

AGENDA
CITY OF FREDERICKSBURG
PLANNING & ZONING COMMISSION

Wednesday, September 9, 2015

5:30 P.M.

LAW ENFORCEMENT CENTER, 1601 E. MAIN ST.

PAGE REF.

1. Call to Order

2. Approve minutes from the August 2015 Regular Meeting

Pp 1 - 3

PUBLIC HEARINGS

3. Public Hearing (Z-1513) by The City of Fredericksburg to consider amending section 7.825 of the zoning ordinance pertaining to special parking provisions to extend said provisions west on Main Street

Pp 4 - 10

4. Consider making a recommendation on Z-1513

5. Public Hearing (Z-1514) by Jon H. Starnes for:

Pp 11 - 20

A) A change in the Land Use Plan from Medium Density Residential to Low Density Residential on approximately 9.97 acres of land known as Oaks of Windcrest, Phase III located on Post Oak Rd and W. Windcrest Drive

B) A change in zoning from PUD, Planned Unit Development, to R-1, Single Family Residential on said property

6. Consider making a recommendation on Z-1514

7. Public Hearing (Z-1515) by Anthony DiCuffa for:

Pp 21 - 32

A) A change in the Land Use Plan from Low Density Residential to Mixed Use on a 1.596 acre portion of property located at 1108 N. Llano

B) A change in zoning from R-1, Single Family Residential to C-1, Neighborhood Commercial on said property

8. Consider making a recommendation on Z-1515

PLATS

9. Consider (P-1511) Preliminary Plat of Stone Ridge, Unit 9

Pp 33 - 37

10. Consider (P-1512) Preliminary Plat of Oaks of Windcrest, Phase III

Pp 38 - 42

ADJOURN

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

PLANNING & ZONING COMMISSION
August 5, 2015
5:30 P.M.

On this the 5th day of August, 2015 the PLANNING AND ZONING COMMISSION convened in regular session at the Law Enforcement Center with the following members present to constitute a quorum:

JANICE MENKING
BRENDA SEGNER
CARL MONEY
STEVE THOMAS
CHRIS KAISER

ABSENT:

BILL PIPKIN
CHARLIE KIEHNE
DARYL WHITWORTH
JOE CLOUD

ALSO PRESENT:

BRIAN JORDAN - Director of Development Services
PAT MCGOWAN - City Attorney
TAMMIE LOTH - Development Coordinator

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

PUBLIC HEARINGS

PUBLIC HEARING (Z-1512) BY KARL RANSLEBEN FOR A CHANGE IN ZONING FROM R-5, PATIO HOME RESIDENTIAL TO R-1A, SINGLE FAMILY RESIDENTIAL - SMALL LOT ON APPROXIMATELY 19.523 ACRES KNOWN AS CRABAPPLE GROVE, UNIT 2 LOCATED ON LOWER CRABAPPLE ROAD - It was moved by Chris Kaiser and seconded by Brenda Segner to open public hearing Z-1512 by Karl Ransleben for a change in zoning from R-5, Patio Home Residential to R-1A, Single Family Residential - Small Lot on approximately 19.523 acres known as Crabapple Grove, Unit 2 located on Lower Crabapple Rd. Alan Lindscog of Civil Engineering Consultants presented the application and noted the purpose of rezoning the property is to change the lots from a zero lot line to a more conventional subdivision. Mr. Lindscog noted the reasoning behind the change is due to local builders being hesitant to build on a zero lot line. Mr. Lindscog stated the size of the lots will stay the same, the utilities will stay the same and the houses will be moved over five feet. Karl Ransleben, owner and developer, noted the deed restrictions will stay the same, only single story homes with a minimum of 1500 square feet will be allowed, and the masonry requirement of 80% will stay the same.

STAFF COMMENTS

Brian Jordan, Director of Development Services, noted the property was zoned R-5 in 2006 and at that time there was not an R-1A zoning in place. Mr. Jordan commented the property is already developed and all the applicant is requesting is to change the zoning to allow for a center loaded product. Mr. Jordan noted there will still be a 10 foot separation between the buildings so the look will stay the same.

Mr. Jordan noted four letters have been received in favor of the zoning change and no letters in opposition. Mr. Jordan noted Staff recommendation of approval. Mr. Jordan explained if the zoning change is approved, the plat that has been reviewed by City Staff will be recorded.

Chris Kaiser moved to approve Z-1512 and Steve Thomas seconded the motion. All voted in favor and the motion carried.

PUBLIC HEARING (Z-1505) BY THE CITY OF FREDERICKSBURG TO CONSIDER AN ORDINANCE ADOPTING DESIGN GUIDELINES AND STANDARDS FOR ALL NEW DEVELOPMENT AND REDEVELOPMENT IN THE ENTRY CORRIDORS OF THE CITY OF FREDERICKSBURG AS CHAPTER 5 ARTICLE XIV OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG SETTING FORTH THE GUIDELINES, EXCEPTIONS TO APPLICABILITY, EFFECTIVE DATE, ETC.

- It was moved by Chris Kaiser and seconded by Brenda Segner to open Public Hearing Z-1505 by the City of Fredericksburg to consider an ordinance adopting design guidelines and standards for all new development and redevelopment in the entry corridors of the City of Fredericksburg as Chapter 5, Article XIV of the Code of Ordinances of the City of Fredericksburg setting forth the guidelines, exception to applicability, effective date, etc. Brian Jordan, Director of Development Services, noted the City Council wanted to update specific issues of the Comprehensive Plan and it was decided some design guidelines should be established. Mr. Jordan stated Staff and various committees and boards have been working on these for a year or more. Mr. Jordan commented the ordinance to put the design standards into effect has now been drafted and the Commission will consider that ordinance tonight. Mr. Jordan explained the design requirements will pertain to all major corridors coming into the city and added the Historic District is exempt from the guidelines because they are regulated by a separate set of guidelines. Mr. Jordan noted the items that will be regulated include architectural style, materials, color and features, massing and scale, signage, building height, setbacks and frontage, landscaping, lighting, service areas, parking and access, drainage and stormwater and streetscape. Mr. Jordan commented several of these guidelines are already regulated in the zoning ordinance. Mr. Jordan further explained there are guidelines outlined, which are suggestions for development, and also standards, which are mandatory functions pertaining to design. Mr. Jordan noted a provision has been included for "insignificant alteration" which refers to repairs or maintenance work being done to existing buildings. Mr. Jordan stated a process has been established for Staff and the chair of the Planning & Zoning Commission to make that determination and any appeals to that decision will be heard by the Planning & Zoning Commission.

PUBLIC COMMENT

Eric Mustard, Architect and owner of Mustard Design, stated the design guidelines are a good idea but one item he is curious about is requiring all parking to be behind the buildings. Mr. Mustard agreed that is more attractive, but noted it is much more difficult to plan both a rear entrance and a front entrance. Mr. Jordan noted the recommendation was made by the consultants and City Staff and Board members recognized that as impractical so it was moved from a standard to a guideline.

Alan Lindscog asked if the new guidelines would apply to a project that is already under review. Mr. Jordan noted if a formal application has been submitted before the ordinance is adopted, the project will be exempt from the guidelines.

Brenda Segner moved to close Public Hearing P-1505 and Chris Kaiser seconded. All voted in favor and the motion carried.

Mr. Kaiser noted Staff and local architects seem to be in favor of the standards and guidelines so any reservations he had with them are gone and he is fine with the recommendation.

Mr. Jordan noted Staff recommendation of approval.

Chris Kaiser moved to recommend approval of Z-1505 and Brenda Segner seconded the motion. All voted in favor and the motion carried.

DISCUSSIONS

Brian Jordan, Director of Development Services, noted the City Council authorized Staff to consider an extension of the special parking provisions to the west on Main Street. Mr. Jordan noted the provisions were recently extended from Milam to Bowie and from Washington to Elk to include all of the CBD zoning in the historic district. Mr. Jordan noted the historic district extends one block west from Bowie and an application for a bar and event venue in that block is what precipitated the consideration, although the consideration is not intended to be site specific. Mr. Jordan noted no action will be taken tonight but it is probable this will come to the Commission next month for consideration. Mr. Jordan reminded the Commission what the special parking provisions allow which is that no parking is required if an existing commercial business changes it's use and does not add square footage and if an existing business does add square footage, only one-half of the required parking must be provided. Mr. Jordan noted this is permitted because traffic is more pedestrian oriented in this section of town. Mr. Jordan asked the Commission to give this some thought and be prepared to discuss it and make a recommendation at their next meeting.

MINUTES

Brenda Segner moved to approve the minutes from the July, 2015 meeting and Chris Kaiser seconded. All voted in favor and the motion carried.

ADJOURN

With nothing further to come before the Commission, Chris Kaiser moved to adjourn. Brenda Segner seconded the motion. All voted in favor and the meeting was adjourned at 6:26 p.m.

PASSED AND APPROVED this 9th day of September, 2015.

SHELLEY BRITTON, Secretary

JANICE MENKING, Chairman



MEMO

DATE: September 2, 2015

TO: Planning and Zoning Commission

FROM: Brian Jordan, AICP Director of Development Services

SUBJECT: Extension of Special Parking Provisions

Summary:

Ben and Abigail Jones intend to open an Event Venue/Beer and Wine Bar at 607 West Main Street. This property is zoned C-2 and is located within the Historic District. The Zoning Ordinance for parking states that parking shall be provided for any change of occupancy or manner of operation that would result in additional parking spaces being required, provided that the additional parking shall be required only for such change and not for the entire building or use.

The previous use at this location was retail/storage, which would require 5 parking spaces. The proposed use of an event venue/bar would require 27 parking spaces based on the square footage of the interior lounge area. As such, the code would require parking for 22 spaces. There does not appear to be sufficient space or access on site to provide this many parking spaces. There is a provision in the code to allow for off-site parking as long as it is within 300' and meets certain requirements. Attempts to secure off-site parking have been unsuccessful.

When they originally attended the Development Review Committee (DRC) Meeting, there was some confusion on whether or not they were located within the area allowed for special parking provisions, as stated in the Zoning Ordinance. As it turns out, the special parking provisions end at Bowie Street,

The City of Fredericksburg

and this property is located in the next block. In summary, the special parking provisions state when any existing building is converted to another use without enlarging said building perimeter, then said building conversion or improvement shall not require additional parking. For new buildings or expanded building space, parking shall be provided at 50% of the normal requirement. After determining this, the Jones requested that they be placed on the Council's agenda, to request that consideration be given to extending the special parking provisions to include the 600 Block of West Main Street. On August 3, 2015, the Council considered their request and directed staff to initiate a zoning amendment to consider extending the special parking provisions west on Main Street.

Recommendation:

Based on the factors listed in the Background/Analysis below, staff does not recommend extending the special parking provisions west of Bowie Street. If the Commission is inclined to consider an extension of these parking provisions, we would suggest ending them at the limits of the Historic District at Acorn Street, or establish a set of qualifying criteria that would apply to any property.

Background / Analysis:

In 2014, the City extended the special parking provisions to Elk Street on the east and Bowie Street on the west to correspond with the CBD, Central Business District zoning. The ordinance states that the special parking requirements apply in order to further enhance the unique historical character and discourage inharmonious parking facilities in such historical districts or on sites occupied by historic structures and to reduce intrusion on pedestrian-oriented street frontages by parking facility access.

Since the zoning west of Bowie Street transitions to C-2, Commercial, this special parking provision was not extended. By definition, the C-2 zone is intended to provide for businesses and services that serve persons throughout the city and area. These uses generally require frontages on major cross street intersections of highways or other major arterials, given their high visibility and traffic generation ability. The attached map shows the zoning along Main Street, as well as the boundaries of the Historic District.

There are several factors that should be considered as part of this evaluation. First of all, the speed limit along Main Street transitions from 30 MPH to 45 MPH at Bowie Street heading west. There are no cross-walks or traffic signals within the blocks west of Milam Street to protect pedestrians crossing the street. The zoning and uses of property adjacent to and behind the lots fronting on Main Street is single family residential. The potential negative affect of this would be if on street parking is not available, parking would likely extend into the residential areas.

