

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

**PLANNING & ZONING COMMISSION
NOVEMBER 3, 2021
5:30 P.M.**

On this the 3rd day of NOVEMBER 2021 the PLANNING AND ZONING COMMISSION convened in regular Session at the Law Enforcement Center located at 1601 E. Main Street with the following members present to constitute a quorum:

PRESENT:

JANICE MENKING
JIM JARREAU
JEFF LAWRENCE
POLLY RICKERT
EMILY KIRCHNER
JILL TABOR
TIM DOOLEY
STEVE THOMAS

ABSENT:

DARYL WHITWORTH

ALSO, PRESENT:

JASON LUTZ – Director of Development Services
DANIEL JONES – City Attorney
SHELBY COLLIER – Associate Planner

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

PUBLIC COMMENTS

MINUTES

Jim Jarreau made a Motion to Approve the Minutes October 2021 Meeting Minutes. Jill Tabor Seconded the motion. All voted in favor and the motion carried.

PUBLIC HEARING

Request Z-2103 – by Robert Mosley, Applicant, to Consider a Conditional Use Permit per Section 5.400 for Condominium Residential Use on a C1 Zoned Property located at 803 South Eagle Street.

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

Robert Mosley presented the Application.

Tom Musselman, Councilmen and City Resident who lives at 904 Friendship Lane spoke regarding the neighborhood and its residential qualities.

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

Discussion, Consideration, and Recommendation Regarding Request Z-2103.

Recommendation:

Recommendation:

Jason Lutz, Director of Development Services, stated Staff recommends the following:

CUP Recommendation: Based on the property's location, and the need for this type of residential product, staff recommends approval of the requested CUP with the following conditions.

- a. Provide additional guest parking
- b. Provide sidewalks along Friendship Lane
- c. Re-address the property to Friendship Lane
- d. Prohibit STRs within the condominium development

Site Plan Recommendation: staff recommends approval of the proposed site plan with the following conditions.

- e. Enlarge the entrance to a minimum of 24'
- f. Stripe both sides at the fire lane (end of parking spaces to the curb line of the parking area).
- g. Move the dumpster location out of the setbacks and show the screening walls
- h. Remove the existing driveway on Friendship Lane and re-curb that area
- i. Provide sidewalks along Friendship Lane
- j. Approval of Civil Construction Plans

Tim Dooley made a Motion to Recommend Denial. Seconded by Jim Jarreau. All voted in opposition. Motion died.

Jill Tabor made a Motion to Recommend Approval of Application Z-2103 per Staff Recommendation excluding the prohibition of STR's within the Condominium Development. Jim Jarreau seconded the motion. Tim Dooley opposed, and all others voted in favor. The Motion Carried.

Request Z-2114 – by Wes & Tammy Pack to Consider a Conditional Use Permit per Section 3.510 to Construct a First Floor Bed and Breakfast Unit in the Historic Shopping District Overlay on Property located at 514 West San Antonio Street

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

Steve Thomas recused himself and left the table.

Randy Stehling with SKT Architects presented the application.

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

Discussion, Consideration, and Recommendation Regarding Request Z-2114.

Recommendation:

Jason Lutz, Director of Development Services, stated the applicant is requesting a conditional use permit for the property at 514 W. San Antonio St. to construct a first-floor bed and breakfast unit (3 additional).

The applicant requested a CUP for a bed and breakfast in August of 2021. This request was recommended approval to City Council with conditions regarding occupancy limits and screening requirements. The request was denied by City Council due to parking and density concerns.

The site is in the R2 zoning district and is currently a 2-unit short-term rental structure. The applicant is looking to construct 3 additional (STRs) to include private spa areas. The Historic Review Board had several concerns regarding the location of the spa areas and parking configuration but ultimately approved the Certificate of Appropriateness based on the renderings and HRB guidelines (not zoning guidelines).

Based on the property's location, adjacent to commercial zoning, staff recommends approval of the requested CUP.

Polly Rickert asked if the Commission previously recommended approval conditioned upon an occupancy cap of 2 per unit. Jason Lutz confirmed that was the case.

