



PLANNING AND ZONING COMMISSION AGENDA  
APRIL 7, 2022, 4:30 PM  
CITY HALL COUNCIL CHAMBERS  
701 MAIN STREET, KERRVILLE, TEXAS



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Planning and Zoning Commission

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**1 MINUTES**

1.A. Approval of Meeting Minutes from March 3, 2022 regular meeting.

Attachments:

**2 CONSIDERATION AND FINAL ACTION**

*No cases have been submitted for this meeting requiring consideration and final action.*

**3 PUBLIC HEARING, CONSIDERATION & ACTION**

3.A. CUP for Short Term Rental, 213 Palmer Street (Case PZ-2021-35)

A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 19, Block 8, Lowry Addition; and more commonly known as 213 Palmer Street S, Kerrville, TX 78028.

Attachments:

PZ-2021-35-LocationMap.pdf

PZ-2021-35\_Site Plan.pdf

Short Term Rental Unit\_213 Palmer\_033122 DRAFT.docx

3.B. CUP for Short Term Rental, 503 Lucille Street (Case PZ-2022-7)

A resolution to allow a Conditional Use Permit for a Short term rental on Lot 20-A, Block 23, Westland Addition; and more commonly known as 503 Lucille St S, Kerrville, TX 78028.

Attachments:

PZ-2022-7-LocationMap.pdf

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[PZ-2022-7\\_Site Plan with Parking.pdf](#)

[PZ-2022-7\\_Owner Statement.pdf](#)

3.C. CUP for Short Term Rental, 612 Tanglewood Lane (Case PZ-2022-8)

A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 19, Block 3, Methodist Encampment; and more commonly known as 612 Tanglewood Ln N, Kerrville, TX 78028.

Attachments:

[PZ-2022-8-LocationMap.pdf](#)

[PZ-2022-8\\_Site Plan with Parking.pdf](#)

3.D. CUP for Short Term Rental, 321 Cottage Street (Case PZ-2022-9)

A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 8R, Block 2, Lewis; and more commonly known as 321 Cottage St N, Kerrville, TX 78028.

Attachments:

[PZ-2022-9-LocationMap.pdf](#)

[PZ-2022-9\\_Site Plan with Parking.pdf](#)

3.E. CUP for Short Term Rental, 217 Starkey Street (Case PZ-2022-12)

A resolution to allow a Conditional Use Permit for a Short Term Rental on parts of Lots 5 and 6, Block 7, Lowry Addition; and more commonly known as 217 Starkey St S, Kerrville, TX 78028.

Attachments:

[PZ-2022-12-LocationMap.pdf](#)

[PZ-2022-12\\_Site Plan with Parking.pdf](#)

3.F. CUP for Short Term Rental, 105 Jasper Lane (Case PZ-2022-14)

A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 29, Block 2, Sendero Ridge; and more commonly known as 105 Jasper Ln N, Kerrville, TX 78028.

Attachments:

[PZ-2022-14-LocationMap.pdf](#)

[PZ-2022-14\\_Site Plan with Parking.pdf](#)

[PZ-2022-14\\_Talley\\_opposed.pdf](#)

3.G. Zoning Change, C-2 to C-3, 1600 Junction Hwy (Case PZ-2022-10)

An ordinance to change the zoning from C-2 Light Commercial District to C-3 General Commercial District on parts of Lot 1, Block 1, Foxworth-Galbraith Lumber Co; and more commonly known as 1600 Junction Hwy, Kerrville, TX 78028.

Attachments:

[PZ-2022-10\\_LocationMap.pdf](#)

[1600 Junction Highway\\_C-2 to C-3\\_033122 DRAFT.docx](#)

3.H. Zoning Change, R-1A to RT, 400 W Water Street (Case PZ-2022-11)

An ordinance to change the zoning from R-1A Single Family Residential with an Accessory Dwelling Unit to RT Residential Transition on Lot 8, Block 17, Section B Westland Place Addition; and more commonly known as 400 W Water St, Kerrville, TX 78028.

Attachments:

[PZ-2022-11\\_LocationMap.pdf](#)

[400 W Water\\_R-1A toRT\\_033122 DRAFT.docx](#)

3.I. Zoning Change, RE to R-3, 2601 Medina Hwy (Case PZ-2022-13)

An ordinance to change the zoning from RE Residential Estate District to R3 Multifamily Residential District on a 36.28 acre parcel being a portion of the Nathaniel Hoyt Survey No. 145, Abstract No. 178, being a portion of 168.47 acres according to the Special Warranty Deed with Vendor's Lien filed in Document No. 21-04751, Official Public Records of Kerr County, Texas; and more commonly known as 2601 Medina Hwy, Kerrville, TX 78028.

Attachments:

[PZ-2022-13\\_Letter to City re zoning amendment.pdf](#)

[PZ-2022-13\\_P&Z Exhibits-ZONING EXHIBIT.pdf](#)

[PZ-2022-13\\_LocationMap.pdf](#)

[2601\\_Medina\\_HWY\\_RE\\_to\\_R-3\\_033122\\_DRAFT.pdf](#)

3.J. Annexation & Zoning (AG), 2550 Bandera Hwy (Case PZ-2022-15)

An ordinance to annex into the City of Kerrville's incorporated limits with a zoning classification of AG Agriculture District the following parcels: approx. 162.06 out of the Schauchard Survey No. 67 Abstract 299, approx. 26.69 acres out of the Norma P. Schweitzer Survey No. 1621 Abstract 2086, and approx. 53.12 acres out of the

Mrs. Alliweeses Clark Survey No. 395 Abstract 101; and more commonly known as 2550 Bandera Hwy.

Attachments:

[PZ-2022-15-LocationMap.pdf](#)

[PZ-2022-15\\_Oneal\\_opposed.pdf](#)

[PZ-2022-15\\_Petition.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**

## P&Z Packet Changes Summary for 4/7/22 Meeting

1. Item 1 – Minutes: Added in a hard copy of Meeting Minutes from the 3/3/22 P&Z meeting.
2. Item 2A – Case 2022-017: Added in an Agenda Bill and Final Plat. This was an added item. Agenda was updated and reposted last week within proper notification time.
3. Item 3C – Case PZ-2022-8: Added in Citizen Comments.
4. Item 3D – Case PZ-2022-9: Added in Citizen Comments.
5. Item 3E – Case PZ-2022-12: Added in Citizen Comments.
6. Item 3F – Case PZ-2022-14: Added in Citizen Comments.
7. Item 3I – Case PZ-2022-13: Added in Citizen Comments and removed a reference to annexation.
8. Item 3J – Case PZ-2022-15: Added in Citizen Comments.

Updated 4/7/22.



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Steve Melander  
Development Services Department  
Planning Division

Note: This summary sheet must accompany the updated packet and be provided to all Commissioners. EA and Mike H to also be informed.

Posted to packet 4/7/2022, 3:25 p.m., Kesha Franchina, Deputy City Secretary



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



**SUBJECT:** Approval of Meeting Minutes from March 3, 2022 regular meeting.

**AGENDA DATE OF:** April 7, 2022                   **DATE**  
**SUBMITTED:**

**SUBMITTED BY:** Steve Melander

**EXHIBITS:**

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**Kerrville 2050 Item?** No

**Key Priority Area**

**Guiding Principle**

**Action Item**

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**SUMMARY STATEMENT:**

Minutes will be provided prior to the April 7, 2022 P&Z meeting.

**RECOMMENDED ACTION:**

Approve or approve with revisions.



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



**SUBJECT:** CUP for Short Term Rental, 213 Palmer Street (Case PZ-2021-35)

A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 19, Block 8, Lowry Addition; and more commonly known as 213 Palmer Street S, Kerrville, TX 78028.

**AGENDA DATE OF:** April 7, 2022

**DATE  
SUBMITTED:**

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [PZ-2021-35-LocationMap.pdf](#)

[PZ-2021-35\\_Site Plan.pdf](#)

[Short Term Rental Unit\\_213 Palmer\\_033122 DRAFT.docx](#)

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**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 Lot 19, Block 8, Lowry Addition; and more commonly known as 213 Palmer Street S, Kerrville, TX 78028.

**Procedural Requirements**

The City, in accordance with state law, mailed 29 letters on 1/20/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 1/13/2022. 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 unit

Existing Land Use: Single Family Residence

Direction: North, South, West, East

Current Zoning: R-1A Single-family residential with accessory dwelling unit

Existing Land Uses: Single Family Residences

Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property and surrounding residential areas 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 off street parking space per bedroom and one additional off street parking space for a manager, if the manager does not live onsite. This property has 3 bedrooms and no onsite manager so 4 off-street parking spaces are required. The applicant has identified four 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-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 the Kerrville River Trail, Louise Hays Park, Arcadia Live!, the Downtown Farmers Market, and the entire 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. Local Contact: The owner or operator of the Property shall provide the City with contact information for a local representative, within approximately a two hour distance.

C. 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.

D. 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.

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

F. 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.

G. 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-2021-35

Location:  
213 Palmer 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.

MANSFIELD SURVEYING  
P.O. BOX 3111  
BANDERA, TX 78003  
830-688-2786

SURVEY PREPARED FOR:  
Kerr Co. Asbt & Title Co.  
GF No. 44612

# SURVEY PLAT

## LOT 19, BLOCK 8 LOWRY ADDITION

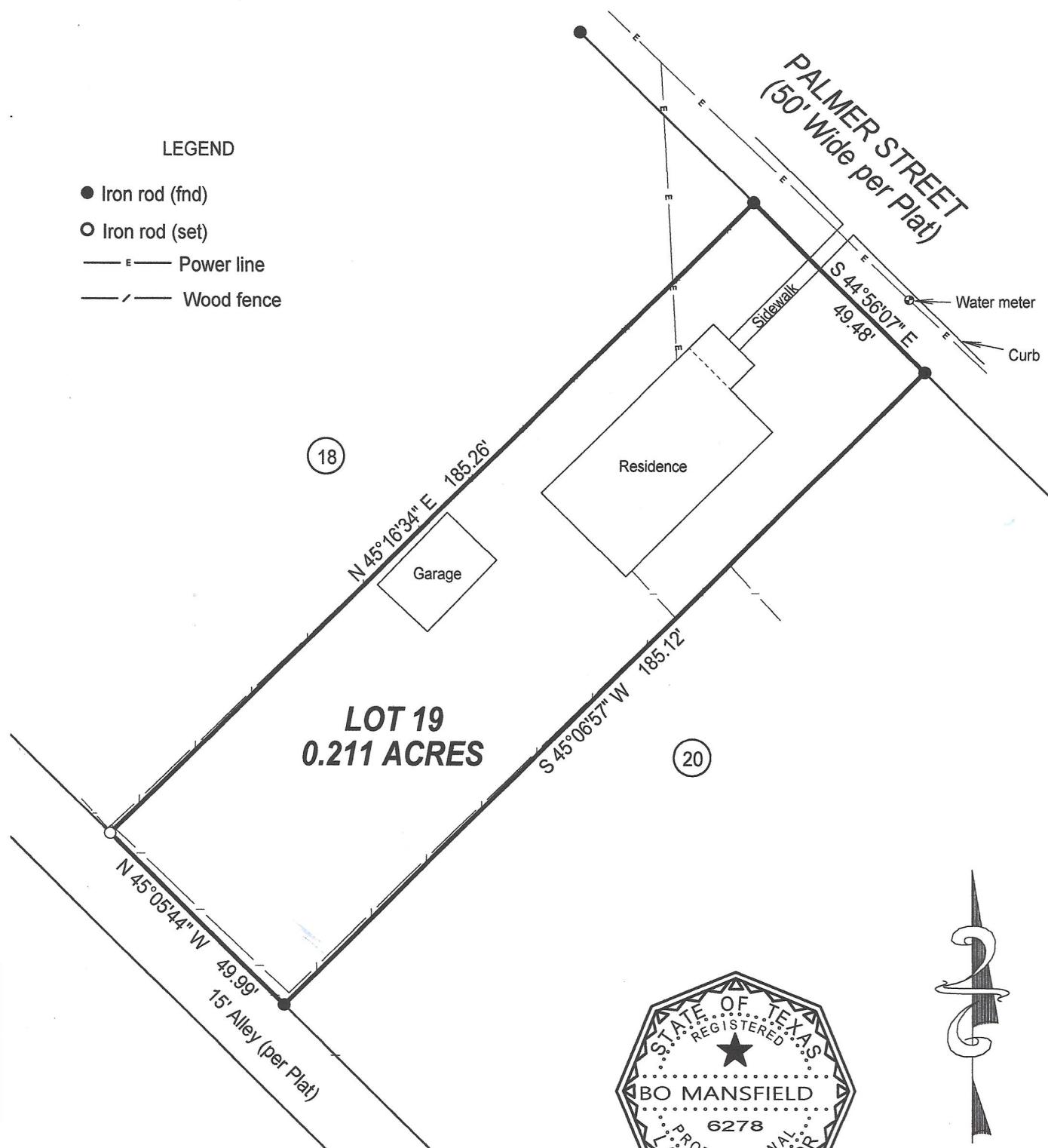
KERR COUNTY, TEXAS

213 PALMER STREET  
KERRVILLE, TX 78028

VOLUME 28, PAGE 113, PLAT RECORDS

### LEGEND

- Iron rod (fnd)
- Iron rod (set)
- E — Power line
- / — Wood fence



Scale 1" = 30'

April 8, 2021

I hereby certify that this survey was made on the ground and that this plat correctly represents the facts found at the time of the survey, and that to the best of my knowledge there are no visible overlapping of improvements, visible easements of rights of way, boundary line conflicts, or encroachments except as shown hereon.

