AGENDA
CITY OF FREDERICKSBURG
PLANNING & ZONING COMMISSION
Wednesday, June 4, 2014
5:30 P.M.
LAW ENFORCEMENT CENTER, 1601 E. MAIN ST.

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

PUBLIC HEARINGS

3.	Public Hearing (P-1408) by Jim Higgins to consider a replat of Lot No. 3, North Heights Addition, located on Morning Glory Drive	*Pp 5 - 11*
4.	Public Hearing (Z-1405) by Page Southerland Page, Inc. on behalf of Gable S Corporation for a Conditional Use Permit to allow a hotel/motel in the Central Business District on property located at 406 and 412 E. Main Street	*Pp 12 - 27*
5.	Consider making a recommendation on Z-1405	
6.	Public Hearing (Z-1406) by Carroll Bryla, representing several owners of land, to consider a change in the Land Use Plan from Medium Density Residential to Commercial and a change in zoning from R-2, Mixed Residential, to C-2, Commercial, on approximately 19.40 acres of land bordered by Franklin on the north, S. Creek Street on the east, Highway Street on the south, and S. Ufer on the west.	*Pp 28 - 39*
7.	Consider making a recommendation on Z-1406	

ADJOURN

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

PLANNING & ZONING COMMISSION
May 7, 2014
5:30 P.M.

On this the 7th day of May, 2014 the PLANNING AND ZONING COMMISSION convened in special session at the Law Enforcement Center with the following members present to constitute a quorum:

JANICE MENKING - Chair
BOBBY WATSON
CHRIS KAISER
BRENDA SEGNER
CHARLIE KIEHNE
BILL PIPKIN
TODD WILLINGHAM

ABSENT: STEVE THOMAS
DARYL WHITWORTH

ALSO PRESENT: BRIAN JORDAN - Director of Development Services
CLINTON BAILEY - Director of Public Works and Utilities
PAT MCGOWAN - City Attorney
KRIS KNEESE - Assistant City Engineer
TAMMIE LOTH - Development Coordinator

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

PUBLIC HEARINGS

PUBLIC HEARING (Z-1403) BY WHATABURGER #1060 FOR AN AMENDMENT TO APPROVED CONDITIONAL USE PERMIT TO ALLOW A CHANGE IN SIGNAGE ON THE FRONT OF THE BUILDING LOCATED AT 1301 E. MAIN STREET - It was moved by Bill Pipkin and seconded by Bobby Watson to open Public Hearing Z-1403 by Whataburger #1060 for an amendment to approved Conditional Use Permit to allow a change in signage on the front of the building located at 1301 E. Main Street. Ann Lewis, of Lewis Signs, and Bill Sorrells, of Whataburger, were present. Ms. Lewis noted Whataburger would like to change the flying W on the front of the building to letters spelling out Whataburger because the building is in a unique location and they believe the sign would be more conducive to business. Bobby Watson moved to close Public Hearing Z-1403 and Todd Willingham seconded the motion. All voted in favor and the motion carried.

STAFF COMMENTS

Brian Jordan, Director of Development Services, explained the existing signage was approved as part of the Conditional Use Permit package and noted the applicant is wanting to put channel letters on the front of the building. Mr. Jordan noted the letters are 22 inches tall and about ten square feet short of the maximum allowable signage, so the proposed sign would meet the requirements. Mr. Jordan stated, in Staff's opinion, the look of the building is critical and the signage is part of the look. Mr. Jordan noted

Staff recommendation of denial, and noted the sign is appropriate as is.

Charlie Kiehne stated Whataburger did step up to the plate to become a good neighbor with the design of the building, and they managed to strike a very happy medium. Mr. Kiehne added their parking lot has been very full and believes business is not suffering with the current sign. Mr. Kiehne stated the proposed sign would detract from the building Whataburger worked so hard to create in order to fit into Fredericksburg. Mr. Kiehne noted he agreed with the recommendation of Staff.

Mr. Pipkin agreed he did not believe signage is an issue based on the number of cars in the parking lot.

Brenda Segner asked if the logo on the front of the building was voluntary and Mr. Jordan noted it was the sign in their proposal.

Charlie Kiehne moved to accept the recommendation of Staff and forward a recommendation of denial to City Council for application Z-1403. Brenda Segner seconded the motion. All voted in favor and the motion carried.

PUBLIC HEARING (Z-1404) BY THE CITY OF FREDERICKSBURG TO CONSIDER AN AMENDMENT TO SECTION 7.825 OF THE ZONING ORDINANCE PERTAINING TO SPECIAL PARKING PROVISIONS APPLICABLE TO CENTRAL FREDERICKBSURG. - It was moved by Todd Willingham and seconded by Bobby Watson to open Public Hearing Z-1404 by the City of Fredericksburg to consider an amendment to Section 7.825 of the zoning ordinance pertaining to special parking provisions applicable to Central Fredericksburg. Brian Jordan, Director of Development Services, explained this request was initiated by the city to evaluate the possibility of expanding the area the parking section of the zoning ordinance refers to that allows a building to be expanded or a new building be constructed and there be an reduction in the amount of required parking. Mr. Jordan explained this area of town suggests a more pedestrian type of environment. Mr. Jordan noted the limits of the area as they are now are include Milam Street on the west, Washington Street on the east, Austin Street on the north and San Antonio Street on the south. Mr. Jordan noted there are two potential developments in the 400 block of E. Main that brought the parking issue to the attention of City Staff, but clarified the public hearing was not called specifically for the proposed projects. Mr. Jordan explained there are two blocks on the west side of Main Street and one block on the east side of Main Street that are zoned Central Business District, are located in the Historic Overlay District, and governed by the standardized business regulations. Mr. Jordan noted the proposal is to consider extending the special provisions to these blocks. Mr. Jordan stated Staff felt this consideration was reasonable because the zoning in these blocks is the same as the area that is now included, the conditions are similar in these blocks, and the provision will not be extended beyond an area that is commercially zoned. Mr. Jordan added there are not any R-2 zoned areas or C-1 zoned areas that are to be included and the provision will not be applicable to any kind of B&B or lodging units.

Tim Lehmberg, on behalf of the Gillespie County Economic Development Commission, noted he was in favor of the proposal for several reasons and noted the methodology is very sound. Mr. Lehmberg addded it is wise to hold the full parking requirements for any lodging facility, but noted restaurants and retail are a different nature and he believes the majority of patrons will be pedestrian. Mr. Lehmberg added there are not huge expanses of vacant land in the subject three blocks that can be developed. Mr. Lehmberg stated he believes this is a way to make Main Street larger on both ends.

Ernie Loeffler of the Convention and Visitors Bureau noted from a destination management point of view he is in favor of the proposed expansion of special parking provisions because they are at a pivitol point of Main Street and likened it to the San Antoino Riverwalk. Mr. Loeffler stated they are hearing

a small amount of grumbling that Main Street is too crowded and by expanding the parking area, the Main Street shopping experience can be expanded. Mr. Loeffler noted the walkability of Fredericksburg is a major attraction and that should be supported.

Charlie Kiehne moved to close Public Hearing Z-1404 and Bobby Watson seconded the motion. All voted in favor and the motion carried.

Mr. Kiehne noted west Main Street has seen some development in the past years and encourages visitors to that end of town. Mr. Kiehne also noted Fredericksburg is designed as the new shopping malls, which are located outdoors. Mr. Kiehne noted parking is an issue and if the requirements are reduced, more problems will be created and adequate parking should be provided. Mr. Kiehne stated he believes requiring full parking for lodging facilities is wise and added he belives a 50% reduction in parking may be too much and allowing 75% of the normal required parking would be better. Mr. Kiehne added as areas are enhanced, more visitors will be drawn to town and adequate parking needs to be maintained for both visitors and local citizens. Mr. Kiehne agreed both ends of Main Street should be considered in this requrest.

Chris Kaiser asked if there are many areas in the proposed blocks that are undeveloped and noted the arbitrariness of the ordinance is what bothers him. Mr. Jordan noted there is some undeveloped area but most of it is on the back end of properties. Mr. Kaiser added the things that are bringing visitors to town should be expanded and we should not require full parking in these blocks because that is not what people are coming to town for. Mr. Jordan noted the provision has been a great benefit to some developers that have been able to take advantage of it.

Todd Willingham added this is a logical move and it will enhance the town and the visual appeal of Central Fredericksburg. Brenda Segner noted she believes expanding the area is appropriate. Mr. Kaiser commentd the reduction is okay because any parking for lodging would still be required. Bobby Watson stated he really likes the idea of expanding to Bowie because it encourages development on the west end of town.

Todd Willingham moved to approve Z-1404 and Chris Kaiser seconded the motion. All voted in favor, with the exception of Charlie Kiehne who voted in opposition. The motion carried.

SITE PLANS

CONSIDER (SP-1411) SITE PLAN FOR FISD AG FACILITY LOCATED AT HOLLMIG LANE AND FRIENDSHIP LANE. - Kevin Spraggins of VEI Engineering presented the application and noted the school district is making some improvements over the summer and a new ag facility is being proposed along Friendship, Hollmig Lane, and the extension of Milam. Mr Spraggins noted the area is approximately 2 acres in size and will consist of an ag facility, which will house the students show animals and provide a parking and loading area convenient for trailers. Mr. Spraggins noted another component of the facility will be classrooms and office space, which will be used on a daily basis. Mr. Spraggins added they will be installing sidewalks along Hollmig and Friendship Lane. Mr. Spraggins stated there will also be an exercise area for the animals and wash areas.

STAFF COMMENTS

Brian Jordan, Director of Development Services, noted standard conditions with the site, including a landscape plan, which will be minimal because of the type of project. Mr. Jordan noted there are very

minor trees on the property and a few of them will be saved. Mr. Jordan added they will not be required to put in a detention pond because the channel along the east side of the property drains directly into the regional detention pond. 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.

Charlie Kiehne moved to approve SP-1411 with the conditions set forth by Staff and Bobby Watson seconded the motion. All voted in favor and the motion carried.

MINUTES

Todd Willingham moved to approve the minutes from the April, 2014 meeting. Bill Pipkin seconded the motion. All voted in favor and the motion carried.

DISCUSSIONS

Brian Jordan introduced Kris Kneese, Assistant City Engineer, and Clinton Bailey, Director of Public Works and Utilities. Mr. Kneese presented a program on major public works projects that are either in process or on schedule to be started later in the year. Mr. Bailey serves on the relief route committee and gave the Commission some information on what the committee is discussing and the plans they have to move forward with a relief route.

ADJOURN

With nothing further to come before the Commission, Bobby Watson moved to adjourn. Todd Willingham seconded the motion. All voted in favor and the meeting was adjourned at 7:11 p.m.

PASSED AND APPROVED this 4th day of June, 2014.

SHELLEY BRITTON, Secretary

JANICE MENKING, Chairman

MEMO

DATE: May 30, 2014

TO: Planning and Zoning Commission

FROM: Brian Jordan, AICP

SUBJECT: Request by James C. Higgins to Replat approximately 1.14 acres into two lots on Morning Glory Drive. (P-1408).

Summary:

The applicant intends to subdivide Lot 3 of the North Heights Addition into two lots. This property is located on Morning Glory Drive. There is an existing residence on what will become Lot 3CR, and proposed Lot 3DR will be vacant. Proposed Lot 3CR will contain 27,875 square feet (0.64 acres) and Lot 3DR will contain 21,960 square feet (0.50 acres). Utilities (water and sanitary sewer) were installed when Morning Glroy Drive was reconstructed. A sidewalk was constructed as part of the street improvements.

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.

Recommendation:

All public improvements have been installed adjacent to this property. Approval of the replat is recommended.

The City of Fredericksburg

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

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-1408

RECEIVED APR 21 2014

DATE: 4-21-14

NAME OF SUBDIVISION: _____

ACREAGE: 1.14 **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** $ ✓ 200.00

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

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: RESIDENTAL **PROPOSED USE:** RESIDENTAL

OWNER(S): NAME: JAMES C. HIGGINS

ADDRESS: 330 MORNING GLORY DR.

TELEPHONE: 830-456-4652 **FAX:** _____

EMAIL ADDRESS: higs@austin.rr.com

LIEN HOLDER: CHASE BANK **ADDRESS:** _____

SURVEYOR: BONN SURVEYING **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.

James C. Higgins 4-21-14
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.

