

AGENDA
CITY OF FREDERICKSBURG
PLANNING & ZONNING COMMISSION

Wednesday, August 9, 2017

5:30 P.M.

LAW ENFORCEMENT CENTER, 1601 E. MAIN ST.

PAGE REF.

1. Call to Order

2. Approve minutes from the July 2017 Regular Meeting

Pp 1-2

PUBLIC HEARING

3. Consider (Z-1706) Conditional Use Permit to allow drive-throughs for two drive
Drive in/fast food restaurants at 1455 E. Main St.

Pp 3-16

4. Consider (Z-1708) Conditional Use Permit to allow a Bed & Breakfast unit on the
Ground floor in the CBD at 341 E. Main St.

Pp 17-29

MISCELLANEUS

ADJOURN

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

**PLANNING & ZONING COMMISSION
JULY 6, 2017
5:30 P.M.**

On this the 6th day of July, 2017 the PLANNING AND ZONING COMMISSION convened in regular Session at the Law Enforcement Center with the following members present to constitute a quorum:

PRESENT:

JANICE MENKING
JIM JARREAU
STEVE THOMAS
BILL PIPKIN
DARYL WHITWORTH
BILL PIPKIN
BRENDA SEGNER

ABSENT:

JIM WARREN
CHRIS KAISER
TIM DOOLEY

ALSO PRESENT:

BRIAN JORDAN – Director of Development Services
SHELBY COLLIER – Development Coordinator

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

PUBLIC HEARING

Consider (P-1715) Replat of Lot 10 of the Dechert Addition, into lot 10-AR and 10-BR at 807 – 809 E. Highway St.

Motion made to open Public Hearing by Jim Jarreau seconded by Daryl Whitworth. All voted in favor and the motion carried.

Mark Radle, the property owner, presented the application. He explained that he currently has a buyer that wants to separate the tracts into two lots. The smaller lot would include the existing house and total 12,252 sq. ft. The larger lot would be just over an acre at 47,425 sq. ft.

Darcy Stevens spoke in protest of the project. Her concern was the heavy traffic on Highway St. and the fact that this possible new lot would add another driveway fronting on Highway St. Her request was for the Commission to research the traffic flow and convergence of three driveways at 805, 806, and 807 E. Highway St.

Motion made to close Public Hearing by Daryl Whitworth seconded by Jim Jarreau. All voted in favor and the motion carried.

Brian Jordan, Director of Development, stated this application is a request to turn one lot into two. This project will still undergo the technical review. This lot has frontage on existing ROW for a Mesquite St

extension. The property is zoned R2 and a driveway is planned off of Highway St. City Staff recommends approval.

Jim Jarreau asked Brian for clarification on the Mesquite St extension. The question was if the owner chose to have access off of the currently nonexistent Mesquite St, the owner would have to build the street. Brian confirmed yes, the responsibility to build the street would fall on the owner.

Motion made to approve Application P-1715 by Jim Jarreau seconded by Steve Thomas. All voted in favor and the motion carried.

MINUTES

Jim Jarreau moved to approve the minutes of the July, 2017 meeting and Steve Thomas seconded the motion. All voted in favor and the motion carried.

ADJOURN

With nothing further to come before the Commission, Jim Jarreau moved to adjourn. Brenda Segner seconded the motion. All voted in favor and the meeting was adjourned at 6:08 p.m.

PASSED AND APPROVED this 9th day August, 2017.

SHELLEY BRITTON, Secretary

JANICE MENKING, Chairman

CONDITIONAL USE PERMIT BRIEF

Request Z-1706

Applicant/Owner: Jen Henderson with Hagood Engineering Associates on behalf of Tacala

Location: 1455 E. Main Street

Existing Zoning: M2, Medium Manufacturing District

Request: Conditional Use Permit for drive - through's associated with two drive in-fast food restaurants (Taco Bell and Starbucks).

Site Plan Overview:

- The property contains approximately 1.9 acres and is located between the LaQuinta Hotel and the Walmart parking lot (see attached aerial map).
- The applicant is proposing 2 drive in/fast food restaurants, both with drive through lanes.
- The property will be divided into two lots.
- The properties will share one detention pond and joint access driveway. There is a center turn lane in Main Street adjacent to this property.
- The site contains considerable slope from west to east, and will require significant grading and retaining walls.
- The surrounding zoning is C-2 Commercial to the south and PUD to the west and north.
- Utilities are available on or adjacent to the site.
- Surrounding land uses include the Walmart parking lot to the west and north, the reclamation plant to the east and the LaQuinta hotel to the south.

Review and Evaluation Criteria:

A. CONFORMANCE WITH APPLICABLE REGULATIONS:

- The site complies with applicable zoning regulations.

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

- We anticipate the proposed uses to be compatible with surrounding uses.

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

- We do not expect the proposed use to have a negative affect on adjacent properties.

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

- Given the constraints of the site, it was suggested by staff early in the process that cross access onto one of the adjoining properties be considered, and that buildings be repositioned to avoid on-site utilities. The applicant has been unable to secure cross

access, but has made significant changes to the layout originally submitted to avoid conflicts with existing utilities on site.

