

AGENDA FOR THE KERRVILLE
PLANNING & ZONING COMMISSION MEETING
THURSDAY, NOVEMBER 4, 2021, 4:30 P.M.
CITY HALL COUNCIL CHAMBERS
701 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

***Planning & Zoning Commission Meeting Procedures,
Commission and City Staff Safety Measures and
Citizen Participation Guidelines***

COVID-19 (Coronavirus) provides a unique concern in that gathering members of the public, Planning & Zoning Commission, and City staff within a physical setting constitutes a public health risk. Taking this into account and due to ongoing Coronavirus positive cases in Kerr County, standard safety protocols will be observed by Planning & Zoning Commission, City staff, and citizens/visitors attending the meeting. Masks are voluntary and highly encouraged. Six-foot distance seating will be observed and visitor seating will be designated. Visitor overflow will be in the City Hall lobby, where social distancing will also be observed.

Citizens may view and hear Planning & Zoning Commission meetings on Spectrum Channel 2 or by live-streaming via the City's website (www.kerrvilletx.gov). Planning & Zoning Commission meetings are recorded and the recordings are posted on the City's website.

Citizens wishing to speak during a meeting shall submit a completed "speaker request form" to City staff before the item is introduced, but are encouraged to submit the form before the meeting begins. Each speaker is limited to three minutes.

*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. Written comments may be emailed to **planning.division@kerrvilletx.gov** and must be received by 2:00 p.m. the afternoon of the Planning & Zoning Commission meeting. In addition, anyone may mail in comments or drop them by Development Services at 200 Sidney Baker Street.*

Thank you for your participation!



PLANNING AND ZONING COMMISSION AGENDA
NOVEMBER 4, 2021, 4:30 PM
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS



Planning and Zoning Commission

1 MINUTES

2 CONSIDERATION AND FINAL ACTION

2.A. Preliminary Plat, 2141 Sidney Baker Street (Case 2021-070)

A preliminary plat of a 1.43 acre tract of land situated in the Patrick Flemming Survey, Abstract Number 666, in the City of Kerrville, Kerr County, Texas, and being part of a 1.59 acre tract of land described in a Special Warranty Deed to WB Real Estate, LLC, as recorded in Instrument Number 19-05451 of the Official Public Records of Kerr County, Texas; and generally located at 2141 Sidney Baker Street.

Attachments:

2021-070_Proposed Preliminary Plat_Whataburger Sidney Baker St.pdf

3 PUBLIC HEARING, CONSIDERATION & ACTION

3.A. CUP for Short Term Rentals, 820 Robinson Ave. (Case PZ-2021-22)

A resolution to allow a Conditional Use Permit for Short Term Rentals on Lot 8, Block C, Cage Addition; and more commonly known as 820 Robinson Avenue.

Attachments:

PZ-2021-22_LocationMap.pdf

PZ-2021-22_Site Plan with Parking.pdf

3.B. CUP for a Short Term Rental, 205 Westminster St. (PZ-2021-24)

A resolution to allow a Conditional Use Permit for a Short Term Rental on part of Lot 34 and Lot 35, Block 106, Westminster 1; and more commonly known as 205 Westminster Street.

Attachments:

[PZ-2021-24_Location Map.pdf](#)

[PZ-2021-24 - 205 Westminster St - Site Plan with Parking.pdf](#)

4 STAFF REPORT

5 EXECUTIVE SESSION

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

6 ADJOURNMENT



**TO BE CONSIDERED BY THE
PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**



SUBJECT: Preliminary Plat, 2141 Sidney Baker Street (Case 2021-070)
A preliminary plat of a 1.43 acre tract of land situated in the Patrick Flemming Survey, Abstract Number 666, in the City of Kerrville, Kerr County, Texas, and being part of a 1.59 acre tract of land described in a Special Warranty Deed to WB Real Estate, LLC, as recorded in Instrument Number 19-05451 of the Official Public Records of Kerr County, Texas; and generally located at 2141 Sidney Baker Street.

AGENDA DATE OF: November 4, 2021

SUBMITTED BY: Drew Paxton

EXHIBITS: [2021-070_Proposed Preliminary Plat_Whataburger Sidney Baker St.pdf](#)

Kerrville 2050 Item? No

Key Priority Area

Guiding Principle

Action Item

SUMMARY STATEMENT:

A preliminary plat of a 1.43 acre tract of land situated in the Patrick Flemming Survey, Abstract Number 666, in the City of Kerrville, Kerr County, Texas, and being part of a 1.59 acre tract of land described in a Special Warranty Deed to WB Real Estate, LLC, as recorded in Instrument Number 19-05451 of the Official Public Records of Kerr County, Texas; and generally located at 2141 Sidney Baker Street.

