

**AGENDA**  
**CITY OF FREDERICKSBURG**  
**PLANNING & ZONING COMMISSION**

Wednesday, March 6, 2013

**5:30 P.M.**

LAW ENFORCEMENT CENTER, 1601 E. MAIN ST.

PAGE REF.

1. Call to Order
2. Approve minutes from the February 2013 Regular Meeting

*Pp 1 - 4*

**PUBLIC HEARINGS**

3. PUBLIC HEARING (Z-1302) by John Corcorran for a Conditional Use Permit to allow a Bed and Breakfast / Lodging development in the CBD, Central Business District at 508 & 512 W. Main Street
4. Consider making a recommendation on Z-1302

*Pp 5 - 18*

**DISCUSSIONS**

5. R-2, Mixed Residential Zoning District:
  - A) Possible changes in zoning from R-2 to R-1 in various areas of town
  - B) Possible changes in permitted uses and regulations
6. Bed & Breakfast definition and use classification

*Pg 19 - 28*

*Pg 29 - 34*

*Pg 35 - 36*

**ADMINISTRATIVE APPROVALS**

7. Replat - Lot 490RBR & Lot 489AR - 509 E. Schubert (Frost)
8. Replat - Lots 250 & 251, Stoneridge Unit VII (Hominick)

**ADJOURN**

STATE OF TEXAS  
COUNTY OF GILLESPIE  
CITY OF FREDERICKSBURG

PLANNING & ZONING COMMISSION  
February 6, 2013  
5:30 P.M.

On this the 6<sup>th</sup> day of February, 2013 the PLANNING AND ZONING COMMISSION convened in regular session at the Law Enforcement Center with the following members present to constitute a quorum:

JANICE MENKING - Chair  
CHARLIE KIEHNE  
BJORN KIRCHDORFER  
STEVE THOMAS  
CHRIS KAISER  
MATT LINES

ABSENT: BRENDA SEGNER  
BOBBY WATSON  
JASON HELFRICH

ALSO PRESENT: BRIAN JORDAN - Director of Development Services  
PAT MCGOWAN - City Attorney  
TAMMIE LOTH - Development Coordinator

Janice Menking called the meeting to order at 5:30 P.M.

**PUBLIC HEARINGS**

**PUBLIC HEARING (Z-1301) BY MUSTARD DESIGN FOR A CONDITIONAL USE PERMIT TO ALLOW A BED AND BREAKFAST / LODGING DEVELOPMENT IN THE CBD, CENTRAL BUSINESS DISTRICT AT 203 N. LLANO STREET** - It was moved by Charlie Kiehne and seconded by Bjorn Kirchdorfer to open Public Hearing Z-1301 by Mustard Design for a Conditional Use Permit to allow a Bed and Breakfast / Lodging development in the CBD, Central Business District at 203 N. Llano Street. Andy Bray of Mustard Design presented the application and noted the lot is approximately .877 acres. Mr. Bray stated the properties to the south, east and west are zoned CBD and the property to the north is zoned C-2. Mr. Bray stated there are two vacant structures on the property, the residence which will be used as a B&B, and the carriage house which will be used as an office. Mr. Bray noted all trees will remain on the property with the exception of two diseased ones located in the center. Mr. Bray stated they would like to add 8 structures and create a walk path from the parking area to each unit. Mr. Bray noted there will also be some onsite amenities, such as a fire pit and seating areas. Mr. Bray stated there will be a sidewalk constructed on Llano Street and commented the impervious coverage on the buildable portion of the lot is 53% and the maximum allowed is 90%. Mr. Bray noted there will be access to the property via a one way entrance off N. Llano Street, utilizing the existing curb cut, and the exit drive will be on Austin Street. Mr. Bray stated the property is encumbered by the 100 year flood plain, and that area will be designated as a drainage easement. Mr. Bray stated the existing house has been gutted and they will finish that out for a B&B and the carriage house will be refurbished for use as the office. Mr. Bray noted the lot falls toward the creek and there is a stone wall proposed on Llano Street. Mr. Bray commented the property has been undeveloped for approximately seven years.

Mr. Bray also noted they have tried to position the new buildings between the existing trees on the lot and the elevations will be somewhat uniform while still giving some variation throughout the development.

### **PUBLIC COMMENT**

Tom Roarick, of 205 E. Schubert, stated putting eight cottages on less than one-half acre will look cluttered and noted he is opposed to the development.

John Klein, local architect, noted a bed and breakfast was originally considered residential and only one unit was allowed in R-1, Single Family Residential, but he would like that topic to be re-visited because it is now being considered a hotel / motel use in the Central Business District and that requires a Conditional Use Permit. Mr. Klein commented the use and areas where Bed and Breakfast developments are allowed needs to be examined. Mr. Klein stated multiple family residential is an allowed use and that is what bed and breakfasts have been considered, but they are now being interpreted as a hotel /motel use, which requires a Conditional Use Permit, and that is different from bed and breakfast use. Mr. Klein requested there be some clarification on Bed and Breakfast definition and use.

Bjorn Kirchdorfer moved to close public hearing Z-1301 and Matt Lines seconded the motion. All voted in favor and the motion carried.

### **STAFF COMMENTS**

Brian Jordan, Director of Development Services, noted the proposed development meets the requirements of city code and the requirements of the density allotment. Mr. Jordan noted the zoning and land use plans are compatible with the adjoining property. Mr. Jordan stated several layouts for parking have been presented because the area is very limited, but the proposed layout has been approved by the fire marshall and an internal fire lane is not being required. Mr. Jordan stated the building elevations are not being considered or approved by the Planning and Zoning Commission because the property is in the Historic District and the Historic Review Board will have final approval on the design of the buildings. Mr. Jordan noted four letters were received by Staff, one letter in opposition and three letters in support of the applications. Mr. Jordan noted Staff recommendation of approval with the following conditions:

1. TXDOT approval of the drive on N. Llano Street.
2. Approval of a Landscape Plan prior to issuance of a Building Permit.
3. All external lighting being shielded.
4. Approval of Construction Plans prior to issuance of a Building Permit.
5. Approval of Building Plans by the Historic Review Board prior to issuance of a building permit.
6. The property being replatted into a single tract prior to issuance of a building permit.

Mr. Jordan then addressed Mr. Klein's comments regarding the allowance of bed and breakfast developments and explained that a multiple-family residential use is permitted in CBD and a hotel/motel use is allowed by Conditional Use Permit. Mr. Jordan noted the definition of a dwelling unit that is considered for multiple-family residential does not fit the intended use of the proposed B&Bs. Mr. Jordan noted he agrees with Mr. Klein that historically dwelling units and apartment type dwellings have been allowed in CBD, and while there is not a definition of a bed and breakfast, the intended use fits the definition of a hotel/motel lodging more than that of a multi-family dwelling. Mr. Jordan also noted the definition of a B&B needs to be addressed and the zoning districts that would allow that use need to be determined. Mr. Jordan then added the density that is proposed is no where close to the amount allowed for a multi-family type structure being built on the site. Mr. Jordan stated the Commission's responsibility is to decide if the proposed use is compatible and supportive to the area.

Bjorn Kirchdorfer asked if the applicant planned to fill in the flood plain and Mr. Bray noted they had looked into that but will not because it is a two stage process that is very costly. Mr. Kirchdorfer asked how traffic will be prohibited from entering the site off Austin Street and Mr. Jordan noted the drive will have to be marked with signage and pavement markings. Mr. Bray noted the parking spaces are oriented in the direction of traffic flow and they plan to erect signs noting the direction of traffic. Mr. Bray commented Austin Street was designated as the exit drive because there is less traffic flow than there is on Llano Street. Mr. Kirchdorfer asked Mr. Jordan if there will be any issues with the sidewalk or any areas the City will have to fill in. Mr. Bray noted the sidewalk will connect with the existing bridge and some of the sidewalk will have to be re-worked to make a clean connection. Charlie Kiehne asked what the occupancy of each unit will be and Mr. Bray noted two people will be the maximum allowed in each unit. Mr. Bray noted there will be two 2-story units and those will possibly be constructed close to Llano Street with the intent of blocking some noise. Mr. Kirchdorfer asked if the nearest unit to the neighbor will be a one-story and Mr. Bray noted it would be. Mr. Bray also commented there is a high grade change from their property to the neighbor's and approximately 80 feet between their property lines, but they are being sensitive to the neighbors to insure they can still enjoy their backyard without visitors being able to see in. Mr. Kirchdorfer asked which trees will be removed and Mr. Bray noted there are two diseased trees that will have to be removed. Steve Thomas asked if the landscape plan had been developed and Mr. Bray stated it has not. Janice Menking asked if the exit will allow both a right and left turn and Mr. Jordan stated it will and noted it has been located as far away from the corner as possible. Mr. Jordan also commented there are a couple parking spaces in the street that will be lost due to the drive and the visibility while exiting the property will be a concern because of the close proximity to the intersection, but the proposal is better than a two-way drive. Chris Kaiser asked if 38,000 square feet of property includes the flood plain and Mr. Bray noted it does. Mr. Bray explained the total buildable area is what the impervious coverage calculation is based on. Mr. Kaiser noted the density is low enough that it would almost be allowed in R-1 and asked Mr. Roarick, who is opposed to the application, why he is opposed to the density. Mr. Roarick stated the amount of building would not seem too dense if it was included in one structure, but in his opinion the number of structures that will be built on the lot is what makes it too dense. Mr. Thomas asked if there was any concern with the fire marshall regarding the distance to the nearest fire hydrant and Mr. Bray stated that was discussed but the openings and gates on the stone wall on Llano Street to allow for access is what he preferred as opposed to another fire hydrant. Mr. Jordan clarified the total square footage of the property is approximately 38,000 square feet and 24,000 square feet of that is located out of the flood plain and is the area used to calculate the coverages. Mr. Jordan noted the CBD zoning district is the most liberal, allowing 90% of impervious coverage. Mr. Jordan then noted if all the buildings are added together, new and existing, there is approximately 50% coverage.

Bjorn Kirchdorfer moved to approve Application Z-1301 with the following conditions:

1. TXDOT approval of the drive on N. Llano Street.
2. Approval of a Landscape Plan prior to issuance of a Building Permit.
3. All external lighting being shielded.
4. Approval of Construction Plans prior to issuance of a Building Permit.
5. Approval of Building Plans by the Historic Review Board prior to issuance of a building permit.
6. The property being replatted into a single tract prior to issuance of a building permit.

Steve Thomas seconded the motion. All voted in favor and the motion carried.



## **MINUTES**

Charlie Kiehne moved to approve the minutes from the January, 2013 regular meeting and Matt Lines seconded the motion. All voted in favor and the motion carried.

## **DISCUSSIONS**

**SUBDIVISION ORDINANCE UPDATE - MEETINGS AND OPEN HOUSE** - Brian Jordan, Director of Development Services, reminded the Commission the consultants would be in town the following Monday to meet with stake holders during the day and hold an open house for any interested individuals that evening.

