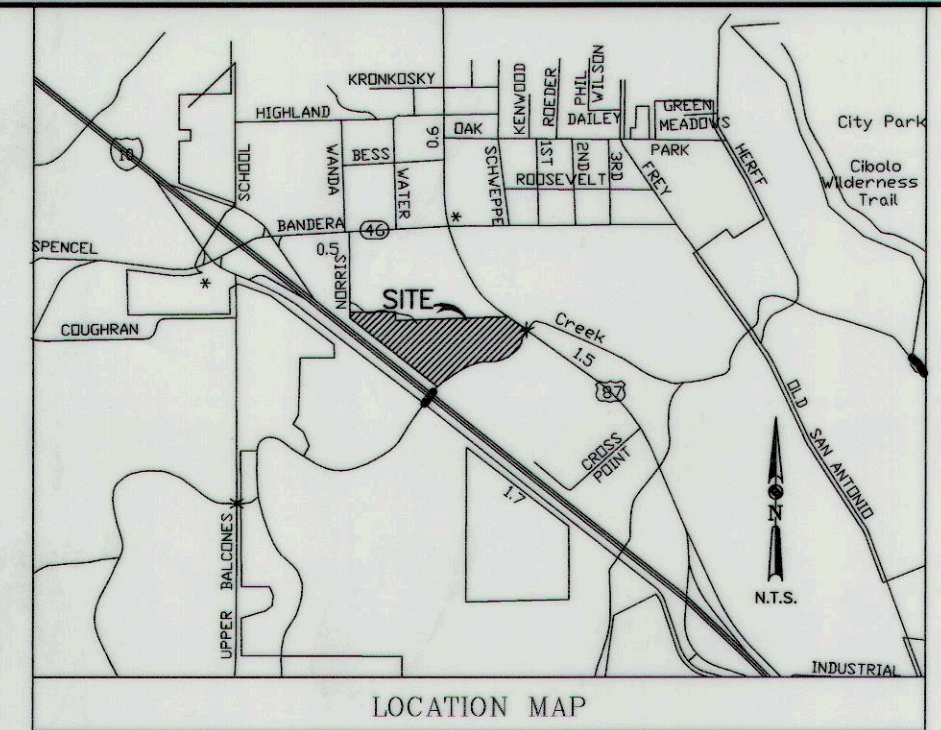
UTILITY EASEMENT (P.U.E.):

UTILITIES, INCLUDING, WITHOUT LIMITATION, SEWER, WATER, GAS, ELECTRICITY, TELEPHONE AND CABLE TELEVISION, WITH ALL NECESSARY AND/OR DESIRABLE LINES, LATERALS AND/OR APPURTENANCES THERETO (THE "UTILITIES").

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER THE ADJACENT LAND TO OR FROM 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 THEREOF; 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 OR OPERATION OF THE UTILITIES; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE UTILITIES.

1. THE PROPERTY OWNER RETAINS 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 USE OF THE EASEMENT. HOWEVER, THE EASEMENT SHALL BE KEPT CLEAR OF ALL STRUCTURES OR OTHER IMPROVEMENTS.
2. THE CITY SHALL MAKE COMMERCIAL REASONABLE EFFORTS TO ENSURE THE DAMAGE TO THE PROPERTY IS MINIMIZED AND THE CITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE SYSTEM, 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 CITY'S USUAL AND CUSTOMARY PRACTICES.

Doc # 00314886 Vol 8 Pg 370



IMPACT FEE ASSESSMENT

ASSESSMENT AND COLLECTION OF THE CITY OF BOERNE WATER AND WASTEWATER UTILITIES' CAPITAL RECOVERY FEES SHALL BE THE AMOUNT PER LOT AS SET FORTH IN CITY ORDINANCE NO. 2006-27, SECTION 1.10E.

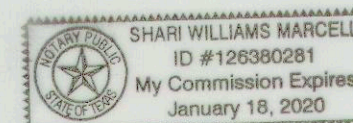
STATE OF TEXAS
COUNTY OF KENDALL

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN
THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT. TO THE
BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE
SUBDIVISION REGULATION, EXCEPT FOR THOSE VARIANCES GRANTED BY THE
PLANNING COMMISSION.

Kenneth B. Kolacny
KENNETH B. KOLACNY
LICENSED PROFESSIONAL ENGINEER #86300

STATE OF TEXAS
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED
Kenneth B. Kolacny, KNOWN TO ME TO BE THE PERSON WHOSE
NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO
ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS
THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS *23rd* DAY OF *August*
A.D. *2017*.



Shari H. Marcell
NOTARY PUBLIC
KENDALL COUNTY, TEXAS

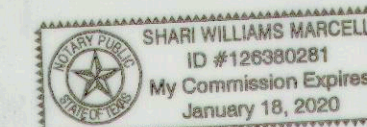
STATE OF TEXAS
COUNTY OF KENDALL

I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL
SURVEY MADE ON THE GROUND.

Jeff Boerner
JEFF BOERNER
REGISTERED PROFESSIONAL LAND SURVEYOR #4939
MATKIN-HOOVER LAND SURVEYING
8 SPENCER RD SUITE 200
BOERNE, TEXAS 78006 (830) 249-0600

STATE OF TEXAS
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED
Jeff Boerner, KNOWN TO ME TO BE THE PERSON WHOSE
NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO
ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS
THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS *21st* DAY OF *August*
A.D. *2017*.



Shari H. Marcell
NOTARY PUBLIC
KENDALL COUNTY, TEXAS

DATE PREPARED: JUNE 2017

MATKIN-HOOVER
ENGINEERING
& SURVEYING

8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: 830.249.0600
CONTACT@MATKIN-HOOVER.COM

