

CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA
REGULAR MEETING, THURSDAY, NOVEMBER 6, 2014 4:30 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

Pg.

1. VISITORS/CITIZENS FORUM:

Any person with business not scheduled on the agenda is encouraged to briefly speak their ideas to the Commission. Please fill out the SPEAKER REQUEST FORM and give it to the Commission's Secretary prior to the meeting. The number of speakers will be limited to the first ten speakers and each speaker is limited to three minutes. (No formal action can be taken on these items as the Open Meetings Act requires formal action items be posted on an agenda no later than 72 hours before the meeting. If formal action is required, the items will be placed on an agenda for a future meeting.)

2. CONSENT AGENDA:

All items listed below in the consent agenda are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a Commissioner or citizen so requests; in which case the item(s) will be removed from the consent agenda and considered separately.

2A. Approval of the minutes from the October 16, 2014 meeting.

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3. PUBLIC HEARINGS AND ACTION

3A. **Residential Replat** – Public hearing, consideration, and action concerning a proposed residential replat of Lots 1 & 2, Comanche Trace Phase 8, known locally as 2052 Toscano Way. (File No. 2014-038)

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3B. **Zoning Code Text Amendments** – Public hearing, consideration, and action concerning a proposed Zoning Code Text Amendment to amend

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4. STAFF REPORTS

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5. ADJOURNMENT

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The facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-258-1117 for further information.

I do hereby certify that this notice of meeting was posted on the bulletin board at the city hall of the city of Kerrville, Texas, and said notice was posted on the following date and time: ____ at _____ and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Deputy City Secretary, City of Kerrville, Texas

2A. Approval of the minutes from the September 18, 2014 meeting.

Cmr. Morgan moved to approve the minutes as presented; motion was seconded by Cmr. Harmon and passed 5-0.

3. PUBLIC HEARINGS AND ACTION

3A. **Residential Replat** – Public hearing, consideration, and action concerning a proposed residential replat of lot 10-A of the Mesa Park Subdivision, Section 2, located at 472 & 474 Bridle Path. (File No. 2014-036)

Mr. Stewart presented the findings of fact and asked Commissioners to render a decision.

Cmr. Watterson opened the public hearing for comments at 4:38 p.m. Hearing no one speak, Cmr. Watterson closed the public hearing at 4:39 p.m.

Cmr. Waller moved to approve the residential replat as presented; motion was seconded by Cmr. Morgan and passed 5-0.

3B. **Comprehensive Plan Amendment** – Public hearing, consideration, and action concerning a proposed Comprehensive Plan Amendment to amend the future land use category from “Low-Density Residential” to the future land use category of “Neighborhood Commercial” for approximately 0.80 acres of land consisting of lots 10, 11, and part of lots 13, 15, and 17, Block 1, of the A. L. Lewis Second Addition Subdivision and to amend the future land use category from “General Commercial” to the future land use category of “Neighborhood Commercial” for approximately 0.30 acres of land consisting of Lots 3 & 4 of the Powel Addition Subdivision, located at 304, 308, 312, 314, 316, 320, and 324 West Main Street.
(File No. 2014-038)

Cmr. Watterson opened the public hearing for comments at 4:50 p.m. Hearing no one speak, Cmr. Watterson closed the public hearing at 4:51 p.m.

Cmr. Morgan moved to approve the comprehensive plan amendment as presented; motion was seconded by Cmr. Motheral and passed 5-0.

3C. **Zoning Change Request** – Public hearing, consideration, and action concerning a requested zoning change from a (R-1A) Residential District to a (RT) Residential Transition District for approximately 1.10 acres consisting of lots 10, 11, and part of lots 13, 15, and 17, Block 1, of the A. L. Lewis Second Addition Subdivision and Lots 3 & 4 of the Powel Addition Subdivision, located at 304, 308, 312, 314, 316, 320, and 324 West Main Street. (File No. 2014-039)

Cmr. Watterson opened the public hearing for comments at 4:55 p.m. Hearing no one speak, Cmr. Watterson closed the public hearing at 4:56 p.m.

Cmr. Harmon moved to approve the zoning change request as presented; motion was seconded by Cmr. Waller and passed 5-0.

4. STAFF REPORTS:

4A. Report concerning future agenda items.

