



SPECIAL CITY COUNCIL MEETING AGENDA
MONDAY, DECEMBER 20, 2021 ~ 5 P.M.
LAW ENFORCEMENT CENTER
1601 EAST MAIN STREET
FREDERICKSBURG, TEXAS 78624

Charlie Kiehne, Mayor
Tom Musselman, Councilmember
Bobby Watson, Councilmember

Jerry M. Luckenbach, Councilmember
Kathy O'Neill, Councilmember
Kent Myers, City Manager

The City of Fredericksburg City Council will meet in a Special session on Monday, December 20, 2021 at 5 p.m. This meeting will be held in person and live stream on our YouTube Channel.

Link to City of Fredericksburg YouTube Channel [Fredericksburg, Texas USA - YouTube](https://www.youtube.com/c/FredericksburgTexasUSA) (<https://www.youtube.com/c/FredericksburgTexasUSA>)

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENTS ITEMS ON THE AGENDA (Agenda Items 4-6)

The City Council welcomes citizen participation and allows public comments to address the City Council regarding an item posted on the Agenda below.

Written Comments regarding an item on the agenda below to be submitted remotely:

- 1) Must be received by 3 p.m. on December 20, 2021.
- 2) Complete the Citizen Comment Form online at [Fredericksburg, TX - Official Website \(fbgtx.org\)](https://fbgtx.org); or
- 3) Email your comments to CitizenComments@fbgtx.org or
- 4) Complete a Citizen Comment Form located inside the Public Access entrance at 126 W. Main Street, Fredericksburg, Texas, and place in the box marked Citizen Comment Form.

Copies of the submitted comments will be provided to the City Council and made public on the City website under the "**December 20, 2021**, City Council Special Meeting" tab.

Verbal Comments regarding an item on the agenda below:

- 1) Sign up in-person on day of meeting, between 4:30 p.m. and 5 p.m. at the Law Enforcement Center, in order to comment.
- 2) You will be limited to 3 minutes to speak.
- 3) If any citizen has handouts, these should be provided to the City Secretary prior to speaking. If you wish the City Council to receive your handouts for the meeting, please provide 10 copies, if not the City Council will receive your handouts the following day.

4. PUBLIC HEARINGS

- A. Consider a public hearing to receive citizen comments for or against request from Robert Mosley for a Conditional Use Permit (CUP) per Section 5.400 for Condominium Residential Use to construct a condominium Development on property located at 803 South Eagle Street. (Z-2103) (Jason Lutz, Development Services Director).
(Agenda Packet Pages 5-16)

- B.** Consider a public hearing to receive citizen comments for or against request from Wes and Tammy Pack for a Conditional Use Permit (CUP) per Section 3.510 to construct a first-floor bed and breakfast unit in the Historic Shopping Overlay District on property located at 514 W. San Antonio (Z-2121) (Jason Lutz, Development Services Director).
(Agenda Packet Pages 17-20)
- C.** Consider a public hearing to receive citizen comments for or against a request from Carolyn Ellebracht to consider a requested voluntary annexation and zoning of "Single-Family Residential" (R1) for approximately 10.839 acres of land out of a remaining portion of a 258 acre tract described in Volume 63, Page 366, Deed Records, Gillespie County, Texas, also being situation in the William H. Anderson Survey No. 197, Abstract No. 2, Gillespie County, Texas, located at the south end of Stoneledge Drive, east of the Stoneridge Subdivision (Jason Lutz, Development Services Director).
(Agenda Packet Pages 21-32)
- D.** Consider a public hearing to receive citizen comment for or against request from John Hewitt, Hewitt Engineering for approximately 6.9 acres of land described as Lot 1, of the Villages of Windcrest Subdivision, located on the north side of W. Windcrest Drive, approximately 1,300 feet West of the Post Oak Road and W. Windcrest Drive Intersection to consider the following items: (Z-2122) (Jason Lutz, Development Services Director).
(Agenda Packet Pages 33-44)
- i. Future Land Use Change from "Medium Density Residential" (MDR) and "Low Density Residential" (LDR) to a Future Land Use Classification of "High Density Residential" (HDR)
 - ii. Zoning Change from "Mixed Residential" (R2) to "Multi-Family Residential" (R3)
- E.** Consider a public hearing to receive citizen comment for or against request from Whitney Koch, Mustard Design, for the rear portion of property located at 305 S. Washington Street for the following items: (Z-2123) (Jason Lutz, Development Services Director).
(Agenda Packet Pages 45-58)
- i. Future Land Use Change from "Parks Open Space" (POS) to a Future Land Use Classification of "Commercial" (C).
 - ii. Zoning Change from "Multi-Family Residential" (R3) and "Open Space" (OS) to a Zoning Classification of "Commercial" (C2).

5. ORDINANCES AND RESOLUTIONS

- A.** Consider the approval of Ordinance 2021-30 for a voluntary annexation of approximately 10.839 acres of land in the William H. Anderson Survey No. 197, Abstract No. 2, Gillespie County, Texas, located at the south end of Stoneledge Drive, east of the Stoneridge Subdivision, extending the Corporate Limits of the City of Fredericksburg, Texas, so as to include said territory; granting to all inhabitants and future inhabitants of said territory all of the rights and privileges of other citizens of the City of Fredericksburg, Texas; binding the inhabitants and future inhabitants of said territory by any and all acts, ordinances, resolutions and regulations of said City of Fredericksburg, Texas; and amending the Zoning Ordinance of the City to establish the Zoning

District of said Territory as R-1: Single Family Residential. (Jason Lutz, Development Services Director).
(Agenda Packet Pages 21-32)

- B.** Consider requests from John Hewitt, Hewitt Engineering, for approximately 6.9 acres of land described as Lot 1, of the Villages of Windcrest Subdivision, located on the north side of W. Windcrest Drive, approximately 1,300 feet West of the Post Oak Road and W. Windcrest Drive Intersection to consider the following items: (Z-2122) (Jason Lutz, Development Services Director).

(Agenda Packet Pages 33-44)

- i. Ordinance 2021-31 adopting a change in the Comprehensive Plan especially the Land Use Map from “Medium Density Residential” (MDR) and “Low Density Residential” (LDR) to “High Density Residential” (HDR) and providing an effective date (Ordinance page 39)
- ii. Ordinance 2021-32 amending the Zoning Ordinance and changing the Zoning District from “Mixed Residential” (R2) to “Multi-Family Residential” (R3) and providing an effective date (Ordinance page 42)

- C.** Consider request from Whitney Koch, Mustard Design, for approximately 0.5793 acres of land described as Petmecky Block B, Lot 9-PT, 10-PT, 11-PT & 12-PT located at 305 S. Washington Street to consider the approval of the following items: (Z-2123) (Jason Lutz, Development Services Director).

(Agenda Packet Pages 45-58)

- i. Ordinance 2021-33 adopting a change in the Comprehensive Plan especially the Land Use Map from “Parks Open Space” (POS) to “Commercial” (C) and providing an effective date (Ordinance page 45)
- ii. Ordinance 2021-34 amending the Zoning Ordinance and changing the Zoning District from “Multi-Family Residential” (R3) and “Open Space” (OS) to a Zoning Classification of “Commercial” (C2) and providing an effective date (Ordinance page 56).

6. OTHER ACTION ITEMS AND UPDATES

- A.** Consider request from Robert Mosley for a Conditional Use Permit (CUP) per Section 5.400 for Condominium Residential Use to construct a condominium Development on property located at 803 South Eagle Street. (Z-2103) (Jason Lutz, Development Services Director).

(Agenda Packet Pages 5-16)

- B.** Consider the request from Wes and Tammy Pack for a Conditional Use Permit (CUP) per Section 3.510 to construct a first-floor bed and breakfast unit in the Historic Shopping Overlay District on property located at 514 W. San Antonio (Z-2121) (Jason Lutz, Development Services Director).

(Agenda Packet Pages 17-20)

7. PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA

Rules are listed under Agenda Item 3.

8. ADJOURN

This is to certify that I, Shelley Goodwin, posted this Agenda at 2:30 p.m. on December 15, 2021, at the main entrance bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.

A handwritten signature in blue ink, appearing to read "Shelley Goodwin", is written over a horizontal line.

Shelley Goodwin, TRMC
City Secretary



CITY COUNCIL MEMO

DATE: December 20, 2021

TO: Mayor and City Council Members

FROM: Jason Lutz

SUBJECT: Z-2103 – PUBLIC HEARING, CONSIDERATION, AND ACTION REGARDING A REQUEST BY ROBERT MOSLEY TO CONSIDER A CONDITIONAL USE PERMIT (CUP) TO CONSTRUCT A CONDOMINIUM DEVELOPMENT ON PROPERTY LOCATED AT 803 SOUTH EAGLE STREET.

Summary:

The applicant is requesting a conditional use permit for the property at 803 South Eagle Street to construct a construct a condominium development, consisting of 8 units.

Background:

This item was previously considered at the November 15, 2021, City Council Regular Meeting. Due to a staff error, regarding the required 200' landowner notification letters, staff has called this Special Meeting to ensure all affected landowners have the opportunity to attend a public hearing and provide their input on the requested conditional use permit (CUP) and ensure all procedures are properly adhered to.

The proposed site plan was slightly modified from the site plan originally included in the Nov. 3rd P&Z meeting and staff has updated the staff report to reflect those changes.

The site is in the C1 zoning district and is currently vacant property. The applicant is looking to construct, 4 attached structures consisting of 8 residential condominiums.

Zoned: C1 – Neighborhood Commercial

Lot Size: 30,209.6 sq. ft. (after R.O.W. dedication) – 7,500 sq. ft. required

The City of Fredericksburg

- This is an existing non-conforming lot and may be developed given its current size

Setbacks:	25' front yard, 25' street side yard, 5' interior side yard, 10' rear yard
Density:	1 unit per 2,400 sq. ft. required (19,200 sq. ft. required)
Impervious Cover:	70% allowed (62% proposed)
Building Height:	3 stories & 38' allowed (1 story, 18' proposed)
Parking:	2 space per unit (16 spaces required) (16 spaces provided)
Adjacent Land Uses:	Mixed use development to the west, single-family to the east, single-family to the south, and a Church/Day Care to the north.
Adjacent Zoning:	PUD to the west (Mixed-Use Development), C1 to the east, R2 to the South, and R1 to the north.

Analysis:

C1 allows single-family residential and multi-family by right but requires a CUP for condominiums. The applicant is proposing to construct a single-family attached product and has constructed another similar project in the area. The city has a need for additional housing and this development is a much-needed residential type within the community.

Staff does have parking concerns regarding the 16 spaces, as there is no guest parking within the development and no on street parking is allowed. Staff does see areas where additional parking spaces could be provided, if the parking faces the structures, an additional 6 spaces in front of units 302 & 201 could possibly be provided.

Additionally, since other sidewalks are planned in the area, staff recommend providing sidewalks to connect to the other developments, especially the mixed-use PUD to the west.

The applicant does need to address some minor comments regarding the site plan and staff will outline those in the recommendation below.

Recommendation:

P&Z held a public hearing on December 13, 2021, and recommended approval of the project with the following conditions:

1. **Conditions:**
 - a. Provide additional guest parking
 - b. Provide sidewalks along Friendship Lane
 - c. Re-address the property to Friendship Lane
 - d. Stripe both sides at the fire lane (end of parking spaces to the curb line of the parking area).

The City of Fredericksburg

- e. Move the dumpster location out of the setbacks and show the screening walls
- f. Contingent on approval of Civil Construction Plans.

Staff Recommends approval of the CUP and associated site plan with the conditions listed by the Planning & Zoning Commission.

Attachments:

Zoning/Location map, Proposed Site Plan, Architectural Drawings.

