



CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA
REGULAR MEETING, THURSDAY, AUGUST 17, 2017 4:30 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

1. VISITORS/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.)

2. 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.

2A. Approval of the minutes from the July 6, 2017 meeting. **Pg. 3**

3. PUBLIC HEARING AND ACTION

3A. **Public Hearing & Action, Zoning Change** – Public hearing, consideration, and action concerning a requested zoning change to amend an existing (PD) Planned Development District for a tract of land consisting of 26.64 acres located on the northern intersection of Holdsworth Drive and Cailloux Boulevard, further described as land out of the Walter Fosgate Survey 120. Abstract No. 138, Kerr County, Texas, and being a Portion of the Remaining Portion of that Certain Called 303.959 Acre Tract Recorded in Document No. 14-05748, Official Public Records of Kerr County, Texas. (File No. 2017-057) **Pg. 7**

4. CONSIDERATION AND ACTION

4A. **Consideration and Action, Replat** - Consideration and action concerning a replat of a portion of Lots 1-6, Block 9, a portion of H Street, and a portion of Lots 1-5, Block 10, J.A. Tivy's Addition to the City of Kerrville recorded in Volume P, Page 16, Plat Records, Kerr County, Texas, and being all of that certain 0.342 of one acre tract recorded in document No. 16-06322, official public records of Kerr County, Texas, all of that certain 2.404 acre tract recorded in document No. 16-06323, official records of Kerr County, Texas, all of certain 1.357 acre tract recorded in document No. 16-06324, official public records of Kerr County, Texas, and 0.396 of one acre tract being a portion of H Street recorded in document No. 17-01162, official records of Kerr County, Texas, containing 4.135 acres, more or less, in the City of Kerrville, Kerr County, Texas according to the Plat Records of Kerr County, Texas, located at 1709 Water Street. (File No. 2017-026). **Pg. 16**

5. STAFF REPORTS

6. ADJOURNMENT

830-258-1117 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.

Deputy City Secretary, City of Kerrville, Texas



City of Kerrville

Planning Department

Report

To: Planning & Zoning Commission
Agenda Item: 2A
Hearing Date: August 17, 2017
Representative: Staff

Proposal

Review and approval of the minutes from the July 6, 2017 meeting

CITY OF KERRVILLE, TEXAS
PLANNING AND ZONING COMMISSION

July 6, 2017

MEMBERS PRESENT:

Bob Waller, Chairman
Garrett Harmon, Vice-Chair
Don Barnett, Commissioner
Michael Sigerman, Commissioner
Rustin Zuber, Commissioner
David Jones, Alternate
Marty Lenard, Alternate

STAFF PRESENT:

Gordon Browning, Interim City Planner
Mark McDaniel, City Manager
EA Hoppe, Deputy City Manager
Danny Batts, Director of Building Services / Chief Building Official
Dorothy Miller, Recording Secretary

CALL TO ORDER:

On July 6, 2017, Cmr. Waller called the Kerrville Planning and Zoning Commission regular meeting to order at 4:30 p.m. in the City Hall Council Chambers, 701 Main Street, Kerrville, Texas.

1. VISITORS/CITIZENS FORUM:

Mr. Harvey Brinkman spoke regarding the Famous Door project previously mentioned at the last Planning and Zoning meeting. Mr. Brinkman stated the Famous Door has been purchased by Johnny and Marta Borruo, owners of the Rio Ranch Café located at 2590 Junction Highway. Mr. Brinkman stated they were asking for direction regarding rezoning of the area where the Famous Door exists and said they have received very positive feedback from the neighboring community. Mr. Brinkman also stated they are considering a possible RT zoning or mixed use. Mr. Brinkman and Mr. Borruo discussed the pros and cons of the proposed project.

2. 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.

2A. Approval of the minutes from the June 15, 2017 meeting.

Cmr. Harmon moved to approve the minutes as amended. Motion was seconded by Cmr. Zuber and passed 5-0.

3. CONSIDERATION AND ACTION

3A. Consideration and Action, Replat – Public hearing, consideration, and action concerning a replat of Lots 7, 8, 17 and 18, Block 6, Oaks Heights Addition, a subdivision in Kerr County, containing 3.64 acres of land, more or less, as recorded in Volume 2, Page 92, of the Plat Records of Kerr County, Texas, located at 385 Goat Creek Cut-Off. (File No. 2017-039).