In addition, most existing commercial uses within the blocks west of Bowie Street have provided on-site parking. Most residential structures that are utilized for commercial businesses or bed and breakfasts also have provided parking. While there are a few businesses with limited parking (Catfish

Haven, Creative Awards and 609 W. Main Street), the only business west of Bowie on Main Street that has no on-site parking is the Cho Cho Trolley.

The City of Fredericksburg

126 W. Main St. • Fredericksburg, Texas 78624-3708 • (830) 997-7521 • Fax (830) 997-1861



CODE COMPARATIVE TABLE ORDINANCES modified

STATE LAW REFERENCE TABLE

Sec. 7.820. - Basic Regulations: Vehicle Parking/Loading & Unloading.



Off-street parking facilities shall be provided for any new building constructed for any new use established. Off-street parking facilities shall be provided for any addition or enlargement of an existing building or use, and for any change of occupancy or manner of operation that would result in additional parking spaces being required, provided that the additional parking shall be required only for such addition, enlargement, or change and not for the entire building or use.

Facilities being used for off-street parking on the effective date of the Zoning Ordinance shall not be reduced in capacity to less than the number of spaces prescribed, nor altered in design or function to less than the minimum standards prescribed in the Off-Street Parking and Loading Regulations.

For sites with more than one use and for adjacent sites served by a common parking facility, the parking requirement shall be the total number of spaces required for each site or use, except as adjusted pursuant to Section 7.850.

Parking facilities constructed or substantially reconstructed subsequent to the effective date of the Zoning Regulations, whether or not required, shall conform to the design Standards set forth in Section 7.860.

All required facilities shall be maintained for the duration of the use requiring such areas. Such facilities shall be used exclusively for the temporary parking of passenger automobiles, motor vehicles, or light trucks not exceeding one ton in capacity, and shall not be used for the sale, display, or storage of merchandise, or for the storage or repair of vehicles or equipment.

All required parking facilities shall be located on the same site as the use for which such facilities are required, except as authorized pursuant to Section 7.850.

CODE COMPARATIVE TABLE ORDINANCES modified

STATE LAW REFERENCE TABLE

Sec. 7.825. - Special Provisions Applicable To Central Fredericksburg. Modified



Special parking requirements shall apply within designated portions of Central Fredericksburg in order to further enhance the unique historical character and discourage inharmonious parking facilities in such historical districts or on sites occupied by historic structures and to reduce intrusion on pedestrian-oriented street frontages by parking facility access.

Special Parking Requirements Area, including all of blocks 28, 34, 68, 43, 48, 53, 52, 47, 42, 67, 33 and 27 of the Fredericksburg Addition further described as those blocks bordered by Austin Street on the north, San Antonio Street on the south, Milam Street on the west, and Washington Street on the east.

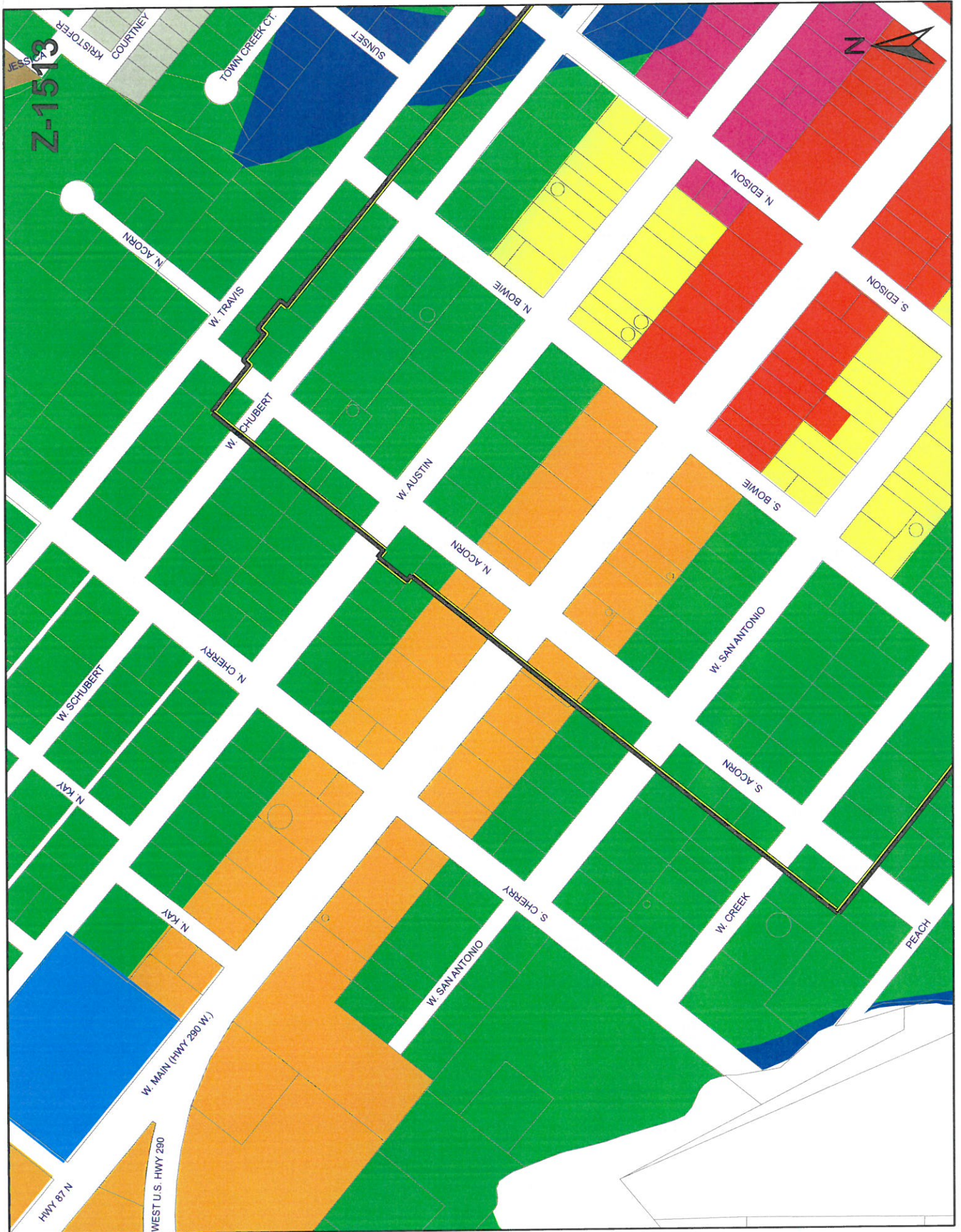
Special Provisions

For those businesses which construct their own off-street, off-premises parking, the distance to the parking lot may be extended fifty percent (50%) in addition to the provisions in Section 7.850.

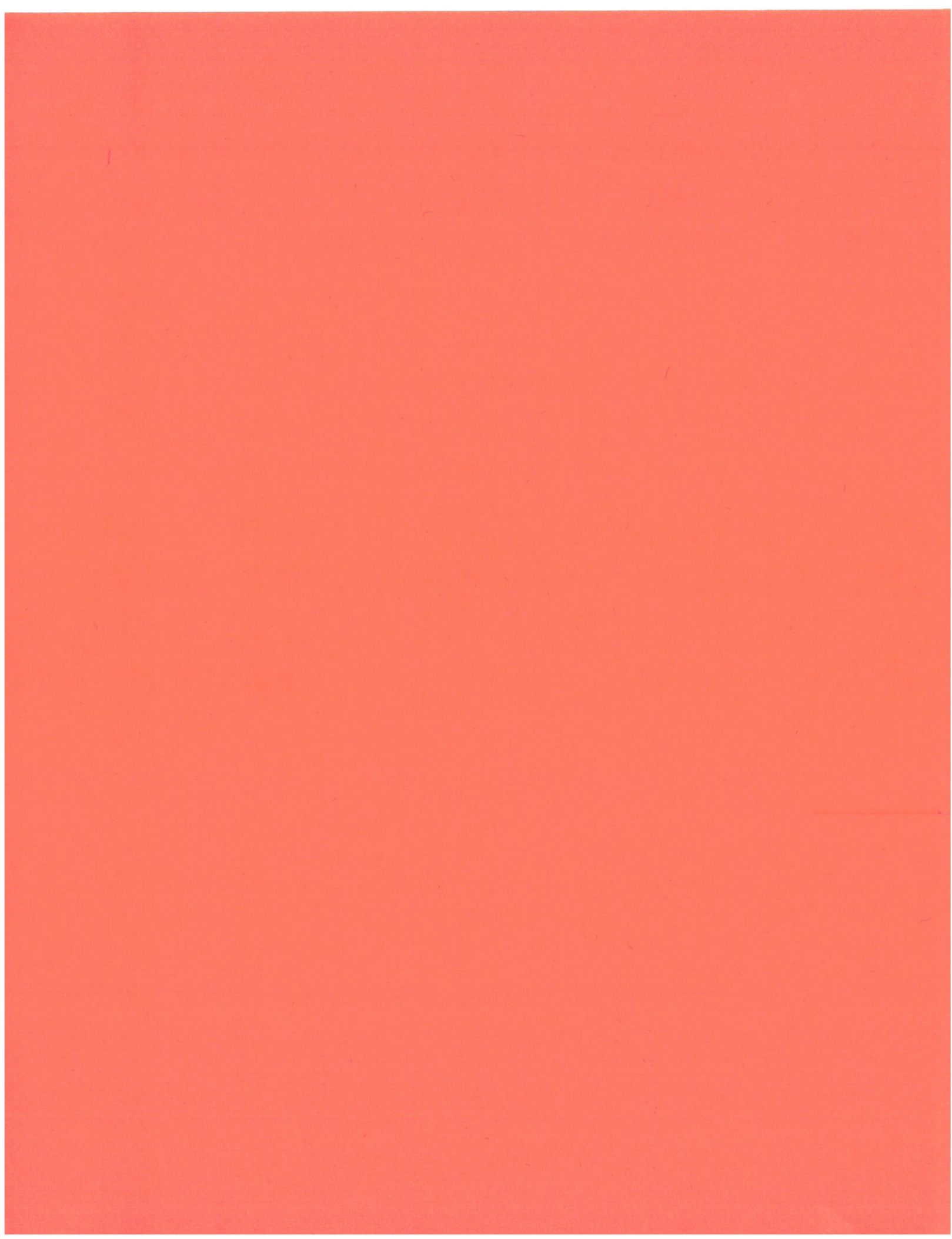
When any existing building is: (1) converted to another use; or (2) has the usable floor area within the existing building perimeter enlarged, rehabilitated or remodeled, without enlarging said building perimeter, then said building conversion or improvement shall not require additional off-street parking, other than the number of existing off-street parking spaces which are utilized by said building.

For new buildings or expanded building space, the following uses shall provide fifty percent (50%) of the off-street parking requirements of Table 7.863.

The provisions as provided herein shall not apply for sites where a historic structure is removed and a new building built.







CHANGE IN LAND USE PLAN AND ZONING BRIEF

Rezoning Request # Z 1514

- OWNER/APPLICANT:** Jon Starnes, President of Allied Interests, Inc.
- LOCATION:** East side of Post Oak Road, south of Windcrest Drive
- ZONING:** PUD, Planned Unit Development
- REQUEST:**
1. Change in Land Use Plan from Medium Density Residential to Low Density Residential; and
 - 2) Change in Zoning from PUD, Planned Unit Development to R-1 Single Family Residential

FINDINGS:

- The property is currently undeveloped and is situated between Post Oak Road and the west side of the Windcrest neighborhood.
- The property was rezoned to PUD to allow smaller residential lots in 2008. The applicant intends to go back to a larger lot single family neighborhood.
- Utilities are available to serve this tract, and will be the developers responsibility to extend as part of the proposed subdivision.
- Adjoining property to the north is zoned R-2 and C-1, to the east is PUD (Windcrest), to the south is C-2 and to the west is R-1 (Oaks of Windcrest).
- The Land Use Plan designation for the subject property was changed to Medium Density Residential in 2008 with the zoning change.
- Land uses surrounding this property include single family homes (Oaks of Windcrest) and undeveloped land to the west, undeveloped land to the north, single family homes to the east (Windcrest) and commercial to the south.

