

MINUTES
PLANNING AND ZONING COMMISSION MEETING
BOERNE CITY HALL
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Monday, June 1, 2026 – 6:00 p.m.

Minutes of the regular called Planning and Zoning Commission Meeting of June 1, 2026.

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

Staff Present: Siria Arreola, Nathan Crane, Ryan Lewis, Abigail Knott, Jeff Carroll, Mick McKamie, Maria Garcia, Jo-Anmarie Andrade, Anne Bransford, William Willingham.

Registered/Recognized Guests: Sean Bean, Nancy Drukker, Steve Drukker, Vicki Striviger, Virginia NiKolich.

Guest Speakers: Sean Bean, Nancy Dukker, Steve Dukker.

1. CALL TO ORDER – 6:00 PM

Vice Chairman Charles Lucas Hiler called the Planning and Zoning Meeting to order at 6:00 p.m.

Vice Chairman Charles Lucas Hiler led the Pledge of Allegiance to the United States Flag, the Texas Flag and followed with a moment of silence.

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. PUBLIC COMMENTS

Sean Bean chose to wait for agenda item 3B to speak. Nancy Drukker chose to wait until agenda item 5C to speak. Vikki Stringer chose to wait until agenda item 5A to speak.

4. CONSENT AGENDA

The Minutes of the Planning and Zoning Commission Meeting for May 4, 2026 were approved without items 4B and 4C.

A MOTION WAS MADE BY COMMISSIONER CATES, SECONDED BY COMMISSIONER BIRD, TO APPROVE THE MINUTES WITHOUT ITEMS 4B AND 4C. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

- A. [2026-197](#) Consider approval of the Minutes for the Planning and Zoning Commission Meeting of May 4, 2026.

THE MINUTES WERE APPROVED

- B. [2026-191](#) Consider approval of the Commons of Menger Creek Unit 10 Preliminary Plat and Final Plat, generally located along Herff Road southwest of Old San Antonio Road

Vice Chairman Hiler called on Ben Simmons, Planner I, whom presented on item 4B, Commons of Menger Creek Unit 10 preliminary plat, located along Herff Road Southwest of Old San Antonio Road within city limits. Acreage is 4.882 acres and owner is Perardi Development and applicant is LJA Engineering.

Property is zoned C2, transitional commercial. A future land use plan was presented, designating the land as auto-oriented commercial. Another map presented environmental constraints of the proposed plat showing it to be located within the flood plain, however there is a CLOMR in place that was approved in 2017.

Preliminary plat is comprised of two lots, which one of them being open

space. Designated open space of the 4.882 acres is 1.23 acres and it will be dedicated to the City of Boerne as park land. There is one Heritage Legacy Tree identified on the plat.

Staff finds that the preliminary plat is consistent with the Comprehensive Plan, Master Development Plan and Development Agreement. It has been reviewed by all pertinent departments and complies with applicable subdivision regulations.

Primary access to the site will be via Pedigree Place Avenue (collector) with connection to Herff Road (major arterial).

Recommendation for stipulation is that the recorded plat shall substantially conform to the final plat date stamped May 18, 2026.

Commissioner Cates shared concern with the two different access points and questioned if the access is sufficient and safe with fire codes. His concern is that the only access is the fire access. He also mentioned there was curb cuts discussed in the past meeting and wanted to address his concern.

Nathan Crane, Planning Director, reiterated the overall Herff Road map and explained that the idea was to provide certain points of access. He pointed out that there was several discussions on drive-through drive ways, etc. that on the north side of Herff Road there will be another cul-de-sac of lines with Pedigree Place. Purpose of the access in the back is to provide access throughout the entire center from east to west.

Jeff Carroll, City Director of Engineering and Mobility, explained how he's trying to limit drive ways off of Herff Rd. Separate plats have been identified and that was all Carroll could share at the time. This property will not be granted a drive way off of Herff Rd.

Commissioner Susan Friar asked if this item could be tabled and brought back at a later meeting. Commissioner Cates raised concern about what requirements would be if there is no indication of complete

measurements of access point and how it will be built.

Mick McKamie, City Attorney, advised that if there is concern that information required for the preliminary plat review is missing, then the application should be considered for denial with direct reference as to why. He further stated that the applicant must however be provided written notice specifying the grounds for denial, including the particular provisions of the subdivision ordinance upon which the denial is based. Such notice must be sent to the applicant in writing and clearly identify the ordinance provisions that support the denial.

