



City of Fredericksburg

City Council Regular Meeting Agenda
Tuesday, January 16, 2024 ~ 9:00 AM
Law Enforcement Center
1601 E. Main Street
Fredericksburg, Texas 78624

Jeryl Hoover, Mayor
Tony Klein, Councilmember
Bobby Watson, Councilmember/Pro Tem

Randy Briley, Councilmember
Emily Kirchner, Councilmember
Clinton Bailey, City Manager

The City of Fredericksburg City Council will meet in a regular session on Tuesday, January 16, 2024, at 9:00 AM. Link to City of Fredericksburg YouTube Channel (Fredericksburg, Texas USA - YouTube <https://www.youtube.com/c/FredericksburgTexasUSA>).

The City Council welcomes citizen participation and comments at all City Council Meetings on Agenda Items.

Comment Card for Written or Verbal Comments-submitted by 4:00 p.m. the day before the meeting.

- i. Complete the Comment Card online at www.fbgtx.org;
- ii. Make sure to check the appropriate box (verbal or written);
- iii. Only one (1) agenda item per Comment Card.

Sign up in person between 8:30 a.m. and 9:00 a.m. at the meeting location.

- i. Only one (1) agenda item per Comment Card;
- ii. Speakers will be limited to 3 minutes to speak. **Please Note:** The Mayor can reduce the number of minutes for any speaker during Public Comment on a single agenda item depending on the number of people who sign up for it.
- iii. Any citizen with handouts should provide them to the City Secretary before speaking. If you wish the City Council to receive your handouts for the meeting, please provide ten (10) copies; if not, the City Council will receive your handouts the following day.

NOTE: The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for discussion. An announcement will be made based on the Executive Session discussion. The Charter Review Committee may also publicly discuss any item listed on the agenda for the Executive Session.

Attendance By Other Elected or Appointed Officials: It is anticipated that the Planning & Zoning Commission, Historic Review Board, Charter Review Committee, and Board of Adjustments members may attend the City Council Meeting at the date and time above in numbers that may constitute a quorum. Notice is hereby given that at the City Council Meeting at the date and time above, no Board or Commission action will be taken by such in attendance unless such item and action are specifically provided on a separate agenda posted subject to the Texas Open Meeting Act. This is not the agenda of an official meeting of the City Boards and Commissions, and minutes will not be taken.

1. CALL TO ORDER

2. INVOCATION

Esther Schneider, Gillespie County resident, will lead the Invocation

3. PLEDGE OF ALLEGIANCE

4. CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION

5. COUNCIL COMMENTS

6. CONSENT

THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS PULLED AT THE REQUEST OF A MEMBER OF THE CITY COUNCIL.

- A. Consider approval of City Council Minutes for the following:
 - i. December 18, 2023, Special Meeting
 - ii. December 19, 2023, Regular Meeting

- B. Consider the approval of a Street Closure Request for W. Austin Street, from N. Crockett to N. Adams from 7:00 a.m. until 7:00 p.m. for the City Hall Open House & Touch-A-Truck event scheduled for Thursday, March 21, 2024 (Jennifer Krupa, Assistant Parks and Recreation Director/Special Events Coordinator).

- C. Consider the approval of a Street Closure Request for W. Austin Street, from N. Crockett Street to N. Adams Street from 3 p.m. to 10 p.m. for the Fredericksburg Volunteer Fire Department Fish Fry scheduled for Saturday, April 20, 2024, at Marktplatz (Jennifer Krupa, Assistant Parks and Recreation Director/Special Events Coordinator).

- D. Consider the approval of a street closure request for W. Austin Street, from N. Crockett to N. Adams from 6:00 a.m. until 11:00 a.m. for the Wildflower Run scheduled for Saturday, April 27, 2024, (Jennifer Krupa, Assistant Parks and Recreation Director/Special Events Coordinator).

- E. Consider the approval of a street closure request for the Crawfish Festival scheduled for Memorial Day weekend beginning Friday, May 24, 2024, until Sunday, May 26, 2024, for the following closure dates, times, and streets:
 - * N. Adams Street - close the parking lane and one southbound lane adjacent to Marktplatz beginning at 7:00 a.m. on Friday, May 24, 2024, and reopen at 10:00 p.m. on Sunday, May 26, 2024; and
 - * W. Austin Street - close the entire street from N. Crockett to N. Adams Street, beginning at 7:00 a.m. on Friday, May 24, 2024, and reopen at 10:00 p.m. on Sunday, May 26, 2024 (Jennifer Krupa, Assistant Parks and Recreation

- F. Consider the approval of the three 2024 Parade held within the City (Jennifer Krupa, Special Event Coordinator/Assistant Parks Director)
 - i. Fourth of July Parade on Thursday, July 4, 2024, at 10:00 a.m. on Main Street
 - ii. Gillespie County Fair Parade on Friday, August 23, 2024, at 10:00 a.m. on Main Street, and;
 - iii. Light the Night Christmas Parade on Friday, December 6, 2024, at 6:30 p.m. on Main Street, with an inclement weather date of Friday, December 13, 2024

7. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

- A. Consider the approval of Ordinance 2024-01, amending the Code of Ordinances to provide a process for petitions for release from the City's Extraterritorial Jurisdiction; providing a savings clause; providing that this Ordinance is cumulative of all Ordinances; amending Appendix A, "Fee Schedule." Article 5.500, "Application Fees, "To Add a Fee to Process a Petition for Release of Extraterritorial Jurisdiction and Public Works Fee"; and amending Article a severability clause; providing for publication; and providing an effective date (Shelley Goodwin, City Secretary)
- B. Consider a request by Juan Rodriguez with Lique Engineers, LLC. for the property located at 620 East San Antonio for a Land Use Change from Parks Open Space (POS) to Downtown Central Business District (DCBD) and a Zoning Change From Open Space (OS) to Commercial (C2) for(#Z-2328) (Anna Hudson, Director of Development Services)
 - i. Presentation by the applicant
 - ii. Staff Report
 - iii. Hold a Public Hearing to receive comments for or against the requests
 - iv. Take Action on Ordinance 2024-02 amending the Comprehensive Land Use Plan relating to approximately 2.52 acres of land located at 620 E. San Antonio Street by changing the Land Use designation from Parks & Open Spaces to Downtown Central Business District; Amending Appendix B, "Zoning Ordinance," of the Fredericksburg Municipal Code, as amended, by changing the zoning classification of said property from OS: Open Space to C-2: Commercial; revising the Official Zoning Map in accordance therewith; providing that this Ordinance shall be cumulative of all ordinances; providing a penalty clause; providing a savings clause; providing a severability clause; providing for publication in the official newspaper; and providing an effective date.
- C. Consider a request by Morgan De Sanchez for a Conditional Use Permit per Sec. 3.110 of the Zoning Ordinance to Operate a STR-Unoccupied in an R2 Zoned Area Located in the Historic Overlay District on Property Located at 110 East Orchard (#Z-2326) (Anna Hudson, Director of Development Services)
 - i. Presentation by the applicant
 - ii. Staff Report
 - iii. Hold a Public Hearing to receive comments for or against the request
 - iv. Take Action on Ordinance 2024-03 amending Appendix B, "Zoning