LAND USE PLAN: The Land Use Plan of the Comprehensive Plan identifies this property as Medium Density Residential, and was changed from Low Density Residential concurrently with the zoning change in 2008. The plan now is to change the property back to Low Density Residential. The reason for changing the land use plan is so it will be consistent with the proposed zoning.

ZONING : The zoning of the subject property is PUD, Planned Unit Development for small lot single family residential homes, and was rezoned as such in 2008. The reason for the PUD zoning was because the City did not have a small lot zoning district at the time. Since then, we have added the R-1A district which allows 4,500 square foot lots.

The applicant is proposing to take the zoning back to R-1, Single-Family Residential. Also, the applicant has submitted a Preliminary Plat concurrently with this zoning application that includes 18 large lots ranging in size from 0.40 acres to 0.57 acres.

OPPOSITION/SUPPORT OF REQUEST: None to date.

STAFF RECOMMENDATION: While the lots surrounding this area are smaller in size, we have no objection to the change back to R-1. Approval is recommended.



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: Oaks of Windcrest, Phase III

Project Address: Post Oak Rd. and W. Windcrest Dr.

Tax ID Number (s):

Application Type (Check all items that apply.)

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

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

Jurisdiction: ☒ City Limits ☐ ETJ

Total Acres: 9.97

No. of Lots: 19

Original Survey & Abstract No: Barbara Adame Survey No. 123, Abstract No. 4

Legal Description: Oaks of Windcrest, L.P., Remainder of Tract I, Instrument No. 20062495 O.P.R.

Current Land Use Plan: Medium Density Residential
Plan:

Proposed Land Use

Current Zoning: PD 18-013
Residential

Proposed Zoning: R1-Single Family

Location: Post Oak Rd. and W. Windcrest Dr.

Proposed Use(s): Single Family Residential

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: [Signature]

Printed Name: Jon H. Starnes

Date: 08/08/2015

Staff Use Only

Application No.:

7-1514

Date:

8-10-15

*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): Allied Interests, Inc.

Owner Name: Jon H. Starnes

Address: 816 Terrace Mountain Dr., Austin, TX 78746

Phone: 512-327-6318

Fax: 512-327-6384

Email: jon@allied-interests.com

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

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

Firm Name (if applicable): VEI Consulting Engineers

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

Primary Contact Name: Kevin Spraggins

Phone: 830-997-4744

Fax: 830-997-6967

Email: kspraggins@vei-tx.com

Secondary Contact Name:

Phone:

Fax:

Email:

III. Applicant

Firm Name (if applicable): Ironbreaker Development Company

Applicant Name (s): John Bernard

Address: 1415 Countryside Bend, Fredericksburg, TX 78624

Phone: 325-816-1818

Fax:

Email: hccajun@gmail.com

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

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

Firm Name (if applicable):

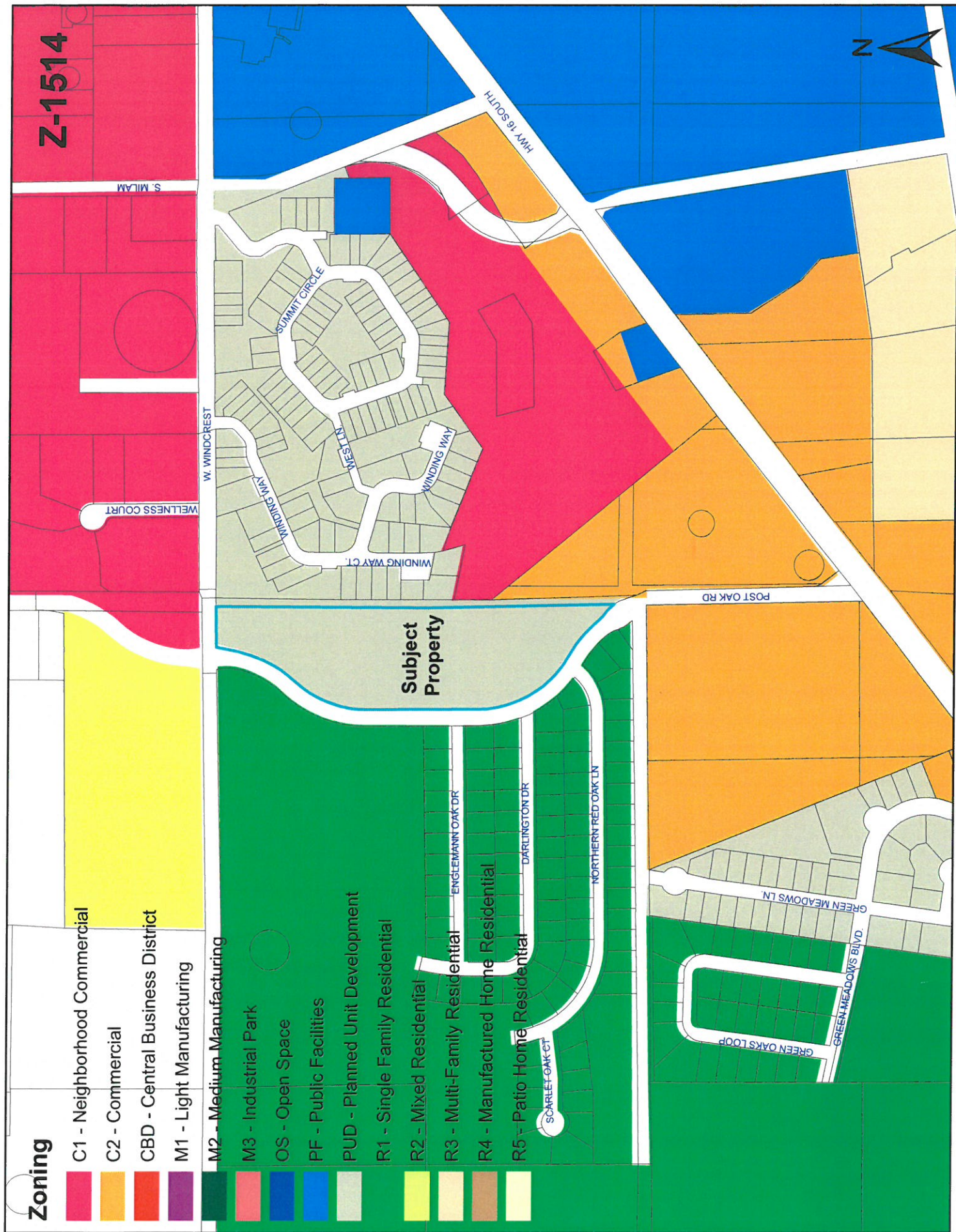
Address:

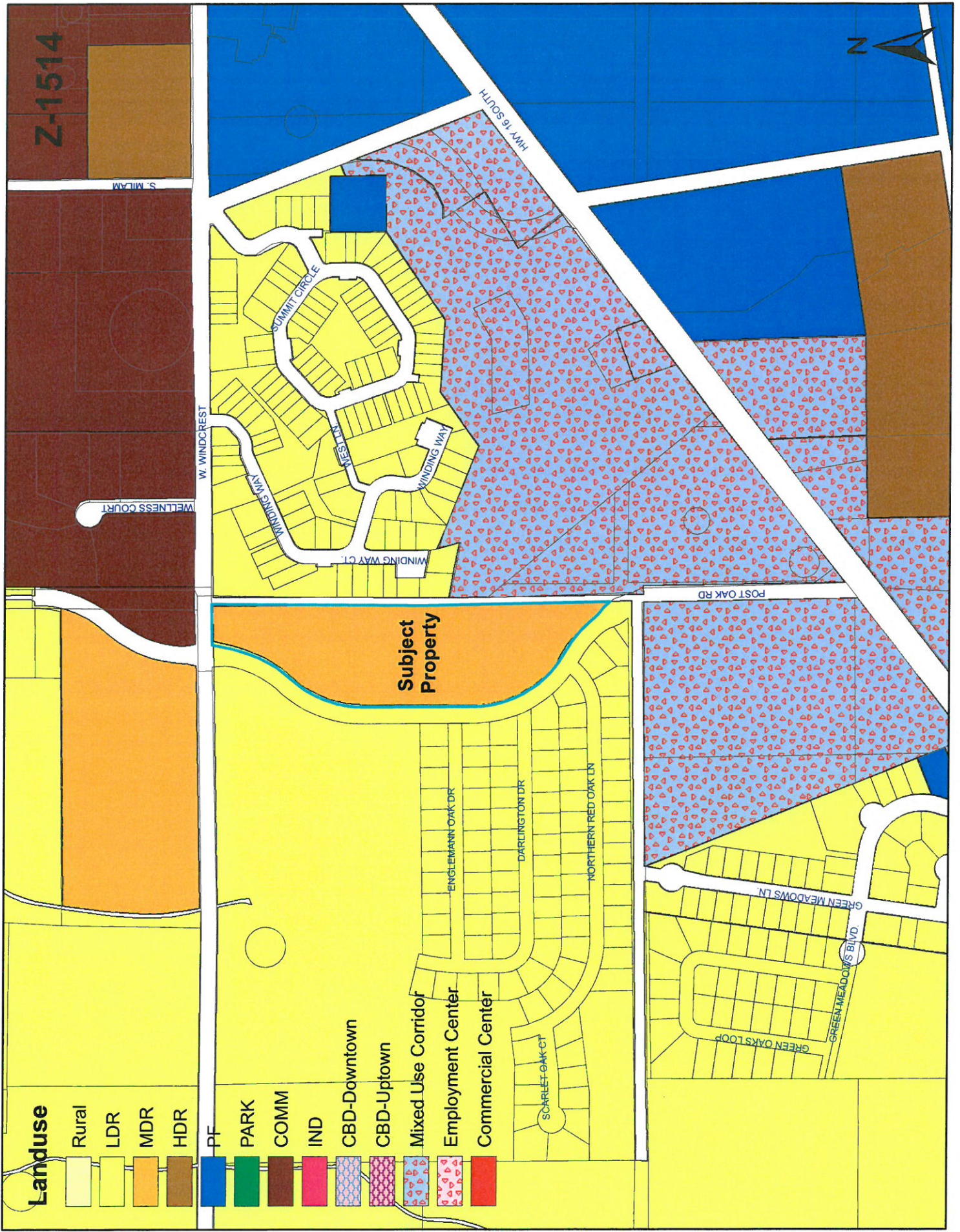
Primary Contact Name:

Phone:

Fax:

Email:







[illegible]