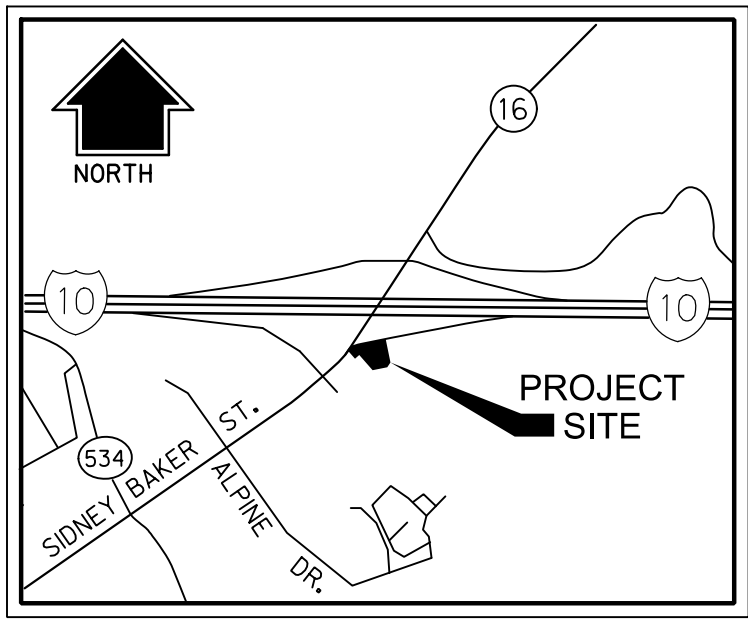
Recommended condition of approval:

1. Include the subdivision name.

This condition shall be met prior to application for final plat by submitting a revised preliminary plat to Development Services staff for final review.

RECOMMENDED ACTION:

Approve the preliminary plat with conditions.

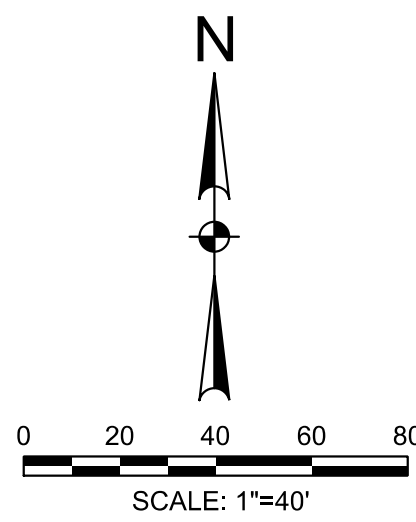


LOCATION MAP
NOT TO SCALE

INTERSTATE HIGHWAY 10
(VARIABLE WIDTH R.O.W.)
(VOL. 124, PG. 31)

STATE HIGHWAY 16
(A.K.A. SIDNEY BAKER STREET)
(VOL. 100, PG. 10)

PATRICK FLEMMING SURVEY,
ABSTRACT NUMBER 666



(DEED L=47.59')
 $\Delta=01^{\circ}22'44''$ (LT)
R=2,122.06'
L=51.07'
CL=51.07'
CB=N46°34'29"E

$\Delta=03^{\circ}53'05''$ (LT)
R=2,122.06'
L=143.88'
CL=143.85'
CB=N49°12'23"E

LOT 1, BLOCK 1
KERRVILLE GATEWAY, RETAIL CENTER
INST. NO. 19-03299
3/17/2019

BDC KERRVILLE, L.C.
6.192 ACRES
DEED V.1440-P.552
D.R.K.C.T.

LOT 2, BLOCK 1
KERRVILLE GATEWAY, RETAIL CENTER
INST. NO. 19-03299
3/27/2019

BDC KERRVILLE, L.C.
6.192 ACRES
DEED V.1440-P.552
D.R.K.C.T.

LOT 1, BLOCK 1
WB KERRVILLE ADDITION
1.43 ACRES
(62,196 SQUARE FEET)

WB REAL ESTATE, LLC
1.59 ACRES
INTS. NO. 19-05451
O.P.R.K.C.T.

$S\ 34^{\circ}24'54''\ W\ 49.41'$
(DEED = S 34°27'42" W 49.42')

$S\ 79^{\circ}25'53''\ W\ 131.80'$
(DEED = S 79°25'02" W 131.78')

