

STATE OF TEXAS  
COUNTY OF GILLESPIE  
CITY OF FREDERICKSBURG

PLANNING & ZONING COMMISSION  
May 5, 2021  
5:30 P.M.

On this the 5<sup>th</sup> day of MAY 2021 the PLANNING AND ZONING COMMISSION convened in regular Session at the Rockbox Theater located at 109 N. Llano Street with the following members present to constitute a quorum:

**PRESENT:** JANICE MENKING  
CHRIS KAISER  
JEFF LAWRENCE  
TIM DOOLEY  
JIM JARREAU  
JILL TABOR  
STEVE THOMAS

**ABSENT:** CHRIS KAISER  
DARYL WHITWORTH

**ALSO, PRESENT:** JASON LUTZ – Director of Development Services  
DANIEL JONES – City Attorney  
SHELBY COLLIER – Development Coordinator

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

**MINUTES**

Jim Jarreau moved to approve the minutes of the April 2021 meeting and Jill Tabor seconded the motion. All voted in favor and the motion carried.

**ACTION ITEMS**

**REQUEST #Z-2104 BY KEVIN SPRAGGINS WITH VEI CONSULTING ENGINEERS TO:**

- A. **CONSIDER A REQUEST TO CHANGE THE FUTURE LAND USE PLAN FROM “EMPLOYMENT CENTER” (EC) TO “COMMERCIAL CENTER” (CC) FOR APPROXIMATELY 17.461 ACRES OF LAND OUT OF THE THOMAS J. STELL SURVEY NO. 44, ABSTRACT NO. 646, LOCATED AT 3255 S. SH-16.**
- B. **CONSIDER A REQUEST FOR VOLUNTARY ANNEXATION AND REQUESTED ZONING OF “COMMERCIAL” (C-2) FOR APPROXIMATELY 17.461 ACRES OF LAND OUT OF THE THOMAS J. STELL SURVEY NO. 44, ABSTRACT NO. 646, LOCATED AT 3255 S. SH-16.**
- C. **CONSIDER A REQUEST FOR A “CONDITIONAL USE PERMIT” (CUP) TO ALLOW A LAND USE OF “CAMPGROUNDS” FOR APPROXIMATELY 17.461 ACRES OF LAND OUT OF THE THOMAS J. STELL SURVEY NO. 44, ABSTRACT NO. 646, LOCATED AT 3255 S. SH-16.**

Tim Dooley made a motion to open the Public Hearing. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Jason Lutz, Director of Development Services stated Staff recommends Approval of the requested Future Land Use change and requested zoning, as presented. Staff also recommends that the CUP be approved with the condition that the site plan be reviewed by staff and approved by P&Z, at a later date.

Tim Dooley made a motion to close the Public Hearing. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Tim Dooley made a motion to recommend Approval of Application Z-2104, A, B and C Per Staff recommendation. Seconded by Jim Jarreau. All voted in favor and the motion carried.

**REQUEST #Z-2105 REQUEST BY WHITNEY KOCH WITH MUSTARD DESIGN TO CONSIDER A CONDITIONAL USE PERMIT PER SECTION 5.400 FOR CONDOMINIUM RESIDENTIAL USE ON A C1 ZONED PROPERTY LOCATED AT 815 WELLNESS COURT.**

Jim Jarreau made a motion to open the Public Hearing. Seconded by Jeff Lawrence. All voted in favor and the motion carried.

Whitney Koch and the property owners presented the application. The intent is to build a Barndominium project that consists of 8 units. The current parking requirements are 1 parking space per unit and this development is providing 32.

Tom Musselman spoke regarding parking concerns. He stated this development would consist of 7 bedrooms per unit resulting in 41 beds which is potentially 82 People on this site at one time. He encouraged the commission to require more parking as part of the Conditional Use Permit.

Mark Cornett spoke in support of the project. He stated the proposed development was well placed as Short-Term Rentals should be in a Commercial area such as this.

Tim Dooley made a motion to close the Public Hearing. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Jason Lutz, Director of Development stated that the proposed use is in line with the existing development pattern in the area and permitted by the zoning code, staff recommends approval with the conditions that 1.) the 8 additional spaces shown on the east side of the entrance drive be constructed and 2.) that the area along the western side of the drive install additional parking to the maximum allowed by the site constraints.

Jason Lutz also recommended that the Commission prohibit on Street Parking.

Jeff Lawrence stated that the parking requirement should be 1 space per bedroom.

Jim Jarreau made a motion to Approve Application SP-2105 conditioned upon parking 1 space per bedroom and allowing Stacked Parking. Jill Tabor Seconded the motion. All voted in favor and the motion carried.

**REQUEST #Z-2106 REQUEST BY JOESPEH SIMMONS TO:**

- A. **CONSIDER A LAND USE CHANGE FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT 305 N. ELK STREET AND 502 AND 506 E. SCHUBERT STREET.**
  
- B. **CONSIDER A ZONING CHANGE FROM R1, SINGLE FAMILY RESIDENTIAL, TO R2, MIXED RESIDENTIAL FOR PROPERTY LOCATED AT 305 N. ELK STREET AND 502 AND 506 E. SCHUBERT STREET.**

Jim Jarreau made a motion to open the Public Hearing. Seconded by Jeff Lawrence. All voted in favor and the motion carried.

Joe Simmons presented the application. He stated it was his desire to change the Zoning from R1 to R2 as his property has 3 units on site and he would like to be able to rent all three units as Short-Term Rentals.

Glenn Morrow spoke in protest. He is concerned about the increase in traffic as this is already a busy area as well as noise and parking.

