

**City of Kerrville Planning & Zoning Commission Agenda**  
**Thursday, July 16, 2009, 4:30 p.m.**  
**City Hall City Council Chambers, 800 Junction Highway, Kerrville, TX**

- |   | <u>Page</u> |
|---|-------------|
| <b>1. <u>4:30 p.m. Call to Order</u></b><br>Chair calls the meeting to order; roll call.  |             |
| <b>2. <u>Visitor/Citizens' Forum</u></b><br>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.) |             |
| <b>3. <u>Consent Agenda</u></b><br>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. <u>Approval of the minutes from the meeting of July 2, 2009</u>   | 3           |
| <b>4. <u>Public Hearing</u></b>   |             |
| 4A. <u>Sign Variance Request</u> – A variance to the Sign Regulations of the City of Kerrville to allow an existing sign to exceed the maximum allowed sign area of thirty-two (32) square feet by twelve (12) square feet for property located at 1900 Goat Creek Road. Zoned: RC. Applicant: First Christian Church. (File No. 2009-24)   | 6           |
| <b>5. <u>Final Plats</u></b>  |             |
| 5A. <u>Final Plat: Paseo De Paz</u> – A one (1) lot 7.62 acre tract located at 401 Clearwater Paseo. Zoned: PDD. Applicant: Ashley Surveying. (File No. 2009-25)  | 17          |
| 5B. <u>Final Plat: Overstreet Park</u> – A replat of Lots 2, 3 and 4, Block 1, Overstreet Park, a 2.64 acre tract located at 1433, 1421 and 1381 Junction Highway. Zoned: PDD. Applicant: Guadalupe Survey Company. (File No. 2009-23)  | 18          |
| 5C. <u>Final Plat: Palacios Del Guadalupe</u> – A one (1) lot, 10.91 acre tract located at 521 Guadalupe Street. Zoned: W-8. Applicant: Guadalupe Survey Company. (File No. 2009-19)  | 19          |
| <b>6. <u>Information and Discussion</u></b>   |             |
| 6A. <u>Concept Plan: Old River Road RV Park</u> – An approximately 100 acre tract located southwest of SH 27, accessed from Colvin Ranch Road and Center Point Drive. Zoned: ETJ. Applicant: Vordenbaum Engineering, Inc. (File No. 2009-20)  | 20          |

**7. Staff Reports**

7A. Future Agenda Items. Applicant: Senior Planner

**8. Adjourn** - The next scheduled meeting is Thursday, August 6, 2009

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The facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-257-8000 for further information.

I do hereby certify that this notice of meeting was posted on the bulletin board at the city hall of the city of Kerrville, Texas, and said notice was posted on the following date and time: \_\_\_\_\_ at \_\_\_\_\_ and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

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Deputy City Secretary, City of Kerrville, Texas

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

**AGENDA ITEM:** 3A **FOR AGENDA OF:** July 16, 2009

**DESCRIPTION:** Approval of minutes of July 2, 2009

**APPLICANT(S):** Planning and Zoning Commission Secretary

**ATTACHMENT(S):**

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The recording Secretary recommends approval of the proposed minutes.

**MEMBERS PRESENT:**

Andy Phillips, Chair  
Jim Kessler, Vice Chair  
T. Justin MacDonald, Commissioner  
David Watterson, Alternate

**MEMBERS ABSENT**

Harold Buell, Commissioner  
George Hager, Commissioner  
Gene Allen, Alternate

**COUNCIL LIAISON PRESENT**

Bruce Motheral, Council Liaison

**STAFF PRESENT:**

Kevin Coleman, Director of Development Services  
Gordon Browning, Senior Planner  
Regina Rodriguez, Administrative Assistant

**1. CALL TO ORDER:**

On July 2, 2009, 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 June 18, 2009

Com. Kessler moved for approval of item the minutes; motion was seconded by Com. MacDonald and passed 4-0.

**4. Public Hearing**

4A. Replat: Unity Church of the Hill Country – A replat of Lots 3, 4 and 5, Block 25, JA Tivy Addition and Lot 2, Block 1, C. Gray Addition located at the northeast corner of Tivy Street and Jefferson Street. Zoned: RT. Applicant: Texas Land Boundaries. (File No. 2009-18)

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

Com. Phillips opened the public hearing at 4:37 p.m.

Patty Edwards – Representative from the Unity Church of the Hill Country, expressed concern on the time line of the expiration date on their preliminary plat.

Com. Phillips explained to Ms. Edwards the correct procedures on how to file the process. Mr. Gordon Browning also explained the requirements on this plat.

Patty Edwards also had concerns with any setbacks on the Charles Gray property: and if any what those will be.

Mr. Browning explained that they would look at that site plan, concerning any setback issues, and that the City would work with her on citing the building.

Fred Hutchison commented on their plans for the church. Com. Phillips closed the public hearing at 4:42 p.m. .

Com. MacDonald moved for approval of the replat; subject to staffs recommendation; motion was seconded by Com. Kessler and passed 4-0.

## **5. Information and Discussion**

**5A. Concept Plan: Uvalde Gin Tract – A 143 acre tract located on the northwest side of Goat Creek Cut-Off Road between SH 27 and Goat Creek Road. Zoned: ETJ. Applicant: Matkin-Hoover Engineering and Surveying. (File No. 2009-17)**

Com. Phillips recused himself from the Commission during this time due to a conflict of interest with the concept plan request. Com. Phillips previously filed the proper form with City Staff.

Com. Kessler assumed the chair.

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

Com. MacDonald commented concerns on the water system, regarding water flow from Aqua Texas

Matt McCormick – Matkin-Hoover Engineering, stated that they have received a letter of intent to provide water service to the development, which he is forwarding to Mr. Browning.

