



City of Fredericksburg

Planning and Zoning Meeting Agenda
Wednesday, November 6, 2024 ~ 5:30 PM
New City Hall at East Campus - Community Room
2818 E. U.S. Hwy. 290
Fredericksburg, Texas 78624

Janice Menking, Chair
Polly Rickert, Vice Chair
Daryl Whitworth, Member
Jeff Lawrence, Member
Cindy Scroggins, Member

Tom Musselman, Member
Tim Dooley, Member
Jim Jarreau, Member
Belinda McDonnell, Member

The City of Fredericksburg Planning and Zoning Commission will meet in a regular session on November 6, 2024, at 5:30 PM. Link to City of Fredericksburg agenda [webpage](#) to watch video of the meeting.

Written Comments: to be submitted remotely must be received by 2 p.m. on November 6, 2024.

1. Complete the Citizen Comment Form online at www.fbgtx.org; or
2. 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 New City Hall Community Room at 2818 E. Hwy 290, 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. October 2, 2024 - Planning & Zoning Meeting Minutes

4. PUBLIC HEARING

- A. REQUEST #Z-2422 By Kevin Spraggins with VEI Engineering, To consider the following:

1. A landuse change from Rural to Low Density Residential (LDR) for property located at 1010 North Cherry Street, also referred to as Block II, as laid out by the German Emigration Company in Gillespie County, Texas.

2. Establish a zoning of R1, Single Family Residential for property located at 1010 North Cherry Street, also referred to Block II as laid out by the German Emigration Company in Gillespie County, Texas.

i Presentation by the Applicant

ii Presentation by the Staff

iii Hold Public Meeting

iv Take Action on Landuse change from Rural (R) to Low Density Residential (LDR)

v Take Action on request for R1 zoning

B. REQUEST #Z-2419 By Casey Zins, To consider the following:

1. A Land use change from Rural (R) to Mixed Use Corridor (MUC) for property located at 97 Hitchin Post Trail, also referred to as approximately 18.7 Acres of land described as the Samuel R. Wilson Survey NO. 38, Abstract NO. 735 of Gillespie County, Texas.

2. Establish a zoning of Planned Unit Development (PUD) for property located at 97 Hitchin Post Trail, also referred to as approximately 18.7 Acres of land described as the Samuel R. Wilson Survey NO. 38, Abstract NO.735 of Gillespie County, Texas.

i Presentation by the Applicant

ii Presentation by Staff

iii Hold Public Hearing

iv Take Action on Land use change from Rural (R) to Mixed Use Corridor (MUC)

v Take action to establish zoning.

5. DISCUSSION ITEMS

A. Director's Report

6. ADJOURN

CERTIFICATION

This is to certify that I, Jan Musgrove, posted this Agenda at 4:30 PM. on November 1, 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
October 2, 2024
5:30 P.M.**

On this the 2nd day of October 2024, the PLANNING AND ZONING COMMISSION convened in Regular Session at the New City Hall at East Campus 2818 E. U.S. Hwy. 290, Fredericksburg Texas with the following members present to constitute a quorum:

PRESENT: JANICE MENKING
JEFF LAWRENCE
TOM MUSSELMAN
CINDY SCROGGINS
POLLY RICKERT
JIM JARREAU
TIM DOOLEY
BELINDA MCDONNELL

ABSENT: DARYL WHITWORTH

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

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

ROLL CALL: All Present except Daryl Whitworth. A quorum was present.

Consider Z-21416: By Josh Leamons with Searchers Surveying to Request the Following:

- A. Landuse Change from Mixed Density Residential (MDR) to Commercial (C) for Properties Located at 108 S Mesquite St also Referred to as Lot 7 & Lot 8, Block 20 of the South Heights Addition.
- B. A Zoning Change from R2, Mixed Residential to C2, Commercial for Properties Located at 108 S Mesquite St also referred to as Lot 7 & Lot 8, Block 20 of the South Heights Addition

Applicant Presentation: Josh Leamons, with Searchers Surveying stated that rezoning these lots would make the lots consistent with the rest of the lots.

PRESENTATION: Anna Hudson, Director of Development Services

SUMMARY:

Recommended that Lot 8 remain R2 to function as a buffer between Lot 7 which would be rezoned C2. The R2 lot would primary be used for parking for the hotel and the restaurant.

STAFF RECOMMENDATION:

Staff found that with the approved closure of a small stretch of South Mesquite Street, the subject property now abuts 901 E Main as well as 803 E Main providing an opportunity for one Commercial development. Furthermore, the Comprehensive Plan supports some level of commercial activity in this area and provides flexibility towards development with integrated commercial uses. Staff recommends approval of a Land Use change from Mixed Density Residential (MDR) to Commercial (C) and a Zoning change from R2, Mixed Residential to C2, Commercial for lot 7 only. This recommendation would leave a residential buffer between the planned commercial development and 802 E San Antonio, the residential property to the west of the subject property.

DISCUSSION:

Janice Menking opened the floor to public hearing at 5:34 pm: No one choose to speak. Public hearing closed at 5:35 pm.

Jim Jarreau asked if R2 zone property could be a “parking lot.”

Tom Musselman responded that a buffer is needed because if it was zoned commercial it could be anything.

Anna Hudson mentioned that this is a private parking lot for this development.

Tim Dooley wanted to know if it would be a controlled parking lot with a gate.

Josh Leamons responded that it would not be “gated.”

Anna Hudson restated that this would be safer and allow access to the entire development and that the zoning of R2 would limit the commercial uses of the lot and create a buffer from the C2 lot.

Tom Musselman stated that R2 protected the neighborhood and that this would be appropriate.

Polly Rickert made a motion to approve the Landuse change Z-2416 from mixed density residential (MDR) to commercial (C) for a property located 108 S Mesquite Street – C2 zoning for Lot 7 and that Lot 8 would remain R2.

Tom Musselman seconded the motion. All voted Aye and the motion passed.

Anna Hudson mentioned that this would go to City Council on October 15, 2024.

Consider SP-2409 – Site Plan Review for a Multi-Family Development Located at Friendship Lane and South Eagle Street

Tom Musselman recused himself.

Applicant Presentation: Jeff Stewart, with Seco Ventures, stated that the previously approved site plan was about to expire and that they are requesting an extension on the approved site plan. No changes to the previous plan, just requesting an extension.

PRESENTATION: Shelby Collier, Senior Planner

SUMMARY:

A Site Plan application has been submitted for the Seco; Mixed-Use Development located at the Southwest corner of Friendship Ln and South Eagle St. A Site Plan was originally approved on

November 3, 2021, and then a request to approve an extension of the Site Plan was submitted and approved on August 2, 2023. The expiration date of the site plan is November 3, 2024, and with the expiration looming, the applicant has submitted a new site plan application for approval.

STAFF RECOMMENDATION:

The applicant stated and Staff has confirmed that there have been no changes to the site plan since August 2, 2023, approval and there have been no ordinance changes which would have required modifications to the site plan. Staff recommends approval of the Site Plan as presented.

DISCUSSION:

Jim Jarreau asked if commercial aspect would be built first?

The Applicant replied that the residential would be built first.

Tim Dooley asked how long the renewals could go on for?

Shelby Collier responded that if the zoning changes did not change and the design did not change, this cycle of renewing could continue in perpetuity.

Jim Jarreau made a motion to approve SP-2409.

Jeff Lawrence seconded the motion. All voted Aye and the motion passed.

Tom Musselman returned to the dais.

Consider SP-2410 - Site Plan Review for an Automotive Repair Service Development Located at 511 Friendship Lane

Applicant Presentation: Matt Robertson with Boehler Engineering, this is a simple Auto Repair Shop. He stated that he was happy to answer any questions.

PRESENTATION: Shelby Collier, Senior Planner

SUMMARY:

The applicant has submitted a Site Plan application for an Automotive Repair Service Development located at 511 Friendship Lane. The request consists of a single-story, 7,020 sq ft structure on a 1.903 Acre (82,895 sq ft) lot that shares access with Chick-Fil-A, 503 Friendship Lane.

STAFF RECOMMENDATION:

The Site Plan as proposed provides an automotive repair service on a large lot, however, the lot is overdeveloped in terms of impervious coverage based on Sec. 3.210 - C2 Zoning Ordinance. The maximum allowed impervious coverage in this zoning district is 80% with the applicant proposing a total of 94%. Staff recommends a reduction in parking to bring the impervious coverage calculation to within a range that meets the minimum requirements. In addition to this modification to the site plan, Staff recommends approval conditioned upon the approval of Civil Construction Plans.

DISCUSSION:

Tom Musselman wanted to know if there were going to be sidewalks on Friendship Lane.

The Applicant responded yes, there would be sidewalks added.

Poly Rickert made a comment on the location of the ADA parking spaces and the safety issue of backing up into an active working bay and wondered if moving these parking spots to the northeast side of the building for safety purposes and more direct access to a door.

The Applicant responded that they would be happy to make those changes.

Tim Musselman asked how many parking spaces the site would lose if the impervious cover was reduced to the recommended 80% max.

The Applicant responded that it would be 10 to so spaces. Another option would be to use pervious pavers.

Tom Musselman asked about water runoff would go.

Evan Williamson responded that all of this would be addressed on civil plans and that there are underground drains to accommodate and that more inlets had been added with the new subdivision on Friendship Lane to accommodate runoff.

Belinda McDonnell mentioned that pervious pavers would be that better way to address the loss of parking spaces.

Jeff Lawrence wanted to know if there were turn lanes in the development.

Evan responded that on the eastbound lanes would have turn lanes, but west bound traffic did not trigger a turn lane.

Polly made a motion to approve the SP-2410 with the following conditions: that the ADA parking spots be moved to the Northeast side of the building to facilitate safer traffic flow, and that the developer reduce the number of parking spaces or use pervious pavers to accommodate the 80% impervious coverage allowance.

