



CITY OF FREDERICKSBURG

REGULAR PLANNING AND ZONING AGENDA

WEDNESDAY, DECEMBER 9, 2020 ~ 5:30 P.M.

IN – PERSON at HILL COUNTRY UNIVERSITY CENTER
2818 E. MAIN STREET & VIA ZOOM WEBINAR

Janice Menking, Chair
Jim Jarreau, Member
Daryl Whitworth, Member
Brenda Segner,
Jeff Lawrence, Member

Chris Kaiser, Member
Jill Tabor, Member
Tim Dooley, Member
Steve Thomas, Member

The City of Fredericksburg Planning and Zoning will meet in a regular session on **Wednesday, December 9, 2020, at 5:30 p.m.** This meeting will be held in person with room capacity limited to 40 to allow for social distancing. The meeting will also be available for view and participation via Zoom Teleconferencing. see details below. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Members of the public may join the Zoom Meeting by one of the following:
By web: Please click the link below to join the meeting:

Join Zoom Meeting

<https://us02web.zoom.us/j/81162941565?pwd=U3BGRUhlL2Z5SDV0OFNVYVdtemMzUT09>

Passcode: 064765

Or iPhone one-tap:

US: +13462487799,953008868# or +16699006833,953008868#

Or Telephone: Dial (for higher quality, dial a number based on your current location):

US: (346) 248 7799 or (669) 900 6833 or (253) 215 8782 or (301) 715 8592 or

(312) 626 6799 or (929) 205 6099 or Toll Free at (877) 853 5247 or (888) 788 0099

(Please turn off all pagers and phones, except emergency on-call personnel.)

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MEETING MINUTES**
November 2020 regular meeting minutes
4. **PUBLIC COMMENTS**

During the COVID-19 pandemic, the City of Fredericksburg is allowing public comments to be submitted remotely, by **2:00 p.m. on December 9, 2020**, using any of the following methods:

Email your comments to scollier@fbgtx.org.

The Planning and Zoning Commission (P&Z) welcomes public comments concerning items on this agenda. Each member of the public who desires to address the P&Z regarding an item on this agenda is required to sign up to speak, prior to the start of the meeting. All public comments shall be limited to discussion of items on this agenda and shall be limited to 3-minutes in duration. At the discretion of the P&Z Chair, or upon an affirmative vote of the P&Z, the public comment time limit applicable to all speakers may be lengthened or shortened as required to allow the P&Z to complete its legislative agenda. Persons addressing the P&Z are prohibited from trading time with other speakers or reserving of time.

5. ELECT VICE CHAIR

6. PUBLIC HEARING

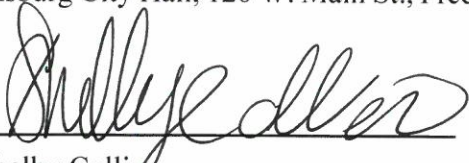
- A. Consider Z-2018 – Request by Joseph Simmons and Kelly Graham to Consider a Zoning Change from R1, Single Family Residential, to R2, Mixed Residential and change the Land Use Plan from Low Density Residential to Medium Density Residential on Property located at 305 N. Elk Street and 502 E. Schubert Street.

7. ACTION ITEMS

- A. Receive recommendation and consider (Z-2018)
- B. Consider SP-2012 – Request by Thomas Duval on behalf of The MacDonald Companies for approval of the Site Plan 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.

8. ADJOURN

This is to certify that I, Shelby Collier, posted this Agenda before 5:00 PM. on December 4, 2020 on the entrance door and bulletin board at the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.



Shelby Collier,
Development Coordinator

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

PLANNING & ZONING COMMISSION
November 4, 2020
5:30 P.M.

On this the 4th day of NOVEMBER 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 October 2020 meeting and Brenda Segner seconded the motion. All voted in favor and the motion carried.

Chairwoman, Janice Menking invited Public Comment. No comments made.

PUBLIC HEARING

Consider Z-2016 – Request by Justin Cop for a Conditional Use Permit to allow a Standardized Business in the Central Business District, CBD, per Section 3.510 of the Zoning Ordinance on property located at 257 W. Main Street.

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

Justin Cop presented the application. He explained that it was his desire to place small signage identifyin his affiliation with Compass Real Estate on the doors of his business and was informed that this process would be required.

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

Brian Jordan, Director of Development, stated the applicant Fredericksburg Realty, LLC is looking to establish a business relationship with Compass Real Estate, a national real estate brokerage firm. By definition, this relationship would be considered a standardized business because it is required by contractual or other arrangement or affiliation to maintain one or more of the following items: standardized array of services and/or merchandise, trademark, logo, signs, service mark, symbol, décor, architecture, layout, uniform, menu, or similar

standardized features and which causes it to be substantially identical to more than ten (10) other businesses regardless of ownership or location at the time the application therefor is completed.

Fredericksburg Realty, LLC has been working out of the same location (a part of the old Knopp and Metzger Department Store) since October 2018 and has made substantial improvements to the interior of the building. Should the agreement with Compass Real Estate be established, Fredericksburg Realty would be required to put a sign on the front door of the business. Texas Real Estate Commission rules state that if you have a supervising broker, you are required to have a sign identifying such.

Daryl Whitworth made a motion to recommend Approval for Application Z-2016. Jim Jarreau seconded the motion. All voted in favor and the motion carried.

Consider Z-2017 – Request by Whitney Koch on behalf of CMC Barons Creek LTD for a Zoning Change from CBD, Central Business District, to PUD, Planned Unit Development and consider a Conditional Use Permit to allow for Multi-Family Residential and Restaurant use on property located at 202 E. Ufer Street.

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

Whitney Koch with Mustard Design presented the application. She stated it was her clients desire to build an 86-unit development that would function as a multi – family residential complex.

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

Brian Jordan, Director of Development Services, stated the Barons Creek Development is proposed to consist of 86 apartment units and a free-standing restaurant (see proposed Site Plan). The property is located on the north side of Ufer Street, between S. Llano Street and S. Lincoln Street.

The proposed apartment units will consist of 7 Efficiency Units, 47 1-Bedroom Units and 32 2-Bedroom Units. Total building area is approximately 35,185 square feet. The proposed restaurant building is approximately 3,467 square feet.

Access to the property is from Ufer Street, and S. Llano Street. Entrances will be secured by a perimeter fence. The access on Ufer Street will serve as the visitor entrance. 149 parking spaces are proposed for the apartment complex and 22 spaces for the restaurant. The site is laid out in such a way that the apartment complex is separate from the restaurant. Platting of the property will correspond with this layout.

Previously, the site was approved for the Wine and Culinary Center, as well as a condominium complex with ground floor retail. The surrounding zoning is CBD to the north, west and east, and Public Facilities (Old Fair Park) to the south. Surrounding land uses include vacant land to the west proposed as a hotel, a mix of homes and businesses to the north across Baron's Creek, commercial to the east across Lincoln Street and Old Fair Park to the south.

Tim Dooley made a motion to recommend Approval for Application Z-2017 per Staff recommendation. Jim Jarreau seconded the motion. All voted in favor and the motion carried.

ADJOURN

With nothing further to come before the Commission, Jim Jarreau moved to adjourn. Seconded by Tim Dooley. All voted in favor and the meeting was adjourned at 6:42 p.m.

PASSED AND APPROVED this 9th day of December 2020.

