

AGENDA
CITY OF FREDERICKSBURG
PLANNING & ZONING COMMISSION

Wednesday, May 3, 2017

5:30 P.M.

LAW ENFORCEMENT CENTER, 1601 E. MAIN ST.

- | | | |
|----|---|------------------|
| 1. | Call to Order | <u>PAGE REF.</u> |
| 2. | Approve minutes from the March 2017 Regular Meeting | Pp 1-2 |

SITE PLAN

- | | | |
|----|--|--------|
| 3. | Consider (SP-1707) Site Plan for Medical office and Multi-Family Residential at the corner of W. Windcrest Dr. and Wellness Crt. | Pp 3-9 |
|----|--|--------|

PUBLIC HERARING

- | | | |
|----|---|----------|
| 4. | Consider (Z-1702) a request by Parker Atkins, to: <ul style="list-style-type: none">A) Change the Land Use Plan from Low Density Residential to Medium Density Residential on approximately 24.8 acres located on the west side of Smokehouse Rd, north of the extension of Windcrest Dr., andB) Establish R-2, Mixed Residential zoning on said property. | Pp 10-29 |
| 5. | Consider making a recommendation on Z-1702 | |

ADJOURN

**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**PLANNING & ZONING COMMISSION
March 8, 2017
5:30 P.M.**

On this the 8th day of March, 2017 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
JIM WARREN
CHRIS KAISER
TIM DOOLEY
BILL PIPKIN
BRENDA SEGNER

ABSENT: DARYL WHITWORTH
JIM JARREAU
STEVE THOMAS

ALSO PRESENT: BRIAN JORDAN – Director of Development Services
KRIS KNEESE – Assistant Director of Public Works & Utilities
SHELBY COLLIER – Development Coordinator

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

SITE PLANS

CONSIDER (SP-1705) Site Plan for Bed & Breakfast Complex at 614 S. Washington

John Klein presented the application on behalf of Scott Felder. He explained that this address contains 3 tracts and will be replatted into two lots. The front tract is zoned C-1 and the rear tract is zoned R-2. The proposed idea is to create a Bed & Breakfast complex utilizing the charm of the Historic Landmark House residing at the front of the lot. There will be a total of 12 units, 3 of which will be placed in the Landmark House. There are 4 large trees on the property that will be kept. Fire coverage is provided through the placement of a 6 in. dry line that runs through both tracts. There is a possibility for development of the back lot in the future.

Due to the traffic conditions of Hwy 87, which runs in front of this property, an inset driveway has been suggested as well as the construction of a wall placed at the entrance of the property to help mitigate noise and provide a level of security to the complex.

STAFF COMMENTS

Tim Dooley asked if the proposed driveway would be stacked coming off of 87 or if single entry would be provided. John responded that single entry is the current plan.

Brian Jordan, Director of Development Services, asked John to explain to the Commission about the grade issues with the property. John explained how the property is on a slope with the front elevation sitting lower than the elevation of the Landmark house. John also explained that the proposed site plan

requires a sidewalk. Brenda Segner asked if there was access to the tract that has frontage on Hill St. John replied that yes, there is access to the back tract which is addressed as 105 ½ Hill St.

Jim Warren asked if the private road that runs back to the tract on Hill St. would be wide enough to accommodate possible future development. Brian Jordan responded that the road is wide enough for future use. Jim asked Brian what Staff's comments were. Brian stated that per the B&B Ordinance, this development is allowed to have 8 units per tract. Fire protection has been covered by the installation of the 6 in. dry line and the proposed Site Plan has met all the parking requirements. Brian said he saw no issue with the development as proposed.

Jim Warren moved to approve Application #SP-1705. Chris Kaiser seconded the motion. All voted in favor and the motion carried.

MINUTES

Tim Dooley moved to approve the minutes of the February, 2017 meeting and Brenda Segner seconded the motion. All voted in favor and the motion carried.

DISCUSSIONS

Brian Jordan provided an update to the Commission regarding the Sound Ordinance. He stated that the Sound Advisory is likely to recommend that a Conditional Use Permit be required for outdoor music in the CBD District.

He also informed the Commission the City had hired a Historic Preservation Officer, Mrs. Anna Hudson, and she is currently revising the Historic Preservation Ordinance and looking at expanding the Historic District.

Brian also mentioned the proposed development of Frieden Lakes, west of Heritage Hill Country, as well as a townhouse/condo development at Smokehouse Rd., that will be coming to the commission for consideration.

ADJOURN

With nothing further to come before the Commission, Tim Dooley moved to adjourn. Brenda Segner seconded the motion. All voted in favor and the meeting was adjourned at 5:51 p.m.

PASSED AND APPROVED this 3rd day of May, 2017.

SHELLEY BRITTON, Secretary

JANICE MENKING, Chairman

SITE PLAN
BACKGROUND INFORMATION
April, 2017

File Number: SP-1707

Applicant: Mustard Design Architects, Andy Bray

Property Owner: Riparian Research

Project Type: Medical Office and Multiple Family Residential (4 units). A Site Plan for this project was approved in 2013, which expired after two years.

Address/Location: 506 and 512 Windcrest Drive, northeast corner of Windcrest Drive and Wellness Court.

Site Area: 2.2 acres (95,760 square feet)
Medical Office Lot – 1.53 acres (66,780 sq. ft.)
Apartment Tract – 0.66 acres (28,980 sq. ft.)

Zoning: C-1, Neighborhood Commercial

Adjacent Land Uses/Zoning:

North:	Undeveloped, zoned C-1
South:	Residential across Windcrest Dr., zoned PUD
East:	Generally undeveloped with a single-family home, zoned C-1.
West:	Undeveloped, zoned C-1

Building Size: Medical Office Building – 13,050 square feet
Multi-family residential – 5,307 square feet

Building Height: Medical Office Building - 1 Story, 24' (3-story max.)
Multi-family – 1 –story, 17'-6" (3-story max.)

Building Coverage: Medical Office Building – 19.5% (max. allowed – 50%)
Multi-family – 18% (max. allowed – 50%)

Impervious Coverage: Medical Office Building – 42% (max. allowed – 70%)
Multi-family – 29% (max. allowed – 70%)

Site Access: Single access on Windcrest Dr. and two driveways on Wellness Court into the Medical Office building site. Single driveway into the multi-family tract on Wellness Court.

Parking Required/Provided: Medical Office Building – 30 spaces required (1 space per 300 sq. ft.), 55 spaces provided
Multi-family – 6 spaces required (1.5 spaces per unit), 8 spaces provided.

