



PLANNING AND ZONING COMMISSION AGENDA  
AUGUST 4, 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. Approval of Meeting Minutes from July 7, 2022 regular meeting.

Attachments:

[PZ Minutes\\_20220707\\_draft.pdf](#)

1.B. Approval of Meeting Minutes from July 28, 2022 called meeting.

Attachments:

**2 CONSIDERATION AND FINAL ACTION**

2.A. A final plat for a subdivision containing 0.79 acres of land, more or less, out of Florentine Lara Survey No. 123, Abstract No. 225 in the City of Kerrville, Kerr County, Texas; comprising all of Lots 136, 137, 138, 139, 140, 141, 142 and 143 of The Meridian, a subdivision of Kerr County according to the plat of record in Volume 7, at pages 80-81 of the plat of records of Kerr County, Texas. (Case No. 2022-040)

Attachments:

[2022-040\\_Proposed Plat.pdf](#)

**3 PUBLIC HEARING, CONSIDERATION & ACTION**

3.A. A resolution to allow a Conditional Use Permit for a Short Term Rental on Lots 23, 24, 25, and 26, Block 3, Riverhill TH 8 Addition; and more commonly known as 510 Preston Trail Loop E, Kerrville, TX 78028. (Case No. PZ-2022-38)

Attachments:

[PZ-2022-38-LocationMap.pdf](#)

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[PZ-2022-38-site plan.pdf](#)  
[PZ-2022-038\\_Stroud\\_opposed.pdf](#)  
[PZ-2022-038\\_Stroud-Betty\\_opposed.pdf](#)  
[PZ-2022-38\\_Maness\\_opposed.pdf](#)  
[PZ-2022-38\\_Tilley\\_in favor.pdf](#)  
[PZ-2022-38\\_Warnock\\_opposed.pdf](#)  
[PZ-2022-038\\_Itschner\\_opposed.pdf](#)

3.B. An ordinance to change the zoning from R-3 Multifamily Residential to PI Public and Institutional on 7.1 acres out of Wallace Survey Number 113, Abstract 347; and more commonly known as 365 Clearwater Paseo Path, Kerrville, TX 78028. (Case No. PZ-2022-36)

Attachments:

[PZ-2022-36-LocationMap.pdf](#)

3.C. An ordinance to change the zoning from C-2 Light Commercial to Planned Development District on Lot 3R and Lot 4R, Block 1, Langtry Addition; and more commonly known as 598 Yorktown Blvd N, Kerrville, TX 78028. (Case No. PZ-2022-37)

Attachments:

[PZ-2022-37\\_LocationMap.pdf](#)

[PZ-2022-37\\_Concept Plan.pdf](#)

3.D. An ordinance to annex into the City of Kerrville's incorporated limits with a zoning classification of IM Industrial and Manufacturing on an 11.93 acre parcel comprised of approximately 8.93 acres out of the F. Rodriguez Survey No. 72, Abstract No. 280, and 2.99 acres out of the O.V. Robinson Survey No. 44, Abstract No. 282, part of a certain 172.58 acre tract described in Special Warranty Deed with Vendor's Lien, File No. 20-06214, Deed of Records of Kerr County, Texas; and more commonly known as 5269 HWY 27, Kerrville, TX 78028. (Case No. PZ-2022-34)

Attachments:

[PZ-2022-34\\_LocationMap.pdf](#)

[PZ-2022-34\\_Ingram Survey.pdf](#)

3.E. An ordinance amending City of Kerrville, Texas Zoning Code, Chapter 60 of the City's Code of Ordinances to include amendments to definitions and regulations concerning short-term rentals and amending the Land Use Table. (Case No. 2022-037)

Attachments:

**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:** Approval of Meeting Minutes from July 7, 2022 regular meeting.

**AGENDA DATE OF:** August 4, 2022      **DATE**  
**SUBMITTED:**

**SUBMITTED BY:** Steve Melander

**EXHIBITS:** [PZ Minutes\\_20220707\\_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**

**KERRVILLE, TEXAS  
JULY 7, 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  
Kyle Burow  
Sturt Barron  
Kim Meismer  
Michael Hornes  
William Tatsch  
Zane Brown

**CALL TO ORDER**

Meeting called to order by Mike Sigerman at 4:00pm.

**1) MINUTES**

**1.A** Minutes from June 2, 2022 regular meeting.

PZ Minutes\_20220602\_draft.pdf

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

**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)

2022-034\_Comanche Ph18\_Final Plat.pdf

Drew Paxton presented the case.

Tabor McMillan moved to approve the plat with conditions; Cliff Tuttle seconded the motion, and the motion carried 6-0.

**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)

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

Drew Paxton presented the case.

Jeff Harris moved to approve the preliminary plat; Abram Bueche seconded the motion, and the motion carried 6-0

**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)

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

Drew Paxton presented the case.

David Lipscomb moved to approve the preliminary plat; Cliff Tuttle seconded the motion, and the motion carried 6-0.

**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)

2022-039\_Preliminary Plat\_Kerrville 38.pdf

Drew Paxton presented the case.

Tabor McMillan moved to approve the preliminary plat with conditions; Cliff Tuttle seconded the motion, and the motion carried 6-0.

### **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)

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

Drew Paxton presented the case.

Jana McDermott was called to speak.

Open public hearing.

Janette Horine was called to speak.

Kay Harter was called to speak.

Merle Weaver was called to speak.

Close public hearing.

David Lipscomb was called to speak.

Jeff Harris was called to speak.

Mike Sigerman was called to speak.

Cliff Tuttle moved for a motion to deny; Jeff Harris seconded the motion and the motion to deny carried 6-0.

**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)

PZ-2022-27-LocationMap.pdf

PZ-2022-27\_Site Plan with Parking.pdf

PZ-2022-27\_Olden\_Opposed with Signature Sheets.pdf

Drew Paxton presented the case.

Susan Dunn was called to speak.

Open public hearing.

Mary Olden was called to speak.

Cindy Croxton was called to speak.

Susan Dunn was called to speak.

Nathan Fitch was called to speak.

Close public hearing.

Mike Sigerman was called to speak.

Jeff Harris was called to speak.

Cliff Tuttle was called to speak.

Abram Bueche was called to speak.

Tabor McMillan was called to speak.

Abram Bueche was called to speak.

David Lipscomb was called to speak.

Mike Sigerman was called to speak.

Tabor McMillan moved to approve the resolution; Abram Bueche seconded the motion, and the motion failed 3-3.

Lack of action. Case not approved. Applicant must appeal to City Council.

**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)

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

Drew Paxton presented the case.

Valerie Grimes was called to speak.

Mike Sigerman was called to speak.

Valerie Grimes was called to speak.

Open public hearing.

Nathan Fitch was called to speak.

Close public hearing.

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

**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)

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

Drew Paxton presented the case.

Paula Thrash was called to speak.

Trey Thrash was called to speak.

Open public hearing.

Close public hearing.

Jeff Harris was called to speak.

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

**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)

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

Drew Paxton presented the case.

Elizabeth Maddry was called to speak.

Open public hearing.

Sharon Mason was called to speak.

Errol Candy was called to speak.

Nikki Caines was called to speak.

Dale Gleichwerl was called to speak.

Valerie Grimes was called to speak.

Mike Sigerman read a letter from Pattillo.

Kerri Bruce was called to speak.

Elizabeth Maddry was called to speak.

Close public hearing.

Tabor McMillan was called to speak.

Mike Sigerman was called to speak.

Jeff Harris was called to speak.

Tabor McMillan was called to speak.

Mike Sigerman was called to speak.

Tabor McMillan moved to approve the resolution; Abram Bueche seconded the motion, and the motion failed 3-3.

Lack of action. Case not approved. Applicant must appeal to City Council.

**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)

PZ-2022-31-LocationMap.pdf

PZ-2022-31\_Site Plan with Parking.pdf

Drew Paxton presented the case.

Larry Howard was called to speak.

Open public hearing.

Close public hearing.

Jeff Harris was called to speak.

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

**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)

PZ-2022-32-LocationMap.pdf

PZ-2022-32\_Site Plan with Parking.pdf

PZ-2022-32\_Sinski\_ooposed.pdf

Drew Paxton presented the case.

Catalina Landon was called to speak.

Open public hearing.

Shirley Wermer was called to speak.

Drew Paxton read letter from Linda Leasman.

Close public hearing.

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

**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)

PZ-2022-33-LocationMap.pdf

PZ-2022-33\_Wall\_Opposed.pdf

Drew Paxton presented the case.

Bruce Stracke was called to speak.

Open public hearing.

Bryan Koerlin was called to speak.

Paul Harrison was called to speak.

Jacob Rayes was called to speak.

Bruce Stracke was called to speak.

Close public hearing.

David Lipscomb was called to speak.

Mike Sigerman was called to speak.

Jeff Harris was called to speak.

General discussion occurred.

David Lipscomb moved to approve the ordinance; Tabor McMillan seconded the motion, and the motion failed 3-3.

Lack of action. Case not approved. Applicant must appeal to City Council.

