CITY OF FREDERICKSBURG

REGULAR PLANNING AND ZONING AGENDA
WEDNESDAY, SEPTEMBER 8, 2021 ~ 5:30 P.M.
LAW ENFORCEMENT CENTER – 1601 E. MAIN STREET

Janice Menking, Chair
Jim Jarreau, Member
Daryl Whitworth, Member
Jeff Lawrence, Member
Polly Rickert, Member
Emily Kirchner, Member
Jill Tabor, Member
Tim Dooley, Vice Chair
Steve Thomas, Member

The City of Fredericksburg Planning and Zoning will meet in a regular session on **Wednesday, September 8, 2021, at 5:30 p.m. The meeting will be in person at the Law Enforcement Center 1601 E. Main Street**. This meeting will be held in person and live stream on our YouTube Channel.
Link to City of Fredericksburg YouTube Channel Fredericksburg, Texas USA - YouTube
https://www.youtube.com/channel/UCrhnIFjVfDS1SPBJD2pYKcQ/featured

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1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MEETING MINUTES

August 2021 regular meeting minutes

4. PUBLIC COMMENTS

NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting and any response to a question posed to the City Council is limited to either a statement of specific information or recitation of existing policy. TEX. GOV'T CODE § 551.042.

Written Comments: to be submitted remotely:

1. Must be received by 2 p.m. on September 8, 2021.
2. Complete the Citizen Comment Form online at www.fbgtx.org; or
3. Email your comments to scollier@fbgtx.org

Verbal Comments:
1. Sign up in-person between 5:00 p.m. and 5:30 p.m. at the Law Enforcement Center in order to comment.

You will be limited to 3 minutes to speak.

The Planning and Zoning Commission (P&Z) welcomes public comments concerning items on this agenda. Each member of the public who desires to address the P&Z regarding an item on this agenda is required to sign up to speak, prior to the start of the meeting. All public comments shall be limited to discussion of items on this agenda and shall be limited to 3-minutes in duration. At the discretion of the P&Z Chair, or upon an affirmative vote of the P&Z, the public comment time limit applicable to all speakers may be lengthened or shortened as required to allow the P&Z to complete its legislative agenda. Persons addressing the P&Z are prohibited from trading time with other speakers or reserving of time.

5. PUBLIC HEARINGS

A. Request Z-2102 an Involuntary Annexation and Proposed Zoning of R1, Single Family Residential and C2, Commercial for Approximately 82.36 Acres of Land Generally Located on the West and East Sides of Post Oak Road, From West Live Oak to 2,800 Feet North of South Bowie Street. This Involuntary Annexation Will Not Increase or Extend the City's Extraterritorial Jurisdiction.

B. Request Z-2112 by Jacob Grant, Owner, to Consider a Request for Voluntary Annexation and requested Zoning of R1-A, Single Family Residential – Small Lot, for Approximately 6.32 acres of Land out of Outlot 97, Outlot 96 an Unnumbered Outlot and Block V of the German Emigration Company Environs Map, Located at 651 Post Oak Rd.

6. ACTION ITEMS

A. Discussion, Consideration, and Recommendation Regarding Request Z-2102.

B. Discussion, Consideration, and Recommendation Regarding Request Z-2112.

C. Consider P-2127 – Request by Jacob Grant with 10-8 Properties for a Preliminary Plat of the Proposed Post Oak Subdivision for property located at 651 Post Oak Road.

D. Consider SP-2113 – Request by Whitney Koch with Mustard Design to Consider a Parking Agreement for the future Sunset Grill located at 405 W. Live Oak Street.

E. Consider SP-2114 – Request by Whitney Koch with Mustard Design to Consider a Parking Agreement for the future Sunset Grill located at 405 W. Live Oak Street.

F. Consider SP-2115 – Request by Jonathan Bursey with Urbanist USA to Consider a Site Plan for a Multi-Family Development located at 802 & 812 Friendship Lane.

7. DISCUSSION ITEMS

A. Provide Update Regarding Potential Short Term Rental Ordinance Amendment.

B. Provide Update Regarding Staff Changes to Development Services Department

8. ADJOURN

This is to certify that I, Shelby Collier, posted this Agenda before 5:00 PM. on September 3, 2021 on the entrance door and bulletin board at the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.

Shelby Collier,
Associate Planner

STATE OF TEXAS **PLANNING & ZONING COMMISSION**
COUNTY OF GILLESPIE **AUGUST 4, 2021**
CITY OF FREDERICKSBURG **5:30 P.M.**

On this the 4th day of AUGUST 2021 the PLANNING AND ZONING COMMISSION convened in regular Session at the Law Enforcement Center located at 1601 E. Main Street with the following members present to constitute a quorum:

PRESENT:	JANICE MENKING DARYL WHITWORTH EMILY KIRCHNER TIM DOOLEY JIM JARREAU STEVE THOMAS POLLY RICKERT @ 5:36
ABSENT:	JEFF LAWRENCE JILL TABOR
ALSO, PRESENT:	JASON LUTZ – Director of Development Services DANIEL JONES – City Attorney SHELBY COLLIER – Associate Planner

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

MINUTES

Jim Jarreau moved to approve the minutes of the July 2021 meeting and Daryl Whitworth seconded the motion. All voted in favor and the motion carried.

ACTION ITEMS

REQUEST #Z-2113 BY STEVE AND MARSHA MENGLE TO CONSIDER A CONDITIONAL USE PERMIT PER SECTION 3.510 TO CONSTRUCT A FIRST FLOOR BED & BREAKFAST UNIT IN THE HISTORIC SHOPPING DISTRICT OVERLAY ON PROPERTY LOCATED AT 211 WEST AUSTIN.

Steve Thomas recused himself and left the table.

Tim Dooley made a motion to open the Public Hearing. Seconded by Daryl Whitworth. All voted in favor and the motion carried.

Brandon Weinheimer presented the application on behalf of the applicant. He stated it is the applicants desire to construct a Short-Term Rental Complex to include 8 Short Term Rentals, an Office, Commercial Kitchen and living quarters for an onsite manager.

Mike Haley, who lives at 209 West Austin, spoke in protest. He stated he lives next door full time, and he has concerns with the increase in noise, trash, traffic, and potential run-off issues this development could create.

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

Jason Lutz, Director of Development Services stated the applicant is requesting a conditional use permit for the property at 211 W. Austin St. to construct a first-floor bed and breakfast unit.

Recommendation:

Based on the CBD zoning district land use chart and allowed uses, staff recommends approval of the requested CUP.

Daryl Whitworth made a motion to recommend Approval for Z-2113 conditioned upon a recommendation of an 8 ft tall perimeter fence for the East and West sides of the property. This recommendation is for the consideration of the Historic Review Board. Jim Jarreau Seconded the Motion. All voted in favor and the motion carried.

REQUEST #Z-2114 BY WES AND TAMMY PACK TO CONSIDER A CONDITIONAL USE PERMIT PER SECTION 3.510 TO CONSTRUCT A FIRST FLOOR BED & BREAKFAST UNIT IN THE HISTORIC SHOPPING DISTRICT OVERLAY ON PROPERTY LOCATED AT 514 WEST AUSTIN.

Steve Thomas continued to recuse himself and did not join the table.

Tim Dooley made a motion to open the Public Hearing. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Randy Stehling presented the application on behalf of the applicant. He stated it was the Applicants desire to construct 3 additional Short Term Rental Units to 514 West Austin which currently has 2 Short Term Rentals in operation.

Greg Kaderli, who lives at 611 West San Antonio, spoke in protest.

Rebecca Davis spoke in protest on behalf of Mrs. Montgomery who owns property at 515 West San Antonio.

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

Recommendation:

Jason Lutz, Director of Development Services stated the applicant is requesting a conditional use permit for the property at 514 W. San Antonio St. to construct a first-floor bed and breakfast unit.

Based on the property's location, between 3 single-family residential properties, staff can support approval of the requested CUP with additional conditions or reconfiguration of the parking and additional setbacks of the spa area. If the applicant does not agree with additional conditions or site modifications, staff recommends denial of the requested CUP.

Jim Jarreau made a motion to recommend Approval for Z-2114 conditioned upon construction of an 8 ft privacy fence around the perimeter of the property as well as an occupancy limit of 2 per unit for the proposed new units. Tim Dooley Seconded the Motion. All voted in favor and the motion carried.

REQUEST P-2119 BY JOSHUA NEEDHAM WITH SECO VENTURES FOR A PRELIMINARY PLAT OF THE PROPOSED SECO SUBDIVISION FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF FRIENDSHIP LANE AND SOUTH EAGLE STREET.

Steve Thomas returned to the Table as a voting member.

Joshua Needham presented the application. He stated it was their intent to plat approximately 32.54 acres into 4 lots for the Seco Development.

Recommendation:

Jason Lutz, Director of Development Services stated Staff recommends approval of the proposed Preliminary Plat conditioned upon deferral of the Plat Notes to the Final Plat.

Jim Jarreau made a motion to Approve P-2119 per Staff Recommendation. Tim Dooley Seconded the Motion. All voted in favor and the motion carried.

REQUEST P-2121 BY MARK SPARROW ON BEHALF OF HK FREDERICKSBURG FOR A FINAL PLATOF THE FRIENDSHIP OAKS SUBDIVISION FORMERLY KNOWN AS THE HEATHER GLENN SUBDIVISION LOCATED ON THE SOUTH SIDE OF FRIENDSHIP LANE IN THE VICINITY OF SOUTH CREEK STREET.

Mark Sparrow presented the application. He stated they were asking approval for the Final Plat.

Recommendation:

Jason Lutz, Director of Development Services stated the applicant is requesting Final Plat approval for Phase one of the Friendship Oaks Subdivision.

Staff recommends approval of the proposed final plat with the conditions that the plat be recorded after Construction Plans are reviewed, approved, and constructed or if prior to construction of public infrastructure, a financial guarantee is presented and accepted by the City Council and all parkland fees are paid.

Jim Jarreau made a motion to Approve P-2121 per Staff Recommendation. Daryl Whitworth Seconded the Motion. All voted in favor and the motion carried.

REQUEST SP-2110 BY TAMI KING FOR SITE PLAN APPROVAL OF A NEW VFW HALL LOCATED AT 710 SOUTH WASHINGTON.

Cass Phillips presented the application on behalf of the applicant. He stated the local VFW Chapter had been working on the proposed Site Plan for a few years and it is their intent to demolish the existing building a construct a new building towards the rear of the property. He stated this would be a phased project as the existing building currently serves as the cantina and would be demolished after the new facility is built.

Recommendation:

Jason Lutz, Director of Development Services stated the applicant is requesting site plan approval of a new hall.

Staff recommends approval of the proposed site plan on the conditions that the building elevations and proposed landscaping be reviewed and approved for Entry Corridor compliance prior to the issuance of a building permit. A full review of the plan will be conducted as part of the Civil Construction Plan Review Phase. As noted on the site plan, the City will review the drainage plans for the proposed development. TxDOT will also need to review and approve the plans since the site drains onto State ROW. Sidewalks will be required along the S. Washington frontage of the property, in accordance with the City's adopted Sidewalk Plan. If the sidewalk lies within State ROW, TxDOT approval will be required in addition to the driveway approval that is noted on the site plan.

Tim Dooley made a motion to Approve SP-2110 per Staff Recommendation. Jim Jarreau Seconded the Motion. All voted in favor and the motion carried.

REQUEST SP-2111 BY KEVIN SPRAGGINS FOR SITE PLAN APPROVAL OF THE VINEYARD HILLS RV RESORT LOCATED AT 35255 SOUTH HIGHWY 16.

Kevin Spraggins presented the application. He stated he is requesting approval of the Vineyard Hills RV Resort Site Plan. He reminded the Commission they previously saw this project for annexation and Zoning.

Recommendation:

Jason Lutz, Director of Development Services stated the applicant is requesting approval of a Site Plan for the purposed Vineyard Hills RV Resort. This project will include accommodations for RV's and Motorcoaches as well as an amphitheater, laundry and bath house, clubhouse, pavilion, maintenance facility as well as several outdoor amenities such as pickle ball courts, corn hole and washer pits.

Staff recommends approval of the proposed site plan with the following conditions. All signage to comply with current Sign Ordinance. The building elevations and proposed landscaping be reviewed and approved for Entry Corridor compliance prior to the issuance of a building permit. A full review of the plan will be conducted as part of the Civil Construction Plan Review Phase. TxDOT approval will be required for the drive approaches on HWY 16 South. TxDOT approval will be required for utilities installed in HWY 16 South. The location of the utilities (water and sewer) will need to be determined as part of the Civil Construction Plan review. They are currently shown to be installed in TXDOT right-of-way, but water will need to be installed on private property within public water line easements as noted on the site plan, the City will review the drainage plans for the proposed development. TxDOT will also need to review and approve the plans since the site drains onto State ROW.

Polly Rickert made a motion to Approve SP-2111 per Staff Recommendation. Emily Kirchner Seconded the Motion. All voted in favor and the motion carried.

DISCUSSION ITEMS

Provide Update Regarding Potential Short Term Rental Ordinance Amendment

Jason Lutz informed the Board of the next steps in the proposed Short Term Rental Ordinance Amendments for including upcoming timelines and when they could expect to see a rough draft of Staff's recommended changes.

ADJOURN

With nothing further to come before the Commission, Jim Jarreau moved to adjourn. Seconded by Jill Tabor. All voted in favor and the meeting was adjourned at 7:16 p.m.

PASSED AND APPROVED this 8th day of September 2021.

_____ _____

SHELBY COLLIER, Associate Planner JANICE MENKING, Chairman

PLANNING AND ZONING COMMISSION MEMO

DATE: September 8, 2021

TO: Chairman and P&Z Commissioners

FROM: Jason Lutz

SUBJECT: Public Hearing regarding Annexation and proposed zoning of Area 6A & 6B of the City's Annexation Plan.

