



## PLANNING AND ZONING COMMISSION AGENDA

THURSDAY, AUGUST 1, 2024, 4:00 PM

CITY HALL COUNCIL CHAMBERS

701 MAIN STREET, KERRVILLE, TEXAS



### **1 MINUTES**

1.A Approval of Meeting Minutes from July 2, 2024 regular meeting.

Attachments:

[20240702\\_PZ Minutes\\_draft.pdf](#)

### **2 CONSIDERATION AND FINAL ACTION**

*No items on this agenda.*

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

3.A An ordinance to change the zoning from Planned Development District, PD 99-12, to C-3 General Commercial on approximately 5.51 acres out of Martinez Survey 124, ABS A0247, Kerr County, TX (KCAD Property ID 15546 and 15552); and more commonly known as 2029 Junction Hwy. (Case No. PZ-2024-19)

Attachments:

[PZ-2024-19\\_Location Map.pdf](#)

[PZ-2024-19\\_Future Land Use \(Current\) Map.pdf](#)

[PZ-2024-19\\_Current Zoning.pdf](#)

[SCA4\\_K2050.pdf](#)

3.B Request for a sign variance in accordance with Chapter 92, Signs, Section 92-14, Variances, of City of Kerrville Code of Ordinances for Brown Addition, Block 24 & 25, Lot 1, Part Lot 2, and Lot 4 and 6 (PT TR 1), 2.129 Acres, Kerrville, TX; and more commonly known as 741 Water St. (Case No. PZ-2024-20)

Attachments:

[PZ-2024-20\\_Agenda Bill.pdf](#)

[PZ-2024-20\\_Location Map.pdf](#)

[PZ-2024-20\\_Feather Flag Location Exhibit.pdf](#)

[PZ-2024-20\\_Feather Sign Sample Exhibit.pdf](#)

### **4 STAFF REPORT**

1. Next scheduled P&Z meeting: Thursday, September 5, 2024, 4pm, City Hall Council Chambers.
2. Kerrville2050.com (K2050 Comprehensive Plan Update) status 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 July 2, 2024 regular meeting.

**AGENDA DATE OF:** August 1, 2024      **DATE SUBMITTED:**

**SUBMITTED BY:** Steve Melander, City Planner

**EXHIBITS:**

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
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 specific revisions.

**ATTACHMENTS:**

[\*20240702\\_PZ Minutes\\_draft.pdf\*](#)

**PLANNING & ZONING COMMISSION  
REGULAR MEETING MINUTES**

**KERRVILLE, TEXAS  
JULY 2, 2024**

**COMMISSIONERS PRESENT:**

Mike Sigerman - Chair  
David Lipscomb – Vice Chair  
Abram Bueche  
Tabor McMillan  
John Lovett

**COMMISSIONERS ABSENT:**

Kim Richards  
Kevin Bernhard

**CITY CORE STAFF PRESENT:**

Drew Paxton  
Steve Melander  
Trina Sanchez  
Dalton Rice  
Kim Meismer  
Anello Zanoni

**CALL TO ORDER**

Meeting called to order by Mike Sigerman at 4pm.

**1) MINUTES**

1.A Approval of Meeting Minutes from June 6, 2024 regular meeting.

20240606\_PZ Minutes\_draft.pdf

John Lovett moved to approve the minutes; David Lipscomb seconded the motion, and the motion carried 5-0.

**2) CONSIDERATION AND FINAL ACTION**

No items on this agenda.

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

**3A.)** An ordinance to change the zoning from R-2 Medium Density Residential to a Planned Development District (PDD), that will retain all zoning requirements related to R-2 Medium Density Residential with the addition of Short Term Rentals being permitted within the PDD area on Comanche Trace Phase 13, Block D, Lots 1 through 6; more commonly known as 3001, 3003, 3005, 3007, 3009, and 3011 Club House

Road, Kerrville, Texas; and on Comanche Trace Phase 18, Lots 7 through 28; more commonly known as 4528 Comanche Trace Drive, Units 7 through 28, Kerrville, Texas. (Case PZ-2024-16)

PZ-2024-16\_Location Map.pdf

PZ-2024-16\_Cody\_In Favor.pdf

Drew Paxton presented the case.

Open public hearing.

Close public hearing.

John Lovett was called to speak.

Mike Sigerman was called to speak.

General discussion occurred regarding status of STR's within Comanche Trace.

