

AGENDA
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.

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

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

1. CALL TO ORDER – 6:00 PM

Pledge of Allegiance to the United States Flag
Pledge of Allegiance to the Texas Flag
(Honor the Texas flag, I pledge allegiance to thee, Texas – one state under God, one and indivisible.)

2. CONFLICTS OF INTEREST

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

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

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

Attachments: [MeetingMinutes-May4-2026](#)

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

- Attachments:** [AIS Commons of Menger Creek Unit Preliminary Plat](#)
[Attachment 1 Ariel View](#)
[Attachment 2 Zoning View](#)
[Attachment 3 Future Land Use View](#)
[Attachment 4 Environmental Constraints View](#)
[Attachment 5 Proposed Preliminary Plat](#)
[Attachment 6 Master Development Plan](#)

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

- Attachments:** [AIS - Scenic Loop Road Major Development Plat](#)
[Attachment 1 - Aerial Map](#)
[Attachment 2 - Future Land Use Map](#)
[Attachment 3 - Zoning Map](#)
[Attachment 4 - Environmental Constraints Map](#)
[Attachment 5 - Scenic Loop Road Business Major Development Plat](#)

5. REGULAR AGENDA:

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

- Attachments:** [AIS 123 Fredrick Sewer Waiver](#)
[Attachment 1 - Aerial Map - 123 Frederick](#)
[Attachment 2 - Future Land Use Map - 123 Frederick](#)
[Attachment 3 - Zoning Map - 123 Frederick](#)
[Attachment 4 - Environmental Constraints - 123 Frederick](#)
[Attachment 5 - Cost Estimates](#)
[Attachment 6 – Property Survey](#)
[Attachment 7 – Sewer Map](#)

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).

- Attachments:** [AIS - 8 Ranger Creek Rd - Dvwy](#)
[Attachment 1 - Location Map](#)
[Attachment 2 - Variance Application](#)
[Attachment 3 - Application Statement](#)
[Attachment 4 - Proposed Site Plan](#)
[Attachment 5 - Turn Analysis](#)

- 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).

- Attachments:** [AIS - 417 Hickman - FILO Sidewalk](#)
[Attachment 1 - Aerial Map](#)
[Attachment 2 - 417 Hickman PZ Variance Application](#)
[Attachment 3 - Letters of Support](#)
[Attachment 4 - Photos](#)
[Attachment 5 - Applicant Statement](#)
[Attachment 6 - Sidewalk Cost Estimate](#)

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.

- Attachments:** [AIS -Commons at Menger Creek Discussion](#)
[Attachment 1- Conceptual Design](#)

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

A. Introduction of William Willingham, Planner II.

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

7. ADJOURNMENT

s/s Nathan Crane

Administrative Officer

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 26th day of May, 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, May 4, 2026 – 6:00 p.m.

Minutes of the regular called Planning and Zoning Commission Meeting of May 4, 2026.

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

Staff Present: Maria Garcia, Nathan Crane, Francesca "Franci" Linder, Barrett Squires, Jo-Anmarie Andrade, Misti Rains.

Recognized/Registered Guests: Dana Mathes.

1. CALL TO ORDER – 6:00 PM

Chairman Bannwolf called the meeting to order at 6:00pm.

Chairman Bannwolf led the pledge of allegiance to the United States flag, pledge to the Texas flag, followed by a moment of silence.

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. PUBLIC COMMENTS

Dave Mathes thanked the commission for listening to all his raised concerns as thanked Chairman Bannwolf for his time of service as the Chairman for the Planning and Zoning Commission.

4. CONSENT AGENDA:

A MOTION WAS MADE BY COMMISSIONER FRIAR, SECONDED BY VICE CHAIR HILER, TO APPROVE THE CONSENT AGENDA ITEMS 4A AND 4B. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

- A. [2026-143](#) Consider approval of the Esperanza 3I Preliminary Plat, generally located southwest of the intersection of Fandango and Galisteo.
- B. [2026-144](#) Consider approval of the Regent Park Unit 6 Final Plat, generally located southwest of the intersection of Park Boulevard and Regent Boulevard.

5. REGULAR AGENDA:

No items were reported.

6. DISCUSSION:

[2026-148](#) Acknowledgment and appreciation of Tim Bannwolf’s service on the Planning and Zoning Commission.

Chairman Bannwolf stepped down to the public podium to deliver a heartfelt, farewell address, recognizing Mrs. Bannwolf for her years of steadfast support of his position, expressed his gratitude towards the Planning and Zoning Commission for their dedicated service alongside his, and sincerely thanked the City of Boerne’s Planning Department staff for their continued efforts and commitment.

7. COMMENTS FROM COMMISSION/LEGAL COUNSEL/STAFF

No discussion or action took place.

8. ADJOURNMENT

Meeting was adjourned by Vice Chairman Lucas Hiler at 6:10 p.m.

Chairman

Executive Assistant



AGENDA ITEM SUMMARY

Agenda Date	June 6, 2026
Requested Action	Consider approval of the Commons of Menger Creek Unit 10 Preliminary Plat, generally located along Herff Road southwest of Old San Antonio Road.
Contact Person	Benjamin Simmons Planner I (830) 248-1630, bsimmons@boerne-tx.gov
Background Information	<p>BACKGROUND:</p> <p>The property is owned by Perardi Development, and the applicant is Mark Santos of LJA Engineering, Inc.</p> <p>The property is located within city limits along Herff Road southwest of Old San Antonio Road. The property is zoned C2 (transitional commercial) and is within the SoBo Mixed Use Character Zone. This project is included within a Development Agreement approved February 24, 2009, and amended November 30, 2018.</p> <p>The project is vested to regulations in effect as of June 5, 2017, through Vested Rights Determination File #VR2022-005, and is limited to conformance with Subdivision Ordinance No. 2007-56 revised 3/28/2017 with the exception of open space, a linear park, and heritage trees which are vested under the 2007 development regulations per the development agreement dated March 9, 2009.</p> <p>A preliminary plat for this project was approved by the city on August 30, 2022. This preliminary plat has since expired. The current plat was accepted on May 18, 2026, and the fifteen-day review period expires on June 2, 2026.</p> <p>REQUEST:</p> <ol style="list-style-type: none">1. Commons of Menger Creek Unit 10 includes 1 non-residential lot, 1 open space lots, and 0.43 acres Right-Of-Way on 4.882 acres.2. The plat includes a total of 1.23 acres of open space across one lot. Block E – Lot 10B. This open space will be dedicated to the

City of Boerne as parkland.

3. The plat includes standard subdivision notes and identifies 1 Heritage Legacy Tree.
4. Primary access to the subdivision will be provided from Pedigree Place Avenue, which is a collector street and will connect to Herff Road, which is a major arterial street.
5. Water, sewer, and gas services are provided by the City of Boerne.

ANALYSIS:

Development Master Plan, Zoning, and Preliminary Plat:

- The City's Future Land Use Plan designates this property as Auto-Oriented Commercial, and the preliminary plat is consistent with the Comprehensive Plan.
- The preliminary plat adheres to the requirements of the Commons of Menger Creek development agreement, approved master plan, and the applicable subdivision ordinance.
- All necessary right-of-way dedications and planned street improvements are included in this development.

Landscaping and Open Space:

- The open space plan for Unit 10 conforms to the approved Master Plan, with a total of 1.23 acres designated for open space/parkland dedication south of the property along the creek.

Utilities, Drainage, and Floodplain:

- The proposed easements provide enough space for necessary utilities and drainage systems, ensuring smooth service delivery and water management.
- The proposed plat is located within the floodplain, however there is a CLOMR in place that was approved in 2017.

FINDINGS:

- The Preliminary Plat is consistent with the Comprehensive

	<p>Master Plan.</p> <ul style="list-style-type: none"> • The Preliminary Plat is consistent with the Commons of Menger Creek Master Plan and Development Agreement. • The Preliminary Plat has been reviewed by all pertinent departments and is consistent with the applicable subdivision regulations. <p>RECOMMENDATION:</p> <p>The Planning and Zoning Commission should determine if the request meets the requirements of UDC Section 2-6 Platting Procedure. If the Planning and Zoning Commission chooses to recommend approval, staff recommends the inclusion of the following stipulation(s):</p> <ol style="list-style-type: none"> 1. The final plat shall substantially conform to the preliminary plat date stamped May 18, 2026. <p>MOTIONS FOR CONSIDERATION:</p> <p>The following motions are provided to assist the Commission’s decision.</p> <p>I move that the Planning and Zoning Commission accept the findings and APPROVE the proposed preliminary plat and final plat subject to the one stipulation recommended by staff.</p> <p>OR</p> <p>I move that the Planning and Zoning Commission DENY the proposed preliminary plat and final plat based on the following findings: (The Commission will need to state the reasons for the denial. These reasons should reference specific regulations in the UDC.).</p>
Strategic Alignment	
Financial Considerations	N/A
Citizen Input/Board Review	Public hearings and notifications are not required for this request.
Legal Review	This action is needed to meet statutory requirements.

Alternative Options	The Commission must approve, approve with conditions, extend the review, or disapprove the plat. Each condition or reason for denial must be directly related to requirements of city regulations and may not be arbitrary.
Supporting Documents	Attachment 1 – Aerial Map Attachment 2 – Zoning Map Attachment 3 – Future Land Use Map Attachment 4 – Environmental Constraints Map Attachment 5 – Proposed Preliminary Plat Attachment 6 – Master Development Plan

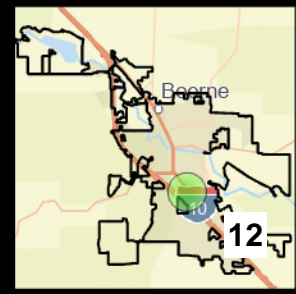
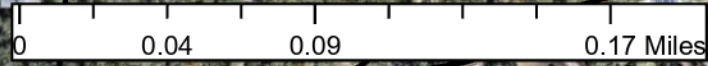
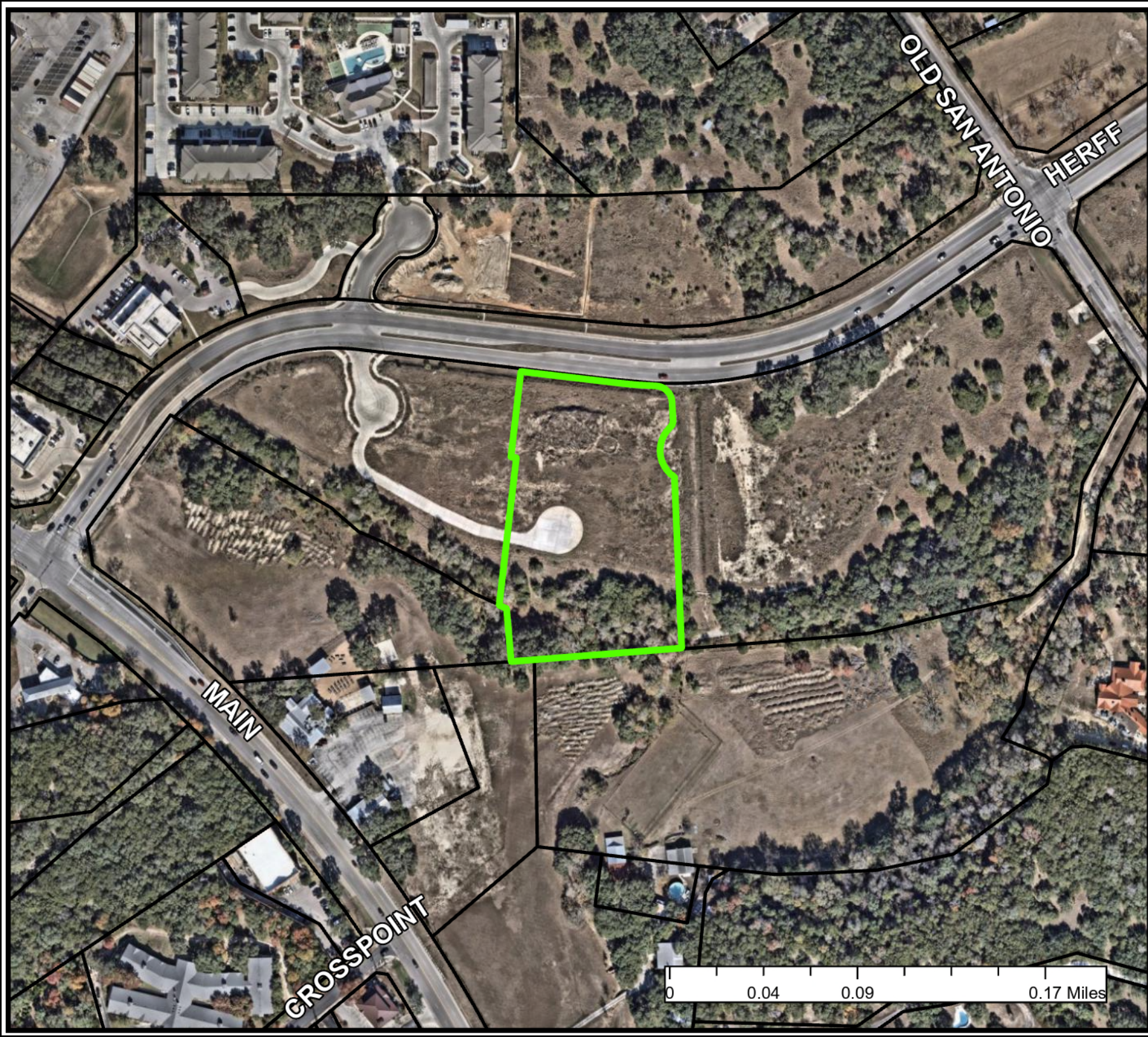


SUBJECT PROPERTY

Commons at Menger
Creek Unit 10

Legend

-  Parcels
-  SUBJECT PROPERTY












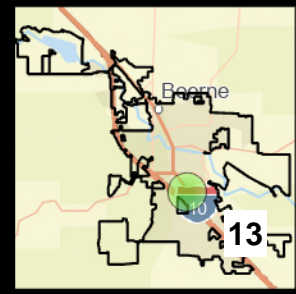
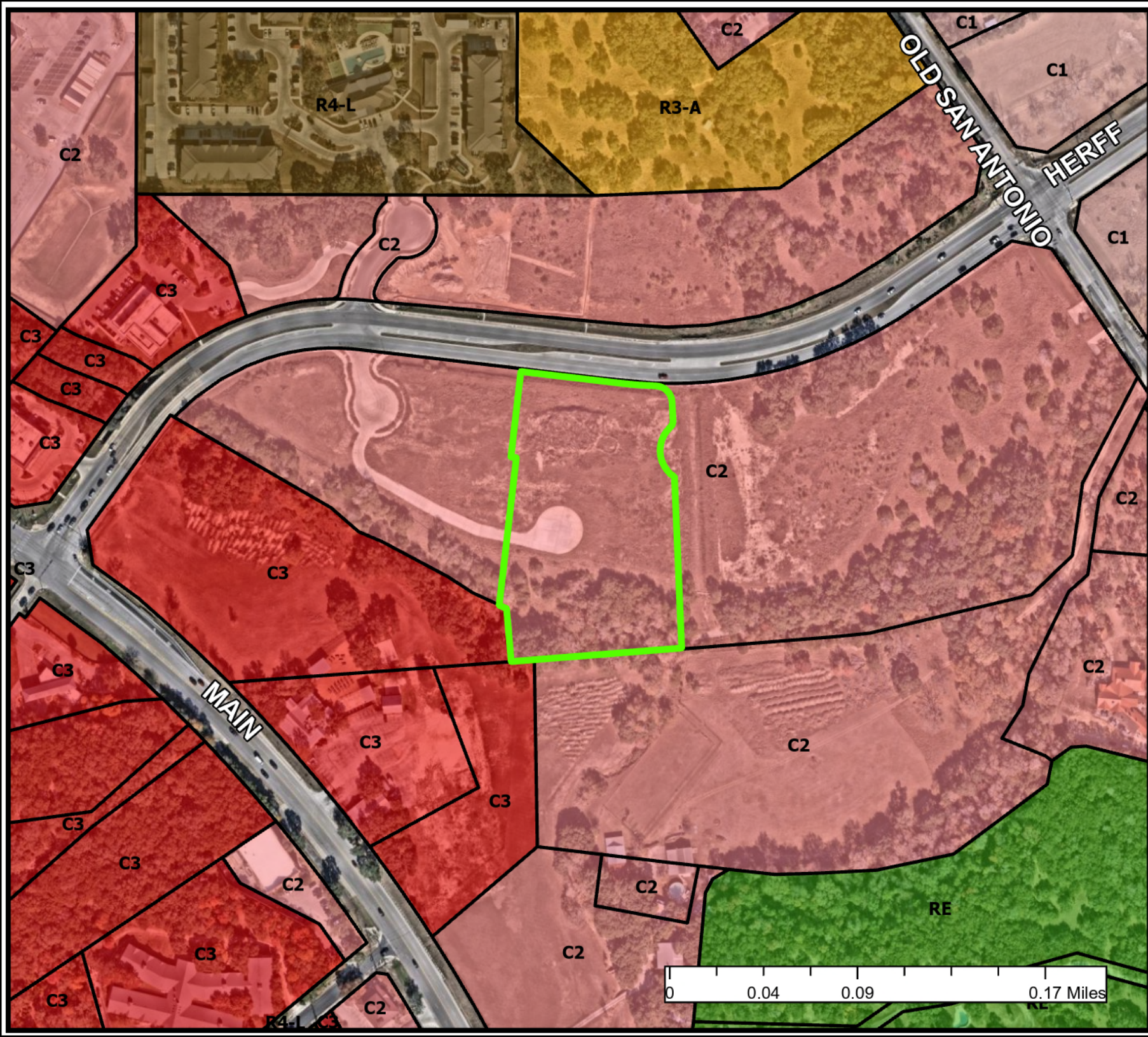


SUBJECT PROPERTY

Commons at Menger
Creek Unit 10

Legend

-  Parcels
-  C1
-  C2
-  C3
-  RE
-  R3-A
-  R4-L
-  R2-M
-  SUBJECT PROPERTY



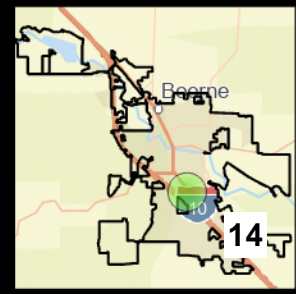
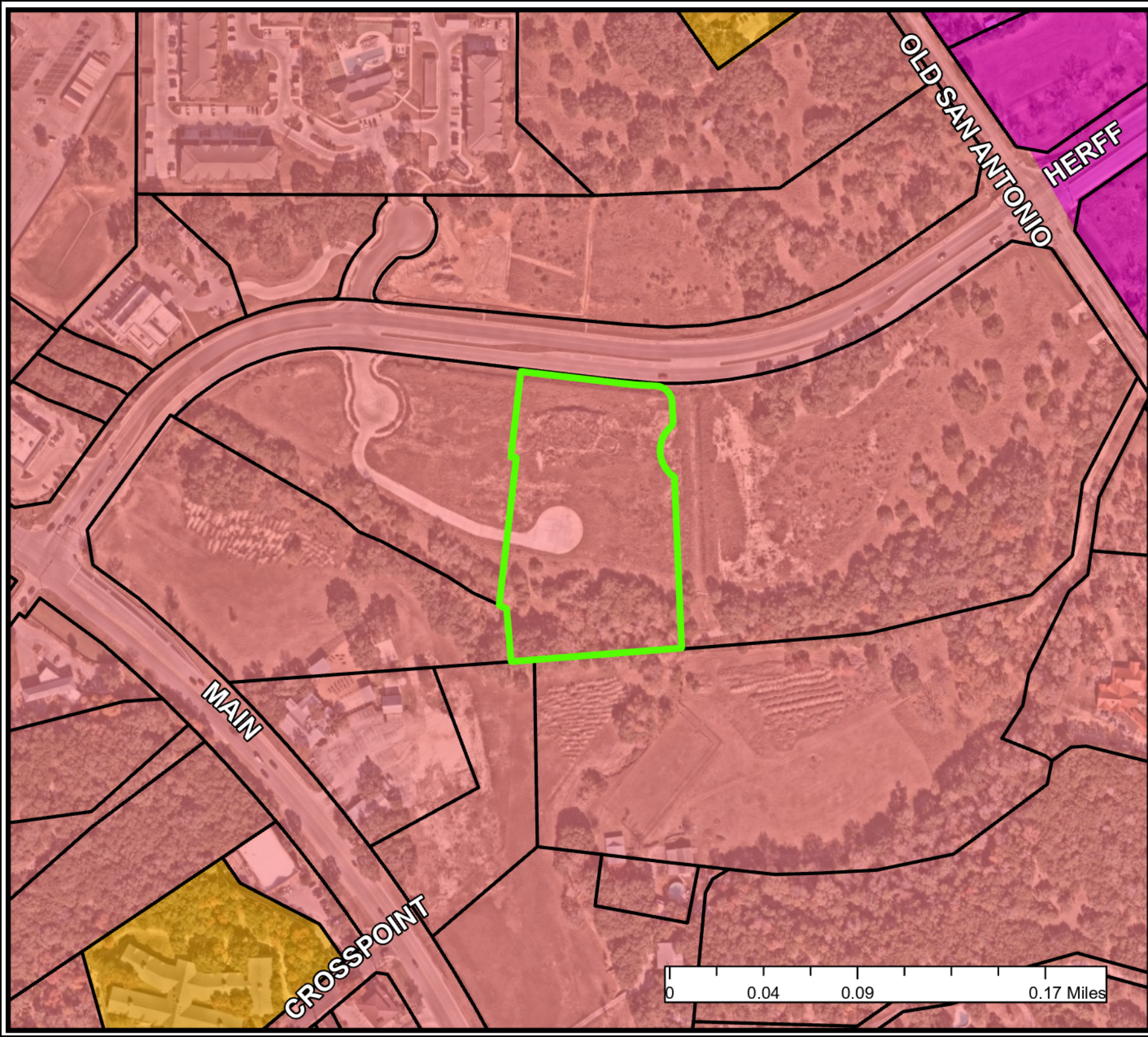


SUBJECT PROPERTY

Commons at Menger
Creek Unit 10

Legend

-  Parcels
-  Auto-Oriented Commercial
-  Neighborhood Commercial
-  Transitional Residential
-  SUBJECT PROPERTY









