

**City of Kerrville Planning & Zoning Commission Agenda**

**Thursday, October 16, 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.

Page

1. **4:30 p.m. Call to Order**  
Chairperson calls the meeting to order; roll call.
  
2. **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.)
  
3. **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.
- 3A. **Approve the minutes from the meeting of October 2, 2008.** 2
  
4. **Public Hearing** 6
- 4A. **Residential Replat: Kerrville Hills Ranch Estates No. 1** – A replat of Lot 17, Kerrville Hills Ranch Estates No. 1, located at 2380 Medina Hwy. Zoned: ETJ. Applicant: Texas Land Boundaries. (File No. 2008-52)
- 4B. **Conditional Use Permit (CUP) Request** – Consider a request for a CUP to allow a vehicle sales/service (used) facility on an approximately 2.65 acre tract located at 1815 Junction Highway. Zoned: W-3. Applicant: Jimmy D. King. (File No. 2008-54) 9
- 4C. **Planned Development Site Plan: Our Lady of the Hills Regional High School** – Consider a request to adopt a Planned Development Site Plan for part of Planned Development District No. 2001-20, an approximately 50 acre tract located between SH 27 and Peterson Farm Road, northwest of Splitrock Road. Zoned: PDD. Applicant: PBK. (File No. 2008-53) 29
  
5. **Staff Reports** 45
- 5A. Future Agenda Items. Applicant: Senior Planner
  
6. **Adjourn** - The next scheduled meeting is Thursday, November 6, 2008.

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

**AGENDA ITEM:** 3A **FOR AGENDA OF:** October 16, 2008  
**DESCRIPTION:** Approval of minutes of October 2, 2008.  
**APPLICANT(S):** Planning and Zoning Commission Secretary  
**ATTACHMENT(S):** Minutes

---

**MEMBERS PRESENT:**

Andy Phillips, Chair  
Jim Kessler, Vice Chair  
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  
Trina Ramirez, Planning and Zoning Commission Secretary

**1. CALL TO ORDER:**

On October 2, 2008, the Kerrville Planning and Zoning Commission regular meeting was called to order at 4:30 p.m. in the City Hall Council Chambers, 800 Junction Highway.

**2. VISITOR/CITIZENS FORUM:**

**3. CONSENT AGENDA**

3A. Approval of the minutes from the meeting of September 18, 2008.

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

**4. Public Hearing**

4A. Residential Replat: J.A. Tivy Addition – A replat of Lots 12 and 13, Block 53, J.A. Tivy Addition located at 714 Everett Street. Zoned: RC. Applicant: Roederer Surveying. (File No. 2008-46)

Mr. Coleman presented the finding of facts to the Commission.

Cmr. Phillips opened the public hearing at 4:38 p.m.

Joe Roederer with Roederer Surveying, stated that they have met staff's conditions as noted.

Cmr. Phillips closed the public hearing at 4:40 p.m.

Cmr. Buell moved for approval of the re-plat; subject to the conditions staff has recommended; motion was seconded by Cmr. Kessler and passed 4-0.

**4B. Replat: Bank of the Hills** – A replat of part of Lot 10, Block 2, G Street South and part of G Street South, an abandoned part of a public roadway, located at 1015 Sidney Baker. Zoned: S-33. Applicant: M.W. Cude Engineers. (File No. 2008-47)

Mr. Coleman presented the finding of facts to the Commission.

Cmr. Phillips opened the public hearing at 4:41 p.m.

Joseph Tober, stated that have taken care of most of staffs recommendations and are going to following all of staffs recommendations.

Cmr. Phillips questioned If they have addressed the water line easement issue.

Joseph Tober, stated that they have the documentation for the water line easement but they maybe abandon the water line. They need to find out if the water line is active with Aqua Texas if it not then they are going to abandon the line and easement.

Cmr. Phillips closed the public hearing at 4:47 p.m.

Cmr. Kessler moved for approval of the re-plat submitted; subject to the conditions staff has recommended; motion was seconded by Cmr. MacDonald and passed 4-0.

**4C. Replat: Cailloux Center Addition** – A replat of Lots 149-164,Block 20 and Lots A, B, U and parts of Lots C and T, Block 17, J.D. Brown Addition located at the east corner of Main Street and Washington Street. Zoned: PDD and RT. Applicant: Texas Land Boundaries. (File No. 2008-49)

Mr. Coleman presented the finding of facts to the Commission.

Cmr. Phillips opened the public hearing at 4:48 p.m.

Gary Brandenburg with Texas Land Boundaries, explained to the Commission the purpose of the replat.

Cmr. Phillips closed the public hearing at 4:50 p.m.

Cmr. Buell moved for approval of the re-plat; subject to the conditions staff has recommended; motion was seconded by Cmr. Kessler and passed 4-0.

**4D. Conditional Use Permit (CUP) Request** – Consider a request for a CUP to allow a vehicle maintenance and repair facility on an approximately 0.43 acre tract located at 1321 Broadway. Zoned: C-17. Applicant: Donald Young for Action Automotive. (File No. 2008-48)

Mr. Coleman presented the finding of facts to the Commission.

Cmr. Phillips opened the public hearing at 4:52 p.m.

Cmr. Phillips question the Applicant if he has reviewed city staffs recommendations and if he is satisfied with the request that City Staff has recommended.

Mr. Young the applicant, stated that he understands the recommendation and is satisfied with the recommendations.

Cmr. Phillips closed the public hearing at 4:54 p.m.

Kevin Coleman, stated that he received a call from Mr. Peterson a neighbor caddy corner from 1321 Broadway which had concerns with the use.

Cmr. MacDonald question what is the current use of this project and how far down is the other automotive repair property.

Kevin Coleman stated that is currently is an empty lot and is less than a block away from the other automotive repair property.

Cmr. MacDonald moved to recommend to City Council approval of the C.U.P; subject to the conditions outlined in the resolution; motion was seconded by Cmr. Buell and passed 4-0.

**4E. Planned Development District Site Plan – Consider a request to amend the Planned Development Site Plan for Ordinance No. 2004-19 as referred therein as Exhibit A and adopted on July 27, 2004 and located at 1433, 1421 and 1381 Junction Highway. Zoned PDD. Applicant: Vordenbaum Engineering Inc. (File No. 2008-51)**

Mr. Coleman presented the finding of facts to the Commission.

Cmr. Phillips opened the public hearing at 5:05 p.m.

Kevin Spraggins with Vordenbaum Engineering, explained to the Commission that option one is the preferred option for the applicant, the city, and TxDOT because it connects the drive aisles in the back of the building and there will be a better circulation between the two lots. Mr. Spraggins also explained that option 1 will require the consent and approval of the property owner of lot 1 (Starbucks) as well as a replat to establish the access easement. Mr. Spraggins is contacting the owner of lot 1 to obtain there approval. He also stated that if the property owners do not reach an agreement then he will have to go with option 2.

Kevin Coleman explained to the Commission the process for approval of the PDD to City Council regarding option 1 and option 2.

Cmr. Phillips closed the public hearing at 5:17 p.m.

Cmr. Phillips moved to recommend to the City Council approval of option 1 as a site plan; subject to the approval of the adjoining property owners in the event that either property owners fail to reach agreement on option 1 as an acceptable alternative the Planning and Zoning would approve and recommend option 2; motion was seconded by Cmr. Kessler and passed 4-0.

**5. STAFF REPORTS**

5A. Future Agenda Items/Project Update. Applicant: Senior Planner.

**6. Adjourn** – The next scheduled meeting is Thursday, October 16 2008.

The meeting adjourned at 5:22 p.m.

ATTEST:

\_\_\_\_\_  
Andy Phillips, Chair

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

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

**AGENDA ITEM:** 4A **FOR AGENDA OF:** October 16, 2008

**DESCRIPTION:** Residential Replat: Kerrville Hills Ranch Estates No. 1 – A replat of Lot 17, Kerrville Ranch Estates No. 1, located at 2380 Medina Hwy. Zoned: ETJ. (File No. 2008-52)

**APPLICANT(S):** Texas Land Boundaries

**ATTACHMENT(S):** Location Map, Plat

---

**SUMMARY STATEMENT – FINDING OF FACT**

History/Timeline:

- May 1971 – Final plat for Kerrville Hills Ranch Estates No. 1 approved and recorded.
- September 15, 2008 – Replat of Lot 17 accepted for review and comment by the City.
- October 1, 2008 – In accordance with Statute and local ordinance, notice of the required public hearing was published in the Kerrville Daily Times and mailed to all property owners within 200 feet of the subject tract.
- October 8, 2008 – Development Review Committee (DRC) review process completed.
- October 10, 2008 – Staff comments to applicant.
- October 16, 2008 – **Consideration of replat by Commission.**

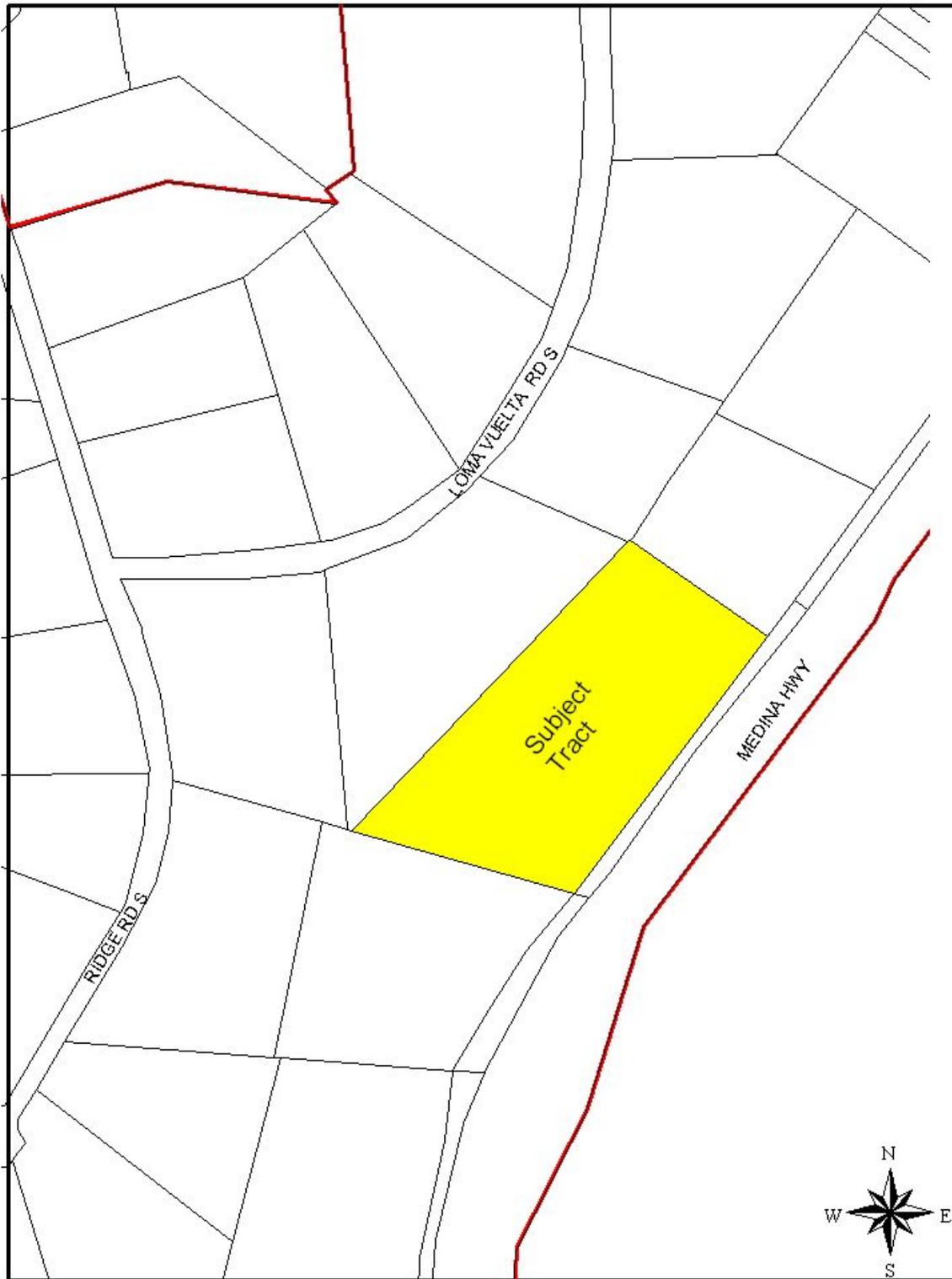
Summary/Informational Comments:

- The proposed replat will divide Lot 17 into two (2) lots for residential development.
- The 25-foot building line shown is by the developer and is not a City requirement.
- The drive approach for Lot 17B will need TxDOT approval.

**RECOMMENDED ACTION**

1. Open the public hearing and receive comments, and
2. Approve the replat subject to the following conditions;
  - a. Show all existing and proposed easements on the plat with dimensions and labeled by type to include franchise utilities. Label existing easements as 'Existing' and provide recording information. Identify proposed easements by stating dedication method within parenthesis, ex. (By Plat).
  - b. Provide two (2) corners set to the State Plane Coordinate System (NAD 83) and one (1) corner located with respect to a corner of the original survey.
  - c. The 10-foot proposed water line easement along the rear of Lot 17B should be shown as a private water line easement.
  - d. Show right-of-way width of SH 16 (Medina Hwy).

- e. Correct Location Map to show both Kerrville Hills Ranch Estates No. 1 and Stone Ridge Estates subdivisions.
- f. Remove Commissioners Court signature block.
- g. Add the following notes to the final plat:
  - 1. This development is within the ETJ of the City of Kerrville.
  - 2. The water provider for this development is the City of Kerrville.
  - 3. Waste water disposal is by private OSSF.
  - 4. Prior to any type of construction on any lot, the owner of said lot shall obtain an O.S.S.F. Authorization to Construct from the Kerr County O.S.S.F. representative. All lots in the subdivision are required to comply with all current and future O.S.S.F. regulations adopted by Kerr County.



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

**AGENDA ITEM:** 4B **FOR AGENDA OF:** October 16, 2008

**DESCRIPTION:** **Conditional Use Permit (CUP) Request** – Consideration of a recommendation to the City Council of a request for a CUP to allow a vehicle sales/service (used) facility on an approximately 2.65 acre tract located at 1815 Junction Hwy. Zoned: W-3. (File No. 2008-54)

**APPLICANT(S):** Jimmy D. King

**ATTACHMENT(S):** Location Map, Applicant's Request, Draft Resolution

---

**SUMMARY STATEMENT – FINDING OF FACT**

History/Timeline:

- September 15, 2008 – Application for CUP accepted for processing and consideration by the City.
- October 1, 2008 – In accordance with Statute and local ordinance, notice of the required public hearing was published in the Kerrville Daily Times and mailed to all property owners within 200-feet of the subject tract.
- October 8, 2008 – Development Review Committee (DRC) review process completed.
- October 10, 2008 – Staff comments and draft resolution to applicant.
- **October 16, 2008 – Public hearing before the Planning and Zoning Commission (P&Z) and consideration of a recommendation to the City Council.**
- November 11, 2008 – Public hearing before the City Council and consideration of a resolution approving the CUP.

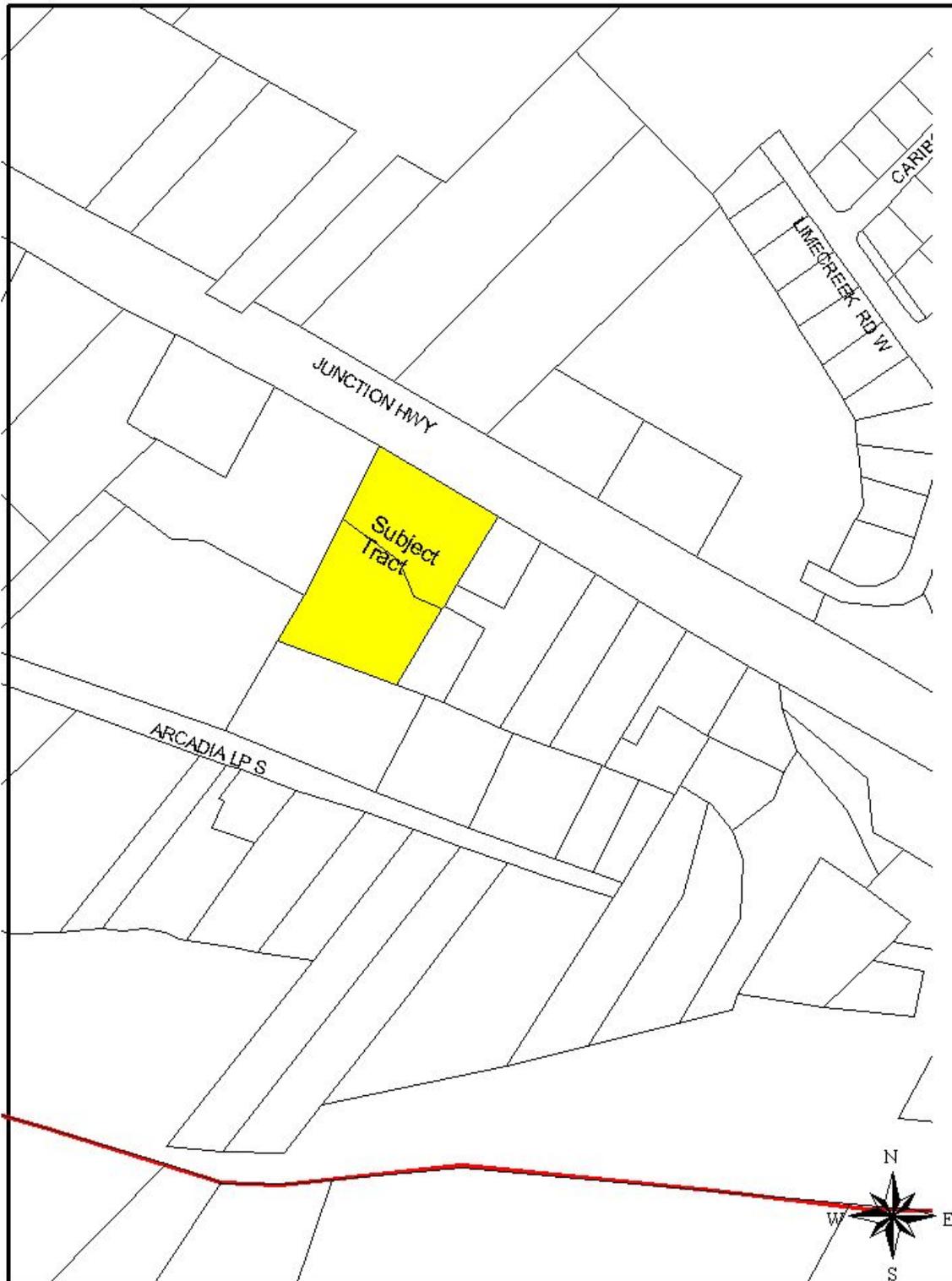
CUP Process/Summary:

- Per the Zoning Code, a vehicle sales/service (used) facility use in the W-3 (West Side) District requires the approval of a CUP (Conditional Use Permit) by the City Council. Vehicle sales/service (used) is defined as a business primarily engaged in the sale or rental of used automobiles, pickups, boats, motorcycles, recreational trailers, campers, motor homes, and farm implements/vehicles. The applicant has indicated that the primary use of this facility will be the display and sale of used recreational vehicles and travel trailers, no service will be offered at this facility.
- As indicated on the site plan, the applicant proposes to develop a used recreational vehicle sales and display facility which will consist of a product display area, sales office and customer parking area. The facility will not offer or provide a service center, however, some limited retail will be offered from the sales office.
- If so desired, the P&Z and/or City Council may direct that the resolution granting this request be limited to a vehicle sales facility only.

- The existing drive approaches shown on the site plan must be confirmed and approved by TxDOT.
- Per the Zoning Code, the P&Z and/or City Council may impose additional requirements and conditions of approval as are needed to ensure that a use requested by a CUP is compatible and complementary to adjacent properties.
- Staff recommends approval of the CUP subject to the conditions in the draft resolution.

### **RECOMMENDED ACTION**

1. Open the public hearing and receive comments, and
2. Recommend to the City Council approval of the CUP subject to the conditions outlined in the resolution.



**City of Kerrville Land Use Permit Request  
For 1815 Junction Hwy. Kerrville TX. 78028**

**Jimmy D. Kind dba Home Town RV's**

# REQUIREMENTS FOR CONDITIONAL USE PERMIT (CUP) REQUEST

Please submit the following requirements along with the completed master application. The project cannot be scheduled for consideration unless all items are marked complete. Citations come from the Zoning Ordinance.