David Lipscomb was called to speak.

Mike Sigerman was called to speak.

John Lovett was called to speak.

John Lovett moved to approve the ordinance; Tabor McMillan seconded the motion, and the motion carried 5-0.

**3B.)** An ordinance to amend the zoning and land use table for a Planned Development District, Ordinance 2021-25, located on a 58.74 acre tract of land; more commonly known as Lots 1-15 and Lots 900-904, The Landing Subdivision; and generally located in the 1000 to 1200 block of Thompson Drive (Spur 98), Kerrville, Texas. (Case PZ-2024-17)

PZ-2024-17\_Location Map.pdf

PZ-2024-17\_The Landing Replat\_PZ Approved\_20240606.pdf

PZ-2024-17\_The Landing Land Use Table\_final edit.pdf

PZ-2024-17\_Johnson\_Opposed to Plat.pdf

Drew Paxton presented the case.

Steve Schulte was called to speak.

Mike Sigerman was called to speak.

Drew Paxton was called to speak.

Open public hearing.

Close public hearing.

Tabor McMillan moved to approve the ordinance with minor revisions to the Land Use Table; David Lipscomb seconded the motion, and the motion carried 5-0.

#### **4) KERRVILLE 2050 COMPREHENSIVE PLAN**

##### **4A.) Comprehensive Plan Advisory Committee (CPAC) Discussion**

Drew Paxton presented details of the K2050 Comprehensive Plan update.

Caitlin Admire, consultant representative, was called to speak.

Caitlin Admire explained the update process.

General discussion occurred between consultant and commissioners.

General discussion occurred regarding annexation.

Mike Sigerman was called to speak.

David Lipscomb was called to speak.

Mike Sigerman was called to speak.

Tabor McMillan was called to speak.

John Lovett was called to speak.

Mike Sigerman was called to speak. Emphasized what is already great about Kerrville.

David Lipscomb was called to speak.

Caitlin Admire was called to speak.

General discussion occurred regarding weaknesses & threats.

Caitlin Admire was called to speak.

General discussion occurred regarding expected results.

John Lovett was called to speak.

Mike Sigerman was called to speak.

Caitlan Admire was called to speak.

General discussion occurred regarding advertising for publicizing the survey.

**5) STAFF REPORT**

Next P&Z meeting is August 1, 2024.

**5) EXECUTIVE SESSION**

None.

**6) ADJOURNMENT**

Meeting adjourned by Mike Sigerman at 5:18pm.

Submitted by:

---

Steve Melander, Planner

Approved by:

---

Mike Sigerman, Chair

Approval Date:\_\_\_\_\_



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

**SUBJECT:** An ordinance to change the zoning from Planned Development District, PD 99-12, to C-3 General Commercial on approximately 5.51 acres out of Martinez Survey 124, ABS A0247, Kerr County, TX (KCAD Property ID 15546 and 15552); and more commonly known as 2029 Junction Hwy. (Case No. PZ-2024-19)

**AGENDA DATE OF:** August 1, 2024      **DATE SUBMITTED:**

**SUBMITTED BY:** Steve Melander, City Planner

**EXHIBITS:**

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
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**

An ordinance to change the zoning from Planned Development District, PD 99-12, to C-3 General Commercial on approximately 5.51 acres out of Martinez Survey 124, ABS A0247, Kerr County, TX (KCAD Property ID 15546 and 15552); and more commonly known as 2029 Junction Hwy. (Case No. PZ-2024-19)

The applicant would like to change the zoning from PD to C-3 to allow more flexibility for future development. The property has been operated as a U-Haul dealership & shipping container storage and sales yard for the previous 15 to 20 years. The applicant believes that the proper zoning for the property should now be C-3 to better conform with the neighboring properties along Junction Hwy for future development. The shipping container business would remain in operation as a nonconforming use, however, any future development would be required to conform with approved C-3 zoning guidelines. Based on the existing PD use, surrounding uses, and future land use designations, the request seems reasonable.