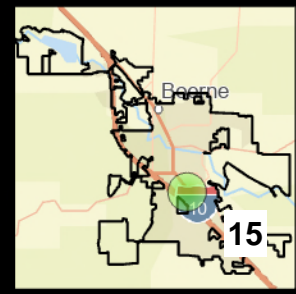
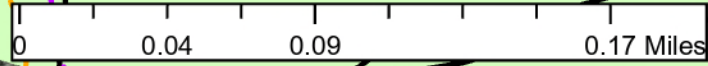
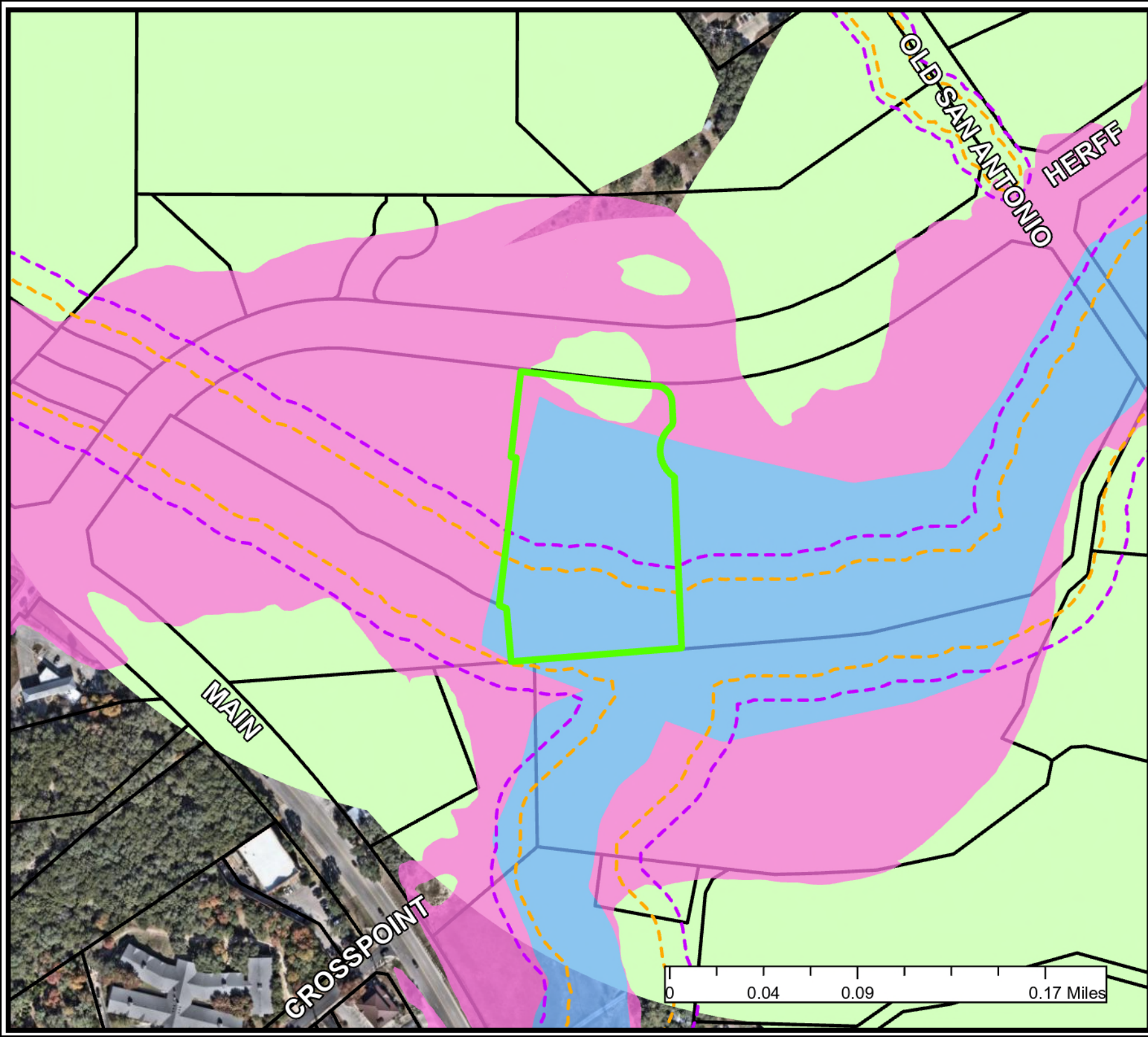


SUBJECT PROPERTY

Commons at Menger
Creek Unit 10

Legend

-  Parcels
-  DPZ 1
-  DPZ 2
-  SARA Floodplain
-  SARA Floodway
-  Lower Glenrose
Buffer
-  SUBJECT
PROPERTY



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 PASSABLE AREAS OF THE GRANTOR'S ADJACENT LAND, WHEN THE DELINEATED ENTRANCE POINT THAT ABUTS PUBLIC RIGHT OF WAY IS OBSTRUCTED AND/OR INACCESSIBLE, EITHER IN WHOLE OR IN PART, IN ORDER TO ACCESS OR LEAVE THE REMOVING THE DRAINAGE SYSTEM; THE RIGHT TO CHANGE THE SIZE OF THE DRAINAGE SYSTEM WITHIN THE EASEMENT; 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.

- 1. THE GRANTOR SPECIFICALLY RESERVES THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE, WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND/OR UNREASONABLY INTERFERE WITH THE GRANTEE'S USE OF THE EASEMENT.
- 2. THE GRANTEE SHALL MAKE COMMERCIALY REASONABLE EFFORTS TO ENSURE THE DAMAGE TO THE PROPERTY IS MINIMIZED AND WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE DRAINAGE 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 GRANTEE'S USUAL AND CUSTOMARY PRACTICES.
- 3. THE GRANTEE SHALL MAKE NECESSARY MODIFICATIONS AND IMPROVEMENTS TO CONFORM WITH THE CITY OF BOERNE DRAINAGE POLICY AND PLAN AT SUCH A TIME AS THE SAID PLAN AND POLICY ARE ENACTED BY THE CITY OF COUNCIL OF THE CITY OF BOERNE, TEXAS.

UTILITY EASEMENT:

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 PASSABLE AREAS OF THE GRANTOR'S ADJACENT LAND, WHEN THE DELINEATED ENTRANCE POINT THAT ABUTS PUBLIC RIGHT OF WAY IS OBSTRUCTED AND/OR INACCESSIBLE, EITHER IN WHOLE OR IN PART, IN ORDER TO ACCESS OR LEAVE THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING AND REMOVING THE UTILITIES; THE RIGHT TO PLACE NEW OR ADDITIONAL UTILITIES IN THE EASEMENT AND TO CHANGE THE SIZE OF THE UTILITIES WITHIN THE EASEMENT; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE UTILITIES; THE RIGHT TO REMOVE FROM THE EASEMENT ALL TREES AND PARTS THEREOF OR OTHER OBSTRUCTIONS, WHICH REASONABLY ENDANGER OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY 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 (AND/OR DISTRICT) SHALL MAKE COMMERCIALY REASONABLE EFFORTS TO ENSURE THAT DAMAGE TO THE PROPERTY IS MINIMIZED AND THE CITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE UTILITIES, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE CITY'S USUAL AND CUSTOMARY PRACTICES.

PLAT NOTES:

FENCE NOTES:

- 1. GATES ACROSS EASEMENT: DOUBLE SWING GATES WITH A MINIMUM CLEAR OPENING OF 12 FEET WIDE SHALL BE INSTALLED WHEREVER FENCES CROSS UTILITY AND DRAINAGE EASEMENTS.
- 2. 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 NOTE:

AT SUCH TIME AS LOT IS DEVELOPED, A TEN-FOOT WIDE REINFORCED CONCRETE SIDEWALKS SHALL BE INSTALLED ADJACENT TO ALL STREET FRONTAGE PROPERTY LINES OF EACH LOT FRONTING A STREET.

IMPACT FEE ASSESSMENT NOTE:

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. 2025-20, SECTION 1.10 (5)

TAX CERTIFICATE NOTE:

TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN VOLUME _____, PAGE _____, KENDALL COUNTY OFFICIAL RECORDS.

HERITAGE LEGACY TREE NOTE:

THERE IS 1 HERITAGE LEGACY TREE, AS DEFINED IN SUBSECTION 2.02.002, IDENTIFIED ON THIS PLAT.

BUILDING SETBACK NOTE:

LOT SETBACKS ARE DETERMINED BY THE CITY OF BOERNE ZONING ORDINANCE ENFORCED AT THE TIME OF DEVELOPMENT AND ARE BASED ON ZONING/LOT SIZE UNLESS OTHERWISE IDENTIFIED. THE FRONT SETBACK FOR A PIE SHAPED LOT OR A LOT ON A CURVILINEAR STREET OR CUL-DE-SAC IS MEASURED WHEREVER THE LOT WIDTH MEETS FRONTAGE REQUIREMENTS FOR THE LOT CATEGORY.

OPEN SPACE NOTE:

TOTAL OPEN SPACE PROVIDED SHALL BE 5% OF ALL BUILDING FOOTPRINTS AND AREAS OF IMPERVIOUS SURFACE DEDICATED TO VEHICLE ACCESS AND PARKING ON EACH LOT.

LANDSCAPE NOTE:

RESIDENTIAL LOTS IN EXCESS OF 12,500 SQUARE FEET SHALL ONLY IRRIGATE THE AREA THAT LIES WITHIN 75 FEET OF THE MAIN RESIDENCE. TURF GRASSES SHALL BE LIMITED TO ZOYSIA, BUFFALO OR BERMUDA GRASSES OR OTHER GRASSES APPROVED BY THE CITY MANAGER OF HIS OR HER DESIGNATED REPRESENTATIVE. (ORD. NO. 2004-20). XERISCAPING IS PERMITTED AS DESCRIBED IN THE CITY OF BOERNE ZONING ORDINANCE ARTICLE 3, SECTION 3.07.003D.

DRAINAGE BASIN NOTE:

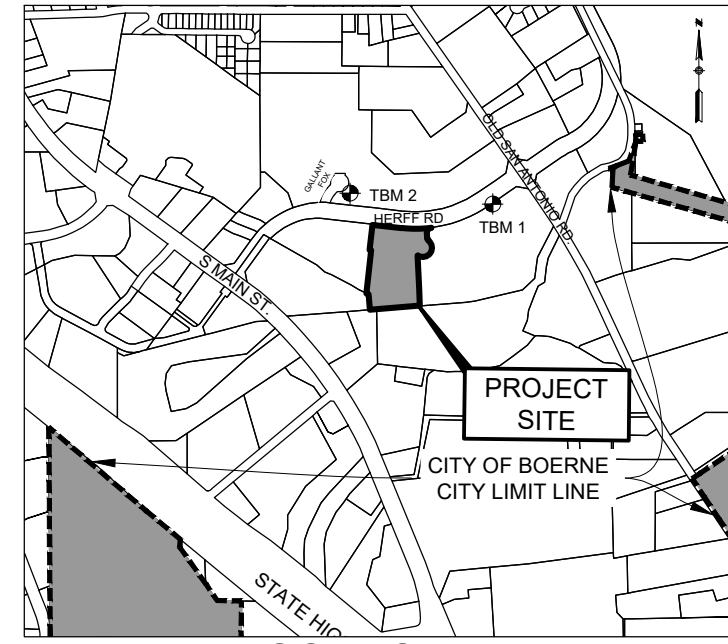
THE SUBJECT AREA IS NOT UPSTREAM FROM A CITY WATER SUPPLY LAKE.

NON-RESIDENTIAL FINISHED FLOOR ELEVATIONS:

FINISHED FLOOR ELEVATIONS FOR NON-RESIDENTIAL STRUCTURES SHALL BE NO LESS THAN 2' ABOVE THE EFFECTIVE BASE FLOOD ELEVATIONS OF THE REGULATORY FLOODPLAIN AND 9" ABOVE THE LOWEST ADJACENT GRADE.

LOT SUMMARY:

TOTAL R.O.W.: 0.43 ACRES
PARKLAND DEDICATION: 1.23 ACRES
NO. OF LOTS: 1 NON-RESIDENTIAL & 1 OPEN SPACE
TOTAL ACREAGE: 4.882 ACRES
NO. OF BLOCKS: 1
PERIMETER BLOCK LENGTH: BLOCK E ± 2,212 LF



LOCATION MAP
NOT TO SCALE

OWNER'S ACKNOWLEDGEMENT:

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, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER:
PERARDI DEVELOPMENT
3700 BEE CAVES RD., SUITE 102
AUSTIN, TEXAS 78746
CONTACT: ERIC PERARDI

DULY AUTHORIZED AGENT:

STATE OF TEXAS
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THE 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 ____ DAY OF _____, 2026.

NOTARY PUBLIC,
KENDALL COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF KENDALL

I, _____ COUNTY CLERK OF KENDALL COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE _____ DAY OF _____ A.D. 2026 _____ AT _____ M. AND DULY RECORDED THE _____ DAY OF _____ A.D. 2026 _____ AT _____ M. IN THE RECORDS OF _____ AND _____ OF SAID COUNTY, IN BOOK VOLUME _____ ON PAGE _____.

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS _____ DAY OF _____ A.D., 2022.

COUNTY CLERK, KENDALL COUNTY, TEXAS

BY: _____, DEPUTY

SURVEYOR NOTES:

- 1. ALL HORIZONTAL DATA IS HELD TO TEXAS STATE PLANE COORDINATE SYSTEM OF 1983 (2011 ADJUSTMENT) (EPOCH 2010), SOUTH CENTRAL ZONE (4204) U.S. SURVEY FOOT.
- 2. ALL VERTICAL DATA IS HELD TO NAVD88 GEOID 18.
- 3. ALL DISTANCES ARE SURFACE DISTANCE. GRID VALUES CAN BE OBTAINED BY DIVIDING BY A SCALE FACTOR OF 1.00013. ALL DISTANCE UNITS ARE U.S. SURVEY FEET.

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY SUPERVISION.

REGISTERED PROFESSIONAL LAND SURVEYOR
JACOB GOEBEL, R.P.L.S. #6734
TBPLS FIRM NO. 10194533

SWORN TO AND SUBSCRIBED BEFORE ME THIS ____ DAY OF _____, 20____.

NOTARY PUBLIC
BEXAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

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 ORDINANCE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF BOERNE.

WILSON HERNANDEZ, P.E.
LICENSED PROFESSIONAL ENGINEER
TEXAS REGISTRATION NO. 140636

SWORN TO AND SUBSCRIBED BEFORE ME THIS ____ DAY OF _____, 20____.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

APPROVAL OF THE PLANNING AND ZONING COMMISSION:

THIS PLAT OF THE COMMONS AT MENGER CREEK UNIT 10 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BOERNE, TEXAS, AND IS HEREBY _____

DATED THIS ____ DAY OF _____, 20____.

BY: _____
CHAIR

BY: _____
SECRETARY

DATE OF PREPARATION:
3/23/2026

ENGINEER:
LJA ENGINEERING, INC.
9830 COLONNADE BLVD., SUITE 300
SAN ANTONIO, TEXAS 78230
CONTACT: WILSON HERNANDEZ, PE,
PHONE # (210) 503-2700

SURVEYOR:
LJA SURVEYING
9830 COLONNADE BLVD., SUITE 300
SAN ANTONIO, TEXAS 78230
CONTACT: JACOB GOEBEL, RPLS
PHONE # (210) 503-2700

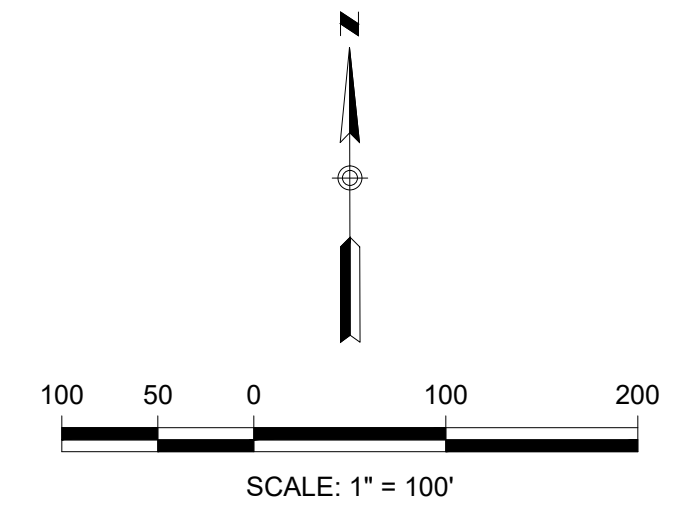
BEING 4.882 ACRE TRACT (212,643 SQUARE FEET) OF LAND, SITUATED IN THE JOHN SMALL SURVEY NO. 183, ABSTRACT NO. 441, CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND BEING OUT OF THE REMAINDER OF A CALLED 21.465 ACRE TRACT OF LAND CONVEYED TO BOERNE COMMONS, LTD., RECORDED IN VOLUME 1614, PAGE 971 IN THE OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS, (O.P.R.K.C.T.).

FINAL SUBDIVISION PLAT
OF
COMMONS AT MENGER
CREEK UNIT 10

LJA Engineering & Surveying, Inc.
9830 Colonnade Blvd
Suite 300
San Antonio, Texas 78230
Phone 210.503.2700
LJA.COM
FRN - F-1386

APPROXIMATE LOCATION OF FEMA EFFECTIVE 100 YEAR FLOODPLAIN LIMITS PER FIRM NO. 48259C0415F EFFECTIVE DATE: DECEMBER 17, 2010

APPROXIMATE LOCATION OF FEMA EFFECTIVE 100 YEAR FLOODPLAIN LIMITS PER FIRM NO. 48259C0415F EFFECTIVE DATE: DECEMBER 17, 2010



FLOODPLAIN BASED ON THE CONDITIONAL LETTER OF MAP REVISION (CLOMR) FEMA APPROVED 9/29/2017

APPROXIMATE LOCATION OF FEMA EFFECTIVE 100 YEAR FLOODPLAIN LIMITS PER FIRM NO. 48259C0415F EFFECTIVE DATE: DECEMBER 17, 2010

FLOODPLAIN BASED ON THE CONDITIONAL LETTER OF MAP REVISION (CLOMR) FEMA APPROVED 9/29/2017

- LEGEND**
- FOUND 1/2" IRON ROD W/ ORANGE CAP "PFEIFFER" (UNLESS OTHERWISE NOTED)
 - FOUND 5/8" IRON ROD W/CAP "LJA ENGINEERING"
 - SET 5/8" IRON ROD W/CAP "LJA ENGINEERING"
 - BOUNDARY
 - RIGHT OF WAY DEDICATED BY THIS PLAT
 - CENTERLINE
 - ADJACENT PROPERTY LINE
 - EASEMENT
 - BASE FLOOD ELEVATION (BFE)
 - FEMA FLOODPLAIN
 - CLOMR FLOODPLAIN
 - EXISTING CONTOURS
 - 740
 - STREAM CENTERLINE
 - STREAM SETBACK
 - KCOPR KENDALL COUNTY OFFICIAL PUBLIC RECORDS
 - DPR DEED AND PLAT RECORDS OF KENDALL COUNTY, TEXAS
 - R.O.W. RIGHT-OF-WAY
 - VOL. VOLUME
 - PG. PAGE
 - ESMT EASEMENT
 - ⊕ CENTERLINE
 - HERITAGE LEGACY TREE

- A VARIABLE WIDTH UTILITY ESMT
- B 26" INGRESS/EGRESS ESMT
- C 50' STREAM SETBACK ZONE 1
- D 50' STREAM SETBACK ZONE 2
- E 20' ACCESS ESMT
- F VARIABLE-WIDTH DRAINAGE ESMT
- G SIGN ESMT
- H 15' UTILITY ESMT DOC # 2023-382419
- I 50' DRAINAGE ESMT VOL. 1485, PG. 777, D.R.K.C.T.
- J 26" INGRESS/EGRESS ESMT DOC # 2023-382419
- K 50' STREAM SETBACK ZONE 1 DOC # 2023-382419
- L 50' STREAM SETBACK ZONE 2 DOC # 2023-382419
- M 15' UTILITY ESMT VOL. 1642, PG. 014, D.R.K.C.T.

HERITAGE LEGACY TREE:
1. THERE ARE 1 HERITAGE LEGACY TREES, AS DEFINED IN SUBSECTION 2.02.002, IDENTIFIED ON THIS PLAT.