## **ADJOURN**

With nothing further to come before the Commission, Bjorn Kirchdorfer moved to adjourn. Charlie Kiehne seconded the motion. All voted in favor and the meeting was adjourned at 6:26 p.m.

PASSED AND APPROVED this the 6<sup>th</sup> day of March, 2013.

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SHELLEY BRITTON, City Secretary

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JANICE MENKING, Chairman

The first part of the paper discusses the importance of the study and the objectives of the research. It highlights the need for a comprehensive understanding of the subject matter and the role of the researcher in this process. The second part of the paper presents the methodology used in the study, including the data collection methods and the analysis techniques. The third part of the paper discusses the results of the study and the conclusions drawn from the findings. The fourth part of the paper discusses the implications of the study and the future research directions.

The study was conducted in a systematic and rigorous manner, following the principles of scientific research. The data was collected from a large sample of participants, and the results were analyzed using advanced statistical techniques. The findings of the study are presented in a clear and concise manner, and the conclusions are based on the evidence presented in the study.

The implications of the study are significant, and the findings have important implications for the field of study. The study provides a comprehensive understanding of the subject matter, and the results can be used to inform future research and practice. The study also highlights the need for further research in this area, and the findings can be used to guide the development of new theories and models.

In conclusion, the study provides a comprehensive understanding of the subject matter, and the findings have important implications for the field of study. The study is a valuable contribution to the literature, and the results can be used to inform future research and practice.

## CONDITIONAL USE PERMIT BRIEF

*Request Z-1302*

**Owner:** 508 W. Main Street – Kenneth and Marie Wade  
512 W. Main Street – Melvin Wallendorf

**Applicant:** John Corcorran

**Location:** 508 – 512 W. Main Street

**Existing Zoning:** CBD, Central Business District

**Request:** Conditional Use Permit to allow a Bed & Breakfast Lodging facility in CBD, Central Business Zoning district.

### **Site Plan Overview:**

- The property currently consists of 2 lots, with 508 W. Main Street containing a Sunday/Guest House and 512 W. Main Street containing a residential structure currently available as a multi-room B&B rental unit and a tank house.
- Both structures have a rating of “High” in the Historic Resource Survey.
- The applicant intends to upgrade the two existing structures, expand the tank house into a cottage type B&B and construct 9 additional cottage units, for a total of 14 units.
- The site area is approximately 0.60 acres (26,352 square feet).
- The site will include a new parking lot with 14 parking spaces, one of which will be handicap accessible.
- Proposed access will be provided to the site by a new driveway entering from W. Main Street on the west side of the property. The existing drive on the 508 W. Main Street property will be eliminated.
- Building coverage is estimated to be approximately 25% (no maximum in the CBD - District)
- Impervious coverage is estimated to be approximately 53% (90% maximum allowed in the CBD District).
- The site is bordered by residences to the north, a commercial building to the east, commercial businesses to the south across Main Street and office use to the west.
- Adjacent zoning is CBD to the west, south and east, and R-2 to the north.

### **Review and Evaluation Criteria:**

#### **A. CONFORMANCE WITH APPLICABLE REGULATIONS:**

- As designed, the site is compliant regarding applicable zoning regulations, including building height, setbacks, building coverage, impervious coverage and parking.

#### **B. COMPATIBILITY WITH EXISTING OR PERMITTED USES IN ABUTTING SITES:**

- A lodging or B&B complex should be compatible with surrounding properties. This type of use will serve to support the commercial activities within the vicinity, and be within walking distance of the shopping and entertainment district along West Main Street.

- C. POTENTIALLY UNFAVORABLE EFFECTS OR IMPACTS ON OTHER EXISTING OR PERMITTED USES ON ABUTTING PROPERTY:**
- We do not anticipate unfavorable effects from the proposed use on abutting properties.
- D. MODIFICATIONS TO THE SITE PLAN WHICH WOULD RESULT IN INCREASED COMPATIBILITY AND WOULD MITIGATE POTENTIALLY UNFAVORABLE IMPACTS:**
- A proposed perimeter fence is proposed on the north side to screen the R-2 zoned properties at the rear and along the sides of the property.
- E. SAFETY AND CONVENIENCE OF VEHICULAR AND PEDESTRIAN CIRCULATION IN THE VICINITY:**
- The applicant has proposed a two-way entrance drive from W. Main Street on the west side of the property to serve this development. Adequate space is provided for parking and maneuverability on site.
- F. PROTECTION OF PERSONS AND PROPERTY FROM EROSION, FLOOD OR WATER DAMAGE, FIRE, NOISE, GLARE:**
- The site slopes from the rear to the front of the property. Final topography and grading with erosion control will be provided as part of the construction plans. A fire lane will be required to be provided on the driveway up to the main parking area.
- G. LOCATION OF LIGHTING AND TYPE OF SIGNS; THE RELATION OF SIGNS TO TRAFFIC CONTROL AND ADVERSE EFFECTS OF SIGNS ON ADJACENT PROPERTIES:**
- There are no pole type light fixtures proposed. Parking lot arbor and pathway lighting will be decorative sconces, down lights and festive type lights. No light will spill beyond the perimeter boundary of the property. Signage is proposed near the pedestrian entrance on W. Main Street. All signage will require a permit and shall comply with the Sign Ordinance.
- H. ADEQUACY AND CONVENIENCE OF OFF STREET PARKING AND LOADING FACILITIES:**
- Based on the proposed size, configuration and number of units proposed, adequate parking is provided. This includes one handicap parking space.
- I. DETERMINATION THAT THE PROPOSED USE IS IN ACCORDANCE WITH THE OBJECTIVES OF THESE ZONING REGULATIONS AND PURPOSES OF THE ZONE IN WHICH THE SITE IS LOCATED:**
- While the zoning of the property is CBD, a lodging facility will serve to support the commercial activities in the area.



**J. DETERMINATION THAT THE PROPOSED USE WILL COMPLY WITH EACH OF THE APPLICABLE PROVISIONS OF THE ZONING ORDINANCE:**

- Affirmative.

**K. DETERMINATION THAT THE PROPOSED USE AND SITE DEVELOPMENT, TOGETHER WITH ANY MODIFICATIONS APPLICABLE, THERETO, WILL BE COMPATIBLE WITH EXISTING OR PERMITTED USES IN THE VICINITY:**

- With the exception of designating the fire lane, the applicant has addressed the site issues required by the Development Review Committee. Final details will be addressed as part of the Construction Plans required prior to issuance of a building permit.

**L. DETERMINATION THAT ANY CONDITIONS APPLICABLE TO APPROVAL ARE THE MINIMUM NECESSARY TO MINIMIZE POTENTIALLY UNFAVORABLE IMPACTS ON NEARBY USES AND TO ENSURE COMPATIBILITY OF THE PROPOSED USE WITH EXISTING OR PERMITTED USES IN THE SAME DISTRICT AND THE SURROUNDING AREA:**

- Affirmative. Since the property is located within the Historic District, final building design will be subject to Historic Review Board approval.

**M. DETERMINATION THAT THE PROPOSED USE TOGETHER WITH THE CONDITIONS APPLICABLE THERETO, WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, OR WELFARE OR MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY:**

- Affirmative

**OPPOSITION/SUPPORT OF REQUEST:** None received to date.

**STAFF RECOMMENDATION:** The Staff recommends approval of this Conditional Use Permit conditioned upon the following:

1. TXDOT approval of the drive on W. Main Street.
2. Approval of a Landscape Plan prior to issuance of a Building Permit.
3. All external lighting being shielded.
4. Approval of Construction Plans prior to issuance of a Building Permit.
5. Approval of Building Plans by the Historic Review Board prior to issuance of a building permit.
6. The property being replatted into a single tract prior to issuance of a building permit.



RECEIVED

FEB 04 2013

CASE NUMBER \_\_\_\_\_

DATE February 4, 2013

**APPLICATION FOR CONDITIONAL USE PERMIT**

APPLICATION IS HEREBY MADE TO THE PLANNING & ZONING COMMISSION AND THE CITY COUNCIL TO GRANT A CONDITIONAL USE PERMIT IN THE ZONING DISTRICT OF THE CITY OF FREDERICKSBURG AS HEREIN SET FORTH:

CONDITIONAL USE PERMIT -\$100.00

1. APPLICANT: John Corcorran
2. ADDRESS: 3411B 82nd Street Suite 310, Lubbock, TX 79423
3. PHONE NUMBER: 806-773-6148 FAX NUMBER: 806-209-0165
4. OWNER (if different from applicant): see attached- different owners two properties
5. ADDRESS: Contact thru Dennis Kusenberger, REMAX
6. PHONE NUMBER: 830-456-6327 FAX NUMBER: \_\_\_\_\_
7. DESCRIPTION OF PROPERTY INVOLVED IN THIS REQUEST:  
ADDRESS: 508 West Main - 512 West Main  
LEGAL DESCRIPTION: Portion Townlots 148 and 149  
LOT SIZE: (508) 50x200 (512) 80x200 LOT AREA: Approx. 26,000 s.f.
8. EXISTING ZONING: CBD DISTRICT
9. CONDITIONAL USE PERMIT: Hotel / Motel USE CLASSIFICATION IN  
THE CBD ZONING DISTRICT.
10. INFORMATION TO BE PROVIDED BY THE APPLICANT:

- A. A statement describing the nature and operating characteristics of the proposed use, including any data pertinent to the findings required for approval of the application. For uses involving public assembly or industrial processing, or uses potentially generating high volumes of vehicular traffic, the Director of Development Services may require specific information relative to the anticipated peak loads and peak use periods, relative to industrial standards, or substantiating the adequacy of proposed parking, loading, and circulation facilities.

10 new bed & breakfast units in the CBD.

See attached narrative--

(attach additional sheet if necessary)

- B. Seven (7) copies of a site plan (24 x 36 inches) and 3 copies of a reduced site plan (11 x 17 inches) showing preliminary building elevations, preliminary improvement plans, and such additional maps and drawings all sufficiently dimensioned as required to illustrate the following:
1. The date, scale, north point, title, name of owner, and the name of the person preparing the site plan.
  2. The location and dimensions of boundary lines, with distances and bearings, easements, and required yards and setbacks, water courses, drainage features and location and size of existing and proposed streets and alleys, and the 100 year flood plain.
  3. The location, height, bulk, general appearance, and intended use of existing and proposed buildings on the site, and the approximate location of existing buildings on abutting sites within 50 feet.
  4. The location of existing and proposed site improvements including parking and loading areas, pedestrian and vehicular access, landscaped areas, utility or service areas, fencing and screening, signs and lighting.

5. The location of water courses and drainage features.
6. The number of existing and proposed off-street parking and loading spaces, and a calculation of applicable minimum requirements.
7. For sites with an average slope greater than ten (10%) percent, a plan showing existing and proposed topography and grading and proposed erosion control measures.
8. The relationship of the site and the proposed use to surrounding uses, including pedestrian and vehicular circulation, current use of nearby parcels, and any proposed off-site improvements to be made.

11.