- Ordinance,” of the Fredericksburg Municipal Code, as amended, by granting a Conditional Use Permit Permitting a Short-Term Rental, Unoccupied Use on certain property located at 110 E. Orchard Street, Fredericksburg, Texas; providing that this Ordinance shall be cumulative of all ordinances; providing a penalty clause; providing a savings clause; providing a severability clause; providing for publication in the official newspaper; and providing an effective date.
- D. Consider a request by Adam Montgomery for a Conditional Use Permit per Sec. 3.110 of the Zoning Ordinance to Operate a STR-Unoccupied in an R2 Zoned Area Located in the Historic Overlay District on property located at 205 West Travis Street (# Z-2329) (Anna Hudson, Director of Development Services).
- i. Presentation by the applicant
 - ii. Staff Report
 - iii. Hold a Public Hearing to receive comments for or against the request
 - iv. Take Action on Ordinance 2024-04 amending Appendix B, “Zoning Ordinance,” of the Fredericksburg Municipal Code, as amended, by granting a Conditional Use Permit Permitting a Short-Term Rental, Unoccupied Use on certain property located at 205 W. Travis Street, Fredericksburg, Texas; providing that this Ordinance shall be cumulative of all ordinances; providing a penalty clause; providing a savings clause; providing a severability clause; providing for publication in the official newspaper; and providing an effective date.
- E. Consider a request by John Scribner for a Conditional Use Permit per Sec. 3.210 of the Zoning Ordinance to Operate a Drive Through in a C2 Zoned area located at the southeast corner of Friendship Lane and Highway 87 South (#Z-2324)) (Anna Hudson, Director of Development Services)
- i. Presentation by the applicant
 - ii. Staff Report
 - iii. Hold a Public Hearing to receive comments for or against the request
 - iv. Take Action on the adoption of Ordinance 2024-05 amending Appendix B, “Zoning Ordinance,” of the Fredericksburg Municipal Code, as amended, by granting a Conditional Use Permit permitting a Drive Through Facilities Use associated with a Restaurant – Drive-In/Fast Food Use on certain property located at 501 Friendship Lane, Fredericksburg, Texas; providing that this Ordinance shall be cumulative of all ordinances; providing a penalty clause; providing a savings clause; providing a severability clause; providing for publication in the official newspaper; and providing an effective date.

8. OTHER ACTION ITEMS AND UPDATES

- A. Consider the reappointment of Judge Heupel as backup Municipal Court Judge (Mick McKamie, City Attorney)
- B. Consider the approval of the Charter Review Committee Report, providing the proposed amendments to the City Charter (Bobby Watson, Mayor Pro Tem/Charter Review Committee Chair)

- C. Consider an Agreement with Gillespie County Historical Society Relating to Public Restrooms at the Pioneer Museum and Operations and Maintenance of the Vereins Kirche (Garret Bonn, Asst. City Manager)

9. CITY MANAGER'S REPORT

- A. City Manager Update

10. ITEMS FOR FUTURE AGENDA

- A. Review the Future Agenda spreadsheet

11. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Sections - 551.074 (Personnel Matters):

- A. Consider and discuss Real Estate in the vicinity of US 290 East and Old San Antonio Rd. (Section 551.072) and
- B. Consider and discuss Real Estate in the vicinity of Friendship Lane and S. Creek St. (Section 551.072).

12. BUSINESS ITEM

The City Council will reconvene into Regular Session upon the conclusion of the Executive Session, the City Council may take action on any item posted in Executive Session, as necessary.

13. ADJOURN

CERTIFICATION

This is to certify that I, Shelley Goodwin, posted this Agenda at 7:45 a.m. on January 12, 2024, on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.



Shelley Goodwin, TRMC/CMC
City Secretary



City of Fredericksburg
CITY COUNCIL REGULAR MEETING MINUTES
TUESDAY, DECEMBER 19, 2023 ~ 9:00 a.m.
LAW ENFORCEMENT CENTER
1601 E. MAIN STREET
FREDERICKSBURG, TEXAS 78624

Mayor Jeryl Hoover
Mayor Pro Tem Bobby Watson
Councilmember Emily Kirchner
Councilmember Tony Klein
Councilmember Randy Briley

Members Absent:

None

City Staff Present:

Clinton Bailey, City Manager
Mick McKamie, City Attorney
Garret Bonn, Assistant City Manager
Lynn Bizzell, Fire Chief
Brian Vorauer, Police Chief
Andrea Schmidt, Director of Parks and Recreation
Kris Kneese, Director of Public Works and Utilities
Anna Hudson, Director of Development Services
Braxton Roemer, Police Lieutenant
Justin Calhoun, Emergency Management Coordinator
Krista Wareham, Director of Finance
Aaron Anderegg, Assistant Director of Information Technology
Lea Feuge, Public Information Officer
Leslie Embrey, Assistant to the City Secretary
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Hoover called the Regular Meeting of the Fredericksburg City Council to order at 9:00 a.m. on Tuesday, December 19, 2023. He announced that a quorum had been met.

2. INVOCATION

George Studor, City resident, lead the Invocation.

3. PLEDGE OF ALLEGIANCE

Mayor Hoover led the Pledge of Allegiance.

4. CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION

Clinton Bailey, City Manager, stated he did not have any recognitions.

5. COUNCIL COMMENTS

Councilmember Briley reported on the following:

- Thanked Lynn Bizzell, Fire Chief, Leslie Embrey, Assistant to the City Secretary, and Shelley Goodwin, City Secretary for helping the City Council pull together the First Annual Employee Appreciation Breakfast.
- Third of the Fourth CVB Master Plan Steering Committee Meetings was held and the focus seems to be on tourism management.
- Tannenbaum Ball was successful and wanted to thank them for an amazing event for the Gillespie County Historical Society.
- Little Grasshopper Day Care Center is reopening as Little Peaches Day Care Center the third week of January 2024.

Councilmember Klein reported on the following:

- The City Council Special Meeting on Monday, December 18, 2023 to discuss the Fredericksburg Food & Wine Fest. He stated he wanted everyone to know that Committee will continue to work on the event for 2025
- Buses parked on Main Street and used as advertising

Councilmember Kirchner reported the following:

- Comprehensive Plan Advisory Committee met and they have reviewed the Plan and the Park Master Plan and sent edits back to Anna Hudson, Director of Development Services. She stated edits will then be made and Plans will then go before Planning & Zoning Commission.
- The Emergency Alert System and how to receive alerts in the new system; text FBGTx to 38276.

Mayor Pro Tem Watson reported on the following:

- The Santa Fly In was a huge success with record number of attendees.
- The Charter Review Committee has begun to finalize their recommendations and report. He noted that they will be holding a public hearing on January 9, 2024, at 6:00 p.m. at the Hill Country University Center.

6. CONSENT

A. Consider approval of the December 5, 2023, City Council Regular Meeting Minutes.

B. Consider the approval of Stephanie Oris, Wesley Health Nurse, to be appointed to a three-year term expiring December 2026 and the reappointment of Amy Montgomery, RN with Methodist Hospital Hill Country, to another 3-year term to expire in December 2026 to the Gillespie County Health Board

C. Consider the approval of the reappointments of Brad Hardin and Jim Jarreau to another 3-year term expiring December 2026 to the Economic Development Board

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Briley, to approve Consent Agenda item 6. A. – 6. C. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

7. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

A. Consider a request by Earline Lund for a Land Use Change and a Zoning Change at 305

East Highway Street (#Z-2325)

- i. **Presentation by the applicant**
- ii. **Staff presentation**
- iii. **Hold a Public Hearing to receive comments for or against the request**
- iv. **Take action on Ordinance 2023-23 adopting a change in the Comprehensive Plan of the City of Fredericksburg, specifically in the Land Use Map, as to approximately 9.94 acres of land comprised of German Emigration Company Lot #519 located at 305 East Highway Street; changing said property from Industrial (I) to Commercial (C); providing that the change become a part of the Comprehensive Plan and providing for an effective date**
- v. **Take action on Ordinance 2023-24 amending the Zoning Ordinance of the City and changing the zoning district to approximately 9.94 acres of land comprised of German Emigration Company Lot # 519 located at 305 East Highway Street; changing said properties from Medium Manufacturing (M2) to Commercial (C); and providing for an effective date**

Suzie Prader stated she was present to speak on behalf of the owners. She provided the history of the RV park. She noted the park was purchased and was unaware of the STR requirements. She noted several times people are traveling with their adult children and their RV cannot accommodate everyone, so they began to rent out the storage space that was converted into a STR.

Anna Hudson, Director of Development Services, reviewed the application and noted that the applicant currently has two STRs on the property. She provided the history of the property. She stated all Planning & Zoning Commissioners voted in favor of the request, but one member.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kirchner, to go out of the Public Hearing and into the Regular Meeting at 9:11 a.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Klein, to go out of the Public Hearing and into the Regular Meeting at 9:11 a.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

The City Council discussed the following:

- Parking
- Full occupancy
- Sizes of the short RV spaces at the entrance
- The number of STR facilities allowed

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kirchner, to approve Ordinance 2023-23 adopting a change in the Comprehensive Plan of the City of Fredericksburg, specifically in the Land Use Map, as to approximately 9.94 acres of land comprised of German Emigration Company Lot #519 located at 305 East Highway Street; changing said property from Industrial (I) to Commercial (C); providing that the change become a part of the Comprehensive Plan and providing for an effective date. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Klein, to approve Ordinance 2023-24 amending the Zoning Ordinance of the City and changing the zoning

district to approximately 9.94 acres of land comprised of German Emigration Company Lot # 519 located at 305 East Highway Street; changing said properties from Medium Manufacturing (M2) to Commercial (C); and providing for an effective date. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of Resolution 2023-21R approving the acquisition and lease purchase financing of public equipment and authorizing the execution and delivery of documents required in connection with BankFunding, LLC (a designee of Cogent Leasing & Financing, Inc.)

Krista Wareham, Director of Finance, reviewed the equipment and the three bids the City received. She stated Cogent Bank was the lowest bid. She noted the current rate is 4.65 percent and last year the rate was 3.8 percent.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kirchner, to approve Resolution 2023-21R approving the acquisition and lease purchase financing of public equipment and authorizing the execution and delivery of documents required in connection with BankFunding, LLC (a designee of Cogent Leasing & Financing, Inc.). The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

8. OTHER ACTION ITEMS AND UPDATES

A. Consider taking action regarding the City of Fredericksburg sponsoring the 175th Anniversary event at Fort Martin Scott

Andrea Schmidt, Director of Parks and Recreation, stated this agenda item is for the City Council to decide whether to sponsor the 175th Fort Martin Scott Anniversary for \$9,500.

Eric Hammersen stated the City would be paying for the cost of insurance, porta-potties, souvenir funds, and military band.

The City Council discussed the event and sponsorship.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Briley, to approve the City sponsoring the 175th Fort Martin Scott Anniversary in the amount of \$9,500. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider Conveyance of Right of Way and Roadway Easement Agreement at 407 East Orchard

Kris Kneese, Director of Public Works/Utilities, stated this is a unique situation that was picked up during a survey that was done by Mr. Lehmann. He noted for the past 50 years, a 3,342 sq foot portion of City Right of Way (Orchard Street) has been taken in and exclusively appropriated by prior property owners. In 1979, "proof of possession" was filed in the county records evidencing the care, custody and control of the Subject Tract by the property owner. Three separate and independent surveyors combined the 0.293-acre original tract with the 3,342 sq foot tract to make a single, 0.370 acre tract. He stated he worked with the City Attorney to find the best way to clean up this situation.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Briley, to approve the Conveyance of Right of Way and Roadway Easement Agreement at 407 East Orchard. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

C. Consider the approval of the extension of the City of Fredericksburg Investment Policy

Krista Wareham, Director of Finance, stated the City's Investment Policy needs to be extended. She did not recommend any changes to the policy. She noted that the TML policy guidelines of safety first was used.

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Watson, to approve the extension of the City of Fredericksburg Investment Policy. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

9. CITY MANAGER'S REPORT

A. City Manager's Update

Clinton Bailey, City Manager, provided the following updates:

- Development
- City Projects
- Financial Status
- Fire and Police Department Activities
- Golf Course Improvements
- Employment Opportunities
- Agenda Management

The City Council discussed the following:

- New building and apartments in the workforce price range
- The final design of the bridge
- Outdoor water usage tracking
- Citations issued by the Police Department
- Requirement of a Fire Truck going out with an ambulance

B. Fredericksburg Citizen University Update

Clinton Bailey, City Manager, stated the City has received 35 applications. He provided a few options for the selection of the first Fredericksburg Citizen University.

The City Council requested a list of the applicants and recommended City staff make the selection.

10. ITEMS FOR FUTURE AGENDA

A. Review the Future Agenda spreadsheet

Clinton Bailey, City Manager, reviewed the Future Agenda Spreadsheet.

11. EXECUTIVE SESSION

Motion: A motion was made by Mayor Pro Tem Watson and a second by Councilmember Kirchner to go out of Regular Session into Executive Session at 11:30 a.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Kirchner, seconded by Mayor Pro Tem Watson, to go out of the Executive Session and into the Regular Meeting at 11:51 a.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

12. BUSINESS ITEM

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Watson, to approve a 3% pay raise for Clinton Bailey, City Manager effective immediately. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

13. ADJOURN

With no other business, Mayor Hoover adjourned the Tuesday, December 19, 2023, City Council Regular Meeting at 11:51 a.m.

Bobby Watson
Mayor Pro Tem

Shelley Goodwin, TRMC/CMC
City Secretary



City of Fredericksburg
CITY COUNCIL SPECIAL MEETING MINUTES
MONDAY, DECEMBER 18, 2023 ~ 12:00 p.m.
CITY HALL – FIRE TRAINING ROOM
126 W. MAIN STREET
FREDERICKSBURG, TEXAS 78624

Mayor Jeryl Hoover
Mayor Pro Tem Bobby Watson
Councilmember Emily Kirchner
Councilmember Tony Klein
Councilmember Randy Briley

Members Absent:

None

City Staff Present:

Clinton Bailey, City Manager
Mick McKamie, City Attorney
Garret Bonn, Assistant City Manager
Brian Vorauer, Police Chief
Andrea Schmidt, Director of Parks and Recreation
Leslie Embrey, Assistant to the City Secretary
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Hoover called the Special Meeting of the Fredericksburg City Council to order at 12:00 p.m. on Monday, December 18, 2023. He announced that a quorum had been met.

