



**CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA**  
**REGULAR MEETING, THURSDAY, NOVEMBER 14, 2019 4:30 P.M.**  
**CITY HALL COUNCIL CHAMBERS**  
**701 MAIN STREET, KERRVILLE, TEXAS**

**CALL TO ORDER**

**1. CONSENT AGENDA**

All items listed below on 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.

**1B. Approval of the minutes from the October 3, 2019**

**2. PUBLIC HEARING, CONSIDERATION & ACTION**

**2A. Public Hearing & Resolution** - Public hearing, consideration, and action to recommend an ordinance to change the zoning from R-1 Single Family Residential District to R-2 Medium Density Residential District on approximately 72 acres, Phases 9 and 14 of The Summit Subdivision; and generally located along and east of Loop 534 near Stoneledge Drive. (File No. 2019-076)

**3. CONSIDERATION & ACTION**

**3A.** Consideration and action concerning a Preliminary Plat of the Cuesta Estates subdivision, being a certain tract or parcel comprising of 9.391 acres out of the T. Hand Survey No. 115, Abstract No. 193, City of Kerrville, Kerr County, Texas, south of 5<sup>th</sup> Street and east of Lytle Street. (File No. 2019-059)

**3B.** Consideration and action concerning a Preliminary Plat of The Enclave subdivision, being a certain tract or parcel comprising of 8.57 acres out of the Samuel Wallace Survey No. 114, Abstract No. 348, City of Kerrville, Kerr County, Texas, generally located at Bow Drive and Weston Loop, north of East Main. (File No. 2019-074)

**4. STAFF REPORT**

**5. Executive Session**

At any time during the meeting, the Planning and Zoning Commission may meet in executive session regarding any of the matters posted above for attorney-client consultation in compliance with the Texas Open Meetings Act.

**6. ADJOURNMENT**

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The facility is wheelchair accessible, and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-257-8000 for further information.

I hereby certify that this agenda was posted as notice of the meeting on the bulletin board at the City Hall of the City of Kerrville, Texas, and on the City's website on the following date and time: November 11, 2019 at 5:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Kayla McInturff

Kayla McInturff, Deputy City Secretary, City of Kerrville, Texas

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# City of Kerrville Planning Department Report

To: Planning & Zoning Commission  
Agenda Item: 1A Minutes October 3, 2019 Commission meeting  
Action: Approval, approval with specific changes  
Representative: Staff

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## **Members Present:**

Bob Waller, Chair  
Garrett Harmon, Vice-Chair  
Tricia Byrom, Commissioner  
David Jones, Commissioner  
Rustin Zuber, Commissioner

## **City Staff Present:**

Drew Paxton, Director of Planning  
Guillermo Garcia, Executive Director for Strategic Initiatives  
Dorothy Miller, Recording Secretary

## **CALL TO ORDER:**

On October 3, 2019, Cmr. Waller 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. CONSENT AGENDA:**

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

1A. Approval of minutes for the September 5, 2019 meeting.

Cmr. Harmon moved to approve the minutes as presented; motion was seconded by Cmr. Byrom and passed 5-0.

### **2. PUBLIC HEARING, CONSIDERATION & ACTION**

2A. Public hearing, consideration, and action to recommend a resolution to allow a Conditional Use Permit for a Short-term Rental Unit on Lot 1-A, Block 6, of the Lowry Addition; more commonly known as 202 Lowry Street. (File No. 2019-063)

Mr. Paxton presented the finding of facts.

Cmr. Waller opened the public hearing at 4:36 p.m. Hearing no one speak, Cmr. Waller closed the public hearing at 4:37 p.m.

Cmr. Byrom moved to recommend approval, with the condition of a minimum of one off-street parking space per bedroom, for a resolution to allow a Conditional Use Permit for a Short-term Rental Unit. Motion was seconded by Cmr. Jones and passed 5-0.

**2B.** Public hearing, consideration, and action to recommend a resolution to allow a Conditional Use Permit for a Short-term Rental Unit on Lot 1-C, Block 6, of the Lowry Addition; more commonly known as 210 Lowry Street. (File No. 2019-064)

Mr. Paxton presented the finding of facts.

Cmr. Waller opened the public hearing at 4:44 p.m. Hearing no one speak, Cmr. Waller closed the public hearing at 4:45 p.m.

