



CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA
SPECIAL MEETING, THURSDAY, OCTOBER 20, 2016 3:00 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

1. VISITORS/CITIZENS FORUM:

Any person with business not scheduled on the agenda is encouraged to briefly speak their ideas to the Commission. Please fill out the SPEAKER REQUEST FORM and give it to the Commission's Secretary prior to the meeting. The number of speakers will be limited to the first ten speakers and each speaker is limited to three minutes. (No formal action can be taken on these items as the Open Meetings Act requires formal action items be posted on an agenda no later than 72 hours before the meeting. If formal action is required, the items will be placed on an agenda for a future meeting.)

2. CONSENT AGENDA:

All items listed below in the consent agenda are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a Commissioner or citizen so requests; in which case the item(s) will be removed from the consent agenda and considered separately.

2A. Approval of the minutes from the October 6, 2016 meeting. **Pg. 2**

3. CONSIDERATION AND ACTION

3A. **Consideration & Action, Amending Plat** - Consideration and action concerning a proposed amending plat for Lots 11, 12, and 13 of Comanche Trace Phase 4 Section 1 comprising of 1.54 acres of land, more or less, containing approximate acreage out of various original patent surveys, as shown heron in brackets, in the City of Kerrville, Kerr County, Texas; Being all of lots No. 43 and No. 11, No. 12 and No. 13 of Comanche Trace Phase 4, Section 1, the plat of which is recorded in volume 7 at pages 264 and 265 of the plat records of Kerr County, Texas. 3544, 3548, and 3552 La Cumbre Drive East. (File No. 2016-058). **Pg. 5**

3B. **Consideration & Action, Variance Request** – Consideration and action concerning two separate variance requests from The City of Kerrville Subdivision Ordinance Article 10-IV-3 "Minimum Design Standards" for an approximate 225.739 acre tract 1) for a 2-foot variance from the 50-foot Street Right-of-Way width for a minor residential street to allow for the 30-foot minimum pavement width from back of curb to back of curb to be reduced to 28-feet; and 2) a 808-foot variance from the 600-foot cul-de-sac length requirement to allow up to 1,408-foot cul-de-sac lengths. Legal Description Being a 22.739 acre tract of land, being approximately 184.381 acres situated in the Nathaniel Hoyt Survey no. 147, abstract no. 178 and approximately 41.358 acres situated the John A. Southmayd Survey no. 148, abstract no. 288 in the City of Kerrville, Kerr County, Texas and being the same tract conveyed as a 225.69 acre tract of land to 2HM Real Estate Company, LLC, by instrument number 15-05052 of the official public records of Kerr County, Texas; on the east side of Highway 16, between Castle Pines Drive East and Fnar Truck Way East (Legend Lane East). (File No. 2016-052) **Pg. 7**

4. STAFF REPORTS

5. 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 830-258-1117 for further information.

I do hereby certify that this notice of meeting was posted on the bulletin board at the city hall of the city of Kerrville, Texas, and said notice was posted on the following date and time: October 17, 2016 at 1:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Cheryl Brown
Deputy City Secretary, City of Kerrville, Texas



City of Kerrville

Planning Department

Report

To: Planning & Zoning Commission
Agenda Item: 2A
Hearing Date: October 20, 2016
Representative: Staff

Proposal

Approval of the minutes from the October 6, 2016 Planning & Zoning Commission meeting.

MEMBERS PRESENT:

Bob Waller, Chairman
Garrett Harmon, Vice-Chair
Don Barnett, Commissioner
Michael Sigerman, Alternate

MEMBERS ABSENT:

Doyle Malone, Commissioner
Bill Morgan, Commissioner
Rustin Zuber, Alternate

CITY COUNCIL LIASON

Glenn Andrew (not present)

STAFF PRESENT:

Trent Robertson, City Planner
Dorothy Miller, Recording Secretary
Chris Lee, Fire Marshal

CALL TO ORDER:

On October 6, 2016, Cmr. Harmon called the Kerrville Planning and Zoning Commission regular meeting to order at 4:32 p.m. in the City Hall Council Chambers, 701 Main Street, Kerrville, Texas.

