

AGENDA
PLANNING AND ZONING COMMISSION MEETING
BOERNE CITY HALL
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Monday, April 7, 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.)

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.

4.A. [2025-163](#) Consider approval of the minutes of the Planning and Zoning Commission meeting of March 3, 2025.

Attachments: [25-0303 Official Meeting Minutes](#)

4.B. [2025-164](#) Consider approval for Esperanza 3H Major Subdivision

Preliminary Plat a 81-lot single family subdivision, generally located northeast of Esperanza Boulevard and Fortuna Street. (extra territorial jurisdiction)

Attachments: [AIS - Esperanza 3H Preliminary Plat](#)
[Attachment 1 – Aerial Map](#)
[Attachment 2 – Future Land Use Map](#)
[Attachment 3 – Environmental Constraints Map](#)
[Attachment 4 – Proposed Major Subdivision Preliminary Plat](#)
[Attachment 5 – POD General Master Development Plan Phase 3 & 4](#)

- 4.C. [2025-165](#) Consider approval for The Birch at Spencer Ranch Phase 3 Final Plat a 70-lot single family subdivision generally located to the west of Spencer Road and north of State Highway.

Attachments: [AIS - The Birch at Spencer Ranch Phase 3 Final Plat](#)
[Attachment 1 - Aerial Map](#)
[Attachment 2 - Future Land Use Map](#)
[Attachment 3 - Environmental Constraints](#)
[Attachment 4 - MPCP Spencer Ranch Oct0118](#)
[Attachment 5 - Spencer Ranch Phase 3 Final Plat](#)
[Attachment 6 - Birch at Spencer Ranch Phase 3 Preliminary Plat](#)

- 4.D. [2025-166](#) Consider approval for a 30-day time extension for Chase Bank Major Development Plat located at 441 West Bandera Road.

Attachments: [AIS - 441 West Bandera Road - Chase Bank Major Development Plat](#)
[Attachment 1 - Aerial Map](#)
[Attachment 2 - Future Land Use Map](#)
[Attachment 3 - Zoning Map](#)
[Attachment 4 - Environmental Constraints Map](#)

5. REGULAR AGENDA:

- 5.A. [2025-167](#) A request for a Special Use Permit (SUP) to allow automobile parts and parts sales (O'Reilly Auto Parts) in the C2 Zoning District within the Entrance Corridor Overlay District located at 1032 North Main Street.

Attachments: [AIS - Special Use Permit - O'Reilly - 1032 North Main Street](#)
[Attachment 1 - Aerial Map](#)
[Attachment 2 - Future Land Use Map](#)
[Attachment 3 - Zoning Map](#)
[Attachment 4 - Environmental Constraints](#)
[Attachment 5 - Special Use Permit Project Narrative](#)
[Attachment 6 - Site Plan and Elevations](#)
[Attachment 7 - UDC Sec. 2-5.D.4 Special Use Permit Approval Criteria](#)

6. DISCUSSION ITEM:

- 6.A. [2025-168](#) Discuss future land use and proposed development of 727A Johns Road.

Attachments: [AIS - 727A Johns Road Discussion](#)
[Attachment 1 - Aerial Map](#)
[Attachment 2 - Future Land Use Map](#)
[Attachment 3 - Zoning Map](#)
[Attachment 4 - Environmental Constraints](#)

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

- 7.A. [2025-169](#) 1.) Impact Fee Advisory Board Meeting will be held on May 5, 2025, at 5:30 p.m. in the Boerne City Hall Council Chambers.
- 2.) Planning and Permitting + Code Compliance are hosting a peanut butter drive to support Boerne's Blessings in a Backpack program (through April 30th).
- 3.) Meeting Video Transcription

8. ADJOURNMENT

s/s Nathan Crane

Administrative Officer

CERTIFICATION

I herby certify that the above notice of meeting was posted on the 3rd day of April,
2025 at 6:00 p.m.

s/s Heather Wood

Secretary

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, March 3, 2025 – 6:00 p.m.

Minutes of the Planning and Zoning Commission meeting of March 3, 2025 at 6:00 p.m.

Present: 5 - Chairman Tim Bannwolf, Commissioner Bill Bird, Commissioner Bob Cates, Commissioner Terry Lemoine, Commissioner Carlos Vecino

Absent: 1 - Vice Chair Lucas Hiler

Late: 1 - Commissioner Susan Friar

Staff Present: Mick McKamie, Kristy Stark, Barrett Squires, Heather Wood, Nathan Crane, Francesca "Franci" Linder, Jo-Anmarie Andrade, Cheryl Rogers, Tyler Cain, Ryan Bass, Jeff Carroll, Lissette Jimenez

Recognized and Registered Guests: Vicki Stringer, Rodolfo Montero, Carson Keller, Mark Santos. Justin Hopskin, Ben Flint

1. CALL TO ORDER – 6:00 PM

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

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. PUBLIC COMMENTS:

Chairman Bannwolf opened public comments at 6:01 p.m.

No comments were received.

Chairman Bannwolf closed public comments at 6:01 p.m.

4. CONSENT AGENDA:

A motion was made by Commissioner Cates, seconded by Commissioner Bird, to approve the consent agenda as presented. The motion carried by the following vote:

Approved: 5-0

Yea - Chairman Bannwolf, Commissioner Vecino, Commissioner Bird, Commissioner Cates, Commissioner Lemoine

- 4.A. [2025-036](#) Consider approval of the minutes of the Special Called Planning and Zoning Commission meeting of January 13, 2025.
- 4.B. [2025-077](#) Consider approval for Northside Community Park Major Subdivision Plat, generally located at 524 Adler Rd.
- 4.C. [2025-078](#) Consider approval for a 30-day time extension for Chase Bank Major Development Plat located at 441 W Bandera Rd.

5. REGULAR AGENDA:

- 5.A. [2025-079](#) Item Postponed - Consider a request for a Special Use Permit (SUP) to allow automobile parts and parts sales in the C2 Zoning District within Entrance Corridor Overlay District located at 1032 N Main St.

Applicant requested to postpone this item. No action taken.

No members of the public signed up to speak and no comments were received for the public hearing.

- 5.B. [2025-080](#) Consider a request to allow on-site sewage at 123 Frederick Street.

Francesca "Franci" Linder, Assistant Planning Director, presented the proposed request.

Commissioner Susan Friar arrived at 6:02 p.m.

Vicki Stringer, the property owner, explained that the planned expansion is for a beauty, health, and wellness park; she emphasized the necessity for additional space to effectively establish the beauty park and to accommodate the various service types that will be offered. She noted that water usage would be minimal at some of the buildings due to some of the structures not requiring individual bathrooms, and that a centralized restroom could serve some of those businesses. She expressed a willingness to reduce the number of buildings to whatever is allowed and indicated there is not an urgency to put a septic or put another lift station until phase two of the plan, as long as one of these options would be available to her for the expansion.

Carson Keller, an engineer at Matkin Hoover, inquired whether option 1, which partially occupies the public right of way, qualifies as a public infrastructure improvement and what triggers the platting requirement for the buildings.

Commission discussion included various sewage alternatives, such as septic systems and lift stations, while highlighting concerns associated with each option. Inquiries were made about the gravity feed sewer main on Frederick Street, which cannot be extended to the property in question. Additional questions arose regarding the use of septic systems by other businesses in the vicinity and the implications of the platting process on the proposed development.

Franci discussed the current development plans and septic system options for properties owned by the applicant, including 123 and 117 Frederick Street. She explained that the existing development is utilizing a gravity feed sewer main along Frederick Street that cannot be feasibly extended to service the hair salon property. As for the septic system, she clarified that it would require permitting through Kendall County and they would have to adhere to all applicable county regulations. She further clarified that the cost difference presented in options 1 and 3 would be significantly more than \$5000 due to option 1 estimate not including provisions for new sewer service, a utility easement, or the

installation of a new sewer line. She confirmed that, to the best of her knowledge, there are currently no other businesses in the immediate area that rely on septic systems for wastewater management.

Jeff Carroll, Director of Engineering and Mobility, gave a brief description of septic system functionality.

Nathan Crane, Planning Director, explained that the need for replatting arises when a development involves portions of two different lots. He discussed the urgency of the platting process is particularly significant when on-site sewage is not a viable option, as this limitation can substantially impact what can be done on the site. Nathan clarified that regardless of the chosen option, platting the property is still necessary and must be finalized before any building permits can be issued; platting requirements can be addressed directly with the applicant and he suggested meeting with the applicant after the meeting to discuss the specifics in detail. Separately he explained that if the installation of on-site sewage facilities is selected and deemed sufficient to handle the proposed development's needs, connecting to a sewer would not be immediately mandatory, provided the current lift station remains functional. However, it would require connecting to the main after a predetermined period, tentatively set at five years.

Overall, the Commission expressed concerns with not knowing the total cost for option 1 and desired to have better estimates provided before making a final decision. The property owner, Vicki Stringer, agreed to table the item to allow more time to work through the options.

A motion was made by Commissioner Cates, seconded by Commissioner Bird, to table a request to allow on-site sewage at 123 Frederick Street until the applicant decides to reintroduce the matter to the Commission. The motion carried by the following vote:

Approved: 6-0

Yea - Chairman Bannwolf, Commissioner Vecino, Commissioner Bird, Commissioner Cates, Commissioner Lemoine, Commissioner Friar

6. DISCUSSION ITEMS

- 6.A. [2025-081](#) Discuss a potential request for a special use permit (SUP) to allow a drive-thru in SoBo District located at Commons at Menger Creek.

Francesca "Franci" Linder, Assistant Planning Director, gave a brief presentation on a proposed future development in the SoBo overlay district off of Herff Road, adjacent to Gallant Fox.

Mark Santos, Engineer with LJA Engineering, and Justin Hopskin, the developer, discussed various aspects of the project. They noted that the development is not expected to generate significant new traffic, as it will primarily serve vehicles already traveling on Herff Road. The plan includes a mobile pick-up option and an entrance strategically placed between the two lots to align with the vision for the businesses that will occupy the space. They expressed their intention to create an attractive fast-casual establishment with inviting patio areas for patrons to enjoy. The developers are actively seeking a new user for the second lot. The Site Development Plan includes a connection to the cul-de-sac to the east of Gallant Fox.

Ben Flint, a traffic engineer from LJA Engineering, addressed the traffic implications, emphasizing the goal of creating a walkable environment.

The proposed site plan includes a drive-thru, which is not allowed by right, so they will be coming before the commission with a request for a special use permit.

Commissioner Cates inquired about the stacking of vehicles, expressing a preference for it to occur at the rear of the property and away from Herff Road.

No action taken.

- 6.B. [2025-082](#) Discuss 2024 Citizen Survey Results

Kristy Stark, Assistant City Manager, provided an overview of the 2024 citizen survey results. Survey results from 2021, 2023, and 2024 are available on the city's website.

7. COMMENTS FROM COMMISSION/LEGAL COUNSEL/STAFF:

Nathan Crane recognized Liz Huvalla who recently was promoted to Development Coordinator with the Planning Department.

Commissioner Friar gave kudos to Sara Varvarigos for outstanding customer service.

8. ADJOURNMENT

Chairman Bannwolf adjourned the Planning and Zoning Commission at 7:40 p.m.

Chairman

Secretary



AGENDA ITEM SUMMARY

Agenda Date	April 7, 2025
Requested Action	Consider approval for Esperanza 3H Major Subdivision Preliminary Plat, generally located northeast of Esperanza Boulevard and Fortuna Street. (Extra Territorial Jurisdiction)
Contact Person	Jo-Anmarie Andrade, Planner II (830) 816-2040, janadrade@boerne-tx.gov
Background Information	<p>BACKGROUND:</p> <p>The property is owned by Lookout Group Development Group, LP, and the applicant is Michael Scholze, PE, Kimley-Horn Engineering Co.</p> <p>The property is not located within the city limits but is within the Extra-Territorial Jurisdiction (ETJ). The city has subdivision authority but does not have zoning authority in the ETJ. Additionally, this project is included within a Development Agreement approved in 2008 and amended in 2023.</p> <p>The POD General Development Plan (GDP) was approved June 7, 2021.</p> <p>The project is vested to regulations in effect as of February 12, 2008, and is limited to conformance with Subdivision Ordinance No. 2007-56.</p> <p>REQUEST:</p> <ol style="list-style-type: none"> 1. Esperanza Phase 3H includes 81 residential lots, 2 open space lots, and 4.549 acres of Private Right-Of-Way on 19.681 acres. The density is 4.115 residential lots per acre. 2. The approved Pod General Development Plan (GDP) indicates the lots in this area are a minimum of 45 and 50/55 and 60/65 feet of frontage. All lots meet or exceed the minimum lot frontage requirements. 3. The plat includes a total of 0.972 acres of open space divided into 2 lots. Open space Block 110 – Lot 100 and Block 113 – Lot 101 shall serve as drainage, sidewalk, & utility easements.

	<p>4. Primary access to the subdivision will be provided from a Buena Vida which is a private local neighborhood street and will connect to Galisteo Drive which is a collector street. A secondary point of access will be through Sereno, a private neighborhood street.</p> <p>5. Water, sewer, reclaimed water, and gas services are provided by the City of Boerne.</p> <p>6. Several easements are being established for utilities and a temporary grading easement which will expire upon date of substantial completion.</p> <p>ANALYSIS:</p> <p><u><i>Development Master Plan, Zoning, and Preliminary Plat:</i></u></p> <ul style="list-style-type: none">• The City’s Future Land Use Plan designates this property as Neighborhood Residential, and the preliminary plat aligns with the Comprehensive Plan’s objectives for cohesive neighborhood residential development with compatible densities.• The preliminary plat adheres to the requirements of the Esperanza development agreement, approved master plan, and the applicable subdivision ordinance.• All necessary right-of-way dedications and planned street improvements are included in this development. <p><u><i>Landscaping and Open Space:</i></u></p> <ul style="list-style-type: none">• The open space plan for Phase 3H conforms to the approved Master Plan, with a total of 0.972 acres designated for open space and various easements including 14 Heritage and Legacy Trees. <p><u><i>Utilities, Drainage, and Floodplain:</i></u></p> <ul style="list-style-type: none">• The proposed easements provide enough space for necessary utilities and drainage systems, ensuring smooth service delivery and water management.• The proposed plat is not located within the SARA floodplain or a City of Boerne Drainage Protection Zone (DPZ).
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	<p>FINDINGS:</p> <ul style="list-style-type: none"> • The Preliminary Plat is consistent with the Comprehensive Master Plan. • The Preliminary Plat is consistent with the Esperanza Master Plan and Development Agreement. • The Preliminary Plat consistent with the applicable/vested subdivision regulations. <p>RECOMMENDATION:</p> <p>Based on its alignment with the Comprehensive Master Plan; the Esperanza Master Plan and Development Agreement; and the applicable subdivision regulations; staff recommends that the Planning and Zoning Commission accept the findings and APPROVE the Preliminary Plat for Esperanza 3H subject to the following stipulations:</p> <ol style="list-style-type: none"> 1. The recorded plat shall substantially conform to the preliminary plat date stamped March 3, 2025. <p>MOTIONS FOR CONSIDERATION:</p> <p>The following motions are provided to assist the Commission’s decision.</p> <p>I move that the Planning and Zoning Commission accept the findings and APPROVE the proposed preliminary plat subject to the two (2) stipulations recommended by staff.</p> <p>OR</p> <p>I move that the Planning and Zoning Commission DENY the proposed preliminary 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	<p>C1 – Offering quality customer experiences.</p> <p>C3 – Collaborating with community partners to enhance quality of life.</p>
Financial Considerations	N/A
Citizen Input/Board Review	Public hearings and notifications are not required for this request.

Legal Review	This action is needed to meet statutory requirements.
Alternative Options	The Commission must approve, approve with conditions, extend the review, or disapprove the plat. Each condition or reason for denial must be directly related to requirements of city regulations and may not be arbitrary.
Supporting Documents	Attachment 1 – Aerial Map Attachment 2 – Future Land Use Map Attachment 3 – Environmental Constraints Map Attachment 4 – Proposed Major Subdivision Preliminary Plat Attachment 5 – POD General Master Development Plan Phase 3 & 4






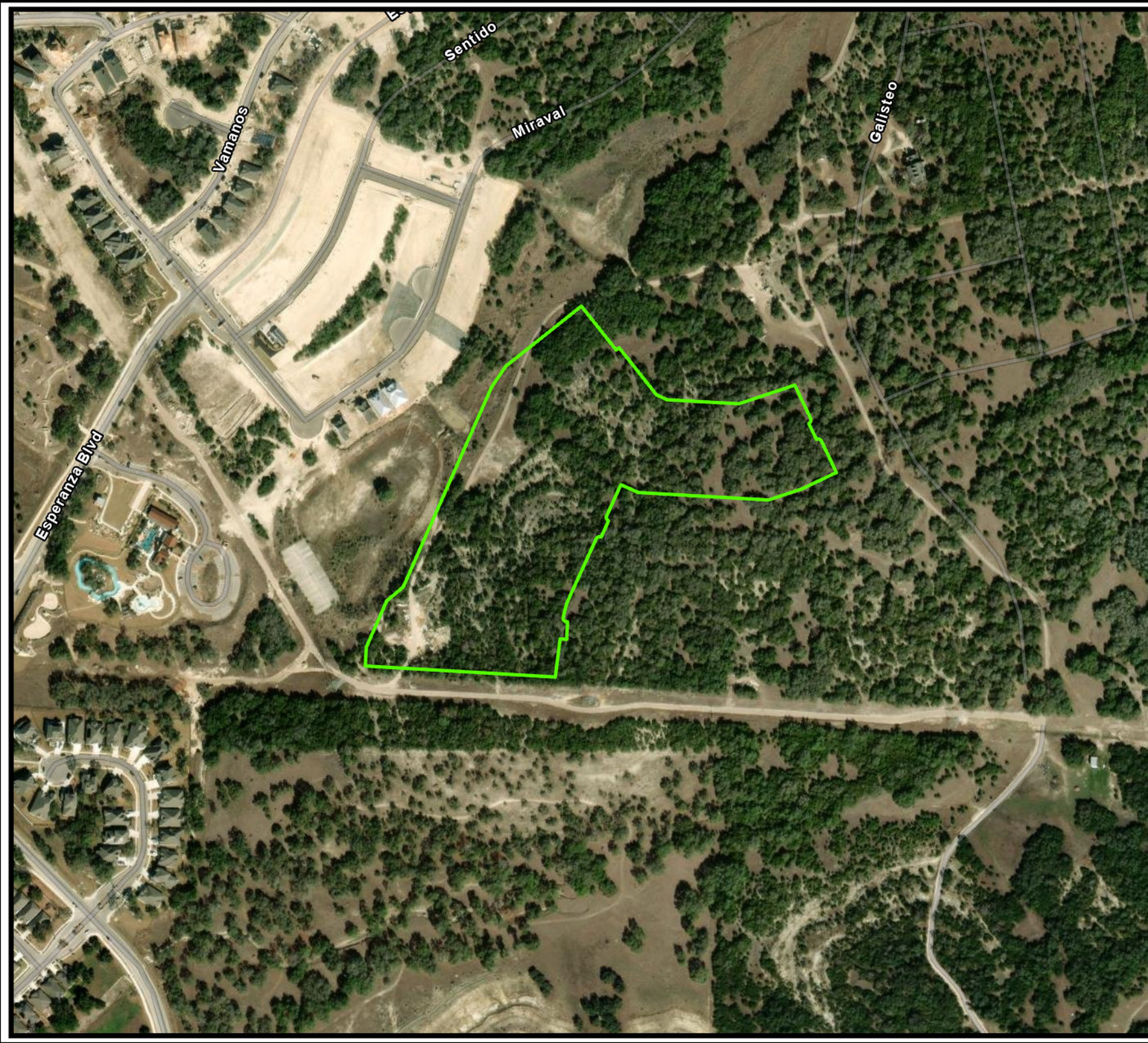
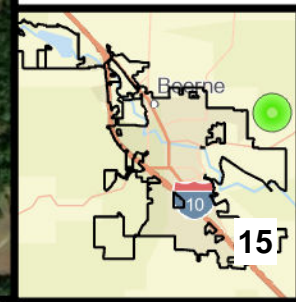
SUBJECT PROPERTY
Esperanza 3H

ZONING

Legend

Name

-  SUBJECT PROPERTY
-  Parcels
-  road_centerline





SUBJECT PROPERTY
Esperanza 3H

FUTURE LAND USE

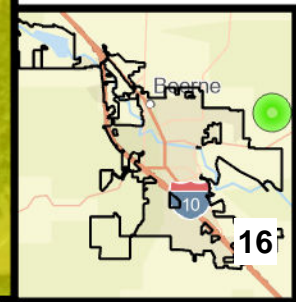
Legend

Name

-  Esperanza 3H
-  Parcels
-  road_centerline

Future Land Use

-  Neighborhood Residential
















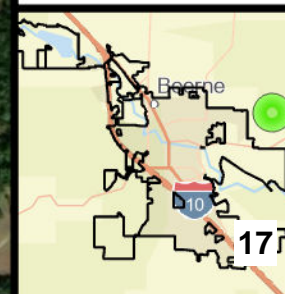
SUBJECT PROPERTY Esperanza 3H

ZONING

Legend

Name

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



Easement notes

All properties designated as easements shall or may be utilized for the following purposes:

Drainage Easement:

Drainage, water diversion and sanitary control, including without limitation, walls, bed, embankments, spillways, appurtenances and other engineered devices (the "drainage system").

Together with the right of ingress and egress over passable areas of the grantor's adjacent land, when the delineated entrance point that abuts public right of way is obstructed and/or inaccessible, either in whole or in part, in order to access or leave the 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 courses, 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 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 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 easement and to change the size of the utilities within the easement; the right to relocate along the same general direction of the utilities; the right to remove from the easement all trees and parts thereof or other obstructions, which reasonably endanger or may reasonably interfere with the efficiency or operation of the utilities; and the right to place temporary structures for use in constructing or repairing the utilities.

- 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 (and/or district) shall make commercially 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.

FEDERNALES 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 fifteen feet (15') front lines of all lots and/or tracts and in the streets, alleys, boulevards, lanes and roads of the subdivision, and fifteen feet (15') along the outer boundaries of all streets, alleys, boulevards, lanes and roads where subdivision lines or lots of individual tracts are devoted 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.

Plat Notes

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.

Sidewalk Note:

Five-foot wide reinforced concrete sidewalks shall be installed adjacent to all street frontage property lines of each lot fronting a street at such time as that lot is developed.

Impact fee assessment note:

Assessment and collection of the City of Boerne water and wastewater utilities' capital recovery fees shall be the amount per lot as set forth in City Ordinance No. 2023-18, Section 1.10(5).

Tax Certificate Note:

Tax Certificate Affidavit filed this date in Document No. _____, Kendall County Official Records.

Building Setback Note:

Setbacks in the ETJ: lot setbacks are determined by the City of Boerne Zoning Ordinance enforced at the time of development. The use that is being constructed and the lot size shall determine which setbacks shall apply.

Open Space Notes:

- Installation of potable water and wastewater services to open space lots may be performed by the developer, at his option, as part of the overall infrastructure design/construction process based upon the need for those services on individual lots. If potable water or wastewater services are not initially installed but are desired subsequent to the subdivision infrastructure development, the service applicant shall be financially responsible for the entirety of the design and installation costs for these services. In some instances, this work may also include the extension of utility mains to properly locate the desired utility services.
- Open space Lot 100 - Block 110 and Lot 101 - Block 113 shall be a Drainage, Sidewalk, & Utility 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. (Ord. No. 2004-20). Xeriscaping is permitted as described in the City of Boerne Zoning Ordinance, Article 3, Section 3.07.003D.

Drainage Basin Note:

The subject area is not upstream from a City water supply lake.

Private Street Note:

Lot 200 shall be dedicated as Private Streets and shall also be dedicated as Drainage and Utility Easements.

Acreeage and Density:

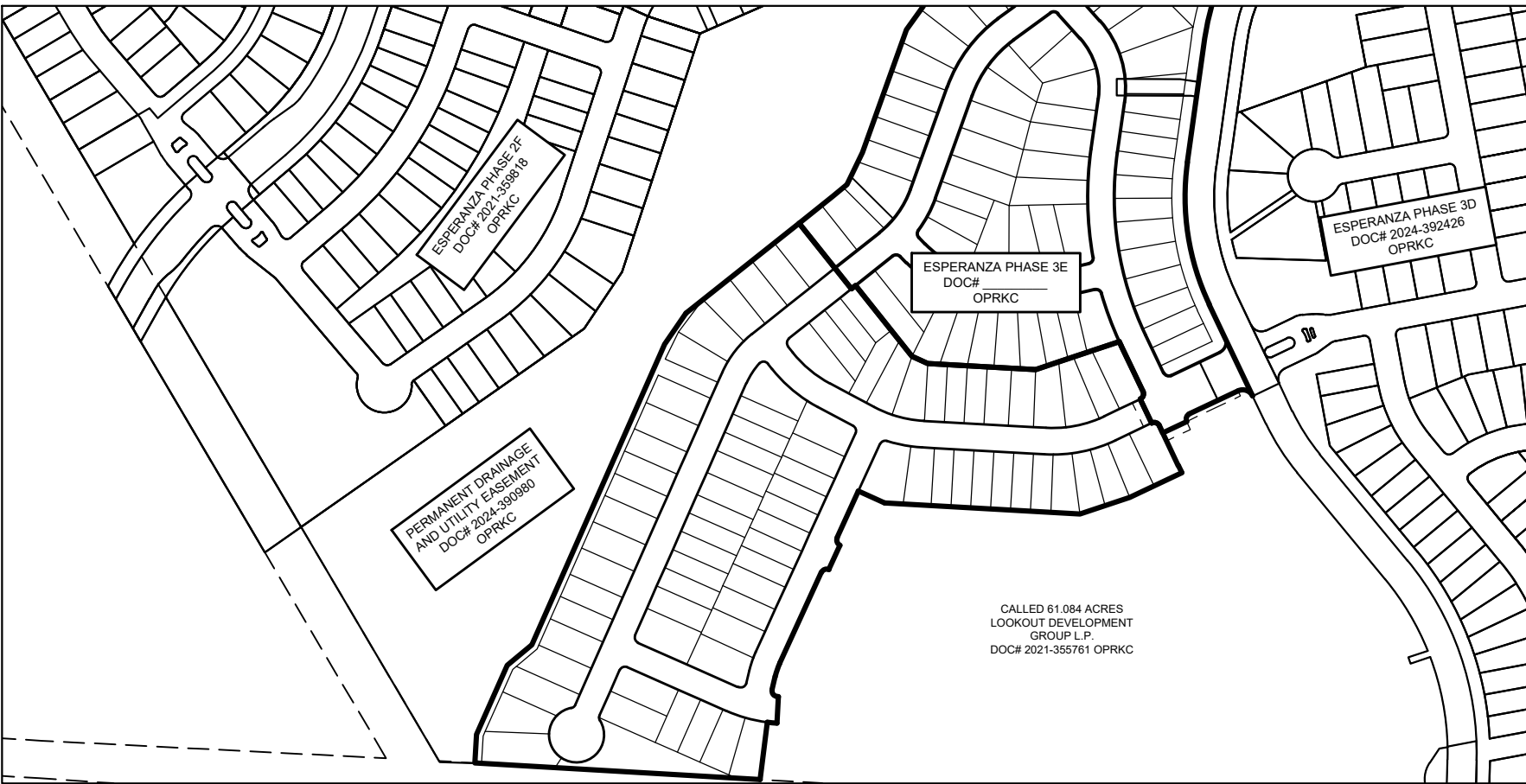
- This subdivision contains 19.681 total acres with 81 residential lots for a density of 4.115 residential lots per acre.
- This subdivision contains 0.972 acres of open space.
- The area of the smallest lot is 0.134 acres.
- The perimeter of the largest block is 3,131 LF. The perimeter of the smallest block is 1,276 LF.

Flood Statement:

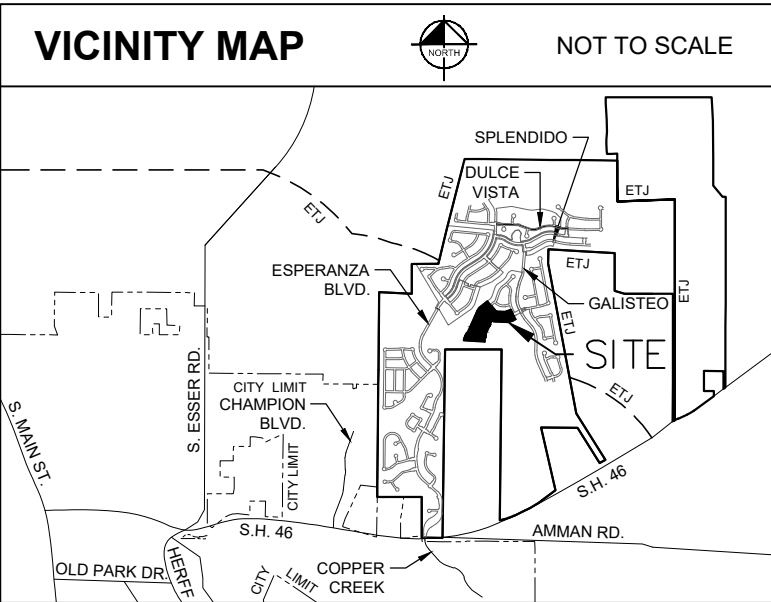
According to Map No. 48259C0415F & 48259C0420F, dated December 17, 2010 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Kendall County, Texas and Incorporated Areas, Federal Emergency Management Agency, Federal Insurance Administration, the property is within Zone "X" (un-shaded) defined by FEMA as "areas determined to be outside the 0.2% annual chance floodplain." All zone delineations shown hereon are approximate. This statement does not imply that any portion of the subject tract is totally free of potential flood hazard. Localized flooding can occur due to natural and/or man-made influences. This flood statement shall create no liability on the part of Kimley-Horn or the undersigned.

Heritage Legacy Tree Note:

There are 14 Heritage Legacy Trees, as defined in Subsection 2.02.002, identified on this plat.



VICINITY MAP



State of Texas §
County of Kendall §

Now, therefore, know all men by these presents:

That Lookout Development Group, L.P., acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as Esperanza, Phase 3H, an addition to Kendall County, Texas, and does hereby dedicate to the public and the City of Boerne, the public utility easements shown hereon for the mutual use and accommodation of the City of Boerne and all public utility providers desiring to use or using the same. Lookout Development Group, L.P., does hereby dedicate to the public and Kendall County Water Control and Improvement District No. 2B (the district) the streets hereon together with the drainage easements, and public use areas shown hereon, and do hereby dedicate the easements shown on the plat for the purposes as indicated to the district's exclusive use forever, said dedications being free and clear of all liens and encumbrances except as shown herein. No buildings, fences, trees, shrubs or other improvements shall be constructed or placed upon, over or across the easements of said plat. At the sole and exclusive discretion of the district and subject to its written approval, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use the same unless the easement limits the use to a particular utility or utilities, sold use by public utilities being subordinate to the district's use thereof. Any public utility given the right by the district to use said easements shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements. Any public utility shall at all times have the rights of ingress and egress to and from and upon any of said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time procuring the permission of anyone. I do hereby bind myself, my successors and assigns forever, to warrant and defend all and singular the above described streets, alleys, easements and rights unto the district against every person whomsoever comes lawfully claiming or to claim the same or any part thereof. This property is located within the extraterritorial jurisdiction of the City of Boerne. This plat approved subject to all the platting ordinances, rules and regulations of the City of Boerne.

Owner's Acknowledgement:

State of Texas §
County of _____ §

The owner of land shown on this plat, in person or through a duly authorized agent, dedicates to the use of the public, forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein expressed.

Lookout Development Group, L.P.

1001 Crystal Falls Parkway
Leander, Texas 78641

By: _____

Before me, the undersigned authority on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this ____ day of _____, 20 ____.

Notary Public, State of Texas

Approval of the Planning and Zoning Commission:

This plat of ESPERANZA PHASE 3H has been submitted to and considered by the Planning and Zoning Commission of the City of Boerne, Texas, and is hereby approved by such commission.

Dated this ____ day of _____, 20 ____.

By: _____
Chair

By: _____
Secretary

OWNER:
LOOKOUT DEVELOPMENT GROUP, L.P.
1001 CRYSTAL FALLS PARKWAY
LEANDER, TEXAS 78641
CONTACT: MIKE SIEFERT, P.E.

CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
10101 REUNION PLACE, SUITE 400
SAN ANTONIO, TEXAS 78216
TBPE #928

SURVEYOR:
KIMLEY-HORN AND ASSOCIATES, INC.
10101 REUNION PLACE, SUITE 400
SAN ANTONIO, TEXAS 78216

SHEET INDEX MAP

1" = 600'

Surveyors Notes:

- Property corners are monumented with 1/2" iron rod with a plastic cap stamped "KHA" prior to lot sales unless noted otherwise.
- The bearings shown hereon are the Texas State Plane System, South Central Zone (FIPS 4204) (NAD'83). All distances shown hereon are on the Surface. The Grid to Surface Scale Factor is 1.000090 feet. The unit of linear measurement is U.S. Survey Feet.

RECEIVED
03/03/2025
Planning
Department

Boerne Utilities
03/07/2025 10:21:30 AM

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.

John G. Mosier
Registered Professional Land Surveyor #6330

Before me, the undersigned authority on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this ____ day of _____, 20 ____.

Notary Public, State of Texas

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 and Zoning Commission of the City of Boerne.

Michael A. Scholze, P.E. #131737
Licensed Professional Engineer

Before me, the undersigned authority on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this ____ day of _____, 20 ____.

Notary Public, State of Texas

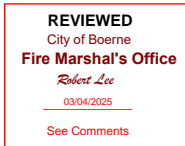
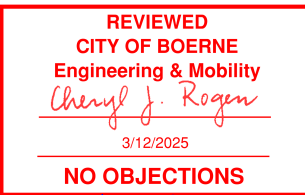
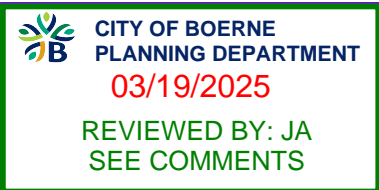
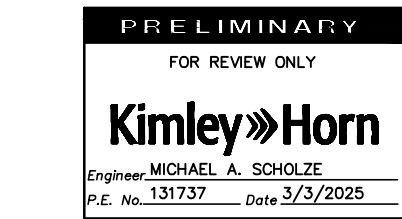
State of Texas §
County of Kendall §

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, on the ____ day of _____, A.D. 202__ 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 seal of office, this ____ day of _____, A.D. 202__.