Summary:

The proposed annexation includes all properties that have frontage on Post Oak Road between Live Oak Street and Bowie Street, and those properties fronting on the Cherry Street extension to the north of Bowie Street. The attached map shows the properties in question. Resolution 2019-06R, adopted by the City Council on May 14, 2019, identified the properties in question as Area 6A and 6B. Area 6A included approximately 40.71 acres and area 6B approximately 42.62 acres, a map of the area is attached. The property is characterized by residences, vacant land, and some commercial businesses.

Once the property is annexed into the City Limits, a zoning classification for each property must be established, based on the future land use plan. The FLUP calls out these areas as Rural Residential, Commercial, and Low Density Residential.

Currently the City does not have a zoning classification of Rural. For the Rural and Low Density Residential, staff recommends a zoning category of R1. For the areas called out as Commercial staff recommends C2 to allow the continuation of existing businesses. P&Z and Council could reduce the C2 zoning to C1.5 or C1, but staff would recommend C2 or C1.5 so as not to create any non-conforming uses.

Recommendation:

Discuss the proposed annexation and zoning and make a recommendation to City Council.

Background / Analysis:

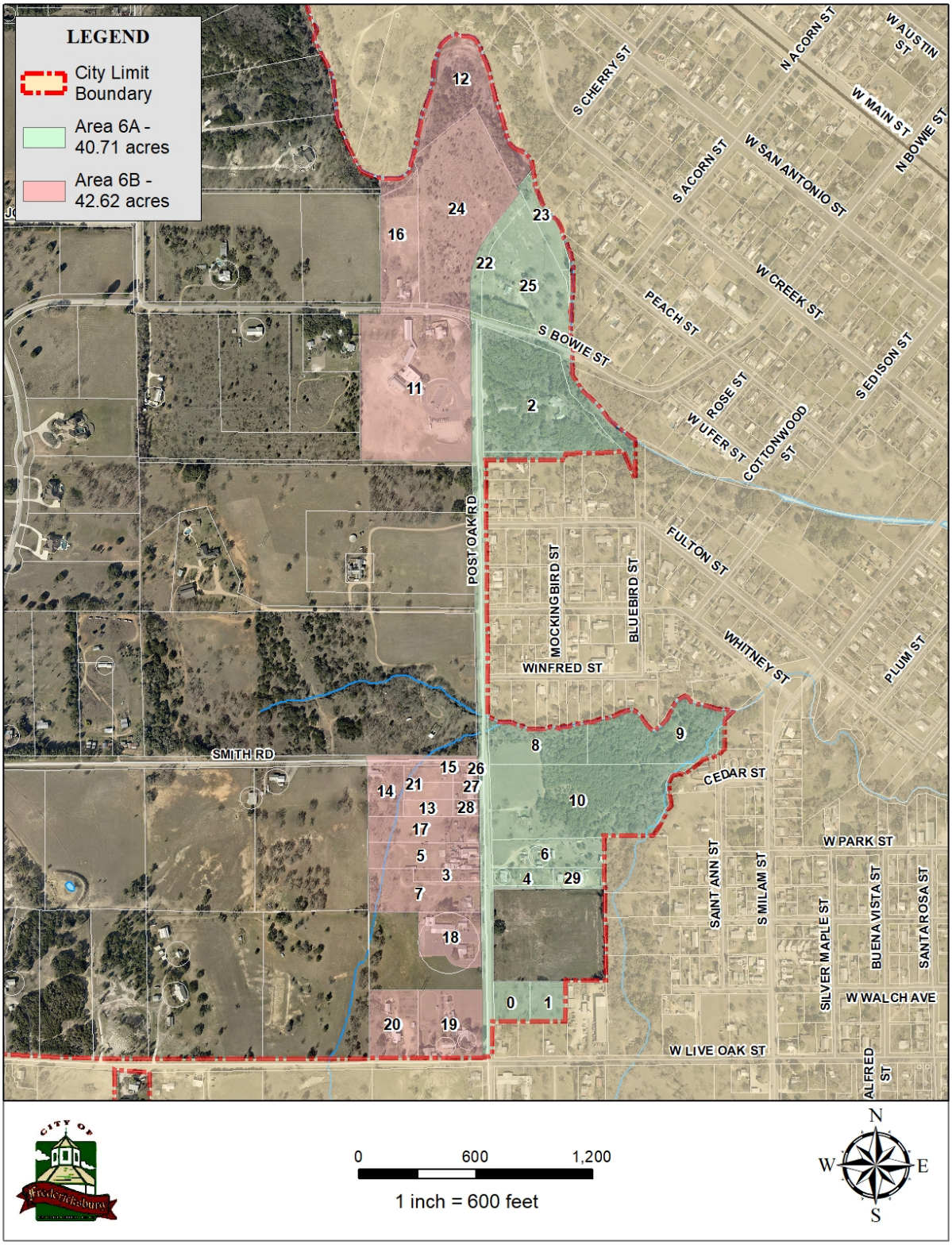
At the retreat in January 2018, the City Council prioritized areas of the community for annexation. After the U.S. Highway 290 East corridor and the W. Live Oak Street area, the Post Oak Road/Cherry Street

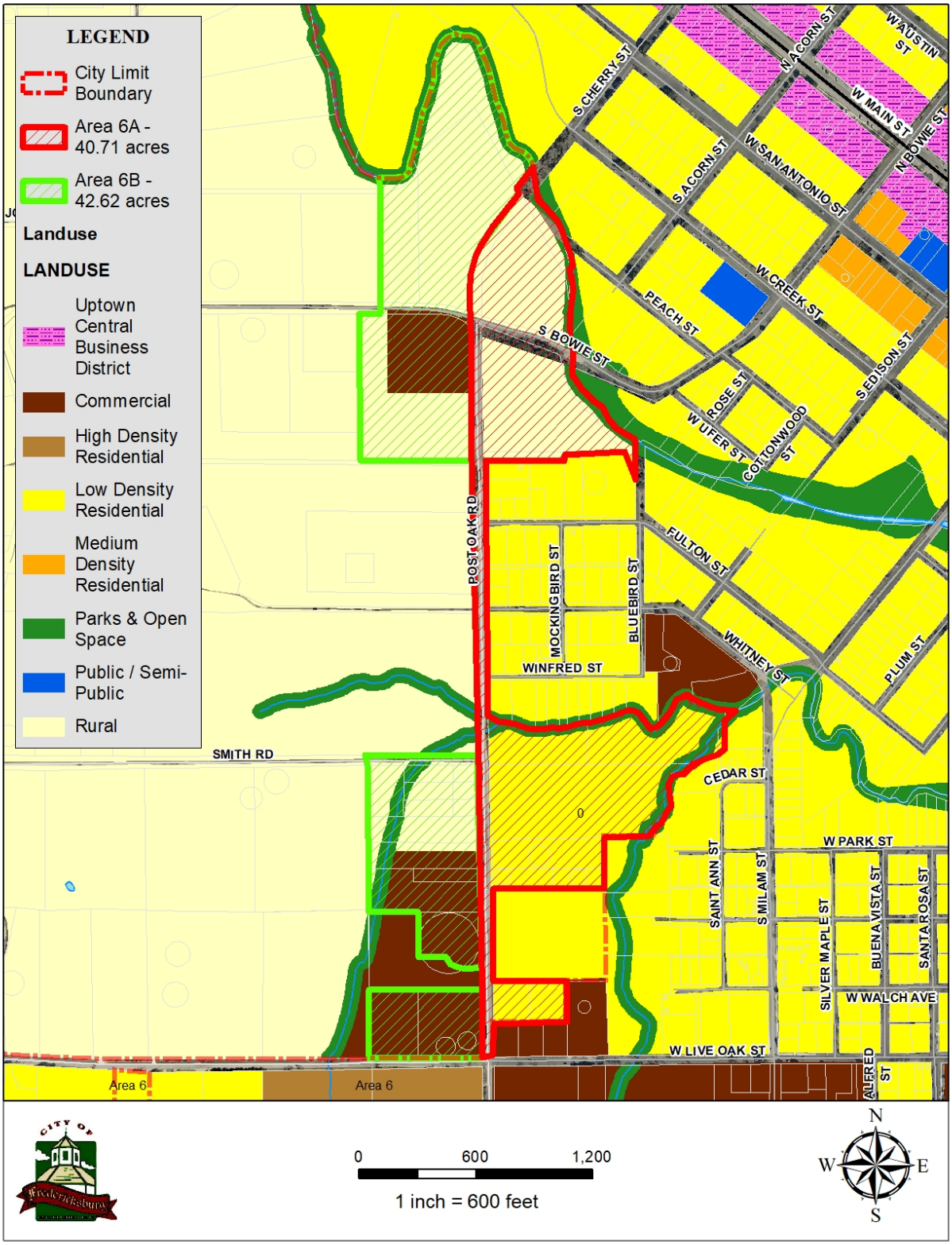
extension was determined as the next highest priority. In addition, the City Council identified the extension of Cherry Street and improvements to Post Oak Road as one of four roadway priority projects in the Transportation Master Plan and associated Traffic Impact Study. The Council adopted Resolution 2019-06R because the legislature has changed the regulations for annexation, and it is no longer possible for the City to initiate annexation without the consent of the property owners.

This annexation area was originally initiated in November of 2020 but the process needed to be restarted due to COVID issues and change in Council Meeting locations, which affected the original timeline and process.

If the Council decides to proceed with this annexation, staff will prepare an updated schedule. In doing so, there are several procedural items that must be completed within a very specific time frame to meet the statutory requirements of the law.

Attachments: Map of proposed annexation area & Future Land Use Map.


LEGEND
City Limit Boundary
Area 6A - 40.71 acres
Area 6B - 42.62 acres
S CHERRY ST
N ACORN ST
W AUSTIN ST
W MAIN ST
N BOWIE ST
S ACORN ST
W SAN ANTONIO ST
W CREEK ST
PEACH ST
S BOWIE ST
S EDISON ST
ROSE ST
W UFER ST
COTTONWOOD ST
POST OAK RD
MOCKINGBIRD ST
BLUEBIRD ST
FULTON ST
WHITNEY ST
PLUM ST
WINFRED ST
SMITH RD
CEDAR ST
W PARK ST
SAINT ANN ST
S MILAM ST
SILVER MAPLE ST
BUENA VISTA ST
SANTA ROSA ST
W WALCH AVE
W LIVE OAK ST
ALFRED ST
0
600
1,200
1 inch = 600 feet
N
W
E
S


LEGEND
City Limit Boundary
Area 6A - 40.71 acres
Area 6B - 42.62 acres
Landuse
LANDUSE
Uptown Central Business District
Commercial
High Density Residential
Low Density Residential
Medium Density Residential
Parks & Open Space
Public / Semi-Public
Rural
S CHERRY ST
N ACORN ST
W AUSTIN ST
W MAIN ST
N BOWIE ST
S ACORN ST
W SAN ANTONIO ST
W CREEK ST
PEACH ST
S BOWIE ST
S EDISON ST
ROSE ST
W UFER ST
COTTONWOOD ST
POST OAK RD
MOCKINGBIRD ST
BLUEBIRD ST
FULTON ST
WHITNEY ST
PLUM ST
WINFRED ST
SMITH RD
CEDAR ST
W PARK ST
SAINT ANN ST
S MILAM ST
SILVER MAPLE ST
BUENA VISTA ST
SANTA ROSA ST
W WALCH AVE
W LIVE OAK ST
ALFRED ST
Area 6
Area 6
0
600
1,200
1 inch = 600 feet
N
W
E
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PLANNING & ZONING COMMISSION MEMO

DATE: September 8, 2021

TO: Chairman and P&Z Commissioners

FROM: Jason Lutz

SUBJECT: Z-2112 – Public hearing, Consideration, and recommendation regarding a requested Annexation and requested zoning.

Summary:

The property owner has requested voluntary annexation of approximately 6 acres of land to construct a single-family subdivision. The requested zoning of the property is R1A.

The Future Land Use Plan calls this area as Low Density Residential and the requested zoning of R1A meets the requirements of the Future Land Use Plan.

