

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

**TUESDAY, MAY 11, 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



**CITY COUNCIL AGENDA**  
**MAY 11, 2021, 6:00 PM**  
**CAILLOUX CITY CENTER**  
**910 MAIN STREET, KERRVILLE, TEXAS**



**CALL TO ORDER:**

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

*Led by Councilmember Kim Clarkson.*

**1 COMMENDATION TO OUTGOING COUNCILMEMBER PLACE 1 GARY COCHRANE.**

**2 RESOLUTION(S):**

2.A. Resolution No. 21-2021. A Resolution canvassing the returns and declaring the results of the May 1, 2021 City General Election.

Attachments:

[20210511\\_Resolution\\_21-2021 Canvassing the Election 5-01-21 CM1-CM2.pdf](#)

**3 OATHS OF OFFICE GIVEN BY THE HONORABLE STEPHEN B. ABLES, PRESIDING JUDGE, SIXTH ADMINISTRATIVE JUDICIAL REGION AND THE HONORABLE ALBERT PATTILLO, PRESIDING JUDGE, 216 DISTRICT COURT.**

**4 CERTIFICATES OF ELECTION SIGNED AND ISSUED BY MAYOR BILL BLACKBURN.**

**5 STATEMENTS BY ELECTED COUNCILMEMBERS:**

*Councilmember Place 1 Roman Garcia, and  
Councilmember Place 2 Kim Clarkson.*

**6 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.*

**7 PRESENTATIONS:**

7.A. Recognition and commendations for termed Parks Advisory Board members.

**8 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.*

**9 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:*

9.A. Minutes for the City Council meeting held April 27, 2021.

Attachments:

[20210511\\_Minutes\\_Council regular meeting 6pm 4-27-21.pdf](#)

**END OF CONSENT AGENDA.**

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

10.A. Ordinance No. 2021-10. An Ordinance amending Chapter 60, Code of Ordinances, City of Kerrville, Texas; Chapter 60 more commonly known as the City's Zoning Code; by changing the zoning of a property known as 1555 Highway 173 and consisting of an approximate 7.158 acre tract of land out of the William C. Francis Survey No. 146, Abstract No. 137, and within the City of Kerrville, Kerr County, Texas; from an Agriculture District (AG) to a Multifamily Residential Zoning District (R-3); providing a cumulative clause; providing for severability; providing an effective date; and ordering publication.

Attachments:

[20210511\\_Ordinance\\_2021-10 Zoning Change 1555 Highway 173 - Bandera Hwy.pdf](#)

**11 ITEMS FOR FUTURE AGENDAS:**

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

**12 BOARD APPOINTMENTS:**

12.A. New member of the Joint Airport Board, requested by Airport Board Manager Mary Rohrer.

12.B. Appointment of Mayor Pro Tem. (This item is eligible for discussion in Executive Session 551.074).

**13 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:*

13.A. Appointment of City Manager. (551.074).

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

**ADJOURN.**



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

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**SUBJECT:** Resolution No. 21-2021. A Resolution canvassing the returns and declaring the results of the May 1, 2021 City General Election.

**AGENDA DATE OF:** May 11, 2021      **DATE SUBMITTED:** Apr 28, 2021

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20210511\\_Resolution\\_21-2021 Canvassing the Election 5-01-21 CM1-CM2.pdf](#)

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<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

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<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:**

Official tally of the May 1, 2021, General Election results.

Councilmember Place 1 Roman Garcia

Councilmember Place 2 Kim Clarkson.

**RECOMMENDED ACTION:**

Approve Resolution No. 21-2021.

**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 21-2021**

**A RESOLUTION CANVASSING THE RETURNS AND  
DECLARING THE RESULTS OF THE MAY 01, 2021, CITY  
GENERAL ELECTION**

**WHEREAS**, the City of Kerrville, Texas, held its general election on the 1<sup>st</sup> day of May 2021, for the purpose of electing Councilmember Place One, and Councilmember Place Two, each to serve a two-year term; and

**WHEREAS**, it is found and determined that said election was held in accordance with the authorized procedures; that notice of the election was duly given in the form, manner, and time required by law; and that said election was in all respects legally held and conducted in accordance with the applicable laws of the State of Texas; and

**WHEREAS**, it is necessary and legally required for the City Council to canvass the returns of this election and to declare the official results;

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

**SECTION ONE.** The statements and findings provided above are adopted.

**SECTION TWO.** The official tally, as presented by the election judge and shown in **Exhibit A** is accepted and approved.

