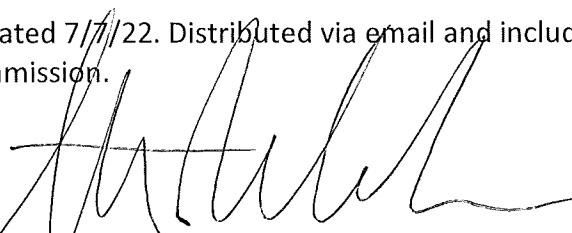


## P&Z Packet Change Summary for 7/7/22 Meeting

1. Item 1A – Minutes: Added Meeting Minutes from the 6/2/22 P&Z regular meeting.
2. Item 2 – Consideration and Final Action: Added Conditions of Approval to plats.
3. Item 3 – Public Hearing, Consideration and Action: Added in additional Citizen Comments received after the original packet was published.

Updated 7/7/22. Distributed via email and included in hard copies to Planning & Zoning Commission.



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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 H and Mike H to also be informed.



PLANNING AND ZONING COMMISSION AGENDA  
JULY 7, 2022, 4:00 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. Minutes from June 2, 2022 regular meeting.

Attachments:

[PZ Minutes\\_20220602\\_draft.pdf](#)

**2 CONSIDERATION AND FINAL ACTION**

2.A. A final plat of Comanche Trace Phase 18, a 14.762 acre tract of land located in the William Watt Survey No. 65, Abstract No. 364, the William Watt Survey No. 64, Abstract No. 363, and the Thomas Jackson Survey No. 394, Abstract No. 212, Kerr County, Texas and being a portion of a called 610.79 acre tract of land as described in Document No. 22-03728 of the Official Public Records of Kerr County, Texas, also being all of Lot "E", also labeled as a 20' wide sanitary sewer easement, 20' wide Public Utility Easement and 10' wide Public Utility Easement of the Comanche Trace Phase 11 plat of record in Volume 8, Page 57 of the plat records of Kerr County. (Case No. 2022-034)

Attachments:

[2022-034\\_Comanche Ph18\\_Final Plat.pdf](#)

2.B. A preliminary plat of Comanche Trace Phase 12A & 12B, a 24.06 acre tract of land located within the William Watt Survey No. 65, Abstract No. 364, Kerr County, Texas, and being a portion of a called 1,131.78 acre tract of land as described in Volume 971, Page 698 of the Real Property Records of Kerr County, Texas. (Case No. 2022-035)

Attachments:

[2022-035\\_CT Ph12A and 12B\\_Preliminary Plat.pdf](#)

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2.C. A preliminary plat of the Reserves at Holdsworth, establishing a subdivision of land containing 6.000 acres, comprised of 1 lot of land situated in the C. Self Survey No. 626, Abstract No. 325, and the John Young Survey No. 118, Abstract No. 376, Kerr County, Texas, and being a portion of a called 33.95 acre tract recorded in Volume 1043, Page 105, Official Public Records of Kerr County, Texas. (Case No. 2022-036)

Attachments:

[2022-036\\_Reserves at Holdsworth\\_Prelim Plat \(6-16-2022\).pdf](#)

2.D. A preliminary plat of Kerrville 38, being a 38.924 acre tract of which 37.695 acres is out of the S. Wallace Survey No. 113, Abstract No. 347, and 1.229 acres out of the S. Wallace Survey No. 112, Abstract No. 360, Kerr County, Texas according to the Conveying Deed recorded in instrument No. 16-03373 Official Public Records of Kerr County, Texas, wholly within the City of Kerrville, Texas. (Case 2022-039)

Attachments:

[2022-039\\_Preliminary Plat\\_Kerrville 38.pdf](#)

### **3 PUBLIC HEARING, CONSIDERATION & ACTION**

3.A. A resolution to allow a Conditional Use Permit for a Short Term Rental on 0.114 acres out of Hoyt Survey No. 147, Abstract 178; and more commonly known as 531 Fairway Ct, Kerrville, TX 78028. (Case No. PZ-2022-26)

Attachments:

[PZ-2022-26-Location Map.pdf](#)

[PZ-2022-26\\_Site Plan with Parking.pdf](#)

[PZ-2022-26\\_Harter\\_Opposed.pdf](#)

[PZ-2022-26\\_Horine\\_Opposed.pdf](#)

[PZ-2022-26\\_Stark\\_Opposed.pdf](#)

[PZ-2022-26\\_Watts\\_Opposed.pdf](#)

[PZ-2022-26\\_Wickliff\\_Opposed.pdf](#)

[PZ-2022-26\\_Talpey\\_Opposed.pdf](#)

3.B. A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 3B, Block 45, Westland; and more commonly known as 410 Circle Ave, Kerrville, TX 78028. (Case No. PZ-2022-27)

Attachments:

[PZ-2022-27-LocationMap.pdf](#)

[PZ-2022-27\\_Site Plan with Parking.pdf](#)

[PZ-2022-27\\_Olden\\_Opposed with Signature Sheets.pdf](#)

3.C. A resolution to allow a Conditional Use Permit for a Short Term Rental property on parts of Lot 1A, Block 81, JA Tivy Addition (Coppock Subdivision Replat); and more commonly known as 1229 Jefferson St, Kerrville, TX 78028. (Case No. PZ-2022-28)

Attachments:

[PZ-2022-28-LocationMap.pdf](#)

[PZ-2022-28\\_Site Plan with Parking.pdf](#)

3.D. A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 1, Block 1, Limestone Beach; and more commonly known as 1959 Arcadia Loop, Kerrville, TX 78028. (Case No. PZ-2022-29)

Attachments:

[PZ-2022-29-LocationMap.pdf](#)

[PZ-2022-29\\_Site Plan with Parking.pdf](#)

3.E. A resolution to allow a Conditional Use Permit for a Short Term Rental on parts of Lot 11-A, Block 5, Village Glen; and more commonly known as 1701 Foothills Dr, Kerrville, TX 78028. (Case No. PZ-2022-30)

Attachments:

[PZ-2022-30-LocationMap.pdf](#)

[PZ-2022-30\\_Site Plan with Parking.pdf](#)

[PZ-2022-30\\_Pattillo\\_opposed.pdf](#)

[PZ-2022-30\\_Spradling\\_Opposed.pdf](#)

[PZ-2022-30\\_Bennett\\_opposed.pdf](#)

[PZ-2022-30\\_Candy\\_opposed.pdf](#)

[PZ-2022-30\\_Esquivel\\_opposed.pdf](#)

3.F. A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 3 and Part of Lot 4, Block 4, Fairview; and more commonly known as 330 Guadalupe St, Kerrville, TX 78028. (Case No. PZ-2022-31)

Attachments:

[PZ-2022-31-LocationMap.pdf](#)

[PZ-2022-31\\_Site Plan with Parking.pdf](#)

3.G. A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 19, Block 1, Meadow View Estates; and more commonly known as 426 Meadowview Ln, Kerrville, TX 78028. (Case No. PZ-2022-32)

Attachments:

[PZ-2022-32-LocationMap.pdf](#)

[PZ-2022-32\\_Site Plan with Parking.pdf](#)

[PZ-2022-32\\_Sinski\\_ooposed.pdf](#)

3.H. An ordinance to change the zoning from R-2 Medium Density Residential to R-3 Multifamily Residential on approximately 22.03 acres tract of land out of the Samuel Wallace Survey No. 113, Abstract No. 347, in the city of Kerrville, Kerr County, Texas; part of a certain 54.206 acre tract conveyed from Four States Financial Corporation to Hervey Square; and more commonly known as 2300 block of East Main Street. (Case No. PZ-2022-33)

Attachments:

[PZ-2022-33-LocationMap.pdf](#)

[PZ-2022-33\\_Wall\\_Opposed.pdf](#)

**4 STAFF REPORT**

**5 EXECUTIVE SESSION**

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

**6 ADJOURNMENT**



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



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**SUBJECT:** Minutes from June 2, 2022 regular meeting.

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

**SUBMITTED BY:** Steve Melander

**EXHIBITS:** [PZ Minutes\\_20220602\\_draft.pdf](#)

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**Kerrville 2050 Item?** No

**Key Priority Area**

**Guiding Principle**

**Action Item**

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**SUMMARY STATEMENT:**

**RECOMMENDED ACTION:**

Approve or approve with revisions.

**PLANNING & ZONING COMMISSION  
REGULAR MEETING MINUTES**

**KERRVILLE, TEXAS  
JUNE 2, 2022**

**COMMISSIONERS PRESENT:**

Abram Bueche  
Cliff Tuttle  
Mike Sigerman - Chair  
David Lipscomb - Vice Chair  
Tabor McMillan  
Jeff Harris

**COMMISSIONERS ABSENT:**

Kevin Bernhard

**CITY CORE STAFF PRESENT:**

Drew Paxton  
Steve Melander  
Guillermo Garcia  
Mike Hayes  
Kyle Burow  
Stuart Barron  
Kim Meismer  
Michael Hornes

**CALL TO ORDER**

Meeting called to order at 4:30pm by Mike Sigerman.

**1) MINUTES**

**1.A** Minutes from May 12, 2022 regular meeting.

PZ Minutes\_20220512\_draft.pdf

David Lipscomb moved to approve minutes as presented; Cliff Tuttle seconded the motion, and the motion carried 6-0.

**2) CONSIDERATION AND FINAL ACTION**

**2.A** A preliminary plat of Cibola Trails, a residential subdivision within the City of Kerrville, being 18.39 acres out of a 328.55 acre tract within the Florentine Laura Survey No. 123, Abstract No. 225 according to the special warranty deed files as Document No. 13-003157, official public records of Kerr County, Texas within the City of Kerrville, Texas (Case No. 2022-025).

2022-025\_Preliminary Plat\_Cibola Trails.pdf

Drew Paxton presented the case.

Miles Jones was called to speak.

Drew Paxton was called to speak.

Mike Wellborn was called to speak.

Cliff Tuttle moved to approve the preliminary plat; Tabor McMillan seconded the motion, and the motion carried 5-1.

**3) PUBLIC HEARING, CONSIDERATION & ACTION**

**3.A** A resolution to allow a Conditional Use Permit for a Car Wash on Lot 2, Block 1, Starkey Manor 12; and more commonly known as the northwest corner of Junction Highway and Commerce Street. (Case No. PZ-2022-23)

PZ-2022-23-LocationMap.pdf

PZ-2022-23\_Preliminary Drainage Plan.pdf

PZ-2022-23\_Distance to Floodplain Exhibit.pdf

Drew Paxton presented the case.

Open public hearing.

Close public hearing.

Mike Sigerman was called to speak.

Pablo Brinkman was called to speak.

Tabor McMillan moved to approve the resolution; Abram Bueche seconded the motion, and the motion carried 4-2.

**3.B** A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 3, Block 1, Schreiner High School Addition; and more commonly known as 729 Robinson Avenue, Kerrville, TX 78028. (Case No. PZ-2022-24)

PZ-2022-24-LocationMap.pdf

PZ-2022-24 - Site Plan with Parking - 1 Bdr.pdf

Drew Paxton presented the case.

Open public hearing.

Matt Sletten was called to speak.

Mike Sigerman was called to speak.

Close public hearing.

David Lipscomb was called to speak.

Cliff Tuttle moved to approve the resolution; Jeff Harris seconded the motion, and the motion carried 6-0.

**3.C** A resolution to allow a Conditional Use Permit for a Short Term Rental on Lots 2 and 3, Block 2, Virgil Merrill 3; and more commonly known as 1203 Donna Kay Drive, Kerrville, TX 78028. (Case No. PZ-2022-25)

[PZ-2022-25-LocationMap.pdf](#)

[PZ-2022-25\\_Site Plan with Parking\\_3 Bdrms.pdf](#)

[PZ-2022-025\\_McBain\\_Opposed.pdf](#)

Drew Paxton presented the case.

Open public hearing.

Lynette Cooper was called to speak.

Owner was called to speak.

Drew Paxton was called to speak.

Close public hearing.

David Lipscomb moved to approve the resolution; Abram Bueche seconded the motion, and the motion carried 6-0.

**3.D** An ordinance to change the zoning from R-1 Single Family Residential to a Planned Development District on approximately 487 acres of land out of the David Schauhard Survey No. 67, Abstract No. 299; Nathaniel Hoyt Survey No. 147, Abstract No. 178; John A Southmayd Survey No. 148, Abstract No. 288; Alliweeses Clark Survey No. 395, Abstract No. 101 and Norma P. Schweitzer S.F. No. 16211, Abstract No. 2086; more commonly known as 2550 Bandera Hwy and 2601 Medina Highway, Kerrville, TX 78028. (Case PZ-2022-19)

PZ-2022-19\_PDD Development Standards\_The Reserve.pdf

PZ-2022-19\_Land Use Plan\_The Reserve.pdf

PZ-2022-19\_The Reserve PDD Presentation.pdf

PZ-2022-19-LocationMap.pdf

PZ-2022-19\_Dozier\_Opposed.pdf

PZ-2022-19\_La Cobre Residents\_Opposed.pdf

PZ-2022-19\_Oneal\_Opposed.pdf

PZ-2022-19\_CT Realty\_P&Z Letter.pdf

PZ-2022-19\_Masley\_Opposed.pdf

PZ-2022-19\_Caldwell\_Opposed.pdf

PZ-2022-19\_Boerner\_Gee\_Opposed.pdf

PZ-2022-19\_Michael Paese\_Opposed.pdf

PZ-2022-19\_Lois Fields\_Opposed.pdf

PZ-2022-19\_Brad Fields\_Opposed.pdf

PZ-2022-19\_Bette Paese\_Request for More Info.pdf

PZ-2022-19\_Patterson\_Opposed.pdf

PZ-2022-19\_B Paese\_Opposed.pdf

PZ-2022-19\_Carroll\_Opposed.pdf

PZ-2022-19\_DeVore\_Opposed.pdf

PZ-2022-19\_Fields\_Opposed.pdf

PZ-2022-19\_Greene\_Opposed.pdf

PZ-2022-19\_M Paese\_Opposed.pdf

PZ-2022-19\_Patterson\_Opposed.pdf

Drew Paxton presented the case.

Nick Bashkiroff was called to speak.

Nick Haskell was called to speak.

Drew Paxton was called to speak.

Mike Sigerman was called to speak.

James McKnight was called to speak.

General discussion regarding phasing.

Open public hearing.

Peggy McKay was called to speak.

Tony Macaitis was called to speak.

Cam Masley was called to speak.

Maggie Megee was called to speak.

Betty Paese was called to speak.

Michael Paese was called to speak.

Sean Boerner was called to speak.

Chris Braaten was called to speak.

Ronny Carroll was called to speak.

Bruce Strake was called to speak.

Steve Patterson was called to speak.

Robert Dosier was called to speak.

Michael Ross was called to speak.

Close the public hearing.

Stuart Baron was called to speak.

Drew Paxton was called to speak.

Nick Haskell was called to speak.

Cindy Ford was called to speak.

Nick Haskell was called to speak.

Drew Paxton was called to speak.

James McKnight was called to speak.

Jeff Harris was called to speak.

Tabor McMillan was called to speak.

David Lipscomb was called to speak.

Cliff Tuttle was called to speak.

Mike Sigerman was called to speak.

Tabor McMillan moved to approve the ordinance; Abram Bueche seconded the motion, and the motion stalled 3-3. Bueche, Harris, and McMillan voted yes. Tuttle, Sigerman, and Lipscomb voted no.

General discussion occurred to provide direction to City Council since the motion stalled.

Mike Sigerman was called to speak.

General discussion occurred.

A revised motion was made by David Lipscomb to approve the ordinance, striking the portion of Article 2 allowing Short Term Rentals and striking Article 3(a). The motion was seconded by Cliff Tuttle and the motion carried 6-0.

#### **4) STAFF REPORT**

##### **4.A Elect Planning & Zoning Commission Vice Chair**

Item Withdrawn; it was determined that David Lipscomb was previously voted in as Planning & Zoning Commission Vice Chair.

#### **5) EXECUTIVE SESSION**

**6) ADJOURNMENT**

Meeting adjourned by Mike Sigerman at 7:06pm.