Mr. Browning presented the case and asked Commissioners to render a decision.

Mr. Lee Voelkel spoke regarding the utility easement that runs through the property and the road and why the property line differed between the as-platted and the new plat. Mr. Voelkel stated when they went out to do the survey on the property they found the monumentation for the lots had changed on the Goat Creek Cut-off side of the right-of-way of the road from the initial plat which was done in the late 1950s or early 1960s. Mr. Voelkel stated he looked for documentation that transferred right-of-way to the county, but found none so believed it was a taking of right-of-way at some point by occupation now, that the stakes were there and it also affects the lots on each side of this lot. There was a triangle that was taken from this lot and is now a right-of-way of Goat Creek Cut-off. Mr. Voelkel stated they did add an easement for the power line that runs through the property that was outside of an existing easement so the plat will take care of that. There was also one that was running down the boundary line and they added an easement for that also and added the note that this plat has been waived by Kerr County as far as their review and approval as this is ETJ property. They received a court order that waived this plat from approval. The plat will only be approved by the Planning and Zoning Commission.

Cmr. Barnett moved to approve the replat. Motion was seconded by Cmr. Sigerman and passed 5-0.

4. ITEMS FOR DISCUSSION

4A. Review and discuss "Home Occupations", as defined in Article 11-I-3 (57), of the City of Kerrville Zoning Code. Street. (File 2016-037).

Mr. Browning announced previously made changes were made and incorporated into the draft copy. Commissioners discussed "Home Occupations" and additional changes to be made.

Cmr. Waller asked staff to produce a final draft and set a public hearing.

4B. Comprehensive Plan Update

Mr. Mark McDaniel, City Manager, discussed the comprehensive plan and proposed schedule of updating the plan. The last update to the plan was in 2008, making the current plan nearly ten years old. The draft schedule calls for a request for qualifications (RFQ) for a consulting team that will be assisting as a third party through the process. This RFQ went out July 5, 2017 and is due early August and Mr. McDaniel anticipates interviews with consultants before the end of August. At the same time, city council has been asked to appoint a steering committee for the effort. Each council member will elect six

individuals and council members themselves will serve on the steering committee and they have also been asked to appoint all of the Planning and Zoning Commission so they are kept apprised of the progression, what the issues are, and what is being discussed and ultimately when the Planning and Zoning Commissioners are asked to review and move approval to recommend for adoption, then the commissioners are fully aware of the discussions that have been held. There will also be a lot of public input, which Mr. McDaniel stated is very important. The steering committee will be meeting monthly for a year, so it is a year-long process, and will also include sub-committees around certain chapters in the plan. They will start out with a community visioning exercise or retreat where the public would be invited in to help develop that vision in what Mr. McDaniel would call principles or chapters of the plan. For example, one chapter of the plan might be historic preservation; another chapter might be downtown revitalization and transportation and so on. Once those are established there are sub-committees in the community that are assembled around each of those chapters so to grow the public input and then there will be a lot of opportunity for the public to comment on what is in the plan or what is being contemplated. Mr. McDaniel said they will certainly be using the citizen survey that has recently been done, all the work that has been done on prior comprehensive plans and build on that, and the work of the prior Zoning Ordinance Input Committee (ZOIC). It is going to be a long process, but it will be a great process in getting to a plan that gets a lot of buy in from the entire community. Council has been asked to reach out and be sure that all parts of our community are represented so that no one is being left out of the process. In addition, the roll of the Planning and Zoning Commission is very important because the city's charter calls for the commission to update the comprehensive plan periodically, which is a formal process which goes through the commission for formal approval and recommendation and then on to city council for final approval. The consultant will look at the work that has been completed to date and also interview a lot of people and possibly interview the Planning and Zoning Commission as well about what they see as current issues in the comprehensive plan, land use, zoning, and regulations. Also critical in this process will be Mr. Browning's replacement as Interim City Planner as his last day is July 14, 2017. Mr. McDaniel stated they are in the process of hiring a replacement. The city is looking not just for a Chief Planning Officer but an Executive Director of Development Services, so the position will have dual capacity and be over the entire development function. Interviews are currently being conducted and Mr. McDaniel hopes to hire someone prior to Mr. Browning's departure.

