



KERRVILLE CITY COUNCIL AGENDA
WORKSHOP, APRIL 16, 2019, 10:00 AM
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

Mayor Bill Blackburn

1. PUBLIC HEARINGS:

- 1.A. Public hearing regarding an ordinance for the City of Kerrville to annex into its incorporated limits with a zoning classification of Public & Institutional District ("PI") a portion of an approximately 35.05 acre tract of land out of the S. Wallace Survey No. 114, Abstract No. 348, and the S. Wallace Survey No. 113, Abstract No. 347; said portion of the tract located within Kerr County, Texas, and the Extraterritorial Jurisdiction of the City of Kerrville, Texas; consisting of the Property generally located adjacent to State Highway Loop 534. The portion of the tract that is located within the City of Kerrville is currently zoned both E-25 and Residential Cluster ("RC") Zoning Districts, said zoning which is proposed to be amended to Public & Institutional District ("PI"). (File No. 2019-007)

Attachments:

[20190416_Ord_Draft2_KISD Property_Loop 534_35.05 ac_031419 DRAFT.pdf](#)
[20190416_2019-007_MetesBounds.pdf](#)
[20190416_LocationMap_2019-007 – Zoning – PetersonMS.pdf](#)

2. INFORMATION AND DISCUSSION:

- 2.A. Festivals and other visitor/tourism events.
- 2.B. Pavement Management update.

ADJOURNMENT.



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

SUBJECT: Public hearing regarding an ordinance for the City of Kerrville to annex into its incorporated limits with a zoning classification of Public & Institutional District ("PI") a portion of an approximately 35.05 acre tract of land out of the S. Wallace Survey No. 114, Abstract No. 348, and the S. Wallace Survey No. 113, Abstract No. 347; said portion of the tract located within Kerr County, Texas, and the Extraterritorial Jurisdiction of the City of Kerrville, Texas; consisting of the Property generally located adjacent to State Highway Loop 534. The portion of the tract that is located within the City of Kerrville is currently zoned both E-25 and Residential Cluster ("RC") Zoning Districts, said zoning which is proposed to be amended to Public & Institutional District ("PI"). (File No. 2019-007)

AGENDA DATE OF: April 16, 2019

DATE SUBMITTED: Apr 09, 2019

SUBMITTED BY: Rebecca Pacini

EXHIBITS: [20190416_Ord_Draft2_KISD Property_Loop 534_35.05 ac_031419 DRAFT.pdf](#)
[20190416_2019-007_MetesBounds.pdf](#)
[20190416_LocationMap_2019-007 - Zoning - PetersonMS.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	Yes
Key Priority Area	F - Public Facilities and Services
Guiding Principle	F9. Recognize public services and facilities as potential catalysts for growth and redevelopment that can promote economic development and cultural enrichment
Action Item	F9.3 - Target public investment for facilities and infrastructure toward areas where mixed-use and redevelopment is desired

SUMMARY STATEMENT:

Public hearing regarding an ordinance for the City of Kerrville to annex into its incorporated limits with a zoning classification of Public & Institutional District ("PI") a portion of an approximately 35.05 acre tract of land out of the S. Wallace Survey No. 114, Abstract No. 348, and the S. Wallace Survey No. 113, Abstract No. 347; said portion of the tract located within Kerr County, Texas, and the Extraterritorial Jurisdiction of the City of Kerrville, Texas; consisting of the Property generally located adjacent to State Highway Loop 534. The portion of the tract that is located within the City of Kerrville is currently zoned both E-25 and Residential Cluster ("RC") Zoning Districts, said zoning which is proposed to be amended to Public & Institutional District ("PI"). (File No. 2019-007)

PROCEDURAL REQUIREMENTS

20 Notices were mailed March 12th to adjacent property owners and utility service providers. The public notice was published in the Kerrville Daily Times on March 30th.