County Clerk
Kendall County, Texas

By: _____
Deputy



PRELIMINARY PLAT ESTABLISHING

ESPERANZA
PHASE 3H

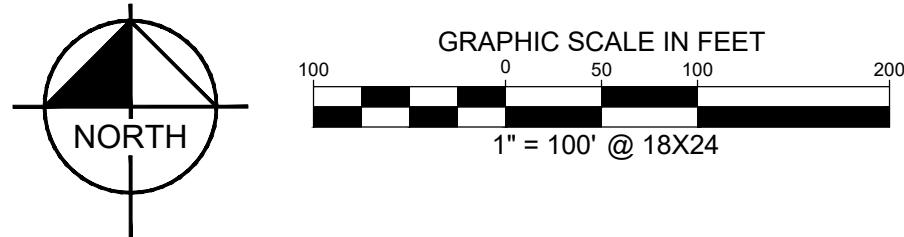
19.681 ACRES
4.549 ACRES PRIVATE R.O.W.
81 RESIDENTIAL LOTS
2 OPEN SPACE LOTS

BEING A PORTION OF THAT CERTAIN 61.084 ACRE TRACT RECORDED IN
DOCUMENT NO. 2021-355761, IN THE OFFICIAL PUBLIC RECORDS
OF KENDALL COUNTY, TEXAS
JUAN ORTIZ SURVEY NO. 190, ABSTRACT NO. 363
KENDALL COUNTY, TEXAS

Kimley»Horn

10101 Reunion Place, Suite 400
San Antonio, Texas 78216
FIRM # 10193973
Tel. (210) 541-9166
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
AS SHOWN	DJG	JGM	3/3/2025	068686339	1 OF 3



BUILDING SETBACKS							
PER DA AMENDED 2/16/2023 & PER CITY COUNCIL 2/14/2023 APPROVAL							
RESIDENTIAL TYPE	MINIMUM LOT WIDTH	MINIMUM LOT SQ. FEET	MINIMUM SIDE YARD SETBACK - PER SIDE(c)	MINIMUM SIDE YARD SETBACK ON STREET FACING CORNER LOT	MINIMUM FRONT FACING GARAGE FRONT SETBACK	MINIMUM FRONT YARD SETBACK	MINIMUM REAR YARD SETBACK
GRADEN	45' (a)	4,500	0'-10' (b)	10'	25'	15'	15'
SINGLE FAMILY	50'	5,500	5'	10'	25'	15'	15'
GRADEN	55'	6,000	0'-10' (b)	10'	25'	20'	15'
SINGLE FAMILY	60'	6,500	5'	10'	25'	20'	15'
GARDEN	65'	7,000	0'-10' (b)	10'	25'	20'	15'
SINGLE FAMILY	70'	8,000	5'	10'	25'	20'	15'

TYPICAL BUILDING SETBACK ON INTERIOR PROPERTY LINE

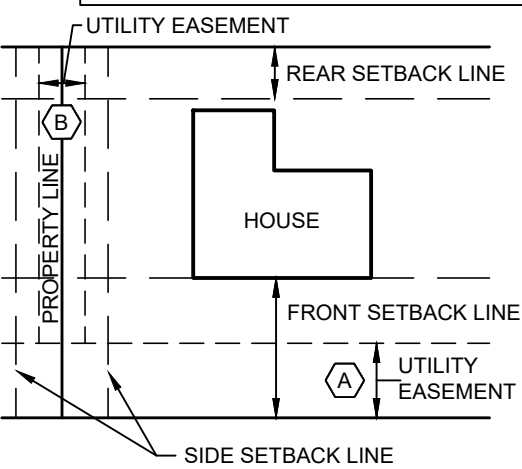
- (a) Add 5 additional feet of frontage for a corner lot.
(b) The total combined side yard setbacks must be a minimum of 10 feet.
(c) Setbacks less than 5' are allowed, including 0-lot line development provided a minimum 10' separation between buildings and any necessary maintenance easements are indicated on a recorded final plat.

LEGEND

- 1/2" IRON ROD W/ "KHA" CAP SET
- FOUND MONUMENT
- B.S.L. BUILDING SETBACK LINE
- OPRKC OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS
- BLOCK XX BLOCK IDENTIFICATION
- 15' UTILITY EASEMENT
- 5' UTILITY EASEMENT CENTERED ON PROPERTY LINE
- PROPOSED PLAT BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- CITY OF BOERNE ETJ BOUNDARY
- EXISTING SLOPES 15%-25%
- EXISTING SLOPES >25%

ADDITIONAL KEYNOTES

- (C) VARIABLE WIDTH OFF LOT TEMPORARY GRADING EASEMENT (3,750 AC) TO EXPIRE UPON DATE OF SUBSTANTIAL COMPLETION.
- (D) 20' X 60' OFF-LOT UTILITY EASEMENT TO EXPIRE INTO PRIVATE PLATTED STREET (0.028 AC)
- (E) 20' X 60' OFF-LOT UTILITY EASEMENT TO EXPIRE INTO PRIVATE PLATTED STREET (0.028 AC)



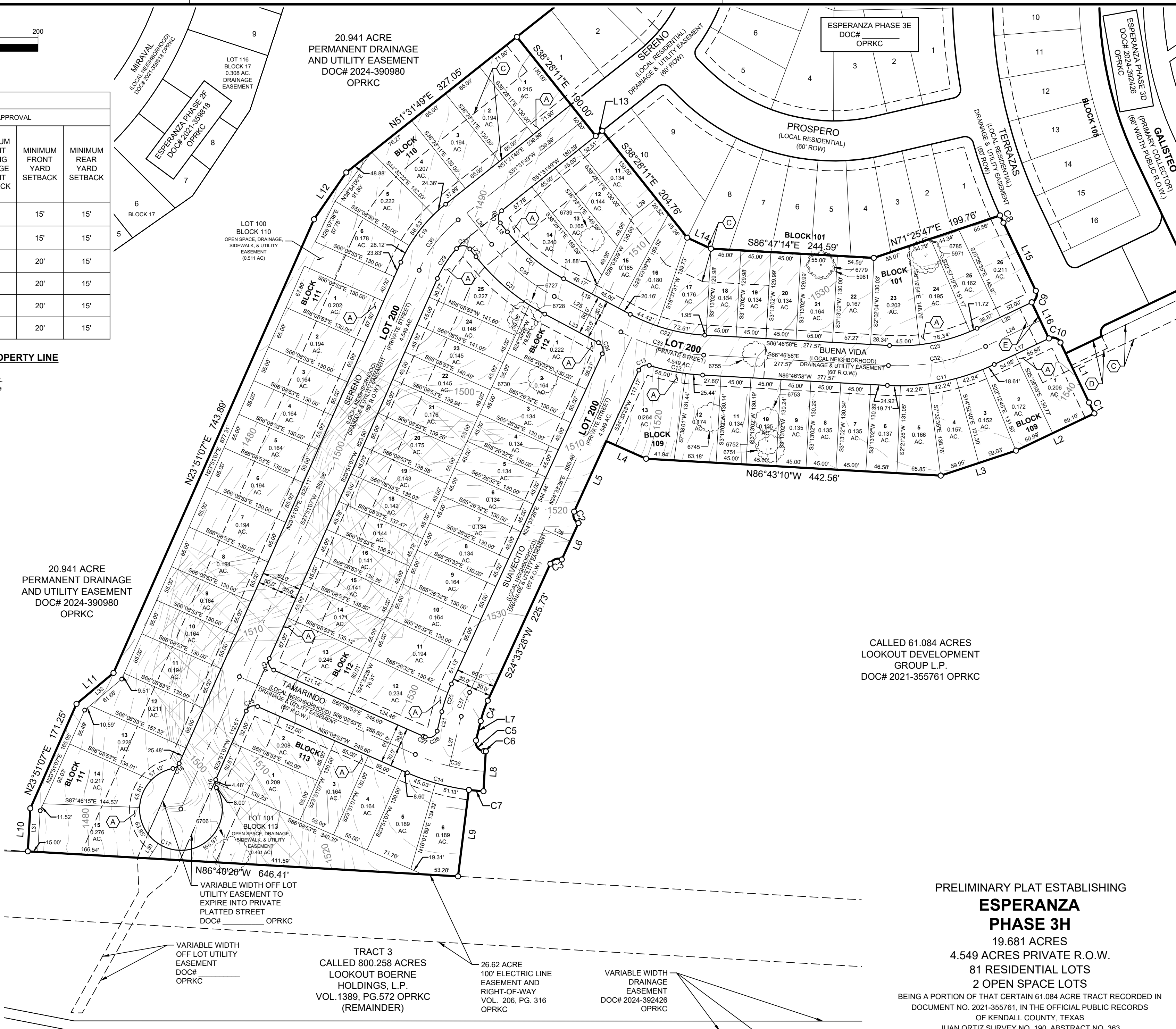
N.T.S. Surveyors Notes:

1. Property corners are monumented with 1/2" iron rod with a plastic cap stamped "KHA" prior to lot sales unless noted otherwise.
2. The bearings shown hereon are the Texas State Plane System, South Central Zone (FIPS 4204) (NAD83). All distances shown hereon are on the Surface. The Grid to Surface Scale Factor is 1.000090 feet. The unit of linear measurement is U.S. Survey Feet.

OWNER:
LOOKOUT DEVELOPMENT GROUP, L.P.
1001 CRYSTAL FALLS PARKWAY
LEANDER, TEXAS 78641
CONTACT: MIKE SIEFFERT, P.E.

CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
10101 REUNION PLACE, SUITE 400
SAN ANTONIO, TEXAS 78216
TBPE #928

SURVEYOR:
KIMLEY-HORN AND ASSOCIATES, INC.
10101 REUNION PLACE, SUITE 400
SAN ANTONIO, TEXAS 78216



LOT TABLE			LOT TABLE			LOT TABLE		
LOT NO.	ACRES	SQ. FT.	LOT NO.	ACRES	SQ. FT.	LOT NO.	ACRES	SQ. FT.
BLK 101	2.709	117,997	BLK 109 - LOT 13	0.264	11,498	BLK 112 - LOT 5	0.134	5,850
BLK 101 - LOT 11	0.134	5,850	BLK 110	1.721	74,974	BLK 112 - LOT 6	0.134	5,850
BLK 101 - LOT 12	0.144	6,290	BLK 110 - LOT 1	0.215	9,347	BLK 112 - LOT 7	0.134	5,850
BLK 101 - LOT 13	0.165	7,169	BLK 110 - LOT 2	0.194	8,450	BLK 112 - LOT 8	0.134	5,850
BLK 101 - LOT 14	0.240	10,446	BLK 110 - LOT 3	0.194	8,450	BLK 112 - LOT 9	0.164	7,150
BLK 101 - LOT 15	0.165	7,178	BLK 110 - LOT 4	0.207	9,027	BLK 112 - LOT 10	0.164	7,150
BLK 101 - LOT 16	0.180	7,853	BLK 110 - LOT 5	0.222	9,689	BLK 112 - LOT 11	0.194	8,452
BLK 101 - LOT 17	0.176	7,647	BLK 110 - LOT 6	0.178	7,734	BLK 112 - LOT 12	0.234	10,202
BLK 101 - LOT 18	0.134	5,849	BLK 110 - LOT 100	0.511	22,277	BLK 112 - LOT 13	0.246	10,734
BLK 101 - LOT 19	0.134	5,849	BLK 111	2.926	127,450	BLK 112 - LOT 14	0.171	7,450
BLK 101 - LOT 20	0.134	5,850	BLK 111 - LOT 1	0.202	8,814	BLK 112 - LOT 15	0.141	6,124
BLK 101 - LOT 21	0.164	7,150	BLK 111 - LOT 2	0.194	8,450	BLK 112 - LOT 16	0.141	6,148
BLK 101 - LOT 22	0.167	7,271	BLK 111 - LOT 3	0.164	7,150	BLK 112 - LOT 17	0.144	6,280
BLK 101 - LOT 23	0.203	8,843	BLK 111 - LOT 4	0.164	7,150	BLK 112 - LOT 18	0.142	6,199
BLK 101 - LOT 24	0.195	8,515	BLK 111 - LOT 5	0.164	7,150	BLK 112 - LOT 19	0.143	6,224
BLK 101 - LOT 25	0.162	7,039	BLK 111 - LOT 6	0.194	8,450	BLK 112 - LOT 20	0.175	7,641
BLK 101 - LOT 26	0.211	9,198	BLK 111 - LOT 7	0.194	8,450	BLK 112 - LOT 21	0.176	7,678
BLK 109	2.100	91,475	BLK 111 - LOT 8	0.194	8,450	BLK 112 - LOT 22	0.145	6,310
BLK 109 - LOT 1	0.206	8,973	BLK 111 - LOT 9	0.164	7,150	BLK 112 - LOT 23	0.145	6,335
BLK 109 - LOT 2	0.172	7,496	BLK 111 - LOT 10	0.164	7,150	BLK 112 - LOT 24	0.146	6,360
BLK 109 - LOT 3	0.152	6,619	BLK 111 - LOT 11	0.194	8,450	BLK 112 - LOT 25	0.227	9,879
BLK 109 - LOT 4	0.157	6,833	BLK 111 - LOT 12	0.211	9,208	BLK 113	1.584	69,004
BLK 109 - LOT 5	0.166	7,219	BLK 111 - LOT 13	0.228	9,938	BLK 113 - LOT 1	0.209	9,099
BLK 109 - LOT 6	0.137	5,951	BLK 111 - LOT 14	0.217	9,460	BLK 113 - LOT 2	0.208	9,064
BLK 109 - LOT 7	0.135	5,867	BLK 111 - LOT 15	0.276	12,029	BLK 113 - LOT 3	0.164	7,150
BLK 109 - LOT 8	0.135	5,864	BLK 112	4.092	178,229	BLK 113 - LOT 4	0.164	7,150
BLK 109 - LOT 9	0.135	5,862	BLK 112 - LOT 1	0.222	9,664	BLK 113 - LOT 5	0.189	8,215
BLK 109 - LOT 10	0.135	5,860	BLK 112 - LOT 2	0.164	7,150	BLK 113 - LOT 6	0.189	8,250
BLK 109 - LOT 11	0.134	5,858	BLK 112 - LOT 3	0.134	5,850	BLK 113 - LOT 101	0.461	20,076
BLK 109 - LOT 12	0.174	7,576	BLK 112 - LOT 4	0.134	5,850			

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	1°22'44"	753.00'	18.12'	S26°07'57"E	18.12'
C2	90°00'00"	13.00'	20.42'	S20°26'32"E	18.38'
C3	90°00'00"	13.00'	20.42'	S69°33'28"W	18.38'
C4	10°58'16"	170.00'	32.55'	S19°04'20"W	32.50'
C5	99°37'54"	13.00'	22.61'	S36°13'45"E	19.86'
C6	0°38'01"	270.00'	2.99'	S86°21'43"E	2.99'
C7	3°50'06"	330.00'	22.09'	N84°45'40"W	22.08'
C8	0°52'36"	786.00'	12.03'	S25°00'17"E	12.03'
C9	90°00'00"	13.00'	20.42'	S19°33'25"W	18.38'
C10	90°00'00"	13.00'	20.42'	S70°26'35"E	18.38'
C11	28°39'37"	330.00'	165.07'	S78°53'14"W	163.36'
C12	14°08'19"	330.00'	81.43'	N79°42'48"W	81.23'
C13	82°47'54"	13.00'	18.79'	S65°57'25"W	17.19'
C14	16°41'44"	330.00'	96.16'	N74°29'45"W	95.82'
C15	90°00'00"	13.00'	20.42'	S68°51'07"W	18.38'
C16	55°01'01"	13.00'	12.48'	S03°39'24"E	12.01'
C17	290°02'02"	62.00'	313.85'	N66°08'53"W	71.09'
C18	55°01'01"	13.00'	12.48'	N51°21'38"E	12.01'
C19	27°40'42"	230.00'	111.11'	N37°41'28"E	110.03'
C20	90°00'00"	13.00'	20.42'	S06°31'49"W	18.38'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C21	23°28'40"	270.00'	110.64'	S50°12'31"E	109.86'
C22	24°50'06"	270.00'	117.03'	S74°21'55"E	116.12'
C23	28°39'37"	270.00'	135.06'	N78°53'14"E	133.65'
C24	86°30'19"	13.00'	19.63'	N18°41'42"W	17.82'
C25	10°58'16"	230.00'	44.04'	N19°04'20"E	43.97'
C26	99°37'54"	13.00'	22.61'	N63°24'09"E	19.86'
C27	0°38'01"	270.00'	2.99'	S66°27'53"E	2.99'
C28	90°00'00"	13.00'	20.42'	S21°08'53"E	18.38'
C29	17°59'49"	170.00'	53.40'	S32°51'01"W	53.18'
C30	99°40'53"	13.00'	22.62'	N88°18'38"W	19.87'
C31	23°28'40"	330.00'	135.22'	N50°12'31"W	134.28'
C32	28°39'37"	300.00'	150.07'	S78°53'14"W	148.51'
C33	24°50'06"	300.00'	130.04'	S74°21'55"E	129.02'
C34	23°28'40"	300.00'	122.93'	S50°12'31"E	122.07'
C35	27°40'42"	200.00'	96.62'	S37°41'28"W	95.68'
C36	20°31'51"	300.00'	107.50'	S76°24'48"E	106.92'
C37	10°58'16"	200.00'	38.30'	N19°04'20"E	38.24'

LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S25°26'35"E	99.65'	L17	S64°33'25"W	90.87'
L2	S64°33'25"W	130.09'	L18	S38°28'11"E	17.04'
L3	S71°39'13"W	118.98'	L19	S61°56'51"E	113.33'
L4	N66°07'34"W	65.25'	L20	N64°33'25"E	90.87"
L5	S24°33'28"W	116.26'	L21	N13°35'12"E	29.89'
L6	S24°33'28"W	60.00'	L22	N38°28'11"W	14.81'
L7	S13°35'12"W	29.89'	L23	N61°56'51"W	91.20'
L8	S03°19'17"W	60.00'	L24	N64°33'25"E	90.87"
L9	S07°09'23"W	130.74'	L25	S61°56'51"E	113.33'
L10	N03°23'54"E	64.64'	L26	S38°28'11"E	60.04'
L11	N50°03'48"E	72.45'	L27	N13°35'12"E	76.51'
L12	N34°28'15"E	85.25'	L28	S65°26'32"E	43.00'
L13	N51°31'49"E	12.49'	L29	N51°31'49"E	45.00'
L14	S65°14'29"E	39.31'	L30	S33°25'54"W	26.43'
L15	S25°26'35"E	113.10'	L31	N03°23'54"E	61.91'
L16	S25°26'35"E	60.00'	L32	N50°03'48"E	72.45'

TREE TABLE	
TREE TAG	DESCRIPTION (CIRCUMFERENCE)
5971	36" LIVE OAK (TC 113")
5981	29" LIVE OAK (TC 91")
6706	36.5" LIVE OAK (TC 115")
6727	31" LIVE OAK (TC 97")
6728	28" LIVE OAK (TC 88")
6730	29.7" LIVE OAK (TC 93")
6739	25" LIVE OAK (TC 79")
6745	29.5" LIVE OAK (TC 93")
6751	28" LIVE OAK (TC 88")
6752	27" LIVE OAK (TC 85")
6753	25.5" LIVE OAK (TC 80")
6755	26" LIVE OAK (TC 82")
6779	26" LIVE OAK (TC 82")
6785	30.5" LIVE OAK (TC 96")

OWNER:
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1001 CRYSTAL FALLS PARKWAY
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CONTACT: MIKE SIEFERT, P.E.

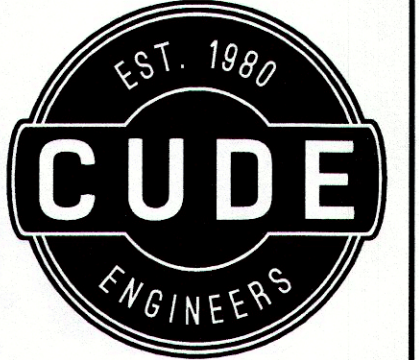
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Kimley»Horn

10101 Reunion Place, Suite 400 San Antonio, Texas 78216 FIRM # 10193973 Tel. No. (210) 541-9166 www.kimley-horn.com					
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
AS SHOWN	DJG	JGM	3/3/2025	068686339	3 OF 3



4122 Pond Hill Road, Suite 101
San Antonio, Texas 78231
P:(210) 681.2951 F: (210) 523.7112

ESPERANZA SUBDIVISION PHASE 3 & 4

POD GENERAL DEVELOPMENT PLAN (GDP)

DATE
6/4/2021

PROJECT NO.
03156.006.1

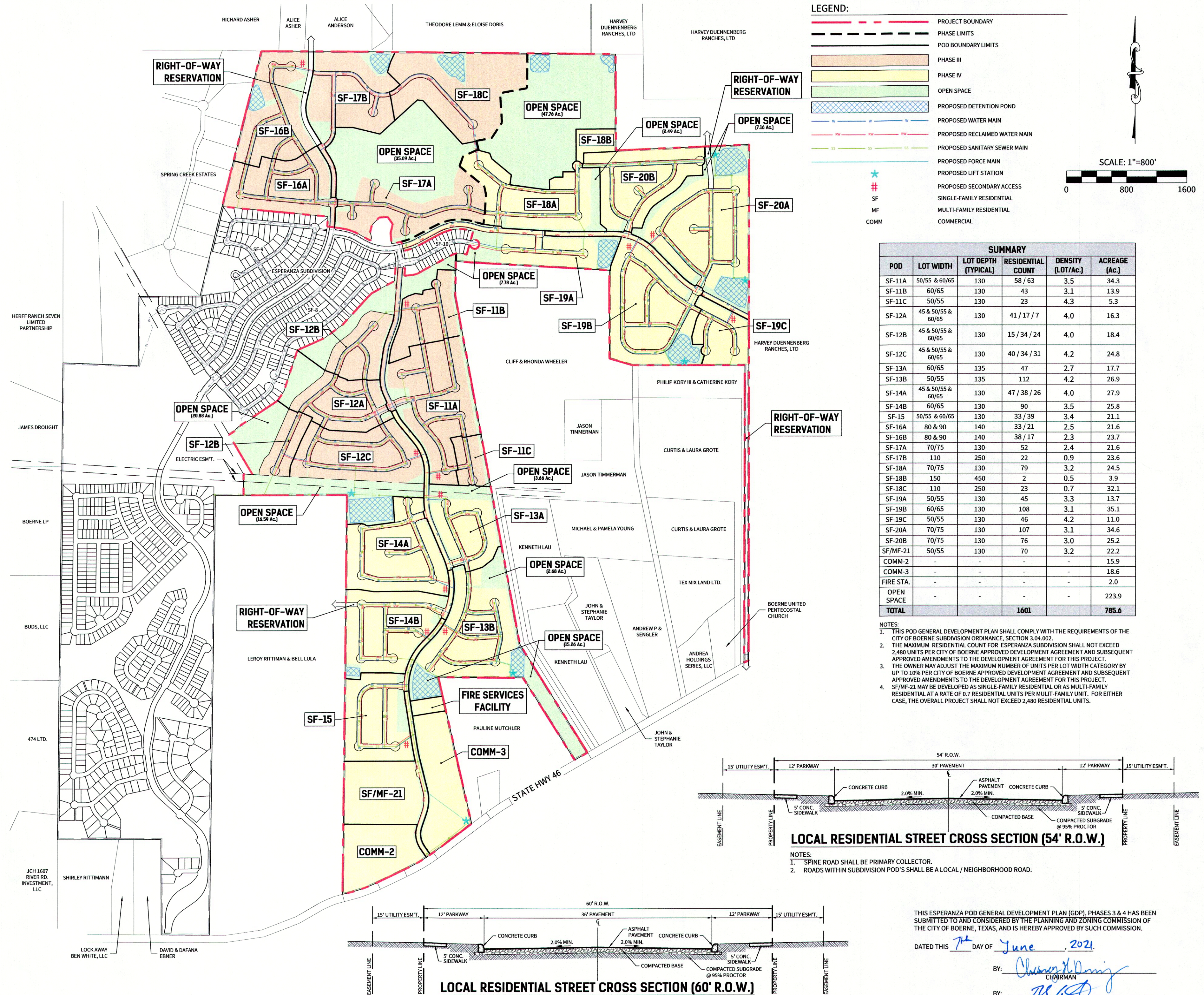
DRAWN BY
J.R.T.

CHECKED BY
W.P.M.

CUDE ENGINEERS
TBPE No. 0455

M-1

1 OF 1





AGENDA ITEM SUMMARY

Agenda Date	April 7, 2025
Requested Action	A request for approval of the Final Plat for The Birch at Spencer Ranch Phase 3 generally located to the west of Spencer Road and north of State Highway 46
Contact Person	Sara Varvarigos, AICP, Planner II (830) 248-1630, svarvarigos@boerne-tx.gov
Background Information	<p>BACKGROUND:</p> <p>The property is owned by Forestar (USA) Real Estate Group, Inc. Josh Valenta, VP at MatkinHoover Engineering & Surveying, is the applicant.</p> <p>The property was annexed into the City of Boerne on June 25th, 2024, and zoned R2-N Neighborhood Residential on March 11, 2025.</p> <p>P&Z approved a Master Community Plan (Master Development Plan) for The Birch at Spencer Ranch on October 1st, 2018. The developer subsequently entered into a Development Agreement with the City of Boerne effective June 16th, 2021. This property also has four associated Major Subdivision Plats:</p> <ul style="list-style-type: none">• Phase 1A – Final Plat Conditionally Approved by P&Z April 4th, 2022 (Right of way for Spencer Ranch Blvd).• Phase 1B – Final Plat Conditionally Approved by P&Z April 4th, 2022 (59 residential lots).• Phase 2 – Final Plat Conditionally Approved by P&Z April 3rd, 2023 (72 residential lots).• Phase 3 – Preliminary Plat Conditionally Approved by P&Z on January 10th, 2022 (70 residential lots). Preliminary Plat approval was then extended by P&Z on July 1st, 2024. <p>In 2018, a Traffic Impact Analysis (TIA) was completed for Spencer Ranch subdivision. This TIA required a portion of Spencer Ranch Blvd to be completed, and a right turn lane to be added on SH 46, where it intersects with Spencer Ranch Blvd.</p> <p>A future TIA will be completed as part of the development of commercial parcels located along SH 46, in proximity to the intersection of Spencer Ranch Blvd. Once the TIA is completed for these frontage parcels, the developer will add a traffic signal at the intersection of SH</p>

	<p>46 and Spencer Ranch Blvd, in addition to completing any additional required traffic mitigation measures. As part of the rezoning approval of Birch at Spencer Ranch, the City Council recommended that staff and the developer work with TXDOT regarding warning lights to be installed as interim traffic mitigation measure.</p> <p>The Spencer Ranch development is vested to development regulations in effect as of October 1, 2018 (Vested rights determination file #VR2021-006, signed March 21, 2022).</p> <p>REQUEST:</p> <ol style="list-style-type: none">1. The Birch at Spencer Ranch Phase 3 Final Plat consists of 70 residential lots, 5 open space lots, and 3.36 acres of right-of-way, on a total of 22.65 acres. It has an overall gross density of 3.09 dwellings per acre.2. The 5 open space lots consist of drainage and utility easements totaling 8.38 acres.3. Sycamore Pond and Hazel Peak (local public streets) will provide primary access to the northern units. The southern units in this Phase will be served by Caledonian Pine and Mahogany Rapids (local public streets).4. The City of Boerne will own and maintain all roads in the subdivision.5. Water and sewer services will be provided by SJWTX INC, doing business as The Texas Water Company. <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 Community Master Plan and the Development Agreement for The Birch at Spencer Ranch depict 209 total residential lots on 71.12 total acres, with 14.2 required acres of open space. Phase 3 is depicted with 74 total lots across 21.2 total acres, with 4.2 acres of open space.
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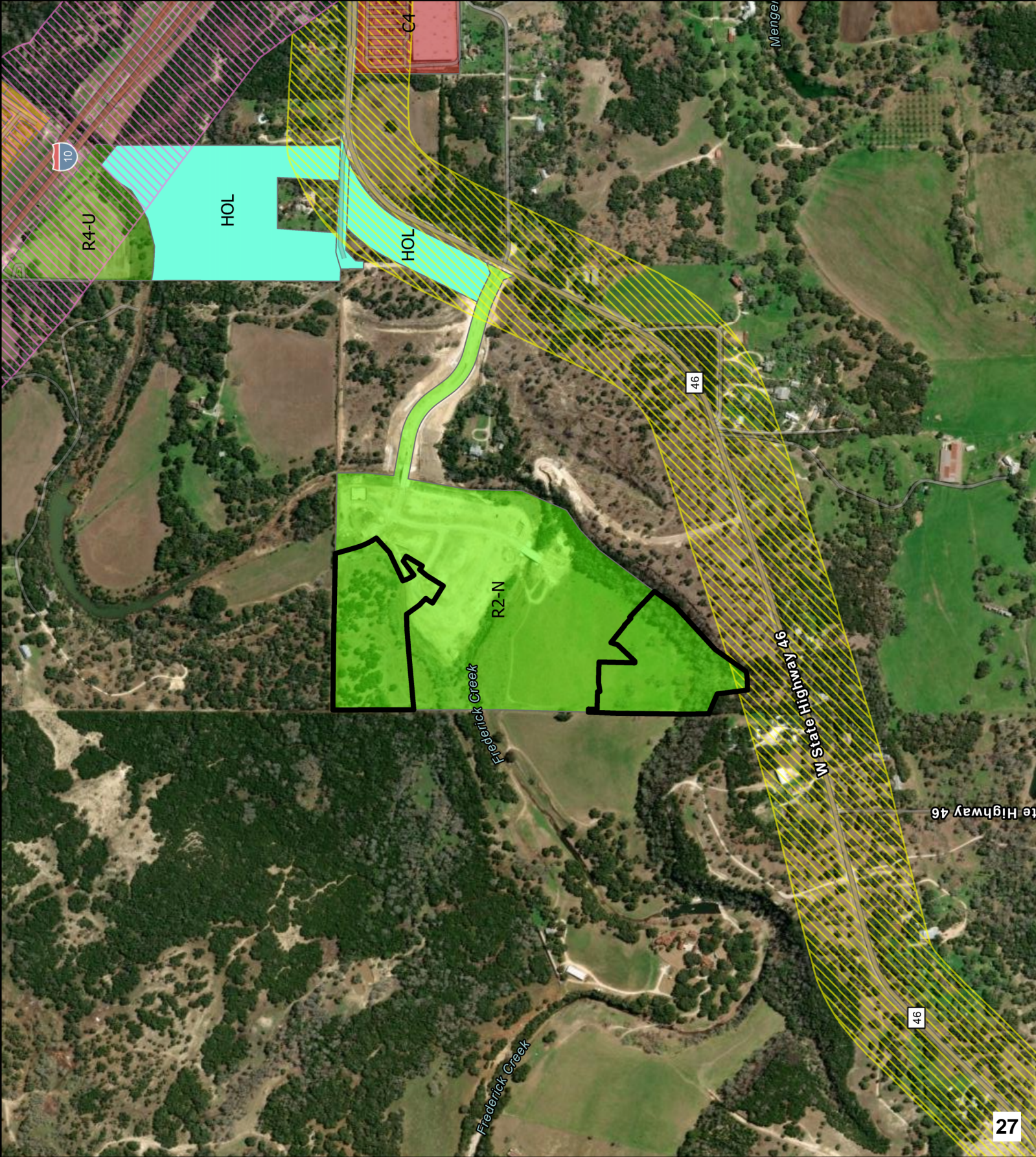
	<ul style="list-style-type: none">• The proposed final plat reduces the total number of residential lots to 70 and provides additional open space (8.38 acres).• The zoning for the property is R2-N, which specifies a minimum lot size of 5,400 SF. The average lot size for Birch at Spencer Ranch Phase 3 is 6,768 SF. Twenty-one lots do not meet the minimum requirements of the R2-N Zoning District. These lots are considered legal non-conforming lots. <p><u>Landscaping and Open Space:</u></p> <ul style="list-style-type: none">• The plat identifies 8.38 acres of open space, and 19 Heritage and Legacy trees. The open space corresponds to the drainage and utility easements listed in the next section.• The owner has agreed to add a trail dedication easement adjacent to the creek corridors prior to recording the Final Plat. <p><u>Utilities, Drainage and Floodplain:</u></p> <ul style="list-style-type: none">• Block 12 lot 909 (0.15 acres), Block 12 Lot 910 (1.81 acres), and Block 13 Lot 911 (2.65 acres), are open space/private drainage easements to service the northern units Block 7 Lot 913 (0.05 acres) and Block 8 lot 914 (3.72 acres) are open space/private drainage easements to service the southern units.• Several proposed lots overlap with the 100-Year FEMA Floodplain; A Conditional Letter of Map Revision (CLOMR) was approved in 2020, and a Letter of Map Revision (LOMR) was approved in 2024. The applicant is currently awaiting secondary LOMR approval by FEMA. Since the floodplain is shown on lots less than 0.5 acres, the final plat cannot be recorded until the secondary LOMR is approved by FEMA. <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 Community Master Plan.• The Final Plat is consistent with the applicable subdivision regulations.• The Final Plat is consistent with the approved preliminary plat.
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	<p>RECOMMENDATION:</p> <p>Based on its alignment with the Comprehensive Master Plan; Development Agreement; and UDC Sec. 2-6; Staff recommends that the Planning and Zoning Commission APPROVE the Final Plat subject to the following stipulations:</p> <ol style="list-style-type: none"> 1. The recorded plat shall be in conformance with the final plat date stamped March 26, 2025 except as modified by these stipulations. 2. The secondary Letter of Map Revision must be approved by FEMA prior to recordation of the Final Plat. 3. The Final Plat must include a dedication for a trail easement to the City of Boerne, for a public trail within the open space area adjacent to the creeks, prior to recording the Final Plat. 4. The applicant shall coordinate with the city staff to explore the possibility of installing warning signs/lights on Highway 46. 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 that the Planning and Zoning Commission accept the findings and APPROVE the proposed Final Plat subject to the five (5) 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	<p>C1 – Offering quality customer experiences</p> <p>C3 – Collaborating with community partners to enhance quality of life</p>
Financial Considerations	N/A

Citizen Input/Board Review	Public notice or hearing is not required for final plats.
Legal Review	This action is needed to meet statutory requirements.
Alternative Options	The Commission may approve, approve with conditions, extend the review, or disapprove the plat.
Supporting Documents	Attachment 1 – Aerial Map Attachment 2 – Future Land Use Map Attachment 3 – Environmental Constraints Map Attachment 4 – Master Plan Attachment 5 – Final Plat Attachment 6 – Preliminary Plat



SUBJECT PROPERTY
Birch at Spencer
Ranch Phase 3

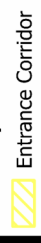


Legend

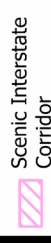


Phase 3

Overlay Districts



Entrance Corridor



Scenic Interstate
Corridor

Boerne Zoning



C1



C4



HOL



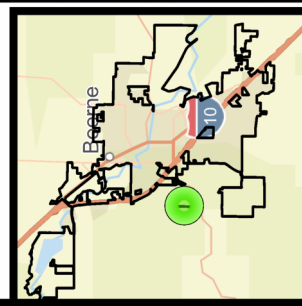
R2-M



R2-N



R4-U





SUBJECT PROPERTY

Birch at Spencer Ranch
Phase 3

Legend

Phase 3

FLU

Auto-Oriented Commercial

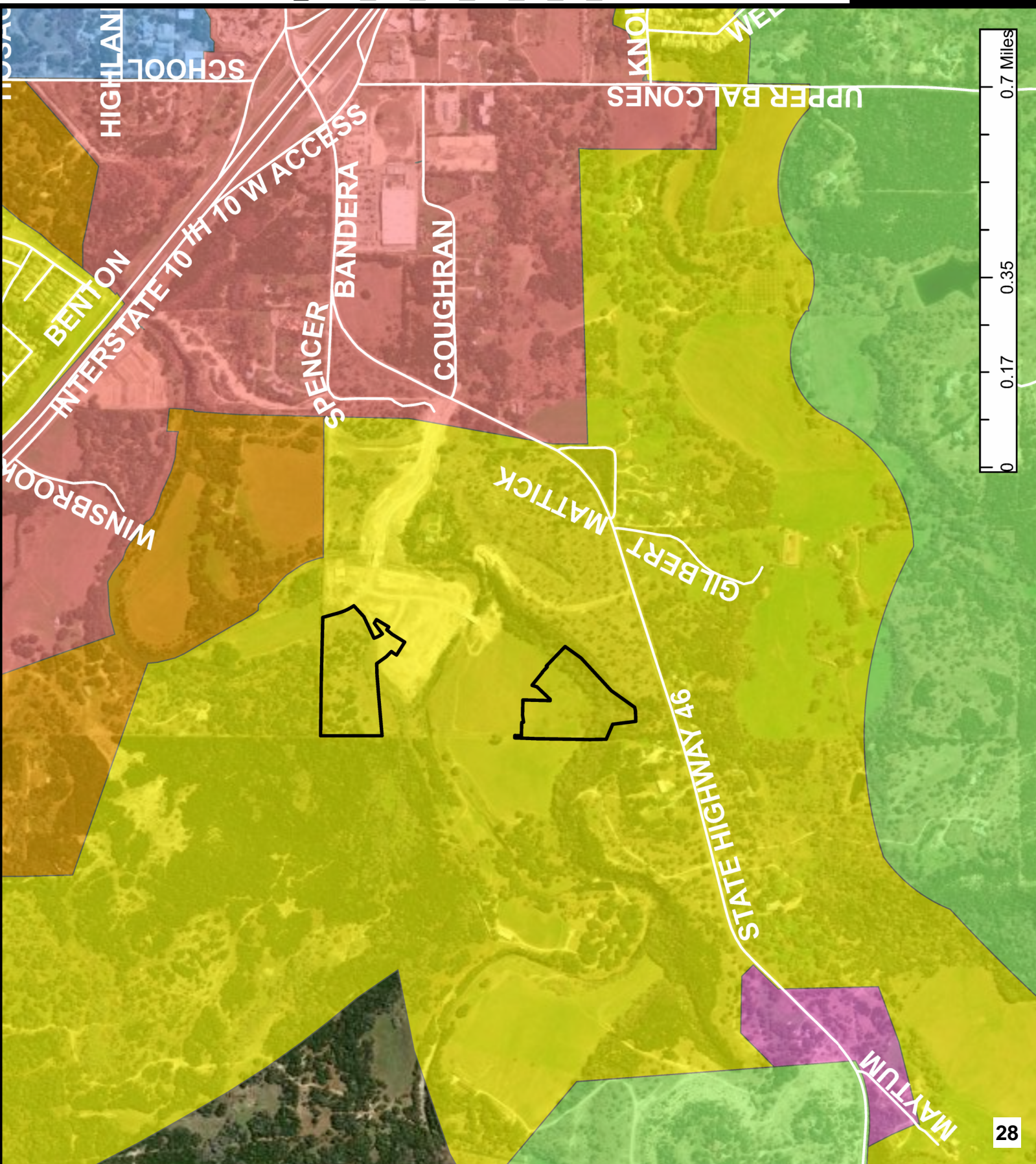
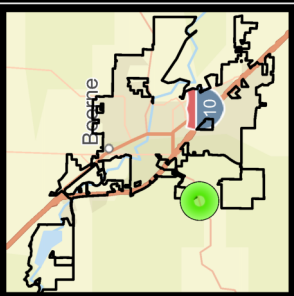
Neighborhood Commercial

Neighborhood Residential

Public and Institutional

Rural Estate

Transitional Residential

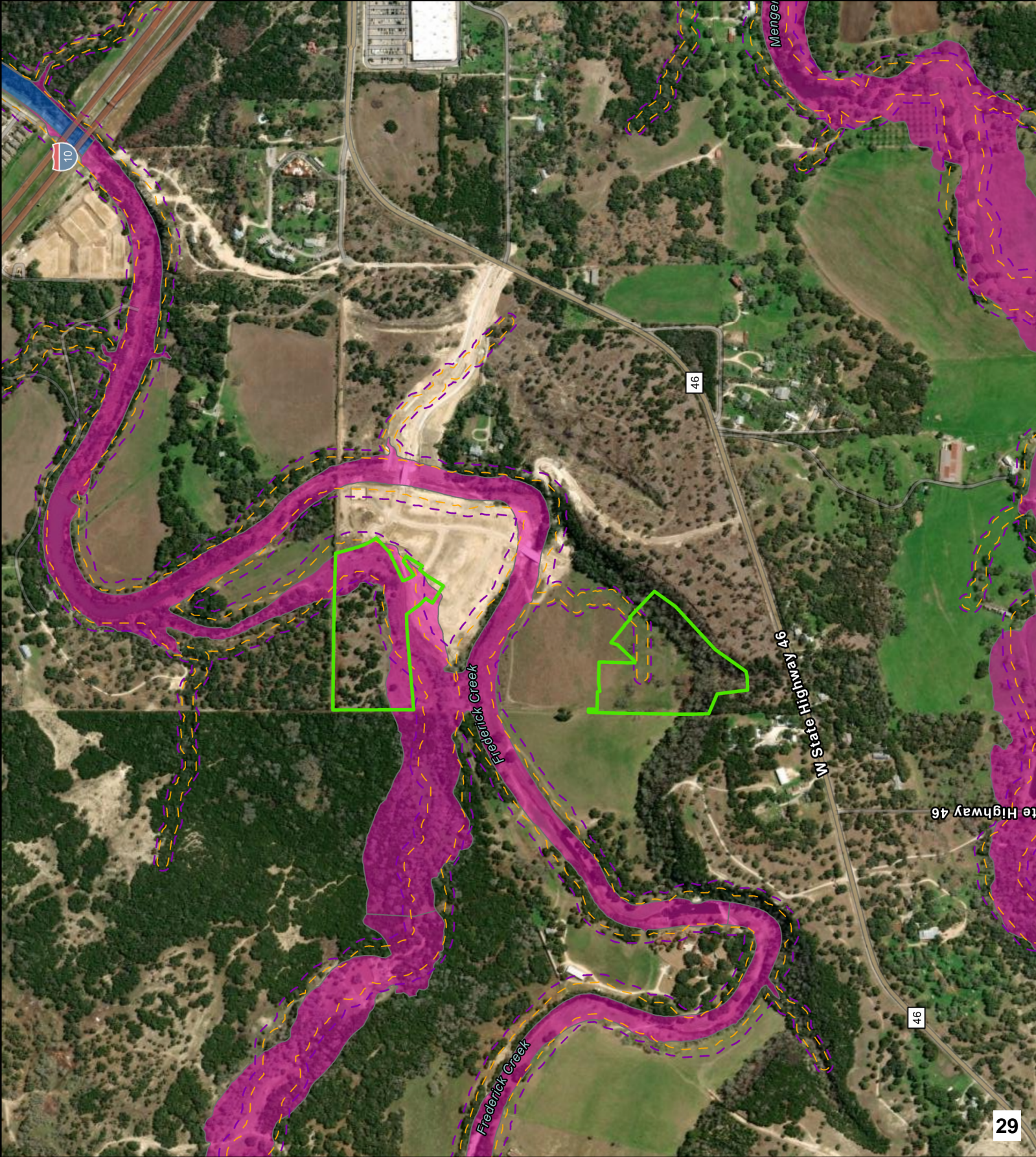
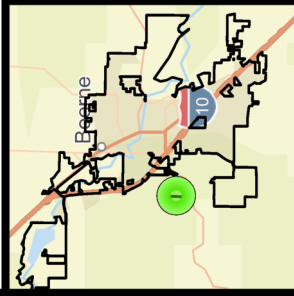




SUBJECT PROPERTY
Birch at Spencer
Ranch Phase 3

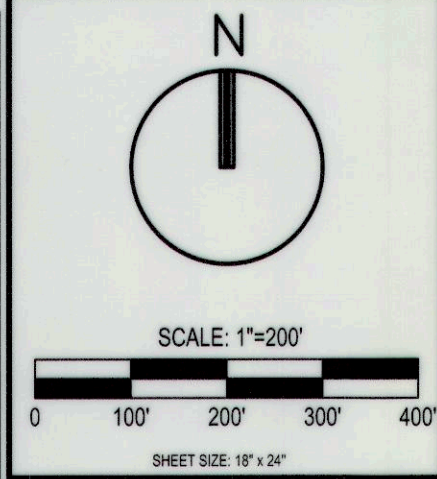
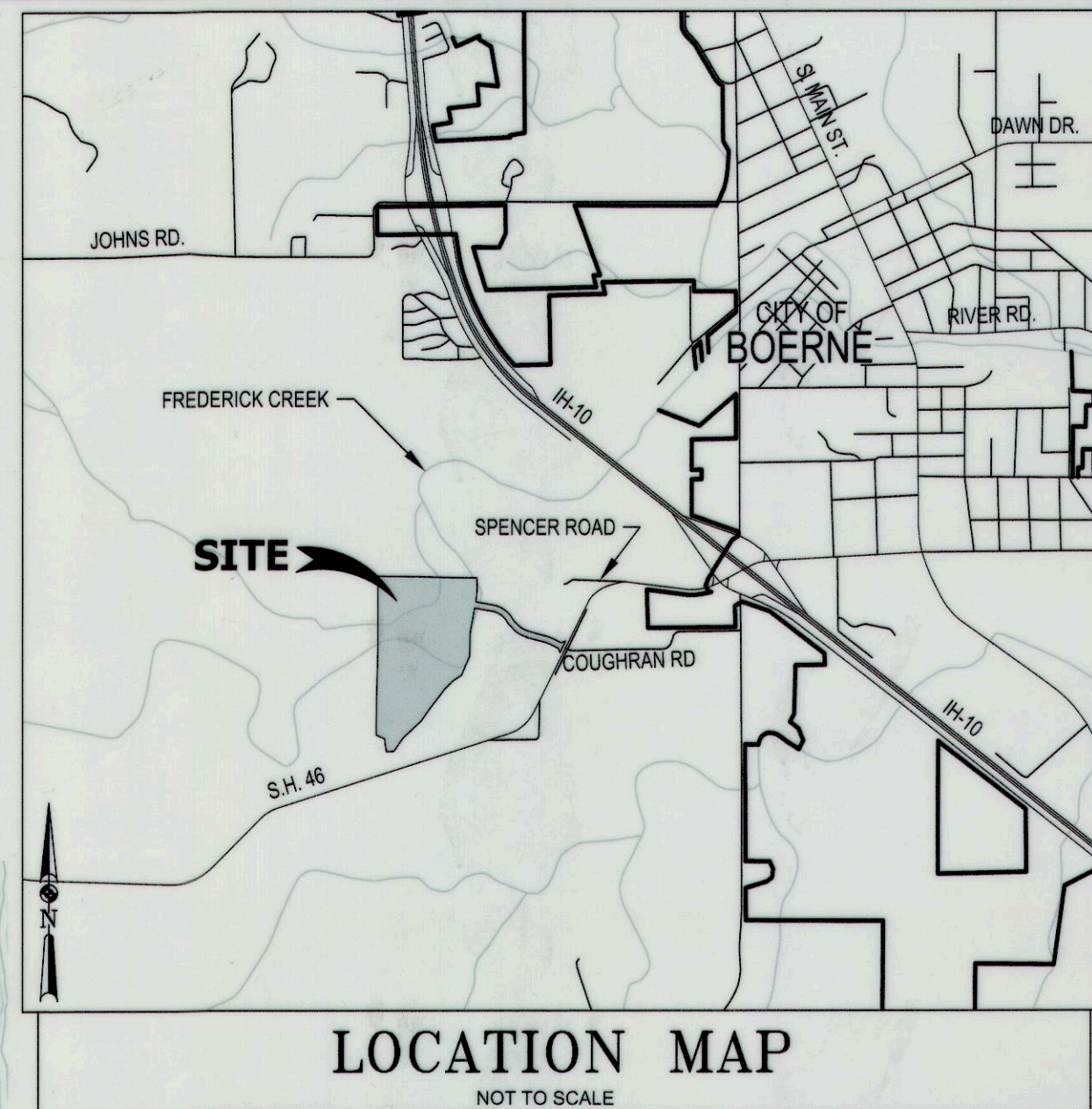
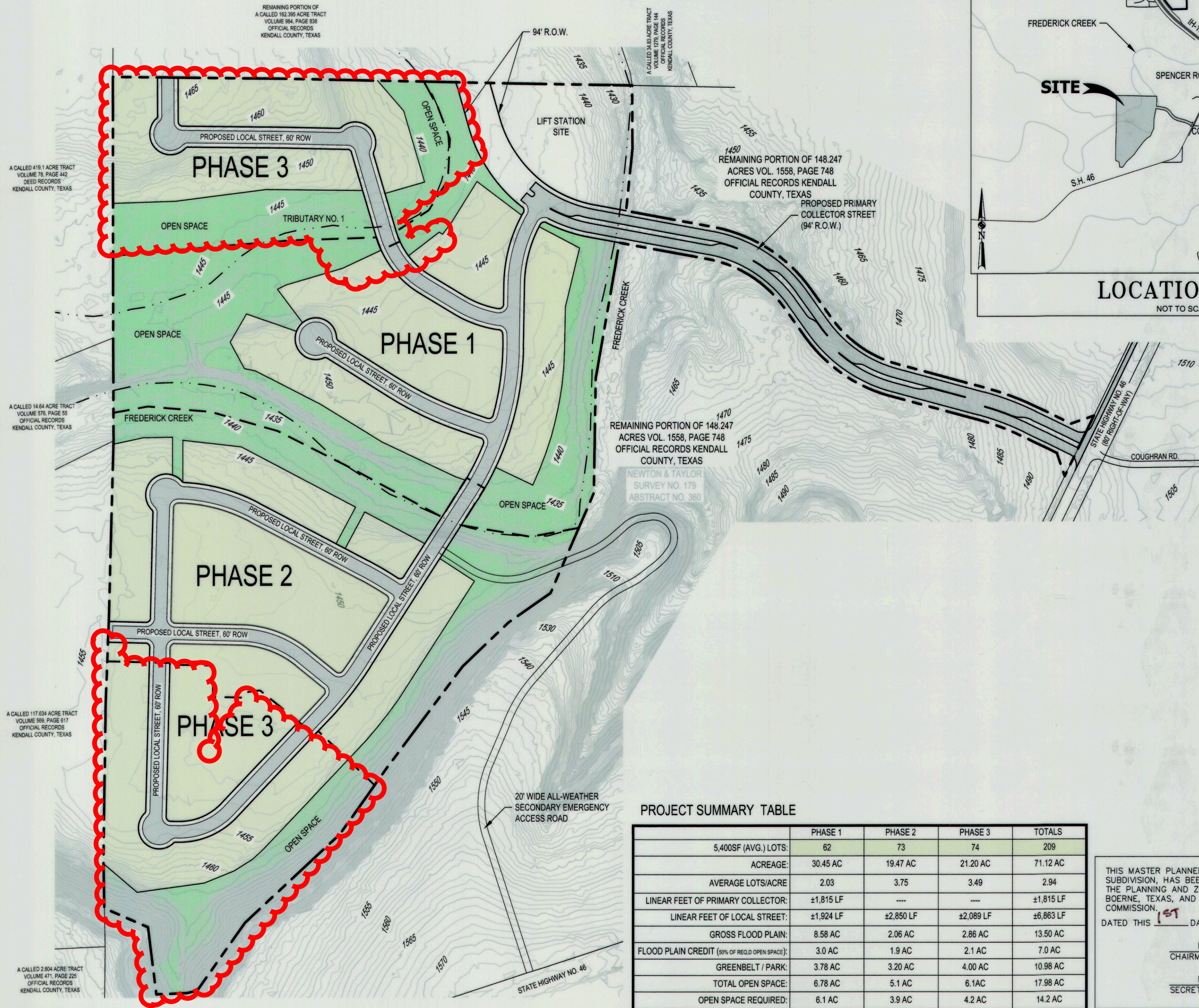
Legend

- Phase 3
- DPZ 1
- DPZ 2
- SARA Floodplain
- SARA Floodway
- <all other values>



LEGEND

PROPERTY BOUNDARY	---
EXISTING 1' CONTOUR	---
EXISTING 5' CONTOUR	---
PHASE LINE	---
STREAM CENTER LINE	---



REV. 9/20/18 - CITY COMMENTS

MATKINHOOVER
ENGINEERING & SURVEYING
3303 SHELL ROAD SUITE 100
BOERNE, TEXAS 78628
OFFICE: 512.868.2244
CONTACT@MATKINHOOVER.COM
TEXAS REGISTERED ENGINEERING FIRM F-004512 SURVEYING FIRM F-10024000

MASTER PLANNED COMMUNITY PLAN
FOR
SPENCER RANCH
BOERNE, TEXAS

PROJECT SUMMARY TABLE

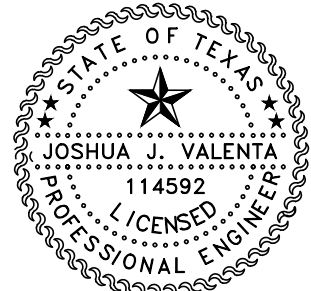
	PHASE 1	PHASE 2	PHASE 3	TOTALS
5,400SF (AVG.) LOTS:	62	73	74	209
ACREAGE:	30.45 AC	19.47 AC	21.20 AC	71.12 AC
AVERAGE LOTS/ACRE	2.03	3.75	3.49	2.94
LINEAR FEET OF PRIMARY COLLECTOR:	±1,815 LF	---	---	±1,815 LF
LINEAR FEET OF LOCAL STREET:	±1,924 LF	±2,850 LF	±2,089 LF	±6,863 LF
GROSS FLOOD PLAIN:	8.58 AC	2.06 AC	2.86 AC	13.50 AC
FLOOD PLAIN CREDIT (50% OF REQ'D OPEN SPACE):	3.0 AC	1.9 AC	2.1 AC	7.0 AC
GREENBELT / PARK:	3.78 AC	3.20 AC	4.00 AC	10.98 AC
TOTAL OPEN SPACE:	6.78 AC	5.1 AC	6.1 AC	17.98 AC
OPEN SPACE REQUIRED:	6.1 AC	3.9 AC	4.2 AC	14.2 AC

THIS MASTER PLANNED COMMUNITY PLAN OF SPENCER RANCH SUBDIVISION, HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BOERNE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.
DATED THIS 1ST DAY OF OCTOBER, A.D., 2018
BY: [Signature]
CHAIRMAN
BY: [Signature]
SECRETARY

JOB NO. 2782.20

STATE OF TEXAS
COUNTY OF KENDALL

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 AND ZONING COMMISSION OF THE CITY OF BOERNE.



JOSHUA J. VALENTA
LICENSED PROFESSIONAL ENGINEER #114592
MATKINHOOVER ENGINEERING

STATE OF TEXAS
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____ A.D. 20__.

NOTARY PUBLIC KENDALL COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF KENDALL

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.



KYLE L. PRESSLER
REGISTERED PROFESSIONAL LAND SURVEYOR #6528
MATKINHOOVER LAND SURVEYING

STATE OF TEXAS
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____ A.D. 20__.

NOTARY PUBLIC KENDALL COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF KENDALL

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

OWNER

DULY AUTHORIZED AGENT

STATE OF TEXAS
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____ A.D. 20__.

NOTARY PUBLIC KENDALL COUNTY, TEXAS

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 THE ____ DAY OF _____ A.D. 202__ 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. 202__.



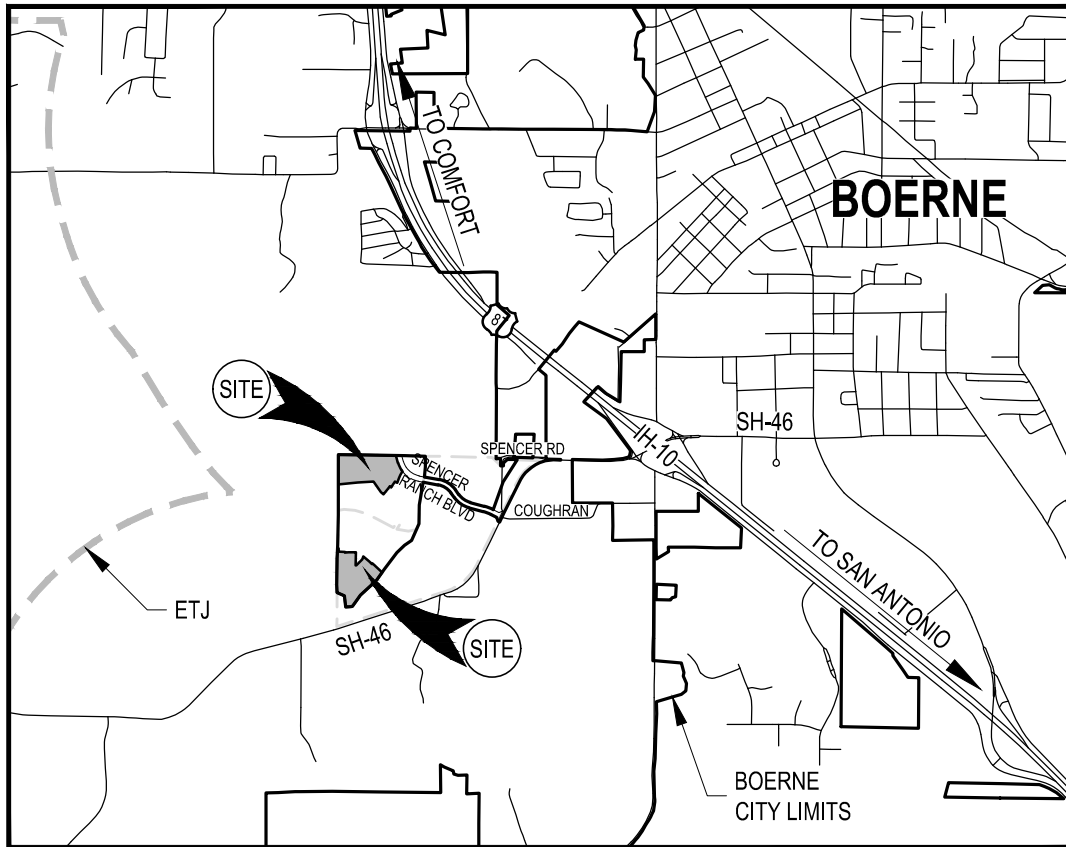
COUNTY CLERK, KENDALL COUNTY, TEXAS

BY: _____ DEPUTY

A FINAL PLAT ESTABLISHING THE BIRCH AT SPENCER RANCH PHASE 3

BEING A 22.65 ACRE TRACT OF LAND LOCATED IN THE NEWTON & TAYLOR SURVEY NO. 179, ABSTRACT NO. 360, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 71.12 ACRE TRACT, RECORDED IN VOLUME 1735, PAGE 54, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

70 NEW RESIDENTIAL LOTS, 5 OPEN SPACE LOTS, 3.36 ACRES RIGHT-OF-WAY.



LOCATION MAP - BOERNE, TEXAS
NOT TO SCALE

PLAT NOTES:

SETBACKS:

LOT SETBACKS ARE DETERMINED BY THE CITY OF BOERNE ZONING ORDINANCE ENFORCED AT THE TIME OF DEVELOPMENT. THE USE THAT IS BEING CONSTRUCTED AND THE LOT SIZE SHALL DETERMINE WHICH SETBACK SHALL APPLY.

FENCE NOTE:

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 SQ FT 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. (ORD. NO. 2004-20). XERISCAPING IS PERMITTED AS DESCRIBED IN THE CITY OF BOERNE ZONING ORDINANCE, ARTICLE 3, SECTION 3.07.003D.

SIDEWALK NOTE:

AT SUCH TIME AS A LOT IS DEVELOPED, A FIVE-FOOT WIDE REINFORCED CONCRETE SIDEWALK SHALL BE INSTALLED ADJACENT TO ALL PROPERTY LINES OF EACH LOT WHERE THE LOT ABUTS PUBLIC OR PRIVATE STREET.

TAX CERTIFICATE:

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

BLOCK LENGTH

BLOCK LENGTHS ARE AS FOLLOWS. THE SHORTEST LENGTH (BLOCK 12) IS 443 FEET. THE LONGEST LENGTH (BLOCK 7) IS 1,588 FEET.

BLOCK 3 = 581 FEET	BLOCK 12 = 443 FEET
BLOCK 4 = 1,469 FEET	BLOCK 13 = 738 FEET
BLOCK 7 = 1,588 FEET	BLOCK 14 = 578 FEET
BLOCK 8 = 1,328 FEET	
BLOCK 9 = 560 FEET	

PROJECT SUMMARY TABLE	
DESCRIPTION	PHASE 3
TOTAL RESIDENTIAL LOTS	70
TOTAL OPEN SPACE LOTS	5
TOTAL ACREAGE	22.65 AC
AVERAGE DWELLINGS/ACRE	3.09
LINEAR FEET OF STREET	2,288 LF
OPEN SPACE	8.38
ROW ACREAGE	3.38 AC

IMPERVIOUS COVER CALCUALTION

DESCRIPTION	IMPERVIOUS COVER
STREETS & SIDEWALK	2.34 AC
HOUSES	4.50 AC
DRIVEWAYS	0.51 AC
SIDEWALK, STOOPS & AC PADS	0.15 AC
CONC. RIP-RAP/DRAINS	0.20 AC
TOTAL	7.70 AC
% IMPERVIOUS	34.0%

THIS SUBDIVISION PLAT OF THE BIRCH AT SPENCER RANCH PHASE 3, HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BOERNE, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS ____ DAY OF _____, A.D., 20__.

BY: _____
CHAIR

BY: _____
SECRETARY

GENERAL NOTES:

- THE AREA OF THE SMALLEST LOT IN THIS SUBDIVISION IS 0.11 ACRES.
- THIS SUBDIVISION CONTAINS 22.65 TOTAL ACRES WITH 70 LOTS FOR A GROSS DENSITY OF 3.09 LOTS PER ACRE.
- NO PART OF THIS SUBDIVISION IS LOCATED UPSTREAM FROM A CITY WATER SUPPLY LAKE.
- WATER SERVICE SHALL BE PROVIDED BY SJWTX, INC DBA THE TEXAS WATER COMPANY.
- SEWAGE SERVICES SHALL BE PROVIDED BY SJWTX, INC DBA THE TEXAS WATER COMPANY.
- THIS SUBDIVISION IS LOCATED WITHIN THE BOERNE INDEPENDENT SCHOOL DISTRICT.
- BASIS OF BEARING WAS ESTABLISHED USING THE TRIMBLE VRS NETWORK, NAD (83), TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, 4204, US SURVEY FOOT, GRID.
- UNLESS OTHERWISE NOTED, ALL CORNERS AND ANGLES ARE SET 1/2" REBAR WITH RED "MATKINHOOVER ENG. & SURVEY" PLASTIC CAPS.
- THERE ARE 19 HERITAGE LEGACY TREES, AS DEFINED IN SUBSECTION 2.02.002, IDENTIFIED ON THIS PLAT.
- THE TOPOGRAPHICAL INFORMATION IS BASED ON VERTICAL DATUM NAVD 88.
- ALL STREETS WITHIN THIS SUBDIVISION WILL BE PUBLIC.
- THE PROVIDED AREA OF OPEN SPACE IS 8.38 AC, THE REQUIRED OPEN SPACE IS 4.52 AC.
- THIS PLAT IS LOCATED WITHIN CITY OF BOERNE.
- LOTS 910, 911, 913 AND 914 ARE DEDICATED AS DRAINAGE AND UTILITY EASEMENT.
- LOTS 908 AND 912 ARE DEDICATED AS PUBLIC RIGHT-OF-WAY AND UTILITY EASEMENTS.
- LOT 909 IS DEDICATED AS PRIVATE DRAINAGE AND UTILITY EASEMENT.
- THE MINIMUM BUILDING SLAB ELEVATION SHALL BE 2 FOOT ABOVE 100-YEAR FLOODPLAIN BASE FLOOD ELEVATION.
- NO LOT IN THIS SUBDIVISION IS ENCROACHED BY A SPECIAL FLOOD HAZARD AREA(S) INUNDATED BY THE 100-YEAR (1% CHANCE) FLOOD SCALED FROM LOMR CASE NO. 20-06-2099R DATED NOVEMBER 15TH, 2023. FLOODPLAIN INFORMATION IS SUBJECT TO CHANGE AS A RESULT OF FUTURE FEMA MAP REVISIONS AND/OR AMENDMENTS..

FIRE MARSHALL APPROVAL:

AT TIME OF DEVELOPMENT OF THE SUBDIVISION, THE OWNER / DEVELOPMENT SHALL OBTAIN A DEVELOPMENT PERMIT FOR THE CITY OF BOERNE. SUBMIT A SITE PLAN FOR THE PROPOSED DEVELOPMENT AND A LETTER OF APPROVAL FROM THE CITY OF BOERNE FIRE MARSHALL.

DETENTION SHALL BE PROVIDED FOR THE SUBDIVISION UNLESS OTHERWISE APPROVED BY THE CITY OF BOERNE AND KENDALL COUNTY. PRIOR TO ANY IMPROVEMENTS BEING MADE IN THE SUBDIVISION, CITY OF BOERNE SHALL REVIEW AND APPROVE DETENTION FOR THE SITE. KENDALL COUNTY RESERVES THE RIGHT TO COMMENT ON THE DETENTION PLAN.

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 (U.E.):

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

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER THE PASSABLE AREAS OF THE GRANTOR'S, ADJACENT LAND, WHEN THE DELINEATED ENTRANCE POINT THAT ABUTS PUBLIC RIGHT-OF-WAY IS OBSTRUCTED AND/OR INACCESSIBLE, EITHER IN WHOLE OR IN PART, IN ORDER TO ACCESS OR LEAVE THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE UTILITIES; THE RIGHT TO PLACE NEW OR ADDITIONAL UTILITIES IN THE EASEMENT AND TO CHANGE THE SIZE OF THE UTILITIES WITHIN THE EASEMENT; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE UTILITIES; THE RIGHT TO REMOVE FROM THE EASEMENT ALL TREES AND PARTS THEREOF, OR OTHER OBSTRUCTIONS, WHICH REASONABLY ENDANGER OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY OR OPERATION OF THE UTILITIES; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE UTILITIES.

- 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 THE 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.
- PROPERTY OWNER SHALL NOT MAKE ANY IMPROVEMENTS IN THE UTILITY/ELECTRIC EASEMENTS THAT CONFLICTS WITH THE NATIONAL ELECTRIC SAFETY CODE (NESC). THE UTILITY IS NOT RESPONSIBLE FOR REMOVAL OF ANY IMPROVEMENTS IN CONFLICT WITH THE NESC.

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.

OWNER / DEVELOPER:

FORESTAR (USA) REAL ESTATE GROUP, INC.
CONTACT: MR. ELLIOT CONDOS
10700 PECAN PARK BLVD., SUITE 150
AUSTIN, TEXAS 78750 PHONE: (817) 769-1875

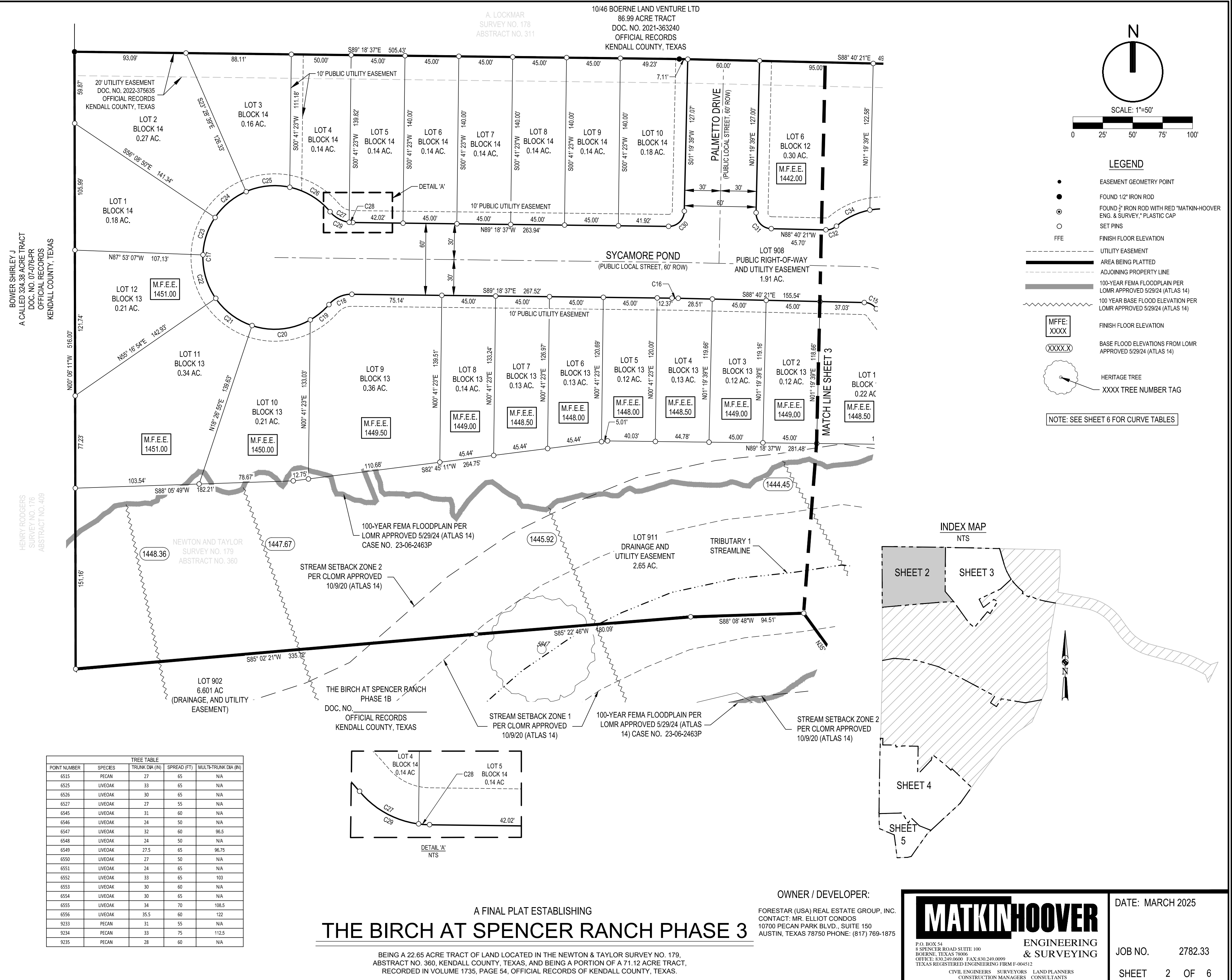


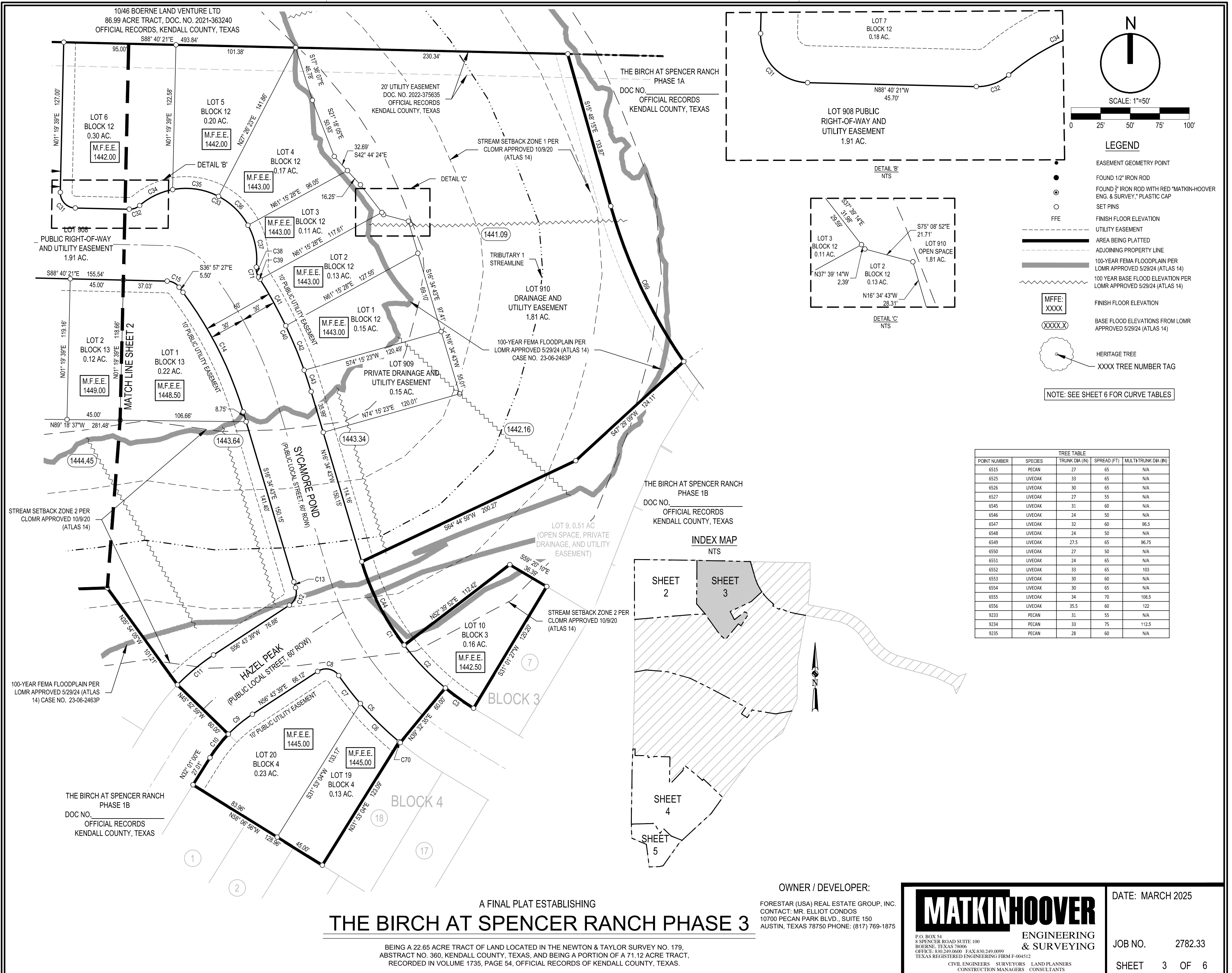
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BOERNE, TEXAS 78006
OFFICE: 830.249.0600 FAX: 830.249.0699
TEXAS REGISTERED ENGINEERING FIRM F-004512
CIVIL ENGINEERS SURVEYORS LAND PLANNERS
CONSTRUCTION MANAGERS CONSULTANTS

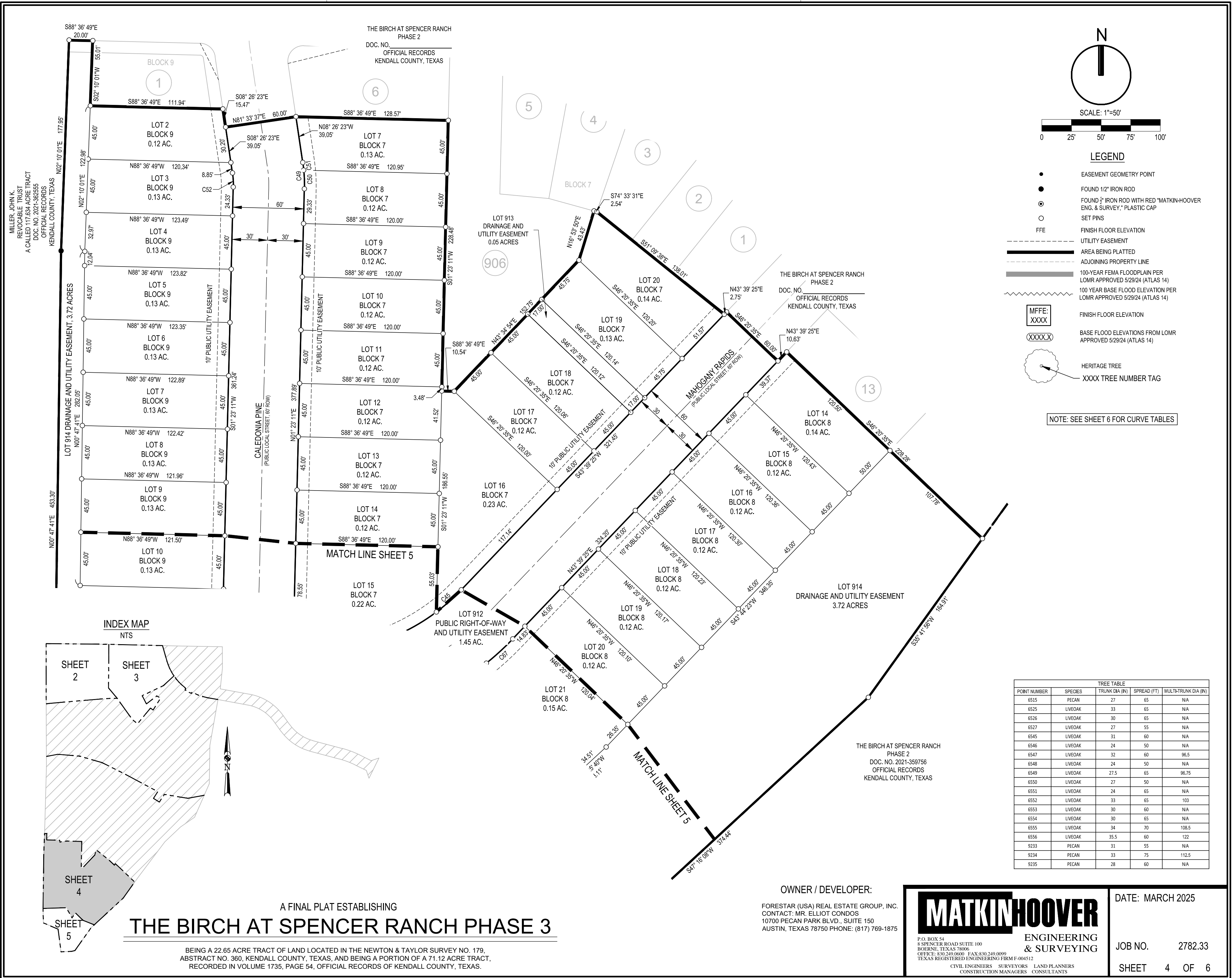
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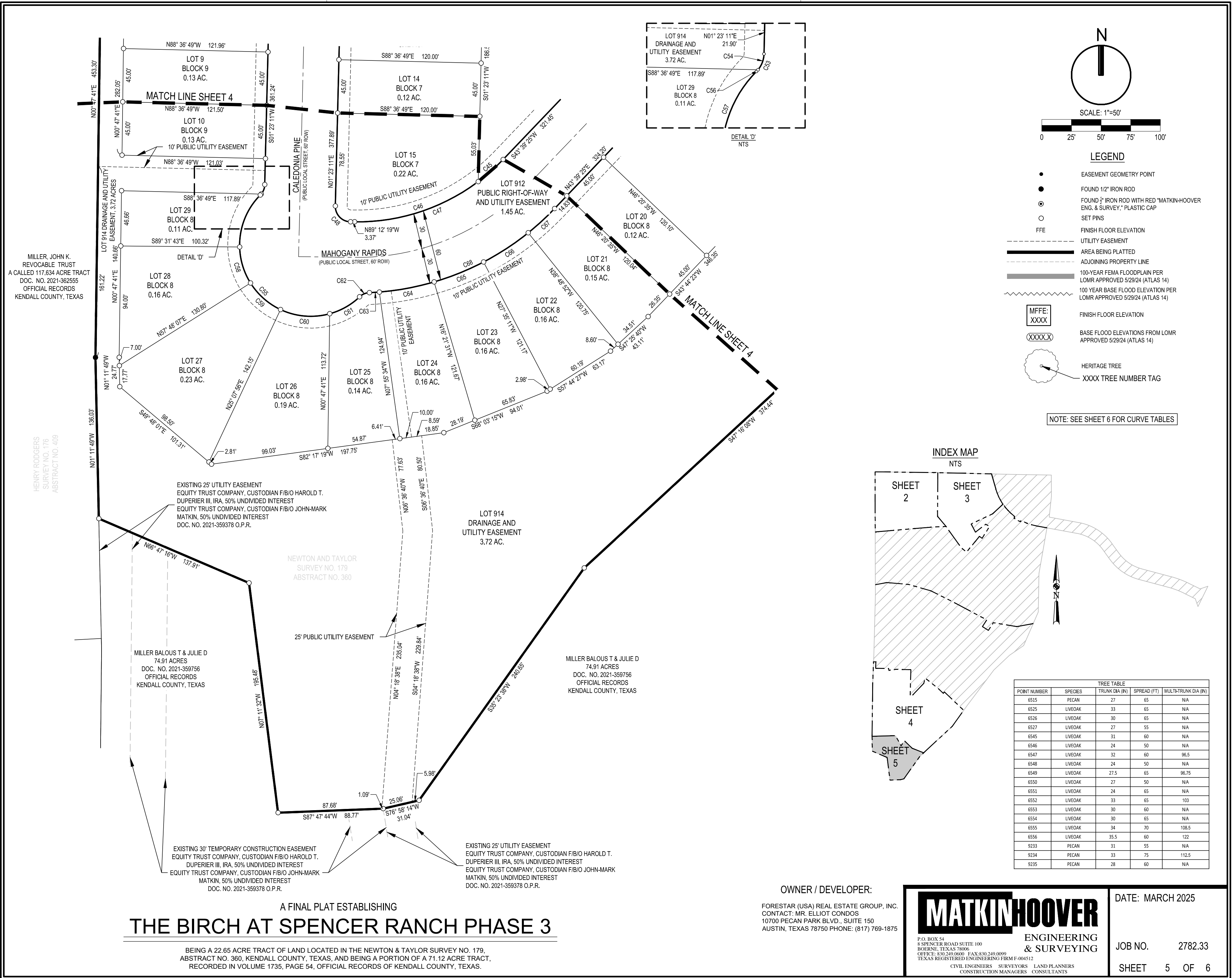
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SHEET 1 OF 6









CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	220.00	130.11	33°53'03"	S33° 31' 14"E	128.22
C2	220.00	50.40	13°07'37"	N43° 53' 57"W	50.29
C3	220.00	29.40	7°39'27"	N54° 17' 29"W	29.38
C5	280.00	77.31	15°49'11"	N42° 33' 05"W	77.06
C6	280.00	46.17	9°26'49"	N45° 29' 28"W	46.11
C7	280.00	29.94	6°07'34"	S37° 42' 17"E	29.92
C8	13.00	20.11	88°37'52"	N78° 57' 26"W	18.16
C9	120.00	26.41	12°36'37"	S50° 25' 20"W	26.36
C10	120.00	25.34	12°06'01"	N38° 04' 01"E	25.30
C11	180.00	39.62	12°36'37"	N50° 25' 20"E	39.54
C12	13.00	16.87	74°21'29"	N19° 32' 54"E	15.71
C13	280.00	5.14	1°03'08"	N17° 06' 17"W	5.14
C14	320.00	113.82	20°22'45"	S26° 46' 05"E	113.22
C15	13.00	11.73	51°42'54"	S62° 48' 54"E	11.34
C16	470.00	5.23	0°38'17"	S88° 59' 29"E	5.23
C17	60.00	292.54	279°21'34"	N00° 41' 23"E	77.65
C18	25.00	21.68	49°40'47"	N65° 50' 59"E	21.00
C19	60.00	20.23	19°18'54"	N50° 40' 02"E	20.13
C20	60.00	50.40	48°07'26"	N84° 23' 12"E	48.93
C21	60.00	38.57	36°49'59"	S53° 08' 06"E	37.91

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C22	60.00	38.57	36°49'59"	S16° 18' 07"E	37.91
C23	60.00	33.24	31°44'18"	S17° 59' 02"W	32.81
C24	60.00	34.21	32°40'11"	S50° 11' 16"W	33.75
C25	60.00	37.21	35°32'12"	S84° 17' 27"W	36.62
C26	60.00	40.12	38°18'36"	N58° 47' 08"W	39.38
C27	25.00	18.69	42°50'10"	N61° 02' 55"W	18.26
C28	25.00	2.99	6°50'38"	N85° 53' 19"W	2.98
C29	25.00	21.68	49°40'47"	S64° 28' 14"E	21.00
C30	13.00	20.28	89°21'43"	S46° 00' 31"W	18.28
C31	13.00	20.42	90°00'00"	S43° 40' 21"E	18.38
C32	13.00	9.53	41°59'40"	N70° 19' 49"E	9.32
C33	60.00	143.31	136°51'02"	S62° 14' 29"E	111.59
C34	60.00	31.34	29°55'46"	N64° 17' 53"E	30.99
C35	60.00	39.98	38°10'37"	N81° 38' 56"W	39.24
C36	60.00	35.41	33°49'06"	S45° 39' 04"E	34.90
C37	60.00	36.68	35°01'53"	N11° 13' 35"W	36.12
C38	13.00	8.85	38°59'49"	N13° 12' 32"W	8.68
C39	380.00	2.20	0°19'55"	N32° 32' 29"W	2.20
C40	380.00	106.96	16°07'38"	S24° 38' 32"E	106.61
C41	380.00	45.03	6°47'21"	N28° 58' 51"W	45.00

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C42	380.00	40.71	6°08'16"	N22° 31' 03"W	40.69
C43	380.00	19.04	2°52'13"	N18° 00' 49"W	19.03
C44	220.00	79.70	20°45'26"	S26° 57' 25"E	79.27
C45	170.00	28.12	9°28'41"	S48° 23' 45"W	28.09
C46	170.00	111.74	37°39'36"	S71° 57' 54"W	109.74
C47	170.00	139.86	47°08'17"	N67° 13' 33"E	135.95
C48	13.00	20.55	90°35'30"	S43° 54' 34"E	18.48
C49	130.00	22.29	9°49'34"	S03° 31' 36"E	22.27
C50	130.00	15.70	6°55'15"	S02° 04' 27"E	15.69
C51	130.00	6.59	2°54'19"	S06° 59' 14"E	6.59
C52	70.00	12.00	9°49'34"	S03° 31' 36"E	11.99
C53	13.00	9.86	43°26'44"	N23° 06' 33"E	9.62
C54	13.00	8.74	38°31'24"	S20° 38' 53"W	8.58
C55	60.00	186.59	178°10'59"	N44° 15' 34"W	119.98
C56	13.00	1.10	4°51'22"	N42° 20' 15"E	1.10
C57	60.00	48.47	46°17'06"	S21° 42' 14"W	47.16
C58	60.00	32.21	30°45'34"	S16° 49' 06"E	31.83
C59	60.00	34.21	32°40'11"	S48° 31' 59"E	33.75
C60	60.00	42.52	40°36'07"	S85° 10' 07"E	41.63
C61	60.00	29.20	27°52'53"	N60° 35' 23"E	28.91

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C62	13.00	9.26	40°48'47"	S67° 03' 20"W	9.07
C63	230.00	8.40	2°05'37"	N86° 24' 55"E	8.40
C64	230.00	47.07	11°43'37"	N79° 30' 18"E	46.99
C65	230.00	45.07	11°13'41"	N68° 01' 39"E	45.00
C66	230.00	45.07	11°13'41"	S56° 47' 58"W	45.00
C67	230.00	30.22	7°31'43"	N47° 25' 16"E	30.20
C68	230.00	175.84	43°48'18"	S65° 33' 34"W	171.59
C69	447.00	145.97	18°42'35"	S25° 09' 33"E	145.32
C70	280.00	1.21	0°14'48"	N50° 20' 17"W	1.21
C71	13.00	8.97	39°32'07"	S12° 59' 37"E	8.79

A FINAL PLAT ESTABLISHING

THE BIRCH AT SPENCER RANCH PHASE 3

BEING A 22.65 ACRE TRACT OF LAND LOCATED IN THE NEWTON & TAYLOR SURVEY NO. 179,
ABSTRACT NO. 360, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 71.12 ACRE TRACT,
RECORDED IN VOLUME 1735, PAGE 54, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

OWNER / DEVELOPER:

FORESTAR (USA) REAL ESTATE GROUP, INC.
CONTACT: MR. ELLIOT CONDOS
10700 PECAN PARK BLVD., SUITE 150
AUSTIN, TEXAS 78750 PHONE: (817) 769-1875

MATKINHOOVER

P.O. BOX 54
8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: 830.249.0600 FAX:830.249.0999
TEXAS REGISTERED ENGINEERING FIRM E-004512

CIVIL ENGINEERS SURVEYORS LAND PLANNERS
CONSTRUCTION MANAGERS CONSULTANTS

ENGINEERING
& SURVEYING

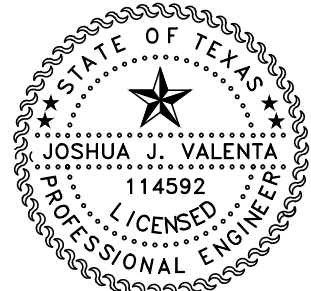
DATE: MARCH 2025

JOB NO. 2782.33

SHEET 6 OF 6

STATE OF TEXAS
COUNTY OF KENDALL

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 AND ZONING COMMISSION OF THE CITY OF BOERNE.



JOSHUA J. VALENTA
LICENSED PROFESSIONAL ENGINEER #114592
MATKIN HOOVER ENGINEERING

STATE OF TEXAS
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____ A.D. 20__.

NOTARY PUBLIC KENDALL COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF KENDALL

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.



KYLE L. PRESSLER
REGISTERED PROFESSIONAL LAND SURVEYOR #6528
MATKIN HOOVER LAND SURVEYING

STATE OF TEXAS
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____ A.D. 20__.

NOTARY PUBLIC KENDALL COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF KENDALL

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

OWNER

DULY AUTHORIZED AGENT

STATE OF TEXAS
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____ A.D. 20__.

NOTARY PUBLIC KENDALL COUNTY, TEXAS

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 THE ____ DAY OF _____ A.D. 202__ 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. 202__.

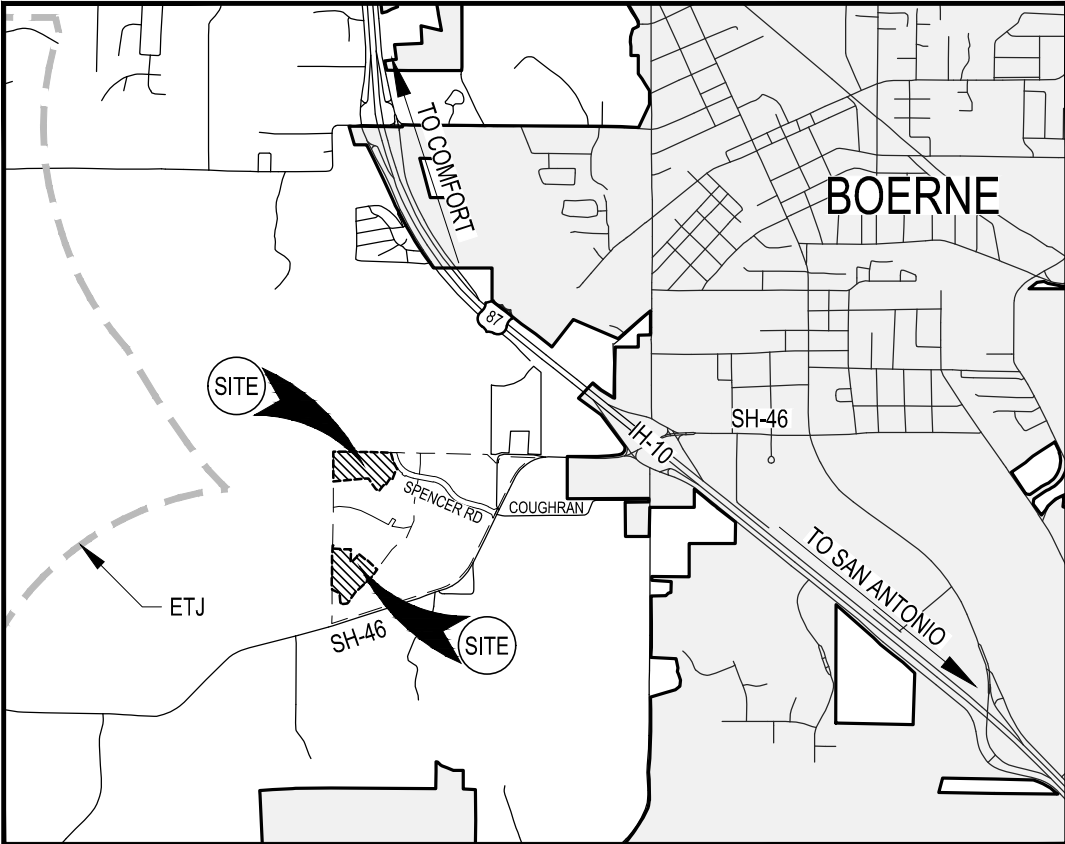
COUNTY CLERK, KENDALL COUNTY, TEXAS

BY: _____ DEPUTY

A PRELIMINARY PLAT ESTABLISHING THE BIRCH AT SPENCER RANCH PHASE 3

BEING A 22.62 ACRE TRACT OF LAND LOCATED IN THE NEWTON & TAYLOR SURVEY NO. 179, ABSTRACT NO. 360, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 71.12 ACRE TRACT, RECORDED IN VOLUME 1735, PAGE 54, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

70 NEW RESIDENTIAL LOTS, 5 OPEN SPACE LOTS, 3.35 ACRES RIGHT-OF-WAY.



LOCATION MAP - BOERNE, TEXAS
NOT TO SCALE

PLAT NOTES:

SETBACKS IN THE ETJ:
LOT SETBACKS ARE DETERMINED BY THE CITY OF BOERNE ZONING ORDINANCE ENFORCED AT THE TIME OF DEVELOPMENT. THE USE THAT IS BEING CONSTRUCTED AND THE LOT SIZE SHALL DETERMINE WHICH SETBACK SHALL APPLY.

FENCE NOTE:
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 SQ FT 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. (ORD. NO. 2004-20). XERISCAPING IS PERMITTED AS DESCRIBED IN THE CITY OF BOERNE ZONING ORDINANCE, ARTICLE 3, SECTION 3.07.003D.

SIDEWALK NOTE:
AT SUCH TIME AS A LOT IS DEVELOPED, A FIVE-FOOT WIDE REINFORCED CONCRETE SIDEWALK SHALL BE INSTALLED ADJACENT TO ALL PROPERTY LINES OF EACH LOT WHERE THE LOT ABUTS PUBLIC OR PRIVATE STREET.

TAX CERTIFICATE:
TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN DOCUMENT _____, KENDALL COUNTY OFFICIAL RECORDS.

FIRE MARSHALL APPROVAL:
AT TIME OF DEVELOPMENT OF THE SUBDIVISION, THE OWNER / DEVELOPMENT SHALL OBTAIN A DEVELOPMENT PERMIT FOR KENDALL COUNTY; SUBMIT A SITE PLAN FOR THE PROPOSED DEVELOPMENT AND A LETTER OF APPROVAL FROM THE KENDALL COUNTY FIRE MARSHALL.

DETENTION SHALL BE PROVIDED FOR THE SUBDIVISION UNLESS OTHERWISE APPROVED BY THE CITY OF BOERNE AND KENDALL COUNTY. PRIOR TO ANY IMPROVEMENTS BEING MADE IN THE SUBDIVISION, CITY OF BOERNE SHALL REVIEW AND APPROVE DETENTION FOR THE SITE. KENDALL COUNTY RESERVES THE RIGHT TO COMMENT ON THE DETENTION PLAN.

BLOCK PERIMETERS
BLOCK PERIMETERS ARE AS FOLLOWS. THE SMALLEST PERIMETER (BLOCK 9) IS 580 FEET. THE LARGEST PERIMETER (BLOCK 8) IS 1,538 FEET.

BLOCK 3 = 665 FEET
BLOCK 4 = 1630 FEET
BLOCK 9 = 1015 FEET
BLOCK 10 = 765 FEET
BLOCK 11 = 405 FEET

PROJECT SUMMARY TABLE

DESCRIPTION	PHASE 3
TOTAL RESIDENTIAL LOTS	70
TOTAL OPEN SPACE LOTS	5
TOTAL ACREAGE	22.62 AC
AVERAGE DWELLINGS/ACRE	3.09
LINEAR FEET OF STREET	2,831 LF
OPEN SPACE	6.59 AC
ROW ACREAGE	3.35 AC

IMPERVIOUS COVER CALCULATION

DESCRIPTION	PHASE 3
STREETS & SIDEWALK	2.34 AC
HOUSES	4.35 AC
DRIVEWAYS	0.57AC
CONC. RIP-RAP/DRAINS	0.20 AC
STOOPS & AC PADS	0.17 AC
TOTAL	7.62 AC
% IMPERVIOUS	32.2%

THIS SUBDIVISION PLAT OF THE BIRCH AT SPENCER RANCH PHASE 3, HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BOERNE, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS ____ DAY OF _____, A.D., 20__.

BY: _____
CHAIR

BY: _____
SECRETARY

GENERAL NOTES:

1. THE AREA OF THE SMALLEST LOT IN THIS SUBDIVISION IS 0.04 ACRES.
2. THIS SUBDIVISION CONTAINS 22.62 TOTAL ACRES WITH 70 LOTS FOR A GROSS DENSITY OF 3.09 LOTS PER ACRE.
3. NO PART OF THIS SUBDIVISION IS LOCATED UPSTREAM FROM A CITY WATER SUPPLY LAKE.
4. WATER SERVICE SHALL BE PROVIDED BY KENDALL WEST UTILITIES.
5. SEWAGE FACILITIES SHALL BE PROVIDED BY KENDALL WEST UTILITIES.
6. THIS SUBDIVISION IS LOCATED WITHIN THE BOERNE INDEPENDENT SCHOOL DISTRICT.
7. BASIS OF BEARING WAS ESTABLISHED USING THE TRIMBLE VRS NETWORK, NAD (83), TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, 4204, US SURVEY FOOT, GRID.
8. UNLESS OTHERWISE NOTED, ALL CORNERS AND ANGLES ARE SET 1/2" REBAR WITH RED "MATKIN HOOVER ENG. & SURVEY" PLASTIC CAPS.
9. THERE ARE 20 HERITAGE LEGACY TREES, AS DEFINED IN SUBSECTION 2.02.002, IDENTIFIED ON THIS PLAT.
10. THE TOPOGRAPHICAL INFORMATION IS BASED ON VERTICAL DATUM NAVD 88.
11. ALL STREETS WITHIN THIS SUBDIVISION WILL BE PRIVATE.
12. THE PROVIDED AREA OF OPEN SPACE IS 6.59 AC, THE REQUIRED OPEN SPACE IS 4.52 AC.
13. THIS PLAT IS LOCATED WITHIN CITY OF BOERNE ETJ.
14. LOTS 908, 909, 910, 912, AND 913 ARE DEDICATED AS OPEN SPACE, UTILITY AND DRAINAGE EASEMENT.
15. LOT 911 AND 914 ARE DEDICATED AS PRIVATE RIGHT-OF-WAY AND UTILITY EASEMENTS AND SHALL BE OWNED AND MAINTAINED BY THE POA.
16. THE MINIMUM BUILDING SLAB ELEVATION SHALL BE 1 FOOT ABOVE 100-YEAR FLOODPLAIN BASE FLOOD ELEVATION.
17. SEWER SERVICE SHALL BE PROVIDED BY KENDALL WEST UTILITIES.

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.

15. 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.
16. 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.
17. 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 (U.E.):
UTILITIES, INCLUDING, WITHOUT LIMITATION, SEWER, WATER, GAS, ELECTRICITY, TELEPHONE AND CABLE TELEVISION, WITH ALL NECESSARY AND/OR DESIRABLE LINES, LATERALS AND/OR APPURTENANCES THERETO (THE "UTILITIES").

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER THE PASSABLE AREAS OF THE GRANTOR'S, ADJACENT LAND, WHEN THE DELINEATED ENTRANCE POINT THAT ABUTS PUBLIC RIGHT-OF-WAY IS OBSTRUCTED AND/OR INACCESSIBLE, EITHER IN WHOLE OR IN PART, IN ORDER TO ACCESS OR LEAVE THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE UTILITIES; THE RIGHT TO PLACE NEW OR ADDITIONAL UTILITIES IN THE EASEMENT AND TO CHANGE THE SIZE OF THE UTILITIES WITHIN THE EASEMENT; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE UTILITIES; THE RIGHT TO REMOVE FROM THE EASEMENT ALL TREES AND PARTS THEREOF, OR OTHER OBSTRUCTIONS, WHICH REASONABLY ENDANGER OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY OR OPERATION OF THE UTILITIES; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE UTILITIES.

1. THE PROPERTY OWNER RETAINS THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND/OR UNREASONABLY INTERFERE WITH THE USE OF THE EASEMENT. HOWEVER, THE EASEMENT SHALL BE KEPT CLEAR OF ALL STRUCTURES OR OTHER IMPROVEMENTS.
2. THE CITY SHALL MAKE COMMERCIALY REASONABLE EFFORTS TO ENSURE THE DAMAGE TO THE PROPERTY IS MINIMIZED AND THE CITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE 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.
3. PROPERTY OWNER SHALL NOT MAKE ANY IMPROVEMENTS IN THE UTILITY/ELECTRIC EASEMENTS THAT CONFLICTS WITH THE NATIONAL ELECTRIC SAFETY CODE (NEC). THE UTILITY IS NOT RESPONSIBLE FOR REMOVAL OF ANY IMPROVEMENTS IN CONFLICT WITH THE NEC.

IMPACT FEE ASSESSMENT
ASSESSMENT AND COLLECTION OF THE CITY OF BOERNE WATER AND WASTEWATER UTILITIES CAPITAL RECOVERY FEES SHALL BE THE AMOUNT PER LOT AS SET FORTH IN CITY ORDINANCE NO. 2019-56, SECTION 1.10(5).