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

- The site will be served by a single drive to be shared between the two uses. The drive will be configured with two exiting lanes and a single ingress lane. There is a center turn lane in E. Main Street that will serve this property. The fact that Taco Bell and Starbucks have different peak traffic times helps tremendously with regard to site configuration (see the attached letters explaining peak use times).
- A sidewalk is required adjacent to this property along E. Main Street. The sidewalk is shown in the TxDOT ROW. TxDOT approval will be required including verification that future construction of sidewalk does not adversely impact stormwater conveyance within TxDOT ROW. Additionally, it is unclear if TxDOT will allow a connection to the existing concrete flatwork to the south along US 290E since in previous discussions, they have indicated they do not consider the improvements a sidewalk.

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

- We do not anticipate these items being a concern for this project. Adequate fire protection is provided.

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

- The applicant intends to use LED lighting and has stated that external lighting will be ordinance compliant. Signs will be subject to the existing sign ordinance. An example of the Taco Bell sign is attached.

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

- There are 31 parking spaces provided on the Taco Bell site and 25 spaces on the Starbucks site. Therefore, adequate parking is being provided. In addition to parking, each site appears to contain adequate stacking for vehicles in the drive-through lanes.

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:

- We believe the proposed uses comply with the objectives of the subject and surrounding zoning.

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:

- Affirmative.

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:

- Approval of the Conditional Use Permit should be conditioned upon final approval of the Construction Plans. Engineering has concerns about the height and location of the proposed retaining wall adjacent to Walmart and wants to ensure that their issues are addressed as part of the Civil Construction Plans.

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

- Affirmative

DESIGN GUIDELINES FOR THE ENTRY CORRIDORS: The applicant has submitted the requisite plans for consideration of compliance with the Entry Corridor Design Guidelines. The location of this property along E. Main Street requires compliance with the adopted entry corridor design standards. The Planning and Zoning Commission has been given the responsibility of reviewing the applicant's proposal of addressing each of the applicable design items. These include architectural style, materials, colors and features, massing and scale, signage, building height, setbacks and frontage, landscaping, lighting, service areas, parking and access and drainage and storm water. The applicant has provided a response to each of these items. Staff has reviewed the plans and supports the design elements for Taco Bell. Starbucks will submit their plans prior to construction.

OPPOSITION/SUPPORT OF REQUEST: None to date.

STAFF RECOMMENDATION: Staff recommends approval of the Conditional Use Permit, conditioned upon the following:

1. Approval of the Civil Construction Plans prior to issuance of a building permit.
2. Approval by TxDOT of the driveway, utility improvements, drainage, and sidewalks within their right-of-way prior to issuance of a building permit.
3. Approval of a Landscape Plan prior to issuance of a building permit.

July 12, 2017



Brian Jordan, AICP, RLA
Director of Development Services
City of Fredericksburg
126 W. Main Street
Fredericksburg, TX 78624
830-997-7521
bjordan@fbgtx.org

Re: Tacala Subdivision – Conditional Use Permit (Taco Bell and Starbucks)
1455 Main Street
Engineers Letter of Explanation
HEA# 17-016-AR.CUP

Dear Mr. Jordan, Members of the Planning and Zoning Commission and Councilmembers:

We are pleased to present the application for a Conditional Use Permit on Lots 1 and 2 of the new Tacala subdivision around 1455 E. Main Street. The purpose of this procedure is for the review and discretionary approval of uses typically having unusual site development features or unique operating characteristics requiring special consideration so that they may be located, designed, and operated compatibly with uses on surrounding properties and within the City At Large. The special consideration for this lot and project is a drive through for a one-story restaurant building.

This lot is situated between present day Wal-Mart and LaQuinta. The site is 1.913 acres in total and will become two lots, 1.15 acres and 0.76 acres through the minor platting process. The proposal at this time is that Taco Bell will occupy the larger lot and Starbucks will occupy the smaller lot. Both lots will share one detention pond and one joint access driveway. The layout includes approximately 31 spaces for the Taco Bell site and 25 for the Starbucks site (28 and 21, respectively, are required by ordinance). Both lots include independent solid waste receptacles and both buildings will be one-story structures. Neither site is affected by the 100-year floodplain. The contours shown on the site plan associated with this application are 1 foot. A retaining wall will be required on the Taco Bell site and will be designed by a structural engineer. The maximum building height for both buildings is 22'-1" feet from the top of the sidewalk to the top of the parapet walls. Elevations have been included in this submittal for your consideration. The lighting (both building and site) will be LED and will be in compliance with the dark sky ordinance. There will be one new fire hydrant proposed with the site development permit. ADA access will be provided from both buildings to the right-of-way as shown on the site plan. The sight clearance through the site visibility triangle will be no less than 13'-6", as required by the International Fire Code for a fire truck to pass under.

Tacala Austin Corp.

