

AGENDA
PLANNING AND ZONING COMMISSION MEETING
BOERNE CITY HALL
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Monday, December 1, 2025 – 6:00 p.m.

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

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

1. CALL TO ORDER – 6:00 PM

Pledge of Allegiance to the United States Flag

Pledge of Allegiance to the Texas Flag

(Honor the Texas flag, I pledge allegiance to thee, Texas – one state under God, one and indivisible.)

Moment of Silence

2. CONFLICTS OF INTEREST

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

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

- A. [2025-569](#) CONSIDER APPROVAL OF THE MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 8, 2025 AND MEETING OF NOVEMBER 3, 2025.

B. [2025-600](#) CONSIDER APPROVAL FOR REGENT PARK UNIT 7 FINAL PLAT, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF PARK BOULEVARD AND REGENT BOULEVARD.

C. [2025-601](#) CONSIDER APPROVAL FOR REGENT PARK UNIT 8 FINAL PLAT, GENERALLY LOCATED AT THE NORTHWEST CORNER OF PARK BOULEVARD AND REGENT BOULEVARD.

5. REGULAR AGENDA:

A. [2025-571](#) CONSIDER THE UN-TABLING OF A REQUEST TO RATIFY THE ZONING DESIGNATION OF C3 - SICO (COMMUNITY COMMERCIAL WITHIN THE SCENIC INTERSTATE CORRIDOR OVERLAY DISTRICT), FOR AN APPROXIMATELY 5.155-ACRE PROPERTY LOCATED ON IH-10 WEST AS DESCRIBED BELOW. (IH-10 "SURPLUS NORTH" TRACT, ADJOINS THE FUTURE BUC-EE'S DEVELOPMENT AT 33375 IH-10 WEST)

B. [2025-570](#) CONSIDERATION OF A REQUEST TO RATIFY THE ZONING DESIGNATION OF C3 – SICO (COMMUNITY COMMERCIAL WITHIN THE SCENIC INTERSTATE CORRIDOR OVERLAY DISTRICT), AS DETERMINED THROUGH LEGAL REVIEW OF THE UNIFIED DEVELOPMENT CODE, FOR AN APPROXIMATELY 5.155-ACRE PROPERTY LOCATED ON IH-10 WEST. THIS TRACT, KNOWN AS THE IH-10 "SURPLUS NORTH" TRACT, ADJOINS THE FUTURE BUC-EE'S DEVELOPMENT AT 33375 IH-10 WEST.

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

7. ADJOURNMENT

S/S Nathan Crane

Administrative Officer

CERTIFICATION

I herby certify that the above notice of meeting was posted on the 21 day of
November, 2025 at 4:45 p.m.

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, September 8, 2025 – 6:00 p.m.

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

1. CALL TO ORDER – 6:00 PM

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

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

2. CONFLICTS OF INTEREST

Commissioner Keller declared a conflict of interest on agenda item 5A and stated that he would recuse himself from both the discussion and vote. He further noted, for transparency, that he is a member of the congregation associated with the property to be discussed under item 5C. However, he clarified that he is not required to recuse himself on that item as advised by the City Attorney.

Commissioner Hiler also stated that he is a member of the same congregation related to agenda item 5C.

3. PUBLIC COMMENTS:

Chairman Bannwolf received a consensus from the Commission to move to agenda 5A to receive a presentation from the Planning Director before hearing public comments.

A. [2025-445](#) HOLD A PUBLIC HEARING AND CONSIDERATION OF A REQUEST

TO RATIFY THE ZONING DESIGNATION OF C3 - SICO (COMMUNITY COMMERCIAL WITHIN THE SCENIC INTERSTATE CORRIDOR OVERLAY DISTRICT), AS DETERMINED THROUGH LEGAL REVIEW OF THE UNIFIED DEVELOPMENT CODE, FOR AN APPROXIMATELY 5.155-ACRE PROPERTY LOCATED ON IH-10 WEST. THIS TRACT, KNOWN AS THE IH-10 "SURPLUS NORTH" TRACT, ADJOINS THE FUTURE BUC-EE'S DEVELOPMENT AT 33375 IH-10 WEST.

Commissioner Keller stepped away from the dais.

Chairman Bannwolf called on Planning Director Nathan Crane to present details of the agenda item. Director Crane displayed a map of the property under consideration and provided background information, including the zoning history of the location. He emphasized that the agenda item pertained solely to the 5.155-acre tract zoning designation.

City Attorney Mick McKamie clarified that the item was administrative in nature, noting that staff's evaluation was consistent with the prior B-2 district rules and that the purpose of the action was to correct the zoning map.

Discussion followed regarding clarification of applicable law and issues that arose between the July 7th Planning and Zoning meeting and the present. Additional discussion focused on the proposed use of the 5.155-acre tract for parking, drainage and water retention.

Chairman Bannwolf opened the Public Comments at 6:14 p.m.

Amelia Andrews, 108 Kingston expressed concerns with the Buc-ee's development.

Linda Plevak, 319 Deer Creek expressed concerns with the Buc-ee's development.

Dana Mathes, 164 Creek Springs expressed concerns with the Buc-ee's development.

Kelly Kuhl, 635 Menger Springs expressed concerns with the Buc-ee's development.

Tanji Patton, 634 Menger Springs expressed concerns with the Buc-ee's development.

Kristy Ackerman, 623 Menger Springs expressed concerns with the Buc-ee's development.

Alex Rudd, 68 La Cancion expressed concerns with the Buc-ee's development.

Brian Russell, 157 Bitter Springs expressed concerns with the Buc-ee's development.

Lance Kyle, 26 Cascade Caverns Road expressed concerns with the Buc-ee's development.

John McNamara, 17827 Handies Peak, spoke regarding the Buc-ee's development.

Eric Munoz, 137 Hampton Cove expressed concerns with the Buc-ee's development.

Josh Andrews, 108 Kingston Court expressed concerns with the Buc-ee's development.

Sherry Leighton, 129 Kitty Kat Lane expressed concerns with the Buc-ee's development.

Kristy Ackerman, 623 Menger Springs expressed concerns with the Buc-ee's development.

Chairman Bannwolf closed the Public Comments at 6:56 p.m.

Chairman Bannwolf opened the Public Hearing at 6:57 p.m.

Dana Mathes, 164 Creek Springs questioned the number of parcels included in the 5.155 acres and if there was a letter from TxDOT regarding the zoning.

Linda Plevak, 319 Deer Creek stated she does not want Buc-ee's at this location.

John McNamara, 17827 Handies Creek clarified that agenda item is not a rezoning for Buc-ee's. The location on the highway is commercial. Director Crane explained the process for determining zoning.

Alex Rudd, 68 La Cancion spoke regarding impervious cover and potential run-off during rain events causing groundwater contamination.

Amelia Andrews, 108 Kingston clarified that when Buc-ee's purchased the property it was zoned B-2. Any commercial use would be allowed in a C-3 zone.

Tanji Patton, 634 Menger Springs noted that the city would give Buc-ee's sales tax revenue when the property was going to be pad sites.

John Waldron, 200 Madrone Trail stated that this item is purely procedural but not procedurally correct.

Chairman Bannwolf closed the Public Hearing at 7:06 p.m.

Chairman Bannwolf asked if there were any questions or comments from the Commissioners. Discussion followed covering several topics, including: zoning remaining with the property; the final traffic study; vesting; Chapter 2.45 of the Development Agreement; permitted uses within the C-3 zoning district; the Buc-ee's site and parking lot being designed for a 100-year rain event; dark sky compliance; ensuring fair treatment of the applicant; signage; the absence of a legal document outlining Buc-ee's commitments; clarification that the City, not Buc-ee's, is the applicant for the request; the City Council's role in making the final decision; the allowance of a gas station as a proper use under the zoning designation, which is why a public hearing was not required; and the concept of down zoning.

A MOTION WAS MADE BY VICE CHAIR HILER, SECONDED BY COMMISSIONER FRIAR, TO TABLE THE REQUEST FOR 90 DAYS TO RATIFY THE ZONING DESIGNATION OF C3 - SICO (COMMUNITY COMMERCIAL WITHIN THE SCENIC INTERSTATE CORRIDOR OVERLAY DISTRICT), AS DETERMINED THROUGH LEGAL REVIEW OF THE UNIFIED DEVELOPMENT CODE, FOR AN APPROXIMATELY 5.155-ACRE PROPERTY LOCATED ON IH-10 WEST. THIS TRACT, KNOWN AS THE IH-10 "SURPLUS NORTH" TRACT, ADJOINS THE FUTURE BUC-EE'S DEVELOPMENT AT 33375 IH-10 WEST.

VICE CHAIR HILER WITHDREW HIS MOTION FOR FURTHER DISCUSSION. COMMISSIONER FRIAR WITHDREW THE SECOND.

A MOTION WAS MADE BY VICE CHAIR HILER, SECONDED BY COMMISSIONER FRIAR, TO TABLE THE REQUEST FOR 60 DAYS TO RATIFY THE ZONING DESIGNATION OF C3 - SICO (COMMUNITY COMMERCIAL WITHIN THE SCENIC INTERSTATE CORRIDOR OVERLAY DISTRICT), AS DETERMINED THROUGH LEGAL REVIEW OF THE UNIFIED DEVELOPMENT CODE, FOR AN APPROXIMATELY 5.155-ACRE PROPERTY LOCATED ON IH-10 WEST. THIS TRACT, KNOWN AS THE IH-10 "SURPLUS NORTH" TRACT, ADJOINS THE FUTURE BUC-EE'S DEVELOPMENT AT 33375 IH-10 WEST. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Abstain: 1 - Commissioner Keller

Commissioner Keller returned to the dais.

Commissioner Cates asked for a short pause in the meeting.

Chairman Bannwolf convened the Commissioners to a recess at 8:10 p.m.

Chairman Bannwolf reconvened the Commissioners into Open Session at 8:20 p.m.

4. CONSENT AGENDA:

A MOTION WAS MADE BY COMMISSIONER FRIAR, SECONDED BY COMMISSIONER BIRD TO APPROVED THE CONSENT AGENDA AS PRESENTED. 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. [2025-444](#) CONSIDER THE APPROVAL OF THE MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF AUGUST 4, 2025.

THE MINUTES WERE APPROVED.

5. REGULAR AGENDA:

B. [2025-447](#) HOLD A PUBLIC HEARING AND CONSIDER A PROPOSED PLANNED UNIT DEVELOPMENT (PUD) FOR A 6.46 ACRE TRACT OF LAND, LOCATED AT 727A JOHNS ROAD.

Chairman Bannwolf called on Tyler Holyoak to present the request for a Planned Unit Development (PUD).

Ms. Holyoak displayed a map of the property under consideration and provided background information. She noted that the item had previously been discussed by the Planning and Zoning Commission on April 7, 2025, and again as a rezoning request at the June 2, 2025 meeting. At that time, the request was for a 30-duplex subdivision, but it was withdrawn during the meeting.

The applicant has now submitted a new proposal for a PUD. Ms. Holyoak explained that a PUD allows consideration of unique factors while still providing for a cohesive design of the property, with specific deviations from code standards highlighted on the screen. A conceptual rendering of the project was also displayed.

Discussion followed regarding drainage, emergency access, landscaping, and roadway easements. Applicant representative Daniel Wetzel, 101 Woods of Boerne, stated that the HOA for Villas at Hampton Place would not permit the proposed emergency access. Jeff Carroll, Engineering and Mobility Director,

clarified how emergency access is handled in other locations around Boerne and displayed a map indicating a potential emergency access location. Additional discussion followed on the possibility of a deed restriction and the proposal to file a five-foot non-access easement along the south property line.

Chairman Bannwolf opened the Public Hearing at 8:51 p.m.

Kirk Riggs, 537 Johns Road, expressed concern about additional traffic.

Ramiro Guerrero, Director of Operations for BISD, stated that the district has not had discussions regarding the PUD and expressed concerns for health and safety related to the school.

Daniel Wetzel responded that they had met with BISD in 2024. Mr. Guerrero stated he had not met with anyone but was willing to do so. Mr. Wetzel added that he had met with Mark Stahl in October of last year.

Karen Graves, 112 Hampton Way, speaking on behalf of her subdivision, stated she supported the non-access easement but felt there were still many unanswered questions.

Eric Munoz, 137 Hampton Cove, stated there was still no resolution or clear commitment.

Brenda Alexander, 226 Hampton Run, HOA Board member, expressed concern about ensuring an access point is available at all times.

Chairman Bannwolf closed the Public Hearing at 9:11 p.m.

He then asked for comments or discussion from the Commissioners. Discussion ensued regarding emergency access, obtaining a commitment from BISD, the requirement for annexation prior to zoning, and clarification on the number of lots proposed in the development.

A MOTION WAS MADE BY COMMISSIONER CATES, SECONDED BY COMMISSIONER BIRD, TO APPROVE A PROPOSED PLANNED UNIT DEVELOPMENT (PUD) FOR A 6.46 ACRE TRACT OF LAND, LOCATED AT 727A JOHNS ROAD. TO INCLUDE 9 STIPULATIONS; 1) THE PUD SHALL SUBSTANTIALLY CONFORM TO THE PUD PLAN PACKET DATE STAMPED SEPTEMBER 2, 2025. 2) AN EMERGENCY ACCESS EASEMENT SHALL BE APPROVED BY BISD THAT MEETS ALL CITY AND FIRE CODE REQUIREMENTS. 3) ALL PRIVATE STREETS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE UDC AND APPLICABLE CONSTRUCTION DETAILS FOR PUBLICLY DEDICATED STREETS AS DESCRIBED IN UDC 7.4(B). 4) GATED ENTRANCE LAYOUT TO COMPLY WITH REQUIREMENTS OF UDC 7.5(B) AND EDM 2.9.1. 5) ALL DEAD END ROADWAYS SHALL COMPLY WITH EDM 2.1.10. 6) STREET LAYOUTS, DRAINAGE FEATURES, UTILITIES, OR OTHER IMPROVEMENTS SHOWN HEREIN ARE CONCEPTUAL ONLY AND SHALL NOT BE CONSIDERED APPROVED FOR CONSTRUCTION. FINAL DESIGN AND CONSTRUCTION ARE SUBJECT TO FULL COMPLIANCE WITH ALL CITY CODES, ORDINANCES, AND STANDARDS. 7) THIS PUD SHALL BE NULL AND VOID IF ANY OF THESE CONDITIONS ARE NOT MET. ADDITIONALLY, THE PUD MUST COMPLY WITH THE EXPIRATION AND AMENDMENT REGULATIONS OUTLINED IN UDC 2-5. 8) FIVE FOOT NON-ACCESS EASEMENT MUST BE RECORDED IN ORDER FOR THE PUD TO BE EFFECTIVE. 9) PROOF BE PROVIDED ON ACCESS EASEMENT DOWN PRIVATE ROAD TO CITY ATTORNEY. 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

C. [2025-452](#) CONSIDER A REQUEST FOR A VARIANCE TO CHAPTER 2.11.10(A), LEFT TURN LANES, OF THE ENGINEERING DESIGN MANUAL FOR A PROPERTY LOCATED AT 109 AMMANN ROAD (KCAD 310823 AND 11864).

Chairman Bannwolf called on Jeff Carroll, Engineering and Mobility Director, to present the request for a turn lane on Ammann Road. Mr. Carroll displayed a map of the location and explained that the property lies outside the city limits but within the city's ETJ. He noted that the speed limit along this rural roadway is 45 mph and that there are no curbs or sidewalks. A Traffic Impact Analysis (TIA) conducted in February indicated approximately 1,800 vehicles on a Sunday. The proposed use of the property is for a 54,000 square foot church.

Based on the TIA, peak hour projections showed 256 vehicles making a right turn into the site and 13 vehicles making a left turn.

Rob Killen, attorney with the law firm of Killen Griffin and Fairmont in San Antonio, addressed the Commission, noting that the traffic concern occurs only on Sunday mornings between 9:00 a.m. and 11:00 a.m. He explained that the church is currently operating at a temporary location on Herff Road, with Ammann Road intended to serve as its permanent home. Mr. Killen also addressed a letter from Kendall County expressing disagreement with the engineer's findings, stating that the church plans to use Sheriff's Deputies to help control traffic.

Matthew Matney, engineer for the development, clarified the traffic study findings, noting that installing a turn lane could result in a heavier impact on nearby residents. Pastor Jared Patrick asked the Commission to consider the stewardship of the church's financial resources. Jonathan Collins, an Elder of the church, stated that the church has not received any complaints nor experienced any vehicle accidents at its current location.

Discussion ensued regarding the need to address traffic in the area beyond Sunday mornings, safety concerns for both the congregation and nearby residents, and whether it was fair to require the church to make a significant infrastructure investment for use only one day per week. Commissioners also discussed potential alternatives and mechanisms to require an updated Traffic Impact Analysis in the future.

A MOTION WAS MADE BY COMMISSIONER CATES, SECONDED BY VICE CHAIR HILER, APPROVE A REQUEST FOR A VARIANCE TO CHAPTER 2.11.10(A), LEFT TURN LANES, OF THE ENGINEERING DESIGN MANUAL FOR A PROPERTY LOCATED AT 109 AMMANN ROAD (KCAD 310823 AND 11864). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Chairman Bannwolf, Vice Chair Hiler, Commissioner Cates, and Commissioner Keller

Nay: 3 - Commissioner Friar, Commissioner Bird, and Commissioner Vecino

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

Chairman Bannwolf asked for updates for a future Planning and Zoning Commission meeting from the 89th legislative session pertaining to municipalities. He also acknowledged Tyler Holyoak resigning from the city and moving out of state. He acknowledged City Attorney Mick McKamie on receiving the 2025 Amicus Award by the International Municipal Lawyers Association. He is one of the 55 recipients nationwide who received the award.

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

Director Crane reminded the Commissioners of the Texas Chapter of the American Planning Association conference on October 21st and 22nd in Bryan-College Station. If you are interested in attending, please let us know as soon as possible so we can get you registered.

B. [2025-454](#) Agenda posting deadline update.

Director Crane stated that effective September 1, 2025, state law requirements for public meeting agenda posting is now three business days instead of 72 hours. The three business days does not include day of posting and day of meeting and excludes holidays.

7. ADJOURNMENT

Chairman Bannwolf adjourned the meeting at 10:19 p.m.

Approved:

Chairman

Attest:

Planning Director

Minutes
PLANNING AND ZONING COMMISSION MEETING
BOERNE CITY HALL
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street

Monday, November 3, 2025 – 6:00 p.m.

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: Kristy Stark, Nathan Crane, Franci Linder, Lissette Jimenez, Jeff Carroll, Liz Huvalla, Ben Simmons, Jo-anmarie Andrade, Barrett Squires, Mick McKamie, Chris Dingman, and Siria Arreola.

Recognized/Registered Guests: Dana Mathes, Denise Bruchmiller, Lance Kyle, Virginia Nikolich, Tanji Patton, Albert Turon, Mark Hawkins, and Kristi Ackerman.

1. CALL TO ORDER – 6:00 PM

Chairman Bannwolf called the Planning and Zoning Commission meeting to order at 6:00 p.m.

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

2. CONFLICTS OF INTEREST

Commissioner Keller declared a conflict of interest with Agenda item 5A.

3. PUBLIC COMMENTS:

Dana Mathis, 164 Creek Springs, thanked everyone for their leadership and for clarifying the status of the 5 acre parcel being zoned for Buc-ee's.

Lance Kyle, 226 Cascade Caverns Rd., made comments regarding Scooter's

Coffee, including observations about parking spaces and current use of the adjacent dirt lot by Bill Miller's employees.

Denise Bruchmiller, 373 Menger Springs, spoke regarding the Traffic Impact Analysis (TIA) for Buc-ee's. She raised questions regarding data that was not considered.

Tanji Patton, 635 Menger Springs, thanked the commission for listening to citizens' concerns and for delaying the rezoning decision on the Buc-ee's tract. She mentioned concerns about the project remain but expressed appreciation for the commission's work and consideration.

Albert Turgon, 516 Oak Park, expressed concern with the Siena Court developer's performance, noting that the Cottages development has been problematic, with some units involved in pending litigation and the developer failing to complete projects in a timely manner.

Mark Hawkins, 530 Oak Park, who currently resides in the Cottages, provided the commission with a packet detailing items the developer has not completed in the Cottages on Oak Park. The speaker expressed concern that residents moving into Siena Court could face similar issues.

Kristy Ackerman, 623 Menger Springs, thanked the commission for listening and addressing citizen concerns. She expressed concerns regarding the number of entrances and exits for the Buc-ee's site.

4. CONSENT AGENDA:

A MOTION WAS MADE BY COMMISSIONER FRIAR, SECONDED BY COMMISSIONER KELLER, TO APPROVE THE CONSENT AGENDA REMOVING THE MINUTES OF SEPTEMBER 8, 2025, UNTIL THE NEXT MEETING AND REMOVING AGENDA ITEM 4C FROM THE CONSENT AGENDA FOR REGULAR DISCUSSION. 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. [2025-555](#) CONSIDER APPROVAL OF THE MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 8, 2025 AND MEETING OF OCTOBER 6, 2025.
- B. [2025-557](#) CONSIDER APPROVAL FOR ESPERANZA 3H MAJOR SUBDIVISION FINAL PLAT, GENERALLY LOCATED NORTHEAST OF ESPERANZA BOULEVARD AND FORTUNA STREET. (EXTRA TERRITORIAL JURISDICTION)
- C. [2025-558](#) CONSIDER APPROVAL FOR SIENA COURT GARDEN HOMES FINAL PLAT GENERALLY LOCATED NORTHEAST OF DALLEY STREET AND FREY STREET.

Assistant Planning Director, Franci Linder, displayed maps, including the Future Land Use Map and Environmental Constraints Map, noting that the property is within the Lower Glenrose boundary and buffer. She reported that the preliminary plat was approved by the Planning and Zoning Commission in 2018, along with the final plat.

Staff recommended that, if approved, the following stipulations be included with the plat: 1. The recorded plat shall substantially conform to the final plat date stamped October 20, 2025. 2. Prior to final acceptance, all existing or proposed fences/retaining walls not included as part of the public improvements will need to have permits submitted, reviewed, and approved. This includes providing gates crossing utility easements. 3. Prior to final acceptance of the public improvements the developer must conduct all required testing of the water & sewer infrastructure and make any repairs necessary to meet City Specifications as determined by the City Engineer. This includes, but is not limited to: a.) Repaving the entire cul-de-sac. b.) Adding additional concrete to connect the outfall of the Cottages of Oak Park and the inlet in Siena Court 4. A 2-year, 20% warranty bond shall be provided at final acceptance. 5. Prior to recordation, finance guarantee shall be provided for the current cost of streets, drainage, and utilities improvements if these improvements have not been accepted by the City. 6. The Final Plat shall not be recorded until all clerical corrections have been revised as determined by the Planning Director.

Discussion was held regarding property taxes and plat approvals. Staff noted that while applicants were previously required to provide proof of current property taxes, state law no longer allows the city to request this. Legal staff will review the applicable property code.

Concerns were raised by the Commission Members regarding prior performance of the developer on other projects. Staff clarified that plat approvals relate to the design of the property, not ownership, and the commission does not have authority to deny a plat based on prior development issues. Questions were raised about the inspection process and how public works items are ensured to be completed. Staff confirmed that inspections occur throughout the construction process, including walls, fences, and other improvements.

Commissioners discussed the limits of their authority, noting that state law restricts local governments' ability to enforce certain actions. Reference was made to the Unified Development Code Section 2-6, noting that if a plat is denied, all reasons must be clearly stated, including applicable sections of law, the Comprehensive Plan, and performance standards.

A MOTION WAS MADE BY COMMISSIONER KELLER, SECONDED BY VICE CHAIR HILER, TO DENY THE SIENA COURT GARDEN HOMES FINAL PLAT, GENERALLY LOCATED NORTHEAST OF DALLEY STREET AND FREY STREET PER THE UNIFIED DEVELOPMENT CODE SECTION 2-6 A.8.G. NON-CONFORMITY WITH CITY OF BOERNE'S COMPREHENSIVE PLAN. PERFORMANCE STANDARDS FAIL TO ACHIEVE ENVISIONED CHARACTER OF THE AREA. (BOERNE MASTER PLAN, PAGE 87). 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

5. REGULAR AGENDA:

- A. [2025-559](#) CONSIDERATION OF A REQUEST TO RATIFY THE ZONING DESIGNATION OF C3 – SICO (COMMUNITY COMMERCIAL WITHIN THE SCENIC INTERSTATE CORRIDOR OVERLAY DISTRICT), AS

DETERMINED THROUGH LEGAL REVIEW OF THE UNIFIED DEVELOPMENT CODE, FOR AN APPROXIMATELY 5.155-ACRE PROPERTY LOCATED ON IH-10 WEST. THIS TRACT, KNOWN AS THE IH-10 "SURPLUS NORTH" TRACT, ADJOINS THE FUTURE BUC-EE'S DEVELOPMENT AT 33375 IH-10 WEST.

Commissioner Keller recused himself from the discussion and stepped away from the dais.

Mr. Nathan Crane, Planning Director, displayed a map and explained that the property is currently designated B-2 Highway Commercial, a designation retained from 2020 despite the retirement of the B-2 district in the City's Unified Development Code (UDC) adopted in July 2021. He noted that the Buc-ee's project can proceed under either zoning designation and that any action taken at this meeting would not impact the site of the building.

Mr. Crane provided a comparison between B2 and C3 zoning, noting that the property adjoins other commercial parcels along the IH corridor, the majority of which are C3 or C4, and that C3 is the UDC equivalent to the retired B-2 district. He also noted that the property is subject to the Scenic Interstate Corridor Overlay District. Mr. Crane explained that ratifying the C3 zoning through this public process would formally confirm the property's zoning designation, providing clarity and certainty for the owner, developers, and the public.

Discussion ensued regarding the proposed zoning and development agreement for the property. Concerns were raised about not considering C1 zoning due to the size of the project. It was noted that the property is surrounded by C3 zoning and does not back up to a residential neighborhood, making C1 inappropriate.

Comments included acknowledgment of concessions made by the developer and a suggestion to allow additional time to finalize the development agreement. Questions were raised regarding the timeline for action.

A MOTION WAS MADE BY COMMISSIONER FRIAR TO APPROVE THE REQUEST TO RATIFY THE ZONING DESIGNATION OF C2-TRANSITIONAL COMMERCIAL, FOR AN APPROXIMATELY 5.155-ACRE PROPERTY LOCATED ON IH-10 WEST. THIS TRACT, KNOWN AS THE IH-10 "SURPLUS NORTH" TRACT, ADJOINS THE FUTURE BUC-EE'S DEVELOPMENT AT 33375 IH-10 WEST. THE MOTION FAILED FOR LACK OF A SECOND.

A MOTION WAS MADE BY COMMISSIONER CATES, SECONDED BY COMMISSIONER BIRD, TO APPROVE THE REQUEST TO RATIFY THE ZONING DESIGNATION OF C3-SICO (COMMUNITY COMMERCIAL WITHIN THE SCENIC INTERSTATE CORRIDOR OVERLAY DISTRICT), AS DETERMINED THROUGH LEGAL REVIEW OF THE UNIFIED DEVELOPMENT CODE, FOR AN APPROXIMATELY 5.155-ACRE PROPERTY LOCATED ON IH-10 WEST. THIS TRACT, KNOWN AS THE IH-10 "SURPLUS NORTH" TRACT, ADJOINS THE FUTURE BUC-EE'S DEVELOPMENT AT 33375 IH-10 WEST. THE MOTION FAILED BY THE FOLLOWING VOTE:

Yeah: 3 - Commissioner Cates, Commissioner Bird, and Commissioner Vecino

Nay: 3 - Chairman Bannwolf, Vice Chair Hiler, and Commissioner Friar

Recused: 1 - Commissioner Keller

A MOTION WAS MADE BY VICE CHAIR HILER, SECONDED BY COMMISSIONER BIRD, TO TABLE UNTIL THE NEXT MEETING THE CONSIDERATION OF A REQUEST TO RATIFY THE ZONING DESIGNATION OF C3- SICO (COMMUNITY COMMERCIAL WITHIN THE SCENIC INTERSTATE CORRIDOR OVERLAY DISTRICT), AS DETERMINED THROUGH LEGAL REVIEW OF THE UNIFIED DEVELOPMENT CODE, FOR AN APPROXIMATELY 5.155-ACRE PROPERTY LOCATED ON IH-10 WEST. THIS TRACT, KNOWN AS THE IH-10 "SURPLUS NORTH" TRACT, ADJOINS THE FUTURE BUC-EE'S DEVELOPMENT AT 33375 IH-10 WEST. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Nay: 1 - Commissioner Cates

Recused: 1 - Commissioner Keller

B. [2025-560](#) CONSIDER APPROVAL ON THE 2026 PLANNING AND ZONING

COMMISSION MEETING DATES.

Commissioner Keller returned to the dais at 7:54 p.m.

Ms. Linder reviewed the 2026 commission meeting dates, noting two date changes: January 12 instead of January 5, and September 14 instead of September 1.

A MOTION WAS MADE BY COMMISSIONER BIRD, SECONDED BY COMMISSIONER KELLER, TO APPROVE THE 2026 PLANNING AND ZONING COMMISSION MEETING DATES. 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

6. DISCUSSION ITEMS:**A. [2025-561](#) DISCUSS TEXAS AMERICAN PLANNING AWARDS.**

Mr. Crane reported on recent recognitions received at the Texas APA Conference, where the City earned two planning awards.

The first, the Richard R. Lillie, FAICP Planning Excellence Award, was presented for outstanding planning efforts, highlighting the strong support of the City Council and Planning and Zoning Commission. This marks the second consecutive year the City has received this award.

The second recognition was a Silver Award in Urban Design for the Corridor Enhancement Plan. Parks and Recreation Director, Lissette Jimenez, spoke about the award and the design guide, noting that River Road Park serves as a key example of the guide's application. The same principles will be incorporated into the upcoming Northside Community Park project.

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

No comments were made.

8. ADJOURNMENT

Chairman Bannwolf adjourned the meeting at 8:01 p.m.

Chair

ATTEST:

Planning Director



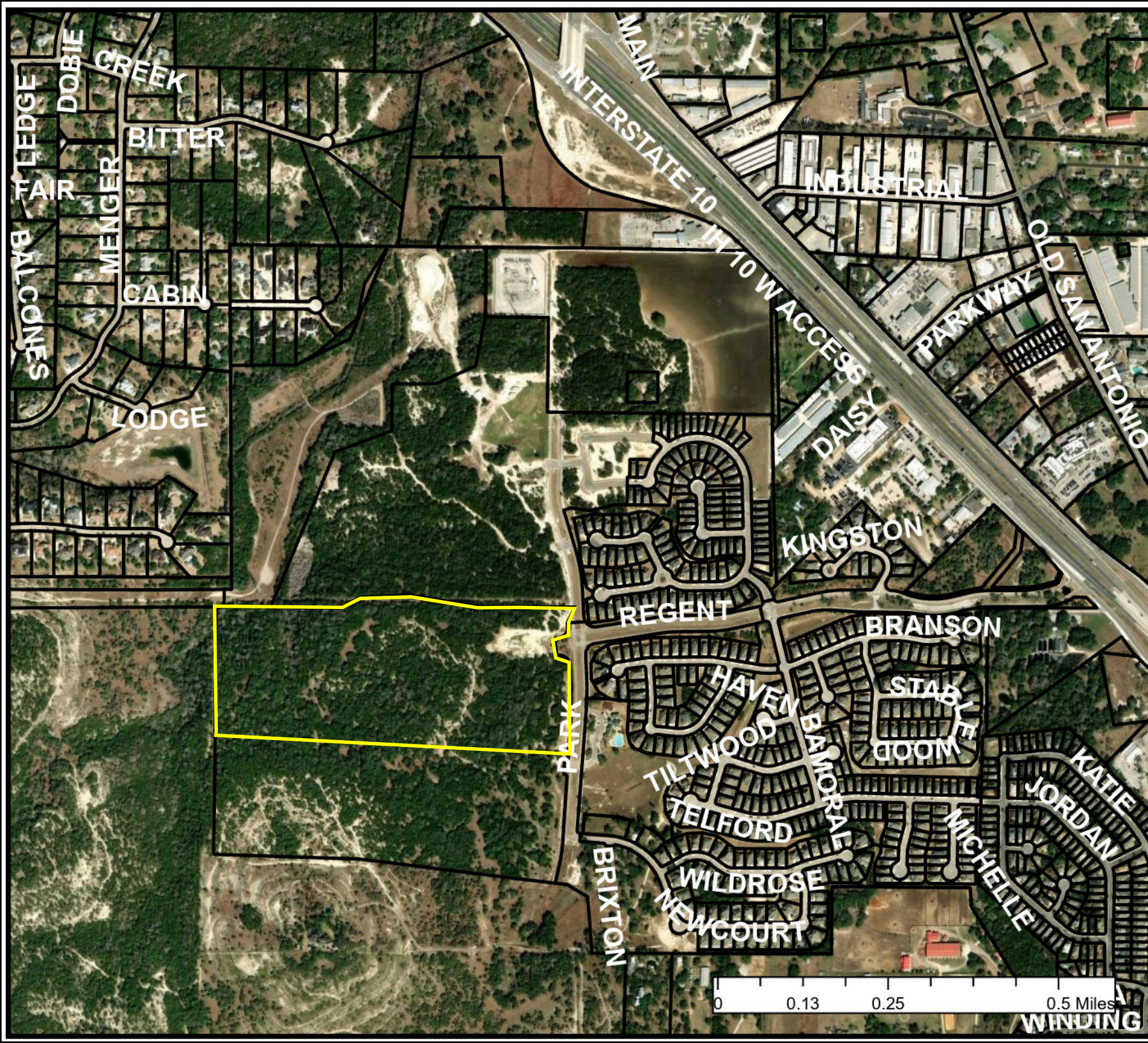
AGENDA ITEM SUMMARY

| | |
|-------------------------------|---|
| Agenda Date | December 1, 2025 |
| Requested Action | CONSIDER APPROVAL FOR REGENT PARK UNIT 7 FINAL PLAT, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF PARK BOULEVARD AND REGENT PARK BOULEVARD. |
| Contact Person | Benjamin Simmons, Planner I (830)248-1630 |
| Background Information | <p>BACKGROUND:</p> <p>The property is owned by Tenotex Development Co. and Cude Engineers is the applicant.</p> <p>Regent Park is a master-planned community generally located on Regent Blvd. at Interstate Highway 10. The zoning includes RE Estate Residential, R1-L Low Density Residential, R2-M Moderate Density Residential, R2-N Neighborhood Residential, and C3 Community Commercial.</p> <p>P&Z approved a Master Development Plan for Regent Park in September of 2013, the Master Development plan has since been amended with the most recent amendment being approved by P&Z on May 1, 2017. The developer has entered into a development agreement with the City of Boerne with the most recent amendment being approved on January 13, 2022. This development has ten (10) associated Major Subdivision plats.</p> <p>The preliminary plat was approved by the Planning and Zoning Commission on May 2, 2022.</p> <p>REQUEST:</p> <ol style="list-style-type: none"> 1. The Regent Park Unit 7 Final Plat consists of 84 residential lots, 3 open space lots, and 7.639 acres of right-of-way, on a total of 41.479 acres. It has an overall gross density of 2.025 residential lots per acre, with the smallest lot being approximately 0.165 acres. 2. The three open space lots consist of 14.033 acres of community |

| | |
|--|--|
| | <p>open space.</p> <p>3. Regent Blvd. and Tilbury Blvd. will serve as the primary access points for the units in this subdivision.</p> <p>4. All interior streets within the subdivision are private roads and will be owned and maintained by the Homeowners Association.</p> <p>ANALYSIS:</p> <p><u><i>Development Master Plan & Zoning</i></u></p> <ul style="list-style-type: none">• The City’s Future Land Use Plan designates this property as Neighborhood residential. The final plat is consistent with the Comprehensive Plan.• The Master Development Plan for Regent Park depicts 950 total residential lots on 419.96 total acres, with 105.30 acres of open space. Unit 7 is depicted with 87 total lots across 41.479 acres. <p><u><i>Landscaping and Open Space:</i></u></p> <ul style="list-style-type: none">• The plat identifies 14.033 acres of open space, and 9 Legacy trees. The open space corresponds to the drainage and utility easements listed in the next section. <p><u><i>Utilities, Drainage, Floodplain:</i></u></p> <ul style="list-style-type: none">• Sanitary sewer service will be provided via a connection to the Suggs Creek Sewer line. Public improvements will not be accepted until the completion of this sewer line. A stipulation has been included to address this requirement.• A water pump station and elevated storage tank is required to serve this development. The public improvements will not be accepted until this line is complete. A stipulation has been included to address this issue.• Block 41 Lot 901 (9.385 acres), Block 44 Lot 901 (2.966 acres), Block 46 Lot 901 (1.682 acres), are open space/private drainage easements to service the units.• No units overlap with the 100-Year FEMA Floodplain. <p>FINDINGS:</p> <ul style="list-style-type: none">• The Final Plat is consistent with the Comprehensive Master Plan.• The Final Plat is consistent with the existing Development |
|--|--|

| | |
|---------------------------------|--|
| | <p>Agreement and Master Development Plan.</p> <ul style="list-style-type: none"> • The Final Plat is consistent with the applicable subdivision regulations. • The Final Plat is consistent with the approved preliminary plat. <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. If the Commission chooses to recommend approval, staff recommends the inclusion of the following stipulation(s):</p> <ol style="list-style-type: none"> 1. The Final Plat shall substantially conform to the final plat date stamped November 21, 2025. 2. Both Unit 9 and downstream off-site sewer must be constructed and accepted prior to final acceptance of Unit 7. 3. The Water Pump Station and Elevated Storage, as well as Unit 8 water system, must be installed and accepted prior to final acceptance of Unit 7. 4. Detention for Unit 9 must be constructed and accepted prior to final acceptance of Unit 7. 5. The Final 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 the that Planning and Zoning Commission accept the findings and APPROVE the proposed Final Plat subject to the five stipulations recommended by staff.</p> <p>OR</p> <p>I move that the Planning and Zoning Commission DENY the proposed 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 the 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 – Approved Master Plan Attachment 6 – Approved Preliminary Plat Attachment 7 – Proposed Regent Park Unit 7 Major Subdivision Final Plat |

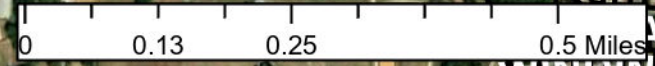


SUBJECT PROPERTY

Regent Park Unit 7

Legend

-  Parcels
-  SUBJECT PROPERTY





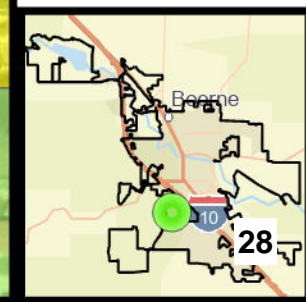
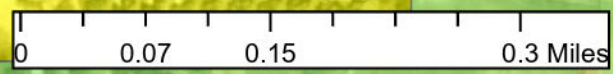
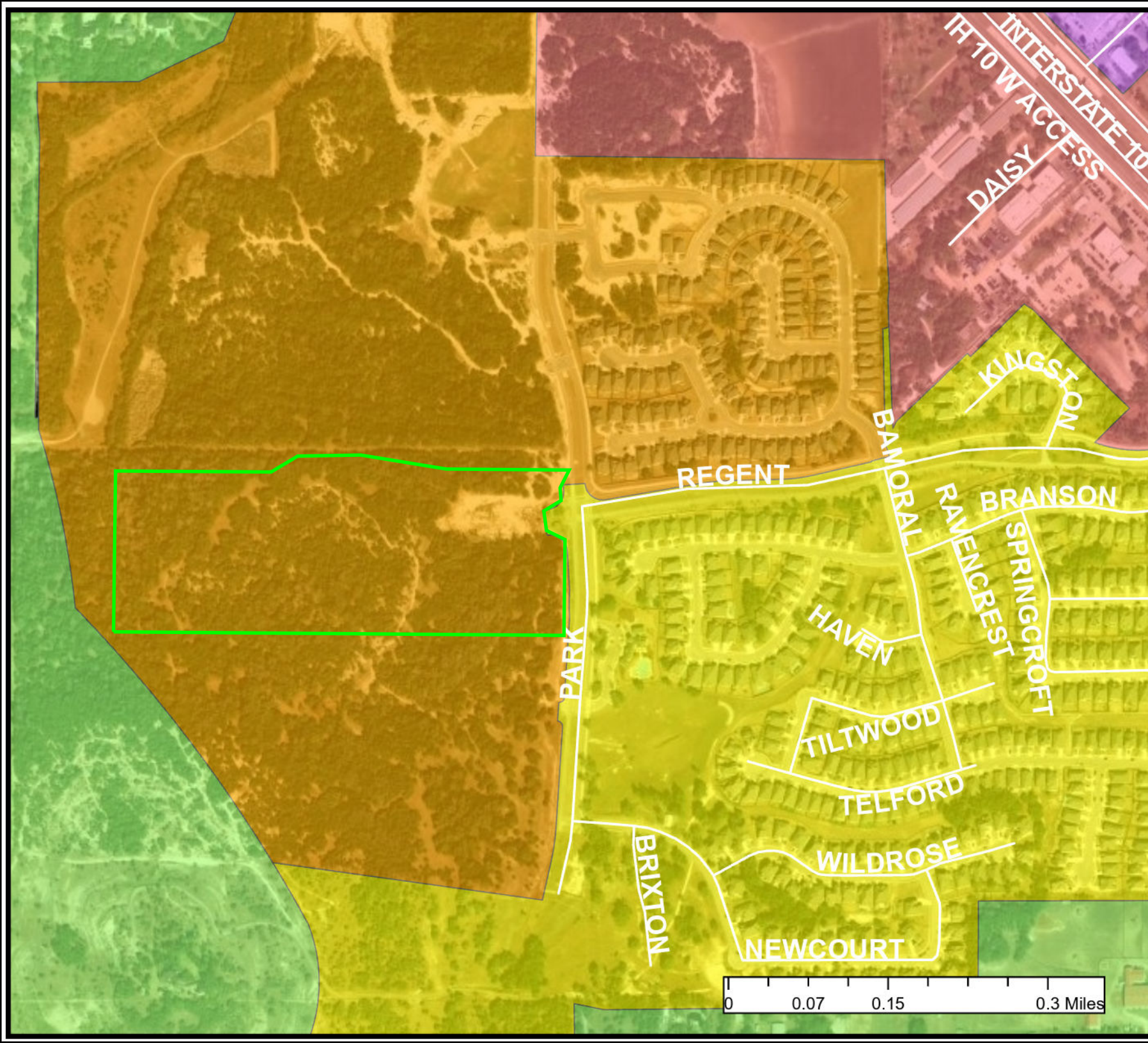
SUBJECT PROPERTY

Regent Park Unit 7

Legend

FLU

- Auto-Oriented Commercial
- Business Park
- Neighborhood Residential
- Rural Estate
- Transitional Residential
- SUBJECT PROPERTY











