



PLANNING AND ZONING COMMISSION AGENDA

THURSDAY, OCTOBER 3, 2024, 4:00 PM

CITY HALL COUNCIL CHAMBERS

701 MAIN STREET, KERRVILLE, TEXAS



1 MINUTES

1.A Approval of Meeting Minutes from September 5, 2024 regular meeting.

Attachments:

[20240905_PZ Minutes_draft.pdf](#)

2 CONSIDERATION AND FINAL ACTION

2.A A final plat of Town Creek Crossing, establishing Block 1, Lots 1 and 2, and Block 2, Lots 1, 2 and 3, a subdivision containing 15.030 acres, more or less, situated in the Walter Fosgate Survey, Abstract No. 138, City of Kerrville, Kerr County, Texas; and located on Dylan Road near the intersection with Holdsworth Drive. (Case 2024-048)

Attachments:

[2024-048_Proposed Final Plat_June 2024.pdf](#)

[2024-048_Proposed Conditions of Approval_20240926.pdf](#)

3 PUBLIC HEARING, CONSIDERATION & ACTION

3.A A resolution to allow a Conditional Use Permit for a Tattoo or Permanent Cosmetics Shop on Schreiner Subdivision, Block 45, Lots 260 thru 264, City of Kerrville, Texas; and more commonly known as 420 Water Street. (Case PZ-2024-26)

Attachments:

[PZ-2024-26_Location Map.pdf](#)

[PZ-2024-26_Current Zoning Map.pdf](#)

[PZ-2024-26_Future Land Use Map.pdf](#)

[PZ-2024-026_Proposed Conditions.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**

SUBJECT: Approval of Meeting Minutes from September 5, 2024 regular meeting.

AGENDA DATE OF: October 3, 2024 **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 specific revisions.

ATTACHMENTS:

[*20240905_PZ Minutes_draft.pdf*](#)

**PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES**

**KERRVILLE, TEXAS
SEPTEMBER 5, 2024**

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

Kevin Bernhard

CITY CORE STAFF PRESENT:

Drew Paxton
Steve Melander
Dalton Rice
Michael Hornes
Kyle Burow

CALL TO ORDER

Meeting called to order by Mike Sigerman at 4pm.

1) MINUTES

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

20240801_PZ Minutes_draft.pdf

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

2) CONSIDERATION AND FINAL ACTION

2A.) A final plat of The Bluewood Subdivision, an 12.268 acre tract of land situated in the Walter Fosgate Survey 120, Abstract 138, Kerr County, Texas; and more commonly known as 1225 Cailloux Blvd. (Case 2024-039)

2024-039_Draft Final Plat_20240820.pdf

2024-039_Bluewood Conditions of Approval_final.pdf

Drew Paxton presented the case.

Mike Sigerman was called to speak.

Tabor McMillan moved to approve the final plat with conditions; John Lovett seconded the motion, and the motion carried 6-0.

Conditions of Approval for the Bluewood Final Plat are as follows:

1. Execution of Subdivision Improvement Agreement (SIA) and posting of security for public improvements to be completed prior to recordation of final plat per Subdivision Code Section 82-33(d)(5). Confirmation of compliance deferred to city staff.
2. Homeowner Association (HOA)/Property Owner Association (POA) documents shall be approved prior to recordation of final plat per Subdivision Code Section 82-65. Confirmation of compliance deferred to city staff.

2B.) A preliminary plat of the Megaacrete Plant, Lot 1, a 28.60 acre tract of land out of the W.T. Crook Survey No. 71, Abstract No. 114, Kerr County, Texas, and being all of that certain 86.71 acre tract of land described in Volume 1657, Page 718 of the Official Public Records of Kerr County, Texas; and more commonly known as 310 Peterson Farm Rd. (Case 2024-040)

[2024-040_Preliminary Plat Exhibits_low res.pdf](#)

Drew Paxton presented the case.

John Lovett moved to approve the preliminary plat; Abram Bueche seconded the motion, and the motion carried 6-0.

