

# **AGENDA FOR THE KERRVILLE CITY COUNCIL MEETING**

**TUESDAY, APRIL 13, 2021, 6:00 P.M.**

**CAILLOUX CITY CENTER**

**910 MAIN STREET, KERRVILLE, TEXAS**

## **The Community Vision**

*Kerrville will be a vibrant, welcoming and inclusive community that:*

- *Respects and protects the natural environment that surrounds it;*
- *Seeks to attract economic growth and development;*
- *Provides opportunities for prosperity, personal enrichment and intellectual growth for people of all ages; and*
- *Does so while preserving the small-town charm, heritage, arts and culture of the community.*



Kerrville2050



**KERRVILLE CITY COUNCIL MEETING AGENDA**  
**APRIL 13, 2021, 6:00 PM**  
**CAILLOUX CITY CENTER**  
**910 MAIN STREET, KERRVILLE, TEXAS**



---

***Council Meeting Procedures during the Disaster Declaration  
and Citizen Participation Guidelines***

COVID-19 (Coronavirus) provides a unique concern in that gathering members of the public, City Council, 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, or partially, virtual setting (telephonic/videoconference). The Governor has extended this order each month since this time. At this time, City Council intends to conduct its next meeting as a meeting which the public may attend in person. Due to spacing and occupancy conditions, such meeting will convene at the Cailloux City Center (Municipal Auditorium), 910 Main Street. However, where circumstances dictate and up until the time that the meeting is held, Council may hold its meeting entirely online as part of a virtual meeting; or, as a mixed virtual meeting where some Councilmembers are physically present at the auditorium but one or more members participate via online.

Standard safety protocols will be observed by City Council, City staff, and citizens/visitors attending the meeting. When entering the Municipal Auditorium, attendees will be required to sanitize hands and wear a mask. City employees will then take the temperature of each attendee. Any person with a temperature exceeding 100.2 will not be allowed entry. Masks are required at all times. Six-foot distance seating will be observed and visitor seating will be designated. The public podium will be sanitized between each public speaker.

Citizens wishing to speak shall submit a completed "speaker request form" to the City Secretary before the meeting is called to order and definitely before the item is introduced. Each speaker is limited to four minutes.

The Zoom platform will also be active during this meeting.

**Instructions for Zoom callers:** The Zoom moderator will begin accepting calls starting at 5:00 p.m. The deadline to place your call is 5:45 p.m. Place your call before the 5:45 p.m. deadline in order to register with the Zoom moderator and participate. Any calls made after the 5:45 p.m. deadline will not be answered, and microphones will be kept muted. Each speaker is limited to four minutes.

Dial the toll free number: **1-800-832-5611**. If the toll free number is not functioning, call the Zoom alternative back-up numbers **1-346-248-7799** or **1-669-900-6833**.

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 (#), when prompted, enter the webinar passcode.

The Meeting ID is **854 3354 7154 #** Passcode is **393920**.

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 workshop has started, you will be able to listen to proceedings even if your microphone is muted.

**Note:** Zoom is a third party vendor which provides the ability for remote participation. Software changes may be beyond what the City can control. If the City is notified of any issues from the third party vendor, the City will notify citizens and provide alternatives for engagement and participation.

**Instructions for written comments:** Written comments will be accepted for any agenda items, including Public Hearings. You are required to provide your first and last name, address, and identify the item you wish to comment on. All information must be provided in order for your comments to be read into record. Written comments can be provided 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 5:00 p.m. the afternoon of the Council workshop.
- **OPTION 2 by email** - Comments may be emailed to **shelley.mcelhannon@kerrvilletx.gov** and must be received by 5:00 p.m. the afternoon of the Council meeting. In addition, anyone may email Councilmembers via their City email addresses as specified on the City's website.

Citizens may view and hear City Council meetings on Spectrum Channel 2 or by live-streaming via the City's website ([www.kerrvilletx.gov](http://www.kerrvilletx.gov)). City Council meetings are recorded and the recordings are posted on the City's website.

Thank you for your participation!

---



**CITY COUNCIL AGENDA  
APRIL 13, 2021, 6:00 PM  
CAILLOUX CITY CENTER  
910 MAIN STREET, KERRVILLE, TEXAS**



**CALL TO ORDER:**

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

*Led by Councilmember Brenda Hughes.*

**1 ANNOUNCEMENTS OF COMMUNITY INTEREST:**

*Announcement of items of community interest, including expressions of thanks, congratulations, or condolences; information regarding holiday schedules; honorary recognitions of city officials, employees, or other citizens; reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city officials or employees; and announcements involving imminent threats to the public health and safety of the city. No action will be taken.*

**2 PRESENTATIONS:**

2.A. Kerrville Kindness award - Schreiner University Nursing Program.

Attachments:

[20210413 Recognition Kerrville Kindness Schreiner University Nursing Program.pdf](#)

2.B. Proclamation of support by the City Council to promote, create, and sustain communities for all ages in support of the Senior Services Advisory Committee's application for Kerrville to be designated an American Association of Retired Persons (AARP) Age-Friendly Community.

Attachments:

[20210413 PROCLAMATION-SSAC AARP Age Friendly Community.pdf](#)

2.C. Kerrville Fire Department EMS Person of the Year Award.

Attachments:

[20210413 Commendation EMS Person of the Year certificate.pdf](#)

2.D. City's ongoing preparedness and response to COVID-19 (Coronavirus).

**3 VISITORS/CITIZENS FORUM:**

*Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must fill out the speaker request form and give it to the City Secretary. The speaker request form must be submitted to the City Secretary before the item is called or read into record. City Council may not discuss or take any action on an item but may place the issue on a future agenda. Each speaker is limited to four minutes.*

**4 CONSENT AGENDA:**

*These items are considered routine and can be approved in one motion unless a Councilmember asks for separate consideration of an item. It is recommended that the City Council approve the following items which will grant the Mayor or City Manager the authority to take all actions necessary for each approval:*

4.A. Resolution No. 18-2021. A Resolution authorizing the submission of a grant application to the Public Safety Office, Office of the Governor, for funding to purchase portable radios for the Kerrville Police Department.

Attachments:

[20210413 Resolution 18-2021 KPD portable radios.pdf](#)

- 4.B. Emergency repairs to the Olympic Pool in the amount of \$125,650.71 via BuyBoard contract number 613-20 with Progressive Commercial Aquatics.

Attachments:

[20210323 Pump Room Repair Quote.pdf](#)

- 4.C. Minutes for the City Council workshop held March 23, 2021.

Attachments:

[20210413 Minutes workshop 3-23-21 5pm.pdf](#)

- 4.D. Minutes for the City Council meeting held March 23, 2021.

Attachments:

[20210413 Minutes Council regular meeting 3-23-21 6pm.pdf](#)

**END OF CONSENT AGENDA.**

**5 PUBLIC HEARINGS AND RESOLUTIONS:**

- 5.A. Resolution No. 19-2021. A Resolution granting a conditional use permit to authorize a dwelling, single-family detached with accessory dwelling unit on the property consisting of parts of lots 2 and 3, JA Tivy Addition, a subdivision within the City of Kerrville, Texas; known as 1517 E. Main Street; said property is located within an R-1 Zoning District; and making said permits subject to certain conditions and restrictions contained herein.

Attachments:

[20210413 Resolution 19-2021 CUP 1517 E Main.pdf](#)

- 5.B. Resolution No. 20-2021. A Resolution granting a conditional use permit to authorize a short-term rental unit on the property consisting of approximately 0.187 acres, comprising lot 8, block 1, Schreiner High School Addition, a subdivision within the City of Kerrville and more commonly known as 821 Robinson Avenue; said property is located within an R-1A Single-Family Residential with Accessory Dwelling Unit Zoning District; and making said permit subject to certain conditions and restrictions contained herein.

Attachments:

[20210413 Resolution 20-2021 CUP STR 821 Robinson.pdf](#)

**6 PUBLIC HEARING AND ORDINANCES, FIRST READING:**

- 6.A. Ordinance No. 2021-11. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas, which adopted Zoning Regulations, Use Districts, and a Zoning Map in accordance with the City's Comprehensive Plan, such Chapter more commonly known as the City's Zoning Code; by changing the zoning and classification of a property located at 327 Peterson Farm Road; comprising approximately 3.12 acres; from a Single-Family Residential Zoning District (R-1) to a Residential Mix Zoning District (RM); providing a cumulative clause; providing for severability; providing an effective date; ordering publication; and providing other matters relating to the subject.


Attachments:

[20210413 Ordinance 2021-11 Zoning Change 327 Peterson Farm Road.pdf](#)

- 6.B. Ordinance No. 2021-12. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas, such Chapter more commonly known as the City's Zoning Code; by changing the zoning of a property known as 716 Barnett Street; consisting of parts of lots 5, 6, and 7, block F, Cage Addition; within the City of Kerrville, Kerr County, Texas; from a Residential Transition Zoning District (RT) to a Neighborhood Commercial Zoning District (C-1); providing a cumulative clause; providing for severability; providing an effective date; ordering publication; and providing other matters relating to the subject.

Attachments:

[20210413 Ordinance 2021-12 Zoning Change 716 Barnett Street.pdf](#)



-  **7** **CONSIDERATION AND POSSIBLE ACTION:**  
7.A. Construction Agreement with Alamo City Constructors, Inc. for the 2021 Street Reconstruction project in an amount of \$4,196,029.00.  
Attachments:  
[20210413 Bids 2021 Street Reconstruction Received Bids.pdf](#)

**8** **ITEMS FOR FUTURE AGENDAS:**

*City Council may suggest items or topics for future agendas.*

**9** **EXECUTIVE SESSION:**

*City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above if they meet the qualifications in Sections 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding gifts), 551.074 (personnel/officers), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Texas Government Code. City Council also reserves the right to meet in executive session on the following issues:*

-  9.A. Subdivision Development Agreement with Lennar Homes of Texas Land and Construction, Ltd. (551.071, 551.072, 551.087).
-  9.B. Public Safety Building (551.071, 551.072).

**10** **ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY:**

**ADJOURN.**



**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

---

**SUBJECT:** Kerrville Kindness award - Schreiner University Nursing Program.

**AGENDA DATE OF:** April 13, 2021

**DATE SUBMITTED:** Jan 29, 2021

**SUBMITTED BY:** Maya Johnson

**EXHIBITS:** [20210413\\_Recognition\\_Kerrville Kindness Schreiner University Nursing Program.pdf](#)

---

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
N/A	N/A	N/A	N/A

**PAYMENT TO BE MADE TO:** N/A

---

<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

---

**SUMMARY STATEMENT:**

A citizen or entity who has impacted the City of Kerrville in a positive way.

Recipient: Schreiner University Nursing Program.

**RECOMMENDED ACTION:**

Announce recipient.





# CITY OF KERRVILLE

recognizes

## THE SCHREINER UNIVERSITY NURSING PROGRAM

with the April 13, 2021

### *KERRVILLE KINDNESS AWARD*

Schreiner University's four-year Bachelor of Science in nursing program is committed to advancing the nursing profession through the holistic educational preparation of health professionals. The program consists of two years of prerequisite courses, followed by a second competitive application process and two years of upper level nursing courses and hands on clinical training. The program is approved by the Texas Board of Nursing and accredited by the Southern Association of Colleges and Schools Commission on Colleges. Since starting the BSN program in 2011 and an online RN to BSN program in 2014, Schreiner has graduated 454 students.

Mayor Bill Blackburn

---

Councilmember Gary Cochrane

---

Councilmember Kim Clarkson

---

Councilmember Judy Eychner

---

Councilmember Brenda Hughes

---



**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

---

**SUBJECT:** Proclamation of support by the City Council to promote, create, and sustain communities for all ages in support of the Senior Services Advisory Committee's application for Kerrville to be designated an American Association of Retired Persons (AARP) Age-Friendly Community.

**AGENDA DATE OF:** April 13, 2021      **DATE SUBMITTED:** Mar 18, 2021

**SUBMITTED BY:** Kim Meisner

**EXHIBITS:** [20210413\\_PROCLAMATION-SSAC\\_AARP\\_Age\\_Friendly\\_Community.pdf](#)

---

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
n/a	n/a	n/a	n/a

**PAYMENT TO BE MADE TO:** n/a

---

<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	H - Housing
<b>Guiding Principle</b>	H3. Continue to leverage Kerrville as a retirement living destination
<b>Action Item</b>	H3.1 - Market Kerrville as a destination location—an "escape" from big city living

---

**SUMMARY STATEMENT:**

The Kerrville 2050 Plan has a Key Priority Area that is titled Housing. The Guiding Principle H3 states, "Continue to leverage Kerrville as a retirement living destination. The Action Item associated with this Proclamation is H3.1 which states, "Market Kerrville as a destination location - an 'escape' from big city living".

