AGENDA
CITY OF FREDERICKSBURG
PLANNING & ZONING COMMISSION
Wednesday, December 7, 2011
5:30 P.M.
LAW ENFORCEMENT CENTER, 1601 E. MAIN ST.

PAGE REF.

1. Call to Order

2. Approve minutes from the November 2011 Regular Meeting *Pp 1 - 4*

PUBLIC HEARINGS

3. PUBLIC HEARING (Z-1106A) by The City of Fredericksburg to: *Pp 5 - 15*

   A) Consider a change in the Land Use Plan from Public/Semi-Public and Medium Density Residential to Commercial on property located at 103 W. Travis; and

   B) Consider a change in zoning from R-2, Mixed Residential, to C-1, Neighborhood Commercial, on said property

4. Consider making a recommendation on Z-1106 and Z-1106A *Pp 16 - 21*

5. PUBLIC HEARING (Z-1108) by Frederick Petmecky and William Petmecky to: *Pp 22 - 34*

   A) Consider a change in the Land Use Plan from High Density Residential to Commercial on a 0.141 acre portion of the property located at 504 Longhorn Street; and

   B) Consider a change in zoning from R-3, Multi-Family Residential, to C-2, Commercial, on said property

6. Consider making a recommendation on Z-1108

SITE PLANS

7. SP-1101 - Consider a Site Plan for Mr. Gatti's at 134 Boos Lane *Pp 35 - 40*

8. SP-1102 - Consider a Site Plan for One Fredericksburg Medical Center Subdivision at 1312 S. St. Hwy 16 *Pp 41 - 47*

PLATS

9. P-1111- Consider vacating pages 2 and 3 of the Carriage Park Subdivision plat *Pp 48 - 51*

DISCUSSIONS

10. Update on Non-Conforming Convenience Store/Self-Serve Gasoline uses

ADJOURN

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

PLANNING & ZONING COMMISSION
November 9, 2011
5:30 P.M.

On this the 9th day of November, 2011, the PLANNING AND ZONING COMMISSION convened in regular session at City Hall with the following members present to constitute a quorum:

JANICE MENKING - Chair
BRENDA SEGNER
CHARLIE KIEHNE
CHRIS KAISER
STEVE THOMAS
RON WOELLHOF
JASON HELFRICH
MATT LINES

ABSENT: BJORN KIRCHDORFER

ALSO PRESENT: BRIAN JORDAN - Director of Development Services
CRAIG WALLENDORF -Director of Public Works
TAMMIE LOTH - Development Coordinator

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

PUBLIC HEARINGS

PUBLIC HEARING (Z-1106) BY VORDENBAUM ENGINEERING, INC. ON BEHALF OF ROBERT CONNELLY TO:
A) CONSIDER A CHANGE IN THE LAND USE PLAN FROM MEDIUM DENSITY RESIDENTIAL TO COMMERCIAL ON PROPERTY LOCATED AT 304 N. ADAMS
B) CONSIDER A CHANGE IN ZONING FROM R-2, MIXED RESIDENTIAL, TO C-1, NEIGHBORHOOD COMMERCIAL, ON SAID PROPERTY - It was moved by Ron Woellhof and seconded by Jason Helfrich to open public hearing Z-1106 by Vordenbaum Engineering, Inc. on behalf of Robert Connelly to: A) Consider a change in the Land Use Plan from Medium Density Residential to Commercial on property located at 304 N. Adams B) Consider a change in zoning from R-2, Mixed Residential, to C-1, Neighborhood Commercial, on said property. Kevin Spraggins of Vordenbaum Engineering presented the application and distributed a memo and photos of the surrounding area. Mr. Spraggins noted the building was constructed in 1918 and it has been used for commercial uses since that time. Mr. Spraggins outlined the tenants that have been in the building and noted there has not been anyone occupying the building since 2010, so the 90 day time period that is allowed for retaining the non-conforming use has expired, and that is the reason they are requesting a zoning change. Mr. Spraggins noted at some point the property was zoned R-2 through the city's Comprehensive Plan even though it had always been commercial before that point. Mr. Spraggins stated although there is primarily residential zoning and no commercial zoning in the area, there are several uses that are not residential.

Duane Durst spoke on behalf of the Social Turn Verein at 103 W. Travis and stated they have no problem with the zoning being changed to C-1, but they would also like to be considered for a zoning change on their property.

Greg Oehler, Realtor, stated his personal opinion is that the change in zoning to R-2 was a tragic strike of a pen, and the building was not designed for residential or used for residential, and he hopes the mistake can be corrected with a zoning change.

Marlene Pylate at 408 N. Adams stated once the change is made in zoning it opens the door to allow many different uses, and since it is so close to a residential area there could be problems with the noise and traffic. Ms. Pylate also noted the property is located inside the Historic District.

Mr. Oehler added he respects Ms. Pylate's comments but the subject property was used for commercial uses long before she bought either one of the two properties she owns in close vicinity to the property.

Ron Woellhof moved to close Public Hearing Z-1106 and Chris Kaiser seconded the motion. All voted in favor and the motion carried.

STAFF COMMENTS

Brian Jordan, Director of Development Services, went over the formal criteria for the property and noted Staff believes creating a zoning district with more than one property would be more appropriate than rezoning this one property. Mr. Jordan also commented as the use is intended, he does not believe there would be any adverse effect on the neighborhood. Mr. Jordan noted C-1 is intended for a use with limited traffic, intensity and noise and that is the reason it is used adjacent to residential zoning districts. Mr. Jordan stated the best he can tell the property was zoned for commercial use until 1986 or 1987. Mr. Jordan stated as a stand alone property, commercial zoning is not appropriate, but as far as the uses, C-1 permitted uses are very limited and some uses are allowed in an R-2 zoning district, so he believes those would be appropriate for the property. Mr. Jordan commented if the zoning is changed and an application is received for a Conditional Use Permit, the Commission would have the opportunity to review the project and if it is inappropriate fo the area they could deny the application. Mr. Jordan noted there are several options the Commission has which include approving the request, denying the request, or look at enlarging the area to be re-zoned to create a zoning district as opposed to re-zoning a single property.

Charlie Kiehne commented the building has always been used for business uses and this would be a good time to correct the mistake made when the property was zoned residential. Mr. Kiehne stated he does not believe any of the businesses that are allowed in C-1 zoning district would negatively impact the neighborhood and voiced his support of allowing the zoning change and including the adjacent property in a zoning change.

Steve Thomas commented he agrees with Mr. Kiehne but also suggested the property where the town pool is located should be taken into consideration for a zoning change. Mr. Thomas noted the pans for this property are not yet know so there should possibly be more discussion before a decision is made concerning the subject property.

Mr. Spraggins added the subject property will have limits put on it due to the fact it is a historic property and it is located in the Historic District.

Charlie Kiehne moved to table Application Z-1106 and asked City Staff to begin the process to include Turner Hall at 103 WS. Travis in the zoning and land use change request. Ron Woellhof seconded the

motion., All voted in favor and the motion carried.

Janice Menking stepped down from the Commission for the consideration of Public Hearing Z-1107 and Brenda Segner took over as chair.

PUBLIC HEARING (Z-1107) BY SKICAT, LLC FOR AN AMENDED CONDITIONAL USE PERMIT TO ALLOW A CONDOMINIUM USE ON A 4.44 ACRE TRACT OF LAND LOCATED NORTH OF MUELLER STREET, WEST OF LONGHORN STREET, AND EAST OF WASHINGTON STREET - It was moved by Steve Thomas and seconded by Jason Helfrich to open Public Hearing Z-1107 by Skicat, LLC for an amended Conditional Use permit to allow a condominium use on a 4.44 acre tract of land located north of Mueller Street, west of Longhorn Street, and east of Washington Street. Robert Menking, Realtor for the project, presented the application. Mr. Menking noted Skicat, the company that is purchasing the property, is a small family corporation that has been looking for a real estate investment and his fits their needs. Mr. Menking stated the project was originally approved with a Conditional Use Permit and is zoned R-3, which allows a condominium use. Mr. Menking noted the new proposed owners are asking for a change to page 2 of the original plat, which currently has 36 lots. Mr. Menking stated they would also like to change the floorplans that were originally presented. Mr. Menking stated the applicants have twelve different floorplans and any floorplan can be put on any one of the proposed 35 lots. Mr. Menking commented as the Conditional Use Permit was approved, there are 36 lots with specific floorplans attached to each lot. Mr. Menking also stated there will be covenants put in place so two identical houses will not be built next to each other.

Jason Helfrich moved to close Public Hearing Z-1107. Chris Kaiser seconded the motion. All voted in favor and the motion carried.

STAFF COMMENTS

Brian Jordan, Director of Development Services, noted the Planning and Zoning Commission is being asked to amend the Conditional Use Permit so the original one will be null and void and the current proposed one will be the approved one. Mr. Jordan stated the density of the project is not changing and the layout is not changing, but the new owners do have some items to follow up on. Mr. Jordan commented the streets are just access drives and not dedicated city streets. Mr. Jordan noted Staff recommendation of approval with the following conditions:

1) The landscaping originally approved as part of the streetscape be installed.
2) Approval of Condominium covenants by the City Attorney prior to occupancy.
3) All infrastructure originally installed be brought back to an acceptable condition.
4) A minimum of 2 parking spaces be provided off the interior street/drive per unit.

Charlie Kiehne moved to approve Application Z-1107 with the conditions set forth by staff. Jason Helfrich seconded the motion. All voted in favor and the motion carried.

Janice Menking returned to the Commission as chair,.

PLATS

P-1109 - CONSIDER FINAL PLAT FOR ADEMIRAL HEIGHTS, PHASE 1 - Graham Pearson, Project Manager, presented the application. Mr. Pearson noted Michael Dorris, owner of the property,

purchased 380 acres six or seven years ago and his plan is to develop properties similar to Stoneridge with larger lots. Mr. Pearson stated the elevation is too high for the city to provide water so each lot will be on an individual well and septic and the water well studies have been completed. Mr. Pearson stated the initial phase is a 1200 foot cul-de-sac that opens up four lots, two of which have been sold. Mr. Pearson noted when the other two lots are sold, that will allow Mr. Dorris enough incentive to complete the development.

STAFF COMMENTS

Brian Jordan, Director of Development Services, noted there was a master plan that showed 15 lots and the applicants have come back with these four lots as a preliminary plat. Mr. Jordan also noted there has been discussion about the length of the cul-de-sac, which was approved by the Planning and Zoning Commission. Mr. Jordan noted the applicants have submitted construction plans and they have been reviewed by Engineering. Mr. Jordan noted the approval of this final plat is the next step that has to be taken in order for the applicant to begin construction on their roadways. Mr. Jordan noted Staff recommendation of approval.

Craig Wallendorf, Direct of Public Works, commented the City will not build the roadway in an easement, it will have to be a dedicated right-of-way, so the easement will have to be re-dedicated as right-of-way before the street can be constructed. Mr. Wallendorf wanted the applicant to be clear the easement is third party ownership and the owner of Lot 2 will have to dedicate that portion as right-of-way.

Ron Woellhof moved to approve P-1109. Brenda Segner seconded the motion. All voted in favor and the motion carried.

MINUTES

Ron Woellhof moved to approve the minutes from the October 2011 meeting as presented. Jason Helfrich seconded the motion. All voted in favor and the motion carried.

ADMINISTRATIVE APPROVALS

P-1103 - REPLAT - WALCH TERRACE EAST (STROEHER & OLFERS) - Mr. Jordan noted this is a piece of property Stroeher and Olfers owns and where the new Sears building will be constructed.

P-1107 - RESUB OF TOWNLOT NO. 553 - Mr. Jordan noted this lot used to run between Schubert and Travis but it has been subdivided and a house has been moved onto the lot.

ADJOURN

With nothing further to come before the Commission, Jason Helfrich moved to adjourn. Matt Lines seconded the motion and the meeting was adjourned at 6:44 p.m.

PASSED AND APPROVED this the 7th day of December, 2011.

SHELLEY BRITTON, City Secretary

JANICE MENKING, Chairman

LAND USE PLAN AND ZONING CHANGE BRIEF
Rezoning Request # Z-1106A

OWNER:	Fredericksburg Social Turn Verein
APPLICANT:	City Of Fredericksburg
SIZE:	Approximately 0.7231 acres (31,500 Square feet)
LOCATION:	103 W. Travis Street, extending between Travis and Schubert St.(See attached map).
EXISTING ZONING:	R-2, Single-Family Residential
PROPOSED CHANGE:	1. Change in Land Use Plan from Public/Semi-Public and Medium-Density Residential to Commercial; and 2) Change in Zoning from R-2 Mixed Residential to C-1, Neighborhood Commercial.

FINDINGS:

- The property contains a single-story event facility, known as the Turner Hall.
- The property is rectangular in shape, with approximately 157' of frontage on Travis and Schubert Streets, and a depth of 200'.
- The property borders the property at the southwest corner Travis Street and Adams Street, which was included in Zoning Request Z-1106.
- Water and Sanitary sewer are available to serve this property.
- Adjacent zoning is Public Facilities to the west and north, CBD to the south across Schubert Street and R-2 Mixed Residential to the east. The north one-half of this property is outside the Historic District while the southern one-half is within the district (see attached zoning map).
- The Land Use Plan identifies the adjoining property to the west as Parks and Open Space, to the north and south as Public/Semi-Public and to the east as Medium-Density Residential (see attached Land Use Map).
- Adjacent land uses include the Town Pool to the west, the Elementery School and single-family homes to the north, a vacant commercial building to the east and the creek and Baptist Church to the south.
- At the previous meeting, the Planning and Zoning Commission voted to call a public hearing to consider changing the Land Use Plan and Zoning on the subject property, consistent with the application on the adjoining property.

LAND USE PLAN CHANGE: In considering a Land Use Plan change, the Planning and Zoning Commission shall make the following determinations prior to forwarding a recommendation to the Council.

A. The property affected by the request is adequate in size and shape to facilitate those uses normally associated with the requested designation. **The subject property is large enough to facilitate smaller commercial activities. However, as mentioned in the previous Planning and Zoning Commission meeting, in staff's opinion, a district larger in size would be more appropriate to accommodate commercial activities. At a minimum, staff suggested that both this tract and the adjoining tract be considered. The Land Use Plan does not distinguish between neighborhood and general commercial land uses.**

B. The property affected by the request does not exceed the capabilities of the infrastructure. **Infrastructure serving this area is adequate to support light commercial activities.**

C. The request will have no adverse affect on any property within 600 feet of the affected property. **The subject property (Turner Hall) would remain a non-conforming use under the proposed C-1 zoning. We do not anticipate adverse affects on nearby properties as a result of this change. Changes to the subject property will be subject to a Conditional Use Permit should the zoning be approved. However, in considering this change, all possible uses allowed in the commercial designation need to be considered.**

D. The requested change is to accommodate an appropriate land use and is consistent with other elements of the Comprehensive Plan. **As a stand-alone property, we would not consider the proposed commercial designation appropriate. At a minimum, staff would recommend that this tract and the adjoining property be considered together to create a zoning district extending from the Town Pool to Adams Street, rather than "spot zoning" a particular tract or parcel.**

E. The request, together with the applicable conditions, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. **If an appropriate district can be created wherein land uses are compatible with the surrounding area, we would not expect the proposed change to have a negative affect on properties within the vicinity.**

ZONING: While the Land Use Plan does not distinguish between levels of commercial, the type of zoning is more specific. In particular, this proposal is to change to C-1, Neighborhood Commercial. The proposed zoning is intended to provide for the establishment of restricted commercial facilities, to serve the conveniences and needs of the immediate neighborhood and must be compatible with the residential character and

environment of the neighborhood. These uses generally result in limited traffic generation. Since a portion of this property is also located within the Historic Overlay District, it should be noted that the building could not be demolished and any additions or changes would be subject to Historic Review Board approval.