A Franchisee of Taco Bell Corp.
425 Round Rock West
Suite 105
Round Rock, Texas 78681
Telephone: 512-327-4654
Fax: 512-327-4027



June 13, 2017

Brian Jordan, AICP, RLA
Director of Development Services
City of Fredericksburg
126 W. Main Street
Fredericksburg, TX 78624
830-997-7521
bjordan@fbgtx.org

Re: Tacala Subdivision Conditional Use Permit
HEA #17-016-CUP

Dear Mr. Jordan:

The Tacala subdivision, as presented in the conditional use permit application will be inclusive of two lots. Each lot will have a separate site development permit and each lot is proposed to have a standalone restaurant with a drive through. Lot 1 is proposed to have a Taco Bell and Lot 2 is proposed to have a Starbucks.

The Taco Bell peak hours are 11 AM to 10 PM. The average amount of vehicles in a store of similar size and character is 424 per day and a maximum of 35-40 per hour. The anticipated average wait time is 3 minutes and 30 seconds from the time the order is placed until the customer is exiting the drive through. The total seats inside of the building is 68.

Tacala, the local franchisee for Taco Bell, anticipates that this store volume will be similar to other stores in municipalities with similar population. Tacala currently operates 285 stores in 5 states and 88 stores in Texas and has well over 35 years of experience in the daily operation and function of Taco Bell. The Taco Bell franchise agreement is 25 years and we are confident that the Taco Bell will remain at this location for at least 25 years. At the end of the 25 years, the option of a 20 year franchise agreement renewal will be evaluated based on the actual sales and revenues of the store. Tacala is excited to open its first store in Fredericksburg and looks forward to an economic partnership in this area.

Our total investment will be in excess of \$1,000,000.00 for the land, building and equipment for this project in your city. It will create more than 35 jobs, add tax base for the city, county and

June 16, 2017

Brian Jordan, AICP, RLA
Director of Development Services
City of Fredericksburg
126 W. Main Street
Fredericksburg, TX 78624
830-997-7521
bjordan@fbgtx.org

Re: Tacala Subdivision Conditional Use Permit: Lot 2, Starbucks
HEA #17-016-CUP

Dear Mr. Jordan:

Thank you and the entire staff with the City of Fredericksburg for the warm reception and spirit of cooperation as we work to bring a Starbucks restaurant to Fredericksburg. My team has been working on this goal for several years and we believe we finally have a site that can get done. There is a lot of work left to do and several critical elements that must succeed for this project to happen; none more important than the conditional use permit for a drive through.

The average Starbucks freestanding store with a drive through experiences its peak drive through demand between the hours of 6:00 am and 11:00 am with a goal of less than three minutes from order to exit. This through put time is affected by the order, a straight black coffee order is much faster to service than a complex Frappuccino order. Estimated peak traffic is between 30 – 50 cars per hour through the drive through which accounts for as much as 80% of peak demand traffic.

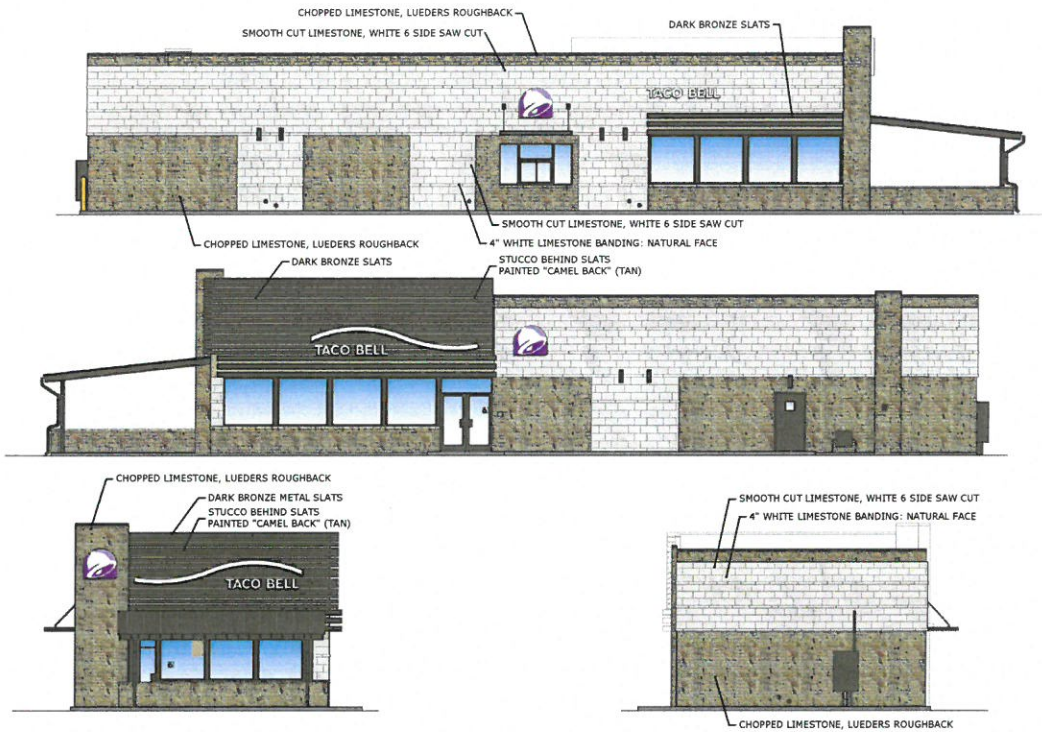
In addition to an estimated \$1,100,000 capital investment, Starbucks hires an average of 20-25 partners from the local community per store.

The store will be operated by Starbucks Corporation and we look forward to working with your team to bring this exciting opportunity to fruition.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael Beevers", written in a cursive style.

Michael Beevers
Heritage Ridge Investments, LLC



BANDING: WHITE,
SAW CUT T&B, NATURAL FACE

WHITE 6 SIDE SAW CUT



LUEDERS ROUGHBACK

STONE SELECTION BASED UPON
AVAILABILITY FROM
HILL COUNTRY STONE
KERRVILLE TX

Drawing is not intended for construction or for regulatory approval



HOOVER & ASSOCIATES, INC.
ARCHITECTS & PLANNERS
1407 W. 46TH STREET
AUSTIN, TEXAS 78756
512/467-2626 FAX 512/467-2655

0 10 20 30 40 50 60

Taco Bell Proposed Exterior Elevations

US 290
Fredericksburg TX 78624
Scale: 1/16" = 1'-0"
July 7, 2017



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: TACO BELL

Project Address: 1455 MAIN STREET FREDERICKSBURG, TX

Tax ID Number (s): 18483



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: 1.89

No. of Lots: 1

Original Survey & Abstract No:

Legal Description: ABS A0002 W H ANDERSON #197, 1.89 ACRES

Current Land Use Plan: VACANT
RESTAURANT WITH DRIVE THRU

Proposed Land Use Plan: FAST FOOD

Current Zoning: M2

Proposed Zoning: N/A

Location:

Proposed Use(s): FAST FOOD RESTAURANT WITH DRIVE THRU

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: [Signature]

Printed Name: Jan Henderson Date: 9/31/17

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): TACALA

Owner Name: DWAYNE KOSTIHA

Address: 425 ROUND ROCK WEST, STE. 105, ROUND ROCK, TX 78681

Phone: 737.209.7400

Fax:

Email:

DWAYNE.KOSTIHA@TACALA.COM

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

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

Firm Name (if applicable): HAGOOD ENGINEERING ASSOCIATES, INC.

Address: 900 E. MAIN STREET ROUND ROCK, TX 78664

Primary Contact Name: JEN HENDERSON

Phone: 512.244.1546

Fax:

Email: JENH@HEAENG.COM

Secondary Contact Name:

Phone:

Fax:

Email:

III. Applicant

Firm Name (if applicable): HAGOOD ENGINEERING ASSOCIATES

Applicant Name (s): SEE ABOVE

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): SEE ABOVE

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.





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

HEARING
DATE: **AUGUST 9, 2017**

TIME: **5:30 PM**

REQUEST
NUMBER: **Z-1706**

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 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: **AUGUST 21, 2017**

TIME: **6:00 PM**

REQUEST
NUMBER: **Z-1706**

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

APPLICANT: Tacala Corp.

LOCATION: 1455 E. Main St.

(see accompanying map)

REQUEST: Conditional Use Permit to allow drive-throughs for two drive in/fast food restaurants

(DETACH HERE)

REQUEST NO. Z-1706

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

Signed _____

Date _____

Printed Name _____

Address _____

Number	Owner	Address
1	City of Fredericksburg	126 W. Main Fredericksburg, TX 78624
2	Judy Feller	4400 Greystone Dr. Austin, TX 78731
3	Wal-Mart Real Estate Business Trust	P.O. Box 8050 Bentonville, AR 72712
4	JMMC Inc	1465 E. Main Fredericksburg, TX 78624
Z-1706		

CONDITIONAL USE PERMIT BRIEF
Request Z-1708

Applicant/Owner: Randy Stehling, Architect representing Gary and Maggie Klenzing

Location: 341 E. Main Street

Existing Zoning: CBD Central Business District

Request: Conditional Use Permit for a B&B unit on the ground floor in the CBD.

Site Plan Overview:

- Section 3.510 of the Zoning Ordinance, pertaining to the Historic Shopping District Overlay, amended in 2013, requires a Conditional Use Permit for a ground floor B&B unit in the CBD.
- The applicant is proposing a 2-story building near the intersection of E. Main Street and S. Washington Street with retail, a cocktail lounge and a B&B unit on the ground floor, and 5 B&B units on the second floor. A new parking area and pool will be added as well.
- The property will be combined with other existing improvements on the site including other B&B's and parking.
- The site has been reviewed by the Development Review Committee for compliance with development regulations (see the attached Site Plan).
- The existing Mahaley's restaurant building will be removed as will the driveways on Main Street and Washington Street.
- The surrounding zoning is PF, Public Facilities to the north and CBD to the east, south and west.
- Surrounding land uses include the Nimitz to the north, retail to the west and east, and B&B's to the south.

Review and Evaluation Criteria:

A. CONFORMANCE WITH APPLICABLE REGULATIONS:

- The site complies with applicable regulations. The owners would like to construct a front porch and balcony on front of the building facing Main Street and Washington Street. The portion on Main Street will encroach into the TxDOT right-of-way, as do most of the existing porches on Main Street. The City supports this design, and we are working with TxDOT to secure their approval as well.

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

- The applicant is proposing to have retail and a cocktail lounge in the portion of the building fronting on Main and Washington Streets. The proposed B&B is located on the interior of the building without frontage. The ordinance amendment adopted in 2013 requires the applicant to address the specific criteria established in Section 4.560 of the zoning ordinance pertaining to allowing a ground floor B&B unit. Please see attached response.

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

- We do not expect the proposed use to have a negative affect on adjacent properties.

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

- None.

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

- Sufficient and more efficient parking is being provided. In addition, the sidewalk will be re-constructed as part of this project. And, the curb at the corner of the property will be reconstructed in accordance with TxDOT approval.

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

- A fire sprinkler system will be provided for the building.

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

- No specific information is provided on the type of lighting to be utilized. All exterior lighting shall be ordinance compliant.

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

- Adequate parking is being provided.

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:

- We believe the layout of the ground floor is what was intended when the B&B ordinance was amended in 2013 (see attached).

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:

- Affirmative.

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:

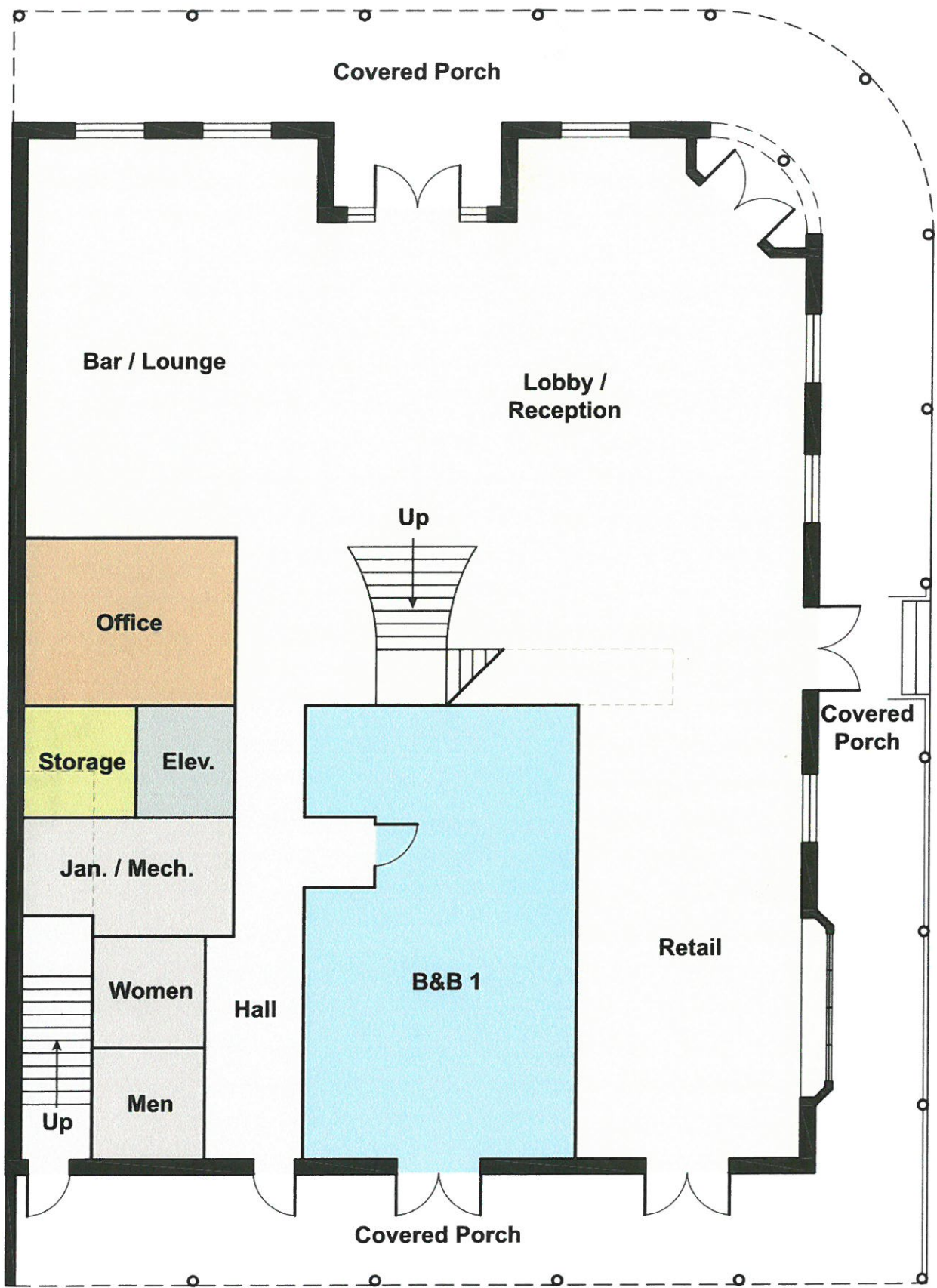
- Affirmative

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

- Affirmative

OPPOSITION/SUPPORT OF REQUEST: None to date.