**4) STAFF REPORT**

STR Town Hall - July 25, 6pm at Dietert Center

Upcoming P&Z Meetings: July 28, 2022 (3pm workshop and 4pm called meeting), and August 4, 2022 (4pm regular meeting).

**5) EXECUTIVE SESSION**

None

**6) ADJOURNMENT**

Meeting adjourned by Sigerman at 6:09pm.

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:** Approval of Meeting Minutes from July 28, 2022 called meeting.

**AGENDA DATE OF:** August 4, 2022      **DATE**  
**SUBMITTED:**

**SUBMITTED BY:** Steve Melander

**EXHIBITS:**

---

**Kerrville 2050 Item?** No

**Key Priority Area**

**Guiding Principle**

**Action Item**

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**SUMMARY STATEMENT:**

Minutes being drafted and will be provided prior to the August 4, 2022 P&Z meeting.

**RECOMMENDED ACTION:**

Approve or approve with revisions.



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



**SUBJECT:** A final plat for a subdivision containing 0.79 acres of land, more or less, out of Florentine Lara Survey No. 123, Abstract No. 225 in the City of Kerrville, Kerr County, Texas; comprising all of Lots 136, 137, 138, 139, 140, 141, 142 and 143 of The Meridian, a subdivision of Kerr County according to the plat of record in Volume 7, at pages 80-81 of the plat of records of Kerr County, Texas. (Case No. 2022-040)

**AGENDA DATE OF:** August 4, 2022      **DATE**

**SUBMITTED:**

**SUBMITTED BY:** Steve Melander

**EXHIBITS:** [2022-040\\_Proposed Plat.pdf](#)

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**Kerrville 2050 Item?** No

**Key Priority Area**

**Guiding Principle**

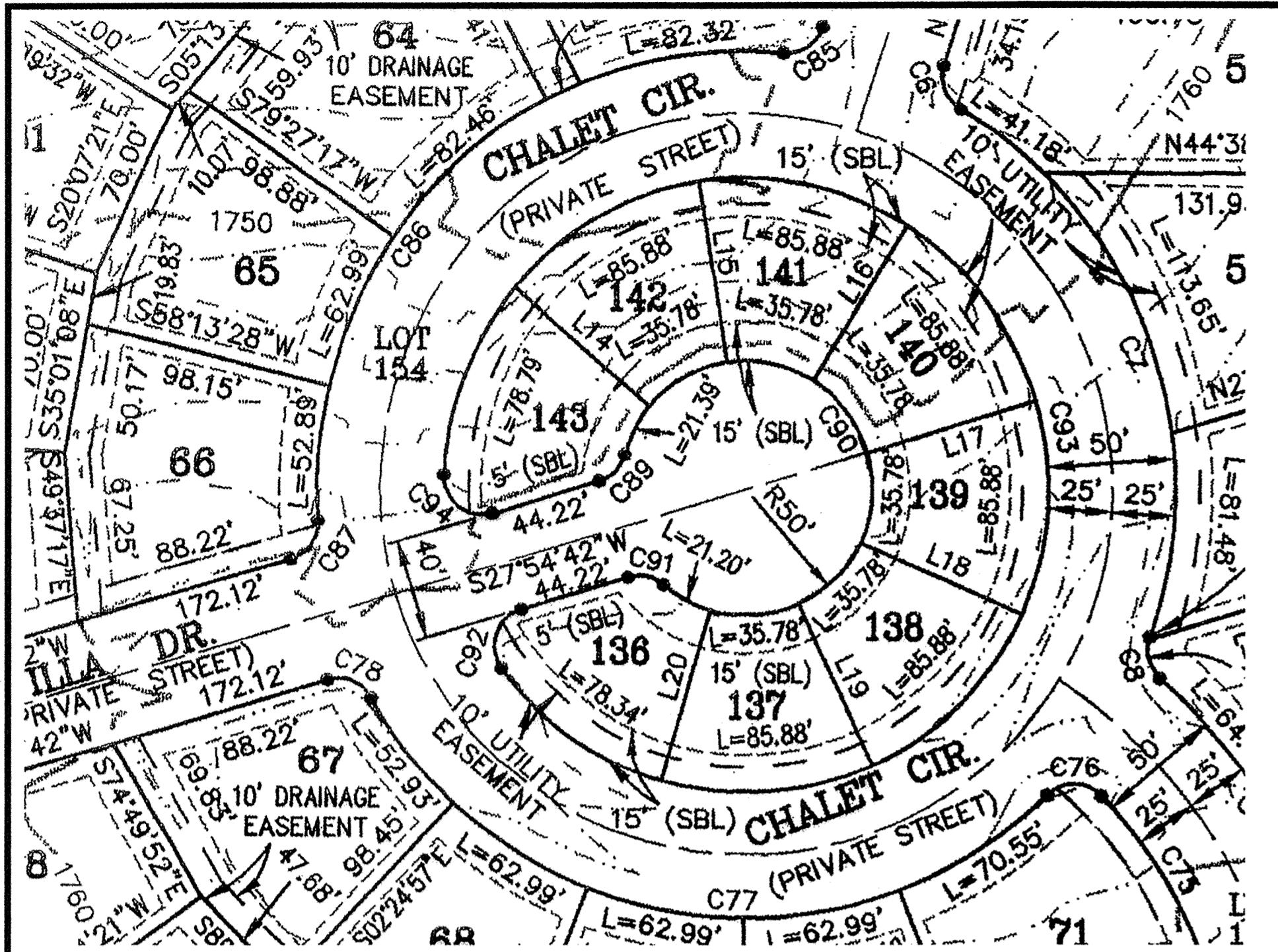
**Action Item**

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**SUMMARY STATEMENT:**

**RECOMMENDED ACTION:**

Approve the plat.



### AS PLATTED

VOLUME 7 PAGES 80-81  
(SEE SHEET 2)

STATE OF TEXAS  
COUNTY OF KERR

I hereby certify that I am the owner of the land shown and platted hereon for subdivision; that I hereby adopt this plat of subdivision, establish the minimum building restriction lines, and dedicate all easements for purposes noted.

Witness my hands this \_\_\_\_\_ day of \_\_\_\_\_, 2022

Owner: Thomas J. Moore, III

STATE OF TEXAS  
COUNTY OF KERR

BEFORE ME, the undersigned authority, on this day personally appeared Thomas J. Moore, III, 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 and

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022

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 \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Drew Paxton, Planning Director

Notary Public 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 or waivers, 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 \_\_\_\_\_, 2022

Chairman, City of Kerrville Planning and Zoning Commission

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Kerrville, Texas and that it is existing in an acceptable manner and is currently served by public infrastructure.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022

Kyle Burow, City Engineer

I hereby certify that this plat is an accurate representation of the property shown and described hereon as determined by a survey made on the ground under my direction and supervision, and that all property corners are as shown. (bearing basis = True north based on GPS observations)

Dated this 8th day of July, 2022



### PRELIMINARY

This document shall not be recorded for any purpose.

Released by: Lee C. Voelkel

RPLS# 3409

Date: 07/08/22

Purpose: RE/PL

### CURVE DATA

CURVE	DELTA	RADIUS	ARC	LONG CHORD
C1	57°24'52"	15.00'	15.03'	N56°50'05"E, 14.41'
C2	46°30'07"	50.00'	40.58'	N61°58'55"E, 39.48'
C3	59°37'27"	50.00'	52.03'	N08°55'08"E, 49.72'
C4	41°23'33"	50.00'	35.78'	N41°23'33"W, 35.02'
C5	53°35'32"	50.00'	46.77'	N88°41'16"W, 45.08'
C6	53°35'32"	50.00'	46.77'	S27°43'11"W, 45.08'
C7	40°28'47"	50.00'	35.33'	S09°18'58"E, 34.60'
C8	57°24'52"	15.00'	15.03'	S00°46'14"E, 14.41'
C9	109°30'18"	15.00'	28.67'	S82°45'59"W, 24.50'
C10	53°35'32"	120.00'	108.20'	N15°52'22"W, 108.20'
C11	53°35'32"	120.00'	112.24'	N37°43'11"W, 108.20'
C12	53°35'32"	120.00'	112.24'	S88°41'16"E, 108.20'
C13	40°59'55"	120.00'	85.87'	S41°23'33"E, 84.05'
C14	59°27'27"	120.00'	124.88'	S08°55'08"W, 119.32'
C15	59°37'28"	120.00'	124.88'	S68°32'36"W, 119.32'
C16	109°30'18"	15.00'	28.67'	N26°56'09"E, 24.50'