Com. Kessler asked the question, if enough water service was available to serve fire as well as domestic.

Matt McCormick stated they would have to look at some specifics, existing plants & equipment, as to what it would take to enhance or upgrade the system to be able to provide the fire flow, he thinks the best thing would be to look into increasing ground storage.

Com. Kessler asked the question on what size of water mains they would be providing.

Matt McCormick's comments, depend on the pressure and as they distribute through the project, also would depend on the size, height and velocity that the water has to go through.

Com. MacDonald asked the question how much more it would be for additional ground water storage.

Matt McCormick stated it was hard to determine without numbers.

Cmr. MacDonald commented on the road base construction, if these would be met up to City/County standards?

Matt McCormick is also curious what road section they would need to follow? He commented since they do fall in both sections, he would propose the rural section, as far as the City's definition of rural, which is close to what Kerr County requires.

Bruce Motheral stated that the City has met with the County, and they have not gotten to a formal agreement with them concerning road base, they have basically agreed to whichever standard is higher, that would be the standard and that would be adopted by the developer.

Cmr. Kessler commented concerning the OSSF, if this subdivision is incorporated into the City, what will be required?

Mr. Browning explained the process of what is required for them to be able to hook up to City sewer.

Cmr. Phillips rejoined the Commission

## **6. STAFF REPORTS**

**6A. Future Agenda Items. Applicant: Senior Planner**

**7. Adjourn** – The next scheduled meeting is Thursday, July 16, 2009.

The meeting adjourned at 5:05 p.m.

ATTEST:

\_\_\_\_\_  
Andy Phillips, Chair

\_\_\_\_\_  
Regina Rodriguez, Recording Secretary

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

**AGENDA ITEM:** 4A **FOR AGENDA OF:** July 16, 2009

**DESCRIPTION:** **Sign Variance Request** – Consider a variance to the Sign Regulations of the City of Kerrville to allow an existing sign to exceed the maximum allowed sign area of thirty-two (32) square feet by twelve (12) square feet for property located at 1900 Goat Creek Road. Zoned: RC. (File No. 2009-24)

**APPLICANT(S):** First Christian Church

**ATTACHMENT(S):** Location Map, Request, Review Materials

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**Request:**

The applicant, First Christian Church, has submitted a request for a variance to the Sign Regulations to allow twelve (12) square feet of additional signage on an existing sign located at 1900 Goat Creek Road. The applicant did not provide a reason for the additional signage or state a need or justification for the additional signage. The signage has been installed.

**Procedure:**

The City's Sign Regulations assigns the hearing and disposition of variances under those regulations to the Planning and Zoning Commission (see attached 27.11 *Variances* from the Sign Regulations, Exhibit:C). Following submittal of an application the Commission shall hold a public hearing for the request using the same notice requirements as required for a Zoning Ordinance Amendment. Following the public hearing and review of the application and pertinent information, the Commission may grant the variance as presented, modify the request or approve with conditions or deny the request as submitted.

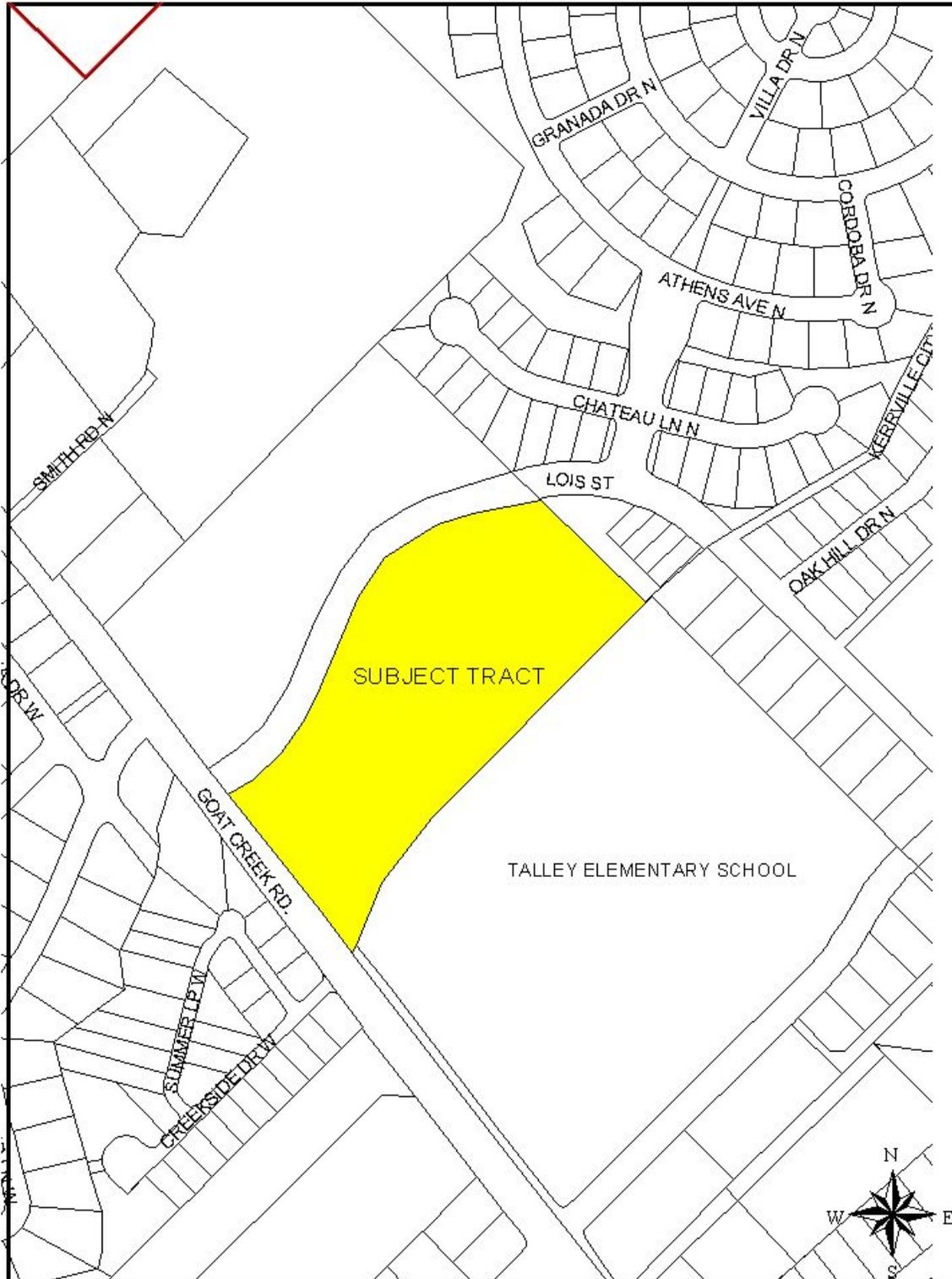
The Commission shall use the criteria set forth in Article 11-I-23(b) (see attached, Exhibit:D) for reviewing and considering variances to the Sign Regulations.