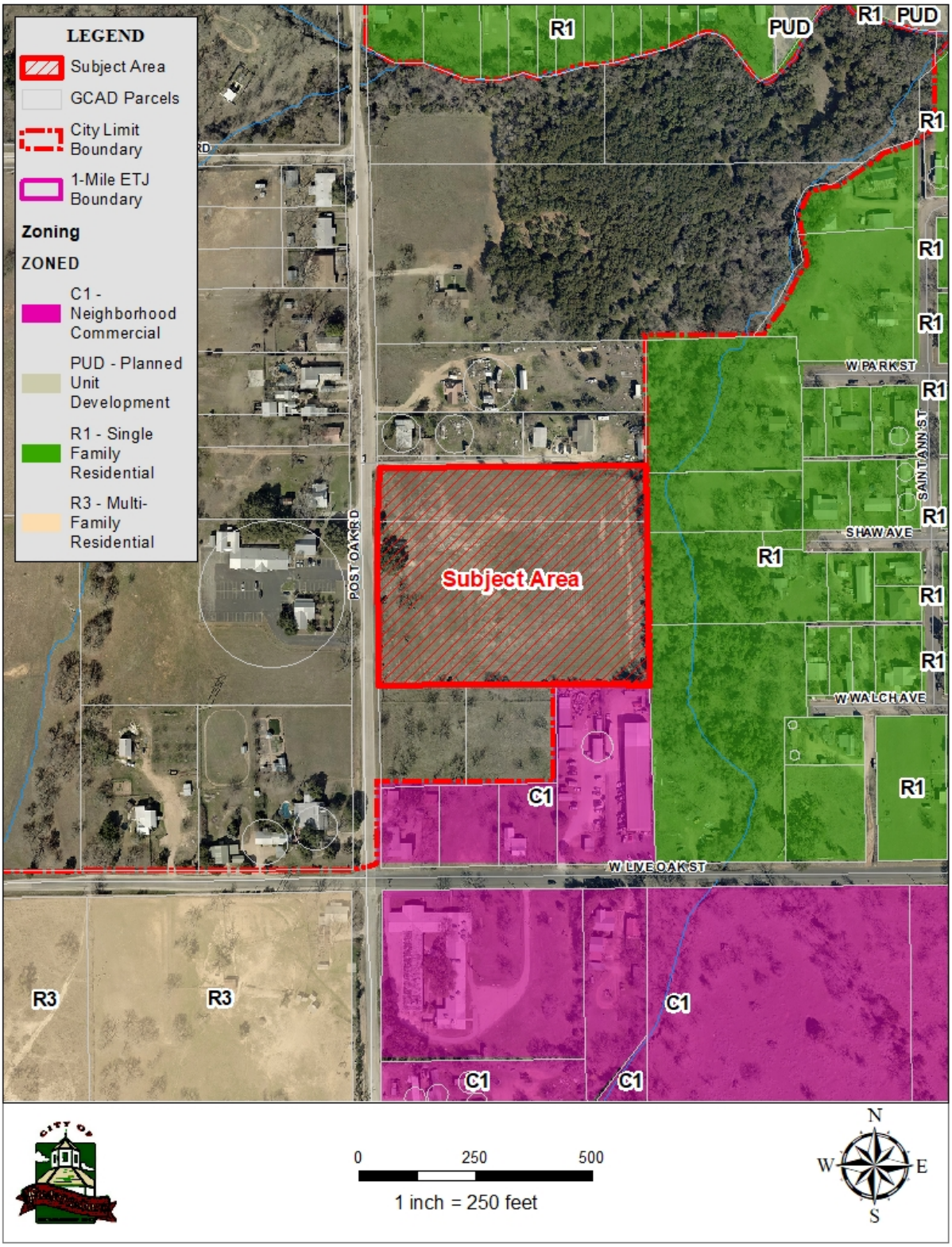
The property is located at 651 Post Oak Rd, located approximately 575 ft north of the intersection of Post Oak Rd. and W. Live Oak St. This property is currently located in the City's Annexation Plan (Area 6A). The remaining properties of annexation area 6A have been notified of the annexation process and will be considered for annexation at a later date.

The property would be required to extend utilities to serve their property and then be required to extend utilities to adjacent landowners as part of the platting/subdivision process.

Recommendation:

Staff recommends approval of the requested annexation and proposed zoning of R1A.

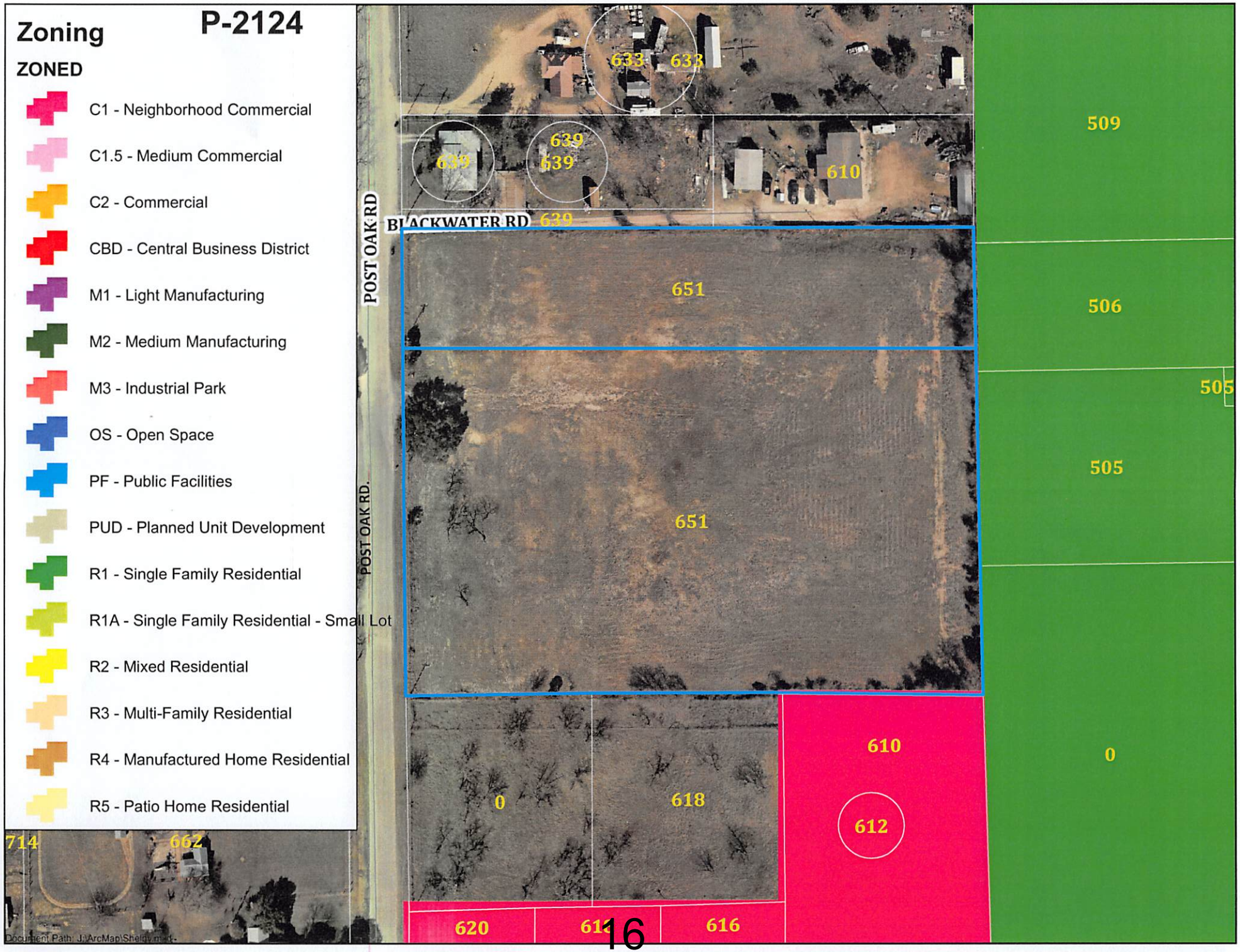
Attachments: Location Map

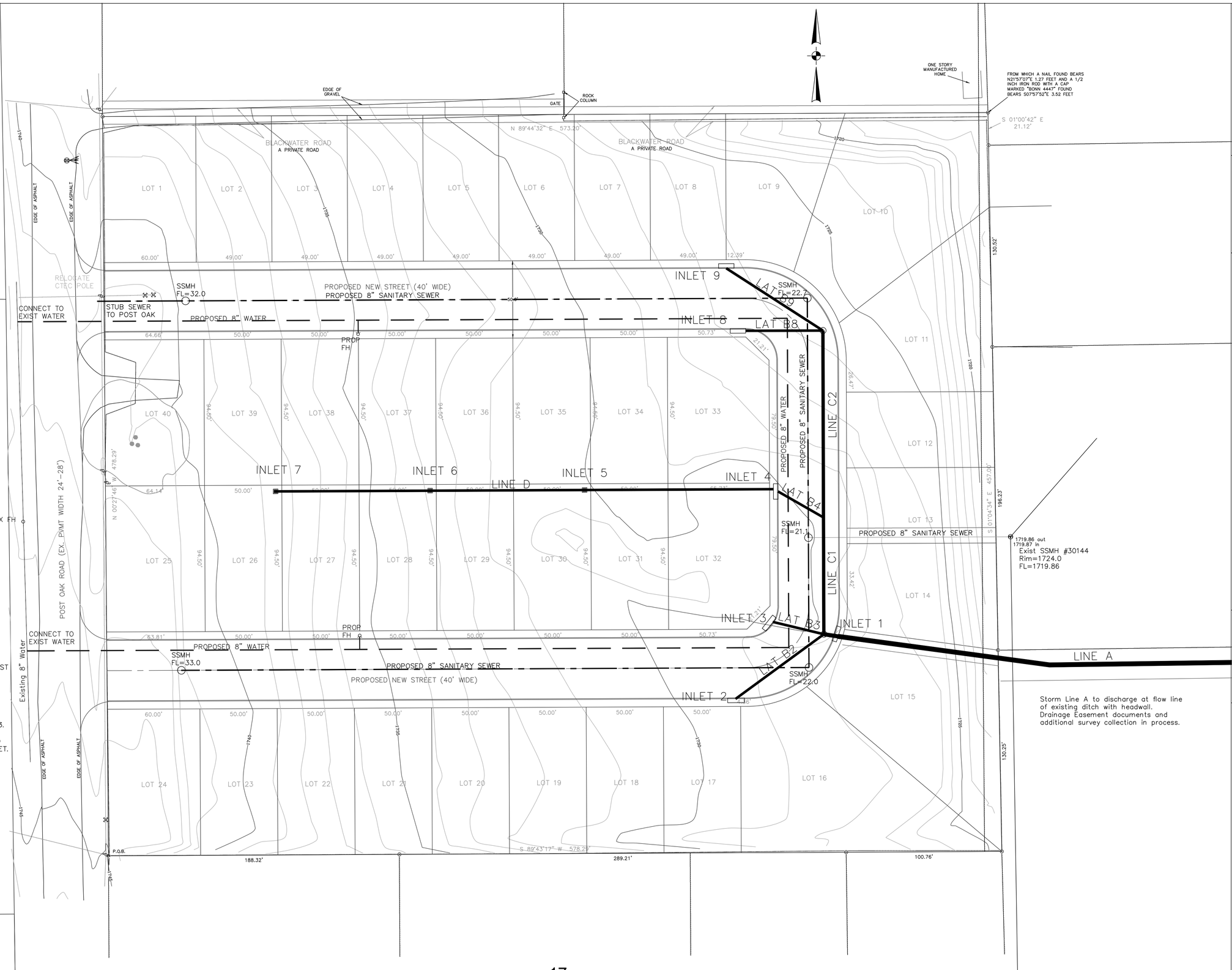

LEGEND
Subject Area
GCAD Parcels
City Limit Boundary
1-Mile ETJ Boundary
Zoning
ZONED
C1 - Neighborhood Commercial
PUD - Planned Unit Development
R1 - Single Family Residential
R3 - Multi-Family Residential
Subject Area
POST OAK RD
W PARK ST
SAINT ANN ST
SHAW AVE
W WALCH AVE
W LIVE OAK ST
R1
PUD
C1
R3
0
250
500
1 inch = 250 feet
N
W
E
S

PRELIMINARY PLAT
BACKGROUND INFORMATION
August 4, 2021

File Number:	P-2124
Subdivision Name:	Post Oak Subdivision – Preliminary Plat.
Location:	651 Post Oak Road (See attached map)
Zoning:	R1A – Single-Family Residential – Small Lot
Tract Size:	Approximately 6.32 Acres
Number/Size of Lots:	40 residential Lots
Roadways:	New 40’ wide streets to be constructed at owners’ expense.
Right-of-way:	40’
Utilities:	Water and Sewer are available to serve this property and extension of existing infrastructure will be at the developer’s expense. Electric to be provided by CTEC. No Gas installation.
Easements:	Standard easements to include a Sanitary Sewer easement between lot 13 and 14 with a minimum width of 15ft and a 15ft Sanitary Sewer easement on the West/Northwest side of Lot 10 from the proposed street ROW to the North property line. Applicant will continue to work with CTEC regarding appropriate easements for Electric.
Easements Abandoned:	Not Applicable
Stormwater Detention:	Project will comply with the City’s Stormwater Control Ordinance, or a no-detention study will be provided which includes an analysis of each discharge point. This will be evaluated as part of the Final Plat and Construction Plans.
Drainage:	See above.
Park Dedication:	Park Land Dedication in the amount of $500.00 Per lot will be required prior to recordation of the Final Plat

Construction Plans:	Construction Plans shall be reviewed, approved, and constructed prior to recordation of the plat. The plat may be recorded prior to construction of public infrastructure if a financial guarantee is presented and accepted by the City Council.
Screening Plan:	None required
P&Z Action:	Final approval
Staff Recommendation:	Staff recommends Approval of the proposed Preliminary Plat conditioned upon Approval of the final Construction Plans.


Zoning
P-2124
ZONED
C1 - Neighborhood Commercial
C1.5 - Medium Commercial
C2 - Commercial
CBD - Central Business District
M1 - Light Manufacturing
M2 - Medium Manufacturing
M3 - Industrial Park
OS - Open Space
PF - Public Facilities
PUD - Planned Unit Development
R1 - Single Family Residential
R1A - Single Family Residential - Small Lot
R2 - Mixed Residential
R3 - Multi-Family Residential
R4 - Manufactured Home Residential
R5 - Patio Home Residential
POST OAK RD
POST OAK RD.
BLACKWATER RD
633
633
639
639
639
610
509
651
506
505
651
505
0
610
612
0
618
620
616
714
662



UTILITY PLAN NOTES:

1. WATER TO BE SERVED BY CITY OF FREDERICKSBURG BY CONNECTING TO THE EXISTING 8" WATER LINE ON WEST SIDE OF POST OAK ROAD. EXTENSION OF 8" WATER LINE LOOPED THROUGH SUBDIVISION WITH (2) ADDITIONAL FIRE HYDRANTS AS SHOWN. 1" WATER SERVICE AND METER TO EACH LOT.
2. SANITARY SEWER WILL BE SERVED BY CITY OF FREDERICKSBURG BY CONNECTING TO EXISTING MANHOLE AND 8" SEWER LINE EAST OF LOT 13. AN 8" COLLECTION LINE TO BE INSTALLED WITHIN EACH STREET. EXTEND SEWER LINE TO POST OAK RIGHT-OF-WAY IN NORTHERN STREET.
3. ELECTRIC WILL BE SERVED BY CENTRAL TEXAS ELECTRIC COOP AND SERVICE IS AVAILABLE ALONG POST OAK ROAD. UNDERGROUND ELECTRIC TO EACH LOT WITH METER/TRANSFORMER SHARED BETWEEN LOTS.
4. FIBER WILL BE SERVED BY NEXSTREAM AND CABLE WILL BE SERVED BY SPECTRUM AND FOLLOW U/G ELECTRIC.
5. GAS IS NOT IN THE VICINITY AND WILL NOT BE INSTALLED WITH THIS PROJECT.