Submitted by:

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Steve Melander - Planning

Approved by:

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Mike Sigerman - Chair

Approval date:

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



**SUBJECT:** A final plat of Comanche Trace Phase 18, a 14.762 acre tract of land located in the William Watt Survey No. 65, Abstract No. 364, the William Watt Survey No. 64, Abstract No. 363, and the Thomas Jackson Survey No. 394, Abstract No. 212, Kerr County, Texas and being a portion of a called 610.79 acre tract of land as described in Document No. 22-03728 of the Official Public Records of Kerr County, Texas, also being all of Lot "E", also labeled as a 20' wide sanitary sewer easement, 20' wide Public Utility Easement and 10' wide Public Utility Easement of the Comanche Trace Phase 11 plat of record in Volume 8, Page 57 of the plat records of Kerr County. (Case No. 2022-034)

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

**DATE**

**SUBMITTED:**

**SUBMITTED BY:** Steve Melander

**EXHIBITS:** 2022-034 Comanche Ph18 Final Plat.pdf

## Kerrville 2050 Item? No

## Key Priority Area

## Guiding Principle

## Action Item

## **SUMMARY STATEMENT:**

The preliminary plat for Comanche Trace Phase 18 was previously approved by the Planning & Zoning Commission (Case 2021-039). Site improvements are currently being installed and the applicant has requested final plat approval so that the plat can be recorded immediately following site improvement completion and acceptance by City Engineering. City staff recommends the following Conditions of Approval:

Developer shall comply with the following Subdivision Code, reviewed and approved by City staff, prior to recordation of the final plat:

1. Section 82-33 (d) (4): Where public infrastructure has been installed, the

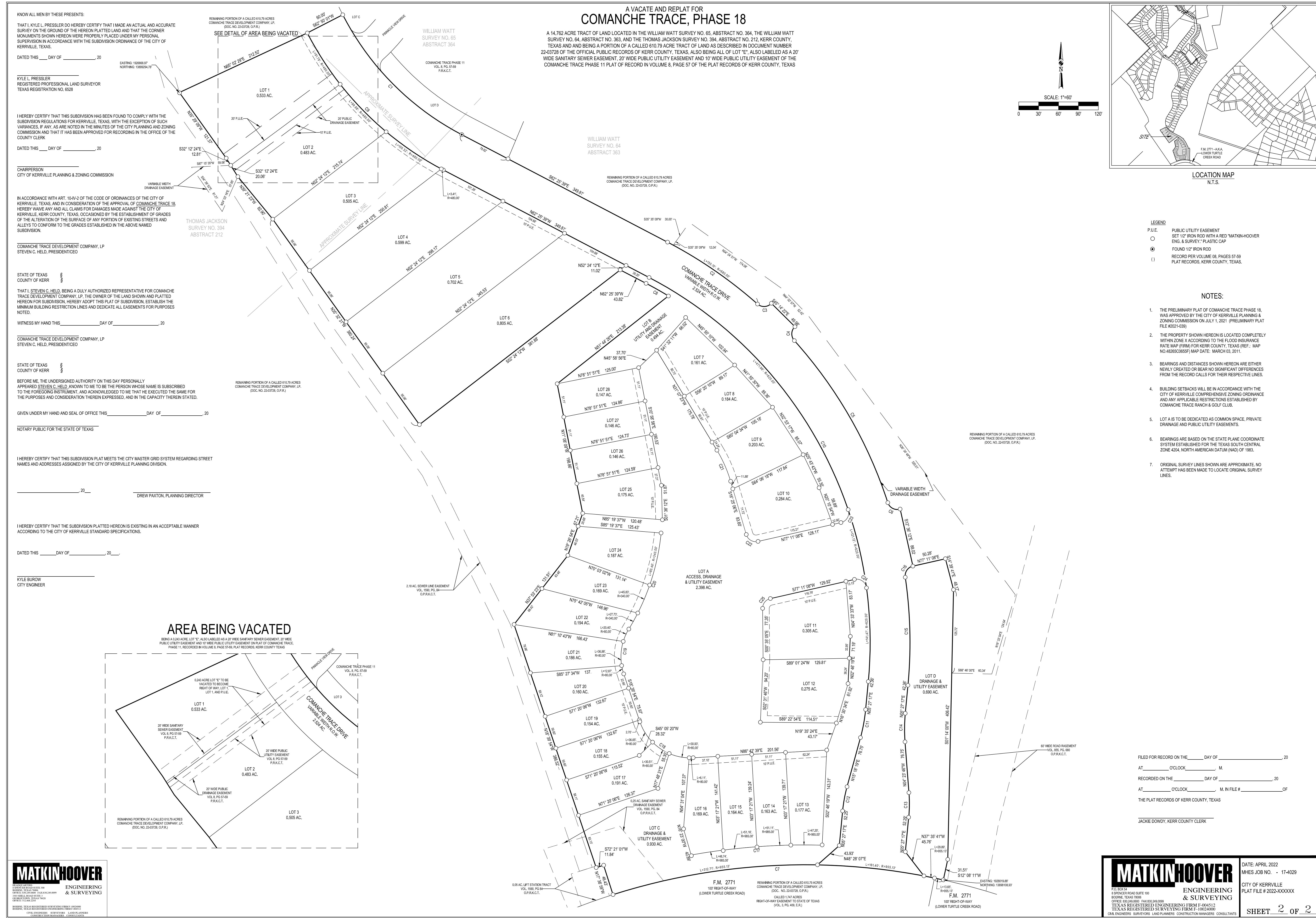
infrastructure conforms to the approved construction plans and has been approved for acceptance by the City Engineer.

2. Section 82-33 (d) (5): Where the City Engineer has authorized public infrastructure to be deferred, an improvement agreement has been executed and submitted by the property owner, and security and/or escrow in conformity with these regulations have been approved by the City.

3. Section 82-33 (d) (8): The plat conforms to design requirements and construction standards as set forth in Article IV, Subdivision Improvements and Design Standards.

**RECOMMENDED ACTION:**

Approve the plat with conditions.





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



**SUBJECT:** A preliminary plat of Comanche Trace Phase 12A & 12B, a 24.06 acre tract of land located within the William Watt Survey No. 65, Abstract No. 364, Kerr County, Texas, and being a portion of a called 1,131.78 acre tract of land as described in Volume 971, Page 698 of the Real Property Records of Kerr County, Texas. (Case No. 2022-035)

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

**SUBMITTED BY:** Steve Melander

**EXHIBITS:** 2022-035\_CT Ph12A and 12B\_Preliminary Plat.pdf

## **Kerrville 2050 Item? No**

## Key Priority Area

## Guiding Principle

## Action Item

## **SUMMARY STATEMENT:**

The preliminary plat has been reviewed by City staff for completeness.

## **RECOMMENDED ACTION:**

### Approve the preliminary plat.

KNOW ALL MEN BY THESE PRESENTS:  
THAT I, KYLE L. PRESSLER DO HEREBY CERTIFY THAT I MADE AN ACTUAL AND ACCURATE SURVEY ON THE PLATTED OF THE HERON PLATTED LAND AND THAT THE CORNER MONUMENTS SHOWN HEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF KERRVILLE, TEXAS.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20

KYLE L. PRESSLER  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 6528

I HEREBY CERTIFY THAT THIS SUBDIVISION HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR KERRVILLE, TEXAS, WITH THE EXCEPTION OF SUCH VARANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE CITY PLANNING AND ZONING COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY CLERK

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20

CHAIRPERSON  
CITY OF KERRVILLE PLANNING & ZONING COMMISSION

IN ACCORDANCE WITH ART. 10-IV-2 OF THE CODE OF ORDINANCES OF THE CITY OF KERRVILLE, TEXAS, AND IN CONSIDERATION OF THE APPROVAL OF COMANCHE TRACE 12A & 12B, HEREBY WAIVE ANY AND ALL CLAIMS FOR DAMAGES MADE AGAINST THE CITY OF KERRVILLE, KERR COUNTY, TEXAS, OCCASIONED BY THE ESTABLISHMENT OF GRADINGS OR THE ALTERATION OF THE SURFACE OF ANY PORTION OF EXISTING STREETS AND ALLEYS TO CONFORM TO THE GRADES ESTABLISHED IN THE ABOVE NAMED SUBDIVISION.

COMANCHE TRACE DEVELOPMENT COMPANY, LP  
TREVOR HYDE, MANAGER

STATE OF TEXAS  
COUNTY OF KERR  
THAT I, TREVOR HYDE, BEING A DULY AUTHORIZED REPRESENTATIVE FOR COMANCHE TRACE DEVELOPMENT COMPANY, LP, THE OWNER OF THE LAND SHOWN AND PLATTED HEREON FOR SUBDIVISION, HEREBY ADOPT THIS PLAT OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND DEDICATE ALL EASEMENTS FOR PURPOSES NOTED.

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20

COMANCHE TRACE DEVELOPMENT COMPANY, LP  
TREVOR HYDE, MANAGER

STATE OF TEXAS  
COUNTY OF KERR  
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED TREVOR HYDE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20

NOTARY PUBLIC FOR THE STATE OF TEXAS

I HEREBY CERTIFY THAT THIS SUBDIVISION PLAT MEETS THE CITY MASTER GRID SYSTEM REGARDING STREET NAMES AND ADDRESSES ASSIGNED BY THE CITY OF KERRVILLE PLANNING DIVISION.

\_\_\_\_\_, 20  
DREW PAXTON, PLANNING DIRECTOR

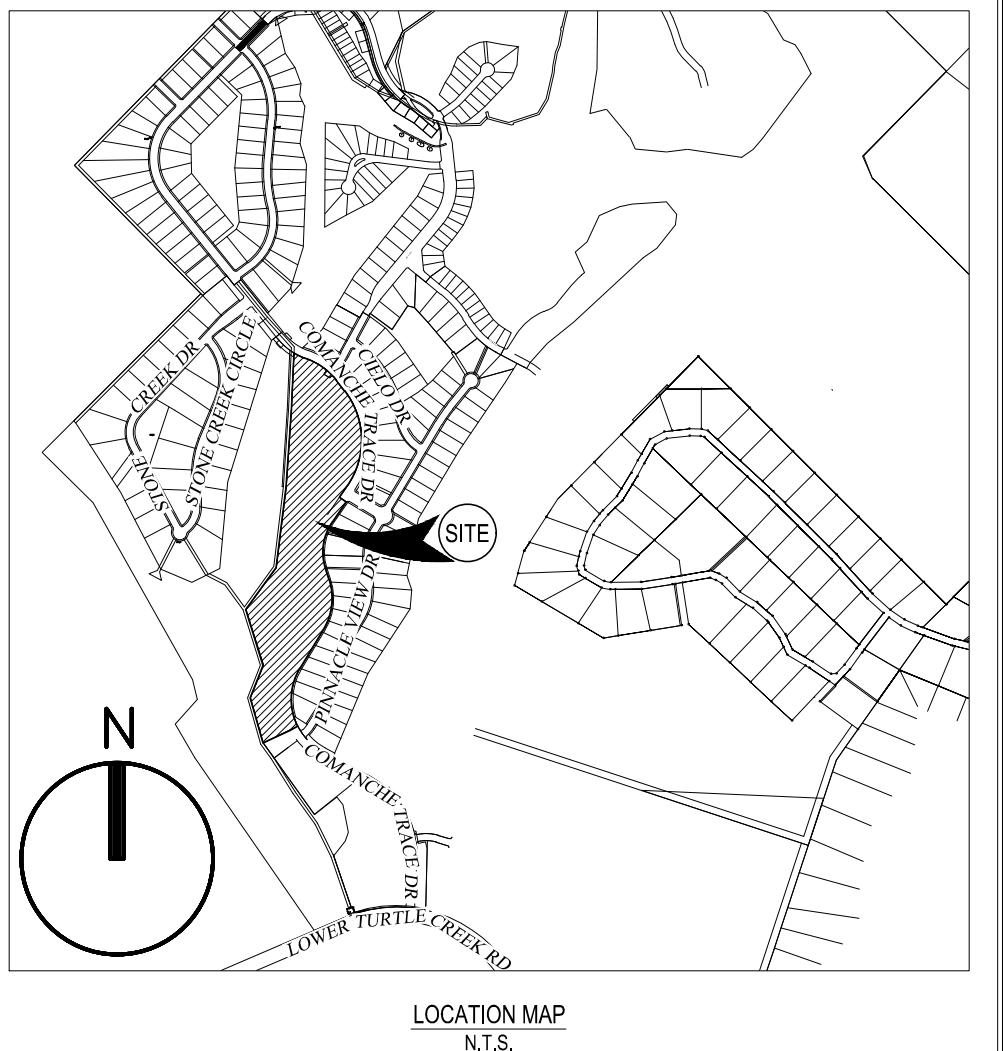
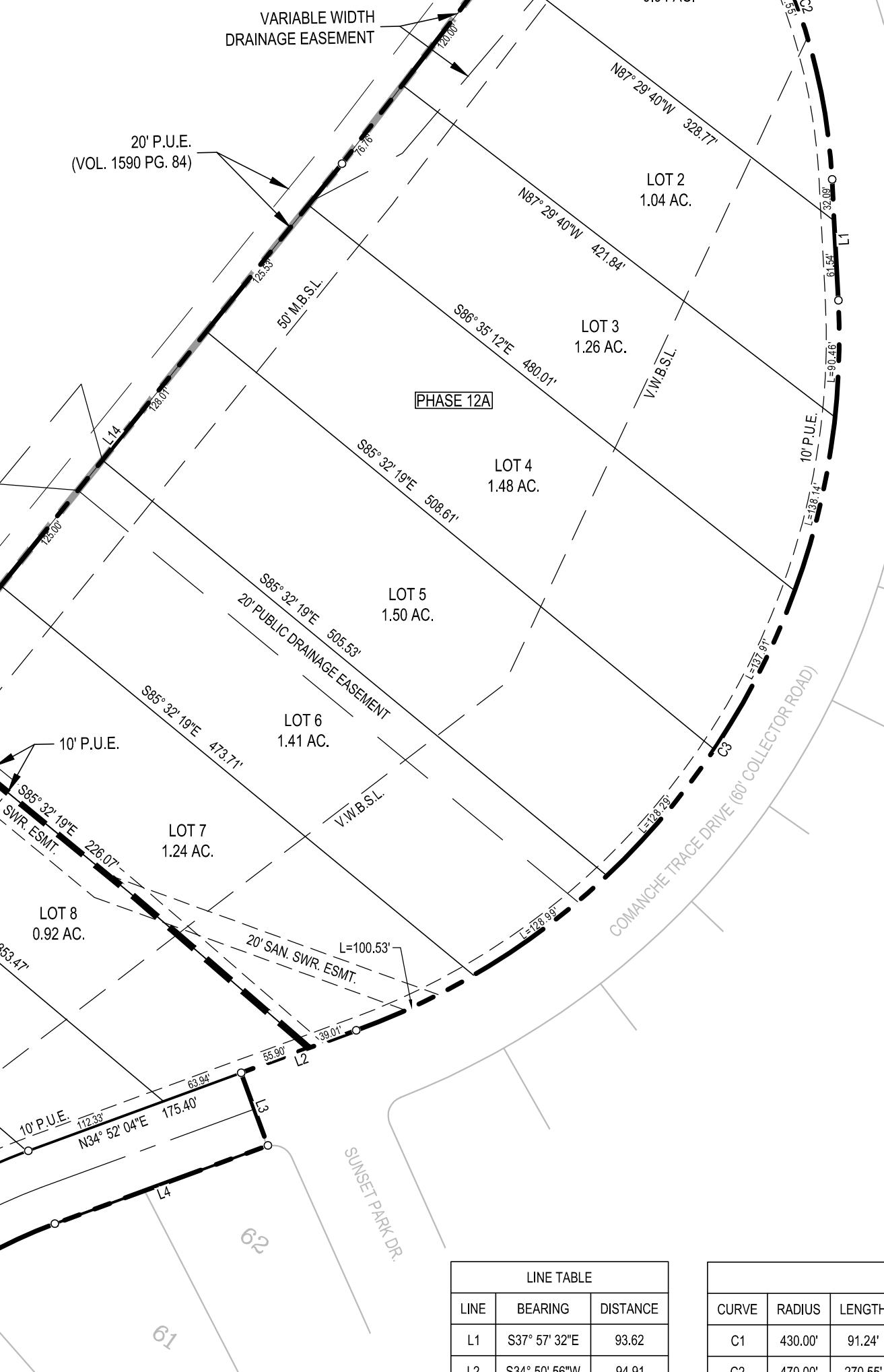
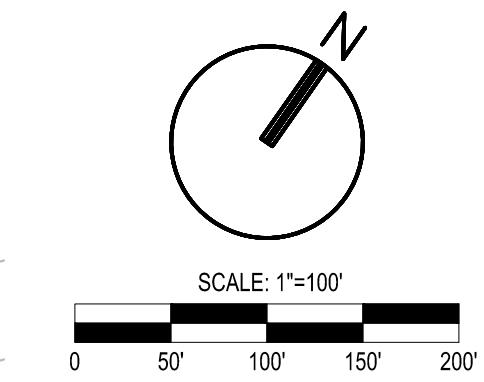
I HEREBY CERTIFY THAT THE SUBDIVISION PLATTED HEREON IS EXISTING IN AN ACCEPTABLE MANNER ACCORDING TO THE CITY OF KERRVILLE STANDARD SPECIFICATIONS.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20

KYLE BURROW  
CITY ENGINEER

# A PRELIMINARY PLAT ESTABLISHING COMANCHE TRACE, PHASE 12A & 12B

A 24.06 ACRE TRACT OF LAND LOCATED IN THE WILLIAM WATT SURVEY NO. 65, ABSTRACT NO. 364, KERR COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 1131.78 ACRE TRACT OF LAND AS DESCRIBED IN VOLUME 971, PAGE 698 OF THE REAL PROPERTY RECORDS OF KERR COUNTY, TEXAS.



