

AGENDA
CITY OF FREDERICKSBURG
PLANNING & ZONING COMMISSION

Wednesday, October 3, 2018

5:30 P.M.

LAW ENFORCEMENT CENTER, 1601 E. MAIN ST.

1. Call to Order
2. Approve minutes from the September 2018 Regular Meeting

PUBLIC HEARING

3. Consider (Z-1813) Request by Sarah Wanek for a Land Use Change from Low Density Residential to Commercial and a Zoning Change from R1, Single Family Residential, to C1, Neighborhood Commercial on properties located at 604,608 and 610 N. Milam.

PLAT

4. Consider (P-1821) Final Plat for The Beginning Subdivision on approximately 11 acres located on Smokehouse Rd.

ACTION ITEMS

5. Receive Recommendation and Consider Z-1813

MISCELLANEOUS

6. Discuss Mixed Use Zoning District

ADJOURN

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

**PLANNING & ZONING COMMISSION
SEPTEMBER 5, 2018
5:30 P.M.**

On this the 5th day of September 2018 the PLANNING AND ZONING COMMISSION convened in regular Session at the Law Enforcement Center with the following members present to constitute a quorum:

PRESENT:

JANICE MENKING
JIM JARREAU
STEVE THOMAS
DARYL WHITWORTH
POLLY RICKERT
JIM WARREN
CHRIS KAISER
TIM DOOLEY
BRENDA SEGNER

ABSENT:

ALSO PRESENT:

BRIAN JORDAN – Director of Development Services
DANIEL JONES – City Attorney
ANNA HUDSON – Historic Preservation Officer
SHELBY COLLIER – Development Coordinator

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

PUBLIC HEARING

Consider (P-1814) Request by Lance Kovar for a replat of Lot 3 of the Hoerster Subdivision into 2 lots.

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

Lance Kovar presented the application stating the portion he is interested in purchasing is 1.1 acre tract that he would use for his dental office and the property is zoned C1.

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

Janice Menking received recommendation for P-1814

Tim Dooley asked Brian Jordan, Director of Development Services, if the applicant could replat if he currently doesn't own the property. Brian stated yes, because as part of the application the legal owner is disclosed. Lance Kovar is just the applicant making the request.

Brian stated the property in question is currently a 3 plus acre tract that's vacant and zoned C1, which allows for a medical office. A Site Plan will also be required as part of this development due to the size of the lot. The City's roll in this development is to ensure adequate services such as the water line easement and sidewalk requirement. City Staff recommends approval.

Daryl Whitworth asked who would be responsible for the Sidewalk Escrow; the owner of the 1-acre lot, owner of the 2-acre lot or both? Brian stated the City does not dictate that requirement but he would presume that the individual owners would each pay their portion.

Jim Jarreau asked if any letters had been received in support or opposition. Brian stated no.

Jim Jarreau made a motion to approve Application (Z-1808), Seconded by Jim Warren. All voted in favor and the motion carried.

Consider (Z-1812) Request by Jennifer Schandua and the City of Fredericksburg for a Zoning Change from R2, Mixed Residential, to C2, Commercial and Land Use Plan Change from Medium Density Residential to Commercial on approximately 10 acres on Friendship Ln, approximately 650' East of S. Washington St.

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

Stuart Barron presented the application. He stated that he is requesting a Zoning Change on the entire 2.44 acres his family owns from R2 to C2.

Penny Hughes, a property owner included in the Zoning and Land Use Change Request, stated she does not want her property rezoned to C2 but would be happy with C1.

Jamish Patel spoke in protest of the request. He stated he owns property across the street and attempted to change his zoning from Residential to Commercial several years ago and was denied.

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

Janice Menking received recommendation for Z-1812

Brian stated at the previous meeting, the Commission voted to direct staff to call a public hearing on the remaining property in the vicinity to consider changing the Land Use Plan to Commercial and the zoning from R-2 Mixed Residential, to C-2 Commercial. The overall property consists of three separate owners, including Barbara Heinen, Stuart Barron and Jennifer Schandua, and Penjay Properties Inc., and is approximately 10 acres in size.

Based on the Land Use Plan designation, this property falls within the Commercial Center Designation and the Medium Density Residential Category. Obviously, the circle represented by the Commercial Center on the Land Use Map does not follow property lines, so action should be considered on a case by case basis, such as this request. Given the adjoining C-2 zoning surrounding this property to the west, north and south, it would seem reasonable to change the subject property as well. As an alternative, the subject property could be considered for a C-1 zoning designation, thereby using this tract as a

transitional zoning from the C-2 to the west and the R-1 to the east. Even though there is no other C-1 zoning in the vicinity, the fact that there is commercial zoning adjoining the property would seem to eliminate the spot zoning scenario. Brian went on to say the City Staff is currently working on a Mixed Use Zoning category and this might be more appropriate.

Brian stated he has heard from Barbara Heinen and Penjay Properties, both recommend C1 zoning instead of C2.

Jim Jarreau asked for clarification, Barbara Heinen does not want her property zoned C2. Brian stated that is correct, she requests C1.

Brenda Segner asked if the City owned the R1 tract to the East. Brian stated yes, however, that property should be zoned Public Facility.

Brenda stated C1 would be an appropriate buffer and it still has the ability to utilize the Conditional Use Permit element. Brian agreed.

Tim asked if C1 is granted, but C2 is needed what would happen. Brian stated C1 equals more review and has a Conditional Use Permit as well. C2 is very open and broad.

Polly Rickert asked Brian to explain the park situation on the City property. Brian stated a park is planned on the R1 lot and a detention pond is currently on the Public Facility lot.

Tim asked if C1 zoning would allow Stuart and Jennifer to do what they planned with the property. Stuart Barron stated no, a restaurant is not permitted in C1.

Brian stated a Limited Restaurant use is allowed in C1 by Conditional Use Permit.

Polly stated 2 owners want C1 and not C2.

Jennifer Schandua asked Brenda Segner to elaborate on what she meant by a buffer between C2 and R1. Brenda stated that a buffer is ideal, it is less invasive and more restrictive but does allow the option of a Conditional Use Permit. Brian stated C2 adjoining a residential property is objectionable.

Daryl Whitworth made a motion to recommend C1 zoning for Application (Z-1812), Seconded by Jim Jarreau. All voted in favor and the motion carried.

Daryl Whitworth made a motion to recommend a change in Land Use from Medium Residential to Commercial. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Consider (P-1816) Final Plat for Oaks of Windcrest IV-B located west of Post Oak Rd. and South of W. Windcrest Dr.

Kevin Spraggins presented the application. He stated this request is for Final Plat approval for the Oaks of Windcrest phase IV-B. It consists of 26 R1 zoned lots. Sidewalks will be provided and completion of West Windcrest will be part of this project.

Brian stated the Final Plat complies with the Preliminary Plat. Staff recommends approval conditioned upon approval of final construction plans.