OWNER / DEVELOPER:

FORESTAR (USA) REAL ESTATE GROUP, INC.
CONTACT: MR. ELLIOT CONDOS
10700 PECAN PARK BLVD., SUITE 150
AUSTIN, TEXAS 78750PHONE: (817) 769-1875

MATKIN HOOVER

P.O. BOX 54
8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: 830.249.0600 FAX:830.249.0999
TEXAS REGISTERED ENGINEERING FIRM E-004512

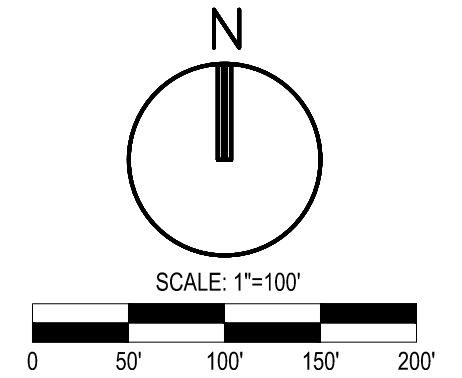
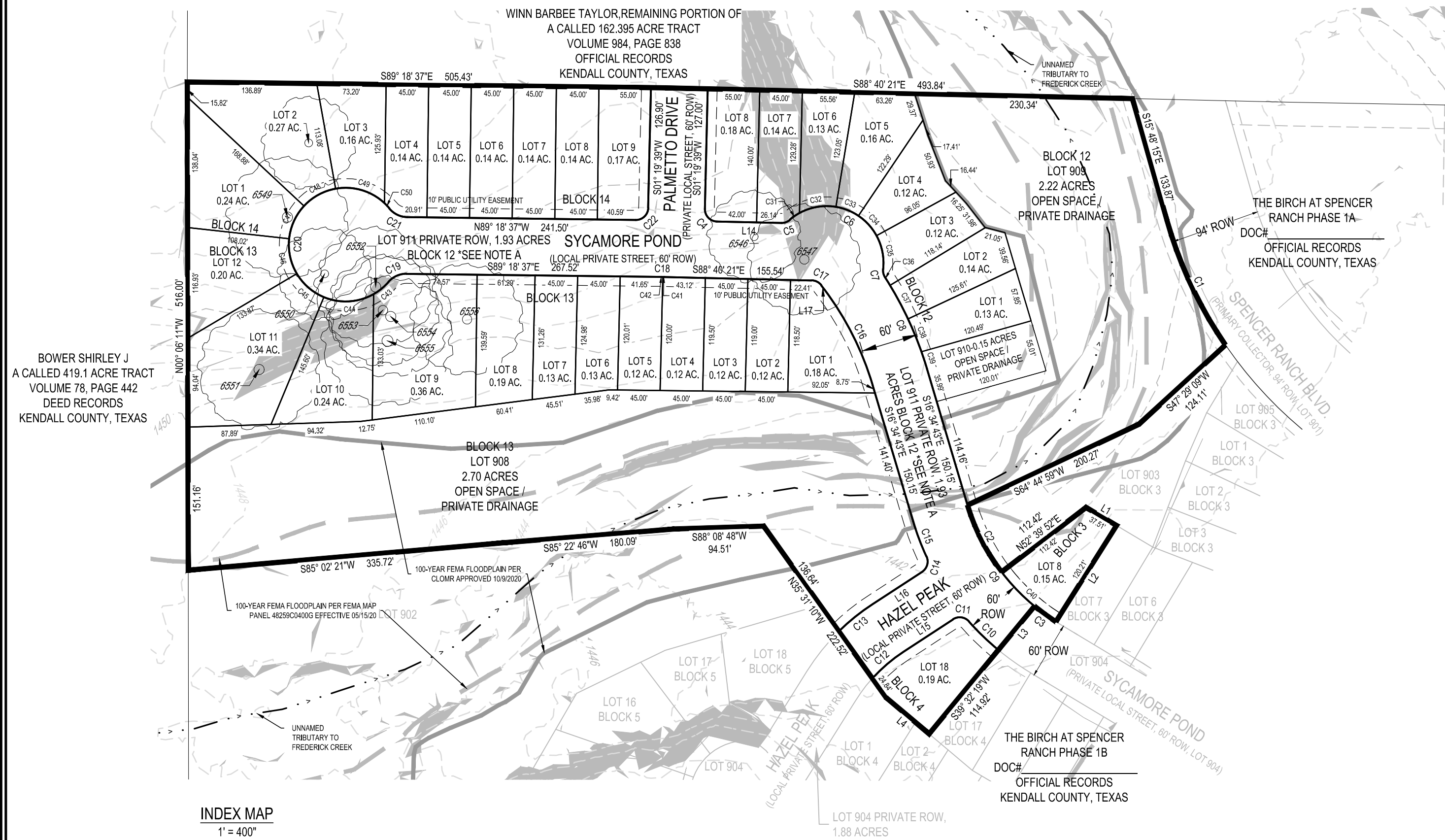
ENGINEERING
& SURVEYING

CIVIL ENGINEERS SURVEYORS LAND PLANNERS
CONSTRUCTION MANAGERS CONSULTANTS

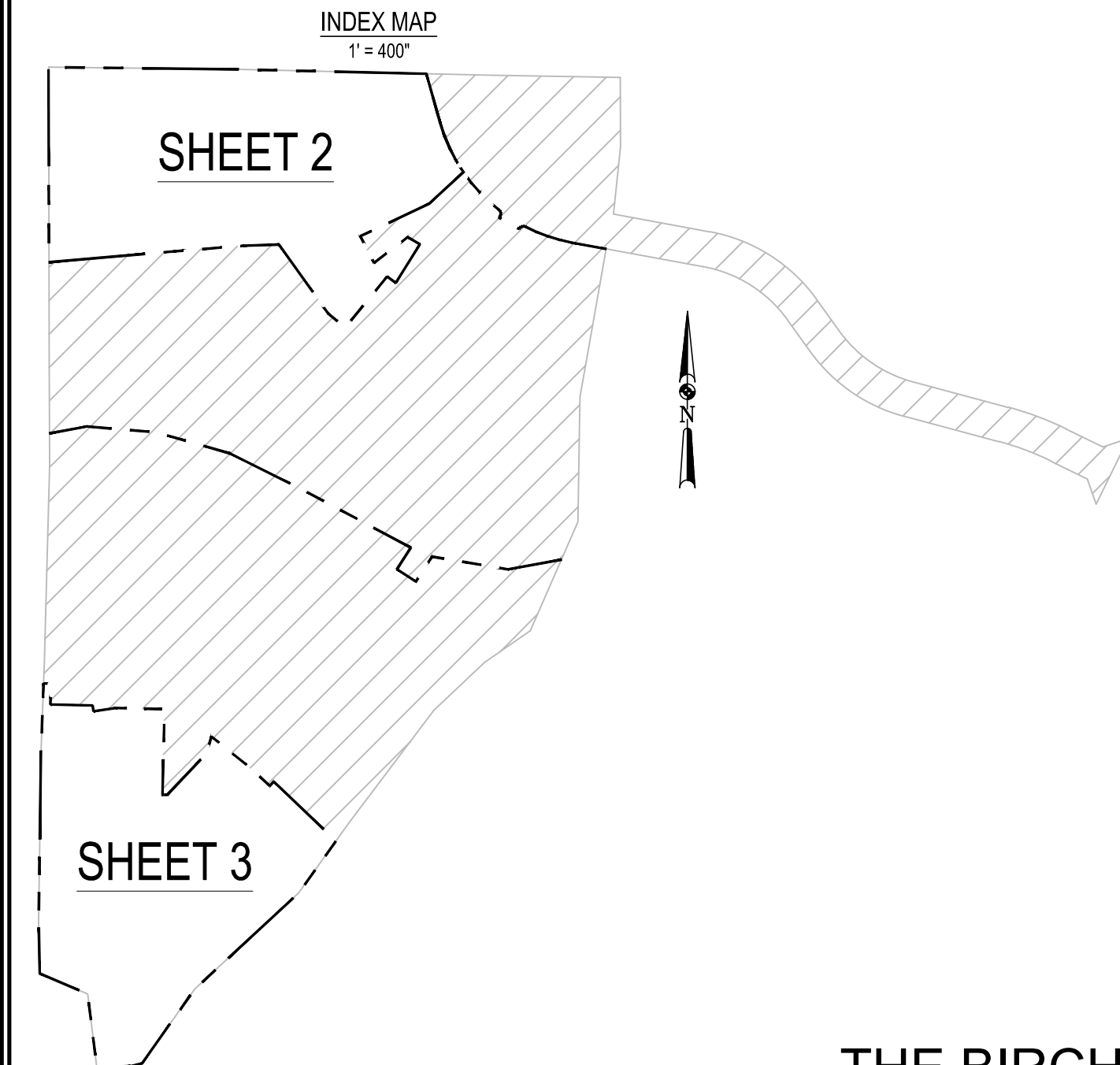
DATE: JANUARY 2022

JOB NO. 2782.33

SHEET 1 OF 3



- LEGEND**
- PHASE 3 BOUNDARY
 - EXISTING 2' CONTOUR
 - EXISTING 10' CONTOUR
 - ADJOINING PHASE AND PROPERTY BOUNDARY
 - 100-YEAR FEMA FLOODPLAIN PER CLOMR APPROVED 10/9/2020
 - 100-YEAR FEMA FLOODPLAIN PER FEMA MAP PANEL 48259C0400G EFFECTIVE 05/15/20
 - SLOPES OF 15% OR GREATER
 - CREEK CENTER LINE
 - HERITAGE TREE
- NOTE A: LOT 911 ARE DEDICATED AS PRIVATE ROW AND UTILITY EASEMENTS



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	447.00	145.97	18°42'35"	S25° 09' 33"E	145.32
C2	220.00	79.70	20°45'26"	S26° 57' 25"E	79.27
C3	220.00	27.91	7°16'09"	N54° 05' 45"W	27.89
C4	13.00	20.42	90°00'00"	S43° 40' 21"E	18.38
C5	13.00	9.65	42°31'48"	N70° 03' 45"E	9.43
C6	60.00	143.30	136°50'21"	S62° 07' 50"E	111.59
C7	13.00	8.85	38°59'49"	S13° 12' 32"E	8.68
C8	380.00	106.97	16°07'44"	S24° 38' 35"E	106.62
C9	220.00	158.01	41°09'07"	S37° 09' 16"E	154.64
C10	280.00	43.30	8°51'36"	N46° 01' 53"W	43.26
C11	13.00	18.51	81°33'39"	N82° 22' 54"W	16.98
C12	170.00	43.44	14°38'31"	S49° 31' 01"W	43.33
C13	230.00	45.78	11°24'19"	S51° 08' 07"W	45.71
C14	13.00	18.51	81°33'39"	S16° 03' 26"W	16.98
C15	280.00	39.80	8°08'40"	S20° 39' 03"E	39.77
C16	320.00	113.82	20°22'45"	S26° 46' 05"E	113.22
C17	13.00	11.73	51°42'54"	S62° 48' 54"E	11.34
C18	470.00	5.23	0°38'17"	S88° 59' 29"E	5.23
C19	25.00	21.88	49°40'47"	N65° 50' 59"E	21.00
C20	60.00	292.54	279°21'34"	S00° 41' 23"W	77.65

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C21	25.00	21.88	49°40'47"	N64° 28' 14"W	21.00
C22	13.00	20.28	89°21'43"	S46° 00' 31"W	18.28
C23	130.00	22.29	9°49'34"	S03° 31' 36"E	22.27
C24	13.00	20.55	90°35'30"	N43° 54' 34"W	18.48
C25	170.00	139.86	47°08'17"	N67° 13' 33"E	135.95
C26	230.00	175.84	43°48'18"	N65° 33' 34"E	171.59
C27	13.00	9.26	40°48'47"	N67° 03' 20"E	9.07
C28	60.00	186.59	178°10'59"	N44° 15' 34"W	119.98
C29	13.00	9.86	43°26'44"	N23° 06' 33"E	9.62
C30	70.00	12.00	9°49'34"	N03° 31' 36"W	11.99
C31	60.00	12.58	12°00'36"	N55° 20' 18"E	12.55
C32	60.00	39.81	38°01'00"	N80° 21' 06"E	39.08
C33	60.00	25.79	24°37'32"	S88° 19' 38"E	25.59
C34	60.00	28.56	27°16'20"	S42° 22' 42"E	28.29
C35	60.00	36.68	35°01'53"	S11° 13' 35"E	36.12
C36	380.00	10.07	1°31'06"	S31° 56' 54"E	10.07
C37	380.00	40.24	6°04'00"	S28° 09' 21"E	40.22
C38	380.00	37.63	5°40'26"	S22° 17' 08"E	37.61
C39	380.00	19.04	2°52'13"	S18° 00' 49"E	19.03
C40	220.00	78.31	20°23'41"	S47° 31' 59"E	77.90

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C41	470.00	1.88	0°13'44"	N88° 47' 13"W	1.88
C42	470.00	3.35	0°24'32"	N89° 06' 21"W	3.35
C43	60.00	20.23	19°18'54"	S50° 40' 02"W	20.13
C44	60.00	54.68	52°13'03"	S86° 26' 01"W	52.81
C45	60.00	38.57	36°49'56"	N49° 02' 30"W	37.91
C46	60.00	38.57	36°49'56"	N12° 12' 34"W	37.91
C47	60.00	38.57	36°49'56"	N24° 37' 22"E	37.91
C48	60.00	38.57	36°49'56"	N61° 27' 17"E	37.91
C49	60.00	56.08	53°33'10"	S73° 21' 10"E	54.06
C50	60.00	7.27	6°56'44"	S43° 06' 12"E	7.27
C51	130.00	6.59	2°54'19"	S06° 59' 14"E	6.59
C52	130.00	15.70	6°55'15"	S02° 04' 27"E	15.69
C53	170.00	111.74	37°39'36"	N71° 57' 54"E	109.74
C54	170.00	28.12	9°28'41"	N48° 23' 45"E	28.09
C55	230.00	30.22	7°31'43"	S47° 25' 16"W	30.20
C56	230.00	45.07	11°13'41"	S56° 47' 58"W	45.00
C57	230.00	45.07	11°13'41"	S68° 01' 39"W	45.00
C58	230.00	10.41	2°35'33"	S88° 09' 57"W	10.41
C59	60.00	29.20	27°52'53"	S60° 35' 23"W	28.91

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C60	60.00	42.52	40°36'07"	N85° 10' 07"W	41.63
C61	60.00	34.21	32°40'11"	N48° 31' 59"W	33.75
C62	60.00	34.21	32°40'11"	N15° 51' 48"W	33.75
C63	60.00	46.45	44°21'38"	N22° 39' 06"E	45.30
C64	13.00	9.86	43°26'44"	S23° 06' 33"W	9.62

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S59° 20' 10"E	37.51'
L2	N32° 16' 10"E	120.21'
L3	S39° 32' 19"W	60.00'
L4	N49° 48' 49"W	59.59'
L5	S88° 36' 49"E	20.00'
L6	S02° 10' 01"W	55.01'
L7	S08° 26' 23"E	15.47'
L8	N81° 33' 37"E	60.00'
L9	S88° 36' 49"E	12.39'
L10	N16° 53' 50"E	47.47'
L11	S46° 20' 35"E	60.00'
L12	N43° 39' 25"E	15.63'
L13	S76° 58' 14"W	31.04'
L14	S88° 40' 21"E	68.14'
L15	S56° 50' 16"W	62.36'
L16	S56° 50' 16"W	62.36'
L17	S36° 57' 27"E	5.50'
L18	N08° 26' 23"W	39.05'
L19	S89° 12' 19"E	3.37'
L20	N08° 26' 23"W	39.05'

TREE TABLE				
POINT NUMBER	SPECIES	TRUNK DIA (IN)	SPREAD (FT)	MULTI-TRUNK DIA (IN)
6515	PECAN	27	65	N/A
6525	LIVEOAK	33	65	N/A
6526	LIVEOAK	30	65	N/A
6527	LIVEOAK	27	55	N/A
6545	LIVEOAK	31	60	N/A
6546	LIVEOAK	24	50	N/A
6547	LIVEOAK	32	60	96.5
6548	LIVEOAK	24	50	N/A
6549	LIVEOAK	27.5	65	96.75
6550	LIVEOAK	27	50	N/A
6551	LIVEOAK	24	65	N/A
6552	LIVEOAK	33	65	103
6553	LIVEOAK	30	60	N/A
6554	LIVEOAK	30	65	N/A
6555	LIVEOAK	34	70	108.5
6556	LIVEOAK	35.5	60	122
9233	PECAN	31	55	N/A
9234	PECAN	33	75	112.5
9235	PECAN	28	60	N/A

A PRELIMINARY PLAT ESTABLISHING
THE BIRCH AT SPENCER RANCH PHASE 3

BEING A 22.62 ACRE TRACT OF LAND LOCATED IN THE NEWTON & TAYLOR SURVEY NO. 179, ABSTRACT NO. 360, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 71.12 ACRE TRACT, RECORDED IN VOLUME 1735, PAGE 54, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

OWNER / DEVELOPER:

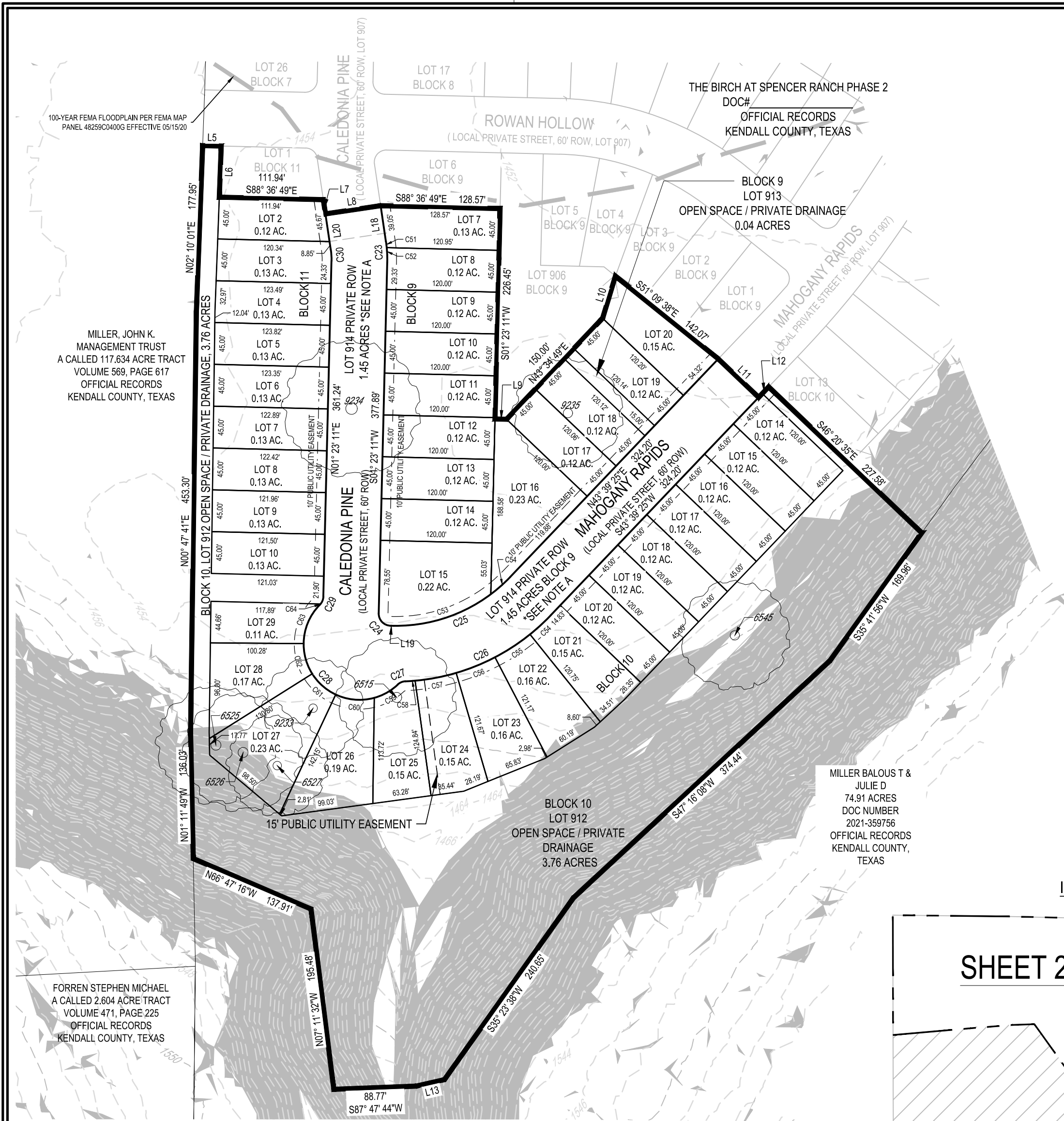
FORESTAR (USA) REAL ESTATE GROUP, INC.
CONTACT: MR. ELLIOT CONDOS
10700 PECAN PARK BLVD., SUITE 150
AUSTIN, TEXAS 78750PHONE: (817) 769-1875

MATKINHOOPER
ENGINEERING & SURVEYING
P.O. BOX 54
8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: 830.249.0600 FAX: 830.249.0999
TEXAS REGISTERED ENGINEERING FIRM F-004512
CIVIL ENGINEERS SURVEYORS LAND PLANNERS
CONSTRUCTION MANAGERS CONSULTANTS

DATE: JANUARY 2022

JOB NO. 2782.33

SHEET 2 OF 3

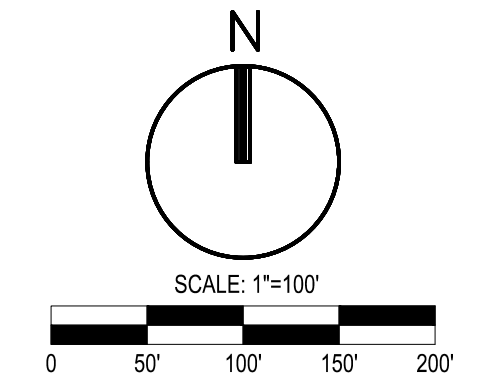


MILLER, JOHN K.
MANAGEMENT TRUST
A CALLED 117.634 ACRE TRACT
VOLUME 569, PAGE 617
OFFICIAL RECORDS
KENDALL COUNTY, TEXAS

FORREN STEPHEN MICHAEL
A CALLED 2.604 ACRE TRACT
VOLUME 471, PAGE 225
OFFICIAL RECORDS
KENDALL COUNTY, TEXAS

MILLER BALOUS T &
JULIE D
74.91 ACRES
DOC NUMBER
2021-359756
OFFICIAL RECORDS
KENDALL COUNTY,
TEXAS

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S59° 20' 10"E	37.51'
L2	N32° 16' 10"E	120.21'
L3	S39° 32' 19"W	60.00'
L4	N49° 48' 49"W	59.59'
L5	S88° 36' 49"E	20.00'
L6	S02° 10' 01"W	55.01'
L7	S08° 26' 23"E	15.47'
L8	N61° 33' 37"E	60.00'
L9	S88° 36' 49"E	12.39'
L10	N16° 53' 50"E	47.47'
L11	S46° 20' 35"E	60.00'
L12	N43° 39' 25"E	15.63'
L13	S76° 58' 14"W	31.04'
L14	S88° 40' 21"E	68.14'
L15	S56° 50' 16"W	62.36'
L16	S56° 50' 16"W	62.36'
L17	S36° 57' 27"E	5.50'
L18	N08° 26' 23"W	39.05'
L19	S89° 12' 19"E	3.37'
L20	N08° 26' 23"W	39.05'



LEGEND	
	PHASE 3 BOUNDARY
	EXISTING 2' CONTOUR
	EXISTING 10' CONTOUR
	ADJOINING PHASE AND PROPERTY BOUNDARY
	SLOPES OF 15% OR GREATER
	HERITAGE TREE

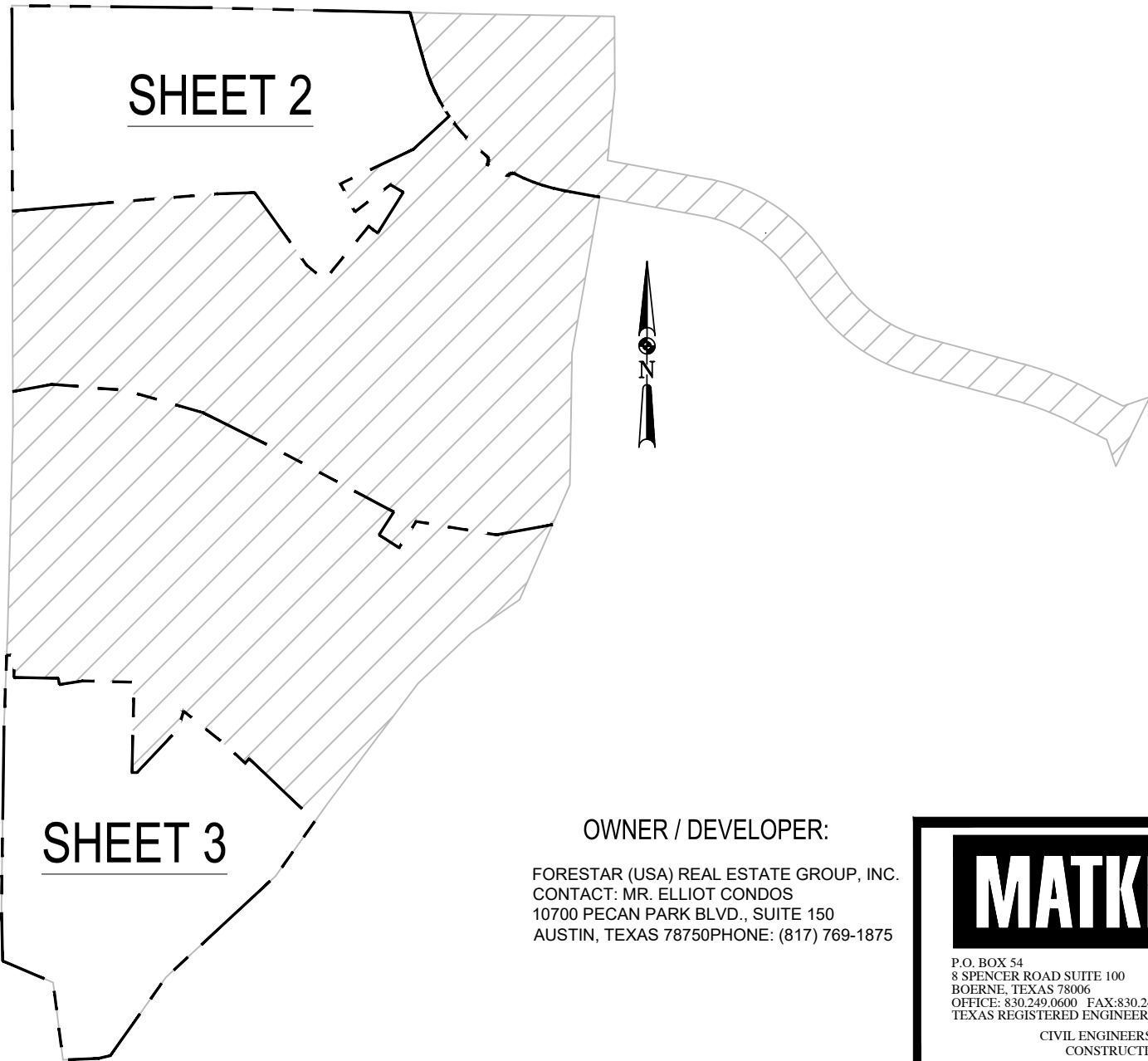
NOTE A: LOT 914 ARE DEDICATED AS PRIVATE ROW AND UTILITY EASEMENTS

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	447.00'	145.97'	18°42'35"	S25° 09' 33"E	145.32'
C2	220.00'	79.70'	20°45'26"	S28° 57' 25"E	79.27'
C3	220.00'	27.91'	7°16'09"	N54° 05' 45"W	27.89'
C4	13.00'	20.42'	90°00'00"	S43° 40' 21"E	18.38'
C5	13.00'	9.65'	42°31'48"	N70° 03' 45"E	9.43'
C6	60.00'	143.30'	136°50'21"	S62° 07' 50"E	111.59'
C7	13.00'	8.85'	38°59'49"	S13° 12' 32"E	8.88'
C8	380.00'	106.97'	16°07'44"	S24° 38' 35"E	106.62'
C9	220.00'	158.01'	41°09'07"	S37° 09' 16"E	154.64'
C10	280.00'	43.30'	8°51'36"	N46° 01' 53"W	43.26'
C11	13.00'	18.51'	81°33'39"	N82° 22' 54"W	16.98'
C12	170.00'	43.44'	14°38'31"	S49° 31' 01"W	43.33'
C13	230.00'	45.78'	11°24'19"	S51° 08' 07"W	45.71'
C14	13.00'	18.51'	81°33'39"	S16° 03' 26"W	16.98'
C15	280.00'	39.80'	8°08'40"	S20° 39' 03"E	39.77'
C16	320.00'	113.82'	20°22'45"	S28° 48' 05"E	113.22'
C17	13.00'	11.73'	51°42'54"	S62° 48' 54"E	11.34'
C18	470.00'	5.23'	0°38'17"	S88° 59' 29"E	5.23'
C19	25.00'	21.68'	49°40'47"	N65° 50' 59"E	21.00'
C20	60.00'	292.54'	278°21'34"	S00° 41' 23"W	77.65'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C21	25.00'	21.68'	49°40'47"	N64° 28' 14"W	21.00'
C22	13.00'	20.28'	89°21'43"	S46° 00' 31"W	18.28'
C23	130.00'	22.29'	9°49'34"	S03° 31' 36"E	22.27'
C24	13.00'	20.55'	90°35'30"	N43° 54' 34"W	18.48'
C25	170.00'	139.86'	47°08'17"	N67° 13' 33"E	135.95'
C26	230.00'	175.84'	43°48'18"	N65° 33' 34"E	171.59'
C27	13.00'	9.26'	40°48'47"	N67° 03' 20"E	9.07'
C28	60.00'	186.59'	178°10'59"	N44° 15' 34"W	119.98'
C29	13.00'	9.86'	43°26'44"	N23° 06' 33"E	9.62'
C30	70.00'	12.00'	9°49'34"	N03° 31' 36"W	11.99'
C31	60.00'	12.58'	12°00'36"	N55° 20' 18"E	12.55'
C32	60.00'	39.81'	38°01'00"	N80° 21' 06"E	39.08'
C33	60.00'	25.79'	24°37'32"	S68° 19' 38"E	25.59'
C34	60.00'	28.56'	27°16'20"	S42° 22' 42"E	28.29'
C35	60.00'	36.68'	35°01'53"	S11° 13' 35"E	36.12'
C36	380.00'	10.07'	1°31'06"	S31° 56' 54"E	10.07'
C37	380.00'	40.24'	6°04'00"	S28° 09' 21"E	40.22'
C38	380.00'	37.63'	5°40'26"	S22° 17' 08"E	37.61'
C39	380.00'	19.04'	2°52'13"	S18° 00' 49"E	19.03'
C40	220.00'	78.31'	20°23'41"	S47° 31' 59"E	77.90'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C41	470.00'	1.88'	0°13'44"	N88° 47' 13"W	1.88'
C42	470.00'	3.35'	0°24'32"	N89° 06' 21"W	3.35'
C43	60.00'	20.23'	19°18'54"	S50° 40' 02"W	20.13'
C44	60.00'	54.68'	52°13'03"	S88° 28' 01"W	52.81'
C45	60.00'	38.57'	36°49'56"	N49° 02' 30"W	37.91'
C46	60.00'	38.57'	36°49'56"	N12° 12' 34"W	37.91'
C47	60.00'	38.57'	36°49'56"	N24° 37' 22"E	37.91'
C48	60.00'	38.57'	36°49'56"	N61° 27' 17"E	37.91'
C49	60.00'	56.08'	53°33'10"	S73° 21' 10"E	54.06'
C50	60.00'	7.27'	6°56'44"	S43° 06' 12"E	7.27'
C51	130.00'	6.59'	2°54'19"	S06° 59' 14"E	6.59'
C52	130.00'	15.70'	6°55'15"	S02° 04' 27"E	15.89'
C53	170.00'	111.74'	37°39'36"	N71° 57' 54"E	109.74'
C54	170.00'	28.12'	9°28'41"	N46° 23' 45"E	28.09'
C55	230.00'	30.22'	7°31'43"	S47° 29' 16"W	30.20'
C56	230.00'	45.07'	11°13'41"	S68° 01' 39"W	45.00'
C57	230.00'	45.07'	11°13'41"	S79° 15' 20"W	45.00'
C58	230.00'	10.41'	2°35'33"	S88° 09' 57"W	10.41'
C59	60.00'	29.20'	27°52'53"	S60° 35' 23"W	28.91'

INDEX MAP
1" = 400"



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C60	60.00'	42.52'	40°36'07"	N85° 10' 07"W	41.83'
C61	60.00'	34.21'	32°40'11"	N48° 31' 59"W	33.75'
C62	60.00'	34.21'	32°40'11"	N15° 51' 48"W	33.75'
C63	60.00'	46.45'	44°21'38"	N22° 39' 08"E	45.30'
C64	13.00'	9.86'	43°26'44"	S23° 06' 33"W	9.62'

TREE TABLE				
POINT NUMBER	SPECIES	TRUNK DIA (IN)	SPREAD (FT)	MULTI-TRUNK DIA (IN)
6515	PECAN	27	65	N/A
6525	LIVEOAK	33	65	N/A
6526	LIVEOAK	30	65	N/A
6527	LIVEOAK	27	55	N/A
6545	LIVEOAK	31	60	N/A
6546	LIVEOAK	24	50	N/A
6547	LIVEOAK	32	60	96.5
6548	LIVEOAK	24	50	N/A
6549	LIVEOAK	27.5	65	96.75
6550	LIVEOAK	27	50	N/A
6551	LIVEOAK	24	65	N/A
6552	LIVEOAK	33	65	103
6553	LIVEOAK	30	60	N/A
6554	LIVEOAK	30	65	N/A
6555	LIVEOAK	34	70	108.5
6556	LIVEOAK	35.5	60	122
9233	PECAN	31	55	N/A
9234	PECAN	33	75	112.5
9235	PECAN	28	60	N/A