TREE TABLE		
NO.	TAG NO.	TC/SPECIES
21015	15621	97" CEDAR ELM

CURVE TABLE						
Curve #	I	Rad	Arc	Tan	Chord	Chord Bearing
C1	175°52'46"	65.00'	199.53'	1806.82'	129.92'	S34° 36' 41"W
C2	50°18'57"	18.00'	15.81'	8.45'	15.30'	S28° 10' 13"E
C3	86°10'02"	35.00'	52.64'	32.73'	47.81'	S40° 04' 17"W
C4	8°37'57"	895.12'	134.86'	67.56'	134.74'	N87° 28' 16"E
C5	4°45'11"	895.12'	74.25'	37.15'	74.23'	S85° 50' 10"E
C6	104°45'09"	65.00'	118.84'	84.33'	102.96'	N5° 04' 21"W
C7	50°18'57"	18.00'	15.81'	8.45'	15.30'	N22° 08' 44"E
C8	85°12'01"	35.00'	52.05'	32.18'	47.38'	N45° 36' 45"W
C9	105°14'41"	35.00'	64.29'	45.82'	55.63'	N50° 04' 08"E
C10	100°40'46"	75.00'	131.79'	90.47'	115.48'	S3° 02' 10"E
C11	50°18'57"	8.00'	7.03'	3.76'	6.80'	S22° 08' 44"W
C12	85°42'03"	15.00'	22.44'	13.91'	20.40'	S45° 51' 46"E
C13	5°20'53"	910.00'	84.94'	42.50'	84.91'	S86° 02' 21"E

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	207.45'	S83° 27' 34"E
L2	11.39'	S83° 27' 34"E
L3	16.75'	N66° 10' 10"W
L4	110.12'	N5° 13' 29"W
L5	37.20'	S3° 00' 44"E
L6	38.38'	N3° 00' 44"W
L7	365.68'	S77° 18' 32"E
L8	288.63'	N77° 18' 32"W
L9	167.41'	S2° 33' 12"E
L10	42.50'	S3° 00' 44"E
L11	207.49'	S83° 28' 13"E
L12	224.13'	S2° 33' 12"E
L13	25.00'	N3° 00' 44"W
L14	25.00'	S88° 02' 10"W

DATE OF PREPARATION:
3/23/2026

ENGINEER:
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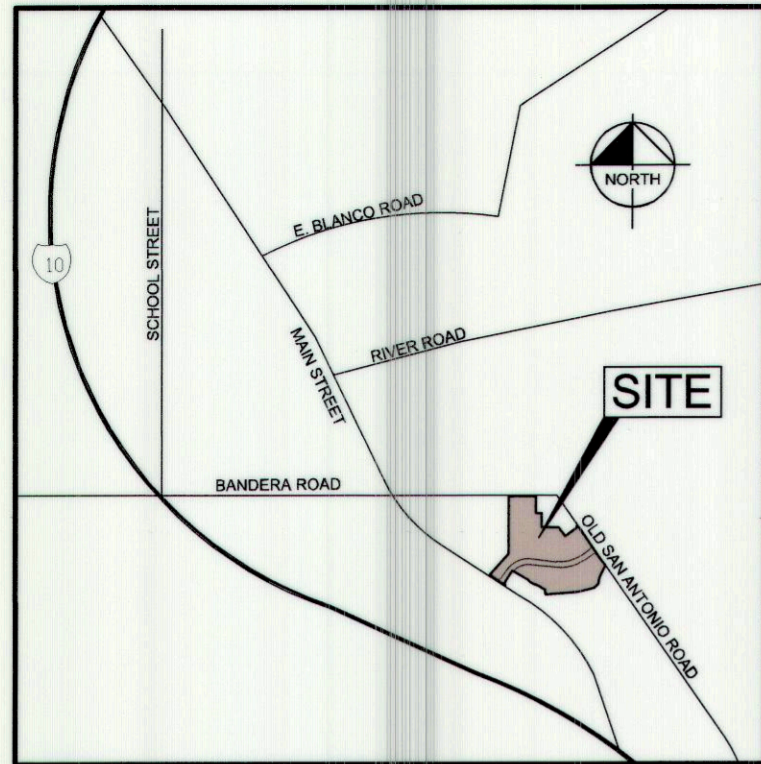
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**FINAL SUBDIVISION PLAT
OF
COMMONS AT MENDER
CREEK UNIT 10**

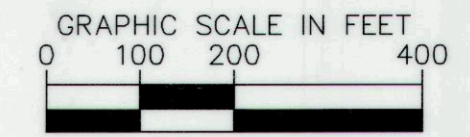
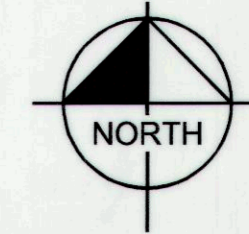
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LJA Engineering & Surveying, Inc.
9830 Colonnade Blvd Phone 210.503.2700
Suite 300 LJA.COM
San Antonio, Texas 78230 FRN - F-1386

K:\S48198_Paradise_Development\2601 Commons at Mender Creek Unit 10\310 Subdivision Plat\Sh_Plat.dwg
User: msantos
Plot Date/Time: May, 18, 26 - 11:34:16



LOCATION MAP
NOT TO SCALE



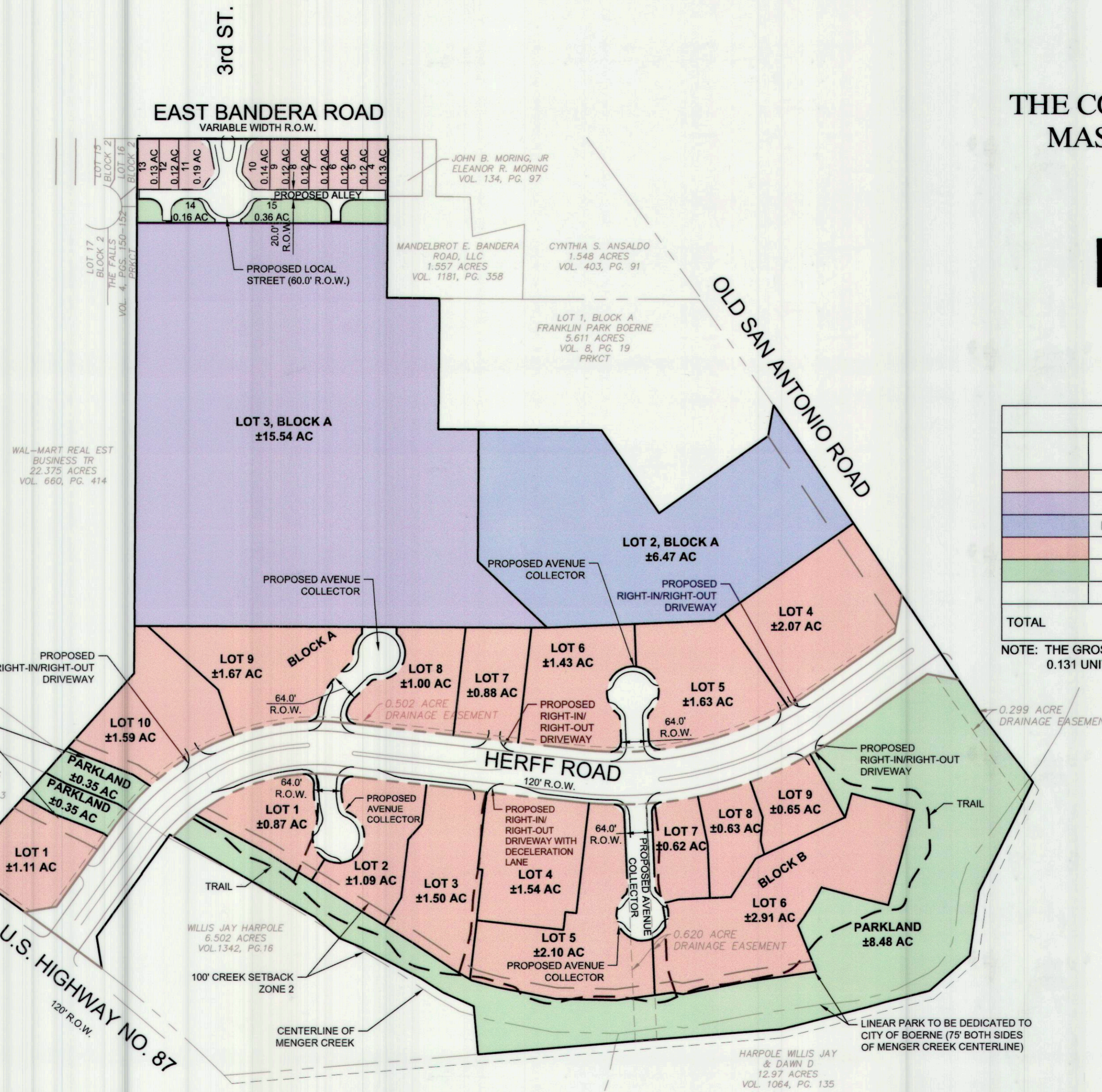
THE COMMONS AT MENDER CREEK
MASTER DEVELOPMENT PLAN

BOERNE ★ TEXAS

FEBRUARY 2018

Kimley»Horn

© 2018 KIMLEY-HORN AND ASSOCIATES, INC.



LEGEND			
	USE	# OF LOTS	AREA (ACRES)
	SINGLE FAMILY	10	±1.31
	MULTI-FAMILY	1	±15.54
	MULTI-FAMILY/HIGH DENSITY RESIDENTIAL	1	±6.47
	OFFICE/ RESTAURANT/ RETAIL	17	±23.25
	PARK/ OPEN SPACE	-	±9.70
	PROPOSED RIGHT-OF-WAY	-	±2.78
TOTAL			59.05

NOTE: THE GROSS DENSITY OF THE SINGLE FAMILY LOTS IS EQUAL TO 0.131 UNITS PER ACRE.

REVISION LOG

DATE	DESCRIPTION
06/05/2017	ORIGINAL APPROVAL
02/07/2018	REVISION NO.1

THIS MASTER DEVELOPMENT PLAN OF THE COMMONS AT MENDER CREEK HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BOERNE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS 12th DAY OF February, A.D., 2018

BY: *[Signature]*
CHAIRMAN

BY: *[Signature]*
SECRETARY



AGENDA ITEM SUMMARY

Agenda Date	June 1, 2026
Requested Action	Consider approval for the Scenic Loop Road Business Major Development Plat located at 31905 Interstate 10.
Contact Person	Jo-Anmarie Andrade, AICP; Planner II (830) 816-2040, jandrade@boerne-tx.gov
Background Information	<p>BACKGROUND:</p> <p>The property is owned by Scenic Capital, LLC and the applicant is Behdad Zahrooni of Zaron Engineering.</p> <p>The property is designated Auto Oriented Commercial according to the Future Land Use Map, which supports highway-oriented commercial and service uses along major transportation corridors.</p> <p>The property is located within the city limits, zoned C2 – Transitional Commercial, and lies within the Entrance Corridor Overlay District, which introduces additional standards to manage connectivity, orientation, and economic function of entrance corridors to the city as outlined in UDC Section 3-16.</p> <p>The proposed development is a one lot commercial project on a 4.254-acre site, requiring a Major Development Plat.</p> <p>An Existing Conditions Report (Land Study) was administratively approved on November 15, 2024 in accordance with UDC procedures.</p> <p>The Infrastructure Documents Letter of Certification (LOC) was approved in March 2026.</p> <p>The plat was accepted on May 18, 2026. The fifteen-day review period expires on June 1, 2026.</p> <p>REQUEST:</p> <ol style="list-style-type: none"> 1. The Scenic Loop Road Business Major Development Plat establishes one lot on a 4.254-acre tract out of the Antonio Cruz Survey Abstract 97, Section 170 and being all of a called 4.431-acre tract described in participation deed recorded in volume 1250, page 1037, of the official records of Kendall County. 2. The proposed development is for business/general retail use and includes three one-story commercial buildings totaling 30,572

square feet: Building A at 11,436 square feet, Building B at 11,436 square feet, and Building C at 7,700 square feet.

3. The site plan proposes 168 total parking spaces, including 7 ADA spaces. The plan also includes 21 bicycle parking spaces.
4. Primary access to the development will be provided from Scenic Loop Road, a collector street. The site plan proposes 3 driveway connections, along with pavement widening and left-turn striping to be constructed with the public improvement plans.
5. The proposed plat includes a 0.177-acre 8' right-of-way dedication along Scenic Loop Road. No additional public street improvements are proposed with this plat.
6. The plat includes an existing 30-foot utility easement and establishes a 0.47-acre private drainage easement, and identifies proposed public pedestrian access easements along Scenic Loop Road.
7. The site includes stormwater and low-impact development improvements, including a proposed detention pond, bio-swales, underdrain storm sewer, and a detention pond maintenance ramp.
8. Water, sewer, and electric services are provided by the City of Boerne.

ANALYSIS:

Development Master Plan, Zoning, and Preliminary Plat:

- The City's Future Land Use Plan designates this property as Auto-Oriented Commercial. The proposed plat aligns with this designation by supporting regionally serving commercial development along major corridors.
- The property is zoned C2 – Transitional Commercial and is located within the Entrance Corridor Overlay District. The proposed development is for business/general retail use, which is consistent with the property's commercial zoning and Future Land Use designation.
- The proposed development includes three one-story commercial buildings totaling 30,572 square feet of gross floor area. Building A and Building B are each proposed at 11,436 square feet, and Building C is proposed at 7,700 square feet. The site plan also provides 168 total parking spaces, including 7 ADA spaces, as well as 21 bicycle parking spaces.

- The proposed plat establishes one commercial lot and provides the necessary right-of-way dedication, easements, access, and utility infrastructure to support the proposed commercial development. The proposed plat adheres to the applicable subdivision ordinance and all applicable zoning regulations.

Landscaping and Open Space:

- Open space areas, including the detention pond, are identified on the plat. These improvements are intended to support stormwater management and water quality requirements for the site.
- Proposed impervious cover is 126,077 square feet, or 68.04 percent of the 4.254-acre site, below the eighty percent maximum for C2 zoning.
- No heritage or legacy trees are identified on the submitted site plan. Any required landscaping will be addressed at the site development stage, with compliance required under UDC Chapters 5 and 8, as well as enhanced standards from the Entrance Corridor Overlay District.

Utilities, Drainage, and Floodplain:

- Access will be provided from Scenic Loop Road, which is classified as a collector street. The site plan shows two proposed driveway connections to Scenic Loop Road and one driveway connection to Sophia circle, along with proposed pavement widening, left-turn striping, and sidewalk improvements to be constructed with the public improvement plans.
- The plat includes a 0.177-acre, 8-foot right-of-way dedication along Scenic Loop Road. The plat includes a 30-foot utility easement, and establishes several easements to support the development, including a 0.470-acre private drainage easement, and pedestrian access easements.
- Water, sanitary sewer, and electric service will be provided by the City of Boerne.
- The proposed easements provide enough space for necessary utilities and drainage systems, ensuring smooth service delivery and water management.
- The plat is not located within any Drainage Protection Zones, or San Antonio River Authority (SARA) Floodway or Floodplain.
- The proposed 0.470-acre private drainage easement is located around the detention pond and related drainage facilities to manage stormwater runoff from the proposed development. Any

	<p>required drainage, stormwater, and low-impact development improvements will be reviewed and inspected through the infrastructure and site development process.</p> <p>FINDINGS:</p> <ul style="list-style-type: none"> • The proposed plat is consistent with the Comprehensive Master Plan. • The Final Plat has been reviewed by all pertinent departments and is consistent with the applicable subdivision regulations. <p>RECOMMENDATION:</p> <p>The Planning and Zoning Commission should hold a public meeting and determine if the request meets the requirements of UDC Section 2-6 Platting Procedure.</p> <p>If the Planning and Zoning Commission accepts the findings and chooses to APPROVE the Scenic Loop Road Business Major Development Plat, staff recommends the inclusion of the following stipulation(s):</p> <ol style="list-style-type: none"> 1. The recorded plat shall substantially conform to the plat date stamped May 18, 2026, except as modified by these stipulations. 2. The plat shall not be recorded until such a time that all required public infrastructure and public improvements have been fully constructed, inspected, and accepted by the City. 3. The plat shall not be recorded until all clerical corrections have been revised as determined by the Planning Director. <p>MOTIONS FOR CONSIDERATION:</p> <p>The following motions are provided to assist the Commission’s decision.</p> <p>I move that the Planning and Zoning Commission accept the finding and APPROVE the proposed Scenic Loop Road Business Major Development Plat subject to the three stipulations recommended by staff.</p> <p>OR</p> <p>I move that the Planning and Zoning Commission DENY the Scenic Loop Road Business Major Development Plat based on the following findings: (The Commission will need to state the reasons for the denial. These reasons should reference specific regulations in the UDC.).</p>
Strategic Alignment	



Financial Considerations	N/A
Citizen Input/Board Review	Public hearings and notifications are not required for this request.
Legal Review	This action is needed to meet statutory requirements.
Alternative Options	The Commission must approve, approve with conditions, extend the review, or disapprove the plat. Each condition or reason for denial must be directly related to requirements of city regulations and may not be arbitrary.
Supporting Documents	Attachment 1 – Aerial Map Attachment 2 – Future Land Use Map Attachment 3 – Zoning Map Attachment 4 – Environmental Constraints Map Attachment 5 – Scenic Loop Road Business Major Development Plat

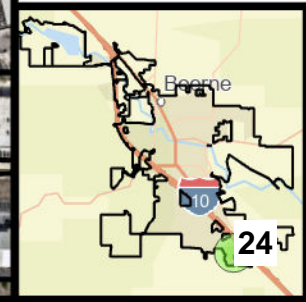
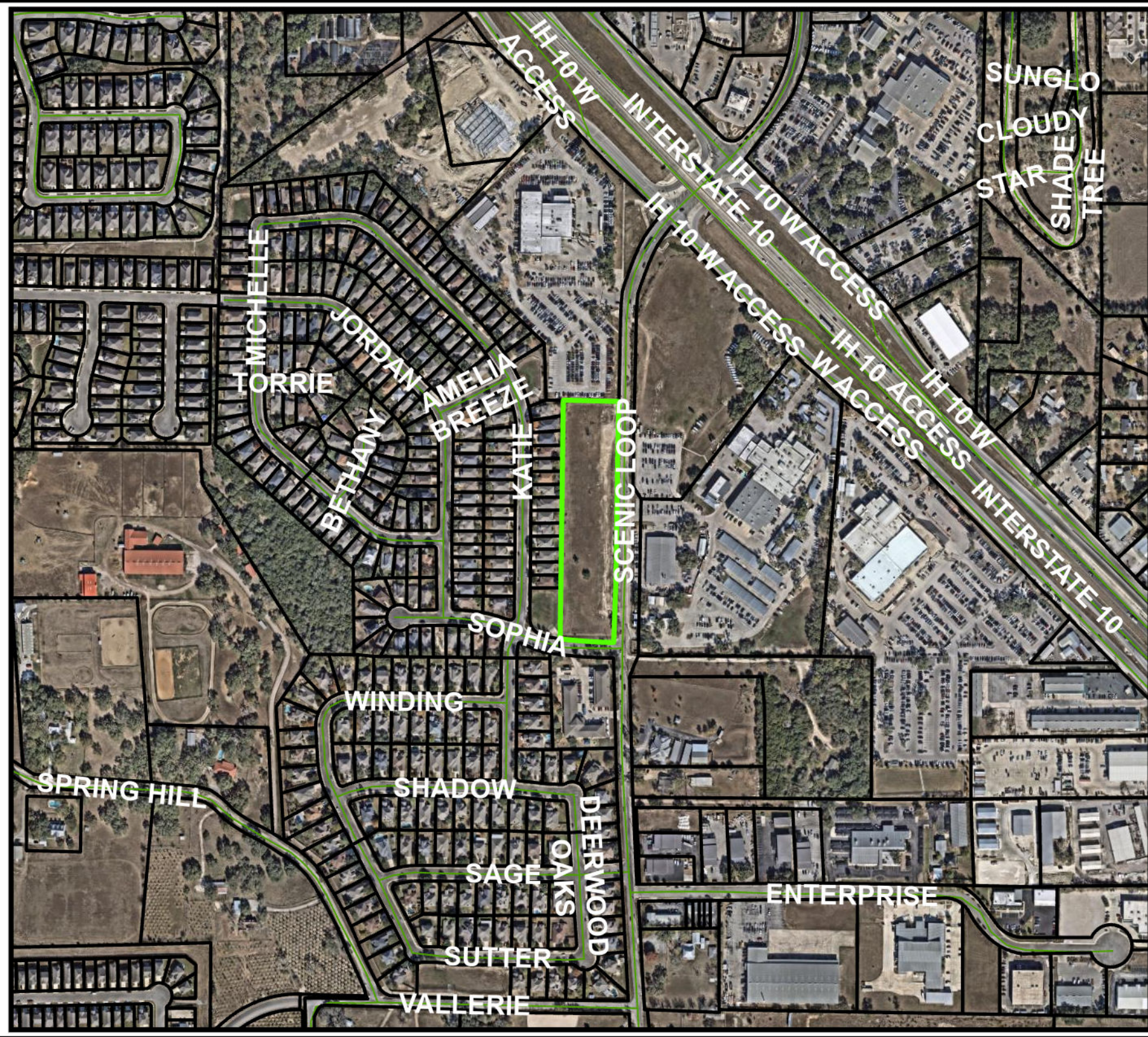


SUBJECT PROPERTY
31905 INTERSTATE
10

AERIAL

Legend

-  SUBJECT PROPERTY
-  Parcels 2025



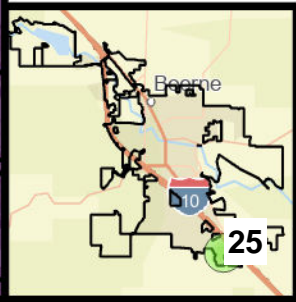
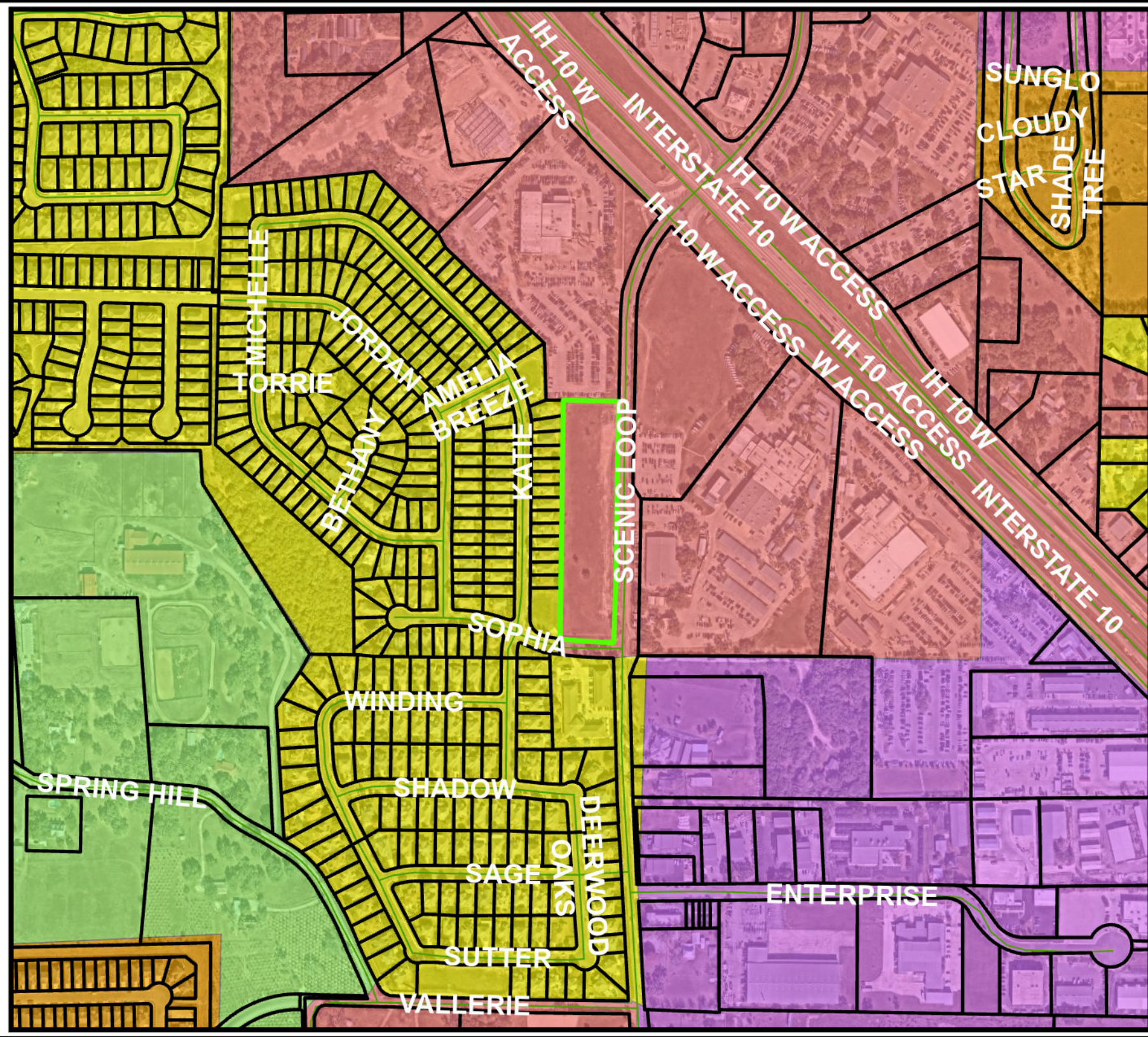