**SECTION THREE.** From the returns duly and legally made, there were 3,016 valid legal voters and each of the candidates in the election received the following votes:

PLACE	NAME OF CANDIDATE	VOTES RECEIVED
Councilmember – Place One	Mary Ellen Summerlin	1,242
Councilmember – Place One	Roman Garcia	1,634
Councilmember – Place Two	Kim Clarkson, unopposed	1,997

**SECTION FOUR.** The election was duly called, notice thereof given, and held in accordance with the laws of the State of Texas governing the same; that the following named people, having received the highest number of votes cast for the respective offices are declared duly elected for a term that will continue through May 6, 2023, subject to their qualifying and taking the required oath:

**ROMAN GARCIA, Councilmember Place One**

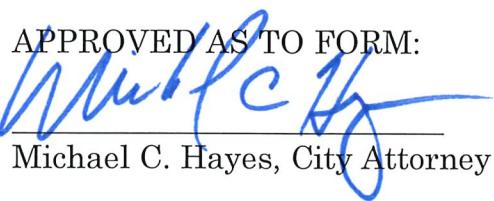
**KIM CLARKSON, Councilmember Place Two**

**PASSED AND APPROVED ON this the 11 day of May A.D., 2021.**

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Bill Blackburn, Mayor

APPROVED AS TO FORM:

  
Michael C. Hayes, City Attorney

ATTEST:

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Shelley McElhannon, City Secretary

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**ATTACHMENT A**

**Precinct Results Report****KERR COUNTY, TEXAS****Official Results****Registered Voters**

3016 of 17314 = 17.42%

**Precincts Reporting**

2 of 2 = 100.00%

ELECTION DAY

GENERAL ELECTION

Run Time

2:20 PM

5/1/2021

Run Date

05/06/2021

Page 1

CKV

2,880 of 16,315 registered voters = 17.65%

**CITY OF KERRVILLE COUNCILMEMBER PLACE 1 - Vote for none or one**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total
Mary Ellen Summerlin		150	75.76%	799	44.07%	293	33.87%	1,242 43.18%
Romina Garcia		48	24.24%	1,014	55.93%	572	66.13%	1,634 56.82%
	Cast Votes:	198	100.00%	1,813	100.00%	865	100.00%	2,866 100.00%
	Undervotes:	0		3		1		4
	Overvotes:	0		0		0		0

**CITY OF KERRVILLE COUNCILMEMBER PLACE 2 - Vote for none or one**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total
Kim Clarkson		156	100.00%	1,277	100.00%	564	100.00%	1,997 100.00%
	Cast Votes:	156	100.00%	1,277	100.00%	564	100.00%	1,997 100.00%
	Undervotes:	42		599		302		883
	Overvotes:	0		0		0		0

CIUDAD DE KERRVILLE, TEXAS  
RESOLUCION NO. 21-2021

UNA RESOLUCION QUE CANVASA LAS DEVOLUCIONES Y  
DECLARA LOS RESULTADOS DE LAS ELECCIONES  
GENERALES DE LA CIUDAD DEL 1 DE MAYO DE 2021

**CONSIDERANDO**, que la Ciudad de Kerrville, Texas celebro su eleccion general el 1 de mayo de 2021, con el proposito de elegir al Concejal Lugar Uno y al Concejal Lugar Dos, cada uno para servir por un periodo de dos anos; y

**CONSIDERANDO**, se constata y determina que dicha eleccion se realize de acuerdo con los procedimientos autorizados; que la notificacion de la eleccion se entrego debidamente en la forma, la manera y el tiempo que exige la ley; y que dicha eleccion se llevo a cabo legalmente en todos los aspectos y se llevo a cabo de acuerdo con las leyes aplicables del Estado de Texas; y

**CONSIDERANDO**, es necesario y legalmente requerido que el Concejo Municipal compile los resultados de esta eleccion y declare los resultados oficiales;

**AHORA, POR LO TANTO, RESUELVA EL CONSEJO MUNICIPAL DE LA CIUDAD DE KERRVILLE, CONDADO DE KERR, TEXAS:**

**SECCION UNO.** Se adoptan las declaraciones y conclusiones proporcionadas anteriormente.

**SECCION DOS.** El recuento oficial, tal como lo presenta el juez electoral y se muestra en el Anexo A, es aceptado y aprobado.

