

**City of Kerrville Planning & Zoning Commission Agenda
Thursday, September 18, 2008, 4:30 p.m.**

City Hall City Council Chambers, 800 Junction Highway, Kerrville, TX

The meeting place has wheelchair accessibility and available accessible parking spaces. Please call the City of Kerrville Planning Division at (830) 792-8354 forty-eight hours (72) before the meeting to request accommodations.

Page

1. **4:30 p.m. Call to Order**
Chairperson calls the meeting to order; roll call.

2. **Visitor/Citizens' Forum**
Any person with business not scheduled on the agenda is encouraged to briefly speak their ideas to the Commission. Please fill out the SPEAKER REQUEST FORM and give it to the Commission's Secretary prior to the meeting. The number of speakers will be limited to the first ten speakers and each speaker is limited to three minutes. (No formal action can be taken on these items as the Open Meetings Act requires formal action items be posted on an agenda no later than 72 hours before the meeting. If formal action is required, the items will be placed on an agenda for a future meeting.)

3. **Consent Agenda**
All items listed below in the consent agenda are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a Commissioner or citizen so requests; in which case the item(s) will be removed from the consent agenda and considered separately.
 - 3A. **Approve the minutes from the meeting of September 4, 2008.** 3
 - 3B. **Final Plat: Villas at the Park, Phases 2-5** – A plat of part of Lot 1, Block 2, Mesa Park, 3.09 acres for residential development located at Singing Wind Drive and Bridle Path. Zoned: R-3. Applicant: Voelkel Engineering and Surveying. (File No. 2007-46) 6

4. **Public Hearing**
 - 4A. **Residential Replat: J.A. Tivy Addition** – A replat of part of Lots 10 and 11 and Lot 12, Block 74, J.A. Tivy Addition located at 404, 410 and 416 Ross Street. Zoned: R1A. Applicant: Roederer Surveying. (File No. 2008-44) 7
 - 4B. **Replat: Dunn Addition** – A replat of Lot 2, Block 1, Dunn Addition located at 2101 Junction Hwy (SH 27). Zoned: W-2. Applicant: Voelkel Engineering and Surveying. (File No. 2008-45) 8
 - 4C. **Development Site Plan: Songbird Ridge** – A request to amend the development site plan for a twenty-one (21) lot, 2.25 acre duplex development located on the south side of Pinto Trail between Tomahawk Trail and Bow Lane as approved by Resolution No. 010-2008. Zoned: RC. Applicant: Voelkel Engineering and Surveying. (File No. 2008-42) 10
 - 4D. **Conditional Use Permit (CUP) Request** – A request for a CUP to allow a Wireless Telecommunication Facility (WTF) transmitting antenna on a 0.26 acre tract located at 604 Junction Hwy (SH 27). Zoned: W-10. Applicant: Rose Radio Munbilla-Kerrville. (File No. 2008-41) 17

5. **Actions Items**
 - 5A. **Preliminary Plat: Songbird Ridge** – A twenty-one (21) lot, 2.25 acre duplex development located on the south side of Pinto Trail between Tomahawk Trail and Bow Lane. Zoned: RC. Applicant: Voelkel Engineering and Surveying. (File No. 2008-43) 20

6. Staff Reports

6A. Future Agenda Items. Applicant: Senior Planner

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7. **Adjourn** - The next scheduled meeting is Thursday, October 2, 2008.

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 3A **FOR AGENDA OF:** September 18, 2008
DESCRIPTION: Approval of minutes of September 4, 2008.
APPLICANT(S): Planning and Zoning Commission Secretary
ATTACHMENT(S): Minutes

MEMBERS PRESENT:

Jim Kessler, Vice Chair
Harold Buell, Commissioner,
T. Justin MacDonald, Commissioner

MEMBERS ABSENT

Andy Phillips, Chair
George Hager, Commissioner

COUNCIL LIAISON PRESENT

Bruce Motheral, Council Liaison

STAFF PRESENT:

Kevin Coleman, Director of Development Services
Gordon Browning, Senior Planner
Trina Ramirez, Planning and Zoning Commission Secretary

1. CALL TO ORDER:

On September 4, 2008, the Kerrville Planning and Zoning Commission regular meeting was called to order at 4:30 p.m. in the City Hall Council Chambers, 800 Junction Highway.

