



CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA
REGULAR MEETING, THURSDAY, July 2, 2015 4:30 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

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. PUBLIC HEARINGS AND ACTION

- 2A. Public Hearing & Action, Zoning Request – Public hearing, consideration, and action concerning a requested zoning change from a (C-17) Central City 17- District to a (C-19) Central City 19- District for an approximate .505 acres tract. Legal Description Lots 5-6 Block 13 of the Joseph A. Tivy's First Addition, located at 1700 Water Street East. (File No. 2015-027) **Pg. 3**
- 2B. Public Hearing & Action, 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 "Mixed-Use" for an approximate 1.23 acres tract. Legal Description Lot 2 Block 1 of the Samples Properties, located on the southeast side of Goss Street North between Legion Drive North and Mesquite Street North. (File No. 2015-029) **Pg. 6**
- 2C. Public Hearing & Action, Zoning Request – Public hearing, consideration, and action concerning a requested zoning change from a (RM) Residential Mix District to a (E-29) East Side 29-District for an approximate 1.23 acres tract. Legal Description Lot 2 Block 1 of the Samples Properties, located on the southeast side of Goss Street North between Legion Drive North and Mesquite Street North. (File No. 2015-028) **Pg. 9**
- 2D. Public Hearing & Action, Zoning Text Amendment – Public hearing, consideration, and action concerning a requested zoning text amendment to amend Chapter I, "The City of Kerrville Zoning Code" Article 11-1-10(f)(2-4) "RT" Residential Transition District to possibly amend development regulations pertaining to Building Limit, Building Appearance, Off-Street Parking, Front Yard Requirement, Sign Restrictions, Churches and Schools. (File No. 2015-030) **Pg. 12**

3. STAFF REPORTS

4. ADJOURNMENT

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: June 26, 2015 at 4:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Cheryl Brown

Deputy City Secretary, City of Kerrville, Texas



City of Kerrville Planning Department Report

To: Planning & Zoning Commission
Agenda Item: 2A
Planning File #: 2015-027
Hearing Date: July 2, 2015
Representative: Dite Steinruck
Location: 1700 Water Street
Legal Description: Lots 5-6 Block 13 of the Joseph A. Tivy's First Addition
Total Acreage: .505

Proposal

Zoning change from (C-17) Central City 17- District to (C-19) Central City 19-District

Procedural Requirements

The application was published in The Hill Country Community Journal, an official newspaper of general circulation on June 17, 2015. Notices were sent to property owners within two hundred (200) feet of the subject property on June 19, 2015. Additionally, notice of this meeting was posted at city hall and on the city's internet website on June 26, 2015, in accordance with Section 551.043(a) of the Texas Government Code.

Recommended Action

Staff recommends that the Commission hold the required public hearing to receive public comments and make a recommendation to the Council.

Notices Mailed

Owners of Property within 200 feet: 18

Topography

The subject property is relatively flat with little vegetation being most developed with an existing structure.

Adjacent Zoning and Land Uses

Direction: North, South and West

Current Base Zoning: C-17

Current Land Uses: Bar, Paint Store, Convenient Store, Automotive Repair and Multi-Family Residential

Adjacent Zoning and Land Uses

Direction: East

Current Base Zoning: R-1

Current Land Uses: Vacant and Auto Sales

Transportation

Thoroughfare: Water Street East, G Street East, H Street East

Existing Character: One lane in each direction with no sidewalks

Proposed Changes: None known

Thoroughfare: Highway 27

Existing Character: Two lanes in each direction with partial sidewalks

Proposed Changes: None known

Parking Information: Construction Building (General/Specialist): One (1) space for each 500 Sq. feet of indoor area/storage; one (1) space for each 1,000 sq. feet of outdoor area/storage.

Office: One (1) space per 300 sq. feet.

Staff Analysis and Recommendation: Approval

1. Consistency:

The property's land use designation is Mixed-Use District. The requested "C-19" base zoning district is consistent with the adopted land use designation.

2. Adverse Impacts on Neighboring Lands:

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The surrounding properties have a mixture of different land uses, ranging from retail to auto repair.

3. Suitability as Presently Zoned:

Both the existing and requested base zoning districts are appropriate and suitable with the surrounding area. The proposed zoning district will not inhibit future development in the area. The proposed zoning district will continue to encourage development and revitalization in the area.