3) PUBLIC HEARING, CONSIDERATION & ACTION

3A.) An ordinance to annex into the City of Kerrville's incorporated limits with a zoning classification of R-3 Multifamily Residential, a 13.08-acre tract of land situated in Kerr County, Texas, and being out of a called 20.91-acre tract of land as described in Special Warranty Deed recorded in Document No. 24-02372, of the Official Public Records of Kerr County, Texas; located at the northeast corner of Loop 534 and Cypress Creek Road (a portion KCAD Property ID 17090), Kerr County, Texas. (Case PZ-2024-23)

[PZ-2024-23_Location Map.pdf](#)

[PZ-2024-23_Annexation Boundary Survey.pdf](#)

[PZ-2024-23_Current Zoning.pdf](#)

[PZ-2024-23_Future Land Use.pdf](#)

Drew Paxton presented the case.

Open public hearing.

Mike Sigerman was called to speak.

Close public hearing.

Kevin Bernhard was called to speak.

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

3B.) An ordinance to change the zoning from AG Agriculture to R-3 Multifamily Residential on approximately 7.83 acres situated in Kerrville, Texas, and said 7.83 acres being out of a called 20.91-acre tract of land as described in Special Warranty Deed recorded in Document No. 24-02372, of the Official Public Records of Kerr County, Texas; located at the northeast corner of Loop 534 and Cypress Creek Road (a portion of KCAD Property ID 17090), Kerrville, Texas. (Case No. PZ-2024-24)

[PZ-2024-24_Location Map.pdf](#)

[PZ-2024-24_Zone Change Boundary Survey.pdf](#)

[PZ-2024-24_Current Zoning.pdf](#)

[PZ-2024-24_Future Land Use.pdf](#)

Drew Paxton presented the case.

Open public hearing.

Close public hearing.

John Lovett was called to speak.

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

3C.) An ordinance to change the zoning from Planned Development District, PD 16-05, to C-2 Light Commercial on approximately 2.41 acres, Kerrville Airport Commerce Park Phase 1, Block 2, Lot 1, Kerrville, Texas; and more commonly known as 101 Airport Commerce Parkway. (Case No. PZ-2024-25)

[PZ-2024-25_Location Map.pdf](#)

[PZ-2024-25_Current Zoning.pdf](#)

PZ-2024-25_Future Land Use.pdf

Drew Paxton presented the case.

Open public hearing.

Close public hearing.

John Lovett was called to speak.

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

4) STAFF REPORT

Next P&Z meeting scheduled for October 3, 2024.

There will be a called P&Z meeting on October 23, 2024 for K2050 Comp Plan update.

Drew Paxton provided update on the status of the K2050 Comp Plan update.

5) EXECUTIVE SESSION

None.

6) ADJOURNMENT

Meeting adjourned by Mike Sigerman at 4:15pm.

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: A final plat of Town Creek Crossing, establishing Block 1, Lots 1 and 2, and Block 2, Lots 1, 2 and 3, a subdivision containing 15.030 acres, more or less, situated in the Walter Fosgate Survey, Abstract No. 138, City of Kerrville, Kerr County, Texas; and located on Dylan Road near the intersection with Holdsworth Drive. (Case 2024-048)

AGENDA DATE OF: October 3, 2024 **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:

A preliminary plat for Town Creek Crossing was approved by P&Z on July 1, 2021 (Case 2021-040). Since that time the developer had civil plans approved by Engineering and has completed public infrastructure installation. They are now requesting that a final plat be approved so that they can record the plat. Staff has reviewed the final plat, has confirmed completion of public improvements and is bringing the plat before P&Z for final approval with a few remaining conditions. The remaining conditions of approval will be confirmed by City staff prior to plat signature and submittal to the County for recording.

RECOMMENDED ACTION:

Approve the final plat with conditions.

