



CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA
REGULAR MEETING, THURSDAY, JULY 2 at 4:30 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

Planning & Zoning Commission Procedures during the Disaster Declaration

COVID-19 (Coronavirus) provides a unique concern in that gathering members of the public, Planning & Zoning Commission, and City staff within a physical setting constitutes a public health risk. On March 16, 2020, the Texas Governor suspended certain requirements of the Open Meetings Act to permit open meetings to occur in a fully virtual setting (e.g., telephonic or videoconference meeting).

In an effort to avoid and mitigate health risks, and limited occupancy levels in Council Chambers, the Planning & Zoning Commission will convene in a virtual forum and attendance will be limited to only those persons essential to holding the meeting. No member of the public will be admitted into City Hall during this time.

Citizens can provide public comment through Zoom. Zoom telephone numbers are toll free: 1-877-853-5247 or 1-888-788-0099. The Meeting ID is **966 6674 9331#**. (You must enter the pound sign (#) after the Meeting ID.) *See Citizen Participation Guidelines below.

For Public Hearing items a caller seeking to speak on these items may call at any time prior to the item being introduced at the meeting. All callers are encouraged to call between 3:45 p.m. and 4:15 p.m. to be registered by the moderator. A caller must use the "raise your hand" feature on Zoom in order to be called upon for the Public Hearing. On a computer, tablet, or mobile phone click on "Participants" and click on "Raise Hand" button. By landline telephone press *9.

A person may also submit written comments on specific agenda items, to include public hearings, and comments will be read into the meeting record. Comments must include a name, address, and a reference to the relevant item. Comments that do not include such information will not be read. The City must receive all comments by 4:15 p.m., July 2, 2020. Comments may be:

- a. dropped off at the City Hall Utility Payments Drop-Box; or
- b. emailed to planning.division@kerrvilletx.gov.

Citizens may view and hear this Planning and Zoning Commission meeting on Spectrum Channel 2 or by live-streaming via the City's website (www.kerrvilletx.gov).

CALL TO ORDER

1. MINUTES

1A. Approval of the minutes from the June 4, 2020

2. CONSIDERATION AND FINAL ACTION

2A. A Preliminary Plat and Final Plat for the proposed Hidden Creek subdivision being all of a certain tract or parcel of land containing 2.80 acres, more or less, out of Original Patent Surveys in Kerr County, comprised of 2.08 acres out of W.H. Crawford Survey No. 653, Abstract No. 123 and 0.72 acres out of Patrick Fleming Survey No. 666, Abstract No. 145.

3. PUBLIC HEARING, CONSIDERATION & ACTION

3A. Recommend an ordinance to change the zoning from R-1 Single Family Residential District to R-3 Multifamily Residential on approximately 2.21 acres out of Hoyt Survey Number 147, Abstract A0178; and generally located 300 Block of Lakewood Drive. (Case No. 2020-027)

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.

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 830-257-8000 for further information.

I hereby certify that this agenda was posted as notice of the meeting on the bulletin board at the City Hall of the City of Kerrville, Texas, and on the City's website on the following date and time: June 26, 2020 at 12:00p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Kesha Franchina

Kesha Franchina, Deputy City Secretary, City of Kerrville, Texas



ALTERNATIVE CITIZEN/PUBLIC PARTICIPATION GUIDELINES (Due to COVID-19 Pandemic Disaster Declaration)



Despite the necessity to restrict public access to Kerrville Planning and Zoning Commission meetings in the interest of public health during the COVID-19 pandemic, citizens and visitors are welcome to participate in Kerrville Planning and Zoning Commission meetings in several alternative ways as outlined below.

Instructions for callers:

Dial one of the following numbers:
877 853 5247 (Toll Free) or
888 788 0099 (Toll Free)

If you cannot get through on one of the numbers due to network congestion, call the other number.

When your call is answered you will hear “**Welcome to Zoom, enter your Meeting ID followed by pound.**” Enter in the Meeting ID below followed by the pound sign (#).

The Meeting ID is **966 6674 9331#**

If the moderator has not started the meeting yet, you will hear “The meeting has not started yet, please hold or call back later.”

Once you have called into the meeting, your microphone will be placed on mute and your call will be placed in the call queue. At this point, you will hear silence on the phone. Do not hang up. The moderator will unmute your microphone as he/she is going down the list. Once the meeting has started, you will be able to listen to proceedings even if your microphone is muted.

The moderator will be accepting calls starting at 3:45 p.m.

For items 1A and 2A place your call before 3:45 p.m. in order to participate. Callers seeking to speak on these items and who call after this time will not be allowed.

However, for Public Hearing item 3A, a caller seeking to speak on these items may call at any time prior to the item being introduced at the meeting. All callers are encouraged to call between 3:45 p.m. and 4:15 p.m. to be registered by the moderator. A caller must use the “raise your hand” feature on Zoom in order to be called upon for the Public Hearing. If a caller is using the Zoom app on a computer, tablet, or mobile phone click on “Participants” and click on “Raise Hand” button. By landline telephone press *9.

Instructions for written comments:

Written comments will be accepted for any agenda items, including Public Hearing.

Written comments will be read into record, and can be provided in two different ways:

OPTION 1 by hard copy – Comments may be dropped off at the City Hall Utility Payments Drop-Box on the north side of City Hall by 4:15 p.m. the day of the meeting. You are required to provide your first and last name, address, and identify the item you wish to comment on.

OPTION 2 by email - Comments can be emailed to planning.division@kerrvilletx.gov and must be received by 4:15 p.m. the day of the meeting. You are required to provide your first and last name, address, and identify the item you wish to comment on.

For either option, provide **all required information** in order for your comments to be accepted. Thank you for your participation!

Agenda Bill

Meeting Minutes

To: Planning & Zoning Commission
Date: 7/2/2020
Agenda Item: 1A, Minutes of June 4, 2020 Commission Meeting
Action: Approve or Approve with Specific Changes
Representative: Staff

CITY OF KERRVILLE, TEXAS PLANNING AND ZONING COMMISSION

June 4, 2020

Members Present:

Garrett Harmon, Chair
Rustin Zuber, Vice-Chair
David Jones, Commissioner
David Lipscomb, Commissioner
Cliff Tuttle, Commissioner
Hunter Patterson, Commissioner

Members Absent:

Tricia Byrom, Commissioner

City Staff Present:

Drew Paxton, Director of Planning
Steve Melander, Planner I
Guillermo Garcia, Executive Director for Strategic Initiatives
Mike Hayes, City Attorney
Dorothy Miller, Recording Secretary

CALL TO ORDER:

On June 4, 2020, Cmr. Harmon 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 5, 2020 meeting.

Cmr. Jones moved to approve the minutes as amended; motion was seconded by Cmr. Lipscomb and passed 6-0.

2. PUBLIC HEARING, CONSIDERATION & ACTION

2A. Public hearing, consideration, and action to recommend a resolution to allow a Conditional Use Permit for a Short-term Rental on approximately 0.14 acres out of the John Young Survey No. 118, Abstract 375; and more commonly known as 300 Guadalupe Street. (Case No. 2020-014)

Ms. Cynthia Poynter applicant, presented her case.

Mr. Paxton presented the finding of facts.

Cmr. Harmon opened the public hearing at 4:40 p.m.

The following people spoke:

- Mr. George Baroody spoke, discussing his issues with the conditions set for CUPs being more arbitrary than “special” and suggested setting special conditions.
- Mr. Paxton read a letter from Ms. Barbara Burton, which stated she was in favor of the short-term rental. Ms. Burton was the previous property owner.

Hearing no one else, Cmr. Harmon closed the public hearing at 4:44 p.m.

After clarifying how the Zoom meeting works and how to request to speak, the public hearing was reopened at 4:49 p.m. and the following person spoke:

- Ms. Kathy Nichols spoke in favor of the short-term rental.

Hearing no one else, the public hearing was closed at 4:50 p.m.

Cmr. Zuber moved to recommend approval for a resolution to allow a Conditional Use Permit for a Short-term Rental Unit. Motion was seconded by Cmr. Jones and passed 6-0.

2B. Public hearing, consideration, and action to recommend an ordinance to change the zoning from R-2 Medium Density Residential to R-3 Multifamily Residential on Lot 2 and part of lots 3, 4, and 5, Block 1 Riverside Additions; and more commonly known as 333 Guadalupe Street. (Case No. 2020-017)

Mr. Marion Gray, applicant, presented his case.

Mr. Chase, contractor, spoke in regards to the need for the zoning change and feels they should have been grandfathered in as they had begun preliminary work well before the new zoning code went into effect on October 1, 2019.

Mr. Paxton presented the finding of facts.

Cmr. Harmon opened the public hearing at 5:12 p.m.

The following people spoke:

- Mr. George Baroody spoke, asking about spot zoning and questioned what R-3 zoning allows.
- Mr. and Mrs. Lee and Sue Kapetanakis opposed the zoning change.
- Mr. Paxton read a letter from Mr. Francisco Javier Morales stating his opposition

Hearing no one else, Cmr. Harmon closed the public hearing at 5:19 p.m.

Cmr. Jones moved to recommend approval for an ordinance to change the zoning from R-2 Medium Density Residential to R-3 Multifamily Residential. Motion was seconded by Cmr. Zuber and passed 6-0.

2C. A resolution to allow a Conditional Use Permit for Parking Lot, Stand-Alone and an Automobile Dealership, Used Auto Sales on approximately 6.44 acres out of Waddell Survey, Survey #145, Abstract 354; and more commonly known as 401 Sidney Baker. (Case No. 2020-019)

Mr. Terry Massey, General Manager for Ken Stoepel Ford, presented his case.

Mr. Paxton presented the findings of fact.

Cmr. Harmon opened the public hearing at 5:50 p.m.

The following people spoke:

- Mr. Mike Wellborn, Engineer for this project, addressed the parking and traffic.
- Mr. George Baroody spoke, regarding whether a CUP is really necessary, if you look at the parking lot as part of the dealership itself. He suggested approving the CUP simply as a storage for inventory instead of looking at it as a dealership. He also opposed the idea of sending customers back and forth across the street if that is what they are planning to do.

Hearing no one else, Cmr. Harmon closed the public hearing at 5:53 p.m.

Cmr. Zuber moved to recommended approval for a resolution to allow a Conditional Use Permit for Parking Lot, Stand-Alone and an Automobile Dealership, Used Auto Sales as presented. Motion was seconded by Cmr. Lipscomb and passed 6-0.

2D. An ordinance to change the zoning from C-2 Light Commercial to C-3 General Commercial, which includes a proposed amendment to the Future Land Use Plan of the City's comprehensive Plan, on approximately 6.812 acres out of the Francis Survey, Survey Number 146, Abstract A0137; and generally located east of Medina Highway (HWY 16) and north of Fairway Drive. (Case No. 2020-020)

Mr. Tom McKeon, applicant, presented his case.

Mr. Paxton presented the findings of fact.

Cmr. Harmon opened the public hearing at 6:09 p.m.

The following people spoke:

- Mr. Bill Arnold spoke in opposition.
- Mr. Harold Danford spoke in opposition and stated his neighbors were in opposition as well.

Hearing no one else speak, Cmr. Harmon closed the public hearing at 6:14 p.m.

Cmr. Tuttle moved to recommend denial of an ordinance to change the zoning from C-2 Light Commercial to C-3 General Commercial, which includes a proposed amendment to the Future Land Use Plan of the City's comprehensive Plan. Motion was seconded by Cmr. Patterson and passed 6-0.

3. STAFF REPORT:

Mr. Paxton presented the staff report. No plats have been received this month. Staff continues to work with the consultant team on the update to the subdivision code which will continue to go through the Code Review Committee for more reviews. The next Planning and Zoning Commission meeting will be July 2, 2020.

4. Executive Session

.No executive session was held.

5. ADJOURNMENT

The meeting was adjourned at 6:20 p.m.

APPROVED: _____
Garrett Harmon, Chair Dorothy Miller, Recording Secretary

Date Minutes Approved

Agenda Bill

Case No. 2020-029

To: Planning & Zoning Commission
Date: 7/2/2020
Agenda Item: 2A, Hidden Creek Preliminary and Final Plat
Action: Recommend approval of Preliminary and Final Plat
Representative: Lee Voelkel, Voelkel Land Surveying

Proposal

Consideration and final action concerning a Preliminary Plat and Final Plat for the proposed Hidden Creek subdivision being all of a certain tract or parcel of land containing 2.80 acres, more or less, out of Original Patent Surveys in Kerr County, comprised of 2.08 acres out of W.H. Crawford Survey No. 653, Abstract No. 123 and 0.72 acres out of Patrick Fleming Survey No. 666, Abstract No. 145.

Staff Analysis and Recommendation

The applicant is requesting approval of a Preliminary Plat and Final Plat for the proposed Hidden Creek subdivision consisting of six (6) for sale manufactured home lots. Because the subdivision will be utilizing existing streets and utilities, staff has combined both Plats into one approval. The proposed project has been through the Design Review Committee process and all Committee and staff comments have been addressed by the applicant. The property is zoned RM Residential Mix and allows for the proposed use. This project adds a more affordable housing type to the mix of homes available in Kerrville.

Consistency with the Kerrville 2050 Comprehensive Plan: The property and surrounding area are designated Neighborhood Residential in the Kerrville 2050 Comprehensive Plan. The proposed project is consistent with the Plan from a zoning standpoint and also supports the Plan's desire to provide more affordable housing.

Thoroughfare Plan: The property is accessed by both a residential street and collector street.

Traffic Impact: No traffic impact anticipated.

Parking: All parking will be off-street with two parking spaces per dwelling unit.

Recommendation: The Preliminary Plat and Final Plat are consistent with Zoning Code and the Subdivision Ordinance. Staff recommends approval of the Preliminary Plat and Final Plat.

Attachments:

Proposed Preliminary Plat

Proposed Final Plat

1. According to the Zoning Code of the City of Knoxville, Texas, Ordinance No. 2015-17 (the 2.00 acre tract is in the Residential Medium Density (R/M) The proposed use is a Manufactured Home Subdivision.
2. The Manufactured Home Subdivision has the following requirements:

- [illegible]

Surveyor:
Lae C. Vedel
212 Clay Street
Kearville, Texas 76028
email: laec@montesurvey.com



CONTOUR INTERVAL = 1 FOOT

PRELIMINARY PLAT

HIDDEN CREEK

SURVEY PLAT FOR 2.80 ACRES OF LAND, MORE OR LESS, OUT OF ORIGINAL SURVEYS IN KERR COUNTY, TEXAS AS FOLLOWS:

SURVEY NO.	SURVEY	ABSTRACT NO.	ACRES
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
32			
33			
34			
35			
36			
37			
38			
39			
40			
41			
42			
43			
44			
45			
46			
47			
48			
49			
50			
51			
52			
53			
54			
55			
56			
57			
58			
59			
60			
61			
62			
63			
64			
65			
66			
67			
68			
69			
70			
71			
72			
73			
74			
75			
76			
77			
78			
79			
80			
81			
82			
83			
84			
85			
86			
87			
88			
89			
90			
91			
92			
93			
94			
95			
96			
97			
98			
99			
100			

002	MR. JES. CURTIS MR. J. CURTIS	2.62	4.000
666	PATRICK FLEMING	145	0.72

THAT SAME LAND CONVEYED FROM JACKIE L. TURNER AND JACK TURNER EXECUTOR TO ROCHILLE FLOWERS AND TAMMY L. SHEPHERD BY A

PUBLIC RECORDS OF KERR COUNTY, TEXAS

JUNE 2022

VOELKEL
LAND SURVEYING, INC.

218 CLAY STREET, CLEVELAND, OHIO 44115, 800-257-1111
FROM REGISTRATION NO. 100228-20

V-6118 Tannery Sheffield 2.80 Acres Preliminary Site Plan TOPO April 2003.dwg

Survey of the land shown on this plat is for the purpose of creating a final plat for the land shown on this plat. The survey was conducted by the Surveyor General of the State of Texas, who is a duly qualified and licensed surveyor. The survey was conducted in accordance with the laws and regulations of the State of Texas. The survey was conducted on the day of the month of the year.



Survey of the land shown on this plat is for the purpose of creating a final plat for the land shown on this plat. The survey was conducted by the Surveyor General of the State of Texas, who is a duly qualified and licensed surveyor. The survey was conducted in accordance with the laws and regulations of the State of Texas. The survey was conducted on the day of the month of the year.

Survey of the land shown on this plat is for the purpose of creating a final plat for the land shown on this plat. The survey was conducted by the Surveyor General of the State of Texas, who is a duly qualified and licensed surveyor. The survey was conducted in accordance with the laws and regulations of the State of Texas. The survey was conducted on the day of the month of the year.

Survey of the land shown on this plat is for the purpose of creating a final plat for the land shown on this plat. The survey was conducted by the Surveyor General of the State of Texas, who is a duly qualified and licensed surveyor. The survey was conducted in accordance with the laws and regulations of the State of Texas. The survey was conducted on the day of the month of the year.