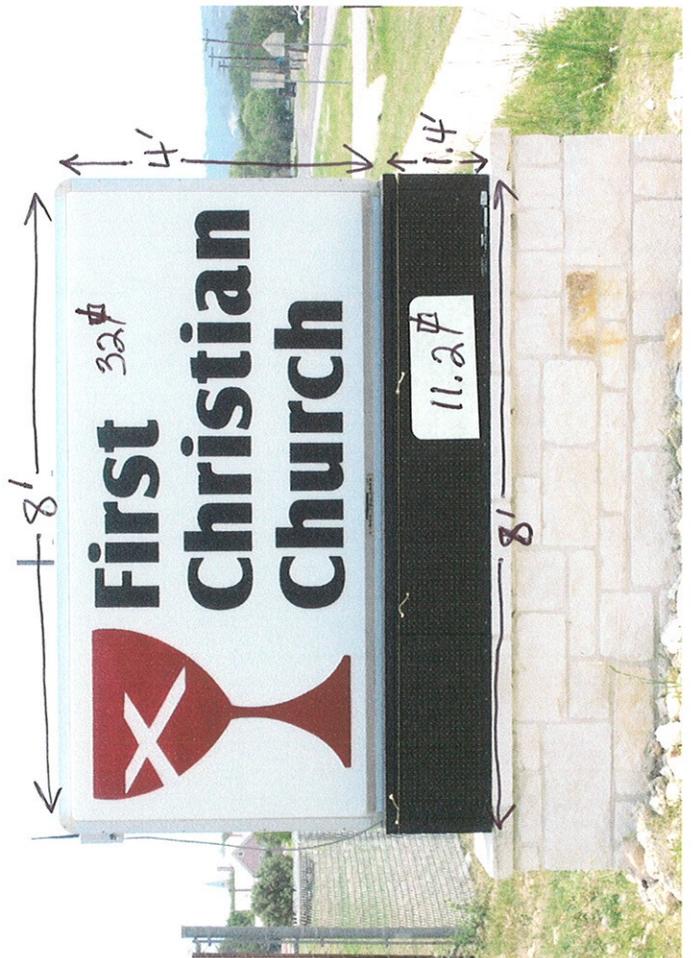
**Summary:**

The First Christian Church was constructed in 2005-06 with the Certificate of Occupancy issued in March 2006. The original sign permit for the church was issued in October 2006 and met the City's Sign Regulations. Signage in the RC District is permitted provided that the sign does not exceed thirty-two (32) square feet. As stated above the variance if granted would allow an additional twelve (12) square feet to the existing sign. A site plan from the original sign application denotes the location of the existing sign.

