

CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA
SPECIAL MEETING, THURSDAY, MAY 29, 2014 4:30 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

Pg.

1. VISITORS/CITIZENS FORUM:

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

2. CONSENT AGENDA:

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

2A. Approval of the minutes from the May 15, 2014 meeting.

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3. PUBLIC HEARINGS AND ACTION:

3A. Residential Replat - Public hearing, consideration, and action concerning a proposed residential replat for part of Lot 40 of the Legion Heights Addition subdivision, located at 611 Goss Street. (Planning File No. 2014-017)

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3B. Zoning Change Request, Planned Development District – Public hearing, consideration, and action concerning a proposed Planned Development District for the former armory facility located at 411 Meadowview, to allow the land uses of “Professional Offices & Public Assembly”. (Planning File No. 2014-020)

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4. CONSIDERATION AND ACTION

4A. Minor Plat - Consideration and action concerning a proposed minor plat establishing Lots 1 & 2 of the James B. Goss Estates Subdivision, located at 300 Meeker Road. (Planning File: 2014-018)

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4B. Final Plat – Consideration, and action concerning a final plat establishing Lot 1, Block 1, of the Schreiner-Vicens Subdivision, located at 2100 E. Main Street. (Planning File: 2014-020)

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5. STAFF REPORTS

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

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

3. PUBLIC HEARING AND ACTION:

3A. Annexation & Zoning Recommendation - Public hearing, consideration, and action concerning a proposed voluntary annexation and a recommendation for a zoning classification of (R-1) Single-Family Residential District, of The Heights of Kerrville Subdivision, consisting of a 308.841 acre tract of land out of the Florentine Lara Survey No. 123, Abstract No. 225, M.K. & T.E. R.R. Survey No. 1861, Abstract No. 1242 and the J.D. Leavell Survey No. 1862, Abstract No. 1435, Kerr County, Texas.
Planning File: 2014-008

Mr. Lutz presented the findings of fact and asked Commissioners to render a decision.

Cmr. Watterson opened the public hearing at 4:33 p.m. Hearing no one speak, Cmr. Watterson closed the public hearing at 4:37 p.m.

Cmr. Harmon moved to approve the annexation and recommended zoning classification of (R1) single-family residential district as presented; motion was seconded by Cmr. Motheral and passed 5-0.

3B. Conditional Use Permit – Public hearing, consideration, and action concerning a proposed Conditional Use Permit to allow the expansion of a facility with the land use of “Vehicle Maintenance and Repair” for Lot 1-R, Block 17 of the J. A. Tivy Addition, located at 1321 Broadway Street.
Planning File: 2014-015

Mr. Lutz presented the findings of fact and asked Commissioners to render a decision.

Cmr. Watterson opened the public hearing at 4:42 p.m. Hearing no one speak, Cmr. Watterson closed the public hearing at 4:43 p.m.

Cmr. Morgan moved to approve / deny the requested CUP as presented with the addition of building setbacks; motion was seconded by Cmr. Motheral and passed 5-0.

3C. Residential Replat & Variance Request – Public hearing, consideration, and action concerning a proposed replat and a variance request for the minimum required lot frontage for Lots 65, 66, 67, 68, and part of 69, Block 16 of the G.R. Parsons Addition Subdivision, located at 208 W. Barnett St., 212 W. Barnett St., 700 Webster Ave., 706 Webster Ave., and 712 Webster Ave.
Planning File: 2014-016

Mr. Lutz presented the findings of fact and asked Commissioners to render a decision.

Cmr. Watterson opened the public hearing at 4:53 p.m.

Mr. Harvey Brinkman spoke and stated when they bought the property they also bought property across the street, which was previously the Famous Door Restaurant at the time. Mr. Brinkman stated sometime in the future they may plat that property separately.

Hearing no one speak, Cmr. Watterson closed the public hearing at 4:56 p.m.

Cmr. Morgan moved to approve the replat as presented and with the conditions listed by staff; motion was seconded by Cmr. Waller and passed 5-0.

4. STAFF REPORTS:

4A. Report concerning future agenda items.

Mr. Lutz reported the following items will be presented at a special meeting on Thursday, May 29, 2014:

- Minor Plat establishing 2 lots
- Replat subdividing 1 lot into 3
- Final Plat for Schreiner-Vicens Subdivision
- P.D.D. 411 Meadowview

5. ADJOURNMENT

This meeting was adjourned at 5:00 p.m.