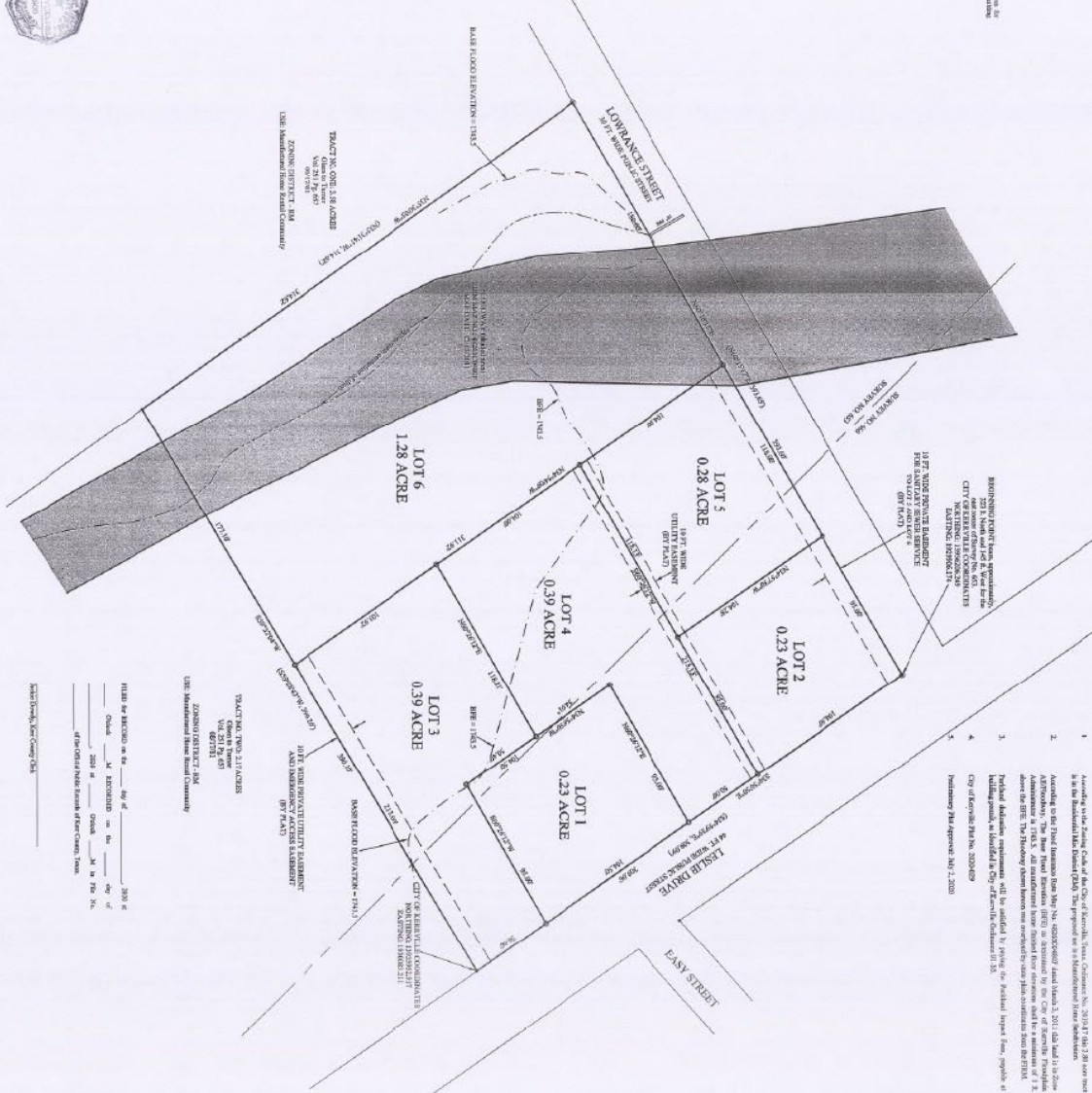
Survey of the land shown on this plat is for the purpose of creating a final plat for the land shown on this plat. The survey was conducted by the Surveyor General of the State of Texas, who is a duly qualified and licensed surveyor. The survey was conducted in accordance with the laws and regulations of the State of Texas. The survey was conducted on the day of the month of the year.

Survey of the land shown on this plat is for the purpose of creating a final plat for the land shown on this plat. The survey was conducted by the Surveyor General of the State of Texas, who is a duly qualified and licensed surveyor. The survey was conducted in accordance with the laws and regulations of the State of Texas. The survey was conducted on the day of the month of the year.

Survey of the land shown on this plat is for the purpose of creating a final plat for the land shown on this plat. The survey was conducted by the Surveyor General of the State of Texas, who is a duly qualified and licensed surveyor. The survey was conducted in accordance with the laws and regulations of the State of Texas. The survey was conducted on the day of the month of the year.

Survey of the land shown on this plat is for the purpose of creating a final plat for the land shown on this plat. The survey was conducted by the Surveyor General of the State of Texas, who is a duly qualified and licensed surveyor. The survey was conducted in accordance with the laws and regulations of the State of Texas. The survey was conducted on the day of the month of the year.

Survey of the land shown on this plat is for the purpose of creating a final plat for the land shown on this plat. The survey was conducted by the Surveyor General of the State of Texas, who is a duly qualified and licensed surveyor. The survey was conducted in accordance with the laws and regulations of the State of Texas. The survey was conducted on the day of the month of the year.



GENERAL NOTES

1. The survey was conducted in accordance with the laws and regulations of the State of Texas.
2. The survey was conducted in accordance with the laws and regulations of the State of Texas.
3. The survey was conducted in accordance with the laws and regulations of the State of Texas.
4. The survey was conducted in accordance with the laws and regulations of the State of Texas.

FILE NO.



FINAL PLAT
HIDDEN CREEK
 SURVEY PLAT FOR 2.31 ACRES OF LAND, MORE OR LESS, OUT OF ORIGINAL PATENT SURVEYS IN BROWN COUNTY, TEXAS, AS FOLLOWS:
 SURVEY NO. 1
 SECTION 1
 TOWNSHIP 10N
 RANGE 10E
 COUNTY BROWN, TEXAS

Agenda Bill

Case No. 2020-027

To: Planning & Zoning Commission
Date: 7/2/2020
Agenda Item: 3A
Action: Recommend denial
Representative: Matt Christiansen

Proposal

An ordinance to change the zoning from R-1 Single Family Residential District to R-3 Multifamily Residential on approximately 2.21 acres out of Hoyt Survey Number 147, Abstract A0178; and generally located 300 Block of Lakewood Drive.

The applicant is proposing a condominium project on this 2.21 acres of land. This parcel of land is an unplatted parcel subdivided out from a larger tract. A recorded plat will be required prior to the issuance of any permits on this parcel.

Procedural Requirements

18 letters were mailed 6/18/2020, to adjacent property owners. The public notice was published in the Kerrville Daily Times on 6/11/2020.

Staff Analysis and Recommendation

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: R-1 Single Family Residential
Existing Land Uses: vacant open space

Direction: North

Current Zoning: R-1 Single Family Residential
Existing Land Uses: golf course

Direction: South, East, and West

Current Zoning: R-1 Single Family Residential
Existing Land Uses: Single family homes

Consistency with the Kerrville 2050 Comprehensive Plan:

The property and surrounding area are designated Preservation Residential. Preservation Residential areas support a variety of housing types in a compact network of complete, walkable streets that are easy to navigate by car, bike, and foot. Housing types can include small-lot, single-family detached homes, patio homes, townhomes, duplexes, condominiums, or apartments. Limited amounts of local retail and services may be appropriate in certain locations as needed to support the primary land use.

Primary Land Use: Single-family detached homes, patio homes, townhomes, other single-family attached dwellings.

Secondary Land Use: Civic and institutional uses, parks, open space, small amounts of neighborhood serving retail and office in carefully chosen locations.

A request for multifamily zoning in a Preservation Residential Place Type is appropriate when requirements and recommendations from the zoning code can be met.

Zoning Code Assessment:

As stated in the purpose statement for the R-3 district, multifamily zoning should be placed along a major arterial or collector street which would place it along the edge of a neighborhood and not located within an existing neighborhood. Multifamily is used as a buffer or transition area between a single family residential neighborhood and a commercial area.

The purpose of R-1, Single Family Residential District is to: (a) encourage the development of primarily single-family detached homes; and, (b) protect developed and vacant properties that are determined to be appropriate for such homes from uses that will produce inappropriate levels of traffic, noise, and pollutants, and other conditions not conducive to a residential environment.

The R-3, Multifamily Residential District allows the development of multiple apartments or condominiums on a single lot. Property zoned R-3 should have direct access to and/or frontage on a major arterial or collector street. Development in the R-3 district may provide a suitable transition between lower density residential uses and higher-intensity commercial areas.

Thoroughfare Plan: This property is located within an existing neighborhood, accessed from a local residential street.

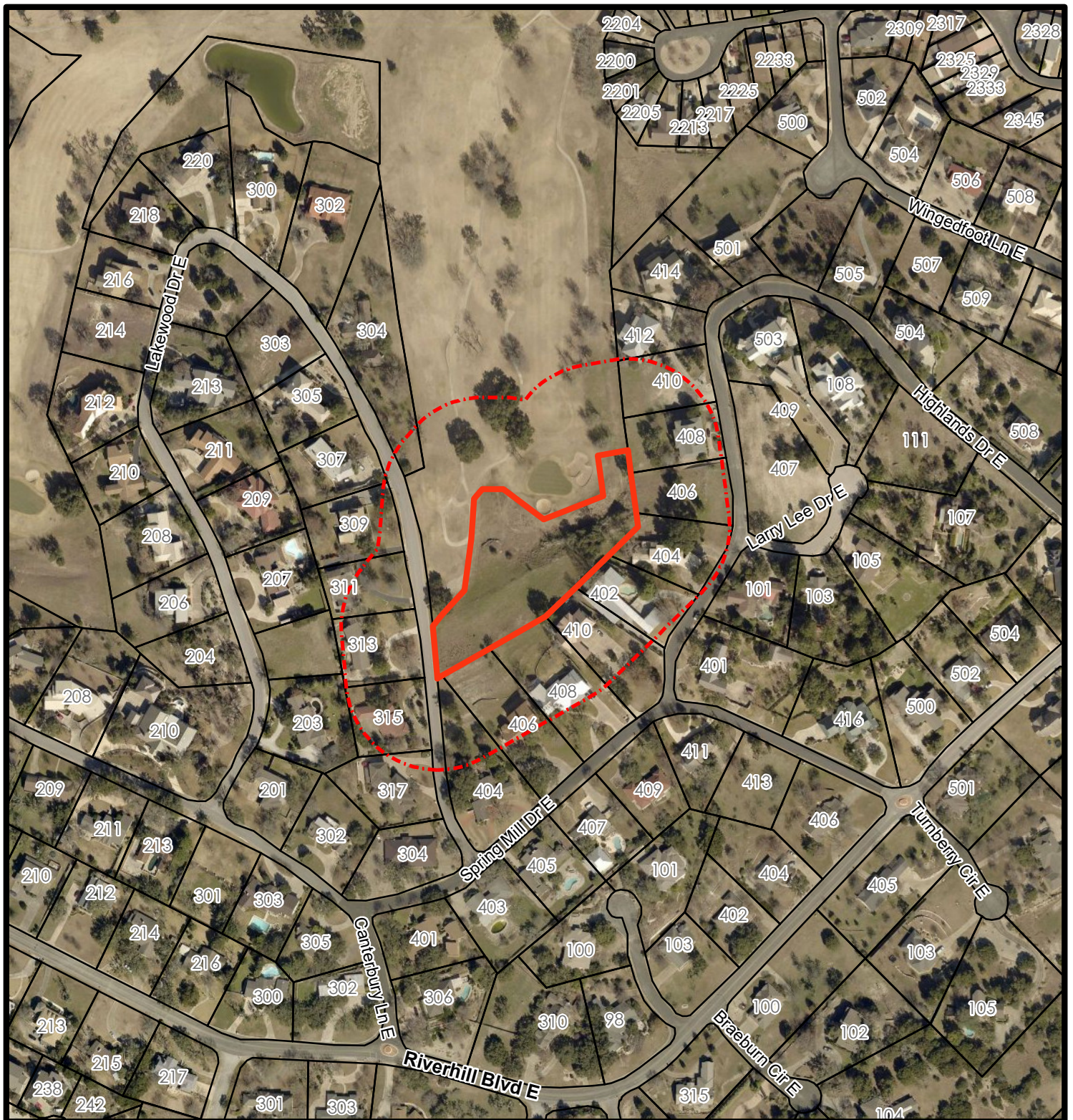
Traffic Impact: As stated in the zoning code, “primary access for a lot platted for multifamily development shall be provided from one or more collector or arterial streets and shall not be provided by a local residential street.”

Parking: All parking requirements of the zoning code shall be met, therefore adequate parking should be provided.

Recommendation: Although the request may be considered consistent with the Future Land Use Plan as it relates to the entire development, the request does not comply with the specific requirements contained in the zoning code. Based on the policies and requirements found in the zoning code, staff recommends denial of the request.

Attachments:

Map



Location Map

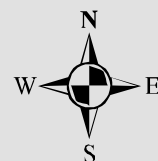
Case # 2020-027

Location:

ABS A0178 HOYT, SUR 147, TRACT 2.21 ACRES

Legend

200' Notification Area
Subject Properties



0 100 200 400

Scale In Feet

From: [Kay Harter](#)
To: [Drew Paxton](#); [Steve Melander](#)
Subject: Proposed re-zoning in Riverhill
Date: Friday, June 12, 2020 1:04:06 PM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr.Paxton, Mr.Melander,

We are residents of Riverhill in Kerrville (but we are not country club members).

We write you to express our strong opposition to the proposed zoning change on Lakewood Drive from R-1 to R-3.

Such a change would not be in keeping with the existing neighborhood of large single-family homes in and around Lakewood Drive to have many multi-family units squeezed into 2 acres.

We have already opposed and been forced into accepting the huge Vintage Hts development adjacent to Riverhill, which will entirely compromise the character of the neighborhood and exponentially increase traffic in Riverhill and on Medina Hwy.

Is there absolutely no care for what existing residents want to conserve in their own neighborhood?

We ask that you convey our very strong concern to the seven members of the Planning & Zoning Commission. We would write them ourselves, but do not have addresses to do so.

Thank you for your attention, and for your service to our community.

- Kay and Rick Harter

Memo

To: Drew Paxton, Planning Director City of Kerrville
From: Riverhill Estate Home Owners
Date: 6/18/2020
Re: Proposed Rezoning on 300 Block of Lakewood

The intent of this memo is to provide you with facts and opinions expressed by Chris Braaten, Scott Herman, Bart Jones, and Bedford Mitchell, on behalf of home owners in the Estate Lots of Riverhill and surrounding subsections of the Riverhill subdivision. The bulleted items below, accompanied by our talking points at our meeting, held on this date, June 18, 2020, outline our stern opposition to the proposed zoning changes (Currently zoned R-1, with a proposal from Matt Christiansen & Riverhill Country Club to rezone to R-3) on the 300 BLK of Lakewood Drive.

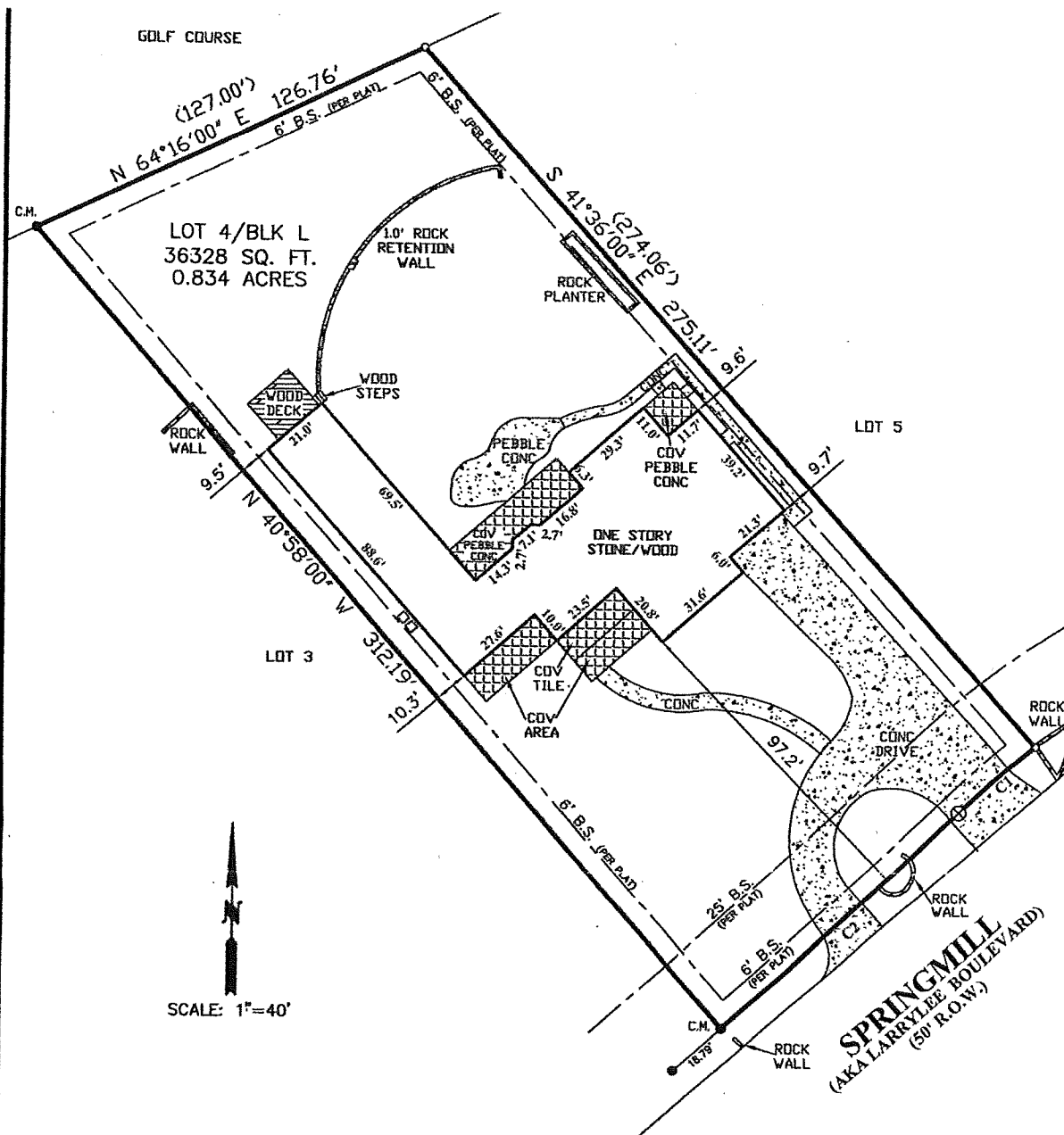
Statement of Facts:

- The proposed rezoning would constitute "spot zoning"
 - **The Kerrville 2050** plan states to "Rezone to a suitable zoning category (as long as a spot zoning condition is not created)"
- The River Hill subdivision is NOT located in any of the defined **Catalyst Growth Areas** deemed high priority
 - **The Kerrville 2050** Strategic Catalyst Growth Outlines - Housing Mix - Greater Housing mix in key areas. Catalyst areas defined 1-11
 - **H2.2** "Use code enforcement as a tool for stabilizing and improving existing neighborhoods, not as a means to redevelopment" (*page 262-2050 Comprehensive Plan*)
- **The Future Land Use Map** - (which is noted as the primary consideration of use by the Kerrville P&Z committee for any zoning changes) Riverhill is, and remains R-1, with no **R-2** or R-3
 - "It (**Future Land Use Map**) does, however, lay the foundation for conversations with property owners and developers about zoning issues and is an important tool to be used in the evaluation of every zoning application. In addition, it should provide a foundation for staff to use in the review of development proposals and should inform the writing or rewriting of guidelines and regulations in support of the Kerrville 2050 vision." (*page 55 2050 Comprehensive Plan*)
- 2020 land values on the properties directly adjacent to or facing the proposed acreage to be rezoned were reduced as much as 50% (See Appendix A) for a collective total in diminution of property value of \$608,228 in the 300 block of Lakewood and portions of Spring Mill Drive and Highlands Drive.

