

**City of Kerrville Planning & Zoning Commission Agenda**  
**Thursday, August 7 2008 4:30 p.m.\***

**City Hall City Council Chambers, 800 Junction Highway, Kerrville, TX**

The meeting place has wheelchair accessibility and available accessible parking spaces.  
Please call the City of Kerrville Planning Division at (830) 792-8354 forty-eight hours (72)  
before the meeting to request accommodations.

1. **\*4:15 p.m. Pre-Meeting Session, City Council Chambers**  
Review of today's agenda items between Staff and the Commission. No action will be taken and there is to be no discussion between the Commission and the applicant(s) or other audience.
  
2. **4:30 p.m. Call to Order** Page  
Chairperson calls the meeting to order; roll call.
  
3. **Visitor/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.)
  
4. **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.
- 4A. **Approve the minutes from the meeting of July 17, 2008.** 2
  
5. **Public Hearing**
- 5A. **Variance Request: Sign Regulations** – A variance request to allow additional signage, exceeding the permitted allowable size, for the sign at 1305 Sidney Baker. Zoned: GTW. Applicant: Villa Clark Associates. (File No. 2008-31) 8
  
6. **Staff Reports** 33
  - 6A. Future Agenda Items. Applicant: Senior Planner
  - 6B. Director's Report: Director of Development Services
  
7. **Adjourn** - The next scheduled meeting is Thursday, August 21, 2008.

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

**AGENDA ITEM:** 4A **FOR AGENDA OF:** August 17, 2008  
**DESCRIPTION:** Approval of minutes of July 17, 2008.  
**APPLICANT(S):** Planning and Zoning Commission Secretary  
**ATTACHMENT(S):** Minutes

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The Commission Secretary recommends approval of the proposed minutes

**MEMBERS PRESENT:**

Andy Phillips, Chairperson  
Jim Kessler, Vice Chairperson  
Harold Buell, Commissioner,  
T. Justin MacDonald, Commissioner

**MEMBERS ABSENT**

George Hager, Commissioner

**COUNCIL LIAISON PRESENT**

Bruce Motheral, Council Liaison

**STAFF PRESENT:**

Kevin Coleman, Director of Development Services  
Gordon Browning, Senior Planner  
Trina Ramirez, Planning and Zoning Commission Secretary

**1. CALL TO ORDER:**

On June 17, 2008, the Kerrville Planning and Zoning Commission regular meeting was called to order at 4:32 p.m. in the City Hall Council Chambers, 800 Junction Highway.

**2. ELECTION OF A CHAIRMAN AND VICE – CHAIRMAN**

Cmr. Kessler nominated Cmr. Phillips for Chairman; motion was seconded by Cmr Buell and passed 4-0.

Cmr. Phillips nominated Cmr. Kessler for Vice-Chairman; motion was seconded by MacDonald and passed 4-0.

**3. VISITOR/CITIZENS FORUM:**

**4. CONSENT AGENDA**

4A. Approval of the minutes from the meeting of June 5, 2008.

Cmr. Buell moved for approval of the minutes; subject to corrections; motion was seconded by Cmr. Kessler and passed 4-0.

4B. **Final Plat: Evans Addition** – A one (1) lot 2.51 acre tract located at the northwest corner of Knapp Road and Junction Highway (SH 27) across from Wal-Mart. Zoned: GR. Applicant: Domingues and Associates. (File No. 2008-21)  
Mr. Browning presented the findings of fact to the Commission.

Cmr. Kessler discussed his concern for the intersection of this building and if there can be a four way traffic light.

Gordon Browning, Senior Planner discussed with the Commission that staff is working with the developer on concerns regarding the traffic light intersection. He also stated that there will be a replat of the lot prior to development.

Cmr. Phillips questioned if there was any reason to table this till the owners are present due to the concerns that arose at the June 5, 2008 meeting.  
Gordon Browning, Senior Planner, stated that the owner and the applicant have meet with him and their concerns have been taken care of and are aware that the Commission is moving forward with the final plat.

Cmr. Kessler moved to approval the final plat; motion was seconded by Cmr. Buell and passed 4-0.

## **5. PUBLIC HEARING**

5A. . **Replat: Sutton Addition** – A replat of Lots 1 and 2, Block One, Sutton Addition, a 4.44 acre tract located at the east corner of the SH 27 and Loop 534 intersection. Zoned: E-29. Applicant: Voelkel Engineering and Surveying. (File No. 2008-26)  
Mr. Browning presented the findings of fact to the Commission.

Cmr. Phillips opened the public hearing at 4:43 p.m. No person Spoke. Cmr. Phillips closed the public hearing at 4:45 p.m.

Cmr Buell moved for approval of the replat as submitted; motion was seconded by Cmr. MacDonald and passed 4-0

5B. **Comprehensive Plan Amendments** – Consider a recommendation to the City Council of a request to amend the following sections of The Kerrville Comprehensive Plan (Link to the Future), Community Profile, Link 2; Land Use, Link 3; Central City, Link 7; and related maps. Applicant: City of Kerrville. (File No. 2008-28)

Cmr. Phillips opened the public hearing at 4:46 p.m.

Kevin Coleman, Director of Development Services, asked for the Commission to make a recommendation to City Council regarding the Comprehensive Plan.

Cmr. MacDonald state that the current draft is the red lined version, but the one that will be proposed to City Council will only present the recommendations.

### **The changes made in Link 3: Land Use**

Bruce Motheral, Council Liaison, stated that P&Z Joint meeting with the Comprehensive Plan Update Committee they had discussed to make Harper Road a commercial district and it appears that it did not make it on the revised map.

Cmr MacDonald stated that the Comprehensive Plan Update Committee spent several hours debating if that area should be changed to commercial and decided that in the planning horizon of the plan it should remain residential.

Cmr. Phillips question if the present map encourages, discourages or not speak to the traffic situation on Harper Road on what we can expect to speed in the future or things to that nature.

Walt Roetter, Comprehensive Plan Update Committee –Chairman, explained to the P&Z Commission that the CPUC charge did not include the Thoroughfare Plan section. The CPUC looked at what is the most probable land use over the next twenty years based on current land use, projection of growth and change.

Cmr. Kessler requested to change the Goals, Objectives and Action Statements to read Goals, Objectives, Policies and Action statements since it states all four.

Cmr. Kessler requested to have 3.1.1. to read Ensure that development will not impair the adequacy of public facilities and services.

Cmr. Kessler recommended changing 3.1.5. a., second sentence second line that reads projects targeted at eliminating identified log jams to change log jams to problems.

Walt recommended restrictions instead of log jams or problems.

Cmr. Kessler recommended adding the word “Encourage to Growth Areas in Kerrville and its ETJ” letter E. sentence number 2 to read “Encourage Light Commercial adjacent to SH 16.”

Cmr. Kessler recommended adding the word “development” in letter F sentence number 3 to read “Encourage the continued development of mixed-use resort/hotel/restaurants setting near.”

Cmr Phillips recommended adding “behind Holdsworth frontage.” In letter G sentence number 1 to read “Primarily residential, behind Holdsworth frontage.”

Cmr Kessler recommended changes to Land Use Classifications section. In the section needed in the definitions to add “an area” where needed.

Under Neighborhood Commercial Cmr Kessler recommended to read “An area intended to provide for small-scale, limited impact retail restaurant and office uses that are compatible with and to low and medium density residential neighborhoods which provide retail and personal services needs to the adjacent/ nearby neighborhood.”