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 3A

FOR AGENDA OF:

May 29, 2014

DESCRIPTION: Public hearing, consideration, and action concerning a proposed residential replat for part of Lot 40 of the Legion Heights Addition subdivision, located at 611 Goss Street.

APPLICANT(S): Don Voelkel

ATTACHMENT(S): Location Map & Proposed Plat

SUMMARY STATEMENT

The applicant is seeking to divide lot 40 of the Legion Heights Addition subdivision. Lot 40 is a 1.17 acre lot with over 233' of frontage along Goss Street. The proposed subdivision will create 3 lots. Two new lot numbers (44-A and 45-A) will be added to the subdivision. Lot 40-A will consist of 0.32 acres, Lot 44-A will consist of 0.45 acres, and Lot 45-A will consist of 0.40 acres.

Each lot will meet the required minimum lot frontage of 60' and the minimum lot size of 6,000 square ft. No additional easements are required.

The rear/side lot line of Lot 45-A is adjacent to Loop 534 and access from the loop will be restricted. A no access line has been placed on the plat at the request of TxDOT.

At the time the packets were distributed 11 land owners within 200' were notified and no official protests have been received.

This replat meets all state and local ordinances and staff recommends approval of the replat as presented.

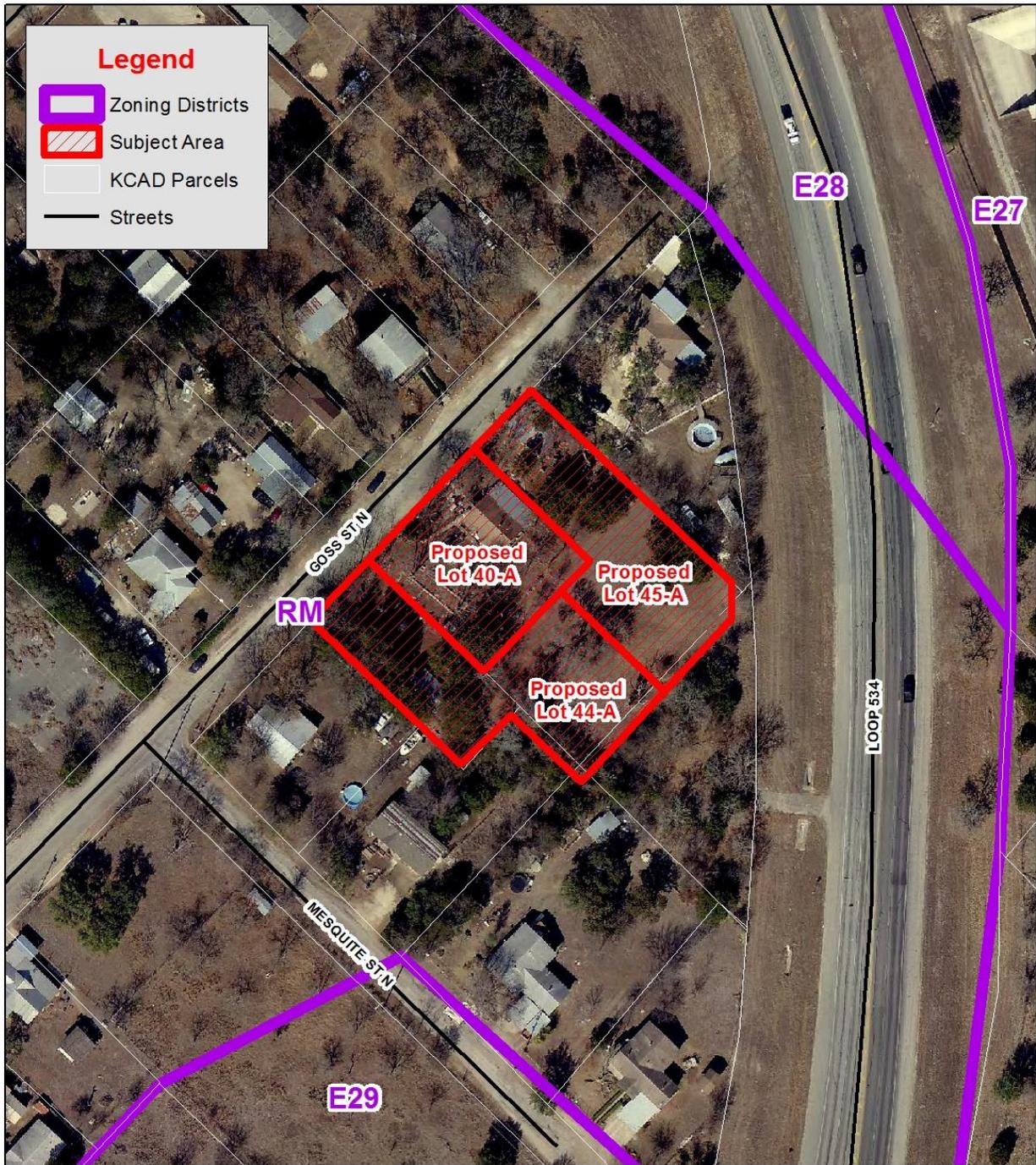
RECOMMENDED ACTION

1. Open the public hearing and receive comments.
2. Approve the replat as presented.

P&Z Case #2014-017

Residential Replat

Site Map



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.

0 50 100 200 Feet



1 inch = 100 feet



**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 3B

FOR AGENDA OF:

May 29, 2014

