



**CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA**  
**REGULAR MEETING, THURSDAY, APRIL 5, 2018 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 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 on 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 February 15, 2018 meeting.

2B. Approval of the minutes from the March 1, 2018 meeting.

**3. PUBLIC HEARING, CONSIDERATION & ACTION**

**3A. Public Hearing, Consideration & Action on a Recommendation to City Council, Annexation & Zoning** – Public Hearing, Annexation and Zoning - Public hearing concerning a request for the City of Kerrville to annex into its incorporated limits and consider a zoning classification of Planned Development District (PDD) Residential, for an approximately 5.331 acre tract of land generally located southeast of Comanche Hills Drive, between Comanche. The subject tract being more particularly described as located in the William Watt Survey No. 65, Abstract No. 364 of Kerr County, Texas and being part of that certain called 1131.78 acre tract recorded

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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 830-258-1117 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: April 2, 2018 at 9:00 a.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

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Cheryl Brown  
Deputy City Secretary, City of Kerrville, Texas

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in Volume 971, Page 698, Real Property Records of Kerr County, Texas. (File No. 2018-014)

3B. **Public Hearing & Action on a Recommendation to City Council, Text Amendment** – Public hearing, consideration and action concerning a text amendment adding conditional use permit regulations for parking lots to Chapter 1, Article 11-1-3, “Definitions and Interpretation of Words and Phrases”, Article 11-1-5 “Zoning Districts – West Side ” by adding parking lots to permitted and conditional uses in certain districts, Article 11-1-6 “Zoning Districts – Central City ” by adding parking lots to permitted and conditional uses in certain districts, Article 11-1-7 “Zoning Districts – North Side ” by adding parking lots to permitted and conditional uses in certain districts, Article 11-1-8 “Zoning Districts – East Side ” by adding parking lots to permitted and conditional uses in certain districts, Article 11-1-9 “Zoning Districts – South Side ” by adding parking lots to permitted and conditional uses in certain districts, Article 11-1-9 Article 11-1-10 “Residential Zoning Districts” by adding parking lots to permitted and conditional uses, Article 11-1-12 “Miscellaneous Zoning Districts ” by adding parking lots to permitted and conditional uses in certain districts, and Article 11-1-13 “Conditional Use Permits” of the City of Kerrville Zoning Code. (File No. 2018-008)

#### 4. **PUBLIC HEARINGS AND FINAL ACTION**

4A. **Public Hearing & Action, Replat** – Public Hearing & Action, Replat – Public hearing, consideration, and action concerning a request for replat and amending plat of 7.89 acres of land, more or less, out of Florentine Lara Survey No. 123, Abstract no. 225 in the City of Kerrville, Kerr County, Texas, comprising all of Lots 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 148, and 153, and part of Lot 154 of The Meridian Subdivision, a subdivision of Kerr County, according to the plat of record in volume 7 at pages 88+81 of the plat records of Kerr County, Texas. (File No. 2017-084)

#### 5. **STAFF REPORT**

#### 6. **ADJOURNMENT**

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 830-258-1117 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: April 2, 2018 at 9:00 a.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Cheryl Brown  
Deputy City Secretary, City of Kerrville, Texas

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# City Of Kerrville Planning Department Report

To: Planning & Zoning Commission  
Agenda Item: 2A Minutes February 15, 2018 Commission meeting  
Action: Approval, approval with specific changes  
Representative: Staff

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## **CITY OF KERRVILLE, TEXAS PLANNING AND ZONING COMMISSION**

**FEBRUARY 15, 2018**

### **Members Present**

Garrett Harmon, Vice-Chair  
Don Barnett, Commissioner  
Michael Sigerman, Commissioner  
Rustin Zuber

### **Members Absent**

Bob Waller, Chairman  
David Jones, Alternate  
Marty Lenard, Alternate

### **City Executive Staff Present**

Sabine Kuenzel, Chief Planning Officer  
Drew Paxton, Executive Director of Development Services  
Mike Hayes, City Attorney

### **CALL TO ORDER**

On February 15, 2018, 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**

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 Commissioner'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

to 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 minutes for the February 1, 2018 meeting.

Cmr. Sigerman moved to amend the minutes as presented. Cmr. Barnett seconded, and the motion passed 4-0.

## **3. DISCUSSION ITEM**

3A. Discussion - Discussion concerning a pending ordinance amendment to address right-of-way design standards, Wireless Telecommunication Network Node design manual.

Mr. Drew Paxton presented the case.

The Commissioners discussed the following:

- Whether or not there is a difference between highway and non-highway right-of-ways
- Whether or not permits will be required
- Whether or not future technology will circumvent the right-of-way standards
- Whether or not there is a possibility of telecommunications companies contracting with private owners
- The existence of the current cell tower and antennae ordinance that was adopted separately (not under the zoning ordinance)
- Whether or not towers can be excluded from design and historical districts
- The Commissioners role in making a recommendation
- The design manual will help set standards

## **4. STAFF REPORT**

Ms. Kuenzel stated there will be a few items presented at the new Planning and Zoning Commission meeting on March 1, 2018.

## **5. ADJOURNMENT**

The meeting was adjourned at 5:14 p.m.



## City of Kerrville Planning Department Report

To: Planning & Zoning Commission  
Agenda Item: 2B Minutes February 15, 2018 Commission meeting  
Action: Approval, approval with specific changes  
Representative: Staff

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

**March 1, 2018**

**MEMBERS PRESENT:**

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

**MEMBERS ABSENT:**

None

**STAFF PRESENT:**

Sabine Kuenzel, Chief Planner  
Drew Paxton, Executive Director for Development Services  
Mike Hayes, City Attorney  
Cheryl Brown, Deputy City Secretary

**CALL TO ORDER:**

On Thursday, March 1, 2018, 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. VISITOR/CITIZENS FORUM:**

No one spoke.

**2. CONSENT AGENDA:**

2A. Approval of the minutes from the February 15, 2018 meeting. *This item was postponed to the next Planning & Zoning Commission meeting.*

**3. CONSIDERATION & ACTION:**

3A. Consideration & Final Action, Preliminary Plat – Consideration and action concerning a Preliminary Plat of Comanche Tract Section 15, a subdivision containing approximately .33 acres of land out of the William Watt Survey No. 65, Abstract No. 364 in the City of Kerrville, Texas, and located along the future extension of Comanche Hills. (Case #2018-007)

Ms. Kuenzel presented the case and asked Commissioners to render a decision.

Cmr. Sigerman moved to approve the plat as presented. Motion was seconded by Cmr. Zuber and passed 5-0.

3B. Consideration & Final Action, Final Replat – Consideration and action concerning a Final Replat of The Meridian, a portion of that subdivision containing approximately 7.89 acres of land; a subdivision of Kerr County according to the plat of records in Volume 7, pages 80-81.

Mr. Paxton presented the case and noted that no action was required by the Commission at this time.

**4. PUBLIC HEARINGS AND ACTION:**

4A. Public Hearing & Action, Conditional Use Permit – Public hearing, consideration, and action on a recommendation concerning a conditional use permit for an approximate 2.08 acres tract, Lot 1 Block 3 Sutton Addition, located at 3410 Memorial Boulevard; east of Loop 534, between Carmichael Street East and Tucker Road East. (File No. 2017-070)

Mr. Paxton presented the item. The request for a conditional use permit was made in order to allow the installation of a manufactured home. He stated that the property owners were present, and they would speak to the Commission.

Cmr. Waller opened the public hearing at 4:51 p.m.

Mr. Charles Wickware, the property owner, spoke in favor of the conditional use permit.

Cmr. Waller closed the public hearing at 4:55 p.m.

Cmr. Sigerman moved to approve the conditional use permit. Mr. Zuber seconded. The motion failed 2 to 3, with Cmr. Sigerman and Cmr. Zuber voting in favor, and Cmr. Waller, Cmr. Barnett, and Cmr. Harmon voting against.

4B. Public Hearing & Action, Text Amendment – Public hearing, consideration, and action on a recommendation concerning a text amendment adding conditional use permit regulations for parking lots to Chapter 1, Article 11-1-13, "Conditional Use Permits" of the City of Kerrville Zoning Code. (File No. 2018-008)

Ms. Kuenzel presented the item, and asked the Commissioners to render a decision.

Cmr. Waller opened the public hearing at 5:21 p.m.