Tim Dooley seconded the motion. All voted Aye and the motion carried.

Polly Rickert made a statement regarding updating the Entry Corridor Guidelines as Chick-fil-A which is located right next door had to adhere to the Entry Corridor Guidelines, but Discount Tire did not. This is an example of getting something we did not want, and we had no ability to influence the design and how it fits within the character of our City. This is an area of deficiency that needs to be addressed as we move through the UDC project because our Ordinances do not give us that capability.

Tim Dooley, where do the design criteria cut off?

Anna Hudson responded that it must abut a State Highway and so when they sub-divided the lot it no longer abuts the State Highway.

APPROVAL OF THE MINUTES:

Jim Jarreau made a motion to approve September 4, 20024, minutes, Polly Rickert seconded. All voted in favor and the September 4, 2024, minutes were approved.

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

Thanked the Board for moving thru the agenda quickly and mentioned that November's agenda was heavy. TIRZ had been approved for the feasibility study by City Council, with a different boundary which is significantly smaller than the original boundary. A joint workshop with Council and the County was

scheduled to occur sometime in late October or early November and hopefully TIRZ would be one of the subjects discussed.

Tom Musselman mentioned that Staff may want to schedule the meeting after the new County Commissioners have been elected and were in office in January.

He also requested that the members of the Planning and Zoning Commission get a revised copy of the TIRZ.

Tim Dooley wanted to know if the public could attend the meeting.

Anna Hudson responded with yes, the meeting would be open to the public.

ADJOURN

With nothing further to come before the Commission, the meeting adjourned at 6:08pm.

PASSED AND APPROVED on this 6th day of November 2024.

JAN MUSGROVE, Planner I

JANICE MENKING, Chair



PLANNING AND ZONING COMMISSION **AGENDA MEMO**

DEPARTMENT: Development Services
TO: Planning and Zoning Commission
FROM: Anna Hudson, Director of Development Services

MEETING DATE: November 6, 2024

CATEGORY: PUBLIC HEARING

CAPTION: REQUEST #Z-2422 By Kevin Spraggins with VEI Engineering, To consider the following:

1. A landuse change from Rural to Low Density Residential (LDR) for property located at 1010 North Cherry Street, also referred to as Block II, as laid out by the German Emigration Company in Gillespie County, Texas.
 2. Establish a zoning of R1, Single Family Residential for property located at 1010 North Cherry Street, also referred to Block II as laid out by the German Emigration Company in Gillespie County, Texas.
 - i Presentation by the Applicant
 - ii Presentation by the Staff
 - iii Hold Public Meeting
 - iv Take Action on Landuse change from Rural (R) to Low Density Residential (LDR)
 - v Take Action on request for R1 zoning
-

PRESENTATION:

SUMMARY:

The applicant requests to change the Land Use from Rural (R) to Low Density Residential (LDR) and establish a Zoning of R1, Single Family Residential for property located at 1010 North Cherry Street.

BACKGROUND: The subject property is approximately 3.48 acres on the West side of North Cherry Street and is currently located outside the City Limits in the Extra Territorial Jurisdiction (ETJ), however, the applicant has submitted a Voluntary Annexation Request that will be considered by City Council on November 19, 2024. As part of that process, the property needs to be zoned, which requires a recommendation by the Planning and Zoning Commission.

The surrounding properties are a mix of [R1, Single Family Residential](#) properties to the North (Cherry Blossom Estates Subdivision) East across North Cherry Street (Cross Mountain West Subdivision) and Rural or large acreage tracts of land to the West and South. All surrounding properties possess a Land Use, but only properties located in the City Limits possess a designated Zoning.

It is the desire of the applicant to obtain an R1, Single Family Residential zoning to allow for future subdivision into R1, Single Family Residential lots. This requested zoning requires a corresponding Land Use change from Rural (R) to Low Density Residential (LDR).

Sec. 3.100 - R1, Single Family Residential speaks to the development standards allowed in R1 and includes the following uses by right:

- Single Family Residential (Detached)
- Local Utility Services
- Short Term Rental Accessory
- Short Term Rental B&B

With the following uses permitted subject to an approved Conditional Use Permit (CUP)

- Community Recreation
- Day Care Services
- Guidance Services
- Private Primary Education
- Private Secondary Education
- Religious Assembly

The following Property Development Standards would apply to all future lots:

Lot Size	Minimum Lot Area, 7,500 square feet; or 10,000 square feet for guest houses and short-term rental, accessory uses
Lot Width	Minimum Lot Width, 70 feet
Height	Maximum Building Height, 2 1/2 stories, 28 feet
Front Yard	Minimum Required Setback, 25 feet
Street Side Yard	Minimum Required Setback, 15 feet
Interior Side Yard	Minimum Required Setback, 5 feet
Rear Yard	Minimum Required Setback, 10 feet
Residential Density	Maximum Dwelling Units per Lot, 1 per lot Minimum Dwelling Areas
(Living Area Only)	750 Square feet
Maximum Building Coverage	Percent of Lot Area, 40%
Impervious Cover	Percent of Lot Area, 55%
Nonconforming Uses	<u>Section 6.100</u>
Special Yard Regulations	<u>Section 7.300</u>
Fences, Walls, Visibility	<u>Section 7.530</u>

Parking	Section 7.800
Temporary/Accessory Building	Section 8.000
Home Occupations	Section 8.300

[The Comprehensive Plan](#) identifies the subject property with a future place type of Rural, which includes 100 percent residential uses.

STAFF RECOMMENDATION:

Staff finds that the request is in keeping with surrounding development patterns and is supported by the Comprehensive Plan.

Staff recommends approval of a Land Use change from Rural (R) to Low Density Residential (LDR) and the establishment of an R1, Single Family Residential Zoning.

ATTACHMENTS:

1. Z-2422 Zoning Application
2. Z-2422 Survey
3. Z-2422 Project Description
4. Z-2422 - Review Comments
5. Z-2422 Land Use Map
6. Z-2422 Zoning Map
7. Rural Future Place Type
8. Z-2422 Public Hearing Map
9. Z-2422 Mailing Labels

APPROVAL/REVIEW:



Shelby Collier, Senior Planner

Date: October 28, 2024



William McKamie, City Attorney

Date: October 28, 2024



Date: October 31, 2024



Zoning Application

City of Fredericksburg – Development Services Department

126 W. Main St, Fredericksburg, TX 78624

A. Project Information

Project Name: 1010 North Cherry
Project Address: 1010 North Cherry St, Fredericksburg, Texas 78624
Property Tax ID Numbers: 19215

B. Application Type: Appendix A – Fee Schedule

- ☒ Voluntary Annexation - \$750.00
- ☐ Conditional Use Permit - \$500.00
- ☒ Land Use Change - \$300.00
- ☒ Zoning Change - \$600.00
- ☐ Amendment to existing PUD - \$500.00
- ☐ Creation of PUD - \$750.00
- ☐ DRC Review Comments - \$250

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

- ☒ *Public Hearing Newspaper - \$150.00*
- ☒ *Public Hearing 200 ft notification letter - \$100.00*

C. Applicant/Owner Information - Property Owner

Owner Name: Rubin and Ruby Jenschke Living Trust
Owner Address: 203 Rheingold School Rd.
Owner Phone Number: _____
Owner Email Address: jwgold@gmail.com

D. Applicant

Applicant Name: Kevin Spraggins
Applicant Address: 507 E. Highway St., Fredericksburg, Texas 78624
Applicant Phone Number: 830-997-4744
Applicant Email Address: kspraggins@vei-tx.com

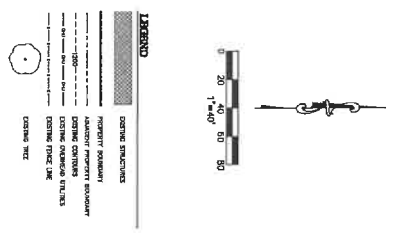
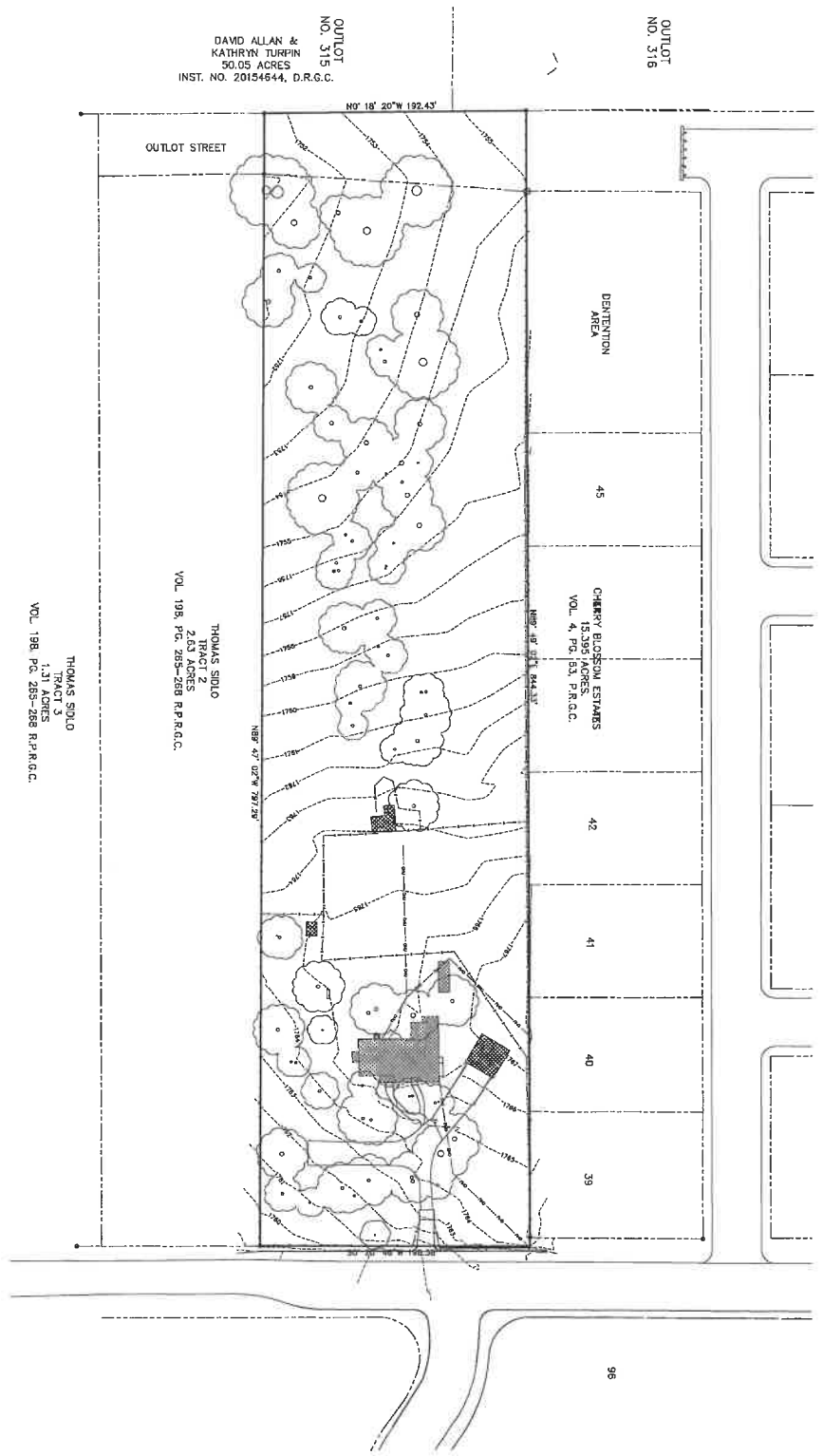
Applicant's Signature