DESCRIPTION: Public hearing, consideration, and action concerning a proposed Planned Development District for the former armory facility located at 411 Meadowview, to allow the land uses of "Professional Offices & Public Assembly"

APPLICANT(S): William Brown

ATTACHMENT(S): Location Map, Proposed Ordinance, and Exhibit A

SUMMARY STATEMENT

The applicant is seeking to repeal and replace an existing Planned Development District, which was approved by both the P&Z Commission and City Council in 2013. The current P.D.D. permits the land use of "Professional Offices" and the facility is home to the Hill Country Veteran's Center.

The applicant is seeking to add the land use of "Public Assembly" in addition to the "Professional Offices" land use. "Public Assembly" is defined as: The use of a building or structure, or any portion thereof, for the gathering together of people for purposes such as civic, social or religious functions or for recreation, including, but not limited to, auditoriums, churches, dance halls, gymnasiums, motion picture theaters, museums, passenger depots, public assembly halls, recreation halls, stadiums or grandstands, and theaters for stage productions. This land use would enable the facility to be utilized for such gatherings as wedding's, community garage sales, birthday parties, and graduation parties.

The request for the land use of "Public Assembly" is a vital component of the P.D.D. as it provides the VFW post with the ability to generate revenue to be utilized towards ongoing maintenance for the facility. It should be noted that this facility was utilized for similar events in the past, prior to it being annexed into the City, when it was utilized as the National Guard's armory.