LEGEND	
	PROPERTY BOUNDARY
	PHASE LINE
	KERRVILLE CITY LIMITS
	P.U.E.
	MINIMUM BUILDING SETBACK LINE
	M.B.S.L
	V.W.B.S.L
	SET 1/2" IRON ROD WITH A RED "MATKIN-HOOVER ENG. & SURVEY" PLASTIC CAP
	FOUND 1/2" IRON ROD

## NOTES:

1. THE PROPERTY SHOWN HEREON IS LOCATED COMPLETELY WITHIN ZONE X ACCORDING TO THE COMPLIANCE RATE MAP (CRM) FOR KERR COUNTY, TEXAS (REF. MAP NO.4282008557 MAP DATE: MARCH 03, 2011).
2. BEARINGS AND DISTANCES SHOWN HEREON ARE EITHER NEWLY CREATED OR BEAR NO SIGNIFICANT DIFFERENCES FROM THE RECORD CALLS FOR THEIR RESPECTIVE LINES.
3. BUILDING SETBACKS WILL BE IN ACCORDANCE WITH THE CITY OF KERRVILLE COMPREHENSIVE ZONING ORDINANCE AND ANY APPLICABLE RESTRICTIONS ESTABLISHED BY COMANCHE TRACE RANCH & GOLF CLUB.
4. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 42S4, NORTH AMERICAN DATUM (NAD) OF 1983.
5. ORIGINAL SURVEY LINES SHOWN ARE APPROXIMATE. NO ATTEMPT HAS BEEN MADE TO LOCATE ORIGINAL SURVEY LINES.

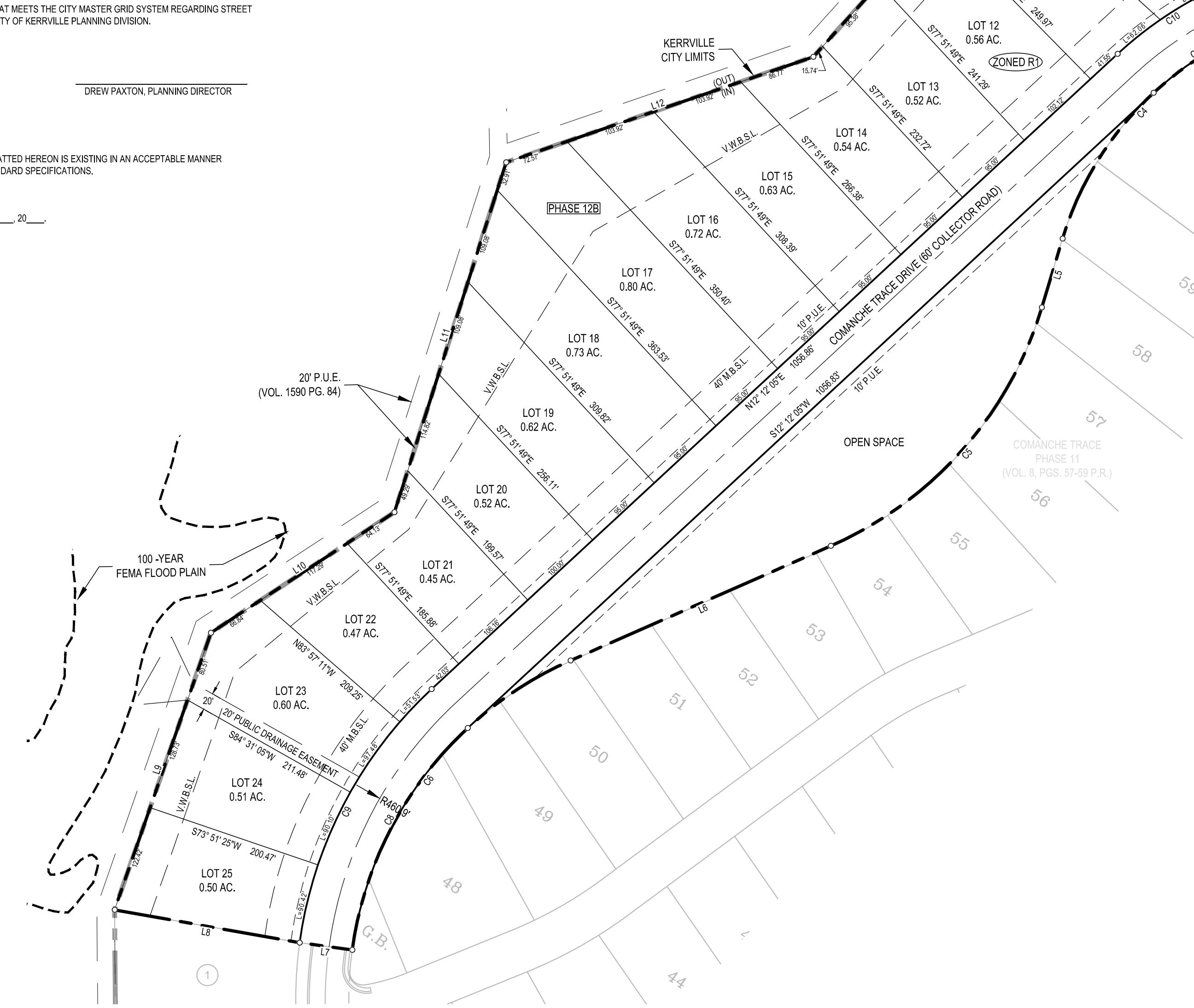
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S37° 57' 32"E	93.62
C1	430.00'	91.26'
L2	S34° 50' 56"W	94.91
C2	470.00'	270.55'
L3	S65° 09' 09"E	59.94
C3	570.00'	724.32'
L4	S34° 50' 51"W	175.57
C4	370.05'	342.85'
L5	S18° 14' 11"E	81.22
C5	430.00'	371.31'
L6	S31° 14' 22"W	321.59
C6	420.00'	428.14'
L7	S62° 50' 01"W	60.00
C7	370.00'	146.24'
L8	S65° 02' 29"W	212.52
C8	420.00'	288.34'
L9	N15° 49' 25"W	331.66
C9	480.00'	329.53'
L10	N21° 42' 18"E	248.26
L11	N17° 17' 53"W	415.18
L12	N36° 02' 45"E	367.17
L13	N07° 02' 33"E	575.36
L14	N03° 56' 59"W	549.65
L15	N02° 34' 03"E	401.71

CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING
C1	430.00'	91.26'	12°09'25"	S64° 51' 43"E
C2	470.00'	270.55'	32°58'53"	S54° 26' 59"E
C3	570.00'	724.32'	72°48'28"	S1° 33' 18"E
C4	370.05'	342.85'	53°04'35"	S8° 18' 20"W
C5	430.00'	371.31'	49°28'33"	S6° 30' 06"W
C6	420.00'	428.14'	58°24'21"	S2° 02' 12"W
C7	370.00'	146.24'	22°38'48"	N23° 31' 28"E
C8	420.00'	288.34'	39°20'06"	S7° 29' 59"E
C9	480.00'	329.53'	39°20'08"	N7° 29' 56"W
C10	430.00'	170.11'	22°39'59"	N23° 32' 04"E

LAND SUMMARY (24 ACRES +/-)
RESIDENTIAL LOTS: 12A - 7, (9 ACRES +/-)
12B - 18, (11 ACRES +/-)
ROADS: 1,698 +/- LF (2.34 ACRES +/-)
OPEN SPACE: (1.66 ACRES +/-)

NOTES:  
SEE OVERALL UTILITY PLAN FOR PROPOSED  
WATER AND SANITARY SEWER LAYOUT.



FILED FOR RECORD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022  
AT \_\_\_\_ O'CLOCK \_\_\_\_ M.  
RECORDED ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022  
AT \_\_\_\_ O'CLOCK \_\_\_\_ M. IN FILE # \_\_\_\_\_ OF  
THE PLAT RECORDS OF KERR COUNTY, TEXAS.

JACKIE DOWDY, KERR COUNTY CLERK



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



**SUBJECT:** A preliminary plat of the Reserves at Holdsworth, establishing a subdivision of land containing 6.000 acres, comprised of 1 lot of land situated in the C. Self Survey No. 626, Abstract No. 325, and the John Young Survey No. 118, Abstract No. 376, Kerr County, Texas, and being a portion of a called 33.95 acre tract recorded in Volume 1043, Page 105, Official Public Records of Kerr County, Texas. (Case No. 2022-036)

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

**DATE**

**SUBMITTED:**

**SUBMITTED BY:** Steve Melander

**EXHIBITS:** [2022-036\\_Reserves at Holdsworth\\_Prelim Plat \(6-16-2022\).pdf](#)

---

**Kerrville 2050 Item?** No

**Key Priority Area**

**Guiding Principle**

**Action Item**

---

**SUMMARY STATEMENT:**

The preliminary plat has been reviewed for completeness by City staff.

**RECOMMENDED ACTION:**

Approve the preliminary plat.





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



**SUBJECT:** A preliminary plat of Kerrville 38, being a 38.924 acre tract of which 37.695 acres is out of the S. Wallace Survey No. 113, Abstract No. 347, and 1.229 acres out of the S. Wallace Survey No. 112, Abstract No. 360, Kerr County, Texas according to the Conveying Deed recorded in instrument No. 16-03373 Official Public Records of Kerr County, Texas, wholly within the City of Kerrville, Texas. (Case 2022-039)

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

**DATE**

**SUBMITTED:**

**SUBMITTED BY:** Steve Melander

**EXHIBITS:** [2022-039\\_Preliminary Plat\\_Kerrville 38.pdf](#)

---

**Kerrville 2050 Item?** No

**Key Priority Area**

**Guiding Principle**

**Action Item**

---

**SUMMARY STATEMENT:**

Conditions of Approval

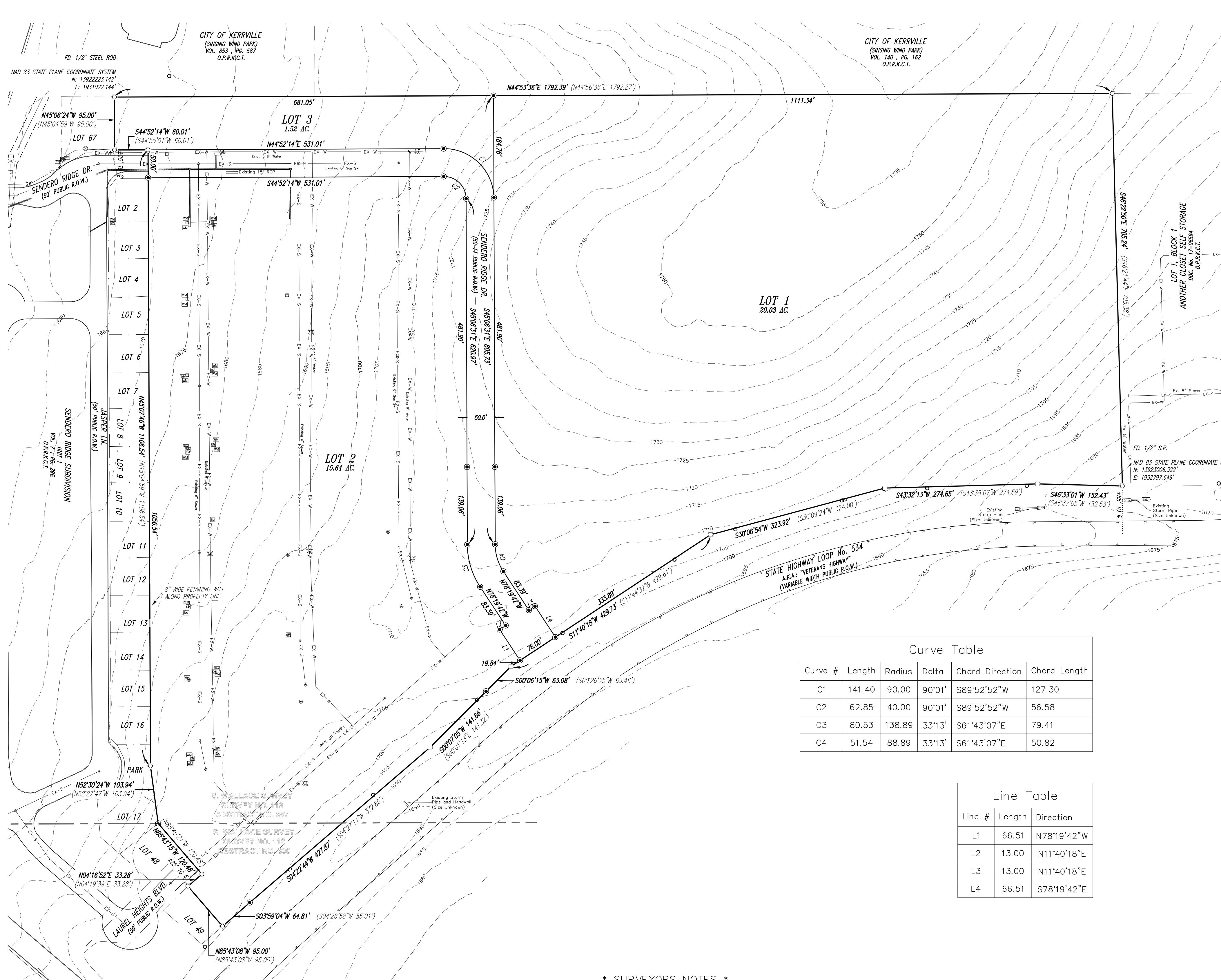
The following items shall be address by developer and reviewed and approved by City staff prior to final plat:

1. Section 82-30 (d) (12): Proposed dedication of land, including rights-of-way, for the construction and placement of public improvements, whether on-site or off-site, intended to serve each proposed phase of the subdivision, such as streets, utilities, and drainage facilities.
2. Section 82-30 (d) (13): A detailed statement of how the proposed subdivision will be served by water, wastewater, roadway, and drainage facilities that have adequate capacity to serve the development.
3. Section 82-31 (d) (2): The proposed provision and configuration of public

infrastructure including streets, water, wastewater, drainage (stormwater), sidewalk, park facilities, and corresponding easements or other property interests are adequate to serve the subdivision and conform to the master plans for those facilities.

**RECOMMENDED ACTION:**

Approve the preliminary plat with conditions.



\* SURVEYORS NOTES \*

1. THE BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH, BASED ON GNSS RTK OBSERVATIONS REFERENCED TO N.A.D. 83, TEXAS STATE PLANE COORDINATES SOUTH CENTRAL ZONE REDUCED TO HORIZONTAL GROUND DISTANCES EXPRESSED IN U.S. SURVEY FEET.
2. THIS SURVEY MEETS OR EXCEEDS TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS MINIMUM STANDARDS.
3. WHERE SURVEYED OR COMPUTED COURSES DIFFER FROM THOSE OF RECORD, THE RECORD COURSE IS EXPRESSED IN PARENTHESIS. I.E. 1680.61' (1680.00').
4. THIS PROPERTY LIES COMPLETELY WITHIN THE CITY OF KERRVILLE CITY LIMITS.
5. THE FULLY DEVELOPED, CONCENTRATED STORM WATER RUNOFF RESULTING FROM THE ONE HUNDRED (100) YEAR FREQUENCY STORM IS CONTAINED WITHIN THE DRAINAGE EASEMENTS SHOWN AND/OR PUBLIC RIGHTS-OF-WAY DEDICATED BY THIS PLAT.
6. THE CURRENT ZONING FOR THESE PARCELS IS "MU" MIXED USE DISTRICT.
7. BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF KERRVILLE ZONING CODE.
8. BY GRAPHIC IDENTIFICATION THESE PARCELS ARE NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS APPROXIMATELY SHOWN ON F.E.M.A. FLOOD INSURANCE RATE MAP (FIRM) PANEL 48265C0490F EFFECTIVE DATE 3/3/2011.
9. A 5/8" DIAMETER STEEL ROD WITH PLASTIC CAP STAMPED "WES RPLS 5907" WILL BE PLACED AT ALL OBLITERATED EXTERIOR BOUNDARY CORNERS AND AT EACH BOUNDARY POINT OF THE INDIVIDUAL LOTS.

I HEREBY CERTIFY THAT THE PRELIMINARY PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR KERRVILLE, TEXAS, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY AS ARE NOTED IN THE MINUTES OF THE CITY PLANNING & ZONING COMMISSION AND THAT IT HAD BEEN APPROVED.

