



CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA
REGULAR MEETING, Thursday, July 1, 2021 at 4:30 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

1. MINUTES

1A. Approval of the minutes from the June 3, 2021 regular meeting.

1B. Approval of the minutes from the June 24, 2021 workshop.

2. CONSIDERATION AND FINAL ACTION

2A. Hunter Hill, Preliminary Plat (Case 2021-038)

A preliminary plat of Hunter Hill, being out of that certain tract or parcel comprising 10.15 acres in total out of the Walter Fosgate Survey No. 120, Abstract No. 138, within the City of Kerrville, the same property conveyed as 10.165 acres to Scott Schreiner Parker Ernest Clyde Parker Jr. by executors' distribution deed dated the 2nd day of March, 2021, and recorded in Volume No. 1782, Page No. 580 official public records of Kerr County, Texas; and generally located at 1126 Jackson Road.

2B. Comanche Trace Phase 18, Preliminary Plat (Case 2021-039)

A preliminary plat of Comanche Trace Phase 18, a 9.66 acre tract of land located in the William Watt Survey No. 65, Abstract No. 364, Kerr County, Texas, and being a portion of a called 1131.78 acre tract of land as described in Volume No. 971, Page No. 698 of the real property records of Kerr County, Texas; and generally located near Lower Turtle Creek Road and Pinnacle View Drive.

2C. Town Creek Crossing, Preliminary Plat (Case 2021-040)

A preliminary plat of Town Creek Crossing, a 15.030 acre tract of land situated in the Walter Fosgate Survey No. 120, Abstract No. 138, Kerr County, Texas and being a portion of that certain 304.12 acre tract of land recorded in Document No. 14-05748, official public records, Kerr County, Texas; and generally located at Holdsworth Drive near Harper Road.

2D. Constantina Commerce Park, Preliminary Plat (Case 2021-041)

A preliminary plat of Constantina Commerce Park, a 14.00 acre tract of land located in the WC Francis Survey No. 146, Abstract No. 137, Kerr County, Texas, and being all of a called 10.26 acre tract, recorded in document No. 14-6763, official public records of Kerr County, Texas, a portion of a called 3.97 acre tract, recorded in Volume No. 1805, Page No. 775, official public records of Kerr County, Texas, and all of Lot 3-C, recorded Volume No. 7, Page No. 275, plat records of Kerr County, Texas.

2E. Village at Riverhill, Preliminary Plat (Case 2021-042)

A preliminary plat of Village at Riverhill, being 3.49 acres comprised of 3.47 acres within Tract 5 according to special warranty deed recorded in Volume No. 1759, Page No. 147 and 0.02 acre out of greenbelt according to Riverhill Townhouse Tracts No. Two Subdivision according to the plat of record, Volume No. 4, Page No. 45, official public records of Kerr County, Texas, all of which being out of the Nathaniel Hoyt Survey No. 147, Abstract No. 178, Kerr County, Texas.

3. PUBLIC HEARING, CONSIDERATION & ACTION

3A. Zoning Change from R-1 to C-1, 3210 Riverside Drive (Case PZ-2021-12)

An ordinance to change the zoning from R-1 Single Family Residential to C-3 General Commercial on approximately 0.31 acres located within the Wallace Survey No. 112, Abstract No. A0360, Kerr County, Texas; and more commonly known as 3210 Riverside Drive.

3B. Zoning Change from R-T to C-1, 501 Florence Street (Case PZ-2021-13)

An ordinance to change the zoning from R-T Residential Transition to C-1 Neighborhood Commercial on Lot 19, Part 20, Block 25, Westland Place; and more commonly known as 501 Florence Street.

3C. CUP for Short Term Rental, 1221 Park Street (Case PZ-2021-14)

A resolution to allow a Conditional Use Permit for a Short Term Rental Unit on Lot 12, Block 28, J.A Tivy Addition; and more commonly known as 1221 Park Street.

4. STAFF REPORT

4A. Subdivision Ordinance Rewrite Discussion / Follow-up

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

The facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-258-1117 for further information.

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

Deputy City Secretary, City of Kerrville, Texas

Agenda Bill

Meeting Minutes

To: Planning & Zoning Commission
Date: 7/1/2021
Agenda Item: 1A, Minutes of June 3, 2021 Commission Meeting
Action: Approve or Approve with Specific Changes
Representative: Staff

CITY OF KERRVILLE, TEXAS PLANNING AND ZONING COMMISSION

June 3, 2021

Members Present:

Michael Sigerman, Chair
David Jones, Vice-Chair
Shane Bourgeois, Commissioner
Tricia Byrom, Commissioner
Hunter Patterson, Commissioner
Cliff Tuttle, Commissioner

Members Absent:

David Lipscomb, Commissioner

City Staff Present:

Guillermo Garcia, Executive Director
Drew Paxton, Director of Planning
Steve Melander, Planner II
Dorothy Miller, Recording Secretary

CALL TO ORDER:

On June 3, 2021, Cmr. Sigerman called the Kerrville Planning and Zoning Commission regular meeting to order at 4:30 p.m. in the City Hall Council Chambers, 701 Main Street, Kerrville, Texas.

1. MINUTES:

1A. Approval of minutes for the May 6, 2021 meeting.

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

2. CONSIDERATION & FINAL ACTION

2A. Packsaddle Acres, Replat of Lots 10 – 17, 170 Lariat Lane (Case 2021-030)

Mr. Paxton presented the finding of facts.

Mr. Don Voelkel spoke regarding the public hearing to be held by the county. This particular case requires that it goes before both the county and the city. Lariat Lane was never built so it is going to be abandoned. He asked that the replat be called replat/revision plat. Mr. Voelkel asked about addressing, which Mr. Paxton stated would be a joint effort between Kerr 911 and the city.

Cmr. Byrom moved to approve the replat with the conditions requested by the county. Motion was seconded by Cmr. Patterson and passed 5-0.

2B. Riverside Healthcare Final Plat, 1555 Bandera Highway (Case 2021-037)

Mr. Paxton presented the finding of facts.

Cmr. Tuttle moved to approve the final plat. Motion was seconded by Cmr. Byrom and passed 5-0.

2C. Ridgeland Subdivision Final Plat (Case 2021-026)

Mr. Paxton presented the finding of facts.

Mr. George Baroody spoke and asked about making the plats more readable that are included in the agenda packet. He also asked about the flood plain boundary, which Mr. Burow addressed. Cmr. Jones stated that Commissioners have look at this project more than once and it also gets another look during permitting and feels confident that all issues are being addressed. Mr. Paxton stated legislature states plats must be brought before the Commission within 30 days.

Cmr. Byrom moved to approve the final plat. Motion was seconded by Cmr. Patterson and the motion passed 5-0.

3. PUBLIC HEARING, CONSIDERATION AND ACTION

3A. Zoning Change from PDD 20-09 to R-1, 3008 Riverside Drive (Case PZ-2021-9)

Mr. Paxton presented the finding of facts.

Mr. Rick Martin, 3001 Riverside Dr. is all utility easement and is always going to be open land. Mr. Burow clarified Mr. Martin's comment.

Cmr. Jones opened the public hearing at 4:54 p.m. Hearing no one speak, Cmr. Jones closed the public hearing at 4:55 p.m.

Cmr. Patterson moved to recommend approval for a Zoning Change from PDD 20-09 to R-1. Motion was seconded by Cmr. Bourgeois and passed 5-0.

3B. Short Term Rental, 205 Starkey Street (Case PZ-2021-10)

Mr. Paxton presented the finding of facts.

Cmr. Jones opened the public hearing at 5:00 p.m.

Mrs. Kerry Wilt spoke again and presented her case.

Ms. Anna Ramirez spoke regarding concerns about parking and asked why this property does not have curbing like the other houses. Ms. Ramirez feels this is going to take away from the aesthetics of the neighborhood. Mrs. Wilt stated most people using the rental are bringing only one or two vehicles. Ms. Ramirez asked if curbing could be added. Cmr. Jones asked Mr. Paxton to comment on the curbing issue. Mr. Paxton stated curbing is usually addressed when the street is being built. He believes individual owners added their own curbing, which was probably not added originally and explains why some houses have curbing while others do not.

Ms. Karen Sides spoke, complimenting the owner for what they have done with their two homes; however, she is worried that the “commercialization” is causing them to lose the single family feel of the neighborhood. Also concerned about parking on the street and stated her curbing was added by the city. She asks that the existing number of Air B&B’s allowed in a neighborhood be considered.

Mr. Patrick Wilt spoke regarding the parking, which he admitted was an issue and also does not favor on-street parking. He stated there is enough space between 201 and 205 Starkey that can also be used for parking.

Ms. Ramirez stated her concern is cars parked in front of her house, not allowing her to have available parking for her guests. Mr. Paxton stated part of the notification requirement is letting the tenants know they are not to park on the street. Mrs. Wilt stated that all guests are notified to park onsite and not on the street and that adequate off-street parking is provided.

Mr. George Baroody spoke in general regarding CUPs. He stated he does not see how this short term rental could be denied based on the standard conditions that are the same conditions that have been applied to other short term rentals that have been approved. Cmr. Jones stated there have been some short term rental cases that had been denied. Mr. Baroody’s point was that by zoning the property CUP, it cannot be denied. Mr. Paxton stated this was incorrect and that each Short Term Rental is considered on its own merits and that conditions can be site specific.

Hearing no one else speak, Cmr. Jones closed the public hearing at 5:27 p.m.

Cmr. Byrom moved to recommend approval for a short term rental at 205 Starkey Street. Motion was seconded by Cmr. Tuttle and passed 5-0.