**SECCION TERCERA.** De la declaraciones debidamente y legalmente realizadas, hubo 3,016 votantes legales validos y cada uno de los candidatos en la eleccion recibio los siguientes votos:

LUGAR	NOMBRE DE LA CANDIDATA NOMBRE DEL CANDIDATO	VOTES RECEIVED
Miembro del Concejo Lugar Uno	Mary Ellen Summerlin	1,242
Miembro del Concejo Lugar Uno	Roman Garcia	1,634
Miembro del Concejo Lugar Dos	Kim Clarkson, sin oposicion	1,997

**SECCION CUARTA.** La eleccion fue debidamente convocada, notificada y realizada de acuerdo con las leyes del Estado de Texas que la gobiernan; Que las siguientes personas nombradas, habiendo recibido el mayor numero de votos emitidos para los respectivos cargos, sean declaradas debidamente electas por un periodo que continuara hasta el 6 de mayo de 2023, sujeto a su calificacion y juramento requerido:

**ROMAN GARCIA, Miembro del Concejo Lugar Uno**

**KIM CLARKSON, Miembro del Concejo Lugar Dos**

**APROBADO Y APROBADO EL DIA 11 DE MAYO DE 2021.**

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Bill Blackburn, Alcalde

APROBADO COMO FORMA: ATTEST:

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Michael C. Hayes, City Attorney

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Shelley McElhannon, Secretario de la ciudad



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

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**SUBJECT:** Recognition and commendations for termed Parks Advisory Board members.

**AGENDA DATE OF:** May 11, 2021      **DATE SUBMITTED:** Apr 27, 2021

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:**

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<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

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<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 Parks and Recreation Advisory Board members Rose Bradshaw, Lisa Nye-Salladin, Jesse Olvera, and Greg Peschel.

**RECOMMENDED ACTION:**

Present commendations.



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

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**SUBJECT:** Minutes for the City Council meeting held April 27, 2021.

**AGENDA DATE OF:** May 11, 2021      **DATE SUBMITTED:** Apr 27, 2021

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20210511\\_Minutes\\_Council regular meeting 6pm 4-27-21.pdf](#)

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<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

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<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

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**SUMMARY STATEMENT:**

Minutes for the City Council meeting held April 27, 2021 at 6:00 p.m. at the City Hall Council Chambers.

**RECOMMENDED ACTION:**

Approve minutes as presented.

**CITY COUNCIL MINUTES  
REGULAR MEETING**

**KERRVILLE, TEXAS  
APRIL 27, 2021**

On April 27, 2021, at 6:00 p.m. the meeting was called to order by Mayor Pro Tem Kim Clarkson at the City Hall Council Chambers, 701 Main Street. Councilmember Gary Cochrane provided the invocation and led the Pledge of Allegiance.

**COUNCILMEMBERS PRESENT:**

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

**COUNCILMEMBER ABSENT:**

Bill Blackburn	Mayor
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**CITY EXECUTIVE STAFF:**

Mark McDaniel	City Manager	Stuart Cunyus, Public Information Officer
E.A. Hoppe	Deputy City Manager	Amy Dozier, Chief Financial Officer
Mike Hayes	City Attorney	Eric Maloney, Fire Chief
Shelley McElhannon	City Secretary	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 Stuart Cunyus, Mayor Pro Tem Clarkson, and Councilmember Judy Eychner.

**2. VISITORS FORUM:** No citizens/visitors signed up to speak.

**3. CONSENT AGENDA:**

Councilmember Cochrane made a motion to approve the consent agenda as presented and Councilmember Eychner seconded. The motion passed 4-0.

3A. Lease of two Police vehicles through the Fleet Management Services with Enterprise Fleet Management for an amount not to exceed \$78,000.

3B. Interlocal agreement with Kerrville Independent School District for the provision of school resource officers.

3C. Minutes for the City Council meeting held April 13, 2021.

3D. Minutes for the City Council workshop held April 20, 2021.

**END OF CONSENT AGENDA.**

**4. ORDINANCES, SECOND READING:**

4A. Ordinance No. 2021-11, second reading. 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 related to this subject.

Shelley McElhannon read Ordinance No. 2021-11 caption into record.  
Drew Paxton responded to questions.