SUBJECT PROPERTY
Regent Park Unit 7

Current Zoning
R1-L

Legend

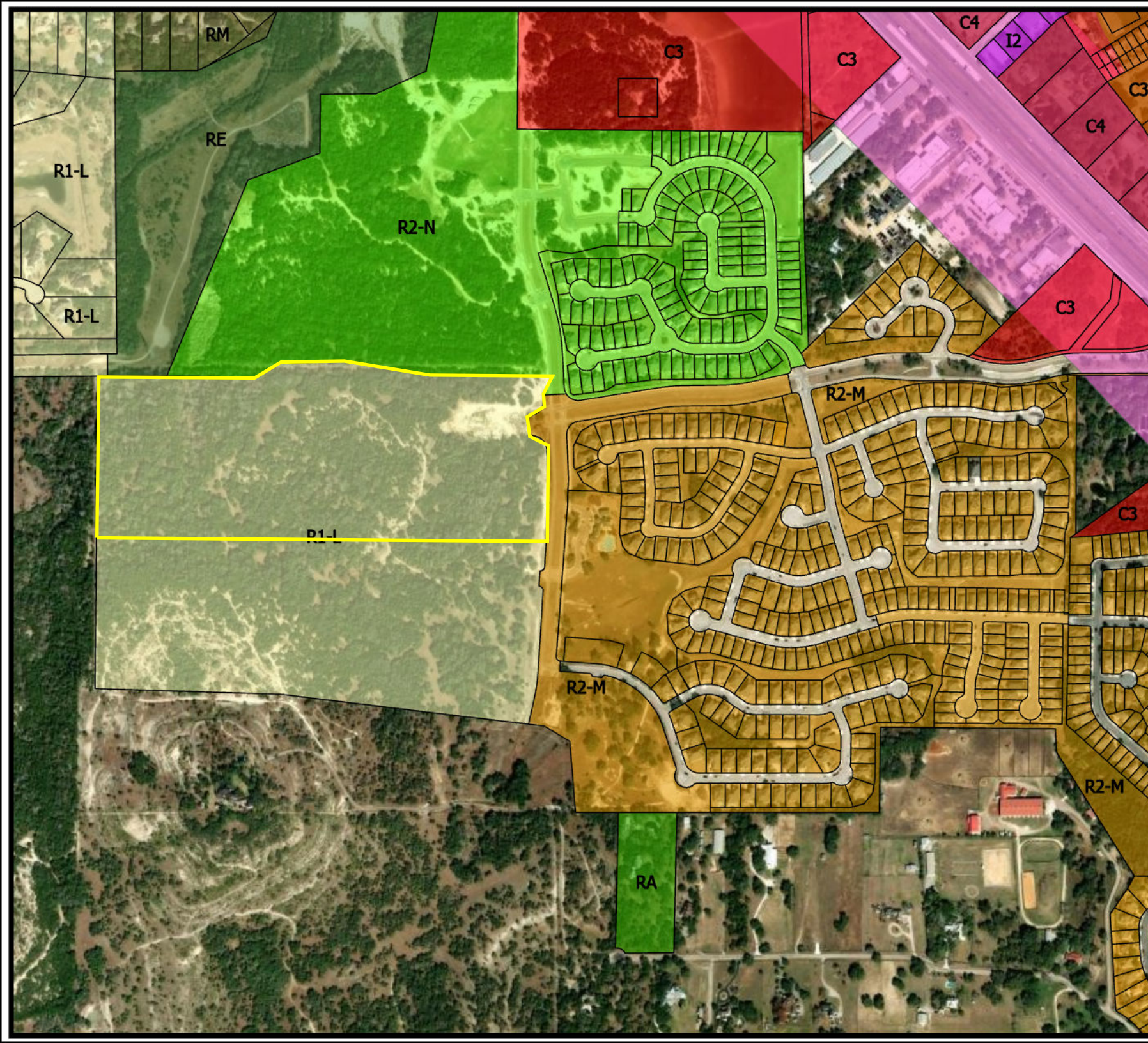
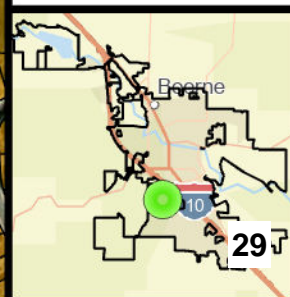
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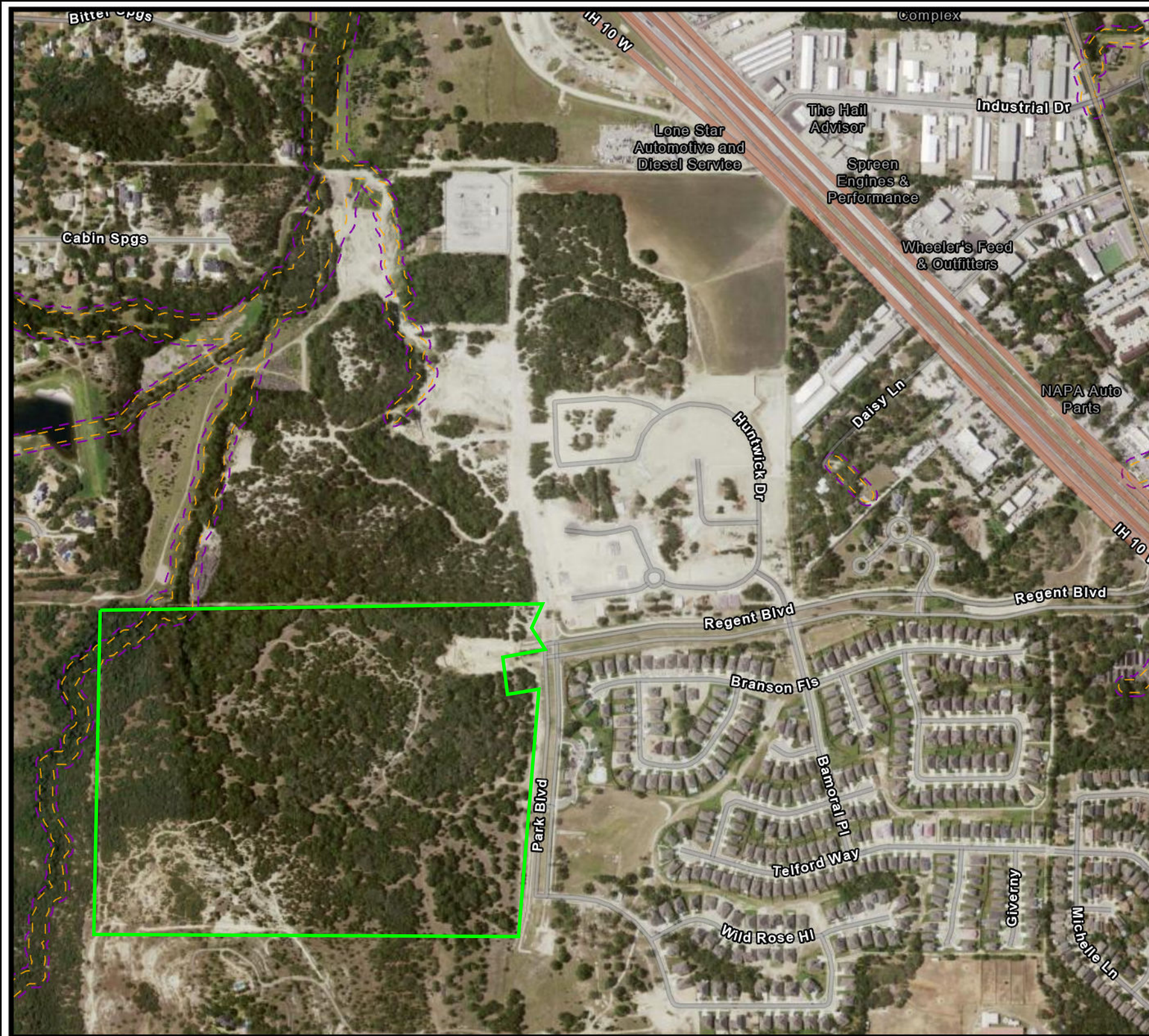
Boerne Zoning

-  C3
-  C4
-  I2
-  R1-L
-  R1-M
-  R2-M
-  R2-N
-  RA
-  RE
-  RM

Overlay Districts

-  Heritage Corridor
-  Scenic Interstate Corridor







SUBJECT PROPERTY

Regent Park
Unit 7

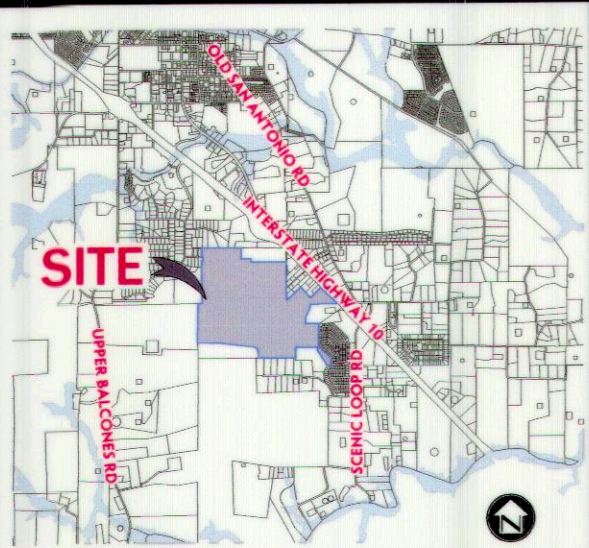
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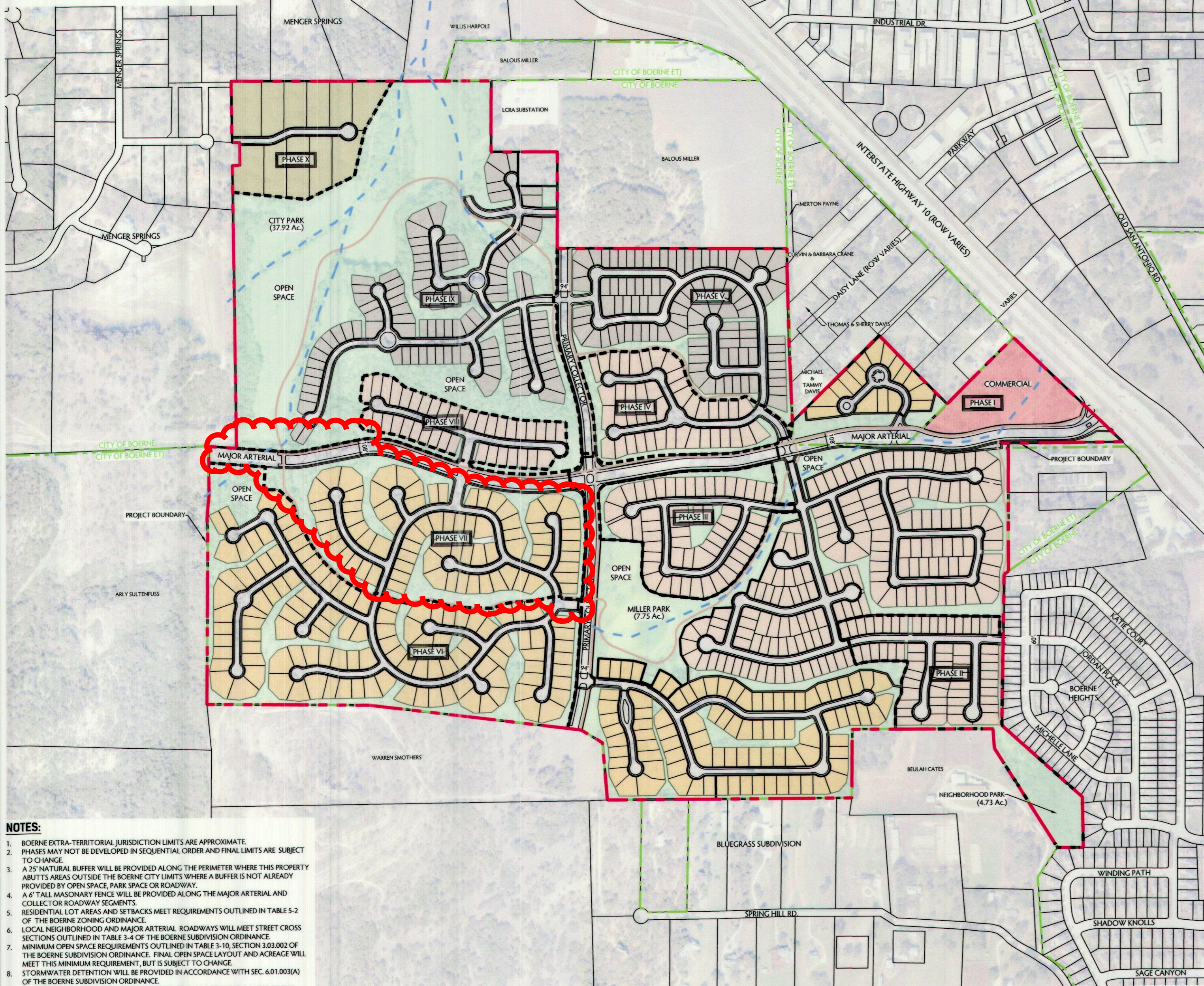
Boerne

30



LOCATION MAP

N.T.S.



NOTES:

1. BOERNE EXTRA-TERRITORIAL JURISDICTION LIMITS ARE APPROXIMATE.
2. PHASES MAY NOT BE DEVELOPED IN SEQUENTIAL ORDER AND FINAL LIMITS ARE SUBJECT TO CHANGE.
3. A 25' NATURAL BUFFER WILL BE PROVIDED ALONG THE PERIMETER WHERE THIS PROPERTY ABUTS AREAS OUTSIDE THE BOERNE CITY LIMITS WHERE A BUFFER IS NOT ALREADY PROVIDED BY OPEN SPACE, PARK SPACE OR ROADWAY.
4. A 6' TALL MASONRY FENCE WILL BE PROVIDED ALONG THE MAJOR ARTERIAL AND COLLECTOR ROADWAY SEGMENTS.
5. RESIDENTIAL LOT AREAS AND SETBACKS MEET REQUIREMENTS OUTLINED IN TABLE 5-2 OF THE BOERNE ZONING ORDINANCE.
6. LOCAL NEIGHBORHOOD AND MAJOR ARTERIAL ROADWAYS WILL MEET STREET CROSS SECTIONS OUTLINED IN TABLE 3-4 OF THE BOERNE SUBDIVISION ORDINANCE.
7. MINIMUM OPEN SPACE REQUIREMENTS OUTLINED IN TABLE 3-10, SECTION 3.03.002 OF THE BOERNE SUBDIVISION ORDINANCE. FINAL OPEN SPACE LAYOUT AND ACREAGE WILL MEET THIS MINIMUM REQUIREMENT, BUT IS SUBJECT TO CHANGE.
8. STORMWATER DETENTION WILL BE PROVIDED IN ACCORDANCE WITH SEC. 6.01.003(A) OF THE BOERNE SUBDIVISION ORDINANCE.
9. ALL NECESSARY EASEMENTS WILL BE PROVIDED AS OUTLINED IN SEC. 3.04.005 OF THE BOERNE SUBDIVISION ORDINANCE.
10. DEVELOPMENT SHALL COMPLY WITH THE PROVISIONS OF THE INTERNATIONAL FIRE CODE, LATEST EDITION, THEREOF.

NOTE: THIS MASTER PLANNED COMMUNITY SUPERSEDES THE PREVIOUSLY APPROVED MASTER PLANNED COMMUNITY DATED 04/07/2014.

DEVELOPER:

TENOTEX DEVELOPMENT CO., INC.
CONTACT PERSON: ISRAEL FOGIEL
10003 N.W. MILITARY HWY., SUITE 2201
SAN ANTONIO, TX 78231
TEL: (210) 344-9200
FAX: (210) 344-3137

CIVIL ENGINEER:

M.W. CUDE ENGINEERS, L.L.C.
CONTACT PERSON: CHRISTOPHER R. DICE, P.E.
4122 POND HILL ROAD, SUITE 101
SAN ANTONIO, TX 78231
TEL: (210) 681-2951
FAX: (210) 523-7112
WWW.CUDEENGINEERS.COM
INFO@MWCUDE.COM

LEGAL DESCRIPTION:

BEING 419.96 ACRES OF LAND SITUATED IN THE SAMUEL HEWES SURVEY NO. 186, ABSTRACT NO. 247, THE J.M. MCCULLOCK & CO. SURVEY NO. 185, ABSTRACT NO. 346, THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, AND THE JOHN SMALL SURVEY NO. 183, ABSTRACT NO. 441, CITY OF BOERNE, KENDALL COUNTY, TEXAS, BEING ALL OF A 3.755 ACRE TRACT OF LAND AS RECORDED IN VOLUME 771, PAGES 123-127, PART OF A 200 ACRE TRACT OF LAND AS RECORDED IN VOLUME 693, PAGES 52-57, PART OF A 274.884 ACRE TRACT OF LAND AS RECORDED IN VOLUME 765, PAGES 667-673, BEING ALL OF A CALLED 9.927 ACRE TRACT OF LAND AS RECORDED IN VOLUME 236, PAGE 714, AND BEING 9.938 ACRES OUT OF A CALLED 21.391 ACRE TRACT OF LAND AS RECORDED IN VOLUME 1131, PAGE 262, ALL OF THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

PRO-RATED LAND USE AND DENSITY TABLE

| UNIT | LAND USE | GROSS Ac. | DWELLINGS | DU/Ac. |
|-------|----------------------------|-----------|-----------|--------|
| I | SINGLE FAMILY & COMMERCIAL | 126.06 | 264 | 2.09 |
| II | SINGLE FAMILY | 18.63 | 60 | 3.22 |
| III | SINGLE FAMILY | 17.15 | 53 | 3.09 |
| IV | SINGLE FAMILY | 14.93 | 47 | 3.15 |
| V | SINGLE FAMILY | 30.80 | 119 | 3.86 |
| VI | SINGLE FAMILY | 54.04 | 128 | 2.37 |
| VII | SINGLE FAMILY | 40.84 | 85 | 2.08 |
| VIII | SINGLE FAMILY | 10.20 | 40 | 3.92 |
| IX | SINGLE FAMILY | 92.48 | 139 | 1.50 |
| X | SINGLE FAMILY | 14.83 | 15 | 1.01 |
| TOTAL | | 419.96 | 950 | 2.26 |

PRO-RATED DEVELOPMENT SUMMARY

| PHASE | 45'/50' LOTS | 55'/65' LOTS | 70'/80' LOTS | 1 ACRE LOTS | TOTAL |
|-------|--------------|--------------|--------------|-------------|-------|
| I | 0 | 159 | 105 | 0 | 264 |
| II | 0 | 60 | 0 | 0 | 60 |
| III | 0 | 53 | 0 | 0 | 53 |
| IV | 0 | 47 | 0 | 0 | 47 |
| V | 119 | 0 | 0 | 0 | 119 |
| VI | 0 | 0 | 128 | 0 | 128 |
| VII | 0 | 0 | 85 | 0 | 85 |
| VIII | 0 | 40 | 0 | 0 | 40 |
| IX | 139 | 0 | 0 | 0 | 139 |
| X | 0 | 0 | 0 | 15 | 15 |
| TOTAL | 258 | 359 | 318 | 15 | 950 |

LAND USE AREA (ACRES)

| LAND USE | AREA (ACRES) |
|-----------------------|--------------|
| CITY PARK | 37.92 |
| MILLER PARK | 7.75 |
| NEIGHBORHOOD PARK | 4.73 |
| OPEN SPACE | 54.90 |
| TOTAL OPEN SPACE AREA | 105.30 |

NOTE: MINIMUM REQUIRED OPEN SPACE = 83.99 ACRES PER TABLE 3-10, SECTION 3.03.002 OF BOERNE SUBDIVISION ORDINANCE. FINAL OPEN SPACE LAYOUT AND ACREAGE WILL MEET THIS MINIMUM REQUIREMENT, BUT IS SUBJECT TO CHANGE.

| FUNCTIONAL CLASSIFICATION | STREET DESIGN TYPE | MINIMUM ROW |
|---------------------------|--------------------------|-------------|
| LOCAL (< 2,000 VPD) | NEIGHBORHOOD (> 65 FEET) | 54 FEET |
| LOCAL (< 2,000 VPD) | NEIGHBORHOOD (< 65 FEET) | 60 FEET |
| COLLECTOR (> 10,000 VPD) | PRIMARY | 94 FEET |
| ARTERIAL (< 54,000 VPD) | MAJOR | 108 FEET |

LEGEND:

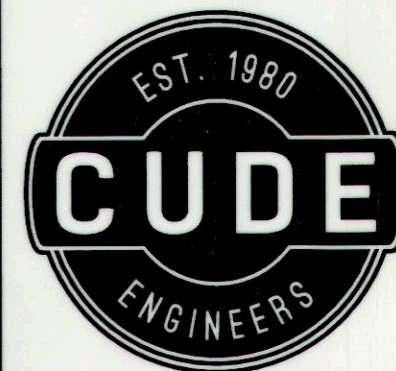
| | |
|--|--|
| PROJECT BOUNDARY | BOERNE CITY LIMITS |
| STREAM CORRIDOR | PHASE LIMITS |
| PROPOSED STREET PAVEMENT | PROPOSED TRAIL |
| 45'/50' SINGLE FAMILY RESIDENTIAL LOTS | 55'/65' SINGLE FAMILY RESIDENTIAL LOTS |
| 70'/80' SINGLE FAMILY RESIDENTIAL LOTS | 1 ACRE SINGLE FAMILY RESIDENTIAL LOTS |
| COMMERCIAL | OPEN SPACE |

THIS MASTER PLANNED COMMUNITY OF THE MILLER TRACT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF BOERNE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS 1ST DAY OF MAY, 2017

BY: *Christopher R. Dice*
CHAIRMAN

BY: *David G. Carr*
SECRETARY



CUDEENGINEERS.COM

4122 Pond Hill Road, Suite 101

San Antonio, Texas 78231

P:(210) 681.2951 F: (210) 523.7112

MILLER TRACT
(ALSO KNOWN AS REGENT PARK)

MASTER PLANNED COMMUNITY

DATE

4/21/2017

PROJECT NO.

02133.080

DRAWN BY

MBS/SMR

CHECKED BY

BAS/JAM



SCALE: 1"=500'

CUDE ENGINEERS

TBPE No. 455

M1

1 OF 1

FENCE NOTES:
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.

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

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 OR HIS OR HER DESIGNATED REPRESENTATIVE.

SIDEWALK NOTE:
FIVE-FOOT WIDE (OR LARGER) REINFORCED CONCRETE SIDEWALKS SHALL BE INSTALLED ADJACENT TO ALL PROPERTY LINES OF EACH LOT FRONTING A STREET AT SUCH TIME AS THAT LOT IS DEVELOPED, EXCEPT AS PROVIDED BY THE DEVIATION APPROVED BY THE CITY COUNCIL ON DECEMBER 17TH, 2013. THE SIDEWALK/TRAIL ALONG THE MAJOR ARTERIAL AND THE PRIMARY COLLECTOR SHALL BE CONSTRUCTED AT SUCH TIME AS THE STREET IS CONSTRUCTED.

IMPACT FEE ASSESSMENT:
ASSESSMENT AND COLLECTION OF THE CITY OF BOERNE WATER & WASTEWATER UTILITIES' IMPACT FEES SHALL BE THE AMOUNT PER LOT AS SET FORTH IN THE CITY ORDINANCE #2019-56, SECTION 1.10(5).

LARGE LEGACY TREE:
THERE ARE NINE (9) LARGE LEGACY TREES, AS DEFINED IN SUBSECTION 2.02.002, IDENTIFIED ON THE SUBSEQUENT PAGES OF THIS PLAT.

CURVILINEAR STREET SETBACKS:
ALL STREETS IN REGENT PARK UNIT 5 ARE CURVILINEAR NETWORK STREETS AND DO NOT REQUIRE BUILDING SETBACK ARTICULATION AS DEFINED IN THE ZONING ORDINANCE.

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 OR A LOT ON A CURVILINEAR STREET OR CUL-DE-SAC IS MEASURED WHEREVER THE LOT WIDTH MEETS FRONTAGE REQUIREMENTS FOR THE LOT CATEGORY.

- GENERAL NOTES:
- THIS SUBDIVISION CONTAINS 41.431 TOTAL ACRES WITH 84 RESIDENTIAL LOTS FOR A DENSITY OF 2.027 RESIDENTIAL LOTS PER ACRE.
 - NO PART OF THIS SUBDIVISION PLAT IS LOCATED UPSTREAM FROM A CITY WATER SUPPLY LAKE.
 - THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83 (93).
 - UNLESS OTHERWISE NOTED, ALL CORNERS & ANGLE POINTS ARE SET 1/2" IRON RODS WITH A RED PLASTIC CAP STAMPED "CUDE".
 - THE AREA OF RIGHT-OF-WAY (R.O.W.) IN THIS SUBDIVISION IS 7.652 ACRES.
 - THE AREA OF OPEN SPACE REQUIRED IS 8.286 ACRES (20.00%). THIS SUBDIVISION CONTAINS 13.842 ACRES OF COMMUNITY OPEN SPACE.
 - GARAGE FRONTS THAT FACE THE STREET SHALL BE SET BACK A MINIMUM OF 25 FEET FROM THE PROPERTY LINE.
 - THE APPROXIMATE AREA OF THE SMALLEST LOT ON THIS PLAT IS 0.165 ACRES.

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, BEDS, 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 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 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.

- 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.
- 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.
- 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.

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 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.

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.

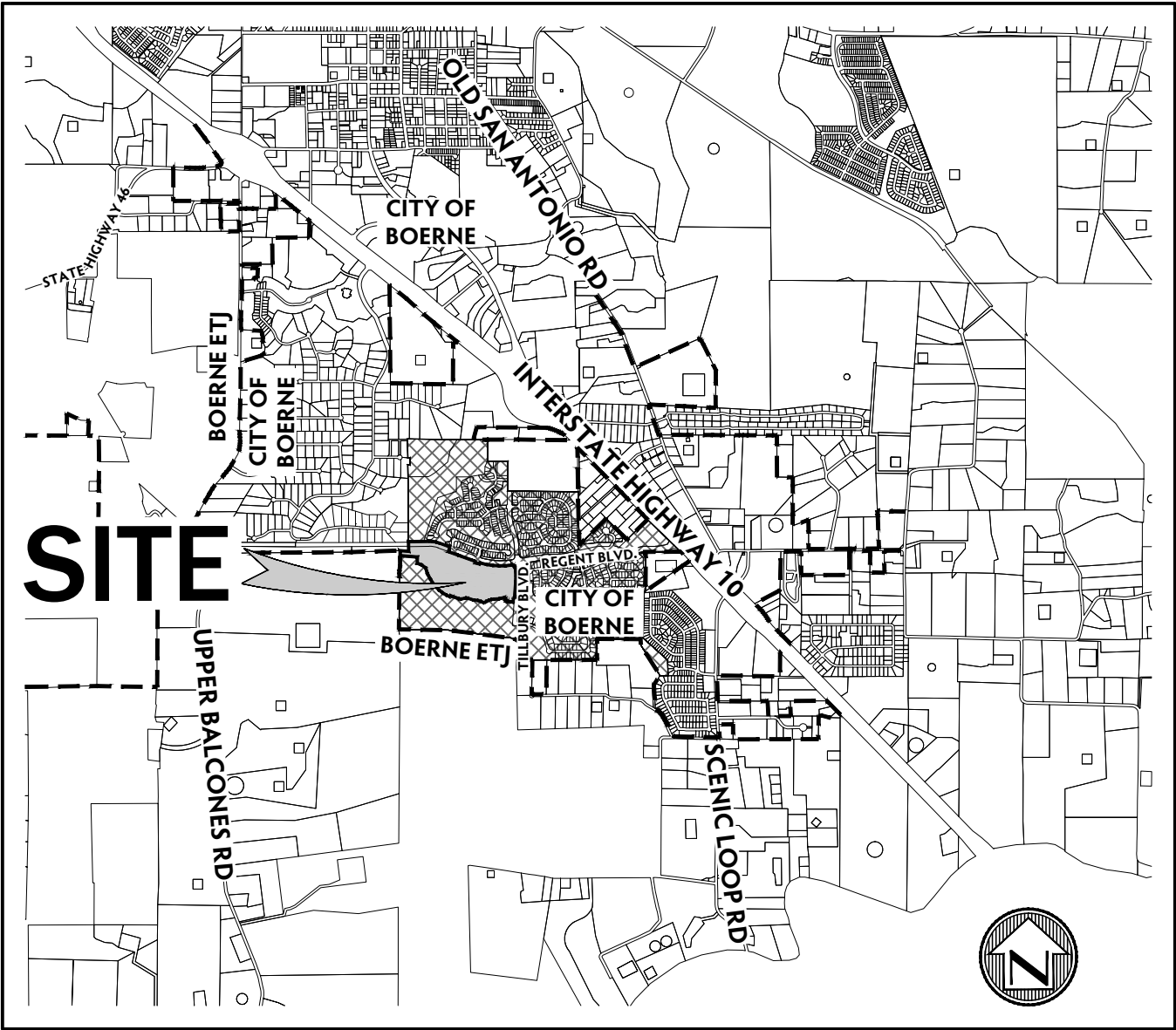
THE CITY SHALL MAKE COMMERCIALY REASONABLE EFFORTS TO ENSURE THAT DAMAGE TO THE PROPERTY IS MINIMIZED AND THE CITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE UTILITIES, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE CITY'S USUAL AND CUSTOMARY PRACTICES.

BANDERA ELECTRIC COOPERATIVE NOTES:
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 WHICH ARE TALL ENOUGH TO STRIKE THE ELECTRIC FACILITIES IN FALLING. THE EASEMENT RIGHTS HEREIN RESERVED INCLUDE THE PRIVILEGE OF CLEARING A RIGHT-OF-WAY FOR AND ANCHORING OF ANY 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.

A PRELIMINARY PLAT ESTABLISHING REGENT PARK UNIT 7

BEING 41.431 ACRES OF LAND OUT OF THE SAMUEL HEWES SURVEY NO. 186, ABSTRACT NO. 247, KENDALL COUNTY, TEXAS AND OUT OF THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 392.45 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED DATED MARCH 19, 2014 TO 420 INVESTMENT GROUP, LTD., RECORDED IN VOLUME 1408, PAGES 470-480, BEING OF THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

84 NEW RESIDENTIAL LOTS AND 3 OPEN SPACE LOTS 4,757 L.F. OF NEW STREET, 7.652 ACRES OF RIGHT-OF-WAY



LOCATION MAP

STATE OF TEXAS
COUNTY OF KENDALL

N.T.S.

I, _____, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY

THAT THE FOREGOING INSTRUMENT OF WRITING WITH THIS CERTIFICATE OF AUTHENTICATION

WAS FILED FOR RECORD IN MY OFFICE THE _____ DAY OF _____

A.D. 2022 AT _____ M. IN THE PLAT RECORDS OF SAID COUNTY IN DOCUMENT NO. _____.

TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN DOCUMENT NO. _____.

_____, KENDALL COUNTY OFFICIAL RECORDS. IN

TESTIMONY, WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS _____ DAY OF _____

_____, A.D. 2022.

COUNTY CLERK
KENDALL COUNTY, TEXAS

BY: _____

DEPUTY

THIS SUBDIVISION PLAT OF _____ REGENT PARK UNIT 7 _____ HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF BOERNE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS _____ DAY OF _____, A.D., 2022.

BY: _____
CHAIRMAN

BY: _____
SECRETARY

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN IN 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.

M.W. CUDE ENGINEERS, L.L.C.
W. PATRICK MURPHY, P.E.

REGISTERED PROFESSIONAL ENGINEER NO. 111597

SWORN TO AND SUBSCRIBED BEFORE ME, THIS _____ DAY OF _____, A.D., 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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.

M.W. CUDE ENGINEERS, L.L.C.
JAMES W. RUSSELL, R.P.L.S.

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4230

SWORN TO AND SUBSCRIBED BEFORE ME, THIS _____ DAY OF _____, A.D., 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

THE OWNER OF THE 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/DEVELOPER
TENOTEX DEVELOPMENT CO., INC.
A TEXAS CORPORATION
10003 NW MILITARY, STE. 2201
SAN ANTONIO, TX 78231
PH: (210) 344-9200
FAX: (210) 344-3137
CONTACT: ISRAEL FOGIEL

BY: ISRAEL FOGIEL, PRESIDENT

DULY AUTHORIZED AGENT

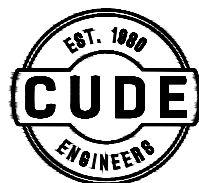
STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE ABOVE 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 THEY 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 _____, A.D., 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CONTACT: W. PATRICK MURPHY, P.E. PROJECT # 02133.230



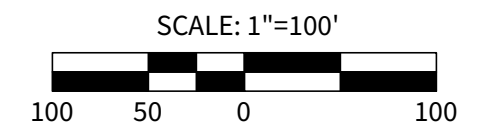
CUDE ENGINEERS, L.L.C.
4122 POND HILL RD. • SUITE 101
SAN ANTONIO, TEXAS 78231
TEL 210.681.2951 • FAX 210.523.7112
WWW.CUDEENGINEERS.COM
TBPELS REGISTERED
TBP# 455 - TBPELS #10048500

DATE: APRIL 2022

1 OF 3

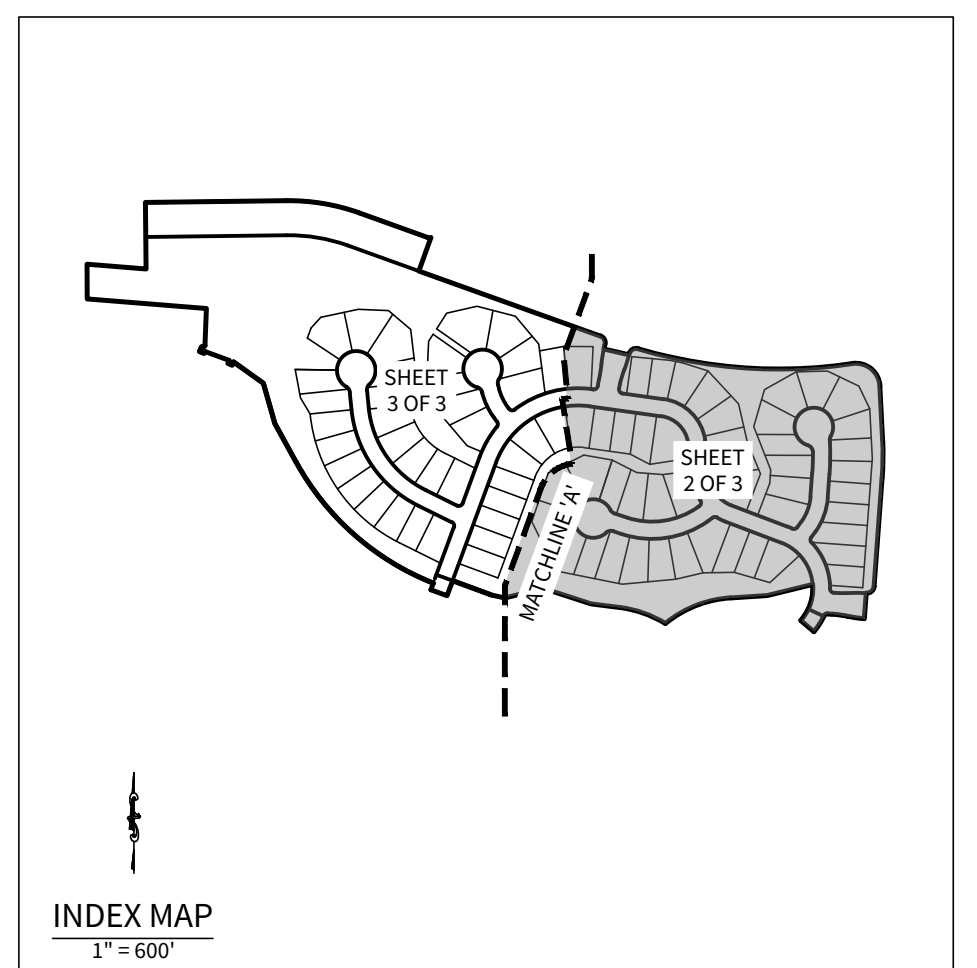
REGENT PARK UNIT 7

BEING 41.431 ACRES OF LAND OUT OF THE SAMUEL HEWES SURVEY NO. 186, ABSTRACT NO. 247, KENDALL COUNTY, TEXAS AND OUT OF THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 392.45 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED DATED MARCH 19, 2014 TO 420 INVESTMENT GROUP, LTD., RECORDED IN VOLUME 1408, PAGES 470-480, BEING OF THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.



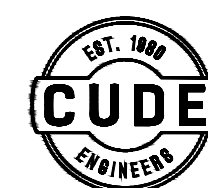
LEGEND

| | |
|----------|---|
| Ac. | = ACRES |
| BLVD. | = BOULEVARD |
| C1 | = CURVE NUMBER |
| CT. | = COURT |
| DRN. | = DRAINAGE |
| ESMT. | = EASEMENT |
| F.I.P. | = FOUND 1/2" IRON PIN |
| GRNWAY. | = GREENWAY |
| L1 | = LINE NUMBER |
| L.F. | = LINEAR FEET |
| L.S. | = LANDSCAPE |
| NAD | = NORTH AMERICAN DATUM |
| NAVD | = NORTH AMERICAN VERTICAL DATUM |
| NO. | = NUMBER |
| N.T.S. | = NOT TO SCALE |
| OCL | = OUTSIDE CITY LIMITS |
| O.R.K.C. | = OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS |
| PED. | = PEDESTRIAN |
| PG. | = PAGE |
| PGS. | = PAGES |
| P.R.K.C. | = PLAT RECORDS OF KENDALL COUNTY, TEXAS |
| R | = RADIUS |
| R.O.W. | = RIGHT-OF-WAY |
| T.C. | = TRUNK CIRCUMFERENCE |
| UTIL. | = UTILITY |
| VAR. | = VARIABLE |
| VOL. | = VOLUME |
| WID. | = WIDTH |
| | = STREET CENTERLINE |
| | = EXISTING GROUND MAJOR CONTOUR |
| | = LARGE LEGACY TREE |



INDEX MAP
1" = 600'

CONTACT: W. PATRICK MURPHY, P.E. PROJECT # 02133.230



CUDE ENGINEERS, L.L.C.
4122 POND HILL RD. • SUITE 101
SAN ANTONIO, TEXAS 78231
TEL 210.681.2951 • FAX 210.523.7112
WWW.CUDEENGINEERS.COM
TBPES REGISTERED
TBPES #455 - TBPES #10048500

DATE: APRIL 2022

REGENT PARK UNIT 7

BEING 41.431 ACRES OF LAND OUT OF THE SAMUEL HEWES SURVEY NO. 186, ABSTRACT NO. 247, KENDALL COUNTY, TEXAS AND OUT OF THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 392.45 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED DATED MARCH 19, 2014 TO 420 INVESTMENT GROUP, LTD., RECORDED IN VOLUME 1408, PAGES 470-480, BEING OF THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

LINE TABLE

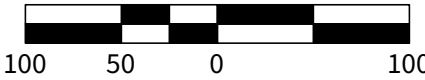
| LINE | LENGTH | BEARING |
|------|---------|-------------|
| L277 | 66.30' | S20°11'05"W |
| L1 | 80.00' | N04°14'58"E |
| L2 | 13.07' | S85°45'02"E |
| L3 | 54.00' | S49°14'45"E |
| L4 | 145.66' | N76°10'33"E |
| L5 | 114.79' | N86°22'58"E |
| L6 | 91.02' | S82°42'10"E |
| L7 | 124.77' | S71°52'25"E |
| L8 | 47.09' | S83°23'38"E |
| L9 | 107.37' | N76°20'28"E |
| L10 | 41.90' | S78°03'05"E |
| L11 | 130.00' | S69°48'55"E |
| L12 | 50.00' | N20°11'05"E |
| L13 | 54.00' | S69°48'55"E |
| L14 | 22.17' | N20°11'05"E |
| L15 | 131.05' | S15°55'55"E |
| L16 | 114.01' | S54°33'44"E |
| L17 | 11.39' | N23°44'04"E |
| L18 | 15.00' | S66°15'56"E |
| L19 | 10.43' | S23°44'04"W |
| L20 | 81.14' | S69°57'00"E |
| L21 | 6.47' | N21°39'38"E |
| L22 | 15.00' | S68°20'22"E |
| L23 | 15.98' | S21°39'38"W |
| L24 | 11.78' | S71°27'51"W |
| L25 | 116.27' | S02°20'17"W |
| L26 | 108.41' | S00°23'06"E |
| L27 | 110.71' | N19°43'27"E |
| L28 | 390.05' | N70°16'33"W |
| L29 | 14.18' | N13°02'05"E |
| L30 | 80.00' | N76°57'55"W |
| L31 | 2.00' | S13°02'05"W |
| L32 | 54.00' | N65°09'41"W |
| L33 | 19.07' | S54°52'51"W |
| L34 | 28.16' | N71°47'07"W |
| L35 | 41.94' | S71°47'07"E |
| L36 | 5.62' | N54°52'51"E |
| L37 | 224.55' | N82°03'06"W |
| L38 | 54.00' | N69°48'55"W |
| L39 | 54.31' | N05°49'21"W |
| L40 | 54.31' | S05°49'21"E |
| L41 | 17.72' | N35°53'31"W |
| L42 | 11.98' | S14°39'38"E |
| L43 | 6.37' | S35°53'31"E |

LINE TABLE

| LINE | LENGTH | BEARING |
|------|---------|-------------|
| L44 | 1.93' | S82°03'06"E |
| L45 | 21.98' | N35°49'50"E |
| L46 | 6.55' | S02°54'16"E |
| L47 | 21.98' | S35°49'50"W |
| L48 | 79.09' | N25°43'09"W |
| L49 | 108.29' | N64°26'28"W |
| L50 | 64.87' | S89°01'47"W |
| L51 | 112.14' | S60°40'26"W |
| L52 | 41.66' | S04°14'58"W |
| L53 | 120.72' | N84°29'35"W |
| L54 | 69.07' | S62°16'35"E |
| L55 | 89.83' | N79°56'05"W |
| L56 | 87.78' | N76°44'40"E |
| L57 | 92.10' | N89°48'36"W |
| L58 | 76.69' | S79°37'48"W |
| L59 | 97.11' | S77°14'20"W |
| L60 | 58.48' | S32°39'09"W |
| L61 | 25.66' | S32°39'09"W |
| L62 | 49.16' | S66°55'29"E |
| L63 | 45.62' | S42°26'40"W |
| L64 | 33.21' | S20°19'11"W |
| L65 | 90.06' | S10°37'42"E |
| L66 | 58.75' | S30°48'21"E |
| L68 | 75.47' | N53°29'56"W |
| L69 | 30.28' | N49°05'15"E |
| L70 | 331.76' | N04°14'58"E |
| L71 | 153.72' | N02°54'16"W |
| L72 | 94.92' | N53°29'56"W |
| L73 | 58.31' | N12°00'11"E |
| L74 | 207.64' | S54°59'03"E |
| L75 | 207.30' | N54°59'03"W |
| L76 | 15.00' | S73°40'10"E |
| L77 | 2.55' | S21°39'38"W |
| L78 | 18.14' | N02°20'17"E |
| L79 | 7.18' | S23°44'04"W |
| L80 | 23.18' | S68°44'04"W |
| L81 | 65.93' | N66°15'56"W |
| L82 | 62.75' | S66°15'56"E |
| L83 | 10.76' | N68°44'04"E |
| L84 | 15.03' | S69°57'00"E |
| L85 | 96.69' | N24°51'54"W |



SCALE: 1"=100'



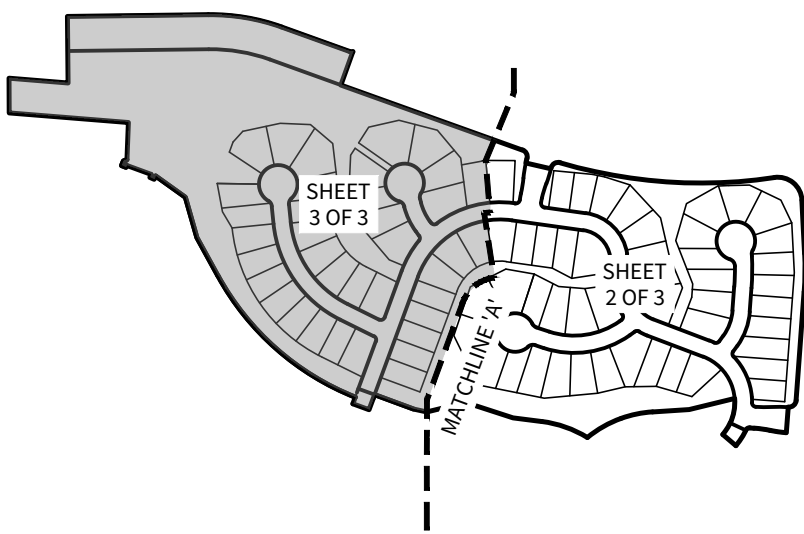
LEGEND

- AC. = ACRES
BLVD. = BOULEVARD
C1 = CURVE NUMBER
CT. = COURT
DRN. = DRAINAGE
ESMT. = EASEMENT
F.I.P. = FOUND 1/2" IRON PIN
GREENWAY. = GREENWAY
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L.S. = LANDSCAPE
NAD = NORTH AMERICAN DATUM
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WID. = WIDTH
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--- = EXISTING GROUND MAJOR CONTOUR
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BLOCK SIZE NOTES:

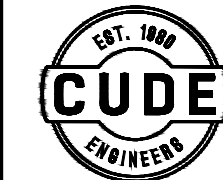
THE EXTERIOR PERIMETER OF THE BLOCKS ARE AS FOLLOWS:

- BLOCK 40 2,090 L.F.
BLOCK 41 1,765 L.F.
BLOCK 42 2,043 L.F.
BLOCK 43 2,178 L.F.
BLOCK 44 1,478 L.F.
BLOCK 45 1,706 L.F.
BLOCK 46 2,020 L.F.