3C. Annexation & Zoning, 160 & 170 Lehmann Drive (Case PZ-2021-11)

Mr. Paxton presented the finding of facts.

Mr. Nate Miller presented his case.

Cmr. Jones opened the public hearing at 5:38 p.m. Hearing no one speak, Cmr. Jones closed the public hearing at 5:39 p.m.

Cmr. Patterson moved to recommend approval for an annexation and zoning for 160 and 170 Lehmann Drive. Motion was seconded by Cmr. Byrom and passed 5-0.

4. STAFF REPORT:

Mr. Paxton presented the staff report. Workshop June 24th, present subdivision code. Regular meeting on July 1, 2021. July 15, 2nd workshop. Cmr. Jones requested the workshop to meet at 4:00 p.m. A draft will be sent out as soon as it is available.

5. EXECUTIVE SESSION

No executive session was taken.

6. ADJOURNMENT

The meeting was adjourned at 5:42 p.m.

APPROVED:

Michael Sigerman, Chair

Dorothy Miller, Recording Secretary

Date Minutes Approved

Agenda Bill

Meeting Minutes

To: Planning & Zoning Commission
Date: 7/1/2021
Agenda Item: 1B, Minutes of June 24, 2021 Commission Workshop
Action: Approve or Approve with Specific Changes
Representative: Staff

CITY OF KERRVILLE, TEXAS PLANNING AND ZONING COMMISSION

June 24, 2021

Members Present:

Michael Sigerman, Chair
David Jones, Vice-Chair
David Lipscomb, Commissioner
Shane Bourgeois, Commissioner
Hunter Patterson, Commissioner
Cliff Tuttle, Commissioner

Members Absent:

Tricia Byrom, Commissioner

City Staff Present:

Guillermo Garcia, Executive Director
Drew Paxton, Director of Planning
Steve Melander, Planner II
Stuart Barron, Public Works Director
Mike Hayes, City Attorney

CALL TO ORDER:

On June 24, 2021, Cmr. Sigerman called the Kerrville Planning and Zoning Commission Subdivision Code Workshop to order at 4:00 p.m. in the City Hall Council Chambers, 701 Main Street, Kerrville, Texas.

1. WORKSHOP

- 1A. Presentation and discussion of the rewrite of the City of Kerrville Subdivision Ordinance.

Mr. Paxton distributed draft copies of the Subdivision Ordinance rewrite and summarized revisions through a PowerPoint presentation. Commissioners will review the draft and be prepared for further discussion at a follow-up meeting to be held on July 15, 2021.

2. ADJOURNMENT

The workshop was adjourned at 5:31 p.m.

APPROVED:

Michael Sigerman, Chair

Dorothy Miller, Recording Secretary

Date Minutes Approved

Agenda Bill

Case No. 2021-038

To: Planning & Zoning Commission
Date: 7/1/2021
Agenda Item: 2A, Hunter Hill, Preliminary Plat
Action: Recommend Approval of Preliminary Plat with Conditions
Representative: Jared Martin – Wellborn Engineering

Proposal

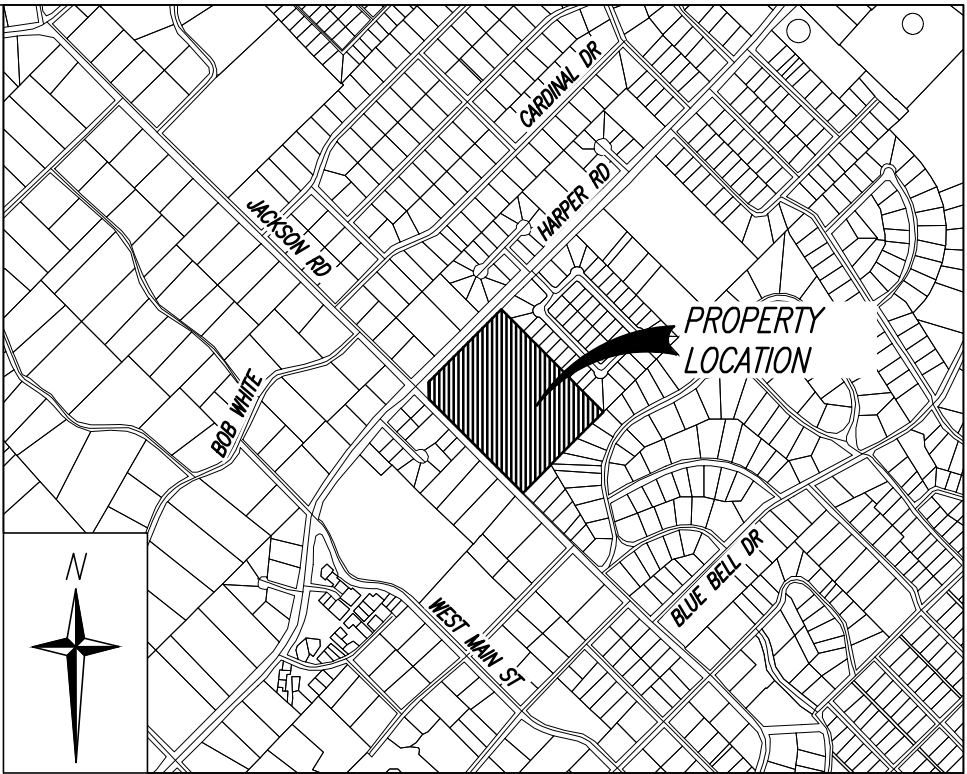
Consideration and final action concerning a preliminary plat of Hunter Hill, being out of that certain tract or parcel comprising 10.15 acres in total out of the Walter Fosgate Survey No. 120, Abstract No. 138, within the City of Kerrville, the same property conveyed as 10.165 acres to Scott Schreiner Parker Ernest Clyde Parker Jr. by executors' distribution deed dated the 2nd day of March, 2021, and recorded in Volume No. 1782, Page No. 580 official public records of Kerr County, Texas; and generally located at 1126 Jackson Road.

Staff Analysis and Recommendation

The Preliminary Plat is generally consistent with the Zoning Code and Subdivision Ordinance. Staff recommends approval of the Preliminary Plat with Conditions of Approval (attached).

Attachments:

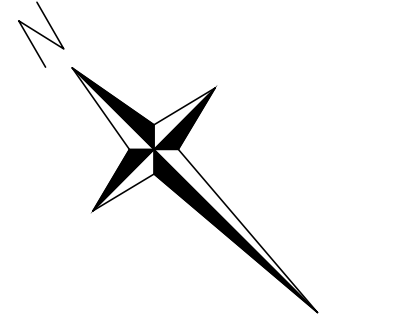
Proposed Preliminary Plat
Conditions of Approval



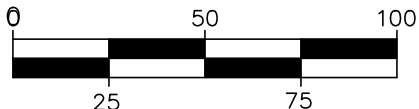
VICINITY MAP

1"=1000'

SOURCE: KERRVILLE GIS



GRID



SCALE: 1"=50'

LEGEND

- FOUND STEEL ROD AS NOTED
- FOUND FENCE POST FOR CORNER
- ⦿ SET 5/8" STEEL ROD W/PLASTIC CAP STAMPED "WES RPLS 5907"

(COURSE VALUE PER DEED VOL. 1562, PG. 143 D.R.K.C.T.)
D.R.K.C.T. = DEED RECORDS KERR COUNTY TEXAS
P.R.K.C.T. = PLAT RECORDS KERR COUNTY TEXAS

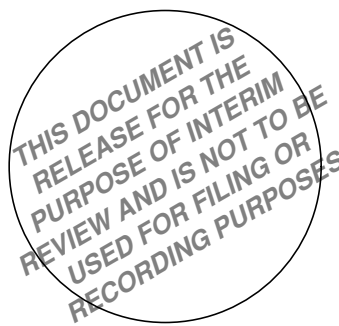
EX. PROPERTY LINE
EX. PLATTED LOT LINE
PROP. EASEMENT

* SURVEYOR'S CERTIFICATE *

I, R. SCOTT MCCLINTOCK SR., DO HEREBY CERTIFY THAT I MADE AN ACTUAL AND ACCURATE SURVEY ON THE GROUND OF THE HEREON PLATTED LAND THAT THE CORNER MONUMENTS SHOWN HEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF KERRVILLE, TEXAS.