18

LETTER	NAME	SITUS
A	AMZ-GSC, LLC	Post Oak Rd
B	AMZ-GSC, LLC	740 Post Oak Rd
C	Mark D. & Karen Cornett / Dan & Carline Cornett	524 W. Windcrest Dr.
D	Windcrest Patio Homes Association	Winding Way
E	Jeffrey & Margaret Collignon	459 Summit Circle
F	Walton J. & Betty Ann Grinke	520 Winding Way
G	Braunbach Holding, LLC	Winding Way
H	Philip W. & Carol Anne Valentine	524 Winding Way
I	Ann E. Hostetter	519 Winding Way
J	Rigoberto Suarez Merlos	521 Winding Way Ct
K	Marcus E. Vidrine, Jr. & Linda V. Gray	Winding Way
L	5A Properties, LLC (Chris & Ruth Avery)	526 Winding Way Ct
M	Jeanne A. Thomas c/o Claudia Fangman	528 Winding Way Ct
N	Earl Kent & Oreta Cammell Ellis	530 Winding Way Ct
O	John Schrock, Jr.	532 Winding Way Ct
P	Theresa Russell	534 Winding Way Ct
Q	L. M. & Linda G. Allen	536 Winding Way Ct
R	Lorraine L. Benedict	540 Winding Way Ct
S	Alice Virginia White	542 Winding Way Ct
T	Yvonne M. Bolin	544 Winding Way Ct
U	Kay Fitzpatrick Finnell	Winding Way Ct
V	Richard Fleury	548 Winding Way
W	Ida Mae Keller	114 Medical Dr
X	Keith Keller & James Kemp	1122 S. St. Hwy 16
Y	Keith Keller & James Kemp	1128 S. St. Hwy 16
Z	Klaerner Family Trust	1206 S. St. Hwy 16
AA	Charles & Joanne Holverson	705 Northern Red Oak
BB	Hill Country Homes of Fbg	703 Northern Red Oak
CC	Oaks of Windcrest, LP	Northern Red Oak
DD	Hugo & Adan Albiter	1104 Post Oak Rd
EE	Zacarias Bravo Albiter	1102 Post Oak Rd
FF	Oaks of Windcrest, LP	1036 Post Oak Rd
GG	James D. Lynda B. Bynum	704 Northern Red Oak
HH	Brian & Beth Bayliss	706 Northern Red Oak
II	Justin & Stacy Baccus	705 Darlington Dr
JJ	Oaks of Windcrest, LP	703 Darlington Dr
KK	Oaks of Windcrest, LP	1034 Post Oak Rd
LL	Reagan Jay & Natasha Romell Grau	704 Darlington Dr
MM	Robert Michael & Lauren Denise Sagebiel	702 Darlington Dr
NN	Treibs Construction	703 Englemann Oak
OO	Oaks of Windcrest, LP	701 Englemann Oak
PP	David & Stephanie A. Gonzales	704 Englemann Oak
QQ	Robert Delgado	1024 Post Oak Rd
RR	Oaks of Windcrest, LP	Post Oak Rd

Z-1514



**NOTICE OF PUBLIC HEARING FOR
A CHANGE IN LAND USE PLAN AND A CHANGE IN ZONING**

HEARING
DATE: SEPTEMBER 9, 2015

TIME: 5:30 PM

REQUEST
NUMBER: Z-1514

The **PLANNING & ZONING COMMISSION** of the City of Fredericksburg will hold a public hearing at the above stated time and date in the conference room of the Law Enforcement Center, 1601 E. Main St., to consider a request for a change in the land use plan and a change in the zoning.

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: SEPTEMBER 21, 2015

TIME: 6:00 PM

REQUEST
NUMBER: Z-1514

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

APPLICANT: Jon H. Starnes

LOCATION: Oaks of Windcrest Phase III, located on Post Oak Rd and Windcrest Dr.
(see accompanying map)

REQUEST: Change in the land use plan from Medium Density Residential to Low Density Residential and a change in zoning from PUD, Planned Unit Development to R-1, Single Family Residential

(DETACH HERE)

REQUEST NO. Z-1514

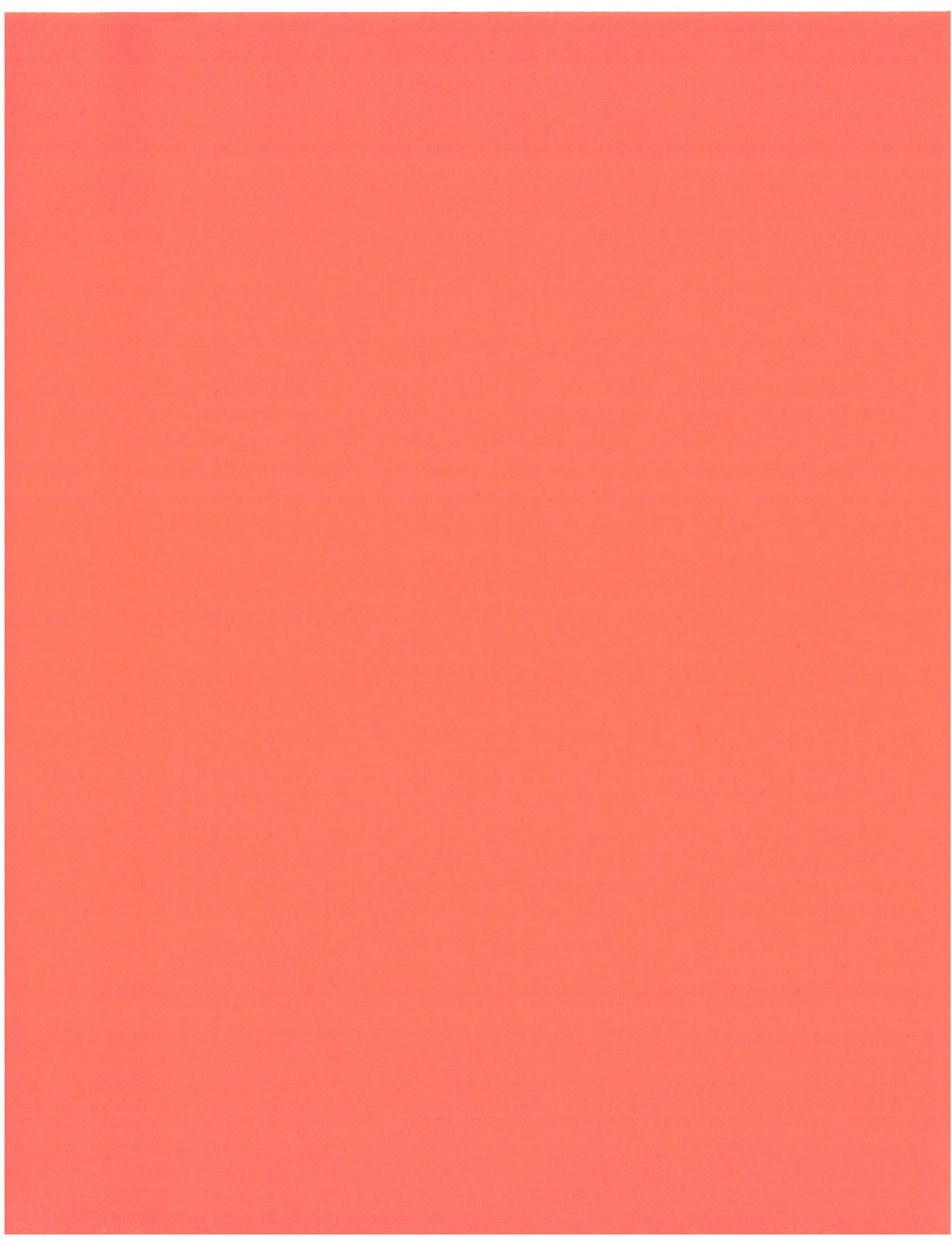
As an interested property owner, I (Protest)(Approve) the requested zoning amendment represented by the above file number because:

Signed _____

Date _____

Printed Name _____

Address _____



LAND USE PLAN AND ZONING CHANGE BRIEF

Rezoning Request # Z-1515

- OWNER/APPLICANT:** Anthony DiCuffa
- LOCATION:** Rear Portion of 1108 N. Llano Street
- SIZE:** Approximately 1.6 acres (total lot area is 2.48 acres)
- EXISTING ZONING:** R-1 Single Family Residential
- PROPOSED CHANGE:**
1. Change in the Land Use Plan from Low Density Residential to Mixed Use, and
 2. Change in Zoning from R-1 Single Family Residential to C-1 Neighborhood Commercial.

FINDINGS:

- The property consists of approximately 2.48 acres with a home built on the front portion of the property and vacant land on the rear of the property.
- The front portion (approximately 0.9 acres) of the property is zoned C-1 Neighborhood Commercial and the rear portion (approximately 1.6 acres) is zoned R-1, Single Family Residential. The applicant is requesting that the entire property be zoned C-1.
- Access to the property is on N. Llano Street and an unimproved section of Nimitz Street.
- Utilities are currently serving the property.
- The subject, or rear, portion of the property borders an extension of E. Nimitz Street. This street has insufficient right-of-way and is not currently built to City standards.
- The current zoning line runs behind the single-family structure, but through the rear yard deck and swimming pool (see attached exhibit).
- The Land Use Plan identifies the front portion of the property as Mixed Use and the rear portion as Low Density Residential.
- Land uses surrounding this property include residential to the north and west, office to the east and commercial across Llano Street to the south.

LAND USE PLAN: The Land Use Plan basically identifies everything fronting on N. Llano Street as Mixed Use Corridor and the remainder of the property to the north and west as Low Density Residential (see attached). The applicant owns the entire property and would prefer that all the property be zoned in the same manner rather than be divided. It is our opinion that the zoning line was established as an extension of the property lines to the south, with little regard to where the line crossed the subject property.

It seems reasonable to consider adjusting the land use plan line and zoning line to correspond with some feature on the property. This could include adjusting the line to what is currently the rear yard of the home that is fenced, changing the entire rear portion of the property to C-1 like the front portion of the property, or change the zoning to a higher density residential district such as R-2.

Another matter for consideration is the fact that access to the rear portion of the property is currently restricted. Without additional right-of-way and improvements to Nimitz Street, access is limited and would not be recommended. It could be possible to access the rear of the property on the south side of the home through a private drive.

ZONING: As noted above, the line between C-1 and R-1 zoning is an extension of the rear line of the property to the south. And, this line runs through the rear yard of the home on the property (see the attached zoning map).

OPPOSITION/SUPPORT OF REQUEST: Two letters in opposition and none in support.

STAFF RECOMMENDATION: Options to consider are 1) Leave the zoning and land use as is and recommend denial of the request, 2) adjust the zoning line for C-1 to correspond with the actual rear yard/pool area, 3) change the zoning to an R-2 District, or 4) recommend changing the entire area to C-1 as requested. Given the limitations on access to the rear of the property, staff would recommend either adjusting the zoning line to correspond with the rear yard/pool or denying the request. Should the option of changing the rear area to R-2 be considered, we would recommend extending this zoning from the north to include additional property so it would be contiguous with existing R-2 zoning.



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: 1108 North Llano St Rezone

Project Address: 1108 North Llano St.

Tax ID Number (s): N/A

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: 2.48 No. of Lots: 1

Original Survey & Abstract No: Vol. 61, Pg 298-299 D.R.

Legal Description: German Emigration Company, Outlot #292 (portion of lot described in **Part A** of attached survey)

Current Land Use Plan: Low Density Residential
Mixed Use

Proposed Land Use Plan:

Current Zoning: R1

Proposed Zoning: C1

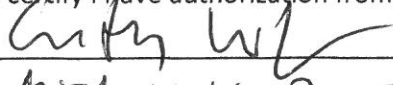
Location: 1108 North Llano Street

Proposed Use(s): N/A

Applicant's Signature

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

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

Signature: 

Printed Name: ANTHONY W DIWFFA Date: 8/10/2015

Staff Use Only

Application No.: 7-1515 Date: 8-10-15

*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): N/A

Owner Name: Anthony DiCuffa

Address: 1108 North Llano

Phone: 512-619-6708

Fax: N/A

Email:

Anthony.w.dicuffa@accenture.com

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

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

Firm Name (if applicable): N/A

Address:

Primary Contact Name:

Phone:

Fax:

Email:

Secondary Contact Name:

Phone:

Fax:

Email:

III. Applicant

Firm Name (if applicable): N/A

Applicant Name (s): Anthony DiCuffa

Address: 1108 North Llano

Phone: 512-619-6708

Fax: N/A

Email:

Anthony.w.dicuffa@accenture.com

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

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

Firm Name (if applicable): N/A

Address:

Primary Contact Name:

Anthony DiCuffa
1108 North Llano Street
Fredericksburg, TX 78624
August 10, 2015

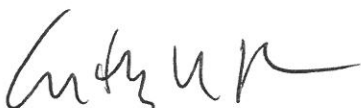
Planning and Zoning Commission
City of Fredericksburg

Dear Planning and Zoning Commission:

I am seeking to rezone my property at 1108 North Llano Street to eliminate confusion for myself and for potential buyers. My property has been listed for sale for over 6 months and the current mixed C1/R1 zoning is a concern for potential buyers. This zoning combination is incredibly rare with only two other examples in the city limits, one being used as a church. It seems a more understandable and more usable zoning for this property would be to convert the current R1 zoning (represented as Part A in the attached survey) to either C1, to eliminate confusion, or to R2 to provide "a buffer between single family uses and other more intense uses" as described in the City of Fredericksburg zoning ordinance.