1. VISITORS/CITIZENS FORUM:

No one spoke.

2. CONSENT AGENDA:

All items listed below in the consent agenda are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a Commissioner or citizen so requests; in which case the item(s) will be removed from the consent agenda and considered separately.

2A. Approval of the minutes from the September 15, 2016 meeting.

Cmr. Harmon approved the minutes as presented. Motion was seconded by Cmr. Sigerman and passed 4-0.

3. CONSIDERATION AND ACTION

3A. **Consideration & Action, Alternative Screening Request** - Consideration and action concerning a request to use alternative screening for Sidney Baker Community Plaza Lot 2, for an approximate 2.779 acres. Located on the southeast side of Sidney Baker Street (Highway 16), between Tennis Street North and Yorktown Boulevard North. 1407 Sidney Baker Street. (File No. 2016-054).

Mr. Robertson presented the case and asked Commissioners to render a decision.

Mr. Eric Debner spoke and explained the detention pond and how the drainage would work. Mr. Debner stated the detention pond is down in a corner and the entire thing slopes down to that corner. Everything goes across the lot and back down into that detention pond. In between the buildings on lot two and the back of the buildings on lot one, there is going to be a swell that is going to take the water back and there is a collection inlet on the south side corner between both lots that collects the water and takes it underground to the detention pond. All the drainage is all accounted for, the screening they are trying to request is not because they do not want to do the screening, but he believes the screening is not going to do anything because a) the elevation is so low that a six-foot fence is not going to block the view of the apartments. The main reason is there is a fire lane on lot two in front of the first row of buildings that is going to be necessary to use to reach the back portion of the buildings on lot one, which from the time they did the development site plan for lot one was put in place that way. The City Fire Marshal is insisting there be no screening so they can have access in an emergency to get to the back of those buildings without having any obstruction in their way.

Mr. Chris Lee, Fire Marshal further explained they initially reviewed the site plan and for primarily lot one, building one and two, and any building built within the city of Kerrville must be within at least 150 feet hose lay length from any fire department access lane so the front portion of the parking lot does not meet that intent for building two. They have now a temporary fire lane in place where building F is sitting. Right now that would be our temporary fire lane to access building two. That fire lane gets them within 150 foot hose lay length on all sides of building two. When the architect designed lot two he placed building F on top of the fire lane so now the fire department access road that goes in the "u" shape around the apartment buildings is now providing that hose lay length to building two. They still meet the intent of the code with the building being on top of where the old fire lane was and with the new proposed fire lane that they have going in for the building. It still meets the intent, however, any type of barrier between lot one and two would deem that inaccessible. The Fire Marshal's comment to the developer was that they could have no type of screening in between lot one and lot two.

Cmr. Harmon asked who they could use a fire lane on an adjacent property. Mr. Lee stated he asked that specific question to the International Code Counsel and they said the code doesn't specifically say that it cannot. It would be more along the lines of the Fire Marshal to make regulations that say this has to be irrevocable, there cannot be any screening and as long as this scenario exists that there cannot be any type of screening between there and it has to be drawn on the plat that this is the fire department access road for lot one that is on lot two.

Other options were discussed including a six-foot fence that providing a 25% availability through an opening located in an area discussed between the fire marshal and the developer. Basically, the developer is required to come up with a design for fire access that the fire marshal will agree on.

Cmr. Harmon moved to approve an alternative to the required Type “A” screening, where 1) the 25% opening can be condensed into one area and 2) that the screening is returned to the building. Cmr. Harmon encouraged the developer to work with the fire marshal to work out the precise location of that opening. Motion was seconded by Cmr. Sigerman and passed 4-0.

4. PUBLIC HEARINGS AND ACTION

4A. **Public Hearing & Action, Replat** – Public hearing, consideration, and action concerning a request for replat of Lot 2 and part of Lot 3 of Kerrville Hills Ranch Estates No. 1, located at 111 and 125 Loma Vuelta Road South; south of Camp Meeting Road South, between Loma Vuelta Road South and Medina Highway (Highway 16). (File No. 2016-049).