Bruce Strake spoke in favor of the text amendment.

Bruce Motheral spoke in favor of the text amendment.

Cmr. Waller closed the public hearing at 5:35 p.m.

Cmr. Barnett recommended approval of the text amendment. He recommended that it go before the City Council.

Cmr. Harmon asked if it would come back before the Commission before it goes to the City Council.

Cmr. Sigerman recommended the text amendment go before the City Council at their next meeting.

After discussion among the commissioners, Mr. Hayes suggested the Commission table the item, and direct staff to go through all the zones in the Zoning Code, and define the uses for parking lots.

Cmr. Zuber stated his concern was for the residential zones.

Cmr. Zuber moved to table the item, and direct staff to come back before the Commission with their recommendations for parking lots in all zones. Mr. Sigerman seconded, and the motion passed 5-0.

## **5. DISCUSSION ITEM**

5A. Discussion – Discussion concerning a pending ordinance amendment to address right-of-way design standards, Wireless Telecommunication Network Node design manual.

Mr. Paxton presented the item. He stated staff was to take the design manual to City Council at their next meeting.

The Commissioners discussed the possibility of adding a map to show the design district.

## **6. STAFF REPORT**

Mr. Paxton reported that a right-of-way ordinance was scheduled to be reviewed at a future meeting of the Commission.

## **7. ADJOURNMENT**

Cmr. Barnett moved to adjourn. Cmr. Sigerman seconded. The motion passed 5-0, and the meeting adjourned at 5:45 p.m.



## City of Kerrville Planning Department Report

To: Planning & Zoning Commission

Agenda Item: 3A

Planning File #: 2018-014

Representative: Staff

Legal Description: Public Hearing, Annexation and Zoning - Public hearing concerning a request for the City of Kerrville to annex into its incorporated limits and consider a zoning classification of Planned Development District (PDD) Residential, for an approximately 5.331 acre tract of land generally located southeast of Comanche Hills Drive, between Comanche. The subject tract being more particularly described as located in the William Watt Survey No. 65, Abstract No. 364 of Kerr County, Texas and being part of that certain called 1131.78 acre tract recorded in Volume 971, Page 698, Real Property Records of Kerr County, Texas.

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### **Proposal**

A request to annex into the city's incorporated limits and consider a zoning classification of Planned Development District (PDD) Residential for Comanche Trace, Phase 15.

### **Procedural Requirements**

This public hearing date was published in the Kerrville Daily Times, the FY2018 City of Kerrville official newspaper of general circulation. Additionally, notice of this meeting was posted at City Hall and on the City's website.

### **Recommended Action**

Staff recommends that the Commission considers and takes action on the proposal.

### **Staff Analysis and Recommendation**

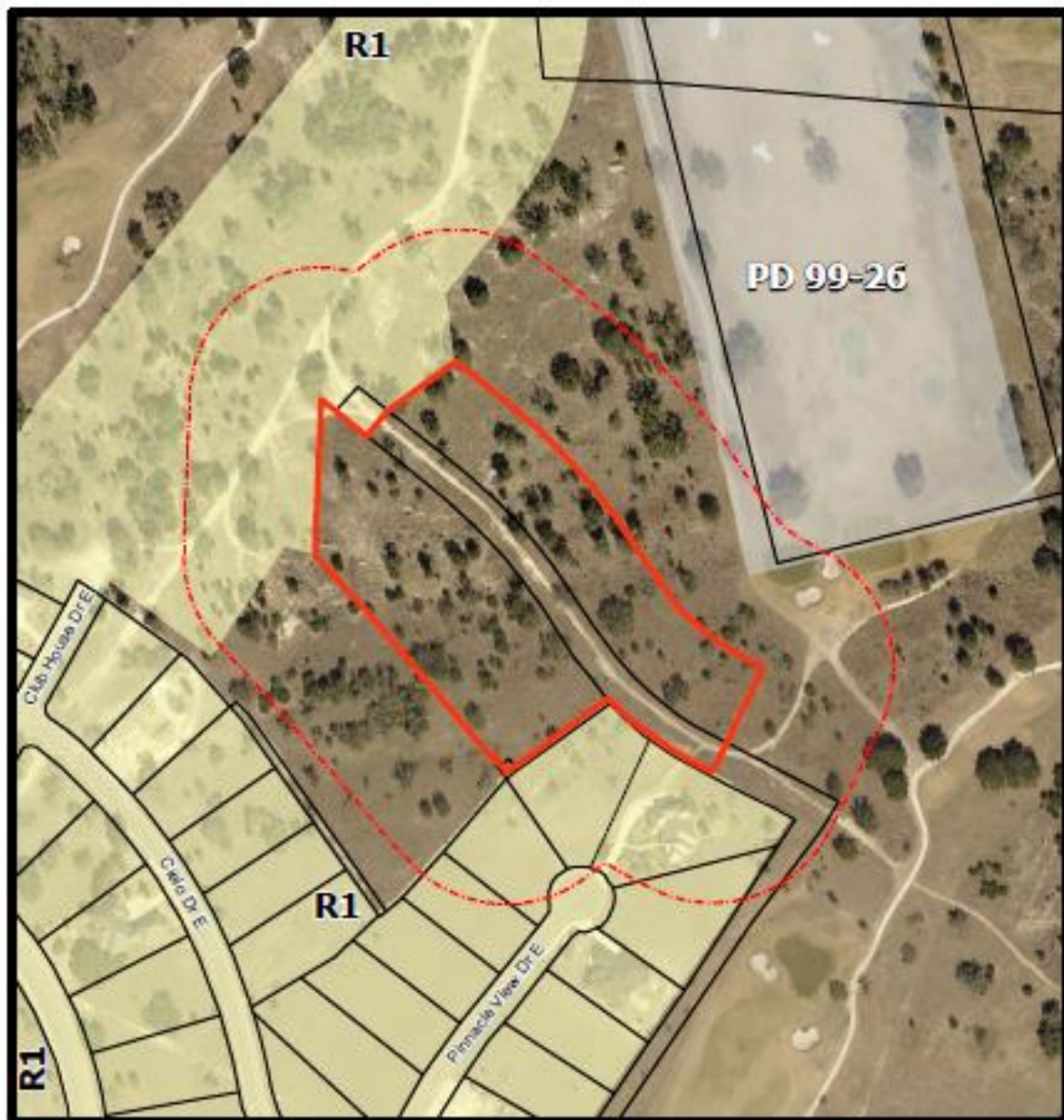
Staff recommends approval of the annexation and zoning of Planned Development District (PDD).

### **Attachments**

Location Map



## Location Map



### Location Map

**Case # 2018-014**

**Location:**  
**Comanche Trace Phase 15**

#### Legend

200' Notification Area ---  
Subject Properties ---



0 50 100 200  
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.



## City of Kerrville Planning Department Report

To: Planning & Zoning Commission

Agenda Item: 3B

Planning File #: 2018-008

Representative: Staff

Legal Description: Public hearing, consideration and action concerning a text amendment adding conditional use permit regulations for parking lots to Chapter 1, Article 11-1-3, "Definitions and Interpretation of Words and Phrases", Article 11-1-5 "Zoning Districts – West Side " by adding parking lots to permitted and conditional uses in certain districts, Article 11-1-6 "Zoning Districts – Central City " by adding parking lots to permitted and conditional uses in certain districts, Article 11-1-7 "Zoning Districts – North Side " by adding parking lots to permitted and conditional uses in certain districts, Article 11-1-8 "Zoning Districts – East Side " by adding parking lots to permitted and conditional uses in certain districts, Article 11-1-9 "Zoning Districts – South Side " by adding parking lots to permitted and conditional uses in certain districts, Article 11-1-9 Article 11-1-10 "Residential Zoning Districts" by adding parking lots to permitted and conditional uses, Article 11-1-12 "Miscellaneous Zoning Districts " by adding parking lots to permitted and conditional uses in certain districts, and Article 11-1-13 "Conditional Use Permits" of the City of Kerrville Zoning Code.

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### **Proposal**

During discussion for a rezoning request that would have permitted a commercial parking lot, the Planning and Zoning Commission briefly discussed an option to create a Conditional Use Permit process for parking lots.