### GENERAL NOTES

1. THIS PROPERTY IS LOCATED IN THE KERRVILLE INDEPENDENT SCHOOL DISTRICT.
2. THE LAND PLATTED HEREON IS LOCATED IN ZONE "X" AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 48265C0470F, DATED MARCH 3, 2011
3. UTILITY COMPANIES: ELECTRIC - KERRVILLE PUBLIC UTILITY BOARD TELEPHONE - WINDSTREAM
4. LOT 154 IS A PRIVATE STREET. ALL PRIVATE STREETS ARE GAS, ELECTRIC, TELEPHONE, CABLE TV, DRAINAGE, WATER AND SANITARY SEWER EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF THESE UTILITIES. ALL PRIVATE STREETS ARE POSTAL EASEMENTS.
5. THE RECTANGULAR COORDINATES SHOWN HEREON WERE CALCULATED USING THE CITY OF KERRVILLE COORDINATE SYSTEM. THESE COORDINATES ARE FOR THE CITY OF KERRVILLE MAPPING PURPOSES ONLY AND ARE NOT TO BE USED TO REPLACE MISSING CORNERS ON THE GROUND.
6. CITY OF KERRVILLE PLAT FILE NO. 22

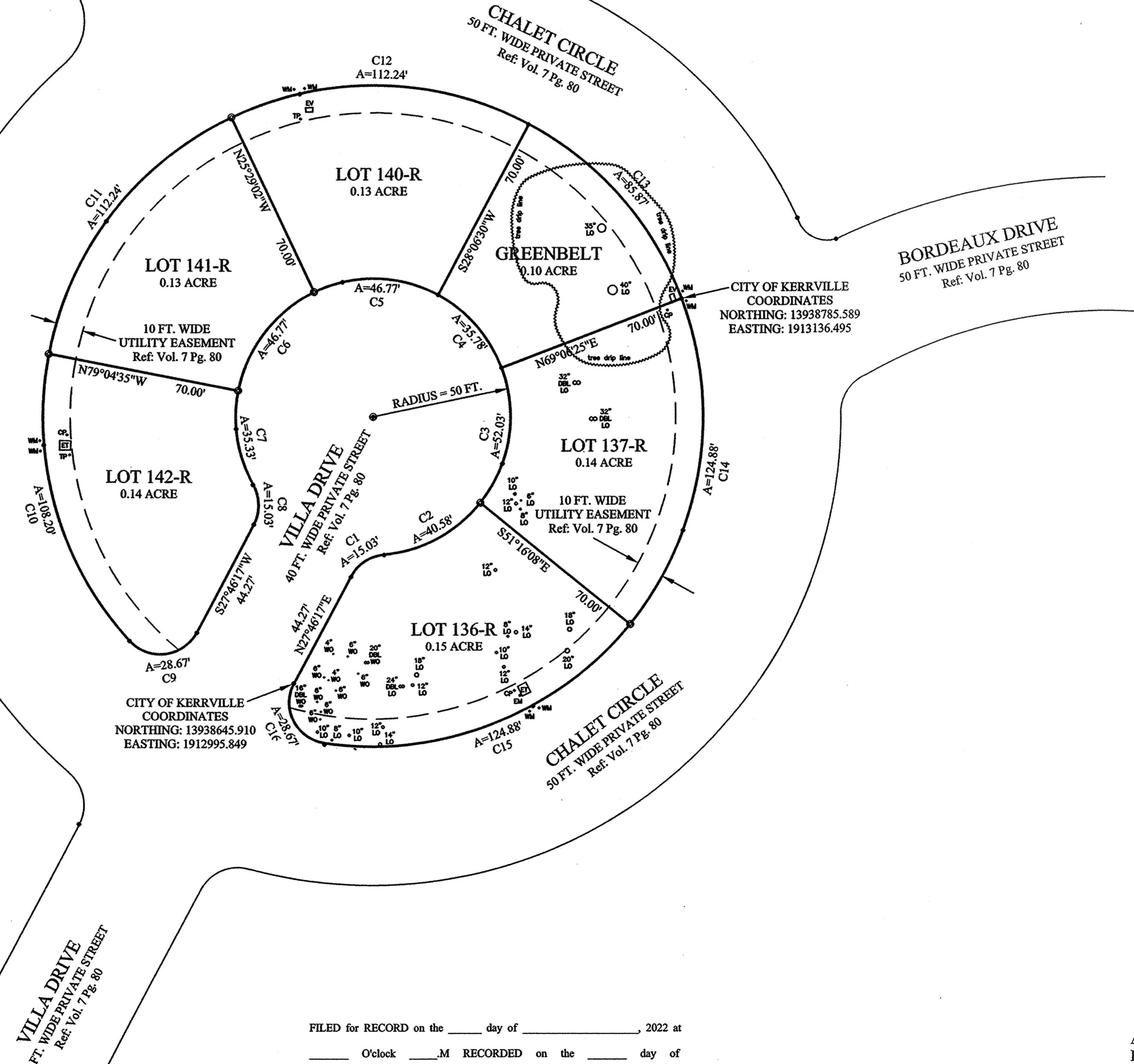
OWNER: Thomas J. Moore, III  
2101 Athens Avenue  
Kerrville, Texas 78028

SURVEYOR: Lee C. Voelkel  
Voelel Land Surveying, PLLC  
212 Clay Street  
Kerrville, Texas 78028

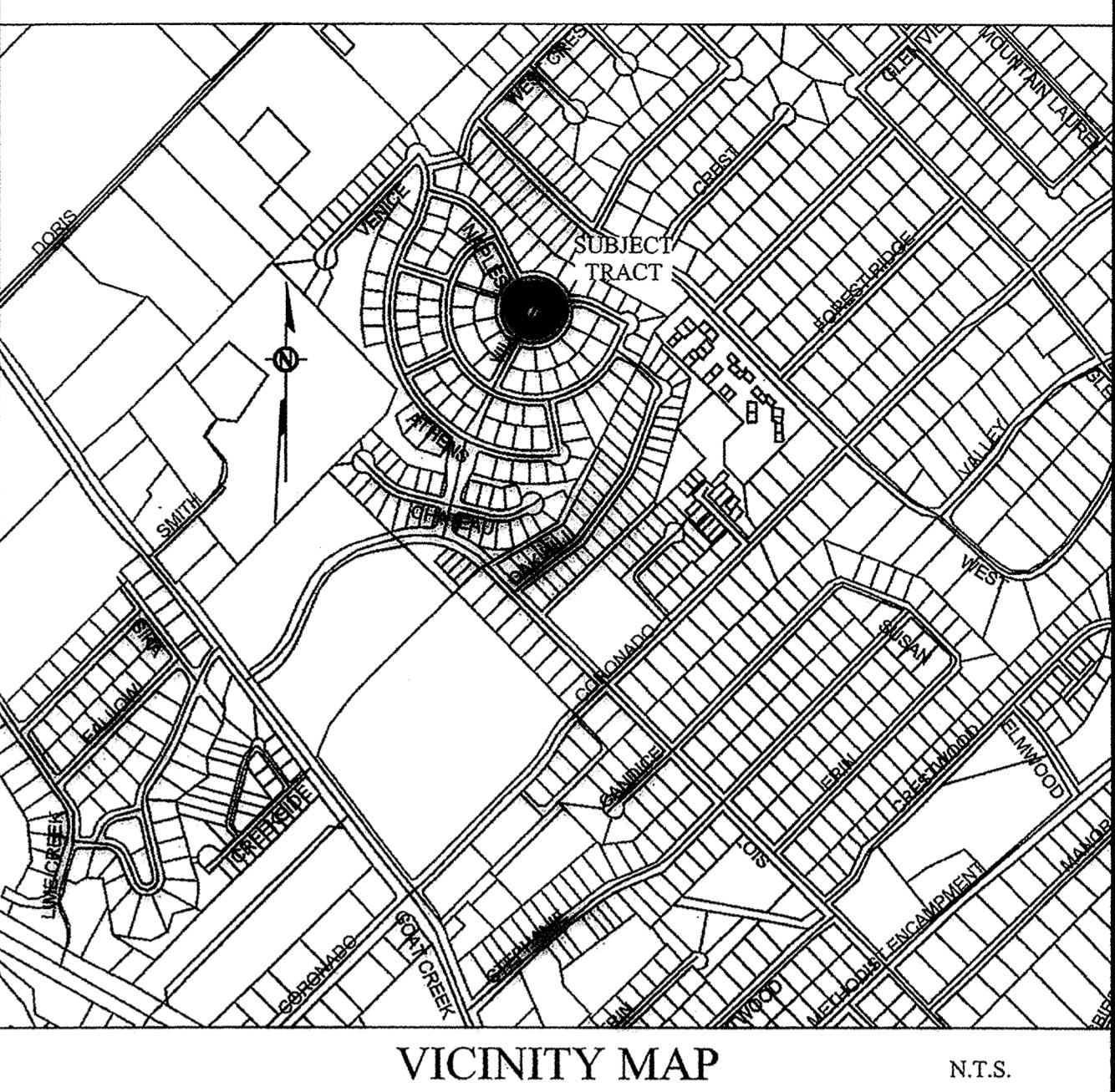
### BUILDING SET-BACKS

Front = 15 Ft.  
Side = 5 Ft.  
Rear = 15 Ft.  
Side Street = 15 Ft.