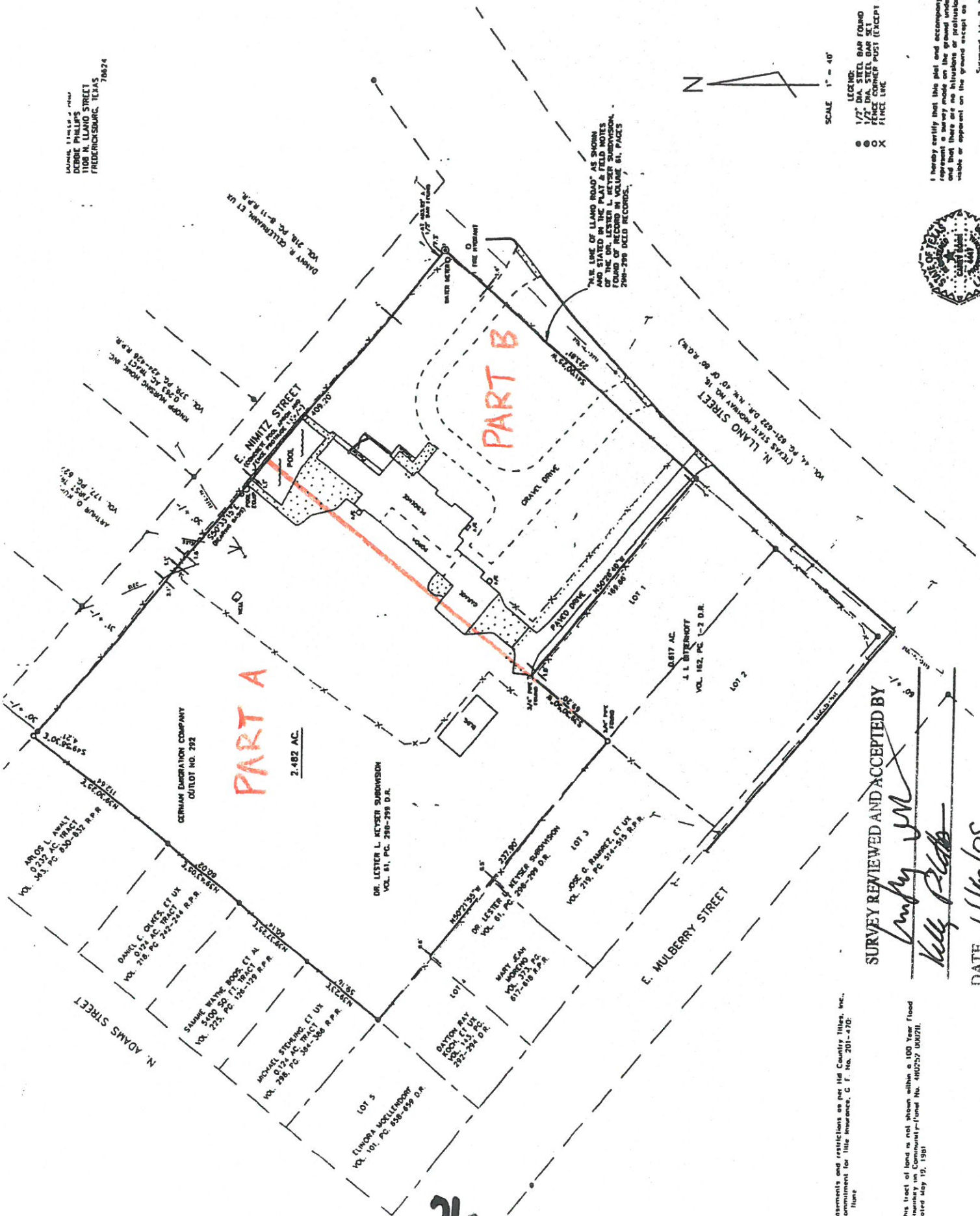
To add to the confusion, the arbitrarily assigned C1 zoning cuts through a portion of my house. The lot at 1108 North Llano Street is the remaining undivided property of the Dr. Keyser Subdivision. The house was built in 1938 pre-dating the C1 "overlay" zoning. Therefore, the arbitrary zoning line should have either fallen further back from Llano Street to avoid the house, or the lot should have been rezoned in its entirety as ~~other~~ every other lot on Llano Street was at that time.

Thank you for your consideration,



Anthony DiCuffa
Property Owner

DEBBIE PHILLIPS
1108 N. LLANO STREET
FREDERICKSBURG, TEXAS
70624



LEGEND:
● 1/2" DIA. STEEL BAR (ROUND)
● 1/2" DIA. STEEL BAR (S)
X FENCE CORNER POST (EXCEPT AS NOTED)
— FENCE LINE

SCALE 1" = 40'



I hereby certify that this plat and accompanying field notes represent a true and correct copy of the original survey made on the ground under my supervision and that there are no omissions or additions or improvements visible or apparent on the ground except as shown hereon.

Surveyed July 2, 2001

Kelly Phillips

SURVEY REVIEWED AND ACCEPTED BY

Kelly Phillips
Kelly Phillips

DATE 1/16/05

Errors and omissions are not the County's fault, Inc. Commitment for title insurance, G. F. No. 201-270.

This tract of land is not shown within a 100 Year Flood Boundary as determined by Flood No. 480257 UN070.





**Subject
Property**

Landuse

Prüfung

10/10

PF



COMIN

IND

CBD-1



CBD-1

Mixed



Empl



28



Z-1515

Z-1515

TRAILMOOR DR.



200' Notification Area

V V V V

W. NIMITZ

N. CROCKETT

W. MULBERRY

W. BURBANK

E. BURBANK

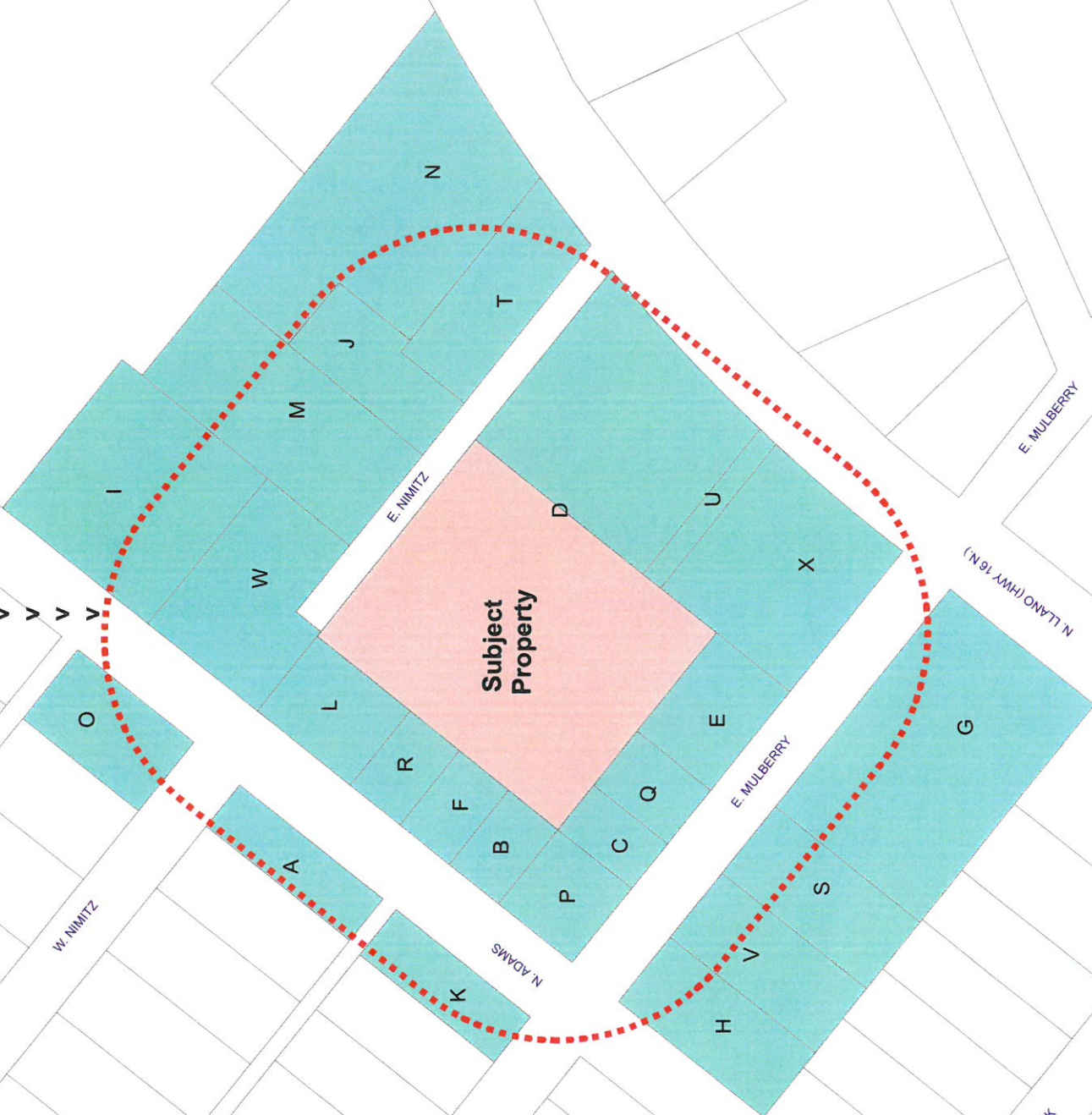
N. LLANO (HWY 16 N.)

E. MULBERRY

Subject Property

N. ADAMS

E. MULBERRY



LETTER	NAME	SITUS
A	ZENTENO, FERNANDO & CRISTINA	101 W NIMITZ ST
B	STEHLLING, MICHAEL & CAROL	1103 N ADAMS ST
C	KOCH, DAYTON R & DIANA	102 E MULBERRY ST
D	DICUFFA, ANTHONY W & KELLY CREIGHTON	1108 N LLANO ST
E	RAMIREZ, JOSE G & AGUSTINA	108 E MULBERRY ST
F	GOY, MICHAEL A	1105 N ADAMS ST
G	PADGETT, JAMES H III ETUX	1004 N LLANO ST
H	MILBURN, JACK R	101 E MULBERRY ST
I	SCHVERAK, LAUREN I & ADA F	1205 N ADAMS ST
J	KNOPP NURSING HOME, INC	108 E NIMITZ ST
K	WILTROUT, TERRY GENE ETAL	102 W MULBERRY ST
L	AWALT, ALMA LOUISE	1109 N ADAMS ST
M	BREAKER, KENNETH D & DARNEILLE, SARAH A	106 E NIMITZ ST
N	KNOPP NURSING HOME, INC	1204 N LLANO ST
O	BRINTLE, ILA MARIE	1202 N ADAMS ST
P	HOOVER, JAMES RYAN & CAITLIN J	100 E MULBERRY ST
Q	MORENO, DANIEL & MARY -LIFE ESTATE-	104 E MULBERRY ST
R	GOY, LINDA	1107 N ADAMS ST
S	PEREZ, JOSE RUBIO JR	105 E MULBERRY ST
T	CANTU, ARMANDO & LUCY	1202 N LLANO ST
U	DICUFFA, ANTHONY W & KELLY CREIGHTON	1108 N LLANO ST
V	CONDRA, VINCENT LEE GST TRUST	103 E MULBERRY ST
W	THOMPSON, PASCHAL D & DYRON FLORENE	1203 N ADAMS ST
X	OOSTERBAAN, HANS J & KELLY	1102 N LLANO ST

Z-1515



**NOTICE OF PUBLIC HEARING FOR
A CHANGE IN LAND USE PLAN AND A CHANGE IN ZONING**

HEARING
DATE: SEPTEMBER 9, 2015

TIME: 5:30 PM

REQUEST
NUMBER: Z-1515

The **PLANNING & ZONING COMMISSION** of the City of Fredericksburg will hold a public hearing at the above stated time and date in the conference room of the Law Enforcement Center, 1601 E. Main St., to consider a request for a change in the land use plan and a change in the zoning.

