



CITY OF KERRVILLE PLANNING & ZONING COMMISSION

AGENDA

**REGULAR MEETING, JUNE 6, 2019, 4:30 PM
CITY HALL, COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS**

Regular Members:

Robert Waller, Chair
Garrett Harmon, Vice Chair David Jones
Tricia Byrom Rustin Zuber

Alternate Members:

Bill Morgan Vacant

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.

CALL TO ORDER

1. CONSENT AGENDA

1A. Approval of the minutes from the May 2, 2019 meeting.

2. CONSIDERATION AND FINAL ACTION

2A. Consideration and action concerning a Preliminary Plat of the New Hal Peterson Middle School, a subdivision containing approximately 35.05 acre tract of land out of the S. Wallace Survey No. 114, Abstract No. 348, and the S. Wallace Survey No. 113, Abstract No. 347, within the City of Kerrville, Kerr County, Texas, generally located adjacent to State Highway Loop 534. (Case #2019-032)

2B. Consideration and action concerning a Final Plat of the New Hal Peterson Middle School, a subdivision containing approximately 35.05 acre tract of land out of the S. Wallace Survey No. 114, Abstract No. 348, and the S. Wallace Survey No. 113, Abstract No. 347, within the City of Kerrville, Kerr County, Texas, generally located adjacent to State Highway Loop 534. (File No. 2019-036)

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

I hereby certify that this notice of meeting was posted on the bulletin board at the Kerrville City Hall and on the City's website, on or before the following date and time: May 31, 2019 at 1:30 p.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

3. PUBLIC HEARING, CONSIDERATION & ACTION

- 3A.** Public hearing, consideration, and action concerning a request for replat and amending plat of 0.41 acre of land, more or less, out of P. R. Oliver Survey No. 122, Abstract No. 265, in the City of Kerrville, Kerr County, Texas; Being all of Lots 20, 21, and 22, in Block 1 of Elm Creek Subdivision, recorded in Volume 5, Page 182 of the plat records of Kerr County, Texas generally located at 238, 300, and 304 Crestwood Drive. (File No. 2019-033)

4. STAFF REPORT

5. EXECUTIVE SESSION

At any time during the meeting, the Planning and Zoning Commission may meet in executive session regarding any of the matters posted above for attorney-client consultation in compliance with the Texas Open Meetings Act.

ADJOURNMENT



City of Kerrville Planning Division Report

To: Planning & Zoning Commission
Agenda Item: 1A
Action: Approval, approval with specific changes
Representative: Staff

Members Present:

Bob Waller, Chair
Garrett Harmon, Vice-Chair
Tricia Byrom, Commissioner
David Jones, Commissioner
Rustin Zuber, Commissioner
Jim Brown, Alternate
Bill Morgan, Alternate

City Executive Staff Present:

Drew Paxton, Executive Director of Development Services
Rebecca Pacini, Chief Planning Officer
Mike Hayes, City Attorney
Dorothy Miller, Recording Secretary

CALL TO ORDER:

On May 2, 2019, 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. 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.

1A. Approval of minutes for the March 21, 2019 meeting.

Cmr. Harmon moved to approve the minutes as presented; motion was seconded by Cmr. Byrom and passed 5-0.

2. CONSIDERATION AND FINAL ACTION

2A. Consideration and action concerning a Final Plat of The Landing, a subdivision containing approximately 58.739 acres of land out of the Joseph S. Anderson Survey No. 141, Abstract No. 2, and the J. S. Sayder Survey No. 142, Abstract No. 290, within the City of Kerrville, Kerr County, Texas, generally located north of the intersection of Thompson Dr (Highway 98) and James Rd. (File No. 2019-017)

Mr. Paxton presented the finding of facts.

Mr. James Builta asked about Knapp Road saying it is partly owned by Kerr County. He said he spoke with the county and they still own one-third even though Mr. Paxton said it had been annexed. Mr. Builta stated that the plat does not comply with city requirements and should not be approved, the drainage issues need to be addressed, and asked for the plat to be tabled.

Mr. Justin MacDonald addressed concerns regarding drainage issues. His engineer has already started calculations on this site. He admitted to potential concerns and that the solution is not shown on the plat because it is not part of the platting process but will be addressed during the development site plan and building permit process. He also agreed that, yes, they did consider abandoning Knapp Road but have decided to allow city council to decide what to do with the road.

Cmr. Byrom moved to approve the final plat as presented; motion was seconded by Cmr. Jones and passed 5-0.