Mark Messer spoke in protest. He would like to keep his quiet neighborhood.

Raydeen Borchers spoke in protest. She has lived in this neighborhood for 20 years and is saddened that due to short term rentals, her and her grandchildren are no longer able to enjoy the lovely back yard as the guests are often rude and ill mannered. She does not support increasing the density to allow for more of that behavior.

The Walch Family spoke in protest.

Jim Jarreau made a motion to close the Public Hearing. Seconded by Jill Tabor. All voted in favor and the motion carried.

Jason Lutz, Director of Development stated the applicant is requesting a zoning change from Single-family Residential (R-1) to Mixed Residential (R-2). To establish a R-2 zoning district, the Commission will need to modify the City's Future Land Use Plan. The current plan calls out this area as an "Low Density Residential" and must be changed to "Medium Density Residential" Prior to the establishment of the requested zoning. The applicant is requesting the zoning category of R-2 to have flexibility to increase the density of the existing STRs in operation on the site.

Staff recommends Approval of the requested Future Land Use change and requested zoning, as presented.

Jim Jarreau made a motion to recommend Approval of Application Z-2106. Tim Dooley Seconded the motion. All voted in favor and the motion carried.

**REQUEST #Z2107 REQUEST BY YVONNE B. KLAERNER, OWNER, TO CONSIDER A REQUEST FOR VOLUNTARY ANNEXATION AND REQUESTED ZONING OF "MULTI-FAMILY RESIDENTIAL" (R-3) FOR APPROXIMATELY 10 ACRES OF LAND OUT OF THE B. ADAME SURVEY NO. 123, ABSTRACT NO. 1714, LOCATED AT 701 W. LIVE OAK ST.**

Tim Dooley made a motion to open the Public Hearing. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Jason Lutz, Director of Development, stated the property owner has requested voluntary annexation due to a failing septic system. The applicant is currently contracting services to have the septic system pumped and hauled off monthly.

The property is located at 701 W. Live Oak Street, located at the southwest corner of Post Oak Rd. and W. Live Oak St. This property is currently an existing hole in the City Limits and would provide the City an opportunity to fill this area in, establish zoning, and facilitate development of the property.

The property would not be required to extend utilities as there are water & sewer services located in the rights-of-way of Post Oak and Live Oak. City Council has approved an annexation agreement that would allow the property owner to immediately connect to the City's sewer system, prior to the completion of the annexation process. All other City services would be available once the annexation process has been completed.

Tim Dooley made a motion to close the Public Hearing. Seconded by Jeff Lawrence. All voted in favor and the motion carried.

Tim Dooley made a motion to recommend Approval of Application Z-2107. Jim Jarreau Seconded the motion. All voted in favor and the motion carried.

**CONSIDER #P-2108 REQUEST BY MARK CORNETT WITH CORNETT ENGINEERING FOR A PRELIMINARY PLAT OF THE ALSADT ESTATES SUBDIVISION LOCATED AT 318 E. COLLEGE STREET.**

Mark Cornett with Cornett Engineering presented the application. He stated this was a project the owners had been working on for several years. The intent is to develop 23 Single Family lots on the existing 10-acre tract.

Jason Lutz, Director of Development stated this proposed project is desirable as it will create a total of 23 new residential lots. Park Dedication will be required for the new lots and Construction Plans will be required as part of the Final Plat. All development will be subject to approval of the Construction Plans.

Staff recommends Approval conditioned upon Approval of the final Construction Plans prior to the start of Construction.

Jim Jarreau made a motion to Approve Application P-2108. Tim Dooley Seconded the motion. All voted in favor and the motion carried.

**CONSIDER #SP-2104 BY KEVIN SPRAGGINS WITH VEI CONSULTING ENGINEERS FOR SITE PLAN APPROVAL OF A MULTI-FAMILY PROJECT LOCATED AT 707 E. HIGHWAY ST.**

Jason Lutz, Director of Development stated the applicant intends to develop a Multi – Family project with the goal of permitting as short-term rentals. The project would consist of 1 existing structure and seven additional 1 story 2-bedroom units.

The project currently provides 28 parking spaces with 16 spaces required. The site is currently served by a single entrance to the north of the existing home. This entrance will be removed, and a new driveway will be constructed to access the site.

Staff recommends Approval conditioned upon Public Works approval of Civil Construction Plans prior to issuance of a Building Permit and Approval of a Landscape Plan for the additional area being developed.

Jim Jarreau made a motion to Approve Application SP-2104. Tim Dooley Seconded the motion. All voted in favor and the motion carried.

**CONSIDER #SP-2105 REQUEST BY WHITNEY KOCH WITH MUSTARD DESIGN FOR SITE PLAN APPROVAL OF AN OFFICE PROJECT.**

Whitney Koch with Mustard Design presented a Site Plan for a future Office project.

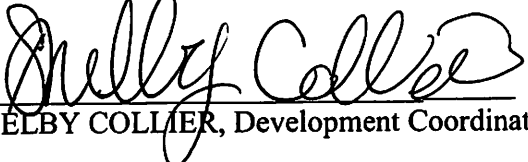
Jason Lutz, Director of Development stated Staff recommends approval.

Jim Jarreau made a motion to Approve Application SP-2105. Tim Dooley Seconded the motion. All voted in favor and the motion carried.

**ADJOURN**

With nothing further to come before the Commission, Jim Jarreau moved to adjourn. Seconded by Jill Tabor. All voted in favor and the meeting was adjourned at 7:33 p.m.

**PASSED AND APPROVED this 7<sup>th</sup> day of June 2021.**

  
SHELBY COLLIER, Development Coordinator

  
JANICE MENKING, Chairman