## **Procedural Requirements**

The City, in accordance with state law, mailed 15 letters on 7/18/2024 to adjacent property owners. The City published a similar notice in the Hill Country Community Journal on 7/10/2024. In addition, a public hearing notification sign was posted on the property frontage on 7/19/2024. 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 is located within the Strategic Catalyst Area No. 4 (SCA 4), a narrow band of commercial and industrial land uses that nearly touches the City's border with Ingram. SCA 4 along State Hwy 27 will be a commercial area that maintains distinctive character with surrounding neighborhoods. Allowable place types within SCA 4 are Community Commercial, Regional Commercial, Heavy Commercial and Light Industrial. SCA 4 appears to support the requested zoning change. As such, this request is consistent with the goals of the Kerrville 2050 Comprehensive Plan.

### **Adjacent Zoning and Land Uses:**

Subject Property

Current Zoning: PD 99-12, Planned Development District

Existing Land Uses: U-Haul Dealership & Shipping Container Storage & Sales

Direction: North

Current Zoning: Hwy 27 and C-3 General Commercial

Existing Land Uses: Hwy 27 and Commercial Businesses

Direction: South

Current Zoning: R-2 Medium Density Residential

Existing Land Uses: Residential Development

Direction: West

Current Zoning: C-3 General Commercial & R-2 Medium Density Residential

Existing Land Uses: Commercial Development and Residential Development

Direction: East

Current Zoning: C-3 General Commercial

Existing Land Uses: Commercial Development

**Thoroughfare Plan:** There is no impact on the thoroughfare system since the land use is not changing.

**Traffic Impact:** There is no traffic impact since the land use is not changing.

**Parking:** Off-street parking is existing and adequate for the current use. Any future use or development will need to meet current off-street parking requirements.

**Recommendation:** Based on consistency with the Kerrville 2050 Comprehensive Plan and the fact that the current use is not changing, staff recommends the case for approval.

**RECOMMENDED ACTION:**

Approve the ordinance.

