

AGENDA
CITY OF FREDERICKSBURG
PLANNING & ZONING COMMISSION
Wednesday, September 3, 2014

5:30 P.M.

LAW ENFORCEMENT CENTER, 1601 E. MAIN ST.

PAGE REF.

1. Call to Order
2. Approve minutes from the August 2014 Regular Meeting *Pp 1 - 4*

PUBLIC HEARINGS

3. Public Hearing (P-1415) by Larry R. Duecker and Wayne W. Duecker to consider a replat of approximately 4.9 acres of land known as Duecker Subdivision located on W. Live Oak St. *Pp 5 - 9*
4. Consider P-1415
5. Public Hearing (Z-1408) by Daniel J. and Verna Fritz for a change in Zoning from C-1, Neighborhood Commercial to C-2, Commercial on approximately one acre out of a six acre tract of land located at 402 S. Creek *Pp 10 - 20*
6. Consider making a recommendation on Z-1408
7. Public Hearing (Z-1409) by The City of Fredericksburg to consider establishing zoning on approximately 144.96 acres of land being considered for annexation located on US Hwy 290 East *Pp 21 - 33*
8. Consider making a recommendation on Z-1409

DISCUSSIONS

9. Mixed Use Corridor Zoning District
10. Workshop for Comprehensive Plan Issues Update

ADJOURN

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

PLANNING & ZONING COMMISSION
August 6, 2014
5:30 P.M.

On this the 6th day of August, 2014 the PLANNING AND ZONING COMMISSION convened in regular session at the Law Enforcement Center with the following members present to constitute a quorum:

JANICE MENKING - Chair
TODD WILLINGHAM
BRENDA SEGNER
CHARLIE KIEHNE
BILL PIPKIN
STEVE THOMAS
CHRIS KAISER
DARYL WHITWORTH
JOE CLOUD

ABSENT:

ALSO PRESENT: BRIAN JORDAN - Director of Development Services
 PAT MCGOWAN - City Attorney
 TAMMIE LOTH - Development Coordinator

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

Steve Thomas stepped down from the Commission for the consideration SP-1419, stating a conflict of interest.

SITE PLANS

SP-1419 - CONSIDER A SITE PLAN FOR AN ADMINISTRATIVE OFFICE AT 515 FM 2093 -

Brandon Weinheimer of Stehling, Klein, Thomas Architects and David Oehler, Chief Appriaser for Gillespie Central Appraisal District presented the application. Mr. Oehler explained earlier in the year the City of Fredericksburg, FISD, Harper ISD and Doss School District asked them to take over property tax collections by July 2015 and the site plan being presented tonight is for an office building to make that possible.

Mr. Weinheimer noted the property is located on Tivydale Rd and includes a 60 foot strip of land to be used as a single drive access to the property behind the tract that is owned by the Gillespie County Fair and Festivals Association. Mr. Weinheimer noted the surrounding properties are zoned M-2 and the necessary requirements for setbacks have been met. Mr. Weinheimer noted they are under the allowable impervious coverage and added there is a drive through on the interior of the property for payments to

be dropped off at a kiosk. Mr. Weinheimer stated they have approximately double the required parking and there will be a sidewalk along Tivydale Rd and an accessible route. Mr. Weinheimer noted there is a detention pond and everything will drain to the northeast corner of the property and go to the drainage ditch along the back. Mr. Weinheimer stated there are approximately six pole lights in the parking lot and those will be shielded. Mr. Weinheimer noted the site plan also shows an area for expansion if it is ever needed.

STAFF COMMENTS

Brian Jordan, Director of Development Services, noted the property is zoned Public Facilities and an office use is permitted. Mr. Jordan commented the drive through lane for the kiosk drop off was not required to be submitted for a Conditional Use Permit because it is not going to be manned and City Staff does not anticipate any stacking issues. Mr. Jordan added sewer is located on the north side of Tivydale and is not extended across the highway so the applicants will have to get TXDOT approval to run sewer across the road.

Mr. Jordan noted Staff recommendation of approval with the following conditions:

1. Landscape plan be approved by Staff before issuance of a Building Permit.
2. Site lighting being shielded and screened from adjoining properties.
3. Approval of Construction Plans for grading, drainage and utilities prior to issuance of a Building Permit.
4. Property being replatted prior to issuance of a Building Permit.

Charlie Kiehne commented the drive through will be somewhat manned because a receipt will be sent back to the taxpayer and stacking could become an issue a few days of the year. Daryl Whitworth asked if there was a traffic count from the county and Mr. Jordan noted there is not. Joe Cloud suggested moving the kiosk around the building to allow more room for stacking. Mr. Weinheimer stated they looked into that but do not want to encroach into the area they will use if future expansion is needed. Mr. Weinheimer commented they could move the kiosk south and not have the complete visibility that is proposed with the window in line with the kiosk. There followed discussion about the traffic on Tivydale Road and the amount of stacking the Commission believes is sufficient and Mr. Oehler noted the Appraisal District has the option to close the drive through on extra heavy days if traffic or stacking becomes an issue.

Charlie Kiehne moved to approve Application SP-1419 with the following conditions:

1. Landscape plan be approved by Staff before issuance of a Building Permit.
2. Site lighting being shielded and screened from adjoining properties.
3. Approval of Construction Plans for grading, drainage and utilities prior to issuance of a Building Permit.
4. Property being replatted prior to issuance of a Building Permit.
5. Provide a minimum of 3 car stacking in the driveway of the kiosk.

Daryl Whitworth seconded the motion. All voted in favor and the motion carried.

Steve Thomas returned to the Commission.

MINUTES

Todd Willingham moved to approve the minutes from the July, 2014 meeting. Brenda Segner seconded the motion. All voted in favor and the motion carried

DISCUSSIONS

ZONING ALONG 290 EAST - ANNEXATION

Brian Jordan, Director of Development Services, stated the Council is in the process of considering annexing approximately 145 acres and commented the first public hearing on the annexation was well attended. Mr. Jordan explained there are some properties in the proposed area that have an ag exemption that can opt out of the annexation and by doing so, the property has to remain as it is currently being used for fifteen years. Mr. Jordan noted if the use changes before that 15 year period, the property will be automatically annexed. Mr. Jordan noted the Commission's responsibility is to decide what these properties should be zoned if they are annexed. Mr. Jordan commented tonight's meeting is just for discussion and a public hearing would be called at a later date to establish the zoning should the properties be annexed. Mr. Jordan then went over each property to let the Commission know what business or owner was associated with the property. Mr. Jordan then explained the majority of the properties with highway frontage are being used for some type of commercial activity and the properties that front on Old San Antonio Road and Danz Lane are primarily used for residential. Mr. Jordan noted the land use plan shows the property along the highway to be in a mixed use corridor and provided a definition of such. Mr. Jordan explained creating a mixed use zoning and land use was a suggestion in the Comprehensive Plan, but it has not been created and is not existing at this time. Mr. Jordan added the property lines are not parallel and so it may be somewhat difficult to establish a zoning district, but asked the Commission to look at that and give him their input.

Chris Kaiser noted the Commission should consider the zoning on the entire area so if the owners with an ag exemption opt out in the fifteen year period and are annexed, the zoning will be established. Mr. Jordan agreed that would be wise. Joe Cloud asked if they could look at creating a mixed use zoning district and zone the proposed mixed use area as C-2 with the understanding the zoning will be changed when the mixed use zone is established. Pat McGowan noted that could not be done because changing the zoning would have to be determined by the Planning and Zoning Commission at the time of the change. Mr. Jordan noted they could consider the zoning and make a recommendation to look at a mixed use zoning district and when the criteria is established, call a public hearing for a zoning change request. Mr. Cloud noted it seems like a perfect opportunity to carry out something that is already in the Comprehensive Plan. Brenda Segner agreed that would create an opportunity to follow through with the intentions of the Comprehensive Plan. Mr. Jordan commented it is probably not possible to get the mixed use zone established before a recommendation will be made on the properties proposed to be annexed, but it is something the Commission can look into and explore.

