



CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA
REGULAR MEETING, Thursday, September 3, 2020 at 4:30 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

Planning & Zoning Commission Procedures during the Disaster Declaration

COVID-19 (Coronavirus) provides a unique concern in that gathering members of the public, Planning & Zoning Commission, and City staff within a physical setting constitutes a public health risk. On March 16, 2020, the Texas Governor suspended certain requirements of the Open Meetings Act to permit open meetings to occur in a fully virtual setting (e.g., telephonic or videoconference meeting).

In an effort to avoid and mitigate health risks, and limited occupancy levels in Council Chambers, the Planning & Zoning Commission will convene in a virtual forum and attendance will be limited to only those persons essential to holding the meeting. No member of the public will be admitted into City Hall during this time.

Citizens can provide public comment through Zoom. Zoom telephone numbers are toll free: 1-877-853-5247 or 1-888-788-0099. Alternate telephone numbers: 1-346-248-7799 or 1-253-215-8782. The Meeting ID is **919 2676 2168#**. (You must enter the pound sign (#) after the Meeting ID.) *See Citizen Participation Guidelines below.

For Public Hearing items a caller seeking to speak on these items may call at any time prior to the item being introduced at the meeting. All callers are encouraged to call between 3:45 p.m. and 4:15 p.m. to be registered by the moderator. A caller must use the “raise your hand” feature on Zoom in order to be called upon for the Public Hearing. On a computer, tablet, or mobile phone click on “Participants” and click on “Raise Hand” button. By landline telephone press *9.

A person may also submit written comments on specific agenda items, to include public hearings, and comments will be read into the meeting record. Comments must include a name, address, and a reference to the relevant item. Comments that do not include such information will not be read. The City must receive all comments by 4:15 p.m., August 20, 2020. Comments may be:

- a. dropped off at the City Hall Utility Payments Drop-Box; or
- b. emailed to planning.division@kerrvilletx.gov.

Citizens may view and hear this Planning and Zoning Commission meeting on Spectrum Channel 2 or by live-streaming via the City’s website (www.kerrvilletx.gov).

CALL TO ORDER

1. MINUTES

1A. Approval of the minutes from August 20, 2020

2. CONSIDERATION & FINAL ACTION

2A. A final plat for the re-platting of Bluebell Hills 1, Block 1, Lots 1 through 3 and Lots 5 through 12, and generally located north of Jackson Rd, west of Bluebell Rd and south of Cypress St, and of Bluebell Hills 2, Block 1, Lots 1 through 6 and Westland, Block 64, Lot 1 and 2, and generally located north of Jackson Rd, east of Bluebell Rd and west of Galbraith Ave, subdivisions located in Kerr County, Texas. (Case No. 2020-046)

3. PUBLIC HEARING, CONSIDERATION & ACTION

3A. An ordinance to change the zoning from R-1 Single Family Residential District to C-1 Neighborhood Commercial District on approximately 1.93 acres out of original Survey No. 146, Wm C. Francis, Abstract No. 137; including 1.7 acres part of Lot No. 16, Block 2, of Highpointe at Riverhill Section One-B and 0.23 acres of unplatted land, and generally located at 1478 Bandera Highway. (Case No. 2020-031)

3B. An ordinance to change the zoning from R-1 Single Family Residential District to R-2 Medium Density Residential District on Lot 1, Arcadia Falls Estates, and generally located at 2255 Arcadia Falls Lane. (Case No. 2020-043)

4. 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.

5. ADJOURNMENT

I hereby certify that this agenda was posted as notice of the meeting on the bulletin board at the City Hall of the City of Kerrville, Texas, and on the City's website on the following date and time: 8/28/2020 at 2:45 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Kesha Franchina

Kesha Franchina, Deputy City Secretary, City of Kerrville, Texas

Modified 9/1/2020 11:05 a.m.

Kesha Franchina

Deputy City Secretary



ALTERNATIVE CITIZEN/PUBLIC PARTICIPATION GUIDELINES (Due to COVID-19 Pandemic Disaster Declaration)



Despite the necessity to restrict public access to Kerrville Planning and Zoning Commission meetings in the interest of public health during the COVID-19 pandemic, citizens and visitors are welcome to participate in Kerrville Planning and Zoning Commission meetings in several alternative ways as outlined below.