DATED THIS THE 4TH DAY OF APRIL 2021

R. SCOTT MCCLINTOCK, SR., R.P.L.S.
REGISTRATION NO. 5907



PRELIMINARY PLAT OF
HUNTER HILL

A RESIDENTIAL SUBDIVISION WITHIN THE CITY OF KERRVILLE

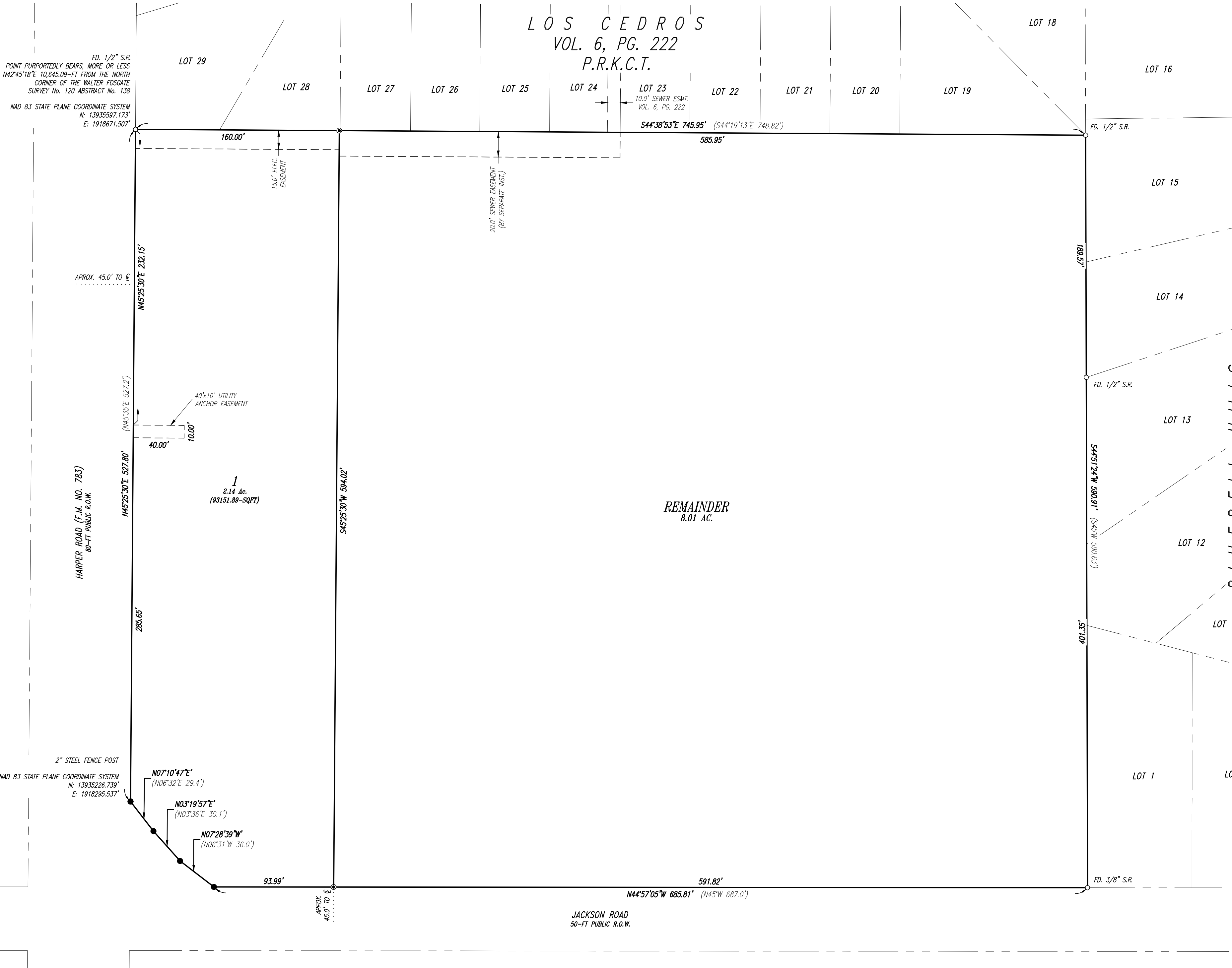
BEING OUT OF THAT CERTAIN TRACT OR PARCEL COMPRISING 10.15 ACRES IN TOTAL OUT OF THE WALTER FOSGATE SURVEY No. 120, ABSTRACT No. 138, WITHIN THE CITY OF KERRVILLE, THE SAME PROPERTY CONVEYED AS 10.165 ACRES TO THE SCOTT SCHREINER PARKER ERNEST CLYDE PARKER, JR. BY EXECUTORS' DISTRIBUTION DEED DATED THE 2ND DAY OF MARCH, 2021, AND RECORDED IN VOL. 1782, PG. 580 OFFICIAL PUBLIC RECORDS OF KERR COUNTY, TEXAS

WELLBORN
ENGINEERING &
SURVEYING

631 WATER STREET KERRVILLE, TX 78028 830-217-7100		wellbornengineering.com FIRM# 10194410 T.B.P.E.L.S.	
PROJECT: WES: 21-032	SCALE: 1" = 50'	FIELD: J5/BM	CHECKED: RSM
LAST FIELD VISIT: 02.26.2021		SHEET NO. 1 of 1	
LAST DRAFT REVISION: 06.15.2021			

* SURVEYORS NOTES *

1. THE BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH, BASED ON GNSS RTK OBSERVATIONS REFERENCED TO N.A.D. 83, TEXAS STATE PLANE COORDINATES SOUTH CENTRAL ZONE REDUCED TO HORIZONTAL GROUND DISTANCES EXPRESSED IN U.S. SURVEY FEET.
2. THIS SURVEY MEETS OR EXCEEDS TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS MINIMUM STANDARDS.
3. WHERE SURVEYED OR COMPUTED COURSES DIFFER FROM THOSE OF RECORD, THE RECORD COURSE IS EXPRESSED IN PARENTHESIS, I.E. 1680.61' (1680.00').
4. THIS PROPERTY LIES COMPLETELY WITHIN THE CITY OF KERRVILLE CITY LIMITS.
5. THE FULLY DEVELOPED, CONCENTRATED STORM WATER RUNOFF RESULTING FROM THE ONE HUNDRED (100) YEAR FREQUENCY STORM IS CONTAINED WITHIN THE DRAINAGE EASEMENTS SHOWN AND/OR PUBLIC RIGHTS-OF-WAY DEDICATED BY THIS PLAT.
6. THE CURRENT ZONING FOR THESE PARCELS IS "R2" MEDIUM DENSITY RESIDENTIAL DISTRICT.
7. BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF KERRVILLE ZONING CODE.
8. BY GRAPHIC IDENTIFICATION THESE PARCELS APPEAR TO BE LOCATED IN FLOOD "ZONE X NON-SHADED" AN AREA OF MINIMAL FLOOD HAZARD. REFERENCE FIRM PANEL 48265C0460F EFFECTIVE DATE 3/3/2011.



I HEREBY CERTIFY THAT THE PRELIMINARY 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 & ZONING COMMISSION AND THAT IT HAD BEEN APPROVED.

DATED THIS THE ____ DAY OF _____, 2021

CHAIR, CITY OF KERRVILLE PLANNING & ZONING COMMISSION

Conditions of Approval

The following Conditions of Approval shall be addressed by the applicant, incorporated into project improvement plans and final plat, and confirmed by City staff prior to final project approvals, signatures and plat recordation:

1. Incorporate any unaddressed Design Review Comments into project improvement plans and final plat.

Agenda Bill

Case No. 2021-039

To: Planning & Zoning Commission
Date: 7/1/2021
Agenda Item: 2B, Comanche Tract Phase 18, Preliminary Plat
Action: Recommend Approval of Preliminary Plat with Conditions
Representative: Ken Kolacny – Matkin Hoover Engineering

Proposal

Consideration and final action concerning a preliminary plat of Comanche Trace Phase 18, a 9.66 acre tract of land located in the William Watt Survey No. 65, Abstract No. 364, Kerr County, Texas, and being a portion of a called 1131.78 acre tract of land as described in Volume No. 971, Page No. 698 of the real property records of Kerr County, Texas; and generally located near Lower Turtle Creek Road and Pinnacle View Drive.

Staff Analysis and Recommendation

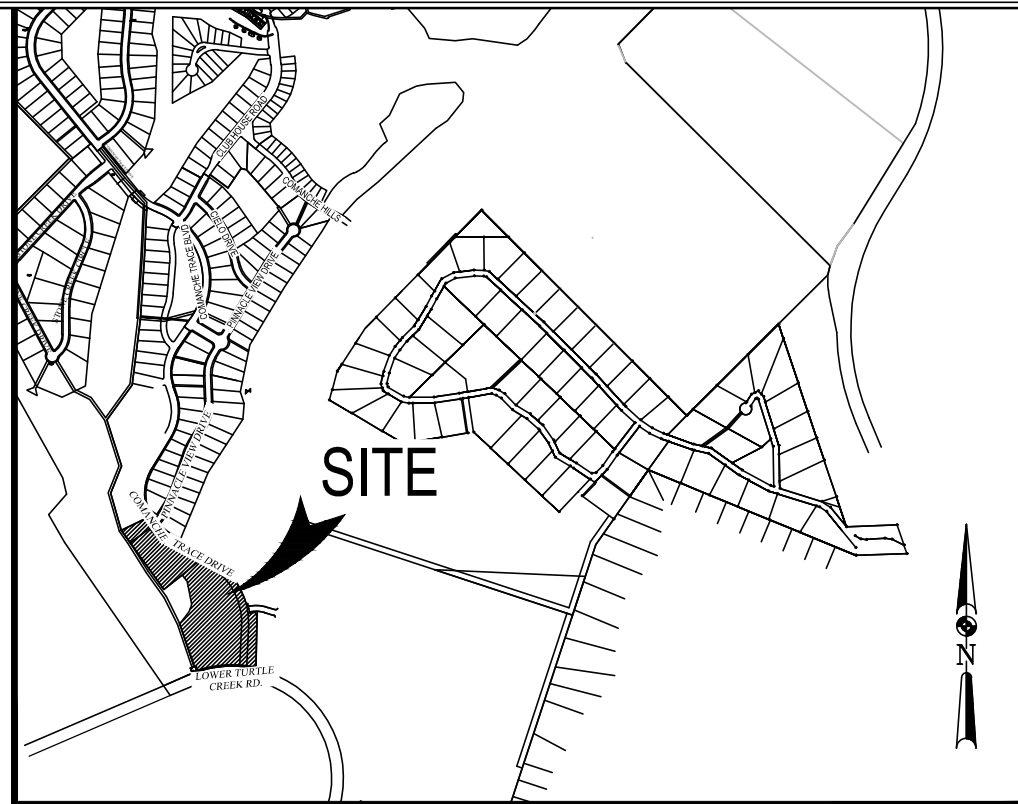
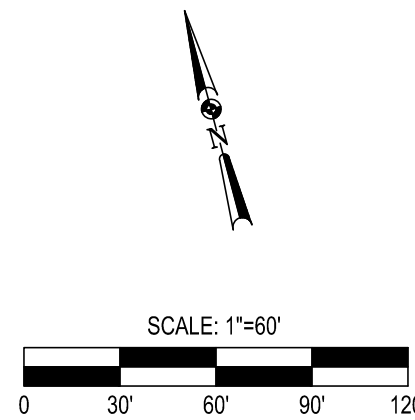
The Preliminary Plat is generally consistent with the Zoning Code and Subdivision Ordinance. Staff recommends approval of the Preliminary Plat with Conditions of Approval (attached).