NAPLES LANE  
50 FT. WIDE PRIVATE STREET  
Ref. Vol. 7 Pg. 80



### FILE NO.



N

0 15 30 60 90  
GRAPHIC SCALE, FEET

SCALE: 1" = 30'  
LEGEND

•	FOUND 1/2" IRON STAKE
◎	SET 1/2" IRON STAKE
■	SET MAG NAIL
W.M.	WATER METER
W.P.	WATER METER
CP	CABLE PEDESTAL
TP	TELEPHONE PEDESTAL
DP	TELEPHONE PEDESTAL
EM	ELECTRIC METER
ED	EDISON METER
ET	ELECTRIC TRANSFORMER

NOTE: ALL SET 1/2" IRON STAKES MARKED WITH RED PLASTIC CAP INSCRIBED WITH "VOELEL SURVEYING"

### TREE LEGEND

LO	LIVE OAK TREE
WO	WHITE OAK TREE

LOTS 136-R, 137-R, 140-R, 141-R, 142-R AND GREENBELT

### THE MERIDIAN

A REPLAT FOR LOTS 136, 137, 138, 139, 140, 141, 142 AND 143

A SUBDIVISION CONTAINING 0.79 ACRE OF LAND, MORE OR LESS, OUT OF FLORENTINE LARA SURVEY NO. 123, ABSTRACT NO. 225 IN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS; COMPRISING ALL OF LOTS 136, 137, 138, 139, 140, 141, 142 AND 143 OF THE MERIDIAN, A SUBDIVISION OF KERR COUNTY ACCORDING TO THE PLAT OF RECORD IN VOLUME 7 AT PAGES 80-81 OF THE PLAT RECORDS OF KERR COUNTY, TEXAS

JULY 2022

VOELEL  
LAND SURVEYING, PLLC  
212 CLAY STREET, KERRVILLE, TEXAS 78028 830-257-3313  
FIRM REGISTRATION NO. 100528-00



**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 Lots 23, 24, 25, and 26, Block 3, Riverhill TH 8 Addition; and more commonly known as 510 Preston Trail Loop E, Kerrville, TX 78028. (Case No. PZ-2022-38)

**AGENDA DATE OF:** August 4, 2022

**DATE**

**SUBMITTED:**

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [PZ-2022-38-LocationMap.pdf](#)

[PZ-2022-38-site plan.pdf](#)

[PZ-2022-038\\_Stroud\\_opposed.pdf](#)

[PZ-2022-038\\_Stroud-Betty\\_opposed.pdf](#)

[PZ-2022-38\\_Maness\\_opposed.pdf](#)

[PZ-2022-38\\_Tilley\\_in favor.pdf](#)

[PZ-2022-38\\_Warnock\\_opposed.pdf](#)

[PZ-2022-038\\_Itschner\\_opposed.pdf](#)

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**Kerrville 2050 Item?** No

**Key Priority Area**

**Guiding Principle**

**Action Item**

---

**SUMMARY STATEMENT:**

A resolution to allow a Conditional Use Permit for a Short Term Rental on Lots 23, 24, 25, and 26, Block 3, Riverhill TH 8 Addition; and more commonly known as 510 Preston Trail Loop E, Kerrville, TX 78028. (Case No. PZ-2022-38)

**Procedural Requirements**

The City, in accordance with state law, mailed 19 letters on 7/21/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 7/14/2022.

## 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

Current Zoning: AG Agricultural

Existing Land Uses: vacant land

Direction: South, East, and West

Current Zoning: R-2 Medium Density Residential

Existing Land Use: single-family residence

### Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property and surrounding area are designated as Neighborhood 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 will have an onsite manager so 2 off-street parking spaces are required for each structure. The applicant has identified 2 existing available off-street parking spaces for each structure, a total of 4 parking spaces.

**Case Summary:**

The applicant is proposing to use an existing accessory dwelling unit 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.

**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-2022-038

Location:

510 Preston Trail Loop

### Legend

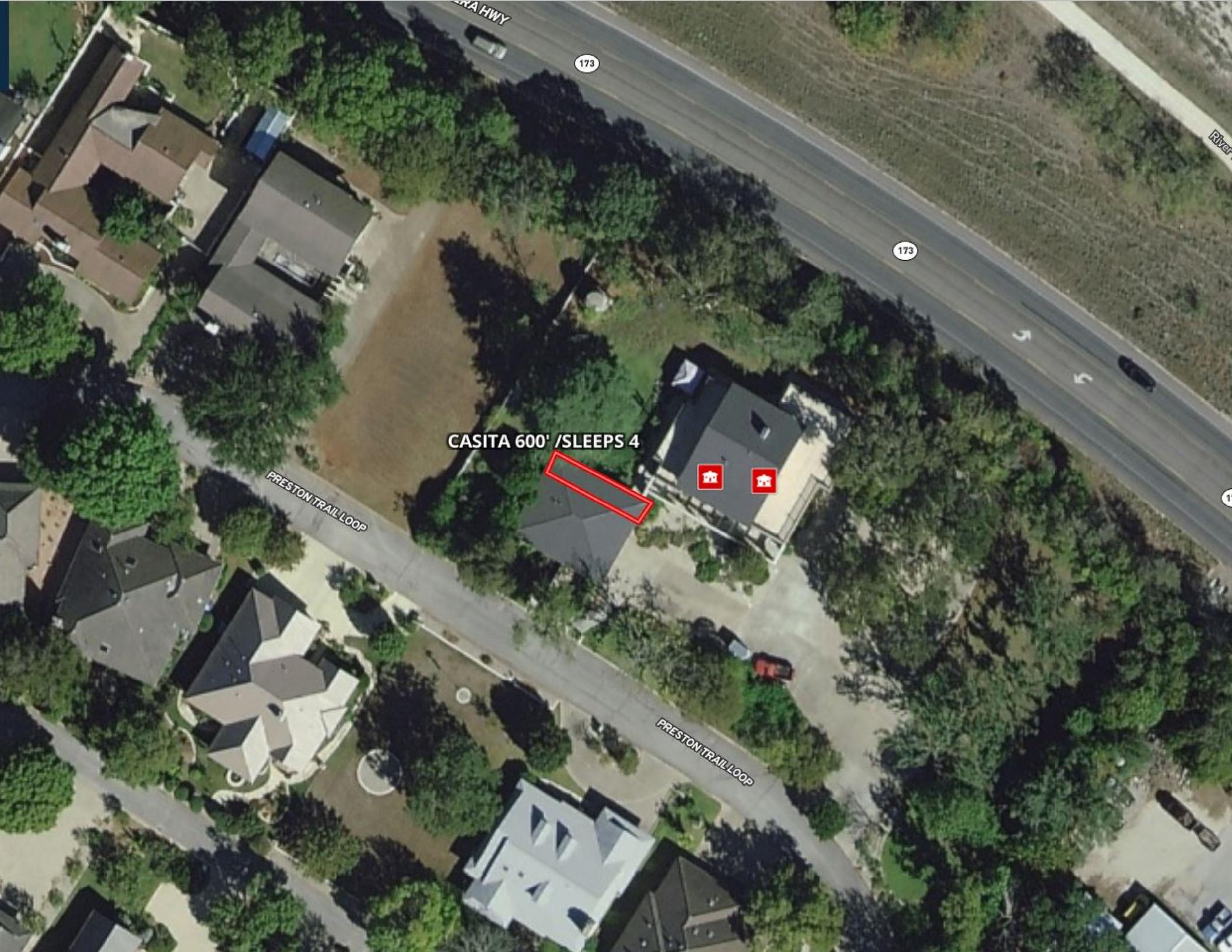
200' Notification Area  
Subject Properties



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.



**From:** [Jerry Stroud](#)  
**To:** [Drew Paxton](#); [Drew Paxton](#)  
**Subject:** case #PZ-2022-038  
**Date:** Friday, July 29, 2022 9:48:54 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.

Drew Paxton, AICP, Covenants was placed on the land in Riverhills Country Club subdivision in order that no business would be operated out of our residential area which every home owner agreed to when they bought in this community.

So, My question is. How is it we the people does not get what they paid for RESIDENTUAL Subdivision, but one family wants to change our bylaws and covenants to accommodate and use the city to be their enforcer?????????????????

Thank you  
Jerry Stroud

**From:** [Betty J Stroud](#)  
**To:** [Drew Paxton](#)  
**Subject:** PZ-2022-038  
**Date:** Wednesday, July 27, 2022 9:43:46 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.

To Mr. Paxton,

7/27/2022

I live on Preston Trail Loop less than 200 ft from 510 Preston Trail Loop residential area. I feel it will down grade our community and make it unsafe for our children and grandchildren - No family that I know of wants to raise a family next to a short-term rental, motel, B&B compound that I believe from what I was told that the house etc. was built over a cave. Yes, I toured the whole compound before the New (family) bought it. About 10 years back.

Rather than degrade our Community - have a developer come in buy up the land that is for sale

on the Guadalupe River and turn it into a Resort 2 bedrooms, 2 baths fully stocked kitchen with living room and dining rooms sell the units then let the owners rent them out when not in use.

Make it like an upscale resort with restaurant and bar renting out boats and kayaks.