### **RECOMMENDED ACTION**

1. Open the public hearing and receive comments, and
2. Render a decision on the requested variance.



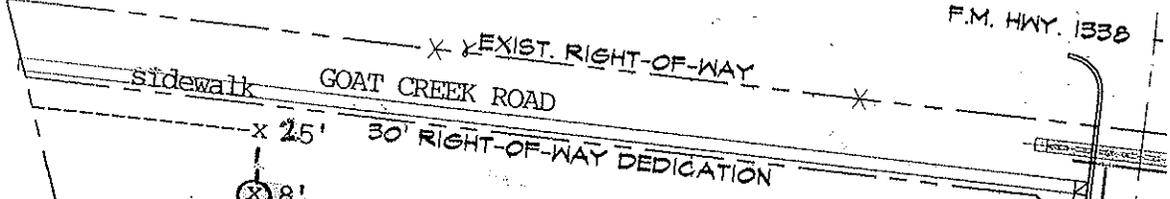


First Christian Sign - 32 sq ft  
Digital Sign - 11.2 sq ft  

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43.2 Total sq ft

F.M. HWY. 1338



(X) Denotes location of sign

PROP. FIRE HYDRANT

LOIS STREET

PROP. 8" WATER MAIN

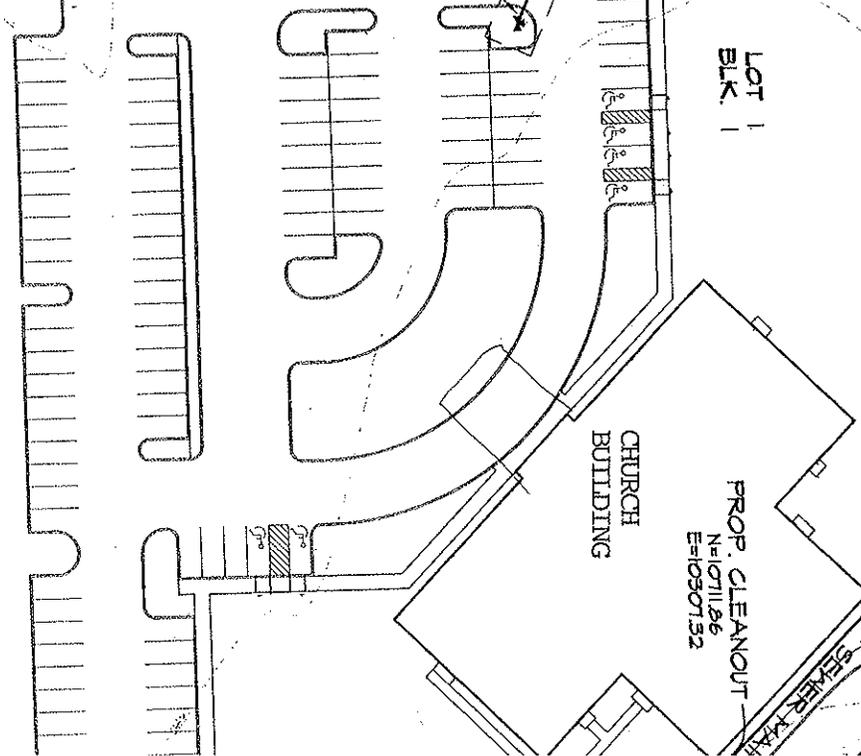
PROP. 8" FIRE LINE

45° BEND  
N=104310  
E=1010628  
FIRE HYDRANT  
N=1044616  
E=10145254

HYDRANT

LOT 1  
TALLEY ELEMENTARY SUBDIVISION  
(VOL. 7, PG. 47)  
PLAT RECORDS

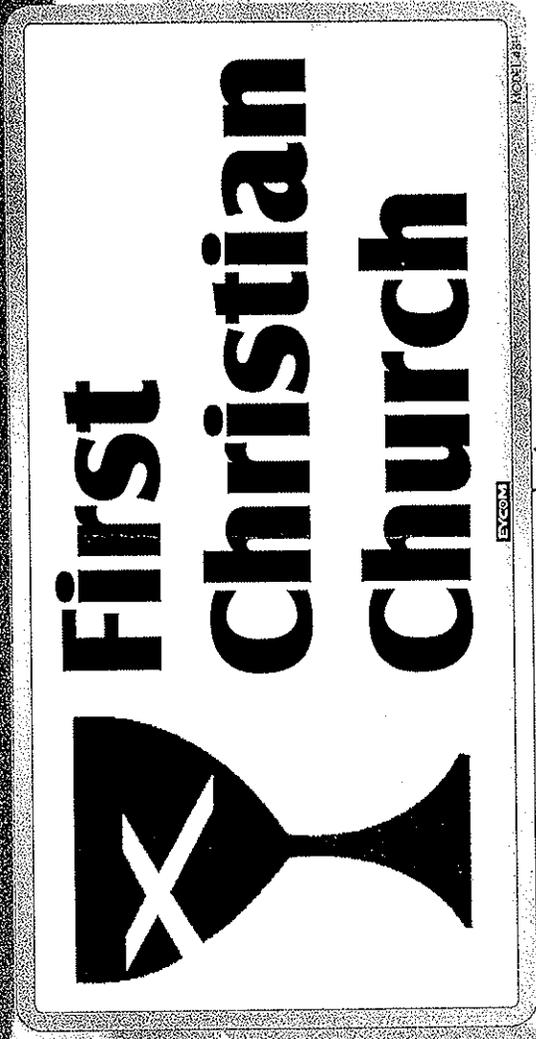
LOT 1  
BLK. 1



N=10709280  
E=1019227

PROP. CLEANOUT  
N=10711286  
E=10307132

EXHIBIT A



1900

**Double-faced outside lighted sign 4' x 8' (1 unit)**

- Vacuum formed Lexan plastic panels w/ 10 year replacement guarantee
- Heavy duty extruded aluminum frame
- UL approval on construction and electrical
- Engineered frame (130 mph wind loads)
- High output fluorescent bulbs every 9" (30% brighter than industry standard)
- Extremely energy efficient sign
- Texas engineered drawing available

3

APPROVED BY:   
 NOTE: Layout at discretion of Air Department.   
 No. Please Do not alter layout.

© SIGNTRONIX INC.  
 This is a trademark or copyright  
 under federal laws for use to \$100,000  
 In statutory damages per infringement.  
 plus attorney's fees under the U.S. Copyright Act, 17 U.S.C. 412



2. Unless provided otherwise by the City Council, for the purpose of these sign regulations, all land in the extraterritorial jurisdiction shall be subject to the regulations set forth in Subsection 27.3, paragraph 3, above.

#### 27.11 Variances

Variances may be granted to these sign regulations provided that the procedures and standards set out below are followed.

##### 1. Procedures.

- A. Application for a variance shall be filed with the Planning Department two weeks prior to the Planning and Zoning Commission meeting. The application shall include the following:

- (1) Name/address of owner/applicant.
- (2) Address/property legal description.
- (3) Statement that the applicant is the owner or authorized agent, or has a contract for sale.
- (4) Site plans, elevations, improvement plans, and other such drawings, all sufficiently dimensioned land oriented to illustrate the following:
  - i. the location and dimensions of lot lines.
  - ii. the location, appearance, and intended use of buildings and signs on the site, and the approximate location of existing buildings and freestanding signs on abutting lots. (Photographs may be used.)
  - iii. the location of site improvements including parking and loading areas, pedestrian and vehicular access, landscaped areas, utility or service areas, fencing and screening, and lighting, where applicable. (Photographs may be used.)