FEMA 48265C 0480F
DATED 3/3/2011
ZONE AE

LEGEND

1714	EXISTING CONTOUR LINES
FF	FINISH FLOOR ELEVATION
+1720.28	SPOT ELEVATION
HC	HANDICAP
GW	GUY WIRE
EM	ELECTRIC METER
ICV	IRRIGATION CONTROL VALVE
SST	SANITARY SEWER MANHOLE
QPLS	GAS PIPELINE SIGN
TS	TRAFFIC SIGN
BOLL	TRAFFIC BOLLARD
FH	FIRE HYDRANT
WV	WATER VALVE
WM	WATER METER
TSP	TRAFFIC SIGNAL POLE
L/S	LANDSCAPED
PP	POWER POLE
GW	GUY WIRE
TL	TRAFFIC LIGHT
PP	POWER POLE
TSB	TRAFFIC SIGNAL BOX
SSMH	SANITARY SEWER MANHOLE
SSCO	SANITARY SEWER CLEANOUT
EB	ELECTRIC BOX
AC	AIR CONDITIONER
E	ELECTRICAL OVERHEAD LINES
O	1/2-INCH SET IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF" (UNLESS NOTED)
FIR	FOUND IRON ROD
SR	SET IRON ROD
R.O.W.	RIGHT OF WAY
VOL., PG.	VOLUME, PAGE
DOC. NO.	DOCUMENT NUMBER
CONTR. MON.	CONTROL MONUMENT
W/ CAP	WITH YELLOW PLASTIC CAP STAMPED "HALFF"
D.R.K.C.T.	DEED RECORDS OF KERR COUNTY, TEXAS
O.P.R.K.C.T.	OFFICIAL PUBLIC RECORDS OF KERR COUNTY, TEXAS

BENCHMARKS:

City of Kerrville BM No. 12

STATION is brass disc stamped City of Kerrville-4011 set in concrete located on the south side of FM 1341 approximately 1.9 miles east of Hwy. 534 and FM 1341 (Cypress Creek Road) intersection. The monument is 9 feet north of the south right of way fence line, 29 feet south from the centerline of FM 1341, and 55 feet west from the centerline of a gravel drive.
ELEV: 1801.201'

City of Kerrville BM No. 14

STATION is brass disc stamped City of Kerrville-4013 set in concrete located approximately 0.6 mile southwest along Hwy. 16 from IH-10, on the left (east) side of Hwy. 16 in front of the Luby's. The monument is 9.6 feet north from the back of curb, 19.5 feet east from the edge of concrete, and 49.5 feet west from a power pole.
ELEV: 1714.061'

ON-SITE BM No. 1

Square cut on top of curb East side of Hwy No. 16 +/- 190' Northeast of intersection of IH-10 access road and Dairy Queen Driveway.
ELEV: 1733.01'

ON-SITE BM No. 2

Square cut on top of curb East side of Hwy No. 16 +/- 40' Southwest of intersection of IH-10 access road and Dairy Queen Driveway.
ELEV: 1731.54'

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for Kerrville, Kerr County, Texas, with the exception of such variances, if any as are noted in the minutes of the City Planning Commission and that has been approved for recording in the office of the County Clerk.

_____, 2021

Chairman, City Planning Commission

I hereby certify that:

- (1) That streets, utilities and other improvements have been installed in an acceptable manner and according to City of Kerrville Standard Specifications in the subdivision entitled.
- (2) That a surety bond in the amount of \$ _____ has been deposited with the City of Kerrville to assure completion of all required improvements in case of default.

_____, 2021

City Engineer or Approving Agent

I hereby certify that subdivision plat entitled WB Kerrville meets with approval by the post office, regarding street names and addresses meet the City Master grid system for house numbers assigned by City of Kerrville Planning Department.

_____, 2021

City Planner or Approved Agent

GENERAL NOTES

- 1) The Basis of Bearing is the Texas Coordinate System of 1983, South Central Zone (4204). All distances shown hereon are surface distances. Surface Adjustment Scale Factor: 1.00013.
- 2) By graphical plotting, the parcel described hereon lies within Zone "X" (unshaded), as delineated on the FIRM Flood Insurance Rate Map Kerr County, Texas and Incorporated Areas, Map Number 48265C 0480F, dated March 3, 2011, as published by the Federal Emergency Management Agency. Zone "X" (unshaded) is defined as "Areas determined to be outside the 0.2% annual chance floodplain". The Surveyor utilized the above referenced flood plain information for this determination and the Surveyor does not certify that revised flood plain information has or has not been published by the Federal Emergency Management Agency or some other source.
- 3) There is no observed evidence of cemeteries and burial grounds on the Property at the time of this survey.
- 4) There is no observed evidence of ponds or rivers through the Property at the time of this survey.
- 5) There is no observed evidence of landfill, solid waste, and dump on the Property at the time of this survey.
- 6) Encroachment/protrusion of utilities, fence, and curb are as shown on survey.
- 7) The property herein described is the same as the subject property described in the Commitment for Title Insurance No. scf-48-4300112105347-DB, with an effective date of June 26, 2021, issued July 1, 2021.
- 8) The property has access to State Highway 16 (A.K.A. Sidney Baker Street), a publicly dedicated right-of-way.