SUBJECT PROPERTY
31905 INTERSTATE
10

FUTURE LAND USE

Legend

-  SUBJECT PROPERTY
-  Parcels 2025
- Future Land Use**
-  Auto-Oriented Commercial
-  Business Park
-  Neighborhood Commercial
-  Neighborhood Residential
-  Rural Estate
-  Transitional Residential














SUBJECT PROPERTY
31905 INTERSTATE
10

ZONING

Legend

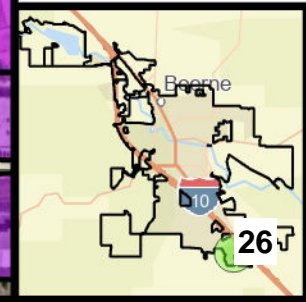
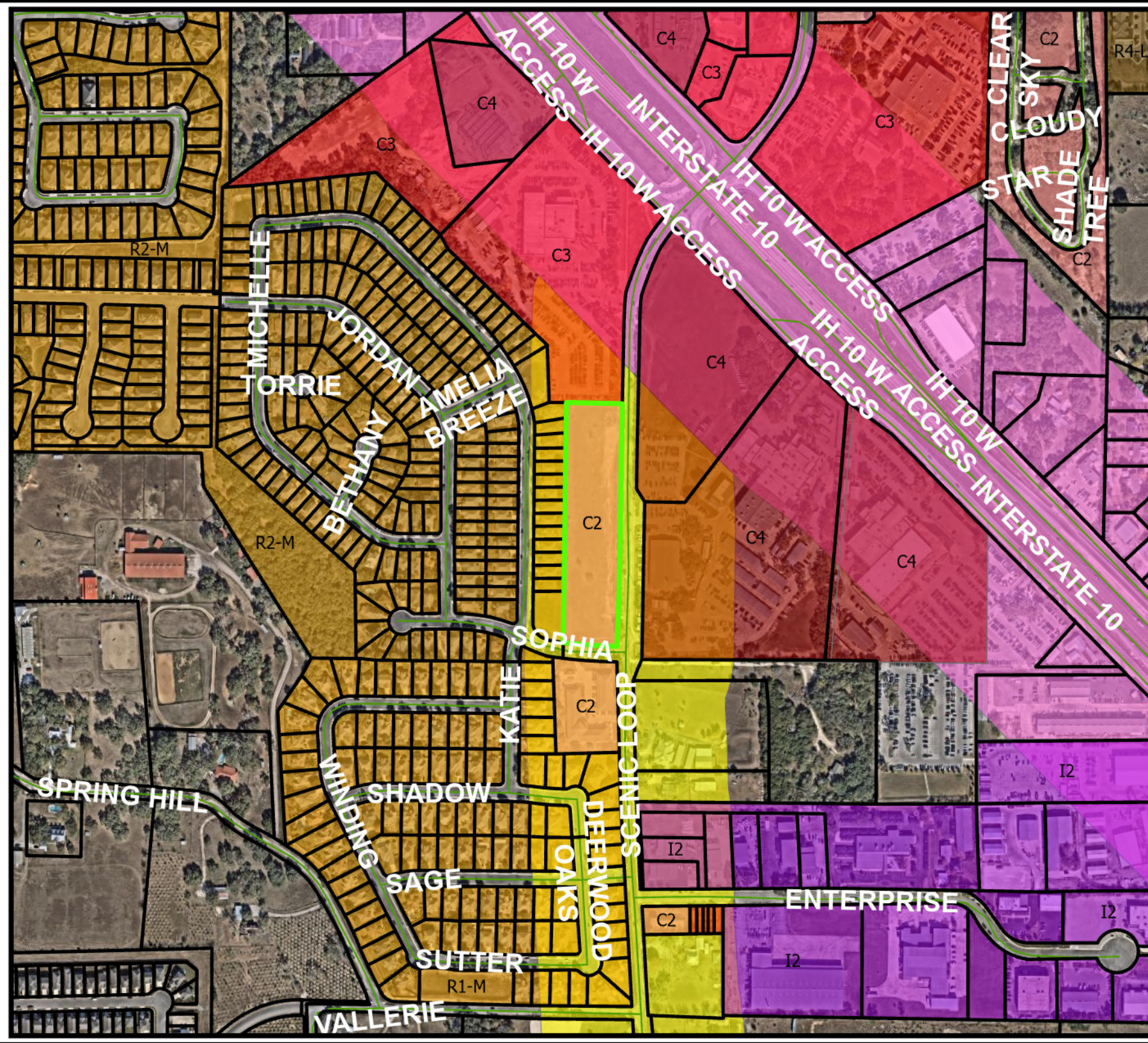
-  SUBJECT PROPERTY
-  Parcels 2025

Zoning

-  C2
-  C3
-  C4
-  I2
-  R1-M
-  R2-M
-  R4-L

Overlay Districts

-  Entrance Corridor
-  Scenic Interstate Corridor



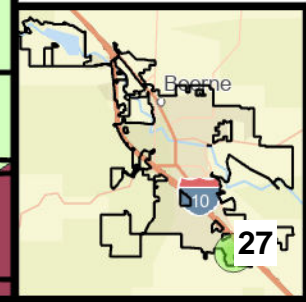
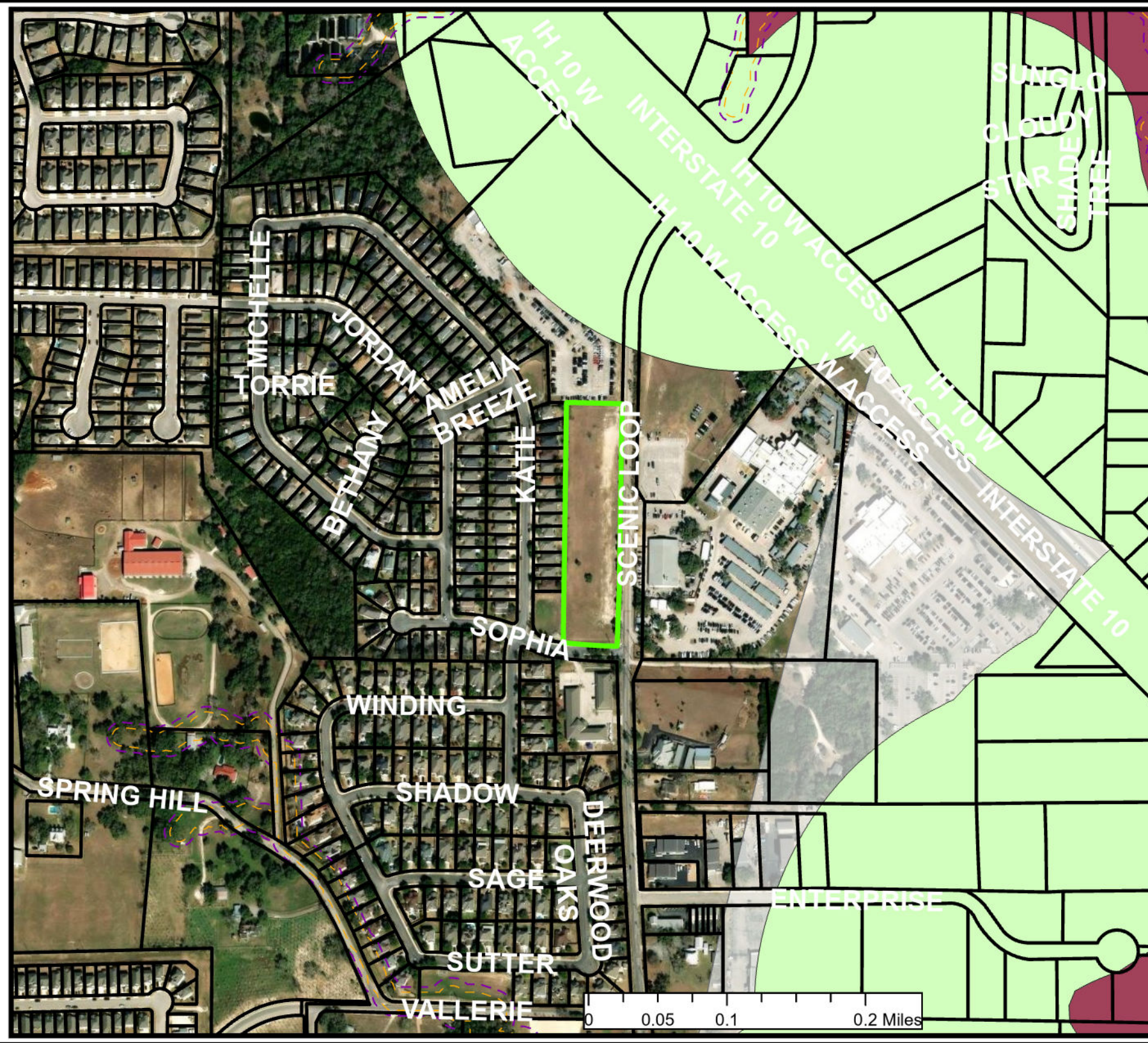


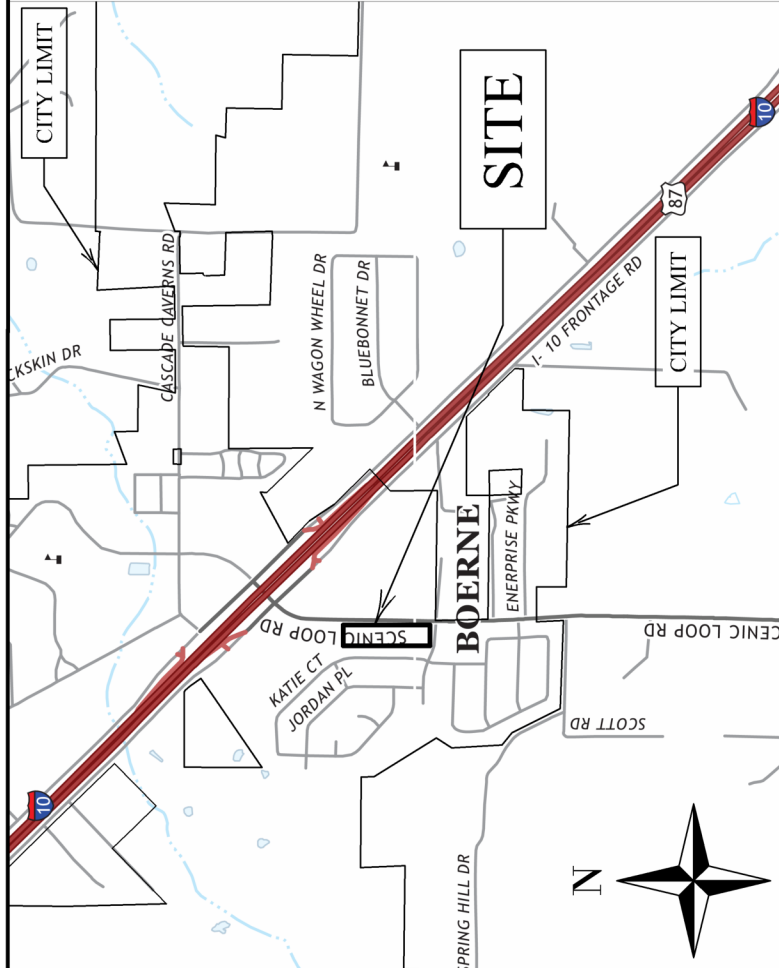
SUBJECT PROPERTY
31905 INTERSTATE
10

ENVIRONMENTAL
CONSTRAINTS

Legend

-  SUBJECT PROPERTY
-  Parcels 2025
-  SARA Floodplain
-  SARA Floodway
-  DPZ 2
-  DPZ 1
-  Lower Glenrose Buffer
-  Lower Glenrose Boundary
-  Camp Bullis 5mi





LOCATION MAP
1"=2000'

DRAINAGE EASEMENT:

DRAINAGE, WATER DIVERSION, AND SANITARY CONTROL, INCLUDING WITHOUT LIMITATION, WALLS, BEDS, EMBANKMENTS, SPILLWAYS, APPURTENANCES, AND OTHER ENGINEERED DEVICES (THE "DRAINAGE SYSTEM") TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER PASSABLE AREAS OF THE GRANTEE'S ADJACENT LAND, WHEN THE DELINEATED ENTRANCE POINT THAT ABUTS PUBLIC RIGHT-OF-WAY IS OBSTRUCTED AND/OR INACCESSIBLE, EITHER IN WHOLE OR IN PART, IN ORDER TO ACCESS OR LEAVE THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE DRAINAGE SYSTEM, THE RIGHT TO CHANGE THE SIZE OF THE DRAINAGE SYSTEM WITHIN THE EASEMENT; 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 STORAGE TANKS, CULVERTS, WATERWAYS, AND PROTECTIVE WALLS; THE RIGHT TO REMOVE OBSTRUCTIONS TO 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 GULLTIE GRANTEE SPECIFICALLY RESERVES THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT IN ITS NATURAL STATE OR AS CHANGED BY THE CITY.

1. THE GRANTEE SPECIFICALLY RESERVES THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE, WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND/OR UNREASONABLY INTERFERE WITH THE GRANTEE'S USE OF THE EASEMENT;
2. THE GRANTEE SHALL MAKE COMMERCIAL REASONABLE EFFORTS TO ENSURE THE DAMAGE TO THE PROPERTY IS MINIMIZED AND WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE DRAINAGE 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 GRANTEE'S USUAL AND CUSTOMARY PRACTICES.
3. THE GRANTEE SHALL MAKE NECESSARY MODIFICATIONS AND IMPROVEMENTS TO CONFORM WITH THE CITY OF BOERNE DRAINAGE POLICY AND PLAN AT SUCH A TIME AS THE SAID PLAN AND POLICY ARE ENACTED BY CITY COUNCIL OF THE CITY OF BOERNE, TEXAS.

SETBACKS IN CITY LIMITS:

LOT SETBACKS ARE DETERMINED BY THE CITY OF BOERNE ZONING ORDINANCE ENFORCED AT THE TIME OF DEVELOPMENT AND ARE BASED ON ZONING LOT SIZE, UNLESS OTHERWISE IDENTIFIED. THE FRONT SETBACK FOR A PIE SHAPED LOT ON A LOT ON A CURVILINEAR STREET OR CUL-DE-SAC IS MEASURED WHEREVER THE LOT WIDTH MEETS FRONTAGE REQUIREMENTS FOR THE LOT CATEGORY.

**STATE OF TEXAS
COUNTY OF KENDALL**

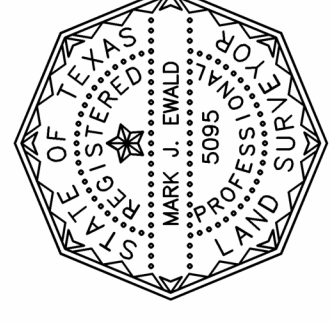
I, BEHADAD ZAHROONI, P.E., REGISTERED PROFESSIONAL ENGINEER NO. 132477, ZARON ENGINEERING PLLC, TBPE FIRM REGISTRATION NO. F-26362, DO HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THE MATTERS OF STREETS, LOTS, AND DRAINAGE LAYOUT, TO THE BEST OF MY KNOWLEDGE THIS PLAN CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE PLANNING ZONING COMMISSION OF THE CITY OF BOERNE.

BEHADAD ZAHROONI, P.E.
REGISTERED PROFESSIONAL ENGINEER NO. 132477
ZARON ENGINEERING PLLC
TBPE FIRM REGISTRATION NO. F-26362

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE _____ DAY OF _____, 2026.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF KENDALL
I HEREBY CERTIFY THAT THIS PLAN CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.



MARK J. EWALD
REGISTERED PROFESSIONAL SURVEYOR NO. 5095
WESTAR ALAMO LAND SURVEYORS, LLC
FIRM NO. 10111700

SURVEYOR

WESTSTAR ALAMO
4374 LOCKHILL SELMA RD
SHAVANO PARK, TEXAS 78249
(210) 372-9500

UTILITY EASEMENT:

IT IS UNDERSTOOD AND AGREED THAT PERPETUAL EASEMENTS ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND ALL NECESSARY APPURTENANCES THERETO, WHETHER INSTALLED IN THE AIR, UPON THE SURFACE OR UNDERGROUND, ALONG AND WITHIN TEN (10) FEET OF THE REAR, FRONT, AND SIDE LINES OF ALL LOTS AND/OR TRACTS AND IN THE STREETS, ALLEYS, LANES, AND ROADS OF THIS SUBDIVISION, AND TEN (10) FEET ALONG THE OUTER BOUNDARIES OF ALL STREETS, ALLEYS, BOULEVARDS, LANES AND ROADS WHERE SUBDIVISION LINES OR LOTS OF INDIVIDUAL TRACTS ARE DEEDED TO THE CENTER LINE OF THE ROADWAY, NOTHING SHALL BE PLACED OR PERMITTED TO REMAIN WITHIN THE EASEMENT AREAS WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF UTILITIES. THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS WITHIN IT SHALL BE MAINTAINED BY THE OWNER OF THE LOT, EXCEPT FOR THOSE FACILITIES FOR WHICH AN AUTHORITY OR UTILITY COMPANY IS RESPONSIBLE. UTILITY COMPANIES OR THEIR EMPLOYEES SHALL HAVE ALL OF THE RIGHTS AND BENEFITS NECESSARY OR CONVENIENT FOR THE FULL ENJOYMENT OF THE RIGHTS HEREIN GRANTED, INCLUDING BUT NOT LIMITED TO THE FREE RIGHT OF INGRESS TO AND EGRESS FROM THE RIGHT-OF-WAY AND EASEMENT, THE RIGHT TO CLEAR THE EASEMENT AREA AND TO KEEP IT CLEAR OF ALL BRUSH, TREES, STRUCTURES, AND OTHER OBSTRUCTIONS, INCLUDING THE RIGHT TO CUT ALL WEAK, LEANING, OR DANGEROUS TREES LOCATED OUTSIDE THE EASEMENT AREA, AND THE RIGHT TO REMOVE ANY FACILITIES OR STRUCTURES LOCATED OUTSIDE THE EASEMENT AREA WHICH ARE NOT NECESSARY FOR THE PROPER OPERATION OF THE UTILITY TO SUPPORT CABLES OR OTHER DEVICES OUTSIDE SAID EASEMENT WHEN DEEMED NECESSARY BY THE UTILITY TO SUPPORT EQUIPMENT WITHIN SAID EASEMENT AND THE RIGHT TO INSTALL WIRES AND/OR CABLES OVER SOME PORTIONS OF SAID LOTS AND/OR TRACTS NOT WITHIN SAID EASEMENT SO LONG AS SUCH ITEMS DO NOT PREVENT THE CONSTRUCTION OF BUILDINGS ON ANY OF THE LOTS AND/OR TRACTS OF THIS SUBDIVISION. UTILITIES SHALL HAVE THE RIGHT TO INSTALL AND MAINTAIN LOCKS IN GATES AS NECESSARY OR APPROPRIATE FOR THE RIGHT OF INGRESS TO AND EGRESS FROM THE EASEMENT AREA. THE FOREGOING NOTWITHSTANDING, THE UTILITY MAY RELOCATE ITS FACILITIES AND RIGHT-OF-WAY OVER THE PREMISES TO CONFORM TO ANY FUTURE HIGHWAY OR STREET RELOCATION, WIDENING, OR IMPROVEMENT.

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. 2025-20, SECTION 1.10(5).

SIDEWALK NOTES:

AT SUCH TIME AS A LOT IS DEVELOPED, REINFORCED CONCRETE SIDEWALKS SHALL BE INSTALLED ADJACENT TO ALL PROPERTY LINES OF EACH LOT WHERE THE LOT ABUTS PUBLIC OR PRIVATE STREET. SIDEWALK WIDTH TO MEET THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE PER APPLICABLE STREET CLASSIFICATION CROSS SECTION.

GATES ACROSS EASEMENT:

DOUBLE SWING GATES WITH A MINIMUM CLEAR OPENING OF 12 FEET WIDE SHALL BE INSTALLED WHEREVER FENCES CROSS UTILITY AND DRAINAGE EASEMENTS.

OBSTRUCTION OF DRAINAGE

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

TAX CERTIFICATE:

A TAX CERTIFICATE AFFIDAVIT WAS FILED ON _____, PAGE _____, KENDALL COUNTY OFFICIAL RECORDS.

NOTES:

1. ALL LOT CORNERS ARE MONUMENTED WITH FOUND 3" REBAR UNLESS NOTED OTHERWISE
2. THIS PLAN DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE TELEVISION EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW.
3. ALL LOTS ARE OUTSIDE THE 100 YEAR FLOOD PLAIN (ZONE "X" UNSHADED) F.E.M.A. PANEL 48029C0295F. EFFECTIVE DATE: SEPTEMBER 28, 2010.
4. BEARINGS, DISTANCES AND COORDINATES SHOWN ARE BASED ON TEXAS PLANE COORDINATES. SOUTH CENTRAL ZONE NAD 83. VERTICAL DATUM IS NAVD 88. GRID DISTANCES CAN BE ADJUSTED TO SURFACE USING THE COMBINED SCALE FACTOR OF 1.00017. STATE PLANE COORDINATES ESTABLISHED USING LEICA SMARTNET OPS RTK NETWORK.
5. PRESERVATION OR REMOVAL OF HERITAGE TREES WILL BE DONE PER SECTION 2.02.002 (T) OF THE UNIFORM ACT. THERE ARE 0 HERITAGE LEGACY TREES, AS DEFINED IN SUBSECTION 2.02.002 IDENTIFIED ON THIS PLAN.
6. NO PART OF THIS SUBDIVISION PLAN IS LOCATED UPSTREAM FROM A CITY WATER SUPPLY LAKE.

MAJOR DEVELOPMENT PLAT ESTABLISHING
SCENIC LOOP ROAD BUSINESS
A 4.254 ACRES TRACT OF LAND, SITUATED IN THE ANTONIO CRUZ SURVEY ABSTRACT 97, SECTION 170, KENDALL COUNTY, TEXAS AND BEING ALL OF A CALLED 4.431 ACRE TRACT DESCRIBED IN PARTICIPATION DEED, RECORDED IN VOLUME 1250, PAGE 1037, OFFICIAL RECORDS, KENDALL COUNTY, TEXAS

**STATE OF TEXAS
COUNTY OF KENDALL**

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE 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 _____ DAY OF _____, 2026.

By: MOHSEN AFSOUS
6607 BUFFALO HILLS
SAN ANTONIO, TEXAS 78256

**STATE OF TEXAS
COUNTY OF KENDALL**

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE 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 _____ DAY OF _____, 2026.