Let's take pride in our residents and its community while encouraging people to buy and raise their families here, while still promoting tourist trade. Rather than carve up our residents' areas.

The circle that was drawn encompasses 173 hwy and a dirt lot but it has nothing to do with us What the residents bought into was a residential community including the people at 510 Preston Trail Loop and that is the way it should remain.

The River is the drawing point along with the walking trails so turn some of those houses into short-term rentals motels or whatever you want to call them.

There is only 11 residents that you circled in and all I spoke to said NO unless you want me to ask the drivers on 173 hwy how they feel about this situation?

What is next section 8 or low-income housing?

Thank you for your time

Betty J Bales/Stroud and Jerry Stroud

**From:** [Bernadette Maness](#)  
**To:** [Drew Paxton](#)  
**Subject:** Case PZ-2022-38  
**Date:** Thursday, July 28, 2022 2:37:54 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.

Dear Mr. Paxton,

In reference to Case PZ-2022-38, at physical address 510 Preston Trail Loop, Kerrville, TX.

My husband and I are *strongly* opposed to rezoning this or any portion of the Riverhill subdivision to allow a STR business to open its doors. Business ventures belong in areas already zoned for commercial use. Why re-invent the wheel?

Our property, at 518 Rolling Green Dr., is separated from the proposed STR site by only one vacant lot. We will definitely be negatively impacted by a business so close to our home.

My husband and I attended the July 25 meeting of the PZ Commission, so no need to repeat what you have already heard. We truly value our currently quiet and peaceful neighborhood. Please help us keep it that way by denying the STR request! Thank you for your time.

Most sincerely,  
Bernadette and Steve Maness  
518 Rolling Green Dr.  
Kerrville, TX 78028

**From:** [Jeanette Tilley](#)  
**To:** [Drew Paxton](#)  
**Subject:** 510 Preston Trail Loop/P&Z  
**Date:** Wednesday, July 27, 2022 9:53:03 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.

We are neighbors of the home owners at 510 Preston Trail. We are in favor of granting them a permit for STR. The home is completely gated with numerous parking areas. The owners live on the property and would be present to their guests. The STR would be a casita which is detached from their home. The home and casita are on 1.2 acres so it's not likely there would be a noise issue. This home is upscale and they would be attracting guests who want to play golf at Riverhill Country Club and enjoy the amenities. Many of our neighbors are under the impression that there are no STRs in Riverhill. This is obviously not correct. What is interesting is that on Birkdale Street there are numerous LTR with poorly kept yards and several cars/trucks on the street. This is much more of a nuisance than a STR on an Estate property.

Thanks for your time and consideration. Please know that we are thankful to P&Z and the hard work you all put into our beautiful city.

Sincerely,  
Tobin and Jeanette Tilley  
524 Oakland Hills Lane  
Kerrville, Texas 78028

**From:** [Bettye Warnock](#)  
**To:** [Drew Paxton](#); [Mike Hayes](#); [planning.division@kerrville.gov](mailto:planning.division@kerrville.gov)  
**Subject:** Fwd: Case PZ-2022-38  
**Date:** Wednesday, July 27, 2022 10:54:33 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.

I oppose a Conditional Use Permit for a short term rental at 510 Preston Trail Loop.

Bettye A Warnock  
519 Preston Trail Loop  
Kerrville, Texas 78028

**From:** [Royce & Cynthia Itschner](#)  
**To:** [Planning Division](#); [Drew Paxton](#); [Steve Melander](#)  
**Subject:** Opposition to Planning and Zoning Case #PZ-2022-038  
**Date:** Sunday, July 31, 2022 9:10:31 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.

My wife and I live at 529 Oakland Hills Lane just around the corner from 510 Preston Trail Loop which is the address for the requested zoning change in the above case. We are in opposition to the change for the following reasons:

- Riverhill in general and specifically this area of Riverhill was designed for single family residential dwellings. A change to commercial for a Bed and Breakfast and resulting short-term rentals would be a significant change.
- The streets are narrow and not designed for high traffic and this would cause a significant increase in traffic to Preston Trail Loop and Oakland Hills Lane (my street) which adjoins Preston Trail Loop and is a part of that areas traffic pattern.
- All the homes in this immediate area are single family dwellings. The residents at 510 Preston Trail Loop, if converted to a B&B, would likely rent to as many as the equivalent of 3 to 4 families. The infrastructure in this area is not designed for that many people eating, sleeping, driving in and out of that location.
- I bought my home with the understanding this would be a private Country Club with single family dwellings surrounding the course and I would be disappointed if this changed. I think it would be unwise for the P&Z to approve such a change.
- There is an area near the Tennis courts that is zoned, apparently, for short-term rentals and therefore, accommodates that. I would suggest people that want a commercial short-term investment look to invest in that area of Riverhills.

I appreciate your consideration and trust the zoning will not be changed for this property.

**Cynthia Itschner**  
Juice Plus Representative  
[citschner.juiceplus.com](mailto:citschner.juiceplus.com)  
[citschner.towergarden.com](mailto:citschner.towergarden.com)

*"The news isn't that fruits and vegetables are good for you.  
It's that they are so good for you they could save your life. "*

**It's not a vitamin, it's a salad bar in a capsule!**



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



**SUBJECT:** An ordinance to change the zoning from R-3 Multifamily Residential to PI Public and Institutional on 7.1 acres out of Wallace Survey Number 113, Abstract 347; and more commonly known as 365 Clearwater Paseo Path, Kerrville, TX 78028. (Case No. PZ-2022-36)

**AGENDA DATE OF:** August 4, 2022      **DATE**  
**SUBMITTED:**

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [PZ-2022-36-LocationMap.pdf](#)

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**Kerrville 2050 Item?** Yes

**Key Priority Area** F - Public Facilities and Services

**Guiding Principle** F2. Place the highest priority on public safety (police, fire, EMS).

**Action Item**

---

**SUMMARY STATEMENT:**

An ordinance to change the zoning from R-3 Multifamily Residential to PI Public and Institutional on 7.1 acres out of Wallace Survey Number 113, Abstract 347; and more commonly known as 365 Clearwater Paseo Path, Kerrville, TX 78028. (Case No. PZ-2022-36)

**Procedural Requirements**

The City, in accordance with state law, mailed 18 letters on 7/21/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 7/14/2022.

**Staff Analysis and Recommendation**

**Consistency with the Kerrville 2050 Comprehensive Plan:** The property and surrounding area are designated Transitional Residential and Professional Services. Public and Institutional Uses are permitted in all zoning districts, however, the City staff felt that it would be more appropriate to zone the Public Safety Facility property as PI, Public and Institutional District. This simply helps the general public more easily identify the property from the Zoning Map and Future Land Use Plan.

The zone change includes a minor amendment to the Future Land Use Plan to designate

this property as Public Use.

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: R-3

Existing Land Uses: vacant

Direction: North

Current Zoning: PDD for Multifamily

Existing Land Uses: multi-family apartments

Direction: South

Current Zoning: PI and C-2

Existing Land Uses: vacant church property and mini-warehouses

Direction: East

Current Zoning: PI

Existing Land Uses: Kerrville Public Utility Board property

Direction: West

Current Zoning: R-1

Existing Land Uses: single family neighborhood

Thoroughfare Plan: The property has frontage on two local level streets. No impact on the thoroughfare system is anticipated.

