



City Council Meeting Agenda
April 8, 2025 at 6:00 PM
City Hall, 701 Main Street, Kerrville, Texas



Citizens may view and hear City Council meetings on Spectrum Channel 2 or live-stream via [City's website \(www.kerrvilletx.gov\)](http://www.kerrvilletx.gov). City Council meetings are recorded, and recordings posted on the City's website. Citizens wishing to speak during a meeting shall submit a completed "speaker request form" to the City Secretary before the item is introduced, and encouraged to submit the form before the meeting begins. Each speaker is limited to four minutes.

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun. Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun carried openly. Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon on the property. Thank you for your participation!

CALL TO ORDER: Mayor Joe Herring, Jr.

INVOCATION AND PLEDGE OF ALLEGIANCE: Councilmember Delayne Sigerman

1. **ANNOUNCEMENTS OF COMMUNITY INTEREST:** *Items of community interest, including expressions of thanks, congratulations, condolences; holidays; recognitions; city sponsored events, or events scheduled which city officials will attend; safety and imminent threats to the public. No action will be taken.*
2. **PRESENTATIONS:**
 - 2.A Recognition of Commendations: Parks & Recreation Advisory Board members David Bartels and Karen Yanez. *(J Herring, Mayor)*
 - 2.B Kerrville Kindness: Cecil Cloyed for his heroic acts on his postal route. *(J Herring, Mayor)*
3. **VISITORS/CITIZENS FORUM:** *Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must complete the speaker request form and submit it to the City Secretary, before the item is called or read into record. City Council may not discuss or take any action on an item but may place the issue on a future agenda. Each speaker is limited to four minutes.*
4. **CONSENT AGENDA:** *These items are considered routine and can be approved in one motion unless a Councilmember, staff, or member of the public asks for separate consideration of an item. It is recommended that the City Council approve the following items which will grant the Mayor or City Manager the authority to take all actions necessary for each approval:*
 - 4.A City Council meeting minutes March 25, 2025. *(S McElhannon, City Secretary)*
5. **PUBLIC HEARING AND ORDINANCES, FIRST READING:**
 - 5.A Ordinance No. 2025-07. An Ordinance amending Chapter 82 of the Code of Ordinances, City of Kerrville, Texas, such Chapter commonly known as the City's Subdivision Code; by amending various sections of the Code, including Sections regarding the platting process and adding a requirement for a Certificate of Assured Groundwater Rights; and providing other matters relating to the subject. *(D Paxton, Director of Planning & Development)*

- 5.B Ordinance No. 2025-08. An Ordinance changing the zoning of a property known as 620 Webster Ave., consisting of part of Lot 49 and Lots 50 and 51, Block 14, of the Parsons Addition; from a Single-Family Residential with Accessory Dwelling Unit Zoning District (R-1A) to a Neighborhood Commercial Zoning District (C-1); and providing other matters relating to the subject. (*D Paxton, Director of Planning & Development*)
- 5.C Ordinance No. 2025-09. An Ordinance changing the zoning of an approximate .94 acre property generally located adjacent to and north of Travis Street and between its intersection with Park Street and South Street; consisting of Lots 1-R, 2 through 5, 6-R, 7-R, 8 through 10, 11-R, and 12-R; from a Single-Family Residential Zoning District (R-1) to a Medium Density Residential Zoning District (R-2); and providing other matters relating to the subject. (*D Paxton, Director of Planning & Development*)
- 5.D Ordinance No. 2025-10. An Ordinance amending Ordinance No. 2019-22 which created a Planned Development District on an approximate 264.22 acre tract of land; generally located southeast of the intersection of Farm-to-Market Road 783 (Harper Highway) and Interstate 10 and adjacent to and north of Holdsworth Drive; this amendment to revise the previously adopted Concept Plan and Land Use Table to revise the descriptions of land uses; and providing other matters relating to the subject. (*D Paxton, Director of Planning & Development*)

6. **ORDINANCES, FIRST READING:**

- 6.A Ordinance No. 2025-11. An Ordinance deleting Article III "Electioneering and Other Conduct at Polling Locations", of Chapter 70 "Offenses and Miscellaneous Provisions", of the Code of Ordinances of the City of Kerrville, Texas; containing a cumulative clause; containing a savings and severability clause; and providing other matters relating to this subject. (*M Hayes, City Attorney*)

7. **FINANCE:**

- 7.A Financial Update for month-ended 3/31/2025. (*J Behrens, Director of Finance*)

8. **EXECUTIVE SESSION:** *City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above if items meet the qualifications in Chapter 551 of the Texas Government Code. City Council also reserves the right to meet in executive session on the following issues:*

- 8.A Project Keystone. (551.087) (*M Hornes, Asst City Manager*)
- 8.B Whiskey Springs Development. (551.087) (*M Hornes, Asst City Manager*)
- 8.C Liberty in Action Network, Terri Hall, and Rachel Vickers, Plaintiffs v. City of Kerrville, Texas, Defendant, Civil Action No. 5:24-CV-00403, US Court for the Western District of Texas, San Antonio Division. (551.071) (*M Hayes, City Attorney*)
- 8.D City of Kerrville and Kerr County, Condemnor v. Dark Sky Estates, LLC Condemnee, Cause No. 24833B, 198th District Court, Kerr County, Texas. (551.071) (*M Hayes, City Attorney*)
- 8.E *In re Wellpath Holdings, Inc., et al.*, Chapter 11 Bankruptcy, Case No. 24-90533 (ARP) in the United States Bankruptcy Court for the Southern District of Texas, Houston Division (551.071) (*W Tatsch, Assist City Attorney*)

9. **ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY.**

10. **ITEMS FOR FUTURE AGENDAS:** *Council may suggest items or topics for future agendas.*

ADJOURN.

The facility is wheelchair accessible, and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-258-1118 for further information.

I hereby certify that this agenda was posted as notice of the meeting on the bulletin board at the City Hall of the City of Kerrville, Texas, and on the City's website April 03, 2025 at 2:15 pm, and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Shelley McElhannon, TRMC, City Secretary, City of Kerrville, Texas



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

CAPTION: City Council meeting minutes March 25, 2025. (*S McElhannon, City Secretary*)

AGENDA DATE: April 8, 2025

DATE SUBMITTED: 02/24/2025

SUBMITTED BY:

Shelley McElhannon, City Secretary

EXHIBITS:

1. 20250408 Minutes CC meeting 3-25-25

Expenditure:

Account Number:

**Payment to/Vendor
name:**

Amount Budgeted:

Account Balance:

Kerrville 2050 Item?

No

Key Priority Area:

SUMMARY:

March 25, 2025, 6:00 pm, City Council meeting minutes.

RECOMMENDED ACTION:

Approve minutes as presented.

**CITY COUNCIL MEETING MINUTES
MARCH 25, 2025 6:00 PM**

KERRVILLE, TEXAS

On March 25, 2025 at 6:00 PM, Mayor Joe Herring, Jr. called the Kerrville City Council meeting to order in City Hall Council Chambers, 701 Main Street. Councilmember Brenda Hughes provided the invocation, and led the Pledge of Allegiance.

COUNCILMEMBERS PRESENT:

Mayor Joe Herring, Jr
Councilmember Delayne Sigerman
Councilmember Jeff Harris
Councilmember Kent McKinney
Mayor Pro-Tem Brenda Hughes

COUNCILMEMBERS ABSENT:

None

CITY EXECUTIVE STAFF:

Dalton Rice, City Manager
Mike Hayes, City Attorney
Michael Hornes, Asst City Manager
Kim Meismer, Asst City Manager
Shelley McElhannon, City Secretary
Aaron Barnes, Interim Chief Building Official
Stuart Barron, Executive Director
Julie Behrens, Director of Finance
Jacob Bogusch, Finance Compliance

Donna Bowyer, Code Compliance Officer
Stuart Cunyus, Public Information Officer
Jason Lackey, Fire Marshal
Eric Maloney, Fire Chief
Chris McCall, Police Chief
Diane Miller, Library Director
Drew Paxton, Director of Planning
Trina Rodriguez, Asst Director Finance

VISITORS PRESENT: A list of the citizen speakers present during the meeting is on file in the City Secretary's Office for the required retention period.

Rae Cardenas, Executive Director Doyle Center
Kevin Kemp, Certified Public Accountant Forvis Mazars, LLC

1. ANNOUNCEMENTS OF COMMUNITY INTEREST:

Stuart Cunyus, Mayor Herring, Councilmember Jeff Harris, and Councilmember Delayne Sigerman provided information.

2. PRESENTATIONS:

2.A Recognition of Commendation: Termed Zoning Board of Adjustment member, Sam Ligon.

Mayor Herring recognized Sam Ligon, for service on the Zoning Board of Adjustment.

2.B Recognizing April as Child Abuse Prevention Month and The Hill Country Crisis Council for their community engagement.

Mayor Herring recognized the month of April as Child Abuse Prevention month, and commended the Hill Country Crisis Council for community engagement.

2.C Doyle Center update as to its services and programs.

Rae Cardenas provided information and responded to questions.

3. VISITORS/CITIZENS FORUM: No person(s) spoke.

4. CONSENT AGENDA:

Councilmember Hughes made a motion to approve the Consent Agenda items, seconded by Councilmember Kent McKinney. The motion passed 5-0.

4.A Resolution No. 10-2025. A Resolution authorizing the City's submission of a Texas Community Block Grant Program Application to the Texas Department of Agriculture for the 2025 Downtown Revitalization Program Fund; and authorizing the Mayor and City Manager to act as the City's Executive Officers and authorized representatives in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program.

4.B City Council meeting minutes March 11, 2025.

END OF CONSENT AGENDA.

5. PUBLIC HEARING AND POSSIBLE ACTION:

5.A A request for a variance from the ½ mile distance requirement per Section 30-16 of the Code of Ordinances as required between boarding home facilities, such request pursued for a proposed boarding home facility located at 504 Tivy Street.

Drew Paxton provided information and responded to questions, and applicant Clair Booth spoke.

Mayor Herring opened the public hearing at 6:35 p.m.

The following person(s) spoke: Maria-Ramona Mousavian

Mayor Herring closed the public hearing at 6:36 p.m.

Fire Marshal Jason Lackey provided information and responded to questions, and applicant Clair Booth provided clarification.

Councilmember McKinney made a motion to deny the variance, seconded by Councilmember Sigerman. The motion to deny passed 4-1 with Councilmember Sigerman, Councilmember Harris, Councilmember McKinney, and Councilmember Hughes voting to deny, and Mayor Herring voting to grant.

6. CONSIDERATION AND POSSIBLE ACTION:

6.A Presentation of Audit Overview and Annual Comprehensive Financial Report.

Julie Behrens introduced Kevin Kemp, who presented the Audit Overview and Annual Comprehensive Financial Report, and responded to questions.

Councilmember Harris made a motion to accept the Annual Comprehensive Financial Report as presented, seconded by Councilmember Hughes. The motion passed 5-0.

6.B Request for variance to application of building code (sprinklers) per §26-259 of the City's Code of Ordinances for property at 613 Rock Creek Loop.

Drew Paxton introduced applicant Richard Perry, who provided information and responded to questions. Fire Marshal Jason Lackey and Dalton Rice provided information, clarification, and responded to questions.

Councilmember Hughes made a motion to deny the variance for 613 Rock Creek Loop, seconded by Councilmember Sigerman. Motion to deny passed 5-0.

7. BOARD APPOINTMENTS:

7.A Appointment to the Library Advisory Board.

Councilmember McKinney made a motion to appoint Lisa Cashiola as a member of the Library Advisory Board, seconded by Councilmember Hughes. The motion passed 5-0.

7.B Appointment(s) to the Parks & Recreation Advisory Board.

Councilmember Harris made a motion to table the Parks & Recreation Advisory Board appointments until the April 22, 2025 City Council meeting, seconded by Councilmember McKinney. The motion to table was approved 5-0. Councilmember Harris also requests to move the April 2025 Parks & Recreation Advisory Board meeting until May 2025, so the newly hired Parks & Recreation Director will be able to attend.

7.C Appointment to the Kerr Emergency 9-1-1 Board of Managers.

Chief Chris McCall nominated Kerrville Police Department Lieutenant Mary Krebs to be appointed as a member of the 9-1-1 Board of Directors. Councilmember Hughes made a motion to appoint Lieutenant Krebs as the City representative and member of the 9-1-1 Board of Directors, seconded by Councilmember McKinney. The motion passed 5-0.

8. EXECUTIVE SESSION: Executive Session was not called nor convened.

9. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY. N/A

10. ITEMS FOR FUTURE AGENDAS:

Councilmember Harris requested to revisit the Ordinance on variance distances, in respect to classifications, such as a sober living home, or senior assistance living home, or other types; and review feasibility on the types of the properties, seconded by Mayor Herring.

ADJOURN. The meeting adjourned 7:29 p.m.

APPROVED BY COUNCIL: _____

Joe Herring Jr., Mayor

Shelley McElhannon, City Secretary



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

CAPTION: Ordinance No. 2025-07. An Ordinance amending Chapter 82 of the Code of Ordinances, City of Kerrville, Texas, such Chapter commonly known as the City's Subdivision Code; by amending various sections of the Code, including Sections regarding the platting process and adding a requirement for a Certificate of Assured Groundwater Rights; and providing other matters relating to the subject. *(D Paxton, Director of Planning & Development)*

AGENDA DATE: April 8, 2025

DATE SUBMITTED: 02/28/2025

SUBMITTED BY:

Drew Paxton, Director of Planning and Development

EXHIBITS:

1. 20250408_Ord 2025-07_Subdivision Code

Expenditure:

Account Number:

**Payment to/Vendor
name:**

Amount Budgeted:

Account Balance:

Kerrville 2050 Item?

Yes

Key Priority Area:

E – Economic Development

SUMMARY:

To keep our development codes updated and in line with the Kerrville 2050 Implementation Item E2.12, which ensures that Development Services processes and existing codes and ordinances do not hinder development or redevelopment, staff have identified several amendments to the subdivision ordinance. These updates aim to streamline the process, resolve conflicts within the code, realign infrastructure deferral steps, and ensure consistency with updates to state statutes. Below is a brief summary of the amendments:

Fine-tuning of the subdivision process

- Mandatory meetings made optional

- Alternative Procedure removed and made standard in the process

Correct conflicts within the code

- Removal of duplicate submittal requirements

Realign steps for infrastructure deferral related to funding security

- Funding security is not required until the recording of the plat

Amend what infrastructure may be deferred

- Limited to surface infrastructure, no underground utilities may be deferred

Legislative Updates

- Adequate Facilities Plans and Civil Construction Plans are no longer automatically approved by operation of law.
- Replats may be approved by staff rather than waiting for P&Z approval.

