

AGENDA
CITY OF FREDERICKSBURG
PLANNING & ZONNING COMMISSION

Wednesday, September 6, 2017

5:30 P.M.

LAW ENFORCEMENT CENTER, 1601 E. MAIN ST.

PAGE REF.

1. Call to Order

2. Approve minutes from the August 2017 Regular Meeting

Pp 1-3

PUBLIC HEARING

3. (Z-1709) Conditional Use Permit to allow a Bed & Breakfast unit on the ground floor in the Historic Shopping District Overlay and CBD at 208 E. San Antonio

Pp 4-11

ACTION ITEM

4. Receive Recommendation and consider Z-1709

ADJOURN

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

**PLANNING & ZONING COMMISSION
August 9, 2017
5:30 P.M.**

On this the 9th day of August, 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
BRENDA SEGNER
CHRIS KAISER
TIM DOOLEY
JIM WARREN

ABSENT:

DARYL WHITWORTH
STEVE THOMAS
CHRIS KAISER
TIM DOOLEY

ALSO PRESENT:

BRIAN JORDAN – Director of Development Services
KRIS KNEESE -
SHELBY COLLIER – Development Coordinator

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

PUBLIC HEARING

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

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

Dwayne Kostiha with Tacala Taco Bell presented the application. Taco Bell has purchased 1.9 acres at 1455 E. Main and are proposing a 2800 Sq. Ft building with a drive through. He went on to explain that they are currently in the process of dividing the lot and will sell the newly created lot to Starbucks for development.

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

Brian Jordan, Director of Development, stated this application is a request to allow 2 drive-throughs for two separate fast food restaurants. He explained the properties will share joint access to a driveway on E. Main St. There is a center turn lane in Main street adjacent to this property. Brian also wanted to point out that Tacala had unique issues with this property, such as sewer easements, and a sidewalk

requirement that is adjacent to this property along E. Main St which lies in the TxDOT ROW. TxDOT approval will be required including verification that future construction of sidewalk does not adversely impact storm water conveyance within the TxDOT ROW. The issue is whether TxDOT will allow a connection to the existing concrete flatwork to the south along US 290 E, since in previous discussions, they have indicated they do not consider the improvements a sidewalk.

Brian also stated that as part of this application Taco Bell has submitted the requisite plans for consideration of compliance with the Entry Corridor Design Guidelines. Staff has reviewed the plans and supports the design elements for Taco Bell. If the commission wanted to view them, he would gladly provide them. The application as presented has Staff approval.

Jim Jarreau asked Brian if he was concerned about access to the property, specifically if a stop light would be needed like at Wal-Mart. Brian stated he did not think it would be an issue as a turn lane is in place on E. Main St and there is a light at Friendship Ln as well as Wal-Mart Dr.

Jim Jarreau asked Dwayne if they had plans for a stop light or naming the entrance like Wal-Mart. Dwayne stated Tacala had no intention to do either of those things.

Tim Dooley asked if an agreement had been made with Starbucks, specifically, if Starbucks backed out, would Taco Bell fold on the project. Dwayne stated that they have worked with Starbucks several times and there is an agreement in place.

Tim Dooley asked when Starbucks planned to start building. Dwayne stated Taco Bell would be first, Starbucks would follow at a later date, maybe 18 months behind Taco Bell in completion.

Motion made to recommend approval of Application Z-1706 by Jim Jarreau seconded by Tim Dooley. All voted in favor and the motion carried.

PUBLIC HEARING

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

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

Brandon Weinheimer presented the application on behalf of Gary and Maggie Klenzing. He explained Demolition plans are underway to remove the existing structure at 341 E. Main with the intent to build a 2-story structure with retail, a cocktail lounge and a B&B unit on the ground floor as well as 5 B&B units on the second floor. A new parking area will be constructed as well as a private patio that will be accessible from the ground floor B&B unit. Brandon presented several images as well as elevations and conceptual drawings of the proposed design that has been approved by the Historic Review Board.

Brandon explained that as part of this project, they are working with TxDOT to get permission to extend the 2nd-story porch into TxDOT ROW.

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

Brian Jordan, Director of Development, explained the need for a Conditional Use Permit for this property due to it residing in the Historic Shopping Overlay District. He stated that the design presented is ideal. There are still retail elements on the ground floor which was the intent of the Ordinance. The application as presented has Staff approval.

Tim Dooley asked how much were they going to extend the 2nd-story porch. Randy Stehling responded approximately 8 Ft which places the porch at the edge of the curb. This is keeping in character with the other buildings on main.