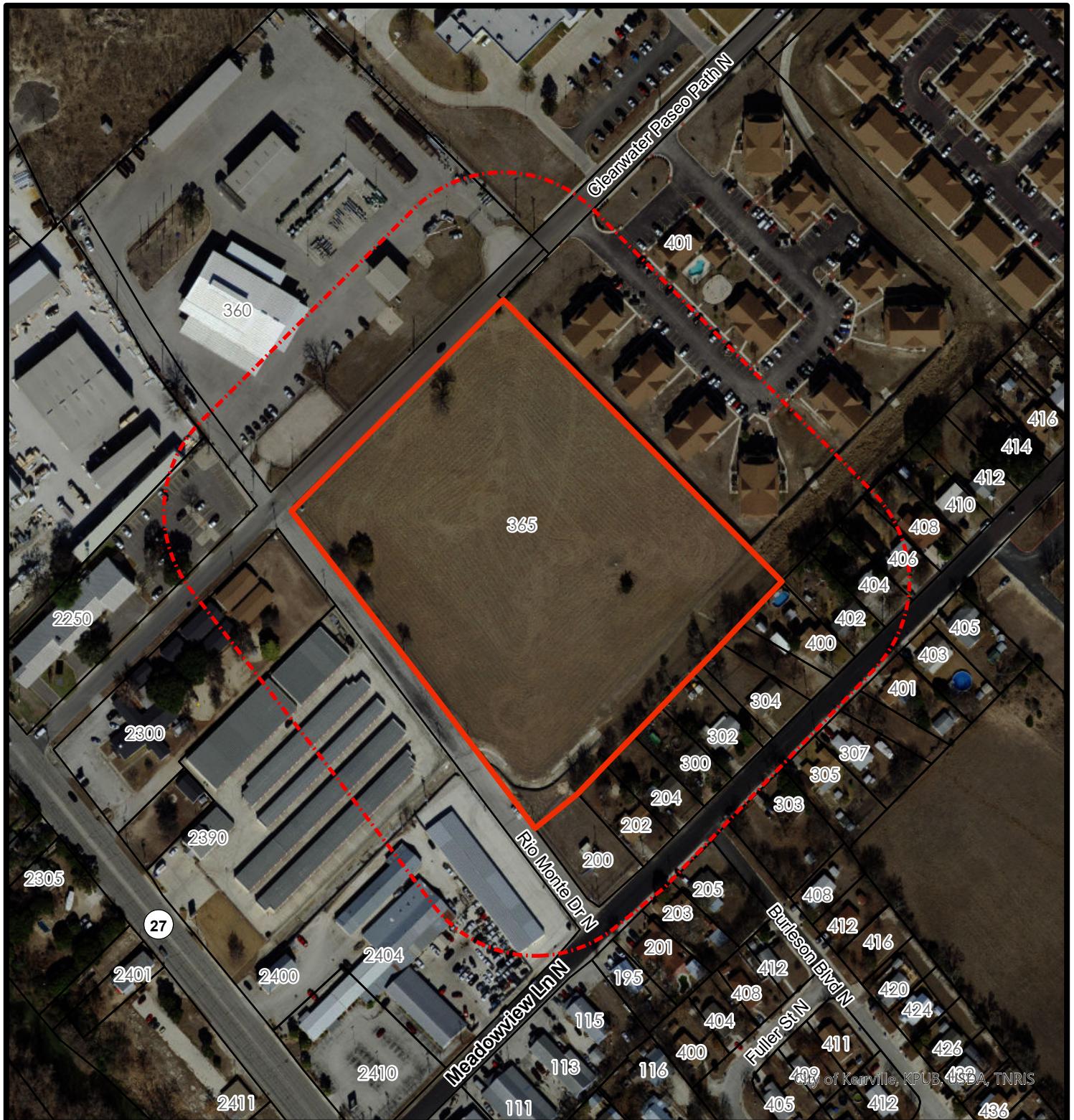
Traffic Impact: To be determined.

Parking: To be determined with final design of the Public Safety Facility.

Recommendation: Approve the ordinance.

**RECOMMENDED ACTION:**

Approve the ordinance.



## Location Map

Case # PZ-2022-036

Location:  
365 Clearwater Paseo Path

### Legend

200' Notification Area  
Subject Properties



0 75 150 300

Scale In Feet

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



**SUBJECT:** An ordinance to change the zoning from C-2 Light Commercial to Planned Development District on Lot 3R and Lot 4R, Block 1, Langtry Addition; and more commonly known as 598 Yorktown Blvd N, Kerrville, TX 78028. (Case No. PZ-2022-37)

**AGENDA DATE OF:** August 4, 2022

**DATE  
SUBMITTED:**

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [PZ-2022-37\\_LocationMap.pdf](#)  
[PZ-2022-37\\_Concept Plan.pdf](#)

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**Kerrville 2050 Item?** No

**Key Priority Area**

**Guiding Principle**

**Action Item**

---

**SUMMARY STATEMENT:**

An ordinance to change the zoning from C-2 Light Commercial to Planned Development District on Lot 3R and Lot 4R, Block 1, Langtry Addition; and more commonly known as 598 Yorktown Blvd N, Kerrville, TX 78028. (Case No. PZ-2022-37)

**Procedural Requirements**

The City, in accordance with state law, mailed 21 letters on 7/21/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 7/14/2022.

**Staff Analysis and Recommendation**

**Consistency with the Kerrville 2050 Comprehensive Plan:** The property and surrounding area are included within the Strategic Catalyst Area #7, described as an area that "serves as a bridge between the Interstate 10 exit and Downtown. It is transitional in nature and predominantly educational and community commercial in use. Focusing on one of the city's busiest thoroughfares, multimodal approaches to the planning of this stretch of roadway will set the tone for corridors throughout the city." Allowable place types include Transitional Residential, Community Commercial, and Regional Commercial.

“All three place types are appropriate throughout, but special attention should be paid to transitions to existing, abutting residential neighborhoods. Located in a centralized area, many pockets of this SCA are prime for redevelopment.”

Hotels are included in the Regional Commercial place type. As a part of the strategic catalyst area, the use is consistent with the Future Land Use Plan.

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: C-2

Existing Land Uses: vacant land

Direction: North

Current Zoning:

Existing Land Uses:

Direction: South

Current Zoning:

Existing Land Uses:

Direction: East

Current Zoning:

Existing Land Uses:

Direction: West

Current Zoning

Existing Land Uses:

Thoroughfare Plan:

Traffic Impact: To be determined through TIA worksheet.

Parking: To be determined with final hotel design.

Case Summary:

The PD district is a zoning category that allows the use of unique and innovative land use and design techniques to further the city's development goals. PD zoning allows an applicant to:

- a. Create combinations of uses, structures, and open spaces not otherwise permitted under established regulations;
- b. Utilize flexible design techniques that take into account the use of adjacent properties, the needs of future occupants and users of the planned development and the emergence of new development trends, such as tiny homes;
- c. Mitigate the impacts of new construction on traffic, the environment, public facilities, and services;
- d. Protect existing natural assets, such as the Guadalupe River and Hill Country views;
- e. Promote the efficient use of land and public facilities and services; and
- f. Further the vision of the comprehensive plan.

It is intended to ensure compliance with good zoning practices while allowing specific desirable departures from the strict provisions of current zoning classifications. It is not intended to be used to circumvent the standard requirements of the zoning code. In general, PD zoning may be requested anywhere in the city on tracts of land of five acres or more.

The property is approximately 6 acres. The request is to allow two hotels on these two lots with a reduced setback on the northwestern property line, towards the adjacent neighborhood. The standard C-3 setback for a 4 story building, less than 45' in height is 100 feet. The proposed site plan indicates a 51'6" setback to the nearest part of the building.

Recommendation:

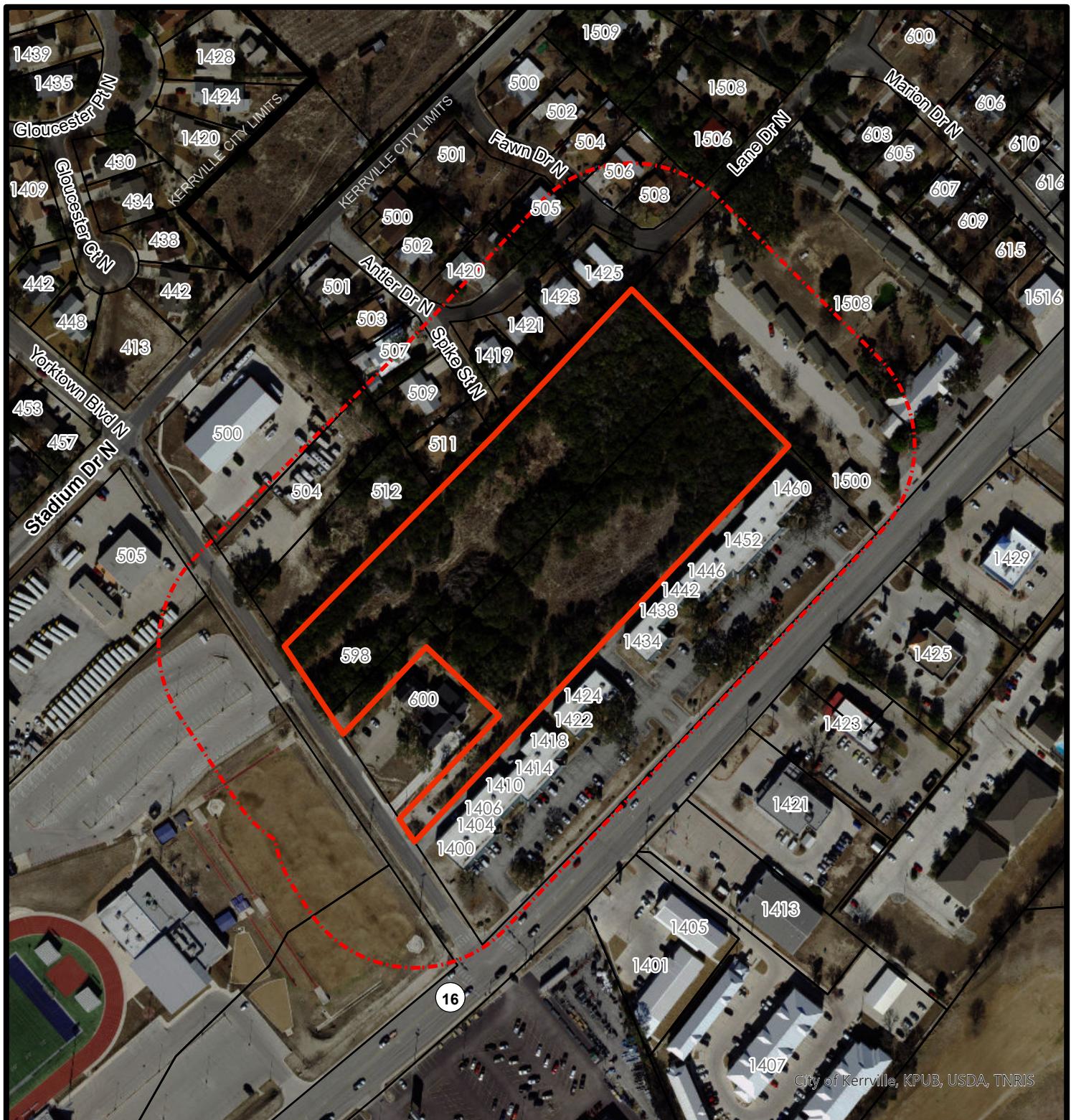
Below are a series of conditions recommended for the Planned Development District.