Instructions for callers:

Dial one of the following numbers:

877 853 5247 (Toll Free) or

888 788 0099 (Toll Free) or

1-346-248-7799 or

1-253-215-8782

If you cannot get through on one of the numbers due to network congestion, call the other number.

When your call is answered you will hear “**Welcome to Zoom, enter your Meeting ID followed by pound.**” Enter in the Meeting ID below followed by the pound sign (#).

The Meeting ID is **919 2676 2168#**

If the moderator has not started the meeting yet, you will hear “The meeting has not started yet, please hold or call back later.”

Once you have called into the meeting, your microphone will be placed on mute and your call will be placed in the call queue. At this point, you will hear silence on the phone. Do not hang up. The moderator will unmute your microphone as he/she is going down the list. Once the meeting has started, you will be able to listen to proceedings even if your microphone is muted.

The moderator will be accepting calls starting at 3:45 p.m. For items 1A and 2A place your call before 3:45 p.m. in order to participate. Callers seeking to speak on these items and who call after this time will not be allowed to speak. However, for Public Hearing items 3A and 3B, a caller seeking to speak on these items may call at any time prior to the item being introduced at the meeting. All callers are encouraged to call between 3:45 p.m. and 4:15 p.m. to be registered by the moderator. A caller must use the “raise your hand” feature on Zoom in order to be called upon for the Public Hearing. If a caller is using the Zoom app on a computer, tablet, or mobile phone click on “Participants” and click on “Raise Hand” button. By landline telephone press *9 when requesting to speak.

Instructions for written comments:

Written comments will be accepted for any agenda items, including Public Hearings. Written comments will be read into record and can be provided in two different ways:

OPTION 1 by hard copy – Comments may be dropped off at the City Hall Utility Payments Drop-Box on the north side of City Hall by 4:15 p.m. the day of the meeting. You are required to provide your first and last name, address, and identify the item you commenting on.

OPTION 2 by email - Comments can be emailed to planning.division@kerrvilletx.gov and must be received by 4:15 p.m. the day of the meeting. You are required to provide your first and last name, address, and identify the item you are commenting on.

For either option, please provide **all required information** in order for your comments to be accepted. Thank you for your participation!

Agenda Bill

Meeting Minutes

To: Planning & Zoning Commission
Date: 9/3/2020
Agenda Item: 1A, Minutes of August 20, 2020 Commission Meeting
Action: Approve or Approve with Specific Changes
Representative: Staff

CITY OF KERRVILLE, TEXAS PLANNING AND ZONING COMMISSION

August 20, 2020

Members Present:

Garrett Harmon, Chair
Rustin Zuber, Vice-Chair
Tricia Byrom, Commissioner
David Jones, Commissioner
David Lipscomb, Commissioner
Cliff Tuttle, Commissioner
Hunter Patterson, Commissioner

City Staff Present:

Drew Paxton, Director of Planning
Steve Melander, Planner I
Mike Hayes, City Attorney
Dorothy Miller, Recording Secretary

CALL TO ORDER:

On August 20, 2020, Cmr. Harmon called the Kerrville Planning and Zoning Commission regular meeting to order at 4:31 p.m. in the City Hall Council Chambers, 701 Main Street, Kerrville, Texas.

1. 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.

1A. Approval of minutes for the August 6, 2020 meeting.

Cmr. Byrom moved to approve the minutes as amended; motion was seconded by Cmr. Jones and passed 7-0.

2. PUBLIC HEARING, CONSIDERATION & ACTION

2A. An ordinance amending City of Kerrville, Texas Zoning Code, Chapter 60 of the City's Code of Ordinances to include updates and amendments to: definitions, development regulations in certain districts, administrative processes, the Land Use Table, and adopt the City of Kerrville Development Standards. (Case No. 2020-037)

Mr. Paxton presented proposed corrections and changes and discussed with Commissioners and city attorney.

There were no callers for a public hearing.