3303 SHELL ROAD SUITE 100
GEORGETOWN, TEXAS 78628
OFFICE: 512.868.2244

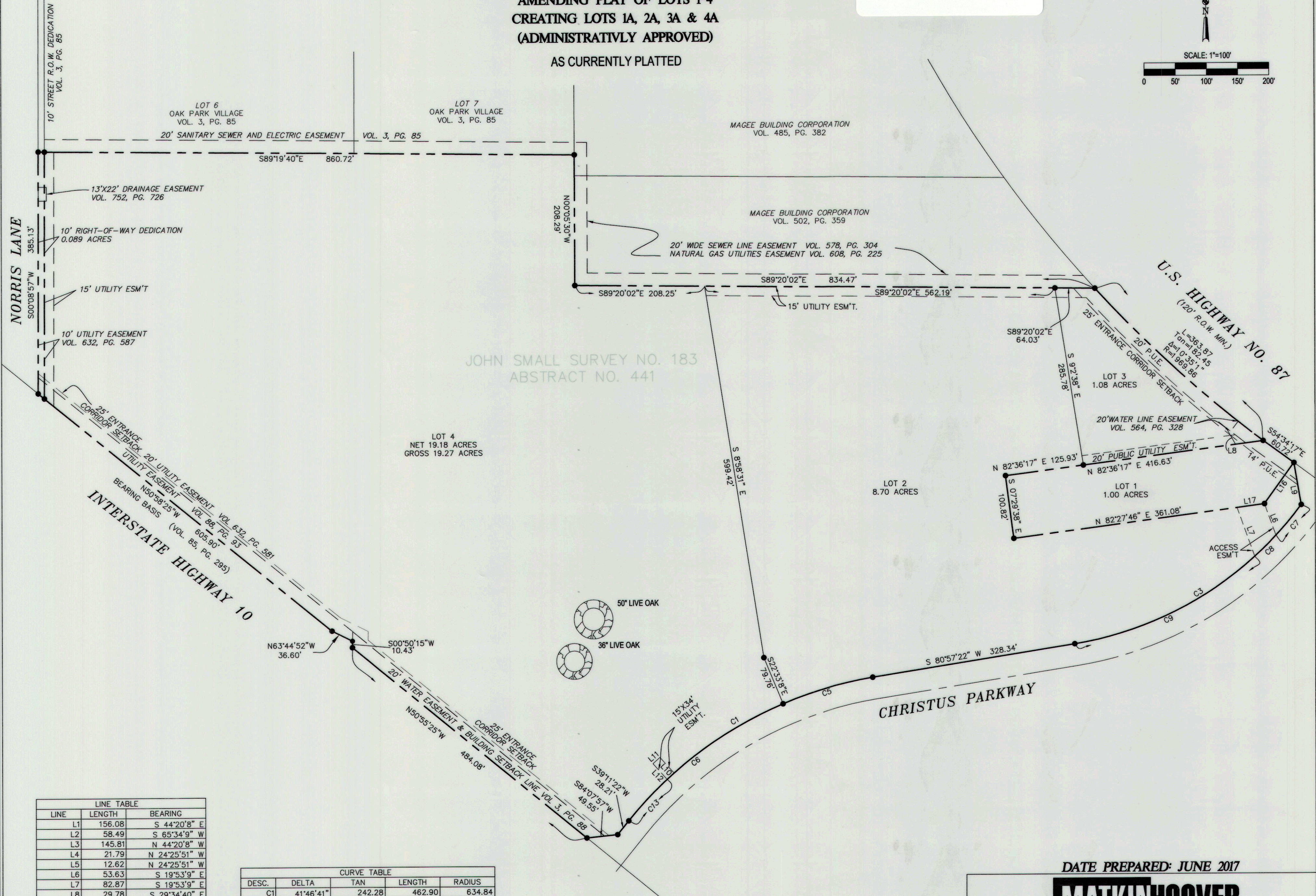
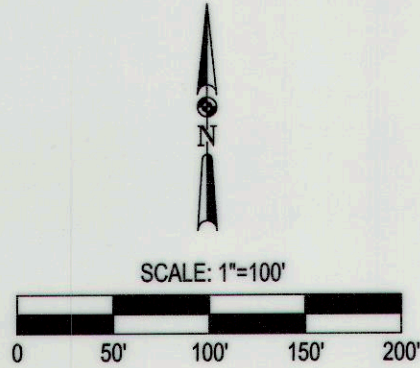
TEXAS REGISTERED ENGINEERING FIRM F-004512 SURVEYING FIRM F-10024000

MENGER PLACE SUBDIVISION

AMENDING PLAT OF LOTS 1-4
CREATING LOTS 1A, 2A, 3A & 4A
(ADMINISTRATIVLY APPROVED)

AS CURRENTLY PLATTED

Doc # 00314886 Vol 8 Pg 371



LINE TABLE		
LINE	LENGTH	BEARING
L1	156.08	S 44°20'8" E
L2	58.49	S 65°34'9" W
L3	145.81	N 44°20'8" W
L4	21.79	N 24°25'51" W
L5	12.62	N 24°25'51" W
L6	53.63	S 19°53'9" E
L7	82.87	S 19°53'9" E
L8	29.78	S 29°34'40" E
L9	67.93	S 9°47'55" E
L10	33.82	N 41°59'22" W
L11	15.00	S 48°0'38" W
L12	33.82	S 41°59'22" E
L16	80.68	S 36°05'27" W
L17	44.39	S 82°27'46" W
L19	162.74	N 53°43'19" W

CURVE TABLE				
DESC.	DELTA	TAN	LENGTH	RADIUS
C1	41°46'41"	242.28	462.90	634.84
C3	44°11'26"	229.37	435.77	565.00
C5	13°32'54"	75.48	150.25	635.43
C6	28°11'43"	159.55	312.64	635.32
C7	6°26'55"	31.83	63.59	565.00
C8	4°50'1"	23.85	47.66	565.00
C9	32°54'31"	166.87	324.51	565.00
C13	8°7'29"	45.21	90.26	636.52

DATE PREPARED: JUNE 2017

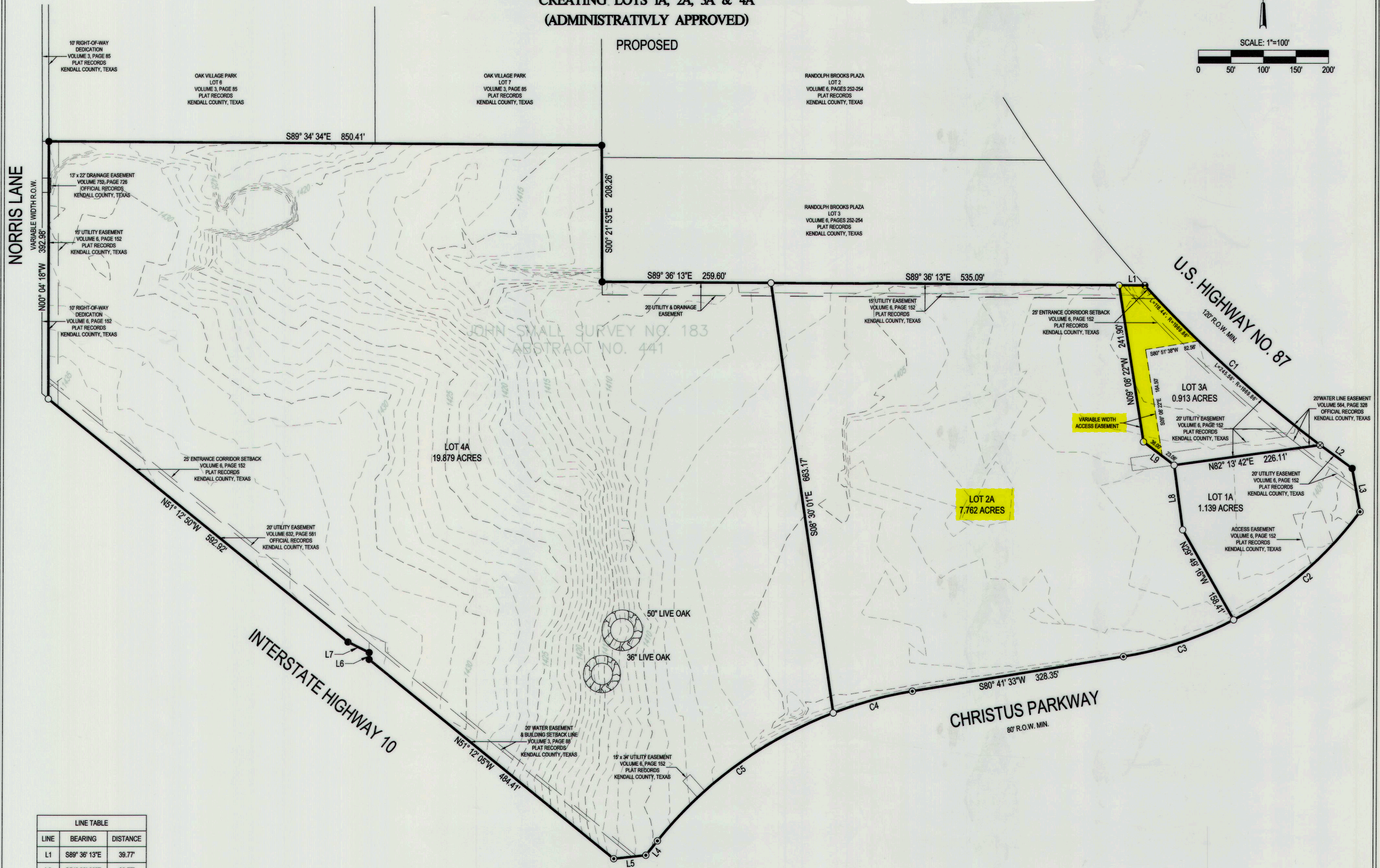
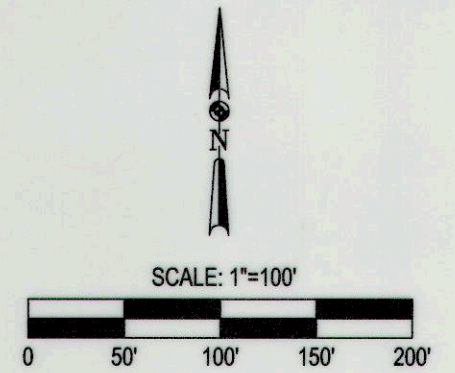
MATKINHOOPER
ENGINEERING
& SURVEYING