Waiver of Right to 30 day Action 4-29-14

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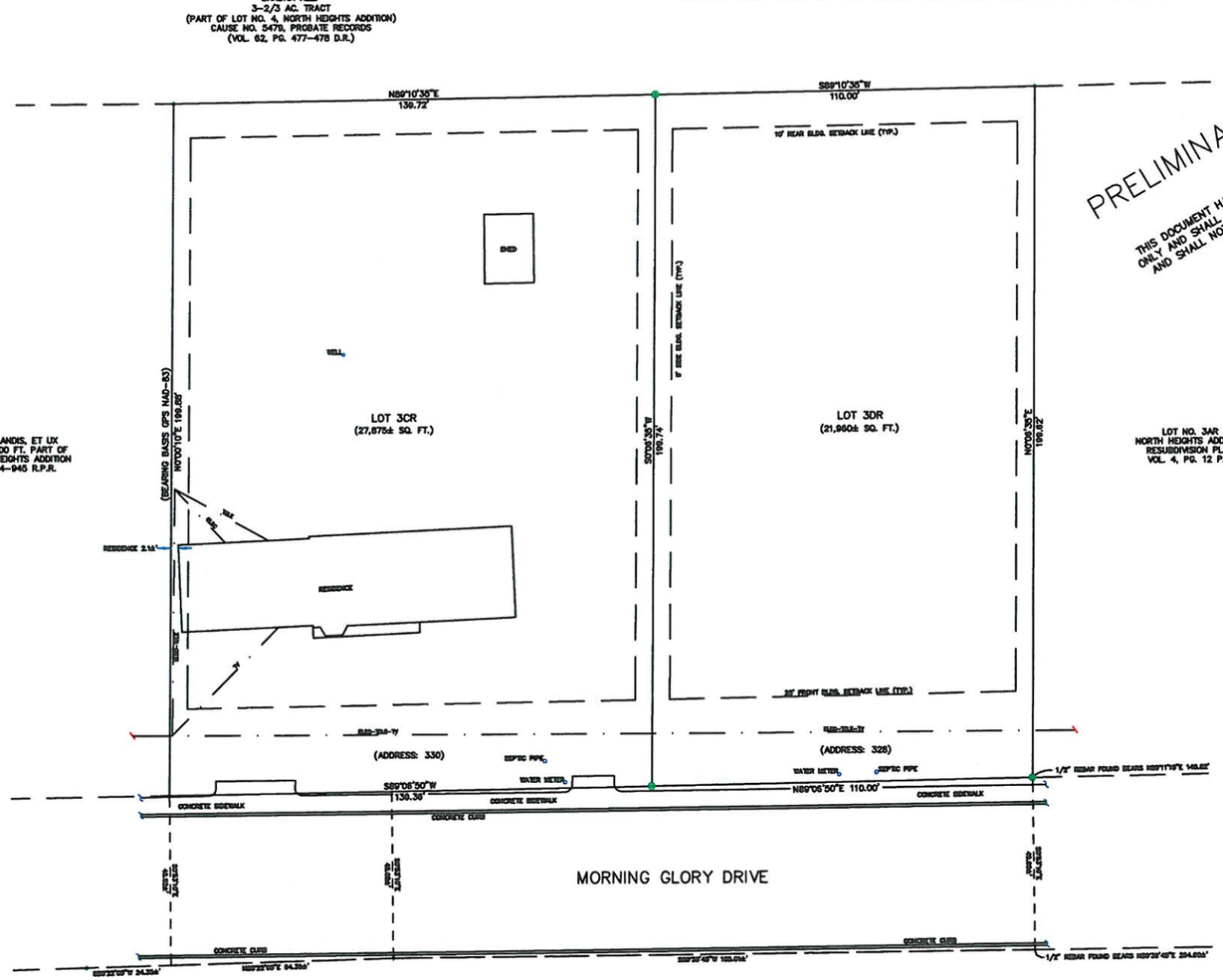
NOTES:
1. BUILDING SETBACK LINES ARE SUBJECT TO CHANGES IN PROPERTY ZONING.
2. EXISTING STRUCTURES ON LOT 3CR ENCROACH INTO BUILDING SETBACKS AS CURRENTLY REQUIRED BY R1-SINGLE FAMILY RESIDENTIAL ZONING. THESE ENCROACHMENTS HAVE BEEN RECOGNIZED AND ACCEPTED BY THE CITY OF FREDERICKSBURG AS SHOWN ON THIS FILED PLAT.
3. ALL FUTURE CONSTRUCTIONS MUST ADHERE TO THE CURRENT ZONING AT THE TIME OF PERMIT APPLICATION.
4. THE PRIVATE WATER WELL LOCATED ON LOT 3CR CANNOT BE INTERCONNECTED TO THE CITY OF FREDERICKSBURG PUBLIC WATER SYSTEM.

REPLAT
OF PART OF LOT NO. 3, NORTH HEIGHTS ADDITION, INTO
LOTS NO. 3CR & 3DR, NORTH HEIGHTS ADDITION.

NORTH HEIGHTS ADDITION BEING SITUATED IN THE CITY OF FREDERICKSBURG, GILLESPIE COUNTY, TEXAS, PLAT FOUND OF RECORD IN VOLUME 63, PAGE 203 OF THE DEED RECORDS OF GILLESPIE COUNTY, TEXAS, AND BEING THAT 1.14 ACRE TRACT OF LAND DESCRIBED IN A CONVEYANCE TO JAMES C. HIGGINS, ET UX, BY LYDIA KRAMER, ET AL, DATED MARCH 22, 1994, FOUND OF RECORD IN VOLUME 264, PAGES 439-443 OF THE REAL PROPERTY RECORDS OF GILLESPIE COUNTY, TEXAS.



SCALE 1" = 20'

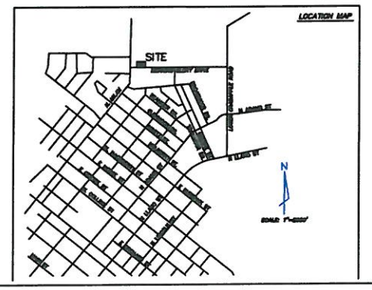
0 20 40 60

LEGEND
- 1/2" DIA. REBAR FOUND (EXCEPT AS NOTED)
- 1/2" DIA. REBAR SET (CAPPED: BONN 4447)
- UTILITY POLE
- FENCE

PRELIMINARY

THIS DOCUMENT HAS BEEN RELEASED FOR REVIEW ONLY AND SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR REVIED UPON AS A FINAL SURVEY DOCUMENT.

DATE: ~~4-21-14~~ 5-10-14



BONN SURVEYING
503 LONGHORN ST.
FREDERICKSBURG, TX 78624
PHONE: 830-997-3884
FAX: 830-997-0972
EMAIL: bonnsurveying@verizon.net
FIRM REG. NO. 10089800

THE STATE OF TEXAS*
COUNTY OF GILLESPIE*

I (We), the undersigned, owners of the land shown on this plat and designated herein as Lots No. 3CR & 3DR, North Heights Addition to the City of Fredericksburg, Texas, and whose name is subscribed hereto, hereby dedicate and to the public use forever and convey by fee simple title, free and clear of all liens and encumbrances, all street, thoroughfares, alleys, parks, and trails, and to the public use forever easements for sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the platting ordinances, rules, and regulations thereon shown for the purpose and consideration therein expressed.

Owner: _____

Date: _____

THE STATE OF TEXAS*
COUNTY OF GILLESPIE*

BEFORE ME, the undersigned authority in and for _____ County, Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she is _____ and that he/she is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 20____

_____
Notary Public in and for The State of Texas

_____
Printed Name of Notary

My commission expires: _____

THE STATE OF TEXAS*
COUNTY OF GILLESPIE*

Whereas, _____, acting by and through the undersigned, its duly authorized agent, is the lienholder of the property described hereon, does hereby ratify all dedications and provisions of this plat as shown.

Lienholder: _____

Date: _____

THE STATE OF TEXAS*
COUNTY OF GILLESPIE*

BEFORE ME, the undersigned authority in and for _____ County, Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she is _____ and that he/she is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 20____

_____
Notary Public in and for The State of Texas

_____
Printed Name of Notary

My commission expires: _____

Approved

_____ _____
Chairman, Planning and Zoning Commission Date
City of Fredericksburg, Texas

The undersigned, the City Secretary and the City of Fredericksburg, Texas, hereby certifies that the foregoing Final Plat of the _____ Subdivision or Addition to the City of Fredericksburg was submitted to the Planning and Zoning Commission on the _____ day of _____, _____, and the Commission, by formal action, then and there accepted the dedications, conveyances of land, improvements, and any other property necessary to serve the plat and to implement the requirements of the platting ordinances, rules, and regulations as shown and set forth in and upon said plat, that the public works and infrastructure improvements have been completed in accordance with the construction plans, have been tested and have been accepted by the City, that the Final Plat is now acceptable for filing with Gillespie County and said Commission further authorized the Chairman of the Planning and Zoning Commission to note the acceptance on behalf of the City thereof by signing his/her name as hereinabove subscribed.

Witness by hand on this _____ day of _____, 20____

_____
City Secretary
City of Fredericksburg, Texas

THE STATE OF TEXAS*
COUNTY OF GILLESPIE*

I, the undersigned, a Registered Professional Land Surveyor No. 4447 in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

_____
Carey Bonn
Registered Professional Land Surveyor No. 4447
BONN SURVEYING 830-997-3884

Date: _____

THE STATE OF TEXAS*
COUNTY OF GILLESPIE*

BEFORE ME, the undersigned authority, on this day personally appeared, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therin stated.

Given under my hand and seal of office this _____ day of _____, 20____

_____
Notary Public in and for The State of Texas.

_____
Printed Name of Notary

My commission expires: _____

Filed for record at _____ o'clock _____ M., this the _____ day of _____, 20____ A.D., on Page _____ Volume _____ of the Plat Records of Gillespie County, Texas

_____ _____
County Clerk Deputy Clerk
Gillespie County, Texas

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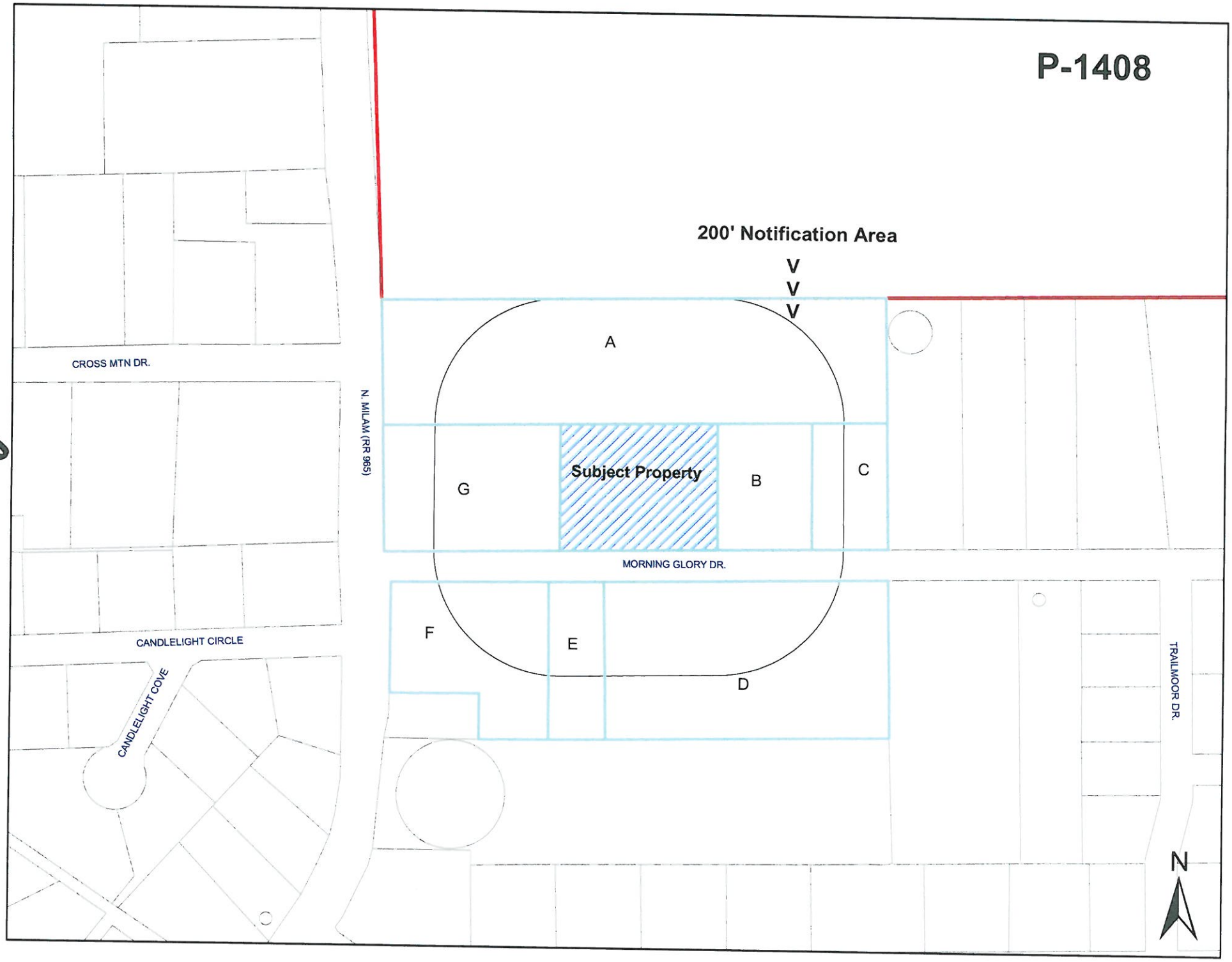
P-1408
CROSS MTN DR
N. MILAM (RR 965)
MORNING GLORY DR
CANDLELIGHT CIRCLE
N