At its meeting on March 1, 2018, the Planning and Zoning Commission held a public hearing and discussed proposed verbiage to list parking lots as a conditional use across all district lines. Discussion focused on the pros and cons of including parking in any zoning district versus specifying them in certain zoning districts. The proposed amendment that is in this current draft would include surface parking lots and garages in certain zoning districts 1) as a use by right, 2) as a conditional use or 3) not permitted.

The attached excerpts from the Zoning Ordinance includes all of the purpose statements for each of the City's districts, followed by excerpts from the Official Zoning Map by section (West, Central, North, East, and South, the miscellaneous districts, and the residential districts). This information is provided so that the Commission may examine the districts and gauge whether they are appropriate for independently standing parking areas (lots and/or garages).

### **Procedural Requirements**

This public hearing date was published in the Kerrville Daily Times, the FY2018 City of Kerrville official newspaper of general circulation. Additionally, notice of this meeting was posted at City Hall and on the City's website. A second public hearing was notified due to the fact that the proposed amendment changed from the first time that it was presented.

### **Recommended Action**

Staff recommends that the Commission considers and takes action on the proposal.

### **Attachments**

Zoning Ordinance Excerpts with corresponding Zoning Map excerpts

Draft of Zoning Ordinance sections to be amended sent to Legal (Legal to provide in actual ordinance format to Commission members prior to public hearing)

**Art.11-1-5 ZONING DISTRICTS - WEST SIDE**

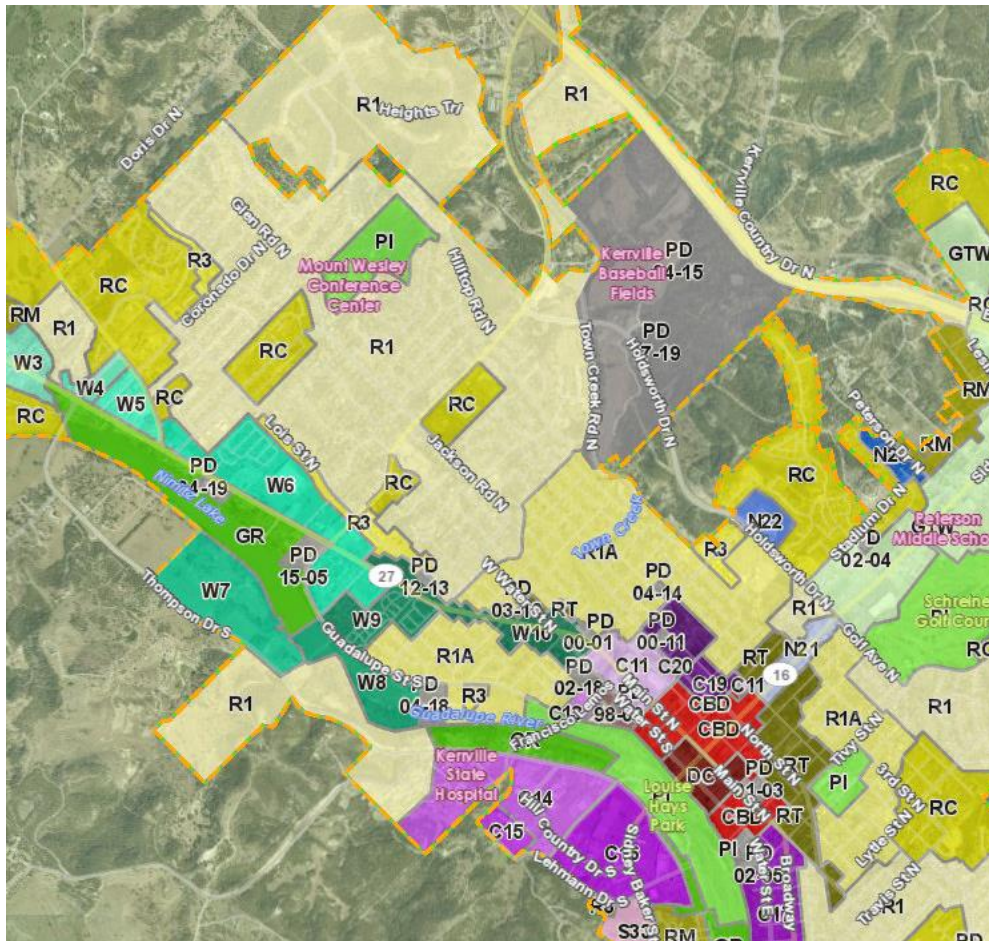
- (a) **Enumeration of Districts and Purpose:** The following specifically enumerated districts are established in the area designated on the Official Zoning Map as "West Side" and are to be developed substantially consistent with the following described purposes:
- (1) **District 1-W:** District 1-W is designed to encourage redevelopment of the district with light industrial and other uses of like intensity to compliment existing light industrial-type uses located within the boundaries of the district. Development of District 1-W should occur in anticipation of expansion of such uses into areas adjacent to District 1-W when annexed. Development of uses in District 1-W which substantially increase truck traffic along Harper Road is to be discouraged. District 1-W is not well suited for development of residential, retail, commercial, or personal services.
  - (2) **District 2-W:** District 2-W is designed to encourage low intensity commercial development with portions of the district further away from Highway 27 to be developed primarily as residential. The development of property north-northeast of District 2-W which is presently outside the city limits should be developed primarily as residential and zoned for the same. Although District 2-W may be extended into a part of the above described property if annexation of the area occurs, a residential zone would be more appropriate for the development of areas near Goat Creek.
  - (3) **District 3-W:** District 3-W is designed to allow a broad range of commercial uses and multi-family residential. However, industrial and light density residential development is not appropriate. While single-family housing is not encouraged, a one-family dwelling occupied by a business owner or a watchman and located on the same lot where the business is located may receive conditional consideration. District 3-W is not intended to be expanded except through minor boundary adjustments.
  - (4) **District 4-W:** District 4-W is primarily designed for the development of commercial and office uses, with buffer areas to be developed to protect adjacent single-family residential developments. Neither industrial nor residential development is appropriate for District 4-W, except multi-family residential may be permitted on a conditional basis. District 4-W is not intended to be expanded.
  - (5) **District 5-W:** District 5-W is designed to permit the development of heavier commercial uses outright and limited industrial type uses subject to conditions. District 5-W is not suitable for the development of residential uses. District 5-W is not intended to be expanded.

- (6) **District 6-W:** Because the development of District 6-W will directly impact traffic on Harper Road, including its intersection with State Highway 27. District 6-W is designed to allow for the development of commercial uses of all types, with development of major retail centers exceeding 1 00,000 square feet permitted by issuance of a Conditional Use Permit. Single and two-family residential and industrial type uses are not suitable for District 6-W. District 6-W is not intended to be expanded.
- (7) **District 7-W:** District 7-W allows general agricultural uses are allowed as a conditional use, but agricultural services are prohibited. Residential development designed to compliment the lakefront should be encouraged. Tourist/visitor/recreational uses are considered appropriate on a conditional basis. Limited commercial uses are also permitted as conditional uses, but approval of applications of such permits along this section of the river should be very limited in nature and carefully located in order to promote the primary purpose of future residential development. District 7-W maybe extended with annexation of surrounding properties.
- (8) **District 8-W:** Because District 8-W is surrounded by single-family residential development, the Guadalupe Rivet', and a small city park, District 8-W allows the development of residential uses as well as, on a limited basis, other more intense uses that may be compatible with the surrounding residential developments and with the Guadalupe River. However, there are a few existing buildings, including a bar, which are not appropriate for the area now or in the future and will be treated as non-conforming. District 8-W may be expanded, but only after careful evaluation of the district's impact on the adjacent residential development and the Guadalupe River.
- (9) **District 9-W:** District 9-W is designed to be a transition district between District 6-W, the small-lot commercial strip existing in District 10-W, the river front, and the same large residential area that adjoins District 8-W. Permitted uses include a manufactured home community, an apartment complex, and a life care development that includes retirement and nursing sections. Lighter commercial uses are also permitted primarily in the event that the mobile home park should someday convert to another use, particularly on its Highway 27 frontage.
- (10) **District 10-W:** The primary purpose of District 10-W is for the development of smaller commercial businesses which will not substantially increase the impact of traffic along the Highway 27 corridor. District 10-W is generally not suitable for the development of residential uses; however, single family residential development may occur as a conditional use, provided such development occurs only on lots which do



not have direct access to Highway 27. District 1 0-W is not intended to be expanded. Regardless of use, development along Town Creek should be limited to uses that will not negatively impact the creek and, consequently, the Guadalupe River. Should limited business development be determined in the future to be appropriate on lots abutting but not located in District 10-W, but that are not zoned for such use, Conditional Use Permits or the RT zoning district should be used.