By: _____ CHAIR
By: _____ SECRETARY

**STATE OF TEXAS
COUNTY OF KENDALL**

THIS PLAN OF SCENIC LOOP ROAD BUSINESS HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BOERNE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

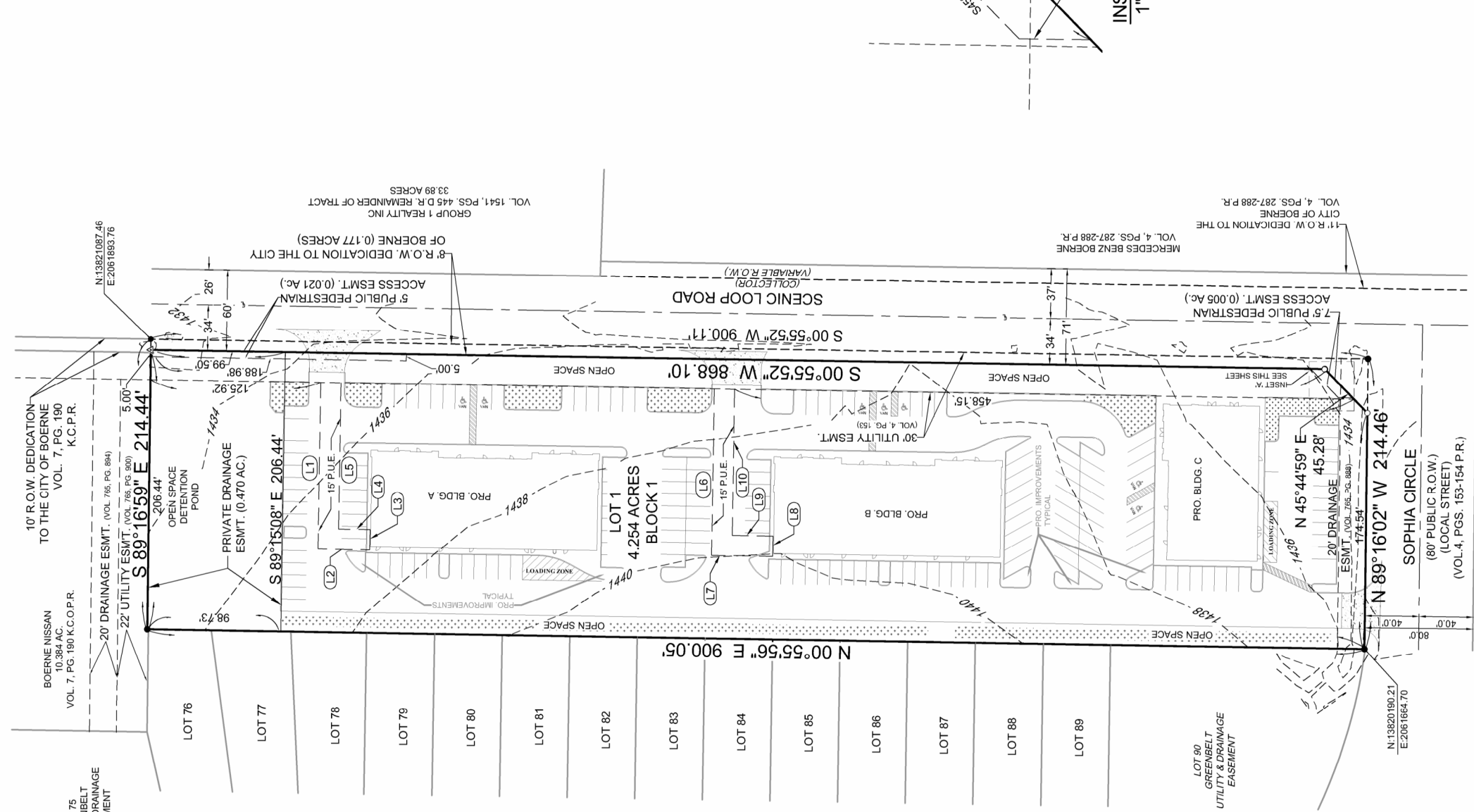
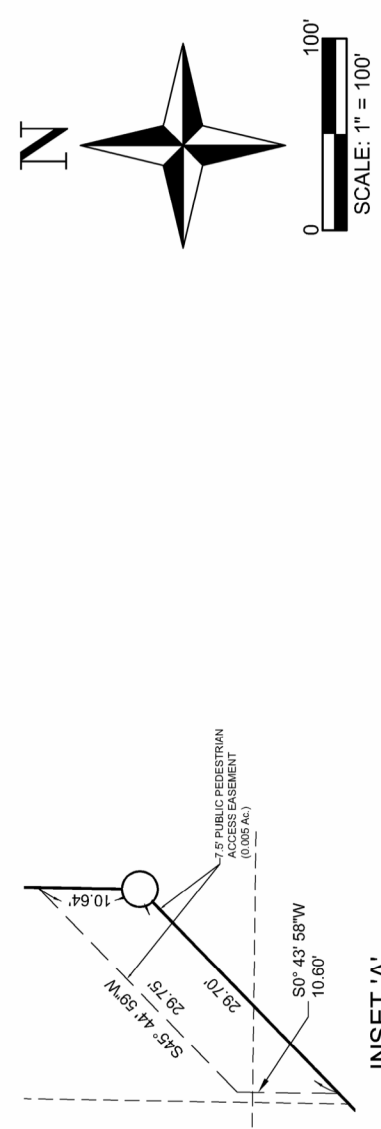
DATED THIS _____ DAY OF _____, 2026.

By: _____ CHAIR

By: _____ SECRETARY

**STATE OF TEXAS
COUNTY OF KENDALL**

I, _____ COUNTY CLERK OF SAID COUNTY DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH THIS CERTIFICATE OF AUTHENTICATION WAS FILED IN MY OFFICE THE _____ DAY OF _____ A.D. 2026 AND PLAT RECORDS OF SAID COUNTY, IN DOCUMENT NO. _____ TAX CERTIFICATE AFFIDAVIT FILED THIS DATE DOCUMENT NO. _____ KENDALL COUNTY OFFICIAL RECORDS. IN TESTIMONY, WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL IF OFFICE, THIS _____ DAY _____, 2026.



BOERNE CROSSING PHASE 1
DOCUMENT NO. 17454 C D P R

LOT #	ACRES	AREA	PERCENT IMPERVIOUS COVER
LOT 76	0.00	0.00	0.00%
LOT 77	0.00	0.00	0.00%
LOT 78	0.00	0.00	0.00%
LOT 79	0.00	0.00	0.00%
LOT 80	0.00	0.00	0.00%
LOT 81	0.00	0.00	0.00%
LOT 82	0.00	0.00	0.00%
LOT 83	0.00	0.00	0.00%
LOT 84	0.00	0.00	0.00%
LOT 85	0.00	0.00	0.00%
LOT 86	0.00	0.00	0.00%
LOT 87	0.00	0.00	0.00%
LOT 88	0.00	0.00	0.00%
LOT 89	0.00	0.00	0.00%

- PROJECT SUMMARY**
1. ONE NON RESIDENTIAL LOT
 2. APPROXIMATE AREA OF SMALLEST LOT IS 4.254 ACRES GROSS
 3. RIGHT-OF-WAY DEDICATION = 0.177 ACRES
 4. DENSITY: 1 LOT = 4.254 ACRES PER LOT
 5. PROPOSED IMPERVIOUS COVER = +/- 2.9 AC. PERCENT IMPERVIOUS COVER = +/- 69%

Line Table

Line #	Length	Direction
L1	123.09	N89° 04' 08" W
L2	38.25	N0° 55' 52" E
L3	15.00	S89° 04' 08" E
L4	23.25	N0° 55' 52" E
L5	108.09	S89° 04' 08" E
L6	123.09	S89° 04' 08" E
L7	45.16	N0° 55' 52" E
L8	15.00	N89° 04' 08" W
L9	30.16	N0° 55' 52" E
L10	108.09	N89° 04' 08" W



MARK J. EWALD
REGISTERED PROFESSIONAL SURVEYOR NO. 5095
WESTAR ALAMO LAND SURVEYORS, LLC
FIRM NO. 10111700

SURVEYOR

WESTSTAR ALAMO
4374 LOCKHILL SELMA RD
SHAVANO PARK, TEXAS 78249
(210) 372-9500

PROJECT # 24-004
DATE: APRIL 20, 2026

CONTACT: BEHADAD ZAHROONI P.E.



ZARON ENGINEERING PLLC.
CIVIL ENGINEERING - DEVELOPMENT CONSULTING - PROJECT MANAGEMENT

1846 N LOOP 1604 W, STE 205
SAN ANTONIO, TEXAS 78248
PHONE # 210-687-7603
TBPE FIRM NO. F-26362



AGENDA ITEM SUMMARY

Agenda Date	June 1, 2026
Requested Action	Consider a request to allow on-site sewage facility (OSSF) at 123 Frederick Street.
Contact Person	Abigail Knott – City Engineer
Background Information	<p>BACKGROUND:</p> <p>The property is approximately 1.655 acres, and the owner is Vicki Stringer. This variance was brought to Planning and Zoning Commission on March 3, 2025. The item was tabled to allow the applicant time to develop the total cost for all options available.</p> <p>The property is located within city limits and has 347 feet of frontage along Frederick Street and has 200 feet of frontage along Old Number 9 Trail. The property includes a significant portion of land within a Drainageway Protection Zone (DPZ), limiting the developable area.</p> <p>The subject property was previously operated as a small engine repair company, and it is proposed to be redeveloped as a personal service complex. This requires the property to be platted, as additional buildings will be constructed as part of the redevelopment.</p> <p>The current site is served by a private lift station that connects to a sewer main west of the property. The current lift station is inadequate for the proposed site redevelopment and this sewer main cannot be extended.</p> <p>The UDC requires all subdivisions within City limits to connect to sanitary sewer system, unless granted a waiver by the Planning and Zoning Commission. The applicant is requesting a waiver to allow on-site sewage at 123 Frederick Street instead of connecting to the City’s sanitary sewer system (UDC Sec. 7-6 B. 1. c.).</p> <p>ANALYSIS:</p> <p>The Unified Development Code (UDC) Section 7-6 B. 1. c. requires all subdivisions within City Limits to connect to the municipal sewer system unless “... <i>the Planning and Zoning commission determines that</i></p>

such connection would require an unreasonable expenditure of funds when compared with other methods of sewage disposal ...”

- Since the closest sewer main on Frederick Street cannot be extended, Option 1 is to extend a sewer main approximately 1,280 feet along Old Number 9 Trail for service. Most properties along this route are already developed, with one notable exception—a vacant parcel approximately 4.26 acres. While this parcel has access to a sewer main along Main Street; the developer would have the option to complete a feasibility study and work with TxDot to utilize the existing sewer main or extend the main along Old Number 9 Trail.
- Option 2 is to install OSSF on the subject property designed to accommodate the ultimate build out (Attachment 4). In the future, when the sewer main along Old Number 9 Trail is extended this property will be able to connect. Enabling this option to be a temporary solution in the short term, while also achieving long term development best practices.

The applicant has explored each option and has requested option 2, an OSSF, which requires a waiver from the Planning and Zoning Commission. As described above and in Sec. 7-6, the consideration of this waiver is based off the expense of the sewer connection and whether it is “unreasonable”. The applicant has obtained a cost estimate for each of the three options (Attachment 4). These estimates are based on the same ultimate build scenario (Attachment 4).

Cost Comparison:

Option	Description	Estimated Cost
1	Extend main sewer line from City Complex	\$198,628.00
2	Install on-site sewage facilities	\$15,500.00

MOTIONS FOR CONSIDERATION:

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

I move that the Planning and Zoning Commission accept the findings and **APPROVE** the request to allow on-site sewage at 123 Frederick Street subject to the two stipulations recommended by staff.

OR

	I move that the Planning and Zoning Commission DENY the request to allow on-site sewage at 123 Frederick Street based on the following findings: (The Commission will need to state the reasons for the denial. These reasons should reference specific regulations in the UDC.)
Strategic Alignment	N/A
Financial Considerations	N/A
Citizen Input/Board Review	Public hearings and notifications are not required for this request.
Legal Review	This action is needed to meet statutory requirements.
Alternative Options	The Commission must approve, approve with conditions, extend the review, or deny the request. Each condition or reason for denial must be directly related to requirements of city regulations and may not be arbitrary.
Supporting Documents	Attachment 1 – Aerial Map Attachment 2 – Variance Request Attachment 3 – Future Land Use Map Attachment 4 – Zoning Map Attachment 5 – Environmental Constraints Map Attachment 6 – Cost Estimates Attachment 7 – Property Survey Attachment 8 – Sewer Map



ADVOGT

GARDEN

KITTY KAT

FREDERICK

MAIN

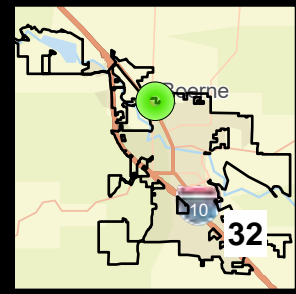
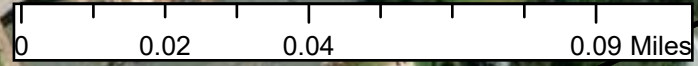


SUBJECT PROPERTY

123 Frederick

Legend

-  Parcels
-  SUBJECT PROPERTY



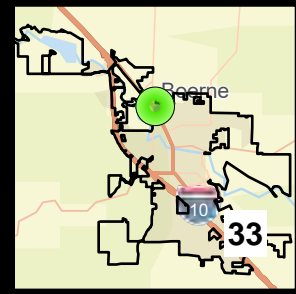
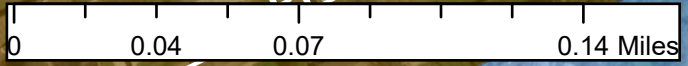


SUBJECT PROPERTY

123 Frederick

Legend

- FLU
- Downtown
 - Neighborhood Residential
 - Public and Institutional
 - Transitional Residential
 - SUBJECT PROPERTY





SUBJECT PROPERTY
123 Frederick







Current Zoning

C3 - Community Commercial



Legend

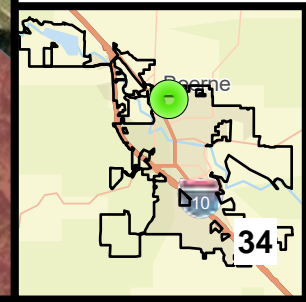
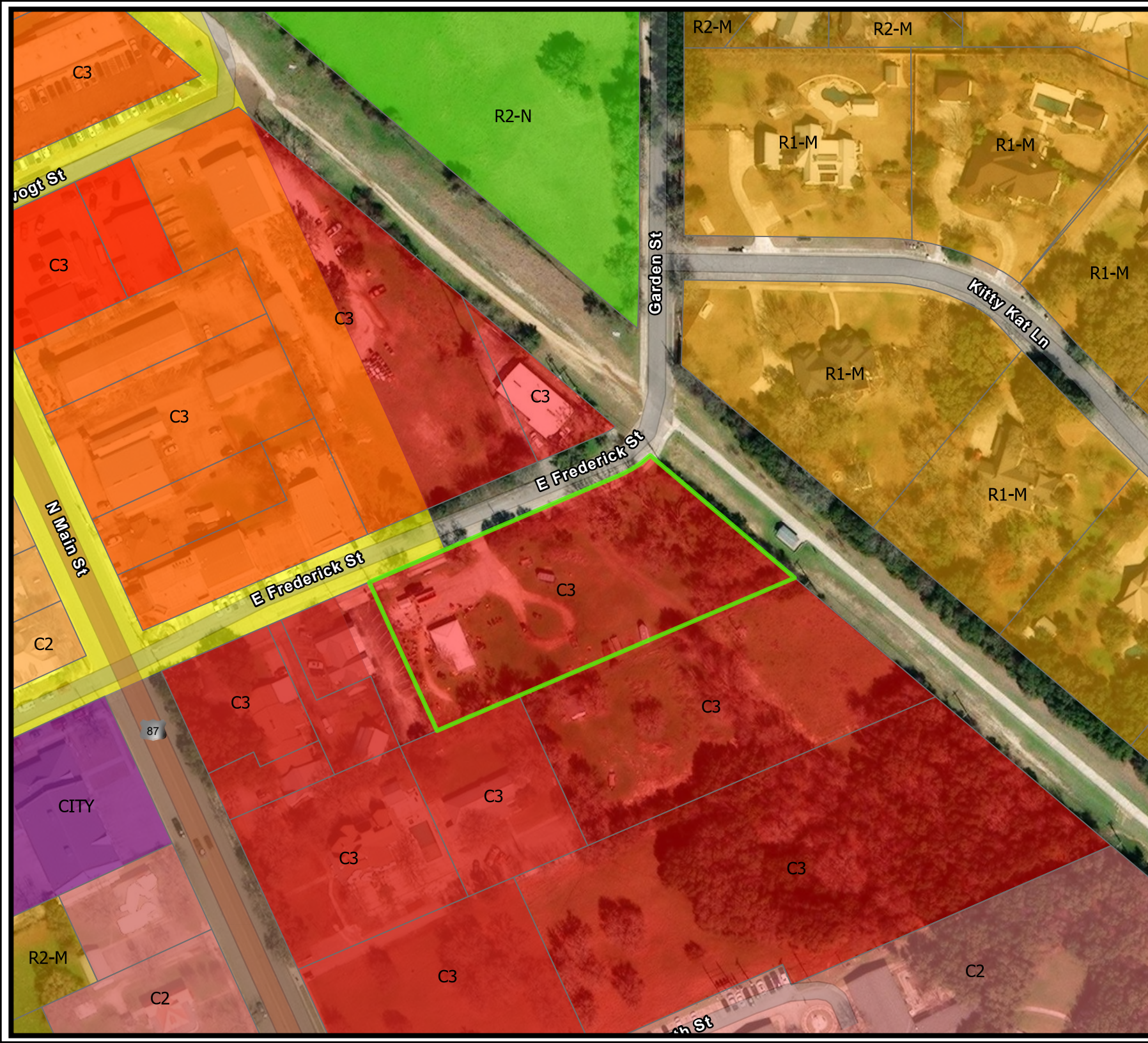
 SUBJECT PROPERTY

Boerne Zoning

-  C2
-  C3
-  CITY
-  R1-M
-  R2-M
-  R2-N

Overlay Districts

-  Entrance Corridor
-  Historic District








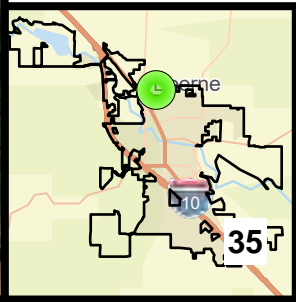


SUBJECT PROPERTY

123 Frederick

Legend

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



123 E. Fredericks St

Offsite Wastewater Extension Cost Estimate

<i>Item No.</i>	<i>Description</i>	<i>Unit</i>	<i>Qty.</i>		<i>Unit Price</i>	<i>Amount</i>
1.	Standard 4' Manhole	EA	4	\$	8,500.00	\$ 34,000.00
2.	8" Wastewater Gravity SDR-35 (6'-8' Deep)	LF	1,280	\$	95.00	\$ 121,600.00
3.	6" Std. Service Lateral w/ Cleanout	EA	1	\$	2,500.00	\$ 2,500.00
4.	WW Testing	LF	1,280	\$	1.50	\$ 1,920.00
5.	Trench Protection	LF	1,280	\$	2.50	\$ 3,200.00
6.	Core & Connect to Existing WW Manhole	EA	1	\$	4,500.00	\$ 4,500.00
7.	Private Wastewater Service Connection to Buildin	LS	1	\$	5,000.00	\$ 5,000.00
					Subtotal =	\$ 172,720.00
8.	Engineering & Permitting (15%)					\$ 25,908.00
Total Wastewater Improvements =						\$ 198,628.00

- Notes:
1. Estimate includes extension of 8" wastewater line from City of Boerne Library to subject property within Old No. 9 ROW.
 2. Estimate per City of Boerne Specifications
 3. Estimate was prepared without the benefit of engineered plans
 4. Unit Prices used from recent bids on similar projects

ROY FISCHER CONSTRUCTION

P.O. Box 683 • Boerne, TX 78006

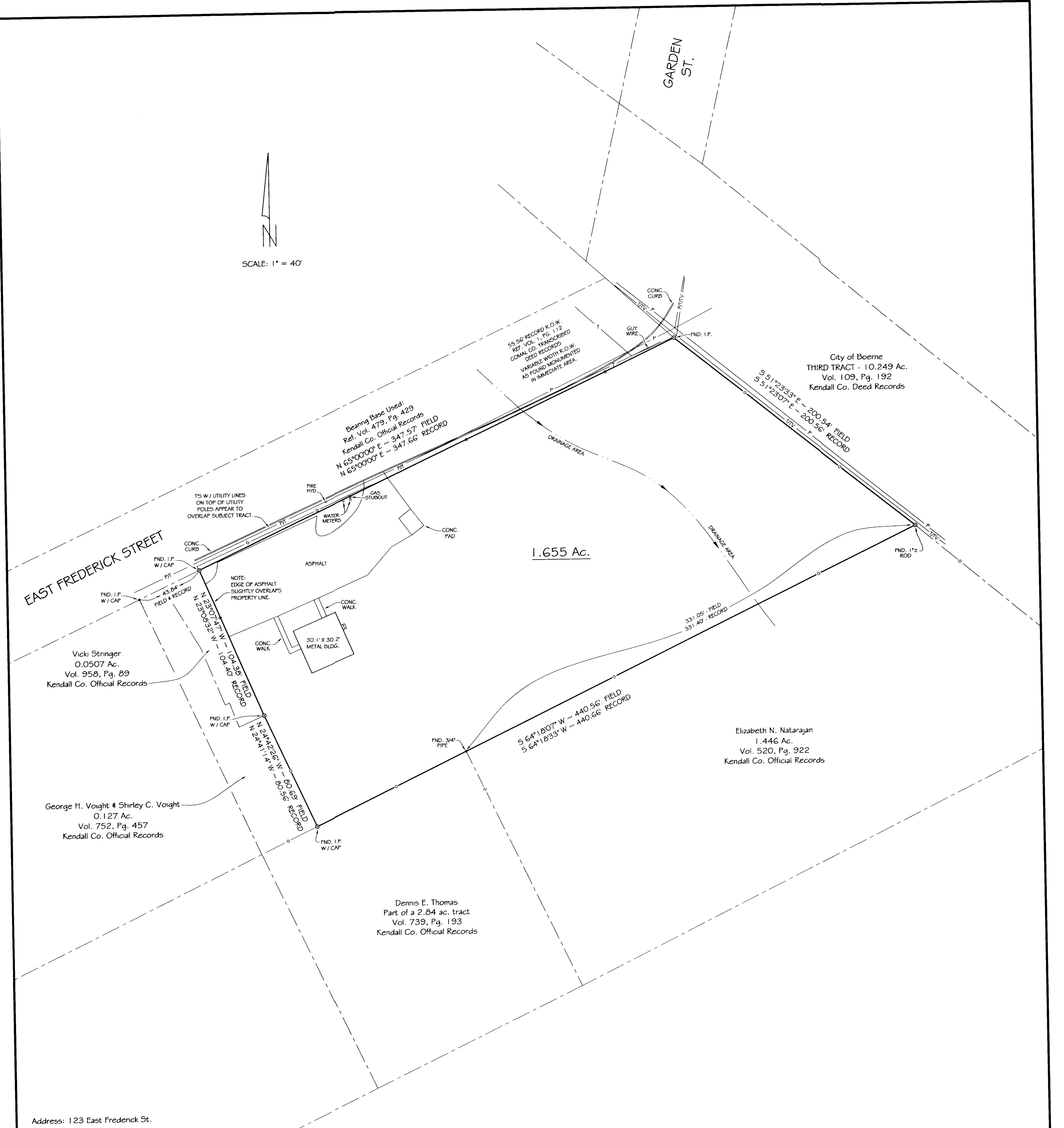
210-317-2116 • Fax 830-249-1646

Estimate
~~INVOICE~~

Date 1-6-25

SOLD TO <i>Vicki Stringer</i>	JOB ADDRESS <i>123 East Fredrick</i>
ADDRESS	
CITY, STATE, ZIP	

DESCRIPTION	AMOUNT
<i>1500 gallon tank & LABOR AS PER Kendall County SPEC.</i>	<i>15,500.⁰⁰</i>



SCALE: 1" = 40'

Beating Base Used:
 Ref. Vol. 479, Pg. 429
 Kendall Co. Official Records
 N 65°00'00" E - 347.57' FIELD RECORD
 N 65°00'00" E - 347.66' RECORD

55.56' RECORD R.O.W.
 REF. VOL. 1, PG. 112
 COMAL CO. TRANSCRIBED
 DEED RECORDS
 VARIABLE WIDTH R.O.W.
 AS FOUND MONUMENTED
 IN IMMEDIATE AREA.