Sidewalks:	A sidewalk is required and is proposed along W. Windcrest Dr.
Screening Required:	An enclosed trash container is proposed to the rear of the Medical Office Building near the drive on Wellness Court. The apartments will be utilizing this trash container as well.
Signage:	No information has been provided for signage. Signage shall meet the ordinance.
Lighting:	Detailed information has been provided on the type of fixtures to be utilized. Lighting will be shielded from adjoining properties.
Landscape/Tree Preservation:	The site does not contain any native trees. A Landscape Plan shall be provided prior to issuance of a Building Permit.
Stormwater Detention:	Stormwater detention is provided within the original subdivision.
Utilities:	Water and sanitary sewer are currently available to serve the project. An additional sanitary sewer extension will be necessary to serve the apartment tract. This shall be approved as part of the construction plans.
P&Z Action:	Final approval
Recommendation:	Approval, conditioned upon: 1. Approval of a Landscape Plan prior to issuance of a building permit. 2. All lighting being shielded. 3. Approval of Construction Plans prior to issuance of a building permit. 4. Signage complying with current ordinance.



Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

A. Project Information (Please complete all items.)

Project Name: Windcrest Development: Medical Office and Residential

Project Address: 506 – 512 Windcrest Drive

Tax ID Number (s):

Application Type (Check all items that apply.)

- | | | |
|---|--|--|
| ☐ Conditional Use Permit | ☐ Minor Plat* | ☐ Plat Vacation |
| ☒ Site Plan* | ☐ Replat* | ☐ Annexation* |
| ☐ Zoning Change | ☐ Amending Plat* | ☐ Other |
| ☐ Land Use Plan Change | ☐ Preliminary Plat* | ☐ Waiver of Right to
30-day action |
| ☐ Variance Request | ☐ Final Plat* | |
| | ☐ Development Plat | |

Revision of Approved Plan / Plat? ☐ Yes ☒ No Name: Renewal of approved site plan SP1316 on 11.05.2013

Jurisdiction: ☒ City Limits ☐ ETJ Total Acres: 2.2 No. of Lots: 2

Original Survey & Abstract No:

Legal Description: Tract 1 and 2, Windcrest Medical Addition, Vol 4, Pg 55 P.R.

Current Land Use Plan: Commercial

Proposed Land Use Plan: Commercial

Current Zoning: C-1

Proposed Zoning: C-1 to remain

Location: Corner of W. Windcrest Drive and Wellness Court

Proposed Use(s): Medical Office and Multi Family Residential

Applicant's Signature

Applicant's Role: ☐ Owner ☐ Developer ☒ Other (note role): Architect

I hereby certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. I also certify I have authorization from the owner to act on his / her behalf.

Signature: Andrew E. Bray
Printed Name: ANDREW E. BRAY Date: 3.21.17

Staff Use Only Application No.: _____ Date: _____

*Copy of current Title Search required with application.



Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

B. Contact Information (Please complete all items. Attach additional pages as necessary.)

I. Property Owner(s)

Firm Name (if applicable): Riparian Research Corporation

Owner Name: Katherine Peake

Address: P.O. Box 55 Dripping Springs, TX 78670

Phone: 830.998.1778

Fax:

Email: kbfpeake@gmail.com

II. Owner's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: ☒ Agent ☐ Engineer ☐ Surveyor ☒ Other (note role): Architect

Firm Name (if applicable): Mustard Design Architects

Address: 150 E. Main Street, Suite 201

Primary Contact Name: Andrew E. Bray

Phone: 830.997.7024

Fax:

Email: abray@mustarddesign.net

Secondary Contact Name:

Phone:

Fax:

Email:

III. Applicant

Firm Name (if applicable):

Applicant Name (s):

Address:

Phone:

Fax:

Email:

IV. Applicant's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: ☐ Agent ☐ Engineer ☐ Surveyor ☐ Other (note role):

Firm Name (if applicable):

Address:

Primary Contact Name:

Phone:

Fax:

Email:



Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

C. Fee Schedule (Please attach appropriate fee to application.)

- ☐ Conditional Use Permit Application - \$200
- ☒ Site Plan Application - \$200
- ☐ Application for Zoning Change - \$200
- ☐ Application for Land Use Change - \$200
- ☐ Variance Request - \$100
- ☐ Minor Plat - \$200
- ☐ Replat - \$200
- ☐ Amending Plat - \$200
- ☐ Preliminary Plat - \$200 plus \$20 per lot
- ☐ Final Plat - \$500 plus \$10 per lot

D. Recording Fee Schedule

For plats, a recording fee will be collected when mylars are presented. The check should be made payable to Gillespie County Clerk and the recording fees are \$121.00 for a single lot plat. Each additional lot will increase the recording fee by \$10.00.



LAND USE PLAN AND ZONING CHANGE BRIEF

Rezoning Request # Z-1702

- APPLICANT:** Parker Atkins, P.E.
- LOCATION:** West side of Smokehouse Road, and north of the extension of Windcrest Drive.
- SIZE:** 24.8 acres
- EXISTING ZONING:** The property is not currently within the city limits. The applicant has filed a petition for annexation for this property, concurrently with the land use and zoning request.
- PROPOSED CHANGE:**
1. Change in the Land Use Plan from Low Density Residential to Medium Density Residential, and
 2. Establish R-2, Mixed Residential Zoning

FINDINGS:

- The property consists of 3 tracts, each having frontage on Smokehouse Road.
- The property is currently vacant, with an electric power line crossing the northern portion of the property.
- The property is bordered by Smokehouse Road on the east side, and an outlot road (unbuilt) to become the extension of Windcrest Drive on the south side.
- Utilities are available in close proximity to the property and would be extended to serve the development.
- Land uses surrounding this property include vacant land and scattered single family homes to the west, north and east, and the Heritage School to the south.
- Since the property is not within the city limits, there is no zoning on the property. Under normal circumstances, a property comes into the city limits as R-1, Single Family Residential, unless a different zoning is requested. In this case, the applicant is requesting R-2 Mixed Residential Zoning.
- The Land Use Plan identifies the subject properties, as well as the surrounding properties Low Density Residential.

LAND USE PLAN: The Land Use Plan basically calls for everything within the vicinity of the subject property to be Low Density Residential, including the property now occupied by the Heritage School.

In making a recommendation to change the Land Use Plan designation, the Planning and Zoning Commission shall make the following determinations:

1. **The property affected by the request is adequate in size and shape to facilitate those uses normally associated with the requested designation.** There is no stated minimum size in the Comprehensive Plan for the proposed Medium Density land use category. There are a variety of sizes of this land use category around town and the size of this tract would be sufficient in our opinion.
2. **The property affected by the request does not exceed the capabilities of the infrastructure.** Water and sanitary sewer facilities that would serve this tract are sufficient in size to accommodate the proposed land use. Smokehouse Road and Live Oak Road, on the other hand are county roads and lack the size, design and capacity to handle additional traffic. As part of the annexation agreement, the applicant is proposing to build Windcrest Drive from its current end near Post Oak Road, out to tie into this development. Windcrest Drive would also be developed along the south side of the subject property.
3. **The request will have no adverse effect on any property within six hundred (600) feet of the affected property.** The medium density residential land use category is intended to include single family detached dwellings on smaller lots and attached dwelling units such as duplex units and townhomes. A change in the land use plan from low density to medium density does not necessarily have an adverse effect on nearby properties.
4. **The requested change is to accommodate an appropriate land use and is consistent with other elements of the Comprehensive Plan.** Staff does not support the change in the land use plan on the subject property, without consideration being given on nearby properties and toward the east and Post Oak Road. By this we mean that this change would represent a significant alteration to the primarily single family nature of uses anticipated in this quadrant of the City. However, if the Commission is inclined to change the land use on the subject property, we would recommend consideration be given to including the property back to Post Oak Road as well.
5. **The request, together with the applicable conditions, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.** Given the fact that and project would be required to be built in accordance with City standards, we would not expect the change in land use to be detrimental to area properties.