LEGAL DESCRIPTION

Being a 1.43 acre tract of land situated in the Patrick Flemming Survey, Abstract Number 666, in the City of Kerrville, Kerr County, Texas, and being part of a 1.59 acre tract of land described in a Special Warranty Deed to WB Real Estate, LLC, as recorded in Instrument Number 19-05451 of the Official Public Records of Kerr County, Texas (O.P.R.K.C.T.);

BEGINNING at a point at the intersection of the southeasterly right-of-way line of State Highway No. 16, (a called 120-foot right-of-way) and the southerly right-of-way line of Interstate Highway No. 10, (a called variable width right-of-way), from which a 1/2-inch iron rod found with cap stamped "Voelkel" bears South 79 degrees 26 minutes 02 seconds West, a distance of 4.03 feet, and also a 1/2-inch iron rod with cap stamped "5142" bears South 56 degrees 49 minutes 48 seconds West, a distance of 1.46 feet;

THENCE North 79 degrees 26 minutes 02 seconds East, along the southerly right-of-way line of said Interstate Highway No. 10, departing the southeasterly right-of-way line of State Highway No. 16, a distance of 303.96 feet to a 1/2-inch iron rod found with cap stamped "Voelkel" at the northwesterly corner of Lot 2, Block 1, of Kerrville Gateway Retail Center Unit 1, as recorded in Instrument Number 19-03299, (O.P.R.K.C.T.);

THENCE along the common boundary line of said Lot 2, Block 1, and said 1.59 acre tract of land, the following courses and distances as follows:

South 10 degrees 33 minutes 21 seconds East, a distance of 209.91 feet to a 1/2-inch iron rod found for corner;

South 34 degrees 24 minutes 54 seconds West, a distance of 49.41 feet to a 1/2-inch iron rod found for corner;

South 79 degrees 25 minutes 53 seconds West, a distance of 131.80 feet to a 1/2-inch iron rod found with cap stamped "Voelkel" for corner;

North 40 degrees 01 minute 40 seconds West, a distance of 178.16 feet to a point;

South 49 degrees 58 minute 20 seconds West, a distance of 50.00 feet to a point;

North 40 degrees 01 minutes 40 seconds West, a distance of 99.49 feet to a point on the southeasterly right-of-way line of said State Highway No. 16, same being the most northerly corner of Lot 2, Block 1, of said Kerrville Gateway Retail Center Unit 1, said point also being at the beginning of a non-tangent curve to the left having a radius of having a radius of 2122.06 feet and chord which bears North 46 degrees 34 minutes 29 seconds East, 51.07 feet;

THENCE, northeasterly along a curve to the left and along the southeasterly right-of-way line of said State Highway No. 16, passing a TxDOT Type II monument found at an arc distance of 47.34 feet, through a central angle of 01 degree 22 minutes 44 seconds, continuing for a total arc length of 51.07 feet to the **POINT OF BEGINNING AND CONTAINING 62,196 square feet or 1.43 acres of land, more or less.**

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all public streets, alleys, walks, parks and other open spaces to public use as noted.

Owner

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office and dated this _____ day of _____, 2021

Notary Public

In accordance with Art. 10-IV-2 of the Code of Ordinance of the City of Kerrville, Texas, and in consideration of the approval of (Name of Subdivision), (Owner of Subdivision) does hereby waive any and all claims for damages against the City of Kerrville, Kerr County, Texas, occasioned by the establishment of grades or that alteration of the surface of any portion of existing streets and alleys to conform to the grades established in the above named subdivision.

_____, 2021

WB Real Estate LLC

KNOW ALL MEN BY THESE PRESENTS:

That I, Getsy J. Suthan, do hereby certify that I made and actual and accurate survey on the ground of the hereon platted land that the corner monuments shown hereon where properly placed under my personal supervision, in accordance with the Subdivision Ordinance of the City of Kerrville, Texas

_____, 2021

Registered Professional Land Surveyor

PRELIMINARY PLAT

OF
LOT 1, BLOCK 1
WB KERRVILLE ADDITION

1.43 ACRE TRACT
BEING PART OF A 1.59 ACRE TRACT

SITUATED IN THE
PATRICK FLEMMING SURVEY, ABSTRACT NUMBER 666
CITY OF KERRVILLE, KERR COUNTY, TEXAS

FOR
WHATABRANDS REAL ESTATE

PREPARED BY



TBPELS FIRM NO. 10029600
HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=40' (214)346-6200 AVO. 42863.002 JULY, 2021

SURVEYOR

HALFF ASSOCIATES, INC.
1201 NORTH BOWSER ROAD
RICHARDSON, TX 75081
CONTACT: GETSY J. SUTHAN
(214) 346-6200
gsuthan@halff.com



**TO BE CONSIDERED BY THE
PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**



SUBJECT: CUP for Short Term Rentals, 820 Robinson Ave. (Case PZ-2021-22)
A resolution to allow a Conditional Use Permit for Short Term Rentals on Lot 8, Block C, Cage Addition; and more commonly known as 820 Robinson Avenue.

