



PLANNING AND ZONING COMMISSION AGENDA
THURSDAY, FEBRUARY 2, 2023, 4:00 PM
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS



1 **MINUTES**

- 1.A Approval of Meeting Minutes from December 1, 2022 regular meeting. There was no meeting held in January 2023 due to lack of agenda items.

2 **CONSIDERATION AND FINAL ACTION**

No items currently scheduled.

3 **PUBLIC HEARING, CONSIDERATION & ACTION**

- 3.A A resolution to allow a Conditional Use Permit for a Utility, Private or Franchise on 0.011 acres out of the John A. Southmayd Survey No. 148, Abstract No. 288; and more commonly known as 2282 Bandera Hwy, a portion of Kerrville Schreiner Park. (Case No. PZ-2023-1)

4 **STAFF REPORT**

5 **EXECUTIVE SESSION**

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

6 **ADJOURNMENT**



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

SUBJECT: Approval of Meeting Minutes from December 1, 2022 regular meeting. There was no meeting held in January 2023 due to lack of agenda items.

AGENDA DATE OF: February 2, 2023 **DATE SUBMITTED:**

SUBMITTED BY: Steve Melander, City Planner

EXHIBITS:

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

RECOMMENDED ACTION:

Approve or approve with revisions.

ATTACHMENTS:

[*PZ Minutes_20221201_draft.pdf*](#)

**PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES**

**KERRVILLE, TEXAS
DECEMBER 1, 2022**

COMMISSIONERS PRESENT:

Jeff Harris
Mike Sigerman
Tabor McMillan
Cliff Tuttle
David Lipscomb
Kevin Bernhard

COMMISSIONERS ABSENT:

Abram Bueche

CITY CORE STAFF PRESENT:

Drew Paxton
Steve Melander
Guillermo Garcia
Mike Hayes

CALL TO ORDER

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

1) MINUTES

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

PZ Minutes-20221103-draft.pdf

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

2) CONSIDERATION AND FINAL ACTION

2.A A final plat of Creekside Apartments Phase 1A, a residential subdivision within the City of Kerrville, being 37.10 acres out of that certain 204.08 acres out of the William C. Francis Survey No. 16, Abstract No. 137 and the Nathaniel Hoyt Survey No. 147, Abstract No. 178, also being the remainder of that same certain tract called 328.0119 acres described in the conveyance document to LDB Corporation, recorded in Volume 1149, Page 213 of Official Public Records of Kerr County, Texas. (Case 2022-081)

2022-081_Final Plat Creekside Apartments Phase 1A_20221102.pdf

Case withdrawn by applicant. Opted for security in lieu of constructing improvements. Applicant is working with staff on an Improvement Agreement and form of security.

3) PUBLIC HEARING, CONSIDERATION & ACTION

3.A An ordinance to change the zoning from R-1A Single Family Residential with an Accessory Dwelling Unit to R-T Residential Transitional on Lots 9-14 Block 16 and Lots 1-7 Block 17, Westland; and more commonly known as 402, 405, 406, 407, 409, 410, 411, 413, 414, 415 W Water St N, Kerrville, TX 78028. (Case No. PZ-2022-70)

PZ-2022-70_Notification Map.pdf

PZ-2022-70_Pena_opposed.pdf

Drew Paxton presented the case.

Russell Nemky was called to speak.

Open public hearing.

Lawrence Walker was called to speak.

Close public hearing.

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

3.B An ordinance to change the zoning from R-2 Medium Density Residential to C-2 Light commercial on Lot 1, Block 5, Legion Hills; located southwest of Fire Station #3 and northwest of Loop 534. (Case No. PZ-2022-71)

PZ-2022-71_Notification Map.pdf

PZ-2022-71_Proposed Site Plan.pdf

Drew Paxton presented the case.

Open public hearing.

Chris Cawthon was called to speak.

Close public hearing.