McKamie further explained that the applicant will have a period of time to come back and remedy this problem specified, and then fifteen days after that time, the applicant can submit a new plat application. The tabling or postponement has to be requested by the applicant, not by the Commission. If there is a concern about access, the Commission may place a stipulation on the preliminary plat since there is a concern with traffic.

Crane further explained the next step for the Planning Department process will be the submittal of the Public Infrastructure Plans so there will be more information than if the Commission is concerned about access so with that said, there can be a stipulation put on the approval of the preliminary plat requesting to show the access of the final plat so it may be able to come back and address then.

Carroll stated that as accurate as Google Earth is, he has measured in all four locations and they all measure out greater than twenty six feet on the private drive.

Stipulation was not recorded to be added with the approval, however, conditions in staff notes for item do state that a precise measurement should be provided and addressed in order to be considered. It is recommended that access not only be the fire lane moving forward.

A MOTION WAS MADE BY COMMISSIONER BIRD, SECONDED BY COMMISSIONER KELLER, TO APPROVE THE COMMONS OF MENGER CREEK UNIT 10 PRELIMINARY PLAT AND FINAL PLAT, GENERALLY LOCATED ALONG HERFF ROAD SOUTHWEST OF OLD SAN ANTONIO ROAD. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

- C. [2026-198](#) Consider approval for the Scenic Loop Road Business Major Development Plat located at 31905 Interstate 10.

Vice Chairman Charles Lucas Hiler called on Jo-Anmarie Andrade, Planner II, to present item 2026-198; Scenic Loop Road Business Major Development Plat located at 31905 Interstate 10. Property is 4.254 acres and is located within city limits. Owner is Scenic Capital, LLC and Applicant is Behdad Zahrooni, P.E.

Zoning map was displayed during presentation showing property zoned as C2 Transitional Commercial and is located within the Entrance Corridor of the Overlay District. Commercial Zoning is located along the IH-10 Corridor while residential is to the West.

A future land use map was presented and designated this property as Auto-Oriented Commercial. The environmental constraints map does not show any constraints for development of this property including no known FEMA Floodplain, SARA floodway and no significant environmental constraints identified to effect development of the property.

The site can accommodate three-one story proposed, Commercial Buildings. Primary access is via Scenic Loop Road on two driveways and secondary through Sophia Court with one drive way access. There will be a thirty foot utility easement, twenty foot drainage easement and .47 acre private drainage easement as well and pedestrian access easements. Open space and Detention space are incorporated into the design with further continued, landscaping review at site development stage in accordance with UDC as well as the Entrance Corridor Overlay

District Standards.

Staff finds the plat is consistent with the Comprehensive Plan, subdivision regulations and has been reviewed by pertinent departments.

Staff recommends the following Stipulation: Right-turn-in-only access at the most northern driveway on Scenic Loop Road shall be permitted subject to approval by the City Engineer. The recorded plat shall substantially conform to the plat dated and stamped May 18, 2026.

Commissioner Bob Cates stated concern of set backs needing to be widened in the future. Abigail Knott, City Engineer, responded there was a Right of Way dedication with the plat for their portion or side of Scenic Loop rather. There is a regulation of five hundred seventy feet separation distance which the site does not meet, however, the applicant was able to meet other portions of the code that allows for the two driveways.

The middle driveway aligns with the driveway across the street and by doing that, when you have opposing turns, you're making sure that people aren't going to be blocking traffic. The driveway to the east, due to fire codes, the fire marshal wanted to have two points of access, so in order to limit the turns at that location, it is right in and right out only driveway. No left turns aloud to cross the street. Design for the location was able to meet the standards. It is identified as a Collector Road, one lane in each direction, with a continuous middle turn lane.

Cates shared concern of recalling the last time Scenic Loop was brought before the Commission there was not a drainage ditch reflected so it was denied. Knott relayed that currently there is a drainage ditch as its not a drainage way protection zone, its merely a roadside swale that runs through the front of the property and will continue to be there are improvements made to the entirety of the road. There are no OPZ's.

Commissioner Bill Bird asked if the right turn lane was a deceleration

lane and Knott confirmed is as well as being the second driveway across from the Mercedes dealership.

Bird also asked pole lights will be associated with the project and stated neighbors in back have been affected by car dealership lights. He stated that even with Dark Skies, the Commission has been receiving a lot of complaints.

Commissioner Susan Friar asked for clarification on the first driveway being right turn in and only right turn out. Knott responded in order to take a left turn back on to the highway they would have to use the main driveway which is that center driveway on Scenic Loop. The two access off Scenic Loop were included due to the Fire Marshal needing access to the site due to it being a very long linear, thin site. It was the best way to ensure there was access for first responders. Access off of Sophia Circle just allows another access point of entry so people don't have to worry about the Scenic Circle traffic. There is adequate buffering between neighboring residential properties and the commercial property.