2. VISITOR/CITIZENS FORUM:

3. CONSENT AGENDA

3A. Approval of the minutes from the meeting of August 21 2008.

Cmr. MacDonald moved for approval of the minutes; subject to minor changes; motion was seconded by Cmr. Buell and passed 3-0.

4. PUBLIC HEARING

4A. Replat: Oakridge Addition – A replat of Lots 1 and 2, Oakridge Addition, located at the south corner of Loop 534 and Legion Drive. Zoned: E-29. Applicant: Texas Land Boundaries. (File No. 2008-36)

Cmr. Kessler opened the public hearing at 4:49 p.m.

Gary Bradenburg, Texas Land & Boundaries, explained to the Commission that Jim Applewhite is proposing to build a business on the Oakridge Addition and needs to reconfigure it to one lot to eliminate a dividing line that is currently on the property.

Cmr. Kessler closed the public hearing at 4:50 p.m.

Cmr. Buell moved for approval of the replat with the recommended action that staff has submitted; motion was seconded by Cmr. MacDonald and passed 3-0.

5. Actions/Discussion Items

5A. **Preliminary Plat: OLH Subdivision** – A three (3) lot, approximately 74.57 acre tract located between SH 27 and Peterson Farm Road, northwest of Splitrock Road. Zoned: PDD (No. 01-20). Applicant: Domingues and Associates. (File No. 2008-39)

Mr. Browning presented the finding of facts to the Commission.

Cmr. MacDonald moved for approval of the staff recommendations; motion was seconded by Cmr. Buell and passed 3-0.

5B. **Concept Plan: Eagle Ridge** – Review and discuss a proposed single family development on approximately 11.03 acres in the ETJ, generally located at the intersection of Rimrock Road and Blue Sky Lane. Applicant: Guadalupe Survey Company. (File No. 2008-37)

Mr. Browning presented the finding of facts to the Commission.

Bruce Motheral, questioned the maximum unit size of 3600 square feet and wanted to know the reasoning.

Gordon Browning stated that Aqua Texas has difficulty providing adequate fire protection. The Fire Marshall worked with the developer and they agreed to fire sprinkle the homes and keep the square footage under 3600 square feet.

Bruce Motheral stated his concern that the County has raised their red flag issue concerning development in the ETJ. He also stated that this requirement is overboard and beyond what the City of Kerrville should be requiring because this is a private water system. Mr. Motheral stated that there is nothing out there that would allow us in a reasonable fashion to impose these restrictions on this development. Mr. Motheral also stated that this is an example of what is creating the problem between the City and County. The City needs to rethink having this developer be required to put in automatic sprinkler systems and limiting them to 3600 square feet and is this above and beyond what we should be doing.

Gordon Browning stated that subdivisions in the ETJ goes through our review process and that process requires that adequate fire service be provided per our subdivision ordinance. That is what we are imposing inside and outside the City Limits with they development.

Bruce Motheral stated that this issue if pursued in this manner is going to create more problems than it solves. We need to work with the County and we need to get these issues solved before we make our developers do something.

Cmr. MacDonald quested that if fire flow and the amount of water in the pipes is a concern would requiring automatic fire sprinklers in the residences really make that much of a difference, because it adds several thousands of dollars to the cost of the house.

Gordon Browning stated that the developer and the Fire Marshal have meet several time to work out this issue out and this is what the developer and the Fire Marshal have come up with.