Jason Lutz

Department Approval

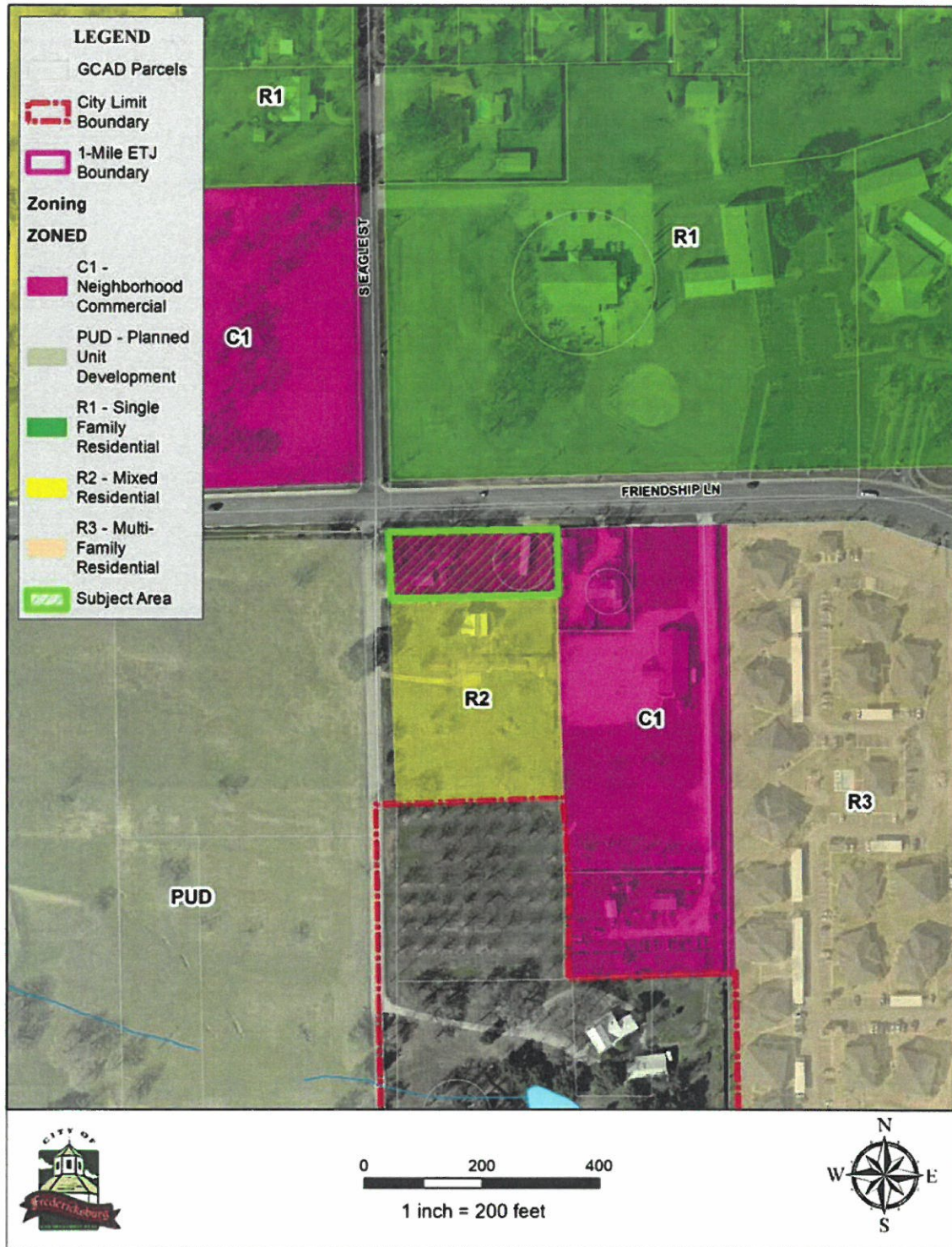
[Signature]

City Attorney Approval

[Signature]

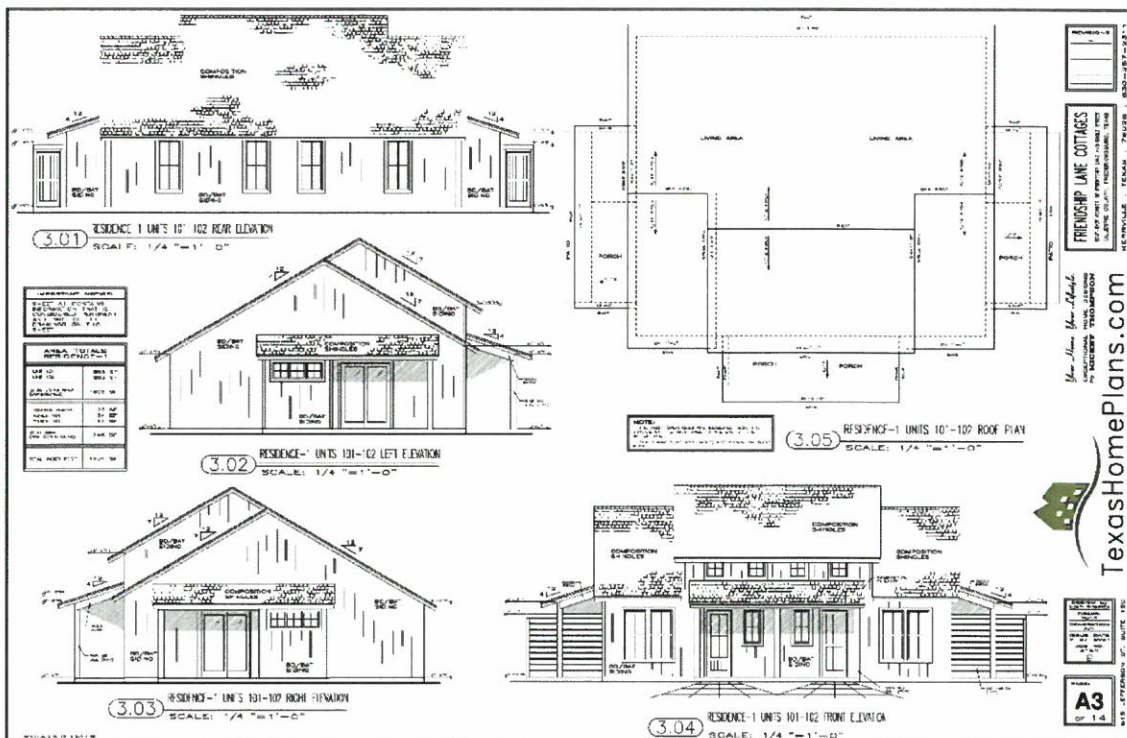
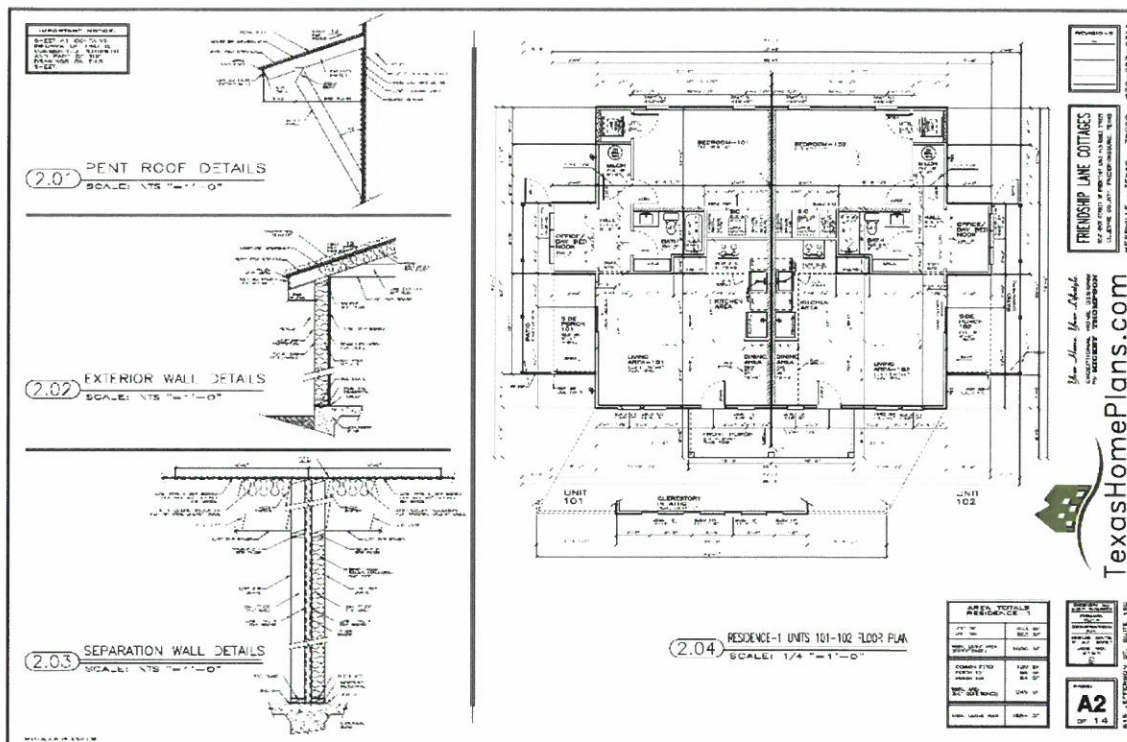
City Manager Approval

The City of Fredericksburg



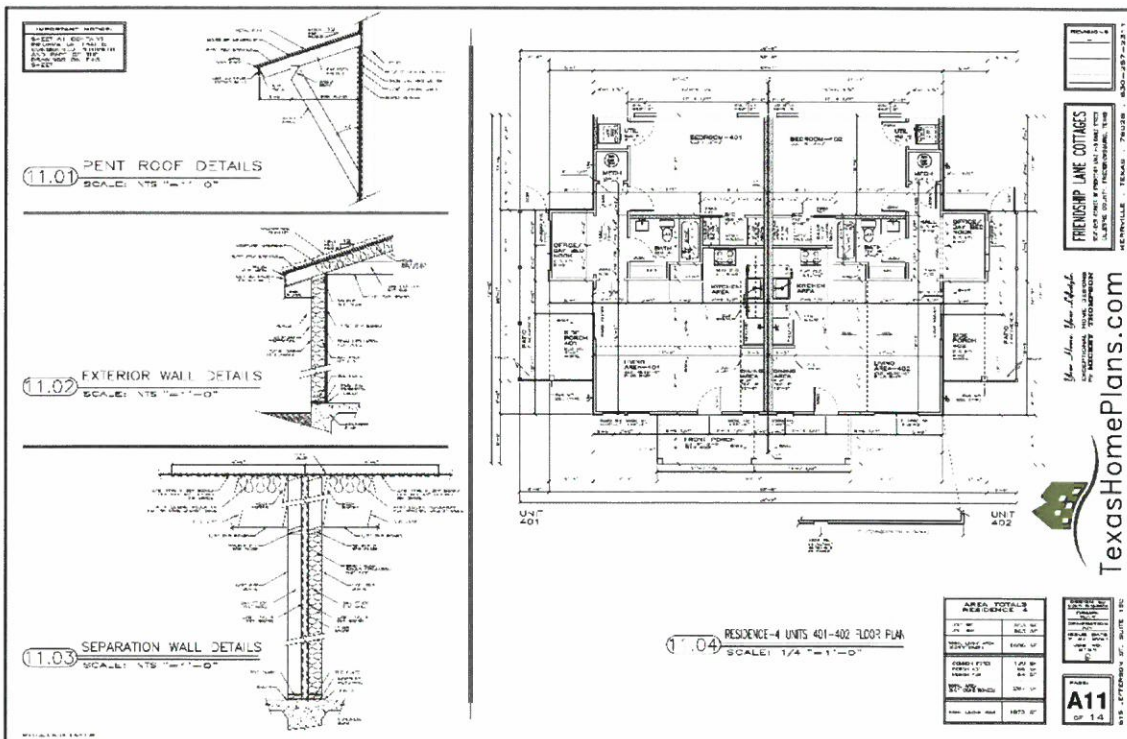
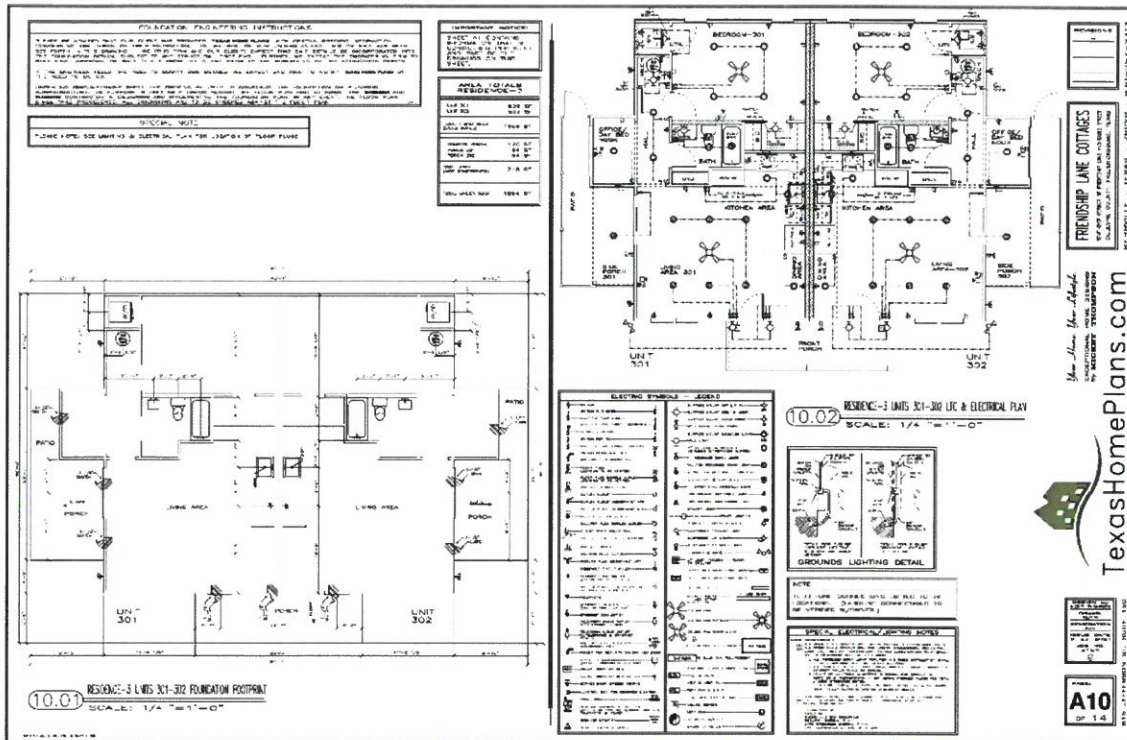
The City of Fredericksburg

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



The City of Fredericksburg

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



The City of Fredericksburg

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



CITY COUNCIL MEMO

DATE: December 20, 2021

TO: Mayor and City Council Members **FROM:** Jason Lutz

SUBJECT: Z-2121 – Public Hearing, Consideration, and Action regarding a request by Wes and Tammy Pack to consider a Conditional Use Permit (CUP) per section 3.510 to construct a first-floor bed and breakfast unit in the Historic Shopping Overlay District on property located at 514 W. San Antonio St.

Summary:

The applicant is requesting a conditional use permit for the property at 514 W. San Antonio St. to construct a first-floor bed and breakfast unit (3 additional).

Background / Analysis:

This item was previously considered at the November 15, 2021, City Council Regular Meeting. Due to a staff error, regarding the required 200' landowner notification letters, staff has called this Special Meeting to ensure all affected landowners have the opportunity to attend a public hearing and provide their input on the requested conditional use permit (CUP) and ensure all procedures are properly adhered to.

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

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

The applicant has redesigned the site layout and increased the available parking to 7 spaces + 1 ADA space.

The City of Fredericksburg

Zoned: R2 – Mixed Residential
Lot Size: 17,424 s.f. (0.40 acres)
Setbacks: 15' front yard (7.5' existing), 5' side yard (5' on west, 13' on east provided), 10' rear yard (30' provided)
Density: 16,000 s.f. required (17,424 s.f. provided)
Impervious Cover: 65% allowed (53% proposed)
Building Height: 2 stories & 28' allowed (1 story proposed)
Parking: 1 space per STR unit (5 spaces required) (8 spaces provided)
Adjacent Land Uses: Single-family residential to the west and east, commercial to the north, mix of STRs and single-family residential to the general area.

Recommendation:

P&Z held a public hearing on December 13, 2021, and recommended approval of the project with the following conditions:

1. That occupancy be limited to two guests for the new units.
2. That a screening fence be provided along the side and rear property lines.

Staff Recommends approval of the CUP and associated site plan with the conditions listed by the Planning & Zoning Commission.

Attachments:

Zoning/Location map & Proposed Site Plan



Department Approval

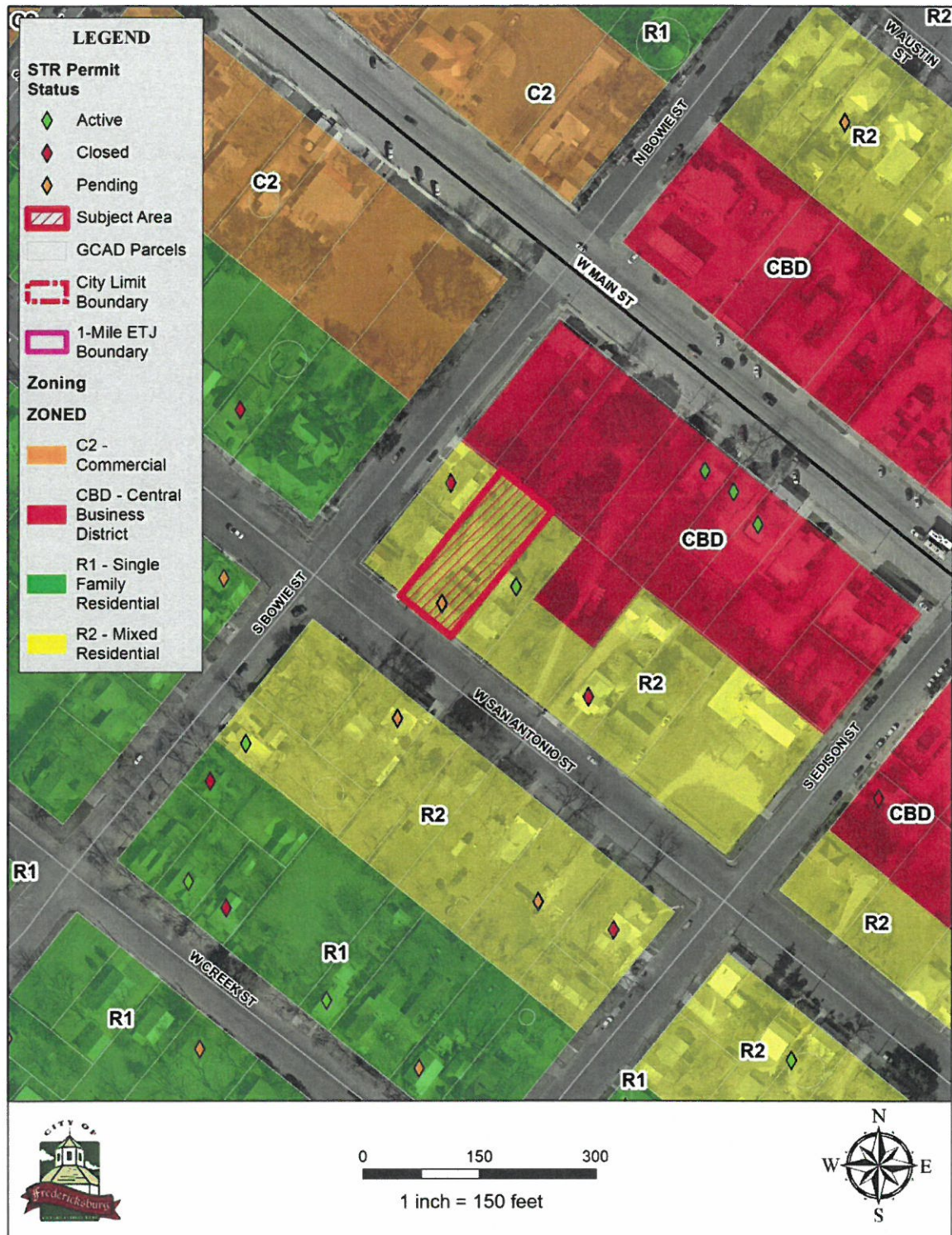


City Manager Approval



City Attorney Approval

The City of Fredericksburg



The City of Fredericksburg

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



CITY COUNCIL MEMO

DATE: December 20, 2021

TO: P&Z Commissioners

FROM: Jason Lutz

SUBJECT: Z-2115 – PUBLIC HEARING, CONSIDERATION, AND ACTION REGARDING A REQUEST BY CAROLYN ELLEBRACHT TO CONSIDER A VOLUNTARY ANNEXATION AND REQUESTED ZONING OF “SINGLE-FAMILY RESIDENTIAL” (R1) FOR APPROXIMATELY 10.839 ACRES OF LAND OUT OF A REMAINING PORTION OF A 258 ACRE TRACT DESCRIBED IN VOLUME 63, PAGE 366, DEED RECORDS, GILLESPIE COUNTY, TEXAS, ALSO BEING SITUATION IN THE WILLIAM H. ANDERSON SURVEY NO. 197, ABSTRACT NO. 2 GILLESPIE COUNTY, TEXAS LOCATED AT THE SOUTH END OF STONELEDGE DRIVE, EAST OF THE STONERIDGE SUBDIVISION.

Summary:

This item was previously considered at the November 15, 2021, City Council Regular Meeting. Due to a staff error, regarding the required 200' landowner notification letters, staff has called this Special Meeting to ensure all affected landowners have the opportunity to attend a public hearing and provide their input on the requested voluntary annexation and proposed R1 zoning and ensure all procedures are properly adhered to.

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

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

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

Council approved an annexation agreement on September 20, 2021.

The City of Fredericksburg

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

Recommendation:

P&Z held a public hearing on December 13, 2021, and recommended approval of the voluntary annexation and requested zoning of R1.

Staff recommends approval of the voluntary annexation and requested zoning of R1.

Attachments: Location/Zoning Map & Protest Letter



Department Approval



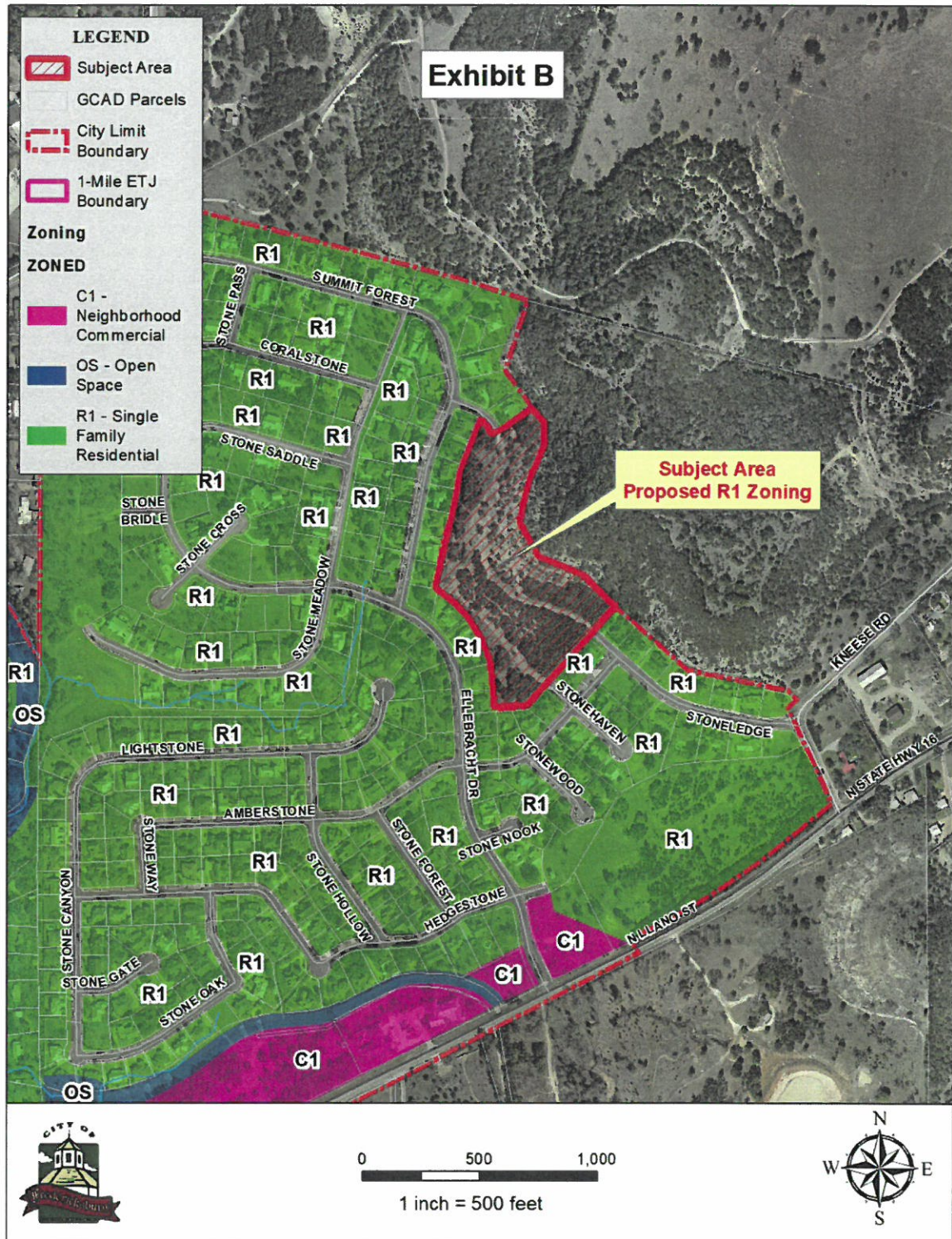
City Attorney Approval



City Manager Approval

The City of Fredericksburg

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



The City of Fredericksburg

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

REQUEST NO. Z-2115

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

The area in Request #Z-2115 has been a natural wildlife area since I moved here in 2011. Live Oak and other trees grow in abundance in this area and provide homes and food for many of God's creatures. We need more natural wildlife areas where the deer, gray fox, racoon, possum, birds, and other creatures can live in harmony without destroying the vegetation in surrounding homeowners' yards. It has been a real joy to watch the animals as they raise their young and forage for their food.

As I returned from Church on Easter Sunday, I was greeted with a huge cloud of smoke coming from the area behind where I live. White ashes were falling from the sky and the air was filled with choking smoke. I hate to imagine what it will be like when the clearing and construction of the area behind my home get underway. This will affect both humans and the wildlife in a very negative way, especially for people who have any type of breathing problems.

I still strongly protest the requested zoning amendment represented by the above file number Request No. Z-2115.

Leslie J. Schultz
Signed

LESLIE J. Schultz
Printed Name

12/11/2021
Date

208 ELLEBRACHT
Address

ORDINANCE NO. 2021-30

AN ORDINANCE ANNEXING TO THE CITY OF FREDERICKSBURG, TEXAS APPROXIMATELY 10.839 ACRES OF LAND OUT OF A REMAINING PORTION OF A 258 ACRE TRACT OF LAND DESCRIBED IN VOLUME 63, PAGE 366, DEED RECORDS, GILLESPIE COUNTY, TEXAS, ALSO BEING SITUATED IN THE WILLIAM H. ANDERSON SURVEY NO. 197, ABSTRACT NO. 2, IN GILLESPIE COUNTY, TEXAS, LOCATED AT THE SOUTH END OF STONELEDGE STREET, EAST OF THE STONERIDGE SUBDIVISION; EXTENDING THE CORPORATE LIMITS OF THE CITY OF FREDERICKSBURG, TEXAS, SO AS TO INCLUDE SAID TERRITORY; GRANTING TO ALL INHABITANTS AND FUTURE INHABITANTS OF SAID TERRITORY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS OF THE CITY OF FREDERICKSBURG, TEXAS; BINDING THE INHABITANTS AND FUTURE INHABITANTS OF SAID TERRITORY BY ANY AND ALL ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF SAID CITY OF FREDERICKSBURG, TEXAS; AND AMENDING THE ZONING ORDINANCE OF THE CITY TO ESTABLISH THE ZONING DISTRICT OF SAID TERRITORY AS R-1: SINGLE FAMILY RESIDENTIAL.

WHEREAS, the City of Fredericksburg has received a written request for voluntary annexation for the following tracts or parcels of land (the "Property") situated in Gillespie County, Texas, to-wit:

Being APPROXIMATELY 10.839 ACRES OF LAND OUT OF A REMAINING PORTION OF A 258 ACRE TRACT OF LAND DESCRIBED IN VOLUME 63, PAGE 366, DEED RECORDS, GILLESPIE COUNTY, TEXAS, ALSO BEING SITUATED IN THE WILLIAM H. ANDERSON SURVEY NO. 197, ABSTRACT NO. 2, IN GILLESPIE COUNTY, TEXAS, LOCATED AT THE SOUTH END OF STONELEDGE STREET, EAST OF THE STONERIDGE SUBDIVISION, and more particularly and separately described in the attached Exhibit "A" and Exhibit "B"; and

WHEREAS, the City Council of the City of Fredericksburg, Texas has heard arguments for and against the annexation of such Property at a public hearing in accordance with the Local Government Code of the State of Texas and after having been requested to annex such Property by the owners thereof; and

WHEREAS, the City Council of the City of Fredericksburg, Texas has determined that said Property is contiguous and adjacent to the limits of the City of Fredericksburg, Texas; that said Property meets all requisites of law for annexation, and that such Property should be annexed to the City of Fredericksburg, Texas, and the corporate limits of the City

of Fredericksburg, Texas should be extended so as to include such territory; and that the City Council of the City of Fredericksburg, Texas, by the provisions of the Local Government Code of the State of Texas, and the Charter of the City of Fredericksburg, has the power to annex such Property; and

WHEREAS, a request has been submitted by the owner of the Property to establish R-1: Single Family Residential zoning upon said Property; and

WHEREAS, public hearings before the Planning and Zoning Commission and the City Council of the City of Fredericksburg have been duly noticed and held regarding such application, as required by the City of Fredericksburg Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has determined that such zoning change is in conformity with the uses established by the Comprehensive Land Use Plan of the City of Fredericksburg and is consistent with the objectives of the City of Fredericksburg Zoning Ordinance, and has recommended to the City Council of the City of Fredericksburg, based upon positive findings under the review and evaluation criteria established by such ordinance, that the zoning be enacted; and

WHEREAS, the City Council has specifically found, following public hearing, that such change is consistent with the objectives of the City of Fredericksburg Zoning Ordinance and Comprehensive Land Use Plan of the City of Fredericksburg and there has not been a protest against the zoning signed by owners of twenty per cent (20%) or more of the area of the property included in the zoning request, or of the area of the property immediately adjoining the same and extending two hundred feet (200') therefrom.

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

Section 1. That the Property is hereby annexed to the City of Fredericksburg, Texas; that the corporate limits of the City of Fredericksburg, Texas, be and they are hereby extended so as to include such Property within the city limits of the City of Fredericksburg, Texas; and that said Property shall hereafter be included within the territorial limits of the City of Fredericksburg, Texas.

Section 2. That the present and future inhabitants of such Property shall hereafter be entitled to all the rights and privileges of other citizens of the City of Fredericksburg, Texas; and that the inhabitants of such Property shall be bound by any and all the acts, ordinances, resolutions and regulations of the City of Fredericksburg, Texas. Pursuant to Texas Local Government Code Sec. 43.0672, the City has entered into a written agreement with the owners of Property, related to the provision of City services in the area, and the City is not required to provide a service that is not included in said agreement.

Section 3. That the zoning ordinance of the City of Fredericksburg is hereby

amended to incorporate the certain change in zoning district as follows:

The Property is hereby zoned and designated as R-1: Single Family Residential.

Section 4. That all references in City of Fredericksburg Code of Ordinances to the Zoning Ordinance shall henceforth refer to such as is amended hereby.

PASSED AND APPROVED this the _____ day of _____, 20____.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC
City Secretary

APPROVED AS TO FORM:

Daniel Jones, City Attorney

EXHIBIT A



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC.

FIELD NOTES FOR STONE RIDGE UNIT XI 10.839 Acres

Being a 10.839 acre parcel of land in the William Anderson Survey No. 197, Abstract No. 2 of Gillespie County, Texas, and being out of the called 258 acre tract recorded in Volume 63, Page 366, of the Deed Records (D.R.) of Gillespie County, Texas; said 10.839 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2" rebar being the northeastern most corner of Lot 113, Stone Ridge Unit II, as recorded in Volume 3, Page 82, Plat Records of Gillespie County, Texas; and being the **POINT OF BEGINNING** of the herein described tract:

THENCE with said East Boundary of the herein described 10.839 Acre Tract the following seven (7) courses:

S 33°58'51" E, a distance of 86.61 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 02°44'53" W, a distance of 93.71 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 22°28'27" W, a distance of 196.00 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 11°34'23" W, a distance of 153.87 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 26°46'00" E, a distance of 164.30 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 65°34'14" E, a distance of 199.51 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 48°34'27" E, a distance of 208.12 feet to a 1/2" iron rod w/CEC cap set for an exterior corner; said point also being the northern most corner of Lot 240, Stone Ridge Unit VI, as recorded in Volume 4, Page 1, Plat Records of Gillespie County, Texas;

THENCE S 42°17'10" W, a distance of 570.00 feet with the common exterior boundary line of said Stone Ridge Unit VI and the herein described 10.839 Acre Tract to a 1/2" iron rod w/CEC cap set for an exterior corner; said point also being the common corner of Lot 242 and Lot 243, Stone Ridge Unit VI, as recorded in Volume 4, Page 1, Plat Records of Gillespie County, Texas;

LAREDO · SAN ANTONIO · BRYAN/COLLEGE STATION

11550 I.H. 10 WEST, SUITE 395 | SAN ANTONIO, TEXAS 78230-1037 | (210) 641-9999 | FAX: (210) 641-6440
TEXAS FIRM REGISTRATION NUMBERS: ENGINEERING F-2214 | SURVEY 10041000 | WWW.CECTEXAS.COM



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC.

THENCE S 87°11'59" E, with the north line of said Lot 242 and Lot 241, Stone Ridge Unit VI, a distance of 139.86 feet, to a 1/2" iron rod w/CEC cap set for the southwestern most corner of the herein described 10.839 Acre Tract, said point also being the common corner of Lots 59 and 60, Stone Ridge Unit I, as recorded in Volume 2, Page 98-101, Plat Records of Gillespie County, Texas;

THENCE with said West Boundary of the herein described 10.839 Acre Tract and the common line with Stone Ridge Unit I the following six (6) courses:

N 02°48'36" W, a distance of 94.60 feet to a 1/2" iron rod w/CEC cap set for an exterior corner, said point also being the common corner of Lots 60 and 61, Stone Ridge Unit I;

N 08°39'23" W, a distance of 112.05 feet to a 1/2" iron rod w/CEC cap set for an exterior corner, said point also being the common corner of Lots 61 and 62, Stone Ridge Unit I;

N 20°20'58" W, a distance of 112.05 feet to a 1/2" iron rod w/CEC cap set for an exterior corner, said point also being the common corner of Lots 62 and 63, Stone Ridge Unit I;

N 32°02'34" W, a distance of 112.05 feet to a 1/2" iron rod w/CEC cap set for an exterior corner, said point also being the common corner of Lots 63 and 64, Stone Ridge Unit I;

N 41°20'51" W, a distance of 66.36 feet to a 1/2" iron rod w/CEC cap set for an exterior angle,

N 50°03'29" W, a distance of 100.69 feet to a 1/2" iron rod w/CEC cap set for an exterior corner, said point also being the common corner of Lots 64 and 65, Stone Ridge Unit I and Lot 120, Stone Ridge Unit II, as recorded in Volume 3, Page 82, Plat Records of Gillespie County, Texas;

THENCE with the east line of said Stone Ridge Unit II, N 11°34'23" E, a distance of 522.32 feet to a 1/2" iron rod w/CEC cap set for an angle point;

THENCE continuing with the east line of said Stone Ridge Unit II, N 22°28'27" E, a distance of 234.36 feet to a 1/2" iron rod w/CEC cap set on the southeast right-of way line of Stoneledge (50' ROW) and being in a curve having a radius of 175.00';

THENCE 76.39 feet with a curve to the right, said curve having a central angle of 25°00'35", a chord bearing of S 36°42'13" E, and a chord distance of 75.78 feet to an angle point in the southeast right-of way line of Stoneledge;

THENCE N 68°17'35" E, crossing Stoneledge (50' ROW) a distance of 50.04 feet to a 1/2" iron rod w/CEC cap set on the northeast right-of-way line of Stoneledge for an angle point;

LAREDO · SAN ANTONIO · BRYAN/COLLEGE STATION

11550 I.H. 10 WEST, SUITE 395 | SAN ANTONIO, TEXAS 78230-1037 | (210) 641-9999 | FAX: (210) 641-6440
TEXAS FIRM REGISTRATION NUMBERS: ENGINEERING F-2214 | SURVEY 10041000 | WWW.CECTEXAS.COM



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC.