Mr. Jordan asked the Commission to look at the annexation map and determine what they believe to be a reasonable zoning line and City Staff will call a public hearing to consider the zoning at the next meeting.

COMPREHENSIVE PLAN ISSUES UPDATE- Brian Jordan, Director of Development Services, commented the Comprehensive Plan Issues Based Update deals with three elements which include sidewalks and trails plan, gateways and design guidelines for entryways. Mr. Jordan noted the consultant presented a 90% draft to the City Council and Planning and Zoning Commission and it was not well

received by some individuals on the City Council. Mr. Jordan noted the main opposition seemed to be with the proposed trails. Mr. Jordan stated the Council invited the Planning and Zoning Commission and the Historic Review Board to sit down with them and a facilitator to discuss the update with particular emphasis on a plan for sidewalks and trails throughout the city. Mr. Jordan noted that meeting will be September 8th at 5:30 p.m. Mr. Jordan added City Staff will provide a map that shows where destinations, focal points, and existing sidewalks are located.

Charlie Kiehne commented a sidewalk plan is critical and the gateway design standards is a good idea, but the costs involved will always be an obstacle. Janice Menking noted the Planning and Zoning Commission will be the policing committee on the gateways and design standards.

ADJOURN

With nothing further to come before the Commission, Todd Willingham moved to adjourn. Bill Pipkin seconded the motion. All voted in favor and the meeting was adjourned at 6:56 p.m.

PASSED AND APPROVED this 3rd day of September, 2014.

SHELLEY BRITTON, Secretary

JANICE MENKING, Chairman



MEMO

DATE: August 28, 2014

TO: Planning and Zoning Commission

FROM: Brian Jordan, AICP

SUBJECT: Request by Larry and Wayne Duecker to Replat approximately 4.9 acres into two lots on the north side of Live Oak Road (P-1415).

Summary:

The applicant's intend to divide this tract into two lots to reflect the settlement of an estate of approximately 4.9 acres. This property is located on the north side of Live Oak Road and extends up to Shaw Avenue. The property is bisected by a tributary of Barons Creek. There is a home located on the northeast corner of the property where Mr. Wayne Duecker currently resides.

The applicants are proposing to take advantage of the Deferral of Public Improvements and Obligations on Gifted or Inherited Tracts allowed in the Subdivision Ordinance. The deferral items are listed on the plat and include installation of onsite or offsite utilities, street improvements, curbing, driveways, drainage improvements, detention improvements, sidewalk improvements, curb cuts, tap fees and park dedication requirements. All deferred public improvements and obligations assigned to a lot will be completed by the earlier of 1) re-conveyance of the lot by the Original Owner, or 2) the issuance of a building permit, or 3) any further subdivision of the lot to which the improvements are assigned.

Replats now require a public hearing and approval by the Planning and Zoning Commission. We do not anticipate any objections to this proposal but will forward any received.

The City of Fredericksburg

Recommendation:

Approval

Background / Analysis:

The City of Fredericksburg

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

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APPLICATION FOR PLAT APPROVAL

Pursuant to Section 9.800 of the Subdivision Ordinance, a Preapplication Conference shall be scheduled with the Planning and Engineering Departments prior to application submittal

P-1415
RECEIVED
JUL 18 2014

DATE: 7-18-14

NAME OF SUBDIVISION: Duescher

ACREAGE: 4.9

NUMBER OF LOTS: 2

TYPE OF APPROVAL REQUESTED AND FEE:

(Please provide seven (7) copies of plat on 24" x 36" paper)

PRELIMINARY PLAT: \$200 plus \$20 per lot \$ _____
An 11" x 17" copy must also be provided for a preliminary plat)

VARIANCE REQUEST: \$100 per item \$ _____
(Requests for variance on design or construction standards MUST be submitted in writing with Preliminary Plat submission. The request MUST specifically state item, section, subsection, or standards that the variance relates to.)

MINOR PLAT: \$200** \$ _____

REPLAT (RE-SUBDIVISION): \$200 plus \$20 per lot (over 2 lots)** \$ 200.00

FINAL PLAT FOR CONSTRUCTION/CONSTRUCTION PLAN REVIEW:** \$ _____

\$500 plus \$10 per lot (An 11" x 17" copy must also be provided) \$ _____

SUBDIVISION CONSTRUCTION INSPECTION: \$100 per lot \$ _____

PARKS FEE: The dedication of park land, or cash payment for park acquisition, and a park development fee as defined in Ordinance 17-017 \$ _____

EXISTING LAND USE: Residential PROPOSED USE: Residential

OWNER(S): NAME: Larry R Duescher Wayne W. Duescher

ADDRESS: 418 Joehmann Lane Fredericksburg, Va, 22404

TELEPHONE: 830-997-7918 FAX: _____

EMAIL ADDRESS: LARRYD@CAENWELGE.COM

LIEN HOLDER: N/A ADDRESS: _____

*SURVEYOR: Bonn Surveying PHONE: 997-3884

ENGINEER: _____ PHONE: _____

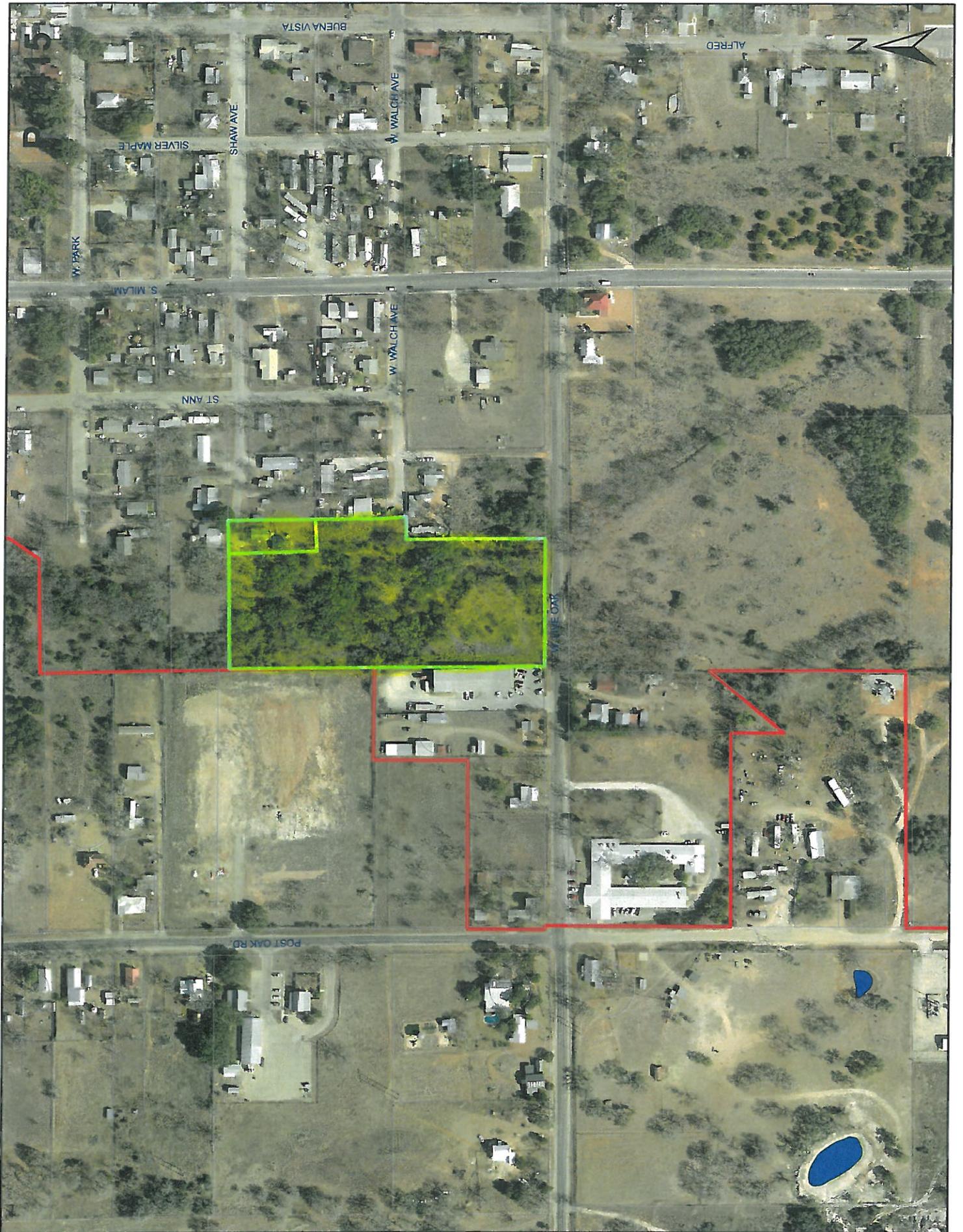
I certify that the information concerning the proposed subdivision is true and correct that I am the record owner(s) of the above described property.

