

AGENDA
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.

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. 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.

4. 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)

5. 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.

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

Attachments: [UnofficialMeetingMinutes Jun-1-2026](#)

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)

Attachments: [AIS - Crunch Fitness Variance FINAL](#)
[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](#)

[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

Attachments: [FINAL AIS DRC Duties Reassigned UDC CH 1 2 3 9 and Appendix A Definitions](#)
[Attachment 1- Proposed Code of Ordinances Amendments](#)

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

Attachments: [AIS - ELECTION OF SECRETARY](#)

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

8. ADJOURNMENT

s/s Nathan Crane

Administrative Officer

CERTIFICATION

I herby certify that the above notice of meeting was posted on the 29th day of June, 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, 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



AGENDA ITEM SUMMARY

Agenda Date	July 6, 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	<p>BACKGROUND:</p> <p>This property is owned by Christus Santa Rosa Health Care Corporation, and the applicant is Pape-Dawson engineers.</p> <p>The subject property is recorded as Menger Place Subdivision Unit 1 Lot 2A (REPLAT) and is 7.762 acres.</p> <p>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.</p> <p>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.</p> <p>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</p>

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.

- 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.

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 the City Engineer.

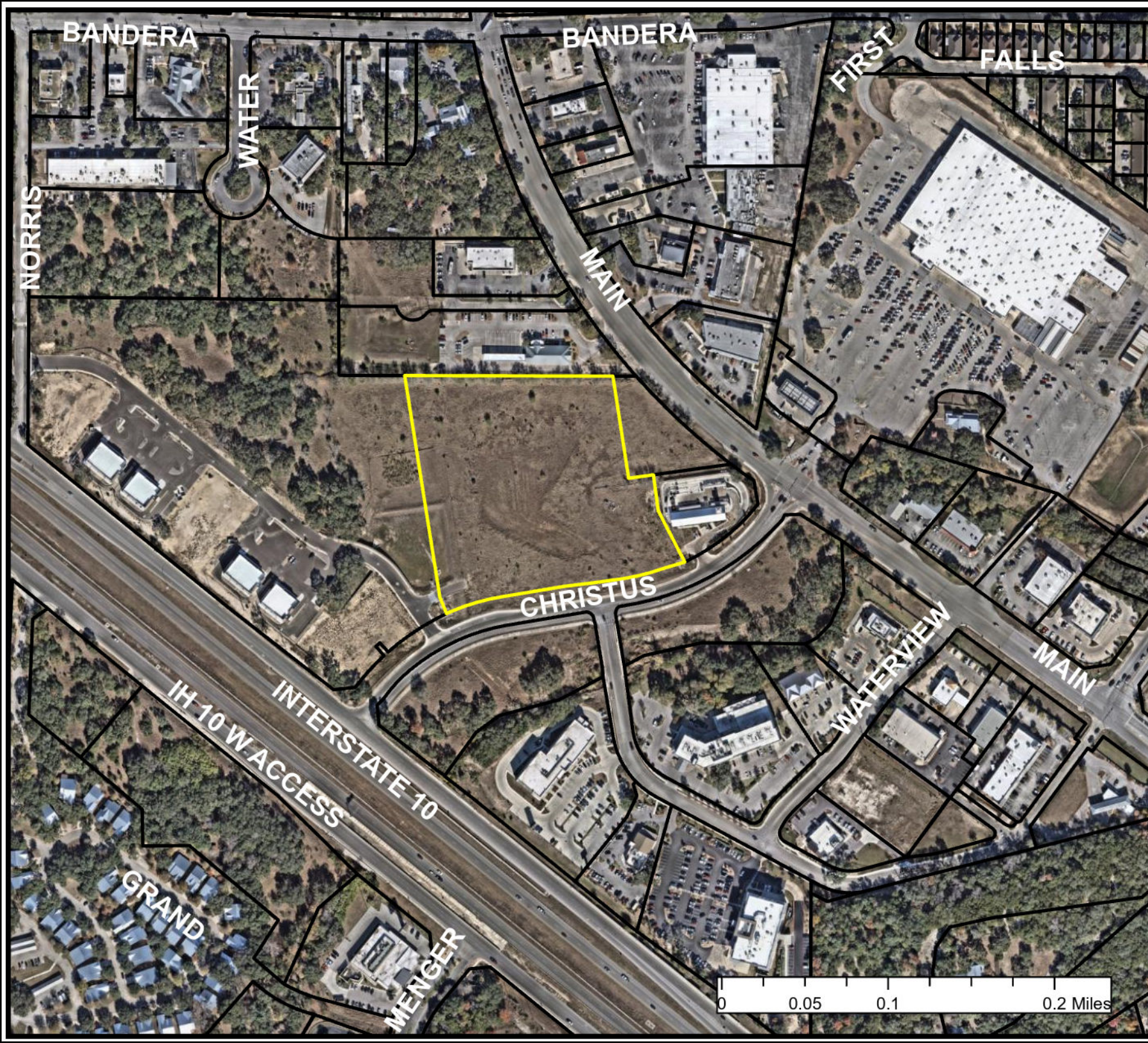
MOTIONS FOR CONSIDERATION:

The following motions are provided to assist the Commission's decision.

I move that the Planning and Zoning Commission **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.
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

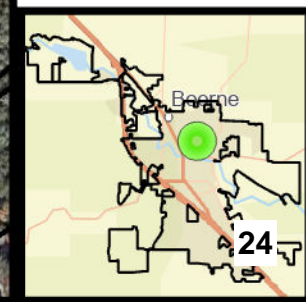
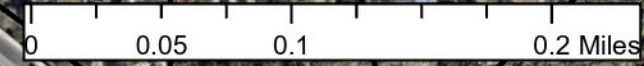


SUBJECT PROPERTY

Boerne Fitness Tract

Legend

-  Parcels
-  SUBJECT PROPERTY



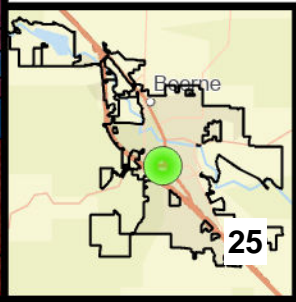
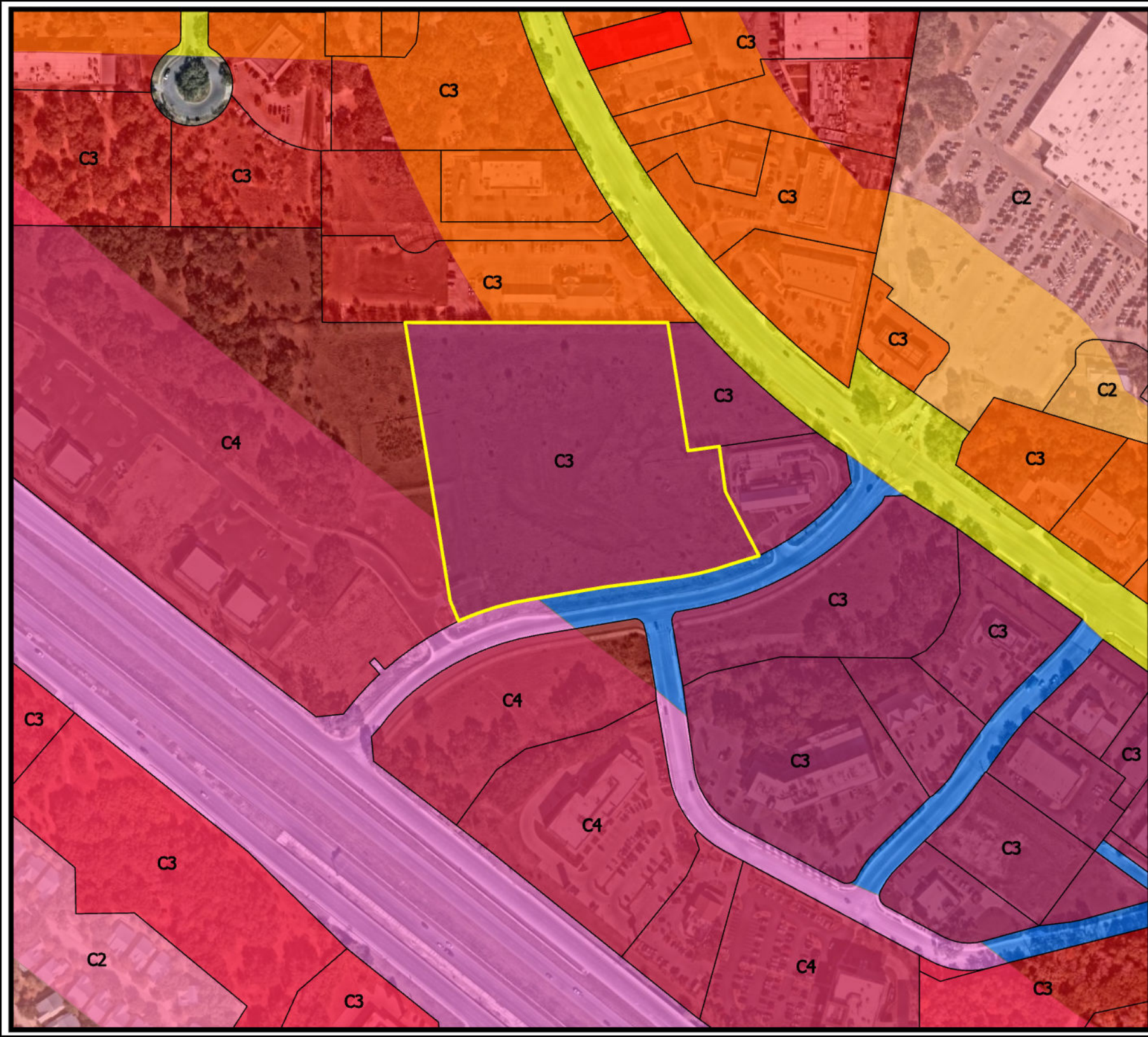