5. STAFF REPORT:

Mr. Robertson reported there are no upcoming cases to be heard at this time; however, that is subject to change.

6. ADJOURNMENT:

This meeting was adjourned at 5:23 p.m.

APPROVED:

Bob Waller, Chairman

Dorothy Miller, Recording Secretary

Date Minutes Approved



City of Kerrville Planning Department Report

To: Planning & Zoning Commission

Agenda Item: 3A

Planning File #: 2016-058

Hearing Date: October 20, 2016

Representative: Don Voelkel

Location: 3544, 3548, and 3552 La Cumbre Drive East

Legal Description: Lots 11, 12, and 13 of Comanche Trace Phase 4 Section 1 comprising of 1.54 acres of land, more or less, containing approximate acreage out of various original patent surveys, as shown heron in brackets, in the City of Kerrville, Kerr County, Texas; Being all of lots No. 43 and No. 11, No. 12 and No. 13 of Comanche Trace Phase 4, Section 1, the plat of which is recorded in volume 7 at pages 264 and 265 of the plat records of Kerr County, Texas.

Total Acreage: 1.54

Proposal

Amending Plat for Lots 11, 12, and 13 of Comanche Trace Phase 4 Section 1

Procedural Requirements

Notice of this meeting was posted at city hall and on the city's internet website on October 17, 2016 in accordance with Section 551.043(a) of the Texas Government Code.

Recommended Action

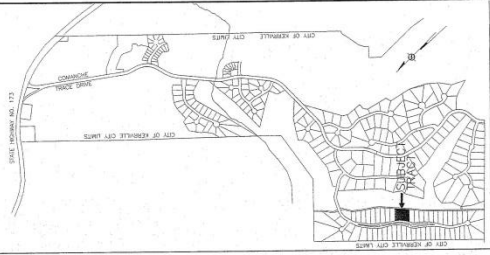
Staff recommends that the Commission considers and takes action on the proposal.

Staff Analysis and Recommendation: Approval

1. Requirements and Guidelines:

The proposal does meet all of the requirements and guidelines in accordance with Article 10-IV of the City of Kerrville Subdivision Ordinance.

FILE NO. _____



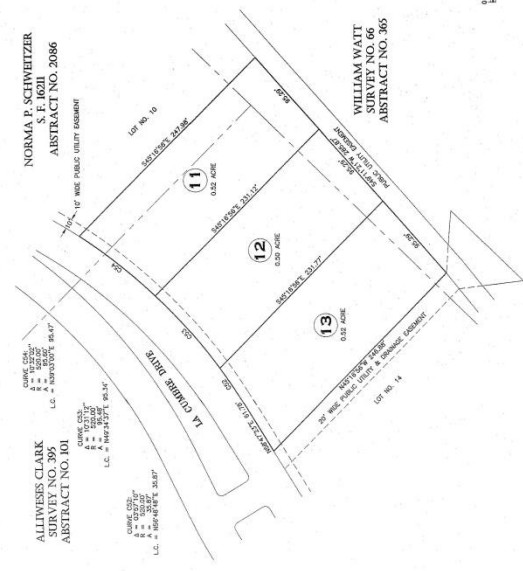
VICINITY MAP
SCALE: 1" = 1000'

NORMA F. SCHWEITZER
S.F. #6201
ABSTRACT NO. 2086

ALLIANCE CLARK
SURVEY NO. 30
ABSTRACT NO. 101

NORMA F. SCHWEITZER
S.F. #6201
ABSTRACT NO. 2086

ALLIANCE CLARK
SURVEY NO. 30
ABSTRACT NO. 101



AS AMENDED

1. THE SURVEY IS A REVISION OF THE SURVEY OF THE CITY OF KERRVILLE, TEXAS, AS SHOWN ON PLAT NO. 101, ABSTRACT NO. 101, DATED SEPTEMBER 12, 2016, AND IS SUBJECT TO THE SAME CONDITIONS AND COVENANTS AS SHOWN THEREON.