Motion to approve Application P-1816 as presented by Jim Jarreau. Seconded by Jim Warren. All voted in favor and the motion carried.

Consider (P-1817) Preliminary Plat for The Beginning Subdivision on approximately 11 acres of the Seipp Subdivision located on Smokehouse Rd.

Kevin Spraggins presented the application. He stated that this property has a zoning of R1-A and contains 54 lots. A Sewer Line will be provided through an easement and this subdivision will provide onsite detention. Central Texas Electric Coop will bury a transmission line and that 100 ft. easement will also contain a fire lane on the north side. The owners are attempting to make this an affordable housing project.

Jim Jarreau stated that street A is a dead-end. How will those lots be provided Fire protection? Brian said there is a dedicated fire lane.

Brian stated the City will extend utilities to this property and that this Preliminary Plat will be back to The Commission for Final Plat approval. City Staff recommends approval conditioned upon approval of the Final Plat and Final Construction Plans.

Brenda asked what type of curb is being provided. Brian stated a standard City curb. Brenda asked if a Sidewalk is provided. Kevin stated no.

Brenda asked Brian if Park Dedication was required. Brian stated the project qualifies under the Park Dedication requirements. Since no public park will be a part of this development, a fee in the amount of \$500 per lot shall be required prior to recording the Final Plat.

Kelly Musselman asked why Sidewalk was not required. Brian stated this property is not on the Sidewalk Plan so sidewalks are not a requirement.

Motion to approve Application P-1817 as presented by Jim Jarreau. Seconded by Chris Kaiser. All voted in favor and the motion carried.

MISCELLANEOUS

The Commission discussed the Mixed Use Zoning draft presented by City Staff. Jim Jarreau said he felt it was important to evaluate zoning on Friendship Ln. Brian stated a Mixed Use zoning will be helpful as City Staff did not have this Zoning before. Brian stated City Staff attempted to tailor this zoning to zones that we have currently.

Polly said she appreciated that the facility loading zones were separate from pedestrian zones.

Tim asked if this zoning was driven by residential living above commercial. He feels as if this is a decentralization of communities and that he would rather see successful examples in Texas.

Anna Hudson, Historic Preservation Officer, stated there is a need for a Zone such as this. Tonight's zoning case is a good example of a Mixed Use.

Tim said this Mixed Use has not been needed. Brian stated yes it has, The Commission just did it with a Planned Unit Development instead of a Mixed Use. The Frieden project is a good example.

The Commission agreed this was good first draft but wanted to break it down into categories. They want to look at local examples and divide this category into MU-1, for the Corridor, and MU-2 for in-fill.

Janice Menking asked when City Staff was planning to establish the Mixed Use Zoning. Brian stated by the end of the year.

MINUTES

Jim Jarreau moved to approve the minutes of the August, 2018 meeting and Tim Dooley seconded the motion. All voted in favor and the motion carried.

ADJOURN

With nothing further to come before the Commission, Polly Rickert moved to adjourn. Seconded by Brenda Segner. All voted in favor and the meeting was adjourned at 7:13 p.m.

PASSED AND APPROVED this 3rd day of OCTOBER 2018.

SHELBY COLLIER, Development Coordinator

JANICE MENKING, Chairman

LAND USE PLAN AND ZONING CHANGE BRIEF
Rezoning Request # Z-1813

APPLICANT: Sarah Wanek

LOCATION: 604, 608 and 610 North Milam Street

EXISTING ZONING: R-1 Single Family Residential.

LAND USE PLAN: Low Density Residential

PROPOSED CHANGE: Change in zoning from R-1, Single Family Residential to C-1 Neighborhood Commercial, and change the Land Use Plan from Low Density Residential to Commercial.

FINDINGS:

- The property consists of three of the four lots fronting on N. Milam Street in the 600 Block, including 604, 608 and 610 N. Milam Street. The owner of 602 N. Milam Street is not part of the application.
- Each of the lots within the request have residential structures on them.
- The house at 608 N. Milam is designated as an Historical Landmark.
- The existing properties are used for residential or Short Term Rental purposes.
- Land uses surrounding this property include residential to the west and north, office use and church facilities to the east and office use to the south.
- Surrounding zoning is R-1 to the west, north and east, and C-1 to the south.
- The Land Use Plan identifies the area to the west and north as Low Density Residential, to the east as Low Density Residential and to the south as Commercial (see the attached Land Use Plan).

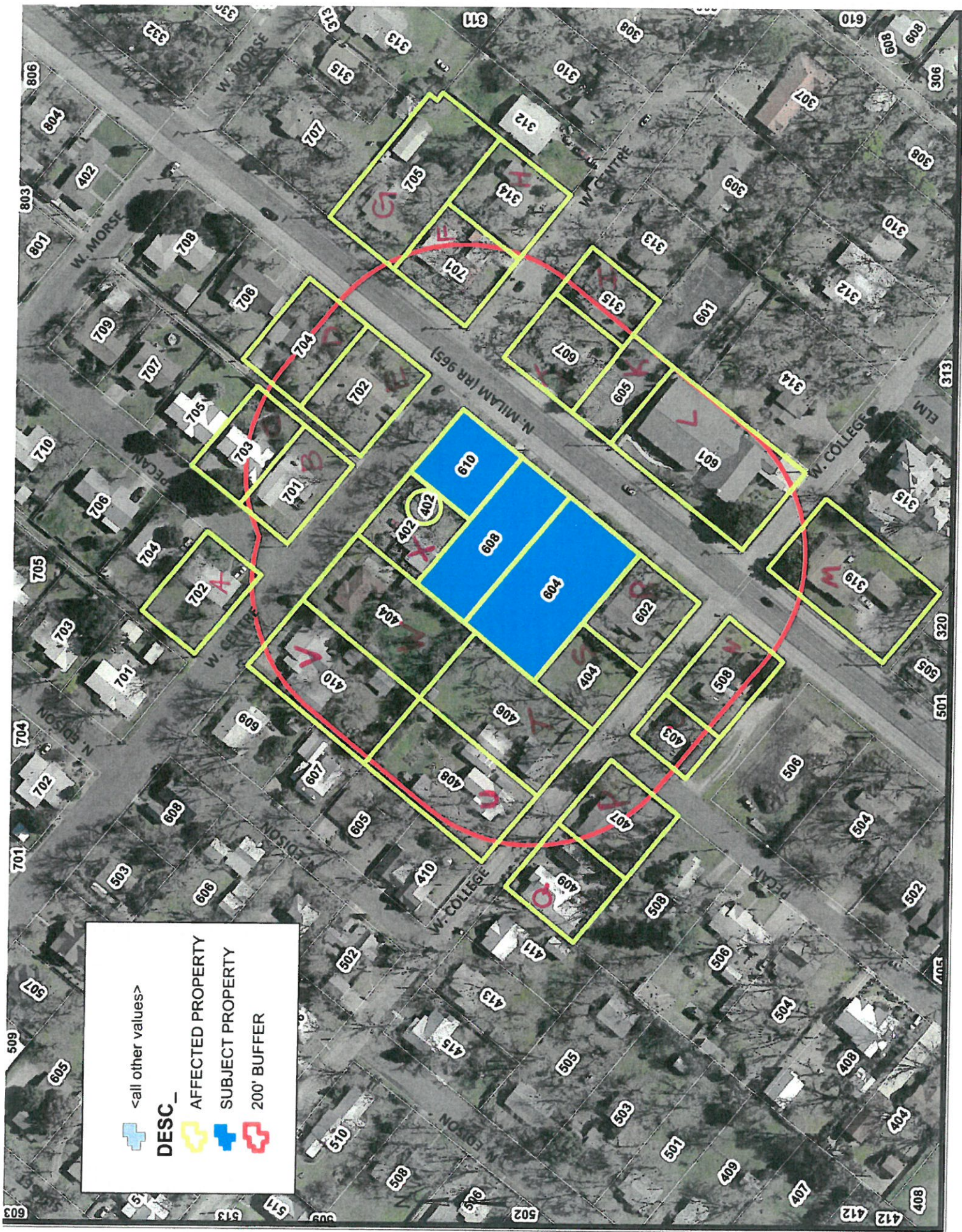
LAND USE PLAN: The Low Density Residential Category is representative of traditional, single-family detached dwelling units. Low density residential accounts for the largest percentage of residential development in Fredericksburg today and will continue to do so with the development shown on the Future Land Use Map. The areas designated for low density residential land use are generally not adjacent to major thoroughfares or incompatible land uses, and are in proximity to existing single-family residential land use. Within these areas, the City should encourage a range of lot sizes and housing types in order to promote increased housing diversity and affordability.