Cmr. Byrom moved to approve as amended an ordinance amending City of Kerrville, Texas Zoning Code, Chapter 60 of the City's Code of Ordinances to include updates and amendments to: definitions, development regulations in certain districts, administrative processes, the Land Use Table, and adopt the City of Kerrville Development Standards. Motion was seconded by Cmr. Jones and passed 7-0.

2B. An ordinance amending City of Kerrville, Texas Sign Code, Chapter 92 Signs, to add regulations for signs within the RT Residential Transitional Zoning District. (Case No. 2020-038)

Mr. Paxton presented the finding of facts.

There were no callers for a public hearing.

Cmr. Byrom moved to approve as amended an ordinance amending City of Kerrville, Texas Sign Code, Chapter 92 Signs, to add regulations for signs within the RT Residential Transitional Zoning District.. Motion was seconded by Cmr. Zuber and passed 7-0.

2C. An ordinance amending City of Kerrville, Texas Thoroughfare Plan, a part of the Kerrville 2050 Comprehensive Plan, to include an amendment near Olympic Drive and Loop 534 and an amendment near Rancho Road and Bearskin Trail. (Case No. 2020-039)

Mr. Paxton presented the finding of facts.

There were no callers for a public hearing.

Cmr. Zuber moved to approve as presented an ordinance amending City of Kerrville, Texas Thoroughfare Plan, a part of the Kerrville 2050 Comprehensive Plan, to include an amendment near Olympic Drive and Loop 534 and an amendment near Rancho Road and Bearskin Trail. Motion was seconded by Cmr. Byrom and passed 7-0.

Cmr. Jones asked to be dismissed and left the meeting at 6:07 p.m.

3. DISCUSSION

3A. Discuss Conditional Use Permits for Short Term Rentals

Mr. Paxton and Commissioners discussed Conditional Use Permits for Short Term Rentals. A general comment was made that applicants should list the tourist amenities near the proposed short term rental and that short term rentals don't really belong in residential neighborhoods that aren't near amenities. Since this is a discussion item only, no action was taken.

4. EXECUTIVE SESSION

No executive session was taken.

5. ADJOURNMENT

The meeting was adjourned at 6:24 p.m.

APPROVED: _____
Garrett Harmon, Chair

Dorothy Miller, Recording Secretary

Date Minutes Approved

Agenda Bill

Case No. 2020-046

To: Planning & Zoning Commission
Date: 9/3/2020
Agenda Item: 2A, Replat of Trinity Baptist Church Property
Action: Recommend Approval of a Final Plat
Representative: John Hewitt, Hewitt Engineering

Proposal

Consideration and final action regarding a final plat for the re-platting of Bluebell Hills 1, Block 1, Lots 1 through 3 and Lots 5 through 12, and generally located north of Jackson Rd, west of Bluebell Rd and south of Cypress St, and of Bluebell Hills 2, Block 1, Lots 1 through 6 and Westland, Block 64, Lot 1 and 2, and generally located north of Jackson Rd, east of Bluebell Rd and west of Galbraith Ave, subdivisions in Kerr County, Texas.

Staff Analysis and Recommendation

The applicant is requesting approval of a Final Plat to combine recently acquired adjacent parcels and to dedicate Right-of-Way to the City of Kerrville in Jackson Road.

Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property is located within a Neighborhood Residential zoning district as identified in the Kerrville 2050 Comprehensive Plan. The primary land use in this zoning district is single-family detached homes, however, it does allow secondary uses of civic and institutional, parks, open space and small amounts of neighborhood-serving retail and office in carefully chosen locations.

Thoroughfare Plan:

The southern boundary of the subject property is located along Jackson Road, a collector street.

Traffic Impact:

No traffic impact anticipated.

Parking:

All parking will be required to meet current zoning code and all off-street parking requirements.

Recommendation:

The Final Plat is consistent with Zoning Code and the Subdivision Ordinance. Staff recommends approval of the proposed Final Plat.