VOLUME 7 PAGES 264 & 265, PLAT RECORDS

AS PLATTED

2. THE SURVEY IS A REVISION OF THE SURVEY OF THE CITY OF KERRVILLE, TEXAS, AS SHOWN ON PLAT NO. 101, ABSTRACT NO. 101, DATED SEPTEMBER 12, 2016, AND IS SUBJECT TO THE SAME CONDITIONS AND COVENANTS AS SHOWN THEREON.

3. THE SURVEY IS A REVISION OF THE SURVEY OF THE CITY OF KERRVILLE, TEXAS, AS SHOWN ON PLAT NO. 101, ABSTRACT NO. 101, DATED SEPTEMBER 12, 2016, AND IS SUBJECT TO THE SAME CONDITIONS AND COVENANTS AS SHOWN THEREON.

AMENDING PLAT FOR LOTS NO. 11, NO. 12 & NO. 13 OF
COMANCHE TRACE PHASE 4
SITING, COMPRISING 1.54 ACRES OF LAND, MORE
OR LESS, CONTAINING APPROXIMATE ACREAGE OUT
OF VARIOUS ORIGINAL PATENT SURVEYS, AS SHOWN
HEREON IN BRACKETS, IN THE CITY OF KERRVILLE,
KERR COUNTY, TEXAS, AS SHOWN ON PLAT NO. 101,
ABSTRACT NO. 101, DATED SEPTEMBER 12, 2016, AND
SECTION 1, THE PLAT OF WHICH IS RECORDED IN
VOLUME 7 AT PAGES 264 AND 265 OF THE PLAT
RECORDS OF KERR COUNTY, TEXAS
OCTOBER 2016

Owner Lot 11-4: _____
P.O. Box 201005
Kerrville, TX 78002

Owner Lot 13-4: _____
P.O. Box 201005
Kerrville, TX 78002

Owner Lot 13-4: _____
P.O. Box 201005
Kerrville, TX 78002

Owner Lot 13-4: _____
P.O. Box 201005
Kerrville, TX 78002

Owner Lot 13-4: _____
P.O. Box 201005
Kerrville, TX 78002

Owner Lot 13-4: _____
P.O. Box 201005
Kerrville, TX 78002

Owner Lot 13-4: _____
P.O. Box 201005
Kerrville, TX 78002

Don W. Venable
Registered Professional Land Surveyor No. 3990

Don W. Venable
Registered Professional Land Surveyor No. 3990

Don W. Venable
Registered Professional Land Surveyor No. 3990

Don W. Venable
Registered Professional Land Surveyor No. 3990

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Don W. Venable
Registered Professional Land Surveyor No. 3990



City of Kerrville Planning Department Report

To: Zoning Board of Adjustment

Agenda Item: 3B

Planning File #: 2016-052

Hearing Date: October 20, 2016

Representative: M&S Engineering

Location: Located on the east side of Highway 16, between Castle Pines Drive East and Fnar Truck Way East (Legend Lane East)

Legal Description: Being a 22.739 acre tract of land, being approximately 184.381 acres situated in the Nathaniel Hoyt Survey no. 147, abstract no. 178 and approximately 41.358 acres situated the John A. Southmayd Survey no. 148, abstract no. 288 in the City of Kerrville, Kerr County, Texas and being the same tract conveyed as a 225.69 acre tract of land to 2HM Real Estate Company, LLC, by instrument number 15-05052 of the official public records of Kerr County, Texas

Total Acreage: 225.739

Proposal

Two separate variance requests from The City of Kerrville Subdivision Ordinance Article 10-IV-3 "Minimum Design Standards" for an approximate 225.739 acre tract 1) for a 2-foot variance from the 50-foot Street Right-of-Way width for a minor residential street to allow for the 30-foot minimum pavement width from back of curb to back of curb to be reduced to 28-feet; and 2) a 808-foot variance from the 600-foot cul-de-sac length requirement to allow up to 1,408-foot cul-de-sac lengths.

Procedural Requirements

Notice of this meeting was posted at city hall and on the city's internet website on October 17, 2016, in accordance with Section 551.043(a) of the Texas Government Code.

Recommended Action

Staff recommends that the Commission considers and takes action on the proposal.