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: SEPTEMBER 21, 2015

TIME: 6:00 PM

REQUEST
NUMBER: Z-1515

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

APPLICANT: Anthony DiCuffa

LOCATION: Rear 1.596 acre portion of 1108 N. Llano
(see accompanying map)

REQUEST: Change in the land use plan from Low Density Residential to Mixed Use and a change in zoning from R-1, Single Family Residential to C-1, Neighborhood Commercial

(DETACH HERE)

REQUEST NO. Z-1515

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

Signed _____

Date _____

Printed Name _____

Address _____

**PRELIMINARY PLAT
BACKGROUND INFORMATION
September, 2015**

File Number:	P-1511
Subdivision Name:	Stone Ridge – Unit 9
Annexation:	Annexation of this tract is running concurrent with the Plat, and is scheduled to be complete in October or November.
Location:	North and west of Stone Ridge Unit 8, south of unit 7 (see attached map)
Tract Size:	18.156 acres
Number/Size of Lots:	34 lots, (lot sizes generally consistent with previous phases), bringing the total number of lots in Stone Ridge to 344.
Roadways:	Ellebracht Drive will serve as the main access for this phase. At the completion of this phase, Ellebracht Drive will be completed between Highway 16 North and Lower Crabapple Road (see overall plan).
Right-of-way Dedications:	Ellebracht Drive – 60' (collector). All other streets – 50'
Utilities:	Water and Sewer lines will be extended to serve each lot.
Easements:	Variable width drainage and utility easements. Final details on the size and designation of easements to be determined and approved by the City prior to approval of the Final Plat.
Easements Abandoned:	NA
Stormwater Detention:	Drainage from this addition will flow into the detention pond constructed as part of Phase 5 to the southwest of this phase.
Drainage:	All drainage will be subject to approval of Construction Plans.
Staff Comments:	The approval of the Preliminary Plat will allow the submittal of the Final Plat and Construction Plans for this development.
P&Z Action:	Final approval
Staff Recommendation:	Approval



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: Stone Ridge Unit 9

Project Address: Ellerbracht Drive

Tax ID Number (s):

Application Type (Check all items that apply.)

- ☐ Conditional Use Permit
- ☐ Site Plan*
- ☐ Zoning Change
- ☐ Land Use Plan Change
- ☐ Variance Request

- ☐ Minor Plat*
- ☐ Replat*
- ☐ Amending Plat*
- ☒ Preliminary Plat*
- ☐ Final Plat*
- ☐ Development Plat

- ☐ Plat Vacation
- ☒ Annexation*
- ☐ Other
- ☐ Waiver of Right to 30-day action

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

Jurisdiction: ☐ City Limits ☒ ETJ

Total Acres: 18.156

No. of Lots: 34

Original Survey & Abstract No:

Legal Description:

Current Land Use Plan: undeveloped family residential

Proposed Land Use Plan: single

Current Zoning: Not Zoned - OCL

Proposed Zoning:

Location: Between Stone Ridge Unit 7 and Unit 8 on extension of Ellerbracht Drive.

Proposed Use(s): Single Family Residential

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: [Signature]

Printed Name: Levi Ellerbracht Date: 8-5-15

Staff Use Only

Application No.: P-1511 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): Stone Ridge Development Co. Inc.

Owner Name: Levi Ellebracht

Address: 8498 N. State Hwy. 16, Fredericksburg, Texas, 78624

Phone: 830-990-2464

Fax:

Email: elgine@kctc.com

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

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

Firm Name (if applicable): Civil Engineering Consultants

Address: 11550 IH 10 West, Suite 395, San Antonio, Texas

Primary Contact Name: Alan D. Lindskog, P.E.

Phone: 210-798-9207

Fax: 210-641-9999

Email: lindskog@cectexas.com

Secondary Contact Name:

Phone:

Fax:

Email:

III. Applicant

Firm Name (if applicable):

Applicant Name (s):

Address:

Phone:

Fax:

Email:

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

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

Firm Name (if applicable): Civil Engineering Consultants

Address: 11550 IH 10 West, Suite 395, San Antonio, Texas 78230

Primary Contact Name: Alan D Lindskog, P.E.

Phone: 210-798-9207

Fax: 210-641-9999

Email: lindskog@cectexas.com



DON DURDEN, INC.
d.b.a. CIVIL ENGINEERING CONSULTANTS
11550 I-10 WEST, SUITE 395
SAN ANTONIO, TEXAS 78230-1037
TEL: (210) 641-9999
FAX: (210) 641-6440
REGISTRATION #F-2214

LOTS 339 NOTE:

THE MAINTENANCE OF THE VARIABLE WIDTH DRAINAGE EASEMENT SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE LOT ON WHICH IT IS LOCATED. NO IMPROVEMENTS WILL BE ALLOWED IN THE VARIABLE WIDTH DRAINAGE EASEMENT. NO FENCE SHALL BE ERECTED THAT WILL OBSTRUCT DRAINAGE ROW OR IMPEDE THE DESIGNED DRAINAGE PATTERN.

PRIVATE DRAINAGE EASEMENT NOTE:

5' PRIVATE DRAINAGE EASEMENT SHALL BE MAINTAINED BY THE OWNER OF THE LOT ON WHICH THEY ARE LOCATED. LOT DRAINAGE SHALL BE DESIGNED TO DIRECT RUNOFF TO ADJACENT STREETS OR DRAINAGE CHANNELS. NO IMPROVEMENTS WITH DIRECT RUNOFF ONTO ADJACENT LOTS SHALL BE ALLOWED IN THE 5' EASEMENTS.

NOTES:

- MONUMENTATION AS SHOWN.
A 5" REBAR WITH A "CEC" PLASTIC CAP WAS SET AT EACH LOT CORNER, UNLESS NOTED OTHERWISE.
- THE BASIS OF BEARING RECITED HEREIN IS THE PLAT OF STONE RIDGE, UNIT II, FREDERICKSBURG, TEXAS, RECORDED IN VOLUME 3, PAGE 82, PLAT RECORDS, GILLESPIE COUNTY, TEXAS.
- P.R. DENOTES PLAT RECORDS, GILLESPIE COUNTY, TEXAS.
D.R. DENOTES DEED RECORDS, GILLESPIE COUNTY, TEXAS.

UTILITY EASEMENTS

GRANTORS HEREBY RETAIN PERPETUAL EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND ALL NECESSARY APPURTENANCES THEREON, WHERE INSTALLED IN THE AIR, UPON THE SURFACE, OR UNDERGROUND, IN OTHER EASEMENTS DEDICATED TO UTILITIES, AND IN STREETS, ALLEYS, BOULEVARDS, AND ROADS OF THE SUBDIVISION AND WITH THE AUTHORITY TO PLACE, CONSTRUCT, OPERATE, MAINTAIN, RELOCATE AND REPLACE THEREON UTILITIES. THE EASEMENT RIGHTS HEREIN RESERVED INCLUDE THE PRIVILEGE OF ANCHORING ANY SUPPORT CABLES OR OTHER DEVICES OUTSIDE SAID EASEMENT WHEN DEEMED NECESSARY BY THE UTILITY TO SUPPORT WITHIN SAID EASEMENT AND THE RIGHT TO INSTALL WIRES AND/OR CABLES OVER SOME PORTIONS OF SAID LOTS AND/OR TRACTS WITHIN SAID EASEMENT SO LONG AS SUCH ITEMS DO NOT PREVENT THE CONSTRUCTION OF BUILDINGS ON ANY OF THE LOTS AND/OR TRACTS WITHIN SAID SUBDIVISION. NOTHING SHALL BE PLACED OR PERMITTED TO REMAIN WITHIN THE EASEMENT AREAS WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF UTILITIES. THE EASEMENT AREA OF EACH LOT AND/OR TRACT AND ALL IMPROVEMENTS THEREON SHALL BE MAINTAINED BY THE OWNER OF THE LOT EXCEPT FOR THOSE IMPROVEMENTS FOR WHICH AN AUTHORITY OR UTILITY COMPANY IS RESPONSIBLE. UTILITY COMPANIES OR THEIR EMPLOYEES SHALL HAVE ALL RIGHTS AND BENEFITS NECESSARY AND CONVENIENT FOR THE FULL ENJOYMENT OF THE RIGHTS HEREIN GRANTED, INCLUDING BUT NOT LIMITED TO THE FREE RIGHT TO INGRESS TO, AND TO EGRESS FROM THE SAID RIGHT-OF-WAY EASEMENT, AND THE RIGHT FROM TIME TO TIME TO CUT AND TRIM ALL TREES, UNDERGROWTH AND OTHER OBSTRUCTIONS THAT MAY INJURE, ENDANGER OR INTERFERE WITH THE OPERATION OF SAID UTILITY INSTALLATIONS. THE DEVELOPER AND/OR LANDOWNER SHALL BE RESPONSIBLE FOR REMOVAL OF ANY OR ALL LIMBS, DEBRIS, BRANCHES OR BRUSH THAT MUST BE CUT IN ORDER TO CLEAR THE RIGHT-OF-WAY FOR NEW CONSTRUCTION, MAINTENANCE, OF ANY LINES CONSTRUCTED ON THE PROPERTY. UTILITIES ARE DEFINED TO INCLUDE, BUT NOT LIMITED TO ELECTRIC, GAS, TELEPHONE, CABLE, T.V., WATER AND SEWER.



SCALE
1 inch = 60 ft.

LEGEND
XXXX ADDRESS

Line Table	
Line	Direction Length
L1	S89°03'31" 60.00'
L2	N72°49'59" 58.14'
L3	S88°31'33" 65.00'
L4	N88°31'33" 49.25'
L5	N00°06'09" 20.02'
L6	N88°31'33" 68.77'
L7	S88°31'33" 68.77'
L8	S45°15'27" 84.30'
L9	N45°15'27" 80.14'
L10	N89°36'35" 42.31'
L11	S07°07'03" 95.00'
L12	S07°08'17" 95.00'
L13	S24°48'01" 99.03'
L14	S88°31'33" 100.00'
L15	S70°33'49" 96.10'
L16	N25°19'46" 32.06'
L17	S89°24'21" 24.13'
L18	S64°40'14" 93.06'
L19	N45°15'27" 15.30'

Curve Table					
Curve	Length	Radius	Tangent	Chord Length	Chord Direction
C1	16.13	10.00'	10.43'	14.44'	S45°16'09" 082°24'35"
C2	40.32	25.00'	28.07'	36.09'	S45°16'09" 082°24'35"
C3	69.28	225.00'	34.91'	63.00'	S82°39'12" 017°28'08"
C4	53.86	175.00'	27.16'	53.87'	N82°39'12" 017°28'08"
C5	36.37	25.00'	33.87'	34.60'	S44°43'17" 081°18'29"
C6	261.72	370.00'	136.60'	256.29'	S19°19'41" 040°31'40"
C7	41.52	25.00'	27.35'	36.91'	S87°10'02" 095°09'03"
C8	23.50	25.00'	12.73'	22.89'	N18°16'34" 053°38'05"
C9	301.53	60.00'	43.64'	70.59'	S44°44'33" 087°56'10"
C10	23.50	25.00'	12.73'	22.89'	S72°14'29" 053°38'05"
C11	44.31	25.00'	30.62'	38.73'	S05°30'48" 101°32'30"
C12	227.25	370.00'	117.33'	223.89'	S73°32'45" 035°11'24"
C13	285.13	430.00'	148.08'	280.03'	N72°28'17" 038°02'20"
C14	35.46	25.00'	21.46'	32.56'	S85°53'40" 081°18'27"
C15	23.50	25.00'	12.73'	22.89'	S18°16'34" 053°38'05"
C16	301.53	60.00'	43.64'	70.59'	N44°44'33" 087°56'10"
C17	23.50	25.00'	12.73'	22.89'	N72°14'29" 053°38'05"
C18	37.57	25.00'	23.30'	34.13'	N02°12'33" 088°05'48"
C19	204.99	430.00'	104.48'	203.05'	N27°10'57" 027°18'50"
C20	34.01	25.00'	20.23'	31.45'	N52°29'59" 077°56'55"
C21	39.00	25.00'	24.73'	35.16'	N43°50'27" 089°22'13"
C22	13.37	430.00'	6.69'	13.37'	N00°02'47" 001°46'54"

PRELIMINARY SUBDIVISION PLAT OF STONE RIDGE, UNIT IX FREDERICKSBURG, TEXAS

BEING 18.156 ACRES OF LAND OUT OF A REMAINING PORTION OF A 258 ACRE TRACT OF LAND DESCRIBED IN VOLUME 63, PAGE 366, DEED RECORDS, GILLESPIE COUNTY, TEXAS, ALSO BEING SITUATED IN THE WILLIAM H. ANDERSON SURVEY NO. 197, ABSTRACT NO. 2, GILLESPIE COUNTY, TEXAS.