- B. Preliminary Conference.

The applicant shall meet with the staff to consider alternatives and the nature of his petition prior to or during the application process.

- C. Public hearing.

The Planning and Zoning Commission shall hold a public hearing on each application for a variance using the same notice requirements as required for

commission hearings conducted for zoning ordinance amendments. At the public hearing, the Commission shall review the application and shall receive pertinent evidence concerning the proposed variance.

D. Report of the Planning Department.

The Planning Department shall review the application or proposal and shall be filed with the Planning and Zoning Commission prior to the public hearing.

E. Action by the Planning and Zoning Commission.

The Commission may grant the variance as presented, or in a modified form, or subject to conditions, or it may deny the application on the grounds of being incompatible with a neighboring use, traffic safety, the purpose statements as listed herein, or that will give one business an unfair competitive advantage over other businesses.

2. Evaluation Criteria

A. The Planning and Zoning Commission shall use the criteria set forth for Article 11-I-23(b.) for the granting of variances to the Zoning Code when considering variances to this ordinance.

B. Notwithstanding a., above, no variance may be granted for signs that are listed as a prohibited sign(s) in Subsection 27.2 of this ordinance.

27.12 Amortization in Event of Invalidity. In the event any provision of state law authorizing the prohibition, removal or alteration of signs after a period of amortization is held invalid; or any provision of the City sign ordinance, or any regulation, action, or decision, thereunder, is held invalid; or, any period of amortization set by the Municipal Board of Sign Control is ever held to be invalid; then the amortization period for any sign invalidly amortized under any such law, ordinance, regulation, action of decision, shall be, and is, June 3, 1994.

Except, however, this ordinance shall not apply to those signs whose amortization period was established as one year or less.

27.13 Definitions.

Sign: Any letters, figures, trademarks, or devices designed to inform people of the identity of an individual, firm, profession, business, product, goods, or service, and which is (are) recognizable from any public right-of-way. Some, but not all, kinds of signs are defined as follows:

1. Sign, "A-Frame": See definition of "Sign, Unattached".

- (2) **Required Vote:** The concurring vote of seventy-five percent (75%) of the members of the Board of Adjustment is required to modify or reverse an order, requirement, decision, or determination of a City administrative official.

(b) **Variances:** The Board of Adjustment may grant a variance to the Zoning Code as permitted by Article 11-I-22(o.)(2) in accordance with the following procedures:

- (1) **Application:** An application for a variance shall be made in writing on forms provided by the Planning Division and filed with the secretary of the Board of Adjustment. An application for a variance shall be deemed complete when all information on the application form is provided and the application is accompanied by the following:
- (i) all fees established by the City Council for such matters; and
  - (ii) a description of the property to which the variance would apply sufficient to identify the location and the boundaries of the property; and
  - (iii) the reason the person is requesting the variance;
  - (iv) the signature, acknowledged by a notary public of:
    - a* the owner of the property; and
    - b* if different than the owner, the signature of the person requesting the variance; and
  - (v) when the variance relates to the development of a specific tract of land, eight (8) copies of a site plan drawn to scale showing existing and proposed development of the property in question.
- (2) **Public Hearing; Notice:** Upon filing of an application for a variance, the director of the Planning Division shall set a date for a public hearing thereon as soon as may be practicable; provided, however, the Board of Adjustment shall hold a public hearing on a request for a variance under this Section (b.) only after the filing of a completed application with the secretary of the Board of Adjustment and in no case earlier than ten (10) days after notice of the time and place of the public hearing has been:
- (i) published in the City's official newspaper; and
  - (ii) sent to the applicant and the owners of all property located within 200 feet of the property which is the subject of the variance by depositing a copy of the notice in the United States Mail, postage prepaid, and pre-addressed according to the address indicated on the last approved City tax rolls.
- (3) **Required Findings of Fact:** No variance shall be granted by the Board of Adjustment until it makes the following findings:
- (i) that there are exceptional circumstances or conditions applicable to the property on which the application is made related to size, shape, area,

- topography, surrounding condition or location that do not apply generally to other property in the same area and the same zoning district;
- (ii) that the exceptional circumstances or conditions are such that literal enforcement of the provisions of this Chapter would result in an unnecessary hardship inconsistent with the general purpose and intent of this Chapter;
  - (iii) that the granting of such variance will not be contrary to the public interest, materially detrimental to the public welfare, or injurious to the property or improvements in the zoning district or area in which the property is located;
  - (iv) that the granting of such variance will not be contrary to the objectives and principles contained in the comprehensive plan, as amended;
  - (v) that the variance to be granted is the minimum variance that will relieve the proven hardship;
  - (vi) that the variance is not being granted to relieve the applicant of conditions or circumstances:
    - a* which are not inherent in the property itself, but are the result of the use or development of the property, or
    - b* which are caused by a division of land on or after June 16, 1997, other than a division of land resulting from the sale of a property interest to a governmental entity, which division of land caused the property to be unusable for any reasonable development under the existing regulations, or
    - c* which were otherwise self-imposed by the present or a previous owner;
  - (vii) that the variance is not grounded solely upon the opportunity to make the property more profitable or to reduce expense to the current or any future owner;
  - (viii) that the variance would not modify or effectively repeal any development or use regulations set forth in a Conditional Use Permit or an ordinance or resolution adopting a Development Site Plan or establishing a Special Use District or Planned Development District which are in addition to the generally applicable use and development regulations set forth in this Chapter;
  - (ix) that the variance would only affect a specific parcel of property and is not of such a general nature as to effectively constitute a change in zoning of said parcel or a larger area without following the procedures set forth in Article 11-I-21.