I hereby certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. I also certify, if I am not the owner, that I have authorization from the owner to act on his/her behalf.

Signature: Kevin Spraggins, PE. Digitally signed by Kevin Spraggins, PE.
Date: 2024.09.27 13:21:57 -05'00'

Printed Name: Kevin Spraggins

Staff Use Only Application Number: 2-2422 Date: 09/30/24
CH # 2825 \$1,900.00



N. CHERRY ST SUBDIVISION

200 N. CHERRY ST., INDEPENDENCE, CALDWELL COUNTY, TEXAS

RED BIRD DESIGN BUILD, LLC DEVELOPER
 CONTACT: KEVIN W. SPYACONS
 3071 E. HOSKINS ST., SUITE E
 INDEPENDENCE, TX 76249
 (830) 997-4744
 FAX: (830) 997-8987
 WWW.REDBIRDDSIGNBUILD.COM

VUE CONSULTING ENGINEERS ENGINEER
 DISBURGING CONTACT: KEVIN W. SPYACONS
 3071 E. HOSKINS ST., SUITE D
 INDEPENDENCE, TX 76249
 (830) 997-4744
 FAX: (830) 997-8987
 WWW.VUECONSULTING.COM

DATE: 09/23/2024 SHEET: LP 0001



VEI Consulting Engineers

Graylaur Corporation Inc. d/b/a

507 E. Highway Street, Suite D • Fredericksburg, TX 78624

Tel (830) 997-4744 • <http://vei-tx.com>

Texas Engineering Firm No. F-165

September 27, 2024

Subject: Request for Voluntary Annexation and Land Use and Zoning Change

MEMO:

Project Description

Property Details:

- *Legal Description:* 3.48 acres of land, more or less, part of Block II as laid out by the German Emigration Company in Gillespie County, Texas.
- *Location:* 1010 N. Cherry St., Fredericksburg, Texas
- *Current Zoning:* Rural within ETJ

Request:

We are seeking a **voluntary annexation** and a **land use change** to Low Density Residential, with the property to be **rezoned** as **R1**.

Planned Use:

The lot will be rezoned for single-family residential use to accommodate the construction of a detached single-family home. The property will include essential infrastructure, such as connections to utilities (water, sewage, electricity).



October 14, 2024

Kevin Spraggins
VEI Engineering
kspraggins@vei-tx.com
jwgold@gmail.com

RE: Z-2422 – Review Comments for an Annexation Request as well as a Land Use Change and Establishment of Zoning for Property Located at 1010 North Cherry Road.

Dear Applicant,

Project will require consideration by the Planning and Zoning Commission scheduled for **Wednesday, November 6, 2024**, at 2818 US 290 East (HEB Room at the former University Center – City Hall East Campus), please have a representative present at the meeting.

The project will also require consideration by City Council on **Tuesday, November 19, 2024**, at 2818 US 290 East (HEB Room at the former University Center – City Hall East Campus), please have a representative present at the meeting.

Please review the following comments and address appropriately. Please provide a written response as to how the items are addressed by **Monday, October 21, 2024**.

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

- Comprehensive Plan identifies this property as rural which includes 100% residential uses. <https://fbgtx.org/DocumentCenter/View/6860/2024-Fredericksburg-Comprehensive-Plan>
- Application is requesting R1, Single Family Residential
- An annexation agreement/development agreement is required and needs to clarify extension of utilities and timelines and may include desired development type but NOT zoning.

The City of Fredericksburg

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

- The annexation agreement needs to be completed prior to public hearings regarding the annexation, which is scheduled for **Tuesday, November 19, 2024.**

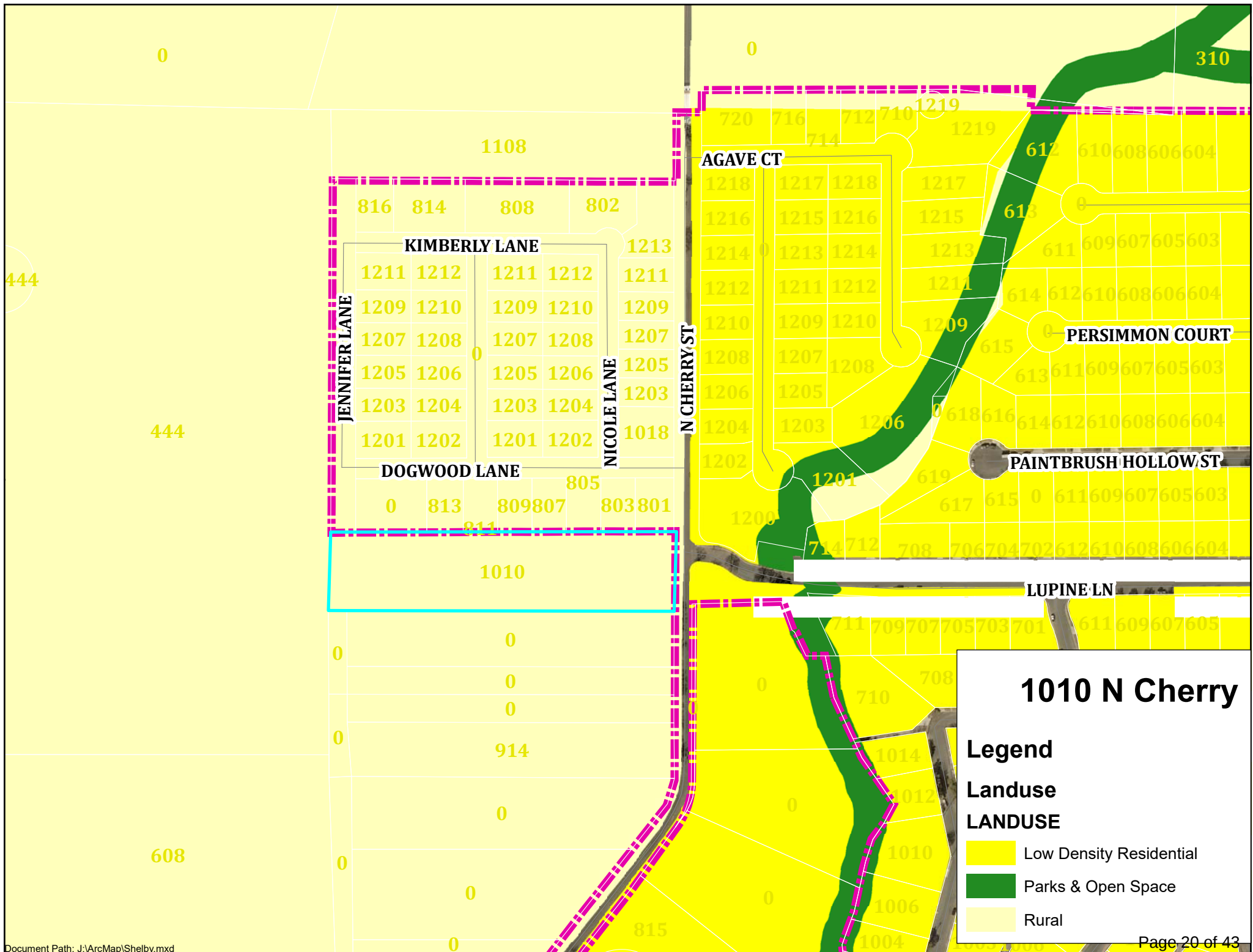
Assuming the project obtains the necessary approval at the Tuesday, November 19, 2024 City Council Meeting. The following items will be required to proceed with the project.

- Submission of a Plat
- Recording of approved Plat
- Building Permit applications (once Civil Construction Plans have been approved)
 - Provide the requested fixture types as part of the Building Permit process [Article XV- Outdoor Lighting](#)
- All permit applications may be submitted through the [My Government Online Portal](#)

Please return the revised plans along with your written response as to how the comments have been addressed by Monday, October 21, 2024. Please feel free to contact me with any comments or questions, at 830-990-2079 or jmusgrove@fbgtx.org and I will be happy to assist you.



