

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

**PLANNING & ZONING COMMISSION
JANUARY 9, 2019
5:30 P.M.**

On this the 9th day of January 2019 the PLANNING AND ZONING COMMISSION convened in regular Session at the Law Enforcement Center with the following members present to constitute a quorum:

PRESENT: JANICE MENKING
JIM JARREAU
DARYL WHITWORTH
POLLY RICKERT
JIM WARREN
TIM DOOLEY
BRENDA SEGNER

ABSENT: CHRIS KAISER
STEVE THOMAS

ALSO PRESENT: BRIAN JORDAN – Director of Development Services
DANIEL JONES – City Attorney
KRIS KNEESE – Assistant Public Works Director
SHELBY COLLIER – Development Coordinator

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

MINUTES

Daryl Whitworth moved to approve the minutes of the December 2018 meeting and Jim Jarreau seconded the motion. All voted in favor and the motion carried.

MISCELLANEOUS

Receive Presentation on Draft Impact Fee Report

Grady Reed, Project Manager at HDR Engineering provided an information presentation to the Committee explaining impact fees, the purpose of impact fees and how to calculate impact fees. He explained that December of 2007 was the last time that the City updated the impact fees and State law requires every 5 years.

Grady discussed specifics such as the impact fee design and how HDR Engineering determined the maximum fee.

The Commission had several questions regarding Impact fees, how they are utilized and why they are charged. There was a discussion if the City could charge impact fees at a lower rate than recommended to assist with affordable housing. Kris Kneese, Assistant Public Works Director, commented that there were several options available for the City but the Commission is tasked with determining if the fees provided by HDR Engineering were calculated accurately.

The Commission requested additional information be provided at the next presentation.

PUBLIC HEARING

Consider (Z-1818) Request by Kevin Spraggins on behalf of Chicken Express to change the Zoning from R3, Multi-Family Residential, to C2, Commercial and change the Land Use from High Density Residential to

Mixed Use Corridor on approximately 1 acre and request a Conditional Use Permit for a drive through associated with a fast food restaurant at 1125 S. St Hwy 16

Jim Warren made a motion to open the Public Hearing. Daryl Whitworth seconded the motion. All voted in favor and the motion carried.

Kevin Spraggins presented the application. He stated that this project needs .25 acres re-zoned to accommodate the Commercial use as well as a Conditional Use Permit for a Drive Through facility. He also wanted to note that this property will have to comply with Entry Corridor Standards & Guidelines and has been working with City Staff to provide an agreeable design. TxDOT has provided preliminary approval of the proposed driveway located on Highway 16 and this project will require detention.

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

ACTION ITEM

Janice Menking requested to receive recommendation and consider (Z-1818)

Brian Jordan, Director of Development Services, stated Kevin was correct, that through the purchase of additional property a small percentage of land needs to be rezoned and due to the need for a Drive Through and Conditional Use Permit is also required. The applicant is proposing to build a 3,120 sq. ft. Chicken Express restaurant. The site is currently vacant, and is currently unplatted, so as part of the development a plat will be required. The site will have access from S. State Highway 16, near the northeast corner of the property, and the driveway is intended to have two egress lanes and a single ingress lane. This request has received preliminary approval from TxDOT

Brian wanted to mention that as part of this project, the developer will be providing a sidewalk on private property.

Staff recommends approval, subject to approval of a replat of the property, approval of the Civil Construction Plans prior to issuance of a building permit and approval of a Landscape plan prior to issuance of a building permit.

Jim Jarreau asked about the Land Use being mixed use. Brian responded that the current Land Use is acceptable for the C2 zoning.

Motion to recommend approval of Application Z-1818 per staff recommendation by Tim Dooley. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Consider (SP-1816) Request by Kevin Spraggins for a Site Plan related to a Multi-Family Development located at 1112 Thiele Ln.

Kevin Spraggins presented the application. He stated this project is a Multi-Family development with a proposed duplex, single family dwelling, and short term rental units. He stated an easement provides access to Highway St that this development will make use of to provide additional egress. A plat will come at a later date with no detention required on site. Water and Sewer for the project will be brought in from Thiele Ln and as part of this development a new Fire Hydrant will be provided.

Brian Jordan stated this project recently purchased the back 40 ft. of 1104 through 1108 Thiele Ln and will need to be replatted.

All technical requirements have been met and Staff recommends approval conditioned upon approval of a Landscape Plan prior to issuance of a building permit and approval of Civil Construction Plans prior to issuance of a building permit.

Jim Jarreau asked if all proposed structures would be used for Short Term Rentals. Kevin stated this project is a

mix of residential uses included single family, multi-family, and 6 short term rentals.

Janice Menking asked if the Short Term Rental uses were maxed on this property. Brian replied that the property is limited by density.

Daryl Whitworth asked for a better explanation for the intention of access onto Highway Street and Thiele Ln. Kevin stated the entrance on Thiele Ln would primarily be used for the Short Term Rentals. The Duplexes have garages directed towards Thiele Ln.

Motion to approval of Application SP-1816 per staff recommendation by Daryl Whitworth. Seconded by Steve Thomas. All voted in favor and the motion carried.

Consider (P-1825) Request by Mark Zupan for a Final Plat for a 16.81 acre tract located North of Scarlet Oak Court, known as Oaks of Windcrest, Phase V.

No applicant was available to present.

Brian Jordan stated the Preliminary Plat was approved by the Planning and Zoning Commission in 2005. While there are minor changes in the layout, the Final Plat conforms to the Preliminary Plat. This phase will represent the final phase of the Oaks of Windcrest.

Purposed drainage will flow into existing detention ponds serving the Oaks of Windcrest subdivision and the Sidewalk Plan calls for a sidewalk along W. Windcrest Drive. Said sidewalk should be constructed as part of this project.

Staff recommends approval conditioned upon approval of the Construction Plans prior to the start of construction.

Jim Jarreau asked if this was the same developer and engineer as the rest of the phases. Kris Kneese, Assistant Public Works Director, stated no, both were different.

Kris went on to say that Construction Plans had already gone through the first round of comments.

Daryl Whitworth stated he was not comfortable approving the application without the applicant present.

Motion to defer Application P-1825 by Daryl Whitworth. Seconded by Jim Warren. All voted in favor and the motion carried.

MISCELLANEOUS

Discuss Mixed Use Zoning District

Brian Jordan recommended a joint meeting with City Council to discuss Mixed Use Zoning and a possible revision to the Standardized Business Ordinance. The Commission decided on February 7th for a possible meeting date.

ADJOURN

With nothing further to come before the Commission, Tim Dooley moved to adjourn. Seconded by Polly Rickert. All voted in favor and the meeting was adjourned at 7:48 p.m.

PASSED AND APPROVED this 6th day of February 2019.


SHELBY COLLIER, Development Coordinator


JANICE MENKING, Chairman