Complete

1. The name, address and daytime phone number of the applicant if different than the property owner, along with an owner's affidavit authorizing the applicant to apply for this permit on his behalf in all matters relating to this application. *11-1-13.f.1.i*
2. The full legal description of the property for which the application is made and, if available, the street address of the property. *11-1-13.f.1.iv*
3. A statement describing the proposed use. *11-1-13.f.1.vi*
4. <sup>15</sup> ~~Ten~~ (10) copies of a site plan for the proposed use, including
  - a. Parking facilities conforming to all applicable municipal requirements. *11-1-13.f.1.xiv.c*
  - b. Load/unloading, service and utility areas, if a non-residential use. *11-1-13.f.1.x*
  - c. The existing use of all properties contiguous to the subject property. *11-1-13.f.1.xiii*
  - d. The location and dimensions of boundaries, easements & building setbacks. *11-1-13.f.1.xiv.a*
  - e. The location of existing and proposed;
    1. Buildings and other improvements. *11-1-13.f.1.xiv.b*
    2. Drainage structures and watercourse. *11-1-13.f.1.xiv.d*
    3. Exterior lighting fixtures. *11-1-13.f.1.xiv.c*
    4. Landscaped areas. *11-1-13.f.1.xiv.c*
  - f. The relationship of the property and the proposed use to surrounding areas, including pedestrian and vehicular access and circulation between the property and adjacent properties, current uses of nearby parcels, and any proposed off-site improvements to be made. *11-1-13.f.1.xiv.f*
5. Elevation drawings or renderings showing the proposed exterior of the building(s) if no exterior changes are proposed, photographs of existing building may be substituted. In either event, each façade shall be represented. *11-1-13.f.1.xiv*

(Over)

- 6. Performance characteristics and effects of the proposed use, including:
  - a. Projected traffic generated and changes in traffic patterns generated by the proposed use, types of vehicles expected, and likely effects on surrounding properties within 500 feet, if a non-residential or multi-family residential use. 11-I-13.f.1.viii
  - b. Estimated number of employees, occupants and/or users of proposed use, with peak hours of identified, if a non-residential use. 11-I-13.f.1.ix
  - c. Proposed hours of operation, if non-residential use. 11-I-13.f.1.ix
- 7. Statement identifying state or federal licenses or permits required by the proposed use (if any) and the issuing agent. 11-I-13.f.1.xi
- 8. Identification of all existing similar uses within 1,000 feet of the subject Property. 11-I-13.f.1.xii
- 9. For property with an average slope greater than 15%, a plan showing proposed grading, drainage and erosion control measures, or plans as required under other city ordinance(s) regulating storm water runoff. 11-I-13.f.1.xiv.e
- 10. Not required on drawing: Existing water well (Circle: operative, inoperative) Ordinance # 2000-07

Complete

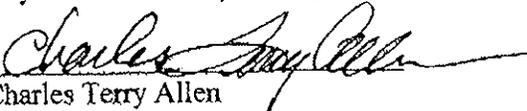
N/A

I have read and understand in its entirety Article 11-I-13 of the Comprehensive Zoning Ordinance No. 07-07 for the City of Kerrville and understand that the requirements of a Conditional Use Permit are subject to the terms and conditions therein. This Conditional Use Permit checklist is used to insure compliance with the Ordinance and in some instances, the City may require more information for approval. An endorsement of this application checklist by the applicant shall be acknowledgment that all of the items on the above list have been reviewed and complied with or variances have been requested.

Project Name: Jimmy D. King DBA Home Town RV's - 1815 Junction Hwy.  
 Owner: CHARLES T AND LETHA B. ALLEN Date 9-12-2008  
 Owner Address: PO BOX 1048 SAN MARCOS TX 78667 Phone/Fax: 512-396-2922  
 Signature: ON RECORD #1 OWNER AFFIDAVIT AUTHORIZATION  
 Engineer/Surveyor: CHARLES DIGGS  
GUADALUPE SURVEY COMPANY Date 3-25-2006  
 Engineer/Surveyor Address: 217A WEST WATER Phone/Fax: 830-895-1808  
KERRVILLE TX  
 Signature: ON SURVEY PLATT

September 11, 2008

Charles T. Allen and Letha B. Allen, owner's of the property known as 1815 Junction Hwy in Kerrville, Texas do hereby give Jim King permission to apply for use of this property with the P&Z Commission and the City Council of Kerrville. His objective is to move his Travel Trailer Sales Office to this location. He will make this his sales office. We do not want to change the zoning from Commercial, but understand that we can get a special use permit to operate for his trailer sales. We intend to lease the property to him if this can be accomplished. The property will be connected to City Sewer and already has City Water. Thank you for your consideration.

  
Charles Terry Allen

  
Letha B. Allen

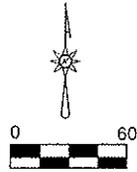
P.O. Box 1048  
San Marcos, TX 78667  
512-396-2922 Home  
512-627-0088 Cell

**LEGEND OF ABBREVIATIONS**

D.R.K.C. - Deed Records of Kerr County, E.R.K.C. - Easement Records of Kerr County  
 R.P.R.K.C. - Real Property Records of Kerr County, U.E. - Utility Easement, L.S. - Light Standard  
 P.R.K.C. - Plat Records of Kerr County, P.O.B. - Point of Beginning, R.O.W. - Right of Way  
 B.S.B.L. - Building Set Back Line, U.P. - Utility Pole, G.W. - Guy Wire, M.L. - Meter Line  
 W.M. - Water Meter, F.H. - Fire Hydrant, A/C - Air Conditioner, -W. - Water line  
 -E. - Electric Line, -T. - Telephone Line, -C. - TV Cable, -x. - Field Fence, -D. - Plastic Fence  
 -B. - Chain Link Fence, -//. - Board Fence, U.G.E. - Underground Electric  
 U.G.C. - Underground Cable Television U.G.T. - Underground Telephone, -G. - Natural Gas Line  
 M.H. - Manhole, B.M. - Elevation Benchmark, -S. - Sanitary Sewer, W.V. - Water Valve  
 F.I.R. - Found Iron rod, S.I.R. - Set Iron rod, F.C.P. - Fence corner post, C.O. - Septic Cleanout  
 F.I.P. - Found Iron pipe, F.P. - Fence Post, O.M. - Gas Meter, C & G - Curb and Gutter  
 F604N - Found 604 Nail, S604N - Set 604 Nail  
 Record bearings and distances are shown in parentheses.

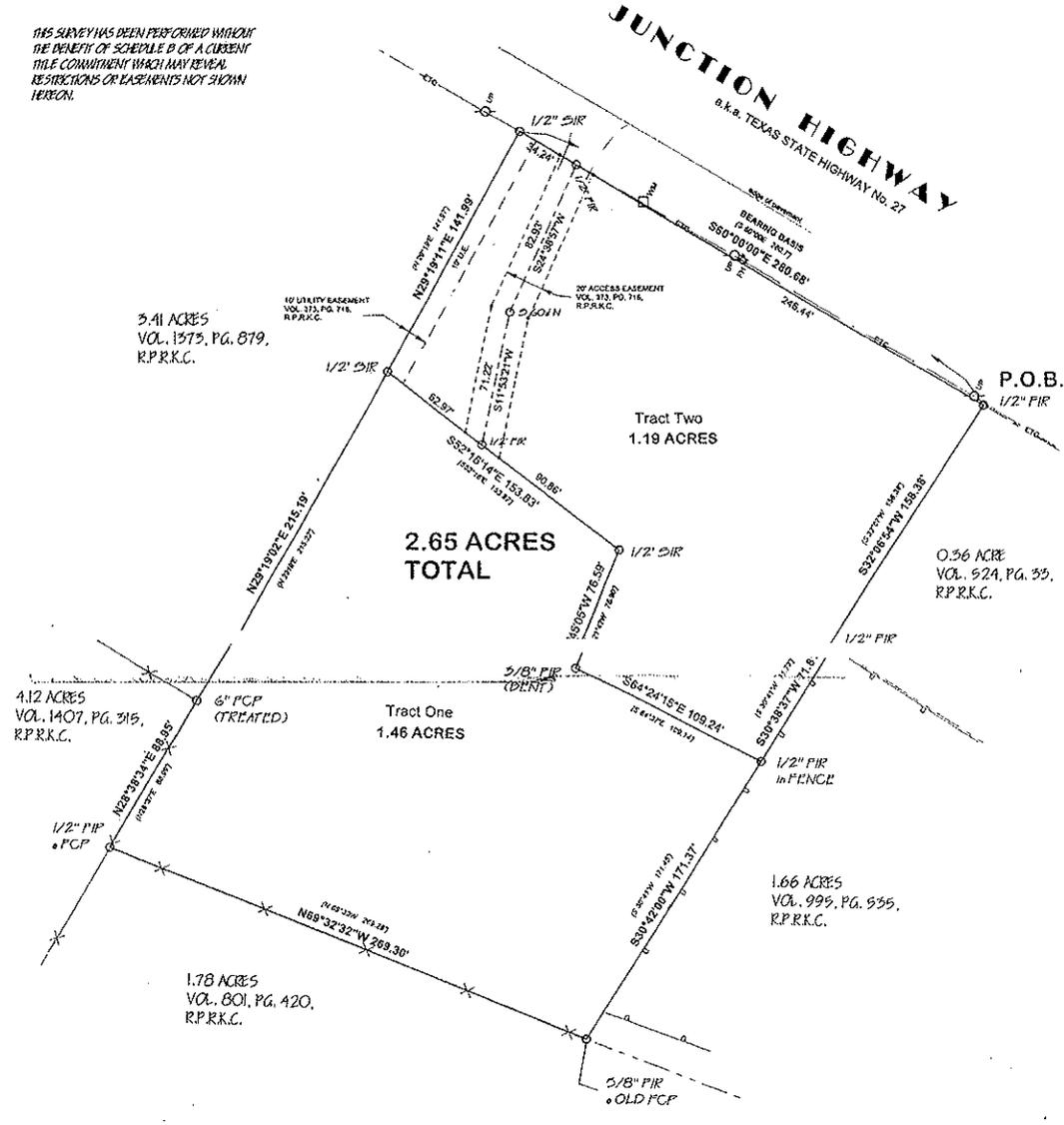
DIBER:  
 James Dierke

PROPERTY ADDRESS:  
 1815 Junction Highway  
 Kerrville, Texas, 78028



THIS SURVEY HAS BEEN PERFORMED WITHOUT THE BENEFIT OF SCHEDULE D OF A CURRENT TITLE COMMITMENT WHICH MAY REVEAL RESTRICTIONS OR EASEMENTS NOT SHOWN HEREON.

**JUNCTION HIGHWAY**  
 a.k.a. TEXAS STATE HIGHWAY No. 27



I, Charles Digges, a Registered Professional Land Surveyor, certify that an on the ground survey has been performed under my supervision on March 28, 2006. Improvements and easements visibly apparent on the site are shown hereon. Discrepancies in boundary lines, if any, are shown hereon. Only plats containing my seal in black ink and my signature in blue ink are to be considered original and authorized for use. This tract does not lie within the 100 year flood plain as designated by the FSSO Reference Map No. 4826SC0185.E.



Charles Digges, Registered Professional Land Surveyor  
 Texas Registration No. 4091

NOTE:  
 THIS PLAT OF SURVEY IS A COMPANION TO A FIELD NOTE DESCRIPTION DATED THE 27th DAY OF MARCH 2006.