DATED THIS THE \_\_\_\_ DAY OF \_\_\_\_ , 2022

CHAIR, CITY OF KERRVILLE PLANNING & ZONING COMMISSION

CITY OF KERRVILLE PLAT FILE NO. \_\_\_\_\_  
TAX CERT. FILE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

UTILITY EASEMENT NOTE:

GRANTORS HEREBY RETAIN PERPETUAL EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND ALL NECESSARY APPURTENANCES THERETO, WHETHER INSTALLED IN THE AIR, UPON THE SURFACE OR UNDERGROUND, ALONG AND WITHIN FIVE FEET (5') OF THE SIDES AND TEN FEET (10') OF THE FRONT AND BACK LINES OF ALL TRACTS, AND WITH THE AUTHORITY TO PLACE, CONSTRUCT, OPERATE, MAINTAIN, RELOCATE AND REPLACE THEREON A UTILITY DISTRIBUTION LINE OR SYSTEM. THE EASEMENT RIGHTS HEREIN RESERVED INCLUDE THE PRIVILEGE OF ANCHORING ANY SUPPORT CABLES OR OTHER DEVICES OUTSIDE SAID EASEMENT WHEN DEEMED NECESSARY BY THE UTILITY TO SUPPORT EQUIPMENT WITHIN SAID EASEMENT AND THE RIGHT TO INSTALL WIRES AND/OR CABLES OVER SOME PORTIONS OF SAID TRACTS NOT WITHIN SAID EASEMENT SO LONG AS SUCH ITEMS DO NOT PREVENT THE CONSTRUCTION OF BUILDINGS ON ANY OF THE TRACTS OF THIS SUBDIVISION OUTSIDE OF THE EASEMENT. NOTHING SHALL BE PLACED OR PERMITTED TO REMAIN WITHIN THE EASEMENT AREAS WHICH MAY DAMAGE OR INTERFERE WITH INSTALLATION AND MAINTENANCE OF UTILITIES. THE EASEMENT AREA OF EACH TRACT AND ALL IMPROVEMENTS THEREON SHALL BE OWNED BY THE OWNER OF THE TRACT, AND FOR THOSE IMPROVEMENTS FOR WHICH AN AUTHORITY OR UTILITY COMPANY IS RESPONSIBLE, THE UTILITY COMPANIES OR THEIR EMPLOYEES SHALL HAVE ALL OF THE RIGHTS AND BENEFITS NECESSARY OR CONVENIENT FOR THE FULL ENJOYMENT OF THE RIGHTS HEREIN GRANTED, INCLUDING BUT NOT LIMITED TO THE FREE RIGHT OF INGRESS TO AND EGRESS FROM SAID RIGHT-OF-WAY AND EASEMENT, AND THE RIGHT FROM TIME TO TIME TO CUT AND TRIM ALL TREES, UNDERGROWTH AND OTHER OBSTRUCTIONS THAT MAY INJURE, ENDANGER OR INTERFERE WITH THE OPERATION OF SAID UTILITY INSTALLATION.

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

IN ACCORDANCE WITH ARTICLE 10-IV-2 OF THE CODE ORDINANCE OF THE CITY OF KERRVILLE, TEXAS AND IN CONSIDERATION OF THE APPROVAL OF "KERRVILLE 38", THE OWNERS DO HEREBY WAIVE ANY AND ALL CLAIMS FOR DAMAGES AGAINST THE CITY OF KERRVILLE, KERR COUNTY, TEXAS, OCCASIONED BY THE ESTABLISHMENT OF GRADES OR THE ALTERATION OF THE SURFACE OF ANY PORTION OF EXISTING STREETS AND ALLEYS TO CONFORM TO THE GRADES ESTABLISHED IN THE ABOVE NAMED SUBDIVISION.

RREAFT HOLDINGS - CARL SCHWAB

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH MY FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL NOTED.

DATED: \_\_\_\_\_, 2022

RREAFT HOLDINGS - CARL SCHWAB

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, \_\_\_\_\_, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE AND

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022

NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR KERRVILLE, TEXAS, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY AS ARE NOTED IN THE MINUTES OF THE CITY PLANNING COMMISSION AND THAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY CLERK, AND THAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY CLERK.

DATED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

DREW PAXTON, PLANNING DIRECTOR  
CITY OF KERRVILLE

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON IS EXISTING IN AN ACCEPTABLE MANNER ACCORDING TO THE CITY OF KERRVILLE STANDARD SPECIFICATIONS.

DATED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

KYLE BUROW, P.E., CITY ENGINEER  
CITY OF KERRVILLE

I HEREBY CERTIFY THAT THIS SUBDIVISION PLAT MEETS THE CITY MASTER GRID SYSTEM REGARDING STREET NAMES AND ADDRESSES ASSIGNED BY THE CITY OF KERRVILLE PLANNING DIVISION.

DATED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

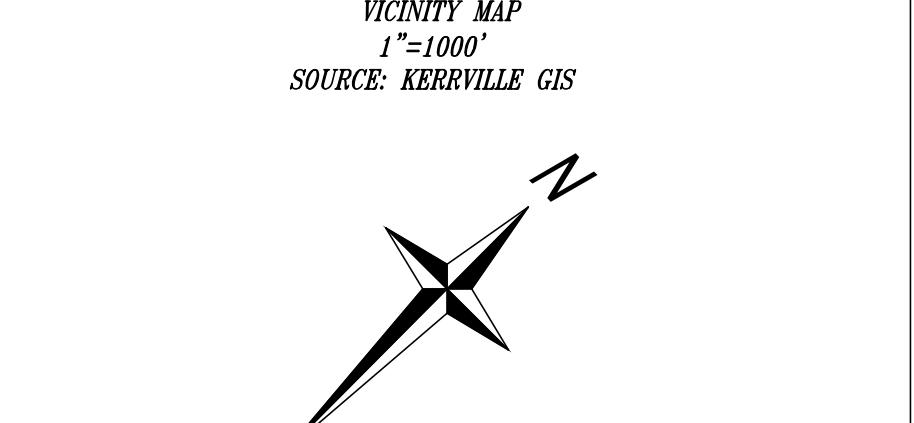
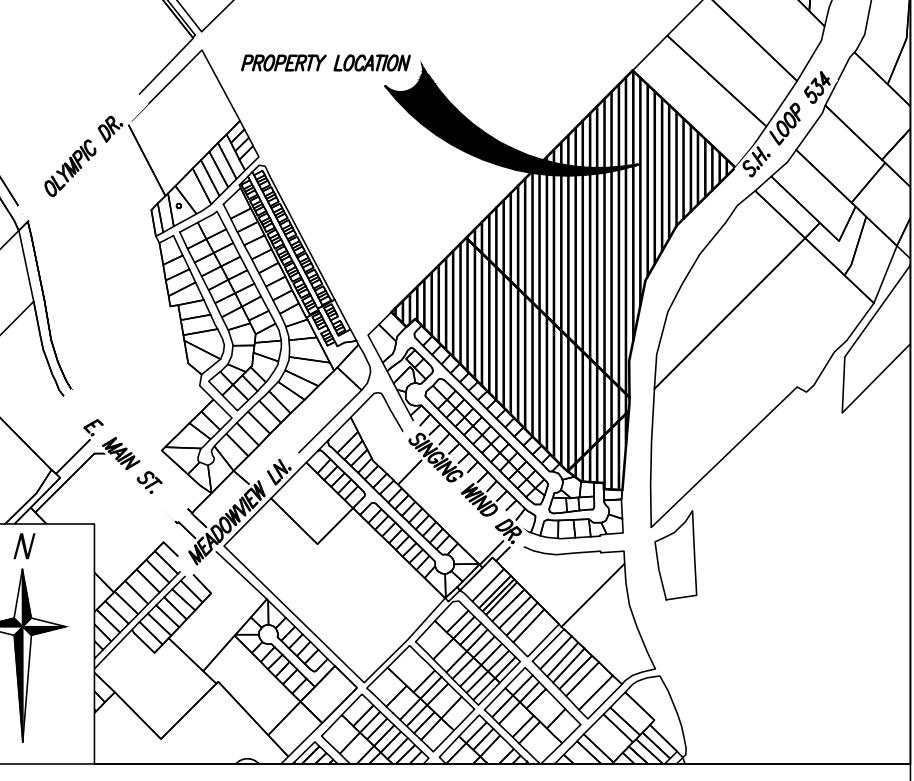
DREW PAXTON, PLANNING DIRECTOR  
CITY OF KERRVILLE

STATE OF TEXAS ~  
COUNTY OF KERR

FILED FOR RECORD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ A.D.,  
AT \_\_\_\_ O'CLOCK \_\_\_\_ M. RECORDED ON THIS \_\_\_\_ DAY OF \_\_\_\_\_  
IN FILE NO. \_\_\_\_\_ OF THE OFFICIAL PUBLIC RECORDS OF KERR  
COUNTY, TEXAS.

JACKIE DOWDY, KERR COUNTY CLERK

The topographic information shown on this  
plan/exhibit/drawing were created from serial  
photography and GIS data. Therefore, the  
distances, dimensions, locations, elevations, and  
quantities identified on this sheet are only  
approximate.

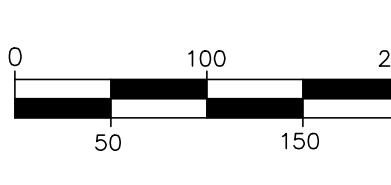


LEGEND

- FOUND 1/2" STEEL ROD UNLESS OTHERWISE NOTED
- ⊕ FOUND MAGNETIC SPIKE
- FOUND TXDOT CONCRETE HIGHWAY MONUMENT
- SET 5/8" STEEL ROD W/PLASTIC CAP STAMPED "WES RPLS 5907"

(COURSE VALUE PER DEED VOL. 1401, PG. 563 O.P.R.K.C.T.)  
O.P.R.K.C.T. = OFFICIAL PUBLIC RECORDS KERR COUNTY TEXAS  
P.R.K.C.T. = PLAT RECORDS KERR COUNTY TEXAS

PROPERTY BOUNDARY  
PLATTED LOT LINE  
EASEMENT  
EXISTING OVERHEAD ELECTRIC  
SANITARY SEWER LINE  
WATER LINE  
STORM SEWER PIPE  
PAVEMENT EDGE  
CURB & GUTTER  
CONTOUR LINE (5' INTERVAL)  
APPROX. PATENT LINE  
PROP. LOT LINE



\* SURVEYOR'S CERTIFICATE \*

I, R. SCOTT MCCLINTOCK SR., DO HEREBY CERTIFY THAT I MADE AN ACTUAL AND ACCURATE SURVEY ON THE GROUND OF THE HERON PLATTED LAND THAT THE CORNER MONUMENTS SHOWN HEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF KERRVILLE, TEXAS.

DATED THIS THE 29TH DAY OF JULY 2022

R. SCOTT MCCLINTOCK, SR., R.P.L.S.  
REGISTRATION NO. 5907

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

PRELIMINARY PLAT OF  
KERRVILLE 38

BEING A 38.924 ACRE TRACT OF WHICH 37.695 ACRES IS OUT OF THE S. WALLACE SURVEY NO. 113, ABSTRACT NO. 347, AND 1.229 ACRES IS OUT OF THE S. WALLACE SURVEY NO. 112, ABSTRACT NO. 360, KERR COUNTY, TEXAS ACCORDING TO THE CONVEYING DEED RECORDED IN INSTRUMENT NO. 16-03373 OFFICIAL PUBLIC RECORDS OF KERR COUNTY, TEXAS, WHOLLY  
WITHIN THE CITY OF KERRVILLE, TEXAS.

G31 WATER STREET wellbornengineering.com  
KERRVILLE, TX 78028 FIRM# 10194410  
830-217-7100 T.B.P.E.L.S.  
WELLBORN  
ENGINEERING &  
SURVEYING  
PROJECT: #22-025 SCALE: 1"=100' FIELD: BM DRAFTING: RSM  
LAST FIELD VISIT: 06.07.2022 SHEET NO. 1 of 1  
LAST DRAFT REVISION: 06.09.2022



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



**SUBJECT:** A resolution to allow a Conditional Use Permit for a Short Term Rental on 0.114 acres out of Hoyt Survey No. 147, Abstract 178; and more commonly known as 531 Fairway Ct, Kerrville, TX 78028. (Case No. PZ-2022-26)

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

**DATE**

**SUBMITTED:**

**SUBMITTED BY:** Steve Melander

**EXHIBITS:**

- [PZ-2022-26-Location Map.pdf](#)
- [PZ-2022-26\\_Site Plan with Parking.pdf](#)
- [PZ-2022-26\\_Harter\\_Opposed.pdf](#)
- [PZ-2022-26\\_Horine\\_Opposed.pdf](#)
- [PZ-2022-26\\_Stark\\_Opposed.pdf](#)
- [PZ-2022-26\\_Watts\\_Opposed.pdf](#)
- [PZ-2022-26\\_Wickliff\\_Opposed.pdf](#)
- [PZ-2022-26\\_Talpey\\_Opposed.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 0.114 acres out of Hoyt Survey No. 147, Abstract 178; and more commonly known as 531 Fairway Ct, Kerrville, TX 78028.

**Procedural Requirements**

The City, in accordance with state law, mailed 24 letters on 6/23/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 6/16/2022. In addition, an informational sign was posted at the front of the property on 6/27/2022. At the time of drafting this Agenda Bill, two comments in opposition had been received.

## Staff Analysis and Recommendation

### Adjacent Zoning and Land Uses:

#### Subject Property

Current Zoning: R-2 Medium Density Residential

Existing Land Use: Single family residence

Direction: North, South, West, East

Current Zoning: R-2 Medium Density Residential

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 2 bedrooms and no onsite manager so 3 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-2 zoning district. As such, a Short Term Rental requires a Conditional Use Permit.

The applicant has provided the following statement regarding the proposed Short Term Rental: Requesting a Conditional Use Permit (CUP) for a Short Term Rental (STR).

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:**

Approve the resolution.



## Location Map

**Case # PZ-2022-026**

**Location:**  
**531 Fairway Ct**

### Legend

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



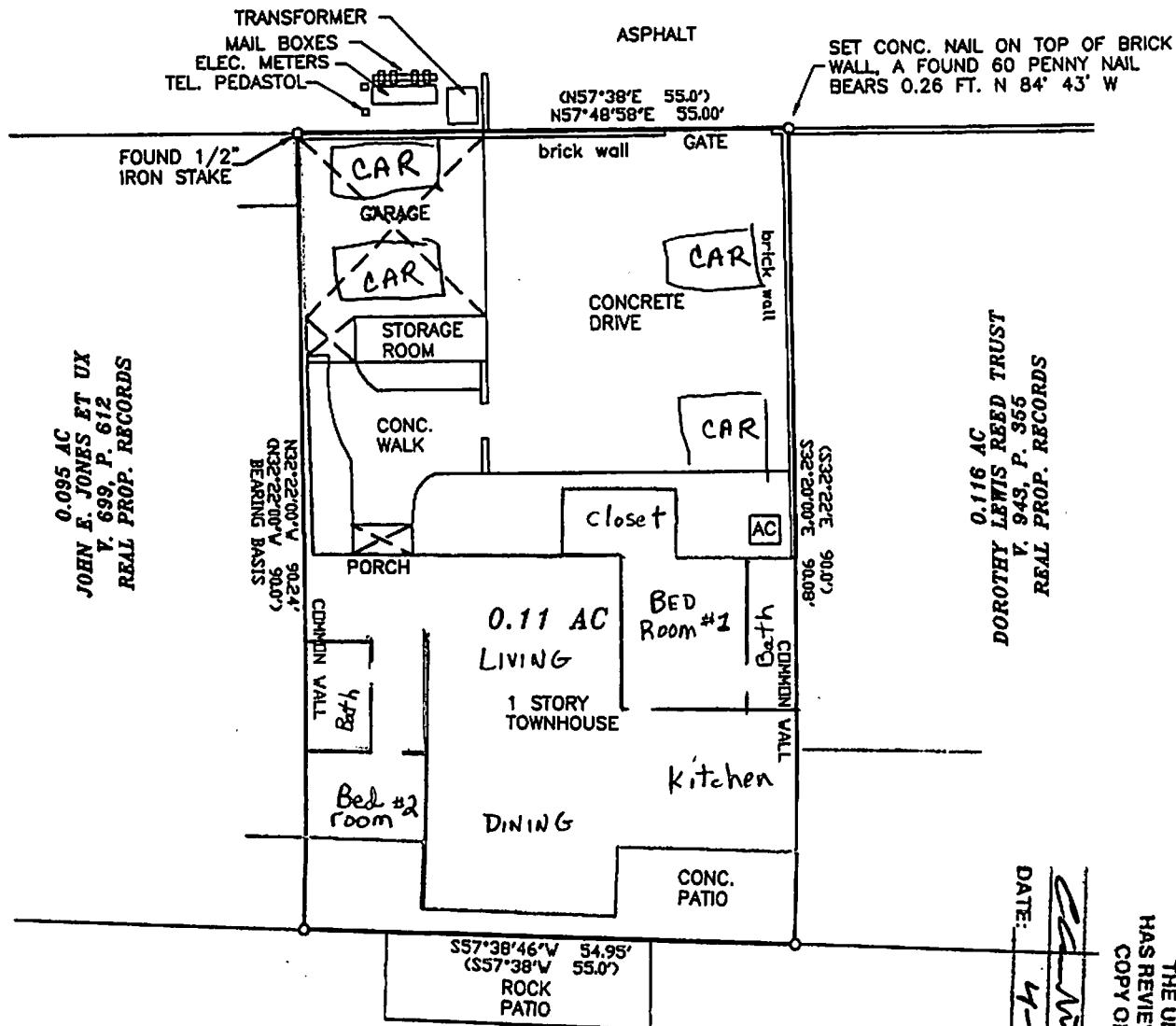
0 50 100 200

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.

FAIRWAY COURT

(COMMON AREA V. 4, P. 52 PLAT RECORDS)



(COMMON AREA V. 4, P. 52 PLAT RECORDS)

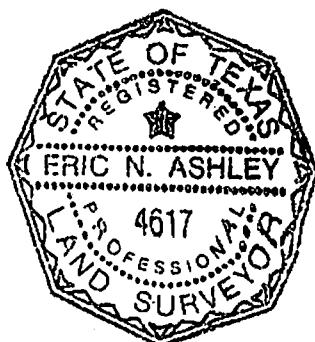
THE UNDERSIGNED  
HAS REVIEWED & RECEIVED  
COPY OF THE SURVEY

DATE: 1-2-22

THIS PLAT REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY DIRECTION. THERE ARE NO VISIBLE OR APPARENT EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN HEREON. THIS TRACT IS NOT LOCATED WITHIN THE 100 YEAR FLOOD BOUNDARY PER F.E.M.A. FLOOD INSURANCE RATE MAP PANEL NO. 48265C0260 E.