Commissioners asked if city and county staff would have any involvement in the process. Mr. McDaniel stated key city staff will be involved, including himself and Mr. EA Hoppe, Deputy City Manager. As for the county, Mr. McDaniel has asked city council to consider people outside of the city limits because the planning area will go two miles beyond the city limits. Currently the ETJ is one mile outside of the city limits; however, the population is already over 25,000 so if city council were to declare that population count by ordinance, the planning area would extend two miles so Mr. McDaniel wants county residents to be a part of the process. They will reach out to the County Commissioners Court, school boards, Chamber of Commerce, KEDC (Kerrville Economic Development Corporation), and different people directly in this process as part of the city's outreach effort. Some of these people may be on the steering committees as well.

Mr. McDaniel stated another process the city wants to do as a possible parallel project towards the end is begin to look at the city's existing codes and make sure those codes, such as home occupation or historical preservation, and other tools that other cities use such as overlays and a number of other things, that those codes are looked at and amended so that it supports the direction of the new comprehensive plan because it is not going to work to have a plan and have codes that are inconsistent with the direction the city is wanting to go. A rewrite of some of the codes would also be something that is looked at, again looking to a consultant, working with the Planning and Zoning Commission, as a follow-on or parallel effort, but the RFQ that went out was just for the facilitation, help, and assistance with the development of the comprehensive plan.

Mr. McDaniel was asked the date the steering committee might be in place. Mr. McDaniel replied the goal is to have a committee in place by August 8, 2017 when council would make those appointments or possibly pushed back to August 27, 2017 when council will be asked to award a contract to a consultant.

5. STAFF REPORTS

Mr. Browning reported the next meeting will be Thursday, August 3, 2017 at 4:30 p.m.

6. ADJOURNMENT

This meeting was adjourned at 5:27 p.m.



City of Kerrville Planning Department Report

To: Planning & Zoning Commission
Agenda Item: 3A
Planning File #: 2017-057
Hearing Date: August 17, 2017
Representative: The Cailloux Foundation
Location: Northern intersection of Holdsworth Dr. and Cailloux Blvd
Total Acreage: 26.64 acres

Background

This item comes before the Commission because the applicant proposes to add fuel station as a permitted use to the site on the northwest corner of Holdsworth Dr. and Cailloux Blvd, and hotel/motel as a permitted use to the northeast corner. The proposal would keep the underlying PD in place.

Upon annexation in 2004, the property was zoned Planned Development District (PD-04-15). The subject property was part of a larger 214 acre tract, whose plan showed:

- Commercial uses to the south of Holdsworth Dr.
- Commercial to the north of Holdsworth Dr.
- Multifamily residential north of Holdsworth west of Town Creek
- Single family residential in six phases beyond the commercial frontage between it and Interstate 10

With the rezoning of the original 214 acres in 2004, the City of Kerrville in essence applied its land use policy. This land use scheme changed in 2015 when the City approved the Sports Complex project.

The subject property was labeled as Area 1C to the east of Cailloux Blvd. and Area 4C to the west of the intersection with Holdsworth. Areas 1C

Current Land Uses: The majority of the original 214 acres is in the final phases of construction as the City of Kerrville Sports Complex with baseball fields to the north of Holdsworth and soccer fields to the south.

The nearest existing development to the subject property is single family detached residential, lying a substantial distance from the boundaries of this land.

Transportation

Thoroughfare: Holdsworth is a major arterial, with adequate capacity to absorb any impact from development of the subject property

Proposed Changes: No changes proposed to the roadways at this time

Analysis

1. Consistency with Comprehensive Plan:

The property's land use designation was determined with the PD zoning in 2004 for the subject property, and includes a broad list of permitted uses (see attached use schedule). The request would add fuel stations as a permitted use to site 1C and hotel/motel use to site 4C. These two changes are the primary land use policy decisions before the Commission.

2. Adverse Impacts on Neighboring Lands:

The proposed additions to the permitted uses for Areas 1C and 4C appear to be aligned with the City's emerging vision for the area. The public hearing will give the Planning and Zoning Commission an opportunity to hear and weigh any opposing arguments regarding potential negative impacts.

3. Suitability as Presently Zoned:

Both the existing and proposed zoning districts are suitable for the subject property and will allow for uses that will be consistent with the developing land uses currently under construction in the vicinity.

4. Health, Safety and Welfare:

Staff has identified no likely adverse effects on public infrastructure. The distance to the nearest residential areas provide adequate buffering.

5. Size of Tract:

The proposed tract exceeds the minimum tract requirements for PD zoning.

