

CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA
SPECIAL MEETING, THURSDAY, JUNE 26, 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 June 19, 2014 meeting.

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3. PUBLIC HEARINGS AND ACTION:

3A. 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 the future land use category of "Public and Institutional", for an approximate 4.241 acres consisting of Tracts I and II, Texas National Guard Armory Board in the Samuel Wallace Survey No. 113, Abstract No. 761, located at 411 Meadowview Lane. (Planning File No. 2014-023)

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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

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

AGENDA ITEM: 2A **FOR AGENDA OF:** June 26, 2014

DESCRIPTION: Approval of the minutes from the June 19, 2014 meeting.

APPLICANT(S): Planning and Zoning Commission Secretary

ATTACHMENT(S): Minutes from June 19, 2014 meeting.

The recording Secretary recommends approval of the minutes from the June 19, 2014 meeting.

MEMBERS PRESENT:

David Watterson, Chair
Bill Morgan, Commissioner
Bruce Motheral, Commissioner
Doyle Malone, Alternate
Bob Waller, Vice-Chair
Rustin Zuber, Alternate

MEMBERS ABSENT:

Garrett Harmon, Commissioner

COUNCIL LIASON

Gary Stork (present)

STAFF PRESENT:

Jason Lutz, Senior Planner
Dorothy Miller, Recording Secretary

CALL TO ORDER:

On June 19, 2014, the Kerrville Planning and Zoning Commission regular meeting was called to order at 4:30 p.m. in the City Hall Council Chambers, 701 Main Street.

1. VISITORS/CITIZENS FORUM:

No one spoke.

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 June 5, 2014 meeting.

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

3. PUBLIC HEARING AND ACTION:

3A. Residential Replat – Public hearing, consideration, and action concerning a proposed residential replat to combine lots 6 & 7 of the Comanche Trace Subdivision, Phase 3, Section 1, located at 3923 Kite Drive. (File No. 2014-024)

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

Cmr. Watterson opened the public hearing at 4:34 p.m. Hearing no one speak, Cmr. Watterson closed the public hearing at 4:35 p.m.

Cmr. Morgan moved to approve the replat as presented with conditions as recommended by staff; motion was seconded by Cmr. Motheral and passed 5-0.

4. STAFF REPORTS:

4A. Report concerning future agenda items.

Mr. Lutz reported the following items will be presented at a special meeting on Thursday, June 26, 2014:

- Comprehensive Plan Amendment – 411 Meadowview

Mr. Lutz reported the following items will be presented at a meeting on Thursday, July 3, 2014:

- Conditional Use Permit – 611 Harper Rd.

5. ADJOURNMENT

This meeting was adjourned at 4:37 p.m.

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

AGENDA ITEM: 3A

FOR AGENDA OF:

June 26, 2014

DESCRIPTION: 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 “Public and Institutional”, for an approximate 4.241 acres consisting of Tracts I and II, Texas National Guard Armory Board in the Samuel Wallace Survey No. 113, Abstract No. 761, located at 411 Meadowview Lane.

APPLICANT(S): City of Kerrville

ATTACHMENT(S): Location Map, Ordinance, and Exhibits

SUMMARY STATEMENT

This item is being submitted to the Commission for consideration in order to bring the City of Kerrville’s adopted Comprehensive Plan and Zoning Code into alignment. While Comprehensive Plans are not regulatory in nature and do not constitute zoning regulations or establish zoning district boundaries State Law requires that Zoning Codes and Comprehensive Plans align themselves in order to provide guidance in determining actions based on requested zoning code changes or modifications.

The Kerrville Planning & Zoning Commission approved a Planned Development District for the property located at 411 Meadowview Lane on May 29, 2014 to allow the land use of “Public Assembly”. The Kerrville City Council also approved the proposed PDD on June 10, 2014 after a public hearing. The second ordinance reading will be held on June 24, 2014.