SUBJECT PROPERTY
Boerne Fitness Tract

Current Zoning
C3
SoBo Overlay

Legend

- SUBJECT PROPERTY
- Boerne Zoning**
 - C2
 - C3
 - C4
- Overlay Districts**
 - Entrance Corridor
 - Scenic Interstate Corridor
 - South Boerne (SoBo)




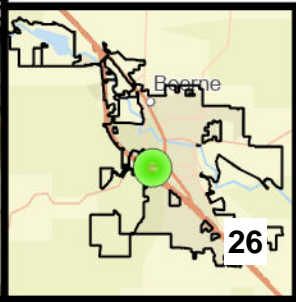
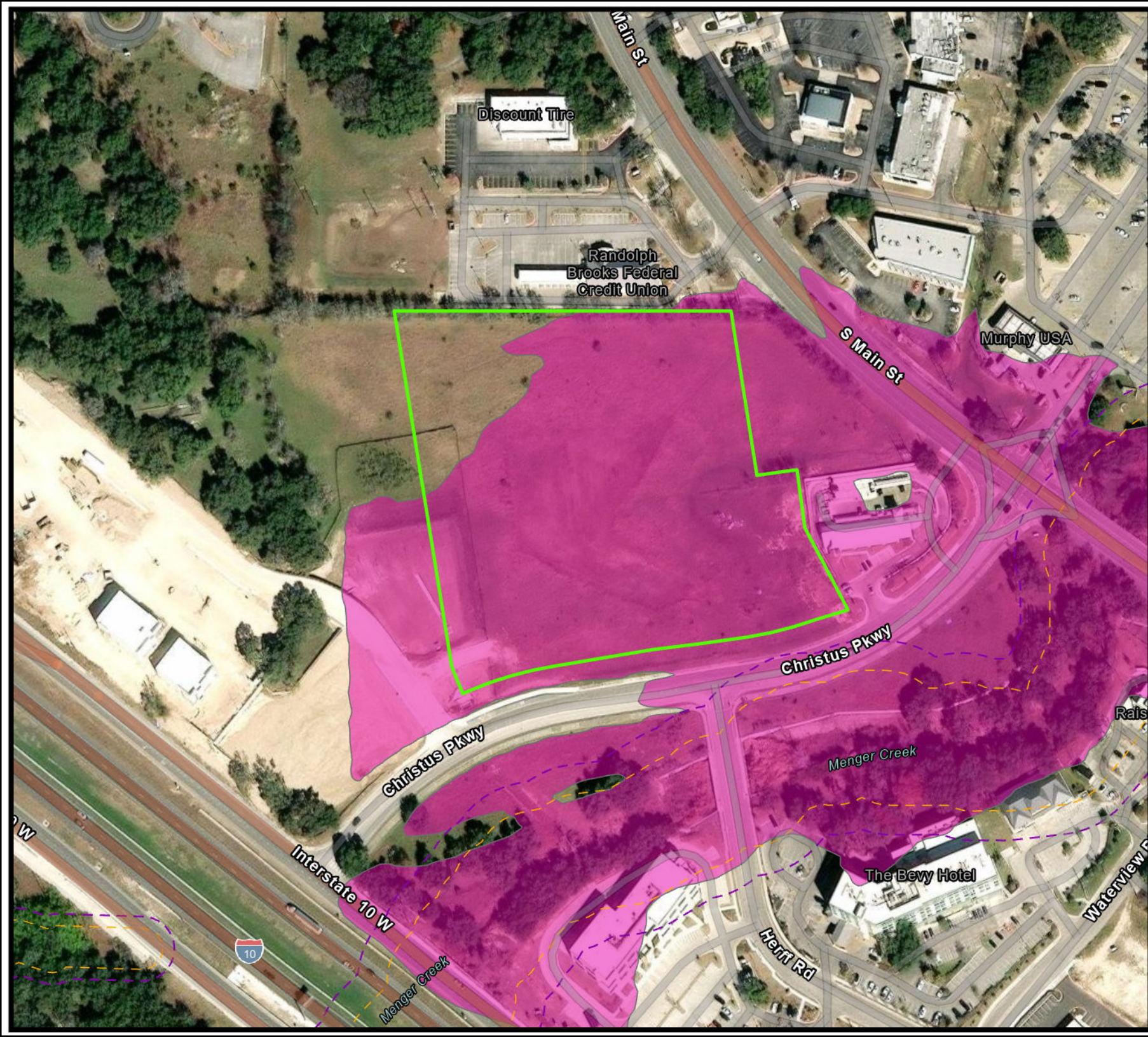


SUBJECT PROPERTY

Boerne Fitness Tract

Legend

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



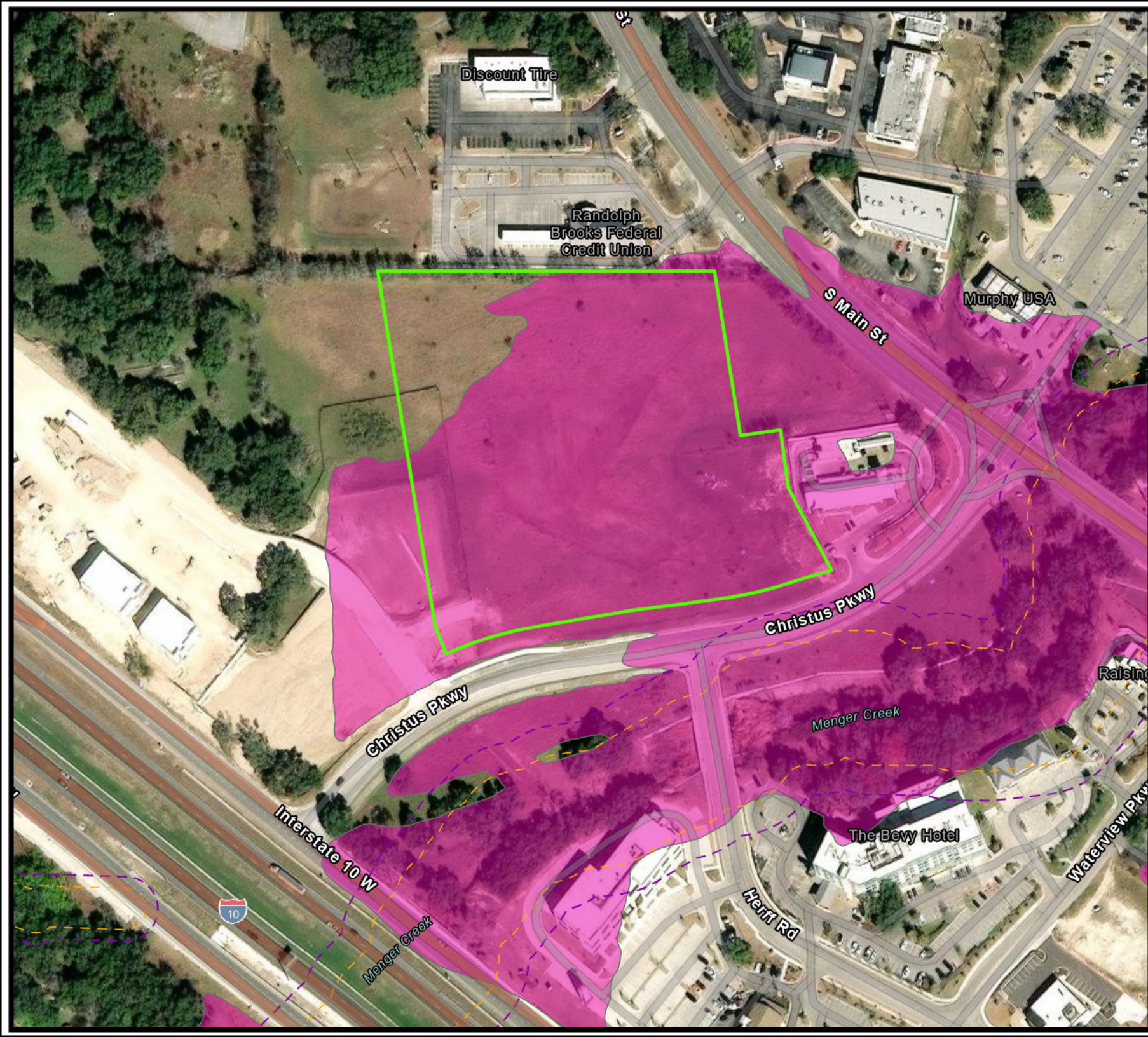


SUBJECT PROPERTY

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

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.

Stacey Weichert
(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

ATTACHMENTS

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

STATE OF TEXAS
COUNTY OF KENDALL

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 2:05 P.M. AND DULY RECORDED
THE 1st DAY OF Sept A.D. 2017 AT 2:05 P.M. IN THE RECORDS OF
IN BOOK VOLUME 8 ON PAGE 375-378
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 Hoffer* DEPUTY

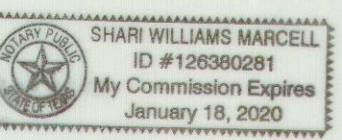
STATE OF TEXAS
COUNTY OF KENDALL

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 1598, 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 OR WARRANT 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.

MENGER PLACE SUBDIVISION

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

Doc # 00314886 Vol 8 Pg 370

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 MENGER PLACE SUBDIVISION, RECORDED IN VOLUME 6, PAGES 152-154, PLAT RECORDS OF KENDALL COUNTY, TEXAS.