- Low intensity, established Estate Lots would be abutting high intensity Multi-Family Lots with increased traffic flow on minor streets.
- "R-3" Multifamily Residential District: In addition to other regulations set forth in the Zoning Code, property located in a "R-3" Multifamily Residential District shall be developed in accordance with the following regulations:
 - (1) **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.* (City of Kerrville Zoning Code p. 64)

Expressed Opinions:

- "Scheme of development" that the residents of the adjacent properties and beyond all relied on when purchasing our homes, was that the acreage in question was deemed or implied golf course/green space. (See attached PDF of Herman survey).
- The property has also been zoned according to the Kerrville Central Appraisal District as OSR (Open Space Recreation) and has received the benefit of a lower tax valuation as Ag/Timber use value, thus lending credence to homeowners' beliefs that such property was in fact part of the golf course/green space.
- The proposed rezoning on the 300 BLK of Lakewood does not align with Kerrville 2050 Plan statement, "Growth in the future needs to be sustainable and the type of growth that would benefit the people already here, not just new residents". (Kerrville 2050 Plan)
- The proposed zoning change *does not* "promote a harmonious relationship between land uses which promotes and protects the aesthetic quality of the landscape, and enhances the value of land and buildings". (Kerrville 2050 Plan)
- The proposed zoning change would negatively impact the neighboring, established properties by restricting views; changing the use or purpose of the land (golf course/green space; R1); diminishing property values; and causing nuisances such as noise, traffic, light pollution, and loss of privacy.
- The properties directly adjacent and across from the acreage in question are not the only ones impacted. Many people choose to purchase property in Riverhill for the views, whether it be the views of the hills, town, golf course, wildlife, etc. Rezoning that acreage would fundamentally change the landscape of that section of Riverhill. Lots in the deed are labeled "Fairway Lots", "Fairway View Lots", and "View Lots".
- There are other properties better suited for such development, including other areas of the subdivision already owned by Riverhill Country Club.
- Zoning codes and ordinances exist for the good of the community. This zoning change would not benefit the Riverhill community.
- Rezoning would come at the expense of residents who counted on the open green space and country club views when they bought their homes.
- **We request that the Planning and Zoning Commission meeting on July 2, 2020, be held in person (with appropriate social distancing practices in place).**



NOTE:
BEARINGS SHOWN HEREON ARE BASED ON RECORD PLAT INDICATED BELOW.

NOTE:
THE SIGNING SURVEYOR WAS NOT PROVIDED A CURRENT TITLE COMMITMENT AND THERE MAY BE EASEMENTS, RIGHTS OF WAY OR OTHER INSTRUMENTS OF RECORD WHICH MAY AFFECT THIS PROPERTY WHICH ARE NOT SHOWN ON THE FACE OF THIS SURVEY.

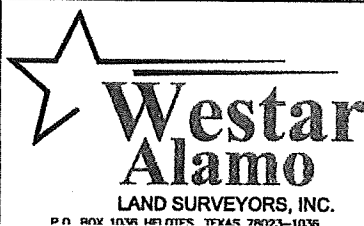
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	230.07'	29.98'	29.96'	S 48°34'22" W	07°27'58"
C2	1764.72'	95.47'	95.46'	S 46°54'01" W	03°05'59"

PROPERTY ADDRESS
408 SPRINGMILL
AKA LARRYLEE BOULEVARD

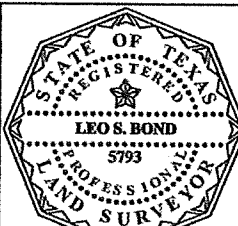
BORROWER
GENE AND BETTY McCOY

As scaled from FEMA's FLOOD INSURANCE RATE MAP, Community No. 480420, Panel No. 0260 E, Panel Dated 7-19-00, this tract is in Zone(s) X and is NOT in a special flood hazard zone, as that term defined by FEMA. This flood zone identification is this surveyor's interpretation, which may or may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. This surveyor does not certify the accuracy of this flood zone designation. It is the responsibility of any interested persons to verify the accuracy of the flood zone designation with FEMA and state and local officials. Because this is a boundary survey, the surveyor did not take any actions to determine the flood status of the surveyed property other than interpret the status off of FEMA's FIRI. This surveyor is not responsible for misinterpreting the flood zone designation or any flood information printed on this survey. This surveyor is not aware of or responsible for determining the tract's flood risk, its intended function or suitability for any use whatsoever.

PROPERTY DESCRIPTION
LOT 4, BLOCK L, RIVER HILL ESTATES, RECORDED IN PLAT BOOK 3, PAGE 21, PLAT RECORDS OF KERR COUNTY, TEXAS.



LEGEND
 ○ = SET 1/2" IRON ROD WITH
CAP STAMPED WESTAR
 ● = FND 1/2" IRON ROD
 B.S. = BUILDING SETBACK
 C.M. = CONTROLLING MONUMENT
 ⊗ = SET "X" ON CONCRETE

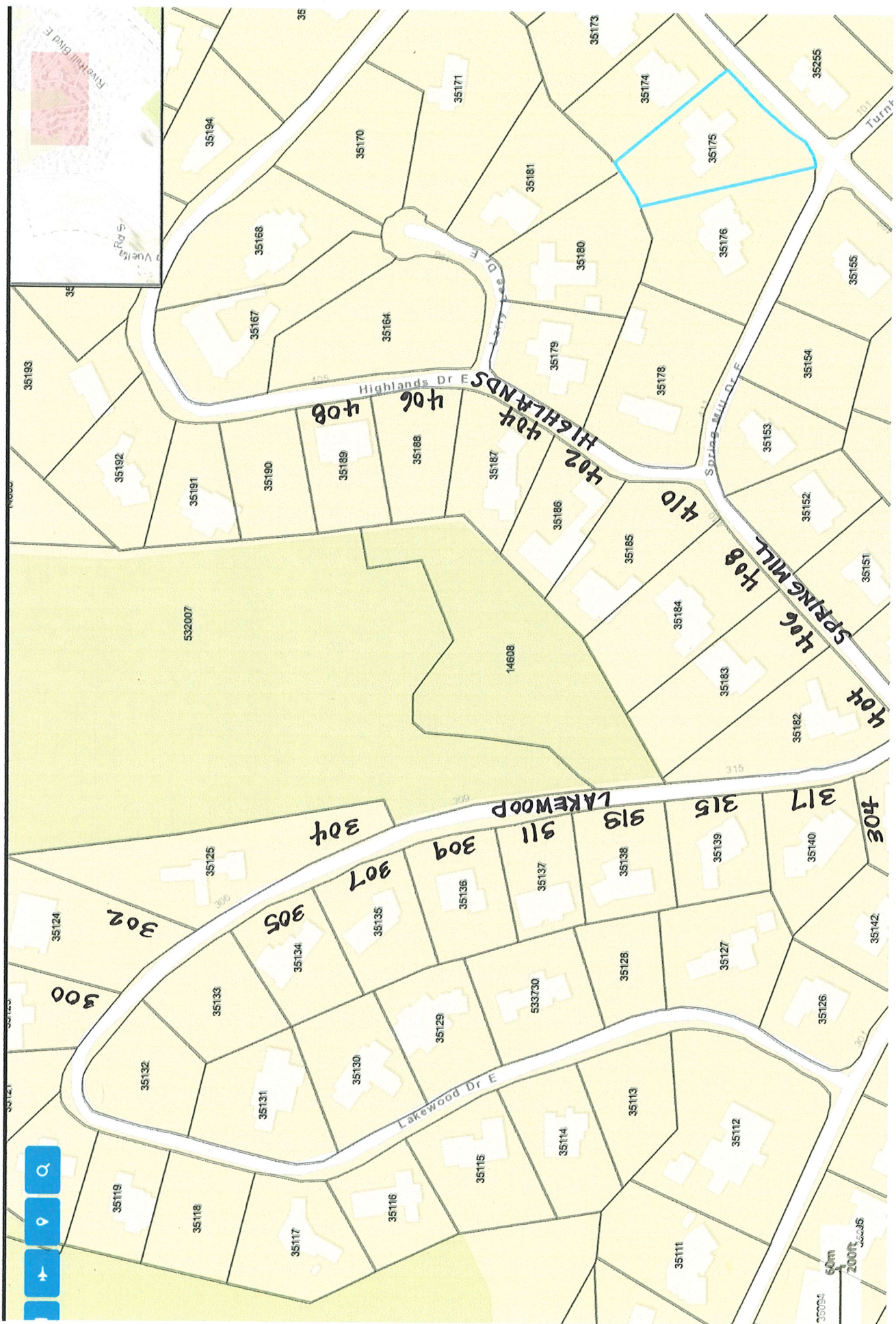


I, LEO S. BOND, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision, and there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, to the best of my knowledge and belief, except as shown herein.

Leo S. Bond
LEO S. BOND

Property Owner	Address	2006-2019 Land Values	2020 Land Value	Difference
Griffin	300 Lakewood	60,000	45,000	15,000
Sheftall	302 Lakewood	60,000	45,000	15,000
Suehs	304 Lakewood	90,000	45,000	45,000
Grothues	305 Lakewood	60,000	45,000	15,000
Guerriero	307 Lakewood	75,003	45,000	30,003
Yeoman	309 Lakewood	70,000	45,000	25,000
Jones	311 Lakewood	75,000	45,000	30,000
Mitchell	313 Lakewood	75,000	45,000	30,000
Bobbitt	315 Lakewood	65,000	45,000	20,000
Armstrong	317 Lakewood	75,000	45,000	30,000
Duke & Bulldog	304 Spring Mill	75,000	45,000	30,000
Horton	404 Spring Mill	50,000	45,000	5,000
Posgate	406 Spring Mill	110,000	45,000	65,000
Herman	408 Spring Mill	110,000	45,000	65,000
Wilson	410 Spring Mill	110,000	45,000	65,000
Dulaney	402 Highlands	110,000	45,000	65,000
Rains	404 Highlands	110,000	110,000	-
Jurca	406 Highlands (lot)	38,225	45,000	(6,775)
Broussard	408 Highlands	110,000	45,000	65,000

TOTAL LOSS OF VALUE \$ 608,228



From: [Jan Rains](#)
To: drewpaxton@kerrvilletx.gov; [Planning Division](#)
Subject: July 2 Zoning Hearing
Date: Friday, June 19, 2020 8:23:47 AM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To all Kerrville Planning and Zoning commission members:

CASE 2020-027

As property owners who are within 200 feet of proposed zone change property, the 2.21 acres out Hoyt Survey Number Abstract 147 A0178, we wish to be heard at your July 2, 2020 hearing. Our Home is situated where it is the closest to this proposal...within feet. We are opposed to this proposal.

Please respond to this email, so we know you received it.

Thank you for your consideration

Wiley and Jan Rains
404 Highlands Drive
Kerrville, Tx 78028
(830)895-3743

From the desk of...
Jan L. Rains

From: [Bedford](#)
To: [Planning Division](#)
Cc: [Drew Paxton](#)
Subject: CASE 2020-027
Date: Monday, June 22, 2020 10:11:43 PM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Planning & Zoning Commission

I am a property owner within 200 feet of the 2.21 acres in Riverhill for which an application has been filed to change the current zoning designation to R-3. There are many legal reasons for the Commission to deny the request, to include several code violations which I am sure will be listed in comments submitted by the representatives of the affected home owners. In addition, this request is inconsistent with goals set fourth in the Kerrville 2050 Comprehensive Plan.

But there is another significant reason this request should be denied. It is the "Reasonable Man Theory". What would a Reasonable Man do given the facts in this case. To my knowledge, ALL residential lots in Riverhill Estates (several blocks in all directions from the subject property) are zoned R-1 and thereby restricted to one single family structure per lot. Would it be reasonable to allow R-3 zoning (condos, apartments, etc) for a 2.21 acre property in the very middle of many blocks of R-1 zoned lots. No, it would not. A reasonable man would not allow that to occur. Thank you for your consideration and thank you for serving on the P&Z Commission.

Bedford & Jenny Mitchell
313 Lakewood Drive

From: [Jan Rains](#)
To: [Planning Division](#)
Subject: Case 2020-027
Date: Monday, June 22, 2020 11:50:46 PM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To all Kerrville Planning and Zoning Commission members:

CASE 2020-027

When we wrote to you last week, I (Jan) did not mention that I was a Riverhill Country Club employee in the Accounting Dept., back in 1976 and 1977, When it was under the General Manager, Jim Shirley. Jeff Lanier was their prime real estate salesman. And, they were very actively selling the residential lots all around the golf course, and they were promoting their premier properties of these lots with golf course views, access, and green space that would never be developed, I think you should take that into serious consideration. I was there, and heard their "Pitch", not knowing that I would ever be living on one of those lots. But, their "pitch" and promise was good enough to convince Glen Stuart, the president of First National Bank at the time, to buy the lot we live on, and build his home. Along with that, Glen Brinkman bought the lot next door, and built his home. They believed their views and access to the golf course were forever. Therefore, we believed it still, 15 years ago, when we purchased our home at 404 Highlands Drive.

This is now our home, and for everyday of these 15 years, we have enjoyed the beautiful views of the golf course, the city, and the abundant wildlife that share our green spaces. It would crush us not only emotionally, but financially if this area next to us is allowed to be built on, for any reason.

Have I mentioned the wildlife? I doubt the EPA would be very happy about destroying the sanctuary we have adjacent to our home, in the thick brush where the Black Antelope and the Whitetail Deer birth their babies, and shelter during storms.

Please take these things into serious consideration about the petition to change this area to an R3 zone.

Kerrville, and Riverhill just does not need to give up it's green spaces. There are better places to build.

Thank you for your consideration,

Wiley and Jan Rains
404 Highlands Drive

From: [James Coulter](#)
To: [Planning Division](#)
Subject: Case 2020-027
Date: Monday, June 22, 2020 8:16:04 PM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have received the notice of the rezoning request for the property involved in this case.

James H. Coulter

412 Highlands Drive

Kerrville, TX 78028

Phone: 830-257-256

email: jhcoulter@hotmail.com

I purchased my property with the intent to build a single family dwelling. The home was completed and occupied on July 1997. The premise then and should be now that the golf course area as initially defined should remain as such. The irregular division of the tract in question indicates that the golf course management is intent on reducing the maintenance by selling off odd lots for development by others and profit. The proposed rezoning allows for the construction of a wide variety of uses all undisclosed by the developer. The construction of a multi-story edifice does not in any way fit into the existing neighborhood. Further, it would obstruct the view that was at the time of purchase by adjacent owners and one reason for paying premium prices for their home's location.

My reasoning is as follows:

1. The precedent of carving up existing areas for the sake of profit without considering the adjacent property owners may be legal, but it is certainly unethical.
2. Such a structure does not fit the neighborhood of single family dwellings already in existence in appearance or use.
3. The subsequent loss in value would certainly impact the taxable value of existing dwellings.
4. The particular property has no access to arterial streets resulting in increased traffic and congestion.
5. There is no evidence that such a structure would not environmentally impact the area.
6. Historically the existing covenants have a long history of prohibiting such structures although such covenants may have no bearing in this case.
7. No notice was given as to the resurvey of properties on the golf course whether legally required or not would have solved this matter one way or another long before now.

For the enumerated reasons I am adamantly opposed to the rezoning of the surveyed plot. I plead for your consideration of my concerns.

From: [Brian Hadfield](#)
To: [Planning Division](#)
Subject: Case # 2020-027
Date: Monday, June 22, 2020 2:49:16 PM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Case # 2020-027

Name: Brian Hadfield & Lori Bradford

Property address: 410 Highlands Drive

We were just notified of the proposed zoning change for this piece of property and we are opposed to this proposal. We would like our vote recorded at the Thursday, July 2nd meeting at 4:30.