THENCE N 56°01'09" E, a distance of 154.90 feet to the **POINT OF BEGINNING** and containing 10.839 acres of land, more or less.

- Bearings source is the last described west line of this description, between the two found monuments described above, and shown as N 00°56'24" E as derived from GPS observation based on NAD 83(2011), Texas State Plane Coordinate System - South Central Zone.

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Land Surveying according to an actual survey made on the ground by employees of Don Durden, Inc. dba Civil Engineering Consultants.

Date:

Gary B. Neill
R.P.L.S. #3964
Firm No. 10041000

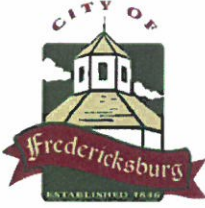
Warning: Only those copies with the Signature and Seal in red should be relied upon.

Stone Ridge Unit XI
Project Number: E0617302

LAREDO • SAN ANTONIO • BRYAN/COLLEGE STATION

11550 I.H. 10 WEST, SUITE 395 | SAN ANTONIO, TEXAS 78230-1037 | (210) 641-9999 | FAX: (210) 641-6440
TEXAS FIRM REGISTRATION NUMBERS: ENGINEERING F-2214 | SURVEY 10041000 | WWW.CECTEXAS.COM





CITY COUNCIL MEMO

DATE: December 20, 2021

TO: Mayor and City Council Members

FROM: Jason Lutz

SUBJECT: Z-2122 – PUBLIC HEARING, CONSIDERATION, AND ACTION REGARDING A REQUEST BY JOHN HEWITT, WITH HEWITT ENGINEERING, TO CONSIDER A REQUEST FOR A FUTURE LAND USE CHANGE FROM “MEDIUM DENSITY RESIDENTIAL” (MDR) AND “LOW DENSITY RESIDENTIAL (LDR) TO A FUTURE LAND USE OF “HIGH DENSITY RESIDENTIAL” (HDR) FOR APPROXIMATELY 6.9 ACRES OF LAND DESCRIBED AS LOT 1, OF THE VILLAGES OF WINDCREST SUBDIVISION, LOCATED ON THE NORTH SIDE OF WEST WINDCREST DRIVE, APPROXIMATELY 1,300 FEET WEST OF THE POST OAK ROAD AND WEST WINDCREST DRIVE INTERSECTION.

Z-2122 – PUBLIC HEARING, CONSIDERATION, AND ACTION REGARDING A REQUEST BY JOHN HEWITT, WITH HEWITT ENGINEERING, TO CONSIDER A REQUEST FOR A ZONING CHANGE FROM “MEDIUM RESIDENTIAL” (R2) TO “MULTI-FAMILY RESIDENTIAL” (R3) FOR APPROXIMATELY 6.9 ACRES OF LAND DESCRIBED AS LOT 1, OF THE VILLAGES OF WINDCREST SUBDIVISION, LOCATED ON THE NORTH SIDE OF WEST WINDCREST DRIVE, APPROXIMATELY 1,300 FEET WEST OF THE POST OAK ROAD AND WEST WINDCREST DRIVE INTERSECTION.

Summary:

The applicant is requesting a future land use change and zoning change to construct a multi-family project.

The City of Fredericksburg

Background / Analysis:

This item was previously considered at the November 15, 2021, City Council Regular Meeting. Due to a staff error, regarding the required 200' landowner notification letters, staff has called this Special Meeting to ensure all affected landowners have the opportunity to attend a public hearing and provide their input on the requested future land use and zoning change requests, and to ensure all procedures are properly adhered to.

The site is in the R2 zoning district and is currently vacant property. The applicant is looking to construct 96 units in multiple structures. 4 buildings will be 2-story and contain 48 two-bedroom units, while another 3-story building will contain 48 1-bedroom units.

Future Land Uses: The property consists of 2 Future Land Use Categories (Medium Density Residential and Low Density Residential). The property is bounded by High Density Residential to the north, commercial to the east, and Low Density to the South.

Existing Land Uses: The property is adjacent to vacant property to the north and west, single-family residential to the south, and an Assisted Living Facility to the east/south.

Existing Zoning: The property is adjacent to R3 zoning to the north, R1 to the south, R1 to the west, and R2 to the east/south.

Proposed Site Plan:

Proposed Zoning:	R3 – Multi-family Residential
Lot Size:	6.9 acres (7,500 sq. ft. required)
Setbacks:	25' front yard, 15' street side yard, 5' interior side yard, 10' rear yard
Density:	1-bed units (2,000 sq. ft. per unit required) 2-bed units (2,400 sq. ft. per unit required) Total land required – 211,000 sq. ft. (300,564 sq. ft. provided)
Impervious Cover:	65% allowed (59% proposed)
Building Coverage:	55% allowed (21% proposed)
Building Height:	3 stories & 38' allowed (2 and 3 story, 42' to highest point of roof proposed)
Parking:	1.5 spaces per 1-bedroom unit 2 spaces per 2-bedroom unit 168 spaces required (181 spaces provided)

The City of Fredericksburg

Recommendations:

P&Z held a public hearing on December 13, 2021, and recommended approval of the requested future land use and zoning changes as presented.

Staff recommends approval of the requested future land use and zoning changes as requested.

Attachments:

Future Land Use Map, Zoning/Location map, and Proposed Site Plan



Department Approval



City Attorney Approval



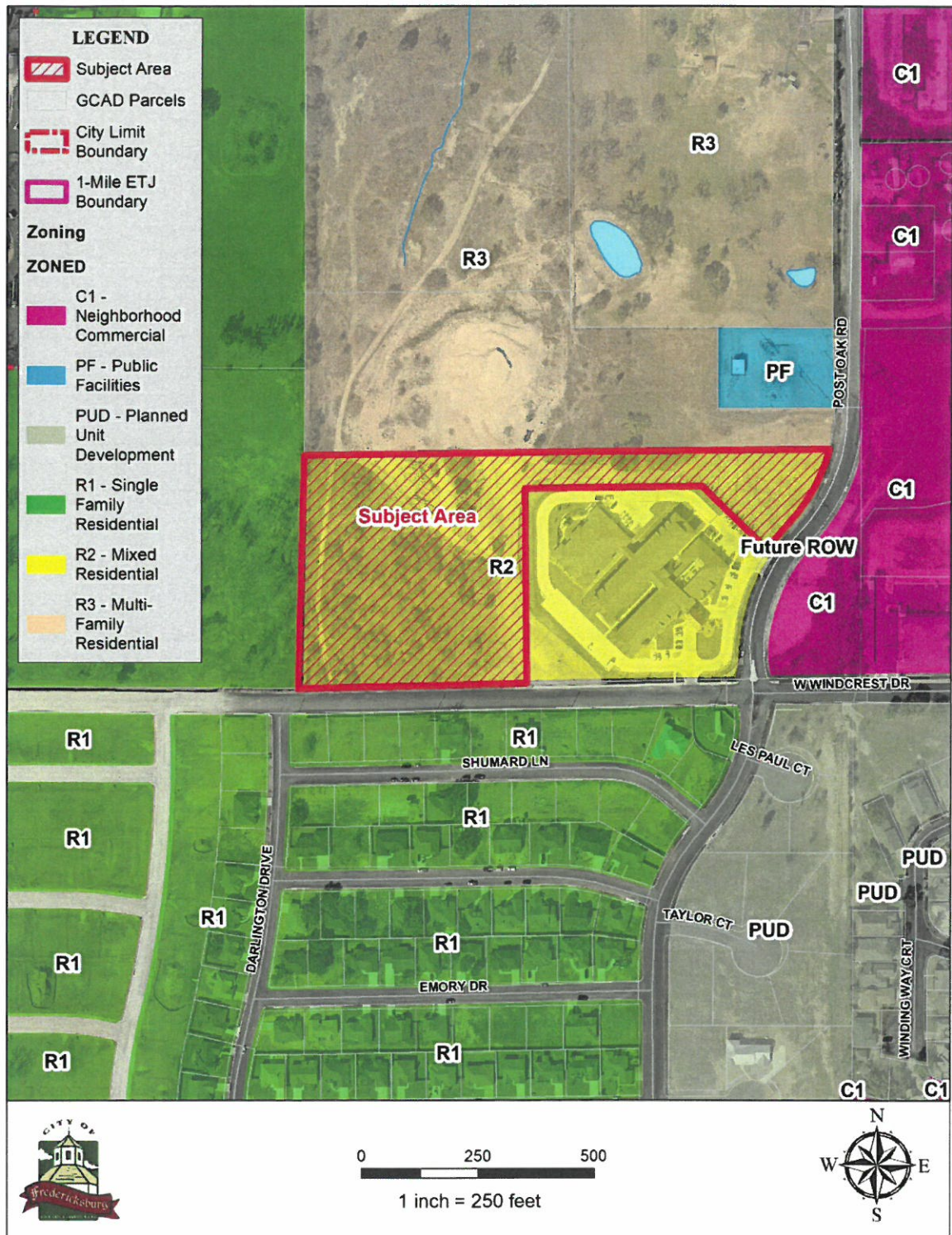
City Manager Approval

The City of Fredericksburg



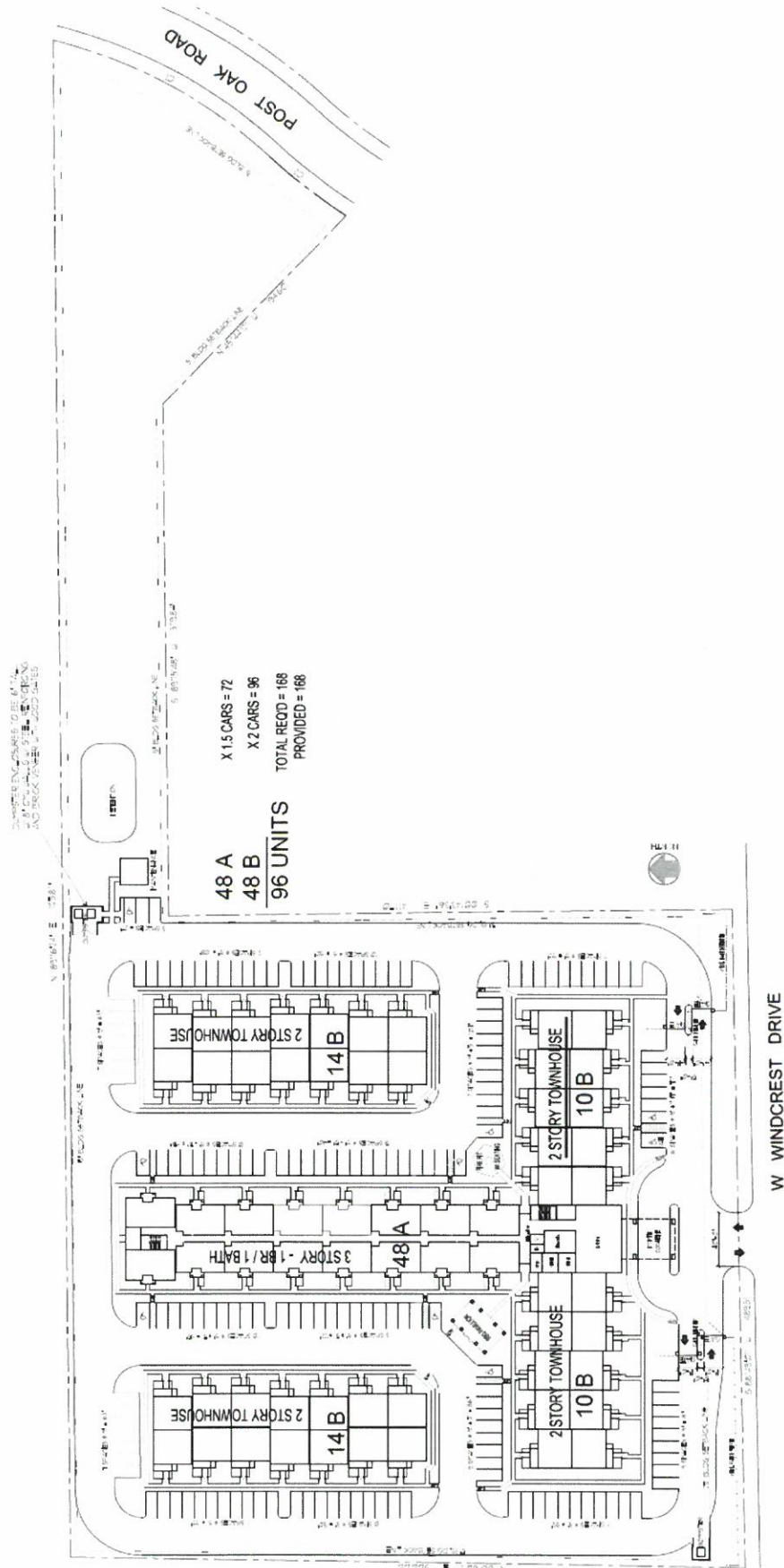
The City of Fredericksburg

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



The City of Fredericksburg

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



ORDINANCE NO. 2021-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, ADOPTING A CHANGE IN THE COMPREHENSIVE PLAN OF THE CITY OF FREDERICKSBURG, SPECIFICALLY IN THE LAND USE MAP, AS TO APPROXIMATELY 6.9 ACRES OF LAND DESCRIBED AS LOT 1, OF THE VILLAGES OF WINDCREST SUBDIVISION, LOCATED ON THE NORTH SIDE OF WEST WINDCREST DRIVE, APPROXIMATELY 1,300 FEET WEST OF THE INTERSECTION OF POST OAK ROAD AND WEST WINDCREST DRIVE; CHANGING SAID PROPERTY FROM MEDIUM DENSITY RESIDENTIAL (MDR) AND LOW DENSITY RESIDENTIAL (LDR) TO HIGH DENSITY RESIDENTIAL (HDR); PROVIDING THAT THE CHANGE BECOME A PART OF THE COMPREHENSIVE PLAN, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, upon adoption of the Comprehensive Plan for the City of Fredericksburg, the City Council recognized, as is required by such Plan, that such Plan is not static but must be re-evaluated in terms of physical, environmental, social, economic and public value factors which have occurred since the adoption of the Plan; and

WHEREAS, the Planning and Zoning Commission of the City of Fredericksburg has re-evaluated such Plan and has recommended that such Plan be changed, and that the Land Use Plan be amended to reflect such changes in land use; and

WHEREAS, public hearings before the Planning and Zoning Commission and the City Council have been duly noticed and held regarding such proposed change as required by the City of Fredericksburg Zoning Ordinance; and

WHEREAS, the City Council has specifically found, following the public hearing, that such change is consistent with the objectives of the Comprehensive Plan of the City of Fredericksburg and that it would be in the best interests of the public that such change be made.

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

Section 1. That the Comprehensive Plan of the City of Fredericksburg is hereby amended to incorporate the certain change to the Land Use Plan as follows:

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, said land being known as APPROXIMATELY 6.9 ACRES OF LAND DESCRIBED AS LOT 1, OF THE VILLAGES OF WINDCREST SUBDIVISION,

and as additionally shown and designated on the map attached hereto as Exhibit A, are hereby designated as High Density Residential.

Section 2. That all references in City of Fredericksburg Code of Ordinances to the Comprehensive Plan or to the Land Use Map shall henceforth refer to such as are amended hereby.

Section 3. That this Ordinance shall take effect upon the date of its passage.

PASSED AND APPROVED on this the ____ day of _____, 20____.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, City Secretary, TRMC

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney

EXHIBIT "A"



ORDINANCE NO. 2021-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY AND CHANGING THE ZONING DISTRICT AS TO APPROXIMATELY 6.9 ACRES OF LAND DESCRIBED AS LOT 1, OF THE VILLAGES OF WINDCREST SUBDIVISION, LOCATED ON THE NORTH SIDE OF WEST WINDCREST DRIVE, APPROXIMATELY 1,300 FEET WEST OF THE INTERSECTION OF POST OAK ROAD AND WEST WINDCREST DRIVE, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS; CHANGING SAID PROPERTY FROM MEDIUM RESIDENTIAL (R-2) TO MULTI-FAMILY RESIDENTIAL (R-3); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an Application for Rezoning has been submitted by the owners of lots described as Lot 1, of The Villages of Windcrest Subdivision in the City of Fredericksburg, Texas, to change the present zoning district of said lots from Medium Residential (R-2) to Multi-Family Residential (R-3); and

WHEREAS, public hearings before the Planning and Zoning Commission and the City Council of the City of Fredericksburg have been duly noticed and held regarding such application, as required by the City of Fredericksburg Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has determined that such zoning change is in conformity with the uses established by the Comprehensive Land Use Plan of the City of Fredericksburg and is consistent with the objectives of the City of Fredericksburg Zoning Ordinance, and has recommended to the City Council of the City of Fredericksburg, based upon positive findings under the review and evaluation criteria established by such ordinance, that the rezoning be enacted; and

WHEREAS, the City Council has specifically found, following public hearing, that such change is consistent with the objectives of the City of Fredericksburg Zoning Ordinance and Comprehensive Land Use Plan of the City of Fredericksburg and there has not been a protest against rezoning signed by owners of twenty per cent (20%) or more either of the area of the property included in the zoning request, or of the area of the property immediately adjoining the same and extending two hundred feet (200') therefrom.

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

Section 1. That the zoning ordinance of the City of Fredericksburg is hereby amended to incorporate the certain change in zoning district as follows:

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, said lots being described as Lot 1, of The Villages of Windcrest Subdivision in the City of Fredericksburg, Texas, and as additionally shown and designated on the map attached hereto as Exhibit A, to be and are hereby rezoned and designated as R-3 Multi-Family Residential.

Section 2. That all references in City of Fredericksburg Code of Ordinances to the Zoning Ordinance shall henceforth refer to such as is amended hereby.

Section 3. That this Ordinance shall take effect upon the date of its passage.

PASSED AND APPROVED on this the ____ day of _____, 20____.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

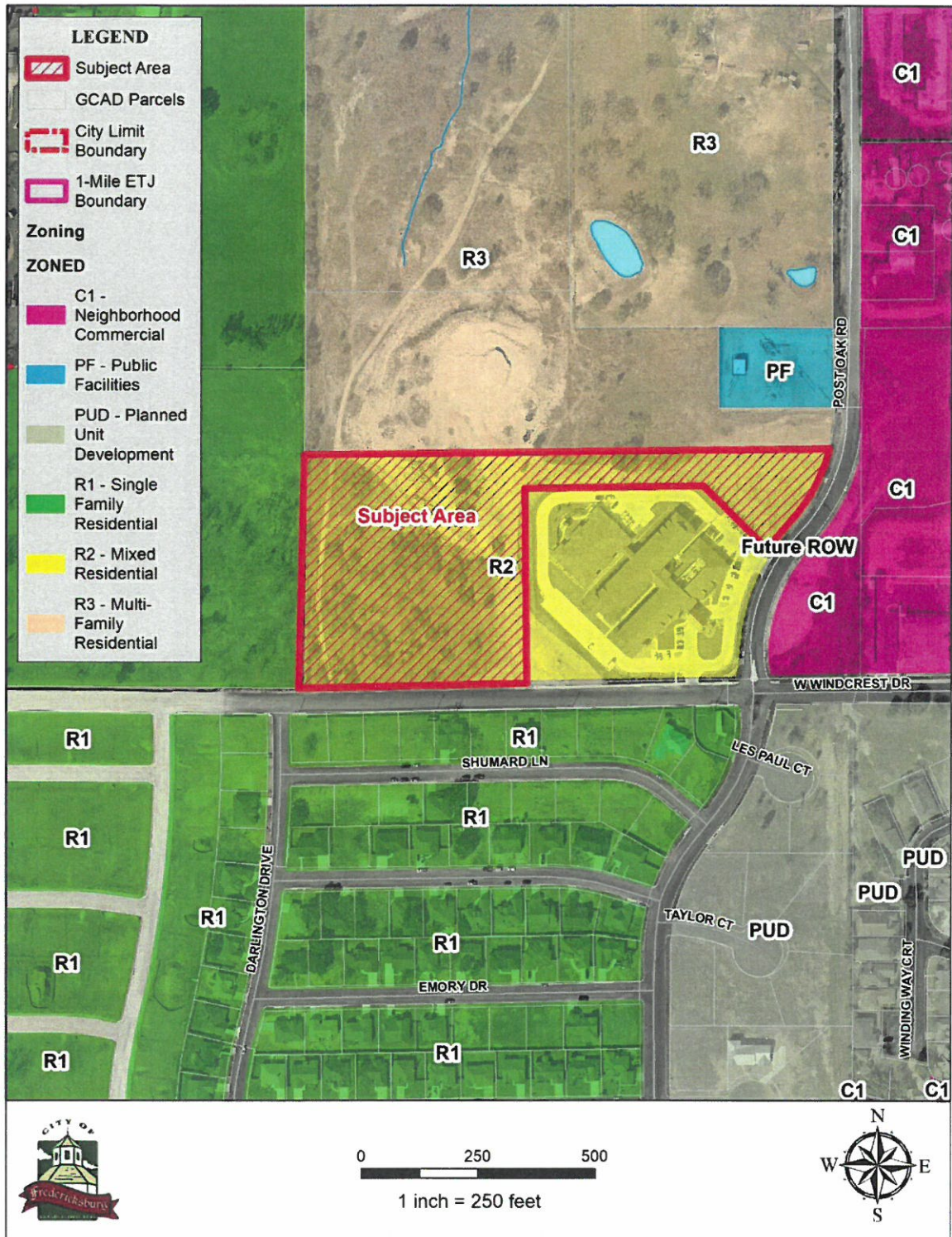
ATTEST:

Shelley Goodwin, TRMC
City Secretary

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney

Exhibit A





CITY COUNCIL MEMO

DATE: December 20, 2021

TO: Mayor and City Council Members

FROM: Jason Lutz

SUBJECT: Z-2122 – PUBLIC HEARING, CONSIDERATION, AND ACTION REGARDING A REQUEST BY WHITNEY KOCH, WITH MUSTARD DESIGN, TO CONSIDER A REQUEST FOR A FUTURE LAND USE CHANGE FROM “PARKS OPEN SPACE” (POS) TO A FUTURE LAND USE CLASSIFICATION OF “COMMERCIAL” (C) FOR THE REAR PORTION OF PROPERTY LOCATED AT 305 SOUTH WASHINGTON STREET.

Z-2122 – PUBLIC HEARING, CONSIDERATION, AND ACTION REGARDING A REQUEST BY WHITNEY KOCH, WITH MUSTARD DESIGN, TO CONSIDER A REQUEST FOR A ZONING CHANGE FROM “MULTI-FAMILY RESIDENTIAL” (R3) AND “OPEN SPACE” (OS) TO A ZONING CLASSIFICATION OF “COMMERCIAL” (C2) FOR THE REAR PORTION OF PROPERTY LOCATED AT 305 SOUTH WASHINGTON STREET.

Summary:

The applicant is requesting a future land use change and zoning change to construct a short-term rental facility, with an office.

Background / Analysis:

This item was previously considered at the November 15, 2021, City Council Regular Meeting. Due to a staff error, regarding the required 200’ landowner notification letters, staff has called this Special Meeting to ensure all affected landowners have the opportunity to attend a public hearing and provide their input on the requested future land use and zoning change requests, and to ensure all procedures are properly adhered to.

The City of Fredericksburg

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

The site is in the C2 and R3 zoning district and has an existing structure on the front lot and vacant land on the rear tract. The applicant is looking to construct 6 short-term rental units and maintain the existing structure as the office/retail uses.

Future Land Uses: The property consists of 2 Future Land Use Categories (Commercial and Parks & Open Space). The property is bounded by Commercial to the north, Commercial to the east, Commercial to the south, and Parks & Open Space to the east.

Existing Land Uses: The property is adjacent to vacant property to a creek to the east, a short-term rental facility to the north, retail to the south, and retail/restaurant to the west (across S. Washington St.).

Existing Zoning: The property is adjacent to C2 zoning to the north, C2 and R3 to the south, C2 to the west, and Open Space (OS) to the east.