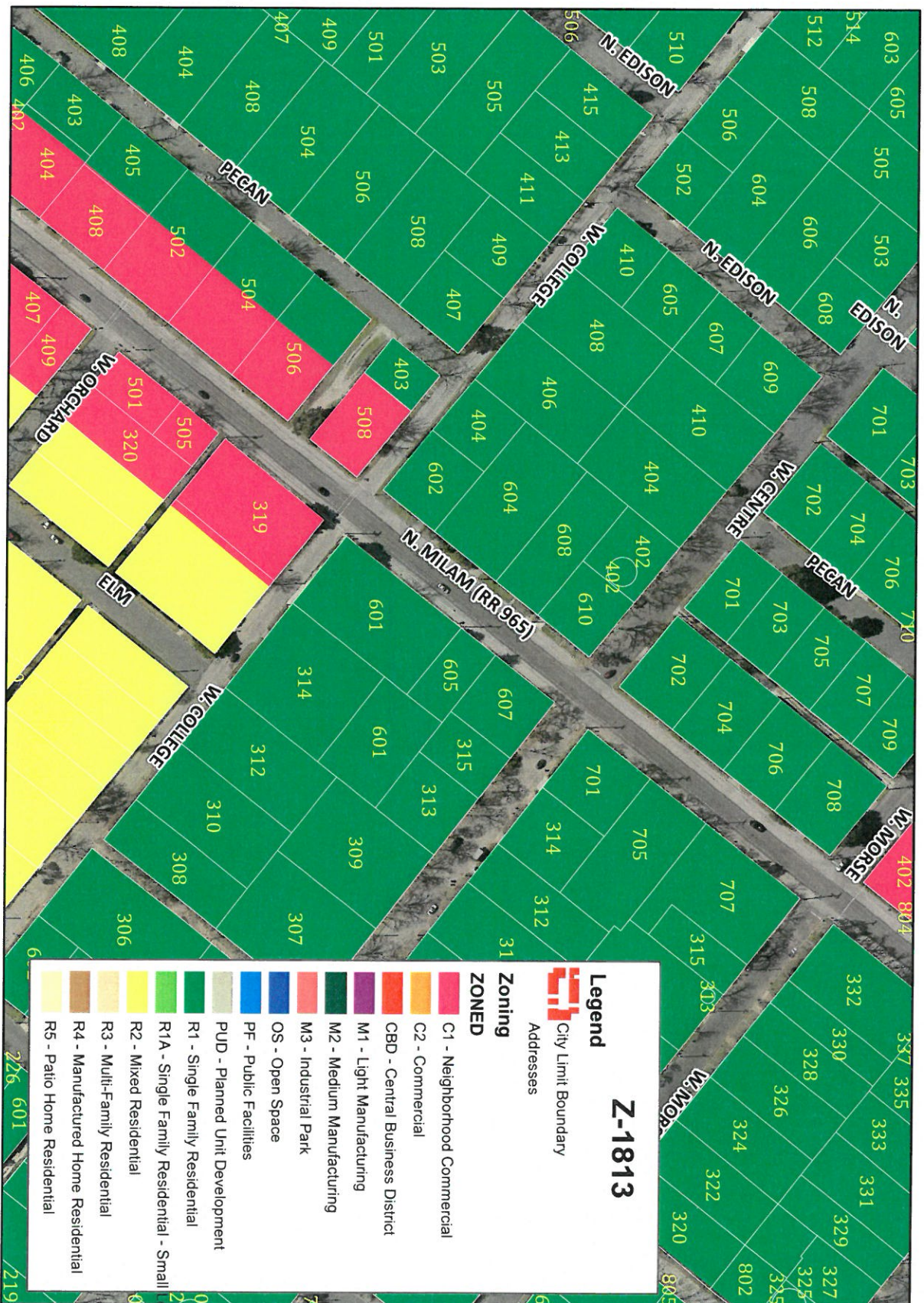
The Commercial land use category may include retail and office uses as well as the light commercial activities that typically need some outdoor storage, display and sales areas. For the most part, this land use category is found in areas where a mix of non-residential uses already exists and where change is not anticipated.