City of Boerne
 THIRD TRACT - 10.249 Ac.
 Vol. 109, Pg. 192
 Kendall Co. Deed Records

S 51°23'33" E - 200.54' FIELD RECORD
 S 51°23'07" E - 200.56' RECORD

1.655 Ac.

331.05' FIELD RECORD
 331.40' RECORD

S 64°18'07" W - 440.56' FIELD RECORD
 S 64°18'33" W - 440.66' RECORD

Elizabeth N. Natarajan
 1.446 Ac.
 Vol. 520, Pg. 922
 Kendall Co. Official Records

George H. Voight & Shirley C. Voight
 0.127 Ac.
 Vol. 752, Pg. 457
 Kendall Co. Official Records

Dennis E. Thomas
 Part of a 2.84 ac. tract
 Vol. 739, Pg. 193
 Kendall Co. Official Records

Vicki Stringer
 0.0507 Ac.
 Vol. 958, Pg. 89
 Kendall Co. Official Records

Address: 123 East Frederick St.

Proposed Borrower: Robert Wellman Williams and Susan R. Williams

Reference is made to a 3 page field note description of 1.655 acres dated March 21, 1996 & June 27, 2006 accompanying this plat.

All iron pins shown are 1/2" diameter.

Location and type of underground utilities, etc. if any, with associated equipment that are on or that enter, cross or leave this tract are unknown.

Existing fences where shown actually meander back and forth generally along and not necessarily on line.

This survey was not presented to any Governmental staff or agency for review for any type of possible replat procedures.

1.655 acres of land, more or less, out of Original Lot No. 16 in the Town of Boerne (plat recorded in Vol. 1, Pg. 112 in the transcribed deed records from Comal County to the Kendall County Deed Records) in the City of Boerne, Kendall County, Texas and being part of the 1.833 acre tract of land conveyed to Todd Rust and wife, Jennifer Rust recorded in Vol. 479, Pg. 429, Kendall County Official Records.

I certify that this plat represents surveys made on the ground under my supervision and that there are no apparent visible easements or encroachments except as shown or noted.
 March 21, 1996 & June 27, 2006

Thomas C. Pfeiffer - Pfeiffer Land Surveying
 Registered Professional Land Surveyor No. 1973.
 Boerne, Texas 78006 Ph. 830 - 249 - 3385




107-06

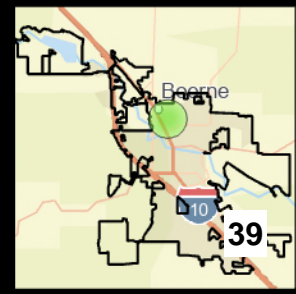
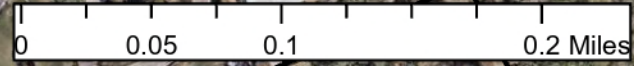
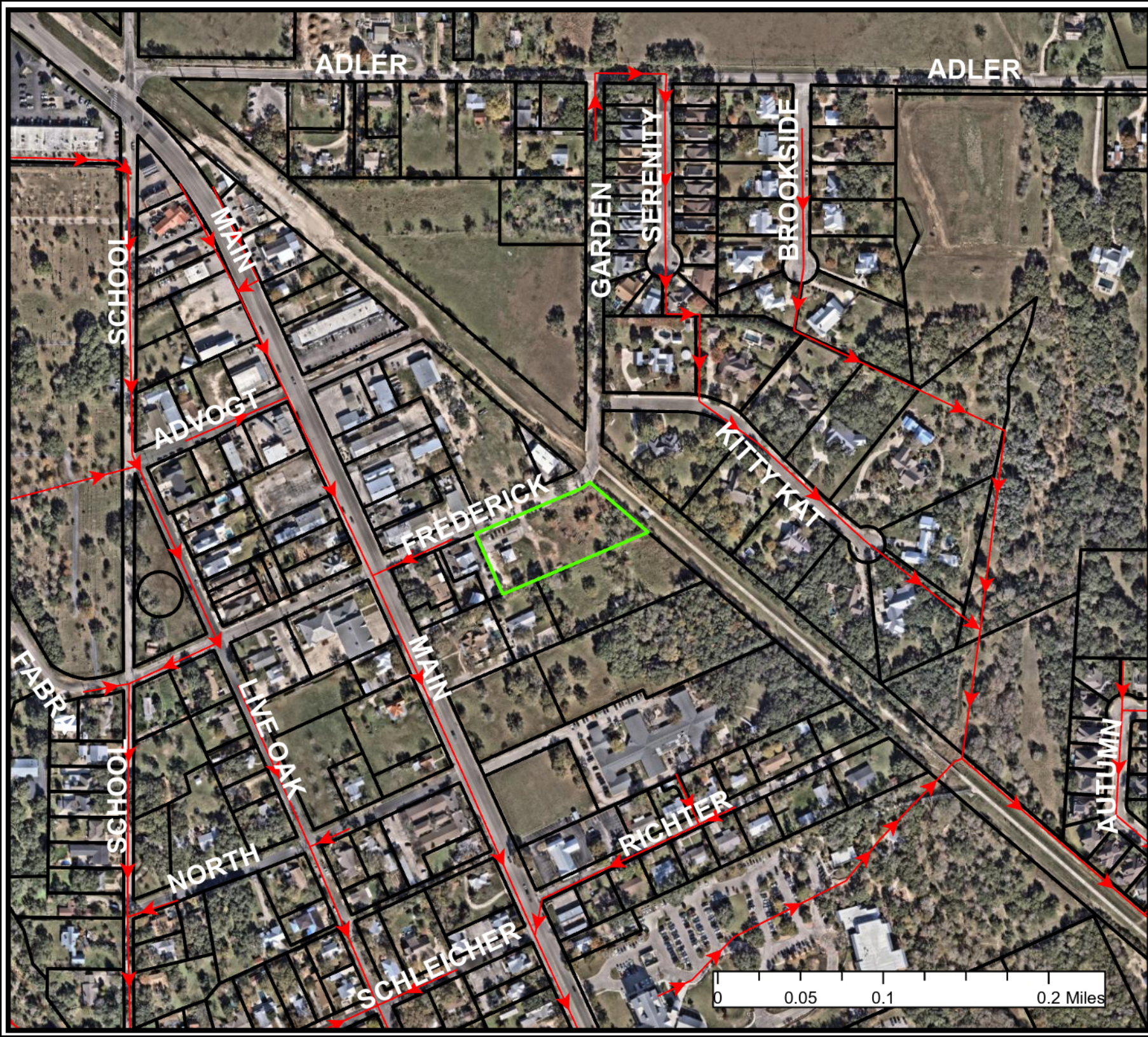


SUBJECT PROPERTY

123 E Frederick St

Legend

-  Parcels
-  SUBJECT PROPERTY
-  SewerMain





AGENDA ITEM SUMMARY

Agenda Date	June 1, 2026
Requested Action	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).
Contact Person	Abigail Knott – City Engineer
Background Information	<p>The applicant requests a variance to the City’s Unified Development Code (UDC) for the property at 8 Ranger Creek Road to reduce the requirements for minimum access and intersection separation distances.</p> <p>BACKGROUND: In February 2021, City Council adopted the UDC. The items pertaining to driveway and street design were included and approved to improve safety, reduce congestion, provide better access, and confirm long-term benefits.</p> <p>Applicant has recently purchased the 1.91-acre parcel (deed date of 4/15/2026 per KCAD) and has told staff they are proposing to use the property as a 33,350 square foot, ten-court indoor pickle ball facility. The site is located at the northwest corner of the intersection of Ranger Creek Road and Oak Acres Lane, approximately 1,000 feet west of the Ranger Creek intersection with IH-10.</p> <p>The parcel is not within the Boerne City Limits, and it was removed from the Extraterritorial Jurisdiction (ETJ) for the City of Boerne on April 20, 2026 as allowed by State law. The 1.91 acres parcel is unplatted and will require platting via Kendall County requirements prior to development permits being provide by Kendall County.</p> <p>Although the City has no platting and zoning authority over the parcel, Ranger Creek Road at this location is owned and maintained by the City of Boerne. As such, a city right-of-way (ROW) permit is required for the parcel and access requires adherence to the standards in the City’s UDC and the Engineering Design Manual (EDM).</p>

ANALYSIS:

Although the site has frontage on Oak Acres Lane, a county road, the applicant is requesting a driveway on the City's Ranger Creek Road. Ranger Creek Road is classified as a collector on the City's Major Throughfare Plan.

The proposed Ranger Creek driveway will also serve as joint access to an adjoining 0.91 acre parcel, also addressed as 8 Ranger Creek Road. This parcel, is anticipated to be a single family home per the applicant.

The current UDC requires minimum separation on collector roads between driveways and between driveways to street intersections as 570 feet. Where minimum separation distances limit individual lot access points, shared access easements, or rear and mid-block access streets or easement shall be used.

The distance between driveways and intersections is crucial for traffic safety and efficiency by managing access especially for the proposed use. Proper driveway placement ensures visibility (adequate site distance) and accessibility for vehicles and pedestrians, reducing the risk of collisions and minimizing conflict points.

VARIANCE REQUEST:

Per the variance request, the application proposes a shared driveway between the two Ranger Creek Road fronting properties with a separation distance of 342 feet (a deficiency of 228 feet from the required 570 feet) from Oak Acres Lane.

Should the Commission find the variance criteria are met and elect to approve the request, staff recommends the following conditions at a minimum be included:

- 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.
- 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.
- 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

	<p>a clear vision Easement per EDM §2.11.11(2).</p> <ul style="list-style-type: none"> • 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. • 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. <p><u>MOTIONS FOR CONSIDERATION:</u></p> <p>The following motions is provided to assist the Commission’s decision.</p> <p>I move that the Planning and Zoning Commission APPROVE the variance request to Unified Development Code Chapter 7-5.A.2 to reduce minimum access length requirements.</p> <p>OR</p> <p>I move that the Planning and Zoning Commission DENY the variance request to Unified Development Code Chapter 7-5.A.2 to reduce minimum access length requirements.</p>										
Item Justification	<table border="0"> <tr> <td><input type="checkbox"/> Legal/Regulatory Obligation</td> <td><input type="checkbox"/> Infrastructure Investment</td> </tr> <tr> <td><input type="checkbox"/> Reduce Costs</td> <td><input type="checkbox"/> Customer Pull</td> </tr> <tr> <td><input type="checkbox"/> Increase Revenue</td> <td><input type="checkbox"/> Service Enhancement</td> </tr> <tr> <td><input type="checkbox"/> Mitigate Risk</td> <td><input type="checkbox"/> Process Efficiency</td> </tr> <tr> <td><input type="checkbox"/> Master Plan Recommendation</td> <td><input checked="" type="checkbox"/> Other: <u>Variance Request</u></td> </tr> </table>	<input type="checkbox"/> Legal/Regulatory Obligation	<input type="checkbox"/> Infrastructure Investment	<input type="checkbox"/> Reduce Costs	<input type="checkbox"/> Customer Pull	<input type="checkbox"/> Increase Revenue	<input type="checkbox"/> Service Enhancement	<input type="checkbox"/> Mitigate Risk	<input type="checkbox"/> Process Efficiency	<input type="checkbox"/> Master Plan Recommendation	<input checked="" type="checkbox"/> Other: <u>Variance Request</u>
<input type="checkbox"/> Legal/Regulatory Obligation	<input type="checkbox"/> Infrastructure Investment										
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<input type="checkbox"/> Mitigate Risk	<input type="checkbox"/> Process Efficiency										
<input type="checkbox"/> Master Plan Recommendation	<input checked="" type="checkbox"/> Other: <u>Variance Request</u>										
Strategic Alignment	N/A										
Financial Considerations	N/A										
Citizen Input/Board Review	Public hearings and notifications are not required for this request.										
Legal Review	This action is needed to meet statutory requirements.										

Alternative Options	The Commission must approve, approve with conditions, extend the review, or deny the request. Each condition or reason for denial must be directly related to requirements of city regulations and may not be arbitrary.
Supporting Documents	Attachment 1 - Location Map Attachment 2 - Variance Application Attachment 3 - Applicant Statement Attachment 4 - Proposed Site Plan Attachment 5 – Turn Analysis

8 Ranger Creek Road



CITY OF BOERNE
PLANNING AND ZONING COMMISSION

VARIANCE APPLICATION

APPLICANT: Sean Bean PHONE NO. 210-602-5929
PROPERTY ADDRESS: 8 Ranger Creek Rd, Boerne, Tx 78006
LOT: _____ BLOCK: _____ SUBDIVISION: _____
OWNER: _____ PHONE NO. _____
(If different from Applicant)

MAILING ADDRESS FOR NOTIFICATION OF PENDING COMMISSION MEETING:

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

[Signature] (Owner's Signature) 4/30/2026 (Date)

1. Applicant is making a request from the Boerne Subdivision Ordinance (Article & Section No. Ch. 7-5. A. 2.)

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

2. Describe request:

I am asking for a variance for a driveway
entrance on Ranger Creek Rd. I am requesting one
driveway that would be access for two lots. I would
grant an easement to the residential lot to decrease the
need for an additional driveway

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.

[Signature] (Applicant's Signature) 4/30/2026 (Date)

Answers for Zoning Variance Worksheet

- A. The subject property has unique physical and layout constraints that are not typical of surrounding parcels. Specifically, the configuration of adjacent lots, existing roadway access limitations, and/or frontage conditions prevent reasonable access from a single driveway location. Without the requested variance, the property cannot achieve practical access comparable to neighboring properties.
- B. The condition is not the result of actions by the applicant but rather the result of existing subdivision layout, prior development patterns, and/or roadway placement. The applicant did not create these conditions, and they are not driven by convenience but by necessity to allow access to the property.
- C. The requested variance represents the minimum deviation necessary to provide safe and functional access to the property. The additional driveway is limited in scope and designed to comply with all other applicable standards to the greatest extent possible.
- D. The variance will not alter, negate, or negatively impact compliance with other provisions of the Zoning Ordinance. The proposed driveway will be constructed in accordance with applicable design and safety standards and will not interfere with utilities, drainage, or roadway function.
- E. The requested variance remains consistent with:
 - a. **The goals and policies of the Master Plan**, by enabling reasonable and functional use of the property;
 - b. **The purposes of the subdivision regulations**, by ensuring safe and adequate access;
 - c. **The intent of the standards**, as the regulation was not intended to create inaccessible or unusable lots.
 - d. In this case, strict application of the standard is impractical, and the variance allows equal or better achievement of these objectives.
- F. The variance will not have an adverse effect on adjacent or future landowners. The additional driveway will be designed to minimize impacts such as traffic, visibility, and drainage, and will be consistent with residential use patterns in the area.
- G. The variance will not negatively impact efficient development of the surrounding area. Instead, it supports sound planning principles by ensuring the property remains accessible and usable, which is fundamental to orderly development.
- H. Granting the variance will **improve** public health, safety, and welfare by ensuring safe and reliable access for residents, visitors, and emergency services. Denial of the variance would create unsafe or impractical access conditions.

**CITY OF BOERNE
PLANNING & ZONING COMMISSION**

ZONING VARIANCE WORKSHEET

Commission's Power to Grant Variances.

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

Procedures for Variances.

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

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

Findings Required for Variances.

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

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

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

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

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

E. Demonstrate that the required standard is inapplicable to the specific site, so that the proposed plat equally or better meet all of the following:

1. The goals and policies of the Master Plan;
2. The purposes of these regulations; and
3. The intent of the standards.

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

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

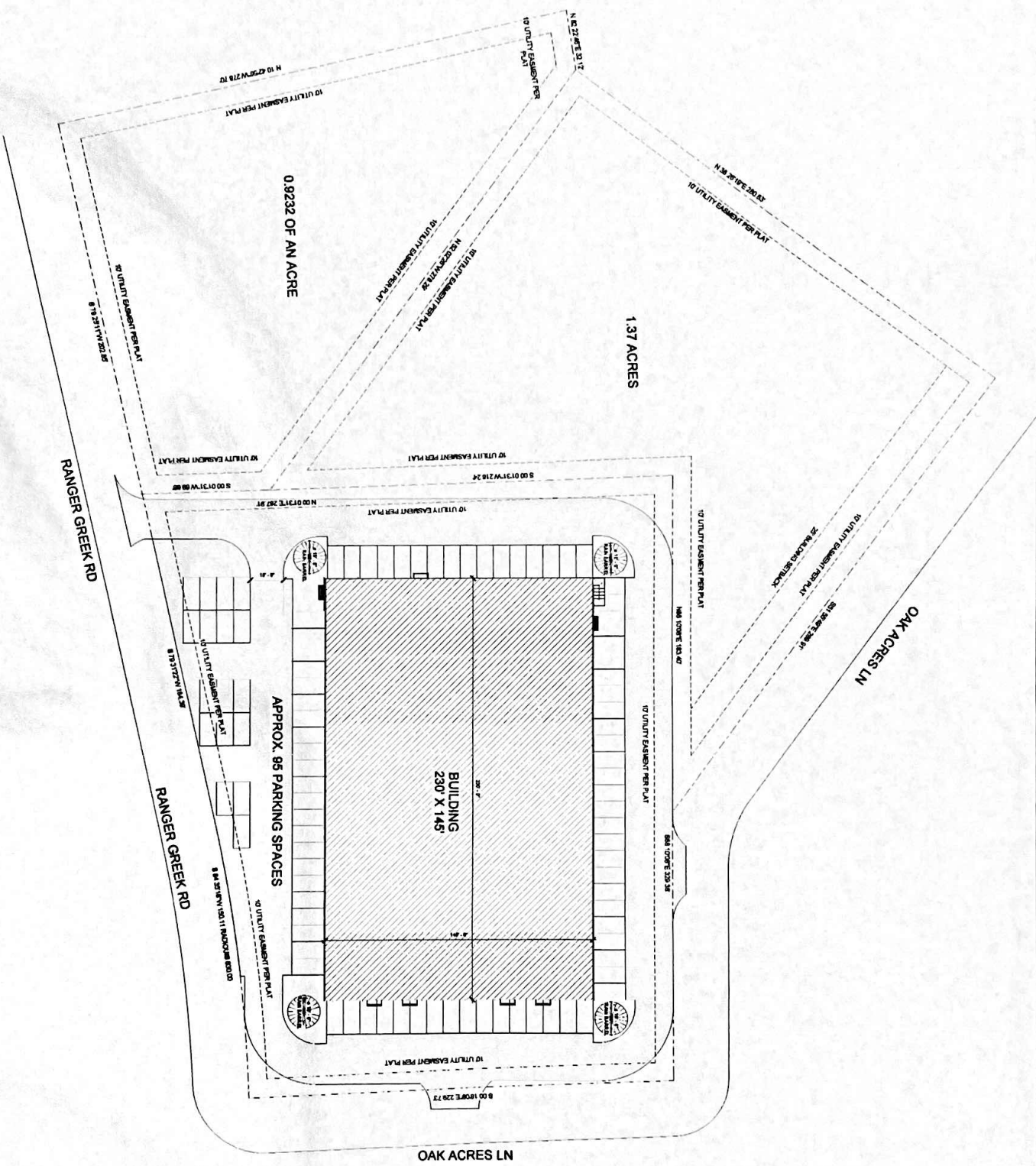
H. Will the variance adversely impact the general health, safety and welfare of the public.

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

Conditions.

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

OVERALL SITE PLAN
11-15-20



BEAN
OVERALL
SITE PLAN

Project Number: 2020 - 100
Date: 04.08.2020
Drawn by: ER
Checked by: HS

A1.00

No.	Description	Date

RANGER CREEK
METAL BUILDING

RANGER CREEK
BOERNE, TX 78006

Studio S
ARCHITECTS

STUDIO S ARCHITECTS
1100 S. W. 10TH ST.
SUITE 2010
BOERNE, TX 78006

SEAN E BEAN
OR KEMBLE M BEAN
8414 TRIPLE CROWN
BOERNE, TX 78015

1195

30-9/1140

31

4/30/2025

Date



Pay to the
Order of City of Boerne

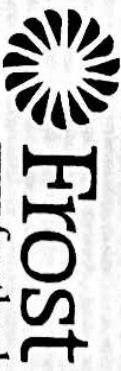
\$ Five hundred

no
100's

Dollar's



Photo
Safe
Deposit
Details on back



www.frostbank.com

For Variance App - E Ranges Cook

MP

⑆114000093⑆1195⑆⑆020966878⑆

Variance Explanation - 8 Ranger Creek Rd

We are requesting a variance to allow an additional driveway/access point to the commercial lot on the corner and we would grant an easement to the adjacent lot on Ranger Creek. Due to the unique configuration and access limitations of the site and the distance between Oak Acres Lane and the existing residential neighbor, without the requested variance, the residential lot would effectively be landlocked and unable to maintain reasonable vehicular access consistent with normal residential use. The requested deviation is minimal and necessary to provide safe, functional, and reliable access for residents, visitors, and emergency services. Granting the variance would not negatively impact adjacent properties or surrounding development and would instead support the intent of the City's planning and development standards by ensuring the property remains accessible, usable, and safely developed.