The P&Z Committee and Walt Roetter CPUC Chairperson agreed on the changes made in Link 3-Land Use.

### **The Changes made to Link 7: Central City**

Cmr Kessler recommended changing Action 7.1.2. letter a. to read “ Physically connect the Guadalupe River Corridor to the Central City and other areas within Kerrville by pathways for pedestrian and non-motorized traffic.

Cmr Kessler recommended to omit improve in Action 7.1.2. letter b.

The P&Z Committee and Walt Roetter CPUC Chairperson agreed on the changes made in Link 7-Central City.

### **The Changes made to Link 2: Community Profile**

Cmr. Kessler recommended under Estimate of Current Population (December, 2007) to read on the second line of the first paragraph “This estimate is consistent with the estimate presented in the 2002 Comprehensive Plan, projected forward, and is consistent with the number of residential units currently served by City water meters.

Cmr Kessler recommended under Estimate of Future Growth to Year 2027- Assumptions to read “Multiple variable affect estimated future growth, and are based on assumptions made at the time of the projection.”

Cmr Kessler question the Estimate of Future Growth to Year 2027 – Projections that say “At full built out, this represents a potential population increase of 19,500. He wanted to know how Kevin got that number.

Kevin Coleman, Director of Development Service, reviewed the process used.

The P&Z Committee and Walt Roetter CPUC Chairperson agreed on the changes made in Link 2:Community Profile.

Cmr. Phillips closed the public hearing at 5:34 p.m.

Cmr Kessler moved to recommend to City Council for approval of the Comprehensive Plan

Amendments with the changes recommended by the Commission; motion was seconded by

Cmr. MacDonald and passed 4-0.

5C. **Zoning Code Amendment** – Consider a recommendation to the City Council to amend Article 11-I-22, Board of Adjustment, of the Zoning Code of the City of Kerrville

to re-title the Article and recreate the Planning and Zoning Commission, establish membership, term limits and attendance requirements, organization and duties and powers of the Commission. Applicant: City of Kerrville. (File No. 2008-29)

Cmr. Phillips opened the public hearing at 5:35 p.m.

Kevin Coleman, Director of Development Service, presented to the Commission a power point of the zoning code amendment changes.

The Commission and staff discussed if residents in the ETJ should be able to be an alternate members of the Planning and Zoning Commission.

Bruce Mother, Council Liaison, stated that because the City of Kerrville has authority in the ETJ the community in the ETJ should have the authority to serve on the Planning and Zoning Commission.

Cmr. Kessler had concerns regarding members that would be chosen from the ETJ because the City has different rules and guideline for citizens than in the ETJ. Another concern was that we pay taxes and we can vote they don't

Kevin Coleman, Director of Development Service, agreed to review this option with legal.

Bruce Motheral, Council Liaison, recommended on Elections- to remove either, put a period after membership and delete the rest after membership so it reads "The Commission may elect such other officers as it deems necessary from the membership."

The Committee recommended on Alternate Members: last sentence to read "During their term alternate members will serve on the Commission in place of an absent member when requested to do so by the chairman so that all cases to be heard by the Commission shall be heard by a minimum of four (4) members when possible.

The Committee and staff reviewed the terms of appointment.

The Committee and staff discussed concerns on the Quorum information. Staff stated that they would look into how to word that when they have to have 4 for a quorum to be able to vote for the agenda item.

Cmr. Kessler question if a member can abstain.

Cmr. Phillips stated that the Procedure Rules states 3.4 Members Not Voting. that any member refusing to vote, and not excused from voting due to a conflict of interest, shall be considered in violation of these rules and will be recorded in the minutes as a vote on matters brought before the board, the City Council may consider further action. He also stated that in Art. 11-1-22 Commission and Board established on Disqualification from voting are different from the Procedural Rules Kerrville City Boards.

Kevin Coleman, Director of Development Service, will find the answers to the questions on abstaining.

Cmr. Phillips closed the public hearing at 6:17 p.m.

Cmr Kessler moved to recommend to City Council for approval of the Ordinance with the changes recommended by the Commission; motion was seconded by Cmr. MacDonald and passed 4-0.

**5D. Zoning Code Amendment** – Consider a recommendation to the City Council to amend Article 11-I-3, Definitions and Interpretation of Words and Phases, to add definitions; Article 11-I-12, Manufactured Homes, Mobile Homes, Trailers and Recreation Vehicles, to amend Section (f) Temporary Construction Trailers and Buildings and to add a new Section (g) Temporary Residential Sales Office – Model Home and Article 11-I-13, Conditional Use Permits, by deleting Section ( c )(2) Real Estate Sales Office. Applicant: City of Kerrville. (File No. 2008-30)

Cmr. Phillips opened the public hearing at 6:18 p.m.

Kevin Coleman, Director of Development Services, explained to the Committee the proposed amendments.

Cmr. MacDonald and Cmr. Kessler suggested changing the removal of the building or trailer within fourteen (14) days of Certificate of Occupancy rather than ten days because it is not always feasible.

Cmr. Phillips closed the public hearing at 6:25 p.m.

Cmr Buell moved for recommendation to City Council for approval of the Zoning Code Amendments with the changes to read “remove the trailer within fourteen days” instead of ten days; motion was seconded by Cmr. Kessler and passed 4-0.

## **6. STAFF REPORTS**

6A. Future Agenda Items/Project Update. Applicant: Senior Planner.

6B. Director’s Report. Applicant: Director of Development Services.

**7. Adjourn** – The next scheduled meeting is Thursday, August 7, 2008.

The meeting adjourned at 6:30 p.m.

ATTEST:

\_\_\_\_\_  
Andy Phillips, Chairperson

\_\_\_\_\_  
Trina Ramirez, Recording Secretary

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

**AGENDA ITEM:** 5A **FOR AGENDA OF:** August 7, 2008

**DESCRIPTION:** **Variance Request: Sign Regulations** – A variance request to allow additional signage, exceeding the permitted allowable size for the sign at 1305 Sidney Baker. Zoned: GTW (File No. 2008-31)

**APPLICANT(S):** Villa Clark Associates

**ATTACHMENT(S):** Applicant's Request and Support Materials, Application and Staff Response

History/Request:

- February 3, 2000 – Owner of property at 1305 Sidney Baker is granted a waiver to the Sign Regulations to allow a 690 square foot sign.
- April 23, 2008 – Sign application is submitted to add 38 square feet to existing sign at 1305 Sidney Baker.
- April 28, 2008 – Application reviewed by Planning Division and denied.
- April 29, 2008 – Building Inspection Division issues permit.
- May 14, 2008 – Building Inspection Division calls applicant and informs them that the sign permit was issued in error and not to proceed.
- July 7, 2008 – Application for variance is submitted.

Request:

An application submitted by Villa Clark Associates has been received requesting a variance to allow an additional 38 square feet to the sign at 1305 Sidney Baker. The applicant's justification for the request is there is not enough room (on the existing sign) for different businesses.

Procedure:

The City's Sign Regulations assigns the hearing and disposition of variances under those regulations to the Planning and Zoning Commission. Following a public hearing and review of the application and pertinent information, the Commission may grant the variance as presented, modify the request or approve with conditions or deny the request as submitted.

**FINDING OF FACT**

As noted above, this property was granted a waiver to the Sign Regulations in February 2000, to allow an increase in the available sign size from 200 square feet to 690 square feet. At the time, staff recommended approval of the waiver due to the street frontage of the property and the concern that one multi-tenant sign would "be more aesthetically pleasing than a proliferation of smaller wall signs or roof signs to advertise the various tenant spaces."