Commissioner Carlos Vecino asked if there will be more information shared about the loading zone that's right below lot 81 during the infrastructure plan presentation because he didn't feel the space of that buffer area designated was adequate enough and feels because of this, it might create more noise when 18 wheelers are loading and unloading.

Bird questioned dumpster layouts and if there are any decided on. Andrade responded that the dumpster sites were considered for the adequate UDC Code space required and they are shown to be appropriated in a designated location to ensure not being a nuisance to the neighboring community.

Vice Chairman Charles Lucas Hiler did state he drove by the location during a 4 p.m. time frame in order to envision the traffic occurrence and experience what an additional space of development would feel like. First right he took and tried to turn around he noticed the island and did his best to envision how the residents would feel. He does agree with

the right turn in idea only closest to the Nissan dealership. He did say it did seem very narrow and the questions of concern have been extremely thorough and appreciated. Hiler further noted that addressing this matter may help resolve transportation-related concerns, specifically the issue of hauling vehicles unloading directly in front of the driveway.

Motion was approved with the condition of analyzing stipulation by City Engineer; Right-turn-in-only access at the most northern driveway on Scenic Loop Road shall be permitted subject to approval by the City Engineer. The recorded plat shall substantially conform to the plat dated and stamped May 18, 2026.

A MOTION WAS MADE BY COMMISSIONER KELLER, SECONDED BY COMMISSIONER CATES, TO APPROVE THE SCENIC LOOP ROAD BUSINESS MAJOR DEVELOPMENT PLAT LOCATED AT 31905 INTERSTATE 10. THE MOTION CARRIED BY THE FOLLOWING VOTE WITH A STIPULATION:

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

5. REGULAR AGENDA

- A. [2026-199](#) Consider request to allow on-site sewage facility (OSSF) at 123 East Frederick Street (KCAD 36904)

Vice Chairman Charles Lucas Hiler called on Abigail Knott, City Engineer, to present on the property located between Frederick and Old No. 9, 123 East Frederick, 1.655 acres purchased September 5, 2024 per KCAD.

Applicant is Vicki Stringer and the C3 zoned commercial property has development on the property that requires it to be platted. Environmental constraints have Drainage Protection Zones 1&2 in the Eastern portion of the property as a refresher, Sewer Map for the City line stops just short of the Frederick Street property line. The reason it stops just short, is if it were to continue any further it would be above grade at grade and the street would not be able to sit in the Plat would change the alignment at the street.

The other option for connection runs along Old No. 9. The current service is a non-conforming service. Sewer main is not able to extend that far on Frederick St.

The Unified Development Code (UDC) Section 7-6 B. 1.1 c. requires all subdivisions within City Limits to connect to the municipal sewer system unless the Planning and Zoning Commission determines that such connection would require an unreasonable expenditure of funds when compared with other methods of sewage disposal. Two options that were presented; first option is to extend sewer main along Old No. 9 trail, approximately 1280 ft. at a cost of \$198,628.00. Second option of on-site sewage facility will require a cost of \$15,500.00.

With either of these options, it would be a cancellation of a nonconforming connection through the neighbors property. If commission approves the requested waiver for the onsite sewage, staff recommends the following stipulations:

1. Extend Sewer Main Along Old Number 9 Trail approximately 1,280 feet. Property must connect to City sewer services within five years of sewer being available and must pay all necessary costs and fees.
2. The onsite sewage must comply with all requirements and be permitted through Kendall County and the property and with the City of Boerne and also be plated.

Vice Chairman Charles Lucas Hiler called on Applicant Vicki Stringer whom explained how it would be a traditional system, not an aerobic lateral system. She stated that the City and County have visited the site, holes have been dug and it's all been tested. She explained how County, City and Sewer installation representatives tested. She proposed to develop two tiny homes and plans on bringing in more with a goal of having a health and wellness arena as extensions to her salon. No overnight usage so should be considered as low use.

Commissioner Cates requested clarity regarding the five year connection

wait by the City.

Commissioner Bill Bird suggested stipulation: Allow on-site sewage for five years and once the City extends sewage, property owner has one year to connect to City line.

The property has a lift station but does not have capacity to serve the area surrounding any longer. The existing lift station will not stay and will be removed.

