



PLANNING AND ZONING COMMISSION AGENDA
THURSDAY, NOVEMBER 2, 2023, 4:00 PM
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS



1 MINUTES

- 1.A Approval of meeting minutes from October 5, 2023 regular meeting.

Attachments:

[*20231005_PZ Minutes_draft.pdf*](#)

2 CONSIDERATION AND FINAL ACTION

No items on this agenda.

3 PUBLIC HEARING, CONSIDERATION & ACTION

- 3.A A resolution to allow a Conditional Use Permit for an Accessory Dwelling Unit on Methodist Encampment Block 3, Lot 13; and more commonly known as 1312 Cedar Dr. (Case No. PZ-2023-14)

Attachments:

[*PZ-2023-14_Location Map.pdf*](#)

[*PZ-2023-14_Current Zoning Map.pdf*](#)

[*PZ-2023-14_K2050 Future Land Use Map.pdf*](#)

[*PZ-2023-14_600 SF ADU Site Plan.pdf*](#)

[*PZ-2023-14_900 SF ADU Site Plan.pdf*](#)

[*PZ-2023-14_Neighbor Support Signatures.pdf*](#)

[*PZ-2023-14_Graham_In Favor.pdf*](#)

[*PZ-2023-14_Stone_In Favor.pdf*](#)

- 3.B A resolution to allow a Conditional Use Permit for an Accessory Dwelling Unit on Highlands Block 4, Lot 19; and more commonly known as 505 East Ln. (Case No. PZ-2023-15)

Attachments:

[*PZ-2023-15_Location Map.pdf*](#)

[*PZ-2023-15_Current Zoning Map.pdf*](#)

[*PZ-2023-15_K2050 Future Zoning Map.pdf*](#)

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



**TO BE CONSIDERED BY THE PLANNING AND ZONING
COMMISSION
CITY OF KERRVILLE, TEXAS**

SUBJECT: Approval of meeting minutes from October 5, 2023 regular meeting.

AGENDA DATE OF: November 2, 2023 **DATE SUBMITTED:**

SUBMITTED BY: Steve Melander, City Planner

EXHIBITS:

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

RECOMMENDED ACTION:

Approve or approve with specific revisions.

ATTACHMENTS:

[*20231005_PZ Minutes_draft.pdf*](#)

PLANNING & ZONING COMMISSION REGULAR MEETING MINUTES

**KERRVILLE, TEXAS
OCTOBER 5, 2023**

COMMISSIONERS PRESENT:

Mike Sigerman – Chair
David Lipscomb – Vice Chair
Tabor McMillan
Kevin Bernhard
Kim Richards
Abram Bueche

COMMISSIONERS ABSENT:

Chuck Swallow

CITY CORE STAFF PRESENT:

Drew Paxton
Steve Melander
Stuart Barron
Julie Behrens
Russell Hazelett

CALL TO ORDER

Meeting called to order by Mike Sigerman at 4pm.

1) MINUTES

1.A Approval of Meeting Minutes from September 7, 2023 regular meeting.

20230907_PZ Minutes_draft.pdf

David Lipscomb moved to approve the minutes; Kim Richards seconded the motion, and the motion carried 6-0.

2) CONSIDERATION AND FINAL ACTION

2.A A preliminary plat of Mariposa at Weston Place, a residential subdivision within the City of Kerrville, being 8.57 acres (called 8.56 acres) out of the Samuel Wallace Survey No. 114, Abstract No. 348, described in conveyance document to Habitat for Humanity of Kerr County, recorded in File No. 23-02578 Official Public Records of Kerr County, Texas (Case No. 2023-036).

2023-036_Mariposa at Weston Place-Prelim Plat (Clean)_2023-09-07.pdf

2023-036_Mariposa at Weston Place-Utility Concept_2023-09-07.pdf

Drew Paxton presented the case.

Steve Rushton was called to speak.

Shelby Presley was called to speak.

Chuck Kempf was called to speak.

LeighAnn Fitzpatrick was called to speak.

Russell Davidson was called to speak.

Mary Campana was called to speak.

Mike Sigerman was called to speak

Drew Paxton was called to speak.

Kevin Bernhard moved to approve the preliminary plat; Abram Bueche seconded the motion, and the motion carried 4-2. Mike Sigerman and David Lipscomb voted against.

3) PUBLIC HEARING, CONSIDERATION & ACTION

3.A An ordinance to change the zoning from R-1A to C-2 on Lots 1-3, Block 25, Westland; and more commonly known as 518 and 520 Lois Street (Case No. PZ-2023-10).

PZ-2023-10 & 11_Location Map.pdf

PZ-2023-10_Current Zoning.pdf

PZ-2023-10_K2050 Future Land Use.pdf

PZ-2023-10_Miller_Opposed.pdf

Drew Paxton presented the case.

George Hager was called to speak.

Open public hearing.

Bonnie White was called to speak.

Close public hearing.

Drew Paxton was called to speak.

Mike Sigerman was called to speak

Tabor McMillan moved to approve the ordinance; David Lipscomb seconded the motion, and the motion carried 6-0.

3.B A resolution to allow a Conditional Use Permit for a Building Contractor, General on Lots 1-3, Block 25, Westland; and more commonly known as 518 and 520 Lois Street (Case No. PZ-2023-11).

PZ-2023-10 & 11_Location Map.pdf

PZ-2023-11_Current Zoning.pdf

PZ-2023-11_K2050 Future Land Use.pdf

PZ-2023-11_Storage Building Site Plan.pdf

PZ-2023-11_Miller_Opposed.pdf

Drew Paxton presented the case.

Open public hearing.

Rafael Hernandez was called to speak.

Close public hearing.

Mike Sigerman was called to speak.

David Lipscomb moved to approve the resolution; Abram Bueche seconded the motion, and the motion carried 6-0.

3.C An ordinance to amend the Planned Development District, PDD 03-08, Ordinance #2003-08, on approximately 798.7 acres of land generally located northeast of the intersection of State Highway 16 and Interstate Highway 10 (Case No. PZ-2023-12).

PZ-2023-12_Location Map.pdf

PDD 2003-08_Whiskey Springs Master Plan.pdf

WHISKEY SPRINGS MASTER PLAN - FINAL - 072623.pdf

PD 2003-08_Amended 2023.08.21.pdf

Drew Paxton presented the case.

Jim Boyden was called to speak.

Open public hearing.

Steve Clack was called to speak.

Jim Boyden was called to speak.

Steve Clack was called to speak.

Zane Pressley was called to speak.

Keith Williams was called to speak.

Stuart Barron was called to speak.

Keith Williams was called to speak.

Drew Paxton was called to speak.

Bruce Stracke was called to speak.

Close public hearing.

Drew Paxton was called to speak.

Mike Sigerman was called to speak.

David Lipscomb moved to approve the ordinance; Kim Richards seconded the motion, and the motion carried 6-0.