Plat of Survey of 2.65 acres situated in the Florentine Lara Survey No. 123, Abstract No. 225, Kerr County, Texas.

06032501

**GUADALUPE SURVEY COMPANY**  
 217-A West Water Kerrville, Texas 78028 Ph# (830)895-1808 Fax# (830)896-3534

"Exhibit A" - p. 2

## Requirements For Conditional Use Permit (CUP) Request

(1) Jimmy D. King, 2800A Junction Hwy. Kerrville, TX. 78028.... Office# (830) 367-7195, Fax# (830) 367-6094, Cell# (210) 861-9376. I am the proposed Lessee. I have a letter affidavit authorizing me to make application for this permit. The owner being- Charles T. and Letha B. Allen, whose address is P.O.Box 1048 San Marcos, TX. 78667. Their telephone contact info: (512) 396-2922. **Attached with application.**

(2) The property for which this application is made: Physical address being 1815 Junction Hwy. Kerrville, TX. 78028. The full legal description being: Plat of Survey of 2.65 acres situated in the Florentine Lara Survey No, 123, Abstract No. 225 Kerr County, Texas. Land Surveyor- Charles Diggs, Registered State Of Texas # 4061. **Survey attached.**

3) Proposed Property Use: The display and sales of Recreational Vehicles ie. Travel trailers and 5<sup>th</sup> Wheel Travel Trailers. These units are primarily clean used late model units. I have been in Kerrville for (3) three years, located on 2800 Junction Hwy known as; Jimmy D. King (dba) Home Town RV's, a Texas Registered Dealer License# P101031X. I buy, sell, trade and consign my RV product. I do not offer a service center, so there will be no concern of any toxic, chemical, or petroleum products. I carry only a small inventory of parts that are primarily used by Home Town RV's. These are packaged parts such as 12volt light bulbs, sewer connections, and hitches. My customers come in to view and be demonstrated RV's that they may want to purchase. I offer financing to buyers thru the local Banks, Credit Unions, and other sources. I run my business 9:00AM-6:00PM Monday thru Saturday. I close on Sunday and on the major holidays. My (3) three years of experience in Kerrville allows me to accurately estimate my daily customer traffic visits. With this in mind, I will need parking for approximately (6) Six vehicles. The nature of my business and display of product will be conducted on organic natural material (existing) and some added limestone base material. There is no concrete or asphalt pavement needed or existing. There are (2) two existing paved entries onto the property. There will be native grasses and some minimal landscape areas that will be mowed and cared for. There will be no permanent structures or buildings built on said property at this time.

### See Attached Documents

- (4) Copies of Site Plan with proposed use, including
  - (a) Parking area.
  - (b) Load/ unloading, service and utility areas.
  - © Existing use of all properties contiguous to subject property.
  - (d) The location and dimensions of boundaries, easements and setbacks.
  - (f) Relationship of the property and the proposed use to the surrounding areas.
- (5) Elevation drawing/ renderings of office building The property does not have any structures.

**See attached**

## Requirements For Conditional Use Permit (CUP) Request

(4) **a)** Parking facilities: There will be a designated parking area to the southward direction of the office. It will be constructed of compacted road base dimensions to accommodate (6) six vehicles. This parking pad will be approximately 60'X 25' and signage to indicate it as dedicated parking. My (3) three years of business experience in Kerrville, allows me to accurately estimate my daily customer traffic visits. With this in mind, I will need parking for (6) six- vehicles.

**b)** -1-Due to the nature of my business there is no need for a designated loading/ unloading station. The utilities placement is in place or has been designated a location.

-2- The water meter is in place along the front of the proposed property along Hwy 27 and will be piped under ground to the office building in accordance with City Code and Permits.

-3- The sewer connection is to run under ground to the designated hookup location. There is in place, an easement for the sewer line to follow. This will be installed in accordance with City Codes and Permits to my office building.

-4- The electrical supply is to be determined by the Electric Company. They will provide an engineers plan and installation. All electrical hookups to the office building will be installed in accordance with City Code and Permits.

**c)** The existing use of properties: To the North front is State Hwy 27 aka. Junction Hwy. Proposed property address is 1815 junction Hwy. To the East side address 1813 is a small frame structure office building. It is occupied by The Farm Bureau Insurance Company. Directly behind the Farm Bureau office is a separate metal barn building that is a Welding Shop. This property is owned by Schwarz Construction Company located at 1811 Junction Hwy. To the west side of the property there is a strip of grass field that runs approximately 90'X 245' to a gravel entrance road. Address being 1901 Junction Hwy. The west side total footage per survey is 446.13'. The other west footage of 200' separates and joins to a home residence with a separate shop out building at the rear side and approximately 80' from the property fence line. Of the proposed property. To the rear southward side 269.30' is in a controlled water way with some houses on the other side of the rear fence. The elevation and usage of this property will allow usage only on approximately the front 2/3 of it. The rear portion falls away and is lower into a cleaned water drainage area. This unused waterway would be monitored for any washed in debris, and kept clean. It has been inspected by Code compliance.

**d)** Location and dimensions of boundaries. Highway Frontage for 1815 Junction Hwy. Kerrville, TX. 78028 per survey is 280.66' with a 35' building property setback. The eastern side is 401.55' with 15' building property setbacks. The westward side is 401.55' with a 15' building property setbacks. The rear southern part of the property is 269.30' with a 35' building property setbacks.

e) Location of proposed buildings (none existing)

1) The office building is a portable unit on frame. It is 12'X 36' with a front-end covered porch. It is approximately 399sq feet in size. It is a painted wood framed and Hardi-board construction with a metal roof. It is total electric, 100amp service. When the office is brought in it will be placed on a compacted road base material. The office will set on concrete- cinder block and be tied down with (4) 100k hurricane straps, located on each side and front and back. To finish the exterior the office will be hooked to all utilities and the under skirted with a colored vinyl material to match. This is my current office and is approximately 1 ½ years old. It is, and has an Insured value of \$40,000.00 not including contents. The office will be placed on Hwy 27/ Junction Hwy. end of the property. It will be located approximately beginning 47' from the westward side of the property and with a 45' setback so as to allow for some landscaping that will face the Highway. The building being 36' long will set parallel to Junction Hwy. The office peak point is 14' High in the set position. This will allow for close proximity to the utility hookups, water and sewer. The designated parking area will be directly to the side of the office being the southern side. This area will be 25'X60', and constructed of compacted road base material.

2) Drainage and watercourse: There will be NO Changes to the elevation " topo" of the property. There is a large controlled bar-ditch on Junction Hwy. (city property) The other drainage is a natural flow crossing at the rear of the property from West to East. **Code compliance Officers have viewed this drainage.**

3) Exterior lighting fixtures. My office has a front porch light on sensor timer with 100watt bulbs. There is also a rear office porch light sensor timer with 100watt bulb. I have (2) 300 candle power halogen lights that are low profile one directional ground mount. I plan to place these across the front of the property facing into the sales center. I also plan to have KPUB Install (1) Night -on timer security light. My signage is double sided 5'X8' mounted on 12' high post. It has (2) downward flood lights on timers. On the sign it states my business name, slogan, address and phones.

4) Landscaped areas: Landscaping will be kept to a minimal. I propose a raised flower and shrubbery bed beside the office facing Junction Hwy. There are some existing trees that need trimmed/ pruned. I will also have native grasses.

f) The relationship of the property to surrounding areas: There will be no increased pedestrian traffic. Vehicles West bound to the property will have a protected center turn lane. Vehicles East bound will have a direct turn in. There are (2) paved drive entries one located on each side of the property. I don't expect to increase the normal daily traffic count more than 5-10 vehicle count per day. My neighbor to the East of me is a Farm Bureau Agency. Minimal vehicle traffic. Joining to the West there is approximately 350' of grass field to reach my next neighbor. That neighbor is Troy Faust Motors a Used Car Sales and Rental Center. There is such a distance between Faust and myself there should not be any impact at all as to access or safety. There are No proposed off-site improvements to be made.

(5) Elevation drawing: **See Attached Drawings.**

(6) Performance characteristics and effects of the proposed property:

a) Projected traffic generated: I feel there will be only a slight number of traffic vehicles added on a daily bases. Judging by past daily customer count to my sales center, the Number of additional vehicles may increase by 5 to 10 automobiles and pick-up trucks. There should be no effects to surrounding properties within 500' of proposed property.

b) I am an owner operator and generally by myself. I do have a subcontractor sales person, that fills in for me when I am off. We sometimes will cross-over hours so the most occupants would be (2) two. My client base is generally limited to 1 or 2 people that are looking at the Recreational Vehicles at any given time during operation hours. I will sometimes have more than one customer group creating a total of 3,4, or 5 people on the sales center at one time. My peak hours are generally between 10:00AM and 3:00PM on Saturday. During weekday hours---??? any time.

c) Hours of Operation: Closed Sunday- Open 9:00AM to 6:00PM Monday thru Saturday. Closed on Major Holidays.

(7) I hold an Independent Travel Trailer Dealers License, issued by the State Of Texas. License # P101031X. This license is renewed annually. **See attached.**

(8) Existing similar uses within 1,000' of subject property.

a) Troy Faust Used Automobile and Rental Dealership within 350' at 1903 Junction Hwy. *FSR EQUIPMENT AND TRAILER RENTAL AT 1643 JUNCTION HWY.*

(9) For property with a slope: There is no changes to be made to the property. All existing slopes and waterway areas are now covered in native grasses. I will continue to cultivate these grasses to enhance their growth to better limit any erosion.

(10) NA>

**Thanking you and your consideration in advance for this proposal.**

**Jimmy D. King**



9-15-2008

pg (4)



EXAMPLE OF MY OFFICE FLOOR PLAN EXTERIOR -  
SHOWING WITH PORCH. MY OFFICE IS NOT CEDAR EXT,



THIS DEPICTS THE EXTERIOR MATERIAL LOOK  
OF MY OFFICE - 12 X 36



Control No. 140500



**INDEPENDENT TRAVEL TRAILER DEALER**

GENERAL DISTINGUISHING NO: P101031X

**MOTOR VEHICLE DIVISION**

JIMMY D KING  
HOME TOWN RV'S  
2800 JUNCTION HWY, STE A  
KERRVILLE, TX 78028-9593

EXPIRES: 06/30/2009  
PHYSICAL LOCATION:  
2800 JUNCTION HWY, STE A  
KERRVILLE, TX 78028-9593

THIS DEALERSHIP IS LICENSED AS AN INDEPENDENT TRAVEL TRAILER DEALER.