INDEX MAP

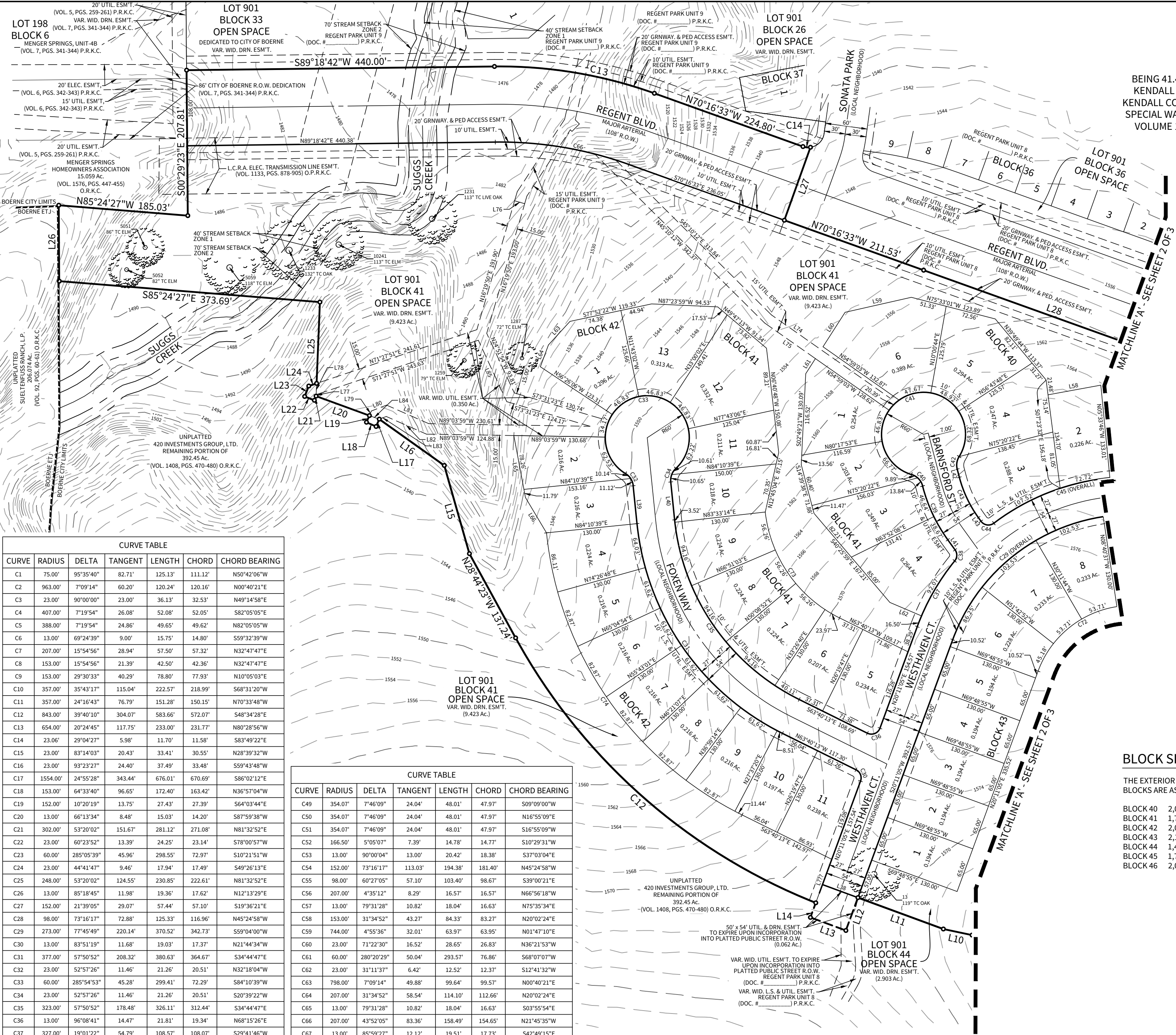
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WWW.CUDEENGINEERS.COM
TBPELS REGISTERED
TBPE #455 - TBPELS #10048500

DATE: APRIL 2022



| CURVE | RADIUS | DELTA | TANGENT | LENGTH | CHORD | CHORD BEARING |
|-------|----------|------------|---------|---------|---------|---------------|
| C1 | 75.00' | 95°35'40" | 82.71' | 125.13' | 111.12' | N50°42'06"W |
| C2 | 963.00' | 7°09'14" | 60.20' | 120.24' | 120.16' | N00°40'21"E |
| C3 | 23.00' | 90°00'00" | 23.00' | 36.13' | 32.53' | N49°14'58"E |
| C4 | 407.00' | 7°19'54" | 26.08' | 52.08' | 52.05' | S82°05'05"E |
| C5 | 388.00' | 7°19'54" | 24.86' | 49.65' | 49.62' | N82°05'05"W |
| C6 | 13.00' | 69°24'39" | 9.00' | 15.75' | 14.80' | S59°32'39"W |
| C7 | 207.00' | 15°54'56" | 28.94' | 57.50' | 57.32' | N32°47'47"E |
| C8 | 153.00' | 15°54'56" | 21.39' | 42.50' | 42.36' | N32°47'47"E |
| C9 | 153.00' | 29°30'33" | 40.29' | 78.80' | 77.93' | N10°05'03"E |
| C10 | 357.00' | 35°43'17" | 115.04' | 222.57' | 218.99' | S68°31'20"W |
| C11 | 357.00' | 24°16'43" | 76.79' | 151.28' | 150.15' | N70°33'48"W |
| C12 | 843.00' | 39°40'10" | 304.07' | 583.66' | 572.07' | S48°34'28"E |
| C13 | 654.00' | 20°24'45" | 117.75' | 233.00' | 231.77' | N80°28'56"W |
| C14 | 23.06' | 29°04'27" | 5.98' | 11.70' | 11.58' | S83°49'22"E |
| C15 | 23.00' | 83°14'03" | 20.43' | 33.41' | 30.55' | N28°39'32"W |
| C16 | 23.00' | 93°23'27" | 24.40' | 37.49' | 33.48' | S59°43'48"W |
| C17 | 1554.00' | 24°55'28" | 343.44' | 676.01' | 670.69' | S86°02'12"E |
| C18 | 153.00' | 64°33'40" | 96.65' | 172.40' | 163.42' | N36°57'04"W |
| C19 | 152.00' | 10°20'19" | 13.75' | 27.43' | 27.39' | S64°03'44"E |
| C20 | 13.00' | 66°13'34" | 8.48' | 15.03' | 14.20' | S87°59'38"W |
| C21 | 302.00' | 53°20'02" | 151.67' | 281.12' | 271.08' | N81°32'52"E |
| C22 | 23.00' | 60°23'52" | 13.39' | 24.25' | 23.14' | S78°00'57"W |
| C23 | 60.00' | 28°05'39" | 45.96' | 298.55' | 72.97' | S10°21'51"W |
| C24 | 23.00' | 44°41'47" | 9.46' | 17.94' | 17.49' | S49°26'13"E |
| C25 | 248.00' | 53°20'02" | 124.55' | 230.85' | 222.61' | N81°32'52"E |
| C26 | 13.00' | 85°18'45" | 11.98' | 19.36' | 17.62' | N12°13'29"E |
| C27 | 152.00' | 21°39'05" | 29.07' | 57.44' | 57.10' | S19°36'21"E |
| C28 | 98.00' | 73°16'17" | 72.88' | 125.33' | 116.96' | N45°24'58"W |
| C29 | 273.00' | 77°45'49" | 220.14' | 370.52' | 342.73' | S59°04'00"W |
| C30 | 13.00' | 83°51'19" | 11.68' | 19.03' | 17.37' | N21°44'34"W |
| C31 | 377.00' | 57°50'52" | 208.32' | 380.63' | 364.67' | S34°44'47"E |
| C32 | 23.00' | 52°57'26" | 11.46' | 21.26' | 20.51' | N32°18'04"W |
| C33 | 60.00' | 285°54'53" | 45.28' | 299.41' | 72.29' | S84°10'39"W |
| C34 | 23.00' | 52°57'26" | 11.46' | 21.26' | 20.51' | S20°39'22"W |
| C35 | 323.00' | 57°50'52" | 178.48' | 326.11' | 312.44' | S34°44'47"E |
| C36 | 13.00' | 96°08'41" | 14.47' | 21.81' | 19.34' | N68°15'26"E |
| C37 | 327.00' | 19°01'22" | 54.79' | 108.57' | 108.07' | S29°41'46"W |
| C38 | 13.00' | 75°05'58" | 9.99' | 17.04' | 15.85' | N01°39'28"E |
| C39 | 227.00' | 21°32'01" | 43.17' | 85.31' | 84.81' | S25°07'31"E |
| C40 | 23.00' | 59°06'06" | 13.04' | 23.72' | 22.69' | N43°54'34"W |
| C41 | 60.00' | 285°25'36" | 45.69' | 298.90' | 72.70' | S69°15'11"W |
| C42 | 23.00' | 46°37'37" | 9.91' | 18.72' | 18.20' | S08°39'11"W |
| C43 | 173.00' | 21°13'54" | 32.43' | 64.11' | 63.74' | S25°16'34"E |
| C44 | 13.00' | 91°15'06" | 13.29' | 20.70' | 18.58' | S81°31'04"E |
| C45 | 327.00' | 45°05'31" | 135.76' | 257.35' | 250.76' | S75°24'08"W |
| C46 | 13.00' | 89°59'58" | 13.00' | 20.42' | 18.38' | N52°56'55"E |
| C47 | 233.50' | 5°05'09" | 10.37' | 20.73' | 20.72' | S10°29'30"W |
| C48 | 354.07' | 7°46'09" | 24.04' | 48.01' | 47.97' | N09°09'00"E |

| CURVE | RADIUS | DELTA | TANGENT | LENGTH | CHORD | CHORD BEARING |
|-------|----------|------------|---------|---------|---------|---------------|
| C49 | 354.07' | 7°46'09" | 24.04' | 48.01' | 47.97' | S09°09'00"W |
| C50 | 354.07' | 7°46'09" | 24.04' | 48.01' | 47.97' | N16°55'09"E |
| C51 | 354.07' | 7°46'09" | 24.04' | 48.01' | 47.97' | S16°55'09"W |
| C52 | 166.50' | 5°05'07" | 7.39' | 14.78' | 14.77' | S10°29'31"W |
| C53 | 13.00' | 90°00'04" | 13.00' | 20.42' | 18.38' | S37°03'04"E |
| C54 | 152.00' | 73°16'17" | 113.03' | 194.38' | 181.40' | N45°24'58"W |
| C55 | 98.00' | 60°27'05" | 57.10' | 103.40' | 98.67' | S39°00'21"E |
| C56 | 207.00' | 4°35'12" | 8.29' | 16.57' | 16.57' | N66°56'18"W |
| C57 | 13.00' | 79°31'28" | 10.82' | 18.04' | 16.63' | N75°35'34"E |
| C58 | 153.00' | 31°34'52" | 43.27' | 84.33' | 83.27' | N20°02'24"E |
| C59 | 744.00' | 4°55'36" | 32.01' | 63.97' | 63.95' | N01°47'10"E |
| C60 | 23.00' | 71°22'30" | 16.52' | 28.65' | 26.83' | N36°21'53"W |
| C61 | 60.00' | 280°20'29" | 50.04' | 293.57' | 76.86' | S68°07'07"W |
| C62 | 23.00' | 31°11'37" | 6.42' | 12.52' | 12.37' | S12°41'32"W |
| C63 | 798.00' | 7°09'14" | 49.88' | 99.64' | 99.57' | N00°40'21"E |
| C64 | 207.00' | 31°34'52" | 58.54' | 114.10' | 112.66' | N20°02'24"E |
| C65 | 13.00' | 79°31'28" | 10.82' | 18.04' | 16.63' | S03°55'54"E |
| C66 | 207.00' | 43°52'05" | 83.36' | 158.49' | 154.65' | N21°45'35"W |
| C67 | 13.00' | 85°59'27" | 12.12' | 19.51' | 17.73' | S42°49'15"E |
| C68 | 388.00' | 7°15'57" | 24.64' | 49.20' | 49.17' | S89°26'58"E |
| C69 | 407.00' | 7°19'54" | 26.08' | 52.08' | 52.05' | N89°24'59"W |
| C70 | 1564.00' | 1°15'46" | 17.24' | 34.47' | 34.47' | S87°25'48"W |
| C71 | 1564.00' | 1°27'33" | 19.92' | 39.83' | 39.83' | N78°12'04"W |
| C72 | 143.00' | 77°45'49" | 115.31' | 194.08' | 179.53' | N59°04'00"E |
| C73 | 193.00' | 57°13'28" | 105.28' | 192.76' | 184.85' | N35°03'30"W |
| C74 | 507.00' | 57°50'52" | 280.16' | 511.89' | 490.42' | S34°44'47"E |
| C75 | 943.00' | 7°09'14" | 58.95' | 117.74' | 117.67' | N00°40'21"E |
| C76 | 1574.00' | 2°12'52" | 30.45' | 60.89' | 60.88' | S73°51'12"E |
| C77 | 1574.00' | 9°38'57" | 132.85' | 265.07' | 264.76' | S86°25'11"E |
| C78 | 1574.00' | 2°33'37" | 35.17' | 70.34' | 70.33' | N82°46'53"E |

FENCE NOTES:
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.

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

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 OR HIS OR HER DESIGNATED REPRESENTATIVE.

SIDEWALK NOTE:
FIVE- FEET WIDE (OR LARGER) REINFORCED CONCRETE SIDEWALKS SHALL BE INSTALLED ADJACENT TO ALL PROPERTY LINES OF EVERY LOT FRONTING A STREET AT SUCH TIME AS THAT LOT IS DEVELOPED.

IMPACT FEE ASSESSMENT:
ASSESSMENT AND COLLECTION OF THE CITY OF BOERNE WATER & WASTEWATER UTILITIES' IMPACT FEES SHALL BE THE AMOUNT PER LOT AS SET FORTH IN THE CITY ORDINANCE #2023-18, SECTION 1.10(5).

LARGE LEGACY TREE:
THERE ARE NINE (9) LARGE LEGACY TREES, AS DEFINED IN SUBSECTION 2.02.002, IDENTIFIED ON THE SUBSEQUENT PAGES OF THIS PLAT.

CURVILINEAR STREET SETBACKS:
ALL STREETS IN REGENT PARK UNIT 7 ARE CURVILINEAR NETWORK STREETS AND DO NOT REQUIRE BUILDING SETBACK ARTICULATION AS DEFINED IN THE ZONING ORDINANCE.

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 OR A LOT ON A CURVILINEAR STREET OR CUL-DE-SAC IS MEASURED WHEREVER THE LOT WIDTH MEETS FRONTAGE REQUIREMENTS FOR THE LOT CATEGORY.

- GENERAL NOTES:
- THIS SUBDIVISION CONTAINS 41.479 TOTAL ACRES WITH 84 RESIDENTIAL LOTS FOR A DENSITY OF 2.025 RESIDENTIAL LOTS PER ACRE.
 - NO PART OF THIS SUBDIVISION PLAT IS LOCATED UPSTREAM FROM A CITY WATER SUPPLY LAKE.
 - THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83 (93).
 - UNLESS OTHERWISE NOTED, ALL CORNERS & ANGLE POINTS ARE SET 1/2" IRON RODS WITH A PLASTIC CAP STAMPED "CUDE".
 - THE AREA OF RIGHT-OF-WAY (R.O.W.) IN THIS SUBDIVISION IS 7.639 ACRES.
 - THE AREA OF OPEN SPACE REQUIRED IS 8.29% ACRES (20.00%). THIS SUBDIVISION CONTAINS 14.033 ACRES OF COMMUNITY OPEN SPACE.
 - GARAGE FRONTS THAT FACE THE STREET SHALL BE SET BACK A MINIMUM OF 25 FEET FROM THE PROPERTY LINE.
 - THE APPROXIMATE AREA OF THE SMALLEST LOT ON THIS PLAT IS 0.165 ACRES.

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, BEDS, 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 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 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.

- 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.
- 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.
- 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.

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 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.

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.

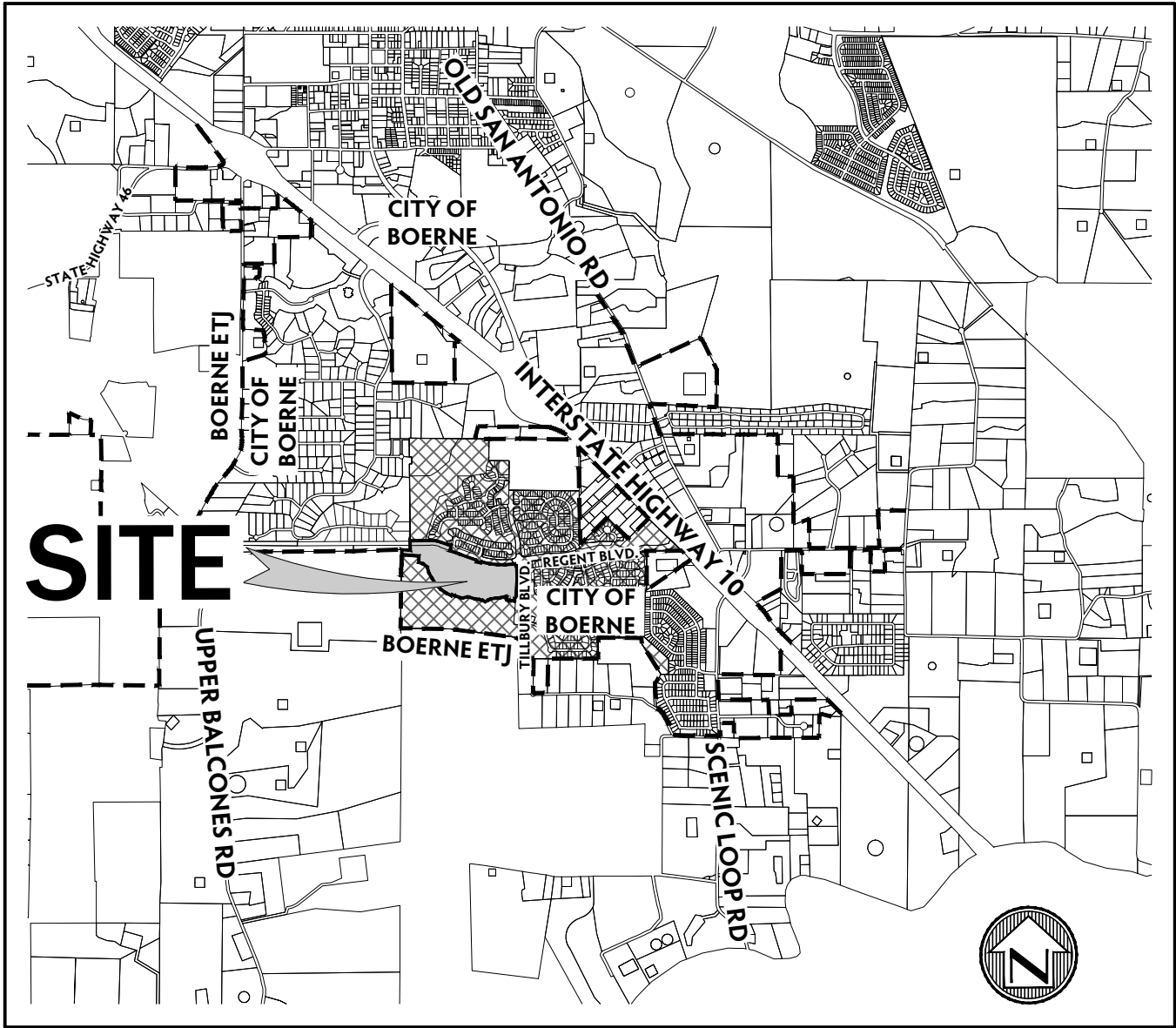
THE CITY SHALL MAKE COMMERCIALY REASONABLE EFFORTS TO ENSURE THAT DAMAGE TO THE PROPERTY IS MINIMIZED AND THE CITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE UTILITIES, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE CITY'S USUAL AND CUSTOMARY PRACTICES.

BANDERA ELECTRIC COOPERATIVE 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 WHICH ARE TALL ENOUGH TO STRIKE THE ELECTRIC FACILITIES IN FALLING. THE EASEMENT RIGHTS HEREIN RESERVED INCLUDE THE PRIVILEGE OF CLEARING A RIGHT-OF-WAY FOR AND ANCHORING OF ANY 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.

A FINAL PLAT ESTABLISHING REGENT PARK UNIT 7

BEING 41.479 ACRES OF LAND OUT OF THE SAMUEL HEWES SURVEY NO. 186, ABSTRACT NO. 247, KENDALL COUNTY, TEXAS AND OUT OF THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 192.157 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED SEPTEMBER 5, 2025 TO TENOTEX DEVELOPMENT CO., INC., RECORDED IN DOCUMENT NUMBER 2025-401830, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

84 NEW RESIDENTIAL LOTS AND 3 OPEN SPACE LOTS
3,875 L.F. OF NEW STREET, 7.639 ACRES OF RIGHT-OF-WAY



LOCATION MAP

N.T.S.

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 FOR RECORD IN MY OFFICE THIS _____ DAY

OF _____, A.D. 2025 AT _____ M. IN THE PLAT RECORDS OF

SAID COUNTY IN DOCUMENT NO. _____.

TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN DOCUMENT NO. _____.

KENDALL COUNTY OFFICIAL RECORDS. IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL

SEAL OF OFFICE, THIS _____ DAY OF _____, A.D. 2025.

COUNTY CLERK
KENDALL COUNTY, TEXAS

BY: _____

DEPUTY

THIS SUBDIVISION PLAT OF _____ REGENT PARK UNIT 7 _____ HAS
BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING & ZONING COMMISSION OF THE
CITY OF BOERNE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS _____ DAY OF _____, A.D., 2025.

BY: _____
CHAIRMAN

BY: _____
SECRETARY

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN IN 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.

M.W. CUDE ENGINEERS, L.L.C.
W. PATRICK MURPHY, P.E.

RECEIVED

11/21/2025

PLANNING

REGISTERED PROFESSIONAL ENGINEER NO. 111597

SWORN TO AND SUBSCRIBED BEFORE ME, THIS _____ DAY OF _____, A.D., 2025.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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.

M.W. CUDE ENGINEERS, L.L.C.
CHRIS WALTERSHEIDT, R.P.L.S.

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6180

SWORN TO AND SUBSCRIBED BEFORE ME, THIS _____ DAY OF _____, A.D., 2025.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

THE OWNER OF THE 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/DEVELOPER
TENOTEX DEVELOPMENT CO., INC.
A TEXAS CORPORATION
10003 NW MILITARY, STE. 2201
SAN ANTONIO, TX 78231
PH: (210) 344-9200
FAX: (210) 344-3137
CONTACT: ISRAEL FOGIEL

BY: ISRAEL FOGIEL, PRESIDENT

DULY AUTHORIZED AGENT

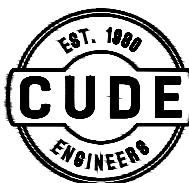
STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE ABOVE 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 THEY 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 _____, A.D., 2025.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CONTACT: W. PATRICK MURPHY, P.E. PROJECT # 02133.230



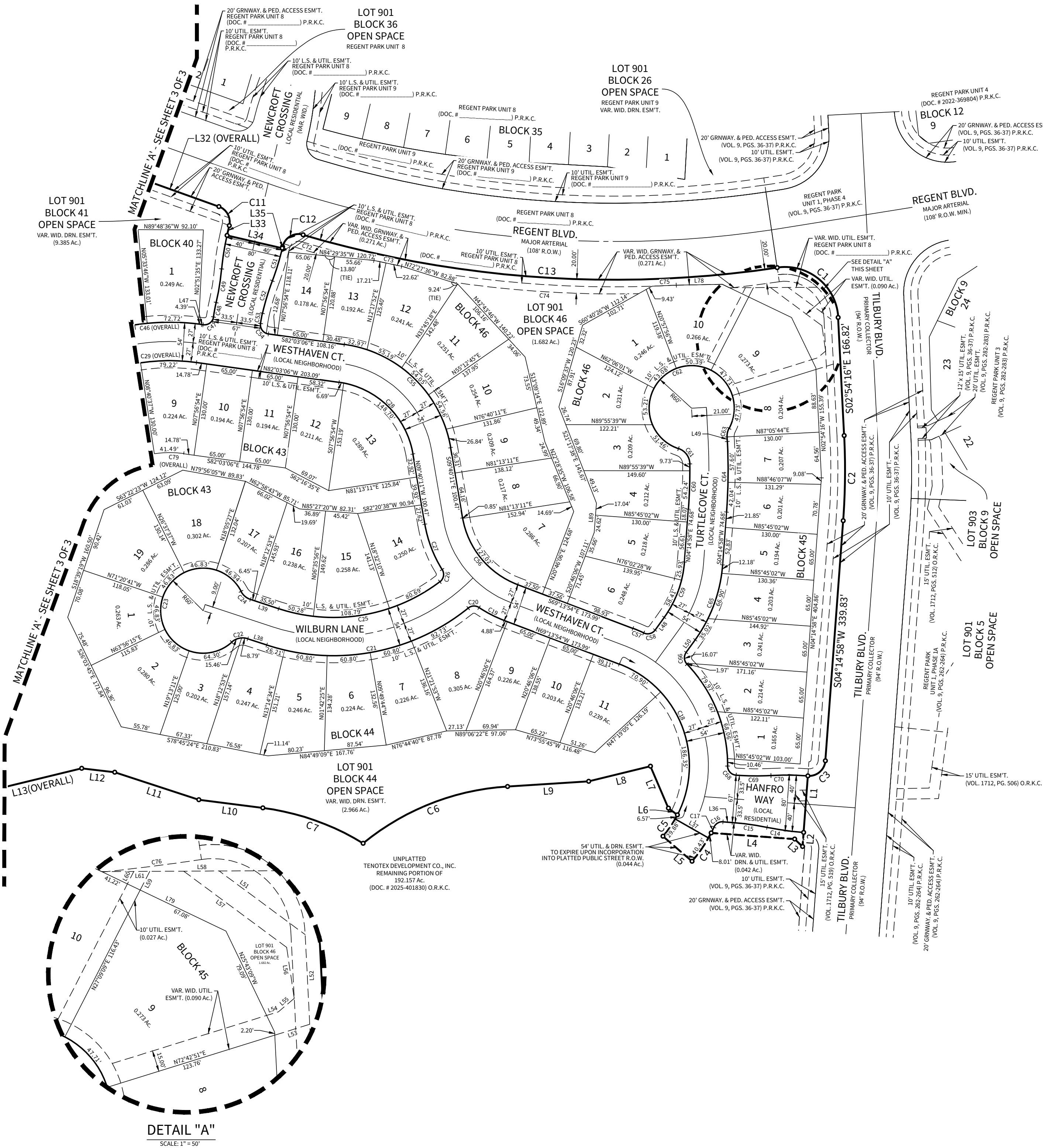
CUDE ENGINEERS, L.L.C.
4122 POND HILL RD. • SUITE 101
SAN ANTONIO, TEXAS 78231
TEL 210.681.2951 • FAX 210.523.7112
WWW.CUDEENGINEERS.COM
TBPELS REGISTERED
TBP# 455 - TBPELS #10048500

DATE: NOVEMBER 2025

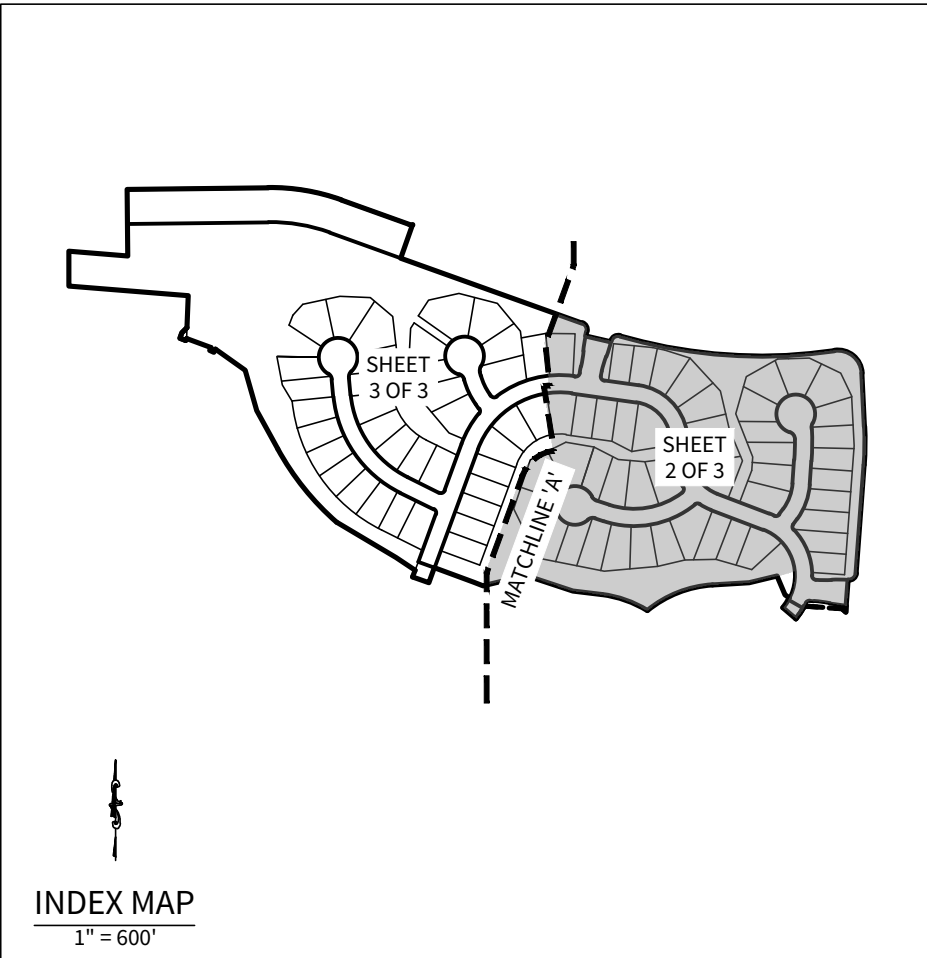
1 OF 3

REGENT PARK UNIT 7

BEING 41.479 ACRES OF LAND OUT OF THE SAMUEL HEWES SURVEY NO. 186, ABSTRACT NO. 247, KENDALL COUNTY, TEXAS AND OUT OF THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 192.157 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED SEPTEMBER 5, 2025 TO TENOTEX DEVELOPMENT CO., INC., RECORDED IN DOCUMENT NUMBER 2025-401830, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.



| LEGEND | |
|----------|---|
| Ac. | = ACRES |
| BLVD. | = BOULEVARD |
| CT. | = CURVE NUMBER |
| DOC. | = DOCUMENT |
| DRN. | = DRAINAGE |
| ESMT. | = EASEMENT |
| F.I.R. | = FOUND 1/2" IRON ROD |
| GRNWAY. | = GREENWAY |
| L1 | = LINE NUMBER |
| L.F. | = LINEAR FEET |
| L.S. | = LANDSCAPE |
| NAD | = NORTH AMERICAN DATUM |
| NO. | = NUMBER |
| N.T.S. | = NOT TO SCALE |
| O.R.K.C. | = OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS |
| PED. | = PEDESTRIAN |
| PG. | = PAGE |
| PGS. | = PAGES |
| P.R.K.C. | = PLAT RECORDS OF KENDALL COUNTY, TEXAS |
| R. | = RADIUS |
| R.O.W. | = RIGHT-OF-WAY |
| T.C. | = TRUNK CIRCUMFERENCE |
| UTIL. | = UTILITY |
| VAR. | = VARIABLE |
| VOL. | = VOLUME |
| WID. | = WIDTH |
| --- | = STREET CENTERLINE |
| - - - | = EXISTING PROPERTY LINE |
| ⊙ | = LARGE LEGACY TREE |



CONTACT: W. PATRICK MURPHY, P.E. PROJECT # 02133.230

CUDE ENGINEERS, L.L.C.
4122 POND HILL RD. • SUITE 101
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TBPES REGISTERED
TBPES #455 - TBPES #10048500

DATE: NOVEMBER 2025

2 OF 3

A FINAL PLAT ESTABLISHING

REGENT PARK UNIT 7

BEING 41.479 ACRES OF LAND OUT OF THE SAMUEL HEWES SURVEY NO. 186, ABSTRACT NO. 247, KENDALL COUNTY, TEXAS AND OUT OF THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 192.157 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED SEPTEMBER 5, 2025 TO TENOTEX DEVELOPMENT CO., INC., RECORDED IN DOCUMENT NUMBER 2025-401830, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.



SCALE: 1"=100'



LEGEND

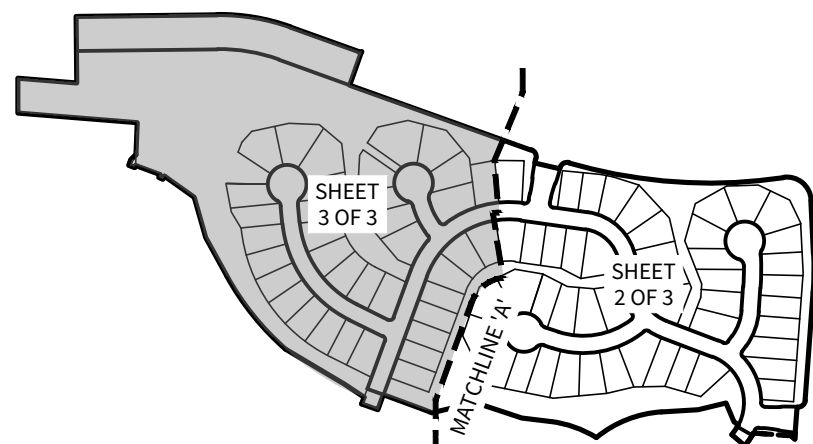
| | |
|----------|---|
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| - - - - | = EXISTING PROPERTY LINE |
| ⊙ | = LARGE LEGACY TREE |

| LINE TABLE | | |
|------------|-------------|--------|
| LINE | BEARING | LENGTH |
| L89 | S04°14'58"W | 41.66' |

BLOCK SIZE NOTES:

THE EXTERIOR PERIMETER OF THE BLOCKS ARE AS FOLLOWS:

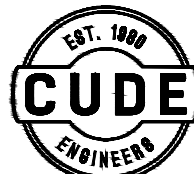
| | |
|----------|------------|
| BLOCK 40 | 2,090 L.F. |
| BLOCK 41 | 1,765 L.F. |
| BLOCK 42 | 2,043 L.F. |
| BLOCK 43 | 2,178 L.F. |
| BLOCK 44 | 1,478 L.F. |
| BLOCK 45 | 1,706 L.F. |
| BLOCK 46 | 2,020 L.F. |



INDEX MAP

1" = 600'

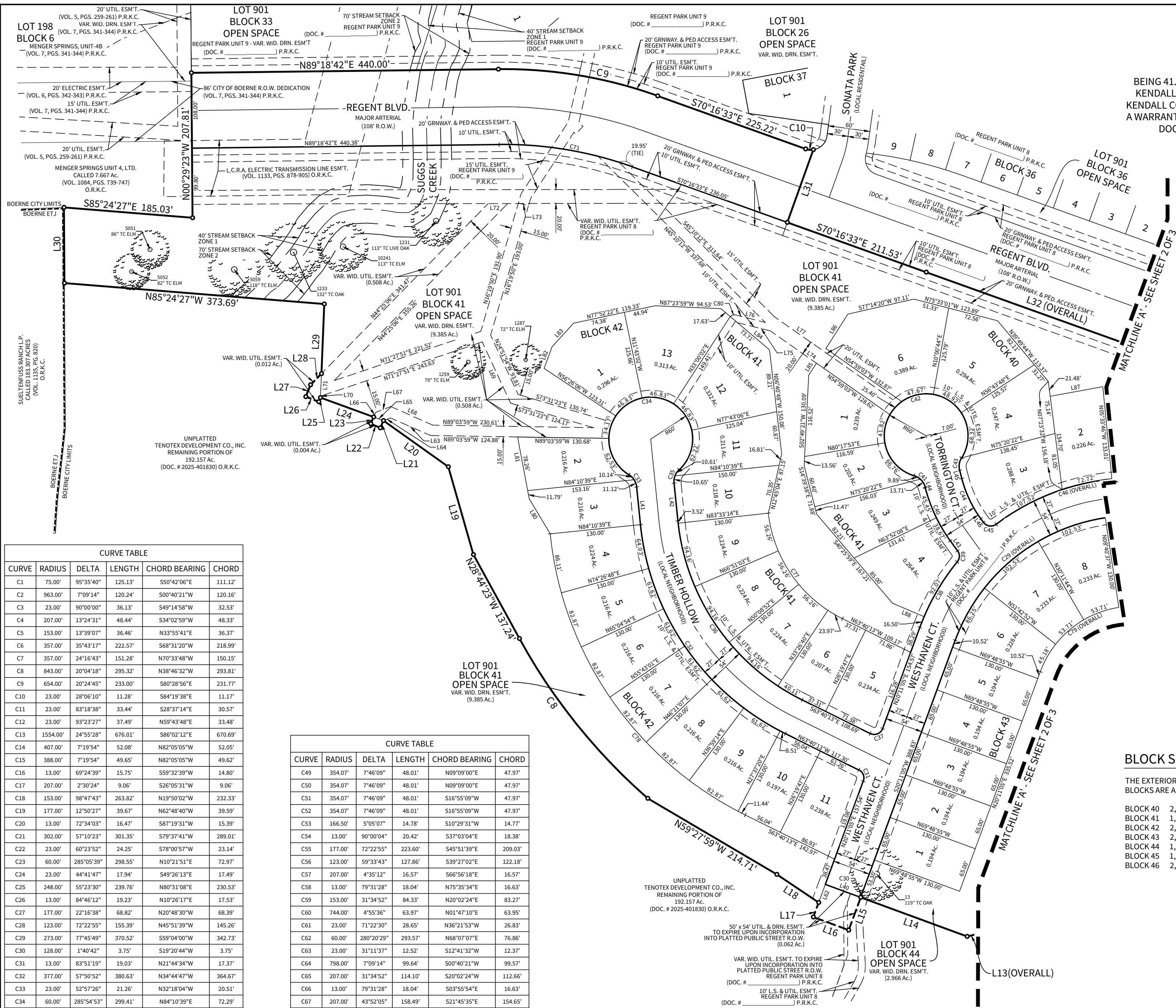
CONTACT: W. PATRICK MURPHY, P.E. PROJECT # 02133.230



CUDE ENGINEERS, L.L.C.
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TBPES REGISTERED
TBPE #455 - TBPES #10048500

DATE: NOVEMBER 2025

3 OF 3



| CURVE TABLE | | | | | |
|-------------|----------|------------|---------|---------------|---------|
| CURVE | RADIUS | DELTA | LENGTH | CHORD BEARING | CHORD |
| C1 | 75.00' | 95°35'40" | 125.13' | S50°42'06"E | 111.12' |
| C2 | 963.00' | 7°09'14" | 120.24' | S00°40'21"W | 120.16' |
| C3 | 23.00' | 90°00'00" | 36.13' | S49°14'58"W | 32.53' |
| C4 | 207.00' | 13°24'31" | 48.44' | S34°02'59"W | 48.33' |
| C5 | 153.00' | 13°39'07" | 36.46' | N33°55'41"E | 36.37' |
| C6 | 357.00' | 35°43'17" | 222.57' | S68°31'20"W | 218.99' |
| C7 | 357.00' | 24°16'43" | 151.28' | N70°33'48"W | 150.15' |
| C8 | 843.00' | 20°04'18" | 295.32' | N38°46'32"W | 293.81' |
| C9 | 654.00' | 20°24'45" | 233.00' | S80°28'56"E | 231.77' |
| C10 | 23.00' | 28°06'10" | 11.28' | S84°19'38"E | 11.17' |
| C11 | 23.00' | 83°18'38" | 33.44' | S28°37'14"E | 30.57' |
| C12 | 23.00' | 93°23'27" | 37.49' | N59°43'48"E | 33.48' |
| C13 | 1554.00' | 24°55'28" | 676.01' | S86°02'12"E | 670.69' |
| C14 | 407.00' | 7°19'54" | 52.08' | N82°05'05"W | 52.05' |
| C15 | 388.00' | 7°19'54" | 49.65' | N82°05'05"W | 49.62' |
| C16 | 13.00' | 69°24'39" | 15.75' | S59°32'39"W | 14.80' |
| C17 | 207.00' | 2°30'24" | 9.06' | S26°05'31"W | 9.06' |
| C18 | 153.00' | 98°47'43" | 263.82' | N19°50'02"W | 232.53' |
| C19 | 177.00' | 12°50'27" | 39.67' | S66°48'40"W | 39.39' |
| C20 | 13.00' | 72°34'03" | 16.47' | S87°19'31"W | 15.39' |
| C21 | 302.00' | 57°10'23" | 301.35' | S79°37'41"W | 289.01' |
| C22 | 23.00' | 60°23'52" | 24.25' | S78°00'57"W | 23.14' |
| C23 | 60.00' | 285°05'39" | 298.55' | N10°21'51"E | 72.97' |
| C24 | 23.00' | 44°41'47" | 17.94' | S49°26'13"E | 17.49' |
| C25 | 248.00' | 55°23'30" | 239.76' | N80°31'08"E | 230.53' |
| C26 | 13.00' | 84°46'12" | 19.23' | N10°26'17"E | 17.53' |
| C27 | 177.00' | 22°16'38" | 68.82' | N20°48'30"W | 68.39' |
| C28 | 123.00' | 72°22'55" | 155.39' | N45°51'39"W | 145.26' |
| C29 | 273.00' | 77°45'49" | 370.52' | S99°04'00"W | 342.73' |
| C30 | 128.00' | 1°40'42" | 3.75' | S19°20'44"W | 3.75' |
| C31 | 13.00' | 83°51'19" | 19.03' | N21°44'34"W | 17.37' |
| C32 | 377.00' | 57°50'52" | 380.63' | S44°44'47"W | 364.67' |
| C33 | 23.00' | 52°57'26" | 21.26' | N32°18'04"W | 20.51' |
| C34 | 60.00' | 285°54'53" | 299.41' | N84°10'39"E | 72.29' |
| C35 | 23.00' | 52°57'26" | 21.26' | S20°39'22"W | 20.51' |
| C36 | 323.00' | 57°50'52" | 326.11' | S34°44'47"E | 312.44' |
| C37 | 13.00' | 96°08'41" | 21.81' | N68°15'26"E | 19.34' |
| C38 | 327.00' | 19°01'22" | 108.57' | N29°41'46"E | 108.07' |
| C39 | 13.00' | 75°05'58" | 17.04' | N01°39'28"E | 15.85' |
| C40 | 227.00' | 21°13'54" | 84.12' | N25°16'34"W | 83.64' |
| C41 | 23.00' | 58°47'49" | 23.60' | N44°03'32"W | 22.58' |
| C42 | 60.00' | 285°25'26" | 298.90' | N69°15'16"E | 72.70' |
| C43 | 23.00' | 46°37'37" | 18.72' | S08°39'11"W | 18.58' |
| C44 | 173.00' | 21°13'54" | 64.11' | S25°16'34"E | 63.74' |
| C45 | 13.00' | 91°15'06" | 20.70' | S81°31'04"E | 18.58' |
| C46 | 327.00' | 45°05'31" | 257.35' | N75°24'08"E | 250.76' |
| C47 | 13.00' | 89°59'58" | 20.42' | N52°56'55"E | 18.38' |
| C48 | 233.50' | 5°05'09" | 20.73' | N10°29'30"E | 20.72' |

| CURVE TABLE | | | | | |
|-------------|----------|------------|---------|---------------|---------|
| CURVE | RADIUS | DELTA | LENGTH | CHORD BEARING | CHORD |
| C49 | 354.07' | 7°46'09" | 48.01' | N09°09'00"E | 47.97' |
| C50 | 354.07' | 7°46'09" | 48.01' | N09°09'00"E | 47.97' |
| C51 | 354.07' | 7°46'09" | 48.01' | S16°55'09"W | 47.97' |
| C52 | 354.07' | 7°46'09" | 48.01' | S16°55'09"W | 47.97' |
| C53 | 166.50' | 5°05'07" | 14.78' | S10°29'31"W | 14.77' |
| C54 | 13.00' | 90°00'04" | 20.42' | S37°03'04"E | 18.38' |
| C55 | 177.00' | 72°22'55" | 223.60' | S45°51'39"E | 209.03' |
| C56 | 123.00' | 59°33'43" | 127.86' | S39°27'02"E | 122.18' |
| C57 | 207.00' | 4°35'12" | 16.57' | S66°56'18"E | 16.57' |
| C58 | 13.00' | 79°31'28" | 18.04' | N75°35'34"E | 16.63' |
| C59 | 153.00' | 31°34'52" | 84.33' | N20°02'24"E | 83.27' |
| C60 | 744.00' | 4°55'36" | 63.97' | N01°47'10"E | 63.95' |
| C61 | 23.00' | 71°22'30" | 28.65' | N36°21'53"W | 26.83' |
| C62 | 60.00' | 280°20'29" | 293.57' | N68°07'07"E | 76.86' |
| C63 | 23.00' | 31°11'37" | 12.52' | S12°41'32"W | 12.37' |
| C64 | 798.00' | 7°09'14" | 99.64' | S00°40'21"W | 99.57' |
| C65 | 207.00' | 31°34'52" | 114.10' | S20°02'24"W | 112.66' |
| C66 | 13.00' | 79°31'28" | 18.04' | S03°55'54"E | 16.63' |
| C67 | 207.00' | 43°52'05" | 158.49' | S21°45'35"E | 154.65' |
| C68 | 13.00' | 85°59'27" | 19.51' | S42°49'15"E | 17.73' |
| C69 | 388.00' | 7°15'57" | 49.20' | S89°26'58"E | 49.17' |
| C70 | 407.00' | 7°19'54" | 52.08' | S89°24'59"E | 52.05' |
| C71 | 546.00' | 20°24'45" | 194.52' | N80°28'56"W | 193.49' |
| C72 | 1574.00' | 2°12'59" | 60.89' | S73°51'12"E | 60.88' |
| C73 | 1564.00' | 1°27'33" | 39.83' | N78°12'04"W | 39.83' |
| C74 | 1574.00' | 9°38'57" | 265.07' | S86°25'11"E | 264.76' |
| C75 | 1564.00' | 1°15'46" | 34.47' | S87°25'48"W | 34.47' |
| C76 | 1574.00' | 2°33'37" | 70.34' | N82°46'53"E | 70.33' |
| C77 | 193.00' | 57°13'28" | 192.76' | N35°03'30"W | 184.85' |
| C78 | 507.00' | 57°50'52" | 511.89' | S34°44'47"E | 490.42' |
| C79 | 143.00' | 77°45'49" | 194.08' | N59°04'00"E | 179.53' |
| C80 | 8.00' | 61°58'26" | 8.65' | N73°09'49"E | 8.24' |