Attachments:

Proposed Preliminary Plat
Conditions of Approval

A PRELIMINARY PLAT ESTABLISHING
COMANCHE TRACE, PHASE 18

A 9.66 ACRE TRACT OF LAND LOCATED IN THE WILLIAM WATT SURVEY NO. 65, ABSTRACT NO. 364, KERR COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 1131.78 ACRE TRACT OF LAND AS DESCRIBED IN VOLUME 971, PAGE 698 OF THE REAL PROPERTY RECORDS OF KERR COUNTY, TEXAS.



LOCATION MAP
N.T.S.

- LEGEND
- P.U.E. PUBLIC UTILITY EASEMENT
 - FOUND 1/2" IRON ROD "GROGAN"
 - FOUND 1/2" IRON ROD WITH A RED "MATKIN-HOOVER ENG. & SURVEY," PLASTIC CAP
 - SET 1/2" IRON ROD WITH A RED "MATKIN-HOOVER ENG. & SURVEY," PLASTIC CAP
 - FOUND 1/2" IRON ROD
 - FOUND PK NAIL
 - () RECORD PER VOLUME 08, PAGES 57-59 PLAT RECORDS, KERR COUNTY, TEXAS.
 - KERRVILLE CITY LIMITS LINE
 - O.P.R.K.C.T. OFFICIAL PUBLIC RECORDS OF KERR COUNTY, TEXAS

NOTES:

- THE PRELIMINARY PLAT OF COMANCHE TRACE PHASE 18, WAS APPROVED BY THE CITY OF KERRVILLE PLANNING & ZONING COMMISSION ON _____ (PRELIMINARY PLAT FILE # _____).
- THE PROPERTY SHOWN HEREON IS LOCATED COMPLETELY WITHIN ZONE X ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR KERR COUNTY, TEXAS (REF.: MAP NO.48265C085F) MAP DATE: MARCH 03, 2011.
- VERTICAL DATUM IS BASED ON NAVD 88.
- BEARINGS AND DISTANCES SHOWN HEREON ARE EITHER NEWLY CREATED OR BEAR NO SIGNIFICANT DIFFERENCES FROM THE RECORD CALLS FOR THEIR RESPECTIVE LINES.
- BUILDING SETBACKS WILL BE IN ACCORDANCE WITH THE CITY OF KERRVILLE COMPREHENSIVE ZONING ORDINANCE AND ANY APPLICABLE RESTRICTIONS ESTABLISHED BY COMANCHE TRACE RANCH & GOLF CLUB.
- LOT A IS TO BE DEDICATED AS COMMON SPACE, PRIVATE DRAINAGE AND PUBLIC UTILITY EASEMENT. LOTS B AND C ARE TO BE DEDICATED AS PRIVATE DRAINAGE & PUBLIC UTILITY EASEMENTS.
- THE RECTANGULAR COORDINATES AND BEARINGS SHOWN HEREON (COK COORDS) WERE CALCULATED USING THE CITY OF KERRVILLE COORDINATE SYSTEM. THESE COORDINATES ARE FOR THE CITY OF KERRVILLE MAPPING PURPOSES ONLY AND ARE NOT TO BE USED TO REPLACE MISSING CORNERS ON THE GROUND.
- ORIGINAL SURVEY LINES SHOWN ARE APPROXIMATE. NO ATTEMPT HAS BEEN MADE TO LOCATE ORIGINAL SURVEY LINES.

LAND SUMMARY (14.85 ACRES +/-)

RESIDENTIAL LOTS: 28, 7.89 ACRES +/-

ROADS: 13270 +/- LF (4.25 ACRES +/-)

NOTES:
SEE OVERALL UTILITY PLAN FOR PROPOSED WATER AND SANITARY SEWER LAYOUT.

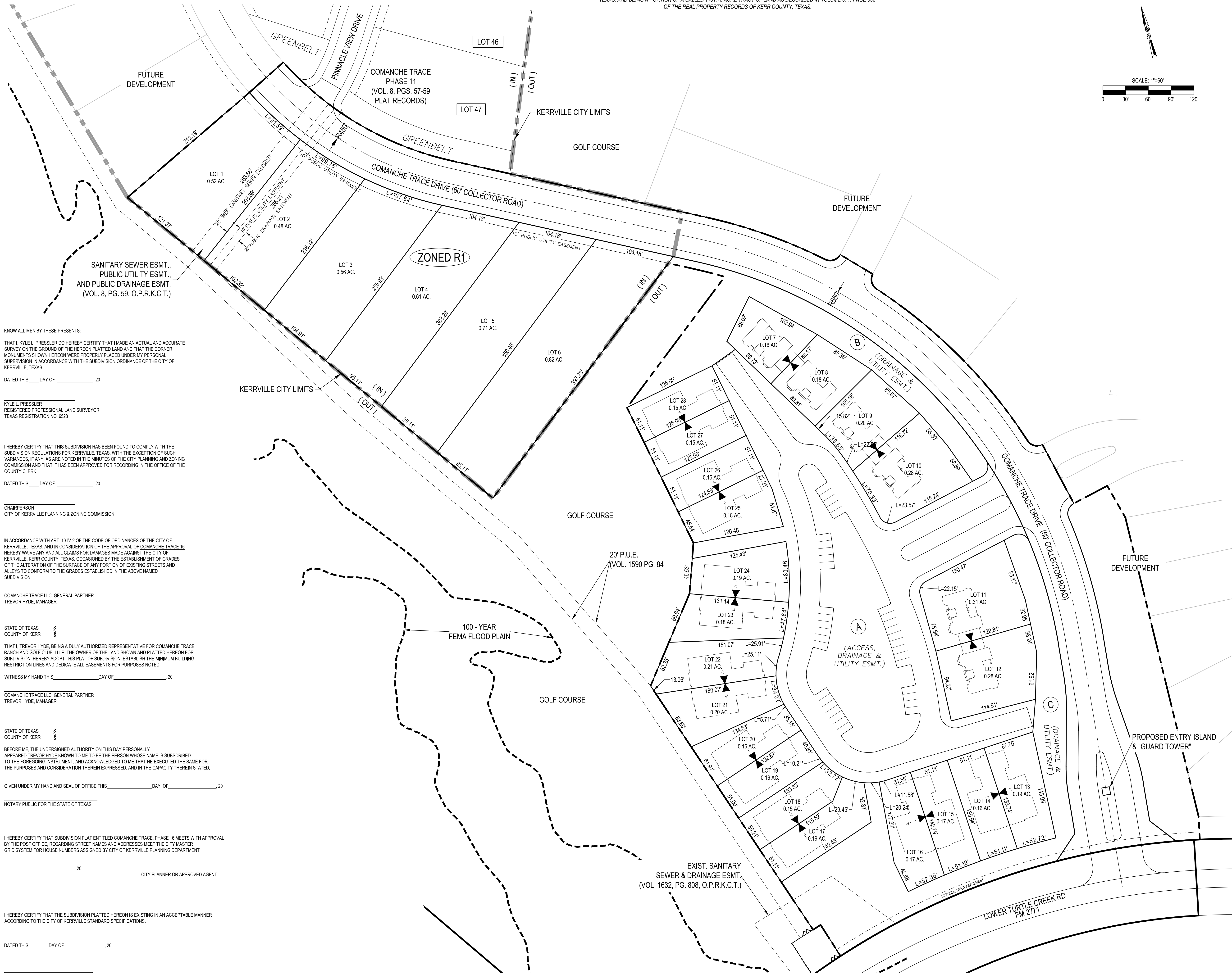
FILED FOR RECORD ON THE _____ DAY OF _____, 20____
AT _____ O'CLOCK _____, M.
RECORDED ON THE _____ DAY OF _____, 20____
AT _____ O'CLOCK _____, M. IN FILE # _____ OF
THE PLAT RECORDS OF KERR COUNTY, TEXAS

JACKIE DOWDY, KERR COUNTY CLERK

MATKINHOOVER
ENGINEERING & SURVEYING
P.O. BOX 94
4000 BENDER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: (817) 290-0099 FAX: (817) 290-0099
TEXAS REGISTERED ENGINEERING FIRM F-004512
TEXAS REGISTERED SURVEYING FIRM F-10024000
CIVIL ENGINEERS, SURVEYORS, LAND PLANNERS, CONSTRUCTION MANAGERS, CONSULTANTS

DATE: MAY 2021
MHES JOB NO. - 2041.18
CITY OF KERRVILLE
PLAT FILE # _____

SHEET 1 OF 1



KNOW ALL MEN BY THESE PRESENTS:

THAT I, KYLE L. PRESSLER DO HEREBY CERTIFY THAT I MADE AN ACTUAL AND ACCURATE SURVEY ON THE GROUND OF THE HEREON PLATTED LAND AND THAT THE CORNER MONUMENTS SHOWN HEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF KERRVILLE, TEXAS.