SHELBY COLLIER, Development Coordinator

JANICE MENKING, Chairman

LAND USE AND ZONING BRIEF

Request Z-2018

<u>APPLICANT:</u>	Joseph Simmons and Kelly Graham
<u>LOCATION:</u>	305 N. Elk Street and 502 E. Schubert Street
<u>EXISTING ZONING:</u>	R-1, Single Family Residential
<u>EXISTING LAND USE:</u>	Single Family Residential and Short-Term Rentals
<u>PROPOSED REQUEST:</u>	1) Change in the Land Use Plan from Low Density Residential to Medium Density Residential; and 2) Change in zoning from R-1, Single Family Residential to R-2, Mixed Residential.

FINDINGS:

- The subject properties include the following, a single house and two cottages on Lot 511AR (502 E. Travis) and a single house with short term rental units on Lot 511BR (305 N. Elk).
- Surrounding land uses include several short-term rental units to the west, single family residences to the north, a resort type complex to the east and a mix of residences and short-term rentals to the south.
- Surrounding property is zoned R-1 on all sides (see attached zoning map).
- The Land Use Plan identifies the subject property and the surrounding properties as Low Density Residential (see attached Land Use Map).
- As you can see from the Land Use Map and Zoning Map, the existing resort complex within this block is designated as Medium Density Residential and R-2 Mixed Residential.

LAND USE PLAN: The Land Use Plan identifies the subject property to be Low Density Residential. As defined in the Comprehensive Plan, this definition 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 to promote increased housing diversity and affordability.

The Medium Density land use category includes single family detached dwellings on smaller lots and attached dwelling units, such as duplex units and townhomes. Medium density land uses

often provide housing for “empty nesters” who may not want the maintenance of a large-lot single family home, and for young families who may find a townhome or duplex more affordable than a single family home. They play an important role in providing workforce housing as well. These residential uses can provide a buffer between lower density areas and more intensive residential, non-residential, or mixed-use areas. An average of 8 dwelling units per gross acres is assumed for these areas.

ZONING: The subject properties are zoned R-1, Single-Family Residential, and are two of the three properties zoned as such within this block. The remaining lots within the block to the east are zoned R-2, Mixed Residential. The zoning in the block to the south is similar with the first three properties nearest to Elk Street being R-1, and the remaining lots being zoned R-2. The applicant has provided their justification (attached) for the change in the Land Use Plan and zoning. Staff does agree that a significant number of properties along N. Elk in the vicinity of this request are being used currently as rentals.

OPPOSITION/SUPPORT OF REQUEST: Four letters in opposition (attached) and none in favor.

STAFF RECOMMENDATION: As can be seen on the attached Land Use Plan and Zoning Map, the block in question is mostly Medium Density and R-2. And the same situation occurs in the block to the south. Since there is one property remaining in the block not represented in this request, or already zoned R-2, staff does not recommend changing the zoning without also considering that property. Therefore, if the Commission agrees, we recommend delaying action on this request, and calling a public hearing to change the remaining lot in this block (506 E. Schubert) with his request.

SUMMARY

Justification for Rezone of Town Lots 511AR and 511BR from R1 to R2

- Question/Issue:** Should Town Lots 511AR and 511BR be rezoned from R1 to R2 along with the accompanying land use change from low density residential to moderate density residential?
- Answer/Response:** We believe the lots in question meet the criterion necessary for rezoning them to R2 for a variety of reasons as follows:
- 1) The lots in question are located at the intersection of two of the busiest collector streets in Fredericksburg – North Elk street and Travis street. It is well known that North Elk is used as a bypass to avoid Main Street around town via Travis street. Accordingly, it generates more traffic than most residential thoroughfares and the intersection of North Elk and Travis street is adjacent to these lots. This is not conducive to low density residential in our opinion. (See Exhibit A)
 - 2) All the other lots (with the exception of 2) on the East side of Elk Street – BOTH NORTH and SOUTH ELK—are zoned R2, Commercial or Public (See Exhibit A, A-1 & C)
 - 3) All the lots within our Street Block bordered by East Travis, East Schubert and North Elk are zoned R2 except for the lot directly behind us (Lot 510). The owner of the lot 510 immediately behind us is the same owner that owns the remaining R2 zoned property contained within the Block and is not opposed to our rezoning. My understanding is they will likely join our application or file an application on their own at later date for this remaining lot to have all their property match R2 zoning. (See Exhibit B). In addition, the lot owners of adjacent Block 65 zoned R-1 were contacted and were not opposed to our rezone.
 - 4) The overwhelming majority of property owners along North Elk are already using their properties for STR's (short term rentals). The practical reality for those who own property along Elk is that Single Family low density residential is not the best use for their property. (See Exhibit B)
 - 5) We believe the lots covered by the application are not needed for a transition zone from R2 to R1 because Elk Street already serves as a transition buffer from East to West. The comprehensive plan seems to reflect this transition since the vast majority of lots east of Elk street are zoned R-2, Commercial or Public. (See Exhibit A-1 & C). My rough calculation puts R-1 zoning at 2-3% and R-2, Commercial and Public at 97-98% of the area on East side of Elk. It is unclear to applicants why the comprehensive plan chose not to reflect R-2 zoning on the lots in question upon its adoption but a visual observation of Exhibit A-1 suggests there may have been intent of R-2 or higher east of Elk.

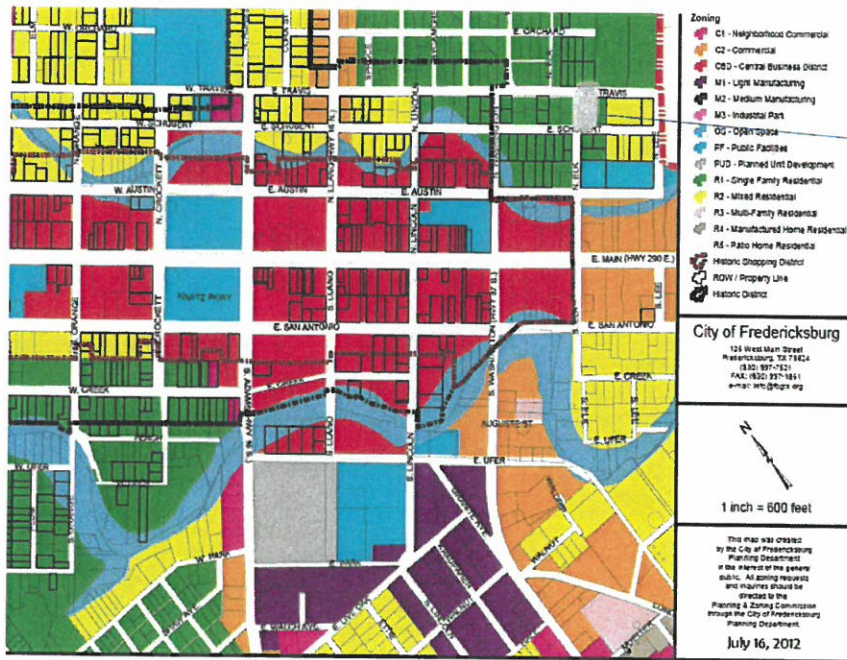
- 6) The rental flexibility allowed by R2 zoning would create fewer problems for both the property owners and the City while meeting the objectives of both. Currently, both lots are being used as STR's. However, because the owner of Town Lot 511AR (305 North Elk) has not yet designated his house as a primary residence, he is mostly limited to leasing his property to single large groups. Experience indicates that leasing to different and smaller groups creates fewer incidents regarding noise, traffic, and other disturbances. In other words, it is better to have 3 separate guest groups which add up to 12 people staying in 3 units than to have one guest group of 12 people staying in one unit.