Providing every tenant in a multi-tenant shopping center a sign is not the purpose of the sign ordinance or justification for a variance. The applicant's request appears to be based on the perception that each lease space is entitled to a sign.

**RECOMMENDED ACTION**

1. Open the public hearing and receive comments, and
2. Render a decision on the requested variance.

### CITY OF KERRVILLE DEVELOPMENT SERVICES DEPARTMENT MASTER APPLICATION \*

\*Developers and builders are encouraged to meet with local property owners before project starts.

**PROPERTY INFORMATION:** (Please PRINT or TYPE for all permits)

Project Address Country Club Plaza <sup>1305 Sidney Baker</sup> Nearest Intersection Hwy 16 and Yorktown Blvd.  
Parcel # R13497 Survey - Abstract -  
Minor Plat/Subdivision Country Club Plaza Lot 1-A Block -  
Zoning Districts GTW Comprehensive Plan Designation Country Club Plaza

**OWNER/APPLICANT INFORMATION:** (Please PRINT or TYPE: For all permits)

Applicant/Authorized Agent Scott Cummings Phone 210-732-5335 FAX 210-732-5445  
Email Address: scott@doradodev.com  
Mailing Address 1305 Sidney Baker, Suite C City Kerrville State TX Zip 78028  
Property Owner Villa Clark Associates % Scott Cummings Phone 830-895-9999 FAX 830-792-1100  
Email Address: scott@doradodev.com & chrisgriffin@kvc.com  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Transaction Code: **840.01-6236**

Attach completed checklists for all projects

- |   |        |   |       |
|---|--------|---|-------|
| <input type="checkbox"/> Annexation (2 copies /2 petitions)   | No Fee | <input type="checkbox"/> Preliminary Plat (10 copies)       | _____ |
| <input type="checkbox"/> Administrative Appeal  | \$150  | <input type="checkbox"/> Final Plat (10 copies)             | _____ |
| <input type="checkbox"/> Preliminary Site Plan  | No Fee | <input type="checkbox"/> Preliminary Minor Plat (10 copies) | _____ |
| <input type="checkbox"/> Final Site Plan (5 copies)   | No Fee | <input type="checkbox"/> Final Minor Plat (10 copies)       | _____ |
| <input type="checkbox"/> Concept Plan (10 copies)   | \$500  | <input type="checkbox"/> Replat (10 copies)                 | _____ |
| <input type="checkbox"/> Eng. Construction Plans (5 copies)<br>(Grading, Paving, Water, Wastewater) | No Fee |   |       |

**PAID**  
JUL 7 2008  
City of Kerrville

Owner's Affidavit Required for: (Must attach to this Master Application Form)

- |  |                 |   |       |
|--|-----------------|---|-------|
| <input type="checkbox"/> Conditional Use Permit (CUP) Request<br>840.01-6236 \$300 | _____           | <input type="checkbox"/> Zoning Change Request<br>840.01-6236 \$300             | _____ |
| <input checked="" type="checkbox"/> Variance Request<br>840.01-6236 \$150          | <u>\$150.00</u> | <input type="checkbox"/> Comp. Plan Amendment Request<br>840.01-6236 \$300      | _____ |
| <input type="checkbox"/> Planned Development District Request<br>840.01-6236 \$300 | _____           | <input type="checkbox"/> Specific Use Permit (SUP) Request<br>840.01-6236 \$300 | _____ |

Please provide a basic description of the proposed project: TO INSTALL A LIGHTED CAN SIGN  
APPROXIMATELY 19' long x 2' Tall underneath THE EXISTING MARQUEE  
SIGN BY HWY. 27. AS THERE IS NOT ENOUGH ROOM, FOR DIFFERENT BUSINESS'S.

I hereby certify that I am the owner or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked. A building permit will b issued according to standards of the Standard Building Code.

Applicant's Signature: [Signature] Date: 7-2-08  
Permit Number: \_\_\_\_\_ Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

Guadalupe Signs  
1915 Junction Hwy.  
Kerrville, Texas 78028

To Whom It May Concern:

I was contacted by Chris Griffin on or about April 24<sup>th</sup>, 2008. He asked me to build him a sign to attach to the bottom of the existing marquee. I told him before I would begin that we would have to get a permit from the City of Kerrville. We applied for a permit and one was issued on May 2<sup>nd</sup>, 2008. At that time I took a deposit and started building the sign. I received a call a couple of weeks later from Steve Vanpatten telling me to stop producing the sign and to come in and talk to Gordon Browning. I went in and he said the permit was issued by mistake and we would have to apply for a variance to continue. So that is what Chris has decided to do.



Brian Fisher  
Owner of Guadalupe Signs

**DWAINE MACHANN**  
ATTORNEY AT LAW

222 Sidney Baker South, Suite 436  
Kerrville, Texas 78028-5983  
Telephone (830) 895-3950  
Telefax (830) 895-5200  
E-mail: dmachann@machannlaw.com

July 28, 2008

Mr. Gordon Browning  
City Planning Director  
City of Kerrville  
800 Junction Highway  
Kerrville, Texas 78028

Re: Sign Variance Application/ Country Club Plaza/ America Homes and Ranches

Dear Gordon:

I represent Joey Griffin dba America Homes and Ranches, and I plan to attend the Planning and Zoning meeting on August 7 on the variance request.

My client's Lease was signed on April 29 and provided for a 19' x 2' sign on the shopping center marquee. The City issued its sign permit on May 2 and construction of the sign commenced with Brian Fisher. A couple of weeks later Brian Fisher was contacted by the City and advised to stop sign production because a variance would be required for the sign. Approximately \$2,000 has been spent on the sign construction.

In our prior discussions, you advised me that we will need to show some exceptional circumstance to obtain a variance from the Commission.

We believe that exceptional circumstances exist in this situation for the following reasons:

1. The real estate business is very unique in that a significant percentage of its business is "walk-in" business. This is particularly true in a retirement/vacation destination such as Kerrville.
2. The leased premises are located behind the Advance Auto Parts premises and are not readily visible from Sidney Baker.
3. The lack of significant signage on the marquee will have a marked impact on the financial viability of the business.

Enclosed are 2 sets of photographs confirming the lack of visibility. The first set of photographs reflect no visibility whatsoever of the leased premises as one proceeds north on Sidney Baker. The second set of photographs were taken while driving south on Sidney Baker. The only

time that the America Home and Ranches sign on the leased premises is readily visible is immediately before you reach the Advance Auto Parts business.

Please note that the variance request is minimal. The shopping center marquee contains approximately 690 square feet of signage. The requested variance is for only an additional 38 square feet.

Request is made that this letter and the enclosed photographs be included in your Agenda to the Planning and Zoning members.

If you have any questions concerning this matter, please let me know.