The Senior Services Advisory Committee, created by the City Council in 2018, has made it one of their goals to submit an application to the American Association of Retired Persons (AARP) to be designated as an AARP Age-Friendly Community.

The common thread among the enrolled communities and states is the belief that the places where we live are more livable, and better able to support people of all ages, when local leaders commit to improving the quality of life for the very young, the very old, and



everyone in between. Well-designed, age-friendly communities foster economic growth and make for happier, healthier residents of all ages.

In the United States, there are currently 410 Age-Friendly Communities. In Texas, there are only eight cities that have earned this designation. These include: Austin, Brownsville, Dallas, Fort Worth, Houston, Lancaster, Rowlett, and San Antonio.

This Proclamation will affirm the support of the City Council of the designation for Kerrville and will be added to the application that is submitted to the AARP.

**RECOMMENDED ACTION:**

Present proclamation.



# CITY OF KERRVILLE PROCLAMATION

**WHEREAS,** the City of Kerrville is dedicated to promoting and sustaining a community that actively assesses and serves the needs of all ages, including our large senior community; and

**WHEREAS,** Kerrville residents ages 55 and over account for 34.4% of the total population. In 2018, Kerrville adopted a Kerrville 2050 Comprehensive Plan that designated eight Key Priority Areas to guide city growth and objectives over the next 30 years. Six of those Key Priority Areas relate directly to addressing the needs of Kerrville's 55-and-over population; and

**WHEREAS,** the City of Kerrville sees tremendous value in becoming an AARP Age-Friendly Community and enthusiastically supports our Senior Services Advisory Committee with their plans to enhance the quality of life for Kerrville residents – plans that ensure our aging community's needs are at the forefront of future planning.

**NOW, THEREFORE,** I, Bill Blackburn, Mayor of the City of Kerrville, Texas, do hereby proclaim Kerrville as a city committed to promoting, creating, and sustaining communities for all ages in support of the Senior Services Advisory Committee and AARP's designation as an Age-Friendly Community.



**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the seal of the City of Kerrville to be affixed this 13 day of April 2021.

---

Bill Blackburn, Mayor



**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

---

**SUBJECT:** Kerrville Fire Department EMS Person of the Year Award.

**AGENDA DATE OF:** April 13, 2021

**DATE SUBMITTED:** Mar 25, 2021

**SUBMITTED BY:** Eric Maloney

**EXHIBITS:** [20210413\\_Commendation\\_\\_EMS Person of the Year certificate.pdf](#)

---

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
0	0	0	N/A

**PAYMENT TO BE MADE TO:** N/A

---

<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

---

**SUMMARY STATEMENT:**

Recognize the Kerrville Fire Department EMS Person of the Year:

EMS Person of the Year Ryan Michel. He was hired as a firefighter in March 2012 and recently assigned as A Shift's Lead Paramedic. Ryan is credentialed as a Paramedic, Structural Firefighter, Fire Instructor 1 and Driver-Pumper Operator. Ryan is a team player and strives to keep people around him positive no matter the situation. Ryan is a dedicated paramedic that takes pride in improving patient care for his crew to deliver the Kerrville Fire Department's mission of "Exceptional Team...Efficient Methods...Excellent Service."

**RECOMMENDED ACTION:**

Chief Maloney will present the commendation. No Council action required.



*The City and Fire Department of Kerrville*

*Presents this*

*Certificate of Commendation*

*to*

*Ryan Michel*

*For your dedication & commitment to  
Setting the Public Safety Standard  
and achieving the honor of*

*EMS Person of the Year 2021*

*February 1, 2021*



*Mark McDaniel, City Manager*



*Eric W. Maloney, Fire Chief*



**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

---

**SUBJECT:** City's ongoing preparedness and response to COVID-19 (Coronavirus).

**AGENDA DATE OF:** April 13, 2021

**DATE SUBMITTED:** Mar 25, 2021

**SUBMITTED BY:** Eric Maloney

**EXHIBITS:**

---

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
N/A	N/A	N/A	N/A

**PAYMENT TO BE MADE TO:** N/A

---

<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

---

**SUMMARY STATEMENT:**

This is the regular briefing on the responsiveness to changing conditions and situations related to Covid 19.

**RECOMMENDED ACTION:**

None at this time.





**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

---

**SUBJECT:** Resolution No. 18-2021. A Resolution authorizing the submission of a grant application to the Public Safety Office, Office of the Governor, for funding to purchase portable radios for the Kerrville Police Department.

**AGENDA DATE OF:** April 13, 2021      **DATE SUBMITTED:** Mar 19, 2021

**SUBMITTED BY:** Chris McCall

**EXHIBITS:** [20210413\\_Resolution\\_18-2021 KPD portable radios.pdf](#)

---

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
N/A	N/A	N/A	N/A

**PAYMENT TO BE MADE TO:** N/A

---

<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	F - Public Facilities and Services
<b>Guiding Principle</b>	F2. Place the highest priority on public safety (police, fire, EMS).
<b>Action Item</b>	F2.1 - Devote the necessary resources (funding, equipment) to ensure quality fire, police and EMS services

---

**SUMMARY STATEMENT:**

This item is authorizing the Kerrville Police Department submission of an application for grant funding from the Public Safety Office, Office of the Governor for the purchase of upgraded replacement of portable radios for the KPD Special Operations Unit. The grant funding requested is in the amount of \$79,952.64.

**RECOMMENDED ACTION:**

Approval of Resolution No. 18-2021.

**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 18-2021**

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A  
GRANT APPLICATION TO THE PUBLIC SAFETY OFFICE,  
OFFICE OF THE GOVERNOR, FOR FUNDING TO PURCHASE  
PORTABLE RADIOS FOR THE KERRVILLE POLICE  
DEPARTMENT**

**WHEREAS**, the Kerrville Police Department (“KPD”) seeks authorization to submit a grant application to the Public Safety Office, Office of the Governor for funding to purchase portable radios for KPD’s Special Operations Unit, such funding in an amount not to exceed \$76,952.64; and

**WHEREAS**, KPD will use the grant funding to upgrade portable radios for KPD’s Special Operations Unit so as to improve interoperability in communications among first responders; and

**WHEREAS**, City Council finds it to be in the public interest to authorize KPD to submit a grant application to the Public Safety Office, Office of the Governor, for the purpose expressed above;

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

**SECTION ONE.** City Council authorizes the submission of a grant application to the Public Safety Office, Office of the Governor for funding in an amount not to exceed \$76,952.64, for the purpose of purchasing portable radios for KPD.

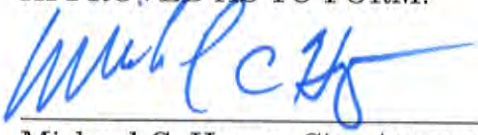
**SECTION TWO.** Pursuant to the grant application, the City agrees to return grant funds to the Public Safety Office, Office of the Governor, in the event of loss or misuse of any grant funds.

**SECTION THREE.** The City designates the City’s Chief of Police as the City’s authorized official who is given the authority to apply, reject, alter, or terminate the grant on behalf of the City and take all other action in furtherance of the grant application.

**PASSED AND APPROVED ON this the \_\_\_\_\_ day of \_\_\_\_\_ A.D.,  
2021.**

\_\_\_\_\_  
Bill Blackburn, Mayor

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

ATTEST:

\_\_\_\_\_  
Shelley McElhannon, City Secretary



**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

---

**SUBJECT:** Emergency repairs to the Olympic Pool in the amount of \$125,650.71 via BuyBoard contract number 613-20 with Progressive Commercial Aquatics.

**AGENDA DATE OF:** April 13, 2021      **DATE SUBMITTED:** Mar 12, 2021

**SUBMITTED BY:** Ashlea Boyle

**EXHIBITS:** [20210323\\_Pump\\_Room\\_Repair\\_Quote.pdf](#)

---

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$120,650.71	N/A	N/A	N/A

**PAYMENT TO BE MADE TO:** Progressive Commercial Aquatics

---

<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	P - Parks / Open Space / River Corridor
<b>Guiding Principle</b>	P5. Focus on enhancing/investing in existing parks, their purpose or repurpose and improving accessibility before acquiring land for new parks
<b>Action Item</b>	N/A

---

**SUMMARY STATEMENT:**

The Olympic Pool pump room mechanical equipment including the filters, piping, and pumps have failed and are in need of immediate emergency replacement and upgrades necessary to be able to open the pool for use by the public this summer. The existing equipment is quite old and past its life expectancy. Due to these issues, the pool is not in compliance with State pool code. The project cost for the repairs is \$125,650.71 as outlined in the attached contract. The quote was procured via BuyBoard's competitive bidding process and is in compliance with purchasing policy and State law, thus expediting the procurement process. The lead time for materials is approximately two months, and the work will take one week. The City's pool season is scheduled to begin Memorial Day weekend on May 29th. If the repairs were not addressed in the urgent manner undertaken via this purchase authorization, the City would not be able to open the pool this summer, the equipment will fail in its entirety, the pool will turn green with algae,

and likely cause a snowball effect of damages significantly driving up the cost of additional needed repairs. The pool is 51 years old and will need significant capital dollars allocated in the near future in order to maintain it. Otherwise, the City will continue to have components such as these fail unexpectedly as they did this year resulting in costly repairs.

This item was originally scheduled for the March 23rd agenda, however, staff was awaiting a decision for potential philanthropic funding for these repairs. The funding sources declined after the March 23rd Agenda, and therefore staff is bringing this contract to Council to ratify the expenditure that was procured under emergency administrative authorization.

Staff recommends ratification of these repairs as presented.

**RECOMMENDED ACTION:**

Ratify emergency repairs.





Project Name: Kerrville Pump Room  
Attn: Ashlea Boyle  
Date: 1/28/21  
Buyboard#613-20

#### Site Deficiencies:

- Current filters are technically too small to fall within 6hr turnover code.
- Your impellers keep getting chewed up due to suction piping and strainers being too small so the pumps are cavitating constantly.
- Current flow rate that the pumps are capable of is too low to meet State pool code.
- Most of the old piping is leaking.
- The filters are past their life expectancy, failing, and continue to leak even with the new port kit.
- It seems as though something went through the line and busted the laterals again on the last filter, it could have been pieces of an impeller as there is significant flow loss lately.
- Currently cast iron strainers that are VERY difficult to change the basket in which case if it is not done very often then the impellers get eaten up.

#### Pool Pump Room Renno:

- (1) Set Neptune Benson horizontal Side by Side fiberglass filters with facepiping and linked valves on the manifold for ease and correct backwashing. These filters will be 60" wide x 120".
- (1) Filter media for both filters.
- (1) 30hp 3phase 230v aurora pump to replace both pumps on lap pool at 1,500 gpm @50' head.
- (1) Remove current suction piping and replace with new 12x8 neptune

strainer with spare basket to accommodate higher flow rate which should have been done from the beginning as that is why the pumps suck so much air and you go through so many pumps and impellers. Core hole through wall and waterproof with link seals around pipe from pit to pump room to upsize pipe to 12".

- (1) Spare Neptune strainer basket.
- (1) Dumpster rentals.
- (1) Travel, hotel, fuel, per diem.
- (1) Equipment Rental.
- (1) New racks and stainless steel hardware for the new valves and facepiping.
- (1) Pipe, valves, fittings and materials need to start at the surge pit to pump and then from the top of pump to new filters with concentric needed and check valve needed as well as new valving and to plumb from new manifold and attach to existing piping on BOTH return lines for lap pool since this will become one system now instead of two to make system hydraulically correct.
- (1) 30hp h2flow controls VFD with bypass panel 3 phase 230V will be provided but you must have an electrician wire it which is not included in my cost. This drive will have a backwash setting and will allow you to ramp the pump down to save money on electricity and motor life as well as set a winter setting to run the pump really low speed and turn water, this will save you money compared to what you are doing now.
- (1) Labor to remove and replace with new and train on system.
- Freight for all.