8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: 830.249.0600
CONTACT@MATKINHOOPER.COM
3303 SHELL ROAD SUITE 100
GEORGETOWN, TEXAS 78628
OFFICE: 312.868.2244
TEXAS REGISTERED ENGINEERING FIRM F-004512 SURVEYING FIRM F-10024000

MENGER PLACE SUBDIVISION

AMENDING PLAT OF LOTS 1-4
CREATING LOTS 1A, 2A, 3A & 4A
(ADMINISTRATIVLY APPROVED)

Doc # 00314886 Vol 8 Pg 372



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S89° 36' 13"E	39.77'
L2	S54° 39' 00"E	60.77'
L3	S10° 30' 41"E	67.24'
L4	S38° 55' 01"W	28.23'
L5	S83° 53' 03"W	49.53'
L6	N00° 04' 55"E	10.49'
L7	N63° 40' 20"W	36.50'
L8	N07° 45' 13"W	99.42'
L9	N63° 07' 25"W	59.06'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	1969.86'	363.99'	10°35'14"	S47° 57' 25"E	363.48'
C2	565.00'	256.80'	26°02'29"	S49° 31' 47"W	254.59'
C3	565.00'	178.86'	18°08'17"	S71° 37' 10"W	178.11'
C4	635.00'	126.37'	11°24'08"	S74° 58' 36"W	126.16'
C5	635.00'	336.61'	30°22'20"	S54° 05' 22"W	332.68'

DATE PREPARED: JUNE 2017

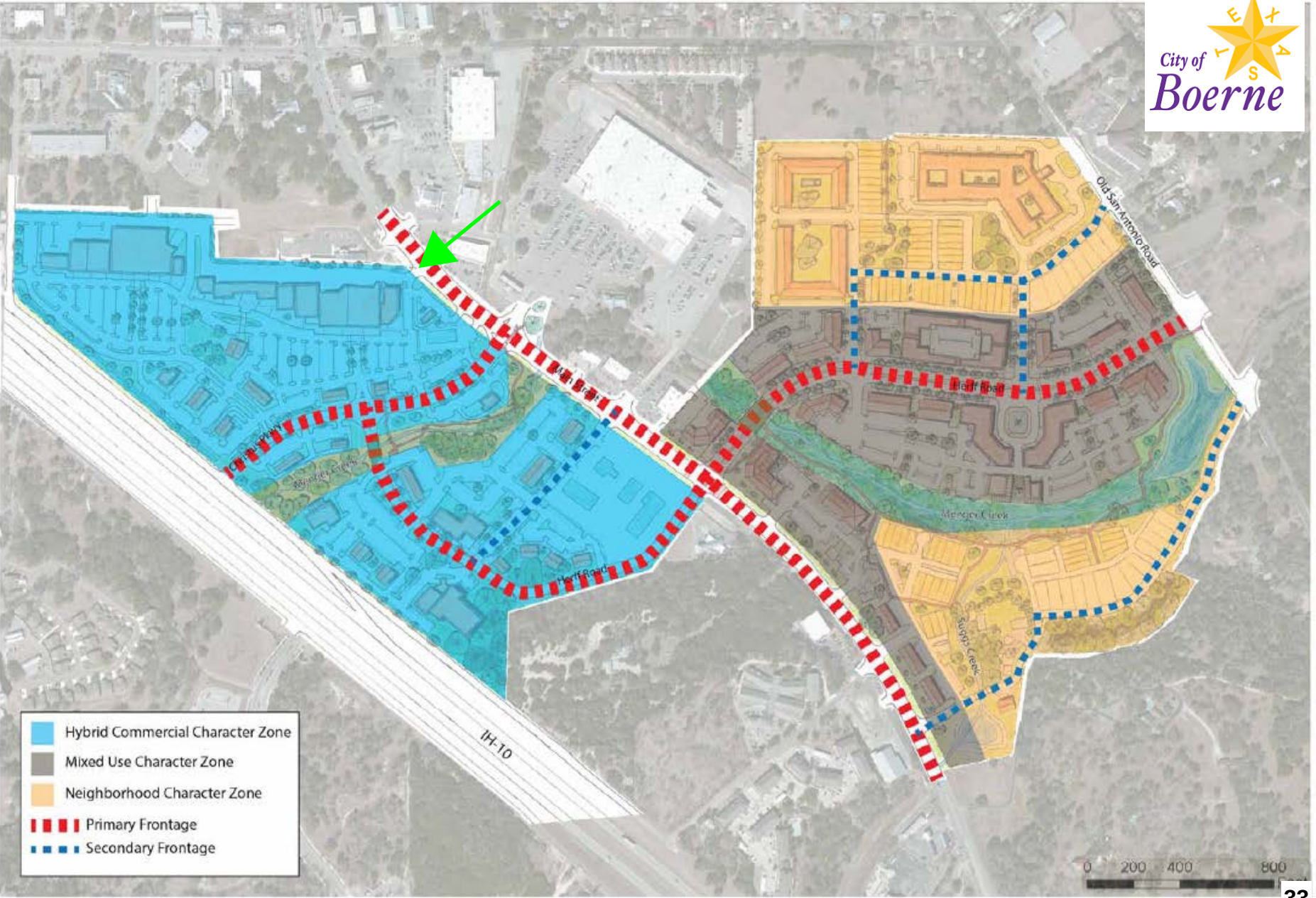
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& SURVEYING

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3303 SHELL ROAD SUITE 100
GEORGETOWN, TEXAS 78628
OFFICE: 512.868.2244

ATTACHMENT B
City of Boerne SoBo
Regulating Plan (Nov. 2016)

SoBo Regulating Plan - Boerne, Texas



ATTACHMENT C
Proposed Subdivision
Layout



THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL. AERIAL IMAGERY PROVIDED BY GOOGLE® UNLESS OTHERWISE NOTED. Imagery © 2016 CAPCOG Digital Globe, Texas OrthoImagery Program, USDA Farm Service Agency.

