

CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA
REGULAR MEETING, THURSDAY, AUGUST 7, 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 July 3, 2014 meeting.

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3. PUBLIC HEARINGS AND ACTION:

3A. Planned Development District - Public hearing, consideration, and action concerning a Planned Development District for "Personal Services I (Beauty Parlor/Barber Shop) on Lots 15 & 16, Block 16, Westland Place Subdivision, located at 401 W. Water Street.
(File No. 2014-027)

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3B. Zoning Code Text Amendment - Public hearing, consideration, and action concerning proposed amendments to "Type B Screening" found in Article 11-1-18 "Special Screening Regulations", Section (e) of the City of Kerrville's adopted Zoning Code.
(File No. 2014-029)

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4. CONSIDERATION AND ACTION

4A. Alternative Screening Request – Consideration and action concerning a request for "Alternative Screening" for an approximate 4.23 acre tract of land out of the Florentine Lara Survey No. 123, Abstract No. 225, located at 1834 Junction Highway.
(File No. 2014-30)

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5. STAFF REPORTS

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6. ADJOURNMENT

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

3. PUBLIC HEARING AND ACTION:

3A. Conditional Use Permit – Public hearing, consideration, and action concerning a CUP located at 611 Harper Rd. (File No. 2014-0)

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

Mr. Waller opened the public hearing at 4:42 p.m. Mr. Gerald Harmon spoke and stated his concerns regarding the population growth of the school and what effects it will have on the surrounding properties, including his own. Mr. Harmon stated the school currently has a playground that children utilize into the dark hours, making it difficult to sleep with the lights that are on and children playing basketball, and questions what will happen with the double-population. Mr. Harmon stated he didn't know if the school had regulated hours, but it seems children are allowed to utilize the playground any time they choose. He also stated his property butts up to the playground and there are a lot of balls that come into his yard and asked what kind of privacy he and the neighbors will have with the type of construction that will be going on.

Mr. Lutz stated he could not speculate on the increase of noise due to the doubled population of students but said that a standard privacy fence is required by city code. Mr. Lutz also stated there are regulations restricting construction times between 7:00 a.m. and 7:00 p.m. Mr. Lutz stated if the Commission is concerned about the lights and the noise, it is possible for them to recommend some additional modifications to the resolution to be considered by City Council such as limiting the hours of operation.

Mr. Morgan asked if a limit on lighting can be imposed. Mr. Lutz replied current lighting standards and the city ordinance do require lighting to be shielded and facing downward facing. Mr. Lutz also stated as to Mr. Harmon's concerns about hours of operation, that is something for the Commission to consider in a recommendation to City Council. Mr. Lutz suggested to the Commissioners to keep in mind that the school is part of a church that may also have functions such as having weddings and other gatherings which generally last into the evening hours; however, Commissioners may be specific to limited playground hours and/or lights. City staff would need to have its legal department review the verbiage for City Council to consider.

Mr. Morgan asked who would be responsible for enforcing the limited hours. Mr. Lutz stated it would become a Code Enforcement issue, but said the best course of action would be to call the police as it may be considered a trespassing violation. Mr. Lutz said it would ultimately be up to the neighbors to file any complaints.

Mr. Malone asked what kind of lighting is there 24 hours. Mr. Gary Bates, an elder from the church, replied the present lighting is primarily for parking purposes, not for the use of the playground. Mr. Bates said he is also the treasurer for the school so he is familiar with its policies. He said the policy for its students are considerably more restrictive than that as they are not allowed to arrive at school until 7:45 a.m. and must depart by 6:00 p.m. at the very latest; however, it is not unusual to have neighborhood children utilize the playground, which is where most of the evening activity is coming from. Mr. Bates stated the lights are on timers and may need to be adjusted. He added there have been times when they have had meetings and the parking lot was not adequately lit because the timers turned the lights off. Mr. Lutz stated the timers will help in deterring evening activity during the fall and winter months, but during the summer months, activity may continue late as it does not get dark until 9:00 or 9:30 p.m.; however, at that point they would be trespassing. Mr. Bates stated there is a sign posted saying children are not allowed on the playground without adult supervision.