ZONING: Concurrently with the application to change the land use plan, the applicant is proposing to establish R-2, Mixed Residential zoning on the property. The applicant is proposing to develop a project consisting of townhomes and condominiums (see the attached Justification Report provided by the applicant). While the applicant is proposing a certain type of development, the Commission should consider all potential uses permissible within the proposed R-2 District (listing attached).

OPPOSITION/SUPPORT OF REQUEST: We have received a number of letters opposing the project and change in the land use plan/zoning from area residents, school parents and others. Two of the letters received were from property owners within 200' of the subject property. No letters in support have been received.

STAFF RECOMMENDATION: While the proposed project may represent a solution to some of the housing shortages in the community, we do not recommend changing the Land Use Plan and Zoning on the subject property on this individual property. However, we do not object to considering a change in the Land Use Plan on a larger area to create a sufficient district. Therefore, if the Commission is inclined to support the proposal, and agrees with staff, we would recommend consideration be given to creating a district and changing the land use plan between Smokehouse Road and Post Oak Road. If this is the case, the Commission should direct staff to call a public hearing on said change for the next available meeting.

Otherwise, the Commission may approve or deny the request.

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	

Uses permitted with a Bed and Breakfast Compliance Use Permit:

Bed and Breakfast

Conditions under which a permit will be issued:

-Compliance with provisions of section 5.401, and

- Any structure which exists as of September 1, 2013 may be used as a Bed and Breakfast whether or not owner-occupied, and
- Additions or new construction, taking into consideration any existing structures, shall comply with other requirements of R-2
- One off street parking space for each Bed and Breakfast unit in addition to those required for other uses
- Lots may not be combined to permit more than eight separate lodging units on contiguous property regardless of density regulations
- Compliance with other R-2 regulations

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:

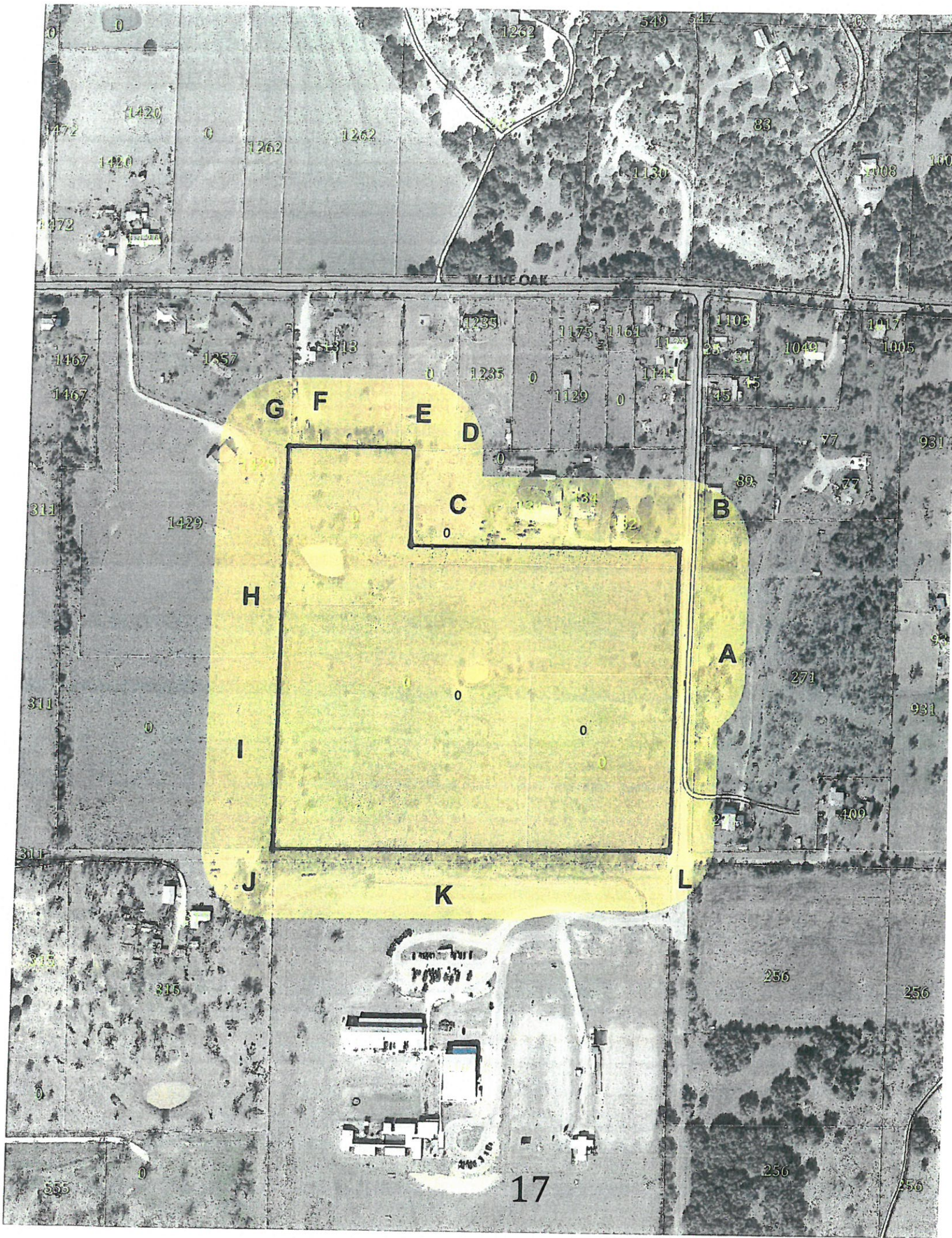
Feature	Regulation
Lot Size	Minimum Lot Area, 5,000 Square feet
Lot Width	Minimum Lot Width, 50 feet
Height	2½ Stories, 28 feet
Front Yard	Minimum Required Setback, 15 feet (20 feet for garage)
Street Side Yard	Minimum Required Setback, 15 feet
Interior Side Yard	Minimum Required Setback, 5 feet
Rear 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>

Note— 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; Ord. No. 23-014, 9-16-2013)