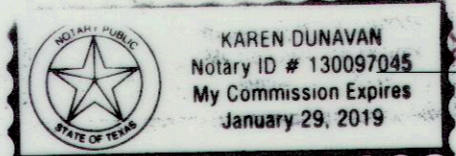
STATE OF TEXAS
COUNTY OF KENDALL

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 *Bexar*

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 MENGER 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:

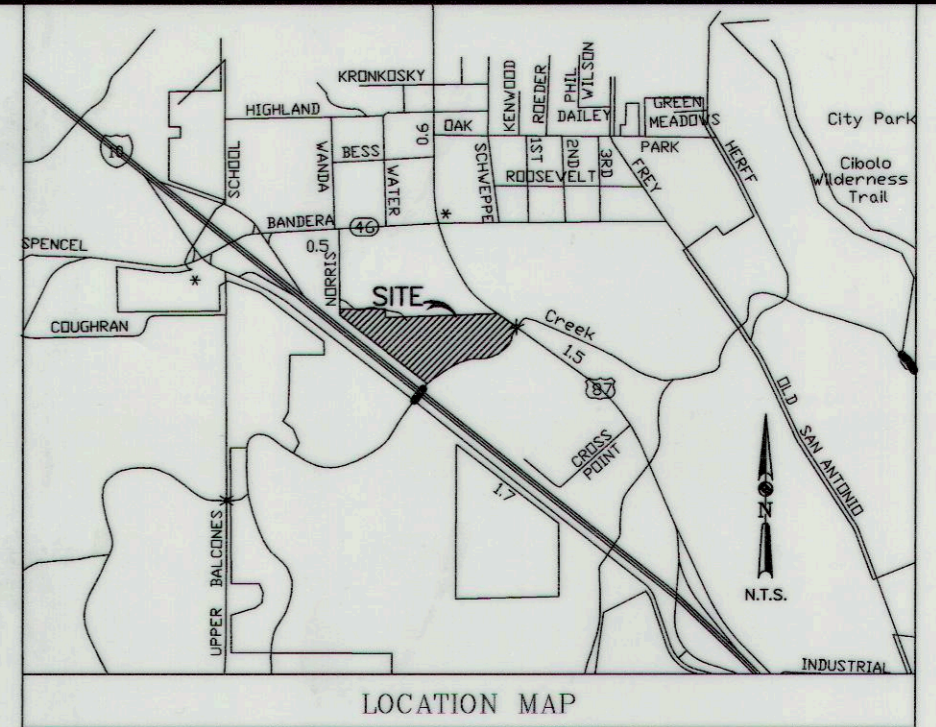
- 1. ALL EXISTING TREES DENOTED ON THIS PLAN TO BE PRESERVED AS SHOWN AND PROTECTED AT THE ROOT PROTECTION ZONE (RPZ). THE RPZ SHALL BE DETERMINED BY TREE SIZE (RECOMMENDED 12" [1.0'] RADIUS FROM TRUNK FOR EVERY 1" DIAMETER OF TRUNK AT 4.5' FROM GROUND) WITH A MINIMUM 5' DIAMETER FROM THE TRUNK.
- 2. 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. GROUNDCOVER OR TURF AT COMPLETION OF LANDSCAPE DESIGN.

UTILITY EASEMENT (P.U.E.):

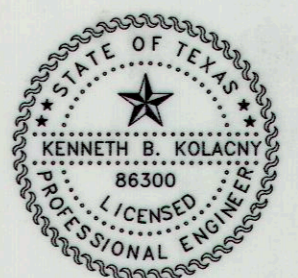
UTILITIES, INCLUDING, WITHOUT LIMITATION, SEWER, WATER, GAS, ELECTRICITY, TELEPHONE AND CABLE TELEVISION, WITH ALL NECESSARY AND/OR DESIRABLE LINES, LATERALS AND/OR APPURTENANCES THERETO (THE "UTILITIES").

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 COMMERCIALLY 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.



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.

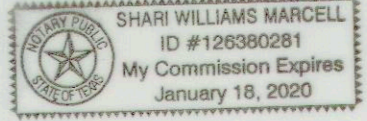


STATE OF TEXAS
COUNTY OF KENDALL
I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATION, EXCEPT FOR THOSE VARIANCES GRANTED BY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

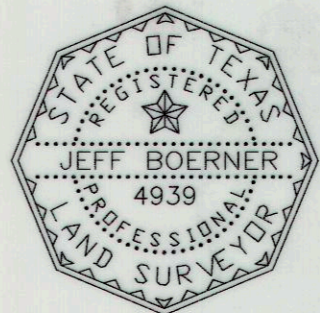
Kenneth B. Kolacny
KENNETH B. KOLACNY
LICENSED PROFESSIONAL ENGINEER #86300

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



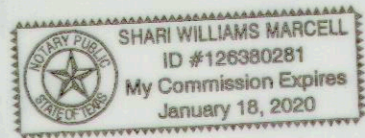
STATE OF TEXAS
COUNTY OF KENDALL

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



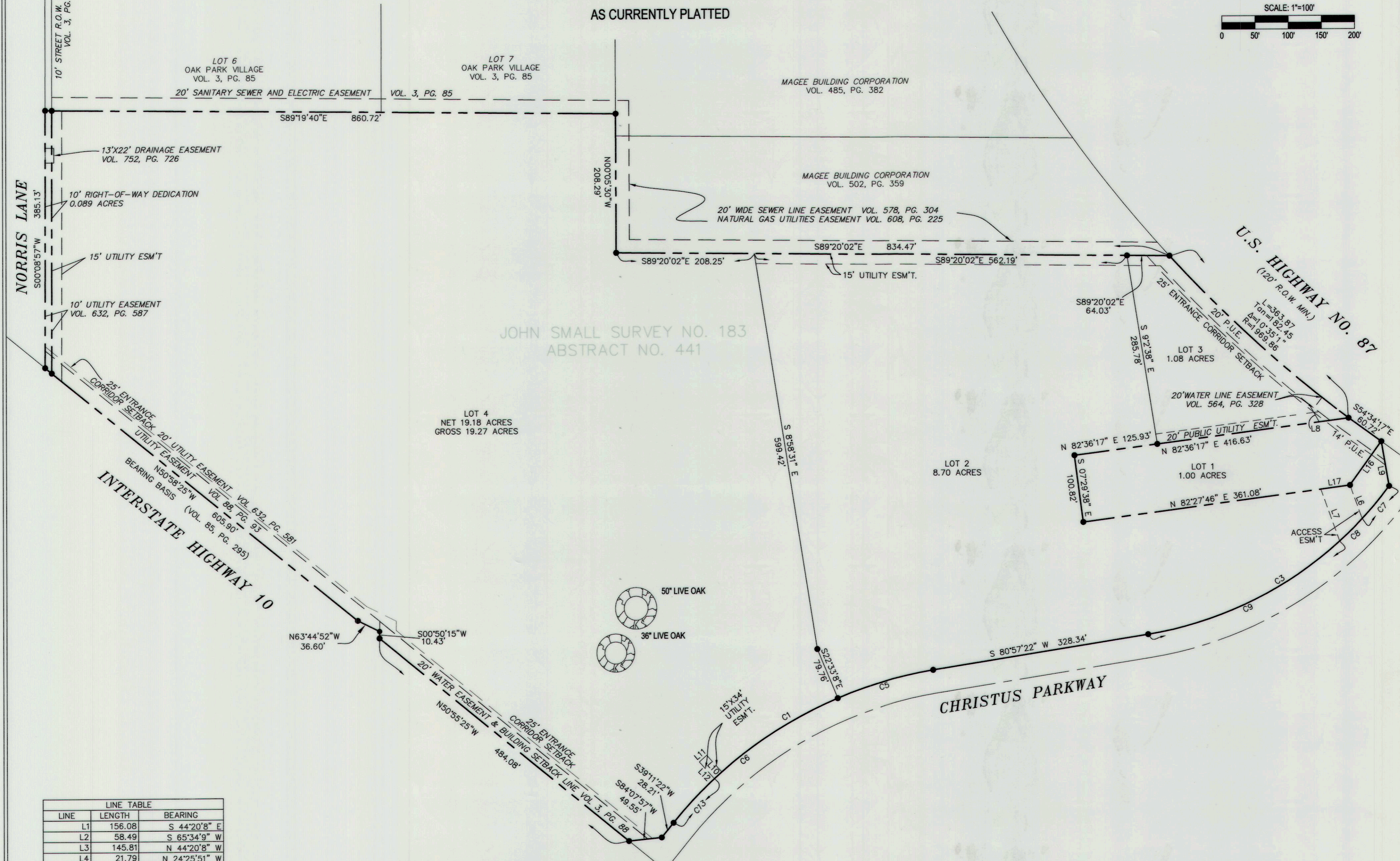
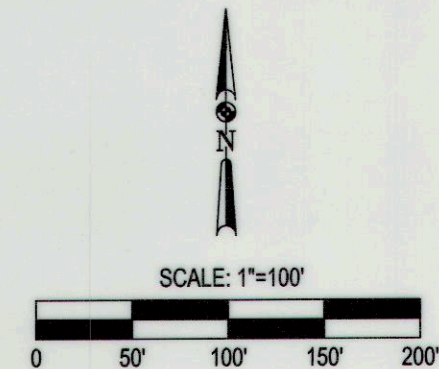
8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: 830.249.0600
CONTACT@MATKINHOOVER.COM
3303 SHELL ROAD SUITE 100
GEORGETOWN, TEXAS 78628
OFFICE: 512.868.2244
TEXAS REGISTERED ENGINEERING FIRM F-004512 SURVEYING FIRM F-1002400