Comprehensive Land Use Change Factors for Planning and Zoning:

- 1) The properties in question are adequate in size and shape to facilitate those uses normally associated with the requested designation. Town Lot 511AR contains a single house and 2 cottage structures. Town Lot 511BR contains a single house.
- 2) The properties in question have adequate infrastructure to accommodate the R2 use. In fact, they will mostly operate as they do currently.
- 3) The property will not adversely affect properties within 600 feet because most other properties in the vicinity are already operating as STR's and because the ability to rent to smaller guest groups will create fewer disturbances. (See Exhibit B and Exhibit C)
- 4) The requested change in use is an appropriate land use and is consistent with the other elements of the Comprehensive plan. The properties are surrounded by other R2 zoning and virtually all the properties on east side of Elk are zoned as R2 or Commercial. We believe the moderate residential use would be more consistent with the intent of the Comprehensive plan by granting the change. (See Exhibit A-1 and C)
- 5) The request will not be detrimental to the public health, safety or welfare or be materially injurious to properties or improvements in the vicinity. Most of the properties in the vicinity either have R2 zoning or are currently operating as STR's. The request will be less detrimental to public health, safety, and welfare because smaller groups of guests will provide few potential incidents. (See Exhibit B)

Exhibit A

Zoning and Land Use



These are lots 511 AR and 511BR

EHIBIT A-1

2,438.746 Square Feet on East side of Elk - Shaded

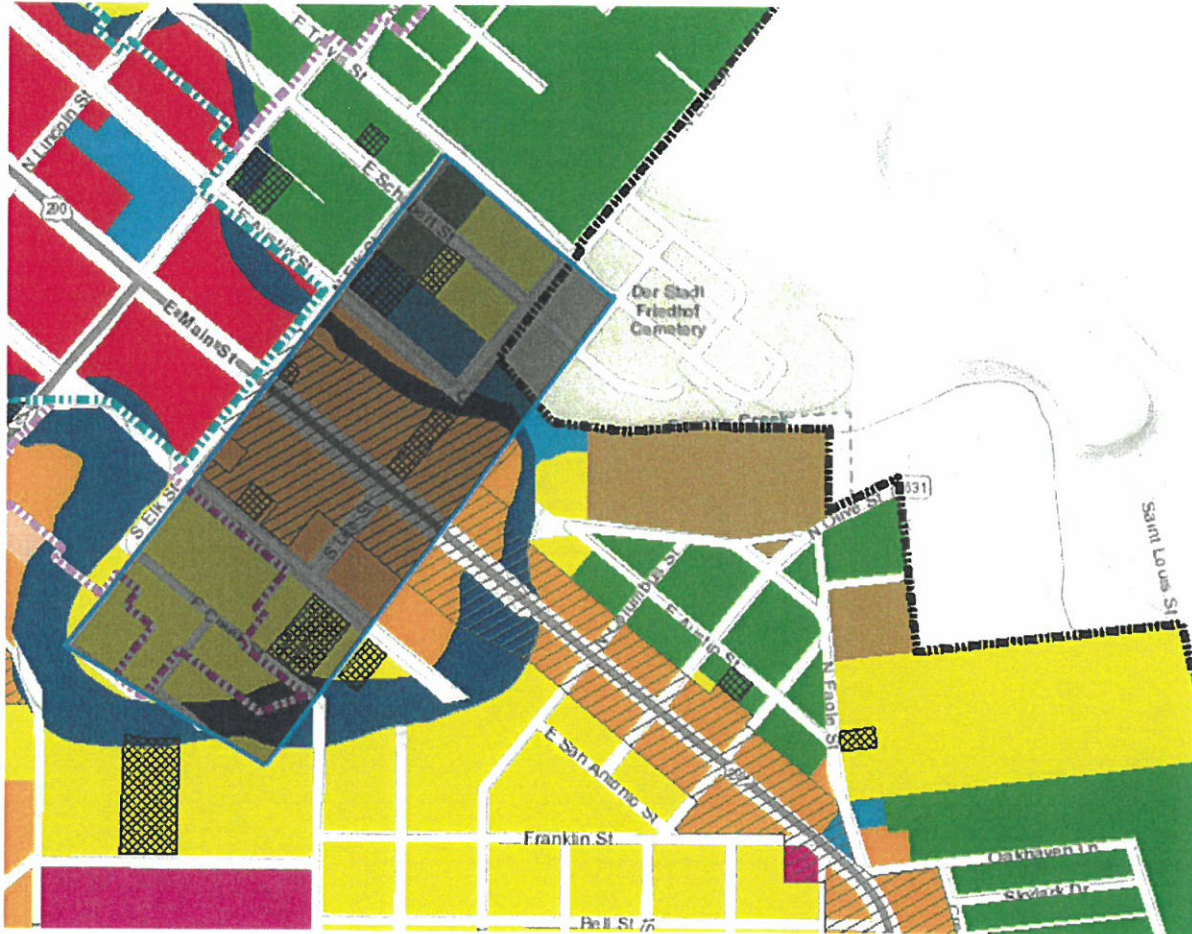
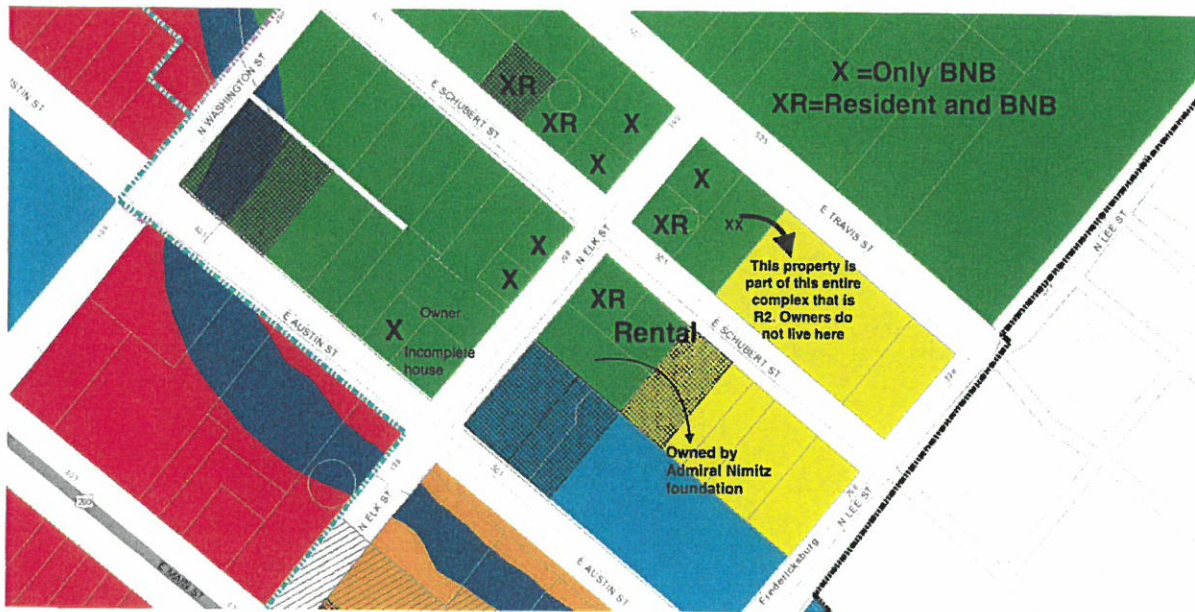
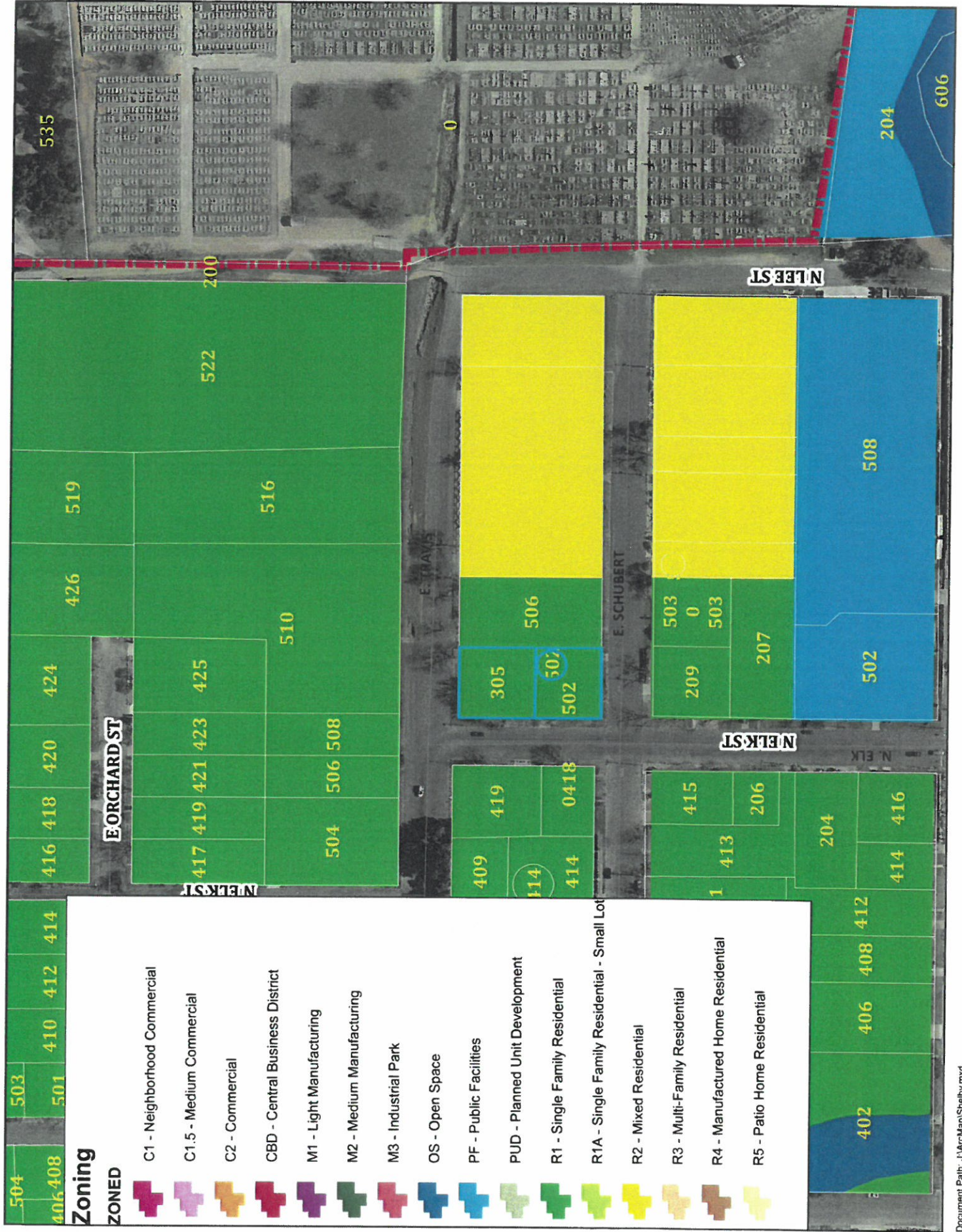