## MAP WEST SIDE ZONING DISTRICTS



## **Art. 11-I-6 ZONING DISTRICTS - CENTRAL CITY**

- (a) **Enumeration of Districts and Purpose:** The following specifically enumerated districts are established in the area designated on the Official Zoning Map as "Central City" and are to be developed substantially consistent with the following described purposes:

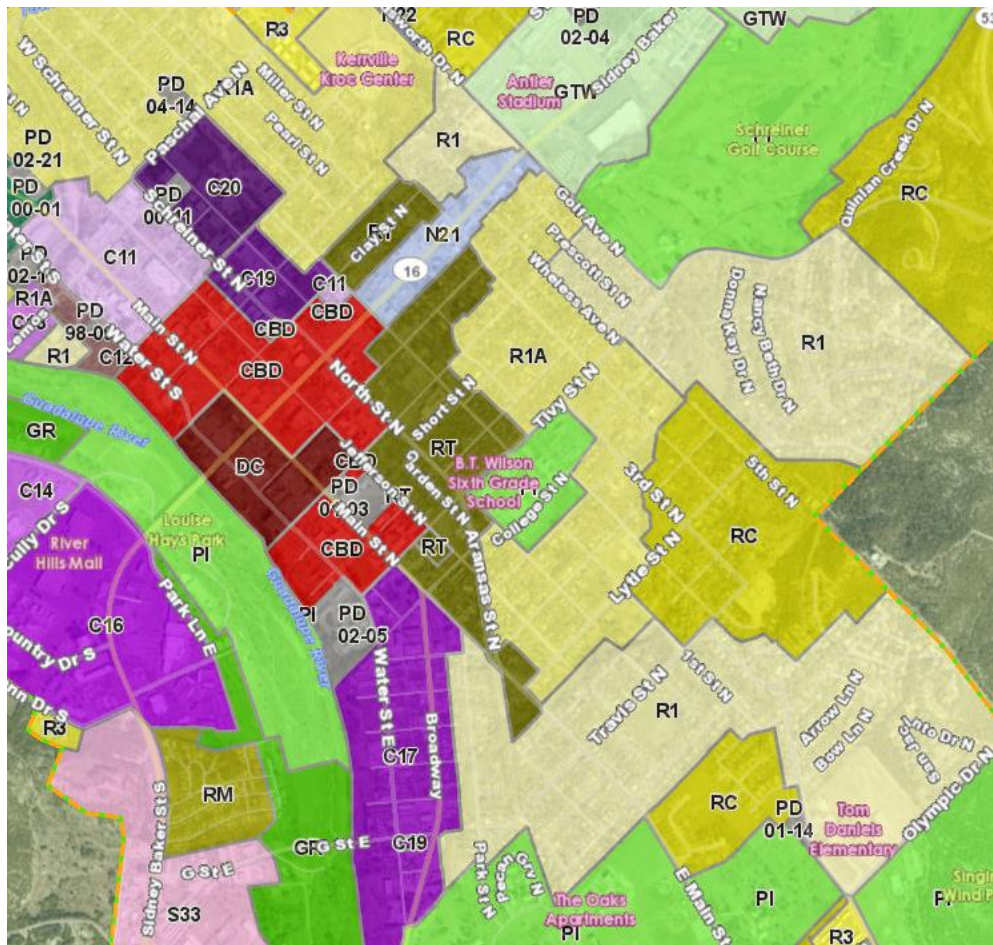
- (1) **District 11-C:** The primary purposes of District 11-C are:
- (I) to promote non-industrial commercial development that allows retail establishments up to 100,000 square feet of floor area, and yet protects and enhances the appearance of Town Creek and existing single family residential development in the area west of Hays Street;
  - (ii) To promote the redevelopment of Jefferson Street as a primary central business artery in the city;
  - (iii) to encourage development of Schreiner Street as a through traffic street rather than one with slower customer traffic, with a goal of avoiding driveway access to and from Schreiner Street wherever feasible;
  - (iv) To promote the development of small businesses, including offices and small restaurants, near downtown, on the eastern end of the district; and
  - (v) to enhance the appearance of the entrance ways into the downtown area along State Highways 16 and 27. Any conditional uses granted in District 11-C should be consistent with the purposes set forth herein.
- (2) **District 12-C:** The primary purpose of District 12-C is to promote the development of small specialty shops, offices, apartments, and tourist/visitor and public uses which enhance both the river front and the smaller businesses along Water Street.
- (3) **District 13-C:** The primary purpose of District 13-C is the development of low density residential and certain low-intensity non-residential uses, such as small office uses, bed and breakfast facilities, or other uses that are compatible and non-detrimental to the Guadalupe River and Town Creek environment. Permitted development in District 13-C should not be of such intensity as to add substantial amounts of commercial traffic onto Francisco Lemos Street. District 13-C is not intended to be expanded.



- (4) **District 14-C:** The primary purpose of District 14-C is the development of small retail or office uses, including medical professional offices and other medical services, and higher density housing. Large commercial retail and industrial uses are not intended for this district. District 14-C is not intended to be expanded except through minor boundary adjustments.
- (5) **District 15-C:** District 15-C is intended to be primarily developed with residential uses, including higher density residential uses, though certain retail uses may be appropriate with some limitations in areas adjacent to District 14-C. Manufactured home developments would also be appropriate in District 15-C, subject to the regulations set forth in this Zoning Code. District 15-C is expected to be expanded with annexation of an area that has Hill Country Drive as its northern boundary.
- (6) **District 16-C:** District 16-C is intended to be developed with significant commercial uses, including, but not limited to, major retail malls, large grocery stores, new car dealerships, government offices, and restaurants, and higher density residential uses that are all compatible for land both near the river and which are appropriate for serving as the major entrance to downtown from the south side of the Guadalupe River.
- (7) **District 17-C:** The primary uses in District 17-C are to include limited retail, personal services, business services, and high density residential. Uses that are compatible with the historic entranceway into downtown along the Old San Antonio Highway (State Highway 27), Schreiner College, and the river front along the Guadalupe River are to be encouraged. More intense retail and commercial uses, including, but not limited to, vehicle sales and repairs and heavier retail uses are to be discouraged or not allowed.
- (8) **(Deleted by Ord. 2011-09)**
- (9) **District 19-C:** The primary purpose of District 19-C is to permit the development of property for use as building construction trades defined as "specialist" and smaller offices, but in a manner that will not encourage a disruption of the traffic flow on Schreiner Street.
- (10) **District 20-C:** The primary purpose of District 20-C is to promote the development of transitional uses to types of businesses more compatible with the adjacent residential and retail businesses. Except on a limited basis, retail is not encouraged and industrial uses should be limited to custom manufacturing. As in District 11-C, Schreiner Street should be encouraged to develop as a through street with development which contributes to stop and go business traffic being discouraged.
- (11) **Central Business District (CBD):** The Central Business District is the City's original downtown area. The district is established to promote a variety of

uses and services commonly found in a downtown, pedestrian-friendly environment. Any development and/or redevelopment within this district should be conducted with goal of complimenting the culture, heritage, and history associated with the City's downtown area. Within the CBD is an area defined as the "Downtown Core". The Downtown Core is a 5 ½ block area consisting of small specialty shops, restaurants, offices, and tourist, visitor and public uses unique to the City.