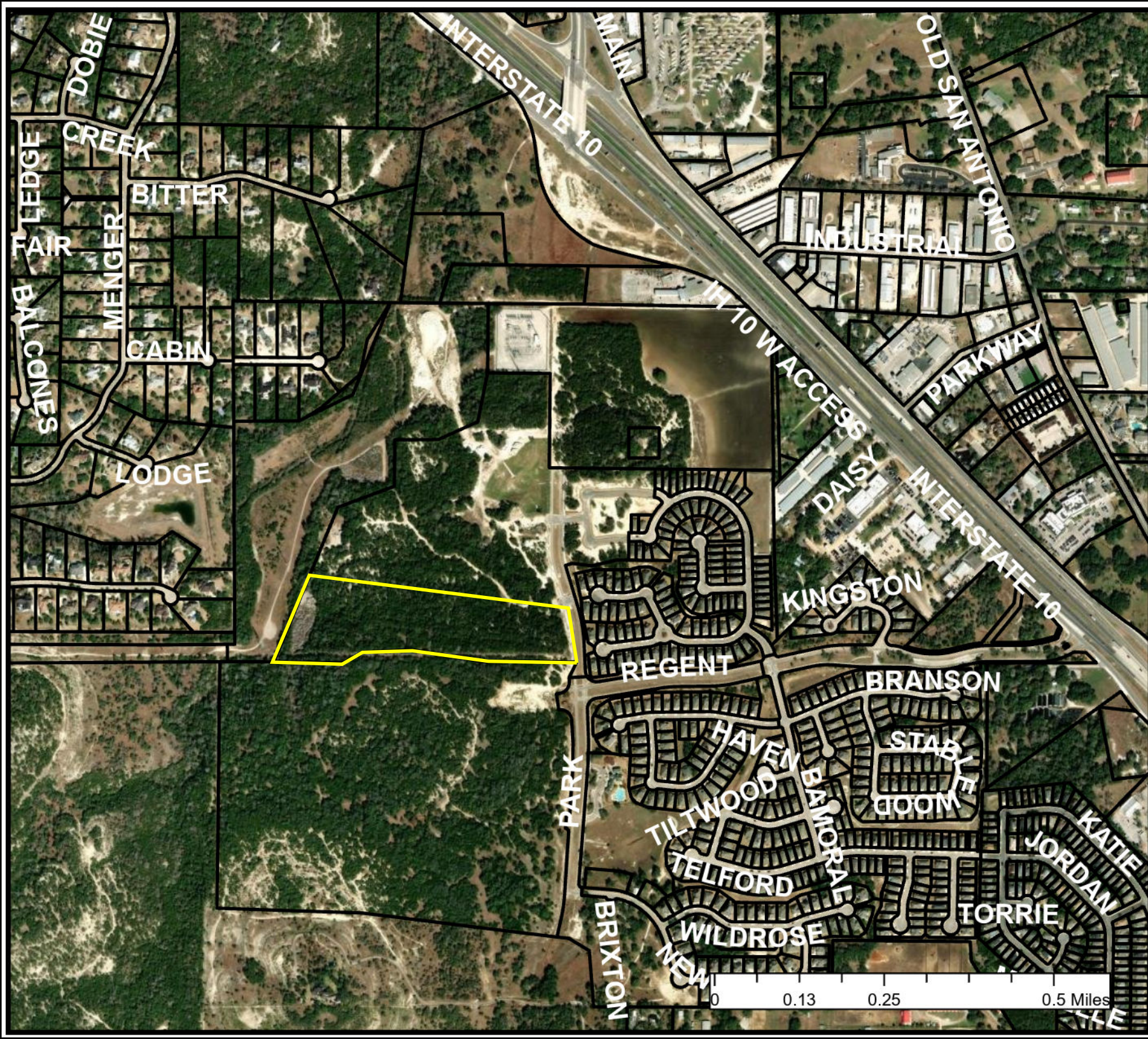
AGENDA ITEM SUMMARY

| | |
|-------------------------------|---|
| Agenda Date | December 1, 2025 |
| Requested Action | CONSIDER APPROVAL FOR REGENT PARK UNIT 8 FINAL PLAT, GENERALLY LOCATED AT THE NORTHWEST CORNER OF PARK BOULEVARD AND REGENT PARK BOULEVARD. |
| Contact Person | Benjamin Simmons, Planner I (830)248-1630 |
| Background Information | <p>BACKGROUND:</p> <p>The property is owned by Tenotex Development Co. and Cude Engineers is the applicant.</p> <p>Regent Park is a master-planned community generally located on Regent Blvd. at Interstate Highway 10. Its zoning includes RE Estate Residential, R1-L Low Density Residential, R2-M Moderate Density Residential, R2-N Neighborhood Residential, and C3 Community Commercial.</p> <p>P&Z approved a Master Development Plan for Regent Park in September of 2013, the Master Development plan has since been amended with the most recent amendment being approved by P&Z on May 1, 2017. The developer has entered into a development agreement with the City of Boerne with the most recent amendment being approved on January 13, 2022. This development has ten (10) associated Major Subdivision plats.</p> <p>The preliminary plat was approved by the Planning and Zoning Commission on December 7, 2020</p> <p>REQUEST:</p> <ol style="list-style-type: none"> 1. The Regent Park Unit 8 Final Plat consists of 43 residential lots, 1 open space lot, and 5.915 acres of right-of-way, on a total of 17.886 acres. It has an overall gross density of 2.404 residential lots per acre, with the smallest lot being approximately 0.160 acres. 2. The one open space lot consists of 0.531 acres of community |

| | |
|--|---|
| | <p>open space.</p> <p>3. Regent Blvd. will serve as the primary access point for the units in this subdivision.</p> <p>4. All interior streets within the subdivision are private roads and will be owned and maintained by the Homeowners Association.</p> <p>ANALYSIS:</p> <p><u><i>Development Master Plan & Zoning</i></u></p> <ul style="list-style-type: none">• The City’s Future Land Use Plan designates this property as Neighborhood residential. The final plat is consistent with the Comprehensive Plan.• The Master Development Plan for Regent Park depicts 950 total residential lots on 419.96 total acres, with 105.30 acres of open space. Unit 8 is depicted with 44 total lots across 17.886 acres. <p><u><i>Landscaping and Open Space:</i></u></p> <ul style="list-style-type: none">• The plat identifies 0.531 acres of open space, and no Legacy trees. The open space corresponds to the drainage and utility easements listed in the next section. <p><u><i>Utilities, Drainage, Floodplain:</i></u></p> <ul style="list-style-type: none">• Sanitary sewer service will be provided via a connection to the Suggs Creek Sewer line. Public improvements will not be accepted until the completion of this sewer line. A stipulation has been included to address this requirement• A water pump station and elevated storage tank is required to serve this development. The public improvements will not be accepted until this line is complete. A stipulation has been included to address this issue.• Block 36 Lot 901 (0.531 Acres) is open space/private drainage easement to service the units.• No units overlap with the 100-Year FEMA Floodplain. <p>FINDINGS:</p> <ul style="list-style-type: none">• The Final Plat is consistent with the Comprehensive Master Plan.• The Final Plat is consistent with the existing Development Agreement and Master Development Plan.• The Final Plat is consistent with the applicable subdivision |
|--|---|

| | |
|-----------------------------------|--|
| | <p>regulations.</p> <ul style="list-style-type: none"> The Final Plat is consistent with the approved preliminary plat. <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. If the Commission chooses to recommend approval, staff recommends the inclusion of the following stipulation(s):</p> <ol style="list-style-type: none"> The Final Plat shall substantially conform to the final plat date stamped 11/21/2025. Both Unit 9 and downstream off-site sewer must be constructed and accepted prior to final acceptance of Unit 8. The Water Pump Station and Elevated Storage must be installed and accepted prior to final acceptance of Unit 8. Detention for Unit 9 must be constructed and accepted prior to final acceptance of Unit 8. The Final 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 the that Planning and Zoning Commission accept the findings and APPROVE the proposed Final Plat subject to the five stipulations recommended by staff.</p> <p>OR</p> <p>I move that the Planning and Zoning Commission DENY the proposed 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 the 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 – Approved Master Plan Attachment 6 – Approved Preliminary Plat Attachment 7 – Proposed Regent Park Unit 8 Major Subdivision Final Plat |

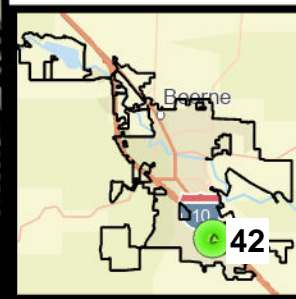


SUBJECT PROPERTY

Regent Park Unit 8

Legend

- Parcels
- SUBJECT PROPERTY



CABIN

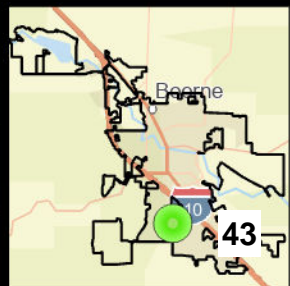
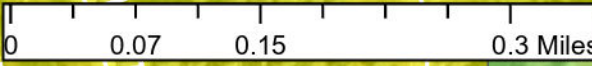


SUBJECT PROPERTY

Regent Park Unit 8

Legend

- FLU
- Auto-Oriented Commercial
 - Business Park
 - Neighborhood Residential
 - Rural Estate
 - Transitional Residential
 - SUBJECT PROPERTY












SUBJECT PROPERTY
Regent Park Unit 8

Current Zoning
R2-N

Legend

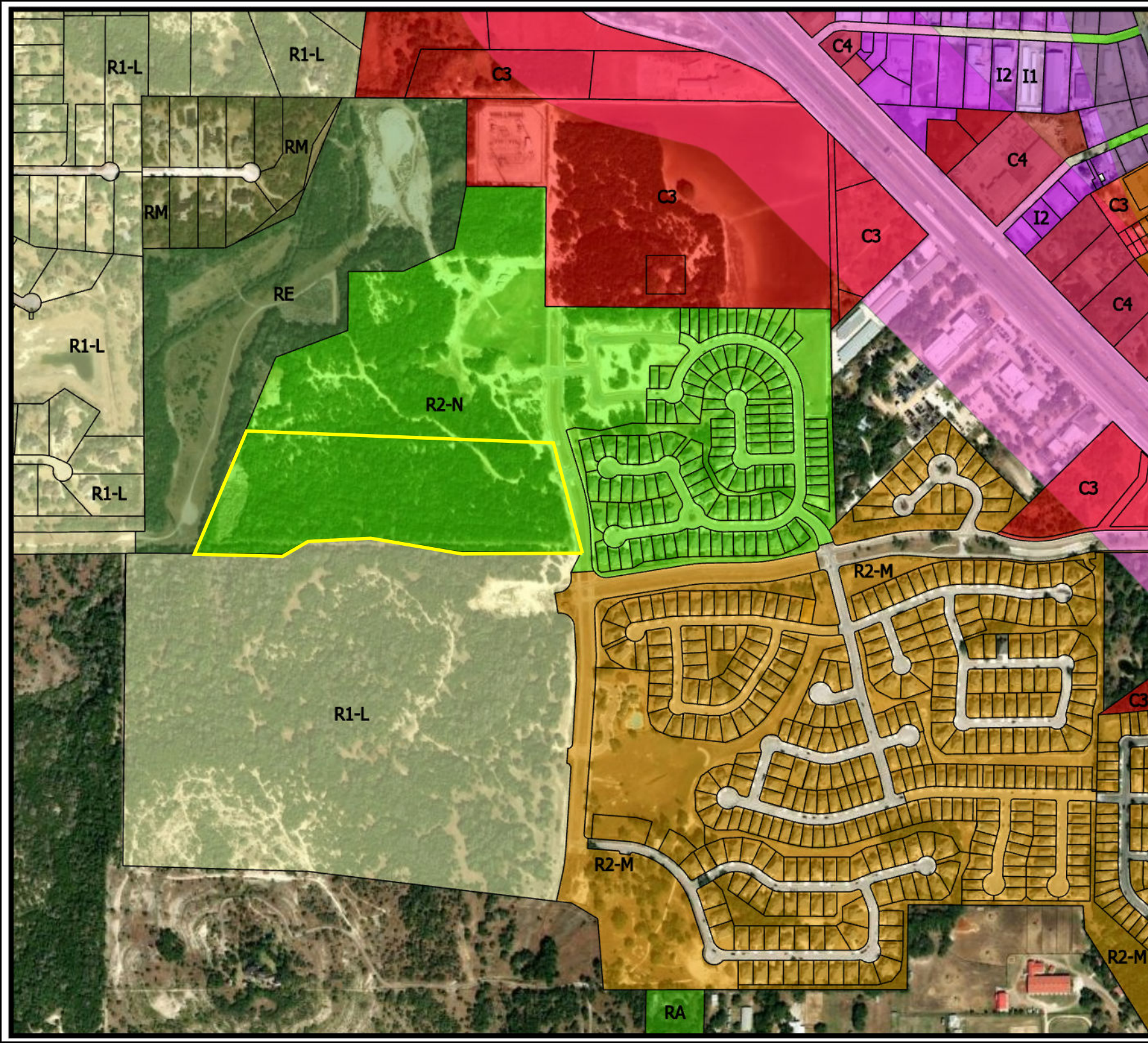
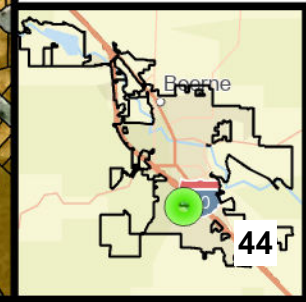
 SUBJECT PROPERTY

Boerne Zoning

-  C3
-  C4
-  I1
-  I2
-  R1-L
-  R2-M
-  R2-N
-  RA
-  RE
-  RM

Overlay Districts

-  Heritage Corridor
-  Scenic Interstate Corridor



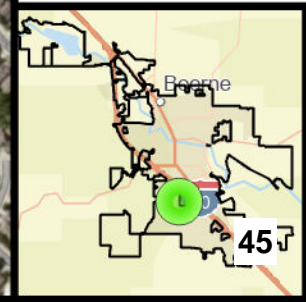


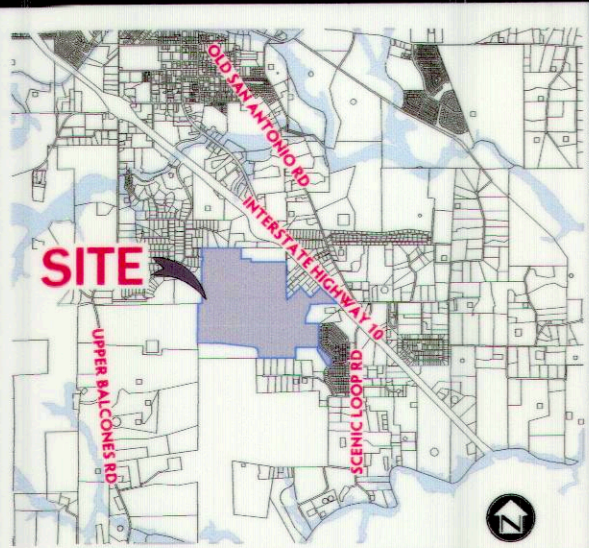
SUBJECT PROPERTY

Regent Park
Unit 8

Legend

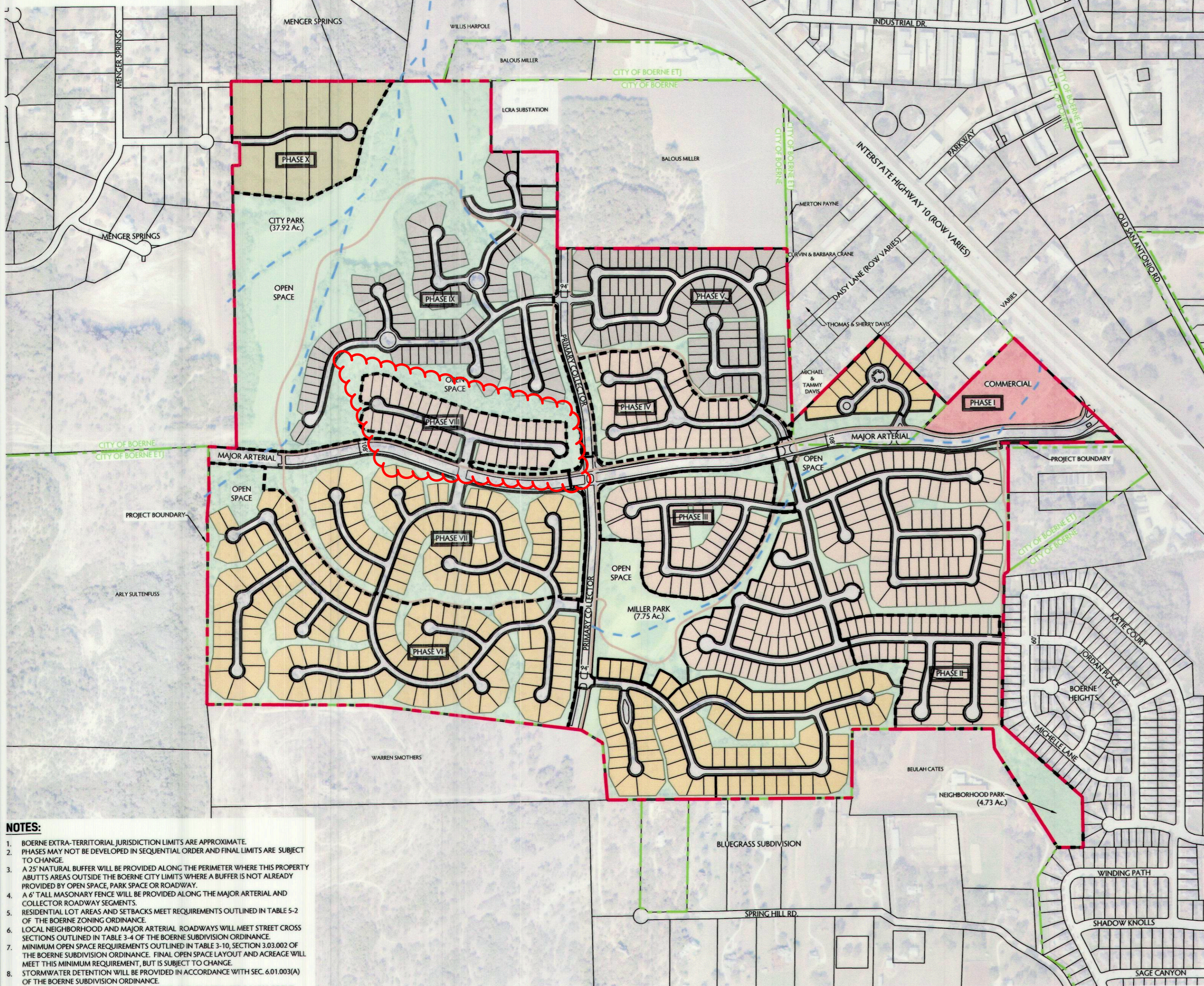
 SUBJECT PROPERTY





LOCATION MAP

N.T.S.



NOTES:

1. BOERNE EXTRA-TERRITORIAL JURISDICTION LIMITS ARE APPROXIMATE.
2. PHASES MAY NOT BE DEVELOPED IN SEQUENTIAL ORDER AND FINAL LIMITS ARE SUBJECT TO CHANGE.
3. A 25' NATURAL BUFFER WILL BE PROVIDED ALONG THE PERIMETER WHERE THIS PROPERTY ABUTS AREAS OUTSIDE THE BOERNE CITY LIMITS WHERE A BUFFER IS NOT ALREADY PROVIDED BY OPEN SPACE, PARK SPACE OR ROADWAY.
4. A 6' TALL MASONRY FENCE WILL BE PROVIDED ALONG THE MAJOR ARTERIAL AND COLLECTOR ROADWAY SEGMENTS.
5. RESIDENTIAL LOT AREAS AND SETBACKS MEET REQUIREMENTS OUTLINED IN TABLE 5-2 OF THE BOERNE ZONING ORDINANCE.
6. LOCAL NEIGHBORHOOD AND MAJOR ARTERIAL ROADWAYS WILL MEET STREET CROSS SECTIONS OUTLINED IN TABLE 3-4 OF THE BOERNE SUBDIVISION ORDINANCE.
7. MINIMUM OPEN SPACE REQUIREMENTS OUTLINED IN TABLE 3-10, SECTION 3.03.002 OF THE BOERNE SUBDIVISION ORDINANCE. FINAL OPEN SPACE LAYOUT AND ACREAGE WILL MEET THIS MINIMUM REQUIREMENT, BUT IS SUBJECT TO CHANGE.
8. STORMWATER DETENTION WILL BE PROVIDED IN ACCORDANCE WITH SEC. 6.01.003(A) OF THE BOERNE SUBDIVISION ORDINANCE.
9. ALL NECESSARY EASEMENTS WILL BE PROVIDED AS OUTLINED IN SEC. 3.04.005 OF THE BOERNE SUBDIVISION ORDINANCE.
10. DEVELOPMENT SHALL COMPLY WITH THE PROVISIONS OF THE INTERNATIONAL FIRE CODE, LATEST EDITION, THEREOF.

NOTE: THIS MASTER PLANNED COMMUNITY SUPERSEDES THE PREVIOUSLY APPROVED MASTER PLANNED COMMUNITY DATED 04/07/2014.

DEVELOPER:

TENOTEX DEVELOPMENT CO., INC.
CONTACT PERSON: ISRAEL FOGIEL
10003 N.W. MILITARY HWY., SUITE 2201
SAN ANTONIO, TX 78231
TEL: (210) 344-9200
FAX: (210) 344-3137

CIVIL ENGINEER:

M.W. CUDE ENGINEERS, L.L.C.
CONTACT PERSON: CHRISTOPHER R. DICE, P.E.
4122 POND HILL ROAD, SUITE 101
SAN ANTONIO, TX 78231
TEL: (210) 681-2951
FAX: (210) 523-7112
WWW.CUDEENGINEERS.COM
INFO@MWCUDE.COM

LEGAL DESCRIPTION:

BEING 419.96 ACRES OF LAND SITUATED IN THE SAMUEL HEWES SURVEY NO. 186, ABSTRACT NO. 247, THE J.M. MCCULLOCK & CO. SURVEY NO. 185, ABSTRACT NO. 346, THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, AND THE JOHN SMALL SURVEY NO. 183, ABSTRACT NO. 441, CITY OF BOERNE, KENDALL COUNTY, TEXAS, BEING ALL OF A 3.755 ACRE TRACT OF LAND AS RECORDED IN VOLUME 771, PAGES 123-127, PART OF A 200 ACRE TRACT OF LAND AS RECORDED IN VOLUME 693, PAGES 52-57, PART OF A 274.884 ACRE TRACT OF LAND AS RECORDED IN VOLUME 765, PAGES 667-673, BEING ALL OF A CALLED 9.927 ACRE TRACT OF LAND AS RECORDED IN VOLUME 236, PAGE 714, AND BEING 9.938 ACRES OUT OF A CALLED 21.391 ACRE TRACT OF LAND AS RECORDED IN VOLUME 1131, PAGE 262, ALL OF THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

PRO-RATED LAND USE AND DENSITY TABLE

| UNIT | LAND USE | GROSS Ac. | DWELLINGS | DU/Ac. |
|-------|----------------------------|-----------|-----------|--------|
| I | SINGLE FAMILY & COMMERCIAL | 126.06 | 264 | 2.09 |
| II | SINGLE FAMILY | 18.63 | 60 | 3.22 |
| III | SINGLE FAMILY | 17.15 | 53 | 3.09 |
| IV | SINGLE FAMILY | 14.93 | 47 | 3.15 |
| V | SINGLE FAMILY | 30.80 | 119 | 3.86 |
| VI | SINGLE FAMILY | 54.04 | 128 | 2.37 |
| VII | SINGLE FAMILY | 40.84 | 85 | 2.08 |
| VIII | SINGLE FAMILY | 10.20 | 40 | 3.92 |
| IX | SINGLE FAMILY | 92.48 | 139 | 1.50 |
| X | SINGLE FAMILY | 14.83 | 15 | 1.01 |
| TOTAL | | 419.96 | 950 | 2.26 |

PRO-RATED DEVELOPMENT SUMMARY

| PHASE | 45'/50' LOTS | 55'/65' LOTS | 70'/80' LOTS | 1 ACRE LOTS | TOTAL |
|-------|--------------|--------------|--------------|-------------|-------|
| I | 0 | 159 | 105 | 0 | 264 |
| II | 0 | 60 | 0 | 0 | 60 |
| III | 0 | 53 | 0 | 0 | 53 |
| IV | 0 | 47 | 0 | 0 | 47 |
| V | 119 | 0 | 0 | 0 | 119 |
| VI | 0 | 0 | 128 | 0 | 128 |
| VII | 0 | 0 | 85 | 0 | 85 |
| VIII | 0 | 40 | 0 | 0 | 40 |
| IX | 139 | 0 | 0 | 0 | 139 |
| X | 0 | 0 | 0 | 15 | 15 |
| TOTAL | 258 | 359 | 318 | 15 | 950 |

LAND USE AREA (ACRES)

| LAND USE | AREA (ACRES) |
|-----------------------|--------------|
| CITY PARK | 37.92 |
| MILLER PARK | 7.75 |
| NEIGHBORHOOD PARK | 4.73 |
| OPEN SPACE | 54.90 |
| TOTAL OPEN SPACE AREA | 105.30 |

NOTE: MINIMUM REQUIRED OPEN SPACE = 83.99 ACRES PER TABLE 3-10, SECTION 3.03.002 OF BOERNE SUBDIVISION ORDINANCE. FINAL OPEN SPACE LAYOUT AND ACREAGE WILL MEET THIS MINIMUM REQUIREMENT, BUT IS SUBJECT TO CHANGE.

| FUNCTIONAL CLASSIFICATION | STREET DESIGN TYPE | MINIMUM ROW |
|---------------------------|--------------------------|-------------|
| LOCAL (< 2,000 VPD) | NEIGHBORHOOD (> 65 FEET) | 54 FEET |
| LOCAL (< 2,000 VPD) | NEIGHBORHOOD (< 65 FEET) | 60 FEET |
| COLLECTOR (> 10,000 VPD) | PRIMARY | 94 FEET |
| ARTERIAL (< 54,000 VPD) | MAJOR | 108 FEET |

LEGEND:

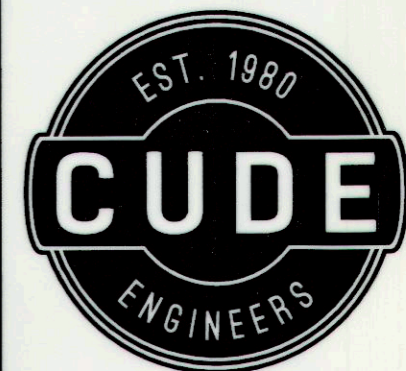
| | |
|--|--|
| | PROJECT BOUNDARY |
| | BOERNE CITY LIMITS |
| | STREAM CORRIDOR |
| | PHASE LIMITS |
| | PROPOSED STREET PAVEMENT |
| | PROPOSED TRAIL |
| | 45'/50' SINGLE FAMILY RESIDENTIAL LOTS |
| | 55'/65' SINGLE FAMILY RESIDENTIAL LOTS |
| | 70'/80' SINGLE FAMILY RESIDENTIAL LOTS |
| | 1 ACRE SINGLE FAMILY RESIDENTIAL LOTS |
| | COMMERCIAL |
| | OPEN SPACE |

THIS MASTER PLANNED COMMUNITY OF THE MILLER TRACT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF BOERNE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS 1ST DAY OF MAY, 2017

BY:
CHAIRMAN

BY:
SECRETARY



CUDEENGINEERS.COM

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San Antonio, Texas 78231

P:(210) 681.2951 F: (210) 523.7112

MILLER TRACT
(ALSO KNOWN AS REGENT PARK)

MASTER PLANNED COMMUNITY

DATE

4/21/2017

PROJECT NO.

02133.080

DRAWN BY

MBS/SMR

CHECKED BY

BAS/JAM



SCALE: 1"=500'

CUDE ENGINEERS

TBPE No. 455

M1

1 OF 1

FENCE NOTES:
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.

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

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 OR HIS OR HER DESIGNATED REPRESENTATIVE.

SIDEWALK NOTE:
FIVE-FOOT WIDE (OR LARGER) REINFORCED CONCRETE SIDEWALKS SHALL BE INSTALLED ADJACENT TO ALL PROPERTY LINES OF EACH LOT FRONTING A STREET AT SUCH TIME AS THAT LOT IS DEVELOPED, EXCEPT AS PROVIDED BY THE DEVIATION APPROVED BY THE CITY COUNCIL ON DECEMBER 17TH, 2013. THE SIDEWALK/TRAIL ALONG THE MAJOR ARTERIAL AND THE PRIMARY COLLECTOR SHALL BE CONSTRUCTED AT SUCH TIME AS THE STREET IS CONSTRUCTED.

IMPACT FEE ASSESSMENT:
ASSESSMENT AND COLLECTION OF THE CITY OF BOERNE WATER & WASTEWATER UTILITIES' IMPACT FEES SHALL BE THE AMOUNT PER LOT AS SET FORTH IN THE CITY ORDINANCE #2019-56, SECTION 1.10(5).

LARGE LEGACY TREE:
THERE ARE NO LARGE LEGACY TREES, AS DEFINED IN SUBSECTION 2.02.002, IDENTIFIED ON THE SUBSEQUENT PAGES OF THIS PLAT.

CURVILINEAR STREET SETBACKS:
ALL STREETS IN REGENT PARK UNIT 8 ARE CURVILINEAR NETWORK STREETS AND DO NOT REQUIRE BUILDING SETBACK ARTICULATION AS DEFINED IN THE ZONING ORDINANCE.

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 OR A LOT ON A CURVILINEAR STREET OR CUL-DE-SAC IS MEASURED WHEREVER THE LOT WIDTH MEETS FRONTAGE REQUIREMENTS FOR THE LOT CATEGORY.

GENERAL NOTES:
1. THIS SUBDIVISION CONTAINS 16.950 TOTAL ACRES WITH 44 RESIDENTIAL LOTS FOR A DENSITY OF 2.596 RESIDENTIAL LOTS PER ACRE.
2. NO PART OF THIS SUBDIVISION PLAT IS LOCATED UPSTREAM FROM A CITY WATER SUPPLY LAKE.
3. THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83 (93).
4. UNLESS OTHERWISE NOTED, ALL CORNERS & ANGLE POINTS ARE SET 1/2" IRON RODS WITH A RED PLASTIC CAP STAMPED "CUDE".
5. THE AREA OF RIGHT-OF-WAY (R.O.W.) IN THIS SUBDIVISION IS 5.915 ACRES.
6. THE AREA OF OPEN SPACE REQUIRED IS 3.390 ACRES (20.00%). THIS SUBDIVISION CONTAINS 0.545 ACRES OF COMMUNITY OPEN SPACE.
7. GARAGE FRONTS THAT FACE THE STREET SHALL BE SET BACK A MINIMUM OF 25 FEET FROM THE PROPERTY LINE.
8. THE APPROXIMATE AREA OF THE SMALLEST LOT ON THIS PLAT IS 0.160 ACRES.

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, BEDS, 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 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 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.

- 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.
- 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.
- 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.

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 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.

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.

THE CITY 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.

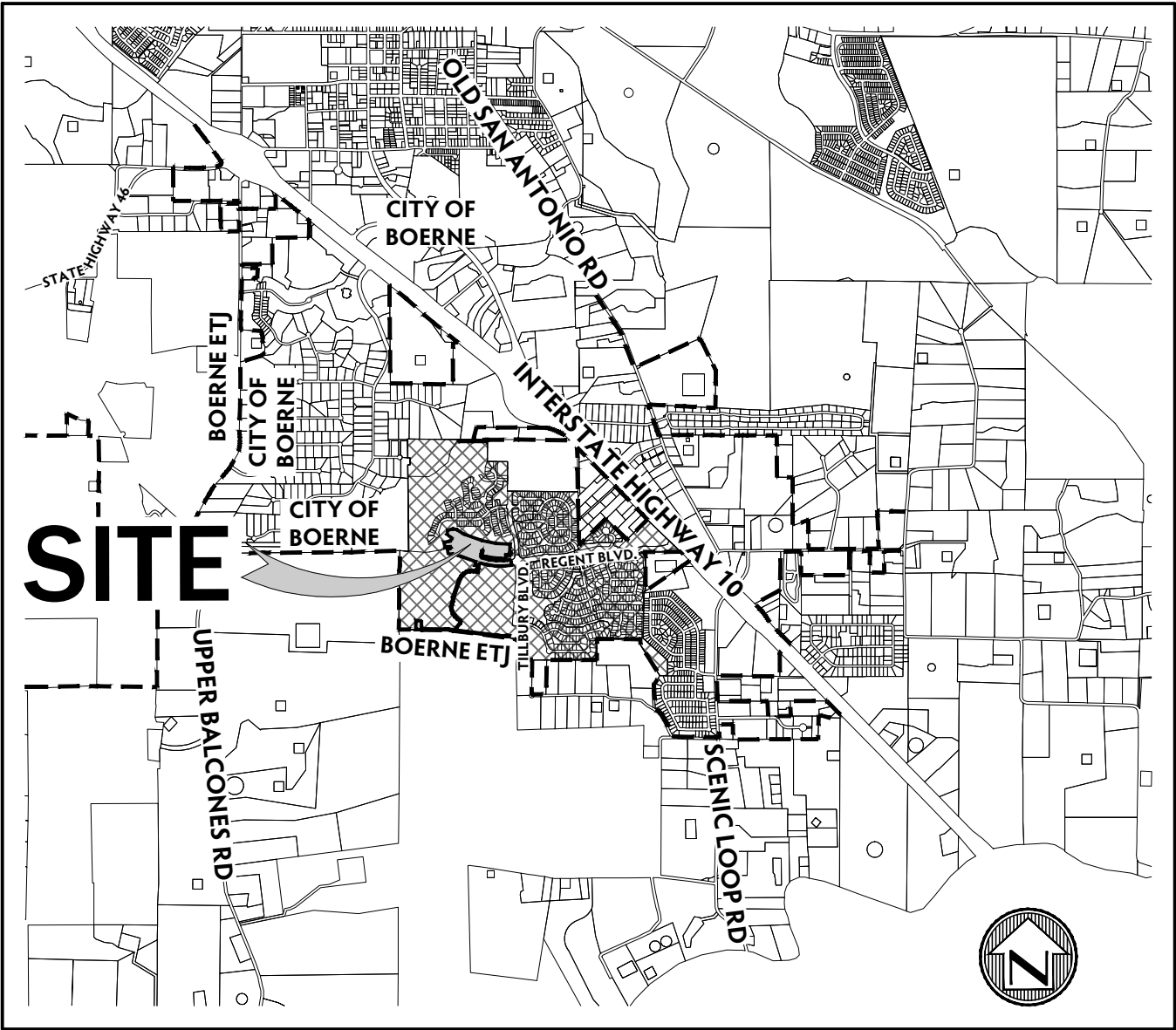
BANDERA ELECTRIC COOPERATIVE NOTES:
IT IS UNDERSTOOD AND AGREED THAT PERPETUAL EASEMENTS ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND ALL NECESSARY APPURTENANCES THERETO, WHETHER INSTALLED IN THE AIR, UPON THE SURFACE OR UNDERGROUND, ALONG AND WITHIN TEN FEET (10') FRONT LINES OF ALL LOTS AND/OR TRACTS AND IN THE STREETS, ALLEYS, BOULEVARDS, LANES AND ROADS OF THE SUBDIVISION, AND TEN FEET (10') ALONG THE OUTER BOUNDARIES OF ALL STREETS, ALLEYS, BOULEVARDS, LANES AND ROADS WHERE SUBDIVISION LINES OR LOTS OF INDIVIDUAL TRACTS ARE DEEDED TO THE CENTERLINE OF THE ROADWAY. NOTHING SHALL BE PLACED OR PERMITTED TO REMAIN WITHIN THE EASEMENT AREAS WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION OR 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 EASEMENTS, AND THE RIGHT FROM TIME TO TIME TO CUT ALL TREES, UNDERGROWTH AND OTHER OBSTRUCTIONS THAT MAY INJURE, ENDANGER OR INTERFERE WITH THE OPERATION OF SAID UTILITY FACILITIES. THE EASEMENT RIGHTS HEREIN RESERVED INCLUDE THE PRIVILEGE OF ANCHORING ANY 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 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.

A PRELIMINARY PLAT ESTABLISHING

REGENT PARK UNIT 8

BEING 16.950 ACRES OF LAND OUT OF THE SAMUEL HEWES SURVEY NO. 186, ABSTRACT NO. 247, KENDALL COUNTY, TEXAS, BEING OUT OF THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 392.45 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED DATED MARCH 19, 2014 TO 420 INVESTMENT GROUP, LTD., RECORDED IN VOLUME 1408, PAGES 470-480, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

44 NEW RESIDENTIAL LOTS AND 1 OPEN SPACE LOT
3,194 L.F. OF NEW STREET, 5.915 ACRES OF RIGHT-OF-WAY



LOCATION MAP

N.T.S.

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 FOR RECORD IN MY OFFICE THIS _____ DAY

OF _____ A.D. 2021 AT _____ M. IN THE PLAT RECORDS OF

SAID COUNTY IN _____.

TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN _____

KENDALL COUNTY OFFICIAL RECORDS. IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL

SEAL OF OFFICE, THIS _____ DAY OF _____, A.D. 2021.

COUNTY CLERK
KENDALL COUNTY, TEXAS

BY: _____ DEPUTY

THIS SUBDIVISION PLAT OF _____ REGENT PARK UNIT 8 _____ HAS
BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING & ZONING COMMISSION OF THE
CITY OF BOERNE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS _____ DAY OF _____, A.D., 2021.

BY: _____
CHAIRMAN

BY: _____
SECRETARY

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN IN 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.

M.W. CUDE ENGINEERS, L.L.C.
W. PATRICK MURPHY, P.E.

REGISTERED PROFESSIONAL ENGINEER NO. 111597

SWORN TO AND SUBSCRIBED BEFORE ME, THIS _____ DAY OF _____, A.D., 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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.

M.W. CUDE ENGINEERS, L.L.C.
JAMES W. RUSSELL, R.P.L.S.

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4230

SWORN TO AND SUBSCRIBED BEFORE ME, THIS _____ DAY OF _____, A.D., 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

THE OWNER OF THE 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/DEVELOPER
TENOTEX DEVELOPMENT CO., INC.
A TEXAS CORPORATION
10003 NW MILITARY, STE. 2201
SAN ANTONIO, TX 78231
PH: (210) 344-9200
FAX: (210) 344-3137
CONTACT: ISRAEL FOGIEL

BY: ISRAEL FOGIEL, PRESIDENT

DULY AUTHORIZED AGENT

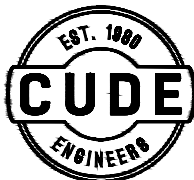
STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE ABOVE 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 THEY 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 _____, A.D., 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CONTACT: W. PATRICK MURPHY, P.E. PROJECT # 02133.210



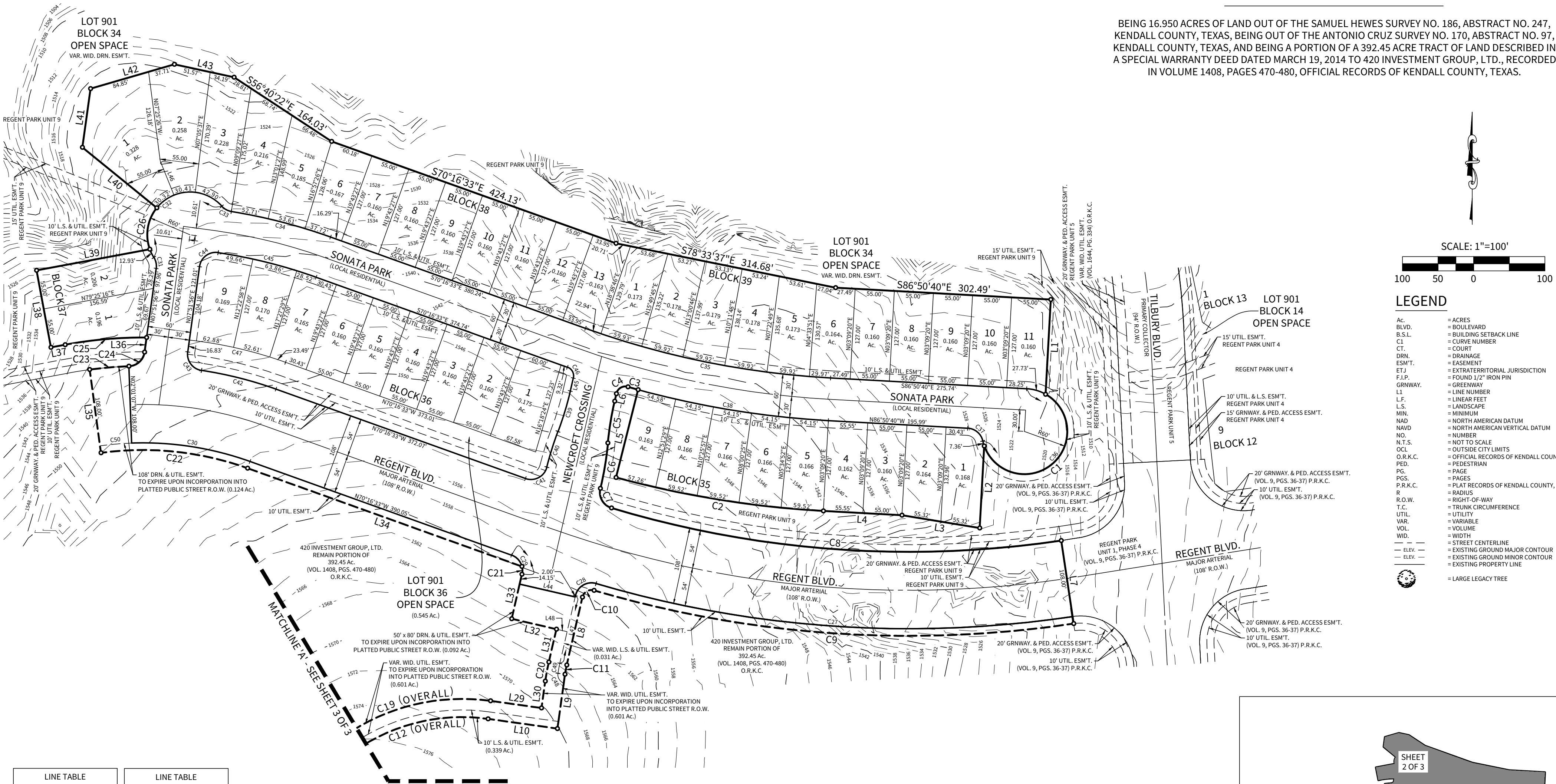
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WWW.CUDEENGINEERS.COM
TBPELS REGISTERED
TBPE #455 - TBPELS #10048500

DATE: NOVEMBER 2020

1 of 3

REGENT PARK UNIT 8

BEING 16.950 ACRES OF LAND OUT OF THE SAMUEL HEWES SURVEY NO. 186, ABSTRACT NO. 247, KENDALL COUNTY, TEXAS, BEING OUT OF THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 392.45 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED DATED MARCH 19, 2014 TO 420 INVESTMENT GROUP, LTD., RECORDED IN VOLUME 1408, PAGES 470-480, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.



| LINE TABLE | | |
|------------|-------------|---------|
| LINE | BEARING | LENGTH |
| L1 | S03°09'20"W | 133.30' |
| L2 | S03°09'20"W | 115.37' |
| L3 | N80°39'27"W | 110.64' |
| L4 | N86°50'40"W | 110.55' |
| L5 | N14°04'15"E | 127.03' |
| L6 | S13°02'05"W | 10.86' |
| L7 | S08°29'56"E | 118.00' |
| L8 | S13°02'05"W | 97.73' |
| L9 | N07°56'58"E | 77.00' |
| L10 | S82°03'06"E | 98.43' |
| L11 | S27°38'19"W | 16.45' |
| L12 | S23°35'05"W | 65.82' |
| L13 | S40°06'24"W | 131.38' |
| L14 | N17°36'24"E | 25.48' |
| L15 | N07°13'27"E | 19.02' |
| L16 | N82°01'06"E | 106.75' |
| L17 | S76°41'27"E | 51.36' |
| L18 | N13°18'33"E | 15.00' |
| L19 | N76°41'27"W | 48.54' |
| L20 | S82°01'06"W | 105.94' |
| L21 | N88°40'49"E | 30.33' |
| L22 | S82°46'33"E | 136.70' |
| L23 | N07°13'27"E | 20.38' |
| L24 | N17°36'24"E | 29.83' |
| L25 | S40°06'24"W | 132.18' |
| L26 | S23°37'56"W | 38.16' |

| LINE TABLE | | |
|------------|-------------|---------|
| LINE | BEARING | LENGTH |
| L27 | S20°11'05"W | 118.21' |
| L28 | S00°23'20"E | 75.64' |
| L29 | S82°03'06"E | 72.27' |
| L30 | N07°56'54"E | 38.18' |
| L31 | S13°02'05"W | 47.35' |
| L32 | N76°57'55"W | 64.50' |
| L33 | N13°02'05"E | 64.15' |
| L34 | N70°16'33"W | 409.02' |
| L35 | S07°44'53"E | 118.00' |
| L36 | N07°51'56"E | 20.68' |
| L37 | S79°25'16"W | 20.29' |
| L38 | N10°34'44"W | 110.00' |
| L39 | N79°25'16"E | 161.70' |
| L40 | N50°53'47"W | 134.66' |
| L41 | N07°51'56"E | 83.38' |
| L42 | N73°48'21"E | 122.56' |
| L43 | S77°45'57"E | 85.76' |
| L44 | N76°57'55"W | 80.00' |
| L45 | S13°02'05"W | 18.62' |
| L46 | S21°56'29"E | 52.03' |
| L47 | S13°02'05"W | 97.73' |
| L48 | S76°57'55"E | 15.50' |
| L49 | S66°21'40"E | 15.11' |

