

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

**September 7, 2017**

**MEMBERS PRESENT:**

Bob Waller, Chairman  
Don Barnett, Commissioner  
Michael Sigerman, Commissioner  
Rustin Zuber, Commissioner  
David Jones, Alternate  
Marty Lenard, Alternate

**MEMBERS ABSENT:**

Garrett Harmon, Vice-Chair

**STAFF PRESENT:**

Sabine Kuenzel, Interim Executive Director of Development Services  
Mike Hayes, City Attorney  
Danny Batts, Director of Development Services/Chief Building Official  
Kyle Burow, Director of Engineering  
Dorothy Miller, Recording Secretary

**CALL TO ORDER:**

On September 7, 2017, Cmr. Waller 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:**

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 August 17, 2017 meeting.

Cmr. Barnett moved to approve the minutes as amended. Motion was seconded by Cmr. Jones and passed 5-0.

### **3. PUBLIC HEARING AND ACTION**

**3A. Public Hearing & Action, Annexation and Zoning** – Public hearing, consideration and action for the City of Kerrville to annex into its incorporated limits and recommendation for a zoning classification of District 26-E, for an approximately 7.95 acre tract of land adjacent to the incorporated limits which is out of the F. Rodriguez Survey No. 72, Abstract No. 280, Kerr County Texas, located at 5263 Hwy 27. (File No. 2017-051)

Ms. Kuenzel presented the case and asked Commissioners to render a decision.

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

Comr. Barnett moved to approve recommendation to city council for the annexation and zoning. Motion was seconded by Comr. Sigerman and passed 5-0.

**3B. Public Hearing & Action, Variance** – Public hearing, consideration and action concerning a request for three (3) variances to allow signs to exceed their maximum square footage: 1). A request to allow two (2) lighted signs to exceed the maximum square footage of three (3) square feet by sixteen (16) square feet and nine (9) square feet respectively and 2). A request to allow a projected sign to exceed the maximum square footage of thirty-two (32) square feet by eight (8) square feet, in accordance with Article II – Signs, of the Code of Ordinance, City of Kerrville, Texas, located at 701 Water Street. (File No. 2017-47)

Ms. Kuenzel presented the case and asked Commissioners to render a decision.

Comr. Waller opened the public hearing at 4:45 p.m.

Ms. Debi Nicken, property owner of 721 Water Street, spoke on behalf of PoPo Restaurant, in favor of the signs and discussed their potential benefits. Ms. Nicken also discussed the benefits of having this type of business in downtown Kerrville and encouraged approval of this variance.

Mr. Sam Bournias, owner of PoPo Restaurant, explained the reasoning for this variance request. Mr. Bournias discussed the history of this building and surrounding buildings and discussed the specifications of the three signs he is wanting to display.

Ms. Nicken mentioned the city's water fountain at the corner of Main Street and Sidney Baker Street. She mentioned the fountain would not be as nice without the lighting it has at night.

Mr. Bournias suggested the variance be demarked as a historical variance.

Hearing no one speak, Comr. Waller closed the public hearing at 5:02 p.m.

Comr. Sigerman moved to approve the variance. Motion was seconded by Comr. Zuber and passed 5-0.

**3C. Public Hearing & Action, Text Amendment** – Public hearing, consideration and action concerning a text amendment adding home occupation regulations, to Chapter 1, Article 11-1-19, “Home Occupation Regulations”. (File No. 2017-027)

Ms. Kuenzel presented the case and asked Commissioners to render a decision.

Cmr. Waller opened the public hearing at 5:29 p.m.

Mr. George Barody, owner of a home occupation, spoke and voiced his opinions and concerns regarding the text amendments being proposed. Mr. Barody stated the regulations should be more concerned about exterior violations, not interior violations that are of no concern to surrounding neighbors.

Commissioners explained that the purpose of the text amendment is to give city staff the ability to enforce regulations regarding home occupations.

Mr Hayes, City Attorney, stated he would review the proposed text amendments and bring this matter back to the Commissioners for consideration.

Hearing no one else speak, Cmr. Waller closed the public hearing at 5:34 p.m.

Cmr. Sigerman moved to table the text amendment. Motion was seconded by Cmr. Barnett and passed 5-0.

#### **4. CONSIDERATION AND ACTION**

**4A. Consideration & Action, Final Plat** – Consideration and action concerning a proposed final plat for Comanche Trace, Phase 13, a subdivision containing 13.4 acres of land, more or less, out of the William Watt Survey No. 65, Abstract No. 364 in the City of Kerrville, Kerr County, Texas, being part of 1131.78 acres conveyed from Crystal Land Company, LLC, to Comanche Trace Ranch and Golf Club, LLLP, by a special warranty deed executed the 17<sup>th</sup> day of September, 1998 and recorded in Volume 9071, Page 698 of the real property records of Kerr, County, Texas. (File No. 2017-061)

Ms. Kuenzel presented the case and asked Commissioners to render a decision.

Cmr. Barnett moved to approve the final plat as presented. Motion was seconded by Cmr. Jones and passed 5-0.

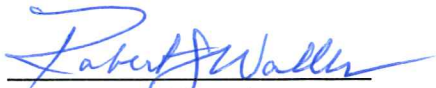
#### **5. STAFF REPORTS**

Ms. Kuenzel stated there are no staff reports at this time.

#### **6. ADJOURNMENT**

This meeting was adjourned at 5:56 p.m.

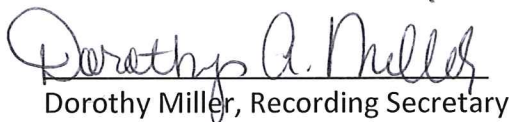
APPROVED:



Robert J. Waller, Chairman

9/21/17

Date Minutes Approved



Dorothy Miller, Recording Secretary