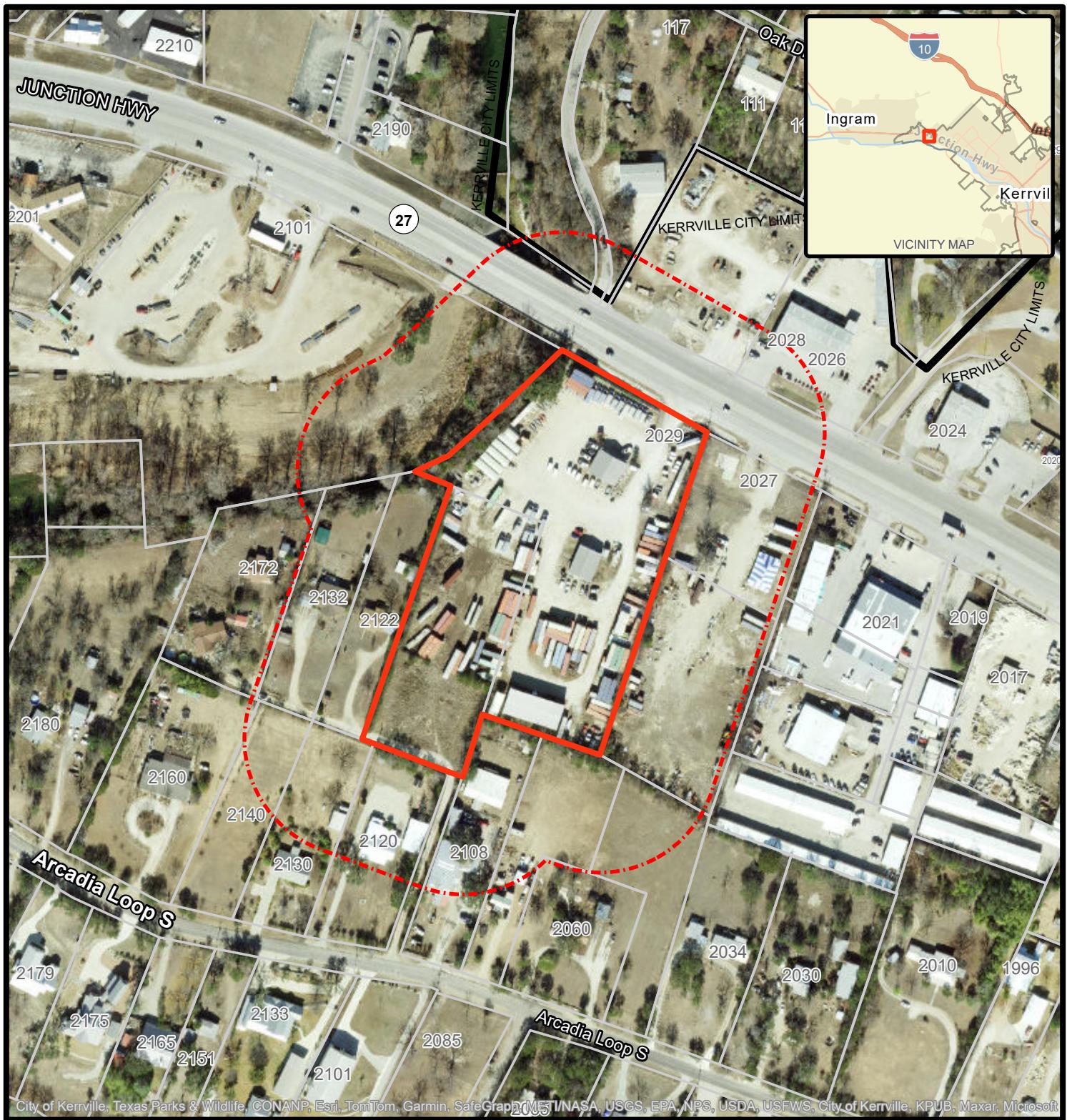
**ATTACHMENTS:**

[\*PZ-2024-19\\_Location Map.pdf\*](#)

[\*PZ-2024-19\\_Future Land Use \(Current\) Map.pdf\*](#)

[\*PZ-2024-19\\_Current Zoning.pdf\*](#)

[\*SCA4\\_K2050.pdf\*](#)



