



City of Fredericksburg

Planning and Zoning Meeting Agenda
Wednesday, May 8, 2024 ~ 5:30 PM
Law Enforcement Center
1601 E. Main Street
Fredericksburg, Texas 78624

Janice Menking, Chair
Jim Jarreau, Member
Daryl Whitworth, Member
Jeff Lawrence, Member
Cindy Scroggins, Member

Tom Musselman, Member
Polly Rickert, Member
Tim Dooley, Vice Chair
Steve Thomas, Member

The City of Fredericksburg Planning and Zoning Commission will meet in a regular session on May 8, 2024, at 5:30 PM. Link to City of Fredericksburg agenda webpage to watch video of the meeting.

Written Comments: to be submitted remotely:

1. Must be received by 2 p.m. on May 5, 2024.
2. Complete the Citizen Comment Form online at www.fbgtx.org; or
3. Email your comments to scollier@fbgtx.org

Verbal Comments:

1. Sign up in-person between 5:00 p.m. and 5:30 p.m. at the Law Enforcement Center, 1601 E. Main Street, in order to comment.

You will be limited to 3 minutes to speak.

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

- A. April 2024 Regular Planning and Zoning Meeting Minutes

4. PUBLIC HEARING

- A. Request #Z-2405: By Hill Country Church to Consider a Conditional Use Permit Per Section 3.100 to Allow for a Religious Assembly Use for a Property Located at 1406 Cross Street.

- i Presentation by the Applicant
 - ii Staff Report
 - iii Hold a Public Hearing
 - iv Consider the Conditional Use Permit
- B. Request #Z-2406: By Don & Dina Fry to Consider a Conditional Use Permit Per Section 6.110 to Allow for an Expansion of a Legal Nonconforming STR for a Property Located at 104 East Centre Street.
 - i Presentation by the Applicant
 - ii Staff Report
 - iii Hold a Public Hearing
 - iv Consider the Conditional Use Permit

5. ACTION ITEMS

- A. Consider P-2410: Review of a Preliminary Plat for the Hillview Subdivision Located at 328 Morning Glory Drive Submitted by Jeff Graham

6. DISCUSSION ITEMS

- A. Comprehensive Plan: Zoning and Subdivision Regulations Assessment
- B. Housing Affordability Discussion

7. ADJOURN

CERTIFICATION

This is to certify that I, Shelby Collier, posted this Agenda before 5:00 PM on May 03, 2024, on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.



Shelby Collier
Senior Planner

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

**PLANNING & ZONING COMMISSION
April 3, 2024
5:30 P.M.**

On this the 3rd day of April 2024, 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
TOM MUSSELMAN
STEVE THOMAS
CINDY SCROGGINS
POLLY RICKERT

ABSENT:

TIM DOOLEY
DARYL WHITWORTH

ALSO, PRESENT:

ANNA HUDSON - Director of Development Services
MICK MCKAMIE– City Attorney
SHELBY COLLIER – Senior Planner

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

PUBLIC COMMENTS

MINUTES

Tom Musselman made a motion to approve the March 2024, regular meeting minutes. Seconded by Jeff Lawrence. All voted in favor and the motion carried.

Tom Musselman made a motion to approve the February 20, 2024, joint City Council and Planning and Zoning Meeting Minutes. Seconded by Polly Rickert. All voted in favor and the motion carried.

PUBLIC HEARING

Request #Z-2403: By Charles & Janet Chenoweth to Consider the Following:

- A **Land Use Change from Low Density Residential (LDR) to Commercial (C) for Property Located at 105 West Creek Street.**
- B **Zoning Change from Single Family Residential (R1) to Neighborhood Commercial (C1) for Property Located at 105 West Creek Street.**

I Presentation by the Applicant

II Staff Report

III Hold a Public Hearing to Receive Comments For or Against the Request

IV Take Action on the Land Use and Zoning Change Request

Charles Chenoweth, the owner, presented the application. He stated that he had owned the property for several years and that the property was an operating STR when his family purchased the property in 2018. The property has been listed on the market for six months and has not sold. He asked his real estate agent why the property was having difficulty selling, he was told that its location and inability to operate as a STR, even though its downtown, were the reasons. He said the property is lovely with a gorgeous garden area, but the home is truly too small for anyone to live in full time. He would like the opportunity to sell the property as commercial property like an office.

Shelby Collier, Senior Planner, stated that the applicant is requesting a land use change from low density residential to Commercial and a Zoning change from Single Family Residential (R1) to Neighborhood Commercial (C1). The property currently operates as a second home for the applicant but historically operated as a Short-Term Rental until 2019. The property is in the historic district and has a high rating making demolition and redevelopment of the site difficult. The development pattern of the neighborhood has limited access to the rear of the property, and it is not physically possible to add a driveway on either side of the structure to add parking behind the house.

The Applicant first obtained an STR Permit in 2014 and operated as an STR until 2019. The property has been listed for sale since August 2023 with little to no activity. The property is located close to South Adams Street and Main Street. This block of West Creek Street has both Commercial and Residential Zones. Across West Creek, to the north, is the Central Business District (CBD) and Neighborhood Commercial (C1). To the immediate east is Neighborhood Commercial (C1) and to the west and south is Single Family Residential (R1). With that said, the property to the west is an STR and 1 of the 2 properties to the south is an STR. The commercial uses within 200 ft include Hill and Vine and Creek Street Dental as well as 4 STR's.

When conducting the review, Staff referenced the recently adopted Comprehensive Plan and identified that the future place type map identifies this area as mixed density residential, which allows for up to 20% commercial uses, such as personal services and professional offices which aligns with the applicants requested zoning of C1, Neighborhood Commercial.

Staff sent out public hearing notice letters and received 3 letters in protest of the project.

Staff recommends approval based on the abutting C1 zoned properties, the CBD and C1 zoned properties to the north and the future place type map recommending C1 as an appropriate zoning district.

Anna Hudson, Director of Development Services, stated that the property is historic and does not qualify for a Special Exception.

Tom Musselman made a motion to Open the Public Hearing. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Tom Musselman made a motion to Close the Public Hearing. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Tom Musselman asked the applicant why he had not maintained a STR Permit as it was valid until 2019. Charles Chenoweth responded that they were not using the property as a STR but as a second home.

Polly Rickert asked if the property could operate as a STR given the parking limitations.

Shelby Collier stated it is possible that the owner could apply for a special exception for parking to reduce the required number of parking spaces but any change to the property is going to trigger the need for additional parking.

Tom Musselman stated that he is concerned with commercial creeping into residential neighborhoods and discussed the importance of the new STR ordinance and its banning of new STRs in residential districts.

Jeff Lawrence stated that he agrees with Tom Musselman and discussed his discomfort with approving the single property for a zoning change instead of a block or district.

Polly Rickert stated that the situation for the owner is they are sandwiched between heavy commercial and R1 zoning. She agreed that as a single-family residence the property is not attractive, however, she is not comfortable making a one-off decision and she would like to have a comprehensive look at the city for zoning changes.

Shelby Collier stated that the commercial uses have affected this neighborhood and the situation for the current property is currently unique given the restaurant across the street and the dental office on the corner with other surrounding STR uses the commercial activity is already present and the property does not qualify for a special exception to obtain a STR permit. The properties only option is a land use and zoning change.

Jim Jarreau made a motion to recommend Approval of the Land Use change for Application #Z-2403. Seconded by Cindy Scroggins. Steve Thomas, Jeff Lawrence and Tom Musselman voted in opposition. Cindy Scroggins, Jim Jarreau, Polly Rickert, Janice Menking voted in favor. The motion carried 4 to 3.

Jim Jarreau made a motion to recommend approval of the Zoning change from R1 to C1 for Application #Z-2403. Seconded by Cindy Scroggins. Steve Thomas, Jeff Lawrence and Tom Musselman voted in opposition. Cindy Scroggins, Jim Jarreau, Polly Rickert, and Janice Menking voted in favor. The motion carried 4 to 3.

DISCUSSION ITEMS

Comprehensive Plan Priorities

Anna Hudson, Director of Development Services, stated that the Comprehensive Plan has been adopted and includes many short-term actions. One idea is to perform a Unified Development Code (UDC) that could accomplish many actions at one time and typically takes upwards of 18 months.

Tom Musselman agrees that this is the best route to move forward with the Comprehensive Plan priorities.

Jeff Lawrence and Janice Menking said the UDC would help give Staff the tools they need.

Polly Rickert stated that the UDC would accomplish 31 actions identified in the Comprehensive Plan.

Directors Report

Anna Hudson, Director of Development Services, discussed the need to set priorities based on the recently adopted Comprehensive Plan.

ADJOURN

With nothing further to come before the Commission, Tom Musselman moved to adjourn. Seconded by

Polly Rickert. All voted in favor and the meeting was adjourned at 6:49 p.m.

PASSED AND APPROVED this 8th day of May 2024.

SHELBY COLLIER, Senior Planner

JANICE MENKING, Chairperson



PLANNING AND ZONING COMMISSION **AGENDA MEMO**

DEPARTMENT: Development Services
TO: Planning and Zoning Commission
FROM: Shelby Collier, Senior Planner
MEETING DATE: May 8, 2024

CATEGORY: PUBLIC HEARING

CAPTION: Request #Z-2405: By Hill Country Church to Consider a Conditional Use Permit Per Section 3.100 to Allow for a Religious Assembly Use for a Property Located at 1406 Cross Street.

- i Presentation by the Applicant
- ii Staff Report
- iii Hold a Public Hearing
- iv Consider the Conditional Use Permit

PRESENTATION:

SUMMARY:

The applicant is requesting a Conditional Use Permit to allow for a Religious Assembly Use for a property located at 1406 Cross Street. The property has previously operated as a residence but shares a property line with the existing Hill Country Church located at 107 E Lower Crabapple.

BACKGROUND:

The property is located in a neighborhood that has multiple uses, including Religious Assembly, Personal Services, Single Family Residential and a Professional Office and shares a property line with Hill Country Church and is located at the end of Cross St, behind One Mane Place.

Zoning: R1, Single Family Residential

Site Area: .593 Acres - 25,843 sq ft

Parking: 6 parking spaces including 1 ADA space with no new parking spaces required for the Religious Assembly use.

Comprehensive Plan:

The Future Place Type Map identifies this area as a Mixed-Use Community/Corridor which supports a variety of civic, residential and commercial uses along North Llano and this section of Lower Crabapple. In addition, the Comprehensive Plan calls for development that is visually compatible with existing neighborhood patterns N.1.A.1 and the use of the existing residence as office space that supports the existing church adds to the character of the neighborhood without changing the look or feel.

Public Hearing Response: No responses received as of 05/03/24

Sec. 5.460 - Review and Evaluation Criteria contains 13 items that must be considered when reviewing a Conditional Use Permit (CUP). Of these 13 items, Staff found that the applicant has met or responded to all requirements. The criteria and review are as follows. Staff's review is in **RED**.

Conformance with applicable regulations and standards established by the Zoning Regulations. **MET**

Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, access and circulation features. **The property to the west is the existing Hill Country Church and is substantially larger than the subject property. The subject property is similar in scale and setbacks to neighboring residential properties.**

Potentially unfavorable affects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site for a permitted use. **No unfavorable affects foreseen.**

Modifications (including variance from property development regulations) to the site plan which would result in increased compatibility, would mitigate potentially unfavorable impacts, would be necessary to conform to applicable regulations and standards and would protect the public health, safety, morals and general welfare. **The subject property is purposing an ADA accessible walkway connecting to the Hill Country Church**

Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area; existing zoning and land uses in the area. **The property is located at the end of a dead end street and provides 6 parking spaces on site.**

Protection of persons and property from erosion, flood or water damage, fire, noise, glare and similar hazards and impacts. **Met**

Location, lighting, and type of signs; the relation of signs to traffic control and adverse effect of signs on adjacent properties. **A sign is proposed at the front of the property and will not be a lighted sign.**

Adequacy and convenience of off-street parking and loading facilities. **Met**

Determination that the proposed use is in accordance with the objectives of these Zoning Regulations and the purposes of the zone in which the site is located. **Met**

Determination that the proposed use will comply with each of the applicable provisions of these Zoning Regulations. **Met**

Determination that the proposed use and site development, together with any modifications applicable thereto, will be compatible with existing or permitted uses in the vicinity. **Met**

Determination that any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area. **Met**

Determination that the proposed use, together with the conditions applicable thereto, will not be

detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. **Met**

STAFF RECOMMENDATION: Given the properties location between Commercial and Religious Assembly uses and connectivity to the neighboring church. Staff recommends approval of the requested Conditional Use Permit to operate a Religious Assembly Use conditioned upon the following:

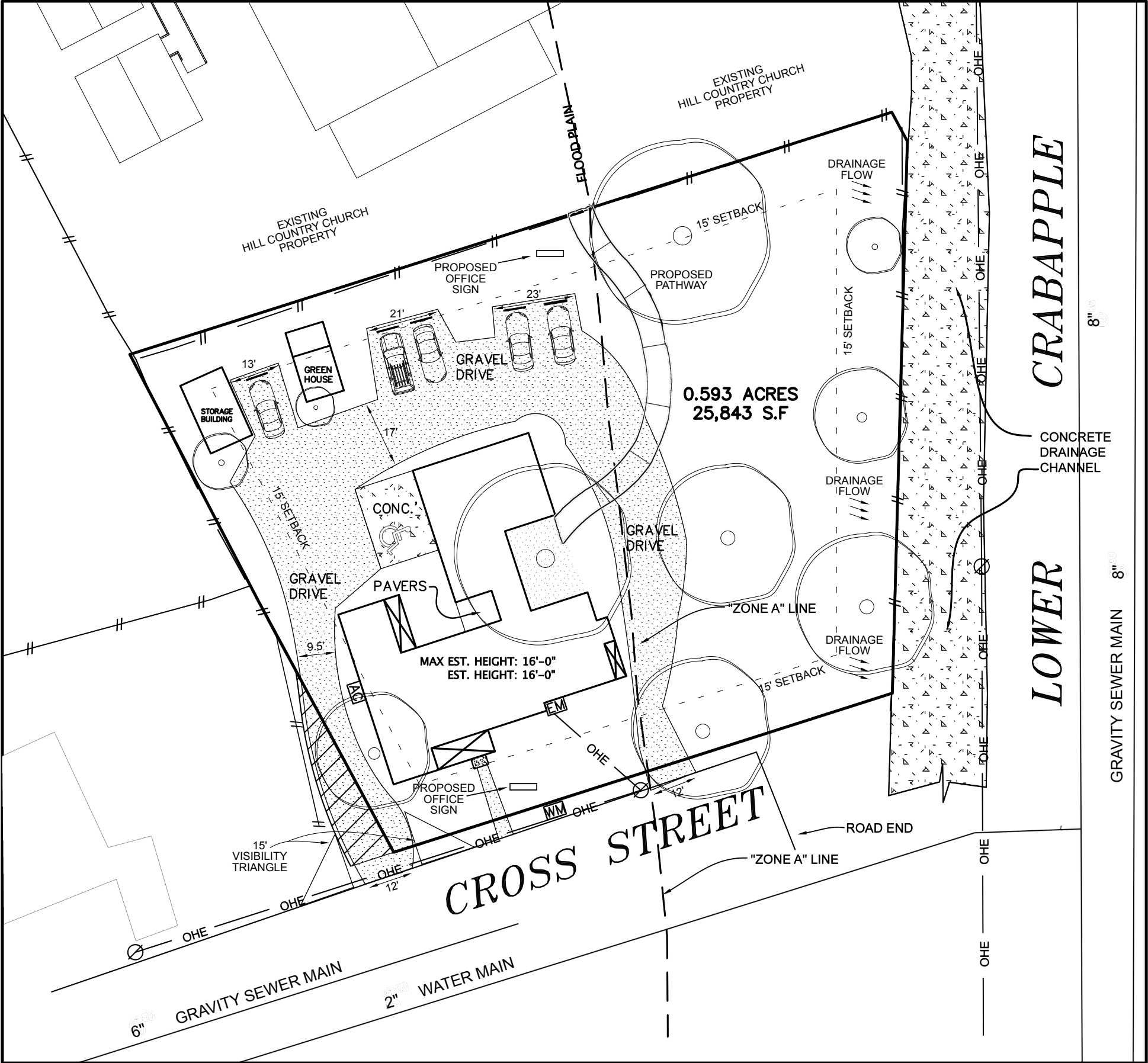
- Construction of Curbs to City Standards
 - Construction of driveway to City Standards
-
-

ATTACHMENTS:

1. Z-2405 Revised Site Plan
2. Z-2405 Elevation Photos
3. Z-2405 Narrative
4. Z-2405 Review Comments
5. Z-2405 Review Comment Response
6. Z-2405 Public Hearing Map
7. Z-2405 Mailing Labels
8. Z-2405 Zoning Application

APPROVAL/REVIEW:

_____	Date:
Shelby Collier, Senior Planner	
_____	Date:
William McKamie, City Attorney	
_____	Date:
Anna Hudson, Director of Development Services	



BUILDING COVERAGE CALCULATIONS

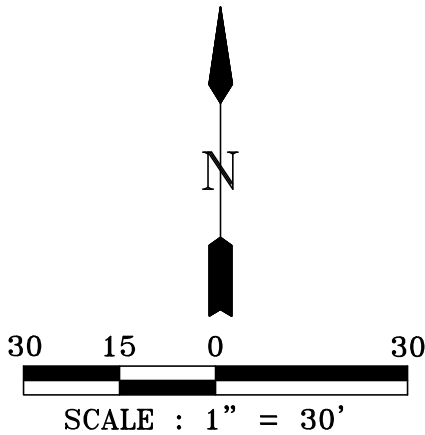
LOT = 25,843 S.F.
ZONE A = 11,100 S.F.
NET = 14,743 S.F.
BUILDING COVERAGE = 3,489 S.F.
APPROXIMATELY 23.7% COVERAGE

OFF-STREET PARKING CALCULATIONS

INTERIOR FT2 = 2,019 S.F.
TABLE 7.863: 1 Space / 400 S.F.
REQUIRED SPACES = 5
SPACES PRESENT: 5 UNCOVERED
2 GARAGED
7 TOTAL

IMPERVIOUS COVERAGE CALCULATIONS

LOT = 25,843 S.F.
ZONE A = 11,100 S.F.
NET = 14,743 S.F.
IMPERVIOUS COVERAGE = 8,158 S.F.
APPROXIMATELY 55.3% COVERAGE



LEGEND

	EXIST. PVC. FENCE
	ASPHALT PVMNT.
	CONC. PVMNT.
	OVERHEAD ELECT.
	POWER POLE
	GUY WIRE
	GAS METER
	WATER METER
	ELECTRIC METER
	AIR CONDITIONER

1406 CROSS STREET
FREDERICKSBURG, TEXAS
LEGAL DESCRIPTION: G E CO BLK I -HOMESITE-
ZONING: R1
LOT SIZE= 25,843 S.F.
BUILDING COVERAGE = 3,489 S.F.
INTERIOR = 2,019 S.F.
IMPERVIOUS COVERAGE = 8158 S.F.