Jack Frisina stated that after meeting with the Fire Marshal on several occasions the only stumbling block was the pressure on the water system and the Fire Marshal told him that if they must meet the water pressures which they can not do. They tried to dig a well and tie into Aqua Texas water to boost the pressure, but they can't do it because Aqua Texas has the only rights. The only solution that they could come up with was sprinkling the homes in the development. He also stated that he is not against sprinkling the houses and he thinks it is a great safety issue but it does add cost to the houses and some consumers might not like that they have to have it. He also stated that there is a side affect in that he will lose a percentage of his clients because of the required sprinkler system requirement. The developer stated that he is okay with the 3600 square feet and he will put in the sprinkler systems if required.

Kevin Coleman stated that 3600 square feet moves you from one threshold of pressure to another and anything bigger than that it rises to a different level of pressure to feed the fire suppression system, thus the 3600 square feet threshold.

6. STAFF REPORTS

6A. Future Agenda Items/Project Update. Applicant: Senior Planner.

6B. Director's Report. Applicant: Director of Development Services.

The Commission received an overview of the Sidewalk Master Plan as recently approved by the City Council.

7. Adjourn – The next scheduled meeting is Thursday, September 18, 2008.

The meeting adjourned at 5:06 p.m.

ATTEST:

Jim Kessler, Vice-Chair

Trina Ramirez, Recording Secretary

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 3B **FOR AGENDA OF:** September 18, 2008

DESCRIPTION: **Final Plat: Villas at the Park, Phases 2-5** – A part of Lot 1, Block 2, Mesa Park, 3.09 acres for residential development located at Singing Wind Drive and Bridle Path. Zoned: R-3. (File No. 2007-46)

APPLICANT(S): Voelkel Engineering and Surveying

ATTACHMENT(S): Plat

SUMMARY STATEMENT – FINDING OF FACT

History/Timeline:

- February 1, 2007 – Commission approves preliminary plat for Villas at the Park.
- June 7, 2007 – Final plat for Phase 1 approved by Commission.
- October 2, 2007 – Final plat for Phases 2-5 submitted for review, applicant later withdraws plat.
- August 16, 2008 – Final plat for Phases 2-5 submitted for review.
- September 3, 2008 – Development Review Committee (DRC) process completed.
- **September 18, 2008 – Consideration of final plat by Commission.**

Summary:

The final plat for Phases 2-5, Villas at the Park, is consistent with the approved preliminary plat.

RECOMMENDED ACTION

Staff recommends approval of the final plat for Villas at the Park, Phases 2-5.

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 4A **FOR AGENDA OF:** September 18, 2008

DESCRIPTION: **Residential Replat: J.A. Tivy Addition** – A replat of part of Lots 10 and 11 and Lot 12, Block 74, J.A. Tivy Addition located at 404, 410 and 416 Ross Street. Zoned: R1A. (File No. 2008-44)

APPLICANT(S): Roederer Surveying

ATTACHMENT(S): Plat

SUMMARY STATEMENT – FINDING OF FACT

Timeline:

- August 18, 2008 – Application for replat submitted to the City.
- September 3, 2008 – Development Review Committee (DRC) process completed.
- September 12, 2008 – Staff comments to applicant.
- **September 18, 2008 – Consideration of replat by Commission.**

Summary:

The proposed replat meets the requirements of the Subdivision Ordinance.

RECOMMENDED ACTION

1. Open the public hearing and receive comments, and
2. Approve replat as submitted.

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 4B **FOR AGENDA OF:** September 18, 2008

DESCRIPTION: Replat: Dunn Addition – A replat of Lot 2, Dunn Addition located at 2101 Junction Hwy (SH 27). Zoned: W-2. (File No. 2008-45)

APPLICANT(S): Voelkel Engineering and Surveying

ATTACHMENT(S): Plat

SUMMARY STATEMENT – FINDING OF FACT

History/Timeline:

- July 1989 – Final plat for Dunn Addition approved by the Commission.
- August 18, 2008 – Replat of Lot 2, Dunn Addition submitted for review.
- September 3, 2008 – Development Review Committee (DRC) process completed.
- September 12, 2008 – Staff comments to applicant.
- September 18, 2008 – **Consideration of replat by Commission.**

Summary:

- Purpose of replat is to divide Lot 2 into two (2) lots for development.
- Approval of the replat will allow the developer to seek approval of development and construction plans.
- Review of the final plat will be held until the LOMR has been approved and the floodplain boundary determined.