Jan Musgrove, Planner I
Development Review Committee (DRC)



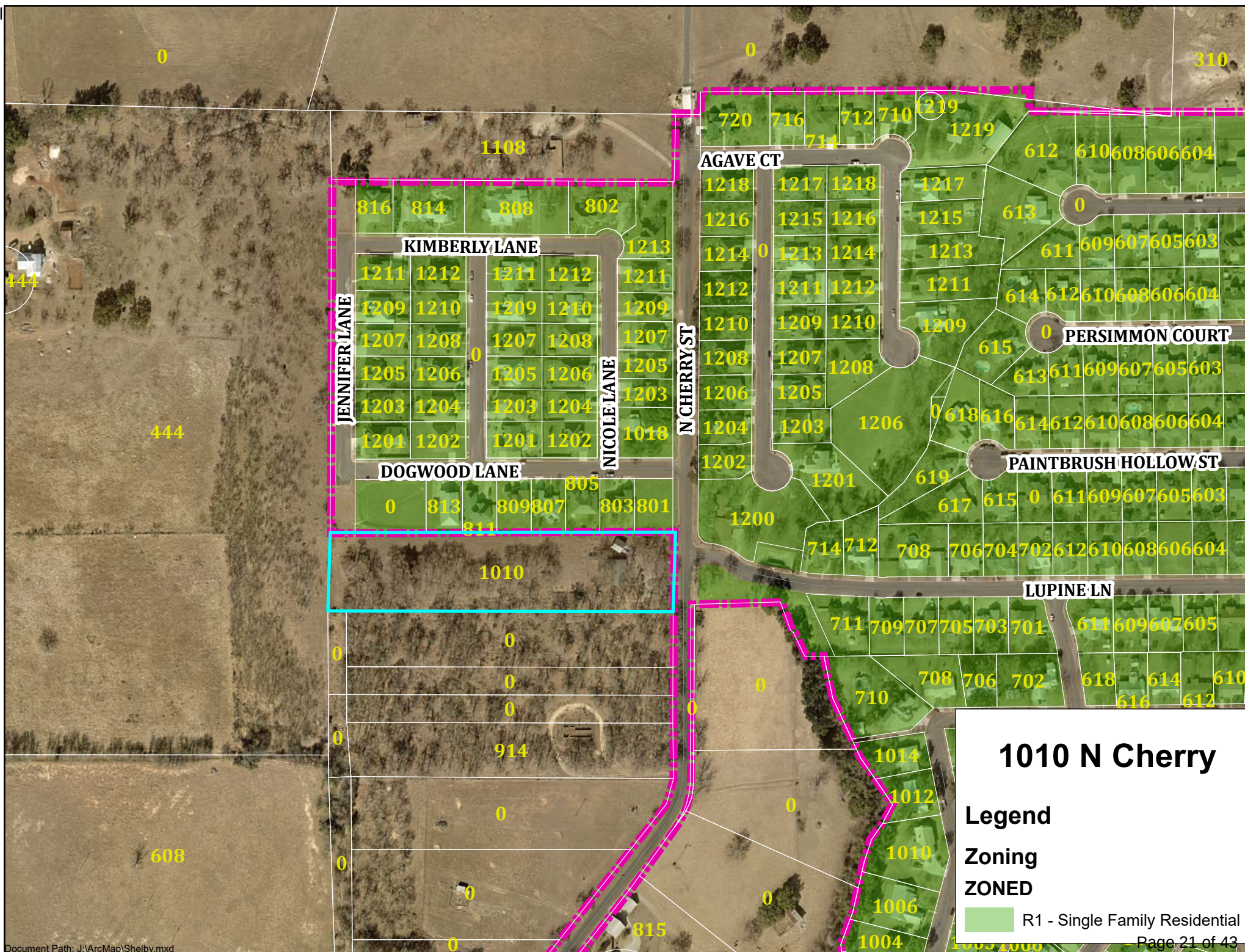
1010 N Cherry

Legend

Landuse

LANDUSE

- Low Density Residential
- Parks & Open Space
- Rural





Rural

INTENT AND CHARACTER

The Rural place type is intended for land that is of rural, Hill Country character and is outside of the developed area of Fredericksburg and/or within the extraterritorial jurisdiction (ETJ).

This area is characterized by an abundance of open space, low aggregated impervious cover, and low density. These areas are not covered by the City’s water and wastewater utility service area.

To preserve the Hill Country character and agricultural farmland, design standards should be tailored according to the development style. For rural and estate-style lots, this means low impervious cover, and streets with rural cross-sections. For conservation development, clustered-style lots would offset with considerable natural open spaces.

Apart from design standards requiring development to incorporate principles of sustainability, incentives to conserve rural land are most likely to come from the City. Though non-profit conservation organizations are active within the Hill Country such as the Hill Country Land Trust and the Texas Land Conservancy, these organizations are likely to conserve land located outside of ETJ limits due to the prohibitive cost of land within a city’s ETJ.

APPROPRIATE LAND USE TYPES

Commercial

- Agricultural uses as an interim use, home-based businesses, tourism-based destination and overnight uses such as bed and breakfast in appropriate context.

Residential

- Conservation cluster developments and homesteads on ranches.

Industrial

- Not appropriate

Institutional

- Education (e.g., public/private schools, higher learning); institutional uses (e.g., churches, places of public assembly); and utility and service use (e.g., electrical substations, fire stations, etc.)

Green Spaces

- Parks and recreation facilities; natural areas; open spaces; trail corridors; water quality features

Development Intensity Target

Residential	100%
Commercial	0%



GUIDANCE AND INTERPRETATION

The following recommendations should be considered for decision-making for zoning requests, development approvals, and regulatory adjustments:

- Environmentally-friendly solutions should be prioritized, including Low Impact Development (LID), regional retention ponds, bio-filtration, reduced hardcover surfaces, native tree preservation, water conservation, etc.
- Encourage conservation subdivisions and density bonuses to retain land for preserved open space. Incentives such as the provision of utility services can be used to encourage conservation subdivisions.
- Minimize clearing and grading for new development to preserve the natural context as much as possible.
- Proposed commercial, civic, and additional nonresidential uses should be designed in a rural design character.
- Since land in this category is currently located in the ETJ, subdivision standards should be evaluated to ensure desired development character if it is never annexed.
- In implementation, development code modifications could be needed to achieve the envisioned development character.

DEVELOPMENT CODE CONSIDERATIONS

Appropriate Existing Zoning Districts:

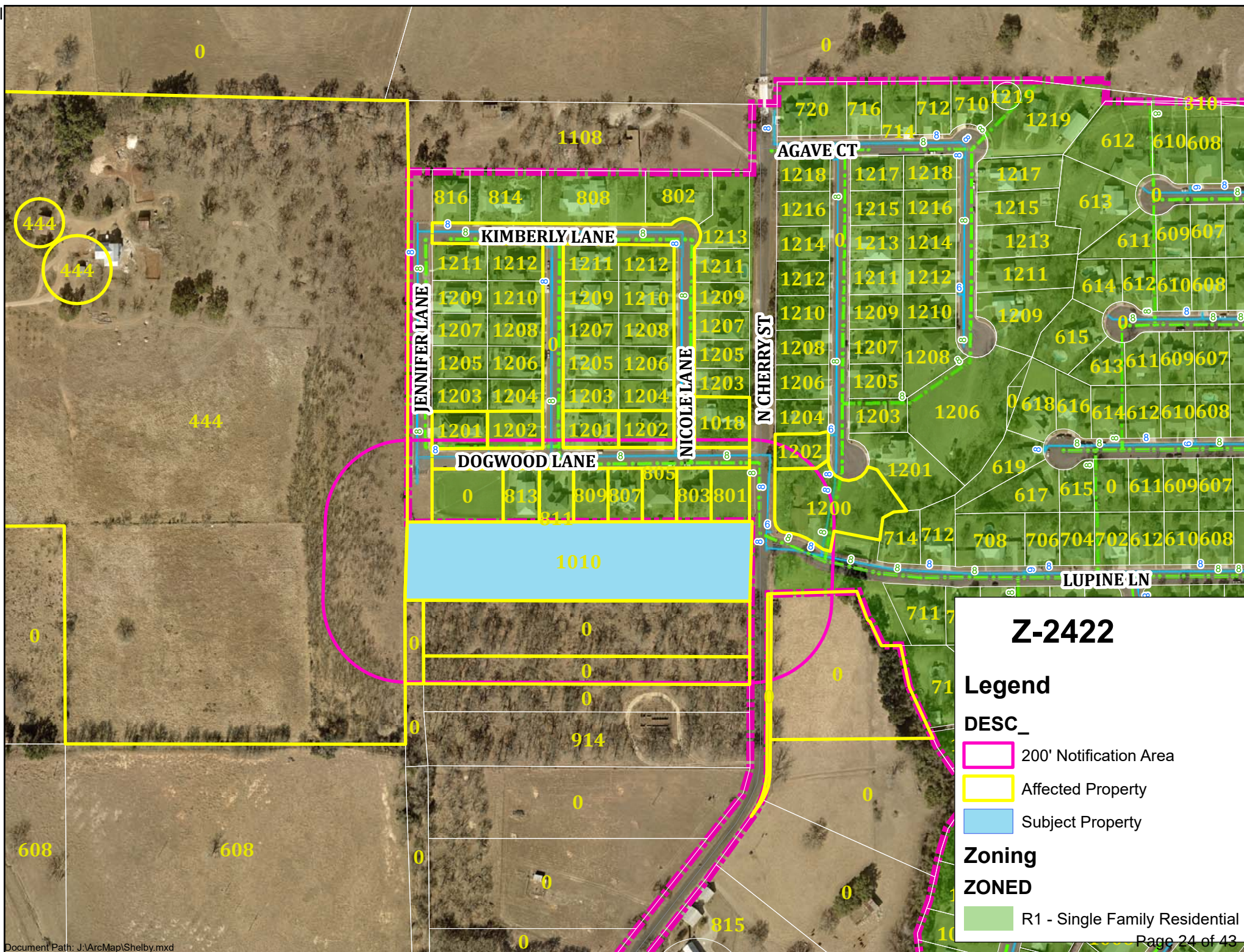
- This Place Type exists only in the ETJ and therefore zoning does not apply