STAFF RECOMMENDATION: Approval, conditioned upon TxDOT approval of improvements within the right-of-way.



First Floor Plan

August 3, 2017

Brian Jordan, AICP, Director of Development Services
City of Fredericksburg
126 West Main Street
Fredericksburg, TX 78624

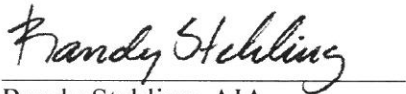
Re: SP – 1712, Response to criteria in Section 5.461 of the Fredericksburg Zoning Ordinance as it pertains to a ground floor B&B

Response to Section 5.461, Items A-F below:

- A. The ~~business~~ (ground floor B&B) will not:
- 1) Materially alter the general characteristic of the surrounding area of the small town German and Hill Country environment *because the use currently exists within this environment.*
 - 2) Detract from the uniqueness of, nor materially alter the identity of, the Historic Shopping District *because the use currently exists within the District. In addition, the proposed ground floor B&B unit is located in towards the rear of the building so that the spaces fronting pedestrian walkways are reserved for uses consistent with those found in the Historic Shopping District.*
 - 3) Contribute to the nationwide trend of standardized offerings. *Not applicable.*
 - 4) Impair the intent of this ordinance or the comprehensive plan of the City. *The proposed ground floor B&B is positioned within the building as such that it should not impair the intent of this ordinance. See response to A2.*
- B. Affirmative finding that the ~~business~~ (ground floor B&B) will:
- 1) Add diversity to the mix of businesses in the area including type of service, amusement, product, price range and the like. *Not Applicable*
 - 2) Complement those businesses already in the Historic Shopping District. *The proposed ground floor B&B will provide lodging opportunities to those visiting the businesses in the HSD.*
 - 3) Help promote and foster the local economic base as a whole. *The ground floor B&B will provide additional lodging for guests visiting the HSD.*
 - 4) Is currently existing in the District or is regionally or locally based or is serving a community need or local demand. *Not applicable*
- C. The Planning and Zoning Commission may recommend and the Council shall require that a ~~Standardized Business~~ (ground floor B&B):

- 1) Will not utilize or contain the features or attributes of a Standardized Business as defined above except the service, product or amusement, and a sign, no more than two square feet in size showing the franchise or business affiliation, if desired. *Not applicable*
 - 2) Be pedestrian oriented as opposed to automobile oriented, to encourage walking in the HSD. *The proposed ground floor B&B will be easily accessed from pedestrian paths and is immediately adjacent to businesses within the HSD.*
 - 3) Utilize a unique visual appearance that reflects or compliments the Historic character of the HSD, and not project a visual appearance that is homogeneous with its elements in other communities. *The character of the proposed building (limestone parapet walls, segmented arches, wrought iron rails and details, etc) will be compatible with the architecture found throughout the HSD.*
 - 4) Not be in such close proximity to Standardized Businesses to significantly destroy a mix of standardized businesses with other businesses. *Not applicable*
- D. The Planning and Zoning Commission may recommend and the Council may place other reasonable conditions upon the granting of the application which may not be specifically set out herein provided that such conditions promote the goals of this ordinance. It is specifically permitted that the City Council may place restrictions upon the operation of the business such as hours of operation to conform generally with other businesses in the area or the requirement of the addition of architectural features to maintain the character and architectural look of the area. *Understood*
- E. The burden of proof in conditional use proceedings shall be upon the applicant. The Council may require the applicant to submit a traffic study, prepared by a Registered Professional Engineer, approved by the Board, or to submit any other reasonable substantiation of the elements of the application. *Understood*
- F. The fact that a use may be more profitable or that a structure may be more valuable if the conditional use granted shall not be grounds for issuance of the permit. *Understood*

Sincerely,



Randy Stehling, AIA
Project Architect



SITE PLAN
1" = 20'



PROPERTY OWNER		LEGEND	
GARY AND MAGGIE KLENZING P.O. BOX 814 FREDERICKSBURG, TX 78624 830-992-1206		 EXISTING BUILDING  NEW CONCRETE SURFACE  NEW LANDSCAPING  CONCRETE PAVERS (EXACT PATTERN TBD)  PROPOSED BUILDING  PROPERTY LINE  EASEMENT BOUNDARY  OVERHEAD UTILITY LINE  FENCE  EXISTING GAS METER  EXISTING UTILITY POLE  EXISTING FIRE HYDRANT  PRELIMINARY DRAINAGE ARROWS	
NEW BUILDING AREA (GROSS S.F.)			
<u>FIRST FLOOR</u>			
CONDITIONED	4,216 S.F.		
NON-CONDITIONED	1,676 S.F.		
SUBTOTAL	5,892 S.F.		
<u>SECOND FLOOR</u>			
CONDITIONED	4,288 S.F.		
NON-CONDITIONED	1,604 S.F.		
SUBTOTAL	5,892 S.F.		
TOTAL	11,784 S.F.		