ADDITIONAL LOCATION(S):

HAVING SATISFIED THE APPLICABLE REQUIREMENTS OF CHAPTER 2301 OF THE TEXAS OCCUPATIONS CODE, CHAPTER 503 OF THE TEXAS TRANSPORTATION CODE, AND THE RULES OF THE TRANSPORTATION COMMISSION, THE PERSON NAMED ABOVE IS HEREBY LICENSED WITH THE TEXAS DEPARTMENT OF TRANSPORTATION, MOTOR VEHICLE DIVISION.

*Brett Bray*

BRETT BRAY, Director  
Texas Department of Transportation  
Motor Vehicle Division

WARNING: PENAL CODE SECTION 37.10, PROVIDES THAT TAMPERING WITH A GOVERNMENTAL RECORD IS AN OFFENSE PUNISHABLE AS A SECOND-DEGREE FELONY.

**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. -2008**

**A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR AN APPROXIMATE 2.65 ACRE TRACT OF LAND SITUATED IN THE FLORENTINE LARA SURVEY NO. 123, ABSTRACT NO. 225, WITHIN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS, OTHERWISE KNOWN AS 1815 JUNCTION HIGHWAY (SH 27), AND LOCATED WITHIN THE W-3 (WEST SIDE) DISTRICT; BY PERMITTING SAID PROPERTY TO BE USED FOR A VEHICLE SALES/SERVICE (USED) FACILITY; AND MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS**

WHEREAS, the City Planning and Zoning Commission and the City Council of the City of Kerrville, Texas, in compliance with the City Charter and state law with reference to the granting of conditional use permits under Title 11, Chapter I of the Code of Ordinances of the City of Kerrville, Texas, and the official zoning map adopted thereby, having 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 of the City of Kerrville, Texas, finds that the health, safety and general welfare will be best served by the granting of a Conditional Use Permit, set out hereinafter, subject to the special conditions and restrictions set out hereinafter on the property described in Section One hereof;

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

**SECTION ONE.** A Conditional Use Permit is granted to permit the property described below to be used for a Vehicle Sales/Service (Used) Facility, as currently defined in Article 11-I-3 of the Code of Ordinances of the City of Kerrville, Texas, subject to the provisions of this Resolution and other applicable City ordinances and regulations:

**Being a 2.65 acre tract of land situated in the Florentine Lara Survey No. 123, Abstract No. 225, located within the City of Kerrville, Kerr County, Texas, and more commonly known as 1815 Junction Highway (SH 27).**

Hereafter referred to as "the Property."

**SECTION TWO.** In addition to the use and development regulations currently applicable to the Property, the Property may be used and developed for a Vehicle Maintenance and Repair Facility and shall be subject to the following additional regulations:

- A. **Site Plan and Elevation:** The development of the Property shall conform substantially with the site plan and elevations, which may be found in **Exhibits A and B**, and any additional development requirements as outlined herein.

- B. **Signs:** The design, installation, location, operation and maintenance of signs shall comply with the City's ordinances regulating signs existing at the time of installation, subject to the following;
1. Only the following signs shall be permitted on the Property:
    - a. One free standing sign which:
      - (1) has a sign area of not greater than forty (40) square feet;
      - (2) does not exceed seventeen (17) feet in height above the ground; and
      - (3) is not externally illuminated.
  2. Roof and wall signs are prohibited.
- C. **Exterior Lighting:** Any exterior lighting shall be located, shielded and aimed in such a manner so as not to allow light to directly fall onto adjacent properties or streets.
- D. **Landscaping Requirements:** The development and use of the Property shall comply with the following landscaping requirements:
1. Any plant materials planted on the Property shall be on the list of recommended plants set forth in the most recent edition of **Recommended Plants for the Kerrville Area** published by the City at the time of planting; provided, however, no variety of St. Augustine Grass (*Stenotaphrum Secundatum* (Water) Kuntze) may be planted at any location on the Property after the effective date of this Resolution.
  2. All landscaping, whether required herein or not, shall be maintained at all times in a healthy growing condition.
- E. **Outside Storage:** Shall consist only of the recreational vehicles on display for sale.
- F. **Building Location and Orientation:** The location of the building shall be as indicated on **Exhibit A**.
- G. **Parking:** The design and number of parking spaces shall be in accordance with the City's regulations in effect at the time building permits are submitted to the City. All required parking spaces shall be constructed of asphalt or concrete and shall be marked and kept available for customers and employees.
- H. **Visibility Triangles:** Visibility triangles shall be established and maintained pursuant to existing City regulations for the entrances to the Property from Junction Highway (SH 27).
- I. **Trash and Other Solid Waste:** Solid waste collection bins and/or dumpsters shall be located behind the security fencing and at no time shall be located closer to the street than the face of the building.

J. **Sidewalks:** A five foot (5.0') wide sidewalk, constructed in conformance with City specifications, shall be required across the entire length of the Property adjacent to Junction Highway, save and except driveway areas.

K. **Other Zoning Regulations:** The regulations set forth in this Resolution are in addition to those set forth in Title 11, Chapter I of the Code of Ordinances of the City of Kerrville, as amended or superseded. In the event of any irreconcilable conflict between this Resolution and the regulations set forth in Title 11, Chapter I of the Code of Ordinances of the City of Kerrville, as amended or superseded, the provisions of this Resolution shall prevail.

**SECTION THREE.** This Resolution and the Conditional Use Permit granted herein shall be subject to termination in accordance with Article 11-I-13 of the Code of Ordinances of the City of Kerrville, Texas.

**PASSED AND APPROVED ON this the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2008.**

\_\_\_\_\_  
Todd A. Bock, Mayor

APPROVED AS TO FORM:

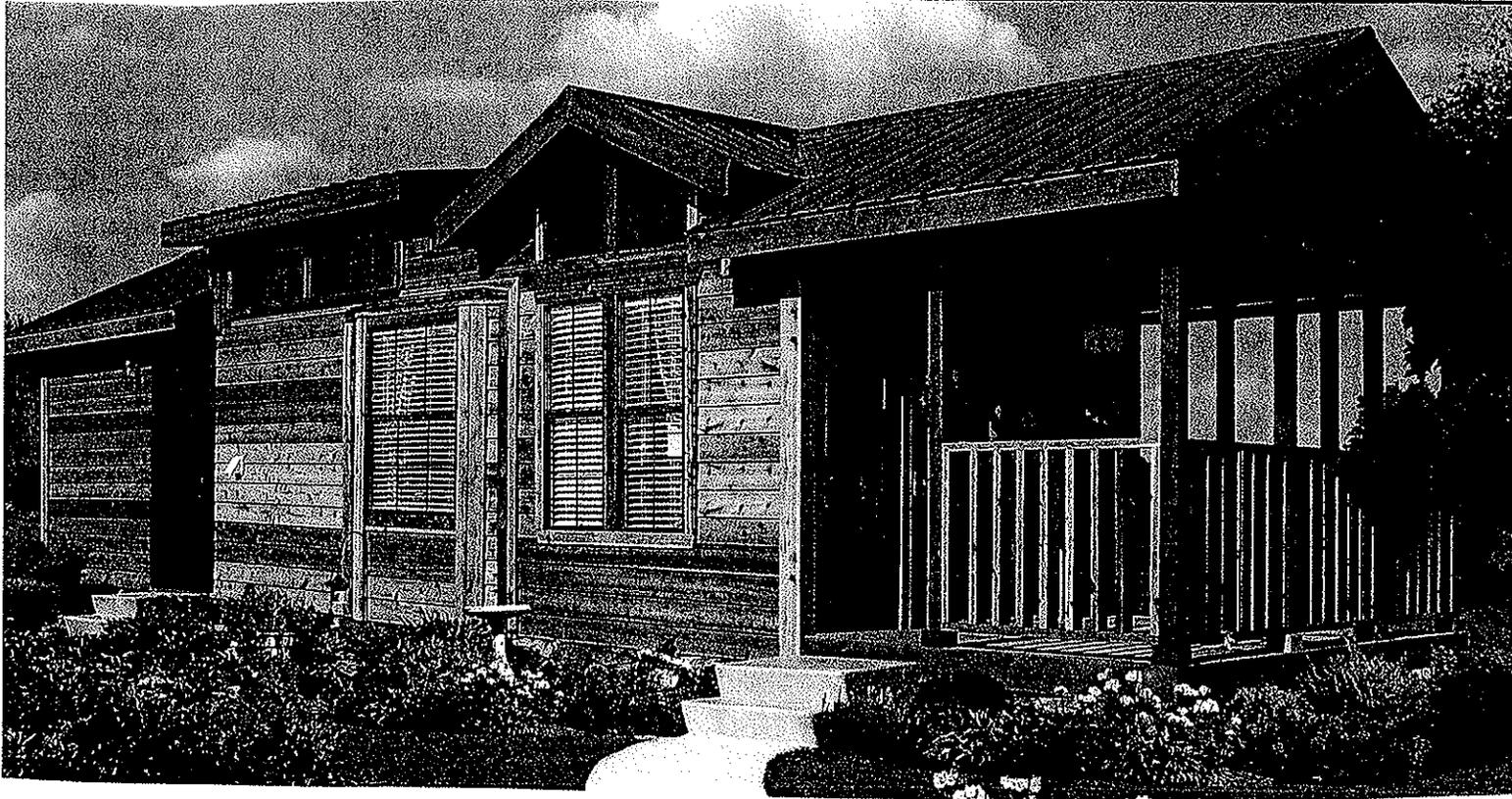
ATTEST:

\_\_\_\_\_  
Michael C. Hayes, City Attorney

\_\_\_\_\_  
Brenda G. Craig, City Secretary



EXAMPLE OF My OFFICE FLOOR PLAN EXTERIOR -  
SHOWING WITH PORCH. My OFFICE IS NOT CEDAR EXT,



THIS DEPICTS THE EXTERIOR MATERIAL LOOK  
OF My OFFICE - 12 X 36



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

**AGENDA ITEM:** 4C **FOR AGENDA OF:** October 16, 2008

**DESCRIPTION:** **Planned Development Site Plan (Our Lady of the Hills Regional High School)** – Consideration of a recommendation to the City Council of a request to adopt a Planned Development Site Plan for part of Planned Development District No. 2001-20, an approximately 50 acre tract located between SH 27 and Peterson Farm Road, northwest of Splitrock Road. Zoned: PDD. (File No. 2008-53)

**APPLICANT(S):** PBK

**ATTACHMENT(S):** Location Map, PDD Ordinance No. 2001-20, Site Plan, Draft Ordinance

---

**SUMMARY STATEMENT – FINDING OF FACT**

History/Timeline:

- May-June, 2001 – Preliminary plat and site plan for a regional high school was submitted for review and comment.
- July 5, 2001 – Preliminary plat and site plan withdrawn by applicant (school).
- September 4, 2008 – Preliminary plat for OLH approved by Commission with conditions.
- September 15, 2008 – Planned Development Site Plan for Our Lady of the Hills Regional High School submitted to the City.
- October 1, 2008 – In accordance with Statutes and local ordinance, notice of the required public hearing was published in the Kerrville Daily Times and mailed to all property owners within 200-feet of the subject tract.
- October 8, 2008 – Development Review Committee (DRC) review process completed.
- October 10, 2008 – Staff comments and draft ordinance to applicant.
- **October 16, 2008 – Public hearing before the Planning and Zoning Commission (P&Z) and consideration of a recommendation to the City Council.**
- November 11, 2008 – Public hearing before the City Council and consideration of an ordinance approving the site plan on first reading.
- November 25, 2008 – Second and final ordinance reading adopting the Planned Development Site Plan.