4. Health, Safety and Welfare:

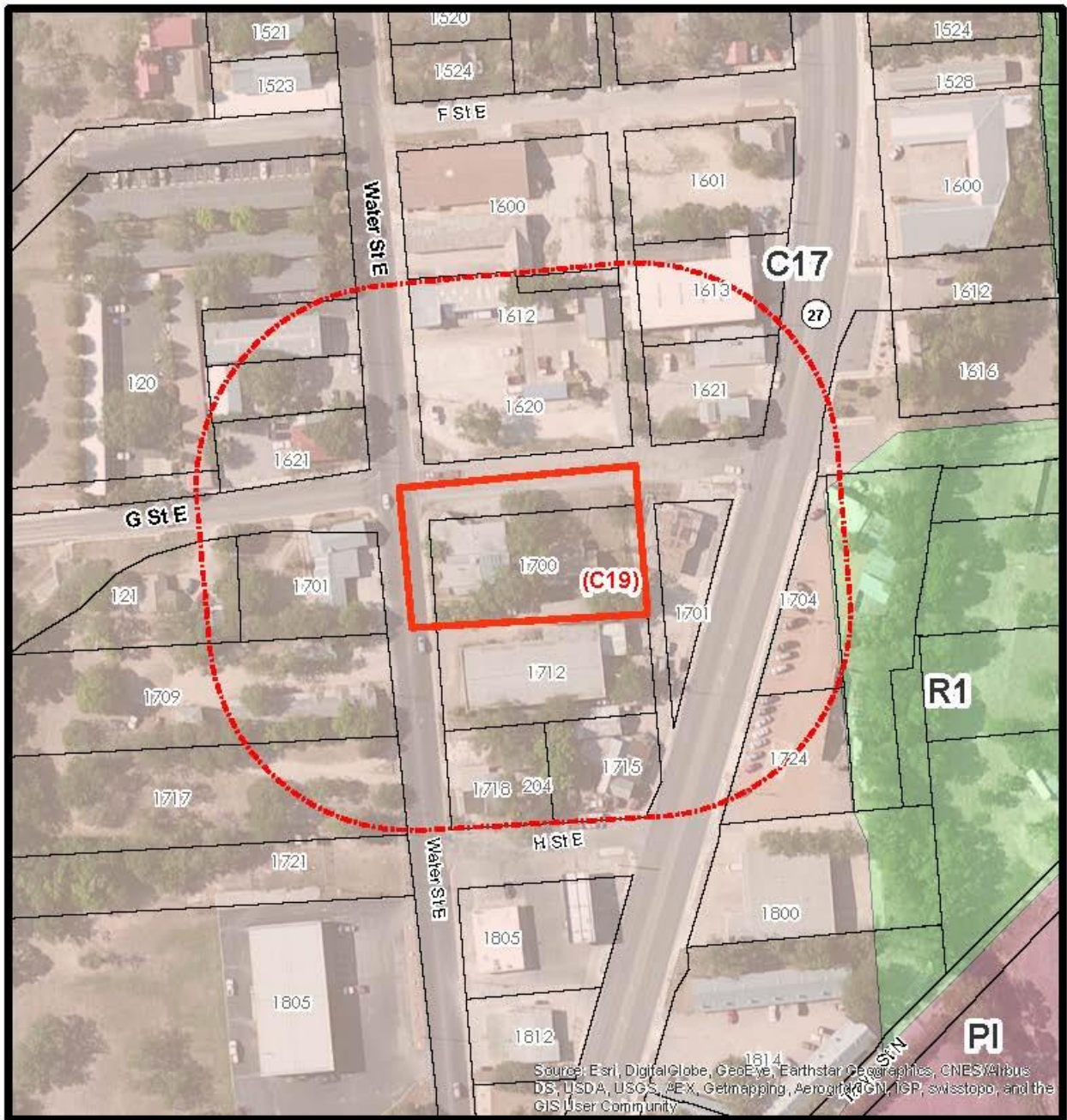
Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

5. Size of Tract:

The subject property is approximately .505 acres in size, which should be able to reasonably accommodate the proposed commercial uses.

6. Other Factors:

None.



Zoning Case Location Map

Case 2015-027
Location:
 1700 Water St

| <u>Legend</u> | |
|------------------------|--------|
| 200' Notification Area | ----- |
| Subject Properties | ===== |
| Current Zoning | TEXT |
| Requested Zoning | (TEXT) |

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.



City of Kerrville Planning Department Report

To: Planning & Zoning Commission
Agenda Item: 2B
Planning File #: 2015-029
Hearing Date: July 2, 2015
Representative: John Sample
Location: Legion Drive North and Goss Street North
Legal Description: Lot 2 Block 1 of the Samples Properties
Total Acreage: 1.23

Proposal

Comprehensive Plan Amendment to amend the future land use category from “Low-Density Residential” to “Mixed-Use”

Procedural Requirements

The application was published in The Hill Country Community Journal, an official newspaper of general circulation on June 17, 2015. Notices were sent to property owners within two hundred (200) feet of the subject property on June 19, 2015. Additionally, notice of this meeting was posted at city hall and on the city’s internet website on June 26, 2015, in accordance with Section 551.043(a) of the Texas Government Code.