- (2) **Record of Findings:** In addition to the record of the vote of the members regarding the application, the minutes of the Board of Adjustment shall contain the findings of facts on which its decision was based including, but not limited to, its findings as to the matters set forth in Subsection (3), above, and a description of the extraordinary circumstances found to be affecting the property in question.
- (3) **Decision of the Board:** After receiving all evidence, hearing all argument, and making its findings of fact regarding an application for a variance, the Board of Adjustment may:
- (i) grant the variance as requested;
  - (ii) grant a variance modified in accordance with the findings of the Board of Adjustment; or
  - (iii) deny the variance.
- (4) **Required Vote:** The concurring vote of seventy-five percent (75%) of the members of the Board of Adjustment is required to grant a variance.
- (5) **Effective Date of Variance:** A variance granted by the Board of Adjustment shall become effective after the expiration of ten (10) days from the date of filing its decision with the Planning Division unless the Board specifically establishes a different effective date. The effective date of a variance can be based on the satisfaction of a condition.

- (c) **Filing of Decisions:** Not later than three days, excluding Saturdays, Sundays, and City holidays, after the adjournment of the meeting at which the Board of Adjustment votes pursuant to this Article on an appeal of the act of a City administrative official or on an application for a variance, the secretary of the Board of Adjustment shall file the decision with the Planning Division.
- (d) **Appeals of Board of Adjustment Decisions:** An appeal of a decision of the Board of Adjustment must be prosecuted in accordance with Texas Local Government Code §211.010, as amended.

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

**AGENDA ITEM:** 5A **FOR AGENDA OF:** July 16, 2009

**DESCRIPTION:** **Final Plat: Paseo De Paz** – A one (1) lot, 7.62 acre tract located at 401 Clearwater Paseo. Zoned: PDD. (File No. 2009-25)

**APPLICANT(S):** Ashley Surveying

**ATTACHMENT(S):** Plat

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**SUMMARY STATEMENT- FINDING OF FACT**

History/Timeline:

- August 16, 2007 – Preliminary plat approved by the Commission with conditions.
- June 19, 2009 – Final plat accepted for review and consideration.
- July 1, 2009 – Development Review Committee (DRC) review process completed.
- July 10, 2009 – Staff comments to applicant.
- **July 16, 2009 – Consideration of final plat by Commission.**

Summary:

- The multifamily development on this 7.62 acre tract is nearing completion.
- The property is zoned Planned Development District for multifamily by Ordinance No. 2006-03.

**RECOMMENDED ACTION**

Staff recommends approval of the final plat subject to;

1. Final acceptance of the development.

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

**AGENDA ITEM:** 5B **FOR AGENDA OF:** July 16, 2009

**DESCRIPTION:** **Final Plat: Overstreet Park** – A replat of Lots 2, 3 and 4, Block 1, Overstreet Park, a 2.64 acre tract located at 1433, 1421 and 1381 Junction Highway. Zoned: PDD. (File No. 2009-23)

**APPLICANT(S):** Guadalupe Survey Company

**ATTACHMENT(S):** Plat

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**SUMMARY STATEMENT-FINDING OF FACT**

History/Timeline:

- December 4, 2009 – Preliminary plat ‘Fuddrucker Addition’ approved by Commission with conditions.
- June 19, 2009 – Final plat accepted for review and consideration.
- July 1, 2009 – Development Review Committee (DRC) review process completed.
- July 10, 2009 – Staff comments to applicant.
- **July 16, 2009 – Consideration of final plat by Commission.**

Summary:

- Proposed replat re-configures and combines Lots 2, 3 and 4 into two (2) lots for development.
- Lot 3R of the replat is currently being developed for a restaurant (Fuddrucker’s).
- Final approval of the replat is a condition of the Certificate of Occupancy for this development.

**RECOMMENDED ACTION**

Staff recommends approval of the final replat subject to,

1. Final acceptance of the development.

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

**AGENDA ITEM:** 5C **FOR AGENDA OF:** July 16, 2009

**DESCRIPTION:** **Final Plat: Palacios Del Guadalupe** – A one (1) lot, 10.91 acre tract located at 521 Guadalupe Street. Zoned: W-8. (File No. 2009-19)

**APPLICANT(S):** Guadalupe Survey Company

**ATTACHMENT(S):** Plat

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**SUMMARY STATEMENT - FINDING OF FACT**

History/Timeline:

- February 1, 2007 – Preliminary plat approved by the Commission with conditions.
- June 5, 2009 – Final plat accepted for review and consideration.
- June 17, 2009 – Development Review Committee (DRC) review process completed.
- June 19, 2009 – Applicant withdraws plat from July 2, 2009 P&Z agenda.
- July 1, 2009 – Development Review Committee and applicant review and discuss final plat.
- July 10, 2009 – Staff comments to applicant.
- **July 16, 2009** – **Consideration of final plat by Commission.**

Background:

The applicant originally submitted the preliminary plat as a minor plat under the City's Subdivision regulations. However, due to the location of the floodplain/floodway line and the requirement for a FEMA Letter of Map Revision (LOMR), staff is reviewing this application as a preliminary and final plat, both requiring Planning and Zoning Commission approval.

The applicant is currently completing building one of a three building project on this site. Staff agreed to release building permits for the development once the CLOMR (Conditional Letter of Map Revision) was approved, with the final plat and Certificates of Occupancy being held until the LOMR is approved. On April 30, 2009, FEMA issued the LOMR for this project, Case No. 09-06-0116P, with an effective date of September 15, 2009, this will allow completion of the appeals and protest period.