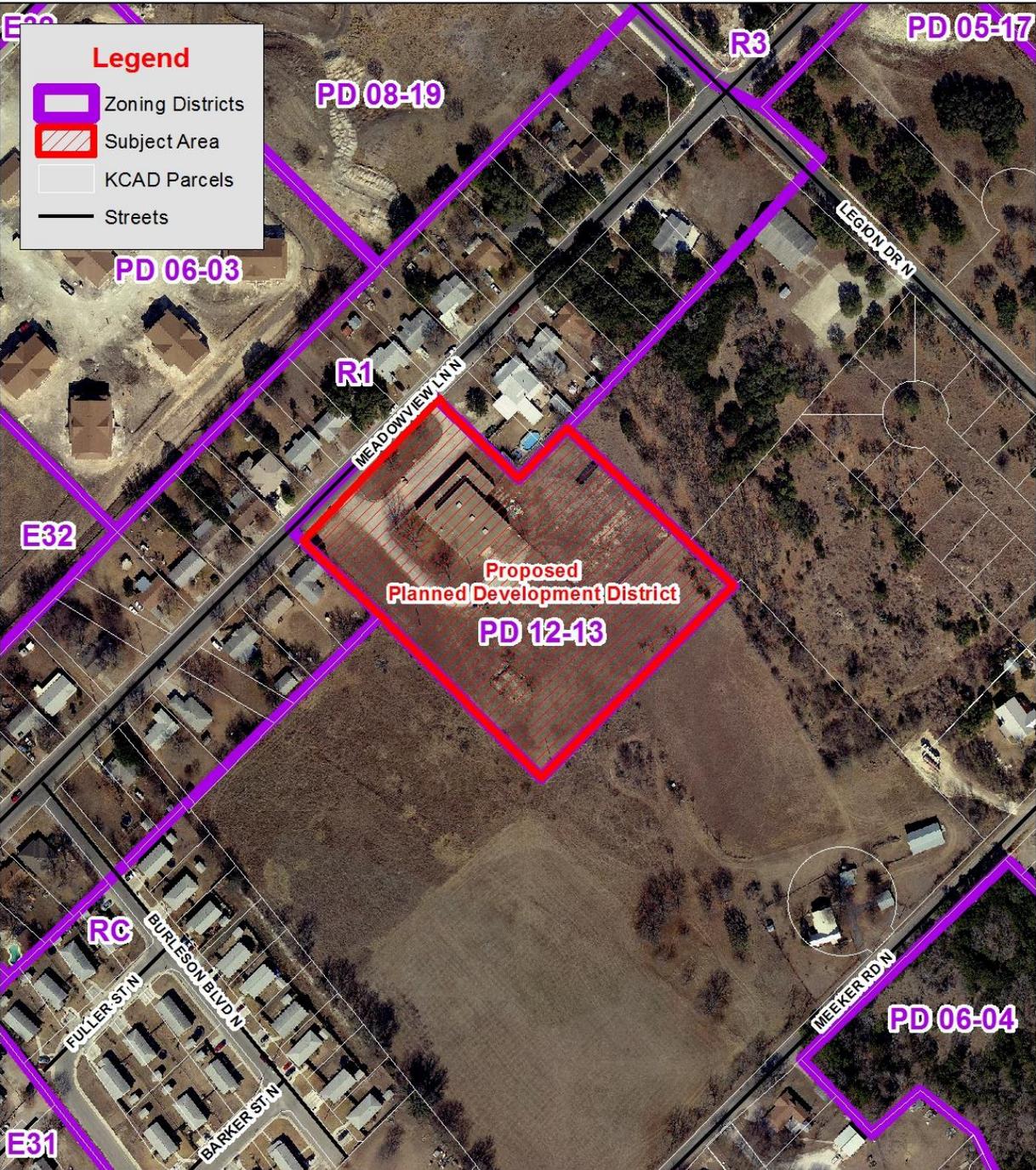
The property is bounded to the north (across Meadowview Lane) by the R1(Single-Family Residential) zoning district, to the east, south, and west by the RC (a higher density Single-Family residential) zoning district. In addition the northeast property line is adjacent to a Church which utilizes the same land use of "public assembly".

At the time the packet was distributed 21 land owners within 200' were notified and no official protests were received.

RECOMMENDED ACTION

1. Open the Public Hearing and receive comments.
2. Render a decision on the requested Planned Development District.

P&Z Case #2014-020 Planned Development District Site Map



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1 inch = 200 feet



Proposed Draft Ordinance

CITY OF KERRVILLE, TEXAS ORDINANCE NO. 2014-_____

AN ORDINANCE REPEALING ORDINANCE NO. 2012-13; CREATING A “PLANNED DEVELOPMENT DISTRICT” FOR AN APPROXIMATE 4.241 ACRES CONSISTING OF TRACTS I AND II, TEXAS NATIONAL GUARD ARMORY BOARD IN THE SAMUEL WALLACE SURVEY NO. 113, ABSTRACT NO. 761, WITHIN THE CITY OF KERRVILLE, KERR COUNTY TEXAS, AND MORE COMMONLY KNOWN AS 411 MEADOWVIEW LANE; ADOPTING A PHASED CONCEPT PLAN AND CONDITIONS RELATED TO THE DEVELOPMENT OF SAID DISTRICT TO INCLUDE A PHASED DEVELOPMENT SCHEDULE; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; ESTABLISHING A PENALTY OR FINE NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND ORDERING PUBLICATION

WHEREAS, the City Council of the City of Kerrville (“City Council”), Texas, adopted Ordinance No. 2012-13, at its November 13, 2012, meeting; and

WHEREAS, the owner of the property seeks a zoning change to add additional uses to the property; and

WHEREAS, City staff recommends that City Council repeal Ordinance No. 2012-13, hold a public hearing, and adopt a new ordinance adopted a Planned Development District on the same property; and

WHEREAS, the City Planning and Zoning Commission and the City Council of the City of Kerrville, Texas, in compliance with the City Charter and the State law with reference to the creation of Planned Development Districts under Article 11-I-15 of the Zoning Code of the City of Kerrville, Texas, and amending the official zoning map adopted thereby, have given the requisite notices by United States mail, publication and otherwise; and after holding due hearings and affording a full and fair hearing to all of the property owners generally, and particularly to those interested persons situated in the affected area and in the vicinity thereof, the City Council finds that the health, safety, and general welfare will be best served by the creation of a Planned Development District for a Community Center development, subject to the special conditions and restrictions set out hereinafter on the property described in Section Two, below;

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

SECTION ONE. Ordinance No. 2012-13 is repealed.