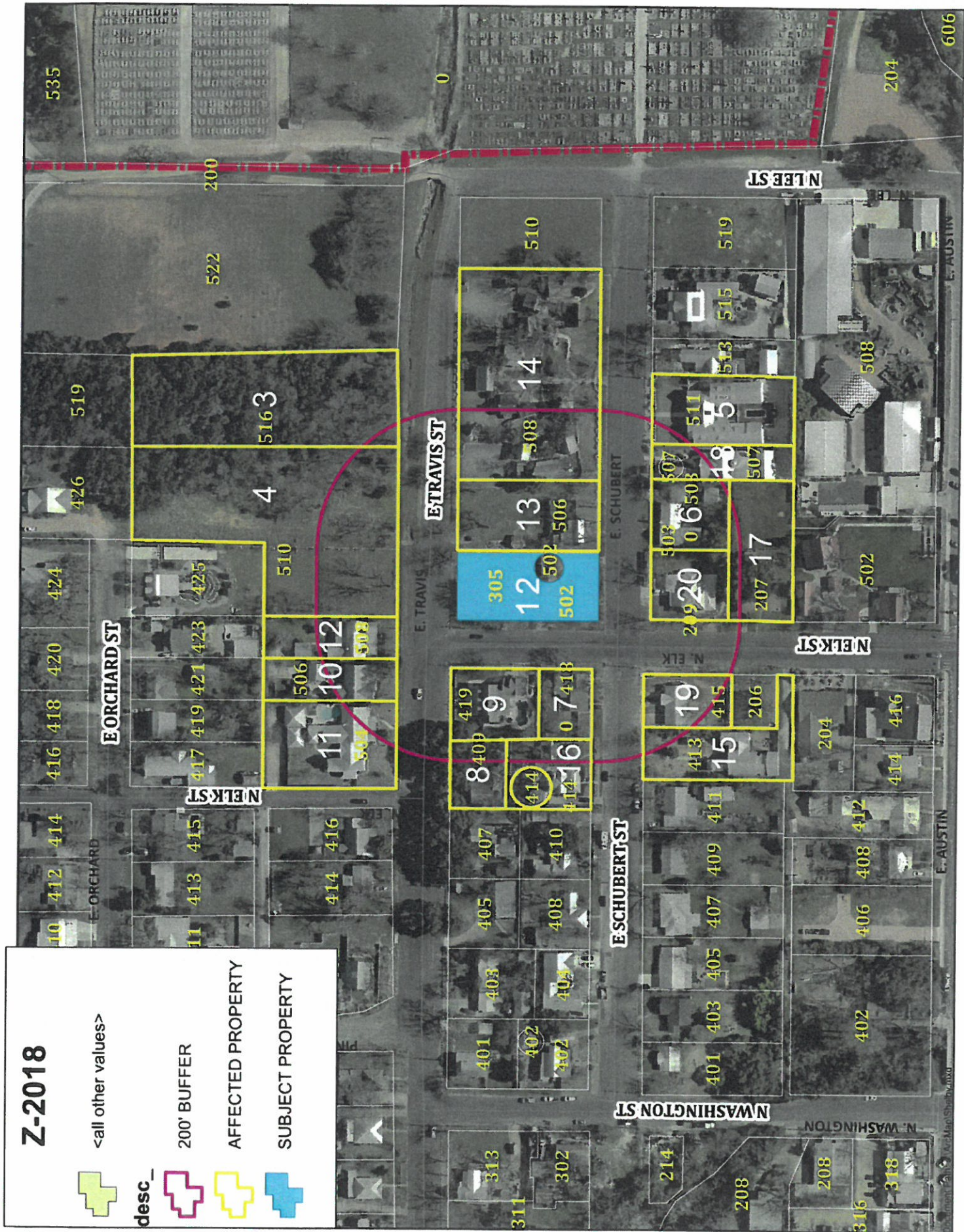
EXHIBIT B

Surrounding Uses



[illegible]





