

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

**PLANNING & ZONING COMMISSION
June 8, 2011
5:30 PM**

On this the 8th day of June, 2011, 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
BRENDA SEGNER
CHARLIE KIEHNE
CHRIS KAISER
FRITZ METZGER
RON WOELLHOF
JASON HELFRICH

ABSENT: STEVE THOMAS
GUENTHER MAENIUS

ALSO PRESENT: BRIAN JORDAN - Director of Development Services
CRAIG WALLENDORF - Director of Public Works
KYLE STAUDT - Building Inspector

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

PUBLIC HEARINGS

Fritz Metzger stepped down from the Commission for the consideration of Z-1102 stating he owned property within 200 feet of the subject property.

PUBLIC HEARING (Z-1102) BY BURY & PARTNERS ON BEHALF OF HEB GROCERY COMPANY AT 407 S. ADAMS TO AMEND PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW A PERMANENT SHADE CANOPY WITHIN THE FRONT SIDEWALK AND THE ADDITION OF A SINGLE DIESEL FUEL DISPENSER ISLAND WITH CANOPY COVER - It

was moved by Ron Woellhof and seconded by Brenda Segner to open public hearing Z-1102 by Bury & Partners on behalf of HEB Grocery Company at 407 S. Adams to amend PUD (Planned Unit Development) to allow a permanent shade canopy within the front sidewalk and the addition of a single diesel fuel dispenser island with canopy cover. Mark Johnson with Bury & Partners presented the application. Mr. Johnson noted an interior remodel is already underway at HEB and they would also like to install a shade canopy on the front of the store, between the two entries. Mr. Johnson stated they want to provide a better shopping experience for their customers by providing shade in that area. The canopy will be a cloth cover with metal columns. Mr. Johnson noted the proposed diesel station is in response to customer requests and noted they are looking at a stand alone canopy, similar to what is already in place. Mr. Johnson stated no new signage will be requested. Mr. Johnson stated there are some space limitations so a tree will have to be removed, but the project allows for additional landscaping. Mr.

Johnson also commented there will need to be some small changes for better vehicular circulation around the existing pumps and the new proposed pump. Mr. Johnson stated they want to keep the traffic for the different pumps separate. Ron Woellhof moved to close Public Hearing Z-1102 and Jason Helfrich seconded. All voted in favor and the motion carried.

STAFF COMMENTS

Brian Jordan, Director of Development Services, highlighted the applicant's original PUD approval and noted that creating a PUD allowed HEB the opportunity to have some things that may not have been allowed under a normal zoning district, but it also allowed Staff to have some input on the site. Mr. Jordan stated what they are now proposing was not included on their original plan and that is why it has to be considered. Mr. Jordan commented the Planning & Zoning Commission has heard other applications that called for more than the allowed three fuel dispensers under a single canopy, and those requests have been denied. Mr. Jordan noted Staff recommendation of approval for the shade canopy and noted the request for an additional fuel pump is a deviation from what has been allowed, and although Staff is not opposed to the additional pump, they do not feel HEB should be allowed an additional pump until the ordinance is amended so other businesses will be afforded the same opportunity.

Charlie Kiehne noted he was in favor of looking at the ordinance when other applicants applied for more fueling dispensers than are allowed, but he does not believe HEB should have the opportunity to add an additional pump until other business owners are allowed the same.

Ron Woellhof moved to approve the shade canopy along the storefront sidewalk and deny the installation of a single diesel fuel dispenser island. Jason Helfrich seconded the motion. All voted in favor and the motion carried.

PUBLIC HEARING (Z-1103) BY THE CITY OF FREDERICKSBURG TO:

A) CONSIDER A CHANGE IN THE LAND USE PLAN FROM PUBLIC/SEMI-PUBLIC TO CBD (CENTRAL BUSINESS DISTRICT) - UPTOWN ON PROPERTY LOCATED AT 610 W. MAIN ST.

B) CONSIDER A CHANGE IN ZONING FROM PF, PUBLIC FACILITIES, TO C-2, COMMERCIAL, ON SUBJECT PROPERTY. - Chris Kaiser moved to open Public Hearing Z-1103 by the City of Fredericksburg to: A) Consider a change in the land use plan from Public/Semi-Public to CBD (Central Business District)- Uptown on property located at 610 W. Main St. and B) Consider a change in zoning from PF, Public Facilities, to C-2, Commercial, on subject property. Jason Helfrich seconded the motion. All voted in favor and the motion carried. Brian Jordan, Director of Development Services for the City of Fredericksburg, presented the application and noted he has been looking at areas of town where zoning needs to be cleaned up. Mr. Jordan noted the property in question should have been re-zoned in 2001 when a Conditional Use Permit was granted for a drive-through lane, but it was overlooked. Mr. Jordan noted the property was part of a three-way swap between the City, the Historical Society and St. Joseph's Credit Union. The subject property was where the City's water department was located and that is the reason it was zoned Public Facilities. Mr. Jordan noted the City wishes to zone it consistent with property on either side, which is C-2 zoning and a land use plan of CBD-Uptown. Mr. Jordan also stated three letters have been received in opposition since the time the brief was printed, which states no letters were received. Mr. Jordan commented he believes those neighbors are concerned with what is permitted in C-2 because they live in a Single Family Residential zoning district adjacent to the subject property. Mr. Jordan noted Staff recommendation of approval. Ron Woellhof moved to close Public Hearing Z-1103 and Chris Kaiser seconded. All voted in favor and the motion carried.

Charlie Kiehne moved to approve application Z-1103. Fritz Metzger seconded the motion. All voted in favor and the motion carried.

MINUTES

Charlie Kiehne moved to approve the minutes from the May 2011 meeting as presented. Ron Woellhof seconded the motion. All voted in favor and the motion carried.

ADJOURN

With nothing further to come before the Commission, Fritz Metzger moved to adjourn. Ron Woellhof seconded the motion and the meeting was adjourned at 6:19 p.m.

PASSED AND APPROVED this the 6th day of July, 2011.

SHELLEY BRITTON, City Secretary

JANICE MENKING, Chairman