RECOMMENDED ACTION

1. Open the public hearing and receive comments, and
2. Approve the replat subject to the following conditions;
 - A. Plat should be titled, 'Dunn Addition, Block 1, Lots 2R and 3, a replat of Lot 2, Block 1'.
 - B. Show rights-of-way for Arcadia Loop and SH 27.
 - C. Show existing KPUB line and guy-wire along SH 27 in an easement.
 - D. Show entire 10-foot KPUB easement along SH 27 as a City of Kerrville Sanitary Sewer Easement.
 - E. Provide two (2) corners set to the State Plane Coordinate System (NAD 83) and one (1) corner located with respect to a corner of the original survey.
 - F. Provide all necessary signature blocks on the final plat for recording to include franchise utilities and Kerr 911.
 - G. Add the note; This tract is zoned W-2, see the City of Kerrville Zoning Code for uses and setbacks.

- H. Any additions and/or alterations to the engineering plans and/or plat as may be required by the City Engineer.
- I. Conformance with the Parkland Dedication Ordinance as may apply, and
- J. With the submittal of the final plat, show the FEMA case number when the revised floodplain/floodway line is approved.

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 4C **FOR AGENDA OF:** September 18, 2008

DESCRIPTION: **Development Site Plan: Songbird Ridge** – A request to amend the development site plan for a twenty-one (21) lot, 2.25 acre duplex development located on the south side of Pinto Trail and Tomahawk Trail and Bow Lane as approved by Resolution No. 010-2008. Zoned: RC. (File No. 2008-42)

APPLICANT(S): Voelkel Engineering and Surveying

ATTACHMENT(S): Location Map, Development Site Plan, Draft Resolution

Background/Proposal:

The applicant has submitted an amended site plan for the Songbird Ridge duplex development. The amendment affects the lot layout and access to Lots 17-21 of the approved/proposed development. The purpose for the realignment is to provide adequate stormwater detention for the development as required by the drainage study.

As stated, the applicant is proposing to amend the twenty-one (21) lot duplex development as approved by Resolution No. 010-2008. The amended site plan submitted provides the general layout of the proposed development as well as 'typical' plot plans for the proposed development and provides the information outlined in the Zoning Code for the subject development.

RC – Residential Cluster District:

The primary purpose of the RC Residential Cluster District is to permit the development of a mix of residential uses, including, but not limited to, single-family detached dwellings, zero lot line "Garden Homes", and townhouses, subject to certain development regulations that ensure better compatibility of different types of uses within the same zone, such as required buffer areas, screening fences, street layout and/or landscaping.

The procedure for approval of a Development Site Plan or any amendment thereto shall be the same as for the adoption of a Conditional Use Permit. Any amendment to a Development Site Plan shall be approved in the same manner as the original development site plan.

Informational Comments/Notes:

Approval of a Development Site Plan does not constitute approval of a preliminary plat. Prior to submittal of a preliminary plat the development site plan must be approved by the Planning and Zoning Commission and the City Council and a copy of the resolution adopting the development site plan shall be filed in the official records of the County Clerk of Kerr County, Texas. The resolution number and the date of adoption must be noted on both the preliminary plat and final plat in addition to any other development restrictions as deemed necessary.

