

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

**PLANNING & ZONING COMMISSION
February 8, 2012
5:30 P.M.**

On this the 8th day of February, 2012, 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
CHARLIE KIEHNE
CHRIS KAISER
STEVE THOMAS
RON WOELLHOF
BRENDA SEGNER
MATT LINES
BJORN KIRCHDORFER
JASON HELFRICH

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.

PUBLIC HEARINGS

PUBLIC HEARING (Z-1201) BY THE CITY OF FREDERICKSBURG FOR A CHANGE IN ZONING FROM M-2, MEDIUM MANUFACTURING TO PF, PUBLIC FACILITIES, ON APPROXIMATELY 4.0 ACRES OF LAND LOCATED AT 1601 E. MAIN

- It was moved by Ron Woellhof and seconded by Chris Kaiser to open public hearing Z-1201 by The City of Fredericksburg for a change in zoning from M-2, Medium Manufacturing to PF, Public Facilities, on approximately 4.0 acres of land located at 1601 E. Main. Brian Jordan, Director of Development Services, presented the application and stated he received an inquiry from the consultants for the county who are investigating the need for a new jail site and the subject of zoning came up during that discussion. Mr. Jordan noted the proposed zoning is intended to reflect the ownership and the nature of the uses that are currently in place.

Mr. Jordan noted the total area of the property is approximately four acres, a two acre tract that is owned jointly by the city and the county, and an adjacent two acre tract that is owned exclusively by the county. Mr. Jordan noted the land use plan already designates the properties with a Public Facilities use and the change in zoning would reflect what the land use plan already does. Mr. Jordan noted there is a letter from the County Judge stating his support of the zoning change. Mr. Jordan noted no letters were received in support or opposition of the request. Ron Woellhof moved to close Public Hearing Z-1201 and Brenda Segner seconded the motion. All voted in favor and the motion carried.

Brenda Segner moved to approve application Z-1201. Matt Lines seconded the motion. All voted in

favor and the motion carried.

PUBLIC HEARING (Z-1202) BY JUDY BOATWRIGHT FOR A CONDITIONAL USE PERMIT TO ALLOW LIMITED RETAIL SALES AND LIMITED RESTAURANT USE IN THE C-1, NEIGHBORHOOD COMMERCIAL ZONING DISTRICT LOCATED AT 619 S. WASHINGTON

- It was moved by Ron Woellhof and seconded by Bjorn Kirchdorfer to open Public Hearing Z-1202 by Judy Boatwright for a Conditional Use Permit to allow limited retail sales and limited restaurant use in the C-1, Neighborhood Commercial Zoning District located at 619 S. Washington. Judy Boatwright presented the application and noted she had previously been granted a Conditional Use Permit for this use at a site on Main Street, but she never opened the business and has been looking for a different location since then. Ms. Boatwright noted the house has 6 bedrooms, 4 downstairs and 2 upstairs, that they would like to fill with antiques for sale as well as provide a place local residents can bring their goods to sell. Ms. Boatwright commented they will possibly make the living room and dining room into a tea room at a later date to serve limited food items during lunch hours only. Ms. Boatwright stated the hours of operation will be 10:00 a.m. to 6:00 p.m. during the week and 10:00 a.m. to 7:00 p.m. on Fridays and Saturdays. Ms. Boatwright also noted hours of operation on Sundays will be 12:00 p.m. to 5:00 p.m.. Ms. Boatwright stated these hours will be the maximum amount of time they will stay open and during slow seasons, the hours may be reduced. Ms. Boatwright noted there is currently parking in the front of the building and they have planned out the back area to allow for 16 total parking spaces. Ms. Boatwright stated they would like to open March 12, 2012, which is 98 years since the house was built and purchased.

Ron Woellhof moved to close Public Hearing Z-1202 and Jason Helfrich seconded the motion. All voted in favor and the motion carried.

STAFF COMMENTS

Brian Jordan, Director of Development Services, commented there is a similar type business a few properties to the south of this location and that owner has submitted a letter in support of the request. Mr. Jordan commented the area that is included in this application is only a portion of the property that Mr. George owns. Mr. Jordan stated the lot depth is approximately 270 feet and 73 feet in width. Mr. Jordan commented there needs to be some clean up work on the back portion of the property but there is ample room for parking, and also noted the parking area is proposed to be an all weather parking surface. Mr. Jordan stated the critical thing for the Commission to consider is if what is proposed meets the definition of limited retail and limited restaurant. Mr. Jordan commented even though the property is large, Staff expects the retail business to be small and limited with limited traffic, signs and lights. Mr. Jordan commented Staff believes the business falls into the criteria of limited retail and stated two letters were receive in favor of the application. Mr. Jordan noted Staff recommendation of approval with the following conditions:

- 1) Limited hours of operation not to exceed
10:00 a.m. - 6:00 p.m Monday through Thursday
10:00 a.m. - 7:00 p.m Friday and Saturday
12:00 p.m. - 5:00 p.m. Sunday
- 2) A 5 foot landscape buffer be provided between the parking in front of the building and the street.
- 3) Any modifications to the building must meet building and health code requirements.

Mr. Jordan also noted a requirement to provide a sidewalk could be made part of the recommendation if

the Commission is inclined to do so because the proposal is for a commercial business located on a major thoroughfare. Mr. Jordan stated if a new building was being constructed a sidewalk would be required and since the use of the existing building is changing, a sidewalk could be required. Charlie Kiehne asked if the sidewalk could be constructed with some material other than concrete and Mr. Jordan stated it would have to be concrete. Bjorn Kirchdorfer asked about parking and suggested the front area be for handicapped parking only. Mr. Kirchdorfer also asked if deliveries and pick ups would be relegated to the back parking area so as not to block entrance to the property. Mr. Jordan noted the code only requires one handicap parking space so the entire front parking area does not need to be handicapped spaces. Mr. Jordan also noted he expects a limited flow of traffic in and out of the property, so he does not feel it is necessary to put requirements on the parking lot use. Charlie Kiehne asked if the driveway is wide enough for one lane in and one lane out and Mr. Jordan stated it is really only wide enough for a single vehicle. Mr. Kiehne also added a sidewalk is important and believes that should be a requirement on the recommendation and then left up to the Council to decide if it should be required for approval. Mr. Kirchdorfer asked if there are any other sidewalks in the block and Mr. Jordan stated there was not and the closest one is in the adjacent block. Mr. Kirchdorfer stated he is against requiring a sidewalk. Charlie Kiehne moved to approve Application Z-1202 with the requirements set forth by Staff as well as the condition a sidewalk be provided. Ron Woellhof seconded the motion. All voted in favor with the exception of Bjorn Kirchdorfer who opposed due to the sidewalk requirement. The motion carried.

DISCUSSIONS

DISCUSS PROPERTIES AT 603 AND 605 S. WASHINGTON ST., AND 508 LONGHORN ST., AND CONSIDER INITIATING A PUBLIC HEARING TO CHANGE THE LAND USE AND ZONING ON SAID PROPERTIES. - Brian Jordan, Director of Development Services, noted this request came about when an adjoining piece of property was re-zoned, and the Commission suggested the remainder of the properties in the area also be re-zoned. Mr. Jordan stated a letter was sent to two of the three property owners and the other owner was contacted by phone. Mr. Jordan stated the owner he spoke to has no problem with the zoning being changed and there has been no response from the other two owners. Mr. Jordan commented he takes that as an understanding there is not a strong objection to the zoning being changed. Mr. Jordan stated if the Commission believes anything else should be done before the zoning change is initiated, that should be stated, otherwise he noted Staff recommendation to move forward with the zoning change request. The Commission directed City Staff to move forward with the re-zoning application.

DISCUSS PROPERTIES AT 1906 N. LLANO AND 95 FREDERICK AND CONSIDER INITIATING PUBLIC HEARING TO CHANGE THE LAND USE AND ZONING ON SAID PROPERTIES. - Brian Jordan, Director of Development Services, noted the uses on these properties are county facilities and the fire department sub-station. Mr. Jordan commented he will contact the County Judge to let him know the City is wanting to initiate the change and recommended the zoning change be initiated. The Commission directed City Staff to move forward with an application for a land use and zoning change.

MINUTES

Ron Woellhof moved to approve the minutes from the January 2012 meeting as presented. Chris Kaiser seconded the motion. All voted in favor and the motion carried.

WAYFINDING SIGNAGE UPDATE

Brian Jordan, Director of Development Services, stated it is finally time for the signs to start going up. Mr. Jordan noted the contractors are mobilizing on February 20th and plan to have phase 1 of the project substantially complete by March 9th, the Friday before Spring Break, which was a requirement of the City Council. Mr. Jordan stated approximately 50 signs will be put in place during phase 1. Mr. Jordan commented they continue to have problems with TXDOT approving signs in their right-of-way so they have decided to back those signs out of phase 1 and put signs in place that are within the purview of the City. Mr. Jordan then presented a powerpoint presentation of mock ups of signs in different areas of town.

ADJOURN

With nothing further to come before the Commission, Bjorn Kirchdorfer moved to adjourn. Brenda Segner seconded the motion and the meeting was adjourned at 6:38 p.m.

PASSED AND APPROVED this the 7th day of March, 2012.

SHELLEY BRITTON, City Secretary

JANICE MENKING, Chairman