As suggested in the discussion above, staff does not recommend changing the zoning on the subject property as a stand-alone tract. It was suggested that if the Commission was inclined to consider a change of zoning in this area, we would recommend that a larger area be considered and a zoning district be created. While it is not necessarily typical that a zoning district is comprised of only 2 tracts, given the location, conditions within this block, the surrounding area and the history of these properties, we do not have a problem creating a district of this size.

OPPOSITION/SUPPORT OF REQUEST: Staff has received no letters in opposition or support of this request.

STAFF RECOMMENDATION: There is presently a variety of different land uses within this block. As such, this has an affect on considering the proper zoning for the area. In looking at the current zoning configuration, there is presently no C-1 Commercial zoning within this vicinity, while there are non-residential uses (public school, event facility and public swimming pool) in the vicinity. This application is to consider whether or not it is appropriate to add this tract to the previous zoning request (Z-1106) and to establish C-1 zoning on both tracts.

In making a decision, it is staff's opinion that the recommendation include both tracts. In other words, we do not recommend approving the zoning on either of the tracts by themselves. As such, staff recommends approving the Land Use Plan change and Zoning change proposed in applications Z-1106 and Z-1106A.

LAND USE - ZONING

☐ ***APPLICATION FOR RE-ZONING- $100.00***

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: City of Fredericksburg
2. ADDRESS: 126 W. Main St.
   PHONE NUMBER: 997-7521 FAX NUMBER: 997-1861
3. OWNER (IF DIFFERENT FROM APPLICANT) Fredericksburg Social Turn Verein
4. ADDRESS: P.O. Box 1542, Fredericksburg, TX 78624
5. PHONE NUMBER: _____ FAX NUMBER: _____
6. DESCRIPTION OF PROPERTY INVOLVED IN THIS REQUEST:
   ADDRESS: 103 W. Travis
   LEGAL DESCRIPTION: Fbg Add Blk 39 Lot 532 + 533- pt
   LOT SIZE: .7231 acre
7. ZONING CHANGE REQUESTED FROM R-2 ZONING DISTRICT TO C-1 ZONING DISTRICT
8. JUSTIFICATION FOR REQUEST: _____
9. ARE THERE ANY DEED RESTRICTIONS WHICH WOULD PREVENT THIS PROPERTY FROM BEING USED IN THE MANNER HEREIN PROPOSED? _____
10. 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.
11. 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 AMEND THE LAND USE PLAN MAP OF THE CITY OF FREDERICKSBURG AS HEREIN SET FORTH:

12. CHANGE REQUESTED FROM: P-F + Medium Density Residential LAND USE TO Commercial LAND USE.
13. SIGNATURE OF APPLICANT: Ellen Auerdorf City of Fredericksburg

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: _____

DATE: _____

FEE PAID: _____ ☐ Re-zoning ☐ Land Use Plan Change

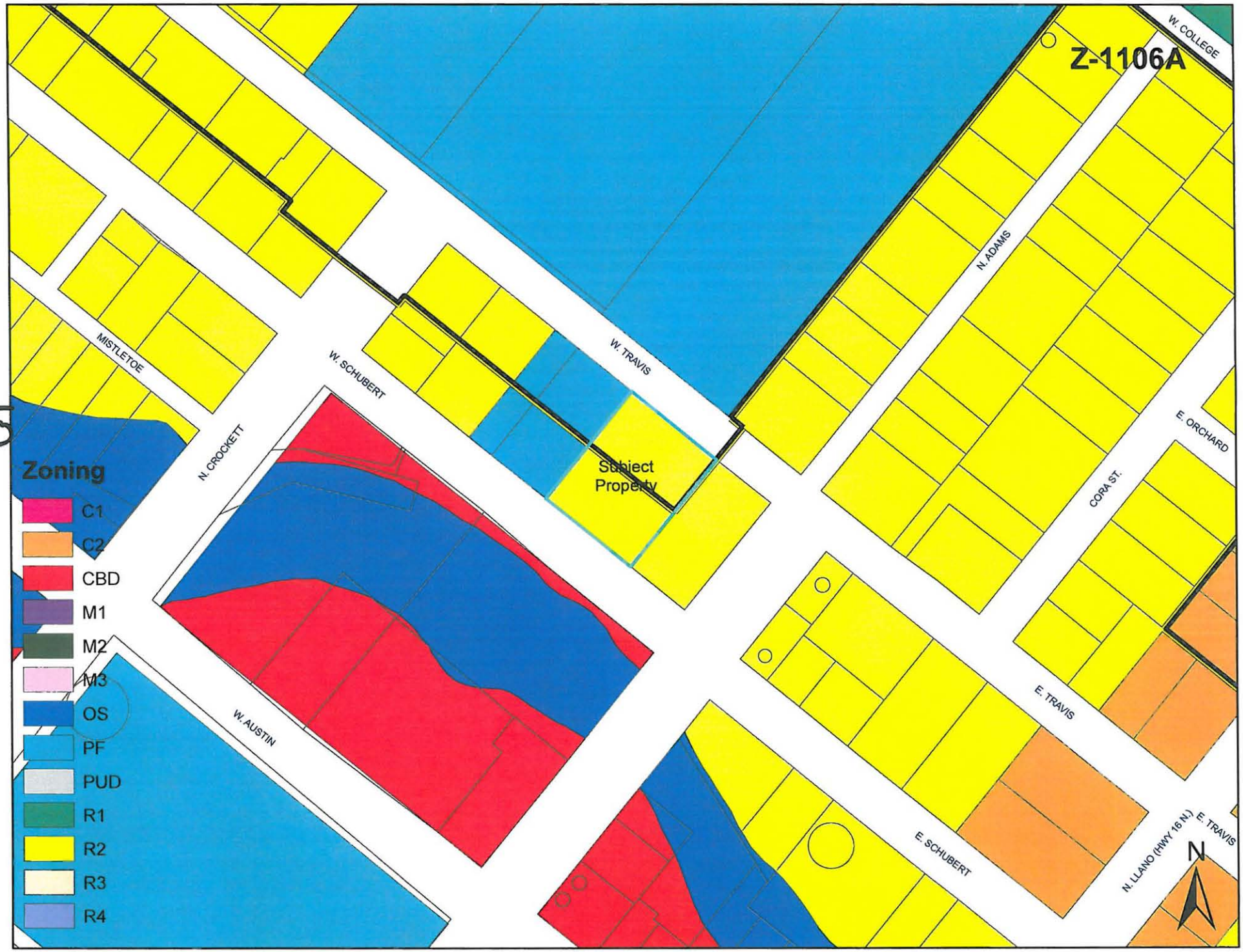
TITLE SEARCH: _____

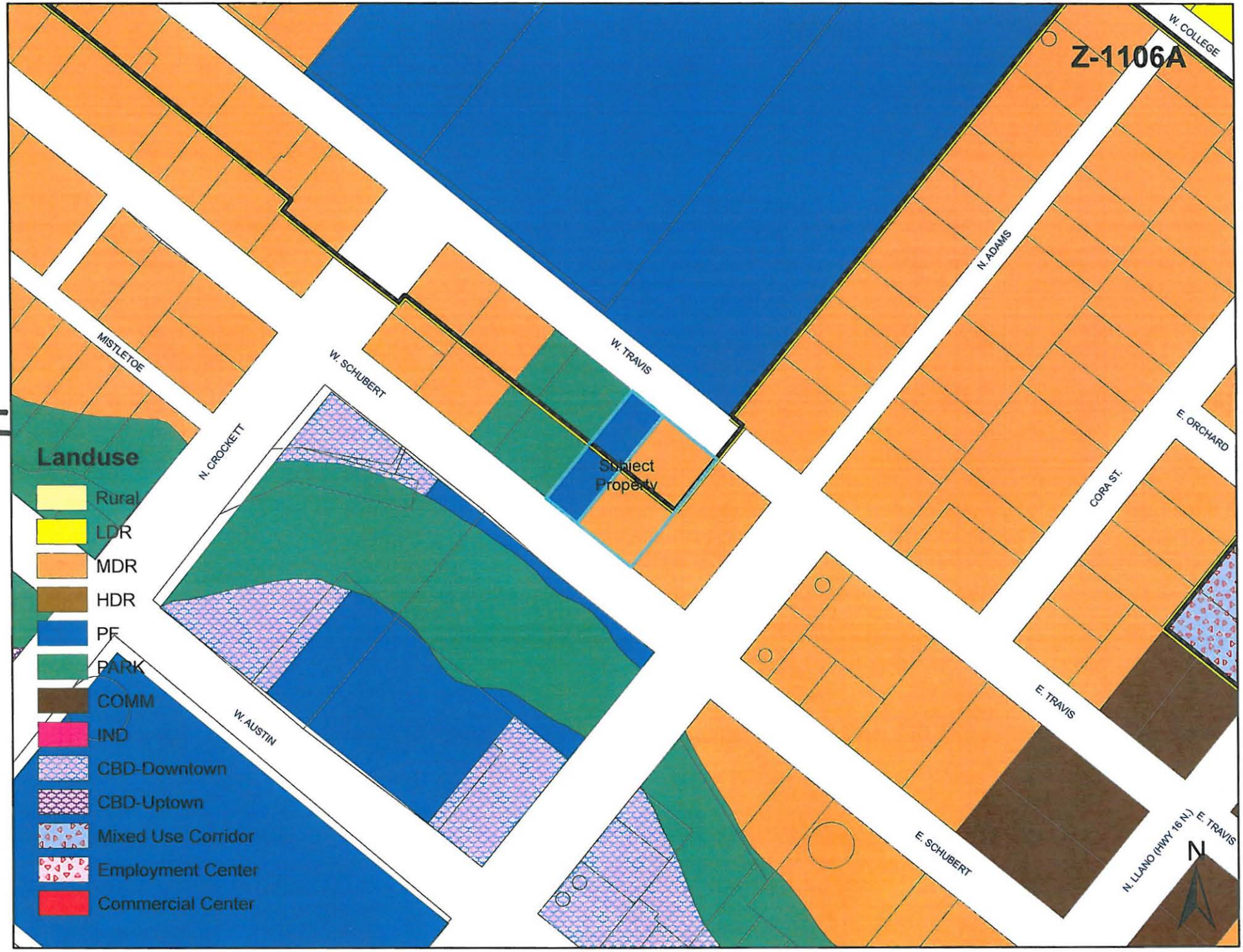
Note: A current title search must be submitted with the application

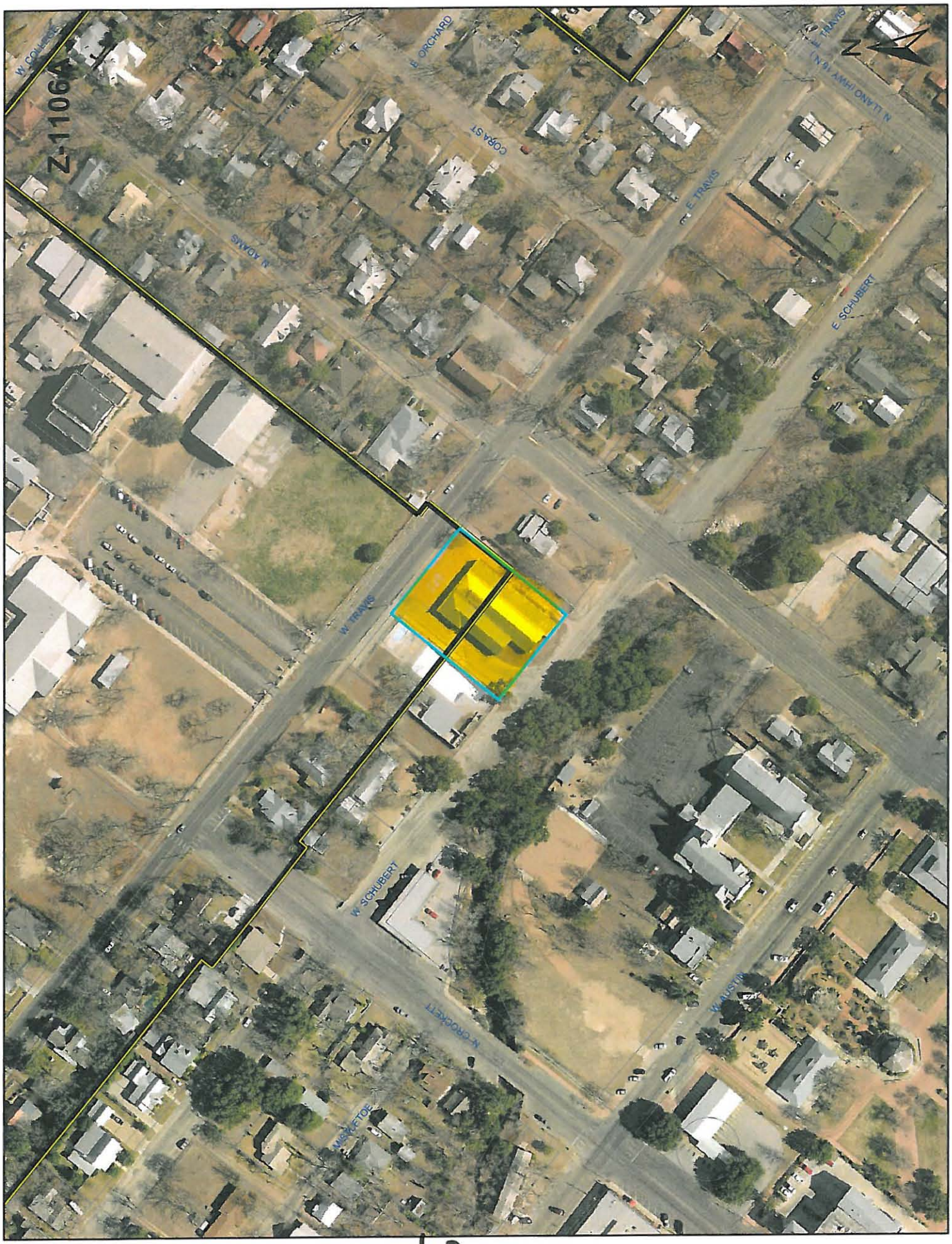
14. CONSENT OF LIEN HOLDER: *Note: If this property is encumbered by Lien, consent of the Lien holder is required.*