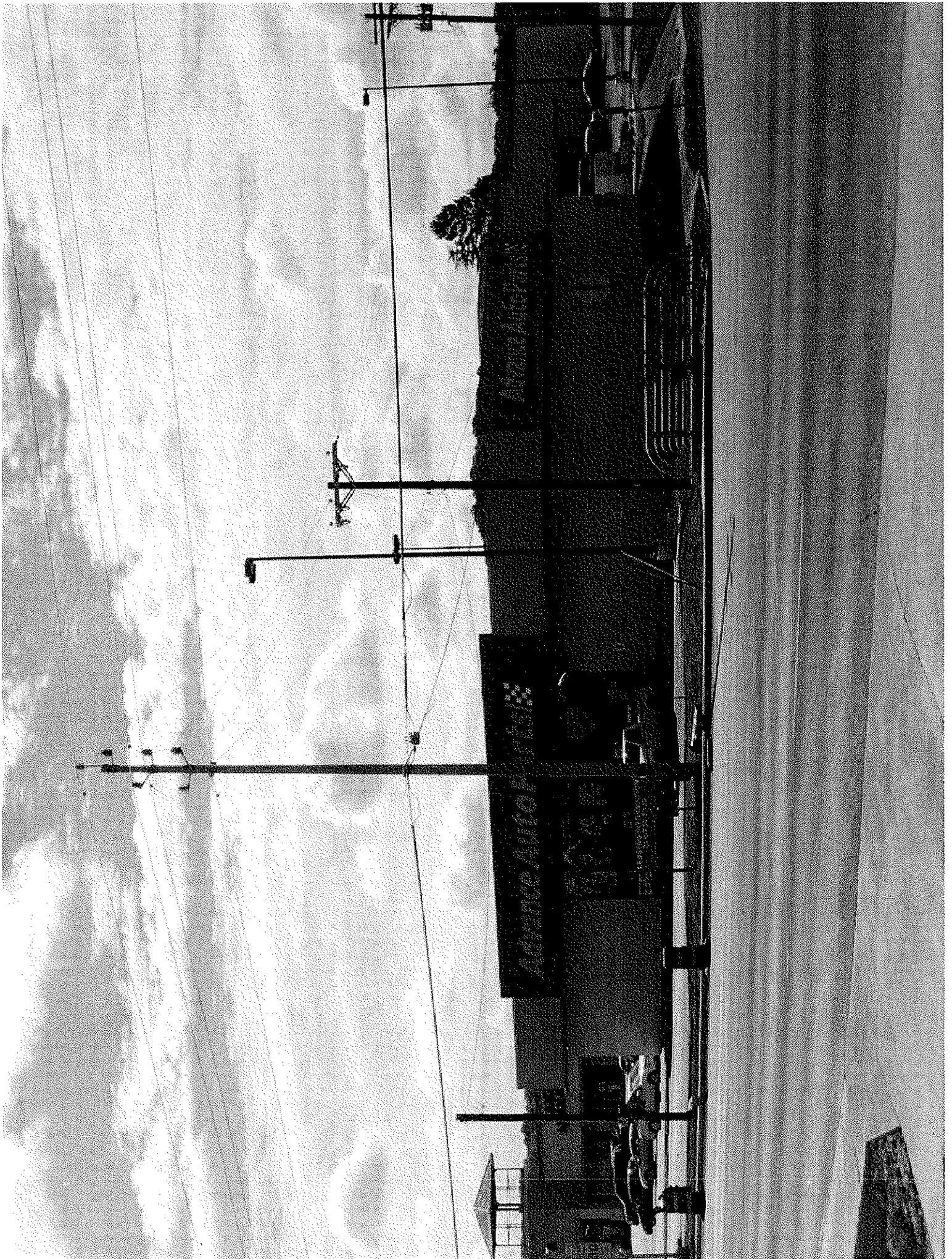
Sincerely,

A handwritten signature in blue ink, appearing to read "Dwaine Machann". The signature is fluid and cursive, with a large initial "D" and "M".

Dwaine Machann

DM/la  
Enclosure

cc: Joey Griffin  
America Homes and Ranches (w/Enclosures)





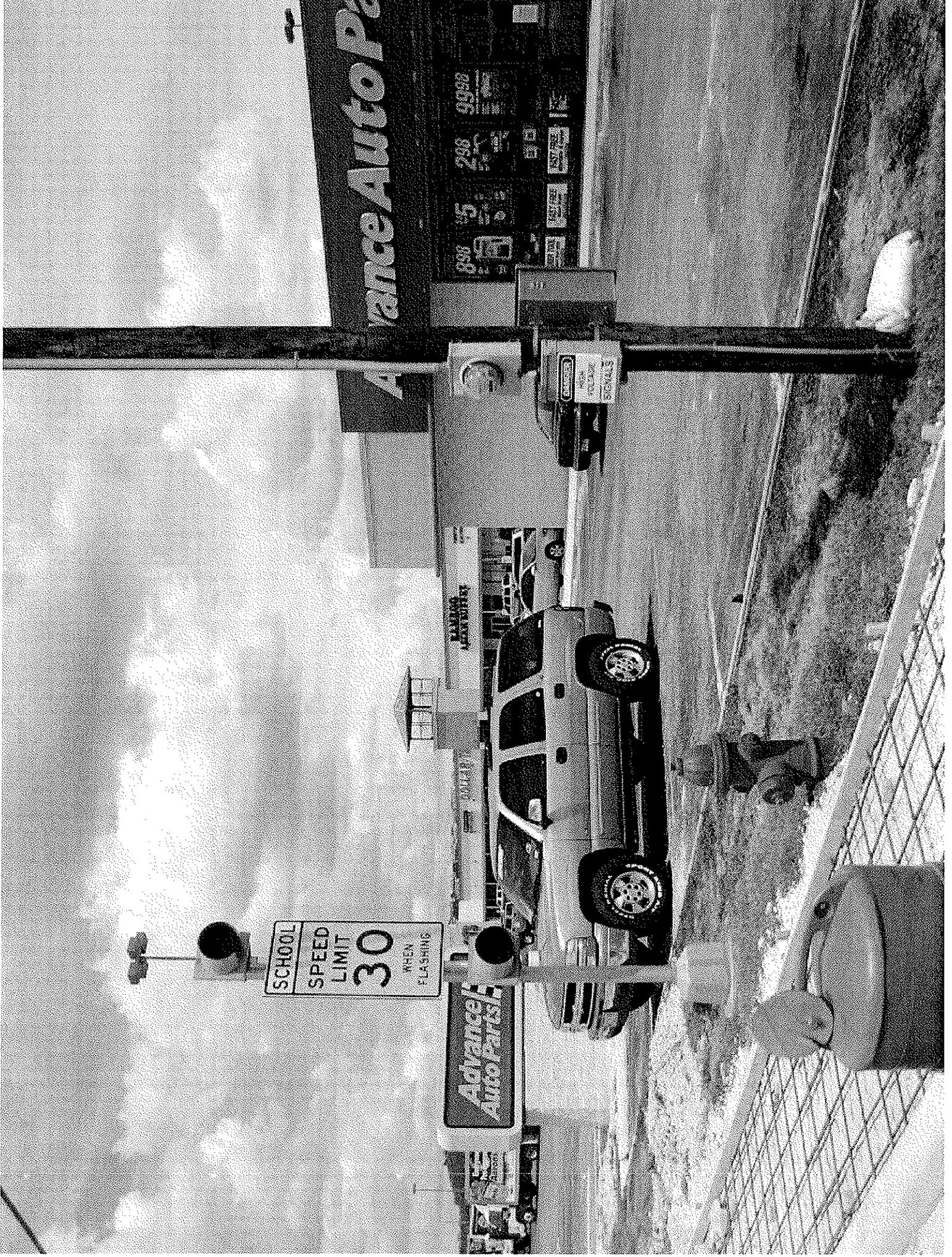
SCHOOL  
SPEED  
LIMIT  
30  
WHEN  
FLASHING