Implementation - Development Code Review:

- Site design consistent with rural character
- Review rural streets and rural stormwater design elements
- Ensure context-sensitive fire flow standards
- Native tree preservation and canopy retention
- Impervious and lot coverage percentages

REPRESENTATIVE IMAGERY





THOMAS SIDLO
2319 SUMMIT FOREST
FREDERICKSBURG, TX 78624

KENNETH & AMY CARR
P.O. BOX 2445
FREDERICKSBURG, TX 78624

BRUCE & CARLA WILLIE
1200 DOE RUN HOLLOW
FREDERICKSBURG, TX 78624

APRIL LAIRD
1202 DOE RUN HOLLOW
FREDERICKSBURG, TX 78624

JOSEPH SHUAMTE & LYDIA GERON
1018 N CHERRY ST
FREDERICKSBURG, TX 78624

THOMAS & JEANNIE WEIGL
803 DOGWOOD LN
FREDERICKSBURG, TX 78624

JAMES & HOLLEE ERLANDSON
805 DOGWOOD LN
FREDERICKSBURG, TX 78624

MATTHEW & KERIAN FISHER
807 DOGWOOD LN
FREDERICKSBURG, TX 78624

MARY MARTINEZ
809 DOGWOOD LN
FREDERICKSBURG, TX 78624

WAN INVESTMENT TRUST
103 INDUSTRIAL LP STE 450
FREDERICKSBURG, TX 78624

JON & MARY WILLIAMS
813 DOGWOOD LN
FREDERICKSBURG, TX 78624

GILBERT & TERESA GONZALEZ
1201 JENNIFER LN
FREDERICKSBURG, TX 78624

ANDREA DONALDSON
403 E TRAVIS
FREDERICKSBURG, TX 78624

CHARLES W MACHEMEHL II
2005 MACHEMEHL RD
BRENHAM, TX 77833

SHAWN & LORI MAXCEY
1202 NICOLE LN
FREDERICKSBURG, TX 78624

SHUMATE GERON REVOCABLE TRUST
1018 N CHERRY
FREDERICKSBURG, TX 78624

DAVID & KATHRYN TURPIN
444 METZGER RD
FREDERICKSBURG, TX 78624

Z-2422 – 1010 N CHERRY



PLANNING AND ZONING COMMISSION **AGENDA MEMO**

DEPARTMENT: Development Services

TO: Planning and Zoning Commission

FROM: Shelby Collier, Senior Planner

MEETING DATE: November 6, 2024

CATEGORY: PUBLIC HEARING

CAPTION: REQUEST #Z-2419 By Casey Zins, To consider the following:

1. A Land use change from Rural (R) to Mixed Use Corridor (MUC) for property located at 97 Hitchin Post Trail, also referred to as approximately 18.7 Acres of land described as the Samuel R. Wilson Survey NO. 38, Abstract NO. 735 of Gillespie County, Texas.
 2. Establish a zoning of Planned Unit Development (PUD) for property located at 97 Hitchin Post Trail, also referred to as approximately 18.7 Acres of land described as the Samuel R. Wilson Survey NO. 38, Abstract NO. 735 of Gillespie County, Texas.
 - i Presentation by the Applicant
 - ii Presentation by Staff
 - iii Hold Public Hearing
 - iv Take Action on Land use change from Rural (R) to Mixed Use Corridor (MUC)
 - v Take action to establish zoning.
-

PRESENTATION:

SUMMARY:

The applicant requests to change the Land Use from Rural (R) to Mixed Use Corridor (MUC) and establish a Zoning of C2, Commercial for property located at 97 Hitchin Post Trail.

BACKGROUND: The subject property is approximately 18.7 acres on the East side of Hwy 87 South and is currently located outside the City Limits in the Extra Territorial Jurisdiction (ETJ), however, the applicant has submitted a Voluntary Annexation Request that will be considered by City Council on November 19, 2024. As part of that process, the property needs to be zoned, which requires a recommendation by the Planning and Zoning Commission.

The surrounding properties are a mix of [PUD, Planned Unit Development](#) properties to the North (Frieden Subdivision) East (Frieden Subdivision) and Rural or large acreage tracts of land to the West and South. All surrounding properties possess a Land Use, but only properties located in the City Limits possess a designated Zoning.

It is the desire of the applicant to obtain a [PUD, Planned Unit Development](#) zoning to incorporate the development into the existing Frieden Subdivision that consists of 219.4 Acres. The Frieden PUD

was approved by City Council in 2017 which created one large PUD that consists of 3 sub zonings which include SFR (Single Family Residential), NC/MR (Neighborhood Commercial/Multi Family), and CD (Commercial District). The applicant is requesting to incorporate the 18.7 acres into the PUD as part of the CD district.

This requested zoning requires a corresponding Land Use change from Rural (R) to Mixed Use Corridor (MUC).

Sec. 3.700 - PUD: Planned Unit Development speaks to the development standards required in a PUD. The mechanics of this process require the developer to submit a "General Development Plan - Site Plan" based on Conditional Use Permit provisions. The Planning and Zoning Commission and the City Council will review the plan for conformance with Sec. 3.700 - PUD:Planned Unit Development and specify additional conditions to minimize possible adverse effects. The developer is not prepared to provide a "General Development Plan" as part of the PUD request. Therefore, it is Staffs recommendation that the property obtain a C2, Commercial zoning.

Sec. 3.210 - C2: Commercial includes the following Principal Permitted Uses

Administrative and Business Office	Agricultural Sales and Services	Arts and Crafts
Automotive Rentals	Automotive Repair Services	Automotive Sales
Automotive Washing	Building Maintenance Services	Business or Trade School
Business Support Services	Club or Lodge	Cocktail Lounge
Commercial Off-Street Parking	Communication Services	Construction Sales and Services
Consumer Convenience Services	Consumer Repair Services	Convalescent Services
Convenience Store/Self Serve Gas	Cultural Services	Custom Manufacturing
Day Care Services	Equipment Repair Services	Equipment Sales
Exterminating Services	Financial Services	Food Sales
Funeral Services	Group Residential	Single Family Residential (detached) if the structure was not used other than residential in its most recent use
General Retail Sales	Guidance Services	Hotel/Motel
Horticulture	Hospice Services (Limited)	Indoor Entertainment
Indoor Sports and Recreation	Kennels	Laundry Services
Liquor Sales	Local Utility Services	Maintenances and Service Facilities
Medical Offices	Mobile Food Establishments, but not in ROW or public easements	Multiple Family Residential

Outdoor Entertainment	Outdoor Sports and Recreation	Pawn Shop Services
Personal Improvement Services	Pet Services	Private Primary Educational Facilities
Private Secondary Educational Facilities	Professional Offices	Religious Assembly
Research Services	Restaurant - Drive In/Fast Food	Restaurant
Service Station	Veterinary Services	Short-Term Rental Unoccupied
Short-Term Rental Accessory	Short-Term Rental B&B	Short-Term Rental Facility
Corporate Housing		

With the following uses permitted subject to an approved Conditional Use Permit (CUP)

Camp Grounds	Condominiums	Convenience Storage
Drive Through Facilities Associate with Any use	Single-Family Residential (Detached) - new construction or after cessation fo use other than residential	Duplex Residential
Single Family Residential (Detached)	Townhouse Residential	Transportation Terminals

The following Property Development Standards would apply to all future lots:

Lot Size	Minimum Lot Area, 5,000 square feet
Lot Width	Minimum Lot Width, 50 feet
Height	Maximum Building Height, 3 stories, 38 feet
Front Yard	Minimum Required Setback, 15 feet
Street Side Yard	Minimum Required Setback, 15 feet
Interior Side Yard	Minimum Required Setback, 0 feet OR 10 feet when abutting residential zoning districts OR 15 feet for 2 2-story structures when abutting residential zoning districts
Rear Yard	Minimum Required Setback, 0 feet OR 15 feet when abutting residential zoning districts OR 25 feet for 2 2-story structures when abutting residential zoning districts

Residential Density	Efficiency: 1,600 square feet 1 Bedroom: 2,000 square feet 2 Bedroom: 2,400 square feet 3 Bedroom: 2,800 square feet Each additional bedroom (over 3 bedrooms) shall provide an additional 400 square feet to the required density area
Maximum Building Coverage	Percent of Lot Area, 75%
Impervious Cover	Percent of Lot Area, 80%
Signs	Sign Ordinance - Chapter 29
Outdoor Amplified Sound	Prohibited when abutting R1, R1-A, or R5

[The Comprehensive Plan](#) identifies the subject property with a future place type of General Commercial, which includes 90-100 percent commercial uses with a recommended zoning of C1, C2 or M3 as well as Mixed-Use Community/Corridor, which includes 20-60 % commercial uses with a recommended zoning of R2, R3, R5, C1, C2, M3, MU-1, MU-2.

The uses in the surrounding area (ETJ) include a Funeral Home (2278 US Hwy 87 South), Self Storage Facility (2320 US Hwy 87 South), Movie Theater (2254 US Hwy 87 South), and a Veterinary Office (2087 US Hwy 87 South) as well as other vacant tracts of land. All established uses are in keeping with C2, Commercial zoning district.

STAFF RECOMMENDATION:

Staff finds that the request to change the Land Use from Rural (R) to Mixed Use Corridor (MUC) is in keeping with surrounding development patterns and is supported by the Comprehensive Plan, however, the request to establish a PUD zoning is not in keeping with Sec. 3.700 PUD: Planned Unit Development as this process requires a Site Plan to be provided as part of the request. With that in mind, Staff recommends a Zoning of C2, Commercial which is in keeping with the surrounding development patterns and is supported by the Comprehensive Plan.