AGENDA DATE OF: November 4, 2021 **DATE
SUBMITTED:**

SUBMITTED BY: Drew Paxton

EXHIBITS: [PZ-2021-22_LocationMap.pdf](#)
[PZ-2021-22_Site Plan with Parking.pdf](#)

Kerrville 2050 Item? No

Key Priority Area

Guiding Principle

Action Item

SUMMARY STATEMENT:

Proposal

A resolution to allow a Conditional Use Permit for Short Term Rentals on Lot 8, Block C, Cage Addition; and more commonly known as 820 Robinson Ave.

Procedural Requirements

The City, in accordance with state law, mailed 36 letters on 10/21/2021 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 10/14/2021. 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 Residences

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 as Transitional Residential. Since 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, if the manager does not live onsite. This property has three (3) separate dwellings: main house with three (3) bedrooms; guest house with three (3) bedrooms; a duplex with two (2) – two (2) bedroom units. The combined dwellings require ten (10) off-street parking spaces for bedroom count and one (1) additional space for a manager since the manager is not living onsite. The applicant has identified twelve (12) available off-street parking spaces, meeting the off-street parking requirement.

Case Summary:

The applicant is proposing to use a property with three existing dwelling units as Short Term Rentals.

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

The applicant has identified the following amenities as in close proximity to the proposed Short Term Rental: This location is within walking distance to Tivy Street and lends to an easy route to Water Street and the downtown district for shopping, dining, and entertainment. This location is also within walking distance to Sidney Baker Street, offering additional retail opportunities.

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 close proximity to this proposed Short Term Rental location, staff recommends approval with consideration and inclusion of the attached Proposed CUP Conditions.

Proposed CUP Conditions for 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.

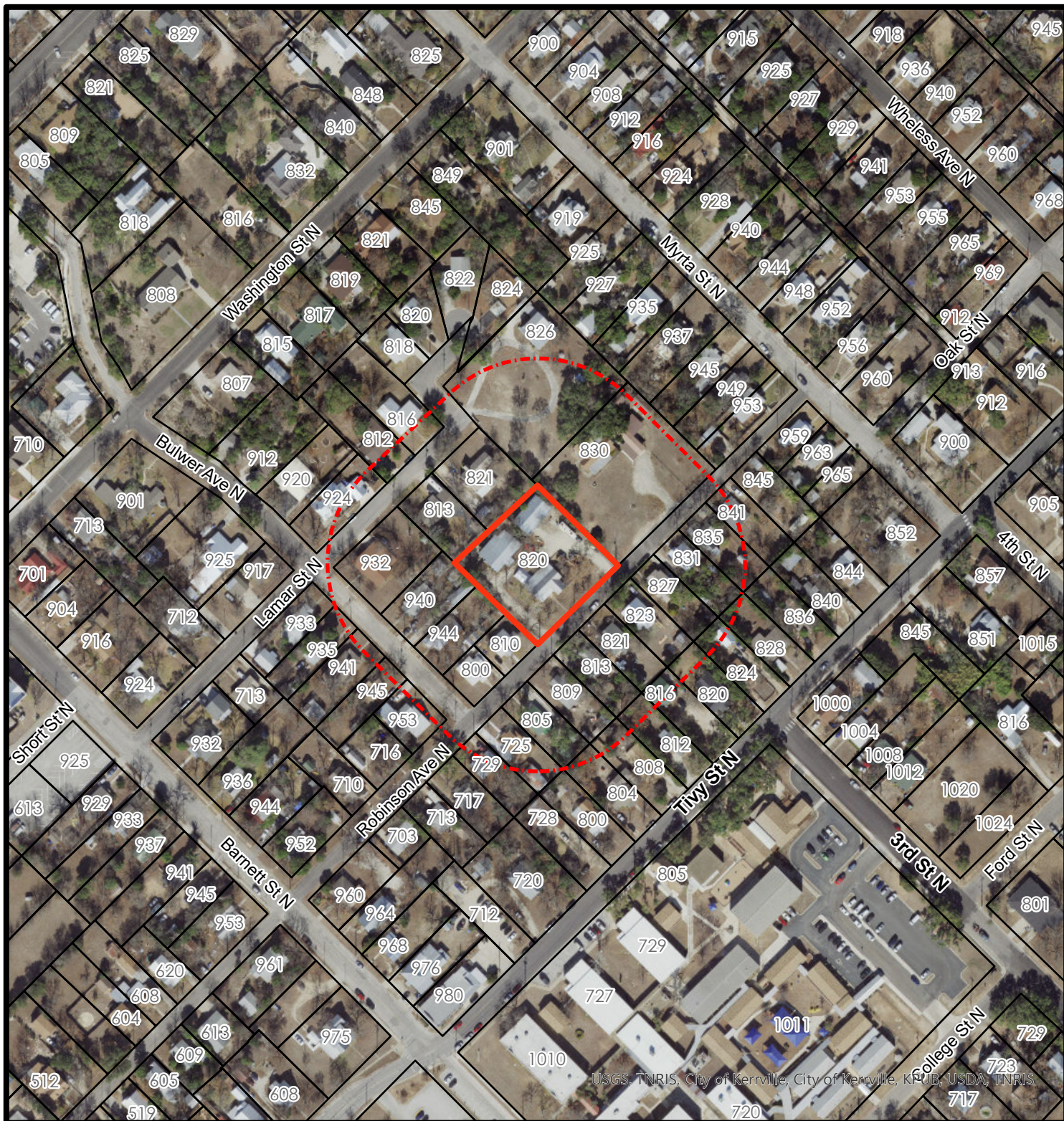
D. Minimum Off-Street Parking: One space per bedroom, plus parking required for the manager, if living off-site.