SIGNATURE OF APPLICANT: \_\_\_\_\_

NOTE: If the applicant is not the legal owner of the property, signed statement by the owner that the applicant is the authorized agent of the owner of the property, or the signature of the owner below, is required.

SIGNATURE OF OWNER: \_\_\_\_\_

DATE: \_\_\_\_\_

FEE PAID: \_\_\_\_\_

TITLE SEARCH: \_\_\_\_\_

(Date)

12.

CONSENT OF LIENHOLDER: \_\_\_\_\_

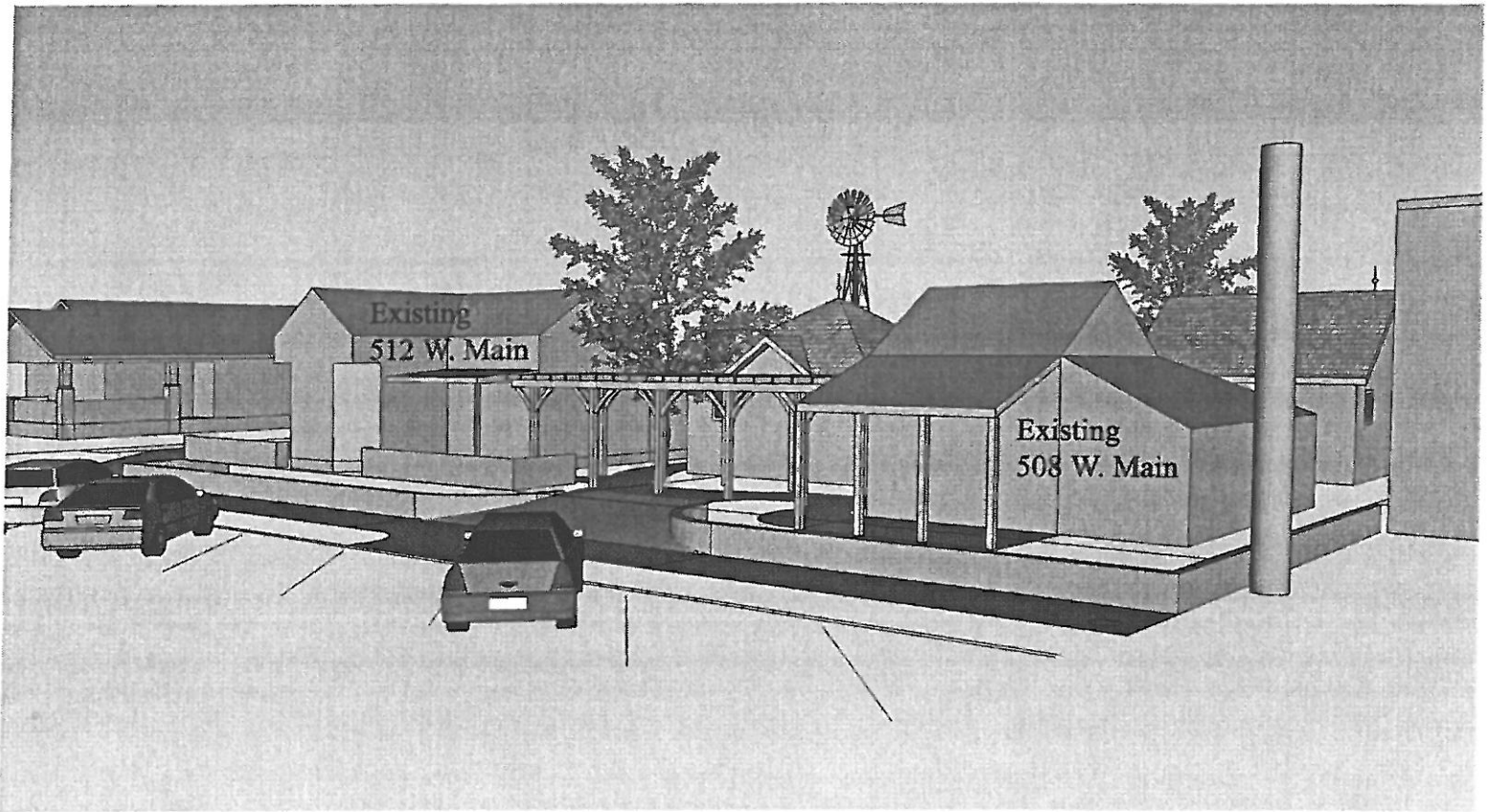
(SIGNATURE)

NOTE: If this property is encumbered by lien, consent of the lienholder is required.

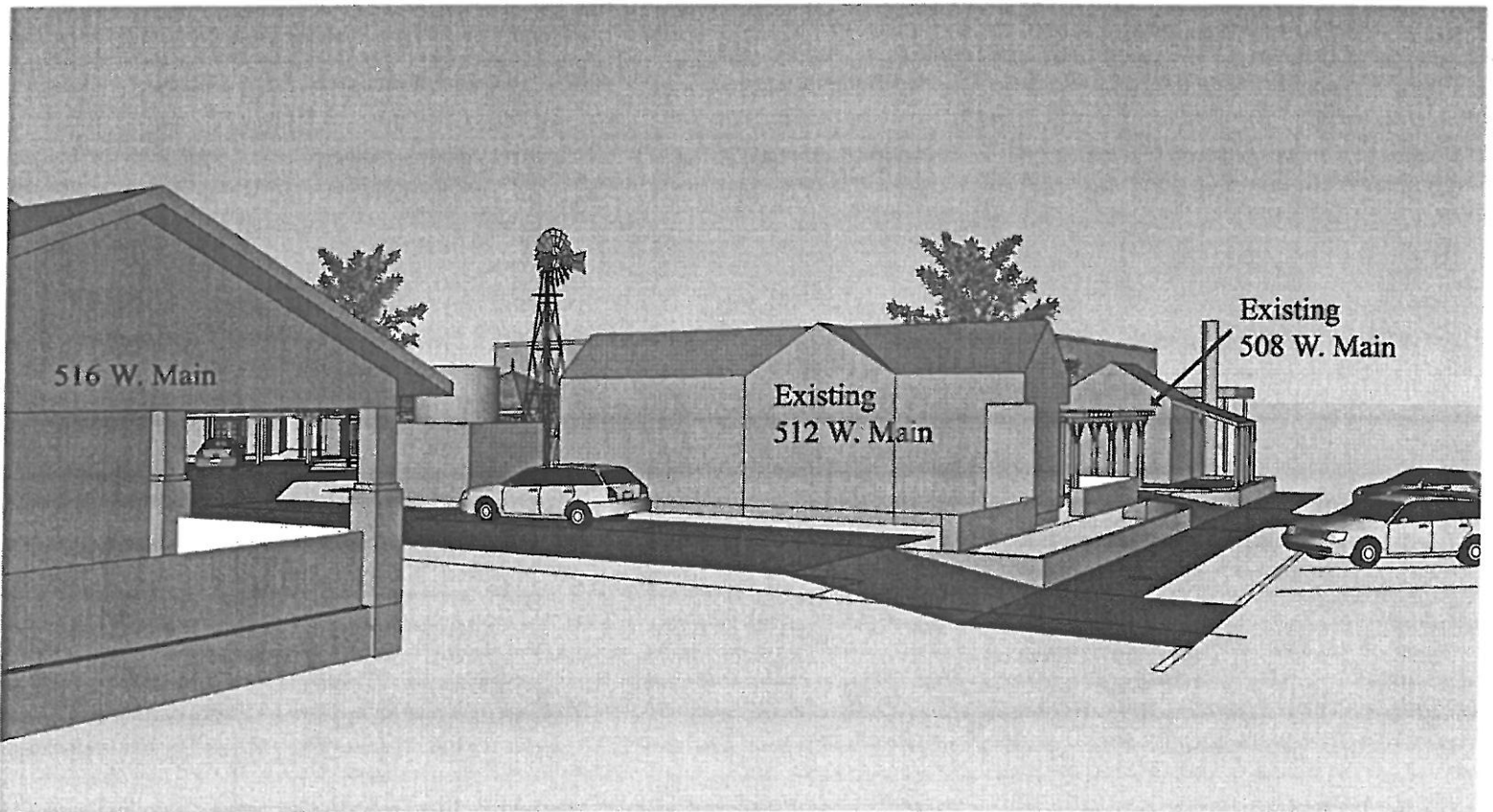
13.

List of property owners within 200 feet. (provided by City)

B&Bs - 508 - 512 WEST MAIN STREET



VIEW ALONG MAIN STREET FROM EAST



VIEW ALONG MAIN STREET FROM WEST

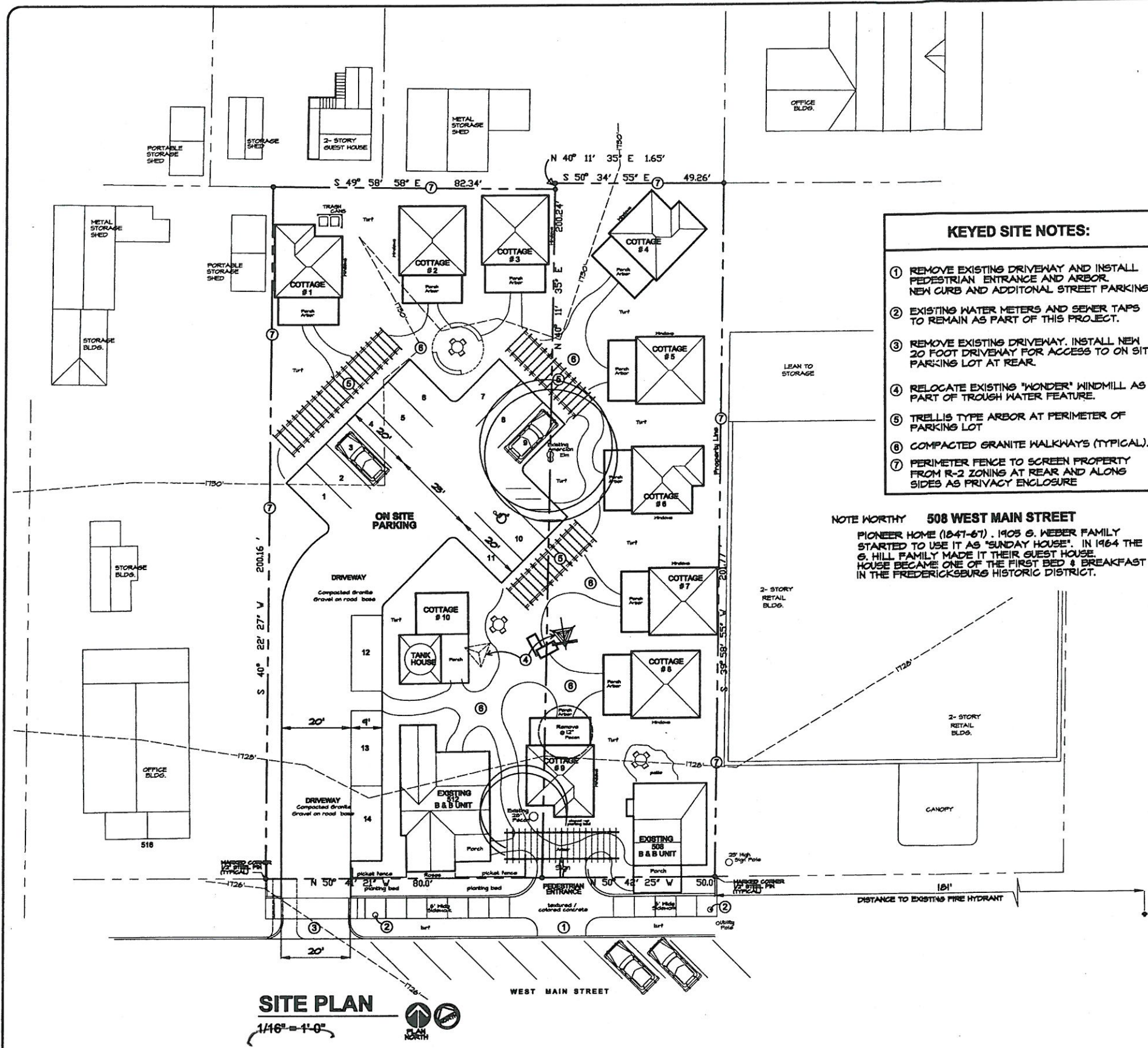
## PROPOSED B & B COTTAGE DEVELOPMENT 508 -512 WEST MAIN STREET

The two properties are under contract for purchase and proposed development per the submitted drawings.