Tim Dooley asked if the new building would obstruct the view of traffic on that corner. Randy Stehling said they were working on the corner removing the curb cuts as well as the angled parking. He believes this alone improves traffic on that corner.

Janice Menking said currently, that property is open, would the new design impede foot traffic on the Main St. side. Brian stated a sidewalk will still be there they are only proposing to move the parking lot.

Brenda Segner asked where the utility poles and traffic signal were going to go that are currently on that property. Brandon explained they are working with TxDOT to move the traffic signal and Lee Stubblefield with the Electric Dept to move the power poll.

Motion made to recommend approval of Application Z-1708 by Jim Jarreau seconded by Chris Kaiser. All voted in favor and the motion carried.

MINUTES

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

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 6:28 p.m.

PASSED AND APPROVED this 6th day September, 2017.

SHELLEY BRITTON, Secretary

JANICE MENKING, Chairman

CONDITIONAL USE PERMIT BRIEF
Request Z-1709

Applicant/Owner: Jacqueline Templer
Location: 208 E. San Antonio 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 Historic Shopping District Overlay.
- The applicant is proposing a B&B unit on the ground floor of the property referred to as the Agave Cottages, where there are currently 4 other B&B units.
- The proposed unit will finish out an existing structure where there is a B&B unit on the second floor.
- The site is approximately 17,363 square feet in size.
- The site area required for the proposed 5 units is 10,000 square feet.
- The surrounding zoning is CBD in all directions.
- The subject and surrounding properties are within the Historic Shopping District Overlay.
- Surrounding land uses include a variety of commercial businesses.

Review and Evaluation Criteria:

A. CONFORMANCE WITH APPLICABLE REGULATIONS:

- The site complies with applicable regulations.

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

- The use of the property for B&B purposes has been established for some time. In our opinion, the property will remain compatible with abutting sites with the addition of one unit.

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:**
- Drive access is currently provided to the parking area serving the property. No pedestrian or vehicular changes will be necessary to accommodate the proposed use.
- F. PROTECTION OF PERSONS AND PROPERTY FROM EROSION, FLOOD OR WATER DAMAGE, FIRE, NOISE, GLARE:**
- No changes are necessary to accommodate the proposed unit.
- 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 intended purpose of the B&B ordinance amendment in 2013 was to evaluate whether or not it is appropriate to allow B&B's on the ground floor of commercial areas, and under what conditions. In this case, the proposed B&B is located at the rear of the site and does not conflict with commercial businesses.
- 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: Since the proposed B&B unit will simply be a conversion of an existing garage area, and not take away from commercial or retail space, staff recommends approval.

\\nas\Current Projects\Files\Current Projects\Files\2017\1742 - 208 E. SAN ANTONIO B&B02 - Drawings\03 - Construction documents (CD)\208 B&B R17.rvt

OWNER INFORMATION:

JACQUELINE TEMPLER
P.O. BOX 248
PALMER, TX 75152

LEGAL DESCRIPTION:

BEING A 0.398 ACRE TRACT COMPRISING OF PARTS OF TOWNLOTS 321 AND 322, AS SHOWN ON THE MAP OF FREDERICKSBURG, TEXAS AND ENVIRONS, BY THE THE GERMAN EMIGRATION COMPANY, SAID 0.398 ACRES ALSO BEING THE SAME 0.397 ACRE TRACT CONVEYED TO BERNARD P. KEATING BY DEES RECORDED IN VOLUMN 200, PAGES 893-895, REAL PROPERTY RECORDS, GILLESPIE COUNTY, TEXAS

EXISTING TREE SPECIES HAVE BEEN INDICATED

PROPERTY IS FOR A BED AND BREAKFAST USE. ALL STRUCTURES ARE EXISTING AND SHALL REMAIN. THE FIRST FLOOR OF THE EXISTING TWO (2) STORY STRUCTURE IN THE NORTH CORNER OF THE PROPERTY SHALL BE RENOVATED FOR A BED AND BREAKFAST UNIT.

THE DEVELOPMENT IS NOT A STANDARDIZED BUSINESS

THE DEVELOPMENT SHALL HAVE A TOTAL OF 5 BED AND BREAKFAST UNITS

FENCES ON THE PROPERTY SHALL REMAIN AND ARE INDICATED ON THE SITE PLAN.