8

P-1408


200' Notification Area
A
B
C
D
E
F
G
Subject Property
CROSS MTN DR.
N. MILAM (RR 965)
MORNING GLORY DR.
CANDLELIGHT CIRCLE
CANDLELIGHT COVE
TRAILMOOR DR.
N

Letter	Owner	
A	Sandra Heep	1501 N. Milam
B	Robert L. Walter	324 Morning Glory Dr.
C	David L. & Roylene M. Roberts	320 Morning Glory Dr.
D	Hill Country Memorial Hospital Endowment	325 Morning Glory Dr.
E	Yvonne Haug	331 Morning Glory Dr.
F	David A. Wiemers	1321 N. Milam
G	Jeffrey A. & Tina Landis	334 Morning Glory Dr.
H	James Cole Higgins etal	330 Morning Glory Dr.

P-1408

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NOTICE OF PUBLIC HEARING FOR AN AMENDING PLAT

HEARING DATE: **JUNE 4, 2014** TIME: **5:30 PM** REQUEST NUMBER: **P-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 FINAL

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

APPLICANT: James C. Higgins

LOCATION: 1.14 acres of land located at 330 Morning Glory Dr.
(see accompanying map)

REQUEST: Replat 1.14 acre tract into two tracts, one totaling .64 acre and one totaling .51 acre

(DETACH BELOW)

REQUEST NO. P-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 _____

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CONDITIONAL USE PERMIT BRIEF

Request Z-1405

Owner: Gable S Corporation, Shaesby Scott

Applicant: Page Southerland Page, Inc., Daniel Brooks, AIA

Location: 406 E. Main Street

Existing Zoning: CBD, Central Business District

Request: Conditional Use Permit to allow a Hotel Lodging facility in CBD, Central Business Zoning district.

Site Plan Overview:

- The property currently contains a single vacant building. The existing building has a Low historic rating and is scheduled to be removed to make room for the proposed project.
- The site area is approximately 1.63 acres (71,220 square feet), of which approximately 1.47 acres (64,027 square feet) are out of the floodplain.
- The project will consist of 63 hotel rooms, 11,644 square feet of retail space and a restaurant. The building will be positioned at the front of the site, with parking located beneath and to the rear of the property.
- A two-way drive is proposed from Austin Street and a single one-way drive is proposed on the east side of the building from Main Street. A bridge will be constructed across the Town Creek into the rear of the property. The rear drive will serve as a fire lane.
- The proposed building will be 3 stories, which is allowed in the CBD (see attached elevations).
- Impervious coverage is estimated to be approximately 89.9% (90% maximum allowed in the CBD District). This calculation is based on the area outside the floodplain.
- The site is bordered by Austin Street on the north, a sporting arms, arts and collectibles facility along with B&B's (Angels Lodge) to the east, commercial and B&B's to the south and a home furnishings store (Auer Haus) to the west.
- Surrounding zoning is CBD to the west, east and south, and R-1 to the north across Austin Street.

Review and Evaluation Criteria:

A. **CONFORMANCE WITH APPLICABLE REGULATIONS:**

- As designed, the site is compliant regarding applicable zoning regulations, including building height, setbacks, building coverage, impervious coverage and parking.

B. **COMPATIBILITY WITH EXISTING OR PERMITTED USES IN ABUTTING SITES:**

- The proposed hotel rooms will serve to support retail and cultural uses within the vicinity. The retail and dining area will enhance the shopping experience along Main Street.

C. **POTENTIALLY UNFAVORABLE EFFECTS OR IMPACTS ON OTHER EXISTING OR PERMITTED USES ON ABUTTING PROPERTY:**

- We do not anticipate unfavorable effects from the proposed use on abutting properties.

D. **MODIFICATIONS TO THE SITE PLAN WHICH WOULD RESULT IN INCREASED COMPATIBILITY AND WOULD MITIGATE POTENTIALLY UNFAVORABLE IMPACTS:**

- NA.

E. **SAFETY AND CONVENIENCE OF VEHICULAR AND PEDESTRIAN CIRCULATION IN THE VICINITY:**

- The site has been designed to provide two points of access into the project. The rear access from Austin Street will provide the main access in the parking area proposed for the project and the one-way drive from Main Street will serve as a drop-off point for hotel guests. This configuration will limit the vehicular circulation in the front of the building where pedestrians will be the focus.

F. **PROTECTION OF PERSONS AND PROPERTY FROM EROSION, FLOOD OR WATER DAMAGE, FIRE, NOISE, GLARE:**

- The property is encumbered by the 100-year floodplain along Town Creek to the rear of the property and is noted on the plan. The applicant has been advised that no structures requiring a permit will be allowed within the floodplain, that the finished floor elevation of all structures abutting the floodplain shall be a minimum of 1' above the base flood elevation, and that the established base flood elevation shall be staked on the ground prior to construction. In addition, the 100-year floodplain shall be designated as a Drainage Easement.
- A Fire Department connection has been provided on the interior of the property, and a fire lane has been designated to the rear of the property.

G. **LOCATION OF LIGHTING AND TYPE OF SIGNS; THE RELATION OF SIGNS TO TRAFFIC CONTROL AND ADVERSE EFFECTS OF SIGNS ON ADJACENT PROPERTIES:**

- All exterior lighting and fixtures will be selected to minimize negative effects of light pollution and shield light trespass beyond the project site lighting boundary All signage will require a permit and shall comply with the Sign Ordinance.

H. **ADEQUACY AND CONVENIENCE OF OFF STREET PARKING AND LOADING FACILITIES:**

- Based on the proposed size, configuration and number of units proposed, adequate parking is provided. The applicant will take advantage of the reduction in the parking requirements

recently approved by the City Council. This reduced parking will not apply to the hotel portion of the project.

I. DETERMINATION THAT THE PROPOSED USE IS IN ACCORDANCE WITH THE OBJECTIVES OF THESE ZONING REGULATIONS AND PURPOSES OF THE ZONE IN WHICH THE SITE IS LOCATED:

- While the zoning of the property is CBD, a mixed use development in this block of east Main Street will serve to support the commercial activities in the area and enhance the pedestrian experience downtown.

J. DETERMINATION THAT THE PROPOSED USE WILL COMPLY WITH EACH OF THE APPLICABLE PROVISIONS OF THE ZONING ORDINANCE:

- Affirmative.

K. DETERMINATION THAT THE PROPOSED USE AND SITE DEVELOPMENT, TOGETHER WITH ANY MODIFICATIONS APPLICABLE, THERETO, WILL BE COMPATIBLE WITH EXISTING OR PERMITTED USES IN THE VICINITY:

- The applicant has addressed the site issues required by the Development Review Committee. Final details will be addressed as part of the Construction Plans required prior to issuance of a building permit.

L. DETERMINATION THAT ANY CONDITIONS APPLICABLE TO APPROVAL ARE THE MINIMUM NECESSARY TO MINIMIZE POTENTIALLY UNFAVORABLE IMPACTS ON NEARBY USES AND TO ENSURE COMPATIBILITY OF THE PROPOSED USE WITH EXISTING OR PERMITTED USES IN THE SAME DISTRICT AND THE SURROUNDING AREA:

- Affirmative. Building elevations are provided. Since the property is located within the Historic District, final building design will be subject to Historic Review Board approval. The Historic Review Board is scheduled to consider this project on June 10, 2014.

M. DETERMINATION THAT THE PROPOSED USE TOGETHER WITH THE CONDITIONS APPLICABLE THERETO, WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, OR WELFARE OR MATERALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY:

- Affirmative

OPPOSITION/SUPPORT OF REQUEST: No letters received to date.

STAFF RECOMMENDATION: Approval, conditioned upon the following:

1. Approval of a Landscape Plan prior to issuance of a Building Permit.
2. All external lighting being shielded.
3. Approval of Construction Plans prior to issuance of a Building Permit.
4. Approval of Building Plans by the Historic Review Board prior to issuance of a building permit.
5. The property being replatted into a single tract prior to issuance of a building permit.

CASE NUMBER Z-1405

DATE

APPLICATION FOR CONDITIONAL USE PERMIT

Prior to submittal a pre-application meeting must be held with the Planning and Engineering Depts

APPLICATION IS HEREBY MADE TO THE PLANNING & ZONING COMMISSION AND THE CITY COUNCIL TO GRANT A CONDITIONAL USE PERMIT IN THE ZONING DISTRICT OF THE CITY OF FREDERICKSBURG AS HEREIN SET FORTH:

RECEIVED MAY 1 2014

CONDITIONAL USE PERMIT - $200.00

1. **APPLICANT:** PAGE SOUTHERLAND PAGE, INC.
2. **ADDRESS:** 400 W. CESAR CHAVEZ ST. STE 500 ; AUSTIN, TX 78701
3. **PHONE NUMBER:** 512.472.6721 **FAX NUMBER:** 512.477.3211
4. **EMAIL ADDRESS:** STOWNSEND@PAGETHINK.COM
5. **OWNER (if different from applicant):** GABLE S CORPORATION
6. **ADDRESS:** P.O. BOX 4515 ; AUSTIN, TX 78765
7. **PHONE NUMBER:** 512.659.8425 **FAX NUMBER:** 512.453.7672
8. **EMAIL ADDRESS:** SHAESBY@GABLESCORP.COM
9. **DESCRIPTION OF PROPERTY INVOLVED IN THIS REQUEST:**

ADDRESS: 406 EAST MAIN ST

LEGAL DESCRIPTION: GERMAN EMIGRATION COMPANY TOWN LOTS NO. 188, 189, PART OF 190 & (2) UNNUMBERED LOTS NORTHEAST OF 188 & 189.

LOT SIZE: 1.635 ACRES **LOT AREA:** 71,220 SF

10. **EXISTING ZONING:** CBD: CENTRAL BUSINESS 1 DISTRICT
11. **CONDITIONAL USE PERMIT:** HOTEL USE CLASSIFICATION IN THE CBD ZONING DISTRICT.
12. **INFORMATION TO BE PROVIDED BY THE APPLICANT:**

A. A statement describing the nature and operating characteristics of the proposed use, including any data pertinent to the findings required for approval of the application. For uses involving public assembly or industrial processing, or uses potentially generating high volumes of vehicular traffic, the Director of Development Services may require specific information relative to the anticipated peak loads and peak use periods, relative to industrial standards, or substantiating the adequacy of proposed parking , loading, and circulation facilities.

A MIXED-USE PROJECT WITH RETAIL, CAFÉ & 63 ROOM HOTEL.

(attach additional sheet if necessary)

AND BEING THE PROPERTY DESCRIBED IN DEED FROM HEIN BROTHERS TO ASTRAL PROPERTIES LLC RECORDED AS DOCUMENT NUMBER 20131819 IN THE DEED RECORDS OF GILLESPIE COUNTY, TEXAS

B. Seven (7) copies of a site plan (24 x 36 inches) and 1 copy of a reduced site plan (11 x 17 inches) showing preliminary building elevations, preliminary improvement plans, and such additional maps and drawings all sufficiently dimensioned as required to illustrate the following:

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

2. The location and dimensions of boundary lines, with distances and bearings, easements, and required yards and setbacks, water courses, drainage features and location and size of existing and proposed streets and alleys, and the 100 year flood plain.

3. The location, height, bulk, general appearance ,and intended use of existing and proposed buildings on the site, and the approximate location of existing buildings on abutting sites within 50 feet.

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

5. The location of water courses and drainage features.

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

7. For sites with an average slope greater than ten (10%) percent, a plan showing existing and proposed topography and grading and proposed erosion control measures.

8. The relationship of the site and the proposed use to surrounding uses, including pedestrian and vehicular circulation, current use of nearby parcels, and any proposed off-site improvements to be made.

13. **SIGNATURE OF APPLICANT:** _____

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

SIGNATURE OF OWNER: _____

DATE: _____

FEE PAID: $200.00

TITLE SEARCH: APRIL 23, 2013
(Date)

14. **CONSENT OF LIENHOLDER:** N/A
(SIGNATURE)

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

15. List of property owners within 200 feet. (provided by City)

16. Return completed applicaiton to: Tammie Loth, City of Fredericksburg, 126 W. Main St., Fredericksburg, Texas 78624.

2 aerial map
scale: 1" = 100'

PLAN NORTH

Area Calculation	
Category	Area
Dining area	1,008.26
Hotel	25,596.16
Retail	11,643.85
Parking Provided	
type	Quantity
HC	4
HC van	1
compact	22
drop off	4
standard	76
	107

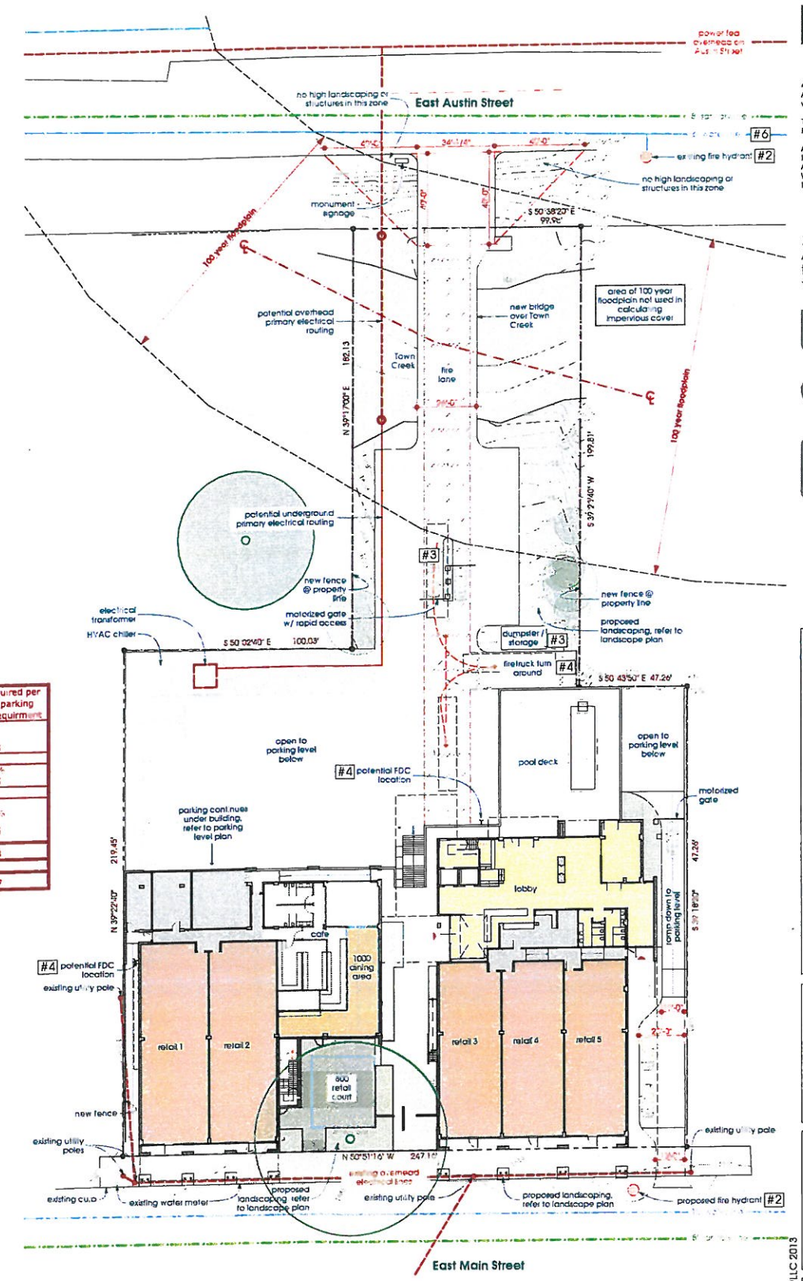
		parking required per zoning ordinance	parking required per approved parking reduction requirements
Hotel keys 63	spaces per key 1st 50: 1.1 over fifty: 1	68	68
Retail s.f. 11644	s.f. per space 400	30	50% 15
dining area + retail court s.f. 1800 15 s.f. per seat	seats per space 4	30	50% 15
Total Parking Required		128	98
Total Parking Provided			107

ZONING SUMMARY: CBD: CENTRAL BUSINESS DISTRICT

FEATURE	REGULATION	ACTUAL
LOT SIZE	MINIMUM LOT AREA = 5,000 SF	71,220 SF
LOT WIDTH	MINIMUM LOT WIDTH= 50 FEET	247 FEET
HEIGHT	MAXIMUM BUILDING HEIGHT, 3 STORIES, 38 FEET	3 STORIES, 38 FEET
FRONT YARD	MINIMUM REQUIRED SETBACK = 0 FEET	0 FEET
STREET SIDE YARD	MINIMUM REQUIRED SETBACK = 0 FEET	NA
INTERIOR SIDE YARD	MINIMUM REQUIRED SETBACK = 0 FEET	WEST=VARIES 0 FT TO 8 FT EAST= 14 FT
REAR YARD	MINIMUM REQUIRED SETBACK = 0 FEET	14 FT
MAXIMUM IMPERVIOUS COVER	90 %	89.9%* *NOTE: PERCENTAGE BASED ON AREA OF SITE OUTSIDE OF THE 100 YEAR FLOODPLAIN

NOTE: AVERAGE SLOPE OF SITE IS LESS THAN 10%

RECEIVED
MAY 27 2014



1 site plan
scale: 1" = 30'

PLAN NORTH

0 30' 60'

CONDITIONAL USE PERMIT SET - NOT FOR CONSTRUCTION

Page/
400 W. Cesar Chavez Street fifth floor
Austin Texas 78701
www.pagethink.com
TEL 512 472 6721
FAX 512 477 3211
ARCHITECTURE / ENGINEERING / INTERIORS / CONSULTING
Austin / Dallas / Denver / Houston / Washington DC / International Affiliate Offices

703 Rio Grande Street
Austin, Texas 78701
tel 512 479 4100
www.FKarchitecture.com
FURMAN + KEIL ARCHITECTS

Main Street Hotel

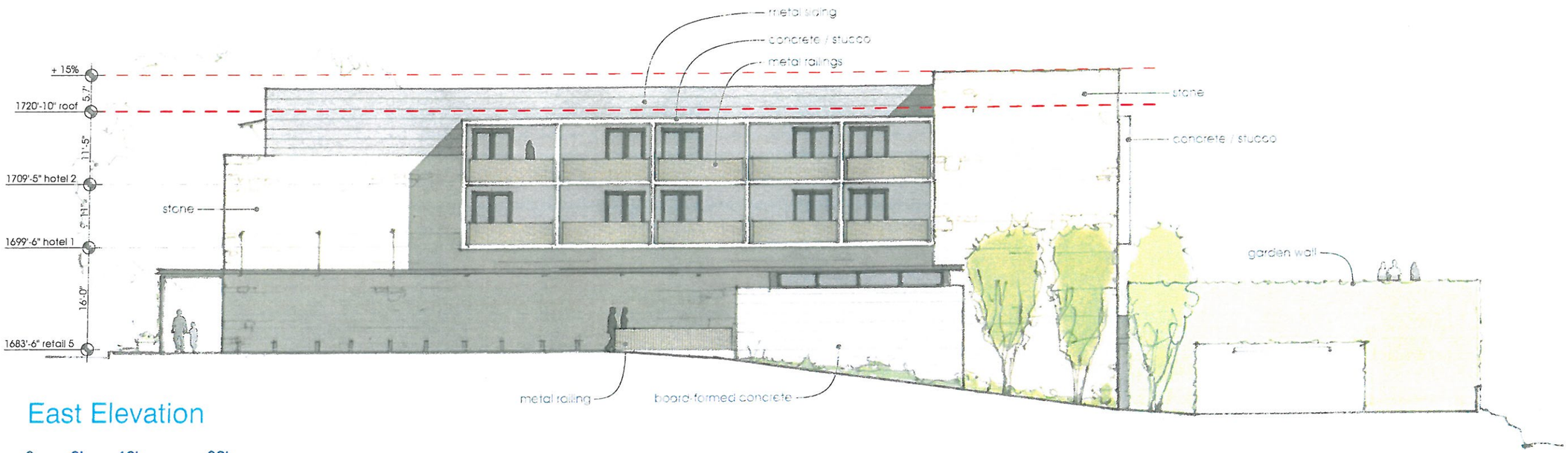
406 East Main Street
Fredericksburg, Texas

revisions
1
2
3
4
5
6

5/22/14
site plan

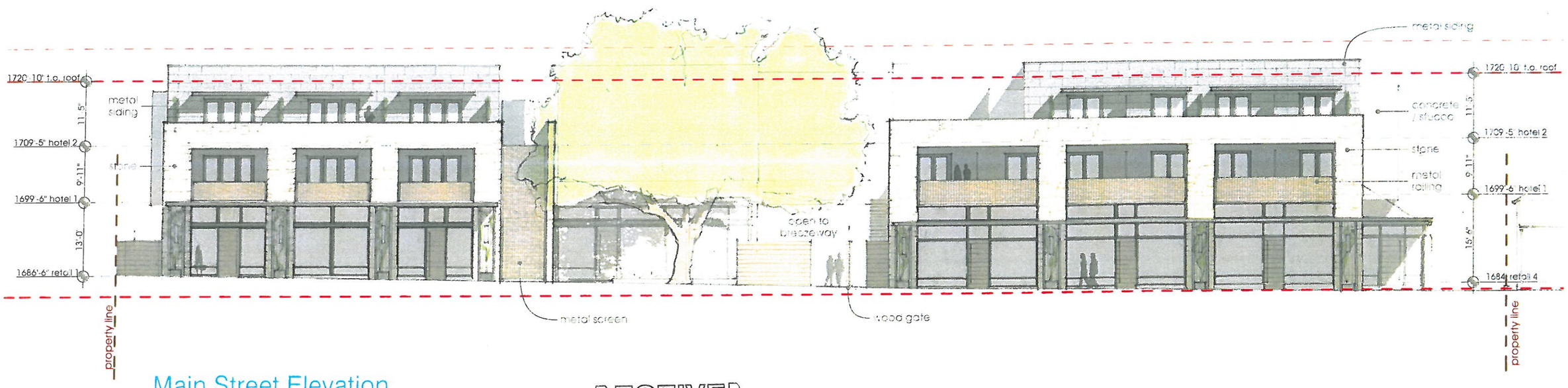
AS-1 02

17



East Elevation

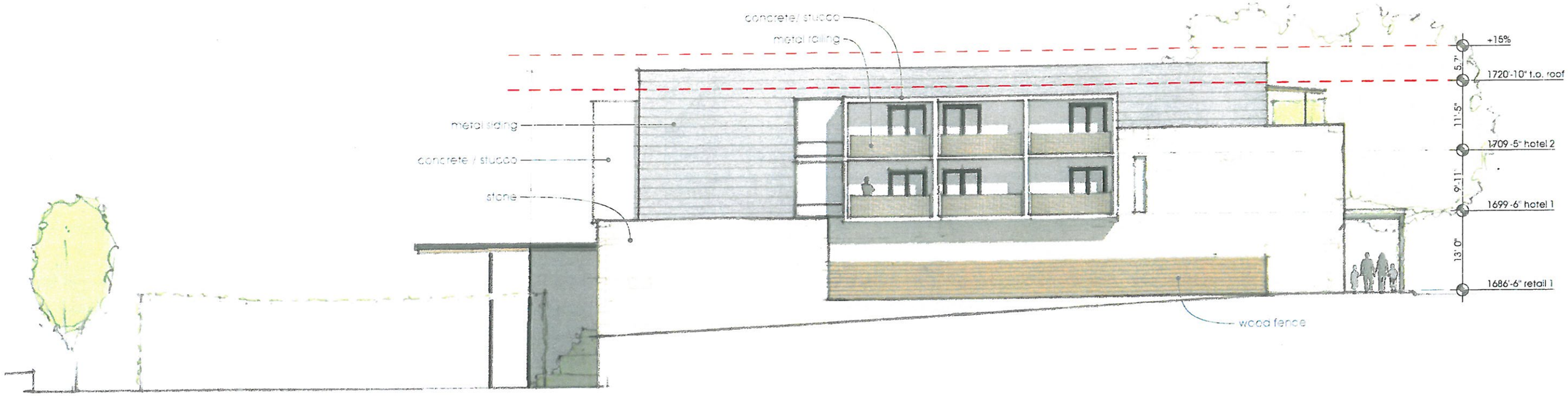
0 8' 16' 32'