*R*

NOTE:  
All bearings are from GPS observations based  
on Texas State Plane Coordinate System,  
South Central Zone, NAD 83.

# PNZ DRAFT 3/31/22

## CITY OF KERRVILLE, TEXAS RESOLUTION NO. \_\_\_-2022

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO AUTHORIZE A SHORT-TERM RENTAL UNIT ON THE PROPERTY COMPRISING LOT 19, BLOCK 8, LOWRY ADDITION; AND MORE COMMONLY KNOWN AS 213 PALMER; SAID PROPERTY IS LOCATED WITHIN A SINGLE-FAMILY RESIDENTIAL WITH ACCESSORY DWELLING UNIT ZONING DISTRICT (R-1A); AND MAKING SAID PERMIT SUBJECT TO CONDITIONS AND RESTRICTIONS

WHEREAS, the owner of the property known as 213 Palmer and depicted on the location map and site plan found 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 a Single-Family Residential with Accessory Dwelling Unit Zoning District (R-1); 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 property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, has recommended that City Council grant the CUP applied for and referenced herein, subject to the special conditions and restrictions set out hereinafter and applied to 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 on \_\_\_\_\_, 2022, 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 a Single-Family Residential with Accessory Dwelling Unit Zoning District (R-1A), 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: comprising Lot 19, Block 8, out of the Lowry Addition, a subdivision of Kerr County and the city of Kerrville, and being depicted on the location map and

survey plan found at Exhibit A.

Address: **213 Palmer, 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 STRU on the Property, said notification which is attached as Exhibit B.
- B. Local Contact: The owner or operator of the Property shall provide the City Manager, or designee, with contact information for a local representative, which may include themselves. The local representative must be able to respond to a City employee or guest of the STRU within two hours after being notified of an emergency. Should a change occur to the contact information, the owner or operator of the Property shall update the City Manager, or designate, in writing with the new information within three business days of any such change.
- C. 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.
- D. Sign: The Property may not use more than one non-illuminated, on-site sign, in conjunction with the 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.
- E. Parking: The Property must include at a minimum, one (1) off-street parking space per bedroom, plus an additional space for the manager, if living off-site.
- F. 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.
- G. 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., 2022.

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Bill Blackburn, Mayor

APPROVED AS TO FORM:

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Michael C. Hayes, City Attorney

ATTEST:

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Shelley McElhannon, City Secretary



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



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**SUBJECT:** CUP for Short Term Rental, 503 Lucille Street (Case PZ-2022-7)

A resolution to allow a Conditional Use Permit for a Short term rental on Lot 20-A, Block 23, Westland Addition; and more commonly known as 503 Lucille St S, Kerrville, TX 78028.

**AGENDA DATE OF:** April 7, 2022                   **DATE  
SUBMITTED:**

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [PZ-2022-7-LocationMap.pdf](#)  
[PZ-2022-7\\_Site Plan with Parking.pdf](#)  
[PZ-2022-7\\_Owner Statement.pdf](#)

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**Kerrville 2050 Item?** No

**Key Priority Area**

**Guiding Principle**

**Action Item**

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**SUMMARY STATEMENT:**

Proposal

A resolution to allow a Conditional Use Permit for a Short term rental on Lot 20-A, Block 23, Westland Addition; and more commonly known as 503 Lucille St S, Kerrville, TX 78028.

**Procedural Requirements**

The City, in accordance with state law, mailed 26 letters on 3/24/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 3/17/2022. 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 unit

Existing Land Use: Single family residence

Direction: North, South, West, East

Current Zoning: R-1A Single-family residential with accessory dwelling unit

Existing Land Uses: Single family residences

Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property and surrounding residential areas 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 off-street parking space per bedroom and one additional off-street parking space for a manager, if the manager does not live onsite. This property has 3 bedrooms and no onsite manager so 4 off-street parking spaces are required. The applicant has identified 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-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: Local nearby attractions that make this location ideal for an STR include walking distance to the Kerrville River Trail, downtown attractions, shopping, restaurants, coffee shops, and the newly remodeled Arcadia, Nimitz Lake, a short drive (or bike ride along the trail) to Louise Hayes Park, and the new Schreiner Beer Garden. This location is centrally located for easy day trips to local wineries, breweries, art exhibits such as Stonehenge II, Kerrville Folk Festival, golf tournaments at the numerous surrounding courses, Kerrville Triathlon and other athletic events.

**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 following 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. Local Contact:** The owner or operator of the Property shall provide the City with contact information for a local representative, within approximately two hours distance.

**C. 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.

D. 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.

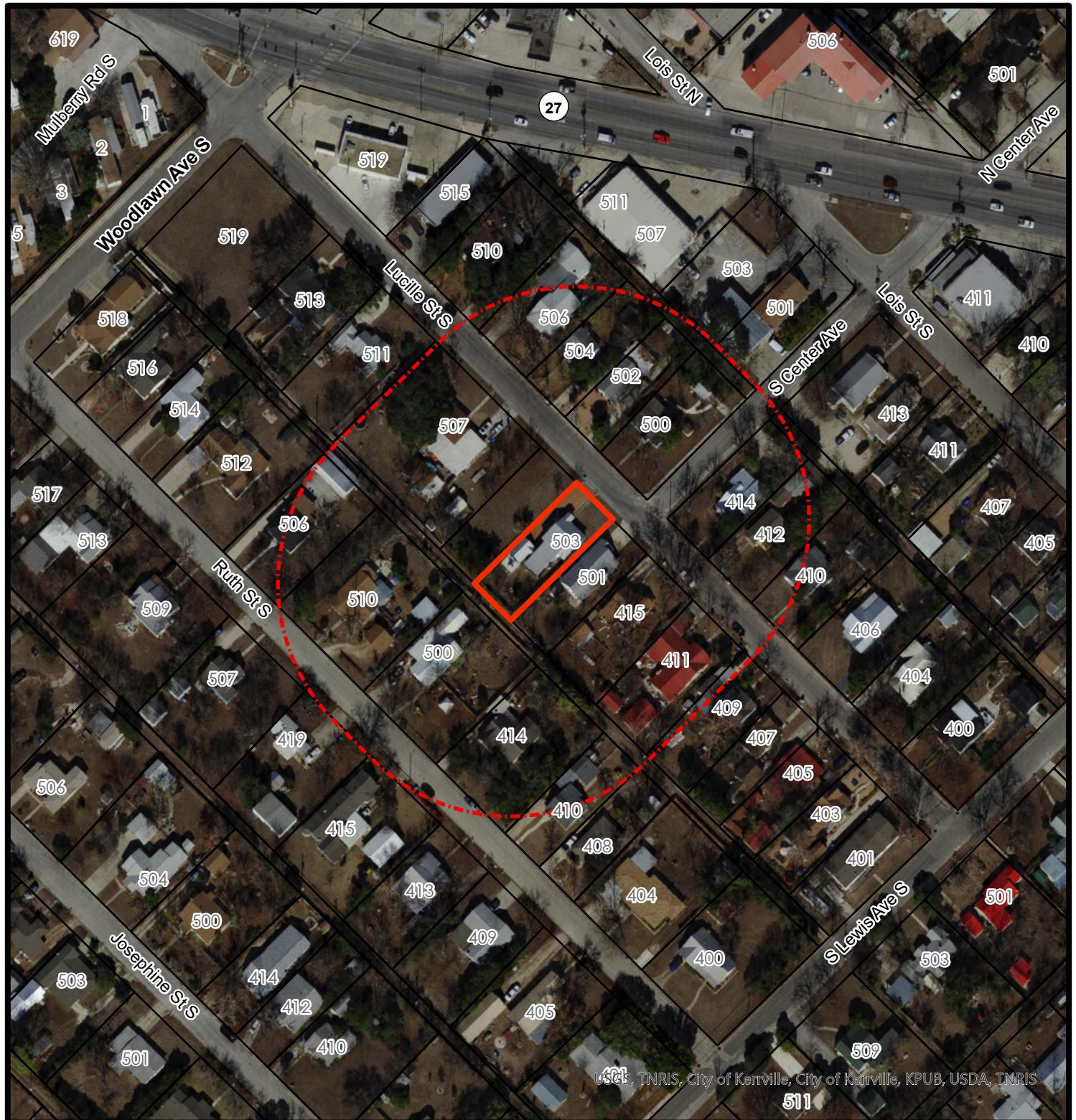
E. Minimum Off-Street Parking: One space per bedroom, plus parking required for the manager, if living off-site.

F. 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.

G. 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:**

Recommend the Resolution for approval.



## Location Map

# Case # PZ-2022-7

**Location:**  
**503 Lucille Street**

## 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.

ADDRESS:  
503 LUCILLE STREET  
KERRVILLE, TX 78028



NORTH

TITLE COMMITMENT NOTES:

ISSUED BY: WFG NATIONAL TITLE COMPANY  
COUNTERSIGNED BY: KERR COUNTY ABSTRACT & TITLE CO.  
GF NO: 45725  
EFFECTIVE DATE: 10/8/2021  
ISSUE DATE: 10/15/2021

VOL. 45, PG. 335 DRKC - PLAT  
VOL. 45, PG. 458 DRKC - RESTRICTIONS  
VOL. 65, PG. 481 DRKC - RESTRICTIONS  
VOL. 57, PG. 118 DRKC - RESTRICTIONS  
VOL. 70, PG. 271 DRKC - RESTRICTIONS  
VOL. 8, PG. 155 PRKC - PLAT  
VOL. 84, PG. 215 DRKC - EASEMENT TO CITY OF KERRVILLE

LOT 19-R  
WESTLAND PLACE ADDITION  
VOL. 8, PG. 55 PRKC

LOT 20-A  
BLOCK 23  
WESTLAND PLACE ADDITION  
VOL. 8, PG. 55 PRKC

12' WIDE PUBLIC ALLEY  
VOL. 8, PG. 55 PRGC

LOT 20-B  
WESTLAND PLACE ADDITION  
VOL. 8, PG. 55 PRKC

LUCILLE STREET  
(40' RIGHT-OF-WAY)  
VOL. 8, PG. 55 PRGC

CONCRETE  
CRUSHED  
GRANITE  
DECK  
COVERED  
CONCRETE  
GARAGE  
CONCRETE  
CONCRETE  
WALK  
STAIRS  
DECK  
1-STORY  
RESIDENCE  
AC  
EM  
AC  
CO

S 44° 57' 20" W 143° 9' 05" LOT 20-B  
WESTLAND PLACE ADDITION  
VOL. 8, PG. 55 PRKC

N (W 45° 57' 34" E 143° 9' 05" LOT 19-R  
WESTLAND PLACE ADDITION  
VOL. 8, PG. 55 PRKC

S 44° 47' 03" E 143° 9' 05" 36.4  
S 44° 50' 29" E 143° 9' 05" 1.7  
N (W 44° 56' 06" E 143° 9' 05" 3.8'

LEGEND

( ) RECORD BEARING & DISTANCE  
AC AIR CONDITIONER  
CO CLEANOUT  
DRKC DEED RECORDS OF KERR COUNTY  
EM ELECTRIC METER  
IRF 1/2" IRON ROD FOUND W/ "VOELKEL" CAP  
MB MAIL BOX  
PG PAGE  
PRKC PLAT RECORDS OF KERR COUNTY  
VOL VOLUME  
WM WATER METER

GRANITE CONCRETE

— ADJOINER LINE  
— BOUNDARY LINE  
- - - BUILDING SETBACK LINE  
- - - EASEMENT LINE  
— DHP OVERHEAD POWER  
// WOOD FENCE

SCALE: 1" = 20'

0' 20' 40'

GENERAL NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE (4204).
2. DISTANCES SHOWN HEREON ARE GRID VALUES.
3. FIELD SURVEY COMPLETED 10-19-2021.
4. VISIBLE IMPROVEMENTS/UTILITIES WERE LOCATED WITH THIS SURVEY; NO SUBSURFACE PROBING, EXCAVATION OR EXPLORATION WAS PERFORMED FOR THIS SURVEY. UNDERGROUND UTILITIES MAY EXIST WHICH ARE NOT SHOWN HEREON.
5. ACCORDING TO COMMUNITY PANEL NO. 48265C0470F OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR KERR COUNTY, TEXAS, HAVING A MAP REVISED DATE OF MARCH 3, 2011, THE SUBJECT TRACT IS SITUATED WITHIN: UNSHADED ZONE "X"; DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
6. DETERMINATION OF THE OWNERSHIP, LOCATION, OR DEVELOPMENT OF MINERALS RELATED TO THE SUBJECT TRACT FALL OUTSIDE THE SCOPE OF THIS SURVEY. SUCH MATTERS SHOULD BE DIRECTED BY THE CLIENT OR PROSPECTIVE PURCHASER TO AN EXPERT CONSULTANT.