SECTION TWO. The property described in **Exhibit A** (the “Property”), attached and incorporated herein by reference, is removed from both the R1 (residential) and RC (residential cluster)

Zoning Districts and placed in a newly created “Planned Development District” for the development and use as “Professional Office” and “Public Assembly” as those terms are defined by Article 11-I-3 of the Zoning Code.

SECTION THREE. The Property may be developed and used for “Professional Office” and “Public Assembly”, subject to the following:

- A. Certificate of Occupancy: A Certificate of Occupancy must be obtained from the City prior to the use of the Property for “Professional Office”.
- B. Concept Plan: The development of the Property must be in accordance with the Concept Plan found at **Exhibit A** which is attached hereto and incorporated herein by reference.
- C. Parking: The Property must provide a minimum of 15 parking spaces and the design must be in accordance with that shown on **Exhibits A**. All required parking must be constructed of asphalt or concrete and marked and sized in accordance with the City’s regulations.
- D. Signage: The location, size, type, and maximum area for each sign shall be in accordance with the City’s sign regulations in existence at the time of permitting.
- E. Screening: Screening is not required.
- F. Trash and Other Solid Waste: Solid waste collection bins and dumpsters must be equipped with lids and screened with a gate with an opaque screen on one side and masonry or material similar to the building(s) constructed on the Property on the remaining three sides.
- G. Outdoor Storage and Display: The outdoor storage of any materials, supplies, inventory, and/or equipment, whether in cargo containers or similar containers or buildings, is prohibited, except those identified for household use.
- I. Development Regulations:
 - 1. All exterior lighting must be designed and installed to prevent glare or light from being emitted onto adjacent properties.
 - 2. Any future development of the Property is subject to the City’s Subdivision Regulations, which includes submittal and approval of a plat.
 - 3. Any proposed future parking or additional buildings must obtain a Development Site Plan from the City prior to construction.

SECTION FOUR. The provisions of this Ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FIVE. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. The Council of the City of Kerrville, Texas, hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION SIX. The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Chapter 1, Sec. 1-8, of the Code of Ordinances of the City of Kerrville, Texas, which provides for a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00).

SECTION SEVEN. In accordance with Section 3.07 of the City Charter and Texas Local Government Code §52.013(a), the City Clerk is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

PASSED AND APPROVED ON FIRST READING, this the ____ day of _____, A.D., 2014.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the ____ day of _____, A.D., 2014.