3.D An ordinance to change the zoning from R-1 to RT on 1.71 acres of land out of the Fosgate Survey No. 120, Abstract 138; and more commonly known as 226 Harper Rd N (Case No. PZ-2023-13).

PZ-2023-13_Location Map.pdf

PZ-2023-13_Current Zoning.pdf

PZ-2023-13_K2050 Future Zoning.pdf

Drew Paxton presented the case.

Rodney Bacon was called to speak.

Open public hearing.

Close public hearing.

Drew Paxton was called to speak.

Tabor McMillan moved to approve the ordinance; David Lipscomb seconded the motion, and the motion carried 6-0.

4) **STAFF REPORT**

Next meeting November 2, 2023.

5) **EXECUTIVE SESSION**

None.

6) **ADJOURNMENT**

Meeting adjourned by Mike Sigerman at 5:26pm.

Submitted by:

Steve Melander, Planner

Approved by:

Mike Sigerman, Chair

Approval Date:_____



**TO BE CONSIDERED BY THE PLANNING AND ZONING
COMMISSION
CITY OF KERRVILLE, TEXAS**

SUBJECT:

A resolution to allow a Conditional Use Permit for an Accessory Dwelling Unit on Methodist Encampment Block 3, Lot 13; and more commonly known as 1312 Cedar Dr. (Case No. PZ-2023-14)

AGENDA DATE OF: November 2, 2023 **DATE SUBMITTED:**

SUBMITTED BY: Steve Melander, City Planner

EXHIBITS:

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Proposal

A resolution to allow a Conditional Use Permit for an Accessory Dwelling Unit on Methodist Encampment Block 3, Lot 13; and more commonly known as 1312 Cedar Dr. (Case No. PZ-2023-14)

The applicant is requesting a Conditional Use Permit (CUP) to build an Accessory Dwelling Unit (ADU) for an elderly relative in an R-1 Single-Family Residential neighborhood. Code requires a CUP for an ADU to be permitted in an R-1 zoning district. The elderly relative has health issues that require daily assistance and having an ADU on property would allow for independence and daily family care.

In addition, if the CUP is approved, the applicant will also be asking the Zoning Board of Adjustment (ZBA) to increase the maximum ADU size from 50% of the main house (approximately 600 SF) to 75% of the main house (approximately 900 SF). The main house is shown to be 1,210 SF. The attached plans show both the 50% building footprint and 75% building footprint for reference. The approval of this CUP would allow ZBA to approve the increased ADU size from 50% to 75% without the CUP having to come back to P&Z for an amendment. Both sizes of ADU would meet minimum building setback requirements. Please see attached plans.

Procedural Requirements

The City, in accordance with state law, mailed 34 letters on 10/19/2023 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 10/12/2023. In addition, public hearing notification signs were posted on the property frontage on 10/20/23. At the time of drafting this agenda bill, no public comments in opposition to the request had been received. Applicant submitted signatures from 17 neighbors in favor of the CUP. Please see attached.

Staff Analysis and Recommendation

Consistency with the Kerrville 2050 Comprehensive Plan: The property is designated as Transitional Residential (TR). Transitional Residential areas support a variety of housing types in a compact network of complete, walkable streets that are easy to navigate by car, bike, or on foot. Housing types can include small-lot, single-family detached homes, patio homes, townhomes, duplexes, condominiums, or apartments. As such, and based on the existing surrounding residential zoning, the request for an Accessory Dwelling Unit in this location is consistent with the K2050 Plan.

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: R-1 Single-Family Residential

Existing Land Uses: Residential

Direction: North

Current Zoning: R-1 Single-Family Residential

Existing Land Uses: Residential

Direction: South

Current Zoning: R-1 Single-Family Residential

Existing Land Uses: Residential

Direction: West

Current Zoning: R-1 Single Family Residential

Existing Land Uses: Residential

Direction: East

Current Zoning: R-1 Single-Family Residential

Existing Land Uses: Residential

Thoroughfare Plan: The subject property is located on a residential street so there is no impact on the thoroughfare system.

Traffic Impact: No traffic impact is anticipated.

Parking: Approval of a CUP for an Accessory Dwelling Unit (ADU) requires two additional off-street parking spaces. The subject property can accommodate the additional parking.

Recommendation: Because the Conditional Use Permit request is consistent with the Kerrville 2050 Comprehensive Plan, will not change the underlying residential zoning, and the proposed Accessory Dwelling Unit will meet setback and off-street parking requirements for both proposed site plans, staff recommends approval with consideration and inclusion of the following proposed conditions:

Accessory Dwelling Unit (ADU) – Conditions of Approval

- A. **Site Plan:** The development and use of the property shall generally conform to the site plans showing a 600 SF ADU and an alternate 900 SF ADU.
- B. **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.

RECOMMENDED ACTION:

Approve the resolution.

ATTACHMENTS:

PZ-2023-14_Location Map.pdf
PZ-2023-14_Current Zoning Map.pdf
PZ-2023-14_K2050 Future Land Use Map.pdf
PZ-2023-14_600 SF ADU Site Plan.pdf
PZ-2023-14_900 SF ADU Site Plan.pdf
PZ-2023-14_Neighbor Support Signatures.pdf
PZ-2023-14_Graham_In Favor.pdf
PZ-2023-14_Stone_In Favor.pdf



Location Map

Case # PZ-2023-14

Location:

1312 Cedar Dr N

10/09/2023

Legend

- Subject Properties
- 200 Feet Notification Area

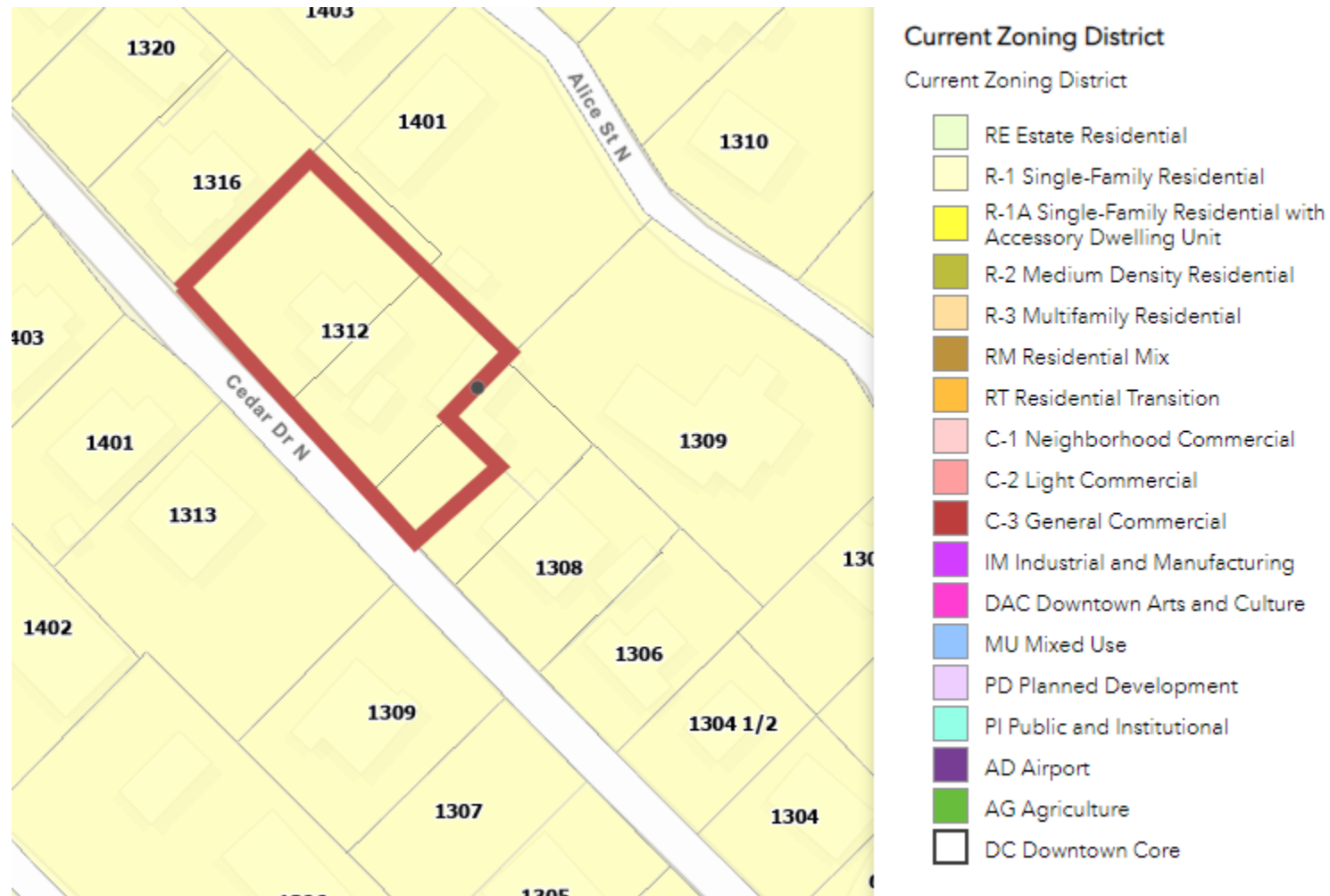


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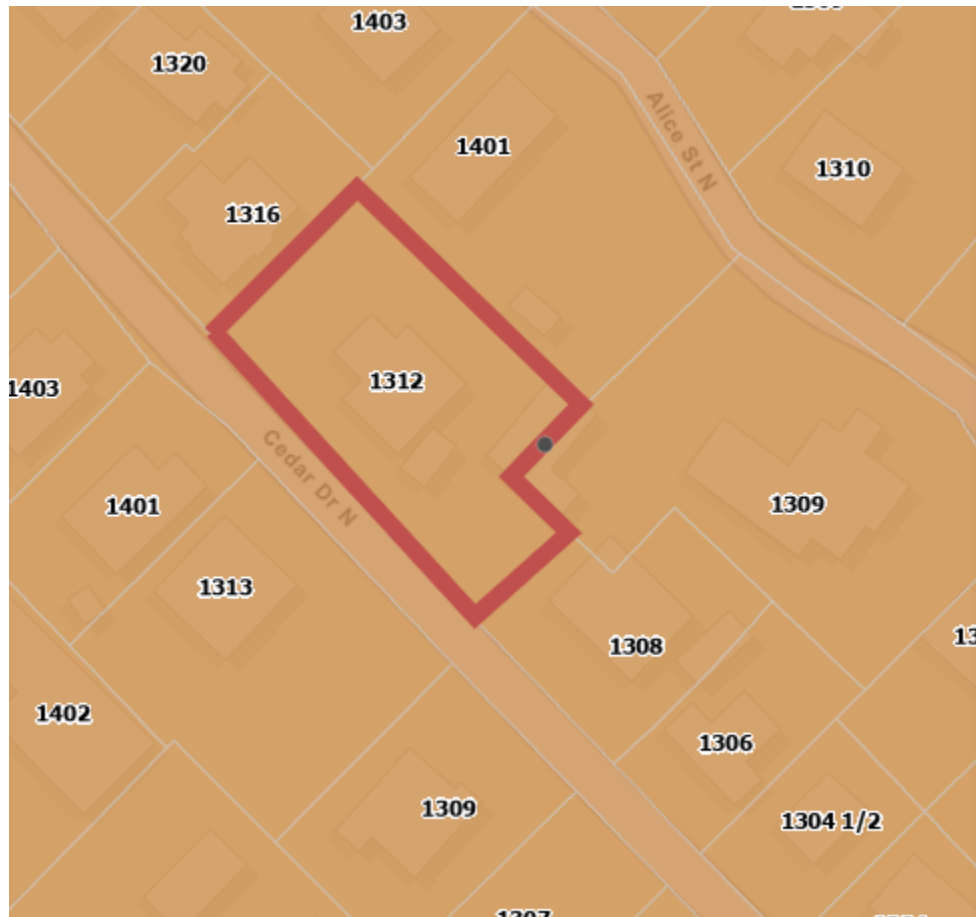
Scale In Feet

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.

Current Zoning for 1312 Cedar Drive – R-1 Single-Family Detached



K2050 Future Land Use – 1312 Cedar Drive - Transitional Residential (TR)