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

3.C An ordinance to annex into the City of Kerrville's incorporated limits with a zoning classification of PI Public and Institutional Use on 0.08 acres of land out of the James A Cocke Survey No 144, Abstract No 95, Kerr County; near the intersection Lehmann Drive and Lenard Drive. (Case No. PZ-2022-72)

PZ-2022-72_Notification Map.pdf

PZ-2022-72_Annexation Exhibit.pdf

PZ-2022-72_Annexation Request.pdf

Drew Paxton presented the case.

Open public hearing.

Joe Piszczor was called to speak.

Close public hearing.

Jeff Harris moved to approve the ordinance; Tabor McMillan seconded the motion, and the motion carried 6-0.

4) STAFF REPORT

Drew Paxton and the P&Z Commission thanked Cliff Tuttle for his service.

Next P&Z meeting on January 5, 2023 if cases are presented.

Drew Paxton gave an update on Short Term Rentals.

5) EXECUTIVE SESSION

None.

6) ADJOURNMENT

Meeting adjourned at 4:13pm.

Submitted by:

Steve Melander, Planning

Approved by:

Mike Sigerman, Chair

Approval Date: _____



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

SUBJECT: A resolution to allow a Conditional Use Permit for a Utility, Private or Franchise on 0.011 acres out of the John A. Southmayd Survey No. 148, Abstract No. 288; and more commonly known as 2282 Bandera Hwy, a portion of Kerrville Schreiner Park. (Case No. PZ-2023-1)

AGENDA DATE OF: February 2, 2023 **DATE SUBMITTED:**

SUBMITTED BY: Drew Paxton, Planning Director

EXHIBITS:

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Proposal

Public hearing, consideration and action to recommend a resolution to allow a Conditional Use Permit for a Utility, Private or Franchise on 0.011 acres out of the John A. Southmayd Survey No. 148, Abstract No. 288; and more commonly known as 2282 Bandera Hwy, a portion of Kerrville Schreiner Park. (Case No. PZ-2023-1)

The request is for a conditional use permit to allow the installation of broadband communications equipment. The zoning code requires a CUP for any private utility installation.

Procedural Requirements

Five letters were mailed on 1/19/2023 to adjacent property owners. The public notice was published in the Kerrville Daily Times on 1/12/2023. An informational sign was posted on the

property on 1/23/23. At the time of drafting this Agenda Bill, no public comments had been received.

Staff Analysis and Recommendation

Consistency with the Kerrville 2050 Comprehensive Plan: The property and surrounding area are designated as Strategic Catalyst Area 10. This is the southernmost arc of the SH 173 corridor in Kerrville. It runs parallel to the Guadalupe River to the east. Allowable Place Types: Rural Living, Estate Residential, Professional Services, Agriculture and Outdoor Tourism. Place Type Distinctions: Professional Services place types are appropriate around or near the highway. Estate Residential and Rural Living housing are most appropriate southwest of SH 173. Agriculture and Outdoor Tourism uses are best suited to the River corridor.

This private utility installation would help support future and existing uses in this catalyst area and elsewhere across the City of Kerrville.

Public Safety: With advancements in technology, first responders increasingly use wireless services to share video and other important data in order to keep people safe and save lives. They rely on dependable, available broadband to accomplish mission-critical communications that make the success of their efforts possible.

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: PI

Existing Land Uses: Kerrville Schreiner Park

Direction: North

Current Zoning: C-2

Existing Land Uses: Restaurant

Direction: South, East, and West

Current Zoning: PI

Existing Land Uses: Kerrville Schreiner Park

Thoroughfare Plan: There should be no impact on the thoroughfare system.

Traffic Impact: There should be no traffic impact.

Parking: N/A

Recommendation:

Staff recommends approval of the CUP for Utility, Private or Franchise with the following conditions:

1. The installation is tied to the proposed site plan and specifications.
2. Any fencing shall comply with 60-52 (d)(4)(a). No structure in excess of 30 inches in height may exist between the front wall of any building and the front property line, except that ornamental fencing up to six feet in height is permitted. Ornamental (wrought iron style) fencing does not include chain link fencing, which is prohibited. No element of the fence may create a visibility obstruction or otherwise interfere with pedestrian or vehicular circulation. Due to adjacent existing solid fencing, if requested, solid fencing is allowed as long as a visibility obstruction does not interfere with pedestrian or vehicular circulation.