Polly Rickert made a Motion to Recommend Approval of Application #Z-2114 Per Staff Recommendation and to include an 8 ft perimeter fence and occupancy cap of 2 per unit. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Request Z-2115 – by Carolyn Ellebracht to Consider a Requested Zoning of “Single-Family Residential” (R1) for Approximately 10.839 Acres of Land out of a Remaining Portion of a 258 Acre Tract 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 Located at the South End of Stoneledge Drive, East of the Stoneridge Subdivision.

Steve Thomas returned to the table.

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

Paul Mathis presented the application.

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

Discussion, Consideration, and Recommendation Regarding Request Z-2115.

Recommendation:

Jason Lutz, Director of Development Services, stated The property owner has requested voluntary annexation of approximately 10.839 acres of land to construct a single-family subdivision. The proposed annexation area is for the development of Stone Ridge Unit 11. The requested zoning of the property is R1.

The property is located at the south end of Stoneledge Street, east of the Stoneridge Subdivision. The developer would be required to extend utilities to serve their property and then be required to extend utilities to adjacent landowners as part of the platting/subdivision process.

There are currently 372 lots within Stone Ridge subdivision, and the proposed phase will add an additional 24 lots bring the total to 396 lots.

Council approved an annexation agreement on September 20, 2021.

The City's Future Land Use plan calls this area out as Rural Residential, which is a low-density residential category and the requested R1 zoning would be compatible with the future land use plan and the existing zoning in the area.

Staff recommends approval of the requested R1 zoning.

Tim Dooley made a Motion to Recommend Approval of Application #Z-2115 Per Staff
Seconded by Jim Jarreau. All voted in favor and the motion carried.

Request Z-2122 – by John Hewitt, with Hewitt Engineering, to Consider a Request for the Following:

A Future Land Use Change from “Medium Density Residential” (MDR) and “Low Density Residential” (LDR) to a Future Land Use of “High Density Residential” (HDR) for Approximately 6.9 Acres of Land Described as Lot 1, of the Villages of Windcrest Subdivision located on the North Side of West Windcrest Drive, approximately 1,300 Feet West of the Post Oak Road and West Windcrest Drive Intersection.

A Zoning Change from “Medium Residential” (R2) to “Multi-Family Residential” (R3) for Approximately 6.9 Acres of Land Described as Lot 1, of the Villages of Windcrest Subdivision located on the North Side of West Windcrest Drive, approximately 1,300 Feet West of the Post Oak Road and West Windcrest Drive Intersection.

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

John Hewitt presented the application

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

Discussion, Consideration, and Recommendation Regarding Request Z-2122 Land use.

Jason Lutz, Director of Development Services, stated the applicant is requesting a future land use change and zoning change to construct a multi-family project.

Based on the property's location, adjacent to other High Density Residential, staff recommends approval of Z-2122 for the requested land use changes.

Jim Jarreau made a Motion to Recommend Approval of Application #Z-2122 Land use Per Staff
Seconded by Polly Rickert. All voted in favor and the motion carried.

Discussion, Consideration, and Recommendation Regarding Request Z-2122 Zoning.

Jason Lutz, Director of Development Services, stated the applicant is requesting a future land use change and zoning change to construct a multi-family project.

Based on the property's location, adjacent to other Multi-family Residential zoning, staff recommends approval of **Z-2122** for the requested zoning change

Polly Rickert made a Motion to Recommend Approval of Application #Z-2122 Zoning Per Staff

Seconded by Emily Kirchner. All voted in favor and the motion carried.

Request SP-2112 – by John Hewitt with Hewitt Engineering for Approval of a Site Plan for a Proposed Multi-Family Development located on the North Side of West Windcrest Drive, approximately 1,300 Feet West of the Post Oak Road and West Windcrest Drive Intersection.

John Hewitt presented the application

Jason Lutz, Director of Development Services, stated the applicant is looking to construct 96 units in multiple structures. 4 buildings will be 2-story and contain 48 two-bedroom units, while another 3-story building will contain 48 1-bedroom units.