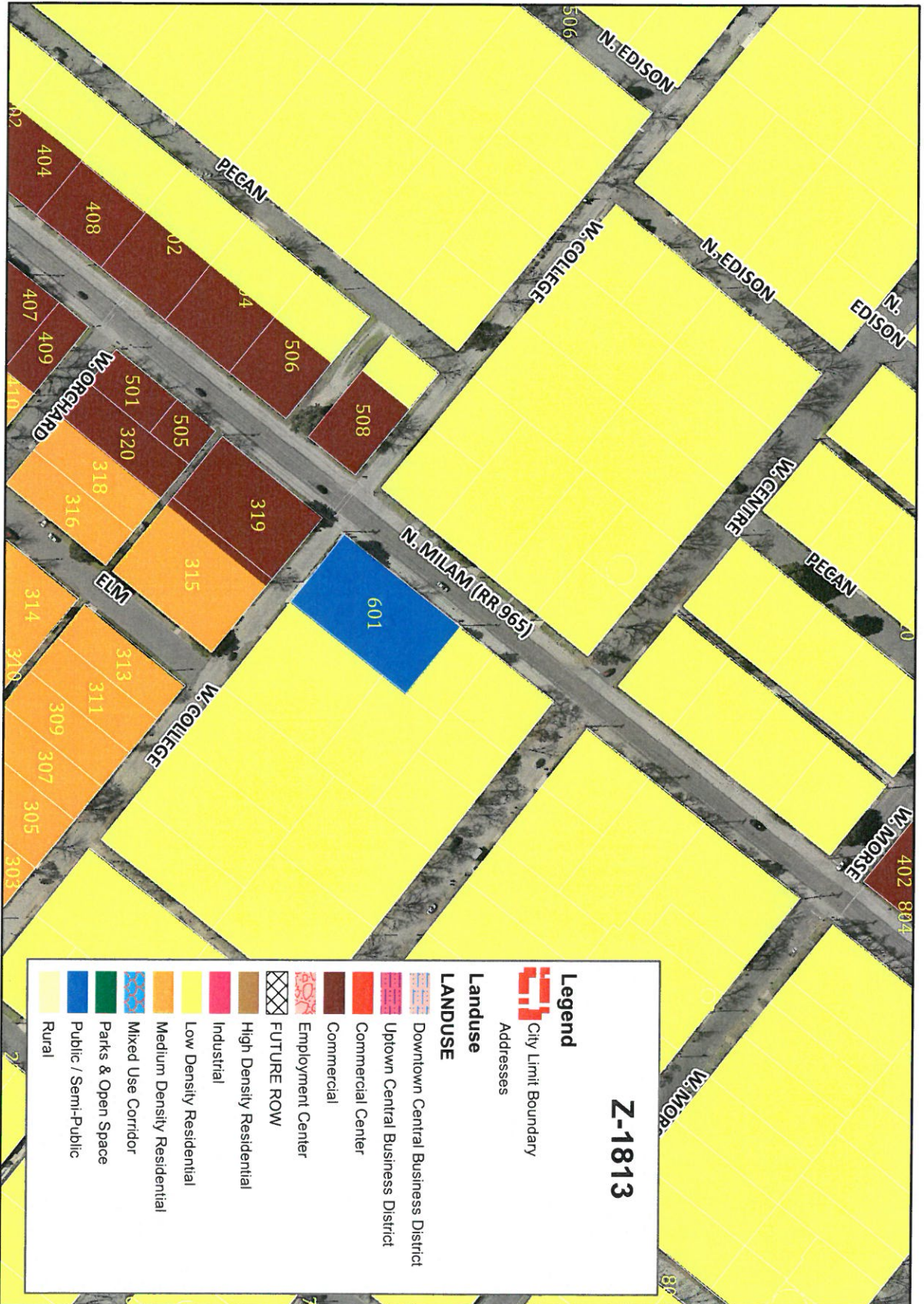
ZONING: The applicant, who represents owners of 604, 608 and 610 N. Milam Street is proposing to change the zoning R-1 Single-family Residential to C-1 Neighborhood Commercial. It is my understanding that they do not have immediate plans to change or develop the property. The owner of 602 N. Milam, (corner of College Street and Milam Street) is not included in this request. In evaluating the zoning along N. Milam Street, it should be noted that the properties on both sides of Milam Street from Austin Street to College Street are presently zoned C-1. In addition, property on the west side of Milam Street from Morse Street to Burbank Street is zoned C-1. Therefore, there are only two blocks (600 and 700) along Milam on the west side that are not currently zoned C-1.

OPPOSITION/SUPPORT OF REQUEST: One letter received in opposition.

STAFF RECOMMENDATION: While the proposed zoning change and land use change of the three lots may be reasonable to consider, we do not recommend changing these three lots without considering all the lots fronting on Milam Street. Therefore, if the Commission agrees that we should consider all lots, action should be taken to direct staff to initiate a public hearing on the remaining lot within the block. Otherwise, the commission may recommend denying the request.







Letter	Owner	Address
A	THOMAS HAMMER	771 COWBOY TRAIL FREDERICKSBURG, TX 78624
B	KENNETH MOLBERG	701 PECAN FREDERICKSBURG, TX 78624
C	JACK & JUDY LEDDY	703 PECAN FREDERICKSBURG, TX 78624
D	KAREN EDWARDS	P.O. BOX 1937 FREDERICKSBURG, TX 78624
E	RUBEN CRENWELGE	702 N. MILAM FREDERICKSBURG, TX 78624
F	PATTI PENICK	701 N. MILAM FREDERICKSBURG, TX 78624
G	WILLIAM & MOLLY WOLF	705 N. MILAM FREDERICKSBURG, TX 78624
H	JERRY & SUZANNE GREEN	33718 ANSLEY RD MAGNOLIA, TX
I	TERRY BONN	9370 S. ST HWY 16 FREDERICKSBURG, TX 78624
J	CHURCH OF FREDERICKSBURG	607 N. MILAM FREDERICKSBURG, TX 78624
K	CHURCH OF FREDERICKSBURG	607 N. MILAM FREDERICKSBURG, TX 78624
L	CHURCH OF FREDERICKSBURG	607 N. MILAM FREDERICKSBURG, TX 78624
M	DWIGHT & KAREN OESTREICH	204 W. ORCHARD FREDERICKSBURG, TX 78624
N	BARRY WAGNER	4234 N. GRAPE CREEK FREDERICKSBURG, TX 78624
O	DUSTIN MOORE	403 W. COLLEGE FREDERICKSBURG, TX 78624
P	RICHARD & JEANNE WEIKEL	110 LIVE OAK LANE KERRVILLE, TX 78028
Q	NANCY SHINE	409 W. COLLEGE FREDERICKSBURG, TX 78624
R	MARSH WEIERSHAUSEN	P.O. BOX 251 FREDERICKSBURG, TX 78624
S	ROBERT RIGGLE	604 N. MILAM FREDERICKSBURG, TX 78624
T	JEFFREY & LORI SMITHERS	21726 HARDY OAK SAN ANTONIO, TX
U	JUDITH FLEMING	P.O. BOX 1785 FREDERICKSBURG, TX 78624
V	VERDIE MAE GUETTLER	410 W. CENTRE FREDERICKSBURG, TX 78624
W	ANDREA DONALDSON	403 E. TRAVIS FREDERICKSBURG, TX 78624
X	JUAN & LAURIE VILLA	402 W. CENTRE FREDERICKSBURG, TX 78624
Z-1813		

\$410.00



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: Sarah Wanek

Project Address: 600 N. Milam (600 Block of N. Milam St.)
See Attached document

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:

No. of Lots:

Original Survey & Abstract No:

Legal Description: IT2 BLK A LOT 1-PT

Current Land Use Plan: Low Density Proposed Land Use Plan: Commercial

Current Zoning: R1

Proposed Zoning: C1

Location: 600 Block of North Milam

Proposed Use(s): Commercial Business

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. Also certify I have authorization from the owner to act on his / her behalf.

