

**AGENDA FOR REGULAR MEETING**

**KERRVILLE CITY COUNCIL**

**TUESDAY, APRIL 12, 2016, 6:00 P.M.**

**KERRVILLE CITY HALL COUNCIL CHAMBERS**

**701 MAIN STREET, KERRVILLE, TEXAS**

**KERRVILLE CITY COUNCIL AGENDA**  
**REGULAR MEETING, TUESDAY, APRIL 12, 2016, 6:00 P.M.**  
**CITY HALL COUNCIL CHAMBERS**  
**701 MAIN STREET, KERRVILLE, TEXAS**

**CALL TO ORDER**

**INVOCATION:** by Stockton Williams, Rector at St. Peter's Episcopal Church.

**PLEDGE OF ALLEGIANCE TO THE FLAG:** Those in attendance may stand if they wish.

**1. VISITORS/CITIZENS FORUM:**

Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must fill out the speaker request form and give it to the City Secretary. City Council may not discuss or take any action on an item but may place the issue on a future agenda. The number of speakers will be limited to the first ten speakers and each speaker is limited to four minutes.

**2. PRESENTATIONS:**

2A. Proclamation declaring April 19 as Congenital Diaphragmatic Hernia Awareness Day. (Mayor Pratt)

**3. CONSENT AGENDA:**

These items are considered routine and can be approved in one motion unless a councilmember asks for separate consideration of an item. It is recommended that City Council approve the following items which will grant the Mayor or City Manager the authority to take all actions necessary for each approval:

3A. Minutes of the regular city council meetings held February 9, 2016, and the budget workshop held February 11, 2016. (staff)

3B. Reject construction bid for renovations of the Kerr Regional History Center. (staff)

**END OF CONSENT AGENDA**

---

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 830-257-8000 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: April 8, 2016 at 3:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Brenda Craig  
City Secretary, City of Kerrville, Texas

---

**4. PUBLIC HEARING AND ORDINANCE, FIRST READING:**

4A. Ordinance No.2016-06, annexing an approximate 194.79 acre tract of land into the City of Kerrville, Texas, and extending the boundary limits of the city to include the property within the city limits; said property generally located south of and adjacent to State Highway 27 and between Oak Way Street and Split Rock Road; said tract out of the William Watt Survey No. 69, Abstract No. 367 and the W.T. Crook Survey No. 70, Abstract No. 113, Kerr County, Texas; said tract located adjacent to the corporate limits of the City of Kerrville, Texas, and more commonly known as 337 Split Rock Road; further describing the territory to be annexed; adopting a service plan for the territory annexed; and establishing the zoning for the area annexed as "R-1" Single Family Residential in accordance with the City's Comprehensive Plan. (staff)

4B. Ordinance No. 2016-03, repealing Ordinance No. 2010-22, which created a "Planned Development District" for the approximate 1.2 acre tract of land, being Lots 3 through 8, inclusive, Block 27 of the J.A. Tivy Addition, a subdivision within the City of Kerrville, Texas, and otherwise known as 1001 Jefferson Street; said property to return to the "RT" Residential Transition Zoning District. (staff)

**5. ORDINANCE, SECOND READING:**

5A. Ordinance No. 2016-05 amending Ordinance 2001-23 which annexed property into the city and adopted zoning for the same property pursuant to a "Planned Development District"; said property consisting of an approximate 75.73 acre tract of land located adjacent to State Highway 27 and between Colvin Ranch Road East and Sutherland Lane East with an address of 155 Colvin Ranch Road East; said amendments consisting of various changes to the authorized uses for the property. (staff)

**6. CONSIDERATION AND POSSIBLE ACTION:**

6A. Second Amendment to Airport Commerce Park Development Agreement for the property generally located southeast of Airport Commerce Parkway East, between Highway 27 and Colvin Ranch Road East, with an address of 155 Colvin Ranch Road East. (staff)

---

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 830-257-8000 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: April 8, 2016 at 3:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Brenda Craig  
City Secretary, City of Kerrville, Texas

---



6B. Execute construction contracts with: J3 Company, LLC for "Bid Package A – Civil" in the amount of \$2,994,430.00; Mid-America Sports Construction for "Bid Package B – Fields" in the amount of \$3,923,870.00; JK Bernhard Construction Company., LLC for "Bid Package C -- Buildings" in the amount of \$1,567,469.00; and DW Electric Company for "Bid Package D – Electrical" in the amount of \$1,322,216.00 for the Kerrville Sports Complex Project on Holdsworth Drive and authorize the City Manager to execute separate change orders, each of which may exceed \$50,000, but total combined amount for this project will not exceed \$10,500,000.00. (staff)

6C. Initiate request for qualifications 2016-01 to solicit sealed qualifications for a potential workforce housing project located at 300 Peterson Farm Road. (staff)

## **7. ITEMS FOR FUTURE AGENDAS**

### **8. ANNOUNCEMENTS OF COMMUNITY INTEREST:**

Announcement of items of community interest, including expressions of thanks, congratulations, or condolences; information regarding holiday schedules; honorary recognitions of city officials, employees, or other citizens; reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city officials or employees; and announcements involving imminent threats to the public health and safety of the city. No action will be taken.

### **9. EXECUTIVE SESSION:**

City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above including if they meet the qualifications in Sections 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding gifts), 551.074 (personnel matters), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Texas Government Code, including the following matters:

#### **9A. Section 551.071:**

Ordinance No. 2016-06, annexing an approximate 194.79 acre tract of land into the City of Kerrville, Texas, and extending the boundary limits of the city to include the property within the city limits; said property generally located south of and adjacent to State Highway 27 and between Oak Way Street and Split Rock Road, and more commonly known as 337 Split Rock Road.

---

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 830-257-8000 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: April 8, 2016 at 3:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Brenda Craig  
City Secretary, City of Kerrville, Texas

---



9B. Sections 551.071 and 551.072:

Discuss the purchase, exchange, lease, sale, or value of real property, the public discussion of which would not be in the best interests of the City's bargaining position with third parties, regarding property interests related to the following:

- River trail.

10. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

11. 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 830-257-8000 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: April 8, 2016 at 3:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Brenda Craig  
City Secretary, City of Kerrville, Texas

---

## **Agenda Item:**

2A. Proclamation declaring April 19 as Congenital Diaphragmatic Hernia Awareness Day. (Mayor Pratt)

# PROCLAMATION

- WHEREAS,** A congenital diaphragmatic hernia (CDH) comes about when the diaphragm of a fetus does not fully develop, thereby allowing abdominal organs to push into the chest cavity, preventing normal lung development; and
- WHEREAS,** A CDH occurs in approximately one-in-2,000 live births in the United States and is often a life-threatening birth defect because it limits the growth of the lungs; and
- WHEREAS,** A CDH is as common as spina bifida and cystic fibrosis, however, very few people are aware of it. Each year 1,600 infants are born with CDH in the United States; and
- WHEREAS,** It is estimated that over 500,000 babies have been born with CDH since 2000, however, only 50 percent of those babies survived. There are many babies who have been diagnosed with, and have survived, CDH; although many families have endured the pain and grief associated with the loss of loved ones to CDH; and
- WHEREAS,** Many groups and organizations are working to increase knowledge and to encourage research efforts that will one day prevent, or successfully treat, all those diagnosed with a CDH and
- WHEREAS,** Congenital Diaphragmatic Hernia Awareness Day provides an opportunity to raise public awareness of this birth defect and to share information and experiences that may help others. It also gives families, whose lives have been touched by this risk to their loved ones, a meaningful occasion to celebrate life and remember loved ones lost, to honor dedicated health professionals, to meet others, and to know they are not alone,

**NOW, THEREFORE,** I, Jack Pratt, Mayor of the City of Kerrville, Texas, do hereby proclaim April 19, 2016 as

## CONGENITAL DIAPHRAGMATIC HERNIA AWARENESS DAY

In this city, and encourage all our citizens to learn more about congenital diaphragmatic hernias and to offer caring support for those whose children are born with this complex health condition.

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the seal of the City of Kerrville to be affixed hereto, the 12<sup>th</sup> day of April 2016.

\_\_\_\_\_  
Jack Pratt, Jr., Mayor





## **Agenda Item:**

3A. Minutes of the regular city council meetings held February 9, 2016, and the budget workshop held February 11, 2016. (staff)

CITY COUNCIL MINUTES  
REGULAR MEETING

KERRVILLE, TEXAS  
February 9, 2016

On February 9, 2016, the Kerrville City Council meeting was called to order at 6:00 p.m. by Mayor Pratt in the city hall council chambers at 701 Main Street. The invocation was offered by Linda Harper, President of Aglow International, followed by the Pledge of Allegiance led by Police Chief David Knight.

COUNCILMEMBERS PRESENT:

|                 |               |
|-----------------|---------------|
| Jack Pratt      | Mayor         |
| Gary F. Stork   | Mayor Pro Tem |
| Stephen P. Fine | Councilmember |
| Bonnie White    | Councilmember |
| Gene Allen      | Councilmember |

COUNCILMEMBER ABSENT: None

CITY CORE STAFF PRESENT:

|                  |                                      |
|------------------|--------------------------------------|
| Todd Parton      | City Manager                         |
| Mike Hayes       | City Attorney                        |
| Kristine Day     | Deputy City Manager                  |
| Brenda Craig     | City Secretary                       |
| Sandra Yarbrough | Director of Finance                  |
| David Knight     | Police Chief                         |
| Dannie Smith     | Fire Chief                           |
| Trent Robertson  | City Planner                         |
| Malcolm Matthews | Former Parks and Recreation Director |

VISITORS PRESENT: List on file in city secretary's office for the required retention period.

**1. VISITORS/CITIZENS FORUM:**

1A. Russell Nemky encouraged council to consider passing an ordinance that would prohibit the use of cell phones or texting while driving unless the person was using a hands free device.

1B. Ricardo Rodriguez invited council and the public to participate in the Valentines for Veterans event at the VA Hospital at noon on February 17.

**2. PRESENTATION:**

2A. Proclamation proclaiming February 17, 2016, as National Salute to Veteran Patients Day.

**3. CONSENT AGENDA:**

Mr. Stork moved to approve consent agenda item 3A; Mr. Fine seconded the motion, and the motion passed 5-0:

3A. Minutes of the regular city council meetings held October 27 and November 10, 2015.

## **END OF CONSENT AGENDA**

### **4. PUBLIC HEARING AND RESOLUTION:**

4A. Resolution No. 03-2016 granting a conditional use permit for an approximate 0.83 acre tract of land, being Lots 7, 8, and 9, Block 74 of the Joseph A. Tivy Addition, a subdivision within the City of Kerrville, Texas, otherwise known as 1220 Jefferson Street, and located within an R-1A zoning district; permitting said property to enlarge the area of its non-conforming use by the construction of an additional 2,400 square feet to an existing structure; and making said permit subject to certain conditions and restrictions contained herein.

Mr. Robertson noted the applicant proposed to expand an existing non-conforming use by 2400 sq. ft. to enlarge a day care center that had been in operation since 1976. 30 notices were mailed to property owners within 200 ft.; 0 responded in favor and 0 opposed; 1 email was received stating they would be in favor of the request if a 6 ft. privacy fence was put up between this property and the residential properties, and the applicant has already put up the fence. The surrounding neighborhood was single family residential. Staff recommended approval with the condition that hours of operation be Monday through Friday, 6:00 a.m. to 6:00 p.m. The planning and zoning commission agreed with staff's recommendation.

Mayor Pratt declared the public hearing open at 6:14 p.m.; no one spoke; Mayor Pratt closed the public hearing at 6:15 p.m.

Ms. White moved for approval of Resolution No. 03-2016; Mr. Fine seconded the motion and it passed 5-0.

### **5. CONSIDERATION AND POSSIBLE ACTION:**

5A. Resolution No. 04-2016 of the City Council of the City of Kerrville, Texas supporting the proposed Saralita Senior Village housing community for senior citizens; approving an application for low income housing tax credits to finance such project; providing an in kind contribution for such project and providing an effective date.

Mr. Robertson noted Oryx Development requested the city support their application for tax credits with the Texas Department of Housing and Community Affairs for a senior multi-family residential development to be named Saralita Senior Village by passing the resolution and committing a maximum \$100 in kind contribution of fee waivers. The site of the proposed development was on the east side of Hwy. 16 between Ranchero Road and Southway Drive.

Council asked if there were any plans to salvage or incorporate into Saralita's plans any part of the historic building that was the former Schofield School for Girls, noting thick walls, basement, pool, and large gathering spaces.

The following person spoke:



1. Deborah Gaudier, endangered properties committee and marker committee chairman for Kerr County Historical Commission, noted the Schofield School for Girls was built in 1909. The structure had been heavily vandalized. She asked if the developer would fund a site marker to commemorate the school if the building was demolished. Mr. Rue stated they would consider funding an historical site marker for \$1,800 if KCHC would do the work for the marker. He offered to visit with KCHC members and see how a site marker might be incorporated into Saralita's plans.

Blake Rue, representing Oryx, said the building had been abandoned for 15-16 years, was heavily vandalized and in very poor condition; also, there may be environmental issues and asbestos or other hazardous material. The building was built in 1909 and it would be too costly to refurbish; they planned to demolish the structure.

Mr. Rue noted the application was for senior housing and could not be changed or amended. He previously made a presentation to Riverhill homeowners and there was not any change in the plan since that time; however, there may be slight changes to the plan in the future, but they committed that the area near Riverhill would be one-story. He also noted an existing 50 ft. natural vegetative buffer would remain.

Mr. Rue noted that the Schofield structure and land was not part of this project; the agenda item was on a separate tract of land than the Schofield structure; also, zoning was already in place for this phase of the plan.

Council also discussed the following:

- The proposed 36 unit multi-family dwelling would be the first phase of the project and would be closest to the highway and furthest away from Riverhill. One-story town home units for seniors would be constructed closer to Riverhill.
- KCHC should identify sites to be protected first and not wait until someone wanted to demolish or develop a property.

Mr. Fine moved for approval of Resolution No. 04-2016; Ms. White seconded the motion and it passed 4 to 1 with Councilmembers Fine, White, Allen, and Pratt voting in favor of the motion and Councilmember Stork voting against the motion.

5B. Professional services agreement with Peter Lewis Architect + Associates, PLLC for design and construction administration of the indoor athletic facility in an amount not to exceed \$161,000.00.

Mr. Parton noted the agreement would authorize the firm to develop plans for design services and project administration services for the facility. When the plans are complete, they will be presented to council.

Ms. White stated she had not seen the plans for the athletic facility building, it was not in the capital improvement plan, and council had not voted to approve it; the building was "back doored" into the project through the BTP contract. The

letter of intent with BTP stated the city would build the building shell; the BTP contract altered the letter of intent. The city signed a lease agreement with BTP to furnish a building but never agreed to build the building. Also, funding for the building would not come from the \$9 million certificates of obligation approved for the athletic complex, it would come out of the water/sewer fund. The city approved a contract to furnish the building but did not appropriate funds to do so.

Mr. Parton noted the building was part of the concept plan for the project as presented to council and discussed in open session and reflected in agreements approved by council. The proposed agreement with Peter Lewis would design the plans and when those plans are completed, they would be presented to the council and the bidding process would begin; after bids are received the bids would come to council for award. The project was a general fund project, was in the city's budget, and was approved by council.

Mayor Pratt stated that the project had been discussed and voted on in open session; there was no "back door" project.

The following person spoke:

1. Barbara Burton stated she heard that the site contained significant historical and archeological items; the city should document, survey and salvage any items discovered.

Mr. Parton noted at this time, the property belonged to the Cailloux Foundation, not the city; however, knowing that the property would ultimately be owned by the city, the CF did conduct historical and geological surveys of the property, which they were not required to do as private property owners. The surveys did not indicate any significant site or artifacts, but did recommend additional surveys if construction work unearthed archeological items. The CF was already following the same antiquities requirement that public entities had to follow for construction. Further, he had contacted Mr. Sotomeyer, a local antiquities expert, and he volunteered to work with the city on documenting and preserving any artifacts found at this site.

Mr. Stork moved to approve the agreement with Peter Lewis Architect + Associates as presented; Mr. Fine seconded the motion and it passed 4 to 1 with Councilmembers Stork, Fine, Allen, and Pratt voting in favor of the motion and Councilmember White voting against the motion.

5C. Request by Kevin Sutherlin to abandon land deeded to the City of Kerrville for a "Kerrville River Walk Trail" (KRWT) recorded in Volume 0807, Page 169, Kerr County Records and being generally located within the 600 block of Water Street.

Mr. Matthews noted the city approved the KRWT in the 1990s and secured properties downtown along the north bank of the river for a concrete and crushed granite trail. When the city began construction of the river trail on the south side of the river, the city had to close off access from the north bank in order to secure



the construction area. In 2013 the city ceased operation and maintenance of the granite trail on the north side trail and sealed off the stairwell on the subject property. In 2014 Bill Rector's property was reverted back to him, at his request; both properties had the same deed restriction, that is, the property would revert to the property owner if it ceased to operate for the KRWT. The city no longer operated that portion of the trail but Mr. Matthews recommended the property on which the concrete stairwell was located should always stay under city ownership as it connected to the boardwalk pavilion and the foot bridge across the river and into the park. He recommended the 0.8 acre tract be reverted back to Mr. Sutherlin in conformance with the deed restriction.

Mr. Stork moved to direct staff to execute the quitclaim deed as requested by Mr. Sutherlin; Mr. Allen seconded the motion and it passed 5-0.

## **6. INFORMATION AND DISCUSSION:**

### **6A. Receive final report from the Water Reuse Ad Hoc Advisory Committee (WRAC)**

John Harrison, member of the WRAC, noted in 2013 council challenged staff to find ways to take 300 million gallons of water that was being discharged into the river annually and retain that for city use. In November 2015 council charged the committee with evaluating the proposed 105 mg water reuse pond that would store water normally discharged into the river for the purpose of using and selling effluent for irrigation to entities such as Scott Schreiner Municipal Golf Course, Tivy High School, Schreiner University, Comanche Trace Golf Course, etc. Further, the Direct Potable Reuse (DPR) study was currently underway. The WRAC also looked at the possibility of purchasing additional water rights and none were available. WRAC voted unanimously to support the project and noted the \$18.5 million debt did not exceed the city's debt limits and could be well managed in the water/sewer fund. He opined that all WRAC members had strong opinions and none were influenced by any councilmembers. He was very impressed with consultant, Freese & Nichols, and city staff and their knowledge of the system and expertise in the field.

The following persons spoke:

1. Robert Naman said on November 10, 2015, council passed a resolution authorizing publication of the notice of intent to issue debt. On December 12 council appointed members to WRAC; all committee members lived in Riverhill or Comanche Trace. This was a conflict of interest since those two communities would benefit greatly by having grey water for irrigation of golf courses at a much lower cost than potable water; thereby providing a subsidy to their subdivisions at the expense of the residents of the city of Austin. On January 12, 2016, council authorized issuance of \$10 million certificates of obligation and securing payment by a levy of ad valorem tax and water/sewer system revenue; the potential of using ad valorem tax was not adequately explained. He opined that the city should pay for the project by selling grey water at market rate thereby lessening the burden to taxpayers. He opined that using \$2 million of the debt to pay for dirt the city owned, and transferring \$2 million from the water/sewer fund to the general fund to pay for building an indoor facility was an accounting gimmick and



was unethical. The city should use \$2 million from the general fund and not borrow from the water/sewer fund.

Council noted the long term goal was to use reuse water for potable drinking water for everyone in Kerrville not just for golf courses. Phase I was reclamation; Phase 2 would be DPR. Mr. Harrison stated if the city was only going to do irrigation, the committee might have had a different recommendation. DPR cannot happen without the effluent project.

Mayor Pratt explained that the general fund owned the dirt, the water/sewer fund did not own any dirt. The effluent project was a water/sewer fund project, not a general fund project. The water/sewer fund had to purchase dirt, if it did not purchase it from the general fund, it would have to purchase the dirt elsewhere. One fund cannot subsidize another fund. Also, many of the persons appointed to the WRAC did not live in Comanche Trace or Riverhill.

2. Barbara Burton questioned if the city would be pumping treated reuse water into the city's ASR wells and when? Ms. Day noted the first phase of the project was just to store treated water in ponds. The second phase, direct potable reuse, would treat effluent to drinking standards as required by the state before it can be injected into an ASR well.

3. Russell Nemky noted the board voted unanimously in support of the project; the project had to do with water and not golf courses or where people lived. He opined that the CF wanted the city to build an indoor athletic facility for their friend.

## **7. ITEMS FOR FUTURE AGENDAS**

- Mayor Pratt noted he signed the Mayor's Pledge for the Monarch Butterfly and the city would be working with the Riverside Nature Center to promote increased habitat for the butterfly. Council noted when this was placed on the agenda staff should invite Robert Keeble and members of the beautification committee.

The following person spoke:

1. Barbara Burton said the city should stop using Round Up and use vinegar.

- Mobile food vendors' ordinance needed to be updated.

## **8. ANNOUNCEMENTS OF COMMUNITY INTEREST:**

- The Mardi Gras event was going on in Louise Hayes Park now; people were encouraged to attend this free event.

## **9. EXECUTIVE SESSION:**

Mr. Fine moved for the city council to go into executive closed session under 551.071 and 551.072 of Chapter 551 of the Texas Government Code; motion was seconded by Mr. Stork and passed 5-0 to discuss the following:

9A. Sections 551.071 and 551.072:

Discuss the purchase, exchange, lease, sale, or value of real property, the public discussion of which would not be in the best interests of the City's bargaining position with third parties, regarding property interests related to the following:

- River trail.

At 7:09 p.m. the regular meeting recessed. Council went into executive closed session at 7:10 p.m. At 7:23 p.m. the executive closed session recessed and council returned to open session at 7:25 p.m. Mayor Pratt announced no action was taken in executive session.

10. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION: None.

ADJOURNMENT. The meeting adjourned at 7:25 p.m.

APPROVED: \_\_\_\_\_  
ATTEST: \_\_\_\_\_

\_\_\_\_\_  
Jack Pratt, Jr., Mayor

\_\_\_\_\_  
Brenda G. Craig, City Secretary

CITY COUNCIL MINUTES  
BUDGET WORKSHOP

KERRVILLE, TEXAS  
February 11, 2016

February 11, 2016, the meeting of the Kerrville City Council was called to order by Mayor Pratt at 8:30 a.m. in the city hall upstairs conference room, 701 Main Street.

COUNCILMEMBERS PRESENT:

|                 |               |
|-----------------|---------------|
| Jack Pratt      | Mayor         |
| Gary F. Stork   | Mayor Pro Tem |
| Gene Allen      | Councilmember |
| Stephen P. Fine | Councilmember |
| Bonnie White    | Councilmember |

COUNCILMEMBERS ABSENT:

None

CITY EXECUTIVE STAFF PRESENT:

|                  |                                |
|------------------|--------------------------------|
| Todd Parton      | City Manager                   |
| Mike Hayes       | City Attorney                  |
| Kristine Day     | Deputy City Manager            |
| Cheryl Brown     | Deputy City Secretary          |
| Sandra Yarbrough | Director of Finance            |
| Kim Meisner      | Director of General Operations |
| Ashley Boyle     | Special Projects Manager       |
| David Knight     | Police Chief                   |
| Dannie Smith     | Fire Chief                     |
| Stuart Barron    | Public Works Director          |

**DISCUSSION AND DIRECTION TO STAFF REGARDING PROPOSED FISCAL YEAR 2017 BUDGET**

Mayor Pratt reviewed a vision statement for the city. After discussion, Mr. Fine suggested the vision statement be postponed.

Mr. Parton reviewed the Water/Wastewater Master Plan and noted it should be complete in nine years, which was about three years ahead of schedule. Council discussed the need for citizen participation in the comprehensive plan; however, the consensus of council was that staff should report back on what was needed regarding the comprehensive plan. Mr. Parton also discussed the parks master plan, the facilities master plan, and the street pavement master plan. Council discussed city policies regarding the extraterritorial jurisdiction and financial management.