2. OTHER ACTION ITEMS AND UPDATES

A. Discussion and possible action regarding the Fredericksburg Food and Wine Fest

i. 2025 Festival Event Planning Discussion

Clinton Bailey, City Manager, reviewed the purpose of the Special Meeting. The event is not keeping up with the need and so the City Council decided to use 2024 to redevelop and organize for the event in 2025. He also provided the description, goals and objectives, and accomplishments for the 2024 Budget Book.

Mayor Pro Tem stated he feels a committee should be formed through recruiting and then the City Council confirms the Committee. He noted his vision is a multi-venue and multi-day event that progresses, over the years could become larger than Oktoberfest.

Councilmember Klein stated he agrees with Mayor Pro Tem Watson but should also include dinners in the evening and wine education sessions.

Councilmember Kirchner encouraged Gillespie County wine vendors and make it be a special

event with a local night. She stated she is not sure if the City is the correct entity to run this event.

Councilmember Briley stated he would like to see what the CVB or the Chamber could do to improve and/or run the event.

Brady Clossen, CEO of Fredericksburg Convention and Visitor Bureau, spoke about the event that he oversaw for the City of Grapevine and the locals night they held. He also reviewed how the volunteer program was organized in Grapevine.

Jim Mikula, CEO of Fredericksburg Chamber of Commerce, spoke regarding how the new event has to really be significant and the need for a large number of volunteers

The City Council agreed by consensus to control the event to ensure that the City maintains the records.

Tim Dooley, City resident, spoke regarding saving \$180,000 and not hold the event.

The City Council discussed the following options:

- Hire an event organizer by using the Request for Proposal process
- Form a Steering Committee
- Convention and Visitor Bureau or Chamber of Commerce run the event

ii. Appointment of the 2025 Fredericksburg Food and Wine Fest Steering Committee

a. Composition of the Committee

Clinton Bailey, City Manager, reviewed the possible composition of the Steering Committee

- Restaurant Owner
- CEO of CVB
- Hospitality Industry
- Flavors
- Wine Industry
- 2 Councilmembers
- Ex Officio (4 to 5 City Staff)

b. Appointment of City Councilmembers to serve on the Committee and possibly Chair

The City Council agreed by consensus to appoint Mayor Pro Tem Watson and Councilmember Klein to serve on the Steering Committee.

iii. Next Steps

Clinton Bailey, City Manager, recommended the next steps be the following:

- Bring back goals and objectives
- Recommendations for the Steering Committee
- Clarify funding used
- Oversee the festival or not oversee the festival

3. ADJOURN

With no other business Mayor Hoover adjourned the Monday, December 18, 2023, City Council Special Meeting at 1:23 p.m.

Jeryl Hoover
Mayor

Shelley Goodwin, TRMC/CMC
City Secretary

SPECIAL EVENTS STREET CLOSURE REQUEST



Street closure requests must be made two (2) months in advance to City Council for any closure two (2) hours or more. Please consider this timeline when submitting your request. Please also attach the notification letter you will send to abutting property owners (if applicable) with this request to the Special Events Coordinator.

Event Name:	2024 City Hall Open House & Touch-A-Truck
Event Date(s):	Thursday, March 21, 2024
Contact Name:	Jennifer Krupa
Contact Phone:	(830) 990-2044

Closure Area:

☒ Entire Street
 ☐ Parking Lane Only
 ☐ Partial Street
 ☐ Blocking City owned property

Side of street: _____ (N,S,E,W) Side of street: _____ Location: _____

Additional details (attach additional pages as needed for more streets and describe details of use below):

The city has approval to use the Hennig grass lot from Bethany Lutheran Church for the event.

Street Closure Details:

Street Name	Between (cross street)	And (cross street)	Start Date	Start Time	End Date	End Time
Example:	Crockett Street	Adams Street	Friday, 4/2/21	6:00 PM	Sunday, 4/4/21	12:00 PM
Austin Street	N. Crockett	N. Adams	March 21, 2024	7:00 a.m.	March 21, 2024	7:00 p.m.

If the event will impact surrounding property owners, a notification letter is required to be sent to property owners at least two weeks prior to the event date. Attach a copy of the notification letter and a list of addresses the letter will be sent to.

Date notice provided: December 6, 2023

Printed Name: Jennifer Krupa

Date: 12/20/2023

Signature: Jennifer Krupa

Digitally signed by Jennifer Krupa
Date: 2023.12.20 08:33:14 -06'00'

Date: _____

Street Department: G. Dust via email

Date: 12-20-23

Police Department: Lt. Seelig via email

Date: 12-20-23

Parks Department: Jennifer Krupa

Date: 12-20-23

SPECIAL EVENTS STREET CLOSURE REQUEST



Street closure requests must be made two (2) months in advance to City Council for any closure two (2) hours or more. Please consider this timeline when submitting your request. Please also attach the notification letter you will send to abutting property owners (if applicable) with this request to the Special Events Coordinator.

Event Name:	Fredericksburg Volunteer Fire Department Fish Fry 2024
Event Date(s):	Saturday, April 20, 2023 <i>X4 JK</i>
Contact Name:	Paul Hannemann
Contact Phone:	(979) 218-2401

Closure Area:

☒ Entire Street
 ☐ Parking Lane Only
 ☐ Partial Street
 ☐ Blocking City owned property

Side of street: _____ (N,S,E,W) Side of street: _____ Location: _____

Additional details (attach additional pages as needed for more streets and describe details of use below):

parking spaces on N/S sides of Austin St. to be closed by VFD until 3 p.m. so traffic can flow until the actual closure @ 3 p.m.

Street Closure Details:

Street Name	Between (cross street)	And (cross street)	Start Date	Start Time	End Date	End Time
Example:	Crockett Street	Adams Street	Friday, 4/2/21	6:00 PM	Sunday, 4/4/21	12:00 PM
W. Austin St	N. Adams St.	N. Crockett St	Sat., April 20th	3:00 PM	Sat April 20th <i>A JB</i>	10:00 PM

If the event will impact surrounding property owners, a notification letter is required to be sent to property owners at least two weeks prior to the event date. Attach a copy of the notification letter and a list of addresses the letter will be sent to.

Date notice provided: E-Mailed to Bethany Lutheran Church and San Saba Soap Co.

Printed Name: PAUL F. HANNEMANN

Date: 11/14/2023

Signature: *Paul Hannemann*

Date: 11/14/23

Street Department: A. Durst via email

Date: 12-20-23

Police Department: Lt. Seelig via email

Date: 12-20-23

Parks Department: *Jäger KPR*

Date: 12-20-23

SPECIAL EVENTS STREET CLOSURE REQUEST FORM; PAGE 9



Street closure requests must be made two (2) months in advance to City Council for any closure four (4) hours or more. Please consider this timeline when submitting your request. Please also attach the notification letter you will send to abutting property owners (if applicable) with this request to the Special Events Coordinator.