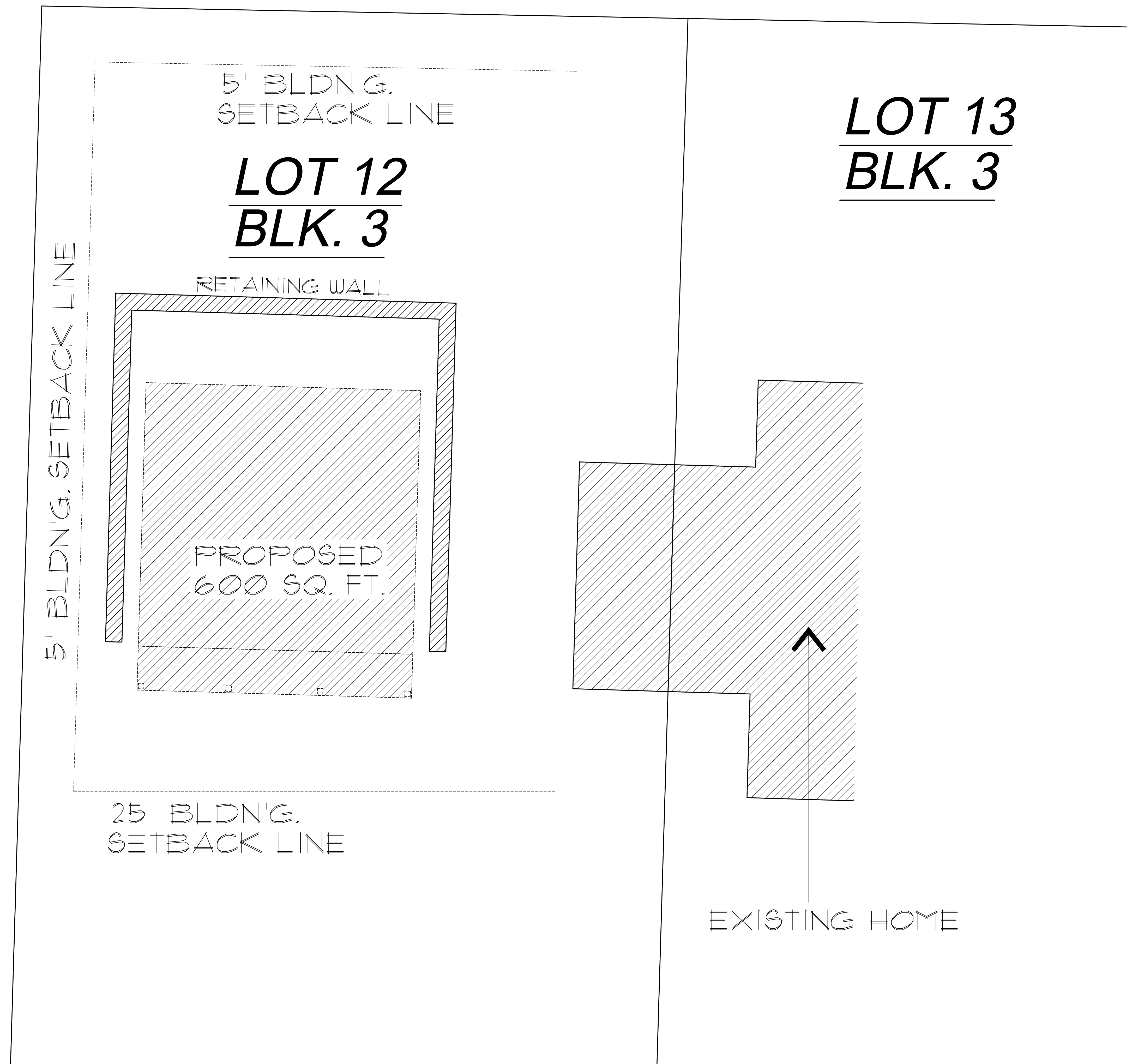
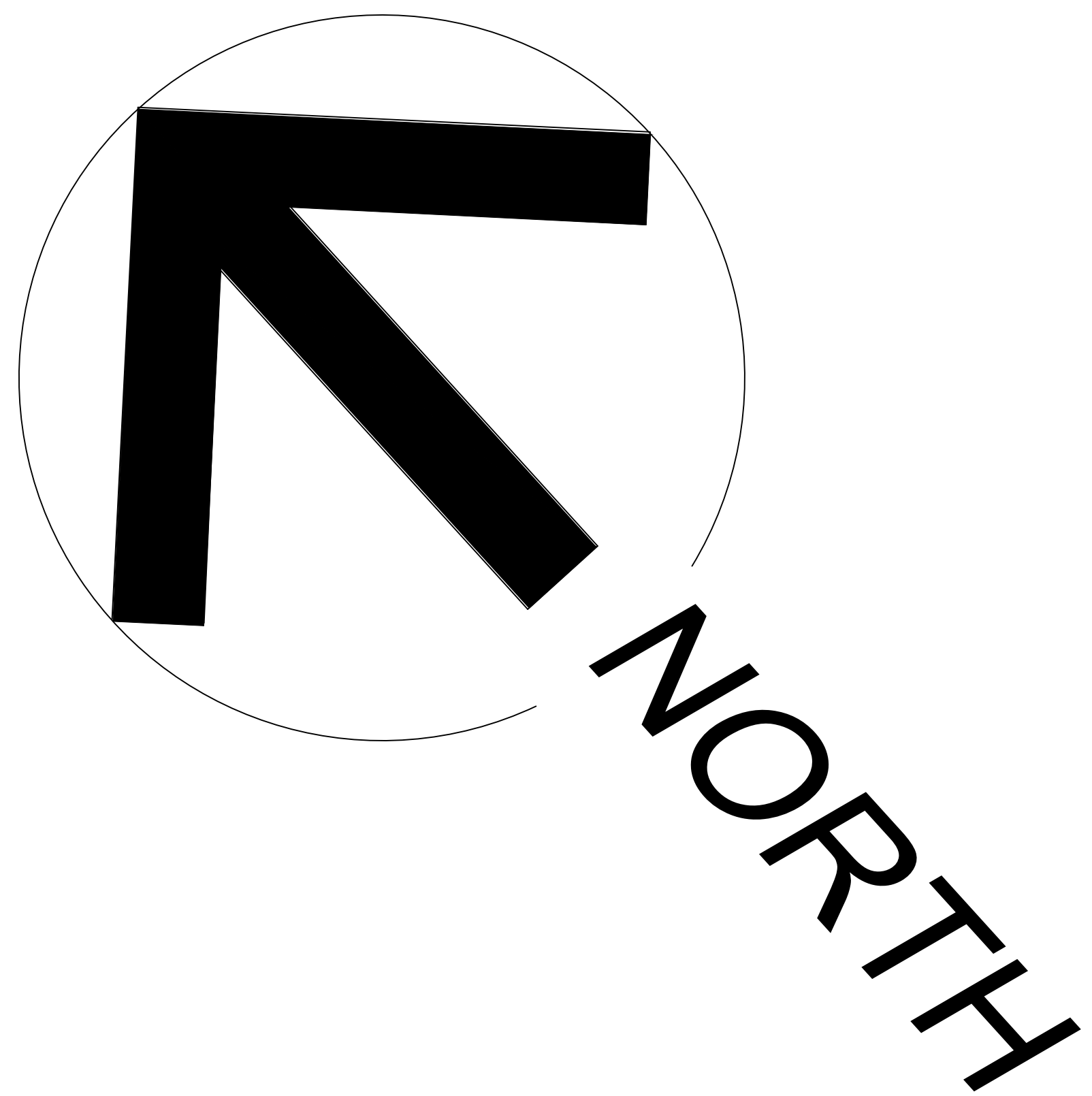


