



City of Fredericksburg

Planning and Zoning Meeting Agenda
Wednesday, September 4, 2024 ~ 5:30 PM
Law Enforcement Center
1601 E. Main Street
Fredericksburg, Texas 78624

Janice Menking, Chair
Polly Rickert, Vice Chair
Jim Jarreau, Member
Daryl Whitworth, Member
Jeff Lawrence, Member

Tom Musselman, Member
Cindy Scroggins, Member
Tim Dooley, Member
Belinda McDonnell, Member

The City of Fredericksburg Planning and Zoning Commission will meet in a regular session on September 4, 2024, at 5:30pm. Link to the 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 September 4, 2024.
2. Complete the Citizen Comment Form online at www.fbgtx.org; or
3. Email your comments to jmusgrove@fbgtx.org

Verbal Comments:

1. Sign up in-person between 5:00 p.m. and 5:30 p.m. at the Law Enforcement Center, 1601E. 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. August 7, 2024, Regular Meeting Minutes

4. ACTION ITEMS

- A. SP-2408 - Site Plan and Entry Corridor Review for a General Retail Development Located at 736 South Washington Street.

- B. EC-2024-02 - Entry Corridor Review for a Hotel Development Located at 620 E San Antonio Street.

5. DISCUSSION ITEMS AND POSSIBLE ACTION

- A. Discussion and possible action for staff regarding a draft ordinance for Group Homes and Boarding Home Facilities; providing for registration, permitting and inspection of Group Home Facilities.
- B. Director's Report

6. ADJOURN

CERTIFICATION

This is to certify that I, Jan Musgrove, posted this Agenda at 5:00pm. on August 30, 2024, on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.

Jan Musgrove

Jan Musgrove
Planner 1

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

**PLANNING & ZONING COMMISSION
August 7, 2024
5:30 P.M.**

On this the 7th day of August 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: JEFF LAWRENCE
 TOM MUSSELMAN
 CINDY SCROGGINS
 POLLY RICKERT
 JIM JARREAU
 TIM DOOLEY
 DARYL WHITWORTH
 BELINDA MCDONNELL

ABSENT: JANICE MENKING

ALSO, PRESENT: ANNA HUDSON - Director of Development Services
 MICK MCKAMIE– City Attorney
 EVAN WILLIAMSON – Assistant City Engineer
 JAN MUSGROVE – Planner I

Polly Rickert called the meeting to order at 5:30 P.M.

ROLL CALL: All Present except Janice Menking. A quorum was present.

PUBLIC HEARING: NONE ON THE DOCKET FOR August 7th, 2024

CAPTION – Consider P-2415 – Review of a Preliminary Plat for the Sonoma Oaks Subdivision Located at 112 Hollmig Lane.

Applicant Presentation: Josh Lemmons with Searchers Surveying stated that the Preliminary Plat was clean.

PRESENTATION: Anna Hudson, Director of Development Services,

SUMMARY: An application for a Preliminary Plat has been submitted for a 16.275-acre lot located on Hollmig Lane, across from Bobwhite Trail. **BACKGROUND:** The subject property is a 16.275-acre lot that is vacant on Hollmig Lane and across from Bobwhite Trail. The requested subdivision consists of fifty-three (53) lots.

To subdivide property that is zoned R1, Single-family Residential, each lot must be a minimum of 7,500 sq ft in size with a minimum of 70 ft of frontage onto a public roadway. Sec. 3.100 Zoning: R1, Single Family Residential Sec. 3.100 Tract Size: 16.275 Acres - 708,939 sq ft Number of Lots: 53 Minimum Lot Size: 7,500 sq ft Minimum Lot Width: 70 ft Roadways: The Preliminary Plat proposes 3 new roadways; Teal, Pintail and Mallard, that function in a "U" Shape with Teal and Mallard accessing Hollmig Lane. Easements: Standard easements such as Drainage, Detention and Sight Visibility would apply.

Utilities: Utilities are available to serve the site. However, the developer will be responsible for any utility improvements or extensions required by the City.

Park Dedication: The applicant shall pay parkland dedication fees (full rate) based on the overall density of the development at \$500.00 per lot (53) for a total of \$26,500. Parkland fees shall be paid prior to the recording of each phase of the project. Sec. 6.15

Construction Plans: Will be reviewed for public improvements including utilities, traffic, and stormwater. When reviewing the Preliminary Plat, the Board shall reference Sec. 4.04 of the Subdivision Ordinance.

Staff's findings are below.

1. All Plats must be drawn to conform to the zoning regulations currently applicable to the property. If a Zoning change for the property is proposed, then the zoning change must be completed before the approval of the preliminary plat. The Plat conforms with the Zoning regulations.
2. No Plat or Replat may be approved that leaves a structure located on a remainder subdivided lot. Not applicable.
3. The Preliminary Plat is consistent with any approved Performance Agreement; Not applicable.
4. The proposed provision and configuration of Public Improvements, including, but not limited to, roads, water, wastewater, storm drainage, electric, park facilities, open spaces, habitat restoration, easements and Right-of-Way that are adequate to serve the development, meet applicable minimum standards of these Subdivision Regulations, and conform to the City's adopted master plans for those facilities. Met
5. The Preliminary Plat has been duly reviewed by the applicable City Staff. All DRC Staff have reviewed the Plat.
6. The Preliminary Plat conforms to design requirements and construction standards as set forth in the Standard Details and Specification for Public Infrastructure Construction Manual; The plat conforms to design requirements and standards.
7. The Preliminary Plat is consistent with the adopted Comprehensive Plan, except where application of the Plan may conflict with State law; The Comprehensive Plan calls for a connected network of sidewalks, paths and/or bike routes within neighborhoods and connecting to nearby collector and arterial streets.
M.1.B.1. The Plan also calls for neighborhood placemaking elements that add community character and support pride of ownership such as pocket parks, street trees, art in public places, and/or sidewalks.
N.1.A.6 The proposed layout is not in keeping with the Comprehensive Plan. Staff could support the layout if a sidewalk was constructed connecting the neighborhood to Friendship Lane and if trees were to line the sidewalk.
8. The proposed development represented on the Preliminary Plat does not endanger public health, safety, or welfare; and the proposed plat does not endanger public health, safety, or welfare.
9. The Preliminary Plat conforms to the Director of Development Services' subdivision Application checklists. The plat conforms.

STAFF RECOMMENDATIONS:

STAFF RECOMMENDATION: Per Sec. 3.100 of the Zoning Ordinance, Sec. 4 of the Subdivision Ordinance, and the Comprehensive Plan. Staff recommends approval with the following conditions.

- Addition of a Sidewalk throughout the neighborhood connecting Hollmig Lane and Friendship Lane
- Lining the sidewalk with street trees
- Approval of the Final Plat
- Approval of Civil Construction Plans
- Payment of Park Dedication Fees

Evan Williamson, Assistant City Engineer, mentioned the commission should address who would be responsible for the mowing and erosion issues for the detention pond. The City did not want to be in a position to maintain the communal area.

Tom Musselman, wanted to know where the sidewalks would be going?

Anna Hudson responded that Staff was recommending sidewalks throughout the subdivision.

Tom Musselman queried that “we are now requiring internal sidewalks”?

Anna Hudson mentioned the Comp plan calls for sidewalks in subdivisions.

Jim Jarreau remarked that this subdivision was the first one to be presented since the Comp Plan was adopted.

Polly Rickert reminded the commission that this neighborhood was right across the street from the new Middle School and even in the “Safe Streets to Schools.” Within easy walking distance to school.

Mark Cornett, Applicant,

Responded that they propose to build a sidewalk from Teal from Lot 13 to Friendship Lane.

He also mentioned that he did not believe that the Comp Plan had been established as an Ordinance and therefore the sidewalks or street trees could not be enforced.

There will be no parking allowed on the connecting street to Friendship Lane.

Mick McKamie, Legal Council

Comp Plan is a guideline but will need to be implemented by an ordinance to be enforceable.

Belinda McDonnell wanted to know where the water would go.

Mark Cornett, Applicant

Into the detention ponds, 3 of them to collect the water. This detention pond could be a park if the City were amenable to waive the Park Dedication fees. Mr. Cornett stressed that there was no desire to establish an HOA as they were extremely expensive to run. A park has an elevated level of maintenance so they would prefer to keep the “pond” as a pond and have the individual homeowners maintain their section of the “pond.”

Jim Jarreau mentioned that he thought this could be president setting development if we could work out how to use this communal area as something more than a drainage ditch, he was not in favor of giving up the Park dedication fees.

Anna Hudson stated that once fences were built that homeowners would not have direct access to the “pond.”

Mark Cornett, Applicant,
Remarked on that there were 6 (six) access points to the “pond” and they could put a gate in the fence.

Polly Rickert had concerns about the fact that the city would be stuck with dealing with twenty (20) different landowners and twenty (20) lots in trying to keep the “pond” maintained. She was concerned about approving it now because in the past items that should have been addressed at the preliminary stage were not and just showed up on the final plat and it was too late. She suggested that they do some more engineering and design work and come back with a real plan before we approve it.

Jim Jarreau wanted to know why Vegetation Management could not take care of it.

Evan Williamson replied to Mr. Jarreau, the vegetation management maintains rights of way and public communal areas not this drainage area as its use is for the sole use of this subdivision and is considered private. The Parks Department would not want to be responsible for “pocket parks” in a subdivision would be a tough ask.

Anna Hudson stated that as a planner she would love to see a “planned neighborhood” that the residents would love to take care of.

The discussion continued for quite a while between all Board Members and the Applicant on who should be responsible for the maintenance of the drainage “pond.”

Mark Cornett, the Applicant responded with a possible solution; Leave it as a drainage “pond” for now with the understanding that a HOA will be formed to be responsible for the maintenance of the “pond” and that the HOA will not own the “pond” just be responsible for the maintenance.

After extensive discussion on the sidewalk placement from Lot 13 all the way to Friendship Lane

Jim Jarreau made a motion to approve P-2415 with the following conditions:

- Addition of a sidewalk connecting the subdivision from LOT 13 to Friendship Lane
- Approval of the Final Plat
- Approval of Civil constructions plans
- Payment of Park dedication fees
- Compliant with Subdivision Ordinance Sec. 6.08

Tim Dooley seconded, all voted in favor and the motion carried.

CAPTION: Consider P-2416 - Review of a Final Plat for the Chick-Fil-A Subdivision Located on the Southeast Corner of HWY 87 and Friendship Lane.

PRESENTATION: Boehler Engineering representative, Preston Clayborne was in attendance.

SUMMARY: Anna Hudson

An application has been submitted for a Final Plat that consists of a 6.584-acre tract located at the corner of US HWY 87 south and Friendship Lane. The requested subdivision consists of 3 lots that will share access to Friendship Lane via an Access Easement that will double as a Fire Lane.

BACKGROUND:

The subject property is the 6.584-acre vacant lot on the corner of US HWY 87 South and Friendship Lane and borders the Fairfield Inn and McLane Ford. The requested subdivision consists of three (3) lots that will share access to Friendship Lane via an Access Easement that will double as a Fire Lane. To subdivide property that is zoned C2, Commercial, each lot must be a minimum of 5,000 sq ft in size. with a minimum of 50 ft of frontage onto a public roadway. Sec. 3.210

Zoning: C2, Commercial Sec. 3.210

Tract Size: 6.584 Acres - 286,799 sq ft

Number of Lots: 3

Minimum Lot Size: 5,000 sq ft

Minimum Lot Width: 50 ft

Roadways: Lots 1 & 2 have frontage on Friendship Lane and Lot 3 has frontage on US HW 87 South but will also have access to Friendship Lane via an access easement that will double as a Fire Lane for the development

Easements: There are several easements proposed as part of this plat including a street easement dedication for a deceleration lane, multiple utility easements, an access easement, and fire lane easement

Utilities:

Park Dedication: The applicant shall pay parkland dedication fees (full rate) based on the overall density of the development at \$500.00 per lot (3) for a total of \$1,500. Parkland fees shall be paid prior to the recording of each phase of the project. Sec. 6.15

Construction Plans: The Civil Construction plans for the public improvements for the approved 3 lot preliminary plat has been approved and are under construction. This includes the turning lane improvements that were shown in the approved TIA as well as an extension of a public water main south along Hwy 87. The approved plans also include onsite improvements and stub outs for the proposed uses on all 3 lots. As for the TIA, it was approved for a 5,000 sq ft quick service drive through on lot 1 (chick-fil-a) and a 6,000 sq ft quick service drive through on lot 2 (unknown) and a hardware store (Ace) on lot 3.

When reviewing the Final Plat, the Board shall reference Sec. 4.05 of the Subdivision Ordinance.

Staff's findings are below.

A. The Final Plat conforms to the approved Preliminary Plat except for minor amendments that are authorized under Sec. 4.04K; The Final Plat conforms to the approved Preliminary Plat

B. All conditions imposed at the time of approval of the Preliminary Plat, as applicable, have been satisfied; Civil Construction Plans have been approved. Parkland Dedication will be paid as part of the Final Plat.

C. The Construction Plans conform to the requirements of Sec. 5.01 - Construction Plans and have been approved by the Director of Public Works; Construction Plans have been approved.

D. Where Public Improvements have been installed, the improvements conform to the approved

Construction Plans and have been approved for acceptance by the Director of Public Works and Utilities: Construction has started on Public Improvements, and they conform to the approved Construction Plans.

E. Where the Director of Public Works and Utilities has authorized Public Improvements to be deferred, a Performance Agreement has been executed and submitted by the property owner in conformance with Sec 5 - Construction Plans and Procedures; Not applicable.

F. The final layout of the subdivision or development meets all standards for adequacy of public facilities contained in this Subdivision Ordinance; Met.

G. The Plat conforms to design requirements and construction standards as set forth in the Standard Details and Specification for Public Infrastructure Construction Manual and Met.

H. The plat conforms to the Director of Development Services subdivision Application checklists and Subdivision Ordinance regulations. Met

STAFF RECOMMENDATION:

Per Sec. 3.210 of the Zoning Ordinance and Sec. 4.05 of the Subdivision Ordinance. Staff recommends approval of the proposed Final Plat conditioned upon the following:

1. Payment of Parkland Dedication fees of \$500.00 per lot (3) for a total of \$1,500.00 Sec. 6.15.
2. Completion of the construction of public improvements.

Jeff Lawrence asked Evan Williamson to please explain the sidewalk/turn lane situation.

Evan Williamson responded that the sidewalks would be installed on and along Friendship Lane and Hwy 87 and the turn lane before recording of the Final Plat and that they were currently under construction.

After discussion of the Turn Lane and safety concerns.

Tom Musselman made a motion to approve staff recommendations.

1. Payment of Parkland Dedication fees of \$500.00 per lot (3) for a total of \$1,500.00 Sec. 6.15.
2. Completion of the construction of public improvements.

Jeff Lawrence Seconded. All voted in favor and the motion was approved.

CAPTION: Consider SP-2407 - Review of a Site Plan and Entry Corridor for a Hotel Development Located at 620 E San Antonio

PRESENTATION: Juan Rodriguez with Lique Group Engineers, ninety-four (94) room hotel, be in compliance with the entry corridor guidelines.

SUMMARY: Anna Hudson

A Site Plan and Entry Corridor application has been submitted for a hotel development located at 620 E San Antonio. The request consists of a 20,000 sq ft, 3-story, ninety-four (94) room Hotel on a 2.52-acre tract.

of land that borders Barons Creek and McDonald's. The property shares a property line with East Main Street but does not have access from E Main Street. A significant piece of land, not designated as a historic site but has been deemed the possible place where the first settlers crossed over the creek.

BACKGROUND:

The application was reviewed for its conformity with relevant City Ordinances including Sec. 7.131, review and evaluation criteria for Site Plans and the Entry Corridor Design Guidelines and Standards.

Site Area: 2.62 Acres - 114,127 sq ft

Zoning: C2, Commercial Sec. 3.210

Building Coverage: 20,577 sq ft (18%) (75% Max)

Impervious Coverage: 72,805 sq ft (64%) (80% Max)

Height: 3-Stories. 38' to the top of the flat roof and 43' 8" to the top of the parapet.

Parking: Parking is required for the Hotel at 1.1 spaces for the first fifty (50) rooms and 1 per room above Fifty (50) for a total of ninety-nine (99) spaces required and ninety-nine (99) are provided. Sec. 7.863

Fire Lane: a Fire Lane that is 26' wide is proposed and surrounds the building on all sides. It also serves as the drive isle for the development.

Utilities: Utilities are available to serve the site. However, the developer will be responsible for any utility improvements or extensions required by the City.

Detention: Stormwater and detention plans & studies will be reviewed as part of the Civil Construction Plans.

Civil Construction Plans: Will be reviewed for public improvements including utilities, traffic and stormwater.

Screening: is required for refuse containers only as the property does not abut residential districts, however, the applicant has provided fencing along the western property line as well as silt fencing for erosion control along the creek.

Landscaping: is required and has been provided.

Entry Corridor Design Review: The building design incorporates exterior materials, colors, building form/massing and architectural elements that are compatible with the Texas Hill Country aesthetic.

The first level of the building facade is primarily limestone, and the colors are muted colors recommended by the Design Guidelines. Overall, the design meets all requirements found in the Entry Corridor Design Guidelines and Standards.

STAFF RECOMMENDATION:

Based on review by the Development Review Committee (DRC), Staff can recommend approval conditioned upon the following:

- Approval of Civil Construction Plans

Tim Dooley asked if they had talked to McDonald's about access to their property to allow walking access to Main Street.

Juan mentioned that he would reach out.

Belinda McDonnell stated that the building did not have the Hill Country aesthetic, making the colors of the stucco reflective of the limestone, never in her days had she seen pistachio green as part of the stucco. Contrast gets clicks, more notice, we do not have that problem in Fredericksburg, the color palette provided needed to be toned down.

Polly Rickert recommended that they amend the roof line with a slant or a gable, that the current version looked like a box, Fredericksburg is an attractive tourist town and that this version will stick out like a sore thumb, stated that it would be more acceptable more residential less monolithic and also mentioned that shade will need to be added to the balcony's as they will never be used due to the heat.

Jim Jarreau made a motion to approve the Site Plan with Staff recommendation.

- Approval of Civil Construction Plans

Tom Musselman seconded, all voted in favor and the Site Plan was approved.

Jim Jarreau made a motion to deny the entry corridor requirements.

Belinda McDonnell seconded the motion to deny. All voted in favor and the Entry Corridor application was denied.

APPROVAL OF THE MINUTES:

Jim Jarreau made a motion to approve the already corrected minutes July, as changes were submitted prior to the meeting, Jeff Lawrence seconded. All voted in favor and the July 2024 minutes were approved.

DIRECTOR'S REPORT: Anna Hudson, Director of Development Services

Anna commented that all members of the board had been assigned a FBGTX.ORG email to protect you from open records requests and to please use it for all city related work.

Daryl wanted to know if we needed to have a specific separate device that was used exclusively for city work.

Mick mentioned that a specific device was not necessary and stressed to please use the city email and make sure you forward any city related emails be sent to the FBGTX.ORG email account to protect your personal information. Particularly important that you can swear that all city work has been forwarded to your city email address.

Anna also mentioned to please take the Cyber Security training as it was a requirement, and it needed to be done before August 16, 2024.

Anna gave a report on TIRZ, In Summary, it is City money, City Council decides where the money will go. TIRZ board will be appointed by City Council

Jim wanted to know who would make up the board?

Mick mentioned that you must be an owner, agent or an employee of a property that is in the TIRZ area or owns property in the TRIZ. There are extremely strict requirements for the TIRZ board on the State and Local level.

Tim Dooley, asked if there would be at least one paid employee?

Anna responded with yes, and that they would have other responsibilities. The TIRZ would need a feasibility study as there are a ton of variables. Time is of the essence; we want to lock in the current values. City Council approved the feasibility study.

Tim Dooley, do you think we could get this accomplished by the end of the year. We have not done anything in four months!

Anna responded with that is achievable, it will need to be a priority. This is a common re-development

tool, that this is not a “NEW” tax. A portion/percentage of the general fund is taken and put in the TIRZ fund. The City Council has final authority on Board appointments and where and how the money is spent. This is for public infrastructure not private use. The area would need to be defined, the recommendation is for Main Street, the warehouse district, and the Old Middle school to be included in the TIRZ area. It is a way to focus on downtown, our economic engine.

Mick mentioned that his partner Betsy Elam is an expert on this subject and she will be helping on this issue.

Tim Dooley stated that he felt that this was very subject to abuse.

Anna said that we need to give the heart of the city, love, show it some love. The TIRZ fund gives the city the money to update downtown, not just capital improvements.

Belinda McDonnell, if we do not prioritize these items, it will never happen. TIRZ funds make it a priority.

Polly Rickert mentioned that the whole goal was to increase the generation of more funds and to encourage those areas that could be more productive. It does not change the taxes; it makes it available for the TIRZ board to apply to those areas that need help. Is there a time/expiration date on the TIRZ?

Mick responded that only the City can terminate the TIRZ with an Ordinance and the funds would revert to the general fund.

Other items:

Sober Houses Ordinance will be on the September Agenda

Polly Rickert mentioned that the Small Towns meeting has been postponed to November. She will keep the Board and staff posted as to the new dates.

ADJOURN

With nothing further to come before the Commission, Jim Jarreau made a motion to adjourn the meeting at 7:54pm. Jeff Larence seconded the motion, and the meeting adjourned.

PASSED AND APPROVED this 4th day of September 2024.

JAN MUSGROVE, Planner I

JANICE MENKING, Chair



PLANNING AND ZONING COMMISSION **AGENDA MEMO**

DEPARTMENT: Development Services
TO: Planning and Zoning Commission
FROM: Shelby Collier, Senior Planner
MEETING DATE: September 4, 2024

CATEGORY: ACTION ITEMS

CAPTION: SP-2408 - Site Plan and Entry Corridor Review for a General Retail Development Located at 736 South Washington Street.

PRESENTATION:

SUMMARY:

The applicant has submitted a Site Plan and Entry Corridor application for a General Retail development located at 736 South Washington Street. The request consists of a single-story, 5,344 sq ft structure on a 26,155 sq ft lot that shares access with Central Texas Electric and borders Real Estate Advisory Team to the North.

BACKGROUND: The application was reviewed for its conformity with relevant City Ordinances including [Sec. 7.131](#) review and evaluation criteria for Site Plans and the Entry Corridor Design Guidelines and Standards.

Site Area: .6 Acres or 26,155 sq ft

Zoning: C2, Commercial [Sec. 3.210](#)

Building Coverage: 5,344 sq ft (21%) (75% Maximum) [Sec. 3.210](#)

Impervious Coverage: 15,704 sq ft (58%) (80% Maximum) [Sec. 3.210](#)

Heights: 16.6" (38 Ft Maximum) [Sec. 3.210](#)

Parking: 1 space per 400 sq ft of mercantile space is required for a total of 6 spaces. The applicant has provided 9 spaces, including 1 ADA-accessible space. [Sec. 7.863](#)

Exterior Lighting: is proposed and is compliant with Article XV - Chapter 5 - [Ordinance No. 24-014](#). Fixtures must be fully cut off and fully shielded.

Utilities: Utilities are available to serve the site. However, the developer will be responsible for any utility improvements or extensions required by the City.

Civil Construction Plans: Will be reviewed for public improvements including utilities, traffic, and

storm water.

Landscaping: Plans are required per [Sec. 7.920](#) and should include One (1) tree per 75 LF required. Off-street parking shall have ten (10) sq ft interior landscaping for each parking space. A strip of land at least five (5) ft in depth located between the abutting right-of-way and the off-street parking areas or other vehicular area which is exposed to an abutting right-of-way shall be landscaped and include one (1) tree for each fifty (50) LF. In addition, a hedge wall, or other durable landscape barrier, of at least two (2) feet in height, shall be placed along the perimeter. Screening along the perimeter of the property is not required per [Sec. 7.940](#), however, screening of the dumpster is required per [Sec. 7.980](#)

Entry Corridor Design Review:

1.1 - 1.4 - Architectural Style: The style of the new construction is reflective of the Texas Hill Country aesthetic and does not depict "corporate" designs.

2.1 - 2.6 - Architectural Materials: The proposed construction does not create a false sense of era or appearance and uses authentic, textured materials such as white limestone, gray eludes and nicotine cream. However, the amount of metal siding should be reduced.

3.1 - 3.4 - Architectural Color: The building is overwhelmingly black as opposed to muted shades of greens, blues, and tans. Staff would recommend a muted color palette rather than bold black as the primary color.

4.1 - 4.8 - Architectural Features: The walls of the building along the entry corridor are broken up with windows and limestone facade as well as a large wrap-around porch.

5.1 - 5.7 - Massing & Scale: The project uses a details, materials and colors to break down the mass and scale of the building and the mass is appropriate to the size of the lot.

6.1 - 6.4 - Signage: A full sign package has not yet been submitted but the applicant is aware of the requirements and intends to comply.

7.1 - 7.4 - Building Height: The maximum allowed height is 38 ft and the proposed development is well under the maximum requirements at 16.6 ft tall. In addition, the development has working to create a welcoming environment with the addition of a porch.