Advance  
Auto Parts

Advance Auto Parts

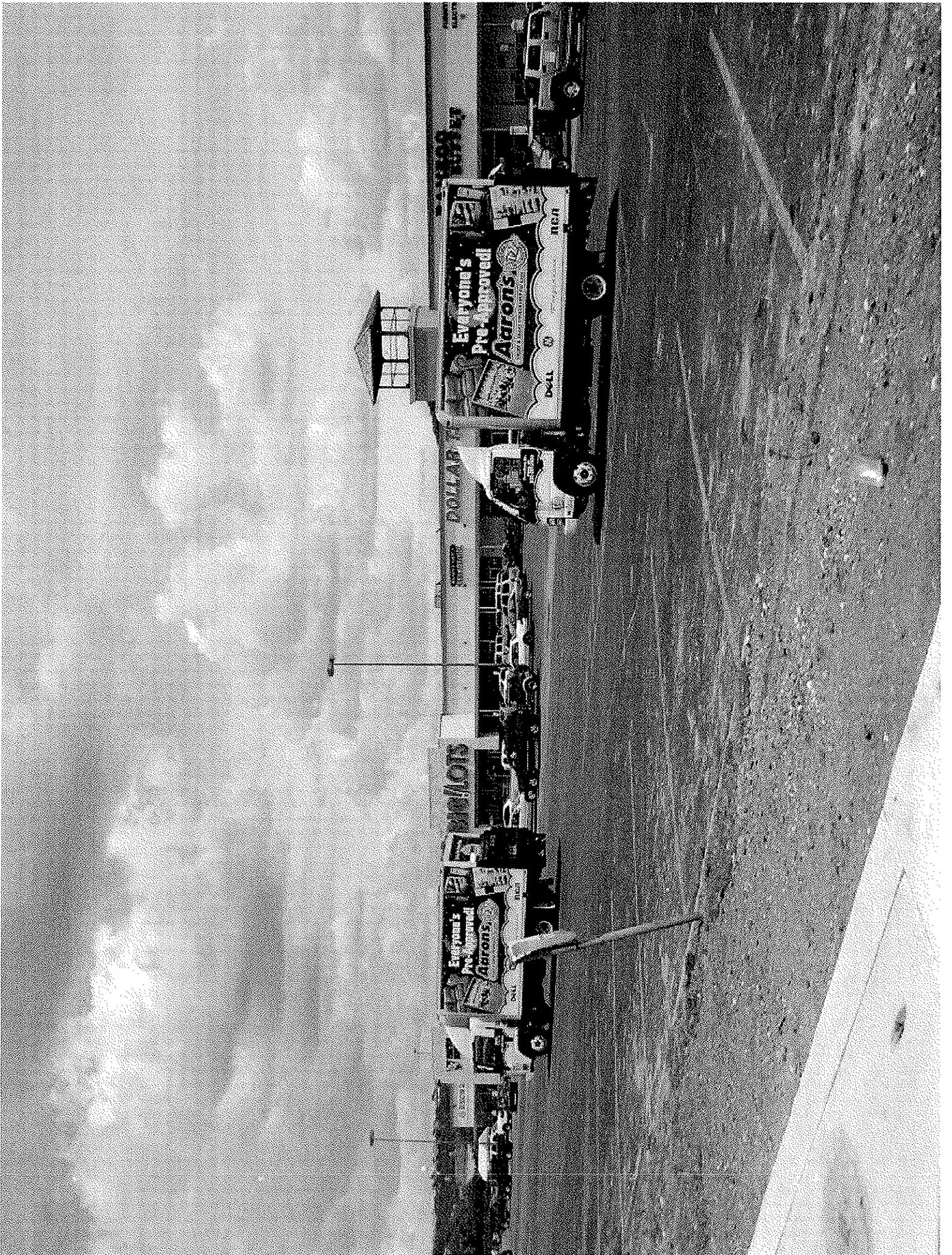
8300 15 200 9950  
SALES  
SERVICE  
REPAIRS