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



JOHN SMALL SURVEY NO. 183
ABSTRACT NO. 441

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

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

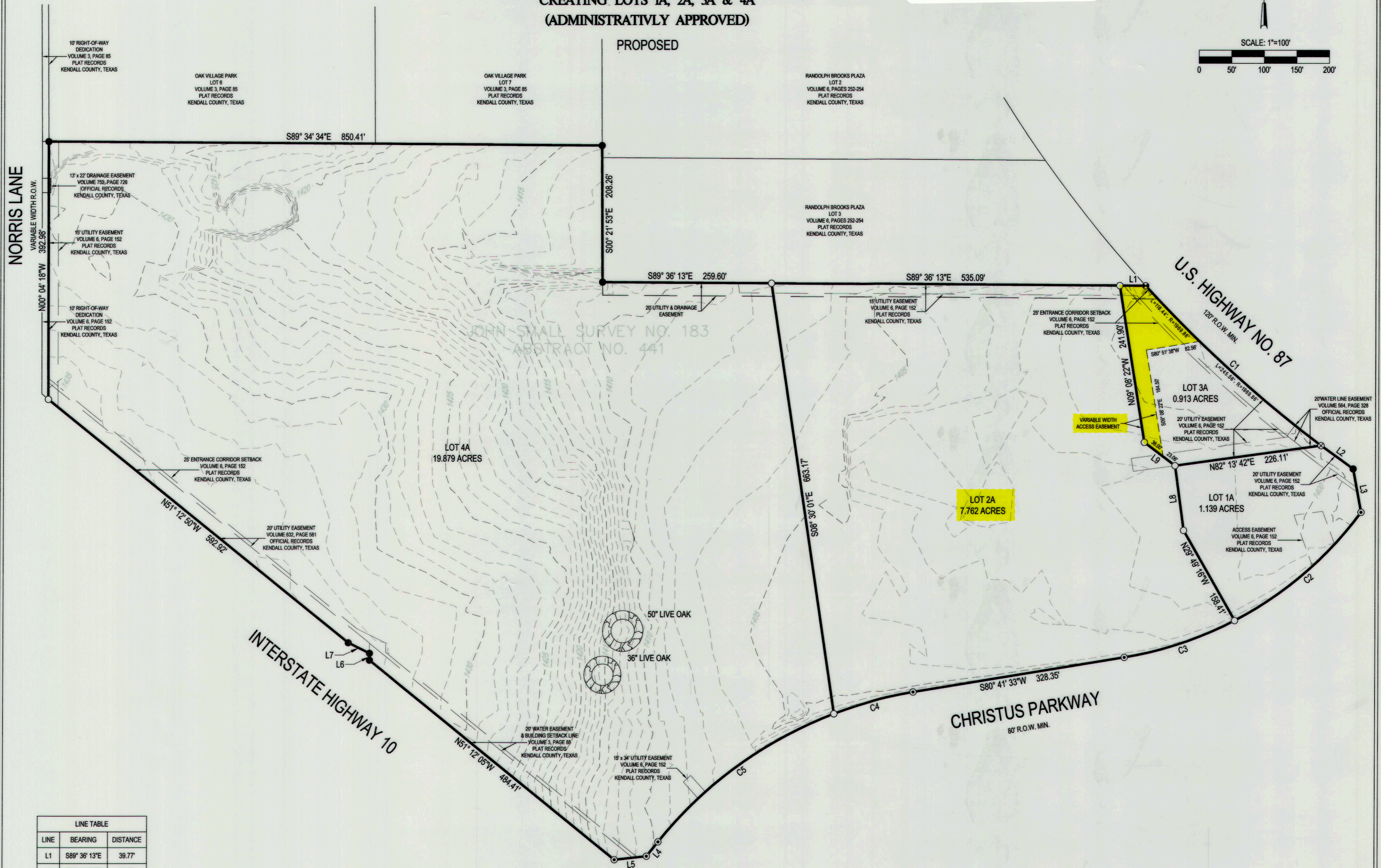
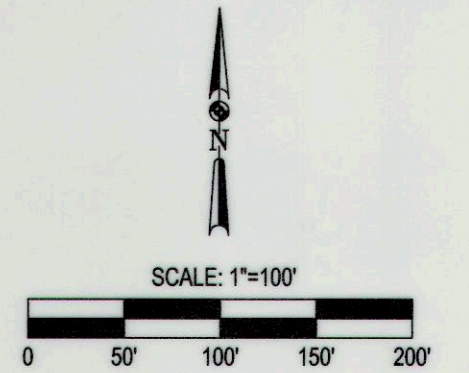
8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: 830.249.0600
CONTACT@MATKINHOOPER.COM
TEXAS REGISTERED ENGINEERING FIRM F-004512 SURVEYING FIRM F-10024000