EXISTING GOUND/MONUMENT SIGN SHALL REMAIN

ZONING:

ZONED: CBD- CENTRAL BUSINESS DISTRICT
PROPOSED USE: BED & BREAKFAST: 5 TOTAL UNITS

MIN. ALLOWABLE LOT AREA: 5,000 SQ FT
TOTAL LOT AREA: 17,363 SQ FT
TOTAL BUILDABLE AREA: 17,363 SQ FT

MINIMUM SITE AREA
PER DWELLING UNIT:

RESIDENTIAL (R-3) DENSITY: 1 BED: 2,000 SQFT
UNITS PROVIDED: 5 UNITS
5X2,000 = 10,000 SQFT

MIN LOT SIZE: 10,000 SQFT
LOT SIZE PROVIDED: 17,363 SQFT

SETBACKS:

FRONT YARD: 0 FT
STREET SIDE YARD: 0 FT
INTERIOR SIDE YARD: 0 FT
REAR SIDE YARD: 0 FT

MAX IMPERVIOUS COVERAGE: 90% OF LOT AREA
TOTAL IMPERVIOUS COVERAGE: 74% OF BUILDABLE LOT AREA

TOTAL LOT AREA: 17,363 SQFT
BUILDABLE LOT AREA: 17,363 SQFT
IMPERVIOUS COVERAGE: 12,824 SQFT (74%)
BUILDINGS: 3,500 SQFT
DRIVE / PARKING / COURTYARD: 9,324 SQFT
LANDSCAPE AREA: 4,539 SQFT (26%)

MAXIMUM ALLOWABLE BUILDING HEIGHT: 3 STORIES - 38' - 0"
MAXIMUM PROPOSED BUILDING HEIGHT: 2 STORIES - 28'-0"

REQUIRED PARKING SPACES:

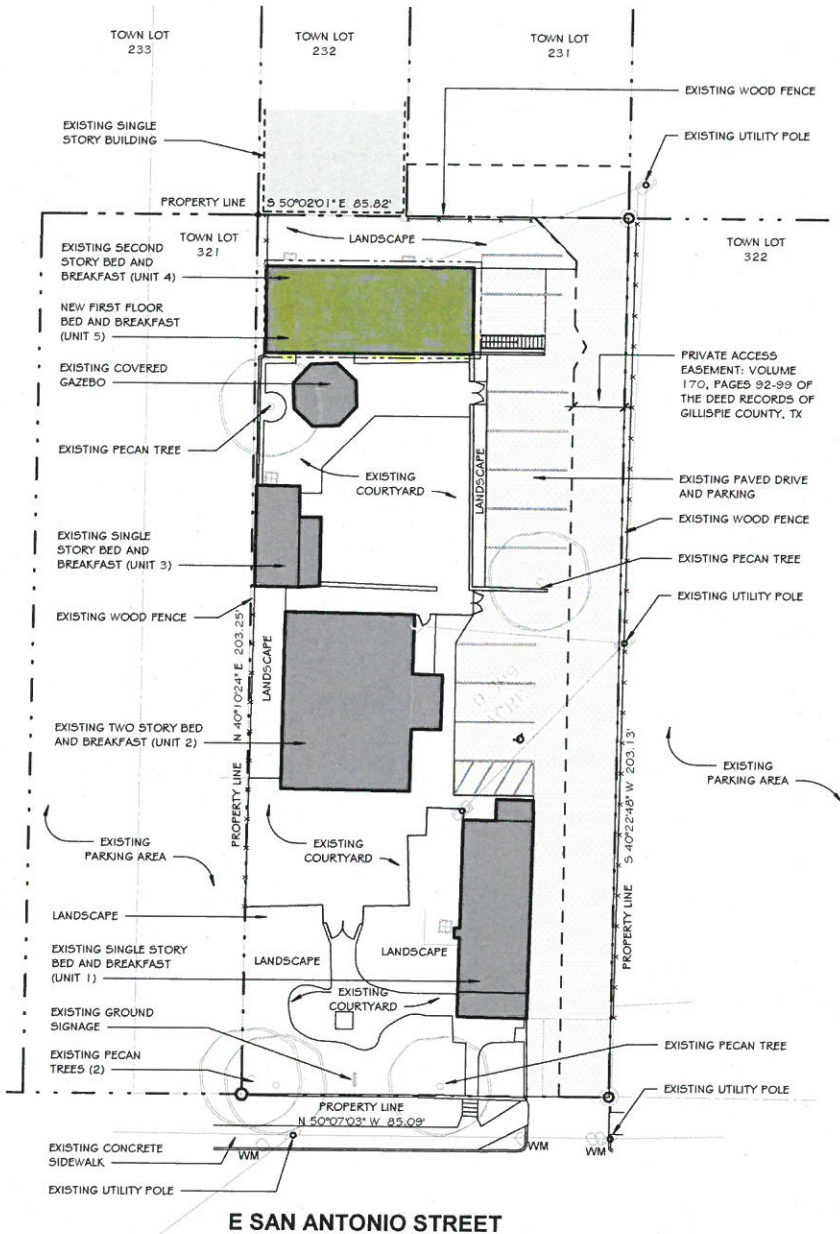
BED & BREAKFAST USE

TOTAL UNITS = 5
REQ. PARKING 1 SPACES PER UNIT

TOTAL SPACES REQUIRED = 5
SPACES PROVIDED = 11 SPACES (1 ADA VAN)