8.1 - 8.4 - Setbacks & Frontage: Doors and entryways have been constructed facing the entry corridor and the front door connects to a sidewalk along the entry corridor.

9.1 - 9.13 - Landscaping: A full landscape plan has not yet been submitted, however, the applicant is aware of the Landscaping requirements and has placeholders in the site plan to accommodate for the landscaping.

10.1 - 10.7 - Lighting: All lighting will be dark sky compliant and comply with the design guidelines and standards.

11.1 - 11.7 - Service Areas: Loading and unloading areas have been clearly defined and are located at the rear of the property and the trash areas have been screened.

12.1 - 12.17 - Parking and Access: The parking complies with the most current ADA Standards and pedestrian walk ways have been provided. Parking has been provided on the south side of the building and is not located at the front of the structure.

13.1 - 13.4 - Drainage & Storm water: No onsite rainwater catchment systems have been provided and existing drainage patterns have been preserved.

14.1 - 14.8 - Streetscape: A sidewalk along the street right of way has been provided and pedestrian pathways safely connect to adjacent properties and commercial buildings. **Sec. 7.131. - Review and Evaluation Criteria.**

The Planning and Zoning Commission and the Director of Planning and Building as advisor to the Planning and Zoning Commission shall review and evaluate site plans using the following criteria:

Conformity with applicable regulations and standards established by the Zoning Regulations.

External elements of the site plan compatibility with existing or permitted uses on abutting sites or within the area of the proposed development, and compatibility of the development of off-site physical features, including but not limited to the review of the following:

EXPAND

Access and Circulation	Open Spaces
Adjacent street network	Planned or future development of the area
Buffers	Public facilities
Building height, bulk, scale and orientation	Setbacks
Landscaping	Utilities

Internal elements of the site plan including but not limited to the following:

EXPAND

Arrangements of Buildings, Usages and Access Management	Parking Areas
Drainage improvement/grading plan	Permanence of use and availability of alternate uses
Driveways	Provisions for handicapped access
Elevation of view of any required or proposed screening; including height, materials, percent of screening, and transitional elements	Refuse collection
Exterior lighting	Setback
Fire hydrant location and spacing	Sidewalks

Landscaping and open space plan, with a description of types and quantity of plant materials to be used	Sight clearance at intersections/driveways
Loading facilities	Size
Location height and design features on all signs	Vehicular and pedestrian circulation
Lot arrangements	

Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards.

STAFF RECOMMENDATION: Based on review by the Development Review Committee (DRC), Staff can recommend approval of the Site Plan and Entry Corridor Applications with the following conditions:

- Approval of Civil Construction Plans
- Approval of Landscape Plans
- Change of primary building color to reflect Entry Corridor Design Guidelines and Standards

ATTACHMENTS:

1. SP-2408 Revised Site Plan
2. SP-2408 Review Comments
3. SP-2408_ Craig W. Response to DRC
4. SP-2408 -model images #2- 8.1.24
5. SP- 2408_736 South Washington Narrative
6. Sp-2408 - P&Z Application

APPROVAL/REVIEW:

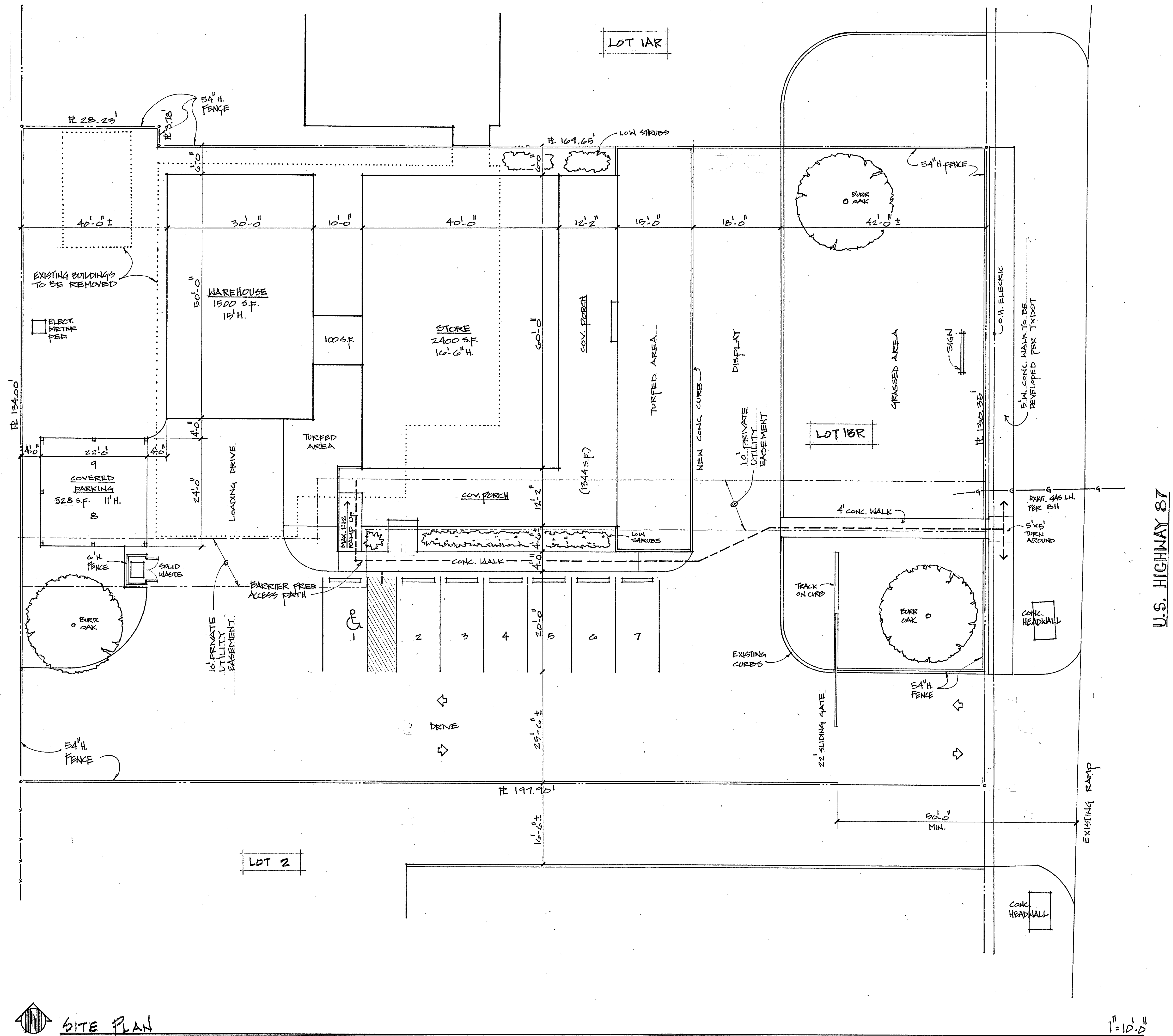
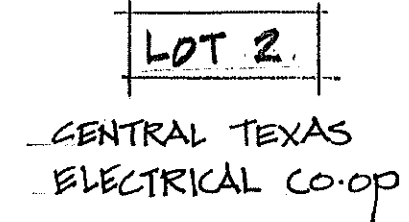


Date: August 30, 2024

ACTUAL:		REQUIRED:	
Lot Area -	25,880 s.f.	Min. Lot Area -	5,000 s.f.
Lot Width -	130.35' Min.	Min. Lot Width -	50.0'
Building Heights -	As shown	Max. Building Height -	3 stories, 38 ft.
Front Setback -	75.0'	Min. Front Setback -	15.0'
Side Setbacks - 6.0' North, 54.0' South		Min. Side Setbacks - 5.0' North, 5.0' South	
Rear Setback -	4.0'	Min. Rear Setback -	0.0'
Impervious Cover - 16,352 s.f. = 64%		Max. Impervious Cover -	80%
Building Coverage - 5,872 s.f. = 23%		Max. Bldg. Cov., % of Lot -	75%

PARKING:

9 spaces are provided - 2- covered spaces
6- standard 9x9 spaces
1-15x9 HC, Van Accessible space



SITE PLAN

LOT 1 BR - RESUBDIVISION OF LOT 1
CTEC SUBDIVISION - VOL 3, PAGE 150
PLAT RECORDS, GILLESPIE COUNTY, TEXAS

W. CASS I HILL
PLANNING & DESIGN
1000 HILL ST. FREDERICKSBURG, TX 78524
cphillips1000hill@gmail.com
C 830 997.0169 H 830 997.6736

1-1-2024	REVISED 8-26-2024
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SITTING HAPPY OVER BOOK FURNITURE

1



August 12, 2024

Sittin Happy

Leah Itz

[jlitz343@gmail.com](mailto:jlit343@gmail.com)

RE: SP-2408, Review Comments for the Site Plan and Entry Corridor review of the Retail Development Located at 736 South Washington.

Dear Applicant,

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 Plan.

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

- Project will require Planning and Zoning approval scheduled for September 4, 2024 at 1601 E Main Street at 5:30 PM.
- Provide the requested fixture types as part of the Building Permit process [Article XV- Outdoor Lighting](#) -
- Provide a Landscape and Screening plan per [Sec. 7.920](#) & [Sec. 7.940](#)
- Entry Corridor Review
 - 2.1 describe what architectural materials will be used
 - 2.5 describe what native materials will be used
 - 3.1 describe what colors will be used
 - 3.4 describe how colors will be used
 - 4.1 describe what the entry corridor walls will look like
 - 4.4 describe use of doors and windows
 - 4.5 what percentage of the ground floor will be constructed with clean and non-tinted windows.
 - 5.2 describe how the design breaks down mass and scale
 - 5.4 describe how façade relief was obtained
 - 12.3 describe the circulation to avoid conflict at points of connection
 - 12.4 describe the connection points

The City of Fredericksburg

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

Engineering Comments

- Show private utility easement from Vol. 3 Pg. 117 plat records.
- Provide updated TxDOT driveway permit.
- The 4' wide sidewalk coming off the public sidewalk requires a 5 ft x 5 ft turn-around every 200 feet.
- Any additional impervious cover from existing will require detention.
- Show existing utilities
- Show flow arrows indicating the direction of stormwater runoff on the site
- Review the lot area, it differs from the lot area shown on Vol. 3 Pg. 150 plat records.

For information regarding these comments please contact Jan Musgrove with Development Services at 830-990-2079 or jmusgrove@fbgtx.org

Please return the revised plans along with your written response as to how the comments have been addressed. Please feel free to contact me with any comments or questions, and I will be happy to assist you.

Jan Musgrove

Jan Musgrove, Planner I
Development Review Committee (DRC)

CAW CONSULTANTS

Civil Engineers Land Surveyors Land Planners

August 26, 2024

Jan Musgrove
Planner
City of Fredericksburg, Texas

Re: SP-2408 Review Comments
Dated August 12, 2024

Ms. Musgrove,

I have attached two PDF sheets that included the items you noted in your letter. I have included your comment below along with how the item was corrected shown in *blue italics*.

Engineering Comments

- Show private utility easement from Vol. 3 Pg. 117 plat records.
 - *Please see attached As-Built Survey Exhibit 1A. This exhibit shows the existing site conditions and has the above referenced easement and an easement recorded in Volume 604, Page 339-343 of the Official Public Records of Gillespie County, Texas. We would anticipate during development that both of these easements will be amended in some form.*
- Provide updated TxDOT driveway permit.
 - *We do not own our entire driveway. We share one existing driveway. Please refer to Exhibit 1A. We do not anticipate being able to adjust the drive access since we share it with Central Texas Electric Cooperative and it is necessary for them to utilize this drive during high traffic and severe weather events. We would be happy to discuss this with you further if necessary.*
- The 4' wide sidewalk coming off the public sidewalk requires a 5 ft x 5 ft turn-around every 200 feet.
 - *A 5'x5' turnaround is shown on the public sidewalk on the architectural site plan. The location provided meets the 200' requirement.*
- Any additional impervious cover from existing will require detention.
 - *We have noted the detention requirements. The current architectural site plan includes less impervious cover than the existing site.*

- Show existing utilities
 - *We have shown the existing site utilities on Exhibit 1A.*
- Show flow arrows indicating the direction of stormwater runoff on the site.
 - *We have added drainage arrows on Exhibit 1A per the topographic survey that has been completed. Development of the site will follow similar patterns and will be detailed in pre development and post development drainage area maps.*
- Review the lot area, it differs from the lot area shown on Vol. 3 Pg. 150 plat records.
 - *The area has been corrected on the current architectural site plan.*

Please let me know if you have any additional questions or comments.

Sincerely,

Craig A. Wallendorf

Craig A. Wallendorf, P.E., R.P.L.S.
CAW Consultants, Inc.













Entry Corridor Design Narrative

FOR

Sittin' Happy @ 736 Washington

1. Architectural Style

1.1 COF STANDARD: Adhere to the Historic District Guidelines when rehabilitating designated historic landmark buildings or potential historic buildings.

Not applicable. The site is not in the Historic District.

1.2 COF STANDARD: The architectural style of the entry corridor should be reflective of the Texas Hill Country aesthetic.

Noted. The architectural design will meet the specifications described in the standard.

1.3 COF GUIDELINE: New designs should be compatible with the design traditions of the established neighborhoods and regional Texas Hill Country aesthetic. It is not the intent of these guidelines to require that new buildings copy older building styles. Therefore, use traditional building forms and broader similarities of design in order to be compatible with existing buildings in the area that reflect the traditional context.

Noted.

1.4 COF GUIDELINE: The use of standardized “corporate” architectural designs associated with chain or franchise buildings (prevalent with restaurants, service stations and retail stores) is strongly discouraged and alternative designs consistent with this design manual may be required.

Noted.

2. Architectural Materials

2.1 COF STANDARD: Buildings shall employ authentic, textured materials, compatible with the traditional Hill Country aesthetic. Highly reflective materials are unacceptable, because of their tendency to create uncomfortable glare conditions.

Noted. The proposed architectural materials and surfaces will meet the specifications described in the standard.

2.2 COF STANDARD: Abide by Historic District Guidelines for preserving historic buildings.

Not applicable.

2.3 COF STANDARD: Use original materials, retain and preserve significant architectural features, ensure the maintenance of the building's historical character. (per Historic Design Guidelines).

Not applicable.

2.4 COF STANDARD: Do not create a false sense of era or appearance with replacement of metal details or features that are not based upon any historical evidence (per Historic Design Guidelines)

Not applicable.

2.5 COF GUIDELINE: Select materials native to the Hill Country, such as cedar, limestone and brown sandstone.

Noted.

2.6 COF GUIDELINE: New developments should choose materials that offer texture and avoid monotonous faces to add visual interest and reduce its apparent scale.

Noted.

Mixture of white limestone, gray luedes, & nicotine cream



Black R-Panel



3. Architectural Color

3.1 COF STANDARD: Choose colors used traditionally in Fredericksburg such as muted shades of greens, blues, and tans (Historic Design Guidelines).

Noted.

3.2 COF STANDARD: Use color to coordinate façade elements in an overall composition and tie all the building elements together.

Noted. Architectural design will adhere to this standard.

3.3 COF STANDARD: Reserve bright colors for accents only. Limit the use of bright colors to no more than 15 percent of the overall exterior building façade.

Noted. Architectural design will adhere to this standard.

3.4 COF GUIDELINE: Predominant building colors should be of earth tones but may be accented with brighter colors to provide color variation, punctuation, and eclecticism unique to Fredericksburg.

Noted.

4. Architectural Features

4.1 COF STANDARD: Blank or featureless walls will not be approved along parks, plazas, entry corridors or side streets.

Noted. Architectural design will adhere to this standard.

4.2 COF STANDARD: Design buildings with a “human scale” by using architectural enhancements. The building facade facing the parks, plazas, entry corridors or side streets shall have visible, clearly defined customer entrances that include at least three of the following elements: canopies or porticos, overhangs, recesses or projections, arcades, raised cornice parapets over the entrance door, distinctive roof forms, arches, outdoor patios or plazas, display windows, or integral planters.

Noted. Architectural design will adhere to this standard.

4.3 COF STANDARD: Use original materials, retain and preserve significant architectural features, ensure the maintenance of the building’s historical character. (Historic Design Guidelines).

Not applicable.

4.4 COF STANDARD: Windows and doors shall be equally spaced and provide rhythm along the façade of the building.

Noted. Architectural design will adhere to this standard.

4.5 COF STANDARD: With exception of historic or potential historic landmarks, at least 40 percent of the ground floor façade facing parks, plazas, entry corridors or side streets shall be constructed of clear and non-tinted windows.

Noted. Architectural design will adhere to this standard.

4.6 COF STANDARD: For any multi-tenant commercial development, a covered arcade/structural canopy shall be provided along the front facade of the building. Arcades are covered walkways connected to the principal building. They should be a minimum of five feet in width and designed to provide covered areas for relief from the weather. Different arcade/structural canopy designs may be used for each individual tenant/business within a multi-tenant commercial development provided that they blend aesthetically with the front facade of the building.

Not applicable.

4.7 COF GUIDELINE: Choose features that fit the scale of the building and its surroundings.

Noted.

4.8 COF GUIDELINE: If a shed roof or flat roof design is used, add a parapet wall to screen the roof.

Noted.

5. Massing & Scale

5.1 COF STANDARD: Break up the front of large retail buildings by dividing it into individual bays 25 to 40 feet wide.

Noted. Architectural design will adhere to this standard.

5.2 COF STANDARD: Use variation in materials, textures, patterns, colors, and details to break down the mass and scale of a building.

Noted. Architectural design will adhere to this standard.

5.3 COF STANDARD: Building mass shall be used that is appropriate to the site. Buildings of the greatest footprint shall be located towards the center of a development where the impact on adjacent uses is the least.

Noted. Architectural design will adhere to this standard.

5.4 COF STANDARD: Each building shall have sufficient facade relief and interruption every 30 feet so as to provide visual architectural interest.

Noted. Architectural design will adhere to this standard.

5.5 COF GUIDELINE: When making transitions to lower density areas, modulate the mass of the building to relate to smaller buildings.

Not applicable.

5.6 COF GUIDELINE: Faux windows and similar details are not appropriate articulation.

Noted.

5.7 COF GUIDELINE: Buildings are encouraged to be contiguously arranged along the street face, and large breaks between buildings in identified development sites should be avoided.

Not applicable.

6. Signage

6.1 COF STANDARD: A landscaped base area shall be provided for monument or ground signs appropriate to the mass and height of the sign. All areas within 5 feet of the base of any sign shall be landscaped. The landscaped area may include trees, shrubs, flowering perennials, ornamental tall grass, fountains, water features, decorative stonework, planters, sculpture, and decorative paving.

Landscaping will be designed to meet this standard.

6.2 COF GUIDELINE: A minimal number of colors should be used per sign where possible. Bright colors should be reserved for accent only.

Noted.

6.3 COF GUIDELINE: Integrate signs into building and site design so they do not appear as an afterthought.

Noted.

6.4 COF GUIDELINE: Attached signs should be located above the building entrance, storefront opening, or at other locations that are compatible with the architectural features of the building.

Noted. All signs will comply with the City of Fredericksburg's Signage ordinances.

7. Building Height

7.1 COF STANDARD: Use existing height standards from the Zoning Ordinance.

The lot is zoned C2 – Commercial. The building’s height will meet the Zoning Ordinance’s maximum of 38-ft.

7.2 COF GUIDELINE: Work with the existing streetscape and define heights that are appropriate to create a welcoming environment and consistency.

Noted.

7.3 COF GUIDELINE: Use building height to define neighborhood and district edges, and to provide a “human scale.”

Noted. The building’s elevation will adhere to the City’s ordinances.

7.4 COF GUIDELINE: Floor to floor heights of a building can have an impact on the mass of the building. Typical ceilings in a residence are 8-9 feet. First floors of office buildings or retail shops can range from 10-15 feet. Upper floors that include residential or office are generally 8-12 feet in height. Actual or implied floor-to-floor heights above 15-20 feet on the exterior should be avoided, as a building may begin to lose its “human scale” appearance.

Noted.

8. Setbacks & Frontage

8.1 COF STANDARD: Doors and entryways shall be constructed facing the entry corridor and any side streets. Secondary entrances may be constructed to allow convenient access from secondary streets, adjacent buildings, sidewalks, or parking.

Noted. Architectural design will adhere to this standard.

8.2 COF GUIDELINE: The front door should connect to the sidewalk along the entry corridor.

Noted.

8.3 COF GUIDELINE: In areas adjacent to or near the Historic District, new buildings should match adjacent building setback to preserve the Historic District character and to encourage walkability.

Not applicable.

8.4 COF GUIDELINE: A contiguous building arrangement without large breaks between buildings along the street face is encouraged.

Noted.

9. Landscaping

9.1 COF STANDARD: Landscaping, including planting and trees, shall be provided as a buffer between the street and parking area.

Noted. New landscaping will be installed to create the requested buffer between parking and the street.

9.2 COF GUIDELINE: To create a cohesive tree canopy that provides for consistent shade, street trees should be planted a minimum of every 50 feet on center (centered between the curb and sidewalk). The same number of trees may also be clustered in groups.

Noted.

9.3 COF GUIDELINE: Native, drought tolerant and adapted landscape species should be used to the greatest extent possible.

Noted.

9.4 COF GUIDELINE: A minimum of 50 percent of the plant species should be selected from the approved plant list.

Noted.

9.5 COF GUIDELINE: Minimize impervious coverage to reduce the need for energy and water consumption.

Impervious coverage is 58% (80% is the maximum impervious coverage allowed by the standard).

9.6 COF GUIDELINE: Utilize parks, open spaces, and natural areas as buffers between incompatible uses or as a means of maintaining natural viewsheds.

Noted.

9.7 COF GUIDELINE: Planting is preferable to turf within the right-of-way, including spaces between sidewalks and the street. Landscaping between the curb and sidewalk should be no taller than 24 inches tall and trees should be limbed up 7.5 feet above the sidewalk in the sight distance triangle.

Plantings and a conservative amount of turf will be utilized. Landscaping will conform with the height requirements.

9.8 COF GUIDELINE: Every effort should be made to protect underground utilities such as water, sewer, phone and cable from tree or plant roots.

Noted.

9.9 COF GUIDELINE: Restoration of natural areas is strongly encouraged during new development and, to the extent possible, redevelopment.

Noted.

9.10 COF GUIDELINE: Wherever possible, parks should take advantage of existing mature vegetation by preserving it and incorporating it as a feature of the park to maximize use of shaded areas.

Noted.

9.11 COF GUIDELINE: Minimize grading and preserve existing vegetation whenever possible.

Noted.

9.12 COF GUIDELINE: Landscapes should be irrigated to establish planting and provide the correct water levels to support the long-term growth of landscape. Irrigation systems should use efficient water methods, group planting by similar watering needs, and use moisture sensors to control the use of water.

Noted.

9.13 COF GUIDELINE: Root barriers should be used in planting areas between the sidewalk and street which are less than 10 feet in width.

Noted. Root barriers will be implemented in applicable areas.

10. Lighting

10.1 COF STANDARD: Lighting fixtures should be selected from the International Dark-Sky Association Approved Fixtures.

All lighting will be Dark-Sky compliant.

10.2 COF GUIDELINE: Lighting should be used to provide illumination for the security and safety of on-site areas such as parking, loading/unloading, pedestrian pathways and working areas. Excessive use of lighting fixtures is prohibited.

Noted.

10.3 COF GUIDELINE: Fixture style and location should be compatible with the building's architecture, site design and landscape design. Decorative fixtures are highly recommended and where warranted, may be required. Light fixture style should be consistent throughout the project.

Noted. Light fixtures will be chosen to blend with the architectural style of the building.

10.4 COF GUIDELINE: Light fixtures should be located facing away from adjacent sites (particularly residential parcels) so that the light does not spill-over onto abutting properties. Parking and building light fixtures should be cut-off luminaries that have less than 90-degree cut-off so that the light is not emitted horizontally or upward.

Noted.

10.5 COF GUIDELINE: Projects located near residential or open space areas should use low intensity/wattage lights and all lighting is to be extinguished or reduced in intensity 30 minutes after the close of business.

Noted.

10.6 COF GUIDELINE: Off-site street lighting may be required over driveways to provide safe entrances and exits.

Noted.

10.7 COF GUIDELINE: Decorative seasonal lighting encouraged.

Noted.

11. Service Areas

11.1 COF STANDARD: Loading/unloading areas shall be clearly identified by installing no parking signs and/ or striping of the space. The areas must be located in the rear or the sides of the building and shielded so that they are not visible from the street. The size and number of the loading/ unloading areas must be consistent with the requirements of the Zoning Ordinance

There will be a loading area in the parking area on the side of the proposed building.

11.2 COF GUIDELINE: All trash, recycling and utilities facilities should be visually and acoustically screened from pedestrian rights of way.

Noted. The trash area will be screened visually and acoustically from pedestrian rights of way.

11.3 COF GUIDELINE: Screening should be achieved through the installation of a wall or fence six foot in height or a height sufficient to obscure the area or equipment, whichever is less.

Noted.

11.4 COF GUIDELINE: Screening may be provided by using a semi-opaque fence, solid vegetative surface or combination of both.

Noted.

11.5 COF GUIDELINE: The height of screening plants should be based on typical plant size within five growing seasons.

Noted.