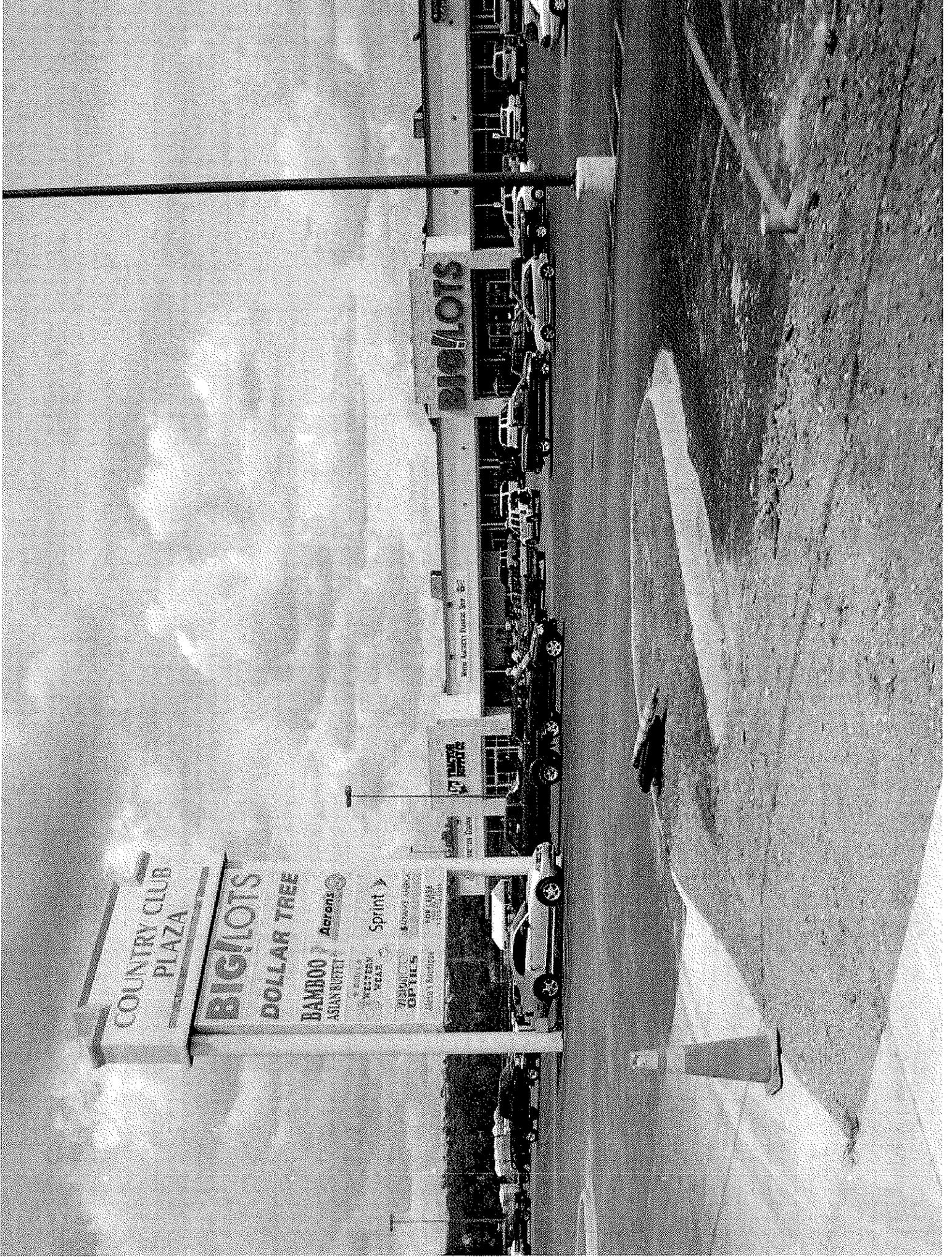
LANDING  
AREA

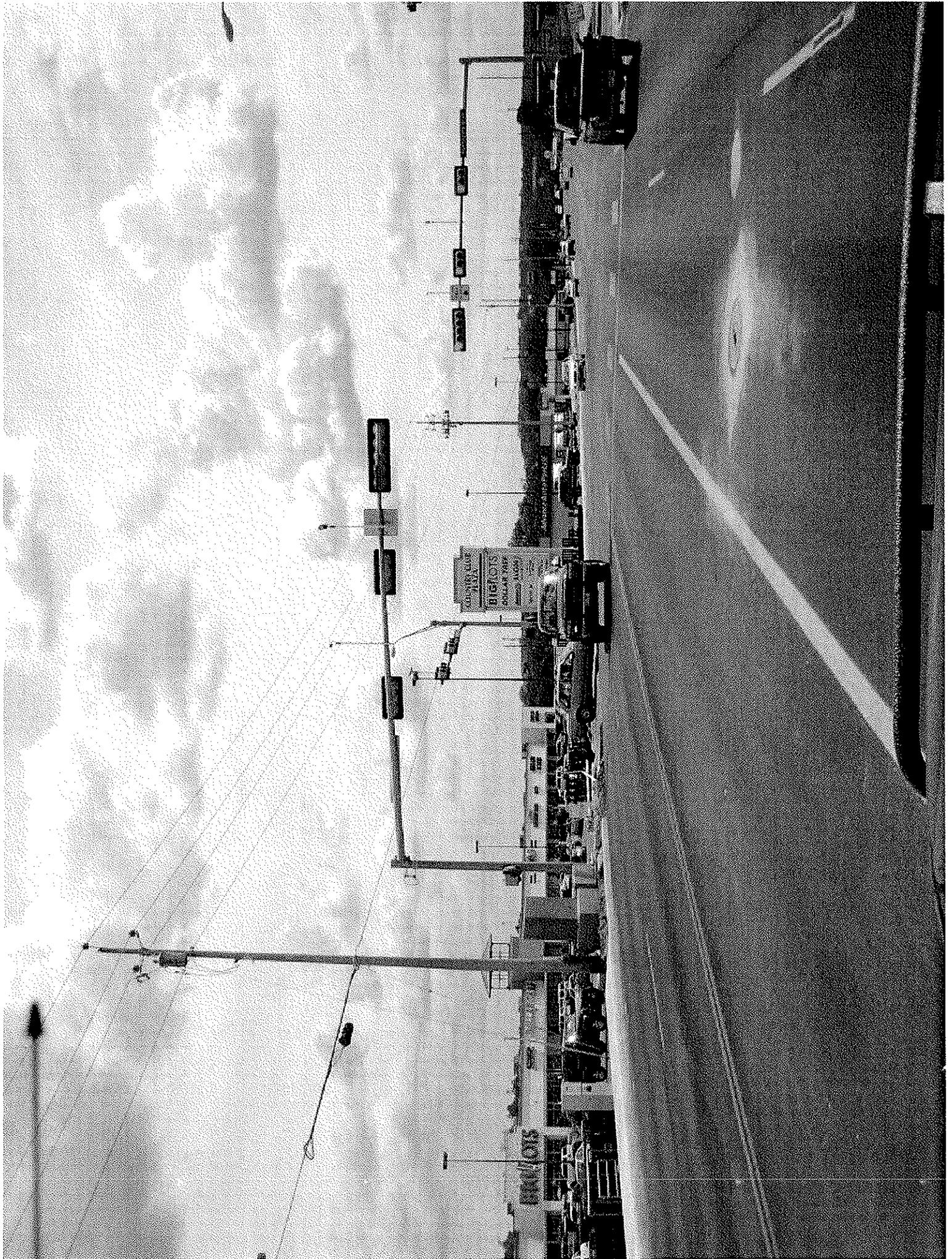


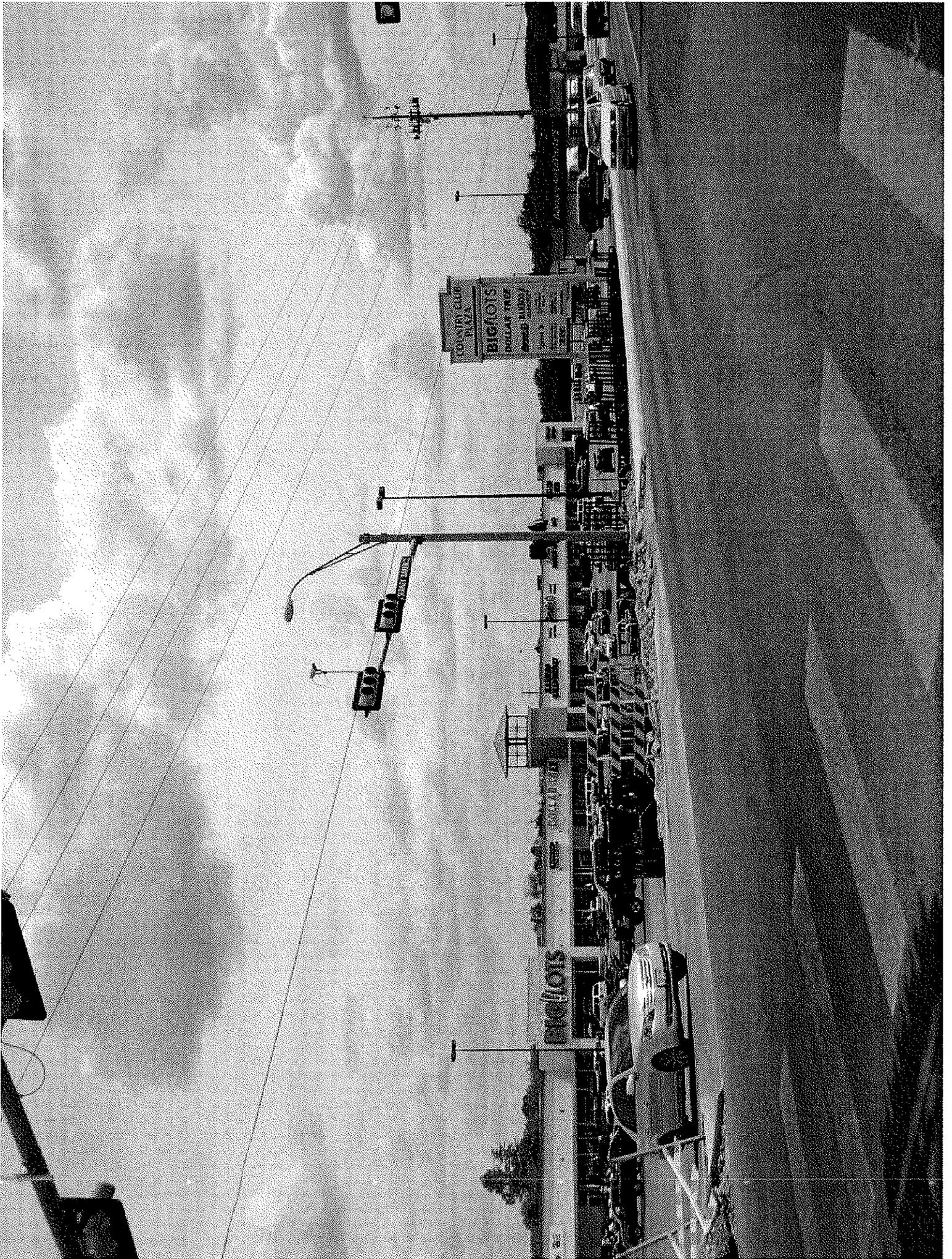


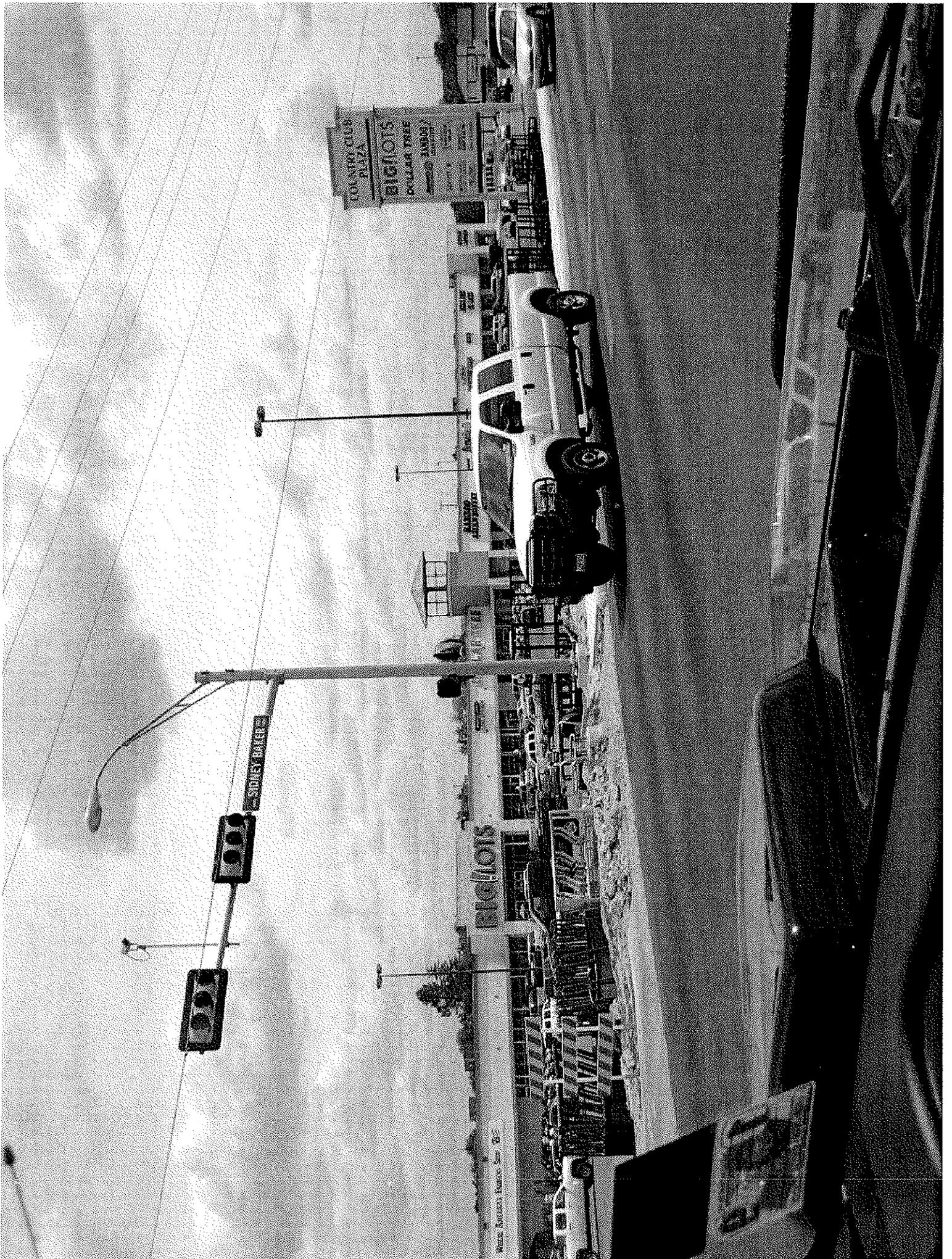














RESTAURANT CLUB  
PIZZA

SANDRO'S

DOLLAR TREE

RESTAURANT CLUB

PIZZA

SANDRO'S

DOLLAR TREE

RESTAURANT CLUB

PIZZA

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PIZZA

SANDRO'S

DOLLAR TREE

RESTAURANT CLUB

PIZZA





# SIGN PERMIT APPLICATION CITY OF KERRVILLE, TEXAS

ENTRIBDD

APR 23 2008

Project Address: 205 Gateway Center  
 Project Location: 1000  
 Applicant: Black Hills Administrative  
 Property Owner: Black Hills Administrative Phone: 817-271-1111  
 Mail Address: 1000  
 City: 1000 Phone: 1000  
 Types of Signs: Billboard, New Sign Billboard, New Sign  
Free Standing, New Sign Billboard, New Sign

Estimated cost of sign (if required): 2000

I, Black Hills Administrative, by signing this application, do hereby certify that the information concerning the above and correct in the best of my knowledge and ability.

I hereby agree to abide by any laws of the City of Kerrville sign ordinance of any other laws relating to the construction, alteration, or display of signs within the City of Kerrville and its jurisdiction as such set forth in the City Code.

I understand that a separate electrical permit may be required.

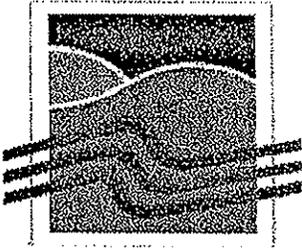