1. 1. Permitted uses: Hotel and accessory uses are permitted within the PDD subject to the conditions provided herein and the applicable regulations for each use as provided within the Zoning Code.
2. Concept Plan: The development and use of the property shall be substantially in accordance with the Concept Plan attached as Exhibit B.
3. Access: The access to Spike Drive shall be for emergency access only and shall be gated with a Fire Department-approved mechanism and/or locks.

4. Outdoor Lighting: All outside lights shall be of a full cut-off design and shall be located, shielded, and aimed in such a manner so as not to allow light to directly fall on adjacent roadways and/or properties. Up-lighting is prohibited.
5. Parking: The design, number of parking spaces, and aisle dimensions shall comply with the applicable regulations within the Zoning Code.
6. Parking Lot and Travel Lane Surface: The vehicle traveling lanes and parking spaces shall be asphalt or concrete in order to prevent mud, dirt, or other loose materials from being removed from the Property and tracked onto the public rights-of-way by vehicles traveling from the Property.
7. Landscaping Regulations: Landscaping shall be installed in accordance with the following:
  - a. Planting materials planted on the Property shall be from the list of recommended plants set forth in the most recent edition of Recommended Plants for the Kerrville Area published by the City at the time of planting.
  - b. All landscaping shall be maintained in a healthy, growing condition.
8. Screening: Screening shall be required as described in the C-3 zoning district, Section 60-51 (c) (6).
9. Trash and Other Solid Waste: Solid waste collection bins and dumpsters shall be equipped with lids and screened with a gate with an opaque screen on one side and material finished to look substantially like the adjacent building(s) on the remaining three sides.
10. Outdoor Storage and Display: The outdoor storage of any materials, supplies, inventory, and/or equipment, whether in cargo containers or similar containers or buildings, is prohibited except on a temporary basis for construction-related purposes.

**RECOMMENDED ACTION:**

Approve the ordinance.



## Location Map

**Case # PZ-2022-037**

**Location:**  
**598 Yorktown Blvd**

### Legend

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



0 75 150 300

Scale In Feet

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



**SUBJECT:** An ordinance to annex into the City of Kerrville's incorporated limits with a zoning classification of IM Industrial and Manufacturing on an 11.93 acre parcel comprised of approximately 8.93 acres out of the F. Rodriguez Survey No. 72, Abstract No. 280, and 2.99 acres out of the O.V. Robinson Survey No. 44, Abstract No. 282, part of a certain 172.58 acre tract described in Special Warranty Deed with Vendor's Lien, File No. 20-06214, Deed of Records of Kerr County, Texas; and more commonly known as 5269 HWY 27, Kerrville, TX 78028. (Case No. PZ-2022-34)

**AGENDA DATE OF:** August 4, 2022      **DATE**

**SUBMITTED:**

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [PZ-2022-34\\_LocationMap.pdf](#)  
[PZ-2022-34\\_Ingram Survey.pdf](#)

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**Kerrville 2050 Item?** No

**Key Priority Area**

**Guiding Principle**

**Action Item**

---

**SUMMARY STATEMENT:**

An ordinance to annex into the City of Kerrville's incorporated limits with a zoning classification of IM Industrial and Manufacturing on an 11.93 acre parcel comprised of approximately 8.93 acres out of the F. Rodriguez Survey No. 72, Abstract No. 280, and 2.99 acres out of the O.V. Robinson Survey No. 44, Abstract No. 282, part of a certain 172.58 acre tract described in Special Warranty Deed with Vendor's Lien, File No. 20-06214, Deed of Records of Kerr County, Texas; and more commonly known as 5269 HWY 27, Kerrville, TX 78028. (Case No. PZ-2022-34)

**Procedural Requirements**

The City, in accordance with state law, mailed 11 letters on 7/21/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 7/14/2022.

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

#### Staff Analysis and Recommendation

##### Adjacent Zoning and Land Uses:

##### Subject Property

Current Zoning: N/A County/ETJ

Existing Land Use: Vacant Land

Direction: North

Current Zoning: IM Industrial and Manufacturing

Existing Land Uses: industrial manufacturing

Direction: South

Current Zoning: N/A County/ETJ

Existing Land Uses: aggregate production facility

Direction: East

Current Zoning: PDD for the Airport Commerce Park

Existing Land Uses: industrial, commercial, and vacant land

Direction: West

Current Zoning: N/A County/ETJ

Existing Land Uses: vacant land

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

The subject property is within the Strategic Catalyst Area #11, surrounding the airport and Highway 27 corridor. Strategic Catalyst Area 11 lies on the southeastern fringe of the city. It is characterized by its most obvious and unique asset: the Kerrville Municipal Airport. Future growth will capitalize on the airport and its industrial space while keeping a careful eye on the effect of these activities on nearby neighborhoods. Heavy Commercial and light industrial are allowable place types within this catalyst area. Agriculture and Outdoor Tourism place types are most appropriate south of SH27, near the Guadalupe River. Heavy Commercial - Light Industrial uses are best adjacent to the airport. Developments should be sensitive to their proximity to the Guadalupe River; additional buffering may be required.

This location is south of Highway 27, surrounded by existing industrial uses. Although the catalyst area description recommends Ag and tourism uses on the south side of the river, this was written before two major TCEQ permits were issued for industrial uses outside the city limits. This property has already received the TCEQ permit for the concrete batch plant. One of the adjacent properties has received its permit from TCEQ for aggregate production operations. Taking into account the existing industrial uses, this property should also be used as industrial.

#### Thoroughfare Plan:

The subject property is located on Highway 27.

#### Traffic Impact:

Future traffic impacts of the future development will be reviewed through TxDOT.

#### Parking:

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

#### Case Summary:

The applicant is requesting that the City annex the property with a zoning of IM, Industrial and Manufacturing. Consistent with the Future Land Use Plan, this use is adjacent to other existing industrial uses and near the airport with direct access to highway 27.

Recommendation:

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

**RECOMMENDED ACTION:**

Approve the ordinance.



## Location Map

Case # PZ-2022-034

Location:  
5269 Highway 27

### Legend

200' Notification Area  
Subject Properties



0 150 300 600

Scale In Feet

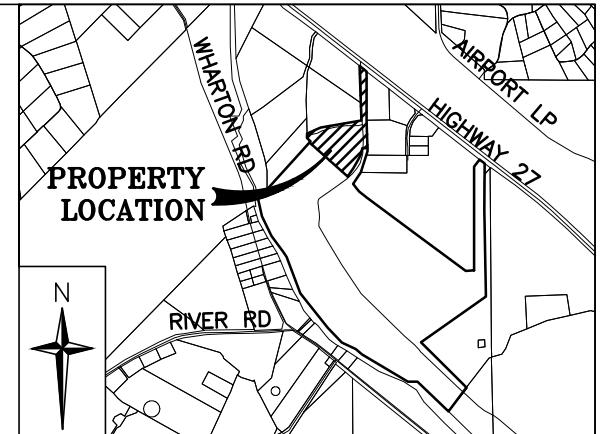
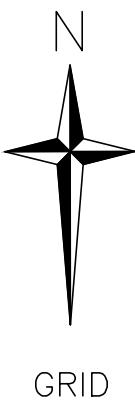
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\* LEGEND \*

- FOUND 1/2" STEEL ROD W/CAP "VOELKEL"
- FOUND FENCE CORNER AS NOTED
- SET 5/8" STEEL ROD W/CAP "WES RPLS 5907"
- UTILITY POLE

(COURSE VALUE PER DEED FILE NO. 16-6027 O.P.R.K.C.T.)