Letter	Owner	Address
A	Daniel & Jill Elliot	271 Smokehouse Rd Fredericksburg, TX 78624
B	Cisco & Carman Martinez	P.O. Box 915 Fredericksburg, TX 78624
C	Rudy Weber	134 Smokehouse Rd Fredericksburg, TX 78624
D	Carmen Zambrano	1235 W. Live Oak St Fredericksburg, TX 78624
E	Carmen Zambrano	1235 W. Live Oak St Fredericksburg, TX 78624
F	Bradley Howard	1313 W. Live Oak St Fredericksburg, TX 78624
G	Kathleen Murphy	1405 W. Live Oak St Fredericksburg, TX 78624
H	Troy Sifford	1429 W. Live Oak St Fredericksburg, TX 78624
I	Scott Sifford	4179 Stokes Bellville, TX 77418
J	Daniel Reeh	449 Kerr Rd Fredericksburg, TX 78624
K	Heritage Family School	P.O. Box 1217 Fredericksburg, TX 78624
L	Mary Carinhas	121 Loujon Circle San Antonio, TX 78213
Z-1702		



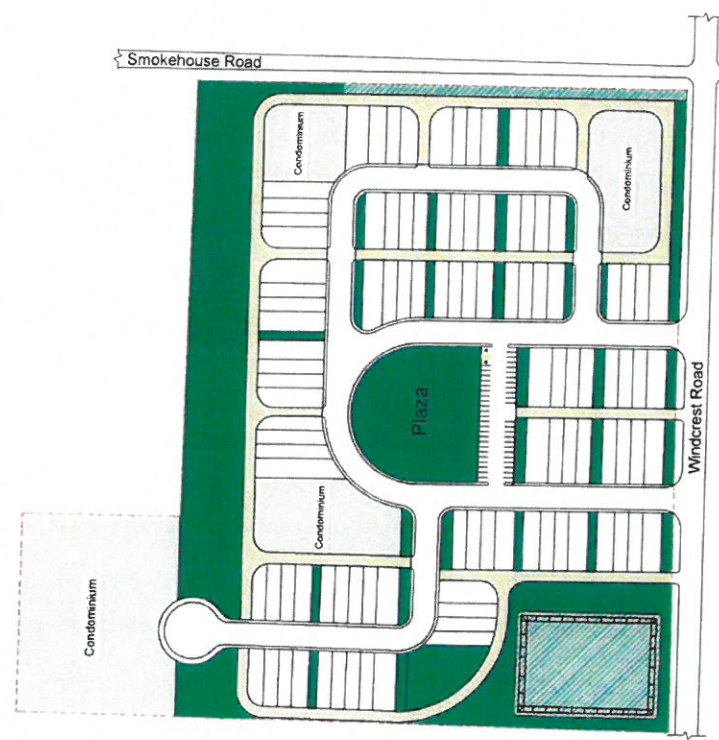
General Notes

No.	Revision/Issue	Date
1	Rev 1.0 F Rev	2/24/17

**Atkins Engineering &
Project Management LLC**
366 Spanish Pass Road
Bismarck, ND 58006
Firm # 12951
210-483-3242

Preliminary Plan of
Smokehouse Road
24.807 Acres
Fredericksburg, Tx.

Sheet
Smokehouse
Rev 04/15/2017
Scale
1" = 100'
1.0



Notes:

1. The Plaza (Platz) is designed for neighborhood civic events such as outdoor movies, music, farmers markets and general recreation.
2. Attention is given to the preservation of view corridors.
3. All architecture will be Western European.
4. All Lots are townhouse lots unless stated otherwise.
5. All homes are rear loaded with no garage doors visible from the street.
6. Lot fronts are landscaped, not paved.
7. There will be no trash cans on the streets.
8. Total Acreage = 24.807 or 1,080,592 ft².
9. Density allowed by ordinance = 300 townhomes or 308 condominiums.
10. Proposed Townhome density = 106 units or 35% of maximum allowable density.
11. Proposed Condominium density = max of 49 units or 15.9% of maximum allowable density.

Zoning and Land Use Change
Justification Report
24.807 Acre Proposed Development
Smokehouse Road
Fredericksburg, Texas

Prepared for:
Brian Jordan, AICP, RLA
Director of Development Services
City of Fredericksburg, Texas

March 10, 2017

Prepared By:

Parker Atkins, P.E.
Real Estate Development
Atkins Engineering and Project Management LLC
Texas Firm #12951
309 Spanish Pass Road
Boerne, Texas 78006



Executive Summary

This land use change and zoning change justification has been prepared pursuant to the City request on March 7, 2017 regarding the proposed R-2 zoning and land use change (from low density residential to medium density residential) for the subject property located on the west side of Smokehouse Road. The purpose of this document is to provide sufficient justification to allow for a favorable recommendation by the City Staff and the Planning and Zoning Commission (P&Z) prior to submitting a complete Project Application that will include a Zone Change, Land Use Plan Change, Preliminary Plat and Annexation. The property comprises 24.807 acres and a copy of the Survey is located in Exhibit A.

Property Setting

The subject property is currently located in the county and shares a 1138-foot border with the City limits on the Windcrest Road right-of-way (ROW). Windcrest Road was apparently planned as a future collector street during the early stages of the planning of Fredericksburg. The Windcrest Road ROW section between Smokehouse Road and Post Oak is already equipped with a 12-inch water main to service future residential growth including the subject property and beyond. According to the utility map provided by the City, the 12-inch water main actually crosses under Smokehouse Road and is stubbed out within the ROW adjacent to the subject property. Planning of this infrastructure was intentional and designed to serve future development on Windcrest Road.

Current Land Use Map and Zoning

The current Land Use Map was apparently revised by the City years ago with the goal to provide a vision for future land uses in and around Fredericksburg. This land use map designates the subject property and all the land directly north to Live Oak Road and all the land due south to Pyka Road as low density residential, which, if annexed into the city appears to be consistent with a R1 zoning designation. See the subject property location within the land use map in Figure 1 below. You will notice that the subject property and all of the dense development on and around Summit Circle, the Windcrest residential development off Post Oak and the Windcrest development off of Green Meadows Blvd are all designated as low density residential. While some of the land use designations accurately predicted the eventual zoning of these parcels, others did not. Inconsistencies between the Land Use Map/Comprehensive Plan and the ultimate zoning of parcels is not uncommon and can stem from a community responding to its ever-changing needs.

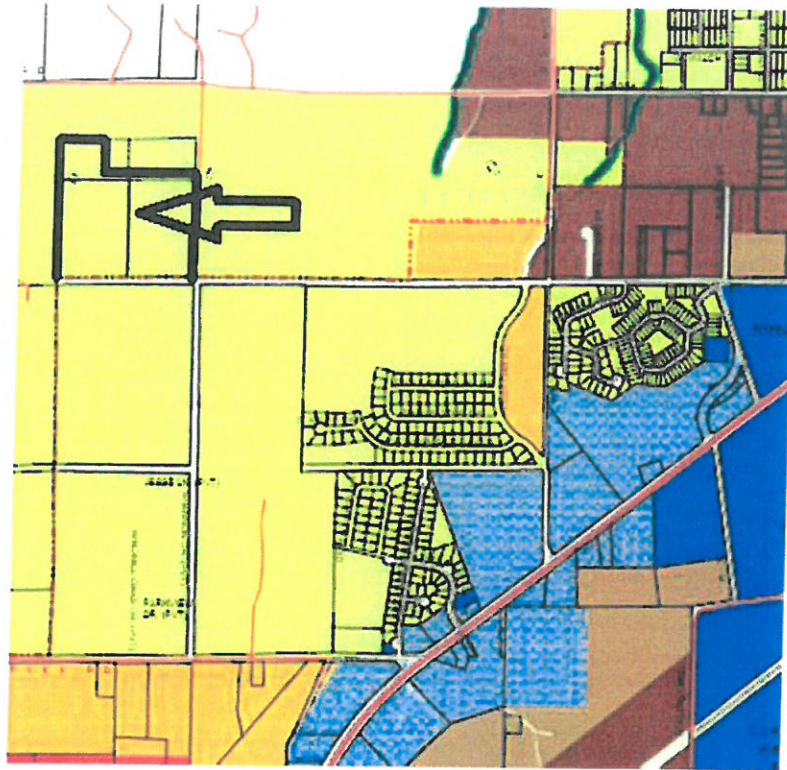


Figure 1 – Current Land Use Map Designations
(Yellow designates Low Density Residential)

For comparison, I have attached the current zoning designations in the vicinity of the subject property in Figure 2, below. You will notice some inconsistencies between the original vision of the land use and that which has allowed to occur to accommodate the needs of the community, primarily the manufactured home zoning and the higher density PUD at Summit Circle.

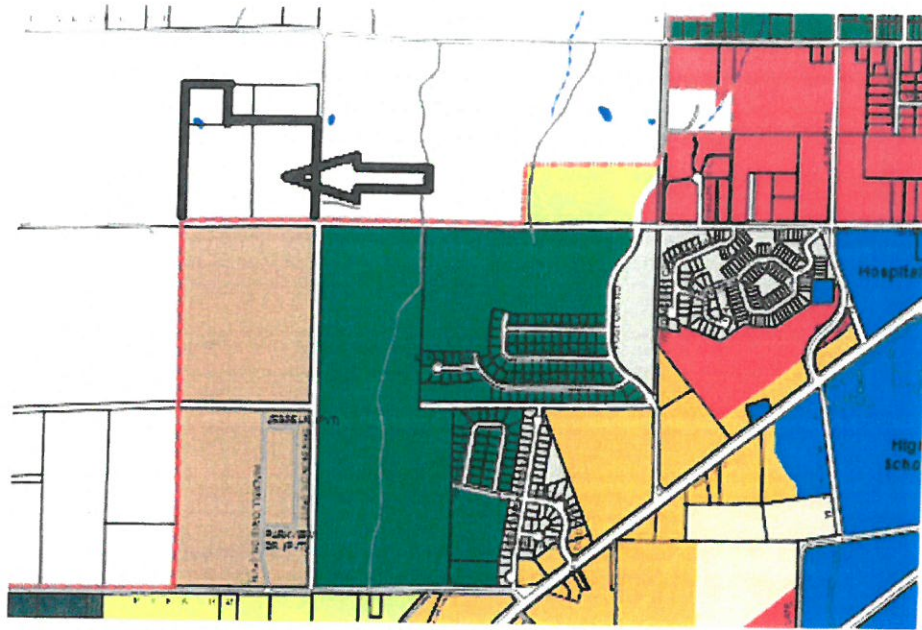


Figure 2 – Current Zoning Designations
*(Brown designates Manufactured Homes
 Green designates R1 Low Density Residential and
 Yellow designates R-2 Mixed/Medium Density Residential)*

Zoning in Vicinity

The property directly south (where Heritage School resides) of the subject property is zoned R-4 for Manufactured Home Residential. In accordance with Section 3.130 of the Fredericksburg Zoning Ordinance, this zone is typically associated with the Low and Medium Density Residential Land Use category allowing for a minimum lot area of 6000 ft². The property south of the Heritage School is also zoned R-4 and accesses Pyka road from Windmill Oaks Ave. This property has been developed under this designation and is currently a manufactured home park.

Cattycorner to the southeast corner of the subject property is all zoned R1 and includes the Windcrest subdivision that is rapidly moving west. This designation allows for “standard” city lots of 7500 ft², which is consistent with the designated land use map for the subject property.

The nearest R2 zoning to the subject property includes a parcel ~0.32 mile to the east on Windcrest and 0.60 mile to the south (below the manufactured home development and across Pyka Road, as depicted in yellow in Figure 2.

Target Market

Land use and zoning is a critical element to being able to serve the citizens within a community. The market for our townhomes and condominiums will be nurses and medical staff at the hospital, teachers and school administrators, small business owners, firemen, policemen, therapists, and other professionals who cannot find a place to live in Fredericksburg but could afford a home within our price point. Currently, there are very few housing options between \$200,000 and \$310,000. Apartments are the primary option, which are +95% occupied and no place to raise a family. One has to be very lucky to find an affordable home to rent and purchasing is way beyond the means of most. A \$225,000

townhome with an FHA mortgage at 3.75% will have a payment of \$1000 per month with a 3.5% down payment while new apartments in town will be renting for \$1,300.

R-4 zoning designation appears to be the most probable candidate for justification based upon the fact that the subject property adjoins property within the city limits that is already zoned for manufactured homes, however this is neither the target market nor the vision for the subject property at the current time.

An R-1 zoned development would not satisfy the housing needs of the community because few if any within the target market could afford a such a home. Further, the market that we are targeting typically does not want a 7500 ft² lot with a detached home. This relatively recent change in market preference is a significant driver in pursuing the R-2 zoning designation with more civic space and green space. When the land use map was last updated, this was not an issue, but times have changed and so has the market. The density based on our proposed plan (~7200 ft² per unit) is very close to the R-1 density of 7,500 ft² per unit, however the urban plan is drastically different. Our proposed R-2 zoned urban plan is more clustered because of the nature of attached townhouses and condominiums, however it is tempered with significantly more green space, more connectivity between streets, more civic space (Plaza) and attention to preserved view corridors for the benefit of the community in perpetuity. In an R-1 zoned neighborhood, this kind of planning detail is rarely a consideration with little if any civic space available to walk a dog, exercise or play other than on a sidewalk or in the street.

Home Prices

Our ability to deliver a home to the target market at an affordable price will be contingent upon obtaining the necessary change in land use and zoning. The prices that are discussed in this section are directly correlated with the cost of land, cost of land development and the cost of home construction. The type of housing units permitted by R-2 zoning will allow for an attached product, which permits us to achieve a particular economy of scale with significant savings that can be passed on to the buyers.

According to Tim Lehmberg, Executive Director of the Gillespie County Economic Development Commission, *"The lack of more affordable housing continues to be that factor which contributes the most to our labor problem. The inventory of moderately-priced homes continues to be extremely low. In 2015 the number of homes for sale through our MLS in the City of Fredericksburg priced at \$175,000 and below averaged less than one per month (0.92). For homes priced at \$200,000 and below, the 2015 average was 4.83 per month. In 2015, the number of new construction homes which came on the market priced \$250,000 and below totaled fourteen. As of year-end, thirteen had closed and the remaining one was under contract. Of the thirteen that had closed, the average sales price per square foot was \$150.10 and the average square footage was 1,552. The average sales price of all homes in the City of Fredericksburg increased by \$45,890 in 2015 - from an average of \$252,750 in 2014 to an average of \$298,640 in 2015. On a per square foot basis the average increased from \$150.18 per square foot in 2014 to \$168.28 per square foot in 2015. Both 2015 numbers are all-time highs."* Since this was published at the end of 2015, home prices in 2016 have continued to skyrocket with the average now topping \$361,000 (+\$63,000 annual increase) with no end in sight. R-2 zoning with the applicable land use change to medium density residential will provide the opportunity for us to take immediate action to address this problem.

Summary

This zone change and land use change justification report describes how the land use has been designated and zoned in the vicinity of the subject property in an effort to clearly justify the proposed changes. It also discusses the target market and prices, both of which are controlled by land use and zoning. Of critical importance to this justification is the presence of medium density zoning immediately south and adjacent to the subject property. This property is zoned for low and medium density residential land use (R-4 for Manufactured homes).

The second important issue in support of justification is with regard to the proximity of other property currently zoned R-2 to the subject property. There are two properties zoned R-2 in the vicinity, one of which is located 0.32 miles directly east on Windcrest road (see Figure 3), the same street (when constructed) fronting both properties. Further, the subject property is closer to each R-2 zoned property than the R-2 zoned properties are to each other. R-2 zoning at the subject property is neither arbitrary nor discriminatory and justified based on its location.

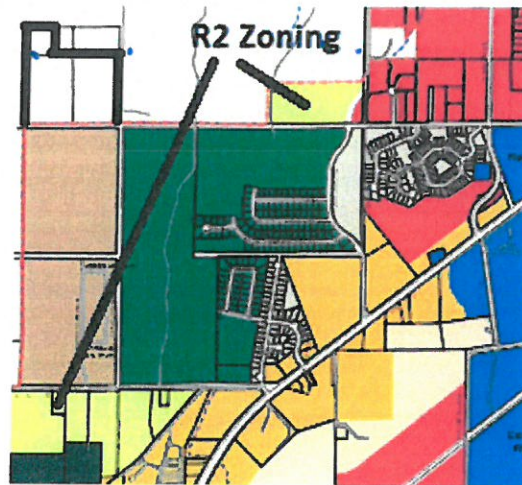


Figure 3 – R-2 Zoning in Vicinity

The third issue providing justification for the land use and zoning change for the subject property is with regard to how the City has historically changed land uses to medium density residential from low density residential and then approved a zoning change allowing for medium density residential. Direct evidence of this is the adjacent property to the south (see Figure 4), which was designated as a low density residential parcel, annexed and zoned R-4 allowing for medium density. The subject property appears to be no different with the identical current land use designation and proposed zoning that would allow for medium density (under R-2 instead of R-4).

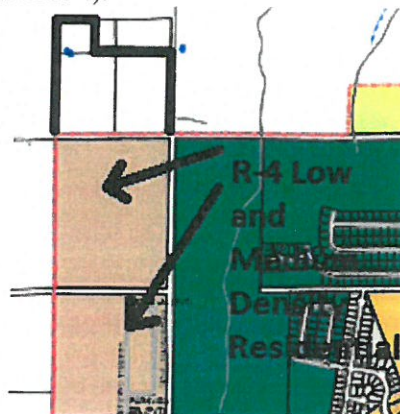


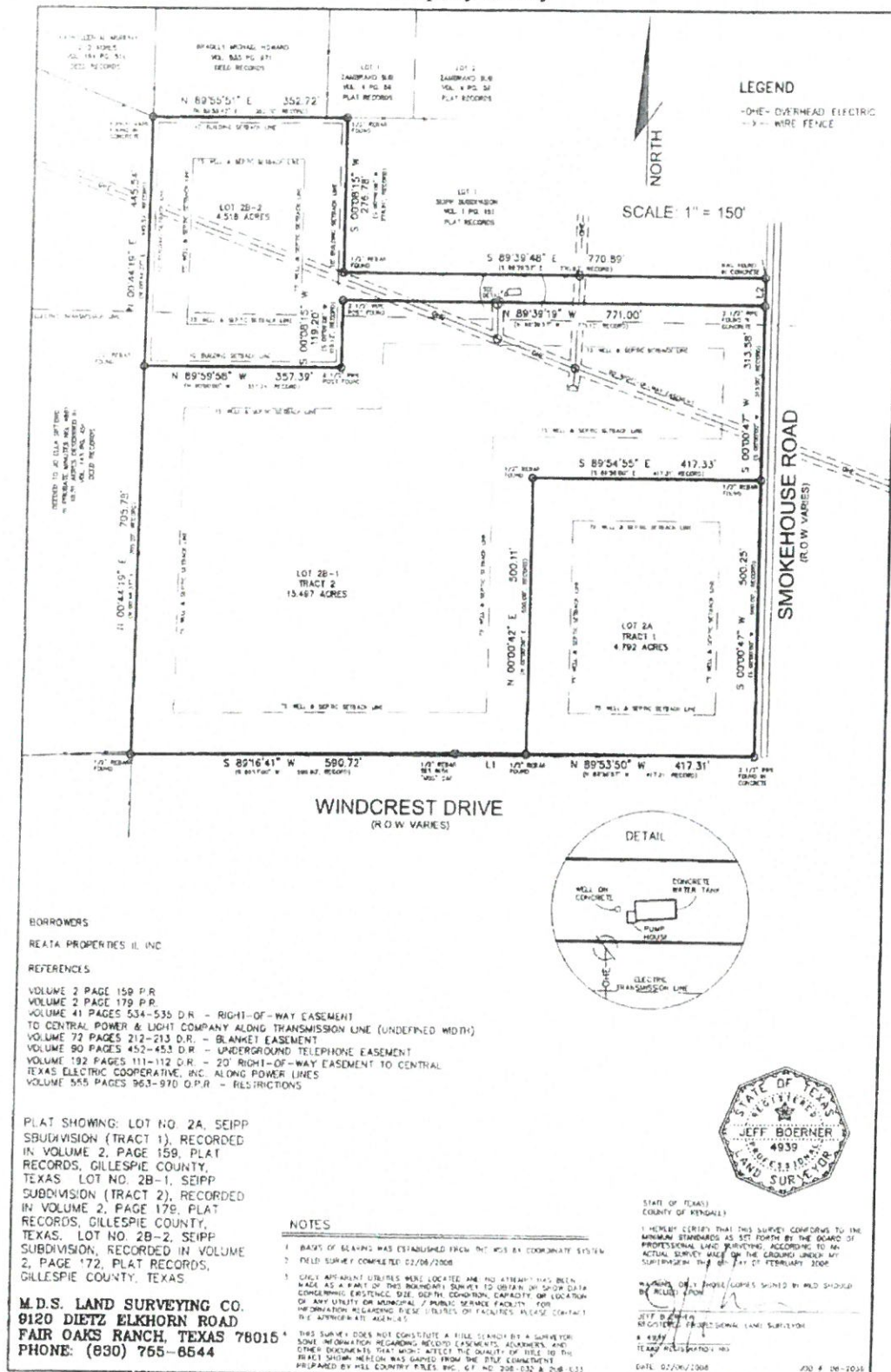
Figure 4

Location of Nearest Property zoned to allow medium density residential

In summary, the precedents described above provide extensive justification for both a change in land use to medium residential density and a zone change to R-2 to accommodate the proposed development of the subject property.

It is our desire to build a safe and affordable community that is brimming with charm and character. It is also our intention to build these units as “investment grade quality”, efficiently designed with minimal wasted space using quality components that are intended to provide years of low maintenance service to their owners. We are not track builders and these will not be track homes. R-2 zoning and medium density residential land use will provide the catalyst required to solve many of the current housing problems in the community.

Exhibit A Property Survey





Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

A. Project Information (Please complete all items.)

Project Name: Smokehouse

Project Address: West side of Smokehouse Road, Fredericksburg, Texas

Tax ID Number (s): 73958, 26419 & 74408

Application Type (Check all items that apply.)

- | | | |
|--|--|---|
| ☐ Conditional Use Permit | ☐ Minor Plat* | ☐ Plat Vacation |
| ☐ Site Plan* | ☐ Replat* | ☒ Annexation* |
| ☒ Zoning Change | ☐ Amending Plat* | ☐ Other |
| ☒ Land Use Plan Change | ☐ Preliminary Plat* | ☐ Waiver of Right to |
| ☐ Variance Request | ☐ Final Plat* | 30-day action |
| | ☐ Development Plat | |

Revision of Approved Plan / Plat? ☐ Yes ☒ No Name:

Jurisdiction: ☐ City Limits ☒ ETJ Total Acres: 24.807 No. of Lots:

Original Survey & Abstract No: See Attached Survey

Legal Description: See attached Survey for Lots 2B-1, 2B-2 and 2A

Current Land Use Plan: Low Density Residentiall

Proposed Land Use Plan:

Medium Density Residentiall

Current Zoning: none

Proposed Zoning: R-2

Location: Northwest corner of Smokehouse Road and Windcrest Road

Proposed Use(s): to construct owner occupied townhomes and condominiums

Applicant's Signature

Applicant's Role: ☐ Owner ☒ Developer ☐ Other (note role):

I hereby certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. I also certify I have authorization from the owner to act on his / her behalf.

Signature: _____

Printed Name: PARKER ATKINS Date: 3/3/17

Staff Use Only

Application No.: _____ Date: _____

*Copy of current Title Search required with application.



Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

B. Contact Information (Please complete all items. Attach additional pages as necessary.)

I. Property Owner(s)

Firm Name (if applicable): James Edward Redding Exemption Equivalent Trust & Live Oak Rd., LLC

Owner Name: Janet Neusch Trustee & Manager

Address: 400 Deer Meadow Circle, Georgetown, Texas 78633

Phone: 512-415-3327

Fax:

Email: scottredding@me.com

II. Owner's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: ☒ Agent ☒ Engineer ☐ Surveyor ☐ Other (note role):

Firm Name (if applicable): Parker Atkins, P.E (Atkins Engineering & Project Management LLC)

Address: 309 Spanish Pass Road, Boerne, Texas 78006

Primary Contact Name: Parker Atkins, P.E.

Phone: 210-483-3242

Fax:

Email: atkinspe@gmail.com

Secondary Contact Name:

Phone:

Fax:

Email:

III. Applicant

Firm Name (if applicable): Stonewall Development, LLC.

Applicant Name (s): Parker Atkins, P.E.

Address: 309 Spanish Pass Road, Boerne, Texas 78006

Phone: 210-483-3242

Fax:

Email: atkinspe@gmail.com

IV. Applicant's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: ☐ Agent ☒ Engineer ☐ Surveyor ☐ Other (note role):

Firm Name (if applicable): Parker Atkins, P.E. (Atkins Engineering and Project Management LLC)

Address: 309 Spanish Pass Road, Boerne, Texas 78006

Primary Contact Name: Parker Atkins, P.E.

Phone: 210-483-3242

Fax:

Email: atkinspe@gmail.com



Project Application

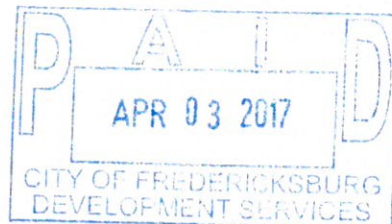
City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

C. Fee Schedule (Please attach appropriate fee to application.)

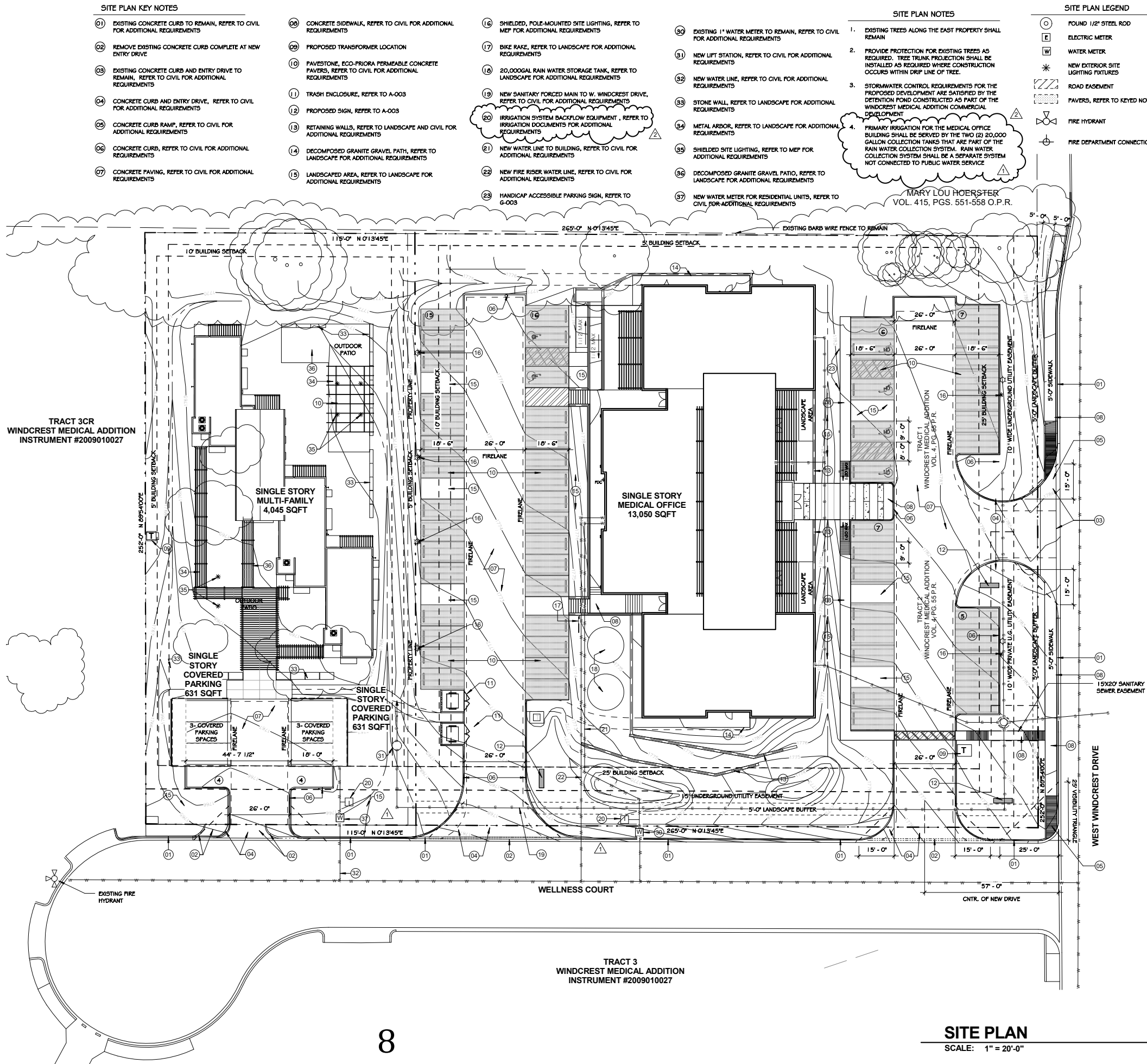
- ☐ Conditional Use Permit Application - \$200
- ☐ Site Plan Application - \$200
- ☒ Application for Zoning Change - \$200
- ☒ Application for Land Use Change - \$200
- ☐ Variance Request - \$100
- ☐ Minor Plat - \$200
- ☐ Replat - \$200
- ☐ Amending Plat - \$200
- ☐ Preliminary Plat - \$200 plus \$20 per lot
- ☐ Final Plat - \$500 plus \$10 per lot

D. Recording Fee Schedule

For plats, a recording fee will be collected when mylars are presented. The check should be made payable to Gillespie County Clerk and the recording fees are \$121.00 for a single lot plat. Each additional lot will increase the recording fee by \$10.00.



\\nas\Current Projects\Files\Current Projects\Files\2016\1638 - WINDCREST MOB\01 - Project Management\04 - Jurisdictional agencies\02 - Planning & Zoning\Department\638 WINDCREST OVERALL SITE 04.20.17.rvt



OWNER INFORMATION:

RIPARIAN RESEARCH CORPORATION
P.O. BOX 463
STONEWALL, TX 78671

LEGAL DESCRIPTION:
WINDCREST MEDICAL ADDITION TRACT 1, VOL. 4, PAGE 55 P.R. AND
WINDCREST MEDICAL ADDITION TRACT 2, VOL. 4, PAGE 55 P.R.

ZONED: C1 - NEIGHBORHOOD COMMERCIAL

PROPOSED USE: MEDICAL OFFICE & MULTI FAMILY RESIDENTIAL

SETBACKS:

FRONT YARD: 25 FT
STREET SIDE YARD: 25 FT
INTERIOR SIDE YARD: 5 FT
REAR SIDE YARD: 10 FT

MEDICAL OFFICE BUILDING

LOT AREA: TRACT 1: MEDICAL OFFICE
1.53 ACRES (66,780 SQFT)

MAX IMPERVIOUS COVERAGE ALLOWED: 70% OF LOT AREA

IMPERVIOUS COVERAGE: 42% OF LOT AREA

MAX BUILDING COVERAGE ALLOWED: 50 % OF LOT AREA

BUILDING COVERAGE: 19.5% OF LOT AREA

TOTAL LOT AREA: 66,780 SQFT

IMPERVIOUS COVERAGE: 13,032 SQFT (42%)

BUILDING: 13,050 SQFT

PAVING / WALKS: 14,924 SQFT

LANDSCAPE AREA: 27,268 SQFT (41%)

MAXIMUM ALLOWABLE BUILDING HEIGHT: 3 STORIES - 38' - 0"

MAXIMUM PROPOSED BUILDING HEIGHT: 1 STORY - 24'-0"

REQUIRED PARKING SPACES:

MEDICAL OFFICE 1 SPACE PER 300 SQFT OF EXAM, TESTING, WAITING ROOMS, & OFFICES

WAITING AREA 2,983 SQFT / 300 = 10 SPACES

EXAM & OFFICES 5,772 SQFT / 300 = 20 SPACES

TOTAL REQ. PARKING 30 SPACES

TOTAL SPACES PROVIDED 55 SPACES

ADA PARKING REQ. 3 SPACES

ADA PARKING PROVIDED 6 SPACES

INTERIOR LANDSCAPING REQUIRED: 10 SQFT PER EACH INTERIOR PARKING SPACE (10 X 59 = 590 SQFT)

INTERIOR LANDSCAPING REQUIRED: 590 SQFT

INTERIOR LANDSCAPING PROVIDED: 11,630 SQFT

MULTI FAMILY RESIDENTIAL

PROPOSED USE (4) - ONE BEDROOM RESIDENCES

LOT AREA: TRACT 2: MULTI-FAMILY RESIDENTIAL
0.66 ACRES (28,980 SQFT)

MAX. ALLOWABLE BUILDING COVERAGE: 50% OF LOT AREA

TOTAL PROPOSED BUILDING COVERAGE: 18% (5,307 SF)

MAX ALLOWABLE IMPERVIOUS COVERAGE: 70% OF LOT AREA

PROPOSED IMPERVIOUS COVERAGE: 29% (8,467 SF)

MAXIMUM ALLOWABLE BUILDING HEIGHT: 3 STORIES - 38' - 0"

MAXIMUM PROPOSED BUILDING HEIGHT: 1 STORY - 17' - 6"

REQUIRED PARKING:

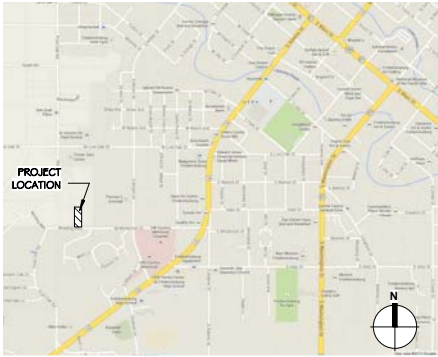
MULTIPLE FAMILY RESIDENTIAL 6 SPACES

4 DWELLING UNITS x 1.5 SPACES

(1.5 SPACES PER DWELLING UNIT)

TOTAL REQ. PARKING 6 SPACES

SPACES PROVIDED 8 SPACES



LOCATION MAP
SCALE: 1/8" = 1'-0"

SITE PLAN
SCALE: 1" = 20'-0"



MEDICAL OFFICE & RESIDENTIAL DEVELOPMENT

WINDCREST DEVELOPMENT

506-512 W. WINDCREST DRIVE
FREDERICKSBURG, TX 78624

NO.	DATE
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SITE PLAN

Drawn By: AEB / WLK

Checked By: AEB

Approved By: AEB

Project No: 1307

Original Issue Date: 10.30.13