**Grand Total: \$120,150.71**

**\*\*Add autofill system so that you can keep water level correct in the pit at all times and not have to manually monitor @\$5,500 if you would like an autofill.**

**\*\*There is a lead time of 2 months right now to manufacture the filters which will only get longer as we get into spring.**

**\*\*Neptune Benson carries a 15 year limited warranty on the filter which is longer than any other manufacturer and is the only filter with the flanges made of fiberglass as one on the tank so there are no leak points like ASTRAL which you currently have.**

**\*\*Work to take up to 7 days once started.**

**\*\*City to remove all chair lifts and loose equipment in pump room prior to arrival as we will need to get in and out with machines.**

**\*\*All specifications on this document are property of Progressive Commercial Aquatics, if they are used in a bid spec or RFP then there will be a \$5,000 engineering fee charged to the customer.**

Thank you,

Myles Phelps  
Progressive Commercial Aquatics, Inc.

15616 Schmidt Loop Manor, Texas 78653 (512) 278-0801 Fax (512) 350-2154  
Website [www.proaquatic.com](http://www.proaquatic.com) E-Mail: [mylesproaquatic@gmail.com](mailto:mylesproaquatic@gmail.com)



**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

---

**SUBJECT:** Minutes for the City Council workshop held March 23, 2021.

**AGENDA DATE OF:** April 13, 2021

**DATE SUBMITTED:** Mar 16, 2021

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20210413\\_Minutes\\_workshop 3-23-21 5pm.pdf](#)

---

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
0	0	0	N/A

**PAYMENT TO BE MADE TO:** N/A

---

<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

---

**SUMMARY STATEMENT:**

Minutes for the City Council workshop held March 23, 2021 at 5:00 p.m. at the Cailloux City Center.

**RECOMMENDED ACTION:**

Approve minutes as presented.

**CITY COUNCIL MINUTES  
WORKSHOP, CAILLOUX CITY CENTER**

**MARCH 23, 2021 5:00 PM  
KERRVILLE, TEXAS**

**CALL TO ORDER:** On March 23, 2021, at 5:02 p.m., the Kerrville City Council workshop was called to order by Mayor Bill Blackburn at the Cailloux City Center, 910 Main Street.

**COUNCILMEMBERS PRESENT:**

Bill Blackburn	Mayor
Kim Clarkson	Mayor Pro Tem, Councilmember Place 2
Gary Cochrane	Councilmember Place 1
Judy Eychner	Councilmember Place 3
Brenda Hughes	Councilmember Place 4

**COUNCILMEMBER ABSENT:** None

**CITY STAFF PRESENT:**

Mark McDaniel	City Manager
E.A. Hoppe	Deputy City Manager
Mike Hayes	City Attorney
Shelley McElhannon	City Secretary
Guillermo Garcia	Executive Director for Innovation

**VISITORS PRESENT:** Gil Salinas, Economic Development Corporation

1. **PUBLIC COMMENTS:** No person(s) signed up to speak.

2. **INFORMATION AND DISCUSSION:**

2.A. Kerrville Economic Development Corporation quarterly update.

Gil Salinas provided information and responded to questions.

2.B. Development Services and other improvement initiatives quarterly update.

Guillermo Garcia provided information and responded to questions.

3. **EXECUTIVE SESSION:** An Executive Session was not called.

3.A. Legal issues relating to the Kerrville Public Utility Board and impact from winter storm event (551.071).

4. **ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION IF ANY:** N/A

**ADJOURN.** The workshop was adjourned at 5:44 p.m.

APPROVED BY COUNCIL: \_\_\_\_\_

APPROVED:

ATTEST:

\_\_\_\_\_  
Bill Blackburn, Mayor

\_\_\_\_\_  
Shelley McElhannon, City Secretary





**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

---

**SUBJECT:** Minutes for the City Council meeting held March 23, 2021.

**AGENDA DATE OF:** April 13, 2021

**DATE SUBMITTED:** Mar 25, 2021

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20210413\\_Minutes\\_Council regular meeting 3-23-21 6pm.pdf](#)

---

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
0	0	0	N/A

**PAYMENT TO BE MADE TO:** N/A

---

<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

---

**SUMMARY STATEMENT:**

Minutes for the City Council meeting held March 23, 2021 at 6:00 p.m. at the Cailloux City Center.

**RECOMMENDED ACTION:**

Approve minutes as presented.

**CITY COUNCIL MINUTES  
REGULAR MEETING**

**KERRVILLE, TEXAS  
MARCH 23, 2021**

On March 23, 2021, at 6:02 p.m. the meeting was called to order by Mayor Bill Blackburn at the Cailloux City Center, 910 Main Street. Councilmember Judy Eychner provided the invocation and led the Pledge of Allegiance.

**COUNCILMEMBERS PRESENT:**

Bill Blackburn	Mayor
Kim Clarkson	Mayor Pro Tem
Gary Cochrane	Councilmember
Judy Eychner	Councilmember
Brenda Hughes	Councilmember

**COUNCILMEMBER ABSENT:** None

**CITY EXECUTIVE STAFF:**

Mark McDaniel	City Manager	Julie Behrens, Assist Director of Finance
E.A. Hoppe	Deputy City Manager	Megan Folkerts, Senior Mgmt Analyst
Mike Hayes	City Attorney	Eric Maloney, Fire Chief
Shelley McElhannon	City Secretary	Chris McCall, Police Chief
		Drew Paxton, Chief Planner

**VISITORS PRESENT:** A list of the citizen speakers present during the meeting is on file in the City Secretary's Office for the required retention period. In addition, a Zoom webinar was offered.

**1. ANNOUNCEMENTS OF COMMUNITY INTEREST:**

Items of interest to the community was presented by Councilmember Brenda Hughes and Councilmember Judy Eychner.

**2. PRESENTATIONS:**

2A. Proclamation proclaiming March 2021 as American Red Cross Month.

Mayor Blackburn presented the American Red Cross month proclamation to American Red Cross representative Stephanie Rae Miller.

2B. Proclamation proclaiming March 2021 as the 19<sup>th</sup> Annual March for Meals month.

Mayor Blackburn presented the March for Meals month proclamation to the Dietert Claim representative Brenda Thompson.

2C. Proclamation proclaiming April 2021 as Don't Mess With Texas Trash-Off month.

Mayor Blackburn presented the Don't Mess With Texas Trash-off month proclamation to the City of Kerrville Make a Difference Committee representatives Stuart Cunyus and Koy Coffer.

2D. Kerrville Police Department "Police Officer of the Year".

Police Chief Chris McCall honored Officer Jacob Trevino as Officer of the Year.

2E. Kerrville Fire Department "Persons of the Year".

Fire Chief Eric Maloney honored Firefighter Casey Goodman as Firefighter of the Year, and Lieutenant Jaran Floyd as Officer of the Year.

### **3. VISITORS FORUM:**

The following persons spoke:

- George Baroody
- Jim Sandy

Councilmember Gary Cochrane and Councilmember Kim Clarkson provided clarification.

The following person spoke:

- Bruce Stracke

### **4. CONSENT AGENDA:**

Mayor Blackburn pulled 4C from the consent agenda. Councilmember Cochrane made a motion to approve items 4A, 4B, 4D, 4E, and 4F on the consent agenda, and Councilmember Eychner seconded. The motion passed 5-0.

4A. Texas Department of Public Safety Crime Records Services License Plate Reader User Agreement.

4B. Resolution No. 17-2021. A Resolution appointing Election Judges for the general election to be held on May 1, 2021; said judges provided by the County Elections Officer.

4D. Amendment to the Economic Development Grant Agreement between the Doyle School Community Center Inc and the City of Kerrville Texas Economic Improvement Corporation.

4E. Minutes for the City Council workshop held March 09, 2021.

4F. Minutes for the City Council meeting held March 09, 2021.

### **END OF CONSENT AGENDA.**

4C. Amendment to the Economic Development Grant Agreement between James Avery Craftsman, Inc. and the City of Kerrville Economic Improvement Corporation.

E.A. Hoppe presented information and responded to questions.

Councilmember Cochrane made a motion to approve item 4C on the consent agenda, and Councilmember Eychner seconded. The motion passed 5-0.

### **5 ORDINANCES, SECOND READING:**

5A. Ordinance No. 2021-07, second reading. An Ordinance vacating, abandoning, and closing all right, title, and interest in a portion of a public right-of-way, consisting of

approximately 8,504 square feet of an unimproved portion of a dedicated street that intersects with Meadow View Lane and thereafter terminates; said right-of-way dedicated by a plat of a subdivision within the City of Kerrville, Kerr County, Texas, and recorded in Volume 2, Page 102 of the Plat Records of Kerr County, Texas; and, located on and between the properties known as 304 and 400 Meadow View Lane; finding that said right-of-way is not required for future use as a public street; ordering recording; providing an effective date; and providing other matters related to this subject.

Shelley McElhannon read Ordinance No. 20212-07 caption into record.

Drew Paxton presented information and noted that staff contacted both property owners, and both property owners are supportive of the closure.

The following persons spoke:

- George Baroody
- Bruce Stracke

Mike Hayes provided clarification.

Councilmember Eychner moved to approve Ordinance No. 2021-07, and Councilmember Cochrane seconded. The motion passed 5-0.

5B. Ordinance No. 2021-09, second reading. An Ordinance vacating, abandoning, and closing all right, title, and interest in a portion of a public right-of-way, consisting of an approximate .30 acre unimproved, dedicated alley that extends across the property located at 615 Elm Street; said right-of-way dedicated by plat for the Westland Place Addition, a Subdivision within the City of Kerrville, Kerr County, Texas, and recorded in the plats filed at Volume 43, Page 577 and Volume 45, Page 335 of the real property records of Kerr County, Texas; finding that said right-of-way is not required for future use as a public right-of-way; ordering recording; providing an effective date; and providing other matters related to this subject.

Shelley McElhannon read Ordinance No. 20212-09 caption into record.

The following person spoke:

- George Baroody – citizen declined to speak

Councilmember Eychner moved to approve Ordinance No. 2021-09 on second reading, and Councilmember Hughes seconded. The motion passed 5-0.

## **6 CONSIDERATION AND POSSIBLE ACTION:**

6A. Resolutions regarding the Texas Community Development Block Grant Program Application. (Three items will be presented together.)

1.) Resolution No. 13-2021. A Resolution authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the 2021-2022 Community Development Fund; and authorizing the Mayor and City Manager to act as the City's Executive Officers and authorized representatives in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program.

2.) Resolution No. 14-2021. A Resolution adopting a public access plan for use during construction of public infrastructure projects funded through the Texas

Community Development Block Grant - Downtown Revitalization Program.

3.) Resolution No. 15-2021. A Resolution determining that the specified projects within the City contains distinct conditions which are detrimental to the public health, safety, and welfare of the community and constitutes a blighted area.

Shelley McElhannon read Resolutions No. 13-2021, No. 14-2021, and No. 15-2021 captions into record.

Mark McDaniel introduced the items and Megan Folkerts provided information. Megan Folkerts and Mark McDaniel and responded to questions.

Councilmember Eychner moved to approve Resolutions No. 13-2021, No. 14-2021, and No. 15-2021 as presented, and Councilmember Cochrane seconded. The motion passed 5-0.

6B. Resolution No. 16-2021. A Resolution creating a Public Health Task Force as an Ad Hoc Board for its consideration of issues relating to public health and recommendation as to the creation of a Local Health Authority; and authorizing the Mayor to appoint its members.

Shelley McElhannon read Resolution No. 16-2021 caption into record.

Mark McDaniel presented information and responded to questions.

The following person spoke:

- Bill Morgan

Councilmember Eychner moved to approve Resolution No. 16-2021 as presented, and Councilmember Hughes seconded. The motion passed 5-0.

6C. Funding agreement between the City of Kerrville Economic Improvement Corporation, City of Kerrville TX, and the Kerrville Christmas Lighting Corporation for electrical infrastructure on Tranquility Island in the amount of \$100,000.

Shelley McElhannon read item 6C caption into record.

Ashlea Boyle presented information and responded to questions.

Councilmember Cochrane moved to approve the funding agreement between the City of Kerrville Economic Improvement Corporation and the Kerrville Christmas Lighting Corporation, and Councilmember Hughes seconded. The motion passed 5-0.

6D. City's ongoing preparedness and response to COVID-19 (Coronavirus); and Declaration of local state of disaster due to a public health emergency, March 20, 2020.

Shelley McElhannon read item 6D caption into record.

Chief Maloney presented information and responded to questions.

The following person(s) spoke:

- Roman Garcia

Councilmember Clarkson provided clarification.