DJ Swan, with Fugro Roadware, Inc. gave an evaluation of the city's road network and presented a maintenance plan.



Mr. Parton presented the budgets for all funds and the capital projects plan; he discussed creating a community improvement plan in the general fund and the economic improvement corporation fund. He reviewed the city's financial stability, debt and cash reserves and stated the goal was to stabilize the tax rate and budget for long range capital projects on a pay as you go plan, with slight increases.

The consensus of the Council was that the tax rate should stay the same.

**ADJOURNMENT:** The meeting adjourned at 12:29 p.m.

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Jack Pratt, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Cheryl Brown, Deputy City Secretary

## **Agenda Item:**

3B. Reject construction bid for renovations of the Kerr Regional History Center.  
(staff)

**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

**SUBJECT:** Council to reject submitted contractor bid for construction of the Kerr Regional History Center Renovations.

**FOR AGENDA OF:** April 12, 2016      **DATE SUBMITTED:** April 1, 2016

**SUBMITTED BY:** Kyle Burow, P.E., CFM      **CLEARANCES:** Kristine Day  
Director of Engineering      Deputy City Manager

**EXHIBITS:** Bid Tabulation, Addendum #1, Addendum #2

**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:** 

|                    |                        |                  |                |
|--------------------|------------------------|------------------|----------------|
| <b>Expenditure</b> | <b>Current Balance</b> | <b>Amount</b>    | <b>Account</b> |
| <b>Required:</b>   | <b>in Account:</b>     | <b>Budgeted:</b> | <b>Number:</b> |
| \$ N/A             | \$465,544.56           |                  | H01            |

**PAYMENT TO BE MADE TO:** N/A  
**REVIEWED BY THE FINANCE DIRECTOR:**

**SUMMARY STATEMENT**

Bids for the Kerr Regional History Center Renovations were opened and read aloud on March 29<sup>th</sup>, 2016 at 3:00 pm. Prior to opening bids, Addendum #1 and Addendum #2 were issued and required acknowledgement in writing to be considered complete bids. One bid was received and opened without acknowledgement of either addendum or receipt of a bid bond. After review of the bid document, staff discovered Jordan Restoration Inc. did not include copies of the City of Kerrville Construction Contract with original signatures in the bid package.

As a result, this bid is considered non-responsive/incomplete and no additional bids were received for evaluation. Staff recommends the bid be rejected in order for Staff and the design consultant to clarify the scope of the construction and bid requirements.

**RECOMMENDED ACTION**

Staff recommends that Council reject submitted contractor bid for construction of the Kerr Regional History Center Renovations in order for Staff and the design consultant to clarify the scope of the construction and bid requirements prior to releasing the project for bid.



# Project Name: Kerr Regional History Center Renovations

**Engineering Number : PW13-002**

[illegible]



PETER LEWIS  
ARCHITECT + ASSOCIATES

PLLC

# Addendum 1

## Addendum No. 1 Narrative

March 10, 2016

**Project:** Kerr Regional History Center  
Project No.: 20-1541

**To:** Bidding Contractor

**From:** Gary Hatch – Project Architect  
Peter W. Lewis Architect + Associates

This Addendum forms a part of the Contract Documents and modifies the original Bidding Documents dated February 26, 2016. Acknowledge receipt of this Addendum in the space provided on the Bid Form. Failure to do so may subject the Bidder to disqualification.

### TO THE SPECIFICATIONS

**1. Advertisement for Bid - Revise the Mandatory Pre-Bid Conference Time and Location:**

*A **Mandatory** Pre-Bid Conference time shall be held at 10:00 AM on March 15, 2016 at Kerr Regional History Center, 425 Water Street, Kerrville.*

Attachments: (1)

END OF Addendum No. 1

Section 060

**ADVERTISEMENT FOR BID**

Sealed bids for **Kerr Regional History Center** will be received by the office of the City secretary, City Hall, 701 Main Street, Kerrville, Texas 78028 until 3:00 p.m. on **March 29, 2016** and will then be publicly opened and read aloud in Council Chambers at City Hall.

The date and time of opening the bids shall be clearly marked on the outside of the sealed envelope. No bids will be accepted after 3:00 p.m. on the date of bid opening.

The bidding documents, plans, specifications, etc. may be examined by all bidders at the City of Kerrville Engineering Office, 200 Sidney Baker Street North, Kerrville, Texas, 78028, 830-258-1170, or on the City's website [www.kerrvilletx.gov](http://www.kerrvilletx.gov) and non-returnable, non-refundable copies may be purchased at Jackson Reprographics, 2500 Memorial Blvd. in Kerrville, TX (830-896-2679) or Lone Star Reprographics in San Antonio, TX (210-366-4808).

Each bid must be accompanied by **two copies of the City of Kerrville Construction Contract (Section 070 of the Contract Documents and Technical Specifications) with original signatures, as well as** a certified check, cashier's check, or Bid Bond payable to the City of Kerrville, Texas, in the amount of ten percent (10%) of the amount bid as a guarantee that the contract and bond will be entered into within ten (10) days after the award is made.

A Performance/Payment bond in the amount of one hundred percent (100%) of the total contract price will be required.

No bidder may withdraw his bid after the project is awarded by City Council.

A **Mandatory** Pre-Bid Conference shall be held at 10:00 AM on March 15, 2016 at Kerr Regional History Center, 425 Water Street, Kerrville. **All questions regarding this project shall be directed to Brian Crenwelge, Project Manager** [brian.crenwelge@kerrvilletx.gov](mailto:brian.crenwelge@kerrvilletx.gov).

|                  |                                              |
|------------------|----------------------------------------------|
| Advertised:      | <u>March 2, 2016</u><br><u>March 9, 2016</u> |
| Pre-Bid Meeting: | <u>March 15, 2016 10:00 AM</u>               |
| Bid Opening:     | <u>March 29, 2016 3:00 PM</u>                |
| Bid Award        | <u>April 12, 2016</u>                        |





PETER LEWIS  
ARCHITECT + ASSOCIATES

PLLC

# Addendum 2

## Addendum No. 2 Narrative

March 24, 2016

**Project:** Kerr Regional History Center  
Project No.: 20-1541

**To:** Bidding Contractor

**From:** Gary Hatch – Project Architect  
Peter W. Lewis Architect + Associates

This Addendum forms a part of the Contract Documents and modifies the original Bidding Documents dated February 26, 2016. Acknowledge receipt of this Addendum in the space provided on the Bid Form. Failure to do so may subject the Bidder to disqualification.

## TO THE DRAWINGS

### Architectural

1. **Sheet A2.1 Second Floor Plan**
  - a. **Revise Key Note #8 to read:** EXISTING WINDOW *AND FRAME* TO REMAIN *U.N.O.* – REPAIR, CAULK AND PAINT TO MATCH 1<sup>ST</sup> FLOOR. *FIX IN PLACE.*
2. **Sheet A3.1 Exterior Elevations**
  - a. Add General Note: *REMOVE ALL WINDOW FRAMES*
  - b. Revise Key Note #4 to read: REPAIR, CAULK AND PAINT ALL WINDOWS *AND FRAMES.* FIX WINDOWS IN PLACE (TYP).

### Electrical

3. **Sheet E1.1 Second Floor Lighting Plan (attached)**
  - a. *ADD DIMMER SWITCH FOR GALLERY TRACK LIGHT FIXTURES*
  - b. *ADD EMERGENCY LIGHT FIXTURE EM-I TO ROOMS AND CORRIDOR*
4. **Sheet E3.1 Electrical Schedules (attached)**
  - a. *REVISE LIGHT FIXTURE SCHEDULE TO CHANGE ALL FUTURE LIGHT FIXTURES TO SPECIFIC LIGHT FIXTURES THAT WILL NOW BE PROVIDED BY THE ELECTRICAL CONTRACTOR.*
  - B. *ADD EMERGENCY LIGHT FIXTURE 'EM-I' TO THE LIGHT FIXTURE SCHEDULE.*

Attachments: ((2) 24x36 )

END OF Addendum No. 2



- LIGHTING FLOOR PLAN KEYED NOTES ○ : (SHEET E1.1 ONLY)
1. INSTALL SWITCH BACK BOX AND CONDUIT RECESSED IN PLASTER WALL. PATCH/PAINT WALL TO MATCH EXISTING.
  2. SURFACE MOUNT BOX AND CONDUIT USING METALIC SURFACE RACINGS. PAINT BOX AND CONDUIT TO MATCH WALL.
  3. COORDINATE EXIST EMERGENCY LIGHT FIXTURE LOCATION AND INSTALLATION HEIGHT WITH ARCHITECT.
  4. ENERGY LIGHTING CONTROLS 80-400-ELV-120 SLEEVE DIMMER FOR TRACK LIGHTS.

[illegible]

**ARCHITECT • ASSOCIATE**

2100 North Ave.      Suite 700  
 #5-05-02      #5-05-05

**Kerr Regional  
History  
Center**

418 Water Street  
Kamuela, HI 96741

|         |      |
|---------|------|
| PROJECT | 09   |
| 23-1541 | 2-05 |

### Second Floor Lighting Plan

## E1.1



**ESA** Mechanical & Electrical  
Engineering, Inc.

1500 Hillway Ave. Suite 910      214.342.3400  
San Antonio, Texas 78202      F 214.342.8900

WE ARE LOCATED IN THE  
U.S.A. & CANADA





## **Agenda Item:**

4A. Ordinance No.2016-06, annexing an approximate 194.79 acre tract of land into the City of Kerrville, Texas, and extending the boundary limits of the city to include the property within the city limits; said property generally located south of and adjacent to State Highway 27 and between Oak Way Street and Split Rock Road; said tract out of the William Watt Survey No. 69, Abstract No. 367 and the W.T. Crook Survey No. 70, Abstract No. 113, Kerr County, Texas; said tract located adjacent to the corporate limits of the City of Kerrville, Texas, and more commonly known as 337 Split Rock Road; further describing the territory to be annexed; adopting a service plan for the territory annexed; and establishing the zoning for the area annexed as "R-1" Single Family Residential in accordance with the City's Comprehensive Plan. (staff)

**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

**SUBJECT:** Public hearing, First reading of the Ordinance & Action for the City of Kerrville to annex into its incorporated limits and a recommendation for a zoning classification of "R-1" Single Family Residential District, for an approximately 194.79 acre tract of land generally located on the south side of State Highway 27 and between Oak Way Street and Split Rock Road. The tract is more particularly described in the Survey of a 194.79 Acre (8,485,189 square feet more or less), Tract of land out of the William Watt Survey No. 69, Abstract No. 367 and the W.T. Crook Survey No. 70, Abstract No. 113, Kerr County, Texas, being all of that 195.26 Acre Tract conveyed to J.W. Colvin, III, in deed recorded in Volume 1395, Page 542, Official Public Records, Kerr County, Texas, and being more particularly described as follows: (Basis of bearing NAD83 State Plane Coordinates Texas South Central Zone.) 337 Split Rock Road.

**FOR AGENDA OF:** April 12, 2016

**DATE SUBMITTED:** April 6, 2016

**SUBMITTED BY:** Trenton Robertson  
City Planner

**CLEARANCES:** Kristine Day  
Deputy City Manager

**EXHIBITS:** Location Map  
**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:** 

| <b>Expenditure<br/>Required:</b> | <b>Current Balance<br/>in Account:</b> | <b>Amount<br/>Budgeted:</b> | <b>Account<br/>Number:</b> |
|----------------------------------|----------------------------------------|-----------------------------|----------------------------|
| <b>\$</b>                        | <b>\$</b>                              | <b>\$</b>                   |                            |

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE DIRECTOR OR FINANCE:**

**SUMMARY STATEMENT**

This item is regarding a public hearing, consideration, and action for the City of Kerrville to annex into its incorporated limits and a recommendation for a zoning classification of "R-1" Single Family Residential District, for an approximately 194.79 acre tract of land generally located on the south side of State Highway 27 and between Oak Way Street and Split Rock Road.

City Council passed a motion to direct the Mayor and staff to immediately initiate the annexation process as presented and to begin discussions with various parties on January 12, 2016 at the regularly scheduled City Council meeting. On January 15, 2016, the City of Kerrville sent out a notice of intent to annex the subject property along with the Development Agreement to the property owner and all required entities in accordance with Section 43.035 and Chapter 212, Subchapter G of the Texas Local Government Code.

The 1<sup>st</sup> public hearing for the zoning was conducted by the Planning & Zoning Commission at its regular meeting on March 17, 2016. At this meeting the P&Z made a motion to deny staff's recommendation and for an alternate zoning designation to be assigned to the subject property. The motion was approved with a 5-0 vote. In order to approve the proposed "R-1" zoning district and go against the Planning & Zoning Commission's recommendation a super majority vote will be required. If any other zoning district is designated besides the proposed zoning, a comprehensive plan amendment will be required prior to the zoning change.

### **RECOMMENDED ACTION**

Staff recommends that the Council hold the required public hearing to receive public comments and take action on the item.





## City of Kerrville Planning Department Report

To: Planning & Zoning Commission

Agenda Item: 3B

Planning File #: 2016-009

Hearing Date: March 17, 2016

Representative: City Staff

Location: 337 Split Rock Road

Legal Description: An approximately 194.79 acre tract of land generally located on the south side of State Highway 27 and between Oak Way Street and Split Rock Road. The tract is more particularly described in the Survey of a 194.79 Acre (8,485,189 square feet more or less), Tract of land out of the William Watt Survey No. 69, Abstract No. 367 and the W.T. Crook Survey No. 70, Abstract No. 113, Kerr County, Texas, being all of that 195.26 Acre Tract conveyed to J.W. Colvin, III, in deed recorded in Volume 1395, Page 542, Official Public Records, Kerr County, Texas, and being more particularly described as follows: (Basis of bearing NAD83 State Plane Coordinates Texas South Central Zone.

Total Acreage: 194.79

---

### **Proposal**

The City of Kerrville has initiated the process to annex into its corporate limits the aforementioned property and requests a recommendation for a zoning classification of "R-1" Single Family Residential District pursuant to the City's Comprehensive Plan and the Plan's Future Land Use Map.

### **Procedural Requirements**

The application was published in The Hill Country Community Journal, a newspaper of general circulation in the City of Kerrville on March 2, 2016. Notices were sent to property owners within two hundred (200) feet of the subject property on March 7, 2016. Additionally, notice of this meeting was posted at city hall and on the city's internet website on March 14, 2016, in accordance with Section 551.043(a) of the Texas Government Code (i.e., at least 72 hours in advance of the scheduled meeting).

### **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:** 37

## **Topography**

The subject property is relatively flat and gradually slopes from the north to the south. The land is primarily undeveloped with a few trees and various types of grasses.

## **Adjacent Zoning and Land Uses**

**Direction:** North, South, and West

**Current Base Zoning:** "OCL" Outside of City Limits

**Current Land Uses:** Single-Family Residences and Vacant Undeveloped Land

**Direction:** North, South, and West

**Current Base Zoning:** "AD", "PD 01-20", and "OCL" Outside of City Limits

**Current Land Uses:** Single-Family Residences and Vacant

## **Transportation**

**Thoroughfare:** Highway 27

**Existing Character:** One lane in each direction with no sidewalks.

**Proposed Changes:** None known

## **Staff Analysis and Recommendation: Approval**

### **1. Consistency:**

The property's land use designation per the City's Comprehensive Plan is Low-Density Residential. The proposed "R-1" base zoning district is consistent with the Plan's Future Land Use Map. The City of Kerrville's comprehensive plan has designated this portion of Highway 27 to be geared toward detached single-family residential uses not to exceed a density of 1 to 5 units per acre.

The subject tract is being developed as a sand and gravel pit. Upon annexation and zoning any pre-existing sand and gravel operations that have been verified at the time of annexation will be considered legal, non-conforming uses and subject to Article 11-1-16 of the city's zoning ordinance.

### **2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning designation proposal. The proposed zoning district is consistent with the Comprehensive Plan and surrounding land uses. The properties located to the north and south are well established single-family residential neighborhoods. The proposed zoning district will allow for the future development of the subject property to remain cohesive to the existing land use pattern of the immediate area, resulting in a minimal impact.

### **3. Health, Safety and Welfare:**

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

#### **4. Other:**

City Council passed a motion to direct the Mayor and staff to immediately initiate the annexation process as presented and to begin discussions with various parties on January 12, 2016 at the regularly scheduled City Council meeting. On January 15, 2016, the City of Kerrville sent out a notice of intent to annex the subject property along with the Development Agreement to the property owner and all required entities in accordance with Section 43.035 and Chapter 212, Subchapter G of the Texas Local Government Code. To date, the City has not received a response from anyone with respect to this letter.





## Zoning Case Location Map

**Case Z2016-009**

**Location:**  
**337 SPLIT ROCK ROAD**

### Legend

200' Notification Area  
Subject Properties  
Current Zoning  
Requested Zoning

---  
---  
TEXT  
(TEXT)



0 250 500 1,000  
Scale in Feet

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, TEXAS  
ORDINANCE NO. 2016-06**

**AN ORDINANCE ANNEXING AN APPROXIMATE 194.79 ACRE TRACT OF LAND INTO THE CITY OF KERRVILLE, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF THE CITY TO INCLUDE THE PROPERTY WITHIN THE CITY LIMITS; SAID PROPERTY GENERALLY LOCATED SOUTH OF AND ADJACENT TO STATE HIGHWAY 27 AND BETWEEN OAK WAY STREET AND SPLIT ROCK ROAD; SAID TRACT OUT OF THE WILLIAM WATT SURVEY NO. 69, ABSTRACT NO. 367 AND THE W.T. CROOK SURVEY NO. 70, ABSTRACT NO. 113, KERR COUNTY, TEXAS; SAID TRACT LOCATED ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF KERRVILLE, TEXAS, AND MORE COMMONLY KNOWN AS 337 SPLIT ROCK ROAD; FURTHER DESCRIBING THE TERRITORY TO BE ANNEXED; ADOPTING A SERVICE PLAN FOR THE TERRITORY ANNEXED; AND ESTABLISHING THE ZONING FOR THE AREA ANNEXED AS "R-1" SINGLE FAMILY RESIDENTIAL IN ACCORDANCE WITH THE CITY'S COMPREHENSIVE PLAN**

**WHEREAS**, the City of Kerrville, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

**WHEREAS**, as a home rule city and pursuant to Section 1.05 of the Charter, the City has the authority to involuntarily annex territory contiguous to its corporate limits and located within the extraterritorial jurisdiction of the City, subject to the laws of this state; and

**WHEREAS**, pursuant to Section 43.052(h)(1) of the Texas Local Government Code, the territory to be annexed is exempt from the requirements of an annexation plan; and

**WHEREAS**, the City made an offer of a Development Agreement pursuant to Section 43.035 of the Texas Local Government Code to the owner of the property subject to annexation, which has been rejected; and

**WHEREAS**, having provided all required public notices, held all required public hearings at which persons with an interest in the matter were provided an opportunity to be heard, and presenting a service plan as required by state law, the City Council of the City of Kerrville, Texas, finds it to be in the public interest to approve an ordinance annexing the territory described below, adopt the service plan, and establish zoning regulations for the territory;

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

**SECTION ONE.** The property described in **Exhibit A** and depicted in **Exhibit B** (“Annexed Property”) is hereby annexed and incorporated into the corporate limits of the City of Kerrville, Texas, for all legal purposes.

**SECTION TWO.** The service plan regarding the provision of public services set forth in **Exhibit C** is adopted for the Annexed Property as required by Texas Local Government Code §43.056.

**SECTION THREE.** Upon the adoption of this Ordinance, the Annexed Property will be subject to the zoning designation of an “R-1” Single-Family Residential District.

**SECTION FOUR.** The provisions of this Ordinance are to be cumulative of all 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 FIVE.** 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.

**SECTION SIX.** The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Article 1-7 of the Code of Ordinances of the City of Kerrville, Texas, which provides for a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00).

**SECTION SEVEN.** In accordance with Section 3.07 of the City Charter and Texas Local Government Code §52.013(a), the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication. In addition, the City Secretary is hereby authorized and directed to file a certified copy of this Ordinance with the County Clerk of Kerr County, Texas, and to take all other required and necessary actions in accordance with state or federal law.

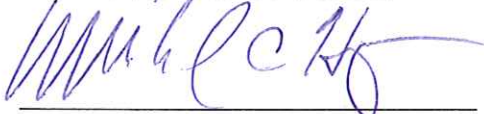
**PASSED AND APPROVED ON FIRST READING, this the \_\_\_\_ day of  
\_\_\_\_ A.D., 2016.**



**PASSED AND APPROVED ON SECOND READING, this the \_\_\_\_ day of**  
**\_\_\_\_\_ A.D., 2016.**

\_\_\_\_\_  
Jack Pratt, Jr., Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Michael C. Hayes, City Attorney

ATTEST:

\_\_\_\_\_  
Brenda C. Craig, City Secretary

## EXHIBIT A

## DESCRIPTION OF THE LAND

## FIELD NOTES FOR A 194.79 ACRE TRACT

Survey of a 194.79 Acre (8,485,189 square feet more or less), Tract of land out of the William Wain Survey No. 69, Abstract No. 367 and the W.T. Crook Survey No. 70, Abstract No. 113, Kerr County, Texas, being all of that 195.26 Acre Tract conveyed to J.W. Colvin, III, in deed recorded in Volume 1395, Page 542, Official Public Records, Kerr County, Texas, and being more particularly described as follows: (Basis of bearing NAD83 State Plane Coordinates Texas South Central Zone.)