Letter	Owner	Address
1	JOSEPH & LEIGH SIMMONS	609 W. LYNN UNIT 4 AUSTIN, TX 78703
2	KELLY GRAHAM	502 E. SCHUBERT FREDERICKSBURG, TX 78624
3	JOAN WALCH	212 HONEYSUCKLE LN SAN ANTONIO, TX 78213
4	QUERCUS BRANCH ORCHARD LLC	319 BAYVIEW DR CITY BY THE SEA, TX 78336
5	MUSTN'T TOUCH IT TRUST	P.O. BOX 1848 FREDERICKSBURG, TX 78624
6	FREDERICK, THERESE & JOHANNA MORGAN	349 CRABAPPLE RD BLANCO, TX 78606
7	GLENN & TONYA MORROW	414 E. SCHUBERT FREDERICKSBURG, TX 78624
8	ABSOLUTE CHARM HOLDINGS LLC	709 W. MAIN FREDERICKSBURG, TX 78624
9	MARK & ANNA WASSER	17404 REGATTA VIEW DR JONESTOWN, TX 78645
10	QUENTIN & BETH SMITH	506 E. TRAVIS FREDERICKSBURG, TX 78624
11	UE CONSTRUCTION LLC	2916 ILLINOIS AVE KILLEEN, TX 76543
12	RAYDEAN BORCHERS	508 E. TRAVIS FREDERICKSBURG, TX 78624
13	MTC HOLDINGS LTD	P.O. BOX 690510 SAN ANTONIO, TX 78269
14	MTC HOLDINGS LTD	P.O. BOX 690510 SAN ANTONIO, TX 78269
15	MARK & SHELLY MESSER	6101 WILDWOOD DR MCKINNEY, TX 75070
16	GLENN & TONYA MORROW	414 E. SCHUBERT FREDERICKSBURG, TX 78624
17	THE ADMIRAL NIMITZ FOUNDATION	340 E. MAIN ST FREDERICKSBURG, TX 78624
18	LEANDER & SHERLYN SOLHEID	507 E. SCHUBERT FREDERICKSBURG, TX 78624
19	JON & CATHERINE SCHREIBER	13275 HILL CREEK RD WHITEHOUSE, TX 75791
20	KRISTINA & GINA SERACEN	209 N. ELK FREDERICKSBURG, TX 78624
Z-2018: 305 N. Elk/502 E. Schubert		

Scollier @
FBC TX. org

(877) 853-5247 US Toll-free
(888) 788-0099 US Toll-free

AND/OR at Hill Country University Center – HEB Room – 2818 E. US Highway 290 Fredericksburg,
TX 78624

For additional information, contact Development Coordinator, Shelby Collier at 830-990-2013.

APPLICANT: JOSEPH SIMMONS AND KELLY GRAHAM

LOCATION: 305 N. ELK AND 502 E. SCHUBERT

(see accompanying map)

REQUEST:

CONSIDER A ZONING CHANGE FROM R1, SINGLE FAMILY RESIDENTIAL, TO R2,
MIXED RESIDENTIAL AND A LAND USE CHANGE FROM LOW DENSITY
RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL.

REQUEST NO. Z-2018

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

Signed

Printed Name

Date

Address

N.S. Freddie Morrill

N.S. Freddie Morrill

Quercus Branch orchard

12-1-2020

510 East Travis

To: City of Fredericksburg Planning and Zoning Commission
Attn: Brian Jordan and Shelby Collier, Development

RE: Request No. Z-2018 (Request Zoning Change from R1, Single Family Residential, to R2, Mixed Residential; and change the Land Use from Low Density Residential to Medium Density Residential for the properties at 305 North Elk and 502 East Schubert Streets).

FROM: William I. and NS Freddie Morrill, Quercus Branch Orchard, LLC;
Owners of 510 East Travis Street, Fredericksburg.

DATE: December 1, 2020

We own the residential property at 510 East Travis; and we feel we would be significantly impacted by a zoning change away from single family residential (R-1) in this vicinity (right across the street from where our home is to be built). We purchased this property after a very long search for a peaceful residential property within the City of Fredericksburg. That end of East Travis Street has an abundance of residents and dog walkers that stroll daily in the relaxed atmosphere of this beautiful and quiet "hidden gem" area.

We like all of the neighbors to 305 North Elk and 502 East Schubert are zoned RI with one exception that we are aware. That exception being the historical structures on 508 East Travis (a private family compound). This property was selected by us because of the low density and beautiful residential neighborhood, consistently all single family homes.

We would like to go on record encouraging the Fredericksburg Zoning Commission to recommend this requested change **be denied** primarily because of the potential impacts of increased traffic and noise that will result from increasing residential density. One has to only sit across from the intersection of East Travis and North Elk to understand the traffic is currently significant. Increasing density will undoubtedly result in increasing traffic issues. Likewise, increasing density results in higher noise levels. Ultimately, increasing density can move the neighborhood from the relatively sedate situation it currently enjoys, into a busier, noisier condition.

Given the information we have at this point, we encourage the Zoning Commission to recommend this request to change from R1 to R2 and From Low Density to Medium Density be denied.

Thank you for the opportunity to provide our perspective.

Very truly yours

William I Morrill, PhD
NS Freddie Morrill
Quercus Branch Orchard LLC
(510 East Travis, Fredericksburg)
361-226-1535

(877) 853-5247 US Toll-free
(888) 788-0099 US Toll-free

**AND/OR at Hill Country University Center – HEB Room – 2818 E. US Highway 290 Fredericksburg,
TX 78624**

For additional information, contact Development Coordinator, Shelby Collier at 830-990-2013.

APPLICANT: JOSEPH SIMMONS AND KELLY GRAHAM

LOCATION: 305 N. ELK AND 502 E. SCHUBERT

(see accompanying map)

REQUEST:

CONSIDER A ZONING CHANGE FROM R1, SINGLE FAMILY RESIDENTIAL, TO R2,
MIXED RESIDENTIAL AND A LAND USE CHANGE FROM LOW DENSITY
RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL.

REQUEST NO. Z-2018

As an interested property owner, I (Protest) (Approve) the requested zoning amendment represented by the
above file number because: *I want the density to remain at current level.*

Signed

Printed Name

Date

Address

Nov. 30, 2020

414 E. Schubert St.

(877) 853-5247 US Toll-free
(888) 788-0099 US Toll-free

**AND/OR at Hill Country University Center – HEB Room – 2818 E. US Highway 290 Fredericksburg,
TX 78624**

For additional information, contact Development Coordinator, Shelby Collier at 830-990-2013.

APPLICANT: JOSEPH SIMMONS AND KELLY GRAHAM

LOCATION: 305 N. ELK AND 502 E. SCHUBERT

(see accompanying map)

REQUEST:

CONSIDER A ZONING CHANGE FROM R1, SINGLE FAMILY RESIDENTIAL, TO R2,
MIXED RESIDENTIAL AND A LAND USE CHANGE FROM LOW DENSITY
RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL.

REQUEST NO. Z-2018

As an interested property owner, I (Protest) (Approve) the requested zoning amendment represented by the
above file number because: *I want the density to remain at current level.*

Signed

Printed Name

[Signature]
Stenn Morrow

Date

Address

Nov. 30, 2020

418 E. Schubert St.

From: [Seracen, Kristina](#)
To: [Shelby Collier](#)
Subject: Z-2018
Date: Thursday, December 3, 2020 2:11:03 PM
Attachments: [image002.png](#)
[image004.jpg](#)
[image006.jpg](#)
[image008.jpg](#)
[image010.jpg](#)

Hello Mrs. Collier

I would like to protest the zoning amendment from an R1 to an R2 for 305 North Elk and 502 E. Schubert.

