

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

February 05, 2015

MEMBERS PRESENT:

David Watterson, Chairman
Robert Waller, Vice Chairman
Garrett Harmon, Commissioner
Bill Morgan, Commissioner
R. Bruce Motheral, Commissioner
Doyle Malone, Alternate

MEMBERS ABSENT:

Rustin Zuber, Alternate

CITY COUNCIL LIASON

Gary Stork (present)

STAFF PRESENT:

Christopher Stewart, Interim Senior Planner
Dorothy Miller, Recording Secretary

CALL TO ORDER:

On February 5, 2015, Cmr. Watterson called the Kerrville Planning and Zoning Commission regular meeting to order at 4:30 p.m. in the City Hall Council Chambers, 701 Main Street, Kerrville, Texas.

1. VISITORS/CITIZENS FORUM:

No one spoke.

2. CONSENT AGENDA:

2A. Approval of the minutes from the January 15, 2015 meeting.

Cmr. Waller moved to approve the minutes as presented. Motion was seconded by Cmr. Morgan and passed 5-0.

3. PUBLIC HEARINGS AND ACTION:

3A. **Public Hearing & Action, Residential Replat** Public hearing, consideration, and action concerning a proposed residential replat of lots 32-37 of the Comanche Trace Subdivision, Phase 8, containing 0.909 acres, located at 2085 Toscano Way. (Planning File No. 2015-001)

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

Cmr. Watterson opened the public hearing at 4:35 p.m. Hearing no one speak, Cmr. Watterson closed the public hearing at 4:36 p.m.

Cmr. Motheral moved to approve the residential replat as presented. Motion was seconded by Cmr. Morgan and passed 5-0.

3B. Public Hearing & Action, Residential Replat

Public Hearing & Action, Residential Replat Public hearing, consideration, and action concerning a proposed residential replat of lots 42, 43 and 44 of the Comanche Trace Subdivision, Phase 8, containing 0.455 acres, located at 2121 Toscano Way. (Planning File No. 2015-002)

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

Cmr. Watterson opened the public hearing at 4:37 p.m. Hearing no one speak, Cmr. Watterson closed the public hearing at 4:38 p.m.

Cmr. Harmon moved to approve the residential replat as presented. Motion was seconded by Cmr. Waller and passed 5-0.

4A. Consideration & Action, Preliminary Plat – Consideration and action concerning a preliminary plat of the Green Hills Center, located at 1002 Junction Highway. (Planning File No. 2014-055)

Mr. Stewart presented the findings of fact and asked Commissioners to render a decision. Mr. Stewart stated he has a preliminary plat and the purpose of the preliminary plat to allow us to make sure that the availability of utilities is coordinated for a site that's going to have, maybe some phasing associated with it with public improvements that are going to come into play at various phases of the development. Mr. Stewart stated that preliminary plat allows the city to have a level of comfort that all the lots are going to eventually have the service that they need and it gives the developer the comfort of knowing the city is okay with his concept and we agree on how this can be phased in. Mr. Stewart stated that's the basic idea behind a preliminary plat and wanted to make sure everyone knew what's involved. Mr. Stewart stated in this particular case they're looking at a fast food national chain restaurant going in on the corner right at Harper Road and Junction Highway. Mr. Stewart stated it's an existing pharmacy building and that pharmacy is going to move out to make way for the fast food restaurant. Mr. Stewart stated there is a public improvement, a sanitary sewer improvement, that's associated with this project and it's going to be extended basically from the current line at Ox Drive, just north of the highway, across the parking lot essentially over to the new restaurant building. Mr. Stewart stated that's the public improvement that's going into place. Mr. Stewart presented a slide showing the property is being configured into two lots right away. They are under the same ownership at the moment but having that sewer line shown makes it clear that's where the sewer's going to go and we understand that for redevelopment there's going to be a sewer line there and that's the basic idea of it. Mr. Stewart stated our recommendation is for approval of the plat, that he had originally put in the staff report based on inclusion of the second lot and they've provided that, now since that comment was made they provided both. Mr. Stewart stated the only remaining comment is that it reflect the revised total acreage, so we have the 4.961 and the 4.963 acres and he's going to ask them to do that

math for him when they bring in the final preliminary plat for us to keep in our files as approved.