SIGNATURE OF LIEN HOLDER:_____

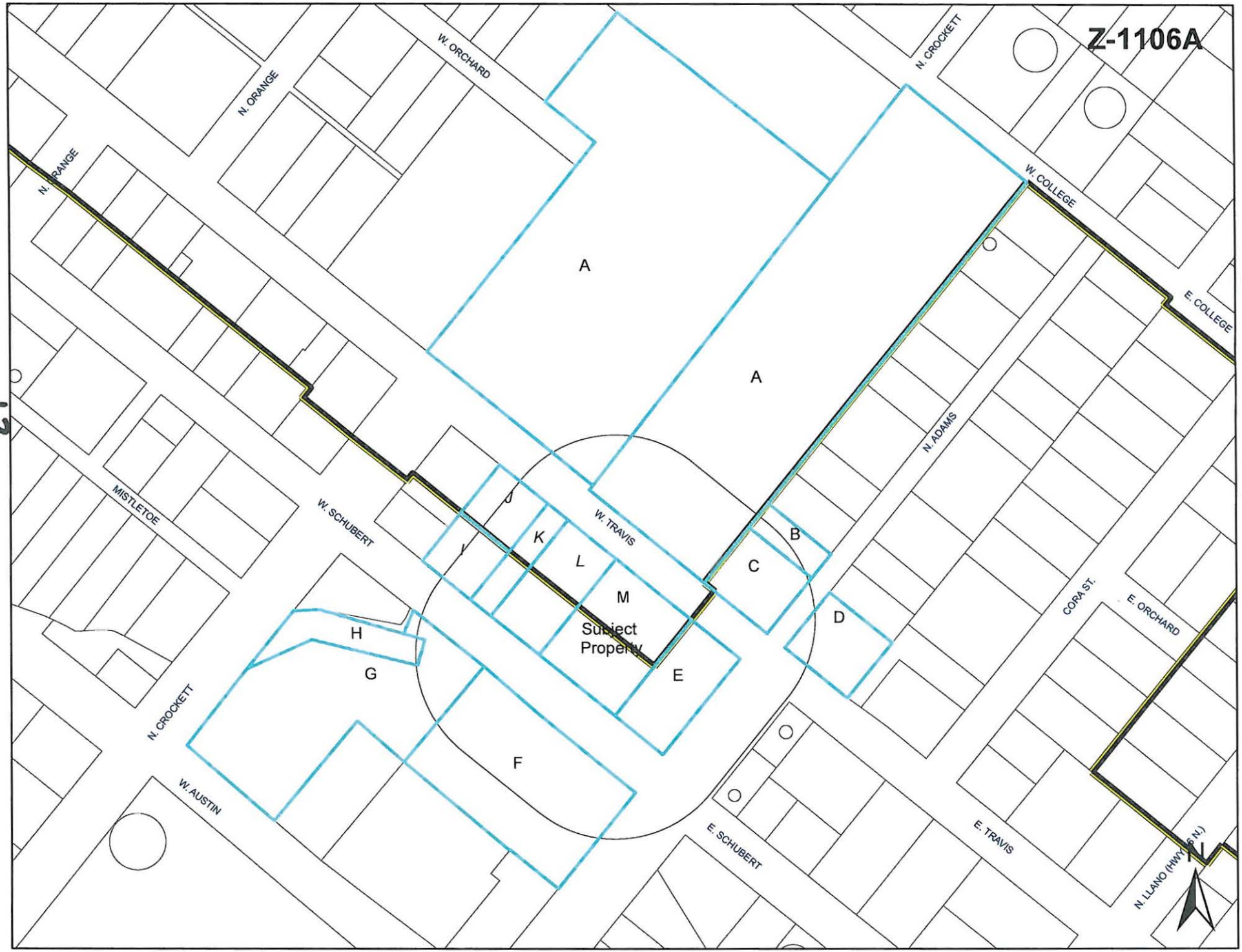
15. LIST OF PROPERTY OWNERS WITHIN 200 FT. (Provided by City)


Z-1106A
W. COLLEGE
N. ADAMS
W. TRAVIS
MISTLETOE
W. SCHUBERT
N. CROCKETT
Subject Property
E. ORCHARD
CORA ST.
E. TRAVIS
W. AUSTIN
E. SCHUBERT
N. LLANO (HWY 16 N.)
E. TRAVIS
N
Zoning
C1
C2
CBD
M1
M2
M3
OS
PF
PUD
R1
R2
R3
R4


Z-1106A
W. COLLEGE
N. ADAMS
W. TRAVIS
MISTLETOE
W. SCHUBERT
N. CROCKETT
Subject Property
E. ORCHARD
CORA ST.
E. TRAVIS
W. AUSTIN
E. SCHUBERT
N. LLANO (HWY 16 N.)
E. TRAVIS
N
Landuse
Rural
LDR
MDR
HDR
PF
PARK
COMM
IND
CBD-Downtown
CBD-Uptown
Mixed Use Corridor
Employment Center
Commercial Center


Z-11064
W. COLLEGE
E. ORCHARD
CORA ST
N ADAMS
E TRAVIS
N. LLANO HWY 16 N
E. TRAVIS
E SCHUBERT
W TRAVIS
W SCHUBERT
N. CROCKETT
WASHINGTON
W. AUSTIN

12


Z-1106A
W. ORCHARD
N. CROCKETT
N. ORANGE
N. ORANGE
W. COLLEGE
E. COLLEGE
A
A
N. ADAMS
MISTLETOE
W. SCHUBERT
W. TRAVIS
J
I
K
L
M
Subject Property
B
C
D
E
H
G
F
CORA ST.
E. ORCHARD
N. CROCKETT
W. AUSTIN
E. SCHUBERT
E. TRAVIS
N. LLANO (HWY 16 N.)

13

Letter	Owner	
A	Fbg Independent School District	
B	Marlene J. Pylate	
C	Mark E. & Laura Diane Boerner	
D	First Assembly of God of Fbg, TX	
E	Robert Connelly	
F	Bethany Lutheran Church	
G	Bethany Lutheran Church	
H	City of Fredericksburg	
I	Walcloud Properties	c/o John Mack Wallace
J	Kurt F. Ditges	
K	City of Fredericksburg	
L	City of Fredericksburg	
M	Fredbg Social Turn Verein	

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Z-1106A

City of Fredericksburg
126 West Main Street
Fredericksburg, TX 78624

NOTICE OF PUBLIC HEARING FOR
A CHANGE IN LAND USE AND A CHANGE IN ZONING

HEARING DATE: **DECEMBER 7, 2011**	TIME: **5:30 PM**	REQUEST NUMBER: **Z-1106A**

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 Conditional Use Permit.

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: **DECEMBER 19, 2011**	TIME: **7:00 PM**	REQUEST NUMBER: **Z-1106A**

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

APPLICANT: City of Fredericksburg

LOCATION: 103 W. Travis
(see accompanying map)

REQUEST: Change in Land Use Plan from MDR, Medium Density Residential, and Public Facilities to Commercial, and a change in zoning from R-2, Mixed Residential to C-1, Neighborhood Commercial.

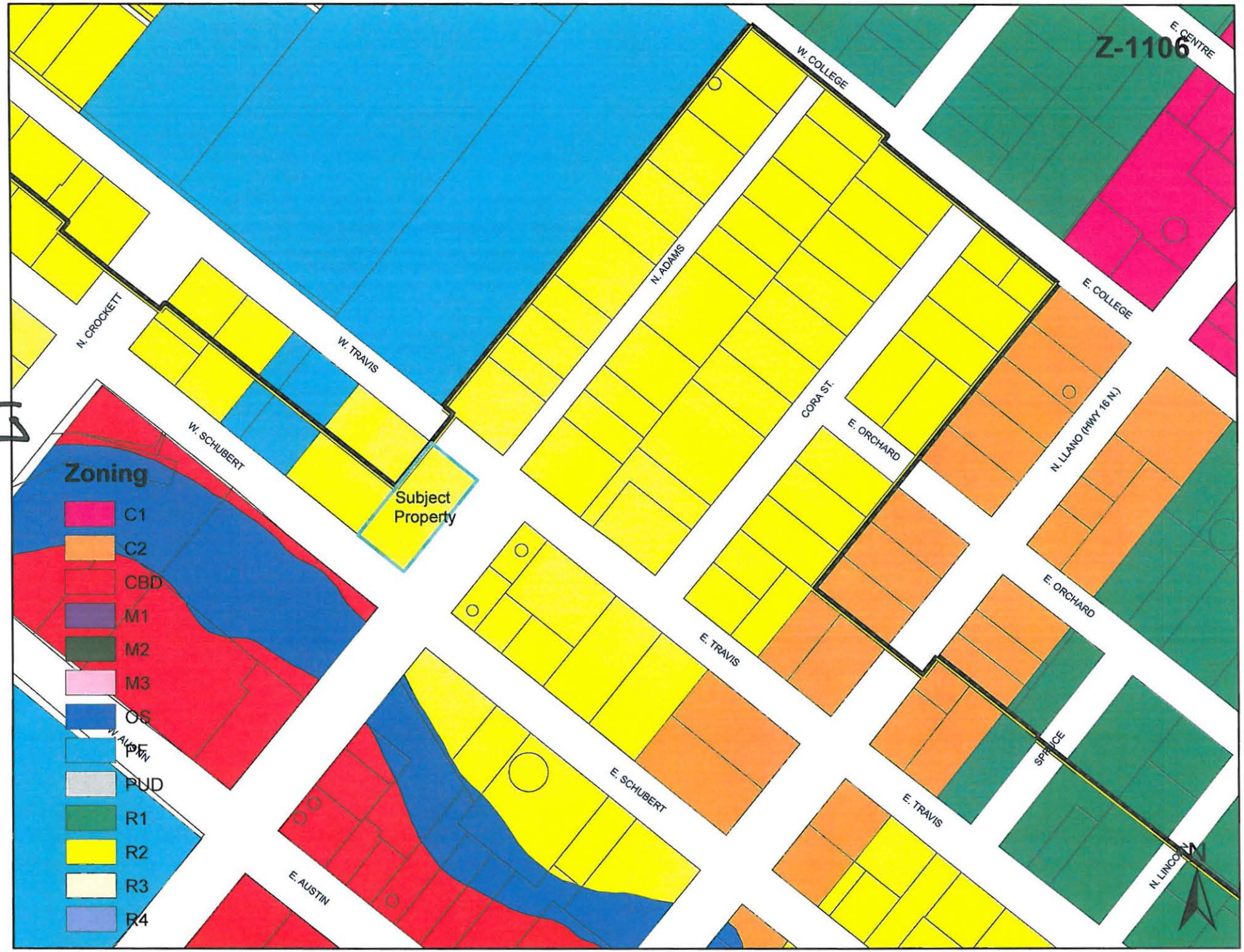
(DETACH BELOW)

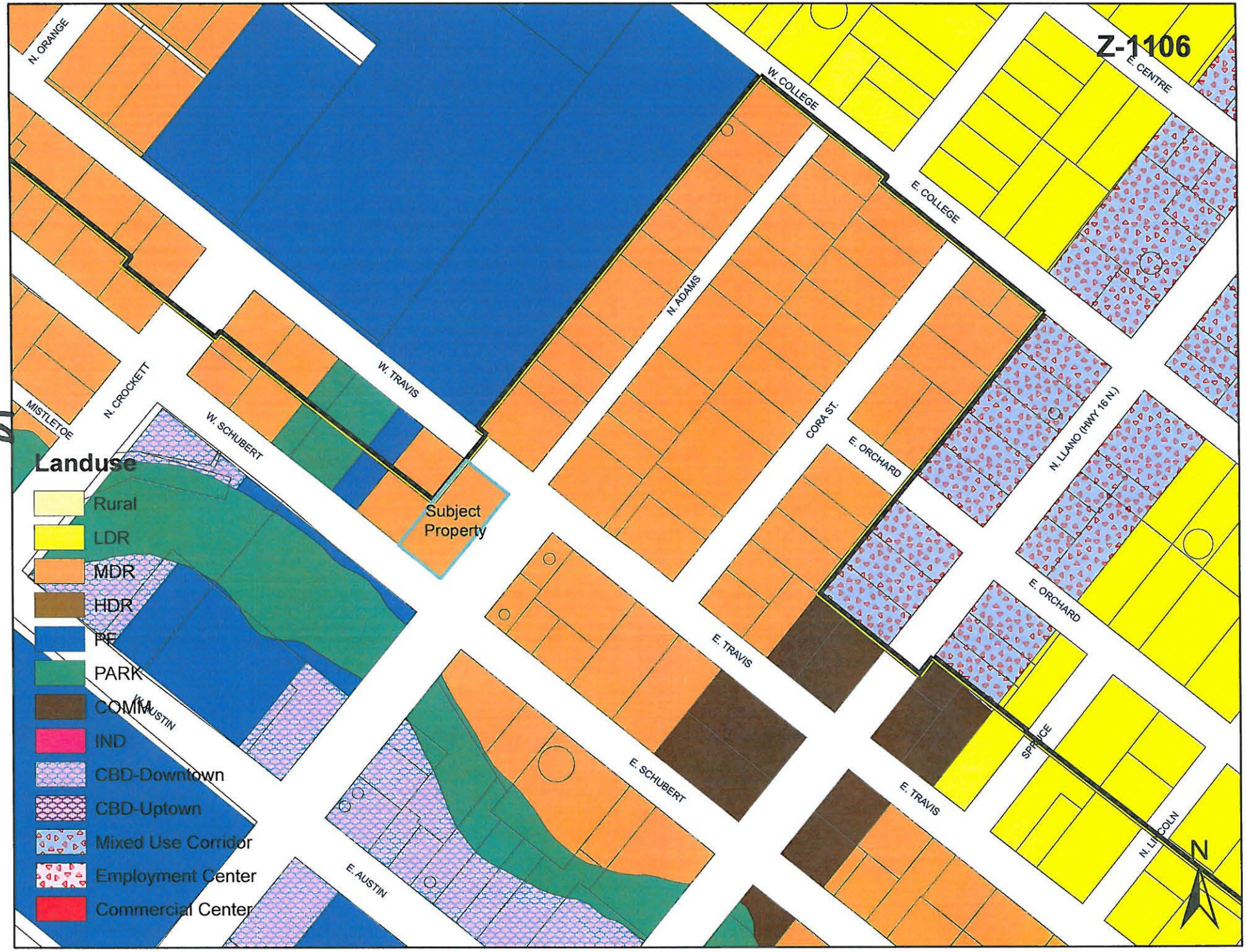
REQUEST NO. Z-1106A
As an interested property owner, I (Protest)(Approve) the requested zoning amendment represented by the above file number because:

Signed _____ Date _____

Printed Name _____ Address _____

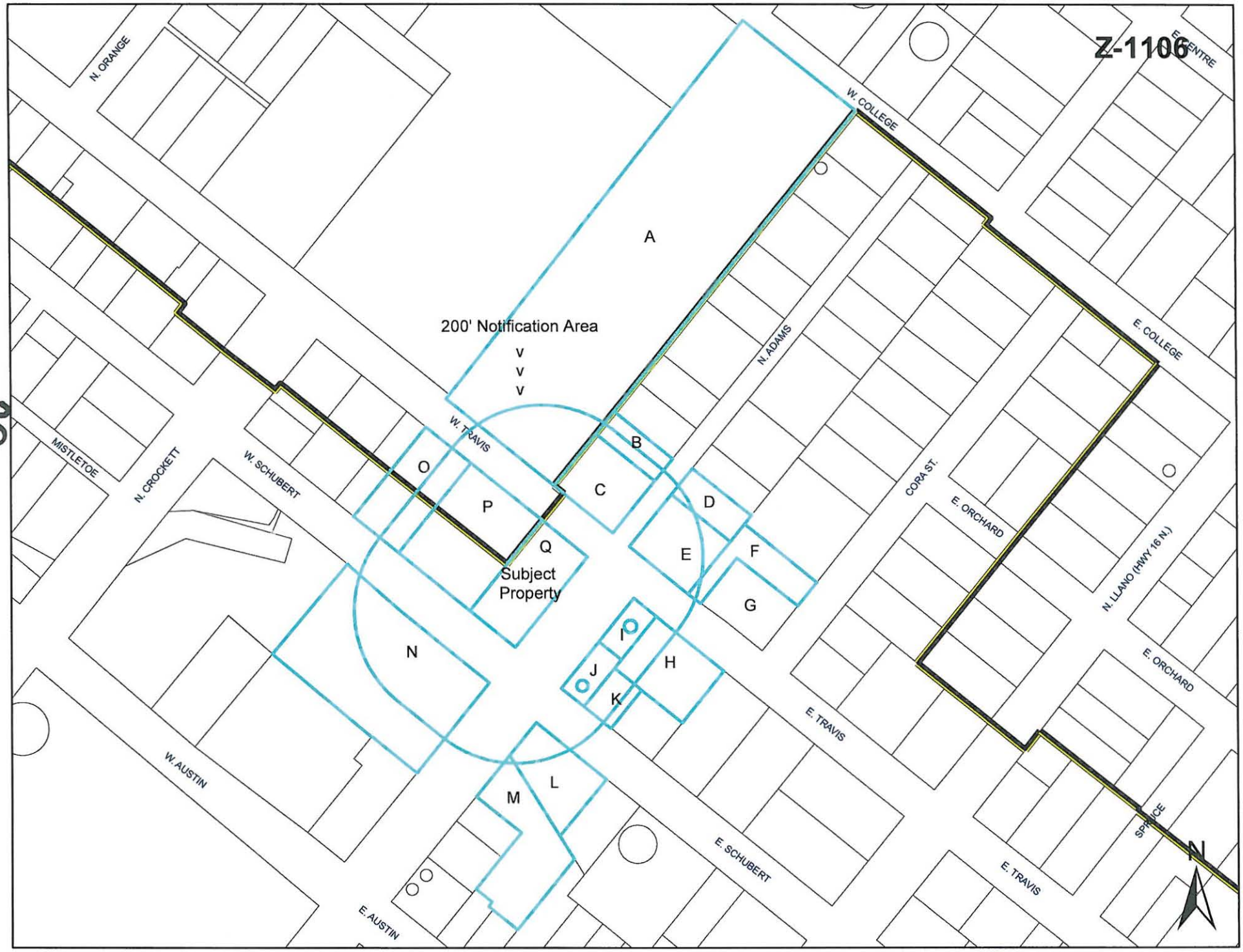
Z-1106
Attachments


Z-1106
Zoning
C1
C2
CBD
M1
M2
M3
OS
PUD
R1
R2
R3
R4
Subject Property
W. COLLEGE
E. CENTRE
E. COLLEGE
N. ADAMS
N. CROCKETT
W. TRAVIS
W. SCHUBERT
CORA ST.
E. ORCHARD
N. LLANO (HWY 16 N.)
E. ORCHARD
E. TRAVIS
E. SCHUBERT
E. TRAVIS
SPRUCE
N. LINCOLN
E. AUSTIN
N


Z-1106
N. ORANGE
W. COLLEGE
E. CENTRE
E. COLLEGE
N. ADAMS
W. TRAVIS
N. CROCKETT
MISTLETOE
W. SCHUBERT
CORA ST.
E. ORCHARD
N. LLANO (HWY 16 N.)
Subject Property
E. TRAVIS
E. ORCHARD
E. SCHUBERT
E. TRAVIS
E. AUSTIN
N. LINCOLN
N
Landuse
Rural
LDR
MDR
HDR
PF
PARK
COMM
IND
CBD-Downtown
CBD-Uptown
Mixed Use Corridor
Employment Center
Commercial Center

81


Z-1106
E. CENTRE
N. LIANO (HWY 16 N)
E. ORCHARD
SPRUCE
N. LINCOLN
E. COLLEGE
E. ORCHARD
COPA ST
E. TRAVIS
W. COLLEGE
N. ADAMS
E. TRAVIS
E. SCHUBERT
W. TRAVIS
E. AUSTIN
W. SCHUBERT
W. AUSTIN
N. CROCKETT
MISTLETOE


Z-1106
N. ORANGE
W. COLLEGE
E. CENTRE
A
200' Notification Area
v
v
v
N. ADAMS
E. COLLEGE
W. TRAVIS
B
C
D
E
F
G
O
P
Q
Subject Property
MISTLETOE
N. CROCKETT
W. SCHUBERT
CORA ST.
E. ORCHARD
N. LLANO (HWY 16 N.)
N
I
J
K
H
E. ORCHARD
E. TRAVIS
W. AUSTIN
L
M
E. SCHUBERT
E. TRAVIS
SPRUCE
E. AUSTIN
N

Letter	Owner	
A	Fbg Independent School District	
B	Marlene J. Pylate	
C	Mark E. & Laura Diane Boerner	
D	Alan L. & Lana G. Neuschwander	
E	First Assembly of God of Fbg, TX	
F	First Assembly of God of Fbg, TX	
G	Mimi Elizabeth Taylor	
H	Ronald J. & Elizabeth Ressmann	
I	Schubert-Adams, Inc.	c/o Myers K. & Pamela M. Bergman
J	Schubert-Adams, Inc.	
K	T G Legacy, LLC	
L	Tony Garcia	
M	Atwell Family Investments, Ltd.	
N	Bethany Lutheran Church	
O	City of Fredericksburg	
P	Fredbg Social Turn Verein	
Q	Robert Connelly	

2

Z-1106

LAND USE PLAN AND ZONING CHANGE BRIEF
Rezoning Request # Z-1108

OWNER/APPLICANT: Frederick and William Petmecky

SIZE: Approximately 0.141 acres (6,142 Square feet)

LOCATION: 504 Longhorn St. (See attached map).

EXISTING ZONING: R-3, Multi-family Residential

PROPOSED CHANGE: 1. Change in Land Use Plan from High Density Residential to Commercial; and

2) Change in Zoning from R-3, Multi Family Residential to C-2 Commercial District.

FINDINGS:

- The portion of the property in this request is presently undeveloped.
- This request comprises the easternmost 0.141 acres of a 0.854 acre tract owned by the Petmecky's that runs from Longhorn Street to S. Washington Street.
- The Mac Shack, and several portable buildings are located on the western portion of the property that is currently zoned C-2.
- The western portion of the property is zoned C-2 Commercial, and the piece of property in question is zoned R-3, Multi-family residential.
- The property is bordered by commercial to the north, east and west, and single family homes to the south.
- Water and Sanitary sewer are available to serve this property.
- Adjacent zoning is C-2 to the north, east and west, and R-3 Multi-family Residential to the south (see attached zoning map).
- The Land Use Plan identifies the adjoining property to the east, west and north as Commercial, and to the south as High Density Residential (see attached Land Use Map).
- The applicant has indicated that the size of the subject property restricts its usability as a stand alone tract. They would like to use this portion of the property for the same uses as the remaining tract (see attached application).

LAND USE PLAN CHANGE: In considering a Land Use Plan change, the Planning and Zoning Commission shall make the following determinations prior to forwarding a recommendation to the Council.

A. The property affected by the request is adequate in size and shape to facilitate those uses normally associated with the requested designation. **The subject property is adequate in size and shape only if allowed to be utilized with the remaining tract.**

B. The property affected by the request does not exceed the capabilities of the infrastructure. **Affirmative.**

C. The request will have no adverse affect on any property within 600 feet of the affected property. **Given the nature of the immediate surrounding uses, we would not expect this request to have adverse affects on nearby properties.**

D. The requested change is to accommodate an appropriate land use and is consistent with other elements of the Comprehensive Plan. **Affirmative. In looking at old Zoning Maps, it appears the subject property was previously zoned commercial. At some point, it was determined that a zoning line, running parallel to S. Washington, be established. As a result, the subject triangular shaped piece was created.**

E. The request, together with the applicable conditions, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. **Affirmative.**

ZONING: The proposed zoning of Commercial would be a reasonable extension of the existing zoning of the remaining property to the west. Although the property has residential adjacency to the south, in our opinion the zoning change would result in a zoning pattern where the entire tract would be zoned the same without much affect on nearby properties. This would seem to be a more desirable zoning configuration than a small piece of the property being zoned differently just because it happens to be on the other side of a line running parallel to S. Washington.

OPPOSITION/SUPPORT OF REQUEST: One letter in support and none in opposition.

STAFF RECOMMENDATION: The proposed change in the Land Use Plan and Zoning are consistent with the Comprehensive Plan and will create a more desirable land use and zoning pattern for the area. Approval is recommended.

LAND USE - ZONING

☑ ***APPLICATION FOR RE-ZONING- $100.00***

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: Frederick Petmecky and William Petmecky
2. ADDRESS: 409 Auguste St, Fredericksburg, TX 78624
   PHONE NUMBER: 830-997-2298 FAX NUMBER:
3. OWNER (IF DIFFERENT FROM APPLICANT) same email: bpetmecky@msn.com
4. ADDRESS:
5. PHONE NUMBER: FAX NUMBER:
6. DESCRIPTION OF PROPERTY INVOLVED IN THIS REQUEST:
   ADDRESS: 504 Longhorn St. Fredericksburg, TX 78624
   LEGAL DESCRIPTION: See 6 of Appendix attached hereto and made part hereof.
   LOT SIZE: 0.141 of an acre
7. ZONING CHANGE REQUESTED FROM R-3 Multi-Family ZONING DISTRICT TO C-2, Commercial ZONING DISTRICT
8. JUSTIFICATION FOR REQUEST: See 8 of Appendix attached hereto.
9. ARE THERE ANY DEED RESTRICTIONS WHICH WOULD PREVENT THIS PROPERTY FROM BEING USED IN THE MANNER HEREIN PROPOSED? No
10. 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. There are no structures on the property for which zoning is requested.
11. 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 AMEND THE LAND USE PLAN MAP OF THE CITY OF FREDERICKSBURG AS HEREIN SET FORTH:

12. CHANGE REQUESTED FROM: HDR, High Density Residential LAND USE TO Commercial LAND USE.
13. SIGNATURE OF APPLICANT: Frederick Petmecky William M Petmecky

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: Frederick Petmecky William M Petmecky

DATE:

FEE PAID: ☐ Re-zoning ☐ Land Use Plan Change

TITLE SEARCH:
Note: A current title search must be submitted with the application

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E-1108

14. CONSENT OF LIEN HOLDER: *Note: If this property is encumbered by Lien, consent of the Lien holder is required.*

SIGNATURE OF LIEN HOLDER: None

15. LIST OF PROPERTY OWNERS WITHIN 200 FT. (Provided by City)

Appendix to Application for Re-zoning by
Frederick and William Petmecky

6. LEGAL DESCRIPTION:

Part of G.E. #591, 615 & Blk II Lot 1 & 2, 0.854 of an acre, - The Mac Shack (J J McAfee) is located on that part of this property that is already zoned C-2 and has been classified for Commercial Use in the City's Land Use Plan. (Property ID Number 24159 - - Property Geographical ID – GEO 591& 615-II-0)

This re-zoning request relates only to the easterly 0.141 of an acre of that 0.854 acre tract.

The entire 0.854 acre tract is described in the January 3, 1989 survey attached hereto.

The entire tract, **as well as the portion of that tract on which re-zoning is requested**, is shown on the survey plat which is also attached hereto. Both such instruments are hereby made a part hereof.

8. JUSTIFICATION FOR REQUEST:
This 0.141 acre, R-3 zoned, irregular shaped piece of land, is part of a 0.854 acre tract, of which the remaining 0.713 of an acre is currently zoned C-2. The 0.141 acre portion is inadequate in size and shape to facilitate the uses normally associated with the existing designation. This has prevented utilization of this 0.141 acre potion.

The requested re-zoning and use is necessary to eliminate the size and shape restrictions that have made this portion of the tract essentially unusable. This would be entirely consistent with the zoning and use on three of the four sides of this parcel and would conform to the zoning and use of the remaining six-sevenths (6/7) of the tract. This would allow for this small portion of the tract to be used in the same manner as the rest of the lot has been used without objection for many years. (See attached Zoning and Land Use Maps and Aerial photo for clarification.)

0.854 acre tract

THE STATE OF TEXAS, *
COUNTY OF GILLESPIE. *

Field notes of a survey of 0.854 acre of land made at the request of Fred J. Petmecky, et al. Said land is situated in the City of Fredericksburg, Gillespie County, Texas, being part of Outlot(s) No. 615 and 591 as said Outlot(s) are shown on the Map of Fredericksburg, Texas and Environs by the German Emigration Company, and comprising that 7/10 acre tract of land described in a conveyance to Wm. M. Petmecky, et ux by A.J. Petmecky, et al, dated June 18, 1956, found of record in Volume 75, pages 12-13, and that 6,569 sq. ft. tract of land described in a conveyance to William M. Petmecky by Gilbert Kaderli, et ux, dated January 28, 1969, found of record in Volume 95, pages 183-184 of the Deed Records of Gillespie County, Texas.

Said 0.854 acre tract of land is described by metes and bounds as follows, to wit:

BEGINNING at a steel bar set in the south line of a concrete curb, in the East right-of-way line of U.S. Highway No. 87, for the N.W. corner of that 7/10 acre tract of land described in said conveyance to Wm. M. Petmecky, et ux, by A.J. Petmecky, et al, found of record in Volume 75, pages 12-13 of the Deed Records of Gillespie County, Texas, for the N.W. corner of this tract of land;

THENCE with the south line of said concrete curb, N. 89 deg. 48 min. E., at 129 feet end curb, 182.0 feet in all to a steel bar set in the S.W. line of Longhorn Street, for the N.E. corner of that 6,569 sq. ft. tract of land described in said conveyance to William M. Petmecky by Gilbert Kaderli, et ux, found of record in Volume 95, pages 183-184 of the Deed Records of Gillespie County, Texas, for the N.E. corner of this tract of land, a steel rod found set bears East 0.2 feet;

THENCE with the S.W. line of Longhorn Street, S. 35 deg. 20 min. E. 191.3 feet to a steel bar set in fence projection, for the S.E. corner of this tract of land;

THENCE S. 89 deg. 48 min. W. 293.7 feet to a steel bar set in the East right-of-way line of U.S. Highway No. 87, for the S.W. corner of this tract of land;

THENCE with the East right-of-way line of U.S. Highway No. 87, N. 0 deg. 23 min. E. 156.5 feet to the place of beginning.

Survey completed January 3, 1989

I, Charles E. Ottmers, Registered Public Surveyor, hereby certify that the foregoing field notes represent a survey made on the ground under my supervision.