PLAT SHOWING: LOT 20-A, BLOCK 23, WESTLAND PLACE ADDITION, RECORDED IN VOLUME 8, PAGE 55, PLAT RECORDS OF KERR COUNTY, TEXAS.

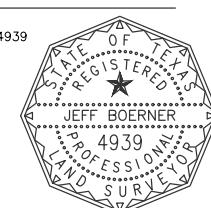
**LAND TITLE SURVEY**

OF  
LOT 20-A, BLOCK 23  
OF  
WESTLAND PLACE ADDITION  
OUT OF THE  
JOHN YOUNG SURVEY #119  
ABSTRACT # 376  
KERR COUNTY, TEXAS  
OCTOBER 2021

STATE OF TEXAS §  
COUNTY OF KERR §

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION, THIS 19TH DAY OF OCTOBER, 2021, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS OF BUILDINGS ON ADJOINING PROPERTY AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY EXCEPT AS SHOWN ABOVE.

JEFF BOERNER  
TX R.P.L.S. NO. 4939



**MDS**  
LAND SURVEYING  
COMPANY, INC.  
TBPLS FIRM No. 10019600

874 HARPER ROAD  
SUITE 104  
KERRVILLE, TX 78028  
830-816-1818  
MDS-SURVEYING.COM

JOB #: 21-507-00 SURVEYORS: JB/LK  
DATE: 10-19-2021 SHEET 1 OF 1

To whom it may concern:

We are inquiring about permitting 503 Lucille St. for a short term rental property. The house is located in a residential area, however with the influx of tourism and visitors to our community, and the proximity of the neighborhood to attractions in town, the location has become ideal for short term rental. There is only one other rental located within a 3 block radius of 503 Lucille, so the long term wouldn't be overrun with visitors in and out of the neighborhood.

The home is a 3 bedroom, 2 bath, that has been completely renovated, which adds value and curb appeal to the neighborhood. The entire backyard is enclosed with a privacy fence, newly added covered patio, and landscaping to start this week to add additional curb appeal. Landscaping will include xeriscaping and native plants to conserve water and reduce waste. The property contains enough off street parking for 6 cars comfortably, but can accommodate up to 8. This eliminates overflow into on street parking. The garage can also accommodate one vehicle, if the need arises.

Local nearby attractions that make this location ideal for an STR include walking distance to the Kerrville River Trail, downtown attractions, shopping, restaurants, coffee shops, and the newly remodeled Arcadia, Nimitz Lake, a short drive (or bike ride along the trail) to Louise Hayes Park, and the new Schreiner Beer Garden. This location is centrally located for easy day trips to local wineries, breweries, art exhibits such as Stonehenge II, Kerrville Folk Festival, golf tournaments at the numerous surrounding courses, Kerrville Triathlon and other athletic events.

Please consider our cute property to add to the places to stay in our great community. The house is perfect for families and friend groups alike.

Best,

Michelle & Blair Casey

361-920-0995

361-935-0992



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



**SUBJECT:** CUP for Short Term Rental, 612 Tanglewood Lane (Case PZ-2022-8)

A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 19, Block 3, Methodist Encampment; and more commonly known as 612 Tanglewood Ln N, Kerrville, TX 78028.

**AGENDA DATE OF: April 7, 2022**

DATE

**SUBMITTED:**

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** PZ-2022-8-LocationMap.pdf  
PZ-2022-8\_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 Lot 19, Block 3, Methodist Encampment; and more commonly known as 612 Tanglewood Ln, Kerrville, TX 78028.

## Procedural Requirements

The City, in accordance with state law, mailed 31 letters on 3/24/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 3/17/2022. 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 residential areas 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 off-street parking space per bedroom and one additional off-street parking space for a manager, if the manager does not live onsite. This property has 2 bedrooms and no onsite manager so 3 off-street parking spaces are required. The applicant has identified 3 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: A quick drive to D-BAT Kerrville Sports Complex and downtown. A 5 minute drive to restaurants on 27 and the boat ramp and river trail at Guadalupe Park.

Recommendation:

Because the Conditional Use Permit request is consistent with the Kerrville 2050 Comprehensive Plan, will meet all zoning regulations, and there are amenities in close proximity to this proposed Short Term Rental location, staff recommends approval with consideration and inclusion of the following 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. Local Contact: The owner or operator of the Property shall provide the City with contact information for a local representative, within approximately two hours distance.

C. 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.

D. 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.

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

F. 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.

G. 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:**

Recommend the resolution for approval.



## Location Map

Case # PZ-2022-8

Location:  
612 Tanglewood Lane

### Legend

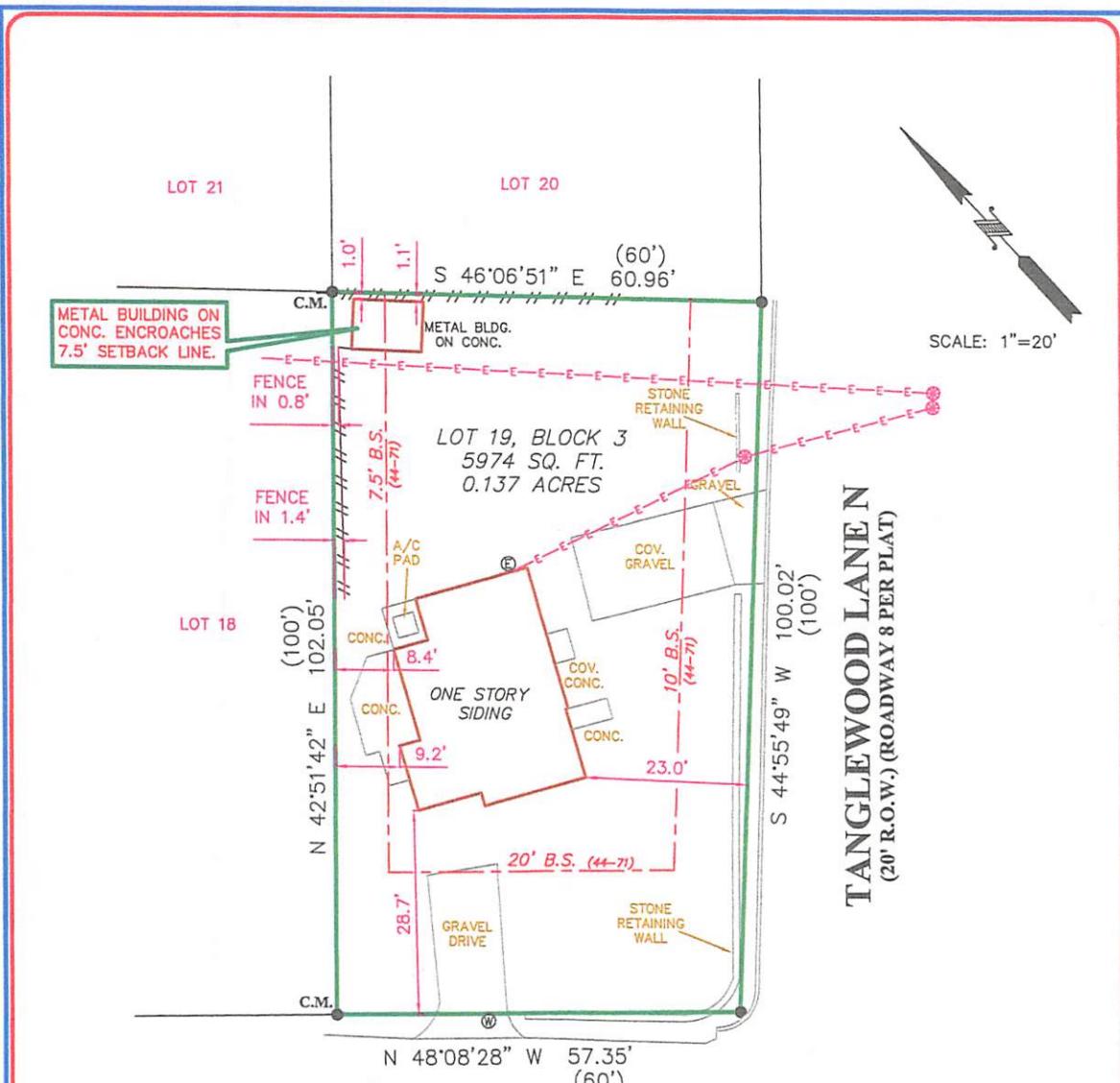
200' Notification Area  
Subject Properties



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.



NOTE:  
THIS PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS, AGREEMENTS, AND/OR SETBACK LINES (IF ANY) AS FOLLOWS: VOL. 47, PG. 8, VOL. 44, PG. 71, AND VOL. 164, PG. 803, DEED RECORDS OF KERR COUNTY, TEXAS.

THIS SURVEY IS  
ACKNOWLEDGED AND  
IS ACCEPTED:

NOTE:  
BEARINGS SHOWN HEREON ARE BASED ON ACTUAL GPS OBSERVATIONS, TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL ZONE, GRID.

FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INSURANCE COVERAGE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), Panel No. 04860 E, which is Dated 03-03-2011. By scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) X. Because this is a boundary survey, the survey did not take any actions to determine the Flood Zone status of the property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA, state or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <https://mac.fema.gov/portal>.



FIRM REGISTRATION NO.  
10111700

**Westar**  
**Alamo**  
LAND SURVEYORS, LLC.  
P.O. BOX 1645 BOERNE, TEXAS 78006  
PHONE (210) 372-8500 FAX (210) 372-9999

**LEGEND**

- △ = CALCULATED POINT
- = FND 1/2" IRON ROD
- ( ) = RECORD INFORMATION
- = BUILDING SETBACK
- C.M. = CONTROLLING MONUMENT
- = OVERHEAD POLE
- = OVERHEAD ELECTRIC
- = ELECTRIC METER
- = WOOD FENCE
- = WATER METER

DWN: JW RVD: RJP



Property Address:  
612 TANGLEWOOD LANE N

Property Description:  
ALL THAT CERTAIN TRACT OR PARCEL AND BEING SITUATED IN THE COUNTY OF KERR, STATE OF TEXAS, AND BEING LOT 19, BLOCK 3, OF SECTION A, METHODIST ENCAMPMENT, A SUBDIVISION OF KERR COUNTY, TEXAS, ACCORDING TO THE PLAT OF SAID SUBDIVISION RECORDED IN VOLUME 47, PAGE 8, DEED RECORDS OF KERR COUNTY, TEXAS.

Owner:  
POYNTER BUNGALOW COTTAGES, LLC

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

RUDOLF J. PATA, JR.  
Registered Professional Land Surveyor  
Texas Registration No. 5388

G.F. NO. 210444F

JOB NO. 107790

TITLE COMPANY: FIDELITY ABSTRACT

DATE: 07-09-2021

JWC AC



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



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**SUBJECT:** CUP for Short Term Rental, 321 Cottage Street (Case PZ-2022-9)

A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 8R, Block 2, Lewis; and more commonly known as 321 Cottage St N, Kerrville, TX 78028.

**AGENDA DATE OF:** April 7, 2022

**DATE  
SUBMITTED:**

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [PZ-2022-9-LocationMap.pdf](#)  
[PZ-2022-9\\_Site Plan with Parking.pdf](#)

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**Kerrville 2050 Item?** No

**Key Priority Area**

**Guiding Principle**

**Action Item**

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**SUMMARY STATEMENT:**

Proposal

A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 8R, Block 2, Lewis Addition; and more commonly known as 321 Cottage St N, Kerrville, TX 78028.

**Procedural Requirements**

The City, in accordance with state law, mailed 25 letters on 3/24/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 3/17/2022. 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 unit

Existing Land Use: Single family residence

Direction: North, South, West, East

Current Zoning: R-1A Single-family residential with accessory dwelling unit

Existing Land Uses: Single family residences

Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property and surrounding residential areas are designated as Neighborhood Residential (NR). 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 off-street parking space per bedroom and one additional off-street parking space for a manager, if the manager does not live onsite. This property has 3 bedrooms and no onsite manager so 4 off-street parking spaces are required. The applicant has identified 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-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: Less than a mile to Riverside Nature Center and the river trail. It's right at a mile to downtown restaurants, shopping and galleries. It's a quick 5 min drive to D-BAT Kerrville Sports Complex.

Recommendation:

Because the Conditional Use Permit request is consistent with the Kerrville 2050 Comprehensive Plan, will meet all zoning regulations, and there are amenities in close proximity to this proposed Short Term Rental location, staff recommends approval with consideration and inclusion of the following 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. Local Contact: The owner or operator of the Property shall provide the City with contact information for a local representative, within approximately two hours distance.
- C. 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.
- D. 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.