Recommended Action

Staff recommends that the Commission hold the required public hearing to receive public comments and make a recommendation to City Council.

Notices Mailed

Owners of Property within 200 feet: 19

Topography

The property is relatively flat with various trees and grasses.

Adjacent Zoning and Land Uses

Direction: North

Current Base Zoning: RM

Current Land Uses: Single-Family Residential and Vacant

Direction: South

Current Base Zoning: E-29

Current Land Uses: Single-Family Residential and Shipping Center

Direction: East
Current Base Zoning: E-29 and RM
Current Land Uses: Single-Family Residential, Vacant and Retail

Direction: West
Current Base Zoning: E-29 and RM
Current Land Uses: Single-Family Residential and Vacant

Transportation

Thoroughfare: Goss Street North and Mesquite Street North
Existing Character: One lane in each direction with no sidewalks
Proposed Changes: None known

Thoroughfare: Legion Drive North
Existing Character: One lane in each direction with partial sidewalks
Proposed Changes: None known

Parking Information: A proposed land use for the subject property has not been determined.

Staff Analysis and Recommendation: Approval

1. Plan Amendment:

The subject property is surrounded by both residential and future commercial uses. By amending the future land use designation to Mixed-Use it will create a buffer between the existing residential neighborhood to the north and west and the commercial uses (present and future) to the south and east.

2. Adverse Impacts on Neighboring Lands:

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this plan amendment request.

3. Health, Safety and Welfare:

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

4. Size of Tract:

The subject property is approximately 1.23 acres in size, which should be able to reasonably accommodate the proposed commercial uses.

5. Other Factors:

Due to a long running map error the subject property was platted with the assumption it was zoned for commercial uses.



Landuse Case Location Map

Case 2015-029

Location:
 Sample Properties Block 1
 Lot 2, 1.23 acres

Legend

- 200' Notification Area (Red dashed line)
- Subject Properties (Red solid line)
- Current Landuse (TEXT)
- Requested Landuse (TEXT)

Scale In Feet: 0, 50, 100, 200

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City of Kerrville Planning Department Report

To: Planning & Zoning Commission
Agenda Item: 2C
Planning File #: 2015-028
Hearing Date: July 2, 2015
Representative: John Sample
Location: Legion Drive North and Goss Street North
Legal Description: Lot 2 Block 1 of the Samples Properties
Total Acreage: 1.23

Proposal

Zoning change from a (RM) Residential Mix District to a (E-29) East Side 29-District

Procedural Requirements

The application was published in The Hill Country Community Journal, an official newspaper of general circulation on June 17, 2015. Notices were sent to property owners within two hundred (200) feet of the subject property on June 19, 2015. Additionally, notice of this meeting was posted at city hall and on the city's internet website on June 26, 2015, in accordance with Section 551.043(a) of the Texas Government Code.

Recommended Action

Staff recommends that the Commission hold the required public hearing to receive public comments and make a recommendation to the Council.

Notices Mailed

Owners of Property within 200 feet: 19

Topography

The property is relatively flat with various trees and grasses.

Adjacent Zoning and Land Uses

Direction: North

Current Base Zoning: RM

Current Land Uses: Single-Family Residential and Vacant

Direction: South

Current Base Zoning: E-29

Current Land Uses: Single-Family Residential and Shipping Center

Direction: East

Current Base Zoning: E-29 and RM

Current Land Uses: Single-Family Residential, Vacant and Retail

Direction: West

Current Base Zoning: E-29 and RM

Current Land Uses: Single-Family Residential and Vacant

Transportation

Thoroughfare: Goss Street North and Mesquite Street North

Existing Character: One lane in each direction with no sidewalks

Proposed Changes: None known

Thoroughfare: Legion Drive North

Existing Character: One lane in each direction with partial sidewalks

Proposed Changes: None known

Parking Information: A proposed land use for the subject property has not been determined.

Staff Analysis and Recommendation: Approval, pending plan amendment

1. Consistency:

The property's land use designation is Low-Density Residential. The requested "E-29" base zoning district is not consistent with the adopted land use designation. A plan amendment has been requested. The proposed future land use designation for the subject property is Mixed-Use" and will allow for the proposed "E-29" zoning district.