6. Other Factors:

None identified.

Proceedings

Hold a public hearing and make a recommendation to Council.

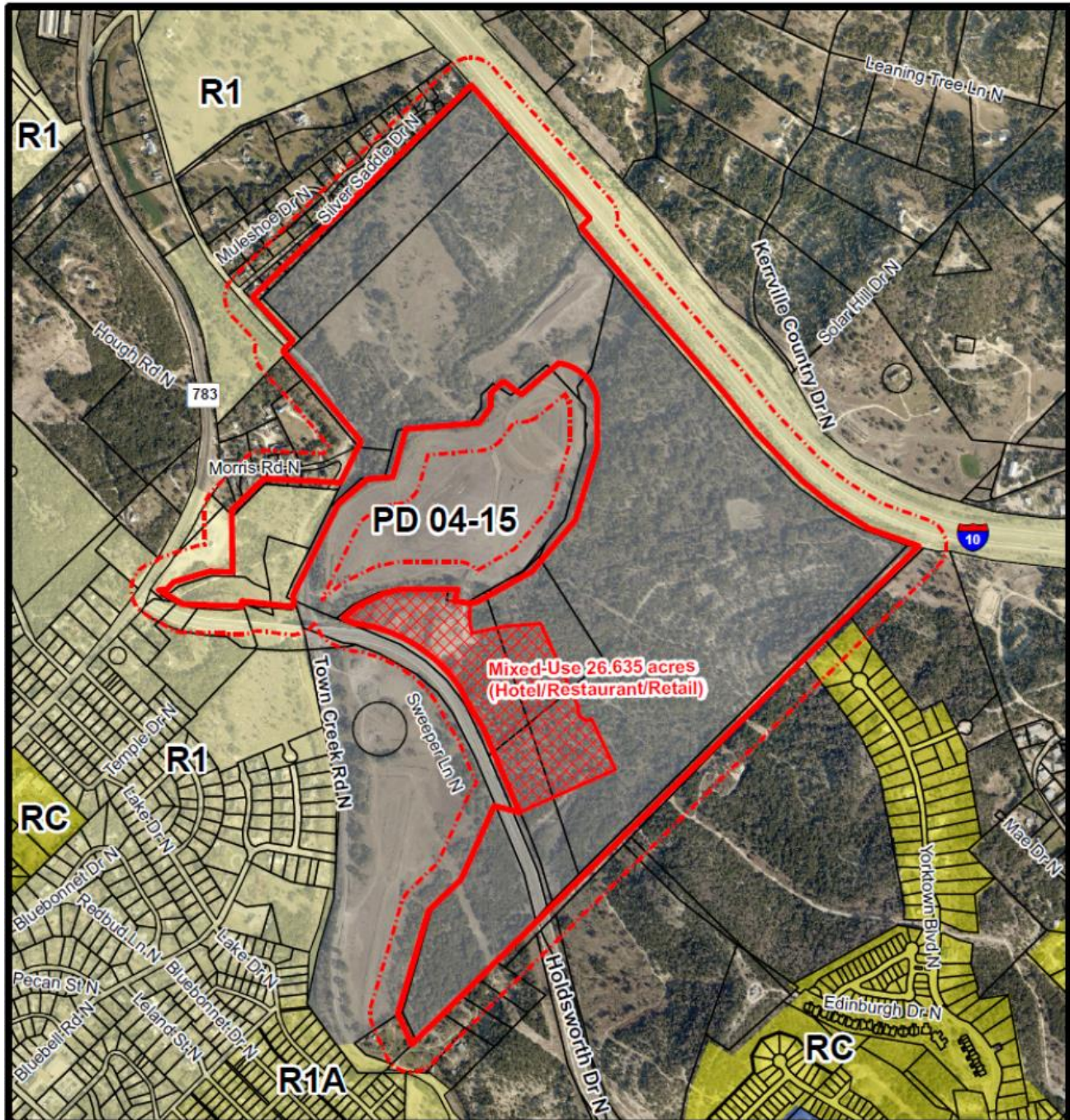
Staff Recommendation:

Approval

Attachments:

Exhibit A Location Map
Exhibit B PD Application Map
Exhibit C PD 04-15 Property
Exhibit D PD 04-15 Concept plan
Exhibit E PD 04-15 Permitted Use List

Exhibit A Location Map



Location Map

Case # 2017-057

Location:
Holdsworth Dr &
Cailloux Blvd

Legend

PDD Amendment Area
200' Notification Area
Subject Properties
Current Zoning
Requested Zoning



TEXT

(TEXT)



0 250 500 1,000

Scale In Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only approximate relative locations.

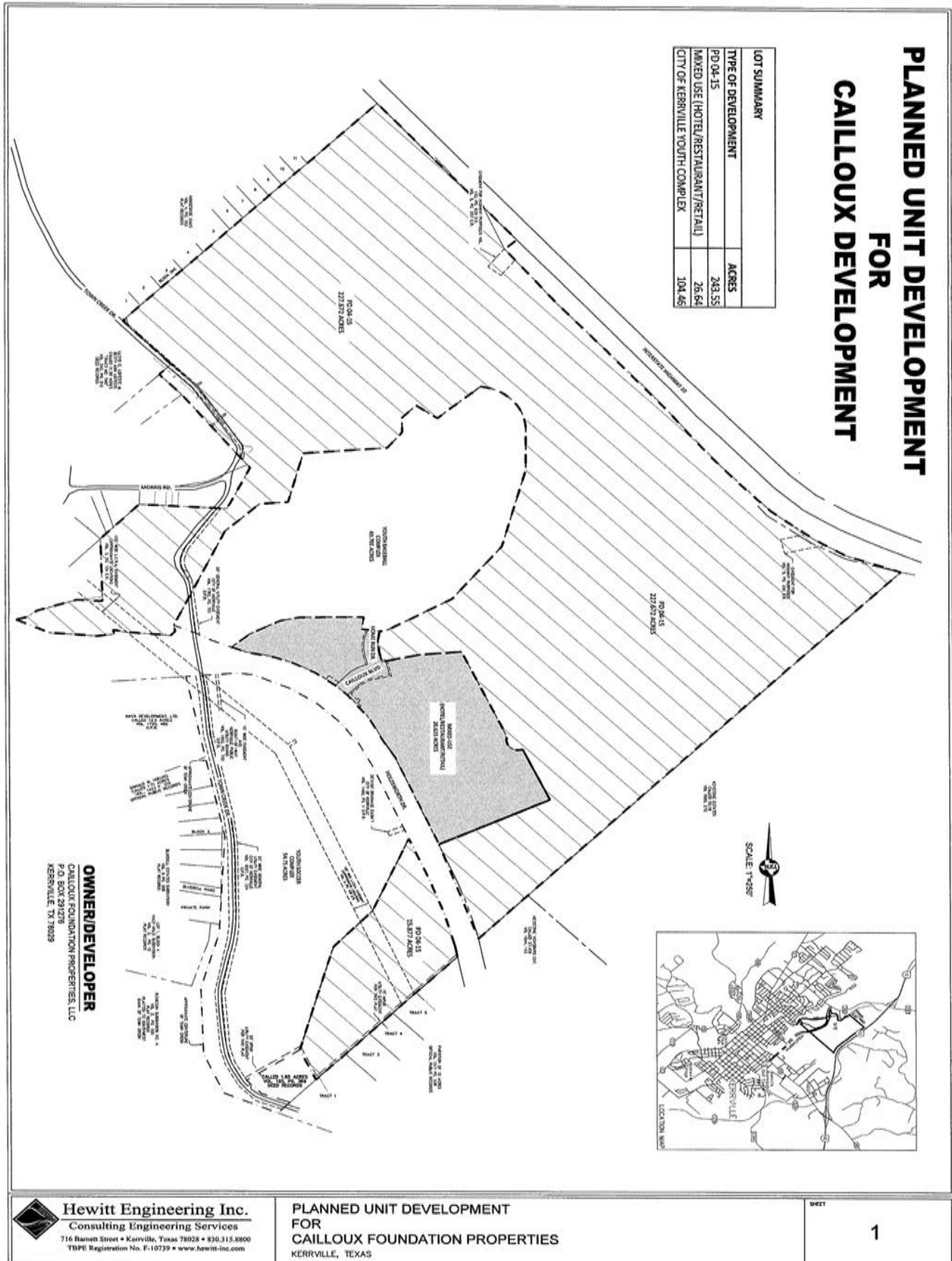


Exhibit C PD 04-15 Property

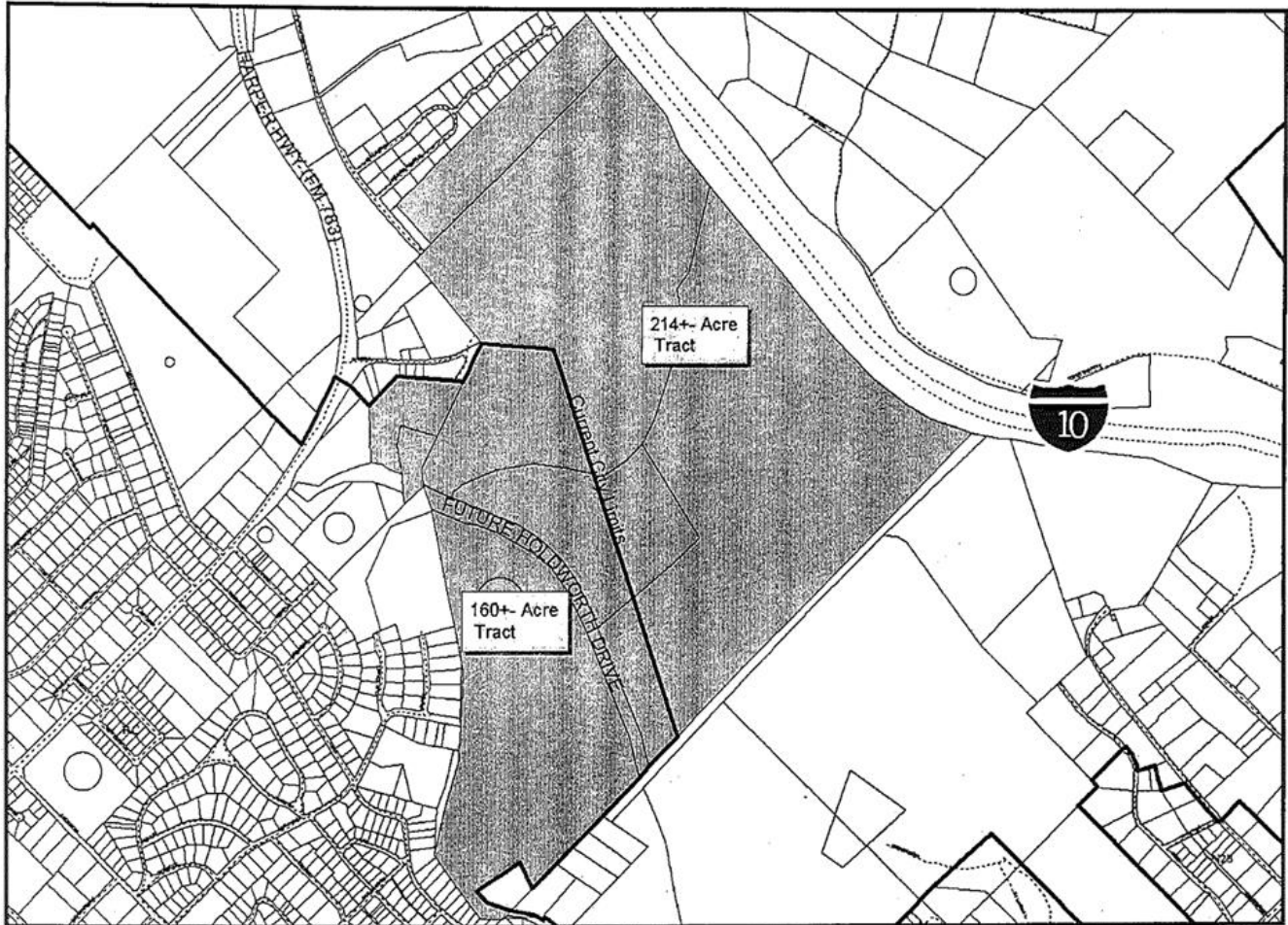


Exhibit D PD 04-15 Concept Plan



Exhibit E PD 04-15 Permitted Use List

LAND USES	AREA				
	1C	2C	3C	4C	5C
1. Business Services I					
(i) bicycle repair shops;	P	P	P	P	
(ii) cablevision, radio, and television stations;	P	P	P	P	
(iii) camera repair shops;	P	P	P	P	
(iv) commercial art, photography, art and graphics;	P	P	P	P	
(v) employment agencies;	P	P	P	P	
(vi) gunsmith and locksmith shops;	P	P	P	P	
(vii) job and vocational training centers;	P	P	P	P	
(viii) musical instrument, radio and television repair;	P	P	P	P	
(ix) postal services;	P	P	P	P	
(x) re-upholstery and furniture repair;	P	P	P	P	
(xi) telephone and electric company offices (excluding storage and maintenance yards, but including telecommunications serving centers).	P	P	P	P	
2. Business Services II					
(i) appliance sales or repair, used;	C	P	P	P	
(ii) blue printing and photo copying services;	P	P	P	P	
(iii) building cleaning services;	P	P	P	P	
(iv) car washes;	C	C	P	P	
(v) commercial testing laboratories; (not exceeding 5,000 sf in floor area)	C	C	P	C	
(vi) disinfecting and exterminating services;	P	P	P	P	
(vii) laundry/dry cleaning services	P	P	P	P	
(viii) funeral service and crematories;			C		
(ix) newspapers (printing);	P	P	P	P	