3. PUBLIC HEARING, CONSIDERATION & ACTION

3A. Public hearing, consideration, and action to recommend an ordinance to change the zoning from District 7-W to Planned Development District (PDD) on approximately 58.74 acres of land out of the Joseph S. Anderson Survey No. 141, Abstract No. 2, and the J. S. Sayder Survey No. 142, Abstract No. 290, within the City of Kerrville, Kerr County, Texas; and generally located north of the intersection of Thompson Dr (Highway 98) and James Rd. (File No. 2019-021)

Mr. Paxton presented the findings of fact.

Cmr. Waller opened the public hearing at 4:52 p.m.

Mr. MacDonald said he has discussed with the developer regarding alternate access besides Knapp Road. He stated he was leaving Knapp Road on the plan, has addressed the drainage concerns, is working with surrounding property owners to resolve any issues and/or concerns they might have, will be addressing FEMA and TCEQ concerns if necessary, and is addressing environmental and aesthetics concerns. Mr. MacDonald showed a presentation of the proposed development including apartments, townhomes, offices, and restaurants and stated they will be built to Hill Country style and standards. He went on to say he also envisions craft artisans such as hat makers, boot makers, and the like and is hoping to expand on the river trail. He also proposes an area for sailing, kayaking, and non-gas operated water sports. He stated that this will increase employment opportunities.

Mr. James Builta agreed that the exemption of a sidewalk on James Road would be proper and said Mr. MacDonald has been corrigible in addressing neighboring concerns. He proposed the 60 foot buildings be reduced to two-story buildings. His only issues are water and drainage.

Mr. J.E. Johnson thanked Mr. Schulte and Mr. MacDonald and his organization for the information that was given here today that he had not been previously aware of that has alleviated much of his concerns. However, he would like to see everything documented on

the plat. He has storm water run-off concerns and discussed self-calculated amounts of water that run off the lots. He recommends approval of the project but still has concerns regarding storm water run-off and wants to ensure Mr. MacDonald addresses and complies with city and state requirements.

Mr. Ken Calhoun stated he supports the development and asked about the 200 foot notification. Mr. Paxton explained the notice and its legality.

Mr. Ken Kolacny, Engineer with Matkin-Hoover, addressed Mr. Johnson's concerns regarding drainage. Mr. Kolacny stated they are moving forward with addressing drainage issues and that a good portion of water (approximately 60%) will be diverted away from the Builta and Johnson properties.

Mr. MacDonald stated that they would accept a provision to limit the height to 35 feet on lots 13, 14, and 15 and will have a 50 feet side setback that abuts the residential properties.

Mr. Builta said would like the buildings to be limited to two-story instead of a specific height.

Hearing no one else speak, Cmr. Waller closed the public hearing at 5:16 p.m.

Cmr. Harmon moved to recommend approval of the zoning change with the amendment that on lots 13, 14, and 15 structures cannot exceed two-story in height; motion was seconded by Cmr. Byrom and passed 5-0.

3B. Public hearing, consideration, and action to recommend a resolution to allow a Conditional Use Permit for a Stand-Alone Parking Lot on approximately 0.89 acres of land consisting of all of Lots 369, 370, 371, 372, 373, and portion of Lot 374, Block 52, of the Schreiner 2nd Addition; and more commonly known as 400, 408, 412, and 416 Jefferson Street. (File No. 2019-011)

Mr. Paxton presented the findings of fact.

Cmr. Waller opened the public hearing at 5:30 p.m.

Ms. Jennifer Berger spoke regarding tree preservation and stated she had sent a letter to Cmr. Waller. She said she noticed on the presentation that most of the trees have been designated for preservation. She also said she appreciates Planning and Zoning's recommendation for the tree preservation.

Hearing no one else speak, Cmr. Waller closed the public hearing at 5:33 p.m.

Cmr. Zuber moved to recommend approval of the conditional use permit with an amendment to preserve a Post Oak, noted as 4288 in the Tree Preservation Plan; motion was seconded by Cmr. Harmon and passed 5-0.

4. STAFF REPORT:

Mr. Paxton reported the Code Review Committee is meeting on May 9th at 4:00 in the upstairs conference room at city hall to look at the second draft of the zoning code and the public open house is scheduled for May 16th at the Dietert Center at 5:00 p.m.

Development Services successfully launched its new permitting software. The software went live on April 22nd and all permitting is now being completed online with up-to-date information that is accessed through the software. In the summer the department will introduce code enforcement, environmental health, and planning and zoning cases through the software. For permits that were entered into the plan review process in the old system will be issued their permit in the new online system. If the permit was issued under the old system, it will be finished out that way.

The next Planning and Zoning member is scheduled for June 6th.

5. ADJOURNMENT

The meeting was adjourned at 5:56 p.m.



City of Kerrville Planning Division Report

To: Planning & Zoning Commission
Agenda Item: 2A
Action: Consideration and Final Action, Preliminary Plat
Planning File #: 2019-032
Property Owner: Kerrville Independent School District
Representative: Dr. Mark Foust, KISD Superintendent
Location: Approximately 35.05 acre tract of land out of the S. Wallace Survey No. 114, Abstract No. 348, and the S. Wallace Survey No. 113, Abstract No. 347, within the City of Kerrville, Kerr County, Texas, generally located adjacent to State Highway Loop 534

Proposal

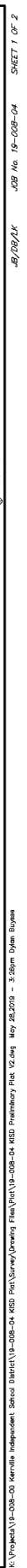
Consideration and action concerning a Preliminary Plat of the New Hal Peterson Middle School, a subdivision containing approximately 35.05 acre tract of land out of the S. Wallace Survey No. 114, Abstract No. 348, and the S. Wallace Survey No. 113, Abstract No. 347, within the City of Kerrville, Kerr County, Texas, generally located adjacent to State Highway Loop 534. (Case #2019-032)

Recommendation

Staff recommends approval.

Attachments

A. Proposed Preliminary Plat





City of Kerrville Planning Division Report

To: Planning & Zoning Commission
Agenda Item: 2B
Action: Consideration and Final Action, Final Plat
Planning File #: 2019-032
Property Owner: Kerrville Independent School District
Representative: Dr. Mark Foust, KISD Superintendent
Location: Approximately 35.05 acre tract of land out of the S. Wallace Survey No. 114, Abstract No. 348, and the S. Wallace Survey No. 113, Abstract No. 347, within the City of Kerrville, Kerr County, Texas, generally located adjacent to State Highway Loop 534

Proposal

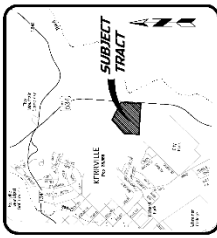
Consideration and action concerning a Final Plat of the New Hal Peterson Middle School, a subdivision containing approximately 35.05 acre tract of land out of the S. Wallace Survey No. 114, Abstract No. 348, and the S. Wallace Survey No. 113, Abstract No. 347, within the City of Kerrville, Kerr County, Texas, generally located adjacent to State Highway Loop 534. (File No. 2019-036)

Recommendation

Staff recommends approval.

Attachments

A. Proposed Final Plat



VICINITY MAP
NOT TO SCALE

OWNER:
NEW HAL PETERSON
MIDDLE SCHOOL
35.05 ACRES
A-347

SURVEYOR:
MPS LAND SURVEYING COMPANY, INC.
ALFA L. BOURGAIN (CONTRACTOR) (S.E. & S.S.)
KERR COUNTY, TEXAS
MAY 2019

PLAT SHOWING:
THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.

NOTES:
1. BEARING AND DISTANCE MEASUREMENTS WERE MADE BY THE SURVEYOR IN THE FIELD, AND THE RESULTS WERE FOUND TO BE ACCURATE AND RELIABLE. THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.

2. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.

3. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.

