

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

Wednesday, June 8, 2016

5:30 P.M.

LAW ENFORCEMENT CENTER, 1601 E. MAIN ST.

PAGE REF.

1. Call to Order
2. Approve minutes from the May 2016 Regular Meeting

Pp 1 - 2

PUBLIC HEARING

3. Public Hearing (Z-1605) by Kevin Spraggins of VEI Engineering on behalf of St. Juste Management Corporation for a Conditional Use Permit to allow a drive through facility associated with a fast food restaurant on a 1.88 acre tract of land located at the intersection of S. Hwy 16 and S. Milam Street
4. Consider making a recommendation on Z-1605

Pp 3 - 17

PLATS

5. Consider (P-1610) Preliminary Plat for Keller Subdivision, approximately 18.47 acres of land located at the intersection of S. Hwy 16 and S. Milam Street

Pp 18 - 23

DISCUSSIONS

6. Board Appointments

ADJOURN

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

PLANNING & ZONING COMMISSION
May 4, 2016
5:30 P.M.

On this the 4th day of May, 2016 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
BRENDA SEGNER
DARYL WHITWORTH
CHARLIE KIEHNE
CHRIS KAISER
STEVE THOMAS

ABSENT: BILL PIPKIN
CARL MONEY

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.

SITE PLANS

CONSIDER (SP-1605) SITE PLAN FOR GILLESPIE COUNTY APPRAISAL DISTRICT OFFICE BUILDING LOCATED AT THE CORNER OF S. MILAM AND FRIENDSHIP LANE - Kevin Spraggins of VEI Engineering presented the application. Dr. Eric Wright, FISD Superintendent, was also present. Mr. Spraggins noted the applicants will tie into an existing asphalt drive on the west side of the administrative building parking lot and connect it through to Milam Street. Mr. Spraggins noted they have provided more parking than is required and their coverages are well under the allowances. Mr. Spraggins stated the water will feed from the north and after exploring different options, at the request of the City, the applicants have decided to have the sewer gravity flow instead of installing a pump to tie into the administrative building.

STAFF COMMENTS

Brian Jordan, Director of Development Services, noted there are sidewalks in place on Milam St. and Friendship Lane and none other are required. Mr. Jordan stated a few trees will have to be removed but they are considered undesirable trees and that will be permitted. Mr. Jordan commented the property will not be platted so the City asked the applicants to draw a boundary line to designate the area that will be

used for the appraisal district property and noted the applicants intend to put up a modular building.

Brian Jordan, Director of Development Services, noted Staff recommendation of approval.

Charlie Kiehne moved to approve Application #SP-1605 and Daryl Whitworth seconded the motion. All voted in favor and the motion carried.

CONSIDER (P-1605) FINAL PLAT FOR ADMIRAL HEIGHTS SUBDIVISION, A 231 ACRE TRACT OF LAND LOCATED ON LOWER CRABAPPLE ROAD

- Tim Squires of Simplicity Real Estate and Michael Dorris, owner, presented the application. Mr. Squires noted the subdivision is located in the ETJ so water and sewer will be served from private wells and septic tanks. Mr. Squires stated they will be filing the association documents with the final plat filing. Mr. Squires commented the Fire Marshall asked for some additional turn-arounds to be added to the plat and that has been done.

STAFF COMMENTS

Brian Jordan, Director of Development Services, noted the plat has been changed several times but the applicant is ready to file the plat of record. Mr. Jordan stated the owners asked to construct the streets to the county standards instead of city standards and that was allowed because the maintenance of the roads will be the responsibility of the Homeowner's Association. Mr. Jordan also noted the length of the cul-de-sac is allowed based on the density of the property and the size of the tracts. Mr. Jordan commented there are 16 lots in the subdivision.

Brian Jordan, Director of Development Services, noted Staff recommendation of approval with the condition the Homeowner's Association Covenants be recorded with the Final Plat.

Charlie Kiehne moved to approve P-1605 with the condition the Homeowner's Association Covenants are recorded with the Final Plat. Chris Kaiser seconded the motion. All voted in favor and the motion carried.

MINUTES

Brenda Segner moved to approve the minutes of the April, 2016 meeting and Chris Kaiser seconded the motion. All voted in favor and the motion carried.

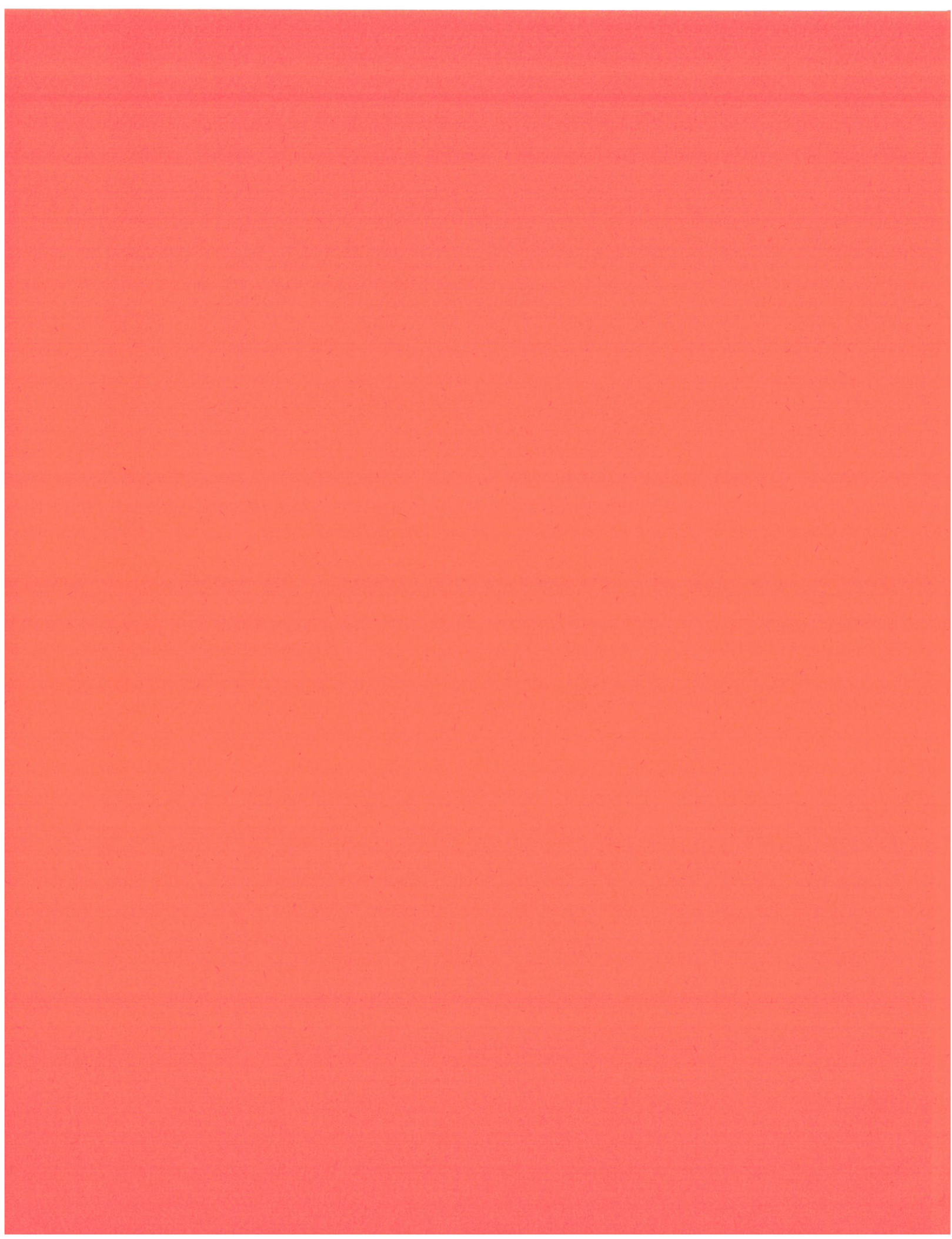
ADJOURN

With nothing further to come before the Commission, Charlie Kiehne moved to adjourn. Steve Thomas seconded the motion. All voted in favor and the meeting was adjourned at 5:53 p.m.