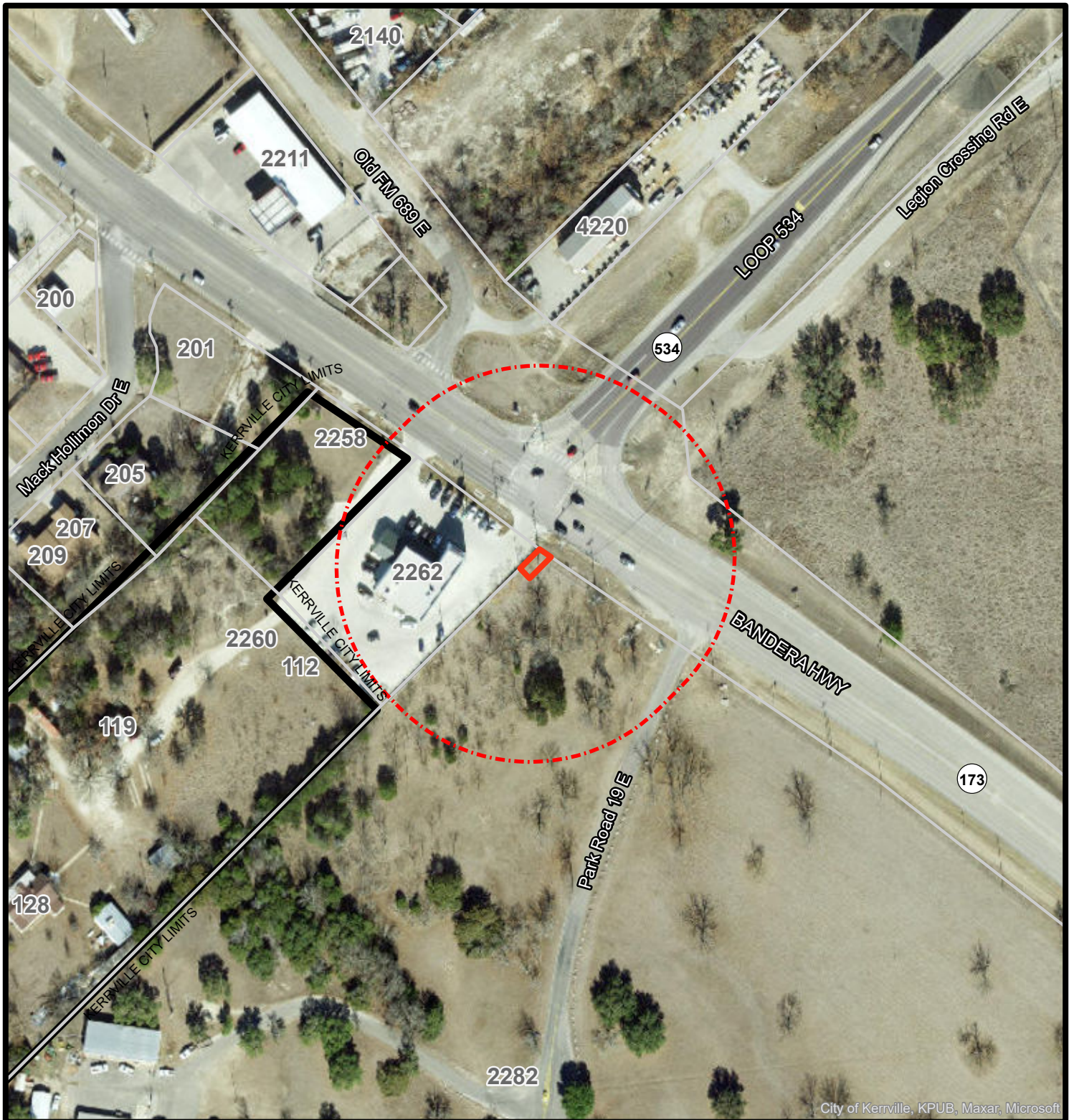
RECOMMENDED ACTION:

Approve the resolution.