INTERIOR LANDSCAPING REQUIRED:
10 SQFT PER EACH INTERIOR PARKING SPACE (10 X 11 = 77 SQFT)
(5,982 TOTAL DRIVE/PARKING PAVED AREA)-(11 SPACES X400) =1,582
(1,582 -5,000 = -3,418 SQFT+130 =3,548 SQFT

INTERIOR LANDSCAPING REQUIRED: 3,548 SQ FT
INTERIOR LANDSCAPING PROVIDED: 4,539 SQ FT



01 SITE PLAN

SCALE: 1" = 20'-0"

©2016 MUSTARD DESIGN

mustard
DESIGN

150 East Main Street, Suite 201
Fredericksburg, Texas 78624
830.997.7024

A RENOVATION FOR:
AGAVE COTTAGES
208 E. SAN ANTONIO STREET
FREDERICKSBURG, TX 78624

REVISIONS	NO.	DATE
	1	
	2	
	3	
	4	
	5	
	6	
	7	
	8	
	9	
	10	



SITE PLAN

Drawn By: AEB

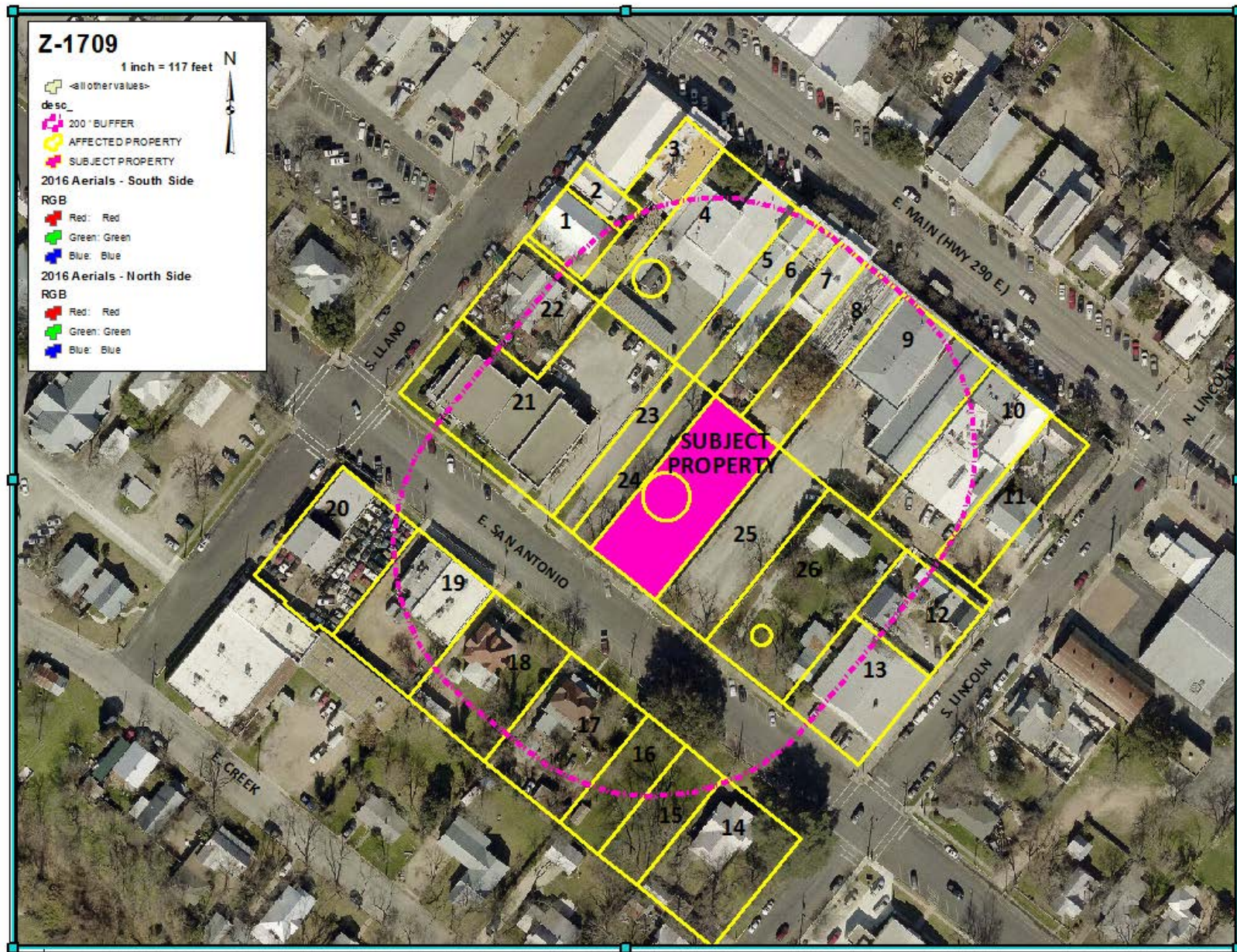
Checked By: AEB

Approved By: AEB

Project No. 1742

Original Issue Date: 08.07.17

A-001



Number	Owner	Address
1	Roxanne Lavender	105 S. Llano Fredericksburg, TX 78624
2	Hal & Teri Guttery	103 S. Llano Fredericksburg, TX 78624
3	Godfrey Family Trust	203 E. Main Fredericksburg, TX 78624
4	Rhonda Durst	217 E. Main Fredericksburg, TX 78624
5	Schmidt Building LLC	221 E. Main Fredericksburg, TX 78624
6	Karlsville LLC	223 E. Main Fredericksburg, TX 78624
7	Cone Family Trust	229 E. Main Fredericksburg, TX 78624
8	Kenneth & Deborah Johnson	231 E. Main Fredericksburg, TX 78624
9	Durst Company	237 E. Main Fredericksburg, TX 78624
10	Fredericksburg Brewing Co	245 E. Main Fredericksburg, TX 78624
11	Yucca Lillty Ltd	247 E. Main Fredericksburg, TX 78624
12	Lincoln St Inn Ltd	106 S. Lincoln Fredericksburg, TX 78624
13	Robert Heinen	108 S. Lincoln Fredericksburg, TX 78624
14	Andrew & Melissa Rockwood	213 E. San Antonio Fredericksburg, TX 78624
15	Dorothy & Edward Zey	211 E. San Antonio Fredericksburg, TX 78624
16	Dorothy & Edward Zey	211 E. San Antonio Fredericksburg, TX 78624
17	Jerald & Dianna Blount	209 E. San Antonio Fredericksburg, TX 78624
18	207 Ventures LLC	207 E. San Antonio Fredericksburg, TX 78624
19	Savanh Enterprises LLC	203 E. San Antonio Fredericksburg, TX 78624