**BEGINNING:** At a 1/2" iron rod with cap stamped "RICKMAN RPLS 5826" set in the west right of way line of State Highway 27 (100' Right of Way) and the northwest line of Split Rock Road, (Variable Width Right of Way) for the most easterly southeast corner of this Tract and the POINT OF BEGINNING, from which a Texas Department of Transportation Monument found bears S 15°31'16" E, a distance of 489.17 feet;

**THENCE:** Departing the west right of way line of State Highway 27, with the northwest right of way line of Split Rock Road and the southeast line of this Tract, the following calls and distances:

S 45°15'37" W, a distance of 1429.45 feet to a 1/2" iron rod found for a northwest corner of Split Rock Road and a reentrant corner of this Tract;

S 47°15'23" E, across Split Rock Road, a distance of 33.26 feet to a 1/2" iron rod found in the northwest line of Lot 1, the Byerly Addition, recorded in Volume 5, Page 329, Plat Records, Kerr County, Texas, for the south corner of Split Rock Road and the most southerly southeast corner of this Tract;

**THENCE:** S 46°14'37" W, with the northwest line of Lot 1 and the southeast line of this Tract, a distance of 313.40 feet to a 1/2" iron rod with cap stamped "RICKMAN RPLS 5826" set in the left bank of the Guadalupe River for the west corner of Lot 1 and the south corner of this Tract, from which an iron rod bears S 87°35'35" E, a distance of 15.45 feet;

**THENCE:** Up the Guadalupe River, with the left bank of the River and the west line of this Tract, the following calls and distances:

N 63°47'23" W, a distance of 137.20 feet to a 1/2" iron rod found;

S 88°51'28" W, a distance of 225.26 feet to a point;

N 66°38'33" W, a distance of 131.04 feet to a point;

N 76°06'28" W, a distance of 276.07 feet to a 1/2" iron rod found;

N 82°01'32" W, a distance of 118.44 feet to a 1/2" iron rod found;

S 68°34'32" W, a distance of 57.08 feet to a 1/2" iron rod found;

N 61°58'44" W, a distance of 185.20 feet to a 1/2" iron rod found;

N 58°03'43" W, a distance of 536.45 feet to a point;

N 46°44'05" W, a distance of 214.22 feet to a point;

N 39°08'36" W, a distance of 158.41 feet to a point;

N 47°46'56" W, a distance of 146.17 feet to a 1/2" iron rod found;

N 32°20'46" W, a distance of 280.93 feet to a 1/2" iron rod found;

N 37°10'16" W, a distance of 582.89 feet to a point;

N 02°27'23" W, a distance of 341.04 feet to a point;

N 18°44'23" W, a distance of 215.30 feet to a point;

N 27°22'23" W, a distance of 102.11 feet to a point;

N 07°27'23" W, a distance of 146.03 feet to a 1/2" iron rod found;

N 27°23'37" E, a distance of 291.58 feet to a 1/2" iron rod with cap stamped "RICKMAN RPLS 5826" set in the left bank of the Guadalupe River for the west corner of a 34.22 Acre Tract conveyed to 1967 Shelter Trusts Partnership and 1973 Shelter Trusts Partnership in deed recorded in Volume 734, Page 524, Deed Records, Kerr County, Texas, and the northwest corner of this Tract;

THENCE: Departing the left bank of the Guadalupe River, with the south line of the 34.22 Acre Tract and the north line of this Tract the following calls and distances:

S 87°21'23" E, a distance of 581.00 feet to a 1/2" iron rod found for an angle point;

N 72°51'15" E, a distance of 237.05 feet to a 1/2" iron rod found for an angle point;

N 66°28'02" E, a distance of 120.35 feet to a 1/2" iron rod found for an angle point;

N 57°00'57" E, a distance of 276.47 feet to a 1/2" iron rod found for an angle point;



S 46°48'16" E, a distance of 20.86 feet to a 1/2" iron rod found for an angle point;

N 46°11'54" E, a distance of 866.11 feet to a 1/2" iron rod found for an angle point;

N 63°36'17" E, a distance of 30.66 feet to a 1/2" iron rod found for an angle point;

S 88°07'53" E, a distance of 37.41 feet to a 1/2" iron rod found for an angle point;

S 71°08'41" E, a distance of 71.95 feet to a 1/2" iron rod found for an angle point;

S 67°12'23" E, a distance of 315.25 feet to a 1/2" iron rod found for an angle point;

S 64°58'14" E, a distance of 250.58 feet to a 1/2" iron rod found for an angle point;

S 62°15'37" E, a distance of 181.64 feet to a 1/2" iron rod found for an angle point;

S 57°37'50" E, a distance of 186.42 feet to a 1/2" iron rod found for an angle point;

S 54°00'52" E, a distance of 495.59 feet to a 1/2" iron rod found for an angle point;

S 54°08'22" E, a distance of 67.47 feet to a 1/2" iron rod found in the west right of way line of State Highway 27 for the southeast corner of the 34.22 Acre Tract and the northeast corner of this Tract;

THENCE: S 15°31'16" E, with the west right of way line of State Highway 27 and the east line of this Tract, a distance of 1534.33 feet to the POINT OF BEGINNING and containing 194.79 Acres in Kerr County, Texas, according to a survey on the ground on December 16, 2014, by Rickman Land Surveying.



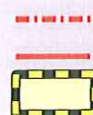


## Annexation Location Map

**Location:**  
**337 SPLIT ROCK ROAD**

### Legend

200' Notification Area  
Annexation Area  
Existing City Limits



0 250 500 1,000  
Scale In Feet

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.

FYHTRIT "R"



**EXHIBIT C****ANNEXATION SERVICE PLAN**

| <b>SERVICE</b>                         | <b>DETAILS OF SERVICE PROVIDED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>TIMETABLE</b>                                                          |
|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| <b>Animal Control</b>                  | The provisions of animal control services shall be in effect following annexation of the property.                                                                                                                                                                                                                                                                                                                                                                                 | Immediately following annexation                                          |
| <b>Code Enforcement</b>                | The provisions of Code Enforcement services, including the application and enforcement of building, electrical, plumbing, and other related code requirements adopted by the City of Kerrville shall be made immediately to the area upon annexation. The preparation of a zoning plan shall serve as a basis for the zoning of land following annexation. The adoption of the zoning plan shall be in accordance with the procedures of the City of Kerrville's Zoning Ordinance. | Immediately following annexation, zoning to be concurrent with annexation |
| <b>Fire Protection and Suppression</b> | Fire protection and suppression personnel and equipment from the Kerrville Fire Department will be provided to the area as needed.                                                                                                                                                                                                                                                                                                                                                 | Immediately following annexation                                          |
| <b>Fire Prevention</b>                 | The services of the City of Kerrville Fire Marshall shall be provided to the area.                                                                                                                                                                                                                                                                                                                                                                                                 | Immediately following annexation.                                         |
| <b>Library</b>                         | Residents of the area, if any, will continue to be entitled to utilize all City of Kerrville Library facilities.                                                                                                                                                                                                                                                                                                                                                                   | Immediately following annexation.                                         |
| <b>Parks and Recreation</b>            | City of Kerrville Parks and Recreation services will continue to be available to the area residents, if any.                                                                                                                                                                                                                                                                                                                                                                       | Immediately following annexation                                          |
| <b>Police Protection</b>               | Police protection personnel and equipment shall be provided to the area immediately upon annexation. Police enforcement and protection services shall be provided through regular patrol activities.                                                                                                                                                                                                                                                                               | Immediately following annexation                                          |



| SERVICE                                                         | DETAILS OF SERVICE PROVIDED                                                                                                                                                       | TIMETABLE                        |
|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| <b>Public Services - Street Department</b>                      | Public streets not maintained by the Texas Department of Transportation within the area shall be maintained by the City of Kerrville.                                             | Immediately following annexation |
| <b>Sanitation (Refuse Collection)</b>                           | Refuse collection shall be available to residents of the annexed area at the same costs and procedures as required of City residents and businesses.                              | Immediately following annexation |
| <b>Traffic Engineering</b>                                      | Traffic control devices and street markers shall be installed where deemed necessary by the city street department, except as provided by the Texas Department of Transportation. | Immediately following annexation |
| <b>Utilities (Water Distribution and Wastewater Collection)</b> | Extension of utilities within the property shall be in accordance with the City of Kerrville's Subdivision Ordinance.                                                             | As the property develops         |

## **Agenda Item:**

4B. Ordinance No. 2016-03, repealing Ordinance No. 2010-22, which created a "Planned Development District" for the approximate 1.2 acre tract of land, being Lots 3 through 8, inclusive, Block 27 of the J.A. Tivy Addition, a subdivision within the City of Kerrville, Texas, and otherwise known as 1001 Jefferson Street; said property to return to the "RT" Residential Transition Zoning District. (staff)

**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

**SUBJECT:** Public hearing, First reading of the Ordinance & Action concerning a requested zoning change from a (PD 10-22) Planned Development District 2010-22 to a (RT) Residential Transition District for an approximate 1.24 acres tract. Legal Description JA Tivy Addition Lot 3-R Block 27, located at 1001 Jefferson Street North. (File No. 2016-007)

**FOR AGENDA OF:** April 12, 2016

**DATE SUBMITTED:** April 6, 2016

**SUBMITTED BY:** Trenton Robertson  
City Planner

**CLEARANCES:** Kristine Day  
Deputy City Manager

**EXHIBITS:** Location Map

**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:**

| <b>Expenditure</b> | <b>Current Balance</b> | <b>Amount</b>    | <b>Account</b> |
|--------------------|------------------------|------------------|----------------|
| <b>Required:</b>   | <b>in Account:</b>     | <b>Budgeted:</b> | <b>Number:</b> |
| \$                 | \$                     | \$               |                |

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE DIRECTOR OR FINANCE:**

**SUMMARY STATEMENT**

This item is regarding a public hearing, consideration, and action for the City of Kerrville to annex into its incorporated limits and a recommendation for a zoning classification of "R-1" Single Family Residential District, for an approximately 194.79 acre tract of land generally located on the south side of State Highway 27 and between Oak Way Street and Split Rock Road.

The 1<sup>st</sup> public hearing for the zoning was conducted by the Planning & Zoning Commission at its regular meeting on February 18, 2016. P&Z recommended approval of staff's recommendation..

**RECOMMENDED ACTION**

Staff recommends that the Council hold the required public hearing to receive public comments and take action on the item.





## City of Kerrville Planning Department Report

To: Planning & Zoning Commission  
Agenda Item: 3B  
Planning File #: 2016-007  
Hearing Date: February 18, 2016  
Representative: Rob Irvin  
Location: 1001 Jefferson Street North  
Legal Description: JA Tivy Addition Lot 3-R Block 27  
Total Acreage: 1.24

---

### **Proposal**

Requesting a zoning change from a (PD 10-22) Planned Development District 2010-22 to (RT) Residential Transition District

### **Procedural Requirements**

The application was published in The Hill Country Community Journal, an official newspaper of general circulation on February 3, 2016. Notices were sent to property owners within two hundred (200) feet of the subject property on February 8, 2016. Additionally, notice of this meeting was posted at city hall and on the city's internet website on February 12, 2016, 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: 26**

### **Topography**

The majority of the subject property is developed being relatively flat with little vegetation.

### **Adjacent Zoning and Land Uses**

**Direction:** North, South and East

**Current Base Zoning:** "RT"

**Current Land Uses:** Single-Family Residential, Church, and Retail

**Direction:** West

**Current Base Zoning:** CBD

**Current Land Uses:** Single-Family Residential

**Transportation**

**Thoroughfare:** Jefferson Street North; Tivy Street North

**Existing Character:** One lane in each direction with partial sidewalks

**Proposed Changes:** None known

**Thoroughfare:** A Street North

**Existing Character:** One lane in each direction with no sidewalks

**Proposed Changes:** None known

**Parking Information:** Dwelling, Single-Family Residential

Minimum vehicle spaces: Two (2) spaces per dwelling unit

**Staff Analysis and Recommendation: Approval (P&Z recommended approval 5-0)**

**1. Consistency:**

The property's land use designation is Central Business District. The requested "RT" base zoning district is consistent with the adopted land use designation.

**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. Surrounding properties are similarly zoned with a mixture of different land uses, ranging from single-family residences to small scale retail shops and churches. Prior to the existing Planned Development District being adopted in 2010 the property was zoned "RT" Residential Transition District.

**2. Suitability as Presently Zoned:**

Both the existing and requested base zoning districts are appropriate and suitable with the surrounding area. The proposed zoning district is consistent with the surrounding area. The proposed "RT" district will allow the property to revert back to a single-family residential home and maintain the historical nature of the structure. The proposed zoning district will continue to encourage development and revitalization in the area.

**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 1.24 acres in size, which should be able to reasonably accommodate the proposed residential use.

**5. Other Factors:**

None.



**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2016-03**

**AN ORDINANCE REPEALING ORDINANCE NO. 2010-22, WHICH CREATED A "PLANNED DEVELOPMENT DISTRICT" FOR THE APPROXIMATE 1.2 ACRE TRACT OF LAND, BEING LOTS 3 THROUGH 8, INCLUSIVE, BLOCK 27 OF THE J.A. TIVY ADDITION, A SUBDIVISION WITHIN THE CITY OF KERRVILLE, TEXAS, AND OTHERWISE KNOWN AS 1001 JEFFERSON STREET; SAID PROPERTY TO RETURN TO THE "RT" RESIDENTIAL TRANSITION ZONING DISTRICT**

**WHEREAS**, City Council, on October 26, 2010, adopted Ordinance No. 2010-22, which created a Planned Development District ("PDD") for a tract of land generally located at the southeast corner of the intersection of Jefferson Street and Tivy Street and otherwise known as 1001 Jefferson Street (the "Property"); and

**WHEREAS**, the Property was never redeveloped or used in accordance with the PDD; and

**WHEREAS**, the owner of the Property now seeks to redevelop and use the Property for uses that are allowed within the Residential Transition (RT) Zoning District, which is the underlying zoning district where the Property is located; and

**WHEREAS**, based upon the proposed change in use and pursuant to an application from the owner of the Property, staff recommends repealing Ordinance No. 2010-22, which will terminate the previously created PDD for the Property; and

**WHEREAS**, pursuant to Texas Local Government Code Sections 211.006 and 211.007, notice has been given to all parties in interest and citizens by publication in the official newspaper for the City of Kerrville, Texas ("City"), and otherwise, of a hearing which was held before City Council on April 12 2016, which considered a report of the City's Planning and Zoning Commission regarding its recommendations on this Ordinance, the adoption of which will result in the change of a zoning district for the Property making up approximately 1.2 acres; such change to result in the removal of the Property from a PDD to placement of the Property within the Residential Transition (RT) Zoning District; and

**WHEREAS**, such public hearing was held in the Council Chambers beginning at approximately 6:00 p.m. on April 12, 2016, as advertised; and

**WHEREAS**, after a full hearing, at which all parties in interest and citizens were given an opportunity to be heard; and after receiving and considering the recommendations of the Planning and Zoning Commission and City staff; and after considering among other things, the character of the various areas of the City and the suitability of particular uses in each area; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City, the Council finds it to be in the best interest of the health, safety, morals, and general welfare of the City of Kerrville, Texas, to repeal Ordinance No. 2010-22,



which will change the zoning district for the Property from a PDD to the Residential Transition (RT) Zoning District;

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

**SECTION ONE.** Based upon the recitals set forth above, Ordinance No. 2010-22 is repealed.

**SECTION TWO.** The zoning classification of the Property described more specifically below, is changed from a Planned Development District (PDD) to the Residential Transition (RT) Zoning District:

**An approximate 1.2 acres tract of land being Lots 3 through 8, inclusive, Block 27 of the J.A. Tivy Addition, a subdivision within the City of Kerrville, Kerr County, Texas, and as more particularly described in Volume P, Page 16 of the Plat Records of Kerr County, Texas, referred to herein as the "Property".**

**SECTION THREE.** 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 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.

**SECTION FIVE.** The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Section 1-7, Chapter 1 of the Code of Ordinances of the City of Kerrville, Texas, which provides for a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00).

**SECTION SIX.** Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City's Charter, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

**SECTION SEVEN.** This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07b. of the City Charter.

PASSED AND APPROVED ON FIRST READING, this the \_\_\_\_ day of \_\_\_\_\_, A.D., 2016.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the \_\_\_\_ of \_\_\_\_\_, A.D., 2016.

\_\_\_\_\_  
Jack Pratt, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Brenda G. Craig, City Secretary

APPROVED AS TO FORM:



\_\_\_\_\_  
Michael C. Hayes, City Attorney







## **Agenda Item:**

5A. Ordinance No. 2016-05 amending Ordinance 2001-23 which annexed property into the city and adopted zoning for the same property pursuant to a "Planned Development District"; said property consisting of an approximate 75.73 acre tract of land located adjacent to State Highway 27 and between Colvin Ranch Road East and Sutherland Lane East with an address of 155 Colvin Ranch Road East; said amendments consisting of various changes to the authorized uses for the property. (staff)

**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

**SUBJECT:** Second reading of the Ordinance & Action concerning requested amendments to an existing Planned Development District (PDD 01-23) Ordinance Number 2001-23 Section Three A thru R for an approximate 75.73 acres tract. Being all of a certain tract or parcel of land containing 75.73 acres, more or less, out of O. V. Robinson Survey No. 44, Abstract No. 282 in Kerr County, Texas; comprising 4.25 acres out of a certain 141.38 acre tract conveyed from Farm Credit Bank of Texas to J. W. Colvin, III by a Special Warranty Deed with Vendor's Lien executed the 2nd day of November, 1995 and recorded in Volume 822 at Page 638 of the Real Property Records of Kerr County, Texas, 66.48 acres out of a certain 186.99 acre tract conveyed from Farm Credit Bank of Texas to City South Management Corp. by a Special Warranty Deed with Vendor's Lien executed the 2nd day of November, 1995 and recorded in Volume 822 at Page 620 of the Real Property Records of Kerr County, Texas, and 5.00 acres out of a certain 10.00 acre tract heretofore conveyed out of said 141.38 and 186.99 acre tracts from Richard B. Colvin, et ux to Chapman Building Systems, Inc. by a Warranty Deed with Vendor's Lien executed the 15th day of December, 2000 and recorded in Volume 1099 at Page 413 of the Real Property Records of Kerr County, Texas, located southeast of Airport Commerce Parkway East, between Highway 27 and Colvin Ranch Road East. 155 Colvin Ranch Road East.

**FOR AGENDA OF:** April 12, 2016

**DATE SUBMITTED:** March 30, 2016

**SUBMITTED BY:** Trenton Robertson  
City Planner

**CLEARANCES:** Kristine Day  
Deputy City Manager

**EXHIBITS:**

**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:** 

| <b>Expenditure<br/>Required:</b> | <b>Current Balance<br/>in Account:</b> | <b>Amount<br/>Budgeted:</b> | <b>Account<br/>Number:</b> |
|----------------------------------|----------------------------------------|-----------------------------|----------------------------|
| \$                               | \$                                     | \$                          |                            |

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE DIRECTOR OR FINANCE:**

**SUMMARY STATEMENT**

This item is concerning the second reading of the ordinance & action concerning amendments to an existing Planned Development District (PDD 01-23), Ordinance Number 2001-23 Section Three A thru R for an approximate 75.73 acres tract.

A public hearing was conducted by the Planning and Zoning Commission at its regular meeting on March 17, 2016. P&Z voted 4-1 to approve staff's recommendation.

A public hearing was conducted by the City Council at its regular meeting on March 22, 2016. City Council voted 5-0 to approve with staff's recommendation.

**RECOMMENDED ACTION**

Staff recommends that the Council hold the required second reading of the ordinance and take action. A public hearing is not required for this item.



# City of Kerrville

## Planning Department

### Report

To: Planning & Zoning Commission

Agenda Item: 3A

Planning File #: 2016-006

Hearing Date: March 17, 2016

Representative: City Staff

Location: 155 Colvin Ranch Road East

Legal Description: Being all of a certain tract or parcel of land containing 75.73 acres, more or less, out of O. V. Robinson Survey No. 44, Abstract No. 282 in Kerr County, Texas; comprising 4.25 acres out of a certain 141.38 acre tract conveyed from Farm Credit Bank of Texas to J. W. Colvin, III by a Special Warranty Deed with Vendor's Lien executed the 2nd day of November, 1995 and recorded in Volume 822 at Page 638 of the Real Property Records of Kerr County, Texas, 66.48 acres out of a certain 186.99 acre tract conveyed from Farm Credit Bank of Texas to City South Management Corp. by a Special Warranty Deed with Vendor's Lien executed the 2nd day of November, 1995 and recorded in Volume 822 at Page 620 of the Real Property Records of Kerr County, Texas, and 5.00 acres out of a certain 10.00 acre tract heretofore conveyed out of said 141.38 and 186.99 acre tracts from Richard B. Colvin, et ux to Chapman Building Systems, Inc. by a Warranty Deed with Vendor's Lien executed the 15th day of December, 2000 and recorded in Volume 1099 at Page 413 of the Real Property Records of Kerr County, Texas, located southeast of Airport Commerce Parkway East, between Highway 27 and Colvin Ranch Road East.

Total Acreage: 75.73

---

#### Proposal

A request to amend an existing Planned Development District (PDD 01-23) Ordinance Number 2001-23 Section Three A thru R for an approximate 75.73 acres tract.

#### Procedural Requirements

The application was published in The Hill Country Community Journal, an official newspaper of general circulation on March 2, 2016. Notices were sent to property owners within two hundred (200) feet of the subject property on March 7, 2016. Additionally, notice of this meeting was posted at city hall and on the city's internet website on March 11, 2016, 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:** 17

### **Topography**

The subject property is relatively flat with a few tree and various types of grasses.

### **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "AD"

**Current Land Uses:** Airport and Vacant

**Direction:** West

**Current Base Zoning:** "E26" and "OCL"

**Current Land Uses:** Manufacturing, Industrial, and Vacant

**Direction:** East and South

**Current Base Zoning:** "OCL"

**Current Land Uses:** Vacant

### **Transportation**

**Thoroughfare:** Highway 27

**Existing Character:** One lane in each direction with no sidewalks.

**Proposed Changes:** None known

### **Staff Analysis and Recommendation: Approval**

#### **1. Intent and Purpose of the Proposed Amendment:**

On November 27, 2001, City Council approved the existing "PDD 01-23" Planned Development District 2001-23. Over the years the property has been marketed for development with little to no success. The existing Planned Development District has various design, development and land use regulations (in addition to all existing city codes and requirements) that have made it difficult to develop. The proposed amendments to the existing PDD will broaden the permitted land uses and eliminate various development regulations.

#### **2. Current Land Uses**

- |                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Agricultural Services, but only those uses described in Art. 11-I-3(a.)(4)(i) and (iii) | 8. Commercial testing laboratories                                                                                                                                                                                                                                                                                                                                                                                            |
| 2. Blue printing and photo copying services                                                | 9. Day care centers, but only if operated in association with and ancillary to another business permitted by this Ordinance to be operating on the Property. Such day care center must: (1) be located on the property of the associated business and (2) have no less than eighty percent (80%) of the children enrolled in the center consist of children of the owners, officers, or employees of the associated business. |
| 3. Building cleaning services                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 4. Building Construction, General                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 5. Building Construction, Specialist                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 6. Cablevision, radio and television stations                                              |                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 7. Commercial art, photography, and graphics (but not including retail portrait studios)   | 10. Disinfecting and exterminating services                                                                                                                                                                                                                                                                                                                                                                                   |

11. Employment agencies
12. Equipment Sales/Repair/Storage (Heavy), which business may also include the rental of tools, equipment, and other goods as a related and ancillary use
13. Gunsmith and locksmith shops
14. Health or fitness studios/salons and massage therapy, but only if:
  - a. it is located and operated ancillary to a hotel or motel located on the Property and providing services primarily to the guests of said hotel or motel; or
  - b. it is operated in association with and ancillary to another business permitted by this Ordinance to be operating on the Property; provided, such facility is located on the property of the associated business and have no less than 80% of the members consist of officers, employees, directors, or shareholders of the associated business, or members of their respective families.
15. Hospital Services
16. Hotel/Motel (limited to one hotel or motel located within five hundred (500) feet of the southern pavement line of State Highway 27)
17. Job and Vocational Training Centers
18. Kennels with a maximum boarding capacity of less than twelve (12) animals
19. Laundry services (commercial and industrial services only)
20. Maintenance and Service Facilities
21. Manufacturing, Custom
22. Mini-storage
23. Newspapers
24. Pet services
25. Photo finishing laboratories, but not including stand-alone retail photo processing businesses where retail customers can deliver film for processing and pick-up processed photographs
26. Postal services
27. Protective services, non-governmental
28. Recreation, Commercial (but only those uses defined as Indoor Sports and Recreation or Outdoor Sport and Recreation, but excluding outdoor shooting ranges of any type)
29. Refrigeration/air conditioning service and repair
30. Restaurant, General (limited to one restaurant located within five hundred (500) feet of southern pavement line of State Highway 27)
31. Reupholstery and furniture repair
32. Safety Services
33. Schools primarily engaged in instructional or informational classes related to art, dance, gymnastics, cheerleading, trampoline and tumbling, or martial arts
34. Sign painting and outdoor advertising services
35. Swimming pool and cleaning and maintenance
36. Telecommunications Distribution Location
37. Telecommunication Servicing Center
38. Telephone and electric company offices (excluding storage and maintenance yards, but including telecommunication serving centers)
39. Transportation Terminal, including bus terminals and motor freight transportation businesses
40. Utility Services, Local
41. Vehicle Maintenance and Repair, but not including the uses defined as Vehicle Sales/Services – New and Vehicle Sales/Services-Used, except to the extent allowed by Subsection B.44, below.
42. Warehousing and Distribution, and/or Moving and Storage Businesses
43. Welding shops, not elsewhere classified as a manufacturing or industry
44. Businesses primarily engaged in the rental of automobiles, light trucks, sport utility vehicles, and passenger vans not exceeding a capacity of fifteen (15) passengers; provided that no more than one such business shall be located on the Property
45. Businesses primarily engaged in the manufacture, processing, and packing of dairy products.