Jack Pratt, Jr., Mayor

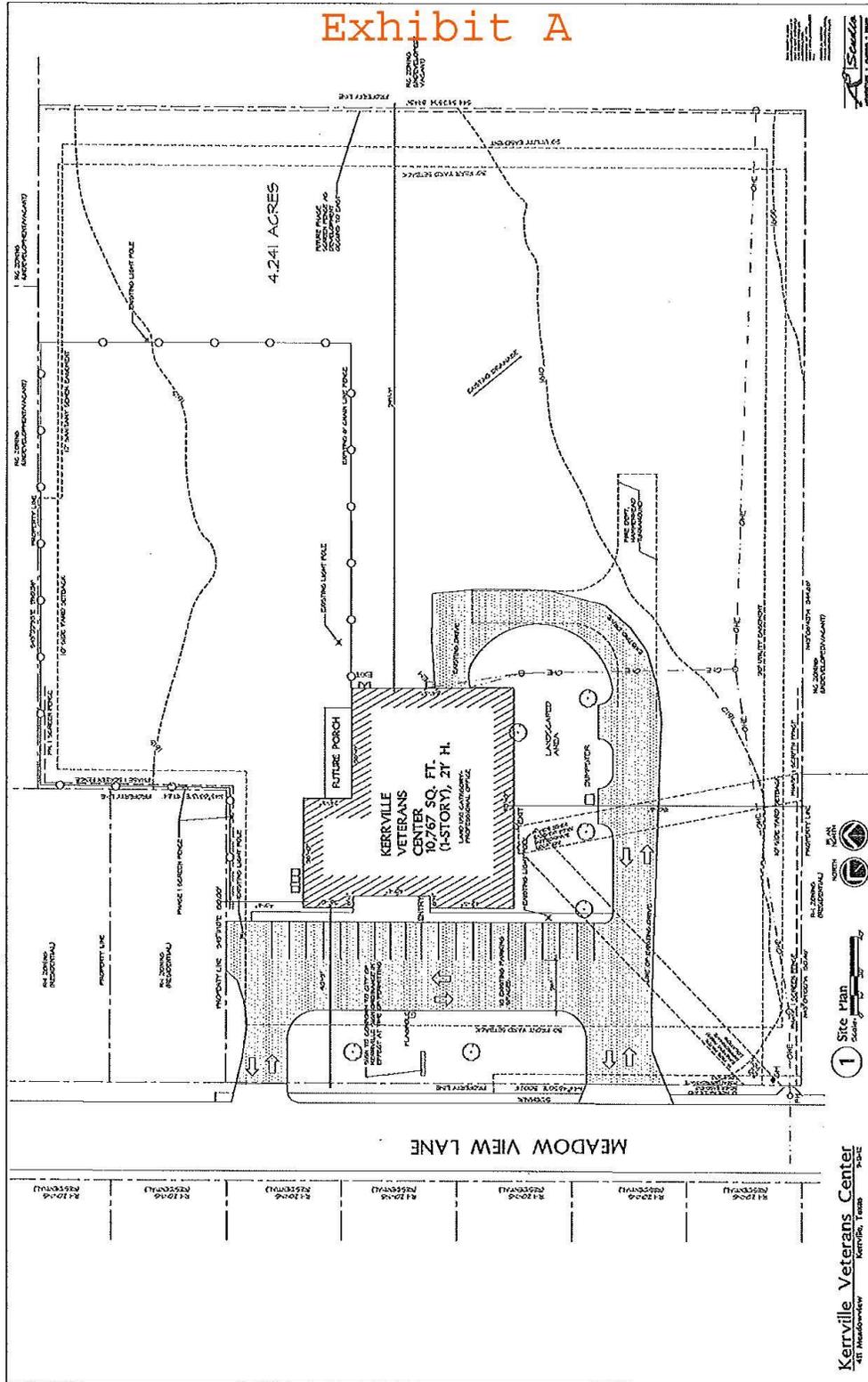
ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM

Michael C. Hayes, City Attorney

Exhibit A



Kerrville Veterans Center
 411 Meadowview
 Kerrville, Texas

1 Site Plan
 Scale: 1" = 20'

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 4A

FOR AGENDA OF:

May 29, 2014

DESCRIPTION: Consideration and action concerning a proposed minor plat establishing Lots 1 & 2 of the James B. Goss Estates Subdivision, located at 300 Meeker Road.

APPLICANT(S): Lee Voelkel

ATTACHMENT(S): Location Map & Proposed Plat

SUMMARY STATEMENT

The Applicant owns a 0.702 acre unplatted tract of land and is seeking to establish a 2 lot subdivision. This subdivision falls under the category of a minor plat and does not require a preliminary plat be approved.

The proposed plat will establish Lots 1 & 2 of the James B. Goss Estates Subdivision. Lot 1 is a 0.325 acre tract with 79.75' of frontage along Meeker Road. Lot 2 is a 0.377 acre tract with 90.02' of frontage along Meeker Road. Both proposed lots meet the minimum lot size of 6,000 square feet required by the zoning code.