DATED THIS THE 21ST DAY OF FEBRUARY, 2002

*Eric N. Ashley*  
ERIC N. ASHLEY  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4617  
JOB NO. 4087KC  
BARTH.DWG



ERIC N. ASHLEY LAND SURVEYOR • 317 'A' STREET • KERRVILLE, TEXAS 78028

KERRVILLE, TEXAS 78028  
531 FARMWAY COURT  
BORGOWER: RAY BARTH AND SHIRLEY BARTH

FIELD NOTES ACCOMPANY THIS PLAT  
NOTE: RECORD CALLS ARE SHOWN IN PARENTHESES  
UNLESS NOTED OTHERWISE

FOUND 5/8" IRON STAKE  
UNLESS NOTED OTHERWISE

188, REAL PROPERTY RECORDS OF KERR COUNTY, TEXAS  
18TH DAY OF AUGUST, 1999, AND RECORDED IN VOLUME 1027, PAGE  
13TH STEVEN MONROE SMITH BY WARRANT DEED EXECUTED THE  
AND ADDIE FORTRESS BENSON TO DELORIS L. SMITH-BOSTON  
AND ADDIE FORTRESS BENSON TO DELORIS L. SMITH-BOSTON  
AND ADDIE FORTRESS BENSON TO DELORIS L. SMITH-BOSTON  
TEXAS, BEING THE SAME TRACT CONVEYED FROM JOE H. BENSON  
OF RECORD IN VOLUME 4, PAGE 62, PLAT RECORDS OF KERR COUNTY,  
RECORDITION TO RIVERHILL TOWNHOMES TRACTS NO. ONE, A SUBDIVISION  
TEXAS, BEING PART OF THAT 0.449 ACRE TRACT DESIGNATED AS AN  
EXCERPTION TO RIVERHILL TOWNHOMES TRACTS NO. ONE, A SUBDIVISION  
147, ABSTRACT NO. 178, IN THE CITY OF KERRVILLE, KERR COUNTY,  
147, ABSTRACT NO. 178, IN THE CITY OF KERRVILLE, KERR COUNTY NO.  
OR PARCEL OF LAND OUT OF THE NATANIEL HOLT SURVEY NO.  
SURVEY PLAT OF A CERTAIN 0.11 ACRE, MORE OR LESS, TRACT



o

SCALE 1"=20

**From:** [Kay Harter](#)  
**To:** [Planning Division](#)  
**Subject:** re CASE PZ-2022-26  
**Date:** Wednesday, June 29, 2022 3:23:13 PM

---

**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.

We would like to express our **strong opposition** to short term rental at 531 Fairway Circle, Kerrville.

This is a neighborhood of conservative retirees who are long-term residents. We live on a quiet cul-de-sac which we especially enjoy for lack of through-traffic.

The City of Kerrville pledged **to support neighborhoods** in the 2050 Plan.

We believe that short term rentals with accompanying increased traffic,  
loss of privacy, and  
security concerns

would change the nature of this street, circle, and neighborhood. Therefore, we ask for your support by not allowing this permit.

Please note that according to the homeowner covenants for Fairway Drive and Fairway Circle, on-street parking is NOT allowed overnight.

We are adamantly opposed to this Conditional Use Permit.

Merrick and Kay Harter  
520 Fairway Drive

CASE PZ-2022-26

**From:** [Jhorine](#)  
**To:** [Planning Division](#)  
**Subject:** Case PZ-2022-26  
**Date:** Thursday, June 30, 2022 10:10:04 AM

---

**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.

I am writing in response to the public notice hearing of the Planning and Zoning Commission concerning Case PZ-2022-26, 531 Fairway Ct.

I live at 533 Fairway Ct which is the first unit of the four townhouses on Fairway Ct. My house is connected to 531. I definitely am opposed to the proposal to make 531 Fairway Ct a short term rental. I would very much like to speak at the hearing on July 7 at 4:00 pm to voice my objections.

Thank you,  
Janette Horine

533 Fairway Ct  
Kerrville, TX 78028  
830-890-5535

**From:** [Arthur Stark](#)  
**To:** [Planning Division](#)  
**Subject:** CASE PZ-2022-26  
**Date:** Sunday, July 3, 2022 1:39:59 PM

---

**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.

RE: CASE PZ-2022-26

RESPONSE FROM: ARTHUR STARK  
529 FAIRWAY CT  
KERRVILLE, TX 78028  
830-703-0393

To Whom It May Concern:

I would like to voice my strong opposition to allow a Conditional Use Permit for a Short Term Rental!

Although I am going to try and attend the meeting on July 7<sup>th</sup> I am not sure I will be able to attend. In the case I am unable to attend I have spoken with Janette Horine, the owner of 527 Fairway Ct, and she has my permission to speak on my behalf as we have the same thoughts and concerns.

We currently enjoy a wonderful quiet and peaceful time on Fairway Ct knowing and trusting our neighbors. It would be a shame to loose that quality of a neighborhood we enjoy.

Sincerely,

Arthur Stark

Sent from [Mail](#) for Windows

**From:** [nancybwatts@gmail.com](mailto:nancybwatts@gmail.com)  
**To:** [Planning Division](#)  
**Subject:** CASE PZ-2022-26  
**Date:** Saturday, July 2, 2022 6:46:47 PM

---

**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.

Gentlemen:

Our home at 522 Fairway Drive is across the street from the intersection of Fairway Drive and Fairway Court.

We would like to express our **strong opposition** to short term rental at 531 Fairway Court, Kerrville.

We have first-hand experience with the disturbances caused by short term rentals because our backyard is directly across the 18<sup>th</sup> fairway of Riverhill Country Club from the Cottages of Riverhill on Country Club Lane. The renters come here "on vacation" and have no regard of the sound levels created by loud music and partying on the patios until late hours into the night. They have no idea how their voices carry and resonate.

The property in question, 531 Fairway Court, is in a four-plex of townhomes with shared common walls. The neighboring back patios are separated only by an iron fence.

This is a neighborhood of conservative retirees who are long-term residents. We live on a quiet cul-de-sac which we especially enjoy for lack of through-traffic. We are all concerned the presence of a short term rental on our street will impact the sale of our property when needed.

The City of Kerrville pledged **to support neighborhoods** in the 2050 Plan.

We believe that short term rentals with accompanying increased traffic, loss of privacy, and security concerns

would change the nature of this street, circle, and neighborhood. Therefore, we ask for your support by not allowing this permit.

Please note that according to the homeowner covenants for Fairway Drive and Fairway Court, on-street parking is NOT allowed overnight.

We are adamantly opposed to this Conditional Use Permit.

Bob and Nancy Watts  
522 Fairway Drive  
Kerrville, Texas 78028  
830-257-0100

CASE PZ-2022-26

**From:** [Rebecca Wickliff](#)  
**To:** [Planning Division](#)  
**Subject:** CASE PZ-2022-26  
**Date:** Tuesday, July 5, 2022 10:31:37 AM  
**Importance:** High

---

**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.

To whom it may concern,

My home at 525 Fairway Drive is across the street from 531 Fairway Court.

I'd like to express my **strong opposition** to short term rental at 531 Fairway Court, Kerrville.

I have first-hand experience with the disturbances caused by short term rentals on 18<sup>th</sup> fairway of Riverhill Country Club from the Cottages of Riverhill on Country Club Ln and the increase in traffic caused by short term rentals.

The renters come here "on vacation" and have no regard of the sound levels created by loud music and partying on the patios until late hours into the night and have no idea how their voices carry and resonate through the neighborhood.

The property in question, 531 Fairway Court, is in a four-plex of townhomes with shared common walls and neighboring back patios are separated only by iron fences.

This is a neighborhood of conservative retirees who are long-term residents, we live on a quiet cul-de-sac which we especially enjoy for lack of through-traffic, and are all concerned the presence of a short-term rental on our street will impact the sale of our property when needed.

The City of Kerrville pledged **to support neighborhoods** in the 2050 Plan.

I believe that short term rentals with accompanying increased traffic, loss of privacy, and security concerns would change the nature of this street, circle, and neighborhood, therefore, we ask for your support by not allowing this permit.

Please note that according to the homeowner covenants for Fairway Drive and Fairway Court, on-street parking is NOT allowed overnight.

I'm adamantly opposed to this Conditional Use Permit.

Rebecca Wickliff  
525 Fairway Drive  
Kerrville, Texas 78028  
818 434-9172

CASE PZ-2022-26

**From:** [talpeyc2@ktc.com](mailto:talpeyc2@ktc.com)  
**To:** [Planning Division](#)  
**Subject:** CASE PZ-2022-26  
**Date:** Tuesday, July 5, 2022 10:38:59 PM

---

**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.

Gentlemen:

I live at 509 Fairway Drive, Riverhill, about half a block from the intersection of Fairway Drive and Faircourt Court, where the property in question is located at 531 Fairway Court.

I am strongly opposed to the short-term rental request at 531 Fairway Court. Our neighbors are quiet, conservative retirees who choose to live here because of the dignified, bucolic atmosphere. Most of us are long-time owners.

Fairway Drive and Fairway Court are somewhat narrow and we have no sidewalks, as well as limited street parking due to placement of driveways and mailboxes. Our homeowner covenants state that no street parking is allowed overnight.

I fear the strong possibility of more traffic and lack of respect for the present lifestyle of homeowners will negatively affect our property values and environment. Therefore, this letter is to inform you that I am strongly opposed to the Conditional Use Permit at 531 Fairway Court.

Respectfully,  
Carol K. Talpey  
509 Fairway Drive  
Kerrville TX 78028  
CASE PZ-2022-26



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



**SUBJECT:** A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 3B, Block 45, Westland; and more commonly known as 410 Circle Ave, Kerrville, TX 78028. (Case No. PZ-2022-27)

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

**DATE**

**SUBMITTED:**

**SUBMITTED BY:** Steve Melander

**EXHIBITS:** [PZ-2022-27-LocationMap.pdf](#)

[PZ-2022-27\\_Site Plan with Parking.pdf](#)

[PZ-2022-27\\_Olden\\_Opposed with Signature Sheets.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 3B, Block 45, Westland; and more commonly known as 410 Circle Ave, Kerrville, TX 78028.

**Procedural Requirements**

The City, in accordance with state law, mailed 24 letters on 6/23/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 6/16/2022. In addition, an informational sign was posted at the front of the property on 6/27/2022. 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

Current Zoning: R-1 Single Family Residential

Existing Land Uses: Single family residences

Direction: 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-1 zoning district. As such, a Short Term Rental requires a Conditional Use Permit.

The applicant has provided the following statement regarding the proposed Short Term Rental: I am purchasing the home and would like to use it as a short-term rental property until I retire, when I will use it more regularly.

#### Local Amenities for My Guests @ 410 Circle Ave

- Bikes will be provided for renters to use in town
- Directions will be provided for riding safely to:
- River trail – Lowry Park Trailhead
- Pint & Plow Brewery
- Basement Brewers of Texas
- Rails Café & Sweeter Side of Rails
- Grape Juice restaurant and wine shop
- The Bubble Tea factory
- Mamacita's Restaurant
- Information will be provided on:
- River paddling (rental via Kerrville Kayak & Canoe)
- Best swimming spots in the Guadalupe
- Schreiner Park and the mountain biking trails
- Riverside Nature Center on Francisco Lemos Street
- Local antiquing spots near Water St downtown
- Downtown farmer's market

- Downtown shopping options
- Cailloux Theater
- Hill Country Arts Foundation
- Local Art Galleries, including Kerr Art & Cultural Center
- James Avery factory store

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.

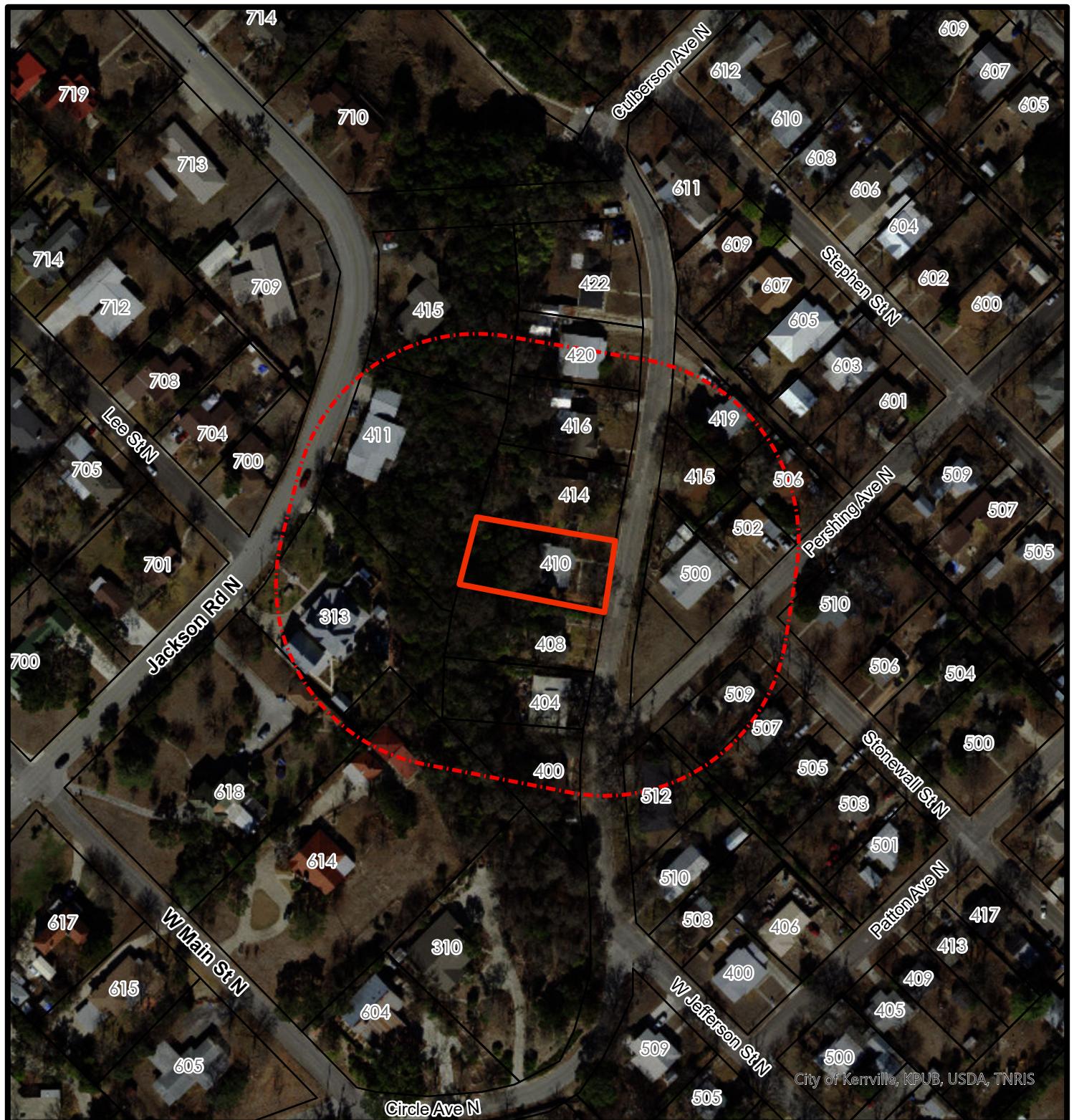
E. Minimum Off-Street Parking: One space per bedroom, plus parking required for the manager, if living off-site.

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:**

Approve the resolution.