Mr. Rick Streiff spoke and discussed his concerns. Mr. Steiff stated there is an easement that comes down and has a good slope from Harper Road going all the way past his house into the field, past the field and all the way to Bluebonnet and heavy rains cause some of the residents on Bluebonnet to take on water. Mr. Streiff stated when they pave that, it's going to pick up some volume. He said as it is right now, water that comes across the church's parking lot hits a little berm before it hits the first house and kind of goes into the easement and during some substantial rains just washes it out. Mr. Streiff stated his neighbor, Mr. Ship, takes measures to maintain that. He said he would like someone to make some notes that when they pour that solid surface that they direct the water so as to do minimal damage. The other concern Mr. Streiff discussed was regarding a privacy fence. Mr. Lutz stated a privacy fence is part of the site plan and showed Mr. Streiff where it is located on the site plan and said the fence is a part of the code. Mr. Streiff's last concern was continued growth. He stated one of the core values of the Seventh Day Adventist (SDA) church is education and he was concerned about future growth and when someone would say they just can't do what they want to do.

Regarding the runoff, Mr. Lutz stated there is some added impervious cover. This was looked at during the Development Review Committee (DRC) meeting which the City Engineer attended and said the city is not looking at adding any significant amount of impervious cover to significantly increase those flows of water. Mr. Lutz stated they have not seen the grading plan yet, but it is a part of the construction and the engineer will be reviewing it. As far as forcing the landowner to direct it onto their property, Mr. Lutz said state law does require as an adjacent landowner you are required to accept a certain amount of runoff with the stipulation that it's not channelized and these are things that will be adjusted during the building process as they are a little difficult to adjust during the site plan. Regarding future development, specifically Mr. Streiff's question as to when is it too intense for a community, that can only be answered by the Commissioners and City Council; however, Mr. Lutz said he would aid in that. For example, if the church requested to add a high school and more additions, at some point they would reach that threshold where their parking requirements for their building sizes will become limited.

Comr. Watterson closed the public hearing at 5:05 p.m.

Comr. Motheral moved to approve the CUP as presented with the conditions of adding timers on the lighting and limiting playground hours to be approximately 8:00 a.m. to 6:00 p.m. as recommended by Commissioners; motion was seconded by Comr. Malone and passed 5-0.

4. STAFF REPORTS:

4A. Report concerning future agenda items.

Mr. Lutz reported the next meeting is scheduled for Thursday, August 7, 2014. At this time there is nothing to present, however, Mr. Lutz stated he may be presenting two or three replats and possibly an amendment to a planned development district concerning signage.

5. ADJOURNMENT

This meeting was adjourned at 4:37 p.m.

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

AGENDA ITEM: 3A

FOR AGENDA OF:

August 7, 2014

DESCRIPTION: Public hearing, consideration, and action concerning a Planned Development District for "Personal Services I (Beauty Parlor/Barber Shop) on Lots 15 & 16, Block 16, Westland Place Subdivision, located at 401 W. Water Street.

APPLICANT(S): Stephanie Carson

ATTACHMENT(S): Location Map & Ordinance

SUMMARY STATEMENT

The applicant was granted approval for a planned development district in 2003. The PDD granted the requested use and called for the property to be developed in accordance with the regulations governing the (RT) Residential Transition District. However signage was limited to that for a "Home Occupation". The current PDD limits the signage to the following:

The only outdoor sign which may be installed is a nameplate sign located on the wall adjacent to the front entry door of the facility, with a sign face not to exceed two (2.0) square feet and which is not internally illuminated.

The applicant is seeking to repeal and replace the existing PDD in order to modify the signage regulations governing the property. The new section governing signs would allow the applicant to install a sign based on the newly adopted sign code and the sign regulations found in the (RT) district, which are as follows:

Sign Restrictions: Only the following signs shall be permitted:

a One free standing sign which:

- 1* has a sign area of not greater than twenty-four square feet;
- 2* does not exceed six (6) feet in height above the ground; and
- 3* is not internally illuminated; and,

b One wall sign or projecting sign which:

- 1* has a sign area not greater than twenty-four square feet; and
- 2* is not internally illuminated.