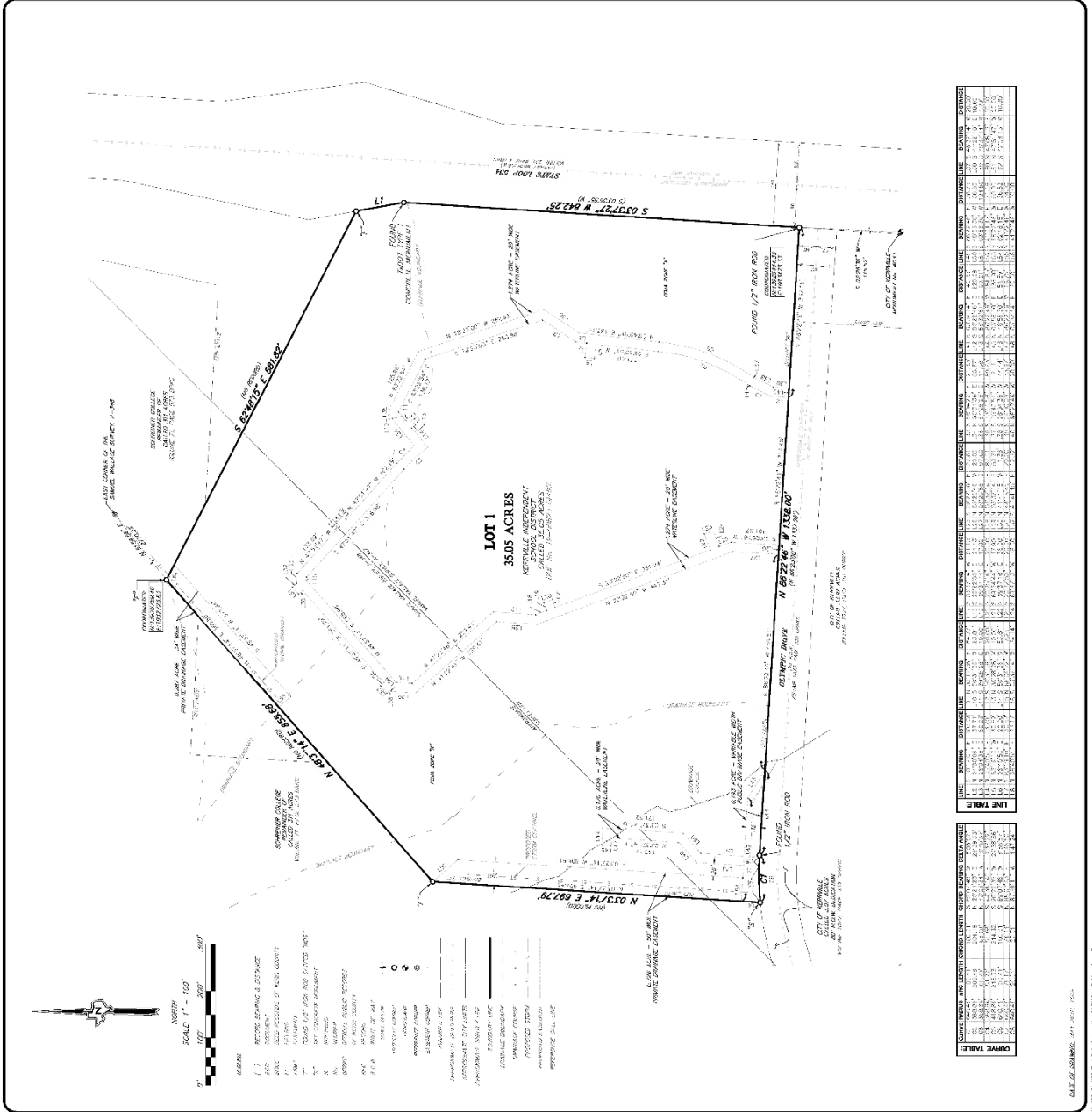
4. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.

5. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.

6. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.

7. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.

8. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.



ADDRESSING:
THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.

CERTIFICATE OF OWNERSHIP:
THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.

NOTARY:
THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.

PLANNING & ZONING APPROVAL:
THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.

CITY ENGINEER:
THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.

NO HAZARD DAMAGES:
THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.

SURVEYOR'S AFFIRMATION:
THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEYOR HAS NOT BEEN PREVIOUSLY EMPLOYED BY THE SURVEYOR IN THE PAST FIVE YEARS.



City of Kerrville Planning Division Report

To: Planning & Zoning Commission

Agenda Item: 3A

Action: Public hearing, consideration, and final action concerning a request for replat and amending plat

Planning File #: 2019-033

Property Owner: Scott & Valerie Newport

Representative: Don Voelkel, Voelkel Land Surveying, PLLC

Location: Approximately 0.41 acre of land, more or less, out of P. R. Oliver Survey No. 122, Abstract No. 265, in the City of Kerrville, Kerr County, Texas; Being all of Lots 20, 21, and 22, in Block 1 of Elm Creek Subdivision, recorded in Volume 5, Page 182 of the plat records of Kerr County, Texas generally located at 238, 300, and 304 Crestwood Drive

Proposal

Public hearing, consideration, and action concerning a request for replat and amending plat of 0.41 acre of land, more or less, out of P. R. Oliver Survey No. 122, Abstract No. 265, in the City of Kerrville, Kerr County, Texas; Being all of Lots 20, 21, and 22, in Block 1 of Elm Creek Subdivision, recorded in Volume 5, Page 182 of the plat records of Kerr County, Texas generally located at 238, 300, and 304 Crestwood Drive. (File No. 2019-033)

Procedural Requirements

22 Notices were mailed May 23rd to adjacent property owners. The public notice was published in the Kerrville Daily Times on May 20th.