20	Cynthia Cortez	201 E. San Antonio Fredericksburg, TX 78624
21	Verizon Southwest	111 S. Llano Fredericksburg, TX 78624
22	Judy Johnson-Chilcote Revocable Living Trust	107 S. Llano Fredericksburg, TX 78624
23	Schmidt Building LLC	221 E. Main Fredericksburg, TX 78624
24	Karlsville LLC	223 E. Main Fredericksburg, TX 78624
25	Durst Company	214 E. Main Fredericksburg, TX 78624
26	Jerald & Dianna Blount	216 E. San Antonio Fredericksburg, TX 78624
Z-1709		



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: *Agave Cottages*
Project Address: *208 E San Antonio St.*
Tax ID Number (s): *19988 91079 (330720 renewed)*



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: *0.398* No. of Lots: *Part of 321 & 322*

Original Survey & Abstract No: *M. CRBAZOS A-117*

Legal Description: *See attached FBB ADDN BLK 47 LOT 321-PT & 322 PT*

Current Land Use Plan: *BvB*

Proposed Land Use Plan:

Current Zoning: *CBD*

Proposed Zoning:

Location: *208 E San Antonio Unit B (Garage)*

Proposed Use(s): *BvB*

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: *Jacqueline Templer*

Printed Name: *Jacqueline Templer*

Date: *8-2-17*

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: *Jacqueline Templer*
Address: *P.O. Box 248 Palmer, Tx 75152*

Phone: *806 679 6485* Fax:

Email: *jdaviscjd@aol.com*

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

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

Firm Name (if applicable): *Mustard Design*
Address: *150 E. Main St. Ste 201 Fredericksburg*

Primary Contact Name: *Andy Bray*

Phone: *830 997 7024* Fax:

Email: *abrave@mustarddesign.net*

Secondary Contact Name:

Phone:

Fax:

Email:

III. Applicant

Firm Name (if applicable):

Applicant Name (s): *Jacqueline Templer*
Address: *Box 248 Palmer, Tx 75152*

Phone: *806 679 6485* Fax:

Email: *jdaviscjd@aol.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: