



Texas Department of Housing and Community Affairs

Governing Board

Board Action Request

File #: 1198

Agenda Date: 11/6/2025

Agenda #:

Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application for Bluffview at Frederick Creek (HTC #22457)

RECOMMENDED ACTION

WHEREAS, Bluffview at Frederick Creek (the Development) received a 4% Housing Tax Credit (HTC) award in 2022 to construct 192 units of multifamily housing in Boerne, Kendall County;

WHEREAS, Roers Boerne Apartments Owner LLC (Development Owner or Owner) requests approval to decrease the size of the Development site from 10.05 acres to 7.26 acres, due to the dedication of 2.79 acres to meet parkland requirements, which results in a 38.43% increase in residential density from 19.104 units per acre to 24.446 units per acre;

WHEREAS, Board approval is required for a modification of the residential density of at least 5% as directed in Tex. Gov't Code §2306.6712(d)(6) and 10 TAC §10.405(a)(4)(F), and the Owner has complied with the amendment requirements therein; and

WHEREAS, the requested change does not materially alter the Development in a negative manner, was not reasonably foreseeable or preventable by the Applicant at the time of Application, and would not have adversely affected the selection of the Application;

NOW, therefore, it is hereby

RESOLVED, that the requested material amendment of the Application for Bluffview at Frederick Creek is approved as presented at this meeting, and the Executive Director and his designees are each authorized, directed, and empowered to take all necessary action to effectuate the Board's determination.

BACKGROUND

Bluffview at Frederick Creek received a 4% Housing Tax Credit award in 2022 to construct 192 units of multifamily housing in Boerne, Kendall County. Construction of the Development is nearing completion, and a request for drafting of the Land Use Restriction Agreement (LURA) is currently being processed by the Department. During the drafting of the LURA, it was determined that a greater than 5% change in residential density had occurred since the representation at initial Application, and in a letter received as of September 19, 2025, Brian J. Roers, the representative for the Development Owner, requested approval to modify the total acreage to represent the actual size of the Development site due to the dedication of a parcel

of land as parkland.

At the time of Application, the original Development site was identified as 10.05 acres, but the final area of the Development site is 7.26 acres. The difference between the acreage at Application and the final acreage is entirely attributable to a parkland dedication identified on the plat recorded in the records of Kendall County on October 24, 2023. As a result, the residential density changed from 19.104 to 24.446 units per acre, which represents an increase of 38.43%, requiring approval by the Board under Tex. Gov't Code §2306.6712(d)(6) and 10 TAC §10.405(a)(4)(F).

While technically the density increased due to the acreage of the Development site shrinking, none of the private living areas have become denser. The building spacing, public use areas, number of units, play areas and parking areas should remain the same as represented at application. The enclosed table compares the site plan of the Development at Application and the recorded plat showing the parkland designation as mostly overlapping the undevelopable FEMA flood zone.

The requested amendment does not materially alter the Development in a negative manner and would not have affected the selection of the Development for the HTC award.

Staff recommends approval of the requested material amendment to the Application, and if approved, the LURA will be recorded to reflect the acreage as platted.