Thank you

Brian Hadfield

Sent from my iPad

From: [Karen K Jones](#)
To: [Planning Division](#)
Subject: Case #2020-027 Opposing Rezoning of Lakewood Property
Date: Tuesday, June 23, 2020 9:34:39 AM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Case #2020-027
Karen and Bart Jones
311 Lakewood Drive - Kerrville, TX
830-928-7686

We, the home owners of 311 Lakewood Drive, Kerrville, STRONGLY OPPOSE a proposed ordinance to change the zoning from R-1 to R-3 on approximately 2.21 acres/Hoyt Survey #147, Abstract A0178, 300 Block of Lakewood Drive.

Days of research, petition signing and discussion, by the Riverhill residents, have been spent concerning the effects this development will have on the area.

Our present "Green Space Demise" will have an extremely negative effect on our:
WILDLIFE HABITATS
BEAUTY OF ONE OF KERRVILLE'S GOLF COURSE ATTRACTIONS
TRAFFIC ALONG RIVERHILL BLVD AND CONNECTING STREETS (ALREADY
AFFECTED BY THE NEW VINTAGE HEIGHTS)
PROPERTY VALUES
AESTHETICS OF THE NEIGHBORHOOD
NOT IN THE 2050 PLAN

Please oppose the rezoning request.

Thank you,
Karen and Bart Jones

From: [Carroll Broussard](#)
To: [Planning Division](#)
Subject: case # 2020-027
Date: Tuesday, June 23, 2020 12:33:17 PM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

carroll broussard
408 highlands dr
kerrville,texas 78028

I am opposed to the proposed rezoning change from r-1 to r-3.

This change would drastically affect the market value of the adjoining properties and set a precedent which could impact the entire Riverhill Subdivision.

From: [Karen Guerriero](#)
To: [Planning Division](#)
Subject: Case 2020-027
Date: Tuesday, June 23, 2020 1:59:04 PM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, I am member of the Kerrville 2050 Comprehensive Plan Steering Committee and a resident of the Riverhill Subdivision. I believe a rezone and building of residential dwellings in the area referenced in Case 2020-027, would be detrimental to green space aesthetics and wildlife.

Riverhill is a mature and established landmark community that serves as a haven for a variety of wildlife including White Tail Deer, Axis Deer, Antelope, Jackrabbits and more. The vision of these animals dotting the landscape is part of the natural beauty enjoyed by property owners and one of the foremost goals of the 2050 plan. The area proposed to be rezoned happens to be an area well traveled and used as a bedding haven for wildlife.

I believe that destroying this area will have a negative impact on the natural beauty enjoyed by residents as well as the wildlife that call Riverhill home.

Thank you...

Karen Guerriero

From: jposgatejr@stx.rr.com
To: [Planning Division](#)
Cc: ["Barb.pos722@yahoo.com"](mailto:Barb.pos722@yahoo.com)
Subject: Case #2020-027
Date: Tuesday, June 23, 2020 3:34:02 PM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: James and Barbara Posgate
406 Spring Mill Dr
Kerrville, TX 78028
830-896-8947

We vehemently oppose Case 2020-027 request to change zoning from R-1 Single Family Residential District to R-3 Multifamily Residential.

When we purchased our home in 2009, we understood that our property adjoined the golf course. Over the years there has never been any question of this not being the case.

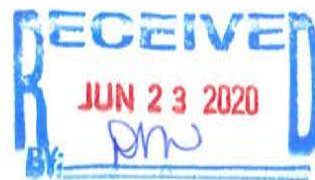
The major attraction of this particular property has been the unobstructed view of not only the golf course but of the panoramic view of the surrounding hills. For years we have observed and greatly enjoyed watching the "deer and antelope play" and the many other wildlife and birds also calling our neighborhood home.

Now in our senior years, we are confronted with the possibility of a gross reconfiguration of our very immediate neighborhood as we know it. Therefore we strongly oppose this proposed rezoning.

James and Barbara Posgate

Kerrville, Tx 78028
(830)895-3743

From the desk of...
Jan L. Rains



Memo

To: The City of Kerrville Planning & Zoning Commission

From: Riverhill Subdivision Estate Section Homeowners

Date: 6/23/2020

Re: Planning and Zoning Commission Case 2020-027

POSITION: We, the homeowners of the Estate Section of the Riverhill Subdivision, strongly request that the Planning and Zoning Commission **DENY** the ordinance to change the zoning from R-1 Single Family Residential District to R-3 Multifamily Residential on approximately 2.21 acres generally located in the 300 Block of Lakewood Drive.

OVERVIEW: The request for rezoning should be denied because (1) it is inconsistent with the Kerrville 2050 Comprehensive Plan and Future Land Use Map (2) constitutes "spot zoning" (3) is located on a local residential street (4) would lower property values (5) is not within the scheme of development of Riverhill (6) there are other properties/land better suited for this development and (7) a petition has been signed by homeowners opposing the rezoning.

ARGUMENTS AGAINST REZONING:

1. Inconsistent with Kerrville 2050 Comprehensive Plan

- "The staff report on a zoning application should always include an assessment of whether the proposal is consistent with the Kerrville 2050 plan. This is only one of several criteria on the checklist for zoning review, but it is an important one. For proposals in conflict with the plan, the applicant should be required to justify the request by explaining to the Planning and Zoning Commission, the City Council, and the public why it should be approved even though it is inconsistent with the community's stated vision. Some of the possible reasons include the discovery of new information that was not available or was not known when the plan was prepared, the introduction of new concepts or development types that did not previously exist, a change in conditions since the adoption of the plan, or an error in some element of the plan." (2050 Plan, p. 232.) No such reason exists to justify the current rezoning request.
- The proposed rezoning does not align with the statement "Growth in the future needs to be sustainable and the **type of growth that would benefit the people already here**, not just new residents." (Stakeholder Interview, 2050 Plan, p. 52.)
- The proposed rezoning is inconsistent with the Future Land Use Plan.
 - The Future Land Use Plan "is an important tool to be used in the evaluation of every zoning application." (2050 Plan, p. 55.)

- The 2050 Plan outlines targeted Growth Scenarios and lists a set of eleven Strategic Catalyst Areas that highlight key opportunities for growth between now and the year 2050. The Riverhill subdivision is NOT located in any of the Growth Scenarios or defined Strategic Catalyst Growth Areas deemed high priority by the Future Land Use Plan. (see **Exhibit A.**)
- The proposed rezoning is inconsistent with the H2 GUIDING PRINCIPLE: **Maintain quality and value of existing neighborhoods.**
 - “Given the age of Kerrville’s housing stock, **it is imperative to put in place protections for existing neighborhoods**...Enforce current minimum property standards for home/structure maintenance and increase proactive code enforcement.” (2050 Plan, p. 126.)
 - We urge the Planning and Zoning Commission to follow this Guiding Principle to protect the Estates Section of Riverhill. “Preserve history of our area — don’t destroy what makes this area special.” (Open Houses Quote, 2050 Plan, p.133.)
 - Implementation Action Item H2.2 states “Use code enforcement as a tool for stabilizing and improving existing neighborhoods, **not as a means to redevelopment.** (2050 Plan, p. 261.)
- The proposed zoning change *does not* “promote a harmonious relationship between land uses which promotes and protects the aesthetic quality of the landscape, and enhances the value of land and buildings”. (City of Kerrville Zoning Code, Intent and Purpose, Art. I, Sec. 60-04(1).)

2. Constitutes Spot Zoning

- The term, “spot zoning,” is used in Texas and most states to connote an unacceptable amendatory ordinance that singles out a small tract for treatment that differs from that accorded similar surrounding land without proof of changes in conditions. *City of Pharr v. Tippet*, 616 S.W.2d 173 (Tex. 1981).
- Non-conforming property situations should be “Rezone(d) to a suitable zoning category (as long as a spot zoning condition is not created).” (see **Exhibit B.**)
- The proposed rezoning would constitute “spot zoning,” as the entire area surrounding is zoned as R-1, and this would single out one parcel of land to be zoned differently. This is at odds with the current zoning restrictions.

3. Location on Local Residential Street

- Rezoning would require the construction of at least one new road to access the proposed properties.
- Low intensity, established Estate Lots would be abutting high-intensity multifamily lots with increased traffic flow on minor streets.
- According to the Kerrville Zoning Code, Article VIII, Sec. 60-50(e)(5), *Access to arterial or collector street*, “Primary access for a lot platted for multifamily development shall be provided from one or more collector or arterial streets and **shall not be provided by a local residential street.**”
- The acreage in question could only be reached by traveling on Riverhill Blvd to Spring Mill or Highlands Drive and then finally to Lakewood Drive (which is a loop servicing only those homeowners living on the street). Lakewood Drive constitutes a local residential street where traffic flow would be increased. Therefore, R-3 zoning should be denied.

4. Loss of Property Value

- 2020 land values on the properties directly adjacent to or facing the proposed acreage to be rezoned were reduced as much as 50% (for a collective total in diminution of property value of \$608,228 in the 300 block of Lakewood and portions of Spring Mill Drive and Highlands Drive). (see **Exhibit C**).
- Property values on these lots, which have larger acreage and square footage and are considered estate sized lots, will continue to diminish if R-3 zoning is allowed within this R-1 section.

5. Outside the Scheme of Development

- Riverhill was originally developed as a golf course/country club within a common scheme of development for a predominantly residential single-family development project. This is especially true in the original, Estate Section of the subdivision. (see **Exhibit D**)
- The residents of the adjacent properties and beyond all relied such scheme of development when purchasing their homes, and the acreage in question was deemed or implied golf course/green space. (see **Exhibits E, F**)
- The 2.21 acres has also been zoned according to the Kerrville Central Appraisal District as OSR (Open Space Recreation) and has received the benefit of a lower tax valuation as Ag/Timber use value, thus lending credence to homeowners' beliefs that such property was in fact part of the golf course/green space. (see **Exhibit G**)
- The proposed zoning change would negatively impact the neighboring, established properties by restricting views; changing the use or purpose of the land (golf course/green space; R-1); diminishing property values; and causing nuisances such as noise, traffic, light pollution, and loss of privacy.
 - According to Article VIII, Sec. 60-50(b)(1)(b) of the Kerrville Zoning Code, one purpose of R-1 zoning is to "protect developed and vacant properties that are determined to be appropriate for such homes from uses that will produce inappropriate levels of traffic, noise, and pollutants...."
 - "Kerrville's greatest natural asset is the beauty of the surrounding hills. To protect the landscape and the **scenic views** for future generations, the community should consider adopting ordinances to protect slopes and escarpments from unchecked development." (2050 Plan p. 142.)
- According to the Kerrville Land Use Table, potential uses for blanket R-3 zoning include: assisted living facility, nursing home, independent senior home facility, special care facility, college dorm, college fraternity or sorority house, high-density apartments, parking garage, and short-term rental homes (such as AirBnB). This should eliminate R-3 from consideration as these would fundamentally change the nature of the neighborhood.
- In addition, R-2 Medium-Density zoning would not be appropriate either.
 - R-2 characteristics don't fit the model for the developer or the immediate area.
 - The property would not meet the building area and height regulations, including the setback restrictions, minimum parking requirements, and possible alleyways. (see *City of Kerrville Zoning Code, Art. VIII, Sec. 60-50(d).*)
- Riverhill Country Club is included within the City's Parks and Recreation System and is one of the three largest, non-parkland open spaces in Kerrville. (see **Exhibit H**)
"Residents still cherish the natural environment that first attracted settlers to the area,

and they understand that the **preservation of these areas** and the development and maintenance of other key recreational assets—**golf courses**, athletic facilities, camps, parks, trails and the Guadalupe River corridor—will be as important to future residents as they are to the citizens of Kerrville today.” (2050 Plan p. 201.)

- The 2.21 acres is not a recorded plat, which lends further credence to the belief that it was (and still is) green space/golf course property.

6. Other Properties/Land Are Better Suited

- There are other properties better suited for such development, including other areas of the subdivision already owned by Riverhill Country Club. One such area already abuts property zoned R-2. (see **Exhibit I.**) *However, we do not believe that ANY of such areas should be developed and should continue to be maintained as green space/golf course.*
- Brand new, multi-family housing is already currently being constructed at locations around Kerrville. This includes the Residences at the Landing on the river and Sendero Ridge.

7. Petition Against Rezoning

- Riverhill homeowners are vehemently against the rezoning request. A door-to-door petition opposing the rezoning has been signed by over 200 people and will continue to be circulated up to the July 2nd hearing. (see **Exhibit J.**)
- “Decisions made by city government should reflect the will of the citizenry and promote the best interests of the community.” (2050 Plan, p. 141.) This proposed zoning change does not reflect the will of the citizens of Riverhill.

CONCLUSION: Zoning codes and ordinances exist for the good of the community. This zoning change would not benefit the Riverhill homeowners, some of whom have lived in their current homes for almost 30 years. Rezoning would come at the expense of all residents who counted on the open green space and country club views when they bought their homes. For this and the reasons outlined above, we request that the Planning and Zoning Commission **DENY** any rezoning request.

EXHIBIT A

Figure 7: Future Land Use Plan

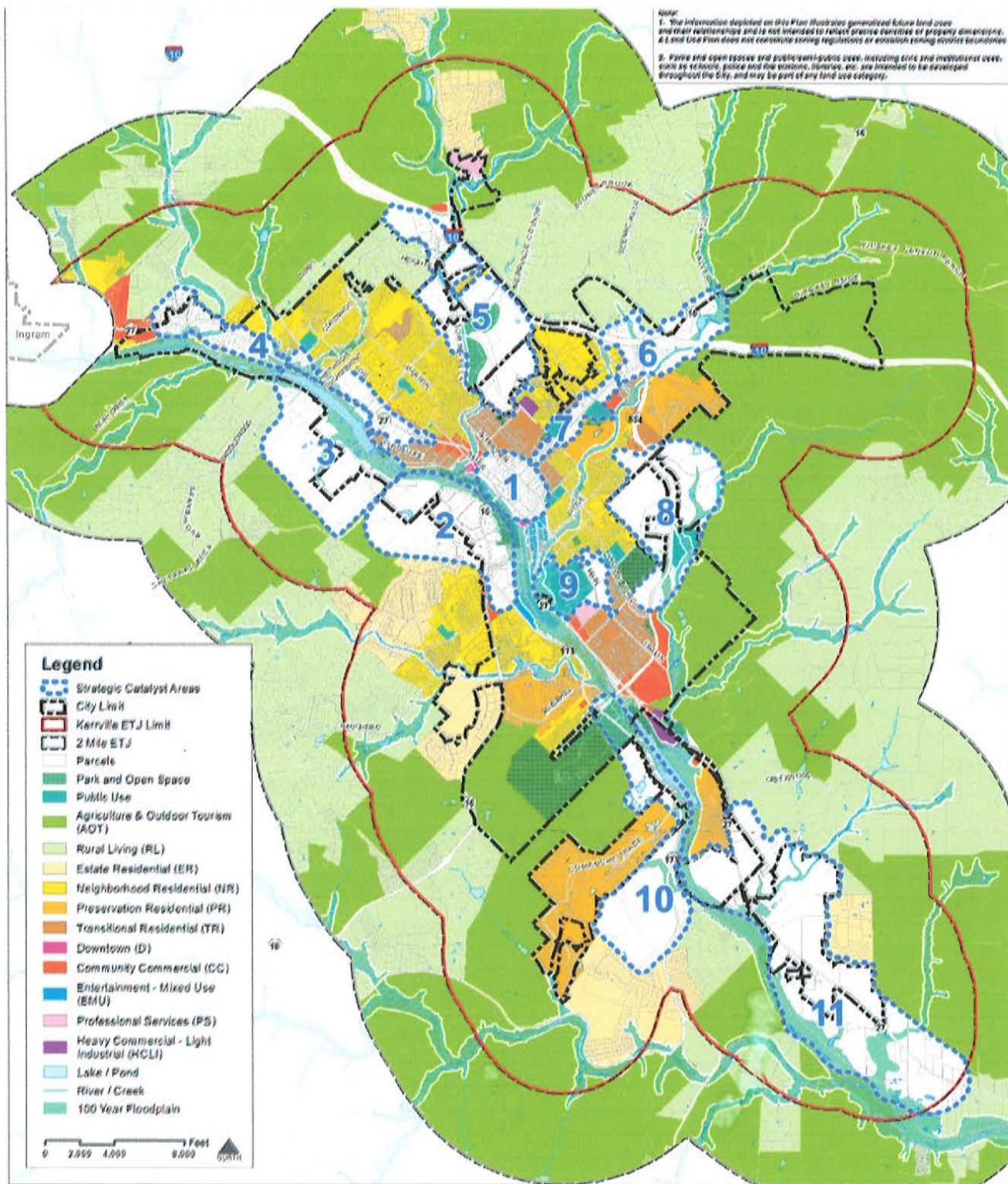


EXHIBIT B

Options for Nonconforming Situations

- Rezone to a suitable zoning category (as long as a spot zoning condition is not created)
- Appeal to the ZBA to:
 - Reinstate or expand a nonconforming use
 - Reconstruct a nonconforming structure to the pre-existing building size, even if destroyed up to 100% by fire, flood, explosion, windstorm, earthquake, war, riot, or other calamity
- Expand a nonconforming structure