Based on the location of the property, which is located adjacent to an (RT) Zoning District, and the fact that this district is designed to permit small scale commercial uses adjacent to residential uses staff recommends approval of the proposed PDD.

At the time of packet distribution 25 land owners within 200' were notified and two individuals stated that they support the proposal.

RECOMMENDED ACTION

1. Open the required public hearing and receive comments.
2. Render a decision concerning the requested PDD.

P&Z Case #2014-027 Planned Development District Location 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 25 50 100 Feet



1 inch = 50 feet



**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2014-__**

AN ORDINANCE REPEALING ORDINANCE NO. 2003-16 AND CREATING A NEW “PLANNED DEVELOPMENT DISTRICT” FOR PERSONAL SERVICES I (BEAUTY PARLOR/BARBER SHOP) ON LOTS 15 AND 16, BLOCK 16, WESTLAND PLACE SUBDIVISION, CITY OF KERRVILLE, TEXAS, AND MORE COMMONLY KNOWN AS 401 W. WATER STREET; ADOPTING A SITE PLAN FOR SAID PLANNED DEVELOPMENT DISTRICT; MAKING SAID DISTRICT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; ESTABLISHING A PENALTY OR FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

WHEREAS, on August 12, 2003, City Council adopted Ordinance No. 2003-16, which created a Planned Development District for a tract of land generally located at the northwest corner of the intersection of W. Water Street and N. Lewis Street, and otherwise known as 401 W. Water Street (the “Property”), within the City of Kerrville; and

WHEREAS, Ordinance No. 2003-16 authorized the Property to be developed and used as a Planned Development District for Personal Services I (beauty parlor/barber shop); and

WHEREAS, the owner of the Property seeks to continue the use of the Property for Personal Services I, but wants the City’s existing sign regulations (Sign Code) to apply to the Property; and

WHEREAS, City staff recommends that City Council repeal Ordinance No. 2003-16, hold a public hearing, and adopt an ordinance creating a new Planned Development District on the 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 Personal Services I (beauty parlor/barber shop) use, 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. 2003-16 is repealed.

SECTION TWO. The Property, described below, is hereby removed from the “R-1A” Single Family Residential District and placed in a newly created “Planned Development District” for Personal Services I (beauty parlor and/or barber shop):

Being Lots 15 and 16, Block 16, Westland Place Subdivision, an addition to the City of Kerrville, Texas, the plat of which is filed of record at Volume 1, Page 26, Real Property Records of Kerr County, Texas

said “Planned Development District” for Personal Services I (beauty parlor and/or barber shop) being subject to the same use and development regulations of an “RT” Residential Transition District as well as the additional use and development regulations set forth in Section Two, below.

SECTION THREE. Should the Property continue to be used for Personal Services I, such use and services shall be solely limited to a beauty parlor and/or barber shop, as those terms are defined within the City’s Zoning Code; in addition, the use is subject to the following additional conditions and regulations:

- A. Site Plan: The development of the Property must be in accordance with the Site Plan attached hereto at **Exhibit A** and incorporated herein by reference.
- B. Signage: The location, size, type, and maximum area for each sign must be in accordance with the City’s sign regulations in existence at the time of permitting.
- C. Parking: On-site parking is limited to the rear of the property and may not be located closer than ten feet (10.0’) from the property located at 405 West Water Street (Lot 14, Block 16, Westland Place Subdivision).
- D. Expansion of Use: The use may not be expanded beyond that area indicated in the Site Plan. Thus, the building presently located on the property may not be expanded in any manner nor may any additional structure be built or moved onto the property.

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

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

AGENDA ITEM: 3B **FOR AGENDA OF:** August 7, 2014

DESCRIPTION: Public hearing, consideration, and action concerning proposed amendments to “Type B Screening” found in Article 11-1-18 “Special Screening Regulations”, Section (e) of the City of Kerrville’s adopted Zoning Code.

APPLICANT(S): City of Kerrville Staff

ATTACHMENT(S): Example Map & Ordinance

SUMMARY STATEMENT

This item is to evaluate the “Type B” Screening requirement found in Art. 11-I-18 of the current zoning code.