Larry R Duescher Wayne W. Duescher 7/18/14
SIGNATURE OF OWNER DATE

SIGNATURE OF APPLICANT, if applicant is NOT owner DATE

**Note: Administrative Fees Only-Additional Fees will be required to record documents with the County of Gillespie. A separate check made payable to "Gillespie County Clerk" must be submitted prior to filing. County fees are as follows: Base fee for filing plat-\$105; plus \$10 per lot; plus \$6 Preservation Fee and Courthouse Security Fee. If more than 1 page, additional \$25 per page.

NOTE: A copy of a CURRENT Title search MUST be submitted before plat can be recorded.



ZONING CHANGE BRIEF

Rezoning Request # Z-1408

OWNER/APPLICANT: Daniel and Verna Fritz

LOCATION: Southwest Corner of Creek and Franklin Streets (See attached map).

SIZE: Approximately 1.0 acre

EXISTING ZONING: C-1, Neighborhood Commercial

PROPOSED CHANGE: Change in Zoning from C-1 to C-2 Commercial

FINDINGS:

- The subject property includes the main buildings and operation of the Gillespie Animal Clinic. The applicant is requesting that this 1 acre be changed from C-1 to C-2.
- The subject property along with approximately 18 adjoining acres were rezoned from R-2 to C-1 in June, 2014.
- Water and Sanitary sewer are available to serve this property.
- Adjacent zoning is R-2 to the north and east, and C-1 to the south and west. (see attached zoning map).
- The Land Use Plan identifies the subject property as well as the property to the west and south as commercial, and the property to the north and east as medium density residential.
- Adjacent land uses include residential to the north, south and east, and commercial to the west.

LAND USE PLAN: The Land Use Plan was recently changed for the subject property from Medium Density Residential to Commercial. The Commercial land use designation may include retail and office uses as well as the light commercial activities that typically need some outdoor storage, display and sales area. For the most part, this land use category is found in areas where a mix of non-residential uses already exists and where change is not anticipated. The Commercial land use designation does not distinguish between light and heavy commercial activities.

In considering a Land Use Plan or Zoning change, the Planning and Zoning Commission shall make the following determinations prior to forwarding a recommendation to the Council.

- A. Will the proposed change enhance the site and the surrounding area? **While the change may enhance the site from the owner's perspective, certain heavier**

commercial activities would not enhance the surrounding residential neighborhoods. In other words, most of the area neighbors do not object to the existing veterinary operation or its potential expansion. However, we believe that certain permitted uses such as hotels/motels, automotive sales and repair, liquor sales and retail establishments would be inappropriate and not enhance the area.

- B. Is the proposed change a better use than that recommended by the Future Land Use Map? **The Commercial land use category does not distinguish between the light and heavy commercial activities. Light commercial activities such as offices, day care centers, medical services and personal services seem more appropriate in proximity nearby neighborhoods.**
- C. Will the proposed use impact adjacent residential areas in a negative manner? Or, will the proposed use be compatible with, and/or enhance, adjacent residential areas. **The veterinary clinic which is located much closer to the residential area, seems to be a little more compatible. The point here is that it really depends on the nature and characteristics of the commercial use to determine compatibility.**
- D. Are uses adjacent to the proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility? **The veterinary clinic seems to be more compatible with the neighborhood. As for proposed uses, heavier commercial activities would be incompatible with the surrounding neighborhood, where lighter commercial activities may be fine.**
- E. Can the proposed use be served by the available public facilities and services? **Utility infrastructure is available and adequate to serve commercial uses. Roadway infrastructure, on the other hand, would not be adequate to serve intensive commercial activities.**
- F. Does the proposed use present a significant benefit to the public health, safety and welfare of the community? Would it contribute to the City's long-term economic well-being? **Only certain commercial activities would seem to present a significant public benefit to the community and contribute to the long term economic well-being.**

ZONING: The zoning of this area was considered in June of this year. While there were really no objections to the zoning proposed, and particularly the continuation of the veterinary clinic, staff and the Planning and Zoning Commission felt that certain uses in C-2 were incompatible with the surrounding neighborhood. Therefore, a recommendation of C-1 was made rather than C-2. Our position on this matter has not changed and we really do not support the spot zoning of 1 acre at the corner of Franklin and Creek.

OPPOSITION/SUPPORT OF REQUEST: None to date.

STAFF RECOMMENDATION: We believe that the change to C-1 for this area was and continues to be appropriate for this area. This allows the owner to request a change or expansion based on the Conditional Use Permit process.

Denial of the zoning change is recommended.

LAND USE - ZONING

APPLICATION FOR RE-ZONING- \$200.00

APPLICATION IS HEREBY MADE TO THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION TO AMEND THE ZONING ORDINANCE AND THE ZONING DISTRICT MAP OF THE CITY OF FREDERICKSBURG AS HEREINAFTER SET FORTH

1. APPLICANT: DANIEL J. + VERNA FRITZ
2. ADDRESS: 402 S. CREEK - FREDERICKSBURG, TX 78624
PHONE NUMBER: 997-4348 FAX NUMBER: 997-9082
3. APPLICANT EMAIL ADDRESS: GILLESPIE ANIMAL CENTER @ YAHOO.COM
4. OWNER (IF DIFFERENT FROM APPLICANT):
5. ADDRESS:
6. PHONE NUMBER: FAX NUMBER:
7. OWNER EMAIL ADDRESS:
8. DESCRIPTION OF PROPERTY INVOLVED IN THIS REQUEST:
ADDRESS: 402 S. CREEK ST.
LEGAL DESCRIPTION: 208 X 208 FOOT TRACT OUT OF
6 ACRE TRACT, SEE ATTACHED
LOT SIZE: 208 X 208
9. ZONING CHANGE REQUESTED FROM C-1 ZONING DISTRICT TO C-2 ZONING DISTRICT
10. JUSTIFICATION FOR REQUEST: PROPERTY HAS ALWAYS BEEN USED FOR COMMERCIAL USES. C-2 ZONING WOULD PERMIT LONG RANGE PLANNING FOR THE TRACT.
11. ARE THERE ANY DEED RESTRICTIONS WHICH WOULD PREVENT THIS PROPERTY FROM BEING USED IN THE MANNER HEREIN PROPOSED? NO
12. EXISTING IMPROVEMENTS ON PROPERTY: If there are any structures on the property, attach a plot plan, drawn to scale (to fit on an 11 x 17" paper, if possible) showing the location and size of all existing structures and their distance from the lot lines, plus proposed development plans if any
13. CONFORMANCE WITH LAND USE PLAN: YES NO
An application for re-zoning will not be accepted unless the requested zoning classification conforms to the Comprehensive Land Use Plan. An applicant may apply for a change in the Comprehensive Land Use Plan. An applicant may apply for a change in the Comprehensive Land Use Plan concurrently with a re-zoning application. However, the Planning & Zoning Commission and the City Council shall consider and make its recommendation or decision on the Comprehensive Land Use Plan change prior to the re-zoning.