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.

RECOMMENDED ACTION:

Approve the resolution.



Location Map

Case # PZ-2021-22

Location:

820 Robinson Avenue

Legend

200' Notification Area



Subject Properties



0 75 150 300

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.

820 Robinson Property Map-Hybrid

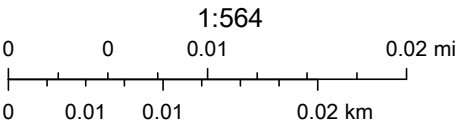


9/3/2021, 1:03:50 PM

 Tax Parcel

 Kerrville Site Address Point

 City Limit



Esri Community Maps Contributors, City of Kerrville, Texas Parks & Wildlife, CONANP, Esri, HERE, Garmin, © OpenStreetMap contributors, Microsoft, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, City of Kerrville, City of Kerrville, KPUB, Maxar, Microsoft



**TO BE CONSIDERED BY THE
PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**



SUBJECT: CUP for a Short Term Rental, 205 Westminster St. (PZ-2021-24)
A resolution to allow a Conditional Use Permit for a Short Term Rental on part of Lot 34 and Lot 35, Block 106, Westminster 1; and more commonly known as 205 Westminster Street.

AGENDA DATE OF: November 4, 2021

SUBMITTED BY: Drew Paxton

EXHIBITS: [PZ-2021-24_Location Map.pdf](#)
[PZ-2021-24 - 205 Westminster St - Site Plan with Parking.pdf](#)

Kerrville 2050 Item? No

Key Priority Area

Guiding Principle

Action Item

SUMMARY STATEMENT:

Proposal

A resolution to allow a Conditional Use Permit for a Short Term Rental on part of Lot 34 and Lot 35, Block 106, Westminster 1; and more commonly known as 205 Westminster St.

Procedural Requirements

The City, in accordance with state law, mailed 15 letters on 10/21/2021 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 10/14/2021. 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, West, East

Current Zoning: R-1 Single Family Residential

Existing Land Uses: Single Family Residences

Direction: South

Current Zoning: PI Public & Institutional

Existing Land Uses: Schreiner University

Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property and surrounding residential areas are designated as Neighborhood Residential. To the south is Schreiner University, designated as Public Use / Strategic Catalyst Area 9. Since 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, if the manager does not live onsite. This property has two (2) bedrooms and no onsite manager so three off-street parking spaces

are required. The applicant has identified four (4) available off-street parking spaces, meeting the off-street parking requirement.

Case Summary:

The applicant is proposing to use an existing home as a Short Term Rental.

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

The applicant has identified the following amenities as in close proximity to the proposed Short Term Rental: This location is within walking distance to Schreiner University with access to the river trail and a short drive to the downtown district for shopping, dining, and entertainment.

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 close proximity to this proposed Short Term Rental location, staff recommends approval with consideration and inclusion of the attached Proposed CUP Conditions.

Proposed CUP Conditions for 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.