A PRELIMINARY PLAT ESTABLISHING THE BIRCH AT SPENCER RANCH PHASE 3

BEING A 22.62 ACRE TRACT OF LAND LOCATED IN THE NEWTON & TAYLOR SURVEY NO. 179,
ABSTRACT NO. 360, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 71.12 ACRE TRACT,
RECORDED IN VOLUME 1735, PAGE 54, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

OWNER / DEVELOPER:
FORESTAR (USA) REAL ESTATE GROUP, INC.
CONTACT: MR. ELLIOT CONDOS
10700 PECAN PARK BLVD., SUITE 150
AUSTIN, TEXAS 78750PHONE: (817) 769-1875

MATKINHOOVER
ENGINEERING & SURVEYING
P.O. BOX 54
8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: (830) 249-0600 FAX: (830) 249-0999
TEXAS REGISTERED ENGINEERING FIRM E-004512
CIVIL ENGINEERS SURVEYORS LAND PLANNERS
CONSTRUCTION MANAGERS CONSULTANTS

DATE: JANUARY 2022
JOB NO. 2782.33
SHEET 3 OF 3



AGENDA ITEM SUMMARY

Agenda Date	March 3, 2025
Requested Action	Consider approval for a 30-day time extension for Chase Bank Major Development Plat located at 441 W Bandera Rd.
Contact Person	Jo-Anmarie Andrade, Planner II (830) 816-2040, jandrade@boerne-tx.gov
Background Information	<p>BACKGROUND:</p> <p>The property is owned by TCG SA Boerne Investors, LLC is the owner, and the applicant is Mason Lepak, Cumulus Design.</p> <p>The property is located within the city limits, zoned C4 – Regional Commercial, and falls within the Scenic Interstate Overlay District.</p> <p>The property is designated Auto Oriented Commercial on the Future Land Use Map.</p> <p>A Land Study was administratively approved on November 13, 2024.</p> <p>A 30-day time extension was granted at the March 3, 2025, P&Z meeting.</p> <p>The proposed development is a commercial project on a 0.783-acre site, requiring a Major Development Plat.</p> <p>REQUEST:</p> <ol style="list-style-type: none">1. The applicant has requested a 30-day time extension to revise the plat before proceeding to the next P&Z meeting.2. The extension will allow the applicant to address outstanding comments and ensure compliance with all city requirements. <p>STAFF RECOMMENDATION:</p> <p>Based on its alignment with the UDC Sec. 2-6 A, Staff recommends that the Planning and Zoning Commission APPROVE a 30-day time extension for Chase Bank Major Development Plat.</p> <p>MOTIONS FOR CONSIDERATION:</p> <p>The following motion is provided to assist the Commission’s decision.</p> <p>I move that the Planning and Zoning Commission accept the findings</p>

	and APPROVE the request for a 30-day time extension for Chase Bank Major Development Plat.
Strategic Alignment	C1 – Offering quality customer experiences. C3 – Collaborating with community partners to enhance quality of life.
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 the 30-Day extension.
Supporting Documents	Attachment 1 – Aerial Map Attachment 2 – Future Land Use Map Attachment 3 – Zoning Map Attachment 4 – Environmental Constraints Map





SUBJECT PROPERTY

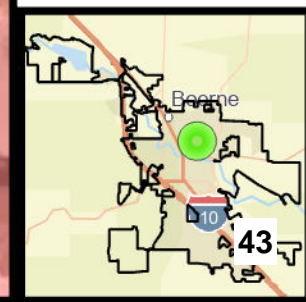
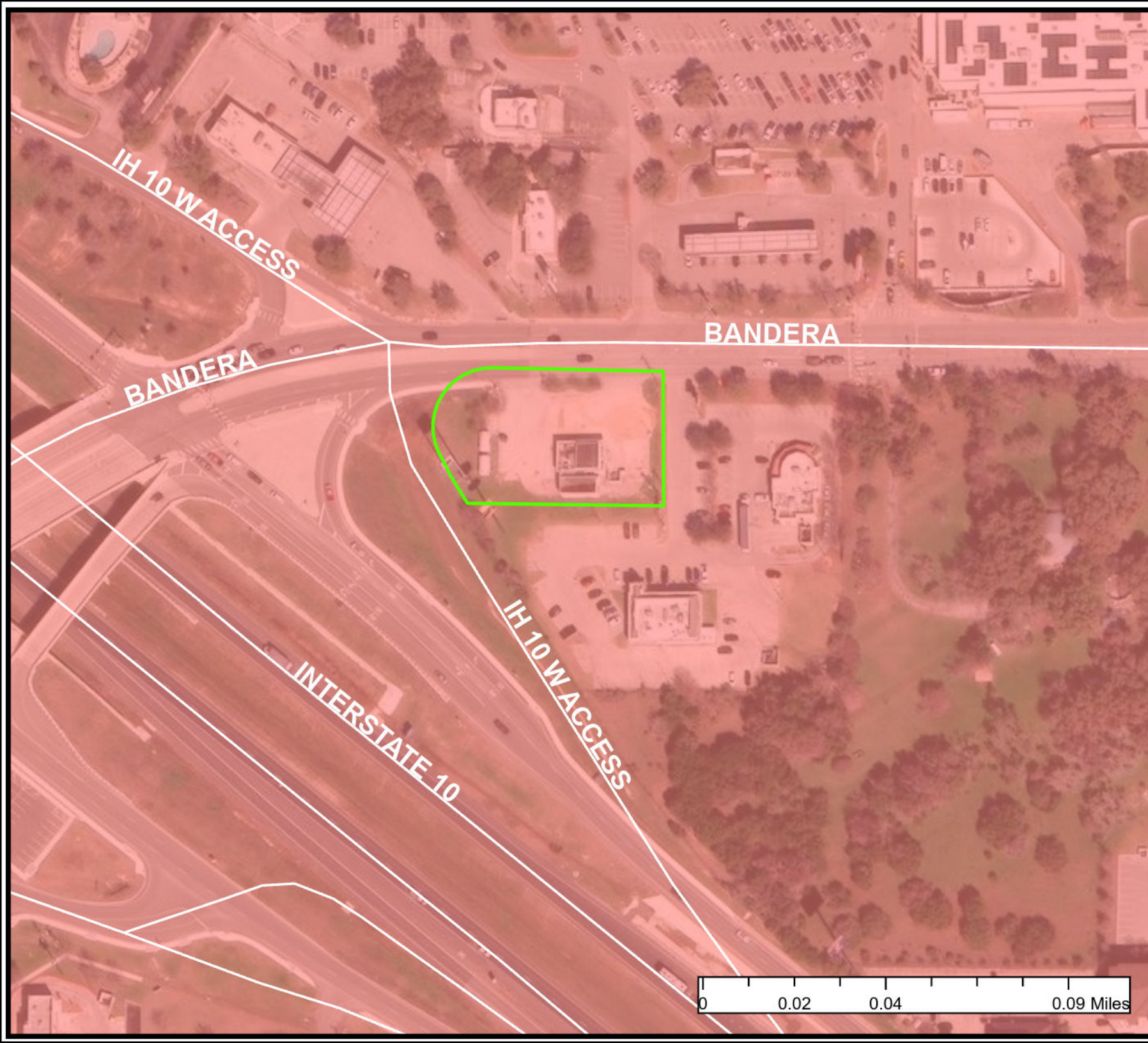
441 W Bandera Rd

Legend

FLU

Auto-Oriented
Commercial

SUBJECT
PROPERTY







SUBJECT PROPERTY
441 W Bandera Rd

Current Zoning
C4-SIC

Legend

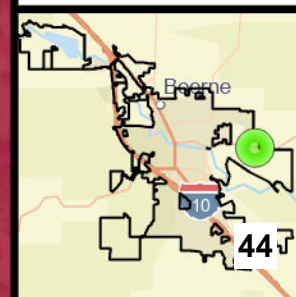
 SUBJECT PROPERTY

Boerne Zoning

 C3
 C4

Overlay Districts

 Entrance Corridor
 Scenic Interstate Corridor





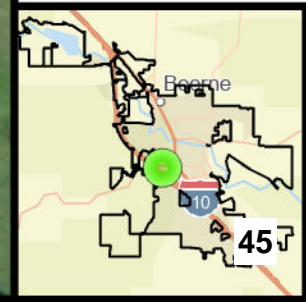
SUBJECT PROPERTY

441 W Bandera Rd

Chase Bank

Legend

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





AGENDA ITEM SUMMARY

Agenda Date	April 7, 2025
Requested Action	Consider approval for a Special Use Permit (SUP) to allow automobile parts and parts sales (O'Reilly Auto Parts) in the C2 Zoning District within the Entrance Corridor Overlay District located at 1032 N Main St.
Contact Person	Jo-Anmarie Andrade, Planner II (830) 816-2040, jandrade@boerne-tx.gov
Background Information	<p>BACKGROUND:</p> <p>The property is located at 1032 N Main Street. It is owned by Espada Real Estate, and the applicant is Kenley Borths of Kinetic Design and Development.</p> <p>The property is designated Auto-Oriented Commercial on the Future Land Use Map.</p> <p>The property is located within the city limits, zoned C2 – Transitional Commercial, and falls within the Entrance Corridor Overlay District.</p> <p>The Entrance Corridor Overlay District, as detailed in UDC Chapter 3, Section 3.17, establishes additional design and development standards to preserve the economic function of Boerne's primary entrance corridors, including Main Street.</p> <p>Automobile parts and parts sales are permitted in the C-2 Zoning District subject to review and approval of a Special Use Permit (SUP) (UDC Chapter 3, Section 3.7).</p> <p>A Boerne Neighborhood Discussion (BND) Meeting was held on February 18, 2025, to gather input from the community. No one from the public attended the meeting.</p> <p>REQUEST:</p> <ol style="list-style-type: none"> 1. The applicant is requesting a Special Use Permit (SUP) to allow an automobile parts and parts sales (O'Reilly Auto Parts) in the northern most section of the existing Live Oak Shopping Center. 2. The proposed store is XXX in size.

	<p>3. The proposed portion of the existing structure is approximately 8,400 sf and 19 ft in height.</p> <p>4. The hours of operation are 8:00 AM – 9:00 PM seven days a week.</p> <p>ANALYSIS:</p> <p>The Planning and Zoning Commission must determine whether the proposed use meets the requirements of Section 2.5.D.4 of the UDC (Attachment 5) prior to making a recommendation on the Special Use Permit. The applicant bears the responsibility of demonstrating compliance. Below is a summary of staff analysis:</p> <p><u><i>Compatibility and Consistency with Comprehensive Master Plan</i></u></p> <ul style="list-style-type: none">• The property is developed as commercial within the Live Oak Shopping Center, aligning with the area’s intended retail and service-based development pattern.• The Boerne Comprehensive Master Plan emphasizes infill development, which this project aligns with by repurposing an existing vacant space. Additionally, the Future Land Use Map (FLUM) designates this area as Auto Oriented Commercial, aligning with the proposed use. <p><u><i>Compatibility with Zoning District, and UDC</i></u></p> <ul style="list-style-type: none">• The proposed auto parts retail use may be allowed within the C2 zoning district with the approval of a Special Use Permit (SUP), which allows for an evaluation of compatibility with the surrounding context.• The subject site is located within the Live Oak Shopping Center, which includes a mix of retail, personal service, and dining establishments, such as salons, a restaurant, and insurance offices. The proposed O’Reilly Auto Parts use is consistent with these surrounding commercial tenants in terms of scale, intensity, and hours of operation.• The applicant’s proposed operations and established store policies include light services such as windshield wiper replacement and diagnostic testing—typical for this type of retail use. The store policies are also intended to ensure environmental compliance by discouraging more intensive vehicle maintenance in the parking lot and enforcing proper disposal protocols for automotive fluids.
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	<p><u><i>Evaluation of Design, Configuration, and Operation</i></u></p> <ul style="list-style-type: none">• The proposed design includes modifications to the building’s facade to align with O’Reilly Auto Parts branding standards, including removal of part of the awning and installation of a new entry portal.• The project does not propose structural changes beyond facade improvements and interior renovations. <p><u><i>Access, Circulation, and Parking</i></u></p> <ul style="list-style-type: none">• Site access to the site is through three existing access drives; two located at N. Main Street and one at N. School Street, which are expected to accommodate the traffic demand.• A Peak Hour Traffic (PHT) Generation Worksheet was submitted, showing 206 PM peak-hour trips at 3 driveways, which does not exceed the threshold requiring a Traffic Impact Analysis (TIA).• Based on the City of Boerne’s UDC requirement of 1 parking space per 175 square feet for shopping centers, the use requires a total of 48 parking spaces. The existing shopping center provides 199 shared parking spaces, which is sufficient to accommodate the proposed use under a shared parking arrangement. <p><u><i>Environmental Considerations</i></u></p> <ul style="list-style-type: none">• The proposed development does not include new impervious surface expansion, meaning no significant stormwater impact is anticipated.• A landscape plan is not required. <p><u><i>Utilities</i></u></p> <ul style="list-style-type: none">• The site includes existing utility connections, and the proposed use will not significantly increase water or sewer demand. The Preliminary Utility Plan indicates no modifications to existing infrastructure, and no new utility extensions are required. There is existing capacity to serve the proposed use. <p>CONCLUSION:</p> <p>The request appears to meet the criteria required to grant a SUP listed in Section 2.5.D of the UDC.</p> <p>RECOMMENDATION:</p> <p>Based on alignment with the Comprehensive Master Plan, and compliance with requirements outlined in UDC Sec 2-5.D Special use permits, staff recommends that the Planning and Zoning Commission</p>
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	<p>accept the findings and recommend APPROVAL of the Special Use Permit to allow automobile parts and parts sales in the C2 zoning district and Entrance Corridor Overlay District.</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 recommend APPROVAL of the request for a Special Use Permit for automobile parts and parts sales in the C2 zoning district and Entrance Corridor Overlay District.</p> <p>OR</p> <p>I move that the Planning and Zoning Commission recommend DENIAL a Special Use Permit to allow automobile parts and parts sales in the C2 zoning district and Entrance Corridor Overlay District. (The Commission will need to state the reasons for denial, referencing specific regulations in the UDC.)</p>
Strategic Alignment	<p>C1 – Offering quality customer experiences.</p> <p>C3 – Collaborating with community partners to enhance quality of life.</p>
Financial Considerations	N/A
Citizen Input/Board Review	<p>A BND meeting for this request was held on February 18, 2025. Text message notifications were sent to neighbors in a geo-targeted area surrounding the project.</p> <p>Notice of the Planning & Zoning Commission public hearing was published in the Boerne Star on March 23, 2025. Letters were sent to 29 property owners within 500 feet, and a public notice was posted on the property on March 11, 2025. One resident submitted written correspondence in favor of the request.</p>
Legal Review	This action is needed to meet statutory requirements.
Alternative Options	The Commission must approve, approve with conditions, extend the review, or disapprove the plat. Each condition or reason for denial must be directly related to requirements of city regulations and may not be arbitrary.




Supporting Documents	Attachment 1 – Aerial Map Attachment 2 – Future Land Use Map Attachment 3 – Zoning Map Attachment 4 – Environmental Constraints Attachment 5 – Project Narrative Attachment 6 – Site Plan and Elevations Attachment 7 – UDC Sec. 2-5.D.4 Special Use Permit Approval Criteria
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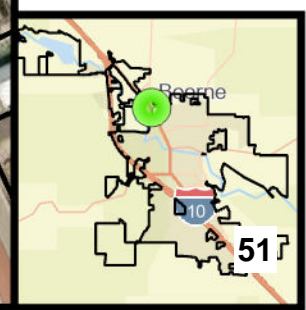


SUBJECT PROPERTY
1032 N Main St.

FUTURE LAND USE

Legend

-  SUBJECT PROPERTY
-  Parcels
-  road_centerline






SUBJECT PROPERTY
1032 N Main St.

FUTURE LAND USE

Legend

 SUBJECT PROPERTY


 Parcels

 road_centerline

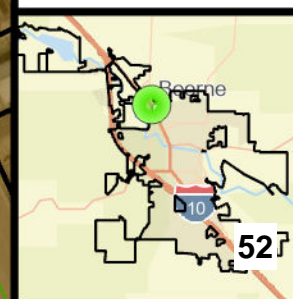
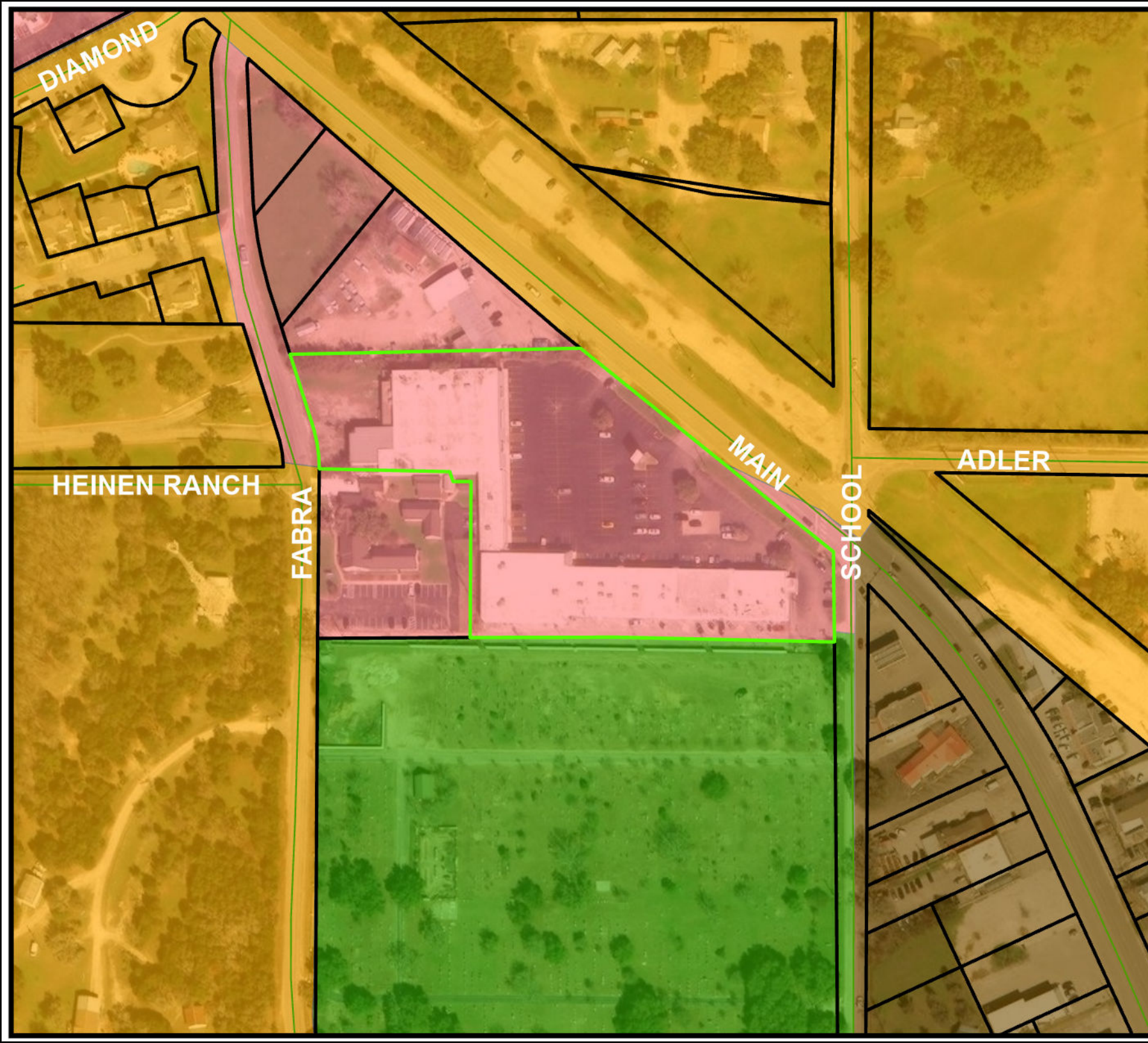
Future Land Use

 Auto-Oriented
Commercial

 Downtown

 Parks and Open Space

 Transitional Residential





SUBJECT PROPERTY
1032 N Main St.

ZONING

Legend

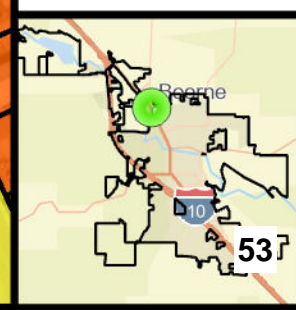
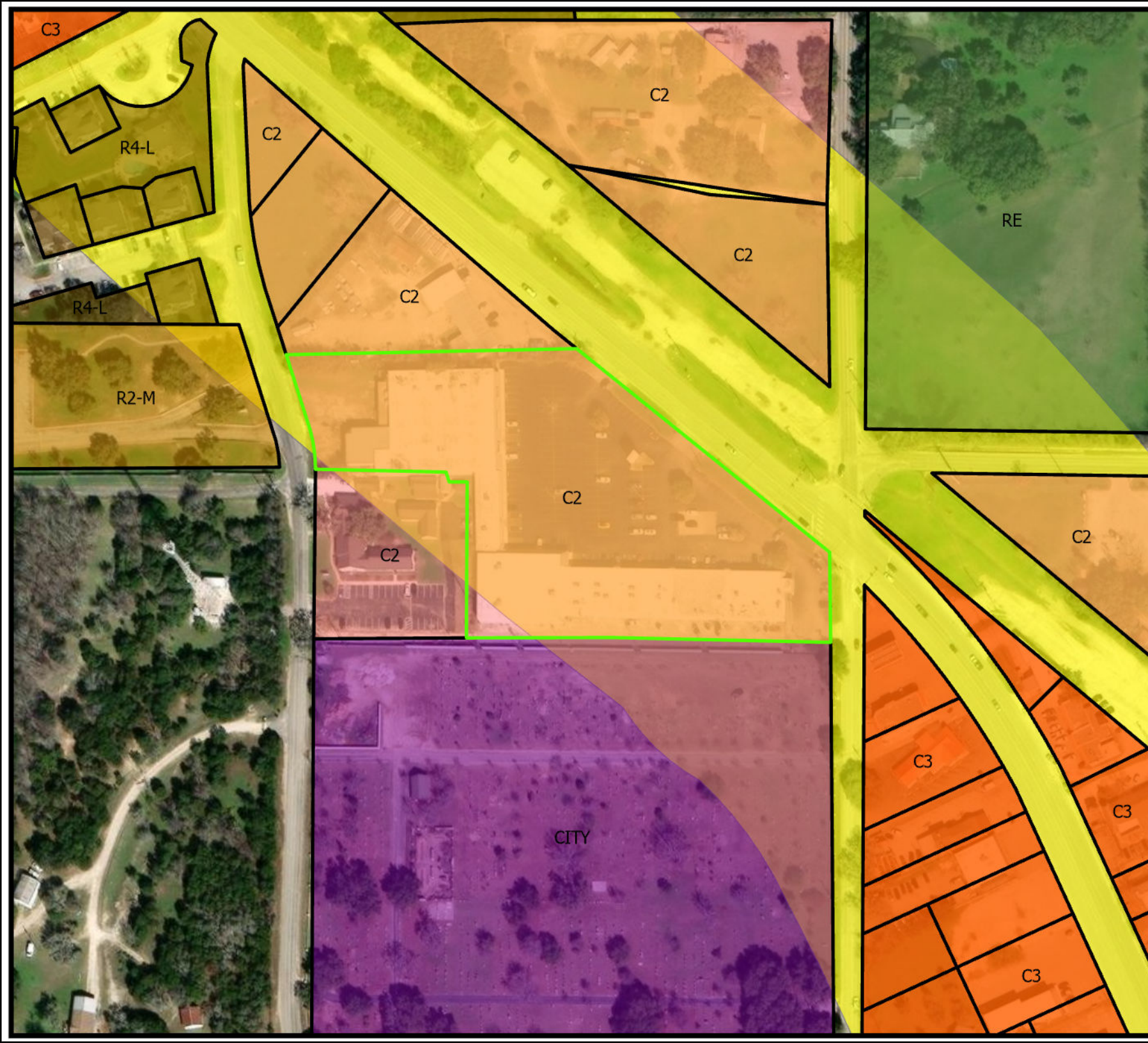
- SUBJECT PROPERTY
- Parcels

Zoning

- C2
- C3
- CITY
- R2-M
- R4-L
- RE

Overlay Districts

- Entrance Corridor













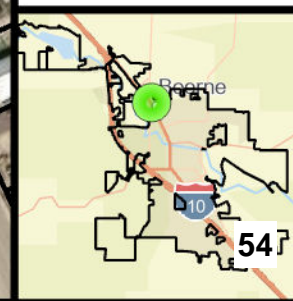


SUBJECT PROPERTY
1032 N Main St.

ENVIRONMENTAL CONSTRAINTS

Legend

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





Special Use Permit Project Narrative

O'Reilly Auto Parts - 1032 N Main Borne, TX 78006

To: **City of Borne Planning Department**

Date: 04/01/25

No. of Pages: 02
(Including this
one)

PN: 24308 – BO2

Project: O'Reilly Auto Parts Boerne, TX

Subject: **SUP Project Narrative**

The proposed space is a part of the larger Live Oak Shopping Center. The new tenant (O'Reilly Auto Parts) will be conducting retail business in line with the intend use of the space as well as the wider shopping center. The addition of a new retail business within the shopping center will not cause any detrimental effects to its neighbors, and in fact would benefit its neighbors by utilizing an existing unused space. Currently, the shopping center is only 65% leased without O'Reilly as the anchor store. O'Reilly anticipates this store will increase foot traffic to the area by 178 customer visits per day and projected \$2 million dollars in annual sales.

The existing shopping center sits at the corner of N. Main Street and N. School Street and has 3 access drives. The 3 access drives will provide sufficient capacity for the intended use of the proposed space. A traffic impact assessment has been completed by the landlord team to ensure adequate parking is available for all customers and employees.

The store operating hours are anticipated to be from 8:00 AM – 9:00 PM, 7 days a week. This will be comparable to the Dollar Tree tenant that will be located in the same shopping center.

The project will be updating the front exterior of the building to be more in line with O'Reilly image standards. This will be accomplished by removing part of the existing awning and creating a reimagined portal similar to the O'Reilly standard. The new portal will maintain the same height of the existing building and will not exceed the 30' limit shown in the UDC. The interior will also be updated with a retail showroom and storage areas as well as new restrooms and an office. The new restrooms are designed with TAS in mind and the interior space will have proper egress pathing and clearances. The old deck for the side egress that has fallen into disrepair will be removed and replaced with a new deck that will be built to current code standards. A new trash enclosure is being erected for the our space behind the building. It will utilize CMU to match the existing building per



city standards.

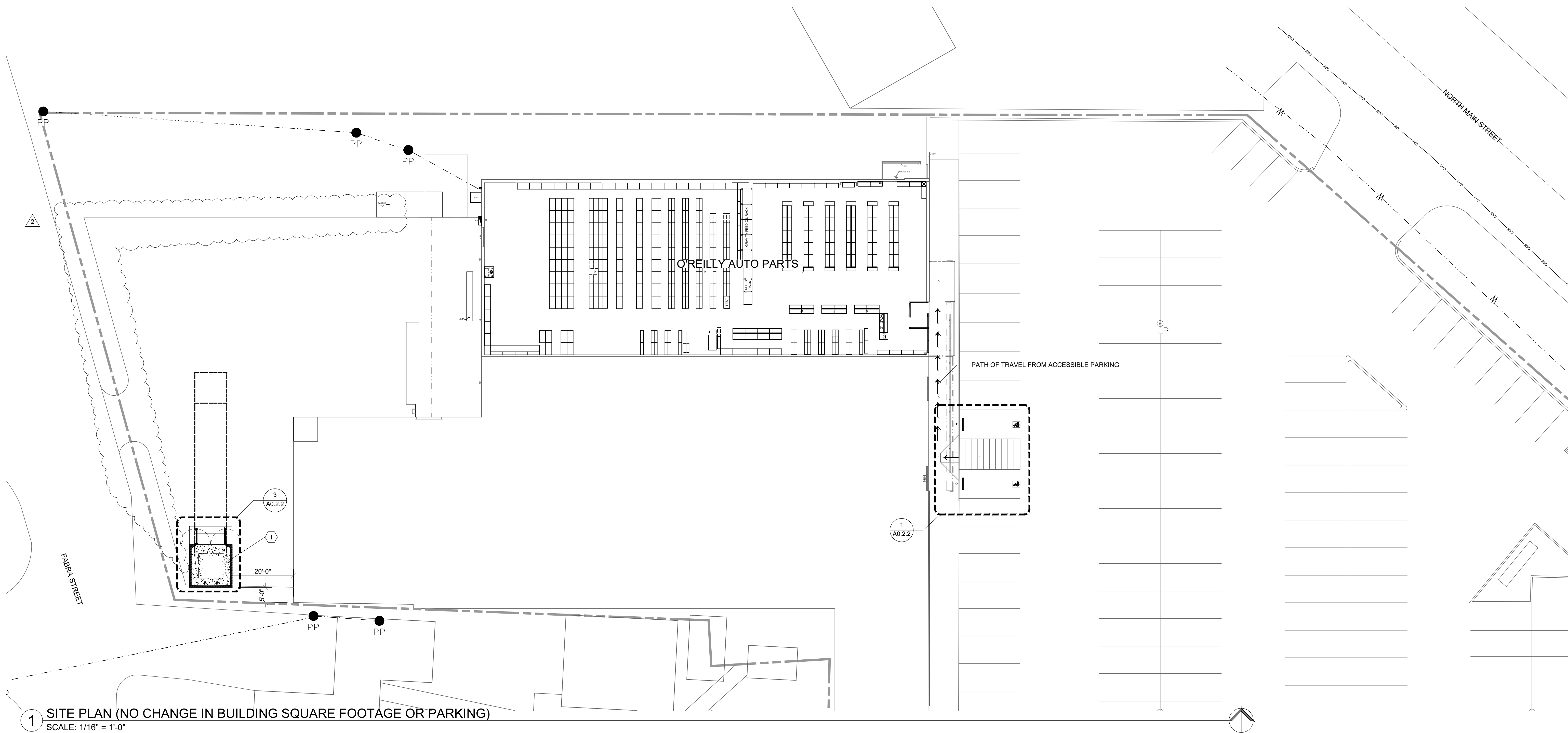
As the new tenant, O'Reilly will be performing any necessary maintenance for their space to ensure a clean and attractive appearance. All other landscaping and maintenance requirements will be completed by the landlord, who is planning to remove overgrown weeds and brush along the site perimeter to improve the curb appeal and aesthetics of the entire shopping center.

In anticipation of the Special Use Permit approval, we also plan to pursue the required separate Commercial Remodel Building and signage permits to ensure full compliance.

Respectfully,

A handwritten signature in dark blue ink that reads "James Christiansen". The signature is fluid and cursive, with the first name "James" and last name "Christiansen" clearly distinguishable.

James Christiansen, Design Coordinator



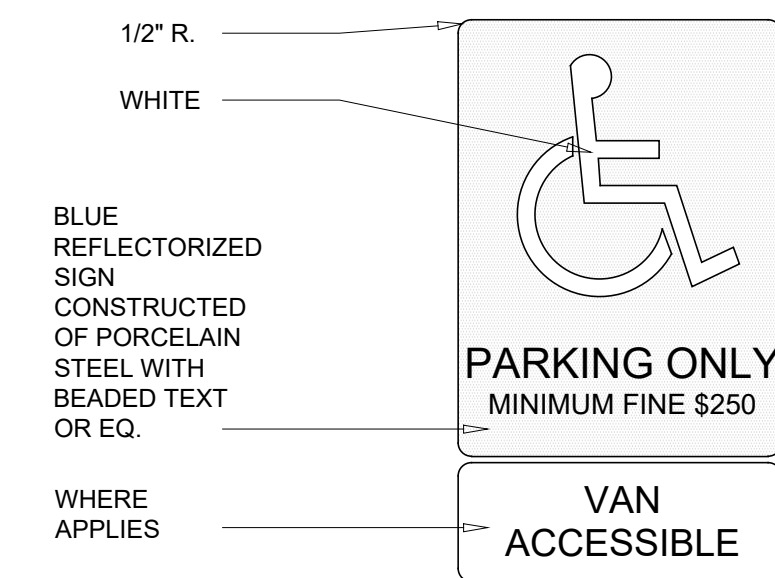
1 SITE PLAN (NO CHANGE IN BUILDING SQUARE FOOTAGE OR PARKING)
SCALE: 1/16" = 1'-0"

SYMBOLS LEGEND

- EXISTING CONDITIONS TO BE REMOVED
- PROPERTY LINE
- ACCESSIBLE PATH OF TRAVEL
- LIGHT POLE

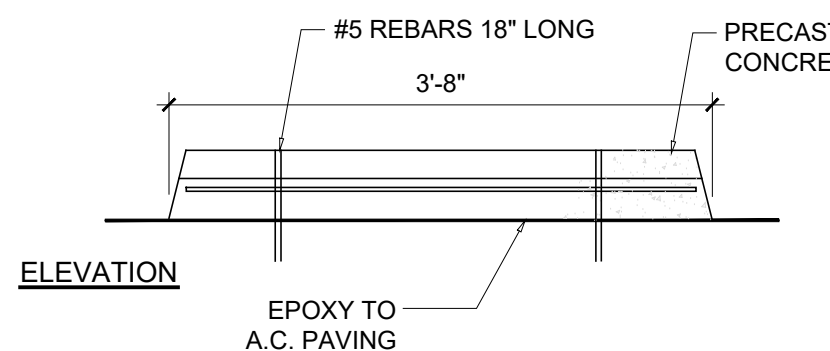
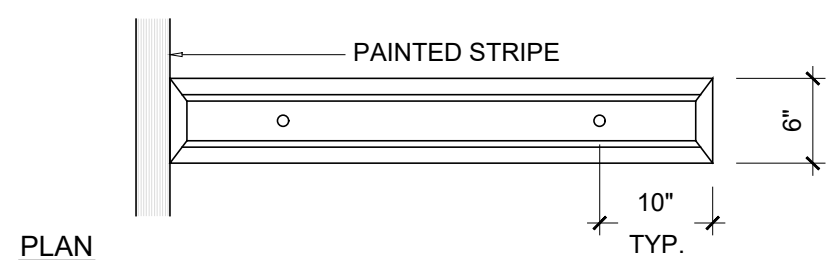
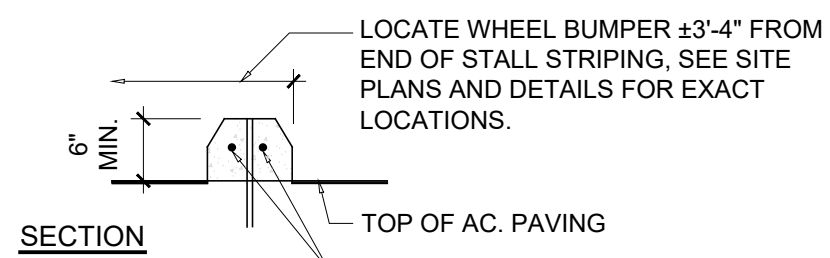
GENERAL NOTES

- A A LAND SURVEY HAS NOT BEEN PROVIDED. EXISTING SITE CONDITIONS INDICATED HEREIN ARE DIAGRAMMATIC ONLY AND PROVIDED FOR GENERAL REFERENCE.
- B SITE DIMENSIONS TO FACE OF BUILDING, SIDEWALK, CURB GUTTER LINE, PROPERTY LINE, OR CENTER LINE OF STRIPING UNLESS OTHERWISE NOTED.
- C EXISTING CONSTRUCTION TO REMAIN TO BE PROTECTED AS REQUIRED. REPLACE AND/OR REPAIR EXISTING CONSTRUCTION DAMAGED DUE TO CONTRACTOR ACTIVITIES.
- D ALL DEMOLITION MATERIALS SHALL BECOME PROPERTY OF CONTRACTOR FOR PROPER DISPOSAL UNLESS OTHERWISE NOTED.
- E PROVIDE SMOOTH ELEVATION AND GRADING TRANSITIONS FROM NEW CONSTRUCTION TO EXISTING CONSTRUCTION TO REMAIN.
- F CONTRACTOR TO ENSURE EXISTING LANDSCAPING IS FREE OF WEEDS, FREE OF OVERGROWTH AND IS WELL MANICURED.