APPLICATION FOR LAND USE PLAN CHANGE-\$200.00

APPLICATION IS HEREBY MADE TO THE CITY COUNCIL AND THE PLANNING & ZONING COMMISSION TO AVEND THE LAND USE PLAN MAP OF THE CITY OF FREDERICKSBURG AS HEREIN SET FORTH:

14. CHANGE REQUESTED FROM: LAND USE TO: LAND USE.
15. SIGNATURE OF APPLICANT:

Note: If the applicant is not the legal owner of the property, A signed statement by the owner that the applicant is the authorized agent of the owner of the property, or the signature of the owner is required:

SIGNATURE OF OWNER: Verna Fritz
VERNA FRITZ
Daniel J. Fritz
DANIEL J. FRITZ

Franklin Street

South Creek Street

208.7

208.7

Gillespie Animal Clinic

shed

shed

residence

Six (6) Acres
remainder tract
Vol. 32 - Pg. 413
Deed Records

Outlot

563

Outlot

564

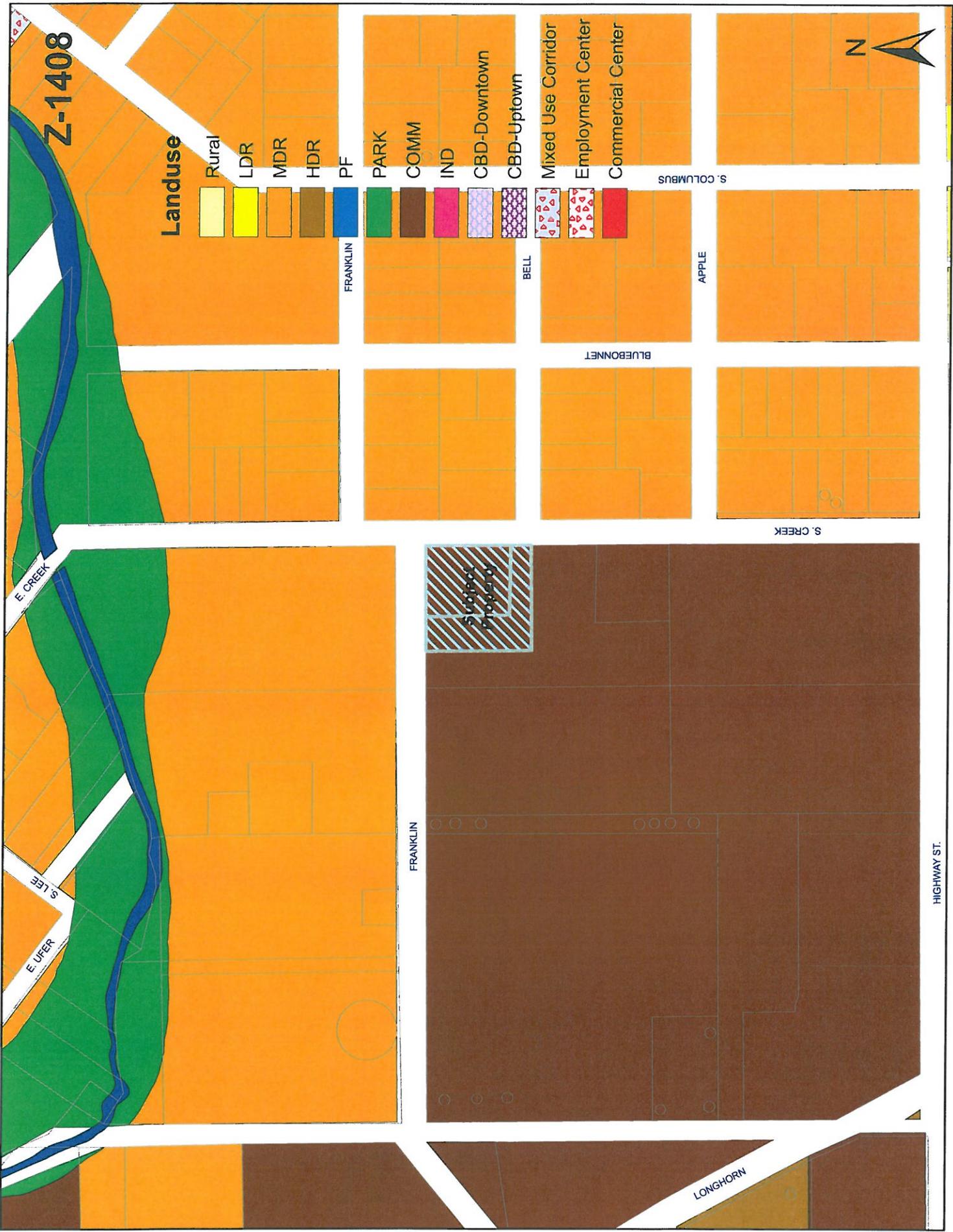
Gillespie Livestock Company
Six (6) Acres
Vol. 107 - Pg. 621
Deed Records