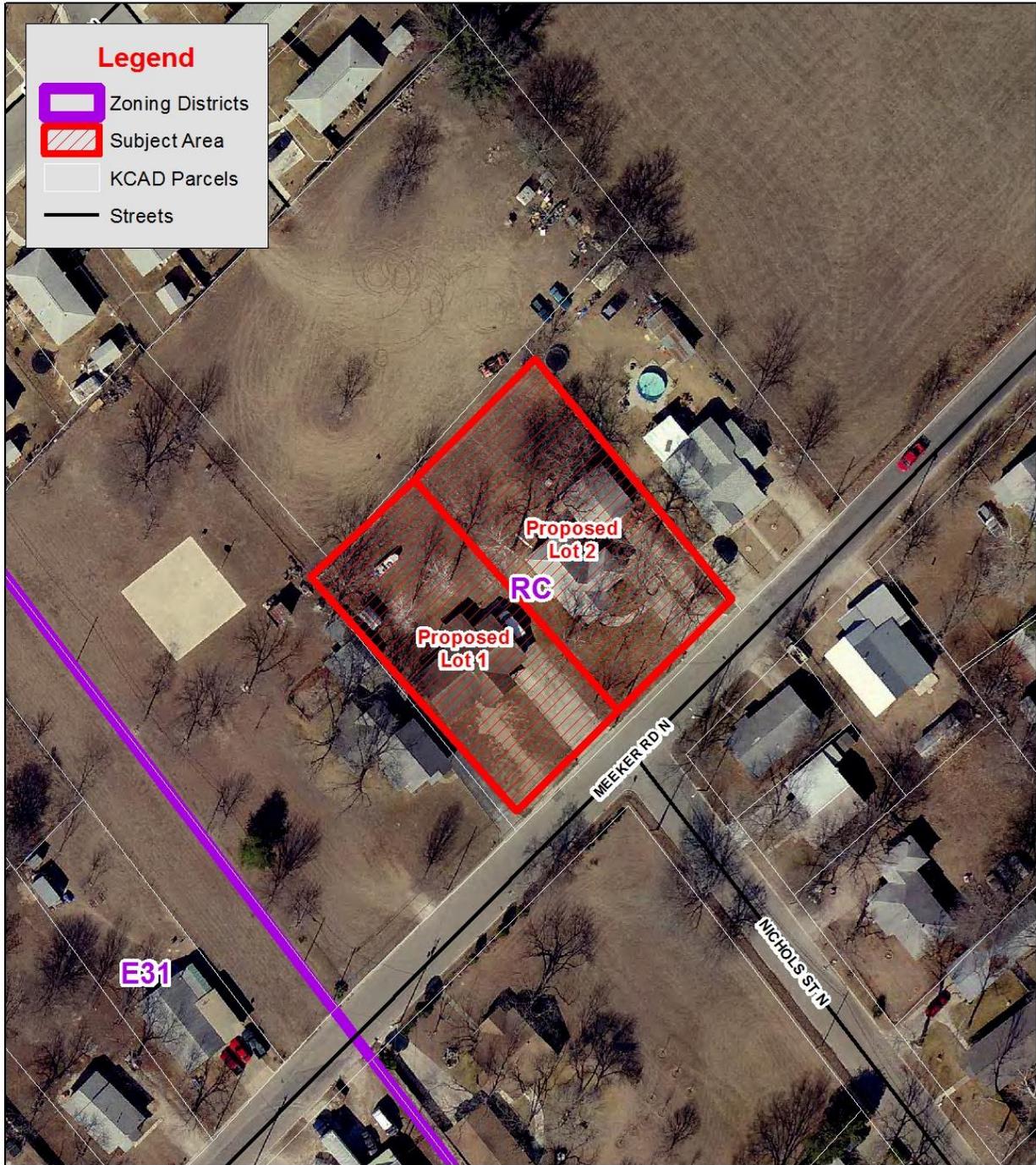
Currently there are two existing homes on the property and the proposed lots will not create any setback issues.

The proposed plat meets all state and local codes and staff recommends approval of the minor plat as presented.

RECOMMENDED ACTION

1. Open the floor for comments (not a required public hearing) and receive comments.
2. Approve the minor plat as presented.

P&Z Case #2014-018 Minor Plat Site Map



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0 37.5 75 150 Feet



1 inch = 75 feet



**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 4B

FOR AGENDA OF:

May 29, 2014

DESCRIPTION: Consideration, and action concerning a final plat establishing Lot 1, Block 1 of the Schreiner-Vicens Subdivision, located at 2100 E. Main Street.

APPLICANT(S): Jeff Carroll

ATTACHMENT(S): Location Map & Proposed Plat

SUMMARY STATEMENT

The applicant is seeking a final plat establishing Lot 1, Block 1, of the Schreiner-Vicens Subdivision. The preliminary plat was approved by the Planning & Zoning Committee on 05/16/13.

Lot 1 is a 39.394 acre lot with 1,317.93' of frontage along E. Main Street.

There are several existing easements found on the property. The 1st is a 100 ft. wide electric easement; the 2nd is a located running in an east to west direction across the property. According to the deed of record, there are no dimensions associated with this easement. A plat note was added to address this.

A 14' Public Utility Easement is being dedicated by plat to provide access for repairs of existing electrical infrastructure owned by KPUB.

A 20' wide water easement was dedicated for the construction of a City water main to serve the property. In addition a 20' wide sewer easement was dedicated to for the construction of a sewer main that was extended from the Weston Home Place Subdivision.