11.6 COF GUIDELINE: All roof-top equipment should be screened from entry corridors, side streets, plazas and parks.

Noted.

11.7 COF GUIDELINE: It is encouraged to provide a separate waste and recycling unit to encourage environmental sustainability and support efforts to reduce, reuse, and recycle in Fredericksburg. The City of Fredericksburg Recycling Center provides recycling and safe disposal options. Fredericksburg Shines has compiled a list of items that can be recycled along with the location where that recycling occurs.

Noted.

12. Parking & Access

12.1 COF STANDARD: When a property abuts a creek, a 10-foot landscaped buffer shall be provided between the parking lot and the creek, where applicable. Utilize rain gardens and/or plant species that filter toxins between the parking lot and the creek.

Not applicable.

12.2 COF STANDARD: All parking shall comply with the most current American with Disabilities Act (ADA) standards and regulations.

All parking will comply with current ADA guidelines.

12.3 COF STANDARD: Whenever parking areas/drive aisles are connected to adjacent sites; the circulation must provide for similar direction of travel (both vehicular and pedestrian) and parking stalls to reduce conflict at points of connection.

Noted.

12.4 COF STANDARD: Pedestrian walkways connecting to adjacent development shall be provided.

Not applicable.

12.5 COF STANDARD: A minimum of a 4" diameter tree per 8 parking spaces shall be planted in planting beds located in the corners of parking lots and 'islands.

Noted.

12.6 COF STANDARD: Continuous, 5' sidewalks must be provided along the full length of the building featuring customer entrances and along any façade facing public parking areas.

Noted.

12.7 COF GUIDELINE: Parking should be located behind buildings or on the side.

Noted. Parking will be placed on the South side of the proposed building.

12.8 COF GUIDELINE: Bicycle parking facilities should be provided at all new development that occurs on any street intersection. The design, color, and materials must coordinate with other site elements and must be well-lit for nighttime uses.

Noted. The proposed development is not in an intersection.

12.9 COF GUIDELINE: Parking areas abutting properties residentially used or designated should be separated by a landscape buffer a minimum of 10 feet in width. In addition to landscaping, perimeter earth berms are recommended as an effective way to reduce the visual impact of surface parking lots.

Not applicable.

12.10 COF GUIDELINE: At least one drive aisle should be designed to provide sufficient emergency vehicle access and maneuverability.

Noted.

12.11 COF GUIDELINE: Establishments that typically require or generate frequent passenger loading and unloading should provide specifically designated loading/unloading stopping bays. Direct ingress and egress should be provided so that vehicles are not directed into the on-site drive aisles.

Not applicable.

12.12 COF GUIDELINE: Parking lots should be located and designed with storm water Best Management Practices to capture, treat and infiltrate storm water.

Noted. The parking design complies with this guideline.

12.13 COF GUIDELINE: The on-site circulation should be logical and provide convenient, safe and direct flow of pedestrians and vehicles.

Noted. The site design meets this standard.

12.14 COF GUIDELINE: New surface parking areas are discouraged within view of US 290, US 87, SH 16, and FM 965. New parking areas should be situated behind buildings and screened from street views.

Noted.

12.15 COF GUIDELINE: Parking aisles should be arranged to direct pedestrians parallel to moving cars thereby minimizing the need for pedestrians to cross parking aisles and landscape areas. As an alternative, separated pedestrian walkways should be incorporated in the parking lot design.

Noted.

12.16 COF GUIDELINE: Detached parking structures should be architecturally compatible with their setting or be screened by other buildings or by landscaping. If a detached parking structure abuts a street or major pedestrian path, ground floor design should incorporate a façade with storefronts, display windows, bay divisions, and other pedestrian oriented features.

Noted.

12.17 COF GUIDELINE: Shared driveways are encouraged.

Noted.

13. Drainage & Stormwater

13.1 COF GUIDELINE: LID techniques such as rain barrels, cisterns, raingardens, naturalized landscaping, porous pavement, and roof gardens are encouraged.

Noted.

13.2 COF GUIDELINE: When possible, site stormwater management facilities in parks and open space if there is a benefit to the surrounding area and/or water quality is demonstrated.

Noted.

13.3 COF GUIDELINE: Existing drainage patterns and flows on site should be preserved to the greatest extent possible.

Existing drainage patterns and flows on the site will be preserved to the greatest extent possible.

13.4 COF GUIDELINE: Decorative or aesthetically pleasing stormwater mechanisms should be incorporated into stormwater designs to the greatest extent possible.

Noted.

14. Streetscape

14.1 COF STANDARD: Sidewalks along the street right of way must be a minimum of 5 feet wide.

Noted.

14.2 COF GUIDELINE: Sidewalks and pedestrian pathways should safely connect from the street to commercial buildings, surrounding residential areas, and parks and open spaces.

Noted.

14.3 COF GUIDELINE: Seating is encouraged in front of businesses, in public spaces and other instances where appropriate.

A seating area is planned in the front of the building where the outdoor furniture will be displayed.

14.4 COF GUIDELINE: All pedestrian areas should comply with the most current American with Disabilities Act (ADA) standards and regulations. Particular attention should be given to ramps, accessible paths of travel, level landings and handrails.

All pedestrian areas will comply with the current ADA and Texas Accessibility Standards.

14.5 COF GUIDELINE: Create a quality-built environment with the inclusion of amenities such as street furnishing, plantings, art works, and water features to enhance the places that people will walk, gather, or recreate.

Noted.

14.6 COF GUIDELINE: Developments adjacent to multi-use trails should provide a direct connection from the trail to the development's internal pedestrian circulation system.

Not applicable.

14.7 COF GUIDELINE: Streetscape furnishing should be made of high-quality materials and be coordinated with the architecture of the building.

Noted.

14.8 COF GUIDELINE: To create a cohesive tree canopy for consistent shade, street trees should be planted a minimum of every 50 feet on center (centered between the curb and sidewalk). The same number of trees may also be clustered in groups.

Noted.



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 jmusgrove@fbgtx.org.

A. Project Information

Project Name: Sittin' Happy
Project Address: 736 South Washington
Parcel ID Numbers: 50464 - Abstract # / Property ID=88084

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
☒ DRC Review comments - \$250

C. Applicant/Owner Information

Property Owner

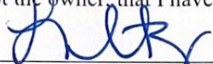
Owner Name: LEAH Ltz
Owner Address: 343 Dumbach Rd. , T7bg
Owner Phone Number: 830-992-0023
Owner Email Address: jlitz343@gmail.com

Applicant

Applicant Name: LEAH Ltz
Applicant Address: _____
Applicant Phone Number: _____
Applicant Email Address: _____

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: LEAH HZ

Staff Use Only Application Number: SP- 2408 Date: 8/1/24

Required Checklist Items Included: _____ CK # 0001



PLANNING AND ZONING COMMISSION **AGENDA MEMO**

DEPARTMENT: Development Services

TO: Planning and Zoning Commission

FROM: Shelby Collier, Senior Planner

MEETING DATE: September 4, 2024

CATEGORY: ACTION ITEMS

CAPTION: EC-2024-02 - Entry Corridor Review for a Hotel Development Located at 620 E San Antonio Street.

PRESENTATION:

SUMMARY:

An application for review of the Entry Corridor Design Guidelines and Standards has been submitted for property located at 620 E San Antonio Street.

BACKGROUND:

The site plan for 620 E San Antonio was approved by the Planning and Zoning Commission at the August 7th meeting. However, the original Entry Corridor application was not approved as the Commission felt that the overall design was not compliant with the Design Guidelines and Standards. The applicant has submitted a revised application that includes several changes including the removal of a bright blue from the color palette, limited the number of colors, the addition of awnings to the third floor and balconies to several of the rooms.

The application was reviewed for its conformity with the relevant City Ordinances including the Entry Corridor Design Guidelines and Standards.

Entry Corridor Design Review:

1.1 - 1.4 - Architectural Style: The style of the new construction is reflective of the Texas Hill Country aesthetic and does not depict "corporate" designs.

2.1 - 2.6 - Architectural Materials: The proposed construction does not create a false sense of era or appearance and uses authentic, textured materials such as white limestone.

3.1 - 3.4 - Architectural Color: The proposed building is a mix of grays, creams and browns that are compatible with the recommended color palette of muted earth tones.

4.1 - 4.8 - Architectural Features: The walls of the building along the entry corridor incorporate design features such as limestone, awnings, balconies and large windows and the main building entrance is designed with a projecting facade, raised parapet at the roof level and low canopies and large windows at the pedestrian level.

5.1 - 5.7 - Massing & Scale: The building facade is divided into bays up to 40' wide with recesses, projections and varying roof heights and forms to break down the mass and scale.

6.1 - 6.4 - Signage: A full sign package has not yet been submitted but the monument sign is located

within a landscape island as required.

7.1 - 7.4 - Building Height: The maximum allowed height is 38 ft with an allowance up to 43.8 for parapets.

8.1 - 8.4 - Setbacks & Frontage: This property is unique in the fact that it has frontage onto the entry corridor but no access.

9.1 - 9.13 - Landscaping: A full landscape plan has not yet been submitted, however, the applicant is aware of the Landscaping requirements and has placeholders in the site plan to accommodate the landscaping.

10.1 - 10.7 - Lighting: All lighting will be night sky compliant and comply with the design guidelines and standards.

11.1 - 11.7 - Service Areas: Loading and unloading areas have been clearly defined and the trash areas have been screened.

12.1 - 12.17 - Parking and Access: The parking complies with the most current ADA Standards and pedestrian walkways have been provided. Parking has been provided around the building and will be screened from the entry corridor.

13.1 - 13.4 - Drainage & Storm water: No onsite rainwater catchment systems have been provided and existing drainage patterns have been preserved.

14.1 - 14.8 - Streetscape: All sidewalks are a minimum of 5 ft wide and ADA crosswalks have been provided.

STAFF RECOMMENDATION:

The applicant has made modifications to the design based on feedback from the Planning and Zoning Commission. Staff recommends approval.

ATTACHMENTS:

1. EC-2024-02 Renderings
2. EC-2024-02 Project Narrative

APPROVAL/REVIEW:



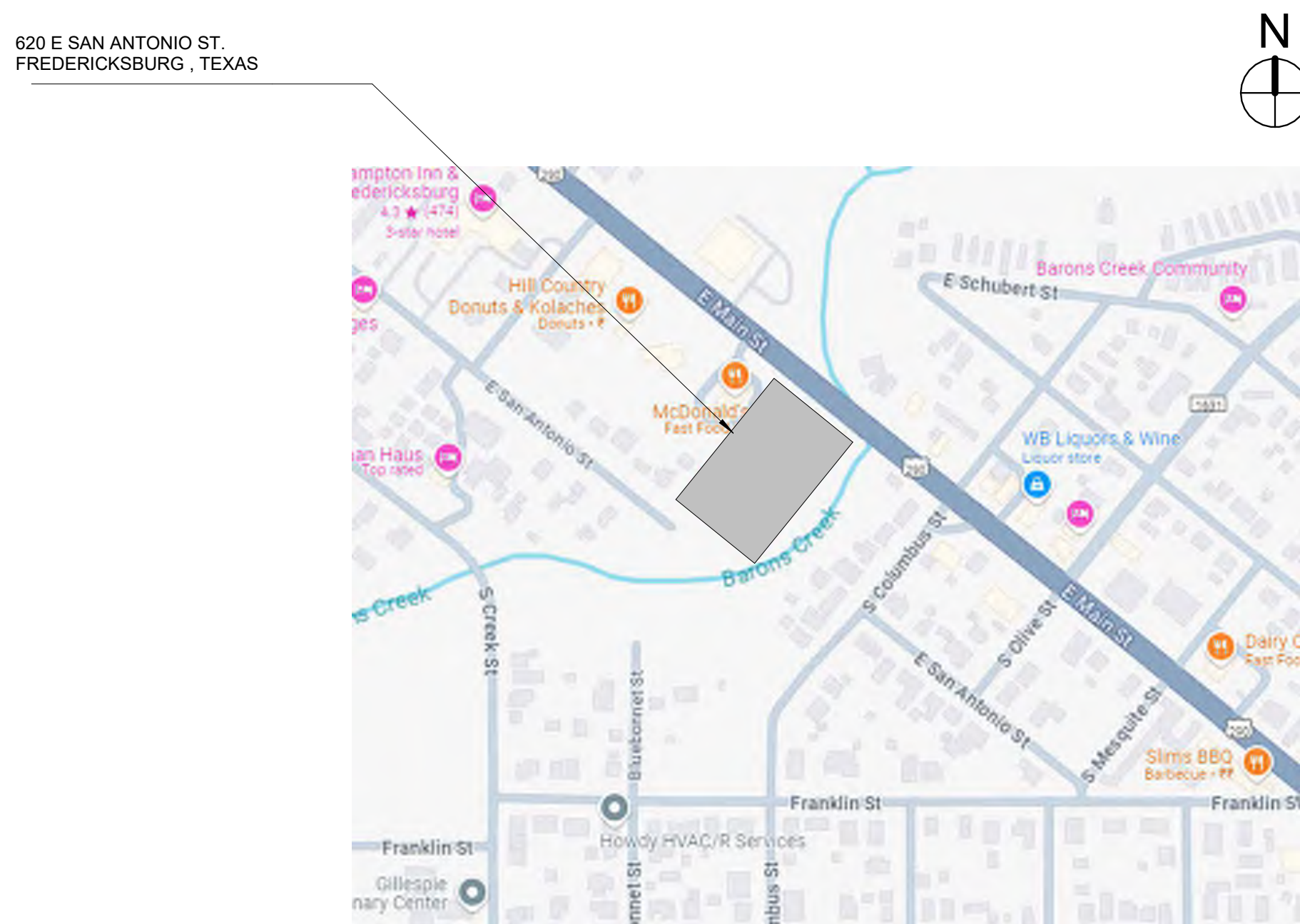
Shelby Collier, Senior Planner

Date: August 30, 2024

TEAM MEMBERS

OWNER/AGENT:	BAYWOOD HOTELS 7300 BLANCO RD., SUITE 701 SAN ANTONIO, TEXAS 78216	NICK NAIK nick.naik@baywoodhotels.com
ARCHITECT:	PHILLIPS PARTNERSHIP P.C. 5901 PEACHTREE DUNWOODY RD BUILDING A, SUITE 450 ATLANTA, GA 30328	JERRY PHILLIPS, AIA MONICA JOSEPH, VINIL THOMAS 770-394-1616 mjoseph@phillipspart.com vthomas@phillipspart.com
MECHANICAL / PLUMBING / ELECTRICAL ENGINEER:	SAVANT ENGINEERING 5064 ROSWELL RD SUITE D-301 SANDY SPRINGS, GA 30342	TROY NEDDERMAN, PE SLADE HOLLADAY JOSHUA ANDERSON 770-319-7400 tnedderman@savanteng.com sholladay@savanteng.com janderson@savanteng.com
STRUCTURAL ENGINEER:	STRAND 10003 TECHNOLOGY BLVD. WEST, DALLAS, TX 75220	CHAD ANDREW KONGER, PE ERIK HANSON PHILIP REGALADO 972-620-8204 chad@strandssystems.com erik@StrandSystem.com philip@Strandae.com
CIVIL ENGINEER:	LIQUE GROUP 816 CAMARON ST., SUITE 110 SAN ANTONIO, TX 78212	JUAN RODRIGUEZ DANA VITAL 210-549-4207 210-373-9383 juan@lique.us dana.vital@lique.us
CONTRACTOR:	DD&B CONSTRUCTION 17B FIRSTFIELD RD. STE.708 GAITHERSBURG MD 20878	CHINTAN PATEL cpatel@ddandbconstruction.com
FITNESS:	PELTON COMMERCIAL	

PROJECT LOCATION



HOMewood SUITES by Hilton™

FREDERICKSBURG, TEXAS

NEW CONSTRUCTION
3 STORY, 94 UNIT w/ OUTDOOR POOL

620 E SAN ANTONIO ST.
FREDERICKSBURG , TEXAS

DRAWING INDEX

ARCHITECTURAL	
CS-1	COVER SHEET
SP-1	ARCHITECTURAL SITE PLAN
SP-2	SITE PLAN OVERLAY ON GOOGLE EARTH
SP-3	STREET VIEW SKETCHES
A-1.1	FLOOR PLAN LEVEL 1
A-1.2	FLOOR PLAN LEVEL 2
A-1.3	FLOOR PLAN LEVEL 3
A-2.1	ROOF PLAN
A-4.1	EXTERIOR ELEVATIONS
A-4.2	EXTERIOR ELEVATIONS
A-4.3	EXTERIOR ELEVATIONS
A-4.4	3D VIEWS
A-4.5	3D VIEWS
A-5.1	BUILDING TRANSVERSE SECTION
MB-1	MATERIAL BOARD



PHILLIPS

KEYPLAN

CONSULTANT

SEAL

ISSUE & REVISION RECORD

#	DATE	DESCRIPTION
2024.05.28		DRC- SITE PLAN-ENTRY CORR.
2024.08.22		ENTRY CORRIDOR SUBMITTAL

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PROJECT

**HOMewood
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FREDERICKSBURG, TEXAS
v10.0 (APR. 2021) + rev APRIL 2024

3 STORY, 94 UNITS
w/ OUTDOOR POOL
2015 IBC + LOCAL AMENDMENTS & ORDINANCE
TYPE VA CONSTRUCTION

620 E SAN ANTONIO ST.
FREDERICKSBURG, TX
GILLESPIE COUNTY

CLIENT

**BAYWOOD
HOTELS**

BAYWOOD HOTELS
7300 BLANCO RD.
SUITE 701
SAN ANTONIO, TEXAS 78216

PHILLIPS JOB NUMBER	2303407
ISSUE DATE	2024.08.22
DRAWN BY/CHECKED BY	VT/ MJ
DRAWING TITLE	

COVER SHEET

SHEET NUMBER

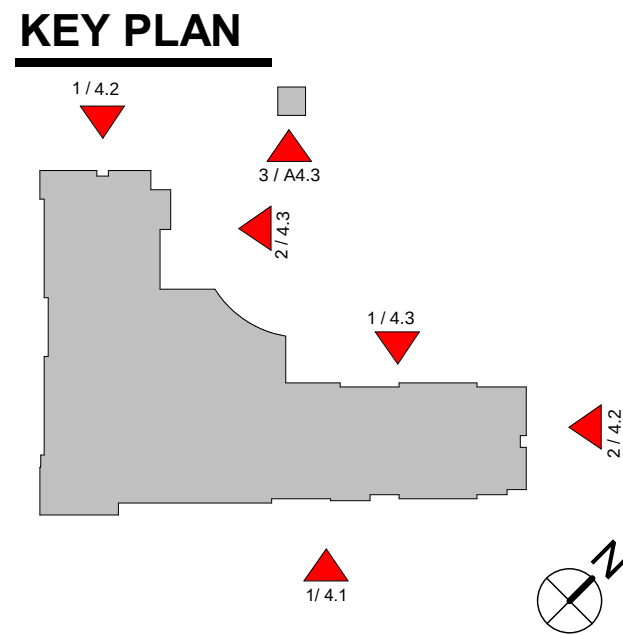
CS-1

5901 PEACHTREE DUNWOODY RD.
BUILDING A, SUITE 450
ATLANTA, GEORGIA 30328
PHILLIPS-PART.COM 770-394-1616

E. SAN ANTONIO STREET

E. MAIN STREET

BARON'S CREEK



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PROJECT

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7300 BLANCO RD.
SUITE 701
SAN ANTONIO, TEXAS 78216

PHILLIPS JOB NUMBER 2303407

ISSUE DATE 2024.08.22

DRAWN BY/CHECKED BY VTJ/MJ

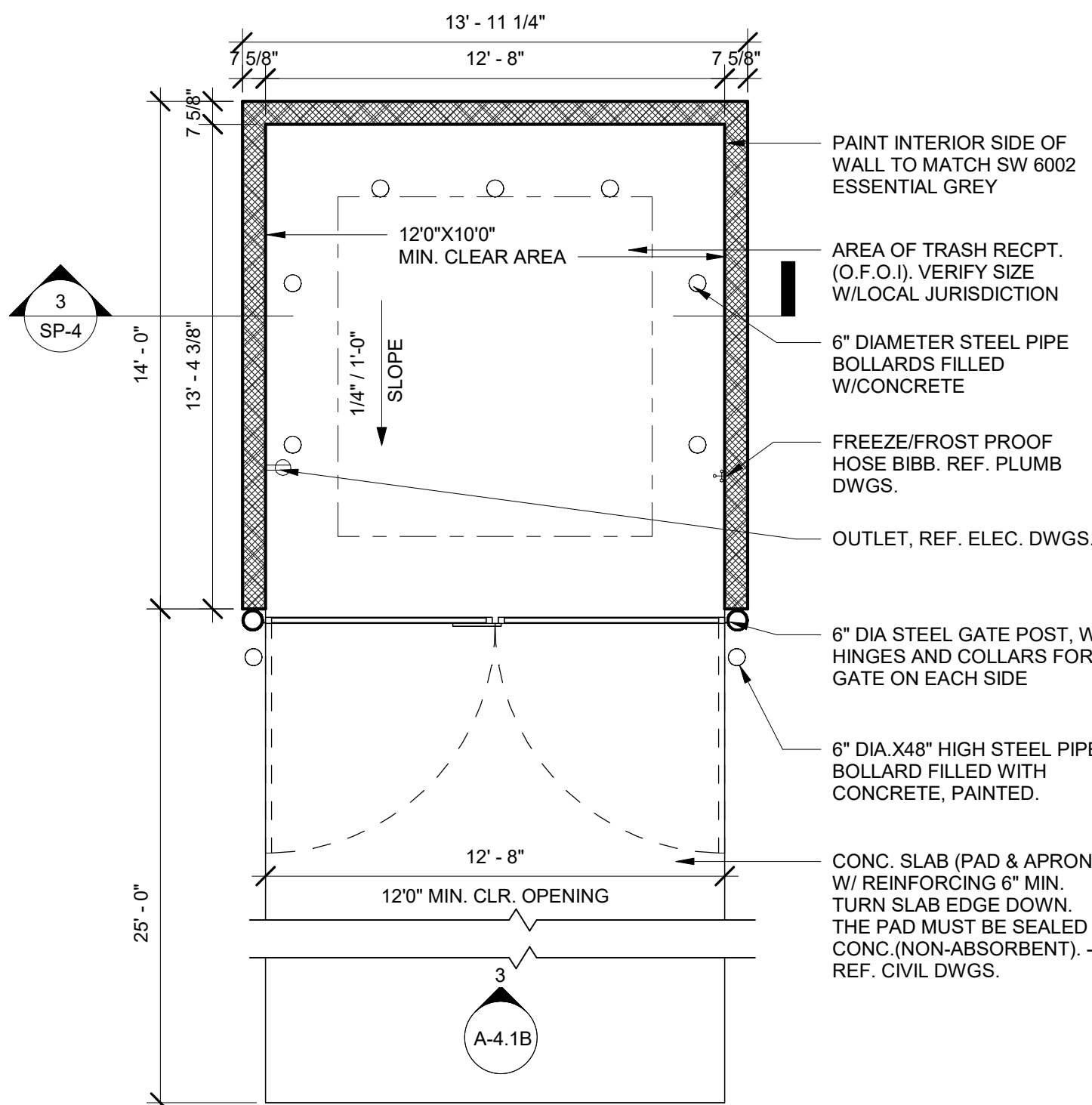
DRAWING TITLE

ARCHITECTURAL SITE PLAN

SHEET NUMBER

SP-1

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BUILDING A, SUITE 450
ATLANTA, GEORGIA 30328
PHILLIPS PART.COM 770.344.1010



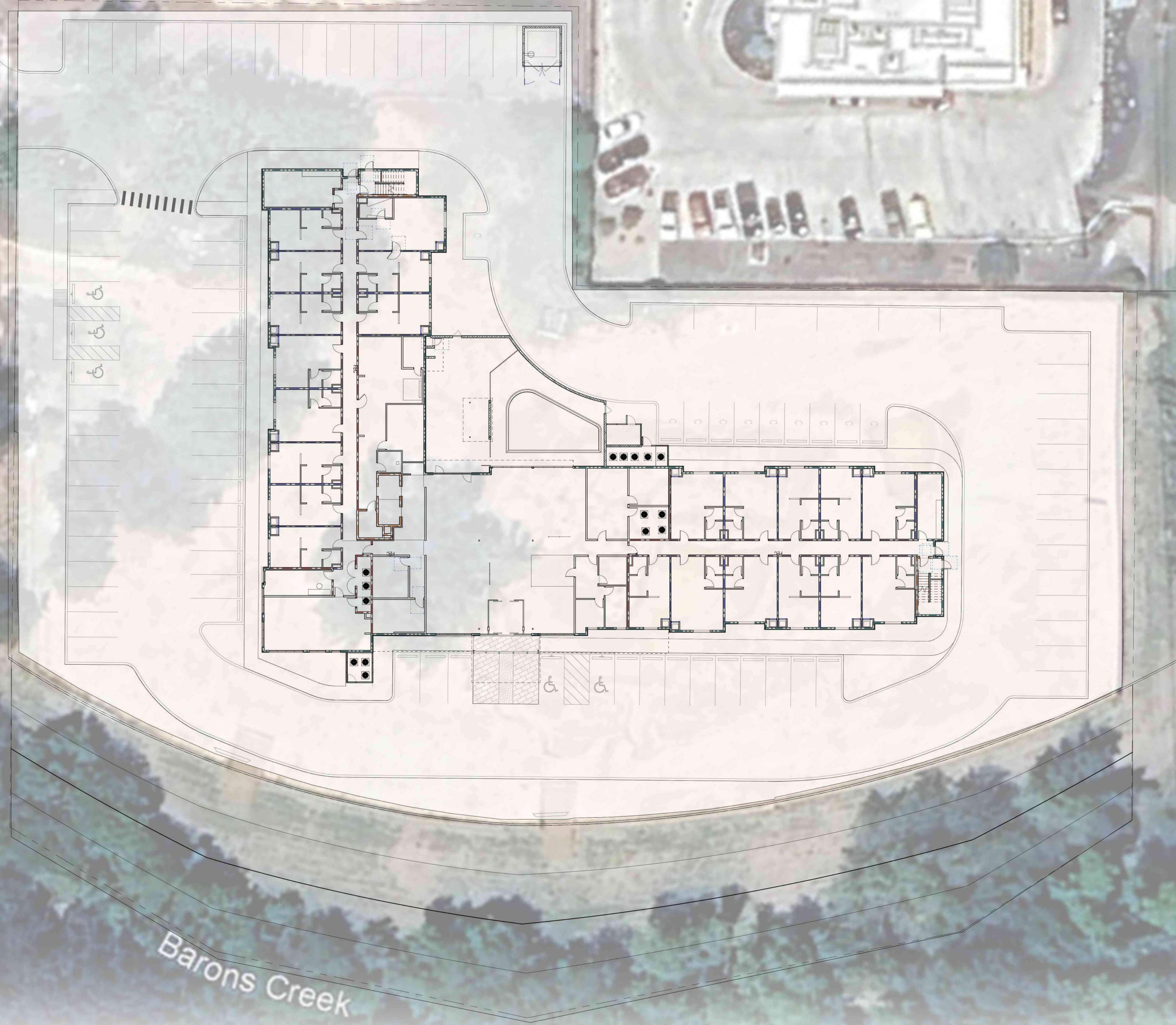
2 ENLARGED PLAN - DUMPSTER
SP-1 SCALE: 1/4" = 1'-0"

1 ARCHITECTURAL SITE PLAN
SP-1 SCALE: 1" = 20'-0"

ARCHITECTURAL SITE PLAN FOR
REFERENCE ONLY. REF. CIVIL AND
LANDSCAPE DRAWINGS PREPARED BY
CIVIL ENGINEER AND LANDSCAPE
ARCHITECT FOR CONSTRUCTION AND
ADDITIONAL INFORMATION. REF. ELEC.
DRAWINGS FOR SITE LIGHTING.



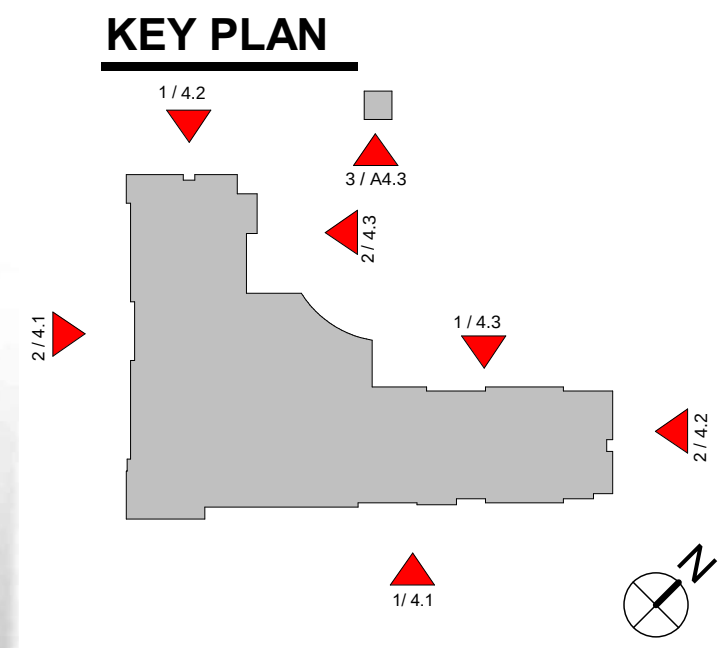
E. SAN ANTONIO STREET



BARON'S CREEK



E. MAIN STREET



KEYPLAN

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FREDERICKSBURG, TEXAS
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7300 BLANCO RD.
SUITE 701
SAN ANTONIO, TEXAS 78216

PHILLIPS JOB NUMBER 2303407

ISSUE DATE 2024.08.22

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DRAWING TITLE

SITE PLAN OVERLAY
ON GOOGLE EARTH

SHEET NUMBER

SP-2

5901 PEACHTREE DUNWOODY RD.
BUILDING A, SUITE 450
ATLANTA, GEORGIA 30328
PHILLIPSPART.COM 770-394-1616

1
SP-2
ARCHITECTURAL SITE PLAN
SCALE: 1" = 20'-0"





4
SP-3 VIEW FROM E. SAN ANTONIO ST.



3
SP-3 VIEW FROM E. MAIN ST. -3



2
SP-3 VIEW FROM E. MAIN ST. -2



1
SP-3 VIEW FROM E. MAIN ST. -1



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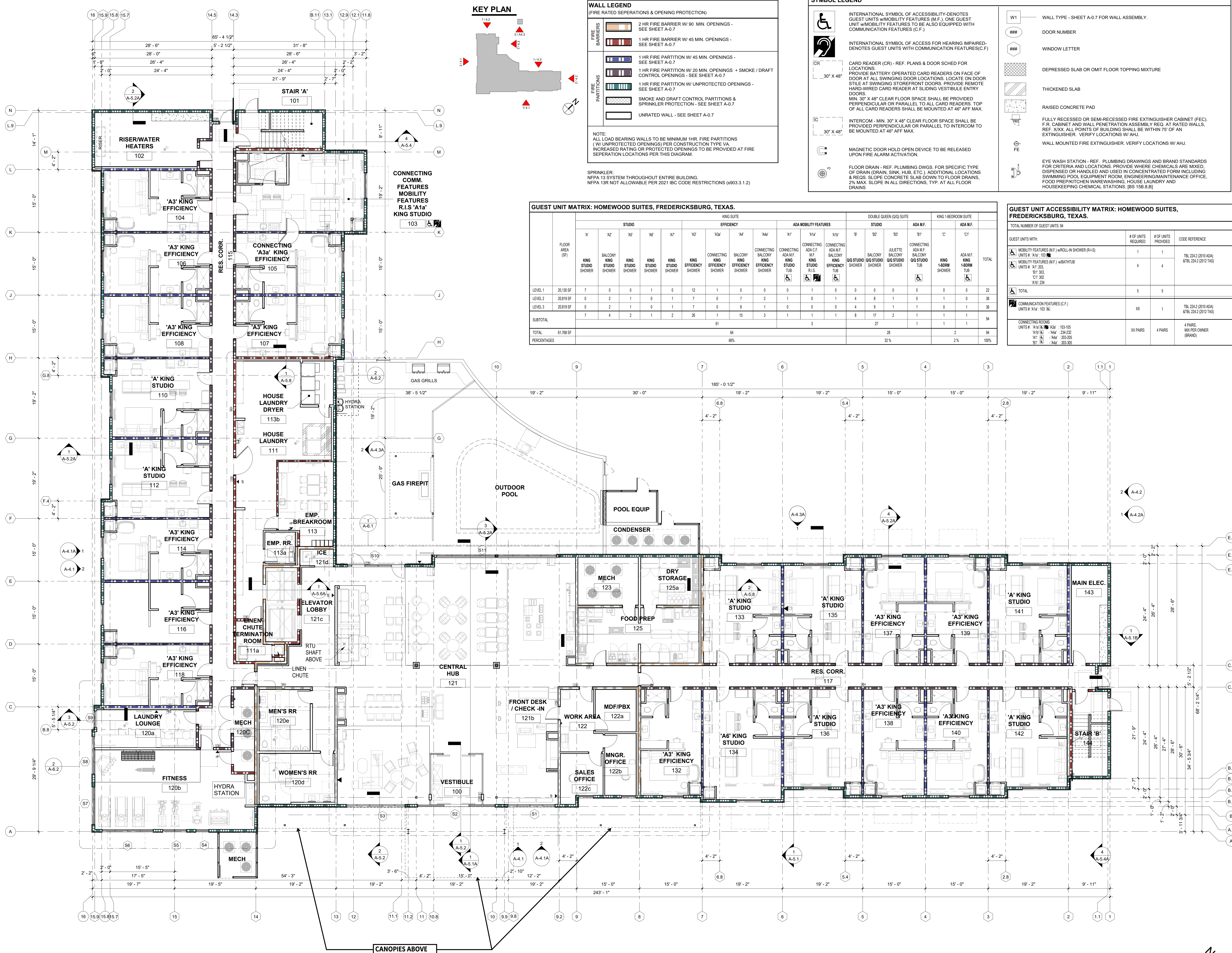
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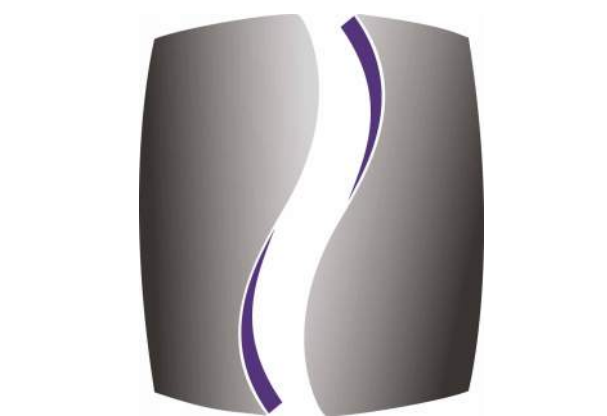
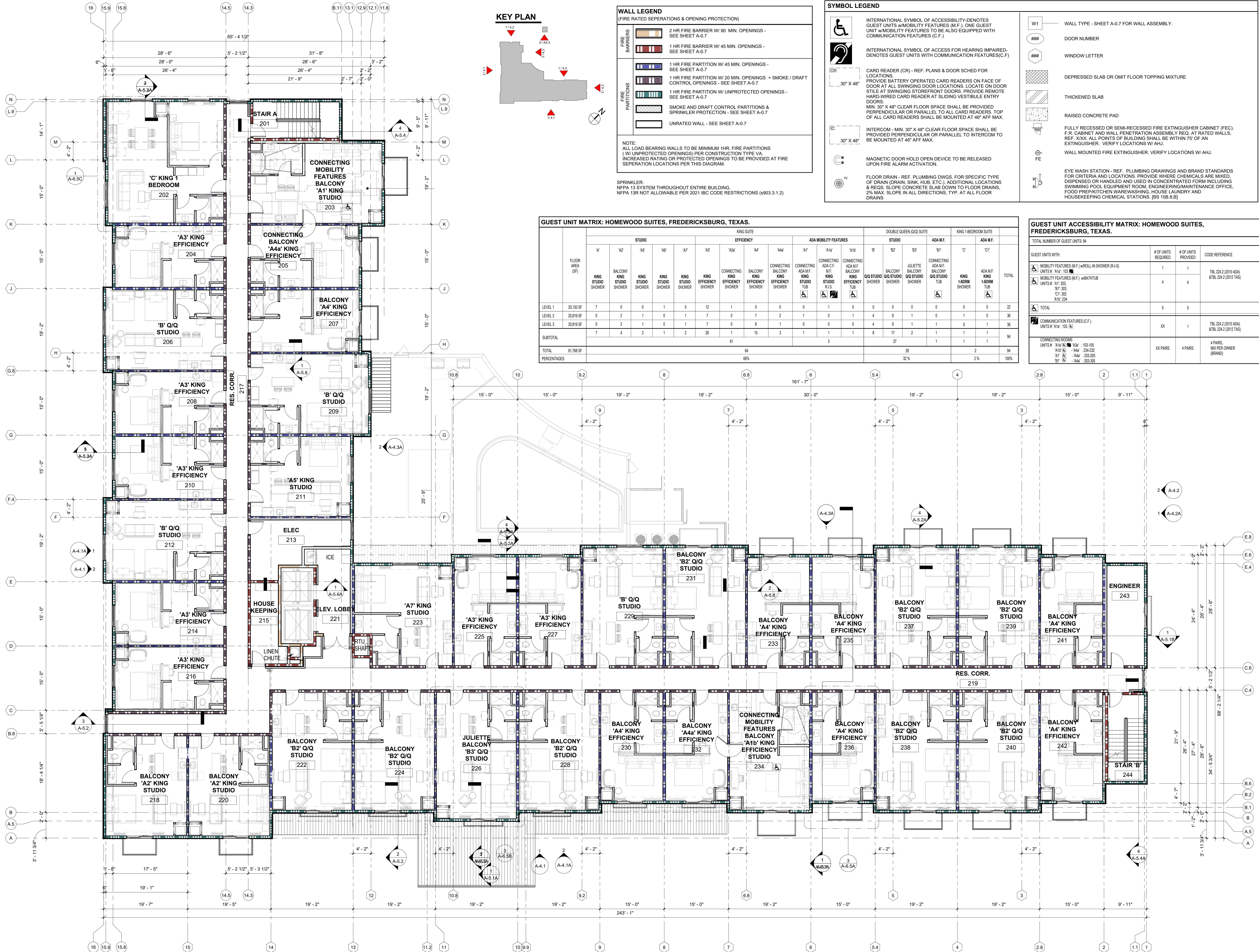
STREET VIEWS

SHEET NUMBER

SP-3

5901 PEACHTREE DUNWOODY RD.
BUILDING A, SUITE 450
ATLANTA, GEORGIA 30328
PHILLIPSPART.COM 770-394-1616





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PROJECT

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FREDERICKSBURG, TEXAS
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3 STORY, 94 UNITS
w/ OUTDOOR POOL

2015 IBC + LOCAL AMENDMENTS & ORDINANCE
TYPE VA CONSTRUCTION

620 E SAN ANTONIO ST.
FREDERICKSBURG, TX
GILLESPIE COUNTY

CLIENT

BYWOOD HOTELS

7300 BLANCO RD.
SUITE 701
SAN ANTONIO, TEXAS 78216

PHILLIPS JOB NUMBER 2303407

ISSUE DATE 2024.08.22

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DRAWING TITLE

FLOOR PLAN-LEVEL 2

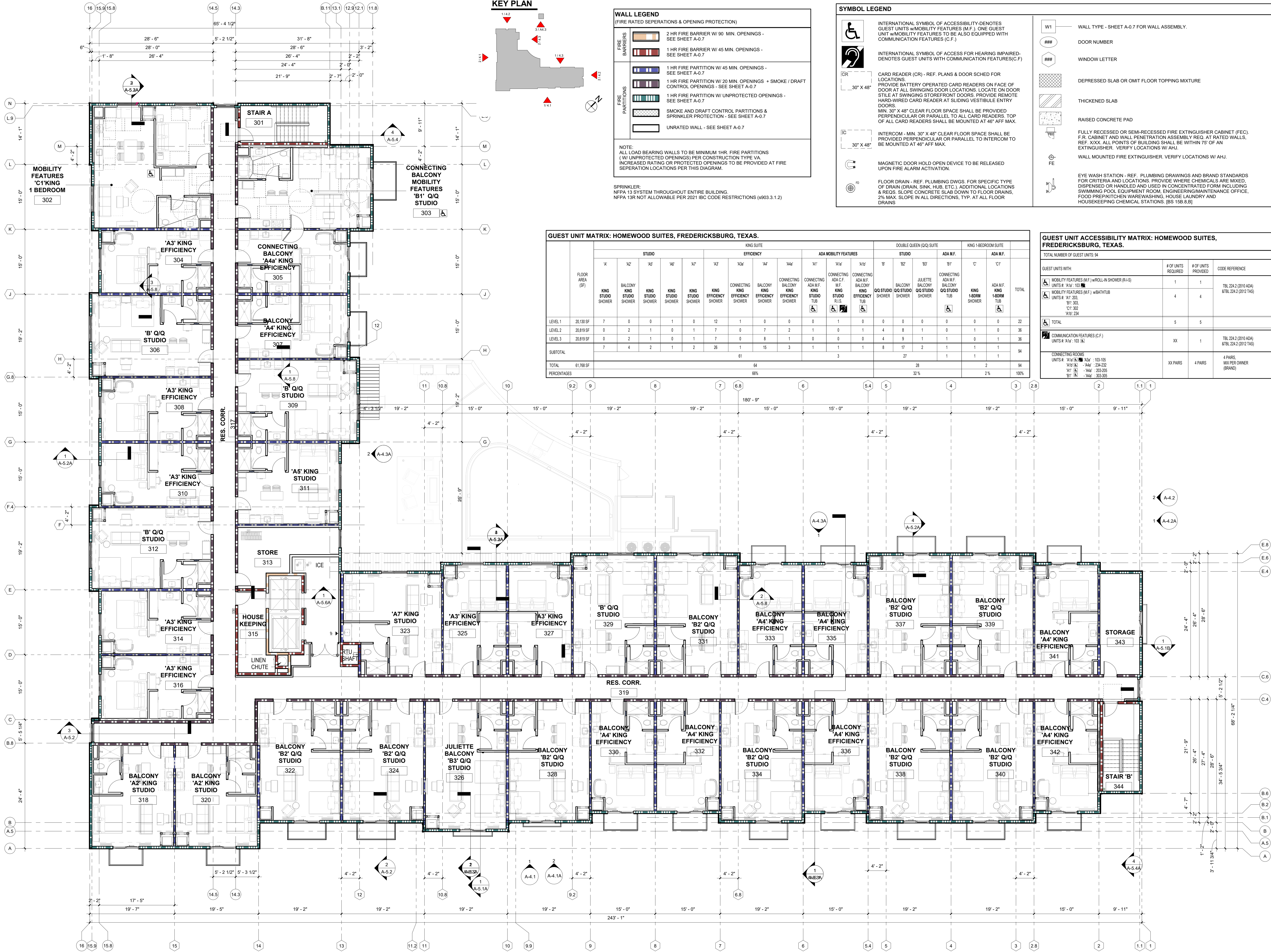
SHEET NUMBER

A-1.2

5901 PEACHTREE DUNWOODY RD.
BUILDING A, SUITE 450
ATLANTA, GEORGIA 30328

PHILLIPSPART.COM 770-394-1616

1 ARCHITECTURAL PLAN - LEVEL 2
A-1.2 SCALE: 1/8" = 1'-0"



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2024.07.12	50% REVIEW SET	
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620 E SAN ANTONIO ST.
FREDERICKSBURG, TX
GILLESPIE COUNTY

CLIENT: **BYWOOD HOTELS**

7300 BLANCO RD.
SUITE 701
SAN ANTONIO, TEXAS 78216

PHILLIPS JOB NUMBER: 2303407

ISSUE DATE: 2024.08.22

DRAWN BY/CHECKED BY: VT / MJ

DRAWING TITLE: **FLOOR PLAN-LEVEL 3**

SHEET NUMBER

A-1.3

5901 PEACHTREE DUNWOODY RD.
BUILDING A, SUITE 450
ATLANTA, GEORGIA 30328

PHILLIPSPART.COM 770-394-1616

Page 49/60



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3 STORY, 94 UNITS
w/ OUTDOOR POOL

2015 IBC + LOCAL AMENDMENTS & ORDINANCE
TYPE VA CONSTRUCTION

620 E SAN ANTONIO ST.
FREDERICKSBURG , TX
GILLESPIE COUNTY

CLIENT _____



BAYWOOD
HOTELS

7300 BLANCO RD.
SUITE 701
SAN ANTONIO, TEXAS 78216

PHILLIPS JOB NUMBER 2303407

ISSUE DATE 2024 08 22

DRAWN BY/CHECKED BY _____ VT / MJ
DRAWING TITLE _____

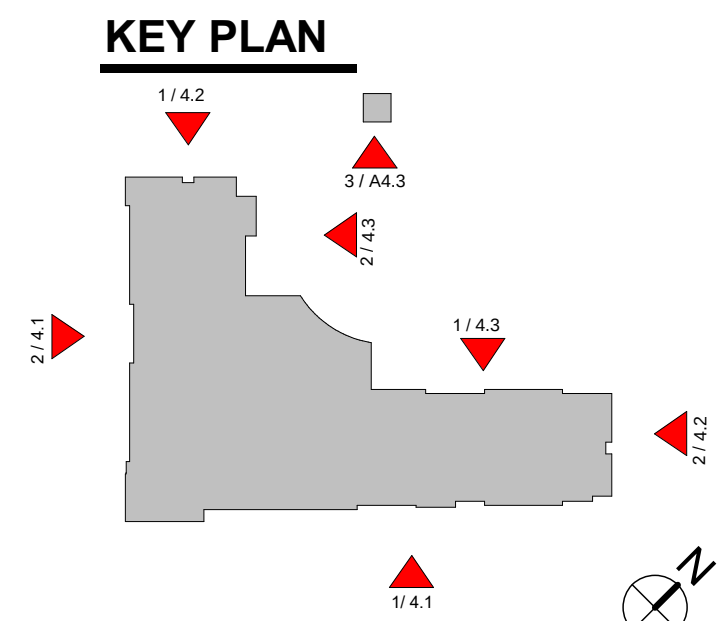
ROOF PLAN

SHEET NUMBER _____

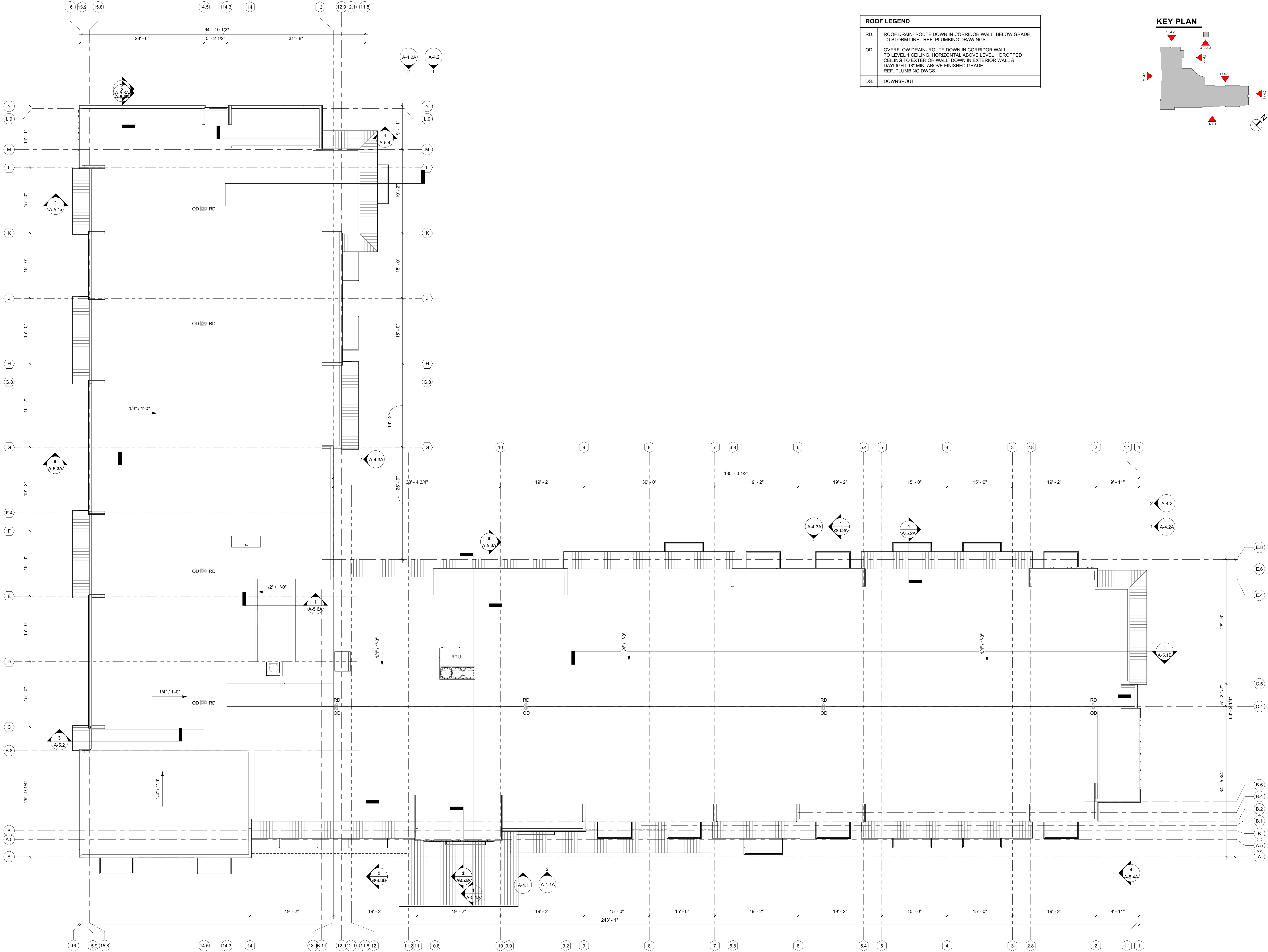
A-2.1

**5901 PEACHTREE DUNWOODY RD.
BUILDING A, SUITE 450
ATLANTA, GEORGIA 30328**

PHILLIPSPART.COM 770-394-1616



ROOF LEGEND	
RD.	ROOF DRAIN- ROUTE DOWN IN CORRIDOR WALL, BELOW GRADE TO STORM LINE. REF. PLUMBING DRAWINGS.
OD.	OVERFLOW DRAIN- ROUTE DOWN IN CORRIDOR WALL TO LEVEL 1 CEILING, HORIZONTAL ABOVE LEVEL 1 DROPPED CEILING TO EXTERIOR WALL, DOWN IN EXTERIOR WALL & DAYLIGHT 18" MIN. ABOVE FINISHED GRADE. REF. PLUMBING DWGS.
DS.	DOWNSPOUT



1 ROOF PLAN
A-2.2 SCALE: 1/8" = 1'-0"

ART.COM 770-394-1616

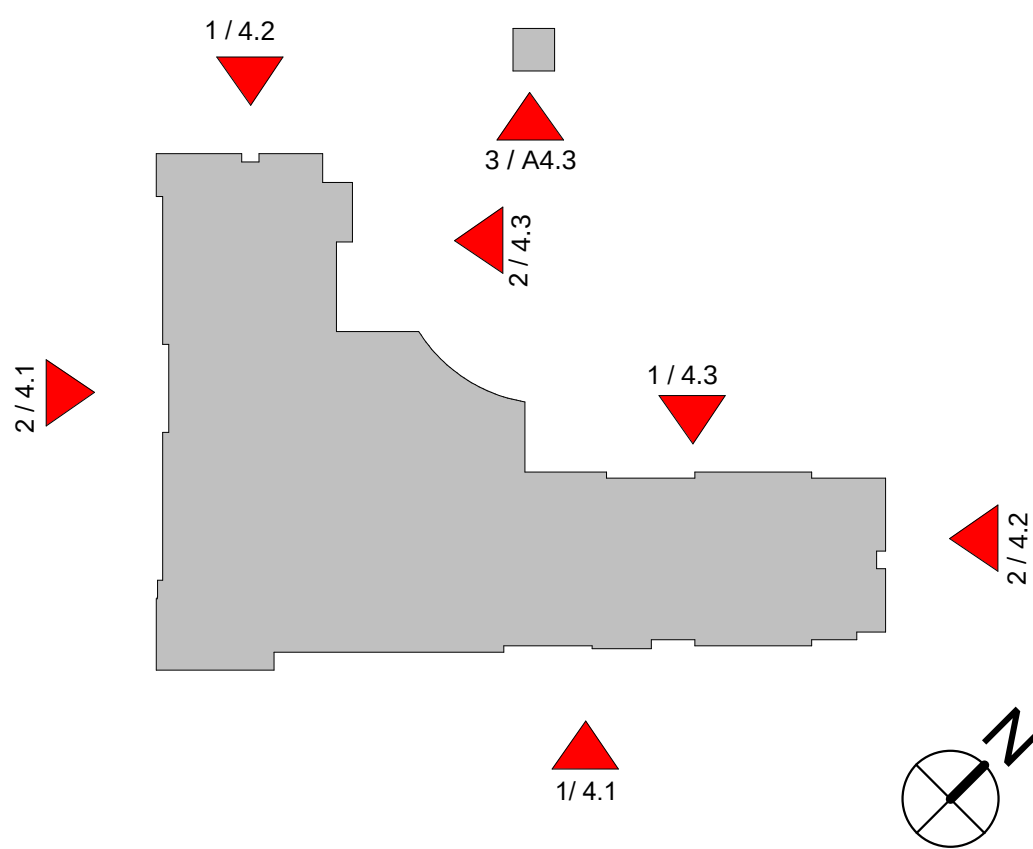
BUILDING HEIGHT CALCULATION:
ALLOWABLE BUILDING HEIGHT : 43'8"
38'0" (FREDERICKSBURG, TX CODE OF ORDINANCES, SEC. 1.810; SEC. 3.210) MEASURED TO THE HIGHEST POINT OF COPING OF A FLAT ROOF (FREDERICKSBURG, TX CODE OF ORDINANCES, SEC. 7.510)
PERMITTED EXCEPTIONS (FREDERICKSBURG, TX CODE OF ORDINANCES, SEC. 7.520) PARAPET WALLS, ELEVATOR PENTHOUSES, MECHANICAL FEATURES CAN EXCEED THE HEIGHT LIMIT BY NOT MORE THAN 15%.
PERMITTED HEIGHT IS 38'0" + 15% OF 38'0" = 43'8"



EXTERIOR FINISH LEGEND			
GRAPHIC	KEY	FINISH	COPING
	EF-1	STUCCO SYSTEM MANUFACTURER: TBD FINISH: COLOR TO MATCH SW 7103 WHITETAIL	CP-1 COLOR TO MATCH EF-1
	EF-2	STUCCO SYSTEM MANUFACTURER: TBD FINISH: LIGHT CREAM	CP-2 COLOR TO MATCH EF-2
	EF-3	HARDIE PANEL SYSTEM MANUFACTURER: TBD FINISH: COLOR TO MATCH SW 6096 JUTE BROWN	CP-3 COLOR TO MATCH EF-3
	SV-1	THIN STONE VENEER - LIMESTONE MANUFACTURER: TBD	
	MT-1	STANDING SEAM METAL ROOF MANUFACTURER: TBD FINISH: GRAY	
	RL-1	METAL BALCONY RAILINGS FINISH : DARK BRONZE	

EXTERIOR FINISH LEGEND		
ITEM	KEY	FINISH
NON- GLAZED SOLID METAL DOORS	PT	PAINT EXTERIOR FACE OF DOOR & FRAME TO MATCH COLOUR OF ADJACENT EXTERIOR WALL FINISH
ALUMINIUM WINDOW FRAMES & VTAC GRILLS		PRE-FINISHED ALUMINIUM FINISH : DARK BRONZE
ALUMINIUM STOREFRONT		PRE-FINISHED ALUMINIUM FINISH : DARK BRONZE
ALUMINIUM MECHANICAL LOUVERS		PRE-FINISHED ALUMINIUM FINISH : DARK BRONZE
GUTTER AND DOWNSPOUT		FINISH : DARK BRONZE
NOTE: CONTRACTOR SHALL PROVIDE SAMPLES OF ALL EXTERIOR MATERIALS. COLORS AND FINISHES FOR APPROVAL TO OWNER, ARCHITECT, FRANCHISE AND LOCAL JURISDICTION (AS APPLICABLE) FOR APPROVAL BY ALL PARTIES PRIOR TO START OF WORK. SAMPLES SHALL BE RETAINED ON SITE FOR FRANCHISE REVIEW AND APPROVAL DURING TOP OUT INSPECTION AND THROUGH DURATION OF CONSTRUCTION.		OWNER TO VERIFY PROTOTYPE COLOR SCHEME

KEY PLAN



2 SOUTH-WEST ELEVATION
A-4.1 SCALE: 1/8" = 1'-0"



1 SOUTH-EAST ELEVATION
A-4.1 SCALE: 1/8" = 1'-0"



CONSULTANT

SEAL

ISSUE & REVISION RECORD		
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PROJECT HOMWOOD SUITES by Hilton™

FREDERICKSBURG , TEXAS
v10.0/APR. 2021)*rev APRIL 2024

3 STORY, 94 UNITS
w/ OUTDOOR POOL

2015 IBC + LOCAL AMENDMENTS & ORDINANCE
TYPE VA CONSTRUCTION

620 E SAN ANTONIO ST.
FREDERICKSBURG , TX
GILLESPIE COUNTY

CLIENT



7300 BLANCO RD.
SUITE 701
SAN ANTONIO, TEXAS 78216

PHILLIPS JOB NUMBER 2303407

ISSUE DATE 2024.08.22

DRAWN BY/CHECKED BY VT / MJ

DRAWING TITLE

EXTERIOR ELEVATIONS
- COLORED

SHEET NUMBER

A-4.1

5901 PEACHTREE DUNWOODY RD.
BUILDING A, SUITE 450
ATLANTA, GEORGIA 30328

PHILLIPSPART.COM 770-394-1616

Page 51 of 92

BUILDING HEIGHT CALCULATION:

ALLOWABLE BUILDING HEIGHT - 43'8"

38'0" (FREDERICKSBURG, TX CODE OF ORDINANCES; SEC. 1.810; SEC. 3.210)
MEASURED TO THE HIGHEST POINT OF COPING OF A FLAT ROOF (FREDERICKSBURG, TX CODE OF ORDINANCES; SEC. 7.510)

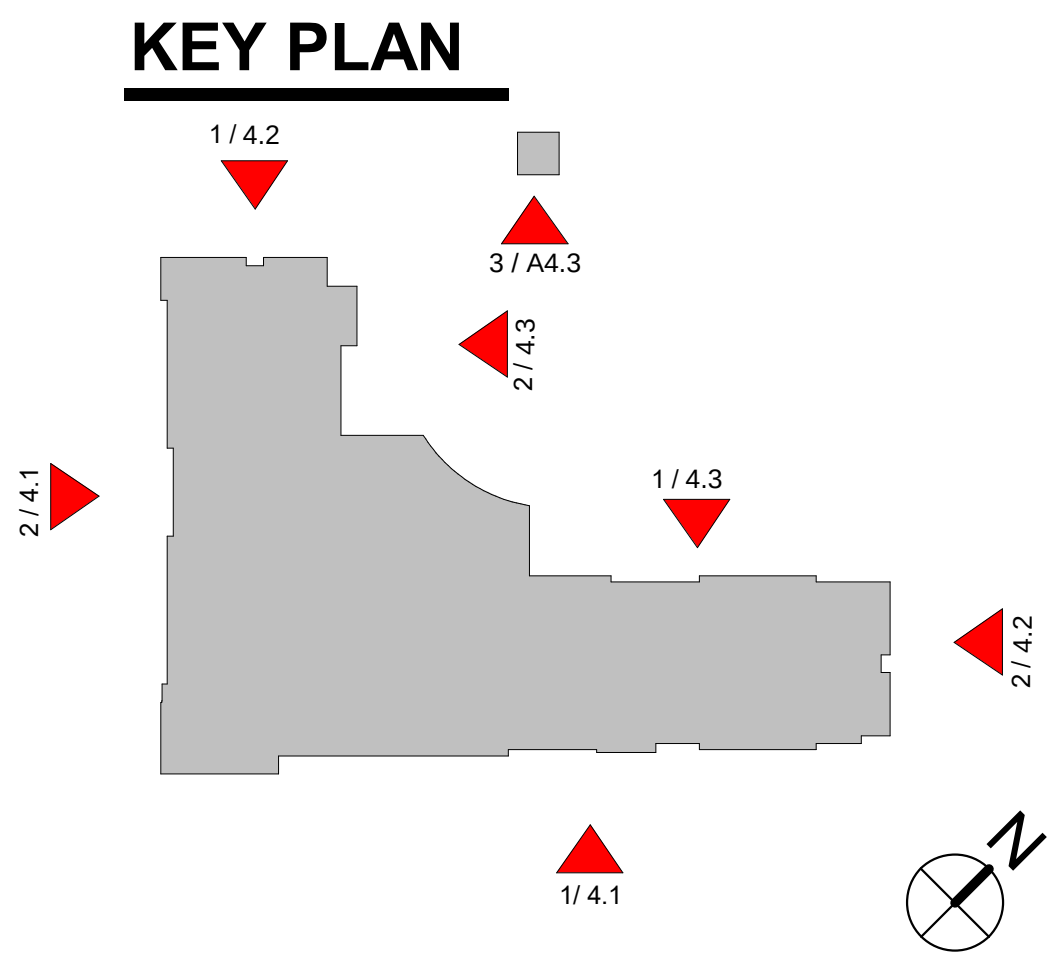
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EXTERIOR FINISH LEGEND			
GRAPHIC	KEY	FINISH	COPING
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	EF-2	STUCCO SYSTEM MANUFACTURER: TBD FINISH: LIGHT CREAM	CP-2 COLOR TO MATCH EF-2
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	RL-1	METAL BALCONY RAILINGS FINISH: DARK BRONZE	

EXTERIOR FINISH LEGEND		
ITEM	KEY	FINISH
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ALUMINIUM WINDOW FRAMES & VTAC GRILLS		PRE-FINISHED ALUMINIUM FINISH: DARK BRONZE
ALUMINIUM STOREFRONT		PRE-FINISHED ALUMINIUM FINISH: DARK BRONZE
ALUMINIUM MECHANICAL LOUVERS		PRE-FINISHED ALUMINIUM FINISH: DARK BRONZE
GUTTER AND DOWNSPOUT		FINISH: DARK BRONZE
NOTE: CONTRACTOR SHALL PROVIDE SAMPLES OF ALL EXTERIOR MATERIALS, COLORS AND FINISHES FOR APPROVAL TO OWNER, ARCHITECT, FRANCHISE AND LOCAL JURISDICTION (AS APPLICABLE) FOR APPROVAL BY ALL PARTIES PRIOR TO START OF WORK. SAMPLES SHALL BE RETAINED ON SITE FOR FRANCHISE REVIEW AND APPROVAL DURING TOP OUT INSPECTION AND THROUGH DURATION OF CONSTRUCTION.		OWNER TO VERIFY PROTOTYPE COLOR SCHEME



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2015 IBC + LOCAL AMENDMENTS & ORDINANCE
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PHILLIPS JOB NUMBER 2303407

ISSUE DATE 2024.08.22

DRAWN BY/CHECKED BY VT / MJ

DRAWING TITLE

EXTERIOR ELEVATIONS - COLORED

SHEET NUMBER

A-4.2

5901 PEACHTREE DUNWOODY RD.
BUILDING A, SUITE 450
ATLANTA, GEORGIA 30328

PHILLIPSPART.COM 770-394-1616

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2 NORTH-EAST ELEVATION
A-4.2 SCALE: 1/8" = 1'-0"



1 NORTH-WEST ELEVATION
A-4.2 SCALE: 1/8" = 1'-0"

BUILDING HEIGHT CALCULATION:

ALLOWABLE BUILDING HEIGHT: 43'8"

38'0" (FREDERICKSBURG, TX CODE OF ORDINANCES, SEC. 1.810, SEC. 3.210)
MEASURED TO THE HIGHEST POINT OF COPING OF A FLAT ROOF (FREDERICKSBURG, TX CODE OF ORDINANCES, SEC. 7.510)

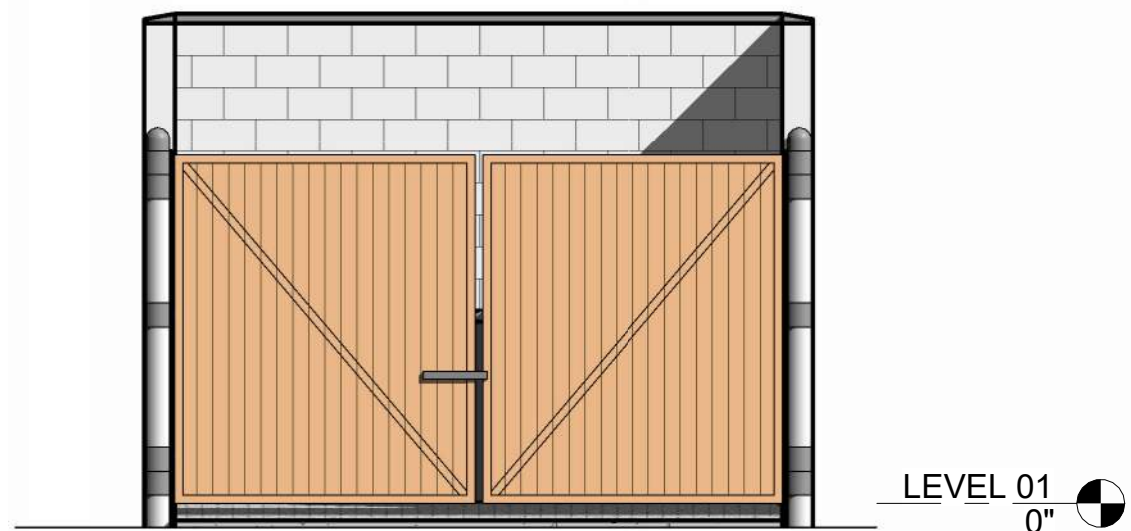
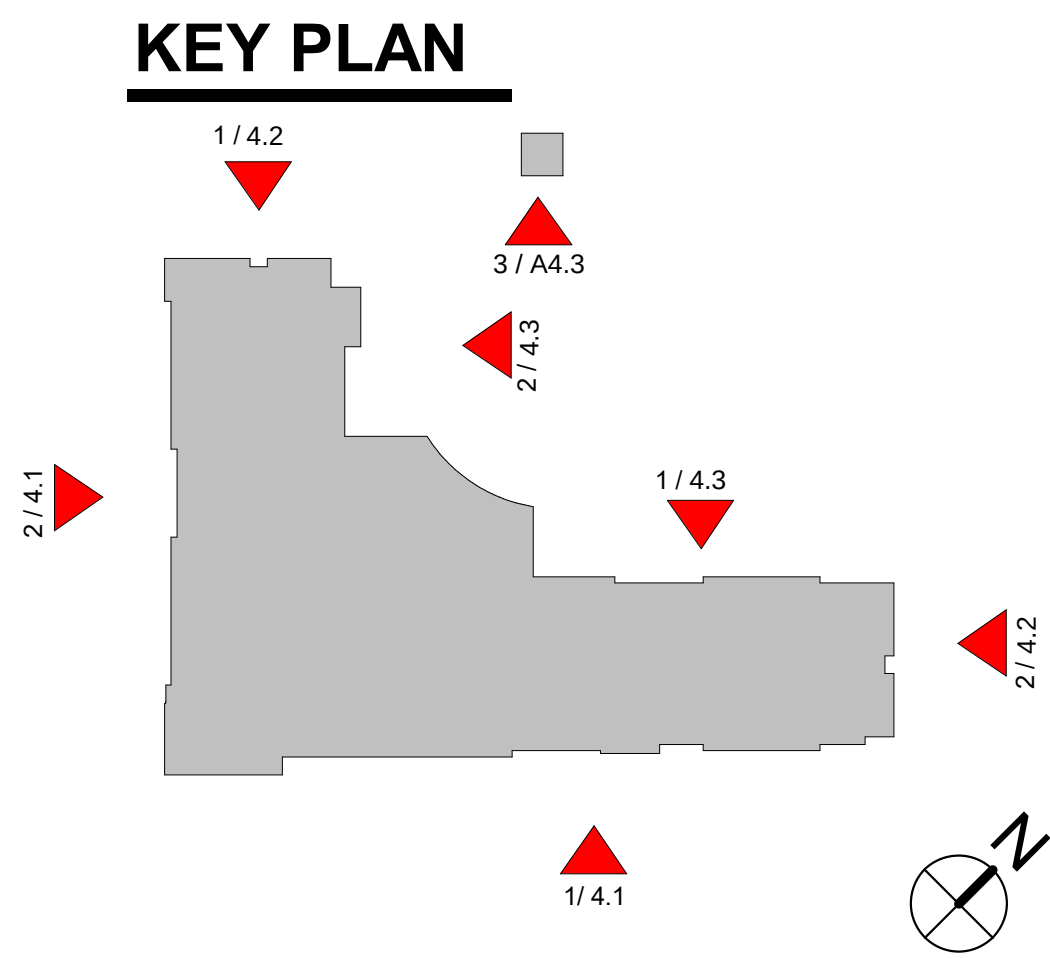
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GRAPHIC	KEY	FINISH	COPING
	EF-1	STUCCO SYSTEM MANUFACTURER: TBD FINISH: COLOR TO MATCH SW 7103 WHITETAIL	CP-1 COLOR TO MATCH EF-1
	EF-2	STUCCO SYSTEM MANUFACTURER: TBD FINISH: LIGHT CREAM	CP-2 COLOR TO MATCH EF-2
	EF-3	HARDIE PANEL SYSTEM MANUFACTURER: TBD FINISH: COLOR TO MATCH SW 6096 JUTE BROWN	CP-3 COLOR TO MATCH EF-3
	SV-1	THIN STONE VENEER - LIMESTONE MANUFACTURER: TBD	
	MT-1	STANDING SEAM METAL ROOF MANUFACTURER: TBD FINISH: GRAY	
	RL-1	METAL BALCONY RAILINGS FINISH: DARK BRONZE	

EXTERIOR FINISH LEGEND		
ITEM	KEY	FINISH
NON- GLAZED SOLID METAL DOORS	PT	PAINT EXTERIOR FACE OF DOOR & FRAME TO MATCH COLOUR OF ADJACENT EXTERIOR WALL FINISH
ALUMINIUM WINDOW FRAMES & VTAC GRILLS		PRE-FINISHED ALUMINIUM FINISH: DARK BRONZE
ALUMINIUM STOREFRONT		PRE-FINISHED ALUMINIUM FINISH: DARK BRONZE
ALUMINIUM MECHANICAL LOUVERS		PRE-FINISHED ALUMINIUM FINISH: DARK BRONZE
GUTTER AND DOWNSPOUT		FINISH: DARK BRONZE
NOTE: CONTRACTOR SHALL PROVIDE SAMPLES OF ALL EXTERIOR MATERIALS, COLORS AND FINISHES FOR APPROVAL TO OWNER, ARCHITECT, FRANCHISE AND LOCAL JURISDICTION (AS APPLICABLE) FOR APPROVAL BY ALL PARTIES PRIOR TO START OF WORK. SAMPLES SHALL BE RETAINED ON SITE FOR FRANCHISE REVIEW AND APPROVAL DURING TOP OUT INSPECTION AND THROUGH DURATION OF CONSTRUCTION.		OWNER TO VERIFY PROTOTYPE COLOR SCHEME



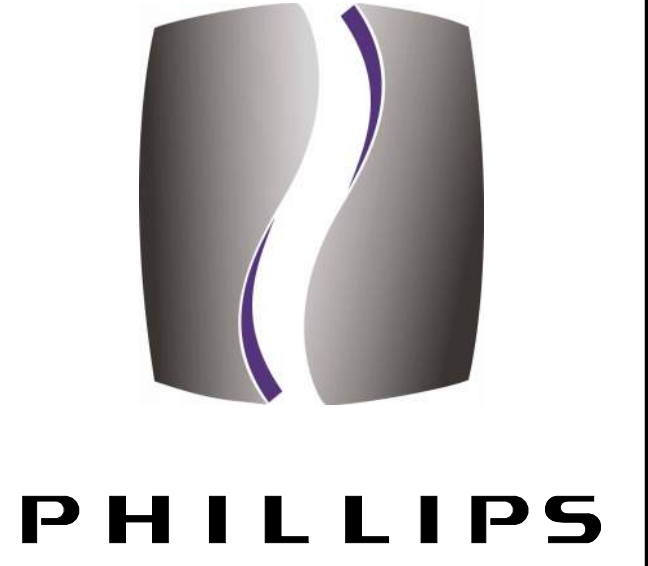
3 EXTERIOR DUMPSTER SCREEN ELEVATION
A-4.3 SCALE: 1/4" = 1'-0"



2 NORTH-EAST ELEVATION - PARTIAL
A-4.3 SCALE: 1/8" = 1'-0"



1 NORTH-WEST ELEVATION - PARTIAL
A-4.3 SCALE: 1/8" = 1'-0"



CONSULTANT

SEAL

ISSUE & REVISION RECORD	
2024.07.12	50% REVIEW SET
2024.08.22	ENTRY CORRIDOR SUBMITTAL

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PROJECT
HOMWOOD SUITES by Hilton™

FREDERICKSBURG, TEXAS
v10.0/APR. 2021) + rev APRIL 2024

3 STORY, 94 UNITS
w/ OUTDOOR POOL

2015 IBC + LOCAL AMENDMENTS & ORDINANCE
TYPE VA CONSTRUCTION

620 E SAN ANTONIO ST.
FREDERICKSBURG, TX
GILLESPIE COUNTY

CLIENT
BYWOOD HOTELS

7300 BLANCO RD.
SUITE 701
SAN ANTONIO, TEXAS 78216

PHILLIPS JOB NUMBER 2303407

ISSUE DATE 2024.08.22

DRAWN BY/CHECKED BY VT / MJ

DRAWING TITLE

EXTERIOR ELEVATIONS
- COLORED

SHEET NUMBER

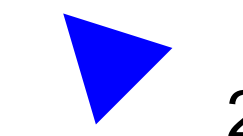
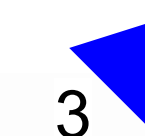
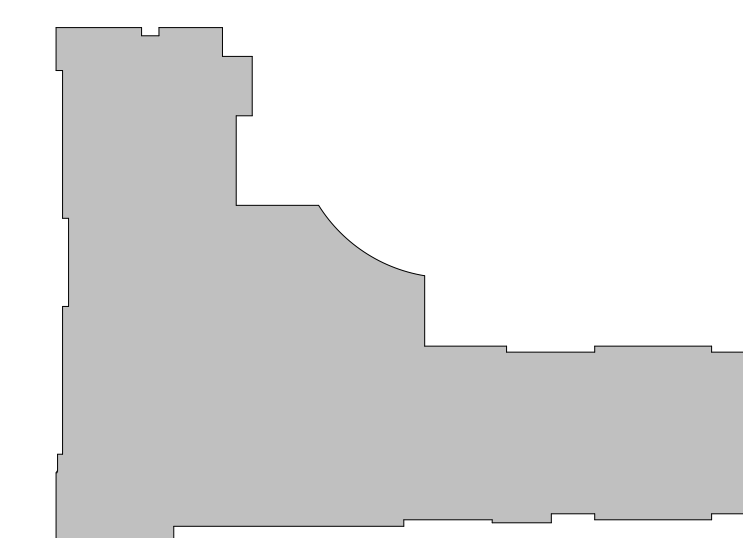
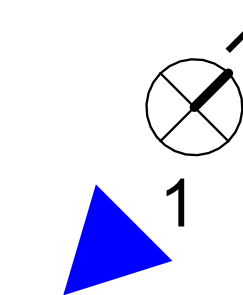
A-4.3