DEVELOPMENT NOTES

ZONED: CBD: CENTRAL BUSINESS DISTRICT
LOT SIZE (5,000 SF MIN.): 33,336 SF (.77 ACRES)*
* Area is the total of four lots to be platted into one lot.
SETBACKS: 0' FT FRONT YARD, SIDE YARD, INTERIOR SIDE YARD, AND REAR YARD
IMPERVIOUS COVERAGE: Existing: 28,059 SF
Proposed: 28,724 SF * = 86% (MAX. ALLOWED - 90%)
* Courtyard considered 100% impervious

ON-SITE PARKING REQUIREMENTS:
EXISTING 2 STORY B&B:
1 SPACE PER B&B UNIT = 8 SPACES
EXISTING 1 STORY RESIDENCE:
2 SPACES PER DWELLING UNIT = 2 SPACES
EXISTING 1 STORY GUEST HOUSE:
1 SPACE PER UNIT = 1 SPACE
NEW BUILDING:
1 SPACE PER B&B UNIT = 6 SPACES
RETAIL: 1SPACE PER 400 SF
570 SF / 400 = 1.4 (1) SPACES
COCKTAIL LOUNGE: 1 SPACE PER 3 PERSONS CAPACITY
400 SF / 15 SF PER PERSON / 3 = 9 SPACES
TOTAL: = 27 SPACES
50% Parking Reduction per Sec. 7.825 of the City of Fredericksburg Zoning Ordinance = 14 SPACES

TOTAL SPACES REQUIRED:	14 SPACES
TOTAL SPACES PROVIDED:	26 SPACES

BUILDING HEIGHT (3 STORIES, 38 FT MAX):
PROPOSED 2 STORY BUILDING - 32 FT TO TOP OF PARAPET
EXISTING 2 STORY B&B BUILDING - 25 FT TO AVG. HT. OF GABLE
EXISTING 1 STORY RESIDENCE - 15 FT TO AVG. HT. OF GABLE
EXISTING 1 STORY GUEST HOUSE - 10 FT TO AVG. HT. OF GABLE

UTILITIES: (APPLICABLE TO PROPOSED TWO STORY BUILDING, NO CHANGES ARE ANTICIPATED TO OTHER STRUCTURES).

ELECTRICAL:
THE EXISTING OVERHEAD SERVICE TO THE FORMER GAS STATION WILL BE REMOVED AND A NEW PAD MOUNT TRANSFORMER WILL BE INSTALLED NEAR THE WESTERNMOST CORNER OF THE PROPERTY. THE TRANSFORMER WILL SERVE THE PROPOSED BUILDING VIA A METER RACK ON THE WEST WALL AND THE CAMERON INN B&B.

GAS:
THE FORMER CAFE AND ADJACENT TWO STORY BUILDING ARE SERVED FROM A SERVICE LINE WHICH CUTS ACROSS THE PARKING LOT FROM THE CAMERON INN DRIVEWAY. DUE TO GRADE ADJUSTMENTS IN THE PARKING LOT THE GAS SERVICE WILL BE RELIED TO AVOID CONFLICTS WITH THE PROPOSED IMPROVEMENTS. A METER MANIFOLD WILL BE PLACED ON THE WEST SIDE OF THE PROPOSED BUILDING TO SERVE IT AND THE ADJACENT BUILDING.

WATER:
THE FORMER GAS STATION PROPERTY IS SERVED BY A 3/4" SERVICE ON WASHINGTON ST. IF NECESSARY AN ADDITIONAL METER WILL BE INSTALLED ON WASHINGTON ST. A FIRE LINE WILL ALSO BE EXTENDED FROM THE 8" MAIN IN WASHINGTON TO SERVE A FIRE SPRINKLER SYSTEM. TxDOT APPROVAL IS REQUIRED FOR ALL NEW UTILITY TAPS IN TxDOT RIGHT-OF-WAY.

SANITARY SEWER:
THE PROPERTY IS CURRENTLY SEWERED FROM CONNECTIONS TO A MAIN IN WASHINGTON ST. THE NEW BUILDING WILL CONNECT TO THE EXISTING SERVICE AT THE SOUTHEAST CORNER OF THE PROPERTY. TxDOT APPROVAL IS REQUIRED IF THE CONNECTION IS MADE IN TxDOT RIGHT-OF-WAY.

DRAINAGE:
THE MAJORITY OF THE EXISTING DRAINAGE FROM THE FORMER SERVICE STATION FLOWS TO WASHINGTON ST. THROUGH THE DRIVEWAYS WITH MINIMAL DRAINAGE TO MAIN ST. THE MAIN ST. DRAINAGE FLOWS SOUTHEASTERLY AND TURNS SOUTHWEST ONTO WASHINGTON ST. IT IS ANTICIPATED THAT DRAINAGE FROM THE BALCONY AND SIDEWALK ON MAIN ST. WILL FLOW TO MAIN ST WITH THE REMAINDER OF THE SITE DRAINAGE FLOWING TO WASHINGTON ST VIA SIDEWALK DRAINS OR THROUGH THE EXISTING DRIVEWAY BETWEEN THE CAMERON B&B AND THIS SITE.