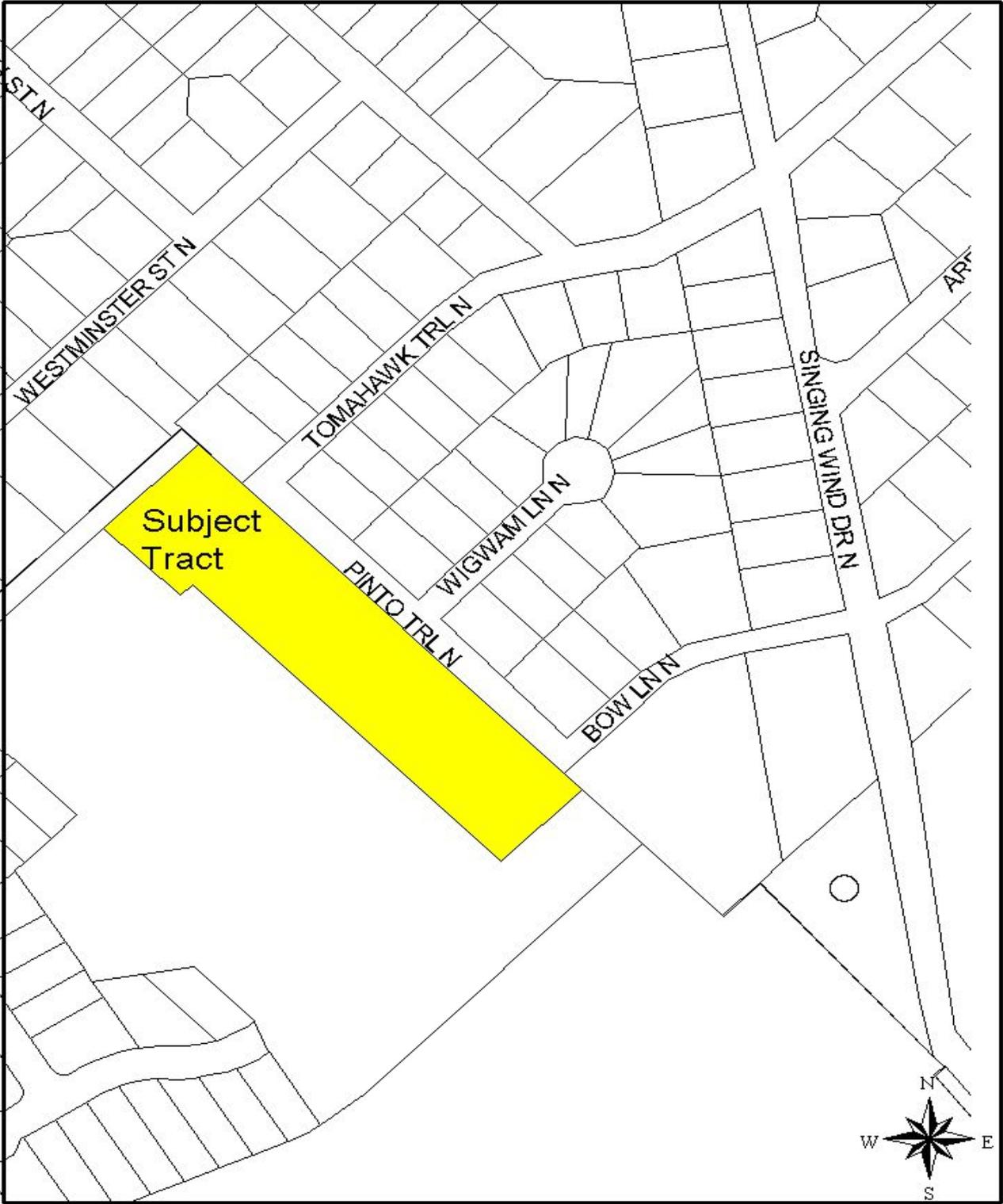
The applicant should consider the following in preparation of the preliminary and final plats and accompanying engineering plans;

- No parking will be allowed on the north side of Pinto Trail. (Signs shall be posted)
- The proposed private drive shall be marked as a Fire Lane. No parking on this private drive shall be allowed.

After review of the amended development site plan submitted and review of the existing and proposed development in the area, staff finds that the use proposed is compatible with the area and recommends approval as submitted.