Type B screening consists of a 6’ tall privacy fence and a 50’ buffer area that prohibits the following:

1. Construction of buildings
2. Placement of storage areas and dumpsters
3. Location of Parking Spaces

Type B screening is required for any non-residential property located adjacent to a residential zone (the RT district is a residential zone) and for any commercial property with a category 6 or greater that is located in a commercial district but is adjacent to a residential land use.

The following land uses, located in a commercial district, would be required to install Type B screening, if a single-family home was located adjacent to their property (even if no residential district is adjacent to the property):

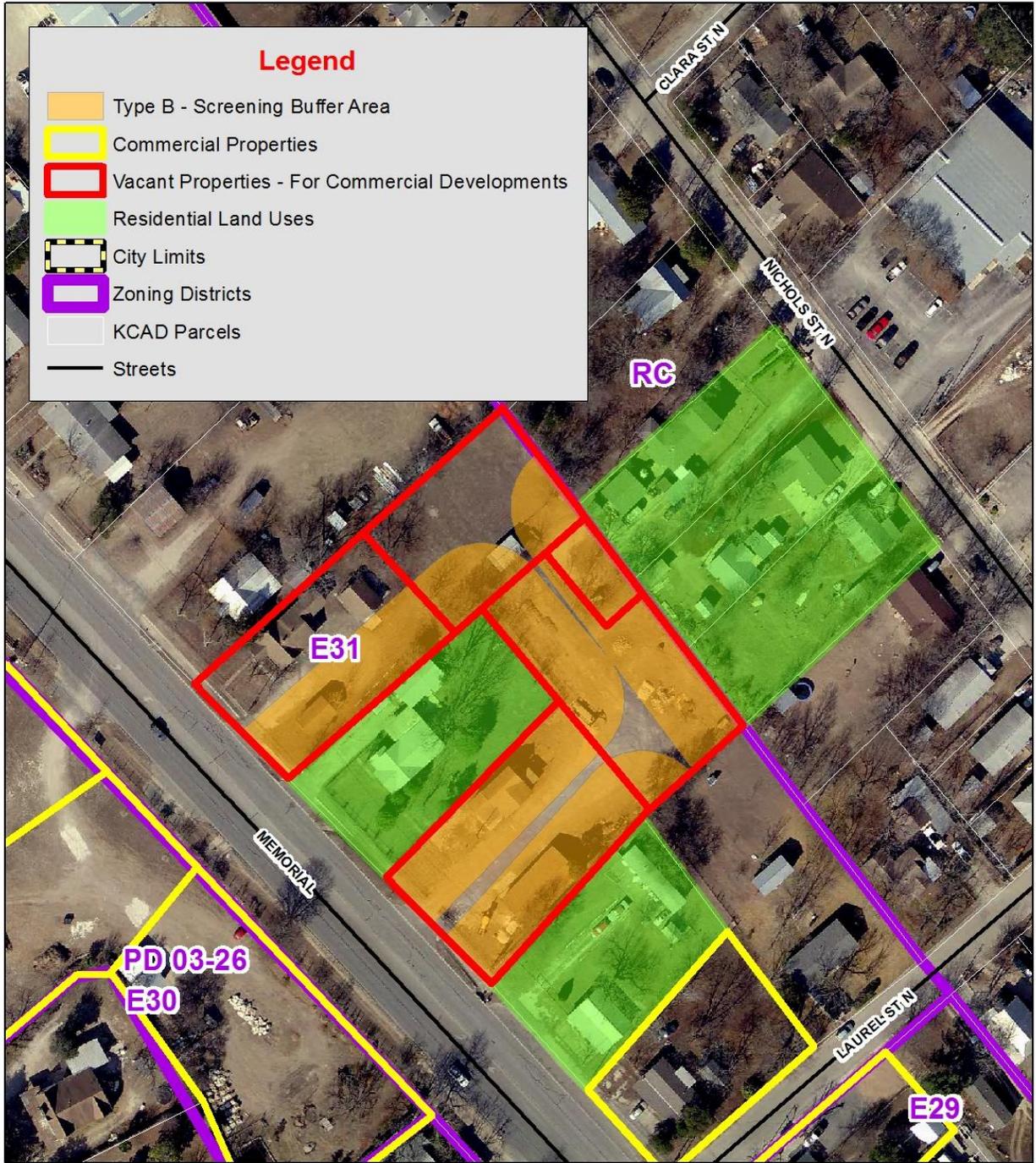
1. Business Services I
 - a. bail bonding agencies;
 - b. bicycle repair shops;
 - c. cablevision, radio, and television stations;
 - d. camera repair shops;
 - e. commercial art, photography, art and graphics;
 - f. employment agencies;
 - g. gunsmith and locksmith shops;
 - h. Job and vocational training centers;
2. Business Services II

- a. appliance sales or repair, used;
 - b. automotive towing services;
 - c. blue printing and photo copying services;
 - d. building cleaning services;
 - e. car washes;
 - f. commercial testing laboratories;
 - g. disinfecting and exterminating services;
 - h. laundry services;
 - i. funeral service and crematories;
 - j. newspapers;
 - k. photofinishing laboratories;
 - l. protective services, non-governmental;
 - m. refrigeration/air conditioning service and repair;
 - n. repossession services;
 - o. septic tank cleaning service;
 - p. sign painting and outdoor advertising services;
3. Personal Services – II
- a. guidance services;
 - b. kennels with a maximum boarding capacity of less than twelve (12) animals; mini-storage;
 - c. residential care services;
 - d. self service Laundromats; and
 - e. veterinary services
4. Retail Trade I
- a. sales or rental of new or use merchandise, except used appliances;
 - b. beverage sales for off-premise consumption;
 - c. businesses primarily engaged in the sale, rental, or repair of used furniture;
 - d. businesses primarily engaged in the sale of storage buildings.
5. Institutional and Public Assembly
6. Restaurants - General and Limited

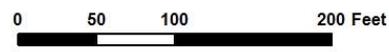
The following map shows an area on Memorial Hwy near Loop 534. This area is located in a commercial district with multiple single-family homes. The Development Services Department has received many inquiries concerning properties located in this area that are available for purchase. Based on the Type B screening requirements most individuals have only 1 option to develop, and that is seeking out variances. Due to the large number of properties affected by this regulation staff has begun the process of looking at amendments to the code in order to facilitate development of commercial areas without putting the burden on property owners to seek out such variances.

As you will see on the following map, commercial properties (highlighted in red) which are adjacent to residential properties (highlighted in green) would require a 50' buffer on all property lines adjacent to a residential land use. This buffer area (highlighted in orange) is required even when the residential use is fully located in a commercially zoned district. After application of the 50' buffer area the properties in question become virtually undevelopable for anything other than residential. This restriction makes redevelopment difficult and hinders a landowners ability to utilize the property to its highest and best use, even though those uses are permitted by right in the zoning district.

Type B Screening - Memorial Hwy & Loop 534 Area



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.



1 inch = 100 feet



Based on an analysis of the code and the effects “Type B Screening” has on commercial property, the Zoning Ordinance Input Committee recommended amending the “Type B Screening” regulations by deleting the requirement for a 50’ buffer area and requiring an 8’ tall privacy fence.

Although the 50’ buffer area would be deleted a commercial property would still have to adhere to standard setbacks, which range from 20’-30’ for the front/rear setbacks and 5’-12.5’ for side setbacks.

RECOMMENDED ACTION

1. Open the required public hearing and receive comments.
2. Render a decision concerning the proposed text amendments as highlighted in the attached ordinance.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2014-____**

AN ORDINANCE AMENDING THE CITY’S “ZONING CODE” BY AMENDING ARTICLE 11-I-18 “SPECIAL SCREENING REGULATIONS” TO CHANGE SOME SCREENING REQUIREMENTS APPLICABLE TO PROPERTIES WITH COMMERCIAL USES LOCATED ADJACENT TO PROPERTIES WITH RESIDENTIAL LAND USES; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2000.00); AND ORDERING PUBLICATION