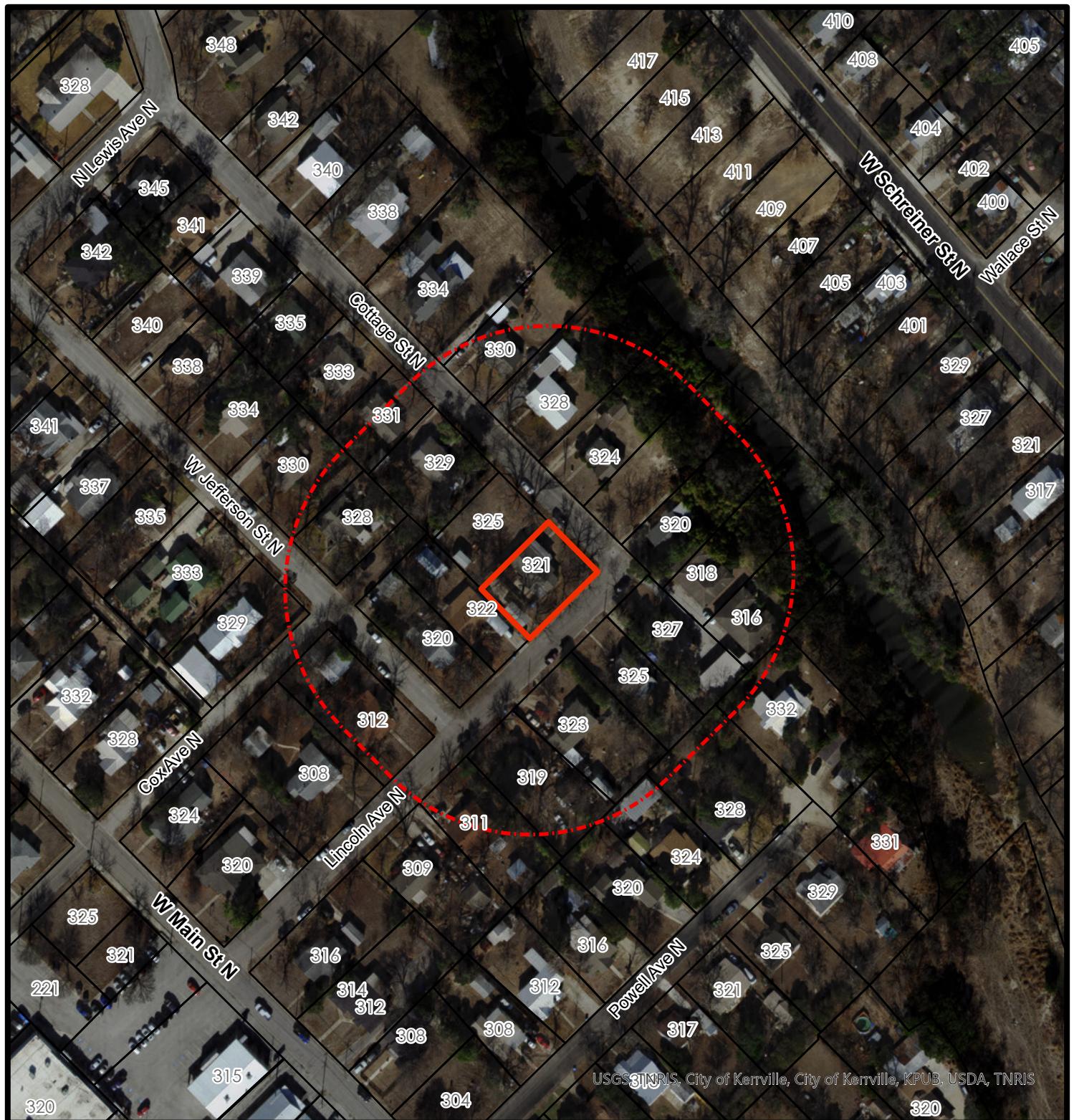
E. Minimum Off-Street Parking: One space per bedroom, plus parking required for the manager, if living off-site.

F. 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.

G. 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:**

Recommend the resolution for approval.



## Location Map

**Case # PZ-2022-9**

**Location:**  
321 Cottage Street

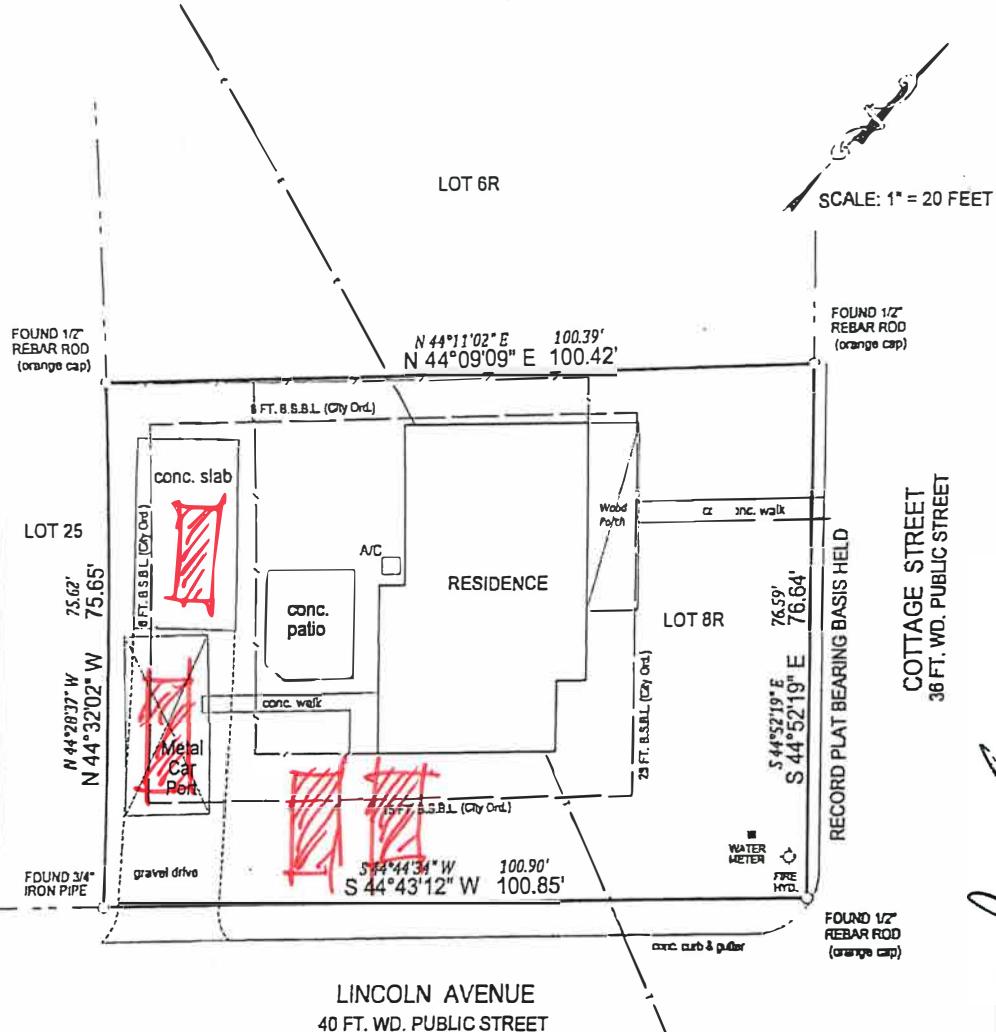
**Legend**  
200' Notification Area  
Subject Properties



0 50 100 200  
Scale In Feet

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SURVEY PLAT OF LOT 8R, BLOCK 2, A. L. LEWIS 2ND ADDITION, A SUBDIVISION OF KERR COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN DOCUMENT NO. 20-04161, OFFICIAL PUBLIC RECORDS OF KERR COUNTY, TEXAS; BEING A REPLAT FOR A PORTION OF A PLAT RECORDED IN VOLUME 1, PAGE 43, PLAT RECORDS OF KERR COUNTY, TEXAS.



SUBJECT TO:

RESTRICTIONS AND MATTERS IN:

PLAT NO. 20-04161 O.P.R.K.C. TX  
VOL. 81, PG. 252 D.R.K.C. TX  
VOL. 1, PG. 43 P.R.K.C. TX

NOTES:

RECORD PLAT/DEED CALLS SHOWN IN SMALLER  
ITALIC TYPE NEAR MEASURED CALLS.

JOB NO. GMB-687

CLIENT HSB

BORROWERS:  
AMBER CARPENTER and  
JAMES WARREN CARPENTER IV

PROPERTY ADDRESS:  
321 COTTAGE STREET  
KERRVILLE, TEXAS 78028

TITLE CO.  
KERR COUNTY ABSTRACT

G. F. NO. 44280

FEMA F.I.R.M. NO. 48265C0470F 221 CAVE SPRINGS DRIVE, INGRAM, TX. 78025 830 928-8220

gary.brandenburg50@yahoo.com

PANEL DATE 03/03/2011

FLOOD ZONE X - SHADED

DRAWN BY GMB

Texas Board of Professional Land Surveying

1917 S. Interstate 35

Austin, Texas 78741-3702 512 440-7723

Texas Board of Professional Land Surveying  
1917 S. Interstate 35  
Austin, Texas 78741-3702 512 440-7723

I, Gary Max Brandenburg, Registered Professional Land Surveyor No. 5184 hereby certify that this plat represents a survey made on the ground under my direct supervision and direction on February 4, 2021. That all visible improvements, easements, utilities, discrepancies in boundaries, set-backs and restrictive covenants are shown and/or cited herein.

Gary Max Brandenburg  
Registered Professional Land Surveyor No. 5184



THE UNDERSIGNED  
HAS REVIEWED & RECEIVED  
COPY OF THE SURVEY

DATE:

*Amber Carpenter*  
Amber Carpenter  
2/4/2021



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



**SUBJECT:** CUP for Short Term Rental, 217 Starkey Street (Case PZ-2022-12)

A resolution to allow a Conditional Use Permit for a Short Term Rental on parts of Lots 5 and 6, Block 7, Lowry Addition; and more commonly known as 217 Starkey St S, Kerrville, TX 78028.

**AGENDA DATE OF:** April 7, 2022

**DATE  
SUBMITTED:**

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [PZ-2022-12-LocationMap.pdf](#)  
[PZ-2022-12 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 parts of Lots 5 and 6, Block 7, Lowry Addition; and more commonly known as 217 Starkey St S, Kerrville, TX 78028.

## Procedural Requirements

The City, in accordance with state law, mailed 36 letters on 3/24/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 3/17/2022. 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 unit

Existing Land Use: Single family residence

Direction: North, South, West, East

Current Zoning: R-1A Single-family residential with accessory dwelling unit

Existing Land Uses: Single family residences

Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property and surrounding residential areas are designated as Transitional Residential (TR). 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 off-street parking space per bedroom and one additional off-street parking space for a manager, if the manager does not live onsite. This property has 2 bedrooms and no onsite manager so 3 off-street parking spaces are required. The applicant has identified 3 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-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: Kerrville River Trail, Nature Center, Historic Downtown Kerrville with Shops, Coffee, Restaurants and more, The Arcadia Theater, Turtle Creek Winery, Pint & Plow Brewery, Murals, the Library, Kerr Arts & Cultural Center, Guadalupe Park and Damn, Kerrville Lake, Louis Hayes Park, Cailloux Theater, Kerrville-Schreiner State Park.

**Recommendation:**

Because the Conditional Use Permit request is consistent with the Kerrville 2050 Comprehensive Plan, will meet all zoning regulations, and there are amenities in close proximity to this proposed Short Term Rental location, staff recommends approval with consideration and inclusion of the following 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. Local Contact: The owner or operator of the Property shall provide the City with contact information for a local representative, within approximately two hours distance.

C. 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.

D. 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.

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

F. 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.

G. 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:**

Recommend approval of the resolution.