I understand that the issuance of this permit does not waive any of the regulations and ordinances that may be required in conjunction with this sign permit, which shall be the construction, alteration, and display of any sign by the owner, tenant, or anyone else in which the sign permit or other permits required prior to the issuance of any permit by the City of Kerrville is a violation of city codes and ordinances for which they are held liable regardless of my relationship to the building or sign or to the landlord, landlord's representative.

SIGNATURE OF OWNER OR CONTRACTOR: \_\_\_\_\_

City Use Only  
 TRANS# 860 10  
 016236 Permit Fee: \_\_\_\_\_ 016236 Permit Fee: \_\_\_\_\_ TOTAL \$ \_\_\_\_\_

Planned: \_\_\_\_\_ Inspections: \_\_\_\_\_  
 Engineering: \_\_\_\_\_  
 [Signatures]

APPROVAL \_\_\_\_\_ DATE \_\_\_\_\_



# City of Kerrville

## Plan Review Checklist

(This document is to be completed by City Staff and is not a permit)

ADDRESS OF PROPERTY 1305 SIDNEY BAKER

**SIGN ORDINANCE ORDINANCE REQUIREMENTS:**

(The Sign Ordinance can be viewed at [www.kerrville.org/planning](http://www.kerrville.org/planning))

Zoning: GTW Proposed Sign(s) Allowed? No

Notes:  
SEE ATTACHED 6/10

**BUILDING CODE COMMENTS/REQUIREMENTS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ENGINEERING DIVISION REVIEW COMMENTS/REQUIREMENTS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



April 28, 2008

Re: Sign application at 1305 Sidney Baker

In February 2000 the property owner requested and was granted a waiver to the sign ordinance to increase the size of the sign(s) for this tract from a maximum of 200 square feet to 690 square feet.