Councilmember Cochrane moved to approve Ordinance No. 2021-11 on second reading, and Councilmember Brenda Hughes seconded. The motion passed 4-0.

4B. Ordinance No. 2021-12, second reading. 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, 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 severability; providing an effective date; ordering publication; and providing other matters related to this subject.

Shelley McElhannon read Ordinance No. 2021-12 caption into record.

Councilmember Cochrane moved to approve Ordinance No. 2021-12 on second reading and Councilmember Eychner seconded. The motion passed 4-0.

##### **5. CONSIDERATION AND POSSIBLE ACTION:**

5A. Professional Services Agreement with 6S Engineering, Inc. for the Westminster Street Utility Improvements and Reconstruction project in the amount of \$108,740.00.

Shelley McElhannon read item 5A caption into record.  
Kyle Burow provided information. Kyle Burow and E.A. Hoppe responded to questions.

Councilmember Cochrane made a motion to approve item 5A, Professional Service Agreement with 6S Engineering as presented, and Councilmember Hughes seconded. The motion passed 4-0.

5B. Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Hwy 16 Pedestrian and Traffic Improvements Detailed Application Submittal project in the amount of \$35,435.00.

Shelley McElhannon read item 5B caption into record.  
Kyle Burow provided information and responded to questions.

Councilmember Cochrane moved to approve the Professional Services Agreement with Kimley-Horn and Associates in the amount of \$35,435.00, and Councilmember Eychner seconded. The motion passed 4-0.

5C. 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 5C caption into record.  
Eric Maloney provided information and responded to questions.

**6. INFORMATION AND DISCUSSION:**

6A. Financial update for the month ended March 31, 2021.

Shelley McElhannon read item 6A caption into record.  
Amy Dozier presented information and responded to questions.

**7. ITEMS FOR FUTURE AGENDAS:**

- Matching grant funds for canine units for the Police Department (Hughes)

**8. EXECUTIVE SESSION: N/A**

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

**ADJOURN.** The meeting adjourned at 7:03 p.m.

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

APPROVED:

ATTEST:

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Kim Clarkson, Mayor Pro Tem

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Shelley McElhannon, City Secretary



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

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**SUBJECT:** Ordinance No. 2021-10. An Ordinance amending Chapter 60, Code of Ordinances, City of Kerrville, Texas; Chapter 60 more commonly known as the City's Zoning Code; by changing the zoning of a property known as 1555 Highway 173 and consisting of an approximate 7.158 acre tract of land out of the William C. Francis Survey No. 146, Abstract No. 137, and within the City of Kerrville, Kerr County, Texas; from an Agriculture District (AG) to a Multifamily Residential Zoning District (R-3); providing a cumulative clause; providing for severability; providing an effective date; and ordering publication.

**AGENDA DATE OF:** May 11, 2021

**DATE SUBMITTED:** Apr 29, 2021

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [20210511\\_Ordinance\\_2021-10 Zoning Change 1555 Highway 173 - Bandera Hwy.pdf](#)

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<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

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<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	L - Land Use
<b>Guiding Principle</b>	C1. Promote "aging in place" or full life-cycle amenities to address the needs and desires of children, teens, young families and single professional adults.
<b>Action Item</b>	N/A

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**SUMMARY STATEMENT:**

Proposal

Public hearing, consideration and action to recommend an ordinance to change the zoning from AG Agriculture District to R-3 Multifamily Residential District on approximately 7.158 acres of William C. Francis Survey 146, Abstract 137, City of Kerrville Kerr County, Texas; and generally located 1555 Bandera Hwy.

## Procedural Requirements

12 letters were mailed on 3/18/2021 to adjacent property owners. The public notice was published in the Kerrville Daily Times on 3/11/2021. 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: AG Agriculture

Existing Land Uses: Vacant Land

Direction: North

Current Zoning: R-3 Multifamily Residential

Existing Land Uses: Retirement Community

Direction: South

Current Zoning: PI Public and Institutional

Existing Land Uses: Art Museum

Direction: West

Current Zoning: R-1 Single Family Residential

Existing Land Uses: Single Family Residences

Direction: East

Current Zoning: N/A

Existing Land Uses: Guadalupe River

### Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property is located within an Entertainment / Mixed Use (EMU) district of the Kerrville 2050 Comprehensive Plan. The primary land uses for EMU are retail, commercial, office, hotel, entertainment and services. Secondary uses are condominiums, apartments, work force housing, civic and institutional. Because the request to change from AG Agricultural zoning to R-3 Multifamily Residential zoning is consistent with surrounding uses and secondary uses as defined in K2050, the zoning change request is consistent with the Kerrville 2050 Comprehensive Plan.