Storm Line A to discharge at flow line of existing ditch with headwall. Drainage Easement documents and additional survey collection in process.

CORNETT ENGINEERING
1174 Furrl Kinder, Fredericksburg, Texas 78624
mark@cornettengineering.com
www.cornettengineering.com
210-213-1195 c 830-997-6418 o
Texas Firm No. 13850

STATE OF TEXAS
MARK D. CORNETT
92341
LICENSED PROFESSIONAL ENGINEER
7/26/2022

Owner/ Developer: 10-8 PROPERTIES, LLC

PRELIMINARY PLAT
POST OAK VILLAGE
Post Oak Road, Fredericksburg, Texas

revision	date
X	

DOCUMENTS

C-1
Utility Plan

August 23, 2021

Mark Cornett
1174 Funf Kinder
Fredericksburg, TX. 78624

RE: P - 2124, Preliminary Plat of the Post Oak Village Subdivision located at 651 Post Oak Road, Fredericksburg, Texas

Dear Mr. Cornett,

Please review the following comments and address appropriately. Please provide a written response as to how the items are addressed in addition to the revised Plat. Plans will not be reviewed or considered without a response sheet.

1. Add a plat note stating "setback shall be in accordance with the City's adopted zoning code, at the time of permitting"
2. Show and label all lot line dimensions and distances.
3. Label each lot with its acres & square footage.
4. Provide street names and lot addressing plan for review and approval by Gillespie 9-1-1.
    - Label as public right-of-way
5. Provide Plat Title and legal description of the land with the proposed subdivision name.
6. A full review of the plans will be conducted as part of the Final Plat & Civil Construction Plan Review Phases.
7. The development will need to comply with the City's Stormwater Control Ordinance, or a no-detention study needs to be provided which includes an analysis of each discharge point.
8. The development will need to comply with the City's Flood Hazard Reduction Ordinance.
9. Note Storm Sewer Line D as private or provide additional information regarding maintenance responsibilities and access.
10. Easement documents will require City attorney approval.
11. Escrow deposit requirements relating to improvements to Post Oak Rd. will be reviewed as part of the final plat process.
12. The developer is responsible for coordinating utility line relocations and costs with CTEC. Provide appropriate easements as required by CTEC.
13. Provide a 15 feet sanitary sewer easement on the west/northwest side of Lot 10 from the proposed street ROW to the north property line.

14. Provide dimension of sanitary sewer easement between Lot 13 and 14. Easement shall have a minimum width of 15 ft.
15. Show right of way ties across Post Oak Road.
16. Show sight visibility triangles base on the improved Post Oak Road condition and include related plat notes.
17. Parkland Dedication fees of $500 per lot are required prior to recording of the final plat.

Please feel free to contact me with any comments or questions, and I will be happy to assist you. Please return the revised plans along with your written response as to how the comments have been addressed.

Sincerely,

Shelby Collier
Development Review Committee (DRC)
CC: Anna Hudson, Kyle Staudt, Reagan Rabke, Kris Kneese, PE, Garret Bonn, PE, Jason Lutz

PLANNING & ZONING COMMISSION MEMO

DATE: September 8, 2021

TO: Planning and Zoning Commission

FROM: Shelby Collier

SUBJECT: SP-2113 (Sunset Grill) - Consider allowing an Off-site or remote parking arrangement for a proposed Restaurant at 405 E. Live Oak St.

Summary: A Site Plan has been submitted to consider 405 E. Live Oak St as the location for two future restaurants (new location of Woerner Café and Sunset Grill). A Parking agreement for Woerner' s Café was previously approved in April of 2021 and the Applicant is now requesting approval for the proposed new construction of Sunset Grill.

As part of their plan, a total of 19 parking spaces are required. They are proposing that 8 parking spaces be located on site and the remaining 11 spaces and dumpster pad be located on the adjoining vacant property to the west (see attached Site Plan & maps). The parking agreement is for the duration of the referenced business.

Recommendation: While the proposed Parking Agreement meets the minimum requirements set forth by Section 7.863 Staff has concerns regarding the congestion and activity in the area. With the addition of Sunset Grill to 405 E. Live Oak, this block of East Live Oak would have 3 restaurants. These three restaurants combined provide a total of 41 Parking Spaces, 22 of which are located off-site. The complications that may arise from Off-Site Parking, such as a change in ownership or owner and lessee disputes provide Staff a cause for concern.

Section 7.850 provide Staff and the Commission the ability to review relevant criteria such as potential parking demand created by other uses in the vicinity. Staff believes that the demand created with the addition of Sunset Grill could potentially overwhelm the already congested area.

Staff recommends that this site not be considered for future development of Sunset Grill, but instead provide parking for Woerner Café as well as overflow for Granite. Staff recommends Denial.

Should the parking agreement be approved, staff may recommend approval with the following condition:

1. After review of the floor plan, if additional parking is needed, Staff will bring the Site Plan and Parking Agreement back to P&Z for review and approval.

2. Hours of operation to be separate from the neighboring Woerner Café, which would share the parking lot with Sunset Grill.

Background / Analysis:

Section 7.863 sets off-street parking requirements. Restaurant use requires 1 space per 4 seats.

Section 7.850 of the Zoning Ordinance provides that the Planning and Zoning Commission may approve (by Site Plan Review) location of a portion of the parking required for a use on another site. In determining whether to approve off-site parking, the Planning and Zoning shall consider all relevant factors, including the location of the use and the proposed off-site parking, existing and potential parking demand created by other uses in the vicinity, the characteristics of the use, including employee and customer parking demand, hours of operation and projected convenience and frequency of use of the off-site parking, adequacy, convenience and safety of pedestrian access to off-site parking, and traffic patterns on adjacent streets, and proposed access to the off-site parking.

The Commission may require such guarantees as it deems necessary to ensure the continued availability and usability of any off-site parking.

Attachments:

Parking Agreement, Site Plan, and Location Map

Case Comments:

The Commission previously approved a Parking Agreement for this site without the proposed addition of Sunset Grill on April 7, 2021.

OWNER INFORMATION:

ANGELA MANCINO
405 E LOVE OAK ST
FREDERICKSBURG, TEXAS 78624

LEGAL DESCRIPTION:
SOUTH SIDE BLK A LOT 12

ZONING:

ZONED:	M-1 LIGHT MANUFACTURING
PROPOSED USE:	RESTAURANT
MIN. ALLOWABLE LOT AREA:	5,000 SQ FT
TOTAL LOT AREA:	11,246 SQ FT (0.258 ACRES)

SETBACKS:

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

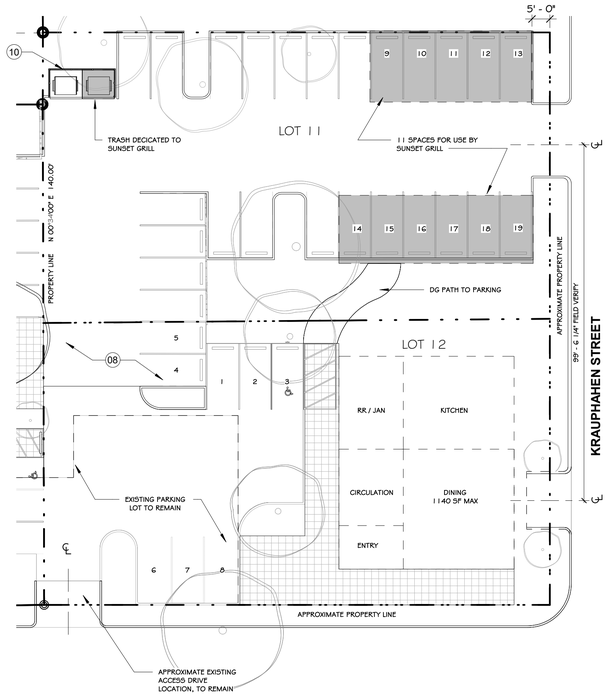
MAX. ALLOWABLE BUILDING COVERAGE:	75% OF LOT AREA
TOTAL PROPOSED BUILDING COVERAGE:	26% (2,914 SF)
MAX ALLOWABLE IMPERVIOUS COVERAGE:	85% OF LOT AREA
PROPOSED IMPERVIOUS COVERAGE:	9,283 SQFT (83%)
LANDSCAPE:	1,949 SQFT (17%)
MAXIMUM ALLOWABLE BUILDING HEIGHT:	3 STORIES - 38' - 0"
MAXIMUM PROPOSED BUILDING HEIGHT:	1 STORY - 30' - 0"

REQUIRED PARKING SPACES

RESTAURANT	1,140 SQFT/15 SF/OCC = 76 OCC
TOTAL DINING AREA	76 OCC/4 SEATS PER SPACE = 19 SPACES
TOTAL SPACES REQUIRED	19 SPACES
TOTAL SPACES PROVIDED	19 SPACES
	8 SPACES - ON SITE
	11 SPACES - PART OF REMOTE PARKING AGREEMENT
ADA PARKING REQ.	1 SPACE
ADA PARKING PROVIDED	1 SPACE

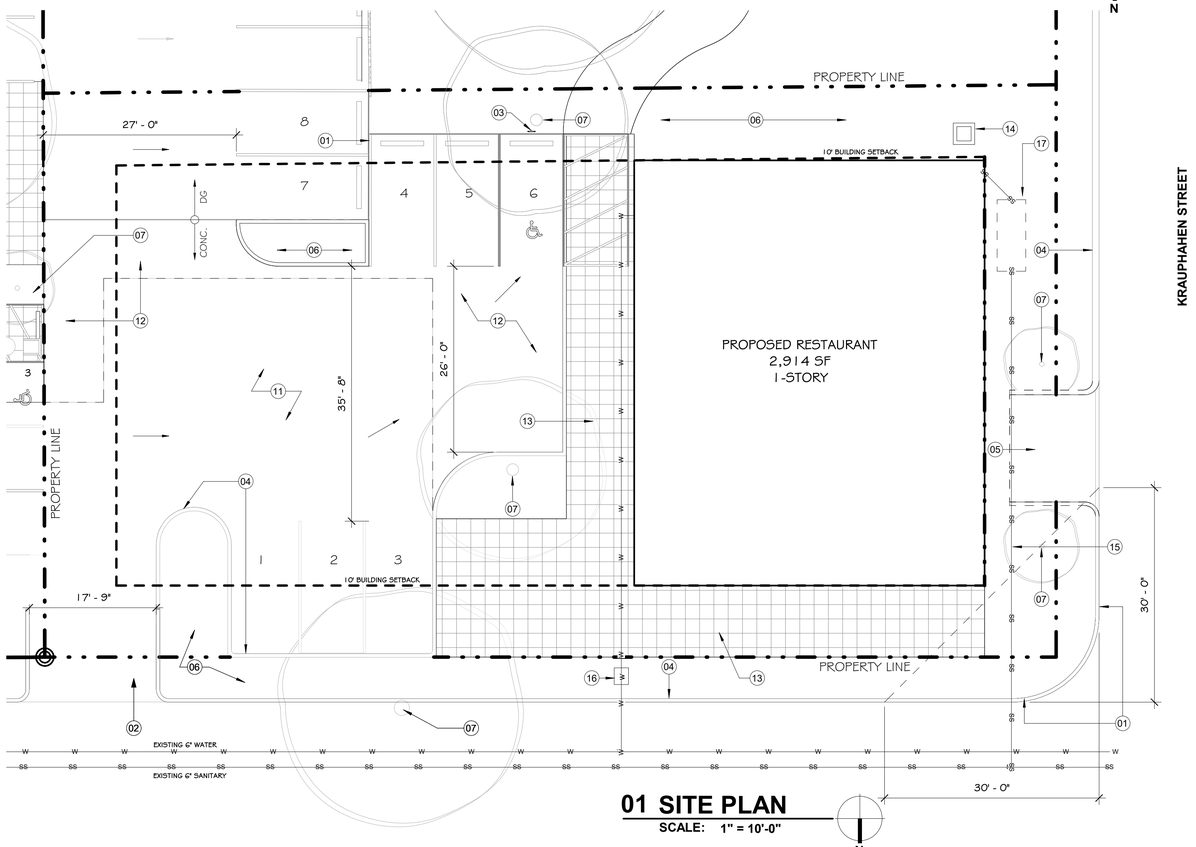
INTERIOR LANDSCAPE REQUIREMENTS:

10 SQFT PER EACH INTERIOR PARKING SPACE	10 x 5 SPACES = 50 SQFT
1 SQFT OF LANDSCAPE/100 SQFT PAVED AREA	(1,949/100)*1 = 20 SQFT
INTERIOR LANDSCAPING REQUIRED:	= 70 SF
INTERIOR LANDSCAPING PROVIDED:	= 964 SF



02 PARKING AGREEMENT SITE PLAN

SCALE: 1" = 20'-0"



01 SITE PLAN

SCALE: 1" = 10'-0"