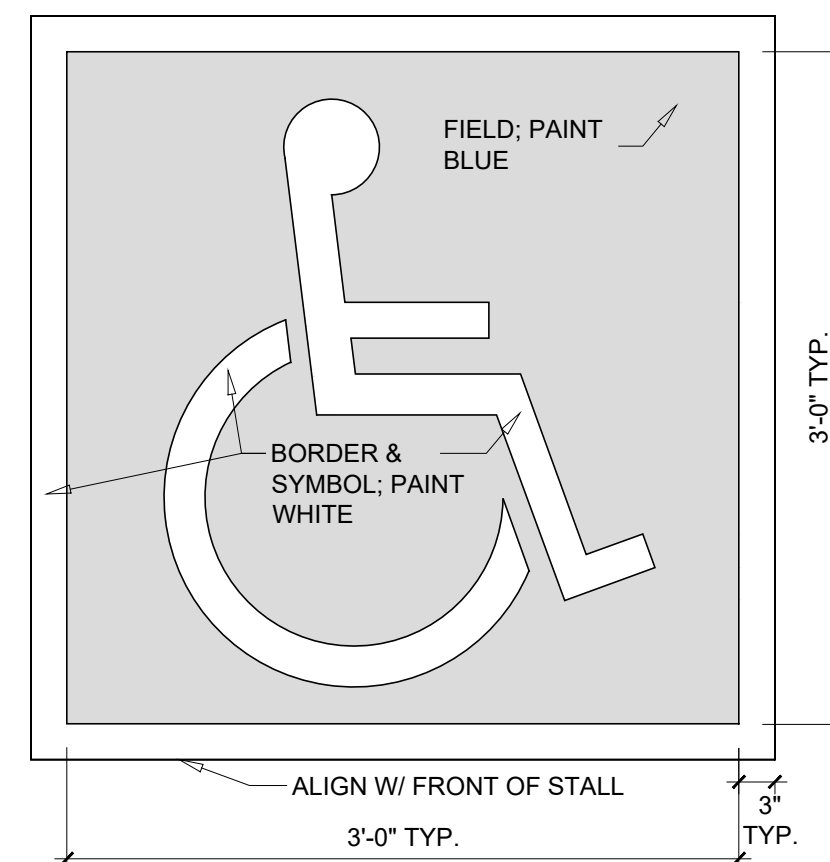


- NOTES:**
- AREA OF SYMBOL SHALL BE 70 SQ. IN. MIN.
 - SIGN SHALL BE PLACED IN FRONT OF EACH ACCESSIBLE PARKING STALL, WITHIN CLEAR VIEW, BUT NOT PLACED SO AS TO OBSTRUCT PASSAGE FROM ANY PARKING STALL OR WALKWAY.

6 ACCESSIBLE PARKING SIGN
SCALE: NTS



9 WHEEL STOP
SCALE: NTS



- NOTES:**
- ALL STROKES TO BE MIN. 3" WIDE.
 - PROVIDE TWO (2) COATS OF REFLECTIVE PAINT. LET DRY BETWEEN COATS.
 - LOCATE SYMBOL CENTERED @ FRONT OF STALL, AS SHOWN ON SITE PLAN.
 - SYMBOL TO COMPLY W/ CURRENT STATE AND LOCAL REQUIREMENTS.

12 INTERNATIONAL ACCESSIBILITY SYMBOL
SCALE: NTS

(X) SITE KEYNOTES

- NEW DUMPSTER LOCATION.

ENVIRONMENTAL GENERAL NOTES

AN ENVIRONMENTAL ANALYSIS HAS NOT BEEN PERFORMED ON THE EXISTING SITE. IF THIS PROJECT CONTAINS HAZARDOUS MATERIALS, CONTRACTOR TO PROVIDE WORK REQUIRED FOR PROPER REMOVAL, HANDLING, AND DISPOSAL PER ENVIRONMENTAL ANALYSIS RECOMMENDATIONS.



CAUTION: INFORMATION ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO THE TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO.

PRELIMINARY
NOT FOR
CONSTRUCTION
OR PERMIT

KINETIC
ARCHITECTS
2011 W. CHURCH ST. SUITE 101 - SPRINGFIELD, MO 65807 - P: 417.332.4327
ARCHITECT OF RECORD
ADAM KREIER
ARCHITECT LICENSE NUMBER
23507 EXP: 11/30/25

PROJECT:
O'REILLY AUTO PARTS STORE - B02
1032 N MAIN
BOERNE, TX 78006

EXISTING SITE PLAN

O'Reilly
AUTO PARTS

REV	DESCRIPTION	DATE
FOR REVIEW		XX.XX.XX
1	ADD 01	03/06/2025
2	ADD 02	04/01/2025
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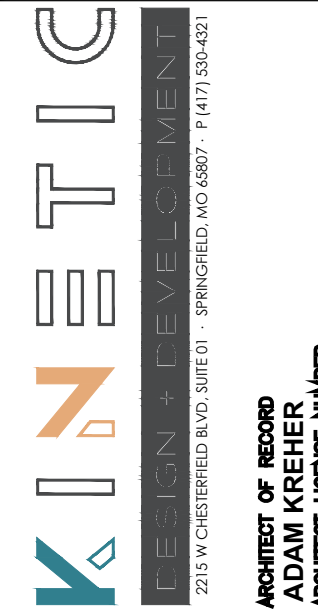
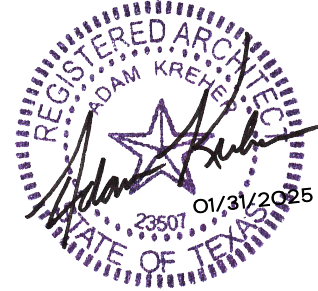
A0.2.1

LEGEND

- EXISTING TO BE REMOVED
- /// WALL CUT OUT, PER DEMOLITION PLAN

GENERAL NOTES

- A EXISTING CONDITIONS BASED UPON INFORMATION PROVIDED BY OTHERS OR ARCHITECT'S OBSERVATION.
- B EXISTING CONSTRUCTION TO REMAIN TO BE PROTECTED AS REQUIRED. REMOVE AND REPLACE DAMAGED CONSTRUCTION DUE TO CONTRACTOR'S ACTIVITIES.
- C EXISTING CONSTRUCTION TO BE REWORKED AS REQUIRED FOR INSTALLATION OF NEW CONSTRUCTION. PATCH AND REPAIR EXPOSED SURFACES OF EXISTING CONSTRUCTION TO REMAIN AT LOCATIONS OF EXISTING CONSTRUCTION TO BE REMOVED. FIELD VERIFY SCOPE OF WORK REQUIRED.
- D NEW CONSTRUCTION TO MATCH EXISTING CONSTRUCTION TYPE AND FINISH, UNLESS OTHERWISE NOTED.



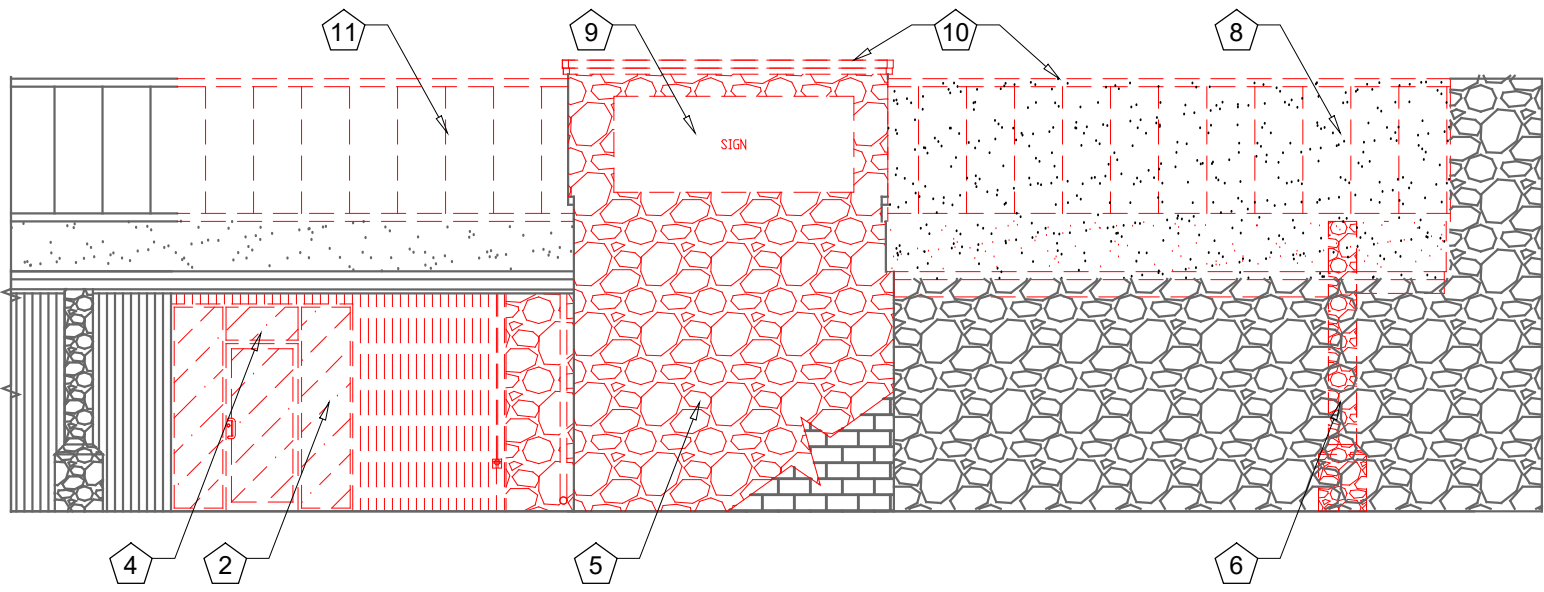
PROJECT:
O'REILLY AUTO PARTS STORE - BO2
1032 N MAIN
BOERNE, TX 78006

EXTERIOR DEMOLITION ELEVATIONS

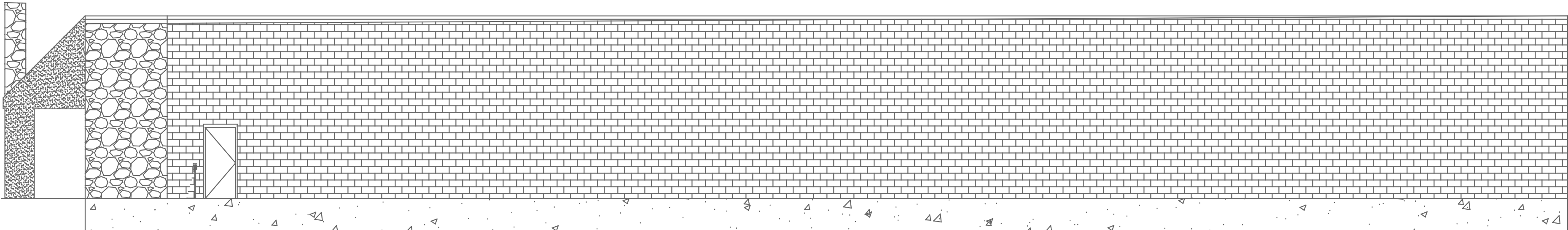


REV	DESCRIPTION	DATE
▲▲▲▲▲	FOR REVIEW	XX.XX.XX
DRAWN BY: BM		CHECKED BY: JC
DATE: 01/27/25		
PROJECT NUMBER: 24308		
SHEET NUMBER:		

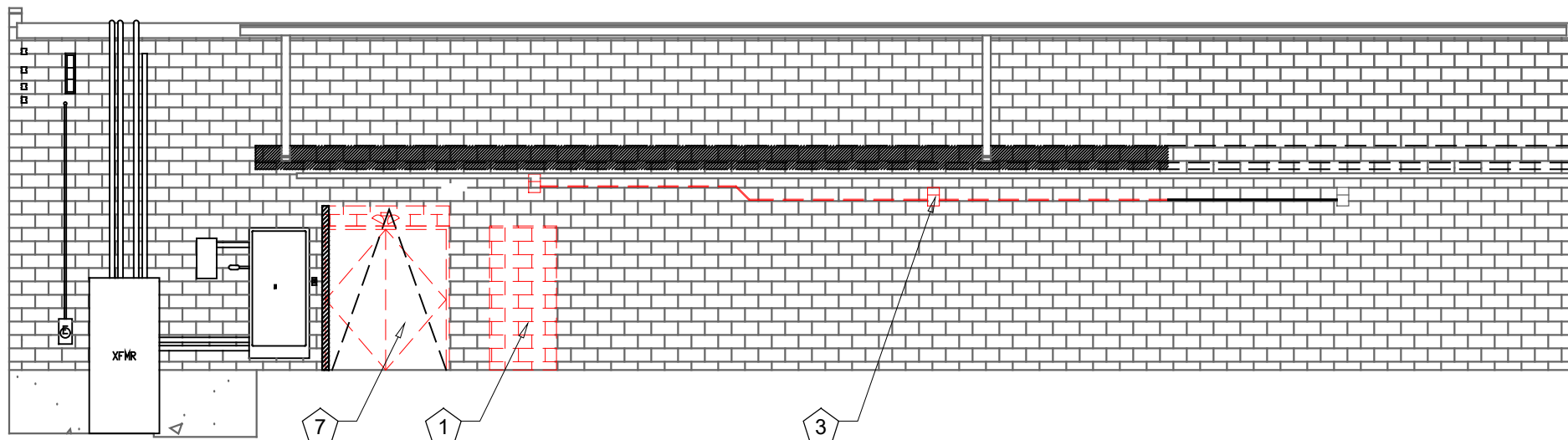
A2.2.1



1 FRONT EXTERIOR DEMOLITION ELEVATION
SCALE: 1/8"=1'-0"



2 RIGHT EXTERIOR DEMOLITION ELEVATION
SCALE: 1/8"=1'-0"



3 REAR EXTERIOR DEMOLITION ELEVATION
SCALE: 1/8"=1'-0"

EXTERIOR FINISH SCHEDULE

NOTE: REFER TO ELEVATIONS FOR FINISH LOCATIONS

STEEL DOORS AND FRAMES
MFG: REFER PROJECT MANUAL
FINISH: FACTORY PRIMED AND FIELD PAINTED, SEMI-GLOSS FINISH
COLOR: TO MATCH ADJACENT WALL COLOR, SHERWIN WILLIAMS OR APPROVED
EQUAL

STOREFRONT SYSTEM

MFG: EFCO, KAWNEER OR VISTA WALL (NO SUBSTITUTES)
COLOR: TO MATCH EXISTING or IVY, DARK IVY OR INTERSTATE GREEN,
RESPECTIVELY

WINDOW TINT

MFG: 3M

STYLE: LAYER 1 - NIGHT VISION 15 (APPLY FIRST); LAYER 2 - FASERA, MILANO
(APPLY OVER)
REP: JIM MANNIX | 612.325.6509

FACADE

EP - 1 PAINT

MFR:	SHERWIN WILLIAMS
STYLE:	SHER-CRYL
COLOR:	SW6871 POSITIVE RED
FINISH:	GLOSS
APP:	PER MFR SPECS FOR SURFACE
NOTES:	INCLUDE THREE COMPONENT (B65T105 / B65V105 / B65C105) CLEAR URETHANE

EP - 2 PAINT

MFR: SHERWIN WILLIAMS
COLOR: SW6141 SOFTER TAN
FINISH: SEMI GLOSS
APP: PER MFR SPECS FOR SURFACE

EP - 4 PAINT

MFR:	SHERWIN WILLIAMS
COLOR:	SW6468 HUNT CLUB
FINISH:	SEMI GLOSS
APP:	PER MFR SPECS FOR SURFACE
NOTE:	NEW RAILING

EP - 3 PAINT

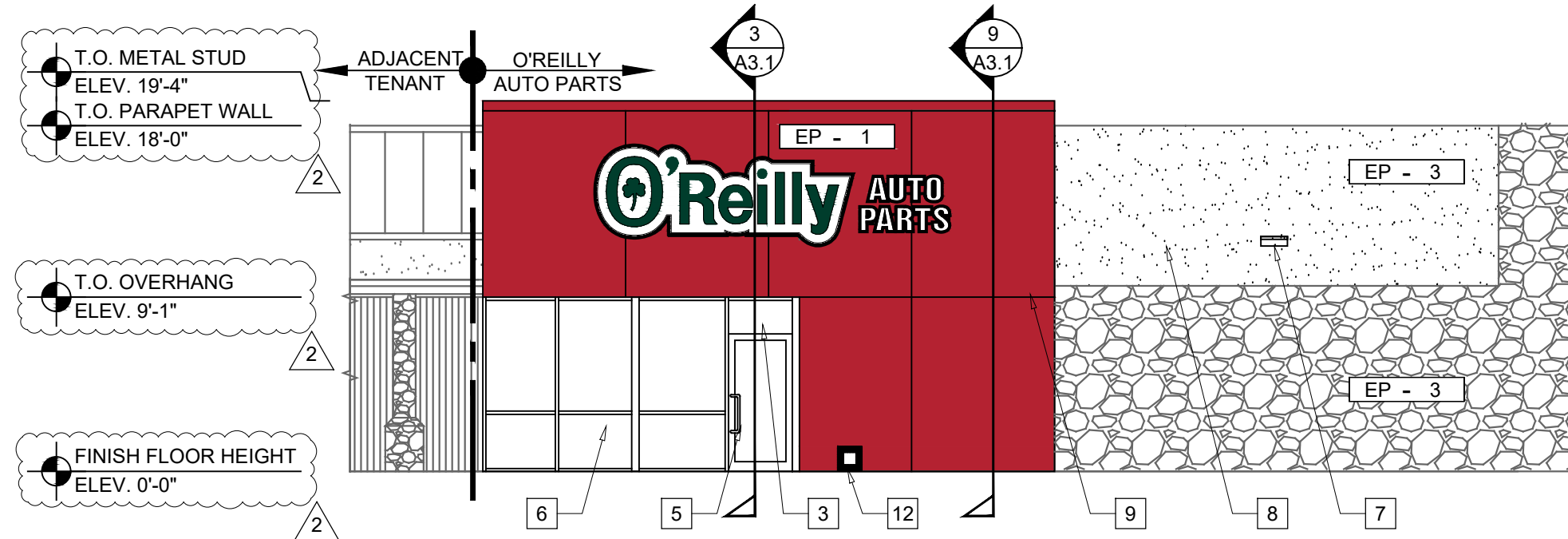
MFR:	SHERWIN WILLIAMS
COLOR:	SW6108 LATTE
FINISH:	SEMI GLOSS
APP:	PER MFR SPECS FOR SURFACE

EXTERIOR GENERAL NOTES

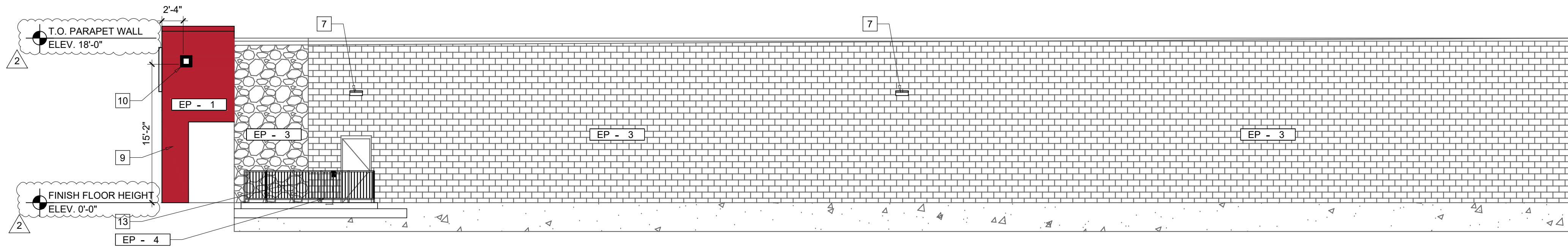
- A MANUFACTURER: SHERWIN WILLIAMS SPECIFIED. EQUAL PRODUCTS BY PPG INDUSTRIES ACCEPTABLE (NO SUBSTITUTES).
- B APPLICATION: INSTALL PER MANUFACTURER'S RECOMMENDATIONS FOR PROJECT CONDITIONS. EACH COAT SPECIFIED SHALL BE SPRAY APPLIED AND BACK ROLLED. COVERAGE THICKNESS INDICATED IN WET MIL UNITS, UNLESS OTHERWISE INDICATED.

EXTERIOR KEYNOTES

- 1 NEW HOLLOW METAL DOOR AND FRAME. REFER TO SHEET **A6.1** FOR FURTHER INFORMATION.
- 2 SURFACE MOUNTED SIGN, O'REILLY CONSTRUCTION FURNISHED AND INSTALLED. PROVIDE ROUGH-IN ELECTRICAL. GO TO VERIFY ADEQUATE BACKING FOR MOUNTING. COORDINATE REQUIREMENTS WITH O'REILLY CONSTRUCTION. REFER TO SHEET **SG2.1** IN SEPARATE EXTERIOR DESIGN PACKAGE.
- 3 PREFERRED BUILDING ADDRESS NUMBERS: 6" HIGH HELVETICA WHITE VINYL ADHERED TO EXTERIOR FACE OF GLAZING. CONFIRM WITH LANDLORD/JURISDICTION REQUIREMENTS.
- 4 NEW OVERHEAD DOOR AND FRAME. REFER TO SHEET **A6.1** FOR FURTHER INFORMATION.
- 5 NEW EXTERIOR STOREFRONT DOOR AND FRAME SYSTEM. REFER TO SHEET **A1.2** FOR FURTHER INFORMATION.
- 6 NEW EXTERIOR STOREFRONT GLAZING SYSTEM. REFER TO SHEET **A1.2** FOR FURTHER INFORMATION.
- 7 NEW WALLPACK LIGHT FIXTURE. REFER TO ELECTRICAL DRAWINGS.
- 8 PATCH AND REPAIR AFTER REMOVAL OF EXISTING CANOPY. PATCH AND REPAIR ALL MISC. HOLES, RIPS, TEARS, PENETRATIONS, ETC. AS REQUIRED AND MAKE EXTERIOR WEATHERTIGHT.
- 9 CONSTRUCT EIFS PORTAL AROUND STOREFRONT ENTRY.
- 10 OVERFLOW SCUPPER - (1) EACH SIDE OF PORTAL.
- 11 INFILL REMAINING PORTION OF OPENING WITH CMU.
- 12 INTERNAL DOWNSPOUT. SEE WALL SECTION FOR ADDITIONAL INFORMATION.
- 13 NEW COMPOSITE DECKING AND RAILING. REFER TO A1.2 FOR ADDITIONAL INFORMATION.

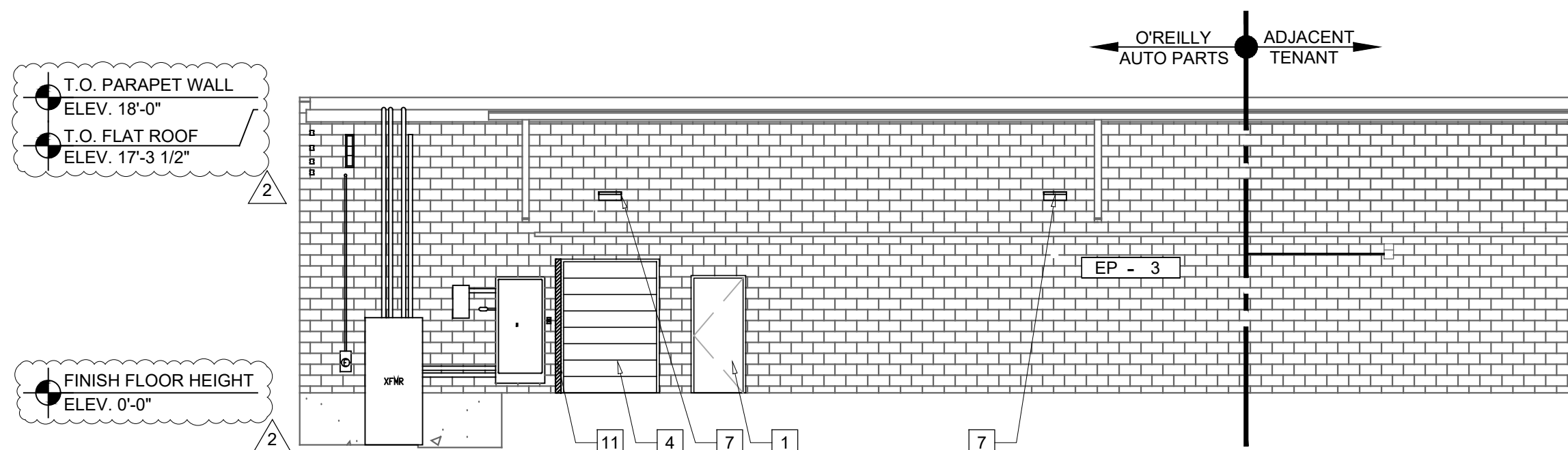


1 FRONT EXTERIOR ELEVATION
SCALE: 1/8"=1'-0"



2 RIGHT EXTERIOR ELEVATION

SCALE: 1/8"=1'-0"




3 REAR EXTERIOR ELEVATION



PROJECT:
O'REILLY AUTO PARTS STORE - B02
1032 N MAIN
BOERNE, TX 78006

EXTERIOR ELEVATIONS

The logo for O'Reilly Auto Parts, featuring the name "O'Reilly" in a stylized font with a green shamrock inside the letter "O", and "AUTO PARTS" in a bold, sans-serif font below it.

REV.	DESCRIPTION	DATE
	FOR REVIEW	XX.XX.XX
①	ADD 01	03/06/2025
②	ADD 02	04/01/2025
DRAWN BY:		CHECKED BY:
BM		JC
DATE:		
01/27/25		
PROJECT NUMBER:		
24308		
SHEET NUMBER		

A2.2.2

EXTERIOR LIGHT FIXTURE SCHEDULE														
ALL ITEMS LISTED ON THE "LIGHT FIXTURE SCHEDULE" WILL BE SUPPLIED BY THE OWNER (O'REILLY). ITEMS SHALL BE DIRECT ORDERED AND OR RELEASED FROM THE LISTED ELECTRICAL EQUIPMENT DISTRIBUTOR:				SOURCEONE SOLUTIONS 4341 GREEN ASH DRIVE EARTH CITY, MO 63045				SOURCEONE SOLUTIONS O'REILLY TEAM EMAIL: ncoareilly@sourceonesolutions.com PHONE: 314-499-6400						
MARK	MFR.	CATALOG NUMBER	SUPPLY VOLTAGE	FINISH	MOUNTING		LAMPS			WATTAGE	NOTES	FIXTURE QUANTITY		
					SURFACE WALL	SURF. CEILING	OTHER	FLUORESCENT	TYPE				QUANTITY	
									LED					OTHER
WS1	LSI	XWM-FT-LED-06L-30-UE-BRZ NO SUBSTITUTIONS	120	DARK BRONZE	X			X	1	45	FULL CUT-OFF, BUG RATING B1-U0-G1. ARCHITECTURAL ELEVATIONS SHOW DIMENSIONED LOCATIONS.	1		
WS2	LSI	XWM-FT-LED-03L-30-UE-BRZ-PC120 NO SUBSTITUTIONS	120	DARK BRONZE	X			X	1	45	FULL CUT-OFF, BUG RATING B1-U0-G1. ARCHITECTURAL ELEVATIONS SHOW DIMENSIONED LOCATIONS.	1		
FIXTURE QUANTITY TO BE VERIFIED WITH SITE PLAN QUANTITY														
<div><div>1</div><div>TOTAL LUMENS: WS1: 5536 LUMENS WS2: 2838 LUMENS ASSUMED LUMENS OF LIGHT POLES: 9,000 LUMENS * 16 = 144,000 LUMENS TOTAL AREA: 4.72 ACRES 32,282 LUMENS PER ACRE</div></div>														

BACKLIGHT-UPLIGHT-GLARE (BUG) RATING / FULL CUTOFF

ALL "LSI MRM" & "XWM" LED FIXTURES HAVE ZERO UPLIGHT AND ARE CONSIDERED FULL CUT OFF AND DARKSKY COMPLIANT. THE DELIVERED LUMEN CHART BELOW APPLIES TO "LSI XWM" FIXTURES AND CONFIRMS THAT IN EVERY CONFIGURATION THE FIXTURE PRODUCES ZERO UPLIGHT (U = 0). BUG RATING CHART FOR "LSI MRM" FIXTURES IS FOUND ON CORRESPONDING "SP" SHEETS.

DELIVERED LUMENS*												
Lumen Package	Distribution	CRI	2700K			3000K			4000K			Wattage
			Delivered Lumens	Efficacy	BUG Rating	Delivered Lumens	Efficacy	BUG Rating	Delivered Lumens	Efficacy	BUG Rating	
03L	2	70	2703	120	B1-U0-G1	2822	125	B1-U0-G1	3088	137	B1-U0-G1	22.6
	3	70	2752	122	B1-U0-G1	2873	127	B1-U0-G1	3144	139	B1-U0-G1	
	FT	70	2718	120	B1-U0-G1	2838	126	B1-U0-G1	3105	137	B1-U0-G1	
04L	2	70	3546	120	B1-U0-G1	3702	125	B1-U0-G1	4051	137	B1-U0-G1	29.5
	3	70	3610	122	B1-U0-G1	3769	128	B1-U0-G1	4124	140	B1-U0-G1	
	FT	70	3565	121	B1-U0-G1	3722	126	B1-U0-G1	4073	138	B1-U0-G1	
06L	2	70	5274	118	B2-U0-G2	5506	123	B2-U0-G2	6025	135	B2-U0-G2	44.7
	3	70	5369	120	B1-U0-G1	5606	125	B1-U0-G1	6134	137	B1-U0-G2	
	FT	70	5303	119	B1-U0-G2	5536	124	B1-U0-G2	6058	136	B1-U0-G2	
08L	2	70	6996	113	B2-U0-G2	7304	118	B2-U0-G2	7993	129	B2-U0-G2	62.0
	3	70	7123	115	B1-U0-G2	7437	120	B1-U0-G2	8138	131	B2-U0-G2	
	FT	70	7035	113	B1-U0-G2	7345	118	B2-U0-G2	8037	130	B2-U0-G2	
12L	2	70	10516	103	B2-U0-G2	10979	107	B3-U0-G3	12014	118	B3-U0-G3	102.2
	3	70	10707	105	B2-U0-G2	11178	109	B2-U0-G2	12232	120	B2-U0-G2	
	FT	70	10574	103	B2-U0-G3	11040	108	B2-U0-G3	12080	118	B2-U0-G3	

AUTOMATIC LIGHTING CONTROL

COMPLIANCE WITH ENERGY CODE IS ACHIEVED BY:

- ONCE THE EMS HAS BEEN PROGRAMMED, THE INTERIOR AND EXTERIOR LIGHTS WILL TURN ON AND OFF USING THE FOLLOWING LOGIC: SEE EM SHEETS.

INTERIOR WORK LIGHTS WILL TURN ON WITH FIRST MOTION IN THE STORE AND WILL TURN OFF 15 MINUTES AFTER LAST MOTION ONCE THE STORE IS CLOSED.