I have two teenagers who will be driving soon and the parking and traffic on Elk and Schubert is already very high. Increasing the amount of occupants in the proposed residences will make it even less safe for my family.

I would like to keep the density at the current level.

Thank you for your time and attention to this matter.

Kristina Seracen, MA, CPC

Associate Director, Reimbursement and Health Policy
Plastic Surgery and Regenerative Medicine

Allergan Aesthetics logo



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CELL +1 830-733-2543 (CST)
EMAIL kristina.seracen@allergan.com

AllerganAesthetics.com



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SITE PLAN
BACKGROUND INFORMATION
December 9, 2020

File Number: SP 2012

Address/Location: Intersection of S. Eagle Street and Friendship Lane

Applicant: Thomas Duvall, PE of DAVCAR Engineering on behalf of MacDonald Companies, Inc.

Project Description: The Reserve at Vineyard Oaks apartment project.

Site Area: Approximately 11.37 acres

Zoning: A portion of the property is zoned C-1, Neighborhood Commercial and a portion is zoned R-2, Mixed Residential (both districts permit apartments).

Adjacent Land Uses/Zoning:

North:	Undeveloped land and scattered single family residential, zoned R-1 and R-2.
West:	Undeveloped land and scattered single family residential, zoned R-2
East:	First Baptist Church, zoned R-1
South:	Undeveloped land, zoned R-2

Building: 12 apartment buildings plus clubhouse/leasing office – 193,496 square feet total.

Building Height: Apartment buildings – 2-story
Clubhouse/leasing office – 1-story

Building Coverage: 21.1% (50% maximum)

Impervious Coverage: 50.2% (65% maximum)

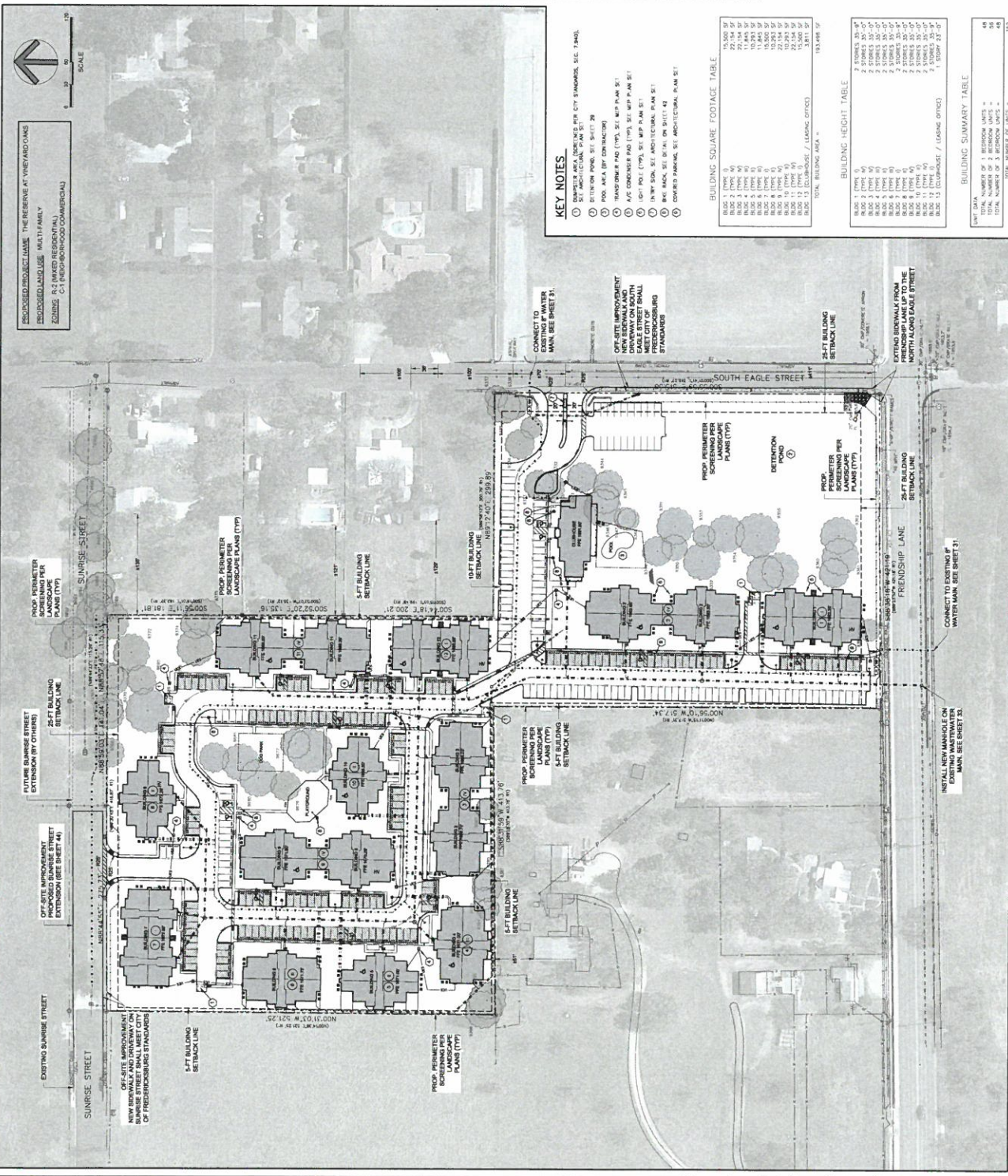
Unit Configuration:

1 Bedroom Units – 48
2 Bedroom Units – 56
3 Bedroom Units – 48
Total Units - 152

Site Access: Primary access will be provided on S. Eagle Street, near the drive into the First Baptist Church. The applicant has revised the access configuration to meet City standards. The Site Plan showing the overall site is the corrected layout. Secondary access will be provided via an extension of Sunrise Street on the north side of the property.

Parking Required:	1 Bedroom Unit – 1.5 spaces per unit = 72 spaces 2 Bedroom Units – 2 spaces per unit = 112 spaces 3 Bedroom Units – 2 spaces per unit = 96 spaces Clubhouse/Leasing Office – 11 spaces Total space required/provided – 291 spaces
Landscaping:	The site currently contains a few relatively large Post Oak Trees. The applicant is proposing to remove several trees and preserving several trees. A tree survey has been provided to show the trees being retained and removed.
Sidewalk:	A public sidewalk is proposed on S. Eagle Street and the extension of Sunrise Street.
Screening:	All trash containers and service areas are proposed to be screened. Perimeter screening is being provided on the west side of the project.
Lighting:	Exterior lighting to be ordinance compliant.
Utilities:	Water and sanitary sewer are available to serve the site.
Detention:	Stormwater detention is being provided near the intersection of S. Eagle Street and Friendship Lane. Final detention plans are subject to construction plan approval.
Park Dedication Ordinance:	The Park Dedication Ordinance will apply to this development. Fees will be applied in lieu of the dedication of land. Fees shall be paid at the time of building permit issuance.
Review and Evaluation Criteria:	Attached, please find a copy of the Review and Evaluation Criteria, Section 7.131 of the Zoning Ordinance for all Site Plans. It should be noted that the City Staff uses this criteria for all plans considered as part of the Development Review Committee (DRC). We are providing this information because there were several concerns raised at the previous meeting by neighbors. As for whether the Planning and Zoning Commission has the authority to approve changes to a Site Plan, Section 7.132 (attached) of the Zoning Ordinance provides this direction.
Public Comments:	We have attached a summary of the comments made by the nearby property owners in emails and at the meeting. We have also provided a response to these comments.
Recommendation:	Approval, conditioned upon:

1. Approval of the Landscape Plan prior to issuance of a building permit.
2. The driveway on Eagle Street complying with City Standards.
3. The Site complying with all Fire Marshal requirements.