46. Businesses primarily engaged in the canning of fruits and vegetables.
47. Businesses primarily engaged in preparing foods from previously milled grain products, including the preparation of breakfast foods, the mixing of flours, and the manufacture of bakery products
48. Businesses primarily engaged in the manufacture of sugar, candy, and other confectionery products
49. Businesses primarily engaged in the manufacture of butter, margarine, cooking oils, etc., from previously processed animal and vegetable oils
50. Businesses primarily engaged in the manufacture, bottling, and canning of beverages
51. Businesses primarily engaged in the manufacture of tobacco products
52. Businesses primarily engaged in the preparation, manufacture, cutting, sewing, and finishing of textile mill products
53. Businesses primarily engaged in the cutting and manufacture of lumber and wood products, including the construction of wood buildings or arches, trusses, etc., in a construction facility for sale and transport to another site for placement on a lot for use
54. Businesses primarily engaged in the manufacture of furniture and fixtures for residential or business use
55. Businesses primarily engaged in the manufacture of paper and paperboard products
56. Businesses primarily engaged in the manufacture or processing of drugs in pharmaceutical preparations for human or veterinary use
57. Businesses primarily engaged in the manufacture of tires, footwear, bottles, hoses, etc., from rubber, from primary plastic products, etc
58. Businesses primarily engaged in the manufacture of leather products such as shoes, luggage, etc.
59. Businesses primarily engaged in the manufacture of glass, stone, clay, and concrete products (but not a concrete batch plant).
60. Businesses primarily engaged in the manufacture of metal products, such as metal cans, hand tools, wire products, general hardware, and weapons but not weapons ammunition
61. Businesses primarily engaged in the manufacture of machinery and equipment, such as farm machinery, construction equipment, power and machine tools, engines, etc
62. Businesses primarily engaged in the manufacture of office, computing, and accounting machines, and businesses primarily engaged in the manufacture of refrigeration and service machinery
63. Businesses primarily engaged in the manufacture of electrical and electronic machinery, equipment, and supplies
64. Businesses primarily engaged in the manufacturing of transportation equipment, including motor vehicles
65. Businesses primarily engaged in the manufacture of laboratory, scientific and measuring equipment, of watches, clocks, jewelry, musical instruments, signs, toys, and other products
66. General contractors (with contractor yards greater than five (5) acres in size) for the following:
  - a. Residential dwellings
  - b. Commercial buildings and structures
  - c. Industrial buildings and structures
  - d. Highway and street construction
  - e. Water, sewer, pipeline construction
  - f. Earth moving, drainage, land reclamation
  - g. Bridges, tunnels



### 3. Proposed Land Uses

The Property may be developed with uses permitted by right in the “E-26” zoning district, as amended by the following land use table:

| LAND USES                                 | E-26 |
|-------------------------------------------|------|
| Agricultural - General                    | P    |
| Agricultural Service                      | P    |
| Bed and Breakfast                         |      |
| Building Construction, General            | P    |
| Building Construction, Specialist         | P    |
| Business Services I                       | P    |
| Business Services II                      | P    |
| Cocktail Lounge                           | P    |
| Detention Facilities                      |      |
| Dwelling , Single Family, Detached        |      |
| Manufactured Home or Manufactured Housing |      |
| Dwelling, Multiple Family                 |      |
| Dwelling, Single Family with apartment    |      |
| Dwelling, RC District Uses (with plat)    |      |
| Education, Secondary and College          | P    |
| Education, Primary                        |      |
| Equipment Sales/Repair/Storage (Heavy)    | P    |
| Fuel Sales                                | P    |
| Funeral Services                          |      |
| Institutional and Public Use Facilities   |      |
| Life Care Development                     |      |
| Manufacturing, Custom                     | P    |
| Manufacturing and Industrial, Heavy       | P    |
| Manufacturing and Industrial, Limited     | P    |
| Manufactured Housing Sales                |      |
| Personal Services I                       | P    |
| Personal Services II                      | P    |
| Personal Services-Limited                 | P    |
| Professional Offices                      | P    |
| Restaurant, General                       | P    |
| Restaurant, Limited                       | P    |
| Retail Trade – I                          | P    |
| Retail Trade – II                         |      |
| Retail Trade – III                        |      |
| Retail Trade – Limited                    |      |
| Tourist/Visitor & Recreation Service      | P    |
| Transportation Terminal (Bus/Aviation)    | P    |

|                                |   |
|--------------------------------|---|
| Vehicle Maintenance and Repair | P |
| Vehicle Sales/Service-Used     | P |
| Vehicle Sales/Services – New   | P |
| Warehousing & Distribution     | P |

**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2016-05**

**AN ORDINANCE AMENDING ORDINANCE 2001-23 WHICH ANNEXED PROPERTY INTO THE CITY AND ADOPTED ZONING FOR THE SAME PROPERTY PURSUANT TO A "PLANNED DEVELOPMENT DISTRICT"; SAID PROPERTY CONSISTING OF AN APPROXIMATE 75.73 ACRE TRACT OF LAND LOCATED ADJACENT TO STATE HIGHWAY 27 AND BETWEEN COLVIN RANCH ROAD EAST AND SUTHERLAND LANE EAST WITH AN ADDRESS OF 155 COLVIN RANCH ROAD EAST; SAID AMENDMENTS CONSISTING OF VARIOUS CHANGES TO THE AUTHORIZED USES FOR THE PROPERTY**

**WHEREAS**, on September 25, 2001, City Council adopted Ordinance No. 2001-23, which annexed property into the territory of City of Kerrville, Texas ("City"), and adopted zoning pursuant to the creation of a "Planned Development District" ("PDD") on an approximate 75.73 acre tract of land; and

**WHEREAS**, pursuant to Texas Local Government Code Sections 211.006 and 211.007, notice has been given to all parties in interest and citizens by publication in the official newspaper for the City, and otherwise, of a hearing which was held before the City Council on March 22, 2016, which considered a report of the City's Planning and Zoning Commission regarding its recommendations on an ordinance, the adoption of which will result in amendments to the PDD; and

**WHEREAS**, such public hearing was held in the Council Chambers beginning at approximately 6:00 p.m. on March 22, 2016, as advertised; and

**WHEREAS**, after a full hearing, at which all parties in interest and citizens were given an opportunity to be heard; and after receiving and considering the recommendations of the Planning and Zoning Commission and City staff; and after considering among other things, the character of the various areas of the City and the suitability of particular uses in each area; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City, the City Council finds it to be in the best interest of the health, safety, morals, and general welfare of the City, to amend Ordinance 2001-23 and to amend the PDD as created therein;

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

**SECTION ONE.** Ordinance 2001-23 is amended by revising Section Three of said ordinance in its entirety and replacing it with the following:

**"SECTION THREE.** That upon the adoption of this Ordinance, the Property



shall be and constitutes a Planned Development District in accordance with Article 11-I-15 of the Code of Ordinances of the City of Kerrville, Texas, which, in addition to the regulations set forth in the Title 11, Chapter I of the Code of Ordinance, shall be subject to the following use and development regulations:

**A. Site Plan:** The development of the Property shall conform in all respects to the site plan(s) attached hereto as **Exhibit “B”** and incorporated herein by reference, which said site plan may be amended in accordance with City Code.

**B. Uses Permitted by Right:** The Property may be developed with uses permitted by right in the “E-26” zoning district, as amended by the following land use table:

| LAND USES                                 | E-26 |
|-------------------------------------------|------|
| Agricultural - General                    | P    |
| Agricultural Service                      | P    |
| Bed and Breakfast                         |      |
| Building Construction, General            | P    |
| Building Construction, Specialist         | P    |
| Business Services I                       | P    |
| Business Services II                      | P    |
| Cocktail Lounge                           | P    |
| Detention Facilities                      |      |
| Dwelling , Single Family, Detached        |      |
| Manufactured Home or Manufactured Housing |      |
| Dwelling, Multiple Family                 |      |
| Dwelling, Single Family with apartment    |      |
| Dwelling, RC District Uses (with plat)    |      |
| Education, Secondary and College          | P    |
| Education, Primary                        |      |
| Equipment Sales/Repair/Storage (Heavy)    | P    |
| Fuel Sales                                | P    |
| Funeral Services                          |      |
| Institutional and Public Use Facilities   |      |
| Life Care Development                     |      |
| Manufacturing, Custom                     | P    |
| Manufacturing and Industrial, Heavy       | P    |
| Manufacturing and Industrial, Limited     | P    |
| Manufactured Housing Sales                |      |
| Personal Services I                       | P    |
| Personal Services II                      | P    |
| Personal Services-Limited                 | P    |
| Professional Offices                      | P    |
| Restaurant, General                       | P    |

|                                        |   |
|----------------------------------------|---|
| Restaurant, Limited                    | P |
| Retail Trade – I                       | P |
| Retail Trade – II                      |   |
| Retail Trade – III                     |   |
| Retail Trade – Limited                 |   |
| Tourist/Visitor & Recreation Service   | P |
| Transportation Terminal (Bus/Aviation) | P |
| Vehicle Maintenance and Repair         | P |
| Vehicle Sales/Service-Used             | P |
| Vehicle Sales/Services – New           | P |
| Warehousing & Distribution             | P |

**C. Ancillary Sales and Services:** A portion of the Property that is used and developed for a purpose permitted under Subsection B, above, that by definition does not otherwise allow the use of said tract for the on-premises sale of goods and/or services can be used for the on-premises sale of goods and/or services subject to the following restrictions:

1. Such sales must be conducted in association with and ancillary to the primary use of the tract otherwise permitted by this Ordinance:
2. The goods sold must be goods that are:
  - a. manufactured or produced by the associated business on the Property; or
  - b. in the case of a warehouse and distribution center, kept on the property of the associated business for purpose of distribution to other locations; or
  - c. directly related to the use, maintenance, or repair of the goods manufactured or produced by the associated business on the Property;
3. If services are provided, such services must be:
  - a. directly related to the operation, repair, or maintenance of goods manufactured, produced, or repaired by the associated business on the Property; or
  - b. be the same type of services generally provided to customers who can obtain the services without being personally on the premises (*e.g.*, a business that conducts bulk photographic film processing for other businesses who ship such film from off-premises sites can also provide similar film processing services for walk-in customers).
4. Such sales must be conducted within the Main Building located on the property of the associated business; provided, however, this subparagraph shall not be

construed as prohibiting customers from being allowed into the areas of the business, including accessory buildings, where the production, manufacturing, or repair of goods is occurring or where the finished or repaired goods that are produced, manufactured, or repaired on the Property by the associated business are being stored;

5. The area of the Main Building where such sales occur shall not exceed the lesser of:

- a. ten percent (10%) of the floor area of the Main Building; or
- b. 2000 square feet;

provided, however, such sales area may at all times be equal to at least 500 square feet. For purposes of this Paragraph 5, office areas located in the Main Building where customers generally are not invited for the purpose of conducting sales shall not be included in the area calculations.

**D. Obstructions to Air Traffic:** Notwithstanding any provision of this Ordinance to the contrary, at no time shall the highest point of any building, tower, antennae, sign, light stanchion, or other structure constructed or installed on the Property exceed the maximum height allowed by Federal, State, or local law, regulation, or ordinance, including, but not limited to, regulations promulgated pursuant to Title 49, United States Code §44718, as amended, such that a building or structure would constitute an obstruction to air traffic at the Kerrville/Kerr County Municipal Airport. Prior to issuance of a building permit for any building or structure to be constructed on the Property, the City Building Official, in consultation with the Director of Public Works or his designee, may withhold issuance of a building permit until approval is obtained from the Federal Aviation Administration or its successor agency that the proposed building or structure will not constitute an obstruction to air traffic.

**E. Parking Requirements:** Except to the extent this Ordinance expressly states to the contrary, development of the Property shall at all times comply with the then current parking regulations of the City.

**F. Driveways:** All driveway entrances on Highway 27 (Junction Highway) shall be prohibited.

**G. Screening Regulations:** All storage, supplies and equipment shall be screened from view along Highway 27 (Junction Highway) in accordance with City screening regulations. Additionally, except to the extent this Ordinance expressly states to the contrary, development of the remainder of the Property shall at all times comply with the then current screening regulations of the City.

**H. Lot Regulations and Development:** Except to the extent this Ordinance expressly states to the contrary, development of the Property shall at all times comply with the



then current zoning code and subdivision ordinance of the City.

**I. Rooftop Mechanical Equipment:** Rooftop mechanical equipment must be screened from view such that it cannot be seen from ground level when standing on the immediately adjacent properties. Roof top equipment should be placed in a linear grid configuration except for building code required vents or flues.”

**SECTION TWO.** Except as amended by this Ordinance, the provisions of Ordinance No. 2001-23 remain in full force and effect.

PASSED AND APPROVED ON FIRST READING, this the 22<sup>nd</sup> day of March, A.D., 2016.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2016.

\_\_\_\_\_  
Jack Pratt, Jr., Mayor

APPROVED AS TO FORM:

Michael C. Hayes  
Michael C. Hayes, City Attorney

ATTEST:

\_\_\_\_\_  
Brenda G. Craig, City Secretary

|                |  |                                                                                                                             |  |                                                             |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
|----------------|--|-----------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 0110<br>1<br>1 |  | HANRY<br>CONSULTING ENGINEERS<br>125 PINE STREET - P.O. BOX 1000<br>ELLIOT, ILL. 60120<br>CIVIL & ENVIRONMENTAL ENGINEERING |  | AIRPORT COMMERCE PARK<br>SITE PLAN<br>AIRPORT COMMERCE PARK |  | 1/2" = 100'<br>1/4" = 25'<br>1/8" = 12.5'<br>1/16" = 6.25'<br>1/32" = 3.125'<br>1/64" = 1.5625'<br>1/128" = 0.78125'<br>1/256" = 0.390625'<br>1/512" = 0.1953125'<br>1/1024" = 0.09765625'<br>1/2048" = 0.048828125'<br>1/4096" = 0.0244140625'<br>1/8192" = 0.01220703125'<br>1/16384" = 0.006103515625'<br>1/32768" = 0.0030517578125'<br>1/65536" = 0.00152587890625'<br>1/131072" = 0.000762939453125'<br>1/262144" = 0.0003814697265625'<br>1/524288" = 0.00019073486328125'<br>1/1048576" = 9.53674319328125E-05<br>1/2097152" = 4.768371596640625E-05<br>1/4194304" = 2.3841857983203125E-05<br>1/8388608" = 1.1920928991601562E-05<br>1/16777216" = 5.960464495800781E-06<br>1/33554432" = 2.9802322479003906E-06<br>1/67108864" = 1.4901161239501953E-06<br>1/134217728" = 7.450580619750977E-07<br>1/268435456" = 3.725290309875488E-07<br>1/536870912" = 1.862645154937744E-07<br>1/1073741824" = 9.31322577468872E-08<br>1/2147483648" = 4.65661288734436E-08<br>1/4294967296" = 2.32830644367218E-08<br>1/8589934592" = 1.16415322183609E-08<br>1/17179869184" = 5.82076610918045E-09<br>1/34359738368" = 2.910383054590225E-09<br>1/68719476736" = 1.4551915272951125E-09<br>1/137438953472" = 7.275957636475562E-10<br>1/274877906944" = 3.637978818237781E-10<br>1/549755813888" = 1.8189894091188905E-10<br>1/1099511627776" = 9.094947045594452E-11<br>1/2199023255552" = 4.547473522797226E-11<br>1/4398046511104" = 2.273736761398613E-11<br>1/8796093022208" = 1.1368683806993065E-11<br>1/17592186044416" = 5.684341903496532E-12<br>1/35184372088832" = 2.842170951748266E-12<br>1/70368744177664" = 1.421085475874133E-12<br>1/140737488355328" = 7.105427379370665E-13<br>1/281474976710656" = 3.5527136896853325E-13<br>1/562949953421312" = 1.7763568448426662E-13<br>1/1125899906842624" = 8.881784224213331E-14<br>1/2251799813685248" = 4.4408921121066655E-14<br>1/4503599627370496" = 2.2204460560533327E-14<br>1/9007199254740992" = 1.1102230280266664E-14<br>1/18014398509481984" = 5.551115140133332E-15<br>1/36028797018963968" = 2.775557570066666E-15<br>1/72057594037927936" = 1.387778785033333E-15<br>1/144115188075855872" = 6.938893925166665E-16<br>1/288230376151711744" = 3.4694469625833325E-16<br>1/576460752303423488" = 1.7347234812916662E-16<br>1/1152921504606846976" = 8.673617406458331E-17<br>1/2305843009213693952" = 4.3368087032291655E-17<br>1/4611686018427387904" = 2.1684043516145827E-17<br>1/9223372036854775808" = 1.0842021758072914E-17<br>1/18446744073709551616" = 5.421010879036457E-18<br>1/36893488147419103232" = 2.7105054395182285E-18<br>1/73786976294838206464" = 1.3552527197591142E-18<br>1/147573952589676412928" = 6.776263598795571E-19<br>1/295147905179352825856" = 3.3881317993977855E-19<br>1/590295810358705651712" = 1.6940658996988927E-19<br>1/1180591620717411303424" = 8.470329498494464E-20<br>1/2361183241434822606848" = 4.235164749247232E-20<br>1/4722366482869645213696" = 2.117582374623616E-20<br>1/9444732965739290427392" = 1.058791187311808E-20<br>1/18889465931478580854784" = 5.29395593655904E-21<br>1/37778931862957161709568" = 2.64697796827952E-21<br>1/75557863725914323419136" = 1.32348898413976E-21<br>1/151115727451828646838272" = 6.6174449206988E-22<br>1/302231454903657293676544" = 3.3087224603494E-22<br>1/604462909807314587353088" = 1.6543612301747E-22<br>1/1208925819614629174706176" = 8.2718061508735E-23<br>1/2417851639229258349412352" = 4.13590307543675E-23<br>1/4835703278458516698824704" = 2.067951537718375E-23<br>1/9671406556917033397649408" = 1.0339757688591875E-23<br>1/19342813113834066795298816" = 5.1698788442959375E-24<br>1/38685626227668133590597632" = 2.5849394221479687E-24<br>1/77371252455336267181195264" = 1.2924697110739844E-24<br>1/154742504910672534362390528" = 6.462348555369922E-25<br>1/309485009821345068724781056" = 3.231174277684961E-25<br>1/618970019642690137449562112" = 1.6155871388424805E-25<br>1/1237940039285380274899124224" = 8.077935694212402E-26<br>1/2475880078570760549798248448" = 4.038967847106201E-26<br>1/4951760157141521099596496896" = 2.0194839235531005E-26<br>1/9903520314283042199192993792" = 1.0097419617765502E-26<br>1/19807040628566084398385987584" = 5.048709808882751E-27<br>1/39614081257132168796771975168" = 2.5243549044413755E-27<br>1/79228162514264337593543950336" = 1.2621774522206877E-27<br>1/158456325028528675187087900672" = 6.3108872611034385E-28<br>1/316912650057057350374175801344" = 3.1554436305517192E-28<br>1/633825300114114700748351602688" = 1.5777218152758596E-28<br>1/1267650600228229401496703205376" = 7.888609076379298E-29<br>1/2535301200456458802993406410752" = 3.944304538189649E-29<br>1/5070602400912917605986812821504" = 1.9721522690948245E-29<br>1/10141204801825835211973625643008" = 9.860761345474122E-30<br>1/20282409603651670423947251286016" = 4.930380672737061E-30<br>1/40564819207303340847894502572032" = 2.4651903363685305E-30<br>1/81129638414606681695789005144064" = 1.2325951681842652E-30<br>1/162259276829213363391578010288128" = 6.162975840921326E-31<br>1/324518553658426726783156020576256" = 3.081487920460663E-31<br>1/649037107316853453566312041152512" = 1.5407439602303315E-31<br>1/1298074214633706907132624082305024" = 7.703719801151657E-32<br>1/2596148429267413814265248164610048" = 3.8518599005758285E-32<br>1/5192296858534827628530496329220096" = 1.9259299502879142E-32<br>1/10384593717069655257060992658440192" = 9.629649751439571E-33<br>1/20769187434139310514121985316880384" = 4.8148248757197855E-33<br>1/41538374868278621028243970633760768" = 2.4074124378598927E-33<br>1/83076749736557242056487941267521536" = 1.2037062189299464E-33<br>1/166153499473114484112975882535043072" = 6.018531094649732E-34<br>1/332306998946228968225951765070086144" = 3.009265547324866E-34<br>1/664613997892457936451903530140172288" = 1.504632773662433E-34<br>1/1329227995784915872903807060280344576" = 7.523163868312165E-35<br>1/2658455991569831745807614120560689152" = 3.7615819341560825E-35<br>1/5316911983139663491615228241121378304" = 1.8807909670780412E-35<br>1/10633823966279326983230456482242756608" = 9.403954835390206E-36<br>1/21267647932558653966460912964485513216" = 4.701977417695103E-36<br>1/42535295865117307932921825928971026432" = 2.3509887088475515E-36<br>1/85070591730234615865843651857942052864" = 1.1754943544237758E-36<br>1/170141183460469231731687303715884105728" = 5.877471772118879E-37<br>1/340282366920938463463374607431768211456" = 2.9387358860594395E-37<br>1/680564733841876926926749214863536422912" = 1.4693679430297197E-37<br>1/1361129467683753853853498429727072845824" = 7.3468397151485985E-38<br>1/2722258935367507707706996859454145691648" = 3.6734198575742992E-38<br>1/5444517870735015415413993718908291383296" = 1.8367099287871496E-38<br>1/10889035741470030830827987437816582766592" = 9.183549643935748E-39<br>1/21778071482940061661655974875633165533184" = 4.591774821967874E-39<br>1/43556142965880123323311949751266331066368" = 2.295887410983937E-39<br>1/87112285931760246646623899502532662132736" = 1.1479437054919685E-39<br>1/174224571863520493293247799005065324265472" = 5.7397185274598425E-40<br>1/348449143727040986586495598010130648530944" = 2.8698592637299212E-40<br>1/696898287454081973172991196020261297061888" = 1.4349296318649606E-40<br>1/1393796574908163946345982392040522594123776" = 7.174648159324803E-41<br>1/2787593149816327892691964784081045188247552" = 3.5873240796624015E-41<br>1/5575186299632655785383929568162090376495104" = 1.7936620398312007E-41<br>1/11150372599265311570767859136324180752990208" = 8.968310199156004E-42<br>1/22300745198530623141535718272648361505980416" = 4.484155099578002E-42<br>1/44601490397061246283071436545296723011960832" = 2.242077549789001E-42<br>1/89202980794122492566142873090593446023921664" = 1.1210387748945005E-42<br>1/178405961588244985132285746181186892047843328" = 5.6051938744725025E-43<br>1/356811923176489970264571492362373784095686656" = 2.8025969372362512E-43<br>1/713623846352979940529142984724747568191373312" = 1.4012984686181256E-43<br>1/1427247692705959881058285969449495136382746624" = 7.006492343090628E-44<br>1/2854495385411919762116571938898990272765493248" = 3.503246171545314E-44<br>1/5708990770823839524233143877797980545530986496" = 1.751623085772657E-44<br>1/11417981541647679048466287755595961091061972992" = 8.758115428863285E-45<br>1/22835963083295358096932575511191922182123945984" = 4.3790577144316425E-45<br>1/45671926166590716193865151022383844364247891968" = 2.1895288572158212E-45<br>1/91343852333181432387730302044767688728495783936" = 1.0947644286079106E-45<br>1/182687704666362864775460604089535377456991567872" = 5.473822143039553E-46<br>1/365375409332725729550921208179070754913983135744" = 2.7369110715197765E-46<br>1/730750818665451459101842416358141509827966271488" = 1.3684555357598882E-46<br>1/1461501637330902918203684832716283019655932542976" = 6.842277678799441E-47<br>1/2923003274661805836407369665432566039311865085952" = 3.4211388393997205E-47<br>1/5846006549323611672814739330865132078623730171904" = 1.7105694196998602E-47<br>1/11692013098647223345629478661730264157247460343808" = 8.552847098499301E-48<br>1/23384026197294446691258957323460528314494920687616" = 4.2764235492496505E-48<br>1/46768052394588893382517914646921056628989841375232" = 2.1382117746248252E-48<br>1/93536104789177786765035829293842113257979682750464" = 1.0691058873124126E-48<br>1/187072209578355573530071658587684226515959365500928" = 5.345529436562063E-49<br>1/374144419156711147060143317175368453031918731001856" = 2.6727647182810315E-49<br>1/748288838313422294120286634350736906063837462003712" = 1.3363823591405157E-49<br>1/1496577676626844588240573268701473812127674924007424" = 6.6819117957025785E-50<br>1/2993155353253689176481146537402947624255349848014848" = 3.3409558978512892E-50<br>1/5986310706507378352962293074805895248510699696029696" = 1.6704779489256446E-50<br>1/11972621413014756705924586149611790497021399392059392" = 8.352389744628223E-51<br>1/23945242826029513411849172299223580994042798784118784" = 4.1761948723141115E-51<br>1/47890485652059026823698344598447161988085597568237568" = 2.0880974361570558E-51<br>1/95780971304118053647396689196894323976171195136475136" = 1.0440487180785279E-51<br>1/191561942608236107294793378393788647952342390272950272" = 5.2202435903926395E-52<br>1/383123885216472214589586756787577295904684780545900544" = 2.6101217951963197E-52<br>1/766247770432944429179173513575154591809369561091801088" = 1.3050608975981599E-52<br>1/1532495540865888858358347027150309183618739122183602176" = 6.5253044879907995E-53<br>1/3064991081731777716716694054300618367237478244367204352" = 3.2626522439953997E-53<br>1/6129982163463555433433388108601236734474956488734408704" = 1.6313261219976999E-53<br>1/12259964326927110866866776217202473468949912977468817408" = 8.156630609988499E-54<br>1/24519928653854221733733552434404946937899825954937634816" = 4.0783153049942495E-54<br>1/49039857307708443467467104868809893875799651909875269632" = 2.0391576524971248E-54<br>1/98079714615416886934934209737619787751599303819750539264" = 1.0195788262485624E-54<br>1/196159429230833773869868419475239575503198607639501078528" = 5.097894131242812E-55<br>1/392318858461667547739736838950479151006397215279002157056" = 2.548947065621406E-55<br>1/784637716923335095479473677900958302012794430558004314112" = 1.274473532810703E-55<br>1/1569275433846670190958947355801916604025588861116008628224" = 6.372367664053515E-56<br>1/3138550867693340381917894711603833208051177722232017256448" = 3.1861838320267575E-56<br>1/6277101735386680763835789423207666416102355444464034512896" = 1.5930919160133787E-56<br>1/12554203470773361527671578846415332832204710888928069025792" = 7.9654595800668935E-57<br>1/25108406941546723055343157692830665664409421777856138051584" = 3.9827297900334467E-57<br>1/50216813883093446110686315385661331328818843555712276103168" = 1.9913648950167234E-57<br>1/100433627766186892221372630771322662657637687111424552206336" = 9.956824475083617E-58<br>1/200867255532373784442745261542645325315275374222849104412672" = 4.9784122375418085E-58<br>1/401734511064747568885490523085290650630550748445698208825344" = 2.4892061187709042E-58<br>1/803469022129495137770981046170581301261101496891396417650688" = 1.2446030593854521E-58<br>1/1606938044258990275541962092341162602522202993 |  |
|----------------|--|-----------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