The public improvements are in the process of being accepted. I will provide an update on the status of the acceptance to the Commission at the meeting on Thursday.

This plat meets all state and local ordinances and staff recommends approval of the plat as presented.

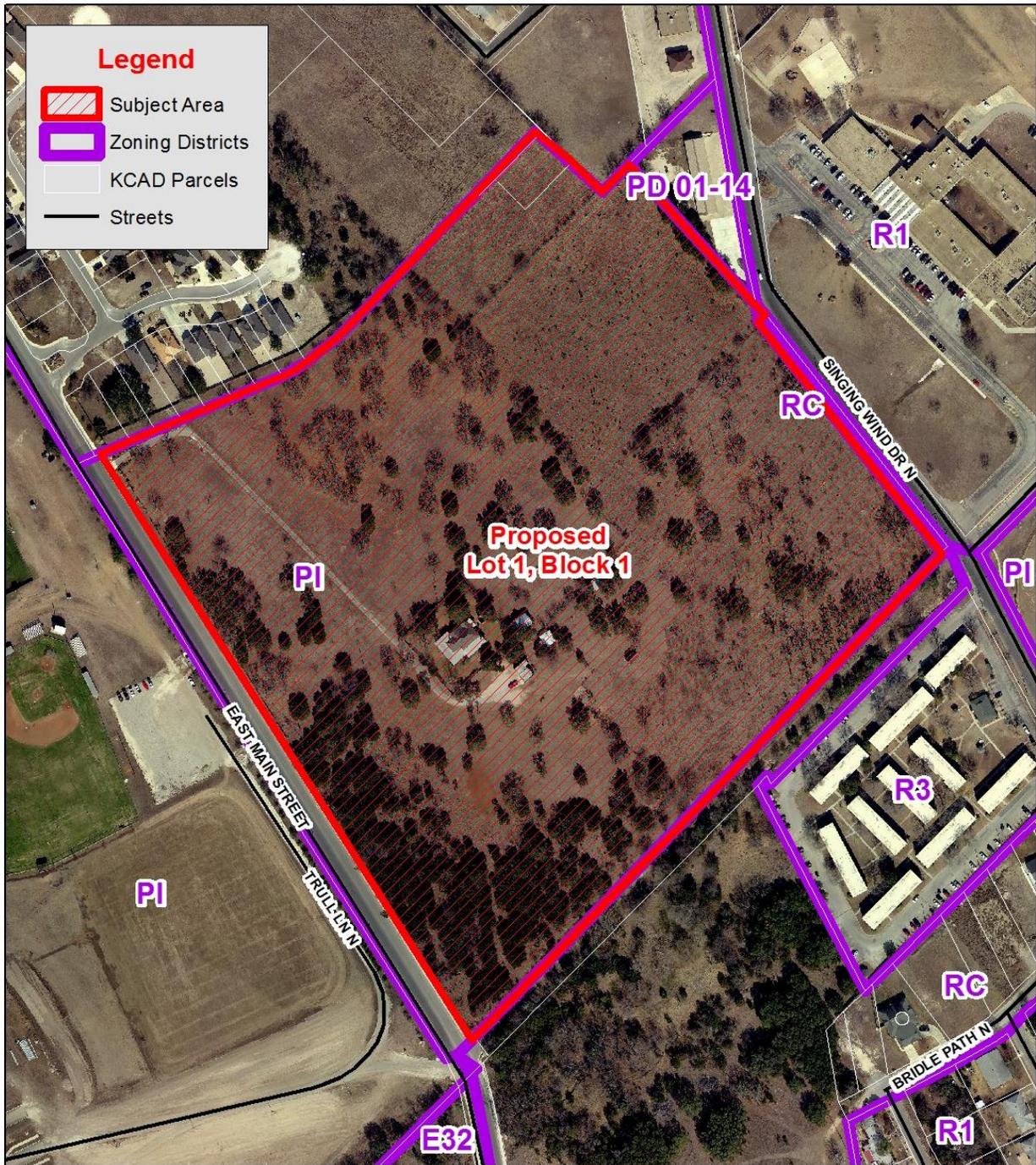
RECOMMENDED ACTION

1. Open the floor for comments (not a required public hearing) and receive comments.
2. Approve the final plat as presented.

P&Z Case #2014-019

Final Plat

Site Map



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0 125 250 500 Feet



1 inch = 250 feet