JOB NO. 14148-00
DATE JUNE 2026
DESIGNER AG
CHECKED MC
DRAWN AG
SHEET 1 OF 1



CRUNCH FITNESS - BOERNE TRACT

CITY OF BOERNE, TEXAS
PROPOSED SITE LAYOUT

JOB NO. 14148-00
DATE JUNE 2026
DESIGNER AG
CHECKED MC
DRAWN AG
SHEET 1 OF 1

PAPE-DAWSON

2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING #IRM #470 | TEXAS SURVEYING #IRM #002880

STATE OF TEXAS
COUNTY OF KENDALL

Origins Filed
Darlene Hermin
COUNTY CLERK OF SAID COUNTY,
DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE
DAY OF *Sept*, A.D. *2017* AT *3:55 P.M.* AND DULY RECORDED
THE *Gen* DAY OF *Sept*, A.D. *2017* AT *3:55 P.M.* IN THE RECORDS OF
IN BOOK VOLUME *8* OF SAID COUNTY,
ON PAGE *375-376*
IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS
DAY OF *September*, A.D. *2017*
Darlene Hermin
COUNTY CLERK, KENDALL COUNTY, TEXAS
BY: *Paula J. Jagger*, DEPUTY

STATE OF TEXAS
COUNTY OF KENDALL

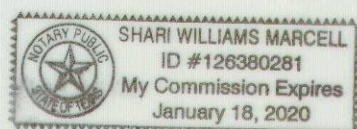
THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY
AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED
AS PRIVATE, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS,
EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION
THEREIN EXPRESSED.

JKRK LIMITED PARTNERSHIP LP
1376 S. MAIN ST
BOERNE, TEXAS 78006

OWNER, LOT 1A
John B. Fode
John B. Fode, Pres.
DULY AUTHORIZED AGENT

STATE OF TEXAS
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED
John B. Fode, KNOWN TO ME TO BE THE PERSON WHOSE
NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO
ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS
THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS *25th* DAY OF *August*
A.D. *2017*.



Shari H. Marcell
NOTARY PUBLIC
KENDALL COUNTY, TEXAS

TXDOT NOTES:

- (1) FOR DEVELOPMENTS DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER AND/OR LANDOWNER SHALL BE RESPONSIBLE FOR ADEQUATE SETBACK AND/OR SOUND ABATEMENT MEASURES FOR PRESENT AND/OR FUTURE NOISE MITIGATION.
- (2) THE DEVELOPER AND/OR THE LANDOWNER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO THE DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT-OF-WAY.
- (3) INTERSECTION AND/OR DRIVEWAY ACCESS TO THE STATE HIGHWAY WILL BE REGULATED AS DIRECTED BY THE CURRENT EDITION OF THE TXDOT ACCESS MANAGEMENT MANUAL. A SINGLE ACCESS DRIVEWAY WILL BE GRANTED TO THIS DEVELOPMENT LOCATED ON US 87 BUS. AT THE MOST NORTHERN POINT FROM THE EXISTING TRAFFIC SIGNAL (CHRISTUS PARKWAY). THE PROPOSED DRIVEWAY IS ACROSS FROM AN EXISTING DRIVEWAY TO THE MENDER CROSSING SHOPPING CENTER. ANY EXISTING CURB CUTS ALONG US 87 BUS. ARE TO BE CLOSED AND VERTICAL CONCRETE CURB AND SIDEWALK INSTALLED PER TXDOT DESIGN SPECIFICATIONS.
- (4) IF SIDEWALKS ARE REQUIRED BY TXDOT OR THE APPROPRIATE CITY ORDINANCE, THE LOCATION, THE DESIGN, AND SPECIFICATIONS SHALL ADHERE TO TXDOT REQUIREMENTS WHEN PERMITTED IN TXDOT RIGHT-OF-WAY. A TDR INSPECTION REPORT WILL BE REQUIRED.
- (5) TXDOT WILL USE THE CURRENT EDITIONS OF THE APPROPRIATE MANUALS WHEN ISSUING PERMITS, TYPICAL MANUALS USED, BUT NOT LIMITED TO ARE: TXDOT ACCESS MANAGEMENT MANUAL, SAN ANTONIO DISTRICT DRIVEWAY, SIDEWALK, LANDSCAPING, AND DRAINAGE PERMIT PACKAGE, TXDOT ROADWAY DESIGN MANUAL, TXDOT HYDRAULIC MANUAL, TXDOT CONSTRUCTION SPECIFICATIONS, AND TXDOT STANDARD SHEETS WHEN THE SITE DEVELOPS.

PLAT NOTES:

FENCE NOTES:
GATES ACROSS EASEMENT: DOUBLE SWING GATES SHALL BE INSTALLED WHEREVER FENCES CROSS UTILITY AND DRAINAGE EASEMENTS.

OBSTRUCTIONS OF DRAINAGE: ADEQUATE STRUCTURES SHALL BE PROVIDED TO ALLOW THE UNHINDERED PASSAGE OF ALL STORM AND DRAINAGE FLOWS WHEREVER FENCES CROSS DRAINAGE EASEMENTS.

SIDEWALK NOTES:
FIVE-FOOT WIDE REINFORCED CONCRETE SIDEWALKS (INCLUDING CURB RAMPS) SHALL BE INSTALLED IN THE SIDEWALK EASEMENT WHERE PROVIDED, OR ADJACENT TO CURBS WHERE NO SIDEWALK EASEMENT IS PROVIDED, OF EACH LOT FRONTING A PUBLIC STREET AT SUCH TIME AS THAT LOT IS DEVELOPED.

SIX-FOOT WIDE REINFORCED CONCRETE SIDEWALKS (INCLUDING CURB RAMPS) SHALL BE INSTALLED IN THE SIDEWALK EASEMENT WHERE PROVIDED, OR ADJACENT TO CURBS WHERE NO SIDEWALK EASEMENT IS PROVIDED, OF EACH LOT TO BE INSTALLED ALONG U.S. 87, INTERSTATE 10, AND THE NORTH SIDE OF THE PROPOSED COLLECTOR ROAD.

TEN-FOOT WIDE REINFORCED CONCRETE SIDEWALKS (INCLUDING CURB RAMPS) SHALL BE INSTALLED ON THE PROPERTY LINE OF EACH LOT ALONG THE SOUTH SIDE OF THE PROPOSED COLLECTOR ROAD.

TAX CERTIFICATE:
TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN VOLUME *598*, PAGE *58*, KENDALL COUNTY OFFICIAL RECORDS.
63

EASEMENT NOTES:

ALL PROPERTIES DESIGNATED AS EASEMENTS SHALL OR MAY BE UTILIZED FOR THE FOLLOWING PURPOSES:

DRAINAGE EASEMENT:

DRAINAGE, WATER DIVERSION, AND SANITARY CONTROL, INCLUDING WITHOUT LIMITATION, WALLS, BED, EMBANKMENTS, SPILLWAYS, APPURTENANCES, AND OTHER ENGINEERED DEVICES (THE "DRAINAGE SYSTEM").