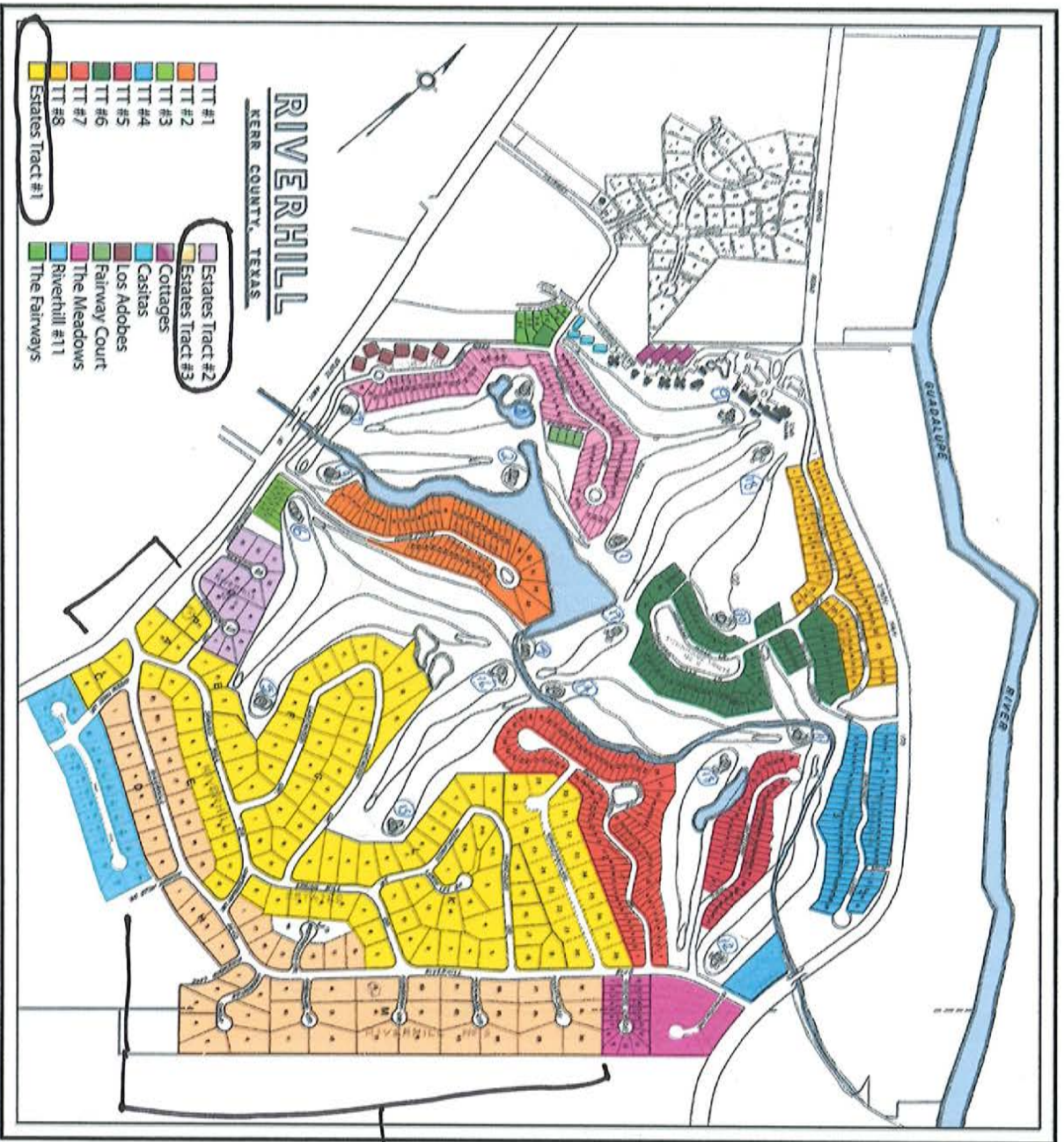
EXHIBIT C

REDUCTION IN LAND VALUES

Property Owner	Address	2006-2019 Land Values	2020 Land Value	Difference
Griffin	300 Lakewood	60,000	45,000	15,000
Sheftall	302 Lakewood	60,000	45,000	15,000
Suehs	304 Lakewood	90,000	45,000	45,000
Grothues	305 Lakewood	60,000	45,000	15,000
Guerriero	307 Lakewood	75,003	45,000	30,003
Yeoman	309 Lakewood	70,000	45,000	25,000
Jones	311 Lakewood	75,000	45,000	30,000
Mitchell	313 Lakewood	75,000	45,000	30,000
Bobbitt	315 Lakewood	65,000	45,000	20,000
Armstrong	317 Lakewood	75,000	45,000	30,000
Duke & Bulldog	304 Spring Mill	75,000	45,000	30,000
Horton	404 Spring Mill	50,000	45,000	5,000
Posgate	406 Spring Mill	110,000	45,000	65,000
Herman	408 Spring Mill	110,000	45,000	65,000
Wilson	410 Spring Mill	110,000	45,000	65,000
Dulaney	402 Highlands	110,000	45,000	65,000
Rains	404 Highlands	110,000	110,000	-
Jurca	406 Highlands (lot)	38,225	45,000	(6,775)
Broussard	408 Highlands	110,000	45,000	65,000

TOTAL LOSS OF VALUE \$ 608,228

EXHIBIT D



*Estates Sections
of Riverhill*

EXHIBIT E

Property

Account

Property ID: 35188
 Geographic ID: 5920-0120-008000
 Type: Real
 Property Use Code:
 Property Use Description:

Legal Description: RIVERHILL ESTS 1 BLK L LOT 8 (ADJOINS GOLF COURSE)
 Zoning: R1
 Agent Code:

Location

Address: 406 HIGHLANDS DRIVE E
 KERRVILLE, TX 78028
 Neighborhood: RIVERHILL ESTS 1,2,3
 Neighborhood CD: RH-ESTS

Map ID: S5920

Owner

Name: JURCA, JUDY
 Mailing Address: 219 VICTORIA AVE
 KERRVILLE, TX 78028

Owner ID: 609557
 % Ownership: 100.0000000000%

Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$45,000	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0

(=) Market Value: = \$45,000
 (-) Ag or Timber Use Value Reduction: - \$0

(=) Appraised Value: = \$45,000
 (-) HS Cap: - \$0

(=) Assessed Value: = \$45,000

Taxing Jurisdiction

Owner: JURCA, JUDY
 % Ownership: 100.0000000000%
 Total Value: \$45,000

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	Central Appraisal District	0.000000	\$45,000	\$45,000	\$0.00
CKV	CITY OF KERRVILLE	0.540000	\$45,000	\$45,000	\$243.00
GKR	KERR COUNTY	0.482700	\$45,000	\$45,000	\$217.21
RLT	LATERAL ROADS	0.032300	\$45,000	\$45,000	\$14.86
SKV	KERRVILLE I.S.D.	1.170000	\$45,000	\$45,000	\$526.50
UGR	UPPER GUADALUPE RIVER AUTHORITY	0.021400	\$45,000	\$45,000	\$9.63
WHU	HEADWATERS GROUNDWATER CONSERVATION DISTRICT	0.007400	\$45,000	\$45,000	\$3.33
Total Tax Rate:		2.253800			
Taxes w/Current Exemptions:					\$1,014.23
Taxes w/o Exemptions:					\$1,014.23

Improvement / Building

No improvements exist for this property.

EXHIBIT F

Leo S. Bond
LEO S. BOND

EXHIBIT G

Property Search Results > 14608 RIVERHILL CC LP for Year 2020

Tax Year 2020

New Search

Details Map

Click on a title bar to expand or collapse the information.

Expand All

Property

Account

Property ID: 14608
Geographic ID: 0178-0147-012000
Type: Real

Legal Description: ABS A0178 HOYT, SUR 147,TRACT (PT 160.71 ACS TR2,ACRES 17.3400
Zoning: OSR
Agent Code: US94527

Property Use Code:
Property Use Description:

Location

Address: ROLLING GREEN DR
TX

Mapscod: Map ID: OS1

Neighborhood:
Neighborhood CD:

Owner

Name: RIVERHILL CC LP
Mailing Address: % JOHN JUNKER
100 RIVERHILL CLUB LN
KERRVILLE, TX 78028-6417

Owner ID: 586133
% Ownership: 100.000000000000%

Exemptions:

Values

(+) Improvement Homestead Value:	+	\$0
(+) Improvement Non-Homestead Value:	+	\$0
(+) Land Homestead Value:	+	\$0
(+) Land Non-Homestead Value:	+	\$41,356
(+) Agricultural Market Valuation:	+	\$0
(+) Timber Market Valuation:	+	\$0
(=) Market Value:	=	\$41,356
(-) Ag or Timber Use Value Reduction:	-	\$0
(=) Appraised Value:	=	\$41,356
(-) HS Cap:	-	\$0
(=) Assessed Value:	=	\$41,356

Taxing Jurisdiction

Improvement / Building

Land

Roll Value History

Deed History - (Last 2 Deed Transactions)

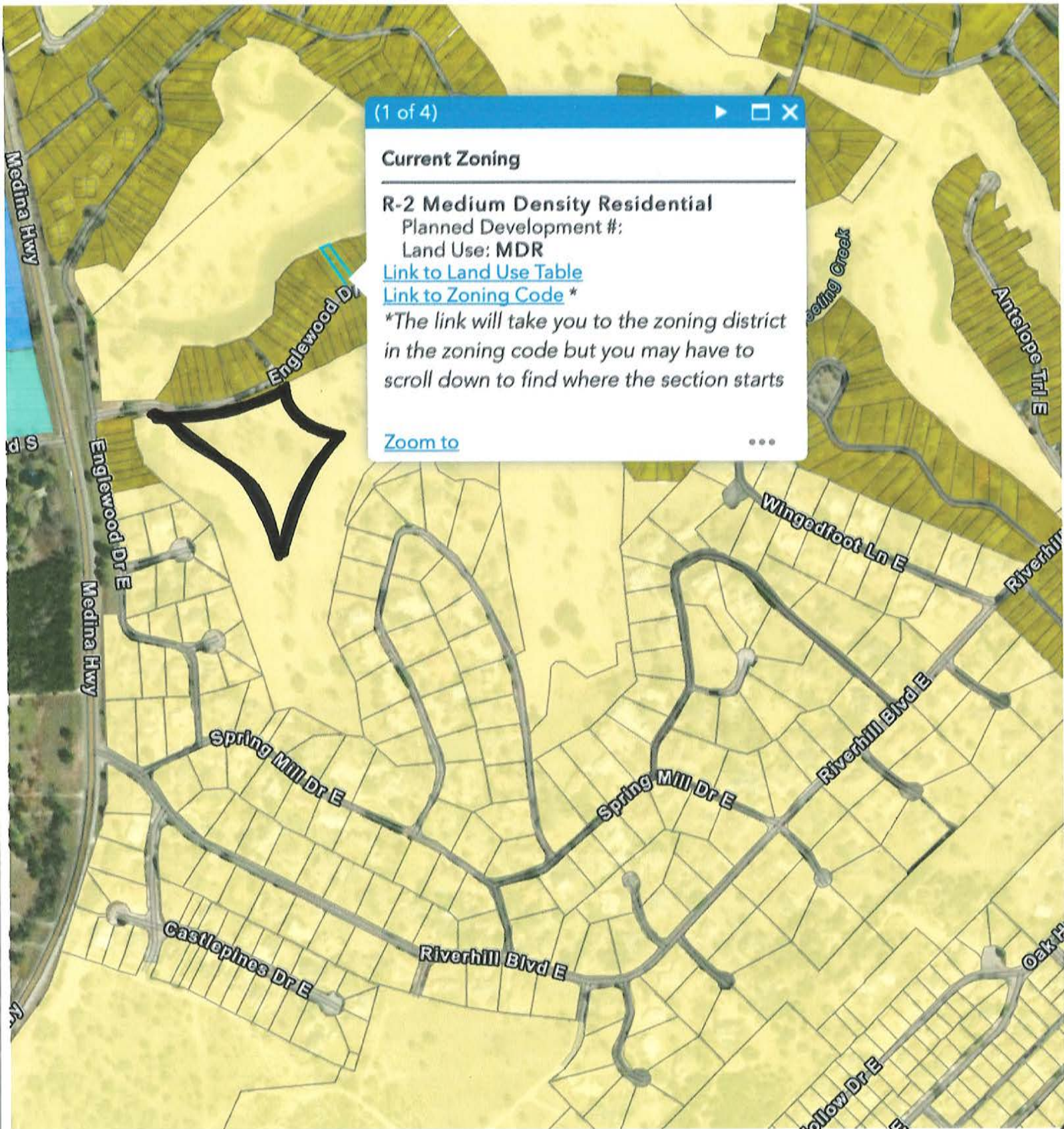
Tax Due

Questions Please Call (830) 895-5223

EXHIBIT H



EXHIBIT I



(1 of 4)

Current Zoning

R-2 Medium Density Residential

Planned Development #:

Land Use: MDR

[Link to Land Use Table](#)

[Link to Zoning Code](#) *

*The link will take you to the zoning district in the zoning code but you may have to scroll down to find where the section starts

[Zoom to](#)

...

EXHIBIT J

Petition to Deny Zoning Change

Riverhill Country Club has filed the paperwork with the City of Kerrville to request a zoning change on a parcel of land located on Lakewood Drive that has been historically implied as golf course or green space. According to the application, the request is to change the zoning from R-1, single family homes, to R-3, multi-family, with the intention to build multiple, multi-story condominiums.

This zoning change constitutes "spot zoning" and is inconsistent with the Kerrville 2050 Comprehensive Plan. This zoning change would increase traffic (requiring the construction of a new road), lower property values, and is inconsistent with the scheme of development of the Estates Section of Riverhill.

We the undersigned are concerned property owners in the Riverhill subdivision who urge the City of Kerrville Planning and Zoning Commission to deny this request.

Date	Signature	Printed Name	Address & Phone Number	Email
4-12-20	Sandra Leisner	SANDRA LEISNER	830.377.3620 303 Spring Hill 506 Oakland Hills Ln 830/739-2171	Sandra.Leisner@gmail.com rakes@tsc.com
6-12-20	Synda Ables	Synda Ables		
6-12-20	Alana Howard	Diana Howard	8307395715	diana3361@gmail.com
6-12-20	Cheryl Smith	Cheryl Smith	830-238-4548	cheryl@ajunta.com
9-12-20	Scott Shub	Scott Shub	739-370-3390	Scott.Shub@ajunta.com
6-12-20	Rick Perry	Rick Perry	405 Spring Hill Dr 830 739-7443	rperry@ajunta.com

Date	Signature	Printed Name	Address & Phone Number	Email
6/19/20	Mary Amburn	Mary Amburn	830-896-5945 547 Fairway	amburnmary@gmail.com
6/19/20	Julia Finner	Julia Finner	(830) 257-6418 554 Fairway	juliaf@krc.com
6/19/20	Shirley Sullivan	Alice Sullivan	81 Terrace Lane	830 895 2324 sullivan@gnail
6/19/20	Roy A. Bond	Roy Bond	830-496-0580 101 Canyon Creek	mbondreaux@aol.com
6/19/20	Jessica Binder	Jessica Binder	979 661 4411 101 Canyon Creek	binderj986@yahoo.com
6/19/20	M. Hart	MERRICK HARTER	520 Firway Dr	harterkre@yahoo.co
6-19-20	Kay Hart	KAY HARTER	520 Fairway Dr	" "
6/19/20	Carolyn Jones	CAROLYN JONES	543 Fairway 713-562-0135	
6/19/20	Carl H. House	CARL H. HOUSE	546 Fairway	carlh@universal minerals.com
6/19/20	Doris C Schultze	Doris Schultze	546 Fairway	" "
6/22/20	Laura Snyder	Laura Snyder	108 Castle Pine Dr	ltsnyder@gmail.com
6/22/20	Greg Shuck	Greg Shuck	108 Castle Pine Dr	gshuck@gnail.com
6-22-20	Robert Fairchild	Robert Fairchild	204 Spring Hill	robert.fairchild @MorganStanley.com


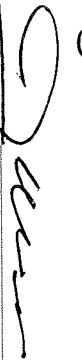

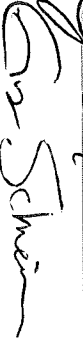


Date	Signature	Printed Name	Address & Phone Number	Email
6/21/20	LD Schreiner	LD Schreiner	108 Larry Lee Dr. Jon E. Hete. net	
6/21/20	John Les	Kyanna Lulo	34 Antelope Dr.	pschreiner@gmail.com
6/21/20	Dana Watson	Dana Watson	505 Winged Foot	dano307@aol.com
6/21/20	Ken Watson	Ken Watson	505 Winged Foot	dano307@aol.com
6/21/20	Paul White	Ahel White	626 Oakland Hills	ceselwhite@gmail.com
6/21/20	Rex Boyland	Rex Boyland	507 Preston Trail	tejaswebmail@gmail.com
6/21/20	Eric Sweate	Eric Sweate	201 Riverside Blvd	eric.sweate@str.com
6/21/20	Carla Pitt	Carla Kuchter	" " "	carla.kuchter@str.com
6/21/20	Sarah Griffin	Sarah Griffin	300 Lakewood Dr	sarahgriffin1957@gmail.com
6/21/20	Michael Stephen	Michael Griffin	300 Lakewood Dr.	



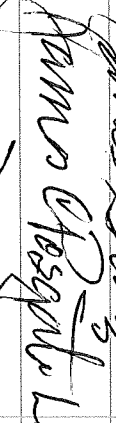
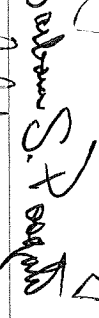
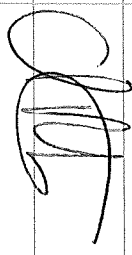
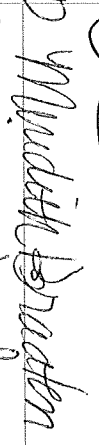





Petition to Deny Zoning Change

Riverhill Country Club has filed the paperwork with the City of Kernville to request a zoning change on a parcel of land located on Lakewood Drive that has been historically implied as golf course or green space. According to the application, the request is to change the zoning from R-1, single family homes, to R-3, multi-family, with the intention to build multiple, multi-story condominiums.