SITE PLAN NOTES

1. CONTRACTOR IS TO PROTECT ALL EXISTING TREES TO REMAIN PRIOR TO CONSTRUCTION.

SITE KEY NOTES

01 CONCRETE CURB EXISTING TO REMAIN
02 EXISTING ENTRY DRIVE TO REMAIN
03 POLE MOUNTED ACCESSIBLE VAN PARKING SIGN
04 EXISTING CURB TO REMAIN
05 EXISTING APRON/ENTRY TO BE REMOVED. NEW CURB TO BE INSTALLED TO MATCH EXISTING.
06 LANDSCAPE AREA
07 EXISTING TREE TO REMAIN
08 PERMEABLE DECOMPOSED GRANITE GRAVEL PARKING AREA COMPACTED SMOOTH, WITH LANDSCAPE TIMBERS SECURED WITH STEEL RODS INTO GRANITE GRAVEL AT EACH PARKING STALL. PROVIDE 6" STONE EDGING AT PERIMERTER OF D.G. PARKING AREA
09 EXISTING SIDEWALK TO REMAIN
10 PROPOSED WOOD FENCE AND SCREENED TRASH AREA WITH GATE
11 EXISTING CONCRETE SLAB TO REMAIN
12 INFILL WITH NEW CONCRETE FLATWORK TO MATCH EXISTING. DOWEL INTO EXISTING ADJACENT CONCRETE FLATWORK
13 NON PERMEABLE PAVER PATIO
14 PROPOSED PAD-MOUNTED ELECTRICAL TRANSFORMER. FINAL SIZE TO BE DETERMINED
15 PROPOSED 4" SANITARY SEWER LINE. TAP TO EXISTING LINE UNDER STREET. FINAL SIZE TO BE DETERMINED
16 PROPOSED 1" WATER METER AND 1 1/2" WATER SERVICE LINE. TAP TO EXISTING LINE UNDER STREET. FINAL SIZE TO BE DETERMINED
17 PROPOSED 500 GALLON GREASE INTERCEPTOR AND SAMPLE WELL. FINAL SIZE TO BE DETERMINED

SITE PLAN LEGEND

- FOUND 1/2" STEEL ROD
- E ELECTRIC METER
- W WATER METER
- NEW EXTERIOR SITE LIGHTING FIXTURES
- FIRE LANE AND ROAD EASEMENT
- PAVERS, REFER TO KEYED NOTES
- FIRE HYDRANT
- CONCRETE FLAT WORK, REFER TO KEYED NOTES

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Fredericksburg, Texas 78624
830.997.7024

SUNSET GRILL

405 E LOVE OAK ST.
FREDERICKSBURG, TX 78624

REVISIONS

NO.	DATE	DESCRIPTION

PRELIMINARY

THESE DRAWINGS ARE FOR INTERIM REVIEW AND REGULATORY APPROVAL, AND ARE NOT FOR PERMITTING, OR CONSTRUCTION

WHITNEY KOCH
24419
08.26.21

SITE PLAN

Drawn By:	WK / SM
Checked By:	WK
Approved By:	WK
Project No.	2027
Original Issue Date:	00.00.00

A-001

\\NAS\current projects file\Current Projects File\202112136 - Sunset Grill\02 - DWG\02 - SD\2136 - Sunset Grill - SD 06.rvt

OWNER INFORMATION:

ANGELA MANCINO & JAMIE LUCKEY
405 E LIVE OAK ST
FREDERICKSBURG, TEXAS 78624

LEGAL DESCRIPTION:
SOUTH SIDE BLK A LOT 1-PT & 2-PT
SOUTH SIDE BLK A LOT 11

ZONING:

ZONED:	M-1 LIGHT MANUFACTURING
PROPOSED USE:	RESTAURANT
MIN. ALLOWABLE LOT AREA:	5,000 SQ FT
TOTAL LOT AREA:	10,149 SQ FT (0.233 ACRES) 11,472 SQ FT (0.263 ACRES)
SETBACKS:	
FRONT YARD:	10 FT
STREET SIDE YARD:	10 FT
INTERIOR SIDE YARD:	10 FT
REAR SIDE YARD:	10 FT
MAX. ALLOWABLE BUILDING COVERAGE:	75% OF LOT AREA
TOTAL PROPOSED BUILDING COVERAGE:	41% (4,139 SF)
LOT 1-PT & 2-PT	
MAX ALLOWABLE IMPERVIOUS COVERAGE:	85% OF LOT AREA
PROPOSED IMPERVIOUS COVERAGE:	7,016 SQFT (69%)
BUILDINGS - EXISTING	4,139 SQFT
DRIVE/PARKING/SIDEWALKS	2,877 SQFT
LANDSCAPE:	3,139 SQFT (31%)
LOT 11	
MAX ALLOWABLE IMPERVIOUS COVERAGE:	85% OF LOT AREA
PROPOSED IMPERVIOUS COVERAGE:	144 SQFT (1.3%)
LANDSCAPE:	2,368 SQFT (21%)
MAXIMUM ALLOWABLE BUILDING HEIGHT:	3 STORIES - 38' - 0"
MAXIMUM PROPOSED BUILDING HEIGHT:	1 STORY - 23' - 7"

REQUIRED PARKING SPACES:

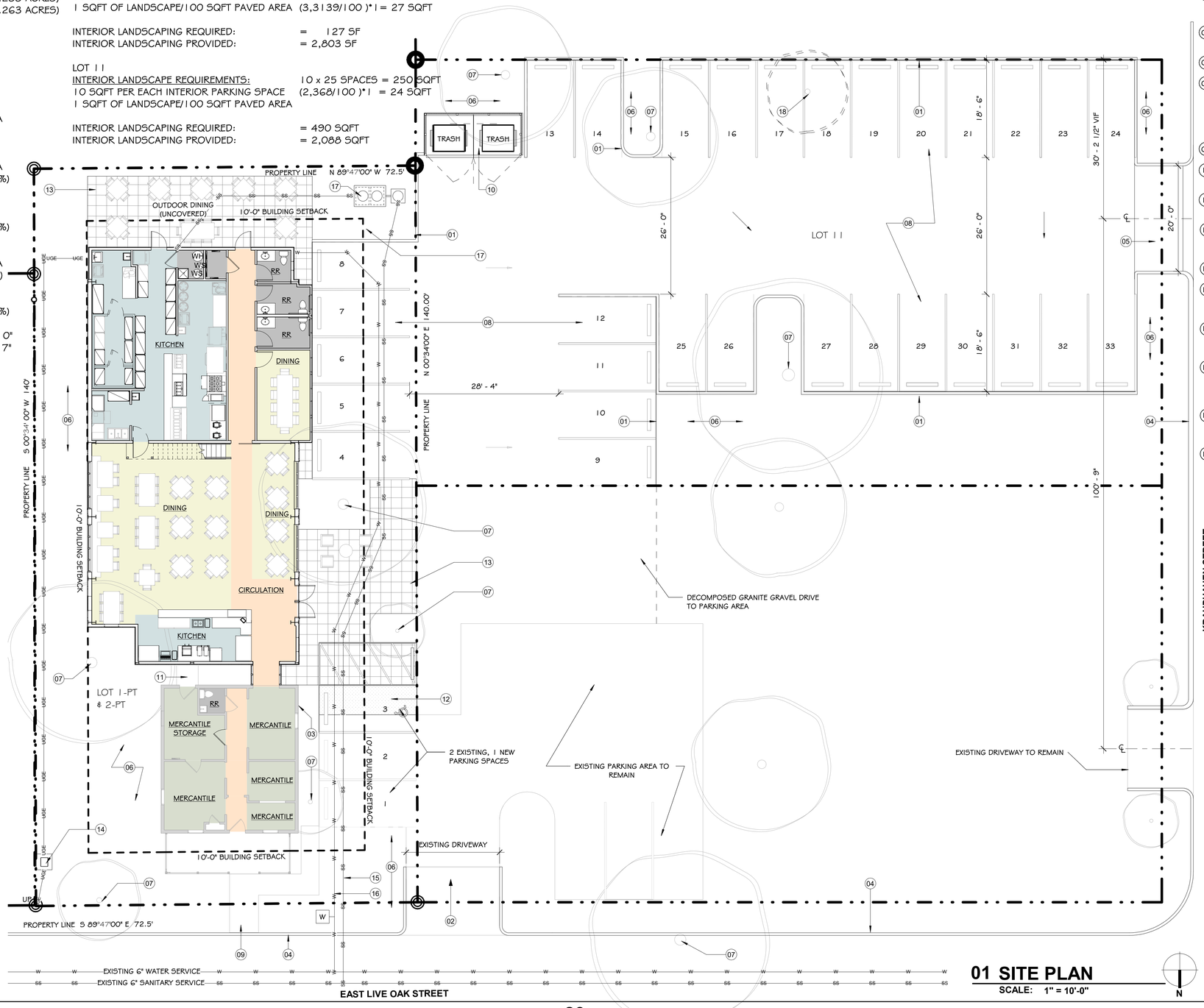
MERCANTILE	1 SPACE PER 750 SQ. FT 735 SQ. FT = 1 SPACE
RESTAURANT	1,235 SQFT/15 SF/OCC = 82 OCC
TOTAL DINING AREA	82 OCC/4 SEATS PER SPACE = 21 SPACES
TOTAL SPACES REQUIRED	22 SPACES
TOTAL SPACES PROVIDED	33 SPACES
ADA PARKING REQ.	1 SPACE
ADA PARKING PROVIDED	1 SPACE

LOT 1-PT & 2-PT
INTERIOR LANDSCAPE REQUIREMENTS:

10 SQFT PER EACH INTERIOR PARKING SPACE	10 x 8 SPACES = 80 SQFT
1 SQFT OF LANDSCAPE/100 SQFT PAVED AREA	(3,3139/100)*1 = 27 SQFT
INTERIOR LANDSCAPING REQUIRED:	= 127 SF
INTERIOR LANDSCAPING PROVIDED:	= 2,803 SF

LOT 11
INTERIOR LANDSCAPE REQUIREMENTS:

10 SQFT PER EACH INTERIOR PARKING SPACE	10 x 25 SPACES = 250 SQFT
1 SQFT OF LANDSCAPE/100 SQFT PAVED AREA	(2,368/100)*1 = 24 SQFT
INTERIOR LANDSCAPING REQUIRED:	= 490 SQFT
INTERIOR LANDSCAPING PROVIDED:	= 2,088 SQFT



01 SITE PLAN
SCALE: 1" = 10'-0"

SITE PLAN NOTES

1. CONTRACTOR IS TO PROTECT ALL EXISTING TREES TO REMAIN PRIOR TO CONSTRUCTION.

SITE KEY NOTES

01 6" CONCRETE CURB OR STONE EDGING
02 EXISTING ENTRY DRIVE TO REMAIN
03 WALL MOUNTED ACCESSIBLE VAN PARKING SIGN
04 EXISTING CURB TO REMAIN
05 ENTRY DRIVE PER CITY OF FREDERICKSBURG STANDARDS, ENGINEERING BY OWNER/OTHERS
06 LANDSCAPE AREA TO COMPLY WITH CITY LANDSCAPE ORDINANCE
07 EXISTING TREE TO REMAIN
08 PERMEABLE DECOMPOSED GRANITE GRAVEL PARKING AREA COMPACTED SMOOTH, WITH LANDSCAPE TIMBERS SECURED WITH STEEL RODS INTO GRANITE GRAVEL AT EACH PARKING STALL. PROVIDE 6" STONE EDGING AT PERIMERTER OF D.G. PARKING AREA
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17 PROPOSED 500 GALLON GREASE INTERCEPTOR AND SAMPLE WELL. FINAL SIZE TO BE DETERMINED
18 REMOVE EXISTING TREE

ROOM LEGEND

- CIRCULATION
- DINING
- KITCHEN
- MERCANTILE
- MERCANTILE STORAGE
- RR
- UTILITY

SITE PLAN LEGEND

- FOUND 1/2" STEEL ROD
- E ELECTRIC METER
- W WATER METER
- NEW EXTERIOR SITE LIGHTING FIXTURES
- FIRE LANE AND ROAD EASEMENT
- PAVERS, REFER TO KEYED NOTES
- FIRE HYDRANT
- CONCRETE FLAT WORK, REFER TO KEYED NOTES

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830.997.7024

WOERNER CAFE
405 E LIVE OAK ST.
FREDERICKSBURG, TX 78624

REVISIONS

NO.	DATE	DESCRIPTION

PRELIMINARY

THESE DRAWINGS ARE FOR INTERIM REVIEW AND REGULATORY APPROVAL, AND ARE NOT FOR PERMITTING, OR CONSTRUCTION

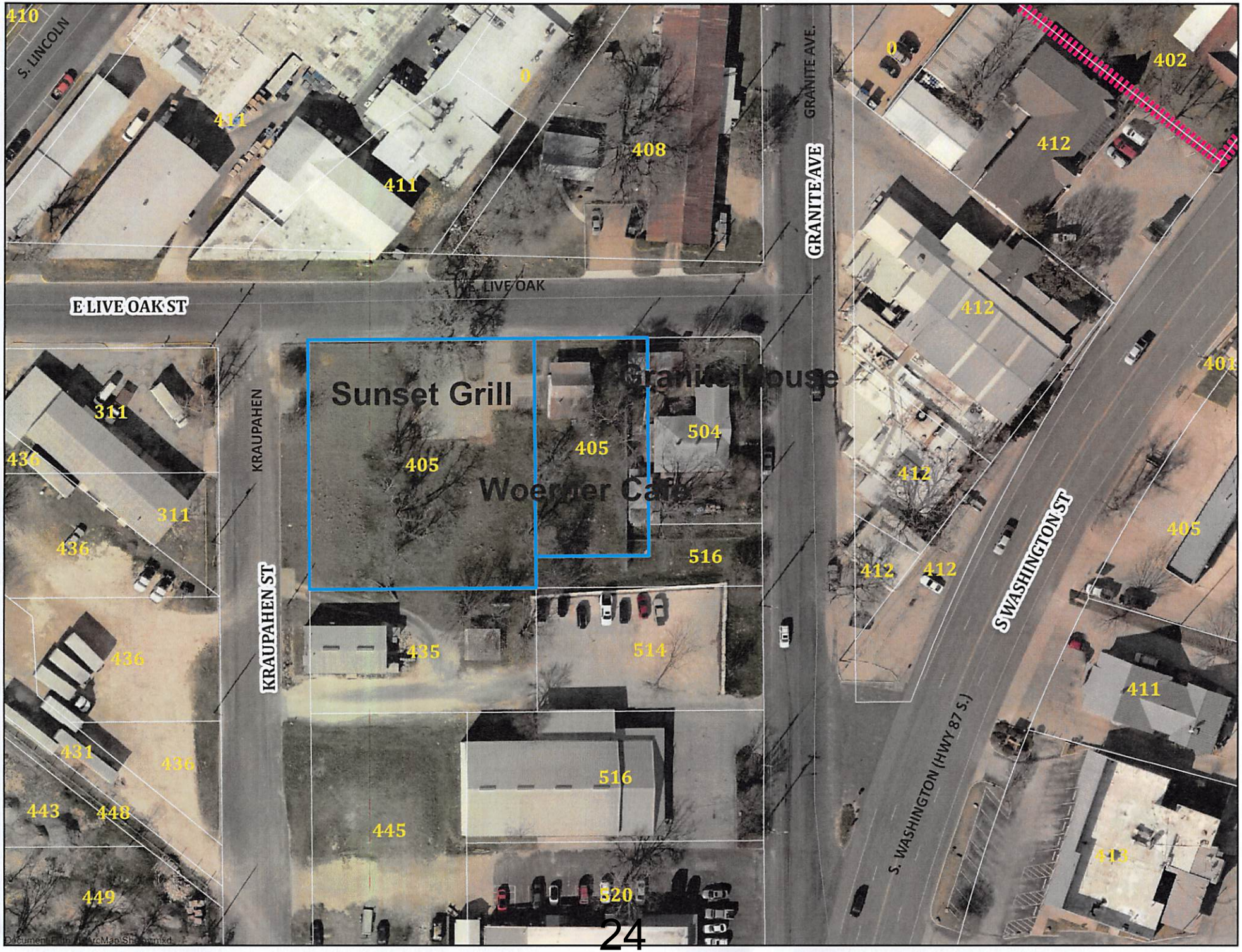
WHITNEY KOCH
24419
08.26.21

SITE PLAN

Drawn By:	WK / SM
Checked By:	WK
Approved By:	WK
Project No.	2027
Original Issue Date:	00.00.00