Signature: Sarah Wanek

Printed Name: Sarah Wanek

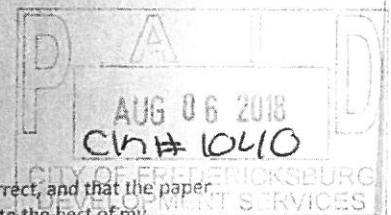
Date: 8/3/18

Staff Use Only

Application No.: 7-1813

Date: 08/06/18

*Copy of current Title Search required with application.





Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 - (830)997-7521

B. Contact Information (Please complete all items. Attach additional pages as necessary.)

I. Property Owner(s)

Firm Name (if applicable):

Owner Name: Sarah Wanek

Address: 610 N. Milam St.

Phone: 830-998-5884 Fax:

Email: sern03@gmail.com

II. Owner'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:

Secondary Contact Name:

Phone:

Fax:

Email:

III. Applicant

Firm Name (if applicable):

Applicant Name(s): Sarah and Jeffrey Wanek

Address: 610 N. Milam St.

Phone: 830-998-5884 Fax:

Email: sern03@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:

~~Kathy~~ Dozier 602 N. Milam
602 N. Milam
Cindy Spaeth 608 N. Milam Cindy Spaeth
~~Tracy Spaeth~~ 608 N. Milam Tracy Spaeth

① Katy and Damon Dozier (Marsh Weiershausen)
602 N. Milam
830-431-2844
kathy@dozier.us

② Bob Riggle
604 N. Milam
830-997-7108

③ Tracy and Cindy Spaeth
608 N. Milam
830-806-543-0597
CindySpaeth1@gmail.com

Petition to

Petition summary and background	
Action petitioned for	continuous Zoning on N. Milam St. (600-700) Block.

Printed Name	Signature	Address	Comment	Date
Damon Doria	[Signature]	602 N. Milan		7/19/2018
Bob Riggall	[Signature]	604 N. Milan		7/20/2018
Sarah Wanda	[Signature]	610 N. Milan		7/20/18
Chely Spach	[Signature]	608 N. Milan		7/20/18
Molly Wade	[Signature]	705 N. Milan		7/20/18
William Wade	[Signature]	" "		7/20/18
Franklin	[Signature]	704 N. Milan		7/20/18
Wendy Velez	[Signature]	402 W Center St		7-20-2018
Juan Velez	[Signature]	402 W Center St		7-20-18
Maddison	[Signature]	410 W Center St		
Vendy G...	[Signature]	410 W Center St		
Andrea Brown	[Signature]	609 N Edison St		7/20/18
Bonnie Reed	[Signature]	701 N. Milan		7/20/18
Sonia RIVERO	[Signature]	607 N Edison		7/20/18
J. H. Fleury	[Signature]	708 W College		7/20/18
Angela Keller	[Signature]	607 N. Milan St		7/20/18
Jeff Wanda	[Signature]	610 N. Milan		7/20/18
Tracy Spach	[Signature]	608 N. Milan		7/20/18

**FINAL PLAT
BACKGROUND INFORMATION
September, 2018**

File Number:	P-1821
Subdivision Name:	The Beginning
Location:	West side of Smokehouse Road, between Live Oak Road and the extension of W. Windcrest Drive (see attached map).
Zoning:	R-1A, Single Family Residential – Small Lot
Tract Size:	11.7 acres
Number/Size of Lots:	55 lots. All lots have a minimum width of 50', and the lot depth varies. All lots exceed the minimum size requirement of 4500 sf.
Roadways:	The project will be served by one main street (Clovis Street), with access on Smokehouse Road. Two streets will be extended to adjoining property to the north and west for future connections. Smokehouse Road is a County Road at this time.
Right-of-way:	Internal streets will contain the minimum 50' of right-of-way.
Utilities:	As part of the Annexation Agreement between the City and Developer, water and sewer lines will be extended to the site by the City. Internal lines will be the responsibility of the developer.
Easements:	Typical drainage and utility easements on each lot. Proposed 100' Electric Transmission Line Easement and 25' Access and Fire Lane easement.
Easements Abandoned:	CTEC Electric line crossing the site.
Stormwater Detention:	A Detention Pond is proposed at the southwest corner of the development. All drainage is subject to approval of the Construction Plans by Engineering and Public Works.
Drainage:	See above.
Park Dedication:	The project qualifies under the Park Dedication requirements. Since no public park will be a part of this development, a fee in the amount of \$500 per lot shall be required prior to recording the Final Plat.

Construction Plans:	Construction Plans have been reviewed by the Engineering Department. Comments have been returned to the Engineer.
Staff Comments:	NA
P&Z Action:	Final approval
Staff Recommendation:	Approval
Conditions:	Approval of the Final Plat, subject to approval of Construction Plans prior to the start of construction.



Project Application

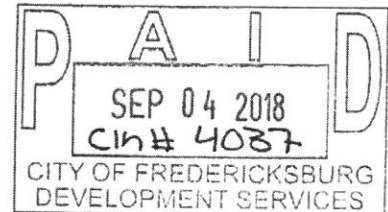
City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

A. Project Information (Please complete all items.)

Project Name: The Beginning Subdivision

Project Address: Smokehouse Road

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: 13.07 Ac. No. of Lots: 55

Original Survey & Abstract No:

Legal Description: 11.70 Ac., Seipp Subdivision Lots 2A-1R & 2B-2R, Vol. 2, Pg. 159 and Vol. 2, Pg. 172, P.R.

Current Land Use Plan: Rural (ETJ)

Proposed Land Use Plan:

Current Zoning: N/A (ETJ)

Proposed Zoning: R1A-Single Family

Residential – Small Lot

Location: Smokehouse Road

Proposed Use(s): Single Family Residential – Small Lot

Applicant's Signature

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

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

Signature: [Signature]

Printed Name: Kevin Spraggins Date: 8/31/2018

Staff Use Only Application No.: _____ Date: 09/04/18

*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): Bartrei properties, LLC

Owner Name: Kenneth Treibs & Mimi Bartel

Address: 609 W. Shubert St., Fredericksburg, Texas 78624

Phone: 830-889-0070 (Kenneth) Fax:

Email:

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): Bartrei Properties, LLC

Applicant Name (s): Kenneth Treibs and Mimi Bartel

Address: 609 W. Shubert St., Fredericksburg, Texas 78624

Phone: 830-889-0070 (Kenneth) 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):

Address:

Primary Contact Name:

Phone:

Fax:

Email:

NOTES:

1. BASIS OF BEARING WAS ESTABLISHED FROM THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE.
 2. SIGHT VISIBILITY RESTRICTION: NO STRUCTURE, OBJECT, OR PLANT OF ANY TYPE MAY OBSTRUCT VISION FROM A HEIGHT OF TWENTY-FOUR (24) INCHES TO A HEIGHT OF TEN (10) FEET ABOVE THE TOP OF THE CURB, INCLUDING, BUT NOT LIMITED TO, BUILDINGS, FENCES, WALLS, TREES, SHRUBS, CARS, TRUCKS, ETC., IN THE SIGHT VISIBILITY EASEMENT AS SHOWN ON THE PLAT. THESE SIGHT VISIBILITY EASEMENTS WILL REMAIN IN EFFECT UNTIL VACATED BY ORDINANCE ADOPTED BY THE CITY COUNCIL AND THE PROPERTY REPLANTED.
- REFERENCES:
VOL. 2, PG. 159, PLAT RECORDS
VOL. 2, PG. 172, PLAT RECORDS
VOL. 41, PGS. 534-535, DEED RECORDS, RIGHT OF WAY EASEMENT TO CENTRAL POWER & LIGHT COMPANY ALONG TRANSMISSION LINE (UNDERNEATH WIDTH)
VOL. 72, PGS. 212-213, DEED RECORDS, BLANKET EASEMENT
VOL. 90, PGS. 452-453, DEED RECORDS, UNDERGROUND TELEPHONE EASEMENT
VOL. 180, PGS. 111-112, DEED RECORDS, 30' RIGHT OF WAY EASEMENT TO CENTRAL TEXAS ELECTRIC COOPERATIVE, INC. ALONG POWER LINES
VOL. 555, PGS. 963-970 OFFICIAL PUBLIC RECORDS - RESTRICTIONS

OWNER'S ACKNOWLEDGEMENT AND DEDICATION

STATE OF TEXAS
COUNTY OF _____

I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT WITHIN THE AREA DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (SHOWN HEREON)

AND DESIGNATED HEREIN AS THE SEPP 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.

OWNERS:

BY _____

DATE: _____

BY _____

DATE: _____

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, MARK E. MCLOSKEY 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 _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NOTARY'S NAME _____

MY COMMISSION EXPIRES _____

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, MARK E. MCLOSKEY 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 _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NOTARY'S NAME _____

MY COMMISSION EXPIRES _____

LIENHOLDER'S RATIFICATION OF PLAT DEDICATION

STATE OF _____

COUNTY OF _____

WHEREAS, PROSPERITY BANK, ACTING BY AND THROUGH THE UNDERSIGNED, ITS DULY AUTHORIZED AGENT, IS THE LIENHOLDER OF THE PROPERTY DESCRIBED HEREON, DOES HEREBY RATIFY ALL DEDICATIONS AND PROVISIONS OF THIS PLAT AS SHOWN.

PROSPERITY BANK

BY _____

NAME OF LIEN HOLDER, TITLE OF SIGNED

DULY AUTHORIZED AGENT

DATE _____

STATE OF _____

COUNTY OF _____

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 _____

NOTARY PUBLIC

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 _____

_____ day of _____, 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 my hand this _____ day of _____, 20____.

City Secretary
City of Fredericksburg, Texas

SURVEYOR'S CERTIFICATE:

I, THE UNDERSIGNED, A 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

_____, DAY OF _____, 2017.

JEFF BOERNER
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4939

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED, JEFF BOERNER 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 CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____

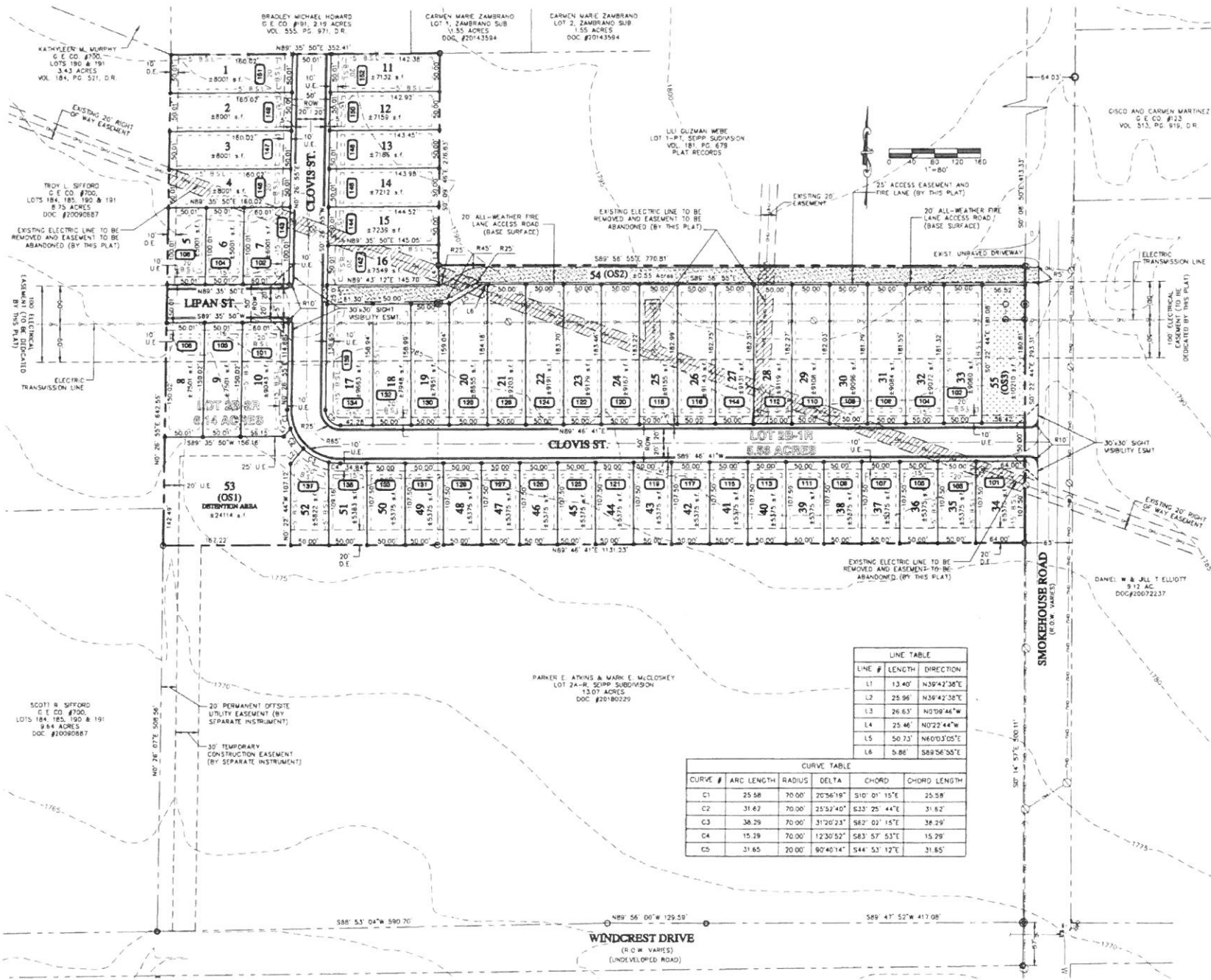
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NOTARY'S NAME _____