RECOMMENDED ACTION

1. Open the public hearing and receive comments, and
2. Recommend to the City Council approval of the amended Development Site Plan and attached Resolution for Songbird Ridge.



HEARN ENGINEERING, INC.

3000 Joe DiMaggio Blvd., #25 • Round Rock, Texas 78665 • Telephone (512) 310-0176 • FAX (512) 244-7316

August 20, 2008

Gordon Browning, Senior Planner
City of Kerrville
800 Junction Highway
Kerrville, TX 78028

RE: Songbird Ridge Subdivision Detention

Dear Mr. Browning:

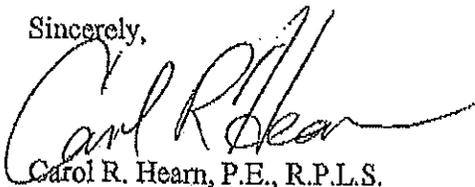
The purpose of this letter is to address the realignment of Lots 18-21 and the adjacent 25 foot wide private drive.

The property slopes generally from east to west with the original alignment of the referenced lots fronting on the east side along a private drive. One lot was proposed for the detention facility. The difference in elevation from the front of the lot to the rear of the lot is in excess of five (5) feet. Therefore a large portion of the lot was utilized in sloping from existing ground down to the proposed top of berm elevation for the pond. To generate enough storage volume, it would require at least two lots oriented in the east/west direction.

The difference in elevation of the north/south oriented lots is three (3) feet. By orienting the lots generally north/south, we were able to generate the required storage volume within the area of one lot by taking advantage of the topography.

If you should have any questions or need any further information please contact me at (512) 310-0176.

Sincerely,



Carol R. Hearn, P.E., R.P.L.S.
Hearn Engineering, Inc.

cc: Lee Voelkel, Voelkel Engineering

Gordon Browning

From: Susan [suzanchristine@cox.net]
Sent: Friday, September 05, 2008 4:29 PM
To: Gordon Browning
Subject: songbird ridge

I am opposing the development project until such time as the impact of drainage in relationship to my property at 429 Westminster has been determined.

Susan Trump
3353 28th Street
San Diego, Ca 92104
619 291-9585

09/05/2008

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. -2008**

A RESOLUTION APPROVING AN AMENDMENT TO THE DEVELOPMENT SITE PLAN FOR AN APPROXIMATE 2.25 ACRE TRACT OF LAND OUT OF THE SAMUEL WALLACE SURVEY NO. 114, ABSTRACT NO. 348, KERR COUNTY, TEXAS, LOCATED IN A RESIDENTIAL CLUSTER "RC" ZONING DISTRICT AND ADJACENT TO PINTO TRAIL, SAID PROPOSED DEVELOPMENT TO BE KNOWN AS "SONGBIRD RIDGE"

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Kerrville, Texas, in compliance with the City Charter and state law, with reference to the approval of a development site plan for a duplex development located in Residential Cluster "RC" Zoning District under Title 11, Chapter I of the Code of Ordinances of the City of Kerrville, Texas, and the official zoning map adopted thereby, have given the requisite notices by United States mail, publication and otherwise; and after holding due hearings and affording a full and fair hearing to all of the property owners generally, and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body of the City of Kerrville, Texas, finds that the health, safety and general welfare will be best served by the approval of a development site plan for the property described in Section One hereof; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

That in accordance with Art. 11-I-10(c.)(2) of the Code of Ordinances of the City of Kerrville, Texas, the Development Site Plan, attached hereto and incorporated herein by reference as **Exhibit A**, is hereby approved with respect to the development of an approximate 2.25 acre tract of land out of the Samuel Wallace Survey No. 114, Abstract No. 348, Kerr County, Texas, said property being more particularly described in that certain application for approval of an amendment to the Development Site Plan for "Songbird Ridge," approved by the City of Kerrville Planning and Zoning Commission on September 18, 2008.