The operational adjustments will allow applicants and staff to streamline the process. Adjusting the requirements to the timing of funding security for deferred infrastructure aligns with typical project financing.

RECOMMENDED ACTION:

Approve Ordinance No. 2025-07 first reading.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2025-07**

AN ORDINANCE AMENDING CHAPTER 82 OF THE CODE OF ORDINANCES, CITY OF KERRVILLE, TEXAS, SUCH CHAPTER COMMONLY KNOWN AS THE CITY'S SUBDIVISION CODE; BY AMENDING VARIOUS SECTIONS OF THE CODE, INCLUDING SECTIONS REGARDING THE PLATTING PROCESS AND ADDING A REQUIREMENT FOR A CERTIFICATE OF ASSURED GROUNDWATER RIGHTS; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT

WHEREAS, on September 28, 2021, City Council adopted Ordinance No. 2021-24, which consisted of a comprehensive revision of the City's Subdivision Code; and

WHEREAS, Ordinance No. 2021-24 was adopted in accordance with and pursuant to the City's Comprehensive Plan (*Kerrville 2050*) as well as Chapter 212, Texas Local Government Code; and

WHEREAS, City staff recommends amending the Subdivision Code regarding regulations concerning the application process and other matters; and

WHEREAS, City staff believes that the amendments will lead to greater efficiencies and effectiveness as to the review and consideration of applications and actions required as part of the subdivision approval process; and

WHEREAS, pursuant to Section 212.002 of the Texas Local Government Code, notice has been given to all parties in interest and citizens by publication in the official newspaper for the City of Kerrville, Texas (City), and otherwise, of a hearing held before the City Council on April 8, 2025, which considered a report from City staff regarding its recommendations on this Ordinance, the adoption of which will result in various amendments to the Subdivision Code as provided here; and

WHEREAS, on April 8, 2025, City Council held a public hearing on the amendments provided here and has considered comments, a report, and recommendations of the Planning and Zoning Commission and staff, public testimony, and other relevant support materials;

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

SECTION ONE. Section 82-20, subsection (b)(1), of the Subdivision Code is amended with deleted language indicated by red, strikeout (~~deleted~~) and new language indicated by blue, underline (addition) as follows:

“(b) *Sequence to be followed.*

- (1) No required plat or subdivision plan may be submitted for filing simultaneously with another required plat or subdivision plan, except ~~under the alternative procedure provided in section 82-22~~ an adequate facilities plan and a preliminary plat may be submitted concurrently. No required plat or subdivision plan may be approved unless a required prior plat or subdivision plan has been approved or conditionally approved. Approval is required before the city will accept an application for the next stage of the sequence.”

SECTION TWO. Section 82-21 of the Subdivision Code is amended with deleted language indicated by red, strikeout (~~deleted~~) and new language indicated by blue, underline (addition) as follows:

“(a) *Pre-application conference.*

- (1) Before a person may submit an application for approval of a plat or subdivision plan approval to the city, an applicant ~~shall~~ may meet with the director to review the following matters:

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~~(3) At the pre-application conference, the applicant may elect in writing to an alternative procedure pursuant to section 82-22.~~

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(b) *Official submittal dates.*

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- (3) An applicant ~~shall~~ may schedule a meeting with the director on the official submittal date in order to review the proposed subdivision application.

- (4) A subdivision application ~~shall not be accepted for filing on an official submittal date and~~ shall be returned to the applicant in the following circumstances:

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(c) *Complete application determination.*

- (1) The director shall perform a completeness determination for the application ~~within five days of the official submittal date~~ and if determined complete,

the plat and the application will be considered filed as of the date it was submitted.

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(d) *Thirty-day decision process.*

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(2) *Approval of adequate facilities plan ("AFP").* The director shall endeavor to approve, approve with conditions, or disapprove an adequate facilities plan within 30 days after the date the AFP application is filed. Where such timing is not possible, the director shall inform the applicant. ~~An AFP is deemed approved unless it is conditionally approved or disapproved within that period in the manner provided in subsection (d)(4), below.~~

(3) *Approval of construction plans.* The city engineer shall endeavor to approve, approve with conditions, or disapprove construction plans within 30 days after the date the construction plans application is filed. Where such timing is not possible, the director shall inform the applicant. ~~A construction plan application is deemed approved unless it is conditionally approved or disapproved within that period in the manner provided in subsection (d)(4), below.~~

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(5) *Extension by agreement.* The applicant may request in writing and ~~the~~ either the commission ~~or director, as appropriate,~~ may approve the request for an extension of the time for plat ~~or subdivision plan~~ approval required by subsection (d)(1), above, for a period not to exceed 30 days, which may then be extended by an additional 30 day period. ~~The written request shall be made at least 15 days prior to the time scheduled for a decision on the application. If an extension is granted, the applicant may submit additional materials in support of the application no later than 20 days before the date the commission is scheduled to review the application.~~

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(f) *Exceptions to 30-day decision process.* The 30-day decision process and post-decision procedures described in subsections (d) and (e), above, pertaining to the review of applications for subdivision plans or anything else besides plats, do not apply to the following proceedings:

- (1) Any request for relief provided for in this Code, including an application for any waivers from the standards or procedures;
- (2) Any appeal provided for in these regulations, including an appeal from a vested rights determination;

- (3) Any action by the city council on the city engineer's rough proportionality determination, including an appeal taken by an applicant;
- (4) Any actions taken to modify an approved final plat;
- (5) Inspections of improvements;
- (6) Any actions taken after plat recordation, other than a replat or amending plat;
- (7) Any request to extend plat or subdivision plan approval beyond an expiration date; ~~or~~
- (8) Any matter requiring authorization prior to submittal of a plat or subdivision plan application identified in subsection (a)(2), above; or
- (9) A review by an outside party."

SECTION THREE. Section 82-22 of the Subdivision Code is deleted in its entirety as indicated by red, strikeout (~~deleted~~) as follows:

~~"Sec. 82-22. Alternative procedures.~~

- ~~(a) — *Purpose.* The alternative procedures in this section are intended to facilitate the development of a complete subdivision application for each stage of subdivision approval. This process will allow an applicant to have components of their submittal reviewed ahead of an application for a plat or subdivision plan to assure that prerequisites to subdivision approval have been met and that a subdivision application is complete for commission or responsible official review before the time periods in section 82-21 begin to run.~~
- ~~(b) — *Initial stage procedures.* At the time of the pre-application conference and submittal of an adequate facilities plan or preliminary plat application, an applicant may notify the director in writing that he or she desires to utilize the alternative procedures provided in this section. If the request to utilize the alternative procedures is approved by the director, an applicant may submit simultaneously an application for an AFP, where required, and an application for preliminary plat approval.~~
- ~~(c) — *Staff review and application processing.* The director shall convene necessary staff and others to review the application(s) in order to identify any prerequisites to completeness of the application(s) and shall assist the applicant in satisfying such requirements. To the extent reasonably possible, the responsible official shall expedite approval of any prerequisites to completing the application(s). When the application(s) is complete in accordance with application standards, the responsible official shall accept the application(s) for filing on the next official submittal date. Thereafter, the procedures in subsections 82-21(d) and (e), above, apply.~~

~~(d) — *Second stage procedures.* Following approval or conditional approval of the adequate facilities plan and/or preliminary plat, the applicant may elect in writing to utilize the alternative procedures for applications for construction plans and final plat approval at the pre-application conference for construction plans or on any official submittal date. Thereafter, an applicant may submit simultaneously an application for construction plans approval and an application for final plat approval. The procedures in subsection (c), above, apply to review and processing of these applications.~~

~~(e) — *Applicant's options.*~~

~~(1) An applicant who has submitted an application for a plat or subdivision plan approval may opt into the alternative procedures under this section by executing the election in writing and by withdrawing his or her subdivision application pending for decision by the commission or by the responsible official at least five days prior to the time scheduled for decision on the application. No additional filing fees will be charged for such election. Thereafter, the alternative procedures shall apply to processing the subdivision application.~~

~~(2) An applicant may withdraw from use of the alternative procedures by notifying the responsible official in writing and by submitting the application for a plat or subdivision plan approval on an official submittal date in the sequence required by section 82-21.~~

~~(3) Where an application for a plat or subdivision plan approval has been denied or is subject to a condition that shall be satisfied before the time of submitting a subsequent application, an applicant may elect in writing to consult with the director and other staff prior to submitting a response that satisfies the reasons for denial or the condition(s) as otherwise required by subsection 82-21(e)."~~

SECTION FOUR. Section 82-30, subsection (d), of the Subdivision Code is amended with deleted language indicated by red, strikeout (~~deleted~~) and new language indicated by blue, underline (addition) as follows:

“(1) A copy of all required pre-authorizations set forth in subsection 82-21(~~b~~a)

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(14) The following studies, where impacts on the city's public infrastructure systems from the development exceed the thresholds established in article IV or as may be required by the city engineer:

a. A traffic impact analysis (“TIA”);

b. A drainage study; ~~and/or~~

- c. A utility plan that addresses water and wastewater capacity necessary for the development; and
- d. A certificate of assured water rights for the development, as more specifically described in subsection (e), below.

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(e) Certificate of assured groundwater rights. Where an adequate facilities plan is required, the application shall include a statement and documentation satisfactory to the director but akin to a title report, certifying that the groundwater rights remain a part of the estate."

SECTION FIVE. Section 82-32, subsections (d), (e), and (f), of the Subdivision Code is amended with deleted language indicated by red, strikeout (~~deleted~~) and new language indicated by blue, underline (addition) as follows:

“(d) *Timing of public improvements.*

- (1) *Completion prior to final plat approval and recordation.* A developer may complete all required public improvements in accordance with the approved construction plans prior to the approval of a final plat.
- (2) *Completion before recordation of final plat.* ~~Unless an improvement agreement is executed pursuant to subsection (3), below, an~~ An approved final plat shall not be recorded in the real property records until after the public improvements have been completed by the owner and thereafter, inspected and accepted by the city, unless an improvement agreement is executed pursuant to subsection (3), below.
- (3) *Deferral of obligation.* The city engineer may defer a subdivider’s obligation to construct public street and sidewalk improvements upon execution of an improvement agreement, in a form approved by the city attorney, and upon provision of adequate security pursuant to subsection (e), below. Such improvement agreement shall be executed before final plat application and security provided ~~before final plat approval~~ prior to recordation if the subdivider wishes to defer construction of any public improvement. All underground infrastructure shall be installed prior to plat recordation.

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(e) *Improvement agreement and security for completion.*

- (1) *Contents of agreement.* When construction of any of the required public infrastructure has been deferred until after final plat approval and recordation, the final plat will not be accepted for filing, nor will it be

approved, unless and until the applicant enters into an improvement agreement with the city by which the applicant:

- a. Agrees to complete the improvements by a specified date;
- b. Warrants the improvements for two years following final acceptance by the city;
- c. Provides a maintenance bond in the amount of ~~110~~ 125 percent of the costs of the improvements for such time period;
- ~~d. Provides for securing the obligations of the agreement consistent with subsections (4) and (5), below; and~~
- ed. Contains other terms and conditions as are agreed to by the applicant and the city or as may be required by these subdivision regulations.

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(4) *Security for completion of improvements.*

- a. *Type of security.* When any of the required public infrastructure will be constructed after approval and recordation of the final plat, the applicant shall guarantee his or her construction obligations by an irrevocable letter of credit, cash deposit with the city, ~~or~~ bond executed by a surety company licensed to do business in the State of Texas and on a form provided by the city attorney, or any other type of financial guarantee acceptable by the director. ~~The type of security required for each improvement shall be as agreed to by the city.~~
- b. *Estimated cost and security approval.* Security shall be issued in the amount of ~~110~~ 125 percent of the estimated cost, in the sole opinion of the city engineer, to construct and complete all required public infrastructure to city's standards. Security shall be subject to the review and approval of the city attorney.

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(5) *Escrow policies and procedures.*

- a. *Request for escrow.* The city engineer may require, or the developer may petition the city, to defer required public infrastructure in exchange for a deposit of cash funds in escrow. The city engineer may require studies and other information to support a developer's request to escrow funds. The parties will incorporate the provisions for escrow into the improvement agreement and/or an escrow agreement as specified below.
- b. *Escrow deposit.* When the city engineer requires or agrees to accept escrow deposits, the subdivider shall deposit funds in escrow in an

amount equal to ~~110~~ 125 percent of the total “turnkey” costs including the design, permitting, acceptance, and inflation costs related to the improvement(s). The city engineer shall review and approve the amount, which shall be approved and paid prior to ~~approval~~ recordation of the final plat. The developer shall enter into an escrow agreement with city. The agreement will require that funds for the construction of the required improvements are escrowed with a state or national bank designated by the Texas Comptroller as a state depository institution and which has a branch located within 100 miles of the city’s limits where the funds are deposited. The agreement will provide that (i) the city has the irrevocable right to withdraw funds; and (ii) the developer, subject to approval of the director, may be permitted to draw funds pursuant to specific conditions to make payments towards the construction of the improvements as progress is verified by the city engineer.

c. Developer may obtain construction progress draws from the escrow account no more than once per month based on quantities of materials furnished and the work performed as identified on a schedule of values approved by the city engineer, the design engineer, and the developer. For any disbursements developer seeks from the escrow account, developer shall submit a draw request or pay application to the city engineer for approval.

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(f) *Criteria for approval of construction plans.* The city engineer shall approve the construction plans if:

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(3) The plans conform to the standards of article IV of these regulations; and

(4) An applicant has provided on-site easements and has acquired off-site utilities easements as required by subsection (d), above;

~~(5) Postponing construction of public infrastructure until after final plat approval and recordation is appropriate and a financial guarantee is acceptable through an improvement agreement; and~~

~~(6) An applicant has executed an improvement agreement and has posted security as required in subsection (e), above, if the obligation to construct public infrastructure has been deferred until final plat approval.~~

(g) *Effect.* Approval of construction plans authorizes the applicant to schedule a pre-construction meeting with the city in accordance with subsection 82-40(a) and to apply for the city to release the plans for construction or final acceptance of utility infrastructure in accordance with subsection 82-40(b). If the obligation to

construct public infrastructure has been deferred until after final plat ~~approval~~ ~~and~~ recordation, approval of construction plans authorizes the applicant to apply for final plat approval.”