- The 508 West Main Street Property has been used as a Sunday and Guest House for over 100 years.
- The 512 West Main Street Property, circa 1900 Victorian Farm House, was a home and rental property for many years. The property has been available as a B&B multi-room rental.

In addition to up-grading the existing houses the development would include an expansion of the tank house into a Cottage Type B&B Units and the construction of 9 Additional Cottages. The units and site development will provide a luxury B&B experience within walking distance to the shopping and entertainment district along West Main Street.





**SITE PLAN**  
1/4" = 1'-0"  
PLAN NORTH

- KEYED SITE NOTES:**
- 1 REMOVE EXISTING DRIVEWAY AND INSTALL PEDESTRIAN ENTRANCE AND ARBOR. NEW CURB AND ADDITIONAL STREET PARKING
  - 2 EXISTING WATER METERS AND SEWER TAPS TO REMAIN AS PART OF THIS PROJECT.
  - 3 REMOVE EXISTING DRIVEWAY. INSTALL NEW 20 FOOT DRIVEWAY FOR ACCESS TO ON SITE PARKING LOT AT REAR.
  - 4 RELOCATE EXISTING "MONDER" WINDMILL AS PART OF TROUGH WATER FEATURE.
  - 5 TRELLIS TYPE ARBOR AT PERIMETER OF PARKING LOT
  - 6 COMPACTED GRANITE WALKWAYS (TYPICAL).
  - 7 PERIMETER FENCE TO SCREEN PROPERTY FROM R-2 ZONING AT REAR AND ALONG SIDES AS PRIVACY ENCLOSURE

**NOTE WORTHY 508 WEST MAIN STREET**  
PIONEER HOME (1847-67). 1903 G. WEBER FAMILY STARTED TO USE IT AS "SUNDAY HOUSE". IN 1964 THE G. HILL FAMILY MADE IT THEIR GUEST HOUSE. HOUSE BECAME ONE OF THE FIRST BED & BREAKFAST IN THE FREDERICKSBURG HISTORIC DISTRICT.

**DEVELOPMENT NOTES:**

**ZONING AND HISTORIC DISTRICT**  
PROPERTIES ZONED "CBD" AND FALL WITHIN THE HISTORIC DISTRICT SET-BACKS WILL BE PER ZONING. BOTH PROPERTIES ARE RATED "HIGH" BY THE HRB. ALL SITE IMPROVEMENTS WILL APPROVED BY THE HISTORIC REVIEW BOARD.

**PROPOSED PREVIOUS - IMPERVIOUS**  
508 W. MAIN TRACT IS APPROX. 10,012 S.F. 512 W. MAIN TRACT IS APPROX. 16,340 S.F. AFTER PURCHASE AND PRIOR TO DEVELOPMENT, THE 2 TRACTS WILL BE REPLATED AS 1 LOT. TOTAL LOT AREA WILL BE 26,352 S.F. A STORM WATER DETENTION STUDY WILL BE DETERMINE RUN-OFF FOR SITE AND RECOMMENDATION IMPLEMENTED.

|                          |                              |
|--------------------------|------------------------------|
| EXISTING COTTAGES        | 1,425 SQUARE FEET            |
| 10 NEW COTTAGES          | 5,060 SQUARE FEET            |
| PARKING LOT AND DRIVEWAY | 6,050 SQUARE FEET            |
| IMPERVIOUS WALKWAYS      | 1,500 SQUARE FEET            |
| <b>TOTAL MAXIMUM</b>     | <b>14,035 S.F.</b>           |
| <b>PROPOSED MAXIMUM</b>  | <b>55% IMPERVIOUS</b>        |
|                          | <b>47% PERVIOUS SURFACES</b> |

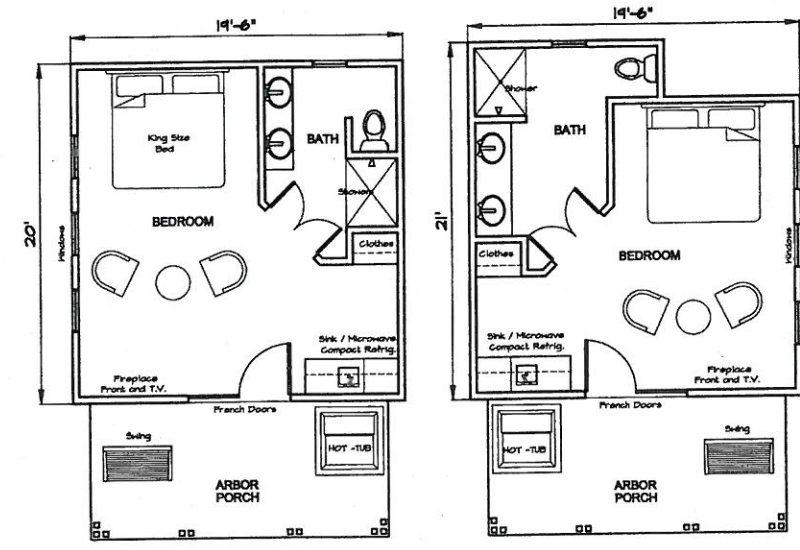
**SITE DRAINAGE**  
APPROXIMATE 2 FOOT CONTOURS SHOWN. SITE SLOPES TOWARD MAIN STREET. SITE SLOPE IS 2 TO 3 %. AFTER PROPERTIES ARE PURCHASED FINAL TOPOGRAPHY AND GRADING WITH EROSION CONTROL WILL BE SHOWN ON CONSTRUCTION DRAWINGS.

**PROPOSED ON-SITE PARKING**

|                                                       |                                 |
|-------------------------------------------------------|---------------------------------|
| - EXISTING 508 WEST MAIN COTTAGE                      | PARKING SPACES REQ. - 1 SPACE   |
| - EXISTING 512 WEST MAIN COTTAGE                      | PARKING SPACES REQ. - 3 SPACES  |
| - B & B COTTAGES (EFFICIENCY UNITS) UNITS #1 THRU #10 | PARKING SPACES REQ. - 10 SPACES |
|                                                       | <b>14 SPACES</b>                |

**SITE LIGHTING AND SIGN**  
THERE WILL BE NO POLE TYPE LIGHT FIXTURES. PARKING LOT ARBOR AND PATHWAY LIGHTING WILL BE DECORATIVE SCOUNCES, DOWNLIGHTS, AND FESTIVE TYPE LIGHTS. NO LIGHT WILL SPILL BEYOND THE PERIMETER BOUNDARY OF THE PROPERTY. SIGN (WITH LIGHT) NOTED ON PLAN- SIGN APPROVED HRB.

**LANDSCAPE AND TREE PRESERVATION**  
SITE IS HEAVILY WOOD WITH SCRUB TREES. THE PROTECTED 2 PECANS ARE NOTED ALONG WITH THE AMERICAN ELM. SITE WILL BE LANDSCAPED WITH TURF GRASS AND SCHUBES. PLANTING MATERIAL SELECTIONS AND TREATMENTS WILL BE IN LANDSCAPE PLAN SUBMITTED AT PERMITTING.



**COTTAGE PLANS**  
3/8" = 1'-0"  
NEW COTTAGE LAY-OUTS WILL ALSO BE REVERSED TO MEET BLDG. CODE REQUIREMENTS FOR WINDOW LOCATIONS. ACCESSIBLE COTTAGE #4 WILL HAVE SLIGHT INCREASE IN SIZE FOR BATHROOM

300 C WEST MAIN STREET  
FREDERICKSBURG, TEXAS  
John Wm. Klein, Project Architect  
STEEHLING-KLEIN-THOMAS ARCHITECTS P.L.L.C.  
PHONE 509-997-0383 FAX 509-990-9972  
CONTRACTOR'S NAME HERE



**Bed and Breakfast Cottages**  
**508 - 512 WEST MAIN**  
HISTORIC DISTRICT  
FREDERICKSBURG, TEXAS

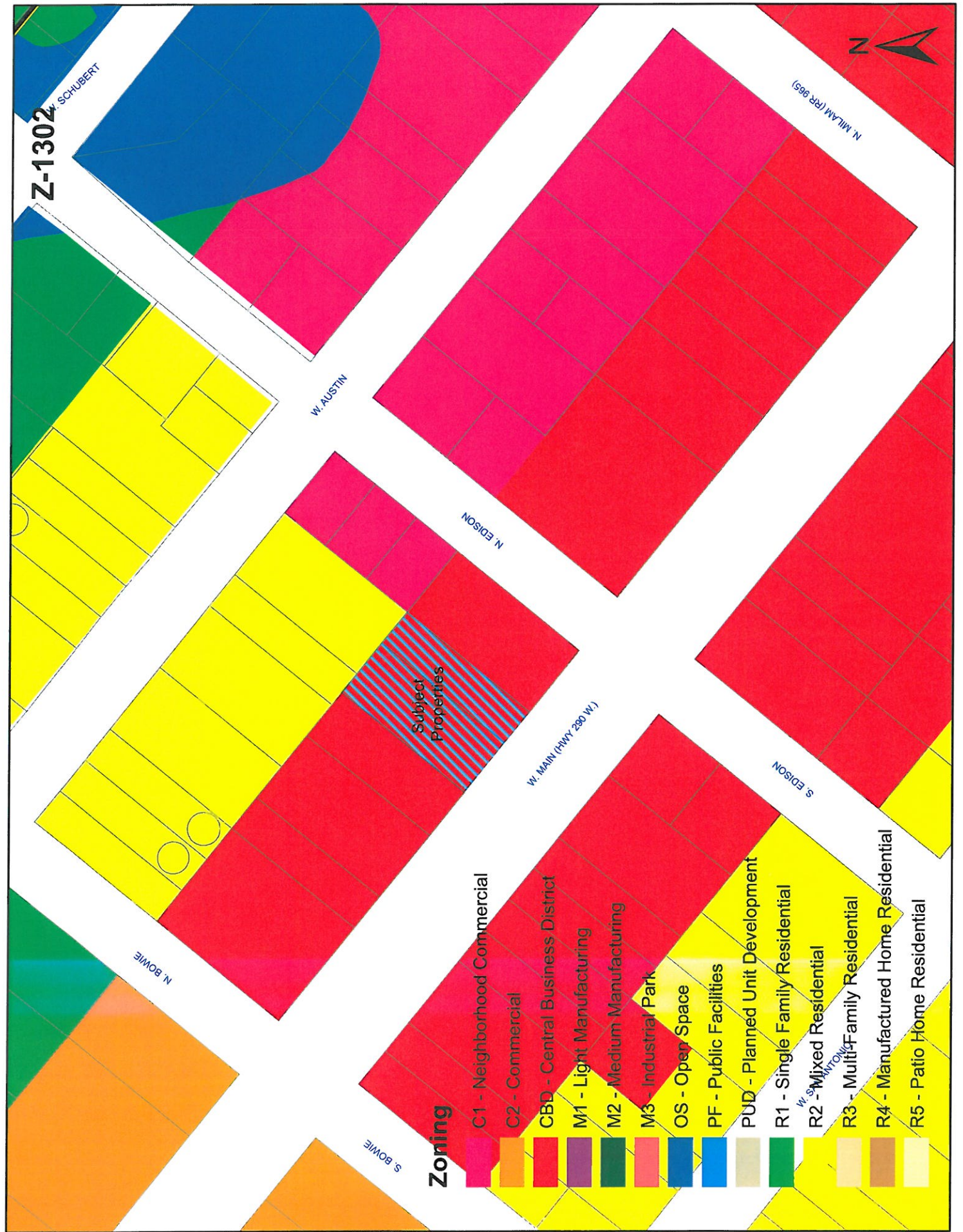
DATE: 4 FEB, 2013  
PROJECT NUMBER  
REVISION  
20 FEB, 2013

SITE PLAN  
CONDITIONAL USE  
PERMIT  
**A-0**

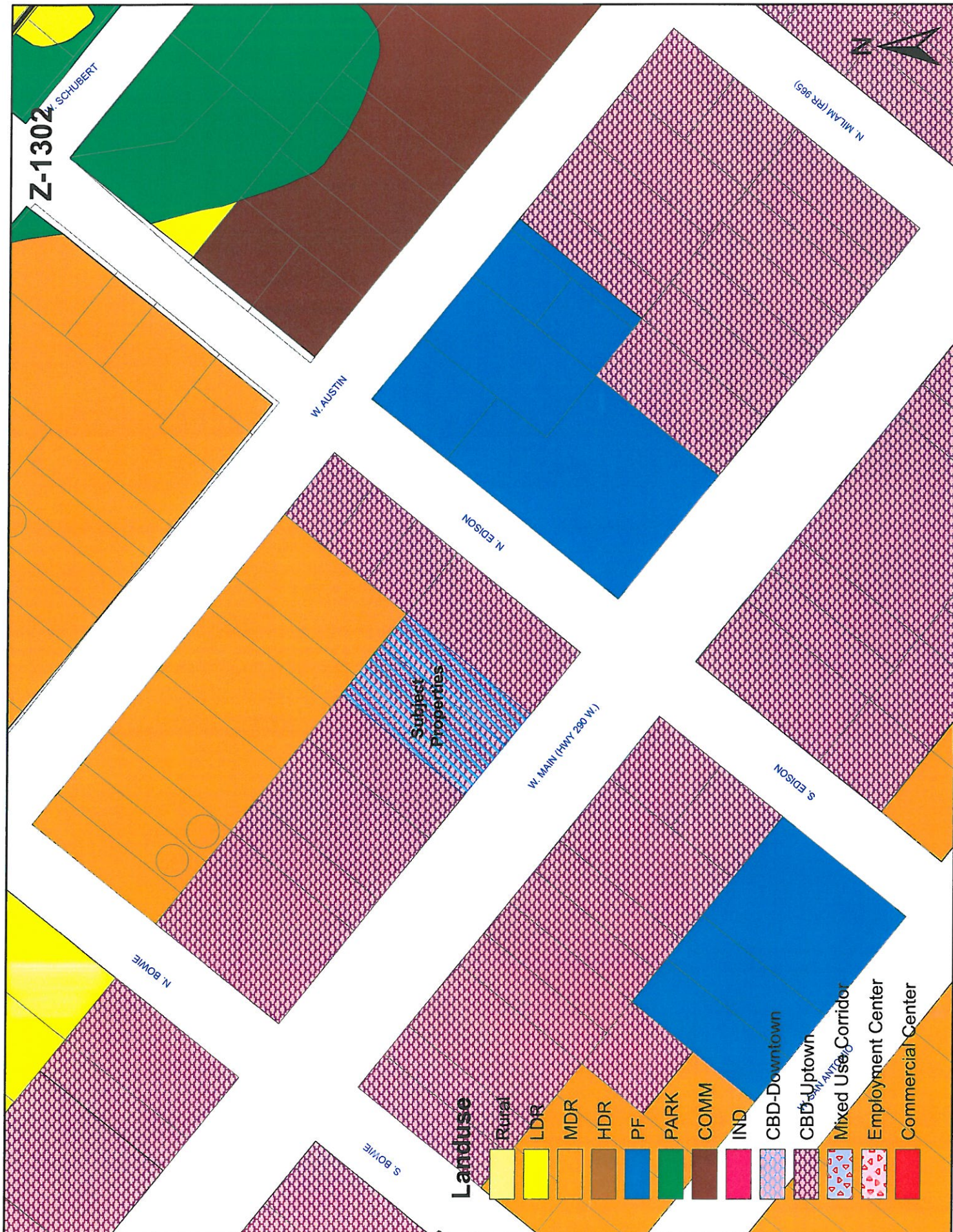
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Z-1302







| Letter | Owner                                          |                 |
|--------|------------------------------------------------|-----------------|
| A      | Rosalee Moore Life Estate (Patricia Monk)      | 509 W. Austin   |
| B      | Ida Mae Flint Crenwelge                        | 507 W. Austin   |
| C      | Thomas L. & Janice M. Christofferson           | 505 W. Austin   |
| D      | Rudolf E. Krochman, Jr.                        | 503 W. Austin   |
| E      | Tamara Schmidt Keener & Cynthia Schmidt Zenner | 112 N. Edison   |
| F      | Tamara Schmidt Keener & Cynthia Schmidt Zenner | 110 N. Edison   |
| G      | Sam Parker                                     | 108 N. Edison   |
| H      | Zion Lutheran Church                           | 415 W. Austin   |
| I      | Zion Lutheran Church                           | 424 W. Main St. |
| J      | R & R Investments                              | 501 W. Main St. |
| K      | Rebecca's Rental, LLC                          | 505 W. Main St. |
| L      | Becky's Juicerie, LLC                          | 507 W. Main St. |
| M      | Grace Lorraine Wallace                         | 509 W. Main St. |
| N      | Chad Simecek & Gary Germer                     | 511 W. Main St. |
| O      | Dodds Family Tree Nursery                      | 513 W. Main St. |
| P      | Pate Real Estate, Ltd.                         | 522 W. Main St. |
| Q      | Richard Hoerster et al                         | 520 W. Main St. |
| R      | Diane Metzger                                  | 516 W. Main St. |
| S      | Melvin Wallendorf                              | 512 W. Main St. |
| T      | Kenneth & Marie Wade                           | 508 W. Main St. |
| U      | Behrend Garage, Inc.                           | 504 W. Main St. |

Z-1302



City of Fredericksburg  
126 West Main Street  
Fredericksburg, TX 78624

**NOTICE OF PUBLIC HEARING FOR  
A CONDITIONAL USE PERMIT**

HEARING  
DATE: **MARCH 6, 2013**

TIME: **5:30 PM**

REQUEST  
NUMBER: **Z-1302**

The **PLANNING & ZONING COMMISSION** of the City of Fredericksburg will hold a public hearing at the above stated time and date in the conference room of the Law Enforcement Center, 1601 E. Main St., to consider a request for a change in the Land Use Plan and Zoning.

According to City Tax Records, you are the owner of real property within 200' of the proposed change. You are **not** required to attend the meeting, but if you care to attend, you will be given full opportunity to be heard. If you cannot attend the hearing, but wish to comment on the request, please detach the response form below and return it to the City of Fredericksburg, 126 W. Main St., Fredericksburg, TX 78624. All protests must be submitted in writing.

The decision of the **PLANNING & ZONING COMMISSION** is a recommendation only. Final approval must be by action of the **CITY COUNCIL**. The public hearing by the **CITY COUNCIL** is scheduled as follows:

HEARING  
DATE: **MARCH 18, 2013**

TIME: **7:00 PM**

REQUEST  
NUMBER: **Z-1302**

For additional information, contact Director of Development Services, Brian Jordan at 830-997-7521.

APPLICANT: John Corcorran

LOCATION: 508 & 512 W. Main Street  
(see accompanying map)

REQUEST: Conditional Use Permit to allow a Bed and Breakfast / Lodging development in the CBD, Central Business District

(DETACH BELOW)

**REQUEST NO. Z-1302**

As an interested property owner, I (Protest)(Approve) the requested zoning amendment represented by the above file number because:

Signed \_\_\_\_\_

Date \_\_\_\_\_

Printed Name \_\_\_\_\_

Address \_\_\_\_\_



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# Memo

**To:** Planning and Zoning Commission  
**From:** Brian Jordan, AICP  
**Date:** February 27, 2013  
**Re:** Discuss changing the zoning of three areas of town from R-2 Mixed Residential District to R-1, Single Family Residential District.

---

One of the items discussed at the City Council Retreat held on February 22, 2013 was a discussion about the possibility of rezoning various areas of town from R-2 Mixed Residential District to R-1, Single Family Residential District. After reviewing the areas of town currently zoned R-2, the Council focused on three primary areas. The first area is basically bounded by Creek Street on the north and Baron's Creek on the west, south and east. This area includes the recent proposal to develop a Condominium project on three lots fronting on S. Lee Street. The second area is on the east side of the Middle School, bounded by College Street on the north and Travis Street on the south, between the Middle School and the C-2 Commercially zoned lots fronting on N. Llano Street. The third area is on the west side of the Middle School, bordered by College Street on the north, Travis Street on the south, between the Middle School and the C-1 zoned area fronting on N. Milam Street.

The Council has asked the staff and Planning and Zoning Commission to discuss these areas and determine whether the change in zoning should be considered. The Planning and Zoning Commission has the ability to initiate a change in zoning.