# Location Map

# Case # PZ-2022-027

**Location:**  
**410 Circle Ave**

## Legend

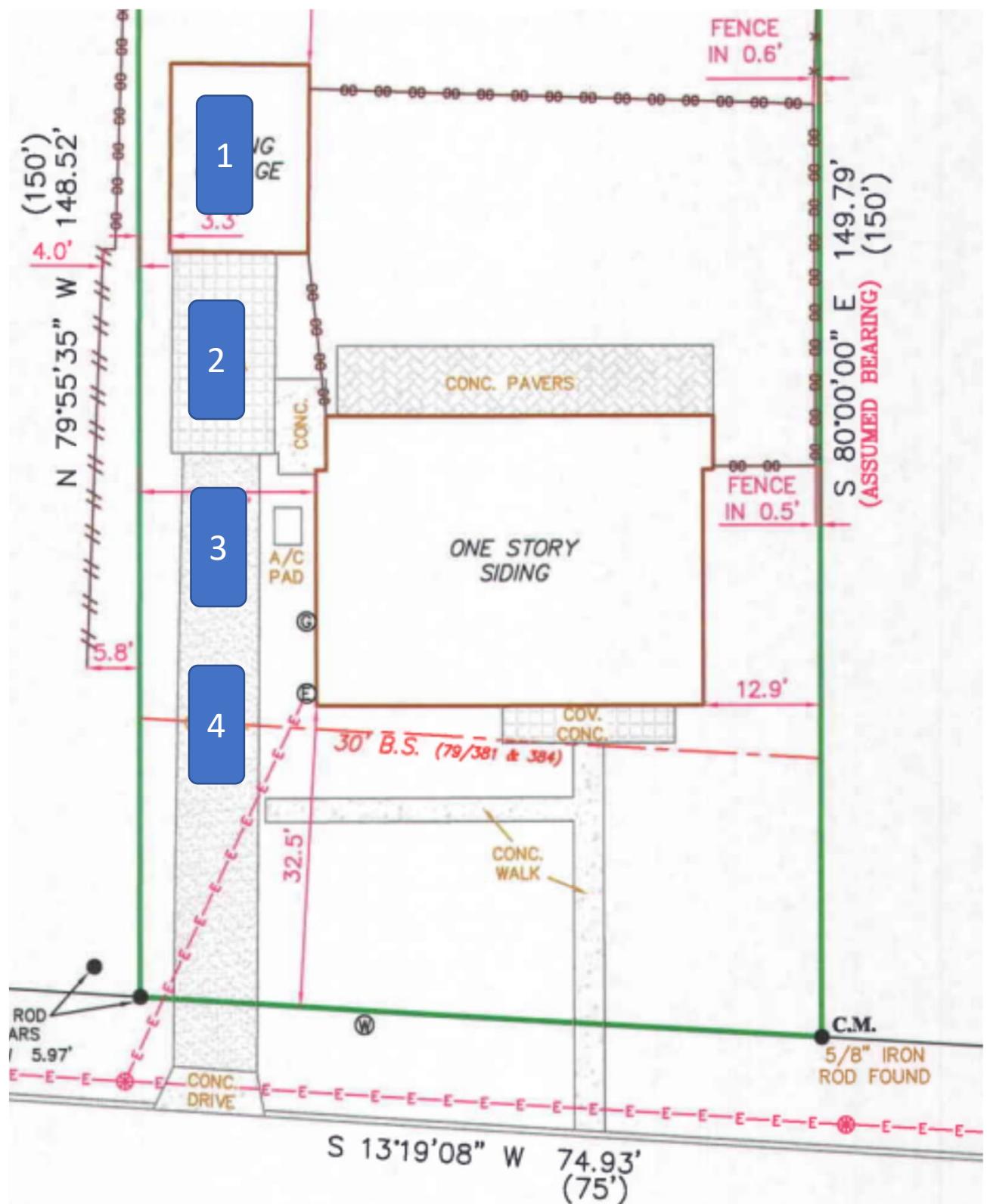
## 200' Notification Area Subject Properties



0 50 100 200

Scale In Feet

410 Circle Ave, 3 bdrm Short-Term Rental with 4 parking spaces



## CIRCLE AVENUE (50' R.O.W.)

**From:** [marypnic10@gmail.com](mailto:marypnic10@gmail.com)  
**To:** [Planning Division](#)  
**Cc:** [Steve Melander](#)  
**Subject:** Case PZ-2022-27 - Planning and Zoning Commission  
**Date:** Saturday, July 2, 2022 10:24:57 AM  
**Attachments:** [Planning and Zoning Commission Case PZ-2022-27 page 2.pdf](#)  
[Planning and Zoning Commission Case PZ-2022-27.pdf](#)

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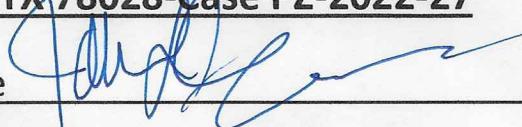
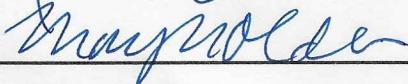
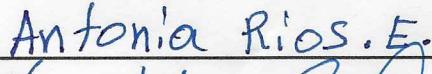
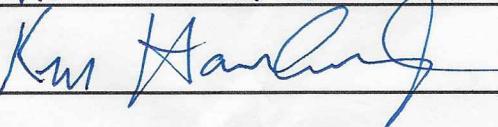
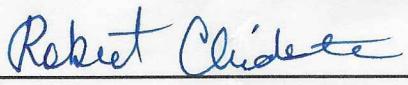
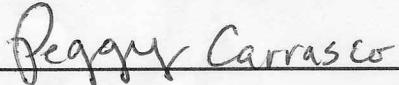
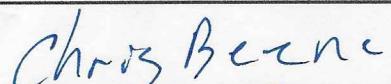
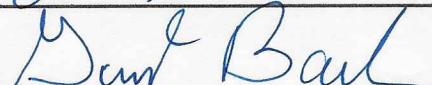
**EXTERNAL EMAIL:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mary N. Olden  
404 Circle Ave  
Kerrville, TX 78028

The PDF files are signatures from residents who oppose the resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 3B, Block 45, Westland; and more commonly known as 410 Circle Ave, Kerrville, TX 78028.

Sent from [Mail](#) for Windows 10

**Petition to Oppose Conditional Use Permit on Lot 3B, Block  
45, Westland; and more commonly known as 410 Circle  
Ave, Kerrville, TX 78028-Case PZ-2022-27**

400 Circle Ave		John West
404 Circle Ave		Mary N. Olden
408 Circle Ave		Donella Tyler
414 Circle Ave		Antonio Elizondo
416 Circle Ave		Ken Harding
420 Circle Ave		Leanora Richardson
415 Circle Ave		Robert Chidester
419 Circle Ave		Peggy Carrasco
500 Pershing		Cynthia Croxton
502 Pershing		Frazer/Karen Forhetz
506 Pershing		Tad Honeycutt
510 Stonewall		Audrey Ben-David
509 Stonewall		Grant Baehre
512 Circle Ave		Janet Carter
at 618 618 W Main		Cameron/Amanda Miller
313 Jackson Rd		Clifford Tuttle

411 Jackson Rd

Werdna(Pinky)Brown

415 Jackson Rd

Jennifer Pope

614 W Main

Stephen/Jill Harpold



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



**SUBJECT:** A resolution to allow a Conditional Use Permit for a Short Term Rental property on parts of Lot 1A, Block 81, JA Tivy Addition (Coppock Subdivision Replat); and more commonly known as 1229 Jefferson St, Kerrville, TX 78028. (Case No. PZ-2022-28)

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

**SUBMITTED BY:** Steve Melander

**EXHIBITS:** [PZ-2022-28-LocationMap.pdf](#)  
[PZ-2022-28 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 property on parts of Lot 1A, Block 81, JA Tivy Addition (Coppock Subdivision Replat); and more commonly known as 1229 Jefferson St, Kerrville, TX 78028.

## Procedural Requirements

The City, in accordance with state law, mailed 19 letters on 6/23/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 6/16/2022. In addition, an informational sign was posted at the front of the property on 6/27/2022. 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 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 provided the following statement regarding the proposed Short Term Rental: I am requesting a CUP for a short-term rental at this address. This is a 2 bedroom, 1 bathroom house. There is already off-street parking for two vehicles, and it will be very easy to extend to create a third spot. It is an incredibly charming cottage-style house. There are no plans for any major construction/remodel projects, as there is minimal work that needs to be done to have it ready for guests. This rental will be priced in a manner that it will attract mature and responsible visitors. I will keep the property kept up well and incredibly clean, as that lends to the nature of a successful short term rental business. It is also in a great location: it is 0.5 miles to the Schreiner entrance and access to the river trail, without crossing any major roads, and it is 0.7 miles to downtown, at the intersection of Sidney Baker St. and Water St.

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:**

Approve the resolution.



## Location Map

# Case # PZ-2022-028

**Location:**  
**1229 Jefferson St**

## Legend

## 200' Notification Area Subject Properties



0 50 100 200

### Scale In Feet

SURVEYOR'S NOTE(S):  
BASIS OF BEARING: TEXAS SOUTH CENTRAL ZONE, NAD 83.

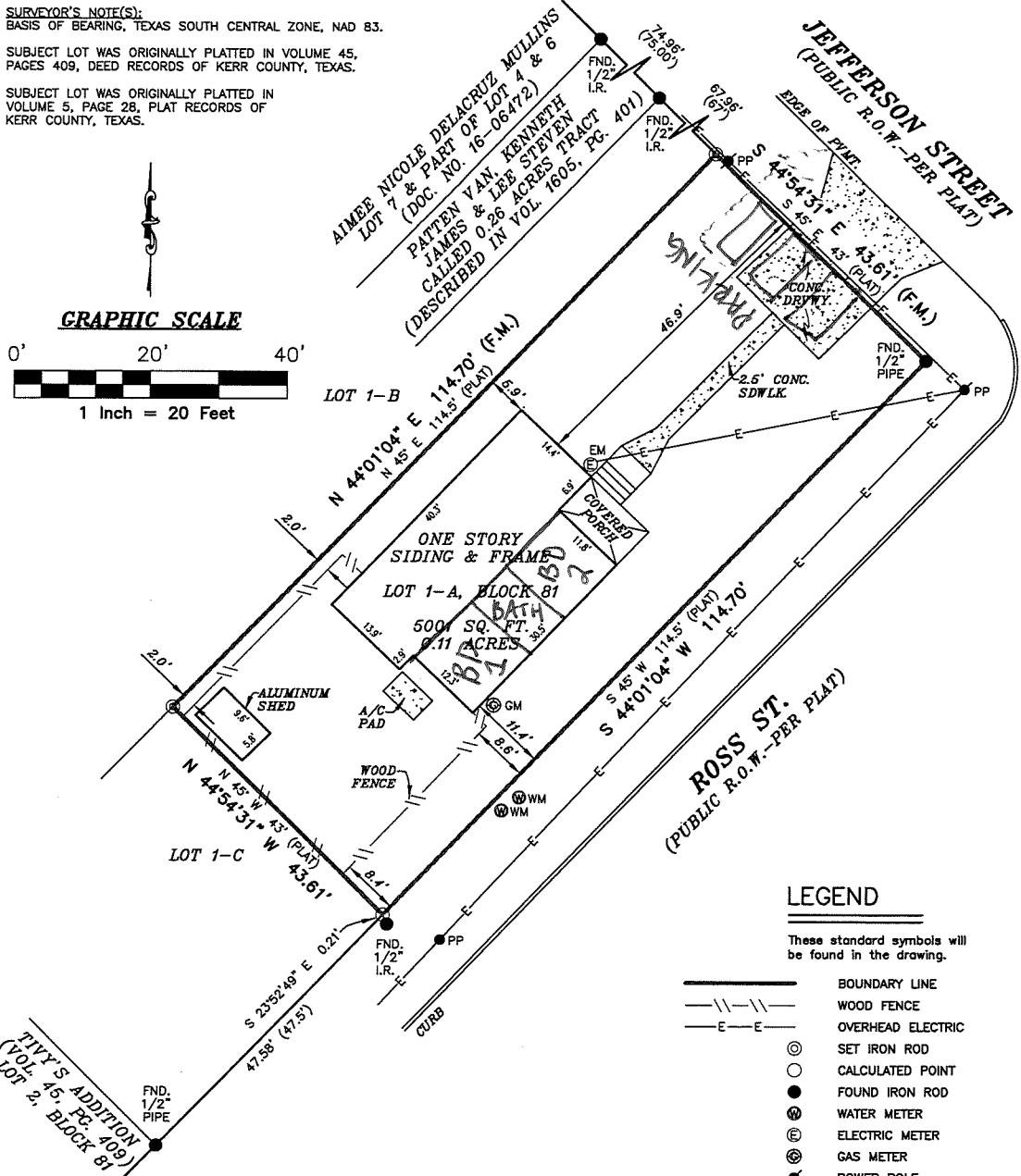
SUBJECT LOT WAS ORIGINALLY PLATTED IN VOLUME 45,  
PAGES 409, DEED RECORDS OF KERR COUNTY, TEXAS.

SUBJECT LOT WAS ORIGINALLY PLATTED IN  
VOLUME 5, PAGE 28, PLAT RECORDS OF  
KERR COUNTY, TEXAS.



### GRAPHIC SCALE

0' 20' 40'  
1 Inch = 20 Feet



At date of this survey, the property is in FEMA designated ZONE X. Areas determined to be outside the 0.22 annual chance flood plain, as verified by FEMA map Panel No: 48265C 0470\_E effective date of MARCH 03, 2011.

Exact designations can only be determined by a Elevation Certificate. This information is subject to change as a result of future FEMA map revisions and/or amendments.

The survey is hereby accepted with the discrepancies, conflicts, or shortages in area or boundary lines, encroachments, protrusions, or overlaps of improvements shown.

I, AARON MICAH REYNOLDS, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to KERR COUNTY ABSTRACT & TITLE CO.  
and \_\_\_\_\_

that the above map is true and correct according to an actual field survey, made by me on the ground or under my supervision, of the property shown herein. I further certify that all easements and rights-of-way of which I have been advised are shown herein and that, except as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way as of the date of the field survey. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying (Section 663.18).

Borrower/Owner: VALERIE RENEE GRIMES

Address: 1229 N. JEFFERSON STREET GF No. 46847

**Legal Description of the Land:** All that certain tract or parcel of land, lying and being situated in the County of Kerr, State of Texas, and being Lot 1-A, of the replat of Lot Nos. 1-A and 1-B of the Coppock Subdivision of Block 81, J A Hwy's Addition, a subdivision of Kerr County, Texas, said subdivision recorded in Volume 5, Page 387 of the Plat records of Kerr County, Texas.

SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN:  
VOLUME 5, PAGE 387, PLAT RECORDS, KERR COUNTY, TEXAS  
VOLUME 5, PAGE 28, PLAT RECORDS, KERR COUNTY, TEXAS  
VOLUME 45, PAGE 409, DEED RECORDS, KERR COUNTY, TEXAS

PROPERTY PHOTOGRAPH:

### FINAL "AS-BUILT" SURVEY

JOB NO.:	2204088824	NO.	REVISION	DATE
DATE:	04/29/22			
DRAWN BY:	JD/TW/SV			
APPROVED BY:	AMR			



*Aaron M. Reynolds*  
AARON MICAH REYNOLDS, R.P.L.S.  
Registered Professional Land Surveyor  
Registration No. 6644



P.O. BOX 160369  
SAN ANTONIO, TEXAS 78280  
PHONE: (210) 572-1955  
WEB: WWW.AMERISURVEYORS.COM



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



**SUBJECT:** A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 1, Block 1, Limestone Beach; and more commonly known as 1959 Arcadia Loop, Kerrville, TX 78028. (Case No. PZ-2022-29)

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

**DATE**

**SUBMITTED:**

**SUBMITTED BY:** Steve Melander

**EXHIBITS:** [PZ-2022-29-LocationMap.pdf](#)  
[PZ-2022-29\\_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 1, Block 1, Limestone Beach; and more commonly known as 1959 Arcadia Loop, Kerrville, TX 78028.

**Procedural Requirements**

The City, in accordance with state law, mailed 9 letters on 6/23/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 6/16/2022. In addition, an informational sign was posted at the front of the property on 6/27/2022. 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-2 Medium Density Residential

Existing Land Use: Single family residence

Direction: North, South, West, East

Current Zoning: R-2 Medium Density Residential

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) and Strategic Catalyst Area 4 (SCA 4). 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 5 bedrooms and no onsite manager so 6 off-street parking spaces are required. The applicant has identified 8 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-2 zoning district. As such, a Short Term Rental requires a Conditional Use Permit.

The applicant has provided the following statement regarding the proposed Short Term Rental: We are proposing a short term rental permit for a Duplex Property at 1959 Arcadia Loop. (A unit has 2 bedrooms/B unit has 3 bedrooms). This is river front property that has full access to the Guadalupe River. It is within walking distance to LaFours Restaurant and Lakehouse Restaurant via Arcadia Loop Road and the paved path under the Thompson Drive bridge. We believe this property will be a popular rental and allow families to enjoy the Guadalupe River.

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:**

Approve the resolution.



## Location Map

Case # PZ-2022-029

Location:  
1959 Arcadia Loop

### Legend

200' Notification Area  
Subject Properties



0 100 200 400

Scale In Feet

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

Case PZ-2022-29

CUP for Short Term Rental Request

Site Plan with Parking: 5 bedrooms requires 6 off-street parking spaces; 8 spaces identified





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



**SUBJECT:** A resolution to allow a Conditional Use Permit for a Short Term Rental on parts of Lot 11-A, Block 5, Village Glen; and more commonly known as 1701 Foothills Dr, Kerrville, TX 78028. (Case No. PZ-2022-30)

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

**DATE**

**SUBMITTED:**

**SUBMITTED BY:** Steve Melander

**EXHIBITS:** [PZ-2022-30-LocationMap.pdf](#)

[PZ-2022-30\\_Site Plan with Parking.pdf](#)

[PZ-2022-30\\_Pattillo\\_opposed.pdf](#)

[PZ-2022-30\\_Spradling\\_Opposed.pdf](#)

[PZ-2022-30\\_Bennett\\_opposed.pdf](#)

[PZ-2022-30\\_Candy\\_opposed.pdf](#)

[PZ-2022-30\\_Esquivel\\_opposed.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 parts of Lot 11-A, Block 5, Village Glen; and more commonly known as 1701 Foothills Dr, Kerrville, TX 78028.