A-001

\\NAS\current projects file\Current Projects File\2020\2027 - Woerner Cafe\02 - Drawings\03 - Construction documents (CD)\2027 - Woerner Cafe - CD 06.rvt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PARKING SPACE RENTAL AGREEMENT

I. **The Parties.** This agreement dated on the 15th day of July, 2021 by and between Angela Mancino & ~~Angela Mancino~~ (owners of lot 12) with a mailing address of 7117 N US Hwy 16 in the City of Fredericksburg, State of Texas (Hereinafter known as the 'Lessor') and Angela Mancino & Jamie Luckey (owners of PT-1 & PT-2) 7117 N US Hwy 16 in the City of Fredericksburg, State of Texas (Hereinafter known as the 'Lessee' items listed in section VII located at Lot 12 - Fronting of Kraupahan St.

II. **Term**: The term of this agreement shall begin on the 1st day of August, 2021 and continue: for the duration of the referenced business to which this agreement is attached.

III. **Rent.** The renal payment shall be due on the 1st of every month in the amount of $150.00 dollars. Payment shall be delivered to the Lessor by the Lessee in the following manner: by mail or hand

IV. **Subletting.** The Lessee is not allowed to sublease (sublet) the space without the direct written consent from the Lessor.

V. **Current Registration & Insurance.** Lessee may only use the space for vehicles that are up-to-date with all State and local registration. In addition, all vehicles must maintain current with insurance that is legal under the State of registration.

VI. **Maintenance.** Lessee is required to keep the vehicle in good repair and free of hazardous leaks of oils or liquids. No repairs of any type are allowed on the parking space and, if needed, must be towed to a location that allows such activities.

VII. **Use of Space & Damage.** Unrestricted use of the lot for Vehicular & Pedestrian access, parking, and dumpsters. No storage of personal property may be allowed in the space. Lessor is not liable for any damage done to the vehicle or personal property taken from it. All liability to the vehicle and personal property will be responsibility of the Lessee.

VIII. **Governing Law.** This agreement shall be governed under the laws in the state of Texas.

This agreement was signed on the 15th day of July, 2021.

Lessor's Signature

Lessee's Signature

Angela Mancino

Lessor's Printed Name

Angela mancino

Lessee's Printed Name

PLANNING & ZONING COMMISSION MEMO

DATE: September 8, 2021

TO: Planning and Zoning Commission

FROM: Shelby Collier

SUBJECT: SP-2114 -Consider allowing an Off-site or remote parking arrangement for a proposed Restaurant (Woerner). at 405 E. Live Oak St.

Summary: A Site Plan has been submitted to consider 405 E. Live Oak St as the location for two future restaurants (new location of Woerner Café and Sunset Grill). A Parking agreement for Woerner' s Café was previously approved in April of 2021 and the Applicant is now requesting approval for the proposed new construction of Sunset Grill. This addition will require an update to the previously approved parking agreement.

As part of their plan, a total of 22 parking spaces are provided, 21 spaces for the Restaurant and 1 Space for the Mercantile. They are proposing that 8 parking spaces be located on site and the remaining 14 spaces and dumpster pad be located on the adjoining vacant property to the west (see attached Site Plan & maps). The parking agreement is for the duration of the referenced business.

Recommendation: While the proposed Parking Agreement meets the minimum requirements Staff has concerns regarding the congestion and activity in the area specifically regarding parking. With the addition of Sunset Grill to 405 E. Live Oak, this block of East Live Oak would have 3 restaurants. These three restaurants combined provide a total of 41 Parking Spaces, 22 of which are located off-site. The complications that may arise from Off-Site Parking, such as a change in ownership or owner and lessee disputes provide Staff a cause for concern.

Section 7.850 provide Staff and the Commission the ability to review relevant criteria such as potential parking demand created by other uses in the vicinity. Staff believes that the demand created with the addition of Sunset Grill could potentially overwhelm the already congested area.

Staff recommends Approval with the following conditions:

1. After review of the floor plan, if additional parking is needed, Staff will bring the Site Plan and Parking Agreement back to P&Z for review and approval.

2. Hours of operation to be separate from the neighboring Sunset Grill (if approved), as the two business would share the parking lot.

Background / Analysis: Section 7.850 of the Zoning Ordinance provides that the Planning and Zoning Commission may approve (by Site Plan Review) location of a portion of the parking required for a use on another site. Off-site parking shall be located within 300' of the use which it serves. In determining whether to approve off-site parking, the Planning and Zoning shall consider all relevant factors, including the location of the use and the proposed off-site parking, existing and potential parking demand created by other uses in the vicinity, the characteristics of the use, including employee and customer parking demand, hours of operation and projected convenience and frequency of use of the off-site parking, adequacy, convenience and safety of pedestrian access to off-site parking, and traffic patterns on adjacent streets, and proposed access to the off-site parking.

Attachments:

Parking Agreement, Site Plan, and Location Map

Case Comments:

The Commission previously approved a Parking Agreement for this site without the proposed addition of Sunset Grill on April 7, 2021.

Department Approval

OWNER INFORMATION:

ANGELA MANCINO & JAMIE LUCKEY
405 E LIVE OAK ST
FREDERICKSBURG, TEXAS 78624

LEGAL DESCRIPTION:
SOUTH SIDE BLK A LOT 1-PT & 2-PT
SOUTH SIDE BLK A LOT 11

ZONING:

ZONED:	M-1 LIGHT MANUFACTURING
PROPOSED USE:	RESTAURANT
MIN. ALLOWABLE LOT AREA:	5,000 SQ FT
TOTAL LOT AREA:	10,149 SQ FT (0.233 ACRES) 11,472 SQ FT (0.263 ACRES)
SETBACKS:	
FRONT YARD:	10 FT
STREET SIDE YARD:	10 FT
INTERIOR SIDE YARD:	10 FT
REAR SIDE YARD:	10 FT
MAX. ALLOWABLE BUILDING COVERAGE:	75% OF LOT AREA
TOTAL PROPOSED BUILDING COVERAGE:	41% (4,139 SF)
LOT 1-PT & 2-PT	
MAX ALLOWABLE IMPERVIOUS COVERAGE:	85% OF LOT AREA
PROPOSED IMPERVIOUS COVERAGE:	7,016 SQFT (69%)
BUILDINGS - EXISTING	4,139 SQFT
DRIVE/PARKING/SIDEWALKS	2,877 SQFT
LANDSCAPE:	3,139 SQFT (31%)
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MAXIMUM PROPOSED BUILDING HEIGHT:	1 STORY - 23' - 7"

REQUIRED PARKING SPACES:

MERCANTILE	1 SPACE PER 750 SQ. FT 735 SQ. FT = 1 SPACE
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TOTAL DINING AREA	82 OCC/4 SEATS PER SPACE = 21 SPACES
TOTAL SPACES REQUIRED	22 SPACES
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LOT 1-PT & 2-PT
INTERIOR LANDSCAPE REQUIREMENTS:

10 SQFT PER EACH INTERIOR PARKING SPACE	10 x 8 SPACES = 80 SQFT
1 SQFT OF LANDSCAPE/100 SQFT PAVED AREA	(3,3139/100)*1 = 27 SQFT
INTERIOR LANDSCAPING REQUIRED:	= 127 SF
INTERIOR LANDSCAPING PROVIDED:	= 2,803 SF

LOT 11
INTERIOR LANDSCAPE REQUIREMENTS:

10 SQFT PER EACH INTERIOR PARKING SPACE	10 x 25 SPACES = 250 SQFT
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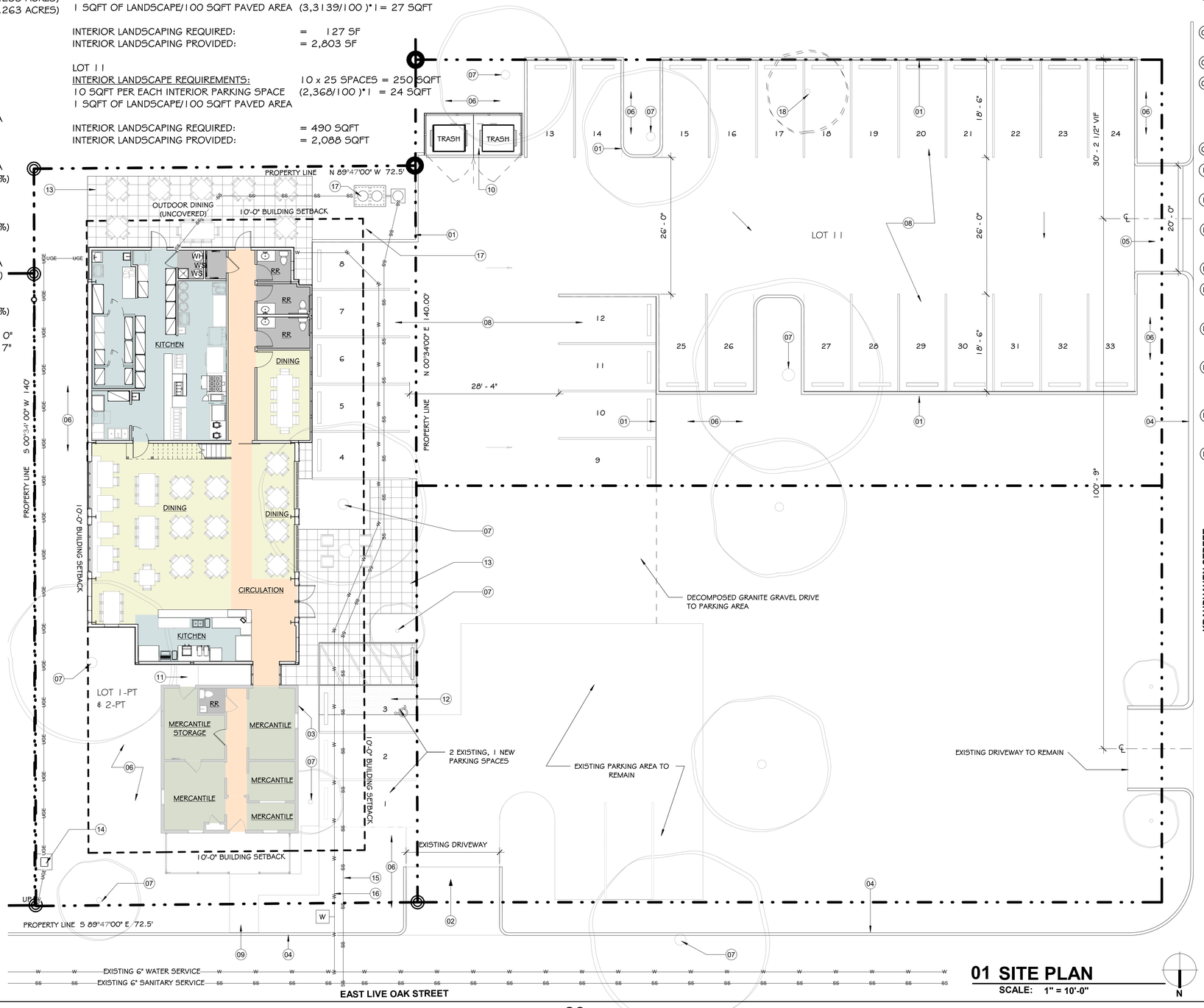
INTERIOR LANDSCAPING REQUIRED:	= 490 SQFT
INTERIOR LANDSCAPING PROVIDED:	= 2,088 SQFT



01 SITE PLAN
SCALE: 1" = 10'-0"

SITE PLAN NOTES

1. CONTRACTOR IS TO PROTECT ALL EXISTING TREES TO REMAIN PRIOR TO CONSTRUCTION.

SITE KEY NOTES

01 6" CONCRETE CURB OR STONE EDGING
02 EXISTING ENTRY DRIVE TO REMAIN
03 WALL MOUNTED ACCESSIBLE VAN PARKING SIGN
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17 PROPOSED 500 GALLON GREASE INTERCEPTOR AND SAMPLE WELL. FINAL SIZE TO BE DETERMINED
18 REMOVE EXISTING TREE

ROOM LEGEND

- CIRCULATION
- DINING
- KITCHEN
- MERCANTILE
- MERCANTILE STORAGE
- RR
- UTILITY

SITE PLAN LEGEND

- FOUND 1/2" STEEL ROD
- E ELECTRIC METER
- W WATER METER
- NEW EXTERIOR SITE LIGHTING FIXTURES
- FIRE LANE AND ROAD EASEMENT
- PAVERS, REFER TO KEYED NOTES
- FIRE HYDRANT
- CONCRETE FLAT WORK, REFER TO KEYED NOTES

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WOERNER CAFE
405 E LIVE OAK ST.
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REVISIONS

NO.	DATE	DESCRIPTION

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WHITNEY KOCH
24419
08.26.21

SITE PLAN

Drawn By:	WK / SM
Checked By:	WK
Approved By:	WK
Project No.	2027
Original Issue Date:	00.00.00

A-001

\\NAS\current projects file\Current Projects File\2020\2027 - Woerner Cafe\02 - Drawings\03 - Construction documents (CD)\2027 - Woerner Cafe - CD 06.rvt

PARKING SPACE RENTAL AGREEMENT

I. **The Parties**. This agreement dated on the 15th day of July, 2021 by and between Angela Mancino & ~~Angela Mancino~~ (owners of lot 12) with a mailing address of 7117 N US Hwy 16 in the City of Fredericksburg, State of Texas (Hereinafter known as the 'Lessor') and Angela Mancino & Jamie Luckey (owners of PT-1 & PT-2) 7117 N US Hwy 16 in the City of Fredericksburg, State of Texas (Hereinafter known as the 'Lessee' items listed in section VII located at Lot 12 – Fronting of Kraupahan St.