Cmr. Harmon moved to recommend approval with the condition of a minimum of one off-street parking space per bedroom, for a resolution to allow a Conditional Use Permit for a Short-term Rental Unit. Motion was seconded by Cmr. Bryom and passed 5-0.

### **3. CONSIDERATION AND ACTION**

**3A.** Consideration and action concerning a Preliminary Plat of the Weston Homeplace Phase II subdivision, being a certain tract or parcel comprising of 8.57 acres out of the Samuel Wallace survey number 114, tract number 348, within the City of Kerrville, Kerr County, Texas, generally located north of E. Main. (File No. 2019-070)

The item was withdrawn by both the owner and the applicant.

**3B.** Consideration and action concerning a Preliminary Plat of the Comanche Trace Phase 7 subdivision, being a certain tract or parcel comprising of 4.99 acres out of the William Watt survey number 65, abstract 364, within the City of Kerrville, Kerr County, Texas, generally located along Pinnacle Club Drive. (File No. 2019-071)

Mr. Paxton presented the finding of facts.

Cmr. Zuber moved to approve the Preliminary Plat of the Comanche Trace Phase 7 subdivision. Motion was seconded by Cmr. Jones and passed 5-0.

### **4. STAFF REPORT:**

Mr. Paxton presented the staff report. The new zoning code goes into effect October 1, 2019. At the next city council meeting they will appoint two new members to the Planning and Zoning Commission. There will be some changes in scheduling for plats. With recent legislative changes plats, once the city receives a plat application it has to be decided on within 30 days, which includes the Planning and Zoning Commission hearing. In between finalizing changes, the second Thursday of the month will be reserved for just plats. Currently our code does say we meet within 30 days. A lot of cities are trying to figure out exactly what "complete" means (in regards to a complete application). The code review committee did look at the introduction to the subdivision ordinance. The landscaping

ordinance, tree preservation guidelines, tree pruning ordinance, and dark sky ordinance do not have a timeline yet as to when they will come before this Commission. .

**5. EXECUTIVE SESSION**

No executive session was taken.

**6. ADJOURNMENT**

The meeting was adjourned at 4:59 p.m.



# City of Kerrville Planning Department Report

To: Planning & Zoning Commission  
Agenda Item: 2A  
Action: Public Hearing, Consideration and Action  
Planning File #: 2019-076  
Representative: MKB Land, LTD

## Proposal

Public hearing, consideration, and action to recommend an ordinance to change the zoning from R-1 Single Family Residential District to R-2 Medium Density Residential District on approximately 72 acres, Phases 9 and 14 of The Summit Subdivision; and generally located along and east of Loop 534 near Stoneledge Drive. (File No. 2019-076)

## Procedural Requirements

89 letters were mailed October 28<sup>th</sup>, to adjacent property owners. The public notice was published in the Kerrville Daily Times on October 24, 2019.

## Staff Analysis

**Consistency with the Kerrville 2050 Comprehensive Plan:** The property and surrounding area are designated Preservation Residential (PR) within the Future Land Use Plan. Preservation Residential areas support a variety of housing types in a compact network of complete, walkable streets that are easy to navigate by car, bike, and foot. Housing types can include small-lot, single-family detached homes, patio homes, townhomes, duplexes, condominiums, or apartments. Limited amounts of local retail and services may be appropriate in certain locations as needed to support the primary land use.

The primary land use in the PR land use category single-family detached homes, patio homes, townhomes, and other single-family attached dwellings.

The existing surrounding area includes: single family homes and a church.

## **Adjacent Zoning and Land Uses**

### **Subject Property**

**Current Zoning:** R-1 Single Family Residential  
**Existing Land Uses:** vacant land

### **Direction: North**

**Current Zoning:** Mixed-Use District, R-3 Multifamily Residential District, and Planned Development District (PDD) 05-04

**Existing Land Uses:** Apartments and Vacant land

**Direction: East and South**

**Current Zoning:** R-1 Single Family District

**Existing Land Uses:** Single family homes (The Summit subdivision) and vacant land

**Direction: West**

**Current Zoning:** R-3 Multifamily Residential District and Public and Institutional District

**Existing Land Uses:** Apartments and golf course

The uses which are permitted as a matter of right or permitted upon issuance of a conditional use permit in the R-1 and R-2 zoning district are indicated by the letters "P" and "C," respectively, in the following table:

<b>LAND USES</b>		
	<b>R-1</b>	<b>R-2</b>
Accessory Building or Structure	P	P <sub>1</sub>
Amenity Center	P <sub>2</sub>	P <sub>2</sub>
Boarding Home Facility	P <sub>5</sub>	P <sub>5</sub>
Building Contractor, Temporary Field Office	P <sub>6</sub>	P <sub>6</sub>
Caretaker's Residence	P	P
Cemetery	C	C
Church, Temple, Mosque, or Place of Worship	P	P
College or University, Public	P	P
Community Garden	P <sub>8</sub>	P <sub>8</sub>
Community Home	P <sub>8A</sub>	P <sub>8A</sub>
Country Club	C	
Dwelling, Duplex		P
Dwelling, Live/Work		
Dwelling, Multifamily		
Dwelling, Patio Home (Zero Lot Line Home)		P
Dwelling, Single-Family Detached	P	P
Dwelling, Single-Family Detached with Accessory Dwelling Unit	C	P <sub>11</sub>
Dwelling, Small-Lot Single-Family Detached		P
Dwelling, Townhome		P
Golf Course	C	
Guest House	P	P <sub>1</sub>
Guidance Services		P
Halfway House	P <sub>5</sub>	P <sub>5</sub>
Home Occupation	P <sub>12</sub>	P <sub>12</sub>
Modular Home	P	P
Public or Institutional Facility or Use	P	P
Rectory/Parsonage	P	P
Residential Care Service	P <sub>5</sub>	P <sub>5</sub>
School, Private, Elementary	C	C

School, Private, Intermediate and Secondary	C	C
School, Public, Elementary	P	P
School, Public, Intermediate and Secondary	P	P
Short-term Rental Unit	C	C
Utility, Local	P	P
Utility, Private or Franchise	C	C
Utility, Public	P	P

**Thoroughfare Plan:** Leslie Drive is designated a Collector. A typical collector in Kerrville is a two-lane divided roadway with a center turn lane; however, in constrained areas, a two-lane undivided roadway may be appropriate so that a portion of the right-of-way could be used for pedestrian space or on-street parking. Leslie Drive is currently only an undivided two-lane road without curbs or sidewalks. Easy Street is a Local.

**Traffic Impact:** To be determined

**Parking:** To be determined

### **Recommendation**

Based on the consistency with the Kerrville 2050 Comprehensive Plan, staff recommends approval.

### **Attachments**

Map



## Location Map

Case # 2019-076

Location:  
The Summit Phases 9 & 14

### Legend

200' Notification Area  
Subject Properties



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 Planning Division Report

To: Planning & Zoning Commission  
Agenda Item: 3A  
Action: Consideration and Final Action, Preliminary Plat  
Planning File #: 2019-059  
Property Owner: Salubria 5<sup>th</sup> Series, LLC  
Representative: Chris Chedzoy  
Location: Approximately 9.391 acres out of the T. Hand Survey No. 115, Abstract No. 193, City of Kerrville, Kerr County, Texas, south of 5<sup>th</sup> Street and east of Lytle Street

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## Proposal

Consideration and action concerning a Preliminary Plat of the Cuesta Estates subdivision, being a certain tract or parcel comprising of 9.391 acres out of the T. Hand Survey No. 115, Abstract No. 193, City of Kerrville, Kerr County, Texas, south of 5<sup>th</sup> Street and east of Lytle Street. (File No. 2019-059)

## Recommendation

Staff recommends approval.

## Attachments

A. Proposed Preliminary Plat

STATE OF TEXAS ~  
COUNTY OF ~

IN ACCORDANCE WITH ARTICLE 10-IV-2 OF THE CODE ORDINANCE OF THE CITY OF KERRVILLE, TEXAS AND IN CONSIDERATION OF THE APPROVAL OF "CUESTA ESTATES", THE OWNERS DO HEREBY WAIVE ANY AND ALL CLAIMS FOR DAMAGES AGAINST THE CITY OF KERRVILLE, KERR COUNTY, TEXAS, OCCASIONED BY THE ESTABLISHMENT OF GRADES OR THE ALTERATION OF THE SURFACE OF ANY PORTION OF EXISTING STREETS AND ALLEYS TO CONFORM TO THE GRADES ESTABLISHED IN THE ABOVE NAMED SUBDIVISION.

BY: CHRISTOPHER CHEDZOY  
FOR: SALUBRIA 5TH SERIES, LLC - OWNER

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL NOTED.