PASSED AND APPROVED ON this the _____ day of _____, A.D., 2008.

ATTEST:

Todd A. Bock, Mayor

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:

Michael C. Hayes, City Attorney

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 4D **FOR AGENDA OF:** September 18, 2008

DESCRIPTION: **Conditional Use Permit (CUP) Request** – Consideration of a recommendation to the City Council of a CUP request to allow a Wireless Telecommunication Facility (WTF) transmitting antenna on a 0.26 acre tract located at 604 Junction Hwy (SH 27). Zoned: W-10. (File No. 2008-41)

APPLICANT(S): Rose Radio Munbilla-Kerrville

ATTACHMENT(S): Location Map, Applicant's Request

Project Timeline:

- August 18, 2008 – Application for Conditional Use Permit (CUP) submitted to the City for review.
- August 29, 2008 – Notice of required public hearings mailed to affected property owners.
- September 3, 2008 – Notice of required public hearings published in The Kerrville Daily Times and the Development Review Committee (DRC) process completed.
- September 12, 2008 – Staff comments and recommendation to applicant.
- **September 18, 2008 – Public hearing before the Planning and Zoning Commission (P&Z) and consideration of a recommendation to the City Council.**
- October 14, 2008 – Public hearing before the City Council and action on the requested CUP.

CUP Process/Summary:

- Per the Zoning Code, a Wireless Telecommunication Facility (WTF) use in the W-10 District is an allowed land use only by Conditional Use Permit (CUP). A Wireless Telecommunication Facility (WTF) refers to a structure designed and constructed to support one or more antennas used by commercial wireless telecommunication or broadcasting facilities and including all appurtenant devices attached to it.
- As presented in the applicant's request and support materials, the applicant proposes to locate a Studio to Transmitter Link Tower (STL support structure) at the located listed above. The proposed 50-foot tower will be mounted on a concrete pad supported by brackets attached to the building near the roof and will support a 4-foot diameter grid style STL dish.
- As stated above, the installation of wireless telecommunication facility antennas require the approval, by Council, of a conditional use permit. In addition to the requirements of a CUP, the Wireless Telecommunication Facility ordinance sets out additional submittal, notification and review criteria for the approval of a CUP for a

Wireless Telecommunication Facility. The following additional factors shall be considered by the Planning and Zoning Commission and City Council when determining whether to grant a CUP for a Wireless Telecommunication Facility:

1. Height of the proposed tower.
 2. Proximity of the tower to residential structures and residential district boundaries.
 3. Nature of uses on adjacent and near by properties.
 4. Surrounding topography, tree cover and foliage.
 5. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.
 6. Proposed ingress and egress to the tower and its site.
 7. Availability of suitable existing towers, support structures or alternative technologies not requiring the use of towers or structures.
- Staff has reviewed the applicant's request pursuant to the development requirements and the CUP review criteria and recommends that the request be denied for the following reasons:
 1. Setbacks: The antenna structure is proposed to be 9 feet from the rear property line, see attached site plan.
 2. Proximity to Adjacent Structures: The antenna structure is proposed to be attached to the existing building.
 - The proposed request meets all other applicable development and review criteria for the requested use. In addition, the applicant has addressed each of the development requirements, including the two (2) listed above in their support material as part of their application.

RECOMMENDED ACTION

1. Open the public hearing and receive comments, and
2. Recommend to the City Council denial of the CUP request as submitted.

Should the Commission feel following the applicant's presentation, that the request could be approved as submitted and directs a resolution to that effect, staff would recommend that the following be considered:

- The approval consist of only one (1) antenna as shown in the request.
- That the location, height, size, style of tower be as shown on the site plan and support materials presented.