DATED THIS _____ DAY OF _____, 20____

KYLE L. PRESSLER
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6528

I HEREBY CERTIFY THAT THIS SUBDIVISION 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 AND ZONING COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY CLERK

DATED THIS _____ DAY OF _____, 20____

CHAIRPERSON
CITY OF KERRVILLE PLANNING & ZONING COMMISSION

IN ACCORDANCE WITH ART. 10-A(2) OF THE CODE OF ORDINANCES OF THE CITY OF KERRVILLE, TEXAS, AND IN CONSIDERATION OF THE APPROVAL OF COMANCHE TRACE 18, HEREBY WAIVE ANY AND ALL CLAIMS FOR DAMAGES MADE AGAINST THE CITY OF KERRVILLE, KERR COUNTY, TEXAS, OCCASIONED BY THE ESTABLISHMENT OF GRADES OF THE ALTERATION OF THE SURFACE OF ANY PORTION OF EXISTING STREETS AND ALLEYS TO CONFORM TO THE GRADES ESTABLISHED IN THE ABOVE NAMED SUBDIVISION.

COMANCHE TRACE LLC, GENERAL PARTNER
TREVOR HYDE, MANAGER

STATE OF TEXAS §
COUNTY OF KERR §

THAT I, TREVOR HYDE, BEING A DULY AUTHORIZED REPRESENTATIVE FOR COMANCHE TRACE RANCH AND GOLF CLUB, LLP, THE OWNER OF THE LAND SHOWN AND PLATTED HEREON FOR SUBDIVISION, HEREBY ADOPT THIS PLAT OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND DEDICATE ALL EASEMENTS FOR PURPOSES NOTED.

WITNESS MY HAND THIS _____ DAY OF _____, 20____

COMANCHE TRACE LLC, GENERAL PARTNER
TREVOR HYDE, MANAGER

STATE OF TEXAS §
COUNTY OF KERR §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 20____

NOTARY PUBLIC FOR THE STATE OF TEXAS

I HEREBY CERTIFY THAT SUBDIVISION PLAT ENTITLED COMANCHE TRACE, PHASE 18 MEETS WITH APPROVAL BY THE POST OFFICE, REGARDING STREET NAMES AND ADDRESSES MEET THE CITY MASTER GRID SYSTEM FOR HOUSE NUMBERS ASSIGNED BY CITY OF KERRVILLE PLANNING DEPARTMENT.

_____, 20____
CITY PLANNER OR APPROVED AGENT

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

DATED THIS _____ DAY OF _____, 20____

KYLE BURDOW
CITY ENGINEER

Conditions of Approval

The following Conditions of Approval shall be addressed by the applicant, incorporated into project improvement plans and final plat, and confirmed by City staff prior to final project approvals, signatures and plat recordation:

1. Incorporate any unaddressed Design Review Comments into project improvement plans and final plat.
2. Clearly indicate turning radius of roads in conformance with fire standards.

Agenda Bill

Case No. 2021-040

To: Planning & Zoning Commission
Date: 7/1/2021
Agenda Item: 2C, Town Creek Crossing, Preliminary Plat
Action: Recommend Approval of Preliminary Plat with Conditions
Representative: Bruce Stracke – Brinkman Commercial

Proposal

Consideration and final action concerning a preliminary plat of Town Creek Crossing, a 15.030 acre tract of land situated in the Walter Fosgate Survey No. 120, Abstract No. 138, Kerr County, Texas and being a portion of that certain 304.12 acre tract of land recorded in Document No. 14-05748, official public records, Kerr County, Texas; and generally located at Holdsworth Drive near Harper Road.

Staff Analysis and Recommendation

The Preliminary Plat is generally consistent with the Zoning Code and Subdivision Ordinance. Staff recommends approval of the Preliminary Plat with Conditions of Approval (attached).

Attachments:

Proposed Preliminary Plat
Conditions of Approval

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

DREW PAXTON, PLANNING DIRECTOR

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 PUBLIC STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC USE AS NOTED.

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 HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

NOTARY PUBLIC

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

DATED THIS _____ DAY OF _____, 2020.

KYLE BUROW, CITY ENGINEER

IN ACCORDANCE WITH ART. 10-IV-2 OF THE CODE OF ORDINANCE OF THE CITY OF KERRVILLE, TEXAS, AND IN CONSIDERATION OF THE APPROVAL OF THE MINOR PLAT OF TRINITY BAPTIST CHURCH, (OWNER OF SUBDIVISION) DOES HEREBY WAIVE ANY AND ALL CLAIMS FOR DAMAGES AGAINST THE CITY OF KERRVILLE, KERR COUNTY, TEXAS, OCCASIONED BY THE ESTABLISHMENT OF GRADES OR THAT ALTERATION OF THE SURFACE OF ANY PORTION OF EXISTING STREETS AND ALLEYS TO CONFORM TO THE GRADES ESTABLISHED IN THE ABOVE NAMED SUBDIVISION.

OWNER

I HERBY 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 & ZONING COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE KERR COUNTY CLERK.

CITY OF KERRVILLE
PLANNING & ZONING COMMISSION

FILED FOR RECORD ON THE _____ DAY OF _____, 2020 AT _____
O'CLOCK _____M. RECORDED ON THE _____ DAY OF _____, 2020 AT _____
O'CLOCK _____M. IN DOCUMENT NO. _____ OF THE OFFICIAL
PUBLIC RECORDS OF KERR COUNTY, TEXAS.

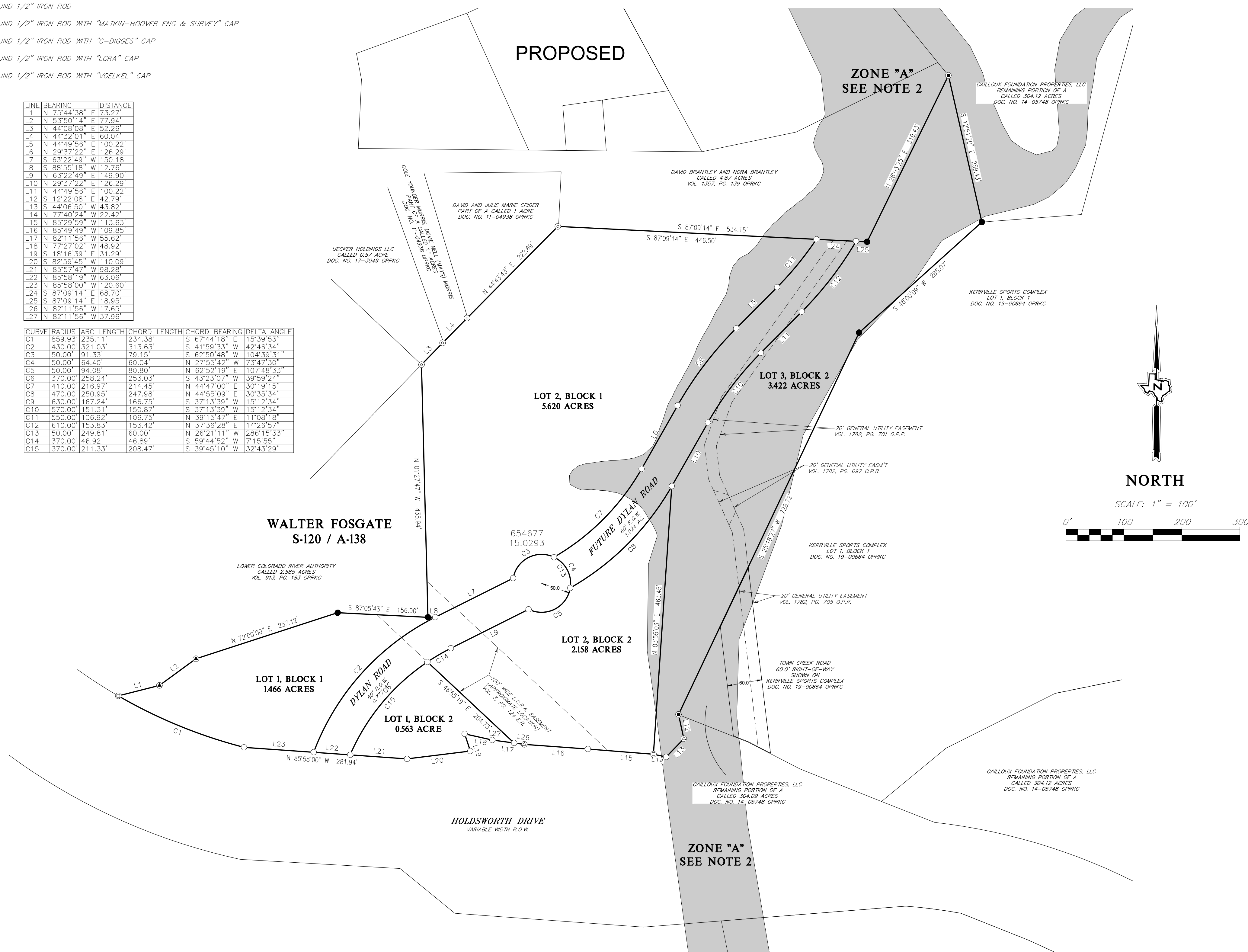
JACKIE DOWDY, KERR COUNTY CLERK

PLAT SHOWING:
15.030 ACRE TRACT OF LAND SITUATED IN THE WALTER
FOSTGATE SURVEY NO. 120, ABSTRACT NO. 138, KERR
COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN
304.12 ACRE TRACT OF LAND RECORDED IN DOC.#14-05748,
OFFICIAL PUBLIC RECORDS, KERR COUNTY TEXAS.