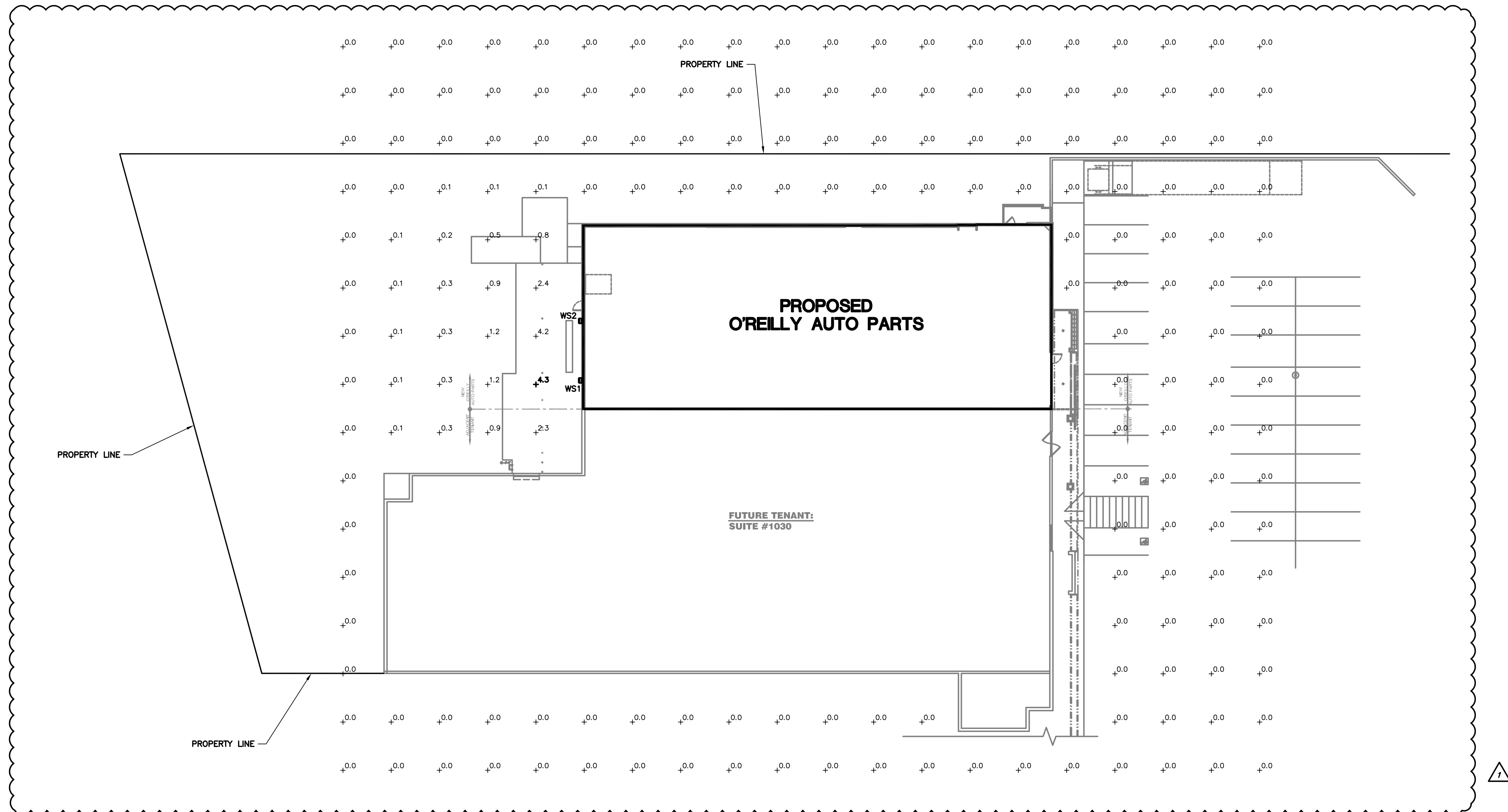
INTERIOR SALES LIGHTS WILL TURN ON AT STORE OPENING AND TURN OFF 15 MINUTES AFTER STORE CLOSING.

EXTERIOR SIGN LIGHTS WILL TURN ON WHEN ITS DARK ENOUGH OUTSIDE ANYTIME DURING STORE HOURS, AND WILL TURN OFF AT STORE CLOSING.

EXTERIOR SITE LIGHTS WILL TURN ON WHEN IT IS DARK ENOUGH OUTSIDE ANYTIME DURING STORE HOURS OR THERE IS MOTION IN THE STORE. THEY WILL TURN OFF 30 MINUTES AFTER LAST MOTION ONCE THE STORE IS CLOSED.

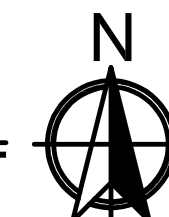
FOR NEW CONSTRUCTION LOCATIONS ONLY, THERE IS A TEMPORARY PROGRAM TO KEEP SIGN AND SITE LIGHTS ON UNTIL MIDNIGHT RATHER THAN THE TIMES INDICATED ABOVE. O'REILLY WILL DISABLE THIS PROGRAM ONE YEAR AFTER STORE OPENING.

(EXCLUDING TX, EXTERIOR LIGHTS STAY ON OVERNIGHT FOR SECURITY PURPOSES.)
- RESTROOMS AND OFFICES: ALL LIGHTING IN THESE AREAS ARE CONTROLLED BY OCCUPANT-SENSING DEVICES.



SITE LIGHTING PHOTOMETRICS

SCALE: 1"=20'



DATE SIGNED: 03.06.2025

ENGINEER OF RECORD
RYAN S. JONES
ENGINEER LICENSE NUMBER
121401

SHEETS BEARING THIS SEAL ARE AUTHENTICATED. RESPONSIBILITY FOR ALL OTHER PLANS, SPECIFICATIONS OR INSTRUMENTS ARE DISCLAIMED.

CJD
Engineering | Energy | Innovation
2225 West Chesterfield Boulevard, Suite 200, Springfield, MO 65807
P: 417.877.1700
www.cjd-eng.com

PROJECT:
O'REILLY AUTO PARTS STORE - BO2
1032 N MAIN
BOERNE, TX 78006

SITE LIGHTING PHOTOMETRICS

O'Reilly
AUTO PARTS

REV. DESCRIPTION DATE
ADDENDUM #1 03.06.2025

DRAWN BY: JBR
DATE: 01.27.2025
PROJECT NUMBER: 24308
SHEET NUMBER:

SP1

D. SPECIAL USE PERMITS

1. Purpose and Applicability

A Special Use Permit (SUP) allows for certain uses that are not permitted in a particular base zoning category by right, but which may be permitted under certain circumstances and application of certain conditions. SUPs require individual, discretionary review of location, design, configuration and operation in order to demonstrate compatibility with neighboring uses, adequate mitigation or resolution of negative impact, consistency with the Comprehensive Master Plan, and adequate offsets of any disproportionate burden upon the public infrastructure systems of the City.

2. Special Use Permits

An owner of real property, or that owner's authorized representative, may initiate a SUP for that property by filing an application with the Planning Department. The SUP request may, upon owner's discretion, be included as a part of an overall zoning or rezoning application, provided that all of the requirements of this Chapter are met. SUPs will be processed and considered in accordance with the procedures described in Section 2.6.

3. Pre-Application Meeting

The owner or owner's authorized representative shall meet with the Planning Director or designated staff prior to submittal of the SUP application. At this pre-submittal meeting, the owner will present a preliminary, non-binding plan (conceptual or sketch plan) to the Planning Director, for discussion purposes only. The official will provide the owner or owner's authorized representative with a checklist of submittal requirements for the SUP application, including impact mitigation factors that should be addressed. The particular requirements for impact mitigation will depend on the special use being proposed, the scale of the project, and the location of the property in question. Staff may make recommendations for the presented plan based on similar projects submitted for consideration by the Commission.

a. Application Contents

- i. General Content Required for All Zoning Applications
- ii. The SUP application shall be organized into the sections defined for all zoning applications. Project Checklist, provided at the pre-application meeting, shall be included
- iii. Letter of Justification
The applicant shall include in the SUP Application, in accordance with the SUP Application Checklist, a Letter of Justification that describes the proposed project. The letter should be a summary of application content, and should include, at a minimum:
 - (a) Project owner and/or developer
 - (b) Project description
 - (c) Benefits of the proposed project to neighboring properties and to the community at large
 - (d) Description of consistency with the Comprehensive Master Plan
 - (e) Description of consistency with the other Comprehensive Master Plans of the City, including thoroughfares, utilities, parks and economic development
 - (f) Measures taken to ensure compatibility of the proposed project with surrounding (existing) uses

b. Development Impact

- i. Each SUP application shall also include information indicating how potential impacts of the requested special use will be addressed, according to the particular land use district in which the property is located, in order to promote the character, intent and right of use of neighboring properties. These potential impacts will be identified during the pre-submittal meeting and provided as a part of the checklist of application requirements and will be included in the application. For more information, see the SUP Application Checklist.
- ii. The potential impacts of special use projects on neighboring properties will be selected from the list of factors below and identified on the submittal checklist that the applicant receives from the City at the pre-submittal conference. It is the property owner's responsibility to demonstrate adequate treatment of these issues either through design or operation of the proposed special use. Council reserves the right to accept, reject, or require modification to any measures proposed in the application.
 - (a) Community safety;
 - (b) Traffic;
 - (c) Parking;
 - (d) Loading;

- (e) Driveways;
- (f) Building setbacks;
- (g) Access and curb cuts;
- (h) Development density (may include footprint, height, people dwelling onsite, or other factors);
- (i) Hours of operation;
- (j) Property values;
- (k) Viewshed protection;
- (l) Impervious cover;
- (m) Noise;
- (n) Light;
- (o) Vibration;
- (p) Hazardous or flammable materials;
- (q) Special solid waste disposal requirements;
- (r) Discharge/water contamination; and
- (s) Other

c. Application copies

The application package shall be submitted digitally. A paper copy of the document will also be required when certified documents are included. The application check list will indicate the number of paper copies required.

4. Criteria for Approval

- a. Planning and Zoning Commission may recommend, and City Council may approve the application for a Special Use Permit if:
 - i. the proposed special use is determined to comply with the intent of all applicable requirements of the Code and with adopted plans and policies of the City;
 - ii. the application demonstrates mitigation of potential impacts; and
 - iii. the following general criteria are met:
 - (a) The use complies with the purpose and intent of the zoning classification of the property, as well as any applicable supplemental regulations as required by Council.
 - (b) The use is consistent with the Comprehensive Master Plan.
 - (c) The establishment, maintenance, or operation of the proposed use shall not endanger or be detrimental to the public health, safety, morals, comfort, or general welfare of the community.
 - (d) The use shall have no more adverse effects on health, safety, or comfort of persons living or working in neighboring properties or shall be no more injurious to neighboring properties than would any other use generally permitted under the same categorical zoning designation.
 - (e) The use will not result in traffic volumes or circulation patterns that negatively affect streets and intersections likely to be used by traffic to and from the proposed development without approved mitigation of impact;
 - (f) The proposed use shall not injure the use and enjoyment of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.
 - (g) The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted therein.
 - (h) The use will not create detrimental operational impacts, through hours of operation, management of traffic, servicing and loading operations, and any on-site operations associated with the ongoing functions of the use on the site, on neighboring properties.
 - (i) The use will not create detrimental health and safety impacts, such as noise, emissions, or vibrations, through functions within the proposed site.
 - (j) The use will not create detrimental impacts on the potential for future development of neighboring properties; and
 - (k) The public interest and welfare supporting the use shall be sufficient to outweigh the individual interests that are adversely affected by the establishment of the proposed use.

5. Public Hearings and Decisions

a. The Planning and Zoning Commission and the City Council shall hear applications for Special Use Permits.

b. Public hearings shall be held for applications for Special Use Permits.

c. Notice of Public Hearings

Notice required for a public hearing before the Planning and Zoning Commission or the City Council shall be in accordance with the requirements for public notice established by this Chapter.

d. Hearing and Recommendation by the Planning and Zoning Commission

The Planning and Zoning Commission shall hold a public hearing on the Special Use Permit application at the next meeting following notification requirements as stated in this Code. After the public hearing, the Commission shall recommend to approve, approve with conditions, approve in part, deny or deny in part the application. Where the Commission fails to render its decision at the required public hearing, the decision shall be deemed to have been rendered as a recommendation for denial of the applicant, unless the applicant has agreed in writing or on the record to an extension of time.

e. Negative Recommendation of Planning and Zoning Commission

If the Planning and Zoning Commission recommends denial of a Special Use Permit application, the permit application shall require approval by a super majority vote by City Council.

f. Hearing and Action by City Council

City Council shall hold a public hearing on the Special Use Permit application within forty-five (45) days of the Planning and Zoning Commission's action on the application. After the public hearing, Council shall act to approve, approve with conditions, approve in part, deny or deny in part the application, within forty-five (45) days of the council hearing, or the next scheduled meeting in which public notice can be made. In taking action, the City Council shall consider the criteria for approving a Special Use Permit. Where Council fails to render its decision within the period specified by this subsection, or fails to hold the required public hearing within forty-five (45) days from the date of the decision of the Planning and Zoning Commission, the decision shall be deemed to have been rendered in denial of the applicant, unless the applicant has agreed in writing or on the record to an extension of time. When a decision is rendered in denial of the applicant because of the failure of Council to meet or render a decision as hereinabove provided, the Planning Director shall give public notice of said decision within ten (10) days of expiration of the forty-five (45) days following the council hearing.

g. Requirements for Approval by Three-fourths Vote

The affirmative vote of three-fourths of the members of the City Council is required for approval of a proposed Special Use Permit if:

i. The proposed Special Use is protested in writing by the owners of at least 20% of the area of land that is either included in the proposed zoning classification or at least twenty percent (20%) of the area of land immediately adjoining the area included in the proposed zoning classification and extending 200 feet from that area. In computing the percentage of land area, the area of streets and alleys shall not be included in the computation.

ii. Written protests must be received by the City Manager no later than 12:00 p.m. of the previous business day prior to the posted date and time for the zoning hearing on the city council's agenda.

- iii. If the written protests appear to be at least twenty percent (20%) of either the area of the lots or land covered by the proposed change or the area of the lots or land immediately adjoining the area covered by the proposed change and extending two hundred (200) feet there from, the applicant shall be entitled to, but is not required to, request a continuance if all members of the City Council are not present.

6. Subsequent Applications

- a. When an application has been withdrawn

An application for a SUP may be withdrawn at any time. If the application has been advertised in compliance with State Law, an application requesting substantially the same use on all or part of the same described land shall not be reconsidered within three months of withdrawal.

- b. When an application has been denied

In the event that the City Council denies an application for a Special Use Permit, a similar application shall not be refiled within one year from the date of the denial, unless the Planning and Zoning Commission, upon petition by the applicant, determines that significant physical, economic or land use changes have taken place within the immediate vicinity, or a significant zoning regulation text change has been adopted, or when the reapplication is for a different use than the original request. The applicant shall submit a statement in detail setting out those changes which he or she deems significant and upon which he or she relies for refiled the application.

7. Scope of Approval

- a. Once a SUP has been granted, the approved use may only be enlarged, extended, increased in intensity or relocated under the conditions of a major or minor amendment, unless, in approving the initial application for a SUP the City specifically established an alternative procedure for future expansion or enlargement. The provisions for nonconforming uses and vested rights do not supersede this requirement, unless the specially permitted use is no longer a use permitted by right or as a special use in the assigned zoning category.
- b. The terms of approval shall be set by City Council. Special Use Permits are granted to the property, and not to the landowner. Therefore, the Permit shall be transferable upon sale.

8. Expiration of Approval of Special Use Permits

- a. A Special Use Permit shall automatically lapse and become null and void if:
 - i. the applicant fails to satisfy any condition that was imposed as part of the approval of the SUP or that was made under the terms of any development agreement, within the time limits established for satisfaction of such condition or term;
 - ii. the applicant fails to submit a subsequent development application required by the Code within the time so required. If no time limit for satisfaction of conditions is specified in the decision on the development application, the time shall be presumed to be one year from the date the decision was made;
 - iii. the Special Use involves physical improvements that have not been substantially initiated within one (1) year of the date of approval or authorization approval of the SUP;
 - iv. after starting construction, the construction is discontinued for a period of one (1) year or more; or
 - v. No physical improvements are made, and a Certificate of Occupancy is not issued for the Special Use within two (2) years of the date of approval or authorization.
- b. Effect of Expiration

- i. No Certificate of Occupancy shall be issued after approval lapses unless the approval or authorization is renewed.
 - ii. No physical improvements shall be made after approval lapses unless the approval or authorization is renewed.
 - iii. Upon the expiration of a SUP, all previously approved permits for the same land also shall expire on the expiration date if (1) the expired permit is subordinate to such previously approved permits and (2) the filing of an application for or approval of the expired permit was required to avoid expiration for the previously approved permit or permits. Thereafter, a new application for each permit deemed expired under this Section must be approved subject to regulations in effect at the time the new application is accepted for filing.
- c. Renewal after lapse

The City Council may renew its approval of a SUP for which approval has lapsed, provided that no more than one (1) year has elapsed since the date of expiration of the original approval or, in the case of discontinuance of work, since the date of discontinuance. Renewal shall require formal action, but it shall not require public notice or hearings. Renewal shall have the same effect as the original approval. If no renewal is granted with the one-year period allowed for renewals, the original approval shall be void and no further effect. Occupancy Permits shall be automatically renewed coincidentally with and for the same time periods and limitations as prescribed for SUP renewals.

9. Minor SUP Amendments

A SUP amendment is a request for any enlargement, expansion, increases in intensity, relocation, or modification of any condition of a previously approved and currently valid SUP. Amendments shall be processed as follows: shifts in on-site location and changes in size, shape, intensity, or configuration of less than 5 percent, or a 5 percent or less increase in either impervious surface or floor area over what was originally approved, may be authorized by the Planning Director, provided that such minor changes comply with the following criteria:

- i. No previous minor modification has been granted pursuant to this section;
- ii. There will be no detrimental impact on any adjacent property caused by significant change in the appearance or use of the property or any other contributing factor;
- iii. Nothing in the currently valid SUP precludes or otherwise limits such expansion or enlargement; and
- iv. The proposal conforms to all applicable requirements of Title XV and is in keeping with the spirit and intent of the Comprehensive Master Plan.

10. Major SUP Amendments

All amendments, other than those amendments provided for in this Section, shall be considered major SUP amendments and shall require approval in the same manner and under the same procedures as are applicable to the issuance of the original SUP approval.



AGENDA ITEM SUMMARY

Agenda Date	April 7, 2025
Requested Action	Discuss future land use and proposed development of 727A Johns Road. This item is being presented for discussion and direction only.
Contact Person	Francesca Linder, AICP, Assistant Planning Director (830) 248-1528 flinder@boerne-tx.gov
Background Information	<p>BACKGROUND:</p> <p>The city has received an annexation and initial zoning request for a 6.46-acre parcel of land located at 727A Johns Road. The property is owned by Dennis Spinelli and Carter Feldhoff, Centerline Engineering and Consulting, is the applicant.</p> <p>The property is designated as Transitional Residential on the Future Land Use Map. The proposed zoning is R3-D - Duplex Residential Zoning District</p> <p>The purpose of this item is to discuss the proposed development with the Commission prior to holding a public hearing on the proposed zoning. This item is being presented for information and discussion only. No action will be taken.</p> <p><i>Future Land Use, Zoning, and Adjacent Land Uses</i></p> <p>The property is designated as Transitional Residential on the Future Land Use Map (FLUM). Transitional Residential areas are designed for higher-density housing with a mix of housing types, distinct from lower-density Neighborhood Residential. These areas are auto-oriented, with streets, driveways, parking, and garages as dominant features. They serve as a buffer between Neighborhood Residential and more intensive nonresidential uses.</p> <p>The following chart identifies the adjacent land use designation, zoning, and land use surrounding the property.</p> <p>Appropriate primary land uses include:</p>

- Single-family attached residential, multi-family, personal care, and parks.

Secondary land uses include:

- Assembly use, single-family detached, bed and breakfast, and accessory dwelling units.

Adjacent Land Designations & Use			
<i>Direction</i>	<i>FLUM</i>	<i>Zoning</i>	<i>Use</i>
North	Transitional Residential	R4-L (Low Density Multi-Family Residential)	Multi-Family (171 Units)
East	Public & Institutional and Transitional Residential	CIV (Civic and Institutional)	Fabra Elementary School
South	Neighborhood Residential	R2-M (Moderate Density Residential)	The Villas at Hampton Place
West	Auto-Oriented Commercial	C3 (Community Commercial)	Vacant

The Comprehensive Master Plan states that duplex lots, attached lots, and multi-dwelling lots can be appropriate, if the development achieves the “... envisioned character of the area”. The Comprehensive Master Plan also states that “New neighborhoods should be designed in a manner that buffers lower density uses from more intense uses and should be required to have at least two points of access to a collector roadway or greater in functional classification.” It should be noted, that that this parcel (in context of this plan) is an infill development and not a “new neighborhood”.

Existing Constraints

This parcel does have an environmental constraint, a significant Drainageway Protection Zone (DPZ) running east-west through the center of the property (approx. 1 acre). This is not accurately shown in the City’s GIS layer, due to this, the attached environmental constraint map does not accurately illustrate this constraint.

The parcel has access to right-of-way on its southern boundary at the Hampton Way cul-de-sac. This is a local neighborhood street within The Villas at Hampton Place. There is a private cross – access road along the

	<p>western boundary of this parcel, however, the current agreement only allows for a 25-feet wide access for this parcel. The applicant will be required to show legal use of this easement. In 2024, the city amended the Unified Development Code to increase the fire access requirement to 26-feet wide.</p> <p>Additionally, the parcel is currently occupied by a historic structure. Any proposal to move, modify, or demolish will require approval from the Historic Landmark Commission.</p> <p><i>Proposed Development</i></p> <p>The property owner is interested in developing the property and has petitioned the City for annexation and R3-D - Duplex Residential Zoning District. Their current draft proposal includes 34 lots with the intent of constructing duplexes (total of 34 dwelling units on site). They are also proposing to move the historic structure but keep it within the parcel.</p>
Strategic Alignment	<p>C1 – Offering quality customer experiences.</p> <p>C3 – Collaborating with community partners to enhance quality of life.</p>
Financial Considerations	N/A
Citizen Input/Board Review	Public hearings and notifications are not required for this discussion item.
Legal Review	No action is required for this discussion item.
Alternative Options	No action is required for this discussion item.
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>

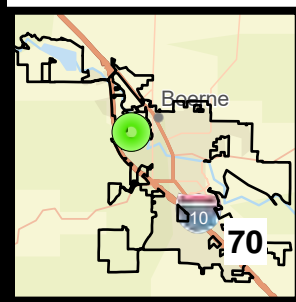
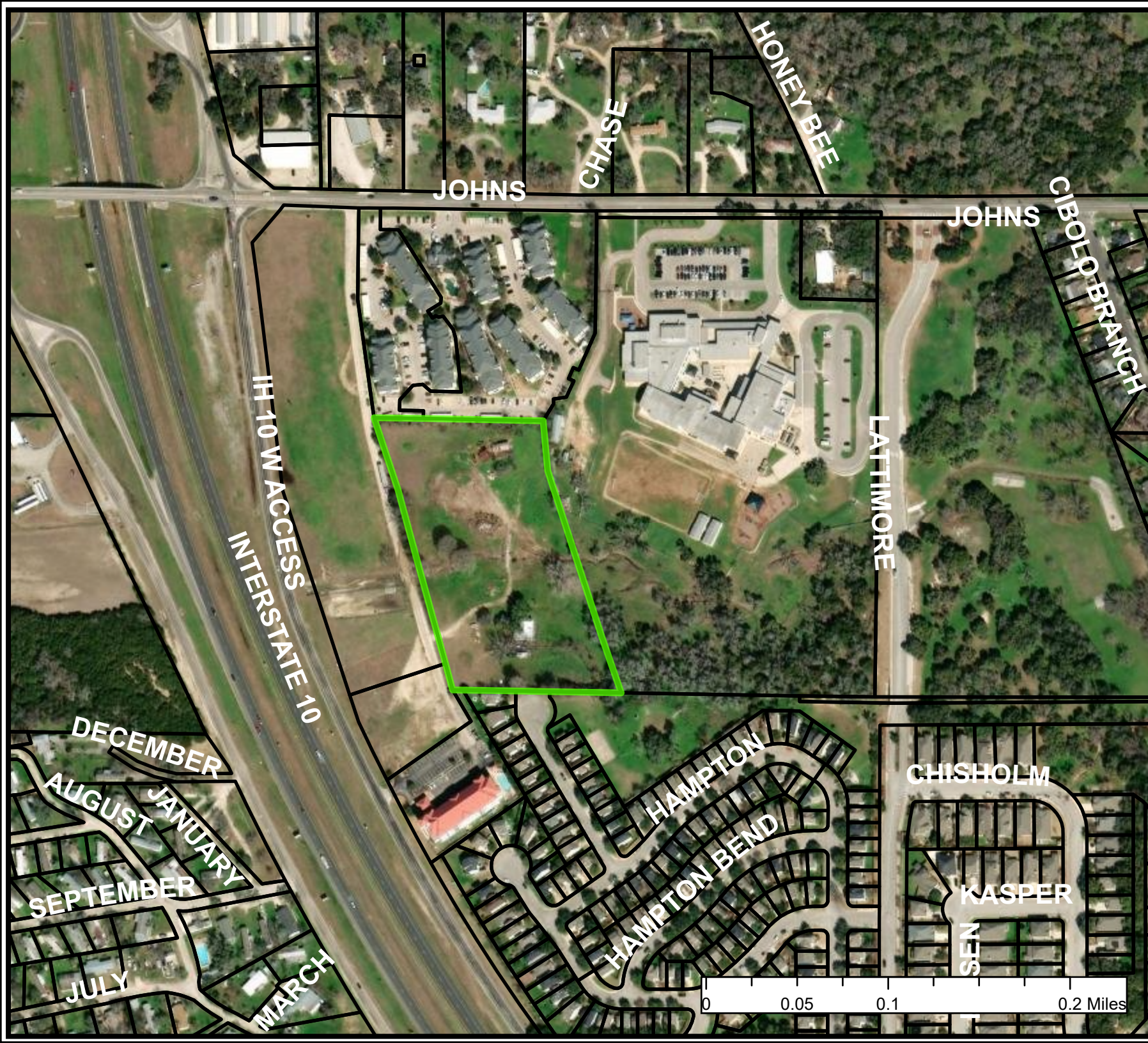


SUBJECT PROPERTY

727A Johns Rd.

Legend

-  SUBJECT PROPERTY
-  Parcels



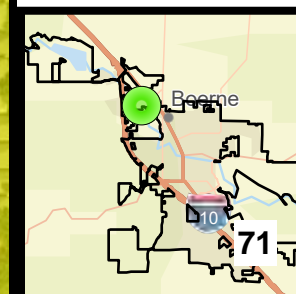
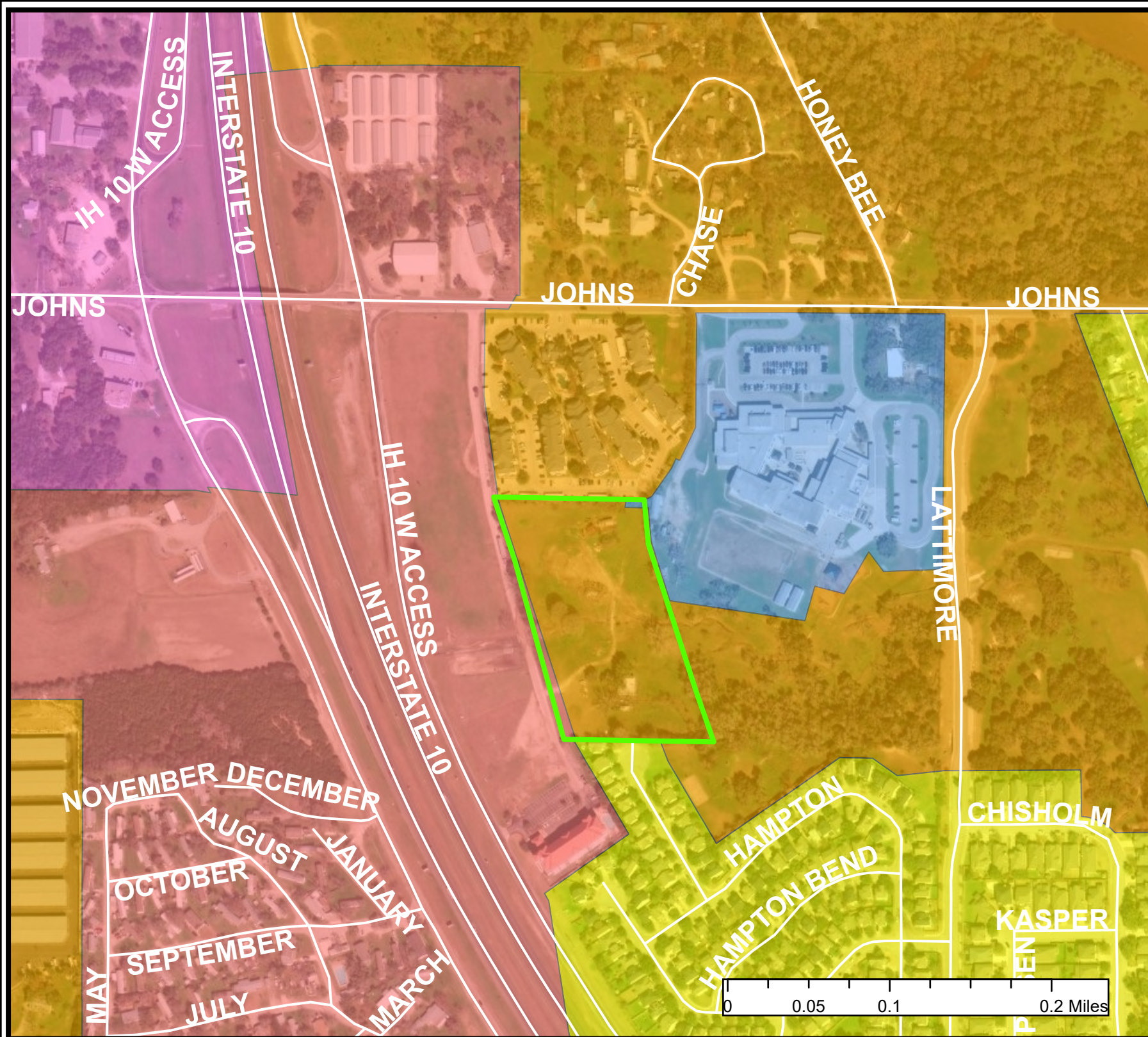


SUBJECT PROPERTY

727A Johns Rd.

Legend

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





SUBJECT PROPERTY
727A Johns Rd








Current Zoning
None

Proposed Zoning
R3-D



Legend

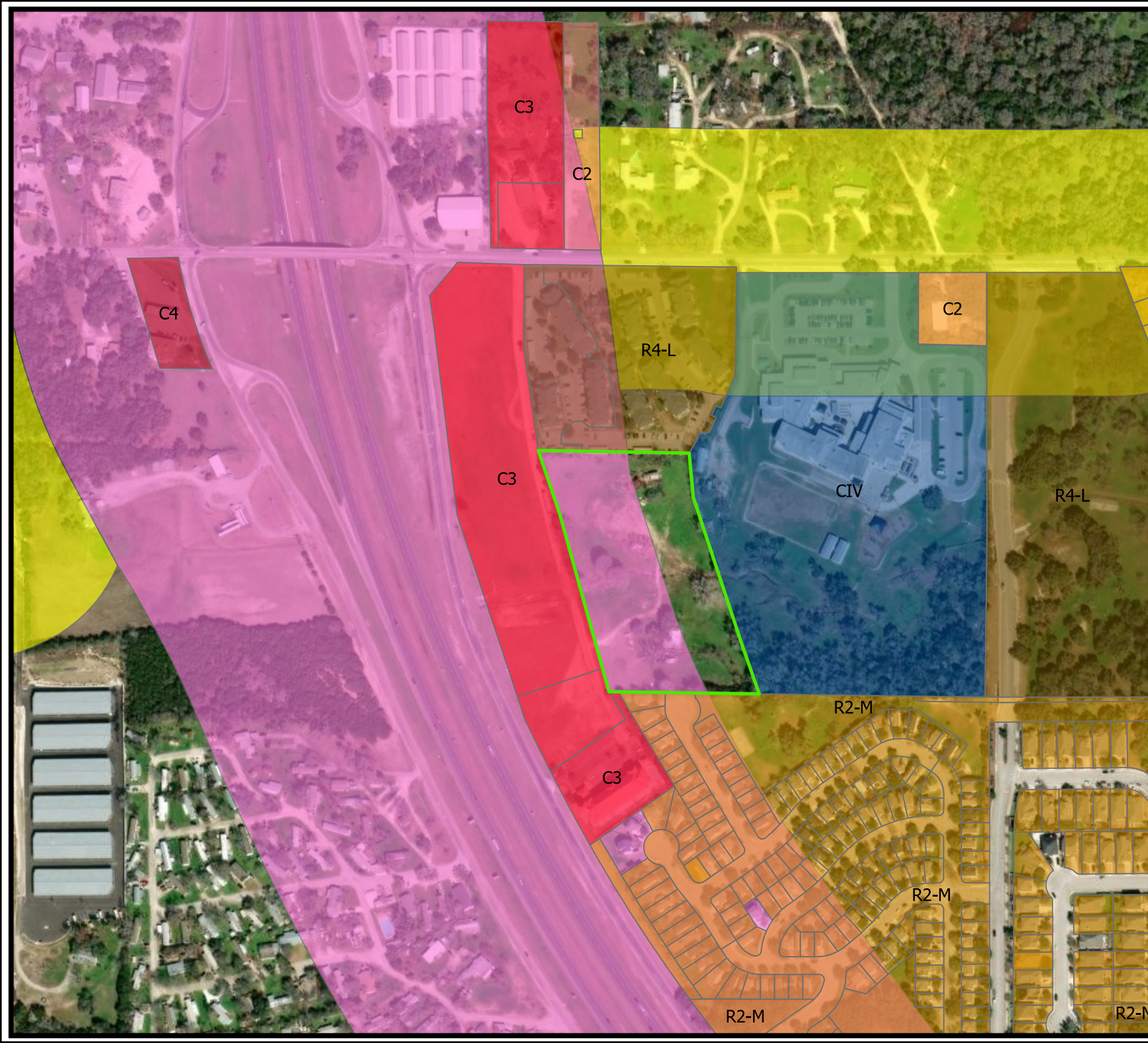
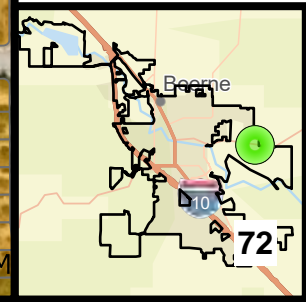
 SUBJECT PROPERTY

Boerne Zoning

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

Overlay Districts

-  Entrance Corridor
-  Scenic Interstate Corridor










SUBJECT PROPERTY

727A Johns Rd.

Legend

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