Adjacent Zoning and Land Uses

Direction: North and South

Current Base Zoning: "R-1"

Current Land Uses: Single-Family Residential and Vacant

Direction: East

Current Base Zoning: "PI"

Current Land Uses: Schreiner Park

Direction: West
Current Base Zoning: "OCL"
Current Land Uses: Single-Family Residential and Vacant

Transportation

Thoroughfare: Castle Pines Drive East and Riverhill Boulevard East
Existing Character: One lane in each direction with no sidewalks
Proposed Changes: None known

Thoroughfare: Highway 16 (Medina Hwy)
Existing Character: Two lanes in each direction with no sidewalks
Proposed Changes: None known

Criteria for Review

In accordance to the City of Kerrville Subdivision Ordinance Article 10-IV-3 "Minimum Design Standards", variances shall not be granted unless the City Planning & Zoning Commission finds one or more of the following:

(1) That there are special circumstances or conditions affecting the land involved that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of this land;

There are no exceptional circumstances that exist on the subject property. The property's size, shape and topography are similar to the surrounding areas. Although, portions of the property have greater elevations with steep topography, staff feels the minimum design requirements can be met. The hardships are self-imposed through the development design.

(2) That the variance is necessary for the preservation of environmental features that would be affected by a strict application of the ordinance. These features would include tree preservation, geologic formations, steep slopes, springs, and other similar circumstances;

The granting of the variance will not preserve any environmental features. The proposed variances will only affect certain portions of the proposed project that could be potentially redesigned.

(3) That the variance would enable a more efficient use of the land of previously subdivided parcels which meet or exceed the area requirements of the City zoning ordinance (deep lots, unusual shape);

The subject property has not been platted. This criterion is not applicable to the requests.

(4) That the granting of a variance would serve to minimize or correct previous development deficiencies (utility line placement, drainage courses, transmission line location, septic systems);

The subject property is undeveloped and not platted. There is no infrastructure on the site.

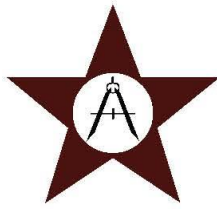
(5) That the variance would enable the developer to orient his lots for greater solar advantage;

This has not been proposed by the applicant or proved otherwise.

(6) That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

Staff believes that the proposed variances could have an impact on the proposed development and surrounding properties. The proposed variance for the cul-de-sac length (1,408-feet) extension is more than twice the length of what the subdivision ordinance permits (600-feet). Staff is concerned about the egress in case of an emergency and traffic flow. Additionally, the proposed variance to decrease the right-of-way (ROW) width is to allow for a ribbon curb instead of curb and gutter. Staff feels that a variance will not be necessary in order for ribbon curb to be installed as an alternate curb design. If ribbon curb is permitted at a later time by staff, it can fit within the required width of right-of-way. Generally, the type of curb and gutter to be used is determined when drainage is being addressed and the civil drawings are under review. Drainage or civil plans have not been assessed at this point in time.

Staff Recommendation: **Denial** of the 2-foot variance from the 50-foot Street Right-of-Way width for a minor residential street to allow for the 30-foot minimum pavement width from back of curb to back of curb to be reduced to 28-feet and **Denial** of the 808-foot variance from the 600-foot cul-de-sac length requirement to allow up to 1,408-foot cul-de-sac lengths.



M&S ENGINEERING
CIVIL | ELECTRICAL | STRUCTURAL | MEP

376 LANDA STREET
NEW BRAUNFELS, TX 78130
830.629.2988 PH | 830.885.2170 FX
FIRM F-1394
WWW.MSENGR.COM

September 21, 2016

Planning and Zoning Commission
City of Kerrville
200 Sidney Baker St. North
Kerrville, Texas 78028

Reference: Street Section Variance for Proposed Single Family Residential Development

Dear Planning and Zoning Commission Members:

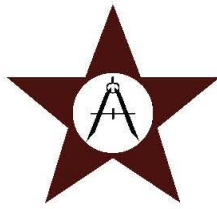
The developers of the property located on Highway 16 adjacent to the Riverhill subdivision and the Kerrville-Schreiner Park (see Exhibit A) wish to develop a single family residential neighborhood on approximately 200 acres. The purpose of the letter is to request a variance from the City of Kerrville Subdivision Ordinance to allow construction of a narrower street with concrete ribbon curbs. The developers of the project wish to use 28-foot wide streets instead of the 30-foot wide design standard in the Subdivision Ordinance. In lieu of standard curb and gutter the streets would use a ribbon (or flush) curb to protect the edge of pavement. The paved width of the street will be 26-feet as required, the ribbon curb on both sides of the street will be 12-inches. Reasons for requesting this variance are as follows:

1. Large Lot/Rural Feel – the target market for this development are those people who wish to have the rural feel of a larger property with the convenience and amenities of living in the city. Narrower streets without curb and gutter provide an aesthetic look and feel for a more rural setting. The ribbon curb will still provide that edge protection and barrier to protect the integrity of the pavement section.
2. Reduced On-Street Parking – the majority of the lots in this neighborhood will be within the 1 to 2-acre range, thus allowing for longer driveways and additional on lot parking areas that will reduce the tendency of visitor or residential vehicles to park along the street. The reduction of on-street parking would allow for a narrower pavement width while still allowing ample access to emergency service vehicles when needed.
3. Reduced Maintenance Costs – in many cases curb and gutter streets necessitate the use of storm sewer systems to convey stormwater runoff throughout the subdivision. Storm sewer can add additional cost to the City to maintain.
In areas where storm sewer is not used all drainage is conveyed in the street in a traditional curb and gutter roadway section. This increases the likelihood of pavement scour in high velocity areas and sedimentation (or silting) in low velocity areas. Both of which increase the maintenance requirements by the City to keep the street in good working condition.
4. Vehicular Barrier Not Needed – a waiver has been submitted to the City Engineer for this project to be exempted from the Sidewalk Ordinance due to the fact that there are no existing sidewalks in the adjacent development. If the waiver is granted sidewalks will not be constructed. Therefore, standard curbs will no longer be necessary to provide a vehicular barrier to help protect pedestrian traffic on sidewalks.

Please see Exhibit B for the proposed master development plan and street section for this residential community. Thank you for your consideration in this matter.

Sincerely,

Lance Klein, P.E., P.H., C.F.M.
Sr. Project Manager



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WWW.MSENGR.COM

September 21, 2016

Planning and Zoning Commission
City of Kerrville
200 Sidney Baker St. North
Kerrville, Texas 78028

Reference: Cul-de-sac Length Variance for Proposed Single Family Residential Development

Dear Planning and Zoning Commission Members:

The developers of the property located on Highway 16 adjacent to the Riverhill subdivision and the Kerrville-Schreiner Park (see Exhibit A) wish to develop a single family residential neighborhood on approximately 200 acres. The purpose of the letter is to request a variance from the City of Kerrville Subdivision Ordinance to allow construction of cul-de-sacs that exceed the maximum length of 600-feet. The following excerpt from the Ordinance allows for an exception due to topography.

Article 10-IV-3 MINIMUM DESIGN STANDARDS, Section A, Item 5:

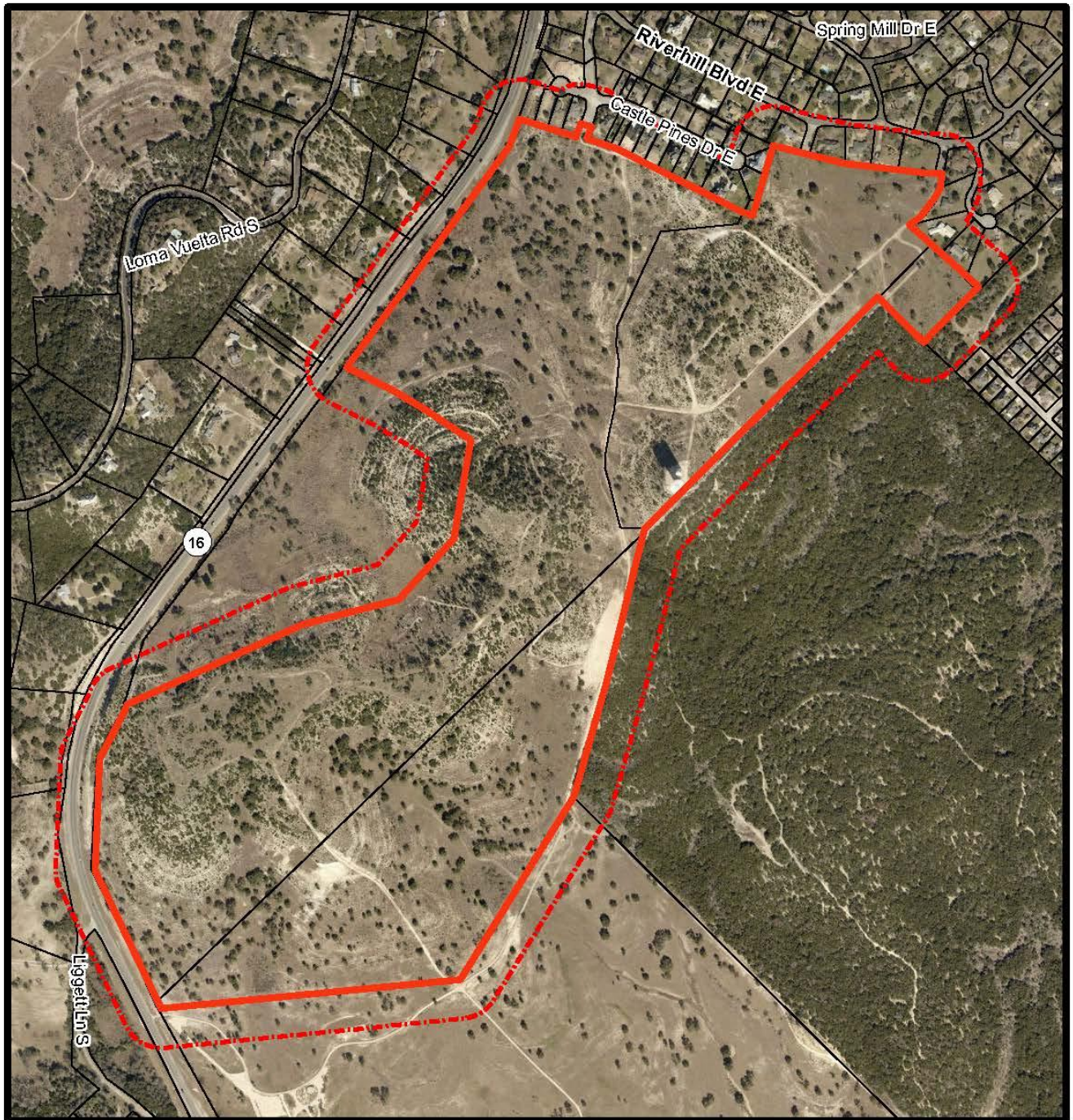
"Turn-around (Cul-de-sacs) Minor terminal streets or courts designed to have one end permanently closed (cul-de-sac) shall be no more than six hundred (600) feet long unless necessitated by topography. They shall be provided at the closed end with a turn-around having an outside roadway pavement diameter of at least eighty (80) feet and street right-of-way diameter of at least one hundred (100) feet."

The proposed streets in this subdivision were planned to compliment the extreme topography of the site. Where possible longitudinal slopes were evaluated such that they would comply with acceptable design standards for both passenger and emergency vehicles, while striving to maintain good traffic circulation throughout the development. However, in many cases cul-de-sacs were added in lieu of making a connection (or loop) to an adjacent street. These cul-de-sacs were necessary to prevent slopes that would exceed maximum values allowed for emergency vehicles. The use of cul-de-sacs in this manner created two turn-around streets that exceed the maximum length of 600-feet.

Please see Exhibit B for the proposed master development plan showing the locations of the cul-de-sacs. Thank you for your consideration in this matter.

Sincerely,

Lance Klein, P.E., P.H., C.F.M.
Sr. Project Manager



Case 2016-052

Location:
Southerland Communities
Tract

Legend

Subject Properties
200-ft Notification Area



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.