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER THE ADJACENT LAND TO OR FROM THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE DRAINAGE SYSTEM; THE RIGHT TO CHANGE THE SIZE THEREOF; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE DRAINAGE SYSTEM; THE RIGHT TO CREATE AND/OR DREDGE A STREAM COURSE, REFILL, OR DIG OUT SUCH STREAM COURSE, ESTABLISH OR CHANGE STREAM EMBANKMENTS WITHIN THE EASEMENT, INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER GAPS, AND PROTECTING RAILS; 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 DRAINAGE SYSTEM; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE DRAINAGE SYSTEM.

WITH RESPECT TO THE DRAINAGE SYSTEM, IT IS EXPRESSLY AGREED AND UNDERSTOOD BY ALL PARTIES HERETO, THAT THE INTENTION IS TO IMPROVE CONDITIONS OF SANITATION AND WATER DRAINAGE CONTROL ON THE PROPERTY FOR THE BENEFIT OF THE PROPERTY, ADJACENT PROPERTY, AND THE COMMUNITY, BUT THE CITY DOES NOT GUARANTEE THAT SUCH CONTROL WORK WILL BE EFFECTIVE, NOR DOES THE CITY ASSUME ANY ADDITIONAL LIABILITY WHATSOEVER FOR THE EFFECTS OF FLOOD, STANDING WATER, OR DRAINAGE ON OR TO THE PROPERTY, OR ANY OTHER PROPERTY OR PERSONS THAT MIGHT BE AFFECTED BY SAID STREAM, WASH, OR GULLY IN ITS NATURAL STATE OR AS CHANGED BY THE CITY.

MENDER PLACE SUBDIVISION

AMENDING PLAT OF LOTS 1-4 CREATING LOTS 1A, 2A, 3A & 4A (ADMINISTRATIVELY APPROVED)

BEING A 29.693 ACRE TRACT OF LAND LOCATED IN THE J. SMALL SURVEY NO. 183, ABSTRACT NO. 441, KENDALL COUNTY, TEXAS, AND BEING LOTS 1, 2, 3, & 4, REPLAT OF MENDER PLACE SUBDIVISION, RECORDED IN VOLUME 6, PAGES 152-154, PLAT RECORDS OF KENDALL COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF KENDALL

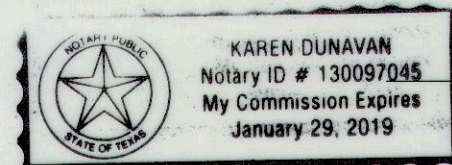
THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY
AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED
AS PRIVATE, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS,
EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION
THEREIN EXPRESSED.

CHRISTUS HEALTH
6363 N. HWY 161
IRVING, TEXAS 75038

OWNER, LOTS 2A, 3A & 4A
Dean Alexander
Dean Alexander, President/CEO
DULY AUTHORIZED AGENT

STATE OF TEXAS
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED
Dean M. Alexander, KNOWN TO ME TO BE THE PERSON WHOSE
NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO
ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS
THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS *29th* DAY OF *August*
A.D. *2017*.



Karen Dunavan
NOTARY PUBLIC
KENDALL COUNTY, TEXAS

APPROVAL OF THE PLANNING & COMMUNITY DEVELOPMENT
DEPARTMENT AS FOLLOWS:

THIS MENDER PLACE SUBDIVISION AMENDING PLAT OF LOTS 1-4
CREATING LOTS 1A, 2A, 3A & 4A HAS BEEN SUBMITTED TO AND
CONSIDERED BY THE PLANNING AND COMMUNITY DEVELOPMENT
DEPARTMENT OF THE CITY OF BOERNE, TEXAS, AND IS HEREBY
APPROVED BY SUCH DEPARTMENT.

DATED THIS *5th* DAY
OF *September*, A.D., 2017.

BY: *Laura H. Talley*
LAURA H. TALLEY
PLANNING AND COMMUNITY
DEVELOPMENT DIRECTOR

TREE PRESERVATION NOTES:

1. ALL EXISTING TREES DENOTED ON THIS PLAN TO BE PRESERVED AS SHOWN AND PROTECTED AT THE ROOT PROTECTION ZONE (RPZ). THE RPZ SHALL BE DETERMINED BY TREE SIZE (RECOMMENDED 12" [1.0'] RADIUS FROM TRUNK FOR EVERY 1" DIAMETER OF TRUNK AT 4.5' FROM GROUND) WITH A MINIMUM 5' DIAMETER FROM THE TRUNK.
2. A (CHAINLINK OR ORANGE MESH FENCE) BARRIER AROUND THE RPZ SHALL BE ERECTED AND MAINTAINED UNTIL CONSTRUCTION IS COMPLETED.
3. RPZ SHALL BE SUSTAINED IN A NATURAL STATE AND SHALL BE FREE FROM VEHICULAR OR MECHANICAL TRAFFIC; NO FILL, EQUIPMENT, LIQUIDS, OR CONSTRUCTION DEBRIS SHALL BE PLACED INSIDE THE PROTECTIVE BARRIER.
4. THE RPZ SHALL BE COVERED WITH 6" OF COARSE MULCH TO REDUCE MOISTURE STRESS.
5. ANY DAMAGE DONE TO EXISTING TREE CROWNS OR ROOT SYSTEMS SHALL BE REPAIRED IMMEDIATELY. ALL WOUNDS TO LIVE OAKS WILL BE PAINTED WITH PRUNING PAINT WITHIN 30 MINUTES AFTER DAMAGE. ROOTS EXPOSED DURING CONSTRUCTION OPERATIONS WILL BE CUT CLEANLY.
6. THE PROPOSED FINISHED GRADE AND ELEVATION OF LAND WITHIN THE ROOT PROTECTION ZONE OF ANY TREE TO BE PRESERVED SHALL NOT BE RAISED OR LOWERED MORE THAN 3". WELLING AND RETAINING METHODS ARE ALLOWED OUTSIDE THE RPZ.
7. THE RPZ SHALL REMAIN PERVIOUS, I.E. GROUND COVER OR TURF AT COMPLETION OF LANDSCAPE DESIGN.