## Location Map

Case # PZ-2022-12

Location:  
217 Starkey Street

Legend  
200' Notification Area  
Subject Properties



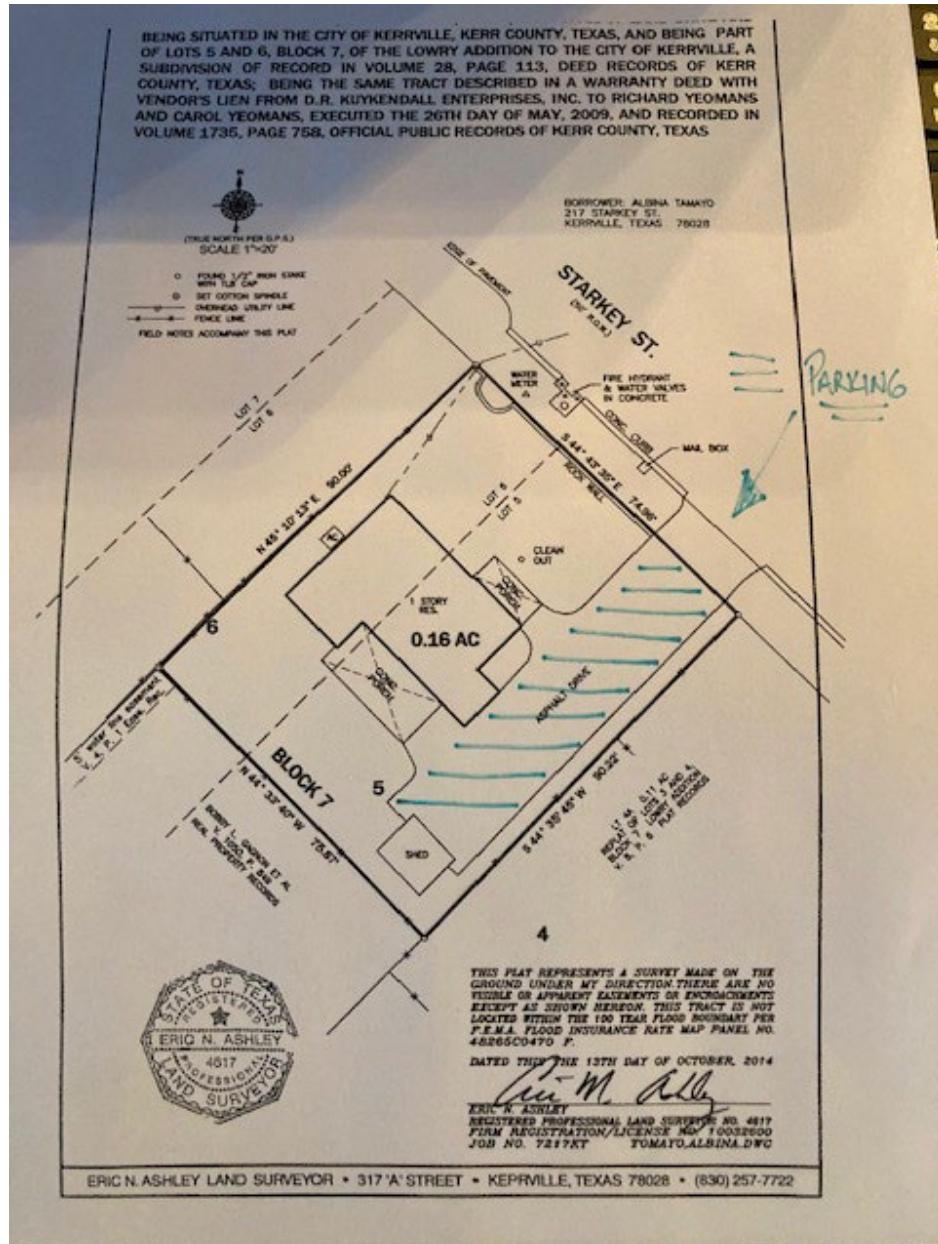
0 50 100 200

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.

217 Starkey Street

2 Bedrooms





#### Local Amenities:

Kerrville River Trail, Nature Center, Historic Downtown Kerrville with Shops, Coffee, Restaurants and more, The Arcadia Theater, Turtle Creek Winery, Pint & Plow Brewery, Murals, the Library, Kerr Arts & Cultural Center, Guadalupe Park and Damn, Kerrville Lake, Louis Hayes Park, Cailloux Theater, Kerrville-Schreiner State Park.



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



---

**SUBJECT:** CUP for Short Term Rental, 105 Jasper Lane (Case PZ-2022-14)

A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 29, Block 2, Sendero Ridge; and more commonly known as 105 Jasper Ln N, Kerrville, TX 78028.

**AGENDA DATE OF:** April 7, 2022

**DATE  
SUBMITTED:**

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [PZ-2022-14-LocationMap.pdf](#)

[PZ-2022-14\\_Site Plan with Parking.pdf](#)

[PZ-2022-14\\_Talley\\_opposed.pdf](#)

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**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 Lot 29, Block 2, Sendero Ridge; and more commonly known as 105 Jasper Ln N, Kerrville, TX 78028.

**Procedural Requirements**

The City, in accordance with state law, mailed 19 letters on 3/24/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 3/17/2022. At the time of drafting this Agenda Bill, one comment 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 residential areas are designated as Transitional Residential (TR). 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 off-street parking space per bedroom and one additional off-street parking space for a manager, if the manager does not live onsite. This property has 2 bedrooms and no onsite manager so 3 off-street parking spaces are required. The applicant has identified 3 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:

The Coming King Sculpture Prayer Gardens – 520 Benson Dr.

Kerrville Hills Winery – 3600 Frederickburg Rd

Kerrville River Trail (bikes/hiking) – located at Kerrville-Schreiner Park G St.

Turtle Creek Olives & Vine Winery – 211 Earl Garrett St.

Cowboy Steak House – 416 Main St

Stonehenge II – 120 Point Theatre Rd. S Ingram

Recommendation:

Because the Conditional Use Permit request is consistent with the Kerrville 2050 Comprehensive Plan, will meet all zoning regulations, and there are amenities in close proximity to this proposed Short Term Rental location, staff recommends approval with consideration and inclusion of the following 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. Local Contact: The owner or operator of the Property shall provide the City with contact information for a local representative, within approximately two hours distance.

C. 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.

D. 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.

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

F. 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.

G. 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:**

Recommend approval of the resolution.



## Location Map

Case # PZ-2022-14

Location:  
105 Jasper Lane

### Legend

200' Notification Area  
Subject Properties



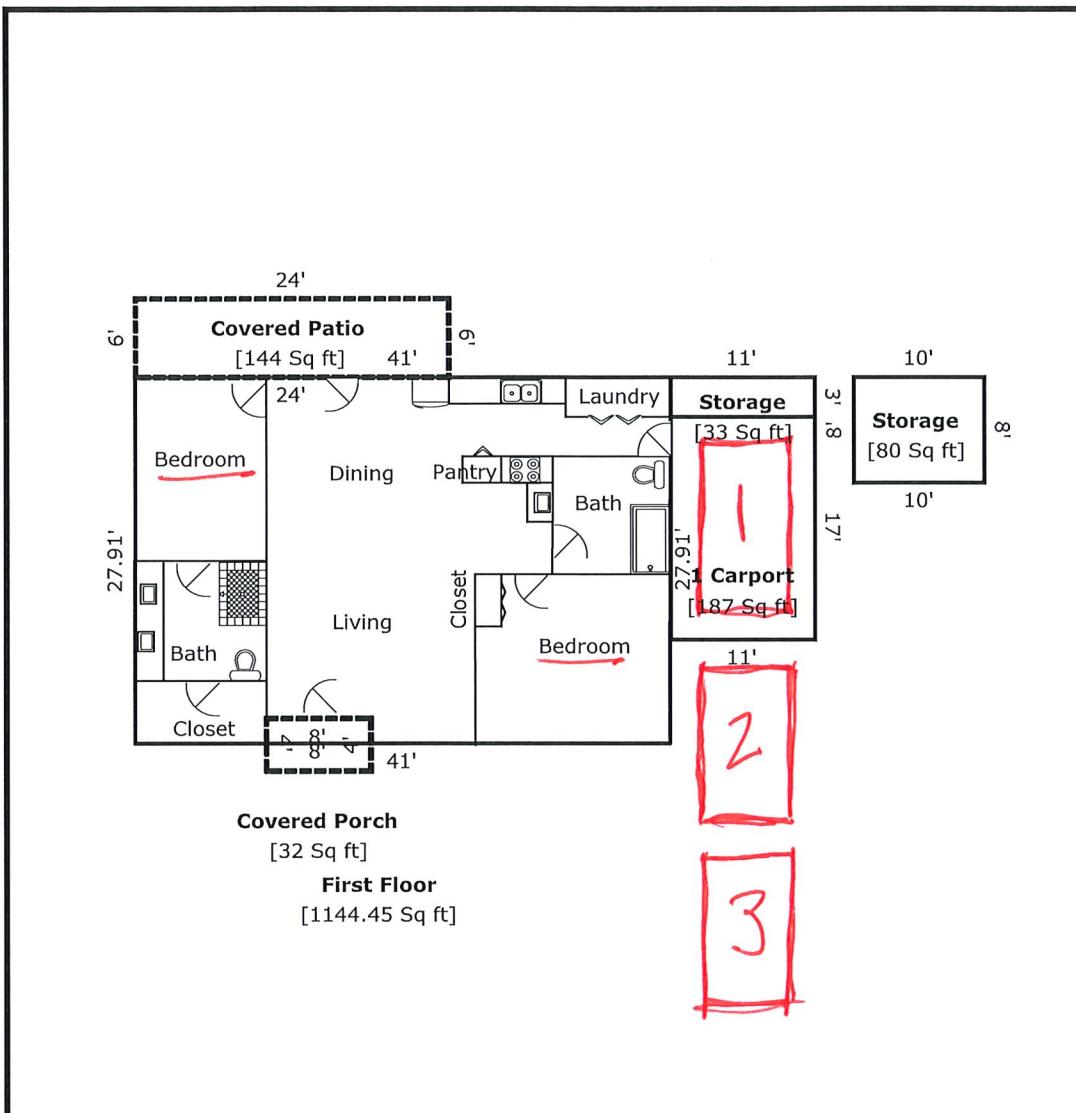
0 50 100 200

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.

## Building Sketch

Borrower	Artemio & Lupe Hernandez			
Property Address	105 Jasper Ln			
City	Kerrville	County	Kerr	State TX Zip Code 78028
Lender/Client	Valley State Bank			



TOTAL Sketch by a la mode, Inc.

### Area Calculations Summary

Living Area	Area Calculations	Calculation Details
First Floor	1144.45 Sq ft	$40.94 \times 27.91 = 1142.73$ $0.5 \times 0.06 \times 27.91 = 0.86$ $0.5 \times 0.06 \times 27.91 = 0.86$
<b>Total Living Area (Rounded):</b>	<b>1144 Sq ft</b>	
<b>Non-living Area</b>		
Covered Patio	144 Sq ft	$6 \times 24 = 144$
Storage	33 Sq ft	$3 \times 11 = 33$
1 Carport	187 Sq ft	$11 \times 17 = 187$
Storage	80 Sq ft	$8 \times 10 = 80$
Covered Porch	32 Sq ft	$4 \times 8 = 32$

**From:** [Steve Talley](#)  
**To:** [Planning Division](#)  
**Cc:** [Drew Paxton](#)  
**Subject:** Comments regarding CASE PZ-2022-14  
**Date:** Tuesday, March 29, 2022 7:55:30 PM

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

Dear Planning Director,

re: CASE PZ-2022-14

I received your letter announcing the meeting of the Commission on April 7, 2022 regarding consideration of a Conditional Use Permit for a Short Term Rental (STR) on Lot 29, Block 2, Sendero Ridge.

Unfortunately, neither myself or my wife can attend on this date; therefore, I am writing this emailed response.

We are Steve and Ginette Talley and we own 113 Ivy Lane which is within 200 feet of the subject property at 105 Jasper Lane. We have owned the property since 2014.

Your records reflect our ownership as JMJ4, LLC #4 113 Ivy Lane. We are the owners JMJ4, LLC. The purpose of our business is long term residential rental and we have conducted this business since 2008.

In addition to the Kerrville area, we also own property in Fredericksburg and Kyle, Texas. We also own one Short Term Rental in Taos, New Mexico but it is not a part JMJ4, LLC.

Short Term Rentals have become a contentious issue in both Fredericksburg and in Taos, New Mexico. The problems in both locales seem to revolve around the lack of affordable long term residential housing and the perception that short term rentals are the cause of that lack. In Fredericksburg, there appears the addition of dealing with unruly short term renters.

In Texas, our business is solely long term in nature and some of our criteria is that our properties are located in neighborhoods that exhibit a large degree of cleanliness, pride of ownership, stability and safety.

We will go on the board's record as **OPPOSED** to any resolution allowing a Conditional Use Permit for 105 Jasper Lane for the following reasons:

a. The presence of one or many STRs in a neighborhood affects the permanent resident's (owner occupied) perception of stability and now places the neighborhood in the pretense of "commercialism".

b. In a long term context: The "commercialism" pretense is now translated into rising property values due to future real estate transactions. The Conditional Use Permitted STR in the not too distant future sells to a new investor at a value far above the surrounding dwellings' perceived real

estate value due to its success as an STR. The STR becomes a "comp" giving permission for others to sell their property at an advanced price. Thus, purchase affordability begins to be sacrificed. Properties are no longer attractive to investors like JMJ4. Property values begin to rise and property tax increases are passed on to the renters thus diminishing rental affordability.

c. Without arguing the legal complexities of Article 7 of the Sendero Ridge Subdivision Declaration of Covenants, Conditions and Restrictions, the bottom line is that the Kerr Planning and Zoning Commission is holding the April 7th meeting in order to (possibly) grant an STR permit in a zone of the city where such a permit would not be otherwise allowed. I would view such an allowed "exception" as neglect to adhere to existing laws and/or ordinances resulting in the compromise of the intents of the Sendero Ridge Subdivision Declaration of Covenants, Conditions and Restrictions, regardless if the Commission was acting in state of legal authority.

d. Granting this Conditional Use Permit now gives hope to those who own dwellings in Sendero Ridge Subdivision that they too can obtain a Conditional Use Permit. Now that the Commission has allowed one permit then that precedent is now grounds for not being denied to future petitioners.

We hope you find this useful.

Most Sincerely,  
Steve and Ginette Talley



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



**SUBJECT:** Zoning Change, C-2 to C-3, 1600 Junction Hwy (Case PZ-2022-10)

An ordinance to change the zoning from C-2 Light Commercial District to C-3 General Commercial District on parts of Lot 1, Block 1, Foxworth-Galbraith Lumber Co; and more commonly known as 1600 Junction Hwy, Kerrville, TX 78028.