ATTACHMENTS:

[2024-048_Proposed Final Plat_June 2024.pdf](#)

[2024-048_Proposed Conditions of Approval_20240926.pdf](#)

ADDRESSING:

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 2024

DREW PAXTON, DIRECTOR OF PLANNING & DEVELOPMENT

CERTIFICATE OF OWNERSHIP:

THAT I, KENNETH E. CAILLOUX, HEREBY CERTIFY THAT THAT CAILLOUX FOUNDATION PROPERTIES, LLC IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL PUBLIC STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC USE AS NOTED.

DATED THIS DAY OF 2024

KENNETH E. CAILLOUX
PRESIDENT CAILLOUX FOUNDATION PROPERTIES, LLC

NOTARY

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KENNETH E. CAILLOUX, 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 CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE AND DATED THIS DAY OF 2024

NOTARY PUBLIC

PLAT-CITY ENGINEER

I HEREBY CERTIFY THAT THE SUBDIVISION PLATTED HERON 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 2024

KYLE BUROW, CITY ENGINEER

PLAT - STAFF APPROVAL

I HEREBY CERTIFY THAT THE SUBDIVISION PLATTED HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF KERRVILLE, TEXAS AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE KERR COUNTY CLERK.

DATED THIS DAY OF 2024

DREW PAXTON, DIRECTOR OF PLANNING & DEVELOPMENT

FILED FOR RECORD ON THE DAY OF 2024 AT 00:00
O'CLOCK M. RECORDED ON THE DAY OF 2024 AT 00:00
O'CLOCK M. IN DOCUMENT NO. 00000000 OF THE OFFICIAL
PUBLIC RECORDS OF KERR COUNTY, TEXAS.

NADENE ALFORD, KERR COUNTY CLERK

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION, THIS 11TH DAY OF JUNE 2024, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY.

JEFF BOERNER
REGISTERED PROFESSIONAL LAND SURVEYOR # 4939
TEXAS REGISTRATION NO. 10019600



PLAT SHOWING:

15.030 ACRE TRACT OF LAND SITUATED IN THE WALTER FOSGATE SURVEY, LOT 1, ABSTRACT NO. 138, KERR COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 30.412 ACRE TRACT OF LAND RECORDED IN DOC. #14-05748, OFFICIAL PUBLIC RECORDS, KERR COUNTY, TEXAS.

SYMBOLS LEGEND

- 1/8" IRON ROD FOUND
- 1/2" IRON ROD WITH "M&P" CAP SET
- 1/2" IRON ROD WITH "M&P" CAP FOUND
- 1/2" IRON ROD WITH "VOLVO" CAP FOUND
- 1/2" IRON ROD WITH "DIGIKEY" CAP FOUND
- 1/2" IRON ROD WITH "LORAK" CAP FOUND
- 1/2" IRON ROD WITH "MATTIN-HOOVER" CAP FOUND
- PIN NAIL FOUND