(x) photo finishing retail centers or as part of another allowed use	P	P	P	P	
(xi) protective services, non-governmental;	P	P	P	P	
(xii) refrigeration/air conditioning service and repair;	C	C	P	C	
(xiii) sign painting and outdoor advertising services;	P	P	P	P	
(xiv) swimming pool cleaning and maintenance.	C	C	P	C	
3. Cocktail Lounge	P	P	P	P	
4. Day Care Services (General)					
(i) overnight lodging of children not related by adoption or blood to the owner of the facility;	P	P		P	
(ii) medical treatment;	P	P		P	
(iii) counseling;	P	P		P	
(iv) rehabilitative services; or	C	P		C	
(v) elementary or secondary education.	P	P		P	
5. Education, Primary: But not in conjunction with any use of alcohol sales.	P	P		P	
6. Education, Secondary and College: But not in conjunction with any use of alcohol sales.	P	P		P	
7. Food Sales:	P	P	P	P	
8. Fuel Sales: with restricted locations outlined in ordinance	P	P			
9. Group Medical Care Facility:		P		P	C
10. Hospital Services:	P	P			
11. Hotel; Motel:		P	P	P	P
12. Life Care Development:					

(i)	independent living in single family units;					C
(ii)	apartment living;					C
(iii)	congregate living with common meals and/or community facilities for social events;					C
(iv)	community recreation;					C
(v)	convalescent services;					C
(vi)	guidance services;					C