Doc. 20134350
R. Wunderlich, et al



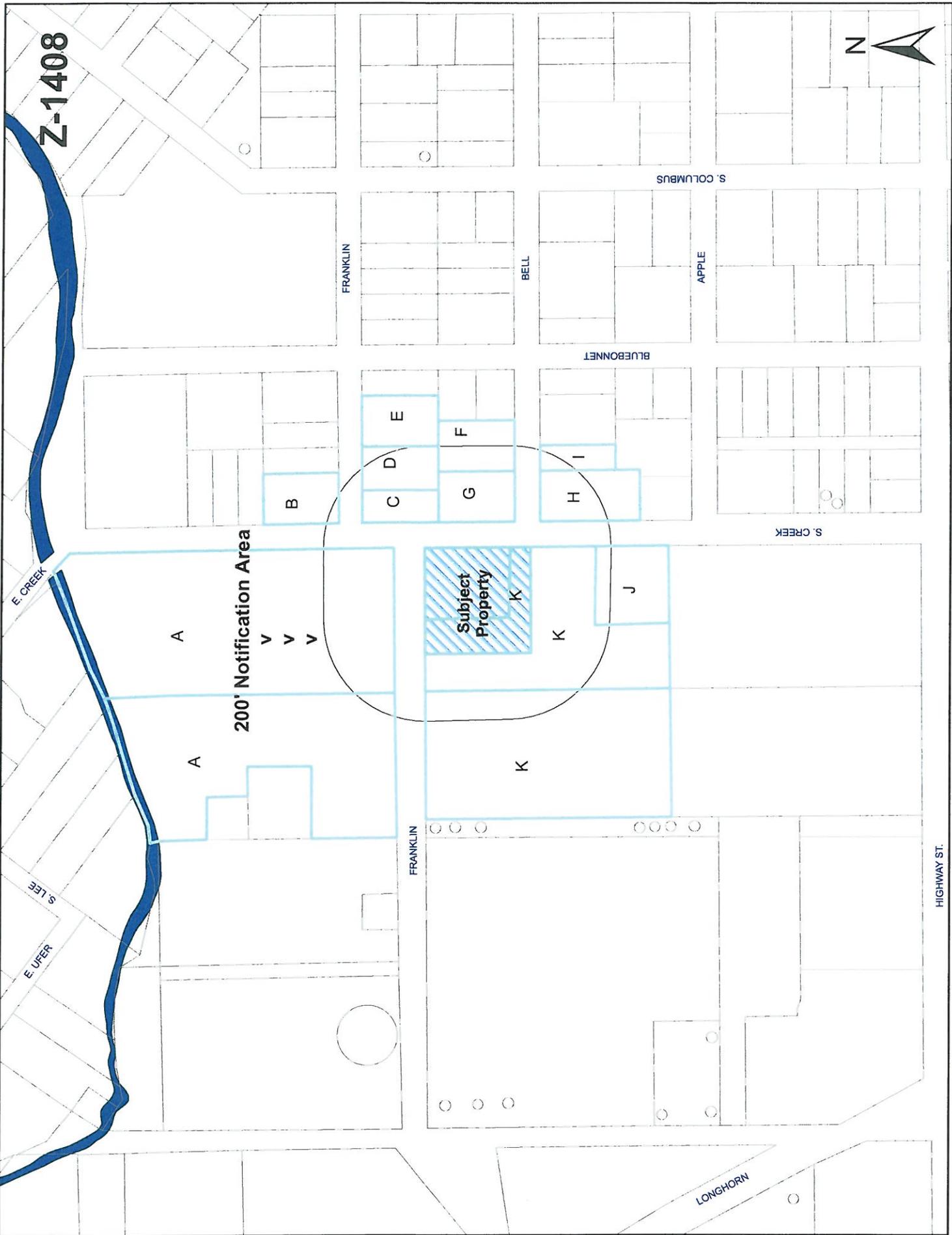
Zoning

- C1 - Neighborhood Commercial
- C2 - Commercial
- CBD - Central Business District
- M1 - Light Manufacturing
- M2 - Medium Manufacturing
- M3 - Industrial Park
- OS - Open Space
- PF - Public Facilities
- PUD - Planned Unit Development
- R1 - Single Family Residential
- R2 - Mixed Residential
- R3 - Multi-Family Residential
- R4 - Manufactured Home Residential
- R5 - Patio Home Residential





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Z-1408



18



**NOTICE OF PUBLIC HEARING FOR
A CHANGE IN ZONING**

HEARING

DATE: **SEPTEMBER 3, 2014**

TIME: **5:30 PM**

REQUEST

NUMBER: **Z-1408**

The **PLANNING & ZONING COMMISSION** of the City of Fredericksburg will hold a public hearing at the above stated time and date in the conference room of the Law Enforcement Center, 1601 E. Main St., to consider a request for a change in the Land Use Plan and Zoning.

According to City Tax Records, you are the owner of real property within 200' of the proposed change. You are **not** required to attend the meeting, but if you care to attend, you will be given full opportunity to be heard. If you cannot attend the hearing, but wish to comment on the request, please detach the response form below and return it to the City of Fredericksburg, 126 W. Main St., Fredericksburg, TX 78624. All protests must be submitted in writing.

The decision of the **PLANNING & ZONING COMMISSION** is a recommendation only. Final approval must be by action of the **CITY COUNCIL**. The public hearing by the **CITY COUNCIL** is scheduled as follows:

HEARING

DATE: **SEPTEMBER 15, 2014**

TIME: **7:00 PM**

REQUEST

NUMBER: **Z-1408**

For additional information, contact Director of Development Services, Brian Jordan at 830-997-7521.

APPLICANT: Daniel J. & Verna Fritz

LOCATION: 402 S. Creek

(see accompanying map)

REQUEST: Zoning change from C-1, Neighborhood Commercial to C-2, Commercial on approximately one acre of land fronting on Franklin and S. Creek Streets

(DETACH HERE)

REQUEST NO. Z-1408

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

Signed

Date

Printed Name

Address

ZONING CHANGE BRIEF

Rezoning Request # Z-1409

- OWNERS:** Various
- APPLICANT:** City of Fredericksburg
- LOCATION:** US Highway 290 East (See attached map).
- SIZE:** Approximately 145 acres the City is considering for annexation.
- EXISTING ZONING:** Not in the City Limits
- PROPOSED ZONING:** C-2 Commercial and RR Rural Residential

FINDINGS:

- The subject property includes a variety of uses from commercial businesses fronting the highway to residences on larger tracts.
- Five of the properties who currently have an Ag Exemption have opted for the annexation agreement not to be annexed. The accompanying map shows these properties.
- No utilities are currently available to serve the properties. As part of the annexation Service Plan, water and sanitary sewer are to be extended to serve each tract within 2 ½ years.
- The property adjoining the subject property and currently within the City Limits is zoned Public Facilities.
- The Land Use Plan identifies the property fronting on both sides of the highway as Mixed Use and the area beyond as Rural and Agricultural.

LAND USE PLAN: The Mixed Use designation represents an effort to change the typical pattern of strips of underperforming commercial development that often line highways and arterials. Rather than limiting the properties along major entry corridors to commercial uses, this category offers a variety of higher density residential and mixed use opportunities. The policy of allowing a mix of uses along major roadways supports a change in development from a pattern of older commercial structures to new projects with a variety of uses, including mixed use within an individual project or building. In the process, it reduces the excess commercial capacity along these corridors and creates locations for more affordable housing.

The Rural and Agricultural land use is intended to support the continuing operation of an important part of the area's history and economy, its farms, ranches and agricultural businesses. This designation included land in active farming or ranching use; it is also

appropriate for businesses that are based on agricultural products and that may involve production or tourism. Wineries, 'pick your own' orchards, and seed farms are some examples of these related businesses. Rural areas may include homes on large lots. They could be appropriate for lodges, resorts and some other hospitality uses. These uses do not require connections to city water or sewer systems and they are not developed at an intensity that generates a significant amount of traffic.

ZONING: The purpose of this item is to make a recommendation on the zoning of the areas being considered for annexation. Since the City does not have a Mixed Use Zone, the closest resemblance is the C-2 Commercial District. The city does have an RR – Rural Residential District (copy attached) which is intended for larger lot subdivisions. The City is proposing to zone those properties fronting along the highway as C-2, and the areas beyond as RR Rural residential (see the attached zoning map).

We discussed at the previous meeting the possibility of creating a Mixed Use District. Having considered this option, staff is of the opinion that additional time is needed to study and prepare for a new district rather than consider the matter concurrently with the annexation.

OPPOSITION/SUPPORT OF REQUEST: While we have had objections to the annexation, no specific objections have been filed for the proposed zoning.

STAFF RECOMMENDATION: Establish C-2 zoning on the properties fronting along US Highway 290 and RR zoning for the properties beyond.

**City of Fredericksburg
Proposed Annexation**

-  Civic Streets
-  Major Arterial
-  Future Major Arterial
-  Collector
-  Future Collector
-  Outer Loop Alternate 6
-  Outer Loop Alternate 9
-  Southwest Hill Country Dr.
-  Future Hard Surface Trail
-  Alternate Trail
-  City Limit Boundary
-  Potential Annexation Area