II. **Term**: The term of this agreement shall begin on the 1st day of August, 2021 and continue: for the duration of the referenced business to which this agreement is attached.

III. **Rent**. The renal payment shall be due on the 1st of every month in the amount of $150.00 dollars. Payment shall be delivered to the Lessor by the Lessee in the following manner: by mail or hand

IV. **Subletting**. The Lessee is not allowed to sublease (sublet) the space without the direct written consent from the Lessor.

V. **Current Registration & Insurance**. Lessee may only use the space for vehicles that are up-to-date with all State and local registration. In addition, all vehicles must maintain current with insurance that is legal under the State of registration.

VI. **Maintenance**. Lessee is required to keep the vehicle in good repair and free of hazardous leaks of oils or liquids. No repairs of any type are allowed on the parking space and, if needed, must be towed to a location that allows such activities.

VII. **Use of Space & Damage**. Unrestricted use of the lot for Vehicular & Pedestrian access, parking, and dumpsters. No storage of personal property may be allowed in the space. Lessor is not liable for any damage done to the vehicle or personal property taken from it. All liability to the vehicle and personal property will be responsibility of the Lessee.

VIII. **Governing Law**. This agreement shall be governed under the laws in the state of Texas.

This agreement was signed on the 15th day of July, 2021.

Lessor's Signature

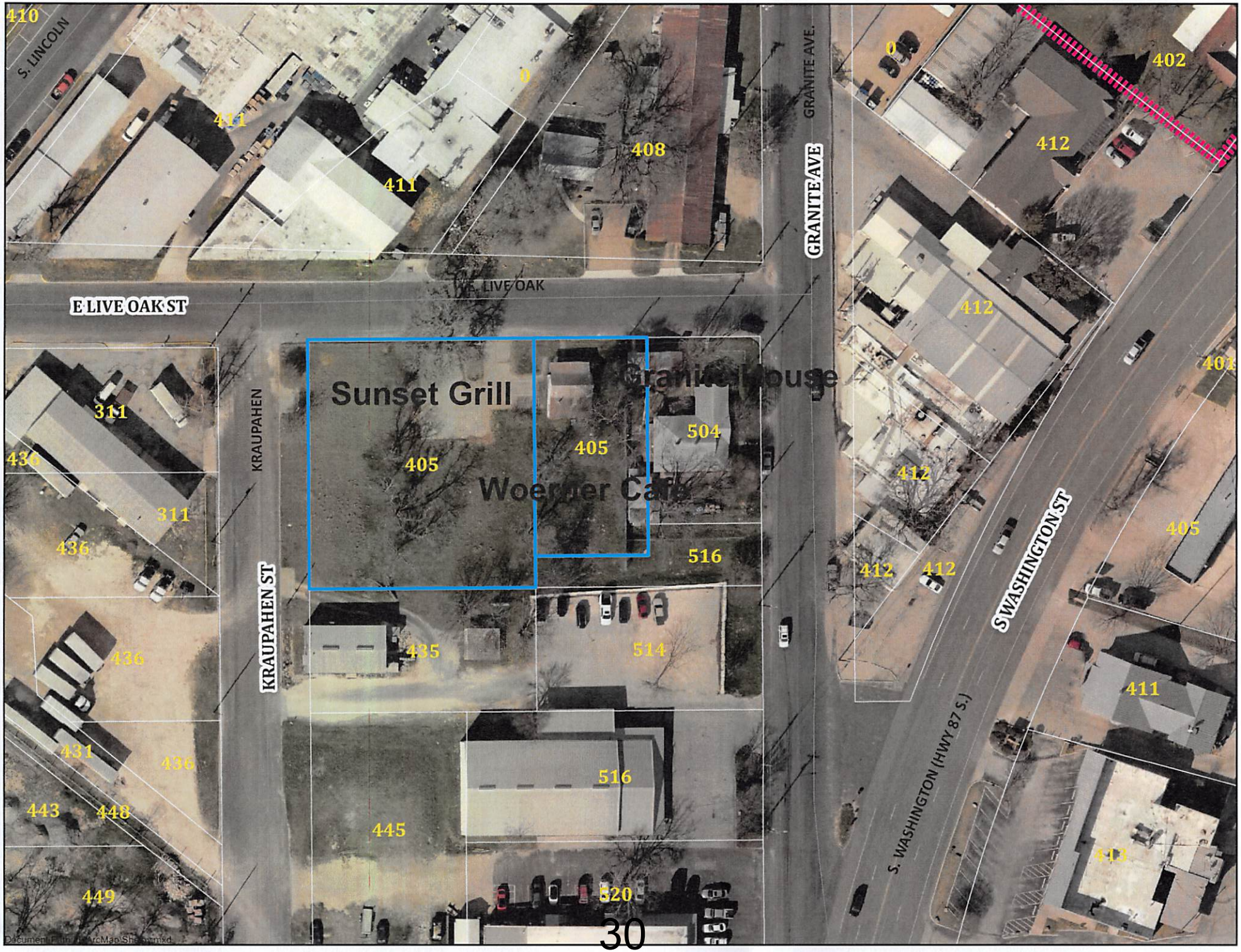
Lessee's Signature

Angela Mancino

Lessor's Printed Name

Angela mancino

Lessee's Printed Name


410
S. LINCOLN
411
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411
408
GRANITE AVE.
GRANITE AVE
0
402
412
E LIVE OAK ST
E. LIVE OAK
412
401
Granite House
Sunset Grill
405
504
405
Woerner Cafe
311
436
311
436
KRAUPAHEN
KRAUPAHEN ST
516
412
412
S WASHINGTON ST
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435
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411
431
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443
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445
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520

PLANNING & ZONING COMMISSION MEMO

DATE: September 8, 2021

TO: Planning and Zoning Commission

FROM: Jason Lutz

SUBJECT: Request by Jonathan Bursey with Urbanist USA to Consider a Site Plan for a Multi-Family Develoment located at 802 & 812 Friendship Lane.

Summary: A Site Plan has been submitted to consider a multi-family "Senior Living" development located at 802 Friendship Lane. The site is currently zoned R2, which would allow the proposed use. This multi-family project differs from others as the product units are designed as single-family homes vs. multiple building housing multiple units.

Staff has issued several comments regarding the proposed site plan and have not received a response to these comments. The comments are attached for your review.

Site Plan Background information:

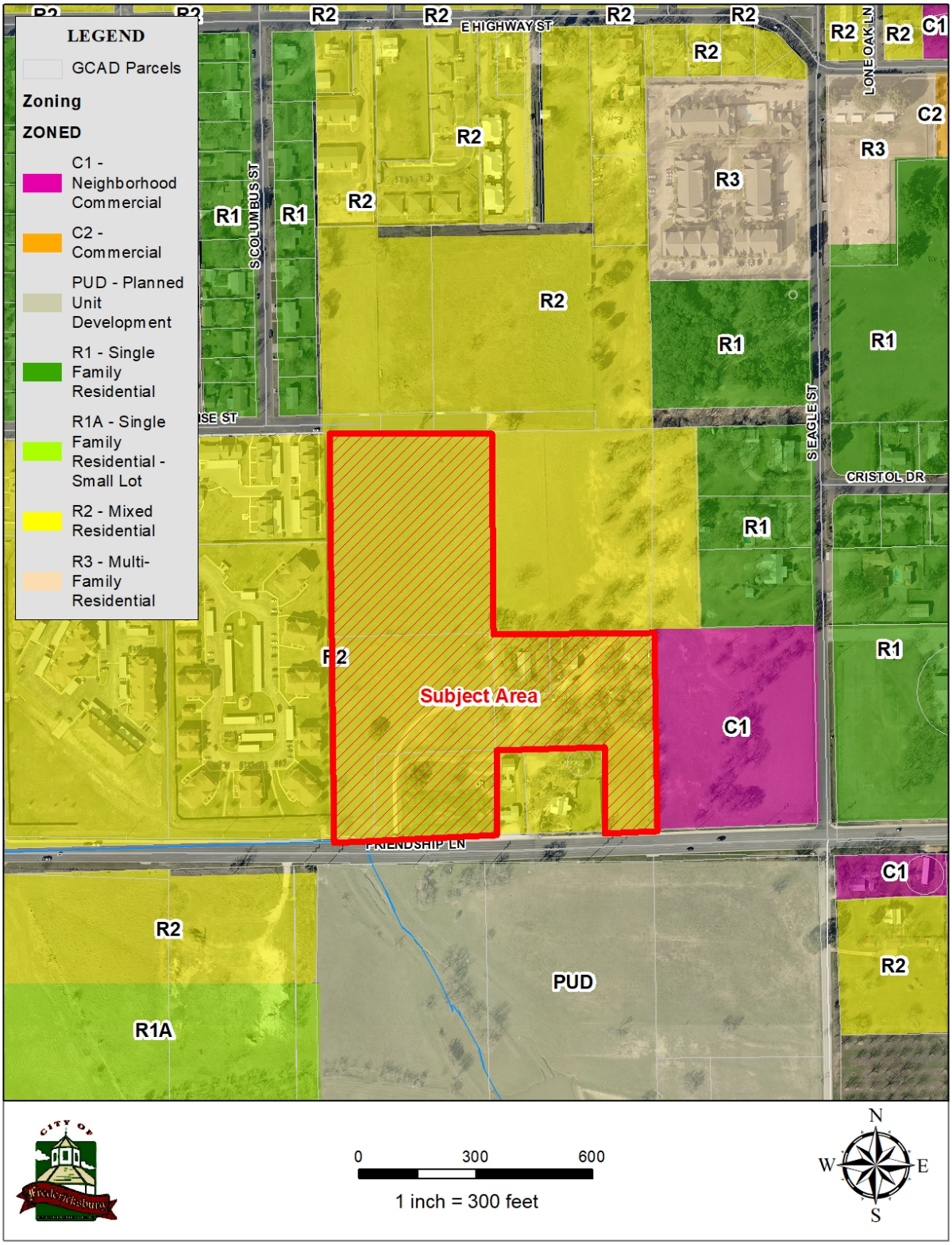
1.	File Number	SP-2115
2.	Applicant	Jonathan Bursey
3.	Project Description	Multi-family Project
4.	Site Area	13.74 acres
5.	Building	153 residential units (111 one-bedrooms & 42 two-bedroom units) One Amenity Center and Pool
6.	Building Height	TBD (28 feet max by code)
7.	Building Coverage	48.45% (Max 55%)
8.	Impervious Coverage	63.3% (Max 65%) The 63.3% is met using pervious pavers. Staff has requested information regarding the proposed pavers and has not received the info at this time.

9.	Density	The proposed density meets the R2 regulations
10.	Parking	324 (251 Required) While the parking regulations are satisfied, given that this project functions more as a single-family subdivision, staff has concerns that there are no guest parking sites at the individual homes and that the proposed circulation route (streets) are too narrow to allow on-street parking.
11.	Streets	None Provided Technically the applicant is not providing or dedicating any streets. The proposed streets are be requested to be considered a circulation or drive aisles found in standard apartment complexes. While under normal developments staff would not have issues with this, this development is more in line with a residential subdivision, and the proposed drive aisle are more in line with a standard street subdivision. Staff and Emergency Services Departments have major concerns regarding addressing of the property and at this time are not supportive of the proposed layout, unless these roads are standard streets and meet City regulations as required.
12.	Landscaping	Shall be reviewed as part of the building permit application
13.	Sidewalk	Not required
14.	Screening	8' Privacy Provided
15.	Lighting	Shall meet City Regulations
16.	Utilities	Shall be reviewed as part of the civil construction plan review process
17.	Detention	Shall be reviewed as part of the civil construction plan review process
18.	Park Dedication	Fee shall be required for each dwelling unit at $500 per unit and paid as part of the final plat.

Recommendation: Based on staff concerns regarding the streets/drive aisle, impervious pavers, addressing/9-1-1 response, and no responses to City comments, staff recommends denial.