## MAP CENTRAL ZONING DISTRICTS



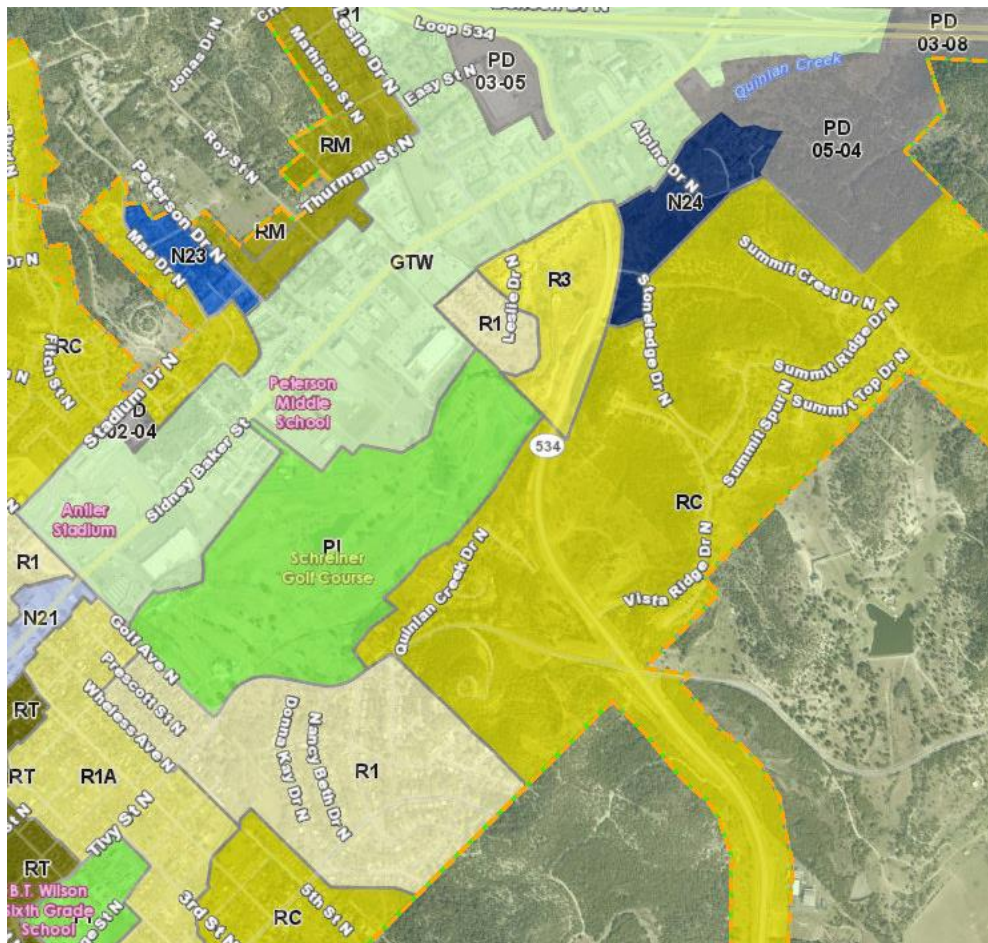
## **Art.11-1-7 ZONING DISTRICTS-NORTH SIDE**

- (a) **Enumeration of Districts and Purpose:** The following specifically enumerated districts are established in the area designated on the Official Zoning Map as "North Side" and are to be developed substantially consistent with the following described purposes:
- (1) **District 21-N:** The purpose of District 21-N is to permit the development of small business uses along the State Highway 16 corridor into the Central City Area north of Barnett Street in a manner which:
    - (i) promotes a reasonably attractive entranceway into the Central City Area;  
but
    - (ii) does not adversely affect the adjacent residential areas through the development of incompatible businesses.
  - (2) **District 22-N:** The purpose of District 22-N is for limited industrial development. The expansion of the district and its uses should be restricted because of nearby residential developments and surrounding areas within the City and the City's extraterritorial jurisdiction which should develop with residential uses
  - (3) **District 23-N:** District 23-N is primarily to be developed with a mix of residential uses with certain smaller contractor businesses. A limit should be placed on the expansion of personal service uses. No retail uses should be permitted except on a limited and conditional use basis.
  - (4) **District 24-N:** The purpose of District 24-N is to serve as a transition district between a GTW district and a large single-family RC zone. The district allows for retirement and nursing home development and complimentary commercial businesses, but limits retail development and other uses that could produce a negative impact on the single family subdivisions and Quinlan Creek.
  - (5) **District 38-N:** District 38-N is designed primarily to regulate the development and land use of areas at or near the most heavily trafficked entries into the City in a manner that enhances the appearance of such areas while at the same time allowing the development of more intense uses that require good access to major thoroughfares. Hotels and other similar uses are encouraged. All uses which are allowed conditionally should be carefully evaluated as to the impact such uses have on the appearance and "first impression" portrayed to anyone traveling into and out of the City as well as the amount of traffic concentrated around such entry ways. District 38-N regulations may be applied to newly

annexed areas that may result in the development of an additional main entrance into the City. (Referenced to Ordinance No. 2001-04)



## MAP NORTH SIDE ZONING DISTRICTS



## Art. 11-1-8 ZONING DISTRICTS-EAST SIDE

- (a) **Enumeration of Districts and Purpose:** The following specifically enumerated districts are established in the area designated on the Official Zoning Map as "East Side" and are to be developed substantially consistent with the following described purposes:
- (1) **District 25-E:** District 25-E is primarily to be developed with commercial uses. District 25-E is not intended to be expanded except through annexation which should be coupled with a requirement for presentation of a development plan. Commercial development along Loop 534 should not be stripped but developed in nodal fashion with controlled access off Loop 534.
  - (2) **District 26-E:** District 26-E is primarily to be developed as the primary industrial area for the City. Both heavy and limited industrial uses are listed as permitted, though other uses primarily intended to compliment the industrial uses are also allowed. Development with higher density residential uses may be appropriate under certain conditions. Development of industry in this district is not to occur in a strip but is to be developed with controlled access to Loop 534 with facilities served by an inner road system. District 26-E is intended to be expanded through annexation.
  - (3) **District 27-E:** District 27-E is primarily intended to be developed as a sanitary landfill and wastewater treatment plant, but also permits recreational uses, certain commercial uses for areas closer to Loop 534, and residential uses subject to approval of a Conditional Use Permit. Development of uses not located on City-owned property in this district is not to occur in a strip but is to be developed with controlled access to Loop 534 with facilities served by an inner road system.
  - (4) **District 28-E:** District 28-E is primarily to be developed with residential uses, but also allows certain compatible non-residential uses, such as life care developments, institutional and public assembly, churches, funeral homes, personal services, and retail trade built with a residential character. Limited manufacturing uses are also permitted subject to a Conditional Use Permit. Any zone change request associated with an extension of Singing Wind Boulevard to Loop 534 should be carefully evaluated so as to permit only uses that will be reasonably compatible with existing residential uses. District 28-E is not designed to be extended.
  - (5) **District 29-E:** District 29-E is primarily to be developed with professional offices, personal services, retail limited to smaller buildings, and residential uses which will compliment and enhance the eastern entrance into the City from State Highway 27. Development should also be designed as to not unreasonably adversely affect the operations of the Veteran's Administration Hospital, which is located within District 29- E.

- (6) **District 30-E:** District 30-E is primarily designed to be developed with lower density residential uses, limited retail uses, and limited personal services uses. Redevelopment should be conducted in a manner conducive to the existing residential as well as in a manner which compliments and enhances the eastern entrance into the City from State Highway 27.
  
- (7) **District 31-E:** The purpose of District 31-E is to promote a mix of contractor businesses, business services, and personal services, all of which should be developed in a manner that enhances the quality of the Guadalupe River frontage, located across the highway from this district, and Schreiner College, which is on the west end of the district. Retail trade should be limited and constructed with a residential appearance.
  
- (8) **District 32-E:** The purpose of District 32-E is to encourage business uses compatible with the Kerr County Law Enforcement Center, Schreiner College, and the adjacent residential uses. Residential uses should not be permitted within the district. Industrial uses may be permitted on a conditional basis, which conditions must include safeguards for the adjacent properties and plans for an adequate industrial roadway for access to the tract being developed.