Mr. Stewart reported the following for the next meeting:

Nov. 6, 2014

- Residential Replat – Comanche Trace
- Zoning Code Text Amendments – To allow community gardens, subject to site development standards, in any zoning district.

4. ADJOURNMENT

This meeting was adjourned at 5:07 p.m.

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 3A

FOR AGENDA OF:

November 6, 2014

DESCRIPTION: Public hearing, consideration, and action concerning a proposed residential replat of Lots 1 & 2, Comanche Trace Phase 8, known locally as 2052 Toscano Way.

APPLICANT(S): Mike Grogan

ATTACHMENT(S): Location Map, Proposed Plat, Current Plat

SUMMARY STATEMENT

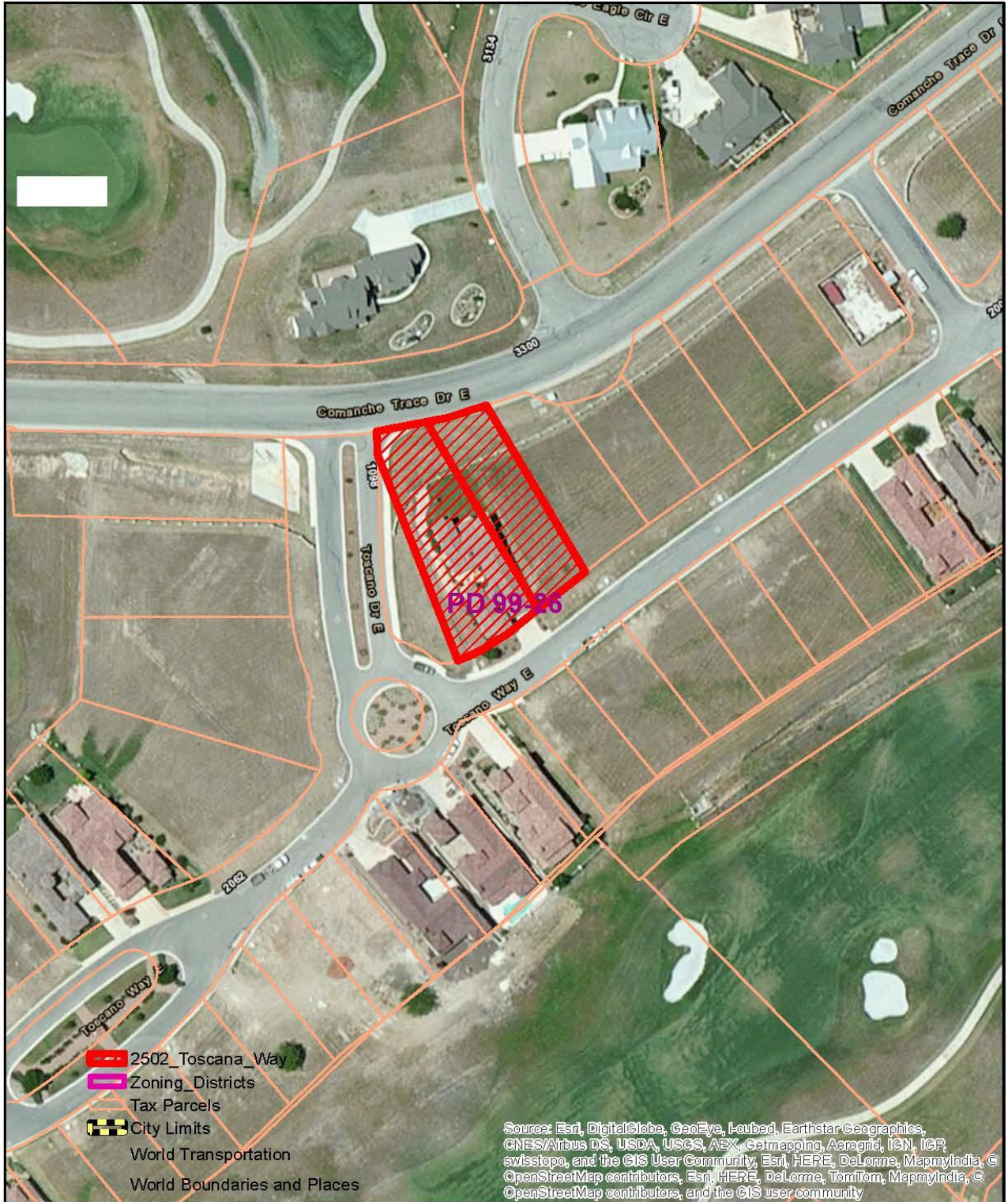
The applicant is seeking to consolidate the two lots into a single lot of approximately 0.496 acre. There is an existing single-family residence on the lot, which is currently in compliance with the applicable zoning classification and would remain in compliance as a result of this lot consolidation. This combined lot exceeds the minimum requirements for lot size and dimensions stipulated in the subdivision regulations.