**RECOMMENDED ACTION**

Staff recommends approval of the final plat subject to the following;

1. Final acceptance of the development, and
2. That filing of the final plat will be held pending the effective date of the LOMR, September 15, 2009.

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

**AGENDA ITEM:** 6A **FOR AGENDA OF:** July 16, 2009

**DESCRIPTION:** **Concept Plan: Old River RV Park** – An approximately 100 acre tract located southwest of SH 27, accessed from Colvin Ranch Road and Center Point Drive. Zoned: ETJ. (File No. 2009-20)

**APPLICANT(S):** Vordenbaum Engineering, Inc.

**ATTACHMENT(S):** Location Map, Concept Plan

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**SUMMARY STATEMENT**

Article 10-IV-2 of the Subdivision Regulations state in reference to concept plan submittal:

“...staff shall present the concept plan to the Commission for review and comment. The objective of the concept plan presentation is to clarify city regulations and the comprehensive plan – land use strategy guidelines, as they apply to the parcel of land in question and its proposed subdivision.”

While the Planning and Zoning Commission may review and comment on the concept plan, there is no approval or disapproval by the Commission or any other City entity. Concept plans are intended as precursors to preliminary plat submittals.

Pursuant to the above referenced article of the Subdivision Regulations, the applicant wishes to present a concept plan outlining proposed development on land currently outside the City Limits but within the extraterritorial jurisdiction (ETJ).

The Comprehensive Plan shows the land use designation for this area as ‘Open Space and Planned Development’.

Staff has reviewed the concept plan for the Old River Road RV Resort and has the following comments;

General:

The applicant is proposing a 280 unit RV park development on a 101.74 acre tract located southwest of SH 27, accessed from Colvin Ranch Road and Center Point Drive. The RV sites (lots) are typically 50' x 80' (4000 square feet) and can be, per the developer, purchased or leased. The park will also provide several community areas with pools, clubhouse, tennis courts, putting greens and car wash areas.

The subject property is within the City’s ETJ (extraterritorial jurisdiction) and will be reviewed and developed per the City’s Subdivision Regulations.

Access/Internal Streets:

As shown on the concept plan, access to the site will be from SH 27, by way of Colvin Ranch Road, and Center Point Drive. Also shown on the concept plan, Colvin Ranch Road is a 30-foot unimproved (i.e., not paved) access road to the southwest corner of the site, once in the site the internal 'streets' are paved but reduced to a 25-foot right-of-way and pavement section.

If the internal 'streets' are to be private they shall be labeled as "access and utility easements". All other standard specifications of the City of Kerrville shall apply.

All internal 'streets' will also be required to be in compliance with the standards specifications of the City of Kerrville regarding fire access.

Access from SH 27 will require TxDOT review and approval, access from Center Point Road will require review and approval from Kerr County Road and Bridge.

**A variance to Article 10-IV-3(A)4 of the City's Subdivision Regulations will be required to reduce the rights-of-way of the internal streets as shown.**

Water/Wastewater Service:

The applicant is proposing to provide both water and wastewater service to this development through private community systems approved by the Texas Commission on Environmental Quality (TCEQ). Notwithstanding TCEQ requirements the water system and placement of fire hydrants shall be approved by the City Engineer and City Fire Department and conform with the standard specifications of the City of Kerrville.

Lot (unit) Sizes:

The applicant is proposing 280 RV sites (lots) with a number of open/common areas within the development. As shown on the concept plan the lots are typically 50-feet x 80-feet or 4000 square feet in size.

Per Article 10-IV-3(B)2 of the City's Subdivision Regulations, The minimum size of residential lots not served by municipal water and wastewater service shall be one quarter (1/4) acre if served by a community, public or shared water system and a community sewage collection system.

**A variance to Article 10-IV-3(B)2 of the City's Subdivision Regulations will be required to develop lots less than a one quarter (1/4) acre.**

Stormwater/Floodplain:

Stormwater and/or storm drainage is not addressed with the concept plan submitted. Per the City's Design Manual for Storm Drainage Facilities, storm water detention will be required with this development. A detailed drainage study shall be required prior to final plat and/or development.

The concept plan also shows a portion of the tract in the floodplain, the applicant has indicated that a CLOMR (Conditional Letter of Map Revision) followed by a LOMR (Letter of Map Revision) will be developed and submitted.

### Electric Service:

Electric service to this tract is divided between KPUB and Bandera Electric Cooperative, Inc. The applicant will be responsible for coordinating with both providers, signature blocks for each will need to be provided.

### Informational Comments:

- Provide ownership and maintenance responsibilities for community areas, buffer and screening areas and storm water retention facilities.
- Note that storm water is not addressed with the concept plan submitted, a detailed drainage study addressing this issue will need to be submitted.
- Prior to final approval engineering plans must be submitted to and approved by the City and/or County Engineer.
- Fire hydrants must meet City of Kerrville minimum spacing requirements.
- Review of the concept plan does not constitute development or construction approval.
- Streets within this development will be required to meet City standards regarding fire apparatus widths, loads, etc., as well as the standard specifications of the City of Kerrville.
- Corner radius, 25-feet on the inside and 50-feet on the outside.
- Private streets should be marked with fire lane signs on one side if the street is over 26-feet in width, both sides if less than 26-feet in width.
- Utility easements for the franchise utilities may be required for this development.

