

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

**PLANNING & ZONING COMMISSION
OCTOBER 3, 2018
5:30 P.M.**

On this the 3rd day of October, 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
DARYL WHITWORTH
POLLY RICKERT
JIM WARREN
TIM DOOLEY
BRENDA SEGNER
CHRIS KAISER

ABSENT:

STEVE THOMAS

ALSO PRESENT:

BRIAN JORDAN – Director of Development Services
DANIEL JONES – City Attorney
KRIS KNEESE – Assistant Public Works Director
ANNA HUDSON – Historic Preservation Officer
SHELBY COLLIER – Development Coordinator

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

PUBLIC HEARING

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.

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

Sarah Wanek presented the application stating that it was her desire to use her property at 610 N. Milam as a B&B, which it currently is, and a Hair Salon. She needs the C1 Zoning to accommodate this use. Cindy Spaeth, who owns property at 608 N. Milam, would also like to use the home as a showcase room for her family's light business.

Sarah went on to explain that across the street from them is a church and several non-profit offices. She also stated that North Milam is a main thoroughfare on the Land use Plan and has grown to be Commercial not Residential.

Public Comment was received from Jamie Sparks in opposition to the request. She owns property at 406 W. College and when she purchased this property it was her understanding the properties around her were residential. She does not want to live next to a commercial property.

Public Comment was received from Judy Ledde who owns property at 703 N. Pecan. She spoke in opposition of the request due to parking and traffic concerns. She also stated that the subdivision has deed restrictions precluding Commercial use.

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

Janice Menking called the item to receive recommendation for Z-1813

Brian Jordan, Director of Development Services, presented the brief on behalf of City Staff. He stated that the 600 and 700 blocks of North Milam are the only blocks on North Milam not zoned C1. C1 is a restrictive Commercial use and is more compatible with neighborhoods. The application is for 3 of the 4 properties fronting on Milam St. The owner of 602 N. Milam is not part of the application, in fact, an opposition letter was received from this property owner. A petition to change the zoning was received and may be found in the packet. Notices were sent out to the properties within 200 feet of this request and 6 owners were in opposition and 5 owners were in support of the request. This information was communicated to City Staff by way of the petition to change the zoning, or in response to the letters that were sent.

The church that resides at 601-607 N. Milam is a grandfathered use and they also obtained a Conditional Use Permit to operate a school at this location.

Jim Jarreau asked Brian about the parking issue Judy Ledde spoke too on North Milam. Brian explained TX DOT controlled North Milam but any Commercial use would be required to provide on-site parking.

Tim Dooley asked if the properties on North Milam were curbed. Brian answered yes.

Janice Menking asked Brian if the Commission may consider all of North Milam, blocks 600 and 700. Brian stated that would not be City Staff's recommendation.

Tim Dooley asked Daniel Jones, City Attorney, what the City's position was regarding Deed Restrictions. Daniel explained Deed Restrictions are up to the property owners to enforce. City Staff does not consider Deed Restrictions in their recommendations.

Jim Warren asked Brian if there were any plans to widen North Milam. Brian stated this was a state roadway, and he is not aware of any plans.

Brian stated while the proposed zoning change and land use change of the three lots may be reasonable to consider; City Staff does not recommend changing three lots without considering all the lots fronting on North 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.

Polly Rickert made a motion to recommend denial for Application (Z-1813), Seconded by Tim Dooley. Chris Kaiser withdrew, all others voted in favor and the motion carried.

Brian informed the applicant this request would be heard at City Council on October 15th.

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

Kevin Spraggins presented the application. He stated this request is for Final Plat approval for the Beginning Subdivision. It consists of 55 R1-A zoned lots covering approximately 11 acres located on Smokehouse Rd.

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-1821 conditioned upon approval of construction plans and payment of park dedication fees by Daryl Whitworth. Seconded by Tim Dooley. All voted in favor and the motion carried.

MISCELLANEOUS

The Commission discussed the Mixed Use Zoning draft presented by City Staff. The Commission went through the scheduled of uses and provided feedback to City Staff. Brian Jordan and Anna Hudson will continue to work on the Mixed Use Zoning and return to the Commission for further review.

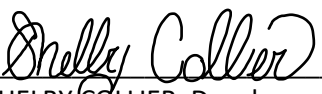
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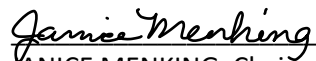
Jim Jarreau moved to approve the minutes of the September, 2018 meeting and Jim Warren seconded the motion. All voted in favor and the motion carried.

ADJOURN

With nothing further to come before the Commission, Tim Dooley moved to adjourn. Brenda Segner Seconded the motion. All voted in favor and the meeting was adjourned at 6:43 p.m.

PASSED AND APPROVED this 7TH day of NOVEMBER, 2018.


SHELBY COLLIER, Development Coordinator


JANICE MENKING, Chairman