The current sign maximizes that allowed size.

Gordon



CITY OF KERRVILLE, TEXAS  
PLANNING AND ZONING COMMISSION

February 3, 2000

On Thursday, February 3, 2000, the Planning and Zoning Commission met in the City Hall Council Chambers at 800 Junction Hwy, Kerrville, Texas.

MEMBERS PRESENT:

Lindsay Duff, Chairman  
Joe Sanders, Commissioner  
Bill Fair, Commissioner  
Bob Miller, Commissioner  
Debbie Mossman, Commissioner

STAFF PRESENT:

Tim Dolan, Director of Planning and Development Services  
Michelle Bill, Secretary for Planning and Development Services

VISITOR=S LIST: On file in the Planning and Zoning office.

1. Call to Order
2. Roll Call - All present
3. Approval of Minutes  
Cr. Fair moved, seconded by Cr. Debbie Mossman to approve the minutes of January 20, 2000. All voted in favor and the motion carried that the minutes be approved upon corrections being made.
4. Visitor's Comments

5. Public Hearing

1. Sign Waiver Request of Ordinance 97-07, Sign Ordinance, regarding maximum height and area of signage on lots over 400 feet in width and variance of the number of signs allowed per lot.

Mr. Dolan presented that Mr. Cummings, owner of subject property located at 1305 Sidney Baker St. (Old Wal Mart property) has approached the Construction Development Services requesting:

1. A Waiver of Ordinance 97-07 Sec. 27.3 (D) to allow for an increase in the overall size of signs on lots over 400 feet in width from a maximum of 200 square feet to 690 square feet.
2. A Waiver of Ordinance 97-07 sec. 27.3 (D) to allow for a maximum of four signs on this property - one free standing sign to replace the existing pylon sign on Sidney Baker (see site plan for location), one ground sign on Country Club to serve as a locator sign for the Federal Express Office limited to eight feet in height, a third on the North Corner of the property to serve TSC Supply and a fourth on the existing pylon at the corner of Sidney Baker and Country Club (now

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

February 3, 2000

advertising Dollar General Store) for use at a later date. Mr. Cummings cites the unusual amount of street frontage on Sidney Baker as a consideration. He also felt the one single multi-tenant sign would be more aesthetically pleasing than a proliferation of smaller wall signs or roof signs to advertise the various tenant spaces.

**RECOMMENDED ACTION**

Staff recommends the Planning and Zoning Commission consider the waiver request favorably and recommends approval of same.

Chairman Duff opened the public hearing at approximately 3:08 p.m.

The commissioners asked if this sign would be separated on Country Club Drive from the golf course sign. City Planner, Tim Dolan said yes and the sign would be limited to eight feet in height.

Chairman Duff closed the public hearing at approximately 3:15 p.m.

Cr. Joe Sanders moved, seconded by Cr. Bill Fair to approve the sign waiver request. All voted in favor and the motion carried.

**B. Sign Waiver Request of Ordinance 97-07, Sign Ordinance, proposing increase in size and height of existing sign at 501C. Main Street.**

Mr. Dolan presented that Party Headquarters requested to be allowed to increase the size and height of an existing sign at 501C Main Street has been received by the Planning department. The owner of a sublease in this center is requesting:

1. A waiver of Ordinance 97-08 Sec. 27.3 para. (3) restricting the number of signs to one per lot. There are three existing signs on this property, one serving Hastings, another Vision Optical and the third barrel-shaped sign for Main Liquor store. The applicant wishes to reconstruct the existing AMain Liquor@ sign to serve the Party Head Quarters space by adding to the existing sign as shown in the attached drawings.

**Staff Recommendations**

Staff recommends the Commission hear the request and consider favorably the waiver request.

Chairman Duff opened the public hearing at approximately 3:20 p.m.  
Chairman Duff closed the public hearing at approximately 3:25 p.m.

Cr. Bill Fair moved, seconded by Cr. Joe Sanders to approve the sign waiver request. All voted in favor and the motion carried.

**BUSINESS OF THE PLANNING AND ZONING COMMISSION  
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**AGENDA ITEM:** 6A **FOR AGENDA OF:** August 7, 2008  
**DESCRIPTION:** Future Agenda Items  
**APPLICANT(S):** Gordon Browning, Senior Planner  
**ATTACHMENT(S):**

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The following items have been scheduled for the Commission's August 21, 2008 meeting;

Residential Replat: The Summit Phase Four – A replat of Lot 6 and part of Lot 7, Block 8, The Summit Phase Four located at 1830 Summit Point. Zoned: RC. Applicant: Voelkel Engineering and Surveying. (File No. 2008-33)

Replat: River Plaza Part 2 Subdivision – A replat of Lot 3-A, Block 1, River Plaza Part 2 Subdivision located at 1309 SH 173 (Bandera Hwy), the north corner of the Chapman Drive and SH 173 intersection. Zoned: GR. Applicant: Voelkel Engineering and Surveying. (File No. 2008-32)

Staff will also update the Commission on the statues of the Subdivision Ordinance rewrite.



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## MEMORANDUM

TO: Kevin Coleman, Director of Development Services

FROM: Gordon Browning, Senior Planner

DATE: July 29, 2008

SUBJECT: Statues Report, Subdivision Regulations re-write

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The rewrite of the City's Subdivision Regulations has been an ongoing priority with our department for sometime. We are currently in the process of rewriting the regulations not only to conform to State law but to create a document that is easy to read and understand while protecting the general welfare of the City.

Chapter 212 of the Texas Local Government Code allows cities to adopt rules governing plats and subdivision of land within the municipality's jurisdiction to promote the health, safety, morals or general welfare of the municipality and the safe, orderly and healthful development of the municipality.

The chapter defines a plat or subdivision as the division of property into two (2) parts less than five (5) acres where public improvements are being dedicated. It lists the minimum requirements that must be shown on the plat, requires that plats shall conform to the General Plan (Comprehensive Plan) of the municipality with regard to thoroughfares, parks, public facilities and the extension of water and sewer mains. The chapter also defines amending plats, plat vacation and the process for replatting.

A subdivision ordinance should be a management tool by and for the City to manage growth, the extension of utilities, acquisition of open space, reflect the Comprehensive plan, assist developers in the procedures to be followed and protect the interests of the general public. Its primary purpose is to promote sustainable orderly growth.

The rewrite we are working on will not only bring our ordinance in to compliance with Chapter 212 but will provide an understandable process for platting in the City and ETJ.

Below I have listed some items/topics that will need to be considered during the rewrite;

- Legal compliance with State statutes.
- Grammatical, spelling and nomenclature errors.
- Filing Fees, the filing fee schedule as part of the regulations or as a separate ordinance.
- Types of plats to be required and there level of review, i.e., preliminary, final, amending, replats, staff review, Planning and Zoning Commission review, etc.
- Minimum submittal requirements for each type of plat.
- Minimum design standards and reference to the Standard Specifications for Subdivision Construction Manual, dated January 2005.
- Flood plains, parks and open space.
- Rural development standards and City development standards vs. one set of requirements for developments.
- Variance procedures.
- A provision defining rough proportionally and providing an appeal process.
- A procedure for private streets which outlines long term maintenance.
- Exemptions to platting under our current regulations.

While this is not to be considered complete, the list has given Staff a place to start. When completed, we will bring a draft copy to the Commission for their review. Following that staff will make the document available to area surveyors and engineers and schedule any necessary public hearings.