Recommendation

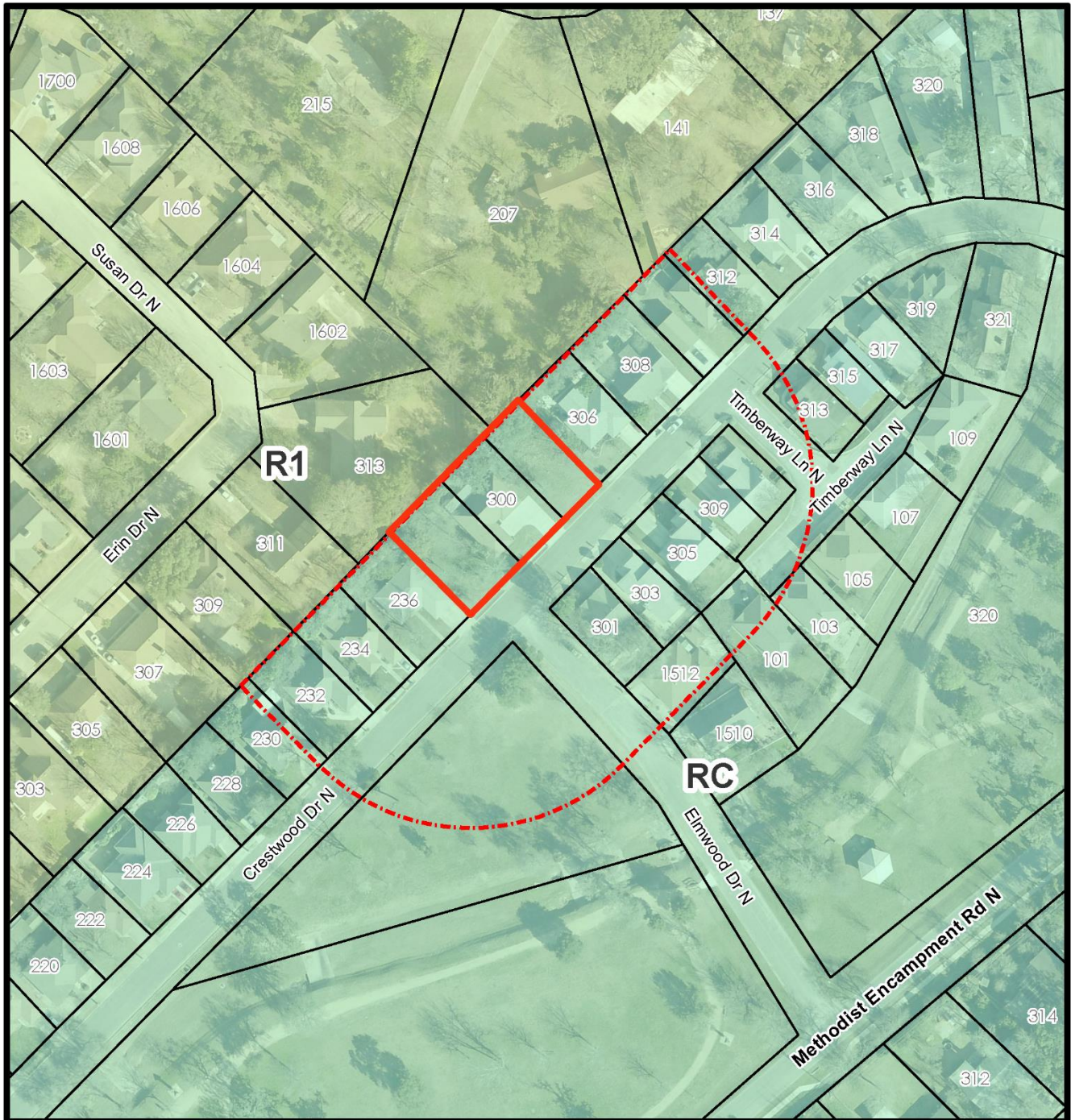
Staff recommends approval.

Attachments

- A. Proposed Final Plat
- B. Location Map

[illegible]

Attachment B



Location Map

Case # 2019-033

Location:
Elm Creek Subdivision
Lots 20, 21, & 22, Block 1

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.