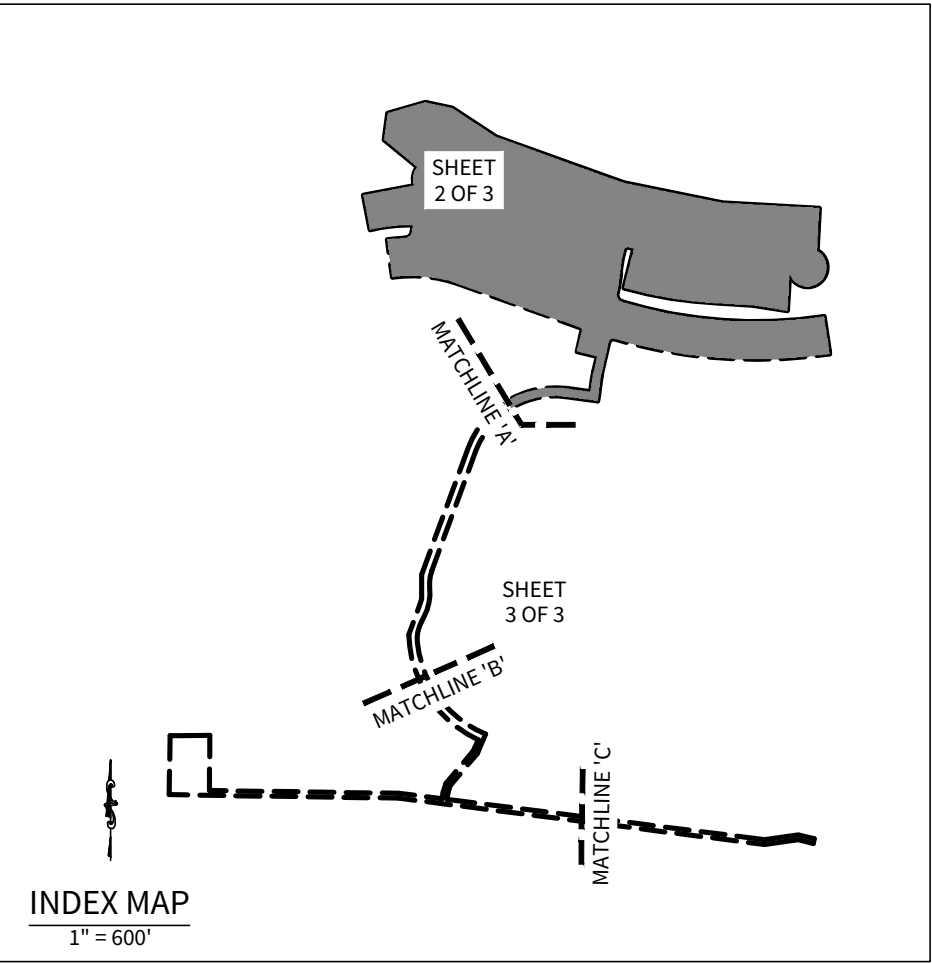
| CURVE TABLE | | | | | | |
|-------------|----------|-------------|---------|---------|---------|---------------|
| CURVE | RADIUS | DELTA | TANGENT | LENGTH | CHORD | CHORD BEARING |
| C1 | 60.00' | 22°02'41"0" | 163.06' | 230.81' | 112.62' | S49°50'18"W |
| C2 | 1406.00' | 12°02'10"0" | 148.23' | 295.36' | 294.82' | N80°49'35"W |
| C3 | 1279.00' | 0°39'30"0" | 7.35' | 14.69' | 14.69' | N74°22'04"W |
| C4 | 13.00' | 92°55'36"0" | 13.68' | 21.08' | 18.85' | N59°29'53"E |
| C5 | 448.00' | 7°36'11"0" | 29.77' | 59.45' | 59.40' | N09°14'00"E |
| C6 | 462.00' | 8°02'13"0" | 32.46' | 64.81' | 64.75' | S09°27'01"W |
| C7 | 23.00' | 86°40'31"0" | 21.70' | 34.79' | 31.57' | N29°52'08"W |
| C8 | 1445.83' | 25°17'43"0" | 324.45' | 638.32' | 633.14' | S85°51'10"E |
| C9 | 1564.00' | 24°55'28"0" | 345.65' | 680.36' | 675.01' | N86°02'12"W |
| C10 | 13.00' | 93°23'27"0" | 13.79' | 21.19' | 18.92' | N59°43'48"E |
| C11 | 150.00' | 5°05'07"0" | 6.66' | 13.31' | 13.31' | N10°29'32"E |
| C12 | 263.00' | 77°45'49"0" | 212.08' | 356.95' | 330.18' | N59°04'00"E |
| C13 | 118.00' | 25°59'41"0" | 27.24' | 53.54' | 53.08' | S07°11'15"W |
| C14 | 162.00' | 33°26'55"0" | 48.68' | 94.57' | 93.24' | N10°54'52"E |
| C15 | 118.00' | 33°45'51"0" | 35.81' | 69.54' | 68.53' | S10°45'24"W |
| C16 | 348.00' | 61°28'09"0" | 206.91' | 373.35' | 355.70' | N36°51'36"W |
| C17 | 2963.00' | 1°49'16"0" | 47.09' | 94.17' | 94.17' | S89°35'27"W |
| C18 | 373.50' | 63°39'19"0" | 231.83' | 414.96' | 393.94' | N33°23'22"W |
| C19 | 288.50' | 77°45'49"0" | 232.64' | 391.56' | 362.19' | N59°04'00"E |
| C20 | 307.50' | 5°05'11"0" | 13.66' | 27.30' | 27.29' | N10°29'29"E |
| C21 | 23.00' | 27°43'41"0" | 5.68' | 11.13' | 11.02' | S00°49'45"E |
| C22 | 436.00' | 27°28'20"0" | 106.58' | 209.05' | 207.06' | S08°40'43"E |
| C23 | 554.00' | 5°43'46"0" | 27.72' | 55.40' | 55.38' | N85°07'00"E |
| C24 | 23.00' | 80°06'57"0" | 19.34' | 32.16' | 29.60' | S47°55'25"W |
| C25 | 594.00' | 11°05'22"0" | 57.66' | 114.97' | 114.79' | N84°57'56"E |

| CURVE TABLE | | | | | | |
|-------------|----------|--------------|---------|---------|---------|---------------|
| CURVE | RADIUS | DELTA | TANGENT | LENGTH | CHORD | CHORD BEARING |
| C26 | 60.00' | 58°51'45"0" | 33.85' | 61.64' | 58.97' | N09°40'21"E |
| C27 | 1554.00' | 24°55'28"0" | 343.44' | 676.01' | 670.69' | S86°02'12"E |
| C28 | 23.00' | 93°23'27"0" | 24.40' | 37.49' | 33.48' | S59°43'48"W |
| C29 | 23.00' | 83°18'38"0" | 20.46' | 33.44' | 30.57' | N28°37'14"W |
| C30 | 446.00' | 21°44'33"0" | 85.65' | 169.25' | 168.23' | N81°08'50"W |
| C31 | 23.00' | 39°58'24"0" | 8.37' | 16.05' | 15.72' | N12°07'15"W |
| C32 | 60.00' | 170°09'56"0" | 697.40' | 178.20' | 119.56' | S52°58'31"W |
| C33 | 23.00' | 38°54'02"0" | 8.12' | 15.62' | 15.32' | S61°23'32"E |
| C34 | 781.00' | 10°34'00"0" | 72.22' | 144.03' | 143.83' | N75°33'33"W |
| C35 | 1219.00' | 16°34'07"0" | 177.49' | 352.51' | 351.28' | S78°33'37"E |
| C36 | 60.00' | 253°54'46"0" | 79.75' | 265.90' | 95.89' | N40°06'41"E |
| C37 | 23.00' | 73°54'44"0" | 17.30' | 29.67' | 27.66' | N49°53'18"W |
| C38 | 1279.00' | 12°48'21"0" | 143.53' | 285.86' | 285.26' | S80°26'30"W |
| C39 | 448.00' | 7°36'11"0" | 29.77' | 59.45' | 59.40' | S16°50'10"W |
| C40 | 462.00' | 6°30'50"0" | 26.29' | 52.52' | 52.50' | N17°22'50"E |
| C41 | 23.00' | 95°36'02"0" | 25.37' | 38.38' | 34.08' | S61°55'26"W |
| C42 | 554.00' | 11°10'05"0" | 54.16' | 107.98' | 107.81' | S75°51'35"E |
| C43 | 23.00' | 89°18'34"0" | 22.72' | 35.85' | 32.33' | N36°47'21"W |
| C44 | 23.00' | 90°34'15"0" | 23.23' | 36.36' | 32.69' | N53°09'04"W |
| C45 | 721.00' | 11°17'15"0" | 71.25' | 142.04' | 141.81' | S75°59'11"E |
| C46 | 13.00' | 83°18'38"0" | 11.56' | 18.90' | 17.28' | S28°37'14"E |
| C47 | 594.00' | 13°24'23"0" | 69.81' | 138.99' | 138.67' | N76°58'45"W |
| C48 | 13.00' | 76°39'28"0" | 10.28' | 17.39' | 16.12' | S30°22'46"E |
| C49 | 160.00' | 5°05'07"0" | 7.11' | 14.20' | 14.20' | S10°29'32"W |
| C50 | 446.00' | 5°43'46"0" | 22.32' | 44.60' | 44.58' | S85°07'00"W |

BLOCK SIZE NOTES:

THE EXTERIOR PERIMETER OF THE BLOCKS ARE AS FOLLOWS:

- BLOCK 35 1,263 L.F.
- BLOCK 36 1,287 L.F.
- BLOCK 37 534 L.F.
- BLOCK 38 1,831 L.F.
- BLOCK 39 1,493 L.F.



CONTACT: W. PATRICK MURPHY, P.E. PROJECT # 02133.210

EST. 1988
CUDE
ENGINEERS

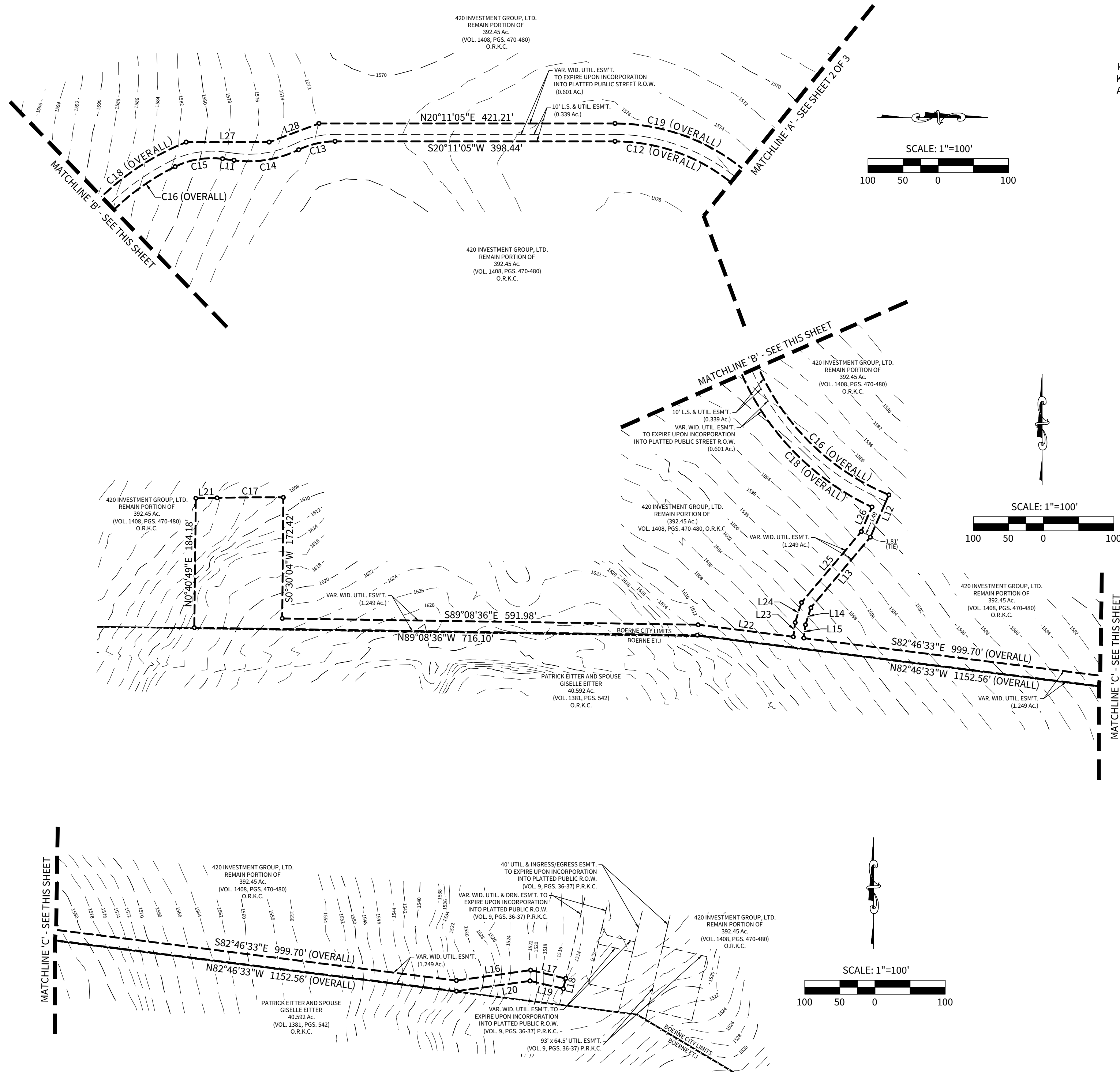
CUDE ENGINEERS, L.L.C.
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TEL 210.681.2951 • FAX 210.523.7112
WWW.CUDEENGINEERS.COM
TBPES REGISTERED
TBPES #455 - TBPES #10048500

DATE: NOVEMBER 2020

2 OF 3

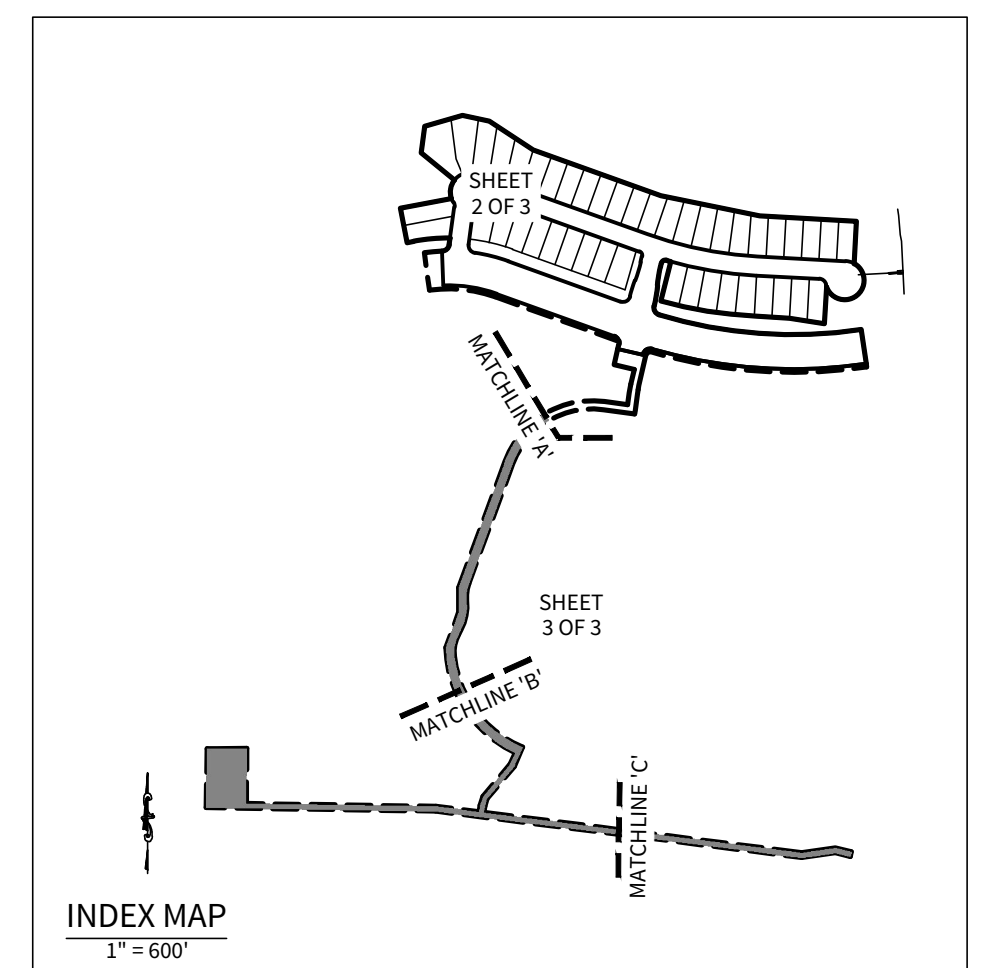
REGENT PARK UNIT 8

BEING 16.950 ACRES OF LAND OUT OF THE SAMUEL HEWES SURVEY NO. 186, ABSTRACT NO. 247, KENDALL COUNTY, TEXAS, BEING OUT OF THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 392.45 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED DATED MARCH 19, 2014 TO 420 INVESTMENT GROUP, LTD., RECORDED IN VOLUME 1408, PAGES 470-480, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.



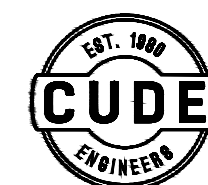
LEGEND

| | |
|----------|---|
| Ac. | = ACRES |
| BLVD. | = BOULEVARD |
| B.S.L. | = BUILDING SETBACK LINE |
| C1 | = CURVE NUMBER |
| CT. | = COURT |
| DRN. | = DRAINAGE |
| ESMT. | = EASEMENT |
| ETJ | = EXTRATERRITORIAL JURISDICTION |
| F.I.P. | = FOUND 1/2" IRON PIN |
| GRNWAY. | = GREENWAY |
| L1 | = LINE NUMBER |
| L.F. | = LINEAR FEET |
| L.S. | = LANDSCAPE |
| MIN. | = MINIMUM |
| NAD | = NORTH AMERICAN DATUM |
| NAVD | = NORTH AMERICAN VERTICAL DATUM |
| NO. | = NUMBER |
| N.T.S. | = NOT TO SCALE |
| OCL | = OUTSIDE CITY LIMITS |
| O.R.K.C. | = OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS |
| PED. | = PEDESTRIAN |
| PG. | = PAGE |
| PGS. | = PAGES |
| P.R.K.C. | = PLAT RECORDS OF KENDALL COUNTY, TEXAS |
| R. | = RADIUS |
| R.O.W. | = RIGHT-OF-WAY |
| T.C. | = TRUNK CIRCUMFERENCE |
| UTIL. | = UTILITY |
| VAR. | = VARIABLE |
| VOL. | = VOLUME |
| WID. | = WIDTH |
| --- | = STREET CENTERLINE |
| - - - | = EXISTING GROUND MAJOR CONTOUR |
| --- | = EXISTING GROUND MINOR CONTOUR |
| - - - | = ELEV. |
| - - - | = EXISTING PROPERTY LINE |
| ⊙ | = LARGE LEGACY TREE |



CONTACT: W. PATRICK MURPHY, P.E.

PROJECT # 02133.210



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DATE: NOVEMBER 2020

FENCE NOTES:
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.

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

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 OR HIS OR HER DESIGNATED REPRESENTATIVE.

SIDEWALK NOTE:
FIVE-FOOT WIDE (OR LARGER) REINFORCED CONCRETE SIDEWALKS SHALL BE INSTALLED ADJACENT TO ALL PROPERTY LINES OF EACH LOT FRONTING A STREET AT SUCH TIME AS THAT LOT IS DEVELOPED, EXCEPT AS PROVIDED BY THE DEVIATION APPROVED BY THE CITY COUNCIL ON DECEMBER 17TH, 2013. THE SIDEWALK/TRAIL ALONG THE MAJOR ARTERIAL AND THE PRIMARY COLLECTOR SHALL BE CONSTRUCTED AT SUCH TIME AS THE STREET IS CONSTRUCTED.

IMPACT FEE ASSESSMENT:
ASSESSMENT AND COLLECTION OF THE CITY OF BOERNE WATER & WASTEWATER UTILITIES' IMPACT FEES SHALL BE THE AMOUNT PER LOT AS SET FORTH IN THE CITY ORDINANCE #2023-18, SECTION 1.10(5).

LARGE LEGACY TREE:
THERE IS ONE (1) LARGE LEGACY TREE, AS DEFINED IN SUBSECTION 2.02.002, IDENTIFIED ON THE SUBSEQUENT PAGES OF THIS PLAT.

CURVILINEAR STREET SETBACKS:
ALL STREETS IN REGENT PARK UNIT 8 ARE CURVILINEAR NETWORK STREETS AND DO NOT REQUIRE BUILDING SETBACK ARTICULATION AS DEFINED IN THE ZONING ORDINANCE.

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 OR A LOT ON A CURVILINEAR STREET OR CUL-DE-SAC IS MEASURED WHEREVER THE LOT WIDTH MEETS FRONTAGE REQUIREMENTS FOR THE LOT CATEGORY.

- GENERAL NOTES:
- THIS SUBDIVISION CONTAINS 17.886 TOTAL ACRES WITH 43 RESIDENTIAL LOTS FOR A DENSITY OF 2.404 RESIDENTIAL LOTS PER ACRE.
 - NO PART OF THIS SUBDIVISION PLAT IS LOCATED UPSTREAM FROM A CITY WATER SUPPLY LAKE.
 - THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83 (93).
 - UNLESS OTHERWISE NOTED, ALL CORNERS & ANGLE POINTS ARE SET 1/2" IRON RODS WITH A PLASTIC CAP STAMPED "CUDE".
 - THE AREA OF RIGHT-OF-WAY (R.O.W.) IN THIS SUBDIVISION IS 5.952 ACRES.
 - THE AREA OF OPEN SPACE REQUIRED IS 3.577 ACRES (20.00%). THIS SUBDIVISION CONTAINS 0.531 ACRES OF COMMUNITY OPEN SPACE.
 - GARAGE FRONTS THAT FACE THE STREET SHALL BE SET BACK A MINIMUM OF 25 FEET FROM THE PROPERTY LINE.
 - THE APPROXIMATE AREA OF THE SMALLEST LOT ON THIS PLAT IS 0.160 ACRES.

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, BEDS, 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 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 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.

- 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.
- 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.
- 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.

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 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.

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.

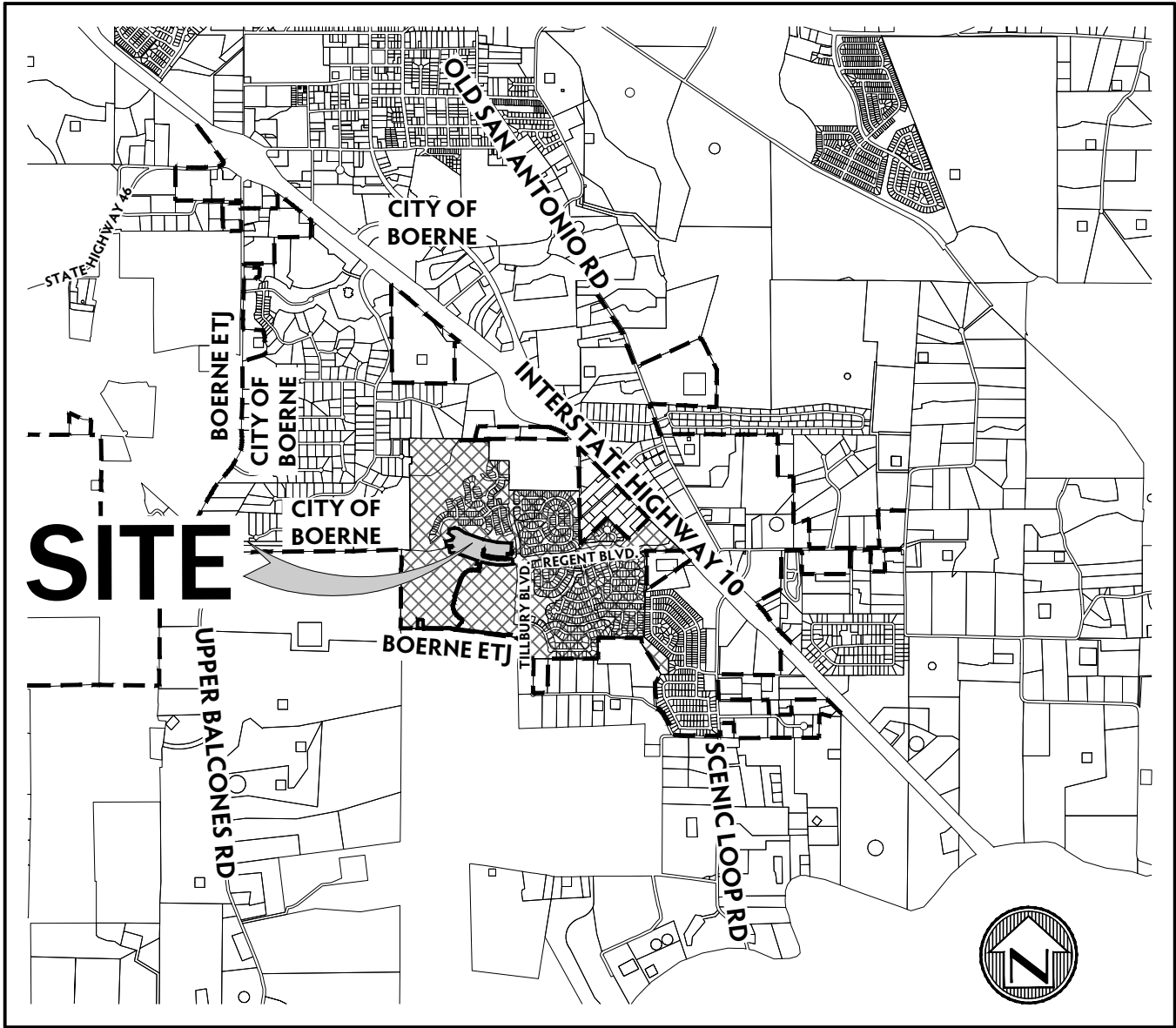
THE CITY SHALL MAKE COMMERCIALY REASONABLE EFFORTS TO ENSURE THAT DAMAGE TO THE PROPERTY IS MINIMIZED AND THE CITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE UTILITIES, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE CITY'S USUAL AND CUSTOMARY PRACTICES.

BANDERA ELECTRIC COOPERATIVE NOTES:
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 FEET (10') FRONT LINES OF ALL LOTS AND/OR TRACTS AND IN THE STREETS, ALLEYS, BOULEVARDS, LANES AND ROADS OF THE SUBDIVISION, AND TEN FEET (10') ALONG THE OUTER BOUNDARIES OF ALL STREETS, ALLEYS, BOULEVARDS, LANES AND ROADS WHERE SUBDIVISION LINES OR LOTS OF INDIVIDUAL TRACTS ARE DEEDED TO THE CENTERLINE OF THE ROADWAY. NOTHING SHALL BE PLACED OR PERMITTED TO REMAIN WITHIN THE EASEMENT AREAS WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION OR 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 EASEMENTS, AND THE RIGHT FROM TIME TO TIME TO CUT ALL TREES, UNDERGROWTH AND OTHER OBSTRUCTIONS THAT MAY INJURE, ENDANGER OR INTERFERE WITH THE OPERATION OF SAID UTILITY FACILITIES. THE EASEMENT RIGHTS HEREIN RESERVED INCLUDE THE PRIVILEGE OF ANCHORING ANY 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 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.

A FINAL PLAT ESTABLISHING REGENT PARK UNIT 8

BEING 17.886 ACRES OF LAND OUT OF THE SAMUEL HEWES SURVEY NO. 186, ABSTRACT NO. 247, KENDALL COUNTY, TEXAS, BEING OUT OF THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 192.157 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED SEPTEMBER 5, 2025 TO TENOTEX DEVELOPMENT CO., INC., RECORDED IN DOCUMENT NUMBER 2025-401830, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

43 NEW RESIDENTIAL LOTS AND 1 OPEN SPACE LOT
3,191 L.F. OF NEW STREET, 5.952 ACRES OF RIGHT-OF-WAY



LOCATION MAP

N.T.S.

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 FOR RECORD IN MY OFFICE THIS _____ DAY

OF _____, A.D. 2025 AT _____ M. IN THE PLAT RECORDS OF

SAID COUNTY IN DOCUMENT NO. _____.

TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN DOCUMENT NO. _____.

KENDALL COUNTY OFFICIAL RECORDS. IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL

SEAL OF OFFICE, THIS _____ DAY OF _____, A.D. 2025.

COUNTY CLERK
KENDALL COUNTY, TEXAS

BY: _____ DEPUTY

THIS SUBDIVISION PLAT OF _____ REGENT PARK UNIT 8 _____ HAS
BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING & ZONING COMMISSION OF THE
CITY OF BOERNE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS _____ DAY OF _____, A.D., 2025.

BY: _____
CHAIRMAN

BY: _____
SECRETARY

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN IN 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.

M.W. CUDE ENGINEERS, L.L.C.
W. PATRICK MURPHY, P.E.

RECEIVED

11/21/2025

PLANNING

REGISTERED PROFESSIONAL ENGINEER NO. 111597

SWORN TO AND SUBSCRIBED BEFORE ME, THIS _____ DAY OF _____, A.D., 2025.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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.

M.W. CUDE ENGINEERS, L.L.C.
CHRIS WALTERSHEIDT, R.P.L.S.

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6180

SWORN TO AND SUBSCRIBED BEFORE ME, THIS _____ DAY OF _____, A.D., 2025.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

THE OWNER OF THE 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/DEVELOPER
TENOTEX DEVELOPMENT CO., INC.
A TEXAS CORPORATION
10003 NW MILITARY, STE. 2201
SAN ANTONIO, TX 78231
PH: (210) 344-9200
FAX: (210) 344-3137
CONTACT: ISRAEL FOGIEL

BY: ISRAEL FOGIEL, PRESIDENT

DULY AUTHORIZED AGENT

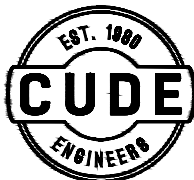
STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE ABOVE 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 THEY 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 _____, A.D., 2025.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CONTACT: W. PATRICK MURPHY, P.E. PROJECT # 02133.210



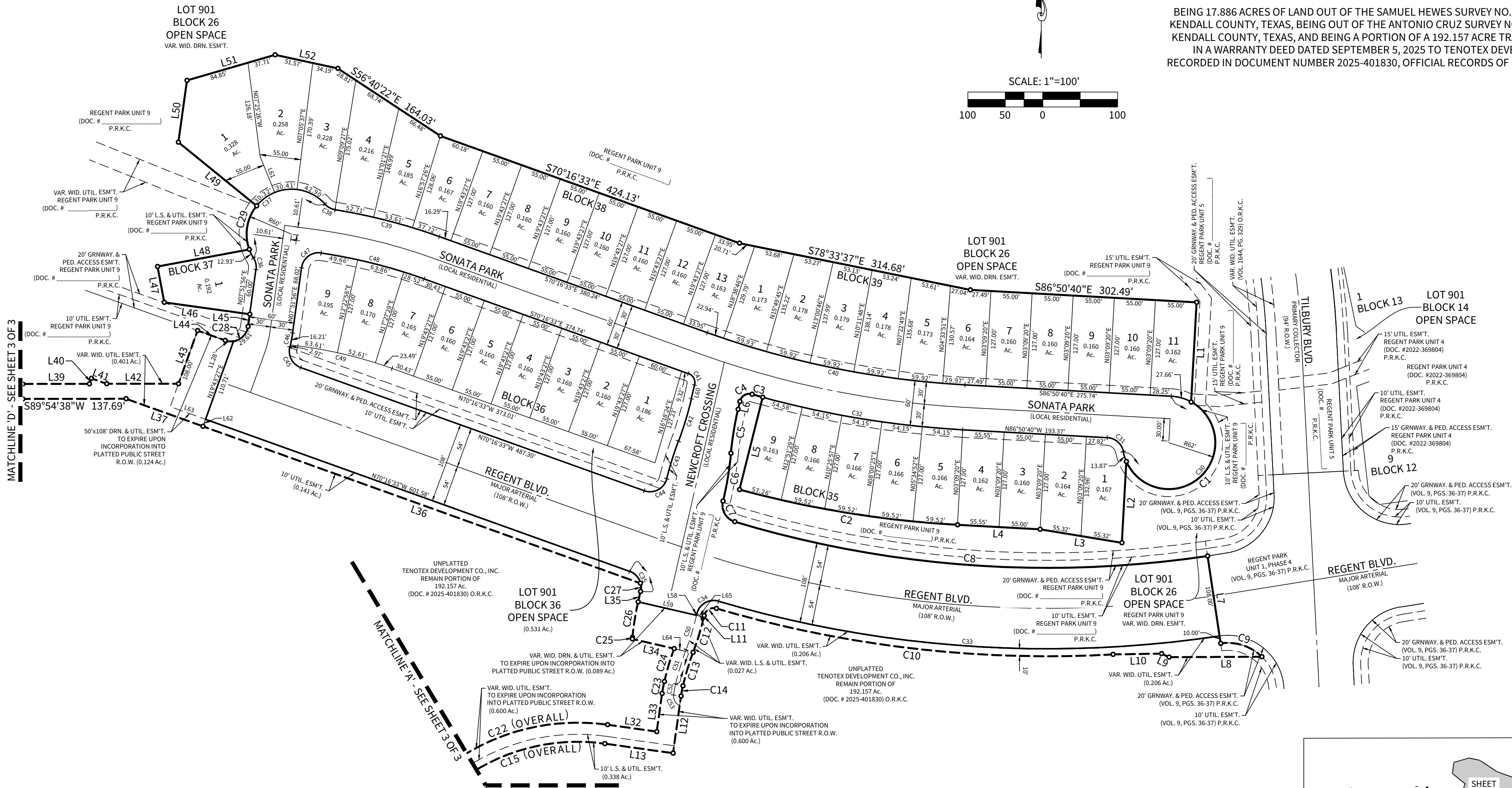
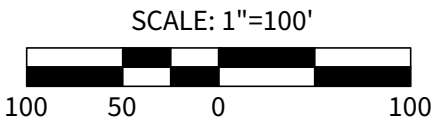
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TBPELS REGISTERED
TBP# 455 - TBP# 10048500

DATE: NOVEMBER 2025

1 OF 3

A FINAL PLAT ESTABLISHING
REGENT PARK UNIT 8

BEING 17.886 ACRES OF LAND OUT OF THE SAMUEL HEWES SURVEY NO. 186, ABSTRACT NO. 247, KENDALL COUNTY, TEXAS, BEING OUT OF THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 192.157 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED SEPTEMBER 5, 2025 TO TENOTEX DEVELOPMENT CO., INC., RECORDED IN DOCUMENT NUMBER 2025-401830, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.



| LINE TABLE | | |
|------------|-------------|---------|
| LINE | BEARING | LENGTH |
| L1 | S03°09'20"W | 133.07' |
| L2 | S03°09'20"W | 108.66' |
| L3 | N80°39'27"W | 110.64' |
| L4 | N86°50'40"W | 110.55' |
| L5 | N14°04'15"E | 127.03' |
| L6 | S13°02'05"W | 10.86' |
| L7 | S08°29'56"E | 118.00' |
| L8 | S89°43'22"W | 124.02' |
| L9 | N64°26'28"W | 11.03' |
| L10 | S89°01'47"W | 64.87' |
| L11 | S13°02'05"W | 2.00' |
| L12 | S07°56'54"W | 77.00' |
| L13 | N82°03'06"W | 91.93' |
| L14 | S03°33'43"E | 46.84' |
| L15 | S29°46'12"W | 43.90' |
| L16 | S23°35'05"W | 65.82' |
| L17 | S40°06'24"W | 131.38' |
| L18 | S17°36'24"W | 25.48' |
| L19 | S07°13'27"W | 8.02' |
| L20 | N82°01'06"E | 64.81' |
| L21 | S76°41'27"E | 51.36' |
| L22 | S13°18'33"W | 15.00' |
| L23 | N76°41'27"W | 48.54' |
| L24 | S82°01'06"W | 105.94' |
| L25 | S82°46'33"E | 137.31' |
| L26 | N07°13'27"E | 9.38' |

| LINE TABLE | | |
|------------|-------------|---------|
| LINE | BEARING | LENGTH |
| L27 | N17°36'24"E | 29.83' |
| L28 | N40°06'24"E | 132.18' |
| L29 | N23°37'56"E | 38.16' |
| L30 | N20°11'05"E | 133.64' |
| L31 | N00°23'20"W | 75.64' |
| L32 | S82°03'06"E | 66.43' |
| L33 | N07°56'54"E | 51.50' |
| L34 | N76°57'55"W | 57.30' |
| L35 | N13°02'05"E | 14.15' |
| L36 | N70°16'33"W | 620.55' |
| L37 | N70°16'33"W | 109.17' |
| L38 | N00°29'23"W | 20.00' |
| L39 | N89°54'38"E | 88.74' |
| L40 | N19°43'27"E | 7.78' |
| L41 | S70°16'33"E | 21.58' |
| L42 | N89°54'38"E | 96.11' |
| L43 | N70°16'33"W | 109.17' |
| L44 | S70°16'33"E | 39.17' |
| L45 | N07°51'56"E | 16.69' |
| L46 | N82°08'04"W | 115.31' |
| L47 | N10°34'44"W | 48.60' |
| L48 | N79°25'16"E | 124.53' |
| L49 | N50°53'47"W | 134.66' |
| L50 | N07°51'56"E | 83.38' |
| L51 | N73°48'21"E | 122.56' |
| L52 | S77°45'57"E | 85.76' |

| LINE TABLE | | |
|------------|-------------|---------|
| LINE | BEARING | LENGTH |
| L53 | S07°34'44"E | 23.74' |
| L54 | S13°18'33"W | 130.92' |
| L55 | N59°08'50"W | 91.24' |
| L56 | N13°18'33"E | 125.60' |
| L57 | S76°41'27"E | 78.54' |
| L58 | S13°02'05"W | 2.00' |
| L59 | N76°57'55"W | 80.00' |
| L60 | S13°02'05"W | 18.62' |
| L61 | N21°56'29"W | 52.03' |
| L62 | S19°43'27"W | 10.00' |
| L63 | N70°16'33"W | 50.00' |
| L64 | N76°57'55"W | 15.63' |
| L65 | S76°57'55"E | 10.00' |

| CURVE TABLE | | | | | | |
|-------------|----------|------------|---------|---------------|---------|--|
| CURVE | RADIUS | DELTA | LENGTH | CHORD BEARING | CHORD | |
| C1 | 62.00' | 217°18'53" | 235.16' | S47°22'38"W | 117.48' | |
| C2 | 1406.00' | 12°02'10" | 295.36' | N80°49'35"W | 294.82' | |
| C3 | 1279.00' | 0°39'30" | 14.69' | N74°22'04"W | 14.69' | |
| C4 | 13.00' | 92°55'36" | 21.08' | S59°29'53"W | 18.85' | |
| C5 | 448.00' | 7°36'11" | 59.45' | S09°14'00"W | 59.40' | |
| C6 | 462.00' | 8°02'13" | 64.81' | S09°27'01"W | 64.75' | |
| C7 | 23.00' | 86°40'31" | 34.79' | S29°52'08"E | 31.57' | |
| C8 | 1446.00' | 25°17'32" | 638.31' | N85°51'10"W | 633.14' | |
| C9 | 65.00' | 52°50'03" | 59.94' | S72°04'55"E | 57.84' | |
| C10 | 1564.00' | 19°37'37" | 535.75' | N83°23'17"W | 533.14' | |
| C11 | 13.00' | 93°23'27" | 21.19' | S59°43'48"W | 18.92' | |
| C12 | 364.07' | 7°46'09" | 49.37' | S16°55'09"W | 49.33' | |
| C13 | 344.07' | 7°46'09" | 46.65' | S16°55'09"W | 46.62' | |
| C14 | 156.50' | 5°05'07" | 13.89' | S10°29'31"W | 13.89' | |
| C15 | 263.00' | 77°45'49" | 356.95' | S59°04'00"W | 330.18' | |
| C16 | 118.00' | 23°44'48" | 48.91' | S08°18'41"W | 48.56' | |
| C17 | 55.58' | 33°19'54" | 32.33' | S13°06'15"W | 31.88' | |
| C18 | 118.00' | 35°53'43" | 73.93' | S11°49'20"W | 72.72' | |
| C19 | 348.00' | 61°28'09" | 373.35' | S36°51'36"E | 355.70' | |
| C20 | 2963.00' | 2°26'46" | 126.50' | S89°25'32"E | 126.49' | |
| C21 | 373.50' | 63°39'19" | 414.96' | N33°23'22"W | 393.94' | |
| C22 | 288.50' | 77°45'49" | 391.56' | N59°04'00"E | 366.15' | |
| C23 | 182.00' | 5°05'11" | 16.16' | N10°29'29"W | 16.15' | |
| C24 | 369.57' | 7°06'26" | 45.84' | N16°53'18"E | 45.81' | |
| C25 | 354.07' | 0°20'56" | 2.16' | N05°26'24"E | 2.16' | |
| C26 | 354.07' | 7°46'09" | 48.01' | N09°09'00"E | 47.97' | |
| C27 | 23.00' | 27°43'41" | 11.13' | N00°49'45"W | 11.02' | |

| CURVE TABLE | | | | | |
|-------------|----------|------------|---------|---------------|---------|
| CURVE | RADIUS | DELTA | LENGTH | CHORD BEARING | CHORD |
| C28 | 23.00' | 101°51'30" | 40.89' | N58°47'42"E | 35.71' |
| C29 | 60.00' | 58°51'45" | 61.64' | N09°40'21"E | 58.97' |
| C30 | 62.00' | 255°41'49" | 276.69' | S41°00'13"W | 97.91' |
| C31 | 23.00' | 75°41'47" | 30.39' | N48°59'46"W | 28.22' |
| C32 | 1279.00' | 12°48'21" | 285.86' | N80°26'30"W | 285.26' |
| C33 | 1554.00' | 24°55'28" | 676.01' | N86°02'12"W | 670.69' |
| C34 | 23.00' | 93°23'27" | 37.49' | S59°43'48"W | 33.48' |
| C35 | 23.00' | 83°18'38" | 33.44' | N28°37'14"W | 30.57' |
| C36 | 23.00' | 39°58'24" | 16.05' | N12°07'15"W | 15.72' |
| C37 | 60.00' | 170°09'56" | 178.20' | N52°58'31"E | 119.56' |
| C38 | 23.00' | 38°54'02" | 15.62' | S61°23'32"E | 15.32' |
| C39 | 781.00' | 10°34'00" | 144.03' | S75°33'33"E | 143.83' |
| C40 | 1219.00' | 16°34'07" | 352.51' | S78°33'37"E | 351.28' |
| C41 | 13.00' | 83°18'38" | 18.90' | S28°37'14"E | 17.28' |
| C42 | 448.00' | 7°36'11" | 59.45' | S16°50'10"W | 59.40' |
| C43 | 462.00' | 6°30'50" | 52.52' | S17°22'50"W | 52.50' |
| C44 | 23.00' | 95°36'02" | 38.38' | S61°55'26"W | 34.08' |
| C45 | 23.00' | 84°14'44" | 33.82' | N28°09'11"W | 30.85' |
| C46 | 180.00' | 6°06'14" | 19.18' | N10°55'03"E | 19.17' |
| C47 | 23.00' | 90°34'15" | 36.36' | N53°09'04"E | 32.69' |
| C48 | 721.00' | 11°17'15" | 142.04' | S75°55'11"E | 141.81' |
| C49 | 594.00' | 13°28'36" | 139.72' | S77°00'51"E | 139.40' |
| C50 | 354.07' | 7°46'09" | 48.01' | S16°55'09"W | 47.97' |
| C51 | 354.07' | 7°46'09" | 48.01' | S16°55'09"W | 47.97' |
| C52 | 166.50' | 5°05'07" | 14.78' | S10°29'31"W | 14.77' |
| C53 | 13.00' | 76°39'31" | 17.39' | S30°22'48"E | 16.12' |

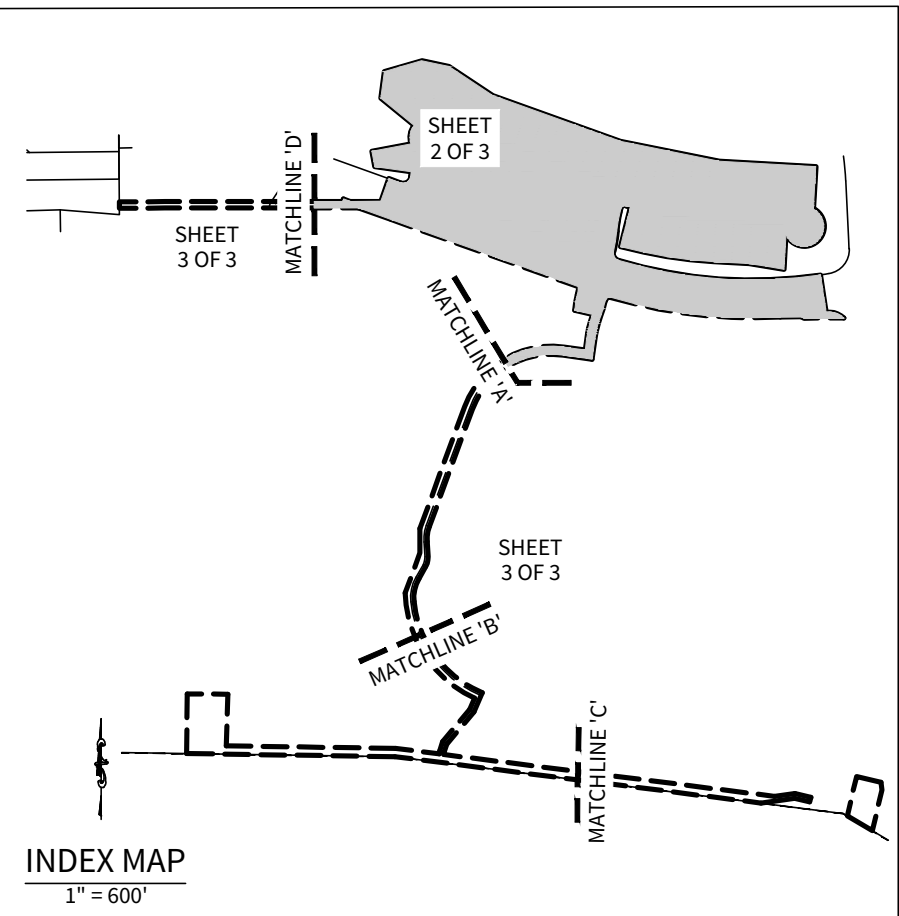
LEGEND

- AC. = ACRES
- BLVD. = BOULEVARD
- C1 = CURVE NUMBER
- DOC. = DOCUMENT
- DRN. = DRAINAGE
- ESMT. = EASEMENT
- ETJ = EXTRATERRITORIAL JURISDICTION
- GRNWAY. = GREENWAY
- L1 = LINE NUMBER
- L.F. = LINEAR FEET
- L.S. = LANDSCAPE
- NAD = NORTH AMERICAN DATUM
- NO. = NUMBER
- N.T.S. = NOT TO SCALE
- O.R.K.C. = OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS
- PED. = PEDESTRIAN
- PG. = PAGE
- P.GS. = PAGES
- P.R.K.C. = PLAT RECORDS OF KENDALL COUNTY, TEXAS
- R. = RADIUS
- R.O.W. = RIGHT-OF-WAY
- T.C. = TRUNK CIRCUMFERENCE
- UTIL. = UTILITY
- VAR. = VARIABLE
- VOL. = VOLUME
- WID. = WIDTH
- = STREET CENTERLINE
- = EXISTING PROPERTY LINE
- = LARGE LEGACY TREE

BLOCK SIZE NOTES:

THE EXTERIOR PERIMETER OF THE BLOCKS ARE AS FOLLOWS:

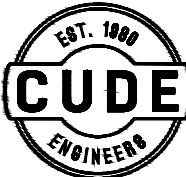
| | |
|----------|------------|
| BLOCK 35 | 1,263 L.F. |
| BLOCK 36 | 1,287 L.F. |
| BLOCK 37 | 534 L.F. |
| BLOCK 38 | 1,831 L.F. |
| BLOCK 39 | 1,493 L.F. |



CONTACT: W. PATRICK MURPHY, P.E.