SECTION SIX. Section 82-33, subsections (b) and (d), of the Subdivision Code is amended with deleted language indicated by red, strikeout (~~deleted~~) and new language indicated by blue, underline (addition) as follows:

“(b) *Submittal requirements.* The following documents and verifications shall be submitted to the director with the application for ~~preliminary~~ final plat approval:

(1) A ~~copy of~~ case number for the approved preliminary plat and verification of approved construction plans in a form acceptable to the director;

(2) If construction of any public infrastructure is to be ~~delayed~~ deferred until after recordation of the final plat, an executed copy of the improvement agreement ~~and security for completion~~ as required by subsection 82-32(e);

•
•
•

(d) *Criteria for approval of final plat.* The commission shall use the following criteria to determine whether the application for a final plat shall be approved, approved with conditions, or disapproved:

•
•
•

~~(4) Where public infrastructure have been installed, the infrastructure conforms to the approved construction plans and have been approved for acceptance by the city engineer;~~

(54) Where the city engineer has authorized public infrastructure to be deferred, an improvement agreement has been executed and submitted by the property owner, ~~and security and/or escrow in conformity with these regulations has been provided to the city;~~

•
•
•

SECTION SEVEN. Section 82-34, subsection (a), of the Subdivision Code is amended with new language indicated by blue, underline (addition) as follows:

“(a) *General delegation.* The director, after consultation with the city engineer, may approve a minor subdivision. The approval of a minor subdivision will be deemed to be the approval of a final plat for the subdivision, which may be recorded following approval. Minor plats do not require a preliminary plat.”

SECTION EIGHT. Section 82-35, subsection (b), of the Subdivision Code is amended with deleted language indicated by red, strikeout (~~deleted~~) and new language indicated by blue, underline (addition) as follows:

“(b) *Replat without vacation of preceding plat.*

(1) *Purpose and applicability.* The purpose of a replat is to allow changes to be made to all or a portion of a recorded plat without vacation of the recorded plat, if the replat:

•
•
•

c. ~~Is approved by the commission~~ The director, after consultation with the city engineer, may approve a replat, unless the replat requires a public hearing which shall then be subject to approval by the commission according to subsection (5), below.

•
•
•

(4) *Processing and decision.*

a. The procedures in section 82-21 apply to an application for a replat approval.

b. The director, within 30 days after the date the application is filed, shall approve the replat subdivision application if it meets the standards in this article. Such division may not create an undevelopable lot. If an application does not meet the standards, the director shall disapprove the application within such period.

c. The director may refer the replat subdivision application to the commission for a decision for any reason, such decision to be made within 30 days after the date the application is filed. The commission shall decide the application at its next regularly scheduled meeting.

d. If the proposed replat requires a minor waiver, the replat shall be approved by the commission in accordance with subsection (5) below.

e. An applicant has the right to appeal to the governing body of the municipality or the municipal planning commission if the designated person disapproves a plat.

•
•
•

(~~5~~6) *Effect.* Following ~~commission~~ approval of the replat application and recording of the replat, the replat is controlling over the previously recorded plat for the portion replatted.”

SECTION NINE. The City Secretary is authorized and directed to submit this amendment to the publisher of the City’s Code of Ordinances and the publisher is authorized to amend said Code to reflect the amendments adopted herein and to

correct typographical errors and to index, format, and number and letter paragraphs to the existing Code as appropriate.

SECTION TEN. The penalty for violation of this Ordinance shall be in accordance with the penalty provision contained in Section 1-7 of the Code of Ordinances of the City of Kerrville, Texas, which provides for a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense.

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

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

SECTION THIRTEEN. In accordance with Section 3.07 of the City Charter and Section 52.013(a) of the Texas Local Government Code, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication. The Ordinance shall then become effective in accordance with this Charter section.

PASSED AND APPROVED ON FIRST READING, this the ____ day of _____, A.D., 2025.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the ____ of _____, A.D., 2025.

ATTEST:

Shelley McElhannon, City Secretary

Joe Herring, Jr., Mayor

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

CAPTION:

Ordinance No. 2025-08. An Ordinance changing the zoning of a property known as 620 Webster Ave., consisting of part of Lot 49 and Lots 50 and 51, Block 14, of the Parsons Addition; from a Single-Family Residential with Accessory Dwelling Unit Zoning District (R-1A) to a Neighborhood Commercial Zoning District (C-1); and providing other matters relating to the subject. (*D Paxton, Director of Planning & Development*)

AGENDA DATE: April 8, 2025

DATE SUBMITTED: 03/07/2025

SUBMITTED BY:

EXHIBITS:

1. 20250408_Ord 2025-08_620 Webster
2. 20250408 Current Zoning
3. 20250408 Future Land Use
4. 20250408 Transitional Residential description
5. PZ-2025-2_Prelim Site Plan_Parking Update
6. PZ-2025-2_Castillo_Opposed

Expenditure:

Account Number:

**Payment to/Vendor
name:**

Amount Budgeted:

Account Balance:

Kerrville 2050 Item?

No

Key Priority Area:

SUMMARY:

Proposal: The applicant is requesting a zoning change from R-1A Single-Family Residential with an Accessory Dwelling Unit to C-1 Neighborhood Commercial. This change would allow for the development of a bodega—a small community convenience store—at the front of the property, with a residential unit at the rear.

A proposed site plan is attached for reference and is currently under review by the Development Review Committee (DRC). Preliminary assessments indicate that if the zoning change is approved, the proposed plan, with minor modifications, should align with current zoning guidelines.

K2050 supports limited local retail and services in Transitional Residential areas when placed in carefully selected locations. The public hearing process, conducted through the Planning & Zoning Commission and City Council, provides an opportunity for the community to assess whether this location is suitable for the proposed use.

Given the surrounding land uses, minimal expected increase in traffic, proximity to roads and utility

infrastructure, and alignment with future land use designations, this request is being brought forward for consideration.

Procedural Requirements: The City, in accordance with state law, mailed 32 letters on 2/20/2025 to adjacent property owners. The City published a similar notice in the Hill Country Community Journal on 2/12/2025. In addition, a public hearing notification sign was posted on the property frontage on 2/21/2025. At the time of drafting this agenda bill, one public comment in opposition had been received.

Staff Analysis and Recommendation

Consistency with the Kerrville 2050 Comprehensive Plan: The property is located within a Transitional Residential (TR) future zoning area. TR areas support a variety of housing types in a compact network of complete, walkable streets that are easy to navigate by car, bike, or on foot. Housing types can include small-lot, single-family detached homes, patio homes, townhomes, duplexes, condominiums, or apartments. Limited amounts of local retail and services may be appropriate in certain locations, as needed, to support the primary land uses. As such, this request is consistent with the goals of the Kerrville 2050 Comprehensive Plan if it is determined that the proposed use is appropriate for the community.

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: R-1A Single-Family Residential w/Accessory Dwelling Unit

Existing Land Uses: Single-Family Home

Direction: North

Current Zoning: MU Mixed Use

Existing Land Uses: Community Commercial

Direction: South

Current Zoning: R-1A Single-Family Residential w/ Accessory Dwelling Unit

Existing Land Uses: Single-Family Homes

Direction: West

Current Zoning: R-1A Single-Family Residential w/ Accessory Dwelling Unit

Existing Land Uses: Single-Family Homes

Direction: East

Current Zoning: R-1A Single-Family Residential w/Accessory Dwelling Unit

Existing Land Uses: Single-Family Homes

Thoroughfare Plan: The thoroughfare system will not be impacted since the proposed development should not significantly impact traffic and is intended to be used by local residents.

Traffic Impact: There will most likely be no significant traffic impact due to the proposed use as a bodega since it is intended for local residential use.

Parking: Any new development will be required to meet current off-street parking regulations. In this particular case, the bodega will require three off-street parking spaces and the residential unit will require two off-street parking spaces. The proposed site plan shows that all five off-street parking spaces can be accommodated.

Recommendation: Based on consistency with the Kerrville 2050 Comprehensive Plan, the proposed use, and the relatively low impact to the neighborhood, with community support staff recommends the case for approval.

On March 6th, the Planning and Zoning Commission recommended the case with a unanimous vote.

RECOMMENDED ACTION:

Approve Ordinance No. 2025-08 first reading.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2025-08**

AN ORDINANCE CHANGING THE ZONING OF A PROPERTY KNOWN AS 620 WEBSTER AVE., CONSISTING OF PART OF LOT 49 AND LOTS 50 AND 51, BLOCK 14, OF THE PARSONS ADDITION; FROM A SINGLE-FAMILY RESIDENTIAL WITH ACCESSORY DWELLING UNIT ZONING DISTRICT (R-1A) TO A NEIGHBORHOOD COMMERCIAL ZONING DISTRICT (C-1); AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT

WHEREAS, pursuant to Texas Local Government Code Sections 211.006 and 211.007, notice has been given to all parties in interest and citizens by publication in the official newspaper for the City of Kerrville, Texas (City), and otherwise, of a hearing held before the City Council on April 8, 2025, which considered a report of the City's Planning and Zoning Commission regarding its recommendations on this Ordinance, the adoption of which will result in the change of a zoning district for the property located at 620 Webster Ave.; such change to result in the removal of the property from a Single-Family Residential with Accessory Dwelling Unit Zoning District (R-1A) to placement within a Neighborhood Commercial Zoning District (C-1); and

WHEREAS, on April 8, 2025, City Council held a public hearing on the zoning change referenced above pursuant to the published notice and has considered the application, comments, reports, and recommendations of the Planning and Zoning Commission and staff, public testimony, and other relevant support materials;

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

SECTION ONE. The Zoning Code, Chapter 60 of the Code of Ordinances of the City of Kerrville, Texas, and the *Official Zoning Map* are amended to designate the following described property zoned as within a Neighborhood Commercial Zoning District (C-1):

Legal Description: Being part of Lots 49 and Lots 50 and 51, Block 14 of the Parsons Addition, a subdivision within the City of Kerrville, Kerr County, Texas; said property depicted at **Exhibit A**, attached hereto and made a part hereof for all purposes, and hereafter referred to as the "Property."

Address: 620 Webster Ave., Kerrville, TX 78028.

SECTION TWO. The City Manager is authorized and directed to amend the City's *Official Zoning Map* to reflect the change in districts adopted herein and to take other actions contemplated by and in accordance with the City's Zoning Code.

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

SECTION FOUR. The terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance is declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION FIVE. Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City's Charter, the City Secretary is authorized to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

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

PASSED AND APPROVED ON FIRST READING, this the ____ day of _____, A.D., 2025.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the ____ of _____, A.D., 2025.

ATTEST:

Joe Herring, Jr., Mayor

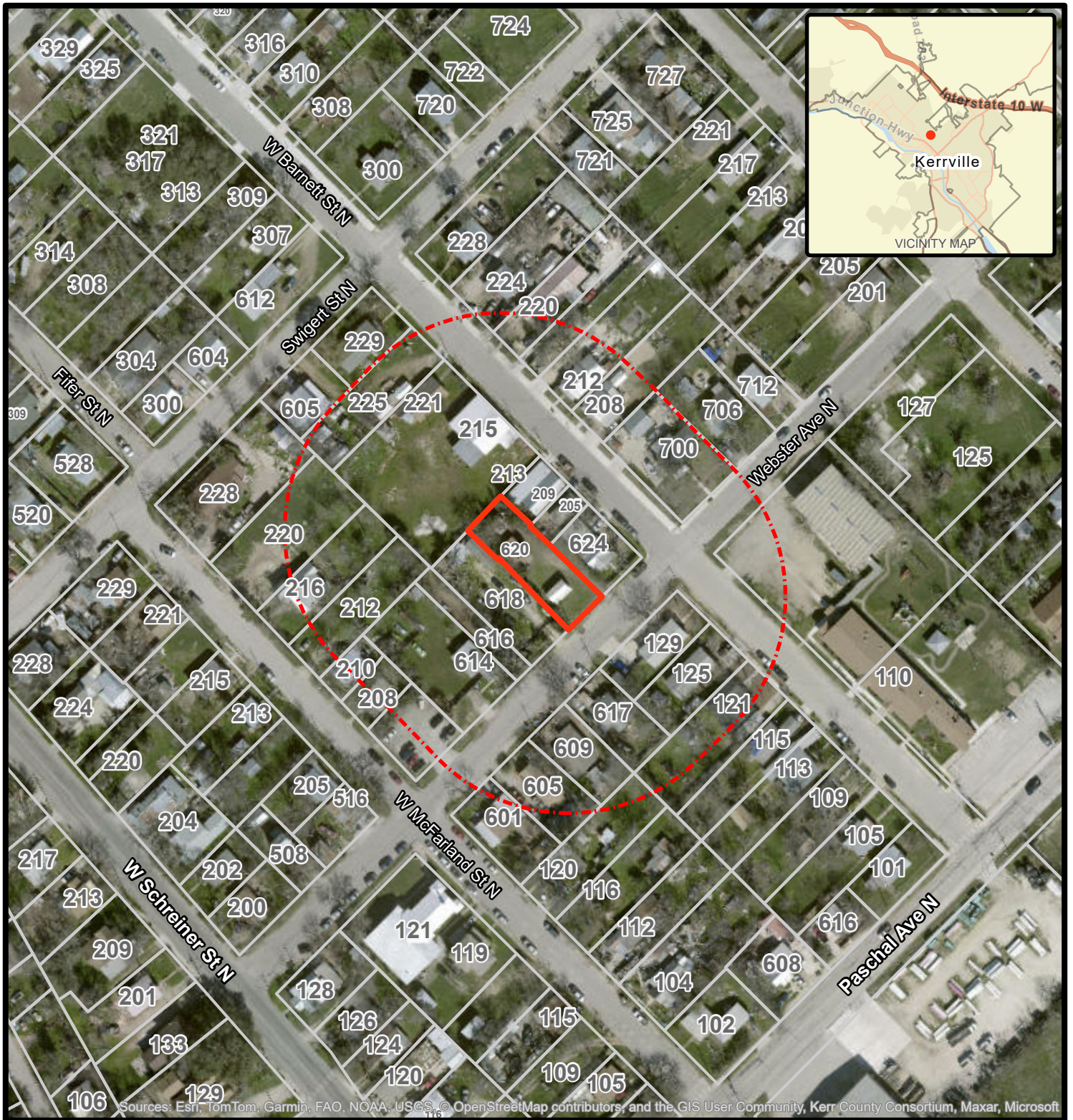
Shelley McElhannon, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

EXHIBIT A



Location Map

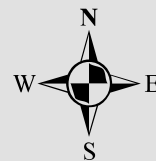
Case # PZ-2025-2

Location:

620 Webster Ave N

Legend

-  Subject Properties
-  200 Feet Notification Area



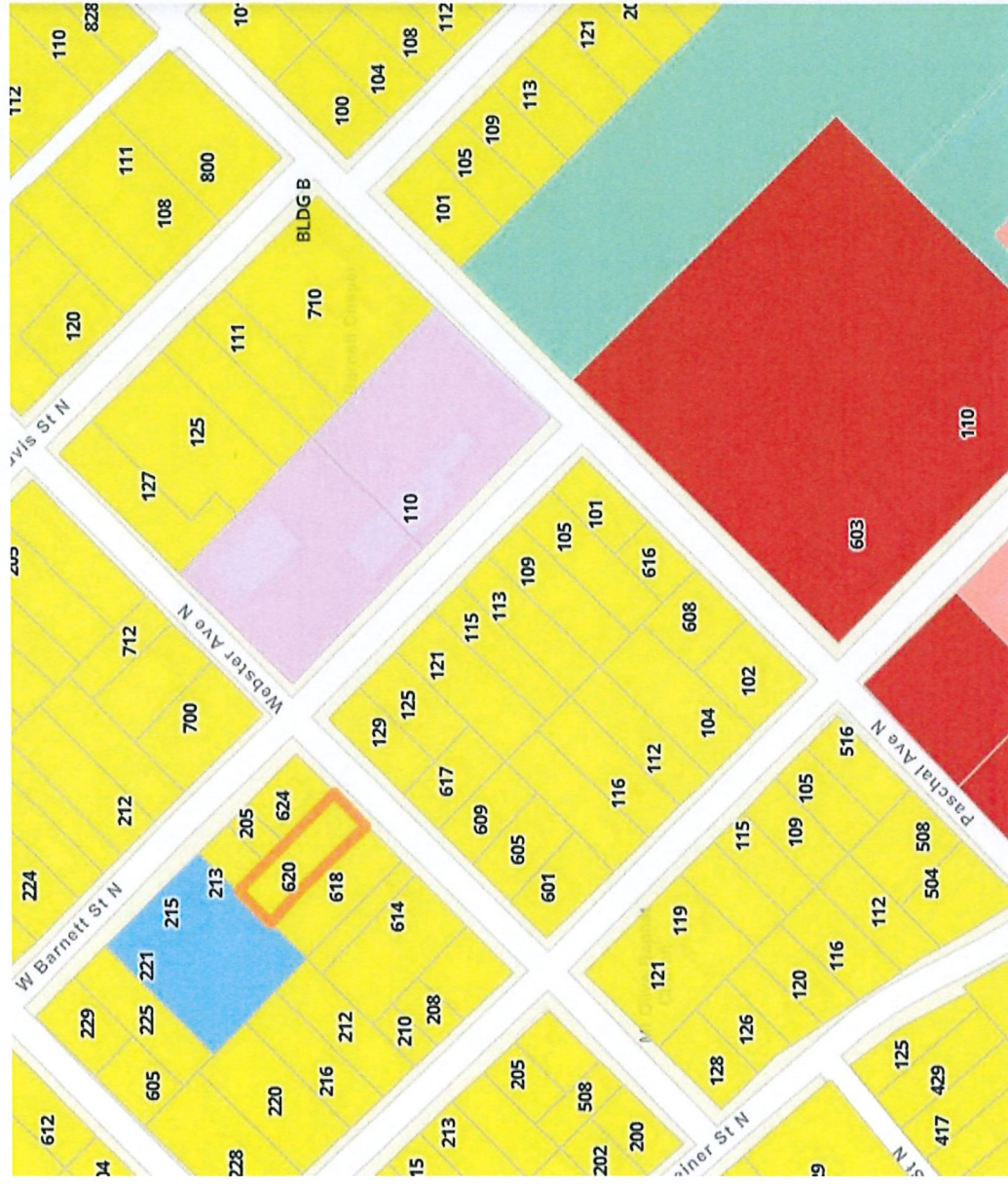
0 50 100 200

Scale In Feet

02/10/2025

Current Zoning

620 Webster Ave



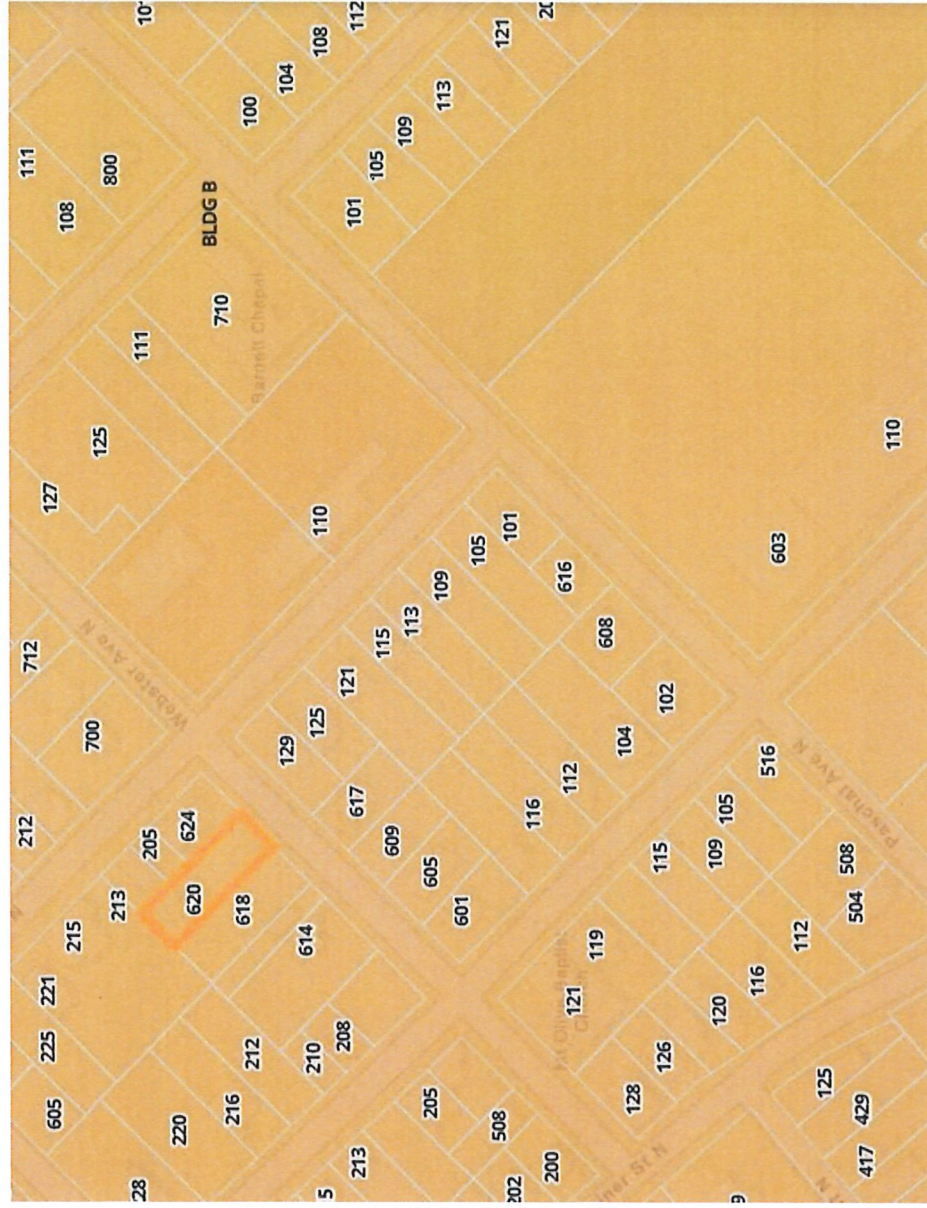
Zoning District (Current)

- RE Estate Residential
- R-1 Single-Family Residential
- R-1A Single-Family Residential with Accessory Dwelling Unit
- R-2 Medium Density Residential
- R-3 Multifamily Residential
- RM Residential Mix
- RT Residential Transition
- C-1 Neighborhood Commercial
- C-2 Light Commercial
- C-3 General Commercial
- IM Industrial and Manufacturing
- DAC Downtown Arts and Culture
- MU Mixed Use
- PD Planned Development
- PI Public and Institutional
- AD Airport
- AG Agriculture
- DC Downtown Core

K2050 Future Land Use

620 Webster Ave

Transitional Residential



Transitional Residential (TR)



Transitional Residential areas support a variety of housing types in a compact network of complete, walkable streets that are easy to navigate by car, bike, or on foot. Housing types can include small-lot, single-family detached homes, patio homes, townhomes, duplexes, condominiums, or apartments. Limited amounts of local retail and services may be appropriate in certain locations as needed to support the primary land uses.

Primary Land Use: Small lot, single-family detached homes, patio homes, townhomes, duplexes, condominiums, apartments.

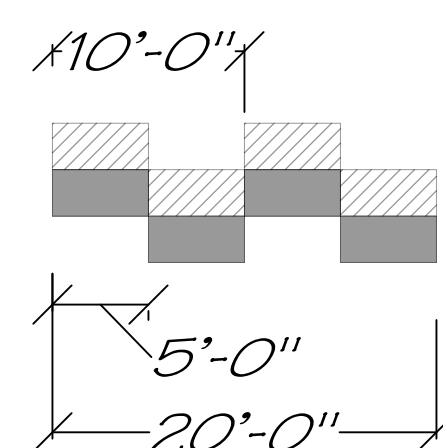
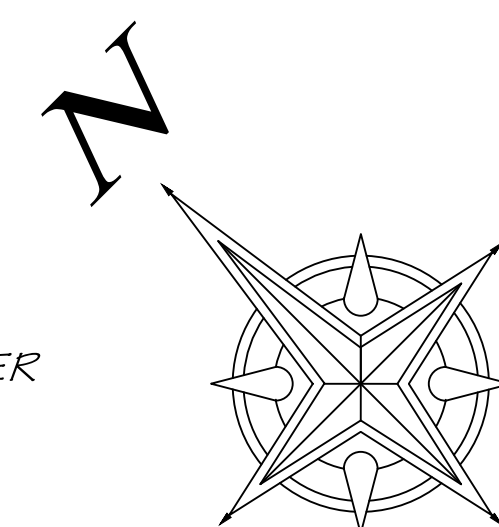
Secondary Land Use: Civic and institutional uses, parks and open space, small amounts of neighborhood-serving retail and office in carefully chosen locations.

Indicators & Assumptions: Densities are typically six to 40 units per acre.



CARLOTTA WOODFOX 0.188 AC
CF NO. 23-02391 O.P.R. DEED WITHOUT
WARRANTY LOTS 49, 50, 51
CURRENT ZONING IS R-1
WILL BE CHANGED TO C-1
FOR BODEGA UPON APPROVAL

POB	POINT OF BEARING
IPF.	IRON PIPE FOUND
IPS.	IRON PIPE SET
R.O.W.	RIGHT OF WAY
PP Ø	POWER POLE
TEL Ø	TELEPHONE POLE
LP. ○	LIGHT POLE
	FOUNDATION OUTLINE
	ADJOINING PROPERTY
TEL — TEL ———	TEL. LINE
WA — WA ———	WATER LINE
GAS — GAS ———	GAS LINE
SS — SS ———	SANITARY SEWER
ST.S. — ST.S. ———	STORM SEWER
F.H. ○	FIRE HYDRANT
M.H. ☺	MANHOLE
E	ELECTRIC BOX
ET	ELECTRIC TRANSFORMER
C & G	CURB AND GUTTER
T.O.C.	TOP OF CURB
	DRAINAGE FLOW
	UNDERGROUND PIPE
	PROPERTY LINE
CK — SETBACK ———	BUILDING SETBACK
	EASEMENT
	WOOD FENCE
	ROAD
	WOODS LINE
	PROPERTY BOUNDARY MARKER
	ELEVATION MARKER



*SPECIAL NOTE:
THIS IS NOT A SURVEYED PLAT PLAN. IT REPRESENTS THE
PROPOSED CHANGES OF EXISTING BUILDINGS IN RELATION TO
EXISTING SITE CONDITIONS AS SURVEYED BY:
MDS LAND SURVEYING COMPANY
MR. JEFF BOERNER SURVEYOR# 4939 AS OF DECEMBER 11, 2024*

THIS DEVELOPMENT SITE HAS BEEN APPROVED BY:

BY: _____

DATE: _____

THIS APPROVAL WILL BECOME VOID AFTER TWO YEARS FROM THE INDICATED APPROVAL DATE, AS STATED IN CHAPTER 60, SECTION 60-50(F) OF THE CITY OF KERRVILLE ZONING CODE. WHILE EVERY EFFORT HAS BEEN MADE TO CONDUCT A COMPLETE AND COMPREHENSIVE REVIEW OF THE SUBMITTED PLANS, ANY OMISSION AND/OR DELETION IN THIS PLAN DOES NOT RELIEVE THE CONTRACTORS, ARCHITECTS, ENGINEERS, OR OTHER INDIVIDUALS INVOLVED IN THIS PROJECT FROM THEIR RESPONSIBILITY TO FULLY COMPLY WITH THE APPLICABLE CODES, REGULATIONS, AND ORDINANCES.

917 SQFT. TOTAL BODEGA FOOTPRINT AREA AFTER
ADDITION

1171 SQFT. TOTAL NEW ADDITION TO EXISTING HOUSE

917 SQFT. SPACE AT 250 P.S.F.
PARKING SPACES REQUIRED: 3.66 SPACES

TOTAL PARKING SPACES REQUIRED 4

PARKING SPACES PROVIDED: 3 PUBLIC 1 HANDICAP ACCESSIBLE

THERE ARE NO INDIVIDUAL LIGHT POLES IN PARKING AREA

THERE IS SUFFICIENT VISUAL SPACE FROM CURB CUT
TO BUILDING

NO PART OF THIS PROJECT LIES WITHIN ANY FLOOD
PLAIN ZONE

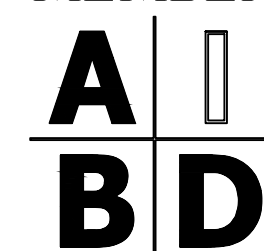
FIRE HYDRANT IS LOCATED ON THE THE SOUTH EAST
SIDE OF BARNETT ST.



POB 1 1/2" I.P.F.