Material Alterations as defined in Texas Gov't Code §2306.6712(d)(6) and 10 TAC §10.405(a)(4)(F)
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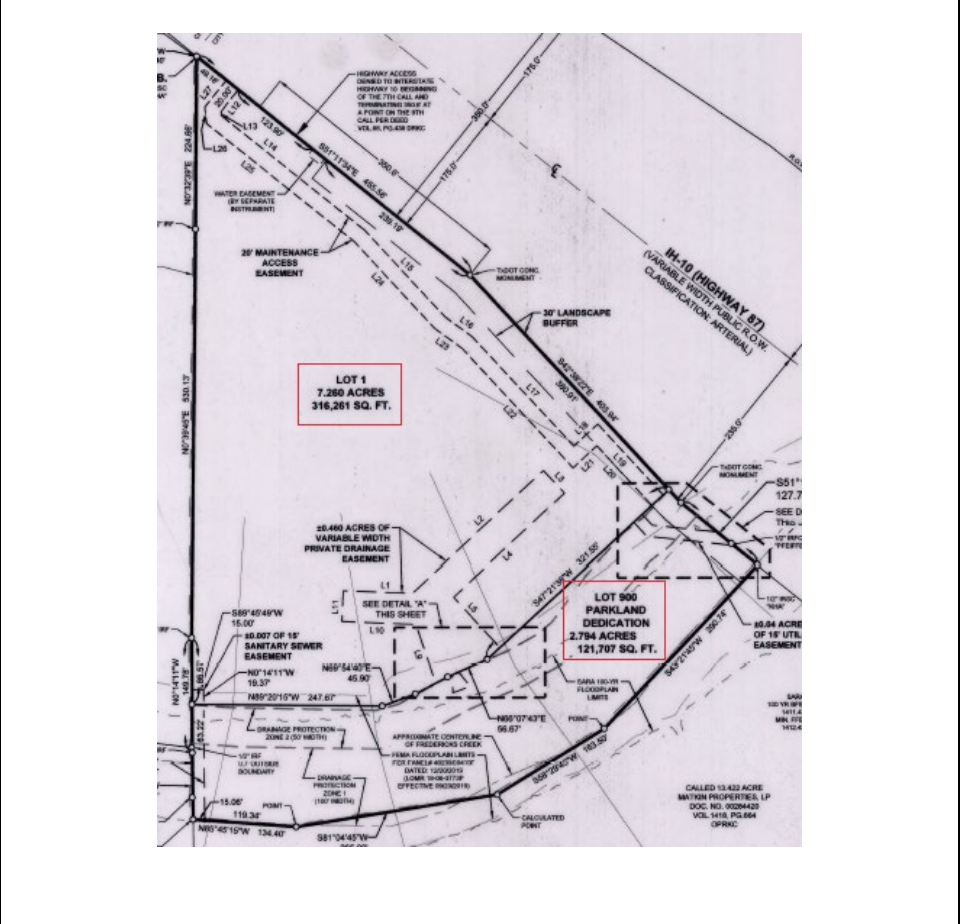
Application

Density: 19.104 units/acre (192 units on a 10.05-acre tract)



Amendment

Density: 24.446 units/acre (192 units on a 7.26-acre tract)





Two Carlson Parkway | Suite 400 | Plymouth, MN 55447

roerscompanies.com

Texas Department of Housing and Community Affairs
221 E 11th St # 400
Austin, TX 78701

Re: Material Amendment to Application Request – Roers Boerne Apartments Owner LLC – File #22457

To whom it may concern:

Please use this letter as evidence of our formal request for a material amendment to application request due to a modification of the residential density of at least 5%. This is due to the dedication of 2.794 acres as identified in the recorded plat which was not submitted at the time of application. The dedication was a city requirement to meet parkland requirements. Because the project unit count did not change from 192 total units, this dedication resulted in the application density of 19.2 units/acre being increased to 26.4 units/acre, exceeding the 5% threshold.

The material amendment fee of \$2,500 is enclosed in this request as well.

Please let us know of any questions on this request.