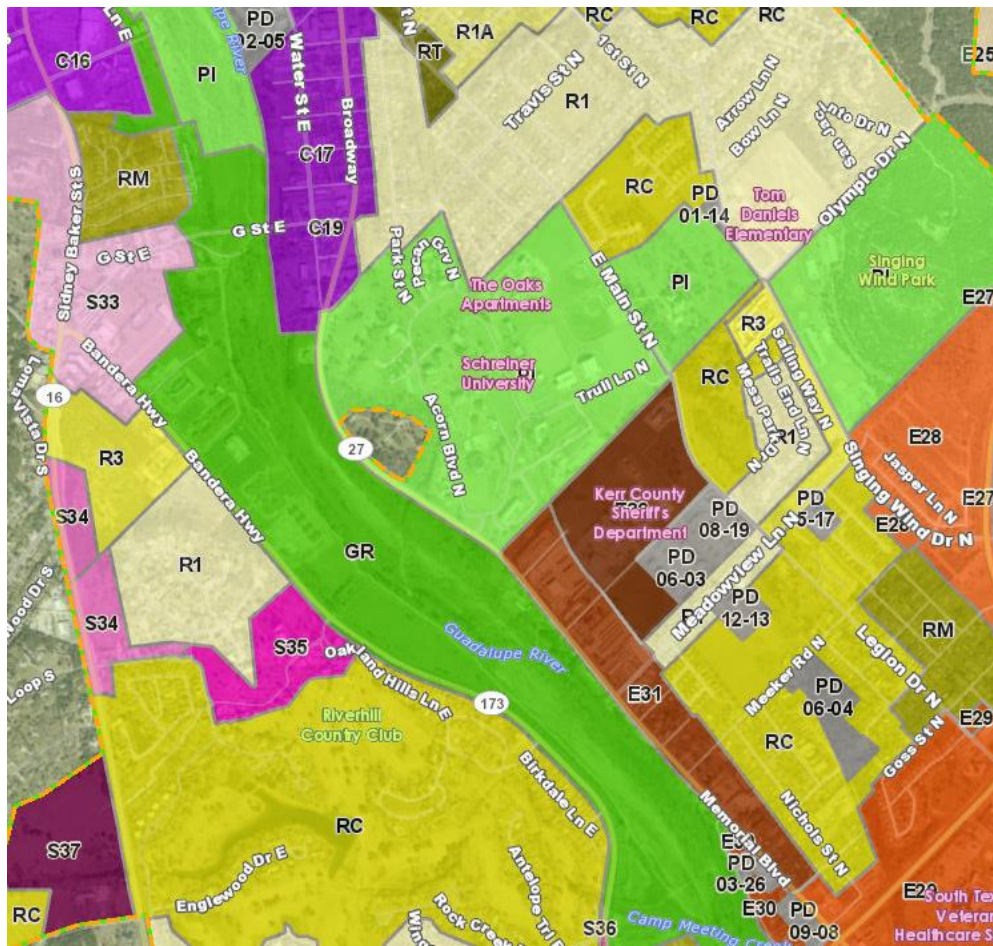
## Art. 11-1-9 ZONING DISTRICTS - SOUTH SIDE

- (a) **Enumeration of Districts and Purpose:** The following specifically enumerated districts are established in the area designated on the Official Zoning Map as "South Side" and are to be developed substantially consistent with the following described purposes:

- (1) **District 33-S:** The purpose of District 33-S is to promote business development that will enhance development near or bordering the Guadalupe River. Certain areas within the district are suitable for multi-family residential, but not other types of residential. More intense commercial uses may be allowed on a conditional basis.
- (2) **District 34-S:** The purpose of District 34-S is to permit the development of small office uses. Single family residential uses are not appropriate for this district except on a conditional basis.
- (3) **District 35-S:** The Purpose of District. 35-S is to permit the development of a private country club, golf course, and associated other recreational uses along with the development of small shops for limited retail and personal service uses associated with the club development. District 35-S also allows for higher density residential uses, but not detached single family residential uses.
- (4) **District 36-S:** The purpose of District 36-S is to allow low intensity business uses that are appropriate for the district's location near the River Hill and Oak Hollow residential developments but includes additional uses above that allowed in the abutting GR zoning district. District 36-S is not intended to be expanded through annexation or any other means.
- (5) **District 37-S:** The primary purpose of District 37-S is to allow development of light commercial, professional office and multifamily housing uses in a manner that:
  - (i) protects the environment and water quality of Camp Meeting Creek,
  - (ii) enhances the appearance of the entrance into the city along State Highway 16, and
  - (iii) that protects adjacent residential development.

Restaurants, offices, limited personal services, and apartments or condominiums are examples of permitted uses within this district. Retail trade, business services, Personal Services 11, and hotels are examples of heavier types of uses requiring conditional use permits. In considering applications for conditional use permits in this district, careful consideration should be given to how such use and might be contrary to the above stated purposes of the district.

## MAP SOUTH SIDE ZONING DISTRICTS



## **Art. 11-I-10 RESIDENTIAL ZONING DISTRICTS**

### **(a) "R-1" Single Family Residential District:**

**Purpose:** The purpose of an "R-1" Single Family Residential District is (1) to encourage development of primarily larger lot single family detached homes and (2) to protect developed and vacant properties that are determined to be most suitable for detached single family homes from uses that will produce traffic concentrations, noise and pollutants that will create an undesirable and unsafe residential environment. "R-1" Single Family Residential Districts can be located in any area of the City suitable for residential use.

### **(b) "R-1A" Residential District:**

**Purpose:** The purpose of an "R-1A" Residential District is to encourage the continuation of residential uses in older residential areas located within or near the Central City area. The addition of an apartment to a single family house is permitted under certain conditions in order to (1) encourage home ownership in older sections of the City by permitting a home owner to investment in and improve an older home in a manner that increases the ability of that home owner to realize a certain income from the investment; (2) make available more apartments, possibly at lower rent, that are closely associated with a single family home; and (3) increase the number of residents, and thus potential customer base, close to the downtown area. Except for a detached garage or servant or guest quarters, no more than one main building may be constructed on a lot in the "R-1 A", Residential District.

### **(c) "RC" Residential Cluster District:**

**Purpose:** 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 "gar-den 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 layouts, and/or landscaping. An additional purpose of the "RC" Residential Cluster District is to allow, in circumstances where it might not otherwise be permitted, the clustering of homes in certain portions of a tract when (1) the topography does not reasonably allow development of the entire tract or (2) preservation of important open space views, critical environmental features (including significant trees), or recreational areas is desired. The "RC" Residential Cluster District is intended to be the primary residential



(d) **"RM" Residential Mix District:**

**Purpose:** An "RM" Residential Mix District allows all uses permitted in the "RC" Residential Cluster District with the addition of the development of subdivisions which include the location of manufactured housing, provided such subdivisions comply with certain development restrictions.

(e) **"R-3" Multifamily Residential District:**

**Purpose:** The "R-3" Multifamily Residential District is primarily designed to allow multifamily housing in addition to other residential uses which are permitted conditionally or as a matter of right. An "R-3" Multifamily Residential District should not be used on minor streets where increased traffic flow is expected, but may be a suitable transition district between lighter density housing and commercial areas. When a request for an "R-3" Multifamily Residential District is made on property located adjacent to an existing single family development, a Planned Development District which better ensures the objective of protecting the quality of the existing single family housing would be more appropriate.