Event Name:	Wellness Center Present Wildflower Run & Walk 2024
Event Date(s):	April 27, 2024
Contact Name:	Jessie Aleman
Contact Phone:	(830) 456-0061

Closure Area:

☒ Entire Street

☐ Parking Lane Only

☒ Partial Street

☐ Blocking City owned property

Side of street: _____ (N,S,E,W)

Side of street: _____

Location: Marktplatz- Adelsverein Hall

Additional details (attach additional pages as needed for more streets and describe details of use below):

Street Closure Details:

Street Name	Between (cross street)	And (cross street)	Start Date	Start Time	End Date	End Time
Example: Austin Street	Crockett Street	Adams Street	Friday, 4/2/18	6:00 PM	Sunday, 4/4/18	12:00 PM
W Austin Street	N Crockett Street	N Adams Street	April 27, 2024	6:00AM	April 27, 2024	11:00am

If the event will impact surrounding property owners, a notification letter is required to be sent to property owners at least two weeks prior to the event date. Attach a copy of the notification letter and a list of addresses the letter will be sent to.

Date notice provided: December 18, 2023

Printed Name: Jessie Aleman

Signature: _____

Date: 12/18/2023

Street Department: _____

Date: 12-20-23

Police Department: _____

Date: 12-20-23

Parks Department: _____

Date: 12-20-23

SPECIAL EVENTS STREET CLOSURE REQUEST



Street closure requests must be made two (2) months in advance to City Council for any closure two (2) hours or more. Please consider this timeline when submitting your request. Please also attach the notification letter you will send to abutting property owners (if applicable) with this request to the Special Events Coordinator.

Event Name:	Fredericksburg Jaycees Crawfish Festival
Event Date(s):	May 24-26, 2024
Contact Name:	Rebecca Hoffmann
Contact Phone:	(830) 456-2698

Closure Area:

☒ Entire Street
 ☒ Parking Lane Only
 ☒ Partial Street
 ☐ Blocking City owned property

Side of street: West (N,S,E,W)
 Side of street: West
 Location: _____

Additional details (attach additional pages as needed for more streets and describe details of use below):

Street Closure Details:

Street Name	Between (cross street)	And (cross street)	Start Date	Start Time	End Date	End Time
Example:	Crockett Street	Adams Street	Friday, 4/2/21	6:00 PM	Sunday, 4/4/21	12:00 PM
Austin Street	Crockett Street	Adams Street	Friday 5/24/24	8 am <i>7am</i>	Sunday 5/26/24	10 pm
Adams Street	Main Street	Austin Street	Friday 5/24/24	8 am <i>7am</i>	Sunday 5/26/24	10 pm

If the event will impact surrounding property owners, a notification letter is required to be sent to property owners at least two weeks prior to the event date. Attach a copy of the notification letter and a list of addresses the letter will be sent to.

Date notice provided: December 19, 2023

Printed Name: Sherri J Bumpas

Date: December 19, 2023

Signature: *[Handwritten Signature]*

Date: December 19, 2023

Street Department: *G. Durst via email*

Date: *12-19-23*

Police Department: *D. Seelig via email*

Date: *12-19-23*

Parks Department: *Jennifer KP*

Date: *12-19-23*



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Parks and Recreation
TO: Mayor & City Council Members
FROM: Jennifer Krupa, Asst. PARD Director/
Special Events
MEETING DATE: January 16, 2024

CATEGORY: CONSENT

CAPTION: Consider the approval of the three 2024 Parade held within the City (Jennifer Krupa, Special Event Coordinator/Assistant Parks Director)

- i. Fourth of July Parade on Thursday, July 4, 2024, at 10:00 a.m. on Main Street
 - ii. Gillespie County Fair Parade on Friday, August 23, 2024, at 10:00 a.m. on Main Street, and;
 - iii. Light the Night Christmas Parade on Friday, December 6, 2024, at 6:30 p.m. on Main Street, with an inclement weather date of Friday, December 13, 2024
-

PRESENTATION:

SUMMARY:

Three parades are held in the city each year. Since there is no fee schedule associated with hosting a parade within the city-limits, the City Council approves these parades on an annual basis. The three parades in 2024 are:

- Fourth of July Parade on Thursday, July 4, 2024, at 10:00 a.m. on Main Street (city-sponsored and produced with the assistance of volunteers);
- Gillespie County Fair Parade on Friday, August 23, 2024, at 10:00 a.m. on Main Street, and;
- Light the Night Christmas Parade on Friday, December 6, 2024, at 6:30 p.m. on Main Street, with an inclement weather date of Friday, December 13, 2024

BACKGROUND:

In 2023, the City worked with Kimley-Horn and TXDOT to develop an engineered traffic control plan to standardize each of the parades. The traffic control plan was approved by TXDOT for the three parades listed above. This plan is required by TXDOT for a parade on state-maintained roadways. For fiscal year 2024, Public Works staff will handle the traffic control operations and look to contract this out for FY 2025.

FUNDING SOURCE: Tourism

FINANCIAL IMPACT:
\$0 for FY 2024

STAFF RECOMMENDATION:

City council should consider adoption of a motion to approve the Fourth of July, Gillespie County Fair, and the Christmas "Light the Night" parades for 2024.

- Fourth of July Parade on Thursday, July 4, 2024, at 10:00 a.m. on Main Street;

- Gillespie County Fair Parade on Friday, August 23, 2024, at 10:00 a.m. on Main Street, and;
 - Light the Night Christmas Parade on Friday, December 6, 2024, at 6:30 p.m. on Main Street with an inclement weather date of Friday, December 13, 2024.
-

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Quality of Life Vision

ATTACHMENTS:

None

APPROVAL/REVIEW:

Andrea Schmidt

Andrea Schmidt, Parks and Recreation Director

Date: January 03, 2024

Krista Wareham

Krista Wareham, Director of Finance

Date: January 03, 2024

William McKamie, City Attorney

Date: January 03, 2024

Shelley Goodwin

Shelley Goodwin, City Secretary

Date: January 08, 2024

Clinton Bailey

Clinton Bailey, City Manager

Date: January 11, 2024



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM: William McKamie, City Attorney
MEETING DATE: January 16, 2024

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider the approval of Ordinance 2024-01, amending the Code of Ordinances to provide a process for petitions for release from the City's Extraterritorial Jurisdiction; providing a savings clause; providing that this Ordinance is cumulative of all Ordinances; amending Appendix A, "Fee Schedule." Article 5.500, "Application Fees, "To Add a Fee to Process a Petition for Release of Extraterritorial Jurisdiction and Public Works Fee"; and amending Article a severability clause; providing for publication; and providing an effective date (Shelley Goodwin, City Secretary)

PRESENTATION:

SUMMARY:

Senate Bill 2038, passed in May during the 88th legislative session, allows residents of Extraterritorial Jurisdiction," ETJ," to leave the City's authority through a petition or election.

The proposed Ordinance provides the process and sets a fee for the process. The fee was arrived at looking at the time spent by several departments to review the request, address the petition, and amend the different maps of the City.