EXISTING	PROPOSED	DESCRIPTION
—	—	PROPERTY LINE
---	---	SETBACK LINE
----	----	PERIMETER SCREENING
----	----	WASTEWATER LINE
----	----	WATER LINE
----	----	STORM DRAIN
----	----	TABLE (TO REMAIN)

[illegible]

THIS PLAN IS BASED ON A SURVEY BY WOLAND SURVEYING DATED 11/01/2019.
FOR BENEFIT AND SURVEY INFORMATION CONTACT WOLAND SURVEYING AT
312-618-7672.

ID	Description		Net Weight	
	Net Weight	Net Weight	Net Weight	Net Weight
9332	9332	9332	9332	9332
9333	9333	9333	9333	9333
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OVERALL SITE SUMMARY	
EXISTING SITE AREA =	(11.57 AC.)
TOTAL EXISTING IMPERVIOUS COVER =	0.59% (0.00 AC.) 0.0%
TOTAL PROPOSED IMPERVIOUS COVER =	248.898 SF (0.71 AC.) 50.7%
TOTAL OVERALL IMPERVIOUS COVER =	248.898 SF (0.71 AC.) 50.7%
TOTAL EXIST' BUILDING COVERAGE =	0.59% (0.00 AC.) 0.0%
TOTAL PROPOSED BUILDING COVERAGE =	100.000 SF (2.41 AC.) 21.7%
TOTAL OVERALL BUILDING COVERAGE =	100.000 SF (2.41 AC.) 21.7%

SITE PLANNING SUBMITTAL TABLE	
PARKING REQUIREMENTS	
1. PROPOSED PARKING FOR 1 BEDROOM UNIT =	32
2. PROPOSED PARKING FOR 2 BEDROOM UNIT =	52
3. PROPOSED PARKING FOR 3 BEDROOM UNIT =	112
4. 2.0 SPACES REQUIRED PER 2 BEDROOM UNIT =	64
5. 2.0 SPACES REQUIRED PER 3 BEDROOM UNIT =	96
6. SPACES REQUIRED FOR CLUBHOUSE =	11
TOTAL PARKING REQUIRED	293
PROPOSED PARKING	
1. PROPOSED STANDARD COVERED PARKING PROVIDED=	144
2. PROPOSED STANDARD UNCOVERED PARKING PROVIDED=	135
3. PROPOSED STANDARD UNCOVERED PARKING PROVIDED=	135
4. PROPOSED ACCESSIBLE UNCOVERED PARKING PROVIDED=	6
5. TOTAL PROPOSED PARKING PROVIDED =	420

EXISTING	PROPOSED	DESCRIPTION
---	---	PROPERTY LINE
---	--- WW --- WW	SETBACK LINE
---	--- W --- W	WASTEWATER LINE
---	--- SD --- SD	WATER LINE
---	---	SIDING DRAIN LINE
---	---	TREE (TO REMAIN)

GENERAL NOTES

1. THE INFORMATION SHOWN ON THESE DRAWINGS INDICATING SIZE, TYPE, AND LOCATION OF UNDERGROUND SURFACE AND AERIAL UTILITIES IS NOT GUARANTEED. CONTRACTOR SHALL VERIFY ALL UTILITIES PRIOR TO ANY EXCAVATION. ALL EXCAVATION SHALL BE 48 INCHES DEEP PRIOR TO SIGNING ANY EXCAVATION FOR EXISTING UTILITY. CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING ALL UTILITIES, INCLUDING VERGING LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ALL NECESSARY INFORMATION FROM THE OWNER AND/OR PRIVATE PROPERTY AFFILIATED WITH CONTRACT FOR THE PROJECT IN ORDER TO AVOID ANY DAMAGE TO EXISTING UTILITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIR AND RESTORATION OF CONTRACTOR DAMAGED UTILITIES TO THE UTILITY COMPANY'S APPROVAL. AT THE EXPENSE OF THE CONTRACTOR.
2. CONTRACTOR SHALL CONTACT DAKOTA BROADCASTING WITH ANY ITEM ON THESE DRAWINGS THAT MAY BE IN CONFLICT WITH ANY OTHER UTILITY THAT ARE NOT CONSIDERED BY THESE PLANS.
3. CONTRACTOR SHALL FIELD VERIFY THE LOCATION OF ALL POINTS OF CONNECTION TO EXISTING WATER AND SEWER/WASTE SYSTEM IN ADVANCE OF THE CONSTRUCTION.
4. EXISTING WATER, WASTEWATER, ELECTRICAL, AND TELECOMMUNICATIONS UTILITIES SHALL BE MAINTAINED IN ALL THEIR DURING CONSTRUCTION.

SURVEY NOTES:

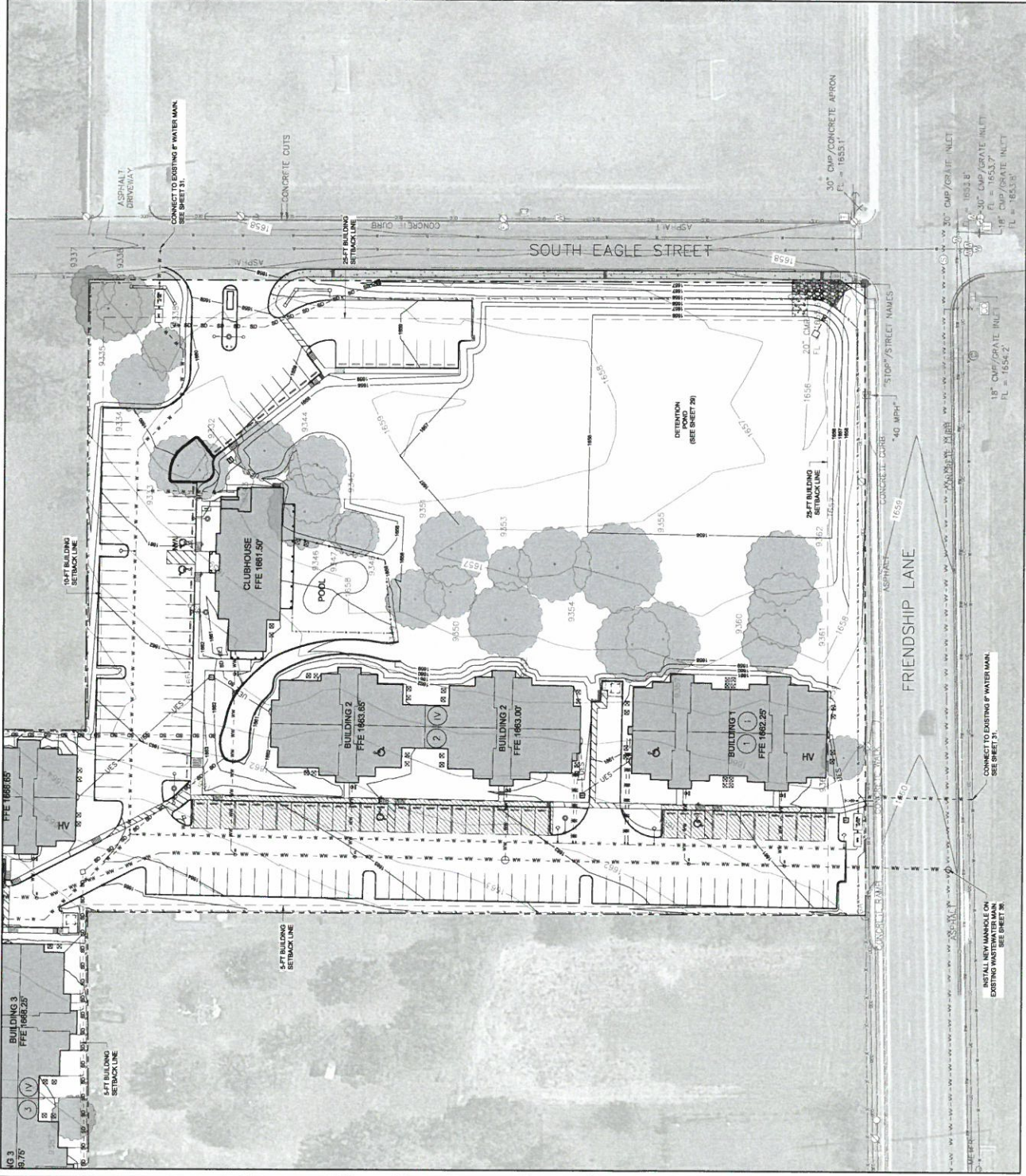
1. THIS PLAN IS BASED ON A SURVEY BY WCLAND SURVEYING DATED 11/10/09.
2. FOR BENCHMARK AND SURVEY INFORMATION CONTACT WCLAND SURVEYING AT (512) 818-3721.