**Procedural Requirements**

The City, in accordance with state law, mailed 22 letters on 6/23/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 6/16/2022. In addition, an informational sign was posted at the front of the property on 6/27/2022. At the time of drafting this Agenda Bill, two comments in opposition 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 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 5 bedrooms and no onsite manager so 6 off-street parking spaces are required. The applicant has identified 7 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 provided the following statement regarding the proposed Short Term Rental: We are requesting to utilize our property to host with Airbnb 1). We have 5 bedrooms and a very long and wide paved driveway which can accommodate at least 7 vehicles. 2). I think Kerrville (Care-ville as Siri pronounces it) is a perfect spot for Family Reunions and vacations. Being in the Texas Hill Country and the friendly folks here just adds to the charm. We are located in NW Kerrville and within driving distance of the following amenities and attractions:

- 3 minute drive and 8 minute walk to Elm Creek Park.
- 12 minute drive to The Museum of Western Art
- 10 minute drive to James Avery Artisan Jewelry
- 8 minute drive to The Coming King Sculpture Prayer Garden
- 10 minute drive to Kerrville-Schreiner Park and the hike and bike trail and other amenities therein.
- The many festivals Kerrville has throughout the year
- 8 minute drive to The Riverside Nature Center
- 12 minute drive to The Cafe on the Ridge and its lovely plant nursery.
- 7 minute drive to Pint & Plow, a local Kerrville favorite!
- 15 minute walk and 3 minute drive to The Guadalupe!

Thank you for your kind consideration of our venture. We look forward to hosting many friends and families here at our home in Kerrville so they can enjoy such a great town and launching out point in the Texas Hill Country!

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.

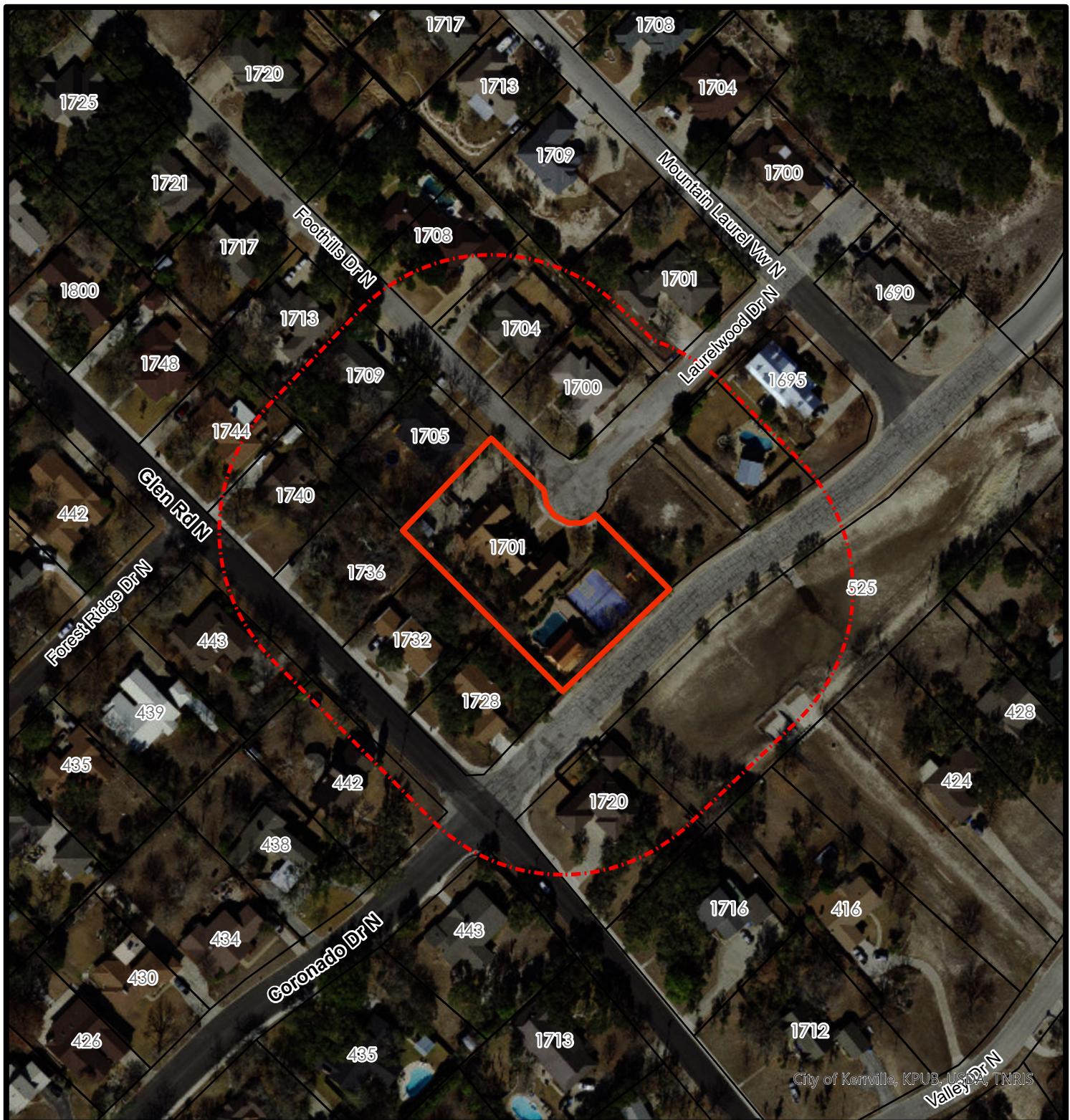
E. Minimum Off-Street Parking: One space per bedroom, plus parking required for the manager, if living off-site.

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:**

Approve the resolution.



## Location Map

Case # PZ-2022-030

Location:  
1701 Foothills Dr

### Legend

200' Notification Area  
Subject Properties



0 50 100 200

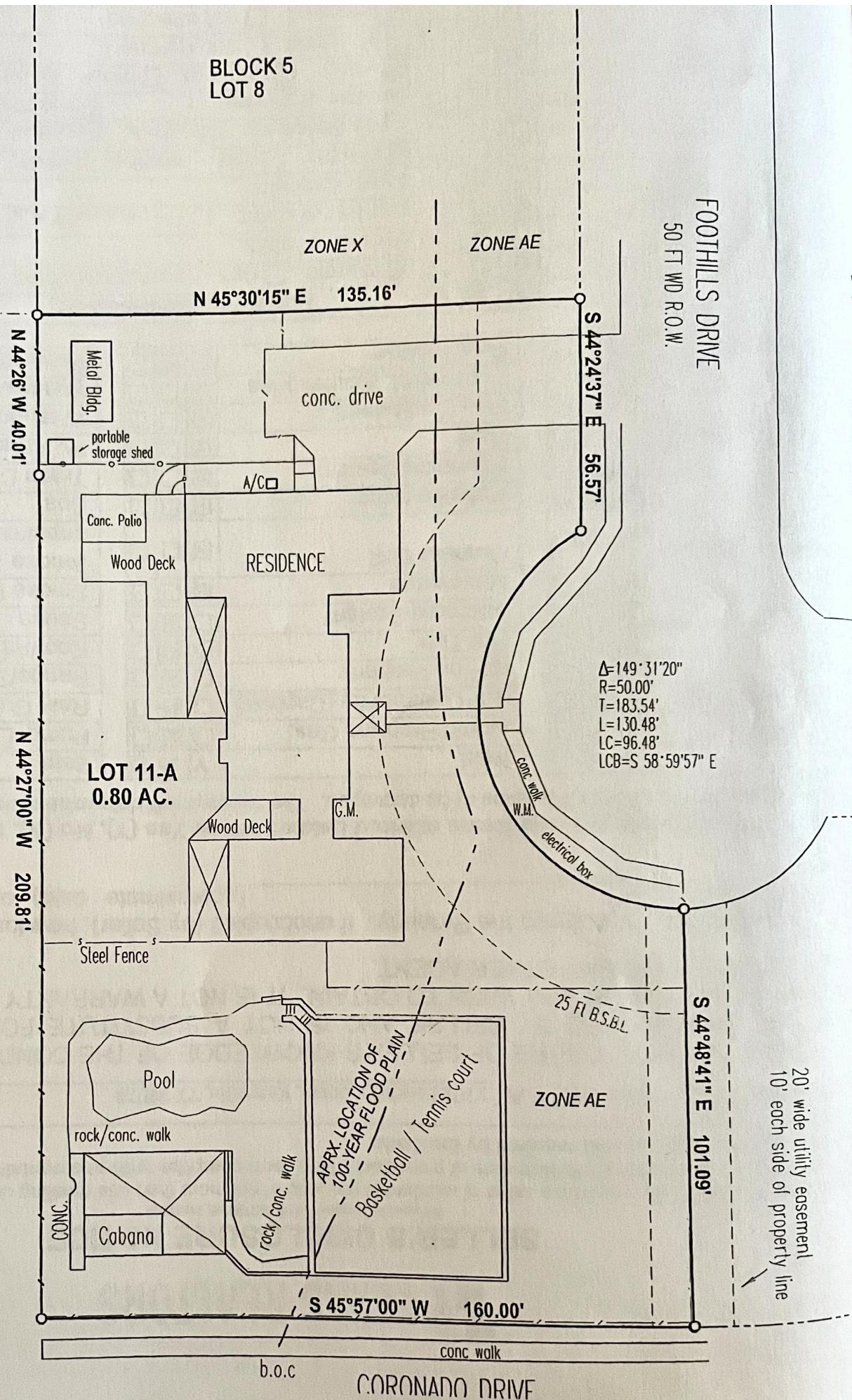
Scale In Feet

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.

FOREST WEST  
SUBDIVISION  
VOL. 4, PG. 49

BLOCK 5  
LOT 8

FOOTHILLS DRIVE  
50 FT WD R.O.W.



SIERRA DEL SOL  
SUBDIVISION  
VOL. 3, PG. 91

RECORD BEARING BASIS HELD

**From:** [Albert Pattillo](#)  
**To:** [Drew Paxton](#); [Mike Hayes](#); [Mike Hayes](#)  
**Cc:** [Sheri Pattillo](#)  
**Subject:** P & Z Short Term Rental Applications  
**Date:** Sunday, June 26, 2022 10:45:44 AM

---

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 Mr. Paxton,

I live at 1695 Mountain Laurel, Kerrville, Texas within the City of Kerrville. My family has lived at this address since 1998. I just learned of a pending application for approval to operate a Short Term Rental (“STR”) at 1701 Foothills. I was told this information was in the Kerrville Daily Times and will come before the P & Z in the next several days/weeks although I did not see it myself. I called you this week and left you a voice mail message but have heard back from you yet.

I believe this is the residence of Mike and Libba Madry. With the exception of there being a vacant lot between us, I am a next-door neighbor. While the Madry’s are wonderful people and have been excellent neighbors, I am opposed to them operating a STR at this address. I am writing to you as the P & Z City of Kerrville Staff Member to request you notify P & Z of my opposition. This is a family neighborhood and is deed restricted to single family residences. An STR at this address is out of place and will negatively impact this neighborhood. I am all in favor of the important rights of property owners to do as they please with their property so long as the exercise of those rights does not negatively impact the rights of any other property owners.

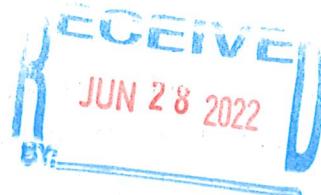
I have not had the opportunity to discuss this directly with the Madry’s and am emailing you with some urgency as we are traveling out of the country at this time and will be unable to attend the P & Z meeting. Please present my opposition to the P & Z commission members. Thank you.

Pat Pattillo  
Sheri Pattillo

Sent from my iPad

June 21, 2022

Planning & Zoning Commission  
City of Kerrville  
701 Main Street  
Kerrville, TX 78028



Attention: Mr. Drew Paxton,

I am a resident of Kerrville, and am writing you regarding the Short-Term Rental application of the residents at 1701 Foothills Drive.

I reside at 1725 Foothills and am greatly concerned about this application.

Village Glen is a 2-street subdivision – one is Foothills and the other is Mountain Laurel. I am not sure that you realize all there is about this area so I will give you some information.

It is a 30- year -old area with well- maintained homes occupied by mostly middle aged to older retired residents. A check with the Appraisal District will give you information as to value. Many have resided here for 20 years or more. On my block there are 4 widows of long residence. It is a well regarded fact that it is a very quiet neighborhood with no known amenities appealing to outsiders, such as the river, parks, or water features.

Two of my questions as to why these residents would want to offer this home for a STR are: are they planning on moving or are they planning on living in it and offering to rent it as well?

At the time of the last sale of this house it was offered at \$1,200,000, comparable to the ones in Comanche Trace or Riverhill. Mr. Siegerman may find these STR's are not just remodeled older homes. I appreciate his efforts to design rules to make them more controllable. They are certainly needed.

It goes without saying that I hope the Planning & Zoning Commission will deny it

Mr. Paxton, several years ago I served on the Planning & Zoning Commission and I know how the system works, but I am not physically able to be present at the meeting. I hope this will convey my opinion and feelings sufficiently. I appreciate your efforts in our behalf.

Ruth Spradling

**From:** [Becky Bennett](#)  
**To:** [Drew Paxton](#)  
**Cc:** [planningdivision@kerrvilletx.gov](mailto:planningdivision@kerrvilletx.gov)  
**Subject:** STR Consideration for Case # PZ-2022-30 1701 Foothills Drive, Kerrville, TX  
**Date:** Wednesday, July 6, 2022 3:52:59 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.

Drew,

It has come to my attention that one of my neighbors, the Maddoy's are considering turning their home into a STR. I am totally opposed to this on our nice, quiet, somewhat reserve, sleepy little street. I ran a vacation rental company down at the coast. It was a bit different as the neighborhoods were "like-minded" as to STR's. Foothills Drive is not.

While being in the property management of STR's, a lot of "extra" is brought into the neighborhood. Extra people peering around the neighborhood, walking into garages, people getting drunk & rowdy, loud music, etc, do I need to go on?

We specifically bought in this neighborhood due to the nice quiet atmosphere. Turning that nice home into a STR is not a good idea for the neighborhood. I live at 1713 Foothills, and I 100% oppose it. I pay a high premium in property taxes in the city. I should not have to be inconvenienced with the "parties & events" or my property value go down due to the trash it will bring to my neighborhood. I would be there in person to protest against it, but I have a doctor appt at 4pm.

Thanks and have a great day!

Becky Bennett  
Safety Cop - Owner  
713-213-6163 C 830 890 5163 O  
[becky@safetycop.com](mailto:becky@safetycop.com)  
[www.safetycop.com](http://www.safetycop.com)

**Texas Traffic Control**  
DBE/SBE/WBE/HUB





**From:** [Errol and Susan's email](#)  
**To:** [Planning Division](#)  
**Subject:** Case PZ-2022-30  
**Date:** Wednesday, July 6, 2022 2:32:02 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.

DATE: 6 July 2022

TO: City of Kerrville  
Planning and Zoning Commission

RE: Case No. PZ-2022-30

FROM: Susan and Errol Candy  
Residence: Property Owned:  
659 Windy Ridge Road 1700 Foothills Drive  
Fredericksburg, TX 78624 Kerrville, TX 78028

To the Commissioners and City Council Members:

Allow us to state for the record that Susan and Errol Candy are adamantly opposed to the proposed request for permitting the Conditional Use Permit for operating a Short Term Rental at 1701 Foothills Drive, which is directly across the street from our property.

We own the house at 1700 Foothills Drive, in the Village Glen subdivision. Since November 2019, this has been the home of Mrs. Dorothy Blair, Susan's 90- year old mother. Mrs. Blair is living independently in this house; we purchased it exclusively for her use.

The appeal of Village Glen subdivision, as it currently exists, is a quiet neighborhood, low vehicular traffic, well-maintained homes and yards, friendly and helpful neighbors, and what so far has been a low/no crime area. These positive features of a stable residential neighborhood are under threat because the owners of the house at 1701 Foothills Drive have applied for a Conditional Use Permit to operate a commercial Short Term Rental.

When homeowners buy in residential areas they expect to have certain rights to a safe and quiet environment. An STR operating in the house across the street from ours infringes on these property rights, and opens the proverbial 'Pandora's Box' of future STRs operating commercial concerns in what is zoned as R-1 residential neighborhood. Do property rights of STR owners/investors take priority over property rights of thousands of homeowners who invested in what they believed was a residential community?

Families have loyalty to their neighborhood, to the city where they work and take recreation, to the school districts, to the civic responsibilities, to the volunteer needs of the area. Short-term visitors moving through STRs don't share the long term commitments to a residential neighborhood and the community; they are transient occupants, vacationers, and travelers without a stake in the foundation of a stable residential environment. Equally as concerning are the well-documented problems due to STRs operating in residential areas: increased traffic congestion and parking problems, trash build-up and litter, crime, noise at all hours of the day/night, intrusive outdoor lighting and the strain on law enforcement and city services as they are called upon to mitigate these problems. Would anyone on the P&Z Commission, or City Council members want to live adjacent to a full time vacation rental/party house venue?

Fredericksburg is a prime case of the disruption created by an unregulated proliferation of STRs that have steadily engulfed entire neighborhoods. Single-family homes coming on the market are frequently advertised as "STR"

properties and are quickly bought by absentee investors and real estate concerns, driving up housing costs, property taxes, and thus fragmenting the once stable residential neighborhoods. All this, added to an existing workforce housing problem.