Development Site Plan Required:

Per the Zoning Code, unless otherwise stated in the ordinance creating the Planned Development District, no building permit may be issued for construction of any building to be located in a Planned Development District until a development site plan has been approved by the City Council for the property on which the building and all related improvements are to be constructed. Such site plan may be adopted and incorporated into the ordinance creating the Planned Development District or subsequently approved as an amendment to the ordinance creating the Planned Development District in the same manner as originally required for the

establishment of the district. The development site plan must set forth all improvement and development plans in a manner that reasonably illustrates the proposed development.

Proposal:

Our Lady of the Hills Catholic High School is proposing to develop a 54,401 square foot academic center on an approximately 50 acre site between SH 27 and Peterson Farm Road. The applicant is proposing a 13 classroom facility with chapel, gymnasium with locker rooms, library and administrative offices. Access to the site will be from Peterson Farm Road. The site plan also shows an internal (on-site) sidewalk from the gym/locker room area to the athletic fields on the western side of the property (off-site). The proposed use is consistent with the permitted uses as stated in PDD Ordinance No. 2001-20. The following conditions on construction will apply to this development per PDD Ordinance No. 2001-20.

1. No portion of any structure built on the property, including but not limited to church spires, belfries, communication antennae, and water towers, shall exceed 50 feet in height.
2. In no case shall any building permit for a structure to be constructed on the property be issued where any part of the structure exceeds 1670 feet above mean sea level without the written authorization of the City Manager or his designee, provided, however, no part of any structure located within any approach zone or transition zone to Runway 12 at the Kerrville/Kerr County Municipal Airport shall be higher than the maximum height established for the approach zone or transition zone at the location of the structure.
3. All outdoor lighting must be designed in accordance with the regulations of the Federal Aviation Administration or its successor agency in order to prevent such outdoor lighting from constituting a hazard to air traffic arriving or departing the Kerrville/Kerr County Municipal Airport.

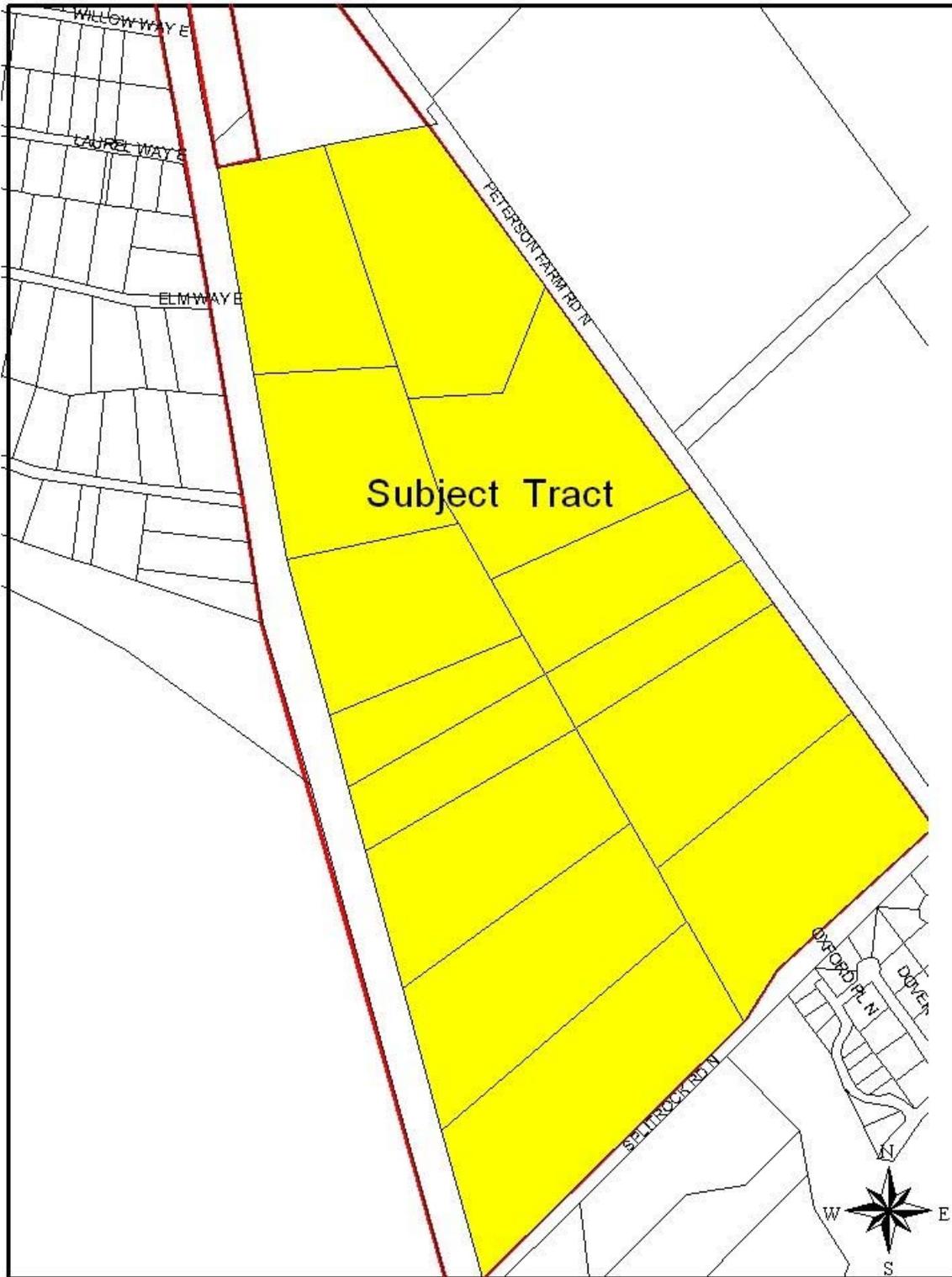
Planned Development Site Plan:

The site plan submitted provides the minimum information required for review and consideration and is intended to complete the PDD process as outlined in the Zoning Code. After review, staff has the following issues that should be addressed prior to review and consideration by the City Council. Because the issues are minor design changes and/or conditions listed in the PDD ordinance, staff can recommend approval subject to the following;

1. Redesign the dumpster location for side load (driver side) pick-up.
2. The parking spaces on the perimeter of the lot measure 9' x 18', the City minimum requirement is 9' x 19'.
3. Fire Marshal approval of the access road (fire lane), the number and location of fire hydrants, and the proposed access gates.
4. Approval of the outdoor lighting by FAA or successor agency, per the PDD ordinance.

### **RECOMMENDED ACTION**

1. Open the public hearing and receive comments, and
2. Recommend to the City Council approval of the Planned Development Site Plan subject to the conditions listed above and the attached Ordinance.



**CITY OF KERRVILLE, TEXAS**  
**ORDINANCE NO. 2001- 20**

AN ORDINANCE ANNEXING AN APPROXIMATELY 80.7 ACRE TRACT OUT OF THE W.T. CROOK SURVEY NO. 70, ABSTRACT NO. 113 ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF KERRVILLE, TEXAS; DESCRIBING THE TERRITORY TO BE ANNEXED; ADOPTING A SERVICE PLAN FOR THE TERRITORY ANNEXED; AND ESTABLISHING THE ZONING FOR THE AREA ANNEXED

WHEREAS, pursuant to Tex. Loc. Govt. Code §43.052(h)(2), the owner of the property described in Section One, below, has petitioned that said property be annexed into the corporate limits of the City of Kerrville, Texas; and

WHEREAS, having provided all required public notices, held all required public hearings at which people with an interest in the matter were provided an opportunity to be heard, and heard all of the arguments related to the petitions submitted, the City Council of the City of Kerrville, Texas, finds it to be in the public interest to approve an ordinance annexing the subject property, adopt a service plan as required by state law, and establish zoning regulations for the area;

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

SECTION ONE. That the following described property is hereby annexed and incorporated into the corporate limits of the City of Kerrville, Texas, for all legal purposes:

All that certain tract or parcel of land, lying and being situated in the County of Kerr; State of Texas; comprising 80.7 acres, more or less; being out of original Survey No. 70, W. T. Crook, Abstract No. 113; being all that 40.0 acre tract, which was conveyed from Gala Land Company, L.L.C., to St. Ignatius Regional Catholic High School, Inc., by deed dated June, 1999, of record in Volume 1016, page 297, of the Real Property Records of Kerr County, Texas, and which was conveyed from L. D. Brinkman, to St. Ignatius Regional Catholic High School, Inc., by Quitclaim Deed dated May 13, 1999, of record in Volume 1030, page 581, of the Real Property Records of Kerr County, Texas; all that 20.0 acre tract, and that 14.57 acre tract, which were conveyed from Gala Land Company, L.L.C., to St. Ignatius Regional Catholic High School, Inc., by deed dated January 2000, of record in Volume 1046, page 257, of the Real Property Records of Kerr County, Texas; each being part of that 74.57 acre tract which was conveyed from Farm Credit Bank of Texas, to Gala Land Company, L.L.C., by deed dated the 11th day of July, 1997, of record in Volume 908, at page 750, of the Real Property Records of Kerr County, Texas; which is part of that 730.72 acre tract which was conveyed from Texas Hill Country Orchards, Ltd., to Farm Credit Bank of Texas, by deed dated the 15th day of February, 1994, of record in Volume 734, at page 495, of the Real Property Records of Kerr County, Texas; which is also being part of Los Premiados Estates, according to plat of record in Volume 6, on page 253, of the Plat Records of Kerr County, Texas; and also being all of that 6.13 acre tract, which was conveyed from Silverio Cervantez and wife, Pam Cervantez, to St. Ignatius Regional Catholic High School, Inc., by deed dated the 5th day of March, 2001, of record in Volume

Approved by City Council

Date: Sept 25 2001

Volume 35 Page 8

1110, page 768, of the Real Property Records of Kerr County, Texas; and subject tract being more particularly described by metes and bounds, as follows, to wit:

BEGINNING at a ½" iron stake marking the northeast corner of Lot No. 8, of said Los Premiados Estates, which is the northeast corner of said 14.57 acre tract, and said 74.57 acre tract, being in the southwest right-of-way line of sixty (60) foot wide Peterson Farm Road, as dedicated to Kerr County, according to plat of said Los Premiados Estates,