Utility service is available to both lots. Staff has reviewed for the need for additional easements or other public dedications, and does not find any need. Consequently, the plat complies with the subdivision regulations.

RECOMMENDED ACTION

1. Open the required public hearing and receive comments.
2. Approve the replat with the conditions listed by staff.

Location Map



World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

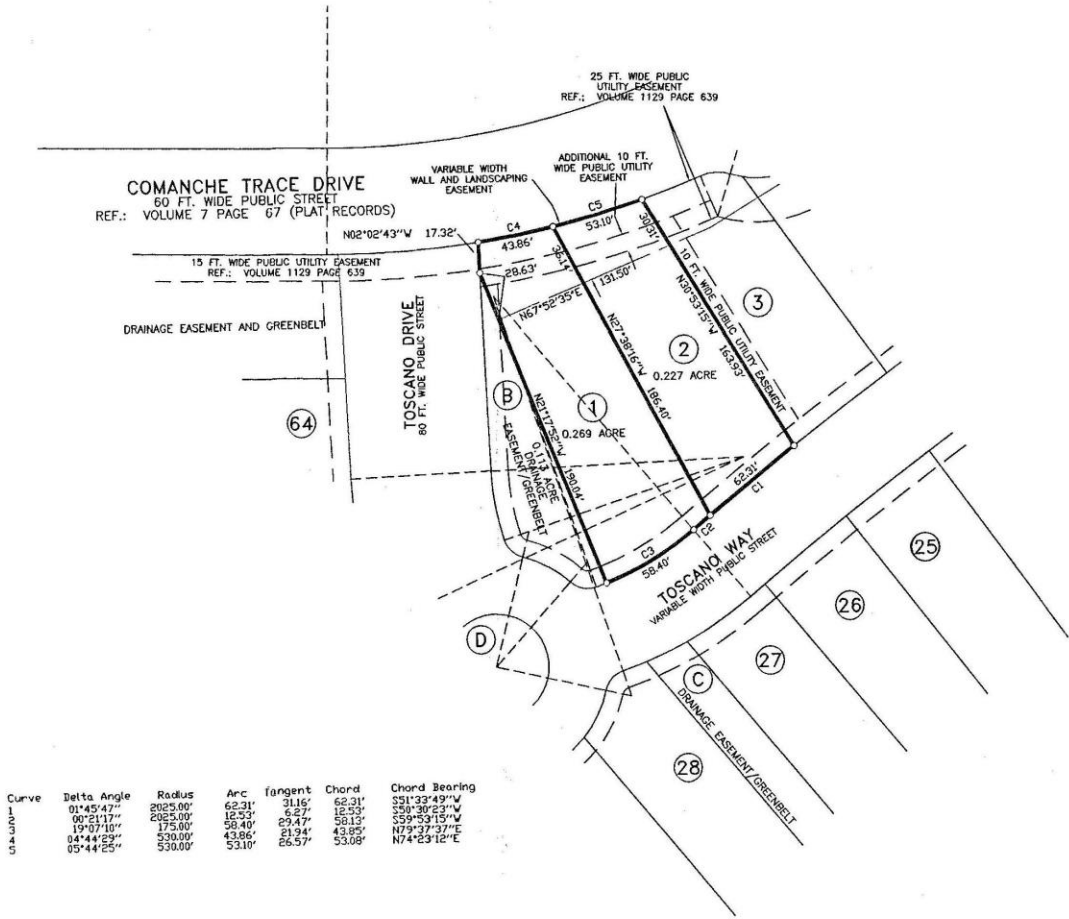
High Resolution 30cm Imagery



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.