Engineer's Certificate

I, the undersigned, (a Registered Professional Engineer) in the State of Texas, hereby certify that this plat is true and correctly made and is prepared from an actual survey on the property, and further certify that proper engineering consideration has been given to this plat; and that all aspects are in accordance to the City of Fredericksburg Subdivision Ordinance.

Registered Professional Engineer

THE STATE OF TEXAS COUNTY OF GILLESPIE

I (We) hereby certify, I am (We are) the owner(s) of the property shown and described herein, that no other person or entity has any interest in the property by lien, lease, or other equitable interest, unless otherwise noted, and that I (We) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building set-back lines, and dedicate all alleys, walks, parks, watercourses, easements, and other open space to public use forever and convey public road right-of-way as shown here on the City of Fredericksburg for public road right-of-way purposes, and agree for myself (ourselves) and my (ours) heirs and assigns to abide forever by all lines, dedications, conveyances for public road right-of-way purposes, and other restrictions shown herein.

Date: _____
OWNER: Stone Ridge Development Co., Inc.
Levi Elebracht President
8498 N. State Hwy. 16
Fredericksburg, Texas 78624

The State of Texas
County of Gillespie
This instrument was acknowledged before me on the _____ day of _____, 2015, by: Levi Elebracht, President in his capacity as President of Stone Ridge Development Co., Inc.

Notary Public in and for the State of Texas

My Commission Expires: _____

Printed Name of Notary

I (We), Levi Elebracht, owner(s) holder(s) of a lien (liens) against the property shown on this plat, said lien(s) being evidenced by instrument of record in Volume _____ Page _____ of the Official Property Records of Gillespie County, Texas, do hereby subordinate our interest in all things in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said plat, further, I (We) hereby confirm that I am (We are) the present owner(s) of said lien and have not assigned the same nor any part thereof.

LENDER: American Bank of Texas

The State of Texas
County of Gillespie
This instrument was acknowledged before me on the _____ day of _____, 2015, by:

Notary Public in and for the State of Texas

My Commission Expires: _____

Printed Name of Notary

Surveyor's Certificate

I, the undersigned, (a Registered Professional Land Surveyor) in the State of Texas, hereby certify that this plat is true and correctly made and is prepared from an actual survey on the property made under my supervision on the ground and that the corner monuments were properly placed under my supervision, and that all aspects are in accordance to the City of Fredericksburg Subdivision Ordinance.

Registered Professional Land Surveyor

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for the City of Fredericksburg, Texas, with the exceptions of such variances, if any, as are noted on the plat and that it has been approved for recording in the office of the County Clerk.

Date: _____
Chairperson, City Planning and Zoning Commission

Filed for record at _____ o'clock _____ m. this _____ day of _____, A.D. on Page _____ Volume _____ of the Plat Records of Gillespie County, Texas.

Deputy Clerk, County Court
Gillespie County, Texas



**PRELIMINARY PLAT
BACKGROUND INFORMATION
September, 2015**

File Number:	P-1512
Subdivision Name:	Oaks of Windcrest – Phase 3
Location:	South side of W. Windcrest Drive, between Post Oak Road and the Windcrest neighborhood (see attached map).
Tract Size:	9.97 acres
Number/Size of Lots:	18 lots, (sizes range from 0.40 acres to 0.57 acres). These lots are much larger than lots within Phases 1 and 2 of the Oaks of Windcrest.
Roadways:	Post Oak Road will serve as the main access for this phase. Four cul-de-sac streets are proposed to serve the lots.
Right-of-way Dedications:	Post Oak Road – 60' (collector). All other streets – 50'
Utilities:	Water and Sewer lines will be extended to serve each lot. An existing electric line crossing lots 99, 100 and 101 is to be removed by CTEC.
Easements:	Variable width drainage and utility easements. Final details on the size and designation of easements to be determined and approved by the City prior to approval of the Final Plat.
Easements Abandoned:	Any easements associated with the electric line referenced above will be abandoned.
Stormwater Detention:	A portion of this project drains to the north into the detention pond located north of Windcrest Drive and a portion will drain into the existing pond located to the west in Oaks of Windcrest Phase 1.
Drainage:	See above.
Staff Comments:	The approval of the Preliminary Plat will allow the submittal of the Final Plat and Construction Plans for this development.
P&Z Action:	Final approval
Staff Recommendation:	Approval



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: Oaks of Windcrest, Phase III

Project Address: Post Oak Rd. and W. Windcrest Dr.

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: 9.97

No. of Lots: 19

Original Survey & Abstract No: Barbara Adame Survey No. 123, Abstract No. 4

Legal Description: Oaks of Windcrest, L.P., Remainder of Tract I, Instrument No. 20062495 O.P.R.

Current Land Use Plan: Medium Density Residential
Plan:

Proposed Land Use

Current Zoning: PD 18-013
Residential

Proposed Zoning: R1-Single Family

Location: Post Oak Rd. and W. Windcrest Dr.

Proposed Use(s): Single Family Residential

Applicant's Signature

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

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

Signature: 

Printed Name: Jon H. Starnes

Date: 08/08/2015

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): Allied Interests, Inc.

Owner Name: Jon H. Starnes

Address: 816 Terrace Mountain Dr., Austin, TX 78746

Phone: 512-327-6318

Fax: 512-327-6384

Email: jon@allied-interests.com

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

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

Firm Name (if applicable): VEI Consulting Engineers

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

Primary Contact Name: Kevin Spraggins

Phone: 830-997-4744

Fax: 830-997-6967

Email: kspraggins@vei-tx.com

Secondary Contact Name:

Phone:

Fax:

Email:

III. Applicant

Firm Name (if applicable): Ironbreaker Development Company

Applicant Name (s): John Bernard

Address: 1415 Countryside Bend, Fredericksburg, TX 78624

Phone: 325-816-1818

Fax:

Email: hccajun@gmail.com

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

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

Firm Name (if applicable):

Address:

Primary Contact Name:

Phone:

Fax:

Email:

CERTIFICATE OF SURVEYOR

I, the undersigned, a (Licensed Professional Engineer/ Registered Professional Surveyor) in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

LICENSED PROFESSIONAL ENGINEER OR REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS §
COUNTY OF GILLESPIE §

BEFORE ME, the undersigned authority, on this day personally appeared, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein stated. Given under my hand and seal of office this _____ day of _____, 20____.

Notary Public in and for the State of Texas

Type or Print Notary's Name

My Commission Expires: _____

OWNER'S ACKNOWLEDGEMENT AND DEDICATION

STATE OF TEXAS §
COUNTY OF GILLESPIE §

I (we), the undersigned, owner(s) of the land shown on this plat within the area described by metes and bounds as follows: (Metes and Bounds Description of Boundary)

and designated herein as the _____ Subdivision to the City of Fredericksburg, Texas, and whose name is subscribed hereto, hereby dedicate to the public use forever by fee simple title, free and clear of all liens and encumbrances, all streets, thoroughfares, alleys, parks, and trails, and to the public use forever easements for sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the platting ordinances, rules, and regulations thereon shown for the purpose and consideration therein expressed.

Owner:

Date: _____

STATE OF TEXAS §
COUNTY OF GILLESPIE §

BEFORE ME, the undersigned authority, on this day personally appeared, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein stated. Given under my hand and seal of office this _____ day of _____, 20____.

Notary Public in and for the State of Texas

Type or Print Notary's Name

My Commission Expires: _____

LIENHOLDER'S RATIFICATION OF PLAT DEDICATION

STATE OF TEXAS §
COUNTY OF GILLESPIE §

Whereas, _____, acting by and through the undersigned, its duly authorized agent, is the lienholder of the property described herein, does hereby ratify all dedications and provisions of this plat as shown.

Lienholder:

Date: _____

STATE OF TEXAS §
COUNTY OF GILLESPIE §

BEFORE ME, the undersigned authority, on this day personally appeared, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein stated. Given under my hand and seal of office this _____ day of _____, 20____.

Notary Public in and for the State of Texas

Type or Print Notary's Name

My Commission Expires: _____

CERTIFICATE OF FINAL PLAT APPROVAL

(FOR FINAL PLATS WITH REQUIRED PUBLIC IMPROVEMENTS INSTALLED AFTER APPROVAL)

Approved

Chairman, Planning and Zoning Commission
City of Fredericksburg, Texas

The undersigned, the City Secretary of the City of Fredericksburg, Texas, hereby certifies that the foregoing Final Plat of the _____

of Fredericksburg was submitted to the Planning and Zoning Commission on the _____ day of _____, 20____, and the Commission, by formal action, then and there accepted the Final Plat and hereby authorizes the developer to proceed with the construction of public works improvements and infrastructure as indicated on the accompanying construction plans, and said Commission further authorizes the Chairman of the Planning and Zoning Commission to note the acceptance thereof by signing his/her name as hereinabove subscribed.

Witness by hand this _____ day of _____, 20____.

City Secretary
City of Fredericksburg, Texas

CERTIFICATE OF COMPLETION, ACCEPTANCE, AND AUTHORIZATION TO FILE

Approved

Chairman, Planning and Zoning Commission
City of Fredericksburg, Texas

The undersigned, the City Secretary and the City of Fredericksburg, Texas, hereby certifies that the foregoing Final Plat of the _____

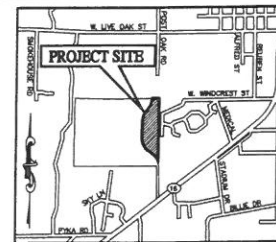
Subdivision or Addition to the City of Fredericksburg was submitted to the Planning and Zoning Commission on the _____ day of _____, 20____, and the Commission, by formal action, then and there accepted the dedications, conveyances of land, improvements, and any other property necessary to serve the plat and to implement the requirements of the platting ordinances, rules, and regulations as shown and set forth in and upon said plat, that the public works and infrastructure improvements have been completed in accordance with the construction plans, have been tested and have been accepted by the City, that the Final Plat is now acceptable for filing with Gillespie County and said Commission further authorizes the Chairman of the Planning and Zoning Commission to note the acceptance on behalf of the City thereof by signing his/her name as hereinabove subscribed.

Witness by hand this _____ day of _____, 20____.