Attachments:

Proposed Final Plat

Proposed Final Plat Sheet 2 of 2

APPROVED:

CITY OF KENNESAW:

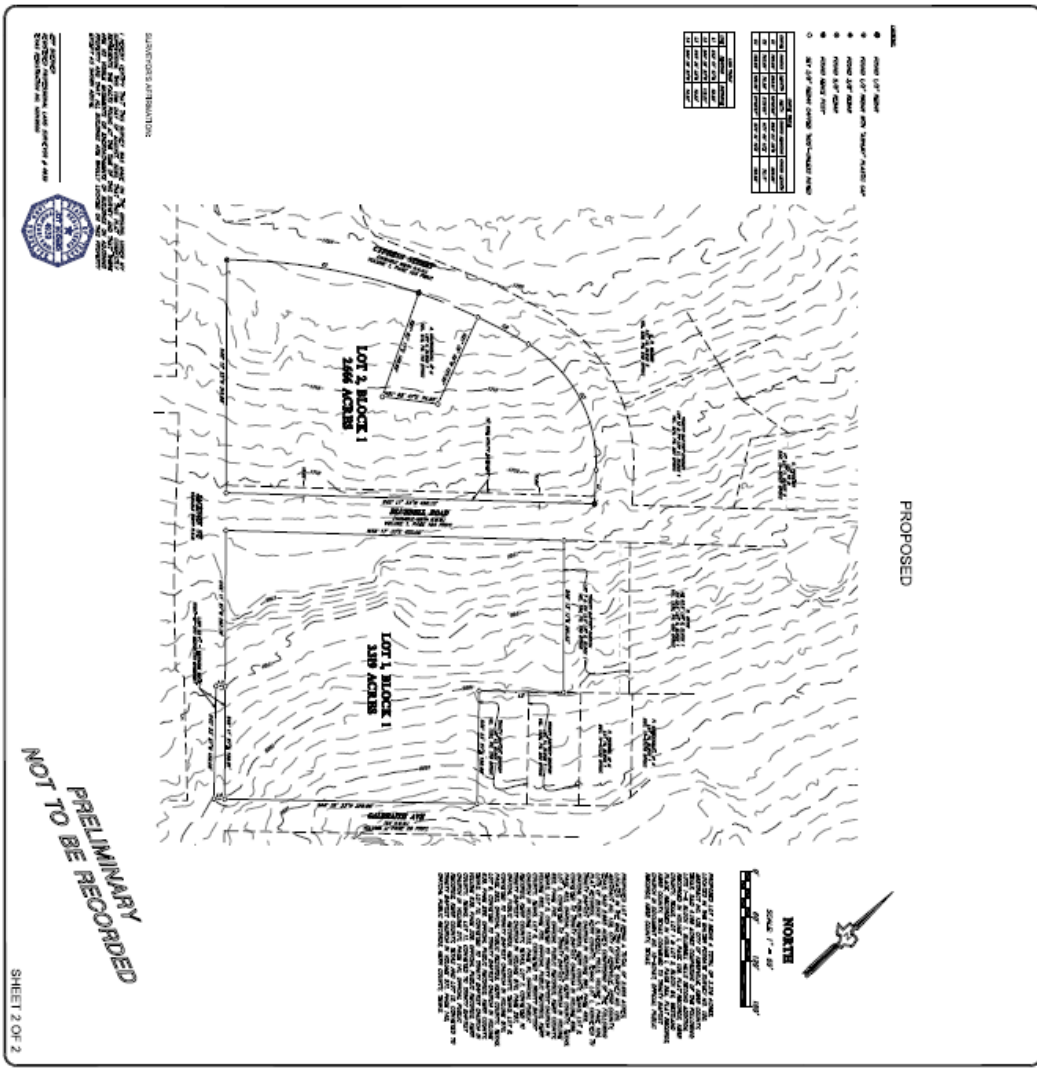
CITY OF KENNESAW:

NOTICE:

DEEDS:

PLANNING & ZONING APPROVALS:

COMMENTS:



PRELIMINARY PLAT OF
TENNY BAPTIST CHURCH
0.806 ACRES
CITY OF KENNESAW
HERN COUNTY, TEXAS
APPROX. 2020

LAND SURVEYING
COMPANY, INC.