THENCE with the northeast line of said 14.57 acre tract, and said 74.57 acre tract, the northeast line of Lots 8, 9, 10, 11, and 12 of said Los Premiados Estates, being the southwest right-of-way line of said Peterson Farm Road, as dedicated to Kerr County, according to plat of said Los Premiados Estates, a direction of S.35°47'E., for a distance of 848.66 feet to a ½" iron stake marking the northeast corner of said 20.0 acre tract, continuing with the northeast line of said 20.0 acre tract, a direction of S.35°47'E., for a distance of 638.85 feet to a ½" iron stake marking the north corner of said 40.0 acre tract, and continuing with the northeast line of said 40.0 acre tract, a direction of S.35°47'E., for a distance of 934.09 feet [deed total S.35°47'E. 2421.59 feet] to a ½" iron stake marking the east corner of said 74.57 acre tract, the east corner of Lot No. 12, of said Los Premiados Estates, being located a distance of 76.90 feet, a direction of N.30°06'W., from a ½" iron stake marking the north corner of Castlecomb, according to plat of record in Volume 5, on page 307, of the Plat Records of Kerr County, Texas;

THENCE with the southeast line of said 40.0 acre tract, the southeast line of said 74.57 acre tract, the southeast line of said Lot No. 12, a direction of S.45°04'W., for a distance of 615.00 feet [deed S.45°04'W. 615.00 feet] to a ½" iron stake marking corner, and continuing a direction of S.34°27'W., for a distance of 163.45 feet [deed S.34°29'W. 163.48 feet] to a ½" iron stake marking the south corner of said Lot No. 12, the east corner of Lot No. 1, of said Los Premiados Estates, being located a distance of 253.26 feet, a direction of S.55°08'W., from a ½" iron stake marking the common corner of Lot Nos. 11, 19, & 20 of said Castlecomb, and also being located a distance of 20.75 feet a direction of N.30°06'W., from a ½" iron stake found at a fence corner post;

THENCE continuing with the southeast line of said 40.0 acre tract, the southeast line of said 74.57 acre tract, the southeast line of said Lot No. 1, a direction of S.45°04'W., for a distance of 1029.40 feet [deed S.45°04'W. 1029.40 feet] to a ½" iron stake marking the south corner of said 74.57 acre tract, the south corner of said Lot 1, being in the southwest line of said 730.72 acre tract, the northeast right-of-way line of State Highway No. 27, located a distance of 416.30 feet, a direction of S.15°28'E., [platted Lot No. 1 S.15°28'E. 416.30 feet] from a nail marking the northwest corner of said Lot No. 1, the southwest corner of Lot No. 2, of said Los Premiados Estates, also being located a distance of 17.96 feet, a direction of N.23°43'W., from a 5/8" iron stake found;

THENCE with the southwest line of said 40.0 acre tract, the southwest line of said 74.57 acre tract, the southwest line of said 730.72 acre tract, the southwest line of said Los Premiados Estates, the northeast right-of-way line of said State Highway No. 27, a direction of N.15°28'W., at a distance of

416.30 feet a nail marking the northwest corner of said Lot No. 1, at a distance of 836.63 feet, a nail marking the northwest corner of said Lot No. 2, at a distance of 1243.04 feet, a nail marking the northwest corner of said Lot No. 3, continuing a total distance of 1470.41 feet to a ½" iron stake marking the west corner of said 40.0 acre tract, the south corner of said 20.0 acre tract, continuing with the southwest line of said 20.0 acre tract, a direction of N.15°28'W., for a distance of 412.89 feet to the point of curvature of a circular curve to the right (clockwise);

THENCE continuing with the southwest line of said 20.0 acre tract, the southwest line of said 74.57 acre tract, the southwest line of said 730.72 acre tract, the southwest line of said Los Premiados Estates, the northeast right-of-way line of said State Highway No. 27, along the arc of said circular curve to the right (clockwise), having a central angle of 5°22', a radius of 2826.62 feet, the long chord bears a direction of N.12°57'W., for a distance of 264.79 feet, for a distance along said curve of 264.89 feet to the end of curve;

THENCE continuing with the southwest line of said 20.0 acre tract, the southwest line of said 74.57 acre tract, the southwest line of said 730.72 acre tract, the southwest line of said Los Premiados Estates, the northeast right-of-way line of said State Highway No. 27, a direction of N.10°07'W., for a distance of 260.57 feet to a ½" iron stake marking the northwest corner of said 20.0 acre tract, the southwest corner of said 14.57 acre tract, and continuing with the southwest line of said 14.57 acre tract, a direction of N.10°07'W., for a distance of 825.76 feet to a ½" iron stake marking the northwest corner of said 74.57 acre tract, the northwest corner of said Lot No. 7;

THENCE with the north line of said 74.57 acre tract, the north line of said Los Premiados Estates, a direction of N.78°44'E., for a distance of 100.77 feet to a 12" fence corner post the southwest corner of said 6.13 acre tract, which was conveyed to St. Ignatius Regional Catholic High School, Inc., and being in the east line of the former railroad right of way;

THENCE with fence the east line of said 6.13 acre tract, a direction of N.9°26'W., for a distance of 511.96 feet [deed N10°26'W 511.96 feet] to a 12" fence post for angle, and continuing a direction of N.4°06'W., for a distance of 672.93 feet [deed N5°06'W 672.93 feet] to a 6" fence corner post for the north corner of said 6.13 acre tract;

THENCE with fence an east line of said 6.13 acre tract, a direction of S.22°03'E., for a distance of 265.86 feet [deed S23°03'E 265.86] to a dead 16" Live Oak Tree for an angle and continuing a direction of S.33°55'E., for a distance of 102.68 feet [deed S34°55'E 102.68 feet] to a 6" fence post in the southwest line of said Peterson Farm Road;

THENCE with an east line of said 6.13 acre tract, the southwest line of said Peterson Farm Road, a direction of S.18°23'E., for a distance of 198.62 feet [deed S19°23'E 198.62 feet] to a sounded iron rod for an angle, and continuing a direction of S.35°15'E., for a distance of 685.60 feet [deed S36°15'E 685.60 feet] to a 12" fence corner post the southeast corner of said 6.13 acre tract, in the

north line of said Lot No. 8, of Los Premiados Estates, the north line of said 14.57 acre tract, and said 74.57 acre tract;

THENCE with the north line of said Lot No. 8, of Los Premiados Estates, the north line of said 14.57 acre tract, and said 74.57 acre tract, a direction of N.78°29'E., for a distance of 11.93 feet to the place of beginning.

Bearings based on recorded plat of Los Premiados Estates.

SECTION TWO. That the service plan regarding the provision of public services set forth in Exhibit "A", attached hereto and incorporated herein by reference, is hereby adopted for the area described in Section One, above, as required by Texas Local Government Code §43.056.

SECTION THREE. That upon the adoption of this ordinance, the area described in Section One, above, shall be and constitute a Planned Development District in accordance with Article 11-I-15 of the Code of Ordinances of the City of Kerrville, Texas, which, in addition to the regulations set forth in the Title 11, Chapter I of the Code of Ordinance, shall be subject to the following use and development regulations:

- A. The following uses shall be permitted as a matter of right on the property:
  - 1. Secondary Education
  - 2. Elementary Education
  - 3. One single-family residence
  
- B. The following uses shall be permitted upon adoption of a development site plan related to such uses in conformance with Article 11-I-15(c.)(9) of the Code of Ordinances:
  - 1. Single family residential uses for students, faculty, and/or staff of the secondary or elementary school developed on the property;
  - 2. Multi-family residential uses for students, faculty, and/or staff of the secondary or elementary school developed on the property.
  
- C. The development site plan required by paragraph B, above, must be adopted in the same manner as an amendment to the planned development district ordinance.
  
- D. Notwithstanding the provisions of Article 11-I-3(a.)(47), no portion of any structure built on the property, including but not limited to church spires, belfries, communication antennae, and water towers, shall exceed 50 feet in height.
  
- E. In no case shall any building permit for a structure to be constructed on the property be issued where any part of the structure exceeds 1670 feet above mean sea level without the written

authorization of the City Manager or his designee; provided, however, no part of any structure located within any approach zone or transition zone to Runway 12 at the Kerrville/Kerr County Municipal Airport shall be higher than the maximum height established for the approach zone or transition zone at the location of the structure.

- F. All outdoor lighting must be designed in accordance with the regulations of the Federal Aviation Administration or its successor agency in order to prevent such outdoor lighting from constituting a hazard to air traffic arriving or departing the Kerrville/Kerr County Municipal Airport.

PASSED AND APPROVED ON FIRST READING, this the 11 day of September 2001.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the 25 day of September, 2001.

  
\_\_\_\_\_  
Stephen P. Fine, Mayor

ATTEST:

  
\_\_\_\_\_  
Sheila L. Brand, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Kevin B. Laughlin, City Attorney