1. Adverse Impacts on Neighboring Lands:

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

2. Suitability as Presently Zoned:

Both the existing and requested base zoning districts are appropriate for the surrounding area. The proposed zoning is consistent with the property to the east and will act as a buffer between Loop 534 to the east and the established mixed residential neighborhood to the west. In accordance with the City of Kerrville's Zoning Code the E-29 base zoning district "...is primarily to be developed with professional offices, personal services, retail limited to smaller buildings, and residential uses which will compliment and enhance the eastern entrance into the City..."

3. Health, Safety and Welfare:

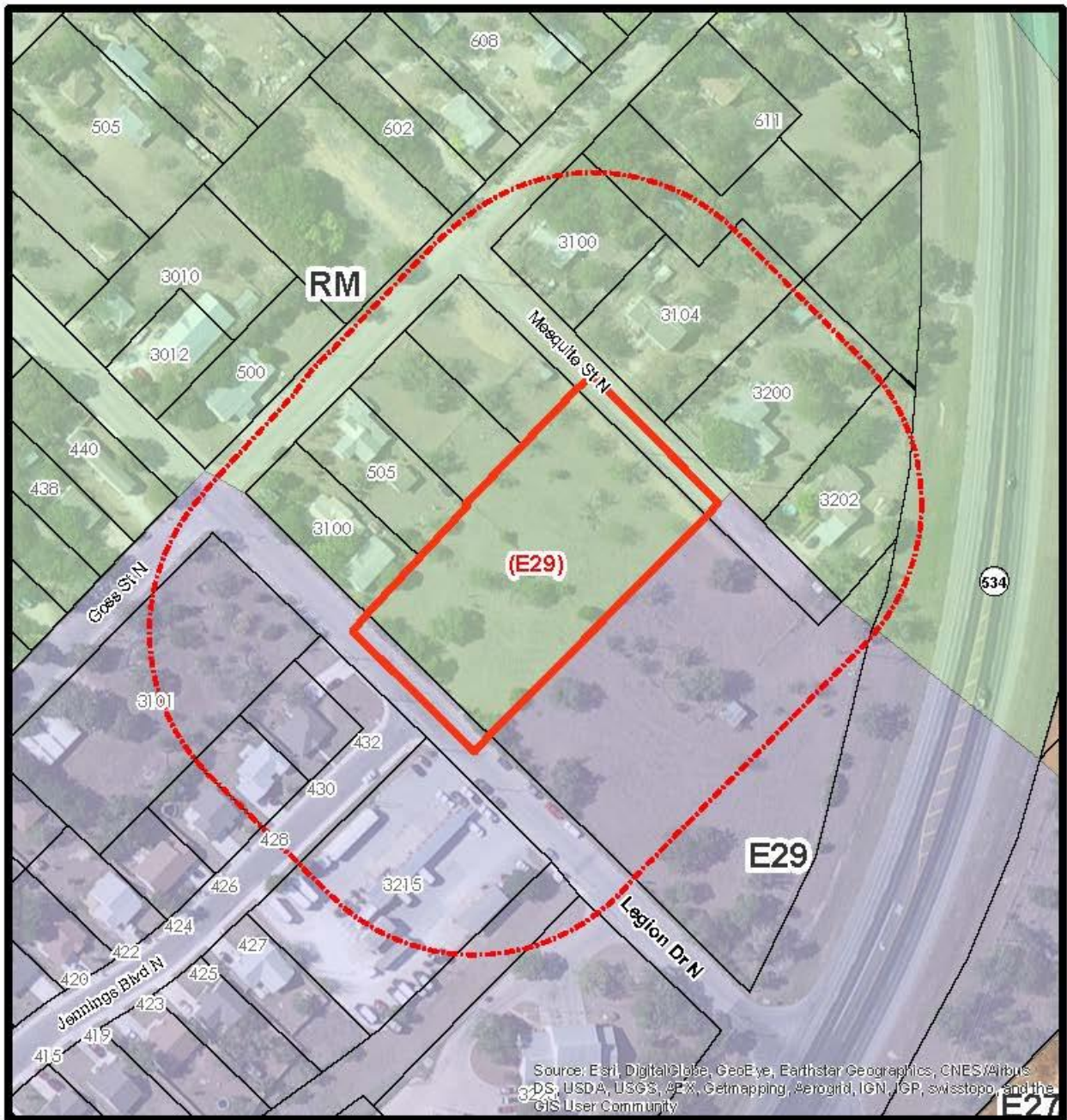
Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

4. Size of Tract:

The subject property is approximately 1.23 acres in size, which should be able to reasonably accommodate the proposed commercial uses.