STATE OF TEXAS
CHARLES E. OTTMERS
1818
REGISTERED

Charles E. Ottmers
Registered Public Surveyor No. 1818

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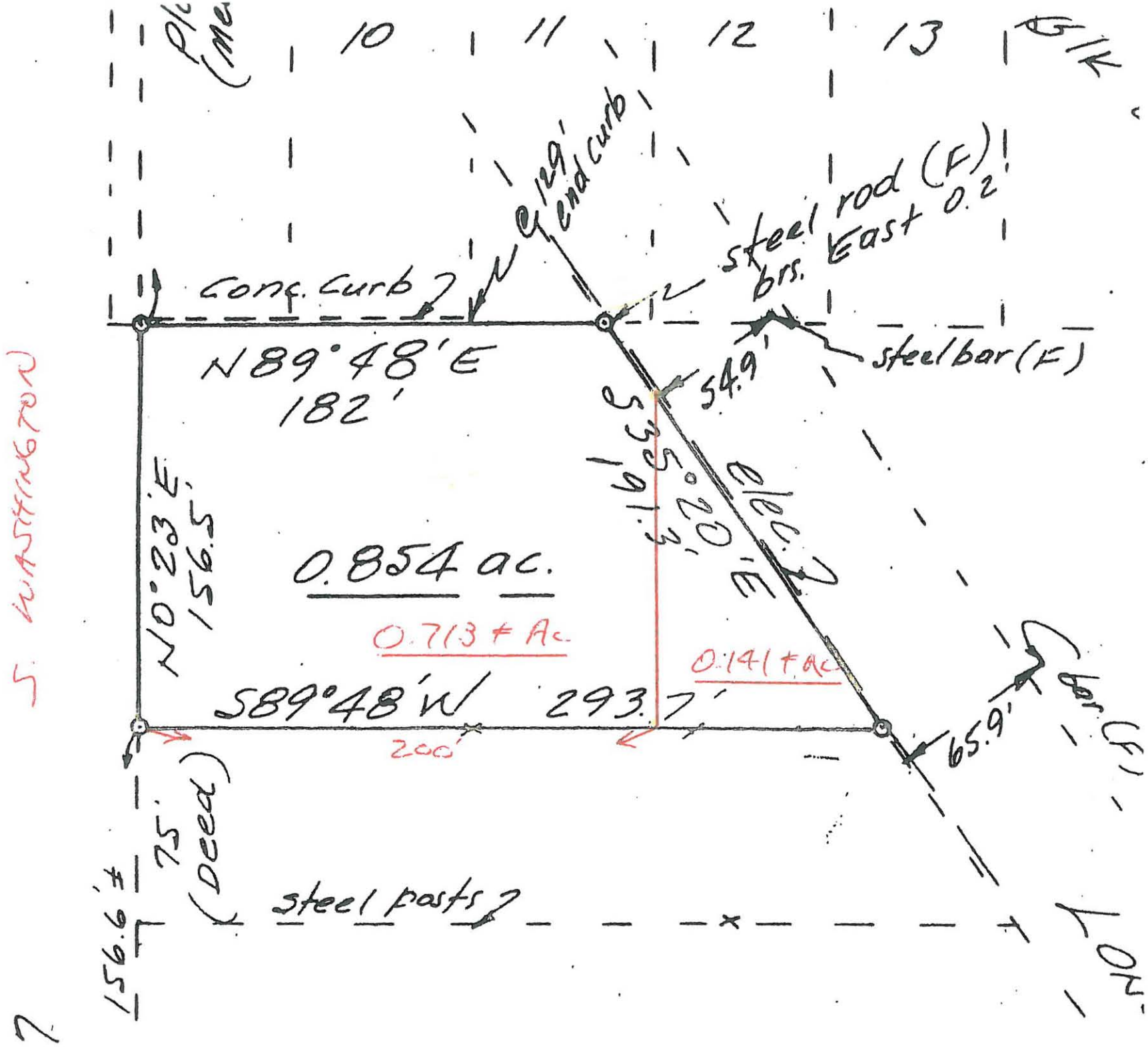
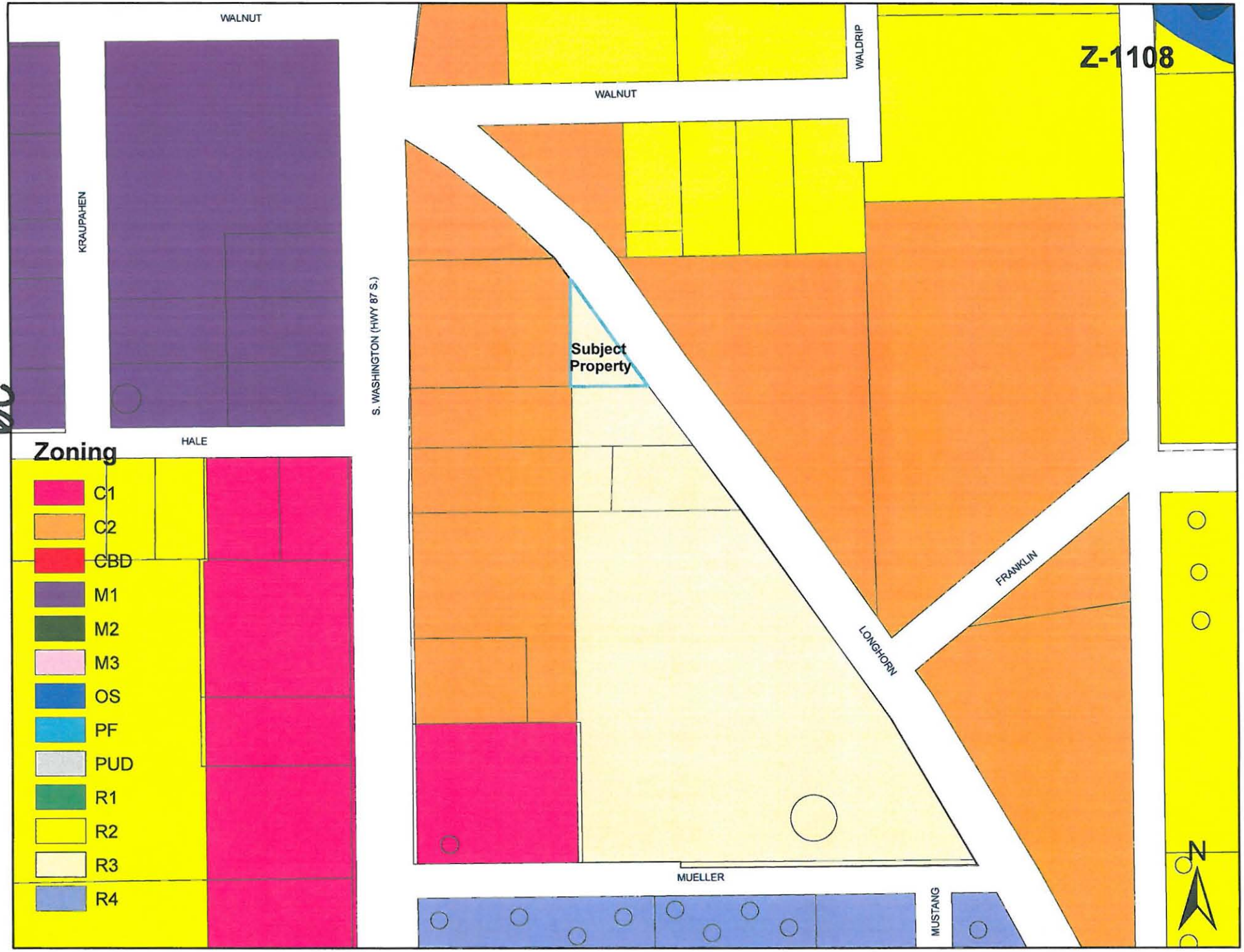
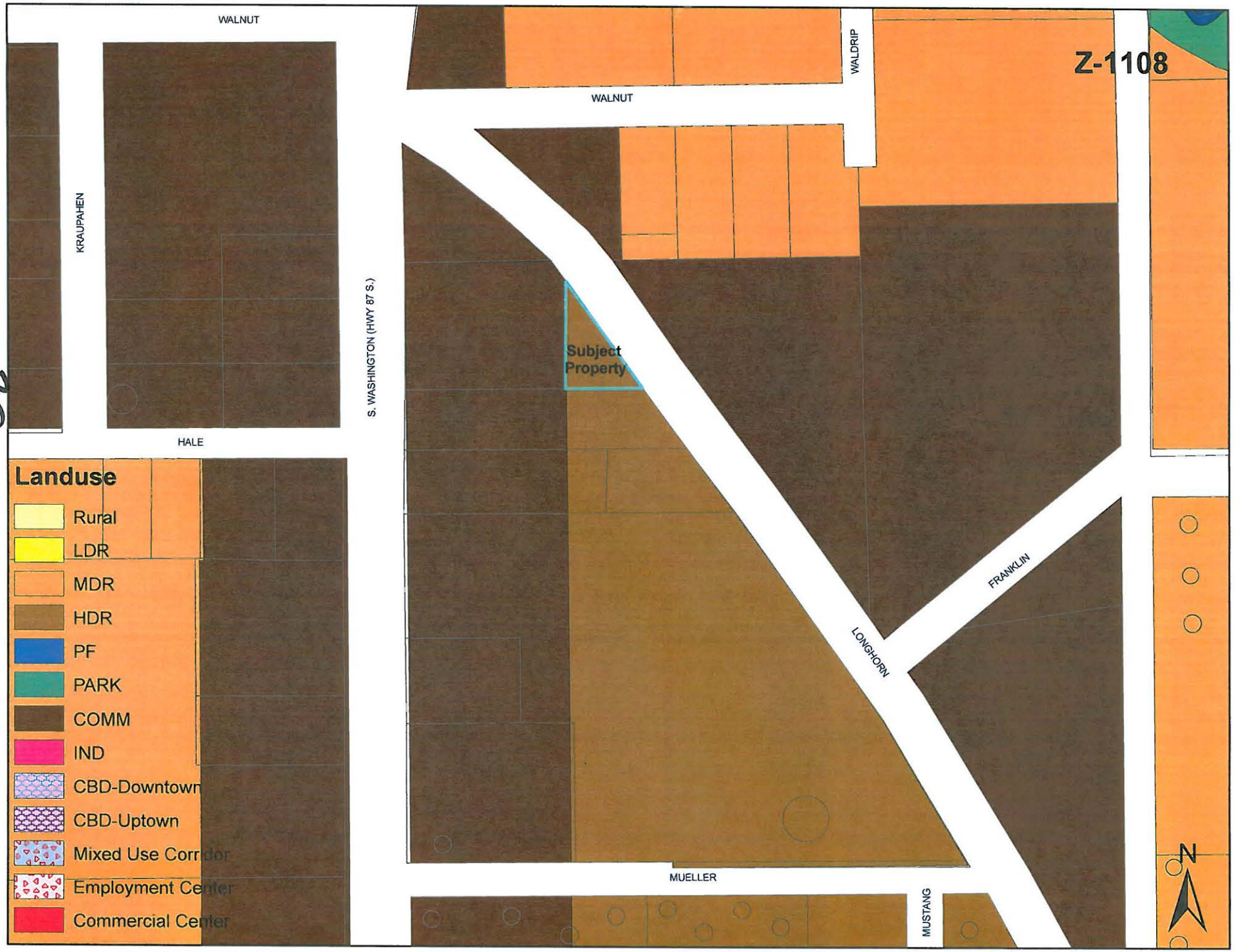

10
11
12
13
129' end curb
steel rod (F) brs. East 0.2'
conc. curb
N89°48'E
182'
54.9'
steel bar (F)
S19°35'E
S20°E
elec.
0.854 ac.
0.713 ± Ac.
0.141 ± Ac.
N0°23'E
156.5'
S89°48'W
293.7'
200'
65.9'
bar (F)
75' (Deed)
156.6' ±
steel posts
S. WASHINGTON
28


Z-1108
WALNUT
WALNUT
WALDRIP
KRAUPAHEN
HALE
S. WASHINGTON (HWY 87 S.)
Subject Property
LONGHORN
FRANKLIN
MUELLER
MUSTANG
N
Zoning
C1
C2
CBD
M1
M2
M3
OS
PF
PUD
R1
R2
R3
R4

24


Z-1108
WALNUT
WALNUT
WALDRIP
KRAUPAHEN
S. WASHINGTON (HWY 87 S.)
HALE
Subject Property
FRANKLIN
LONGHORN
MUELLER
MUSTANG
N
Landuse
Rural
LDR
MDR
HDR
PF
PARK
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IND
CBD-Downtown
CBD-Uptown
Mixed Use Corridor
Employment Center
Commercial Center

Z-1108
N
FRANKLIN
LONGHORN
MUSTANG
MUELLER
WALDRIP
WALNUT
S. WASHINGTON (HWY 87 S.)
WALNUT
HALE
KRAUPAHEN


Z-1108
200' Notification Area
WALNUT
WALNUT
WALDRIP
KRAUPAHEN
HALE
S. WASHINGTON (HWY 87 S.)
A
B
C
D
E
K
J
J
Subject Property
C
I
H
G
F
FRANKLIN
LONGHORN
MUELLER
N

23

Letter	Owner	
A	Carey C. & Rhonda Bonn	
B	Sharon Buford	
C	Lochte Storage & Commission Co.	c/o Dayton R. Crenwelge
D	Herold & Beverly Treibs Living Trust	
E	Joe G. Miller	
F	American Bank of Texas	
G	Mildred Solbrig	c/o Robbie Steitle
H	Kerry Kordzik	
I	Rebertha Duecker	
J	Frederick & William Petmecky	
K	W & E Partners, LLC	c/o William Callahan

Z-1108

City of Fredericksburg
126 West Main Street
Fredericksburg, TX 78624

NOTICE OF PUBLIC HEARING FOR
A CHANGE IN LAND USE AND A CHANGE IN ZONING

HEARING DATE: **DECEMBER 7, 2011**	TIME: **5:30 PM**	REQUEST NUMBER: **Z-1108**

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 Conditional Use Permit.

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: **DECEMBER 19 , 2011**	TIME: **7:00 PM**	REQUEST NUMBER: **Z-1108**

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

APPLICANT: Frederick Petmecky and William Petmecky

LOCATION: 0.141 acre portion of property located at 504 Longhorn Street
(see accompanying map)

REQUEST: Change in Land Use Plan from HDR, High Density Residential, to Commercial and a change in zoning from R-3, Multi-Family to C-2, Commercial.

(DETACH BELOW)

REQUEST NO. Z-1108
As an interested property owner, I (Protest)(Approve) the requested zoning amendment represented by the above file number because:

Signed _____ Date _____

Printed Name _____ Address _____

SITE PLAN
BACKGROUND INFORMATION

File Number:	SP-1101
Project Name:	Mr. Gatti's Restaurant
Owners:	Pam and Bubba Schnelle
Address/Location:	134 Boos Lane
Site Area:	1.7 acres (74,703)
Zoning:	C-2 – Commercial District
Adjacent Land Uses/Zoning:	
North:	Residence, B&B's and Restaurant, zoned C-2
South:	SPCA facility, zoned C-2
East:	Undeveloped land outside the City
West:	Undeveloped land zoned C-2, and Oakcrest Park, zoned PF
Building/Use Summary:	Restaurant – 10,712 square feet Retail – 2,359 square feet Warehousing/Storage – 3,909 square feet B&B's/Apartment – 4 units
Building Height:	Single story
Building Coverage:	33.5% (24,442 square feet), max allowed – 75%
Impervious Coverage:	41.7% (31,179 square feet), max allowed – 80%
Site Access:	A mutual access drive is located along the north side of the property extending from Boos Lane to Hwy. 16. The area along Boos Lane has historically been open access, and will now be controlled by curbing. A second drive on Boos Lane will align with the area between the proposed restaurant and the retail/warehouse area. Interior drives will be crushed granite gravel.
Parking Required/Provided:	Retail – 2,359 SF @ 1 sp/400 SF – 6 spaces Restaurant – 304 dining seats @ 1sp/4seats – 76 spaces B&B's/Apartment – 4 units @ 1.5 sp/unit – 6 spaces Warehouse/Storage – 3,909 SF @ 1sp/1,000 SF – 4 spaces Total spaces required – 92 Total spaces provided - 92

All on site parking will be marked with curb stops. While the technical requirements for parking have been met, the efficiency of this type of parking is minimized by the fact that there will be no striping.

Screening Required: No perimeter screening required. Dumpsters shall be screened as per the ordinance requirements.

Landscape/Tree Preservation: There are presently several large Live Oak trees located on site that are to be preserved. A few trees will be removed to accommodate circulation and parking. Landscaping will be provided along Hwy. 16 and Boos Lane in accordance with the ordinance requirements.

Stormwater Detention: Building area or impervious coverage is not anticipated to change.

P&Z Action: Final approval

Recommendation: Approval, conditioned upon the following:

1. Approval of the Landscape Plan prior to issuance of a building permit.
2. Lighting to be shielded and approved by staff.
3. Addressing Engineering Department comments prior to issuance of a Building Permit.

APPLICATION FOR SITE PLAN REVIEW

APPLICATION IS HEREBY MADE TO THE PLANNING AND ZONING COMMISSION FOR SITE PLAN REVIEW IN THE CITY OF FREDERICKSBURG HEREINAFTER SET FORTH:

1. **APPLICANT:** MUSTARD DESIGN - ANDREW E. BRAT
2. **ADDRESS:** 150 E. MAIN STREET SUITE 201
3. **APPLICANT TELEPHONE NUMBER:** 830.997.7024
4. **APPLICANT FAX NUMBER:** 830.990.8424
5. **OWNER (if different from applicant):** PAMELA & BUBBA SCHNELLE
6. **ADDRESS:** 134 BOOS LANE, FREDERICKSBURG, TX
7. **OWNER TELEPHONE NUMBER:** 992.1920
8. **DESCRIPTION OF PROPERTY INVOLVED IN THIS REQUEST:**

   ADDRESS: 134 BOOS LANE

   LEGAL DESCRIPTION: LOT 1 BB.B, ELMON PRIESS SUBDIVISION

   LOT SIZE: REFER TO PLAN **LOT AREA:** 1.715 ACRES

   PROPOSED USE: RESTAURANT (+ RETAIL/WAREHOUSE & 3 B&B)

   USE CLASSIFICATION: RESTAURANT
9. **EXISTING ZONING:** C-2 DISTRICT
10. **INFORMATION TO BE PROVIDED BY THE APPLICANT:** A site plan at least 24 x 36 inches, drawn to scale and sufficiently dimensioned as necessary to show the following:

    A. The date, scale, north point, title, name of owner, and the name of the person preparing the site plan.

    B. The location and dimensions of boundary lines, easements, and required yards and setbacks of all existing and proposed buildings and land improvements.

    C. The location, height, and intended use of existing and proposed buildings on the site, and the approximate location of existing buildings on abutting site within 50 feet.

    D. The location of existing and proposed improvements including parking and loading areas, pedestrian and vehicular access, utility or service areas, fencing and screening, and lighting.

    E. The center line of existing water courses, drainage features and location and size of existing and proposed streets and alleys, and the 100-year flood plain.

    F. The number of existing and proposed off-street parking and loading spaces, and a calculation of applicable minimum requirements.

    G. For sites with an average slope greater than 10%, a plan showing existing and proposed topography and grading and proposed erosion control measures.

    H. The location and size of proposed signs, if known.

    I. The location and size of the existing and proposed landscaped areas.

    J. A calculation of the impervious area (this includes buildings, paved areas, etc. other than natural ground or landscaped areas) of the site.

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10. **SIGNATURE OF APPLICANT:** AEB MUSTARD DESIGN

PRINTED NAME OF ABOVE: ANDREW E. BRAT

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:

11. **SIGNATURE OF OWNER:** Pamela A. Schnelle

PRINTED NAME OF ABOVE: PAMELA A. SCHNELLE

DATE: 11/14/11

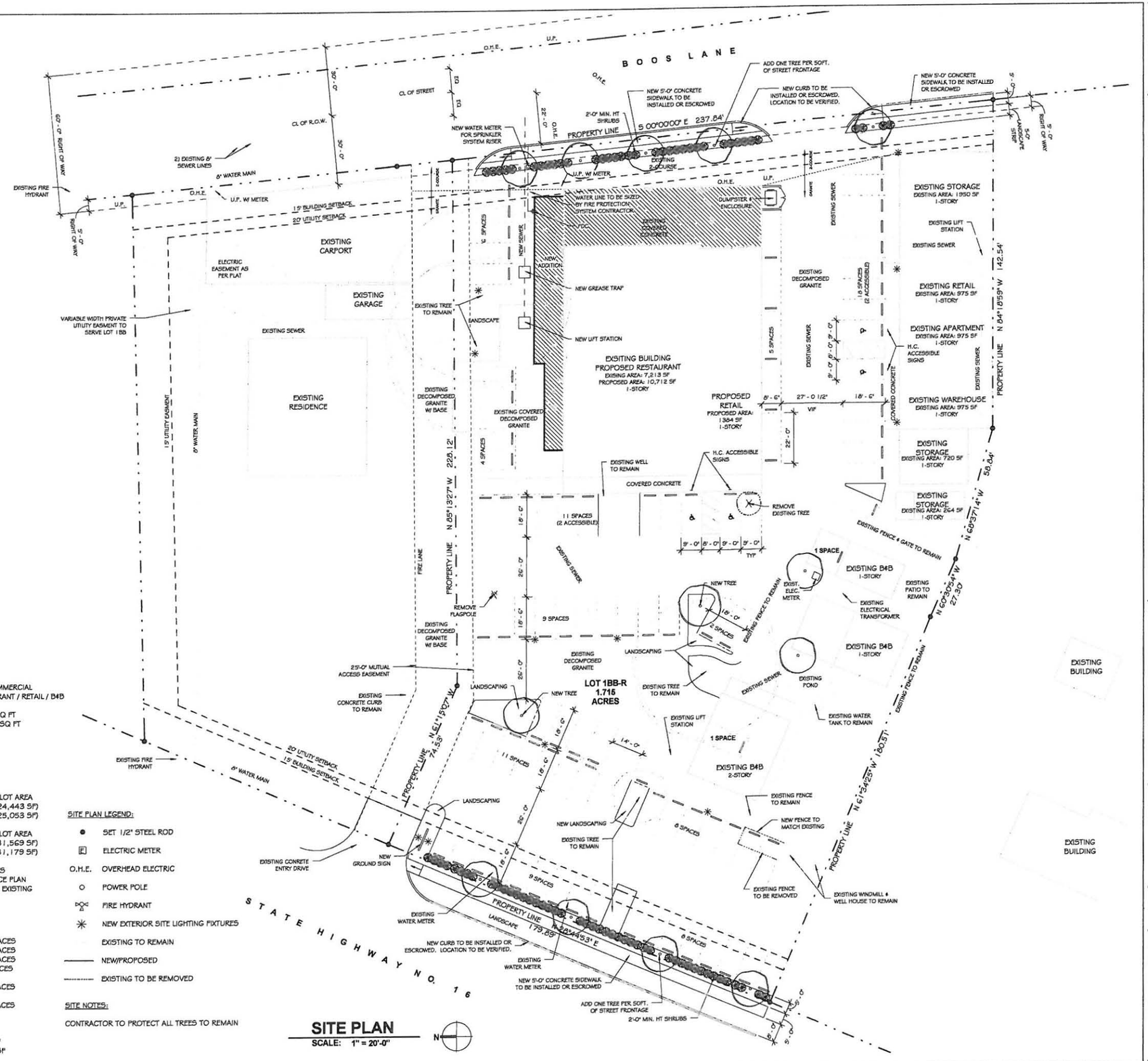
TITLE SEARCH: OWNER 11/14/11
Date

12. **CONSENT OF LIEN HOLDER:** NA
Signature

PRINTED NAME OF ABOVE:

NOTE: If this property is encumbered by lien, consent of the lien holder ***is required.***

13. **RETURN COMPLETED APPLICATION TO**: Brian Jordan or Tammie Loth, City of Fredericksburg, 126 West Main St., Fredericksburg, Texas 78624.



OWNER INFORMATION:

PAMELA AND BUBBA SCHLELLE
MR. GATTIS RESTAURANT
134 BOOS LANE
FREDERICKSBURG, TEXAS 78624

ZONING:

ZONED:	C-2 COMMERCIAL
PROPOSED USE:	RESTAURANT / RETAIL / B4B
MIN. ALLOWABLE LOT AREA:	5,000 SQ FT
TOTAL LOT AREA:	74,705 SQ FT
SETBACKS:	
FRONT YARD:	15 FT
STREET SIDE YARD:	15 FT
INTERIOR SIDE YARD:	0 FT
REAR SIDE YARD:	0 FT
MAX. ALLOWABLE BUILDING COVERAGE:	75% OF LOT AREA
TOTAL EXISTING BUILDING COVERAGE:	32.7% (24,443 SF)
TOTAL PROPOSED BUILDING COVERAGE:	33.5% (25,053 SF)
MAX ALLOWABLE IMPERVIOUS COVERAGE:	80% OF LOT AREA
EXISTING IMPERVIOUS COVERAGE:	42.2% (31,569 SF)
PROPOSED IMPERVIOUS COVERAGE:	41.7% (31,179 SF)
MAXIMUM ALLOWABLE BUILDING HEIGHT:	3 STORIES
MAXIMUM EXISTING BUILDING HEIGHT:	REFERENCE PLAN
MAXIMUM PROPOSED BUILDING HEIGHT:	SAME AS EXISTING

REQUIRED PARKING SPACES:

RETAIL:	2359 SF / 400 SF	= 6 SPACES
RESTAURANT:	1 SPACE / 4 SEATS	= 76 SPACES
B4B/APARTMENT	4 UNITS x 1.5	= 6 SPACES
WAREHOUSE/ STORAGE:	1 SPACE / 1,000 SF	= 4 SPACES
TOTAL REQ. PARKING		= 92 SPACES
SPACES PROVIDED INCLUDING 4 ACCESSIBLE SPACES		= 92 SPACES
INTERIOR LANDSCAPING REQUIRED:		= 760 SF
INTERIOR LANDSCAPING PROVIDED:		= 1114 SF

SITE PLAN LEGEND:

- SET 1/2" STEEL ROD
- ELECTRIC METER
- O.H.E. OVERHEAD ELECTRIC
- POWER POLE
- FIRE HYDRANT
- NEW EXTERIOR SITE LIGHTING FIXTURES
- EXISTING TO REMAIN
- NEW/PROPOSED
- EXISTING TO BE REMOVED

SITE NOTES:

CONTRACTOR TO PROTECT ALL TREES TO REMAIN

SITE PLAN

SCALE: 1" = 20'-0"

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Z:\CURRENT PROJECT FILES\MR. GATTIS RESTAURANT\k-REV\GATTIS RESTAURANT.rvt

mustard DESIGN
150 East Main Street, Suite 201
Fredericksburg, Texas 78624
830.997.7024

RENOVATIONS AND INTERIOR FINISH OUT FOR:

MR. GATTIS RESTAURANT

134 BOOS LANE
FREDERICKSBURG, TEXAS

REVISIONS

NO.	DATE

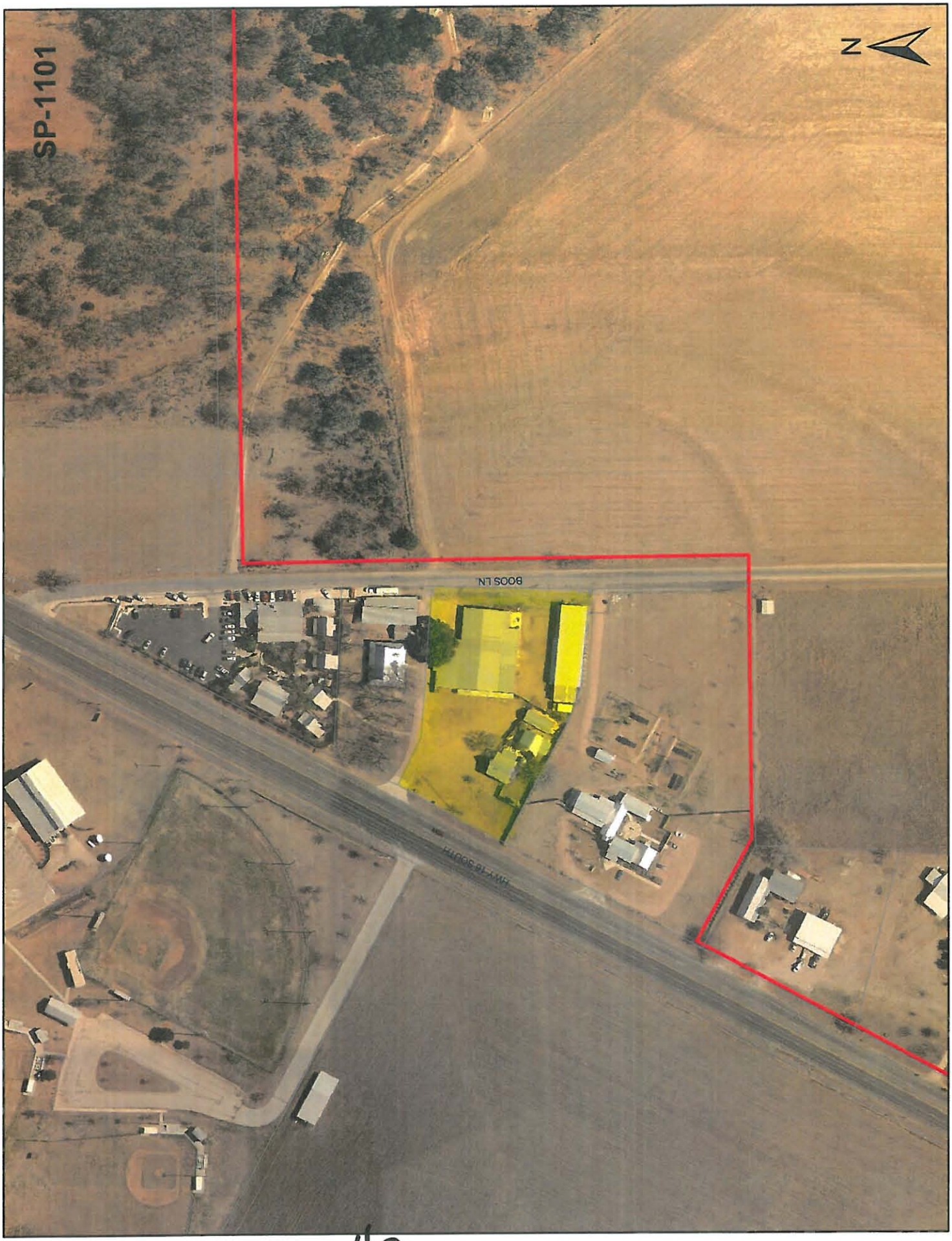
REGISTERED ARCHITECT AEB 7875A STATE OF TEXAS

11.14.11

SITE PLAN

Drawn By:	WLK
Checked By:	AEB
Approved By:	AEB
Project No.	1129
Original Issue Date:	11.14.11

A-100


SP-1101
N
BOOS LN
HWY 18 SOUTH

SITE PLAN
BACKGROUND INFORMATION

File Number:	SP 1102 (A Site Plan for this project was approved by the P&Z in March, 2006.
Address/Location:	1300 Block of S. Hwy 16 S., between Fredericksburg Clinic and SM&PT Sports Medicine and Physical Therapy Facility
Applicant:	L. Brent Bates
Proposed Use:	Medical Offices
Site Area:	2.7 acres (119,921 square feet)
Zoning:	C-2, Commercial
Adjacent Land Uses/Zoning:	
North:	Medical clinic, Zoned C-2
South:	Sports Medicine and PT, zoned C-2
East:	Restaurant and vacant, zoned C-2
West:	Vacant, zoned C-2
Building Breakdown:	3 buildings at approximately 3,500 square feet 3 buildings at approximately 4,000 square feet Total building area – 22,500 square feet
Building Coverage:	19% (75% maximum permitted)
Impervious Coverage:	60% (80% maximum permitted)
Site Access:	One drive into the site from S. Hwy. 16 S., near the center of the site, and a shared drive onto the adjoining clinic property to the north
Parking Required:	1 space per 300 square feet of exam, testing, waiting rooms and offices, or 75 spaces
Parking Provided:	115 spaces (1 space per 195 square feet) Parking spaces are distributed throughout the site for each of the intended buildings.
Screening Required:	Around trash dumpsters
Signage:	A sign is proposed on the north side of the entrance on S. Hwy 16 S. Size and location shall meet the requirements of the sign ordinance.
Lighting:	No information provided. Exterior lighting shall be shielded from adjoining properties.
Detention:	The site plan provides for a detention pond near the southwest corner of the property. Final plans to be

approved by Engineering prior to issuance of a building permit.

P&Z Action: Final approval

Recommendation: Approval

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) Addressing Engineering Department comments prior to issuance of a Building Permit.

APPLICATION FOR SITE PLAN REVIEW

APPLICATION IS HEREBY MADE TO THE PLANNING AND ZONING COMMISSION FOR SITE PLAN REVIEW IN THE CITY OF FREDERICKSBURG HEREINAFTER SET FORTH:

RECEIVED NOV 14 2011 SP-1102

1. **APPLICANT:** L. Brent Bates
2. **ADDRESS:** 1312 S State Highway 16
3. **APPLICANT TELEPHONE NUMBER:** 830 896-3717
4. **APPLICANT FAX NUMBER:** 830 792-3834
5. **OWNER (if different from applicant):** L. Brent Bates
6. **ADDRESS:** 1001 Water St A 200 Kerrville, TX 78028
7. **OWNER TELEPHONE NUMBER:** 830 896 3717
8. **DESCRIPTION OF PROPERTY INVOLVED IN THIS REQUEST:**

   ADDRESS: 1312 S State Highway 16

   LEGAL DESCRIPTION: Lot 2AR, Medical Subdivision Vol 3/Pg 61

   LOT SIZE: 534 x 230 approx **LOT AREA:** 2.753 acres

   PROPOSED USE: office

   USE CLASSIFICATION: C2

9. **EXISTING ZONING:** C2 Commercial DISTRICT

10. **INFORMATION TO BE PROVIDED BY THE APPLICANT**: Seven (7) copies of a site plan at least 24 x 36 inches, drawn to scale and sufficiently dimensioned as necessary to show the following items and three (3) copies of an 11 x 17 reduced site plan showing the same:

    A. The date, scale, north point, title, name of owner, and the name of the person preparing the site plan.

    B. The location and dimensions of boundary lines, easements, and required yards and setbacks of all existing and proposed buildings and land improvements.

    C. The location, height, and intended use of existing and proposed buildings on the site, and the approximate location of existing buildings on abutting site within 50 feet.

    D. The location of existing and proposed improvements including parking and loading areas, pedestrian and vehicular access, utility or service areas, fencing and screening, and lighting.

    E. The center line of existing water courses, drainage features and location and size of existing and proposed streets and alleys, and the 100-year flood plain.

    F. The number of existing and proposed off-street parking and loading spaces, and a calculation of applicable minimum requirements.

    G. For sites with an average slope greater than 10%, a plan showing existing and proposed topography and grading and proposed erosion control measures.

    H. The location and size of proposed signs, if known.

    I. The location and size of the existing and proposed landscaped areas.

    J. A calculation of the impervious area (this includes buildings, paved areas, etc. other than natural ground or landscaped areas) of the site.

10. **SIGNATURE OF APPLICANT:** _____

PRINTED NAME OF ABOVE: L. Brent Bates

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:

11. **SIGNATURE OF OWNER:** _____

PRINTED NAME OF ABOVE: L. Brent Bates

DATE: 11/14/11

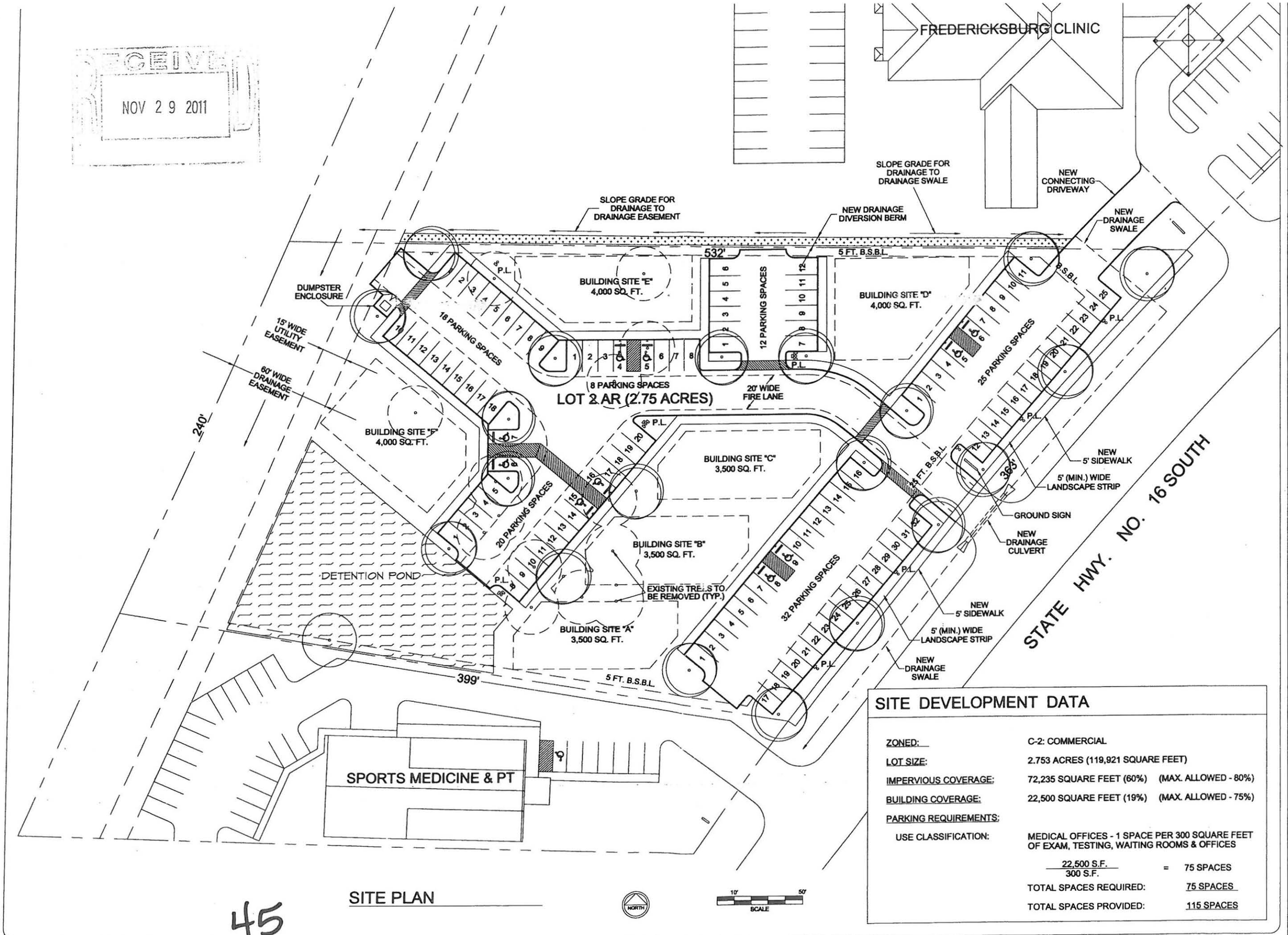
TITLE SEARCH: _____
Date

12. **CONSENT OF LIEN HOLDER:** N/A
Signature

PRINTED NAME OF ABOVE: N/A

NOTE: If this property is encumbered by lien, consent of the lien holder ***is required****.*

13. **RETURN COMPLETED APPLICATION TO**: Brian Jordan or Tammie Loth, City of Fredericksburg, 126 West Main St., Fredericksburg, Texas 78624.



SITE DEVELOPMENT DATA

ZONED:	C-2: COMMERCIAL	
LOT SIZE:	2.753 ACRES (119,921 SQUARE FEET)	
IMPERVIOUS COVERAGE:	72,235 SQUARE FEET (60%)	(MAX. ALLOWED - 80%)
BUILDING COVERAGE:	22,500 SQUARE FEET (19%)	(MAX. ALLOWED - 75%)
PARKING REQUIREMENTS:		
USE CLASSIFICATION:	MEDICAL OFFICES - 1 SPACE PER 300 SQUARE FEET OF EXAM, TESTING, WAITING ROOMS & OFFICES	
	$\frac{22,500 \text{ S.F.}}{300 \text{ S.F.}}$ = 75 SPACES	
TOTAL SPACES REQUIRED:	75 SPACES	
TOTAL SPACES PROVIDED:	115 SPACES	

SITE PLAN

45

STEHLING · KLEIN · THOMAS · ARCHITECTS, P.L.L.C.
RANDY R. STEHLING, AIA - PROJECT ARCHITECT
300 C WEST MAIN STREET FREDERICKSBURG, TEXAS 78624
PHONE: 830-997-0383 FAX: 830-990-9272

PRELIMINARY
THESE DOCUMENTS ARE FOR INTERIM REVIEW AND ARE NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.
RANDY R. STEHLING PROJECT ARCHITECT NUMBER 14088

ONE FREDERICKSBURG MEDICAL CENTER

1312 SOUTH STATE HIGHWAY 16, FREDERICKSBURG, TEXAS 78624

DATE 11-14-11
PROJECT NUMBER 06-05
REVISION

SITE PLAN

A-1


N
HWY 16 SOUTH
RD
SP-1102

VACATING PAGES 2&3, CARRIAGE PARK SUBDIVISION
BACKGROUND INFORMATION
December, 2011

File Number:	P-1111
Subdivision Name:	Carriage Park Subdivision, Pages 2&3, as recorded in the Vol. 4, Pages 86 and 87 of the Plat Records
Owner:	American Bank of Texas, N.A.
Original Surveyor:	Pro-Tech Engineering Group, Kelly Kibler
Zoning:	C-2, Commercial and R-3 Multi-family Residential.
Location:	Property is located in the area bordered by S. Washington St., Longhorn St. and Mueller St.
Tract Size:	4.4 Acres
Purpose of Request:	The plat for this property was recorded June 25, 2008. Page 1 of the plat is the typical legal document, including easements for utilities, drainage and access. The second and third page established the exact building configuration and elevations. These pages were provided because this was a condominium project wherein the units would be conveyed and the area outside the walls would be held in common. The second and third page were not required by the City. Since the unit types and mix will likely change as a result of the new options being proposed, these two pages are no longer valid. In our opinion, the conveyances can be handled in the covenants rather than a page accompanying the plat.
Adjacent Roadways:	This vacation does not affect adjacent roadways.
Utilities:	Utilities were constructed with the original plat.
Easements:	Established in the original plat.
Stormwater Detention:	NA.
Floodplain:	Floodplain does not affect this property.
Access:	Mueller Street, as originally constructed.
Staff Recommendation:	Approve the vacation.

APPLICATION FOR PLAT APPROVAL

RECEIVED NOV 10 2011

DATE: November 10, 2011

NAME OF SUBDIVISION: Carriage Park Subdivision

ACREAGE: 4.4 Acres NUMBER OF LOTS: 36

TYPE OF APPROVAL REQUESTED AND FEE:

(Please provide seven (7) copies of plat)

☐ PRELIMINARY PLAT: $100 plus $10 per lot $ _____

☐ VARIANCE REQUEST: $50 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: $100** $ _____

☐ REPLAT (RE-SUBDIVISION):$100 plus $10 per lot (over 2 lots)** $ _____

☐ FINAL PLAT FOR CONSTRUCTION/CONSTRUCTION PLAN REVIEW:** $250 plus $5 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

☒ VACATING PLAT: $100** Only vacating Page 2,3 (see attached) VOL. 4 PG 86,87

EXISTING LAND USE: Condominium PROPOSED USE: Same

OWNER(S): NAME: American Bank of Texas, N.A.

ADDRESS: 1710 N Llano Fredericksburg, Texas 78624

TELEPHONE: 830-997-9564 FAX: _____

LIEN HOLDER: NAME: None ADDRESS: _____

SURVEYOR: _____ PHONE: _____

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.

[signature], Market President, American Bank of Texas, N.A. 11/10/11

SIGNATURE OF OWNER DATE

[signature] SKIRAT, LLC 11/10/11

SIGNATURE OF APPLICANT, if applicant is NOT owner DATE

*NOTE: A copy of a CURRENT Title search *MUST* be submitted to the City Secretary before plat can be recorded.

**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-$100+ plus $10 per lot plus $6 Preservation Fee and Courthouse Security Fee. If more than 1 page, additional $25 per page.

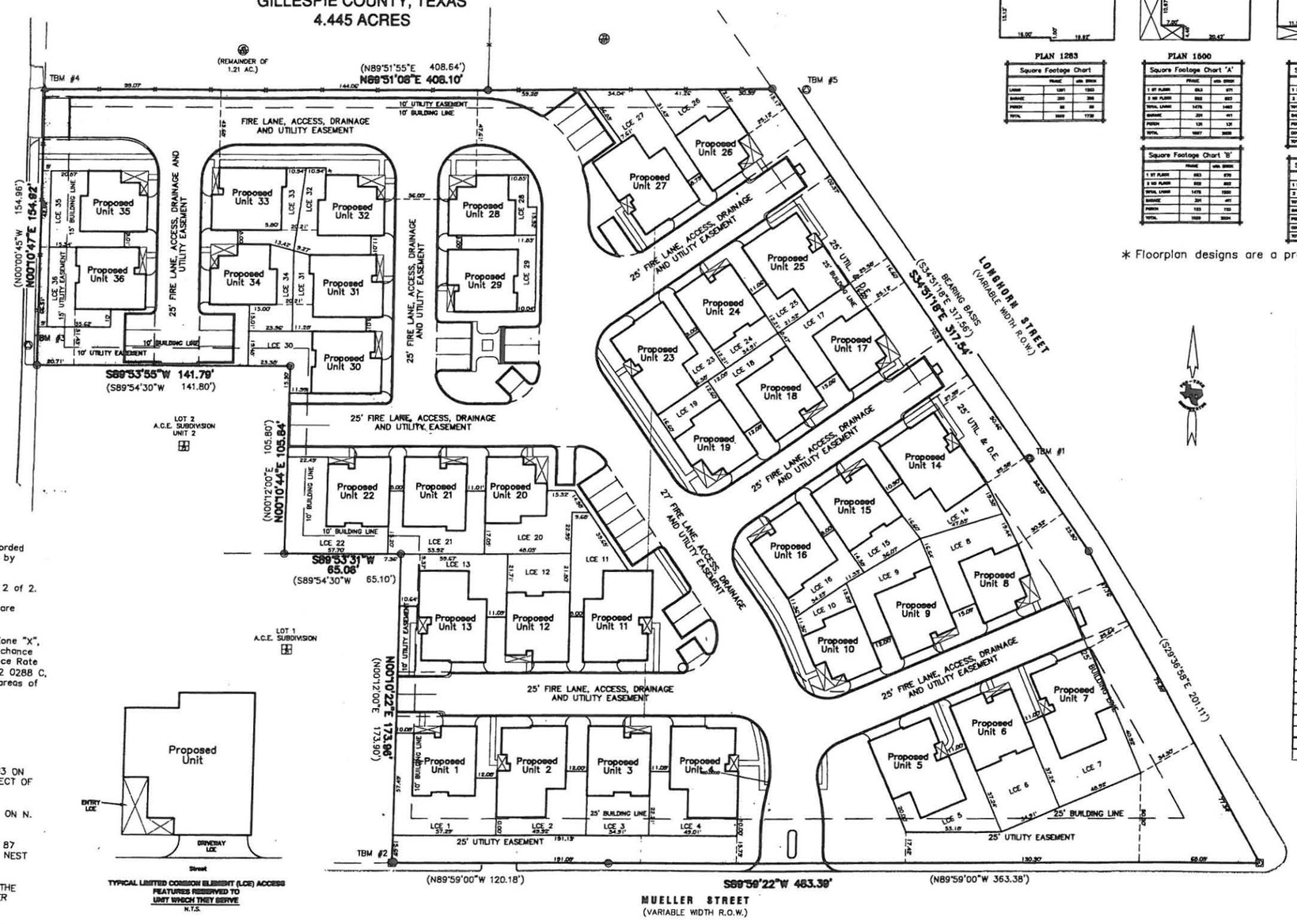
CONDOMINIUM SURVEY
CARRIAGE PARK CONDOMINIUMS

LOT 1, BLOCK 1
CARRIAGE PARK ADDITION
VOL. 4, PG. 85 G.C.P.R.
GILLESPIE COUNTY, TEXAS
4.445 ACRES

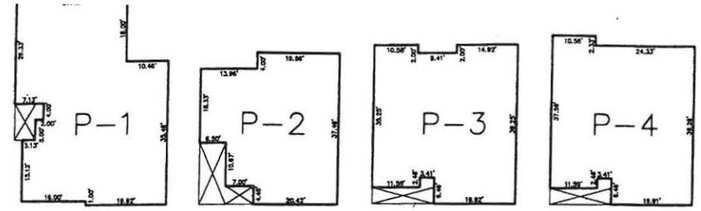
2008010021
P
2 PGS

LEGEND

- IRON STAKE FOUND
- ALUMINUM CAPPED IRON STAKE SET
- CONCRETE MONUMENT FOUND
- NAIL W/ WASHER SET
- GILLESPIE COUNTY DEED RECORDS
- GILLESPIE COUNTY PLAT RECORDS
- RECORD INFORMATION
- POWER POLE
- OVERHEAD UTILITY LINE
- GUY ANCHOR
- COTTON GIN SPINDLE W/ WASHER SET
- NAIL FOUND
- COMMON AREA
- LIMITED COMMON ELEMENTS WITH UNIT NUMBER BEING SERVED



TYPICAL LIMITED COMMON ELEMENT (LCE) ACCESS FEATURES RESERVED TO UNIT WHICH THEY SERVE
N.T.S.



PLAN 1283

Square Footage Chart		
	FRAME	with BRICK
LIVING	1281	1283
GARAGE	200	200
PORCH	30	30
TOTAL	1509	1729

PLAN 1500

Square Footage Chart 'A'		
	FRAME	with BRICK
1 ST FLOOR	853	871
2 ND FLOOR	625	653
TOTAL LIVING	1478	1524
GARAGE	391	411
PORCH	131	131
TOTAL	1997	2066

Square Footage Chart 'B'		
	FRAME	with BRICK
1 ST FLOOR	853	870
2 ND FLOOR	625	653
TOTAL LIVING	1478	1523
GARAGE	391	411
PORCH	133	133
TOTAL	1989	2024

PLAN 1639

Square Footage Chart 'A'		
	FRAME	with BRICK
1 ST FLOOR	845	864
2 ND FLOOR	773	775
TOTAL LIVING	1591	1639
GARAGE	395	421
PORCH	67	67
COV. PATIO	19	19
TOTAL	2072	2146

Square Footage Chart 'B'		
	FRAME	with BRICK
1 ST FLOOR	845	864
2 ND FLOOR	765	762
TOTAL LIVING	1610	1653
GARAGE	395	421
PORCH	67	67
COV. PATIO	19	19
TOTAL	2089	2132

PLAN 1788

Square Footage Chart 'A'		
	FRAME	with BRICK
1 ST FLOOR	894	916
2 ND FLOOR	878	876
TOTAL LIVING	1742	1793
GARAGE	399	421
PORCH	67	67
TOTAL	2207	2279

Square Footage Chart 'B'		
	FRAME	with BRICK
1 ST FLOOR	894	916
2 ND FLOOR	876	878
TOTAL LIVING	1770	1794
GARAGE	399	421
PORCH	67	67
TOTAL	2164	2283

* Floorplan designs are a product of KIPP-FLORES ARECHITECTS

Unit #	Floor Plan Type			
	P-1	P-2	P-3	P-4
1			X	
2	X			
3			X	
4	X			
5	X			
6			X	
7	X			
8		X		
9				X
10		X		
11	X			
12			X	
13	X			
14	X			
15			X	
16				X
17		X		
18				X
19		X		
20		X		
21				X
22			X	
23	X			
24			X	
25	X			
26		X		
27	X			
28		X		
29			X	
30			X	
31				X
32		X		
33				X
34		X		
35		X		
36			X	
Total:	10	10	10	6
			= 36 Units	

SURVEYORS NOTES:

1. All easements shown hereon are as per recorded subdivision plat which is incorporated herein by reference.
2. The vertical boundaries are shown on Sheet 2 of 2.
3. All units are proposed for construction and are deemed "MUST BE BUILT".
4. The tract of land shown hereon lies within Zone "X", areas shown to be outside the 0.2% annual chance floodplain as delineated on the Flood Insurance Rate Map (FIRM) Community Panel Number 480252 0288 C, dated October 19, 2001, for unincorporated areas of Gillespie County, Texas.

ENCHMARK LIST

- BM #1– CGS SET IN PP, ±62.5' N. OF CORNER #3 ON W. SIDE OF LONGHORN ST. @ NW INTERSECT OF LONGHORN & FRANKLIN STS. ELEV.= 100.00' (ASSUMED)
- BM #2– CGS SET IN PP, ±3.0' N. OF CORNER #9 ON N. SIDE OF MUELLER ST. ELEV.= 111.43'
- BM #3– CGS SET IN PP ON E. SIDE OF HWY. NO. 87 NEAR CORNER #16. THIS PP SERVES THE NEST RESTAURANT. ELEV.= 114.81'
- BM #4– PK NAIL IN CONC. FND (CORNER #18) @ THE NW CORNER OF LOT 1, IN FOOTING UNDER GATE ELEV.= 109.79'
- BM #5– CGS W/ WASHER IN ASPH, SE OF THE NE CORNER OF LOT 1 (TRV #2) ELEV.= 99.67'

I hereby certify that this survey meets the requirements of Property Code, Chapter 82, Section 82.059.

Revised: July 15, 2008
February 8, 2007

KELLY KILBER
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2219

STATE OF TEXAS REGISTERED KELLY KILBER 2219 PROFESSIONAL LAND SURVEYOR

SCALE: 1"= 30'

SHEET: 1 OF 2

PRO-TECH ENGINEERING GROUP INCORPORATED
100 E. San Antonio St., Suite 100
San Marcos, TX. 78666
(512) 353-3335

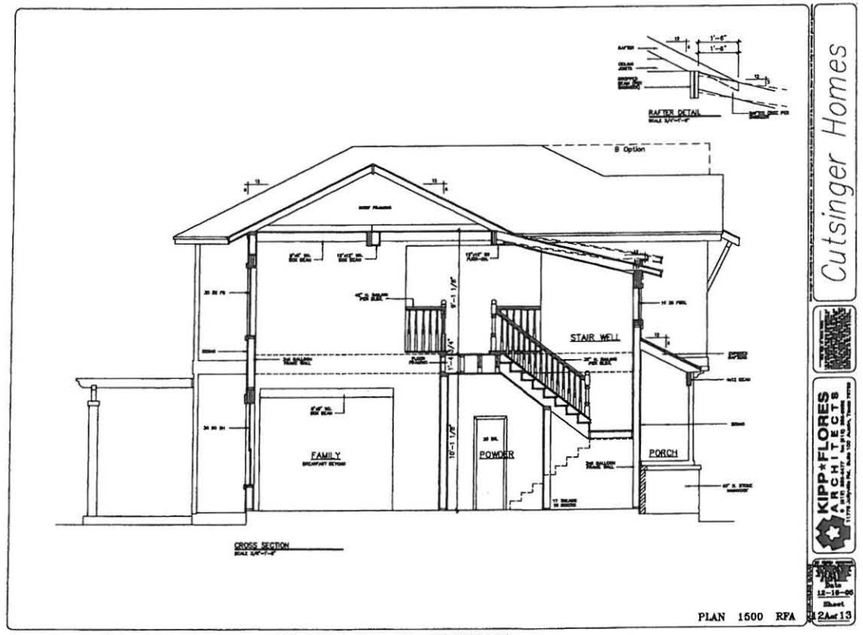
GEI
NOV 18 2011
P-111

CUTSINGER HOMES, CARRIAGE PARK 14791 CONDO MOS 07-15-1

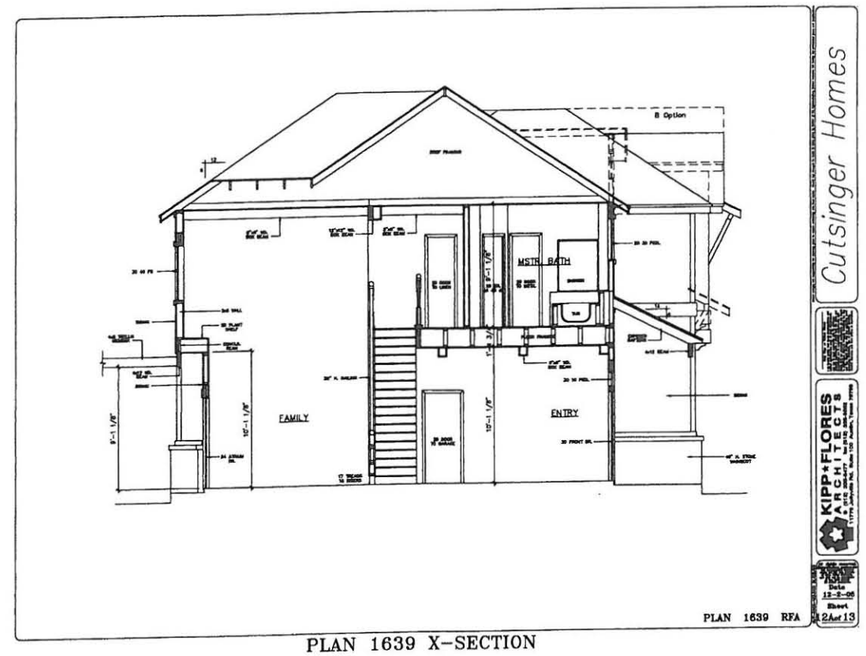
14791 JOB 11685
628 PG:50
N No. 4287
ects\11685\dwg\survey.dwg

50

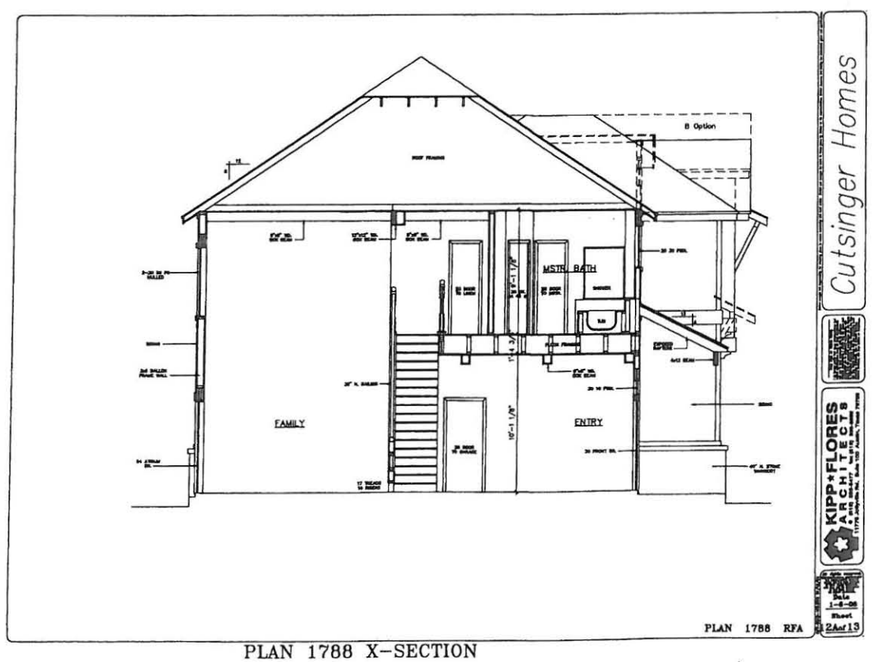
CONDOMINIUM SURVEY
CARRIAGE PARK CONDOMINIUMS



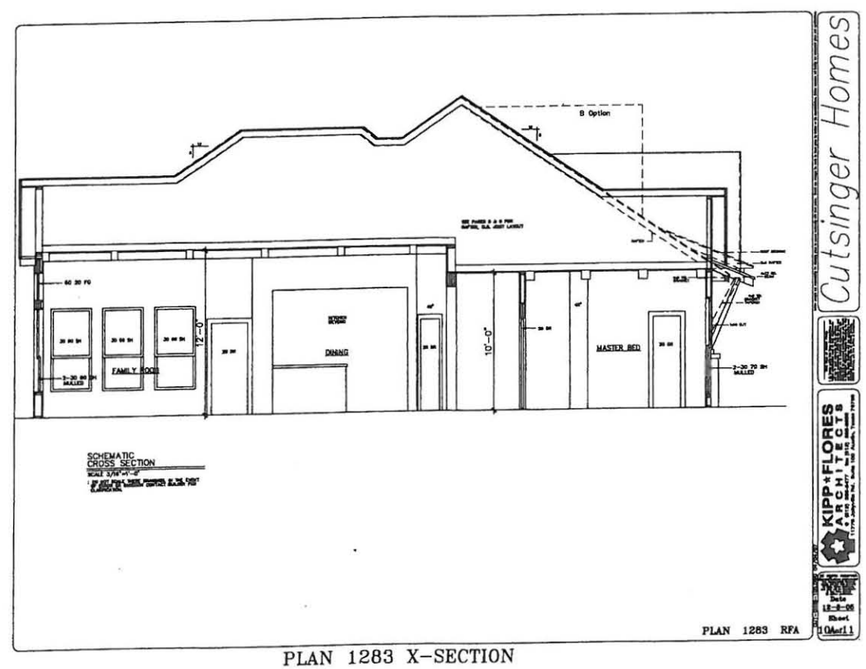
PLAN 1500 X-SECTION



PLAN 1639 X-SECTION



PLAN 1788 X-SECTION



PLAN 1283 X-SECTION

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
Mary Lynn Rusche
Mary Lynn Rusche, County Clerk
Gillespie County TEXAS
July 17, 2008 03:40:51 PM
FEE: $491.00 2008010021

PRO-TECH ENGINEERING GROUP INCORPORATED
100 E. San Antonio St., Suite 100
San Marcos, TX. 78666
(512) 353-3335

E.O. 14791
PLAN No. 4287

SHEET: 2 OF 2