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

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

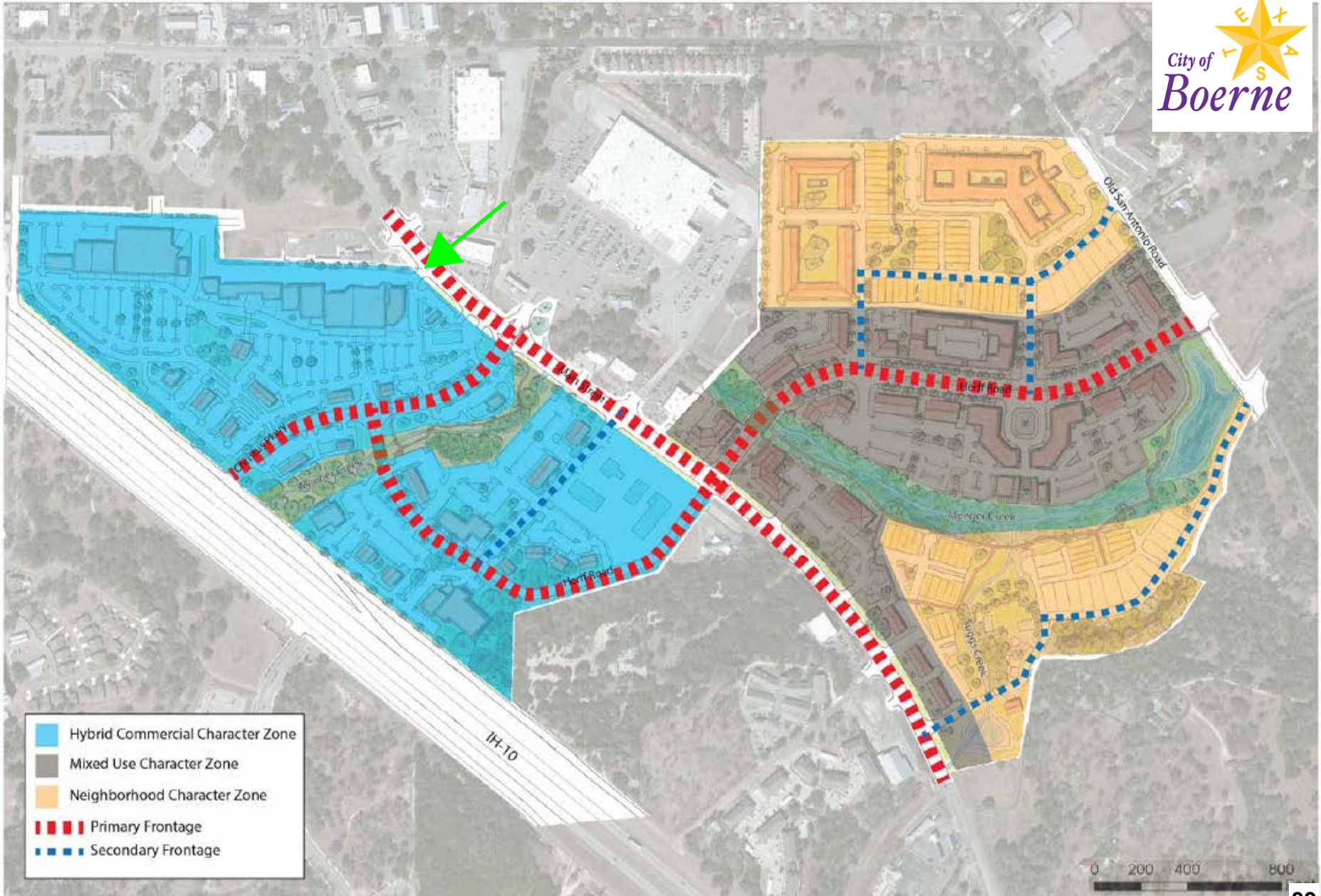
MATKINHOOPER
ENGINEERING
& SURVEYING

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

3103 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



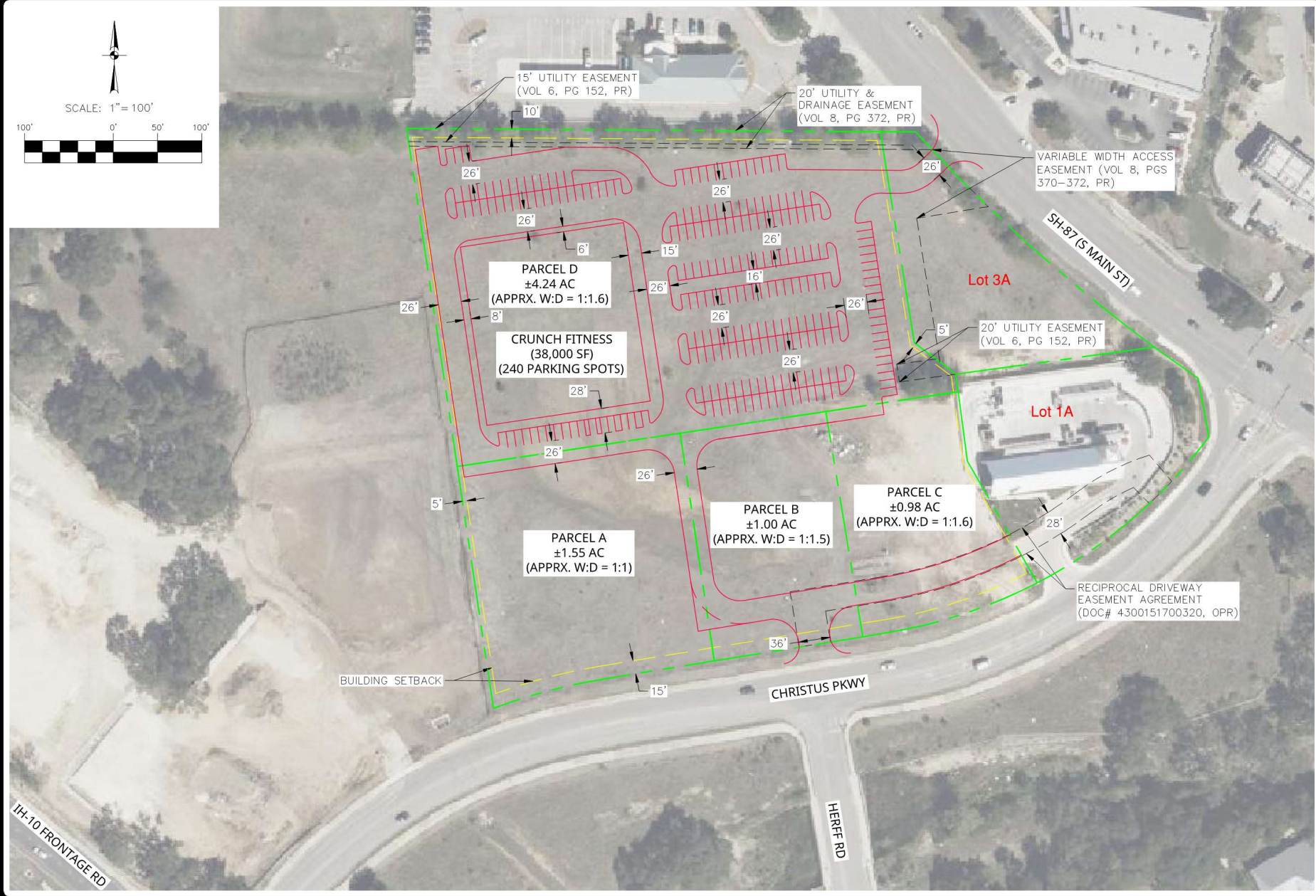
- Hybrid Commercial Character Zone
- Mixed Use Character Zone
- Neighborhood Character Zone
- Primary Frontage
- Secondary Frontage

0 200 400 800

ATTACHMENT C
Proposed Subdivision
Layout

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. McWhorter
File: P:\14148\14148-00\Drawings\14148-00-1222_1.dwg (3/26/26) - Boerne

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, CAPOCO, Digital Globe, Texas Orthometry Program, USA Farm Service Agency.

STATE OF TEXAS
COUNTY OF KENDALL

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 2:05 P.M. AND DULY RECORDED
THE 8th DAY OF Sept A.D. 2017 AT 2:05 P.M. IN THE RECORDS OF
IN BOOK VOLUME 8 ON PAGE 375-378
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 Jagger*, DEPUTY

STATE OF TEXAS
COUNTY OF KENDALL

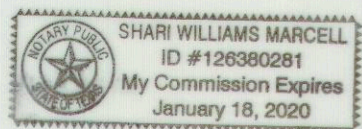
THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY
AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED
AS PRIVATE, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS,
EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION
THEREIN EXPRESSED.

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

John B. Fode OWNER, LOT 1A
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 W. 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 1598, 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 OR WARRANT 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.

MENGER PLACE SUBDIVISION

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

Doc # 00314886 Vol 8 Pg 370

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 MENGER PLACE SUBDIVISION, RECORDED IN VOLUME 6, PAGES 152-154, PLAT RECORDS OF KENDALL COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF KENDALL

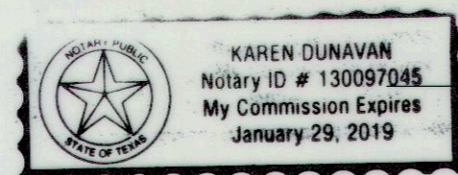
THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED AS PRIVATE, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

CHRISTUS HEALTH
6363 N. HWY 161
IRVING, TEXAS 75038

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

STATE OF TEXAS
COUNTY OF KENDALL *Bexar*

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 MENGER 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:

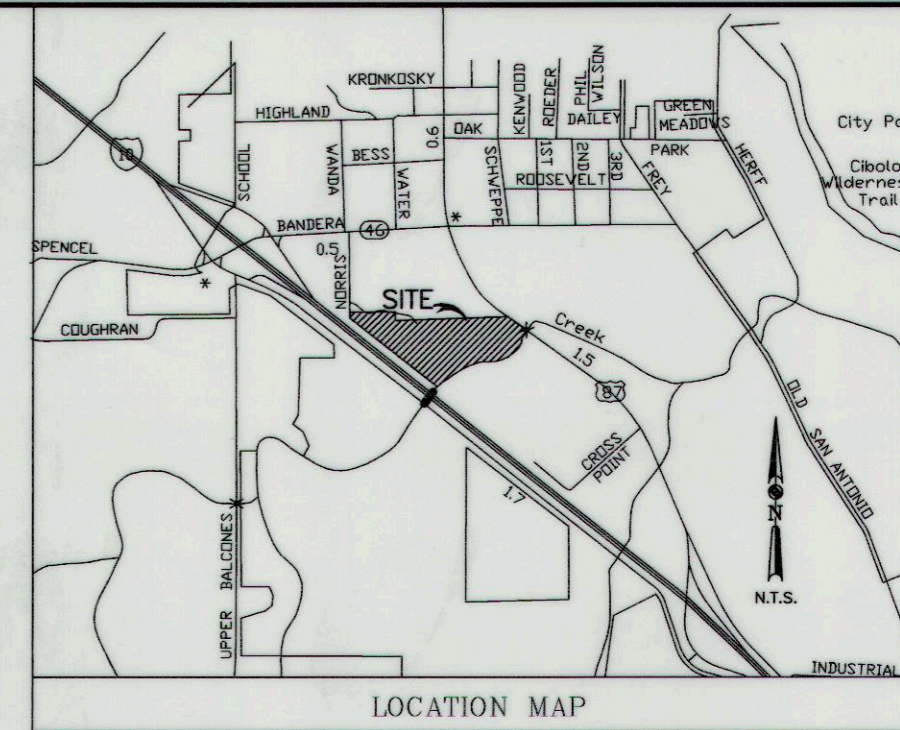
- 1. ALL EXISTING TREES DENOTED ON THIS PLAN TO BE PRESERVED AS SHOWN AND PROTECTED AT THE ROOT PROTECTION ZONE (RPZ). THE RPZ SHALL BE DETERMINED BY TREE SIZE (RECOMMENDED 12" [1.0'] RADIUS FROM TRUNK FOR EVERY 1" DIAMETER OF TRUNK AT 4.5' FROM GROUND) WITH A MINIMUM 5' DIAMETER FROM THE TRUNK.
- 2. 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. GROUNDCOVER 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 COMMERCIALY 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.

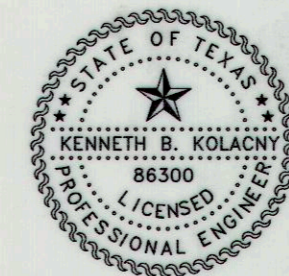


IMPACT FEE ASSESSMENT

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

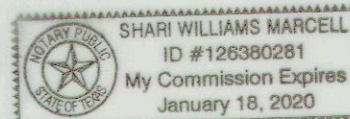
I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATION, EXCEPT FOR THOSE VARIANCES GRANTED BY THE PLANNING COMMISSION.



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

STATE OF TEXAS
COUNTY OF KENDALL

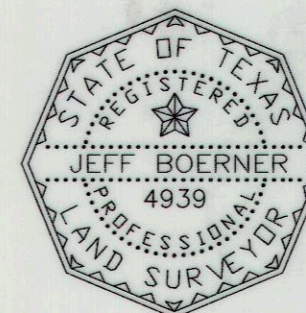
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED
Kenneth B. Kolacny, KNOWN TO ME TO BE THE PERSON WHOSE
NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO
ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS
THEREIN EXPRESSED AND IN THE CAPACITY THEREIN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



Shari W. Marcell
NOTARY PUBLIC
KENDALL COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF KENDALL

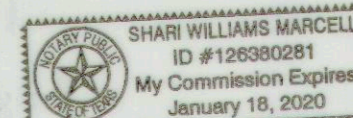
I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND.



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 W. Marcell
NOTARY PUBLIC
KENDALL COUNTY, TEXAS