SITE PLAN NOTES:

1. THE SITE PERIMETER FENCING SHOWN ON THIS PLAN IS APPROXIMATE. REFER TO THE LANDSCAPE PLANS FOR SPECIFIC FENCING LAYOUT AND DESIGN.

2. PRIMARY DRIVEWAY WILL NOT HAVE A VEHICULAR ACCESS GATE.
3. PROPOSED TRANSFORMER PAD LOCATIONS, SITE LIGHTING LOCATIONS, AND AC CONDENSER PAD LOCATIONS ARE SHOWN FOR COORDINATION PURPOSES ONLY.

4. REFER TO ARCHITECTURAL DRAWINGS FOR ALL BUILDING DIMENSIONS.

[illegible]

SP-2012

Concerns raised at the Oct. 7, 2020 P&Z Meeting

Jeffrey Morin (owns 626, 702 and 704 S. Eagle Street) immediately adjacent to proposed Buildings 11 & 12

Concerns noted:

- Proximity of buildings to his property line (within 5') The zoning and orientation of the property establishes the building setbacks applicable to the site. The proposed buildings follow the C-1 Neighborhood Commercial and R-2 Mixed Residential zoning of the property. The orientation of this property is unique due to two separate building frontages (Eagle Street and Sunrise Street).

Insufficient space between property line and building to address fire protection. It will be required that we have access as the fire Department to be able to get around the building with a 200-foot hose lay. Exterior walls of dwellings, garages, and accessory buildings must maintain a 5' minimum separation distance from the property line, or otherwise be fire protected. ... Walls less than 5' from the property line are required to have a one-hour fire rating.

- Location of buildings, and proximity to property lines will affect historic drainage patterns of property and cause flooding or water to flow onto his property. A detailed technical review will be conducted as part of the Civil Construction Plan review phase of the project. The design engineer will be required to prove that historical drainage patterns are maintained and the peak flow stormwater runoff rates flowing off the proposed development will be limited to peak flow rates from the undeveloped condition. Based on the preliminary drainage area maps submitted to the City, the design engineer is designing the storm sewer system and grading plans to ensure these requirements will be met.

Kyle Segner, property immediately adjacent to proposed Buildings 3 & 4

Concerns noted:

- Wanted to know how the buildings were being classified for construction purposes, whether they are being sprinkled and whether this might affect their ability to place buildings near the property line in the future. Each building will be required to have a fully automatic fire suppression system
- Existing elevation of the property surrounding the project and whether this would result in excessive cut or fill. A detailed technical review will be conducted as part of the Civil Construction Plan review phase of the project. Based on the preliminary grading plans submitted to the City, all proposed grading is tied back into existing grades within the property boundaries.
- Whether there is sufficient room to run utilities and drainage in the 5' setback along their property. A detailed technical review will be conducted as part of the Civil Construction Plan review phase of the project. Based on the preliminary utility maps submitted to the City, the majority of utility lines proposed in the 5' setback are private storm drain lines that capture runoff from the gutter system so there appears to be adequate space to install the lines.

- How and where will power be extended to the site. The subject property lies within the Central Texas Electric Co-op electric territory.
- How drainage is being handled and making sure water is not being forced onto adjoining property. A detailed technical review will be conducted as part of the Civil Construction Plan review phase of the project. The design engineer will be required to prove that historical drainage patterns are maintained and the peak flow stormwater runoff rates flowing off the proposed development will be limited to peak flow rates from the undeveloped condition. Based on the preliminary drainage area maps submitted to the City, the design engineer is designing the storm sewer system and grading plans to ensure these requirements will be met.
- The proposed plan is different from the plan they reviewed at the previous meeting and they were told the setback from their property would be 10'. The Site Plan that was presented at the meeting with the neighbors was conceptual in nature. It is very common for the plans to change when the details of the site are finalized such as drainage, existing vegetation, utilities, location of access and internal drives, and other elements.

Shelby Collier

From: Jeffery P. Morin <jpmorin@austin.rr.com>
Sent: Wednesday, October 7, 2020 1:15 PM
To: Shelby Collier
Cc: 'Brenda Segner'; Brian Jordan; 'Jim Jarreau'; daryl.whitworth@gmail.com; 'Tim Dooley'
Subject: Requesting time to speak at P&Z meeting Oct 7, at 5:30 PM, concerning The Reserve at Vineyard Oaks apartment project
Attachments: The Reserve at Vineyard Oaks.pdf

Ref: Requesting time to speak at P&Z meeting Oct 7, at 5:30 PM,
Concerns and Protests of, The Reserve at Vineyard Oaks apartment project.

Revised:

Concerns: Flooding, Water Drainage, Fire Safety, No fire access to rear Side of buildings.
30' High building 5' from property line. Invasion of Privacy.

We live at 702 S. Eagle, immediately to the West and North of this proposed project., see map enclosed.

We also own 704 and 626 S. Eagle, immediately next to this project.

We wish to protest the proposed building Set Back lines of 5'. And the

density of the number of these buildings. Being built straight in line across our back property line.

Because of the density this complex, it is going to cause an extreme amount of water drainage onto our property.

The Northwest corner of Eagle and Friendship Lane use to have a holding water retention pond because of water drainage.

That has been filled up with no where for water to go.

With 5' building setbacks the water is going to run right off these buildings into our property.

This will not allow for the natural flow of water and with the density of these buildings being built all the way Across our back yard it will have no where to go but onto our land flooding us.

** Fire Safety: complete omission of fire access lane to rear of buildings. (only 5')

** Invasion of Privacy: 30' high building, 5' off property line, looking right down upon us.

** Flooding Water Drainage: nowhere for water to go.

Thank you,

Jeffery P. Morin - Hillco Mfg.

"In God We Trust"