PROJECT # 02133.210

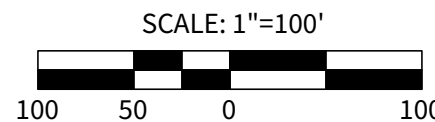
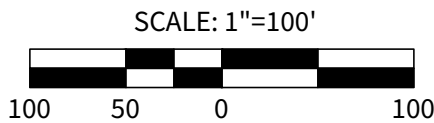
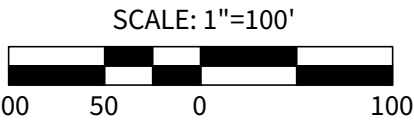
DATE: NOVEMBER 2025



CUDE ENGINEERS, L.L.C.
4122 POND HILL RD. • SUITE 101
SAN ANTONIO, TEXAS 78231
TEL 210.681.2951 • FAX 210.523.7112
WWW.CUDEENGINEERS.COM
TBPELS REGISTERED
TBP# 455 - TBP# 10048500

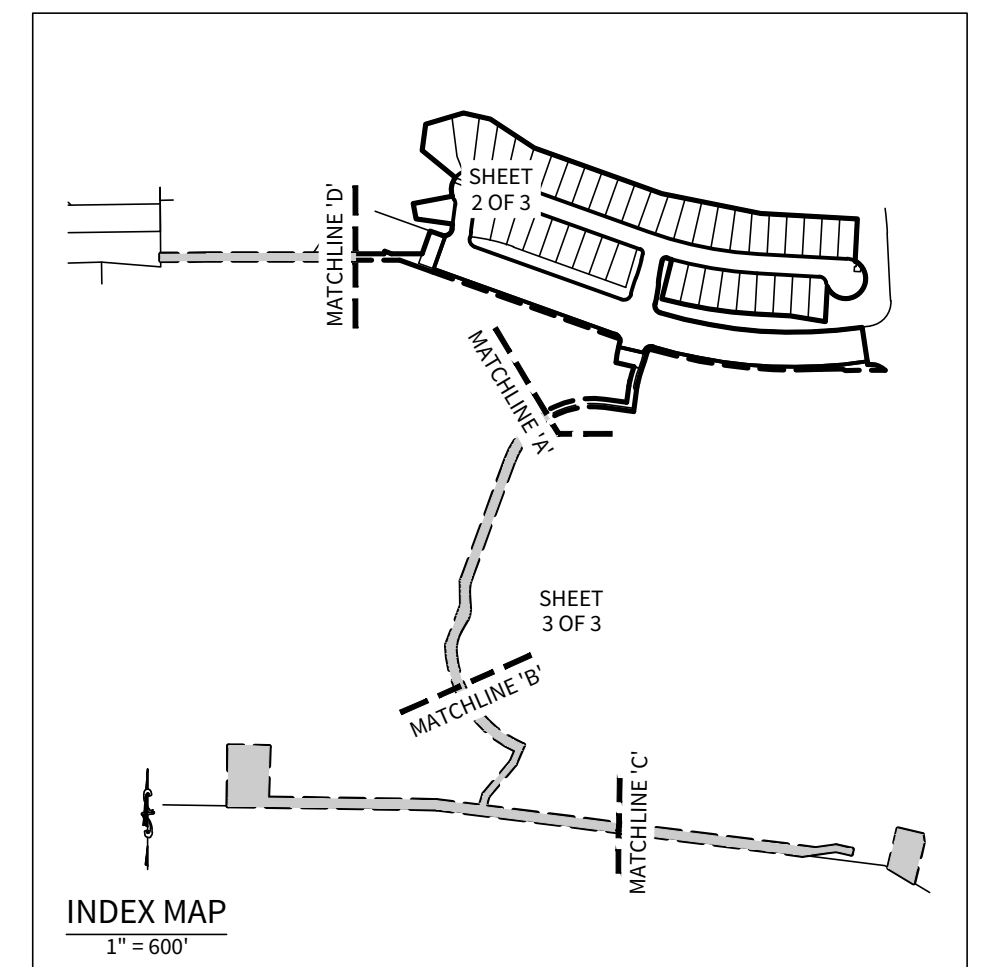

A FINAL PLAT ESTABLISHING

BEING 17.886 ACRES OF LAND OUT OF THE SAMUEL HEWES SURVEY NO. 186, ABSTRACT NO. 247, KENDALL COUNTY, TEXAS, BEING OUT OF THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 192.157 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED SEPTEMBER 5, 2025 TO TENOTEX DEVELOPMENT CO., INC., RECORDED IN DOCUMENT NUMBER 2025-401830, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.



LEGEND

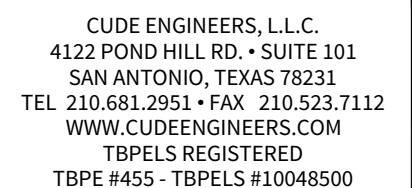
| | |
|----------|---|
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| WID. | = WIDTH |
| — — — | = STREET CENTERLINE |
| — — — | = EXISTING PROPERTY LINE |
| — — — | = LARGE LEGACY TREE |



CONTACT: W. PATRICK MURPHY, P.E.

PROJECT # 02133.210

ATF · NOVEMBER 2025



3 OF 3



AGENDA ITEM SUMMARY

| | |
|-------------------------------|--|
| Agenda Date | December 1, 2025 |
| Requested Action | CONSIDERATION OF A REQUEST TO RATIFY THE ZONING DESIGNATION OF C3 – SICO (COMMUNITY COMMERCIAL WITHIN THE SCENIC INTERSTATE CORRIDOR OVERLAY DISTRICT), AS DETERMINED THROUGH LEGAL REVIEW OF THE UNIFIED DEVELOPMENT CODE, FOR AN APPROXIMATELY 5.155-ACRE PROPERTY LOCATED ON IH-10 WEST. THIS TRACT, KNOWN AS THE IH-10 “SURPLUS NORTH” TRACT, ADJOINS THE FUTURE BUC-EE’S DEVELOPMENT AT 33375 IH-10 WEST. |
| Contact Person | Nathan Crane, AICP; Planning Director (830) 248-1528, ncrane@boerne-tx.gov |
| Background Information | <p>PRIOR REVIEW:</p> <p>The Planning and Zoning Commission held a public hearing on this item at their September 8, 2025, meeting. The Commission voted 6-1 to table this request for 60 days until the November 3, 2025, meeting.</p> <p>The Planning and Zoning Commission considered this item at the November 3, 2025, meeting. Following a failed motion to recommend that the base zoning be C-2 Community Commercial, the Commission voted 5-1 to table this item until the December 1, 2025, meeting.</p> <p>BACKGROUND:</p> <p>The property is 5.155 acres in size and is owned by Buc-ee’s LTD. This property is part of a larger approximately 29.8 acres that is owned by Buc-ee’s LTD.</p> <p>The City entered into a 380 Economic Development Agreement with Buc-ee’s LTD., effective August 19, 2016. This property (5.155 acres) was included within the Agreement. On October 27, 2025, City Council authorized City Management to continue negotiating the first amendment to this agreement to strengthen design standards, infrastructure commitments, and community benefits.</p> <p>The property is designated as Auto-Oriented Commercial on the Future Land Use Map. The property was zoned B-2 Highway Commercial on June 23, 2020.</p> |

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| | <p>In 2020, Buc-ee's and TxDOT jointly requested that the land be rezoned to B-2 Highway Commercial, consistent with adjacent Buc-ee's-owned parcels. The Council approved the rezoning to B-2 Highway Commercial on June 23, 2020.</p> <p>On July 2021, the City Council adopted the new Unified Development Code, which included the rezoning of properties throughout the City to ensure consistency with the updated regulations. As part of this action the B-2 District was retired. Furthermore, as outlined in State law, all affected property owners were notified by mail of the proposed rezoning of their parcel(s) of land and the associated public hearing process.</p> <p>In mid-2025, Buc-ee's informed the city of its intent to utilize the eastern portion of the 5.155-acre tract for expanded parking. During the review of this request, staff discovered that not only had the parcel erroneously not been reassigned a zoning classification under the Unified Development Code (UDC) adopted in July 2021, but the property owner had not been notified of the rezoning as required by State law. As a result, the property retained its existing B-2 (Highway Commercial) zoning designation.</p> <p>The UDC adoption did include the adoption of the Scenic Interstate Corridor Overlay District, therefore the property is subject to the regulations of the overlay district.</p> <p>On July 31, 2025, following consultation with the City Attorney, the Planning Director issued a formal zoning determination. The determination concluded that the most appropriate UDC equivalent to the retired B-2 District was C3 (Community Commercial). As a result, the owner may proceed with platting and construction activities under the assumption that the property is zoned C3. While this determination guides immediate development review, it requires ratification through the public process.</p> <p>Ratifying a zoning district per State guidelines is the formal process of confirming and validating a property's zoning designation. This ensures that district boundaries, permitted uses, and regulations are consistent with the adopted Unified Development Code and applicable State law. Ratification provides clarity and certainty for property owners, developers, and the public by formally affirming the zoning designation. The ratification process follows the same public procedures as a rezoning.</p> |
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FIRST AMENDMENT HIGHLIGHTS:

The original Development Agreement adopted in 2016 included a provision for the parties to enter into a separate agreement to provide for changes relating to utility extensions and other items which staff began drafting in early 2024. As the First Amendment to the Development Agreement moved closer to Council consideration, previous verbal commitments and project enhancements agreed upon by all parties have been memorialized in the document as follows:

- **Utility Changes:** Responsibility for procuring bids and constructing the Sewer Extension and Buc-ee's Way ROW improvements are the responsibility of the Developer with the City reimbursing the cost of the improvements in five equal annual installments. **NOTE:** Originally the City had the responsibility of constructing these improvements. Recent updates to gas and electric relocations were also added.
- **Deletions:** Sections referencing the Supplemental Project, Supplemental Project Economic Development Grant, and Credit Towards City Fees have been deleted.
- **Project Description:** Developer intends to construct a retail development consisting of a Buc-ee's travel center being no more than 54,000 square foot building providing no more than 100 gas and/or diesel fueling positions, serving 100 vehicles, and 26 or more electric charging stations on the property. Within 12 months of opening, the Developer shall create an average, annualized minimum of 200 full-time equivalent jobs at the Project. No tractor-trailer or eighteen-wheeler vehicles shall be permitted to be served at or on the Project, except those vehicles required for delivery and service to the store. **NOTE:** This is an addition of 30 full-time equivalent jobs.
- **Open Space:** Prior to opening the Project to the public, Developer shall dedicate approximately nine (9) acres of open space to the City, the exact acreage and location to be shown on the final plat. The expanse of more than 9 acres of green space (centered on a ravine) dedicated to the City, in addition to another 5 or 6 acres of trees and brush between the fence and the green space is an extraordinary physical barrier.

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| | <ul style="list-style-type: none"> <p><u>60 Ft. Sign:</u> : Developer shall reduce the height of the planned freestanding sign from the previously permitted seventy-five feet (75') to sixty feet (60') above finished grade per the grading plans as of the date of execution of this Amendment contingent upon: (1) the City's official acceptance of Buc-ee's Way right-of-way by plat, and (2) the inclusion of green exit signs, per TxDOT requirements for guide signs, for Buc-ee's Way at applicable locations in both directions on Interstate 10. The proposed internally illuminated pylon sign meets all our requested details. The sign includes a decorative masonry base, aluminum pole cover and does not exceed 60 ft in total height. Internal illumination will meet their vested sign lighting requirements.</p> <p><u>Landscaping:</u> Developer shall provide enhanced landscaping and planting areas that shall incorporate native, drought tolerant plant selections throughout the Property which shall exceed the City's minimum landscaping requirements. Unless utility or drainage conflicts exist, the landscape design should closely represent what was approved by the City of Boerne Design Review Committee during consideration of the creative alternative on 12/9/2021.</p> <p><u>Security Fencing:</u> Developer shall install eight-foot security fencing of material complying with City standards along the rear property line of the Property discouraging pedestrian access from Buc-ee's to the city-owned open space along Suggs Creek. An 8 ft. black woven wire fence with a 12 ft. double swing gate is recommended to allow the fence to blend into the hillside and be almost invisible at a distance. <u>NOTE:</u> The City discussed a masonry fence with the Developer, but security and maintenance concerns led to the preference for a see-through fence design.</p> <p><u>Site Lighting Plan:</u> Developer shall implement the approved site lighting plan which meets the City's dark sky ordinance referencing the IES Recommended Light Limits Manual for convenience stores with fueling. <u>NOTE:</u> Light poles have been reduced from 27 ft to 20 ft within the property and from 17.5 ft to 10 ft along the perimeter.</p> |
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| | <ul style="list-style-type: none">• <u>HVAC Condensate Recovery System:</u> Developer shall install and maintain an HVAC condensate recovery and irrigation system to promote water conservation at the Project, subject to City review authority.• <u>Construction Timeline:</u> Developer shall commence construction of the Project by the date that is later of 18 months from the Amendment Effective Date and 30 days after issuance of all permits required to commence construction of the Project and shall complete construction and open the Project to the public within 36 months of the Commencement Date, subject to <i>force majeure</i> provisions.• <u>Exhibits:</u> Updated Exhibits A, B, C, E, G; added Exhibits X, Y, Z <p>Following completion of the Exhibits, the document may be placed on a Council agenda for final approval.</p> <p>REQUEST:</p> <ol style="list-style-type: none">1. Ratify the legal determination that the zoning of the property is C3 (Community Commercial). <p>ANALYSIS:</p> <p>The Planning and Zoning Commission and City Council consider the following items in their review. Below is a summary of staff analysis.</p> <ol style="list-style-type: none">1. Whether the C3 District is consistent with the Comprehensive Master Plan.2. Whether the C3 District aligns with the intent, permitted uses, and development standards of the retired B-2 District.3. Whether the C3 District is compatible with existing and anticipated future land uses. <p><u>Comprehensive Master Plan</u></p> <ul style="list-style-type: none">• The City’s Future Land Use Map designates this property as Auto-Oriented Commercial.• The Auto-Oriented Commercial land use category is intended for areas that will be developed to support local and regional non- |
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| | <p>residential businesses that rely on higher traffic volumes (e.g., I-10 and portions of SH 46). These areas are typically comprised of nonresidential uses of varying lot sizes and intensities and configured in a manner that predominantly serves the automobile.</p> <ul style="list-style-type: none"> • The two most common zoning districts along the IH-10 Corridor are: C3 (Community Commercial) and C4 (Regional Commercial). • The C3 (Community Commercial) District is consistent with the Comprehensive Plan. <p><u>Proposed Zoning District</u></p> <ul style="list-style-type: none"> • There are four commercial zoning districts within Boerne: <ul style="list-style-type: none"> ○ C1 – Neighborhood Commercial ○ C2 – Transitional Commercial ○ C3 – Community Commercial ○ C4 – Regional Commercial • Using the Auto-Oriented Commercial Future Land Use Category and applicable development regulations, staff reviewed the C2, C3, and C4 districts in comparison to the B-2 district. Based on the purposes, permitted uses, and development standards, the B-2 district is most consistent with the C3 and C4 districts. A summary table of these findings is attached. • In addition, staff also reviewed the citywide rezoning to determine which zoning districts were used to replace the B-2 District along IH-10. Staff found that the C3 and C4 were the most used Districts to replace the B-2 District. Further, the adjacent Buc-ee's-owned parcels were reassigned the C3 District. • The proposed zoning district aligns with the Community Commercial (C3) category. <p><u>Compatibility with Surrounding Land Uses</u></p> <ul style="list-style-type: none"> • The proposed zoning will be compatible with future developments in this area. The properties on the west and south are zoned C-3 (Community Commercial). Properties on the west across IH-10 are zoned I1 (Storage and Transportation), I2 Light Industrial, and C4 (Regional Commercial). |
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| | <ul style="list-style-type: none"> The nearest single-family subdivision is approximately 880 feet west of the proposed site. <p>FINDINGS:</p> <p>The proposed ratification meets the following findings:</p> <ul style="list-style-type: none"> The proposed C3 District is consistent with the Comprehensive Master Plan and Future Land Use Map. The C3 District aligns with the intent, permitted uses, and development standards of the retired B-2 District. The proposed C3 District will result in compatible land use relationships. The proposed C3 District was used to replace the retired B2 District on surrounding properties. <p>RECOMMENDATION:</p> <p>The Planning and Zoning Commission should make a recommendation to the City Council regarding the ratification of the C3 (Community Commercial) District for the subject site.</p> <p>MOTIONS FOR CONSIDERATION:</p> <p>The following motions are provided to assist the Commission's decision.</p> <p>I move that the Planning and Zoning Commission accept the findings and recommend APPROVAL of the zoning ratification.</p> <p>OR</p> <p>I move that the Planning and Zoning Commission recommend the (alternative zoning district) for the subject property based on the following findings: (The Commission will need to state the reasons for their recommendation).</p> |
| Strategic Alignment | |
| Financial Considerations | N/A |

| | |
|-----------------------------------|---|
| Citizen Input/Board Review | <p>A notice of the Planning Commission hearing of September 8th was published in the Boerne Star on August 24, 2025. Letters were mailed out to 18 properties (14 unique property owners) within 500 feet on August 20, 2025. A public hearing sign was posted on the subject property on August 21, 2025, to notice the Zoning Ratification request in anticipation of the September 8th P&Z meeting. At that P&Z Meeting, 14 community members spoke to express concern about the Buc-ee's development.</p> <p>One individual outside of the 500 ft. notice area submitted written comments to the case manager in opposition to the request.</p> |
| Legal Review | This action is needed to meet statutory requirements. |
| Alternative Options | The Commission may recommend approval; approval in part; denial; or denial in part. Each condition or reason for denial must be directly related to the requirements of city regulations and may not be arbitrary. |
| Supporting Documents | <p>Attachment #1 - Aerial Map</p> <p>Attachment #2 - Future Land Use Map</p> <p>Attachment #3 - Zoning Map</p> <p>Attachment #4 - Environmental Constraints Map</p> <p>Attachment #5 - Written Responses</p> <p>Attachment #6 - Buc-ee's 380 Development Agreement</p> <p>Attachment #7 - Ordinance No. 2020-18 - B-2 Zoning Pre-UDC</p> <p>Attachment #8 - C3 Zoning Determination Letter</p> <p>Attachment #9 - Buc-ee's Project Briefing</p> <p>Attachment #10 – Commercial Zoning District Comparison</p> |

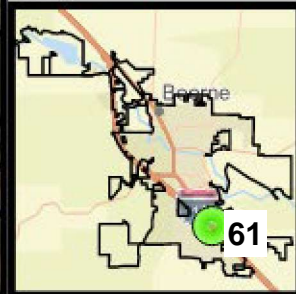
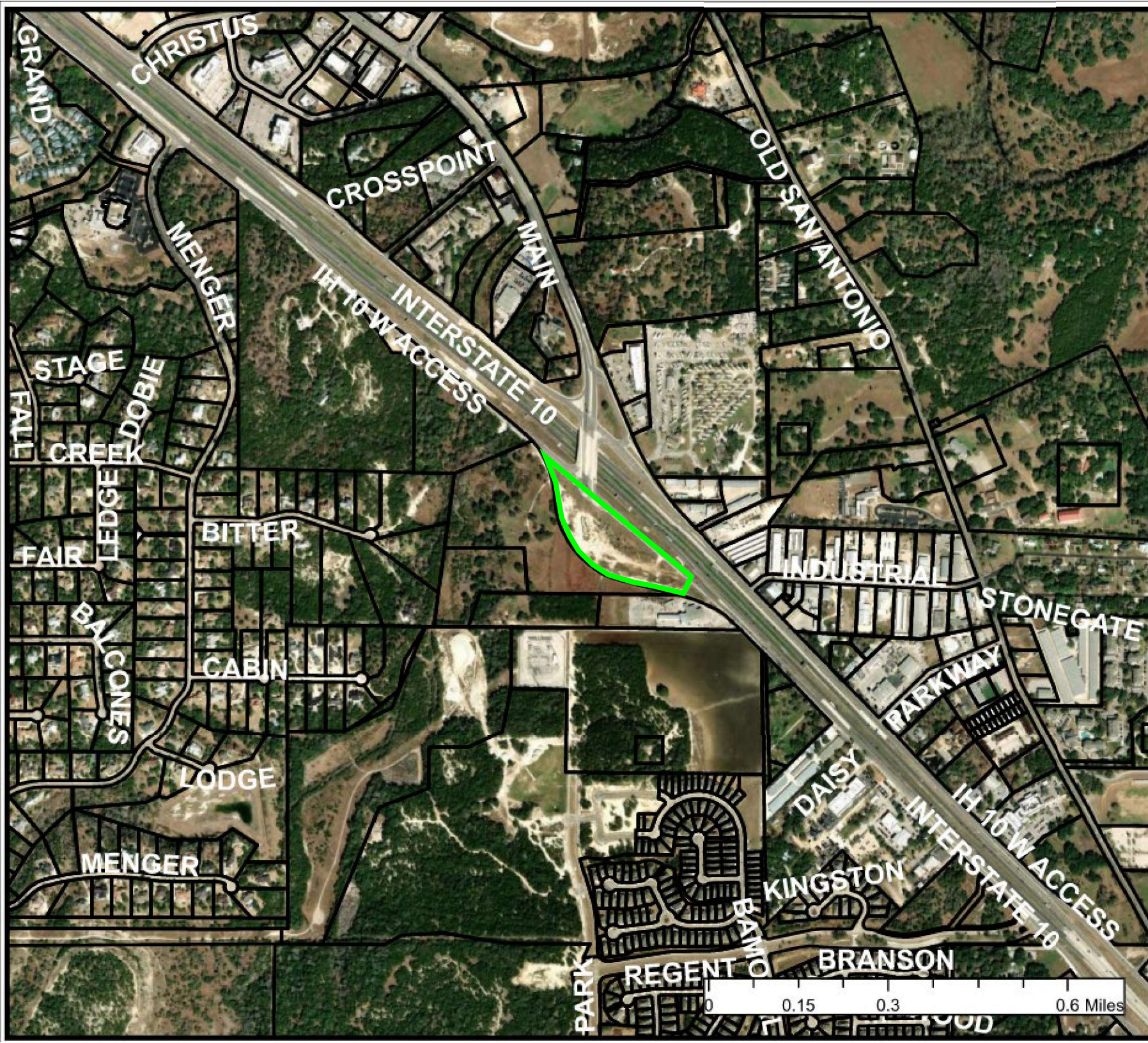


**SUBJECT
PROPERTY**

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

Legend

-  Parcels
-  Subject Property






SUBJECT PROPERTY

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Legend

 Subject Property


Future Land Use

 Auto-Oriented
Commercial

 Business Park

 Neighborhood
Commercial

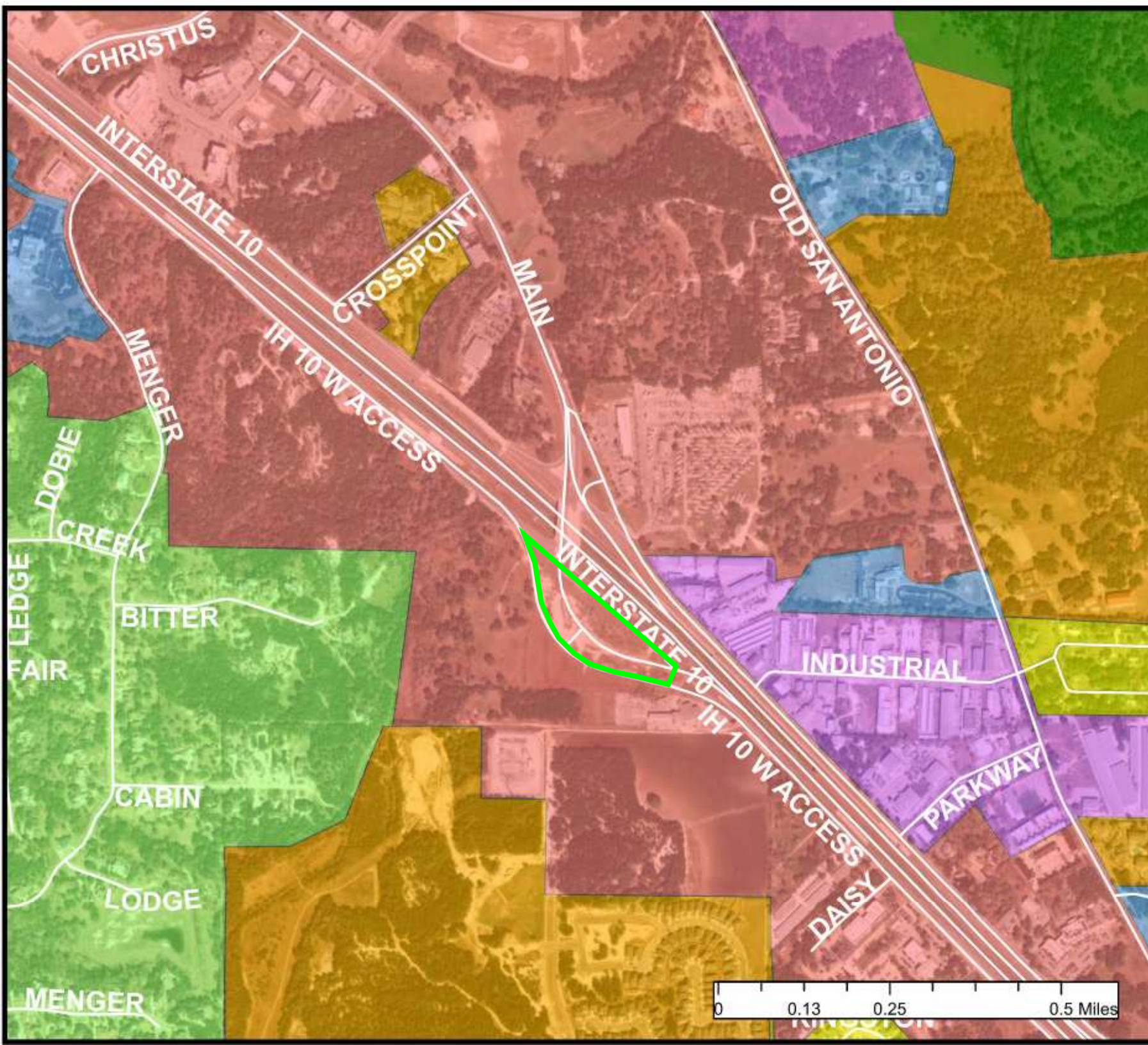
 Neighborhood
Residential

 Parks and Open
Space

 Public and
Institutional

 Rural Estate

 Transitional
Residential






SUBJECT PROPERTY

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











Zoning Ratification:

C3-SICO

Legend

 Subject Property

Boerne Zoning

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

Overlay Districts

-  Heritage Corridor
-  Scenic Interstate Corridor





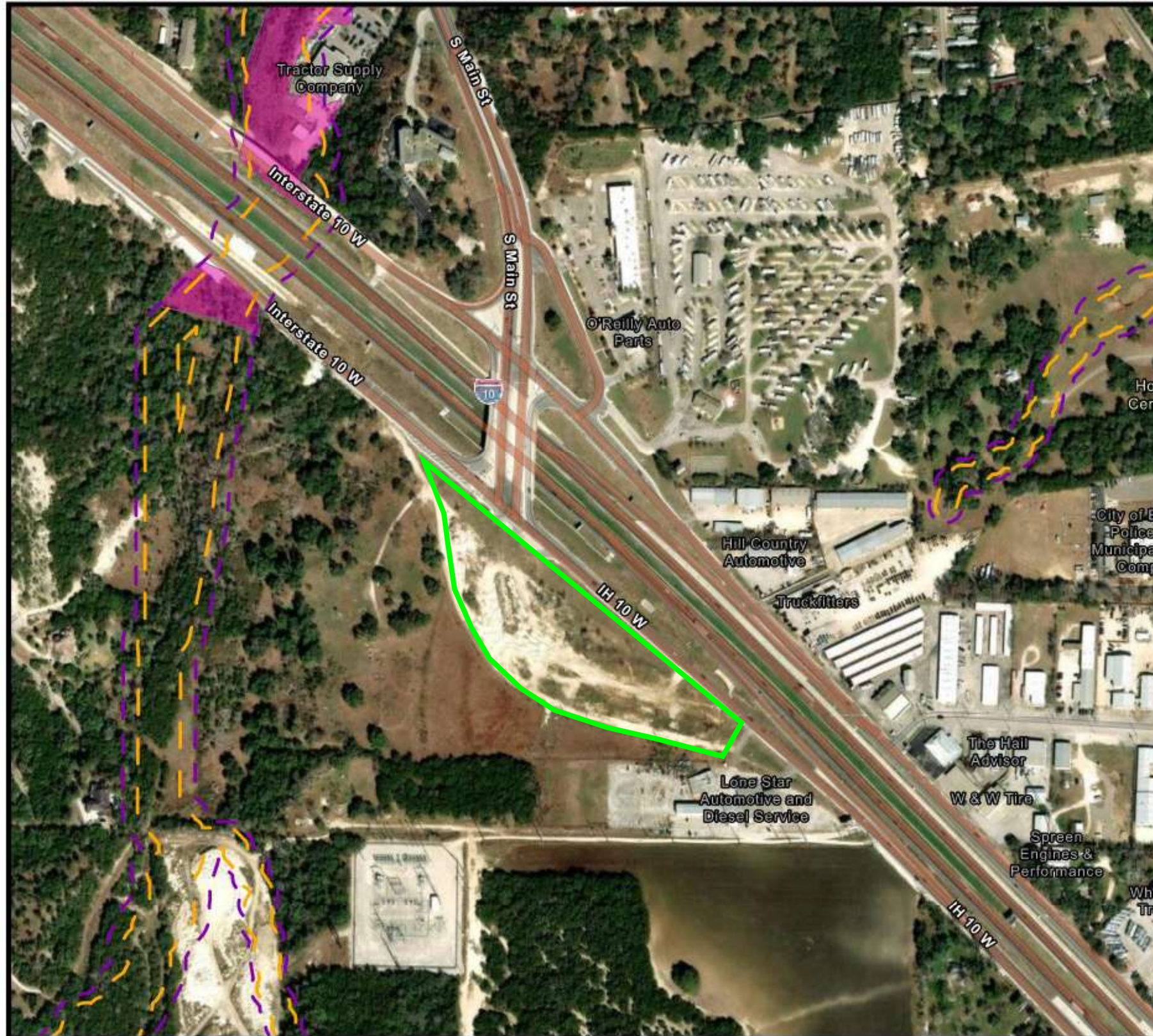


SUBJECT PROPERTY

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

Legend

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



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

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

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

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

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

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

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

Please deny their request.

Thank you,

Lu Rae M. Baggs

ECONOMIC DEVELOPMENT AGREEMENT

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

RECITALS:

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

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

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

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

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

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

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

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

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

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

ARTICLE I THE PROJECT

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

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

ARTICLE II ECONOMIC INCENTIVES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ARTICLE III COMPANY REQUIREMENTS

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

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

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

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

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

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

ARTICLE IV MISCELLANEOUS PROVISIONS

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

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

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

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

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

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

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

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

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

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

6. Construction and Interpretation.

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

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

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

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

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

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

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

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

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

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

If to City:

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

If to Developer:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Signature Page Follows)

8/29/2016
Date

CITY:

CITY OF BOERNE

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

ATTEST:

Lorri A. Carroll
LORE A. CARROLL, City Secretary

Approved as to form:

[Signature]
City Attorney's Office

DEVELOPER:

BUC-EES, LTD

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

8/15/16
Date

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

LIST OF EXHIBITS

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

EXHIBIT A

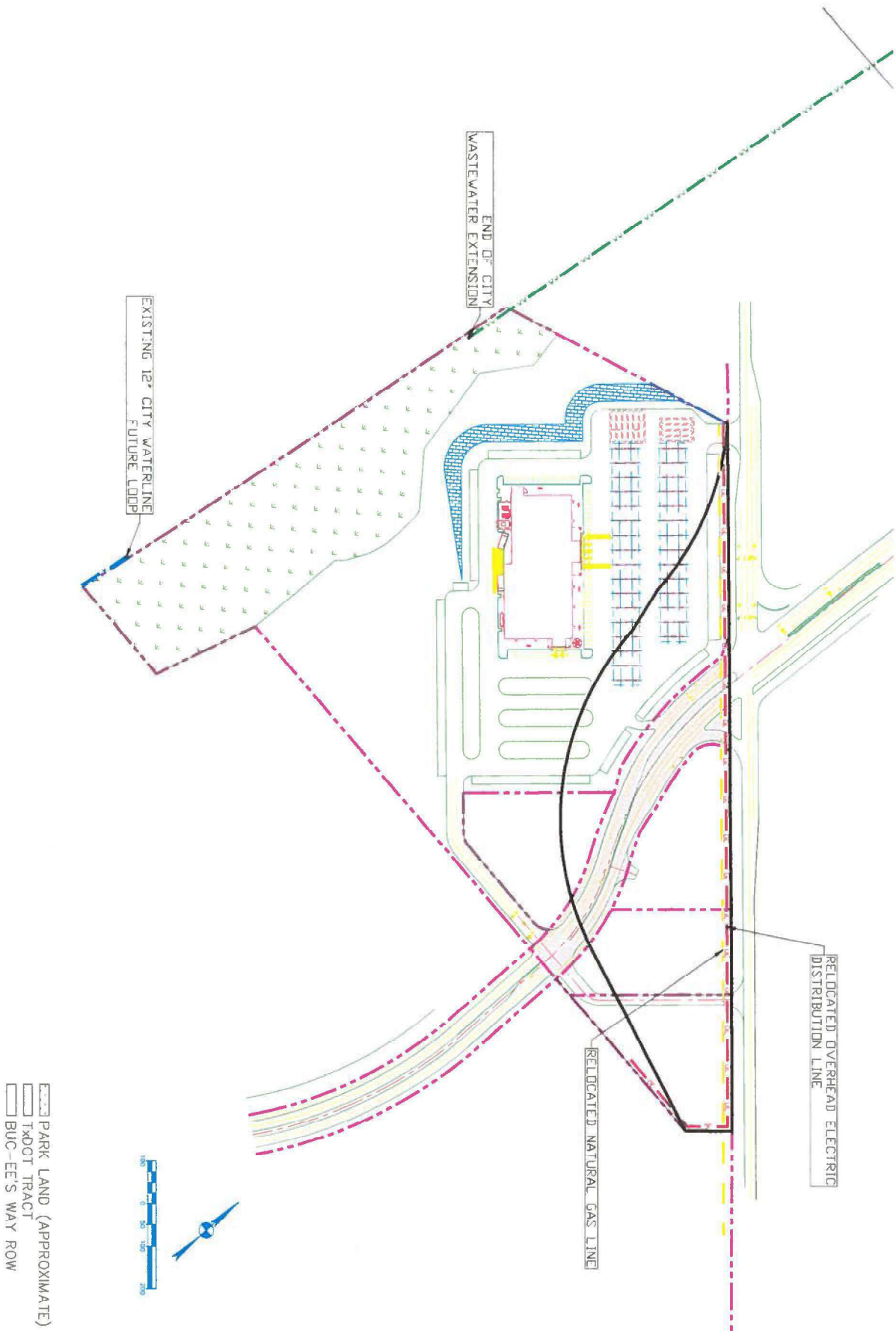
Description of Property

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

EXHIBIT B

SITE PLAN

Copyright 2016 Ratcliff Engineering Services, L.L.C.
 This document is prepared by U.S. Copyright Law and the International Copyright Law of 1909. Unauthorized reproduction and distribution is prohibited. Any use of this document without the express written permission of Ratcliff Engineering Services, L.L.C. is prohibited. The information contained herein is for informational purposes only and does not constitute an offer of any financial product or service.



- PARK LAND (APPROXIMATE)
- BUC-EE'S WAY ROW

| | | | | |
|--|---|--|---|---|
| EXHIBIT B SITE PLAN BUC-EE'S - BOERNE BUSINESS 87 & INTERSTATE HIGHWAY 10 BUC-EE'S, LTD. | SHEET INFORMATION DATE: 08-12-2016 PROJECT NO: 00030-12 DESIGNED BY: JSC GROUP BY: JSC APPROVED BY: JSC FILE NAME: BUC-EE'S PLAT NAME: 1107 ISSUED FOR PERMIT REVIEW & BIDDING ONLY ISSUED FOR CONSTRUCTION | | RATCLIFF ENGINEERING SERVICES, LLC P.O. BOX 17881 DALLAS, TEXAS 75217 OFFICE (214) 855-7887 TSPS FORM #1424 | REVISIONS NO. DESCRIPTION DATE 1 PRELIMINARY |
| | SHEET: EXH-B OF: 07 | | | REVISIONS NO. DESCRIPTION DATE 1 PRELIMINARY |

EXHIBIT C

TXDOT Tract

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

EXHIBIT D

TXDOT Letter



Texas Department of Transportation

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

July 26, 2016

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

Dear Mayor Schulz:

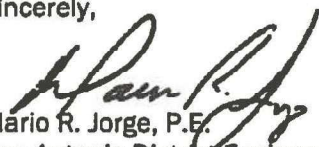
The following should address the requested consideration discussed at our coordination meeting on July 21, 2016.

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

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

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

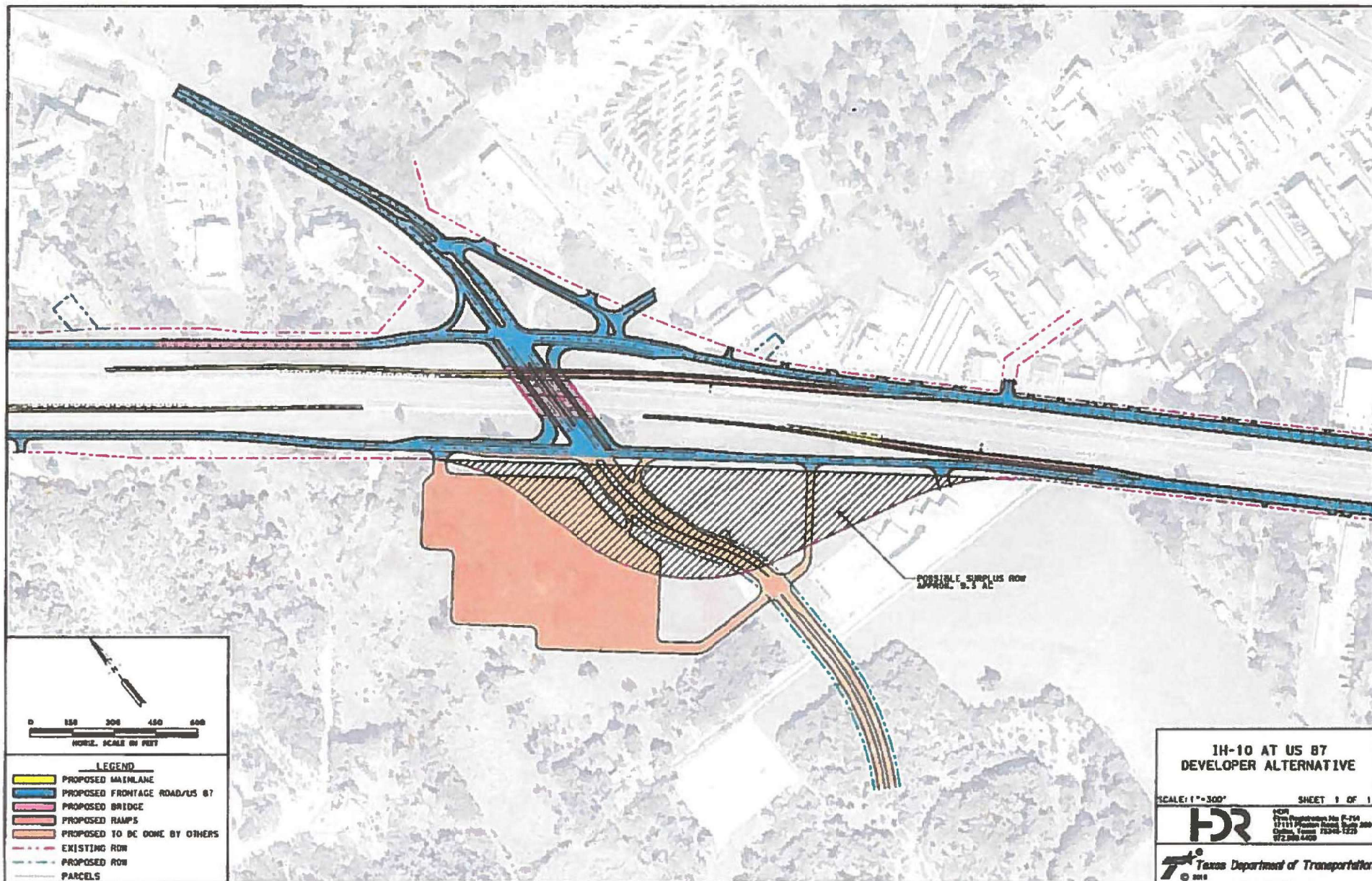
Sincerely,

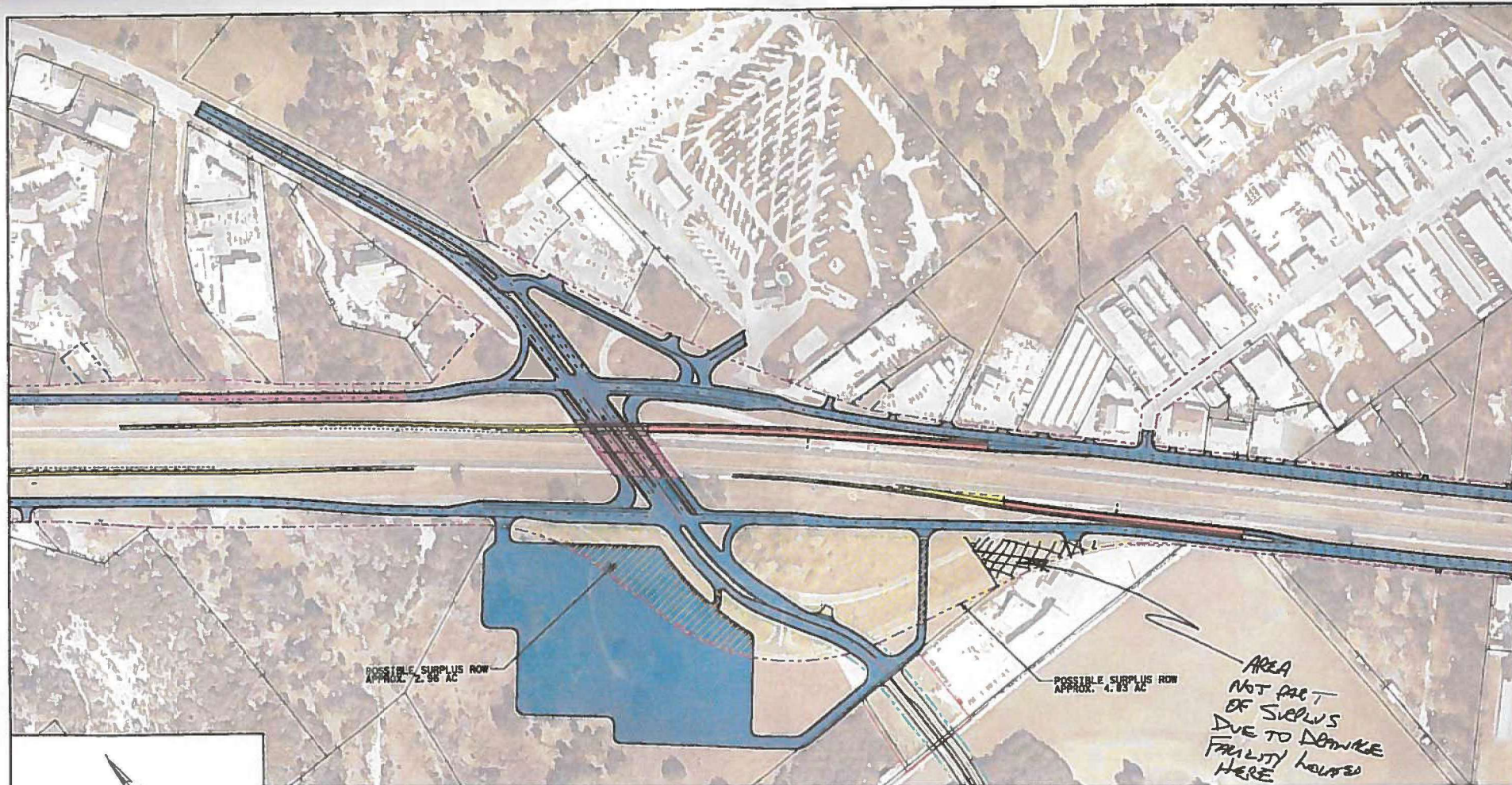

Mario R. Jorge, P.E.
San Antonio District Engineer

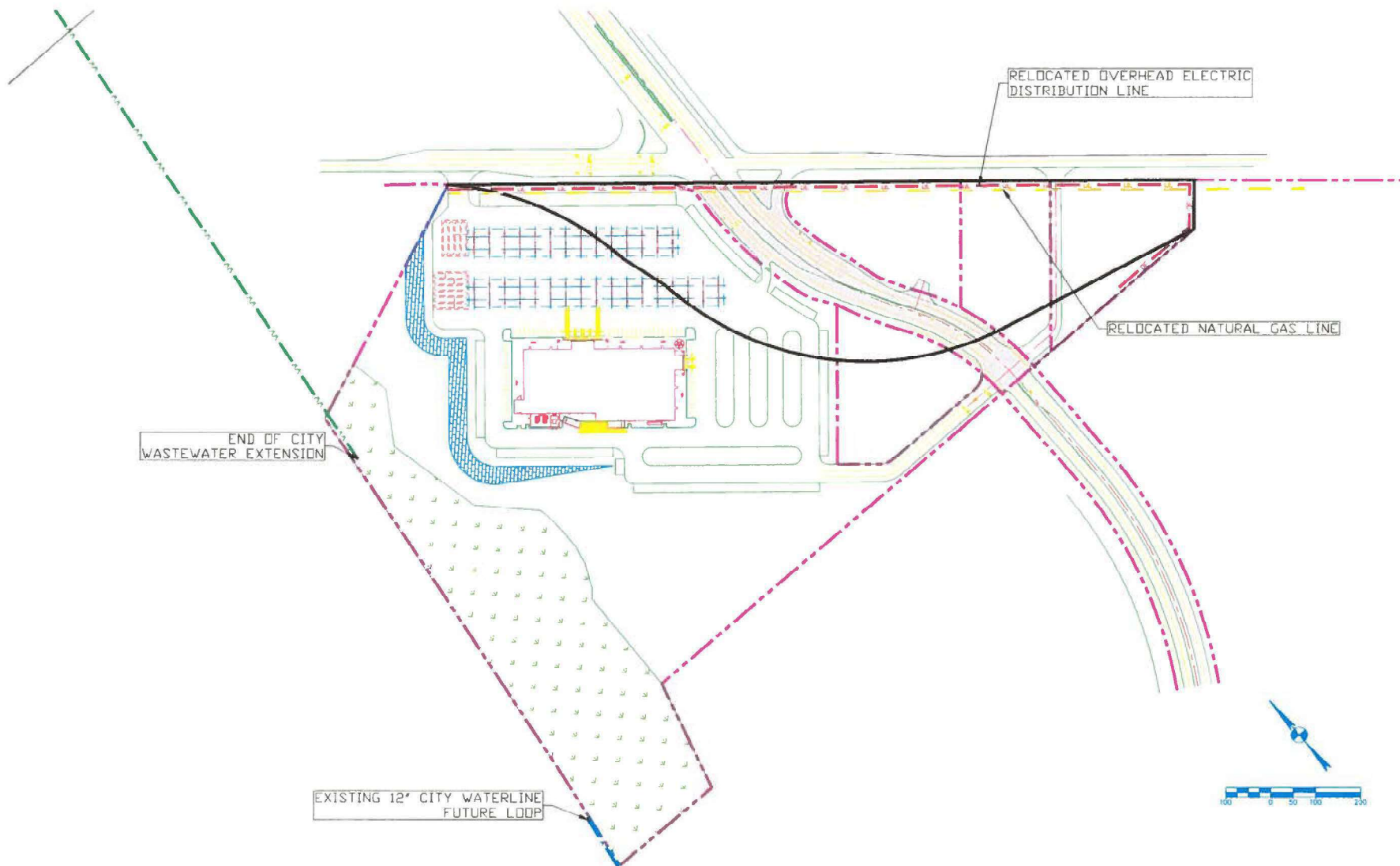
OUR VALUES: People • Accountability • Trust • Honesty

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

An Equal Opportunity Employer







PARK LAND (APPROXIMATE)
 TxDOT TRACT
 BUC-EE'S WAY ROW



| REVISIONS | DATE | BY | APP'D |
|-------------|------|----|-------|
| PRELIMINARY | | | |

THIS DOCUMENT IS RELEASED FOR THE PURPOSES OF REVIEW ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR FINAL PURPOSES.