This zoning change constitutes "spot zoning" and is inconsistent with the Kernville 2050 Comprehensive Plan. This zoning change would increase traffic (requiring the construction of a new road), lower property values, and is inconsistent with the scheme of development of the Estates Section of Riverhill.

We the undersigned are concerned property owners in the Riverhill subdivision who urge the City of Kernville Planning and Zoning Commission to deny this request.

Date	Signature	Printed Name	Address & Phone Number	Email
6/12/20		STEPHANIE & SCOTT HERMAN	408 SPRING MILL 512-925-1582	Skherman@mac.com
6/12/20		JAMES W. COOK CHEROKEE WILSON	410 SPRING MILL 713-248-2634	sherrycook@att.net
6/12/20		DAN RAINS	404 HYGHIANS DR 895 3743	janerains@hotmail.ca
6/12/20		GUS SCHREINER	108 URBAN LEE DR (360) 928 2424	gus@win7one.com
✓		CAROL SCHREINER	105 URBAN LEE	carol@keta.net
		LYNNE LOGGIE	101 LARRYHEAD DR	lynloggie@yahoo.com

Date	Signature	Printed Name	Address & Phone Number	Email
6/13/20		CHARLES LOGGIE	101 LINDALEE	CharlesLoggie@yahoo.com
6/12/2020		JAMES STUTZ	401 Highland Dr.	
6/12/20		JAMES C. FOSGATE JR	406 Springmill	JFOSGATEJR@STX.FR.COM
6/12/20		BARBARA S. FOSGATE	406 Springmill Dr	BARBARA.FOSGATE@STX.COM
6/12/20		Chris Braaten	411 Spring Mill Dr	chrisbraaten@yaho.com
6/11/20		Meredith Braaten	411 Spring Mill Dr.	meredithbraaten@yahoo.com
6/11/20		Allison Jordan	2228 Rock Creek Dr.	allison.veth.davis@gmail.com
6/13/20		Anita Grisbawn	407 Spring Mill Dr.	agrisbawn@yahoo.com
6/13/20		James Grisbawn	407 Spring Mill Dr	jdgisbawn@aol.com
6/13/20		Marshie Norton	404 Spring Mill Dr	marshienorton@yahoo.com
6/16/20		RUSSELL RICHARDS	717 OAKLAND HILLS	r.richards@yaho.com

Petition to Deny Zoning Change

Riverhill Country Club has filed the paperwork with the City of Kerrville to request a zoning change on a parcel of land located on Lakewood Drive that has been historically implied as golf course or green space. According to the application, the request is to change the zoning from R-1, single family homes, to R-3, multi-family, with the intention to build multiple, multi-story condominiums.

This zoning change constitutes "spot zoning" and is inconsistent with the Kerrville 2050 Comprehensive Plan. This zoning change would increase traffic (requiring the construction of a new road), lower property values, and is inconsistent with the scheme of development of the Estates Section of Riverhill.

We the undersigned are concerned property owners in the Riverhill subdivision who urge the City of Kerrville Planning and Zoning Commission to deny this request.














Date	Signature	Printed Name	Address & Phone Number	Email
06-11-20	Jennifer Mitchell	Jennifer Mitchell	313 Lakewood Drive 830-377-4933	sooner@kte.com
4/12/20	Redford Mitchell	Redford Mitchell	313 Lakewood Dr 377 1114	RED2000@KTE.com
6/12/20	Quint E. Shumka	JAVIER E. TRUJILLO	307 Lakewood Dr 810.853.7627	chubasco@att.com
8/12/20	Jeffrey A. Newstrom	Jeffrey A. Newstrom	" "	" "
10/12/20	K. E. Kalsip	K. E. Kalsip	304 S. 0210 Ave N 210-604 1116	Fred@Kalsip.com
6/12/20	Kenneth Callahan	Kenneth Callahan	303 Spring Mall 895-3020	

Date	Signature	Printed Name	Address & Phone Number	Email
4/3/20	<i>[Signature]</i>	William Collier	221 Lakeview Dr	williams-will@verizon.net
4/3/20	<i>[Signature]</i>	Dana M Collier	201 Lakeview Dr	dana.mccollier20@gmail.com
4/3/20	<i>[Signature]</i>	Scott Standley	305 Springfield	scottstandley@gmail.com
4/3/20	<i>[Signature]</i>	Wendi Standley	305 Springfield Dr	wendi.standley@gmail.com
4-13-20	<i>[Signature]</i>	Marlene Grothues	305 Lakewood Dr	pmg@kfc.com
4-13-20	<i>[Signature]</i>	JANET CLARK	2217 Rock Creek Dr	janetclark@gmail.com
4-13-20	<i>[Signature]</i>	Gray Clark	2217 Rock Creek Dr	grayclark316@gmail.com
4-14-20	<i>[Signature]</i>	Suz Kuznetsov	398 Eisenhower Pl	SKT@AOL.COM
4/14/20	<i>[Signature]</i>	Suzanne Kuznetsov	"	skuznetsov@gmail.com
4/14/20	<i>[Signature]</i>	Bill White	513 Oakland Hills Ln	bandwhite@msn.com
4/14/20	<i>[Signature]</i>	Becky White	830-257-3292 513 Oakland Hills Lane	bandwhite@gmail.com
4/14/20	<i>[Signature]</i>	Cary McCormick	400 Englewood Dr	ccarm@mac.com
4/14/20	<i>[Signature]</i>	Charles McCormick	400 Englewood Dr.	charcormick@earthlink.net

Date	Signature	Printed Name	Address & Phone Number	Email
6/17/20	Sally M. Osterman	Sally W. Peterson	2407 Binkdale Lane Kerrville, TX 78967-7090	lp2405p@stx.tx
6/17/20	Ronald Osterman	Ronald D. Peterson	2407 Binkdale Ln. Kerrville, TX 78967-7090	lp2405p@stx.tx
6/17/20	Jane McNally	Jane McNally	2309 Binkdale Lane Kerrville, TX 78967-7090	jmoody@stx.tx
6/17/20	W. H. Moody	W. H. Moody	2402 Rock Creek Kerrville, TX	hmoody78028@gmail.com
6/17/20	William T. Emman	William T. Emman	Kerrville, TX	bstiemman@stx.tx
6/17/20	Charles Emman	Charles Emman	208 Spring Mill Dr Kerrville, TX 78967-7090	lp2405p@stx.tx
6/17/20	Mark F. Shurley	Mark F. Shurley	208 Spring Mill Dr Kerrville, TX 78967-7090	marshu@stx.tx
6/18/20	Gena E. Griffin	Gena E. Griffin	210 Spring Mill Dr Kerrville, TX 78967-7090	gma@stx.tx
6/18/20	F. O. Neil Griffin	F. O. Neil Griffin	210 Spring Mill Dr Kerrville, TX 78967-7090	gma@stx.tx
6/19/20	Russell Bachre	Russell Bachre	100 Deerwood Dr Kerrville, TX 78967-7090	lp2405p@stx.tx
6-19-20	Denise Baehre	Denise Baehre	347 E. N. Glass Kerrville, TX 78967-7090	lp2405p@stx.tx
6-19-20	Fathi Glass	Fathi Glass	347 E. N. Glass Kerrville, TX 78967-7090	lp2405p@stx.tx
6-19-20	Victor Haro	Victor Haro	347 E. N. Glass Kerrville, TX 78967-7090	lp2405p@stx.tx

Date	Signature	Printed Name	Address & Phone Number	Email
6/15/20		Charlotte S Pett	246 Castle Pines Dr	charpett@gmail.com
6/15/20		Harry Pett	246 Castle Pines Dr	DeansPett@gmail.com
6/15/20		Robert B. Gohlke	231 Castle Pines Dr	robertgohlkes@hotmail.com
6/15/20		Victoria W. Wilson	105 Braeburn Cir	Victoria92@gmail.com
6/15/20		David R. Wilson	105 Braeburn Cir	Dawis98@gmail.com
6/15		Ron Lundy	388 Knyswood Dr	MLK1931@gmail.com
6/15		Emily Lundy	388 Knyswood Dr	11
6/19		Paul J. Zohren	384 Enclave	PaulJZ@gmail.com
6/19		David Durre	376 Enclave	Edunio2@gmail.com
6/19		Julia Dunlop	376 Enclave	dunlopjulia@gmail.com
6/19		Brockton Williams	372 Enclave	stockton-texas@gmail.com
6/19		Donna McCanlies	365 Enclave	dannamccanlies@gmail.com
6/19		Carol Collier	363 Enclave	CarolC@gmail.com

Date	Signature	Printed Name	Address & Phone Number	Email
6/12/20	Aceia Eagle	Aceia Elliott Eagle	414 Highlands Dr 830-	aceia.eagle@sbccglobal.net
6-12-20	Shannon P. Eagle	Shannon P. Eagle	414 Highlands Dr. Atascosa @ sbcc Global.net	
6/12/20	Theresa J. Eagle	Theresa J. Eagle	315 Lakewood	theresa.j.eagle@sbcc.edu
6/12/20	Paul Jones	Paul Jones	311 Lakewood	pmajones@gmail.com
6/12/20	Karen Jones	Karen Jones	257-2223	
6/12/20	James W. Jones	James W. Jones	412 Highlands	jmculture@hotmail.com
6/13/20	Phyllis Young	Phyllis Young	857-7094	
6/13/20	Paula V. Jones	Paula V. Jones	3208 Rock Creek Dr Texas ROBERT YOUNG@gmail.com	
6/13/20	Jane Steele	Jane Steele	2204 Rock Creek	jsteele@sbcc.edu
6/13/20	Sue Steele	Sue Steele	2204 Rock Creek	sue@thelibrarysbcc.edu
6/13/20	Sharon Smith	Sharon Smith	612 Rock Creek	sharonasmith194@gmail.com
6/13/20	Tina Smith	Tina Smith	-	fordsmith1994@gmail.com
6/13/20	Phonda Taylor	Phonda Taylor	621 Rock Creek	phonda.taylor23@gmail.com
6/13/20	Billie V. Taylor	Billie V. Taylor	621 Rock Creek	billiebillie@comcast.net

Date	Signature	Printed Name	Address & Phone Number	Email
6/14/2020		Donald M. Cook	830 896 6757 396 E. Wilewood 830-896-6757	cookdonm@aol.com
6-14-20		Peg Cox	396 E. Wilewood Dr. 830 328 7141	COCKMENA@MIL.COY wastewater.com
6-14-20		Charles Diges	392 Eaglewood Dr. 504 Rivenhill Blvd. 896-2470	duniceguadalupe dunillins3@hotmail.com
6-15-20		Diane Mullins	337 Engwood Dr Kumilo 214-289-4329	TERIAN@icloud.com
6-15-20		Tevian Pohl	387 Engwood Dr Kumilo 830 371 8458	EKPOHL@YAHOO.COM
6-15-20		Karl Pohl	387 Engwood Dr Kumilo 830 371 8458	EKPOHL@YAHOO.COM
6-15-2020		Neita Pohl	534 Sand Bend Kumilo 285-5370	ETUCKER13@icloud.com
6-15-2020		Dana Tucker	534 Sand Bend Kumilo 285-5370	ETUCKER13@icloud.com
6-15-20		Cynthia Tucker	534 Sand Bend Kumilo 285-5370	ETUCKER13@icloud.com
6-15-2020		Deanna Hagy	536 Sand Bend Kumilo 285-5370	DEANNAHAGY@YAHOO.COM
6-15/2020		H.L. EHRENBREICH	520 SAND BEND KUMILLO TX 830 SAND BEND	HLNOR EHRENBREICH@HOTMAIL.COM
6/15/2020		James P. Ehrenreich	KUMILLO TX 78028	DEHRENBREICH@HOTMAIL.COM
6/15/2020		Lisa Pohl	541 Fairway Dr.	lisa@fast2000.com

Date	Signature	Printed Name	Address & Phone Number	Email
6-15-20	SJ Butters	SHERIDAN BERTHIAUME	501 WINGEND FORT 257-7842	SBERTHIA@GMAIL.COM
6-15-20	Lyntha Hartfield	Lyntha Hartfield	501 Wingend Fort 713-283-2338	Lyntha Hartfield ghail.com
6-15-20	Lynda DeMascio	Lynda DeMascio	27 Antelope Trail 410-269-2402	ldemascio@outlook.com
6-15-20	Phil DeMascio	Phil DeMascio	"	PDewasco@hotmail.com
6-15-20	Paula Manning	Paula Manning	26 Antelope Tr. Luttrell, TX. 78028	Paula.manning1@gmail.com
6-16-20	Jean McCallum	JOAN MCCOLLEUM	510 ROLLING GREEN KERRVILLE, TX 78028	jean.mccollum@gmail.com
6-16-20	Charles Strebeck	Charles Strebeck	300 Spring Mill 573-218-1388	chostre@yahoo.com
6-16-20	Vivian Strebeck	VIVIAN STREBECK	300 Spring Mill 573-219-1406	VivianS@yahoo.com
6-14-2020	Henry Ortega	HENRY ORTEGA	104 Springville Dr 830-285-7176	horte@earthlink.net
6-16-2020	Pamela Ortega	Pamela Ortega	104 Springville Dr 841-281-6713	pamortega@yahoo.com
6-16-2020	Bron. P. McGennis	BRON. P. MCGENNIS	201 SPRING HILL DR 703-472-4100	PHMCGENNIS@GMAIL.COM
6-16-2020	Christa McGennis	CHRISTA MCGENNIS	Laure " "	"
6-16-2020	Liz Riley	Liz Riley	309 Spring Mill	Lizriley@gmail.com

Date	Signature	Printed Name	Address & Phone Number	Email
6/19/2020	Ellen Bolton	Ellen Bolton	361 Englewood Dr	ebolton217@icloud.com
6/19/2020	Michelle Millet	Michelle Millet	" " "	mmillet78433@icloud.com
6/22/2020	Berline Jones	Berline Jones	100 Augusta Dr	jones@opt.com
6/20/2020	Kendra Jones	Kendra Jones	100 Augusta Dr	jones@lrc.com
6/20/2020	Paula Stafford	Paula Stafford	38 Antelope Tr	pestafield@gmail.com
6/20/2020	Donna Barnett	Donna Barnett	3 Antelope Tr	dbarnette@att.net
6/20/2020	Charlotte Barnett	Charlotte Barnett	3 Antelope Tr	charbarnett1011@yahoo.com
6/20/2020	Lindsay Eastland	Lindsay Eastland	105 Spring Mill Dr	lindsayeastland@gmail.com
6/20/2020	Kathy Wilson	Kathy Wilson	352 Englewood Dr	Kj-wilson1031@yahoo.com
6/20/2020	Jerry Wilson	Jerry Wilson	352 Englewood Dr	" "
6/20/2020	Brenda Williams	Brenda Williams	292 Overlook Dr	brenda@ketc.com
6/20/2020	Joan Barnett	Joan Barnett	" "	Joan2@barnett.net
6/20/2020	Rachel Summer	Rachel Summer	207 Lakewood	pagesummer@gmail.com

Date	Signature	Printed Name	Address & Phone Number	Email
6/26	Virginia Dell	Virginia Dell	522 Oakland Hills Lane Kille TX 896-2545	
6/27	Michael F. Smith	Michael F. Smith	522 Oakland Hills Ln.	
6/28	Tom Hamaker	Tom Gaultier	517 Oakland Hills Ln.	
6/30	Jeanette Tilley	Jeanette Tilley	534 Oakland Hills	jat.tilley81@gmail.com
6/25	Robert L. Finney	Robert L. Finney	526 Oakland Hills	BobFinney@SX22.com
6/20	Bill N. N.	IR Brodnax Jr	525 Oakland Hills	WABSTER@ITC.COM
6/20	Sharon Sten	One Marie Fromm	534 Preston Trail	bobnsuef@gmail.com
6/20	Robert D. Fromm	ROBERT D. FROMM	534 Preston Trail	bobnsuef@gmail.com
6/20	Betty Anderson	Betty Anderson	519 Preston Trail	WABSTER@ITC.COM
6/20	Van Wells	Van Wells	799 OAKLAND HILLS	UNIVERSITY.MAY.COM
6/20	Arlson Eric	Eric	799 Oakland Hills	
6/20	Pat Gabriel	Patricia Gabriel	527 Oakland Hills	
6/20	Milton Gabriel	Milton Gabriel	527 Oakland Hills	

Petition to Deny Zoning Change

Riverhill Country Club has filed the paperwork with the City of Kerville to request a zoning change on a parcel of land located on Lakewood Drive that has been historically implied as golf course or green space. According to the application, the request is to change the zoning from R-1, single family homes, to R-3, multi-family, with the intention to build multiple, multi-story condominiums.


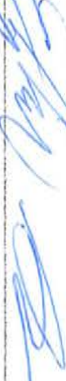


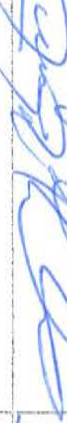








This zoning change constitutes "spot zoning" and is inconsistent with the Kerville 2050 Comprehensive Plan. This zoning change would increase traffic (requiring the construction of a new road), lower property values, and is inconsistent with the scheme of development of the Estates Section of Riverhill.