620 WEBSTER AVE.
(60' R.O.W). VOL P, PG. 8 D.R.

EXISTING
SIDEWALK

PROFESSIONAL
MEMBER

REVIEWED BY:
OWNER
3/12/2025

DRAWN BY:
JAMES KENALTY
3/12/2025

PROJECT START DATE:
1/06/2025

Riverside Home Designs

 & Drafting Services
 3100 Fredericksburg Rd. Kerrville, Texas 78028
 jim@sdkv.com www.riversidehomedesigns.com
 830-895-2998 or 830-739-5509

SITE PLAN FOR MODIFICATION
OF EXISTING STRUCTURE TO
BECOME A BODEGA
MRS. CARLOTTA WOODFOX
620 WEBSTER AVE.
KERRVILLE, TEXAS 78028
210-480-3112

DRAWING SEALED BY:
JAMES F. KENALTY DBA, AIBD, CPBD



March 12, 2025

SCALE:
1" = 10'

SITE PLAN
SHEET
CIVIL

From: [Priscilla Calvillo \(student\)](#)
To: [Planning Division](#)
Cc: [REDACTED]
Subject: [EXTERNAL] Case PZ-2025-2
Date: Wednesday, February 26, 2025 4:47:17 PM

To Whom It May Concern,

This email opposes the proposed residential development at 620 Webster Ave in Kerrville, TX. This neighborhood has been my home for 25 years. I believe that the project will have several significant negative impacts on our community. This proposal involves rezoning a single-family residential area into a C-1 neighborhood commercial zone, which I believe will alter the character of our neighborhood. This project will likely increase property taxes, which are already too high and difficult to pay for many people, including myself. A rise in property taxes could force long-term residents out of their homes, disrupting the stability of the community. To conclude, I respectfully request that you reconsider this project. The quality of life in our neighborhood and those who barely survive would be adversely affected by the plan. I hope that you will take these concerns into account when deciding how to proceed. I appreciate your consideration and time.

Best regards,
Virginia Castillo
229 W. Barnett St.
[REDACTED]



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

CAPTION: Ordinance No. 2025-09. An Ordinance changing the zoning of an approximate .94 acre property generally located adjacent to and north of Travis Street and between its intersection with Park Street and South Street; consisting of Lots 1-R, 2 through 5, 6-R, 7-R, 8 through 10, 11-R, and 12-R; from a Single-Family Residential Zoning District (R-1) to a Medium Density Residential Zoning District (R-2); and providing other matters relating to the subject. *(D Paxton, Director of Planning & Development)*

AGENDA DATE: April 8, 2025

DATE SUBMITTED: 03/07/2025

SUBMITTED BY:

EXHIBITS:

1. 20250408_Ord 2025-09_Travis Street
2. 20250428 Current Zoning -Aransas Addition
3. 20250408 Future Land Use -Aransas Addition
4. 20250408 Entertainment-Mixed Use District
5. 20250408 4 opposed -Coughran, Gramatikakis, Sprowl, Wahrmond

Expenditure:

Amount Budgeted:

Account Number:

Account Balance:

**Payment to/Vendor
name:**

Kerrville 2050 Item?

Yes

Key Priority Area:

H – Housing

SUMMARY:

Proposal: The applicant is requesting a zoning change from R-1 Single-Family Residential to R-2 Medium Density Residential. This change would allow for the development of more functional homes on these relatively small lots because the R-2 zoning district has reduced minimum setbacks compared to R-1. More specifically, the minimum front setback would be reduced from 25 feet to 15 feet (19 feet to garages and carports) and the rear minimum setback from 25 feet to 15 feet. The minimum side setbacks would remain at 5 feet. The reduced setbacks would not only help with building a more functional home, they would also help with accommodating the required off-street parking.

This property was originally platted on June, 18, 1986, within an existing railroad Right-of-Way. The current developer has recently combined and replatted some of the lots to make the lots more developable. It was always intended that these be smaller lots due to the already established railroad Right-of-Way, so the request for a change in zoning to reduced minimum setbacks seems

appropriate. Engineering plans for this project have already been approved and sitework is underway. This request is only to change the zoning. The project was legally approved in 1986 with the platting of the residential lots. The developer is now moving the project forward to best fit within the constraints of the recorded plat.

Given the surrounding residential land uses, that the K2050 plan supports higher density developments within this Entertainment/Mixed Use (EMU) area, that the plat was originally recorded in 1986, and that all site development issues were resolved with approval of the Engineering plans, this request is being brought forward for consideration.

Procedural Requirements: The City, in accordance with state law, mailed 30 letters on 2/20/2025 to adjacent property owners. The City published a similar notice in the Hill Country Community Journal on 2/12/2025. In addition, a public hearing notification sign was posted on the property frontage on 2/21/2025. At the time of drafting this agenda bill, one public comment in opposition had been received.

Staff Analysis and Recommendation

Consistency with the Kerrville 2050 Comprehensive Plan: The property is located within an Entertainment/Mixed Use (EMU) future zoning area. EMU areas support higher density development, including multiple housing choices, with lot sizes varying greatly based on land use. In this particular case, the small lot plat recorded in 1986 fits the intent of EMU zoning. As such, this request is consistent with the goals of the Kerrville 2050 Comprehensive Plan.

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: R-1 Single-Family

Existing Land Uses: Site is being developed for single-family homes.

Direction: North

Current Zoning: RT Residential Transition and R-1 Single-Family

Existing Land Uses: Single-Family Homes

Direction: South

Current Zoning: PI Public & Institutional and R-1 Single-Family

Existing Land Uses: Schreiner University and Single-Family Homes

Direction: West

Current Zoning: R-1 Single-Family Residential

Existing Land Uses: Single-Family Homes

Direction: East

Current Zoning: R-1 Single-Family Residential

Existing Land Uses: Single-Family Homes

Thoroughfare Plan: The thoroughfare system will not be impacted since the development plat was approved in 1986 and development of this property into residential housing has always been anticipated.

Traffic Impact: Because the development plat was approved in 1986 and development of this property into residential lots anticipated, there should be no significant traffic impact.

Parking: Any new development will be required to meet current off-street parking regulations. In this particular case, each residential unit will require a minimum of two off-street parking spaces. This will be deigned into the final project plans and approved by staff prior to construction of homes.

Recommendation: Based on consistency with the Kerrville 2050 Comprehensive Plan, the

proposed use, and the relatively low impact to the neighborhood, staff recommends the case for approval.

On March 6th, the Planning and Zoning Commission recommended approval with a unanimous vote.

RECOMMENDED ACTION:

Approve Ordinance No. 2025-09 on first reading.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2025-09**

AN ORDINANCE CHANGING THE ZONING OF AN APPROXIMATE .94 ACRE PROPERTY GENERALLY LOCATED ADJACENT TO AND NORTH OF TRAVIS STREET AND BETWEEN ITS INTERSECTION WITH PARK STREET AND SOUTH STREET; CONSISTING OF LOTS 1-R, 2 THROUGH 5, 6-R, 7-R, 8 THROUGH 10, 11-R, AND 12-R; FROM A SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT (R-1) TO A MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT (R-2); AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT

WHEREAS, pursuant to Texas Local Government Code Sections 211.006 and 211.007, the City of Kerrville, Texas (City) gave notice to all parties in interest and citizens by publication in the official newspaper for the City, and otherwise, of a public hearing scheduled before City Council on April 8, 2025, for consideration of a report of the City's Planning and Zoning Commission regarding its recommendations on this Ordinance, the adoption of which will result in the change of a zoning district for a property generally located adjacent to and north of Travis St. and comprising approximately .94 acres; such change would result in the removal of the property from a Single-family Residential Zoning District (R-1) to placement within a Medium Density Residential Zoning District (R-2); and

WHEREAS, on April 8, 2025, City Council held a public hearing on this zoning change pursuant to the published notice and has considered the application, comments, reports, and recommendations of the Planning and Zoning Commission and staff, public testimony, and other relevant support materials;

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

SECTION ONE. City Council amends the Zoning Code for the City of Kerrville, Texas, Chapter 60 of the Code of Ordinances (Zoning Code), and the *Official Zoning Map* to designate the following described property as zoned within a Medium Density Residential Zoning District (R-2):

Description: A .94 acre property; said property generally located adjacent to and north of Travis St. and as depicted at **Exhibit A** (location map), as attached (the Property).

SECTION TWO. The City Manager is directed to amend the City's *Official Zoning Map* to reflect the change in districts adopted herein for the Property and to take other actions contemplated by and in accordance with the Zoning Code.

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

SECTION FOUR. The terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance is declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION FIVE. Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City's Charter, the City Secretary is authorized to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

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

PASSED AND APPROVED ON FIRST READING, this the ____ day of _____, A.D., 2025.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the ____ of _____, A.D., 2025.

ATTEST:

Joe Herring, Jr., Mayor

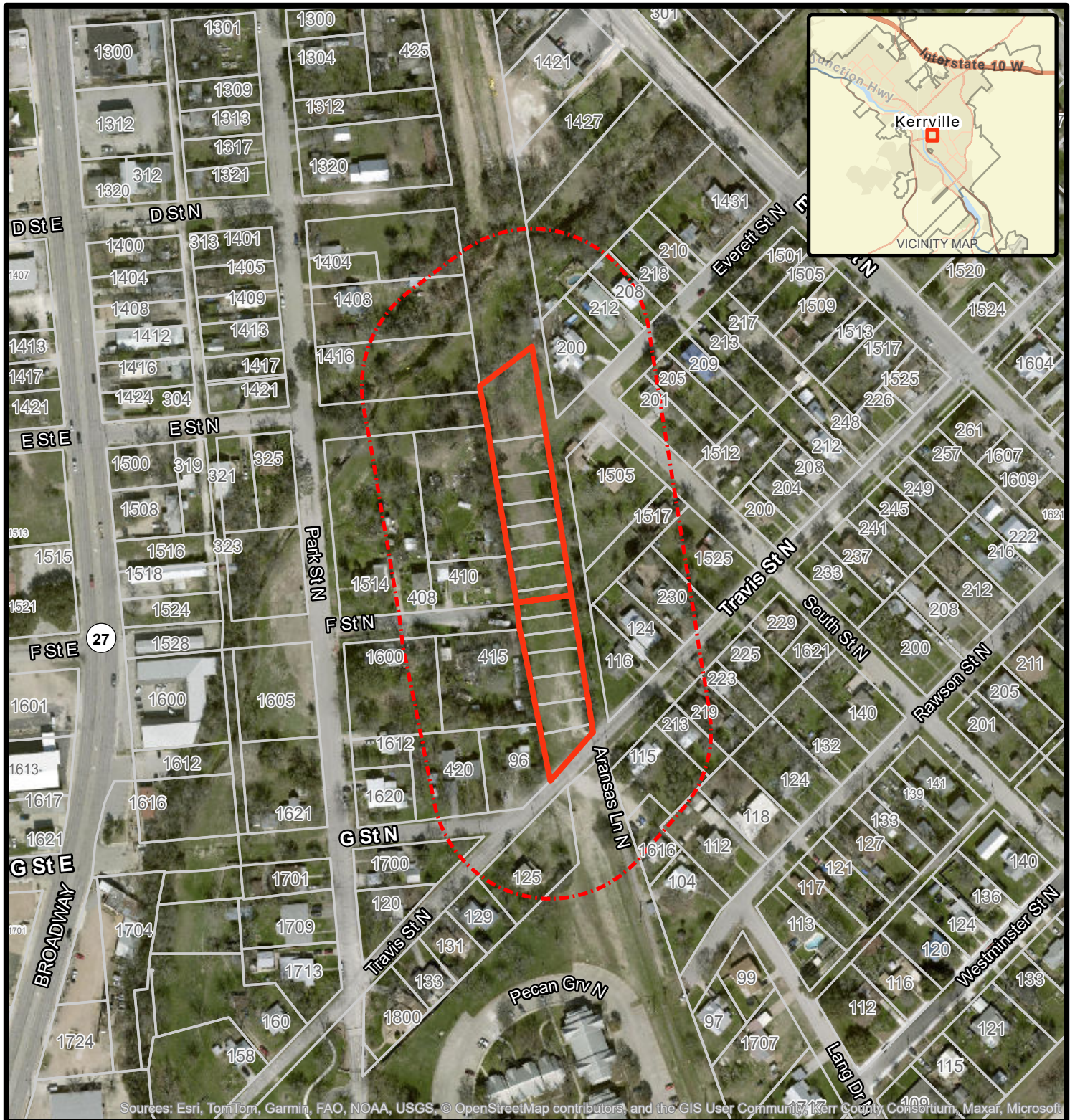
Shelley McElhannon, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

EXHIBIT A



Location Map

Case # PZ-2025-3

Location:

Aransas Addition Subdivision

Legend

-  Subject Properties
-  200 Feet Notification Area



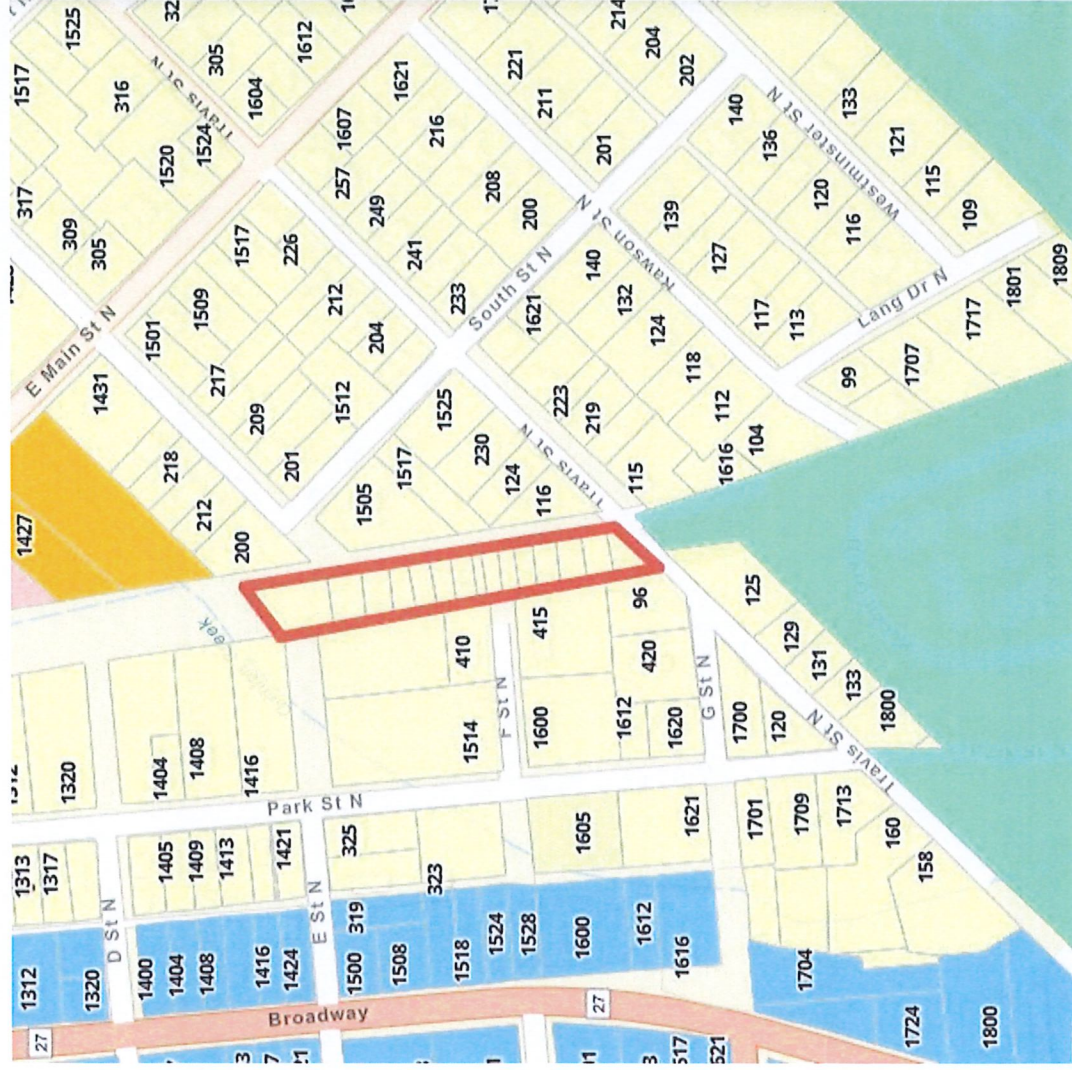
0 75 150 300

Scale In Feet

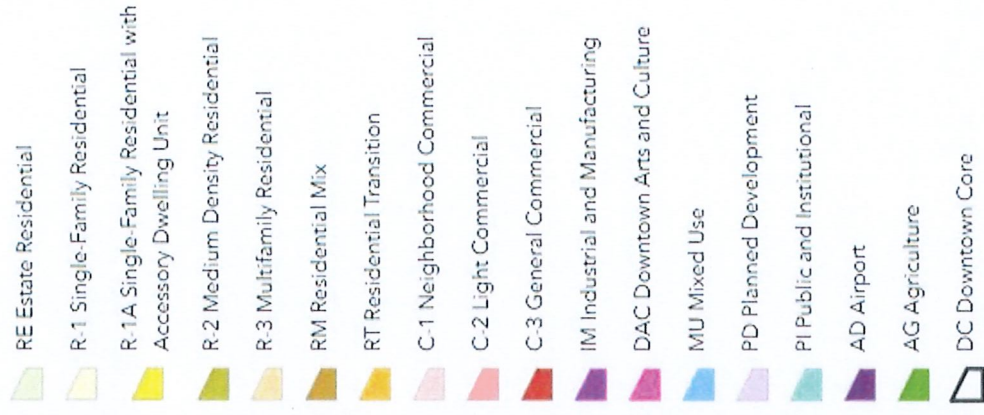
02/10/2025

Aransas Addition (Case PZ-2025-3)

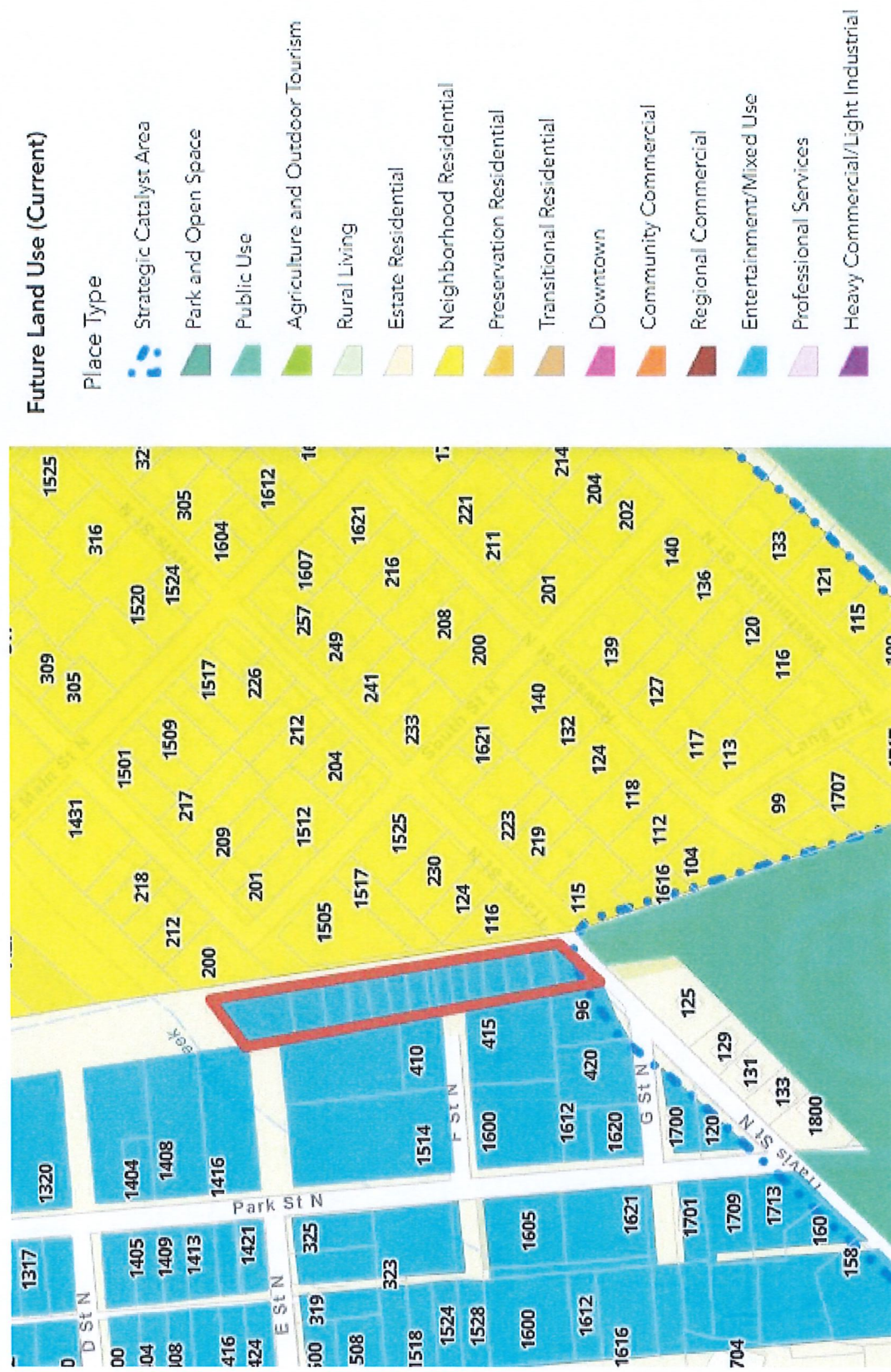
Current Zoning



Zoning District (Current)



K2050 Future Zoning



Entertainment / Mixed Use (EMU)



Entertainment & Mixed Use centers offer people the ability to live, shop, work, and play in one small geographic areas. They include multiple housing choices within close proximity to the goods and services residents need on a daily basis. This Place Type typically includes a higher intensity of uses developed in a compact style supported by nodes of activity. The design and scale of development in a Mixed Use center encourages active living, within a complete and comprehensive network of walkable streets.

Primary Land Use: Retail, commercial, offices, hotels, entertainment centers, service and office uses

Secondary Land Use: Condominiums, apartments, and workforce housing, civic and institutional uses

Indicators & Assumptions: Lot sizes vary greatly based on land use. The goal is to create a district able to sustain itself with both daytime and night-time population and activity.

From: coughrank@verizon.net
To: [Steve Melander](#)
Cc: [Mike and Kay Batchelor](#)
Subject: [EXTERNAL] CASE PZ-2025-3
Date: Wednesday, March 5, 2025 11:46:29 AM

Hi Steve,

I don't know if you remember me or not, but you helped me last July when I was attempting to stop traffic going by my house on what turned out to actually be a public right-of-way. Oh well! Even though it didn't turn out as I had hoped, I appreciated your input and attention to what is likely a minor issue, as well as your assistance in determining the actual status of that right-of-way.

I received a letter regarding an upcoming hearing proposal to rezone property close to mine. I had hoped to be there in person to object, but I am in North Texas dealing with a fence that was blown down during this week's crazy windstorm.

The letter indicates I can submit my comments by email, but I cannot find the proper address to send them to. Could you please let me know where to send?

The hearing is tomorrow.

My property addresses are 1616 Aransas, which is within the 200-ft affected zone, and 104 Rawson, directly behind it. I rent out the Aransas house and live in the Rawson house.

I am very much OPPOSED to the proposed rezoning any neighboring properties from R-1 to R-2 (Medium density). I purchased the Rawson house in 2014 and when the Aransas property became available several years later, I purchased it as well, primarily to have some control over the rental situation. That property is managed by Tommy Taylor of Taylor Properties and we follow the R-1 stipulations for rentals.

The Aransas house previously had really horrible renters, with police visiting the property multiple times for drug issues and child abuse issues as well as property and pet abandonment. I hoped that by controlling the rent situation there, I could get a quiet, peaceful retirement experience in the Rawson house. (Same reason I came to you last year regarding people driving on the right-of-way!) Currently I have lovely neighbors and quiet renters and my retirement home is still wonderful. I am concerned about additional traffic and noise should the property in question be rezoned.

I am happy to follow up if you would like to direct me to send my email to another recipient. I am of course curious about what is actually being proposed for that long skinny piece of land and was really hoping to be at the hearing in person.

Thank you again!

Kathleen Coughran
104 Rawson
1616 Aransas
817-235-9652

Note I am copying my wonderful neighbors, who also suffered during those years when the Aransas house renters were despicable.

From: [Rebecca Gramatikakis](#)
To: [Planning Division](#)
Subject: [EXTERNAL] CASE PZ-2025-3
Date: Wednesday, February 26, 2025 9:18:20 AM

In reference to CASE PZ-2025-3 and responding to the notification received in the mail, I am **opposed** to this project for the following reasons:

I am one of several residents who share the property line with the project in question. I have had several correspondences with the realtor and property owner over the past year. From not maintaining the grounds (grass and overgrowth), to overlapping trees on my fence causing damage to my property. Additionally, the surrounding neighbors have struggled with lack of air-quality control during the construction process, wherein I contacted the City of Kerrville.

I noted on Kerr Cad that this property was acquired in December of 2022. To date I have not been notified that the intended construction project for R-2 Medium Density Residential was being considered, currently being advertised as a 10 lot 'pocket community.'

I have numerous questions as I lack knowledge of zoning and construction laws in our county.

1. Was a Water Feasible study or Hydrogeologic study completed for the public water use, adding an additional 10 water taps to the over 7000 homes currently being proposed within the city limits of Kerrville?
 - a. Every summer we are placed on a schedule to reserve water. How will the city be able to provide water to this subdivision of 10-14 homes?
2. Has air quality been considered during the groundbreaking of this project and the remaining work to be completed?
 - a. The excavation created large masses of dust and dirt. I had to request assistance from the city, after the fact.
3. When was the subdivision plotted?
 - a. This is when the letters should have been sent to adjoining property owners.
4. Is housing in this area considered low-income housing?
 - a. If so, what considerations are being made with the potential for increased crime rates from low-income housing occupants?
 - b. Increased police patrols?
 - c. How will low income or section 8 housing affect my tax valuation?
5. What considerations were considered with concerns for flood impact?
 - a. The subdivision lies within the flood plain and the addition of impervious cover will increase potential flooding for neighbors at lower elevations, situated just to the west of said subdivisions?
 - b. The entry point of this subdivision is being constructed and appears that it will

- cause flooding onto my property during periods of rain, as the subject property slants downhill toward my property. What does the owner propose to prevent flooding or damaging runoff?
- c. Will the owner be clearing the area between our properties? In the past, they have required I assist in financing the clearing of trees, etc.
6. Has there been a traffic study?
- a. With the increased subdivision load and small city streets, this will cause potential traffic hazards.
- b. As Travis Street now has an overflow of cars that park on the street, how will these subdivisions' additions add to this already growing problem?
7. What is the property owner's responsibilities in assuring my property privacy and safety as they request a zoning change?
- a. I would like to request that if this project is allowed to proceed the builder construct a concrete wall between their property and the residences along the subject property line to ensure our privacy and safety.
- b. Will the alley behind my home be closed off to this subdivision?

The R-2 Medium Density Residential zone is a zoning district in Kerrville, Texas. Properties in this zone must be developed in accordance with the Kerrville Zoning Code.

Requirements

- **Minimum rear setback:** 15 feet, or 19 feet to a garage door or carport eave
- **Maximum building height:** 35 feet, or 45 feet if 100 feet or more from certain zoning districts
- **Minimum parking:** 2 spaces per dwelling unit
- **Alley:** Access to any lot less than 45 feet in width must be from a paved alley or right-of-way

Beckie Gramatikakis

96 TRAVIS STREET

KERRVILLE, TX 78028

CASA/GAL Volunteer

*Speak up for those who cannot
speak for themselves, Proverbs 31:8*

From: Kenneth Sprowl
106 Skyview Dr.
Kerrville, Tx. 78028

Feb. 27, 2025

Re: Public hearing case PZ-2025-3
I am opposed to the project.

Reasons:

1. Notification and zoning not done before starting project.
2. Were building permits obtained before any construction was started.
3. If the original property plat was made in 1986 - wouldn't it have to be replatted if the lot sizes were changed before project started.
4. Private drive too narrow for fire and medical services to be safe.
5. Are there going to be curbs on both sides of the private driveway to carry the new watershed to the creek.
6. Will new watershed cause downstream flooding on creek.

My property is located at 125 Travis St.

Thank You
Kenneth Sprowl

From: [Alice Wahrmund](#)
To: [Drew Paxton](#)
Subject: [EXTERNAL] Public Hearing Case PZ-2025-3
Date: Tuesday, March 4, 2025 9:04:15 AM

Mr. Paxton,

Please find my letter following in opposition of the above referenced case upcoming on March 6, 2025.

Charles & Alice Wahrmund
115 Travis St.
Kerrville, TX 78028

March 4, 2025

City of Kerrville
Development Services Department
Attn: Drew Paxton
701 Main Street
Kerrville, TX 78028

Dear Mr. Paxton & Members,

We are in receipt of your notice about a proposal to change the zoning on a tract of land located north of Travis Street at Aransas Lane. Case PZ-2025-3. I am writing to formally oppose the proposed zoning change from Single-Family Residential (SFR) to Medium-Density Residential (MDR). As a nearby property owner, I have significant concerns regarding the negative impact this change would have on the surrounding properties and overall community.

Before we get to my concerns, I would like to ask why this project has been allowed to progress to the point it has, with water and sewer hookups on place, the road access has had the concrete poured and the surrounding property owners are just now being considered about a zoning change to allow 10-12 homes to be constructed in an old railroad right-of-way?