STAFF ANALYSIS

Consistency with the Kerrville 2050 Comprehensive Plan: The property is located in Strategic Catalyst Area 8 which is characterized by Loop 534 and anchored by Tivy High School. Allowable place types include community commercial uses closer to the loop and surrounding residential uses.

ADJACENT ZONING AND LAND USES

Subject Property

Current Zoning: Outside City Limits, East District 25 (E-25), & Residential Cluster (RC)

Existing Land Uses: Vacant

Direction: North

Current Zoning: East District 25 (E-25) & Residential Cluster (RC)

Existing Land Uses: Vacant

Direction: East

Current Zoning: East District 26 (E-26)

Existing Land Uses: Vacant & Tivy High School

Direction: South

Current Zoning: Outside City Limits & Residential Cluster (RC)

Existing Land Uses: Vacant

Direction: West

Current Zoning: Outside City Limits

Existing Land Uses: Vacant

The uses which are permitted as a matter of right or permitted upon issuance of a conditional use permit in the E-25 and RC zoning district are indicated by the letters "P" and "C," respectively, in the following table:

E-25 DISTRICT PERMITTED & CONDITIONAL USE TABLE

Building Construction, Specialist	P
Business Services I	P
Business Services II	P
Cocktail Lounge	P
Dwelling, Multiple Family	P
Education, Secondary and College	C
Education, Primary	P
Funeral Services	P
Institutional and Public Use Facilities	P
Manufacturing, Custom	P
Manufacturing and Industrial, Limited	C
Personal Services I	P
Personal Services II	P
Personal Services, Limited	P
Professional Offices	P
Restaurant, General	P
Restaurant, Limited	P
Retail Trade - I	P
Retail Trade - Limited	P
Tourist/Visitor & Recreation Service	P
Vehicle Sales/Service New	C

RC DISTRICT PERMITTED & CONDITIONAL USE TABLE

Bed and Breakfast	C
Dwelling, Single Family, Detached	P
Dwelling, Single Family with Apartment	C
Dwelling, RC District Uses (with plat)	P
Education, Primary	C

The uses which are permitted as a matter of right or permitted upon issuance of a conditional use permit in the PI zoning district are indicated by the letters "P" and "C," respectively, in the following table:

PI DISTRICT PERMITTED & CONDITIONAL USE TABLE

Bed and Breakfast	P
Dwelling, Multiple Family	C
Education, Secondary and College	P
Education, Primary	P
Institutional and Public Use Facilities	P
Personal Services I	C
Professional Offices	C
Tourist/Visitor & Recreation Service	P

THOROUGHFARE PLAN: State Highway Loop 534 is designated as a Primary or Principal Arterial. Principal arterials typically serve as the highest traffic volume corridors, prioritizing longer-distance trips and providing connectivity between surrounding communities and major activity centers within Kerrville. A typical principal arterial is a four-lane divided roadway with a raised median, which can accommodate turning traffic at intersections and regulates access to the adjacent development. In rural and constrained areas or where there is a high volume of left-turning vehicles, the roadway may be undivided with a center turn lane at intersections.

Two Collectors are proposed along the southern border and through this property, one of which is the future extension of Olympic Drive. Collectors provide the necessary connectivity through and between residential neighborhoods and support circulation in

nonresidential activity centers. A typical collector in Kerrville is a two-lane divided roadway with a center turn lane; however, in constrained areas, a two-lane undivided roadway may be appropriate so that a portion of the right-of-way could be used for pedestrian space or on-street parking.

TRAFFIC IMPACT: To be determined

PARKING: To be determined

Next Steps:

April 23, 2019 - Second Public Hearing

May 14, 2019 - Public hearing and Ordinance First Reading

May 28, 2019 - Second Ordinance Reading

RECOMMENDED ACTION:

No action

DRAFT 3/14/19

CITY OF KERRVILLE, TEXAS ORDINANCE NO. 2019-__

AN ORDINANCE ANNEXING A PORTION OF AN APPROXIMATE 35.05 ACRE TRACT OF LAND OUT OF THE S. WALLACE SURVEY NO. 113, ABSTRACT NO. 347, INTO THE CORPORATE LIMITS OF THE CITY OF KERRVILLE, TEXAS; SAID TRACT BEING LOCATED WITHIN KERR COUNTY, TEXAS, AND THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF KERRVILLE, TEXAS; AND GENERALLY LOCATED ADJACENT TO LOOP 534 (VETERANS HIGHWAY); FURTHER DESCRIBING THE PROPERTY TO BE ANNEXED; ADOPTING A SERVICE PLAN FOR THE PROPERTY ANNEXED; AND ESTABLISHING THE ZONING BOTH FOR THE PROPERTY ANNEXED AND THE ENTIRE TRACT

WHEREAS, pursuant to Texas Local Government Code Section 43.028, the owner of the property described in Section One, below, previously petitioned the City to annex the property into the corporate limits of the City of Kerrville, Texas; and

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

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

SECTION ONE. The property described and depicted in **Exhibit A** is annexed and incorporated into the corporate limits of the City of Kerrville, Texas, for all legal purposes.

SECTION TWO. The petition for annexation concerning the property described in Section One, above, is attached as **Exhibit B** and incorporated herein by reference.

SECTION THREE. The service plan regarding the provision of public services, as set forth in **Exhibit C**, attached hereto and incorporated herein by reference, is hereby adopted for the property described in Section One, above, as required by Texas Local Government Code §43.056.

SECTION FOUR. Upon the adoption of this Ordinance, the property described in Section One, above, will be zoned as a Public and Institutional Zoning District (“PI”). In addition, the portions of the property that are currently within the City and that are zoned either Residential Cluster (“RC”) or E-25 are rezoned into a Public and Institutional Zoning District (“PI”).

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

SECTION SEVEN. The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Article 1-1-7 of the Code of Ordinances of the City of Kerrville, Texas, which provides for a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00).

SECTION EIGHT. 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 NINE. In accordance with Section 43.028(d) of the Texas Local Government Code, the City Secretary is directed to file a certified copy of this Ordinance together with a copy of the petition requesting annexation with the Kerr County Clerk.

**PASSED AND APPROVED ON FIRST READING, this the ____
day of _____ A.D., 2018.**

**PASSED AND APPROVED ON SECOND READING, this the
____ day of _____ A.D., 2018.**

Bill Blackburn, Mayor

APPROVED AS TO FORM:

ATTEST:

Michael C. Hayes, City Attorney

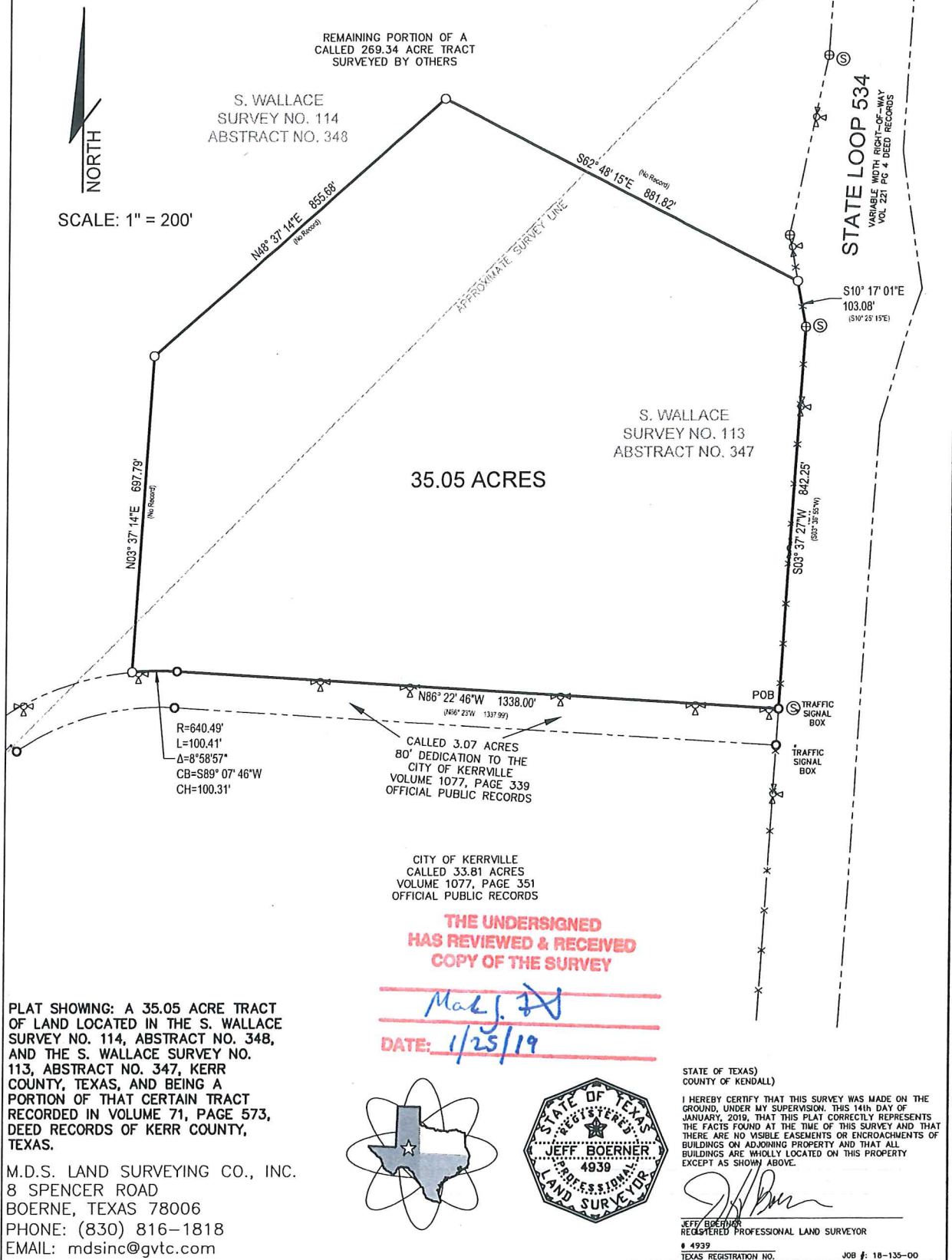
Cheryl Brown, Interim City Secretary

NOTES

1. BASIS OF BEARING WAS ESTABLISHED FROM TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83 (12).
2. FIELD SURVEY COMPLETED 06-26-2018.
3. ONLY APPARENT UTILITIES WERE LOCATED AND NO ATTEMPT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITY OR MUNICIPAL / PUBLIC SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES, PLEASE CONTACT THE APPROPRIATE AGENCIES.
4. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF THE MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS; AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
5. A FIELD NOTE DESCRIPTION WITH SAME DATE ACCOMPANIES THIS SURVEY.

LEGEND

- ⊙ SANITARY SEWER MANHOLE
- X— WIRE FENCE
- ⊕ FND TXDOT TYPE 1 CONCRETE MARKER
- 1/2" REBAR FOUND
- 1/2" REBAR SET WITH "MDS" CAP
- POB POINT OF BEGINNING
- ⊗ FIRE HYDRANT
- () RECORD INFORMATION



MDS

LAND SURVEYING COMPANY, INC.

Boundary ♦ Topographic ♦ Construction

729 Sidney Baker Street, Suite "B"

Kerrville, Texas 78028

Phone: 830-816-1818

Email: mdsinc@gvvc.com Firm no. 10019600

FIELD NOTES FOR A 35.05 ACRE TRACT

BEING A 35.05 ACRE TRACT OF LAND LOCATED IN THE S. WALLACE SURVEY NO. 114, ABSTRACT NO. 348, AND THE S. WALLACE SURVEY NO. 113, ABSTRACT NO. 347, KERR COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN TRACT RECORDED IN VOLUME 71, PAGE 573, DEED RECORDS OF KERR COUNTY, TEXAS. SAID 35.05 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

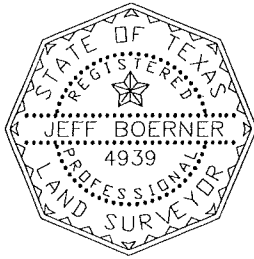
BEGINNING at a ½" rebar found in the west right-of-way line of State Loop 534, at the southeast corner of the herein described tract, said point being the northeast corner of a called 3.07 acre dedication to the City of Kerrville, recorded in Volume 1077, Page 339, Official Public Records of Kerr County, Texas;

- (1) **Thence**, departing the west right-of-way line of State Loop 534, with the north line of the called 3.07 acre dedication, the south boundary line of the herein described tract, the following 2 (two) courses and distances:
 - a. **N 86° 22' 46" W, 1338.00'** to a ½" rebar found for the point of curvature of a curve to the left;
 - b. with the arc of said curve to the left, with a radius of 640.49', a central angle of 08° 58' 57", an arc length of 100.41', and a chord which bears **S 89° 07' 46" W, a distance of 100.31'** to a ½" with "MDS" cap set for southwest corner;
- (2) **Thence**, departing the north line of the called 3.07 acre dedication, with the west, northwest, and north boundary lines of the herein described tract, the following 3 (three) courses and distances:
 - a. **N 03° 37' 14" E, 697.79'** to a ½" rebar with "MDS" cap set for angle;
 - b. **N 48° 37' 14" E, 855.68'** to a ½" rebar with "MDS" cap set for corner;
 - c. **S 62° 48' 15" E, 881.82'** to a ½" rebar with "MDS" cap set for northeast corner in the west right-of-way line of State Loop 534;

(3) Thence, with the west right-of-way line of State Loop 534, the east boundary line of the herein described tract, the following 2 (two) courses and distances:

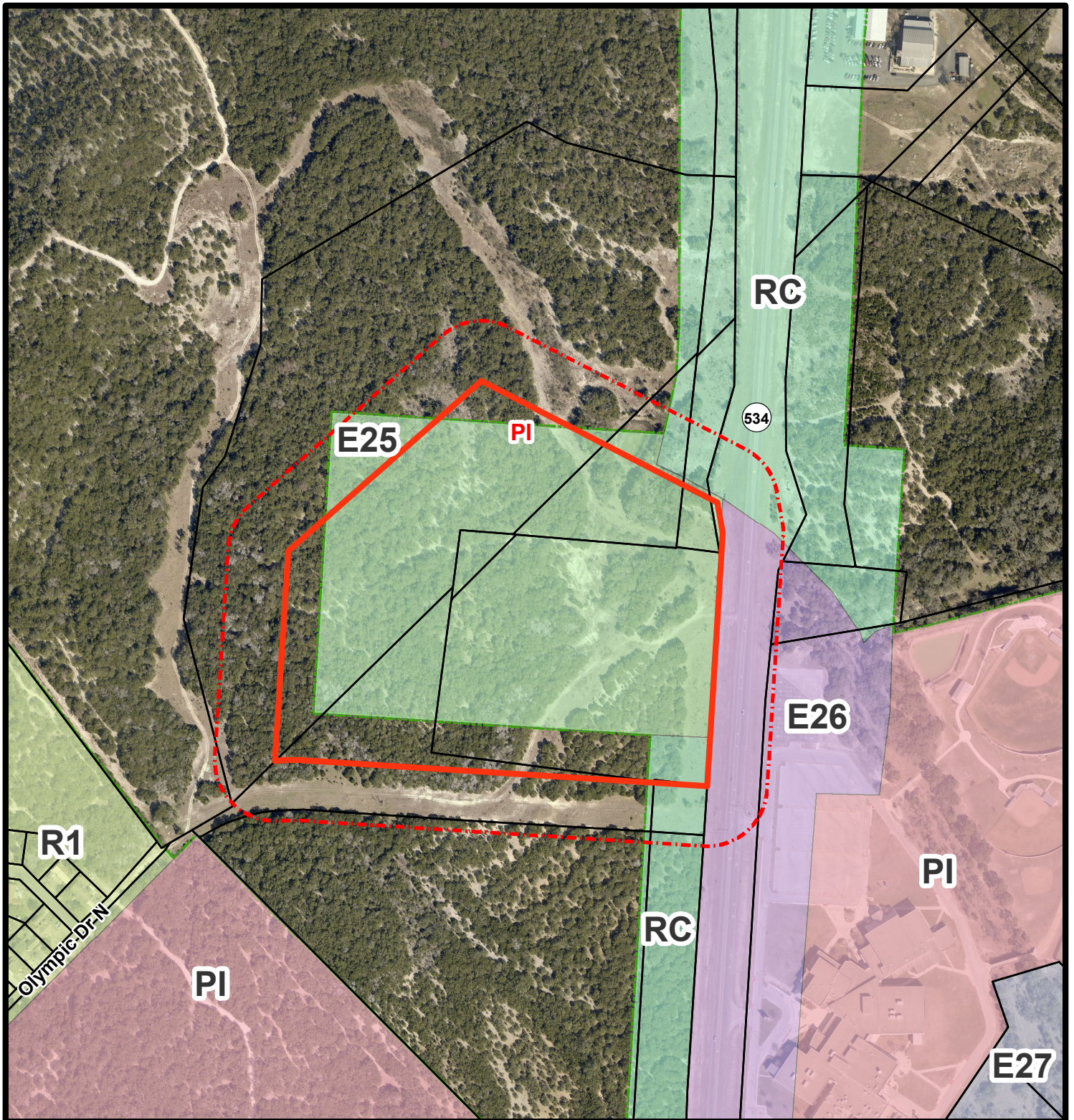
- a. S 10° 17' 01" E, 103.08' to a TxDOT, Type 1, concrete marker found for angle;
- b. S 03° 37' 27" W, 842.25' to the **PLACE OF BEGINNING** and containing **35.05 acres** of land, more or less.

Note: This description is based on an on the ground survey performed in June of 2018. The basis of bearings was derived from the Texas State Plane Coordinate System, South Central Zone. A survey plat with same date accompanies this description.



A handwritten signature in black ink, appearing to read "Jeff Boerner", is written over a horizontal line.

Jeff Boerner RPLS # 4939
Date: 01-14-2019 Job No. 18-135-00



Location Map

Case # 2019-007

Location:

State Hwy Loop 534

Legend

200' Notification Area

Subject Properties

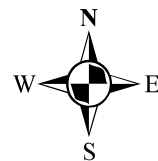
Current Zoning

Requested Zoning

Municipal Boundary

TEXT

(TEXT)



0 205 410 820

Scale In Feet



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

SUBJECT: Festivals and other visitor/tourism events.

AGENDA DATE OF: April 16, 2019

DATE SUBMITTED: Mar 22, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS:

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$0	\$0	\$0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Presented by Director of Parks and Recreation Ashlea Boyle.

RECOMMENDED ACTION:

No action, information only.



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

SUBJECT: Pavement Management update.

AGENDA DATE OF: April 16, 2019

DATE SUBMITTED: Mar 22, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS:

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$0	\$0	\$0	N/

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

E.A. Hoppe to provide a Pavement Management update.

RECOMMENDED ACTION:

No action, information only.