DRAINAGE FROM THE FIVE NEW PARKING SPACES ON THE SAN ANTONIO ST. DRIVEWAY WILL FLOW TO SAN ANTONIO ST. AND THEN TO BARONS CREEK.

DRAINAGE ARROWS ARE INTENDED TO SHOW PRELIMINARY GRADING AND DRAINAGE.

DRIVEWAYS, SIDEWALKS AND SIGNALS:
ALL DRIVEWAY, SIDEWALK AND SIGNAL MODIFICATION WORK IN TxDOT RIGHT-OF-WAY SHALL REQUIRE APPROVAL FROM THE CITY OF FREDERICKSBURG AND TxDOT AND SHALL COMPLY WITH ADA REQUIREMENTS.

EXTERIOR LIGHTING:
EXTERIOR LIGHT FIXTURES AND PLACEMENT WILL BE SUBMITTED WITH CONSTRUCTION DOCUMENTS. ALL EXTERIOR LIGHTING WILL COMPLY WITH CITY ORDINANCE 24-014.

LANDSCAPING:
PROPOSED LANDSCAPED AREAS SHOWN ON SITE PLAN. FINAL LANDSCAPING WILL BE SHOWN ON LANDSCAPE PLAN TO BE INCLUDED WITH FINAL CONSTRUCTION DOCUMENTS. LANDSCAPING WILL BE INSTALLED PER CITY 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: The Emigrant

Project Address: 341 East Main 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: .77 No. of Lots:

Original Survey & Abstract No:

Legal Description: Parts of Townlots No. 223, 224, 329, and 330

Current Land Use Plan: Commercial

Proposed Land Use Plan: Commercial

Current Zoning: CBD

Proposed Zoning: CBD

Location: 341 East Main St.

Proposed Use(s): B&B, Retail, Cocktail Lounge

Applicant's Signature

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

Printed Name: Randy Stelbing Date: 7.27.17

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):

Owner Name: Gary and Maggie Klenzing

Address: P.O. Box 814, Fredericksburg, TX 78624

Phone: 830-992-1206

Fax:

Email: mariposasprings@gmail.com

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

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

Firm Name (if applicable): Stehling Klein Thomas Architects

Address: 300C West Main, Fredericksburg, TX 78624

Primary Contact Name: Randy Stehling

Phone: 830-997-0383

Fax:

Email: randy@sktarchitects.com

Secondary Contact Name:

Phone:

Fax:

Email:

III. Applicant

Firm Name (if applicable): Stehling Klein Thomas Architects

Applicant Name (s): Randy Stehling

Address: 300C West Main, Fredericksburg, TX 78624

Phone: 830-997-0383

Fax:

Email: randy@sktarchitects.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:



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.





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

HEARING
DATE: **AUGUST 9, 2017**

TIME: **5:30 PM**

REQUEST
NUMBER: **Z-1708**

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 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: **AUGUST 21, 2017**

TIME: **6:00 PM**

REQUEST
NUMBER: **Z-1708**

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

APPLICANT: Randy Stehling

LOCATION: 341 E. Main St

(see accompanying map)

REQUEST: Conditional Use Permit to allow a Bed & Breakfast unit on the ground floor in the CBD

(DETACH HERE)

REQUEST NO. Z-1708

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

Signed _____

_____ Date

Printed Name _____

_____ Address

Number	Owner	Address
1	Jeffrey Jeffers	2156 Amberstone Fredericksburg, TX 78624
2	Texas Historical Commission	P.O. Box 12276 Austin, TX 78711
3	Cameron Inn LLC	337 E. Main Fredericksburg, TX 78624
4	Milton Keller	18605 N. Ranch Road 1674 Junction, TX 76849
5	Stuart B Properties LP	232 Keidel Ln Fredericksburg, TX 78624
6	Cameron Inn LLC	337 E. Main Fredericksburg, TX 78624
7	Gerald Howard	337 E. Main Fredericksburg, TX 78624
8	Sue Templar	312 E. San Antonio Fredericksburg, TX 78624
9	Cameron Inn LLC	337 E. Main Fredericksburg, TX 78624
10	Armin Engel	904 Kerr Rd Fredericksburg, TX 78624
11	Imogene Schaeffer	108 S. Washington Fredericksburg, TX 78624
12	Smithers NWA Family Limited Partnership	21726 Hardy Oak San Antonio, TX 78258
13	Dwayne Schaeffer	314 E. San Antonio Fredericksburg, TX 78624
14	Barbara Heinen	705 S. Eagle Fredericksburg, TX 78624
15	Barbara Heinen	705 S. Eagle Fredericksburg, TX 78624
16	Mary Eckert & Mary Morin	324 E. Main Fredericksburg, TX 78624
17	JANAT LP	407 N. Washington Fredericksburg, TX 78624
18	Admiral Nimitz Foudnation	340 E. Main Fredericksburg, TX 78624
19	Cameron Inn LLC	337 E. Main Fredericksburg, TX 78624
20	Stuart B Properties LP	232 Keidel Ln Fredericksburg, TX 78624
Z-1708		