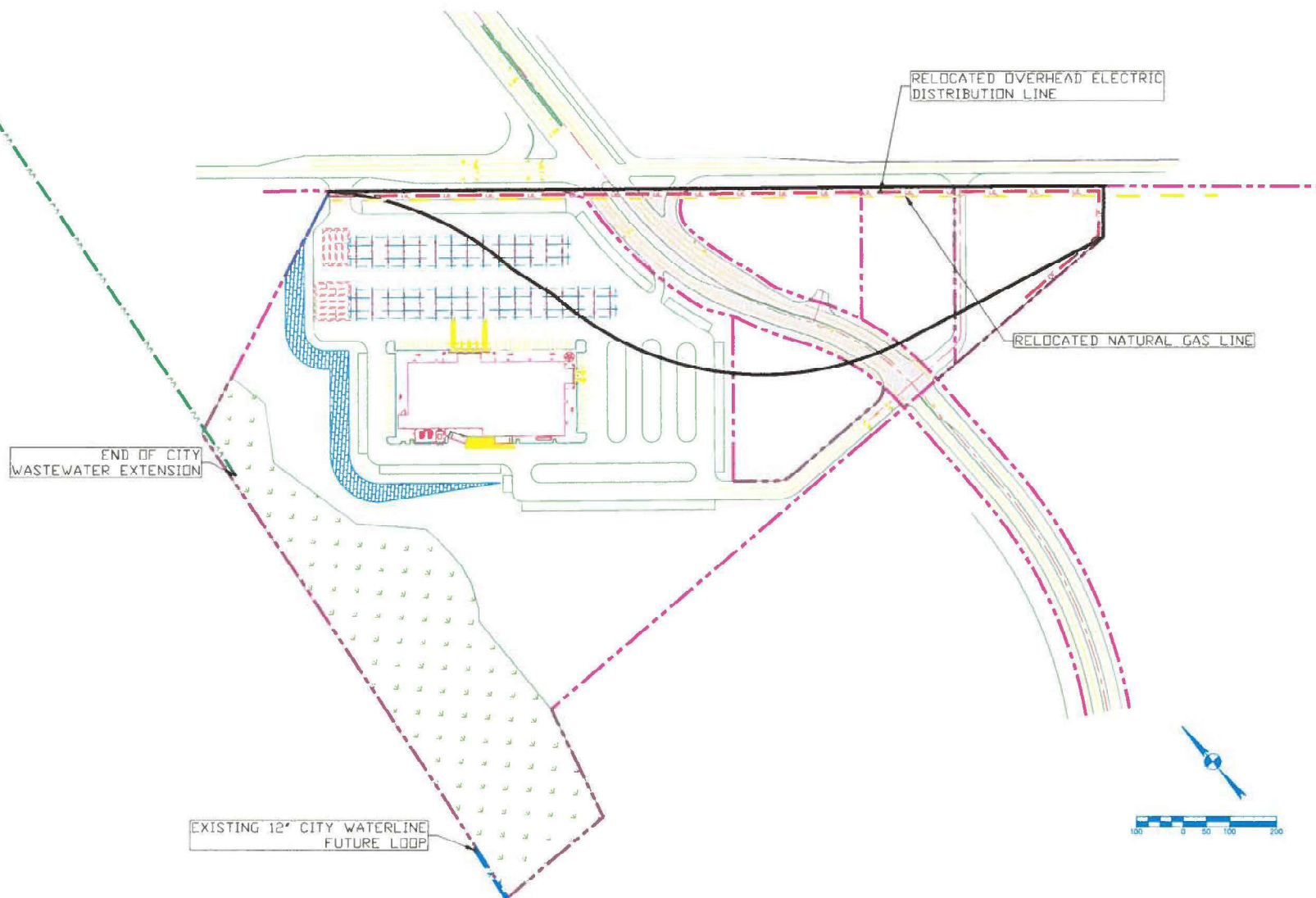
RATTIFF ENGINEERING SERVICES, L.L.C.
 P.O. BOX 1081
 DALLAS, TEXAS 75201
 PHONE (214) 880-7807
 FAX (214) 880-7808



| SHEET INFORMATION | |
|-----------------------|----------------------|
| DATE: 08-12-2014 | PROJECT NO: 10000-10 |
| DESIGNED BY: RSE | APPROVED BY: LJC |
| CHECKED BY: RSE | DATE: 08-12-2014 |
| CREATED FOR: BUC-EE'S | PROJECT: BUC-EE'S |
| CREATED FOR: BUC-EE'S | PROJECT: BUC-EE'S |
| CREATED FOR: BUC-EE'S | PROJECT: BUC-EE'S |

EXHIBIT B
SITE PLAN
 BUC-EE'S - BOERNE
 BUSINESS 87 & INTERSTATE HIGHWAY 10
 BUC-EE'S, LTD.

DRAWING
 SHEET: EXH-B
 OF



- PARK LAND (APPROXIMATE)
- TxDOT TRACT
- BUC-EE'S WAY ROW



| REVISIONS | | | |
|-----------|-------------|------|----|
| NO. | DESCRIPTION | DATE | BY |
| 1 | PRELIMINARY | | |

THIS DOCUMENT IS RELEASED FOR THE PURPOSES OF REVIEW UNDER THE AUTHORITY OF DAVID S. RATCLIFF, P.E. ON THE DATE SHOWN HEREON. IT IS NOT TO BE USED FOR CONSTRUCTION, RECORDING, OR FOR ANY PURPOSES OTHER THAN THOSE FOR WHICH IT WAS PREPARED.

RATCLIFF ENGINEERING SERVICES, LLC
P.O. BOX 1007
COLUMBUS, MISSISSIPPI 39202
OFFICE (712) 860-7897
FAX (712) 860-7897
WWW.RATCLIFF-ENGINEERING.COM



| SHEET INFORMATION | | | |
|-----------------------|------------|-----------------------|----------|
| DATE | 10-12-2016 | PROJECT NO. | 10000-10 |
| DESIGNED BY | ESR | ISSUED BY | ESR |
| CHECKED BY | ESR | PROJECT SCALE | AS SHOWN |
| DATE FOR REVIEW | 10/12/16 | DATE FOR REVIEW | 10/12/16 |
| DATE FOR CONSTRUCTION | | DATE FOR CONSTRUCTION | |

EXHIBIT B
SITE PLAN
BUC-EE'S - BOERNE
BUSINESS 87 & INTERSTATE HIGHWAY 10
BUC-EE'S, LTD.

DRAWING
SHEET: EXH-B
OF

EXHIBIT E

Buc-ee's Way ROW Description

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

EXHIBIT F

Form Utility Easement

**PERMANENT EASEMENT
FOR UTILITIES**

Grantor:

Grantor's Mailing Address (including county):

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

Grantee's Mailing Address (including county):

Post Office Box 1677,
Boerne, Kendall County, Texas

Property:

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

Grant of Easement:

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

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

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

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

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

This Easement is MADE and ACCEPTED subject to the following:

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

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

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

By: _____

[Notary Page Follows]

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

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

_____.

(Seal)

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

ORDINANCE NO. 2020-18

AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 3, SECTION 13, PERMANENT ZONING OF 5.155 ACRES OF TXDOT RIGHT-OF-WAY LOCATED AT IH-10 WEST (IH-10 "SURPLUS NORTH" TRACT THAT ADJOINS THE FUTURE BU-CEES DEVELOPMENT LOCATED AT 33375 IH-10 WEST) TO B-2, HIGHWAY COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE

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

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

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

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

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

Section 1.

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

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

Section 2.

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

July 31, 2025

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

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

Dear Mr. Beard:

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

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

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

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

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

Respectfully,



Nathan Crane, AICP
Planning Director
City of Boerne

Cc: file



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

WWW.BOERNE-TX.GOV

City of Boerne

Buc-ee's Project Briefing

AUGUST 27, 2025



Presented By:
City Manager's Office



Collaboration • Integrity • Service • Excellence • Respect

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Buc-ee's Boerne Project Briefing: A Historical Record

Introduction

The purpose of this document is to establish a factual, chronological record of the Buc-ee's project in Boerne, Texas. It provides a clear account of the events, decisions, and obligations that have shaped the project over nearly a decade, drawing primarily from official records of the Planning and Zoning Commission, the City Council, the Boerne Kendall County Economic Development Corporation (BKEDC), and other contractual or public proceedings. This document also outlines Buc-ee's commitments as defined by formal agreements with the City, including development requirements, infrastructure responsibilities, and related conditions tied to approval.

The intent of this record is transparency. By compiling information from meeting minutes, ordinances, staff reports, agreements, and archived correspondence, the City seeks to present a comprehensive and verifiable account. Wherever possible, this report avoids speculation, relying instead on official records and documented outcomes.

Creating such a record presents unique challenges. The majority of the City Council members, Planning and Zoning Commissioners, BKEDC staff, and City staff directly involved in the early stages of the project are no longer in those positions. As a result, much of the institutional memory surrounding the project has diminished, requiring a deliberate reconstruction of events from available documentation.

This report should therefore be considered a living record. While it reflects the best available information as of its preparation, additional facts may come to light through future research or new developments in the project's implementation. When that occurs, appendices or updates may be added to maintain an accurate and evolving history.

Ultimately, this document is intended to serve as a reliable reference for decision-makers, stakeholders, reporters, residents and the general public. By documenting the project's history and obligations in detail, the City aims to ensure that ongoing discussion about the Buc-ee's development rests on verified facts rather than incomplete or anecdotal accounts. In doing so, it supports informed decision-making, promotes public trust, and provides a technical historical record that balances clarity with precision.

Executive Summary

This comprehensive briefing consolidates City records to document the history and current status of the Buc-ee's project at I-10 and Business 87.

The concept of bringing Buc-ee's to Boerne originated in 2015, when the Boerne Kendall County Economic Development Corporation (BKEDC) first initiated outreach

conversations with the company. These early efforts established the foundation for the project.

The City Manager at that time had a phone call with Beaver Aplin soon after the EDC contacts started, and shortly afterward, staff in the city manager's office began discussions with planning, finance, and utilities staff regarding the feasibility of completing the likely needed infrastructure and 380 agreement to bring a Buc-ee's development to Boerne. City staff conducted a comprehensive cost-benefit analysis, including contacting New Braunfels (the nearest existing Buc-ee's) to get accurate estimates for projecting AV and sales tax revenues, utility revenues, and assessing the impacts on roads, police, fire, and other city services. Recent agreements related to 380 incentives used by other cities were examined to determine the size of incentives awarded to Buc-ee's in different parts of Texas. Multiple meetings took place over the years among the city of Boerne staff, EDC staff, Buc-ee's staff, and the Texas Department of Transportation (TxDOT) staff.

The City of Boerne's documented involvement began in 2016, when City Council formally approved an Economic Development Agreement (DA) with Buc-ee's, Ltd. under Chapter 380 of the Texas Local Government Code. Since that time, the project's progress has been closely tied to TxDOT led interchange and access road improvements, City utility relocations, and plan approvals.

Key policy framework changes after the project's 2016 approval have shaped how the City manages its review processes: adoption of the Boerne Master Plan (2018) and the Unified Development Code (UDC, 2021), which consolidated development regulations into a single document and strengthened standards for dark sky, drainage, landscaping, and design.

From the outset, both Buc-ee's and the City have worked within the timelines and requirements set by TxDOT, whose major roadway construction took years longer than forecast and significantly delayed Buc-ee's schedule. The original construction target was for an opening in 2019-2020. Additionally, several elements originally approved in the 2016 DA remain binding, while current staff continue working with Buc-ee's to align newer aspects of the project with updated community standards.

Initial grading and public-infrastructure work began in February 2025; vertical construction and fuel systems require additional permits still under review. In summer 2025, Buc-ee's finalized the acquisition of a TxDOT surplus tract along I-10 for accessory parking, which requires a zoning ratification. A public hearing on this request is expected in September 2025.

This document is intended to provide a transparent, fact based record of the project's history, decisions, and obligations, ensuring that current and future discussions are grounded in verified information.

Economic Development Agreement (DA) – Buc-ee’s Obligations and City Commitments

On August 9, 2016, the Boerne City Council approved an Economic Development Agreement (DA) under Chapter 380 of the Texas Local Government Code with Buc-ee’s, Ltd. The purpose of the agreement was to encourage the construction of a large-format Buc-ee’s Family Travel Center in Boerne, with the goal that this flagship project would generate significant ad-valorem, sales tax, and utility revenue, create jobs, and stimulate surrounding commercial growth.

The City’s goals were clear: expand its ad valorem and sales tax base, generate new utility revenues for electric, water, gas, and wastewater treatment, create significant employment opportunities, and attract complementary commercial activity. Providing ad valorem value to the Boerne Independent School District without increasing student population and subsequent service demand was also a consideration. By connecting Buc-ee’s development to infrastructure upgrades, the City aimed to use the project as a way to increase utility and road capacity in the area. The agreement resulted from a partnership among the City of Boerne, the Boerne Kendall County Economic Development Corporation (BKEDC), and Kendall County Commissioners Court.

Key Terms of the 2016 Agreement

The 2016 DA established mutual obligations for both the City and Buc-ee’s.

- **The Buc-ee’s Project**
The primary facility was defined as a minimum 50,000 square foot Family Travel Center, ultimately planned at 53,471 square feet, with at least 90 fueling positions. The agreement prohibited fueling of 18-wheelers, except for delivery trucks, and required creation of at least 170 full-time equivalent jobs within one year of opening.
- **Supplemental Projects**
Buc-ee’s retained the ability to subdivide unused land into commercial tracts. Each supplemental tract could receive incentives under the same terms as the main travel center, thereby encouraging complementary development. Fast forward to today, from the original intent of the DA, a decision has been made that these supplemental projects are no longer planned for the site since all purchased land is now being used for the fueling facility, adjacent parking lot, and additional buffer/open space.
- **Economic Incentives**
The City agreed to provide Buc-ee’s a sales tax rebate equal to 50% of the City’s 1.5% sales tax collected from the Travel Center for twenty years. Supplemental projects would qualify for the same rebate during that same term. Rebates would be paid quarterly, in arrears, and only on actual tax receipts. Importantly, the DA did not offer property tax abatements or incentives from any other City revenues,

including utilities. Kendall County established an agreement that mirrored the city's new sales tax rebate at the same level (50% of their 0.5% sales tax collected for 20 years).

- **City Infrastructure Commitments**

The City committed, at its sole cost, to extend 12-inch sanitary sewer and water mains, provide three-phase electric service, and install a six-inch natural gas line to the site boundaries within 90 days of construction start. The City also committed to construct "Buc-ee's Way," a primary collector road extending Main Street west of I-10. Additionally, the City agreed to waive its right of first refusal on certain TxDOT surplus right-of-way so Buc-ee's could acquire it, and to provide a \$223,285 credit toward City fees if a Texas Capital Fund grant was secured. Another side note: since the adoption of the DA, the Texas Capital Fund (TCF) Infrastructure and Real Estate Development Program, which provided grants to non-entitlement communities (cities with populations under 50,000 and counties under 200,000) for public infrastructure and real estate development to support job creation, is no longer active and is not accepting applications.

- **Developer Commitments**

In return, Buc-ee's agreed to convey the right-of-way for Buc-ee's Way and provide necessary utility easements at no cost. The company also committed to dedicate at least five acres as park or open space, remain current on all taxes and fees, and provide quarterly sales tax reports necessary for rebate calculations.

- **Performance and Compliance**

The DA required Buc-ee's to comply with all applicable City ordinances and permitting standards upon submittal of first development application. The agreement could be terminated in cases of default, change in law, or a decision by Buc-ee's not to proceed. Repayment provisions applied for violations such as the employment of undocumented workers. The agreement's term runs for twenty years beginning January 1 following the store's opening, with all supplemental project rebates expiring concurrently.

Publicly Stated Economic Impact

When the project was announced in August 2016, officials and company representatives highlighted its projected economic benefits. Buc-ee's anticipated creating over 170 full-time jobs, generating approximately \$25 million in taxable sales annually, contributing \$180,000 annually in school taxes, and making a \$40 million private capital investment.

At the time, then-Mayor Mike Schultz emphasized the long-term benefits: *"This will be huge in the dividends that it will pay in our community for years and years to come."* A Buc-ee's spokesperson underscored the site's advantages, citing Boerne's location on the interstate, its strong community, and its employment base.

The BKEDC had worked for more than a year on the proposal before Buc-ee's filed its formal application for development incentives on July 19, 2016.

Follow-Up Actions on the Agreement

On April 13, 2020, the City issued a funding request letter to Buc-ee's under Article II, Section 8 of the agreement. The City proposed that Buc-ee's front the costs of utility extensions and Buc-ee's Way construction, with reimbursement distributed over five years. This structure was intended to keep the project on schedule by ensuring that infrastructure obligations could be met without delay.

Key Takeaways

For stakeholders, several points are essential in understanding the 2016 agreement:

- The DA provided no property tax abatements—only a partial sales tax rebate tied directly to actual taxable sales.
- All incentives are performance-based, with no upfront cash outlays from the City.
- Infrastructure commitments were designed to serve both Buc-ee's and other surrounding properties.
- Public value was supported by measurable forecasts, binding reporting requirements, and a clear compliance framework.

Zoning History, Procedural Observations, and Vesting Rights

Background and Initial Zoning Actions (2020)

In preparation for the Buc-ee's development, zoning adjustments were required for TxDOT-owned right-of-way adjacent to the proposed site. In 2020, Buc-ee's and TxDOT jointly requested that the land be rezoned to B-2 Highway Commercial, consistent with adjacent Buc-ee's-owned parcels.

The rezoning process followed all statutory procedures under Texas Local Government Code Chapter 211. On May 4, 2020, the Planning and Zoning (P&Z) Commission voted unanimously to recommend approval. City Council approved the request unanimously on both first reading (June 9, 2020) and final reading (June 23, 2020). No opposition was voiced at either P&Z or Council hearings.

The total area rezoned amounted to 5.15 acres, divided by a planned future connection to Tilbury Boulevard. Once adopted, this zoning classification was binding and could not be removed without due process.

Subsequent Property Acquisition (2023)

In summer 2023, Buc-ee's began the process of officially acquiring the remaining 2.5-acre TxDOT tract of the total 5.15 acres on the west side of the project. This expansion reflected the company's long-term site plan but did not alter the zoning framework established in 2020.

Discovery of Oversight During Parking Expansion Proposal (2025)

In mid-2025, Buc-ee's informed the City of its intent to utilize the eastern portion of the 5.15-acre tract for expanded parking. During review of this request, staff discovered that the parcel had not been reassigned a zoning classification under the Unified Development Code (UDC) adopted in July 2021.

This omission represented an administrative oversight. When the UDC replaced prior zoning categories — including the B-2 Highway Commercial district — the 5.15-acre parcel was inadvertently left without an updated designation. This clerical gap persisted for nearly four years, even though the 2020 rezoning itself remained valid and uncontested.

Zoning Determination and Proposed Correction (2025)

On July 31, 2025, following consultation with the City Attorney, the Planning Director issued a formal zoning determination. The determination concluded that the most appropriate UDC equivalent to the retired B-2 district was C-3 Community Commercial.

The reasoning was threefold:

- C-3 zoning most closely aligns with the intent and uses of the former B-2 Highway Commercial category.
- Surrounding parcels in the immediate area are already classified as C-3, ensuring consistency.
- Development for these parcels under C-3 zoning requires compliance with modern standards governing parking, landscaping, dark-sky lighting, and stormwater detention.

While the determination guides immediate development review, it requires ratification through the public process:

- September 8, 2025 (target): Planning and Zoning Commission to consider the proposed classification and make a recommendation.
- Subsequent City Council action: Final decision following P&Z recommendation.

Property Owner's Position and Rights

Under Texas Local Government Code, the property owner retains the right to review and, if desired, contest the proposed classification. Buc-ee's may present evidence that another UDC district more closely reflects the intent of the original B-2 zoning.

Key Takeaways for Stakeholders

- The 2020 rezoning to B-2 Highway Commercial was fully compliant, and properly noticed.
- The 2021 omission during UDC adoption was an administrative oversight, not a reversal of the earlier rezoning.
- The proposed C-3 classification is intended to preserve the original commercial development intent.
- The formal public process in 2025 ensures transparency, public participation, and final ratification by P&Z and City Council.

Signage

Overview

Signage for the Buc-ee's travel center has remained one of the most visible and debated aspects of the project. For many residents, the issue symbolizes the broader tension between Boerne's economic development aspirations and the community's desire to preserve its aesthetic identity and transparent governance.

Early Discussions and Development Agreement Context

Correspondence from 2016–2017 shows that Buc-ee's and City staff considered including signage provisions in the original Economic Development Agreement (DA). Draft proposals envisioned:

- One primary Buc-ee's sign up to 500 square feet in area and approximately 75 feet in height, subject to a field study.
- Co-location of tenant signage for adjacent tracts on the same sign pole to avoid multiple high-rise signs.
- Standard monument signs (no taller than 8 feet, no larger than 64 square feet) for individual pad site street frontages.

These ideas were intended to balance Buc-ee's visibility requirements with community concerns about sign proliferation. Ultimately, however, the language was not incorporated into the executed 2016 agreement.

Regulatory Background

At the time, Boerne's sign ordinance, established in 2008, set the following baseline limits for freeway-oriented, self-supported signs located within 100 feet of Interstate 10:

- Height: 40 feet maximum.
- Area: 100 square feet maximum for single establishments; up to 250 square feet for commercial complexes.

The ordinance also contained a specific exception: under Section BB(4)(c), the Sign Review Committee—consisting of the Chief of Police, the Fire Marshal, and the Director of Planning and Community Development—could administratively approve larger or taller signs if site-specific conditions justified it. The committee could authorize up to 75 feet in height and 300 square feet in area. Importantly, this process was administrative and did not require public hearings or City Council involvement.

Buc-ee's Sign Application History

- October 24, 2017 – City Council Action: Buc-ee's sought variances to allow a sign as tall as 100 feet. One motion to deny outright was made; another attempted to authorize a 77-foot sign. Both motions failed, leaving the ordinance standards intact.
- December 19, 2017 – Buc-ee's submitted a new signage application and supporting documents requesting the Sign Committee meet and consider approval as allowed under the ordinance under Section BB(4)(c). They requested that the sign review committee approve a 75-foot sign—the maximum height permitted administratively. It is not entirely clear when the sign committee met, as there is no official agenda or minutes since this was an administrative committee. One can assume that the committee met within 10 business days of December 19th, since the ordinance clearly stated that part of the process, as advised by the City Attorney.
- January 25, 2018 – Buc-ee's submits the official city sign permit application.
- March 23, 2018 - Buc-ee's sends the planning director a letter summarizing the signage agreed upon as allowed by the sign committee.
- April 27, 2018 – The planning director sends a letter to Buc-ee's stating that the Sign Committee had approved the sign at 75 ft. The committee's decision did not return to the Council because the ordinance explicitly authorized the committee to act independently within that limit.
- April 30, 2018 – Sign permit application officially approved by staff.

- May 3, 2018 – Sign permit issued to Buc-ee’s.

The committee’s report established:

1. Buc-ee’s could erect one self-supporting sign of 75 feet in height and 300 square feet in area.
2. One adjacent development tract could host a 40-foot sign, but additional tracts could not.
3. All other signage must comply with ordinance requirements in effect at the time of permit application.

Buc-ee’s later confirmed it would utilize the 75-foot sign and forgo use of the secondary 40-foot sign.

Public Concerns and Controversy

The signage issue has continued to animate opposition, particularly because of how the sequence unfolded:

- **Transparency Concerns:** Residents perceived the administrative approval as circumventing the Council’s 2017 denial. In reality, the ordinance created two distinct paths: (1) variance (requiring Council consideration) and (2) administrative review (via staff designated committee). Buc-ee’s pursued the latter after the variance was denied, a choice legally permissible under the ordinance.
- **Aesthetic Compatibility:** Many argued that the scale of the 75-foot sign was inconsistent with Boerne’s desired character and gateway vision.
- **Dark Sky Standards:** Kendall County and the City have adopted “Dark Sky” measures to reduce light pollution. Residents expressed doubt that Buc-ee’s signage and lighting would comply, given the travel center’s large scale. Staff has consistently required Buc-ee’s to meet applicable Dark Sky provisions as codified in the 2019 ordinances.

Vesting Rights and Applicable Standards

Under Texas Local Government Code Chapter 245, development projects “vest” to the regulations in place when a qualifying application is filed. Buc-ee’s submitted its initial qualifying development application (preliminary plat) in 2019, securing its rights to be reviewed under the City’s ordinances as they existed at that time.

As a result, even though the City has since updated its sign ordinance, Buc-ee's signage is governed by the 2019 standards. The 75-foot sign was approved under those rules and remains legally valid.

This principle is often misunderstood and labeled as "special treatment." In fact, vesting rights are a state law designed to ensure predictability for (building) permit applicants and developers: once a project begins under a certain set of rules, later changes cannot retroactively apply. While this sometimes frustrates communities seeking to apply newer, stricter standards, it reflects a balance established in Texas law between municipal authority and property rights.

Key Takeaways for Stakeholders

1. Buc-ee's initial request for a variance above 100 feet was denied by City Council in 2017.
2. In late 2017, the company lawfully pursued administrative approval under a separate ordinance provision, resulting in a 75-foot sign.
3. The administrative process did not require Council approval or public hearings, which fueled perceptions of a "backroom" decision.
4. Buc-ee's signage remains subject to Dark Sky and other requirements applicable under the 2019 vested ordinances.
5. The signage history illustrates both the limits of Council discretion under state law and the importance of clarifying how multiple regulatory processes intersect.

Traffic Impact Analysis (TIA) – Requirements, Findings, and Status

City TIA Code Framework

Since 2009, the City of Boerne has required Traffic Impact Analyses (TIAs) for developments that generate significant traffic. These requirements, now incorporated into the Unified Development Code (UDC), apply throughout the permitting process—including zoning, platting, site development, and building permit stages.

Key provisions include:

- **Trigger Threshold:** Any project generating more than 100 additional peak-hour trips must submit a full TIA.
- **Scope:** Studies evaluate impacts within a two-mile radius, covering roadway segments, access points, and intersection operations.

- Performance Standard: Traffic is graded by “Level of Service” (LOS), ranging from A (free-flow) to F (failing). Boerne requires projects to ensure intersections operate at LOS C or better.
- Mitigation Obligations: Where intersections already operate below LOS C, developers must prevent conditions from worsening by more than 10% beyond background growth. Acceptable mitigation measures include turn lanes, pavement widening, signal upgrades, pedestrian facilities, or access controls.

These requirements ensure that major developments like Buc-ee’s do not impose disproportionate traffic burdens on surrounding infrastructure.

Buc-ee’s TIA History

Because of its projected scale and customer volume, the Buc-ee’s Travel Center required a full TIA. The first study was prepared in May 2017, but rapid changes in roadway conditions, particularly TxDOT’s reconstruction of the I-10 frontage roads and replacement of the South Main Street bridge, quickly rendered it outdated. City staff required updated analyses before any site development permit could be approved.

Review Timeline:

- May 8, 2017 - Initial TIA prepared by Buc-ee’s consultants.
- October 10, 2019 - City Planning forwards 2017 TIA to the City’s third-party traffic consultant for review.
- October 23, 2019 - City provides technical comments.
- November 8, 2019 - New City engineering staff begin coordination of responses.
- May 2, 2024 - Buc-ee’s submits Site Development Permit (SDP) package with the outdated 2017 TIA.
- May 10, 2024 - Application deemed deficient (unapproved TIA, missing building plans, and missing TxDOT approvals).
- May 20, 2024 - City advises Buc-ee’s to update TIA to reflect post-TxDOT construction roadway network.
- July 30, 2024 - TIA Submittal #2 received.
- September 6, 2024 - City issues comments on TIA Submittal #2.
- September 16, 2024 - TIA Submittal #3 submitted.

- September 30, 2024 - City issues comments on Submittal #3.
- October 11, 2024 - Technical review of SDP #2 concludes; application marked deficient.
- July 14, 2025 - TIA Submittal #4 received.
- August 14, 2025 - City issues comments on Submittal #4 (latest review to date).

This cycle reflects both the complexity of the project and the City's insistence on keeping traffic data current with TxDOT's evolving highway improvements.

Findings and Next Steps

The Buc-ee's project will not be allowed to open until all required TIA findings are addressed. Mitigation measures recommended by the approved TIA must be implemented in coordination with TxDOT before the facility begins operation.

At present, City review of the latest (fourth) TIA submittal is ongoing. Site development permits remain incomplete pending resolution of traffic concerns, building permit submissions, and final TxDOT approvals.

Transparency and Public Value

This record demonstrates that Buc-ee's has been held to the same traffic standards as any other large-scale development in Boerne. When older traffic studies became outdated, City staff required updated submittals and withheld approvals until deficiencies were addressed. Far from being expedited, the Buc-ee's project has undergone repeated technical review to ensure compliance with adopted code and regional transportation conditions.

Utility Infrastructure Requirements and Status

Early Coordination (2016–2018)

Utility planning for the Buc-ee's project began in 2016 following the execution of the Chapter 380 Economic Development Agreement. Early discussions covered:

- Water and Sewer: Initial work focused on sizing water meters and exploring options to extend sewer service via a new Suggs Creek Sewer Main.
- Natural Gas and Electric: Early designs contemplated rerouting City utilities in a straight alignment along TxDOT's proposed eastbound frontage road.
- TxDOT Right-of-Way (ROW): TxDOT's policy to delay dedication of surplus ROW until completion of its I-10 Frontage Road reconstruction — along with the

replacement of the South Main Street bridge — prevented the City from relocating utilities then envisioned in its original timeline.

At this stage, staff in the City Manager's Office led coordination efforts, supported by the Planning Department and Economic Development staff.

Renewed Planning (2019–2021)

As TxDOT projects advanced, Buc-ee's and the City returned to utility planning. Key milestones included:

- 2019–2020: Continued discussions addressed sewer main routing along Suggs Creek and securing easements.
- September 2019: Buc-ee's engineers committed to designing the Suggs Creek Sewer Extension and began coordination with TxDOT on a permitted I-10 crossing.
- February 2021: The City obtained a sewer easement from an adjoining property, enabling the main alignment.
- March 2022: The City approved Buc-ee's sewer plans with conditions requiring TxDOT permitting and tree removal approvals.

Because TxDOT released surplus ROW incrementally, the City modified its gas and electric relocation plans, shifting alignments into the Buc-ee's Way corridor rather than the frontage road ROW anticipated in the 2016 agreement.

Construction and ROW Acquisitions (2022–2024)

- March–November 2022: Buc-ee's negotiated phased ROW purchases from TxDOT, including the Buc-ee's Way corridor.
- February 2024: Boerne City Council formally requests the transfer of ROW from TxDOT to the City from surplus ROW for future roadway development.
- May 2024: The State of Texas formally approves the transfer of surplus ROW no longer needed by TxDOT, per approval of the Texas Transportation Commission in Minute Order 116671, directly to the City of Boerne for the Buc-ee's Way Extension (recorded at Kendall Courthouse 5/30/24).
- June 2024: The City contracted Schneider Engineering to design natural gas and electric relocations.

- October 2024: Buc-ee's submitted a final plat. Because plat approval (and corresponding easements) was still pending, the City requested separate dedication instruments for the necessary utility easements.

Sewer Construction Coordination (2025)

In early 2025, Buc-ee's sought to begin construction of the Suggs Creek Sewer Main. Because the 380 Agreement obligated the City to reimburse the project in full, the City Attorney advised that municipal procurement law required competitive bidding. The City assisted Buc-ee's in preparing bid documents, but the first bid opening in February 2025 was cancelled due to incomplete specifications.

The project remains pending re-bid. City staff continue to provide technical support to Buc-ee's as complete bid documents are prepared.

Utility Relocations (2025)

- July 2025: Buc-ee's completed roadway embankment work on Buc-ee's Way, providing a corridor for gas and electric lines.
- August 2025: The City substantially completed relocation of the natural gas main.
- October 2025 (anticipated): Completion of the relocated electric distribution line, subject to material availability.

Summary

The utility work for the Buc-ee's project highlights the interdependence of private development, TxDOT infrastructure schedules, and municipal obligations under the 380 Agreement.

Key takeaways include:

- ROW Dependencies: TxDOT's phased dedication of ROW delayed utility relocations and required adjustments to original plans.
- Sewer Extension: Buc-ee's elected to lead construction of the Suggs Creek Sewer Main to meet its timeline, but municipal bidding requirements created additional procedural steps.
- Gas and Electric Relocation: Years of revised planning are culminating in near-complete relocations, now aligned along Buc-ee's Way.

This sequence illustrates the City's good-faith efforts to meet its contractual obligations while adhering to state procurement laws, balancing project timelines with public accountability.

Plan Submittals and Permit Requests to the City of Boerne

Overview of the Review Process

In addition to public hearings before the Planning and Zoning Commission and the City Council, much of the technical review of a development occurs directly between applicants and City staff. This administrative process — used for all projects in Boerne — ensures that applications comply with adopted codes and ordinances before formal approval. Developers typically submit detailed plans to staff, who then provide comments or corrections; applicants revise and resubmit until compliance is achieved.

For Buc-ee's, this iterative process has been especially extensive. Initial plan submittals began in 2019, and apart from a pause in 2022 during ongoing TxDOT construction, new filings have occurred every year. Activity has accelerated since 2023, once TxDOT completed its I-10 interchange and frontage road reconstruction, enabling Buc-ee's to proceed with its site development.

Chronology of Major Permit Applications

The following represents the key plan submittals and permits filed by Buc-ee's with the City of Boerne:

- June 15, 2023 - Building Permit: Filed to initiate vertical construction planning for the primary travel center structure.
- April 19, 2024 - Grading Permit: Requested for initial earthwork on the site, including cut-and-fill operations and site stabilization.
- May 2, 2024 - Site Development Permit (SDP): First comprehensive submission of site engineering plans. Ultimately deemed incomplete due to the outdated TIA, missing building plans, and missing TxDOT approvals.
- May 10, 2024 - Tree Removal Permit: Submitted in conjunction with early clearing work.
- June 12, 2024 - Floodplain Development Permit: Required due to the project's proximity to drainage features and floodplain-regulated areas.
- March 3, 2025 - Tree Removal Permit: Second application tied to revised site clearing plans.
- March 18, 2025 - Zoning Verification Permit: Filed to confirm zoning designations for parcels involved in the expanded site plan.
- April 16, 2025 - Site Development Permit (Resubmittal): Updated SDP incorporating corrections and revised technical studies.

- April 30, 2025 - Tree Removal Permit: Supplemental permit for expanded clearing tied to revised layouts.
- July 17, 2025 - Right-of-Way Permit: Requested to perform utility and roadway work within the Buc-ee's Way corridor.

Observations

- Multiple Iterations: The number of permits and re-submittals reflects both the project's scale and the complexity of aligning private development timelines with TxDOT construction schedules and City regulatory requirements.
- Compliance-Oriented Process: Each permit category — grading, floodplain, tree removal, site development — serves a specific compliance function under the City's codes and ordinances. This ensures that development proceeds in stages only when all requirements are met.
- Adaptive Review: As Buc-ee's has revised its site plan in response to neighborhood input, TxDOT ROW releases, and utility coordination, new submittals have been required. This iterative cycle is standard for large, multi-year projects.

Community Opposition and Engagement

Public Concerns and Organized Opposition (2016–2019)

From the moment Buc-ee's was publicly announced in August 2016, the proposal became one of the more contested development issues in Boerne's modern history. While City officials and the Boerne Kendall County Economic Development Corporation emphasized projected benefits — including more than 170 full-time jobs, \$25 million annually in taxable sales, and significant new sales tax revenues — many residents saw the project as a direct challenge to Boerne's identity, character, and livability.

Residents voiced their concerns in public hearings, written comments, and organized campaigns. Facebook groups became a focal point for opposition, and a way to express visible frustration.

The primary concerns raised included:

- Traffic Congestion - The projected thousands of additional vehicle trips per day were seen as exacerbating congestion on I-10 and South Main Street, both already under pressure from regional growth.
- Lighting Impacts - Opponents worried about the loss of night-sky visibility due to glare and skyglow from a 24-hour facility.

- Noise Pollution - Continuous customer traffic and delivery operations raised fears of round-the-clock noise impacts.
- Environmental Risks - Concerns focused on stormwater runoff, groundwater contamination from underground fuel storage, and impacts to local creeks and aquifers.
- Property Values and Community Fit - Residents argued that the scale and intensity of the project were incompatible with Boerne's small-town image and would reduce the value of nearby homes.
- Transparency and Process - Some residents perceived that the 2016 incentive agreement and subsequent approvals limited opportunities for meaningful public participation, fueling perceptions of a "backroom deal."

These themes recurred in City Council and Planning & Zoning Commission hearings between 2016 and 2019. They remain documented in meeting minutes and recordings preserved on the City's website.

Coordination with Adjacent Neighborhood

Recognizing that the most direct impacts would fall on the Menger Springs subdivision immediately west of the project site, Buc-ee's, Ltd. engaged with the Menger Springs Homeowners Association (HOA) during the formal design process. With City planning staff facilitating, these discussions resulted in a negotiated redesign that addressed several neighborhood concerns.

On December 10, 2021, the City's Design Review Committee unanimously approved a revised site plan incorporating the following key changes:

- Relocation of fueling stations and parking areas farther from the neighborhood boundary to reduce light, noise, and visual impacts.
- Expanded landscape buffers with native plantings, tree canopy restoration, and berming to create separation between the project and adjacent homes.
- Dark Sky-compliant lighting with shielded fixtures to minimize glare and skyglow.
- Ecological enhancements, including the installation of a monarch butterfly waystation, intended to integrate the site more harmoniously with the surrounding environment.

It is important to note that these modifications exceeded the baseline requirements of the Unified Development Code (UDC) and reflected a collaborative compromise between the developer, the neighborhood, and the City.

City Response and Outcome

City officials consistently acknowledged the intensity of community opposition but emphasized that the Buc-ee's project will meet all applicable zoning, subdivision, and development code standards. Traffic, lighting, and drainage were subject to enforceable requirements under the UDC and TxDOT access management, and noise was regulated under the City's Code of Ordinances.

At the same time, the City pointed to broader community benefits embedded in the 2016 agreement and subsequent approvals: significant job creation, long-term sales tax growth, extension of public infrastructure that would serve multiple properties, and the dedication of public open space.

Despite the continuing opposition, Buc-ee's advanced through its required approvals. Construction, delayed by TxDOT's multi-year interchange and frontage road projects, finally began in 2025. The controversy surrounding the project remains emblematic of the balance that fast-growing communities must navigate — preserving local character while accommodating regional economic forces and development pressures.

Project Timeline and Milestones

Early Discussions and Agreement (2015–2016)

In the summer of 2015, the Boerne Kendall County Economic Development Corporation (BKEDC) initiated preliminary conversations with City leadership about recruiting Buc-ee's to Boerne. Discussions between representatives from BKEDC, City officials, and Buc-ee's executives began exploration for potential sites along I-10.

On July 26, 2016, the City Council held its first Executive Session discussion on the matter, though no action was taken at that time. The project became public on August 8, 2016, when local media reported that Buc-ee's was seeking incentive agreements from both the City and Kendall County for a proposed \$40 million travel center investment, expected to create approximately 175 jobs.

The following day, August 9, 2016, the City Council approved a Chapter 380 Economic Development Agreement (DA) with Buc-ee's, Ltd. through Resolution 2016-R72. The agreement laid out terms for incentives, infrastructure extensions, and project requirements. Media coverage following the approval cited an anticipated opening in 2020 with around 170 new jobs.

Early Development and Signage Disputes (2017–2018)

The first public controversy arose around signage. On October 24, 2017, Buc-ee's requested a variance for a 100-foot sign. After residents spoke in opposition, the City Council denied both the 100-foot proposal and an alternative motion for a 77-foot sign.

In March 2018, Buc-ee's sought approval through the City's Sign Review Committee process, which operated under then-current ordinances. The Planning Department approved a sign permit allowing one 75-foot sign for the travel center tract and one 40-foot sign for an adjacent tract.

That same year, Boerne adopted its new Master Plan (August 28, 2018) following extensive community engagement: 13 focus groups, 11 committee meetings, three public workshops, 1,700 survey responses, and multiple joint sessions with Council and P&Z. The adopted plan emphasized supporting a diverse economy, job creation, and destination amenities, while reinforcing land use compatibility.

Vesting and Initial Applications (2019–2020)

Buc-ee's filed its first formal development applications in 2019, vesting the project to the ordinances in effect that year. That same year, the City launched its Unified Development Code (UDC) project to consolidate all development-related ordinances into a single document.