NOTICE:
 THIS PLAT IS A PRELIMINARY PLAT AND IS NOT TO BE RECORDED. IT IS SUBJECT TO THE APPROVAL OF THE CITY OF KENNESAW AND THE KENNESAW PLANNING AND ZONING COMMISSION. THE CITY OF KENNESAW AND THE KENNESAW PLANNING AND ZONING COMMISSION HAVE REVIEWED THIS PLAT AND HAVE DETERMINED THAT IT COMPLIES WITH THE CITY OF KENNESAW PLANNING AND ZONING ORDINANCES. THE CITY OF KENNESAW AND THE KENNESAW PLANNING AND ZONING COMMISSION HAVE APPROVED THIS PLAT FOR RECORDATION.

VICINITY MAP
 NOT TO SCALE

COMMENTS:

NOT TO BE RECORDED

PRELIMINARY

NOT TO BE RECORDED

SHEET 2 OF 2

Agenda Bill

Case No. 2020-031

To: Planning & Zoning Commission
Date: 9/3/2020
Agenda Item: 3A, Zoning Change Request (R-1 to C-1)
Suggested Action: Recommend Approval
Representative: Gary Hatch, Owner

Proposal

Public hearing, consideration, and action to recommend an ordinance to change the zoning from R-1 Single Family Residential District to C-1 Neighborhood Commercial District on approximately 1.93 acres out of original Survey No. 146, Wm C. Francis, Abstract No. 137; including 1.7 acres part of Lot No. 16, Block 2, of Highpointe at Riverhill Section One-B and 0.23 acres of unplatted land, and generally located at 1478 Bandera Highway.

The applicant is proposing a future commercial development accessible only from Bandera Hwy. If a zoning change is approved, this parcel of land would require replatting prior to issuance of any building permits. This parcel already has a Bandera Hwy address and is not accessible from the Riverhill residential development due to an extremely steep hillside that separates the residential development from this parcel. It is reasonable for this parcel to be rezoned since it is unlikely that anyone would build a single family home directly adjacent to Bandera Hwy in this location, and due to direct highway access, the parcel is prime for commercial development.

Procedural Requirements

11 letters were mailed on 8/20/2020 to adjacent property owners. The public notice was published in the Kerrville Daily Times on 8/13/2020. At the time of drafting this Agenda Bill, only one public comment had been received (please see attached).

Staff Analysis and Recommendation

Adjacent Zoning and Land Uses:

Subject Property
Current Zoning: R-1 Single Family Residential
Existing Land Uses: Vacant Land

Direction: **North**
Current Zoning: C-3 General Commercial
Existing Land Uses: Movie Theater

Direction: East

Current Zoning: R-3 Multifamily Residential

Existing Land Uses: Assisted Living and Retirement Communities

Direction: South and West

Current Zoning: R-1 Single Family Residential

Existing Land Uses: Single Family Homes

Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property and land directly adjacent to the south and west are designated Neighborhood Residential (NR) in the Kerrville 2050 Comprehensive Plan. Neighborhood Residential designates single family detached homes as the primary land use, however, also allows for carefully chosen locations for retail and commercial uses. This zoning change request would be consistent with the Comprehensive Plan.

Thoroughfare Plan:

The subject property is located on Bandera Hwy, a primary arterial.

Traffic Impact:

Bandera Hwy is already designed along this stretch of roadway to allow for ingress and egress of vehicles from adjacent properties. No traffic impact is anticipated.

Parking:

All parking requirements of the zoning code shall be met, therefore, adequate parking will be provided at the time of site design and construction.

Recommendation:

Because this property has highway frontage and cannot be accessed from the Riverhill single family home development, it is reasonable for this parcel to be rezoned. It is unlikely that anyone would build a single family home directly adjacent to Bandera Hwy along this stretch of roadway, and due to direct highway access, the parcel is prime for commercial development. Based on these circumstances and the consistency with the Kerrville 2050 Plan, staff recommends the rezoning request from R-1 to C-1.

