

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

**PLANNING & ZONING COMMISSION
October 7, 2020
5:30 P.M.**

On this the 7th day of OCTOBER 2020 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
BRENDA SEGNER
JIM JARREAU
JEFF LAWRENCE
DARYL WHITWORTH
TIM DOOLEY
JILL TABOR

ABSENT:

STEVE THOMAS
CHRIS KAISER

ALSO, PRESENT:

BRIAN JORDAN – Director of Development Services
DANIEL JONES – City Attorney
SHELBY COLLIER – Development Coordinator

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

MINUTES

Jim Jarreau moved to approve the minutes of the September 2020 meeting and Jeff Lawrence seconded the motion. All voted in favor and the motion carried.

PUBLIC HEARING

Consider Z-2014 – Request by Zachary Hoerster for a Conditional Use Permit per section 3.220 of the Zoning Ordinance to operate a Medical Office on a CBD Zoned property located at 520 W. Main Street.

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

Barry Wagner, Architect for the project, presented the application on behalf of Zachary Hoerster. He explained it was the applicants desire to operate his dental practice at 520 W. Main.

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

Brian Jordan, Director of Development, stated the applicant intends to reconfigure the space within the building at 520 W. Main Street to incorporate a dental office and professional office. The existing building contains approximately 2928 square feet. The proposed dentist office will contain 2,179 square feet and the professional office will be 749 square feet. Section 3.220 of the Zoning Ordinance requires a Conditional Use Permit for the proposed Medical Service use. Access to the property is from W. Main Street and is shared with the adjoining property. Parking spaces are provided on the east side of the building and to the rear of the building.

Staff recommends Approval conditioned upon all parking spaces meeting current City standards.

Jim Jarreau made a motion to recommend Approval for Application Z-2014 per Staff Recommendation. Daryl Whitworth seconded the motion. All voted in favor and the motion carried.

ACTION ITEM

Consider SP-2012 – Request by Thomas Duval on behalf of the Reserve at Vineyard Oaks for a Multi-Family Apartment Complex located at the North West Corner of South Eagle Street and Friendship Lane.

Brenda Segner recused herself and left the table.

Chairwoman, Janice Menking stated the applicants wished to table this item due to the comments raised prior to the meeting. She then invited public comment.

Jeffery Morin spoke regarding his concern for drainage and fire coverage. He believes the development would crowd his property.

Kyle Segner spoke regarding his concerns about grade elevations. He stated the development would be very tall and loom over the neighboring residences. He also expressed his concern regarding the water runoff and where the drainage would go.

Brian Jordan, Director of Development Services, informed the Commission that the applicant did not wish to have this item considered. It is the applicants wish to post pone this item until they can meet with the neighbors regarding their concerns.

No action was taken.

Consider initiation of a text amendment to the City's Zoning Ordinance related to the definition of a Bed and Breakfast unit and regulation of the same.

Brenda Segner returned to the table as a voting member.

Brian Jordan, Director of Development Services, stated that he discovered a discrepancy in the definition of a short-term rental as defined in Section 23-101 of the Code of Ordinances and the provisions noted in the R-1 zoning district.

Specifically, the definition states "one or more habitable rooms forming a single habitable division within a short term rental, or an entire undivided Short Term Rental, which is advertised to be occupied, is occupied, or is intended to be occupied by a single party of guests under a single reservation and/or single rental payment".

However, the R-1 district states that under a B&B compliance use permit, that the "use is allowed in rooms of property owner's principal residence with no limit as to number of units up to eight", or if the property is not the owner's principal residence, then Bed and Breakfast use is limited to one rental unit OR one separate guest house if the lot is 10,000 square feet or more

The intent was that an owner who resided on the property as their principal residence, would be allowed to use rooms within their residence for rental purposes, but limited to one rental unit. In other words, the intent was never to allow these same rooms to be rented as separate "units".

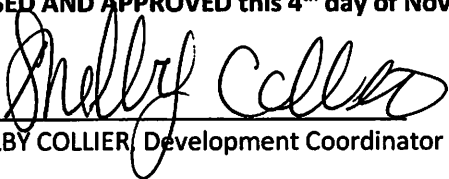
Mr. Jordan said he is recommending that the Planning and Zoning Commission initiate a Text Amendment to the Code of Ordinances relating to the definition of a Short-Term Rental Unit in the R-1 Zoning District.

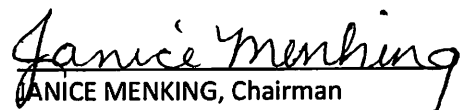
Jim Jarreau made a motion to direct Staff to initiate a text amendment to the City's Zoning Ordinance relating to the definition of a Bed and Breakfast unit and regulation for the same. Tim Dooley seconded the motion. All voted in favor and the motion carried.

ADJOURN

With nothing further to come before the Commission, Brenda Segner moved to adjourn. Seconded by Jill Tabor. All voted in favor and the meeting was adjourned at 6:05 p.m.

PASSED AND APPROVED this 4th day of November 2020.


SHELBY COLLIER, Development Coordinator


JANICE MENKING, Chairman