DATE PREPARED: JUNE 2017

MATKINHOOPER
ENGINEERING
& SURVEYING

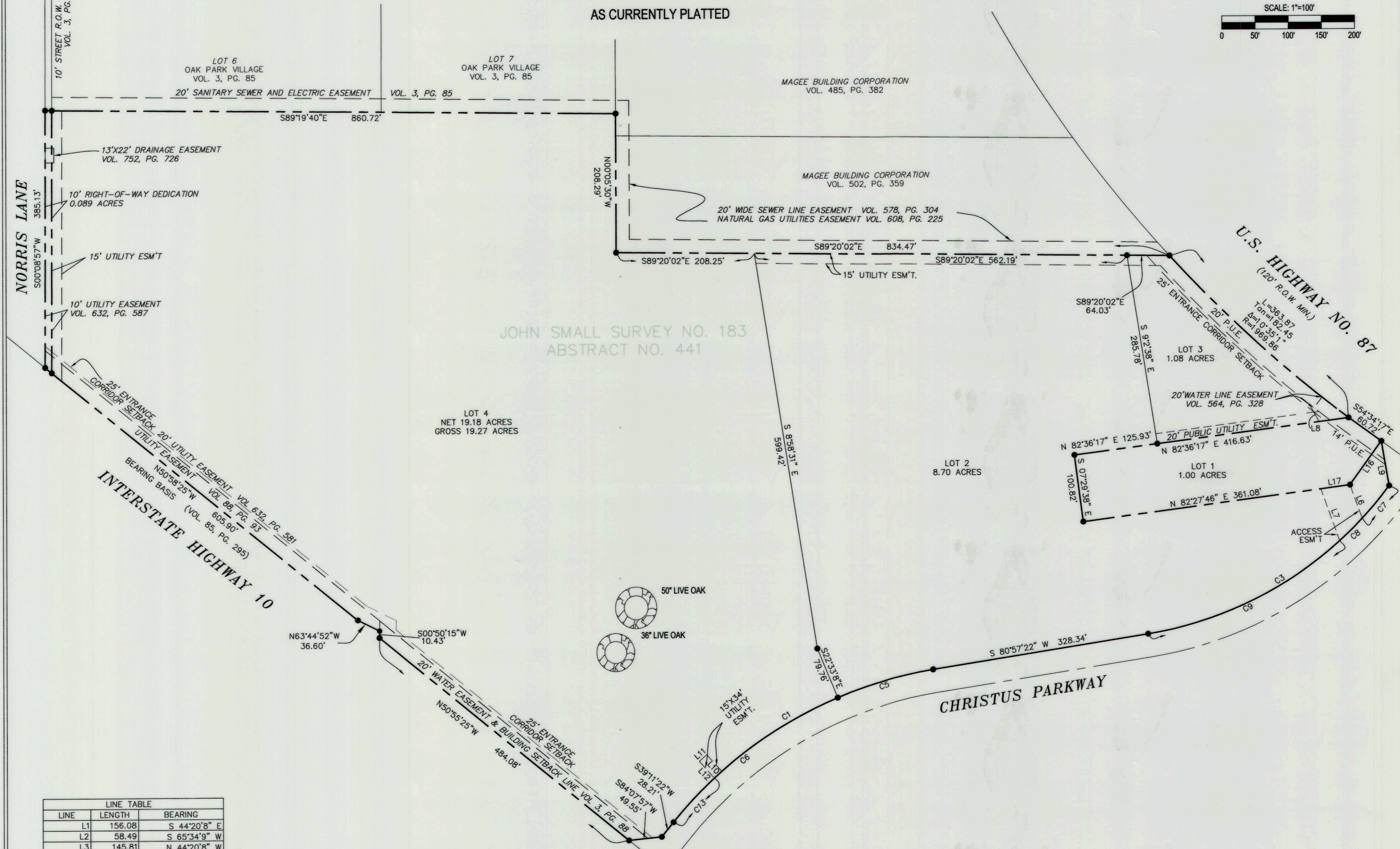
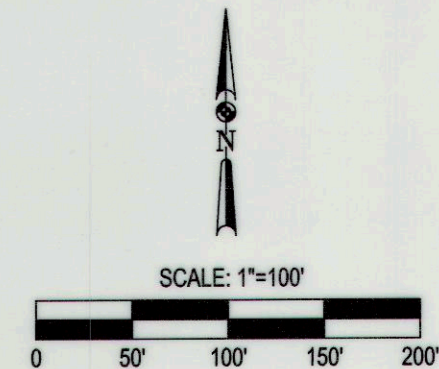
8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: 830.249.0600
CONTACT@MATKINHOOPER.COM
3303 SHELL ROAD SUITE 100
GEORGETOWN, TEXAS 78628
OFFICE: 512.868.2244
TEXAS REGISTERED ENGINEERING FIRM F-004512 SURVEYING FIRM F-1002400

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



JOHN SMALL SURVEY NO. 183
ABSTRACT NO. 441

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

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

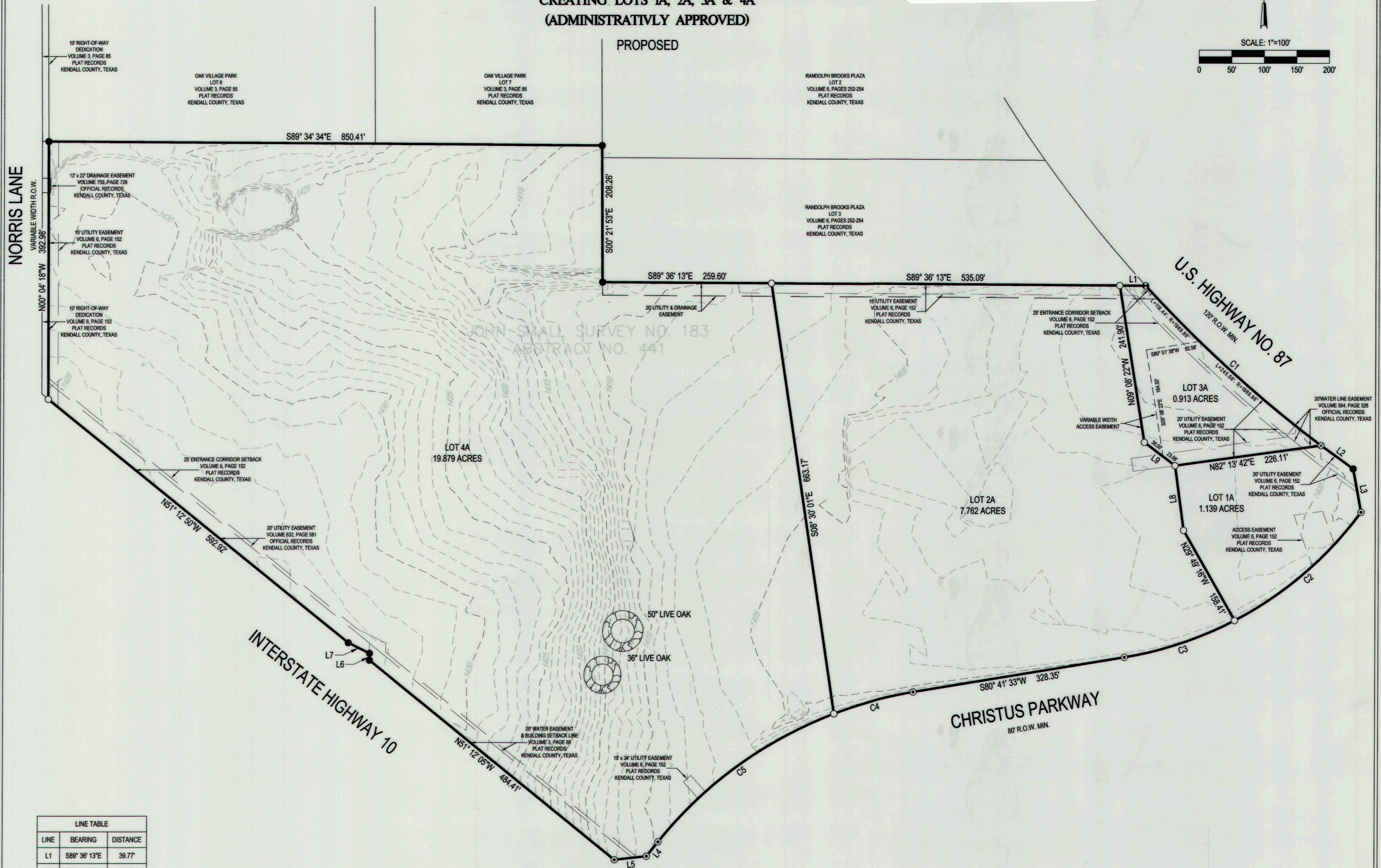
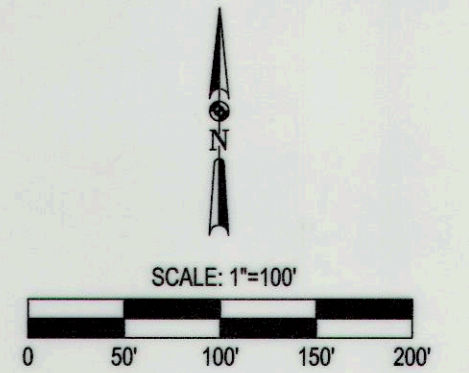
MATKINHOOPER
ENGINEERING
& SURVEYING

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

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



AGENDA ITEM SUMMARY

Agenda Date	July 6, 2026
Requested Action	<p>Consider and make a recommendation to the proposed amendment to the Unified Development Code adopted on January 14, 2025, including but not limited to:</p> <ul style="list-style-type: none"> • 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
Contact Person	William Willingham, Planner II (830) 248-1628, wwillingham@boerne-tx.gov
Background Information	<p>BACKGROUND:</p> <p>The City of Boerne’s Design Review Committee (DRC) was established in 2021, the same year which the Unified Development Code (UDC) was adopted. In alignment with the goals of the UDC, the DRC was established primarily to hold public meetings and make determinations on proposed creative alternatives within overlay districts and consider sign waivers.</p> <p>The DRC held its first public hearing on December 9, 2021, and since then has held 22 public meetings. Since that time, the DRC has acted upon two creative alternatives, four sign certificates of approval, and 18 sign variances. Of the variances, six were also required to be heard by the Historic Landmark Commission.</p> <p>The proposed UDC amendment will dissolve the DRC and reassign its duties to other commissions in the city. The DRC is expected to continue to meet as scheduled until the passage of this UDC amendment.</p> <p>The proposed UDC amendment will authorize new duties for the Planning and Zoning Commission and the Historic Landmark Commission and remove all references to the Design Review Committee. On June 2,</p>

2026, the Historic Landmark Commission voted 5-1 to recommend approval of this amendment to the Planning and Zoning Commission.

On June 9, 2026, the City of Boerne City Council passed Resolution 2026-R30 which revised number of terms, residency requirements, appointment requirements, and attendance requirements for city boards and commissions. Among several other changes to city boards and commission, the resolution authorizes the mayor to appoint the Chairman and Vice Chairman of the Planning and Zoning Commission. The proposed amendment revises the UDC to be consistent with this resolution.