The Future Land Use Plan (FLUP), a component of the City’s adopted Comprehensive Plan, identifies this property to be developed with “Low-Density Residential” and defines this as “An area intended to provide and identify areas of conventional detached single family residential dwellings at a density of 1 to 5 units per acre”.

The proposed (FLUP) category for this property shall be “Public & Institutional” and is defined as “Public, quasi-public and non-profit uses such as schools, recreational facilities, infrastructure, churches, hospitals, and personal care facilities, governmental, etc.”.

The facility currently located at this location (Hill Country Veterans Center) falls within this definition. Based on the current land use and the proposed PDD for the property staff recommends approval of the Comprehensive Plan Amendment as outlined in the attached ordinance.

At the time this packet was distributed 21 land owners within 200’ were notified by mail and no official protests were received.

RECOMMENDED ACTION

1. Open the public hearing and receive comments.
2. Approve the amendment as outlined in the attached ordinance.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2014-14**

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF KERRVILLE, TEXAS, PURSUANT TO CHAPTER 213 OF THE TEXAS LOCAL GOVERNMENT CODE, BY REVISING THE FUTURE LAND USE PLAN FOR A TRACT ADJACENT TO MEADOWVIEW LANE AND BETWEEN ITS INTERSECTION WITH BURLESON BOULEVARD N. AND LEGION DRIVE N.

WHEREAS, City Council adopted Ordinance No. 2002-14 on July 9, 2002, which adopted the *Kerrville Comprehensive Plan—A Link To The Future* as the City’s Comprehensive Plan (Plan); and

WHEREAS, the Plan, pursuant to Section 213.002 of the Texas Local Government Code, was adopted for the long-range development of the City; and

WHEREAS, a Future Land Use Plan (FLUP) was included as part of the Plan; and

WHEREAS, Section 211.004 of the Texas Local Government Code requires zoning regulations to be adopted in accordance with the Plan; and

WHEREAS, the Plan, specifically the FLUP, must now be amended in conjunction with a pending application for a zoning change; and

WHEREAS, both City staff and the City’s Planning and Zoning Commission have reviewed the proposed changes and recommend adoption of the amendment; and

WHEREAS, the City Council finds that a public hearing was held on the proposed revisions to the Plan as required by law and the Council has heard and considered any such comments; and

WHEREAS, the City Council finds it in the public interest to amend the Plan as provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

SECTION ONE. The above recitals and findings are hereby found to be true and correct.

SECTION TWO. The *City of Kerrville Comprehensive Plan – A Link To The Future*, is hereby amended by changing the future land use designation from “Low-Density Residential” to “Public and Institutional” for an approximate 4.241 acres, consisting of Tracts I and II, Texas National Guard Armory Board in the Samuel Wallace Survey No. 113, Abstract No. 761, and

located at 411 Meadowview Lane, which shall be as set forth in **Exhibit A**, attached hereto and incorporated herein for all purposes.

SECTION THREE. The provisions contained herein shall amend and revise, as appropriate, the provisions of Ordinance No. 2002-14. Further, that the provisions of this Ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. The Council of the City of Kerrville, Texas, hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

PASSED AND APPROVED ON FIRST READING, this the ____ day of _____, A.D., 2014.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the ____ day of _____, A.D., 2014.

Jack Pratt, Jr., Mayor

APPROVED AS TO FORM:

ATTEST:

Michael C. Hayes, City Attorney

Brenda G. Craig, City Secretary

Exhibit A - Comprehensive Plan Amendment Location Map



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.

0 100 200 400 Feet

1 inch = 200 feet



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

AGENDA ITEM: 4 **FOR AGENDA OF:** June 26, 2014

DESCRIPTION: Future agenda items

APPLICANT(S): City staff

ATTACHMENT(S):

July 3, 2014

- Conditional Use Permit – 611 Harper Road

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

AGENDA ITEM: 5 **FOR AGENDA OF:** June 26, 2014

DESCRIPTION: Adjournment