Main Street Elevation

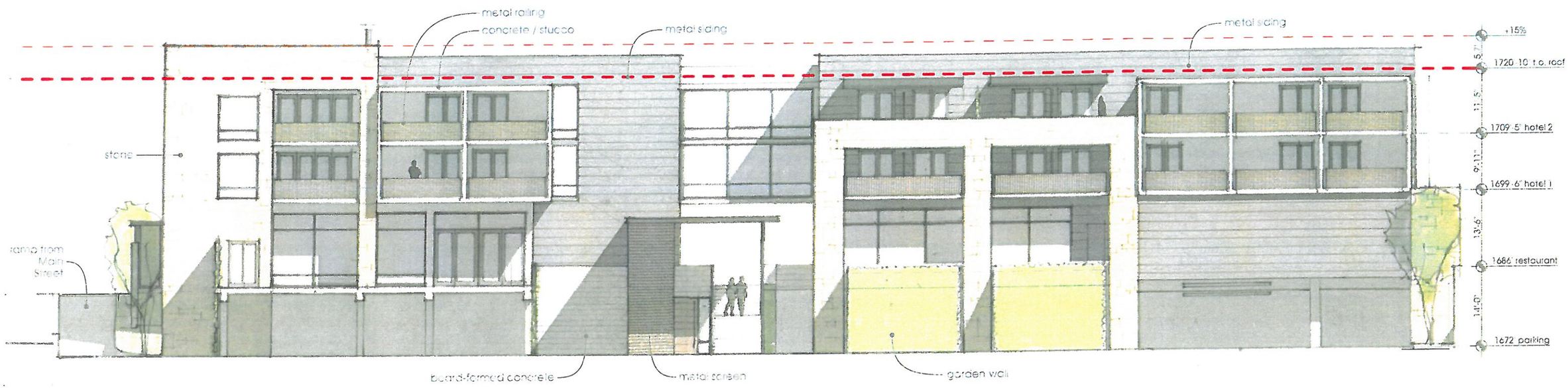
0 8' 16' 32'

EXHIBIT Preliminary Elevations



West Elevation

0 8' 16' 32'



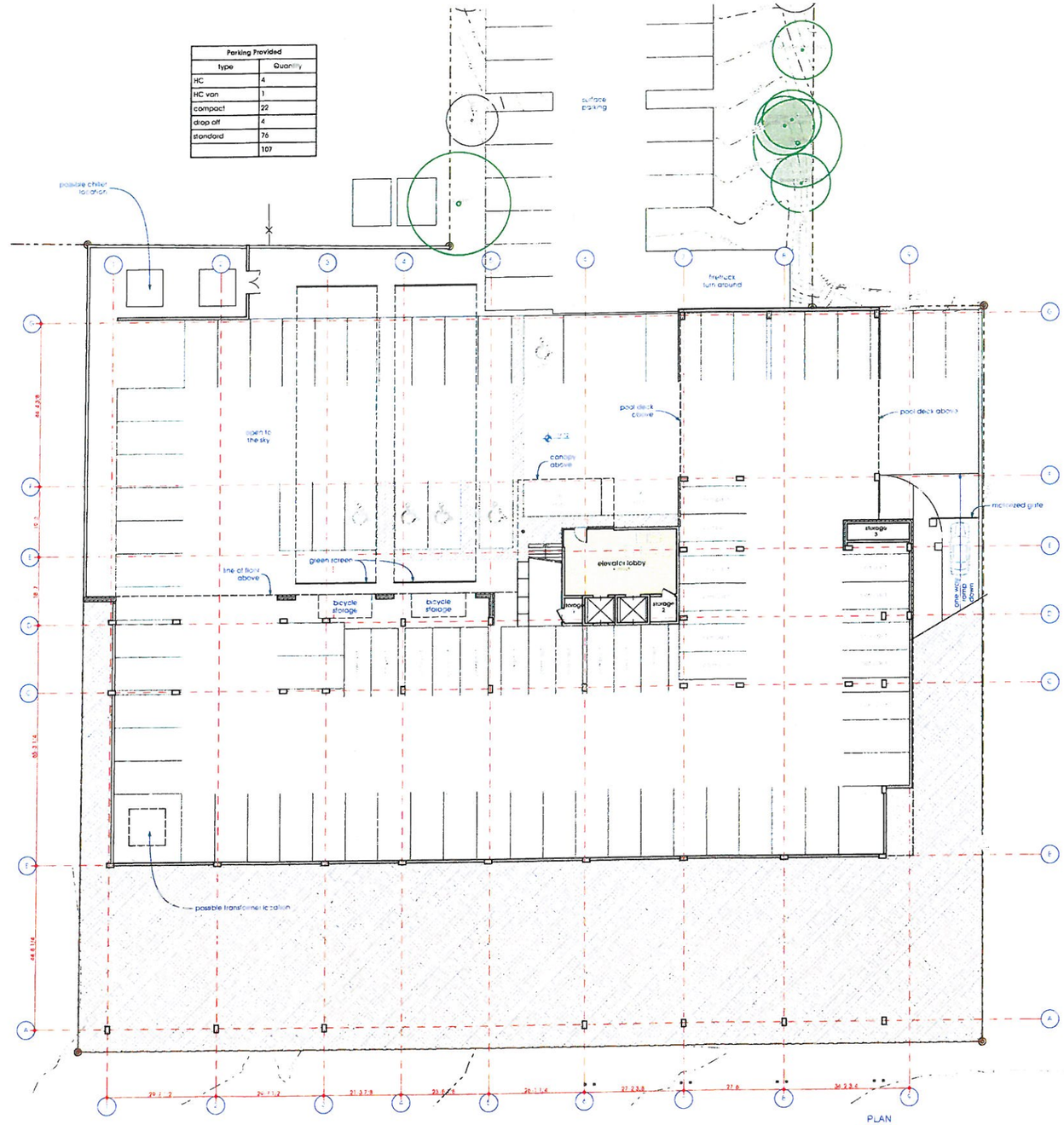
North Elevation

0 8' 16' 32'

19

EXHIBIT Preliminary Elevations

Parking Provided	
type	Quantity
HC	4
HC van	1
compact	22
drop off	4
standard	76
	107

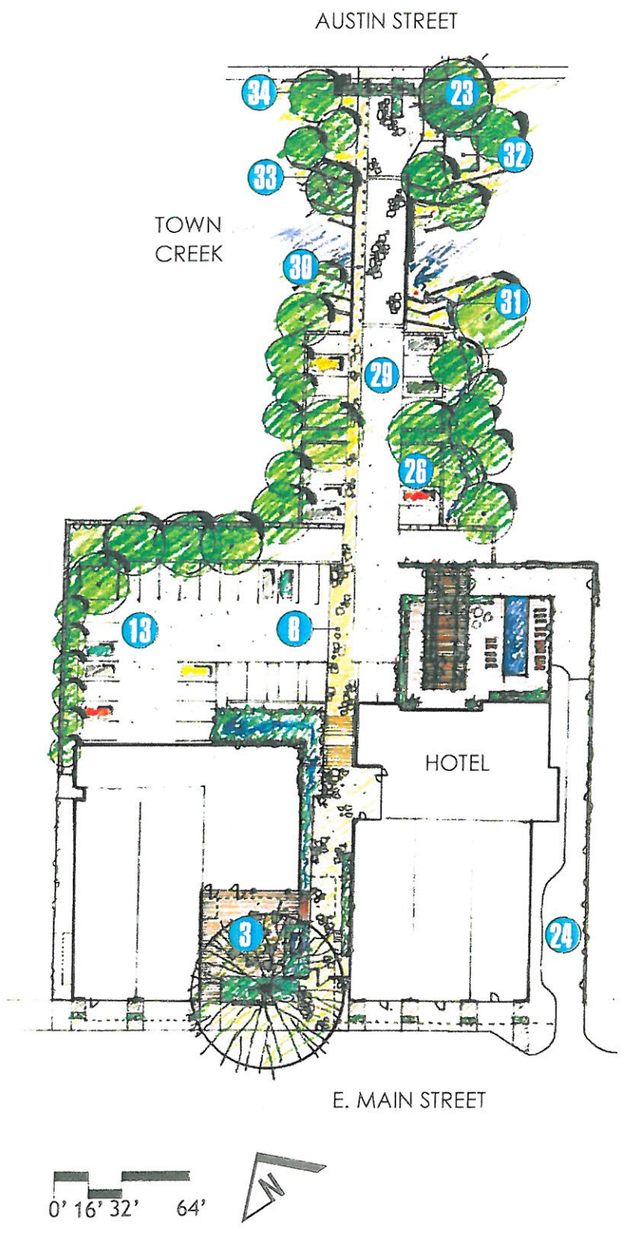


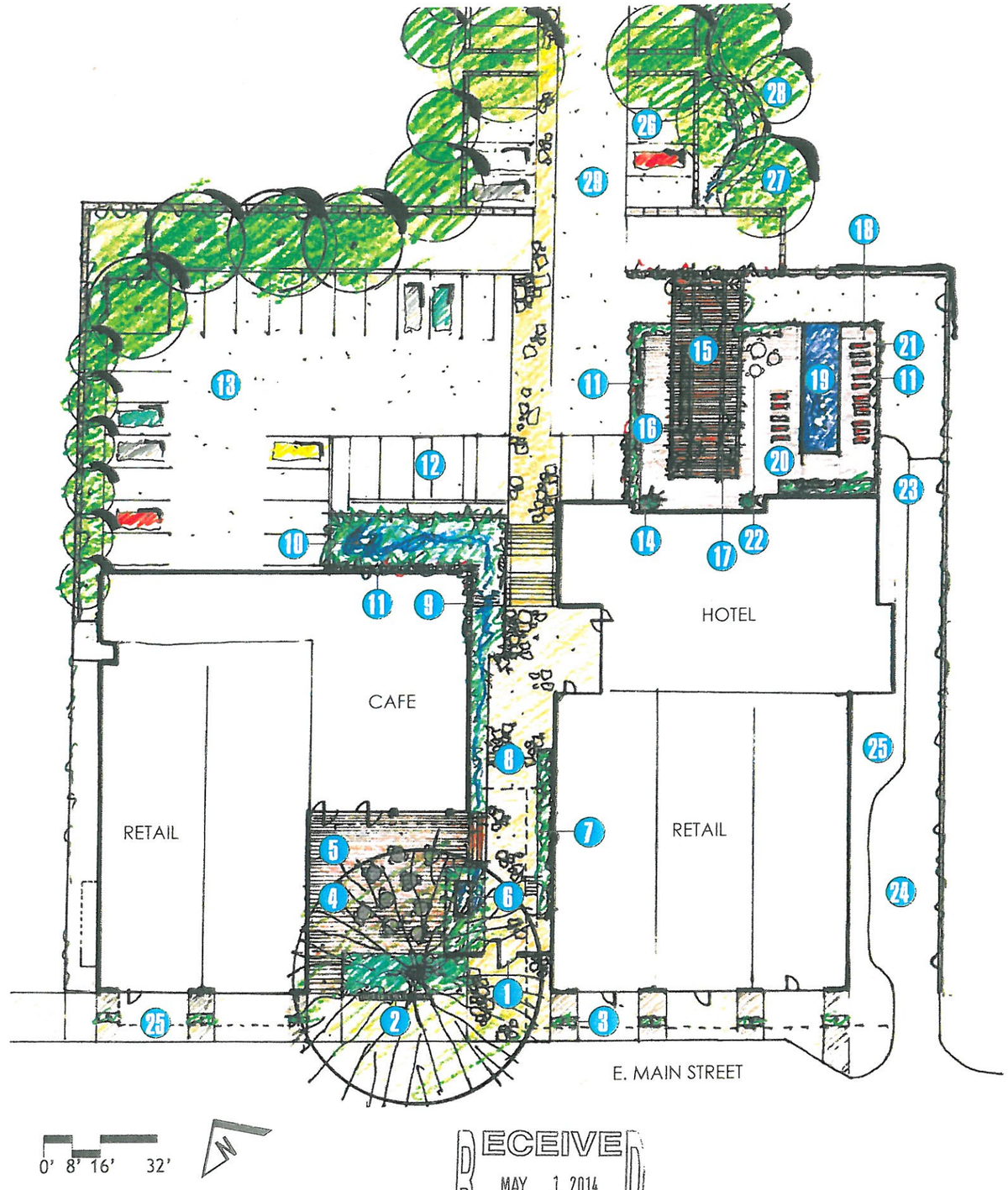
1 parking level plan
scale 1:16' = 1'-0"