ATTACHMENTS:

[*PZ-2023-1_Location Map.pdf*](#)

[*PZ-2023-1_Easement Specifications.pdf*](#)





Location Map

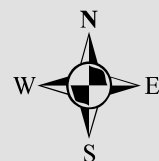
Case # PZ-2023-1

Location:

Proposed HCTC Easement

Legend

-  Subject Properties
-  200 Feet Notification Area



0 50 100 200

Scale In Feet

01/10/2023

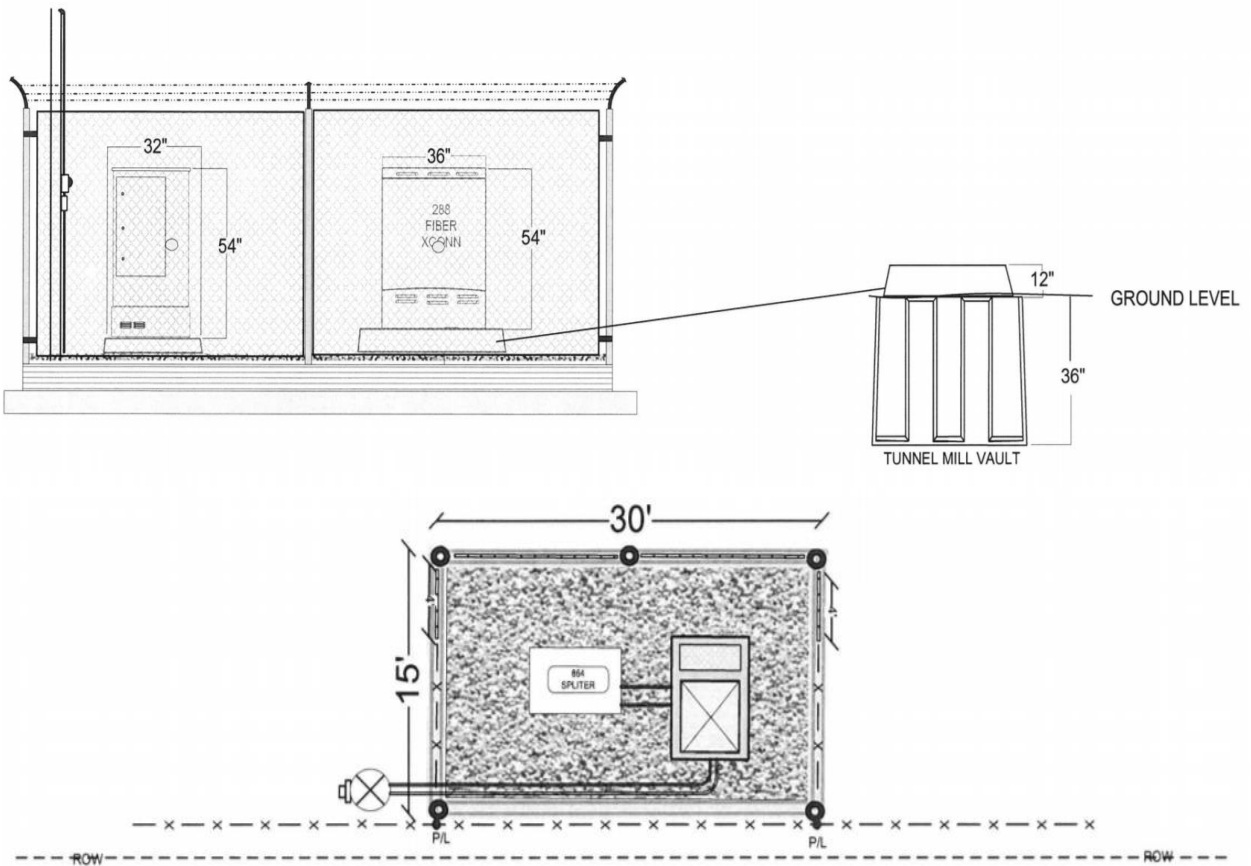


EASEMENT SPECIFICATIONS

Hill Country Telephone Cooperative, Inc. is inquiring for an easement at 2385 Bandera Hwy E in Kerrville for broadband equipment to be installed. The area captured in Red below is the targeted area. This rectangular block could either be length way along Hwy 173 or along the property line bordering 2262 Bandera Hwy E as depicted below.