5. Other Factors:

Due to a long running map error the subject property was platted with the assumption it was zoned for commercial uses.





Zoning Case Location Map

Case 2015-028

Location:
 Sample Properties Block 1
 Lot 2, 1.23 acres

Legend

| | |
|------------------------|-----------|
| 200' Notification Area | - - - - - |
| Subject Properties | ————— |
| Current Zoning | TEXT |
| Requested Zoning | (TEXT) |

0 50 100 200
Scale In Feet

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City of Kerrville Planning Department Report

To: Planning & Zoning Commission
Agenda Item: 2D
Planning File #: 2015-030
Hearing Date: July 2, 2015
Representative: City Staff
Location: City Wide
Legal Description: NA
Total Acreage: NA

Proposal

Zoning text amendment to amend Chapter I, "The City of Kerrville Zoning Code" Article 11-1-10(f) "RT" Residential Transition District to specify and change development regulations pertaining to churches and schools.

Procedural Requirements

The application was published in The Hill Country Community Journal, an official newspaper of general circulation on June 17, 2015. Additionally, notice of this meeting was posted at city hall and on the city's internet website on June 26, 2015, in accordance with Section 551.043(a) of the Texas Government Code.

Recommended Action

Staff recommends that the Commission hold the required public hearing to receive public comments and make a recommendation to the Council.

Staff Analysis and Recommendation: Approval

1. Intent and Purpose of the "RT" Zoning District:

In accordance with Chapter I Article 11-1-10(f) of the City of Kerrville Zoning Code "The "RT" Residential Transition District is specifically designed to be a transition zone between single family areas and commercial properties...". The purpose of the "RT" zoning district is to lessen the impact of potential commercial uses in an area that also accommodates to residential uses.

2. Current Ordinance:

The current "RT" zoning regulations for non- residential uses are as follows:

- (f) **"RT" - Residential Transition District:** In addition to other regulations set forth in the Zoning Code, property located in the "RT"- Residential Transition Zone shall be developed in accordance with the following regulations:
 - ⋮

- (3) **Development Regulations for Non-Residential Uses:** Non-residential uses located in a "RI" Residential Transition Zone shall be developed in accordance with the following regulations:
 - (i) **Building Area:** The gross floor area of the building may not exceed 3,000 square feet;
 - (ii) **Building Appearance:** The building shall be designed to appear as a residence, with:
 - a* a wood, rock, or brick exterior;
 - b* a roof constructed of materials and with a similar pitch to other residences in the adjoining neighborhood; and
 - c* a front door and window(s) on the side of the building facing the lot front.
 - (iii) **Off-Street Parking:** All off-street parking shall be located on the side or in the rear of the building;
 - (iv) **Front Yard Required:** The building must comply with the residential front yard setback requirements for the zoning district and have an unpaved front yard;
 - (v) **Sign Restrictions:** Only the following signs shall be permitted:
 - a* One free standing sign which:
 - 1* has a sign area of not greater than twenty-four square feet;
 - 2* does not exceed six (6) feet in height above the ground; and
 - 3* is not internally illuminated; and,
 - b* One wall sign or projecting sign which:
 - 1* has a sign area not greater than twenty-four square feet; and
 - 2* is not internally illuminated.

(4) Churches and Schools: Churches and schools are excepted from the development regulations set forth in subsections 11-I-10(f)(3)(i),(ii) above, and shall comply with the following:

(i) Building Appearance: The building shall be constructed with:

a a wood, rock, brick exterior, stucco, or cement fiber board;

b a roof consisting of materials and with a similar pitch to other residences in the adjoining neighborhood; and

c a front door and window(s) on the side of the building facing the lot front.”

3. Proposed Amendments to the Ordinance:

The proposed amendments to the “RT” zoning regulations for non- residential uses is underlined (added) as follows:

“(f) “RT” – Residential Transition District: In addition to other regulations set forth in the Zoning Code, property located within the “RT” – Residential Transition Zone shall be developed in accordance with the following regulations: (Change is highlighted)

⋮

(4) Churches and Schools: Churches and schools are excepted from the development regulations set forth in subsections 11-I-10(f)(3)(i),(ii),(iii) above, and shall comply with the following:

(i) Building Appearance: The building shall be constructed with:

a a wood, rock, brick exterior, stucco, or cement fiber board;

b a roof consisting of materials and with a similar pitch to other residences in the adjoining neighborhood; and

c a front door and window(s) on the side of the building facing the lot front.”

4. Purpose for the Amendment:

In order to review the existing ordinance that was recently passed approved by City Council (June 23, 2015) and determine if any additional amendments are necessary per City Council’s request.