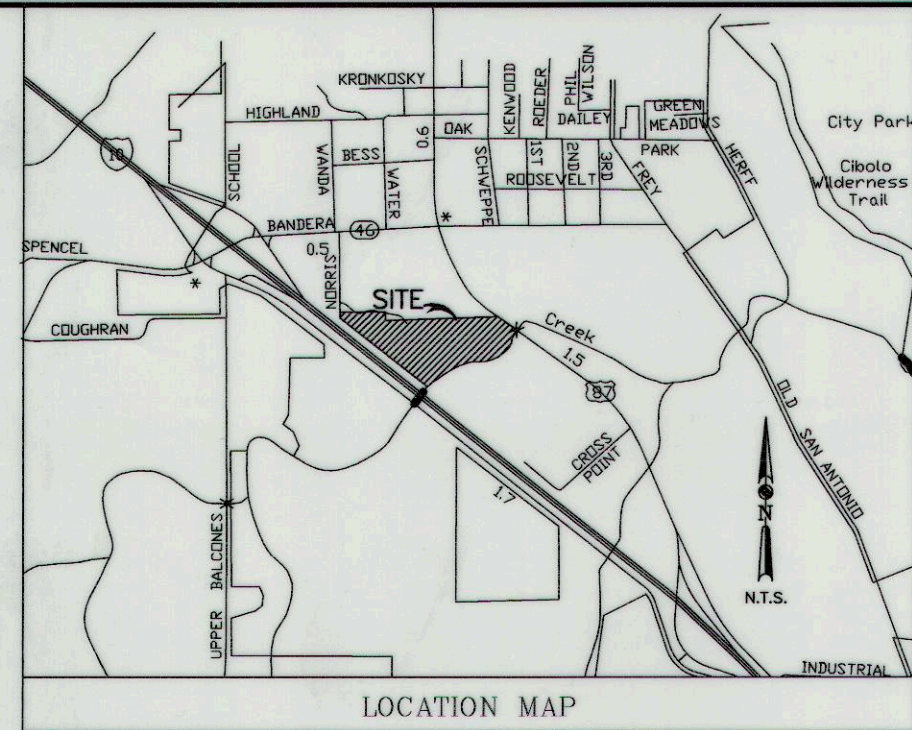
UTILITY EASEMENT (P.U.E.):

UTILITIES, INCLUDING, WITHOUT LIMITATION, SEWER, WATER, GAS, ELECTRICITY, TELEPHONE AND CABLE TELEVISION, WITH ALL NECESSARY AND/OR DESIRABLE LINES, LATERALS AND/OR APPURTENANCES THERETO (THE "UTILITIES").

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER THE ADJACENT LAND TO OR FROM 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 THEREOF; 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 OR OPERATION OF THE UTILITIES; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE UTILITIES.

1. THE PROPERTY OWNER RETAINS 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 USE OF THE EASEMENT. HOWEVER, THE EASEMENT SHALL BE KEPT CLEAR OF ALL STRUCTURES OR OTHER IMPROVEMENTS.
2. THE CITY SHALL MAKE COMMERCIAL REASONABLE EFFORTS TO ENSURE THE DAMAGE TO THE PROPERTY IS MINIMIZED AND THE CITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE SYSTEM, 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 CITY'S USUAL AND CUSTOMARY PRACTICES.

Doc # 00314886 Vol 8 Pg 370



IMPACT FEE ASSESSMENT

ASSESSMENT AND COLLECTION OF THE CITY OF BOERNE WATER AND WASTEWATER UTILITIES' CAPITAL RECOVERY FEES SHALL BE THE AMOUNT PER LOT AS SET FORTH IN CITY ORDINANCE NO. 2006-27, SECTION 1.10E.

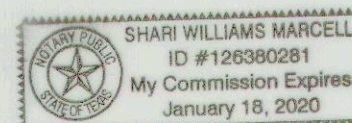
STATE OF TEXAS
COUNTY OF KENDALL

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN
THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT. TO THE
BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE
SUBDIVISION REGULATION, EXCEPT FOR THOSE VARIANCES GRANTED BY THE
PLANNING COMMISSION.

Kenneth B. Kolacny
KENNETH B. KOLACNY
LICENSED PROFESSIONAL ENGINEER #86300

STATE OF TEXAS
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED
Kenneth B. Kolacny, KNOWN TO ME TO BE THE PERSON WHOSE
NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO
ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS
THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS *23rd* DAY OF *August*
A.D. *2017*.



Shari H. Marcell
NOTARY PUBLIC
KENDALL COUNTY, TEXAS

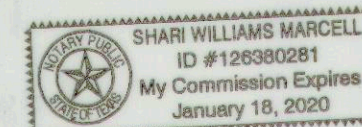
STATE OF TEXAS
COUNTY OF KENDALL

I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL
SURVEY MADE ON THE GROUND.

Jeff Boerner
JEFF BOERNER
REGISTERED PROFESSIONAL LAND SURVEYOR #4939
MATKIN-HOOVER LAND SURVEYING
8 SPENCER RD SUITE 200
BOERNE, TEXAS 78006 (830) 249-0600

STATE OF TEXAS
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED
Jeff Boerner, KNOWN TO ME TO BE THE PERSON WHOSE
NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO
ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS
THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS *24th* DAY OF *August*
A.D. *2017*.



Shari H. Marcell
NOTARY PUBLIC
KENDALL COUNTY, TEXAS

DATE PREPARED: JUNE 2017

MATKIN-HOOVER
ENGINEERING
& SURVEYING

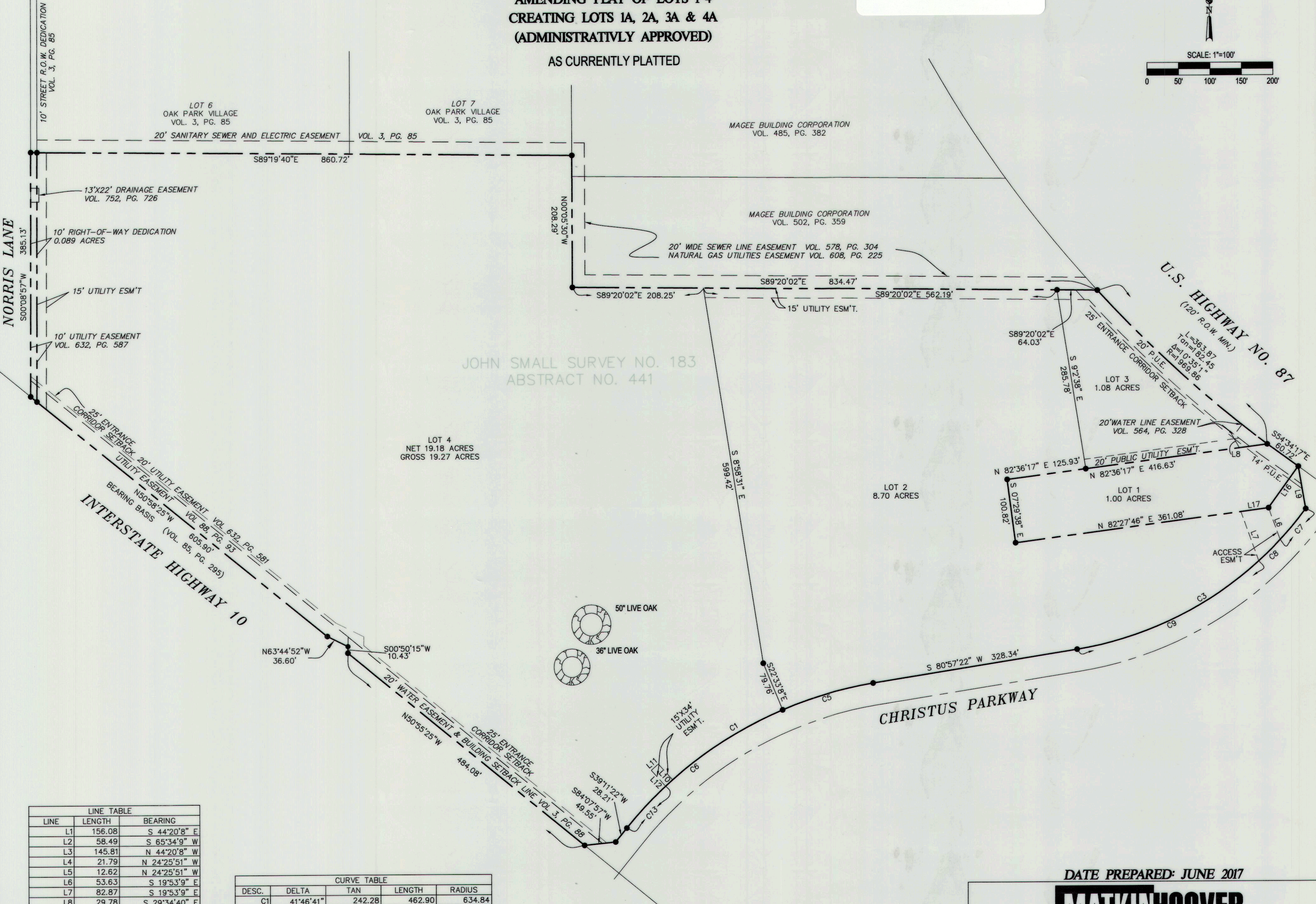
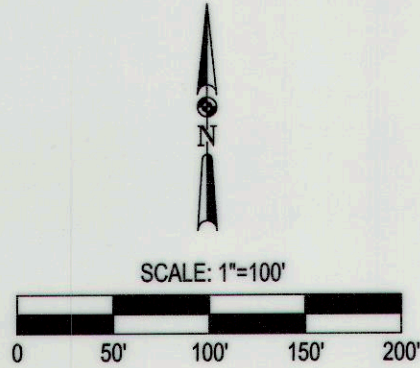
8 SPENCER ROAD SUITE 100
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MENGER PLACE SUBDIVISION