**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 5A **FOR AGENDA OF:** September 18, 2008

DESCRIPTION: **Preliminary Plat: Songbird Ridge** – A twenty-one (21) lot, 2.25 acre duplex development located on the south side of Pinto Trail between Tomahawk Trail and Bow Lane, Zoned: RC. (File No. 2008-43)

APPLICANT(S): Voelkel Engineering and Surveying

ATTACHMENT(S): Plat

SUMMARY STATEMENT – FINDING OF FACT

History/Timeline:

- January 22, 2008 – City Council approves a development site plan and adopts Resolution No. 010-2008 for the Songbird Ridge development.
- February 21, 2008 – Commission approves preliminary plat for Songbird Ridge based on approved site plan.
- August 18, 2008 – Applicant submitted amended Development Site plan and preliminary plat for review.
- September 3, 2008 – Development Review Committee (DRC) process completed.
- September 12, 2008 – Staff comments to applicant.
- **September 18, 2008 – Consideration of amended preliminary plat by Commission.**

Summary/Informational Comments:

- The amended preliminary plat is consistent with the amended Development Site Plan.
- Approval of the preliminary plat and/or final plat does not constitute construction approval, individual building permits will be required prior to development.
- The preliminary plat will expire one (1) year from date of approval.
- The 'private drive/fire lane/public utility easement' shown shall be marked as a 'Fire Lane', no parking shall be allowed.
- No parking will be allowed on the north side of Pinto Trail, signs shall be posted to ensure adequate fire access to this development.
- Municipal utilities exist to serve this development.
- It appears that there will be numerous street cuts required for the extension of utility services to serve this proposed development. As a result, the condition index of Pinto Trail will significantly decreased and should therefore be resurfaced by the developer as a condition of the engineering plan approval and subsequently final acceptance.
- Prior to final plat acceptance engineering plans must be submitted and approved by the City Engineer.

RECOMMENDED ACTION

Staff recommends conditional approval of the preliminary plat, subject to the following conditions;

1. Adoption of the Development Site Plan and Resolution by City Council.
2. Add the note: The 'private drive, fire lane, public utility easement' shown shall be marked and maintained as a "Fire Lane", no parking shall be allowed.
3. In the 'General Notes', provide the resolution number and recording information of the resolution which adopted and approved the development site plan.
4. Provide all necessary signature blocks on the final plat for recording to include franchise utilities and Kerr 911.
5. Any additions and/or alterations to the engineering plans or plat as may be required by the City Engineer, and
6. Conformance with the Parkland Dedication Ordinance, in the 'General Notes' indicate the method to be used to satisfy this requirement.

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 6A **FOR AGENDA OF:** September 18, 2008
DESCRIPTION: Future Agenda Items
APPLICANT(S): Gordon Browning, Senior Planner
ATTACHMENT(S):

The following items have been scheduled for the Commission's October 2, 2008 meeting.

Conditional Use Permit (CUP) Request – Consider a request for a CUP to allow a vehicle maintenance and repair facility on an approximately 0.43 acre tract located at 1321 Broadway. Zoned: C-17. Applicant: Donald Young for Action Automotive. (File No. 2008-48)

Planned Development District Site Plan – A request to amend the Planned development Site Plan for Ordinance No. 2004-19 as referred therein as Exhibit A and adopted on July 27, 2004 and located at 1433, 1421 and 1381 Junction Hwy. Zoned: PDD. Applicant: Vordenbaum Engineering Inc. (File No. 2008-51)

Residential Replat: J.A. Tivy Addition – A replat of Lots 12 and 13, Block 53, J.A. Tivy Addition located at 714 Everett Street. Zoned: RC. Applicant: Roederer Surveying. (File No. 2008-46)

Replat: Bank of the Hills – A replat of part of Lot 10, Block 2, G Street South located at 1015 Sidney Baker. Zoned: S-33. Applicant: M.W. Cude Engineers. (File No. 2008-47)

Replat: Cailloux Center Addition – A replat of Lots 149-164, Block 20 and Lots A, B, U and parts of Lots C and T, Block 17, J.D. Brown Addition located at the east corner of Main Street and Washington Street. Zoned: PDD and RT. Applicant: Texas Land Boundaries. (File No. 2008-49)