5901 PEACHTREE DUNWOODY RD.
BUILDING A, SUITE 450
ATLANTA, GEORGIA 30328

PHILLIPSPART.COM 770-394-1616 Page 33 of 92



KEY PLAN



PHILLIPS

CONSULTANT _____

SEAL _____

ISSUE & REVISION RECORD

2024.07.12	50% REVIEW S
2024.08.22	ENTRY CORRIDOR SUBMIT

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PROJECT •

HOMewood
SUITES by Hilton™

FREDERICKSBURG, TEXAS
v10.0(APR. 2021)*rev APRIL 2024

3 STORY, 94 UNITS
w/ OUTDOOR POOL

2015 IBC + LOCAL AMENDMENTS & ORDINANCE
TYPE VA CONSTRUCTION

620 E SAN ANTONIO ST.
FREDERICKSBURG , TX
GILLESPIE COUNTY

CLIENT •



BAYWOOD
HOTELS

7300 BLANCO RD.
SUITE 701
SAN ANTONIO, TEXAS 78216

PHILLIPS JOB NUMBER 230340

ISSUE DATE _____

DRAWN BY/CHECKED BY _____ VT / M

DRAWING TITLE _____

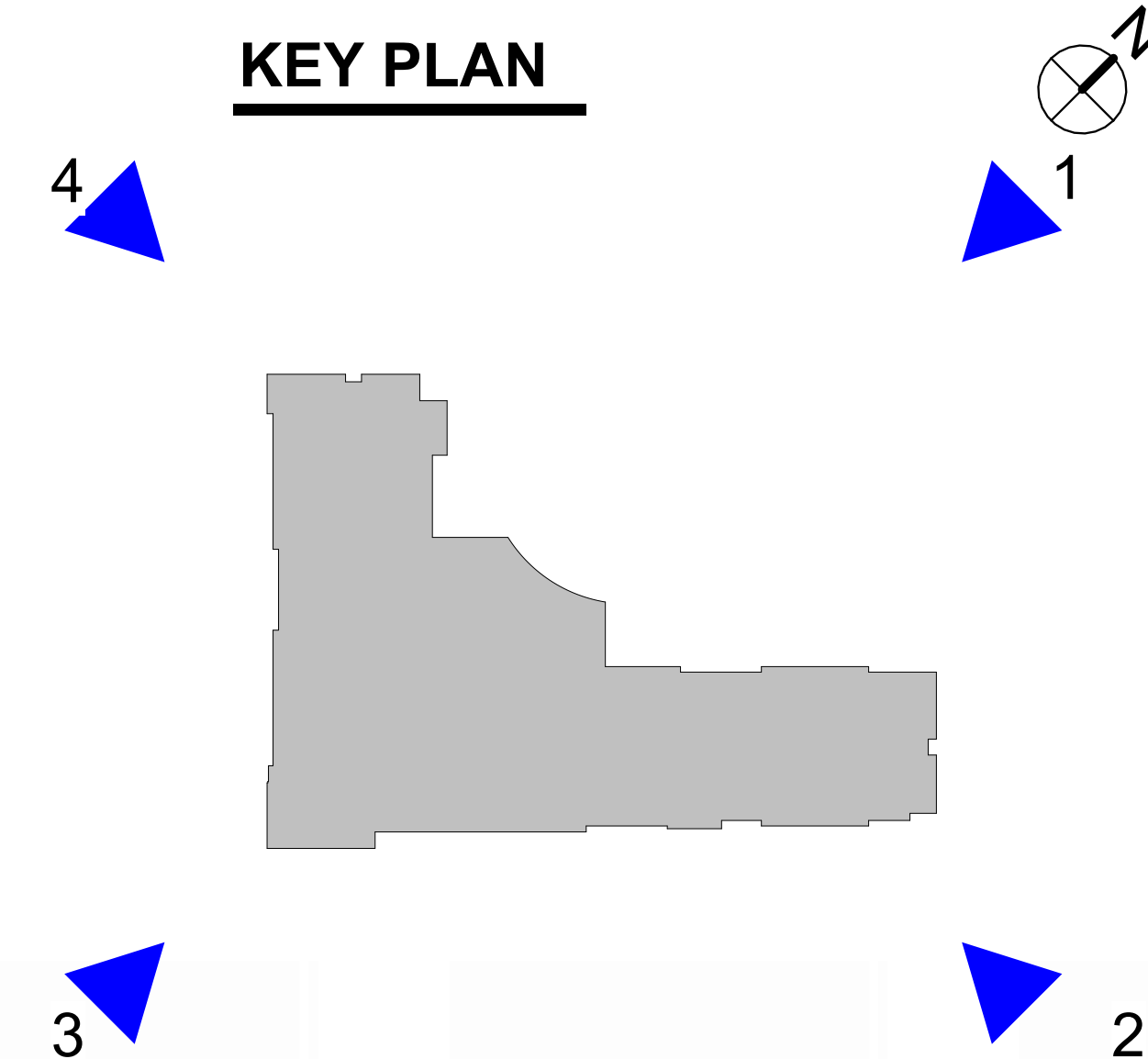
3D VIEWS

SHEET NUMBER _____

A-4.4

5901 PEACHTREE DUNWOODY RD
BUILDING A, SUITE 450
ATLANTA, GEORGIA 30328

PHILLIPSPART.COM 770-394-1616



CONSULTANT _____

SEAL _____

ISSUE & REVISION RECORD _____

2024.07.12	50% REVIEW SET
2024.08.22	ENTRY CORRIDOR SUBMITTAL

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PROJECT _____

HOMewood
SUITES by Hilton™

FREDERICKSBURG , TEXAS
v10.0(APR. 2021)*rev APRIL 2024

3 STORY, 94 UNITS
w/ OUTDOOR POOL

2015 IBC + LOCAL AMENDMENTS & ORDINANCE
TYPE VA CONSTRUCTION

620 E SAN ANTONIO ST.
FREDERICKSBURG , TX
GILLESPIE COUNTY

CLIENT _____



7300 BLANCO RD.
SUITE 701
SAN ANTONIO, TEXAS 78216

PHILLIPS JOB NUMBER 330340

ISSUE DATE _____

DRAWN BY/CHECKED BY _____

DRAWING TITLE _____

PERSPECTIVE VIEWS

SHEET NUMBER _____

A-4.5

5901 PEACHTREE DUNWOODY RD
BUILDING A, SUITE 450
ATLANTA, GEORGIA 30328

PHILLIPSPART.COM 770-394-1616

Page 55 of 60



CONSULTANT _____

SEAL _____

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HOMewood
SUITES by Hilton™

2015 IBC + LOCAL AMENDMENTS & ORDINANCE
TYPE VA CONSTRUCTION

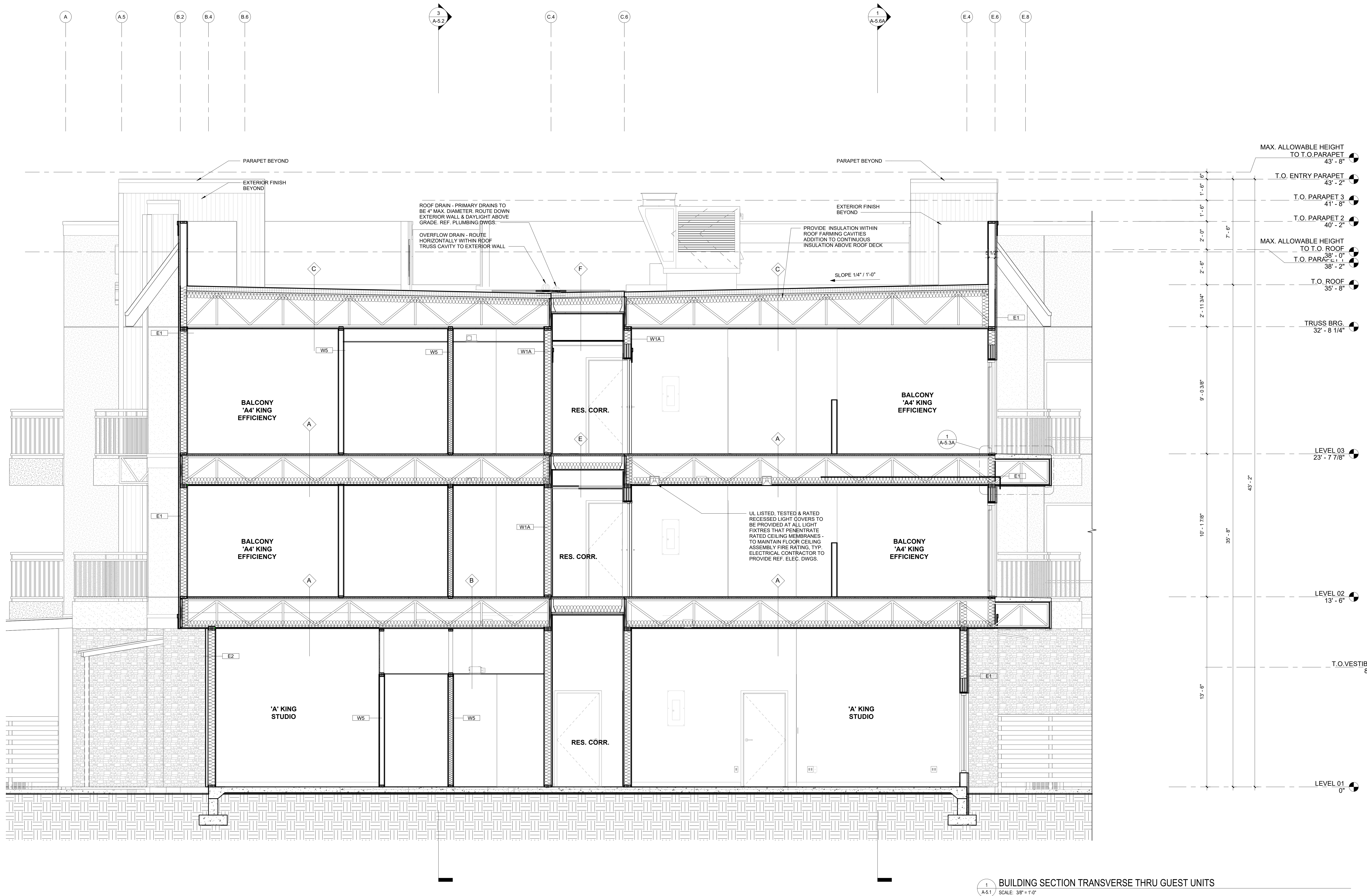
CLIENT _____

BUILDING SECTION
TRANSVERSE THRU
GUEST UNITS

SHEET NUMBER _____

A-5.1

PHILLIPSPART.COM 770-394-1616





MECHANICAL SCREEN
MATERIAL: PRESSURE TREATED WOOD W/ CEDAR COLOR STAIN

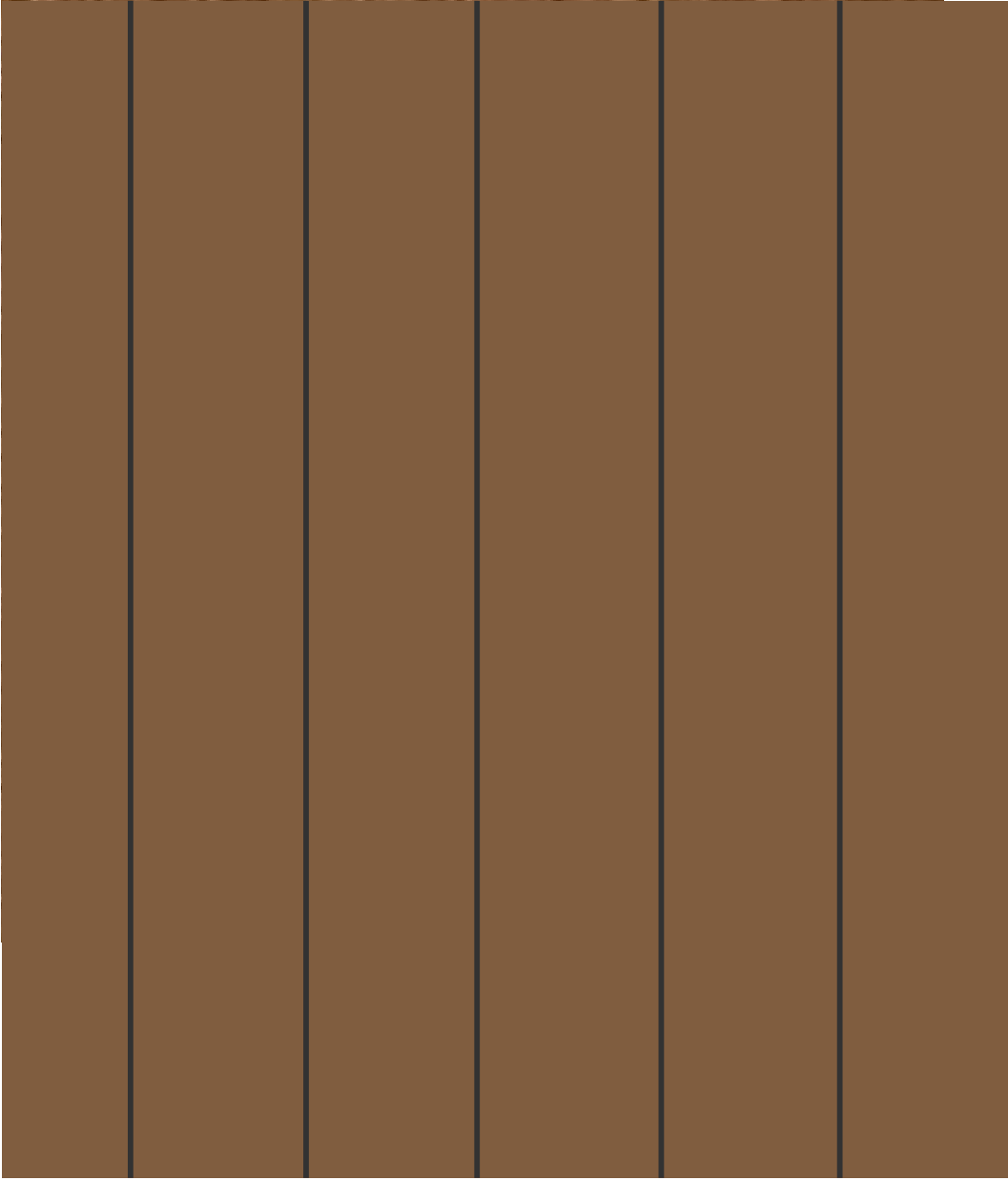


EXTERIOR PATIO TRELLIS : STEEL FRAME
COLOR: STEEL FRAME PAINTED, DARK BRONZE

EXTERIOR PATIO TRELLIS: WOOD SLATS
COLOR: PRESSURE TREATED WOOD W/ CEDAR COLOR STAIN



ENTRY AND REAR PATIO CANOPIES
FINISH: DARK BRONZE



HARDIE PANEL SYSTEM w/VERTICAL REVEALS
MANUFACTURER: TBD
FINISH: COLOR TO MATCH SW 6096 JUTE BROWN



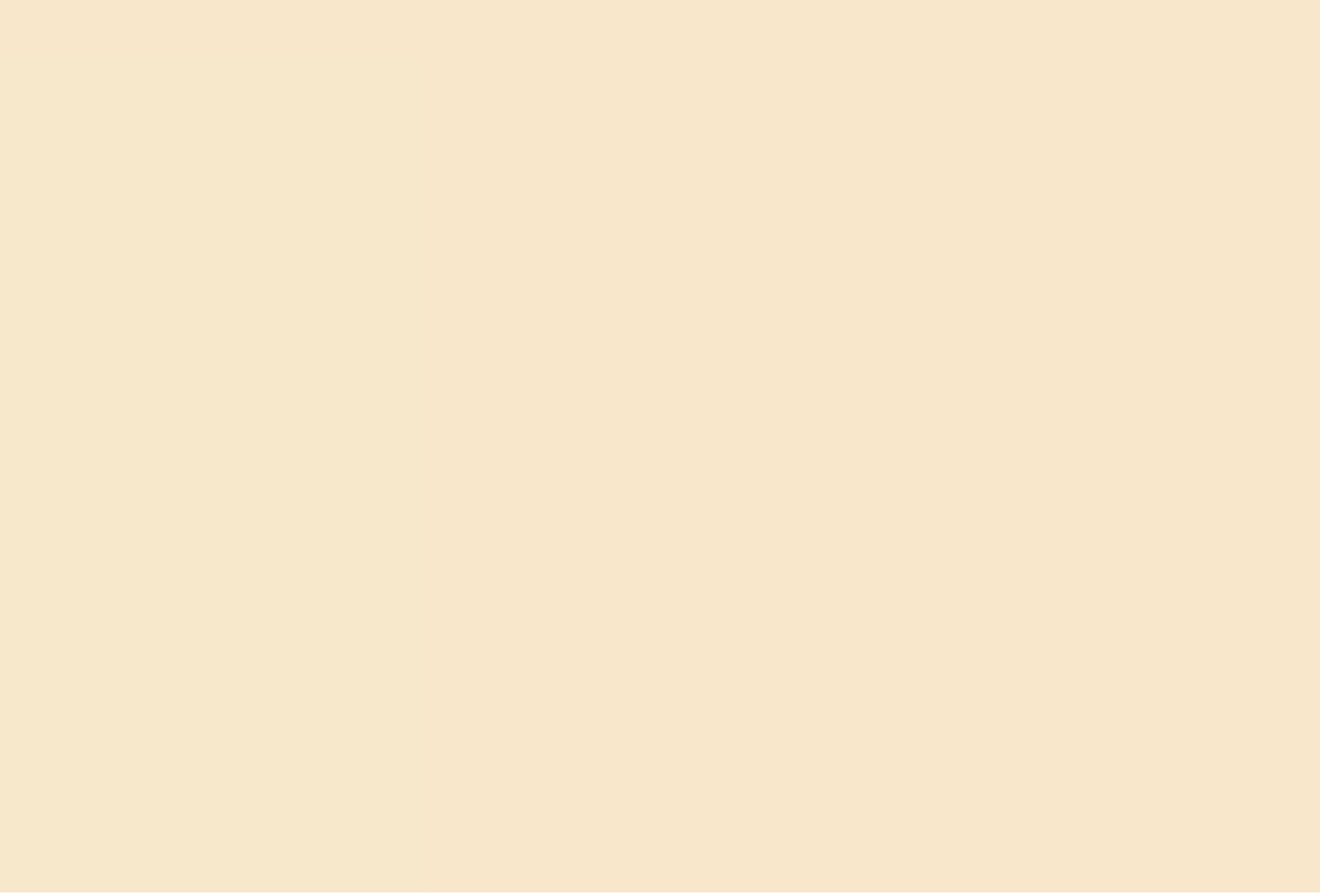
EXTERIOR PATIO/POOL WALL : SPLIT FACE CMU W/ STONE CAP



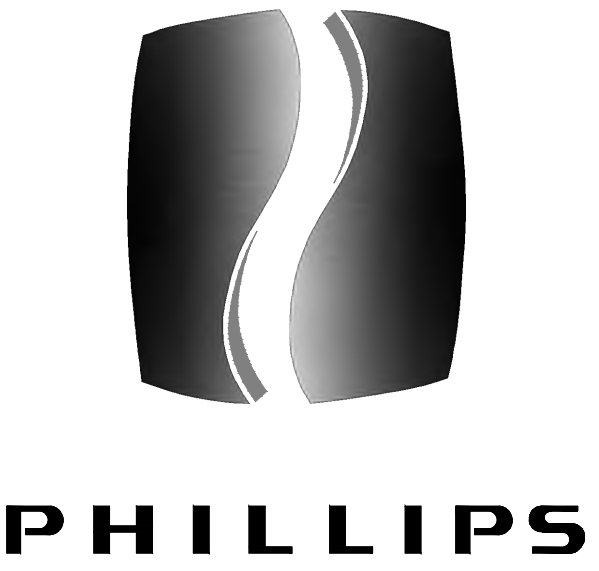
STUCCO SYSTEM
MANUFACTURER: TBD
FINISH: COLOR TO MATCH SW 7103 WHITETAIL



THIN STONE VENEER - LIMESTONE
MANUFACTURER: TBD
COLOR: BUFF



STUCCO SYSTEM
MANUFACTURER: TBD
FINISH: COLOR TO MATCH "CREAM"



KEYPLAN

CONSULTANT

SEAL

ISSUE & REVISION RECORD

#	DATE	DESCRIPTION
2024.05.28	DRC	SITE PLAN+ENTRY CORR.
2024.08.22		ENTRY CORRIDOR SUBMITTAL

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PROJECT

HOMEWOOD SUITES by Hilton™

FREDERICKSBURG, TEXAS
v10.0 (APR. 2023) + rev APRIL 2024

3 STORY, 84 UNITS
w/ OUTDOOR POOL
2015 IBC + LOCAL AMENDMENTS & ORDINANCE
TYPE VA CONSTRUCTION

620 E SAN ANTONIO ST.
FREDERICKSBURG, TX
GILLESPIE COUNTY

CLIENT

BAYWOOD HOTELS

BAYWOOD HOTELS
7300 BLANCO RD.
SUITE 701
SAN ANTONIO, TEXAS 78216

PHILLIPS JOB NUMBER 2303407

ISSUE DATE 2024.08.22

DRAWN BY/CHECKED BY VTI/ MJ

DRAWING TITLE

MATERIAL BOARD

SHEET NUMBER

MB-1

5901 PEACHTREE DUNWOODY RD.
BUILDING A, SUITE 450
ATLANTA, GEORGIA 30328
PHILLIPSPART.COM 770.344.0518

HOMEWOOD SUITES

FREDERICKSBURG, TEXAS



ENTRY CORRIDOR DESIGN STANDARDS & GUIDELINES

PROJECT SUMMARY:

The proposed project is located on a 2.62 acres lot with a “Open Space” land use. There is a replat in process that will revise this lot to be , “Downtown Central Business District and Zoned to C2: Commercial”. The lot has been previously cleared and a retaining wall was built to bring the site above the floodplain. The lot has frontage along both E. Main St. and E. San Antonio St., but access to the site will only be off E. San Antonio St.

The proposed project is a new construction, 3-story, wood-framed Homewood Suites by Hilton hotel with 94 guestrooms and an exterior pool and patio areas. The building will be Construction Type VA and designed as separated, mixed occupancy: Assembly (Level 1 Public Areas) and Residential, R-1 (Guestroom Areas on Levels 1-3).

PROJECT TEAM

OWNER/AGENT: **BAYWOOD HOTELS**
7300 BLANCO RD.,
SUITE 701
SAN ANTONIO, TEXAS 78216

NICK NAIK
nick.naik@baywoodhotels.com

CIVIL
ENGINEER: **LIQUE GROUP**
816 CAMARON ST.,
SUITE 110
SAN ANTONIO, TX 78212

JUAN RODRIGUEZ
DANA VITAL
210-549-4207
210-373-9383
juan@lique.us

ARCHITECT: **PHILLIPS PARTNERSHIP P.C.**
5901 PEACHTREE DUNWOODY RD
BUILDING A, SUITE 450
ATLANTA, GA 30328

JERRY PHILLIPS, AIA
MONICA JOSEPH,
VINIL THOMAS
770-394-1616
mjoseph@phillipspart.com
vthomas@phillipspart.com

MECHANICAL /
PLUMBING /
ELECTRICAL
ENGINEER: **SAVANT ENGINEERING**
5064 ROSWELL RD
SUITE D-301
SANDY SPRINGS, GA 30342

TROY NEDDERMAN, PE
SLADE HOLLADAY
JOSHUA ANDERSON
770-319-7400

ENTRY CORRIDOR DESIGN STANDARDS- NARRATIVE:

1. Architectural Style:

- 1.1 N/A- Project is new construction.
- 1.2 The building design incorporates exterior materials, colors, building form/massing and architectural elements to be compatible with the Texas Hill Country aesthetic. Additional explanation is provided in narrative Sections 2-5.
- 1.3 Refer to 1.2
- 1.4 A custom, non-prototypical design has been provided to be compatible with the local aesthetic and design requirements.



2. Architectural Materials:

2.1, 2.5 & 2.6:

Building

- **Limestone:** The first level of the building façade is primarily limestone, a material native to the Hill Country.
- **Stucco:** Stucco provides a textured surface above the limestone base. Rectilinear reveals within the stucco invoke the limestone joints at a scale proportionate to the building façade and provide a slight contrast to the scale of the limestone to delineate the larger facade elements.
- **Hardie panel:** Hardie panels with vertical reveals are provided to accent/emphasize and add contrast to the façade at the main entrance, outdoor pool/patio, E. Main Street façade and corner towers. The vertical reveals also help to reduce the scale of these facades.

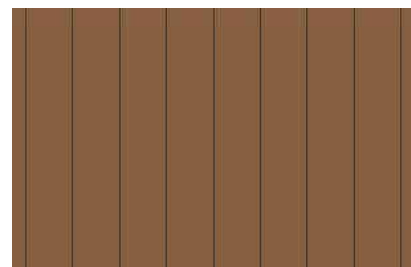
Canopies, Roof & Patio Elements

- The main building entrance is protected from inclement weather and identified at a pedestrian level by the entry canopy and adjacent linear canopies. The canopies employ low slope standing seam metal roofs, a common feature found on local surrounding buildings.
- A standing seam roof is also provided at the pool/ patio building entrance to provide contrast to the adjacent materials and provide weather protection.
- An open trellis with steel frame and wooden slats is provided at the rear pool/patio area to provide shade and define space within the patio area.
- Architectural low, split-face masonry walls around the pool/patio area provides separation from parking and adds interest by providing a textured wall surface.
- Standing seam roofs with a steeper slope are provided at locations along the perimeter of the main building roof to break up the roofline form, material and heights, thus reducing the apparent scale and adding visual interest.

2.2 N/A- Not located in the Historic District

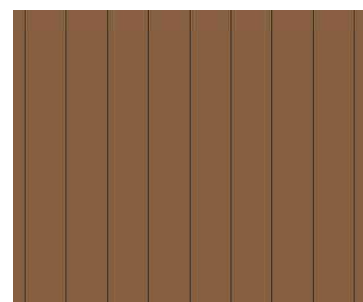
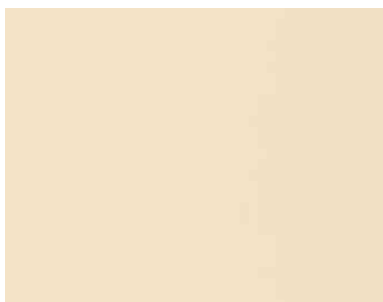
2.3 N/A- Not located in the Historic District

2.4 N/A- Not located in the Historic District



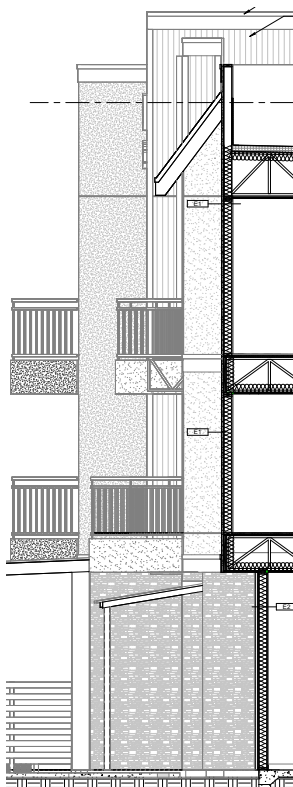
3. **Architectural Colors:**

- 3.1 N/A- Not located in the Historic District.
- 3.2 The predominate building façade colors are cream and white with brown to provide an accent and emphasize building elements. These colors are compatible with the local aesthetic. Colors were selected based on the Design Standards for Historic Design Guideline (muted shades of browns and tans) and the surrounding existing buildings. Colors are used to coordinate & delineate façade elements (base, recesses, projections, entry).
- 3.3 Brighter/less-muted colors are not provided on the building.
- 3.4 Ref. 3.2 & 3.3.



4. Architectural Features:

- 4.1 All building facades incorporate design features and elements as indicated below, there are no blank or featureless facades.
- 4.2 The building design incorporates the following architectural features- large windows at public areas, recesses, projections, overhangs, varying parapet heights and roof forms, canopies and outdoor patio areas to reduce the overall building scale, promote a “human scale”, provide visual interest and be compatible with the Texas Hill Country aesthetic. The main building entrance is defined by a projecting façade, raised parapet at the roof level and low canopies and large windows at the pedestrian level. Sloping standing seam roofs at the roof level help break up the roofline and additionally provides protection from natural elements to the balconies below.
- 4.3 N/A- Not located in the Historic District
- 4.4 The entry and first floor public areas (lobby, breakfast, fitness areas) have large welcoming windows that help define the public spaces within the building. Guestroom windows are designed with a “residential” scale and provide a continuous, horizontal rhythm across the façade. The rhythmic window patterns are based upon the building massing and colors.
- 4.5 Large, clear, non-tinted storefront windows are provided on first level public area locations.
- 4.6 N/A
- 4.7 Ref. 4.2
- 4.8 Parapet walls and raised standing seam shed roofs are provided at the perimeter of the “flat” roof.



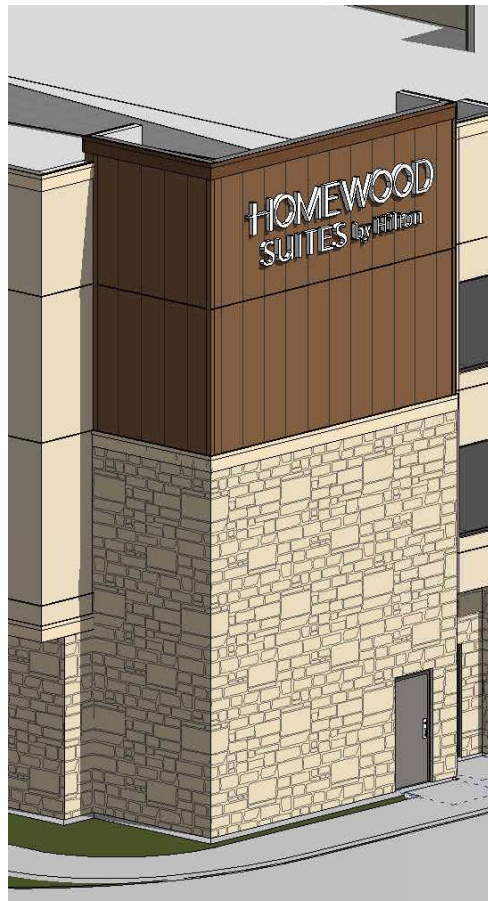
5. Massing and Scale:

- 5.1 The building façade is divided into bays up to 40' wide.
- 5.2 Recesses, projections, overhangs, varying roof heights and forms, finish materials and material colors are provided to break down the mass and scale of the overall building.
- 5.3 N/A- No other buildings are located on the site.
- 5.4 Façade relief and interruption is provided per design elements indicated above.
- 5.5 Ref. 5.2
- 5.6 Faux windows and similar details are not provided.
- 5.7 N/A



6. Signage:

- 6.1 “The Monument sign is located within a landscape island to the right of the main entrance, called out on sheet C4.0. The landscape surrounding the sign will meet Entry Corridor Design Standards.”
- 6.2 Building mounted signage is a consistent, single color.
- 6.3 Building mounted signs locations are coordinated with parapet heights and building projections.
- 6.4 Building mounted signs are located above the building main entrance and on the facades facing and seen from bordering streets.



7. Building Height:

7.1 Building Heights are in compliance with Zoning Ordinance as follows:

Max. Allowable Building Height [Fredericksburg, TX Code of Ordinances]

- Top of flat roof: 38'-0" [Sec. 1.810, 3.210, 7.510]
- Top of Parapets: 43'-8" [Sec 7.520]
 - $38'-0" + (38'-0" \times 0.15) = 43'-8"$
 - Permitted Exceptions: Parapet walls, elevator penthouses, heating & cooling equipment may exceed the height limit by not more than 15%. [Sec 7.520]

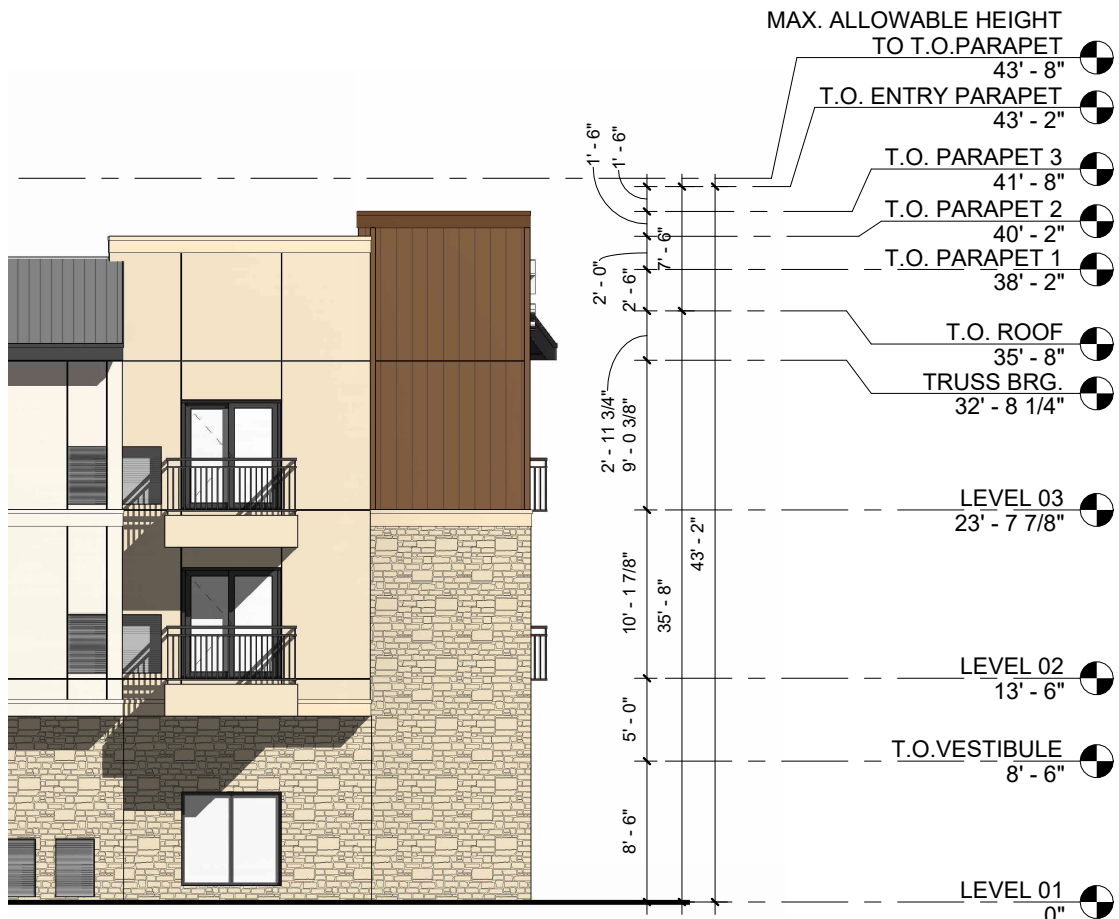
Actual Building Height:

- Top of flat (1/4:12 slope) roof: 35'-8"
- Top of highest parapet: 43'-2"

7.2 Refer to Standards sections 1-5

7.3 Refer to Standards sections 1-5.

7.4 Level 1 floor to floor height is 13'-6". This level contains the Public Areas (Entry Lobby, Breakfast seating, Fitness) and BOH Areas (House Laundry, Food Prep) in addition to guestrooms. Levels 2 & 3- floor to floor height is approx. 10' designed for residential guestrooms.



8. Setbacks and Frontage:

The proposed Hotel is respecting the existing 15' building setback per C-2 zoning ordinance requirements.

9. Landscaping:

Landscaping for the site will meet the Standards set forth by the Entry Corridor Design Standards.

10. Lighting:

- 10.1 We are using the Sternberg Lighting Omega Series fixtures, which is one of the fixtures listed in the lighting selection matrix.
- 10.2 Lighting photometrics are provided to show a maximum and minimum lighting levels to provide proper security and safety in the parking areas.
- 10.3 N/A at this time.
- 10.4 Light fixtures are located near the perimeter of the property line and aimed in-ward to the property so that they are pointing away from the residential buildings. All lighting fixtures are LED flat glass with full cut-off luminaries. House side shields are provided on all of the lights next to the property lines to limit the amount of spill across the property line
- 10.5 N/A at this time. Business is a hotel, so there is no closing hours.
- 10.6 N/A. Lighting levels at the entrance and exits are adequate to not have to add additional lighting at this area.
- 10.7 N/A at this time. Decorative, temporary seasonal lighting may be provided by the Owner in the future.

11. Service Areas

The Dumpster Enclosure for the site will have screening on the enclosure that meets the standards set forth by the Entry Corridor Design Standards. The loading and unloading area will be located at the rear of the building and is identified by a no parking sign.

12. Parking & Access

Parking, ADA parking, and Bicycle parking standards abide by the City's Code and parking calculations (reference the overall site plan sheet C4.0 for parking calculations). The parking lot of the proposed hotel complies with the most current ADA Standards and regulations. The entire drive isle of the hotel is designed to accommodate emergency vehicle access and maneuverability.

13. Drainage & Stormwater

The existing retaining wall will remain, and the site will not encroach on the 100-Year Flood Plain. The majority of the site will sheet flow to the existing creek and the remaining will be caught by proposed grate inlets and piped to also discharge to the existing creek. Drainage areas and on-site calculations have been provided in the Site Plan submittal.

14. Streetscape:

All Sidewalks on-site are a minimum of 5 feet wide, ADA crosswalks are provided to create pedestrian pathways from parking stalls to the building.



PLANNING AND ZONING COMMISSION **AGENDA MEMO**

DEPARTMENT: Development Services

TO: Planning and Zoning Commission

FROM:

MEETING DATE: September 4, 2024

CATEGORY: DISCUSSION ITEMS AND
POSSIBLE ACTION

CAPTION: Discussion and possible action for staff regarding a draft ordinance for Group Homes and Boarding Home Facilities; providing for registration, permitting and inspection of Group Home Facilities.

PRESENTATION:

SUMMARY:

P&Z has expressed interest in the creation of an ordinance that addresses sober living facilities in order to protect the residential character of neighborhoods. The draft ordinance is based on similar ordinances adopted by neighboring municipalities.

BACKGROUND:

STAFF RECOMMENDATION:

Discussion and direction for staff on revisions of draft ordinance.

ATTACHMENTS:

1. ORDINANCE Group Homes.CLEAN
2. Sober Living and Halfway Houses in Texas

APPROVAL/REVIEW:

Date: August 30, 2024

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING CHAPTER 8 “BUSINESSES” OF THE FREDERICKSBURG MUNICIPAL CODE BY AMENDING ARTICLE VIII OF CHAPTER 8 BY RESERVING SECTIONS 8-226 THROUGH 8-249; ADOPTING A NEW ARTICLE IX “GROUP HOMES AND BOARDING HOME FACILITIES;” PROVIDING FOR REGISTRATION, PERMITTING, AND INSPECTION OF GROUP HOME FACILITIES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVING CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Fredericksburg, Texas (“City”), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, Chapter 260 of the Texas Health and Safety Code authorizes, but does not require, municipalities to require boarding home facilities to obtain a permit and comply with model standards; and

WHEREAS, Section 215.075 of the Texas Local Government Code grants home-rule municipalities the authority to license any lawful business or occupation that is subject to the police power of the municipality; and

WHEREAS, the City Council seeks to preserve the residential characteristic of residential neighborhoods, to provide housing opportunities for recovering addicts who are considered disabled under state and federal law, and to ensure that these housing opportunities provide an environment which is conducive to addiction recovery; and

WHEREAS, City Council has determined that the regulation of group home facilities is in the best interest of the public and will promote the public health, safety, and welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, THAT:

SECTION 1

All of the declarations and findings contained in the preambles of this Ordinance are made a part hereof and shall be fully effective as a part of the ordained subject matter of this Ordinance.

SECTION 2

Article VIII “Cable Television Rate Regulations” of Chapter 8 “Businesses” of the Fredericksburg Municipal Code is hereby amended by reserving Sections 8-226 through 8-249 as follows:

“Secs. 8-226 -- 8-249. – Reserved.”

SECTION 3

Chapter 8 “Businesses” of the Fredericksburg Municipal Code is amended by adding a new Article IX “Group Homes and Boarding Home Facilities,” to read as follows:

“ARTICLE IX. – GROUP HOMES AND BOARDING HOME FACILITIES

Sec. 8-250. – Purpose of article.

- (a) The purpose of this article is for the city to maintain a record of group home facilities. These records will enable the city to try to ensure adequate fire, police, and emergency response vehicles or patrols are available, to identify and facilitate appropriate emergency responses for residents who may require special assistance during an emergency, and to enable enforcement of the spacing requirement between boarding home facilities.
- (b) The city seeks and intends that this article is legally compliant with the Federal Fair Housing Amendments Act of 1988 (“FHAA”), the Americans with Disabilities Act of 1990 (“ADA”), and the Americans with Disabilities Amendments Act of 2008 (“ADA”), and all other applicable state and federal legislation. It is the express intent of the city that this article is applied and enforced in a manner consistent with the FHAA, the ADA, and other applicable federal and state legislation.

Sec. 8-251. – Definitions.

For the purposes of this article, the following definitions apply:

Boarding home facility is an establishment, including a residence or dwelling, that furnishes, in one or more buildings, under separate rental agreements, whether oral or written, lodging to three or more persons with disabilities or elderly persons who are unrelated to the owner of the establishment by blood or marriage. Also includes sober living facility, as defined below.

Department is the department designated by the city manager to enforce and administer this article.

Disability is a disability as defined in 42 U.S.C. § 12102.

Director is the director of the department designated by the city manager to enforce and administer this article and includes representatives, agents, or department employees designated by the director.

House manager is an individual that oversees the daily operations of the boarding home facility. This includes managing and coordinating daily housekeeping tasks, leading house meetings, conducting inspections, and making arrangements for random drug testing, if applicable.

Operator is the person in control of a boarding home facility.

Owner is an individual who has an ownership interest in a corporation or other legal entity operating a sober living facility or the owner of the real property where a boarding home facility is located.

Resident is a person who is residing in a boarding home facility.

Sleeping room is a room intended and used for sleeping purposes but does not include a kitchen, dining room, living room, bathroom, hallway, or garage.

Sober living facility is a dwelling unit with tenants suffering from drug or alcohol addiction, not defined as a family, residing in the home at the same time, which is not licensed by the state and is being used as a drug and alcohol recovery facility for persons who are recovering from drug or alcohol addiction and in which all tenants, except for a house manager, are considered disabled under state or federal law and are actively enrolled and participating in a legitimate alcohol or drug recovery program.

Sober living permit is a requirement for the operation of a sober living facility and will be administered after an application is submitted with the director and all permit requirements have been met.

Sec. 8-252. – Group home registration required.

A person commits an offense if they own or operate the following types of group homes without registering with the department and providing proof of a valid state license where applicable:

- (a) Home and community support services licensed under Chapter 142 of the Texas Health and Safety Code;
- (b) Convelescent and nursing homes and related institutions licensed under Chapter 242 of the Texas Health and Safety Code;
- (c) Continuing care facilities licensed under Chapter 246 of the Texas Health and Safety Code;

- (d) Assisted living facilities licensed under Chapter 247 of the Texas Health and Safety Code;
- (e) Intermediate care facilities for the mentally retarded licensed under Chapter 252 of the Texas Health and Safety Code;
- (f) A person that provides home health, hospice, or personal assistance services only to persons enrolled in a program funded wholly or partly by the Texas Department of Mental Health and Mental Retardation or its successor (“TDMHMR”) and monitored by TDMHMR or its designated local authority in accordance with standards set by TDMHMR;
- (g) A child-care facility as defined by Section 42.002 of the Texas Human Resources Code; and
- (h) A family violence shelter as defined by Section 51.002 of the Texas Human Resources Code.

Sec. 8-253. – Boarding home facility permit required.

- (a) A person commits an offense if the person owns or operates a boarding home facility within the city without a valid permit under this article.
- (b) It is a defense to prosecution under this section if a person operates a boarding home facility while an application is pending.
- (c) It is a defense to prosecution under this section if a person operates a facility listed in section 8-254.

Sec. 8-254. – Exemptions.

The permit requirement under section 8-253 does not apply to:

- (a) Home and community support services licensed under Chapter 142 of the Texas Health and Safety Code;
- (b) Convalescent and nursing homes and related institutions licensed under Chapter 242 of the Texas Health and Safety Code;
- (c) Continuing care facilities licensed under Chapter 246 of the Texas Health and Safety Code;
- (d) Assisted living facilities licensed under Chapter 247 of the Texas Health and Safety Code;

- (e) Intermediate care facilities for the mentally retarded licensed under Chapter 252 of the Texas Health and Safety Code;
- (f) A person that provides home health, hospice, or personal assistance services only to persons enrolled in a program funded wholly or partly by TDMHMR and monitored by TDMHMR or its designated local authority in accordance with standards set by TDMHMR;
- (g) An establishment conducted by or for adherents of a well-recognized church or religious denomination for the purpose of providing facilities to care and treat the sick who depend exclusively on prayer and spiritual means for healing, without the use of any drug or material remedy, if the establishment complies with safety, sanitary, and quarantine laws and rules;
- (h) A hotel as defined by Section 156.001 of the Texas Tax Code;
- (i) A retirement community as defined by Section 11.18 of the Texas Tax Code;
- (j) A monastery or convent;
- (k) A child-care facility as defined by Section 42.002 of the Texas Human Resources Code;
- (l) A family violence shelter as defined by Section 51.002 of the Texas Resources Code;
- (m) A sorority, fraternity house, or dormitory located on the property of an institution of higher education; or

Sec. 8-255. – Permit.

- (a) To obtain an annual permit to operate a boarding home facility, other than a sober living facility, a person must submit an application to the director on a form provided for that purpose and pay the permit fee. The applicant must be the owner or operator of the boarding home facility. If the owner or operator is not an individual, an authorized officer or agent of the owner or operator must submit the form. The application must contain the following information before it is considered complete and subject to review:
 - (1) The name, mailing address, email address, telephone number, a legible copy of the driver's license or other official state or federal identification card, and the date of birth of the applicant. The mailing address may not be the address of the boarding home facility unless the applicant actually resides full-time at the boarding home facility.

- (2) The name, form of business, mailing address, email address, telephone number, a legible copy of the driver's license or other official state or federal identification card, and position of the authorized officer or agent filing the form on behalf of the applicant, if the applicant is not an individual. The mailing address may not be the address of the boarding home facility unless the authorized officer or agent actually resides full-time at the boarding home facility.
- (3) The names, mailing addresses, email addresses, telephone numbers, legible copies of the drivers' licenses or other official state or federal identification cards, the dates of birth of any Owners, Operators, or employees of the boarding home facility, other than the applicant. The mailing address may not be the address of the boarding home facility, unless the Owner, Operator, or employee actually resides full-time at the boarding home facility.
- (4) If the Operator of the boarding home facility is renting or leasing the home or facility, then the Operator must present a letter from the owner of the real property authorizing the use of the rental property to operate a boarding home facility and acknowledging the requirements for the property to be used as a boarding home facility set out within this article.
- (5) The street address and telephone number of the boarding home facility.
- (6) The name, mailing address, email address, and telephone number of a person to contact in an emergency.
- (7) Documentary evidence of the payment of ad valorem taxes, fees, fines, and penalties owed to the city in connection with real property used to operate the boarding home facility.
- (8) The maximum number of residents that will reside at the boarding home facility.
- (9) The services to be offered or provided to the residents of the boarding home facility.
- (10) A zoning verification letter from the city stating that the proposed use of the property complies with the city's zoning regulations.
- (11) A statement that, by filing this application, the applicant swears or affirms under penalty of perjury that, to the best of the applicant's knowledge, all information contained in the application is true and correct and that the application is complete and includes all information required to be disclosed under this section.

- (12) Such additional information as the applicant desires to include or that the director deems necessary to aid in the determination of whether the requested permit should be granted.
- (b) The annual fee for a permit to operate a boarding home facility is as determined by the city council.
- (c) The city will not refund a permit fee.

Sec. 8-256. – Sober living facility permit.