Included with this memo is a zoning map of the subject areas along with an aerial photograph. In addition, we have included a copy of the R-1 and R-2 district regulations, along with a copy of the description of Low Density Residential and Medium Density Residential categories of the Comprehensive Plan.



## Sec. 3.100. - R-1: SINGLE FAMILY RESIDENTIAL.

### Intent

This zone is intended to provide for a single family dwellings, with not more than one principal residence permitted on any lot to ensure an environment conducive to single family residential use. Additional uses necessary and incidental to a single family residential dwelling unit are also permitted. This zone is typically associated with the Low Density Residential Land Use category but is conditionally allowed within all land use categories except "Open Space/Parks", "Industrial" and "Public Facilities".

### Principal Permitted Uses

Buildings, structures and lands shall be used, and buildings and structures shall hereinafter be erected, altered or enlarged only for the following uses, plus such other uses as the City Council, by resolution, may deem to be similar to those uses listed and not obnoxious or detrimental to the public health, safety and welfare:

|                                      |                        |
|--------------------------------------|------------------------|
| Single Family Residential (Detached) | Local Utility Services |
|--------------------------------------|------------------------|

### Uses Permitted Subject to Conditional Use Permit

The following uses may be permitted subject to a Conditional Use Permit as provided in Section 5.400.

|                      |                             |
|----------------------|-----------------------------|
| Community Recreation | Private Primary Education   |
| Day Care Services    | Private Secondary Education |
| Guidance Services    | Religious Assembly          |

### Property Development Standards

Except as hereinafter provided, no building or structure or part thereof shall be erected, altered or converted for any use permitted in this district unless it is in conformity with all the standards and regulations herein specified for lot area, width and depth, dwelling unit area, lot coverage, yards and building height. The following standards shall apply except in cases where a lot does not meet the standards herein required but was an official "lot of record" prior to the adoption of this ordinance. In such cases, the present dimension shall be maintained as a minimum standard unit until such time as the use is removed. The replacement shall meet the standards and regulations herein specified.

## Site Development Regulations

Each site in the R-1 district shall be subject to the following site development regulations:

| Feature                      | Regulation                                                       |
|------------------------------|------------------------------------------------------------------|
| Lot Size                     | Minimum Lot Area, 7500 Square feet                               |
| Lot Width                    | Minimum Lot Width, 70 feet                                       |
| Height                       | Maximum Building Height, 2½ stories, 28 feet                     |
| Front Yard                   | Minimum Required Setback, 25 feet                                |
| Street Side Yard             | Minimum Required Setback, 15 feet                                |
| Interior Side Yard           | Minimum Required Setback, 5 feet                                 |
| Rear Yard                    | Minimum Required Setback, 10 feet                                |
| Residential Density          | Maximum Dwelling Units per Lot, 1 per Lot Minimum Dwelling Areas |
| (Living Area Only)           | 750 Square feet                                                  |
| Maximum Building Coverage    | Percent of Lot Area, 40%                                         |
| Nonconforming Uses           | <a href="#"><u>Section 6.100</u></a>                             |
| Special Yard Regulations     | <a href="#"><u>Section 7.300</u></a>                             |
| Fences, Walls and Visibility | <a href="#"><u>Section 7.530</u></a>                             |
| Parking                      | <a href="#"><u>Section 7.800</u></a>                             |
| Temporary/Accessory Building | <a href="#"><u>Section 8.000</u></a>                             |
| Home Occupations             | <a href="#"><u>Section 8.300</u></a>                             |



Sec. 3.110. - R-2: MIXED RESIDENTIAL.

Intent

This zone is intended to provide for medium density living, for example, with not more than one (two bedroom) dwelling unit permitted for each 3,500 square feet of lot area. (See Site Development Regulations). Additional uses necessary and incidental to multiple family residential dwellings are also permitted. It is a zone well suited as a buffer between single family uses and other more intense uses. This zone is typically associated with Medium Density Residential Land Use category but is allowed within all Land Use categories except "Open Space/Park," "Public Facility" and "Industrial."

Principal Permitted Uses

Buildings, structures and land shall be used, and buildings and structures shall hereinafter be erected, altered or enlarged only for the following uses, plus such other uses as the City Council, by resolution, may deem to be similar to those uses listed and not obnoxious or detrimental to the public health, safety and welfare:

|                                                      |                                      |
|------------------------------------------------------|--------------------------------------|
| Community Recreation                                 | Local Utility Service                |
| Duplex Residential                                   | Multiple Family Residential          |
| Townhouses (Section <u>7.610</u> )                   | Condominiums (Section <u>7.610</u> ) |
| Group Residential                                    | Single Family Residential (Detached) |
| Single Family Small Lot (Section <u>3.101</u> R-1-A) |                                      |

Uses Permitted Subject To Conditional Use Permit

The following uses may be permitted subject to a Conditional Use Permit as provided in Section 5.400.

|                                        |                                          |
|----------------------------------------|------------------------------------------|
| Private Primary Educational Facilities | Private Secondary Educational Facilities |
| Day Care Services                      |                                          |
| Convalescent Services                  |                                          |
| Cultural Services                      | Religious Assembly                       |
| Guidance Services                      |                                          |

## Property Development Standards

Except as hereinafter provided, no building or structure or part thereof shall be erected, altered or converted for any use permitted in this district unless it is in conformity with all the standards and regulations herein specified for lot area, width and depth, dwelling unit area, lot coverage, yards and building height. The following standards shall apply except in cases where a lot does not meet the standards herein required but was an official "lot of record" prior to the adoption of this ordinance. In such cases, the present dimension shall be maintained as a minimum standard until such time as the use is removed. The replacement shall meet the standards and regulations herein specified.

### Site Development Regulations

Each site in the R-2 district shall be subject to the following site development regulations:

| Feature                               | Regulation                                             |
|---------------------------------------|--------------------------------------------------------|
| Lot Size                              | Minimum Lot Area, 5,000 Square feet                    |
| Lot Width                             | Minimum Lot Width, 50 feet                             |
| Height                                | 2½ Stories, 28 feet                                    |
| Front Yard                            | Minimum Required Setback, 15 feet (20 feet for garage) |
| Street Side Yard                      | Minimum Required Setback, 15 feet                      |
| Interior Side Yard                    | Minimum Required Setback, 5 feet                       |
| Rear Yard                             | Minimum Required Setback, 10 feet                      |
| Residential Density                   | Minimum Site Area per Dwelling Units,                  |
|                                       | Efficiency: 2,500 Square feet                          |
|                                       | 1 Bedroom: 3,000 Square feet                           |
|                                       | 2 Bedroom: 3,500 Square feet                           |
| Maximum Impervious Coverage           | 65%                                                    |
| Maximum Building Coverage             | Percent of Lot Area, 55%                               |
| Nonconforming Uses                    | <u>Section 6.100</u>                                   |
| Site Development Regulations          | <u>Section 7.000</u>                                   |
| Special Yard Regulations              | <u>Section 7.300</u>                                   |
| Fences, Walls and Visibility          | <u>Section 7.530</u>                                   |
| Parking                               | <u>Section 7.800</u>                                   |
| Landscaping and Screening Regulations | <u>Section 7.900</u>                                   |
| Temporary/Accessory Building          | <u>Section 8.000</u>                                   |
| Home Occupations                      | <u>Section 8.300</u>                                   |

In an R-2 Zone the R-1-A Site Development Regulations may apply to the development of single family dwellings at the option of the Owner.

(Ord. No. 18-014, § 3.110, 12-1-2008)



Land Use Map include the related uses that are currently in existence. Places of worship identified in the Existing Land Use Inventory are shown on this map.

Over time, there will be a need for additional public uses as the population grows and the city's area expands. The City should consider the needs for new public facility sites as part of planning for annexation and service to developing areas that are now in the ETJ. Such sites could include locations for schools, police, fire or recreational facilities.

**d) Low Density Residential**

This use is representative of traditional, single-family detached dwelling units. Low density residential accounts for the largest percentage of residential development in Fredericksburg today and will continue to do so with the development shown on this "Future Land Use Map". The areas designated for low density residential land use are generally not adjacent to major thoroughfares or incompatible land uses, and are in proximity to existing single-family residential land use. Within these areas, the City should encourage a range of lot sizes and housing types in order to promote increased housing diversity and affordability. For this reason, several single-family zoning districts with various lot sizes should be provided in the Zoning Ordinance. For the purpose of discussing Fredericksburg's ultimate population capacity (in the Growth Element of this plan), areas of the City or ETJ designed for low density residential development are assumed to develop at an average of three dwelling units per gross acre.

**e) Medium Density Residential**

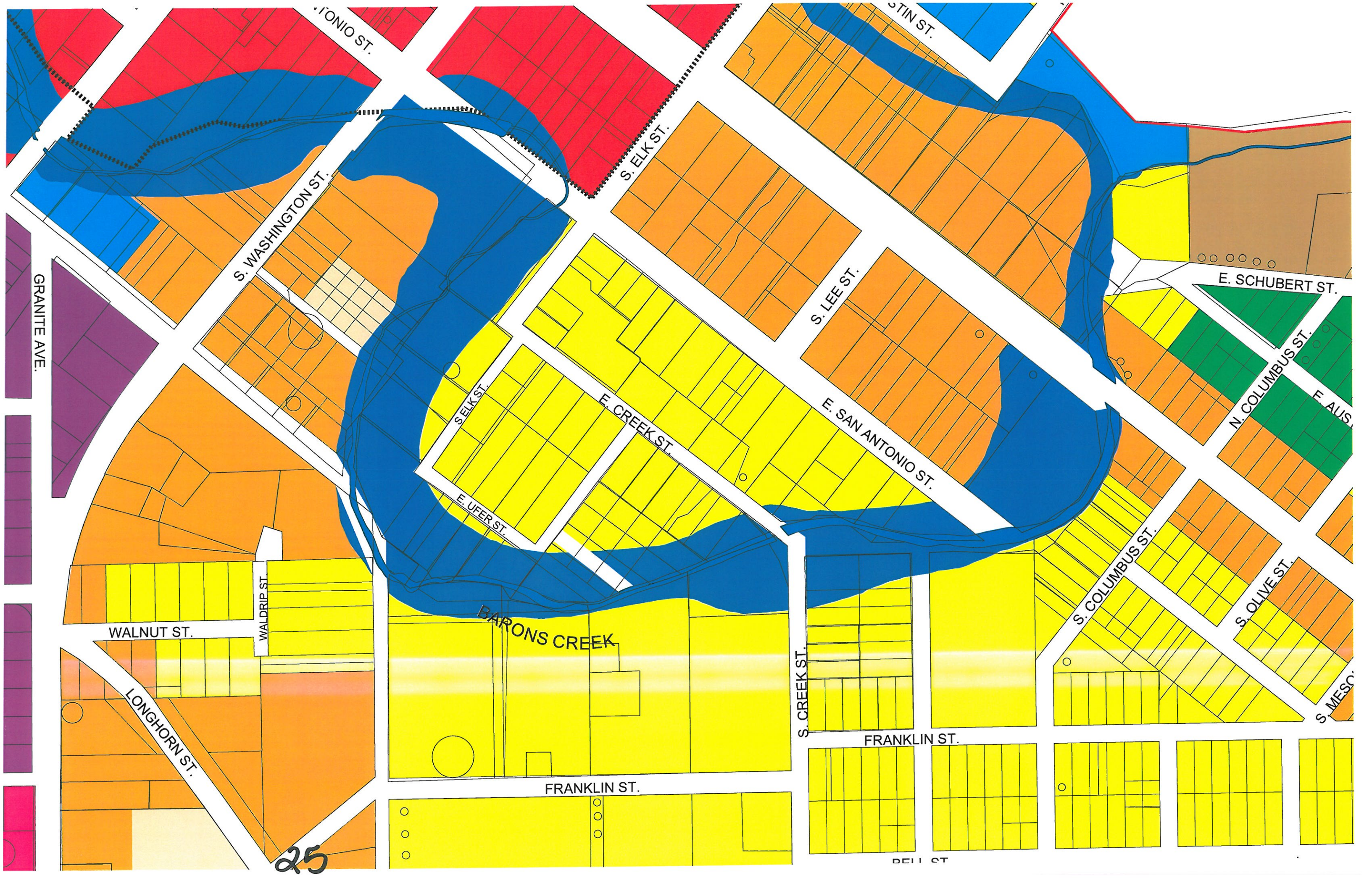
This use category includes single family detached dwellings on smaller lots and attached dwelling units, such as duplex units and townhomes. Medium density land uses often provide housing for "empty nesters" who may not want the maintenance of a large-lot single-family home, and for young families who may find a townhome or duplex more affordable than a single-family home. They play an important role in providing workforce housing as well. These residential uses can provide a buffer between lower density residential areas and more intensive residential, non-residential or mixed use areas. An average of 8 dwelling units per gross acre is assumed for these areas.

**f) High Density Residential**

High density residential developments meet the needs of people living alone, empty nesters and those who cannot afford or do not choose to live in a home with more yard area. Higher densities mean there are more people living close together, so there is a larger market of customers to support the restaurants and retail in a mixed use area. As a result, these residential uses can contribute to the sense of life and 24-hour activity desired in many downtowns and communities.

In Fredericksburg, there are few vacant areas planned solely for high density residential use. This land use should also occur in the Mixed Use Corridors along major transportation routes.



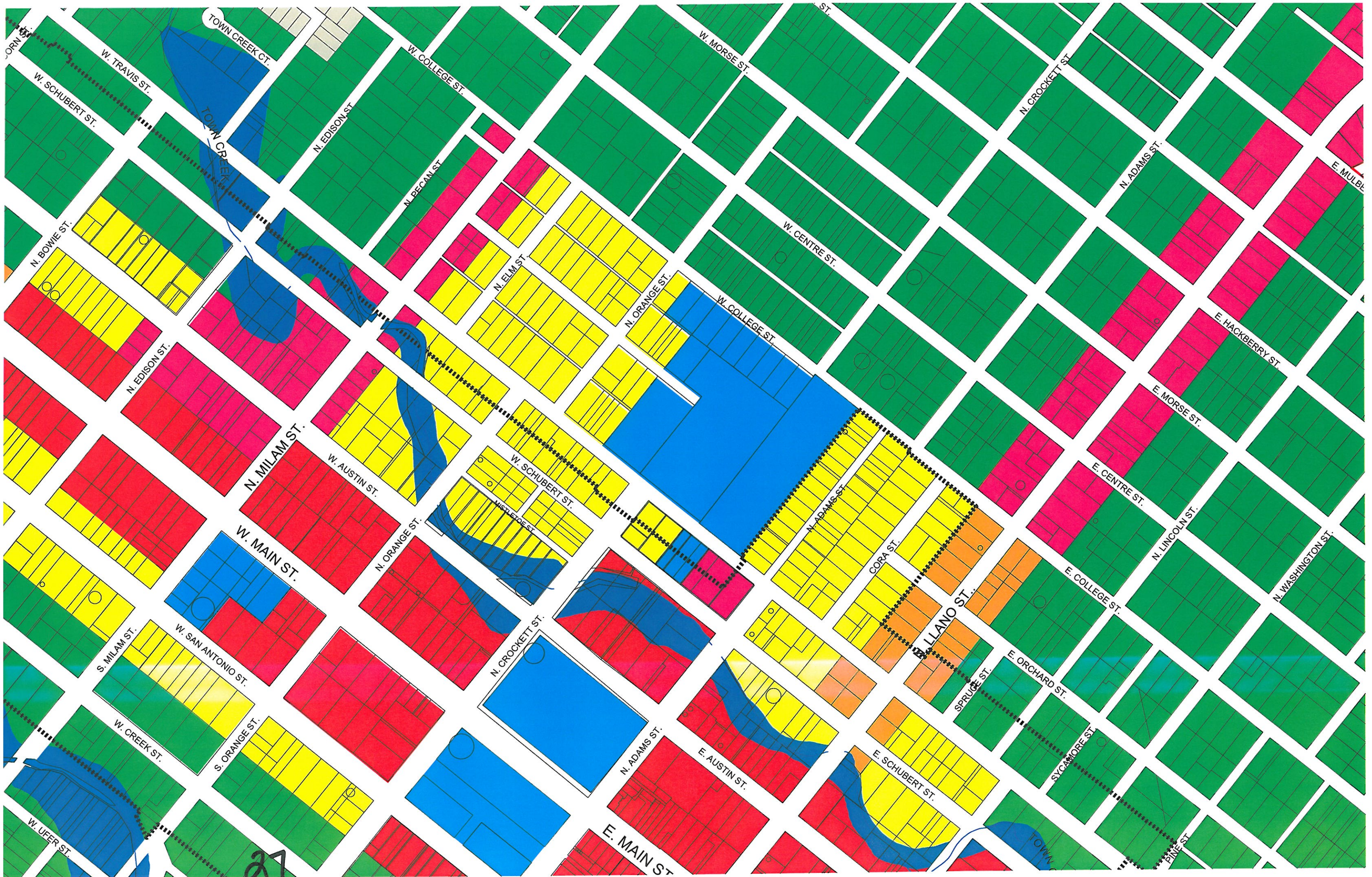






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The first part of the paper discusses the importance of the research and the objectives of the study. It then presents a literature review of the existing research on the topic. The second part of the paper describes the methodology used in the study, including the data collection and analysis techniques. The third part of the paper presents the results of the study, and the fourth part discusses the conclusions and implications of the findings.

The study was conducted using a quantitative research design. Data was collected from a sample of 100 participants, and the results were analyzed using statistical software. The findings of the study indicate that there is a significant relationship between the variables being studied.

The results of the study suggest that the research has important implications for the field. Further research is needed to explore the relationship between the variables in more detail.

In conclusion, the study has provided valuable insights into the topic and has contributed to the existing body of knowledge. The findings have important implications for the field and suggest that further research is needed.



# Memo

**To:** Planning and Zoning Commission  
**From:** Brian Jordan, AICP  
**Date:** February 27, 2013  
**Re:** Discuss possible changes to the R-2 Mixed Residential District Regulations.

---

Another item discussed at the Council's Retreat on February 22, 2013 was the possibility of revising the R-2 zoning district guidelines pertaining to condominiums and townhouses, and to establish these as conditional uses. As you are likely aware, the City Council approved an amendment to the R-2 district regulations in 2008 to allow condominiums and townhouses as a permitted use rather than a conditional use. The Council has asked the staff and Planning and Zoning Commission to re-evaluate this change and discuss whether or not condominiums and townhomes should return to the conditional use designation. The conditional use option gives the Planning and Zoning Commission and City Council the ability to look at these projects on a case by case basis and utilize the evaluation criteria established in the Zoning Ordinance. In addition, the conditional use permit requires notification of the neighborhood.

Attached for your review are the current R-2 district guidelines, a summary sheet of the changes made in 2008, a copy of the conditional use permit evaluation criteria and the development standards of the zoning ordinance pertaining to condominiums and townhomes.



Sec. 3.110. - R-2: MIXED RESIDENTIAL.

Intent

This zone is intended to provide for medium density living, for example, with not more than one (two bedroom) dwelling unit permitted for each 3,500 square feet of lot area. (See Site Development Regulations). Additional uses necessary and incidental to multiple family residential dwellings are also permitted. It is a zone well suited as a buffer between single family uses and other more intense uses. This zone is typically associated with Medium Density Residential Land Use category but is allowed within all Land Use categories except "Open Space/Park," "Public Facility" and "Industrial."

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|                                                      |                                      |
|------------------------------------------------------|--------------------------------------|
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| Duplex Residential                                   | Multiple Family Residential          |
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| Group Residential                                    | Single Family Residential (Detached) |
| Single Family Small Lot (Section <u>3.101</u> R-1-A) |                                      |

Uses Permitted Subject To Conditional Use Permit

The following uses may be permitted subject to a Conditional Use Permit as provided in Section 5.400.

|                                        |                                          |
|----------------------------------------|------------------------------------------|
| Private Primary Educational Facilities | Private Secondary Educational Facilities |
| Day Care Services                      |                                          |
| Convalescent Services                  |                                          |
| Cultural Services                      | Religious Assembly                       |
| Guidance Services                      |                                          |



## Property Development Standards

Except as hereinafter provided, no building or structure or part thereof shall be erected, altered or converted for any use permitted in this district unless it is in conformity with all the standards and regulations herein specified for lot area, width and depth, dwelling unit area, lot coverage, yards and building height. The following standards shall apply except in cases where a lot does not meet the standards herein required but was an official "lot of record" prior to the adoption of this ordinance. In such cases, the present dimension shall be maintained as a minimum standard until such time as the use is removed. The replacement shall meet the standards and regulations herein specified.

## Site Development Regulations

Each site in the R-2 district shall be subject to the following site development regulations:

| Feature                               | Regulation                                             |
|---------------------------------------|--------------------------------------------------------|
| Lot Size                              | Minimum Lot Area, 5,000 Square feet                    |
| Lot Width                             | Minimum Lot Width, 50 feet                             |
| Height                                | 2½ Stories, 28 feet                                    |
| Front Yard                            | Minimum Required Setback, 15 feet (20 feet for garage) |
| Street Side Yard                      | Minimum Required Setback, 15 feet                      |
| Interior Side Yard                    | Minimum Required Setback, 5 feet                       |
| Rear Yard                             | Minimum Required Setback, 10 feet                      |
| Residential Density                   | Minimum Site Area per Dwelling Units,                  |
|                                       | Efficiency: 2,500 Square feet                          |
|                                       | 1 Bedroom: 3,000 Square feet                           |
|                                       | 2 Bedroom: 3,500 Square feet                           |
| Maximum Impervious Coverage           | 65%                                                    |
| Maximum Building Coverage             | Percent of Lot Area, 55%                               |
| Nonconforming Uses                    | <u>Section 6.100</u>                                   |
| Site Development Regulations          | <u>Section 7.000</u>                                   |
| Special Yard Regulations              | <u>Section 7.300</u>                                   |
| Fences, Walls and Visibility          | <u>Section 7.530</u>                                   |
| Parking                               | <u>Section 7.800</u>                                   |
| Landscaping and Screening Regulations | <u>Section 7.900</u>                                   |
| Temporary/Accessory Building          | <u>Section 8.000</u>                                   |
| Home Occupations                      | <u>Section 8.300</u>                                   |

In an R-2 Zone the R-1-A Site Development Regulations may apply to the development of single family dwellings at the option of the Owner.

(Ord. No. 18-014, § 3.110, 12-1-2008)



Exhibit A

| Development Reg's     | R-1               | R-1A (Approved*) | R-2 (previous)    | R-2 (Approved*)   | R-3             | R-5             | R-5 (Approved*)  |
|-----------------------|-------------------|------------------|-------------------|-------------------|-----------------|-----------------|------------------|
| Lot Size (SF)         | 7,500             | 4,500            | 7,500             | 5,000             | 7,500           | 4,500           | 4,500            |
| Lot Width             | 70'               | 45'              | 50'               | 50'               | 50'             | 45'             | 45'              |
| Lot Depth             |                   |                  |                   |                   |                 | 85'             | 85'              |
| Height                | 2.5 Stories (28') | 2 Stories (28')  | 2.5 Stories (28') | 2.5 Stories (28') | 3 Stories (38') | 2 Stories (28') | 2 Stories (28')  |
| Front Setback         | 25'               | 15' (20' garage) | 25'               | 15' (20' garage)  | 25'             | 20'             | 15' (20' garage) |
| Street Side Setback   | 15'               | 15'              | 15'               | 15'               | 15'             | 15'             | 15'              |
| Interior side Setback | 5'                | 5'               | 5'                | 5'                | 5'              | 0'/10'          | 0'/10'           |
| Rear Setback          | 10'               | 10'              | 10'               | 10'               | 10'             | 10'             | 10'              |
| Building Coverage     | 40%               | 50%              | 45%               | 55%               | 55%             | 55%             | 55%              |
| Impervious Coverage   |                   | 60%              | 55%               | 65%               | 65%             |                 |                  |

Section 8.220(G) One guest house in the R-1 zoning district on lots 10,000 square feet and larger, may be used as B&B or as rental unit, but limited to one rental unit and one family per unit

Allow Townhouses and Condominiums as permitted uses in R-2 and R-3 Districts (rather than requiring Conditional Use Permit)

Allow R-1A uses (single family detached dwellings) in all R-2 Districts, utilizing the criteria established above. Multiple dwellings will require 5,000 SF lots.

\* - Approved December 1, 2008, Ordinance 18-014



## Sec. 7.610. - Townhouse and Condominium Standards.

### A.

Townhouse Residential. Townhouse residential use is a permitted use in the R-2 and R-3 districts. Townhouse residential use is permitted in the C-1, C-2 and CBD districts with a Conditional use permit. All Townhouse residential uses must meet the following limitations:

1. Minimum Lot Size: 2,500 square feet, per dwelling unit.
2. Minimum Lot Width: 20 feet per dwelling unit.
3. Minimum Lot Depth: 100 feet.
4. Minimum Front Yard Setback: 20 feet.
5. Minimum Interior Side Yard Setback: 7½ feet, measured from the unattached side wall of an end unit to the interior side lot line. Within a townhouse project there shall be at least 15 feet of separation or combined side yard between each group of townhouses.
6. Minimum Exterior Side Yard Setback: 20 feet, measured from the unattached side wall of an end unit to the side lot line abutting a street.
7. Minimum Rear Yard Setback: 10 feet.
8. Maximum Building Length: No group of attached townhouses shall exceed 200 feet in length.
9. Coverage: No more than 55 percent of the total site area may be covered with buildings and required parking spaces. The remaining 45 percent may include driveways, sidewalks, patios, grass and other landscaped areas.
10. Private Yards: Each lot shall include a front yard with not less than 300 square feet of area. Not more than 50 percent of the required private yard may be occupied by a driveway. Parking spaces shall not be included in the computation of the required private yard area. A wall or solid fence not less than five feet in height is required on side lot lines where the required private yard adjoins such lot lines. A patio cover or roof may cover up to 25 percent of the private yard.
11. Maximum Density: 3,600 square feet of site area per dwelling unit.
12. Parking and Driveways:
  - a. Two off-street parking spaces shall be provided for each townhouse.
  - b. No driveway located in front of a townhouse lot shall exceed 21 feet in width.
  - c. One-way common driveways shall be at least ten feet in width, and two-way driveways shall be at least 18 feet in width.
  - d. Each building shall be directly accessible from a public street or from an unobstructed fire lane.
  - e. Individual driveways shall not open onto streets with a functional classification of collector or greater. When townhouse units are located on a collector street, the driveway entrances shall be limited to providing access to a common interior driveway located at the rear of the townhouses.
13. Other requirements: Each townhouse shall be located on an individual lot. There shall be at least four connected units in each project.

### B. Condominium Residential. Condominium residential use is a permitted use in the R-2 and R-3 districts. Condominium residential use is permitted in the C-1, C-2 and CBD districts with a Conditional use permit. All Townhouse residential uses must meet the following limitations:

1. Minimum of four dwelling units.
2. Minimum site area for condominium residential use shall be 14,000 square feet.
3. Maximum residential density for condominium use shall be 3,500 square feet of site area for each dwelling unit.

(Ord. No. 18-014, § 7.610, 12-1-2008)



## **Sec. 5.460. - Review and Evaluation Criteria.**

The Planning and Zoning Commission and City Council shall review and evaluate Conditional Use Permit applications using the following criteria:

Conformance with applicable regulations and standards established by the Zoning Regulations.

Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, access and circulation features.

Potentially unfavorable affects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site for a permitted use.

Modifications (including variance from property development regulations) to the site plan which would result in increased compatibility, would mitigate potentially unfavorable impacts, would be necessary to conform to applicable regulations and standards and would protect the public health, safety, morals and general welfare.

Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area; existing zoning and land uses in the area.

Protection of persons and property from erosion, flood or water damage, fire, noise, glare and similar hazards and impacts.

Location, lighting, and type of signs; the relation of signs to traffic control and adverse effect of signs on adjacent properties.

Adequacy and convenience of off-street parking and loading facilities.

Determination that the proposed use is in accordance with the objectives of these Zoning Regulations and the purposes of the zone in which the site is located.

Determination that the proposed use will comply with each of the applicable provisions of these Zoning Regulations.

Determination that the proposed use and site development, together with any modifications applicable thereto, will be compatible with existing or permitted uses in the vicinity.

Determination that any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.

Determination that the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.



The first part of the paper discusses the importance of the research and the objectives of the study. It then presents a literature review of the existing research on the topic. The second part of the paper describes the methodology used in the study, including the data collection and analysis techniques. The third part of the paper presents the results of the study, and the fourth part discusses the conclusions and implications of the findings.

The study was conducted using a quantitative research design. Data was collected from a sample of 100 participants using a survey questionnaire. The data was then analyzed using statistical software to identify patterns and trends. The results of the study show that there is a significant relationship between the variables being studied.

The findings of the study have several implications for practice and policy. First, the results suggest that there is a need for further research in this area. Second, the findings indicate that certain interventions may be effective in addressing the issues being studied. Finally, the study highlights the importance of ongoing monitoring and evaluation of the impact of any interventions implemented.

In conclusion, the study provides valuable insights into the topic being researched. The findings suggest that there is a need for further research and that certain interventions may be effective. The study also highlights the importance of ongoing monitoring and evaluation of the impact of any interventions implemented.



# Memo

**To:** Planning and Zoning Commission  
**From:** Brian Jordan, AICP  
**Date:** March 1, 2013  
**Re:** Discussion regarding B&B definition and use classification

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There have recently been two B&B/Cottage/Inn lodging complexes submitted for review within the Central Business District (CBD). One project is located at the northeast corner of Austin and N. Llano Street and the other is being considered at 508-512 W. Main Street. Both of these complexes are being considered by Conditional Use Permit under the definition of Hotel/Motel in the zoning ordinance, rather than a Multi-family use which is permitted in CBD. In addition, there has been recent discussion about these lodging complexes in C-1 and R-2 Zoning Districts.

After re-evaluating the definitions of multi-family residential units in the zoning ordinance, staff is of the opinion that the current definition (the use of a site for three or more dwelling units, within one or more buildings, with a dwelling unit being defined as a residential unit providing complete, independent living facility for one family, including permanent provisions for living, sleeping, eating and cooking) does not properly include B&B or lodging facilities that are transient in nature. Since the ordinance does not have a specific definition or use classification for B&B's (other than the limited one allowable in R-1), it is staff's opinion under the current zoning ordinance, that B&B's, particularly in cases when there are multiple units, are more similar in nature to a hotel/motel definition which includes lodging services than to a multi-family use. As such, said facilities would only be allowed by right in C-2 and M-1, and by conditional use permit in the CBD and PUD Districts.

Section 4.200 of the zoning ordinance states that the Director of Planning and Building has the authority to determine the appropriate classification for a proposed use that does not exactly match the uses set out in the ordinance, subject to the right of appeal to the Planning and Zoning Commission. In addition, Section 4.300 states that the Director shall periodically recommend to the P&Z additions, deletions or revisions to the use classification to reflect contemporary usage and terminology and to minimize ambiguity.

In the current zoning ordinance, a Bed and Breakfast is defined as tourist lodging services within rooms of the property owners principal residence or one separate guest house in the single family residential district on a lot of 10,000 square feet or greater, within a single property served by a single water and electrical meter and subject to the limitations of the home occupations. Exception: In a single family residential district the primary residence may be used as a B&B without it being the property owner's principal residence but limited to one single B&B rental, dwelling unit per property. A B&B use may be evidenced by association with a B&B accommodation and reservation service. To qualify as a B&B the owner must provide proof of the collection and payment of State and Local Hotel/Motel



Occupancy Tax to the city upon request. Although this seems to work well, enforcement is quite difficult and is often the result of a complaint from guests or neighbors.

In researching B&B's in other communities, the definitions vary greatly. In many communities, B&B's are only allowed as rooms within a single occupied residence as they originated. Some communities limit the number of units and restrict them to commercial areas, or allow them by Conditional use permit in all zoning districts. In our case, staff believes we should define the multi unit complexes with perhaps a limitation to the quantity of units based on the size of the property, the minimum or maximum size of the units and any other conditions that may be pertinent to the viability of the development and the community. In addition, we should define the zoning districts in which these complexes are permitted, either by right or by conditional use permit. For the record, in the past, B&B's have been allowed in C-1 and R-2 districts under the definition of multi-family units. Under this definition, several B&B or lodging projects have been developed.

We will continue to research this matter between now and the meeting. We would encourage all P&Z members to do so as well.