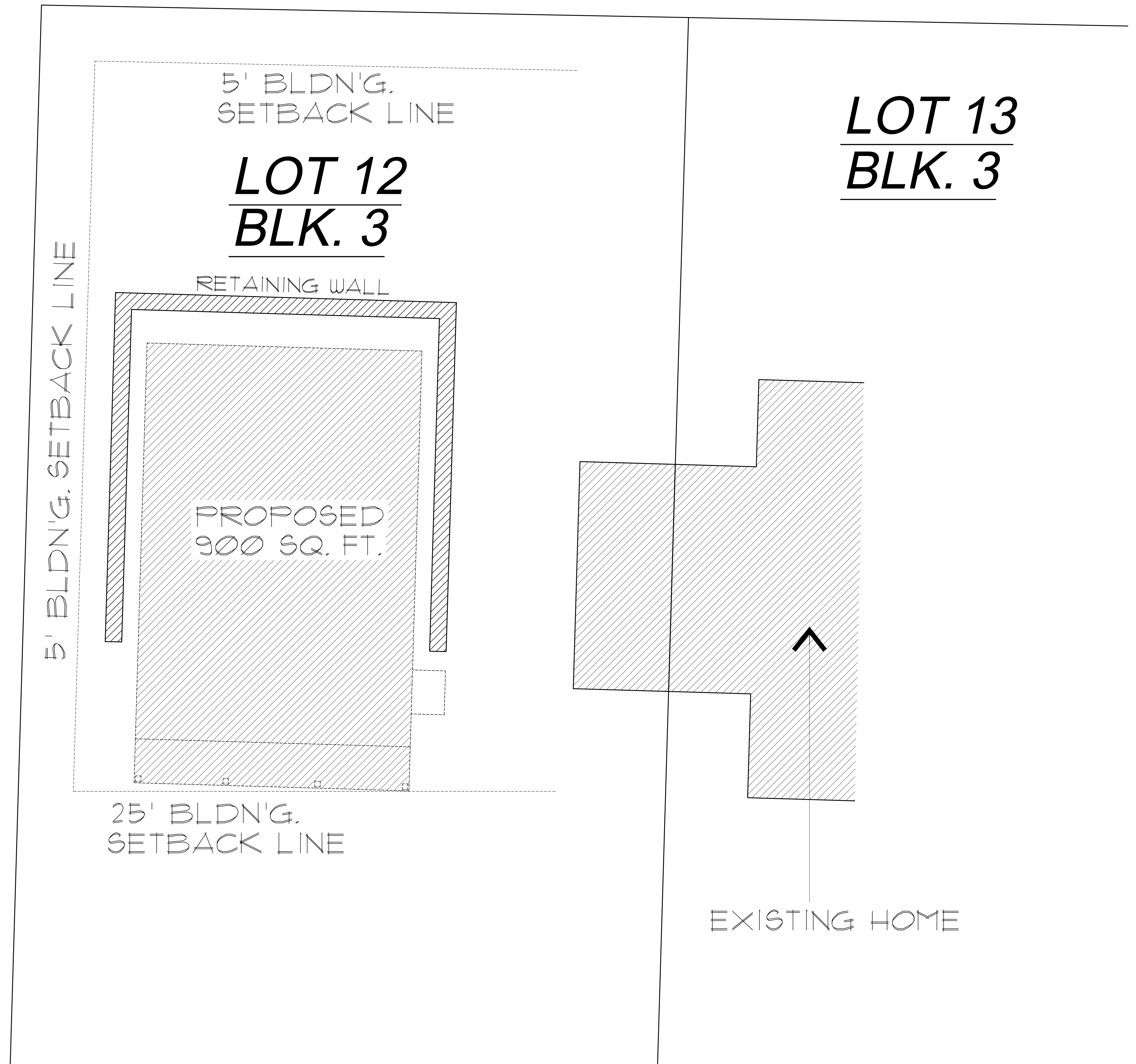
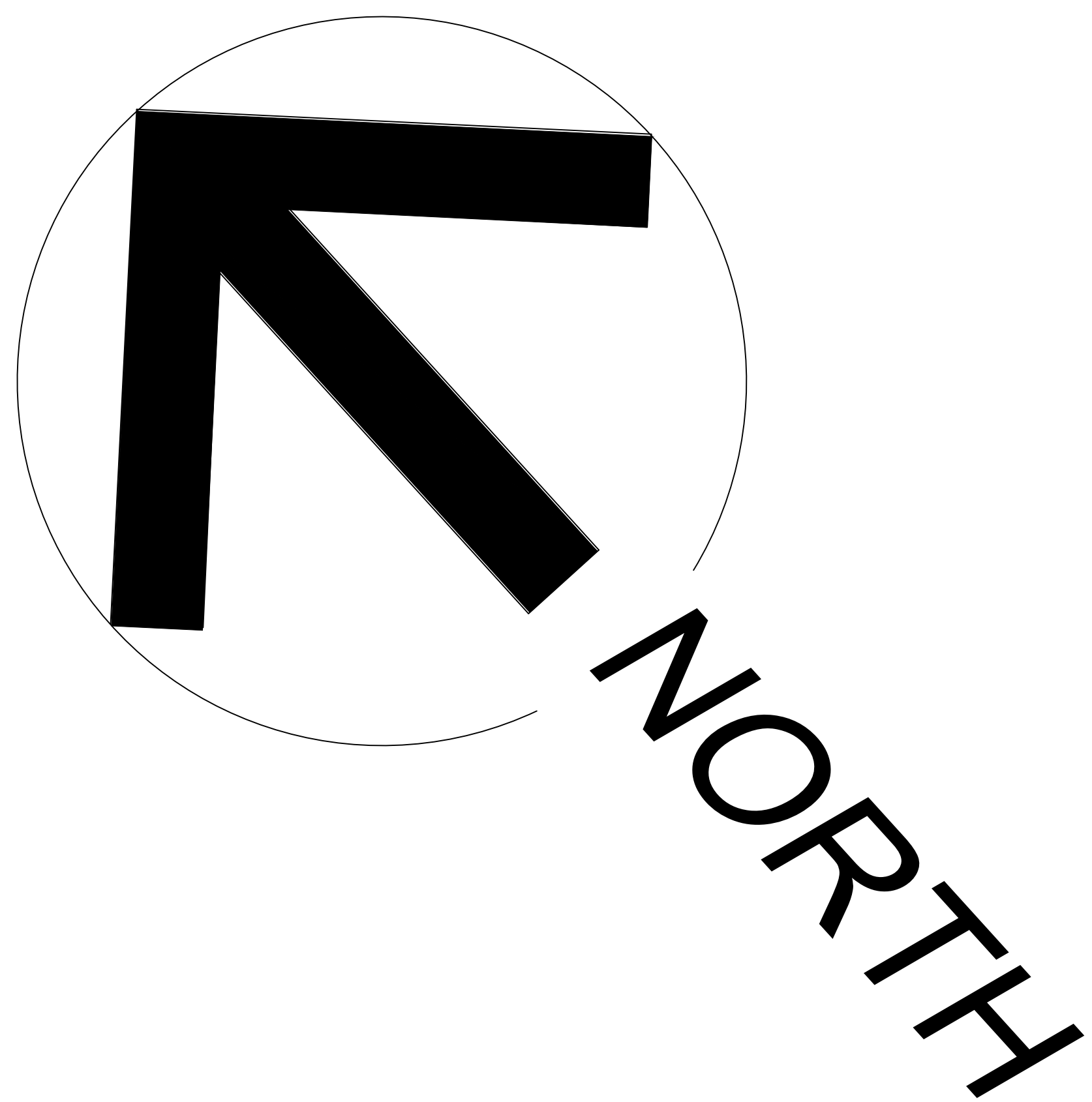
Current Future Land Use