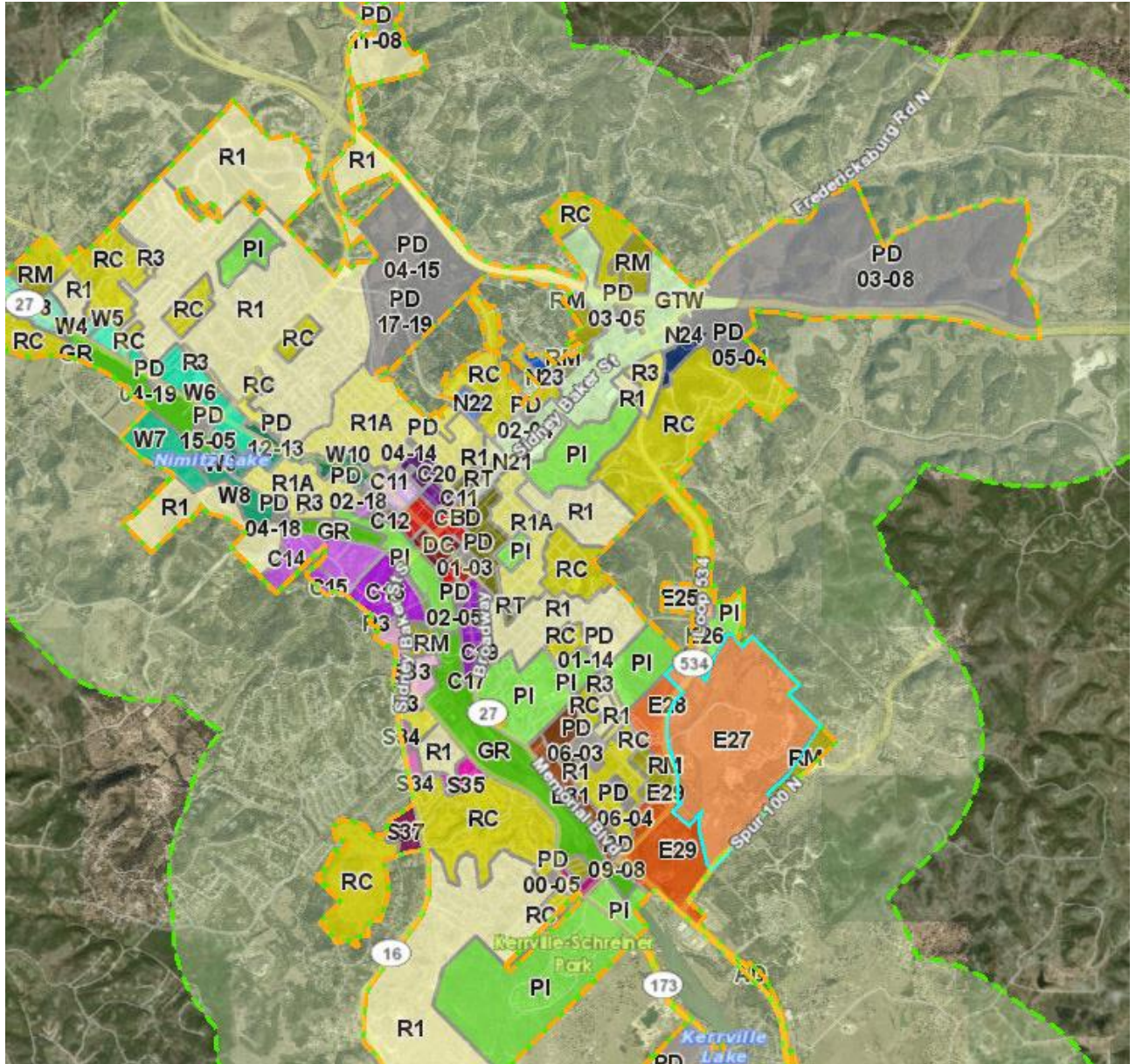
(f) **"RT" - Residential Transition District:** In addition to other regulations set forth in the Zoning Code, property located in the "RT"- Residential Transition Zone shall be developed in accordance with the following regulations:

**Purpose:** The "RT" Residential Transition District is specifically designed to be a transition zone between single family areas and commercial properties. Because of development regulations that require the appearance of a business located in an "RT" Residential Transition District to be that of a single family residence, the "RT" Residential Transition District can be used in various areas of the City where existing lots are occupied in part by single family houses but where limited business uses may be under certain conditions appropriate and desirable.

## **Art. 11-I-11 MISCELLANEOUS ZONING DISTRICTS**

- (a) **"PI" Public and Institutional District:** A "PI" Public and Institutional District is intended to encourage the use of unique areas especially suited for public assembly, meetings, recreational areas, schools, churches, and similar uses, but also allows residential uses.
- (b) **"GTW" Gateway District:** The "GTW" Gateway District is designed primarily to regulate the development and land use of areas at or near the most heavily trafficked entries into the City in a manner that enhances the appearance of such areas while at the same time allowing the development of more intense uses that require good access to major thoroughfares. Most commercial uses are permitted as a matter of right. Development of hotels and other similar uses is encouraged. All uses which are allowed conditionally should be carefully evaluated as to the impact such uses have on the appearance and "first impression" portrayed to anyone traveling into and out of the City as well as the amount of traffic concentrated around such entry ways. The "GTW" Gateway District regulations may be applied to newly annexed areas that may result in the development of an additional main entrance into the City. In addition to other regulations set forth in the Zoning Code, property located in the "GTW" Gateway District shall be developed in accordance with the following regulations: (Referenced to Ordinance No. 2001-12)
- (c) **"GR" Guadalupe River District:** The "GR" Guadalupe River District is primarily designed to allow the development of business-type uses compatible with the riverside environment in areas contiguous with or in close proximity to the Guadalupe River which are not otherwise included in other zoning districts. When a Conditional Use Permit is required, an evaluation of the proposed development's impact on the quality of the water and the river environment generally, and aesthetic compatibility with the river front should be made when determining the nature of the conditions to be included in the permit.
- (d) **"AI" Airport District:** The "AD" Airport District encompasses the area of the Kerrville-Kerr County Municipal Airport and is primarily designed to allow for uses associated with and compatible to the operation of a municipal general aviation airport.

## MAP RESIDENTIAL AND MISCELLANEOUS ZONING DISTRICTS





## City of Kerrville Planning Department Report

To:	Planning & Zoning Commission
Agenda Item:	4A
Action:	Public Hearing, Consideration and Action
Planning File #:	2017-084
Representative:	Lee Voelkel
Legal Description	Public Hearing & Action, Replat – Public hearing, consideration, and action concerning a request for replat and amending plat of 7.89 acres of land, more or less, out of Florentine Lara Survey No. 123, Abstract no. 225 in the City of Kerrville, Kerr County, Texas, comprising all of Lots 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 148, and 153, and part of Lot 154 of The Meridian Subdivision, a subdivision of Kerr County, according to the plat of record in volume 7 at pages 88+81 of the plat records of Kerr County, Texas.

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### **Proposal**

Proposed replat without vacating a portion of The Meridian. At the time this property was originally platted in 1999, the City Council passed a resolution, which allowed a waiver from the Subdivision Ordinance requirement for streets to be public. The Resolution included several conditions. Staff held several meetings with the applicant to bring the replat in line with Subdivision Regulations and with the Resolution.

### **Procedural Requirements**

Notice of this meeting was published in the Kerrville Daily Times on March 20, 2018 in accordance with the Texas Local Government Code for replats without vacating all or a portion of a previously subdivided tract of land. Letters were sent to property owners within the original subdivision, and within 200' of the area to be replatted.

### **Recommended Action**

Hold a public hearing, consider, and take action on the proposed replat.

Staff recommends approval.



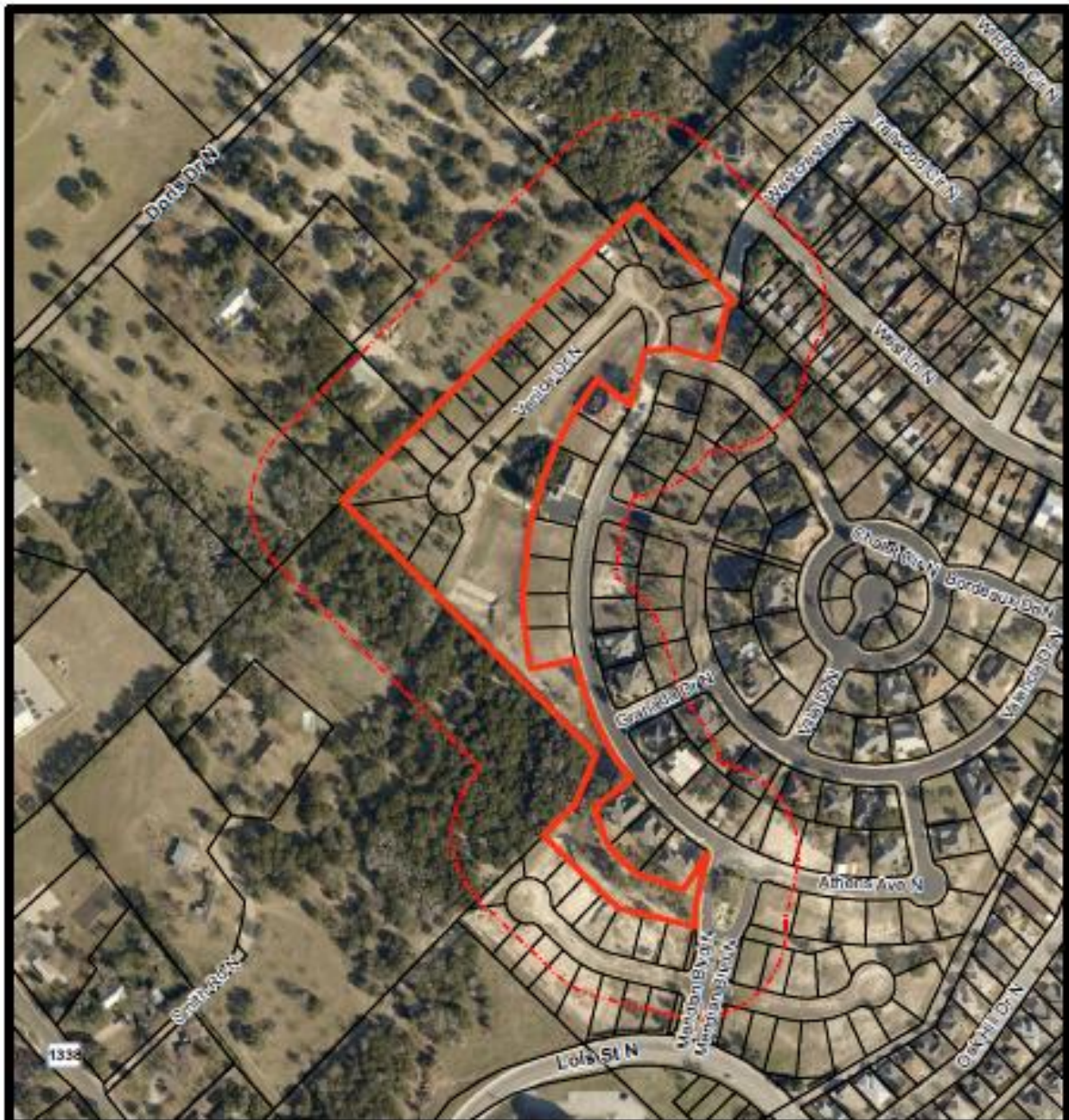
**Attachments:**

Location map

Replat

Resolution No. 99-211

## Location Map



### Location Map

**Case # 2017-084**

**Location:**  
335 Venice Drive

#### Legend

200' Notification Area\* ---  
Subject Properties ==

\* Notification area also includes  
all of the property within the  
original subdivision



0 100 200 400  
Scale in Feet

[illegible]

**CITY OF KERRVILLE, TEXAS**  
**RESOLUTION NO. 99-211**

RESOLUTION GRANTING WAIVER TO DEDICATION OF PUBLIC STREETS  
SUBJECT TO CERTAIN CONDITIONS FOR THE PROPOSED SUBDIVISION  
TO BE KNOWN AS "THE MERIDIAN"

WHEREAS, on May 24, 1999, an application for a preliminary plat was filed by the owner of the property described in Section One, hereof; and

WHEREAS, pursuant to said preliminary plat application, the owner has requested a waiver to the requirement that the owner dedicate public right-of-way within the subdivision in order to develop the subdivision as a gated community with privately owned and maintained streets; and

WHEREAS, the City Council of the City of Kerrville, Texas, finds that it will not be detrimental to the public health and safety to waive the requirement that public right-of-way be dedicated to serve the property to be subdivided subject to compliance with certain conditions;

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

SECTION ONE. That in accordance with Article 10-IV-4(B) of the Code of Ordinances of the City of Kerrville, Texas, the City of Kerrville hereby waives the requirement that public right-of-way be dedicated for street purposes with respect to the subdivision and development of the property described in that certain application for preliminary plat filed with the Planning Division on or about May 24, 1999, related to a proposed subdivision to be called *The Meridian*, a copy of which application is on file with the City Clerk, referenced by the date and number of this resolution, and incorporated herein by reference, said waiver to be subject to the following conditions:

- A. The waiver shall be applicable only to those areas indicated on the preliminary plat drawing as "Lot 154" and not the area labeled "Lois Street".
- B. Except as noted in Paragraph F., below, the owner shall dedicate to the City of Kerrville an easement for public utilities, cable television, garbage collection and public safety access which shall not be less than fifty feet (50.0') wide and located within the area of Lot 154, said easement to be shown on and dedicated by the final plat;
- C. Except as noted in Paragraph G., below, the owner shall reserve a private joint access and ingress-egress easement for the benefit of all owners of property within the subdivision which shall not be less than thirty foot (30.0') wide within the area of proposed Lot 154 and centered within the area of the easement dedicated to the City as required by Paragraph B., above, said easement to be reserved by note on the final plat or by separate instrument recorded in the Real Property Records of Kerr County, Texas, and referenced by note on the final plat;

Approved by City Council  
Date: June 8, 1999  
Volume 34 Page 237



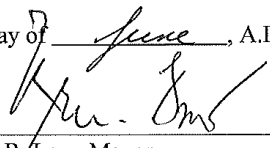
- D. The owner shall construct within the easement described in Paragraph C, above, a thirty foot (30.0') wide street with curb and gutter. Said street shall be constructed in accordance with the City's current specifications for public streets. A final plat shall not be approved by the Planning Commission unless one of the following conditions has been satisfied:
1. Based on inspections conducted by the City Engineer or his designees, the owner has received from the City Engineer a letter certifying that the streets constructed within the subdivision comply with current city specifications for the construction of public streets; or
  2. The owner has delivered to the City, in a form approved by the City Attorney:
    - a. an irrevocable letter of credit guaranteeing construction of the streets, which letter is issued in favor of the City, has a term of not less than 13 months after date of approval of the final plat, and is in an amount equal to the estimated cost of construction of the streets within the subdivision, which cost estimate is approved by the City Engineer; and
    - b. a blanket temporary construction easement granting to the City and its contractors the right to complete the construction of the streets as set forth in the construction plans approved by the City Engineer.
- E. In the same manner as if the streets were to become dedicated to the public after completion of construction, the owner or the owner's engineer, prior to construction of any streets, shall submit to the City Engineer for review and approval the construction plans and specifications for the streets to be constructed within the subdivision.
- F. The portion of the easement described in Paragraph B, above, which is adjacent to the southerly terminus of Westcrest Drive as it currently exists, and which runs in a southwesterly direction between Lots 120 and 153, shall be sixty feet (60.0') wide as shown on the preliminary plat drawing on file with the City Clerk.
- G. The portion of the paved area between (but not in front of) Lots 120 and 153 and Lots 43 and 44 shall be constructed with curb and gutter, but may be constructed only 20 feet wide.
- H. The screening fence surrounding the subdivision shall be equipped with gates located at or near the end of the paved areas between Lots 146 and 147, Lots 120 and 153, and Lots 43 and 44. Each gate shall be equipped with a lock and a key located in a Knox Box located at each gate in accordance with the City Fire Code and shall allow for a gate opening of not less than twenty feet (20.0').
- I. The paved areas between Lots 120 and 153 and Lots 43 and 44 shall be used only for ingress and egress of public safety and utility equipment and vehicles. Said paved areas shall not

be used for ingress or egress by any other person or entity unless and until said areas are reconstructed to a width of 30 feet with curb and gutter in accordance with City specifications.

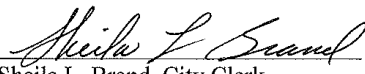
- J. As a condition for approval of a final plat of the property described in the preliminary plat application, Owner shall prepare, execute, and file for record in the Real Property Records of Kerr County, Texas, such documents as may be necessary to create a homeowner's association with authority to impose assessments and fees for the perpetual maintenance and repair of the streets within the subdivision. Such document(s) shall give the developer of the property, the homeowner's association, and the City the right to place a lien on property for failing to pay such assessments and to foreclose on said lien in accordance with applicable state law. Furthermore, such documents shall grant to the City as a third party beneficiary the right (but not the obligation) to mandate that the homeowner's association and/or owner assess fees for street maintenance and repair within the subdivision in an amount not to exceed 105% of the costs of such maintenance and repairs as determined by the City Engineer.
- K. The final plat shall contain a note approved as to form by the City Attorney which indicates that all streets located within the subdivision, except Lois Street, are not publicly owned and maintained and that responsibility for repair and maintenance shall belong to the developer and/or the homeowner's association created in accordance with Paragraph J., above.
- L. The final plat shall contain a note that all setbacks for the sides of lots adjacent to the boundary of Lot 154 shall be measured from the outer boundary of the easement dedicated to the City pursuant to Paragraph B., above, except where the setbacks may otherwise specifically indicated on a development site plan approved in accordance with Title 11, Chapter 1 of the Code of Ordinances.

SECTION TWO. This waiver shall terminate and be void if a final plat for the property described in the preliminary plat application described herein is not obtained on or before the third anniversary of the approval of this resolution.

PASSED AND APPROVED ON this the 8 day of June, A.D., 1999.

  
Ben R. Low, Mayor

ATTEST:

  
Sheila L. Brand, City Clerk