MY COMMISSION EXPIRES _____

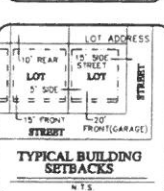
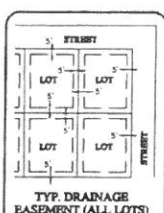


RECEIVED
JAN 10 2018



LINE #	LENGTH	DIRECTION
1	13.40'	N36°42'38"E
2	25.96'	N36°42'38"E
3	26.63'	N07°04'46"W
4	25.46'	N02°24'44"W
5	50.73'	N60°03'05"E
6	5.86'	S89°56'55"E

CURVE #	ARC LENGTH	RADIUS	DELTA	CHORD	CHORD LENGTH
C1	25.96'	70.00'	20°56'19"	510' 01" 15"E	25.96'
C2	31.62'	70.00'	25°52'40"	623' 25" 44"E	31.62'
C3	38.29'	70.00'	31°20'23"	582' 02" 15"E	38.29'
C4	15.29'	70.00'	12°30'52"	583' 57" 53"E	15.29'
C5	31.65'	20.00'	90°40'14"	544' 53" 12"E	31.65'



LEGEND

- EXISTING EASEMENT TO BE ABANDONED
- PROPERTY BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- EXISTING LOT LINES TO BE ABANDONED
- EXISTING EASEMENT
- EXISTING OVERHEAD UTILITIES
- EXISTING CONTOURS
- PROPOSED LOT / ROW LINES
- PROPOSED EASEMENT
- PROPOSED ROAD CENTERLINE
- PROPOSED CURB & GUTTER
- EXISTING UTILITY POLE
- EXISTING GUY WIRE
- 2 1/2" STEEL PIPE FOUND
- 1/2" IRON ROD FOUND
- PUNCH MARK FOUND IN CONCRETE
- SET 1/2" IRON ROD WITH MOS CAP
- OPEN SPACE
- UTILITY EASEMENT
- DRAINAGE EASEMENT

ZONING:

THE PROPOSED ZONING FOR THE BEGINNING SUBDIVISION TO BE R-1-A SINGLE FAMILY RESIDENTIAL - SMALL LOTS.

BENCHMARK
A 3" IRON, BLUE CAPPED "SEARCHERS" LOCATED APPROXIMATELY 4.40 FEET SOUTHWEST OF THE INTERSECTION OF W. WINDCREST DR. (UNDEVELOPED OUTLOT STREET) AND SMOKEHOUSE ROAD.
ELEVATION = 1766.06'

A FINAL PLAT FOR

THE BEGINNING SUBDIVISION

11.70 ACRES, SEPP SUBDIVISION LOTS 28-1R & 28-2R, VOLUME 2 PAGE 159, AND VOLUME 2 PAGE 172, PLAT RECORDS, GILLESPIE COUNTY, TEXAS

BARTREI PROPERTIES LLC OWNER
CONTACT: KENNETH TREIBS (830) 889-0070
609 W. SCHUBERT STREET
FREDERICKSBURG, TX 78624

M.D.S. LAND SURVEYING CO., INC. SURVEYOR
VEI CONSULTING ENGINEERS ENGINEER
ENGINEER CONTACT: KEVIN W. SPRAGGINS (830) 997-4744
SURVEYOR CONTACT: JEFF BOERNER
507-D.E. HIGHWAY ST. FREDERICKSBURG, TX 78624 FAX: (830) 997-6967

DATE: 08/31/2018
SHEET: FP (2 OF 24)

NOTES

- 1) THE DEVELOPER DEDICATES THE SANITARY SEWER & WATER MAINS UPON COMPLETION BY THE DEVELOPER AND ACCEPTANCE BY THE CITY OF FREDERICKSBURG, TEXAS. THE CITY OF FREDERICKSBURG WILL OWN AND MAINTAIN WITHIN TWO (2) YEARS OF ACCEPTANCE OF SAID SEWER & WATER MAINS LOCATED WITHIN THIS SUBDIVISION.
- 2) DAMAGE BY ANY UTILITY COMPANY TO ANY STRUCTURES, FENCES, WALLS, OR LANDSCAPING OF ANY KIND PLACED WITHIN THE LIMITS OF THE EASEMENTS SHOWN ON THIS PLAT WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER. NO LANDSCAPING OR OTHER MODIFICATIONS ALTERING THE CROSS-SECTIONS OF DRAINAGE EASEMENTS ARE ALLOWED WITHOUT APPROVAL BY THE CITY OF FREDERICKSBURG. THE CITY OF FREDERICKSBURG SHALL HAVE THE RIGHT TO REQUIRE THE PROPERTY OWNERS TO REMOVE ANY OBSTRUCTIONS PLACED WITHIN THE PRIVATE DRAINAGE EASEMENTS AND THE RIGHT TO REQUIRE THE PROPERTY OWNERS MAKE MODIFICATIONS OR IMPROVEMENTS WITHIN THE EASEMENTS FOR PUBLIC WELFARE.
- 3) DRAINAGE EASEMENTS ARE TO BE MAINTAINED BY PROPERTY OWNERS AND ACCESS TO BE GIVEN TO DEVELOPER OR AUTHORIZED PERSONS FOR ANY ADDITIONAL CONSTRUCTION, MAINTENANCE, OR REPAIR OF ANY STRUCTURE WITHIN ANY DRAINAGE EASEMENT.
- 4) NO ONE SHALL INTERFERE WITH ANY NATURAL DRAINAGE PATTERN OR CONSTRUCTED DRAINAGE SYSTEM ESTABLISHED BY THE DEVELOPER BY ALTERING ANY SLOPES, CONSTRUCTING OR DESTROYING ANY RETAINING WALL OR OBSTRUCTING OR CHANGING THE COURSE OF ANY CHANNEL, SMALL, 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.
- 5) MAINTENANCE OF LOTS 53, 54 AND 55 SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS OF THE SUBDIVISION AND/OR THE DEVELOPER. ACCESS SHALL BE GIVEN TO DEVELOPER OR AUTHORIZED PERSONS FOR ANY ADDITIONAL CONSTRUCTION, MAINTENANCE, OR REPAIR OF ANY STRUCTURE WITHIN LOTS 53 AND 55.
- 6) LOTS 53-55 ARE NOT INTENDED FOR RESIDENTIAL HOME CONSTRUCTION.
- 7) ALL TOPOGRAPHIC INFORMATION, BENCHMARKS, AND DRAINAGE DESIGNS WERE COMPUTED AND STAKED ON THE GROUND BY VEI CONSULTING ENGINEERS.