## **Agenda Item:**

6A. Second Amendment to Airport Commerce Park Development Agreement for the property generally located southeast of Airport Commerce Parkway East, between Highway 27 and Colvin Ranch Road East, with an address of 155 Colvin Ranch Road East. (staff)



**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

**SUBJECT:** Action concerning requested amendments to an existing Development Agreement in association with Ordinance Number 2001-23 for an approximate 75.73 acres tract. Being all of a certain tract or parcel of land containing 75.73 acres, more or less, out of O. V. Robinson Survey No. 44, Abstract No. 282 in Kerr County, Texas; comprising 4.25 acres out of a certain 141.38 acre tract conveyed from Farm Credit Bank of Texas to J. W. Colvin, III by a Special Warranty Deed with Vendor's Lien executed the 2nd day of November, 1995 and recorded in Volume 822 at Page 638 of the Real Property Records of Kerr County, Texas, 66.48 acres out of a certain 186.99 acre tract conveyed from Farm Credit Bank of Texas to City South Management Corp. by a Special Warranty Deed with Vendor's Lien executed the 2nd day of November, 1995 and recorded in Volume 822 at Page 620 of the Real Property Records of Kerr County, Texas, and 5.00 acres out of a certain 10.00 acre tract heretofore conveyed out of said 141.38 and 186.99 acre tracts from Richard B. Colvin, et ux to Chapman Building Systems, Inc. by a Warranty Deed with Vendor's Lien executed the 15th day of December, 2000 and recorded in Volume 1099 at Page 413 of the Real Property Records of Kerr County, Texas, located southeast of Airport Commerce Parkway East, between Highway 27 and Colvin Ranch Road East. 155 Colvin Ranch Road East.

**FOR AGENDA OF:** April 12, 2016

**DATE SUBMITTED:** April 6, 2016

**SUBMITTED BY:** Trenton Robertson  
City Planner

**CLEARANCES:** Kristine Day  
Deputy City Manager

**EXHIBITS:** Development Agreement  
**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:**

| <b>Expenditure</b> | <b>Current Balance</b> | <b>Amount</b>    | <b>Account</b> |
|--------------------|------------------------|------------------|----------------|
| <b>Required:</b>   | <b>in Account:</b>     | <b>Budgeted:</b> | <b>Number:</b> |
| \$                 | \$                     | \$               |                |

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE DIRECTOR OR FINANCE:**

**SUMMARY STATEMENT**

This item is concerning requested amendments to an existing Development Agreement in association with Ordinance Number 2001-23 for an approximate 75.73 acres tract. The Planned Development District associated with the Development Agreement was amended by City Council at its regular scheduled meeting on March 22, 2016.

**RECOMMENDED ACTION**

Staff recommends that the Council take action and approve the amendments to the Development Agreement. A public hearing is not required for this item.



## City of Kerrville Planning Department Report

To: Planning & Zoning Commission

Agenda Item: 3A

Planning File #: 2016-006

Hearing Date: March 17, 2016

Representative: City Staff

Location: 155 Colvin Ranch Road East

Legal Description: Being all of a certain tract or parcel of land containing 75.73 acres, more or less, out of O. V. Robinson Survey No. 44, Abstract No. 282 in Kerr County, Texas; comprising 4.25 acres out of a certain 141.38 acre tract conveyed from Farm Credit Bank of Texas to J. W. Colvin, III by a Special Warranty Deed with Vendor's Lien executed the 2nd day of November, 1995 and recorded in Volume 822 at Page 638 of the Real Property Records of Kerr County, Texas, 66.48 acres out of a certain 186.99 acre tract conveyed from Farm Credit Bank of Texas to City South Management Corp. by a Special Warranty Deed with Vendor's Lien executed the 2nd day of November, 1995 and recorded in Volume 822 at Page 620 of the Real Property Records of Kerr County, Texas, and 5.00 acres out of a certain 10.00 acre tract heretofore conveyed out of said 141.38 and 186.99 acre tracts from Richard B. Colvin, et ux to Chapman Building Systems, Inc. by a Warranty Deed with Vendor's Lien executed the 15th day of December, 2000 and recorded in Volume 1099 at Page 413 of the Real Property Records of Kerr County, Texas, located southeast of Airport Commerce Parkway East, between Highway 27 and Colvin Ranch Road East.

Total Acreage: 75.73

---

### **Proposal**

A request to amend an existing Planned Development District (PDD 01-23) Ordinance Number 2001-23 Section Three A thru R for an approximate 75.73 acres tract.

### **Procedural Requirements**

The application was published in The Hill Country Community Journal, an official newspaper of general circulation on March 2, 2016. Notices were sent to property owners within two hundred (200) feet of the subject property on March 7, 2016. Additionally, notice of this meeting was posted at city hall and on the city's internet website on March 11, 2016, 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: 17**

**Topography**

The subject property is relatively flat with a few tree and various types of grasses.

**Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "AD"

**Current Land Uses:** Airport and Vacant

**Direction:** West

**Current Base Zoning:** "E26" and "OCL"

**Current Land Uses:** Manufacturing, Industrial, and Vacant

**Direction:** East and South

**Current Base Zoning:** "OCL"

**Current Land Uses:** Vacant

**Transportation**

**Thoroughfare:** Highway 27

**Existing Character:** One lane in each direction with no sidewalks.

**Proposed Changes:** None known

**Staff Analysis and Recommendation: Approval**

**1. Intent and Purpose of the Proposed Amendment:**

On November 27, 2001, City Council approved the existing "PDD 01-23" Planned Development District 2001-23. Over the years the property has been marketed for development with little to no success. The existing Planned Development District has various design, development and land use regulations (in addition to all existing city codes and requirements) that have made it difficult to develop. The proposed amendments to the existing PDD will broaden the permitted land uses and eliminate various development regulations.

**2. Current Land Uses**

- |                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Agricultural Services, but only those uses described in Art. 11-I-3(a.)(4)(i) and (iii) | 9. Day care centers, but only if operated in association with and ancillary to another business permitted by this Ordinance to be operating on the Property. Such day care center must: (1) be located on the property of the associated business and (2) have no less than eighty percent (80%) of the children enrolled in the center consist of children of the owners, officers, or employees of the associated business. |
| 2. Blue printing and photo copying services                                                |                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 3. Building cleaning services                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 4. Building Construction, General                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 5. Building Construction, Specialist                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 6. Cablevision, radio and television stations                                              | 10. Disinfecting and exterminating services                                                                                                                                                                                                                                                                                                                                                                                   |
| 7. Commercial art, photography, and graphics (but not including retail portrait studios)   | 11. Employment agencies                                                                                                                                                                                                                                                                                                                                                                                                       |
| 8. Commercial testing laboratories                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                               |



12. Equipment Sales/Repair/Storage (Heavy), which business may also include the rental of tools, equipment, and other goods as a related and ancillary use
13. Gunsmith and locksmith shops
14. Health or fitness studios/salons and massage therapy, but only if:
  - a. it is located and operated ancillary to a hotel or motel located on the Property and providing services primarily to the guests of said hotel or motel; or
  - b. it is operated in association with and ancillary to another business permitted by this Ordinance to be operating on the Property; provided, such facility is located on the property of the associated business and have no less than 80% of the members consist of officers, employees, directors, or shareholders of the associated business, or members of their respective families.
15. Hospital Services
16. Hotel/Motel (limited to one hotel or motel located within five hundred (500) feet of the southern pavement line of State Highway 27)
17. Job and Vocational Training Centers
18. Kennels with a maximum boarding capacity of less than twelve (12) animals
19. Laundry services (commercial and industrial services only)
20. Maintenance and Service Facilities
21. Manufacturing, Custom
22. Mini-storage
23. Newspapers
24. Pet services
25. Photo finishing laboratories, but not including stand-alone retail photo processing businesses where retail customers can deliver film for processing and pick-up processed photographs
26. Postal services
27. Protective services, non-governmental
28. Recreation, Commercial (but only those uses defined as Indoor Sports and Recreation or Outdoor Sport and Recreation, but excluding outdoor shooting ranges of any type)
29. Refrigeration/air conditioning service and repair
30. Restaurant, General (limited to one restaurant located within five hundred (500) feet of southern pavement line of State Highway 27)
31. Reupholstery and furniture repair
32. Safety Services
33. Schools primarily engaged in instructional or informational classes related to art, dance, gymnastics, cheerleading, trampoline and tumbling, or martial arts
34. Sign painting and outdoor advertising services
35. Swimming pool and cleaning and maintenance
36. Telecommunications Distribution Location
37. Telecommunication Servicing Center
38. Telephone and electric company offices (excluding storage and maintenance yards, but including telecommunication serving centers)
39. Transportation Terminal, including bus terminals and motor freight transportation businesses
40. Utility Services, Local
41. Vehicle Maintenance and Repair, but not including the uses defined as Vehicle Sales/Services – New and Vehicle Sales/Services-Used, except to the extent allowed by Subsection B.44, below.
42. Warehousing and Distribution, and/or Moving and Storage Businesses
43. Welding shops, not elsewhere classified as a manufacturing or industry
44. Businesses primarily engaged in the rental of automobiles, light trucks, sport utility vehicles, and passenger vans not exceeding a capacity of fifteen (15) passengers; provided that no more than one such business shall be located on the Property
45. Businesses primarily engaged in the manufacture, processing, and packing of dairy products.
46. Businesses primarily engaged in the canning of fruits and vegetables.

47. Businesses primarily engaged in preparing foods from previously milled grain products, including the preparation of breakfast foods, the mixing of flours, and the manufacture of bakery products
48. Businesses primarily engaged in the manufacture of sugar, candy, and other confectionery products
49. Businesses primarily engaged in the manufacture of butter, margarine, cooking oils, etc., from previously processed animal and vegetable oils
50. Businesses primarily engaged in the manufacture, bottling, and canning of beverages
51. Businesses primarily engaged in the manufacture of tobacco products
52. Businesses primarily engaged in the preparation, manufacture, cutting, sewing, and finishing of textile mill products
53. Businesses primarily engaged in the cutting and manufacture of lumber and wood products, including the construction of wood buildings or arches, trusses, etc., in a construction facility for sale and transport to another site for placement on a lot for use
54. Businesses primarily engaged in the manufacture of furniture and fixtures for residential or business use
55. Businesses primarily engaged in the manufacture of paper and paperboard products
56. Businesses primarily engaged in the manufacture or processing of drugs in pharmaceutical preparations for human or veterinary use
57. Businesses primarily engaged in the manufacture of tires, footwear, bottles, hoses, etc., from rubber, from primary plastic products, etc
58. Businesses primarily engaged in the manufacture of leather products such as shoes, luggage, etc.
59. Businesses primarily engaged in the manufacture of glass, stone, clay, and concrete products (but not a concrete batch plant).
60. Businesses primarily engaged in the manufacture of metal products, such as metal cans, hand tools, wire products, general hardware, and weapons but not weapons ammunition
61. Businesses primarily engaged in the manufacture of machinery and equipment, such as farm machinery, construction equipment, power and machine tools, engines, etc
62. Businesses primarily engaged in the manufacture of office, computing, and accounting machines, and businesses primarily engaged in the manufacture of refrigeration and service machinery
63. Businesses primarily engaged in the manufacture of electrical and electronic machinery, equipment, and supplies
64. Businesses primarily engaged in the manufacturing of transportation equipment, including motor vehicles
65. Businesses primarily engaged in the manufacture of laboratory, scientific and measuring equipment, of watches, clocks, jewelry, musical instruments, signs, toys, and other products
66. General contractors (with contractor yards greater than five (5) acres in size) for the following:
  - a. Residential dwellings
  - b. Commercial buildings and structures
  - c. Industrial buildings and structures
  - d. Highway and street construction
  - e. Water, sewer, pipeline construction
  - f. Earth moving, drainage, land reclamation
  - g. Bridges, tunnels

### 3. Proposed Land Uses

The Property may be developed with uses permitted by right in the “E-26” zoning district, as amended by the following land use table:

| LAND USES                                 | E-26 |
|-------------------------------------------|------|
| Agricultural - General                    | P    |
| Agricultural Service                      | P    |
| Bed and Breakfast                         |      |
| Building Construction, General            | P    |
| Building Construction, Specialist         | P    |
| Business Services I                       | P    |
| Business Services II                      | P    |
| Cocktail Lounge                           | P    |
| Detention Facilities                      |      |
| Dwelling , Single Family, Detached        |      |
| Manufactured Home or Manufactured Housing |      |
| Dwelling, Multiple Family                 |      |
| Dwelling, Single Family with apartment    |      |
| Dwelling, RC District Uses (with plat)    |      |
| Education, Secondary and College          | P    |
| Education, Primary                        |      |
| Equipment Sales/Repair/Storage (Heavy)    | P    |
| Fuel Sales                                | P    |
| Funeral Services                          |      |
| Institutional and Public Use Facilities   |      |
| Life Care Development                     |      |
| Manufacturing, Custom                     | P    |
| Manufacturing and Industrial, Heavy       | P    |
| Manufacturing and Industrial, Limited     | P    |
| Manufactured Housing Sales                |      |
| Personal Services I                       | P    |
| Personal Services II                      | P    |
| Personal Services-Limited                 | P    |
| Professional Offices                      | P    |
| Restaurant, General                       | P    |
| Restaurant, Limited                       | P    |
| Retail Trade – I                          | P    |
| Retail Trade – II                         |      |
| Retail Trade – III                        |      |
| Retail Trade – Limited                    |      |
| Tourist/Visitor & Recreation Service      | P    |
| Transportation Terminal (Bus/Aviation)    | P    |



|                                |   |
|--------------------------------|---|
| Vehicle Maintenance and Repair | P |
| Vehicle Sales/Service-Used     | P |
| Vehicle Sales/Services – New   | P |
| Warehousing & Distribution     | P |

# DRAFT

## SECOND AMENDMENT TO AIRPORT COMMERCE PARK DEVELOPMENT AGREEMENT

**THIS SECOND AMENDMENT TO DEVELOPMENT AGREEMENT** ("Second Amendment") is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2016, between the Kerrville Airport Commerce Park, Ltd., a Texas Limited Partnership, ("Developer") by and through its \_\_\_\_\_; the City of Kerrville, ("City"), a Texas home rule municipal corporation whose offices are located at 701 Main Street, Kerrville, Texas 78028; the City of Kerrville, Texas Economic Improvement Corporation ("EIC"), a Texas nonprofit corporation, established pursuant to Section 4B of Tex. Rev. Civ. Stat. Art. 5190.6 (otherwise known as the Development Corporation Act of 1979 and now codified in Chapters 501, 502, and 505 of the Texas Local Government Code) (hereafter referred to as "the Act"), whose offices are located at 701 Main Street, Kerrville, Texas 78028.

### I. RECITALS

**WHEREAS**, on or about September 25, 2001, City, EIC, and the Owner and Developer, entered into that certain *Airport Commerce Park Development Agreement* (the "Agreement"); and

**WHEREAS**, the Agreement was amended on or about June 11, 2012, to account for and provide additional funding due to increased costs for the construction of the City's water distribution system and wastewater collection system; and

**WHEREAS**, while the Agreement applied to two separate tracts, the "Colvin Property", as defined by the Agreement and which consisted of 14.19 acres, has been sold in its entirety and pursuant to that transaction, the Economic Improvement Corporation ("EIC") was reimbursed \$14,190.00 in accordance with the "Developer Participation" as contemplated by the Agreement; and

**WHEREAS**, portions of the other tract subject to and defined by the Agreement as the "Property", has been partially sold and developed and in so doing, payments have been made to the EIC in the amount of \$44,350.00 to date, which when combined with the amount paid for the Colvin Property equals \$41,650.00 in a remaining balance for the Developer Participation; and

**WHEREAS**, Developer is currently going through the legally defined process of seeking changes to the applicable zoning for the Property, changes which will in essence change the types of uses as authorized by the Planned Development Agreement ("PDD");

**NOW, THEREFORE**, in consideration of the recitals stated above, and the covenants, conditions, and promises contained herein, the properties and rights hereby vested and created as herein provided and other good and valuable consideration from the Agreement, the receipt and

sufficiency of which is acknowledged, City, EIC, and Developer amend the Agreement in accordance with Section VII.A. of the Agreement as follows:

1. **Exhibit C**, referred to in Sections II.F, II.G., and IV.B. of the Agreement, is amended by including and attaching Ordinance No. 2016-05 to the Agreement. Ordinance No. 2016-05 amends Ordinance 2001-23 which was presented as **Exhibit C** to the Agreement and caused the annexation and applied zoning to the Property in the form of a Planned Development District. Ordinance No. 2016-05 amends the PDD by changing various uses authorized for the Property.

2. Section III.C. of the of the Agreement is amended by adding the language that is underlined (added) and deleting the language that is bracketed and stricken (~~deleted~~) as follows:

“C. **Developer Participation:** Developer and the Colvins agree to reimburse EIC, as Developer’s and the Colvins’ agreed share of the cost for the City Improvements, the sum of ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) (the “Developer Participation”). The Developer Participation will be a non-interest bearing obligation and will be payable as follows:

1. Upon the application for a building permit from the City for ~~close of the sale or lease of all or~~ any portion of the Property and limited to building permits necessary to erect or improve a building under City adopted codes including the International Building Code, International Mechanical Code, International Electrical Code, and International Plumbing Code and not any permit associated with the construction of public improvements, such as streets or public utilities, Developer will pay EIC an amount equal to the number of acres and portions of acres in the tract under development or construction ~~sold or leased~~ multiplied by \$2,000.00. The City has full authority to deny any such permit until such time that it receives full payment for the amount of funds due under this subsection and this subsection is considered to have complied with Section 214.904(b)(3) as to the basis for the denial of the issuance of any building permit.
2. Upon the application for a building permit from the City for ~~close of the sale or lease of all or~~ any portion of the Colvin Property and limited to building permits necessary to erect or improve a building under City adopted codes including the International Building Code, International Mechanical Code, International Electrical Code, and International Plumbing Code and not any permit associated with the construction of public improvements, such as streets or public utilities, the Colvins will pay EIC an amount equal to the number of acres and portions of acres in the tract under development or construction ~~sold or leased~~ multiplied by \$1,000.00. The City has full authority to deny any such permit until such



time that it receives full payment for the amount of funds due under this subsection and this subsection is considered to have complied with Section 214.904(b)(3) as to the basis for the denial of the issuance of any building permit.

3. For purpose of Section III.C.2., the phrase “lease” does not include any lease for Agricultural Purposes.
4. Payment to EIC shall be made at the time of an application for any building permit, as defined above, from the City for any ~~[closing of the sale or lease of the]~~ portion of the Property or Colvin Property in question. Developer shall pay the unpaid balance of the Developer Participation upon the termination ~~[20<sup>th</sup> anniversary date of the execution]~~ of this Agreement but only for Property that it owns. For any part of the Property that the Developer sells and provides notice to City and EIC in the form of an executed deed which has been filed in the real property records of Kerr County, Texas, the subsequent owner of the Property or a portion thereof shall be responsible for compliance with this section and fulfillment of the Developer Participation. ~~[For purpose of this paragraph, the “closing” on a lease shall be deemed to have occurred upon execution of the lease agreement and delivery of possession of the leased premises to the lessee.]~~
5. Payment of the Developer Participation will be secured by first lien Deed of Trust on the Property and a second lien Deed of Trust on the Colvin Property, the provisions of which shall be substantially as set forth in Exhibits “D” and “E”, attached hereto and incorporated herein by reference.
6. The entire unpaid balance of the Developer Participation, including both principal and accrued interest, if any, shall, at the option of EIC, become immediately due and payable if a ~~[the Developer or the Colvins fail to make payment of the amounts due under this Section III.C. as and when same becomes payable in accordance with the provisions hereof, or]~~ default shall be made in the performance or observance of any covenant, condition, provision or agreement contained in the Deeds of Trust, and any such failure or default shall not be cured within twenty (20) days after written notice thereof from EIC ~~[to the Developer and the Colvins]~~.
7. Amounts not paid more than thirty (30) days after delivery of written notice ~~[to the Developer and the Colvins]~~ of the past due status of said amount shall accrue interest at the rate of ten percent (10.0%) per year until paid.”