GENERAL NOTES

- 1 ALL EXTERIOR LIGHTING SHALL BE NIGHT SKY COMPLIANT AS STATED IN THE CITY OF FREDERICKSBURG CODE OF ORDINANCES SEC. 7.863.
- 2 ELEVATION CHANGE ACROSS THE PROPERTY IS LESS THAN 5 FT. EXISTING DRAINAGE PATTERNS WILL BE MAINTAINED OR IMPROVED.
- 3 STANDARD CONCRETE CURB AND DRIVEWAY TO BE ADDED WHERE PROPERTY ABUTS CROSS ST

PROJECT TITLE: HILL COUNTRY CHURCH OFFICES
OWNER: TAYLOR NICOLE BIBLE HILL
PREPARED BY: KALEB DALE
HILL COUNTRY CHURCH OPERATIONS DIRECTOR
DATE: MARCH 25, 2024



View from NW corner



View from NE corner



View from SW corner



View from SE corner

We at Hill Country Church (107 E Lower Crabapple Rd) are requesting a Conditional Use Permit to use the adjacent property (1406 Cross Street) for weekday office use, and occasional study groups.

The 1406 Cross St. property is adjacent to our existing church property, located at the end of a dead end street, backed by a large concrete drainage channel, and facing C1 zoned properties.

Our intent is to use the existing structure “as is” notwithstanding any improvements that may be required after the inspection process. Some minor improvement of drainage around the structure is expected considering the proximity to the flood plain. There are no other development plans in place. Under no circumstances would an STR permit be requested for this property.

The existing privacy fences facing the street and our existing property will be removed and replaced with a 4 foot see through fence. A handicap accessible path connecting our existing parking lot to the structure located on the 1406 Cross st. property will be added. The yard is to be left open, our playground is adjacent and the additional green space would be very welcome.

While appropriate off-street parking spaces are present, and to be more clearly denoted with the addition of parking stops, our primary church parking is to remain the parking lot on the 107 E Lower Crabapple property. All general traffic will be directed to use our primary lot, and not to park on the 1406 Cross St. property or the street adjacent.

Two signs, one on each accessible side of the property, are to be added in keeping with the regulation found in Sec. 29-5 (4) of the City of Fredericksburg Code of Ordinances.



April 15, 2023

Hill Country Church

Via email

kaleb@hccfbg.org

RE: Z-2405 – Review Comments for a Conditional Use Permit Application to allow for a Religious Assembly Use Located at 1406 Cross St.

Dear Hill Country Church,

Please review the following comments and address appropriately. Please provide a written response as to how the items are addressed in addition to the revised Plat.

Plans will not be reviewed or considered without a response sheet.

- The Conditional Use Permit requires Planning and Zoning Approval, scheduled for May 8, 2024.
- Provide a note regarding all exterior lighting shall by night sky compliant. [Sec. 7.863](#)
- Provide photos of all elevations, North, South, East and West. [Sec. 7.131](#)
- Provide the dimensions of the existing gravel drives. [Sec. 7.131](#)
- Provide drainage flow arrows to ensure historical drainage patterns are maintained and adjacent and downstream properties are not adversely impacted. [Sec. 7.131](#)
- 1406 Cross Street is an unplatted lot that will need to be plated. [Chapter 38 Sec. 4](#)
- Ensure parking areas comply with section 7.860 of the City's Code of Ordinances
- The property is required to have city standard concrete curb and driveways.
- Construction within the floodplain will require submission and approval of a Floodplain Development Permit.

The City of Fredericksburg

126 W. Main St. • Fredericksburg, Texas 78624-3708 • (830) 997-7521 • Fax (830) 997-1861

For information regarding these comments please contact Shelby Collier with Development Services at 830-990-2013 or scollier@fbgtx.org

Please return the revised plans along with your written response as to how the comments have been addressed by Monday, April 22nd to ensure consideration by the Planning & Zoning Commission on Wednesday, May 8th.

Shelby Collier
Development Review Committee (DRC)

The Conditional Use Permit requires Planning and Zoning Approval, scheduled for May 8, 2024. Noted.

Provide a note regarding all exterior lighting shall be night sky compliant. Sec. 7.863
Note added to site plan.

Provide photos of all elevations, North, South, East and West. Sec. 7.131 Document with photos attached.

Provide the dimensions of the existing gravel drives. Sec. 7.131 Dimensions added to site plan.

Provide drainage flow arrows to ensure historical drainage patterns are maintained and adjacent and downstream properties are not adversely impacted. Sec. 7.131 Drainage flow arrows added to site plan. Note added to site plan.

1406 Cross Street is an unplatted lot that will need to be platted. Chapter 38 Sec. 4

Ensure parking areas comply with section 7.860 of the City's Code of Ordinances
Parking calculations and parking are shown on Site Plan.

The property is required to have city standard concrete curb and driveways. Note added to site plan.

Construction within the floodplain will require submission and approval of a Floodplain Development Permit.

Z-2405

Legend

desc_
<all other values>
200' Notification Area

Affected Property
Subject Property

Zoning
ZONED

C1 - Neighborhood Commercial
C2 - Commercial
R1 - Single Family Residential
R3 - Multi-Family Residential



J

JANINE ENGEL
C/O MARK STROEHER
922 HAWTHORN LN
FREDERICKSBURG, TX 78624

FIRM HIDEAWAY LLC
918 LAUREL LN
FREDERICKSBURG, TX 78624

DARYL & SHARON PHILLIPS
1408 N LLANO ST STE B
FREDERICKSBURG, TX 78624

JUNIPER ORCHARD GROVE
520 POST OAK BLVD STE 575
HOUSTON, TX 77027

HILL COUNTRY EVANGELICAL FREE
CHURCH
107 E LOWER CRABAPPLE
FREDERICKSBURG, TX 78624

JEFFREY & KRISITE GAMM
P.O. BOX 222
LEXINGTON, TX 78947

ZACHARY ZENNER
780 NORTHWEST
FREDERICKSBURG, TX 78624

NOEL & LINDA CADENA
P.O. BOX 2566
FREDERICKSBURG, TX 78624

MELISSA STAEDTLER
114 E GROTHE
FREDERICKSBURG, TX 78624

TAYLOR NICOLE BIBLE
1406 CROSS ST
FREDERICKSBURG, TX 78624

Z-2405



Zoning Application

City of Fredericksburg – Development Services Department

126 W. Main St, Fredericksburg, TX 78624

A. Project Information

Project Name: HILL COUNTRY CHURCH OFFICES

Project Address: 1406 CROSS ST.

Property Tax ID Numbers: 25090

B. Application Type: Appendix A – Fee Schedule

☐ Voluntary Annexation - \$750.00

☒ Conditional Use Permit - \$500.00

☐ Land Use Change - \$300.00

☐ Zoning Change - \$600.00

☐ Amendment to existing PUD - \$500.00

☐ Creation of PUD - \$750.00

❖ All applications will be charged the following fees for the required Public Hearing notifications.

Public Hearing Newspaper - \$150.00

Public Hearing 200 ft notification letter - \$100.00

C. Applicant/Owner Information

Property Owner

Owner Name: TAYLOR NICOLE BIBLE HILL

Owner Address: 1406 CROSS ST.

Owner Phone Number: 830 385 9152 Owner Email Address: TAYLORBIBLE14@GMAIL.COM

Applicant

Applicant Name: HILL COUNTRY CHURCH

Applicant Address: 107 E LOWER CRABAPPLE RD.

Applicant Phone Number: 830 997 3968 Applicant Email Address: Kaleb@hccfbg.org

Applicant's Signature

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, if I am not the owner, that I have authorization from the owner to act on his/her behalf.

Signature: Kaleb S. Dale

Printed Name: KALEB S. DALE

Staff Use Only Application Number: Z-2405 Date: 03/25/24

CK# 9876 \$750.00



PLANNING AND ZONING COMMISSION **AGENDA MEMO**

DEPARTMENT: Development Services
TO: Planning and Zoning Commission
FROM: Shelby Collier, Senior Planner
MEETING DATE: May 8, 2024

CATEGORY: PUBLIC HEARING

CAPTION: Request #Z-2406: By Don & Dina Fry to Consider a Conditional Use Permit Per Section 6.110 to Allow for an Expansion of a Legal Nonconforming STR for a Property Located at 104 East Centre Street.

- i Presentation by the Applicant
 - ii Staff Report
 - iii Hold a Public Hearing
 - iv Consider the Conditional Use Permit
-

PRESENTATION:

SUMMARY:

The applicant is requesting permission to obtain a Conditional Use Permit to expand the existing short-term rental located at 104 East Centre Street.

BACKGROUND:

The property is a legal nonconforming short-term rental. Due to its legal nonconforming status in order to build an addition, a conditional use permit is required per Sec. 6.110. The applicant is not requesting an increase in occupancy but requests permission to construct a 470 sq ft for their personal use.

Zoning: R1, Single Family Residential

Site Area: 10,730 sq ft

Parking: Total required parking spaces are 5. 2 parking spaces for single family residence, 1 space per bedroom (3 bedroom unit). The property has provided 3 parking spaces in the existing driveway which measures 9' wide by 57'.6" long.

Public Hearing Response: No responses received as of 05/03/24

Sec. 5.460 - Review and Evaluation Criteria contains 13 items that must be considered when reviewing a Conditional Use Permit (CUP). Staff's review of the CUP request is in **RED**.

Conformance with applicable regulations and standards established by the Zoning Regulations. **The**

request is short 2 parking spaces.

Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, access and circulation features. **The property is a high-rated historic home. The proposed addition will impact the visibility of the side of the block house. This will require Historic Review Board approval.**

Potentially unfavorable affects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site for a permitted use. **Street parking may occur.**

Modifications (including variance from property development regulations) to the site plan which would result in increased compatibility, would mitigate potentially unfavorable impacts, would be necessary to conform to applicable regulations and standards and would protect the public health, safety, morals and general welfare.

Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area; existing zoning and land uses in the area. **The lack of sufficient parking may cause a problem for vehicular circulation.**

Protection of persons and property from erosion, flood or water damage, fire, noise, glare and similar hazards and impacts. **Met**

Location, lighting, and type of signs; the relation of signs to traffic control and adverse effect of signs on adjacent properties. **NA**

Adequacy and convenience of off-street parking and loading facilities. **The increase in space is requested for personal use, however it is designed to be a bedroom with a restroom. This will trigger the need for 2 additional parking spaces.**

Determination that the proposed use is in accordance with the objectives of these Zoning Regulations and the purposes of the zone in which the site is located. **The use of the property as a Short-Term Rental was permitted under the 2018 STR Ordinance. The use is now considered legal nonconforming but must comply with all applicable regulations such as parking.**

Determination that the proposed use will comply with each of the applicable provisions of these Zoning Regulations. **Met**

Determination that the proposed use and site development, together with any modifications applicable thereto, will be compatible with existing or permitted uses in the vicinity. **Met**

Determination that any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area. **Met**

Determination that the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. **Met**

STAFF RECOMMENDATION:

Given the lack of required parking on site, Staff does not recommend approval of the Conditional Use Permit. If approval were given, it should be conditioned upon the addition of 2 parking spaces and Historic Review Board approval of the building addition.

ATTACHMENTS:

1. Z-2406 Revised Site Plan
2. Z-2406 Floor Plans for Addition
3. Z-2406 Landscape Plan
4. Z-2406 Photos
5. Z-2406 Review Comments
6. Z-2406 Response to Comments
7. Z-2406 Public Hearing Map
8. Z-2406 Mailing Labels
9. Z-2406 Zoning Application and Checklist

APPROVAL/REVIEW:

Shelby Collier, Senior Planner

Date: May 03, 2024



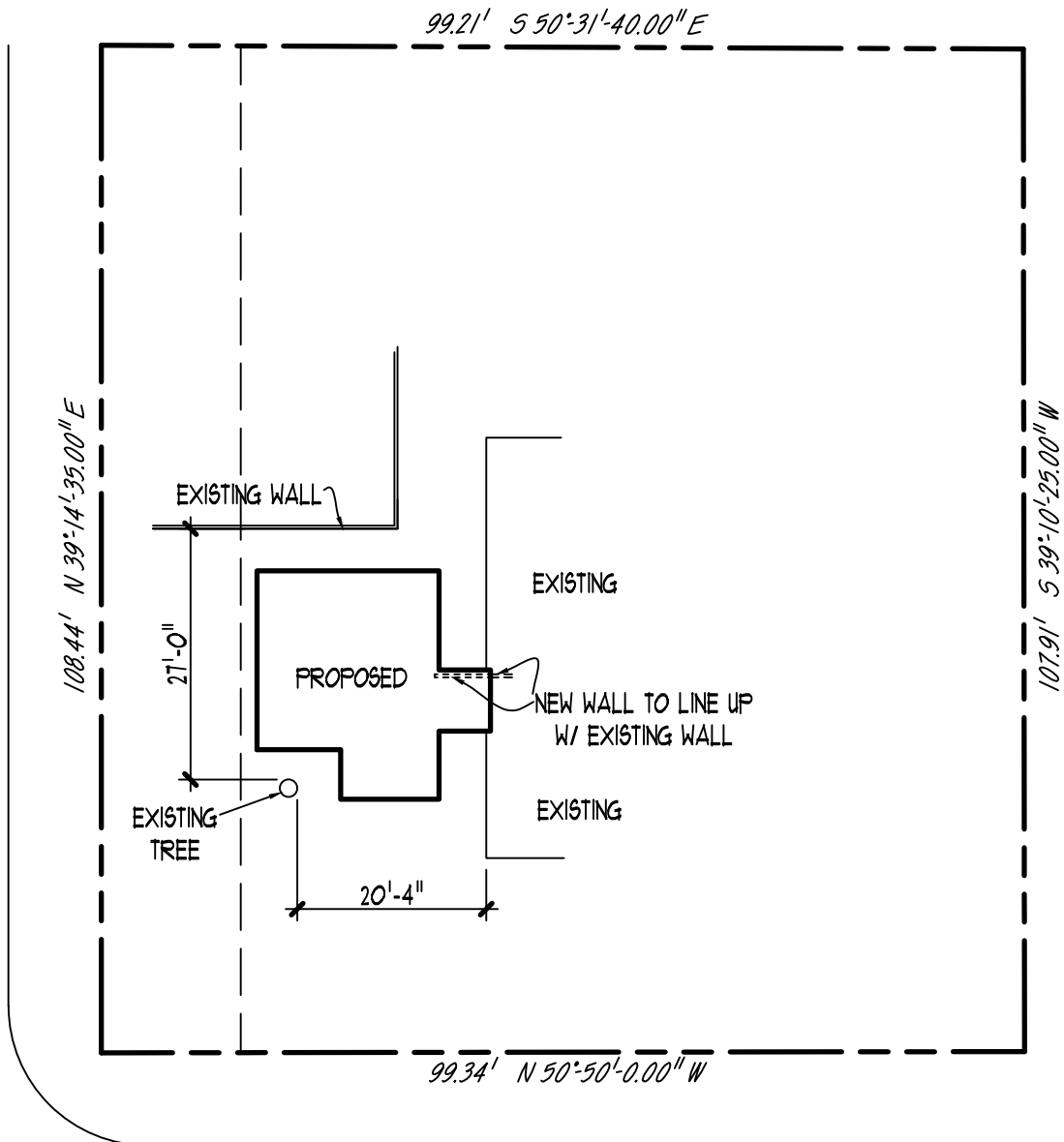
William McKamie, City Attorney

Date: May 03, 2024

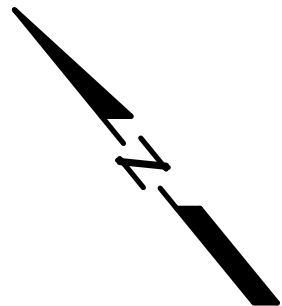
Anna Hudson, Director of Development Services

Date:

N ADAMS STREET



104 E. CENTRE STREET



CUSTOM HOME

PLOT PLAN

SCALE: 1" = 20'-0"

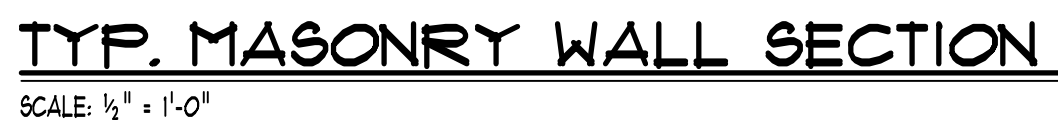
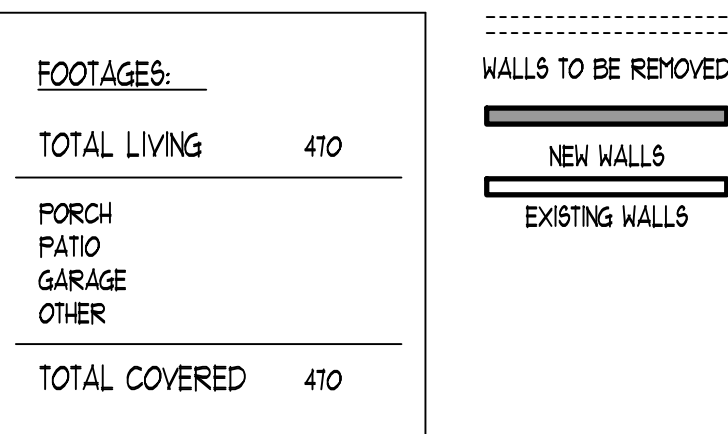
SUBDIVISION: COLLEGE ADDITION
LOT: 8BR
BLOCK: B
NCB: -
PLAN: -
DATE: 01-19-24

Jim Cox
DESIGNS
EXPERIENCE | QUALITY | VISION



P.B.D. No. TX 335

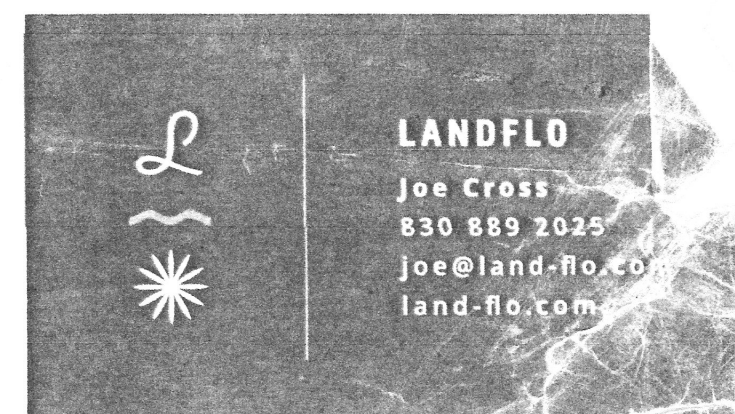
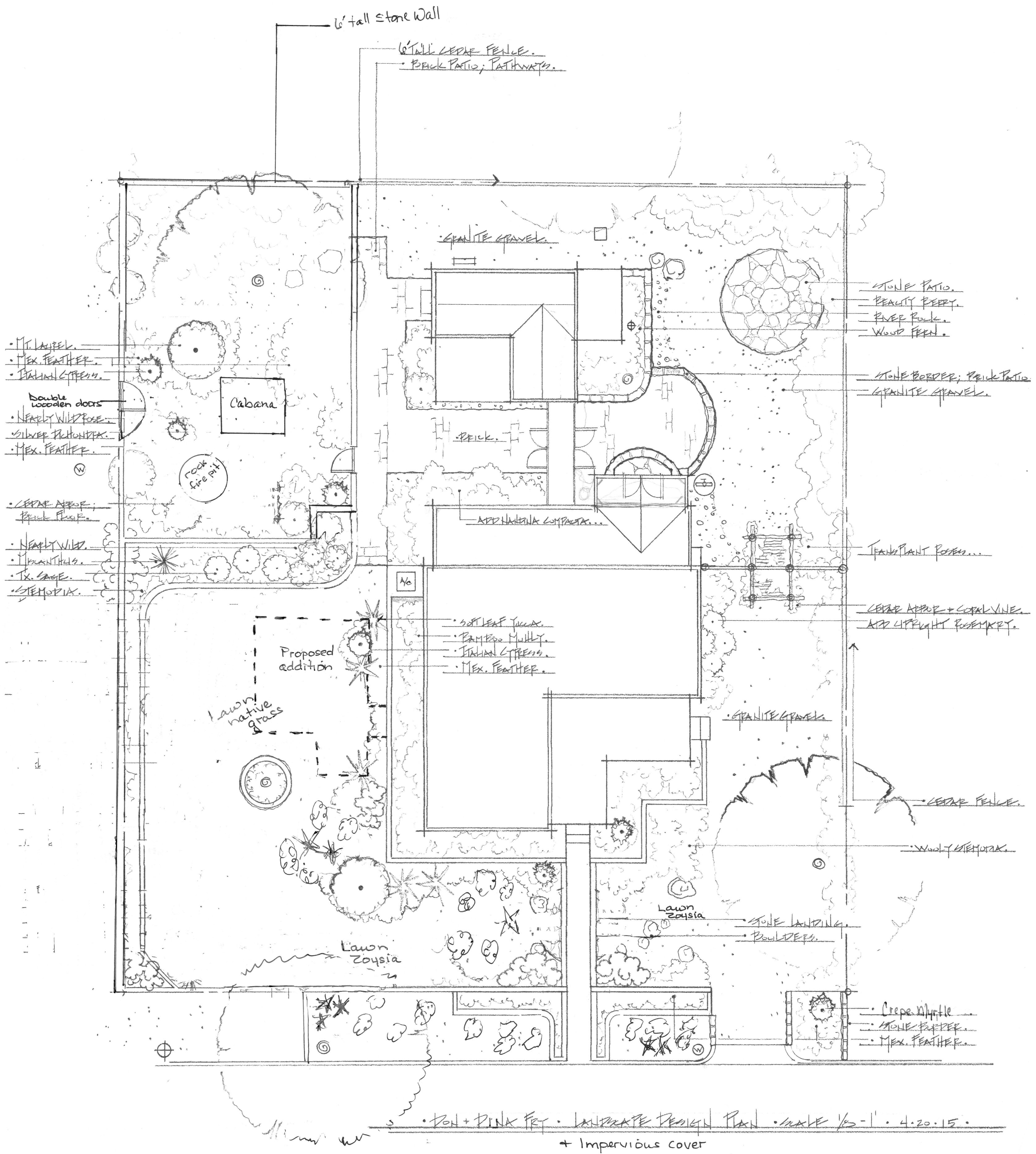
13333 BLANCO ROAD, SUITE 301, SAN ANTONIO, TEXAS 78216
PH: (210) 493-0774 FAX: 493-0775
EMAIL: JIM@JIMCOXDESIGNS.COM WWW.JIMCOXDESIGNS.COM



- ## GENERAL NOTES FOR 2021 IRC AND IECC
- * LIGHTING IS PROVIDED DIRECTLY OVER EACH STAIRWAY EGS. AS PER SEC R303.7 WITH LIGHT ACTIVATION AT TOP AND BOTTOM LAND AREA WHERE STAIRWAY HAS SIX OR MORE RISERS AS PER SEC R303.7.
 - * SMOKE DETECTORS ARE TO BE INSTALLED PER SECTION R314.3
 - * WHERE MORE THAN ONE SMOKE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT IN ACCORDANCE WITH SECTION R314.3, THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL THE ALARMS IN THE INDIVIDUAL DWELLING UNIT. PHYSICAL INTERCONNECTION OF ONE ALARM SHALL NOT BE REQUIRED WHERE LISTED WIRELESS ALARMS ARE INSTALLED AND ALL ALARMS SOUND UPON ACTIVATION OF ONE ALARM PER SEC R314.4.
 - * CARBON MONOXIDE DETECTORS TO BE INSTALLED AS PER SECTION R315.2
 - * ALL WATER HEATERS TO BE MOUNTED ON 18" HIGH PLYWOOD
 - * LIGHTING IN GARAGE PER 208 IRC CHAPTER 28 SECTION 28.01.
 - * LIGHTING FIXTURE CONTROLLED BY A SWITCH LOCATED AT THE OPENING & A RECEPTACLE OUTLET SHALL BE PROVIDED NEAR THE A/C UNIT IN ATTIC PER SECTION M309.1.3)
 - * ATTIC A/C UNIT - PROVIDE OVEFLOW PAN TO OUT-SIDE ON (32) SQ. FT. OF PLYWOOD DECKING.
 - * ALL APPLIANCES SHALL HAVE 30" OF WORKING SPACE IN FRONT OF THE CONTROL SIDE FOR SERVICE. PER IRC SECTION M306.1

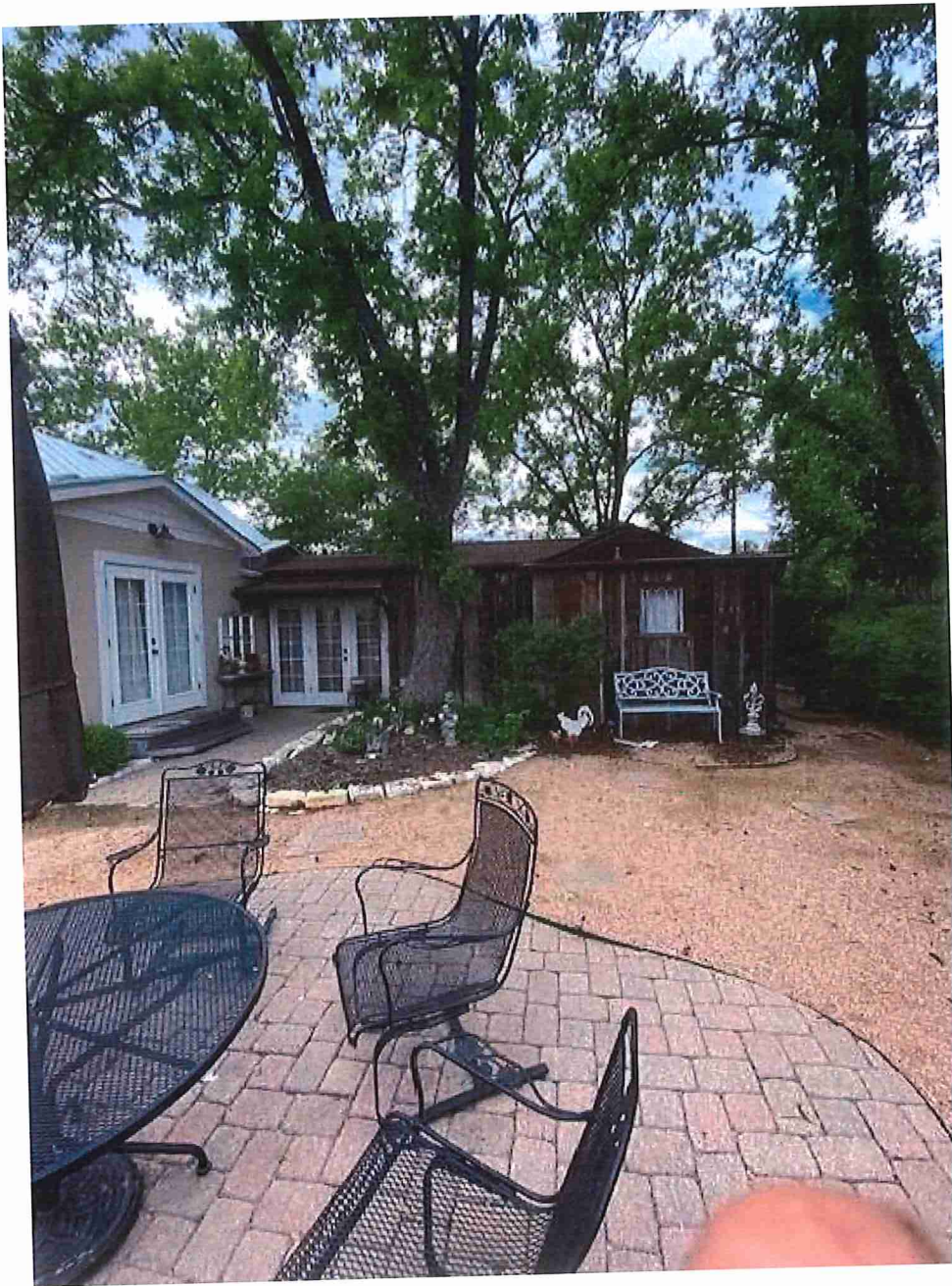
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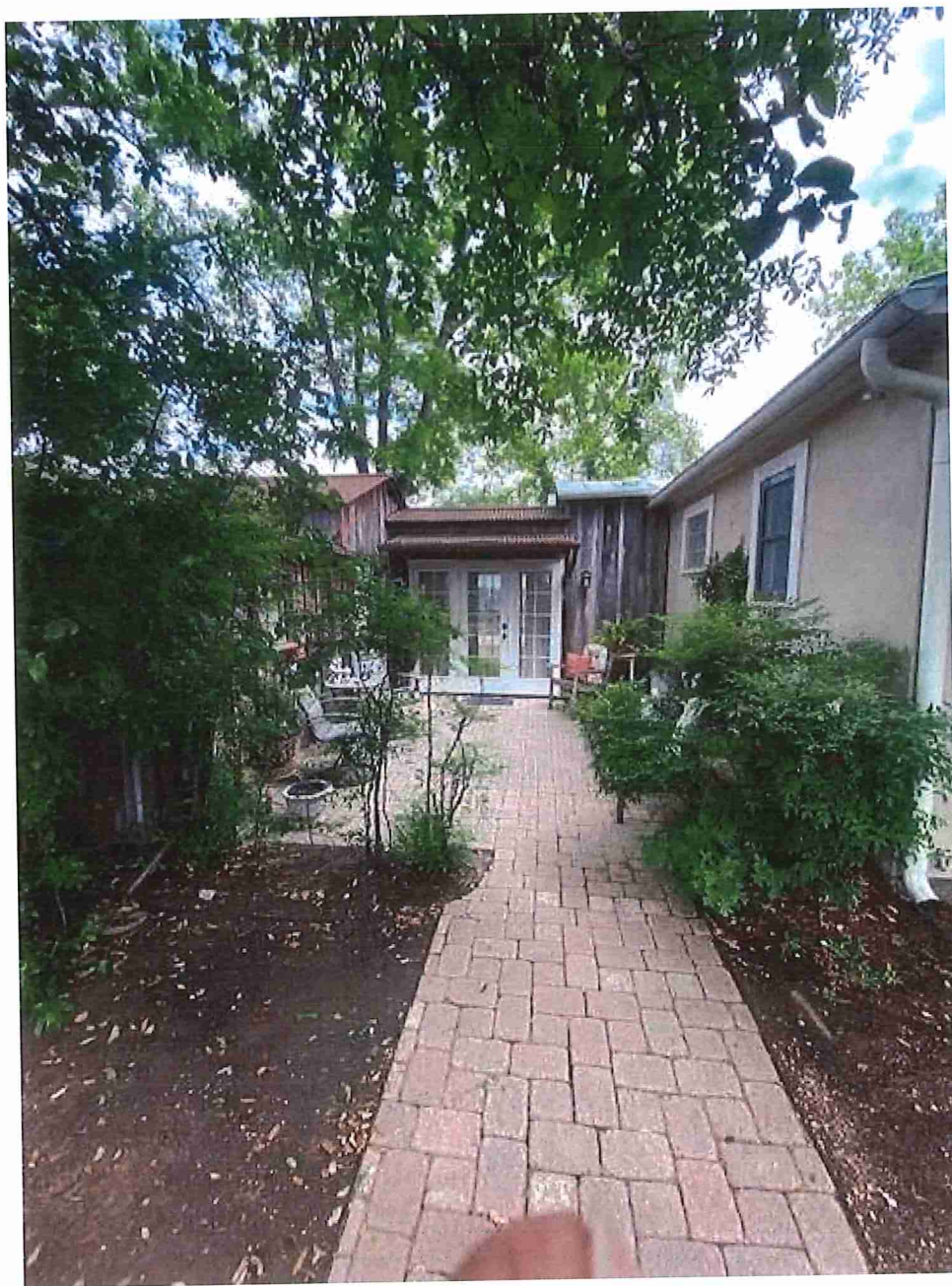




PARTIAL right elevation
Facing west



PARTIAL right elevation
Facing west.