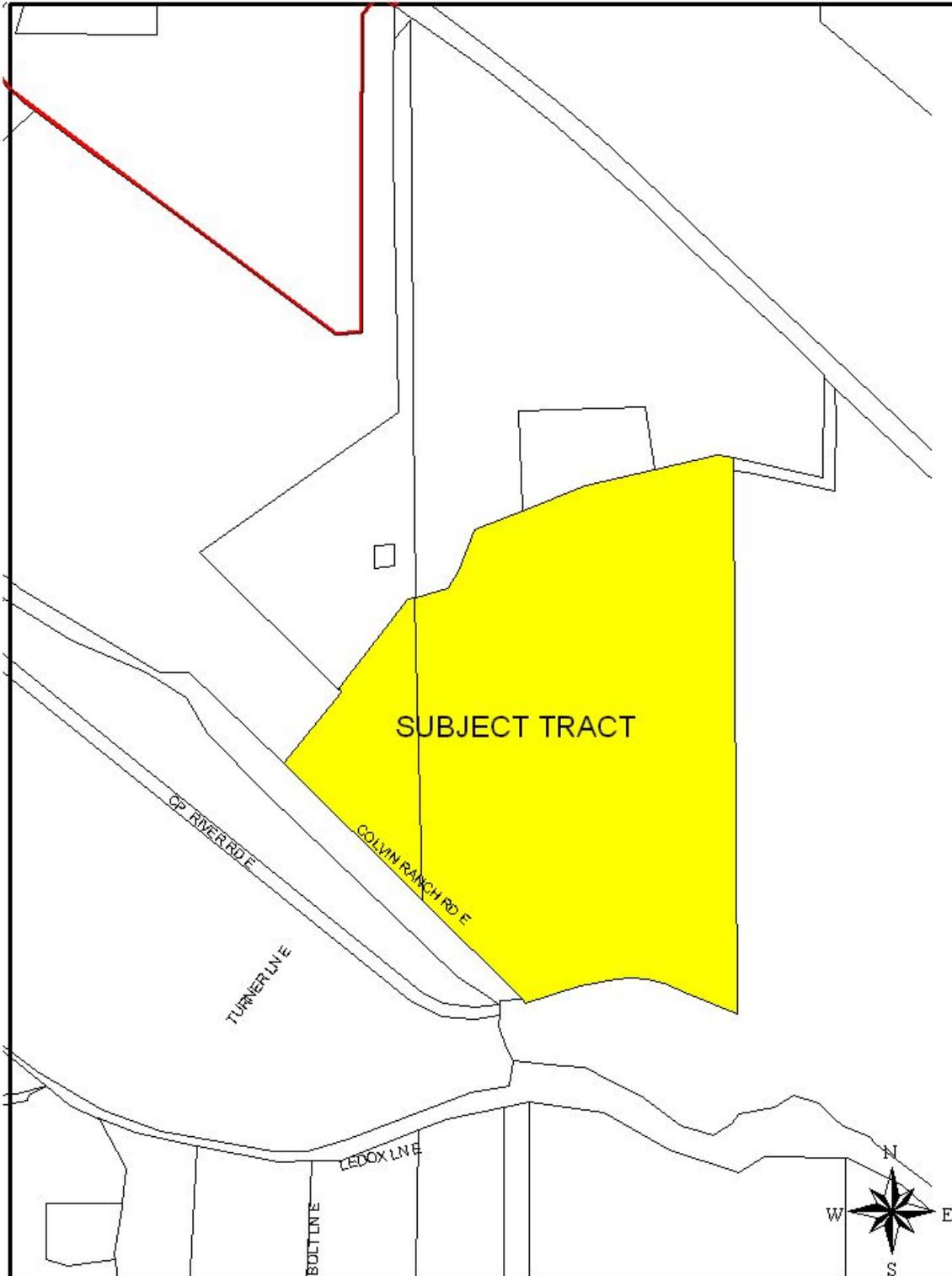
### Preliminary Plat Submittal:

In addition to the information required in Article 10-IV-2 of the City's Subdivision Regulations for preliminary plat submission, the following items should also be addressed;

1. Submit in writing a request for any variances and/or waivers to the City's Subdivision regulations that may be required. (Note: Variances may be approved by the Planning and Zoning Commission as part of the preliminary plat review, waivers require the recommendation of the Planning and Zoning Commission and an affirmative vote from City Council.)
2. Submit a preliminary list of street names to Kerr 911 for review and approval.
3. Show private streets as access and utility easements.
4. Show all existing and proposed easements on the plat with dimensions and labeled by type to include franchise utilities. Label existing easements as 'Existing' and provide recording information. Identify proposed easements by stating dedication method within parenthesis, ex. (By Plat).
5. 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.
6. Provide all necessary signature blocks on the final plat for recording to include all franchise utilities, Kerr 911 and Kerr County (if necessary).

### **RECOMMENDED ACTION**

Review and discuss the Concept Plan with the applicant. No action is to be taken.



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

**AGENDA ITEM:** 7A **FOR AGENDA OF:** July 16, 2009

**DESCRIPTION:** Future Agenda Items

**APPLICANT(S):** Gordon Browning, Senior Planner

**ATTACHMENT(S):**

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The following items have been tentatively scheduled for the Commission's August 6, 2009 meeting;

**Replat: Charles Schreiner Addition** – A replat of portions of Lots 574, 575 and 576, Block 37, located northwest of the Jefferson Street and Francisco Lemos Street intersection. Zoned: C-11. Applicant: Guadalupe Survey Company. (File No. 2009-26)

**Sign Variance Request** – Consider a variance to the Sign Regulations of the City of Kerrville to allow an existing free standing sign to be located less than 60-feet from another free standing sign on the same lot located at 2421 Junction Highway. Zoned: GR. Applicant: James Kenalty for McKen, LLC. (File No. 2009-27)