Staff recommends approval of SP-2112 for the proposed site plan with the following conditions.

- a. Provide sidewalks along the lot frontages to connect to existing sidewalks in the area.
- b. Provide a landscaping plan with the building permit application.
- c. Parkland Dedication Fees shall be paid as part of the building permit application.
 - i. \$500 x 96 units = \$48,000
- d. Approval of Civil Construction Plans
- e. Update building elevations to show the midpoint of the hipped roof to verify height.

Polly Rickert made a Motion to Approve Application #SP-2112 Per Staff recommendation. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Request Z-2123 by Whitney Koch with Mustard Design to Consider the Following:

A Future Land Use Change from “Parks Open Space” (POS) to a Future Land Use Classification of “Commercial” (C) for the Rear Portion of Property located at 305 South Washington.

A Zoning Change from “Multi-Family Residential” (R3) and “Open Space” (OS) to a Zoning Classification of “Commercial” (C2) for the Rear Portion of Property Located at 305 South Washington.

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

Whitney Koch Presented the application.

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

Discussion, Consideration, and Recommendation Regarding Request Z-2123 Land use.

Jason Lutz, Director of Development Services, stated the applicant is requesting a future land use change and zoning change to construct a short-term rental facility, with an office.

Based on the property’s location, adjacent to other Commercial, staff recommends approval of **Z-2123** for the requested land use changes.

Tim Dooley made a Motion to recommend Approval of Application #Z-2123 Land use Per Staff recommendation. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Discussion, Consideration, and Recommendation Regarding Request Z-2123 Zoning.

Jason Lutz, Director of Development Services, stated the applicant is requesting a future land use change and zoning change to construct a short-term rental facility, with an office.

Based on the property's location, adjacent to other Commercial zoning, staff recommends approval of **Z-2123** for the requested zoning change.

Tim Dooley made a Motion to recommend Approval of Application #Z-2123 Zoning Per Staff recommendation. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Request SP-2120 – by Whitney Koch with Mustard Design for Site Plan Approval of a Proposed Short-Term Rental Facility for Property located at 305 South Washington.

Whitney Koch presented the Application.

Jason Lutz, Director of Development Services, stated the applicant is requesting a future land use change and zoning change to construct a short-term rental facility, with an office.

Staff recommends approval of **SP-2120** for the proposed site plan with the following conditions.

- a. Provide TxDOT approval to keep the existing driveway or remove the existing driveway.
- b. A floodplain development permit will need to be reviewed/approved prior to issuance of a building permit.
- c. Approval of Civil Construction Plans
- d. A replat must be submitted/approved prior to issuance of a building permit.
- e.

Tim Dooley made a Motion to Approve Application #SP-2120 Per Staff recommendation. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Request P-2131 by Josh Leamons, with Searchers Surveying, for Approval of a replat of Eagles Court Subdivision located at 1034 South Eagle Street.

Josh Leamons presented the application.

Jason Lutz, Director of Development Services, stated the applicant is requesting a replat of property located at 1034 S. Eagle Street.

Staff recommends approval of the proposed preliminary plat conditioned upon all addressing all of Staff's Comments.

Jim Jarreau made a Motion to Approve Application #P-2131 Per Staff recommendation. Seconded by Tim Dooley. All voted in favor and the motion carried.

Request SP-2119 by John Hewitt, with Hewitt Engineering, for Approval of a Condominium Development located at 1034 South Eagle Street.

John Hewitt presented the application.

Jason Lutz, Director of Development Services, stated A Site Plan has been submitted to develop the property at 1034 South Eagle Street as a Condominium complex. The proposed complex will be developed on 3 lots with eight (8) buildings to include sixteen (16) one-bedroom and eight (8) two-bedroom multi-family type units. The buildings will be single story and be equipped with a fire sprinkler.

Staff recommends approval conditioned upon a landscape plan Landscape plan be provided and approved prior to the commencement of construction and Approved Civil Construction Plans.

Polly Rickert made a Motion to Approve Application #SP-2119 as presented. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Request SP-2118 by Kevin Spraggins, with VEI, for Site Plan Approval of a Short-Term Rental Development at 807 Poplar Street.