3. Section IV of the of the Agreement is amended by adding the language that is underlined (added) and deleting the language that is bracketed and stricken (~~deleted~~) as follows:

**“IV. ADDITIONAL CONSIDERATION FROM DEVELOPER AND COLVINS**

- A. Development to Occur in Phases:** The parties hereto acknowledge, understand, and agree that the Property may be developed in different phases with differing areas. ~~[Each phase to be developed must contain an area equal to or greater than fifteen (15) acres, excluding any area dedicated for public or private streets or alleys, utility easements, or drainage easements or basins; provided, however, if after all previous phases have been developed there remains an undeveloped parcel of less than 15 acres in area, said parcel may be developed as a single phase without Developer being in default of this Agreement.]~~
- B. Development Schedule for Phase I:** Subject to delays due to Force Majeure as provided in Section VII.P. of this Agreement, not later than the latter of twelve (12) months after the date of the completion of the City Improvements or eighteen (18) months after the execution of this Agreement, Developer agrees to complete development of Phase I to the extent necessary to provide fully developed lots for sale, which development shall include, but not be limited to:
1. seeking and obtaining approval of final plats comprising the area of Phase I;
  2. completing construction of, and obtaining City final acceptance of, all public improvements required by the Subdivision Regulations or this Agreement to be constructed by Developer with respect to the development of Phase I, including, but not limited to, all internal water mains and related appurtenances, sanitary sewer mains and any required lift stations and related appurtenances, storm sewers or other drainage facilities, streets, and alleys;
  3. completing construction and/or installation of all other utilities with respect to Phase I including, but not limited to, natural gas (if any), electricity, and telephone;
  4. installing all necessary street lighting;
  5. completing construction of the entrance sign to the Property that is described in the land use and development regulations set forth in Exhibit “C”, hereto.



C. **Failure to Meet Phase I Deadline; Liquidated Damages:** Developer understands and acknowledges that EIC's finding that the construction of the City Improvements constitutes a "Project" as defined by the Act is based on Developer's agreement to complete Phase I within the time required by Section IV.B., above. Developer and EIC agree that just compensation for the harm that would be caused to EIC by Developer's failure to complete Phase I within the time required by Section IV.B., above, cannot be accurately estimated or would be very difficult to accurately estimate and that the amount of the letter of credit described in Section III.D. is a reasonable forecast of just compensation to EIC for the harm that would be caused by Developer's failure to comply with Section IV.B., above, and not a penalty. Consequently, Developer agrees that if Developer fails to comply with the deadline set forth in this Section IV.B., EIC shall have the right at its sole option and without recourse from Developer to present for payment the letter of credit described in Section III.D., above, as EIC's sole and exclusive remedy for default of this section.

~~[D. **Development of Subsequent Phases; Schedule:** Subject to delays due to Force Majeure as provided in Section VII.P. of this Agreement, Developer agrees to develop all subsequent phases of the Property in accordance with the following schedule:~~

- ~~1. If the area of the Property to be developed in the next subsequent phase is included within the boundaries of a previously approved preliminary plat, then:~~
  - ~~a. not later than ninety (90) days after the date Developer closes on the sale and/or lease of the area of any phase of the Property (including Phase I and any subsequent phase) that brings the total area sold or leased in that phase equal to seventy-five percent (75%) of the area of said phase, Developer shall submit an application for final plat of the next phase of the Property to be developed; and~~
  - ~~b. not later than twelve (12) months after obtaining approval of the final plat for such subsequent phase, Developer agrees to complete development of said phase to the extent necessary to provide fully developed lots for sale or lease to the same extent required for Phase I as set forth in Section IV.B., above.~~
- ~~2. If the area of the Property to be developed in the next subsequent phase is not included within the boundaries of a previously approved preliminary plat, then:~~



- ~~a. not later than forty five (45) days after the date Developer closes on the sale and/or lease of the area of any phase of the Property (including Phase I and any subsequent phase) that brings the total area sold or leased in that phase equal to seventy five percent (75%) of the area of said phase, Developer shall submit and diligently prosecute an application for a preliminary plat of the Property to be included in the next phase to be developed; and~~
- ~~b. not later than thirty (30) days after obtaining approval of the preliminary plat for the portion of the Property included within the next phase to be developed, submit and diligently prosecute an application for a final plat for said Property; and~~
- ~~c. not later than twelve (12) months after obtaining approval of the final plat for such subsequent phase, Developer agrees to complete development of said phase to the extent necessary to provide fully developed lots for sale or lease to the same extent required for Phase I as set forth in Section IV.B., above.~~

~~E. Failure to Meet Subsequent Phase Deadlines; Acceleration of Reimbursement: If Developer fails to comply with the deadlines for the development of any subsequent phase of the Property, EIC shall have the right to accelerate the payment of the remaining balance to be paid by Developer to EIC pursuant to Section III.C.]~~

**E.F. Drilling of Wells on Property to be Prohibited:** Developer and the Colvins agree to place a restrictive covenant on the Property and the Colvin Property, respectively, prohibiting the drilling of water wells on the Property and the Colvin Property and provide the City the right as a third party beneficiary to enforce said covenant, the text of which restrictive covenant shall be substantially as set forth in Exhibit "F", attached hereto and incorporated herein by reference."

4. In accordance with Section VI.A.2. of the Agreement, the term of the Agreement is extended for fifteen (15) years beyond the original twenty (20) year term. Pursuant to this extension, the Agreement, subject to this same section, terminates on September 26, 2036.

5. Except as amended here, City, EIC, and Developer agree that the provisions of the Agreement are not otherwise amended and are hereby agreed to be in full force and effect.

EXECUTED in duplicate the day and year first above written.

**CITY OF KERRVILLE, TEXAS**

**KERRVILLE AIRPORT COMMERCE PARK,  
LTD.**

BY: \_\_\_\_\_  
Jack Pratt, Jr., Mayor

By: \_\_\_\_\_  
\_\_\_\_\_(Name/Title)

ATTEST:

\_\_\_\_\_  
Brenda Craig, City Secretary

**CITY OF KERRVILLE, TEXAS ECONOMIC  
IMPROVEMENT CORPORATION**

By: \_\_\_\_\_  
David Wampler, President

ATTEST:

\_\_\_\_\_  
Cheryl Brown, Recording Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael C. Hayes, City Attorney

## **Agenda Item:**

6B. Execute construction contracts with: J3 Company, LLC for "Bid Package A – Civil" in the amount of \$2,994,430.00; Mid-America Sports Construction for "Bid Package B – Fields" in the amount of \$3,923,870.00; JK Bernhard Construction Company., LLC for "Bid Package C -- Buildings" in the amount of \$1,567,469.00; and DW Electric Company for "Bid Package D – Electrical" in the amount of \$1,322,216.00 for the Kerrville Sports Complex Project on Holdsworth Drive and authorize the City Manager to execute separate change orders, each of which may exceed \$50,000, but total combined amount for this project will not exceed \$10,500,000.00. (staff)



**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

**SUBJECT:** Council authorization for the City Manager to execute construction contracts with J3 Company, LLC. for "Bid Package A – Civil" in the amount of \$2,994,430.00; with Mid-America Sports Construction for "Bid Package B – Fields" in the amount of \$3,923,870.00; with JK Bernhard Construction Co., LLC. for "Bid Package C – Buildings" in the amount of \$1,567,469.00; and with DW Electric Co. for "Bid Package D – Electrical" in the amount of \$1,322,216.00 for the Kerrville Sports Complex Project and authorize the City Manager to execute additional change orders which may exceed \$50,000 but not to exceed the total amount of \$10,500,000.00.

**FOR AGENDA OF:** April 12, 2016      **DATE SUBMITTED:** April 1, 2016

**SUBMITTED BY:** Kyle Burow, P.E., CFM      **CLEARANCES:** Kristine Day  
Director of Engineering      Deputy City Manager

**EXHIBITS:** Bid Tabulation  
Recommendation of Award of Contracts

**APPROVED FOR SUBMITTAL BY CITY MANAGER:** 

| <b>Expenditure<br/>Required:</b> | <b>Current Balance<br/>in Account:</b> | <b>Amount<br/>Budgeted:</b> | <b>Account<br/>Number:</b> |
|----------------------------------|----------------------------------------|-----------------------------|----------------------------|
| <b>\$10,500,000.00</b>           | <b>\$10,489,765.00</b>                 | <b>\$10,500,000.00</b>      | <b>B15</b>                 |

**PAYMENT TO BE MADE TO:** J3 Company, LLC  
PO Box 129  
Comfort, TX 78013

Mid-America Sports Construction  
1621 SE Summit St.  
Lees Summit, MO 64081

JK Bernhard Construction  
515 W. Main St.  
Kerrville, TX 78028

DW Electric Co.  
330 Peterson Drive  
Kerrville, TX 78028

**REVIEWED BY THE FINANCE DIRECTOR:**

**SUMMARY STATEMENT**

The Kerrville Sports Complex was bid with options of bidding four separate bid

packages or one comprehensive project. On March 29, 2016, nine (9) bids were received and opened. Low bidder for Bid Package A – Civil was J3 Company, LLC. with a base bid in the amount of \$2,994,430.00. The low bidder for Bid Package B – Fields was Mid-America Sports Construction in the amount of \$3,923,870.00. The low bidder for Bid Package C – Buildings was JK Bernhard Construction Co. LLC in the amount of \$1,567,469.00. The low bidder for Bid Package D – Electrical was DW Electric Co. in the amount of \$1,322,216.00. City staff, in conjunction with Hewitt Engineering and project manager, Huser Construction; evaluated the bids received and recommend award of four individual package contracts to the lowest bidders in lieu of the lowest comprehensive bid received for a cost savings of \$1,830,015.00.

### **RECOMMENDED ACTION**

The Director of Engineering recommends that Council authorize the City Manager to execute construction contracts with J3 Company, LLC. for "Bid Package A – Civil" in the amount of \$2,994,430.00; with Mid-America Sports Construction for "Bid Package B – Fields" in the amount of \$3,923,870.00; with JK Bernhard Construction Co., LLC. for "Bid Package C – Buildings" in the amount of \$1,567,469.00; and with DW Electric Co. for "Bid Package D – Electrical" in the amount of \$1,322,216.00 for the Kerrville Sports Complex Project and authorize the City Manager to execute additional change orders which may exceed \$50,000 but not to exceed the total amount of \$10,500,000.00.

**Project Name : Kerrville Sports Complex**

**Engineering Number: PW#15 - 025**

**Bid Opening Date - March 29, 2016 3:00 pm**

[illegible]





Hewitt Engineering Inc.

Consulting Engineering Services

April 4, 2016

Mr. Kyle Burow, P.E., CFM  
Director of Engineering  
City of Kerrville  
200 Sidney Baker Street North  
Kerrville, TX 78028

**Re: Kerrville Sports Complex - PW15-025  
Bid Tabulation**

Dear Kyle,

Sealed bids were received at 3:00 p.m. on March 29, 2016 for the City of Kerrville Sports Complex project. Nine bids were received for the four separate bid packages with two of the bids submitted to be a General Contractor to construct all four bid packages.

The low bids for the four bid packages are summarized below:

|                |                                 |                |
|----------------|---------------------------------|----------------|
| Bid Package A: | J3 Company, LLC                 | \$2,994,430.00 |
| Bid Package B: | Mid-America Sports Construction | \$3,923,870.00 |
| Bid Package C: | JK Bernhard Construction Co.    | \$1,567,469.00 |
| Bid Package D: | DW Electric Co.                 | \$1,322,216.00 |

**TOTAL ALL FOUR BID PACKAGES** **\$9,807,985.00**

The engineer's estimate for this project was approximately \$9,000,000. The lowest General Contractor bid was submitted by D. Wilson Construction Co. for \$11,638,000. The project consists of the construction of 11 new baseball/softball fields and approximately 20 acres of soccer fields. BID PACKAGE A-CIVIL will include the installation of subgrade preparation, drainage improvements, roads, curbs, sidewalks and flatwork, switchback ramps/railings, and domestic water, fire line and sanitary sewer lines. BID PACKAGE B--BASEBALL AND SOCCER FIELDS will include the installation of the playing fields including field sod and seeding, finished field surface, field irrigation, bases/pitching mounds, foul poles, safety netting, chain link fencing, dugouts, bleachers, shade structures and topsoil, sod and irrigation. BID PACKAGE C-BUILDINGS will include the installation of three restroom buildings and maintenance building at the baseball fields and the restroom/concession building and restroom building at the soccer fields. BID PACKAGE D-ELECTRICAL will install site electrical including sports lighting system, site lighting and receptacles, and all site electrical from the transformers.

Based on a review and tabulation of the proposals and recent performance evaluations of the four low bidders, I recommend award of the contract to the four contractors listed above on the basis of their low bids.

Please feel free to call me at 830-315-8800 or by email at [jmhewitt@hewitt-inc.com](mailto:jmhewitt@hewitt-inc.com) if you have any questions or require additional information.

**HEWITT ENGINEERING INC.**

Texas Registered Engineering Firm F-10739

John M. Hewitt, P.E., CFM

## **Agenda Item:**

6C. Initiate request for qualifications 2016-01 to solicit sealed qualifications for a potential workforce housing project located at 300 Peterson Farm Road. (staff)

**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

**SUBJECT:** Initiate Request for Qualifications 2016-01 to solicit sealed qualifications for a potential workforce housing project located at 300 Peterson Farm Road

**FOR AGENDA OF:** Apr. 22, 2016

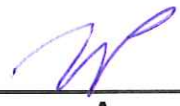
**DATE SUBMITTED:** Apr. 6, 2016

**SUBMITTED BY:** Todd Parton  
City Manager

**CLEARANCES:**

**EXHIBITS:** Draft of RFQ 2016-01

**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:** 

|                                  |                                        |                             |                            |
|----------------------------------|----------------------------------------|-----------------------------|----------------------------|
| <b>Expenditure<br/>Required:</b> | <b>Current Balance<br/>in Account:</b> | <b>Amount<br/>Budgeted:</b> | <b>Account<br/>Number:</b> |
| <b>\$0</b>                       | <b>\$0</b>                             | <b>\$0</b>                  |                            |

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE FINANCE DEPARTMENT:**

**SUMMARY STATEMENT**

Attached is a draft of Request for Qualifications 2016-01 (RFQ). This RFQ is for the solicitation of sealed qualifications from development teams or entities who might be interested in a public-private partnership with the City of Kerrville to build a workforce housing project at 300 Peterson Farm Road. This is the property that was originally acquired by the City of Kerrville Economic Improvement Corporation for the relocation of the USDA tick lab.

This RFQ process will allow the City Council to consider submissions from interested development teams and to consider one that it feels is qualified to work with city through a public private partnership. This is a non-binding process and will not result in contractual obligation of any of the parties. City Council could reject any and all submissions.

Should the City Council select a development team through this RFQ process, the city would work with the development team to develop a plan for the workforce housing project and create some form of public/private partnership to develop the housing project.

There are multiple ways that the city may partner with a private sector entity to create a workforce housing project through a public-private partnership. The following approaches are not mutually exclusive and an agreement can be structured to incorporate as many of these as may be deemed appropriate for the project:

1. Equity Partnership – the city makes the property available and a developer constructs the project via traditional means. As an equity partner, the city receives a



portion of the revenues from the project. These revenues can then be used to offset the city's expenses, project maintenance and repair, or help plan or develop other housing initiatives.

2. Contribution of Land – instead of maintaining equity in the project, the city could donate or sell the property at a discounted rate to an approved private entity.
3. Off-Site Utility Improvements – the city funds the off-site utility improvements necessary to serve the development. These system improvements will likely be sized to provide a capacity that exceeds those required by just the workforce housing project. For example, the Legion lift station is at capacity and long-range plans already call for its expansion to 9 million gallons per day.
4. Chapter 380 Economic Development Agreement – the city may utilize this type of agreement to provide for a rebate of property taxes (all or a portion thereof) and a reduction of permit/development fees. This would help the developer recoup a portion of the development costs.

Additionally, a public/private partnership agreement would be needed for this project and would typically include, but not be limited to, the following key elements:

1. Type of Development – the housing density, types of units, numbers of units, and rental would be specified.
2. Quality of Development – the amenities to be included in the development would be specified – i.e. landscaping, screening, open spaces, recreational facilities, outdoor facilities, building façade.
3. Property Maintenance Requirements – the minimum standards for long-term maintenance would be established to ensure that quality housing is sustained over time and that the property is maintained in a clean and healthful manner.
4. Limitations of Transfer or Sale – the city would need to approve the transfer or sale of the project to another entity.
5. Property Management Agreement – the city would designate the entity responsible for management of the property (typically the development partner) and would incorporate the provisions for the minimum property maintenance requirements.

Each public/private partnership is unique to the specific project and the capabilities of the partners.

### **RECOMMENDED ACTION**

City staff presented the results of the Peterson Farm Road water and wastewater analysis to the EIC at its meeting of March 28, 2016. At that meeting, city staff recommended that an RFQ process be initiated. At its March 28 meeting, the EIC Board voted 6-1 to support an RFQ for the workforce housing concept. It is important to note that the EIC Board views this as a policy decision of the City Council and that this motion does not constitute an official position of support or opposition to the workforce housing project or the development of the Peterson Farm Road property.

City staff recommends that the City Council issue this RFQ should the council desire to enter into a public/private partnership for the development of workforce housing on this property.

## **City of Kerrville**

### **Request for Qualifications Workforce Housing Development**



**RFQ 2016-01**

701 Main Street  
Kerrville, Texas 78028  
(830) 257-8000

[www.kerrvilletx.gov](http://www.kerrvilletx.gov)



**City of Kerrville**  
**Request for Qualifications**  
**Workforce Housing Development**

**RFQ 2016-001**

**OVERVIEW AND OBJECTIVES**

The City of Kerrville, Kerr County, Texas, (City) is soliciting sealed qualifications from experienced and well qualified development team(s) who have the capacity and expertise to develop workforce housing.

The City is open to a variety of approaches including public-private partnerships consistent with state law that facilitate the development of workforce housing. The City will interview selected firms that meet the identified criteria including demonstrated success working with other communities on similar projects. Complete and detailed responses to this Request for Qualifications are critical in order for the City to determine the development team(s) that is most qualified for the project.

Sealed qualifications will be accepted through 2:30 p.m. on Thursday, April 28, 2016. Offerors must include one (1) original, four (4) copies, and a digital copy of a USB Flash Drive/DVD/CD by the stated deadline to the mailing address below. Any submittal received after this specified deadline will not be considered.

Mailing Address:      City of Kerrville  
                                 701 Main Street  
                                 Kerrville, Texas 78028  
                                 Attn.: Brenda Craig  
                                 City Secretary

Questions must be submitted in writing to the contact noted below. Questions and answers, if any, will be posted on the City's website at [www.kerrvilletx.gov](http://www.kerrvilletx.gov).

Contact:                Trent Robertson  
                                 City Planner  
                                 City of Kerrville  
                                 701 Main Street  
                                 Kerrville, Texas 78028  
                                 (830) 258-1170

[Trent.Robertson@kerrvilletx.gov](mailto:Trent.Robertson@kerrvilletx.gov)



## SCOPE OF SERVICES

The intent of this Request for Qualifications is to solicit responses that will assist the City in the selection of a qualified development team(s) to construct a multi-family, workforce housing project in the City. The development team should be comprised of planning, housing, and development finance professionals that are able to demonstrate their development experience in constructing workforce housing, have the financial capacity to undertake the development, manage the development's daily operations, and be able to work with City staff and its consultants. The City envisions a four-step process:

1. The City will select the best qualified development team(s) that best represents the goals and objectives identified in the **PROJECT PURPOSE** section of this document.
2. The City Council will work with the selected development team(s) to define the specific community development objectives.
3. The City and the selected development team(s) will mutually agree upon and create the public/private partnership to implement the development objectives identified in 2. above.
4. Following a public involvement and scoping process, the development team(s) will obtain necessary approvals and will coordinate the construction of the project.

Ultimately, the City intends to select a developer partner and/or partners who will be able to create a development plan/program that meets multiple community objectives and ensures that the housing is built and operating within the shortest reasonable timeframe.

The City shall consider financial and other subsidies, if necessary, to ensure a high quality development that meets the goals of the City. Such subsidies may include but are not limited to land, permit fee reductions/waivers, off-site infrastructure improvements or other subsidies agreed to by the City. The City would look to the selected development team(s) to:

1. Create a reasonable schedule and a mutually acceptable business plan;
2. Develop a housing program and product that addresses the City's needs; and
3. Market and develop the project.

The proposal will be evaluated under criteria which include, but are not limited to, experience with similar public private workforce housing projects, financial capability, past project aesthetics, income targets, unit type, unit size, unit mix, quality of construction demonstrated in prior similar projects, energy efficiency, and demonstrated ability to maintain quality of project over a minimum period of five (5) years.

The City would like to enter into a public-private partnership agreement with a developer and, as a function of that partnership, would require the developer to fully disclose costs and budgets associated with the project. The intent of this Request for Qualifications is to identify potential partnership teams that have the experience and qualifications to execute this project in a creative and economically sound manner and to maintain this project over a 15 to 20-year timeframe.

The selected qualified development team(s) will be responsible for the design of the project, making and obtaining all necessary site development permits, building permits, and compliance with all applicable building and zoning codes. Additionally, the development team(s) shall be responsible for obtaining, at its sole cost and expense, all architectural and engineering services, permits, surveys, zoning appeals,

subdivision approvals, other approvals, appraisals and environmental studies required by law and in connection with the construction of the project.

## PROJECT PURPOSE

The City owns approximately 88 acres that is next to the Kerrville/Kerr County Municipal Airport that may be developed for mixed uses ranging from high density residential to manufacturing/assembly. **Attachment 1** to this document contains a site map showing the property, existing topography, and adjacent infrastructure.

The property is situated near several major employers who are expanding and adding primary jobs. Those employers are Mooney International Corporation, James Avery Craftsman, and Fox Tank Company. It is projected that these companies will add approximately 400 primary jobs over the next five (5) years with hourly wage rates expected to range from \$11 to \$25.

The City has a rental occupancy rate of approximately 95 percent. Coupled with an unemployment rate below 4 percent, the City needs to expand its housing stock to accommodate the growth in primary jobs for these major industries as well as job growth expected to occur in other employment sectors.

The City looks to develop a portion the 88-acre parcel with 240 to 300 multi-family housing units. The development project should be family oriented and developed with appropriate open space, recreational, and community amenities that offer an attractive living environment and quality of life.

Units within the development will include a mixture of one bedroom, two bedroom, and three bedroom apartments. Ideally, the distribution of these units should be approximately 25 percent one bedroom, 50 percent two bedroom, and 25 percent three bedroom. The average monthly rental for the units should not exceed \$750.

The City has completed an engineering analysis for the provision of off-site and on-site water and wastewater to the 88-acre site. The analysis shows requirements needed to serve a multi-family development as well as the full build-out of the 88 acres. **Attachment 2** contains a copy of the report prepared by the City's engineering consultant.

The City desires that the successful partnership team(s) will retain ownership and provide for the management of the property for a minimum period of fifteen (15) years after construction has been completed. Management of the property will ensure that the development is maintained in a clean, orderly, and healthy environment to include regular grounds maintenance and upkeep, regular building maintenance and repair, regular maintenance and upkeep of paving and parking areas, and the adoption and implementation of property maintenance requirements that ensure no junk vehicles or accumulation of trash or debris.