CONDITIONAL USE PERMIT SET - NOT FOR CONSTRUCTION

EXHIBIT Parking Level

20



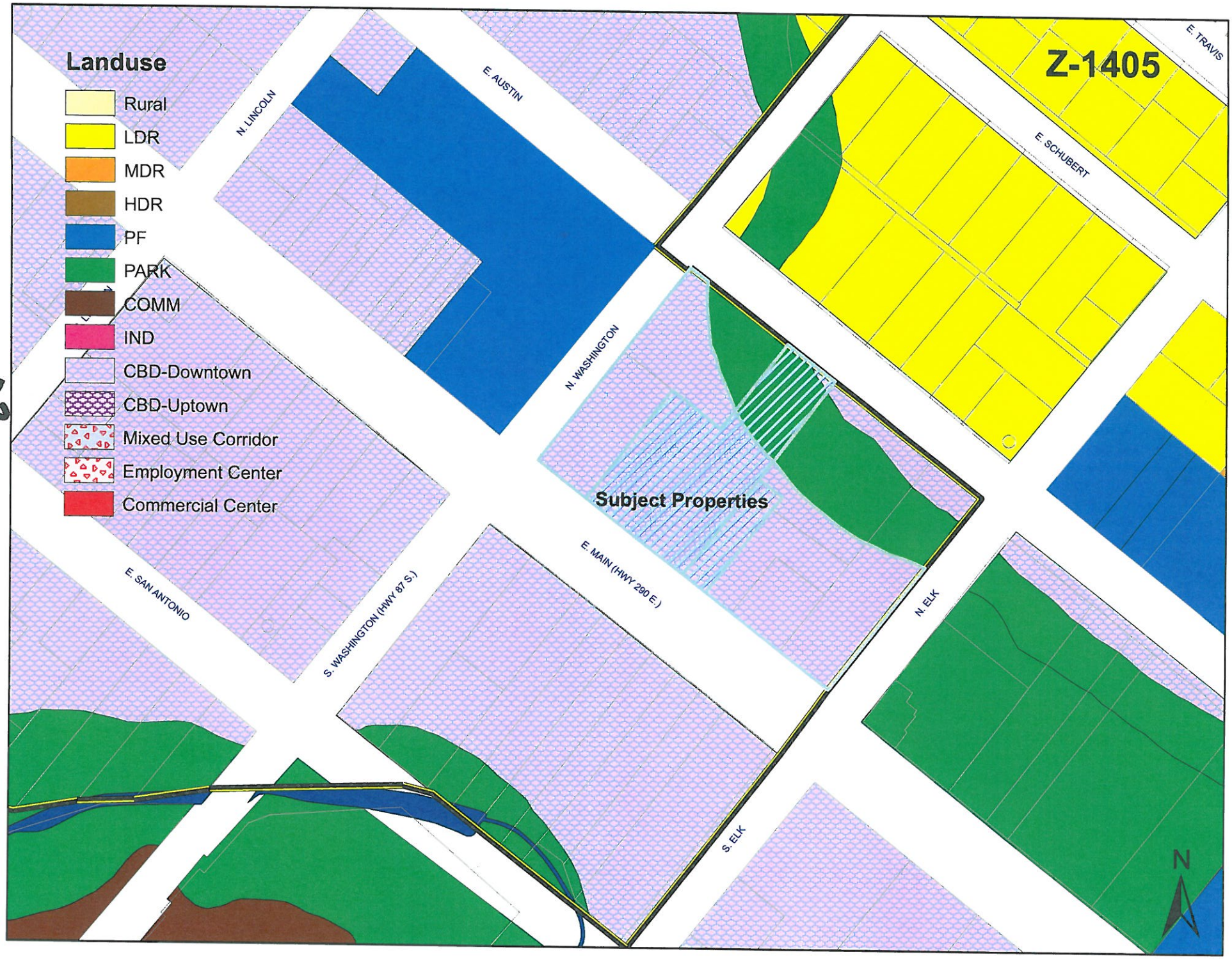


legend

1. pivot gate
2. seat wall
3. vine planting at column
4. cafe seating
5. wood decking
6. harvested water feature
7. vine wall
8. stone entry walk
9. harvested water runnel
10. stepped runnel
11. vine screen
12. accessible parking
13. gravel parking court
14. banco seat & planter
15. arbor
16. poolside bar
17. restroom & storage
18. pool deck paving
19. pool
20. lounge chairs
21. spa
22. fire feature
23. access gate
24. valet & loading area
25. concrete paving
26. parking garden
27. trail
28. stormwater bioswale
29. gravel entry drive
30. bollards
31. stepped pools
32. trash enclosure
33. slope stabilization
34. entry monument

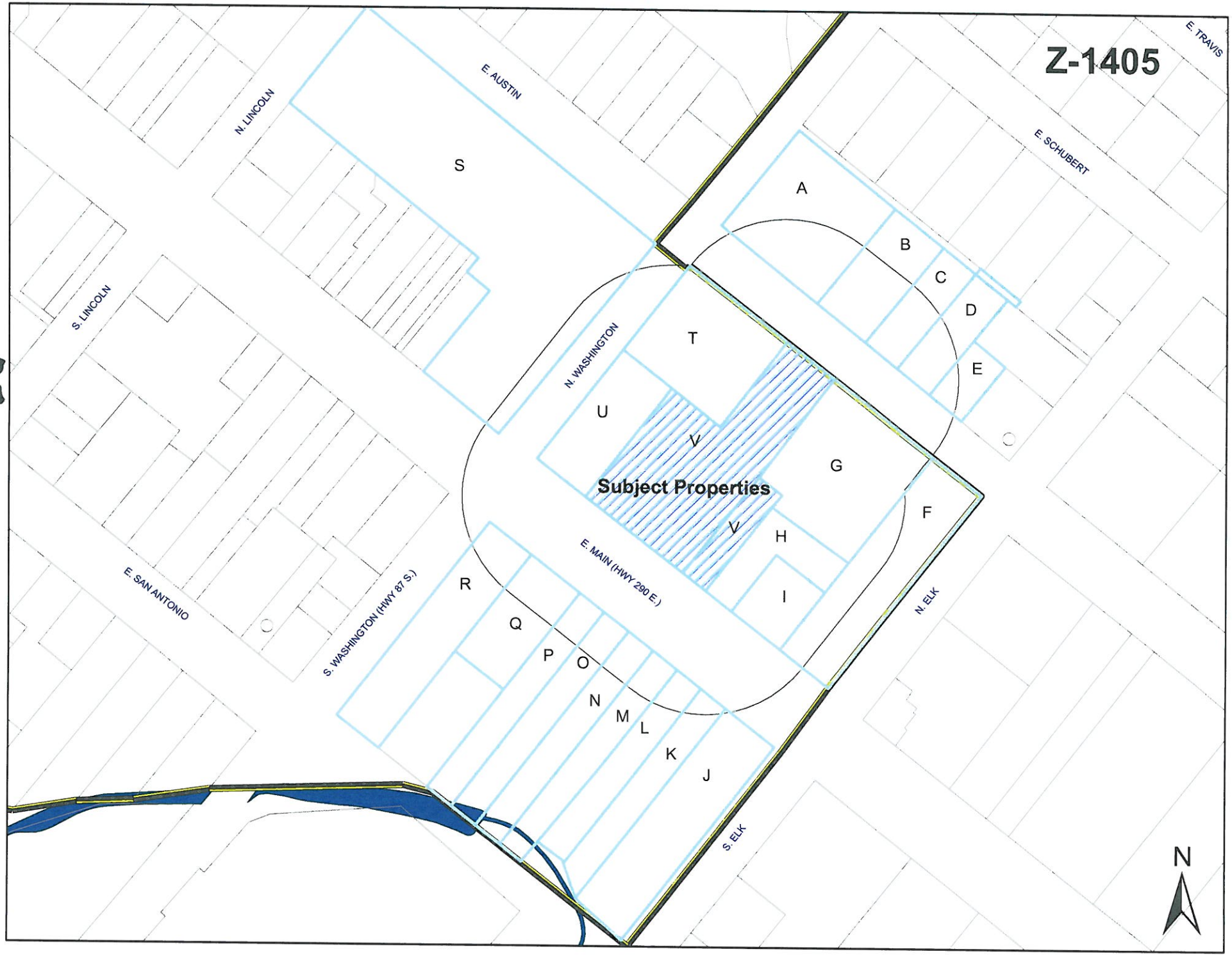
EXHIBIT Landscape Design


Z-1405
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
Subject Properties
N. LINCOLN
S. LINCOLN
E. AUSTIN
N. WASHINGTON
E. SCHUBERT
E. TRAVIS
E. SAN ANTONIO
S. WASHINGTON (HWY 87 S.)
E. MAIN (HWY 290 E.)
N. ELK
S. ELK
N


Z-1405
Landuse
Rural
LDR
MDR
HDR
PF
PARK
COMM
IND
CBD-Downtown
CBD-Uptown
Mixed Use Corridor
Employment Center
Commercial Center
Subject Properties
N. LINCOLN
E. AUSTIN
N. WASHINGTON
E. SCHUBERT
E. TRAVIS
E. SAN ANTONIO
S. WASHINGTON (HWY 87 S.)
E. MAIN (HWY 290 E.)
N. ELK
S. ELK
N


Z-1405
E. SCHUBERT
E. AUSTIN
N. ELK
S. ELK
N. WASHINGTON
E. MAIN (HWY 290 E.)
S. WASHINGTON (HWY 87)
E. SAN ANTONIO
N. LINCOLN
S. LINCOLN
N

24


Z-1405
E. TRAVIS
E. SCHUBERT
E. AUSTIN
N. LINCOLN
S. LINCOLN
N. WASHINGTON
E. MAIN (HWY 290 E.)
E. SAN ANTONIO
S. WASHINGTON (HWY 87 S.)
N. ELK
S. ELK
Subject Properties
A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V
V
N

Letter	Owner	
A	Kathryn Nell Harrison	402 E. Austin
B	Kathryn Nell Harrison	406 E. Austin
C	Rebecca Rather	408 E. Austin
D	William C. & Gail T. Anderson	412 E. Austin
E	Dudley & Connie Goulden	414 E. Austin
F	Jimmie D. & Su J Lee	104 N. Elk
G	Ron Ross Custom Homes, LLC	415 E. Austin
H	James E. Cauthen	414 E. Main
I	Robert M. Petersen	416 E. Main
J	Bluebird, Ltd.	421 E. Main
K	Capraia Partners, Ltd	417 E. Main
L	Capraia Partners, Ltd	415 E. Main
M	James W. & Jacqueline M. Chude	413 E. Main
N	Michael Liston & Lisa Barrosa	411 E. Main
O	Kurt F. Ditges	409 E. Main
P	James E. Cauthen & Gary J. Lamb	405 E. Main
Q	Barbara Heinen	403 E. Main
R	Stuart B Properties, LP	401 E. Main
S	Texas Historical Commission	340 E. Main
T	Barry D. & Tammy Sikes	107 N. Washington
U	JANAT, LP	402 E. Main
V	Astral Properties, LLC	406 E. Main