- ③ FOUND WOOD FENCE POST
- SET 1/2" REBAR WITH "MDS" PLASTIC CAP - UNLESS NOTED
- FOUND 1/2" IRON ROD
- ③ FOUND 1/2" IRON ROD WITH "MATKIN-HOOVER ENG & SURVEY" CAP
- ③ FOUND 1/2" IRON ROD WITH "C-DIGGES" CAP
- ▲ FOUND 1/2" IRON ROD WITH "LGRA" CAP
- FOUND 1/2" IRON ROD WITH "VOELKEL" CAP

LINE	BEARING	DISTANCE
L1	N 75°44'38" E	73.27
L2	N 53°50'14" E	77.94
L3	N 44°08'08" E	66.26
L4	N 44°08'08" E	66.26
L5	N 44°49'56" E	00.22
L6	N 29°37'22" E	126.29
L7	S 63°22'49" W	150.18
L8	S 88°55'18" W	12.76
L9	S 63°22'49" E	149.29
L10	S 22°22'22" E	126.29
L11	N 44°49'56" E	00.22
L12	S 12°22'08" E	42.79
L13	S 44°06'50" W	43.82
L14	N 77°40'24" W	22.42
L15	N 88°29'59" W	113.63
L16	N 85°49'49" W	109.85
L17	S 82°1'56" W	55.62
L18	S 82°1'56" W	55.62
L19	S 18°16'39" E	31.29
L20	S 82°59'45" W	110.09
L21	N 85°57'47" W	98.28
L22	N 85°58'19" W	63.06
L23	N 85°58'00" W	120.60
L24	N 85°58'00" W	120.60
L25	S 87°09'14" E	18.95
L26	N 82°11'56" W	17.65
L27	N 82°11'56" W	37.96

CURVE	RADIUS	ARC LENGTH	CURVE LENGTH	CURVE BEARING	DELTA ANGLE
C1	899.93	235.11	234.38	S 67°44'18" E	15°39'53"
C2	440.00	281.03	315.63	S 47°55'33" W	42°46'34"
C3	50.00	64.40	60.04	S 29°15'52" W	30°19'15"
C4	50.00	64.40	60.04	N 27°55'42" W	73°47'30"
C5	50.00	94.08	80.80	N 62°52'19" E	107°43'38"
C6	410.00	216.97	214.45	S 70°45'00" E	107°43'38"
C7	410.00	216.97	214.45	N 44°47'00" E	30°19'15"
C8	470.00	250.95	247.98	N 44°55'09" E	30°15'34"
C9	630.00	167.24	166.75	S 37°13'39" W	51°52'34"
C10	50.00	64.40	60.04	S 29°15'52" W	30°19'15"
C11	550.00	106.92	106.75	N 39°15'47" E	110°08'18"
C12	600.00	153.83	153.42	N 37°36'28" E	142°06'57"
C13	50.00	249.81	60.00	N 26°21'11" W	286°15'33"
C14	50.00	64.40	60.04	S 29°15'52" W	30°19'15"
C15	50.00	211.33	208.47	S 39°45'10" W	32°43'39"

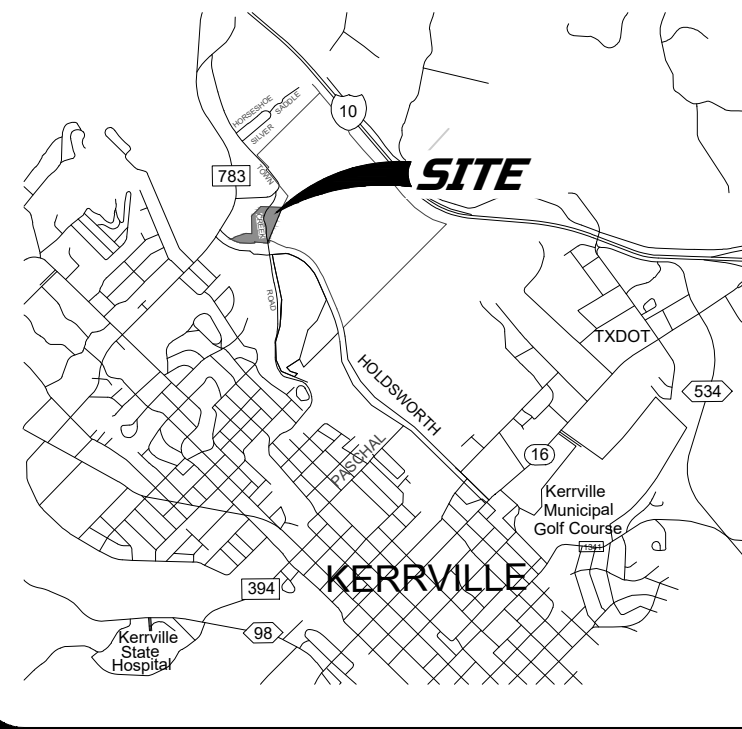


SURVEYOR'S AFFIRMATION:

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION, THIS _____th DAY OF _____, 2020, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS OF BUILDINGS ON ADJOINING PROPERTY AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY EXCEPT AS SHOWN ABOVE.

JEFF BOERNER
REGISTERED PROFESSIONAL LAND SURVEYOR # 4939
TEXAS REGISTRATION NO. 10019600

PRELIMINARY
NOT TO BE RECORDED



VICINITY MAP
NOT TO SCALE

OWNER:
CAILLOUX FOUNDATION PROPERTIES LLC

MDS LAND SURVEYING COMPANY, INC.
874 HARPER ROAD, SUITE 104
KERRVILLE, TEXAS 78028

1. ALL BEARINGS, DISTANCES AND COORDINATES ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT).

2. ACCORDING TO MAP NO. 48265C0460F AND 48265C0470F OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR KERR COUNTY, DATED MARCH 3, 2011, A PORTION OF THE SUBJECT TRACT IS SITUATED WITHIN: ZONE "A". THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

3. THE PROPERTY SHOWN HEREON IS LOCATED IN THE KERRVILLE INDEPENDENT SCHOOL DISTRICT.

4. THE PROPERTY SHOWN HEREON IS IN THE ZONING DISTRICT "PDD" OF THE CITY OF KERRVILLE, TEXAS.

5. THE PROPERTY SHOWN HEREON IS WITHIN THE CITY OF KERRVILLE, TEXAS.

6. FIELD WORK DATE: JUNE 4, 2021.

7. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, THEREFORE ALL SETBACKS, EASEMENTS, ENCUMBRANCES AND RESTRICTIONS MAY NOT BE SHOWN HEREON. THE SURVEYOR DID NOT COMPLETE AN ABSTRACT OF TITLE.

PRELIMINARY PLAT OF
TOWN CREEK CROSSING
ESTABLISHING 4 LOTS
15.030 ACRES
CITY OF KERRVILLE
KERR COUNTY, TEXAS
JUNE, 2021

CITY OF KERRVILLE FILE NO. 2021-XXX

MPS | **LAND SURVEYING
COMPANY, INC.**

ALTA | BOUNDARY | CONSTRUCTION | OIL & GAS | TOPOGRAPHIC

TEXAS BOARD OF PROFESSIONAL LAND SURVEYING FIRM REGISTRATION No. 10019600
874 HARPER ROAD, STE 104 • KERRVILLE, TX 78028 • 830-816-1818

Conditions of Approval

The following Conditions of Approval shall be addressed by the applicant, incorporated into project improvement plans and final plat, and confirmed by City staff prior to final project approvals, signatures and plat recordation:

1. Incorporate any unaddressed Design Review Comments into project improvement plans and final plat.

Agenda Bill

Case No. 2021-041

To: Planning & Zoning Commission
Date: 7/1/2021
Agenda Item: 2D, Constantina Commerce Park, Preliminary Plat
Action: Recommend Approval of Preliminary Plat with Conditions
Representative: Bruce Stracke – Brinkman Commercial

Proposal

Consideration and final action concerning a preliminary plat of Constantina Commerce Park, a 14.00 acre tract of land located in the WC Francis Survey No. 146, Abstract No. 137, Kerr County, Texas, and being all of a called 10.26 acre tract, recorded in document No. 14-6763, official public records of Kerr County, Texas, a portion of a called 3.97 acre tract, recorded in Volume No. 1805, Page No. 775, official public records of Kerr County, Texas, and all of Lot 3-C, recorded Volume No. 7, Page No. 275, plat records of Kerr County, Texas.

Staff Analysis and Recommendation

The Preliminary Plat is generally consistent with the Zoning Code and Subdivision Ordinance. Staff recommends approval of the Preliminary Plat with Conditions of Approval (attached).

Attachments:

Proposed Preliminary Plat
Conditions of Approval

Conditions of Approval

The following Conditions of Approval shall be addressed by the applicant, incorporated into project improvement plans and final plat, and confirmed by City staff prior to final project approvals, signatures and plat recordation:

1. Incorporate any unaddressed Design Review Comments into project improvement plans and final plat.
2. Coordinate with the City of Kerrville for the final required documents for the Right-of-Way easement and/or dedication across the City property.

Agenda Bill

Case No. 2021-042

To: Planning & Zoning Commission
Date: 7/1/2021
Agenda Item: 2E, Village at Riverhill, Preliminary Plat
Action: Recommend Approval of Preliminary Plat with Conditions
Representative: Connor Odom – Wellborn Engineering

Proposal

Consideration and final action concerning a preliminary plat of Village at Riverhill, being 3.49 acres comprised of 3.47 acres within Tract 5 according to special warranty deed recorded in Volume No. 1759, Page No. 147 and 0.02 acre out of greenbelt according to Riverhill Townhouse Tracts No. Two Subdivision according to the plat of record, Volume No. 4, Page No. 45, official public records of Kerr County, Texas, all of which being out of the Nathaniel Hoyt Survey No. 147, Abstract No. 178, Kerr County, Texas.