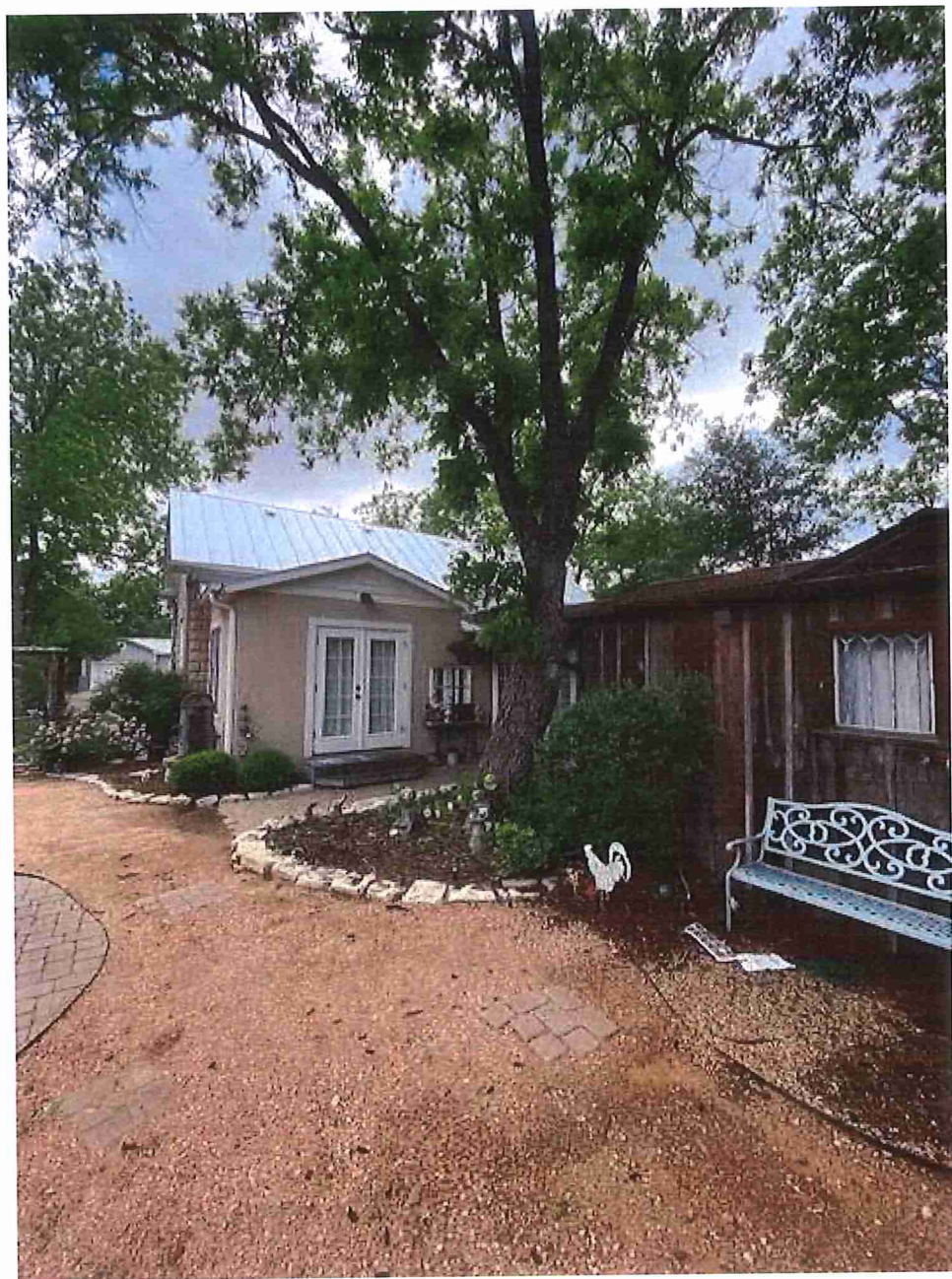
PARTIAL LEFT elevation
FACING EAST



PARTIAL rear AND right elevation
Facing WEST AND north



PARTIAL LEFT ELEVATION
FACING EAST



PARTIAL rear elevation
Facing North



April 15, 2023

Don & Dina Fry
Via email
Fry09@aol.com

RE: Z-2406 – Review Comments for a Conditional Use Permit Application to allow for an Expansion of a Legal Nonconforming STR Located at 104 E Centre.

Dear Mr. & Mrs. Fry,

Please review the following comments and address appropriately. Please provide a written response as to how the items are addressed in addition to the revised Plat.

Plans will not be reviewed or considered without a response sheet.

- The Conditional Use Permit requires Planning and Zoning Approval, scheduled for May 8, 2024.
- The subject property is a High rated Historic property. Any alterations will require Historic Review Board Approval.
- Provide a Zoning Summary [Sec. 7.131](#) to include building and impervious coverage.
- Please update the Zoning Summary to include Parking Calculations (STR-Unoccupied) and dimension all parking spaces to show compliance with [Sec. 7.863](#)
- Add landscaping and screening requirements per [Sec. 7.920](#) and [Sec. 7.940](#) or provide a Landscape Plan
- Provide a note regarding all exterior lighting shall by night sky compliant. [Sec. 7.863](#)
- Provide photos of all elevations, North, South, East and West. [Sec. 7.131](#)
- Provide drainage flow arrows to ensure historical drainage patterns are maintained and adjacent and downstream properties are not adversely impacted. [Sec. 7.131](#)
- All parking should be on site and not encroach into the right of way.

The City of Fredericksburg

126 W. Main St. • Fredericksburg, Texas 78624-3708 • (830) 997-7521 • Fax (830) 997-1861

- Provide the use of the existing building on site located at the rear of the gallery. [Sec. 7.131](#)

For information regarding these comments please contact Shelby Collier with Development Services at 830-990-2013 or scollier@fbgtx.org

Please feel free to contact me with any comments or questions, and I will be happy to assist you.

Please return the revised plans along with your written response as to how the comments have been addressed by Monday, April 22nd to ensure consideration by the Planning & Zoning Commission on Wednesday, May 8th.

Shelby Collier
Development Review Committee (DRC)

Don and Dina Fry

Z-2406 Review Comments for a Conditional Use Permit Application

Response Sheet

- We understand that if we receive the CUP we will then have to get approval from the Historic Review Board
- Zoning Summary attached
- Zoning Summary updated to include Parking Calculations (STR Unoccupied) and dimensions of all parking spaces. Under the current guidelines, our driveway will accommodate 3 cars. This would be sufficient for when the STR is unoccupied and we are there.
- Landscaping will not be needed as the addition will be in an undeveloped area on the lot and the current landscaping will be able to stay and appear appropriate for the new addition.
- We do not anticipate requiring any new landscape lighting as there will not be an outdoor access door for this area. We understand the night sky requirements for existing lighting and are in compliance.
- Elevation photos for North, South, East and West are attached.
- Drainage flow arrows are noted on the plan and are in red. We are not altering the drainage pattern.
- All parking will be onsite and not encroach into the right of way.

Thank you for your consideration.

104 E Centre

Legend

 <all other values>

DESC_

 200' Notification Area

 Affected Property

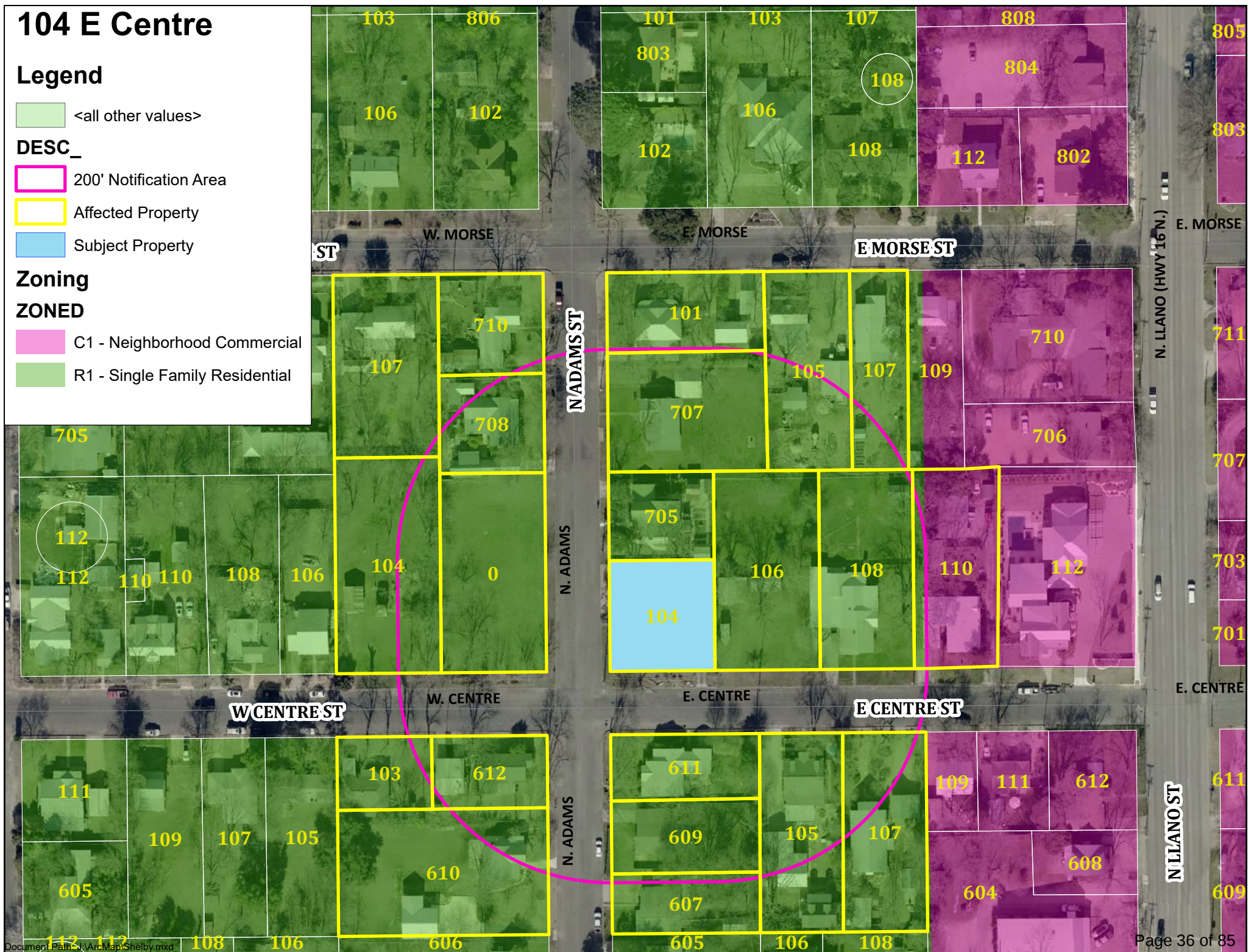
Subject Property

Zoning

ZONED

 C1 - Neighborhood Commercial

 R1 - Single Family Residential



ROGER & WENDY CLARK
2207 HAVERHILL DR
HOUSTON, TX 77008

BRADY & FLOY MCKINNEY
710 N ADAMS
FREDERICKSBURG, TX 78624

SUSAN CHAPMAN
708 N ADAMS
FREDERICKSBURG, TX 78624

LINDA ROWE
6205 N WOODS LN
KATY, TX 77494

JUDY NEFFENDORF
612 N ADAMS
FREDERICKSBURG, TX 78624

RODNEY & SUSAN MARTIN
610 N ADAMS
FREDERICKSBURG, TX 78624

BRUCE & DENISE REEH
2845 RR 1376
FREDERICKSBURG, TX 78624

ANDREW PAI
504 E MAIN
FREDERICKSBURG, TX 78624

BALDEV & MARIE CHAUDHARI
P.O. BOX 9114
HORSESHOE BAY, TX 78657

GERALD & RHONDA GROSS
105 E CENTRE
FREDERICKSBURG, TX 78624

JAY & MICHELLE SWANSON
P.O. BOX 3408
FREDERICKSBURG, TX 78624

DEL & DEBORAH BASKIN
110 E CENTRE ST
FREDERICKSBURG, TX 78624

KAREN PEHL
108 E CENTRE
FREDERICKSBURG, TX 78624

DAVID HOLLOWAY
705 N ADAMS
FREDERICKSBURG, TX 78624

JACK LANDIS
18135 BAUER RD
HOCKLEY, TX 77447

BYLER FAMILY LIVING TRUST
101 E MORSE
FREDERICKSBURG, TX 78624

STEVE & GLENDA WOOD &
LUIS ROBLES
144 HICKLORY LN
FREDERICKSBURG, TX 78624

RESCUE RETREATS LLC
2153 STONE OAK
FREDERICKSBURG, TX 78624

Z-2406



SITE PLAN/ENTRY CORRIDOR/OFF STREET PARKING APPLICATION

All items on the attached Site Plan Checklist must be submitted with a complete application. Email all documents to scollier@fbgtx.org.

A. Project Information

Project Name: 104 E Centre Street Addition

Project Address: 104 E Centre Street Fredericksburg TX 78624

Parcel ID Numbers: 1434 S0400-0020-000820

B. Application Type: Check all that apply

- ☐ Administrative Site Plan - \$400.00
- ☒ P&Z Site Plan - \$500.00
- ☐ Entry Corridor Design Guidelines and Standards - \$100.00
- ☐ Off-Site Parking Agreement - \$200.00

C. Applicant/Owner Information

Property Owner

Owner Name: Forget Me Not, LLC

Owner Address: 23165 Hanging Oak San Antonio, TX 78266

Owner Phone Number: 210-844-5228 Owner Email Address: fry09@aol.com

Applicant

Applicant Name: Don and Dina Fry

Applicant Address: 23165 Hanging Oak San Antonio, TX 78266

Applicant Phone Number: 210-844-522 Applicant Email Address: fry09@aol.com

Applicant's Signature

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, if I am not the owner, that I have authorization from the owner to act on his/her behalf.

Signature:  _____

Printed Name: Dina Fry

Staff Use Only Application Number: _____ Date: _____

Required Checklist Items Included: _____



ENTRY CORRIDOR CHECKLIST

A landowner or developer must follow the Standards and Guidelines concurrent with a zone change, a use category change or issuance of one of the following permits. Check all that apply.

- ☐ Building
- ☐ Sign
- ☐ Street and sidewalk construction
- ☒ Conditional use permit
- ☐ Site plan review
- ☐ Platting
- ☐ Placement in the public right of way
- ☐ Temporary use permit

This form and all required exhibits must be included with the Site Plan and Entry Corridor application.

- ☒ Completion of appropriate application noted above and fee.
- ☒ Drawings that adequately show how all proposed elevations meet requirements for: Sec. 1- Architectural Style, Sec 2 – Architectural Materials, Sec 3- Architectural Colors, Sec 4 –Architectural Features, Sec 5 – Massing and Scale, Sec 6 – Signage, Sec 7- Building Height Design Standards
- ☒ Site plan showing following requirements: Sec 8 – Setbacks, Sec 9 - Landscaping, Sec 10 – Lighting, Sec 11 – Service Areas Sec 12 -Parking, Sec 13- Drainage, Sec 14- Streetscape. Design Standards
- ☒ Narrative describing complete scope of work and how each Standard and Guidelines is met or not applicable.
- ☒ PDF copies emailed to scollier@fbgtx.org

Note: Additional information may be required to complete review of proposed project by the Planning and Zoning Commission.

I hereby acknowledge that the items listed above are included with this submittal and that any items not included with this application will result in this application being deemed incomplete and returned without review or scheduled for the upcoming meeting dates.

Owner/Agent:

Printed Name:

Dina Fry

Date:

3/25/24



PLANNING AND ZONING COMMISSION **AGENDA MEMO**

DEPARTMENT: Development Services

TO: Planning and Zoning Commission

FROM: Shelby Collier, Senior Planner

MEETING DATE: May 8, 2024

CATEGORY: ACTION ITEMS

CAPTION: Consider P-2410: Review of a Preliminary Plat for the Hillview Subdivision Located at 328 Morning Glory Drive Submitted by Jeff Graham

PRESENTATION:

SUMMARY:

An application has been submitted for review of a Preliminary Plat that consists of a 3.185 acre tract located at 328 Morning Glory Drive. The requested subdivision will create two new roadways that will serve the requested 10 lot subdivision.

BACKGROUND:

The subject property is an existing "T" shaped lot consisting of 3.185 acres located at 328 Morning Glory Drive. The property is Zoned R1, Single Family Residential, and requires that all proposed lots are a minimum of 7,500 sq ft and 70 ft of frontage onto a public roadway.

Zoning: R1, Single Family Residential **Section 3.100**

Tract Size: 3.185 Acres

Number of Lots: 10

Roadways: The subdivision will create two new roadways. Willow Run Drive and Fox Hollow Lane

Easements: Standard easements such as utility easements.

Utilities: Are available to serve the property and if an extension of existing infrastructure is needed, extension will occur at the developer's expense.

Park Dedication: The applicant shall pay parkland dedication fees (full rate) based on the overall density of the development at \$500 per new lot (10) for a total of \$5,000.00. Parkland fees shall be paid prior to recordation of the plat. **Section. 6.15**

Construction Plans: Will be reviewed prior to Final Plat Approval.

Comprehensive Plan: The Future Place Type Map calls for Neighborhood Residential for this area

and the development of single family tracts is appropriate, however, the Comprehensive Plan calls for neighborhood placemaking elements that add character such as street trees or sidewalks N.1.A.6. The City of Fredericksburg should apply transportation improvements which prioritize safety, comfort and connectivity of pedestrians.