Current Future Land Use

Place Type

- Strategic Catalyst Area
- Park and Open Space
- Public Use
- Agriculture and Outdoor Tourism
- Rural Living
- Estate Residential
- Neighborhood Residential
- Preservation Residential
- Transitional Residential
- Downtown
- Community Commercial
- Regional Commercial
- Entertainment/Mixed Use
- Professional Services
- Heavy Commercial/Light Industrial





To: Planning & Zoning Commission - City of Kerrville

From: James Hatch 1312 Cedar Dr, Kerrville, TX 78028 Cell # 210-422-5038 Email - jim.hatch1956@gmail.com

Neighbors Contacted and Support the Project for my mother-in-laws home

The Application for Conditional Use Permit (CUP for an Accessory Dwelling Unit within the R-1 Single-Family Residential zoning district.

Name	Address	Contact Information	Signature
DARLENE STEPHENS	1314 CEDAR DR	512-415-0171	Darlene Stephens
Suzanne Lamerlin	1313 Cedar Dr	830-377-8929	S Lamerlin
Evelyn Hickey	1409 Alice St.	830 739-2703	Evelyn Hickey
Steve Wagner	1413 Cedar	830-459-3020	Steve Wagner
Wayne Lavibette	1301 Cedar	512-579-8114	Wayne Lavibette
Don Edrle	609 Tanglewood	N. 512-665-1235	Don Edrle
Jeff Hardy	611 Tanglewood	325-277-4370	Jeff Hardy
KEN WADE	616 Tanglewood	830 275 2377	Ken Wade
Carolyn Watson	1309 ALICE ST.	830-	Carolyn Watson
Brandon Aery	1401 Alice St.	830-896-17733	Brandon Aery
DARWIN Collazo	1305 Cedar Drive	830-928-5042	Darwin Collazo
Kirsten Talbot	409 Tanglewood Lane	323-459-7309	Kirsten Talbot
Tammy Amerson-Wibson	1403 Cedar Dr	(830) 992-0059	Tammy Amerson-Wibson
Lizi Riley	1309 Cedar Dr.	512-736-3361	Lizi Riley
Pae Swartz	710 Uvalde St	214 535 1842	Pae Swartz
MARK STONE	903 Tanglewood	830-739-2100	Mark Stone
DAN ABELL	1401 Cedar Dr	830-377-9876	Dan Abell

From: [James Graham](#)
To: [Planning Division](#)
Subject: [EXTERNAL] CASE PZ-2023-14
Date: Tuesday, October 24, 2023 8:34:38 AM

James Graham
1403 Alice Street
Kerrville, Tx. 78028
936-828-1015

Good morning,

My name is James Graham and I own the property at 1403 Alice in Kerrville, Texas. The following response is to a letter I received concerning a conditional use permit for an accessory dwelling unit located adjacent to my property at 1312 Cedar Drive; specifically CASE PZ-2023-14. I would like to express that I am IN SUPPORT of granting the variance and allowing the construction of the proposed structure.

Thank You,
James Graham

From: linda@karstone.com
To: [Drew Paxton](#)
Subject: [EXTERNAL] CUP in Methodist Encampment
Date: Friday, October 13, 2023 9:54:38 AM

Good Morning Drew,
I wanted to support our neighbors request for a CUP. Is it correct to send this to you or should I write to someone else?
Thank you, Linda Stone

Case # PZ-2023-14
1312 Cedar Drive
Conditional Use permit for an accessory Dwelling

We resided in Methodist encampment. We Support the request of our neighbor to build an accessory dwelling on his property at 1312 Cedar Drive.

Mark and Linda Stone
903 Tanglewood Lane
Kerrville, Texas 78028
830-377-9916



**TO BE CONSIDERED BY THE PLANNING AND ZONING
COMMISSION
CITY OF KERRVILLE, TEXAS**

SUBJECT: A resolution to allow a Conditional Use Permit for an Accessory Dwelling Unit on Highlands Block 4, Lot 19; and more commonly known as 505 East Ln. (Case No. PZ-2023-15)

AGENDA DATE OF: November 2, 2023 **DATE SUBMITTED:**

SUBMITTED BY: Steve Melander, City Planner

EXHIBITS:

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Proposal

A resolution to allow a Conditional Use Permit for an Accessory Dwelling Unit on Highlands Block 4, Lot 19; and more commonly known as 505 East Ln. (Case No. PZ-2023-15)

The applicant is requesting a Conditional Use Permit (CUP) to build an Accessory Dwelling Unit (ADU) in an R-1 Single-Family Residential neighborhood. Code requires a CUP for an ADU to be permitted in an R-1 zoning district. Applicant intends to use the ADU as a long term rental until retirement, at which time it will become the applicant's primary residence. Existing residence is approximately 1,116 SF and proposed ADU is approximately 512 SF. This meets the 50% ratio for an ADU. See attached site plan.

Procedural Requirements

The City, in accordance with state law, mailed 13 letters on 10/19/2023 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 10/12/2023. In addition, public hearing notification signs were posted on the property frontage on 10/20/23. At the time of drafting this agenda bill, no public comments had been received.

Staff Analysis and Recommendation

Consistency with the Kerrville 2050 Comprehensive Plan: The property is designated as Neighborhood Residential (NR). The primary land use for NR is single-family detached homes. Secondary land uses include civic and institutional uses, parks, open space, small amounts of neighborhood-serving retail and office in carefully chosen locations. As such, and based on the existing surrounding residential zoning, the request for an Accessory Dwelling Unit in this location is consistent with the K2050 Plan.

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: R-1 Single-Family Residential

Existing Land Uses: Residential

Direction: North, South, West

Current Zoning: R-1 Single-Family Residential

Existing Land Uses: Residential

Direction: East

Current Zoning: PI Public and Institutional

Existing Land Uses: Mount Wesley Conference Center

Thoroughfare Plan: The subject property is located on a residential street so there is no impact on the thoroughfare system.

Traffic Impact: No traffic impact is anticipated.

Parking: Approval of a CUP for an Accessory Dwelling Unit (ADU) requires two additional off-street parking spaces. The subject property can accommodate the additional parking.

Recommendation: Because the Conditional Use Permit request is consistent with the Kerrville 2050 Comprehensive Plan, will not change the underlying residential zoning, and the proposed Accessory Dwelling Unit will meet setback, size, and off-street parking requirements, staff recommends approval with consideration and inclusion of the following proposed conditions:

Accessory Dwelling Unit (ADU) – Conditions of Approval

A. Site Plan: The development and use of the property shall generally conform to the site plan.

B. 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.

RECOMMENDED ACTION:

Approve the resolution.