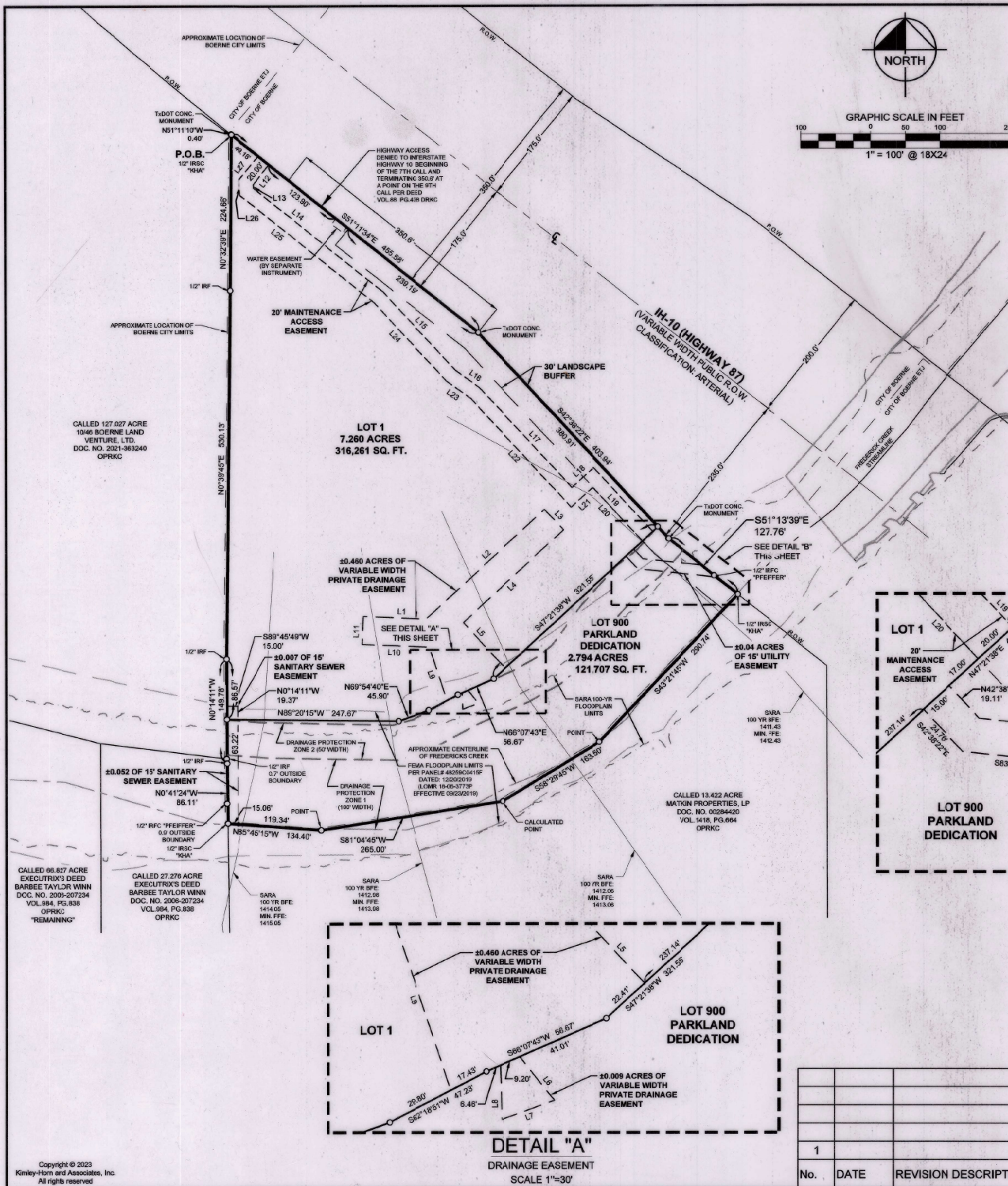
Sincerely,

Roers Boerne Apartments Owner LLC,
a Minnesota limited liability company

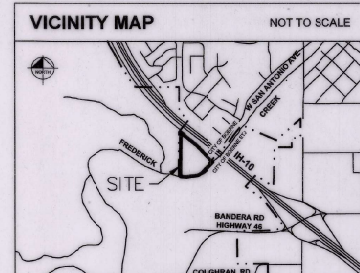
By: Roers Boerne Apartments Managing Member LLC,
a Minnesota limited liability company
Its: Managing Member