STAFF RECOMMENDATION:

Staff recommends approval of the Preliminary Plat conditioned upon the following:

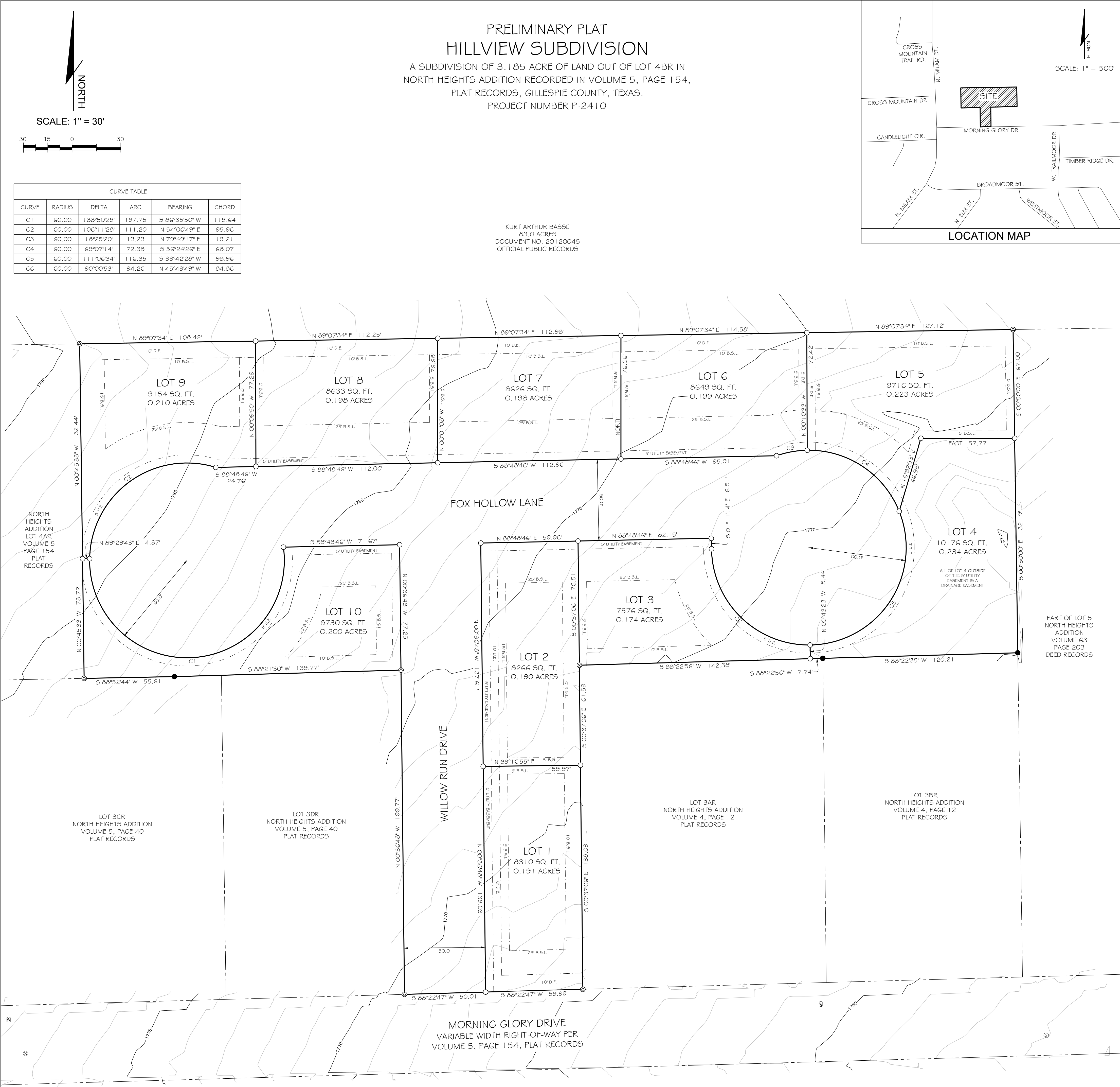
1. Payment of Parkland Dedication fees of \$500 per new lot (10) for a total of \$5,000. Sec. 6.15
 2. Approval of Civil Construction Plans
 3. Approval of a Final Plat
-
-

ATTACHMENTS:

1. P-2410 Hillview Subdivision Preliminary Plat_Rev 1 04242024
2. Arial view of Morning Glory between North Milam and Lower Crabapple
3. P-2410 Review Comments
4. P-2410 Hillview Subdivision - Preliminary Plat City Review Comments Response_Signed 04242024
5. Hillview Subdivision Preliminary Plat Application_20240325

APPROVAL/REVIEW:

_____	Date:
Shelby Collier, Senior Planner	
_____	Date:
Rachel Raggio, TOASE Attorney	
_____	Date:
William McKamie, City Attorney	
_____	Date:
Anna Hudson, Director of Development Services	



SURVEY NOTES:

- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, THEREFORE ALL SETBACKS, EASEMENTS AND ENCUMBRANCES MAY NOT BE SHOWN HEREON.
- ADJOINING PROPERTY INFORMATION SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY.
- BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, 4203, NAD 83.
- ONLY APPARENT UTILITIES WERE LOCATED. NO ATTEMPT HAS BEEN MADE AS PART OF THIS SURVEY TO SHOW THE EXISTENCE, SIZE, DEPTH, CONDITION, OR LOCATION OF ANY UNDERGROUND UTILITY. FOR INFORMATION REGARDING UNDERGROUND UTILITIES PLEASE CONTACT THE APPROPRIATE AGENCY.
- FENCES NEAR THE BOUNDARY LINE MEANDER AND ARE NOT NECESSARILY ON THE BOUNDARY LINE.
- NOT ALL IMPROVEMENTS ARE SHOWN HEREON.
- ALL BUILDING SETBACK LINES, RECORDED EASEMENTS, UNRECORDED EASEMENTS, PLAT RESTRICTIONS, DEED RESTRICTIONS AND ZONING ORDINANCES, IF ANY, SHOULD BE CONFIRMED BY THE CITY OF FREDERICKSBURG, THE HOME OWNERS ASSOCIATION, LANDOWNER AND/OR THE ARCHITECTURAL CONTROL COMMITTEE BEFORE ANY PLANNING OR CONSTRUCTION.

OWNER'S ACKNOWLEDGEMENT AND DEDICATION

STATE OF: _____
COUNTY OF: _____

THE OWNER OF THE LAND IDENTIFIED BY LOT NUMBERS RECORDED IN THE VOLUME AND PAGE NUMBERS SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT ACKNOWLEDGE THAT THIS PLAT WAS MADE FROM ACTUAL SURVEYS ON THE GROUND AND DEDICATED TO THE USE OF THE PUBLIC FOREVER ALL PUBLIC UTILITY EASEMENTS SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND DEDICATES THE ROADWAYS SHOWN HEREON SERVING LOTS IN BOOT RANCH SUBDIVISION AS PRIVATE ROADS.

MABERY CONTRACTING LLC.

MATTHEW MABERY
AUTHORIZED SIGNATORY

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MATTHEW MABERY FOR MABERY CONTRACTING LLC, 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 EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND SEAL OF OFFICE THIS _____ DAY OF _____ A.D. 2024.

NOTARY PUBLIC
STATE OF TEXAS

LEGEND

S.B.L.	SETBACK LINE
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
○	SET 1/2" IRON ROD WITH AN ORANGE "PFEIFFER SURVEY" PLASTIC CAP
●	ROUND 1/2" IRON ROD
○	ROUND 1/2" IRON ROD WITH A YELLOW "IRON 4447" PLASTIC CAP
○	ROUND 3/8" IRON ROD
⊗	SANITARY SEWER MANHOLE
⊕	WATER VALVE

PLAT NOTES:

- SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY'S ADOPTED ZONING CODE AT THE TIME OF PERMITTING.
- ANY PUBLIC UTILITY, INCLUDING THE CITY, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS OR RIGHT-OF-WAY SHOWN ON THE PLAT (OR FILED BY SEPARATE INSTRUMENT THAT IS ASSOCIATED WITH SAID PROPERTY), AND ANY PUBLIC UTILITY, INCLUDING THE CITY, SHALL HAVE THE RIGHT AT ALL TIMES OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. EASEMENTS SHALL BE MAINTAINED BY PROPERTY OWNERS. THE CITY CAN MOVE TREES OR ANY OTHER IMPROVEMENTS AND DOES NOT HAVE THE RESPONSIBILITY TO REPLACE THEM.
- SITE 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 CURB, INCLUDING BUT NOT LIMITED TO BUILDINGS, FENCES, WALKS, SIGNS, 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 THEN PROPERTY RE-PLATTED.
- CURRENT ZONING: R1-RESIDENTIAL
- PROPOSED USE: SINGLE FAMILY RESIDENTIAL
- THE 16' WIDE PRIVATE UTILITY EASEMENT AS SHOWN ON THE PLAT RECORDED IN VOLUME 5, PAGE 154, PLAT RECORDS IS TO BE VACATED WITH THIS PLAT.
- LOT 4 IS A DRAINAGE LOT FOR THE PROPOSED DETENTION BASIN.
- THE DETENTION POND IN LOT 4 WILL BE MAINTAINED BY THE DEVELOPER/HOA.
- LOT 1 AND LOT 2 WILL FRONT WILLOW RUN DRIVE.

STATE OF TEXAS §
COUNTY OF GILLESPIE §

I, LINDSEY BROWN, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING

INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE,

ON THE _____ DAY OF _____, A.D., 2024, AT _____, IN THE RECORDS OF DEEDS

AND PLATS OF SAID COUNTY, IN BOOK VOLUME _____, ON PAGES _____, IN TESTIMONY WHEREOF,

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS _____ DAY OF _____, A.D., 2024.

LINDSEY BROWN
COUNTY CLERK, GILLESPIE COUNTY, TEXAS

CERTIFICATE OF COMPLETION, ACCEPTANCE AND AUTHORIZATION TO FILE

APPROVED _____

CHAIRPERSON, PLANNING AND ZONING COMMISSION
CITY OF FREDERICKSBURG

THE UNDERSIGNED, THE CITY SECRETARY OF THE CITY OF FREDERICKSBURG, HEREBY CERTIFIES THAT THE FOREGOING FINAL PLAT OF HILLVIEW SUBDIVISION, A SUBDIVISION OR ADDITION TO THE CITY OF FREDERICKSBURG WAS SUBMITTED TO THE PLANNING AND ZONING COMMISSION ON THE _____ DAY OF _____, 2024, AND THE COMMISSION, BY FORMAL ACTION, THEN AND THERE ACCEPTED THE DEDICATIONS, CONVEYANCES OF LAND, IMPROVEMENTS AND ANY OTHER PROPERTY NECESSARY TO SERVE THE PLAT AND TO IMPLEMENT THE REQUIREMENTS OF THE PLATTING ORDINANCES, RULES, AND REGULATIONS AS SHOWN AND SET FORTH IN AND UPON SAID PLAT, THAT THE PUBLIC WORKS AND INFRASTRUCTURE IMPROVEMENTS HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CONSTRUCTION PLANS, AND HAVE BEEN TESTED AND ACCEPTED BY THE CITY, THAT THE FINAL PLAT IS NOW ACCEPTABLE FOR FILING WITH GILLESPIE COUNTY AND SAID COMMISSION FURTHER AUTHORIZED THE CHAIRMAN OF THE PLANNING AND ZONING COMMISSION TO NOTE THE ACCEPTANCE ON BEHALF OF THE CITY OF FREDERICKSBURG THEREFORE BY SIGNING HIS/HER NAME AS HEREINABOVE SUBSCRIBED.

WITNESS BY HAND THIS _____ DAY OF _____, 2024.

CITY SECRETARY
CITY OF FREDERICKSBURG,
TEXAS

CERTIFICATE OF SURVEYOR

STATE OF TEXAS §
COUNTY OF GILLESPIE §

I, WES REXRODE, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND 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.

"PRELIMINARY, NOT TO BE RECORDED FOR ANY PURPOSE."

WES REXRODE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6001

DATE _____

STATE OF TEXAS §
COUNTY OF GILLESPIE §

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 _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

TYPE OR PRINT NOTARY'S NAME _____

MY COMMISSION EXPIRES: _____





Arial view of Morning Glory between North Milam and Lower Crabapple



April 17, 2024

Jeff Graham

Via email

Jefftgraham02@gmail.com

RE: P-2410 – Review Comments for the Preliminary Plat of the Hillview Subdivision Located at 328 Morning Glory Dr.

Dear Jeff,

Please review the following comments and address appropriately. Please provide a written response as to how the items are addressed in addition to the revised Plat.

Plans will not be reviewed or considered without a response sheet.

- The project will require approval by the Planning and Zoning Commission tentatively scheduled for Wednesday, May 8th at 5:30 PM at the Law Enforcement Center, 1601 E Main Street.
- Provide a Title Search for the property.
- Add Project Number, P-2410, to Plat.
- A Parkland dedication fee of \$500.00 per lot for a total of \$5,000.00 must be paid prior to recordation of the plat. [Sec. 6.15 – Subdivision Ordinance.](#)
- Approval of civil construction plans will be required as well as construction and acceptance of public improvements according to the City's Subdivision ordinance.
- Show drainage easement on lot 4 for the detention pond required for the development's compliance with the storm water control ordinance. The pond will be maintained by the development.
- The preliminary drainage plan shows the flow of storm water across multiple lots. Please ensure this development complies with Section 6.18.C of the City Subdivision Ordinance and provide drainage easements as necessary.

The City of Fredericksburg

126 W. Main St. • Fredericksburg, Texas 78624-3708 • (830) 997-7521 • Fax (830) 997-1861

Please feel free to contact me with any comments or questions, and I will be happy to assist you. Please return the revised plans along with your written response as to how the comments have been addressed by Wednesday, April 24th to ensure consideration by the Planning and Zoning Commission on Wednesday, May 8th.

Shelby Collier
Senior Planner
Development Review Committee (DRC)



700 Highlander Blvd.
Suite 210
Arlington, Texas 76015

T 817.522.1000
TRCcompanies.com
T.B.P.E. #F-8632

April 24, 2024

Shelby Collier, Senior Planner
Development Review Committee
City of Fredericksburg
126 Main Street
Fredericksburg, Texas 78624

**RE: Hillview Subdivision (Project P-2410)
Preliminary Plat Review No. 1 – Comments Response**

Dear Ms. Collier:

TRC, on behalf of Mabery Contracting, is in receipt of the City of Fredericksburg's (City) Preliminary Plat review comments dated April 17, 2024. The City's comments and our response are below.

1. The project will require approval by the Planning and Zoning Commission tentatively scheduled for Wednesday, May 8th at 5:30 PM at the Law Enforcement Center, 1601 E. Main Street.
 - a. *Acknowledged.*
2. Provide a Title Search for the property.
 - a. *A copy of the requested title search is pending and will be submitted as soon as possible.*
3. Add Project Number, P-2410, to Plat.
 - a. *The project number has been added to the Preliminary Plat below the title at the top center of the plat exhibit.*
4. A Parkland dedication fee of \$500.00 per lot for a total of \$5,000.00 must be paid prior to recordation of the plat. Sec. 6.15 – Subdivision Ordinance.
 - a. *Acknowledged.*
5. Approval of civil construction plans will be required as well as construction and acceptance of public improvements according to the City's Subdivision ordinance.
 - a. *Acknowledged.*
6. Show drainage easement on lot 4 for the detention pond required for the development's compliance with the storm water control ordinance. The pond will be maintained by the development.
 - a. *A drainage easement has been placed around Lot 4, along the north, east, and south property lines, and along the interior side of the proposed 5' utility easement along the Fox Hollow Lane right-of-way.*

7. The preliminary drainage plan shows the flow of storm water across multiple lots. Please ensure this development complies with Section 6.18.C of the City Subdivision Ordinance and provide drainage easements as necessary.
 - a. *A 10' wide drainage easement has been placed along the rear property lines of Lots 6-9, and along the shared property line between Lot 5 and lot 6 (centered along the lot line).*
 - b. *A 10' wide drainage easement has been placed along the Lot 1 and Lot 2 property lines adjacent to Willow Run Drive, and along the Lot 1 property line adjacent to Morning Glory Drive.*

If you have any questions regarding this information, please do not hesitate to contact this office.

Sincerely,

Scott Horowitz, P.E.
Project Manager



PLAT APPLICATION

All items on the attached Plat Checklist must be submitted with a complete application. Email all documents to scollier@fbgtx.org.

All Plats are reviewed per Sec. 4 of the Subdivision Ordinance found [here](#).

A. Project Information

Project Name: Hillview Subdivision

Project Address: 328 Morning Glory Drive

Parcel ID Numbers: 107275

B. Application Type: Check all that apply

- ☐ Minor Plat - \$500 plus \$50.00 per lot
- ☐ Replat - \$750.00 plus \$50.00 per lot (max \$3,000)
- ☐ Amending Plat - \$500 plus \$50.00 per lot
- ☒ Preliminary Plat - \$750.00 plus \$50.00 per lot
- ☐ Final Plat - \$850.00 plus \$50.00 per lot (max \$3,500)
- ☐ Development Plat - \$700.00

C. Property Information

Jurisdiction: ☒ City Limits ☐ ETJ

Total Acres: 3.185

No. of Lots: 9

Original Survey & Abstract No: S1170 - North Heights

Legal Description: North Heights Lot 4BR - Replat

D. Applicant/Owner Information

Property Owner

Owner Name: Matthew Mabery

Owner Address: 1241 South State Highway 16, Fredericksburg, TX 78624

Owner Phone Number: 830-990-0501 Owner Email Address: info@maberycontracting.co

Applicant

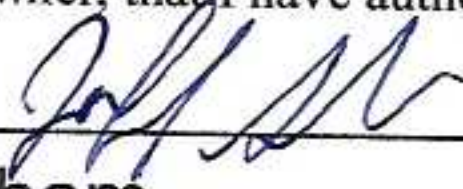
Applicant Name: Jeff Graham

Applicant Address: 1241 South State Highway 16, Fredericksburg, TX 78624

Applicant Phone Number: 8327716080 Applicant Email Address: jefftgraham02@gmail.com

Applicant's Signature

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, if I am not the owner, that I have authorization from the owner to act on his/her behalf.

Signature: 

Printed Name: Jeff Graham

Staff Use Only

Application Number: P-2410 Date:

Required Checklist Items Included:

CK# 11602 \$1,250.00



PLAT CHECKLIST

This form and all required exhibits must be included with the Plat application.

- ☒ Completed Plat Application
- ☒ Title Search
- ☒ Date, True North Arrow, and Scale
- ☒ Location map at a scale of 1" = 1000'
- ☒ Accurate boundary survey with bearings and distances
- ☒ ROW lines of all streets, alleys, property lines, reservation easements, and areas dedicated to public use
- ☒ Survey monumentation, location & description
- ☒ Name & ROW dimensions of all streets & other ROW's
- ☒ Number of Lot & Blocks
- ☒ Location of minimum building setbacks per zoning ordinance
- ☒ Certification by Registered Professional Surveyor
- ☐ Additional certifications and plat notes per [Sec. 38.4.05](#)
- ☐ Construction plans and guarantees per [Sec. 38.5](#)
- ☒ Park dedication requirements per [Sec. 38.6.15](#)
- ☒ Sidewalk requirements per [Sec. 38.6.11](#)
- ☒ Plat requirements per [Sec. 7.200](#)
- ☐ Curb requirements per [Sec. 7.540](#)
- ☐ Minimum finished floor of structures located in 100-year floodplain
- ☐ Phasing designation if phasing is proposed
- ☐ Address for all lots located at front of lot

Note: Staff or the Planning and Zoning Commission may require modification of a Plat as a prerequisite for approval.

I hereby acknowledge that the items listed above are included with this submittal and that any items not included with this application will result in this application being deemed incomplete and returned without review or scheduled for the upcoming meeting dates.

Owner/Agent: _____

Date: 3/25/24

Printed Name: Jeff Graham

Zoning and Subdivision Regulations Assessment

for the

City of Fredericksburg, Texas

Prepared by

Halff

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Introduction

The zoning and subdivision regulations have served Fredericksburg well since their inception in 1998 and 2014, respectively. But, as identified in the 2024 Comprehensive Plan, the city is changing and experiencing growth factors and pressures that didn't exist when these regulations were created. The city's population is growing, driven by factors such as migration, economic development in the region, and lifestyle preferences. This population growth, coupled with evolving urban dynamics, presents new challenges and opportunities for Fredericksburg's development landscape. Issues such as affordable housing, development character, transportation infrastructure, and environmental sustainability have become increasingly prominent on the city's agenda, reflecting the shifting priorities and aspirations of its residents.

While the zoning and subdivision regulations serve as essential tools for managing land use and development, they are not immune to obsolescence or inadequacy in addressing contemporary challenges. The 2024 Comprehensive Plan serves as a crucial roadmap for navigating these challenges, providing a comprehensive vision for the city's future development and growth. This assessment recognizes that new land development regulations alone will not solve the challenges Fredericksburg faces – it is only a set of rules. However, with a new set of rules, there are many opportunities to work with partners and the community in an intentional, collaborative effort to develop new strategies that can help to address these issues and contribute to the quality of life in Fredericksburg for all of its residents.

Ultimately, the revision of zoning and subdivision regulations represents a pivotal opportunity for Fredericksburg to redefine its approach to urban planning and development. This assessment examines the relationship of the existing zoning code and subdivision regulations for consistency with best practices and the policy direction of the recently adopted Comprehensive Plan. Observations and recommendations in this document are preliminary and will be subject to further review and refinement as zoning and subdivision regulations amendments unfold in coordination with the community and stakeholders. While Fredericksburg could be served by an incremental approach to code updates, based on this assessment and best practices for good code, a comprehensive update to the zoning and subdivision regulations is recommended. There are numerous changes that would need to be incorporated to achieve the community-driven vision established in the 2024 Comprehensive Plan and it would be best to examine the zoning code, subdivision regulations, and other ordinances as deemed necessary simultaneously to ensure comprehensive development regulations that are clear, concise, and consistent.

Zoning Best Practices

Great zoning codes are developed with intention to implement city policies. They prioritize usability, predictability, and clarity. They are geared toward improved applicant experience and efficient administration. This section identifies overarching zoning best practices that should be considered in future amendments to Fredericksburg's zoning and subdivision regulations. Great zoning codes exhibit the following qualities:

- **Predictable**
 - Zoning codes should be designed with clear, measurable requirements to provide developers and applicants with certainty that meeting all rules and requirements guarantees approval, thereby allowing more development "by right". Establishing predictable urban form standards can eliminate the need for Planned Unit Developments, simplify review and approval processes for PUDs, establish uniform design guidelines and/or standards, and limit discretionary processes while providing clear criteria where necessary.
- **Clear**
 - Zoning codes should be clear, concise, and comprehensive by maintaining a consistent approach to language, deliberately separating intent language, regulations, measurement rules, definitions, procedures, and other topics. As much as possible, zoning codes should use a plain English style of language and word choice for greater public accessibility and clarity.
- **Visual**
 - Modern zoning codes use graphics, tables, and more visual summary styles wherever possible. Visuals enhance understanding and compliance by incorporating clear graphics, tables, and flowcharts into the document to assist both staff and applicants. These elements also help to modernize the look and organization of the document with illustrations, ensuring it remains accessible and user-friendly.
- **Designed for Efficient Administration**
 - Zoning codes should be designed for efficient administration and implementation. Ensure the code contains clear references to external documents to facilitate navigation of rules and regulations. And make desired outcomes easily achievable and incorporate incentives for highly desired outcomes, such as affordable housing or low-impact design.
- **Policy Driven**
 - Zoning codes are based on citywide land use policies, such as comprehensive plans or special area plans adopted by the city council. Provide clear intent statements to clarify the objectives of prescriptive standards in the code, ensuring context-based regulations that promote compatible development in established areas and transformation in evolving areas. When necessary, update the code to align with recent Texas case law and statutes, and develop a new future land use plan and comprehensive plan to inform future development decisions.
- **Design-Oriented**
 - Modern zoning codes are increasingly incorporating design-oriented policies to promote more visually appealing and functional built environments. These policies go beyond traditional land use regulations and focus on the physical form, aesthetics, and character of development.

- **Manageable**
 - Design the code such that it anticipates the need for changes and updates. Streamline updates by avoiding duplication of information across multiple sections and consolidating general topics into one section, rather than detailing them in each district section. Not only will this make the code easier to understand, by not duplicating information, but it will facilitate easier updates and addendums.
- **Strategically Flexible**
 - Understanding that it is impossible to every scenario, zoning codes should offer options for meeting design standards to give applicants options on how to comply. This flexibility reduces the reliance on costly and time-consuming variances. This could include administrative adjustments or standardized alternative compliance which can be authorized by staff. Additionally, when deemed necessary obsolete individual districts should be removed, integrating their uses into updated or new districts.

Zoning Ordinance | Recommendations by Section

The following are recommendations grouped by topics from the existing zoning ordinance. Overall, the zoning ordinance appears to function well but could benefit from restructuring and clarification. The 2024 Comprehensive Plan emphasizes a desire to move away from exclusionary zoning with the goal of creating integrated, complete neighborhoods with compatible commercial uses and missing middle housing. To align the zoning ordinance with these goals the City of Fredericksburg may consider a partial or complete rework of the districts to include a broader range of land use types and more design-oriented language and standards.

GENERAL

1. The zoning ordinance should be structured with a hierarchy that is easier to navigate. The current organization and structure in Municode should be similar to organization and structure of the subdivision ordinance, with clear drop-down menus and hierarchy of topics to simplify navigation.
2. Consider if updates to definitions are needed to make sure they reflect the proper intent and are up-to-date with industry standards.
3. To streamline the introduction, consider relocating the definitions to a separate section at the end of the code. This adjustment simplifies the initial reading experience, allowing users seeking clarification to locate definitions by referring to the end of the document.

ZONING DISTRICTS

1. Refine intent statements. Many of them have regulations and standards imbedded within them, such as square footage of lot size or number of bedrooms, which is not the objective of an intent statement. While refining the statements, focus on the qualitative outcomes desired and consider if they fit the desired character established in the comprehensive plan.
2. Given the community and City of Fredericksburg staff's desire for greater integration of land uses, as expressed in the development of the 2024 Comprehensive Plan. Consider reducing the number of districts to the fullest extent possible while still achieving the vision of the Comprehensive Plan. For example, evaluate if the Mixed Use districts are being used and if they are serving the intended purpose.

LAND USES

1. Create a consolidated use chart. The current use charts are broken up by zoning district, which can be difficult to navigate and challenging to manage as new uses are introduced. A single chart or a smaller number of charts with some or all land use types and zoning districts listed, where uses are marked permitted or conditional, is very helpful to the user and staff.
2. It is not necessary to have a list of conditional uses in PUDs since they are fully negotiable. Evaluate if this is still the best way for Fredericksburg to structure their PUDs.
3. The home occupations section should be moved up to land use section. It is currently at the very end of ordinance in a standalone section. Since remote work is more common consider updating the ordinance to reflect these changes in the workforce.
4. Evaluate the use of the terms "condominium" and "townhome". A condominium is a type of ownership structure and townhome is a building form.
5. Within the Central Business District, most notably along historic Main Street, consider limiting new establishments such as Liquor Sales, Bars, Cocktail Lounges, Tasting Rooms, and/or other alcohol-oriented businesses subject to locational restrictions, conditional use permits, or other site-related conditions. The intent of this is to guard against the over-saturation of alcohol businesses that would further alter the Fredericksburg Main Street character in certain locations and to maintain a variety of retail, restaurant, and shopping establishments throughout daytime hours. Many cities have taken similar steps and there are many successful examples that can be

assessed to determine an appropriate course for Fredericksburg. It is also recommended to perform an economic analysis of property taxes, sales taxes, and the evolving alcohol taxation laws in Texas prior to gain an understanding of recent and projected impacts of new alcohol-oriented businesses along Main Street (or specific defined area).

DIMENSIONAL STANDARDS

1. Create a dimensional standards chart that covers all zone districts or combines similar zone districts (for example commercial, residential, etc.). The current charts are provided separately for each zoning district, which can be difficult to navigate and administer. A single chart or fewer charts with consolidated standards and zoning districts listed will make the standards and zone districts easier to find and compare for both applicants and staff.
2. Examine the minimum site area per dwelling unit for Multi-Family Residential and Mixed Residential to determine if these standards are yielding the types of development Fredericksburg needs or desires.
3. Consider regulating the urban form (height, setbacks, etc.) of development rather than units per acre. As expressed in the 2024 Comprehensive Plan, the community would like less separation of uses to create more complete neighborhoods and more emphasis on the built environment for compatibility and character.
4. Examine the minimum lot sizes on commercial use districts – generally the more intense the commercial use, the larger the minimum lot size would be. The current minimum lot size for Neighborhood Commercial (C-1) is 7500 square feet while the minimum size for Commercial (C-2) is 5000 square feet. If the intent of Commercial (C-2) is for primarily shopping centers, arterial commercial, and big box stores while the intent of Neighborhood Commercial (C-1) is for neighborhood scale commercial such as coffee shops, day care services, and other smaller scale commercial, Commercial (C-1) should have a larger minimum lot size.
5. Consider restricting the industrial districts. Medium industrial seems unnecessary – the purpose statement and allowed uses do not line up.
6. General Descriptions of Commercial, Industrial, Civic, and Agricultural Use Types (sections 4.5-4.8) can be folded into the definitions section.

OTHER

1. Sections 5: Administration of Zoning Regulations refers to a “Director of Planning and Building.” Consider updating this title to reflect the current title, “Director of Development Services.”
2. Many cities are moving some application procedures and fees to a development manual to prevent having to update the development ordinance every time a process or a fee changes as this can overly burden staff and decision makers. Consider moving items in need of periodic update such as fees or signature blocks to a development manual.
3. Consider changing Comprehensive Land Use Plan application title to Future Land Use/Development Map Amendment. This will clarify that changes to the Future Land Use/Development Map can be requested, but not other parts of the comprehensive plan.
4. Section 7, Site Plan Review – could be clarified where this section applies. The hyperlink at the beginning of the section leads to the Subdivision Ordinance which could be an error.
5. Reconsider and modernize all parking requirements to ensure the most efficient parking solutions possible to reducing housing costs, allow for more flexible site design, and encourage walkable environments. However, it's important to consider potential challenges, such as addressing concerns about increased competition for on-street parking in residential neighborhoods. Proper planning and consideration of local context are essential when implementing changes to parking requirements in development codes.
6. It is unclear if manufactured home parks are required to be platted, site planned, or either.

Subdivision Ordinance | Recommendations by Section

The following are recommendations grouped by each section of the existing subdivision ordinance. Overall, the ordinance is workable but there are some improvements needed in regard to neighborhood layout, street connectivity, pedestrian improvements and parkland. There are also no standards for tree preservation and very little in preserving natural character of streams. The important components are mostly here with decent administrative procedures and engineering components but need more character-based elements to get better quality developments that fit the Hill Country aesthetic. Many of these things can also be addressed in the zoning code for development in the city limits but there are a few things to improve here.

SECTION 1: GENERAL PROVISIONS

1. Reconsider development plat requirement and the benefit of this.
2. Expand exemptions to required plat.
3. Phased development needs more detail to ensure continuity and surety.

SECTION 2: DEVELOPMENT REVIEW BODIES

1. Rename the Director of Public Works into a more generic “City Engineer” role that could be assigned to a dedicated person in the City organization. This ensures continuity in the role – as assigned by the City Manager – regardless of a person’s title or promotion. Also allows the “City Engineer” to clearly have a designee to review and advise the City Engineer as necessary. This authority is already defined in the code.
2. Section 2.06 has a great summary table of all the review/recommend/approve assignments – the other tables simply are repetitive and unnecessary. Consolidate everything into one table for ease of use.
3. Organize section 2.06 more logically by either alphabet or authority column for better clarity.
4. Many cities have shifted either Preliminary Plats or Final Plats to an Administrative Director role to speed up the process of approval, reduce administrative meeting and reporting work, and reduce agenda length – if that is desired.
5. Remove the vague “City Council may authorize City Manager to approve” assignment on vested rights – either codify that it goes to an authority other than Council or make it Council.
6. Also, there are references to City Manager having authority, but they are not established as an authority in the code. Establish authority for this role for clarity.
7. Consider if the Development Review Committee section is necessary to include here since it’s an internal staff process. The better choice may be to acknowledge that a technical group may be assembled at the behest of the City Manager to confer and discuss applications for communication and coordination.

SECTION 3: APPLICATION SUBMITTAL AND PROCESSING PROCEDURES

1. Move more of the detailed application submittal specifics to a development manual and adopt by reference.
2. Consider removing unnecessary forms such as the Vested Rights Waiver. Does not need to be an extra form to sign for each Pre-Application Conference (PAC), the City can have them acknowledge all of the PAC info and specifics so that when they sign they are also acknowledging a waiving of vested rights.
3. Ensure consistency in the reference to Subdivision Ordinance and Subdivision Regulations. It seems that language has been patched from other municipal ordinances.
4. Update this section to reflect state law – keep as much info as possible in a development manual.

5. Consider if some of these process lists could be flow charts.
6. Note that notice for replats is for residential replats only, specifics in the Texas Local Government Code. This is mentioned correctly in section 4.07 but not mentioned here.

SECTION 4: PLATTING REQUIREMENTS

1. Sketch plats should be deleted. Calling this a plat and having a section for it is a challenge to the Vested Rights issues with the Pre-Application Conference. Remove section 4.03 entirely.
2. Move administrative plat requirements to a development manual or administrative guide such as the certification signature blocks.
3. Each subsection for application types has their own expiration and extension sections. Ensure consistency with section 3.06.
4. Restructure plat section with all types of recording plats together under to reduce redundant information.
5. Consider if development plats are needed. Are they too much work? Why is it filed at the County?

SECTION 5: CONSTRUCTION PLANS AND PROCEDURES

1. Review this section for any desired changes in process.
2. Remove vagueness in section 5.05 regarding Council or City Manager approval of performance agreements. Clearly designate the circumstances for approval and the final authority
3. In section 5.06B the inspection fee is also too vague; more certainty is needed.

SECTION 6: SUBDIVISION DESIGN STANDARDS

1. This section needs more connectivity and block provisions to get better circulation and layouts.
2. Section 6.01B mentions each "Subdivision in the City" – this seems to apply city limits, which is not the case for subdivision area authority (includes ETJ).
3. Add Comprehensive Plan to list of applicable plans in 6.03A.
4. In section 6.04E, Traffic Impact Analysis (TIA) should not be in Access Management section but its own. This pertains to much more than management of access – it covers necessary street infrastructure. Also, TIAs should cover more than just the adjacent street being "built" but also turning movements, intersections, financial contributions, etc.
5. Section 6.04F is too vague. Does this apply to all land uses? Whose authority determines whether this is required?
6. Section 6.04F subsection 1 needs to reference Table 7 instead of "requirements below."
7. In F1 is the code saying that just because driveways have been permitted in close proximity to a lot that now no longer meets the spacing requirements that said lot cannot have access? This is a contextual situation that involves nuance and consideration by someone, whether a waiver or simple administrative approval. Also begs the question whether certain smaller-frontage lots should be protected for future access when driveways are proposed in close proximity to them.
8. In section 6.05I, the width of a residential lot needs to be a defined numerical standard.
9. In section 6.06D numbers two and three seem to conflict but also work together, indicating some clean up should be done. In our experience 1,200 feet can be long for promoting pedestrian-friendly environments so either that number needs to be reduced or mid-block pedestrian walkways should be included. E.g. 1,200' in 50' lots would be 24 straight lots without a break. Or cap number of lots in a row.
10. In section 6.09F – this is essentially altering a zoning requirement for lot depth. Ensure good parallels between the zoning districts and this standard.
11. In section 6.09H – clarify that that septic tanks or On-Site Sewage Facilities (OSSF) not permitted in a platted subdivision in the city limits.