Attachments:

Site Plans and Location Map


LEGEND
GCAD Parcels
Zoning
ZONED
C1 - Neighborhood Commercial
C2 - Commercial
PUD - Planned Unit Development
R1 - Single Family Residential
R1A - Single Family Residential - Small Lot
R2 - Mixed Residential
R3 - Multi-Family Residential
E HIGHWAY ST
S COLUMBUS ST
LONE OAK LN
S EAGLE ST
CRISTOL DR
FRIENDSHIP LN
Subject Area
0
300
600
1 inch = 300 feet
N
W
E
S

PLAN NORTH

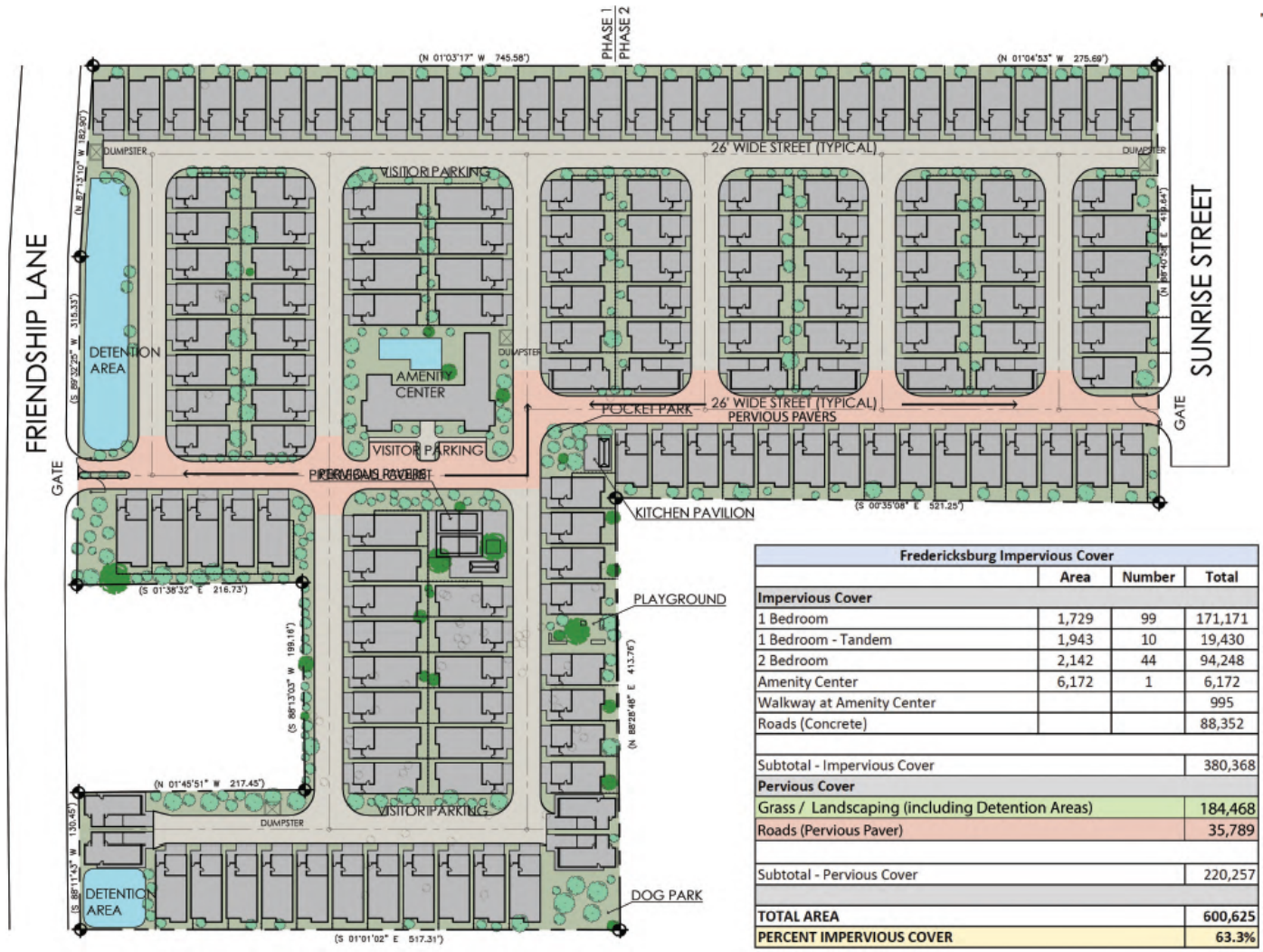
TRUE NORTH

Parking Provided	
	Number
Two Car Parking Garages	143 (286)
One Car Parking Garage + Carport	10 (20)
Visitor Spaces	18
No Loading Req.	-
Total Parking Spaces	324

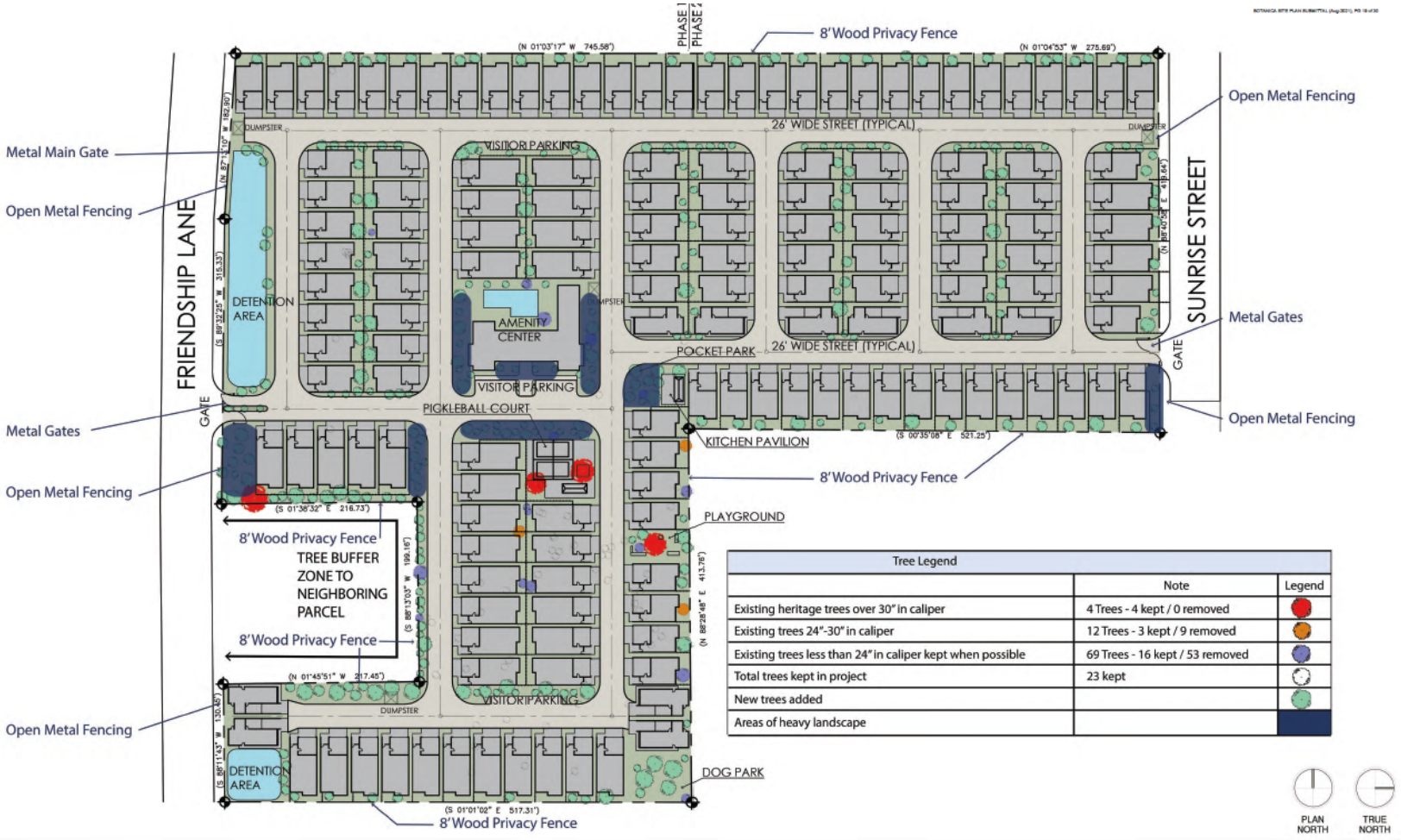
Parking Provided	
1 BR Unit 1.5 / Unit X 111 Units	167.0
2 BR Unit 2.0 / Unit X 42 Units	84.0
Total Required	251.0

PLAN NORTH

TRUE NORTH



Fredericksburg Impervious Cover			
	Area	Number	Total
Impervious Cover			
1 Bedroom	1,729	99	171,171
1 Bedroom - Tandem	1,943	10	19,430
2 Bedroom	2,142	44	94,248
Amenity Center	6,172	1	6,172
Walkway at Amenity Center			995
Roads (Concrete)			88,352
Subtotal - Impervious Cover			380,368
Pervious Cover			
Grass / Landscaping (including Detention Areas)			184,468
Roads (Pervious Paver)			35,789
Subtotal - Pervious Cover			220,257
TOTAL AREA			**600,625**
PERCENT IMPERVIOUS COVER			**63.3%**



Tree Legend		
	Note	Legend
Existing heritage trees over 30" in caliper	4 Trees - 4 kept / 0 removed	
Existing trees 24"-30" in caliper	12 Trees - 3 kept / 9 removed	
Existing trees less than 24" in caliper kept when possible	69 Trees - 16 kept / 53 removed	
Total trees kept in project	23 kept	
New trees added		
Areas of heavy landscape		

August 24, 2021

Kevin Spraggins
507 E. Highway Street
Fredericksburg, TX. 78624

RE: SP – 2115, Site Plan for a Multi-Family Development located at 802 Friendship Lane, Fredericksburg, Texas

Dear Kevin,

Please review the following comments and address appropriately. Please provide a written response as to how the items are addressed in addition to the revised Site Plan. Plans will not be reviewed or considered without a response sheet.

1. A full review will be conducted as part of the civil construction plan review phase.

2. Provide the manufacturers specifications and maintenance plan for the proposed pervious brick pavers to ensure the overall development is under the max allowed impervious cover.

3. Proposed streets/drive isles
    a. The attached narrative calls out private streets, but the minimum widths are in line with drive isles.
    b. For private streets, the proposed development would need get approval of a Planned Unit Development (PUD).
    c. Based on the layout of the proposed development and concern with 9-1-1 addressing, staff will not classify these as drive isles. The proposed roads must be named and addressed to ensure proper emergency response.
        - The proposed streets will need to meet the regulations for pavement width, r.o.w. widths, construction standards, and all other regulations of the City's adopted codes and regulations.

4. The property must be platted prior to the issuance of a building permit.

5. Entry Gates
    a. Remove gates as these are only allowed in PUDs.

6. A landscaping plan must be submitted, with the building permit, for review and approval.

7. Parkland Dedication
    a. Parkland Dedication shall be paid to the City as part of the building permit. application ($500.00 per unit).

8. A traffic impact analysis will be required.
    a. The TIA will be reviewed as part of the plat process and may result in additional roadway improvements.

9. Sidewalk improvements will be required along the Sunrise St frontage, in accordance with the City's adopted sidewalk plan.

10. Driveways connecting to public roadways shall comply with all City standards.

11. ADA
    a. The proposed property is being developed as an apartment complex and must have a percentage of units available for tenants who require ADA access.
    b. Show those units that will have ADA access
    c. Additional parking spaces will be required that meet ADA standards and in accordance with the required number of spaces.
    d. Show ADA spaces at common areas and amenity centers.
    e. All ADA spaces shall have an ADA accessible route to the

12. Fire access roads shall be designed to support the imposed load of a fire apparatus weighing 75,000 lb. gross vehicle weight. (503.2.3)

13. Fire access roads shall be constructed of an all-weather driving surface such as asphalt, concrete, chip-seal (oil matting) or similar surface along an approved route around the exterior of all buildings. Grass pavers may be permitted for secondary access roads no longer than 200 feet in length with a low 6 inch concrete curb provided along the edges to outline and identify the driving area along with fire lane signage.(503.2.3)

14. Access roads shall have a minimum of 13 feet 6 Inches of vertical clearance and 20 feet unobstructed width.(503.2.1)Additional road width of(26feet)may be required for buildings that require aerial apparatus access. Required access roads should not travel through parking stalls, stacking lanes, loading areas or other designated use areas

15. All portions of the building's exterior walls shall be within 150 feet of the fire access road. (503.1.1) Access roads may be extended to 200 feet for buildings equipped with an approved automatic sprinkler system installed. When fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection may be approved

16. Security gate(s) across fire access roads shall be electronically operated by siren and are provided with fire department KnoxBox key switch override and optical sensors and comply with ASTM F2200. Gate openers shall be listed in accordance with UL 325 (503.6)

17. Final approval for all turning radii shall be field verified by the fire department prior to Certificate of Occupancy.(503.2.4)

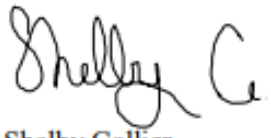
18. The most remote exterior portion of a non-sprinklered building shall be within 400 feet of a fire hydrant. (507.5.1) Existing fire hydrants along approved routes may be considered if the locations meet the public safety objectives of the fire department. Spacing between fire hydrants shall not exceed 500 feet

19. All existing and proposed water mains and fire hydrant locations and size(s) are indicated on plans

20. Landscaping plan must be checked to verify that clear space is maintained around fire hydrants, FDC and other fire protection equipment. (507.5.5)

Please feel free to contact me with any comments or questions, and I will be happy to assist you. Please return the revised plans along with your written response as to how the comments have been addressed.

Sincerely,



Shelby Collier
Development Review Committee (DRC)

CC: Anna Hudson, Kyle Staudt, Reagan Rabke, Evan Williamson, PE, Kris Kneese, PE, Garret Bonn, PE, Jason Lutz,