PASSED AND APPROVED this 8th day of June, 2016.

SHELLEY BRITTON, Secretary

JANICE MENKING, Chairman



CONDITIONAL USE PERMIT BRIEF
Request Z-1605

Project: Burger King Restaurant and Office/Retail Space

Applicant: Kevin Spraggins, VEI Consulting Engineers

Location: Corner of S. Milam Street and Highway 16 S.

Existing Zoning: C-2, Commercial

Request: Conditional Use Permit to allow a Drive-through facility associated with a fast food restaurant and Site Plan for additional Commercial Development

Site Plan Overview:

- The subject project will consist of a drive-through for a fast food restaurant (Burger King) and a free standing building for Office/Retail. Corresponding square footages are noted on the plan.
- The site area consists of 2 lots, with Lot 3 being 1.02 acres and Lot 4 being 0.86 acres, for a total area of 1.88 acres.
- The plan provides parking for 71 parking spaces, 68 of which are required.
- The drive-through restaurant is proposed on the lot closest to the intersection of S. Milam and Highway 16 S.
- Access to the site will be provided by a drive from Highway 16 near the electric substation, and a proposed driveway to be provided by a new street proposed to serve the development. The new street will connect between S. Milam and Highway 16 S. The intersection of the new street and S. Milam will be restricted to right-in and right-out turning movements.
- Building coverage is estimated to be approximately 25% on Lot 3 and 9% on Lot 4 (75% maximum allowed in the C-2 District).
- Impervious coverage is estimated to be approximately 80% on Lot 3 and 78% on Lot 4 (80% maximum allowed in the C-2 District).
- Both proposed buildings are proposed to be 1-story in height.
- The site is currently vacant, and is surrounded by vacant land and residential homes to the north, vacant land and the hospital to the east, High School parking lot and baseball field to the south and a construction company to the west.
- Adjacent zoning is C-1 to the north, C-2 to the east, PF to the south and C-2 to the west.

Review and Evaluation Criteria:

A. CONFORMANCE WITH APPLICABLE REGULATIONS:

- The site complies with applicable regulations, including parking, impervious coverage, building coverage and setbacks.

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

- The proposed restaurant and office/retail uses are compatible with existing and permitted uses.

C. POTENTIALLY UNFAVORABLE EFFECTS OR IMPACTS ON OTHER EXISTING OR PERMITTED USES ON ABUTTING PROPERTY:

- The applicant is proposing to construct a street connecting Milam Street to Highway 16 S, to serve the proposed development within the property owned by the Keller's. This street will allow access into the proposed lots without having to rely on additional access to S. Milam or Highway 16.

D. MODIFICATIONS TO THE SITE PLAN WHICH WOULD RESULT IN INCREASED COMPATIBILITY AND WOULD MITIGATE POTENTIALLY UNFAVORABLE IMPACTS:

- Modifications have been made to the interior of the site, including a redesign of the drive-through exit, the increase in the width of the drive access onto Highway 16 S, and the restriction that the drive on S. Milam Street be limited to right-in and right-out vehicular movements.

E. SAFETY AND CONVENIENCE OF VEHICULAR AND PEDESTRIAN CIRCULATION IN THE VICINITY:

- The original concern of the staff regarding access into this property was the configuration of Milam Street along with the proximity to Highway 16. It was suggested during the pre-application conference that staff would not support an access directly into the restaurant site from Milam or Highway 16. The applicant's responded by proposing an interior public street connecting Milam to Highway 16 to allow access to each lot. In addition, the street access on Milam Street will be designed to limit access to right-in or right-out turning movements. In addition, the drive access on Highway 16 is proposed to accommodate 3 lanes of traffic.
- Another concern originally expressed was the configuration of the drive-through lane for the proposed restaurant. The initial layout had the drive-through exit located in close proximity to the proposed street. In staff's opinion, this would have created significant stacking problems during peak times. The proposed layout of the drive-through exit as proposed is certainly more desirable.

Given the circumstances, we believe this is an acceptable solution to access and circulation in the vicinity.

F. PROTECTION OF PERSONS AND PROPERTY FROM EROSION, FLOOD OR WATER DAMAGE, FIRE, NOISE, GLARE:

- Appropriate plans will be in place to address flooding and water damage as part of the site construction. No issues are anticipated for other items listed.

G. LOCATION OF LIGHTING AND TYPE OF SIGNS; THE RELATION OF SIGNS TO TRAFFIC CONTROL AND ADVERSE EFFECTS OF SIGNS ON ADJACENT PROPERTIES:

- All signs and lighting will comply with current ordinances. Signs noted on the plan are for illustration only and shall not be considered approved as part of this plan.

H. ADEQUACY AND CONVENIENCE OF OFF STREET PARKING AND LOADING FACILITIES:

- Adequate parking is provided on each individual lot. Cross access is provided between each of the properties so parking can be shared. A one-way access drive is provided at the rear of Lot 3 to provide for service deliveries and access to the dumpster.
- 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:**
- Affirmative.
- 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:**
- Without the proper access and circulation, we believe the proposed use would not be compatible with the uses within the vicinity. However, given the changes made to the site layout and access, we believe the applicant has addressed the major concerns of staff and has presented a reasonable project configuration. See discussion in items D and E above.
- 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:**
- See Items D and E above.
- 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:**
- See Items D and E above.

OPPOSITION/SUPPORT OF REQUEST: No comments to date.

DESIGN STANDARDS AND DESIGN GUIDELINES: This project location falls within the Design Standards and Guidelines for Entry Corridors of the Comprehensive Plan Update. The Planning and Zoning Commission is responsible for reviewing all proposals within the applicable corridors. The applicant has provided a summary response and plans for how they intend to address these criteria. Staff will provide copies of the criteria at the meeting. If you still have your copy, please utilize it to review the applicant's proposal.

STAFF RECOMMENDATION: With the changes proposed by the applicant, we believe the proposed layout represents a reasonable solution to the challenges associated to this site. There are still many details to be worked out concerning the site construction design, but staff recommends approval of the Conditional Use Permit for the proposed drive-through restaurant conditioned upon approval of the construction plans by staff.



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: Burger King & Retail Space

Project Address: State Highway 16 and South Milam St.

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 |
| ☐ Variance Request | ☐ Final Plat* | 30-day action |
| | ☐ Development Plat | |

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

Jurisdiction: ☒ City Limits ☐ ETJ Total Acres: 18.47 Ac. No. of Lots: 4 Lots

Original Survey & Abstract No:

Legal Description: Keller Subdivision Lot 2R-PT

Current Land Use Plan: Mixed Use Corridor

Proposed Land Use Plan:

Current Zoning: C1-Neighborhood Commercial & C2 - Commercial

Proposed Zoning:

Location: State Highway 16 and South Milam St.

Proposed Use(s): Commercial

Applicant's Signature

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

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: [Handwritten Signature]

Printed Name: KEVIN SPRAGGINS Date: 5/9/2016

2-1605

Staff Use Only Application No.: SP1607 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):

Owner Name: Ida Mae Keller

Address: P.O. Box 546, Fredericksburg, TX 78624

Phone:

Fax:

Email:

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

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

Firm Name (if applicable): St. Juste Management Corp.

Address: P.O. Box 546

Primary Contact Name: Robes St. Juste

Phone: 210-366-9900

Fax: 210-399-9901

Email:

Secondary Contact Name:

Phone:

Fax:

Email:

III. Applicant

Firm Name (if applicable): VEI Consulting Engineers

Applicant Name (s): Kevin Spraggins, P.E.

Address: 507-D East Highway St., Fredericksburg, TX 78624

Phone: 830-997-4744

Fax: 830-997-6967

Email: kspraggins@vei-tx.com

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:

Phil Lloyd Shoop, Jr.
Architect
8151 Broadway, 104
San Antonio, Tx. 78209
210-828-5175
5-26-2016

Proposed Burgerking Restaurant
Fredericksburg, Tx.

Design Standards & Guidelines Response

Architectural Style, Materials, Colors and Massing.

A simple contemporary style adapted to the Texas Hill Country type through the use of traditional hill country limestone and stucco with natural metal trim and accents, together with horizontal, wood pattern, Hardy Board siding. The stone will be white and gold, coursed. Metal will be natural aluminum canopies and window frames and galvalume roof above entry. Entries and drive-thru windows will be accented with 12"x24" matte finish warm red tile. Samples to the stucco color, tile and siding are attached to the elevation renderings board. Windows will be grey tint to aide in complying with the IECC energy requirements.

The "Red Band" atop the parapet emits a soft glow to accent the building at night and provides a visual cap for the stucco walls. The parapet together with the Red Band provides a minimum 3'-6" visual screen for roof mounted mechanical equipment.

Key Architectural Features and Signage

The Entry and Drive-Thru accents, maximum 22' high, also serve as placements for the "Logo Disk" sign as shown on the rendered elevations. The metal canopies contrast the accents while shading the windows and in the case of the entry, provide a place for the aluminum letter graphic "HOME OF THE WHOPPER".

The photo "Graphics" near the entry and between drive-thru windows are illuminated from above in the canopy or from wall wash lighting.

Setbacks and Site Lighting

Street front set backs approximately 120 ft.

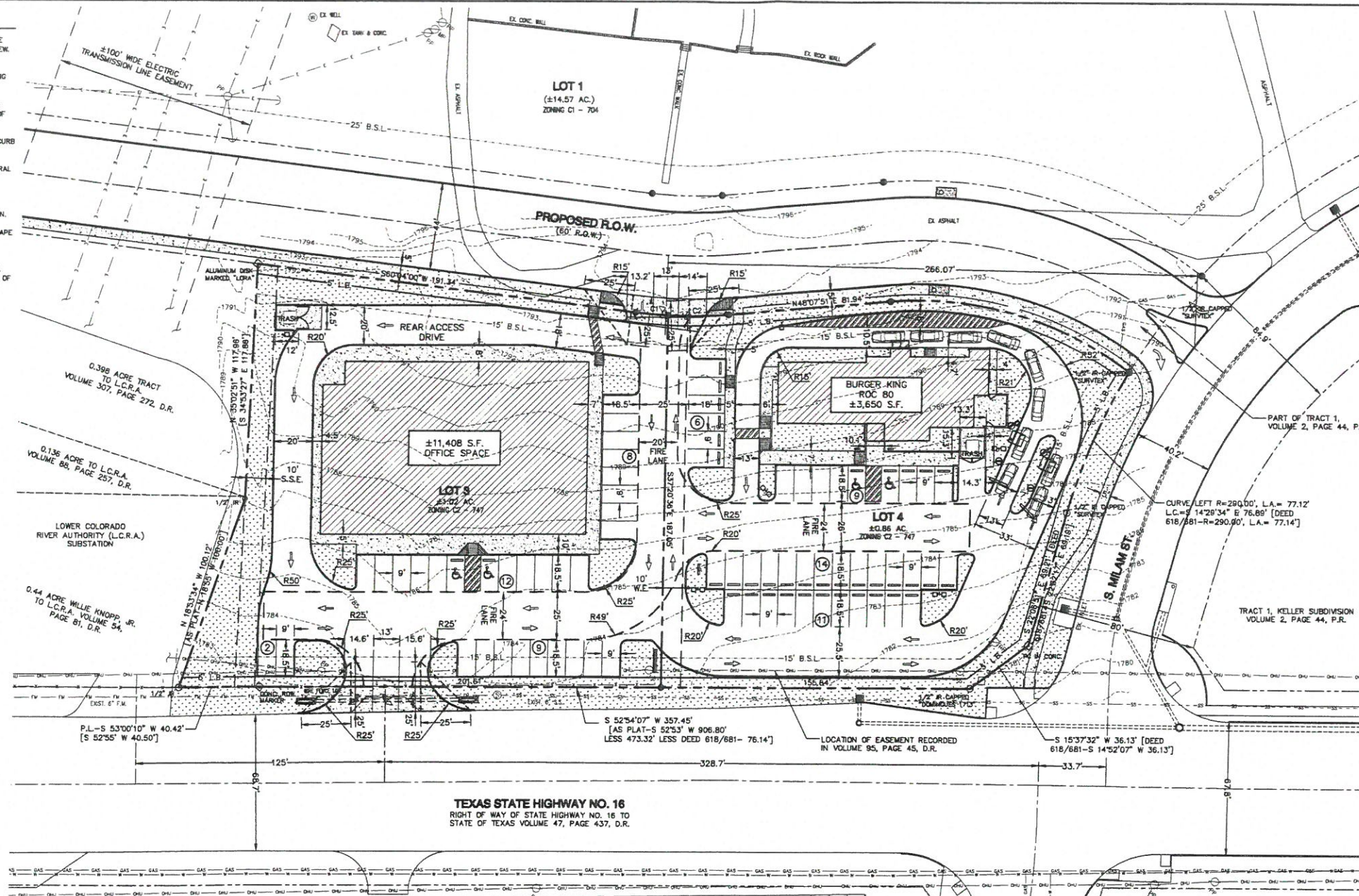
Site Lighting will utilize "Dark Sky" pole mounted fixtures which meet Burgerking's illumination level requirements for safety and security and incorporate Fredericksburg's design goals. Submissions will be forthcoming for review.

Service Areas

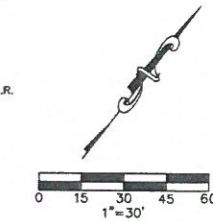
Waste receptacle area and service court will be enclosed with a min. 7'-8" high, stucco covered, stone trimmed, cmu wall. Gates to be galvanized steel framed, galvalume metal covered of similar height.

NOTES:

1. THIS DRAWING AND SERVICES BY VCI DO NOT INCLUDE SUBMISSION TO ARCHITECTURAL BARRIERS FOR ADA REVIEW. REVIEW, IF REQUIRED, IS BY OTHERS.
2. SIDEWALK FROM HANDICAP PARKING AREA TO BUILDING ENTRANCES MUST COMPLY WITH ALL ADA GUIDELINES.
3. THE DRAWING AND SERVICES BY VCI DO NOT INCLUDE "AS-BUILT" INSPECTIONS NOR SERVICES PAST DELIVERY OF THIS DRAWING.
4. ALL DIMENSIONS ARE MEASURED BACK TO BACK OF CURB UNLESS OTHERWISE NOTED.
5. ALL BUILDING DIMENSIONS DERIVED FROM ARCHITECTURAL DRAWINGS. DUE TO THE INHERENT INACCURACY OF REPRODUCTION, DO NOT SCALE FROM THESE DRAWINGS.
6. CONTRACTOR SHALL VERIFY ALL DIMENSIONS WITH ARCHITECT AND OWNER PRIOR TO START OF CONSTRUCTION.
7. REFER TO LANDSCAPE ARCHITECT PLANS FOR LANDSCAPE AREAS.
8. THE LOCATION OF EXISTING UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE BASED ON AVAILABLE RECORDS. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR IS FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MAY OCCUR DURING CONSTRUCTION.
9. FIRE LANE SHALL BE MARKED PER CITY STANDARDS.
10. THIS IS NOT A PROPERTY SURVEY. ANY QUESTIONS CONCERNING PROPERTY CORNERS, PROPERTY LINES, PROPERTY BOUNDARIES AND/OR SET BACKS SHOULD BE DIRECTED TO AND/OR VERIFIED BY A REGISTERED PROFESSIONAL LAND SURVEYOR.



LOCATION MAP
SCALE: 1" = 2,000'



Curve Table					
Curve #	Length	Radius	Delta	CHORD LENGTH	CHORD
C1	16.467	225,000	41°1'36"	16.46'	N57°58'12"E
C2	30.405	225,000	7°44'33"	30.38'	N52°00'08"E
C3	127.963	175,000	41°53'44"	125.13'	S69°04'43"W

RECEIVED
MAY 31 2016

SUMMARY TABLE

LOT 3		LOT 4	
LOT AREA	43,282 sq. ft. / 0.99 Ac.	LOT AREA	37,450 sq. ft. / 0.86 Ac.
ZONING	C2 - COMMERCIAL	ZONING	C2 - COMMERCIAL
MINIMUM LOT AREA	5,000 sq. ft.	MINIMUM LOT AREA	5,000 sq. ft.
MINIMUM LOT WIDTH	70 ft.	MINIMUM LOT WIDTH	70 ft.
MINIMUM FRONT YARD SETBACK	15 ft.	MINIMUM FRONT YARD SETBACK	15 ft.
MINIMUM STREET SIDE YARD SETBACK	15 ft.	MINIMUM STREET SIDE YARD SETBACK	15 ft.
MINIMUM SIDE YARD SETBACK (INTERIOR)	0 ft.	MINIMUM SIDE YARD SETBACK (INTERIOR)	0 ft.
MINIMUM REAR YARD SETBACK	0 ft.	MINIMUM REAR YARD SETBACK	0 ft.
MAXIMUM STRUCTURAL HEIGHT	3 STORIES, 38 ft.	MAXIMUM STRUCTURAL HEIGHT	3 STORIES, 38 ft.
PROPOSED STRUCTURAL HEIGHT	1 STORY, 25 ft.	PROPOSED STRUCTURAL HEIGHT	1 STORY, 25 ft.
MAXIMUM LOT BUILDING COVERAGE	75%	MAXIMUM LOT BUILDING COVERAGE	75%
LOT BUILDING COVERAGE PROVIDED	25%	LOT BUILDING COVERAGE PROVIDED	9%
PROPOSED BUILDINGS AREA	11,408 sq. ft. / 0.26 Ac.	PROPOSED BUILDINGS AREA	3,650 sq. ft. / 0.08 Ac.
MAXIMUM LOT IMPERVIOUS COVERAGE	80%	MAXIMUM LOT IMPERVIOUS COVERAGE	80%
PROPOSED IMPERVIOUS PERCENTAGE	80%	PROPOSED IMPERVIOUS PERCENTAGE	78%
PERVIOUS AREA	8,605 sq. ft. / 0.20 Ac.	PERVIOUS AREA	8,276 sq. ft. / 0.19 Ac.
IMPERVIOUS AREA	34,677 sq. ft. / 0.79 Ac.	IMPERVIOUS AREA	29,174 sq. ft. / 0.67 Ac.
PARKING SPACES REQUIRED (1 PER 400 sq. ft.)	29	PARKING SPACES REQUIRED - PROPOSED 1,246 sq. ft. DINING & SERVICE AREA (3 PER 100 sq. ft. OF SERVICE & DINING AREA)	39
PARKING SPACES PROVIDED (INCLUDES H.C.)	31	PARKING SPACES PROVIDED (INCLUDES H.C.)	40
HANDICAP PARKING SPACES REQUIRED	1 STD. + 1 VAN	HANDICAP PARKING SPACES REQUIRED	1 STD. + 1 VAN
HANDICAP PARKING SPACES PROVIDED	1 STD. + 1 VAN	HANDICAP PARKING SPACES PROVIDED	1 STD. + 1 VAN

LEGEND	
EXISTING	PROPOSED
PROPERTY BOUNDARY	PROPOSED BUILDING
ADJACENT PROPERTY BOUNDARY	PROPOSED CONCRETE PAVING
BUILDING SETBACK LINE	PROPOSED ASPHALT PAVING
EXISTING WATER LINE	PROPOSED PARKING STRIPE
EXISTING SANITARY SEWER	PROPOSED LANDSCAPE AREAS
EXISTING GAS LINE	PROPOSED EASEMENT
EXISTING OVERHEAD UTILITY LINE	PROPOSED 5' LANDSCAPE BUFFER
EXISTING ROAD CENTERLINE	PROPOSED FIRE LANE
EXISTING EASEMENT	PROPOSED CONCRETE CURB
EXISTING CONTOURS	PROPOSED ROAD CENTERLINE
EXISTING FENCE LINE	TRIANGULAR VISIBILITY
EXISTING STORM SEWER	PROPOSED CULVERT
EXISTING CURB INLET	
IRON ROD FOUND	
PROPERTY CORNER (AS NOTED)	
IRON ROD SET	
EXISTING WATER WELL	
EXISTING SANITARY SEWER MANHOLE	
EXISTING UTILITY POLE	
EXISTING STORM MANHOLE	
EXISTING DROP INLET	

A SITE PLAN FOR BURGER KING & RETAIL SPACE

LOT NO. 3 AND 4 OUT OF THE
KELLER SUBDIVISION, ±1.06 ACRES TOTAL

ST. JUSTE MANAGEMENT CORP. DEVELOPER
CONTACT: ROBES ST. JUSTE (21) 366-9900
P.O. BOX 546 FREDERICKSBURG, TX 78624 FAX: (210) 399-9901

VCI CONSULTING ENGINEERS ENGINEER
CONTACT: KEVIN W. SPRAGGINS (830) 997-4744
507-D E. HIGHWAY ST. FREDERICKSBURG, TX 78624 FAX: (830) 997-6967
Texas Registration # F-165



SOUTH HWY 16 ELEVATION



WEST ELEVATION

PROPOSED BURGERKING RESTAURANT - FREDERICKSBURG, Tx.



NORTH ELEVATION

PROPOSED BURGERKING RESTAURANT - FREDERICKSBURG, Tx.



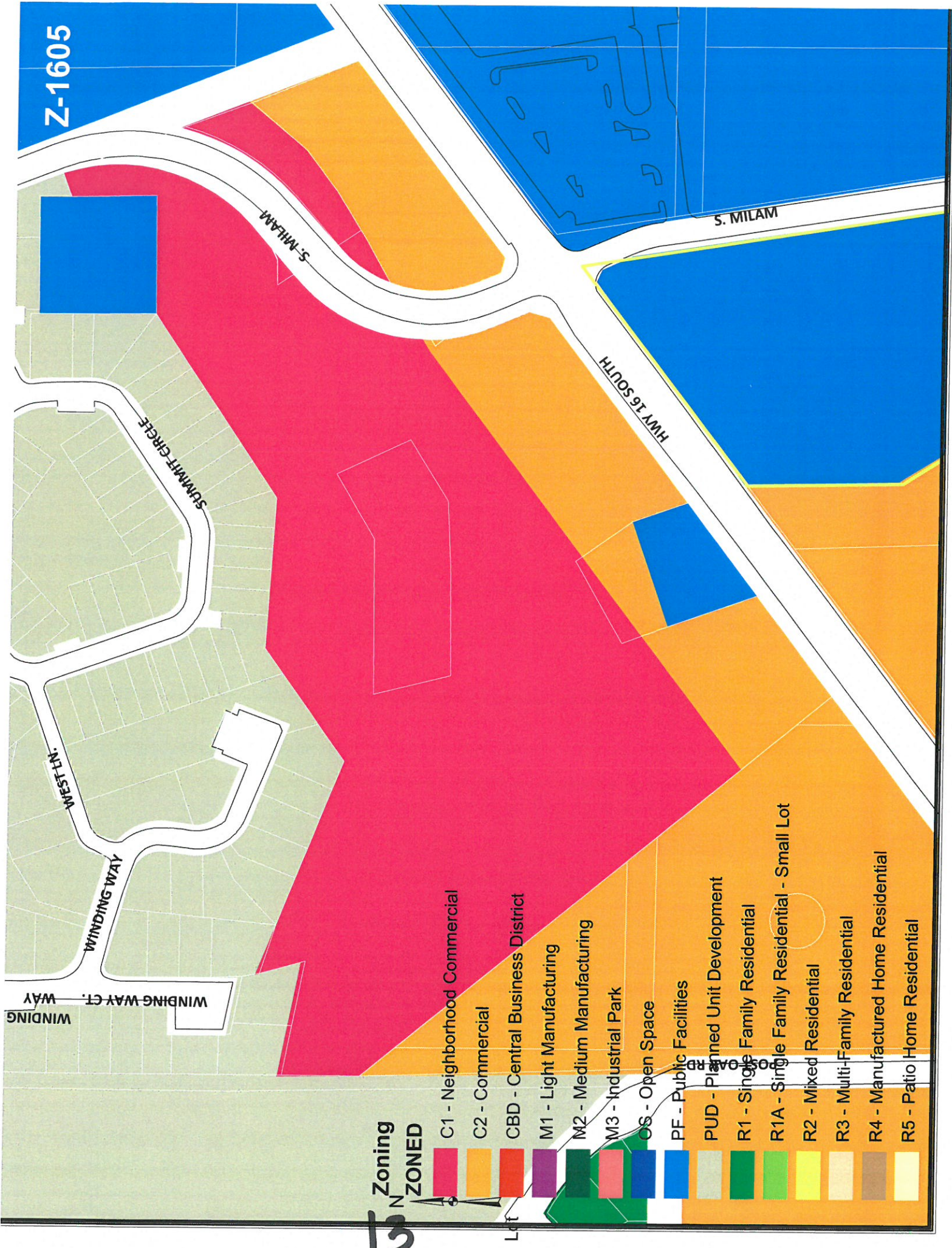
20/20 GARDEN GRILL PHOTOS

GENERAL INFORMATION

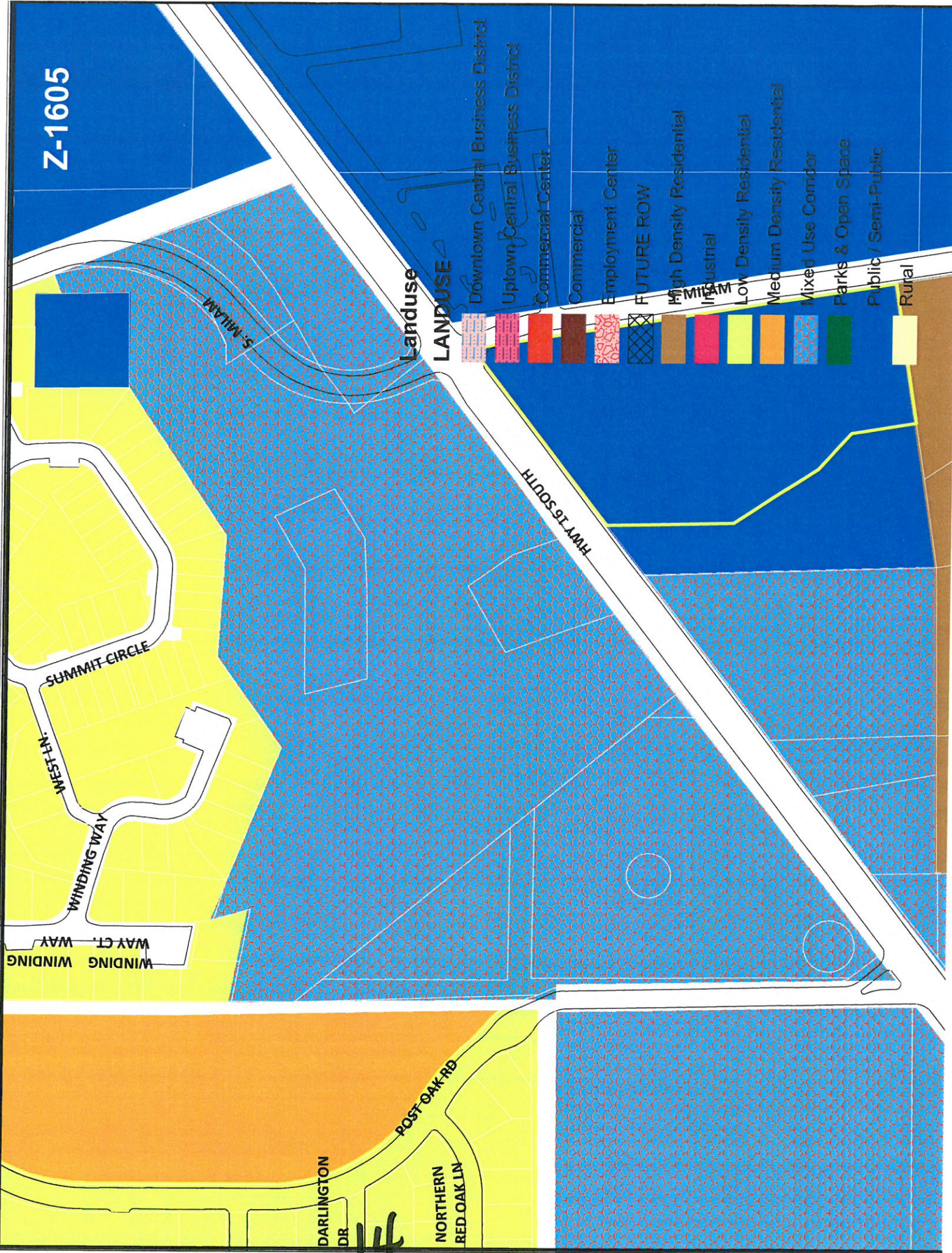


Dining room: general view

Use of copy varies by country. All visuals, copy and the product names need to be cleared locally. Burger King Global Brand Management team and Burger King Legal team must approve use of copy prior to its release.



Z-1605



Landuse

LANDUSE

Downtown Central Business District

Uptown Central Business District

Commercial Center

Commercial

Employment Center

FUTURE ROW

High Density Residential

Industrial

Low Density Residential

Medium Density Residential

Mixed Use Corridor

Parks & Open Space

Public / Semi-Public

Rural

HWY 16 SOUTH

SUMMIT CIRCLE

WESTERN

WINDING WAY

WINDING WAY CT.

DARLINGTON DR

POST OAK RD

NORTHERN RED OAK LN

S. MILLAM



[illegible]

Z-1605



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

HEARING

DATE: JUNE 8, 2016

TIME: 5:30 PM

REQUEST

NUMBER: Z-1605

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 Land Use and a change in Zoning with a Conditional Use Permit.