12. In section 6.11A, rename the title to “Purpose.”
13. Require sidewalks in all new development, not just what is on the sidewalks/trails plan. There could be exceptions for (as examples) things such as rural subdivisions, gated communities with private streets, small subdivisions under less than 20 lots. Even still, lots less than 1 acre in size should have sidewalks provided at least on one side of every street to accommodate citizens not traveling in vehicles for their safety.
14. In section 6.12C subsection 7, there is a conflict to the earlier option for the Director to waive access restriction to Arterial Streets.
15. Consider eliminating or providing other alternatives to the sidewalk escrow option.
16. Street classification should be defined by Comprehensive Plan or Thoroughfare Master Plan.
17. What is the distinction between the ETJ Local and the RR local streets? The table says no curbs for these streets but both streets would want to have a curb – a Ribbon Curb – for new construction. This is mentioned in subsection L, the table needs to be updated to show this.
18. Having a PUD Local Street is too restricted to a PUD. Allow an alternative street through the code or by administrative approval rather than a complex zoning document.
19. Civic Street is not introduced in the intro.
20. For a single-family street in other communities, 40' would be a very wide street with concerns for speeding and cost of maintenance.
21. In section 6.13D, there is repetitive language regarding Property Owners Associations from before.
22. Re-evaluate the land dedication and associated fees with the parkland dedication ordinance. Based on the 2024 Parks Master Plan the City could justify increase the required parkland to be dedicated and fee-in-lieu. There are several components in the parkland section that should be re-evaluated and updated.
23. Suggest establishing routine revision of the fees at scheduled intervals. Reviewing the parkland ordinance requirements, i.e., land and fees, at scheduled intervals—one (1), three (3) to five (5) years—offers an opportunity to evaluate newest data and set requirements appropriately.
24. Provide a map of the park service zones for clarity.
25. Re-evaluate the current application of waivers and exceptions for parkland dedication. Though the City wants to increase affordable housing studies report that one in 3 people do not have a park or natural area within 10 minutes of their home and this is particularly true in communities of lower-socio economic status.

SECTION 7: SUBDIVISION RELIEF PROCEDURES

1. Are the seven items in Table 10 the only potential minor subdivision waiver options afforded to a requester? Some of these are potentially significant like a TIA or right-of-way dedication and wouldn't be minor. The others are good but there are other standards that should also be considered minor and added here.

SECTION 8: DEFINITIONS

1. Consider if updates to definitions are needed to make sure they reflect the proper intent and are up-to-date with industry standards.

SECTION 9: FIGURES

1. There are only two figures here, but others exist throughout the code. Move these figures to the applicable section instead of having a figures section. Figure can often get lost in codes – in any future updates, the code should be more graphic with better references and layouts.

Recommendations from the Comprehensive Plan

The following are the recommended actions from the 2024 Comprehensive Plan which will help to implement the vision of the plan by affecting the built environment of Fredericksburg. The twenty-seven recommended actions below could all be implemented during a comprehensive update to the zoning and subdivision ordinances.

While these recommendations could be accomplished with targeted code improvements, a comprehensive update or creation of a unified development code (UDC) would be more efficient and allow for streamlined public engagement efforts. A unified development code consolidates various regulations, such as zoning, subdivision, and building codes, into a cohesive, consistent, and user-friendly document. To accomplish this, it reflects an organizational structure that separates code provisions into functionally related parts (e.g., zoning districts, design standards, and definitions). This “unified” format allows the development community, elected and appointed officials, staff, and the general public to quickly find and understand necessary code provisions.

If the City of Fredericksburg decides to create a unified development code, Chapter 38 – Subdivisions and Appendix B – Zoning Ordinance would be combined. It is also highly likely that other sections of the code of ordinances should be included in a unified development code. These could include Chapter 23 – Planning, Chapter 29 – Signs, perhaps portions of Chapter 35 – Streets, sidewalks, and other public property, and/or other sections as deemed relevant.

Neighborhood Integrity

Action N1A1: Amend zoning and subdivision regulations to ensure new infill development is visually compatible with existing neighborhood patterns.

Action N1A11: Adopt a tree preservation ordinance to preserve mature trees and promote neighborhood integrity.

Action N2B1: Identify zoning and regulatory barriers to developing missing housing types (patio/garden homes, townhomes, etc.).

Action N2B2: Review and amend the zoning and subdivision regulations to allow a greater mix of housing types in each neighborhood.

Action N2B3: Consider establishing a special development review track that expedites review of development projects that integrate income restricted housing units.

Action N2B4: Promote affordable housing via development incentives such as density bonuses and parking requirement reductions.

Workforce

Action W2A6: Consider removing conditional use permits for childcare services; instead codify specific site requirements within the code to reduce regulatory barriers to developing childcare facilities.

City Center

Action C1A4: Evaluate current zoning downtown to ensure current allowed uses are still desirable.

Action C1A5: Evaluate current zoning downtown to attract new uses that complement the character of the area.

Action C1A6: Consider requiring a Conditional Use Permit for new alcohol-related businesses.

Action C1B3: Require new or expanded development in the Central Business District to pay into a parking fund so that the City can create more public parking options.

Mobility

Action M1B1: Amend the zoning and subdivision ordinances to require new residential developments to include a connected network of sidewalks, paths and/or bike routes within neighborhoods and connecting to nearby collector and arterial streets. Designs should prioritize adequate buffering between bike lanes and sidewalks from vehicular traffic using National Association of City Transportation Officials (NACTO) standards.

Action M1B5: Prepare an update to the development codes and regulations to facilitate the growth of EV charging infrastructure. Consider adopting EV-ready building codes, creating incentives, rebates, or expedited permitting processes.

Small-Town Sensitive Growth

Action G1A1: Amend Fredericksburg's development codes, strategies, and plans for the following: regional stormwater retention and drainage, park and open space, pedestrian and bicycle mobility, appropriately scaled street design, nuisance management, and neighborhood connectivity. Use codes to broaden housing choices and improve residential neighborhood safety and character.

Action G1A3: As a part of the development code update, strengthen requirements for parkland and trail dedication from new development.

Action G1A4: As part of the development code update, explore regulatory mechanisms (design guidelines, design review, form-based code) necessary to ensure design excellence and pedestrian-oriented development to key areas like the City Center.

Action G1A5: Establish context-sensitive design regulations and guidelines that ensure the physical form of new and infill development is visually compatible with and contributes to the community's existing character and identity. Implement density-based maximum size limitations on developments.

Action G1A6: Encourage and promote quality development through predictive and flexible development codes consistent with this and other adopted master plans.

Action G1A10: Adopt development principles that reinforce a sense of community, opportunities for casual socializing, open space within and around the City, and compact form and incremental growth.

Action G1B3: Promote infill growth and development with context-sensitive standards, bonuses, incentives, and/or allowances. Focus City staff efforts on supporting individual homeowners and small local infill developers with access to resources and simplified processes.

Action G1B5: Create infill missing middle housing opportunities through revision of zoning, development codes, and use of Conditional Use Permits to infill with higher density yet compatible forms of housing in existing neighborhoods. Identify vacant and underutilized tracts, 0.5 to 5.0 acres in size, within the city limits where mixed uses, duplexes, triplexes, and quadplexes could complement the existing conditions and characteristics of the surrounding area.

Action G1B6: Update the landscaping ordinance to require streetscape landscaping and tree plantings to be native and drought tolerant species.

Governance

Action Go1A2: Create a development guidebook which clearly specifies the development process for landowners, the development community, and other applicants.

Action Go2B1: Review and amend development regulations to require or incentivize sustainable or low impact design practices in new development (i.e., low-flow fixtures, rainwater harvesting, native/drought tolerant landscaping, etc.).

Action Go2B3: Update the development code to establish streamline buffers which cannot be developed in to preserve creek corridors and allow for the preservation of green space, stormwater management, trail opportunities, etc.

Action Go2B5: Consider amending the subdivision ordinance to require the preservation of existing trees and natural features (e.g., drainage courses, rock outcrops) in new development.

Action Go2B7: Update development ordinances to require or incentivize water conservation practices in new development, particularly in multi-family, commercial, and public facilities. Promote and foster water conservation practices throughout the city (i.e., low-flow faucet education, rainwater barrel installation workshops, etc.).

Next Steps

As stated at the beginning of this report, this assessment of the existing zoning and subdivision regulations is a critical step before beginning the process of updating the regulations. It is important to note that the observations and recommendations in this document are preliminary and will be subject to further review and refinement as the process to update the zoning and subdivision regulations unfolds.

The process of updating zoning and subdivision regulations will dive into the details of what new and updated regulations should entail. The process will require a partnership from the City Council, the Planning and Zoning Commission, the public, the developers, and the consultant. The next step is to obtain consensus from the City Council regarding the general direction for the ordinance updates and retain a consultant to support staff in this important effort.



PLANNING AND ZONING COMMISSION **AGENDA MEMO**

DEPARTMENT: Development Services
TO: Planning and Zoning Commission
FROM: Anna Hudson, Director of Development Services
MEETING DATE: May 8, 2024

CATEGORY: DISCUSSION ITEMS

CAPTION: Housing Affordability Discussion

PRESENTATION:

SUMMARY:

The 2024 Comprehensive Plan has an entire Guiding Principle devoted to Neighborhood Quality with several objectives that include protecting and enhancing existing and future neighborhoods and housing stock, supporting programs that can assist residents and workers in obtaining housing, and encouraging affordability and diversity of housing.

P&Z Member Polly Rickert has researched local regulations and market trends and explains some of the very local housing affordability problems and has identified some possible regulation changes to positively impact affordability.

BACKGROUND:

STAFF RECOMMENDATION:

ATTACHMENTS:

1. Gillespie County Housing Affordability (1)

APPROVAL/REVIEW:

Shelby Collier, Senior Planner

Date:

Date:

Rachel Raggio, TOASE Attorney

Date:

William McKamie, City Attorney

Date:

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Living and Working in Fredericksburg and Gillespie County

Why housing costs so much, why we should care, and what we can do about it

Why does housing cost so much?

1. Our Land is expensive and low yield.
 - a. Expensive, limited buildable land, especially inside City limits
 2. Our regulations make it even more expensive to build
 - a. Subdivision requirements (street widths, utilities, drainage), Zoning restrictions (minimum lot size, maximum building coverage, maximum dwelling units, minimum parking, minimum setbacks), Building codes (IBC versus IRC). Regulations create lack of investment, subsidy requests
 - b. City utilities provision vs. well/septic. City vs. CTEC electricity. Current tap fee structure favors large commercial, not residential.
 3. Tourism increases second home demand
 - a. Retirees
 - b. Investors
-

Economic Impact of Our Current Residential Regulations

Maximum built sq ft scenario	R1	R1A	R2	R3	R4 (mfg home)	R5	Townhouse R2	Townhouse R3	Condo R2	Condo R3
Lot cost/ sq ft land	14.32	23.46	19	25.92	11.22	23.46	19	25.92	19	25.92
minimum lot size	7500	4500	5000	7500	6000	4500	14400	14400	14000	14000
% building coverage	40%	50%	55%	55%	40%	55%	55%	55%	55%	55%
max # stories	2	2	2.5	3	1	2	2.5	3	2.5	3
max building sq footage	6000	4500	6875	12375	2400	4950	19800	23760	19250	23100
Land cost/sq ft maximum building	17.90	23.46	13.82	15.71	28.05	21.33	13.82	15.71	13.82	15.71
minimum construction costs/ sq ft	53.70	70.38	41.45	47.13	87.05	63.98	41.45	47.13	41.45	47.13
Total cost/sq ft maximum building	71.60	93.84	55.27	62.84	115.10	85.31	55.27	62.84	55.27	62.84
total cost to build maximum building	429600	422280	380000	777600	276240	422280	1094400	1492992	1064000	1451520
# residential units	1	1	2	4.68	1	1	4	4	4	4
Cost/unit maximum building	429600	422280	190000	166153.846	276240	422280	273600	373248	266000	362880
down payment @ 20%	85920	84456	38000	33231	55248	84456	54720	74650	53200	72576
mortgage loan	343680	337824	152000	132923	220992	337824	218880	298598	212800	290304
mortgage loan payment (P&I only)	2650	2605	1178	1031	1712	2605	1695	2313	1648	2249
affordable housing for median income	1625	1625	1625	1625	1625	1625	1625	1625	1625	1625

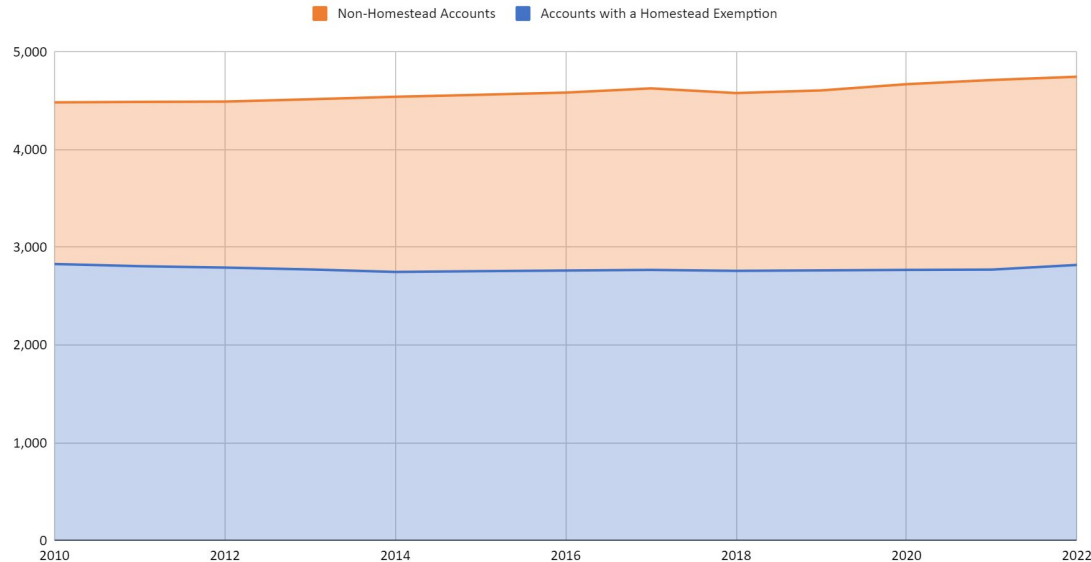
Why care? High housing costs affect:

1. Employment gap
 2. School Age population decreasing
 3. Age 65+ population increasing
 4. Volunteer culture at risk
 5. Return on Investment of Infrastructure
1. Employment exceeding local employment age population, increasing demand for imported workers
 2. Reduced school demand and revenues, reduced local workforce
 3. Increased demand for labor intensive services
 4. Volunteer population aging, not being replaced
 5. Low density housing leads to insufficient utility taps to recover infrastructure costs, leading to increased utility rates
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Living and Working in Gillespie County:

Homesteads are declining inside the City Limits.

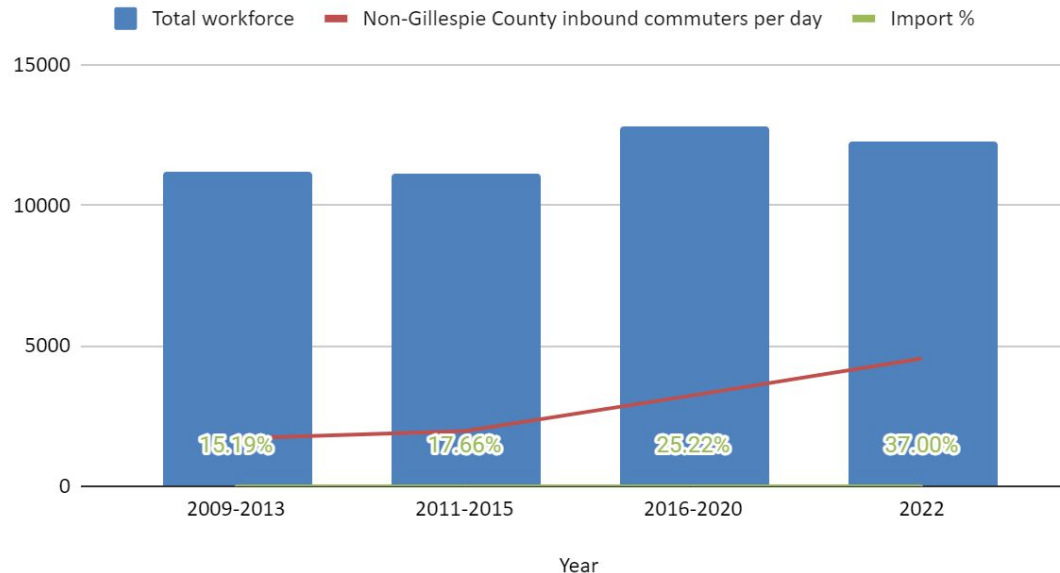
Single Family Residence Accounts, Accounts with a Homestead Exemption, Non-Homestead Accounts and Average Homestead Appraised Value



Living and Working in Gillespie County:

Imported workers are rising.