Not only do we ask that the CUP for STR be denied for 1701 Foothills Drive, we urge the City of Kerrville to stand by its citizens and preserve the integrity of residential areas by putting an immediate moratorium on any future STRs requested in R-1 zoned neighborhoods until sensible city ordinances can be crafted, with public input, to protect the stable residential neighborhoods from commercial concerns like STRs.

Many thanks in advance for your consideration of our viewpoint.

Sincerely,

Susan and Errol Candy

--  
This email has been checked for viruses by AVG.

<https://www.avg.com>

07/05/2022

Case Number PZ-2022-30

Development Services Department

My name is Juanita Esquivel. My address is 1708 Foothills Drive Kerrville TX 78028.

The purpose of this letter is to submit my opposition for the proposed request on the short term rentals on 1701 Foothills Drive Kerrville TX 78028.

One of the main priorities I had when moving from Houston in 2017, was to find a nice home in a quiet, peaceful neighborhood. I ultimately found that in the purchase of my home on Foothills Drive.

My main concerns are the noise, extra traffic, and the possibility of property taxes raising.



713 351-9233



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



**SUBJECT:** A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 3 and Part of Lot 4, Block 4, Fairview; and more commonly known as 330 Guadalupe St, Kerrville, TX 78028. (Case No. PZ-2022-31)

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

**DATE**

**SUBMITTED:**

**SUBMITTED BY:** Steve Melander

**EXHIBITS:** [PZ-2022-31-LocationMap.pdf](#)  
[PZ-2022-31\\_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 3 and Part of Lot 4, Block 4, Fairview; and more commonly known as 330 Guadalupe St, Kerrville, TX 78028. (Case No. PZ-2022-31)

**Procedural Requirements**

The City, in accordance with state law, mailed 22 letters on 6/23/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 6/16/2022. In addition, an informational sign was posted at the front of the property on 6/27/2022. 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

Existing Land Use: single-family home

Direction: North, East, and West

Current Zoning: R-1A

Existing Land Uses: single-family homes

Direction: South

Current Zoning: R-2 and R-3

Existing Land Uses: single-family homes and multifamily apartments

Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property and surrounding area are designated as Transitional Residential.

Since the underlying zoning is not changing for the subject property, the request is consistent with the Kerrville 2050 Comprehensive Plan.

Thoroughfare Plan:

The subject property is located on a residential street.

Traffic Impact:

No traffic impact is anticipated.

Parking:

A Short Term Rental requires one 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 bedroom and no onsite manager so 3 off-street parking spaces are required. The property has ample room to be able to provide the required parking.

#### 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.

#### 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:**

Approve the resolution.



## Location Map

Case # PZ-2022-031

Location:  
330 Guadalupe St

### 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.





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



**SUBJECT:** A resolution to allow a Conditional Use Permit for a Short Term Rental on Lot 19, Block 1, Meadow View Estates; and more commonly known as 426 Meadowview Ln, Kerrville, TX 78028. (Case No. PZ-2022-32)

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

**DATE**

**SUBMITTED:**

**SUBMITTED BY:** Steve Melander

**EXHIBITS:** [PZ-2022-32-LocationMap.pdf](#)  
[PZ-2022-32\\_Site Plan with Parking.pdf](#)  
[PZ-2022-32\\_Sinski\\_ooposed.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 19, Block 1, Meadow View Estates; and more commonly known as 426 Meadowview Ln, Kerrville, TX 78028. (Case No. PZ-2022-32)

**Procedural Requirements**

The City, in accordance with state law, mailed 14 letters on 6/23/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 6/16/2022. In addition, an informational sign was posted at the front of the property on 6/27/2022. 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

Current Zoning: PDD for multifamily

Existing Land Uses: multifamily development

Direction: South, East, and West

Current Zoning: R-1 Single Family Residential

Existing Land Use: single-family residences

**Consistency with the Kerrville 2050 Comprehensive Plan:**

The subject property and surrounding area are designated as Transitional Residential.

Since the underlying zoning is not changing for the subject property, the request is consistent with the Kerrville 2050 Comprehensive Plan.

**Thoroughfare Plan:**

The subject property is located on a residential street.

**Traffic Impact:**

No traffic impact is anticipated.

**Parking:**

A Short Term Rental requires one 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 2 existing available off-street parking spaces and will need to install 1 additional space to meet 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.

**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:**

Approve the resolution.



## Location Map

Case # PZ-2022-032

Location:  
426 Meadowview Ln

### Legend

200' Notification Area  
Subject Properties



0 50 100 200

Scale In Feet



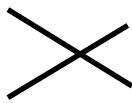
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only approximate relative locations.

## SITE PLAN

426 Meadowview Lane  
Kerrville, TX 78028

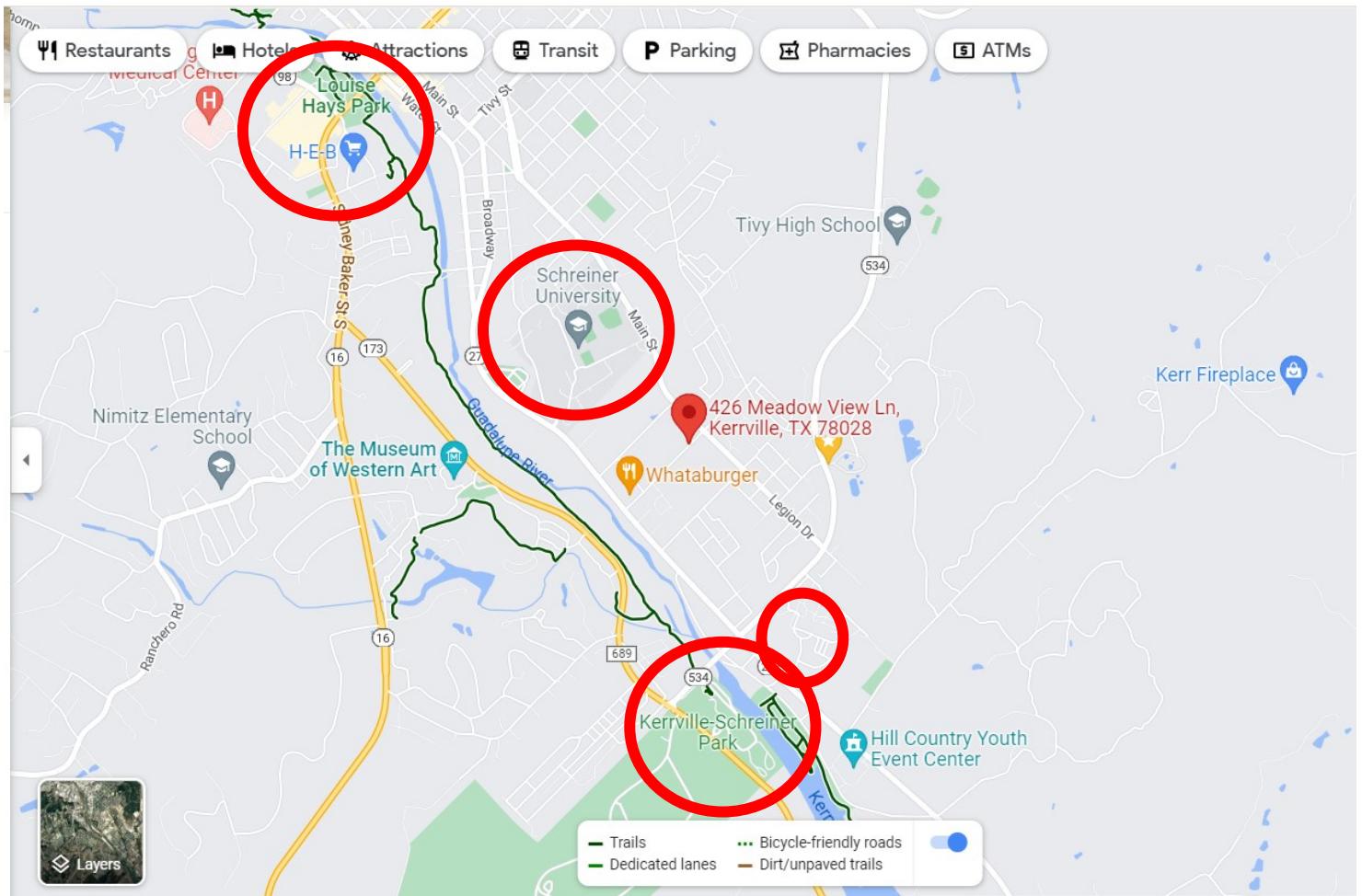


Parking available



1 Vehicle

**House is 2  
bedroom 1 bath.**



Schreiner University

Kerrville-Schreiner Park

Flat Rock Park

Veterans Hospital

Hike and Bike Trails

**From:** [Jane Polk Sinski](#)  
**To:** [Drew Paxton](#)  
**Cc:** ["Jane Polk Sinski"](#)  
**Subject:** P & Z zoning for short term rentals July 2022  
**Date:** Monday, July 4, 2022 7:49:40 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.

July 4, 2022

Hello,

I just found out via the Kerr County Lead that a house at 426 Meadowview Lane is being considered for short-term rental.

I did see a sign out in front of the house, but I could not read it as I drove by.

I'm surprised I did not get a letter about this house.

I live at 406 Meadowview Lane, 9 houses away.

I want to go on record saying that I oppose this change to short-term rental because of increased traffic and noise on my street,

And the change will probably affect the valuation of my house in some way.

Residents of Meadowview Lane are quiet and don't want/need strangers popping in and out of houses on our street.

I know residents of that part of the street are 50 years old and older, and I'm sure they don't want people who are partying & being loud.

Also, right behind this house at 426 Meadowview, are apartments for persons age 55 and older, and I'm sure they do not want loud strangers in their back yards.

Meadowview Lane not near a good part of the Guadalupe River Trail, it is more than a mile away. We are not near downtown, it is over 3 miles away.

It is not near any summer camp at all, so parents visiting kids would have to travel for 30 minutes or more. The only restaurant within 2 miles is the new Whataburger.

I can't imagine someone coming into Kerrville for a night or a weekend or a few days and choosing a house on Meadowview Lane.

This is a busy through street too, with lots of traffic, and even in my house, my windows rattle as trucks go by.

I have stayed at some AirBnB type houses & they have been near recreational or shopping areas in other cities, and this house at 426 Meadowview Lane, Kerrville, Texas, is meant to be a residential house or long-term rental, not short-term.

Why didn't we receive a letter about this zoning committee meeting??? Every resident/owner of Meadowview Lane should have been notified.

Also residents of the apartments on Main Street should have been notified, since noise levels will affect them too.

Thank you

Jane Polk Sinski

406 Meadowview Lane  
Kerrville, Texas 78028  
[jesinski@ktc.com](mailto:jesinski@ktc.com)

\*\*\*\*\*



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



**SUBJECT:** An ordinance to change the zoning from R-2 Medium Density Residential to R-3 Multifamily Residential on approximately 22.03 acres tract of land out of the Samuel Wallace Survey No. 113, Abstract No. 347, in the city of Kerrville, Kerr County, Texas; part of a certain 54.206 acre tract conveyed from Four States Financial Corporation to Hervey Square; and more commonly known as 2300 block of East Main Street. (Case No. PZ-2022-33)

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

**DATE  
SUBMITTED:**

**SUBMITTED BY:** Steve Melander

**EXHIBITS:** [PZ-2022-33-LocationMap.pdf](#)  
[PZ-2022-33\\_Wall\\_Opposed.pdf](#)

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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-2 Medium Density Residential to R-3 Multifamily Residential on approximately 22.03 acres tract of land out of the Samuel Wallace Survey No. 113, Abstract No. 347, in the city of Kerrville, Kerr County, Texas; part of a certain 54.206 acre tract conveyed from Four States Financial Corporation to Hervey Square; and more commonly known as 2300 block of East Main Street.

**Procedural Requirements**

The City, in accordance with state law, mailed 43 letters on 6/23/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 6/16/2022.

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-2 Medium Density Residential

Existing Land Use: Vacant Land

Direction: North

Current Zoning: PI, Public and Institutional

Existing Land Uses: Schreiner University property

Direction: East

Current Zoning: R-1 Single Family Residential

Existing Land Uses: single-family residential

Direction: West

Current Zoning: R-3 and PI

Existing Land Uses: vacant land (R-3) Atmos Energy Office (PI)

Direction: South

Current Zoning: PDD for multifamily residential

Existing Land Uses: apartments

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

The subject property is within the Strategic Catalyst Area 9 and is identified as a future

investment site. This catalyst area is focused on Schreiner University and the future development and reinvestment in the surrounding area. The primary place types for this catalyst area are Neighborhood Residential and Transitional Residential. The Transitional Residential place type is primarily multifamily development. 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 East Main Street, a collector street, as required for multifamily 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:**

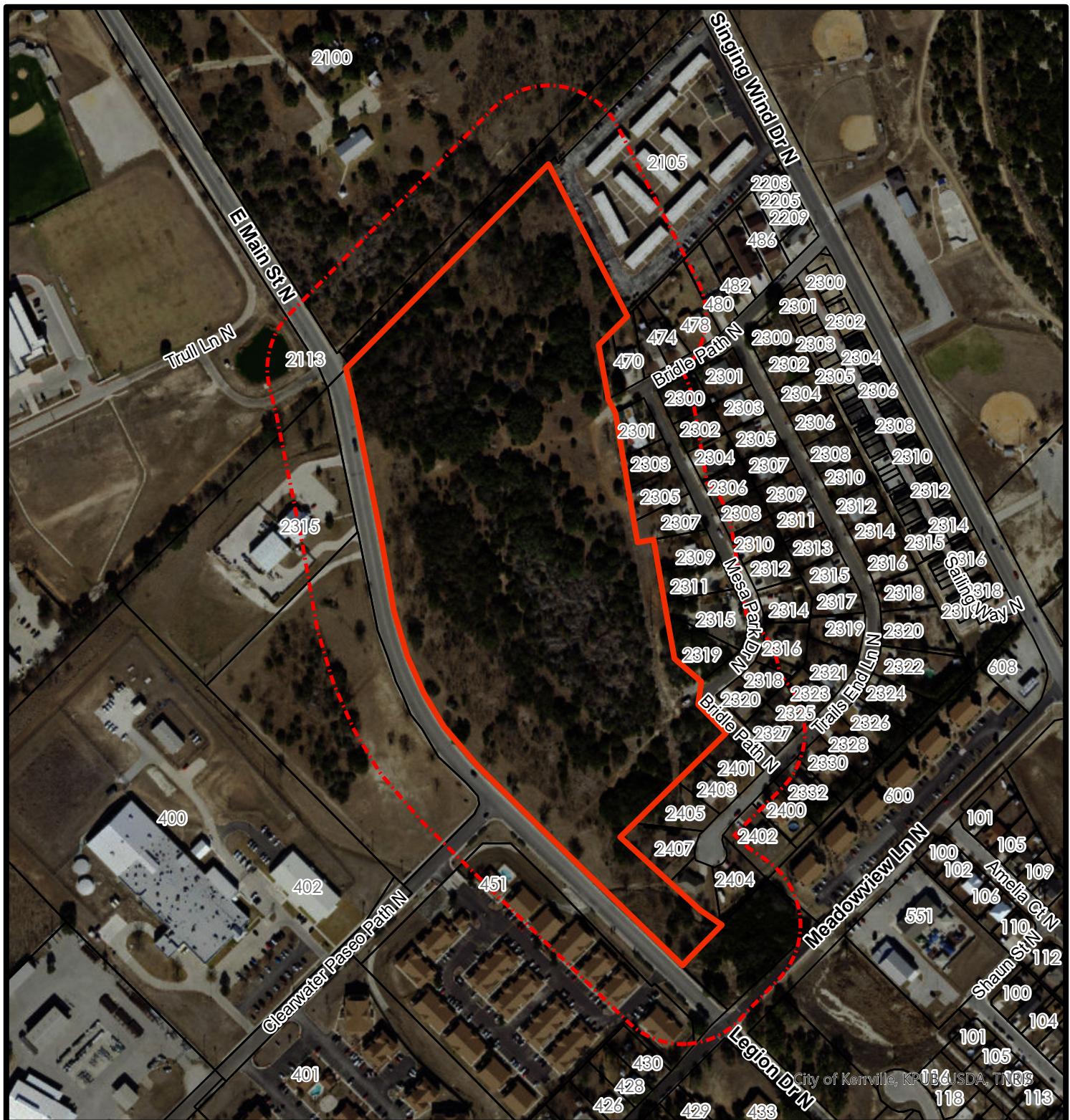
The applicant is requesting a zoning change from R-2 to R-3 to allow for multifamily development.

**Recommendation:**

Because the request is consistent with the Kerrville 2050 Future Land Use Plan, the staff recommends approval of the zoning request.

**RECOMMENDED ACTION:**

Approve the ordinance.



## Location Map

Case # PZ-2022-033

Location:

Kerr CAD Property ID #17053

### Legend

200' Notification Area  
Subject Properties



0 125 250 500

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.

**From:** [JoAlice Wall](#)  
**To:** [Planning Division](#)  
**Subject:** Public Hearing CASE PZ-2022-33  
**Date:** Thursday, June 30, 2022 9:36:16 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.

I am in opposition to this proposal. It not only will affect the wildlife but also destroy too many trees behind my property.

Jo Alice Wall  
2301 Mesa Park Drive