Staff recommends approval of a Land Use change from Rural (R) to Low Density Residential (MUC) and the establishment of a C2, Commercial zone. If the applicant wishes to establish a PUD zone to provide different development requirements they may do so at a later date.

ATTACHMENTS:

1. Z-2419 - Annexation and Zoning Application
2. Exhibit C Amendment 1 - Zoning
3. Z-2419 Survey
4. Z-2419 Public Hearing Map
5. Z-2419 Mailing Labels (1)
6. Z-2419 Land Use Map

7. Z-2419 Zoning Map
8. Future Place Type Map
9. General Commercial Future Place Type
10. Mixed Use Community Corridor Future Place Type

APPROVAL/REVIEW:

Shelby Collier, Senior Planner

Date:

William McKamie, City Attorney

Date:

Anna Hudson, Director of Development Services

Date:



Zoning Application

City of Fredericksburg – Development Services Department

126 W. Main St, Fredericksburg, TX 78624

A. Project Information

Project Name: Frieden Development
Project Address: 97 Hitchin Post Trail
Property Tax ID Numbers: 87414 & 187019

B. Application Type: [Appendix A – Fee Schedule](#)

- ☒ Voluntary Annexation - \$750.00
- ☐ Conditional Use Permit - \$500.00
- ☐ Land Use Change - \$300.00
- ☒ Zoning Change - \$600.00
- ☐ Amendment to existing PUD - \$500.00
- ☐ Creation of PUD - \$750.00
- ☐ DRC Review Comments - \$250

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

- ☒ *Public Hearing Newspaper - \$150.00*
- ☒ *Public Hearing 200 ft notification letter - \$100.00*

C. Applicant/Owner Information - Property Owner

Owner Name: Fredericksburg Development, Inc. (c.o. Christopher Wilde)
Owner Address: 1020 NE Loop 410, Suite 802, San Antonio, TX 78209
Owner Phone Number: 210 930 5141
Owner Email Address: cwilde@gwm-sa.com

D. Applicant

Applicant Name: Casey Zins, Short Elliott Hendrickson, Inc. (Engineer)
Applicant Address: 133 Otto Eckhardt Rd, Fredericksburg, TX 78624
Applicant Phone Number: 218 780 1403
Applicant Email Address: czins@sehinc.com

Applicant's Signature

I hereby certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. I also certify, if I am not the owner, that I have authorization from the owner to act on his/her behalf.

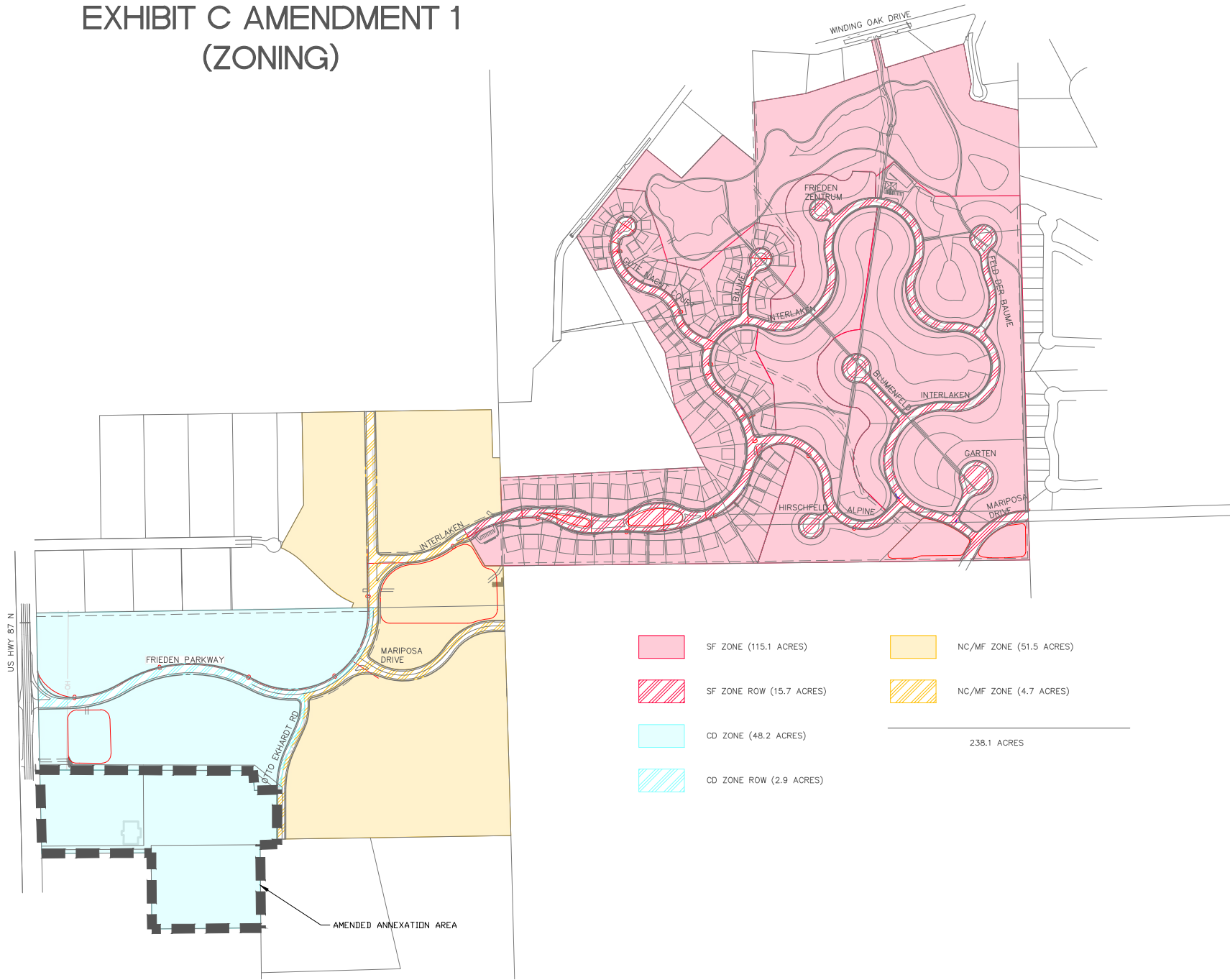
Signature:  9/18/2024

Printed Name: Casey Zins

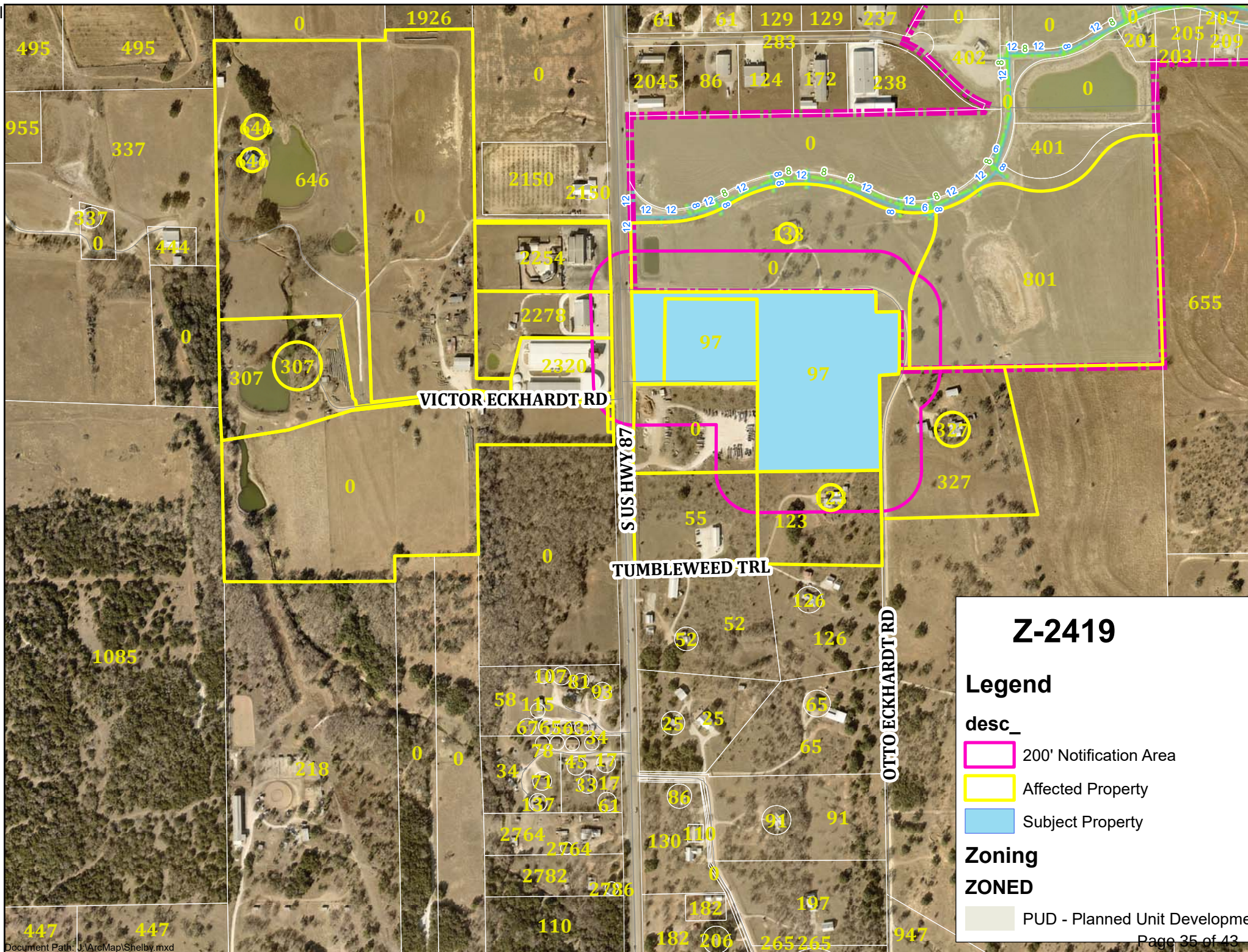
Staff Use Only Application Number: _____ Date: _____