REQUEST:

The proposed request will amend the UDC to:

1. Dissolve the Design Review Committee.
2. Transfer duties related to sign approvals and variances to the Historic Landmark Commission, and
3. Transfer duties related to creative alternatives to the Planning and Zoning Commission.
4. Grant the mayor the authority to appoint the Vice Chairman of the Planning and Zoning Commission in alignment with the recently adopted resolution.

ANALYSIS:

- The 89th Legislature of Texas met in 2025 and passed Senate Bill (SB) 1883. This bill prevents members of the Impact Fee Advisory Committee from serving on multiple municipal boards. Members of this committee also served as members of the Planning and Zoning Commission and, as a result of new state legislation, the city has since been compelled to restructure the composition and roles of commissions.
- Currently the UDC grants the Design Review Committee the following duties:
 1. Administer the design review process within the city’s overlay districts.
 2. Issue certificates of approval for creative alternatives.
 3. Provide recommendations on plats and permits within overlay districts.

	<p>4. Considers all sign variance requests within the city and ETJ.</p> <ul style="list-style-type: none">• The proposed amendment would dissolve the Design Review Committee and reassign its duties to other commissions. Under the amendment, all sign-related review responsibilities would be consolidated under the Historic Landmark Commission, while responsibilities related to creative alternatives would be transferred to the Planning and Zoning Commission.• The Historic Landmark Commission is well-suited to review signs and sign variances because this commission already performs similar duties. The Historic Landmark Commission issues certificates of appropriateness within Historic District for improvements such as exterior alterations and signs. This function is similar to Design Review Committee’s role in approving signs and sign variances. The Historic Landmark Commission is already familiar with considering how signs fit into the overall context of the community. Reassigning certificates of approval and variances for signs to the Historic Landmark Commission will ensure the transition of duties is streamlined and matches well with the development process.• The Planning and Zoning Commission is well-suited to review creative alternatives to rezoning or plat applications as this Commission already acts on plats and zoning matters. The Planning and Zoning Commission makes recommendations on zone change requests to the City Council and approves Major Subdivision Plats and Major Development Plats. This function is aligned with the Design Review Committee’s role in approving creative alternatives. The Planning and Zoning Commission is already familiar with implementing the City of Boerne’s developmental policies through platting and zoning oversight. Reassigning creative alternative approvals to the Planning and Zoning Commission will ensure the transfer of duties to this commission matches well with the development process.• On June 9, 2026, the City of Boerne City Council passed Resolution 2026-R30 which grants the mayor the authority to appoint the Vice Chairman of the Planning and Zoning Commission. Revising the UDC to grant this authority to the mayor will ensure that the UDC is consistent with the goals and objectives established by city council in Resolution 2026-R30.• The proposed amendment is consistent with the City Charter, applicable state and federal law, the City’s Comprehensive Plan,
--	---

and other adopted City initiatives. The amendment also advances the purposes of the Unified Development Code by streamlining procedures, realigning duties with the expertise of existing commissions, and improving overall city administrative responsibilities and more coordinated development review processes.

FINDINGS:

Staff finds that the proposed amendment:

- Is compliant with state legislation and ensures the UDC is compliant with the State of Texas Local Government Code
- Streamlines the development process, ensuring duties are aligned with the expertise and existing responsibilities of each commission
- Meets the criteria for approval as outlined in section 2-2.C of the UDC.

RECOMMENDATION:

The Planning and Zoning Commission should hold a public hearing and make a recommendation on the proposed amendments to the Unified Development Code to the City Council.

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 recommend **APPROVAL** of the proposed amendment(s).

OR

I move that the Planning and Zoning Commission accept the findings and recommend **APPROVAL** of the proposed amendment(s), **with the following revisions:** (The Commission will need to state the revisions for approval).

OR

I move that the Planning and Zoning Commission recommend **DENIAL** of the proposed amendment(s), based on the following findings: (The Commission will need to state the reasons for the denial).

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- Proposed Amendment

CHAPTER 1

Sec. 1-12. Decision agents and rules governing decision-making.

B. Planning and zoning commission

2. *Powers and duties of the commission.*

- b. In addition, in order to effectuate and carry out the purposes of this ordinance, the planning and zoning commission is also vested with the following powers and/or duties:

viii. Approval of creative alternatives.

3. Rules and procedures of the commission.

a. Officers.

i. Selection of officers.

- b. The chair and vice-chair shall be designated by the mayor city council.
- c. ~~The vice-chair and t~~The secretary shall be elected by the commission members and begin serving during the commission's regular meeting in June of each year, and they shall serve until the next election of officers.

D. *Historic landmark commission.*

2. *Powers and duties of the commission.* The historic landmark commission recommends the designation of historic districts and landmarks, recommends the granting of tax exemptions to historically significant sites in need of tax relief, considers demolition permits, approves the issuance of building permits and certificates of appropriateness for work involving landmarks and structures in historic districts, considers all variance requests and all certificates of approval for signage in the city or ETJ, and works in general to preserve the city's historic heritage.

E. ~~Design review committee.~~

~~1. Establishment of the design review committee.~~

- ~~a. There is hereby established a committee to be known as the "Design Review Committee" of the City of Boerne, Texas. Hereinafter this committee may be referred to as the "DRC."~~

~~b. Membership.~~

- ~~i. The design review committee shall consist of five (5) members, whom the mayor shall appoint with the consent and approval of the city council.~~
- ~~ii. To the extent possible, members of the design review committee shall have a background in architecture, landscape architecture, engineering, construction, land development, ecology and/or similar professions.~~
- ~~iii. Members shall be residents of the City of Boerne or its extraterritorial jurisdiction.~~
- ~~iv. To the extent possible, at least one (1) member shall also serve or have previously served on the planning and zoning commission, the historic landmark commission or city council.~~
- ~~v. Committee members are subject to the City of Boerne's ethics ordinance.~~

~~c. Term of office.~~

- ~~i. The term of office of committee members shall be four (4) years. Except as described for the initial terms below.~~

- ii. — Each term shall begin on June 1 following the appointment and expire May 31.
 - iii. — Each of the five (5) positions on the DRC shall be assigned a numbered place.
 - iv. — Upon adoption of this Code, places one, two and three, shall run through May 31, 2025. Places four and five shall run through May 31, 2024.
 - v. — After these initial terms expire, all terms shall be for four (4) years.
 - vi. — Eligible members must reside within the city limits or within the extraterritorial jurisdiction of the City of Boerne.
 - vii. — Members are subject to the City of Boerne's ethics ordinance.
- d. — *Vacancies.* Vacancies in the committee membership shall be filled for the unexpired term of the vacancy in the same manner as the appointment was made.
- e. — *Removal.*
- i. — Members missing three (3) or more consecutive meetings or attending less than seventy-five (75) percent of the posted meetings on a twelve (12) month rolling average, are subject to removal by the city council.
 - ii. — Any member may be removed by the mayor with consent of city council or by city council for cause after a public hearing before the city council and with reasonable notice of the charges.
- f. — *Compensation.* The members of the design review committee shall serve without compensation.
2. — *Role and responsibilities.*
- a. — The design review committee:
 - i. — Administers the design review process for properties within the overlay districts of the city.
 - ii. — **Issues certificate of approval if required for creative alternatives in the city limits.**
 - iii. — Comments upon and provides recommendations on actions proposed to other city boards, committees, and commissions for any plat or permit for a property located at least partially within any of the overlay districts of the city.
 - iv. — **Considers all variance requests for signage in the city or ETJ.**
 - b. — The design review committee does not review or provide approval for historic landmarks or for properties or signage in the historic district.
3. — *Rules and procedures.*
- a. — *Rules.*
 - i. — The design review committee shall adopt rules for the conduct of its business and election of officers other than the chair and vice chair.
 - ii. — All rules adopted by the committee shall be reviewed and approved by the city council.
 - b. — *Officers.*
 - i. — The mayor shall appoint the chair and vice.
 - ii. — The committee shall elect officers other than the chair and vice chair.
 - iii. — Both the chair and vice chair shall be eligible for re-election.
 - iv. — The chair shall preside over all design review committee meetings.
 - v. — In the absence of the chair, the vice chair shall preside.

- ~~c. — *Committee meetings.*~~
- ~~i. — All meetings, regular or special, shall be conducted in accordance with the Texas Open Meetings Act.~~
 - ~~ii. — Regular meetings shall be held at a regular location and time, or when called by the chair. The commission shall have at least one (1) meeting each quarter, and at any special meetings as called.~~
 - ~~iii. — Regular meetings shall be held at the call of the chair, vice chair or the city manager in the absence of the chair or vice chair.~~
 - ~~iv. — All design review committee members shall have seventy two (72) hours prior notice of the meeting.~~
 - ~~v. — The chair shall call a special meeting within seven (7) working days of receiving notice from the city manager to consider the issuance of a certificate of approval.~~
 - ~~vi. — The chair, or vice chair in the absence of the chair, shall preside over the meeting.~~
- ~~d. — *Quorum.* Three (3) members present shall constitute a quorum.~~
- ~~e. — *Voting.* All issues shall be decided by a majority vote of those members present and voting, except that in those instances where only a quorum of three (3) members is present at a meeting, all issues shall be decided by at least two (2) affirmative votes.~~
- ~~f. — *Minutes.* Minutes shall be kept of all meetings and shall be available for public inspection.~~
- ~~g. — *Investigation and reports.*~~
- ~~i. — The design review committee may recommend or make such investigations and studies of matters relating to the protection, enhancement, perpetuation or use of structures, or to environmental or landscape preservation of sites, as the committee may from time to time deem necessary or appropriate to effect the purpose and intent of this chapter.~~
 - ~~ii. — The design review committee may submit reports and recommendations as to such matters to the mayor, city council, staff, and other agencies, boards, commissions and committees of the city. In making such investigations and studies, the design review committee may hold such public hearings as it may deem necessary or appropriate.~~
- ~~h. — *Conflicts of interest.* Restrictions on participation of members with a conflict of interest shall be in keeping with chapter 171 of the Texas Local Government Code, Vote Required to Act.~~
- ~~i. — *Hearing and notice requirements.*~~
- ~~i. — The design review committee shall not act upon any request for a certificate of approval or variance without having first given the applicant adequate notice of the committee meeting and his/her right to be present and to be heard if so desired.~~
 - ~~ii. — Notice of meetings shall be posted in compliance with current state laws.~~
 - ~~iii. — Notice shall be sufficient if either:~~
 - ~~(a) — the party to be affected receives actual notice by any means;~~
 - ~~(b) — notice of the meeting is provided on the application, is sent to the address shown on any application or permit filed by the applicant, by United States mail, certified, return receipt requested; or~~
 - ~~(c) — in the absence of any address provided by an applicant, notice is sent to the address for the registered owner as shown by the tax rolls of the Kendall County Appraisal District.~~

CHAPTER 2

Sec. 2-1. General application procedures

H. *Application submittal dates.* The planning director shall establish a calendar day per month when an application will be accepted by the city for applications that are required to be approved by the planning and zoning commission, historic landmark commission, ~~design review committee~~ or the city council. Such applications shall only be accepted on the designated days established for the filing of applications. Applications that can be approved administratively may be filed at any time.