Kevin Spraggins presented the application.

Jason Lutz, Director of Development Services, stated A Site Plan has been submitted to develop the property at 807 Poplar Street as Multi-Family Development with the intent to operate them as Short-Term Rentals. The proposed development would include three (3) existing units, one (1) one- bedroom and two (2) two - bedrooms with the addition of four (4), one-bedroom units.

The proposed development has access off Hale St via a 26' wide driveway and requires 9 parking spaces with 11 provided. The new units will be single story and be equipped with a fire sprinkler. The Site Plan has been reviewed and Staff has identified a discrepancy regarding the total number of existing units onsite. This property currently has 4 Short Term Rental Permits issued between two addresses: 807 & 809 Polar. The Site Plan currently submitted does not reflect the additional existing unit, which Staff believes to be the "existing out-building".

Recommendation: Based on Staffs review, staff can recommend approval conditioned upon the following:

1. Updated Site Plan to include additional residential unit and all other necessary information. I.e., parking & density calculations and to meet City Standards.
2. Floor plans provided for each unit to confirm density calculations.
3. Landscape plan be provided and approved prior to the commencement of construction.

Tim Dooley made a Motion to Approve Application #SP-2118 Per Staff recommendation. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Request P-2135 by Joshua Needham, with Seco Ventures, for Approval of a Final Plat of the Proposed Seco Subdivision for Property Located at the Southwest Corner of Friendship Lane and South Eagle Street.

Joshua Needham presented the application.

Jason Lutz, Director of Development Services, stated the applicant is requesting approval for a Final Plat

of the proposed Seco Subdivision. Staff recommends denial of the proposed final plat, as the applicant is working to address staff comments.

Tim Dooley made a Motion to Deny Application #P-2135 Per Staff recommendation. Seconded by Jeff Lawrence. All voted in favor and the motion carried.

Request P-2138 by Dale Sultemeier, with Sultemeier Surveying, for Approval of a Preliminary Plat for the proposed Hunter's Moon Subdivision at 778 RR 1631 located in the ETJ.

Joseph Brillhart presented the application.

Jason Lutz, Director of Development Services, stated the applicant is requesting approval for a Preliminary Plat of the proposed Hunters Moon Subdivision. Staff recommends denial so the City and the applicant can receive more time to address comments.

Tim Dooley made a Motion to Deny Application #P-2138 Per Staff recommendation with a Note to City Council to consider the Street a City Street. Seconded by Emily Kirchner. All voted in favor and the motion carried.

Request SP-2126 by Stuart Barron, owner, for Site Plan Approval of a Commercial Development for Approximately 0.647 Acres of Land located on the North Side of Friendship Lane, approximately 700 Feet East of the Intersection of Friendship Lane and South Washington Street.

Stuart Barron presented the application.

Jason Lutz, Director of Development Services, stated the applicant is seeking site plan approval for a proposed a commercial development with a drive through for property located approximately 700 Feet east of the Intersection of Friendship Lane and South Washington Street.

The proposed facility is 4,600 square feet and has 1 approved drive through on the west side of the property. The proposed uses would require 27 parking spaces and 34 have been provided. Staff has reviewed the proposed site plan and the development meets all requirements of the C1.5 zoning district.

The applicant is utilizing pervious concrete around some existing trees. The applicant is meeting the impervious cover requirements, has added additional landscaping, and the pervious concrete is not being utilized to meet impervious cover caps.

Staff recommends approval of the SP-2126 conditioned upon a final landscaping plan be submitted with the building plans and approval of Civil Construction Plans.

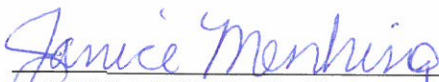
Polly Rickert made a Motion to Approve Application #SP-2126 Per Staff recommendation. Seconded by Jill Tabor. All voted in favor and the motion carried.

ADJOURN

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

PASSED AND APPROVED this 8th day of December 2021.


SHELBY COLLIER, Associate Planner


JANICE MENKING, Chairman