Thank you in advance for your time and attention to this request.

Sincerely,

Sean Bean



Studio S
ARCHITEKTS

STUDIO S. ARCHITEKTS
HOLLIE SANCHEZ, LEED AP, NCARB
816 W. BLANCO RD
SUITE 201B
BOERNE, TX 78006

**RANGER CREEK
METAL BUILDING**
RANGER CREEK
BOERNE, TX 78006

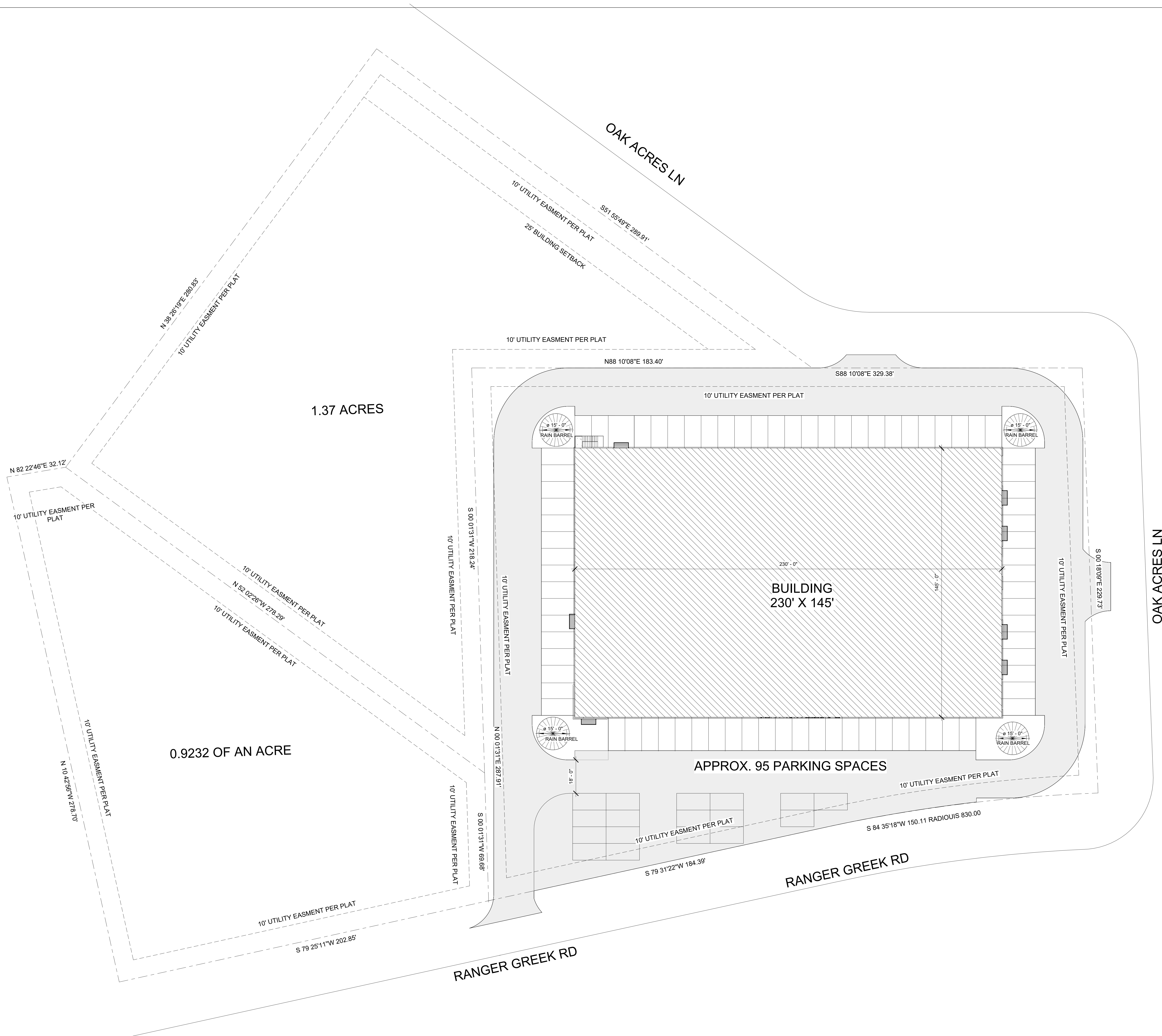
No.	Description	Date
0	-	-

BEAN
**OVERALL
SITE PLAN**

Project Number	2026 - 106
Date	04.08.2026
Drawn By	ER
Checked By	HS

A1.00

4/8/2026 11:59:42 AM





Studio S
ARCHITEKTS

STUDIO S. ARCHITEKTS
HOLLIE SANCHEZ, LEED AP, NCARB
816 W. BLANCO RD
SUITE 201B
BOERNE, TX 78006

RANGER CREEK
METAL BUILDING
RANGER CREEK
BOERNE, TX 78006

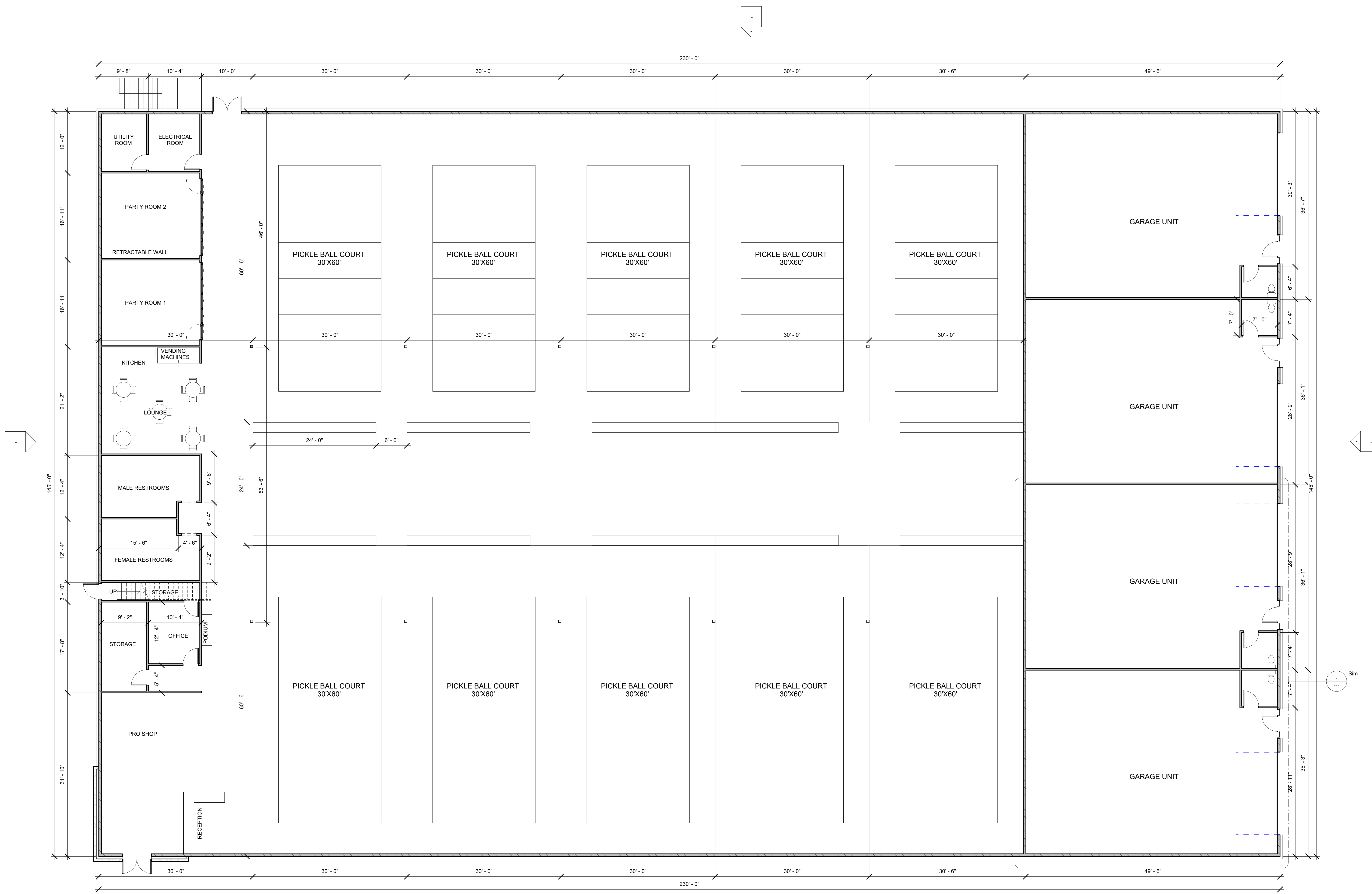
No.	Description	Date
0		

BEAN
OVERALL
FLOOR PLAN

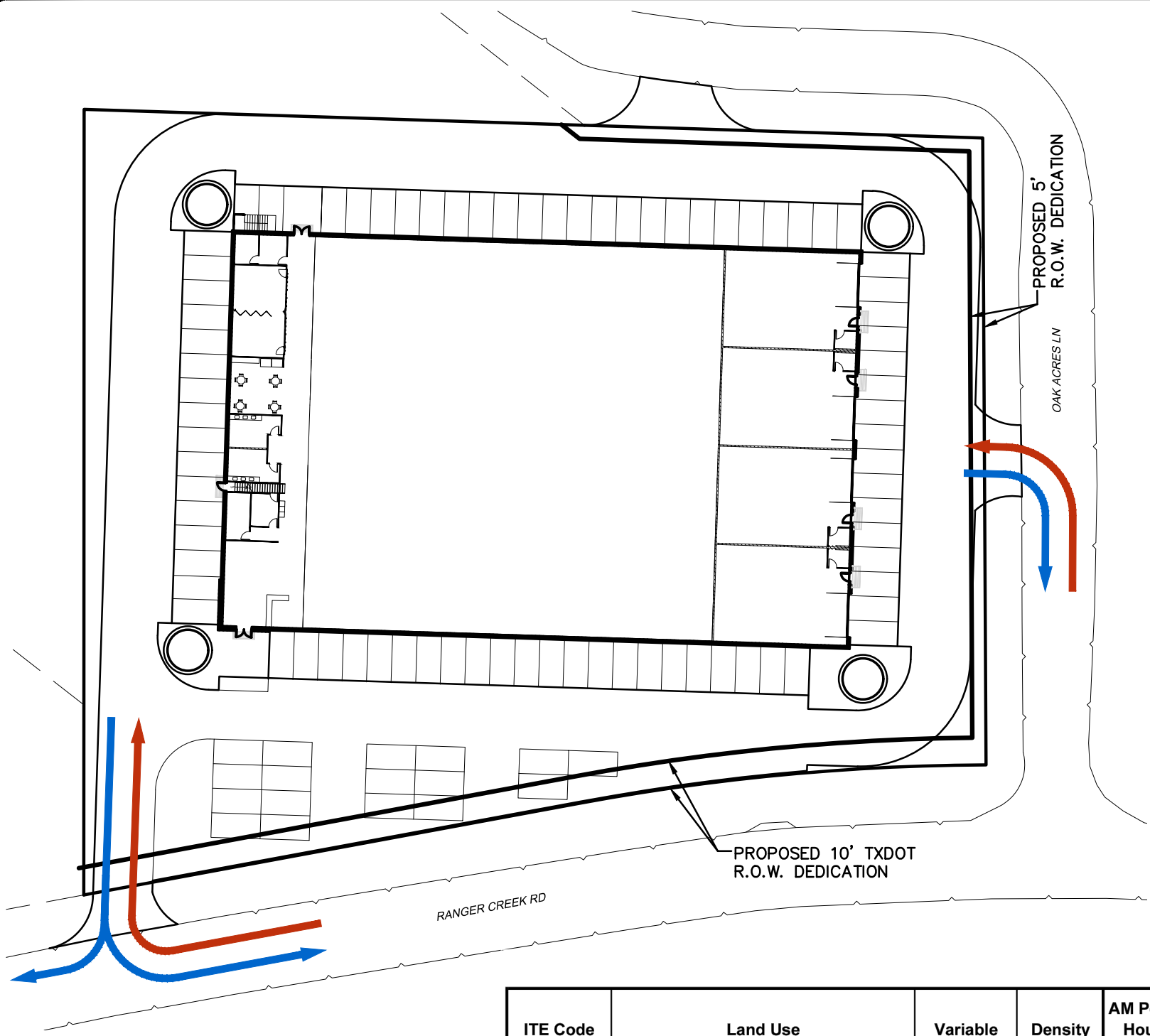
Project Number 2026 - 106
Date 04.08.2026
Drawn By ER
Checked By HS

A2.00

4/8/2026 11:59:43 AM



1 OVERALL FIRST FLOOR - FLOOR PLAN
1/8" = 1'-0"



- LEGEND:**
- PROPERTY BOUNDARY
 - ADJOINING PROPERTY BOUNDARY
 - EXISTING EDGE OF PAVEMENT
 - PROPOSED EDGE OF PAVEMENT
 - TRIPS IN
 - TRIPS OUT

FOR INTERIM REVIEW ONLY
 THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW ONLY, UNDER THE AUTHORITY OF:
 NAME: JAMES MCGARR
 P.E. No.: 108753
 AND IS NOT INTENDED TO BE USED FOR BIDDING OR CONSTRUCTION PURPOSES.

AM TOTAL TRIPS	AM IN	AM OUT	PM TOTAL TRIPS	PM IN	PM OUT
12	10	2	13	3	10
SPLIT			SPLIT		
40% RANGER CREEK	4	1	40% RANGER CREEK	1	4
60% OAK ACRES	6	1	60% OAK ACRES	2	6

Alternate Peak (SAT, SUN, Generator):
SUN

ITE Code	Land Use	Variable	Density	AM Peak Hour Rate	AM Total Trips	AM In	AM Out	PM Peak Hour Rate	PM Total Trips	PM In	PM Out	Other Peak Hour Rate	Other Total	Other In	Other Out
710	General Office Building	1,000 SF	7	1.24	9	8	1	1.18	8	1	7	0.68	5	3	2
150	Warehousing	1,000 SF	26	0.12	3	2	1	0.15	4	1	3	0.04	1	1	0
215	Single-Family Attached Housing	DU's	1	0.47	0	0	0	0.51	1	0	0	0	0	0	0
Total					12	10	2		13	3	10		6	3	2



AGENDA ITEM SUMMARY

Agenda Date	June 1, 2026
Requested Action	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).
Contact Person	Abigail Knott – City Engineer
Background Information	<p>The applicant is building a new home at 417 Hickman Street and has requested a variance to the Unified Development Code (UDC) to waive the requirement to construct a sidewalk and pay “fee in lieu of sidewalk construction” requirements entirely.</p> <p>BACKGROUND: In February 2021, City Council adopted the UDC. The items pertaining to sidewalk and street design were included and approved to improve safety, reduce congestion, provide better access, and confirm long-term benefits. In 2023, the City Council approved an amendment to the UDC to allow for “fee in lieu of sidewalk construction.”</p> <p>ANALYSIS: The site is located at the southwest corner of the intersection of Hickman Street and Phil Wilson Street. Hickman Street is classified as a local street. The properties were replatted into two lots and recorded in November 2023. The lot in development is approximately 0.570 acres, and the proposed use is a single-family home. The additional lot, currently undeveloped, is approximately 0.29 acres.</p> <p>The current UDC requires that in the city limits or in the Extraterritorial Jurisdiction (ETJ) of the City of Boerne, the developer shall, at his/her sole cost and expense, provide all necessary street improvements, to include sidewalks. These improvement shall be made at such time as subdivision or development occurs.</p> <p>The UDC allows an exception to sidewalk installation, which is payment instead of sidewalk installation as approved by the Director of Engineering and Mobility if any of six conditions apply.</p>

This property meets both the following conditions:

- (1) Less than fifty (50) percent of the block face on which the property is located has a sidewalk and
- (2) There are no sidewalks in the vicinity, and it is unlikely that there will be development nearby that would require installation of sidewalks.

Payment received for approved sidewalk exemptions are provided to a dedicated sidewalk fund from which City staff identifies and constructs gaps in sidewalks or repairs areas that do not meet current ADA requirements.

The applicant has provided a cost estimate of \$8,040.00 to construct the required sidewalk. However, the applicant has requested a variance such that they are not required to construction the sidewalk or pay into the sidewalk fund.

ROUGH PROPORTIONALITY POLICY:

The City's Rough Proportionality Policy provides the legal framework under which roadway and sidewalk improvements may be required of developers as a condition proportional to the impacts of their development. Under Chapter 395 of the Texas Local Government Code, and consistent with established rough proportionality legal precedent, new residential subdivisions that generate pedestrian demand may be required to construct roadway or sidewalk infrastructure they necessitate. This is a standard and legally defensible development condition applied by municipalities throughout Texas.

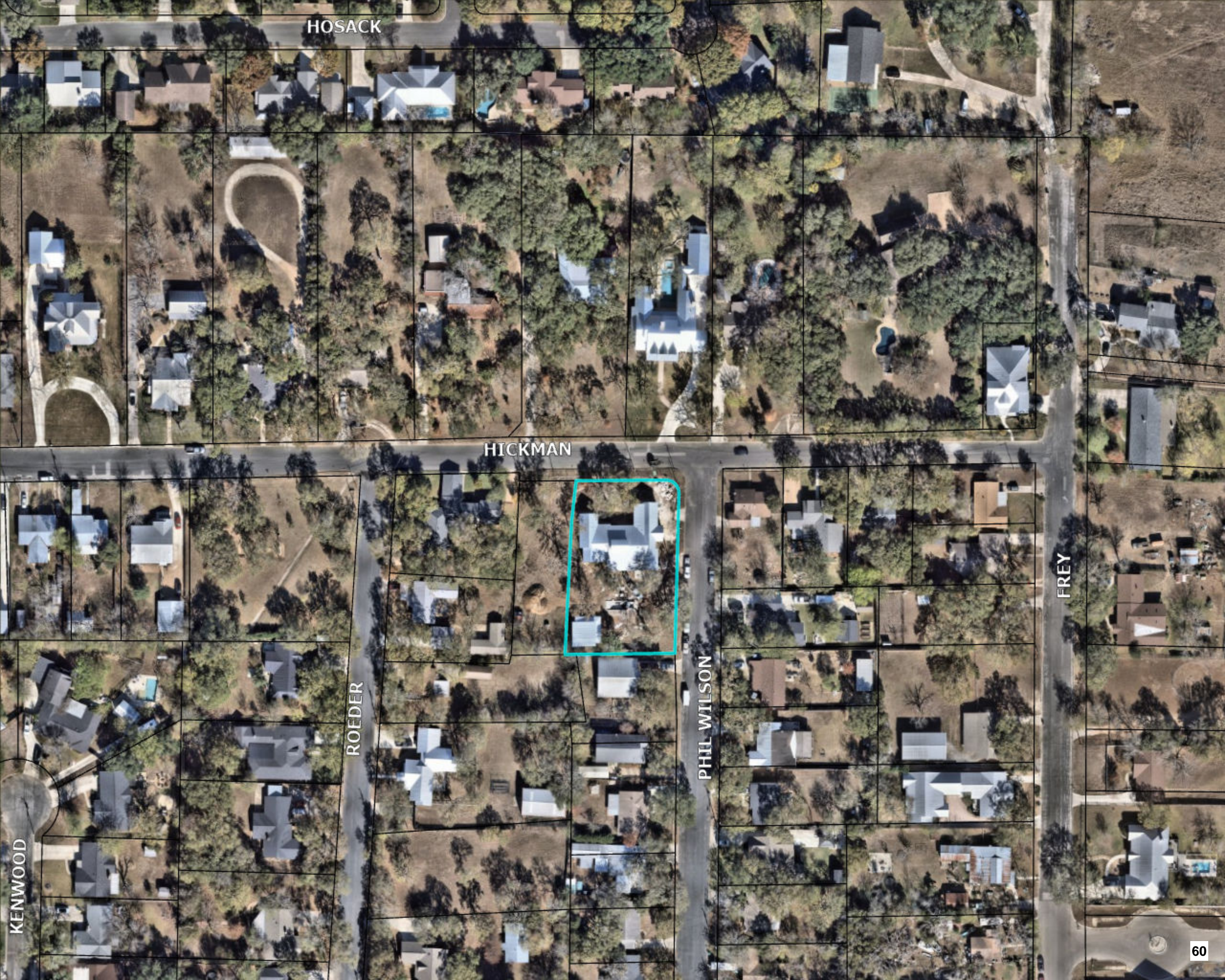
Requiring sidewalks with new home construction is the mechanism by which Boerne's residential growth improves the city's pedestrian network. City-wide surveys and engagement activities have consistently and repeatedly identified the lack of connected sidewalks as a quality-of-life issue, a safety concern, and an accessibility barrier. The 2022 *County at a Crossroads: A Citizens' Plan for Transportation in Kendall County* reiterated the importance of walkable, connected communities. Absent new sidewalk construction with each new home, the City will continue to accumulate a pedestrian infrastructure deficit that must eventually be remediated at the entire public's expense, or left as an ongoing public safety and ADA compliance liability.

VARIANCE REQUEST:

The application seeks to waive the requirement for sidewalk construction and payment instead of sidewalk construction.

	<p>MOTIONS FOR CONSIDERATION: The following motions is provided to assist the Commission’s decision.</p> <p>I move that the Planning and Zoning Commission APPROVE the variance request to Unified Development Code Chapter 7-3.D to waive sidewalk installation and payment in .</p> <p>OR</p> <p>I move that the Planning and Zoning Commission DENY the variance request to Unified Development Code Chapter 7-3.D to waive payment instead of sidewalk installation.</p>
Item Justification	<input type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Infrastructure Investment <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Customer Pull <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Service Enhancement <input type="checkbox"/> Mitigate Risk <input type="checkbox"/> Process Efficiency <input type="checkbox"/> Master Plan Recommendation <input checked="" type="checkbox"/> Other: <u>Variance Request</u>
Strategic Alignment	N/A
Financial Considerations	N/A
Citizen Input/Board Review	Public hearings and notifications are not required for this request.
Legal Review	This action is needed to meet statutory requirements.
Alternative Options	The Commission must approve, approve with conditions, extend the review, or deny the request. Each condition or reason for denial must be directly related to requirements of city regulations and may not be arbitrary.