Z-1405

NOTICE OF PUBLIC HEARING FOR A CONDITIONAL USE PERMIT

HEARING DATE: **JUNE 4, 2014** TIME: **5:30 PM** REQUEST NUMBER: **Z-1405**

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: **JUNE 16, 2014** TIME: **7:00 PM** REQUEST NUMBER: **Z-1405**

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

APPLICANT: Page Sutherland Page on behalf of Gable S Corporation

LOCATION: 406 and 412 E. Main Street
(see accompanying map)

REQUEST: Conditional Use Permit to allow a hotel/motel in the Central Business District

(DETACH BELOW)

REQUEST NO. Z-1405
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-1406

OWNERS:	Tract 1: Gillespie Livestock Company Inc. Tract 2: Daniel and Verna Fritz Tract 3: Carroll Bryla, representing various owners.
APPLICANT:	Carroll Bryla
LOCATION:	Property fronts on Franklin Street, Creek Street and Highway Street (See attached map).
SIZE:	Approximately 19.4 acres
EXISTING ZONING:	R-2, Mixed Residential
PROPOSED CHANGE:	1. Change in the Land Use Plan from Medium Density Residential to Commercial, and 2. Change in Zoning from R-2 to C-2 Commercial

FINDINGS:

- The entire property consists of three tracts, including 6 acres owned by Daniel and Verna Fritz, 6 acres owned by the Gillespie County Livestock Company, and 7.4 acres owned by various heirs represented by Carroll Bryla.
- The Fritz property is the home of the Gillespie County Animal Center, Gillespie Livestock Company utilizes their portion for animal storage, etc. and the tract owned by the heirs represented by Carroll Bryla is vacant.
- The existing main Gillespie County Livestock Company building and operation located at the corner of Longhorn and Highway Street is currently zoned C-2 Commercial (see attached zoning map).
- Water and Sanitary sewer are available to serve this property.
- Adjacent zoning is R-2 to the north, east and south, and C-2 to the west (see attached zoning map).
- The Land Use Plan identifies the subject property as well as the adjoining property to the north, east and south as Medium Density Residential. Property to the west is identified as Commercial.
- Adjacent land uses include residential to the north and east, a mix of residential, senior housing and commercial to the south, and a mix of housing and commercial to the west.

LAND USE PLAN: The Land Use Plan identifies the subject property as Medium Density Residential. This use category includes single family detached dwellings on smaller lots and attached dwelling units, such as duplex units and townhomes. Medium density land uses often provide housing for "empty nesters" who may not want the maintenance of a large-lot single family home, and for young families who may find a townhome or duplex more affordable than a single-family home. They play an important role in providing workforce housing as well. These residential uses can provide a buffer between lower density residential areas and more intensive residential, non-residential or mixed use areas.

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.**

B. Is the proposed change a better use than that recommended by the Future Land Use Map? **The Medium Density land use category seems appropriate as a transition between the commercial activities to the west and the residential neighborhoods to the east. This may be accomplished with lighter commercial activities as well.**

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. **Certain commercial activities, such as the auction facility, do not seem compatible with the surrounding neighborhood. On the other hand, 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? **Although the auction facility has coexisted with the surrounding neighborhood for many years, the use itself is not compatible with residential land uses. On the other hand, 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? **The site is large enough to serve potential uses permitted within the commercial designation. 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 benefit to the welfare of the community, given the proximity to the residential neighborhood.**

ZONING: The proposed zoning change from R2 to C-2 would represent a significant change in the zoning pattern within this area. The R-2 zoning represents a transition or buffer between the commercial activity to the west and the primarily single family neighborhood to the east. In evaluating the uses permitted in C-2, many would seem incompatible with residential in such close proximity. Uses in C-1, however, could be compatible, given the nature of the use and design of the site.

OPPOSITION/SUPPORT OF REQUEST: None to date.

STAFF RECOMMENDATION: Staff is comfortable with the zoning pattern as it presently exists. However, we understand that the existing businesses are restricted from any changes given the fact that non-conforming uses cannot be enlarged or expanded. In evaluating this proposal, we must consider the impact of the proposed change on the surrounding neighborhood. As such, we believe that certain uses within the C-2 District could be detrimental to the neighborhood, and do not recommend this change.

Options to consider would be to leave the R-2 zoning in place, consider a change to C-1 instead of C-2, or change a portion to C-2 and a portion to C-1. The advantage of changing an area to C-1 is that the uses are limited in nature, and the existing uses have an opportunity to request a Conditional Use Permit to expand.

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: CARROLL J. BRYLA, RANDALL WUNDERLICH, KEVIN WUNDERLICH JAMES D. DANZ, SYNTHIA CORY, THOMAS BRYLA, GERALD BRYLA, WILLIAM J. BRYLA
2. ADDRESS: C/O CARROLL J. BRYLA – 105 W. SAN ANTONIO, CITY
   PHONE NUMBER: 830-997-2146 FAX NUMBER: 997-2172
3. APPLICANT EMAIL ADDRESS: CBRYLA @ HOTMAIL. 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: CORNER UFER + FRANKLIN – 606 S UFER
   LEGAL DESCRIPTION: SEE ATTACHED
   LOT SIZE: 528.7' X 608' 7.4 ACRES
9. ZONING CHANGE REQUESTED FROM R-2 ZONING DISTRICT TO C-2 ZONING DISTRICT
10. JUSTIFICATION FOR REQUEST: HISTORIC + CURRENT USE IS COMMERCIAL. MANY ADJOINING TRACTS ARE COMMERCIAL USE
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 AMEND THE LAND USE PLAN MAP OF THE CITY OF FREDERICKSBURG AS HEREIN SET FORTH:

14. CHANGE REQUESTED FROM: MEDIUM DENSITY RESIDENTIAL LAND USE TO COMMERCIAL LAND USE.
15. SIGNATURE OF APPLICANT: Carroll J Bryla, ATTORNEY FOR APPLICANT 5/5/14

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:

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
   PHONE NUMBER: 997-4348 FAX NUMBER: 997-9082
3. APPLICANT EMAIL ADDRESS: GILLESPIEANIMALCENTER @ 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: SEE ATTACHED
   LOT SIZE: 489' X 534.4' - 6 ACRES
9. ZONING CHANGE REQUESTED FROM R-2 ZONING DISTRICT TO C-2 ZONING DISTRICT
10. JUSTIFICATION FOR REQUEST: HISTORIC + CURRENT USE IS COMMERCIAL. MANY ADJOINING TRACTS ARE COMMERCIAL USE
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 AMEND THE LAND USE PLAN MAP OF THE CITY OF FREDERICKSBURG AS HEREIN SET FORTH:

14. CHANGE REQUESTED FROM: MEDUIM DENSITY RESIDENTIAL LAND USE TO COMMERCIAL. LAND USE.
15. SIGNATURE OF APPLICANT: Verna Fritz Daniel J. Fritz 5/5/14

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:

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: GILLESPIE LIVESTOCK COMPANY INC
2. ADDRESS: P.O. BOX 454, Fbg. TX. 78624
   PHONE NUMBER: 830-889-4394 FAX NUMBER: 997-5804
3. APPLICANT EMAIL ADDRESS: GLS@GMAIL.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: CORNER OF HIGHWAY + CREEK STREET
   LEGAL DESCRIPTION: SEE ATTACHED
   LOT SIZE: 489 X 534.4 — 6 ACRES
9. ZONING CHANGE REQUESTED FROM R-2 ZONING DISTRICT TO C-2 ZONING DISTRICT
10. JUSTIFICATION FOR REQUEST: HISTORIC + CURRENT USE IS COMMERCIAL. MANY ADJOINING TRACTS ARE COMMERCIAL USE
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.

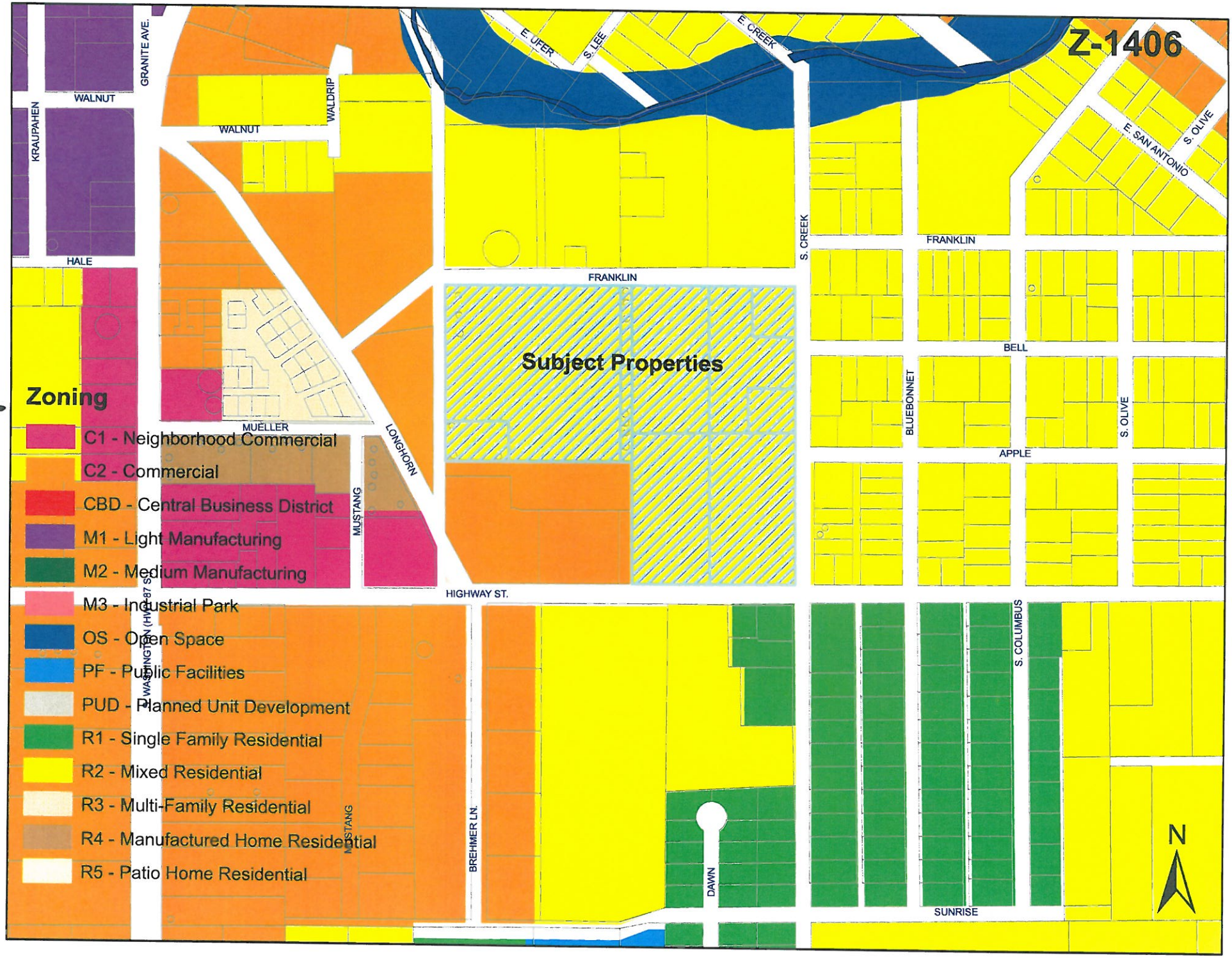
☑ ***APPLICATION FOR LAND USE PLAN CHANGE-$200.00***