Imported Daily Workforce Trend



A close-up photograph of a person's hand holding a pen, drawing on a blueprint. The background is blurred, showing some lights and a red object. The text 'What we can do about housing' is overlaid in white on the left side of the image.

What we can do about housing

Reduce housing costs

Use housing to attract & retain critical workforce

Change Regulations to Reduce Housing Costs

Change rules and incent investment in infill housing supply

- Modify subdivision, zoning, building codes for new development
- Allow long term use of ADUs
 - Apply form based or hybrid codes
 - Modify Subdivision rules (lot & block configuration, street widths/lengths, minimum lot frontage)
 - Implement International Residential Code
 - Drainage easement/park strategy
 - Create Official maps showing drainage, streets, pedestrian and bicycle path locations

Create joint City/County ETJ development strategy and development/utility provision agreements

Adopt incremental development strategy, incenting small infill development instead of large scale suburban style development. Implement small developer support program.

Strategically apply new regulations to limited parts of City. Use specialty neighborhood overlays with:

- Changes to density (reduce minimum lot sizes, change building coverage %, setbacks, parking, # of dwelling units, allowed forms of residences, live/work dwellings)
- Pre-approved building plans
- Lot replats and alley housing

What if we change one thing? Reduce Minimum Lot Size example

Maximum built sq ft scenario	R1	R1A	R2	R3	R4 (mfg home)	R5	Townhouse R2	Townhouse R3	Condo R2	Condo R3
Lot cost/ sq ft land	14.32	23.46	19	25.92	11.22	23.46	19	25.92	19	25.92
minimum lot size	5000	2500	2500	3500	3000	2500	5600	5600	5600	5600
% building coverage	40%	50%	55%	55%	40%	55%	55%	55%	55%	55%
max # stories	2	2	2.5	3	1	2	2.5	3	2.5	3
max building sq footage	4000	2500	3437.5	5775	1200	2750	7700	9240	7700	9240
Land cost/sq ft maximum building	17.90	23.46	13.82	15.71	28.05	21.33	13.82	15.71	13.82	15.71
minimum construction costs/ sq ft	53.70	70.38	41.45	47.13	87.05	63.98	41.45	47.13	41.45	47.13
Total cost/sq ft maximum building	71.60	93.84	55.27	62.84	115.10	85.31	55.27	62.84	55.27	62.84
total cost to build maximum building	286400	234600	190000	362880	138120	234600	425600	580608	425600	580608
# residential units	1	1	2	4.68	1	1	4	4	4	4
Cost/unit maximum building	286400	234600	95000	77538	138120	234600	106400	145152	106400	145152
down payment @ 20%	57280	46920	19000	15508	27624	46920	21280	29030	21280	29030
mortgage loan	229120	187680	76000	62031	110496	187680	85120	116122	85120	116122
mortgage loan payment (P&I only)	1744	1430	583	476	842	1430	653	885	653	885
affordable housing for median income	1625	1625	1625	1625	1625	1625	1625	1625	1625	1625

Use housing to attract & retain critical workforce

Recycling underused homes to
increase local critical workforce

Create a non-profit critical workforce property management entity to:

- Secure and rehabilitate unused existing residences, either for lease or for sale

- Lease to employers of critical workforce as corporate housing

Focus on helping new employees “stick”:

- Provide community engagement support to new employees for initial period of employment

- Employees qualify for homeownership program after initial period

Employer Assisted Housing Fund

How will we know it's working?

Short-term: Number of new residential building permit applications

Long-term: Number of imported workers in Gillespie County

	Current	Total Change
Imported workers (Texas Workforce Commission)	4543	
Demand increases (EDC projects 11/2023)		
Commercial development proposed jobs		1026
Supply increases (EDC projects 11/2023)		
Residential development proposed SFR units		1721
Residential development proposed rental units		2213
Development Increase/(Decrease)	-2908	
Net Gap	1635	

So who can help?

City: make changes to regulations and incentives to rebalance housing supply and demand through incremental development. Implement small incremental developer-friendly regulations.

County: work with City to modify current subdivision agreement, create new pro forma development agreements to address residential, commercial, and multi-use development in the ETJ.

Chamber of Commerce: Create the entity to manage critical workforce rental properties and the Employer Assisted Housing Fund. Manage small developer assistance program.

Employers: Participate in the Employer Assisted Housing Fund, Critical Workforce Housing Program.

Banks, Real Estate Brokers, Title Companies, Architects: Participate in Employer Assisted Housing Fund, Small Developer Program, Critical Workforce Housing Program, First Time Homebuyers Program.

Philanthropists: Provide financial support for elements of the programs, both regulatory change and Critical Workforce Housing Program.

Property Owners: invest in creating more housing units on your property.

Milestones

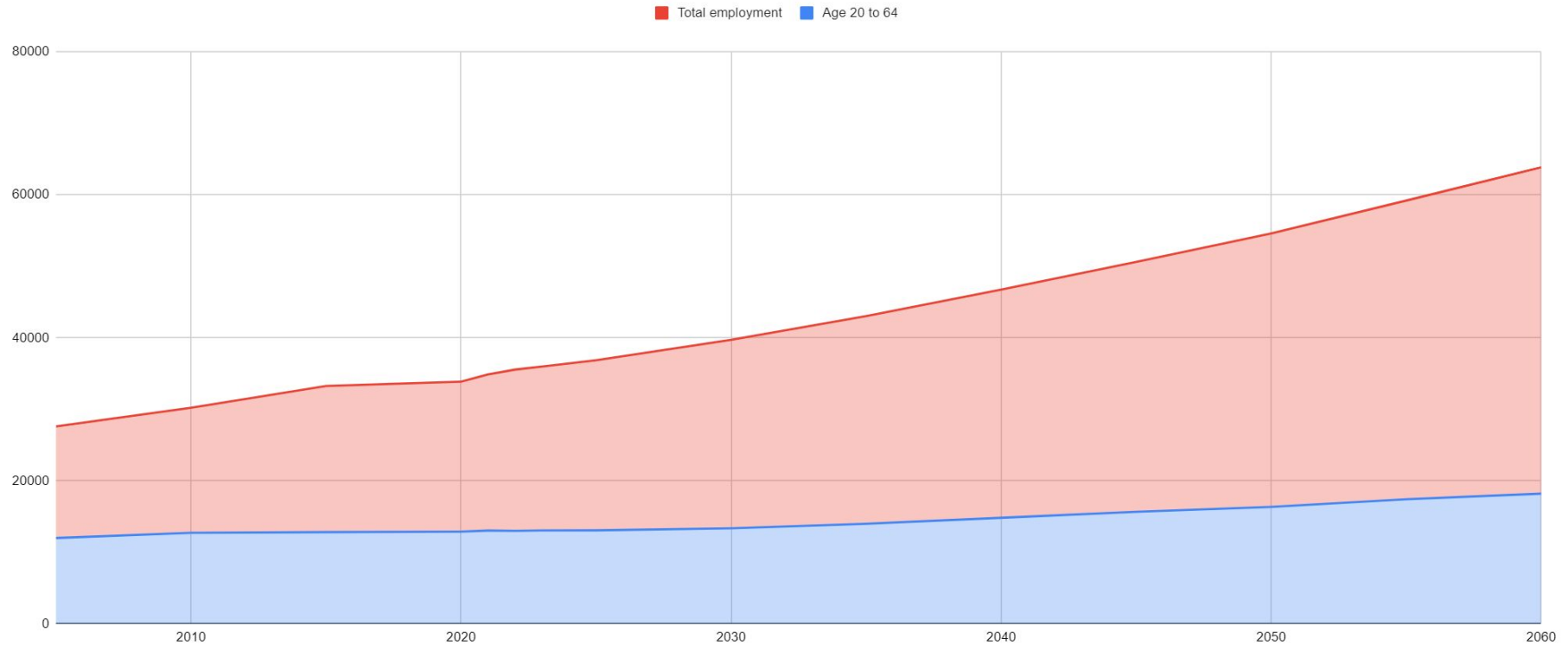
Year 1 of multi-year programs



Appendix

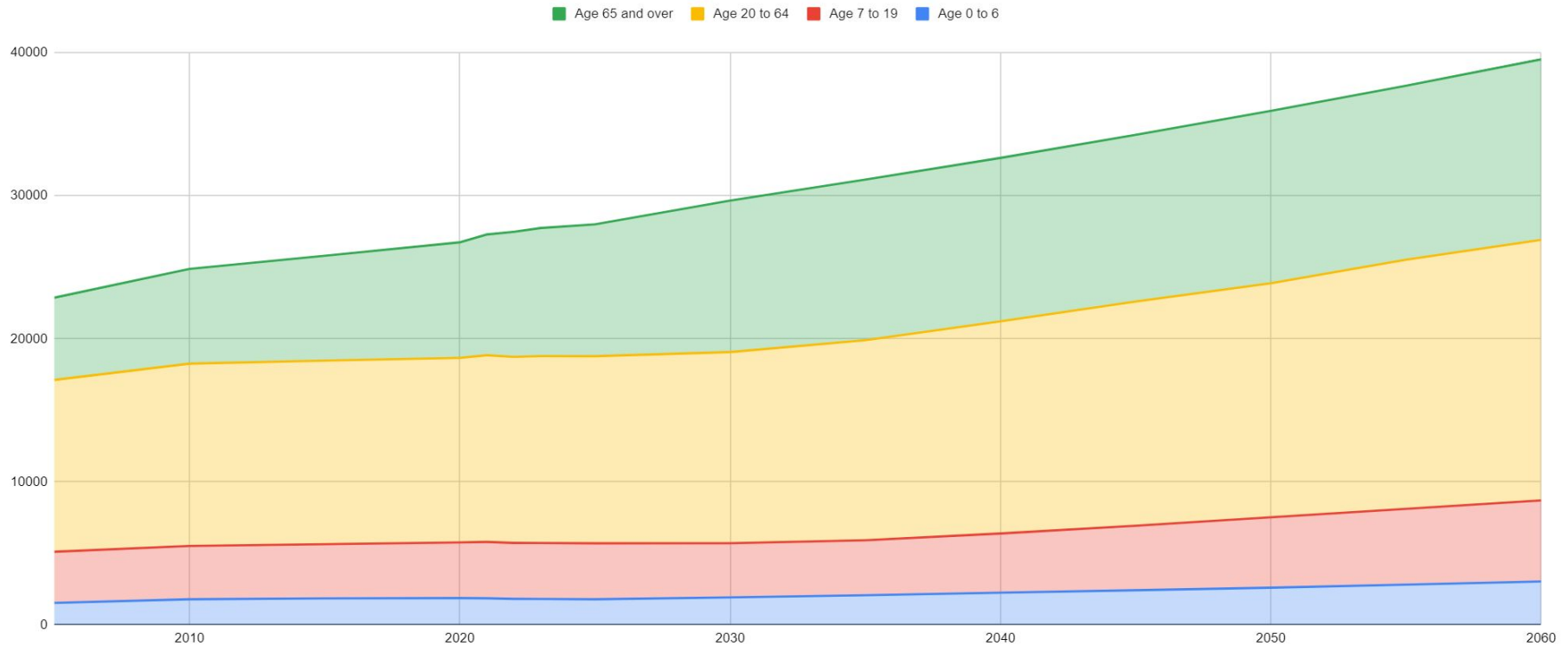
Employment Demographics

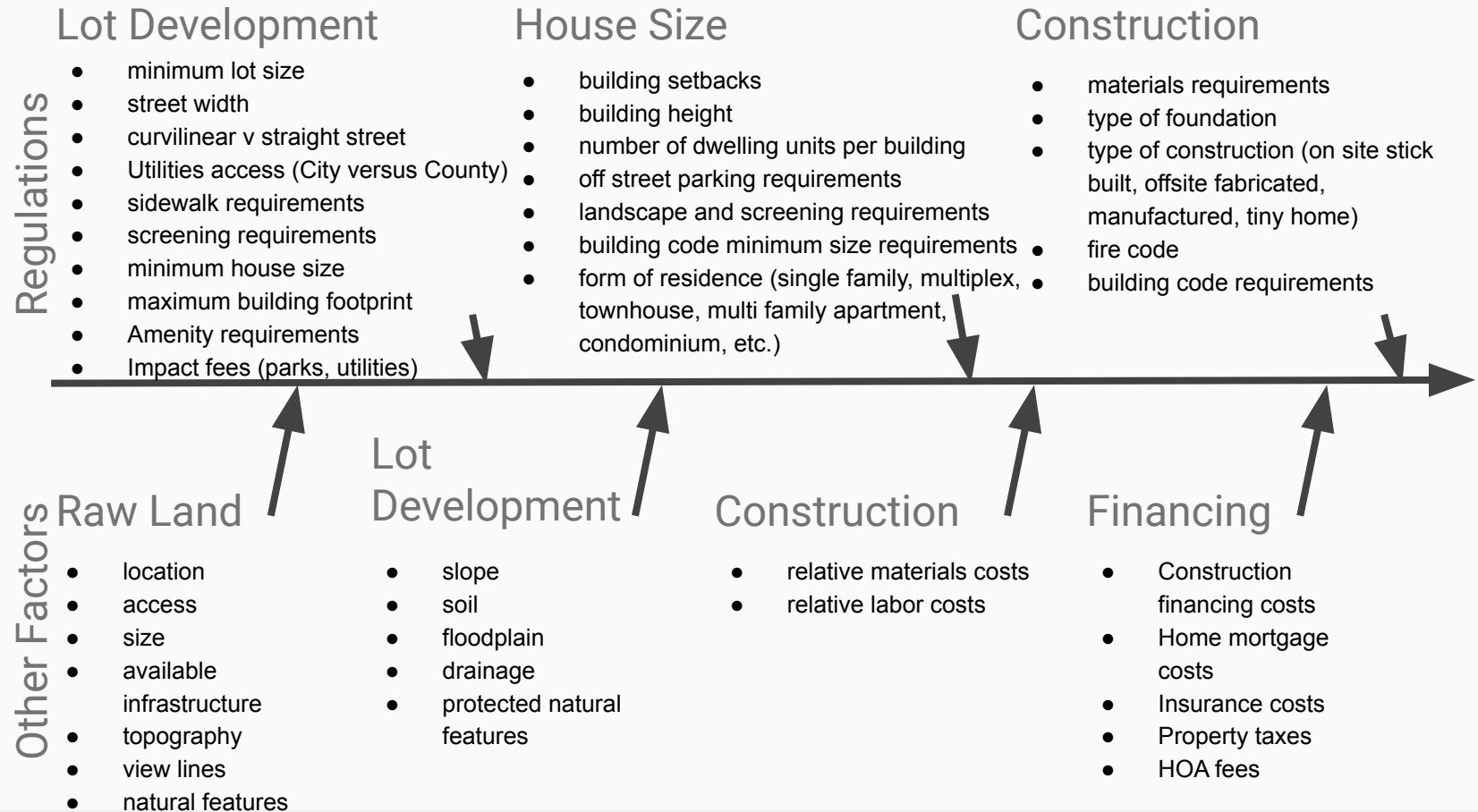
Age 20 to 64 vs. Total Employment



Current Demographic Forecast

Gillespie Age Demographics 2005-2060





What if we change one thing? Increase Dwelling Units example

Maximum built sq ft scenario	R1	R1A	R2	R3	R4 (mfg home)	R5	Townhouse R2	Townhouse R3	Condo R2	Condo R3
Lot cost/ sq ft land	14.32	23.46	19	25.92	11.22	23.46	19	25.92	19	25.92
minimum lot size	7500	4500	5000	7500	6000	4500	14400	14400	14000	14000
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max # stories	2	2	2.5	3	1	2	2.5	3	2.5	3
max building sq footage	6000	4500	6875	12375	2400	4950	19800	23760	19250	23100
Avg sq ft per unit	3000	2250	1146	884	2400	2475	1980	2376	1925	2310
Land cost/sq ft maximum building	17.90	23.46	13.82	15.71	28.05	21.33	13.82	15.71	13.82	15.71
minimum construction costs/ sq ft	53.70	70.38	41.45	47.13	87.05	63.98	41.45	47.13	41.45	47.13
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total cost to build maximum building	429600	422280	380000	777600	276240	422280	1094400	1492992	1064000	1451520
# residential units	2	2	6	14	1	2	10	10	10	10
Cost/unit maximum building	214800	211140	63333	55543	276240	211140	109440	149299.2	106400	145152
Per unit financing costs:										
down payment @ 20%	42960	42228	12667	11109	55248	42228	21888	29860	21280	29030
mortgage loan	171840	168912	50667	44434	220992	168912	87552	119439	85120	116122
mortgage loan payment (P&I only)	1309	1178	389	341	1712	1178	672	910	653	885
affordable housing for median income	1625	1625	1625	1625	1625	1625	1625	1625	1625	1625

Living and Working in Gillespie County: Who lives here and who works here

Not all homeowners live here; homesteads are declining inside the City Limits.

In the City of Fredericksburg, 64% of residential property accounts were homestead in 2010. In 2023, it had fallen to 59%. Non-homestead accounts grew by 20%, and homestead accounts fell by 1%.

Not all workers live here; imported workers are rising.

During 2009-2013, 1699 workers (15.2%) came from outside Gillespie. During 2011-2015, it was 1959 (17.66%). During 2016-2020, it was 3236 (25.22%).

As of 2022, it was 4543 (37%)