Brian J. Roers
Authorized Signer



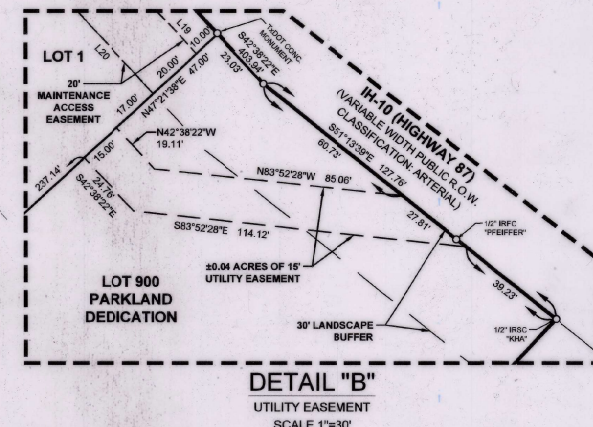


LINE TABLE		
NO.	BEARING	LENGTH
L1	S87°38'22"E	90.51'
L2	N47°21'38"E	231.98'
L3	S42°38'22"E	40.00'
L4	S47°21'38"W	196.25'
L5	S42°38'22"E	89.00'
L6	S38°51'01"E	24.01'
L7	S69°54'40"W	24.15'
L8	N01°39'39"W	23.37'
L9	N18°23'22"W	80.83'
L10	N67°38'22"W	96.57'
L11	N02°11'38"E	40.00'
L12	S38°48'26"W	36.72'
L13	S06°11'34"E	5.01'
L14	S51°11'34"E	239.78'
L15	S42°38'22"E	153.78'
L16	S53°53'22"E	44.02'
L17	S42°38'22"E	194.01'
L18	N47°21'38"E	42.50'
L19	S42°38'22"E	125.45'
L20	N42°38'22"W	105.45'
L21	S47°21'38"W	42.50'
L22	N42°38'22"W	212.04'
L23	N53°53'22"E	44.02'
L24	N42°38'22"W	154.25'
L25	N51°11'34"W	246.57'
L26	N06°11'34"W	21.57'
L27	N38°48'26"E	45.00'



LEGEND	
IRSC	5/8" IRON ROD W/ "KHA" CAP SET
IRP	IRON ROD FOUND
DRKC	DEED RECORDS OF KENDALL COUNTY
OPRC	OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY
SARA	SAN ANTONIO RIVER AUTHORITY
FEMA	FEDERAL EMERGENCY MANAGEMENT AGENCY
BFE	BASIS FLOOD ELEVATION
FPE	FINISHED FLOOR ELEVATION

LINE TYPE LEGEND	
---	BOUNDARY LINE
---	EASEMENT LINE
---	DRAINAGE PROTECTION ZONES
---	APPROXIMATE CENTERLINE OF FREDERICK CREEK
---	SARA 100-YR FLOODPLAIN LIMITS (LIMITS OF THE DRAFT 1% ANNUAL CHANCE FLOODPLAIN AS SHOWN IN THE MODEL PREPARED BY SAN ANTONIO RIVER AUTHORITY AND SUBMITTED TO FEMA FLOODPLAIN LIMITS AS SHOWN AT TIME OF PLAT SUBMITTAL DATED 09/09/2023)
---	FEMA FLOODPLAIN LIMITS
---	APPROXIMATE LOCATION OF BOERNE CITY LIMITS



BLUFFVIEW MULTI-FAMILY MAJOR SUBDIVISION PLAT 10.054 ACRES

BEING A 10.054 ACRE TRACT OF LAND SITUATED IN THE A. LOCKMAR SURVEY NO. 178, ABSTRACT NO. 311, CITY OF BOERNE ETJ, KENDALL COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN 10.054 ACRE TRACT OF LAND DESCRIBED IN INSTRUMENT TO ROERS BOERNE APARTMENTS OWNER, LLC, RECORDED IN DOCUMENT NO. 2022-375598, OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY.

Kimley»Horn

10101 Reunion Pl, Suite 400
San Antonio, Texas 78216

Tel. No. (210) 541-9166
www.kimley-horn.com

FIRM # 10193973

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	TGC	JGM	10/12/2023	069296301	2 OF 2