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

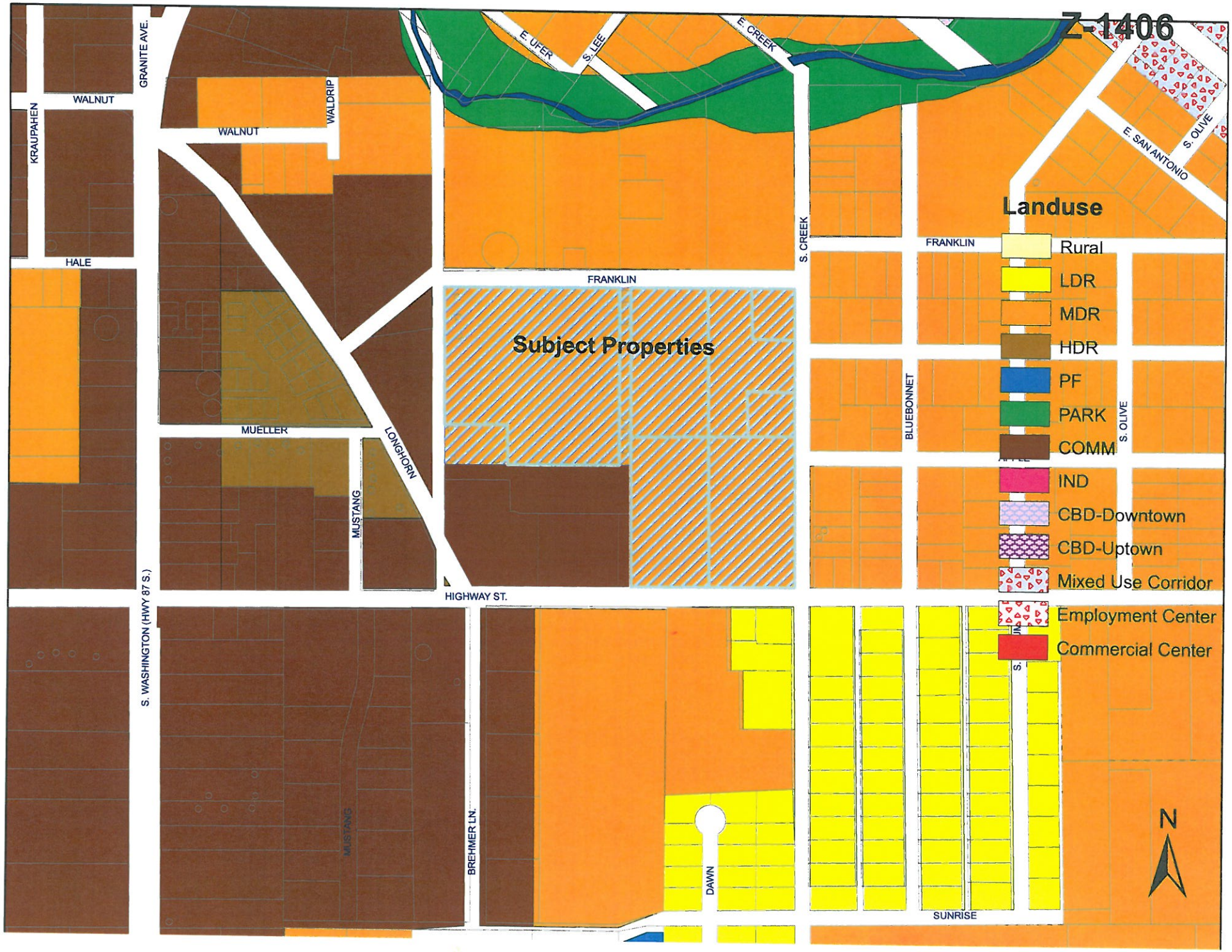
14. CHANGE REQUESTED FROM: MEDIUM DENSITY RESIDENTIAL LAND USE TO COMMERCIAL LAND USE.
15. SIGNATURE OF APPLICANT: Wayne Westbrook PRESIDENT 5/5/14

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:

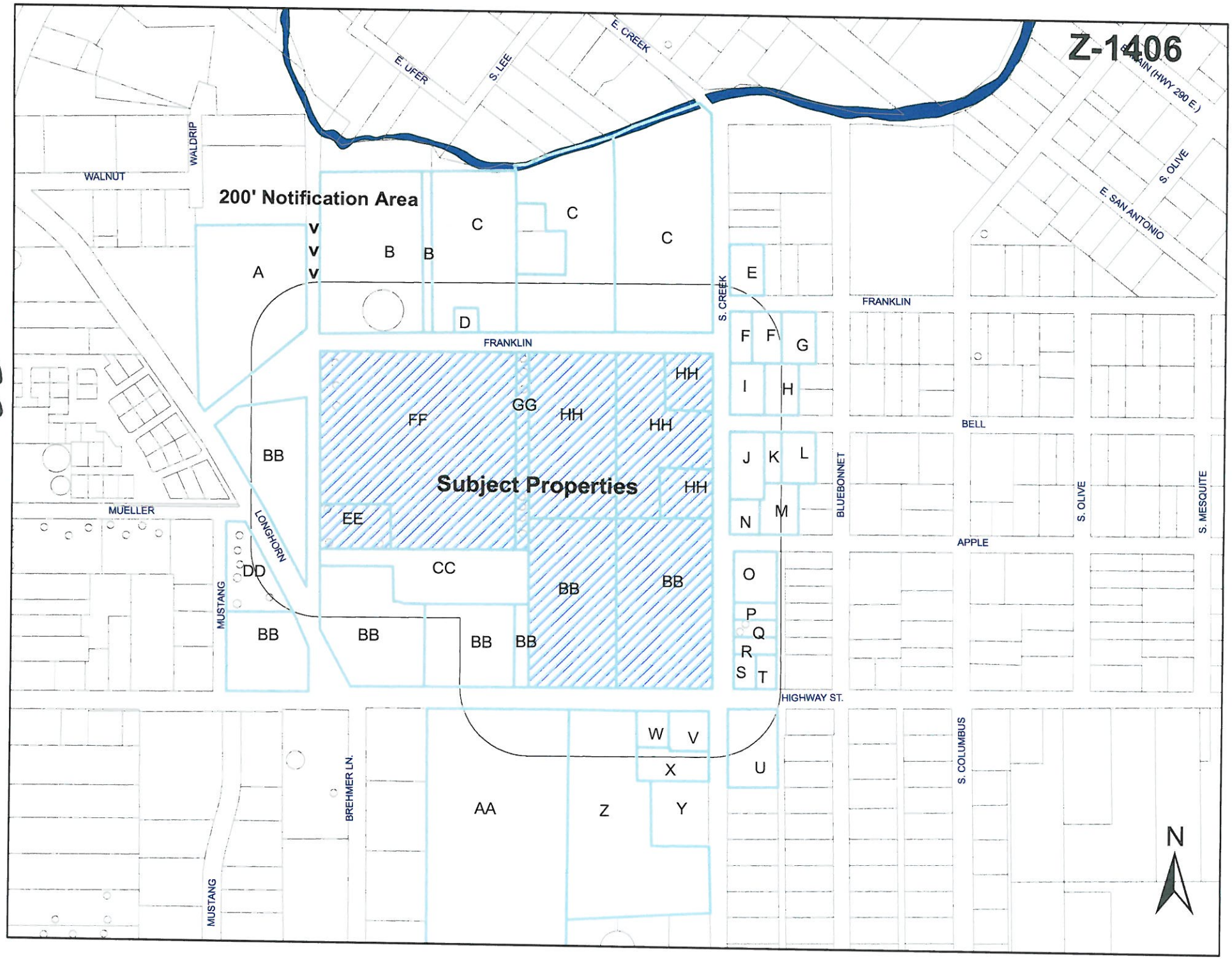
SIGNATURE OF OWNER: _____


Z-1406
Subject Properties
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
WALNUT
GRANITE AVE.
KRAUPAHEN
HALE
WALDRIP
MUELLER
LONGHORN
MUSTANG
WASHINGTON (HWY 87 S)
HIGHWAY ST.
BREHMER LN.
DAWN
SUNRISE
S. COLUMBUS
E. UFER
S. LEE
E. CREEK
S. CREEK
FRANKLIN
BELL
BLUEBONNET
APPLE
S. OLIVE
E. SAN ANTONIO
N

34


Z-1406
Subject Properties
Landuse
Rural
LDR
MDR
HDR
PF
PARK
COMM
IND
CBD-Downtown
CBD-Uptown
Mixed Use Corridor
Employment Center
Commercial Center
N
WALNUT
GRANITE AVE.
KRAUPAHEN
WALNUT
WALDRIP
HALE
MUELLER
LONGHORN
MUSTANG
S. WASHINGTON (HWY 87 S.)
HIGHWAY ST.
BREHMER LN.
DAWN
SUNRISE
FRANKLIN
FRANKLIN
S. CREEK
E. UFER
S. LEE
E. CREEK
BLUEBONNET
S. OLIVE
E. SAN ANTONIO
S. OLIVE

N
S. OLIVE
S. COLUMBUS
FRANKLIN
BELL
APPLE
BLUEBONNET
HIGHWAY ST
S. CREEK
DAWN
FRANKLIN
BREHMER LN
LONGHORN
MUSTANG
MUSTANG
WALDRIP
WALNUT
MUELLER
S. WASHINGTON (HWY 67 S)
WALNUT
HALE


Z-1406
200' Notification Area
Subject Properties
A
B
B
C
C
C
D
E
F
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V
W
X
Y
Z
AA
BB
BB
BB
BB
BB
BB
CC
DD
EE
FF
GG
HH
HH
HH
HH
E. UFER
S. LEE
E. CREEK
MAIN (HWY 290 E.)
S. OLIVE
E. SAN ANTONIO
WALNUT
WALDRIP
FRANKLIN
S. CREEK
FRANKLIN
BELL
BLUEBONNET
S. OLIVE
S. MESQUITE
APPLE
MUELLER
LONGHORN
MUSTANG
HIGHWAY ST.
S. COLUMBUS
BREHMER LN.
MUSTANG
N

Letter	Owner	
A	Lochte Storage & Commission	509 Longhhorn St.
B	Ellen Jane Shannon Ramsey	506 Franklin
C	Linda S. Nevels Life Estate (Larry & Linda Nevels)	514 Franklin
D	Linda S. Nevels Life Estate (Larry & Linda Nevels)	512 Franklin
E	Daisy Massey	209 S. Creek
F	Charles C. Crain	603 Franklin
G	Phillip E. & Debra S. Lietz	607 Franklin
H	Darryl Ross Weidenfeller	604 Bell St.
I	Jane H. Schofield	307 S. Creek
J	Thomas Riley & Courtney Pelech	601 Bell St.
K	Larry B & Janet S. Shaw	603 Bell St.
L	Michael J. Ottmers	605 Bell St.
M	Mark & Mary Harrison	604 Apple St.
N	Kenneth L. Maxwell	405 S. Creek
O	Joseph F. & Sharon D. Schandua	601 Apple St.
P	Billy R. Pate etux	507 S. Creek
Q	Ada W. Wilke	509 S. Creek
R	Ada W. Wilke	511 S. Creek
S	Alejandro M. & Rosa Avila	513 S. Creek
T	Alejandro M. & Rosa Avila	604 E. Highway
U	Marvin J. & Barbara Crenwelge	603 S. Creek
V	Douglas D. & Lisa M. Pool	599 E. Highway
W	Vernon P. Weber	595 E. Highway
X	James D. Clark	604 S. Creek
Y	Rodney & Margie Eckhardt	608 S. Creek
Z	Fredbg Senior Apartments, Ld	591 E. Highway
AA	Carl Ottmers etal	521 E. Highway
BB	Gillespie Livestock Co.	621 Longhorn
CC	Gillespie Livestock Co.	617 Longhorn
DD	Milton W. & Regina Carlene Grobe	613 Mustang
EE	James J. Danz etal	606 S. Ufer
FF	Carroll Bryla	606 S. Ufer
GG	Randall Wunderlich & Kevin Wunderlich	606 S. Ufer
HH	Daniel J. Fritz	402 S. Creek

Z-1406

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

HEARING DATE: **JUNE 4, 2014**	TIME: **5:30 PM**	REQUEST NUMBER: **Z-1406**

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: **JUNE 16, 2014**	TIME: **7:00 PM**	REQUEST NUMBER: **Z-1406**

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

APPLICANT: Carroll Bryla, representing owners Carroll J. Bryla, Randall Wunderlich, Kevin Wunderlich, James J. Danz, Synthia Cory, Thomas Bryla, Gerald Bryla, and William J. Bryla of approximately 7.4 acres, Daniel J. & Verna Fritz, owners of approximately 6 acres, and Gillespie Livestock Company, Inc., owner of approximately 6 acres

LOCATION: 19.40 acres of land bordered by Franklin on the north, S. Creek Street on the east, Highway St. on the south and E. Ufer St. on the west
(see accompanying map)

REQUEST: Change in the land use plan from Medium Density Residential to Commercial and a change in zoning from R-2, Mixed Residential to C-2, Commercial

(DETACH HERE)

REQUEST NO. Z-1406
As an interested property owner, I (Protest)(Approve) the requested zoning amendment represented by the above file number because:

Signed _____ Date _____

Printed Name _____ Address _____