PROPERTY LINE  
ADJOINER LOT LINE  
EASEMENT LINE  
ORIGINAL SURVEY LINE

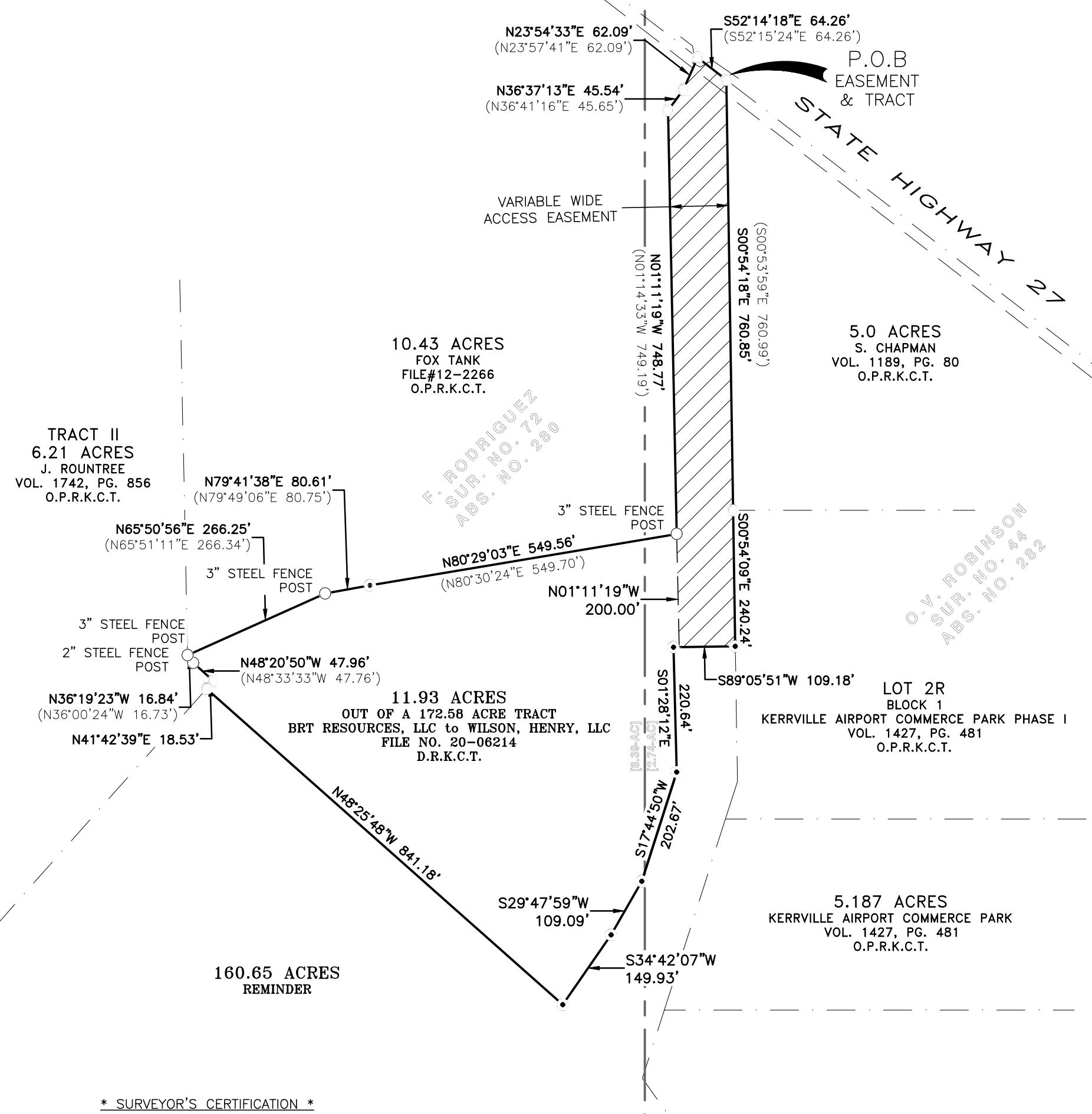


VICINITY MAP

1"=3000'

SOURCE: KERRVILLE GIS

SCALE: 1"=200'



I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED AND REGISTERED IN THE STATE OF TEXAS, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT ALL DIMENSIONAL DETAILS AND RELATIVE BEARINGS ARE CORRECT AS SHOWN, ALL EASEMENTS AND RIGHTS OF WAY OF RECORD ARE AS SHOWN, AND THERE ARE NO ENCROACHMENTS OR OVERLAPS OF IMPROVEMENTS, EXCEPT AS NOTED HEREON.

DATED: DECEMBER 28, 2021

R.Scott McClintock, Sr., R.P.L.S.  
Registration No. 5907



BOUNDARY SURVEY

A 11.93 ACRE PARCEL

COMPRISED OF APPROXIMATELY 8.93 ACRES OUT OF THE F. RODRIGUEZ SURVEY NO. 72, ABSTRACT NO. 280, AND 2.99 ACRES OUT OF THE O.V. ROBINSON SURVEY NO. 44, ABSTRACT 282, PART OF A CERTAIN 172.58 ACRE TRACT DESCRIBED IN SPECIAL WARRANTY DEED WITH VENDOR'S LIEN FILE NO. 20-06214, DEED RECORDS OF KERR COUNTY, TEXAS

631 WATER STREET  
KERRVILLE, TX 78028  
830-217-7100  
wellbornengineering.com  
FIRM# 10194410  
T.B.P.E.L.S.

PROJECT: WES: 20-139	SCALE: 1" = 200'	FIELD: JSM	DRAFTING: JSM	CHECKED: RSM
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LAST FIELD VISIT: 04.27.2021	SHEET NO. 1 of 1
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**TO BE CONSIDERED BY THE  
PLANNING AND ZONING COMMISSION  
CITY OF KERRVILLE, TEXAS**



**SUBJECT:** An ordinance amending City of Kerrville, Texas Zoning Code, Chapter 60 of the City's Code of Ordinances to include amendments to definitions and regulations concerning short-term rentals and amending the Land Use Table. (Case No. 2022-037)

**AGENDA DATE OF:** August 4, 2022      **DATE**

**SUBMITTED:**

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:**

---

**Kerrville 2050 Item?** No

**Key Priority Area**

**Guiding Principle**

**Action Item**

---

**SUMMARY STATEMENT:**

An ordinance amending City of Kerrville, Texas Zoning Code, Chapter 60 of the City's Code of Ordinances to include amendments to definitions and regulations concerning short-term rentals and amending the Land Use Table. (Case No. 2022-037)

**Procedural Requirements**

The City, in accordance with state law published a notice in the Kerrville Daily Times on 7/14/2022.

**Code Amendment Summary**

Through the Kerrville 2050 Comprehensive Plan public process and the public input throughout the rewrite of the zoning code, short term rentals were brought up as needing to be addressed. In 2019, the City of Kerrville adopted a new zoning code, which included regulations for Short Term Rentals. Based on this public input, the Code Review Committee, Planning and Zoning Commission, and City Council introduced Short Term Rentals (STRs) as a Conditional Use in several zoning districts; RE, R-1, R-1A, R-2, and RM. STRs were included as permitted uses in other residential districts; RT, R-3, DAC,

and MU. These conditional uses require a Conditional Use Permit (CUP) in order to be allowed in that district. The CUP process includes public hearings and approval from the Planning and Zoning Commission as well as City Council. Furthermore, the CUP process allows Council to impose conditions on each case specific to the use and/or the property.

The CUP process has allowed council to impose condition related to the STR use on residential properties. The conditions of approval remained relatively consistent throughout the 30+ cases over the last 34 months.

Since the adoption of the new zoning code in fall of 2019, the Planning and Zoning Commission (P&Z) and City Council have heard numerous Conditional Use Permit cases to allow a STR in a residential neighborhood. With these cases, the P&Z and City Council have held numerous public hearings and heard a multitude of comments, concerns, and solutions to neighborhood concerns.

The P&Z and City Council held a joint workshop on June 1st, 2022, to discuss STRs. They discussed the CUP process, concerns with STRs, and identified areas of the Zoning Code that could be amended to potentially reduce the concerns caused by STRs in neighborhoods.

On July 25th, they held a Town Hall Meeting to garner additional input from the community on this topic.

The following proposed code amendment removes the requirement for a Conditional Use Permit, adds requirements for an STR based on the conditions from the CUPs approved thus far, includes a separation distance between STRs, and amends the zoning districts in which STRs are permitted.

Zoning District where STRs are permitted by right, subject to all requirements:

Single-family residential with accessory dwelling unit (R-1A)

Multifamily residential (R-3)

Residential transition (RT)

Downtown arts and culture (DAC)

Mixed use (MU)

Separation distance of 250 feet between each STR shall be required in each of the following districts:

Single-family residential with accessory dwelling unit (R-1A)

Other supplementary requirements for STRs:

1. Parking spaces required, 1 per bedroom plus one for off-site manager.
2. No signs permitted for or related to the STR. (excluding real estate signs, political signs, etc.)

Upon adoption of the proposed code amendment, any existing STR that does not meet the proposed code will become non-conforming, or grandfathered and subject to Article XIII of the Zoning Code. No existing STR is required to make any changes based on this Zoning Code amendment.

In addition to the zoning code amendment, City Council and the Planning and Zoning Commission have also recommended a requirement for a Short Term Rental annual license and on-site inspection. Such license and inspection requirement would not be contained within the Zoning Code and therefore will be a separate code amendment for Council's consideration in the future. The license proposal may also include other operational provisions or regulations for STRs.

Recommendation:

Staff recommends approval of the proposed code amendment.

**RECOMMENDED ACTION:**

Approve the ordinance.