Proposed Site Plan:

Proposed Zoning:	C2 – Commercial
Lot Size:	34,466 sq. ft. (5,000 sq. ft. required)
Setbacks:	Required - 15' front yard, 15' street side yard, 0' interior side yard, 0' rear yard Provided - 40' front yard, n/a street side yard, 5' interior side yard, 63' rear yard
Impervious Cover:	80% allowed (59% proposed)
Building Coverage:	75% allowed (21% proposed)
Building Height:	3 stories & 38' allowed (1 story proposed)
Parking:	1 space per 1- STR unit 1 space per 400 sq. ft. of office/retail 10 spaces required (15 spaces provided)

Recommendations:

P&Z held a public hearing on December 13, 2021, and recommended approval of the requested future land use and zoning changes as presented.

Staff recommends approval of the requested future land use and zoning changes as requested.

Attachments:

Future Land Use Map, Zoning/Location map, Proposed Site Plan, and Protest Letters.

The City of Fredericksburg

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

Jason Lutz

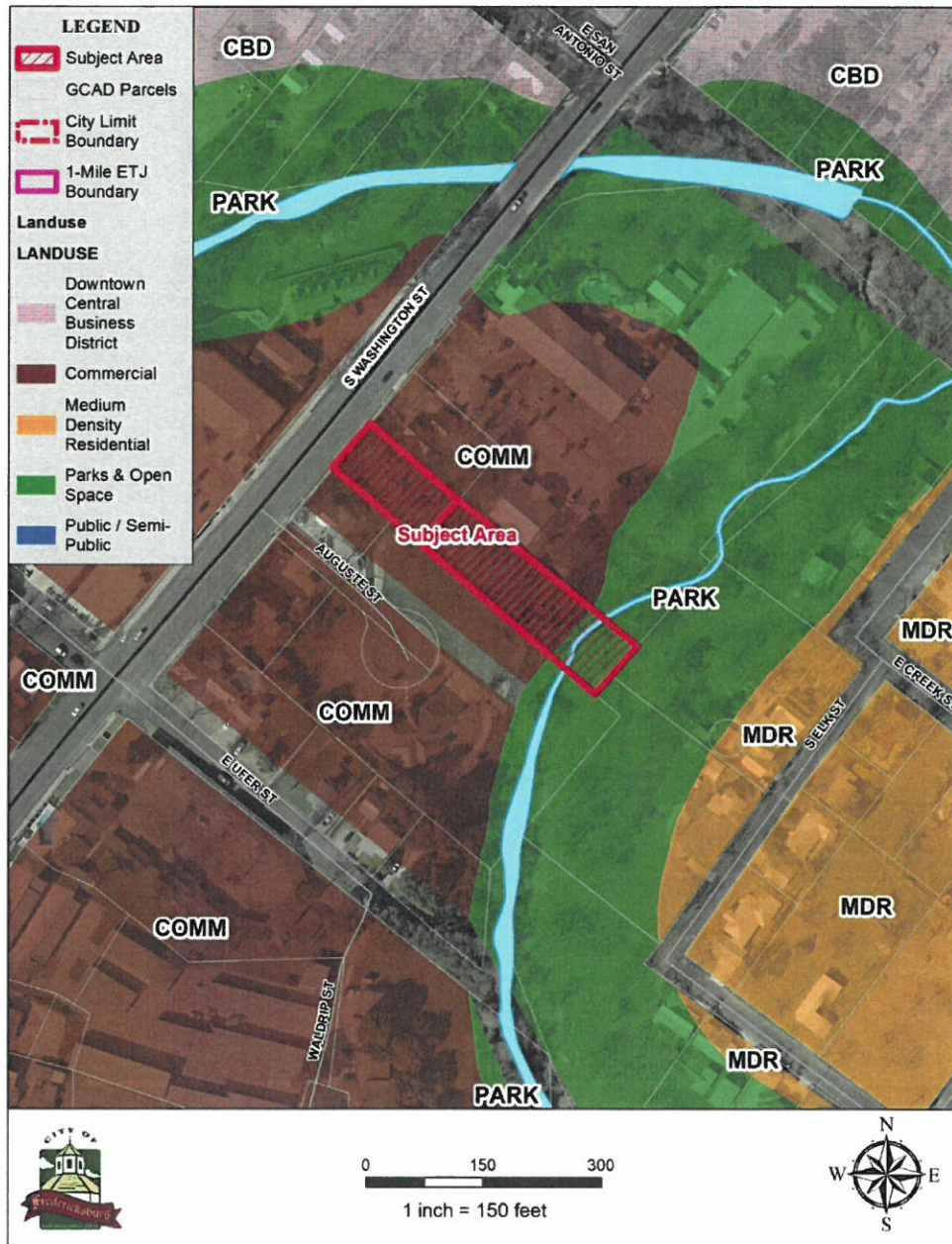
Department Approval

[Signature]

City Attorney Approval

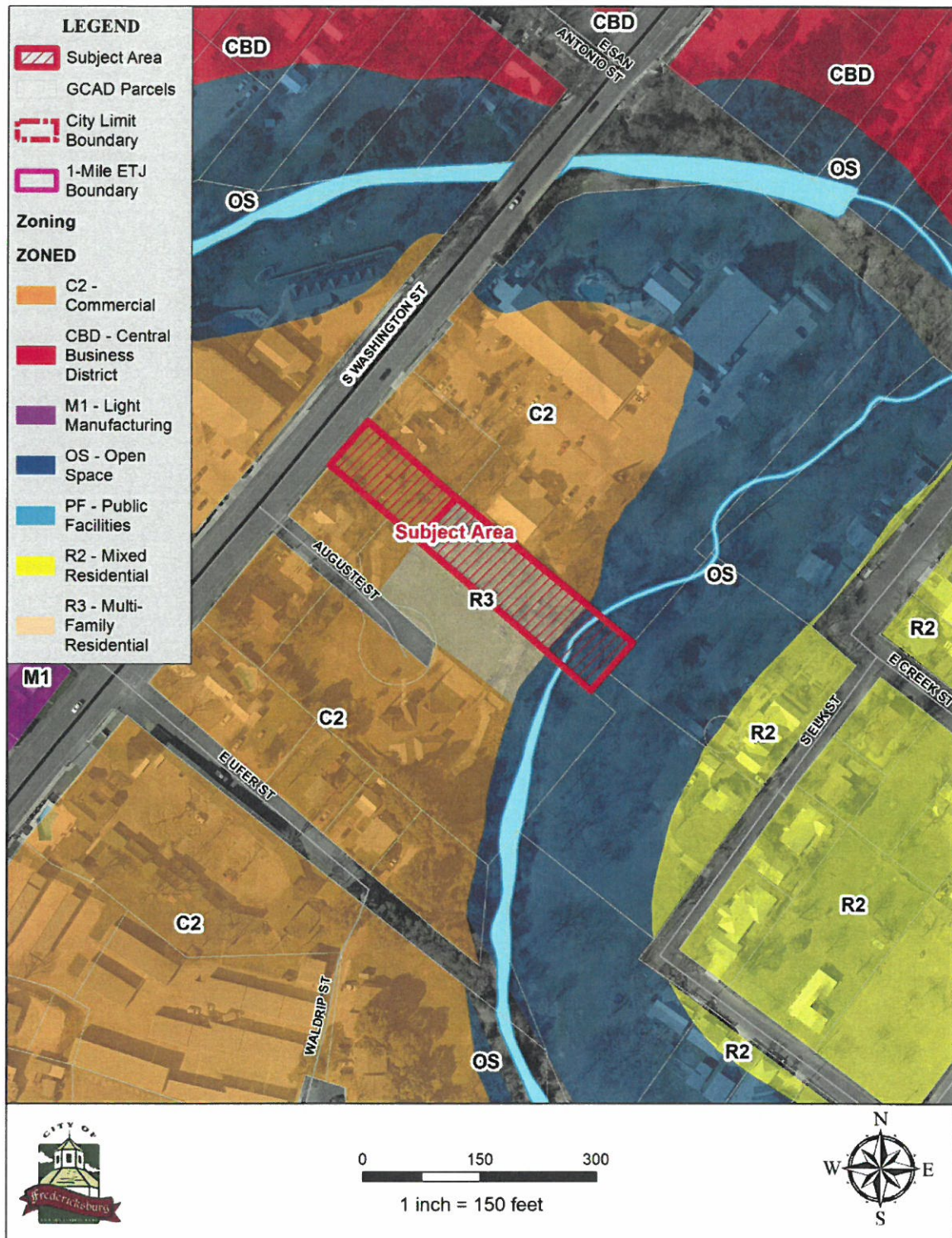
[Signature]

City Manager Approval



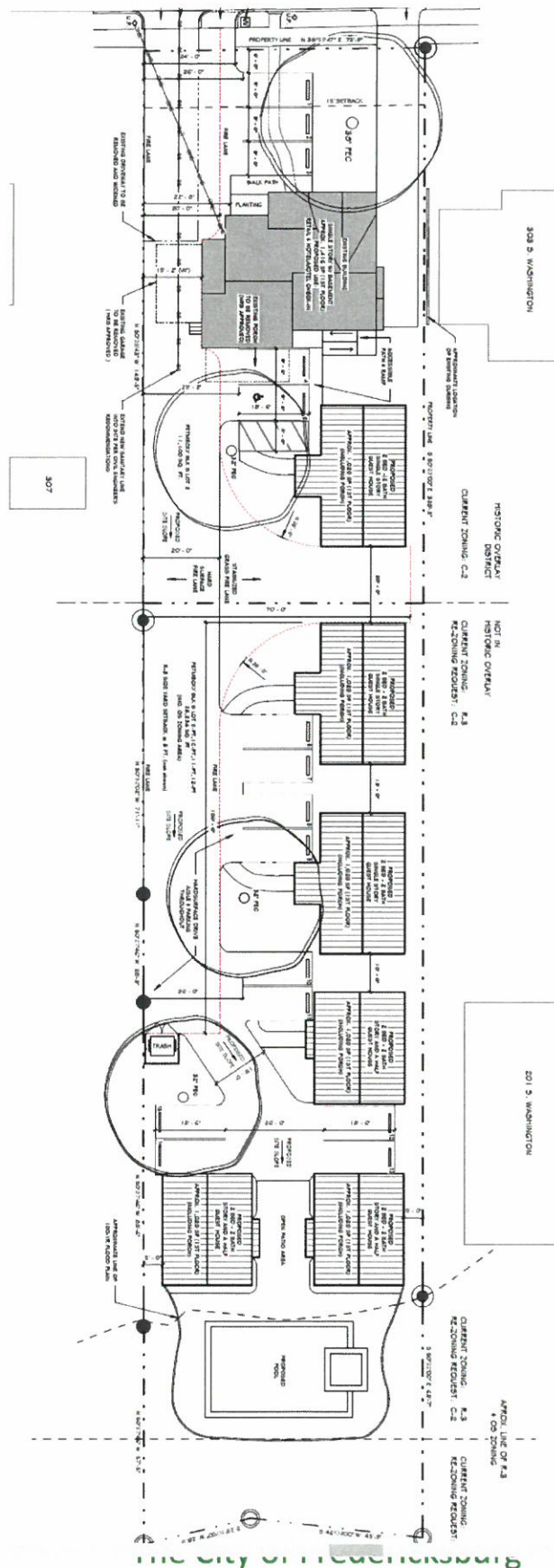
The City of Fredericksburg

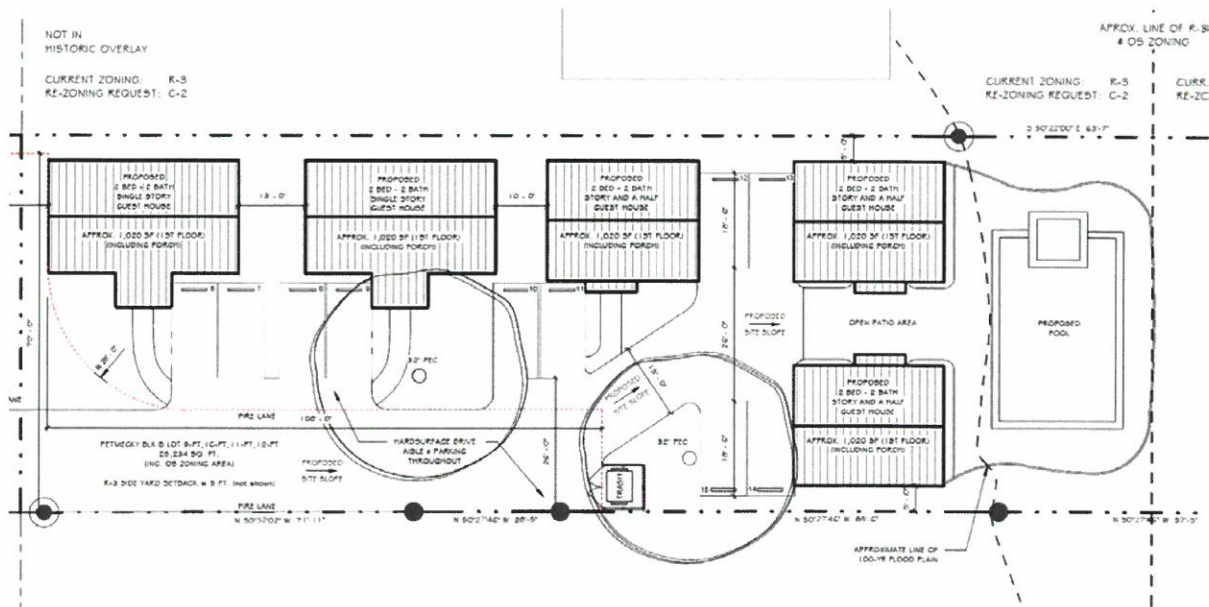
126 W. Main St. • Fredericksburg, Texas 78624-3708 • (830) 997-7521 • Fax (830) 997-1861



The City of Fredericksburg

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





APPLICANT:

WHITNEY KOCH

LOCATIONS:

305 SOUTH WASHINGTON

(see attached maps)

REQUEST NO. Z-2123

As an interested property owner, I (Protest) (Approve) the requested zoning amendment represented by the above file number because: Property line is wrong and should not come over creek line.