EXHIBIT C AMENDMENT 1 (ZONING)



[illegible]



HSB NORTH LLC
P.O. BOX 1306
FREDERICKSBURG, TX 78624

GREGORY & DIANA GREMMER
658 COWBOY LN
FREDERICKSBURG, TX 78624

STEVEN RODDY
774 LAUREL LN
NEW BRAUNFELS, TX 78130

JAMES HOYO
5203 BLANCO RD
SAN ANTONIO, TX 78216

T4V 1 HOLDINGS LLC
P.O. BOX 550080
HOUSTON, TX 77255

FREDBG DEVELOPMENT INC
1250 N E LOOP 410 STE 333
SAN ANTONIO, TX 78209

117 CONCEPTS LLC
C/O EVO ENTERTAINMET GROUP
800 BRAZOS ST STE 220
AUSTIN, TX 78701

MAX & BONNIE BECKMANN
106 E AUSTIN
FREDERICKSBURG, TX 78624

HAMUK LLC
P.O. BOX 294059
KERRVILLE, TX 78029

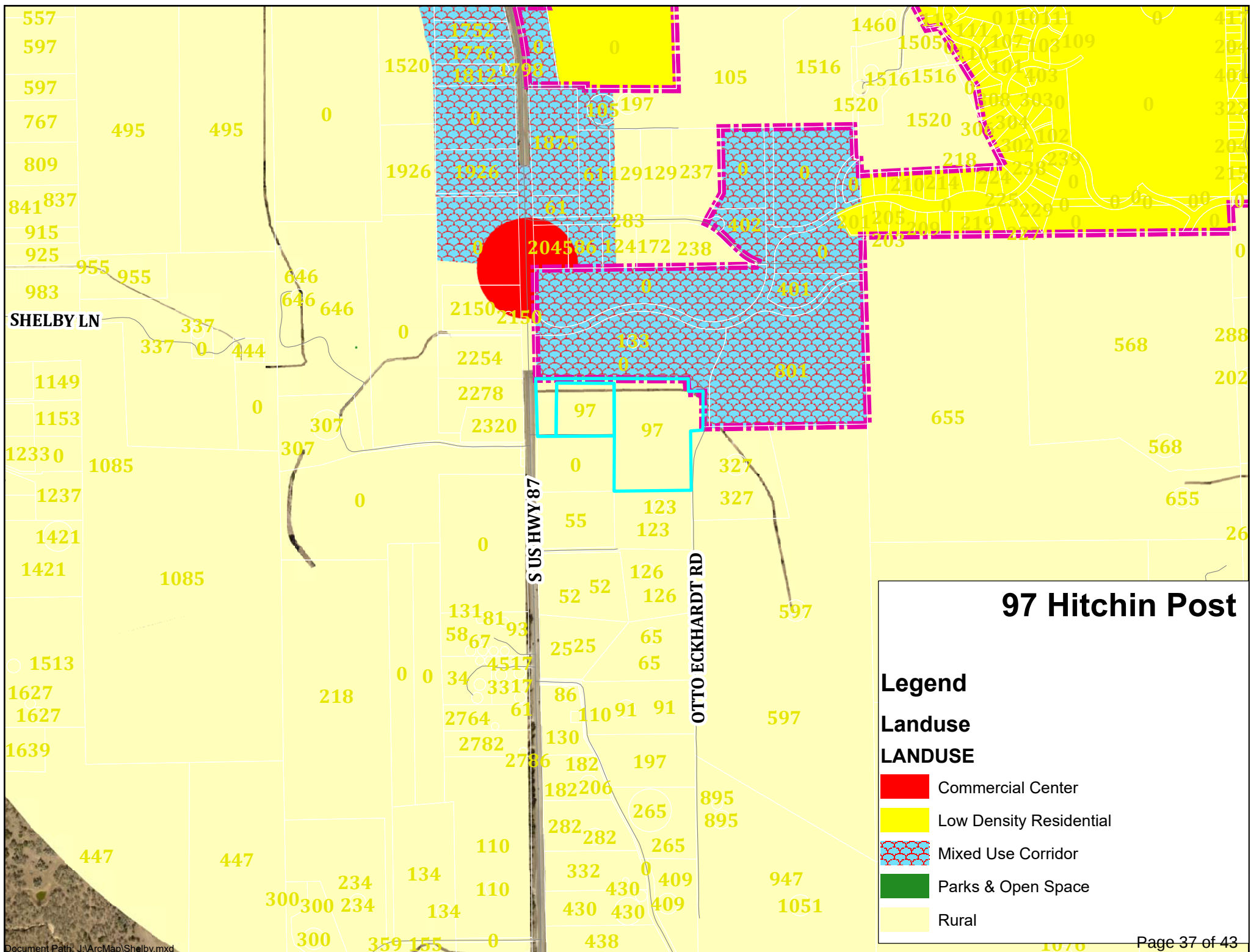
RODNEY & MARGIE
608 S CREEK
FREDERICKSBURG, TX 78624