My primary objections to this zoning change are as follows:

1. **Increased Water Runoff and Drainage Issues** – The proposed development would increase impervious surfaces, leading to greater water runoff across adjacent and downstream properties. This could exacerbate erosion, flooding, and water management problems for existing homeowners.

2. **Overcrowding and Overuse of Available Land** – The number of housing units proposed is excessive for the available space. This property was after all, only the old railroad right-of-way. This level of density is incompatible with the character of our community and will place a strain on local infrastructure and already short water supplies.

3. **Insufficient Parking Space** – Medium-density developments typically require adequate off-street parking. The current proposal does not provide enough dedicated parking, which could result in vehicles spilling onto adjacent properties and streets, creating congestion and safety hazards.

4. **Narrow Driveway and Street Access** – The current access roads and driveways are too narrow to accommodate two-way traffic safely. This poses significant concerns for emergency vehicle access, as well as general traffic flow for residents and visitors.

5. **Excess Traffic and Safety Concerns** – An increase in residential units will inevitably lead to higher traffic volume in the area, creating additional risks for pedestrians, cyclists, existing homeowners and the deer that have used this space as their habitat. The deer are being displaced and will cause more accidents and traffic hazards. The surrounding roads may not be designed to handle this influx, leading to congestion and increased potential for accidents.

Given these concerns, I respectfully request that the Zoning Commission **deny** the proposed rezoning application. The long-term impact on neighboring properties and the overall quality of life in our community must be carefully considered.

Thank you for your time and consideration of this matter. Please feel free to contact me if you require any additional information.

Sincerely,
Alice Wahrmond
Alice Wahrmond



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

CAPTION: Ordinance No. 2025-10. An Ordinance amending Ordinance No. 2019-22 which created a Planned Development District on an approximate 264.22 acre tract of land; generally located southeast of the intersection of Farm-to-Market Road 783 (Harper Highway) and Interstate 10 and adjacent to and north of Holdsworth Drive; this amendment to revise the previously adopted Concept Plan and Land Use Table to revise the descriptions of land uses; and providing other matters relating to the subject. *(D Paxton, Director of Planning & Development)*

AGENDA DATE: April 8, 2025

DATE SUBMITTED: 03/07/2025

SUBMITTED BY:

EXHIBITS:

1. 20250408 Ord 2025-10 amend PDD iH10-Harper Rd
2. PZ-2025-4_Location Map
3. Concept Plan PPD-amend
4. SCA5_K2050
5. PZ-2025-4_Martinez_Opposed

Expenditure:

Account Number:

**Payment to/Vendor
name:**

Amount Budgeted:

Account Balance:

Kerrville 2050 Item?

No

Key Priority Area:

SUMMARY:

Proposal: The proposed amendment to the Planned Development District (PDD) aims to refine and standardize the Land Use Category descriptions to ensure consistency with the established Land Use Table. The previous version included minor descriptors for specific areas that were not fully aligned with the overall Land Use Table.

This update is a procedural clarification that improves accuracy and cohesion within the PDD documentation. By eliminating discrepancies, the amendment enhances clarity for future reference and application.

Procedural Requirements: The City, in accordance with state law, mailed 54 letters on 2/20/2025 to adjacent property owners. The City published a similar notice in the Hill Country Community Journal on 2/12/2025. In addition, a public hearing notification sign was posted on the property frontage on 2/21/2025. At the time of drafting this agenda bill, no public comments had been

received.

Staff Analysis and Recommendation

Consistency with the Kerrville 2050 Comprehensive Plan: The property is located within Strategic Catalyst Area 5 (SCA 5). When originally approved, PDD 2019-22 met the intent of SCA 5. Since uses are only being clarified and not changed, this request is still consistent with the goals of the Kerrville 2050 Comprehensive Plan.

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: PDD 2019-22

Existing Land Uses: Primarily vacant land. Bluewood apartments under development.

Direction: North

Current Zoning: I-10 and R-1 Single-Family Residential

Existing Land Uses: I-10 and Single-Family Homes

Direction: South

Current Zoning: County Land, City Soccer Fields and R-1 Single-Family

Existing Land Uses: Vacant Land, Soccer Fields and Single-Family Homes

Direction: West

Current Zoning: County Land and R-1 Single-Family Residential

Existing Land Uses: Single-Family Homes

Direction: East

Current Zoning: I-10 and R-1 Single-Family Residential

Existing Land Uses: I-10 and Single-Family Homes

Thoroughfare Plan: The thoroughfare system will not be impacted since the development was anticipated and adjacent to Holdsworth Drive, a secondary arterial.

Traffic Impact: Future development may require a traffic impact study based on use. This will be determined as new projects are proposed. Developers are responsible for mitigating any identified traffic impacts.

Parking: Any new development will be required to meet current off-street parking regulations

Recommendation: Approval of this amendment is recommended to maintain consistency, improve usability, and provide clear guidance on land use within the PDD.

On March 6th, the Planning and Zoning Commission recommended approval with a unanimous vote.

RECOMMENDED ACTION:

Approve Ordinance No. 2025-10 on first reading.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2025-10**

AN ORDINANCE AMENDING ORDINANCE NO. 2019-22 WHICH CREATED A PLANNED DEVELOPMENT DISTRICT ON AN APPROXIMATE 264.22 ACRE TRACT OF LAND; GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF FARM TO MARKET ROAD 783 (HARPER HIGHWAY) AND INTERSTATE 10 AND ADJACENT TO AND NORTH OF HOLDSWORTH DRIVE; THIS AMENDMENT TO REVISE THE PREVIOUSLY ADOPTED CONCEPT PLAN AND LAND USE TABLE TO REVISE THE DESCRIPTIONS OF LAND USES; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT

WHEREAS, on September 24, 2019, City Council approved Ordinance No. 2019-22, which created a Planned Development (Zoning) District (PDD) on an approximate 264.22 acre tract of land, generally located southeast of the intersection of Farm to Market road 783 (Harper Highway) and Interstate 10 and adjacent to and north of Holdsworth Drive (the Property), and located adjacent to the 300 and 400 blocks of Holdsworth Drive; and

WHEREAS, the PDD allowed for a mixed use development, such development subject to a concept plan and land use table; and

WHEREAS, staff recommends amendments to the PDD as a way to refine and standardize the land use descriptions and ensure consistency with the Land Use Table adopted by the PDD, with the overall intent of improving accuracy and cohesion and providing clarity for future reference and application; and

WHEREAS, the Planning and Zoning Commission and City Council, in compliance with the laws of the State of Texas and the ordinances of the City of Kerrville, have given requisite notice by publication and otherwise, and after affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, City Council, in the exercise of its legislative discretion, has concluded that the Zoning Code should be amended as provided herein;

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

SECTION ONE. The PDD adopted by Ordinance No. 2019-22 is amended as follows:

Concept Plan: the descriptions of the different districts within the PDD are revised to better reflect the terms used by the Zoning Code, such wording highlighted in the plan attached as **Exhibit A**.

Land Use Table: the titles of the different land uses within the PDD are revised to better reflect the terms used by the Zoning Code, such wording highlighted in the table attached as **Exhibit B**.

SECTION TWO. Except as amended by this Ordinance, the provisions of Ordinance No. 2019-22 remain in full force and effect.

SECTION THREE. The provisions of this Ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided however, to the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance are controlling.

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

SECTION FIVE. The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Section 1-7, Chapter 1 of the Code of Ordinances of the City of Kerrville, Texas.

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

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

PASSED AND APPROVED ON FIRST READING, this the ____ day of _____, A.D., 2025.

PASSED AND APPROVED ON SECOND AND FINAL READING, this
the ____ day of _____, A.D., 2025.

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

Joe Herring Jr., Mayor

ATTEST:

Shelley McElhannon, City Secretary



Exhibit B

TABLE 1. LAND USES

Residential –

Blended
Transition –

Commercial

Communications
– including
towers upto 320'
tallOpen Space –
Vineyards –
Gardens – Paths

Accessory Building or Structure	P	P	P	P	
Accessory Dwelling (see Dwelling Unit, Single-Family with Accessory Dwelling Unit)					
Agricultural Services					
Agriculture, General					no animals P
Airport					
Alcoholic Beverage Sales for Off-Premise Consumption		P	P		
Amateur Radio Antenna	See Ordinance 2005-11				
Ambulance Service, Private			P		
Amenity Center	P	P			
Amusement Center, Indoor		P	P		
Amusement Center, Outdoor			P		
Antenna	See Ordinance 2003-35				
Antique Store		P	P		
Apartment (See Dwelling, Multifamily)					
Appliance Store		P	P		
Appliance Repair/Sale, Used Appliances		P	P		
Art Studio/Gallery		P	P		
Artisan's/Craftsman's Workshop		P	P		
Assembly			P		
Automobile Dealership, New Auto Sales			P		
Automobile Dealership, Used Auto Sales					
Automobile Parts Store			P		
Automobile Rental or Leasing			P		
Automobile Service and Repair, Major					
Automobile Service and Repair, Minor					
Automobile Towing/Wrecker Service					
Automotive Body Shop					
Automated Teller Machine (ATM)		P	P		
Bail Bonding Agency					
Bank or Financial Institution		P	P		
Barber or Beauty Shop		P	P		
Boarding Home Facility (Pending)			P		
Boat (Marine) Dealership			P		
Book Store		P	P		
Building Contractor, General			P		
Building Contractor, Maintenance and Repair			P		
Building Contractor, Temporary Field Office	P	P	P		
Building Contractor, Trade Specialist			P		
Building Contractor's Storage Yard					
Cabinetmaking Shop			P		
Car Title Loan Business					
Car Wash, Full-Service or Self-Service			P		
Caretaker's Residence	P	P	P		
Cemetery					
Check Cashing Business					
Church, Temple, Mosque, or Place of Worship	P	P	P		
Civic, Fraternal, Philanthropic, Charitable, or Nonprofit Organization		P	P		
Clothing and Apparel Store		P	P		
Cocktail Lounge		P	P		
College or University, Private		P	P		
College or University, Public		P	P		
Community Garden	P	P	P		P
Concrete/Asphalt Batch Plant, Permanent					
Condominium (See Dwelling, Multifamily)					
Convenience Store with Fuel Sales		P	P		
Convenience Store without Fuel Sales		P	P		
Country Club	P	P	P		
Custom Manufacturing (See Manufacturing, Custom)		P	P		
Dance Hall/Event Venue			P		
Day Care Services, Adult			P		
Day Care Services, Children		P	P		
Department or General Merchandise Store		P	P		
Detention Facility					
Dinner Theatre			P		
Distillery			P		
Distribution Center (See Warehousing and Distribution)					
Drive-Thru or Drive-In Service		P	P		
Driving Instruction School			P		
Drug Store			P		

TABLE 1. LAND USES

Residential –

Blended
Transition –

Commercial

Communications
– including
towers upto 320'
tallOpen Space –
Vineyards –
Gardens – Paths

Duplex (See Dwelling, Duplex)					
Dwelling, Duplex	P	P			
Dwelling, Live/Work		P	P		
Dwelling, Multifamily		P	P		
Dwelling, Patio Home (Zero Lot Line Home)	P	P			
Dwelling, Single-Family Detached	P				
Dwelling, Single-Family with Accesory Dwelling Unit	P	P			
Dwelling, Townhome	P	P			
Electronic Sales/Service			P		
Equipment Rental, Heavy, No Outdoor Storage			P		
Equipment Rental, Heavy, With Outdoor Storage			P		
Equipment Rental, Light, No Outdoor Storage			P		
Equipment Rental, Light, With Outdoor Storage			P		
Fabrication Processes					
Fair/Rodeo Grounds or Exhibition Hall or Arena			P		
Farm Supply Store, Retail			P		
Farmers' Market		P	P		
Feed, Grain, or Hay Storage and Sale, Bulk/Wholesale					
Fine Arts Classes		P	P		
Fitness Center		P	P		
Flea Market, Indoor					
Flea Market, Outdoor/Open Air Market					
Florist		P	P		
Food Processing CRAFT		Craft P	Craft P		
Food Truck Park			P		
Fuel Sales, Bulk					
Fuel (Gasoline/Propane) Sales, Retail		P	P		
Funeral Services			P		
Furniture, Home Furnishings, and Home Decorating and Decor Store		P	P		
Furniture Repair and Sale, Used			P		
Garden Center/Nursery With Outside Storage			P		
Garden Center/Nursery, No Outside Storage		P	P		
Golf Course	P	P	P		
Grocery Store		P	P		
Group Medical Care Facility (Pending)			P		
Guest House	P	P			
Guidance Services (Pending)			P		
Gunsmith and Locksmith Shop			P		
Hardware Store			P		
Home Improvement Center			P		
Home Occupation	P				
Hospital			P		
Hotel or Motel			P		
Jewelry Store		P	P		
Job and Vocational Training Center			P		
Junkyard		See Chapter 58, Kerrville Code of Ordinances			
Kennel, Up to 11 Animals, Indoor Pens			P		
Kennel, 12 or More Animals, Indoor outdoor Pens			no outdoor pens P		
Landscape Nursery, Commercial/Wholesale			P		P
Laundromat			P		
Laundry/Dry Cleaning Drop-Off/Pick-Up Station		P	P		
Laundry/Dry Cleaning Plant					
Life Care Development (Pending)			P		
Limousine/Taxi Service			P		
Livestock Sales, Wholesale					
Lumber Yard			P		
Machine Shop					
Mailing Service			P		
Manufactured Home or Manufactured Housing					
Manufactured Housing Sales					
Manufacturing, Custom (see Artisan's/Craftsman's Workshop)					
Manufacturing, General			P		
Microrbrewery		P	P		
Mining and Mineral Extraction					
Mini-Storage		near LCRA P	near LCRA P		
Minor Emergency/Urgent Care Medical Clinic			P		
Modular Home	P				
Motel (See Hotel or Motel) + B191			P		
Motor Freight/Trucking Company					
Motorcycle, All Terrain Vehicle, Personal Watercraft Dealership			P		

TABLE 1. LAND USES

Residential – Blended Transition – Commercial Communications – including towers upto 320' tall Open Space – Vineyards – Gardens – Paths