ATTACHMENTS:

[*PZ-2023-15_Location Map.pdf*](#)

[*PZ-2023-15_Current Zoning Map.pdf*](#)

[*PZ-2023-15_K2050 Future Zoning Map.pdf*](#)

[*PZ-2023-15_Site Plan.pdf*](#)





Location Map

Case # PZ-2023-15

Location:

505 East Ln N

Legend

-  Subject Properties
-  200 Feet Notification Area

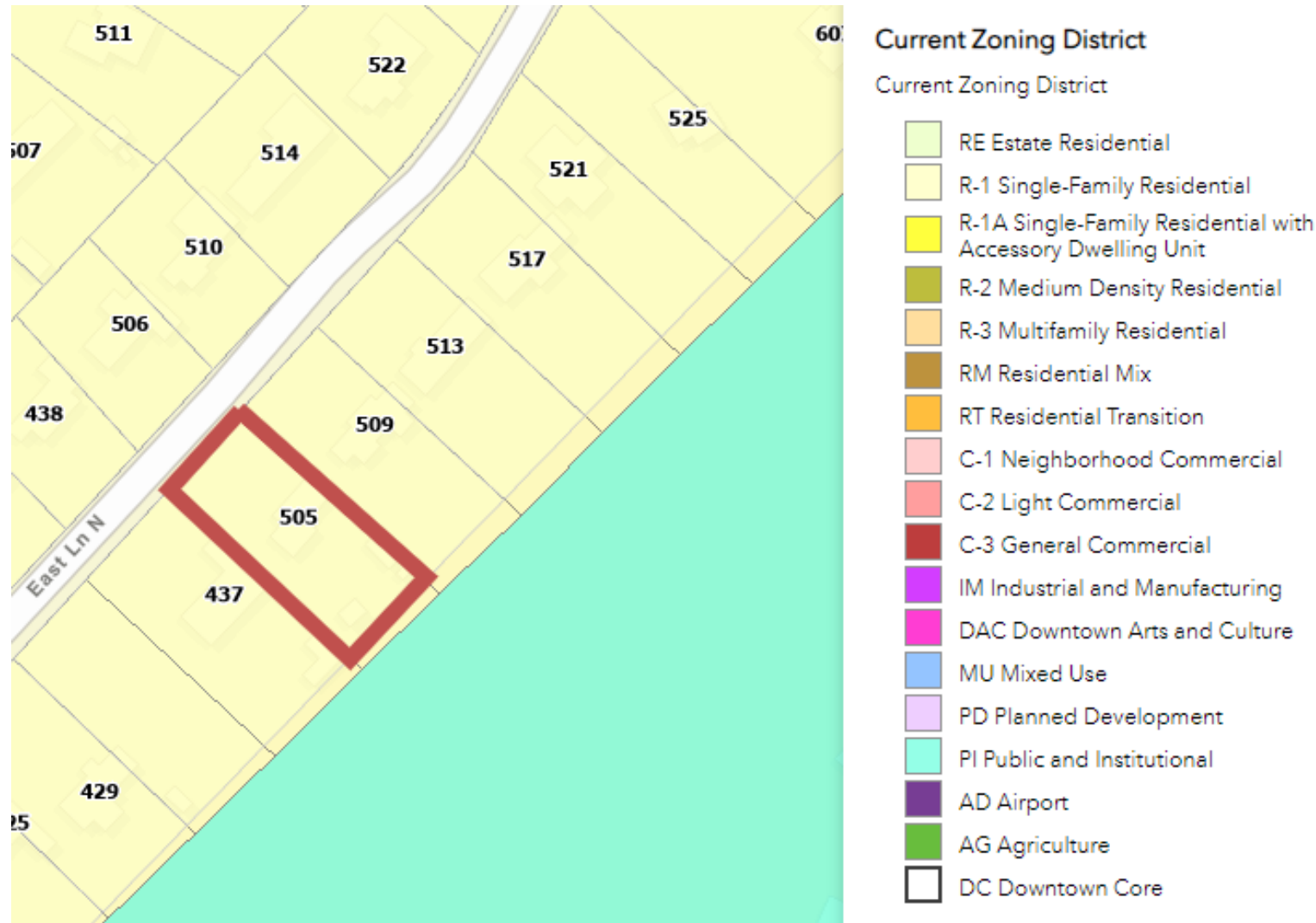


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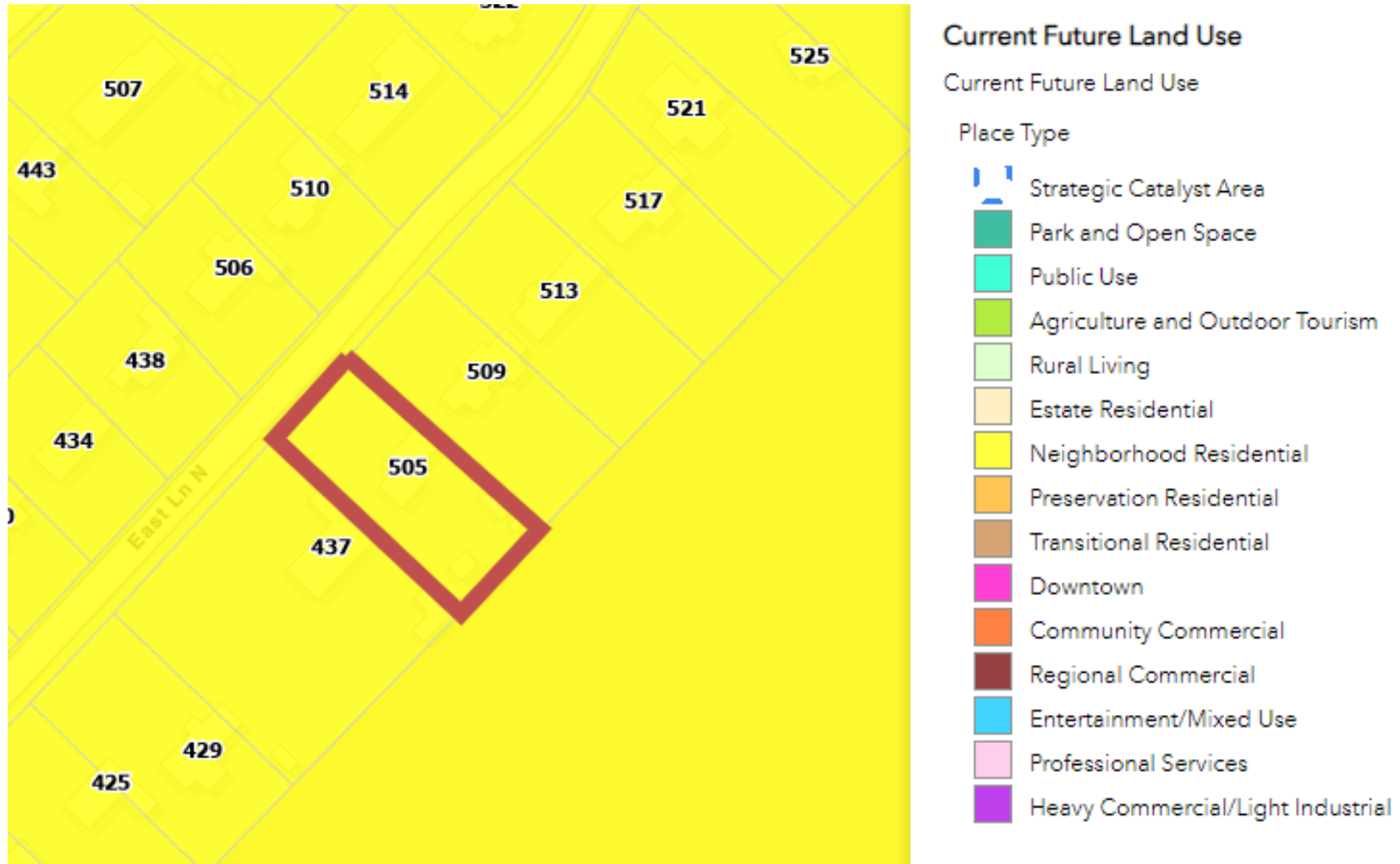
Scale In Feet