DANIEL ECKHARDT
122 CR 348
GORMAN, TX 76454

KENNETH & SHEILA DILLARD
646 VICTORIA ECKHARDT RD
FREDERICKSBURG, TX 78624

JOWAD AYSHEH
124 E MAIN
FREDERICKSBURG, TX 78624

Z-2419



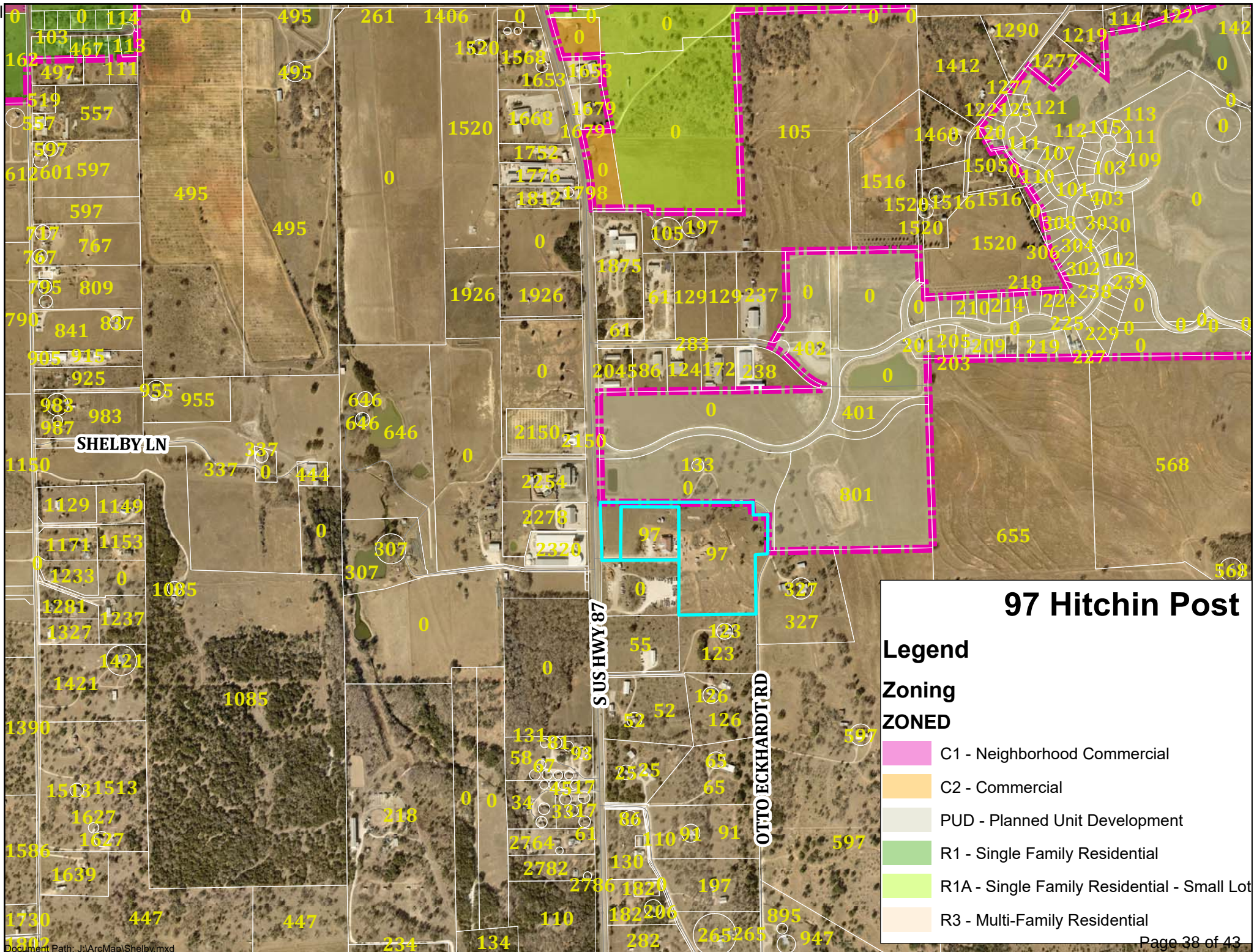
97 Hitchin Post

Legend

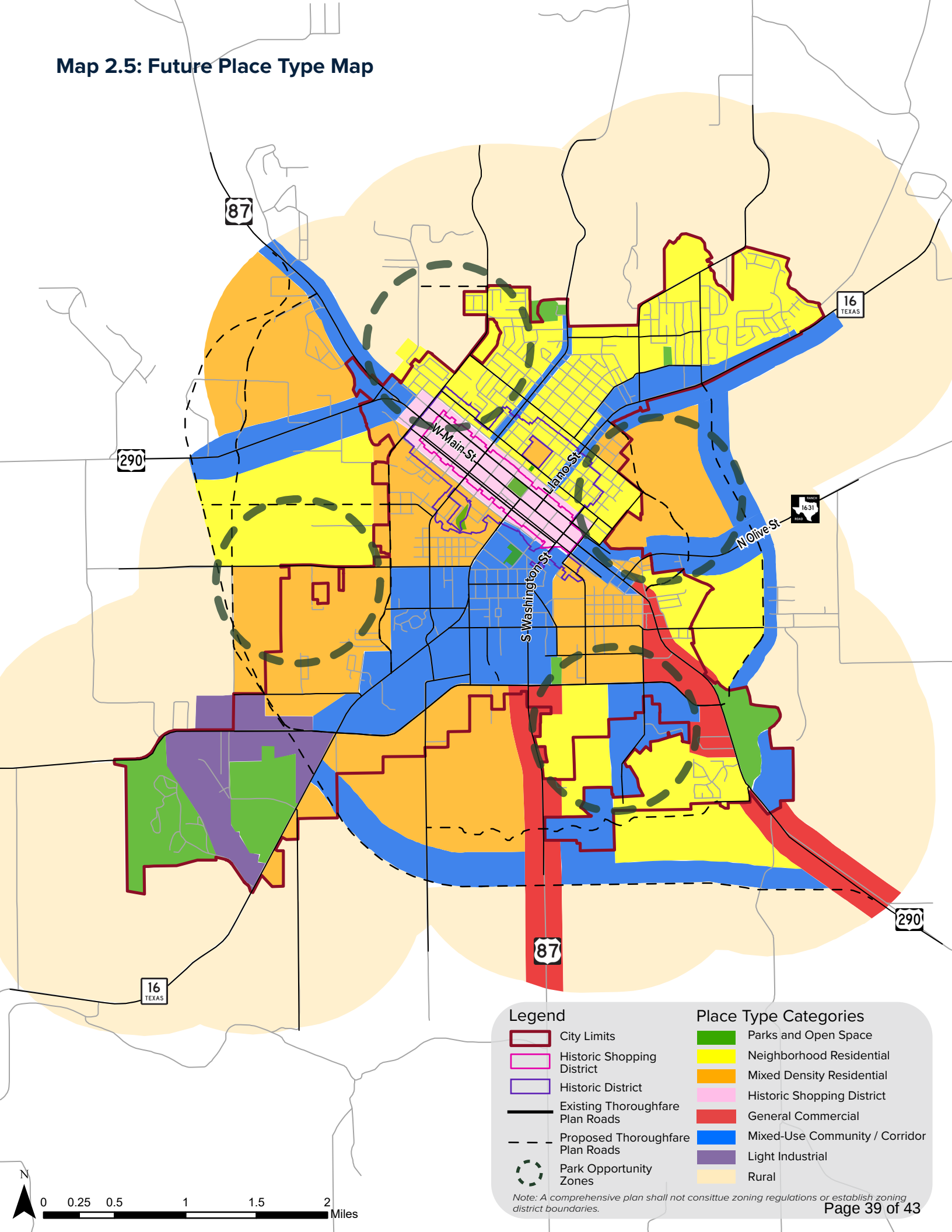
Landuse

LANDUSE

-  Commercial Center
-  Low Density Residential
-  Mixed Use Corridor
-  Parks & Open Space
-  Rural



Map 2.5: Future Place Type Map





General Commercial

INTENT AND CHARACTER

The General Commercial place type is found mostly along the major thoroughfares of US Highway 290 and US Highway 87. It is focused on development of businesses serving both the local and regional area. This category is intended to provide opportunity for diverse large-scale retail, employment, and some mixed-use destinations along the corridor.

Development near these corridors should focus on retail, overnight accommodations, employment, and destination services. Businesses in this area serve Fredericksburg residents but are less likely to be locally-owned.

These areas are intended to accommodate development which can have more auto-oriented character. Buildings may be large and bulky with large parking areas geared towards vehicles. Managing access and traffic in this high-volume area is critical; however, because this place type is largely located along TxDOT controlled highways, the City faces greater restrictions in these corridors.

APPROPRIATE LAND USE TYPES

Commercial

- Commercial retail, office, personal service uses, and restaurants, including drive-thrus. These can be individual parcels if pre-existing or as part of a larger retail center. Hotels, grocery stores and similar regional uses are encouraged.

Residential

- Residential in a regionally-serving, auto-oriented corridor is not desirable. Should only be considered in a mixed-use, walkable site where residential is not adjacent to service roads.

Industrial

- New industrial is undesirable but could be considered in appropriate context or expansion of existing use. Light industrial and manufacturing can be appropriate but not fronting service roads and heavily buffered from nearby residential areas.

Institutional

- Public recreational uses (e.g., civic plazas and greens) are appropriate within a planned commercial center; and utility and service uses (e.g., electrical substations, fire stations, etc.).

Green Spaces

- While public recreational uses (e.g., parks and playgrounds) are not appropriate, trails and trail connectivity are appropriate with protections. Protection of natural spaces is critical and private outdoor spaces are important for employees.

Development Intensity Target

Residential	0 - 10%
Commercial	90 - 100%



GUIDANCE AND INTERPRETATION

The following recommendations should be considered for decision-making for zoning requests, development approvals, and regulatory adjustments:

- Encourage regional detention to serve multiple parcels for better efficiency and more intensity of use.
- This place type should be focused on auto-oriented retail businesses that expand Fredericksburg's tax base through boosted sales taxes, primarily along service roads and other commercially-oriented public streets in the corridor.
- Secondary parcels and off-highway areas can be more focused on employment uses, manufacturing, logistics and other non-sales tax generating businesses.
- Signage should be multi-tenant, where possible.
- Site design considerations should be given to incorporate thoughtful organization and connection of parking lots, inclusion of functional landscaping, and building articulation which maximizes the pedestrian experience.
- All building facades fronting a public street or within significant public view should integrate horizontal and vertical articulation such as windows, sills, moldings, wall offsets, changes in color, changes in material, or other similar features that visually break down the mass of a structure.
- Parking should be screened from view or well-landscaped with native, drought-tolerant plants.
- In implementation, development code modifications could be needed to achieve the envisioned development character.

DEVELOPMENT CODE CONSIDERATIONS

Appropriate Existing Zoning Districts:

- NC, C, M3

Implementation - Development Code Review:

- Ensure good access around intersections
- Provide transitions and buffering
- Study regional detention/retention options in partnership with developers
- Enforce access management policies and turning movement lanes for entry points
- Reduce parking ratio requirements

REPRESENTATIVE IMAGERY





Mixed-Use Community / Corridor

INTENT AND CHARACTER

This place type is envisioned to be a well-planned, walkable mixed-use area. A Mixed-Use Community or Corridor should be as the name suggests - with a strong and sustained “sense of place.” The intent of this category is to provide flexibility towards development and preference for complete neighborhoods with integrated commercial and residential uses. These highly activated areas include integrated residential, retail, and small-scale employment use.

Land uses are less distinguishable and less regulated in this more urban environment, where the focus is more on form than function. Important characteristics include building relationship with the street, pedestrian movement, signage, street design, and public gathering places.

Within a small geographic area, different land uses can be side by side or within the same building. These places tend to be bustling and diverse, with a sense of place. Mixed-Use Communities or Corridors can serve a large region, while others can serve local residents. The functions and characteristics of both concepts are generally the same, with variations in the size of their service areas and intensity of development.

APPROPRIATE LAND USE TYPES

Commercial

- Contextual to location but intended to include neighborhood and regional-serving retail, personal service, hotel, restaurant (no drive-thru) and office use.

Residential

- Middle housing types such as townhouses, patio homes, cottage courts, urban lofts, and apartments in walkable environments near commercial and open space. Stand-alone apartments are not desirable.

Industrial

- Not appropriate

Institutional

- Education (e.g., elementary and secondary schools); institutional uses (e.g., places of public assembly); utility and service uses (e.g., electrical substations, fire stations, etc.). High schools may be permitted if they are located and take access from a collector or greater street classification.

Green Spaces

- Parks and recreation facilities; natural areas; open spaces; trail corridors; water quality features

Development Intensity Target

Residential	40 - 80%
Commercial	20 - 60%



GUIDANCE AND INTERPRETATION

The following recommendations should be considered for decision-making for zoning requests, development approvals, and regulatory adjustments:

- Although not required, regional detention should be considered to serve all parcels within an activity center. This allows for greater intensity of use across the entire development.
- High interconnectivity between uses and parcels is required internal to the site, both vehicular and pedestrian.
- On-site parking should be first accommodated through reduced minimum parking requirements, followed by on-street parking, shared parking, and structured parking. Individual surface lots for each parcel should not be required.
- Outparcels located along arterial and collector roadways should be developed and connected to serve the internal streets.
- Building height and mass should be designed to be compatible with abutting uses, where the greatest intensity is located near the center of the development or adjacent to arterial streets.
- Buildings should be sited in close proximity to each other and well-connected via pedestrian pathways and sidewalks.
- Development quality (architecture and landscaping) should be of higher standard.
- In implementation, development code modifications could be needed to achieve the envisioned development character.
- Regional stormwater retention facilities and infrastructure should be utilized to create greenways and pedestrian/bicycle paths.

DEVELOPMENT CODE CONSIDERATIONS

Appropriate Existing Zoning Districts:

- R2, R3, R5, NC, C, M3, MU1, MU2

Implementation - Development Code Review:

- Review buffers and screening to ensure compatibility (urban scale) externally
- Public space and shade considerations
- Urban street character elements to promote walkability and mix of use
- Urban mobility elements such as pedestrian/bike, on-street parking, transit
- Reduced parking requirements and alternatives to reduce on-site parking lots
- Connectivity and efficient infrastructure requirements to add value
- Establish standards for food truck parks

REPRESENTATIVE IMAGERY