(vii)	hospital services;					C
(viii)	residential care services;					C
(ix)	offices associated with the sales, rental, and organization of the community;					C
(x)	personal services and personal improvement services.					C
13. Manufacturing, Custom:		P	P	P	P	
14. Medical Offices:		P	P	P	P	
15. Personal Care Facility:						C
16. Personal Services I:						
(i)	beauty parlors and/or barber shops	P	P	P	P	
(ii)	health or fitness studios/salons and massage therapy;	P	P	P	P	
(iii)	pet services;	P	P	P	P	
(iv)	portrait photography studios;	P	P	P	P	
(v)	repair services of personal items such as shoes, watches, and jewelry;	P	P	P	P	
(vi)	schools primarily engaged in instructional or informational classes related to art, dance, gymnastics, cheerleading, trampoline and tumbling, or martial arts;	P	P	P	P	
(vii)	seamstress and/or tailor shops.	P	P	P	P	
17. Personal Services II:						
(i)	guidance services;	P	P	P	P	
(ii)	kennels with a maximum boarding capacity of less than twelve (12) animals only as part of a retail business related to providing pet products;	C	C	P	C	
(iii)	self service laundromats;	P	P	P	P	
(iv)	veterinary services with no external kennels or external boarding of pets.	P	P	P	P	
(v)	mini-storage: see provisions in ordinance		P	P	P	
18. Professional Office: (Including Financial Institutions)		P	P	P	P	