10/09/2023

Current Zoning – 505 East Lane – R-1 Single-Family Residential

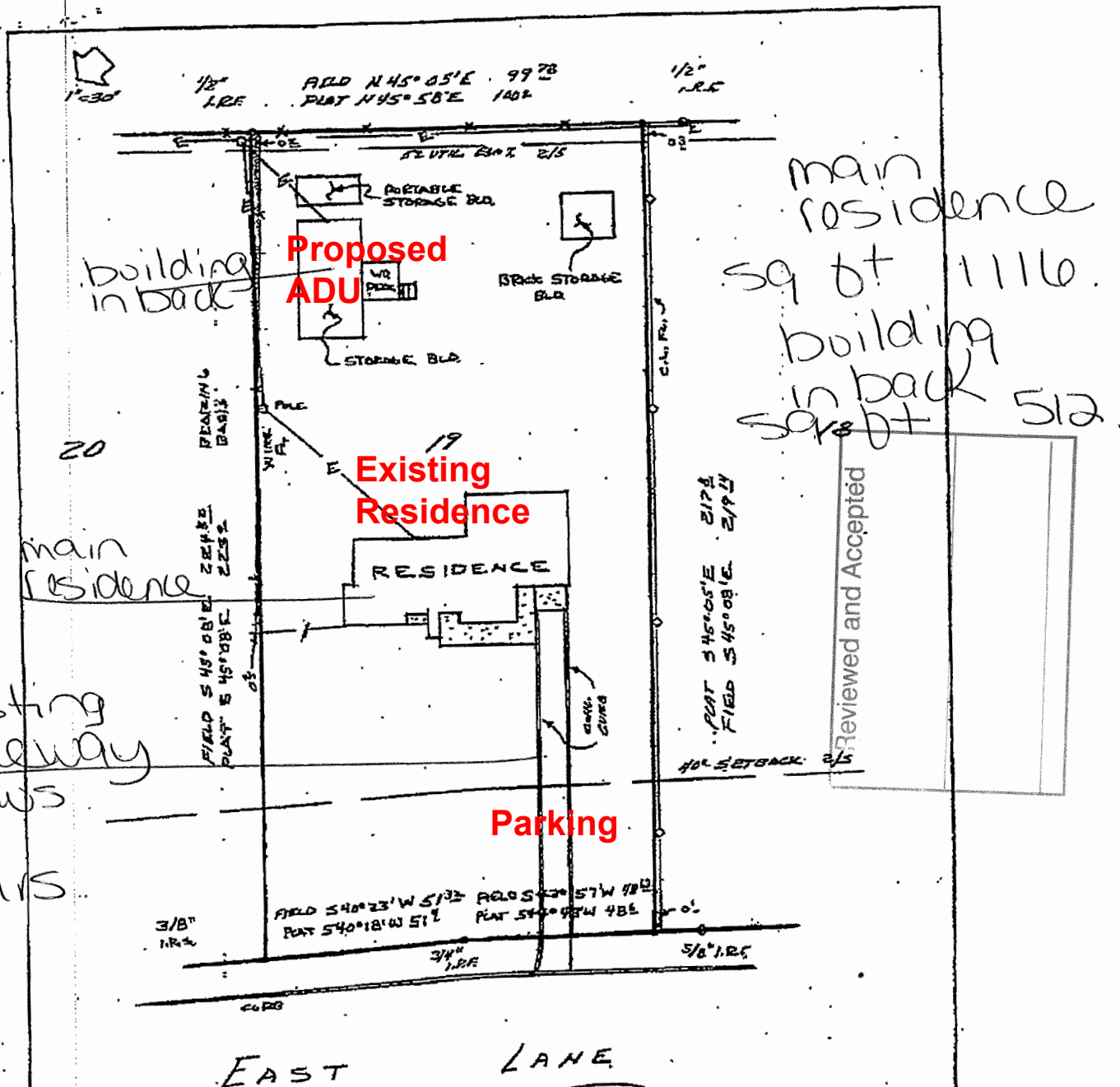


K2050 Future Zoning – 505 East Lane – Neighborhood Residential (NR)



10/08/2008 09:27 FAX

002/002



Restrictions: Vol. 2, Pg. 5 Plat Records.

Lot 19, Block 4, The Highlands, recorded in Vol. 2, Pg. 5, Plat Records of Kerr County, Texas.

Street Address: 505 East Lane Buyer: Patricia J. Lubin

Survey for: F&B-Easy Abstract & Title Co., reference GFW030837F

The above referenced property, as plotted on any map, is located in Zone X according to the National Flood Insurance Program as defined by F.E.M.A., Kerr County, Texas; Flood Hazard Boundary Map Number 48265C0170E, dated July 19, 2000.

Zone A = 100 year flood zone Zone X = determined to be outside 500 year flood

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY AND THAT THERE ARE NO UNRECORDED EASEMENTS OR EMBODIMENTS OF EIGHT DEEDS OR ADJACENT PROPERTY AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ENTIRELY WITHIN THE PROPERTY EXCEPT AS SHOWN ABOVE.

T. CAFFALL LAND SURVEYOR

Registered Professional Land Surveyor

P.O. Box 291566

Kearville, Texas 78029-1566

1-800-435-1360

Thomas Caffall, L.S.

Texas Reg. No. 4667

Date

24 Sept 2003