## QUALIFICATIONS SUBMITTALS

Qualifications must contain the following minimum information:

1. **COVER LETTER:** A cover letter including the Request for Qualifications subject, the legal name, address, e-mail address, and telephone number of the proposer. The cover letter should express interest in the project and be signed by the person who has the authority to bind the proposing entity to the submitted proposal.
2. **IDENTIFICATION:** Legal entity and a description of the development team(s) that will be directly involved in the project. Identify each of the principals of the development team(s) to be directly involved with the project and include their title, entity, mailing address, phone number, and e-mail address. Describe their role in the development team(s) and include resumes.
3. **KEY PERSONNEL:** Person in charge of negotiations, key personnel who will be involved in decision-making, and the representative authorized to sign on behalf of the development team(s).
4. **DEVELOPMENT TEAM(S) QUALIFICATIONS:** Qualifications of proposed team members showing past experience for at least five (5) similar development projects completed within the last fifteen (15) years.
5. **MISSION AND VISION:** The development project is not binding on a future proposal submittal. The purpose of the mission and vision is to demonstrate the respondent's initial ideas and programmatic response to the City's workforce housing needs.
  - a. The development team(s) philosophy for the development and the role this project will have in the development team(s) business plan.
  - b. Describe the development team(s) experience and approach to producing and exemplary product.
  - c. Identified constraints and opportunities.
  - d. Best approach for creating a successful project.
  - e. Developmental process and timeline.
6. **PROJECT EXAMPLES:** Project examples and descriptions for each member of the proposed development team including photos, videos, websites, architectural designs, etc. for at least five (5) similar development projects completed within the last fifteen (15) years.
7. **MIXED INCOME PROJECTS:** Development team's experience with mixed-income projects to include percentages of affordable housing units, affordability standards for residents, and financing or incentive mechanisms utilized.
8. **CURRENT PROJECTS:** List and description of all projects currently in planning, design, or construction. Include location, status, development schedule, and financing structure.
9. **FINANCIAL CAPACITY AND CAPABILITY:** Composition of current real estate portfolio. Potential sources of debt/equity capital available for this project. History over the past five (5) years in obtaining financial commitments. Audited financial statements and balance sheet.
10. **LEGAL:** Any adverse action by any funding source or financial institution in the past five (5) years. Any pending or prior litigation against any member of the development team(s), its principals, or associates. Any persons known to the development teams(s) who would be obligated to disqualify themselves from participation in any transaction arising from or in connection to this proposed project.
11. **REFERENCES:** References for at least five (5) similar projects completed within the last fifteen (15) years including the name and contact information for at least two (2) public officials in communities in which the development team has worked on projects similar in nature.



All materials submitted are property of the City and are subject to disclosure to the public through the State of Texas Open Records Act.

### **EVALUATION CRITERIA**

Upon receipt of submittals, City staff will evaluate and determine which, if any, respondents will be invited for follow-up interviews. However, the City retains the right to select a development team(s) without interviews. In reviewing the Request for Qualifications, the City will evaluate submittals on the basis of the following criteria:

1. Completeness of the submittal relative to the requirements listed in the **QUALIFICATIONS SUBMITTALS** section of this document;
2. Project Experience – Experience in planning, financing, building, and managing at least five (5) comparable projects completed within the last fifteen (15) years;
3. Development Team(s) Experience – Experience of the individual development team(s) key members in planning, financing, building, and managing at least five (5) comparable projects completed within the last fifteen (15) years;
4. Project Development and Financing – Successful public-private partnerships in development finance, housing project completion, marketing, and sales;
5. Architecture – Quality of design and architecture of previously constructed multi-family dwelling units and the application of designs that are appropriate to the character of the land and the community and incorporate principles of resource efficiency and maximum value;
6. Planning – Master planning of a project that includes creative site design that incorporates recreational amenities, community gathering spaces, and open spaces. Ability to manage projects through the design, development review, and construction processes plus the ability to comply with federal, state, and local regulations; and
7. Housing – Demonstrated knowledge of the City's current housing trends, challenges, and opportunities and the ability to deliver housing units within the targeted rental range specified within this document.

The City will completely review and analyze all submittals and may request that respondents modify, clarify or supplement their submissions with additional information. Respondent(s) may also be asked to make a formal presentation and/or come to the City for an interview. The final selection decision is to be made by the City Council.

### **ADDITIONAL INFORMATION**

Requests for Qualification submittals must be signed by an official of the respondent who is authorized to bind the offeror, and it shall contain a statement that the submission is valid for a period of ninety (90) days from the submittal date.

The City reserves the right to refuse any and all proposals and waive any technicalities and informalities. The City reserves the right to negotiate with any and all qualified respondents and may enact multiple contracts if it is in the best interests of the City. The City may cancel this Request for Qualifications in part or in its entirety if it is in the City's best interests to do so.

This Request for Qualifications does not commit the City to award a contract, or to pay for any costs incurred in the preparation of the responding documents and related items, or to procure or contract for any articles of goods or services.

Any response is a public document under the State of Texas Freedom of Information Act (FOIA) and may be subject to disclosure, except as to information that may be treated as confidential as an exception to disclosure under the FOIA.

The City does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of goods or services.

#### **ATTACHMENTS**

1. Parcel Map – Peterson Farm Road Property
2. Water and Wastewater Analysis

**Attachment 1**

**Parcel Map – Peterson Farm Road Property**





## 300 Peterson Farm Rd



Utilities, Floodplain, Contour, Property Line



### Legend

- |  |                           |  |                        |  |                              |  |               |
|--|---------------------------|--|------------------------|--|------------------------------|--|---------------|
|  | City Water Hydrants       |  | Active City Water Main |  | 2ft Contour                  |  | Property Line |
|  | City Water Control Valves |  | Atmos Gas Mains        |  | 10ft Contour                 |  |               |
|  | City Water System Valves  |  | Tax Parcels            |  | A (No Base Flood Elevations) |  |               |



Exported By: joyoung  
Exported On: 10/6/2015 3:20 PM

0 125 250 500  
Scale In Feet

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.



## **Attachment 2**

### **Water and Wastewater Analysis**

# MEMORANDUM



Innovative approaches  
Practical results  
Outstanding service

4040 Broadway St, Suite 600 • San Antonio, Texas 78209 • 210-298-3800 • FAX 210-298-3801

www.freese.com

**TO:** Kristine Day, City of Kerrville

**CC:** Stuart Barron, City of Kerrville  
John New, P.E., Freese and Nichols, Inc.

**FROM:** Richard Weatherly, P.E., Freese and Nichols, Inc.

**SUBJECT:** Peterson Farm Road Development Water and  
Wastewater Analysis

**DATE:** February 16, 2016



2/16/16

*Richard Weatherly*  
FREESE AND NICHOLS, INC.  
TEXAS REGISTERED  
ENGINEERING FIRM  
F-2144

## INTRODUCTION

The City of Kerrville tasked Freese and Nichols, Inc. (FNI) with conducting an evaluation to determine the impact of providing water and wastewater service to the Peterson Farm Road development. The development is located outside of Kerrville City Limits, north of Highway 27 and the Kerrville Municipal Airport, at the southeast edge of the City. Figure 1 shows the location of the Peterson Farm Road development. Currently, the property is undeveloped.

FNI utilized the hydraulic models developed as part of the 2014 Water and 2012 Wastewater Master Plans to evaluate the improvements needed to serve the Peterson Farm Road development. The following sections document the analysis and recommended system improvements.

## WATER SYSTEM ANALYSIS

The Peterson Farm Road development water demands were calculated using the following assumptions:

- 240 multi-family housing units and 2.2 people per unit
- 50 acres of commercial land use
- Water usage is 190 gallons per capita per day for residential land use and 1,100 gallons per acre per day for commercial land use
- Average day demand to maximum day demand peaking factor of 1.8



Based on the above criteria, the projected average day water demand for the Peterson Farm Road development is summarized in **Table 1**.

**Table 1: Peterson Farm Road Development Water Demand**

| Land Use Type | Average Day Demand |             | Maximum Day Demand |             |
|---------------|--------------------|-------------|--------------------|-------------|
|               | gpm                | MGD         | gpm                | MGD         |
| Residential   | 70                 | 0.10        | 125                | 0.18        |
| Commercial    | 38                 | 0.06        | 69                 | 0.10        |
| <b>Total</b>  | <b>108</b>         | <b>0.16</b> | <b>194</b>         | <b>0.28</b> |

The City could also potentially provide fire protection to the area. The City prefers to provide at least 1,500 gpm of fire flow at 20 psi to all hydrants within the water service area where possible.

The Peterson Farm Road development is located in the Stadium Pressure Plane, which is supplied by the water treatment plant (WTP), Aquifer Storage and Recovery Wells 1 and 2, Hays Park Well, H-Street Well, Travis Street Well, and Meadow View Lane Well. Water system pressure in the Stadium Pressure Plane is maintained by Stadium ground storage tanks (GSTs) 1 and 2, and the River Hills elevated storage tank (EST). The City's existing elevated storage and pumping capacity are sufficient to meet the additional domestic demand of the Peterson Farm Road development while maintaining a minimum pressure of 35 psi. To supply the desired fire flow to this development, increased transmission capacity is needed. Looped 12-inch water lines (Project A) were added to the model to connect the development to the existing 12-inch water line along Highway 27, shown on **Figure 2**. The following four scenarios were evaluated for the hydraulic analysis under maximum day demand with the Peterson Farm Road development demand included:

- Existing system with no improvements,
- Existing system with 2014 Water Master Plan Update CIP Project 4,
- Existing system with new improvements to deliver 1,500 gpm of fire flow to the Peterson Farm Road development, and
- Existing system with Project 4 and new improvements.

**Table 2** shows the modeling results of the hydraulic analysis under residential Peterson Farm Road development demand. **Table 3** shows the modeling results of the hydraulic analysis under both residential and commercial Peterson Farm Road development demand.

**Table 2: Modeling Results with only Residential Demand**

| Scenario                                                 | Available Fire Flow for the Peterson Farm Road Development | Minimum Pressure at Peak Hour (psi) |
|----------------------------------------------------------|------------------------------------------------------------|-------------------------------------|
| Existing System with no improvements                     | 1,172 gpm at 20 psi                                        | 51                                  |
| Existing with Water CIP Project 4                        | 1,352 gpm at 20 psi                                        | 50                                  |
| Existing with new 12-inch line (Project B)               | 1,461 gpm at 20 psi                                        | 55                                  |
| Existing with new 12-inch line (Project B) and Project 4 | 1,752 gpm at 20 psi                                        | 55                                  |

**Table 3: Modeling Results with Residential and Commercial Demands**

| Scenario                                                 | Available Fire Flow for the Peterson Farm Road Development | Minimum Pressure at Peak Hour (psi) |
|----------------------------------------------------------|------------------------------------------------------------|-------------------------------------|
| Existing System with no improvements                     | 1,103 gpm at 20 psi                                        | 46                                  |
| Existing with Water CIP Project 4                        | 1,284 gpm at 20 psi                                        | 47                                  |
| Existing with new 12-inch line (Project B)               | 1,393 gpm at 20 psi                                        | 52                                  |
| Existing with new 12-inch line (Project B) and Project 4 | 1,683 gpm at 20 psi                                        | 52                                  |

A new water line (Project B) and 2014 Water Master Plan Update CIP Project 4 are required to provide 1,500 gpm of fire flow to the majority of the residential and commercial customers in the Peterson Farm Road development:

- **Project A** consists of new 12-inch water lines looping around the Peterson Farm Road development and connecting to the existing 12-inch water line along Highway 27.
- **Project B** consists of a new 12-inch water line along North Burleson Boulevard, Nichols Street, Canyon Drive, Highway 27, Carmichael Street, and Riverside Drive to replace existing 8-inch and 6-inch water lines and connect existing 10-inch and 12-inch water lines.
- **Project 4** consists of a new 12-inch water line connecting to the existing 12-inch water line along Highway 27 and crossing the Guadalupe River to connect to the existing 12-inch water line along Bandera Highway. This project was included in the 2014 Water Master Plan update CIP.

Figure 2 shows the recommended water system improvements to serve the Peterson Farm Road development. Capital costs were developed based on the infrastructure required to provide water service and fire flow to the Peterson Farm Road development. Table 4 provides a summary of project costs and detailed cost estimates are included at the end of this memorandum.

**Table 4: Summary of Costs for Providing Water Service to the Peterson Farm Road Development**

| Project      | Project Description                                         | Project Cost       |
|--------------|-------------------------------------------------------------|--------------------|
| A            | Peterson Farm Road Development Internal Distribution System | \$1,478,900        |
| B            | 12-inch Highway 27 Water Line                               | \$1,029,600        |
| 4 (CIP)      | 12-inch River Crossing Water Line                           | \$1,223,800        |
| <b>Total</b> |                                                             | <b>\$3,732,300</b> |

Other alternatives that were evaluated included:

- New EST near the Peterson Farm Road development,
- New groundwater well near the Peterson Farm Road development, and
- Dedicated transmission line from the WTP.

A new EST is not recommended due to the difficulties observed in the model in the fill/drain cycle of the tank and the likelihood of increasing water age in the area. If a tank was constructed at the end of the system near the Peterson Farm Road development, a transmission line would likely be needed to aid in filling the tank so that the new tank could function properly with the existing River Hills EST and Stadium GSTs.

A new groundwater well is also not recommended to meet the fire flow demand due to the unexpected and unpredictable nature of the fire flow demand. The well may not be running during an emergency condition when it is needed and would require coordination with water utility staff and the fire department. Additional water supply is not needed in the Stadium Pressure Plane so the well would only be a redundant supply.

A dedicated transmission line from the WTP on the south side of the river or the River Hills EST is not recommended due to high initial cost.

## **WASTEWATER SYSTEM ANALYSIS**

The Peterson Farm Road development wastewater flows were developed using the following assumptions:

- 240 multi-family housing units and 2.2 people per unit
- 50 acres of commercial land use
- Wastewater flow is 110 gallons per capita per day for residential land use and 1,000 gallons per acre per day for commercial land use
- Wet Weather peaking factor of 4

Based on the above criteria, the projected dry weather flow for the Peterson Farm Road development is



summarized in Table 5.

**Table 5: Peterson Farm Road Development Wastewater Flow**

| Land Use Type | Dry Weather Flow |             | Wet Weather Flow |             |
|---------------|------------------|-------------|------------------|-------------|
|               | gpm              | MGD         | gpm              | MGD         |
| Residential   | 40               | 0.06        | 161              | 0.23        |
| Commercial    | 35               | 0.05        | 139              | 0.20        |
| <b>Total</b>  | <b>75</b>        | <b>0.11</b> | <b>300</b>       | <b>0.43</b> |

The model was used to evaluate the system under wet weather flow conditions to identify capacity issues due to the increased flow from the Peterson Farm Road development. The Peterson Farm Road development is located in the Al Mooney Airport Basin where flow is conveyed through the Al Mooney Airport Lift Station to the Legion Lift Station before being diverted to the City's Wastewater Treatment Plant.

Existing wastewater infrastructure is able to serve the residential wastewater flow for the Peterson Farm Road development. Project C is required to convey flow to the Al Mooney Airport Lift Station. New wastewater gravity lines (Projects C and E), Al Mooney Airport Lift Station rehabilitation (Project D), and Legion Lift Station expansion (Project 7) are required to serve the residential and commercial flow for the Peterson Farm Road development:

- **Project C** consists of a new 10-inch wastewater gravity line to convey wastewater flow from the Peterson Farm Road development along Al Mooney Road to the Al Mooney Airport Lift Station and new 6-inch wastewater gravity lines throughout the development.
- **Project D** consists of new pumps at the Al Mooney Airport Lift Station and recoating of the existing wet well. It is recommended that the City replace the existing pumps with new 600 gpm pumps to serve the existing flow and additional flow from the Peterson Farm Road development.
- **Project E** consists of a new 12-inch wastewater gravity line to replace existing 10-inch and 12-inch gravity lines from the Al Mooney Airport Lift Station force main along Highway 27 to the Legion Lift Station.
- **Project 7** consists of expanding the Legion Lift Station to 8.5 MGD. This project was included in the 2012 Wastewater Master Plan update CIP. The additional flow from the Peterson Farm Road development requires that the Legion Lift Station be expanded to 9 MGD and the timing of the project would be needed sooner.

**Figure 3** shows the recommended wastewater system improvements to serve the Peterson Farm Road development residential and commercial flows. Capital costs were developed based on the infrastructure

required to provide wastewater service to the Peterson Farm Road development. Table 3 provides a summary of project costs and detailed cost estimates are included at the end of this memorandum.

**Table 6: Summary of Costs for Providing Wastewater Service to the Peterson Farm Road Development**

| Project      | Project Description                                       | 2012 WW Master Plan Project Cost | 2016 Project Cost  | 2016 Project Cost w/ Peterson Farm Road | Additional Cost to Serve All Peterson Farm Road Customers |
|--------------|-----------------------------------------------------------|----------------------------------|--------------------|-----------------------------------------|-----------------------------------------------------------|
| C            | Peterson Farm Road Development Internal Collection System | None                             | None               | \$1,259,100                             | \$1,259,100                                               |
| D            | Al Mooney Lift Station Rehabilitation                     | None                             | None               | \$592,800                               | \$592,800                                                 |
| E            | 12-inch Highway 27 Wastewater Line                        | None                             | None               | \$326,900                               | \$326,900                                                 |
| F            | 6,300 gpm Legion Lift Station                             | \$4,290,000                      | \$7,821,800        | \$8,282,000                             | \$460,200                                                 |
| <b>Total</b> |                                                           | <b>\$4,290,000</b>               | <b>\$7,821,800</b> | <b>\$10,460,800</b>                     | <b>\$2,639,000</b>                                        |

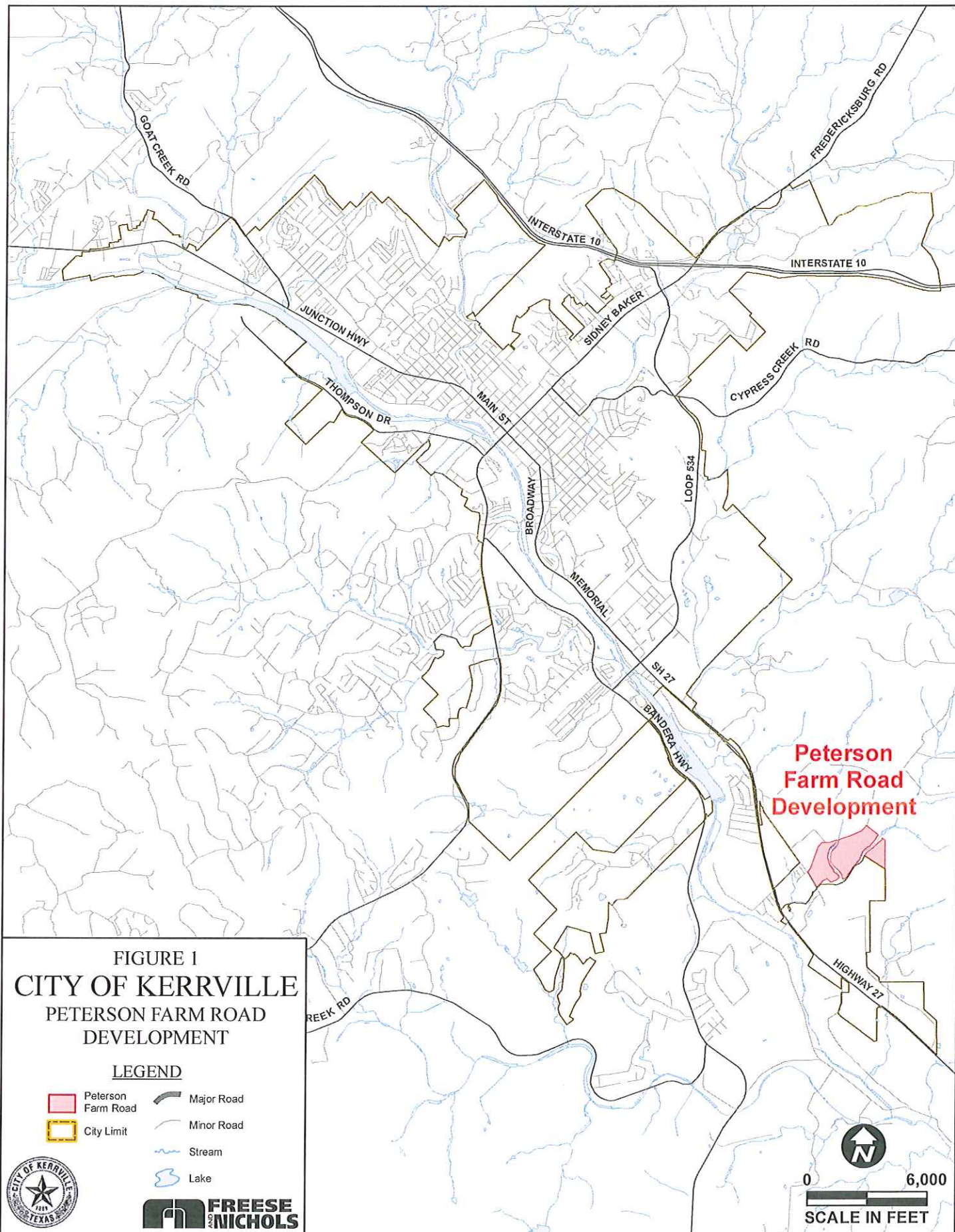
## CONCLUSION

Table 7 summarizes the cost in 2016 dollars of serving the Peterson Farm Road development residential demand and flow only, and residential and commercial demand and flow.

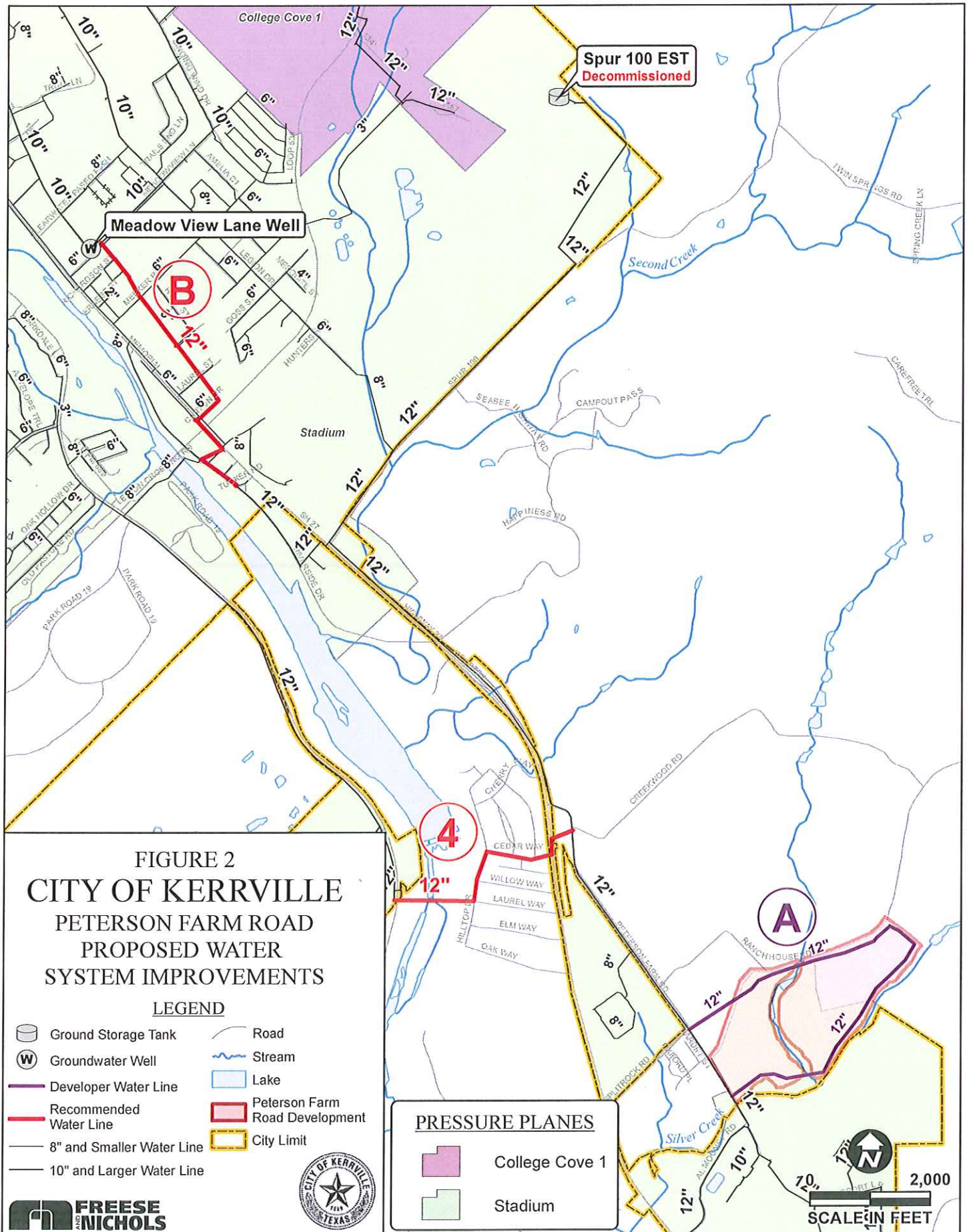
| Service Type | Cost to Serve Residential Customers Only | Cost to Serve Residential and Commercial Customers <sup>(1)</sup> |
|--------------|------------------------------------------|-------------------------------------------------------------------|
| Water        | \$3,732,300                              | \$3,732,300                                                       |
| Wastewater   | \$1,259,100                              | \$2,639,000                                                       |
| <b>Total</b> | <b>\$4,991,400</b>                       | <b>\$6,371,300</b>                                                |

1) Wastewater based on Additional Cost to Serve in Table 6.