Supporting Documents	Attachment 1 - Location Map Attachment 2 - Variance Application Attachment 3 – Letters of Support Attachment 4 - Photos Attachment 5 - Applicant Statement
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HOSACK

HICKMAN

ROEDER

PHIL WILSON

FREY

KENWOOD

CITY OF BOERNE
PLANNING AND ZONING COMMISSION

VARIANCE APPLICATION

APPLICANT: Stephen C. & Nancy S. Drukker PHONE NO. 210-269-8920

PROPERTY ADDRESS: 417 Hickman St

LOT: 2 BLOCK: _____ SUBDIVISION: 413 & 417 Hickman

OWNER: _____ PHONE NO. _____
(If different from Applicant) nancyedrukker@gmail.com

MAILING ADDRESS FOR NOTIFICATION OF PENDING COMMISSION MEETING:
404 OGrady St. Boerne TX 78006

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

(Owner's Signature) (Date)

1. Applicant is making a request from the Boerne Subdivision Ordinance
(Article & Section No. UDC 7-3 D & 7-3 B)

Check one: Variance () Appeal () Special Exception

2. Describe request:

There are NO sidewalks in the neighborhood, Not on Hickman, Hosack, Landa, Schweppe, Roeder, Phil Wilson etc. None - not even Veteran's Park or the park on the corner of Roeder & Hickman. Many homes in the neighborhood have structures, landscaping etc near the street where

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.

over

[Signature]
(Applicant's Signature)

5-15-2026
(Date)

7-3.2B

less than 50% of the block(s) face . . .
on which the property is located has a
sidewalk - yes none on Hickman or
Phil Wilson

7-3.2C There are no sidewalks in the vicinity
and it is unlikely that there will be
development nearby that would require
installation of sidewalks

Sidewalks would be placed. A sidewalk on
our property would dead-end into our
neighbor's carport.

I have photos of all the streets in
the neighborhood to show this.

Part of what makes this neighborhood
inviting is the old, funky, unique character -
a random sidewalk on a new home that
goes to nowhere does not fit the tone
of the neighborhood. We loved the unique-
ness of this area when we bought
413 Hickman in 2013.

We have statements from neighbors
in favor of us not putting in a sidewalk

CITY OF BOERNE
PLANNING & ZONING COMMISSION

ZONING VARIANCE WORKSHEET

Commission's Power to Grant Variances.

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

Procedures for Variances.

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

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

Findings Required for Variances.

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

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

Don't think so

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

o

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

Not having a sidewalk will align us with every home & property on Hickman, Phil Wilson, Roeder, Landa, Schweppc etc.

We would be the only house with a sidewalk to nowhere (except into a neighbors carport)

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

NO

E. Demonstrate that the required standard is inapplicable to the specific site, so that the proposed plat equally or better meet all of the following:

- 1. The goals and policies of the Master Plan;
- 2. The purposes of these regulations; and
- 3. The intent of the standards.

We have a legal plat, an approved building plan & the house is complete. less than 50% of the block face on which the property is located has a sidewalk 7-3.D.2.

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

no - many neighbors have stated they do Not want sidewalks

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

NO ~~there~~ - there are NO sidewalks in the vicinity & it is unlikely (see below)

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

NO

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

Conditions.

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

(G) that there will be development nearby that would require installation of sidewalks (7.3.D.2.c) to install sidewalks on Hickman or Phil Wilson would require changing the width of the street, removing property owner's landscaping, mail boxes and other structures (carports fences etc) and re-doing all the utility poles ^{huge trees} / gas meters etc. This is an old established neighborhood in downtown Boerne

Abigail Knott

From: nancye drukker <nancyedrukker@gmail.com>
Sent: Sunday, May 17, 2026 9:57 PM
To: Abigail Knott
Cc: Nancye Drukker; Steve Drukker; Steve Drukker
Subject: Fwd: sidewalks

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Abigail

Please add these letters of support from our neighbors to our file.

Thank you
Nancye & Steve Drukker

From: Cindy Glick <cindy.s.glick@gmail.com>
Subject: Re: sidewalks
Date: May 15, 2026 at 12:47:12 PM CDT
To: nancye drukker <nancyedrukker@gmail.com>

I walk these streets all the time. They are very wide and few people park on them. I don't believe we need or want sidewalks.

Cindy and Michael Glick 205 Landa St.

From: Ginny Hogan <goggins7@gmail.com>
Subject: Re: sidewalks
Date: May 15, 2026 at 3:11:24 PM CDT
To: nancye drukker <nancyedrukker@gmail.com>

I live at 520 Hickman Street and I am NOT in favor of a sidewalk on this street!
Ginny G Hogan

From: <stravis@travisins.com>
Subject: RE: sidewalks
Date: May 15, 2026 at 5:20:54 PM CDT
To: "nancye drukker" <nancyedrukker@gmail.com>

I am writing to register my formal protest regarding the compulsory sidewalk infrastructure installation on Hickman Street, and our Phil Wilson and Cibolo Park neighborhood.

I don't favor creating sidewalks which disregards private property and imposes unwanted hardscape on tree lined streets. I don't want Boerne to look like Austin or any other community. I am opposed to disrupting our current natural and authentic backdrop and replacing it with manicured conformity.

I request that the City Council relent from forcing sidewalks in my neighborhood. The financial burden on property owners comes on the heels of the largest valuation increases (and corresponding tax increases) in our history.

Thank you for your consideration. I look forward to a public debate concerning this matter.

Sincerely,

S Scott Travis

414 Hickman St

Boerne

210-823-6164

On May 15, 2026, at 9:20 PM, Ellen Yarbrough <eyarbrough@me.com> wrote:

I am not in favor of adding sidewalks to our neighborhood. The streets are wide and offer plenty of room for cars, bicycles and pedestrians to share the road. Having inconsistency with sidewalk installation would not enhance the neighborhood, but would be an eyesore that would taint the aesthetic appeal in such a special neighborhood.

I support the variance request and I'm also in support of keeping the neighborhood as is.

Ellen Yarbrough

From: kevin young <kevinmyoung13@gmail.com>

Subject: FW: sidewalks

Date: May 16, 2026 at 1:59:45 PM CDT

To: "nancyedrukker@gmail.com" <nancyedrukker@gmail.com>

Steve and Nancye, we are surprised to hear the City may require sidewalks at your house. We really don't understand the logic, considering there are NO sidewalks on any of the streets in our area (other than the primary thoroughfare, Oak Park). Please express our objection to the requirement of sidewalks in this neighborhood (and specifically your house) and our support of your variance request.

We have lived in Boerne since 2001 (25 yrs!) and completed our current house in 2023 without a sidewalk requirement, and the O'Quinn's completed their house in 2025 without a sidewalk (maybe others did, too). Both of these houses fit in nicely and it would be weird and out of place for either of us to have sidewalks. We love our

neighborhood and would hate to see a disjointed corner sidewalk that leads to nowhere break up the aesthetic.

And, btw, we aren't opposed to reasonable changes when they make sense. For example, we are supportive of the City's plan to add roundabouts on Oak Park and we have no objection to the sidewalks on Oak Park because these make sense. Sidewalks at your house don't.

Kevin and Cindy Young
137 Roeder St
Boerne, TX 78006

From: Sherrie Klein <sherrieklein@icloud.com>
Subject: Sidewalks
Date: May 17, 2026 at 10:17:04 AM CDT
To: nancyedrukker@gmail.com

As the owner of two homes in the neighborhood, one on Hickman and one on Roeder I am not in favor of sidewalks in the neighborhood. Currently most people prefer walking and riding along the street and the green of the front yards running all the way to the street to keep the feel of the "old" way of homes in Boerne. Please allow the variance for the Drukker's home for the continuity of the neighborhood.

Thanks for your consideration,
Sherrie Klein
2103131919

From: Mary Kate Carl <marykatecarl143@gmail.com>
Subject: Sidewalks
Date: May 17, 2026 at 1:57:16 PM CDT
To: nancyedrukker@gmail.com

One of the reasons my family and I chose to live in this specific neighborhood is for the charm. It is old, eclectic and lived-in. Adding sidewalks would streamline this neighborhood in a way that feels cookie cutter which we do not like and believe would take away from the charm of small downtown Boerne. We strongly disagree with the addition and beg you to consider our request. As a mother to two young boys, we are constantly playing and walking in the neighborhood and greatly appreciate the eclectic beauty of it.

Thank you,

Mary Kate Carl

From: Josh Bradshaw <josh.j.bradshaw@gmail.com>

Subject: Re: sidewalks

Date: May 15, 2026 at 1:34:33 PM CDT

To: nancye drukker <nancyedrukker@gmail.com>

To whom it may concern,

We are absolutely not in favor of sidewalks being added to the neighborhood.

One of the things that makes this neighborhood unique is its current character and layout, and adding sidewalks that abruptly begin and end would feel both unnecessary and disruptive to the existing properties and streetscape. We strongly support the variance request and would prefer the neighborhood remain as it currently is.

Please feel free to include our support in your submission to the City.

Thank you,

Josh & Maggie Bradshaw. 109 Phil Wilson, Boerne, TX, 78006

Abigail Knott

From: nancye drukker <nancyedrukker@gmail.com>
Sent: Friday, May 15, 2026 4:29 PM
To: Abigail Knott
Cc: Nathan Crane
Subject: Schweppe St

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Abigail

Please add these photos of Schweppe St to our file

Thank you
Nancye Drukker



Abigail Knott

From: nancye drukker <nancyedrukker@gmail.com>
Sent: Friday, May 15, 2026 4:28 PM
To: Abigail Knott
Cc: Nathan Crane
Subject: Roeder St

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Abigail
Please add these photos of Roeder St. to our file
Thank you
Nancye Drukker



Abigail Knott

From: nancye drukker <nancyedrukker@gmail.com>
Sent: Friday, May 15, 2026 4:27 PM
To: Abigail Knott
Cc: Nathan Crane
Subject: Phil Wilson

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Abigail

Please add these photos of Phil Wilson St next to our house to our file
Thank you
Nancye Drukker





Abigail Knott

From: nancye drukker <nancyedrukker@gmail.com>
Sent: Friday, May 15, 2026 4:24 PM
To: Abigail Knott
Cc: Nathan Crane
Subject: For our file

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Abigail

Please add these photos of Hickman St to our file
Thank you
Nancye Drukker



















To the Planning & Zoning Committee

In 2012 or 2013, we purchased the property at 413 Hickman St with plans to eventually expand the existing house, or tear down & build there.

In 2019, we began meeting with contractors and a house designer, Dave Morris. As we began trying to move ahead, we ran into P&Z issues because our lot had never been legally platted, even though we had a legal survey of the lot.

In January 2020, we - along with Dave Morris & Travis Roberson (who was serving as an “interpreter” for us as we could not wrap our minds around the issues) met with Laura & Rebecca at the City. We were told that we must submit a Major Development Plat that included renderings of everything we intended to do on the lot. The problem was that the “new UDC” was set to be approved at the February City Council meeting & if approved, it could change our plans - setbacks, building guidelines, etc. We were told that if we changed anything, we would have to re-submit another Major Development Plat. Basically- every time we did anything on our lot, it would mean getting re-platted.

We were also told in that meeting that there was most likely going to be a “Simple Platting” option in the new UDC that would allow the lot to be platted as it was for an administrative fee. So we waited...

In the meantime, we were the first home in Boerne to go through the Historic Commission to get approval for demo on a house over 30 years old (May of 2020)

Because of Covid delays, the new UDC was not approved until August 2021 (I believe that is the correct date.) The UDC did not include a “Simple Plat” option for us we were told by Laura & Rebecca. In the meantime, our neighbor passed away, and his wife decided to relocate. We purchased her house in the spring of 2022 with hopes of creating one larger lot on which to eventually build.

As we were working our way through the Major Development Plat requirements, someone at the City (I’m sorry I do not recall who) told us it would be much easier in the long run to create a subdivision because then we would not have to go through the re-platting process every time we did anything.

So we went the Subdivision route, thinking it would just make it easier on us to turn our 3 lots into 2 rather than 1.

Please note that we had 2 homes with garages & out-buildings on 3 lots that we platted into 2 lots. We shrunk rather than grew. We are not “developers” looking to subdivide & make money off of what we divided up. We are homeowners trying to figure out how to just build a house on our lot. We now understand that creating a subdivision has made us “developers” like whoever is behind Esperanza or Spencer Ranch, etc, but we are just building a house on our lot.

We have paid for traffic studies, geological surveys, drainage surveys, additional land surveys, engineering surveys, etc. Our home is now completed & we are eager to move in after 6 years.

In the midst of getting our plat, we found out that we WERE eligible for an administrative plat since the original surveys on both properties when we started all of this were from the 1950s, but representatives from the city told us our options were 1. Major Development Plat 2. Subdivision Plat.

We feel like we have been caught up in a lot of bureaucracy and changing guidelines that have not been to our advantage. We have persisted with our dream of building and living in the City of Boerne.

One of the things that drew us to the neighborhood - other than our many friends who are now living there - is the feeling that it is the old, original Boerne. The trees and landscaping that go right to the street. Adding a sidewalk would be completely out of place, as there is not one single sidewalk on Hickman, Phil Wilson, or in the neighborhood.

We respectfully ask that this P&Z commission please accept our request for a variance.

Thank you
Steve & Nancye Drukker

GODSEY HOMES
 518 SUMMIT TRAIL
 BOERNE, TX 78006

Estimate

Date	Estimate #
5/19/2026	8

Name / Address
Stephen & Nancye Drukker 417 Hickman Boerne, Texas 78006

Project
New Home

Description	Qty	Cost	Total
5' wide sidewalk for 417 Hickman adjoining the curb on Hickman and Phil Wilson streets.	1,340	6.00	8,040.00
		Total	\$8,040.00

Customer Signature _____



**PLANNING, PERMITTING, AND CODE
DEPARTMENTS**

MEMORANDUM

DATE: June 1, 2026

TO: Planning and Zoning Commission

FROM: William Willingham, Planner II

SUBJECT: Proposed Single-Family Residential development located approximately 450 feet northwest of the intersection of Herff Road and Old San Antonio Road - Discussion

A potential developer has request preliminary feedback from the Planning and Zoning Commission regarding the proposed development at a 6.48-acre tract of land located approximately 450 feet northwest of the intersection of Herff Road and Old San Antonio Road. The purpose of this discussion is to provide early guidance to the applicant and minimize revisions during the formal review process.

The underlying zoning of the property is R3-A- Attached Residential and is located within the SoBo Overlay District, within the Neighborhood Character Zone. The development is also subject to a Development Agreement which was adopted on February 24, 2009 and amended November 30, 2018.

The proposed development is 30 lot Single-family residential subdivision. The minimum lot area per the R3-A Attached Residential Zoning District is 2,000 square feet and the minimum lot frontage is 20 feet.

While no formal application is currently before the Commission, and staff has not completed a formal review of the project, the proposal will be required to comply with the current regulations and those prescribed by the development agreement. The applicant anticipates requesting variances to the required right-of-way width, the maximum length on a dead end road, minimum points of vehicular access, and minimum driveway length. The applicant is seeking feedback from the Commission on their desired subdivision design.

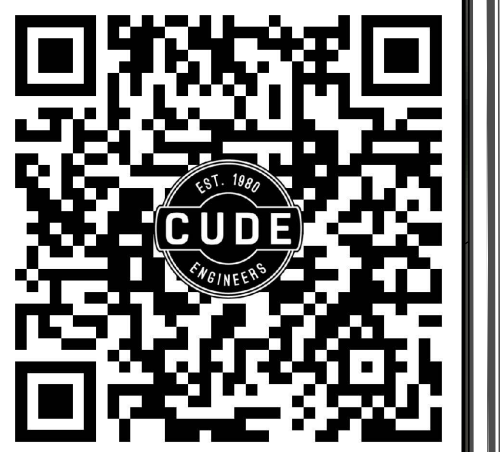
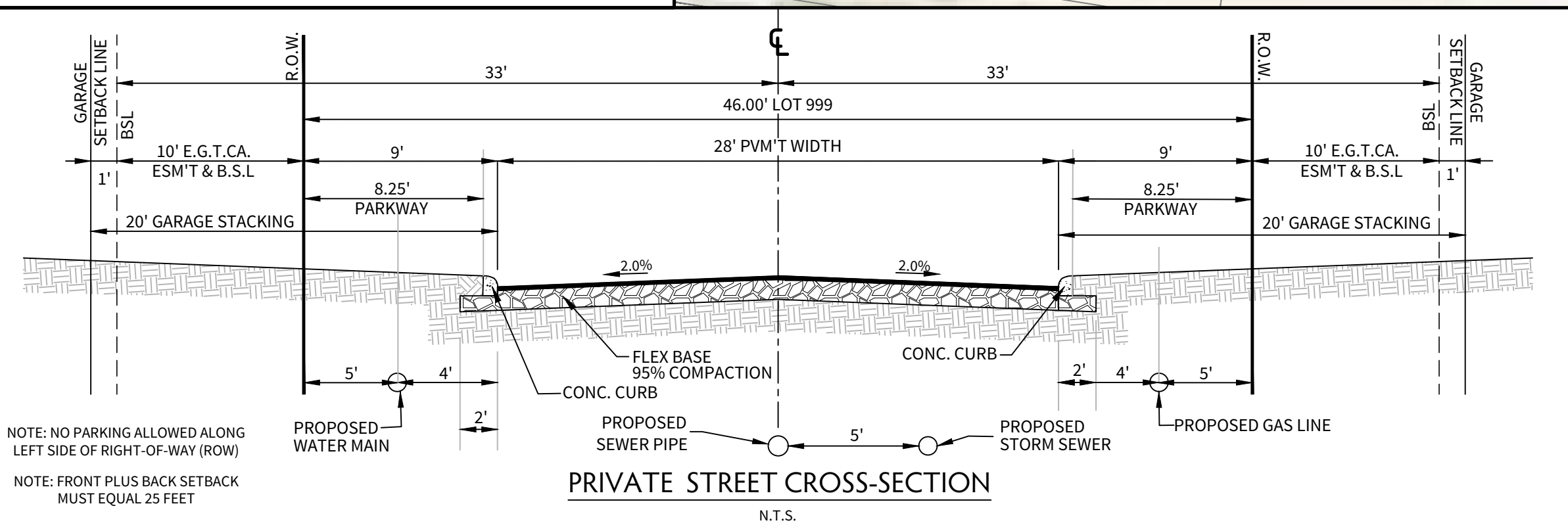
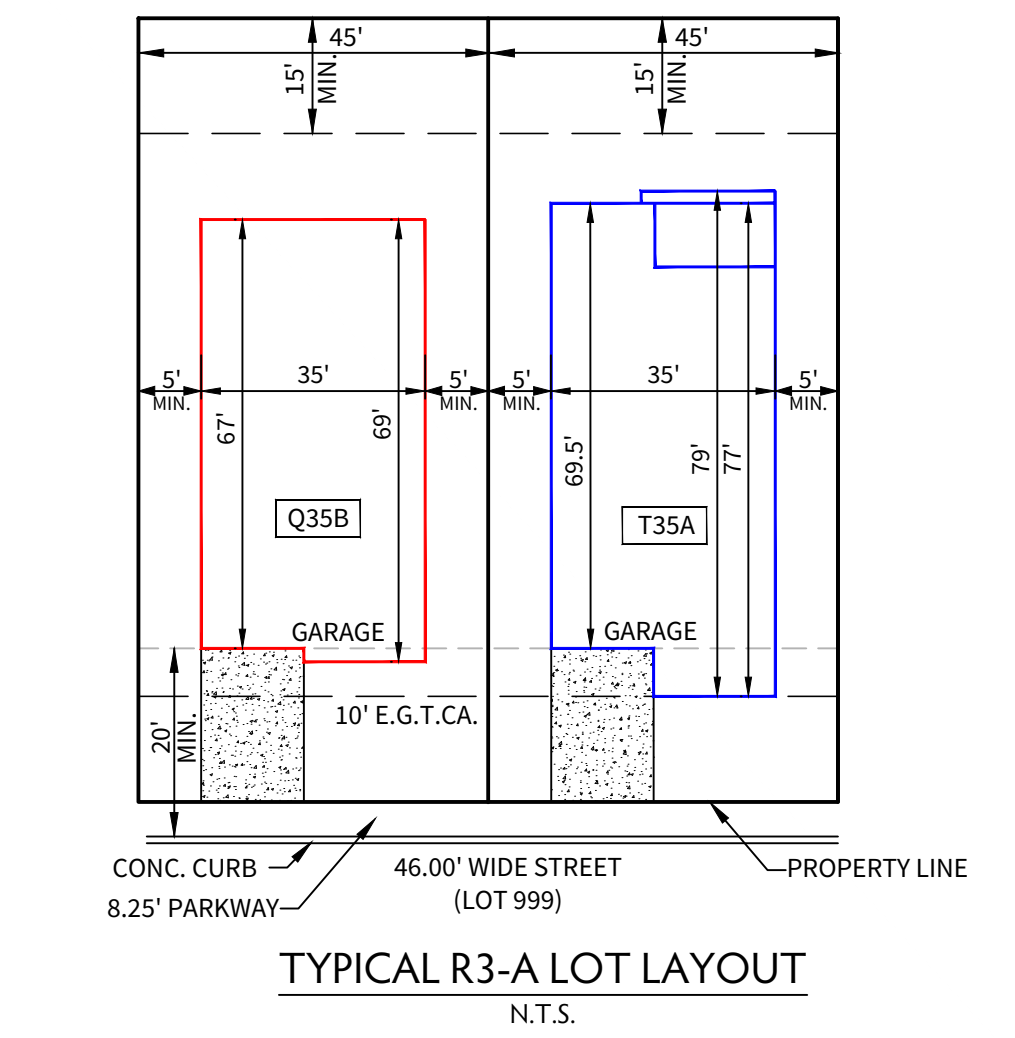
ATTACHMENTS

Attachemnt 1 – Conceptual Design

LEGEND

- 100-YR FLOODPLAIN
- 45' LOTS
- OPEN SPACE
- RIGHT OF WAY
- 1 PRIVATE STREET LIMITS
- 2 10' E.G.T.C.A. ESM'T & B.S.L.
- 3 GARAGE STACKING
- 4 15' REAR SETBACK
- 5 WALKING TRAIL
- 6 BACK OF CURB
- 7 EDGE OF PAVEMENT
- PROPERTY BOUNDARY

RESIDENTIAL AREA SUMMARY			
LOT USE	COUNT	AREA (Ac.)	% AREA
ROW	N/A	0.88	13.58%
LOTS	30	4.53	69.91%
OPEN SPACE	3	1.07	16.51%
TOTAL		6.48	100.00%



LOCATION MAP



P:\04557\000\3-DWG\1-Exhibits\260521- CALDERA_MLP (No sidewalk).dwg 2025/05/21 11:05am jguenero

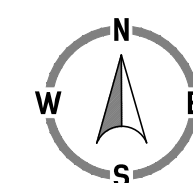


**SCOTT FELDER
HOMES**

CALDERA TRACT / MASTER LAND PLAN

CITY OF BOERNE, TEXAS

MAY 2026



SCALE: 1"=60'

CUDE ENGINEERS
4122 POND HILL ROAD, SUITE 101
SAN ANTONIO, TEXAS 78231
P:(210) 681.2951 F:(210) 523.7112