**AGENDA DATE OF:** April 7, 2022

**DATE**

**SUBMITTED:**

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [PZ-2022-10\\_LocationMap.pdf](#)  
[1600 Junction Highway\\_C-2 to C-3\\_033122 DRAFT.docx](#)

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**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** H3.3 - Seek to attract senior living options for individuals requiring varying levels of assistance and care

---

**SUMMARY STATEMENT:**

Proposal

An ordinance to change the zoning from C-2 Light Commercial District to C-3 General Commercial District on parts of Lot 1, Block 1, Foxworth-Galbraith Lumber Co; and more commonly known as 1600 Junction Hwy, Kerrville, TX 78028. (Case No. PZ-2022-10)

Procedural Requirements

The City, in accordance with state law, mailed 12 letters on 2/22/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 3/17/2022.

At the time of drafting this agenda bill, Development Services has received no comments.

## Staff Analysis and Recommendation

### Adjacent Zoning and Land Uses:

#### Subject Property

Current Zoning: C-2 Light Commercial

Existing Land Use: Vacant Land

Direction: North

Current Zoning: C-2 Light Commercial

Existing Land Uses: Single-family residential

Direction: East & South

Current Zoning: C-2 Light Commercial

Existing Land Uses: multi-family residential

Direction: West

Current Zoning: C-3 General Commercial

Existing Land Uses: Lumber yard

### Consistency with the Kerrville 2050 Comprehensive Plan (“Comp Plan”):

The subject property is within the Strategic Catalyst Area 4. This catalyst area is largely commercial corridor. The regional commercial place type includes apartments. The surrounding area is designated as Neighborhood Residential. Based on the catalyst area and place types, the request is consistent with the Kerrville 2050 Future Land Use Plan.

### Thoroughfare Plan:

The subject property is located on and has access to Junction Highway (a primary arterial) and Goat Greek Road (a primary arterial), as required for multi-family developments.

**Traffic Impact:**

Future traffic impacts will be reviewed through the TIA Worksheet through the development and subdivision of this property.

**Parking:**

All off-street parking requirements will be met through the final project design and approval.

**Case Summary:**

The applicant is requesting a zoning change from C-2 Light Commercial to C-3 General Commercial to allow for an apartment complex. This project is currently undergoing the application process for a TDHCA tax credit.

**Recommendation:**

Because the request is consistent with the adjacent development and the objectives of the Kerrville 2050 Plan, the staff recommends annexation and the zoning request.

**Attachments:**

Location Map

**RECOMMENDED ACTION:**

Recommend approval of the ordinance.



## Location Map

Case # PZ-2022-10

Location:  
1600 Junction Highway

### 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.

**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2022-\_\_\_\_\_**

**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 AN APPROXIMATE 7.08 ACRE  
PROPERTY KNOWN AS 1600 JUNCTION HIGHWAY (SH 27);  
CONSISTING OF PART OF LOT 1, BLOCK 1, OF THE  
FOXWORTH-GALBRAITH SUBDIVISION; WITHIN THE CITY  
OF KERRVILLE, KERR COUNTY, TEXAS; FROM A LIGHT  
COMMERCIAL ZONING DISTRICT (C-2) TO A GENERAL  
COMMERCIAL ZONING DISTRICT (C-3); 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 \_\_\_\_\_, 2022, 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 known as 1600 Junction Highway (SH 27) and comprising approximately 7.08 acres; such change to result in the removal of the property from a Light Commercial Zoning District (C-2) to placement within a General Commercial Zoning District (C-3); and

WHEREAS, on \_\_\_\_\_, 2022, 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, Chapter 60 of the Code of Ordinances of the City of Kerrville, Texas, and the Official Zoning Map are hereby amended to **designate the following described property zoned as** within a General Commercial Zoning District (C-3):

**Legal Description:** Being a 7.08 acre tract, making up part of Lot 1, Block 8, Foxworth-Galbraith Subdivision; a subdivision within the City of Kerrville, Kerr County, Texas; said property

depicted at Exhibit A, attached hereto and made a part hereof for all purposes, and hereafter referred to as the "Property."

Address: 1600 Junction Highway (SH 27), Kerrville, Texas 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., 2022.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the \_\_\_\_\_ of \_\_\_\_\_, A.D., 2022.

---

Bill Blackburn, Mayor

ATTEST:

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Shelley McElhannon, City Secretary

APPROVED AS TO FORM:

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Michael C. Hayes, City Attorney



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



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**SUBJECT:** Zoning Change, R-1A to RT, 400 W Water Street (Case PZ-2022-11)

An ordinance to change the zoning from R-1A Single Family Residential with an Accessory Dwelling Unit to RT Residential Transition on Lot 8, Block 17, Section B Westland Place Addition; and more commonly known as 400 W Water St, Kerrville, TX 78028.

**AGENDA DATE OF:** April 7, 2022

**DATE**

**SUBMITTED:**

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [PZ-2022-11\\_LocationMap.pdf](#)  
[400 W Water\\_R-1A\\_toRT\\_033122 DRAFT.docx](#)

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**Kerrville 2050 Item?** No

**Key Priority Area**

**Guiding Principle**

**Action Item**

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**SUMMARY STATEMENT:**

Proposal

An ordinance to change the zoning from R-1A Single Family Residential with an Accessory Dwelling Unit District to RT Residential Transition on Lot 8, Block 17, Section B Westland Place Addition; and more commonly known as 400 W Water St N, Kerrville, TX 78028. (Case No. PZ-2022-11)

**Procedural Requirements**

The City, in accordance with state law, mailed 24 letters on 2/22/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 3/17/2022.

At the time of drafting this agenda bill, Development Services has received no comments.

## Staff Analysis and Recommendation

### Adjacent Zoning and Land Uses:

#### Subject Property

Current Zoning: R-1A Single-family residential with accessory dwelling unit

Existing Land Use: single family residential

Direction: North & West

Current Zoning: R-1A Single-family residential with accessory dwelling unit

Existing Land Uses: Single-family residential

Direction: East

Current Zoning: RT Residential Transition

Existing Land Uses: Single-family residential

Direction: South

Current Zoning: PD 20-27

Existing Land Uses: beauty salon

### Consistency with the Kerrville 2050 Comprehensive Plan (“Comp Plan”):

The subject property is designated as Neighborhood Residential with Community Commercial adjacent to the south closer to Junction Highway.

### Thoroughfare Plan:

The subject property is located on West Water Street, a local level street.

Traffic Impact:

There is limited traffic impact anticipated with the adjacent RT developed area along W Water Street.

Parking:

All off-street parking requirements will be met through final project design and approval.

Case Summary:

The applicant is requesting a change in zoning from R-1A to RT Residential Transition to convert the house to an office building.

Recommendation:

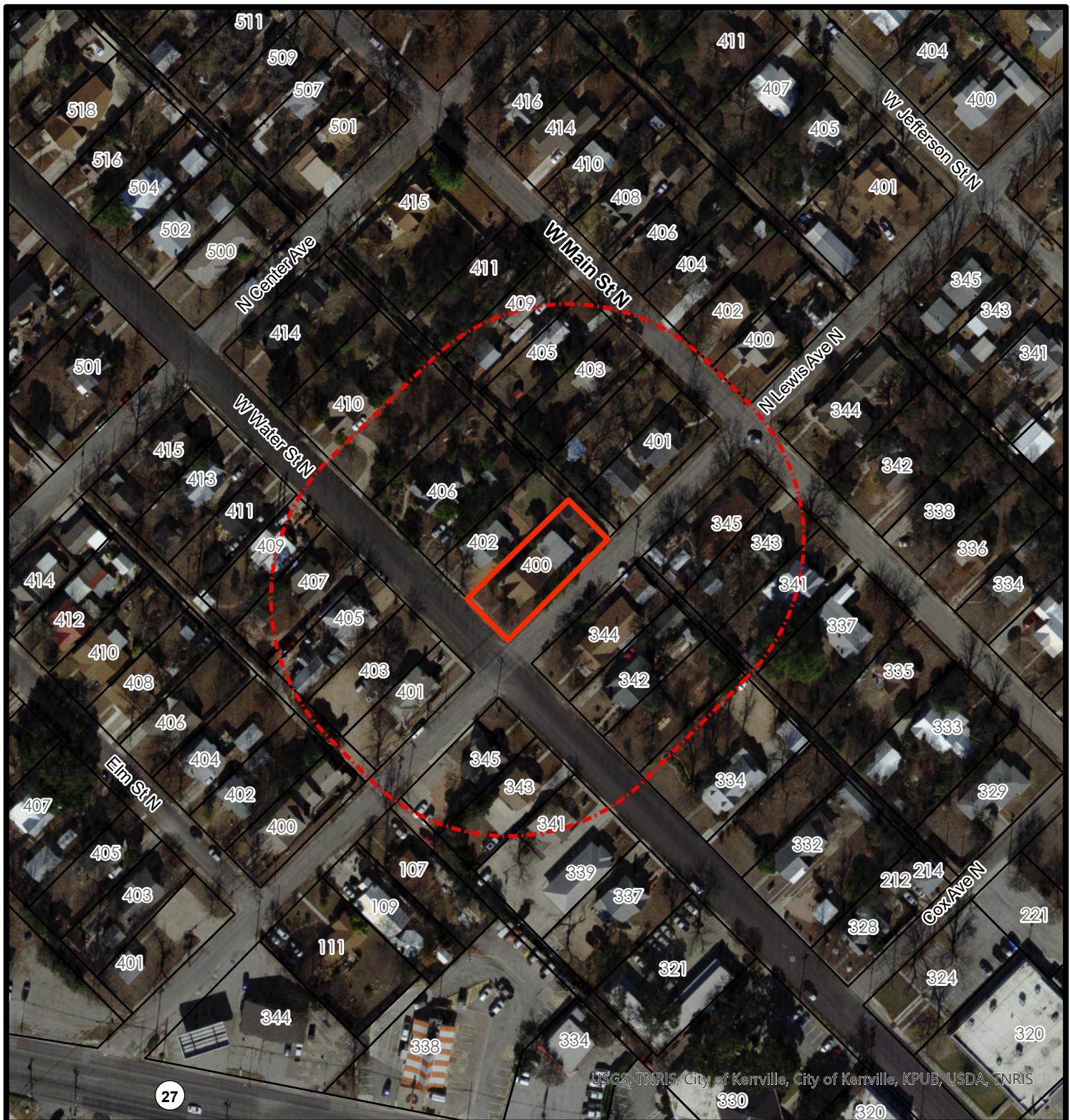
Because the request is consistent with the adjacent development and the objectives of the Kerrville 2050 Plan, staff recommends annexation and the zoning request.

Attachments:

Location Map

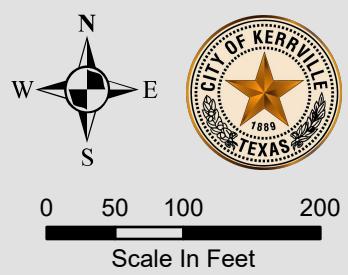
**RECOMMENDED ACTION:**

Recommend approval of the ordinance.



**Location Map**  
**Case # PZ-2022-11**  
**Location:**  
**400 W Water Street**

**Legend**  
**200' Notification Area**  
**Subject Properties**



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**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2022-\_\_\_\_**

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 400 W. WATER; CONSISTING OF LOT 8, BLOCK 17, SECTION B, OF THE WESTLAND PLACE ADDITION, A SUBDIVISION WITHIN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS; FROM A SINGLE FAMILY RESIDENTIAL WITH ACCESSORY DWELLING UNIT ZONING DISTRICT (R-1A) TO A RESIDENTIAL TRANSITION ZONING DISTRICT (RT); 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 \_\_\_\_\_, 2022, 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 a the property known as 400 W. Water; such change to result in the removal of the property from a Single Family Residential with Accessory Dwelling Unit Zoning District (R-1A) to placement within a Residential Transition Zoning District (RT); and

WHEREAS, on \_\_\_\_\_, 2022, 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, Chapter 60 of the Code of Ordinances of the City of Kerrville, Texas, and the Official Zoning Map are hereby amended to **designate the following described property zoned as within a Residential Transition Zoning District (RT):**

Legal Description: Being **Lot 8, Block 17, Section B of the Westland Plan Addition**, a subdivision within the City of Kerrville, Kerr County, Texas; said property depicted at Exhibit A, attached hereto and

made a part hereof for all purposes, and hereafter referred to as the "Property."

Address: 400 W. Water, Kerrville, Texas 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., 2022.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the \_\_\_\_\_ of \_\_\_\_\_, A.D., 2022.