## **7 II INFORMATION AND DISCUSSION:**



7A. Financial update for the month ended February 28, 2021.

Mark McDaniel presented information and responded to questions.

**8 ITEMS FOR FUTURE AGENDAS:**

No items were suggested.

**9 BOARD APPOINTMENT(S):**

9A. Appointment to the Parks and Recreation Board.

Councilmember Eychner made a motion to reappoint Charles Hueber and Wayne Uecker, and to newly appoint David Bartels, Morgan Bond, Erik Silvius, and Karen Yanez, and Councilmember Clarkson seconded. The motion passed 5-0.

**10 EXECUTIVE SESSION:** No Executive Session was called.

**11 ACTIONS ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY:** N/A

**ADJOURN.** The meeting adjourned at 7:54 p.m.

APPROVED BY COUNCIL: \_\_\_\_\_

APPROVED:

ATTEST:

\_\_\_\_\_  
Bill Blackburn, Mayor

\_\_\_\_\_  
Shelley McElhannon, City Secretary



**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

**SUBJECT:** Resolution No. 19-2021. A Resolution granting a conditional use permit to authorize a dwelling, single-family detached with accessory dwelling unit on the property consisting of parts of lots 2 and 3, JA Tivy Addition, a subdivision within the City of Kerrville, Texas; known as 1517 E. Main Street; said property is located within an R-1 Zoning District; and making said permits subject to certain conditions and restrictions contained herein.

**AGENDA DATE OF:** April 13, 2021

**DATE SUBMITTED:** Mar 18, 2021

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [20210413\\_Resolution\\_19-2021 CUP 1517 E Main.pdf](#)

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	\$0	N/A

**PAYMENT TO BE MADE TO:** N/A

**Kerrville 2050 Item?** Yes

**Key Priority Area** H - Housing

**Guiding Principle** H1. Provide a diverse range of housing options to meet the needs and desires of all age groups, income levels, and lifestyles

**Action Item**

**SUMMARY STATEMENT:**

PROPOSAL: Public hearing, consideration, and action to recommend a resolution to allow a Conditional Use Permit for an Accessory Dwelling Unit on parts of Lot 2 and Lot 3, Block 84, JA Tivy Addition; and more commonly known as 1517 East Main Street.

PROCEDURAL REQUIREMENTS: 26 letters were mailed on 2/19/2021 to adjacent property owners. The public notice was published in the Kerrville Daily Times on 2/11/2021. At the time of drafting this Agenda Bill, no comments had been received.

Staff Analysis and Recommendation

Adjacent Zoning and Land Uses:

## Subject Property

Current Zoning: R-1 Single Family Residential

Existing Land Use: Single Family Residence

Direction: North, South, West, East

Current Zoning: R-1 Single Family Residential

Existing Land Uses: Single Family Residences

Consistency with the Kerrville 2050 Comprehensive Plan: The subject property and surrounding area are designated Neighborhood Residential (NR) in the Kerrville 2050 Comprehensive Plan. Neighborhood Residential primarily allows for single family detached homes. Since the underlying zoning is not changing, the request is consistent with the Kerrville 2050 Comprehensive Plan.

Thoroughfare Plan: The subject property is located on a residential street.

Traffic Impact: No traffic impact is anticipated.

Parking: Approval of the CUP for Additional Dwelling Unit requires two (2) additional off-street parking spaces. Applicant has identified these locations on the attached site plan.

Case Summary: The applicant is proposing to construct an additional dwelling unit within an existing home by remodeling areas of the home that are currently not functional.

The subject property is located within an R-1 zoning district. As such, the addition of an accessory dwelling unit, or second dwelling, requires a Conditional Use Permit.

An accessory dwelling unit is defined in the zoning code as follows: Dwelling Unit, Accessory: A room or set of rooms attached or detached to a building on the same lot as the single-family dwelling, established by permit and including a functioning kitchen and bathroom, and operates as a separate but secondary dwelling unit.

Proposed CUP conditions have been drafted for consideration to address staff comments and any comments submitted by adjacent property owners and other interested citizens.

Recommendation: Because the Conditional Use Permit request is consistent with the Kerrville 2050 Comprehensive Plan, will meet all zoning regulations, including off-street parking requirements, and does not change the existing zoning district, staff recommends approval with consideration and inclusion of the attached Proposed CUP Conditions.

## Proposed CUP Conditions for an Accessory Dwelling Unit

A. Site Plan: The development and use of the Property shall conform to the site plan.

B. Maximum Building Height: Thirty five (35) feet for detached structure containing accessory dwelling unit.

C. Maximum Area of Accessory Dwelling Unit: One half of the total floor area of the main dwelling unit; floor area of the house excludes the area of any attached garage. Maximum fifty (50%) percent of the rear yard area, bounded by the side property lines, the rear wall of the main building, and the rear property line.

D. Minimum Parking: Two (2) parking spaces per dwelling unit (four (4) spaces total for the main dwelling and an accessory dwelling unit).

On March 4th, the Planning and Zoning Commission recommended the CUP for approval with a unanimous vote.

**RECOMMENDED ACTION:**

Approve Resolution No. 19-2021 as presented.

**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 19-2021**

**A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO AUTHORIZE A DWELLING, SINGLE-FAMILY DETACHED WITH ACCESSORY DWELLING UNIT ON THE PROPERTY CONSISTING OF PARTS OF LOTS 2 AND 3, JA TIVY ADDITION, A SUBDIVISION WITHIN THE CITY OF KERRVILLE, TEXAS; KNOWN AS 1517 E. MAIN STREET; SAID PROPERTY IS LOCATED WITHIN AN R-1 ZONING DISTRICT; AND MAKING SAID PERMITS SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN**

**WHEREAS**, the owner of the property known as 1517 E. Main Street and graphically depicted on the location map at **Exhibit A** (the "Property"), said exhibit being attached hereto and made a part hereof for all purposes, is requesting approval of a Conditional Use Permit ("CUP") to authorize a dwelling, single-family detached with (an) accessory dwelling unit on the Property, which is located within an R-1 Single-Family Residential Zoning District; and

**WHEREAS**, the City Planning and Zoning Commission (the "Commission"), in compliance with state law and the Zoning Code of the City of Kerrville, Texas (Chapter 60, Code of Ordinances) ("Zoning Code"), and in particular, the procedures for obtaining CUP; having given the requisite notices by United States mail, publication, and otherwise; and after holding a public hearing and affording a full and fair hearing to all of property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Commission recommends that City Council grant the CUP applied for and referenced herein, subject to the special conditions and restrictions set out hereinafter on the Property; and

**WHEREAS**, City Council, in compliance with state law and the Zoning Code, and likewise having given the requisite notices and holding a public hearing, finds that the health, safety, and general welfare will be best served by the granting of the CUP as recommended by the Commission and referenced herein on the Property;

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

**SECTION ONE.** A Conditional Use Permit is granted to permit the Property described as follows, and located within an R-1 Single-Family Residential Zoning District, to be developed and used for a Dwelling, Single-Family Detached with Accessory Dwelling Unit as that term is defined in and pursuant to the Zoning Code, such use subject to the provisions of this Resolution and other City ordinances and regulations:

**Legal Description:** Parts of Lots 2 and 3, JA Tivy Addition, a subdivision within the City of Kerrville, Kerr

County, Texas, and being graphically depicted on the location map at **Exhibit A**.

**Address:** 1517 E. Main Street, Kerrville, TX 78028

Hereinafter referred to as the "Property".

**SECTION TWO.** In addition to the development and use regulations currently applicable to the Property, development and use of the Property is subject to the following additional conditions:

- A. Site Plan:** The development and use of the Property shall conform to the site plan attached as **Exhibit B**.
- B. Maximum Building Height:** The accessory dwelling unit may not exceed thirty-five feet (35.0') in height.
- C. Maximum Area of Accessory Dwelling Unit:** The accessory dwelling unit may not exceed i) fifty percent (50.0%) of the total, existing floor area of the structure titled "single story/family wood framed home" ("home"), which excludes the area of any attached garage as indicated on the site plan; and ii) fifty percent (50.0%) of the rear yard area, as bounded by the side property lines, the rear wall of the home, and the rear property line.
- D. Parking.** The Property shall maintain four (4) parking spaces.
- E. Other Zoning Regulations:** The regulations set forth in this Resolution are in addition to those set forth in the Zoning Code, as may be amended or superseded. In the event of any irreconcilable conflict between this Resolution and the regulations set forth in the Zoning Code, the provisions of this Resolution will prevail.

**SECTION THREE.** This Resolution and the CUP granted herein are subject to termination, singularly or collectively, in accordance with the Zoning Code.

**SECTION FOUR.** City Council finds and determines that its adoption of this Resolution promotes the health, safety, and general welfare of the public and is a proper valid exercise of the City's police powers.

**SECTION FIVE.** If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and

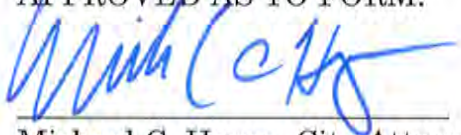
independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION SIX.** This Resolution is effective upon adoption.

**PASSED AND APPROVED ON this the \_\_\_\_ day of \_\_\_\_\_, A.D., 2021.**

\_\_\_\_\_  
Bill Blackburn, Mayor

APPROVED AS TO FORM:



\_\_\_\_\_  
Michael C. Hayes, City Attorney

ATTEST:

\_\_\_\_\_  
Shelley McElhannon, City Secretary





## Location Map

Case # PZ-2021-1

Location:  
1517 E Main St

### Legend

200' Notification Area  
Subject Properties



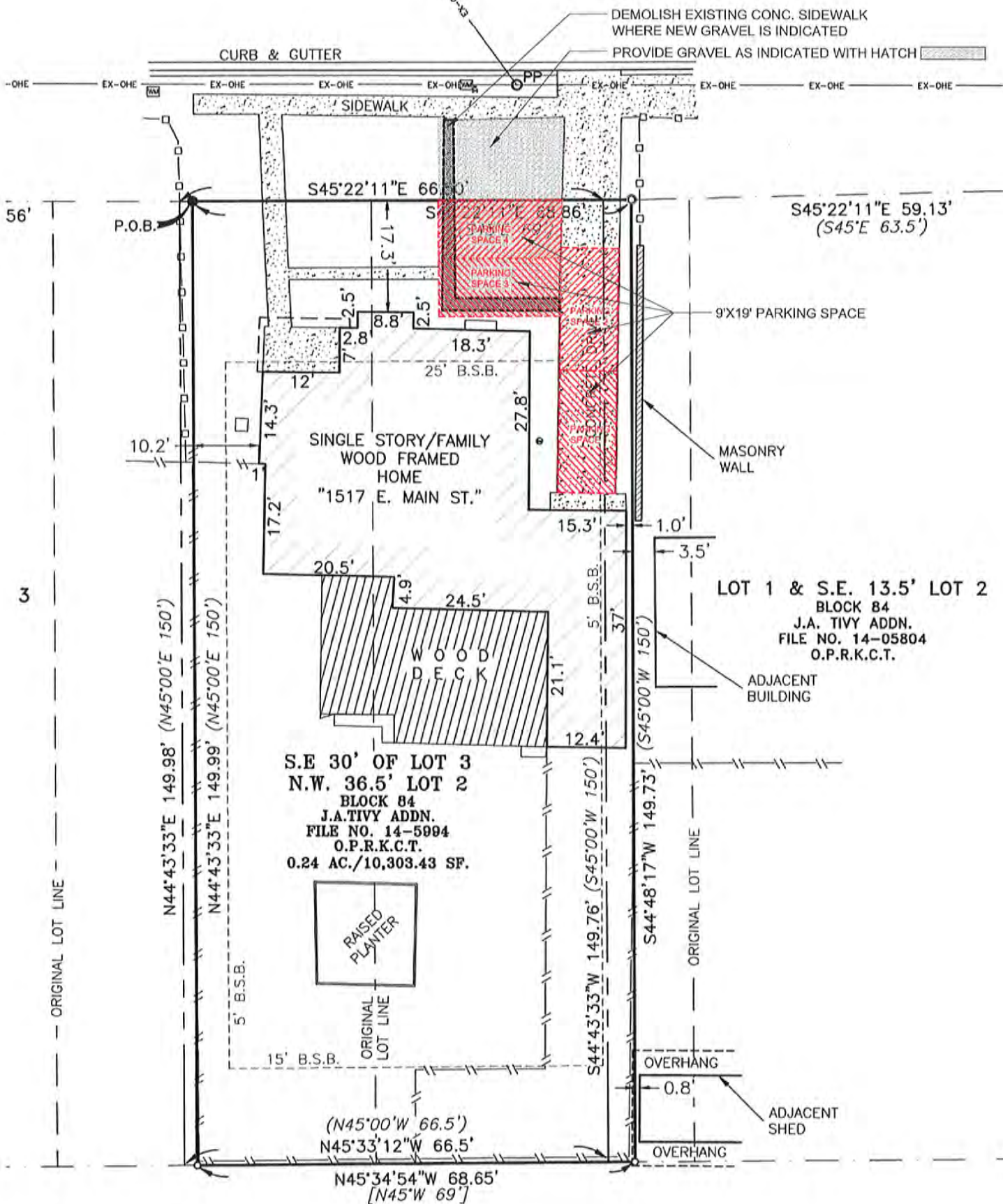
0 50 100 200

Scale In Feet



# EAST MAIN STREET

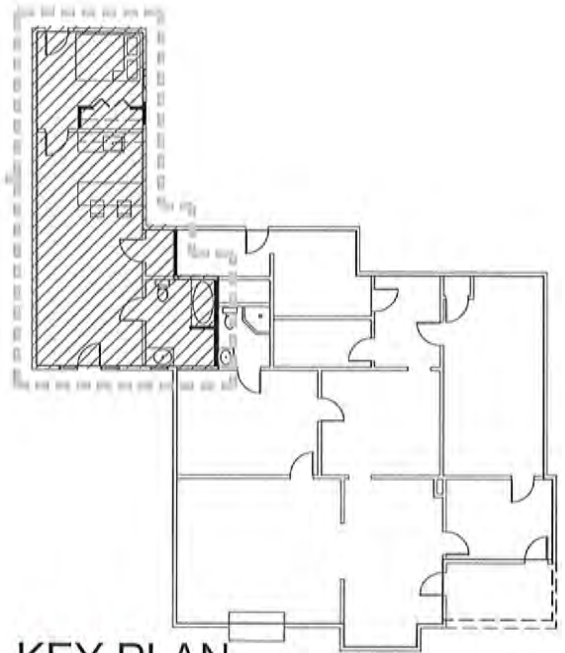
80-FT WIDE R.O.W.  
(PER PLAT)



LOT 18  
BLOCK 84

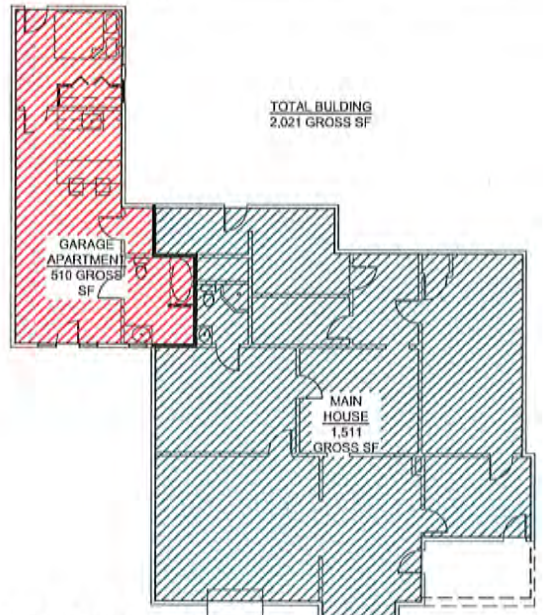


AREA OF WORK



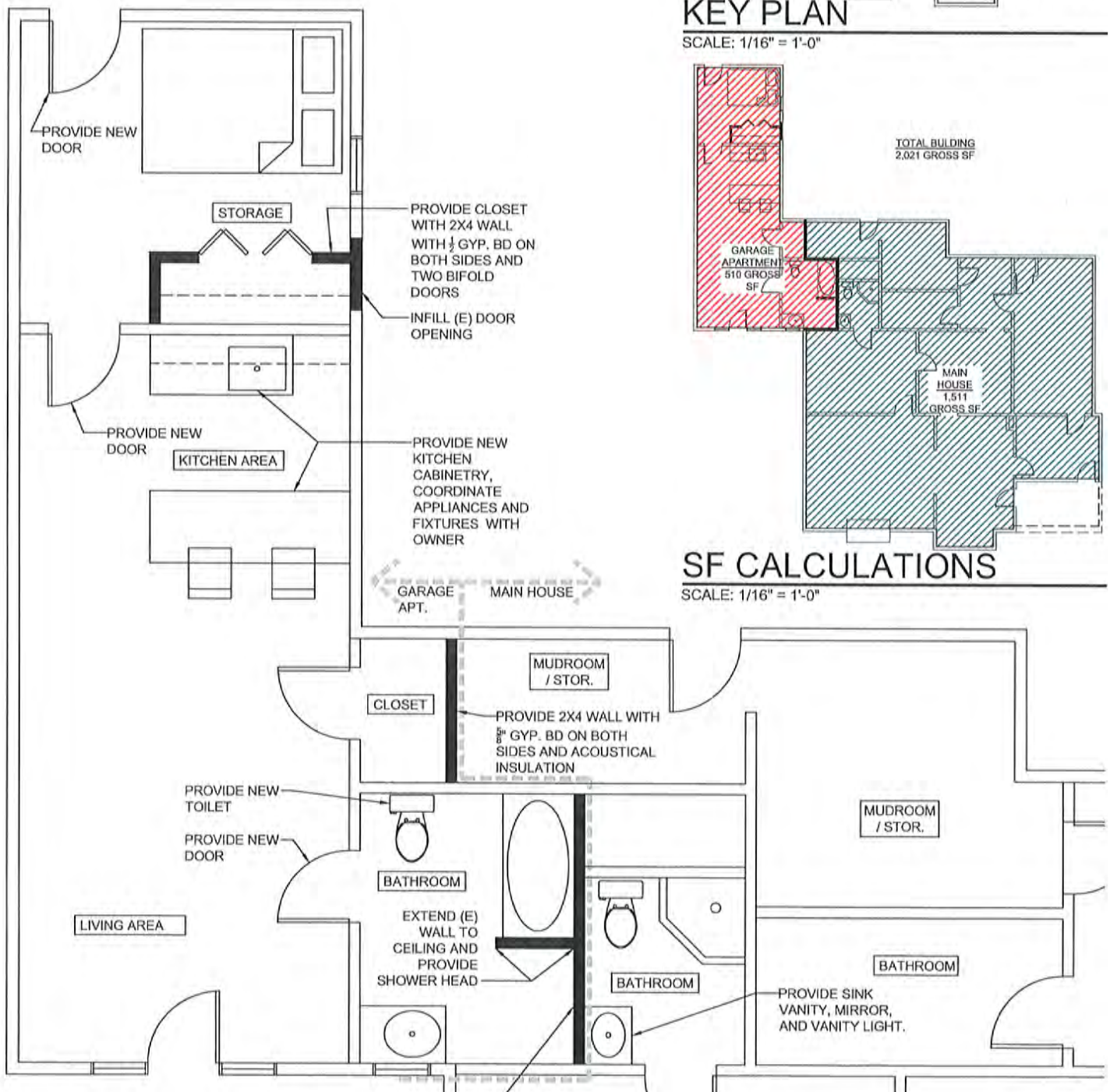
## KEY PLAN

SCALE: 1/16" = 1'-0"



## SF CALCULATIONS

SCALE: 1/16" = 1'-0"





**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

**SUBJECT:** Resolution No. 20-2021. A Resolution granting a conditional use permit to authorize a short-term rental unit on the property consisting of approximately 0.187 acres, comprising lot 8, block 1, Schreiner High School Addition, a subdivision within the City of Kerrville and more commonly known as 821 Robinson Avenue; said property is located within an R-1A Single-Family Residential with Accessory Dwelling Unit Zoning District; and making said permit subject to certain conditions and restrictions contained herein.

**AGENDA DATE OF:** April 13, 2021

**DATE SUBMITTED:** Mar 18, 2021

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [20210413\\_Resolution\\_20-2021 CUP STR 821 Robinson.pdf](#)

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	\$0	N/A

**PAYMENT TO BE MADE TO:** N/A

<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

**SUMMARY STATEMENT:**

Proposal: Public hearing, consideration and action to recommend a resolution to allow a Conditional Use Permit on Lot 8, Block 1, Schreiner High School Addition; and more commonly known as 821 Robinson Avenue.

Procedural Requirements: 28 letters were mailed on 2/19/2021 to adjacent property owners. The public notice was published in the Kerrville Daily Times on 2/11/2021. At the time of drafting this Agenda Bill, no comments had been received.

Staff Analysis and Recommendation

Adjacent Zoning and Land Uses:

## Subject Property

Current Zoning: R-1A Single Family Residential with Accessory Dwelling

Existing Land Use: Single Family Residence

Direction: North, South, West, East

Current Zoning: R-1A Single Family Residential with Accessory Dwelling

Existing Land Uses: Single Family Residences

Consistency with the Kerrville 2050 Comprehensive Plan: The subject property and surrounding area are designated Transitional Residential (TR) in the Kerrville 2050 Comprehensive Plan. Transitional Residential allows for small lot single family homes, single family detached homes, patio homes, townhomes, duplexes, condominiums and apartments. Because the underlying zoning is not changing for the subject property, the request is consistent with the Kerrville 2050 Comprehensive Plan.

Thoroughfare Plan: The subject property is located on a residential street.

Traffic Impact: No traffic impact is anticipated.

Parking: A Short Term Rental requires one (1) off street parking space per bedroom and one (1) additional off street parking space for a manager that does not live onsite. This rental has two (2) bedrooms and no onsite manager so three (3) off street parking spaces are required. The property has a long driveway on the right side of the house that can easily accommodate the three (3) required off street parking spaces.

Case Summary: The applicant is proposing to use an existing home as a non-owner occupied Short Term Rental.

The subject property is located within an R-1A zoning district. As such, a Short Term Rental requires a Conditional Use Permit.

A Short Term Rental, non-owner occupied, is defined as follows: A facility, located in a residential zoning district, used for the purpose of providing short-term lodging (less than thirty days) for compensation, architecturally designed to look like a single-family dwelling, which may also be separate lodging units such as cabins, guest homes, or similar residential-scale structures, with no more than six (6) bedrooms total on the property, and offering meals only to those who receive lodging.

Required legal and public notices have been sent. Proposed CUP conditions have been drafted for consideration to address staff comments and any comments submitted by adjacent property owners and other interested citizens.

The following amenities are in close driving proximity (less than two miles) to the proposed Short Term Rental: Golden Antler Boutique; Arcadia Theater; Grape Juice Restaurant; Kerr Arts & Culture Center; Cailloux Theater; Scott Schreiner Municipal Golf Course;

Francisco's Restaurant; Nobili Tea; Basement Brewers of Texas; Rails Café; Pint & Plow Brewing Co.; Kerrville Farmer's Market; Louise Hays Park; Broken Stone Pizza; Downtown Parking Garage.

Recommendation: Because the Conditional Use Permit request is consistent with the Kerrville 2050 Comprehensive Plan, will meet all zoning regulations, and there are numerous amenities in relatively close proximity to this proposed Short Term Rental location, staff recommends approval with consideration and inclusion of the attached Proposed CUP Conditions for a Short Term Rental

A. Guest Notification: The owner or operator of the Property shall post "Guest Notification" in a conspicuous place within the rental unit on the Property. Guest Notification is shown on the following page.

B. Occupancy Taxes: The owner or operator of the Property shall comply with the City's occupancy tax requirements as found within Ch. 94, Division III, of the City's Code of Ordinances.

C. Sign: The Property may not use more than one non-illuminated, on-site sign, in conjunction with its Short Term Rental unit. The sign may either be: (i) flush-mounted to one of the residential structures and may not exceed one-square foot in size; or, (ii) freestanding and placed in the front yard but no closer than 20 feet to any property line and not exceeding six square feet in size and three feet in height. Any such sign shall comply with the City's Sign Code.

D. Minimum Off-Street Parking: One space per bedroom, plus parking required for the manager, if living off-site.

E. Maximum Occupancy: The maximum occupancy for any Short Term Rental is ten (10) guests. Short term rental owner / operator may set occupancy limits at less than ten (10) guests, however, in no case shall occupancy limits exceed ten (10) guests.