We the undersigned are concerned property owners in the Riverhill subdivision who urge the City of Kerville Planning and Zoning Commission to deny this request.

Date	Signature	Printed Name	Address & Phone Number	Email
6/20	<i>[Signature]</i>	Wasthorne, Rance	14044 Lakewood Hills	keane@stx.com
6/20	<i>[Signature]</i>	Charles Horne	519 Forest Dr	charles.horne@gmail.com
6/20	<i>[Signature]</i>	Gene T. Moore	522 Weston Ln. Hoop	1/4
6/20	<i>[Signature]</i>	Bruce D. Moore	31, 04100 Lakewood Hills	keane@stx.com
6/20	<i>[Signature]</i>	James D. Moore	512 Lakewood Hills	keane@stx.com
6/20	<i>[Signature]</i>	Chet Moore	230 Lakewood Hills	keane@stx.com

Date	Signature	Printed Name	Address & Phone Number	Email
6-19-20	Clara Beck	Ann Rich	210-274-9588 377 E Maplewood Dr	annrich@att.net
6-19-20	Mary Bradshaw	Mary Bradshaw	105 DEERWOOD DR 830-928-8100	missi@jack-pratt.com
"	Jack Pratt	Jack Pratt	830-928-7900	jackpratt@att.net
"	Wendy Adams	ANDERSON	101 DEERWOOD RD 830-928-0997	
6/20/20	Jack Haylip	JACK HAYSLIP	713-376-0844	jack.haylip@msn.com
6/20/20	Ann Haylip	Ann Haylip	713-376-2185	phaylip@netmail.com
6/20/20	Trish Kroy	Trish Kroy	105 DEERWOOD DR 896-1733	Trish.Kroy@att.net
6/20/20	Judy Webb Smith	Judy Webb Smith	22 ANHELOPE TR 830-257-2577	didandjudy@stx.net
6/21/20	Julie Stumb	Julie Stumb	200 Lakewood Dr 259-404-7638	seaglestump@aol.com
6/20/20	Lynn Perilloux	Lynn Perilloux	506 Winged Ft. 830-459-3097	lynnp1050@gmail.com
6/22/20	Gordon Ford	GORDON FORD	208 LAKEWOOD DR 830-890-5335	gford@stx.net
6/22/20	Rebecca Ford	Rebecca Ford	830-896-5335	happy1254.rr.com
6/22/20	Caitlyn Harris	Caitlyn Harris	832-491-6225	caithyn.harris@gmail.com

Date	Signature	Printed Name	Address & Phone Number	Email
6/16/2020	Judy Standridge	Judy Standridge	850-922-9434 514 Fairway Dr.	judystandridge@gmail.com
6/16/2020	David Riley	David Riley	209 Spring Mill Dr. 830-377-9464	bhaririley@yahoo.com
6/16/2020	Sue Terrence	Sue Terrence	244 Rock Creek Dr. 214-535-3062	sue.terrence@gmail.com
6/16/2020	Troy M. Wilson	Troy M. Wilson	560 Fairway Drive 214-535-6403	tmw555@sbglobal.com
6/16/2020	Nancy M. Wilson	Nancy M. Wilson	560 Fairway Drive 830-377-0840	tmw555@sbglobal.com
6/16/2020	Carol K. Talpaz	Carol K. Talpaz	501 Fairway Dr. 830-370-2107	talpazc2@kt.com
6/16/2020	Linda J. Jones	Linda J. Jones	510 Fairway Dr. 954-536-7415	ljones@gmail.com
6/16/2020	DEREK KACHUK	DEREK KACHUK	514 Fairway Dr. 830-370-4699	
6/16/2020	Nancy Blount	Nancy Blount	502 Fairway Dr. 714-322-1509	nancyblount@gmail.com
6/16/2020	Carol Feivers	Carol Feivers	2344 Rock Creek Dr. 830-257-2753	carolfeivers@gmail.com
6/16/2020	Barbara Hollaway	Barbara Hollaway	2224 Rock Creek Dr. 830-257-2753	barb.hollaway@gmail.com
6/16/2020	Leah Terrell	Leah Terrell	4408 Rock Creek Dr. 714-322-1509	leah.terrell@gmail.com
6/19/2020	CARL SCHULZE	CARL SCHULZE	564 Fairway Dr. KELLEVILLE, TX 78086	carlschulze@olivegrove.com

Date	Signature	Printed Name	Address & Phone Number	Email
6/20/20		John W. Sumner	207 Lakewood	wsunne@gmail.com
6-20-20		Edward N. Powers	2344 Rock Creek	nepowers@gmail.com
6-20-20		Raymond Holloway	382 Englewood Dr.	bashute1798@gmail.com
6-20-20		Mandy Wendle	382 Englewood Dr.	mwendle@gmail.com
6/21/20		Jeff Tavaroz	102 Spring M. W. Dr	jeff@jeff-tavaroz.com
6-22-20		Larry Fowler	37 Antelope Trl	
6-22-20		Beverly Holtmeyer	44 Antelope Trl	bholtmeyer@stx.com
6-22-20		Fred Holtmeyer	44 Antelope Trl	" "
6/22/20		Tina Duvall	302 Spring Mill Dr.	starab@jmi.com
6/22/20		Marcia Lou Mascher	207 Spring Mtn	
6/22/20		Bart McLaughlin	510 Sand Bend Dr.	bartmclaughlin@yahoo.com
6/22/20		Jan McLaughlin	510 Sand Bend Dr.	jan@kfc.com
6/22/20		Peter Rickard	211 Spennard	







Date	Signature	Printed Name	Address & Phone Number	Email
6/12/2020	Wayne Yeaman	WAYNE YEAMAN	309 LAKEWOOD DR 713-855-6291	gyabw24
6/12/2020	Karen Guerin	KAREN GUERRIERO	307 LAKEWOOD 830-285-8883	KBGUERRIERO@GMAIL
6/12/20	Layng Guerriero		307 LAKEWOOD	+layng@gmail.com
6/12/20	Oliver Smith	Oliver Smith	830-285-2504 304 LAKEWOOD	OSMITH@gmail.com
6/12/20	Deann Cox	Deann Cox	512-825-9830 220 LAKEWOOD	dauncox3@aol.com
6-12-20	Michael Cox	Michael Cox	220 Lakewood	me hunt 71-@Yahoo.com
6-12-20	Diana Taylor	Diana Taylor	341-779-5425 214 Lakewood	thantana719@live.com
6/12/20	Melanie Hodeshell	Melanie Hodeshell	(830) 317-1526 213 Lakewood Dr.	mhoudeshell@stx.ir.com
6/12/20	Thomas Hodeshell	Thomas Hodeshell	213 Lakewood Dr 830-370-3734	THODESH@STX.IR.COM
6/12/20	Elizabeth Sepassi	ELIZABETH SEPASSI	401 SPRING WILC	SEPASSI-BETTY@Yahoo.com
6/12/20	Walter Sepassi	WALTER SEPASSI	401 SPRING WILC	WSEPASSI.P@Yahoo.com

Petition to Deny Zoning Change

Riverhill Country Club has filed the paperwork with the City of Kerville to request a zoning change on a parcel of land located on Lakewood Drive that has been historically implied as golf course or green space. According to the application, the request is to change the zoning from R-1, single family homes, to R-3, multi-family, with the intention to build multiple, multi-story condominiums.

This zoning change constitutes "spot zoning" and is inconsistent with the Kerville 2050 Comprehensive Plan. This zoning change would increase traffic (requiring the construction of a new road), lower property values, and is inconsistent with the scheme of development of the Estates Section of Riverhill.

We the undersigned are concerned property owners in the Riverhill subdivision who urge the City of Kerville Planning and Zoning Commission to deny this request.

Date	Signature	Printed Name	Address & Phone Number	Email
6-15-20		Leslie Rambin	511 Oakland Hills 954-562-9134	FLVRREBEL@out.net
6-15-20		R. Her Smith	600 OAKLAND HILLS LN 713 492-9449	HUTSMTH@ICloud.com
6-15-20		Theresa Smith	600 Oakland Hills Ln 713-542-4014	theresasmith4@icloud.com
6-15-20		DAVID FOX	5790 KATHUD HTCS 972 679 7615	deppewst@gmail.com
6-15-20		Kay Fox	"	K4bind@gmail.com
6-17-20		JUNE Motheral	511 Preston Fillyg	2ymotheral@gmail.com

From: [Elizabeth Sepassi](#)
To: [Planning Division](#)
Subject: Case 2020 - 027
Date: Tuesday, June 23, 2020 1:51:28 PM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Name: Elizabeth Sepassi

Property: 401 Spring Mill Dr

I am OPPOSED to the proposed redo I gotta.
Sent from my iPad

From: [T. Layng Guerriero](#)
To: [Planning Division](#)
Subject: case #2020-27 / Lakewood Drive Rezoning
Date: Tuesday, June 23, 2020 12:52:32 PM
Attachments: [scan0013.pdf](#)

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please attach the attached letter of my opposition to the zoning application file for case #2020-27.

Thank you,

Layng

T. Layng Guerriero
Funeral & Cemetery Marketing
830.285.8883
[AskTheDirector.com](#)



SEO | Lead Generation | Digital Marketing | Google AdWords

T. LAYNG GUERRIERO

RE: Case# 2020-027 | Lakewood Drive Zoning

To Whom It May Concern:

We live at 307 Lakewood Drive in the Riverhill Subdivision and are within 200 feet of the newly proposed multi-family development off of Lakewood Drive. My concerns for allowing any development to take place are the following:

- 1) An R3 designation and subsequent development of this small 2-acre parcel would be inharmonious to the character of the surrounding neighborhood. This is a simple scheme to extract property value at the expense of nearby residents. Many property owners were told over the years that it was green space and or part of the golf course by realtors and even Riverhill Club management.
- 2) It is not even conclusive that ANY development could proceed on this property. There are outstanding legal questions resulting from the previous transfer of this property from being part of a golf course to becoming something entirely different. These issues will have to be litigated before any development could begin.
- 3) Approving such a radical zoning request would send a loud negative signal to all of the Riverhill residents. It would be interpreted that any land around the golf course or even the entire golf course itself could be developed into something that homeowners did not envision when they purchased their properties.

In conclusion, the best outcome for the contingent property owners and the owner/developer would be for all parties to come to an amicable agreement concerning the disposition of this land. The best use of these 2 acres of land would be to have it designated as green space or be purchased by the contingent lot owners.

Please deny any zoning changes requested for Case# 2020-027.

All the best,



T. Layng Guerriero

From: [James E. Wilson](#)
To: [Planning Division](#)
Subject: Case 2020-027
Date: Tuesday, June 23, 2020 3:06:35 PM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Planning Division
Kerrville, TX

My name is James E Wilson. My spouse Carrie and I reside at 410 Spring Mill Drive Kerrville, TX 78028.

Regarding CASE 2020-027 I am vehemently opposed to the construction of townhomes or other structures being built on this property. I am opposed as well from a change of zoning from R1 to R2 or R3. I am a member of the APOR.

Respectfully,

James E Wilson



CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA
REGULAR MEETING, THURSDAY, JULY 2 at 4:30 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

Agenda Packet Addendum – June 30, 2020

The following information has been submitted to the case file, referenced below, after the agenda and agenda packet was published on Friday, June 26, 2020.

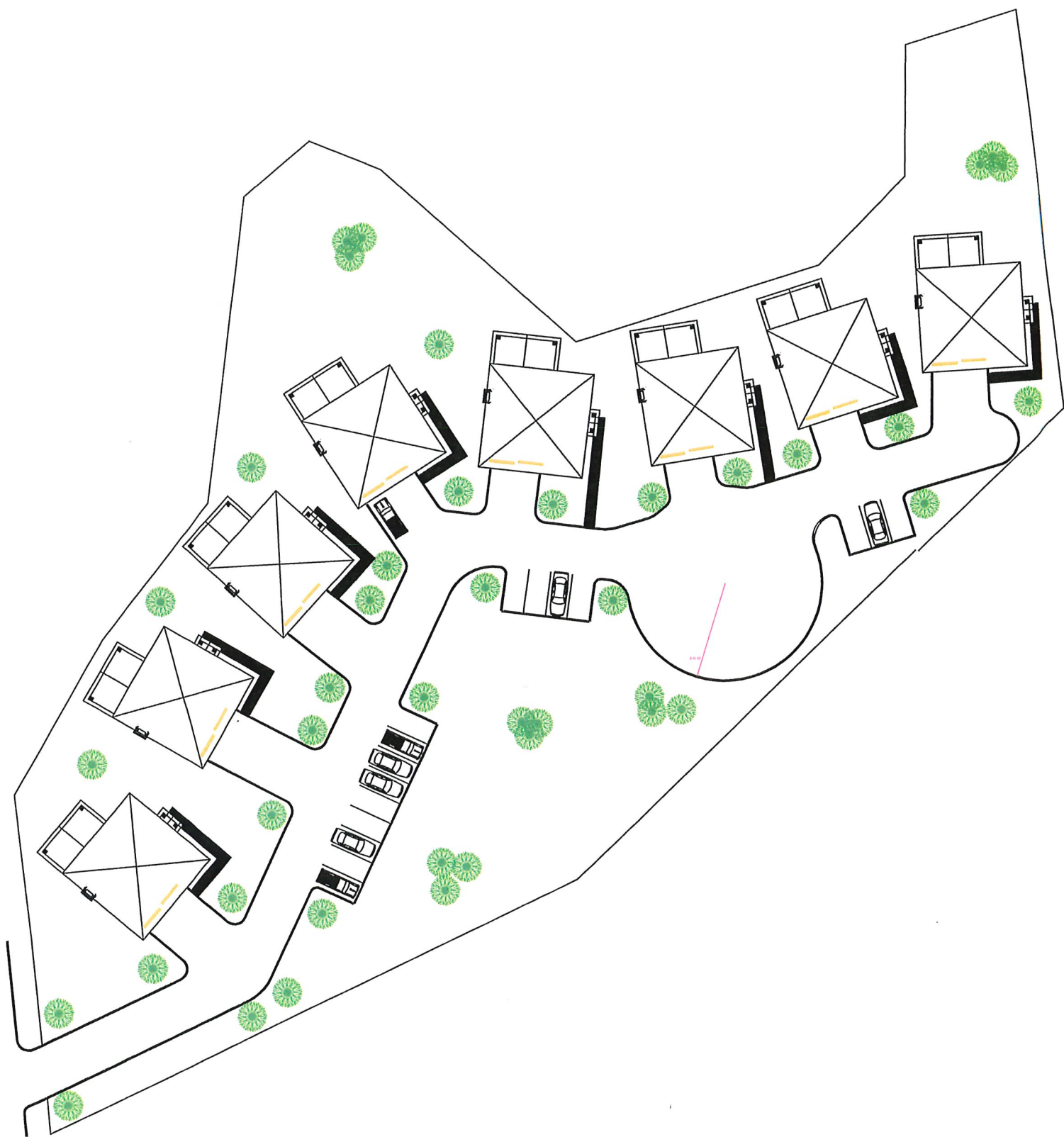
3A. Recommend an ordinance to change the zoning from R-1 Single Family Residential District to R-3 Multifamily Residential on approximately 2.21 acres out of Hoyt Survey Number 147, Abstract A0178; and generally located 300 Block of Lakewood Drive. (Case No. 2020-027)

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

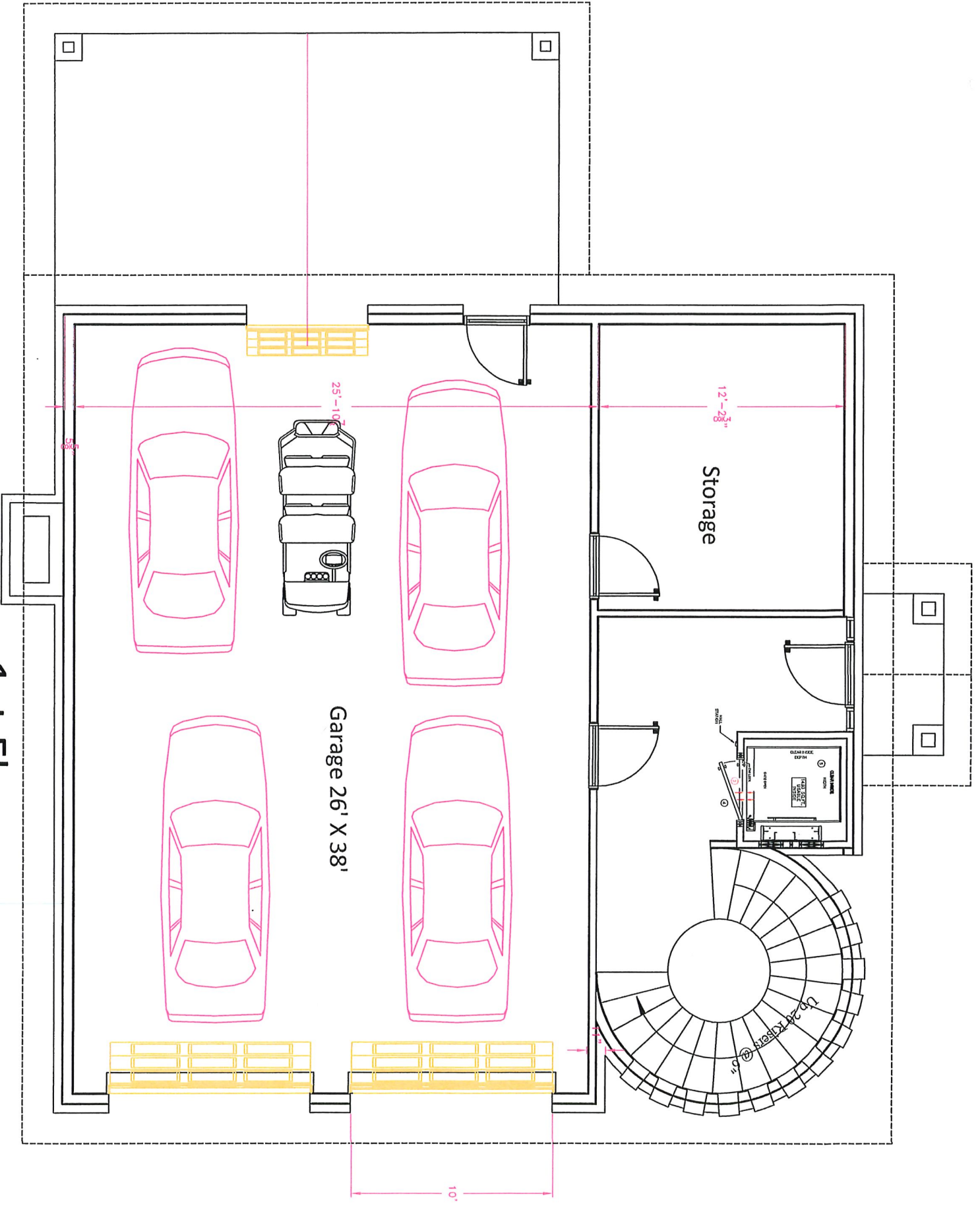
I hereby certify that this agenda was posted as notice of the meeting on the bulletin board at the City Hall of the City of Kerrville, Texas, and on the City's website on the following date and time: June 30, 2020 at 5:30 PM a.m./p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Kesha Franchina

