

**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:

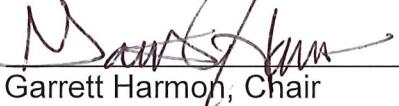
Mr. Paxton presented the staff report. No plats have been received this month. Staff continues to work with the consultant team on the update to the subdivision code which will continue to go through the Code Review Committee for more reviews. The next Planning and Zoning Commission meeting will be July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

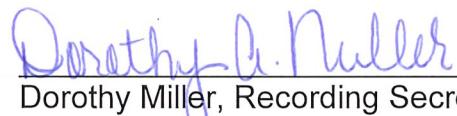
4. EXECUTIVE SESSION

No executive session was held.

5. ADJOURNMENT

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

APPROVED: 
Garrett Harmon, Chair


Dorothy Miller, Recording Secretary

7/2/2020
Date Minutes Approved