F. Other Zoning Regulations: The regulations set forth in this Resolution are in addition to those set forth in the Zoning Code, as may be amended or superseded. In the event of any irreconcilable conflict between this Resolution and the regulations set forth in the Zoning Code, the provisions of this Resolution will prevail.

On March 4th the Planning and Zoning Commission recommended the CUP for approval with a unanimous vote.

**RECOMMENDED ACTION:**

Approve Resolution No. 20-2021 as presented.



**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 20-2021**

**A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO AUTHORIZE A SHORT-TERM RENTAL UNIT ON THE PROPERTY CONSISTING OF APPROXIMATELY 0.187 ACRES, COMPRISING LOT 8, BLOCK 1, SCHREINER HIGH SCHOOL ADDITION, A SUBDIVISION WITHIN THE CITY OF KERRVILLE AND MORE COMMONLY KNOWN AS 821 ROBINSON AVENUE; SAID PROPERTY IS LOCATED WITHIN AN R-1A SINGLE-FAMILY RESIDENTIAL WITH ACCESSORY DWELLING UNIT ZONING DISTRICT; AND MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN**

**WHEREAS**, the owner of the property known as 821 Robinson Avenue and graphically depicted on the location map at **Exhibit A** (the "Property"), said exhibit being attached hereto and made a part hereof for all purposes, is requesting approval of a Conditional Use Permit ("CUP") to authorize a short-term rental unit on the Property, which is located within an R-1A Single-Family Residential with Accessory Dwelling Unit Zoning District; and

**WHEREAS**, the City Planning and Zoning Commission (the "Commission"), in compliance with state law and the Zoning Code of the City of Kerrville, Texas (Chapter 60, Code of Ordinances) ("Zoning Code"), and in particular, the procedures for obtaining a CUP; having given the requisite notices by United States mail, publication, and otherwise; and after holding a public hearing and affording a full and fair hearing to all of property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Commission recommends that City Council grant the CUP applied for and referenced herein, subject to the special conditions and restrictions set out hereinafter on the Property; and

**WHEREAS**, City Council, in compliance with state law and the Zoning Code, and likewise having given the requisite notices and holding a public hearing, finds that the health, safety, and general welfare will be best served by the granting of the CUP as recommended by the Commission and referenced herein on the Property;

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

**SECTION ONE.** A Conditional Use Permit is granted to permit the Property described as follows, and located within an R-1 Single-Family Residential with Accessory Dwelling Unit Zoning District, to be developed and used for a Short-Term Rental Unit ("STRU") as that term is defined in and pursuant to the Zoning Code, such use subject to the provisions of this Resolution and other City ordinances and regulations:

**Legal Description:** approximately 0.187 acres of land,



comprising Lot 8, Block 1 of the Schreiner High School Addition, a subdivision of Kerr County and being more specifically described and depicted on the site plan and location map found at **Exhibit A**.

**General Description:** 821 Robinson Avenue,  
Kerrville, TX 78028.

**SECTION TWO.** In addition to the development and use regulations currently applicable to the Property, development and use of the Property is subject to the following additional conditions:

- A. **Guest Notification:** The owner or operator of the Property shall post a “guest notification” in a conspicuous place within the rental unit on the Property, said notification attached as **Exhibit B**.
- B. **Occupancy Taxes:** The owner or operator of the Property shall comply with the City’s occupancy tax requirements as found within Ch. 94, Division III, of the City’s Code of Ordinances.
- C. **Sign:** The Property may not use more than one non-illuminated, on-site sign, in conjunction with its STRU. The sign may either be: (i) flush-mounted to one of the residential structures and may not exceed one-square foot in size; or, (ii) freestanding and placed in the front yard but no closer than 20 feet to any property line and may not exceed six square feet in size and three feet in height. Any such sign shall comply with the City’s Sign Code.
- D. **Parking:** The Property must include at a minimum, one off-street parking space per bedroom, plus an additional space for the manager, if living off-site.
- E. **Maximum Occupancy:** The Property is subject to a maximum occupancy of ten (10) guests, which may be lower per rules set by the owner or operator.
- F. **Other Zoning Regulations:** The regulations set forth in this Resolution are in addition to those set forth in the Zoning Code, as may be amended or superseded. In the event of any irreconcilable conflict between this Resolution and the regulations set forth in the Zoning Code, the provisions of this Resolution will prevail.

**SECTION THREE.** This Resolution and the CUP granted herein are subject to termination in accordance with the Zoning Code.

**SECTION FOUR.** City Council finds and determines that its adoption of this Resolution promotes the health, safety, and general welfare of the public and is a proper valid exercise of the City's police powers.


**SECTION FIVE.** If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION SIX.** This Resolution is effective upon adoption.

**PASSED AND APPROVED ON this the \_\_\_\_ day of \_\_\_\_\_, A.D., 2021.**

\_\_\_\_\_  
Bill Blackburn, Mayor

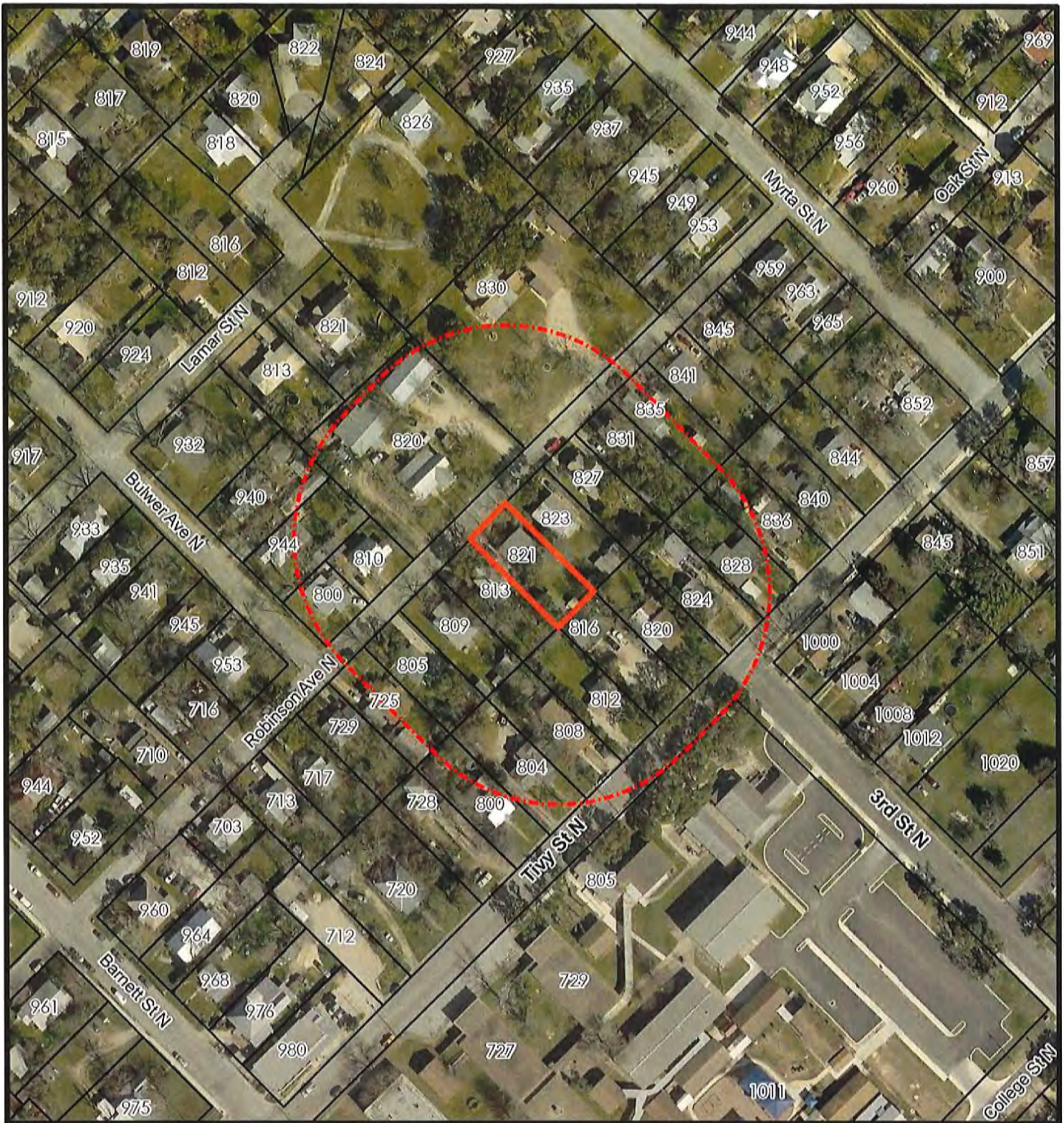
APPROVED AS TO FORM:

  
\_\_\_\_\_  
Michael C. Hayes, City Attorney

ATTEST:

\_\_\_\_\_  
Shelley McElhannon, City Secretary





## Location Map

Case # PZ-2021-4

Location:

821 Robinson Ave

### Legend

200' Notification Area  
Subject Properties



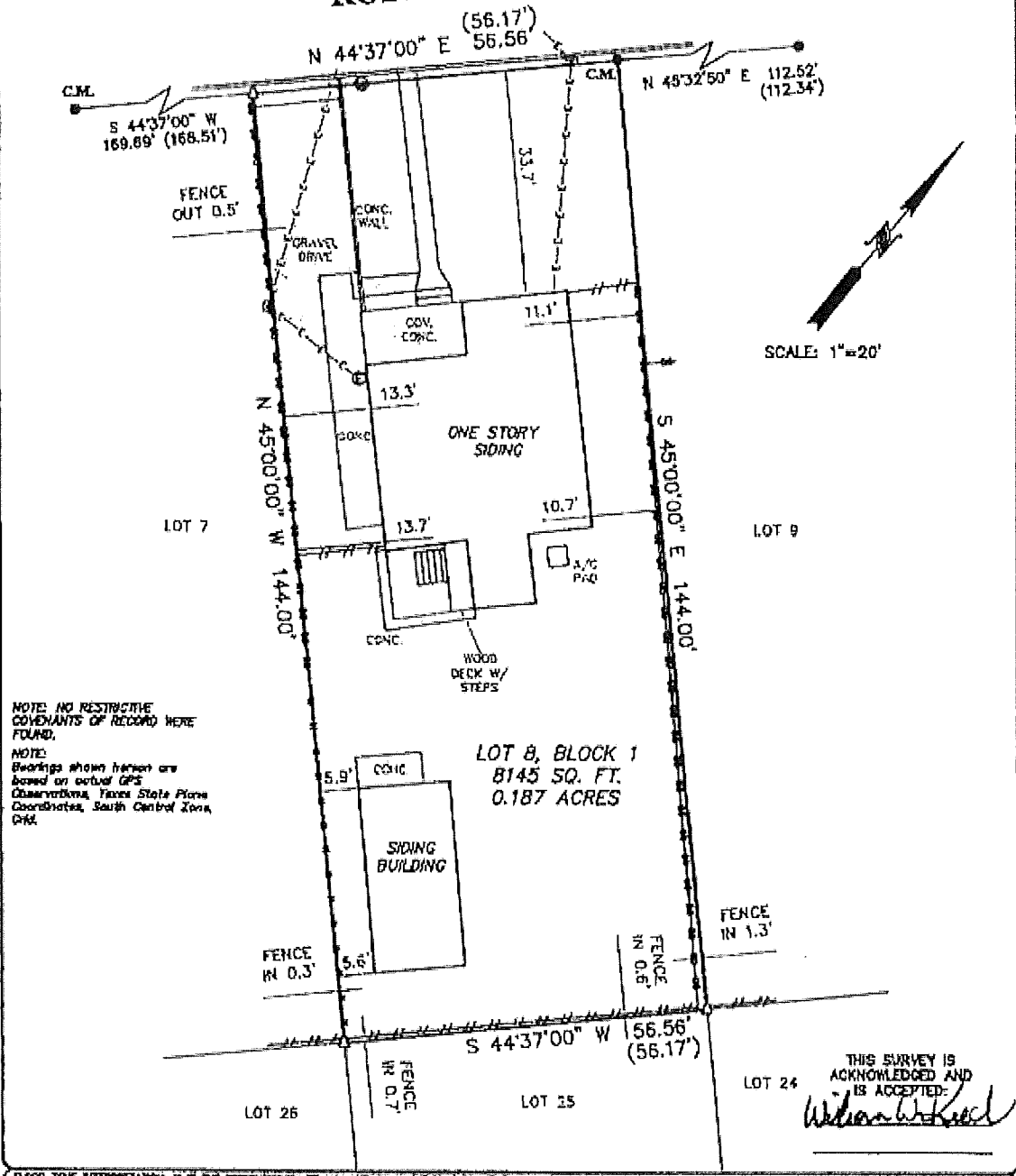
0 50 100 200

Scale In Feet

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



# ROBINSON





## SHORT TERM RENTAL CONDITIONAL USE PERMIT GUEST NOTIFICATION

CUP Resolution Number \_\_\_\_\_

This short term rental has been permitted by the City of Kerrville as a conditional use under the above referenced resolution within a residential neighborhood and requires all guests to be aware of the following:

Because this short term rental is located within a residential neighborhood, proper etiquette should be observed at all times. The conditional use permit was issued in an effort **“to preserve the health, safety, and general welfare of adjacent property and its occupants and to protect such property and occupants from excessive noise, vibration, dust, dirt smoke, fumes, gas, odor, traffic, explosion, glare, surface water drainage, offensive view, or other undesirable hazardous conditions....”**

As a guest, please be aware of the proximity of your neighbors and be respectful of their right to privacy, a quiet environment, and unobstructed access to their property. Loud music, loud parties and excessive noise should be avoided. Parking should be limited to onsite parking spaces provided by short term rental management. Place trash and recycling in the appropriate containers.