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: JUNE 20, 2016

TIME: 6:00 PM

REQUEST

NUMBER: Z-1605

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

APPLICANT: Kevin Spraggins of VEI Engineering on behalf of St. Juste Management Corporation

LOCATION: A 1.88 acre tract of land located on S. State Hwy 16, west of S. Milam Street
(see accompanying map)

REQUEST: Conditional Use Permit to allow a drive through facility associated with a fast food restaurant

(DETACH HERE)

REQUEST NO. Z-1605

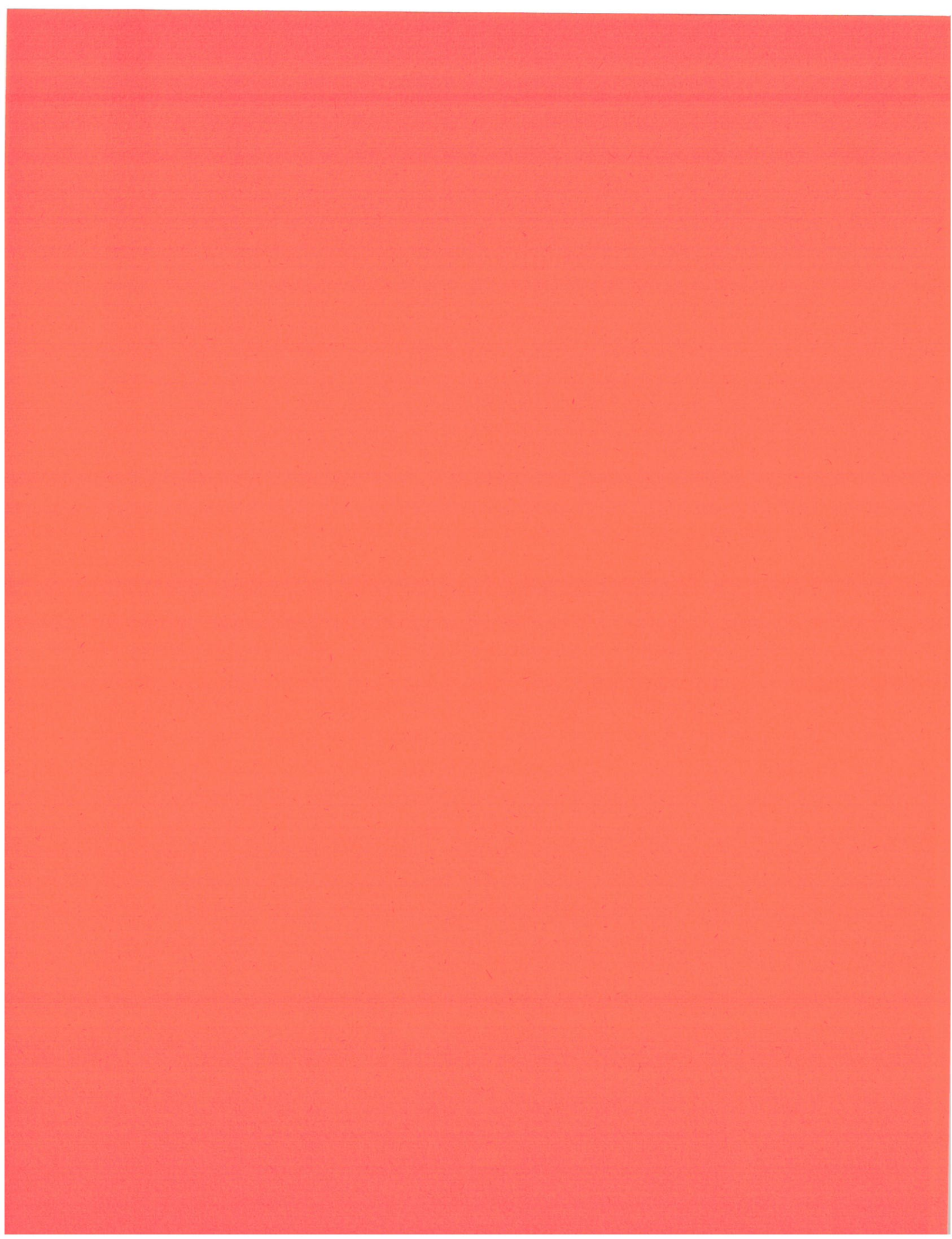
As an interested property owner, I (Protest)(Approve) the requested zoning amendment represented by the above file number because:

Signed _____

Date _____

Printed Name _____

Address _____



**PRELIMINARY PLAT
BACKGROUND INFORMATION
June, 2016**

File Number: P-1609

Subdivision Name: Keller Subdivision

Location: Northwest of the intersection of Milam Street and Highway 16 South. (see attached map)

Tract Size: 18.47 acres

Number: 4 lots.

Size of Lots:
Lot 1 – 14.34 acres
Lot 2 – 0.62 acres
Lot 3 – 1.02 acres
Lot 4 – 0.86 acres

Roadways: The property has frontage on Milam Street and Highway 16 South. The right-of-way width for each of these roadways is established. Access to the site is proposed from both Milam Street and Highway 16 South. On Milam Street, a new interior street is proposed to serve the subject property. On Highway 16 South, an existing drive located east of the electric substation will be utilized as well as the proposed interior street. On Milam Street, the proposed drive will be designed as a right-in and right-out configuration. Both drives on Highway 16 South are subject to TXDOT approval.

Right-of-way Dedications: The proposed interior street will contain 60' of right-of-way.

Utilities: Water and sanitary sewer lines will be extended to serve each of the proposed lots within the subdivision.

Easements: Electric Transmission Line Easement, and various water and waste water easements.

Easements Abandoned: NA

Stormwater Detention: The site is divided into two different watersheds. The west side of Lot 1 and all of Lot 2 flow one direction, and the remainder of the property flows into the regional detention pond at the Consolidated Warehouse.

P&Z Action: Final approval

Staff Recommendation:

Approval

Conditions:

Approval of the Final Plat and construction plans prior to release for construction.



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: Keller Subdivision

Project Address: State Highway 16 and South Milam St.

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:

Jurisdiction: ☒ City Limits ☐ ETJ Total Acres: 18.47 Ac. No. of Lots: 4 Lots

Original Survey & Abstract No:

Legal Description: Keller Subdivision Lot 2R-PT

Current Land Use Plan: Mixed Use Corridor

Proposed Land Use Plan:

Current Zoning: C1-Neighborhood Commercial & C2 - Commercial

Proposed Zoning:

Location: State Highway 16 and South Milam St.

Proposed Use(s): Commercial

Applicant's Signature

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

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: [Handwritten Signature]

Printed Name: KEVIN SPRAGGINS Date: 5/9/2016

Staff Use Only Application No.: P-1610 Date: 5-9-16

*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):

Owner Name: Ida Mae Keller

Address: P.O. Box 546, Fredericksburg, TX 78624

Phone:

Fax:

Email:

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

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

Firm Name (if applicable): ReMax

Address: 116 E. Austin St., Fredericksburg, TX 78624

Primary Contact Name: Dennis Kusenberger

Phone: 830-990-8708

Fax: 830-990-8906

Email: dennisk@kusey.com

Secondary Contact Name:

Phone:

Fax:

Email:

III. Applicant

Firm Name (if applicable): VEI Consulting Engineers

Applicant Name (s): Kevin Spraggins, P.E.

Address: 507-D East Highway St., Fredericksburg, TX 78624

Phone: 830-997-4744

Fax: 830-997-6967

Email: kspraggins@vei-tx.com

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:

P-1610

HIGHWAY ST.

S. MILAM

THURGOOD SYNGES RD.

S. MILAM

SUMMIT CIRCLE

WINDING WAY

WINDING WAY CT.

POST OAK RD.



1 inch = 257'

22



According to Title Commitment No. 210-161, this tract is subject to: Easement from E. E. Hahn and Ad. Gold to West Texas Utilities Company, recorded in Volume 35, page 227, of the Deed Records of Gillespie County, Texas. The description of the easement is too vague to determine its location at the property, or if it effects the property, and there is no existing utility line on the property that conforms to the description.

Easement from E. E. Hahn and Ad. Gold to West Texas Utilities Company, recorded in Volume 35, page 228, of the Deed Records of Gillespie County, Texas. The description of the easement is too vague to determine its location at the property, or if it effects the property. But there is an existing utility line on the property that may conform to the description. The description call for the utility line to run in a direction of S.20.400E., the existing line run a direction of S.181E. This easement was amended by Ida Mae Keller, April 14, 1999, recorded in Volume 374, page 751, of the Real Property Records of Gillespie County, Texas.