Thoroughfare Plan:

The subject property is located on Bandera Highway, a Primary Arterial.

Traffic Impact:

Traffic impact will be evaluated during project design phase. Coordination with TxDOT will be required for safe ingress and egress.

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 AG Agriculture to R-3 Multifamily Residential to allow for the development of a skilled nursing center. The property has been purchased and a site plan has been submitted to the City for Design Review Committee review and comment. The property will also require platting and approved construction plans prior to the start of construction.

Surrounding current uses are R-3 Multifamily Residential, PI Public and Institutional and R-1 Single Family Residential. The zoning change request to R-3 Multifamily Residential is consistent with current surrounding zoning. Additionally, the K2050 Comprehensive Plan encourages secondary higher density residential development in mixed use areas.

Recommendation:

Because the requested zoning change is consistent with current zoning and future K2050 mixed use zoning, 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 April 1st, the Planning and Zoning Commission recommended the case for approval.

**RECOMMENDED ACTION:**

Approve Ordinance No. 2021-10 on first reading.

**CITY OF KERRVILLE, TEXAS**  
**ORDINANCE NO. 2021-10**

**AN ORDINANCE AMENDING CHAPTER 60, CODE OF ORDINANCES, CITY OF KERRVILLE, TEXAS; CHAPTER 60 MORE COMMONLY KNOWN AS THE CITY'S ZONING CODE; BY CHANGING THE ZONING OF A PROPERTY KNOWN AS 1555 HIGHWAY 173 AND CONSISTING OF AN APPROXIMATE 7.158 ACRE TRACT OF LAND OUT OF THE WILLIAM C. FRANCIS SURVEY NO. 146, ABSTRACT NO. 137, AND WITHIN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS; FROM AN AGRICULTURE ZONING DISTRICT (AG) TO A MULTIFAMILY RESIDENTIAL ZONING DISTRICT (R-3); PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND ORDERING PUBLICATION**

**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 May 11, 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 1555 Highway 173.; such change to result in the removal of the property from a Agriculture Zoning District (AG) to placement within a Multifamily Residential Zoning District (R-3); and

**WHEREAS**, on May 11, 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 Multifamily Zoning District (R-3):

**Legal Description:** Being an approximate 7.158 tract of land out of the William C. Francis Survey No. 146, Abstract No. 137, and within the City of Kerrville, Kerr County, Texas; said tract more specifically described and depicted at Exhibit A, attached hereto and made a part hereof for all purposes.

**Address:** 1555 Highway 173, 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 \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2021.

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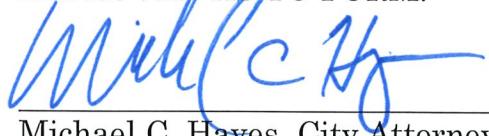
Bill Blackburn, Mayor

ATTEST:

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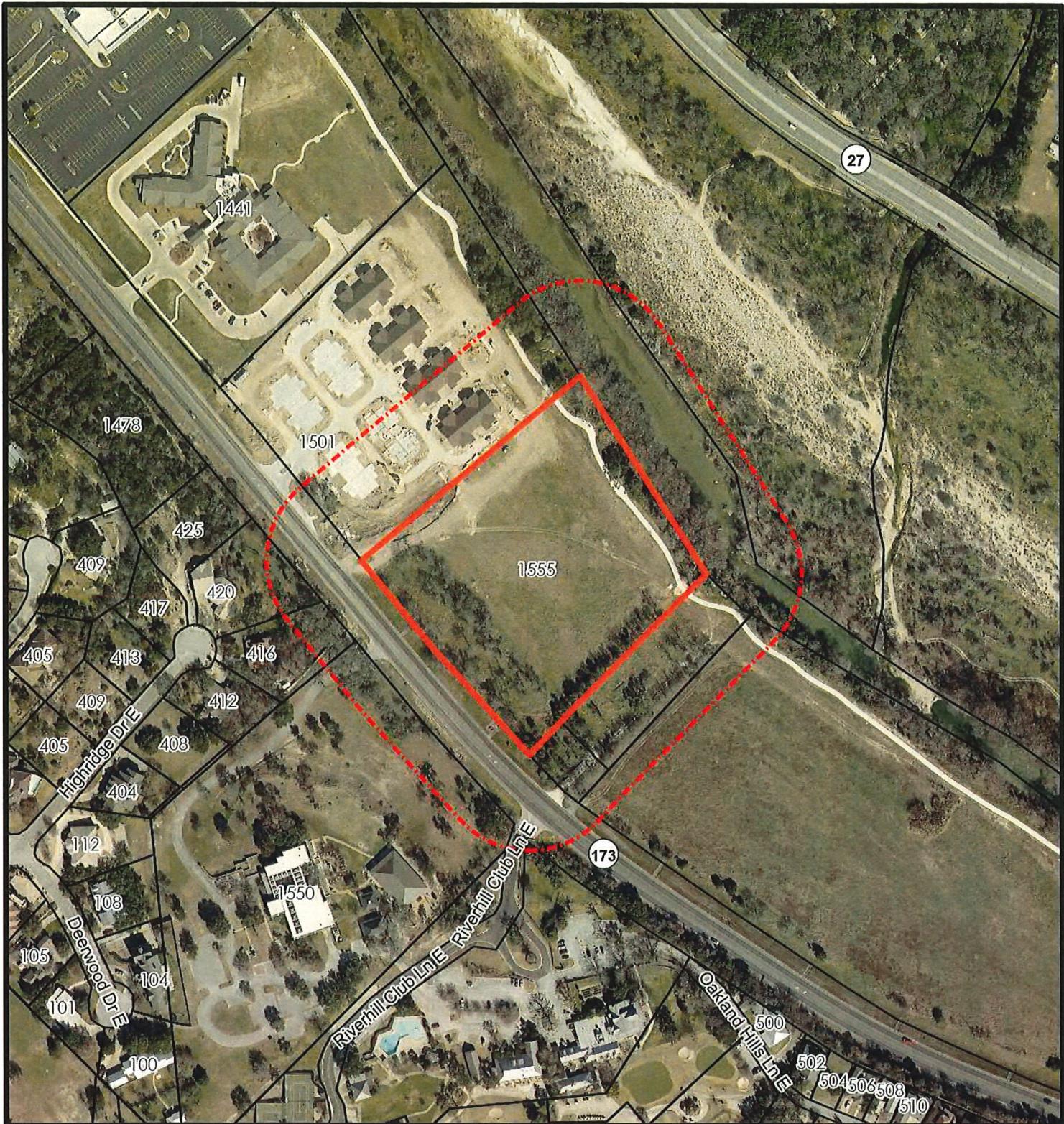
Shelley McElhannon, City Secretary

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Michael C. Hayes".

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Michael C. Hayes, City Attorney



## Location Map

Case # PZ-2021-5

Location:  
1555 Bandera Hwy

Legend  
200' Notification Area  
Subject Properties



0 100 200 400

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.



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

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**SUBJECT:** New member of the Joint Airport Board, requested by Airport Board Manager Mary Rohrer.

**AGENDA DATE OF:** May 11, 2021      **DATE SUBMITTED:** Apr 15, 2021

**SUBMITTED BY:** Mary Rohrer

**EXHIBITS:**

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<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

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<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:**

The Kerrville-Kerr County Joint Airport Board would like to present John Major as the nomination for Board member of the Joint Airport Board, for City Council approval. Applicants were: Matthew Christiansen, Ronald Deutch, Clint Fiore, Robert Hamm, John Major, William Pugh, Russell Richards, and Ronald Rifenberg. All applicants were interviewed.

**RECOMMENDED ACTION:**

Appoint John Major to the Joint Airport Board.



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

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**SUBJECT:** Appointment of Mayor Pro Tem. (This item is eligible for discussion in Executive Session 551.074).

**AGENDA DATE OF:** May 11, 2021      **DATE SUBMITTED:** Apr 13, 2021

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:**

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<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

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<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:**

In accordance with the City Charter, Section 3.02, following the canvass of the general election, the City Council shall choose one of its members, other than the Mayor, to serve as Mayor Pro Tem. The current Mayor Pro Tem is Councilmember Kim Clarkson.

**RECOMMENDED ACTION:**

Appoint Mayor Pro Tem.