As per the Conditional Use Permit, the **maximum occupancy is ten (10) guests**. The Short Term Rental owner may have other occupancy restrictions for fewer guests, however, in no case shall guest occupancy exceed ten (10) guests.

If you should have any questions regarding this notification, please contact the short term rental management.

Thank you!

*This Guest Notification should be posted by short term rental management in a location clearly visible by all guests and provided with check-in information. Posting of duplicate copies of this Guest Notification within each guest room is highly encouraged to clearly communicate the importance of proper etiquette within a residential neighborhood. Thank you!*



**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

**SUBJECT:** Ordinance No. 2021-11. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas, which adopted Zoning Regulations, Use Districts, and a Zoning Map in accordance with the City's Comprehensive Plan, such Chapter more commonly known as the City's Zoning Code; by changing the zoning and classification of a property located at 327 Peterson Farm Road; comprising approximately 3.12 acres; from a Single-Family Residential Zoning District (R-1) to a Residential Mix Zoning District (RM); providing a cumulative clause; providing for severability; providing an effective date; ordering publication; and providing other matters relating to the subject.

**AGENDA DATE OF:** April 13, 2021      **DATE SUBMITTED:** Mar 15, 2021

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [20210413\\_Ordinance\\_2021-11 Zoning Change 327 Peterson Farm Road.pdf](#)

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	N/A	N/A

**PAYMENT TO BE MADE TO:** N/A

<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

**SUMMARY STATEMENT:**

Proposal: Public hearing, consideration, and action to recommend an ordinance to change the zoning from R-1 Single Family District, to RM Residential Mix District, on approximately 3.12 acres out of Crook Survey No. 71, Abstract A0114; and generally located at 327 Peterson Farm Road.

Procedural Requirements: 7 letters were mailed on 2/19/2021 to adjacent property owners. The public notice was published in the Kerrville Daily Times on 2/11/2021. At the time of drafting this Agenda Bill, no comments had been received.



## Staff Analysis and Recommendation

### Adjacent Zoning and Land Uses:

#### Subject Property

Current Zoning: R-1 Single Family Residential

Existing Land Uses: Single Family Residential

Direction: North

Current Zoning: County/ETJ

Existing Land Uses: Vacant Land and Single Family Residential

Direction: South

Current Zoning: AD Airport District

Existing Land Uses: Mooney International

Direction: West

Current Zoning: County/ETJ

Existing Land Uses: Vacant Land

Direction: East

Current Zoning: PDD 2010-03 (Formerly Proposed USDA Site)

Existing Land Uses: Vacant Land (City Property)

Consistency with the Kerrville 2050 Comprehensive Plan: The subject property is currently zoned R-1 Single Family Residential and is identified in the Kerrville 2050 Comprehensive Plan as Strategic Catalyst Area 11 (SCA 11). The airport and SH 27 are the key features of SCA 11, which is generally bounded by the Guadalupe River to the west, Creekwood Road to the north, the fringes of the Kerrville Municipal Airport to the east, and the southeastern most limits of the city's ETJ to the south. Although new residential development is discouraged near or adjacent to the airport, this existing property has always had a residential use. The request to change zoning from one residential use (R-1) to another residential use (RM) does not change the existing use of the property and is therefore consistent with K2050.

Thoroughfare Plan: The subject property is located on a local street.

Traffic Impact: No traffic impact is anticipated.

Parking: All parking requirements of the zoning code shall be met, therefore, adequate parking will be provided at the time of site design and construction.

Case Summary: The property is currently zone R-1 Single Family Residential and has an existing residence on the property. The property owner would like to add a manufactured home as second home for family use. R-1 zoning does not allow the addition of a manufactured home. The RM Residential Mix zoning would allow the proposed manufactured home, thus the request for the zoning change. A future plat will be required for the subdivision of the lot into multiple lots to accommodate a second home.

Recommendation: Because the applicant is only proposing a zoning change from one residential use to another to allow for the addition of a second home on the property for family use, it seems reasonable to grant this zoning change request. Based on these circumstances and the fact that all other zoning and building codes will be met, staff recommends the zoning change request.

On March 4th, the Planning and Zoning Commission recommended the case for approval with a unanimous vote.

**RECOMMENDED ACTION:**

Approve Ordinance No. 2021-11 on first reading.

**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2021-11**

**AN ORDINANCE AMENDING CHAPTER 60 OF THE CODE OF ORDINANCES, CITY OF KERRVILLE, TEXAS, WHICH ADOPTED ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH THE CITY'S COMPREHENSIVE PLAN, SUCH CHAPTER MORE COMMONLY KNOWN AS THE CITY'S ZONING CODE; BY CHANGING THE ZONING AND CLASSIFICATION OF A PROPERTY LOCATED AT 327 PETERSON FARM ROAD; COMPRISING APPROXIMATELY 3.12 ACRES; FROM A SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT (R-1) TO A RESIDENTIAL MIX ZONING DISTRICT (RM); PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; ORDERING PUBLICATION; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT**

**WHEREAS**, pursuant to Texas Local Government Code Sections 211.006 and 211.007, notice has been given to all parties in interest and citizens by publication in the official newspaper for the City of Kerrville, Texas ("City"), and otherwise, of a hearing held before the City Council on April 13, 2021, which considered a report of the City's Planning and Zoning Commission regarding its recommendations on an ordinance, the adoption of which will result in the change of a zoning district for the property located at 327 Peterson Farm Road; such change to result in the removal of the property from a Single-Family Residential Zoning District (R-1) to placement within a Residential Mix Zoning District (RT); and

**WHEREAS**, on April 13, 2021, City Council held a public hearing on the zoning change referenced above pursuant to the published notice and has considered the application, comments, reports, and recommendations of the Planning and Zoning Commission and staff, public testimony, and other relevant support materials;

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

**SECTION ONE.** The Zoning Code for the City of Kerrville, Texas, as enacted by City Council and effective October 1, 2019 and included within Chapter 60 of the Code of Ordinances of the City of Kerrville, Texas, and the *Official Zoning Map* be and the same are hereby amended to designate the following described property zoned as a Residential Mix Zoning District (RT):

**Legal Description:** Being all of a certain tract or parcel of land comprising approximately 3.12 acres out of the W.T. Crook Survey No. 71, Abstract No. 114, within the City of Kerrville, Kerr County, Texas; said tract being more particularly described and depicted at Exhibit A, attached hereto and made a part hereof for all purposes, and hereafter referred to as the “Property.” The Property is also shown on the “Location Map”, which is attached as Exhibit B.

**Address:** 327 Peterson Farm Road, Kerrville, TX 78028

**SECTION TWO.** The City Manager or designee is authorized and directed to amend the City’s *Official Zoning Map* to reflect the change in districts adopted herein and to take other actions contemplated by and in accordance with the City’s Zoning Code.

**SECTION THREE.** The City Manager or designee is authorized and directed to amend the City’s Comprehensive Plan (*Kerrville 2050*), together with its *Future Land Use Map*, as necessary to make it consistent with the amendment(s) to the Zoning Code authorized by this Ordinance.

**SECTION FOUR.** The provisions of this Ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are expressly repealed to the extent of any such inconsistency or conflict.

**SECTION FIVE.** The terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance is declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

**SECTION SIX.** Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City’s Charter, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

**SECTION SEVEN.** This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07 of the City Charter.

PASSED AND APPROVED ON FIRST READING, this the \_\_\_\_ day of \_\_\_\_\_, A.D., 2021.

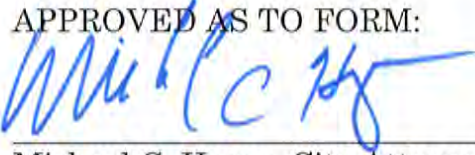
PASSED AND APPROVED ON SECOND AND FINAL READING, this the \_\_\_\_ of \_\_\_\_\_, A.D., 2021.

\_\_\_\_\_  
Bill Blackburn, Mayor

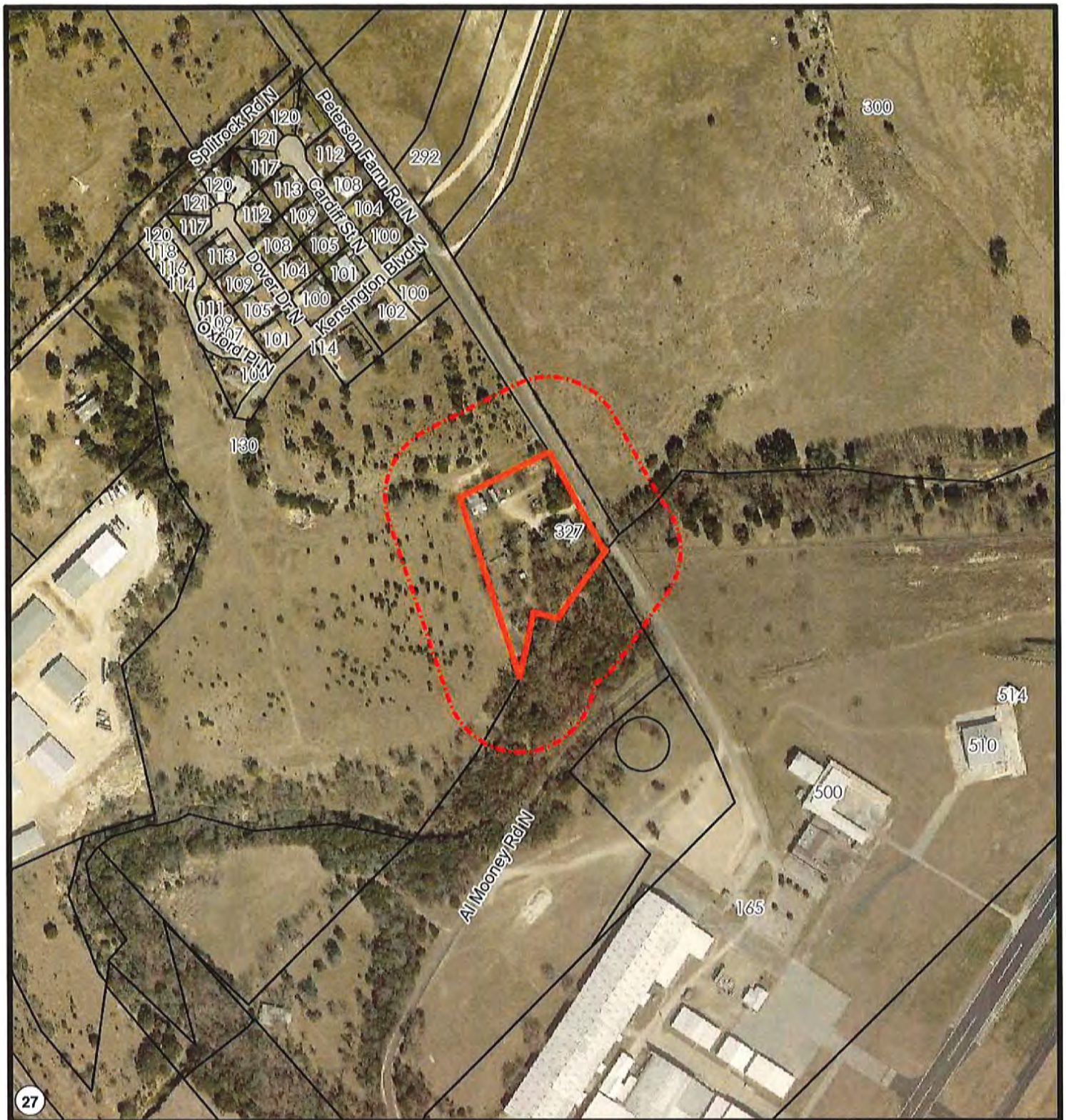
ATTEST:

\_\_\_\_\_  
Shelley McElhannon, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Michael C. Hayes, City Attorney





## Location Map

Case # 2020-086

Location:

327 Peterson Farm Rd N

### Legend

200' Notification Area  
Subject Properties



0 125 250 500

Scale In Feet





**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

**SUBJECT:** Ordinance No. 2021-12. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas, such Chapter more commonly known as the City's Zoning Code; by changing the zoning of a property known as 716 Barnett Street; consisting of parts of lots 5, 6, and 7, block F, Cage Addition; within the City of Kerrville, Kerr County, Texas; from a Residential Transition Zoning District (RT) to a Neighborhood Commercial Zoning District (C-1); providing a cumulative clause; providing for severability; providing an effective date; ordering publication; and providing other matters relating to the subject.