BACKGROUND:

The law also revokes previous state law that allowed a City's ETJ to expand as the City annexed new territories naturally.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Government Vision

ATTACHMENTS:

1. Ordinance 2024-01 Release of ETJ

APPROVAL/REVIEW:



Krista Wareham, Director of Finance

Date: January 02, 2024

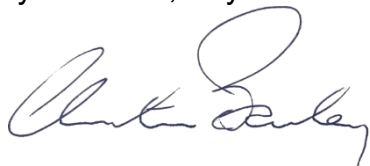
William McKamie, City Attorney

Date: January 02, 2024



Shelley Goodwin, City Secretary

Date: January 08, 2024



Clinton Bailey, City Manager

Date: January 11, 2024

ORDINANCE NO. 2024-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING THE CODE OF ORDINANCES TO PROVIDE A PROCESS FOR PETITIONS FOR RELEASE FROM THE CITY'S EXTRATERRITORIAL JURISDICTION; PROVIDING A SAVINGS CLAUSE; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL ORDINANCES; AMENDING APPENDIX A, "FEE SCHEDULE." ARTICLE 5.500, "APPLICATION FEES, "TO ADD A FEE TO PROCESS A PETITION FOR RELEASE OF RELEASE OF EXTRATERRITORIAL JURISDICTION; AND AMENDING ARTICLE A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Fredericksburg, Texas is a Home Rule municipal corporation located in Gillespie County, created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the Texas Legislature passed Senate Bill 2038, which allows residents of a city's extraterritorial jurisdiction to petition for release from the municipality's extraterritorial jurisdiction; and

WHEREAS, Senate Bill 2038 provides a timeline for approving the release of property from the extraterritorial jurisdiction after a petition is filed with the municipality; and

WHEREAS, the City Council deems it appropriate to provide procedures for establishing when a petition is considered filed; and

WHEREAS, a petition requesting release must comply with the petition requirements of Chapter 277 of the Texas Election Code; and

WHEREAS, Senate Bill 2038 requires the City Secretary, or designee, to verify the petition signatures; and

WHEREAS, City Council finds it necessary to establish a procedure for the City Secretary to verify the signature of corporate owners; and

WHEREAS, the City Council desires to amend the fee schedule to require an appropriate fee for appropriate fee for processing extraterritorial release requests, including updating municipal maps; and

WHEREAS, the fee is not intended and shall not pay for the costs of holding an election on the question of whether to release an area from the municipality's extraterritorial jurisdiction if a petition for election to receive by the City;

WHEREAS, the Texas Legislature passed House Bill 3492, which prohibits cities from basing any application, review, inspection, or related fees for constructing or improving public infrastructure for a subdivision lot on the cost or value of the infrastructure project; and

WHEREAS, the City of Fredericksburg finds it necessary to amend the fees schedule to comply with House Bill 3492: and

WHEREAS, the City Council finds that the amendments as outlined herein are in the best interest of the health, safety, and general welfare of the citizens of the City and the general public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS THAT:

Section 1. All the above premises are true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified, and incorporated into the body of this ordinance as if copied in their entirety.

Section 2. The Code of Ordinances is hereby amended by adding the following:

Petitions for Release from Extraterritorial Jurisdiction.

- (a) A petition for release or a petition to hold an election for release from the City's extraterritorial jurisdiction may be filed by a resident or land owner within the extraterritorial jurisdiction, as provided by Chapter 42 of the Texas Local Government Code, as amended.
- (b) A petition either for release or requesting an election is considered filed when it meets the following requirements:
 - (1) The petition must comply with the signature requirements of Chapter 42 of the Texas Local Government Code, as amended, and Chapter 277 of the Texas Election Code, as amended;
 - (2) The petition must include a map of the land to be released and describe the boundaries of the land by either:
 - i. Metes and bounds, or
 - ii. Lot and block number, if there is a recorded map or plat; and
 - (3) To permit the City Secretary to verify the petition, the petition of a corporate owner must be accompanied by the following:
 - i. Date of birth of the signor;
 - ii. Personal residence address of the signor;
 - iii. Business entity's Certificate of Good Standing from the Texas Secretary of State;
 - iv. Business entity's Articles of incorporation, certificate of formation, partnership agreement, or other corporate formation document;
 - v. Business entity's Bylaws; and
 - iv. Resolution of the business entity authorizing the petition for release be executed and filed by the entity representative.
- (c) Upon receipt of a petition, the City must verify the petition.
 - (1) The City shall notify the resident and landowners of the area described by the petition of its results. This may be satisfied by notifying the party who filed the petition.
- (d) If the petition for release contains the requisite number of signatures, the

City shall release the area from its extraterritorial jurisdiction by the later of the 45th day after the date the petition was filed or the next meeting of the City Council that occurs after the 30th date after the petition was filed.

- (e) If the resident or landowner submits a verified petition to hold an election for release, the city may either:
 - (1) Voluntarily release the area for which the election is to be held from the City's extraterritorial jurisdiction before the date on which the election would have been held; or
 - (2) Order an election for release, which must comply with Texas Election Code and Chapter 42 of the Local Government Code, as amended.
- (f) This section does not apply to the following properties in the extraterritorial jurisdiction:
 - (1) In an area designated as an Industrial District under Section 42.044 of the Texas Local Government Code, as amended;
 - (2) In an area subject to a strategic partnership agreement with the city;or
 - (3) Any other exceptions to release of an area by petition of a landowner or resident as described by Chapter 42 of the Local Government Code."

Section 3. This Ordinance shall be cumulative of all provisions of Ordinances of the City of Fredericksburg, Texas except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 4. Appendix "A" "Fee Schedule," Article 5.500 "Application Fees" Subsection 5.508, "Petition for Release from Extraterritorial Jurisdiction, " of the Code of Ordinance, City of Fredericksburg is hereby amended to read as follows:

Application Fees.

(a) General fees.

Petition for Release from Extraterritorial Jurisdiction \$1,000

Section 5. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 6. This Ordinance shall be in full force and effect from and after its passage and publication.

PASSED AND APPROVED on this the ____ day of January 2024, at a Regular Meeting of the City Council of the City of Fredericksburg, Texas.

Jeryl Hoover, Mayor

ATTEST:

Shelley Goodwin, TRMC/CMC
City Secretary

APPROVED AS TO FORM:

William M. McKamie
City Attorney



CITY COUNCIL **AGENDA MEMO**

DEPARTMENT: Development Services

TO: Planning and Zoning Commission

FROM: Anna Hudson, Director of Development Services

MEETING DATE: January 16, 2024

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider a request by Juan Rodriguez with Lique Engineers, LLC. for the property located at 620 East San Antonio for a Land Use Change from Parks Open Space (POS) to Downtown Central Business District (DCBD) and a Zoning Change From Open Space (OS) to Commercial (C2) for (#Z-2328) (Anna Hudson, Director of Development Services)

- i. Presentation by the applicant
 - ii. Staff Report
 - iii. Hold a Public Hearing to receive comments for or against the requests
 - iv. Take Action on Ordinance 2024-02 amending the Comprehensive Land Use Plan relating to approximately 2.52 acres of land located at 620 E. San Antonio Street by changing the Land Use designation from Parks & Open Spaces to Downtown Central Business District; Amending Appendix B, "Zoning Ordinance," of the Fredericksburg Municipal Code, as amended, by changing the zoning classification of said property from OS: Open Space to C-2: Commercial; revising the Official Zoning Map in accordance therewith; providing that this Ordinance shall be cumulative of all ordinances; providing a penalty clause; providing a savings clause; providing a severability clause; providing for publication in the official newspaper; and providing an effective date.
-

PRESENTATION:

SUMMARY:

The applicant is seeking a future land use change from "Parks Open Space" (POS) to Downtown Central Business District (DCBD) and a zoning change from "Open Space" (OS) to "Commercial" C2 for property located at 620 E. San Antonio.