L. *Variances.*

2. *Decision agent.*

c. The Historic Landmark Commission (HLC) ~~design review committee~~ is authorized to grant signage variances.

M. *Appeals*

2. *Decision agent*

c. The planning and zoning commission shall hear and decide appeals of decisions by the Historic Landmark Commission (HLC) ~~design review committee~~.

Sec. 2-10. Signage.

E. *Sign variances.*

3. *Decision.*

a. The Historic Landmark Commission (HLC) ~~design review committee~~ shall hear and render decisions on specific sign types, and sign variances.

~~b. The landmark commission shall hear and make a recommendation to the design review committee regarding variances for signs in the Historic District.~~

4. *Criteria for granting a variance.*

a. The Historic Landmark Commission (HLC) ~~design review committee~~ may impose such conditions or requirements in a variance as are necessary to protect the overall character of the community and to achieve the fundamental purposes of this ordinance.

b. Sign variances shall not be granted for prohibited sign types.

c. The Historic Landmark Commission (HLC) ~~design review committee~~ shall grant the variance only when it is determined that:

CHAPTER 3

Sec. 3-6. Permitted uses of buildings and land.

- D. *Non-residential uses.*
 - 26. *Urban agriculture.*
 - e. *Urban farm, small.*
 - vii. *Design review.* The following farm structures on an existing and/or expanded urban farm are subject to the design review and approval by the Planning and Zoning Commission design review committee:

Sec. 3-9. Overlay districts.

- B. *Procedures in any overlay district other than the Historic District.*
 - 2. *Creative alternatives in an overlay district other than the Historic District.*
 - b. These guidelines and standards shall be interpreted and applied by the Planning and Zoning Commission design review committee in review and recommendation of any permit application, rezoning application or plat application where a creative alternative has been requested by the applicant.

Sec. 3-12. Downtown Community.

- G. *Signage.*
 - 3. *Signs requiring a certificate of approval from the Historic Landmark Commission (HLC). ~~Design review committee (DRC).~~*
 - a. Digital signs.
 - b. Illuminated signs.

Sec. 3-13. River Road Overlay District.

- D. *Dimensions.* Dimensions shall be in accordance with the base zoning of the property, except:
 - 1. *Building height.*
 - b. Buildings over thirty (30) feet and up to thirty-eight (38) feet or three (3) stories are permitted under the following conditions:
 - i. The third floor shall be stepped back at least ten (10) feet from the building wall facing a public street or a single-family residence, or the building shall be set back more than thirty (30) feet from the nearest public street or single-family residence; and
 - ii. Buildings that are over thirty (30) feet or two (2) stories in height shall require approval by the Planning and Zoning Commission design review committee.
 - iii. Buildings over thirty-eight (38) feet or three (3) stories are prohibited.
 - 2. *Signs with additional requirements.*
 - a. *Roof signs.* Signs mounted onto the roof shall be no taller than the height of the highest roof line of the building.
 - b. *Illuminated sign where the illumination is not static.* Illuminated sign where the illumination is not static shall require certificate of approval from the Historic Landmark Commission (HLC). ~~design review committee.~~

- c. *Freestanding tube letter signs.* Freestanding tube letter signs, such as neon signs, shall require certificate of approval from the Historic Landmark Commission (HLC). ~~design review committee.~~
- d. *Digital signs.* Digital signs shall require a certificate of approval from the Historic Landmark Commission (HLC). ~~design review committee.~~
- e. *All other sign types.* For all other sign types, the requirements of chapter 9: Signage shall apply.

Sec. 3-14. Sobo Overlay District.

H. *Signage.*

2. *Signs in the mixed-use character zone (MU-CZ).*

b. *Roof sign.*

- i. *Digital sign.* Digital signs shall require a certificate of approval from the Historic Landmark Commission (HLC). ~~design review committee.~~
- ii. *Illuminated sign.* Electronic message boards shall require a certificate of approval from the Historic Landmark Commission (HLC). ~~design review committee.~~
- iii. *Electronic message boards.* Electronic message boards shall require a certificate of approval from the Historic Landmark Commission (HLC). ~~design review committee.~~
- iv. *Manual changeable copy sign.*
- v. *All other sign types.* For all other sign types, the requirements of chapter 9: Signage shall apply.

3. *Signs in the neighborhood character zone (N-CZ).*

b. *Signs with additional requirements.*

- i. *Digital sign.* Any sign with a digital sign element, including electronic message boards, shall require a certificate of approval from the Historic Landmark Commission (HLC). ~~design review committee.~~
- ii. *Illuminated sign with static illumination.*
- iii. *All other sign types.* For all other sign types, the requirements of chapter 9: Signage shall apply.

Sec. 3-16. Entrance Corridors.

J. *Signage.*

3. *Signs requiring a certificate of approval from the Historic Landmark Commission (HLC). ~~design review committee.~~*

- a. *Manual changeable copy sign elements.*
- b. *Illuminated signs where the illumination is not static.*
- c. *Signs where a digital sign element comprises over twenty-five (25) percent of the total area of the sign face.*

Sec. 3-17. Scenic Interstate Corridor District.

G. Signage.

3. Signs with additional requirements.

- b. Signs requiring certificate of approval from Historic Landmark Commission (HLC). ~~design review committee.~~
 - i. Digital sign.
 - ii. Illuminated sign where the illumination is not static.
 - iii. *Electronic message board.*
 - (a) Electronic message boards larger than thirty (30) percent of the maximum allowable area of a sign face shall require a certificate of approval from the Historic Landmark Commission (HLC). ~~design review committee.~~
 - (b) Manual changeable copy sign.
 - (c) Manual changeable copy sign shall require a certificate of approval from the Historic Landmark Commission (HLC). ~~design review committee.~~

CHAPTER 9

Sec. 9-5. Sign illumination.

A. *Generally.*

3. Electronic changeable copy signs shall be considered and approved prior to use by the Historic Landmark Commission (HLC) design review committee.
4. Digital signs shall be considered and approved prior to use by the Historic Landmark Commission (HLC) design review committee.

C. *Internally illuminated signs.*

4. *Electronic changeable copy boards.*
 - a. Shall first be considered and approved by the Historic Landmark Commission (HLC) design review committee.
5. *Digital signs.*
 - a. Shall first be considered and approved by the Historic Landmark Commission (HLC) design review committee.

Sec. 9-7. General sign standards.

C. *Freestanding signs.*

9. *Standards by sign type for freestanding signs.*


GENERAL STANDARDS FOR FREESTANDING SIGNS			
	Decorative Post and Panel	Monument (8ft or less)	Freeway Pylon (>8ft)
Base (min. height)	n/a	18 "	n/a
Base	n/a	60% total sign width	No less than fifteen (1) ft wide and no greater than twenty-five (25) ft wide.
Enclosure Required	no	at least 2 sides	yes
Enclosure (min. width)	n/a	min. 12" per enclosure (including cap)	at least 30% of sign width
Sign Area per Panel/Cabinet (max sf each)	n/a	n/a	n/a
Panel Width (max)	Sign panels may extend beyond the base of approved by the Historic Landmark Commission (HLC) Design review committee	Sign panels may extend beyond the base of approved by the Historic Landmark Commission (HLC) Design review committee	Shall not exceed the base minimum width of the sign
Panel (minimum height)	8 in	8 in	8 in
Sign Area (max sf)	24 sf	30 sf; or 4sf/tenant with max 40 sf	shall not exceed 400 sq. ft.
Max. Sign Height	10 ft	8 ft	40 ft
Min. Sign Setback	8 ft	8 ft	15 ft
Vertical Clearance	Max 4 ft	0 ft	< 4ft or > 8 ft
Max Width Sign Face	6 ft	10 ft	Shall not exceed the base width
Internal Illumination	yes	yes	yes
External Illumination	yes	yes	no

APPENDIX A. Definitions

~~*Design review committee:* The design review committee of the City of Boerne.~~



AGENDA ITEM SUMMARY

	AGENDA ITEM SUMMARY
Agenda Date	July 7, 2026
Requested Action	Election of the Planning and Zoning Secretary
Contact Person	Nathan Crane, Planning Director ncrane@boerne-tx.gov
Background Information	The secretary is elected annually by Planning and Zoning Commission members as per the Unified Development Code Chapter 1 Section 12.
Item Justification	<input checked="" type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Infrastructure Investment <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Customer Demand <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Service Enhancement <input type="checkbox"/> Drive Down Risk <input type="checkbox"/> Process Efficiency <input type="checkbox"/> Master Plan Recom. <input type="checkbox"/> Other: _____
Financial Considerations	None
Citizen Input/Board Review	None
Legal Review	None
Alternative Options	None
Supporting Documents	None