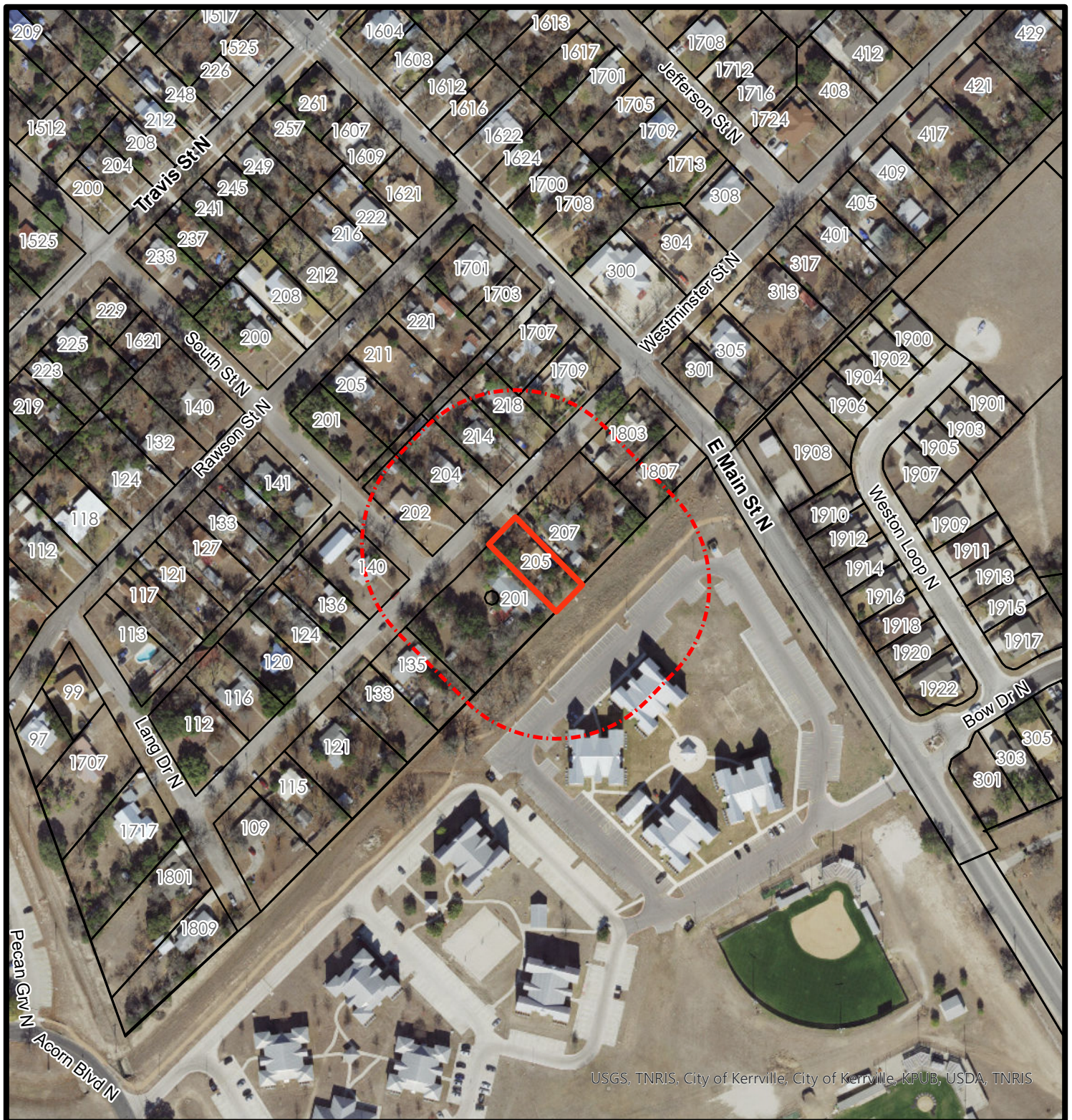
D. Minimum Off-Street Parking: One space per bedroom, plus parking required for the manager, if living off-site.

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.

RECOMMENDED ACTION:

Approve the resolution.



USGS, TNIRIS, City of Kerrville, City of Kerrville, KPUB, USDA, TNIRIS

Location Map

Case # PZ-2021-24

Location:

205 Westminister St

Legend

200' Notification Area
Subject Properties



0 75 150 300

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.

SURVEY PLAT OF "TRACT ONE", A 0.19 ACRE TRACT COMPRISED OF ALL OF LOT NO. THIRTY-FIVE (35) AND THE SOUTHWEST 12.5 FEET OF LOT NO. THIRTY-FOUR (34), BLOCK NO. ONE HUNDRED SIX (106), WESTMINSTER ANNEX ADDITION TO THE CITY OF KERRVILLE, RECORDED IN VOLUME 1, PAGES 8-9, PLAT RECORDS OF KERR COUNTY, TEXAS AND OF "TRACT TWO", A 0.015 ACRE TRACT BEING A PORTION OF A TEN FOOT (10') WIDE ALLEY ALONG SAID BLOCK NO. 106 HAVING BEEN CLOSED BY CITY ORDINANCE RECORDED IN VOLUME 78, PAGE 406, DEED RECORDS OF KERR COUNTY, TEXAS.

K.C.D.R. = Kerr County Deed Records
K.C.P.R. = Kerr County Plat Records
K.C.E.R. = Kerr County Easement Records
K.C.R.P.R. = Kerr County Real Property Records
K.C.D.O.T. = Kerr County Deed Of Trust Records
P.O.B. = Point of Beginning in Metes & Bounds
(Record) = Record Bearing and/or Distance call in existing deed, recorded plat, etc...