WHEREAS, pursuant to Texas Local Government Code Sections 211.006 and 211.007, notice has been given to all parties in interest and citizens by publication in the official newspaper and otherwise, of a hearing which was held before the City Council on August 12, 2014, which considered a recommendation from the City of Kerrville (“City”) Zoning Ordinance Input Committee and a report of the City’s Planning and Zoning Commission regarding its recommendations on an ordinance, the adoption of which will result in revisions to Articles 11-I-18 of the City’s Zoning Code which will amend some of the regulations with respect to the screening requirements for properties with commercial uses located adjacent to properties with residential uses; and

WHEREAS, such public hearing was held in the Council Chambers beginning at approximately 6:00 p.m. on August 12, 2014, as advertised; and

WHEREAS, after a full hearing, at which all parties in interest and citizens were given an opportunity to be heard; and after receiving and considering the recommendations of the Planning and Zoning Commission and the City staff; and after considering among other things, the character of the various areas of the City and the suitability of particular uses in each area; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City, the Council finds it to be in the best interest of the health, safety, morals, and general welfare of the City of Kerrville, Texas, to amend the City’s Zoning Code to revise Article 11-I-18 as provided herein;

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

SECTION ONE. Article 11-I-18 “Special Screening Regulations”, subsection (e), of the City’s Zoning Code is amended by adding the language that is underlined (added) and deleting the language that is stricken and bracketed (~~[deleted]~~) as follows:

“Art. 11-I-18 SPECIAL SCREENING REGULATIONS

:
:

(e) Type “B” Screening: Type “B” Screening shall consist of:

- (1) a screening fence built to the same specifications as required for Type "A" Screening with a minimum height of eight (8) feet, and
- (2) ~~prohibition of construction of any building, parking area, or storage area within fifty feet (50') of the property line adjacent to the property the use of which is in a more restrictive use category.~~

SECTION TWO. The provisions of this Ordinance are 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 expressly repealed to the extent of any such inconsistency or conflict.

SECTION THREE. 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, 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 FOUR. The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Section 1-9, Chapter 1 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 FIVE. Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City's Charter, the City Secretary 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.

SECTION SIX. This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07b. of the City Charter.

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

(signatures continue on following page)

ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:

Michael C. Hayes, City Attorney

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

AGENDA ITEM: 4A

FOR AGENDA OF:

August 7, 2014

DESCRIPTION: Consideration and action concerning a request for “Alternative Screening” for an approximate 4.23 acre tract of land out of the Florentine Lara Survey No. 123, Abstract No. 225, located at 1834 Junction Highway.

APPLICANT(S): David Naredo

ATTACHMENT(S): Location Map, Proposed Site Plan, and Photos

SUMMARY STATEMENT

The applicant is seeking “Alternative Screening” for the property located at 1834 Junction Highway. Currently the property is being redeveloped into a restaurant and based on article 11-1-18 of the current zoning code “Type B Screening” is required.

This screening type requires a 6’ privacy fence be constructed along all property lines that are adjacent to residentially zoned properties. In addition a 50’ buffer area is also required along these property lines. The location of the redevelopment satisfies the 50’ buffer requirements, however the applicant would like the P&Z Commission to approve the use of existing natural vegetation in lieu of constructing a 6’ privacy fence.

The zoning code allows P&Z to approve “Alternative Screening” as long as the proposed screening is as effective as the required 6’ privacy fence. As you can see from the photos the existing vegetation (tree line) starts roughly 100’ from the location of the residential zoning district and would be as effective as a 6’ privacy fence.

Based on the fact that there is roughly 100’ of trees between the facility and the residential zoning district and the fact that the existing vegetation is just as effective a 6’ privacy fence, staff recommends approval of the alternative screening request.

RECOMMENDED ACTION

1. Open the floor for comments (not a required public hearing).
2. Render a decision concerning the requested “Alternative Screening”.