Ag Use According to GCAD Tax Role

-  Non-Ag Use
-  Ag Use
-  ROW
-  1-Mile ETJ Boundary

Annexations

INVOLUNTARY

-  Involuntary Annexations

Annexations

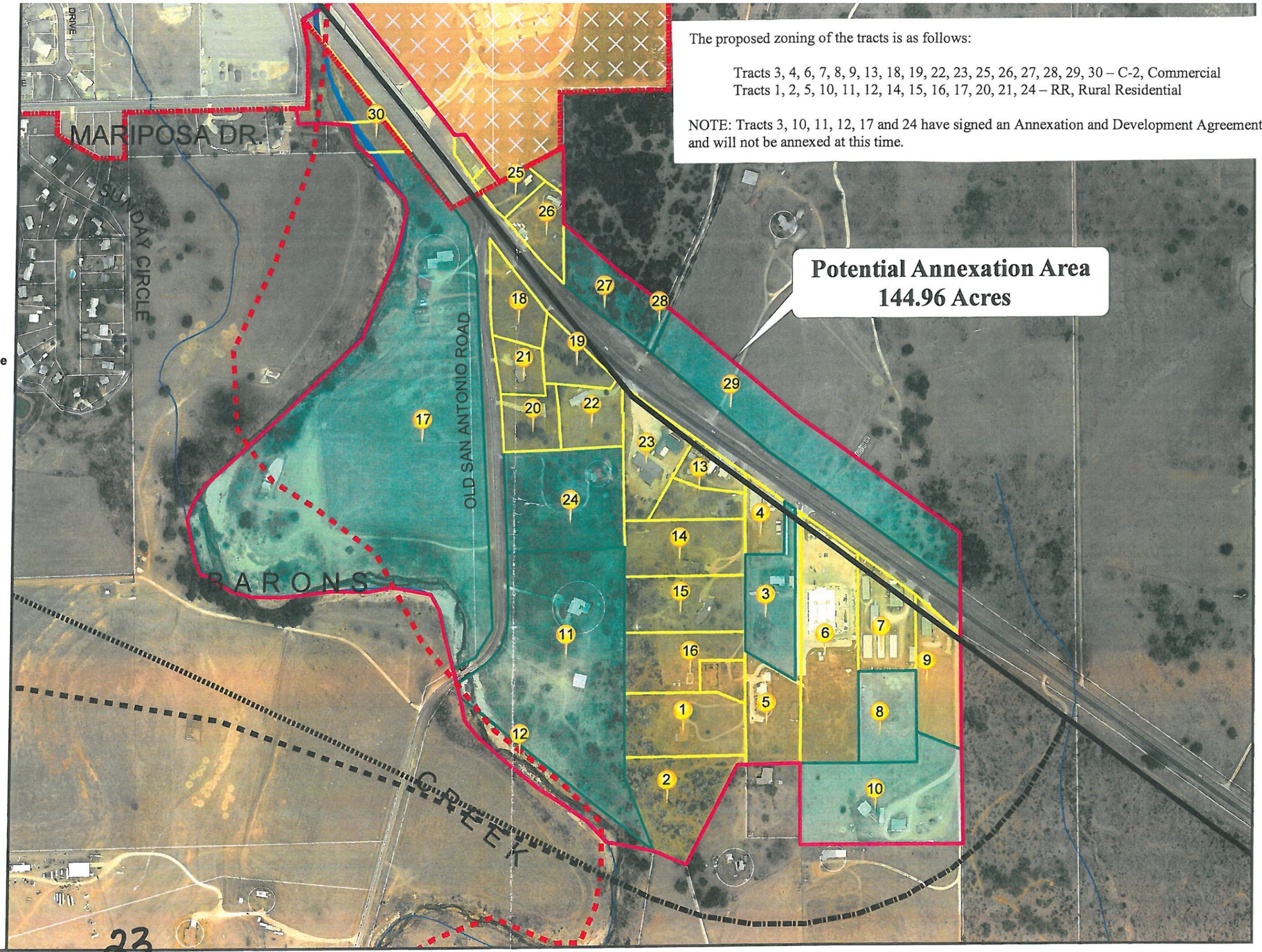
YEAR

-  1999 - 943.07 Acres
-  2000 - 2.26 Acres
-  2001 - 5.86 Acres
-  2002 - 1058.93 Acres
-  2003 - 18.95 Acres
-  2004 - 16.14 Acres
-  2005 - 27.94 Acres
-  2006 - 14.37 Acres
-  2007 - 85.11 Acres
-  2010 - 13.74 Acres

*NOTE: City Limit Boundary currently contains approximately 5,541.48 acres.



June 23, 2014



The proposed zoning of the tracts is as follows:

- Tracts 3, 4, 6, 7, 8, 9, 13, 18, 19, 22, 23, 25, 26, 27, 28, 29, 30 – C-2, Commercial
- Tracts 1, 2, 5, 10, 11, 12, 14, 15, 16, 17, 20, 21, 24 – RR, Rural Residential

NOTE: Tracts 3, 10, 11, 12, 17 and 24 have signed an Annexation and Development Agreement and will not be annexed at this time.

**Potential Annexation Area
144.96 Acres**

23

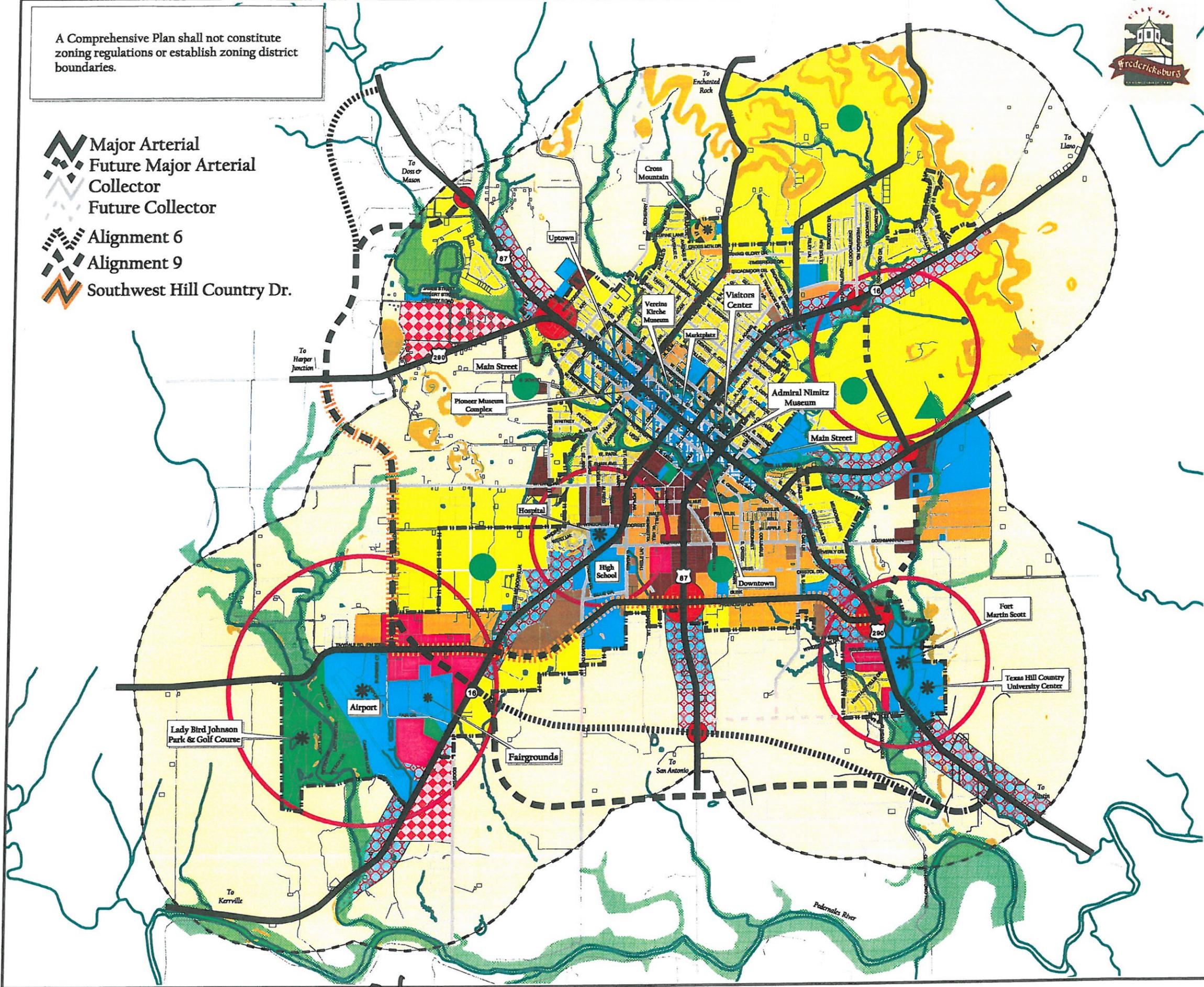
A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries.



Figure 4 City of Fredericksburg, Texas Comprehensive Plan Future Land Use Plan

- Major Arterial
- Future Major Arterial
- Collector
- Future Collector
- Alignment 6
- Alignment 9
- Southwest Hill Country Dr.