A MOTION WAS MADE BY COMMISSIONER BIRD, SECONDED BY COMMISSIONER CATES, TO APPROVE AND ALLOW ON-SITE SEWAGE FACILITY (OSSF) AT 123 EAST FREDERICK STREET (KCAD 36904). THE MOTION CARRIED BY THE FOLLOWING VOTE WITH STIPULATION:

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

- B.** [2026-200](#) Consider a request for a variance to Chapter 7-5.A.2, Access Separation Distances, of the Unified Development Code (UDC) for a property located at 8 Ranger Creek Road (KCAD 12937).

Abigail Knott, City Engineer, presented on request for a variance to Chapter 7-5 A.2, Access Separation Distances, of the UDC for a property located at 8 Ranger Creek Road (KCAD 12937) which is on the north end of Boerne, west of I-10 and east of Boerne Lake.

Property owner is S&K Holdings, and the representative present, Sean Bean. The property's previous use was vacant and proposed use is undetermined. It is approximately 4.2 acres over 3 lots, there is no zoning (OCL) due to not being in the city limits. Lot 1 is 1.91 ac, unplatted, removed from ETJ April 20, 2026. Lot 2 is 1.38 ac - Cibolo Oaks Subdivision Lot 10-S and Lot 3 is .91 ac - Green Acres Lot Pt 101.

Plat driveway access is along Ranger Creek Road and Oak Acres Lane. Ranger Creek Road is maintained by the city and classified as a collector road for both city and county major third fair plans, this requires a ROW permit. It is approximately 28 feet wide.

Ms. Knott displayed the proposed development for Lot 1, Office/Warehouse/Pickle Ball and 3 single Family Residential. Nothing shown to have been proposed for Lot 2. Traffic Impact Assessment was submitted to the City of Boerne as part of the application and was presented along with all criteria that must be met for variance approval. Staff recommends the following stipulations if commission approves the request:

1. A recorded cross-access easement, in a form acceptable to the City Engineer and City Attorney, shall be executed and recorded prior to ROW permit issuance, ensuring perpetual shared access between the 1.91-acre and 0.91-acre parcels.
2. A deceleration lane on Ranger Creek Road meeting EDM Section 2.11.10 requirements shall be designed and constructed as part of the ROW permit. The applicant shall provide or dedicate sufficient right-of-way to accommodate the deceleration lane and required 10-foot clearance behind the back of curb.
3. The applicant shall demonstrate that the required 445-foot intersection sight distance per EDM Table 2-5 is achievable at the proposed driveway location. Any sight line triangle extending beyond the ROW shall be identified and dedicated as a clear vision Easement per EDM §2.11.11(2).
4. Driveway throat length shall be designed per EDM Section 2.12.2 based on confirmed Peak Hour Trips based upon provided Peak Hour Trip worksheet.
5. Consistent with the variance application, approval is contingent upon issuance of all required permits and approval of public improvement plans. No ROW permit shall be issued until the shared access easement is recorded and all engineered improvement plans are approved by the City Engineer and development plans have been approved by Kendall County.

All Engineered improvement plans are approved by the City Engineer and Development Plans have been approved by Kendall County. Guest Speaker, Sean Bean, 8 Ranger Creek Rd., first shared his sentiment for appreciation of the balance of property rights, public safety and responsible development. He stated that without the variance, the property would be land locked. The request is based on necessity and would be a practical solution to a unique circumstance.

Commissioner Keller approved the variance with the stipulations that were stated.

A MOTION WAS MADE BY COMMISSIONER KELLER, SECONDED BY COMMISSIONER BIRD, TO APPROVE A REQUEST FOR A VARIANCE TO CHAPTER 7-5.A.2, ACCESS SEPARATION DISTANCES, OF THE UNIFIED DEVELOPMENT CODE (UDC) FOR A PROPERTY LOCATED AT 8 RANGER CREEK ROAD (KCAD 12937). THE MOTION CARRIED BY THE FOLLOWING VOTE WITH STIPULATIONS:

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

- C. [2026-201](#) Consider a request for variance to Chapter 7-3.B Required Street Improvements and 7-3.D, Fee in Lieu of Sidewalks, of the Unified Development Code (UDC) for a property located at 417 Hickman (KCAD 18982).

Abigail Knott, City Engineer, presented a request for variances to Chapter 7-3B (required street improvements) and Chapter 7-3D (fee in lieu of sidewalks) of the Unified Development Code (UDC) for the property located at 417 Hickman (KCAD 12937).

The subject property is approximately 0.57 acres, zoned Medium Density Residential, and owned by Nancy Drukker the applicant. It is located between Main Street and Fry Street, just north of Oak Park Drive.