Movie Theater			P		
Musical Instrument Sales and Repair		P	P		
Newspaper			P		
Office, General (Business or Professional)		P	P		
Office, Medical		P	P		
Office Furniture, Equipment, and Supply Store		P	P		
Outdoor Storage of Equipment and Materials as a Primary Use					
Parking Lot or Structure, Accessory		P	P		
Parking Lot, Stand-Alone			P		
Parking Structure			P		
Pawnshop			P		
Payday Loan Business					
Personal Care Facility (Pending)			P		
Pet and Pet Supply Sales		P	P		
Pet Grooming		P	P		
Photography Studio and Photography/Camera Supply Store		P	P		
Portable Building Sales		near LCRA P	near LCRA P		
Print Shop, Major			P		
Print Shop, Minor		P	P		
Public or Institutional Facility or Use	P	P	P		
Quadruplex (See Dwelling, Multifamily)					
Radio or Television Station or Broadcasting Studio with Tower				P	
Radio or Television Station or Broadcasting Studio without Tower			P	P	
Recreational Skills Classes		P	P		
Recreational Vehicle Dealership			P		
Recreational Vehicle or Trailer Park		near LCRA P	near LCRA P		
Rectory/Parsonage	P	P	P		
Repair Shop, Household Items			P		
Repair Shop, Personal Items		P	P		
Research and Development Lab			P		
Residential Care Services (Pending)			P		
Restaurant, Food and Beverage Shop		P	P		
Restaurant, General, With Drive-Thru or Drive-In Service		P	P		
Restaurant, General, Without Drive-Thru Service		P	P		
Salvage, Reclamation, Recycling of Materials					
Sand, Gravel, or Stone Extraction					
Sand, Gravel, or Stone Storage and Sales			near LCRA P		
School, Private, Elementary		P	P		
School, Private, Intermediate and Secondary		P	P		
School, Public, Elementary	P	P	P		
School, Public, Intermediate and Secondary	P	P	P		
Second-hand/Used Goods Store With Outside Storage					
Second-hand/Used Goods Store, No Outside Storage		P	P		
Security Service			P		
Security Systems Installation and Monitoring Company			P		
Sexually Oriented Business			per chapter 30 P		
Short-term Rental Unit	P	P	P		
Showroom, in Conjunction with Warehousing and Distribution					
Showroom, without Warehousing and Distribution		P	P		
Smoke Shop			P		
Solar Energy Facility		near LCRA P	near LCRA P		
Stables, Commercial					
Stables, Private					
Stationery Store		P	P		
Tattoo or Permanent Cosmetics Shop, Body Piercing					
Taxidermy Shop			P		
Transportation Terminal, Bus/Aviation			P		
Triplex (See Dwelling, Multifamily)					
Truck Stop and Fueling Station		if at freeway interchange or frontage road P	P		
Utility, Local	P	P	P	P	equipment only P

TABLE 1. LAND USES

Residential –

Blended
Transition –

Commercial

Communications
– including
towers upto 320'
tallOpen Space –
Vineyards –
Gardens – Paths

Utility, Private or Franchise	P	P	P	P	equipment only P
Utility, Public	P	P	P	P	equipment only P
Veterinary Service, Large Animal, Indoor or Outdoor Pens			P		
Veterinary Services, Small Animal, Indoor Pens			P		
Warehousing and Distribution					
Welding Shop					
Wholesaling			P		
Wind Energy System, Small	See Chapter 26, Kerrville Code of Ordinances				
Winery			P		vineyards P
Wireless Telecommunications Facilities				P	
Zero Lot Line Single-Family Dwelling (See Dwelling, Patio Home)					



Location Map

Case # PZ-2025-4

Location:

Town Creek at Holdsworth PDD 2019-22

Legend

- Subject Properties
- 200 Feet Notification Area

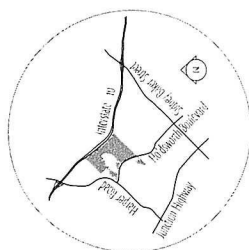


0 500 1,000
Scale In Feet

02/10/2025

Town Creek at Holdsworth Land Use Modifying Planned Development Districts 2004-15, 2017-19, and 2019-22 located at Holdsworth Extension

Commercial	53.3 +/- acres
Blended	64.8 +/- acres
Residential	75.5 +/- acres
Communications	9.8 +/- acres
Open Space	43.3 +/- acres



LEGEND



NOTES

- 1- Development standards shall be consistent with current City of Kerrville subdivision and zoning code, as may be adopted, for each use within a defined zoning district, except as specified in this ordinance. In the case of discrepancies this ordinance shall govern.
- 2- The maximum number of units per acre for residential development shall be determined by use: Live/Work and Medium Density Residential shall be 12 units per acre; Single-Family Detached, 13 units per acre.
- 3- Existing and currently proposed structures, and their distances to property lines and other structures are represented.
- 4- Front, side and rear setbacks, number of stories and height, gross floor area, location of entrances and exits, development standards, and parking standards shall be consistent with current City of Kerrville subdivision and zoning code, as may be adopted, for each use within a defined zoning district, except as specified in this ordinance. In the case of discrepancies this ordinance shall govern.
- 5- Fire hydrants shall be consistent with the current City of Kerrville Ordinance, as may be adopted, for each use within a defined zoning district.
- 6- Wireless Communications Facilities shall be consistent with this ordinance.
- 7- The general size, shape and locations for the defined zoning districts and collector roads are represented here though variations in the actual size, shape, and locations will be allowed without amending the ordinance. The overall total acreage for each defined district as set in the ordinance shall be maintained throughout those future adjustments.
- 8- This Planned Development District is based upon the 2019-17 Zoning Ordinance at the current City of Kerrville Zoning Code.

scale: 1" = 300'



Submitted by: [Name] Date: [Date]

Strategic Catalyst Area 5

Strategic Catalyst Area 5 lies north of the city center in a largely undeveloped pocket surrounded by low-density neighborhoods and Interstate 10. As with SCAs 2, 3, 6, and 8, the preservation of the Hill Country's characteristic hills will be an important priority for this area.

Defining Characteristics: The western arm of Holdsworth Drive and the Harper/I-10 intersection are the two lynchpins of the area's transportation infrastructure. The Kerrville Sports Complex provides a social and athletic gathering space for the community and the region.

Allowable Place Types: Estate Residential, Neighborhood Residential, Preservation Residential, Transitional Residential, Community Commercial, Regional Commercial, Entertainment Mixed Use

Place Type Distinctions: Regional Commercial place types are most appropriate around the I-10/Harper intersection. Some Entertainment/Mixed Use developments (e.g., hotels, restaurants) are appropriate near the Kerrville Sports Complex.

Size: 987 acres

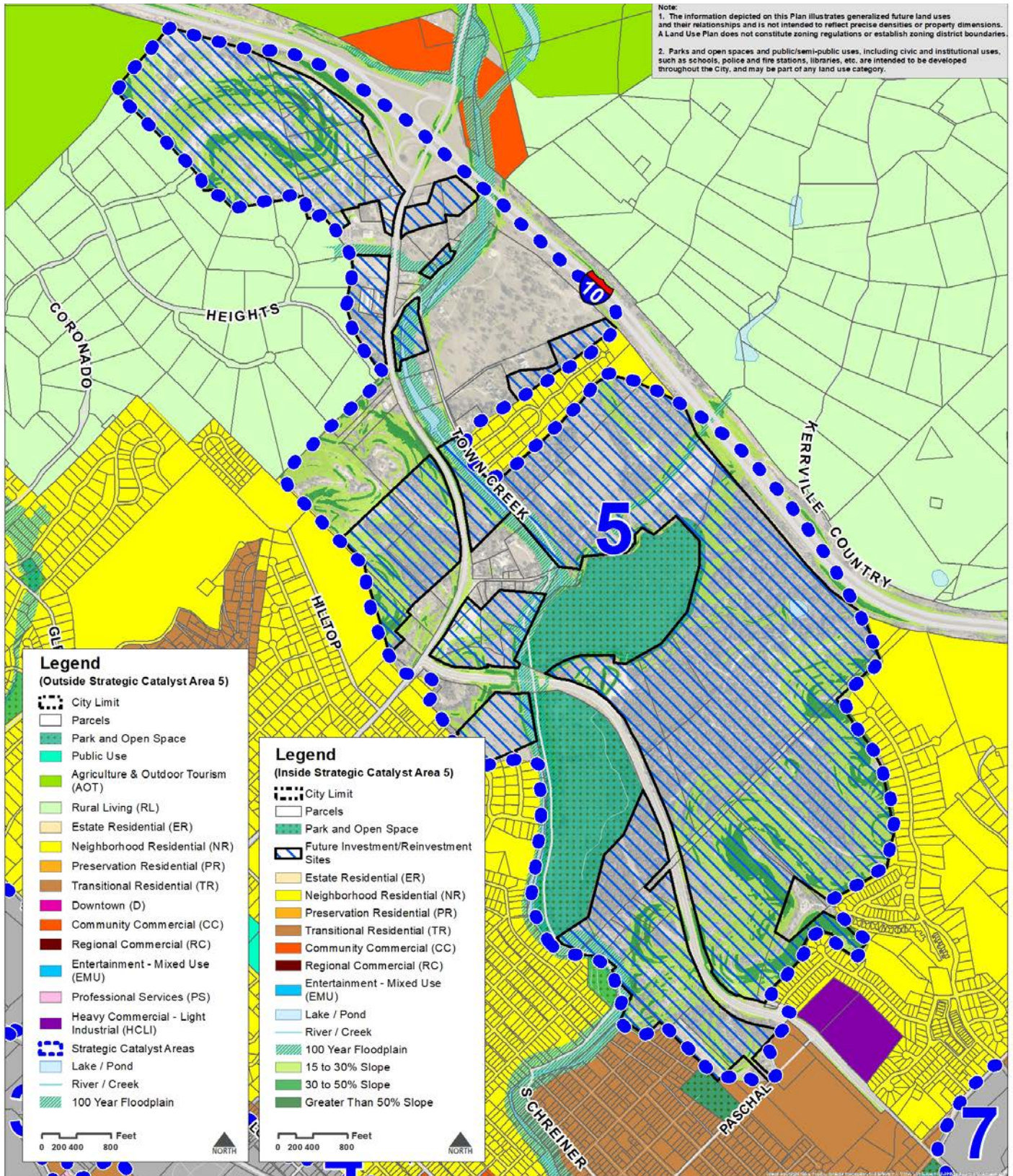
Developable Sites: 613 acres

Residents: 360

Jobs: 61



Figure 12: Strategic Catalyst Area 5



From: [Ricardo Martinez](#)
To: [Planning Division](#)
Subject: [EXTERNAL] Case #PZ-2025-4/Location Town Creek at Holdsworth PDD 2019-22
Date: Monday, March 3, 2025 12:52:09 PM

Hello I recently received a letter from your department concerning a "Notice of Public Hearing".. I reside at 101 Yorktown Blvd. and my property abuts the eastern portion of the proposed development. I am not in favor of the proposal. However, I would like to know what type of development is being considered at that location? Thanks, Ricardo A. Martinez



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

CAPTION: Ordinance No. 2025-11. An Ordinance deleting Article III "Electioneering and Other Conduct at Polling Locations", of Chapter 70 "Offenses and Miscellaneous Provisions", of the Code of Ordinances of the City of Kerrville, Texas; containing a cumulative clause; containing a savings and severability clause; and providing other matters relating to this subject. *(M Hayes, City Attorney)*

AGENDA DATE: April 8, 2025

DATE SUBMITTED: 03/27/2025

SUBMITTED BY:

EXHIBITS:

1. 20250408_Ord 2025-11_Electioneering

Expenditure: NA
Account Number: NA
Payment to/Vendor name: NA

Amount Budgeted: NA
Account Balance: NA

Kerrville 2050 Item?

Key Priority Area:

SUMMARY:

Since 2014, the City has allowed electioneering to occur on the premises of its voting location subject to the application of state law and the City's reasonable time, place, and manner regulations. These regulations are found within Chapter 70, Article III, of the City's Code of Ordinances. Since this time, the City's Cailloux City Center for the Performing Arts has served as the City's voting location. The City Attorney recommends that Council delete this article of the City's Code, with the understanding that the City Manager will study sites, in consultation with the City Attorney, including the auditorium, for future elections and then recommend both a possible future site or sites to Council and the adoption of revised electioneering regulations. The ordinance before you, if adopted, will delete Article III, Chapter 70 in its entirety.

RECOMMENDED ACTION:

Approve Ordinance No. 2025-11 on first reading.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2025-11**

**AN ORDINANCE DELETING ARTICLE III
“ELECTIONEERING AND OTHER CONDUCT AT
POLLING LOCATIONS”, OF CHAPTER 70
“OFFENSES AND MISCELLANEOUS
PROVISIONS”, OF THE CODE OF ORDINANCES OF
THE CITY OF KERRVILLE, TEXAS; CONTAINING A
CUMULATIVE CLAUSE; CONTAINING A SAVINGS
AND SEVERABILITY CLAUSE; AND PROVIDING
OTHER MATTERS RELATING TO THIS SUBJECT**

WHEREAS, Article III, Chapter 70 of the City’s Code of Ordinances (Code) establishes time, place, and manner regulations for electioneering on the grounds of City-owned or City-controlled public property when the property is used as an election polling place; and

WHEREAS, based upon the current uncertainty for the location of future City elections, the City wishes to delete this article of the Code, to review it, and to consider changes at later date; and

WHEREAS, based upon the information provided above, City Council finds it to be in the public interest to delete Article III, Chapter 70 from the City’s Code of Ordinances;

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

SECTION ONE. Article III, Chapter 70 of the Code of Ordinances of the City of Kerrville, Texas, is deleted.

SECTION TWO. The City Secretary is authorized and directed to submit this amendment to the publisher of the City’s Code of Ordinances and the publisher is authorized to amend said Code to reflect the amendment adopted herein and to correct typographical errors and to index, format, and number and letter paragraphs to the existing Code as appropriate.

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

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

PASSED AND APPROVED ON FIRST READING, this the ____ day of _____, A.D., 2025.

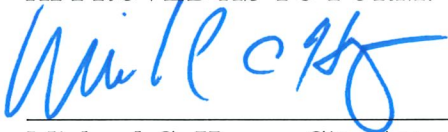
PASSED AND APPROVED ON SECOND AND FINAL READING, this the ____ day of _____, A.D., 2025.

ATTEST:

Joe Herring, Jr., Mayor

Shelley McElhannon, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

CAPTION: Financial Update for month-ended 3/31/2025. (*J Behrens, Director of Finance*)

AGENDA DATE: April 8, 2025

DATE SUBMITTED: 03/31/2025

SUBMITTED BY:
JULIE BEHRENS, Director of Finance

EXHIBITS:
None

Expenditure:
Account Number:
Payment to/Vendor
name:

Amount Budgeted:
Account Balance:

Kerrville 2050 Item?

Key Priority Area:

SUMMARY:
Financial Update for month-ended 3/31/2025

RECOMMENDED ACTION:
NA