- Rural
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Public / Semi-Public
- Parks & Open Space
- Historic District
- Commercial
- Industrial
- Downtown CBD
- Uptown CBD
- Mixed Use Corridor
- Employment Center
- Commercial Center
- Steep Slopes
- 100-Year Floodplain
- Focus Area
- Major Destinations
- Other Destinations
- City Limits
- ETJ
- Creeks
- Future Neighborhood Park
- Future Community Park



Adopted:
January 23, 2006



Dunkin Sefko & Associates, Inc.
Urban Planning Consultants Dallas, Texas

Strategic Community Solutions

**City of Fredericksburg
Proposed Annexation
2014**

Zoning

- C1 - Neighborhood Commercial
- C2 - Commercial
- CBD - Central Business District
- M1 - Light Manufacturing
- M2 - Medium Manufacturing
- M3 - Industrial Park
- OS - Open Space
- PF - Public Facilities
- PUD - Planned Unit Development
- R1 - Single Family Residential
- R2 - Mixed Residential
- R3 - Multi-Family Residential
- R4 - Manufactured Home Residential
- R5 - Patio Home Residential
- RR - Rural Residential
- Opt Out - Ag Use

Flood Plain Data

- Zone A
- Zone AE
- Zone AE - Floodway
- Zone AO
- Zone X

*NOTE: City Limit Boundary currently contains approximately 5,541.48 acres.

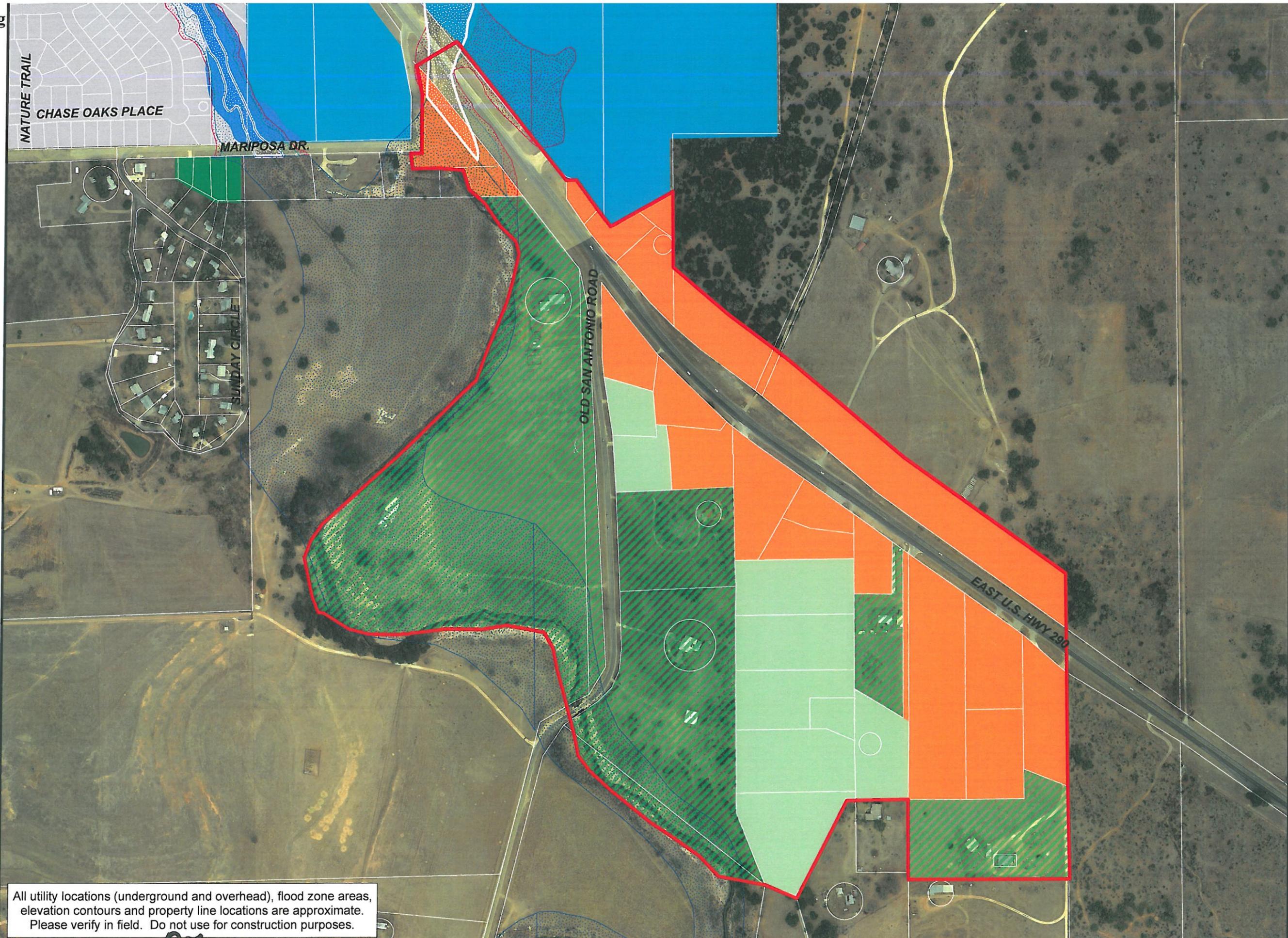
1 inch = 400 feet

August 26, 2014



All utility locations (underground and overhead), flood zone areas, elevation contours and property line locations are approximate. Please verify in field. Do not use for construction purposes.

25



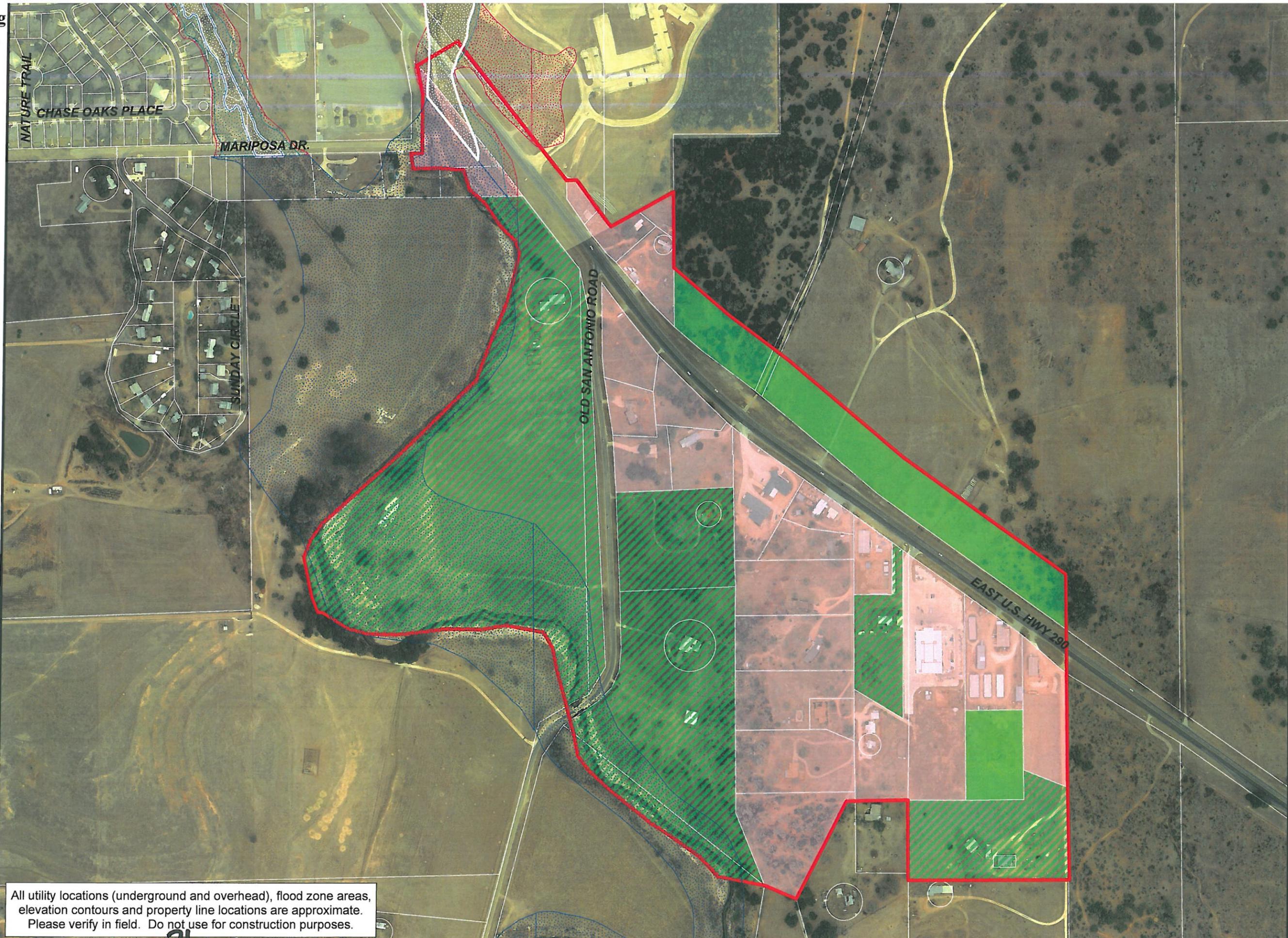
**City of Fredericksburg
Proposed Annexation
2014**