AMENDING PLAT OF LOTS 1-4
CREATING LOTS 1A, 2A, 3A & 4A
(ADMINISTRATIVLY APPROVED)

AS CURRENTLY PLATTED

Doc # 00314886 Vol 8 Pg 371



LINE TABLE		
LINE	LENGTH	BEARING
L1	156.08	S 44°20'8" E
L2	58.49	S 65°34'9" W
L3	145.81	N 44°20'8" W
L4	21.79	N 24°25'51" W
L5	12.62	N 24°25'51" W
L6	53.63	S 19°53'9" E
L7	82.87	S 19°53'9" E
L8	29.78	S 29°34'40" E
L9	67.93	S 9°47'55" E
L10	33.82	N 41°59'22" W
L11	15.00	S 48°0'38" W
L12	33.82	S 41°59'22" E
L16	80.68	S 36°05'27" W
L17	44.39	S 82°27'46" W
L19	162.74	N 53°43'19" W

CURVE TABLE				
DESC.	DELTA	TAN	LENGTH	RADIUS
C1	41°46'41"	242.28	462.90	634.84
C3	44°11'26"	229.37	435.77	565.00
C5	13°32'54"	75.48	150.25	635.43
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DATE PREPARED: JUNE 2017

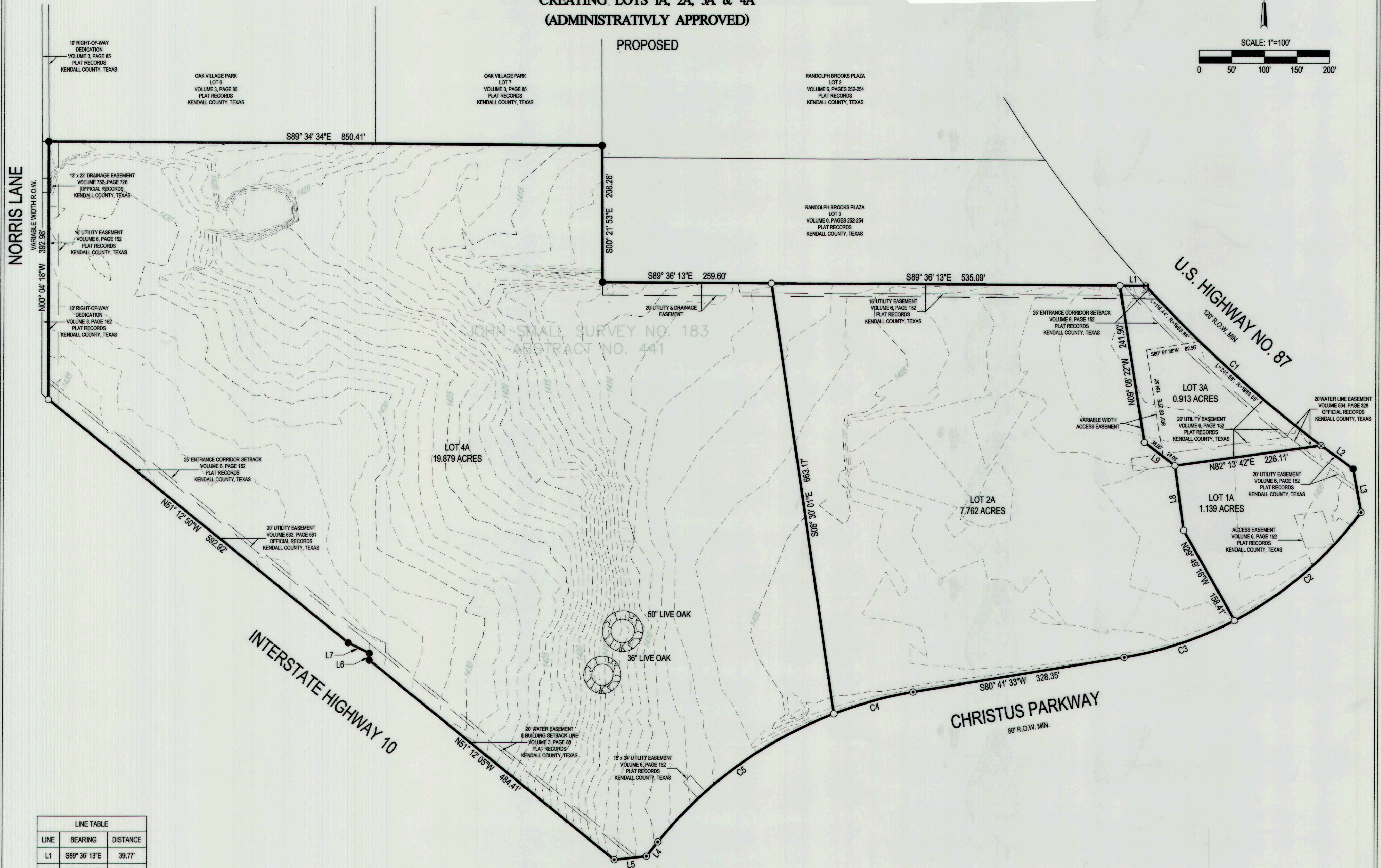
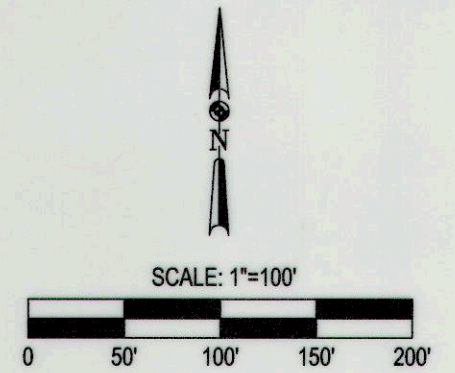
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& SURVEYING