BORROWER:

Robert Reilly

PROPERTY ADDRESS:

205 Westminster
Kerrville, Texas 78028

SCALE: 1" = 30 FEET

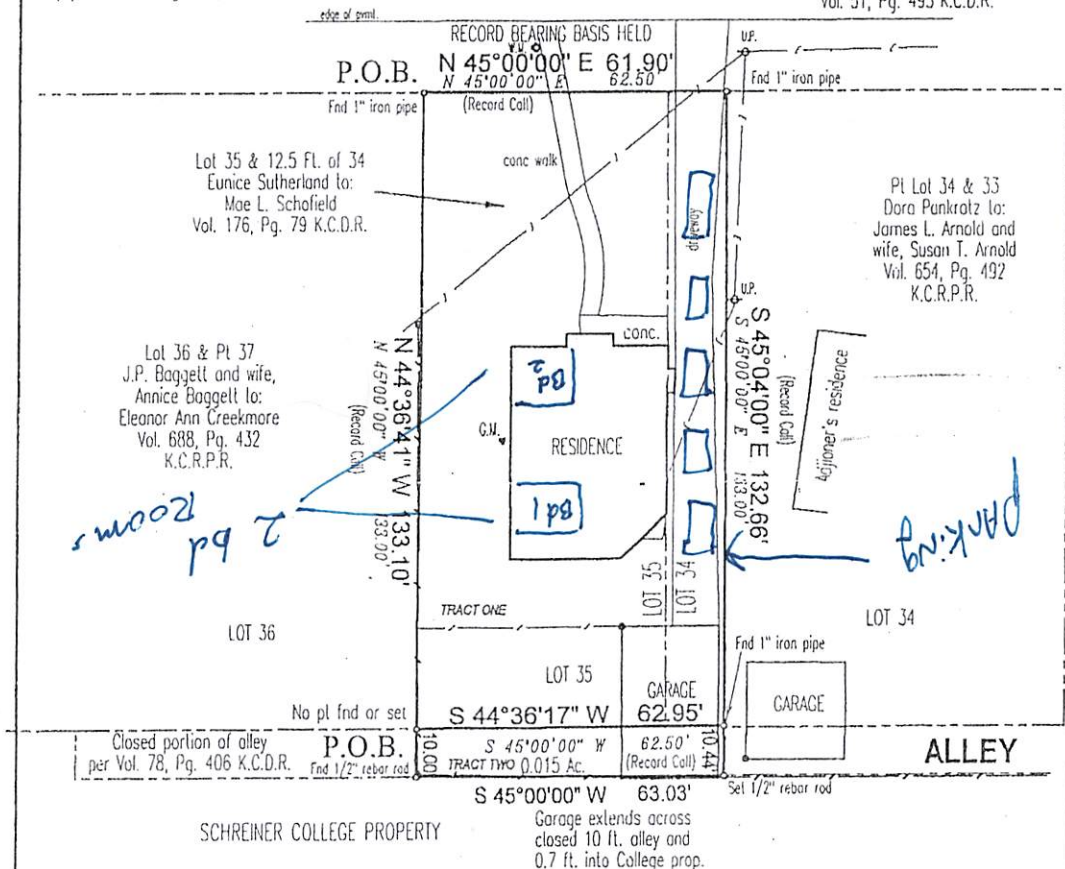
Record Calls in smaller italic print near measured calls.

The surveyed tract hereon is subject to the restrictions, easements and all matters of record in:

NOTE: This plat is a companion document to a Metes and Bounds Description dated August 1, 2002.

WESTMINSTER ST.

Vol. 61, Pg. 494 K.C.D.R.
Vol. 46, Pg. 387 K.C.D.R.
Vol. 51, Pg. 495 K.C.D.R.



DATE: 1/15/01

HAS REVIEWED & RECEIVED
COPY OF THE SURVEY
1/15/01

Robert M. Reilly

I, Gary Max Brandenburg, Registered Professional Land Surveyor No. 5164, hereby certify that this plat represents a survey made on the ground under my direct supervision and direction. That all visible improvements, easements and utilities, discrepancies in boundaries, set-back lines, and restrictive covenants are shown and/or cited hereon. No survey was made to reestablish Patent Survey Lines or Corners.

This tract does not lie within the 100-Year Flood Hazard Zone as interpreted from the FEMA F.I.R.M. No. 48265C0260 E dated July 19, 2000.

Surveyed on the ground on August 1, 2002.

Gary Max Brandenburg, Registered Professional Land Surveyor No. 5164
TEXAS LAND BOUNDARIES - 1003 TEMPLE DRIVE - KERRVILLE, TEXAS 78028 - (830) 257-3839 FAX: (830) 896-6317 - email: 1x1ndbnd@kic.com



02080101 CF#020521F 200 MHZ A.H.