Attachments:

Current Zoning & Location Map

Public Comments

Public Comments

From: [Robert Pummill](#)
To: [Planning Division](#)
Subject: CASE 2020-031
Date: Monday, August 24, 2020 9:01:42 AM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Reference CASE 2020-031

We, Robert Pummill and Shirley Pummill, are the owners of properties 420 and 425 Highridge Drive, Kerrville, Tx., adjacent to property under consideration for re-zoning.

We purchased our property with the understanding the adjacent properties would remain R-1.

We feel a change as requested would reduce the value of our property and make extremely difficult to sell if we would ever want to, therefore we are IN OPPOSITION TO THE PROPOSAL.

Respectfully;

Robert and Shirley Pummill

420 Highridge Drive

Kerrville, Tx.

Agenda Bill

Case No. 2020-043

To: Planning & Zoning Commission
Date: 9/3/2020
Agenda Item: 3B, Zoning Change Request (R-1 to R-2)
Suggested Action: Recommend Approval
Representative: Craig Wallendorf, CAW Consultants

Proposal

Public hearing, consideration, and action to recommend an ordinance to change the zoning from R-1 Single Family Residential District to R-2 Medium Density Residential District on Lot 1, Arcadia Falls Estates, and generally located at 2255 Arcadia Falls Lane.

The applicant is proposing to increase the size of an existing single family residential home located within an R-2 Medium Density Residential District. The increase in home size requires the home addition to cross an adjacent property line which is not allowed by code. Although the applicant owns the adjacent property, a building permit cannot be issued until the lots are combined and the lot line issue resolved. The challenge with this request is that the adjacent property is currently dual zoned as R-1 Single Family Residential and R-2 Medium Density Residential, not allowing replatting to combine lots. In order to be in compliance with Zoning Code and Subdivision Code and allow the parcels to be replatted, all parcels must be zoned the same. Two steps have to occur in order for the home addition to be permitted; rezoning followed by replatting. First, the R-1/R-2 dual zoned property needs to be rezoned to only R-2 so that all properties have the same zoning. Because a majority of adjacent residential properties are zoned R-2, R-2 was chosen as the most appropriate zoning change request. This rezoning then allows the applicant to proceed to step two, replatting. Now having the same zoning designation, the properties can be replatted and combined, eliminating the lot line issue and allowing the applicant to complete the building permit process.

Procedural Requirements

11 letters were mailed on 8/20/2020 to adjacent property owners. The public notice was published in the Kerrville Daily Times on 8/13/2020. At the time of drafting this Agenda Bill, no public comments had been received.

Staff Analysis and Recommendation

Adjacent Zoning and Land Uses:

Subject Property
Current Zoning: R-1 Single Family Residential
Existing Land Uses: Vacant Land

Direction: **North**

Current Zoning: IM Industrial and Manufacturing
Existing Land Uses: Vacant Land

Direction: **South**

Current Zoning: N/A
Existing Land Uses: Guadalupe River

Direction: **West**

Current Zoning: IM Industrial and Manufacturing / R-1 Single Family Residential
Existing Land Uses: Vacant land

Direction: **East**

Current Zoning: R-2 Medium Density Residential
Existing Land Uses: Single Family Detached Homes

Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property and land directly adjacent to the west and east are designated Neighborhood Residential (NR) in the Kerrville 2050 Comprehensive Plan. Neighborhood Residential designates single family detached homes as the primary land use. The request for R-2 zoning is consistent with the Kerrville 2050 Plan.

Thoroughfare Plan:

The subject property is located on Arcadia Falls Lane, a private road.

Traffic Impact:

Arcadia Falls Lane is a private road. No traffic impact is anticipated.

Parking:

All parking requirements of the zoning code shall be met, therefore, adequate parking will be provided at the time of site design and construction.

Recommendation:

Because the applicant is not changing the housing density when compared to surrounding properties and is only requesting this zoning change to allow an addition to an existing home, it seems reasonable to grant this zoning change request. Based on these circumstances and the consistency with the Kerrville 2050 Plan, staff recommends the rezoning request from R-1 to R-2.

Attachments:

Current Zoning & Location Map

Current Zoning & Location Map

2255 Arcadia Falls Lane

Rezoning Request from R-1 to R-2