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Doc # 00314886 Vol 8 Pg 372



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L8	N07° 45' 13"W	99.42'
L9	N63° 07' 25"W	59.06'

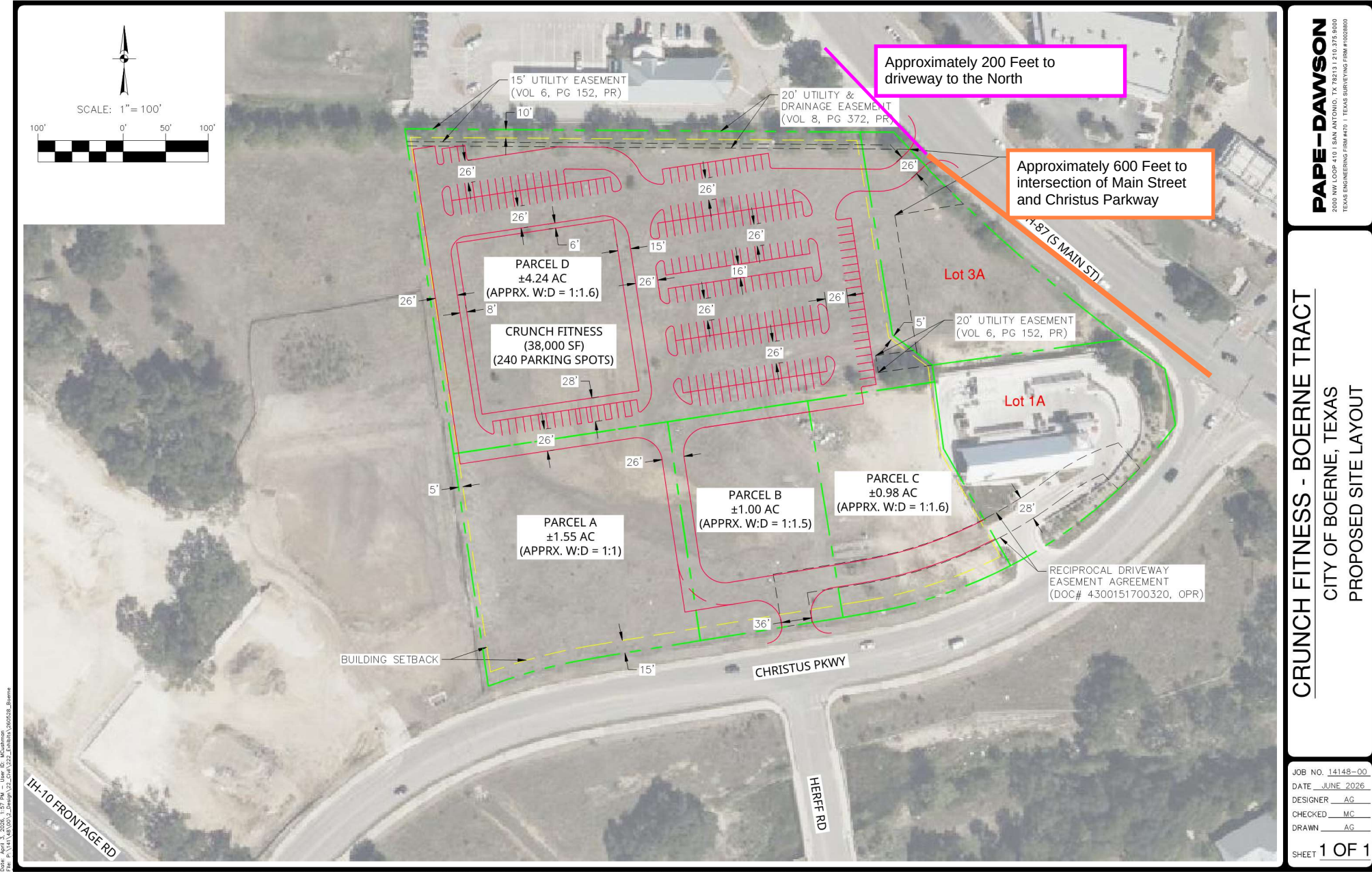
CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
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C2	565.00'	256.80'	26°02'29"	S49° 31' 47"W	254.59'
C3	565.00'	178.86'	18°08'17"	S71° 37' 10"W	178.11'
C4	635.00'	126.37'	11°24'08"	S74° 58' 36"W	126.16'
C5	635.00'	336.61'	30°22'20"	S54° 05' 22"W	332.68'

DATE PREPARED: JUNE 2017

MATKINHOOPER
ENGINEERING
& SURVEYING

8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: 830.249.0600
CONTACT@MATKINHOOPER.COM
TEXAS REGISTERED ENGINEERING FIRM F-004512 SURVEYING FIRM F-10024000

3303 SHELL ROAD SUITE 100
GEORGETOWN, TEXAS 78628
OFFICE: 512.868.2244



PAPE-DAWSON
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #002880

CRUNCH FITNESS - BOERNE TRACT
CITY OF BOERNE, TEXAS
PROPOSED SITE LAYOUT

JOB NO.	14148-00
DATE	JUNE 2026
DESIGNER	AG
CHECKED	MC
DRAWN	AG
SHEET	1 OF 1

Date: April 3, 2026, 1:57 PM - User: G. McQuinn
File: P:\14148-00-Boerne\14148-00-Boerne\14148-00-Boerne.dwg

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PLANNING, PERMITTING, AND CODE DEPARTMENTS

MEMORANDUM

DATE: July 27, 2026

TO: Planning and Zoning Commission

FROM: Nathan Crane, Planning Director and Franci Linder, Assistant Planning Director

SUBJECT: Agenda Item 6.A - Discuss Proposed 2026 Unified Development Code Amendments

A special called joint meeting of the Planning and Zoning Commission and City Council was held on March 24, 2026, to review and discuss potential updates to the Unified Development Code. Staff presented a high-level overview of proposed concepts, including:

- A revised plat review and development process, including establishing preliminary plats, shifting final plats to administrative approvals, and concurrent public infrastructure and building construction
- Process improvements such as clarifying drainage and LID requirements, administrative site plan review, plat exemptions for downtown commercial areas, and allowances for temporary certificates of occupancy and foundation permits
- New land use categories for uses including vape shops, CBD retailers, and tattoo shops
- Requiring mandatory HVAC condensate collection and rainwater harvesting
- Updating xeriscaping and dark sky regulations

Staff is presenting the draft Phase 1 UDC amendment ordinances reflecting the concepts discussed at the March 24 joint session. This phase includes, but not limited to:

- Updated platting and development procedures.
- Dark Sky requirements.
- Rainwater harvesting systems and condensate collection requirements.
- New land use categories for data centers, vape shops, CBD retailers, and permanent makeup establishments.
- Clarified Low Impact Development (LID) and xeriscape requirements.

This item is intended for Commission discussion and feedback; no formal action is requested at this time. Following tonight's discussion, staff will incorporate Commission feedback and bring the amendments back for a public hearing and formal recommendation at the September 14, 2026 Commission meeting.