- (a) To obtain a permit to operate a sober living facility, a person must submit an application to the director on a form provided for that purpose and pay the permit fee. The applicant must be the owner or operator of the sober living facility. If the owner or operator is not an individual, an authorized officer or agent of the owner or operator must submit the form.
- (b) The application for a permit for a sober living facility must comply with the requirements of section 8-256(a), in addition to the requirements in subsection (c) below.
- (c) An application for a permit to operate a sober living facility must demonstrate compliance with the following:
 - (1) An application for a sober living facility must provide the following: (1) the name, address, phone number, and driver's license number of the Owner/Operator; (2) the name, address, phone number, and driver's license number of the house manager; (3) a copy of the sober living facility rules and regulations; (4) written intake procedures; (5) the relapse policy; (6) an affirmation by the Owner/Operator that the sober living facility will serve only tenants who are disabled as defined by state and federal law and documentation of the evaluation process which determines that tenants of the sober living facility are disabled; and (7) a fee for the cost of processing of the application as set by the city council.
 - (2) Documentary evidence of the payment of ad valorem taxes, fees, fines, and penalties owed to the city in connection with real property used to operate the sober living facility.
 - (3) A zoning verification letter from the city stating that the proposed use of the property complies with the city's zoning regulations.
 - (4) There are no more than six (6) tenants, not counting a house manager, but in no event more than seven (7) tenants residing in the sober living facility.

- (5) There shall be no more than three (3) tenants per bedroom.
- (6) The facility must have adequate supplies, space, and furniture for all residents.
- (7) The facility must have a private space for individual and group counseling.
- (8) Tenant rental agreements shall be no less than 30 days, otherwise the Operator shall be responsible for collecting and remitting a hotel occupancy tax.
- (9) It is not located in an accessory secondary housing unit unless the primary dwelling unit is used for the same purpose and if so, the residents in both the primary and the secondary units shall be combined in determining whether the maximum number of six (6) allowed by this section has been exceeded.
- (10) It has a house manager who resides at the sober living facility or any number of persons acting as a house manager who are present and who are responsible for the day-to-day operations.
- (11) All tenants, other than the house manager, must be actively participating in legitimate recovery programs, including, but not limited to: Alcoholics Anonymous, Narcotics Anonymous, or 12-Step Recovery. Current records of meeting attendance must be maintained. Refusal to actively participate in such a program shall be cause for eviction in a lease agreement for all residents.
- (12) Its rules and regulations must prohibit the use, sale, or distribution of any alcohol or any non-prescription controlled substances by any tenant either on or off site. These rules and regulations shall be posted in a common area inside the dwelling unit. Any violation of this rule must be cause of eviction and the violator cannot be re-admitted for at least ninety (90) days. Any second violation of this rule shall result in permanent eviction. Tenants that have a second violation shall not be permitted to reside in a sober living facility in the city for a period of twelve (12) months.
- (13) No persons who are required to register as a sex offender under Texas Code of Criminal Procedure Chapter 62 shall reside in the sober living facility.
- (14) It shall have a written visitation policy precluding visitors who are under the influence of any drug or alcohol, are probationers, or parolees. No visitors shall be permitted to spend the night or stay past 10:00 p.m. and a house manager must be present during visitations.

- (15) It shall have regular drug testing or some equivalent alternative, to ensure that tenants are not currently using drugs or alcohol. Tobacco smoking is only allowed in designated outdoor areas. Any religious leaders requiring alcohol for communion or other religious services are only permitted to bring four (4) ounces or less of alcohol on-site.
- (16) No firearms or illegal activities are allowed on the facility's property.
- (17) All animals on-site must be properly vaccinated and supervised.
- (18) It shall not provide any treatment that would require a state license.
- (19) It shall comply with all other laws, rules, and regulations which may apply to its operation, including any building and fire codes and shall be subject to inspection by a building inspector and fire inspector prior to the issuance of any sober living permit.
- (d) The annual fee for a permit to operate a sober living facility is as determined by the city council.
- (e) The city will not refund a permit fee.

Sec. 8-257. – Issuance or denial of permit.

- (a) Upon payment of the fee and the submission of a complete application, the director shall issue a boarding home facility permit or sober living facility permit to operate a boarding home facility to the applicant, to include the number of authorized residents, if the director determines that:
 - (1) The applicant has complied with all requirements within this article for issuance of the permit;
 - (2) The applicant, Owner(s), Operator(s), or employee(s) of the boarding home facility do not own or operate another permitted boarding home facility in the city for which the permit is currently suspended or has been revoked;
 - (3) The applicant has not made a false statement as to a material matter or omitted any pertinent information in the application for a permit; and
 - (4) The proposed boarding home facility is not within one-half (1/2) mile of an existing boarding home facility. For purposes of this section, the measurement consists of a straight line without regard to intervening structures or objects, from the nearest property line of the lot or tract on which the proposed boarding home facility is located to the nearest property line of the existing registered or permitted boarding home facility, which requires separation.

- (b) In addition to those requirements in subsection (a), an application for a sober living facility permit must also comply with the following conditions in order to be granted by the director:
 - (1) The owner, operator and house manager have not been terminated from employment during the past two (2) years because of physical assault, sexual harassment, embezzlement, or theft; falsifying a drug test; or selling or furnishing illegal drugs or alcohol;
 - (2) The owner, operator and house manager are not and have not been on parole or formal probation supervision within one (1) year of the date of the submittal of the application;
 - (3) The owner, operator and house manager are not a recovering drug or alcohol addict with less than one (1) full year of sobriety from the date of application;
 - (4) The owner or operator accepts tenants, other than a house manager, who do not have a disability;
 - (5) The owner or operator does not unlawfully discriminate against tenants; and
 - (6) The owner, operator and house manager do not have other significant or repeated violations of this article or any other applicable laws and regulations.
- (c) If the director determines that the requirements of (a) and (b), if applicable, have not been met and no variance or reasonable accommodation has been granted under this article related to the deficiency, the director shall deny the permit and notify the applicant in writing that the application is denied, the reason for denial, and a statement informing the applicant of the right to appeal.

Sec. 8-258. – Suspension of Permit; Prohibition of New Residents

- (a) The director may suspend a boarding home facility permit or a sober living facility permit for a period not to exceed ninety (90) days if the director finds that the permit holder or an employee of the facility has:
 - (1) Failed to comply with any provision of this article, any other ordinance, or any state or federal law applicable to the operation of a boarding home facility or sober living facility; or
 - (2) Intentionally or knowingly impeded or refused to allow an inspection by the director authorized under this article.

- (b) A boarding home facility for which the permit has been suspended may not admit any new residents during the time the permit is suspended.
- (c) In lieu of suspending a permit for a boarding home facility, the director, at their sole discretion, may enter into a compliance agreement with the permit holder if the director determines that the compliance agreement would eliminate the noncompliance that would otherwise justify a suspension, result in prompt future inspections, and elevate one or more conditions at the sober living facility to the standards of this article.
- (d) The director shall send a written statement of the reasons for the suspension, the date the suspension is to begin, the duration of the suspension, and the permit holder's right to appeal by certified mail, return receipt requested.
- (e) A permit holder whose permit is suspended may not be granted a permit to operate any additional boarding home facility during the suspension period.
- (f) A permit holder commits an offense if they operate or own a boarding home facility that admits new residents during the time that the suspension of the permit is in effect.

Sec. 8-259. – Revocation of permit.

- (a) Except as provided in subsection (c), the director shall revoke a permit issued to operate a boarding home facility if the director determines that:
 - (1) The permit holder intentionally made a false statement as to a material matter in the application or in a hearing concerning the permit;
 - (2) The permit holder failed to pay a fee required by this article at the time it was due; or
 - (3) A cause for suspension has occurred and the permit has already been suspended at least once within the preceding twelve (12) months.
- (b) In addition to those provided in subsection (a), the director shall revoke a permit issued to operate a sober living facility if the director determines that:
 - (1) The owner, operator or house manager has an employment history in which he or she was terminated during the past two (2) years because of physical assault, sexual harassment, embezzlement, or theft; falsifying a drug test; or selling or furnishing illegal drugs or alcohol;
 - (2) The owner, operator or house manager is on parole or formal probation supervision or has been within one (1) year of the date of the submittal of the application, date of employment, or at any time thereafter;

- (3) The owner, operator or house manager is a recovering drug or alcohol addict with less than one (1) full year of sobriety from the date of submittal of the application or date of employment;
 - (4) The owner or operator accepts tenants, other than a house manager, who do not have a disability;
 - (5) The owner, operator or house manager unlawfully discriminates against tenants; or
 - (6) There have been any other significant or repeated violations of this article or any other applicable laws or regulations.
- (c) In lieu of revoking a permit for a boarding home facility, the director, at their sole discretion, may enter into a compliance agreement with a permit holder if the director determines that the compliance agreement would eliminate the noncompliance that would otherwise justify a revocation, result in prompt future inspections, and elevate one or more conditions at the boarding home facility to the standards of this article.
 - (d) Before revoking a permit under Subsection (a) or (b), if applicable, the director shall notify the permit holder in writing by certified mail, return receipt requested, that the permit is being considered for revocation. The notice must include the reason for the proposed revocation, action the permit holder must take to prevent the revocation, and a statement that the permit holder has ten (10) days to comply with the notice.
 - (e) If after ten (10) days from the date of the notice required in Subsection (d) was sent or delivered, whichever is later, the permit holder has not complied with required actions listed in the notice, the director shall revoke the permit and notify the permit holder in writing of the revocation. The notice must include the reason for the revocation and a statement informing the permit holder of the right of appeal.
 - (f) If a permit has been revoked, the permit holder has ten (10) days from the date the notice was sent or delivered, whichever is later, to relocate the Residents of the facility and cease operations. An appeal of the revocation does not suspend or toll this deadline.

Sec. 8-260. - Appeals.

If the director denies the issuance or renewal of a permit or suspends or revokes a permit issued under this article, the action is final unless the permit holder files a written appeal within ten (10) days of the director's action with city council.

Sec. 8-261. – Expiration and renewal of permit.

- (a) The annual permit to operate a boarding home facility expires one (1) year after the date of issuance.
- (b) A permit holder must apply for renewal at least thirty (30) days before the expiration of the annual permit on a form provided by the director. The permit holder must update the information contained in the original permit application required under this article if any of the information has changed. The permit holder shall sign a statement affirming that there is either no change in the information contained on the original permit application and any subsequent renewal applications or that any information that has been updated is accurate and complete and pay the annual fee.
- (c) The director shall follow the procedures set forth in this article for issuance of a permit when determining whether to renew a permit.

Sec. 8-262. – Variance from distance requirement.

- (a) City council may grant a variance to a proposed boarding home facility authorizing its location within one-half (1/2) mile of another boarding home facility.
- (b) The variance procedure will follow the steps set out in sections 5.600- 5.740 of Appendix B in the city's Code.

Sec. 8-263. – Notification of change of information.

The permit holder shall notify the director within ten (10) days after any material change in the information contained in the application for a permit to operate a boarding home facility, including any change in ownership.

Sec. 8-264. - Transferability.

A permit is not transferable to another location.

Sec. 8-265. – Residents.

Maximum density for each boarding home facility shall be as follows:

- (1) one (1) bedroom or efficiency unit, no more than three (3) occupants per unit;
- (2) two (2) bedrooms, no more than five (5) occupants per unit; and
- (3) three (3) bedrooms, no more than seven (7) occupants per unit.

Sec. 8-266. – Parking.

Off-street parking spaces must be provided for all vehicles as part of the use and operation of a boarding home facility. Required spaces must be located on the lot or tract for which the boarding home facility is located and must be provided as either improved surface parking areas or within garages.

Sec. 8-267. – Operational standards.

Each permit holder shall ensure the residents' health, safety, comfort, and protection from hazards and shall comply with the following:

- (a) City zoning, building, and property maintenance codes;
- (b) Federal, state, and city adopted fire codes and applicable standards;
- (c) Federal, state, and city health and safety codes;
- (d) Federal and state accessibility regulations;
- (e) Mobile homes may not be used as a boarding home facility;
- (f) Smoke alarms must be installed in compliance with the city's fire code to include installation within each sleeping room, immediately outside of each sleeping area, and on each story of the building, including any basement or attic;
- (g) Maintain the boarding home facility and its premises in a clean and sanitary condition;
- (h) Extermination of any insects, rodents, or other pests in the rooms occupied by residents, storage areas, attics, or on the premises or yard;
- (i) Pathways and stairways must remain unobstructed; and
- (j) Operation of a boarding home facility may not result in illegal or nuisance activities, including disturbance of the peace, illegal drug activity, harassment of passers-by, public urination, theft, assault, vandalism, littering, illegal parking, loud noise, disorderly conduct, lewd conduct, or police detention and/or arrests.

Sec. 8-268. - Inspection; fees.

- (a) A boarding home facility must pass all required inspections.
- (b) The permit holder shall keep a current file of reports and other documentation on site that is needed to demonstrate compliance with applicable city ordinances and federal and state laws. Inspection records must be signed and dated by the appropriate authority and there may not be any pending corrective actions.

- (c) The following inspections are required for all boarding home facilities:
 - (1) Permitting inspection to be done at time of original application;
 - (2) Annual permitting inspection to be done upon permit renewal; and
 - (3) Annual inspection for compliance with the city's building codes, to include the fire code.
- (d) The director may inspect any boarding home facility for the purpose of ascertaining whether violations of this article or any other City ordinances exist. The director is authorized at a reasonable time to inspect:
 - (1) The exterior of the structure and the surrounding premises; and
 - (2) The interior of a structure if the permission of the owner, occupant, or person in control is given or a search warrant is obtained.
- (e) If the owner, occupant, or person in control of a boarding home facility denies permission to search any part of the interior or exterior of the structure or the surrounding premises, the director may suspend or revoke the permit to operate a boarding home facility.
- (f) Whenever a boarding home facility is inspected and a violation of this article is found, the building or premises will, after the expiration of any time limit for compliance given in the notice or order issued because of the violation, be re-inspected to determine that the violation has been eliminated.
- (g) The permit holder shall pay a fee for each inspection and re-inspection as determined by city council.

Sec. 8-269. - Reasonable accommodations.

- (a) The city intends to ensure that all persons with a disability have equal opportunity to use and enjoy a dwelling by providing such persons with reasonable accommodations in rules, policies, practices, and procedures promulgated under this article consistent with the FHAA and the ADA, as amended.
- (b) The city manager, or their designated representative, is hereby designated to approve, conditionally approve, or deny all applications for a reasonable accommodation. If the project for which the request for reasonable accommodation is made requires another discretionary permit or approval, then an applicant may request that the city manager hear the request for a reasonable accommodation at the same time as the other discretionary permit or approval. If the applicant does not request a simultaneous hearing, then the request for reasonable accommodation shall not be heard until after the final administrative decision has been made.

regarding all discretionary permits or approvals required by any federal or state law or local ordinance.

(c) *Application for a reasonable accommodation.*

- (2) A request for reasonable accommodation may be made by any person with a disability, their representative, or a provider of housing for individuals with a disability. A reasonable accommodation may be approved only for the benefit of one or more individuals with a disability.
- (3) An application for a reasonable accommodation from a zoning regulation, policy, or practice shall be made on the form provided by the planning department. No fee shall be required for a request for reasonable accommodation, but if the project requires discretionary permit(s), then the prescribed fees for said permit(s) shall be paid by the applicant or the applicant's representative. An application for reasonable accommodation shall not be unreasonably withheld.
- (4) An application for reasonable accommodation shall include the following:
 - a. A document providing information about an individual with a disability or applying on behalf of one or more individuals with a disability;
 - b. The specific exception or modification to the zoning, subdivision, or other land use provision, policy or practice requested by the applicant;
 - c. Documentation that the specific exception or modification requested by the applicant is reasonable and necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy the residence; and
 - d. Any other information that the director reasonably concludes is necessary to determine whether the finding can be made, so long as any request for information regarding the disability of the individuals benefited complies with applicable federal law and the privacy rights of the individuals affected.

(d) *Appeal process.*

- (1) In the event of appeal of the city manager's written determination, applicants shall file with the city secretary a notice of appeal on the form provided by the city no later than fourteen (14) days following the date the city manager issues a written determination. Notices of appeal filed after

that date shall be considered untimely and the city manager's written determination shall be considered a final determination.

- (2) The standard of review on appeal shall be de novo appeal to the city council.
 - (3) The city council, acting as the appellate body may sustain, reverse, or modify the decision of the city manager or remand the matter for further consideration, which remand shall include specific issues to be considered by the city manager.
 - (4) A final decision regarding an applicant's appeal of the city manager's written determination regarding a reasonable accommodation shall be made within thirty (30) days after the date the city receives an applicant's notice of appeal, which shall be served on the applicant in person or by certified mail.
- (e) The written decision to approve, conditionally approve, or deny a request for reasonable accommodation shall be based on the following findings, all of which are required for approval:
- (1) The requested accommodation is requested by or on the behalf of one or more individuals with a disability protected under the FHAA, ADA, or other applicable federal or state law.
 - (2) The requested accommodation is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy a dwelling.
 - (3) The requested accommodation will not impose an undue financial or administrative burden on the city as undue financial or administrative burden is defined in the ADA, interpretive case law, or other applicable federal or state law.
 - (4) The requested accommodation will not result in a fundamental alteration in the nature of the city's zoning program, as fundamental alteration is defined in FHAA, interpretive case law, or other applicable federal or state law.
 - (5) The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health or safety of other individual or substantial physical damage to the property of others. In making these findings, the decision-maker may approve alternative reasonable accommodations which provide an equivalent level of benefit to the applicant.

Sec. 8-270. – Violations.

- (a) A permit holder, employee, or other person who violates any provision of this article, or who fails to perform a duty required by this article, commits an offense.
- (b) If a sober living facility is found to be in violation of the standards prescribed by this article and the violations create an immediate threat to the health and safety of a resident in the facility, the director may order immediate closing of all or part of the facility. An order of immediate closure is effective immediately on providing written notice of the order to the owner or operator by email or hand-delivery. The order of closure of all or part of a sober living facility is valid for ten (10) days after its effective date.
- (c) The remedies and procedures in this section and in other laws are cumulative, and the use of any particular remedy or procedure does not prevent the enforcement of any other law.

SECTION 4

This Ordinance shall be cumulative of all provisions of ordinances of the City, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 5

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared void, ineffective, or unconstitutional by the valid judgment or final decree of a court of competent jurisdiction, such voiding, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections hereof, since the same would have been enacted by the City Council without the incorporation of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 6

Any person, firm, corporation, agent, or employee thereof who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 7

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of the Fredericksburg Municipal Code, as amended, or any other ordinances affecting the subject matter herein which have accrued at the time of the effective date of this Ordinance;

and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 8

The City Secretary of the City is hereby directed to publish in the official newspaper of the City the caption and penalty clause of this Ordinance as required by law.

SECTION 9

This Ordinance shall be in full force and effect from and after its date of passage and publication as required by law and it is so ordained.

PASSED AND APPROVED on this the ____ day of April 2024, at a Regular Meeting of the City Council of the City of Fredericksburg, Texas.

Jeryl Hoover, Mayor

ATTEST:

Shelley Goodwin, TRMC/CMC
City Secretary

APPROVED AS TO FORM:

William M. McKamie
City Attorney

[Home](#) / [Sober Living](#) / Texas

Sober Living and Halfway Houses in Texas

Written by: [Jessica Petty](#) Edited by: [Linda Armstrong](#) Updated Jan 30, 2024

3 min read · 5 sections

[Medical Detox](#) [Insurance Accepted](#) [Same Day Admission](#) [Our Services](#)

Transitioning from a Texas-based drug and alcohol treatment program into an independent living environment can be tricky. The people and places you're accustomed to may also present familiar triggers that can hinder recovery. A host of Texas sober living homes can aid the transition and support ongoing recovery.

What you will learn:

- ✓ What are sober living homes and halfway houses?
- ✓ Texas laws for sober living homes.
- ✓ How to find sober living residences in Texas.

Get Help

Jump to Section



What Are Sober Living Homes?

Sober living homes are drug- and alcohol-free living environments that promote recovery.¹ Varying in size, structure, and target population, sober living facilities are particularly helpful for those transitioning out of drug and/or alcohol treatment, as familiar people and environments may actually act as stressors that can hinder recovery efforts.²

During this transition time, a sober living home may provide enough time and space void of these triggers to support ongoing recovery.³

Although each Texas sober living home is unique in terms of procedures, number of residents, costs, payment options, and more, all sober living homes promote peer connections, support groups, and recovery support services.⁴

In fact, according to one study involving sober living homes, residents showed significant improvements regarding factors such as drug and alcohol use, 6-month abstinence rates, psychiatric symptoms, arrests, and employment. Plus, residents maintained these improvements through the study's 18-month follow-up, even though most participants had left their facilities by that time.¹

In terms of services and staff, the [National Alliance for Recovery Residences \(NARR\)](#) categorizes sober living environments as Level 2 facilities. As such, there may be a resident house manager on site, but professional counselors and addiction professionals rarely live within the home. Recovery support usually comprises peer groups, outside mutual support groups, and referrals to recovery and clinical services.⁴

Meanwhile, residents follow a few rules, such as paying rent and house-related fees, maintaining abstinence, completing house chores, etc.





In a word, no. The terms “sober living home” and “halfway house” are not interchangeable in most states. But in Texas, the disparity is even more significant.

Throughout the U.S., sober living homes fall under the headers of recovery residences and/or therapeutic communities.^{1,7} Other facilities under these same headers usually include [halfway houses](#) and [Oxford Houses](#), both of which are slightly different than sober living environments in terms of rules, length of stay, payment, funding, and more.

In many states a halfway house serves those transitioning out of both treatment and incarceration. However, halfway houses in Texas only serve former inmates transitioning from incarceration to parole.⁸

Additionally, regardless of whether they serve parolees or those seeking sobriety—or both—halfway houses are often funded by the government. [Sober living homes](#), however, are typically paid for by the residents. That is, sober homes are rarely covered by insurance and are usually not state-sponsored.⁹

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Sober Living Homes in Texas

According to [FindTreatment.gov](#), which is provided by the [U.S. Substance Abuse and Mental Health Services Administration](#), [Texas](#) has 17 properties that act as sober homes, halfway houses, and/or transitional housing. The site defines these homes as drug- and alcohol-free housing designed to facilitate the transition from treatment to independent living for those recovering from substance use disorders.¹⁰

Texas also offers recovery communities that are specific to college students. The [Association of Recovery in Higher Education \(ARHE\)](#) represents Collegiate Recovery Programs (CRPs) and Collegiate Recovery Communities (CRCs). Both options help college students find the support they need to maintain their recovery while excelling in their studies.¹¹

[American Addiction Centers](#) offers a sober living home—Resolutions Arlington—in a Dallas/Fort-Worth suburb. Associated with our Greenhouse Treatment Center, [Resolutions Arlington](#) provides the balance of structure and independence necessary to transition from treatment to independent living. Plus, given its connection to the [Greenhouse Treatment Center](#), Resolutions Arlington can offer those in recovery a smooth and cohesive shift from inpatient care to sober living.

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Texas Sober Living Laws and Regulations

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Texas sober living homes must maintain compliance with the Fair Housing Act and Americans with Disabilities Act (ADA). Additionally, sober living homes and similar facilities must meet the demands of various Texas Administrative Codes, some of which stipulate that the facilities must:¹²

- Obtain a certificate of occupancy from the local authority detailing current use as a sober living facility.
- Offer a property that's structurally sound, clean, free from hazards, and in good condition.
- Ensure that the house is safe, clean, and well-lit.
- Provide enough space, furniture, and supplies for the residents.
- Offer space suitable for private conversations and group sessions.
- Restrict smoking inside the house during structured activities.
- Ban firearms, weapons, alcohol, illegal drugs, violence, and illegal activities.
- Ensure any pets are vaccinated and supervised.

In addition to the state laws and regulations for sober living homes in Texas, NARR has its own [quality standards](#). And as a member of NAAR, the [Texas Recovery-Oriented Housing Network \(TROHN\)](#) offers standards for sober living homes in Texas. Registering as a sober living home in the TROHN network requires that facilities adhere to the following guidelines and more.¹³

- Establish and abide by a mission and vision focused on recovery.
- Adhere to legal and ethical codes.
- Maintain financially honest and forthright operations.
- Collect data to continue to improve.
- Operate with prudence within the local and national laws.
- Communicate residents' rights and requirements clearly and immediately.
- Promote peer advocacy and social-based recovery.
- Support housing choice by the resident.
- Protect residents' privacy in accordance with the Health Insurance Portability and Accountability Act (HIPAA).
- Provide staff and peer governance.
- Promote health, primarily through sobriety.
- Offer a physically, emotionally, mentally, culturally, and socially safe and competent environment.
- Inspire purpose in residents and cultivate community.





Since sober living typically follows addiction treatment, your treatment center may also be able to refer you to a Texas sober living home near you. For example our Greenhouse Treatment Center might refer you to [Greenhouse Resolutions](#) and to a host of additional Texas sober living options. Other referral sources can include the criminal justice system, a mental health professional, Twelve-Step meeting participants, and more.

Although an Oxford House isn't the same as a sober living home, there are similarities that can support the transition to independent living. Thus, the Texas Health and Human Services Commission partners with Oxford House Inc. to provide recovery residences and group homes across Texas.¹⁴ Search Oxford House options at [OxfordHouse.org](#).

If you or a loved one needs [addiction treatment or recovery housing in Texas](#) and elsewhere, [American Addiction Centers \(AAC\)](#) can help. Contact our confidential admissions navigators at [\(888\) 200-6998](tel:8882006998) . They can answer your questions, explain your options, and help you find treatment and recovery options that are right for your unique situation.

Sources

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