Staff Analysis and Recommendation

The Preliminary Plat is generally consistent with the Zoning Code and Subdivision Ordinance. Staff recommends approval of the Preliminary Plat with Conditions of Approval (attached).

Attachments:

Proposed Preliminary Plat
Conditions of Approval

Conditions of Approval

The following Conditions of Approval shall be addressed by the applicant, incorporated into project improvement plans and final plat, and confirmed by City staff prior to final project approvals, signatures and plat recordation:

1. Incorporate any unaddressed Design Review Comments into project improvement plans and final plat.
2. Indicate ownership of Green Space and maintenance responsibility on final plat.
3. Confirm all required easements with City staff and utility companies serving the development. Clearly note easements on the final plat. (Subdivision Code Art. 10-IV-2, Sec. B). Sanitary sewer is shown in Green Space with no easement.
4. Clearly identify the radius of cul-de-sac; fifty feet of paved area (100 foot diameter) and sixty feet of Right-of-Way (120 foot diameter).

Agenda Bill

Case No. PZ-2021-12

To: Planning & Zoning Commission
Date: 7/1/2021
Agenda Item: 3A, Zoning Change from R-1 to C-1, 3210 Riverside Drive
Action: Approve the Zoning Change
Representative: Herbert Shackelford

Proposal

An ordinance to change the zoning from R-1 Single Family Residential to C-3 General Commercial on approximately 0.31 acres located within the Wallace Survey No. 112, Abstract No. A0360, Kerr County, Texas; and more commonly known as 3210 Riverside Drive.

Procedural Requirements

Ten letters were mailed 6/17/2021, to adjacent property owners. The public notice was published in the Kerrville Daily Times on 6/10/2021. At the time of drafting this Agenda Bill, no comments had been received.

Staff Analysis and Recommendation

Consistency with the Kerrville 2050 Comprehensive Plan: The property and surrounding area are designated as Community Commercial. Having frontage on Loop 534 and adjacent to existing C-3 zoning, this request is consistent with the Kerrville 2050 Future Land Use Plan.

Adjacent Zoning and Land Uses:

Subject Property
Current Zoning: R-1
Existing Land Uses: single family residential

Direction: **North**
Current Zoning: C-3
Existing Land Uses: Vacant

Direction: **South**
Current Zoning: R-1, Guadalupe River, Loop 534 bridge
Existing Land Uses: vacant

Direction: **East**
Current Zoning: R-1 and C-2
Existing Land Uses: single family homes and convenience store

Direction: **West**
Current Zoning: C-3 and R-1
Existing Land Uses: vacant land and single family home

Thoroughfare Plan: The property is at the intersection of Riverside Drive and Loop 534. Access to Loop 534 is subject to TxDOT review.

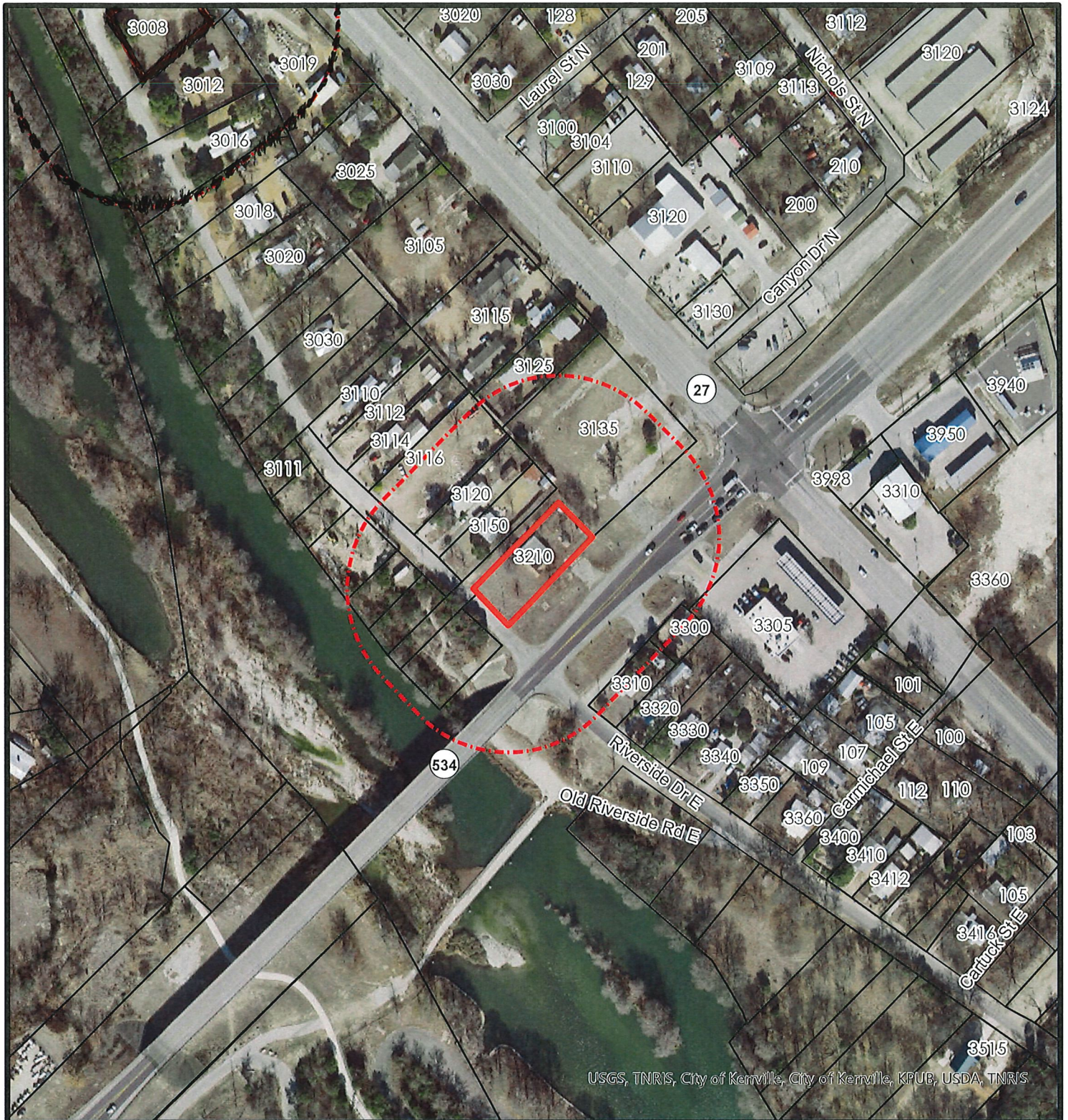
Traffic Impact: To be determined at the time a project is proposed.

Parking: To be determined and subject to all zoning requirements.

Recommendation: Based on the consistency with the Kerrville 2050 Future Land Use Plan, staff recommends the case for approval.

Attachments:

Location Map



USGS, TNRS, City of Kerrville, City of Kerrville, KPUB, USDA, TNRS

Location Map

Case # PZ-2021-12

Location:

3210 Riverside Drive

Legend

200' Notification Area
Subject Properties



0 75 150 300

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.

Agenda Bill

Case No. PZ-2021-13

To: Planning & Zoning Commission
Date: 7/1/2021
Agenda Item: 3B, Zoning Change from R-T to C-1, 501 Florence Street
Action: Approve the Zoning Change
Representative: Antonio Ramirez

Proposal

An ordinance to change the zoning from R-T Residential Transition to C-1 Neighborhood Commercial on Lot 19, Part 20, Block 25, Westland Place; and generally located 501 Florence Street.

Procedural Requirements

29 letters were mailed 6/17/2021 to adjacent property owners. The public notice was published in the Kerrville Daily Times on 6/10/2021. At the time of drafting this Agenda Bill, no comments had been received.

Staff Analysis and Recommendation

Consistency with the Kerrville 2050 Comprehensive Plan: The property and surrounding area are within the Strategic Catalyst Area 4. SCA 4 is situated along Junction Highway and stretches from Ingram to the center part of Kerrville. The place types range from light industrial on the western end, to Community Commercial on the eastern end and near Nimitz Lake. This request for C-1, Neighborhood Commercial, is consistent with the SCA 4 and the Kerrville 2050 Comprehensive Plan.

Zoning Code:

The Neighborhood Commercial District allows the offering of goods and services of a limited, low-intensity nature to both individuals and businesses. These activities, which include shopping for daily needs and professional services, are typically:

- a. Provided in an office setting;
- b. Sought on a frequent or recurring basis; and
- c. Tend to be located in small buildings, with one or only a few businesses, and on small lots.

C-1 zoning should be located along or at the intersection(s) of arterials and collector streets to provide access to customers and to accommodate the traffic associated with these uses. If properly designed, development and uses in the C-1 district can buffer residential areas from higher-volume roadways or more intense nonresidential uses. Neighborhood-oriented retail, business and personal service, banks and financial institutions, and office uses such as barber and beauty shops, grocery stores, restaurants, and clothing stores in buildings of a limited size, certain public and

institutional uses, and activities allowed subject to the approval of a conditional use permit.