Knott provided background on the applicable UDC requirements. She explained that language was added to the UDC in 2021 to improve street safety for both vehicles and pedestrians. In 2023, provisions were added

allowing payment of a fee in lieu of sidewalk construction as an alternative to installing sidewalks. Under the current code, developers are responsible for providing all required sidewalks at their own expense.

Knott continued to state that the property owner does not wish to construct the required sidewalk or pay the fee in lieu of construction.

A motion was made to approve the variance request to UDC Chapter 7-3D, waiving both sidewalk installation and the associated fee in lieu of construction.

Commissioner Friar commented that there are no sidewalks along Hickman Street between Oak Park Drive and Main Street and noted that many areas within the Heart of Boerne also lack sidewalks.

Jeff Carroll, City Engineer Director, responded that much of Boerne was developed prior to 1980, when sidewalks were not commonly required. He noted that most neighborhoods developed after the mid-1980s include sidewalks.

Applicant Drukker addressed the Commission. She stated that she recently purchased the property at 417 Hickman and that construction of the home has been completed. She expressed her hope of obtaining a Certificate of Occupancy and moving into the home the following week. Drukker stated that neighboring property owners do not want sidewalks in the area and that the cost of either constructing a sidewalk or paying the fee in lieu of construction would be a significant financial burden.

Mick McKamie, City Attorney, commented that in many cities, sidewalks are typically installed by home builders rather than developers. He stated that he was unfamiliar with how other cities utilize a fee-in-lieu-of-sidewalk program. He explained that fees collected by the City are used to fill gaps in the sidewalk network and reconstruct accessibility ramps. He further noted that the City does not have the authority to require existing homeowners to construct sidewalks on their

properties.

Drukker stated that the discussion highlighted the need for greater clarity regarding the requirement that property owners must pay the fee, regardless of whether a sidewalk is constructed.

Carroll explained that the request satisfies two of the criteria outlined in the UDC for allowing payment of a fee in lieu of sidewalk construction. He added that the fee is calculated based on the estimated cost of constructing the required sidewalk.

A MOTION WAS MADE BY COMMISSIONER FRIAR, SECONDED BY COMMISSIONER CATES, TO APPROVE A REQUEST FOR VARIANCE TO CHAPTER 7-3.B REQUIRED STREET IMPROVEMENTS AND 7-3.D, FEE IN LIEU OF SIDEWALKS, OF THE UNIFIED DEVELOPMENT CODE (UDC) FOR A PROPERTY LOCATED AT 417 HICKMAN (KCAD 18982). THE MOTION CARRIED BY THE FOLLOWING VOTE:

- Yeah:** 5 - Commissioner Cates, Commissioner Friar, Commissioner Keller, Commissioner Bird, and Vice Chair Hiler
- Nay:** 1 - Commissioner Vecino

6. DISCUSSION

[2026-192](#) Discuss a proposed Single Family Residential development located approximately 450 feet northwest of the intersection of Herff Road and Old San Antonio Road.

William Wilingham, Planner II, discussed the property located in a DPZ1, with a development agreement established in 2009 and currently has vested rights. There was no action for this item, only a discussion. It was noted that there has not been a pre-application meeting.

Ashley Fairmont (attorney) addressed the Commission on behalf of Scott Felder requesting for feedback from the commission. Many years ago, this was proposed as a multi-residential development and is now proposing to be a single family residential due to the size of the lot.

This development has lots that vary from 2,800 sq.ft. to 3,200 sq.ft. All

would be single family homes for sale similar within the development of Crown Ridge.

In order for this project to work, it would need a PUD or several variances would need approval from the Commission.

The Commission discussed parking issues with neighborhoods that are designed similar. It was noted that lack of sidewalks may be an issue.

7. COMMENTS FROM COMMISSION/LEGAL COUNSEL/STAFF

A. Introduction of William Willingham, Planner II.

Introduction of William Willingham, Planner II, came from the City of Schertz. "Strong sense of community here, thankful to be here."

Commission welcomed William.

B. 2026 APA Texas Planning Conference on October 14-16, 2026 in Irving, Texas.

Nathan Crane, Planning Director, invited commission members to attend the 2026 APA Texas Planning Conference in Irving, TX October 14-16, 2026. He stated an email will be sent with details.

Next week a new commissioner will be appointed by City Council. Request was made to Commission to review calendars and let Crane know their schedules for the next few months in order to schedule a training.

8. ADJOURNMENT

Vice Chairman Charles Lucas Hiler adjourned the meeting at 8:50 p.m.

Chairman

Executive Assistant