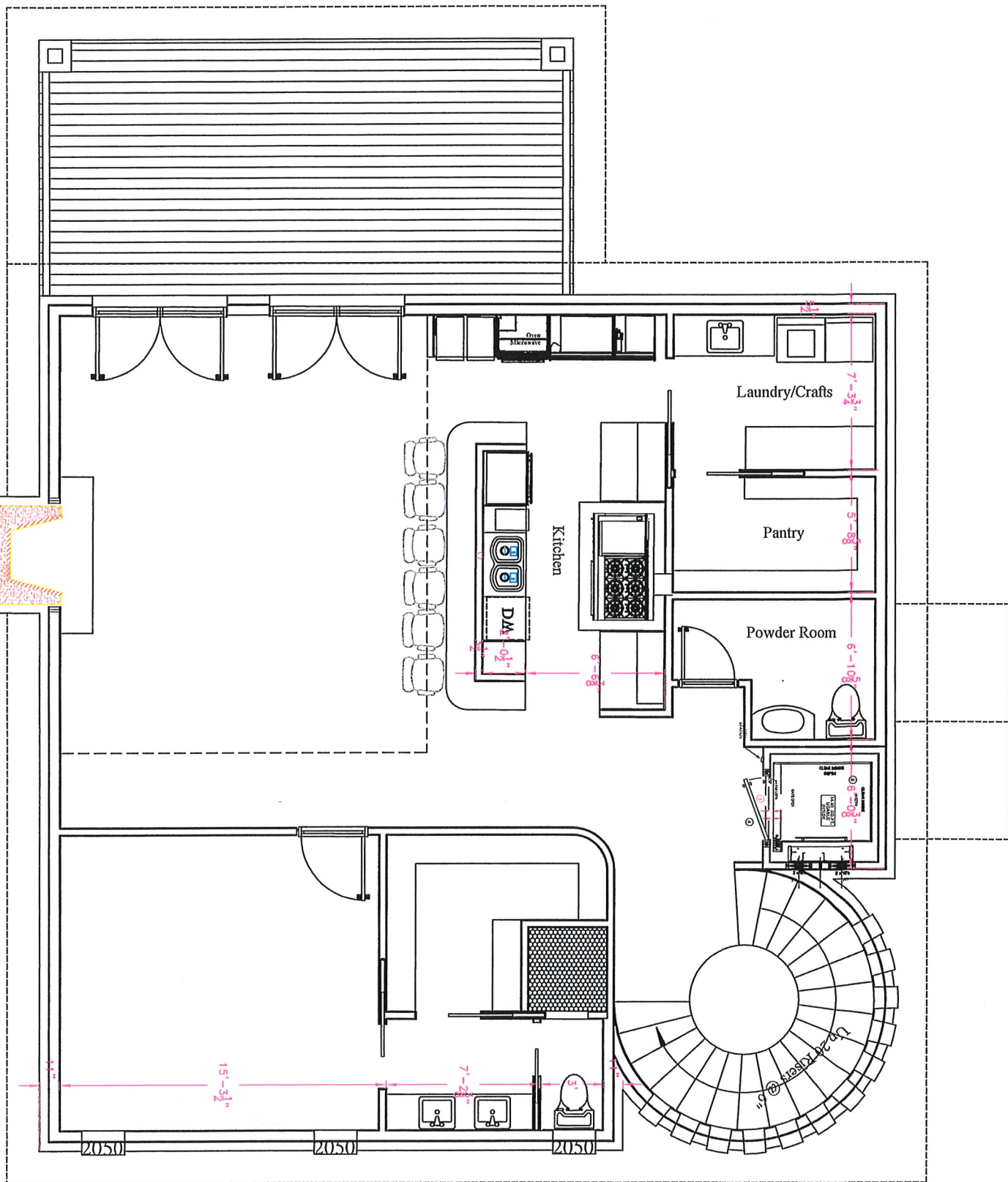
Kesha Franchina, Deputy City Secretary, City of Kerrville, Texas



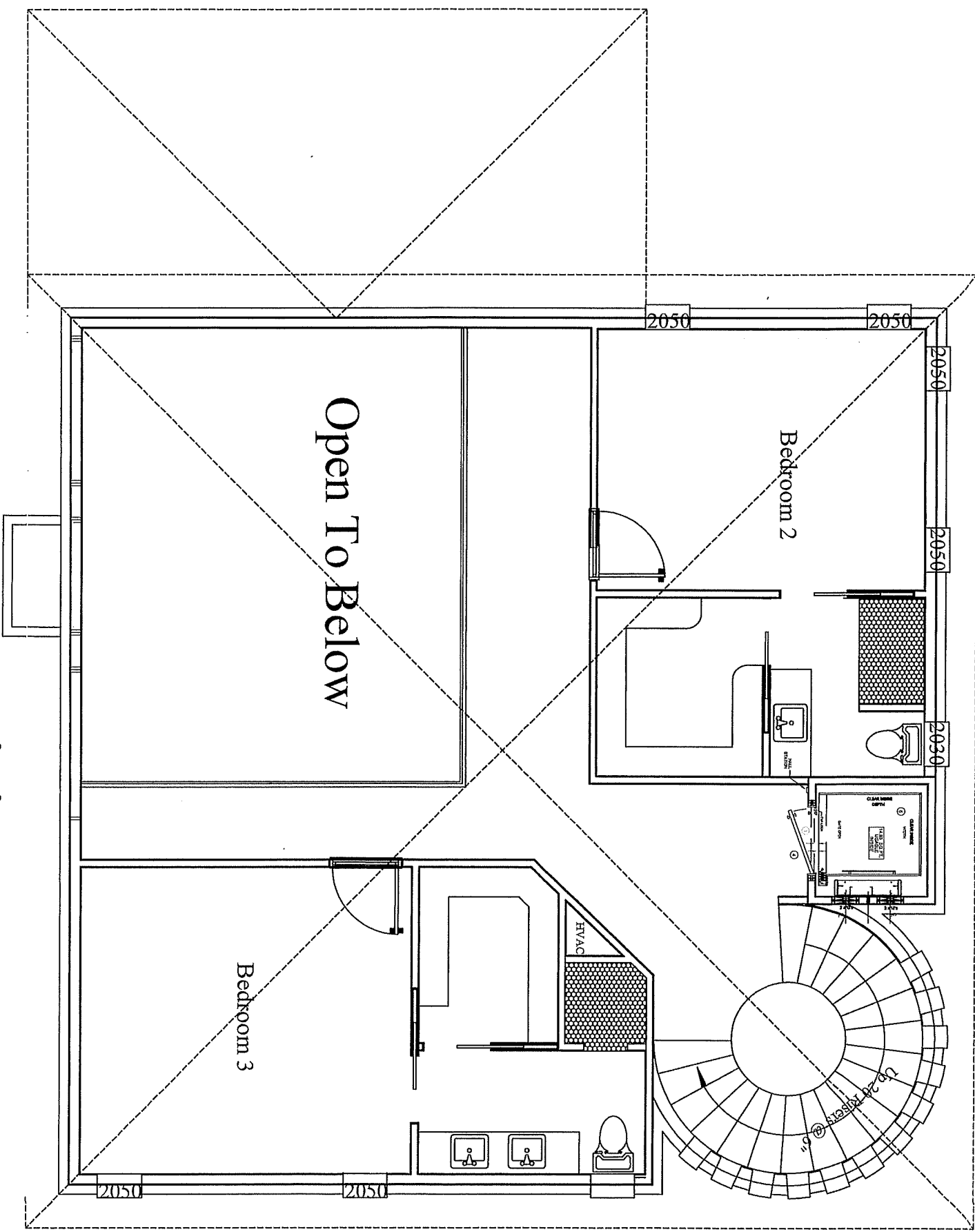
1st Floor

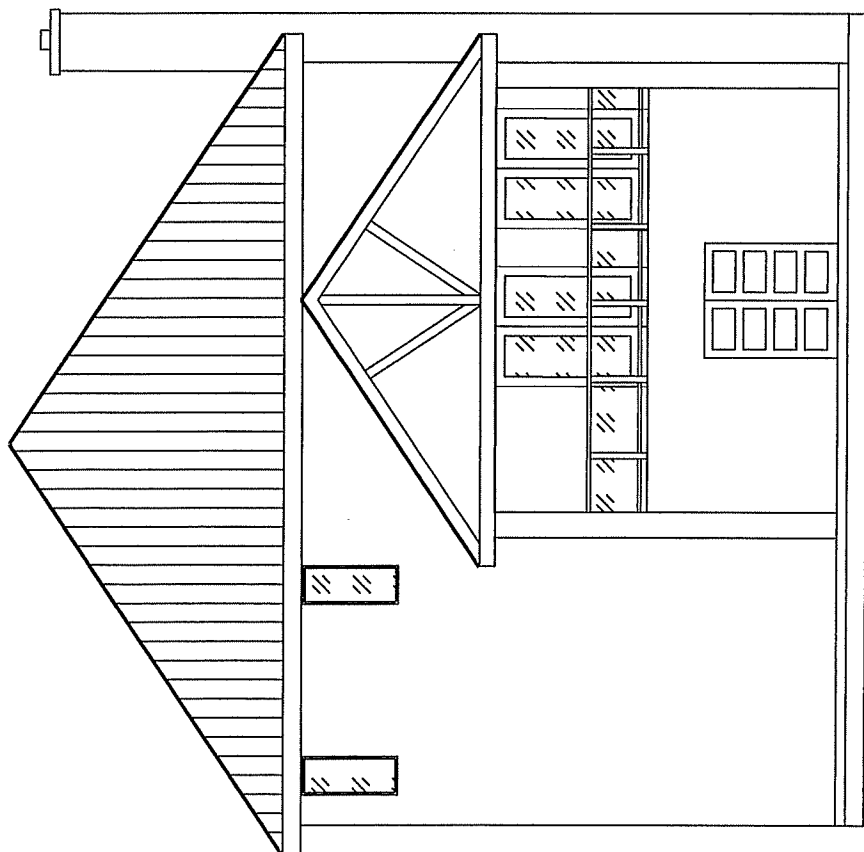
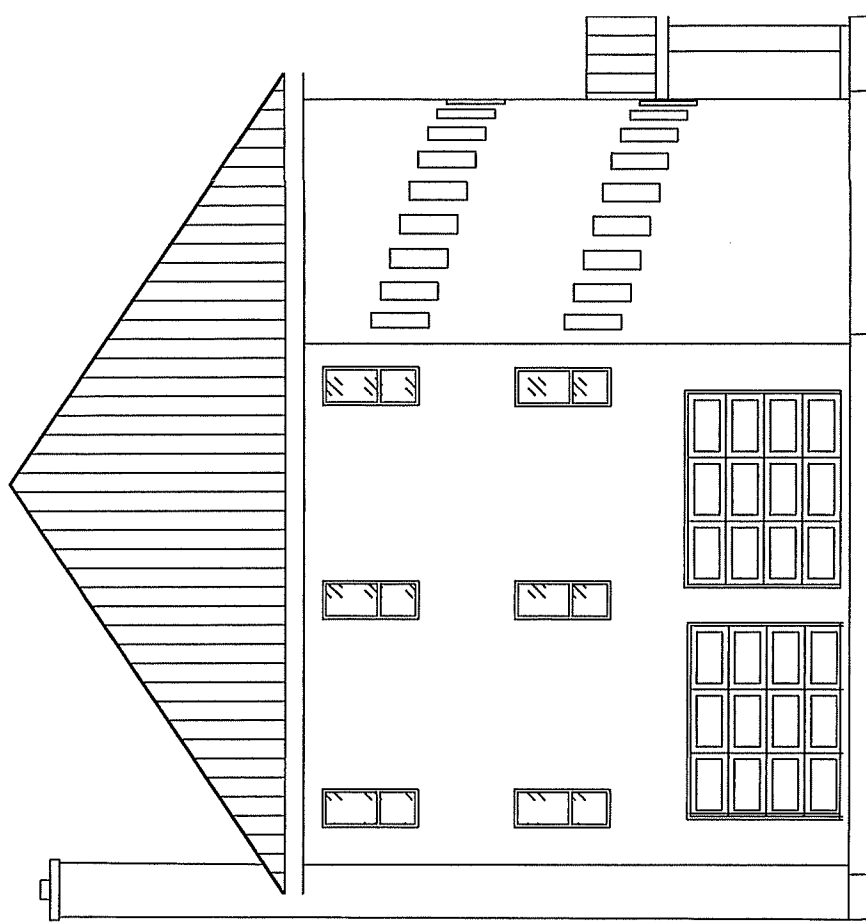


2nd Floor



3rd Floor





From: [STEPHANIE HERMAN](#)
To: [Planning Division](#)
Cc: [Scott Herman](#)
Subject: Case 2020-027
Date: Tuesday, June 30, 2020 9:55:55 AM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Name: Stephanie and Scott Herman

Case: 2020-027 Address: 408 Spring Mill Drive, Kerrville, TX 78028 Position: OPPOSED

Dear Members of the Planning and Zoning Commission,

The intent of this email is to voice our vehement opposition to the request to change the zoning from R-1 to R-3 on 2.21 acres general located in the 300 block of Lakewood Drive.

My husband and I have owned our home at 408 Spring Mill for over five years. We had already lived in Kerrville for eight years when our current home came up for sale. We didn't even know this area of Riverhill existed until then. The first thing we noticed about this house was the view. The house, built in 1985, needed some renovations, but the view is what sold us.

We also loved that the house was situated on the golf course. Our block of Spring Mill is unique in that it sits up high above the course with a green space buffer between our property and the course. For five years we have never questioned whether or not that property is part of the golf course. Our property survey says it is, and no one has ever said otherwise...until 3 weeks ago. To say I was shocked to find out that Riverhill Country Club was trying to sell the 2.21 acres directly behind my house is an understatement. I honestly feel like the future my husband and I had planned for our family is in jeopardy. Unlike many of our neighbors who moved to the neighborhood to retire, we instead moved to the neighborhood to raise our family. We have 2 young children ages 6 and almost 13, and this is their home.

We urge you to please use some common sense in your decision. Drive down Spring Mill, Highlands, Lakewood, and Larry Lee and tell me what you see. Do you see any townhomes, condos, or multifamily housing? Do you see duplexes or smaller square footage houses on smaller lots? Nope. Not one. What you'll see are larger, established houses on bigger acreage lots in a section of Riverhill deemed by original deed records to be the Estates lots. These lots surrounding and adjacent to the golf course were also deemed in those records to be "View Lots," "Fairway Lots," and "Fairway View Lots." A view of a multi-story condominium is not what was intended. In fact, the developer's alleged plan to build three story condominiums should fail as there are maximum building height restrictions to R-3 properties abutting single family residences. The condominiums will be too close to the residential property lines of several homeowners to allow for a three story (or even a two story) condominium. This reason is in addition to the fact that the property is not a recorded plat and it is only accessible from a local residential street. These condominiums would literally be in our backyard. We would now have a view of garages and extra parking spaces. To put the plans of a developer above the rights of long-time homeowners is just wrong.

We are not against multifamily housing in any way. There is certainly a proper place for it, and *this acreage isn't it*. The developer can find many other places to build R-3 zoned condominiums in Kerrville. It's not so easy to find a new home. We ask you to please deny this zoning request.

Sincerely,

Stephanie and Scott Herman

From: [Bob Watts](#)
To: [Planning Division](#)
Subject: P&Z Case # 2020-027
Date: Monday, June 29, 2020 5:17:16 PM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Gentlemen:

As a homeowner fronting on the golf course in Riverhill, I would like to voice my definite objection to the above referenced rezoning of the property in the above referenced case. MY WIFE AND I ARE DEFINITELY AND EMPHATICALLY AGAINST REZONING THIS PROPERTY FROM R1 TO R3 AND/OR R2! This could set a definite example and precedent for additional and similar rezoning requests for similar properties adjacent to the Riverhill golf course, currently owned by Southern Golf Properties, all of which would reduce our home values.

Robert & Nancy Watts
522 Fairway Drive