Cmr. Motheral stated he had a question. He said since he has property across the street, he didn't know whether he needed to recuse himself, but he said the sewer line in Ox is borderline being big enough and it has stopped up a number of times as is and he doesn't know whether Engineering has looked at this or not. Mr. Stewart stated Engineering has looked at it and they are currently reviewing the sewer line extension that's running across the lots, that's under review right now for details, but it's his understanding they're satisfied with that main extension that will be of sufficient size. Mr. Stewart stated he doesn't know that they haven't expressed a need to upgrade it downstream of the property. Mr. Motheral asked if the current drug building is sewer'd down the same line or is it sewer'd to the front. Mr. Stewart stated he believes it's sewer'd possibly to Harper Road, but he doesn't know that for certain. Mr. Motheral told Mr. Stewart to ask Engineering to please take a look at it because he knows that line down there has stopped up a number of times. Councilman Stork stated the last thing we want in Kerrville is to have a national chain come in and have infrastructure problems so that would be a good idea to have Engineering look at that.

Cmr. Morgan asked if there's any way they could request that they not take down that old growth oak tree in front. He stated it's a beautiful oak tree and that it needs trimming but it would be a disaster to take it down. Mr. Stewart stated he hasn't seen their development site plan come in yet so he doesn't know if the tree is going to be impacted, but we can ask them. Mr. Morgan stated it's right at the front of the lot, right on the road. Mr. Stewart stated they may be able to incorporate it in their plan. Mr. Stewart stated if it is intended to be impacted we can ask them to change their plan, but since we don't have an ordinance in place for tree preservation that prohibits people from cutting down trees then we don't really have any enforcement ability to require them to do that. Mr. Stewart stated we can work with them if we see that it's going to be an impact. Cmr. Morgan stated he thinks it would be worthy of mention because it is a beautiful tree and it has to be well over 100 years old. A member of the audience stated he has no intention of taking it down. Cmr. Motheral stated he had heard the same thing and stated Cmr. Morgan is right, it needs to be asked of them.

Cmr. Morgan moved to approve the preliminary plat as written and presented, including negotiating with the tree and checking on the sewer. Mr. Stewart stated he would take this as direction to staff. Motion was seconded by Cmr. Harmon. Cmr. Watterson restated the motion, stating they have a motion to accept the approval of the plat contingent upon conclusion of a second lot and update the description reflecting total acreage; we also have included we've liked to have Engineering look at the sewer to make sure it's adequate and working properly and we would also like to include asking the new tenant if they'd be willing to save the tree if that was not in their original plans. Motion passed 5-0.

4B. **Consideration & Action, Replat** – Consideration and action concerning a replat of a part of Lot 569 and Lot 569-1/2, Block 55 of the Charles Schreiner's Second

Addition and Lot 573R of same, containing 1.38 acres more or less. (Planning File No. 2014-056)

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

Cmr. Morgan moved to approve the replat as presented. Motion was seconded by Cmr. Harmon and passed 5-0.

4C. **Consideration & Action, Preliminary Plat** – Consideration and action concerning a preliminary plat of the Village on the Guadalupe Subdivision, located at 1107 Junction Highway. (Planning File No. 2015-003)

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

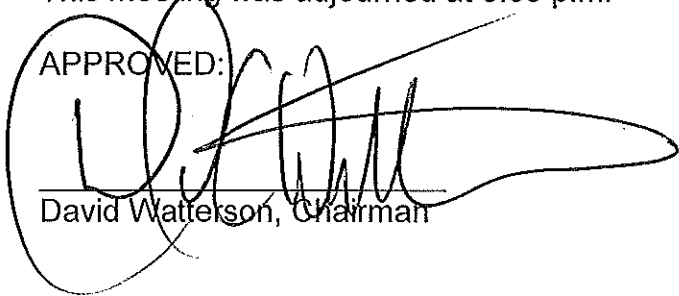
Cmr. Waller moved to approve the preliminary plat as presented. Motion was seconded by Cmr. Morgan and passed 5-0.

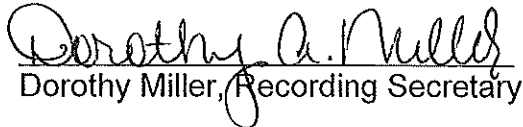
5. **STAFF REPORTS:**

Mr. Stewart reported there will be parking regulation changes in the CBD and two replats presented at the next Planning and Zoning Commission meeting that is scheduled for February 19, 2015.

5. **ADJOURNMENT:**

This meeting was adjourned at 5:03 p.m.

APPROVED: 
David Watterson, Chairman


Dorothy Miller, Recording Secretary

3/12/15
Date Minutes Approved