PLAT OF

LOTS 1 & 2 - BLOCK 1

AND

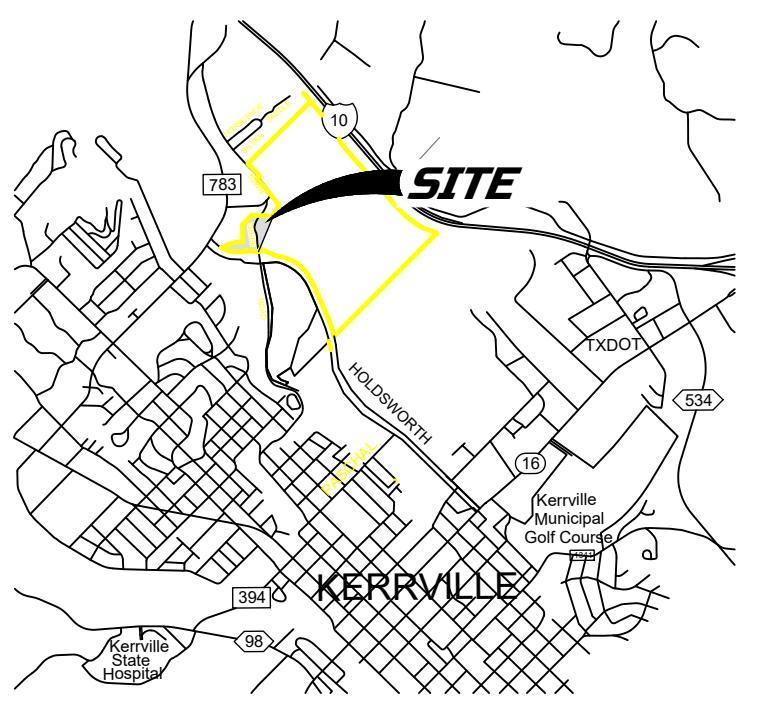
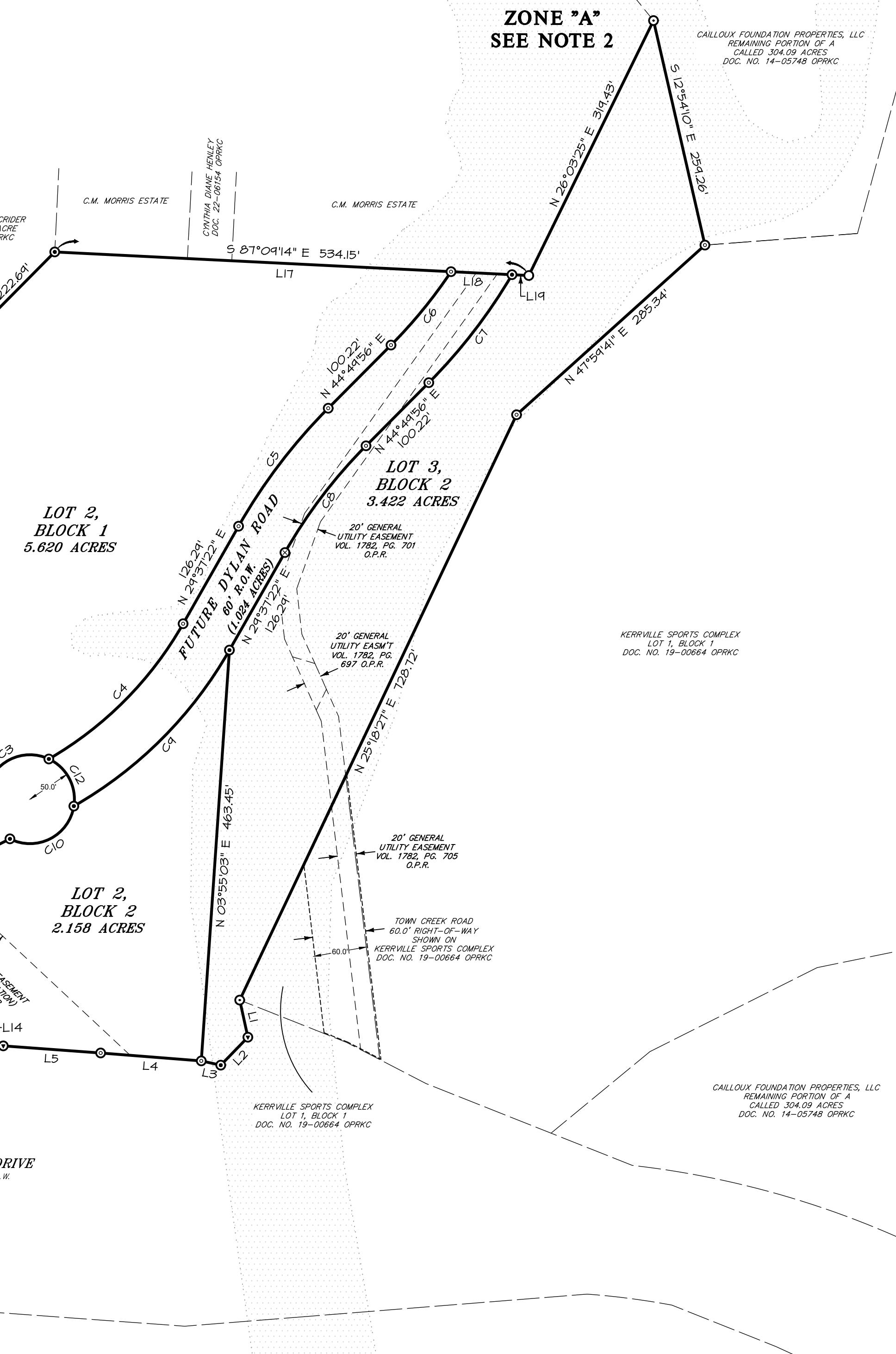
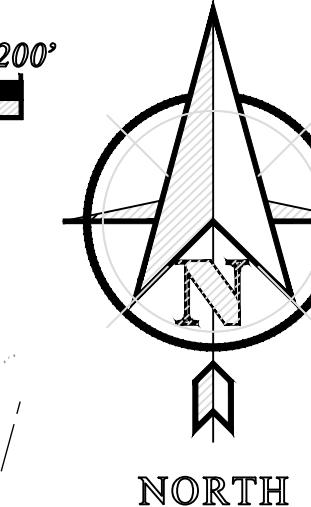
LOTS 1, 2 & 3 - BLOCK 2

TOWN CREEK CROSSING

A SUBDIVISION CONTAINING 15.030 ACRES, MORE OR LESS, SITUATED IN THE WALTER FOSGATE SURVEY, ABSTRACT NO. 138
CITY OF KERRVILLE
KERR COUNTY, TEXAS.

0' 100' 200'

SCALE: 1" = 100'



VICINITY MAP

NOT TO SCALE

OWNER:

CAILLOUX FOUNDATION PROPERTIES LLC

SURVEYOR:

MDS LAND SURVEYING COMPANY, INC.
874 HARPER ROAD, SUITE 104
KERRVILLE, TEXAS 78028

GENERAL NOTES:

1. ALL BEARINGS, DISTANCES AND COORDINATES ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT).

2. ACCORDING TO MAP NO. 482650406 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR KERR COUNTY, DATED MARCH 3, 2011, PORTIONS OF THIS TRACT IS SITUATED WITHIN ZONE "A". THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

3. THE PROPERTY SHOWN HEREON IS LOCATED IN THE KERRVILLE INDEPENDENT SCHOOL DISTRICT.

4. THE PROPERTY SHOWN HEREON IS IN THE ZONING DISTRICT "PDD" OF THE CITY OF KERRVILLE, TEXAS.

5. THE PROPERTY SHOWN HEREON IS WITHIN THE CITY OF KERRVILLE, TEXAS.

6. FIELD WORK DATE: JUNE 3, 2024.

7. LOTS=13.229 ACRES

8. NEW ROAD=0.777 OF ONE ACRE

9. FUTURE ROAD=1.024 ACRES

FINAL PLAT OF
TOWN CREEK CROSSING

ESTABLISHING 4 LOTS

15.030 ACRES

WALTER FOSGATE SURVEY
ABSTRACT NO. 138
CITY OF KERRVILLE
KERR COUNTY, TEXAS
JUNE, 2024



ALTA | BOUNDARY | CONSTRUCTION | OIL & GAS | TOPOGRAPHIC

TEXAS BOARD OF PROFESSIONAL LAND SURVEYING FIRMS REGISTRATION NO. 10019500
874 HARPER ROAD, STE 104 • KERRVILLE, TX 78028 • 830-816-1819

Job No. 20-033-00
Job No. 24-122-00
Job No. 24-033-00
Job No. 24-122-00

Proposed Conditions of Approval

Case 2024-048

Final Plat of Town Creek Crossing

The following conditions of approval shall be addressed and resolved with city staff prior to execution and recording of the final plat:

1. Address all plat comments provided by email by city staff dated 9/19/24.
2. Provide maintenance bonds for completed public improvements.
3. Provide as-builts for completed public improvements.
4. Provide public improvement completion letter from Engineering.
5. Address Engineering comments regarding easements.
6. Clarify with staff on how existing Town Creek Road should be identified on the plat.
7. Clarify with staff on how Future Dylan Road Right-of-Way should be identified on the plat.
8. Clarify with staff on whether Lot 3 can be considered developable since it is located within an identified floodway.



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

SUBJECT: A resolution to allow a Conditional Use Permit for a Tattoo or Permanent Cosmetics Shop on Schreiner Subdivision, Block 45, Lots 260 thru 264, City of Kerrville, Texas; and more commonly known as 420 Water Street. (Case PZ-2024-26)

AGENDA DATE OF: October 3, 2024 **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:

Proposal

A resolution to allow a Conditional Use Permit for a Tattoo or Permanent Cosmetics Shop on Schreiner Subdivision, Block 45, Lots 260 thru 264, City of Kerrville, Texas; and more commonly known as 420 Water Street. (Case PZ-2024-26)

The applicant states that they offer teeth whitening, lash & brow services, and microblading/powder brows. Due to the nature of microblading, they must carry a Tattoo & Permanent Cosmetic License. However, they do not, and will never, offer Permanent Tattoo services outside of the Permanent Makeup they currently offer. They would like to be considered for a CUP so they can relocate to one of the suites within the existing Pecan Plaza development.

Procedural Requirements

The City, in accordance with state law, mailed 11 letters on 9/19/2024 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 9/12/2024. An informational sign regarding the public hearing was posted on the property on 9/19/2024. 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: DAC Downtown Arts and Culture

Existing Land Use: Various businesses

Direction: North, South, West, East

Current Zoning: DAC Downtown Arts and Culture

Existing Land Uses: Various businesses, restaurants, Kerr History Center

Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property is identified as Strategic Catalyst Area 1 (SCA 1). SCA 1 comprises the downtown core and central business district of Kerrville. It features a dense clustering of amenities, infrastructure, and employment within a roughly 0.4 square mile zone. Downtown allows retail, commercial, condominiums, apartments, offices, hotels, entertainment centers, services and office uses. Because the applicant is not requesting a zoning change and current zoning is consistent with K2050 future land use, the request is consistent with the Kerrville 2050 Comprehensive Plan. This Conditional Use Permit (CUP) is required due to the specific use as a Permanent Cosmetics Shop (Tattoo Shop).

Thoroughfare Plan:

The subject property is located within an already developed retail and office center so there is no impact to the thoroughfare plan.

Traffic Impact:

No traffic impact is anticipated since the subject property is located within an already developed retail and office center.

Parking:

All off street parking requirements are being met per zoning code. Required off-street parking is existing.

Case Summary:

The applicant is requesting a Conditional Use Permit for a Permanent Cosmetics Shop, also identified in the zoning code as a Tattoo Shop. Permanent Cosmetics are intended to be part of an upscale beauty and aesthetics shop that has operated in Kerrville since 2017 under the business name Phigment Beauty Lounge. In order to obtain State certification for the Tattoo Shop (Permanent Cosmetics) portion of the business, the Conditional Use Permit is required in order to meet zoning code.

Recommendation:

Because the request is consistent with the Kerrville 2050 Comprehensive Plan and no change in zoning is being requested, staff recommends approval of the Conditional Use Permit, with the following conditions:

1. Must be licensed with the Texas Department of Health Services.
2. Must schedule site inspections with the Drugs and Medical Devices Group as required by the Texas Department of Health Services.

RECOMMENDED ACTION:

Approve the resolution.

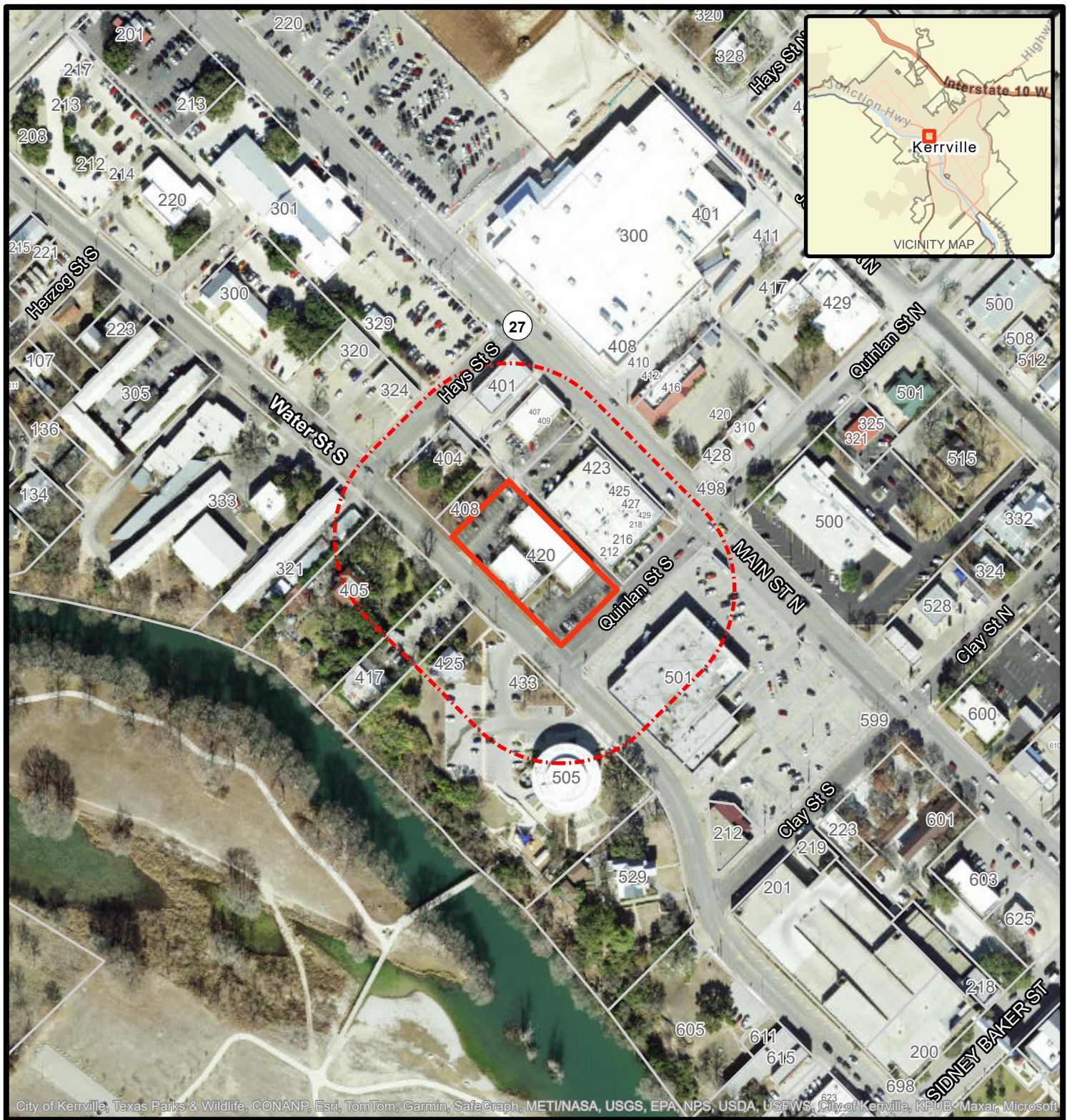
ATTACHMENTS:

[*PZ-2024-26_Location Map.pdf*](#)

[*PZ-2024-26_Current Zoning Map.pdf*](#)

[*PZ-2024-26_Future Land Use Map.pdf*](#)

[*PZ-2024-026_Proposed Conditions.pdf*](#)



Location Map

Case # PZ-2024-26

Location:

420 Water St S

Legend

- Subject Properties
- 200 Feet Notification Area



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.

PZ-2024-26

Current Zoning



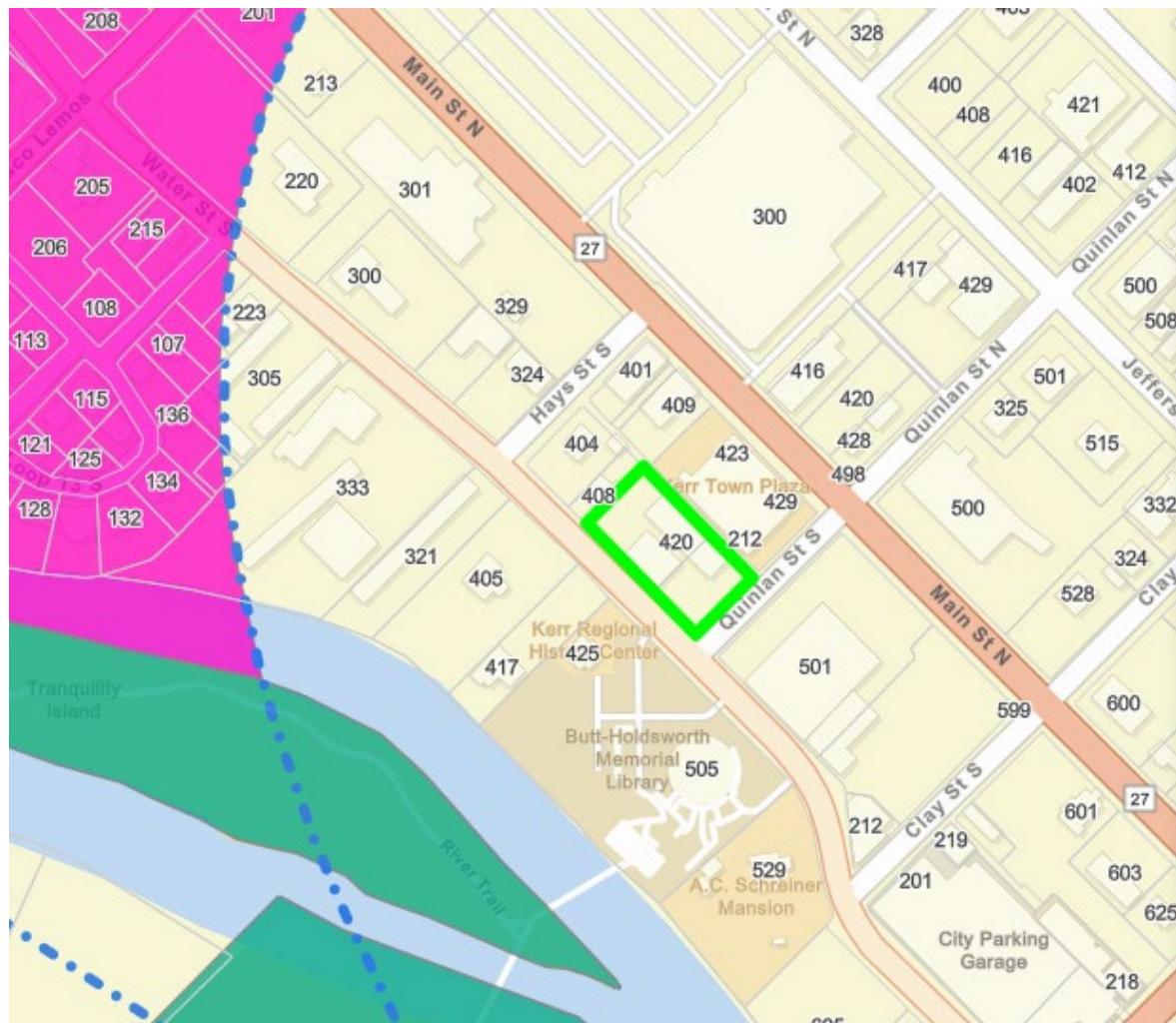
Zoning District (Current)

- 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

PZ-2024-26

Future Land Use (K2050)

Strategic Catalyst Area 1 (SCA 1)



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
- Heavy Commercial/Light Industrial

Proposed Conditions

PZ-2024-26

The following conditions are being proposed by staff for the Conditional Use Permit:

1. Must be licensed with the Texas Department of Health Services.
2. Must schedule site inspections with the Drugs and Medical Devices Group as required by the Texas Department of State Health Services.