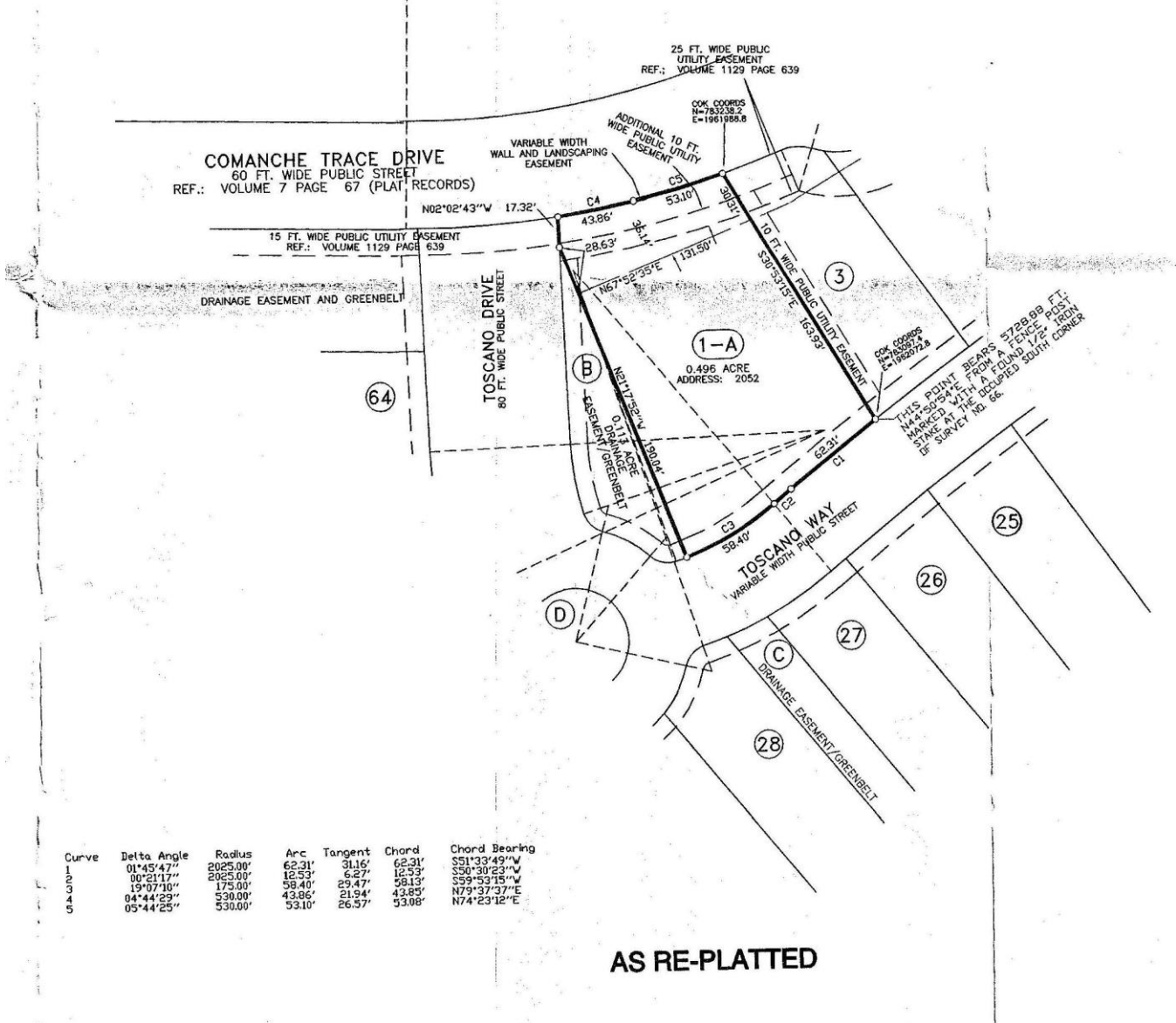
Current Plat of the Subject Area



Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	01°45'47"	2025.00'	62.31'	31.16'	62.31'	S51°33'49"W
2	00°21'17"	2025.00'	12.53'	6.27'	12.53'	S59°38'23"W
3	19°07'10"	1750.00'	58.40'	29.47'	58.13'	S59°53'15"W
4	04°44'29"	530.00'	43.86'	21.94'	43.85'	N79°37'37"E
5	05°44'25"	530.00'	53.10'	26.57'	53.08'	N74°29'12"E