# Location Map

Case # PZ-2024-19

## Location:

2029 Junction Hwy

## Legend

-  Subject Properties
-  200 Feet Notification Area



0 75 150 300

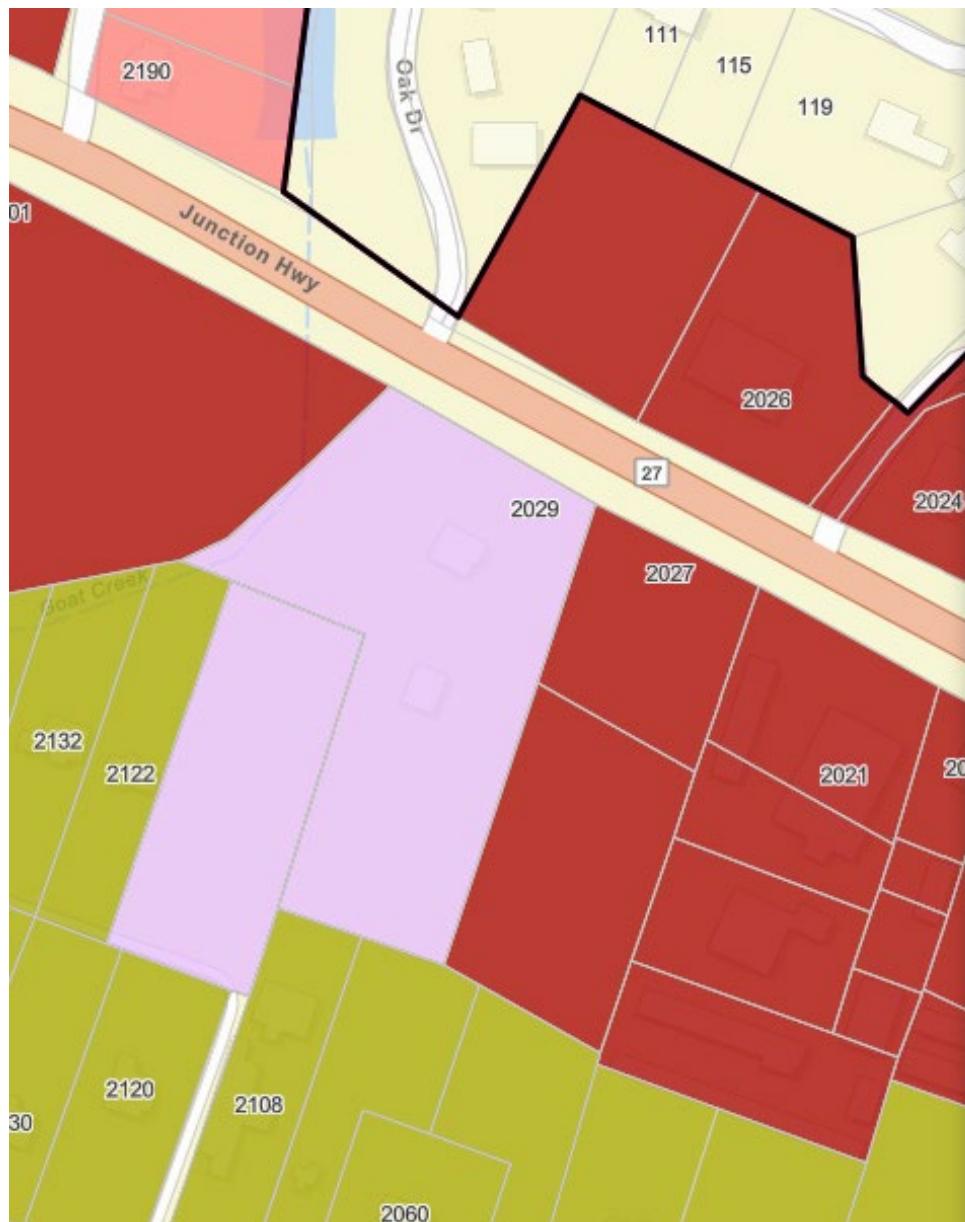
Scale In Feet



### Future Land Use (Current)

### Place Type

- Strategic Catalyst Area
- Park and Open Space
- Public Use
- Agriculture and Outdoor Tourism
- Rural Living
- Estate Residential
- Neighborhood Residential
- Preservation Residential
- Transitional Residential
- Downtown
- Community Commercial
- Regional Commercial
- Entertainment/Mixed Use
- Professional Services



#### Zoning District (Current)

- RE Estate Residential
- R-1 Single-Family Residential
- R-1A Single-Family Residential with Accessory Dwelling Unit
- R-2 Medium Density Residential
- R-3 Multifamily Residential
- RM Residential Mix
- RT Residential Transition
- C-1 Neighborhood Commercial
- C-2 Light Commercial
- C-3 General Commercial
- IM Industrial and Manufacturing
- DAC Downtown Arts and Culture
- MU Mixed Use
- PD Planned Development
- PI Public and Institutional
- AD Airport
- AG Agriculture
- DC Downtown Core

## Strategic Catalyst Area 4

Strategic Catalyst Area 4 is the northwestern-most area, a narrow band of commercial and industrial land uses that nearly touches the City's border with Ingram. SCA 4 along State Highway 27 will be a commercial area that maintains the distinctive character of the surrounding neighborhoods.

**Defining Characteristics:** SH 27 is the city's northwest gateway. Major intersections are at Goat Creek and Harper roads.

**Allowable Place Types:** Community Commercial, Regional Commercial, Heavy Commercial - Light Industrial

**Place Type Distinctions:** Community Commercial should be present throughout SCA 4, while Regional Commercial would more appropriate on the eastern side closer to the Harper Road/SH 27 intersection. The Heavy Commercial - Light Industrial place type will be more appropriate along the existing cluster near the SH 27/Mill intersection on the far west side.