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: RT

Existing Land Uses: Vacant office building

Direction: **North**

Current Zoning: R-1A

Existing Land Uses: single family residential

Direction: **South**

Current Zoning: C-2

Existing Land Uses: retail

Direction: **East**

Current Zoning: C-2 and R-1A

Existing Land Uses: retail and single family residential

Direction: **West**

Current Zoning: C-2 and R-1A

Existing Land Uses: carwash and single family residential

Thoroughfare Plan: With access to two local neighborhood streets, less than one block from Junction Highway (arterial) there should be little to no impact on the thoroughfare system.

Traffic Impact: With primary access on the local level street, less than one block from Junction Highway, there should be little impact on traffic.

Parking: To be determined and as required by the Zoning Code for the proposed uses.

Recommendation: Based on the consistency with the zoning code and Kerrville 2050 Plan, staff recommends the case for approval.

Attachments:

Location Map



Location Map

Case # PZ-2021-13

Location:

501 Florence Street

Legend

200' Notification Area
Subject Properties



0 75 150 300

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.

Agenda Bill

Case No. PZ-2021-14

To: Planning & Zoning Commission
Date: 7/1/2021
Agenda Item: 3C, CUP for a Short Term Rental
Action: Recommend Approval with Conditions
Representative: Leslie Barron

Proposal

Public hearing, consideration, and action to recommend a resolution to allow a Conditional Use Permit for Short Term Rental Unit on Lot 12, Block 28, J.A. Tivy Addition; and more commonly known as 1221 Park Street.

Procedural Requirements

22 letters were mailed on 6/17/2021 to adjacent property owners. The public notice was published in the Kerrville Daily Times on 6/10/2021. At the time of drafting this Agenda Bill, no comments had been received.

Staff Analysis and Recommendation

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: R-1 Single Family Residential
Existing Land Use: Single Family Residence

Direction: **North, South, East**

Current Zoning: R-1 Single Family Residential
Existing Land Uses: Single Family Residences

Direction: **West**

Current Zoning: MU Mixed Use
Existing Land Uses: Small Businesses; Church

Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property and surrounding area are designated Entertainment - Mixed Use (EMU) in the Kerrville 2050 Comprehensive Plan. EMU primary uses allow for retail, commercial, offices, hotels, entertainment centers, and services. Secondary uses allow for condominiums, apartments, workforce housing, civic and institutional. Since the underlying zoning is not changing and a short term rental would be consistent with secondary uses, the request is consistent with the Kerrville 2050 Comprehensive Plan.

Thoroughfare Plan:

The subject property is located on a residential street.

Traffic Impact:

No traffic impact is anticipated.

Parking:

A Short Term Rental requires one (1) off street parking space per bedroom and one (1) additional off street parking space for a manager that does not live onsite. This rental has three (3) bedrooms and no onsite manager so four (4) off street parking spaces are required. The applicant has identified four (4) available off street parking spaces. Parking requirements can be met.

Case Summary:

The applicant is proposing to use an existing home as a Short Term Rental. Following is additional information provided by the applicant:

"When I purchased this home in October 2020, it was the realization of a long-time dream to have a second home in my hometown. I was born and raised in Kerrville and am a proud graduate of Nimitz Elementary School, Tivy High School, and Schreiner University. After I finished college in 2003, I attended grad school at Texas A&M and then moved to Washington, DC in 2005. While my husband and I plan to remain in DC for our jobs for the foreseeable future, I am thrilled that I am now able to regain my connection to my hometown in this way. My family and I intend to use the home approximately 6 – 8 weeks out of the year, and would like to open our home so that others may enjoy it while we are not there. Therefore, we hope to use the home as a vacation rental.

I believe Kerrville truly is the heart of the hill country, so I am excited to share with our future guests all of our favorite places, restaurants, and things to do – all of which are within walking distance or a short bike ride from our home. Specifically, we intend to encourage our guests to visit the river trail (and take advantage of the kayak and canoe rentals located right on Broadway), Mary's Tacos (best tacos in town!), Monroe's Grill, the new beer garden located near the Schreiner campus, and of course, the downtown area where we love to grab coffee at Pax, lunch at Francisco's, and take-home family dinners from Cartewheels'. There is also a gorgeous mural on the backside of the Gun and Pawn shop on Broadway we'd like to show off to our guests, and there's an adorable "Zen Room" where we'll send guests who want to get in some personal wellness time. All of this is within a 15-minute walk from our home, and we will make sure our house guests know about these things and more which are right outside their doorstep.

Taking care of the environment is also important to us and we will remind all our guests "Don't Mess with Texas!" To that end, we will encourage our guests to recycle, provide filtered water in a pitcher vs. plastic water bottles, encourage our guests to reuse bath towels and wash clothing with cold water, and provide reusable shopping bags so that our guests don't need to use plastic bags. We believe the river is an asset and we will work hard to ensure our guests help to keep it -- and the rest of Kerrville, for that matter - - pristine.

I also believe in preserving what is wonderful about Kerrville and its neighborhoods, which for me means a quiet, low key, and super friendly and down-to-earth vibe. To achieve this, we will encourage our guests to honor our "house rules" and recommendations. This

includes observing “quiet hours” at night, requiring pets be brought inside at night and when unattended, prohibiting parties, prohibiting smoking on the premises, and limiting occupancy of the home to a maximum of 5 overnight guests. This home is a major investment for my family and I, and we intend to treat it and maintain it as such. And of course, we will encourage all of our guests to say hi (or howdy!) to our neighbors!

Many people may see purchasing a second home in one’s hometown as a sentimental gesture; however, I see it a little differently. Yes, owning this home is meaningful to me and represents a connection to my past. But, Kerrville also has a very bright FUTURE. It is exciting to be a part of that future and, importantly, to be able to share that excitement and joy with others. #KerrvilleForward”

The subject property is located within an R-1A zoning district. As such, a Short Term Rental requires a Conditional Use Permit.

A Short Term Rental is defined in the zoning code as follows:

Short-Term Rental Unit: A facility, used for the purpose of providing short-term lodging for compensation, architecturally designed to look like a single-family dwelling, occupied concurrently as the residence for the owner, operator, or manager of the property, or providing separate lodging units such as cabins, guest homes, or similar residential-scale structures, with no more than six (6) bedrooms total on the property, and offering meals only to those who receive lodging, and providing that all bedrooms used as a permanent residence shall count toward the maximum six (6) bedrooms of the short-term rental unit.

Required legal and public notices have been sent. Proposed CUP conditions have been drafted for consideration to address staff comments and any comments submitted by adjacent property owners and other interested citizens.

Recommendation:

Because the Conditional Use Permit request is consistent with the Kerrville 2050 Comprehensive Plan, will meet all zoning regulations, and there are amenities in close proximity to this proposed Short Term Rental location, staff recommends approval with consideration and inclusion of the attached Proposed CUP Conditions.

Attachments:

Location Map

Site Plan

Proposed CUP Conditions

Guest Notification



Location Map

Case # PZ-2021-14

Location:
1221 Park Street

Legend

200' Notification Area - - - - -
Subject Properties —————



0 75 150 300

Scale In Feet

Bo Mansfield RPLS No. 6278 FIRM No. 10193736

Proposed CUP Conditions

Short Term Rental

- A. Guest Notification:** The owner or operator of the Property shall post “Guest Notification” in a conspicuous place within the rental unit on the Property. Guest Notification is shown on the following page.
- B. Occupancy Taxes:** The owner or operator of the Property shall comply with the City’s occupancy tax requirements as found within Ch. 94, Division III, of the City’s Code of Ordinances.
- C. Sign:** The Property may not use more than one non-illuminated, on-site sign, in conjunction with its Short Term Rental unit. The sign may either be: (i) flush-mounted to one of the residential structures and may not exceed one-square foot in size; or, (ii) freestanding and placed in the front yard but no closer than 20 feet to any property line and not exceeding six square feet in size and three feet in height. Any such sign shall comply with the City’s Sign Code.
- D. Minimum Off-Street Parking:** One space per bedroom, plus parking required for the manager, if living off-site.
- E. Maximum Occupancy:** The maximum occupancy for any Short Term Rental is ten (10) guests. Short term rental owner / operator may set occupancy limits at less than ten (10) guests, however, in no case shall occupancy limits exceed ten (10) guests.
- F. Other Zoning Regulations:** The regulations set forth in this Resolution are in addition to those set forth in the Zoning Code, as may be amended or superseded. In the event of any irreconcilable conflict between this Resolution and the regulations set forth in the Zoning Code, the provisions of this Resolution will prevail.



SHORT TERM RENTAL CONDITIONAL USE PERMIT GUEST NOTIFICATION

CUP Resolution Number _____

This short term rental has been permitted by the City of Kerrville as a conditional use under the above referenced resolution within a residential neighborhood and requires all guests to be aware of the following:

Because this short term rental is located within a residential neighborhood, proper etiquette should be observed at all times. The conditional use permit was issued in an effort **“to preserve the health, safety, and general welfare of adjacent property and its occupants and to protect such property and occupants from excessive noise, vibration, dust, dirt smoke, fumes, gas, odor, traffic, explosion, glare, surface water drainage, offensive view, or other undesirable hazardous conditions....”**

As a guest, please be aware of the proximity of your neighbors and be respectful of their right to privacy, a quiet environment, and unobstructed access to their property. Loud music, loud parties and excessive noise should be avoided. Parking should be limited to onsite parking spaces provided by short term rental management.

If you have any questions regarding this notification, please contact the short term rental management.

Thank you!

This Guest Notification shall be posted by short term rental management in a location clearly visible by all guests and provided with check-in information. Posting of duplicate copies of this Guest Notification within each guest room is highly encouraged to clearly communicate the importance of proper etiquette within a residential neighborhood. Thank you!