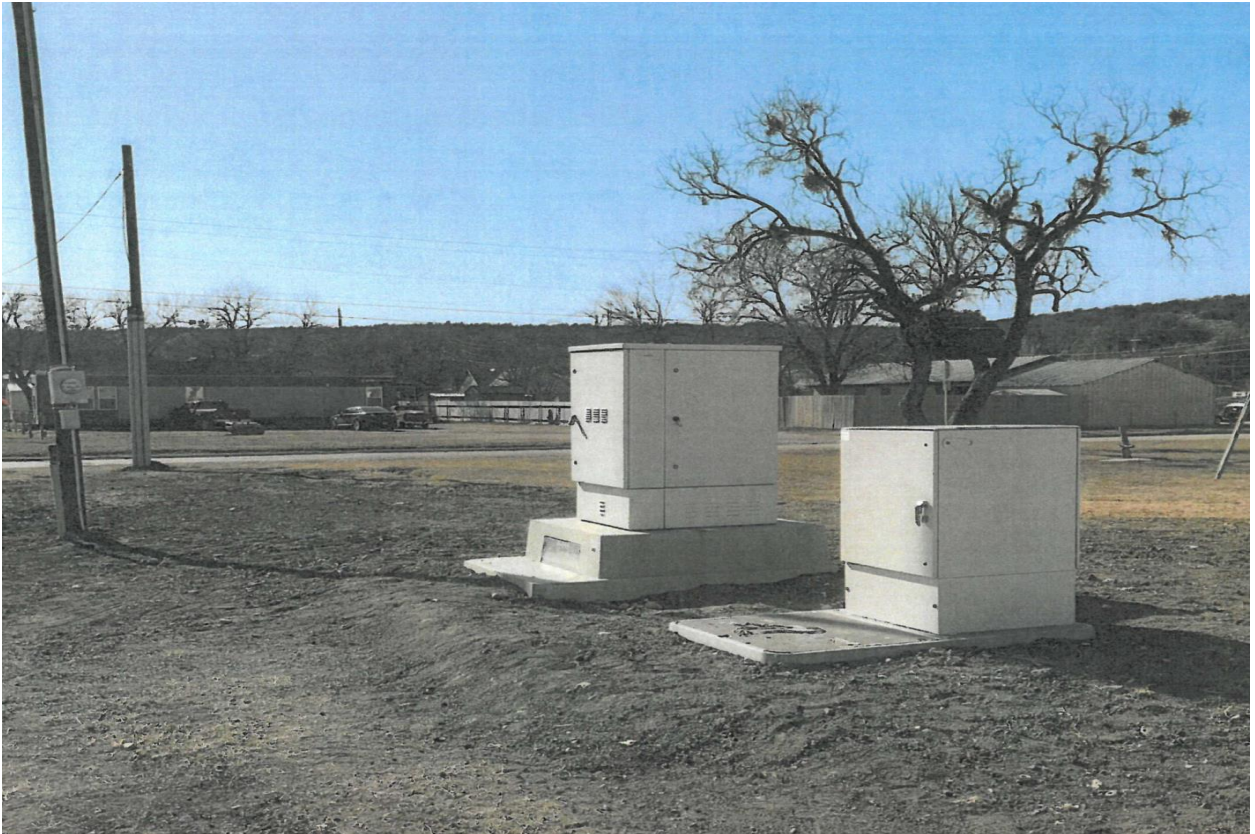
Typical easements specifications:





EASEMENT SPECIFICATIONS

Below is an example of a typical easement in process of Construction:



Same location post Construction (fencing is optional):