MEMO

From: Brian Jordan, Director of Development Services
To: Planning and Zoning Commission
Date: September 27, 2018
Subject: Mixed Use Zoning

Update:

At the previous P&Z meeting, staff initiated the discussion on the creation of a Mixed Use District. We provided a draft of some mixed use zoning language from other communities as well as a Planners' guide to Mixed Use Zoning. Since this meeting, we had a discussion with the City Council at their retreat on September 18, 2018 about the mixed use zoning concept as well. This discussion related primarily to the potential use of a Mixed Use District on west Main Street, between the end of the Historic District out to the "Y" and the new Resort and Conference Center. We created a new zoning matrix and inserted a C-1.5 District, a MU-1 and MU-2 District. We wanted to distinguish between a MU district that might be along W. Main Street, Friendship Lane or on the old Peanut factory and a potential zone along a major highway (290, 87, and 16). We asked the council members to complete the matrix and identify the uses they thought would be appropriate within these districts.

Please fill in the highlighted sections of the attached zoning matrix by checking those uses you feel should be permitted and mark with a "c" those uses you think are appropriate by Conditional Use Permit. We will use this matrix to determine a list of permitted uses within each district. If you have comments under a particular use, please note them and we can discuss at the meeting. For example, if you think a bar or cocktail lounge is appropriate, but have concerns with noise or amplified sound if located in proximity to a residential area, please make note of this for discussion.

APPENDIX D: SCHEDULE OF USES (New proposed zones, C-1.5, MU-1, MU-2)

SCHEDULE OF USES																		
RESIDENTIAL USES:																		
Single Family Residential	*	*	*	*	*	C		C	C							*		C
Detached						C		C	C							*		C
Duplex Residential								C	C							*		C
Manufactured Home Residential				*														C
Townhouse Residential		C	C			C		C	C								C	C
Condominium Residential		C	C			C		C	C							C		C
Multiple Family Residential		*	*			*		*	*							C		C
Group Residential		*	*			*		*	C							C		C
INDUSTRIAL USES:																		
Basic Industry																		
Custom Manufacturing														C				C
General Warehousing & Distribution								*	C			*		*				C
Light Manufacturing													C	C				C
Limited Warehousing & Distribution												C	C	C				C
Resource Extraction												C	C	C				C
Stockyards													C	C				C
CIVIC USES:																		
Administration Services																		
Aviation Facilities																*		
Cemetery																	C	
Club or Lodge			C			C		*	*			*				*		C
College or University Facilities																		
Community Recreation	C	*	*	*	C											C	*	
Convalescent Services		C	C			*		*								C		
Cultural Services		C	C			*		*	*							*	*	C
Day care Services	C	C	C	C	C	*		*	*							*	*	C
Detention Facilities									*							C	*	
Guidance Services	C	C	C		C	C		*	*							C	*	
Hospital Services (General)									C							*		
Hospital Services (Limited)						C		*				*	*			*		
Local Utility Services	*	*	*	*	*	*		*	*			*	*	*	*	*	*	*
Maintenance and Service Facilities								*				*	*	*		*	*	*
Major Utility Facilities												*	*	*		*	*	*
Military Installations																*	*	*
Park and Recreation Services																*	*	*
Postal Facilities																	*	*
Private Primary Educational Facilities	C	C	C	C	C	*		*	*							*	*	*

SCHEDULE OF USES	R-1	R-2	R-3	R-4	R-5	C-1	C1-5	C-2	CBD	MU-1	MU-2	M-1	M-2	M-3	OS	HO	PF	PUD
Private Secondary Educational Facilities	c	c	c	c	c	*		*	*							*		
Public Primary Educational Facilities																*	*	
Public Secondary Educational Facilities																*	*	
Railroad Facilities																		
Religious Assembly	c	c	*	c	c	*		*	*			*		c		*	c	c
Safety Services																*	*	
Transportation Terminals									c	c		c	c	c		c	c	
AGRICULTURAL USES:																		
Horticulture								*	c			*	*	*		c		
COMMERCIAL USES:																		
Administrative and Business					*	*		*	*			*	*	*		*		c
Agriculture Sales and Services								*	*			*	*	*		*		
Arts and Crafts						c		*	*			*	*	*		*		
Automobile Rentals								*	*			*	*	*		*		
Automotive Repair Services								*	*			*	*	*		*		
Automotive Sales								*	*			*	*	*		*		c
Automotive Washing					c	c		*	*			*	*	*		*		
Building Maintenance Services					c	c		*	*			*	*	*		*		
Business Support Services						c		*	c			*	*	*		*		c
Business or Trade School						c		*	c			*	*	*		*		c
Campgrounds								c				c	c	c		*	c	
Cocktail Lounge								*	*			*	*	*		*		c
Commercial Off-Street Parking								*	c			*	*	*		*		c
Communication Services					c	c		*	c			*	*	*		c		c
Construction Sales and Services								*				*	*	*				
Consumer Convenience Services					c	c		*	*			*	*	*		*		c
Consumer Repair Services					c	c		*	*			*	*	*		*		c
Convenience Storage					c	c		c				*	*	*		*		
Convenience Store/ Self Service Gas					c	c		*				*	*	*		*		c
Equipment Repair Services								*				*	*	*		*		
Equipment Sales								*				*	*	*		*		
Exterminating Services								*				*	*	*		*		
Financial Services								*	*			*	*	*		*		c

SCHEDULE OF USES	R-1	R-2	R-3	R-4	R-5	C-1	C1-5	C-2	CBD	MU-1	MU-2	M-1	M-2	M-3	OS	HO	PF	PUD
Food Sales						c		*	c			*		*		*		c
Funeral Services								*	c			*		*		c		
General Retail Sales								*				*		*				
Hotel - Motel								*				*		*		*		c
Indoor Entertainment								*	c			*		*		c		c
Indoor Sports and Recreation								*	c			*		*		*		
Kennels								*				*		*		*		c
Laundry Services						c		*				*		*				
Liquor Sales						c		*				*		*		*		c
Medical Offices						*		*	c			*		*		*	*	c
Mobile Food Establishments								*				*		*		*	*	c
Outdoor Entertainment								*				*		*		*		
Outdoor Sports and Recreation								*	c			*		*		*	c	
Pawn Shop Services								*				*		*		*	c	
Personal Improvement Services						c		*	*			*		*		*		c
Personal Services						*		*	*			*		*		*		c
Pet Services						c		*	*			*		*		*		c
Professional Offices						*		*	*			*		*		*		c
Research Services								*				*		*		*		c
Restaurant - Drive-In/ Fast Food								*			c	c	c	c		c		c
Restaurant								*	*			*		*		*		c
Restaurant - Limited						c		*	*			*		*		*		
Retail Sales- Limited						c		*	*			*		*		*		
Scrap and Salvage Services								*	*			*		*		*		
Service Station								*				*		*		*		
Stables								*				*		*		*		c
Vehicle Storage								*				*		*		*	c	
Veterinary Services								*				*		*		*	c	
Shopping center								*				*		*		*		c
Drive-In Facilities						c		*	c			c	c	c		c		c

* - Permitted Uses

c - Conditional Uses

MU-1 - redevelopment areas

MU-2 greenfield development