AS PLATTED
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Proposed Plat of the Subject Area



Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	01°45'47"	2025.00'	62.31'	31.16'	62.31'	S51°33'49"W
2	00°21'17"	2025.00'	12.53'	6.27'	12.53'	S30°30'23"W
3	19°07'10"	175.00'	58.40'	29.47'	58.13'	S59°53'15"W
4	04°44'29"	530.00'	43.06'	21.94'	43.85'	N79°37'37"E
5	05°44'25"	530.00'	53.10'	26.57'	53.08'	N74°23'12"E

AS RE-PLATTED

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 3B

FOR AGENDA OF:

November 6, 2014

DESCRIPTION: Public hearing, consideration, and action concerning a proposed Zoning Code Text Amendment to amend Article 11-1-3 and Article 11-1-4 of the Zoning Regulations, related to Community Garden land use and associated accessory use.

APPLICANT(S): Staff

ATTACHMENT(S): None.

SUMMARY STATEMENT

The current zoning regulations do not contain guidance on “community gardens” as a use, nor regarding accessory uses which usually accompany such principal use. Based upon recent inquiries about the feasibility of community garden use, with respect to the zoning regulations, Staff has initiated this text amendment to be able to address this use.

As proposed, the amendment to the regulations would define a “community garden”, permit this use within all districts, and apply a set of site development standards. Specifically, the amendments are as follows:

Art. 11-1-3 DEFINITIONS AND INTERPRETATION OF WORDS AND PHRASES

Add the following definition.

a) Definitions: *For purposes of this Chapter, the following words and phrases shall have the following meanings unless the context otherwise clearly indicates a different meaning:*

Community Gardens: *a single piece of land gardened collectively by a group of people for the growing and harvesting of food crops and/or non-food, ornamental crops, such as flowers. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.*

Art. 11-1-4 ZONING DISTRICTS-GENERALLY

Add the following land use to be permitted in any zone.

(f) Uses Permitted in Any Zone: *The following uses are permitted in any zoning district of the City:*

“Community Gardens”.

Add the following site development regulations.

H. Community Gardens: a single piece of land gardened collectively by a group of people for the growing and harvesting of food crops and/or non-food, ornamental crops, such as flowers. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members and shall be subject to the following site development regulations:

1. can be publicly or privately held;
2. shall be permitted in any zoning district of the city;
3. may be placed on a roof structure provided that all applicable building and fire codes are in compliance;
4. lighting shall be shielded so that substantially all directly emitted light falls within the property.
5. shall only be utilized for gardening purposes and not utilized as a storage lot for equipment or materials not associated with the garden;
6. compost piles abutting adjacent properties shall not be visible from adjacent property (shielded from view by shrubbery or an enclosure);
7. shall be managed to prevent the harborage of rodents and pests.
8. shall be maintained to prevent odors.
9. the site shall be designed and maintained to prevent water from irrigation and/or other activities and/or fertilizer from draining onto adjacent property.
10. trash areas shall be provided and screened on at least three (3) sides from public view;
11. commercial waste disposal shall be required for the site;
12. parking spaces shall be constructed in accordance with the City of Kerrville's parking standards and required based on one (1) space per 4,000 square ft;
13. an accessory structures such as greenhouses, sheds, farmstands, or other similar structures may be placed on the property without the presence of an associated primary structure;
14. an accessory structure must adhere to the primary structure setback requirements for the zoning district or land use;
15. may only be utilized for the storage of equipment and materials required for the operation of a community garden;
16. must be removed from the property upon the cessation of the community garden

RECOMMENDED ACTION

1. Open the required public hearing and receive comments.
2. Provide a recommendation report to Council on the proposed zoning code text amendments.

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 4 **FOR AGENDA OF:** November 6, 2014

DESCRIPTION: Future agenda items

APPLICANT(S): City staff

ATTACHMENT(S):

Nov. 20, 2014

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**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 5 **FOR AGENDA OF:** November 6, 2014

DESCRIPTION: Adjournment