Signed

Printed Name

Whitney Cochran
Whitney Cochran

Date

Address

12-6-2021
305 South Elk St.

From: [William Joseph](#)
To: [Shelby Collier](#)
Subject: Request z-2123
Date: Sunday, December 12, 2021 1:47:55 PM

To the reviewing body:

My name is William Joseph and I am the owner, with my wife Antoinette, of the property located at 411 East Creek Street in Fredericksburg, Texas.

I have a few comments with respect to the above referenced request for zoning change or variance. First of all, the notice diagram forwarded to adjacent properties is in error. Our deed, and contiguous neighbors, extends to the mid-point of Barron's Creek. This is know as a "Texas Monument Boundary." As such, any activity will directly impact the use and enjoyment of the lower portion of the property.

Secondly, the "200 foot buffer zone," noted on the enclosure, appears to extend into our kitchen, or at best, our back door. The same holds true with the neighbor to the south.

Given the topography on either side of the creek, there is no natural boundary to sound. Unsurprisingly, our home is often subject to loud music, raucous voices, children playing at the hotel, and other activities, several of which are probably in excess of local noise ordinances. By changing the "Open Space" designation currently applicable to the subject property in this request, that condition will undoubtedly worsen. While the proposed usage is not designated in the notice, it is out understanding that the request encompasses utilizing the open space as recreational, pool, hot tub, etc., for a number of short term rentals. While we are sympathetic to any landowners desire to enjoy their property, permitting such without the requirement of an adequate sound buffer, or similar structure, will compromise the quiet enjoyment of all the residences on Elk Street south of Creek.

Accordingly, we would respectfully submit that the reviewing body either deny Request z-2123 or, alternatively, require adequate proposals for noise abatement with the opportunity for review and comment by affected property owners.

Respectfully submitted,
William J. Joseph, Jr.

ORDINANCE NO. 2021-33

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, ADOPTING A CHANGE IN THE COMPREHENSIVE PLAN OF THE CITY OF FREDERICKSBURG, SPECIFICALLY IN THE LAND USE MAP, AS TO APPROXIMATELY 0.5793 ACRES OF LAND DESCRIBED AS PETMECKY BLOCK B, LOT 9-PT, 10-PT, 11-PT & 12-PT, LOCATED AT 305 S. WASHINGTON STREET; CHANGING THE EASTERNMOST PORTION OF SAID PROPERTY FROM PARKS OPEN SPACE (POS) TO COMMERCIAL (C); PROVIDING THAT THE CHANGE BECOME A PART OF THE COMPREHENSIVE PLAN, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, upon adoption of the Comprehensive Plan for the City of Fredericksburg, the City Council recognized, as is required by such Plan, that such Plan is not static but must be re-evaluated in terms of physical, environmental, social, economic and public value factors which have occurred since the adoption of the Plan; and

WHEREAS, the Planning and Zoning Commission of the City of Fredericksburg has re-evaluated such Plan and has recommended that such Plan be changed, and that the Land Use Plan be amended to reflect such changes in land use; and

WHEREAS, public hearings before the Planning and Zoning Commission and the City Council have been duly noticed and held regarding such proposed change as required by the City of Fredericksburg Zoning Ordinance; and

WHEREAS, the City Council has specifically found, following the public hearing, that such change is consistent with the objectives of the Comprehensive Plan of the City of Fredericksburg and that it would be in the best interests of the public that such change be made.

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

Section 1. That the Comprehensive Plan of the City of Fredericksburg is hereby amended to incorporate the certain change to the Land Use Plan as follows:

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, said land being known as APPROXIMATELY 0.5793 ACRES OF LAND DESCRIBED AS PETMECKY BLOCK B, LOT 9-PT, 10-PT, 11-PT & 12-PT, LOCATED AT 305 S. WASHINGTON STREET, and as additionally shown and designated on the map attached hereto as Exhibit A, are hereby designated as Commercial.

Section 2. That all references in City of Fredericksburg Code of Ordinances to the Comprehensive Plan or to the Land Use Map shall henceforth refer to such as are amended hereby.

Section 3. That this Ordinance shall take effect upon the date of its passage.

PASSED AND APPROVED on this the ____ day of _____, 20____.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

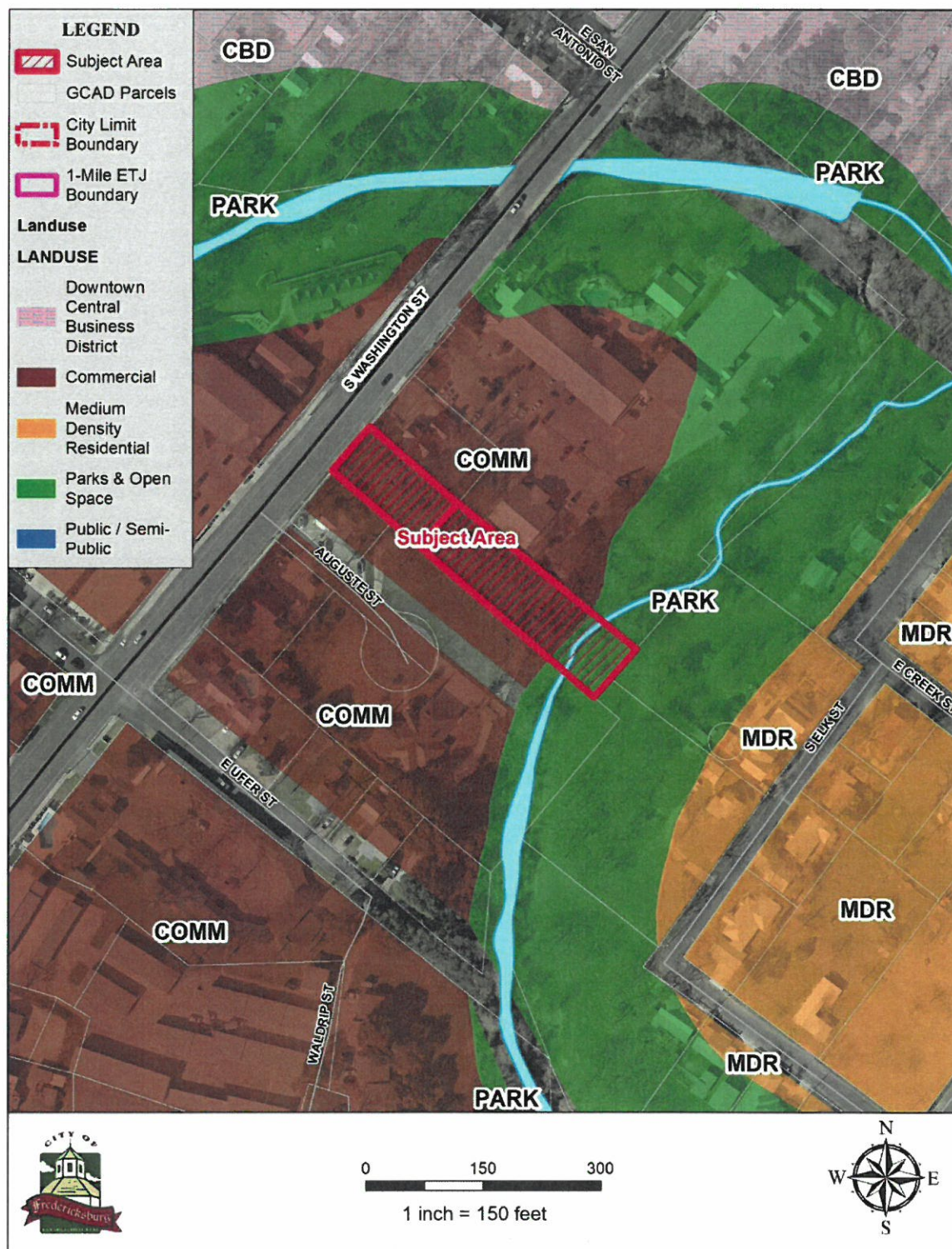
ATTEST:

Shelley Goodwin, City Secretary, TRMC

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney

EXHIBIT "A"



ORDINANCE NO. 2021-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY AND CHANGING THE ZONING DISTRICT AS TO APPROXIMATELY 0.5793 ACRES OF LAND DESCRIBED AS PETMECKY BLOCK B, LOT 9-PT, 10-PT, 11-PT & 12-PT, LOCATED AT THE EASTERNMOST END OF THE PROPERTY LOCATED AT 305 S. WASHINGTON STREET, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS; CHANGING SAID PROPERTY FROM MULTI-FAMILY RESIDENTIAL (R-3) AND OPEN SPACE (OS) TO COMMERCIAL (C-2); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an Application for Rezoning has been submitted by the owners of lots described as PETMECKY BLOCK B, LOT 9-PT, 10-PT, 11-PT & 12-PT, LOCATED AT 305 S. WASHINGTON STREET in the City of Fredericksburg, Texas, to change the present zoning district of said lots from MULTI-FAMILY RESIDENTIAL (R-3) AND OPEN SPACE (OS) TO COMMERCIAL (C-2); and

WHEREAS, public hearings before the Planning and Zoning Commission and the City Council of the City of Fredericksburg have been duly noticed and held regarding such application, as required by the City of Fredericksburg Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has determined that such zoning change is in conformity with the uses established by the Comprehensive Land Use Plan of the City of Fredericksburg and is consistent with the objectives of the City of Fredericksburg Zoning Ordinance, and has recommended to the City Council of the City of Fredericksburg, based upon positive findings under the review and evaluation criteria established by such ordinance, that the rezoning be enacted; and

WHEREAS, the City Council has specifically found, following public hearing, that such change is consistent with the objectives of the City of Fredericksburg Zoning Ordinance and Comprehensive Land Use Plan of the City of Fredericksburg and there has not been a protest against rezoning signed by owners of twenty per cent (20%) or more either of the area of the property included in the zoning request, or of the area of the property immediately adjoining the same and extending two hundred feet (200') therefrom.

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

Section 1. That the zoning ordinance of the City of Fredericksburg is hereby amended to incorporate the certain change in zoning district as follows:

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, said lots being described as approximately 0.5793 acres of land known as PETMECKY BLOCK B, LOT 9-PT, 10-PT, 11-PT & 12-PT, located at 305 S. Washington Street in the City of Fredericksburg, Texas, and as additionally shown and designated on the map attached hereto as Exhibit A, to be and are hereby rezoned and designated as C-2 Commercial.

Section 2. That all references in City of Fredericksburg Code of Ordinances to the Zoning Ordinance shall henceforth refer to such as is amended hereby.

Section 3. That this Ordinance shall take effect upon the date of its passage.

PASSED AND APPROVED on this the ____ day of _____, 20____.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC
City Secretary

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney

Exhibit A