**Opt - In / Opt - Out
Ag-Use Properties**

- Non-Ag Use
- Opt In - Ag Use
- Opt Out - Ag Use

Flood Plain Data

- Zone A
- Zone AE
- Zone AE - Floodway
- Zone AO
- Zone X



*NOTE: City Limit Boundary currently contains approximately 5,541.48 acres.
1 inch = 400 feet
August 26, 2014



All utility locations (underground and overhead), flood zone areas, elevation contours and property line locations are approximate. Please verify in field. Do not use for construction purposes.

26

ORDINANCE NO. 11-004

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FREDERICKSBURG AND ADDING THE ZONING CLASSIFICATION OF RURAL RESIDENTIAL TO THE PERMISSIBLE ZONING DISTRICTS, AND ESTABLISHING PERMITTED USES, AND SITE DEVELOPMENT REGULATIONS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Fredericksburg, based upon recommendation by the Planning and Zoning Commission, has determined that there is a need for an additional single family residential district which is designed for large lot sizes in order to permit building in areas where small lot sizes are undesirable or not sustainable yet to take advantage of the natural beauty of the Hill Country area and provide a zone or zones where a more rural nature of development may occur; and

WHEREAS, the public hearings, before the Planning and Zoning Commission and the City Council of the City of Fredericksburg as required by Section 4 of the City of Fredericksburg Zoning Ordinance have been duly noticed and held regarding such additional zoning district, and

WHEREAS, the Planning and Zoning Commission has determined that such zoning district 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 established by such ordinance, that the new zoning district be created, and

WHEREAS, the City Council has specifically found, following public hearing, that such changes are consistent with the objectives of the City of Fredericksburg Zoning Ordinance and the Comprehensive Land Use Plan of the City of Fredericksburg, and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS THAT the zoning ordinance of the City of Fredericksburg be and is hereby amended to add the following section and provisions:

SECTION 3.150 RURAL RESIDENTIAL DISTRICT

PURPOSE:

The RR Rural Residential District is intended as an area for very low density residential use, with a minimum lot size of one acre. The RR District is appropriate for selected locations where rural characteristics are desired, and where terrain or public service capacities necessitate very low densities.

PERMITTED USES:

The following use types are permitted.

- a. Residential Uses
 - Single Family Residential
- b. Civic Uses
 - Community Recreation
- c. Conditional Use Permit
 - Day Care Services
 - Guidance Services
 - Private Primary Education
 - Private Secondary Education
 - Religious Assembly

SITE DEVELOPMENT REGULATIONS:

Each site in the RR Rural Residential District shall be subject to the following site development regulations.

<u>Feature</u>	<u>Regulation</u>
Minimum Site Area	To be determined by the Planning and Zoning Commission
Lot Size	43,560 square feet (1 acre)
Minimum Site Density	To be determined by the Planning and Zoning Commission
Lot Width	100 feet
Lot Depth	200 feet
Height	2 1/2 stories, 28 feet
Residential Density	One dwelling unit per lot
Front Yard	50 feet
Street Side Yard	50 feet
Interior Side Yard	20 feet
Rear Yard	20 feet

Building Coverage	Maximum coverage, 20 percent of lot area
Impervious coverage	Maximum coverage, 25 percent of lot area
Water Wells	Prohibited
Streets	31" - "RR Type" with curbs
Nonconforming Uses	Section 6.100
Special Yard Regulations	Section 7.300
Fences, Walls and Visibility	Section 7.530
Parking	Section 7.800
Temporary/Accessory Buildings	Section 8.000
Home Occupations	Section 8.300

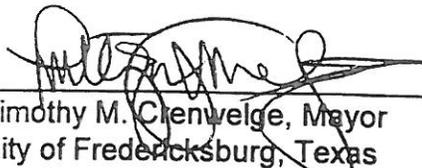
BE IT FURTHER ORDAINED THAT Appendix "D" of the Zoning Ordinance of the City of Fredericksburg be and is hereby amended to include said RR District in its schedule of uses.

If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable.

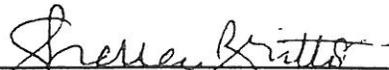
All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

This ordinance shall be effective from and after the date of its passage and publication in accordance with the law.

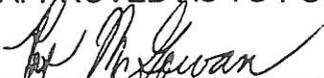
PASSED AND APPROVED this the 26th day of February, 2001.


 Timothy M. Crenwelge, Mayor
 City of Fredericksburg, Texas

ATTEST:


 Shelley Britton, City Secretary

APPROVED AS TO FORM:


 Pat McGowan, City Attorney

Owners within 200' of Annexation Area

Owner	Address
City of Fredericksburg	1606 E. Main
City of Fredericksburg	2818 E. US Hwy 290
Donald E. & Marcia G. Dietz	3132 E. US Hwy 290
Curtis A. Cameron etal	173 Cameron Rd
Cecil Crenwelge etal	3567 E. US Hwy 290
Bill C. Wiemers	245 Danz Ln
John L. & Donna Roming	243 Danz Ln
Steve W. & Nicole V. Kroeger	0 Danz Ln
Mike M. & Doris J. Eckert	309 Old San Antonio Rd
Sharon Hodges	26 Old San Antonio Rd
Kenneth J. Schindler	105 Mariposa Dr.
Texas Highway Dept.	1623 E. Main St.



NOTICE OF PUBLIC HEARING FOR ZONING DESIGNATION ON POTENTIALLY ANNEXED PROPERTY

HEARING

DATE: SEPTEMBER 3, 2014

TIME: 5:30 PM

REQUEST

NUMBER: Z-1409

The **PLANNING & ZONING COMMISSION** of the City of Fredericksburg will hold a public hearing at the above stated time and date in the conference room of the Law Enforcement Center, 1601 E. Main St., to consider a request for a change in the Land Use Plan and Zoning.

According to City Tax Records, you are the owner of real property being considered for annexation. You are **not** required to attend the meeting, but if you care to attend, you will be given full opportunity to be heard. If you cannot attend the hearing, but wish to comment on the request, please detach the response form below and return it to the City of Fredericksburg, 126 W. Main St., Fredericksburg, TX 78624. All protests must be submitted in writing.

The decision of the **PLANNING & ZONING COMMISSION** is a recommendation only. Final approval must be by action of the **CITY COUNCIL**. The public hearing by the **CITY COUNCIL** is scheduled as follows:

HEARING

DATE: SEPTEMBER 15, 2014

TIME: 7:00 PM

REQUEST

NUMBER: Z-1409

For additional information, contact Director of Development Services, Brian Jordan at 830-997-7521.

APPLICANT: City of Fredericksburg

LOCATION: 144.9616 acres of land located on Highway 290 East
(see accompanying map)

REQUEST: Assign zoning designation of C-2, Commercial or RR, Rural Residential on property being considered for annexation(see attached map for proposed zoning on each tract)

(DETACH HERE)

REQUEST NO. Z-1409

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

Signed

Date

Printed Name

Address



NOTICE OF PUBLIC HEARING FOR ZONING DESIGNATION ON POTENTIALLY ANNEXED PROPERTY

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