---

Bill Blackburn, Mayor

APPROVED AS TO FORM:

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Michael C. Hayes, City Attorney

---

Shelley McElhannon, City Secretary



GREGORY A. RICHARDS, P.C.  
ATTORNEY

280 Thompson Drive  
Kerrville, Texas 78028  
P: 830-257-8080  
F: 830-896-8489  
Info@GregRichardsLaw.com



March 30, 2022

Drew Paxton  
City Planning Director  
City of Kerrville  
Via: email only to [Drew.Paxton@kerrvilletx.gov](mailto:Drew.Paxton@kerrvilletx.gov)

Re: Request for Zoning Change  
36.28 acres (+/-) south of Riverhill on Tx. Hwy. 16

Dear Drew:

I represent Trophy Properties, LLC, who has applied for a zoning change for 36.28 +/- acres south of Riverhill. The property is currently owned by Medina River Estates, LLC, and is part of the 225.76 acre property that was the subject of the zoning change and development agreement that we worked on in 2020. The property is currently zoned RE. You may be aware that Medina River Estates, LLC sold 55 acres of the 225.76 acre tract to Riverhill Estates, LLC. The 55 acres is immediately adjacent to the Riverhill subdivision, is zoned RE, and provides a significant buffer to the remainder of the property. There remains 168.47 acres owned by Medina River Estates, LLC. My client's application is to have about 36.28 of the 168.47 acres rezoned to R3 (Multi-family Residential) as shown on the attached drawing. The remainder of the property will continue with the RE zoning and will be developed in accordance with that designation. The attached drawing shows the proposed configuration of the 36.28 acres.

My understanding is that this matter is set to be presented to Planning and Zoning on April 7, 2022. Please include this letter and the attachments in the packet for P&Z. I would also like to present this matter to P&Z during the meeting.

Re-Zoning this 36.28 acre tract as R3 is appropriate for the following reasons:

1. Workforce housing is desperately needed in Kerrville. All of the 36.28 acres will be developed to provide workforce housing. As many as 366 multi-family units are planned for the property.
2. The property is adjacent to existing city utilities, which cuts down on the infrastructure development costs. This is critical to being able to bring these homes to the market at an affordable price.
3. The property is close to the City center and provides good access to the City's major employers.

4. The property will utilize new access off of Hwy 16. It will not connect into the Riverhill subdivision, which was a significant concern in prior discussions about developing the property.
5. No City financial participation is being requested.
6. The proposed development is consistent with the 2050 plan to bring more workforce housing to the City.

It is critical for our community to retain and attract quality nurses, entrepreneurs, fire fighters, EMS, and Police, our teachers, construction professionals and our young families to serve our community. If they are going to work here, they need to live here. Right now, these key members of our community are finding that most existing and newly constructed housing is simply priced beyond their reach. When people can afford to live closer to their jobs, the entire community reaps the benefits. We end up with a more diverse population, we provide the opportunity for families to live and grow in one place over time, and our economy strengthens by helping employers attract and retain essential workers.

Please let me know if you have any questions or need additional information.

Sincerely,

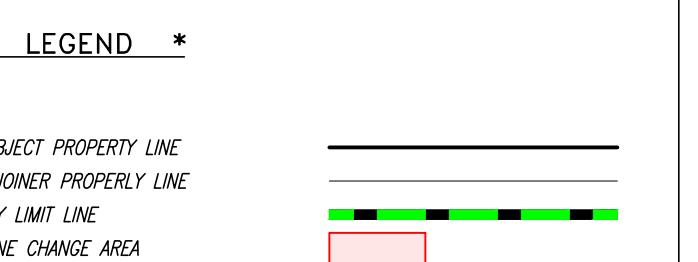
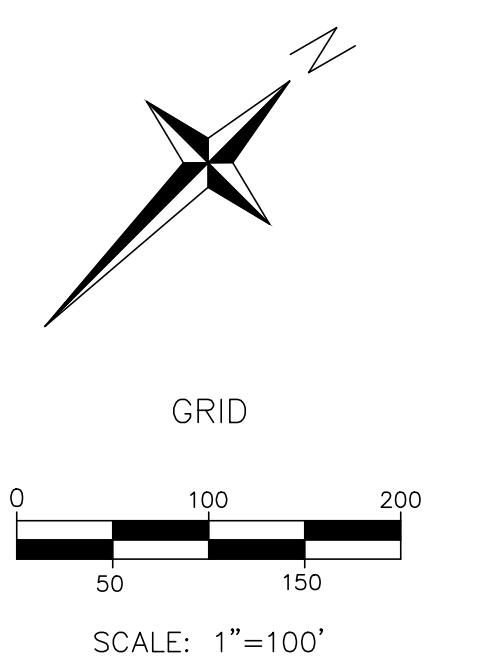
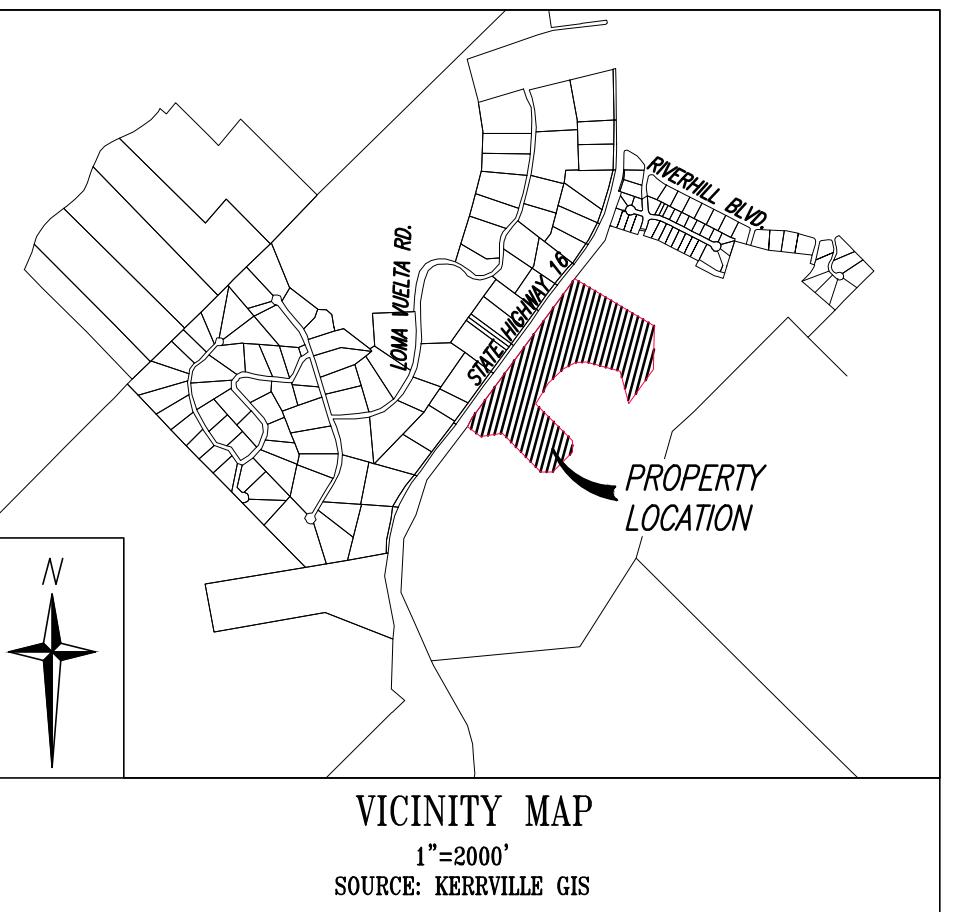
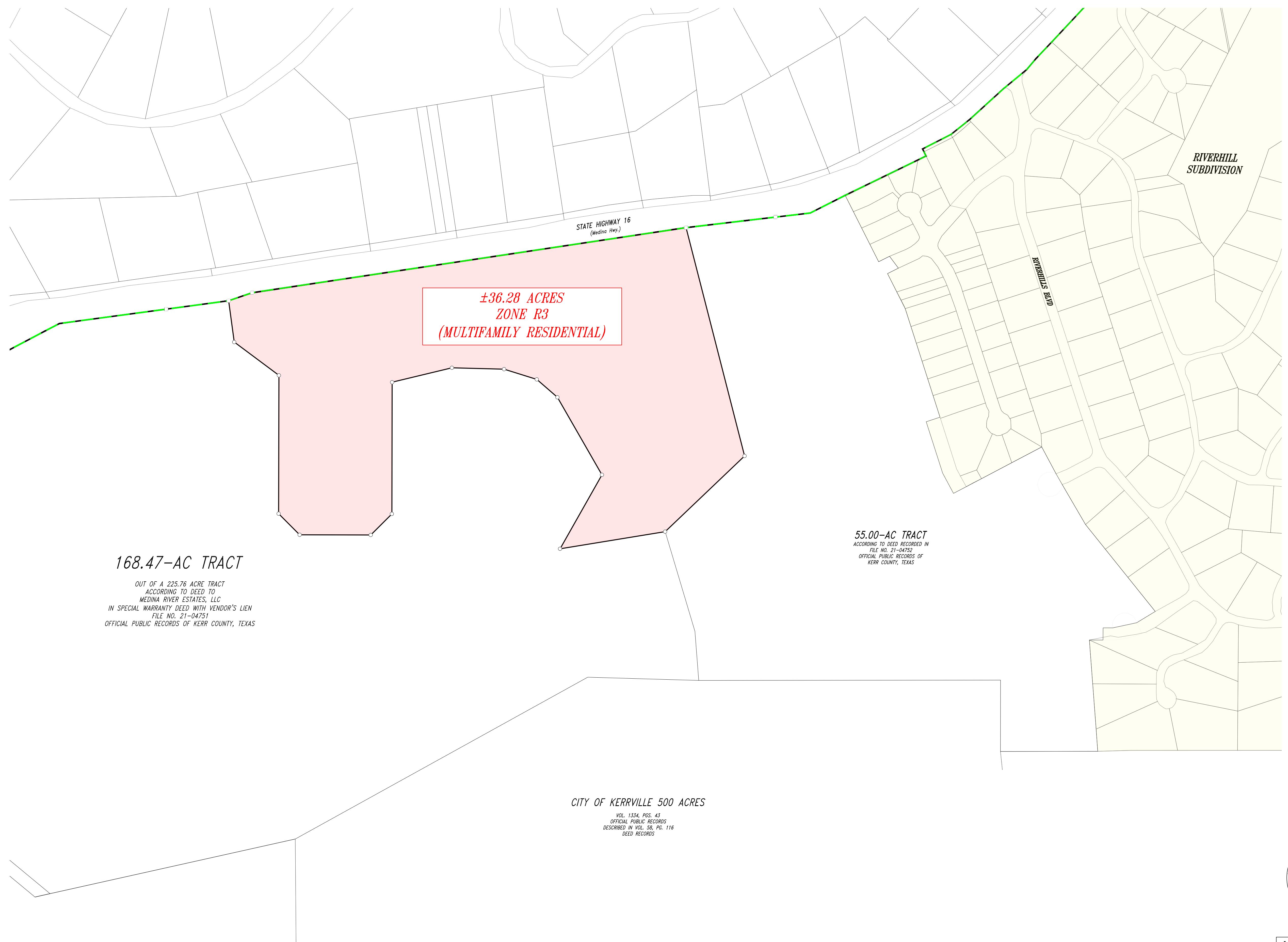
**Gregory A. Richards, P.C.**

By: *Gregory A. Richards*

CC: Jay Parker – via email to [j@parkerholdings.com](mailto:j@parkerholdings.com)

Daminique Garrison – via email to [d@parkerholdings.com](mailto:d@parkerholdings.com)

Mike Wellborn – via email to [mikew@wellbornengineering.com](mailto:mikew@wellbornengineering.com)



THIS DOCUMENT IS  
RELEASE FOR THE  
PURPOSE OF INTERIM  
REVIEW AND IS NOT TO BE  
USED FOR FILING OR  
RECORDING PURPOSES

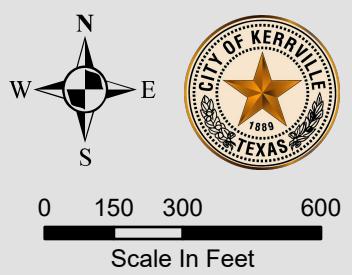
**ZONING EXHIBIT**  
**36.28 ACRES**  
BEING A PORTION OF A 168.47 ACRE TRACT ACCORDING TO  
SPECIAL WARRANTY DEED WITH VENDOR'S LIEN RECORDED IN FILE  
NO. 21-04751, OFFICIAL PUBLIC RECORD KERR COUNTY, TEXAS  
within KERR COUNTY, TEXAS

G31 WATER STREET wellbornengineering.com  
KERRVILLE, TX 78028 FIRM# 10194410  
830-217-7100 T.B.P.E.L.S.  
PROJECT: WES: 22-034 SCALE: 1" = 100' FIELD: JS/CM DRAFTING: BM CHECKED: RSM  
LAST FIELD VISIT: 10.21.2021 LAST DRAFT REVISION: 03.30.2021 SHEET NO. 1 of 1



**Location Map**  
**Case # PZ-2022-13**  
**Location:**  
**2601 Medina Highway**

**Legend**  
**200' Notification Area**  
**Subject Properties**



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**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2022-\_\_\_\_\_**

**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 AN APPROXIMATE 36.28 ACRE  
TRACT OUT OF THE NATHANIEL HOYT SURVEY NO. 145,  
ABSTRACT NO. 178, AND BEING A PORTION OF A 168.47 ACRE  
TRACT; MORE GENERALLY DESCRIBED AS THE 2100-2200  
BLOCK OF MEDINA HIGHWAY (SH 16 S.); WITHIN THE CITY  
OF KERRVILLE, KERR COUNTY, TEXAS; FROM A  
RESIDENTIAL ESTATE ZONING DISTRICT (RE) TO A  
MULTIFAMILY RESIDENTIAL ZONING DISTRICT (R-3);  
AMENDING THE CITY'S COMPREHENSIVE PLAN TO MAKE IT  
CONSISTENT WITH THIS ZONING AMENDMENT; 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 \_\_\_\_\_, 2022, 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 a portion of the property generally located in the 2100-2200 block of Medina Highway (SH 16 S.) and comprising approximately 36.28 acres; such change to result in the removal of the property from a Residential Estate Zoning District (RE) to placement within a Multifamily Residential Zoning District (R-3); and

**WHEREAS**, on \_\_\_\_\_, 2022, 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, Chapter 60 of the Code of Ordinances of the City of Kerrville, Texas, and the *Official Zoning Map* are hereby amended to designate the following described property zoned as within a Multifamily Residential Zoning District (R-3):

**Legal Description:** Being a 36.28 acre tract out of the Nathaniel Hoyt Survey No. 145, Abstract No. 178, and being a portion of a 168.47 acre tract according to the document filed as Document No. 21-04751, of the Official Public Records of Kerr County, Texas; said property depicted at Exhibit A, attached hereto and made a part hereof for all purposes, and hereafter referred to as the "Property."