DATED: \_\_\_\_\_, 2019

BY: CHRISTOPHER CHEDZOY  
FOR: SALUBRIA 5TH SERIES, LLC - OWNER

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE AND

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019

NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

STATE OF TEXAS ~  
COUNTY OF ~

THE OWNER OF THE LAND SHOWN ON THIS PLAT, AND WHOSE NAME IS SUBSCRIBED HERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATED TO KERR COUNTY, TEXAS, FOR THE USE OF THE PUBLIC FOREVER ALL ROADS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, IN ALL OF THE AFORESAID PUBLIC PLACES AND ALL OTHER PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

THE OWNER HAS WRITTEN CONSENT OF ALL LIEN HOLDERS, AND CERTIFIES THAT ALL ROADS, DRAINAGE STRUCTURES AND OTHER ITEMS SUBMITTED HAVE BEEN BUILT IN ACCORDANCE WITH ALL ENGINEERED DATA SUBMITTED AND PURSUANT TO THE STANDARDS SET FORTH IN KERR COUNTY SUBDIVISION RULES & REGULATIONS.

BY: CHRISTOPHER CHEDZOY DATE  
FOR: SALUBRIA 5TH SERIES, LLC - OWNER

STATE OF TEXAS ~  
COUNTY OF ~

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019

NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR KERRVILLE, TEXAS, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY AS ARE NOTED IN THE MINUTES OF THE CITY PLANNING COMMISSION AND THAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY CLERK, AND THAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY CLERK.

DATED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

DREW PAXTON, CHIEF PLANNING OFFICER  
CITY OF KERRVILLE

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON IS EXISTING IN AN ACCEPTABLE MANNER ACCORDING TO THE CITY OF KERRVILLE STANDARD SPECIFICATIONS.

DATED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

KYLE BUROW, P.E., CITY ENGINEER  
CITY OF KERRVILLE

I HEREBY CERTIFY THAT THIS SUBDIVISION PLAT MEETS THE CITY MASTER GRID SYSTEM REGARDING STREET NAMES AND ADDRESSES ASSIGNED BY THE CITY OF KERRVILLE PLANNING DIVISION.

DATED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

DREW PAXTON, CHIEF PLANNING OFFICER  
CITY OF KERRVILLE

I HEREBY CERTIFY THAT:  
1) THAT STREETS, UTILITIES AND OTHER IMPROVEMENTS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO THE CITY OF KERRVILLE STANDARDS SPECIFICATIONS IN THE SUBDIVISION ENTITLED "CUESTA ESTATES".  
2) THAT A SURETY BOND IN THE AMOUNT OF \$\_\_\_\_\_ HAS BEEN DEPOSITED WITH THE CITY OF KERRVILLE TO ASSURE COMPLETION OF ALL REQUIRED IMPROVEMENTS IN CASE OF DEFAULT.

\_\_\_\_\_, 2019

CITY ENGINEER OR APPROVING AGENT

STATE OF TEXAS ~  
COUNTY OF KERR ~  
FILED FOR RECORD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_  
A.D. AT \_\_\_\_ O'CLOCK M. RECORDED ON THIS \_\_\_\_ DAY OF \_\_\_\_\_  
IN FILE NO. \_\_\_\_\_ OF THE OFFICIAL PUBLIC RECORDS OF  
KERR COUNTY, TEXAS.

JACKIE DOWDY, KERR COUNTY CLERK

CITY OF KERRVILLE PLAT FILE NO. \_\_\_\_\_

TAX CERT. FILE NO. \_\_\_\_\_

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# City of Kerrville Planning Division Report

To: Planning & Zoning Commission  
Agenda Item: 3A  
Action: Consideration and Final Action, Preliminary Plat  
Planning File #: 2019-074  
Property Owner: Tango Homes, LLC  
Representative: Wayne Loviolette  
Location: Approximately 8.57 acres out of the Samuel Wallace Survey No. 114, Abstract No. 348, City of Kerrville, Kerr County, Texas, generally located at Bow Drive and Weston Loop, north of East Main

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## Proposal

Consideration and action concerning a Preliminary Plat of The Enclave subdivision, being a certain tract or parcel comprising of 8.57 acres out of the Samuel Wallace Survey No. 114, Abstract No. 348, City of Kerrville, Kerr County, Texas, generally located at Bow Drive and Weston Loop, north of East Main. (File No. 2019-074)

## Recommendation

Staff recommends approval.

## Attachments

A. Proposed Preliminary Plat