- October 7, 2019 - Buc-ee's submitted a preliminary plat. After extensive revisions, the plat was presented to P&Z for approval.
- October 19, 2019 - Initial infrastructure plans were submitted, covering utilities, drainage, sewer, and street improvements.

In 2020, the City issued a funding request under the DA, asking Buc-ee's to advance funding and complete the construction of offsite utilities and Buc-ee's Way, with the City reimbursing over time.

The same year, TxDOT and Buc-ee's requested rezoning of a 5.15-acre tract of TxDOT right-of-way to B-2 Highway Commercial. P&Z unanimously recommended approval on May 4, 2020, and the City Council adopted Ordinance 2020-18 on June 23, 2020 approving the B-2 zoning.

Also in 2020, the preliminary plat for 29.22 acres — the core Buc-ee's site — was approved by P&Z without conditions. No members of the public spoke at the hearing. In November 2020, the City approved the purchase of a sanitary sewer easement to serve the site.

Neighborhood Coordination and Design Adjustments (2021–2022)

Throughout 2021, Buc-ee's and the City facilitated discussions with the Menger Springs HOA. These meetings resulted in significant design changes, including relocation of fuel pumps, expanded landscape buffers, and compliance with Dark Sky measures.

On December 12, 2021, the City's Design Review Committee unanimously approved the updated layout, noting the inclusion of ecological features such as a monarch

butterfly waystation. At a December 14, 2021 Council meeting, members acknowledged Buc-ee's responsiveness to neighborhood concerns.

In 2022, Buc-ee's continued refining its plans to address City requirements on lighting, landscaping, and traffic.

Infrastructure Preparations and Renewed Permitting (2023–2024)

By 2023, with TxDOT's interchange projects nearing completion, Buc-ee's activity intensified.

- May 22, 2023 - Buc-ee's submitted its fifth round of public infrastructure plans since 2019.
- June 15, 2023 - The company applied for its building permit.

In 2024, several permits were submitted:

- April 19 - Grading Permit
- May 2 - Site Development Permit
- May 10 - Tree Removal Permit
- June 12 - Floodplain Development Permit

On June 25, 2024, Council approved a professional services agreement with Schneider Engineering to design relocation of City utilities along I-10 and Buc-ee's Way.

Construction and Zoning Ratification (2025)

Early 2025 marked the first visible signs of construction.

- January 22, 2025 - City issued a mass grading permit for Buc-ee's Way and utilities.
- February 26–28, 2025 - Local and regional media reported that initial grading and roadway work had begun.

Buc-ee's submitted additional permits throughout the year:

- March 3 - Tree Removal Permit
- March 18 - Zoning Verification Permit
- April 16 - Site Development Permit

- April 30 - Tree Removal Permit
- July 17 - Right-of-Way Permit

Zoning actions resurfaced in mid-2025. A rezoning request for an accessory parking lot was scheduled for July 7, 2025, but postponed. After sending out public hearing notifications, and prior to the July 7th meeting, staff discovered the previous zoning error made in 2021. City officials confirmed with the City Attorney and clarified that the required zoning action is ratification to align UDC zoning maps with the Council's 2020 approvals.

Public hearings were rescheduled:

- September 8, 2025 - Planning & Zoning Commission to consider ratification.
- September 23, 2025 - City Council scheduled for first reading of the ordinance.

Summary

The Buc-ee's project timeline demonstrates a decade-long process shaped by interagency coordination, evolving City codes, and community dialogue. From initial incentives in 2016 to infrastructure construction in 2025, the project reflects both the challenges of managing large-scale development and the City's commitment to documenting each milestone through transparent public processes.

Next Steps and Monitoring

As of August 2025, two major milestones remain before the Buc-ee's project can transition from infrastructure preparation into full construction.

Accessory Parking Lot Zoning

The eastern portion of the TxDOT surplus tract, which Buc-ee's owns and now intends to use for accessory parking, is undergoing procedural zoning ratification. The Planning and Zoning Commission is scheduled to hold a public hearing and consider the application on September 8, 2025. Should the Commission recommend approval, the City Council will then consider the zoning ordinance on first reading at its September 23, 2025 meeting, with final action to follow.

It is important to note that this accessory parking lot is a standalone parcel, legally and procedurally distinct from the primary Buc-ee's fueling station site. Its zoning and permitting process are independent, and progress on the parking lot does not govern or control progress on the fueling center project.

Vertical Construction Permits

On the fueling station tract, grading, roadway, and utility relocation work has advanced; however, Buc-ee's has not yet received approval for vertical construction. Before the company may proceed with building its main facility or installing fuel systems, it must secure additional permits — most notably, a building permit and fuel-system permits. These approvals are contingent upon successful completion of plan reviews, resolution of outstanding Traffic Impact Analysis comments, and confirmation of compliance with City ordinances applicable under the project's vested rights.

Monitoring and Transparency

City staff will continue monitoring compliance with the 2016 Economic Development Agreement and subsequent approvals. Progress updates will be documented through formal permit reviews, staff reports, and public meetings of the Planning and Zoning Commission and City Council. This approach ensures that both elected officials and the community remain informed at each milestone in the project's advancement.

Conclusion and Acknowledgments

The Buc-ee's project has unfolded over nearly a decade of planning, negotiations, regulatory reviews, and public debate. It stands as one of the more complex development efforts in Boerne's recent history — requiring coordination across multiple agencies, governing bodies, and community stakeholders.

From its inception in 2015 through the present, the project has reflected both the promise of economic growth and the challenges of managing development within a community that treasures its character and quality of life. The City has consistently applied its ordinances, required mitigation where impacts were identified, and worked within the framework of state law governing vested rights and zoning procedures. While disagreements remain, the City's goal is to ensure that decisions are grounded in fact, transparency, and accountability.

This document provides a technical, fact-based record of the project to date. It is not intended to advocate for or against the development, but rather to establish a clear historical account—one that can guide current and future decision-making, foster informed public dialogue, and serve as a reference for community leaders and residents alike.

As the project moves forward, additional updates will be necessary. The accessory parking lot zoning ratification, pending permit approvals for vertical construction, and completion of outstanding infrastructure work will each mark important milestones. The City remains committed to documenting these developments publicly and ensuring that both elected officials and the community remain informed at each step.

Acknowledgments

The preparation of this white paper would not have been possible without the extensive efforts of City staff across multiple departments. Their work included combing through archived records, reviewing meeting minutes, verifying technical data, and providing subject matter expertise. Special thanks are extended to:

- Planning and Zoning Department – for research into zoning history, permitting, and procedural compliance.
- Engineering and Mobility Office – for detailed documentation of traffic impact analyses, roadway planning, and technical reviews.
- Utilities Department – for reconstructing the chronology of water, sewer, gas, and electric infrastructure coordination.
- Boerne Kendall County Economic Development Corporation – for their work in assembling and clarifying the terms and history of the 2016 Economic Development Agreement.
- City Secretary's Office – for maintaining and providing access to public records, minutes, and resolutions.
- Legal Counsel – for guidance on zoning law, vested rights, and contract interpretation.

Finally, acknowledgment is due to the many staff members — past and present — who worked long hours, often behind the scenes, to gather records, review old files, and provide input for this document. Their diligence and professionalism are a testament to the City's commitment to transparency and accountability.

SECTION 17. B-2 - HIGHWAY COMMERCIAL DISTRICT

- A. **Purposes.** The B-2 districts are located along principal arterial streets, adjacent to other non-residential districts. They are areas suitable for general retail trade and a wide variety of other commercial uses. The district regulations are designed to encourage these uses, while also protecting the abutting and nearby areas.
- B. **Applicability.** This district is applicable in areas where large scale and regional businesses are appropriate, and where the impacts on other more walkable development patterns can be minimized, both in terms of physical design and in terms of uses that have a regional draw. Therefore it should be limited in application to areas with good highway access, and away from areas where smaller-scale, and neighborhood oriented businesses are desired.

C. **Required Lot and Building Dimensions.**

| | |
|--------------------------------|---|
| MINIMUM LOT AREA | 10,000 square feet |
| MINIMUM LOT WIDTH | 60 feet |
| MINIMUM FRONT YARD | 0 - 20 feet |
| MINIMUM SIDE YARD | 0 feet, if party wall; 5' if not party wall; |
| MINIMUM REAR YARD | 0' - See Combined Commercial Design Standards for rear/side location parking requirements |
| MAXIMUM BUILDING HEIGHT | 75' - See 3.05.001 for Height exceptions – City Council may approve a height over 75' (Ord. No. 2017-03, §1, 1-24-2017) |

- D. **Permitted Uses.** The uses permitted in the B-2 district are specified in Table 5-1 as either “permitted” or “conditional” or “restricted”.

E. **Restrictions on Particular Uses.**

1. A trailer court must provide water and sewer service for each unit.
2. Mixed-use Dwelling Units must meet the following specific site and building design standards:
 - a. Each unit, residential and commercial, shall have two clearly distinct areas.
 - b. Each area shall separately and independently meet the required building codes applicable to the intended use for that portion of the building.
 - c. Occupational or vocational uses allowed in the non-living portion may be any non-residential use allowed in the zoning district. The use shall not by reason of noise, odor, or physical operation create any impacts on adjacent lots that are adverse to adjacent uses. Uses with a tendency to create external impacts or visible signs of operation may be further limited in terms of site design or hours of operation in order to minimize potential impacts.
 - d. Required parking shall be based on the greater of the parking required for the non-living area or the living area.
(Ord. No. 2012-04, §5, 4-24-2012)
3. Bed and Breakfasts shall meet the restrictions in Article 3, Section 04.

F. **Specific Site and Building Design Standards.**

1. Due to the more compact development pattern, and the important relationship between the design of buildings, sites, open spaces and streetscapes in creating a walkable, mixed-use environment integrated into adjacent neighborhoods, the Combined Commercial Design Standards in Article 3, Section 09 of the Zoning Ordinance shall apply to all lots in the B-2 District.
2. All lots in the B-2 District which are located in the Entrance Corridor Overlay as specified in Article 5, Section 25 of the Zoning Ordinance shall meet the standards of that section.

SECTION 18. B-2R - HIGHWAY COMMERCIAL – RESTRICTED DISTRICT

- A. **Purposes.** The B-2R districts are usually located between residential areas and business areas. They are areas suitable for general retail trade and a more limited range of uses than that of other commercial districts. The district regulations are designed to encourage these uses, while also protecting the abutting and nearby residential areas.
- B. **Applicability.** This district is applicable on the fringes of B-2 zoning, and in areas abutting large scale and regional businesses are appropriate in a limited and controlled manner. Limitations should be focused on minimizing impacts on other more walkable development patterns in adjacent areas or on adjacent residential neighborhoods, both in terms of physical design and in terms of uses that have a regional draw.
- C. **Required Lot and Building Dimensions.**

| | |
|--------------------------------|---|
| MINIMUM LOT AREA | 10,000 square feet |
| MINIMUM LOT WIDTH | 60 feet |
| MINIMUM FRONT YARD | 0 - 20 feet |
| MINIMUM SIDE YARD | 0 feet, if party wall; 5' if not party wall; |
| MINIMUM REAR YARD | 0 feet - See Combined Commercial Design Standards for rear/side location parking requirements |
| MAXIMUM BUILDING HEIGHT | 38' - See 3.05.001 for Height exceptions |

- D. **Permitted Uses.** The uses permitted in the B-2R district are specified in Table 5-1 as either “permitted” or “conditional” or “restricted”.
- E. **Restrictions on Particular Uses.**
1. Bed and Breakfasts shall meet the restrictions in Article 3, Section 04.
- F. **Specific Site and Building Design Standards.**
1. Due to the more compact development pattern, and the important relationship between the design of buildings, sites, open spaces and streetscapes in creating a walkable, mixed-use environment integrated into adjacent neighborhoods, the Combined Commercial Design Standards in Article 3, Section 09 of the Zoning Ordinance shall apply to all lots in the B-2R District.
 2. The City Council may grant a waiver to the application of any or all of the Commercial Center Design Standards, after a recommendation by the Planning and Zoning Commission, if:
 - a. The particular standard or standards are not applicable to the specific lot by reason of its context of the lot;
 - b. Consideration of alternative methods of meeting the intent of the Combined Commercial Design Standards, and the Design Guidelines had been incorporated in the project design;
 - c. An alternative design that equally or better meets the intent of the Combined Commercial Design Standards is used; and
 - d. Waiver of the standard or standards does not compromise existing or potential future development on adjacent lots or the ability of the zoning district as a whole to best meet the intent of the district.
 3. All lots in the B-2R District which are located in the Entrance Corridor Overlay as specified in Article 5, Section 25 of the Zoning Ordinance shall meet the standards of that section.

| Legend for Table of Uses | Neighborhood Office | Office Park | Industrial Office | Neighborhood Commercial | Transitional Commercial | Community Commercial | Regional Commercial | Craft Commercial | Storage and Transportation | Light Industrial | General Industrial | City Property | Civic and Institutional |
|--|---------------------|-------------|-------------------|-------------------------|-------------------------|----------------------|---------------------|------------------|----------------------------|------------------|--------------------|---------------|-------------------------|
| P = Permitted by right S = Special Use Permit T = Temporary Uses (may require a permit from Permitting and Code Compliance) (Blank) = Not permitted | | | | | | | | | | | | | |
| Uses by Use Group | O1 | O2 | O3 | C1 | C2 | C3 | C4 | CR | I1 | I2 | I3 | City | CIV |
| Residential Use Group - See Sec. 3-6 for Use Restrictions | | | | | | | | | | | | | |
| Assisted living facility | | | | P | P | P | S | | | | | | |
| Community home | | | | S | S | | | S | | | | | |
| Halfway house | | | | S | S | | | S | | | | | |
| Live-work unit | | | | P | P | P | | P | S | S | | | |
| Mixed-use building | | | | S | S | S | S | | | | | | |
| Multi-family (5-10 units p/ac & 2.5 stories or less) | | | | | X | X | X | | | | | | |
| Multi-family (18 units p/ac or less) | | | | | X | X | X | | | | | | |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Multi-family (over 19 units p/ac) | | | | | X | X | X | | | | | | |
| Nursing/residential care facility | | | | S | P | P | S | | | | | | |
| Single-family dwelling (attached) | | | | P | S | | | S | | | | | |
| Single-family dwelling (detached) | | | | P | S | | | S | | | | | |
| Civic Use Group - See Sec. 3-6 for Use Restrictions | | | | | | | | | | | | | |
| Assembly | S | S | S | S | P | P | P | S | S | S | S | | P |
| Cemetery | | | | | | | | | | | | P | P |
| Club/lodge | | | | | S | P | | P | | P | | | P |
| College/university | | | | | | | S | | | P | | P | P |
| Correctional facility/jail | | | | | | | | | | | | P | S |
| Developed athletic field/stadium | | | | | | | | | | | | P | P |
| Government facility | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Library | | | | | P | P | P | | | S | | P | P |
| Museum | | | | | P | P | P | | | S | | P | P |
| Park or open space (private) | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Park or open space (public) | P | P | P | P | P | P | P | P | P | P | P | P | P |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Public safety facility | | | | | | | | | | | | P | P |
| School | P | P | P | P | P | P | P | P | P | P | P | P | P |
| >Employment Use Group - See Sec. 3-6 for Use Restrictions | | | | | | | | | | | | | |
| Business park/campus | | P | P | | | | | | | P | S | | |
| Office (1 story) | P | P | P | P | P | P | P | P | P | P | S | P | |
| Office (2 stories) | P | P | P | S | P | P | P | P | P | P | S | P | |
| Office (over 2 stories) | | P | P | | | S | P | | S | P | S | P | |
| Retail Use Group- See Sec. 3-6 for Use Restrictions | | | | | | | | | | | | | |
| Automobile parts and parts sales | | | | | S | P | P | S | P | P | | | |
| Automobile sales | | | | | | S | S | | P | | | | |
| Bar/wine bar | | | | S | S | P | P | P | | | | | |
| Brewery/distillery | | | | | | | S | S | | S | P | | |
| Craft alcohol production | | | | S | S | P | P | P | | | | | |
| Convenience store | | | P | S | P | P | P | | P | | | | |
| Gas station | | | P | | S | S | P | S | P | | P | | |
| Grocery store | | | | P | P | P | P | | | | | | |
| Mobile food park | | | | S | S | S | S | P | | | | | |
| Multi-tenant building | | | | P | P | P | P | | | | | | |
| Restaurant | | | | P | P | P | P | S | | | | | |

| | | | | | | | | | | | | | |
|--|--|---|--|---|---|---|---|---|--|--|---|--|--|
| Retail sales | | | | P | P | P | P | | | | | | |
| Shopping mall | | | | | | | P | | | | | | |
| Thrift store (no outside storage/donation bin) | | | | S | S | S | S | S | | | | | |
| Thrift store (with outside donation/storage bin) | | | | | | S | S | S | | | P | | |
| Truck Stop | | | | | | | S | | | | S | | |
| Warehouse retail | | P | | | | | S | | | | S | | |

Service Use Group - See [Sec. 3-6](#) for Use Restrictions

| | | | | | | | | | | | | | |
|---|---|--|---|---|---|---|---|---|---|---|---|---|--|
| Animal boarding (indoor) | | | | S | P | P | P | | | P | | P | |
| Animal boarding (outdoor) | | | | | | | | | P | S | P | P | |
| Automobile rental | | | | | | S | P | | P | S | | | |
| Automobile service (no outside storage) | | | | | S | P | P | P | | P | P | | |
| Automobile service (outside storage) | | | | | | S | P | | | P | P | | |
| Bank/financial institutions | | | | S | P | P | P | | | | | | |
| Barber/beauty shop | P | | | P | P | P | P | P | | | | | |
| Bus terminal | | | S | | | S | S | | P | S | P | P | |

| | | | | | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|---|---|---|--|---|
| Car wash | | | | | | P | P | | | P | P | | |
| Commercial mail facility | P | P | P | P | P | P | P | P | P | P | P | | P |
| Commercial recreation (indoor) | | | | | S | P | P | S | | | | | |
| Commercial recreation (outdoor) | | | | | | S | P | | | | | | |
| Day care/adult | | | | S | S | S | | | | | | | S |
| Day care (more than 6 children, not home occupation) | S | | | S | S | S | | | | S | | | S |
| Funeral home/mortuary | | | | | S | P | P | | | S | | | |
| Gym/sports training facility (10,000 sf or less) | | | | P | P | P | P | P | P | P | | | |
| Gym/sports training facility (over 10,000 sf) | | | | | | P | P | | | | | | |
| Hotel - boutique (30 rooms or less) | | | | | S | S | P | | | | | | |
| Hotel/motel | | | | | | S | P | | | | | | |
| Laboratory | | | | S | S | S | S | P | | P | | | |
| Laundry (self service) | | S | P | S | S | P | | P | | | | | |
| Medical - freestanding emergency room | | | | | S | P | P | | | | | | |

| | | | | | | | | | | | | | |
|--|---|--|---|---|---|---|---|---|---|---|---|---|---|
| Medical - hospital/inpatient care facility | | | | | | S | P | | | | | | |
| Medical - laboratory/diagnostic services | | | | P | P | P | P | | | | | | |
| Medical - offices/outpatient | S | | | P | P | P | P | | | | | | P |
| Medical - pharmacy | S | | | S | P | P | P | | | | | | |
| Medical - surgical center | | | | | S | P | P | | | | | | |
| Medical - urgent care | | | | S | P | P | P | | | | | | P |
| Mixed-use lot | P | | | S | S | S | S | P | | | | P | P |
| Movie theater | | | | | S | S | P | | | | | | |
| Parking lot/garage | | | P | | S | S | P | P | P | P | P | P | P |
| Pawn shop | | | S | | | S | S | S | | | | | |
| RV park | | | | | | | S | | S | | | | |
| Spa | P | | | P | P | P | P | | | | | | |
| Towing Facility/Impound Yard | | | | | | | | | | | S | | |
| Trade school | | | P | | | S | P | P | | P | P | P | P |
| Veterinary clinic (indoor boarding) | | | | S | P | P | P | | | P | P | | |

| | | | | | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Veterinary clinic (no boarding) | | | | S | P | P | P | | | P | P | P | P |
| Veterinary clinic (outdoor boarding) | | | | | | | | | P | S | P | | |
| Wholesale | | | P | | | | S | P | P | | P | | |
| Industrial and Utility Use Group - See Sec. 3-6 for Use Restrictions | | | | | | | | | | | | | |
| Artisan craft production | | | | S | S | S | S | P | | P | P | | |
| Commercial communication system | S | P | P | S | S | S | P | S | P | P | P | P | |
| Contractor | | | P | S | S | S | S | | | P | P | | |
| Fabrication (indoor) | | | | | | | | P | | P | P | | |
| Industrial arts studio | | | S | | S | S | | P | | P | P | | |
| Industrial park | | | P | | | | | | | P | P | | |
| Junk yard | | | | | | | | | | | S | | |
| Maintenance facility | | | | | | | | | P | P | P | P | P |
| Manufacturing | | | | | | | | | | S | P | | |
| Mini-warehouse | | | P | | | | S | | P | | S | P | |
| Oversize vehicle and machinery rental, sales and service | | | | | | | | | P | | P | P | |
| Portable building sales | | | | | | | | | P | | P | | |

| | | | | | | | | | | | | | |
|--|---|--|---|---|---|---|---|---|---|---|---|---|---|
| Processing | | | | | | | | | | S | P | | |
| Railroad facility | | | | | | | | | P | P | P | P | P |
| Regional detention facility | | | P | | | | | | | P | | P | P |
| Research and development facility | | | S | | | | | | | P | | | |
| Utility station, sub-station, or service center | | | | | | | | | | P | P | P | P |
| Warehousing | | | | | | | | | p | P | P | P | |
| Agriculture and Natural Resource Use Group - See Sec. 3-6 for Use Restrictions | | | | | | | | | | | | | |
| Commercial agriculture | | | | | | | | | P | | | | |
| Commercial stable | | | | | | | | | P | | | | |
| Community garden | | | | S | S | S | S | S | | | | | P |
| Exhibition/fairgrounds | | | | | | S | S | | | S | | | |
| Farmer's market | | | | S | S | S | S | S | | | | | |
| Plant nursery | | | | | P | P | P | P | | | | | |
| Produce stand | S | | | S | S | S | S | S | | | | | |
| Urban farm, large (one acre or more) | | | | | S | S | S | | | | | | |
| Urban farm, small (less than one acre) | | | | S | S | S | S | | | | | | |

SOB Use Group - See [Sec. 3-6](#) for Use Restrictions

| | | | | | | | | | | | | | |
|-----------------------------------|--|--|--|--|--|--|--|--|--|--|---|--|--|
| Adult bookstore | | | | | | | | | | | S | | |
| Adult entertainment establishment | | | | | | | | | | | S | | |
| Adult motion picture theater | | | | | | | | | | | S | | |

Accessory Use Group (a use that is incidental to a primary use) - See [Sec. 3-6](#) for Use Restrictions

| | | | | | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Accessory automobile service (outside storage) | | | | | | S | S | | P | P | P | P | |
| Accessory bank kiosks | P | P | P | P | P | P | P | P | | P | | | |
| Accessory car wash | | | | S | S | S | S | | P | | P | P | |
| Accessory childcare | P | P | P | P | P | P | P | S | S | S | S | | P |
| Accessory commercial communication system | | | | | | | | | P | P | P | P | |
| Accessory convenience store | | P | P | | P | P | P | P | P | P | P | | |
| Accessory display/sales area (outdoor) | | | | S | S | S | S | P | | | | P | |
| Accessory donation bin (outdoor) | | | S | S | S | S | S | S | P | P | P | P | P |
| Accessory drive-thru facility | | S | S | S | S | S | P | | | | | P | |

| | | | | | | | | | | | | | |
|--------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Accessory garden | | | | P | P | P | P | P | | | | P | P |
| Accessory laboratory | | | | | | | | | S | S | S | | |
| Accessory maintenance facility | | | | | | S | S | | P | P | P | P | P |
| Accessory parking lot/garage | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Accessory portable buildings | | | | | | | | S | P | P | P | P | |
| Accessory processing | | | S | | S | S | S | S | P | P | P | | |
| Accessory sales yard (outdoor) | | | | | | S | P | S | | P | P | | |
| Accessory school | | | P | S | S | P | P | | P | P | | | P |
| Mobile Food Unit | | P | | P | P | P | P | P | | | | | |

Temporary Use Group - See [Sec. 3-6](#) for Use Restrictions

| | | | | | | | | | | | | | |
|-----------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Assembly | T | T | T | T | T | T | T | T | T | T | T | T | T |
| Carnival, circus, amusement rides | | | | | | T | T | T | | | | T | T |
| Donation bin (outdoor) | | | T | | | | | T | T | T | T | | T |
| Mobile food unit | T | T | T | T | T | T | T | T | T | T | T | T | T |
| On-site construction offices | T | T | T | T | T | T | T | T | T | T | T | T | T |
| Outdoor donation bin | | | S | T | T | T | T | T | T | T | T | T | T |

| | | | | | | | | | | | | | |
|---------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Outdoor equipment storage | | | | | | | | T | | | | T | |
| Portable storage units | | | | | | | | T | T | T | T | T | T |
| Produce Stand | | T | T | T | T | T | T | T | | | | T | T |
| Assembly | T | T | T | T | T | T | T | T | T | T | T | T | T |

SECTION 03. PERMITTED USES

TABLE 5-1: PERMITTED USES & BASE ZONING DISTRICTS

| PERMITTED USES BY DISTRICT P= Permitted generally, subject to ordinance standards R= Restricted, subject to specific conditions in this Ordinance CC= Conditional, subject to City Council review and approval L= Limitations as provided in Article 3, Section 18 | CHD Overlay | | | | | | | | | | | CL Overlay | | | | | | | | | | | | | | | |
|--|--|----|----|----|----|----|----|----|----|----|---|---------------------------------------|----|----|----|----|----|----|----|----|----|----|----|---|---|----|----|
| Residential Use Category | Only permitted in residential districts or B-3 at least one block off Main | | | | | | | | | | | All uses of the underlying R-district | | | | | | | | | | | | | | | |
| Detached Dwelling | | P | P | P | P | P | P | P | P | P | | | P | P | P | P | R | P | | R | | | P | | | R | R |
| Duplex Dwelling | | | | | | | | | | P | | | | P | P | | R | | | R | | | | | | | |
| Attached Dwelling | | | | | | | | R | P | P | | | | P | P | | R | | | R | P | | | | | R | R |
| Multi-Dwelling Structure | | | | | | | | | | | P | | | | | | R | CC | | R | | R | | | | R | R |
| Mixed-Use Dwelling | | | | | | | | | | | | | | | | | P | P | P | P | P | P | P | | | P | P |
| Accessory Dwelling | | R | R | R | R | R | R | R | R | R | | | | | | | R | CC | | | | | R | | | | |
| Garden Home | | | | | | | | P | P | | | | | | P | P | R | | | | | | R | | | P | P |
| Community Home | | L | L | L | L | L | L | | | | | | | | L | L | P | | | L | | | L | | | | |
| Personal Care Home | | P | P | P | P | P | P | P | P | P | P | | | | P | P | P | P | | R | | | P | | | P | P |
| Retirement Community | | | | | | CC | | CC | CC | | | | | | CC | CC | | CC | CC | | | | | | | | |
| Civic Use Category | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assembly | | CC | CC | CC | CC | CC | CC | CC | CC | CC | | | CC | CC | CC | CC | | CC | CC | CC | CC | | | | | CC | CC |
| Club or Lodge | | | | | | | | | | | | | | | | | CC | P | | | | | | | | P | P |
| Community Athletic Field | | CC | | CC | CC | CC | | CC | CC | | | | | CC | CC | CC | | P | | | | | | | | | |
| Developed Athletic Field or Stadium | CC | | CC | CC | CC | | CC | CC | | | | CC | CC | CC | | CC | | | | | | | | | | | |
| Government Facility | CC | CC | CC | CC | CC | | CC | CC | | | | CC | CC | CC | | CC | CC | CC | CC | | | CC | CC | P | P | | |
| Museum or Library | | | | | | | | | | | | | | | P | P | | P | | | | | | P | P | | |

TABLE 5-1: PERMITTED USES & BASE ZONING DISTRICTS

| TABLE 3-1: PERMITTED USES & BASE ZONING DISTRICTS | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|-------------|-----|-----|------|-----|------|-----|-----|-----|-----|--|------------|-------|-------|-----|-----|-----|------|-----|----|----|---|----|------|------|
| PERMITTED USES BY DISTRICT P= Permitted generally, subject to ordinance standards R= Restricted, subject to specific conditions in this Ordinance CC= Conditional, subject to City Council review and approval L= Limitations as provided in Article 3, Section 18 | CHD Overlay | | | | | | | | | | | CL Overlay | | | | | | | | | | | | | |
| | R-A | RMA | R-E | RE-1 | R-1 | RN-1 | R-2 | R-3 | R-D | R-4 | | RMO-1 | RMO-2 | RMO-3 | MHC | B-1 | B-2 | B-2R | B-3 | RC | RR | O | I | MU-1 | MU-2 |
| School | P | | P | P | P | | P | P | | | | P | P | P | | | | | | | | | | P | P |
| Employment Use Category | | | | | | | | | | | | | | | | | | | | | | | | | |
| Home Occupation | R | R | R | R | R | R | R | R | R | | | R | R | R | R | R | | | R | R | | P | | | |
| Neighborhood Office | | | | | | | | | | | | | | | P | P | P | P | CC | P | P | | | P | P |
| General Office | | | | | | | | | | | | | | | | P | P | P | CC | P | | | | CC | P |
| Major Office or Office Complex | | | | | | | | | | | | | | | | P | P | | | | | | CC | | CC |
| Business Park or Campus | | | | | | | | | | | | | | | | | CC | CC | | CC | | | CC | | |
| Retail Use Category | | | | | | | | | | | | | | | | | | | | | | | | | |
| Automobile Gas Station | | | | | | | | | | | | | | | | | CC | | | | | | | | |
| Automobile Gas Station fronting IH-10 | | | | | | | | | | | | | | | | | P | | | | | | | | P |
| Automobile Convenience Store | | | | | | | | | | | | | | | | CC | CC | CC | CC | | | | | CC | CC |
| Automobile Convenience Store fronting IH-10 | | | | | | | | | | | | | | | | | P | | | | | | | | P |
| Automobile Parts & Parts Sales | | | | | | | | | | | | | | | | | P | | CC | | | | | | |
| Automobile Sales | | | | | | | | | | | | | | | | | CC | | | | | | | | |
| Brew Pub | | | | | | | | | | | | | | | | | P | | P | P | P | | | P | P |
| Brewery | | | | | | | | | | | | | | | | | | | | | | | P | | |
| Mobile Food Vendor | | | | | | | | | | | | | | | | P | P | P | P | | R | | R | P | P |

TABLE 5-1: PERMITTED USES & BASE ZONING DISTRICTS

| PERMITTED USES BY DISTRICT P= Permitted generally, subject to ordinance standards R= Restricted, subject to specific conditions in this Ordinance CC= Conditional, subject to City Council review and approval L= Limitations as provided in Article 3, Section 18 | CHD Overlay | R-A | RMA | R-E | RE-1 | R-1 | RN-1 | R-2 | R-3 | R-D | R-4 | CL Overlay | RMO-1 | RMO-2 | RMO-3 | MHC | B-1 | B-2 | B-2R | B-3 | RC | RR | O | I | MU-1 | MU-2 | | |
|--|-------------|-----|-----|-----|------|-----|------|-----|-----|-----|-----|------------|-------|-------|-------|-----|-----|-----|------|-----|----|----|---|---|------|------|---|---|
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Restaurant (Convenience – non drive-thru) | | | | | | | | | | | | | | | | | P | P | P | P | P | P | | | P | P | | |
| Restaurant (Convenience – drive-thru) | | | | | | | | | | | | | | | | | | | | P | CC | CC | | | | R | P | |
| Restaurant (Limited) | | | | | | | | | | | | | | | | | | | P | P | P | P | P | | | P | P | |
| Restaurant (General) | | | | | | | | | | | | | | | | | | | | P | | P | P | | | P | P | |
| Grocery Store | | | | | | | | | | | | | | | | | | | P | CC | | CC | | | | | P | P |
| Supermarket Store | | | | | | | | | | | | | | | | | | | | CC | | | | | | | | R |
| Retail (Drive-thru) | | | | | | | | | | | | | | | | | | | P | P | CC | CC | | | | | | P |
| Retail (Neighborhood) | | | | | | | | | | | | | | | | | | P | P | P | P | P | P | | | P | P | |
| Retail (General) | | | | | | | | | | | | | | | | | | P | P | CC | CC | CC | | | | R | P | |
| Retail (Major) | | | | | | | | | | | | | | | | | | | CC | | | | | | | | R | |
| Thrift Store (without outside storage/donation bin) | | | | | | | | | | | | | | | | | | P | P | P | P | P | P | | | P | P | |
| Thrift Store (with outside storage/donation bin) | | | | | | | | | | | | | | | | | | | | CC | | | | | P | | | |
| Warehouse Retail | | | | | | | | | | | | | | | | | | | | CC | | | | | CC | | | |
| Winery | | | | | | | | | | | | | | | | | | | | P | | P | P | P | | P | P | P |
| Outdoor Retail Display | | | | | | | | | | | | | | | | | | | P | P | | P | | P | | | P | P |
| Outdoor Retail Sales Area | | | | | | | | | | | | | | | | | | | P | CC | | P | | P | | CC | | |
| Outdoor Retail Sales Yard | | | | | | | | | | | | | | | | | | | | | | | | P | | | | |
| Shopping Center | | | | | | | | | | | | | | | | | | CC | | | | | | | P | P | | |
| Service Use Category | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

TABLE 5-1: PERMITTED USES & BASE ZONING DISTRICTS

| TABLE 3-1: PERMITTED USES & BASE ZONING DISTRICTS | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|-------------|-----|-----|------|-----|------|-----|-----|-----|-----|------------|-------|-------|-----|-----|-----|------|-----|----|----|---|----|------|------|--|
| PERMITTED USES BY DISTRICT P= Permitted generally, subject to ordinance standards R= Restricted, subject to specific conditions in this Ordinance CC= Conditional, subject to City Council review and approval L= Limitations as provided in Article 3, Section 18 | CHD Overlay | | | | | | | | | | CL Overlay | | | | | | | | | | | | | | |
| | R-A | RMA | R-E | RE-1 | R-1 | RN-1 | R-2 | R-3 | R-D | R-4 | RMO-1 | RMO-2 | RMO-3 | MHC | B-1 | B-2 | B-2R | B-3 | RC | RR | O | I | MU-1 | MU-2 | |
| Automobile Rental | | | | | | | | | | | | | | | P | P | | CC | | | | | P | | |
| Automobile Service w/outside storage | | | | | | | | | | | | | | | | CC | | CC | | | | CC | | CC | |
| Automobile Service w/o outside storage | | | | | | | | | | | | | | | | P | | CC | | | | P | CC | P | |
| Bank and Financial Institutions | | | | | | | | | | | | | | | | P | P | CC | P | | | | P | P | |
| Bank Kiosks | | | | | | | | | | | | | | | P | P | P | P | P | P | | P | P | P | |
| Bar | | | | | | | | | | | | | | | | P | CC | R | P | R | | | R | P | |
| Barber and Beauty Shop (also see Spa) | | | | | | | | | | | | | | | P | P | P | P | P | P | P | | P | P | |
| Bed & Breakfast | R | R | R | R | R | R | R | R | | | R | R | R | | R | R | R | R | R | P | P | | R | R | |
| Bus Terminal | | | | | | | | | | | | | | | | P | | P | P | | | P | P | P | |
| Car Wash | | | | | | | | | | | | | | | | P | | | | | | P | | | |
| Day Care Nursery (more than 6 children with or without home occupation) | | | | | | | | CC | | | | | | | P | P | P | | | | | | P | P | |
| Day Care / Before or After School | | | | | | | | | | | | | | | P | P | P | | | | | | P | P | |
| Day Care / Adult | | | | | | | | | | | | | | | P | P | P | | | | | P | | | |
| Funeral Home or Mortuary | | | | | | | | | | | | | | | | P | | CC | | | | P | CC | P | |
| Golf Course | CC | | | | | | | | | | | | | | | | | | | | | | | | |
| Group Home | L | L | | | | | | | | | | | | | L | L | L | L | | | | | | | |
| Gym (Neighborhood) | | | | | | | | | | | | | | | P | P | P | P | | P | | | P | P | |

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| TABLE 3-1: PERMITTED USES & BASE ZONING DISTRICTS | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|-------------|-----|-----|------|-----|------|-----|-----|-----|-----|-------|------------|-------|-------|-----|-----|-----|------|-----|----|----|---|----|------|------|--|--|
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| | R-A | RMA | R-E | RE-1 | R-1 | RN-1 | R-2 | R-3 | R-D | R-4 | RMO-1 | | RMO-2 | RMO-3 | MHC | B-1 | B-2 | B-2R | B-3 | RC | RR | O | I | MU-1 | MU-2 | | |
| Gym (General) | | | | | | | | | | | | | | | P | P | CC | CC | | | | | | P | P | | |
| Gym (Major) | | | | | | | | | | | | | | | | CC | | | | | | | | | CC | | |
| Health Clinic | | | | | | | | | | | | | | | | P | P | P | | | | | | | P | | |
| Hospital | | | | | | | | | | | | | | | CC | CC | CC | | | | | | | | | | |
| Hotel or Motel | | | | | | | | | | | | | | | | P | CC | CC | CC | | | | | CC | CC | | |
| Hotel (Boutique) | | | | | | | | | | | | | | | P | P | P | P | P | P | | | | P | P | | |
| Kennel | CC | | | | | | | | | | | | | | | | | | | | | R | | | | | |
| Laboratory | | | | | | | | | | | | | | | | | CC | CC | | | | P | | | | | |
| Laundry (Self Service) | | | | | | | | | | | | | | | P | P | P | | | | | | P | P | | | |
| Long Term Care Facility | | | | | | | | | | | | | | | CC | P | P | | | | | | CC | P | | | |
| Medical Office | | | | | | | | | | | | | | | P | P | P | P | | P | P | | P | P | | | |
| Nightclub | | | | | | | | | | | | | | | | P | | CC | | | | | | P | | | |
| Parking Lot or Parking Garage | | | | | | | | | | | | | | | | CC | | CC | CC | CC | | | CC | CC | | | |
| Pawn Shop | | | | | | | | | | | | | | | | P | | | | | | | | | | | |
| Recreational and Entertainment Facility | | | | | | | | | | | | | | | | CC | | CC | | CC | | | CC | CC | | | |
| Rooming or Boarding House | | | | | L | L | L | L | | | L | L | L | | L | | | L | | | | | | | | | |
| Spa | | | | | | | | | | | | | | P | P | P | P | P | P | P | | | P | P | | | |
| Theater | | | | | | | | | | | | | | | P | | | P | | | | | CC | P | | | |
| Trade School | | | | | | | | | | | | | | | P | | | | | | | P | | | | | |
| Trailer Court | CC | | | | | | | | | | | | | | | CC | CC | | | | | | | | | | |
| Veterinary Clinic | | | | | | | | | | | | | | | | P | CC | | | | | P | | P | | | |

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|--|-------------|-----|-----|------|-----|------|-----|-----|-----|-----|-------|------------|-------|-----|-----|-----|------|-----|----|----|----|----|------|------|
| | R-A | RMA | R-E | RE-1 | R-1 | RN-1 | R-2 | R-3 | R-D | R-4 | RMO-1 | RMO-2 | RMO-3 | MHC | B-1 | B-2 | B-2R | B-3 | RC | RR | O | I | MU-1 | MU-2 |
| Veterinary Clinic w/kennel | | | | | | | | | | | | | | | | | | | | | | P | | |
| Video or Pinball Arcade | | | | | | | | | | | | | | | | P | | P | | | | | P | P |
| Wholesale | | | | | | | | | | | | | | | | CC | | | | | | P | | |
| Manufacturing and Utility Use Category | | | | | | | | | | | | | | | | | | | | | | | | |
| Contractor | | | | | | | | | | | | | | | | CC | | | | | | P | | |
| Commercial Communication System | CC | | | | | | | | | | | | | | | CC | | | | | | P | | |
| Industrial Park | | | | | | | | | | | | | | | | | | | | | | P | | |
| Junk Yard | | | | | | | | | | | | | | | | | | | | | | CC | | |
| Large Vehicle and Machinery Rental, Sales and Service | | | | | | | | | | | | | | | | CC | | | | | | P | | |
| Manufacturing | | | | | | | | | | | | | | | | CC | | | | | | P | | |
| Mini-Warehouse. | | | | | | | | | | | | | | | | CC | | | | | | P | | |
| Portable Building Sales | | | | | | | | | | | | | | | | | | | | | | P | | |
| Processing | | | | | | | | | | | | | | | | | | | | | | P | | |
| Utility Station, Sub-station, or Service Center | CC | | CC | CC | CC | | CC | CC | | | CC | CC | CC | | CC | CC | CC | CC | CC | CC | CC | CC | CC | CC |
| Warehousing | | | | | | | | | | | | | | | | | | | | | | P | | |
| Agriculture and Natural Resource Use Category | | | | | | | | | | | | | | | | | | | | | | | | |
| Agriculture | R | | | | | | | | | | | | | | | | | | | | | | | |

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|---|--|-----|-----|-----|------|-----|------|-----|-----|-----|-----|------------|-------|-------|-------|-----|-----|-----|------|-----|----|----|---|---|------|------|
| | <i>Exhibition or Fairgrounds</i> | CC | | | | | | | | | | | | | | | | | | | | | | | | |
| | <i>Plant Nursery</i> | CC | | | | | | | | | | | | | | | | P | | | | | | P | | |
| | <i>Stable</i> | CC | | | | | | | | | | | | | | | | | | | | | | P | | |
| | Sexually Oriented Business Use Category | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <i>Adult Bookstore</i> | | | | | | | | | | | | | | | | | | | | | | | R | | |
| | <i>Adult Entertainment Establishment</i> | | | | | | | | | | | | | | | | | | | | | | | R | | |
| | <i>Adult Motion Picture Theater</i> | | | | | | | | | | | | | | | | | | | | | | | R | | |

| Zoning District Comparison | | | | |
|--------------------------------------|--|--|--|---|
| | <i>B-2 Highway Commercial</i> | <i>C2 Transitional Commercial</i> | <i>C3 Community Commercial</i> | <i>C4 Regional Commercial</i> |
| <i>Purpose and Applicability</i> | <p>The B-2 districts are located along principal arterial streets, adjacent to other non-residential districts. They are areas suitable for general retail trade and a wide variety of other commercial uses. The district regulations are designed to encourage these uses, while also protecting the abutting and nearby areas.</p> <p>This district is applicable in areas where large scale and regional businesses are appropriate, and where the impacts on other more walkable development patterns can be minimized, both in terms of physical design and in terms of uses that have a regional draw. Therefore, it should be limited in application to areas with good highway access, and away from areas where smaller-scale, and neighborhood-oriented businesses are desired.</p> | <p>Transitional commercial is intended to serve as a transition between lower and higher intensity commercial properties. It is also intended to serve as a transition between neighborhoods and high intensity commercial uses. Building sizes may vary, but building height is to be in keeping with nearby neighborhoods. Properties zoned transitional commercial might have high peak hour trip generation, but their daily overall trip generation should not be high. Transitional commercial properties should be characterized by pedestrian-oriented design.</p> | <p>The community commercial category is to accommodate commercial uses that have a lower transportation demand and footprint than regional commercial, but a higher transportation demand and footprint than transitional commercial. Commercial properties along arterials of the city other than Interstate 10, such as US Highway 87 and State Highway 46, should generally be designated as community commercial, unless adjoining a neighborhood.</p> | <p>The regional commercial category is intended for commercial areas along Interstate 10, where traffic levels are high, and the thoroughfare system can accommodate higher trip generation. It is intended for commercial uses that serve the larger region, with generally larger building footprints and increased parking demand.</p> |
| <i>Uses</i> <i>*Italics = SUP</i> | office, <i>business park</i> , convenience store/gas station fronting IH-10, auto sales, parts and service, restaurants, retail, shopping center, car wash, | Office, <i>auto parts and service</i> , convenience store, restaurants, retail, <i>thrift store</i> , animal boarding, <i>commercial recreation</i> , | Office, <i>auto sales</i> , auto parts and service, convenience store, restaurants, retail, <i>shopping mall</i> , <i>truck stop</i> , car wash, commercial recreation, | Office, <i>auto sales</i> , auto parts and service, convenience store, restaurants, retail, <i>shopping mall</i> , <i>truck stop</i> , |

| | | | | |
|----------------------------|---|---|--|--|
| | gym's, hotel/motel, theater, manufacturing, mini-warehouse, <i>wholesale</i> , etc. | gym, restaurants, <i>movie theater</i> , etc. | gym, <i>hotel/motel, hospital, movie theater</i> | <i>warehouse retail</i> , car wash, commercial recreation, gym, hotel motel, hospital, movie theater |
| <i>Minimum Lot Area</i> | 10,000 square feet | N/A | N/A | N/A |
| <i>Building Height</i> | 75' | 30 ft* | 40 ft | 75 ft |
| <i>FY Setback</i> | 0-20 ft | 10 ft | 0 ft | 20 ft |
| <i>RY Setback</i> | 0 ft | 20 ft | 20 ft | 20 ft |
| <i>SY Setback</i> | 5 ft | 5 ft | 5 ft | 20 ft |
| <i>Residential Setback</i> | N/A | 20 ft | 20 ft | 50 ft |
| <i>Impervious Coverage</i> | 85% | 80% | 85% | 85% |

The 2019 Zoning Code can be found [here](#).

The current UDC can be found [here](#).