City Secretary
City of Fredericksburg, Texas

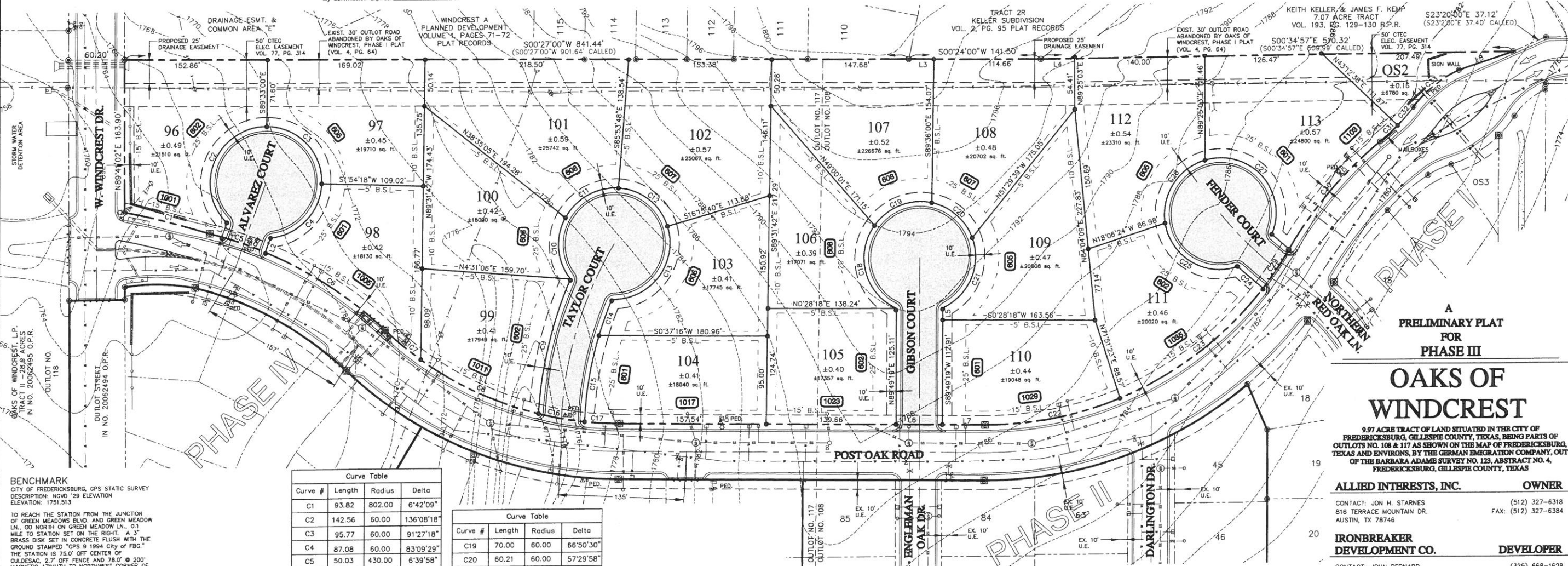
NOTES:

- 1.) ZONING FOR OAKS OF WINDCREST, PHASE III IS R1-SINGLE FAMILY RESIDENTIAL.
- 2.) THE DEVELOPER DEDICATES THE SANITARY SEWER & WATER MAINS UPON COMPLETION BY THE DEVELOPER AND ACCEPTANCE BY THE CITY OF FREDERICKSBURG. THE CITY OF FREDERICKSBURG WILL OWN AND MAINTAIN WITHIN TWO (2) YEARS OF ACCEPTANCE OF SAID SEWER & WATER MAINS LOCATED WITHIN THIS SUBDIVISION PLAT.
- 3.) DAMAGE BY ANY UTILITY COMPANY TO ANY STRUCTURES, FENCES, WALLS, OR LANDSCAPING OF ANY KIND PLACED WITHIN THE LIMITS OF THE EASEMENTS SHOWN ON THIS PLAT WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER. NO LANDSCAPING OR OTHER MODIFICATIONS ALTERING THE CROSS-SECTIONS OF DRAINAGE EASEMENTS ARE ALLOWED WITHOUT APPROVAL BY THE CITY OF FREDERICKSBURG. THE CITY OF FREDERICKSBURG SHALL HAVE THE RIGHT TO REQUIRE THE PROPERTY OWNERS TO REMOVE ANY OBSTRUCTIONS PLACED WITHIN THE PRIVATE DRAINAGE EASEMENTS AND THE RIGHT TO REQUIRE THE PROPERTY OWNERS MAKE MODIFICATIONS OR IMPROVEMENTS WITHIN THE EASEMENTS FOR PUBLIC WELFARE.
- 4.) DRAINAGE EASEMENTS ARE TO BE MAINTAINED BY PROPERTY OWNERS AND ACCESS TO BE GIVEN TO DEVELOPER OR AUTHORIZED PERSONS FOR ANY ADDITIONAL CONSTRUCTION, MAINTENANCE, OR REPAIR OF ANY STRUCTURE WITHIN ANY DRAINAGE EASEMENT.
- 5.) NO ONE SHALL INTERFERE WITH ANY NATURAL DRAINAGE PATTERN OR CONSTRUCTED DRAINAGE SYSTEM ESTABLISHED BY THE DEVELOPER BY ALTERING ANY SLOPES, CONSTRUCTING OR DESTROYING ANY RETAINING WALL OR OBSTRUCTING OR CHANGING THE CONTOUR OF ANY CHANNEL, SWALE, OR EMBANKMENT, OR TAKING ANY OTHER ACTION WHICH WILL OR IS LIKELY TO RETARD, CHANGE, OR INTERFERE WITH DRAINAGE OR CREATE EROSION WITHIN THIS AREA.
- 6.) ALL TOPOGRAPHIC INFORMATION, BENCHMARKS AND DRAINAGE DESIGNS WERE COMPUTED AND STARTED ON THE GROUND BY VET CONSULTING ENGINEERS, INC.



SCALE: 1" = 2,000'

1" = 50'



A PRELIMINARY PLAT FOR PHASE III OAKS OF WINDCREST

9.91 ACRE TRACT OF LAND SITUATED IN THE CITY OF FREDERICKSBURG, GILLESPIE COUNTY, TEXAS, BEING PARTS OF OUTLOTS NO. 108 & 117 AS SHOWN ON THE MAP OF FREDERICKSBURG, TEXAS AND ENVIRONS, BY THE GERMAN EMIGRATION COMPANY, OUT OF THE BARBARA ADAME SURVEY NO. 123, ABSTRACT NO. 4, FREDERICKSBURG, GILLESPIE COUNTY, TEXAS

ALLIED INTERESTS, INC. OWNER

CONTACT: JON H. STARNES (512) 327-6318
816 TERRACE MOUNTAIN DR. FAX: (512) 327-6384
AUSTIN, TX 78746

IRONBREAKER DEVELOPMENT CO. DEVELOPER

CONTACT: JOHN BERNARD (325) 668-1628
1415 COUNTRYSIDE BEND
FREDERICKSBURG, TX 78624

MDS LAND SURVEYING COMPANY, INC. SURVEYOR

CONTACT: JEFF BOERNER, RPLS (830) 816-1818
8 SPENCER ROAD
BOERNE, TEXAS 78006

VET CONSULTING ENGINEERS ENGINEER

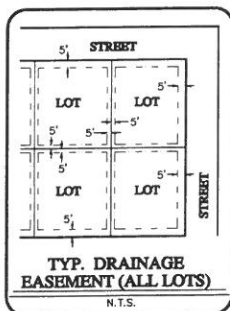
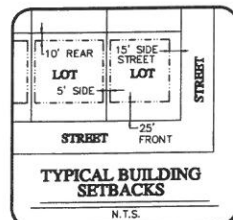
CONTACT: KEVIN W. SPRAGGINS, P.E. (830) 997-4744
507-D E. HIGHWAY ST. FAX: (830) 997-6967
FREDERICKSBURG, TX 78624 Texas Registration # F-165

DATE: 08/31/2015 SHEET: PP1 (1 OF 4)

BENCHMARK

CITY OF FREDERICKSBURG, GPS STATIC SURVEY
DESCRIPTION: NGVD '29 ELEVATION
ELEVATION: 1751.513

TO REACH THE STATION FROM THE JUNCTION OF GREEN MEADOWS BLVD. AND GREEN MEADOW LN., GO NORTH ON GREEN MEADOW LN., 0.1 MILE TO STATION SET ON THE RIGHT. A 3" BRASS DISK SET IN CONCRETE FLUSH WITH THE GROUND STAMPED "GPS 9 1994 City of FBG." THE STATION IS 75.0' OFF CENTER OF CULDESAC, 2.7' OFF FENCE AND 78.0' @ 200' MAGNETIC AZIMUTH TO NORTHWEST CORNER OF A RESIDENCE.



Curve Table			
Curve #	Length	Radius	Delta
C1	93.82	802.00	6°42'09"
C2	142.56	60.00	136°08'18"
C3	95.77	60.00	91°27'18"
C4	87.08	60.00	83°09'29"
C5	50.03	430.00	6°39'58"
C6	155.87	430.00	20°46'10"
C7	49.934	370.00	7°43'57"
C8	140.64	370.00	21°46'42"
C9	149.55	425.00	20°09'40"
C10	70.00	60.00	66°50'54"
C11	68.91	60.00	65°48'21"
C12	71.09	60.00	67°52'55"
C13	115.29	60.00	110°05'33"
C14	40.91	375.00	6°15'01"
C15	94.37	375.00	14°25'08"
C16	50.52	370.00	7°49'24"
C17	37.68	370.00	5°50'03"
C18	105.57	60.00	100°48'34"

Curve Table			
Curve #	Length	Radius	Delta
C19	70.00	60.00	66°50'30"
C20	60.21	60.00	57°29'58"
C21	89.64	60.00	85°36'03"
C22	148.64	370.00	23°01'04"
C23	194.93	370.00	30°11'10"
C24	36.06	425.00	4°51'40"
C25	104.07	60.00	99°22'40"
C26	86.82	60.00	82°54'16"
C27	134.40	60.00	128°20'47"
C28	24.57	375.00	3°45'13"
C29	50.22	370.00	7°46'38"
C30	155.08	430.00	20°39'50"
C31	21.60	200.00	6°11'13"
C32	26.36	200.00	7°33'06"
C33	63.90	123.00	29°46'01"

Line Table		
Line #	Length	Direction
L1	16.18	S70° 18' 46"E
L2	16.18	N70° 18' 46"W
L3	26.84	N0° 26' 43"W
L4	36.36	N0° 26' 57"W
L5	12.90	S89° 49' 19"W
L6	50.01	N0° 37' 16"E
L7	45.80	S0° 37' 16"W
L8	62.31	S18° 22' 13"E

LEGEND

- PROPERTY BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- RIGHT-OF-WAY CENTERLINE
- EXISTING EASEMENT
- EXISTING CONTOURS
- EXISTING SANITARY SEWER
- EXISTING WATER LINE
- EXISTING ELECTRIC LINE
- EXISTING STORM SEWER/CULVERT
- EXISTING CURB & GUTTER
- EXISTING ROCK WALL
- EXISTING WOOD FENCE
- EXISTING OUTLOT LINES
- 1/2" IRON ROD FOUND
- 1/2" IRON ROD FOUND IN CONCRETE
- EXISTING CURB INLET
- EXISTING GUY WIRE
- EXISTING UTILITY POLE
- EXISTING LIGHT POLE
- EXISTING ELECTRIC METER
- EXISTING CABLE T.V. PEDESTAL
- EXISTING TELEPHONE PEDESTAL
- EXISTING WATER SERVICE
- EXISTING SANITARY SEWER SERVICE
- EXISTING MANHOLE
- EXISTING CLEANOUT
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE

- PROPOSED PAVING
- PHASE LINE
- PROPOSED LOT LINE/R.O.W. LINE
- PROPOSED EASEMENT
- PROPOSED BUILDING SETBACK LINE
- FUTURE DEVELOPMENT
- PROPOSED ROLLER CURB
- PROPOSED CURB INLET
- UTILITY EASEMENT
- BUILDING SETBACK LINE
- 1/2" IRON ROD SET
- LOT ADDRESS NUMBERS