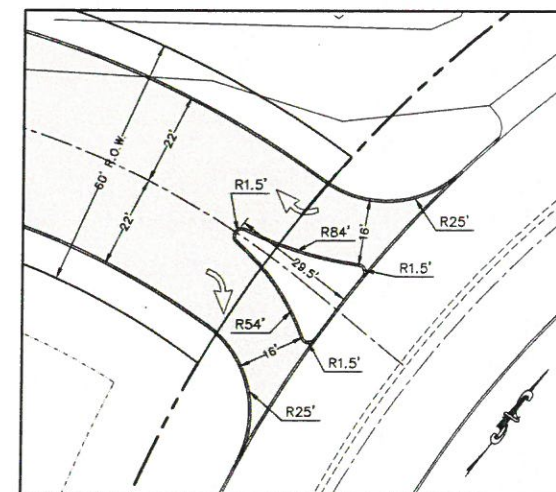
Easement from Willie Knapp, Jr. and wife, Emma Knapp, to West Texas Utilities Company, recorded in Volume 35, page 232, of the Deed Records of Gillespie County, Texas. The description of the easement is too vague to determine its location at the property, or if it effects the property. But there is an existing utility line on the property that may conform to the description. The description call for the utility line to run in a direction of S.20.400E., the existing line runs a direction of S.181E.

Easement from Melton Keller to Lower Colorado River Authority, recorded in Volume 63, page 35, of the Deed Records of Gillespie County, Texas. The description of the easement is too vague to determine its location at the property because the description references is to an existing 69 Kv line that does not exist any longer. But the easement is in the general area of the electric transmission lines as indicated on this map.

Final Judgment rendered in Cause No. 4074, in the 216th Judicial District Court of Gillespie County, Texas. This is depicted on this map at the far west property line.

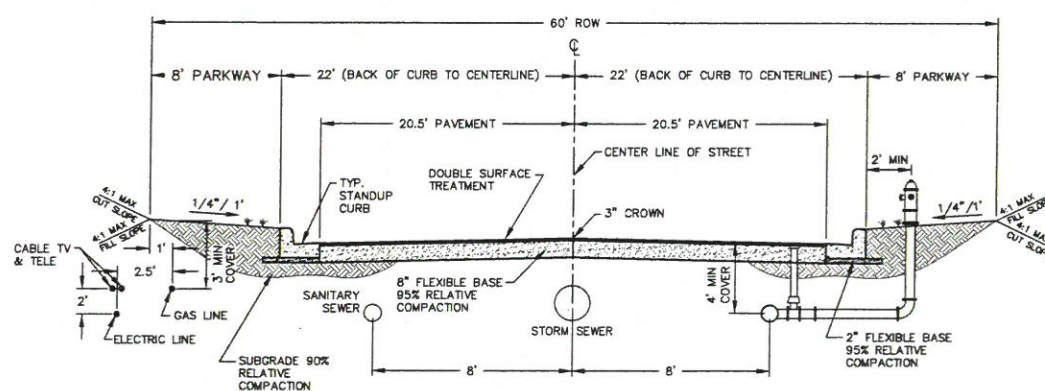
Easements conveyed in Deed from Melton Keller to the City of Fredericksburg, recorded in Volume 68, page 573, of the Deed Records of Gillespie County, Texas. Part of the road easement and water line location, as described in the deed, is shown at the northeast corner of the property.

Electric Transmission Line Easement from Melton Keller and wife, Ida Mae Keller, to the City of Fredericksburg, recorded in Volume 95, page 45, of the Deed Records of Gillespie County, Texas. Easement correction recorded in Volume 268, page 525, of the Real Property Records of Gillespie County, Texas. See map for easement location. Right of Way Easement from Melton Keller Estate to Central Texas Electric Cooperative, Inc., recorded in Volume 190, page 620, of the Deed Records of Gillespie County, Texas. This is a unidentified blanket easement of utilities to be placed along the roads and streets abutting the Keller property.

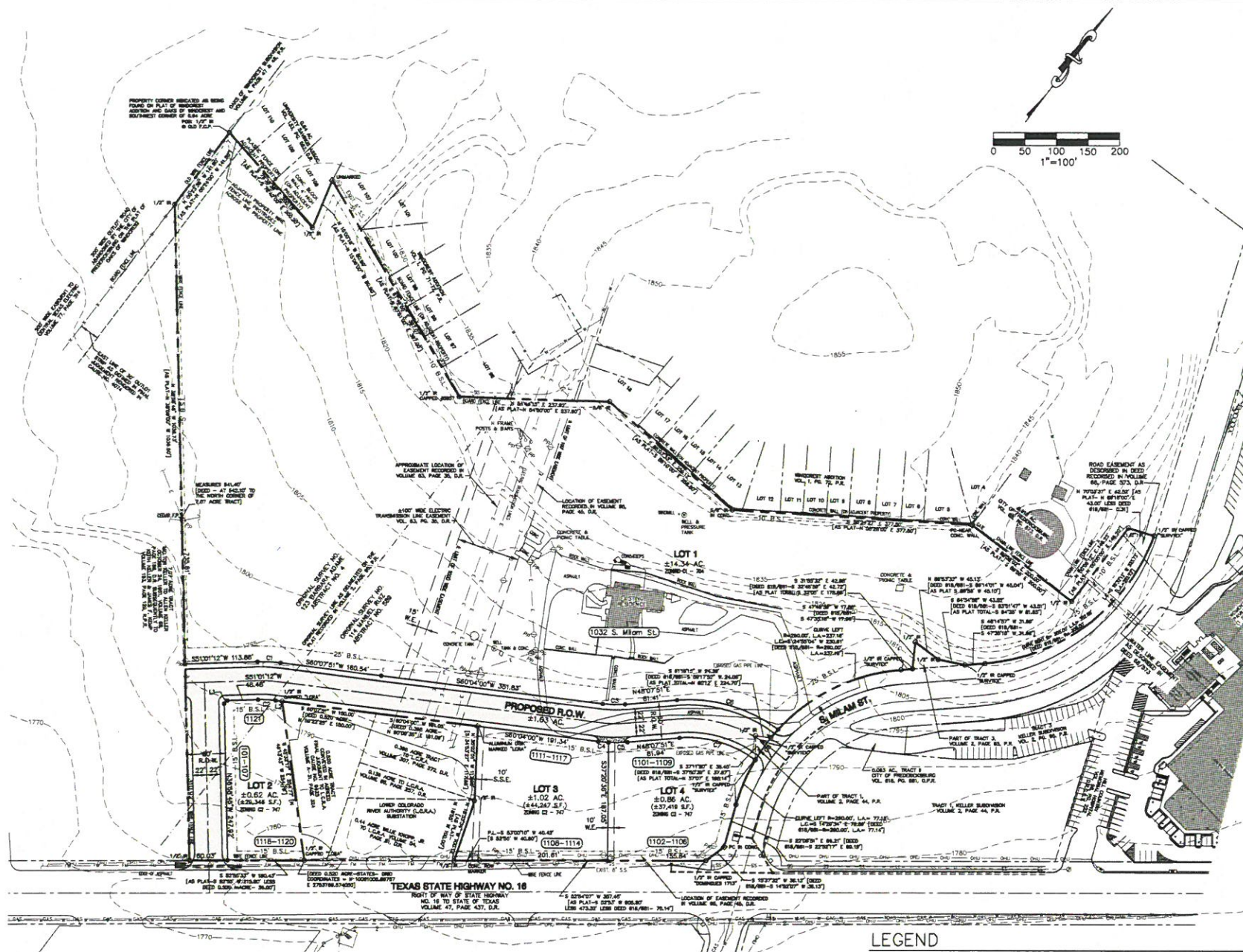


PROPOSED ROAD ENTRY @ S. MILAM ST.

SCALE: 1" = 20'-0"



TYP. 60' ROADWAY SECTION (CITY OF FREDERICKSBURG)
N.T.S.