**General Address:** 2100-2200 block of Medina Highway (SH 16 S.), Kerrville, Texas 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., 2022.**

**PASSED AND APPROVED ON SECOND AND FINAL READING, this  
the \_\_\_\_\_ of \_\_\_\_\_, A.D., 2022.**

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Bill Blackburn, Mayor

ATTEST:

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Shelley McElhannon, City Secretary

APPROVED AS TO FORM:

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Michael C. Hayes, City Attorney



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



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**SUBJECT:** Annexation & Zoning (AG), 2550 Bandera Hwy (Case PZ-2022-15)

An ordinance to annex into the City of Kerrville's incorporated limits with a zoning classification of AG Agriculture District the following parcels: approx. 162.06 out of the Schauhard Survey No. 67 Abstract 299, approx. 26.69 acres out of the Norma P. Schweitzer Survey No. 1621 Abstract 2086, and approx. 53.12 acres out of the Mrs. Alliweeses Clark Survey No. 395 Abstract 101; and more commonly known as 2550 Bandera Hwy.

**AGENDA DATE OF:** April 7, 2022

**DATE**

**SUBMITTED:**

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [PZ-2022-15-LocationMap.pdf](#)  
[PZ-2022-15\\_Oneal\\_opposed.pdf](#)  
[PZ-2022-15\\_Petition.pdf](#)

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**Kerrville 2050 Item?** Yes

**Key Priority Area**

**Guiding Principle**

**Action Item**

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**SUMMARY STATEMENT:**

Proposal

An ordinance to annex into the City of Kerrville's incorporated limits with a zoning classification of AG Agriculture District the following parcels: approx. 162.06 out of the Schauhard Survey No. 67 Abstract 299, approx. 26.69 acres out of the Norma P. Schweitzer Survey No. 1621 Abstract 2086, and approx. 53.12 acres out of the Mrs. Alliweeses Clark Survey No. 395 Abstract 101; and more commonly known as 2550 Bandera Highway (Case No. PZ-2022-15)

Procedural Requirements

The City, in accordance with state law, mailed 30 letters on 2/22/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 3/17/2022.

At the time of drafting this agenda bill, Development Services has received one comment, in opposition, from adjacent property owners.

#### Staff Analysis and Recommendation

##### Adjacent Zoning and Land Uses:

##### Subject Property

Current Zoning: N/A County/ETJ

Existing Land Use: Vacant Land

Direction: North

Current Zoning: PI Public and Institutional

Existing Land Uses: Kerrville Schreiner Park

Direction: South

Current Zoning: Planned Development District

Existing Land Uses: single family residential and golf course

Direction: East

Current Zoning: N/A (ETJ land)

Existing Land Uses: single-family residential

Direction: West

Current Zoning: R-1

Existing Land Uses: vacant land

Consistency with the Kerrville 2050 Comprehensive Plan (“Comp Plan”):

The subject property is designated as Agriculture and Outdoor Tourism (AOT). Stemming from the 2008 comprehensive plan, the AOT land use was used to identify large, primarily vacant properties that were outside of the city limits. This was in turn, carried over into the Kerrville 2050 Future Land Use Plan.

Thoroughfare Plan:

The subject property is located on Bandera Highway/Highway 173. The thoroughfare plan also has a primary arterial connection required through this area connecting Highway 16 to Highway 173. When this property develops, this thoroughfare will need to be addressed accordingly. Since the annexation request is for AG zoning, the request is consistent with the Kerrville 2050 Future Land Use Plan.

Traffic Impact:

Future traffic impacts of the future development will be reviewed through the TIA Worksheet and TIA as a part of the development and subdivision of this property.

Parking:

All off-street parking requirements will be met through final project design and approval.

Case Summary:

The applicant is requesting that the City annex the property with a zoning of AG, Agriculture. The AG zoning is a place holder until the final master plan for the property has been completed.

The follow-up zone change request will also be notified, as per state law, to adjacent property owners.

Recommendation:

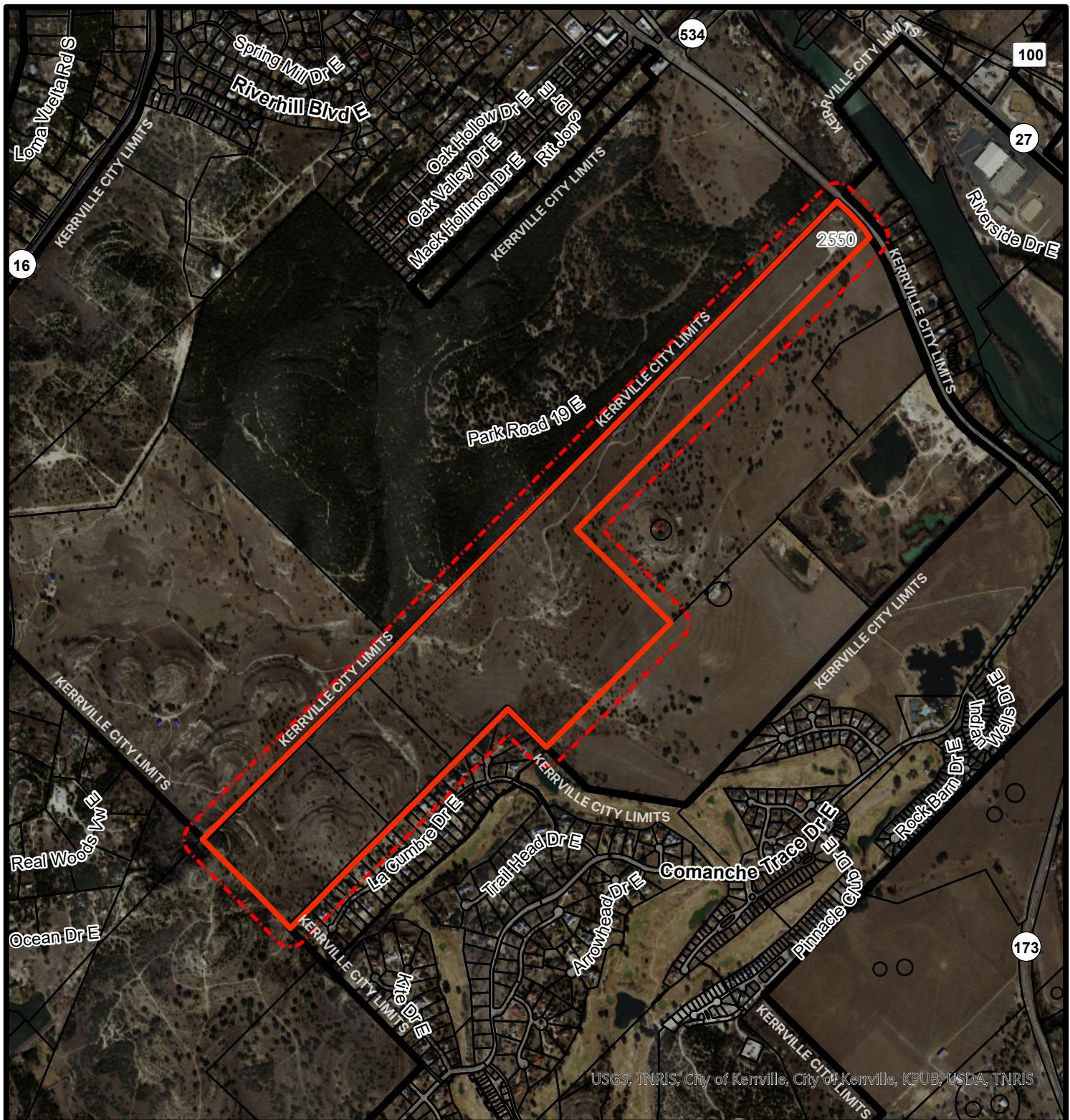
Because the request is consistent with the adjacent development and the objectives of the Kerrville 2050 Plan, staff recommends annexation and the zoning request.

Attachments:

Location Map

**RECOMMENDED ACTION:**

Recommend approval of the ordinance.



# Location Map

# Case # PZ-2022-15

## Location:

## 2550 Bandera Highway

## Legend

## **200' Notification Area Subject Properties**



0 500 1,000 2,000

Scale In Feet

**From:** [Ted O'Neal](#)  
**To:** [Drew Paxton](#)  
**Cc:** [Julie Rhodes](#)  
**Subject:** Notice of Public Hearing item--Case PZ-2022-15 Bandera Highway  
**Date:** Tuesday, March 29, 2022 11:02:23 AM

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

Good morning Drew. My name is Ted O'Neal and we own the home at 2577 Bandera Highway in Kerrville. I tried to call earlier but you were not available. I received the Notice of Public Hearing for Case PZ-2022-15. We oppose any action with this property for the following reasons. I note as an aside that this notice suggests that the property in question (which is almost directly across Bandera Highway from my property) is proposed to be annexed to the City for an AG Agriculture District classification which does not necessarily comport with my understanding of what is going on. My understanding of this is that the annexation and change is part of a process to have this approved as a residential housing development, which I oppose and frankly I oppose any change from its current classification and use. Please correct me if I am wrong. Bandera highway in front of our property is a very dangerous road with a lot of traffic currently and numerous parties seeking ingress and egress from their properties and the State Park nearby. As you know, recently the speed limit was reduced from 55 to 50 right in this location because there is recognition of the current congestion and the fact the road curves and changes grade in the area plus or minus one mile from the area in question making it difficult to enter traffic out of our driveway and very dangerous to ride a bike on the shoulder down to the State Park just down the road. Part of the attraction to our property has always been access to the State Park and bike trail system which can be accessed at the State park but which requires riding on Bandera Highway to get to the State Park. With a young daughter I am very concerned about the already increased traffic in the area from the continued development of Comanche Trace, the State Park, and more traffic in general in the region. If development were permitted on this subject property (which I understand to be proposed to be a large number of residential units or homes) and any ingress/egress were permitted on bandera highway, it would exacerbate a traffic nightmare right in front of our property and add to the danger and congestion beyond an acceptable level where there are already a variety of factors creating danger. We have owned this property since approximately 2005/2006 and seen the growth in the area, which we understand. But this particular road and specifically this location is very dangerous already with the increased traffic and the pedestrians and cyclists on this road in proximity to the State park and a residential development of the subject property with such ingress and egress would result in an increase in deaths and significantly diminish the quality of life and the property values of those living in the area. The tract in question is oddly shaped and quite frankly does not possess sufficient frontage to distribute any significant amount of traffic onto any highway, let alone an already congested one with grade changes and limited visibility. Feel free to email me if you would like to discuss further as I am happy to call you. Thank you. Ted O'Neal.

**PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS**

TO THE MAYOR OF THE GOVERNING BODY OF KERRVILLE, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby [if applicable: waive the requirement to be offered a development agreement pursuant to Section 43.016, and] petition your honorable Body to extend the present city limits so as to include as part of the City of Kerrville, Texas, the following described territory, to wit:

All that certain tract or parcel of land lying and being situated in the County of Kerr, State of Texas and being more particularly described on Exhibit "A" attached hereto and made a part for all purchases; more commonly known as 2601 Medina Highway, Kerrville, Texas 78028

We certify that the above described tract of land is contiguous and adjacent to the City of Kerrville, Texas, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

This petition is contingent upon Triple Root Development, LLC purchasing the above referenced property.

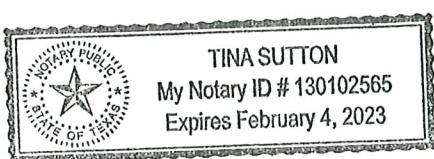
Signed: Robert Keeble President  
Signed: Robert Keeble  
Signed: \_\_\_\_\_

THE STATE OF TEXAS

COUNTY OF KERR

BEFORE ME, the undersigned authority, on this day personally appeared Robert Keeble, \_\_\_\_\_, and \_\_\_\_\_, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 4<sup>TH</sup> day of March, 2022.



Tina Sutton  
Notary Public in and for  
Kerr County, Texas.