**AGENDA DATE OF:** April 13, 2021

**DATE SUBMITTED:** Mar 18, 2021

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [20210413\\_Ordinance\\_2021-12 Zoning Change 716 Barnett Street.pdf](#)

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	\$0	N/A

**PAYMENT TO BE MADE TO:** N/A

**Kerrville 2050 Item?** Yes

**Key Priority Area** L - Land Use

**Guiding Principle**

**Action Item**

**SUMMARY STATEMENT:**

Proposal: Public hearing, consideration, and action to recommend an ordinance to change the zoning from RT Residential Transition District to C-1 Neighborhood Commercial District on parts of Lot 5, Lot 6, and Lot 7, Block F, Cage Addition; and generally located 716 Barnett Street.

Procedural Requirements: 18 letters were mailed on 2/19/2021 to adjacent property owners. The public notice was published in the Kerrville Daily Times on 2/11/2021. At the time of drafting this Agenda Bill, no comments had been received.

## Staff Analysis and Recommendation

### Adjacent Zoning and Land Uses:

#### Subject Property

Current Zoning: RT Residential Transition

Existing Land Uses: Office Building

Direction: North

Current Zoning: C-2 Light Commercial

Existing Land Uses: Retail, Office and Restaurants

Direction: South, East

Current Zoning: RT Residential Transition

Existing Land Uses: Office and Residential

Direction: West

Current Zoning: DAC Downtown Arts and Culture

Existing Land Uses: Retail, Office and Restaurants

Consistency with the Kerrville 2050 Comprehensive Plan: The subject property is located within Strategic Catalyst Area 1 (SCA 1) of the Kerrville 2050 Comprehensive Plan. The focus of SCA 1 is on the downtown core and central business district and comprises a dense cluster of amenities, infrastructure, and employment within a roughly 0.4-square-mile area. Allowable place types are transitional residential and downtown focused development. Because the request to change from RT zoning to C-1 zoning supports the intent of SCA 1 and downtown development, the zoning change is consistent with the Kerrville 2050 Comprehensive Plan.

Thoroughfare Plan: The subject property is located on a side street directly adjacent to Sidney Baker Street.

Traffic Impact: No traffic impact is anticipated.

Parking: All parking requirements of the zoning code shall be met as development plans are finalized and will be approved prior to construction.

Case Summary: Applicant is requesting a zoning change from RT Residential Transition to C-1 Neighborhood Commercial to allow for a commercial kitchen to be installed for the purposes of supporting a catering business. Commercial kitchens are currently not allowed in the RT district, so the request for C-1 is necessary to support applicant's business goals.

Surrounding current uses are RT Residential Transition, C-2 Light Commercial, and DAC Downtown Arts and Culture. The zoning change request of C-1 Neighborhood Commercial would be consistent with current surrounding zoning. Additionally, the K2050 Strategic Catalyst Area 1 guidelines encourage businesses that support the downtown core and downtown development.

Recommendation: Because the requested zoning change is consistent with current zoning and future K2050 Strategic Catalyst Area 1 recommendations, it seems reasonable to grant this zoning change request. Based on these circumstances and the consistency with the Kerrville 2050 Plan, staff recommends the zoning change request.

On March 4th, the Planning and Zoning Commission recommend the case for approval with a unanimous vote.

**RECOMMENDED ACTION:**

Approve Ordinance No. 2021-12 on first reading.

**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2021-12**

**AN ORDINANCE AMENDING CHAPTER 60 OF THE CODE OF ORDINANCES, CITY OF KERRVILLE, TEXAS, SUCH CHAPTER MORE COMMONLY KNOWN AS THE CITY'S ZONING CODE; BY CHANGING THE ZONING OF A PROPERTY KNOWN AS 716 BARNETT STREET; CONSISTING OF PARTS OF LOTS 5, 6, AND 7, BLOCK F, CAGE ADDITION; WITHIN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS; FROM A RESIDENTIAL TRANSITION ZONING DISTRICT (RT) TO A NEIGHBORHOOD COMMERCIAL ZONING DISTRICT (C-1); PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; ORDERING PUBLICATION; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT**

**WHEREAS**, pursuant to Texas Local Government Code Sections 211.006 and 211.007, notice has been given to all parties in interest and citizens by publication in the official newspaper for the City of Kerrville, Texas ("City"), and otherwise, of a hearing held before the City Council on April 13, 2021, which considered a report of the City's Planning and Zoning Commission regarding its recommendations on this Ordinance, the adoption of which will result in the change of a zoning district for the property located at 716 Barnett St.; such change to result in the removal of the property from a Residential Transition Zoning District (RT) to placement within a Neighborhood Commercial Zoning District (C-1); and

**WHEREAS**, on April 13, 2021, City Council held a public hearing on the zoning change referenced above pursuant to the published notice and has considered the application, comments, reports, and recommendations of the Planning and Zoning Commission and staff, public testimony, and other relevant support materials;

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

**SECTION ONE.** The Zoning Code for the City of Kerrville, Texas, as enacted by City Council and effective October 1, 2019 and included within Chapter 60 of the Code of Ordinances of the City of Kerrville, Texas, and the *Official Zoning Map* be and the same are hereby amended to designate the following described property zoned as within a Neighborhood Commercial Zoning District (C-1):

**Legal Description: Being a certain tract of land, consisting of parts of Lots 5, 6, and 7, Block F, out of the Cage Addition, and within the City of Kerrville, Kerr County, Texas; said tract depicted at Exhibit A, attached hereto and made a part hereof for all purposes.**

**Address: 716 Barnett Street, Kerrville, TX 78028**

**SECTION TWO.** The City Manager or designee is authorized and directed to amend the City's *Official Zoning Map* to reflect the change in districts adopted herein and to take other actions contemplated by and in accordance with the City's Zoning Code.

**SECTION THREE.** The provisions of this Ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are expressly repealed to the extent of any such inconsistency or conflict.

**SECTION FOUR.** The terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance is declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

**SECTION FIVE.** Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City's Charter, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

**SECTION SIX.** This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07 of the City Charter.

**PASSED AND APPROVED ON FIRST READING, this the \_\_\_\_ day of \_\_\_\_\_, A.D., 2021.**

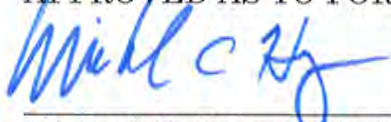
**PASSED AND APPROVED ON SECOND AND FINAL READING, this the \_\_\_\_ of \_\_\_\_\_, A.D., 2021.**

\_\_\_\_\_  
Bill Blackburn, Mayor

ATTEST:

\_\_\_\_\_  
Shelley McElhannon, City Secretary

APPROVED AS TO FORM:



\_\_\_\_\_  
Michael C. Hayes, City Attorney



## Location Map

**Case # PZ-2021-3**

**Location:**

**716 Barnett St**

### Legend

### 200' Notification Area Subject Properties



0      50      100      200

Scale In Feet





**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

---

**SUBJECT:** Construction Agreement with Alamo City Constructors, Inc. for the 2021 Street Reconstruction project in an amount of \$4,196,029.00.

**AGENDA DATE OF:** April 13, 2021      **DATE SUBMITTED:** Mar 26, 2021

**SUBMITTED BY:** Kyle Burow

**EXHIBITS:** [20210413\\_Bids\\_2021 Street Reconstruction\\_Received Bids.pdf](#)

---

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$4,196,029.00	\$5,333,572.49	\$8,500,000.00	70-7000-5100, Project #70-19011

**PAYMENT TO BE MADE TO:** Alamo City Constructors, Inc.

---

<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	M - Mobility / Transportation
<b>Guiding Principle</b>	M4. Place a high priority on the maintenance of existing streets
<b>Action Item</b>	M4.2 - Continue implementing the plan for street repairs, including a timeline and funding, based on the road conditions data collection and evaluation completed in 2016

---

**SUMMARY STATEMENT:**

As part of the adopted FY2019 budget, 6S Engineering, Inc. was hired to update the Pavement Master Plan and reassess the current street conditions and maintenance practices. The 6S Engineering, Inc. team evaluated the current street condition assessment gathered for each street segment to analyze the deterioration estimates based on the effectiveness of the current street repair methods and degradation of street segments compared to the initial report, combined multiple street segments to minimize construction costs, and reevaluated the prioritization of streets. The prioritization of all streets were based on PCI, Ride Condition Index (RCI), and Roadway Classification (i.e. Collector, Residential). Additionally, the streets with anticipated full reconstruction needs were further prioritized based on vehicular usage, utility conflicts, and other upcoming construction conflicts (private development projects). Upon completion of the analysis, 6S Engineering, Inc. developed a 10-year maintenance plan to assist with future budgeting and maintenance methods to be adopted by City Council.

In August 2019, City Council authorized the issuance of \$10.5 million in Certificates of Obligation for street and drainage improvements based on identified full depth reconstruction repair projects. The initial list of reconstruction streets was presented and confirmed by City Council in October 2019. In November 2019, 6S Engineering was hired to complete the bid documents, assist in the bid process, and assist in the construction management of the Priority Group #1 streets. The reconstruction of the Priority Group #1 streets was split into two groups to accommodate utility relocation or other conflicts. The first group of street reconstruction streets concluded in December 2020. 6S Engineering, Inc. completed the construction bid documents for the second group of Priority #1 streets and the project was placed for advertisement in early 2021. The bid opening was held online on March 31, 2021 and six bids were received with Alamo City Constructors, Inc. as the apparent low bid. Staff, along with 6S Engineering, Inc., evaluated the contractor and recommend awarding the base bid contract amount of \$4,196,029.00 to Alamo City Constructors, Inc. This work will include streets located primarily in the Doyle neighborhood and include W. Barnett, McFarland, Remschel, Barnett, Wallace, Cottage, and Hillside. In addition, several of these streets will also have multi-use paths installed, per the community direction received and adopted in the Doyle Area Plan.

**RECOMMENDED ACTION:**

Authorize the City Manager to finalize and execute a construction contract.

**APPARENT LOW BIDDERS****City of Kerrville - 2021 Street Reconstruction**

Bid Summary	
Engineers Estimate	No Estimate
Total Bids	6
AMLT \$	\$173,554.70
AMLT %	4.14%
Average Bid	\$4,815,598.44

	Bidder	BASE BID
1	Alamo City Constructors, Inc. <i>Submitted: 3/31/2021 2:26:57 PM</i>	\$4,196,029.00
2	Angel Brothers <i>Submitted: 3/31/2021 2:19:17 PM</i>	\$4,369,583.70
3	Allen Keller Co <i>Submitted: 3/31/2021 2:43:02 PM</i>	\$4,432,371.47
4	D & D Contractors, Inc <i>Submitted: 3/31/2021 1:28:10 PM</i>	\$4,653,803.67
5	Fuquay inc. <i>Submitted: 3/31/2021 12:31:11 PM</i>	\$5,027,829.60
6	J&P Paving Co Inc <i>Submitted: 3/31/2021 2:21:13 PM</i>	\$6,213,973.22

Bids opened at: 3/31/2021 3:00:35 PM