**Size:** 553 acres

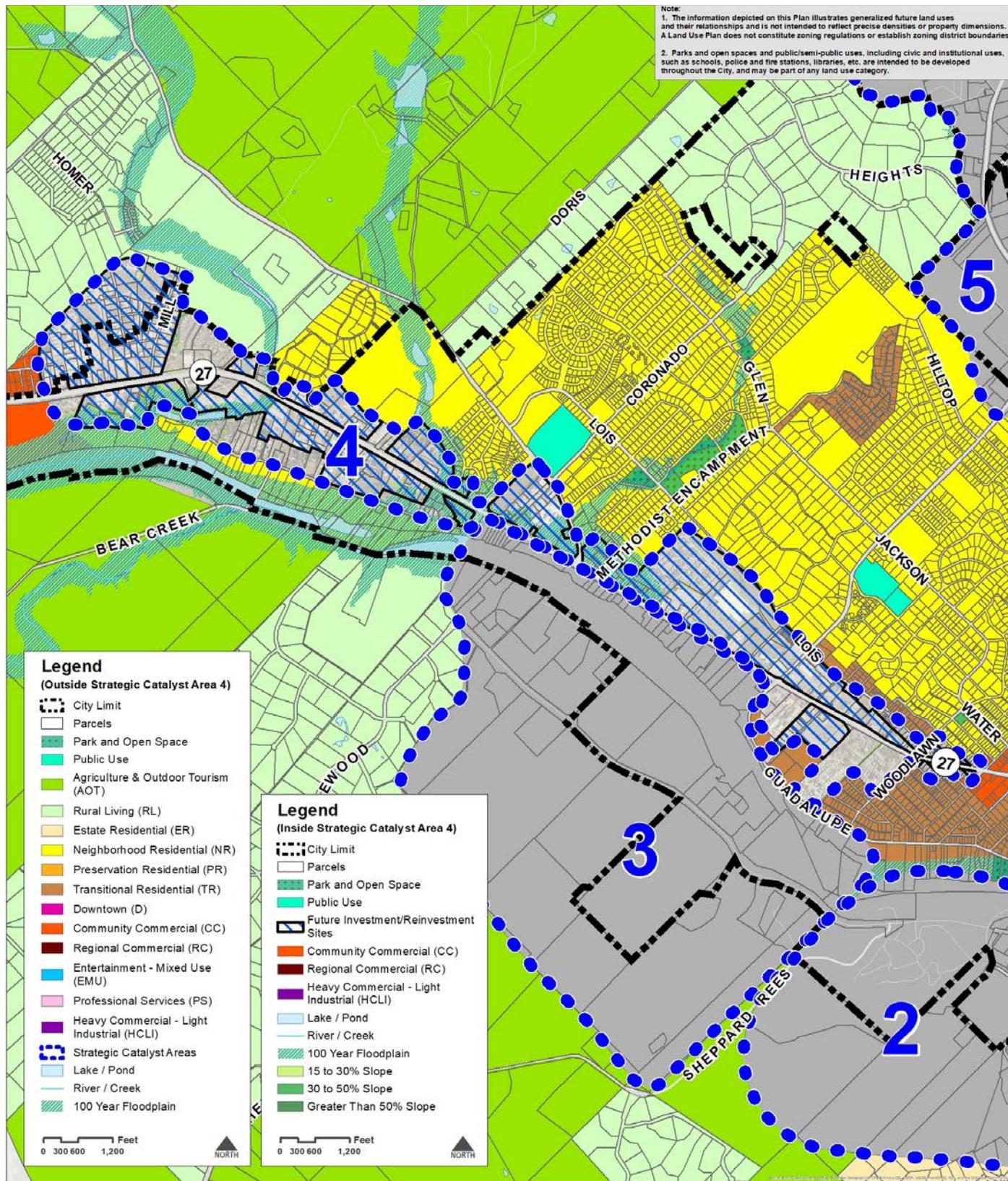
**Developable Sites:** 376 acres

**Residents:** 1,432

**Jobs:** 2,403



Figure 11: Strategic Catalyst Area 4





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

**SUBJECT:** Request for a sign variance in accordance with Chapter 92, Signs, Section 92-14, Variances, of City of Kerrville Code of Ordinances for Brown Addition, Block 24 & 25, Lot 1, Part Lot 2, and Lot 4 and 6 (PT TR 1), 2.129 Acres, Kerrville, TX; and more commonly known as 741 Water St. (Case No. PZ-2024-20)

**AGENDA DATE OF:** August 1, 2024      **DATE SUBMITTED:**

**SUBMITTED BY:** Steve Melander, City Planner

**EXHIBITS:**

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
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:**

See attached agenda bill.

**RECOMMENDED ACTION:**

Approve the variance.

**ATTACHMENTS:**

[\*PZ-2024-20\\_Agenda Bill.pdf\*](#)

[\*PZ-2024-20\\_Location Map.pdf\*](#)

[\*PZ-2024-20\\_Feather Flag Location Exhibit.pdf\*](#)

[\*PZ-2024-20\\_Feather Sign Sample Exhibit.pdf\*](#)

---

# **Agenda Bill**

## **Case No. PZ-2024-20**

---

### **Proposal**

Request for a sign variance in accordance with Chapter 92, Signs, Section 92-14, Variances, of City of Kerrville Code of Ordinances for Brown Addition, Block 24 & 25, Lot 1, Part Lot 2, and Lot 4 and 6 (PT TR 1), 2.129 Acres, Kerrville, TX; and more commonly known as 741 Water St. (Case No. PZ-2024-20).

The Heart of the Hills Farmers Market (HOH) has a Facility Use Agreement with Cromwell Street, LLC the owner of the old Schreiner Bank Building and the adjoining parking lot. The Use Agreement covers the areas of the parking lot shown on the attached site plan/diagram. The area of the parking lot covered by the Use Agreement outlined in red and the proposed location of the three feather flags marked in red.

Variance request: The HOH requests a variance from Code of Ordinances Sec. 92-9(6) to allow the HOH to fly three feather flags every Saturday morning during its market hours. Code of Ordinances Sec. 92-9(6) currently restricts the use of feather flags to a maximum of 20 days per calendar year. The HOH requests that it be allowed to fly its three feather flags on 52 days for five hours each Saturday during the calendar year.

The HOH is requesting a variance to fly its 3 feather flags for no more than 5 hours every Saturday morning. The HOH will be flying its feather flags for only 780 hours in a calendar year and only during Saturday operating hours. As such, the request seems reasonable.

### **Procedural Requirements**

The City, in accordance with state law, mailed 18 letters on 7/18/2024 to adjacent property owners. The City published a similar notice in the Hill Country Community Journal on 7/10/2024. In addition, a public hearing notification sign was posted on the property frontage on 7/19/2024. At the time of drafting this agenda bill, no public comments had been received.

### **Staff Analysis**

#### *Evaluation criteria.*

- (1) The commission must use the following criteria when considering variances to this chapter and no variance may be granted until it makes the following findings whether collectively:
  - a. That there are exceptional circumstances or conditions applicable to the property on which the application is made related to size, shape, area, topography, surrounding condition(s) or location that do not apply generally to other property in the same area and/or the same zoning district;

**This property is unique in that it is located at an intersection where it might be difficult to identify the event without temporary signage. This is an effort to bring more traffic to downtown businesses on the weekends.**

- b. That exceptional circumstances or conditions are such that literal enforcement of the provisions of this chapter would result in an unnecessary hardship inconsistent with the general purpose and intent of this chapter;

**The intent of the sign code related to feather flags is to avoid year-round traffic distractions that might result from too many feather flags throughout the City. In this particular case, the feather flags are limited to farmers market operating hours and only displayed for several hours on Saturday mornings. These temporary signs will help direct traffic to the farmers market location during operating hours only. Signs will be immediately removed after the event. This request does not appear to negatively impact any surrounding development.**

- c. That the granting of such variance will not be contrary to the public interest, materially detrimental to the public welfare, or injurious to the property or improvements in the zoning district or area in which the property is located;

**This request does not cause any negative impacts.**

- d. That the granting of such variance will not be contrary to the objectives and principles contained in the city's comprehensive plan;

**The granting of this variance would not be contrary to the K2050 Comprehensive Plan.**

- e. That the variance to be granted is the minimum variance that will relieve the proven hardship;

**The applicant has requested what is necessary to make their event location more functional.**

- f. That the variance is not being granted to relieve the applicant of conditions or circumstances:

- 1. Which are not inherent in the property itself, but are the result of the use or development of the property;

**The variance should be granted due to the use of the property as a temporary farmers market that requires more visible event identification signs during event hours.**

- 2. Which are caused by a division of land on or after June 16, 1997, other than a division of land resulting from the sale of a property interest to a governmental entity, which division of land caused the property to be unusable for any reasonable development under the existing regulations; or

**Does not apply. The request is not based on the subdivision of land.**

3. Which were otherwise self-imposed by the present or a previous owner;

**The request is not based on self-imposed circumstances.**

- g. That the variance is not grounded solely upon the opportunity to make the property more profitable or to reduce expense to the current or any future owner;

**The request does not make the property any more valuable or profitable, it just allows potential customers to more easily find the farmers market location.**

- h. That the variance would not modify or effectively repeal any development or use regulations set forth in a conditional use permit or an ordinance or resolution adopting a development site plan or establishing a special use district or planned development district which are in addition to the generally applicable use and development regulations set forth in the city's zoning code; and

**The request does not modify or repeal any development regulations.**

- i. That the variance would only affect a specific sign and is not of such a general nature as to effectively constitute a change in zoning.

**The request does not constitute a zoning change and only affects the specific signs identified in this request.**

- (2) No variance may be granted for signs that are listed as a prohibited sign.

**The signs are not otherwise prohibited by the sign code.**

**Recommendation:** Based on the evaluation criteria and the temporary nature of this request, staff recommends the case for approval.