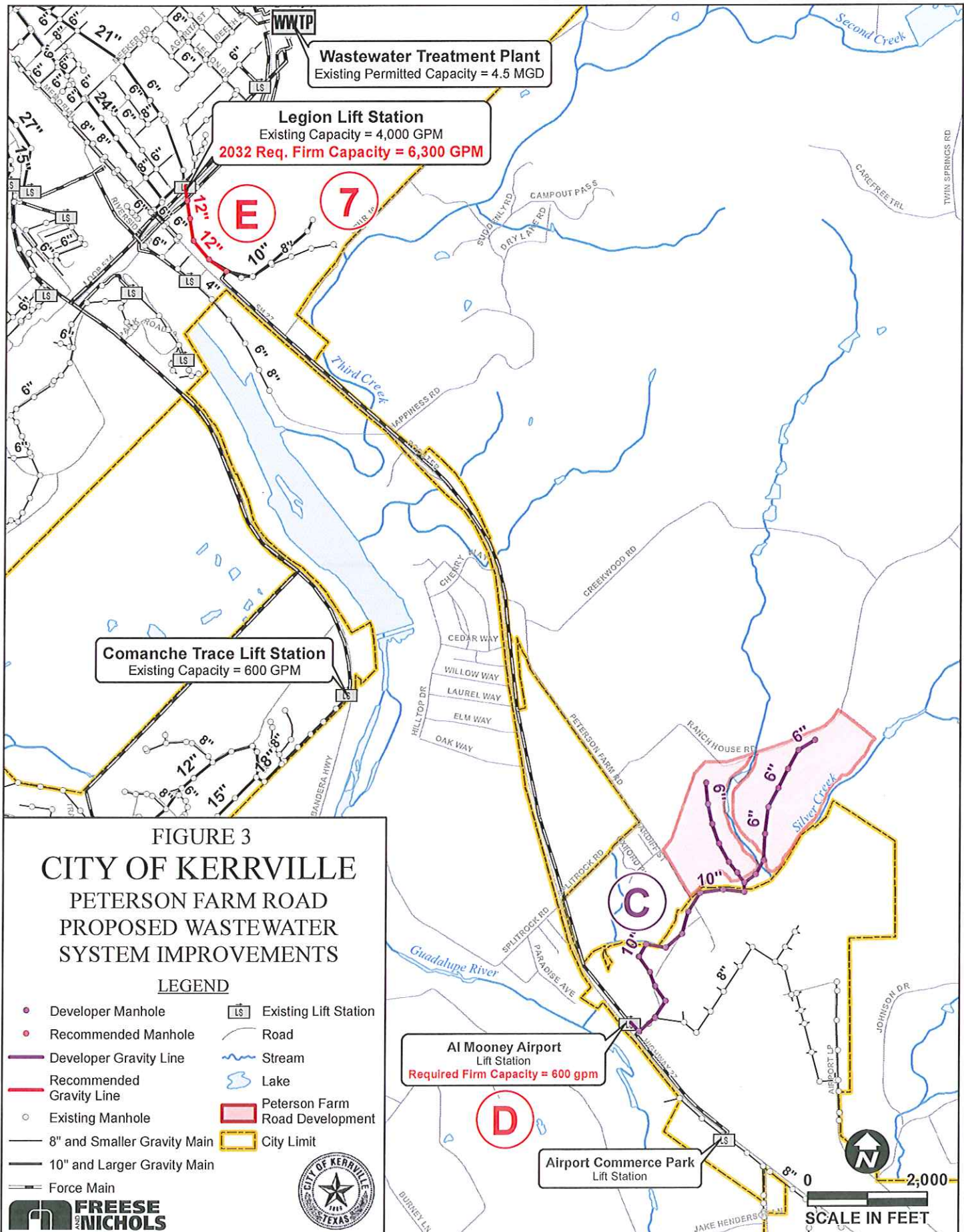












## City of Kerrville

## Peterson Farm Road Development Recommended Projects



## OPINION OF PROBABLE COST

February 16, 2016

## Construction Project Number

**A**

### Project Description

## Peterson Farm Road Development Internal Distribution System

### Detailed Description

12-inch water line from the existing 12-inch water line along Highway 27 looping around the Peterson Farm Road development.

| ITEM          | DESCRIPTION           | QUANTITY | UNIT | UNIT PRICE | TOTAL       |
|---------------|-----------------------|----------|------|------------|-------------|
| 1             | 12" Pipe              | 9,000    | LF   | \$84       | 756,000     |
| 2             | 20" Boring and Casing | 400      | LF   | \$480      | 192,000     |
|               |                       |          |      |            |             |
|               |                       |          |      |            |             |
|               |                       |          |      |            |             |
|               |                       |          |      |            |             |
|               |                       |          |      |            |             |
|               |                       |          |      |            |             |
|               |                       |          |      |            |             |
|               |                       |          |      |            |             |
|               |                       |          |      |            |             |
| SUBTOTAL:     |                       |          |      |            | \$948,000   |
| MOBILIZATION  |                       |          |      | 5%         | \$47,400    |
| E, O & P:     |                       |          |      | 25%        | \$237,000   |
| SUBTOTAL:     |                       |          |      |            | \$1,232,400 |
| CONTINGENCY:  |                       |          |      | 20%        | \$246,500   |
| SUBTOTAL:     |                       |          |      |            | \$1,478,900 |
| PROJECT TOTAL |                       |          |      |            | \$1,478,900 |



## City of Kerrville

## Peterson Farm Road Development Recommended Projects



### OPINION OF PROBABLE COST

February 16, 2016

**Construction Project Number**

B

### Project Description

## 12-inch Highway 27 Water Line

| Detailed Description |                           |
|----------------------|---------------------------|
| 1                    | 1. Introduction           |
| 2                    | 2. Methodology            |
| 3                    | 3. Results                |
| 4                    | 4. Discussion             |
| 5                    | 5. Conclusion             |
| 6                    | 6. References             |
| 7                    | 7. Appendix               |
| 8                    | 8. Acknowledgments        |
| 9                    | 9. Funding                |
| 10                   | 10. Conflicts of Interest |
| 11                   | 11. Data Availability     |
| 12                   | 12. Ethics Statement      |
| 13                   | 13. Informed Consent      |
| 14                   | 14. Author Contributions  |
| 15                   | 15. Publisher's Note      |
| 16                   | 16. Copyright             |
| 17                   | 17. Disclaimer            |
| 18                   | 18. Terms and Conditions  |
| 19                   | 19. Privacy Policy        |
| 20                   | 20. Contact Us            |
| 21                   | 21. About Us              |
| 22                   | 22. Press Release         |
| 23                   | 23. Media Kit             |
| 24                   | 24. Social Media          |
| 25                   | 25. Newsletter            |
| 26                   | 26. White Paper           |
| 27                   | 27. Case Study            |
| 28                   | 28. Interview             |
| 29                   | 29. Podcast               |
| 30                   | 30. Webinar               |
| 31                   | 31. E-book                |
| 32                   | 32. Report                |
| 33                   | 33. Presentation          |
| 34                   | 34. Video                 |
| 35                   | 35. Audio                 |
| 36                   | 36. Image                 |
| 37                   | 37. Document              |
| 38                   | 38. Spreadsheet           |
| 39                   | 39. Database              |
| 40                   | 40. API                   |
| 41                   | 41. Framework             |
| 42                   | 42. Library               |
| 43                   | 43. Plugin                |
| 44                   | 44. Extension             |
| 45                   | 45. Module                |
| 46                   | 46. Component             |
| 47                   | 47. Service               |
| 48                   | 48. Interface             |
| 49                   | 49. Protocol              |
| 50                   | 50. Standard              |
| 51                   | 51. Specification         |
| 52                   | 52. Requirement           |
| 53                   | 53. Design                |
| 54                   | 54. Implementation        |
| 55                   | 55. Deployment            |
| 56                   | 56. Maintenance           |
| 57                   | 57. Support               |
| 58                   | 58. Training              |
| 59                   | 59. Documentation         |
| 60                   | 60. Helpdesk              |
| 61                   | 61. Knowledge Base        |
| 62                   | 62. FAQ                   |
| 63                   | 63. Glossary              |
| 64                   | 64. Index                 |
| 65                   | 65. Table of Contents     |
| 66                   | 66. Executive Summary     |
| 67                   | 67. Abstract              |
| 68                   | 68. Keywords              |
| 69                   | 69. Subject               |
| 70                   | 70. Topic                 |
| 71                   | 71. Field                 |
| 72                   | 72. Area                  |
| 73                   | 73. Discipline            |
| 74                   | 74. Branch                |
| 75                   | 75. Division              |
| 76                   | 76. Department            |
| 77                   | 77. Faculty               |
| 78                   | 78. School                |
| 79                   | 79. University            |
| 80                   | 80. Institution           |
| 81                   | 81. Organization          |
| 82                   | 82. Company               |
| 83                   | 83. Firm                  |
| 84                   | 84. Corporation           |
| 85                   | 85. Enterprise            |
| 86                   | 86. Business              |
| 87                   | 87. Industry              |
| 88                   | 88. Sector                |
| 89                   | 89. Market                |
| 90                   | 90. Economy               |
| 91                   | 91. Society               |
| 92                   | 92. Culture               |
| 93                   | 93. Community             |
| 94                   | 94. Group                 |
| 95                   | 95. Team                  |
| 96                   | 96. Staff                 |
| 97                   | 97. Personnel             |
| 98                   | 98. Workforce             |
| 99                   | 99. Labor                 |
| 100                  | 100. Human Resources      |

12-inch water line along North Burleson Boulevard, Nichols Street, Canyon Drive, Highway 27, Carmichael Street, and Riverside Drive to replace existing 8-inch and 6-inch water lines and connect existing 10-inch and 12-inch water lines.

| ITEM | DESCRIPTION           | QUANTITY     | UNIT | UNIT PRICE | TOTAL       |
|------|-----------------------|--------------|------|------------|-------------|
| 1    | 12" Pipe              | 6,000        | LF   | \$84       | 504,000     |
| 2    | 20" Boring and Casing | 200          | LF   | \$480      | 96,000      |
| 3    | Pavement Repair       | 1,000        | LF   | \$60       | 60,000      |
|      |                       |              |      |            |             |
|      |                       |              |      |            |             |
|      |                       |              |      |            |             |
|      |                       |              |      |            |             |
|      |                       |              |      |            |             |
|      |                       |              |      |            |             |
|      |                       |              |      |            |             |
|      |                       |              |      |            |             |
|      |                       | SUBTOTAL:    |      |            | \$660,000   |
|      |                       | MOBILIZATION |      | 5%         | \$33,000    |
|      |                       | E, O & P:    |      | 25%        | \$165,000   |
|      |                       | SUBTOTAL:    |      |            | \$858,000   |
|      |                       | CONTINGENCY: |      | 20%        | \$171,600   |
|      |                       | SUBTOTAL:    |      |            | \$1,029,600 |

**PROJECT TOTAL**

**\$1,029,600**

## Water CIP Projects - 2020 & Beyond



**April 4, 2014**

4

## New 12-inch River Crossing Water Line

New 12-inch water line connecting to the existing 12-inch water line along Highway 27 and crossing the Guadalupe River to connect to the existing 12-inch water line along Bandera Highway

| ITEM | DESCRIPTION                     | QUANTITY | UNIT | UNIT PRICE | TOTAL   |
|------|---------------------------------|----------|------|------------|---------|
| 1    | 12" Pipe                        | 4,100    | LF   | \$84       | 344,400 |
| 2    | Horizontal Directional Drilling | 1        | EA   | \$350,000  | 350,000 |
| 3    | Pavement Repair                 | 3,000    | LF   | \$30       | 90,000  |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |
|      |                                 |          |      |            |         |

## City of Kerrville

## Peterson Farm Road Development Recommended Projects



## OPINION OF PROBABLE COST

February 16, 2016

## Construction Project Number

C

### Project Description

## Peterson Farm Road Development Internal Collection System

### Detailed Description

10-inch wastewater gravity line from the Peterson Farm Road development to the Al Mooney Airport Lift Station and 6-inch wastewater gravity lines throughout the development.

| ITEM                 | DESCRIPTION           | QUANTITY | UNIT | UNIT PRICE | TOTAL              |
|----------------------|-----------------------|----------|------|------------|--------------------|
| 1                    | 10" Pipe              | 4,500    | LF   | \$70       | 315,000            |
| 2                    | 8" Pipe               | 5,000    | LF   | \$56       | 280,000            |
| 3                    | 20" Boring and Casing | 200      | LF   | \$480      | 96,000             |
| 4                    | Pavement Repair       | 1,400    | LF   | \$60       | 84,000             |
| 5                    | 48" Diameter Manhole  | 30       | EA   | \$3,500    | 105,000            |
|                      |                       |          |      |            |                    |
|                      |                       |          |      |            |                    |
|                      |                       |          |      |            |                    |
|                      |                       |          |      |            |                    |
|                      |                       |          |      |            |                    |
|                      |                       |          |      |            |                    |
| SUBTOTAL:            |                       |          |      |            | \$880,000          |
| MOBILIZATION         |                       |          |      | 5%         | \$44,000           |
| E, O & P:            |                       |          |      | 25%        | \$220,000          |
| SUBTOTAL:            |                       |          |      |            | \$1,144,000        |
| CONTINGENCY:         |                       |          |      | 20%        | \$228,800          |
| SUBTOTAL:            |                       |          |      |            | \$1,372,800        |
| <b>PROJECT TOTAL</b> |                       |          |      |            | <b>\$1,372,800</b> |



## City of Kerrville

## Peterson Farm Road Development Recommended Projects



## OPINION OF PROBABLE COST

February 16, 2016

**Construction Project Number**

D

### Project Description

## Al Mooney Airport Lift Station Rehabilitation

| Detailed Description |
|----------------------|
|                      |

Replacing existing pumps with two new 600 gpm submersible pumps with a head gain of 230 feet at the Al Mooney Airport Lift Station.

| ITEM                 | DESCRIPTION                                                           | QUANTITY | UNIT | UNIT PRICE | TOTAL            |
|----------------------|-----------------------------------------------------------------------|----------|------|------------|------------------|
| 1                    | Replace Two Submersible Pumps and Motors (600 gpm)                    | 1        | EA   | \$150,000  | 150,000          |
| 2                    | Replace DI Piping, Valves and Fittings (including coating and lining) | 1        | EA   | \$30,000   | 30,000           |
| 3                    | Wet Well Liner with Epoxy Coating                                     | 800      | SF   | \$250      | 200,000          |
|                      |                                                                       |          |      |            |                  |
|                      |                                                                       |          |      |            |                  |
|                      |                                                                       |          |      |            |                  |
|                      |                                                                       |          |      |            |                  |
|                      |                                                                       |          |      |            |                  |
|                      |                                                                       |          |      |            |                  |
|                      |                                                                       |          |      |            |                  |
| SUBTOTAL:            |                                                                       |          |      |            | \$380,000        |
| MOBILIZATION         |                                                                       |          |      | 5%         | \$19,000         |
| E, O & P:            |                                                                       |          |      | 25%        | \$95,000         |
| SUBTOTAL:            |                                                                       |          |      |            | \$494,000        |
| CONTINGENCY:         |                                                                       |          |      | 20%        | \$98,800         |
| SUBTOTAL:            |                                                                       |          |      |            | \$592,800        |
| <b>PROJECT TOTAL</b> |                                                                       |          |      |            | <b>\$592,800</b> |

## City of Kerrville

## Peterson Farm Road Development Recommended Projects



## OPINION OF PROBABLE COST

February 16, 2016

### Construction Project Number

E

### Project Description

## 12-inch Highway 27 Wastewater Line

#### Detailed Description

12-inch wastewater gravity line to replace the existing 10-inch and 12-inch gravity lines from the Al Mooney Airport Lift Station Force Main to the Legion Lift Station.

| ITEM                 | DESCRIPTION          | QUANTITY | UNIT | UNIT PRICE | TOTAL            |
|----------------------|----------------------|----------|------|------------|------------------|
| 1                    | 12" Pipe             | 2,000    | LF   | \$84       | 168,000          |
| 2                    | 48" Diameter Manhole | 5        | EA   | \$3,500    | 17,500           |
| 3                    | Pavement Repair      | 400      | LF   | \$60       | 24,000           |
|                      |                      |          |      |            |                  |
|                      |                      |          |      |            |                  |
|                      |                      |          |      |            |                  |
|                      |                      |          |      |            |                  |
|                      |                      |          |      |            |                  |
|                      |                      |          |      |            |                  |
|                      |                      |          |      |            |                  |
|                      |                      |          |      |            |                  |
| SUBTOTAL:            |                      |          |      |            | \$209,500        |
| MOBILIZATION         |                      |          |      | 5%         | \$10,475         |
| E, O & P:            |                      |          |      | 25%        | \$52,400         |
| SUBTOTAL:            |                      |          |      |            | \$272,400        |
| CONTINGENCY:         |                      |          |      | 20%        | \$54,500         |
| SUBTOTAL:            |                      |          |      |            | \$326,900        |
| <b>PROJECT TOTAL</b> |                      |          |      |            | <b>\$326,900</b> |



**LEGION LIFT STATION  
CITY OF KERRVILLE  
WASTEWATER MASTER PLAN - PRELIMINARY DESIGN**

**OPINION OF PROBABLE CONSTRUCTION COST**

February 16, 2016

| ESTIMATOR | CHECKED BY | ACCOUNT NO |
|-----------|------------|------------|
| BTB       | JMN        |            |

| ITEM                             | DESCRIPTION                                              | QUANTITY | UNIT | UNIT PRICE | TOTAL       |
|----------------------------------|----------------------------------------------------------|----------|------|------------|-------------|
| <b>GENERAL ITEMS</b>             |                                                          |          |      |            |             |
| 1                                | MOBILIZATION                                             | 1        | LS   | \$262,000  | \$262,000   |
| 2                                | SWPPP                                                    | 1        | LS   | \$15,000   | \$15,000    |
| 3                                | TRAFFIC CONTROL                                          | 1        | LS   | \$10,000   | \$10,000    |
| 4                                | TRENCH SAFETY                                            | 1        | LS   | \$10,000   | \$10,000    |
| 5                                | TREE PROTECTION AND TEMPORARY FENCING                    | 1        | LS   | \$10,000   | \$10,000    |
| 6                                | SECURITY FENCING                                         | 1        | LS   | \$50,000   | \$50,000    |
| <b>LIFT STATION IMPROVEMENTS</b> |                                                          |          |      |            |             |
| 7                                | DEMO EXISTING WETWELL, VALVE VAULT AND MANHOLE           | 1        | LS   | \$150,000  | \$150,000   |
| 8                                | EXISTING SEWER TIE-INS AND CONNECTIONS                   | 1        | LS   | \$100,000  | \$100,000   |
| <b>WET WELL</b>                  |                                                          |          |      |            |             |
| 9                                | STRUCTURAL EXCAVATION                                    | 4,000    | CY   | \$50       | \$200,000   |
| 10                               | DEWATERING                                               | 1        | LS   | \$29,000   | \$29,000    |
| 11                               | FLOWABLE FILL                                            | 1,000    | CY   | \$250      | \$250,000   |
| 12                               | IN-SITU BACKFILL                                         | 5,000    | CY   | \$25       | \$125,000   |
| 13                               | FOUNDATION                                               | 50       | CY   | \$700      | \$35,000    |
| 14                               | WALLS                                                    | 150      | CY   | \$1,000    | \$150,000   |
| 15                               | TOP SLAB                                                 | 20       | CY   | \$2,000    | \$40,000    |
| 16                               | WATERPROOF JUNCTION BOX                                  | 1        | LS   | \$5,000    | \$5,000     |
| 17                               | CONCRETE COATINGS                                        | 3,000    | SF   | \$75       | \$225,000   |
| 18                               | WATERTIGHT HATCHES                                       | 3        | EA   | \$7,500    | \$22,500    |
| 19                               | ELEVATED VENTING WITH CHECK VALVE                        | 1        | EA   | \$10,000   | \$10,000    |
| 20                               | SUBMERSIBLE PUMPS AND RAILING                            | 4        | EA   | \$325,000  | \$1,300,000 |
| 20                               | DISCHARGE PIPING                                         | 1        | LS   | \$150,000  | \$150,000   |
| 20                               | HEADER PIPING                                            | 1        | LS   | \$175,000  | \$175,000   |
| 21                               | MISC. MECHANICAL EQUIPMENT/SUPPORTS/ETC.                 | 1        | LS   | \$400,000  | \$400,000   |
| <b>VALVE VAULT</b>               |                                                          |          |      |            |             |
| 22                               | PRECAST VAULT                                            | 1        | LS   | \$50,000   | \$50,000    |
| 23                               | WATERTIGHT HATCHES                                       | 2        | EA   | \$7,500    | \$15,000    |
| 24                               | 6" CHECK VALVES                                          | 3        | EA   | \$5,000    | \$15,000    |
| 25                               | AIR RELEASE VALVES                                       | 4        | EA   | \$3,500    | \$14,000    |
| 26                               | 6" GATE VALVES                                           | 5        | EA   | \$3,500    | \$17,500    |
| <b>ELECTRICAL</b>                |                                                          |          |      |            |             |
| 27                               | ELECTRICAL PLATFORM                                      | 1        | LS   | \$150,000  | \$150,000   |
| 28                               | STARTERS, PANELS, TRANSFORMER, RACK, CONDUIT, WIRE, ETC. | 1        | LS   | \$800,000  | \$800,000   |
| 29                               | SITE LIGHTING                                            | 1        | LS   | \$50,000   | \$50,000    |
| 30                               | BACKUP GENERATOR OR SECONDARY SERVICE                    | 1        | LS   | \$400,000  | \$400,000   |
| 31                               | INSTRUMENTATION AND SCADA                                | 1        | LS   | \$150,000  | \$150,000   |
| <b>RESTORATION</b>               |                                                          |          |      |            |             |
| 32                               | HYDROMULCH AND SEED                                      | 1        | LS   | \$25,000   | \$25,000    |
| 33                               | ASPHALT REPAIR                                           | 1,000    | SY   | \$100      | \$100,000   |
| <b>CONSTRUCTION SUBTOTAL</b>     |                                                          |          |      |            | \$5,510,000 |
| <b>CONTRACTOR O&amp;P</b>        |                                                          |          |      | 15%        | \$826,500   |
| <b>CONTINGENCY</b>               |                                                          |          |      | 30%        | \$1,653,000 |
| <b>CONSTRUCTION TOTAL</b>        |                                                          |          |      |            | \$7,989,500 |
| <b>ENGINEERING</b>               |                                                          |          |      | 20%        | \$1,597,900 |
| <b>PROJECT TOTAL</b>             |                                                          |          |      |            | \$9,587,400 |

**Notes:**

1. There is no site piping in this estimate.
2. Prices based on recent projects.