E:\LEGAL\PLANNING\ANNEX\ORD\CATHOLIC HIGH SCHOOL.DOC

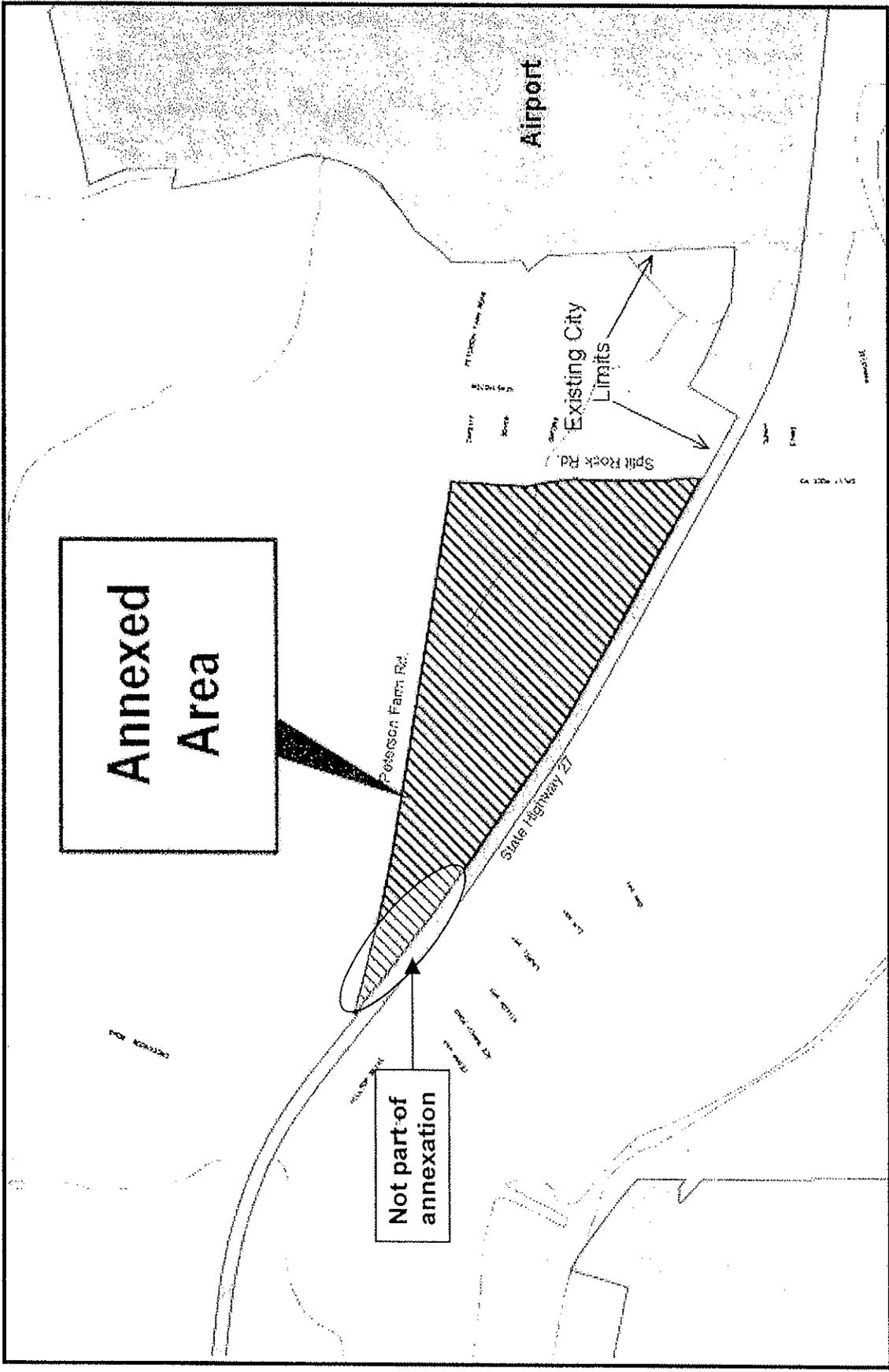
EXHIBIT "A"

ANNEXATION SERVICE PLAN  
 OUR LADY OF THE HILLS REGIONAL CATHOLIC HIGH SCHOOL

SERVICE	DETAILS OF SERVICE PROVIDED	TIMETABLE
Animal Control	The provisions of animal control services shall be in effect following annexation of the property	Immediately following annexation
Code Enforcement	The provisions of Code Enforcement services, including the application and enforcement of building, electrical, plumbing, and other related code requirements adopted by the City of Kerrville shall be made immediately to the area upon annexation. The preparation of a zoning plan shall serve as a basis for the zoning of land following annexation. The adoption of the zoning plan shall be in accordance with the procedures of the City of Kerrville's Zoning Ordinance.	Immediately following annexation, zoning to be concurrent with annexation
Fire Protection and Suppression	Fire protection and suppression personnel and equipment from the Kerrville Fire Department will be provided to the area as needed.	Immediately following annexation
Fire Prevention	The services of the City of Kerrville Fire Marshall shall be provided to the area.	Immediately following annexation.
Library	Residents of the area will continue to be entitled to utilize all City of Kerrville Library facilities.	Immediately following annexation.
Parks and Recreation	City of Kerrville Parks and Recreation services will continue to be available to the area residents.	Immediately following annexation
Police Protection	Police protection personnel and equipment shall be provided to the area immediately upon annexation. Police enforcement and protection services shall be provided through regular patrol activities.	Immediately following annexation
Public Services - Street Department	Public streets not maintained by the Texas Department of Transportation within the area	Immediately following annexation

ANNEXATION SERVICE PLAN (CONTINUED)

SERVICE	DETAILS OF SERVICE PROVIDED	TIMETABLE
	shall be maintained by the City of Kerrville.	
Sanitation (Refuse Collection)	Refuse collection shall be available to residents of the annexed area at the same costs and procedures as required of city residents and businesses.	Immediately following annexation
Traffic Engineering	Traffic control devices and street markers shall be installed where deemed necessary by the city street department, except as provided by the Texas Department of Transportation.	Immediately following annexation
Utilities (Water Distribution and Wastewater Collection)	Extension of utilities shall be in accordance with the City of Kerrville's Subdivision Ordinance.	As the property develops



**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2008-\_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. 2001-20 WHICH ANNEXED AND CREATED A "PLANNED DEVELOPMENT DISTRICT" ON AN APPROXIMATE 80.7 ACRE TRACT OF LAND OUT OF THE W. T. CROOK SURVEY NO. 70, ABSTRACT NO. 113, WITHIN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS, SAID AMENDMENT TO THE ORDINANCE BEING A SITE PLAN AND BEING MADE A PART OF SAID ORDINANCE NO. 2001-10**

**WHEREAS**, on September 25, 2001, the City Council of the City of Kerrville, Texas, approved Ordinance No. 2001-20 to create a "Planned Development District" on an approximate 80.7 acre tract of land out of the W. T. Crook survey No. 70, Abstract No. 113, within the City of Kerrville, Kerr County, Texas, to allow the uses prescribed in said Ordinance No. 2001-20, subject to a site plan and other conditions related to the development of the district; and

**WHEREAS**, an applicant has submitted a site plan to complete the Planned Development District process for a portion of the subject tract and to establish building areas, access points and parking areas for a permitted use; and

**WHEREAS**, the City Council of the City of Kerrville, Texas, finds it to be in the public interest to amend Ordinance 2001-20 by adding the site plan as described;

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

**SECTION ONE.** Ordinance No. 2001-20 is amended by adding the Site Plan, to be attached as **Exhibit B.**

**SECTION TWO.** Except as amended by this Ordinance, the provisions of Ordinance No. 2001-20 shall remain in full force and effect.

**PASSED AND APPROVED ON this the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2008.**

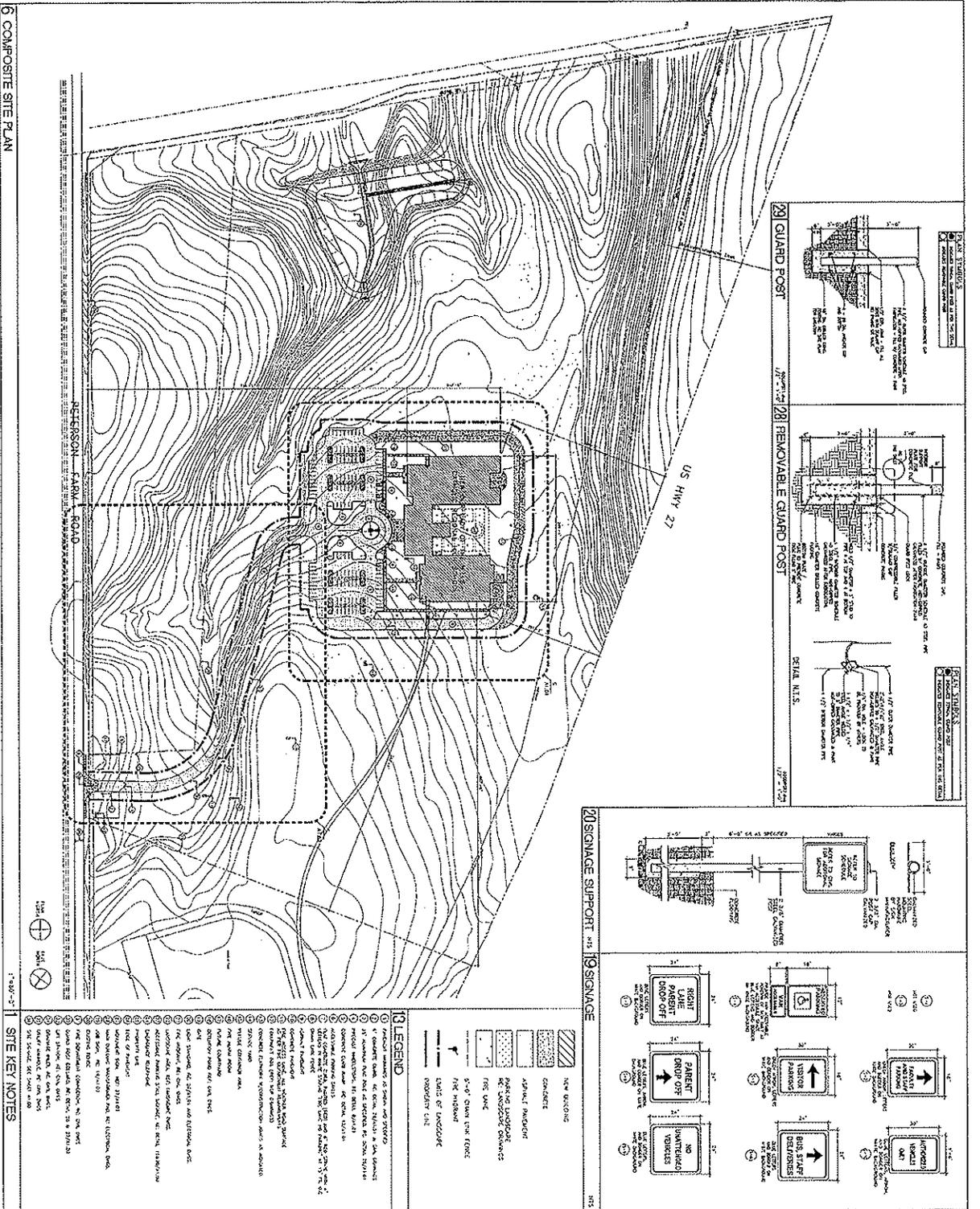
\_\_\_\_\_  
Todd A. Bock, Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
Michael C. Hayes, City Attorney

\_\_\_\_\_  
Brenda G. Craig, City Secretary



OUR LADY OF THE HILLS  
REGIONAL CATHOLIC HIGH SCHOOL  
600 PETERSON FARM ROAD  
KEPPELVILLE, TN 37056

**PRK**  
Architectural  
Engineering  
Planning  
Facility Consulting

PROJECT NO. 13-0089  
DATE: 02/03/04  
SHEET NO. 11  
REVISED:

1100  
COMPOSITE  
SITE PLAN  
AND DETAILS

DATE: 02/03/04  
SHEET NO. 11  
REVISED:

1100  
COMPOSITE  
SITE PLAN  
AND DETAILS

**EXHIBIT B**





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

**AGENDA ITEM:** 5A **FOR AGENDA OF:** October 16, 2008  
**DESCRIPTION:** Future Agenda Items  
**APPLICANT(S):** Gordon Browning, Senior Planner  
**ATTACHMENT(S):**

---

As of this writing, there are no items scheduled for the November 6, 2008 meeting.