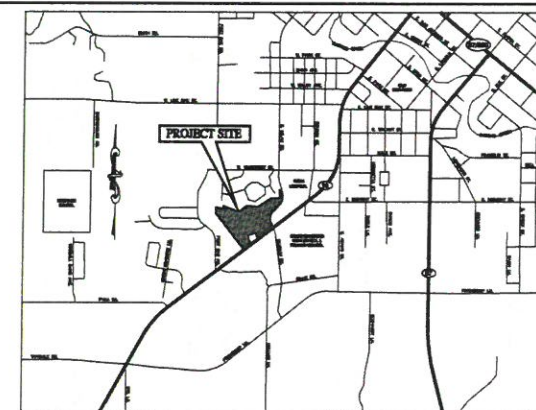
LEGEND

- EXISTING STRUCTURES
- PROPOSED ASPHALT PAVING
- PROPERTY BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- X' B.S.L.--- BUILDING SETBACK LINE
- 1800--- EXISTING CONTOURS (AS SCALED FROM BOVAY MAP)
- EXISTING EASEMENTS
- EXISTING FENCE LINE
- EXISTING ROAD CENTERLINE
- PROPOSED ROAD CENTERLINE
- PROPOSED LOT LINE
- PROPOSED EASEMENT
- EXISTING WATER LINE
- EXISTING SANITARY SEWER LINE
- EXISTING ELECTRIC LINE
- EXISTING OVERHEAD UTILITIES
- EXISTING GAS LINE
- EXISTING STORM SEWER
- EXISTING WATER WELL
- EXISTING MANHOLE
- EXISTING UTILITY POLE
- W.E. WATER EASEMENT
- S.S.E. SANITARY SEWER EASEMENT
- PROPOSED ADDRESS NUMBERS

Curve Table				
Curve #	Length	Radius	Delta	CHORD LENGTH
C1	36.573	230.000	9°06'39"	36.53'
C2	27.827	175.000	9°06'39"	27.80'
C3	35.414	170.000	11°56'09"	35.35'
C4	16.467	225.000	4°11'36"	16.46'
C5	30.405	225.000	7°44'33"	30.38'
C6	170.824	235.000	41°38'56"	167.09'
C7	127.963	175.000	41°53'44"	125.13'
C8	60.111	294.405	11°41'55"	60.01'

Line Table		
Line #	Length	Direction
L1	7.07'	S6°01'12"W
L2	10.17'	S6°07'51"W

RECEIVED
MAY 31 2016



LOCATION MAP

SCALE: 1" = 2,000'

NOTES

- 1.) THE DEVELOPER DEDICATES THE SANITARY SEWER & WATER MAINS UPON COMPLETION BY THE DEVELOPER AND ACCEPTANCE BY THE CITY OF FREDERICKSBURG. THE CITY OF FREDERICKSBURG WILL OWN AND MAINTAIN WITHIN TWO (2) YEARS OF ACCEPTANCE OF SAID SEWER & WATER MAINS LOCATED WITHIN THIS SUBDIVISION PLAT.
- 2.) DAMAGE BY ANY UTILITY COMPANY TO ANY STRUCTURES, FENCES, WALLS, OR LANDSCAPING OF ANY KIND PLACED WITHIN THE LIMITS OF THE EASEMENTS SHOWN ON THIS PLAT WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER. NO LANDSCAPING OR OTHER MODIFICATIONS ALTERING THE CROSS-SECTIONS OF DRAINAGE EASEMENTS ARE ALLOWED WITHOUT APPROVAL BY THE CITY OF FREDERICKSBURG. THE CITY OF FREDERICKSBURG SHALL HAVE THE RIGHT TO REQUIRE THE PROPERTY OWNERS TO REMOVE ANY OBSTRUCTIONS PLACED WITHIN THE PRIVATE DRAINAGE EASEMENTS AND THE RIGHT TO REQUIRE THE PROPERTY OWNERS MAKE MODIFICATIONS OR IMPROVEMENTS WITHIN THE EASEMENTS FOR PUBLIC WELFARE.
- 3.) DRAINAGE EASEMENTS ARE TO BE MAINTAINED BY PROPERTY OWNERS AND ACCESS TO BE GIVEN TO DEVELOPER OR AUTHORIZED PERSONS FOR ANY ADDITIONAL CONSTRUCTION, MAINTENANCE, OR REPAIR OF ANY STRUCTURE WITHIN ANY DRAINAGE EASEMENT.
- 4.) NO ONE SHALL INTERFERE WITH ANY NATURAL DRAINAGE PATTERN OR CONSTRUCTED DRAINAGE SYSTEM ESTABLISHED BY THE DEVELOPMENT BY ALTERING ANY SLOPES, CONSTRUCTING OR DESTROYING ANY RETAINING WALL OR OBSTRUCTING OR CHANGING THE CONTOUR OF ANY CHANNEL, SWALE, OR EMBANKMENT, OR TAKING ANY OTHER ACTION WHICH WILL OR IS LIKELY TO RETARD, CHANGE, OR INTERFERE WITH DRAINAGE OR CREATE EROSION WITHIN THIS AREA.

A
PRELIMINARY PLAT
FOR

KELLER
SUBDIVISION

ALL THAT CERTAIN TRACT OR PARCEL OF LAND, LYING AND BEING SITUATED IN THE COUNTY OF GILLESPIE, STATE OF TEXAS, COMPRISING 18.47 ACRES, MORE OR LESS, BEING PART OF TRACT 28, OF THE KELLER SUBDIVISION, ACCORDING TO RESUBDIVISION PLAT RECORDED IN VOLUME 2, PAGE 95, OF THE PLAT RECORDS OF GILLESPIE COUNTY, TEXAS; WHICH IS A RESUBDIVISION OF TRACT 2, RECORDED IN VOLUME 2, PAGE 44, OF THE PLAT RECORDS OF GILLESPIE COUNTY, TEXAS; BEING A PORTION OF A 101-ACRE TRACT CONVEYED TO MELTON KELLER, RECORDED IN VOLUME 55, PAGE 449, OF THE DEED RECORDS OF GILLESPIE COUNTY, TEXAS; WHICH TRACT IS OUT OF ORIGINAL SURVEY NO. 114, MANUEL RUIZ, ABSTRACT NO. 589; AND ORIGINAL SURVEY NO. 123, BARBARA ADAMS, ABSTRACT NO. 4; AND WHICH TRACT IS PART OF THE PROPERTY SHOWN ON THE MAP OF FREDERICKSBURG, TEXAS, AND ENVIRONS BY THE GERMAN EMIGRATION COMPANY, COMPRISING PART OF BLOCK VII, PART OF AN UNNUMBERED OUTLOT ADJOINING SOUTH OF BLOCK VII, PART OF OUTLOT NO. 80, PART OF OUTLOT NO. 74, PART OF OUTLOT NO. 73, AND PART OF OUTLOT STREETS OR ROADS ADJOINING SAID UNNUMBERED BLOCK

KELLER FAMILY

CONTACT: DENNIS KUSENBERGER
116 E. AUSTIN ST.
FREDERICKSBURG, TX 78624

DEVELOPER

(830) 990-8708

M.D.S. LAND SURVEYING CO.

CONTACT: JEFF BOERNER
8 SPENCER ROAD
BOERNE, TX 78006

SURVEYOR

(830) 816-1818
EMAIL: mdsinc@vtc.com
Texas License # 4939

VHI CONSULTING ENGINEERS

CONTACT: KEVIN W. SPRAGGINS
507-D E. HIGHWAY ST.
FREDERICKSBURG, TX 78624

ENGINEER

(830) 997-4744
FAX: (830) 997-6967
Texas Registration # F-165

DATE: 05/31/2016

FILE NO: 16040

SHEET: PL (1 OF 4)