## Location Map

Case # PZ-2024-20

Location:

741 Water St E

### Legend

- Subject Properties
- 200 Feet Notification Area



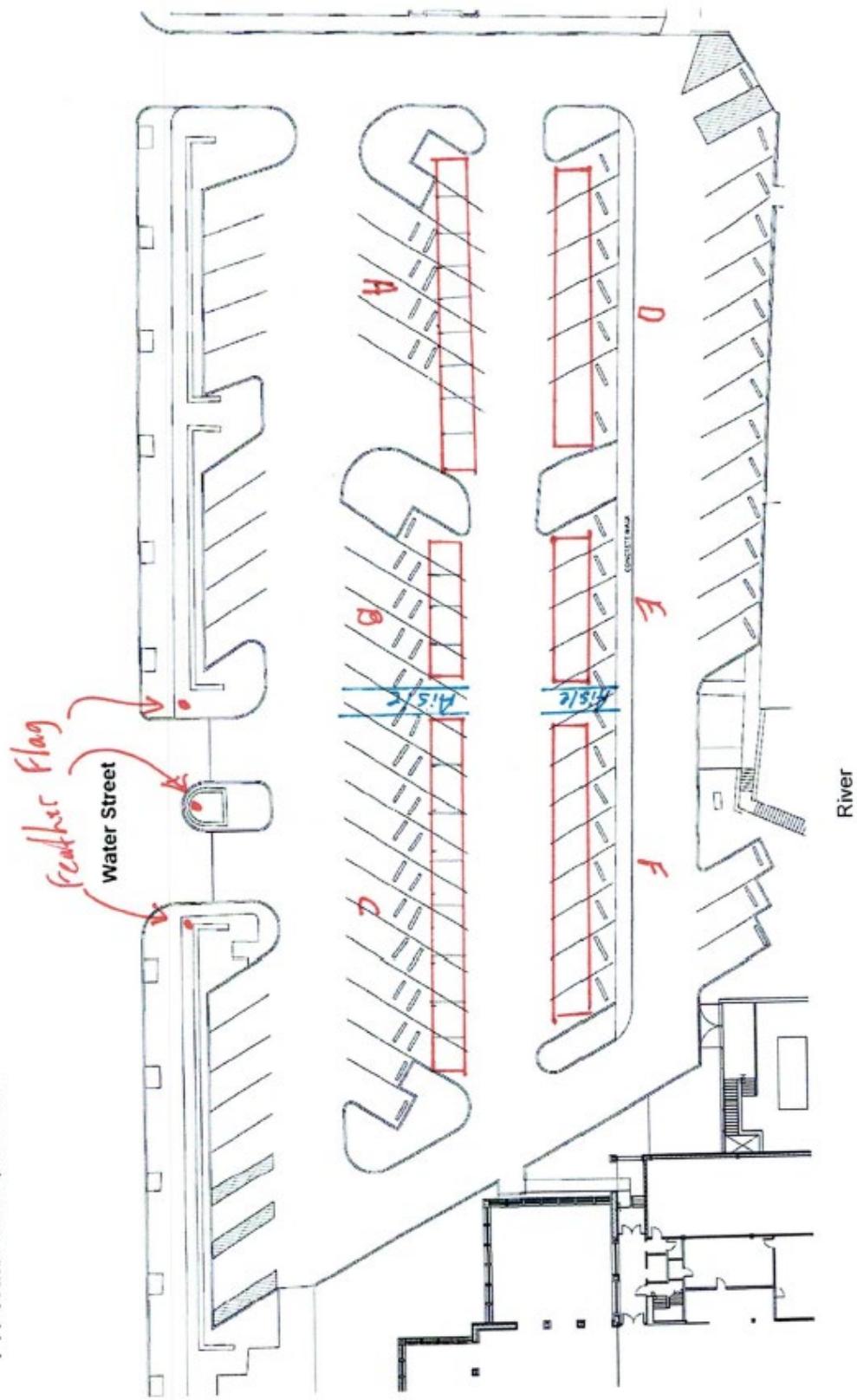
0 75 150 300

Scale In Feet

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

07/18/2024

741 Water Street, Kerrville



*Feather sign.* Any variety of fabric signs commonly called bow, feather flags, tear drop, or ribbon signs that may or may not display a message and are supported by a horizontal or vertical pole.