19. Recreation, Commercial and/or Public:						
(i)	indoor sports and recreation are uses conducted within an enclosed building, including, but not limited to, bowling alleys, billiard parlors, ice and roller skating rinks, racket sports, and swim clubs, weight training centers and related educational programs;	C	P	P	P	
(ii)	indoor recreation are predominantly uses conducted within an enclosed building involving spectators, including, but not limited to, motion picture theatres, meeting halls, and similar uses.	C	C	C	C	
20. Restaurant, General: including drive-through		P	P	P	P	
21. Restaurant, Limited:		P	P	P	P	
22. Retail Trade – Limited:						
(i)	hardware, paint, glass, and wallpaper stores;	P	P	P	P	
(ii)	lawn and garden supply, nurseries and landscaping;	P	P	P	P	
(iii)	department, variety and general merchandise stores;	P	P	P	P	
(iv)	food sales;	P	P	P	P	
(v)	specialty clothing and shoe stores;	P	P	P	P	
(vi)	furniture, floor covering, upholstery and curtain stores.	P	P	P	P	
(vii)	sales of new household appliances;	P	P	P	P	
(viii)	drug stores;	P	P	P	P	
(ix)	sporting goods stores;	P	P	P	P	
(x)	toy, gift and novelty shops;	P	P	P	P	
(xi)	stationery stores;	P	P	P	P	
(xii)	book sales;	P	P	P	P	
(xiii)	camera and photographic supply;	P	P	P	P	
(xiv)	luggage and leather goods sales;	P	P	P	P	
(xv)	sewing, needlework establishments;	P	P	P	P	
(xvi)	mail order and direct sale establishments;	P	P	P	P	
(xvii)	tobacco products sale;	P	P	P	P	
(xviii)	florists;	P	P	P	P	
(xx)	sale of new auto parts.	P	P	P	P	
23. Retail Trade I:						
(i)	all businesses defined as Retail Trade, Limited;	P	P	P		
(ii)	sales or rental of new or use merchandise, except used appliances, automobiles or any other vehicles.	P	P	P		
(iii)	alcoholic beverage sales for off-premise consumption.	C		C		
24. Retail Trade II:		P		P		
25. Retail Trade III: see provisions in ordinance		C		C		
26. Vehicle Maintenance and Repair: restricted locations outlined in ordinance.			P	P		
27. Vehicle Sales/Services – New: restricted locations outlined in ordinance.				P		
28. Dwelling – Two-Family and/or Multiple Family						P



City of Kerrville Planning Department Report

To: Planning & Zoning Commission

Agenda Item: 4A

Planning File #: 2017-026

Hearing Date: August 17, 2017

Representative: Jeff Boerner (M.D.S. Land Surveying Co., Inc.)

Location: 1709 Water Street

Legal Description: A portion of Lots 1-6, Block 9, a portion of H Street, and a portion of Lots 1-5, Block 10, J.A. Tivy's Addition to the City of Kerrville recorded in Volume P, Page 16, Plat Records, Kerr County, Texas, and being all of that certain 0.342 of one acre tract recorded in document No. 16-06322, official records of Kerr County, Texas, all of that certain 2.404 acre tract recorded in document No. 16-06323, official public records of Kerr County, Texas, all of certain 1.357 acre tract recorded in document No. 16-06324, official public records of Kerr County, Texas, and a 0.396 of one acre tract being a portion of H Street recorded in document No. 17-01162, official records of Kerr County, Texas, containing 4.135 acres, more or less, in the City of Kerrville, Kerr County, Texas, according to the Plat Records of Kerr County, Texas.

Total Acreage: 4.135

Proposal

A replat of a portion of Lots 1-6, Block 9, Lots 1-5, Block 10, J.A. Tivy's Addition and a portion of H Street.

Procedural Requirements

The application was published in The Hill Country Community Journal, an official newspaper of general circulation on May 17, 2017. Notices were sent to property owners within two hundred (200) feet of the subject property on May 22, 2017. Additionally, notice of this meeting was posted at city hall and on the city's internet website on June 9, 2017 in accordance with Section 551.043(a) of the Texas Government Code.

The Commission held the public hearing for this item at their June 1st meeting and postponed action on the item at the applicant's request and again at the June 15 meeting. We had been awaiting clarified language to be agreed upon regarding on-site property drainage (see attached amended note).


Recommended Action

Staff recommends removing the item from the table and then taking action to approve the replat.

Staff Analysis and Recommendation: Approval

1. Requirements and Guidelines:

The proposal has met all of the requirements and guidelines in accordance with Article 10-IV of the City of Kerrville Subdivision Ordinance, including zoning regulations and engineering design standards.

 * PROPERTY OWNER ACCEPTS RESPONSIBILITY FOR THIS STORM DRAIN
WITHIN THE PROPERTY BOUNDARIES AND ALSO ACCEPTS
THE CONCENTRATED FLOWS FROM THE STORM DRAIN
SYSTEM ONTO THE PROPERTY.