P&Z Case #2014-030 Alternative Screening Request Location Map



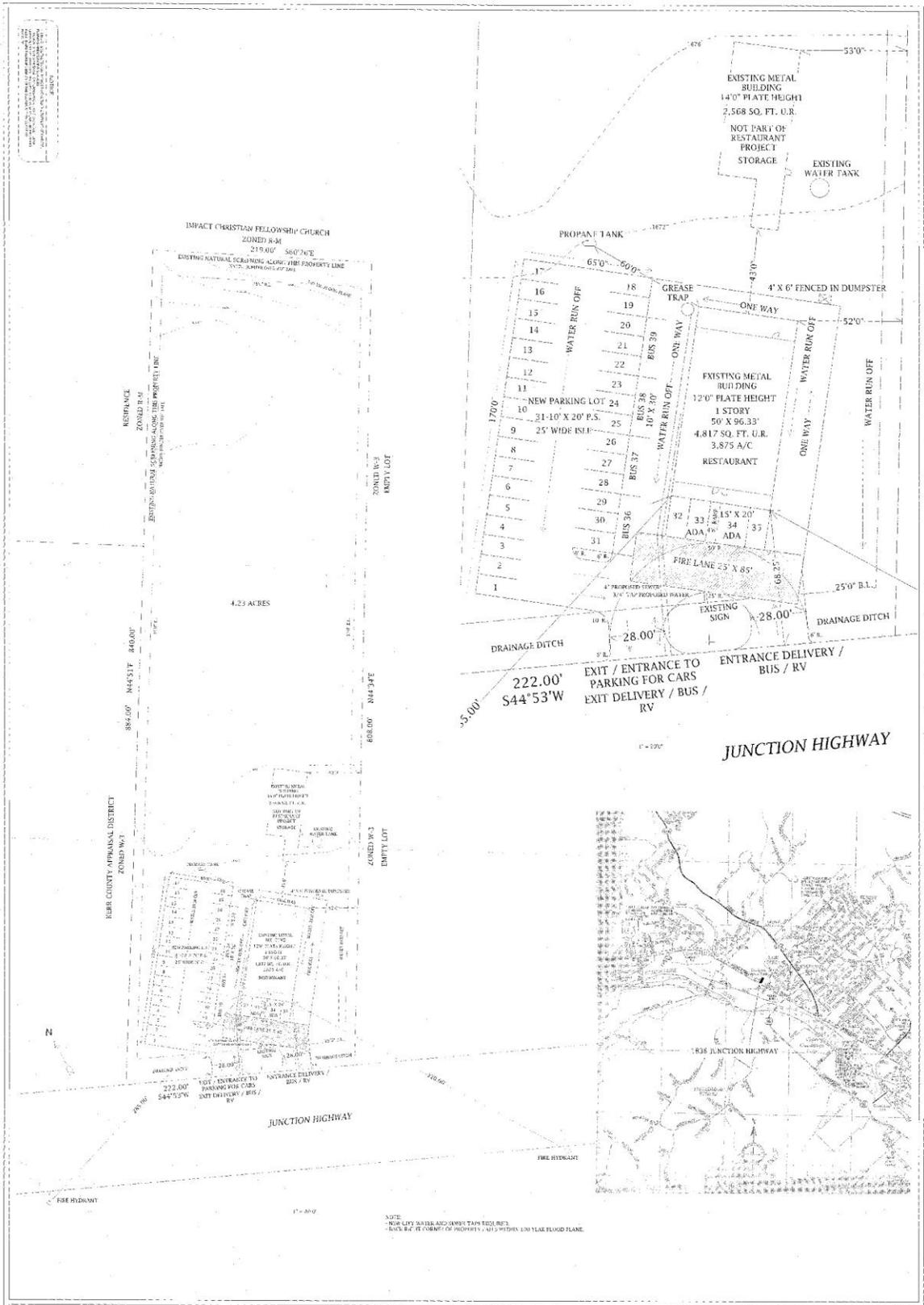
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only approximate relative locations.

0 100 200 400 Feet



1 inch = 200 feet





SHEET: A-2	SCALE: 1" = 40'	DATE: 7/23/2014	DRAWINGS PROVIDED BY: ATHENS DESIGNS 2505 1/2 Gout Creek Rd. Kerrville, Texas 78028 (830) 896-0492	PROJECT DESCRIPTION: BROKEN STONE PIZZA 1838 JUNCTION HWY. KERRVILLE TEXAS	SHEET TITLE: REVISION SITE PLAN	<table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DESCRIPTION	BY	DATE								
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