BACKGROUND:

This property is 2.52 acres in size and has frontage on East San Antonio Street and obstructed frontage on East Main Street. The underlying zoning on the property is C2, Commercial, however, the property is bisected by the Open Space Zoning as it abuts the creek and the Open Space Zoning is a zoning category that follows existing floodplain lines and does not allow for development.

The north side of East San Antonio Street is zoned C2, Commercial, with the south side zoned R2, Mixed Residential. Neighboring uses include an STR Facility, McDonald's, Texas Regional Bank and several STR-Unoccupied's.

The change in the Land use and the Zoning would allow the applicant the ability to develop the property if the proposed development occurs outside the floodplain which will be verified by the Engineering Department.

As of December 22, 2023, Staff received 1 letter in support of the requested land use and zoning changes.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Staff recommends approval of the future land use and zoning change for the area above the retaining wall identified on the CLOMR. The change in zoning is required to allow the development of the property. The proposed commercial use is consistent with neighboring properties. The previous owner cleared the land and built up the property with a retaining wall to alleviate floodplain concerns. On January 3, 2024, Planning & Zoning made a recommendation for approval only for the area above the retaining wall leaving the remainder of the site Open Space.

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision
Family Life Vision
Quality of Life Vision

ATTACHMENTS:

1. Z-2328 Land use Map
2. Z-2328 Zoning Map
3. E San Antonio Survey with retaining wall
4. Z-2328 Public Hearing Map
5. Z-2328 Mailing Labels
6. Z-2328 - Project Application
7. Coates Approval
8. Zoning Change - 620 E. San Antonio - OS to C2

APPROVAL/REVIEW:

Rachel Raggio, TOASE Attorney

Date: January 09, 2024



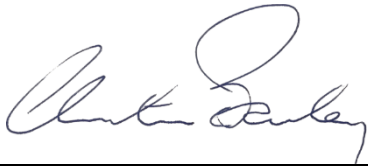
Garret Bonn, Assistant City Manager

Date: January 09, 2024



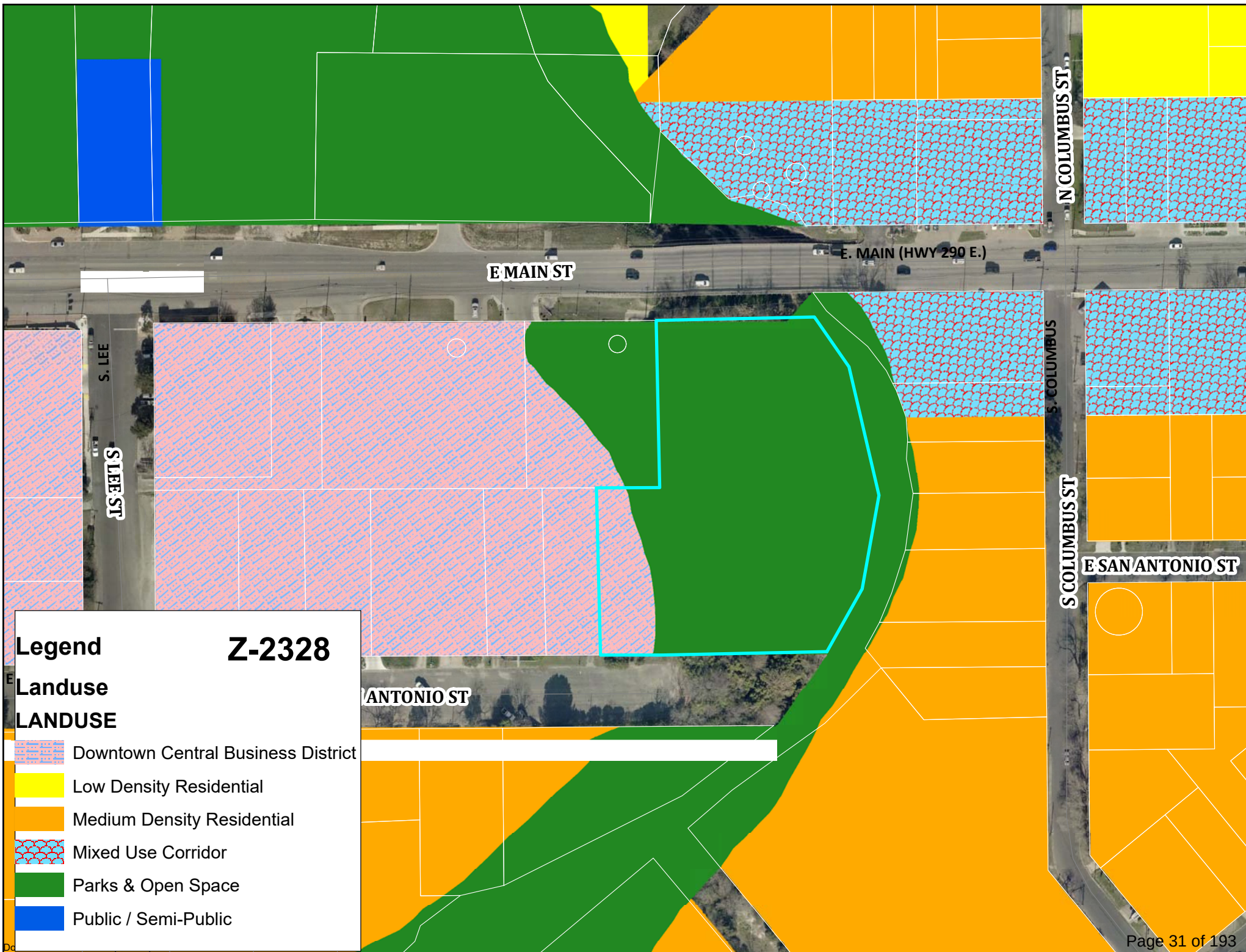
Shelley Goodwin, City Secretary

Date: January 09, 2024



Clinton Bailey, City Manager

Date: January 11, 2024

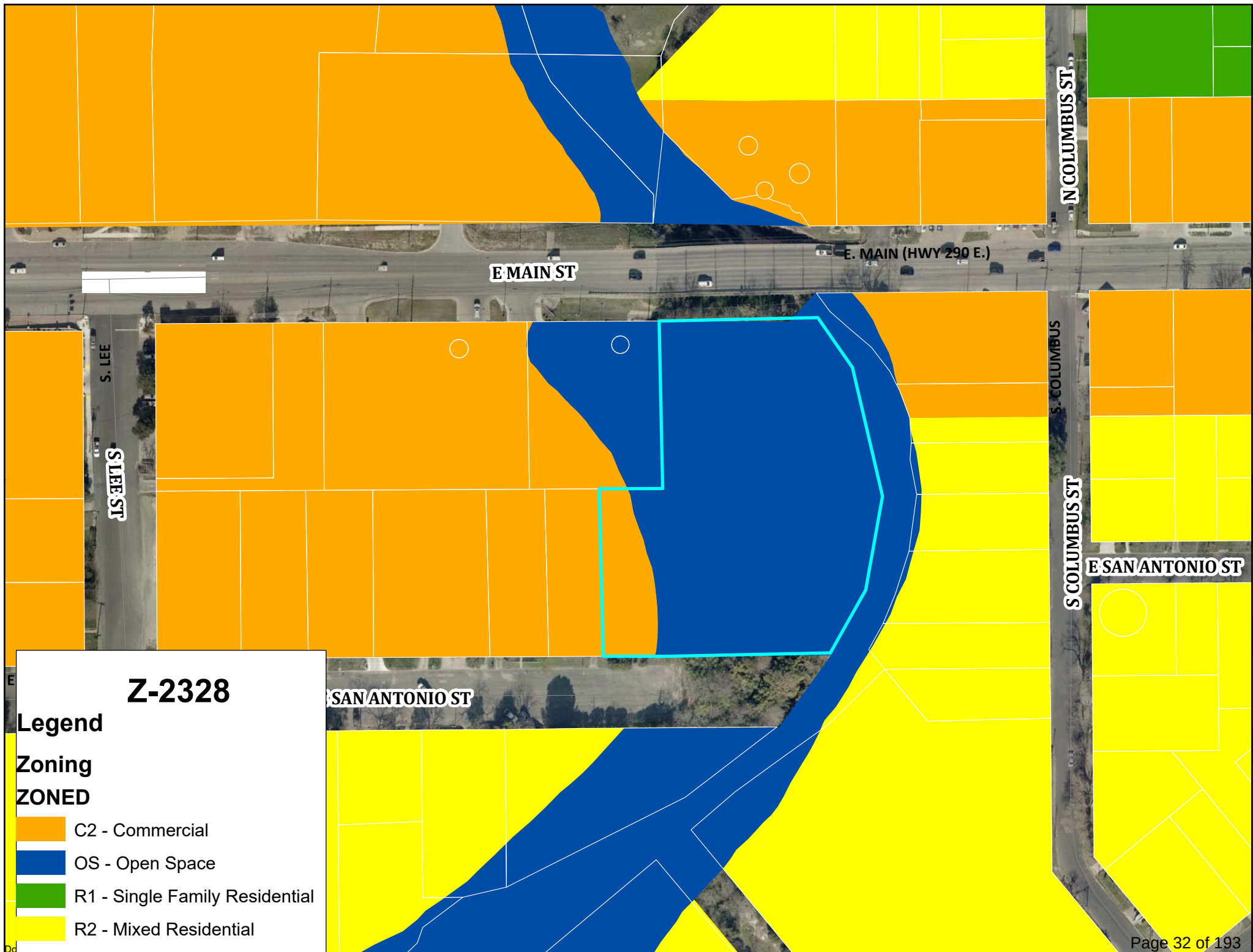


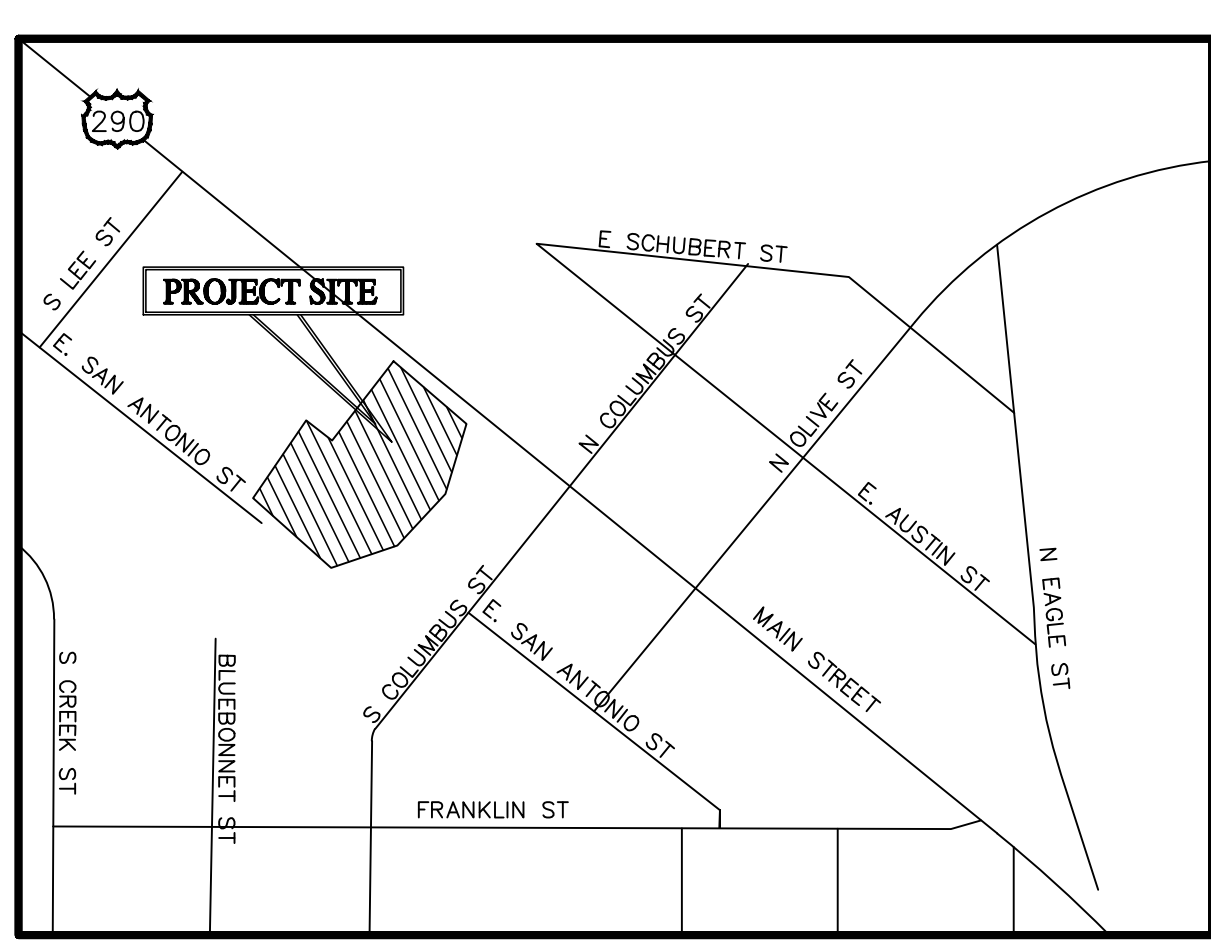
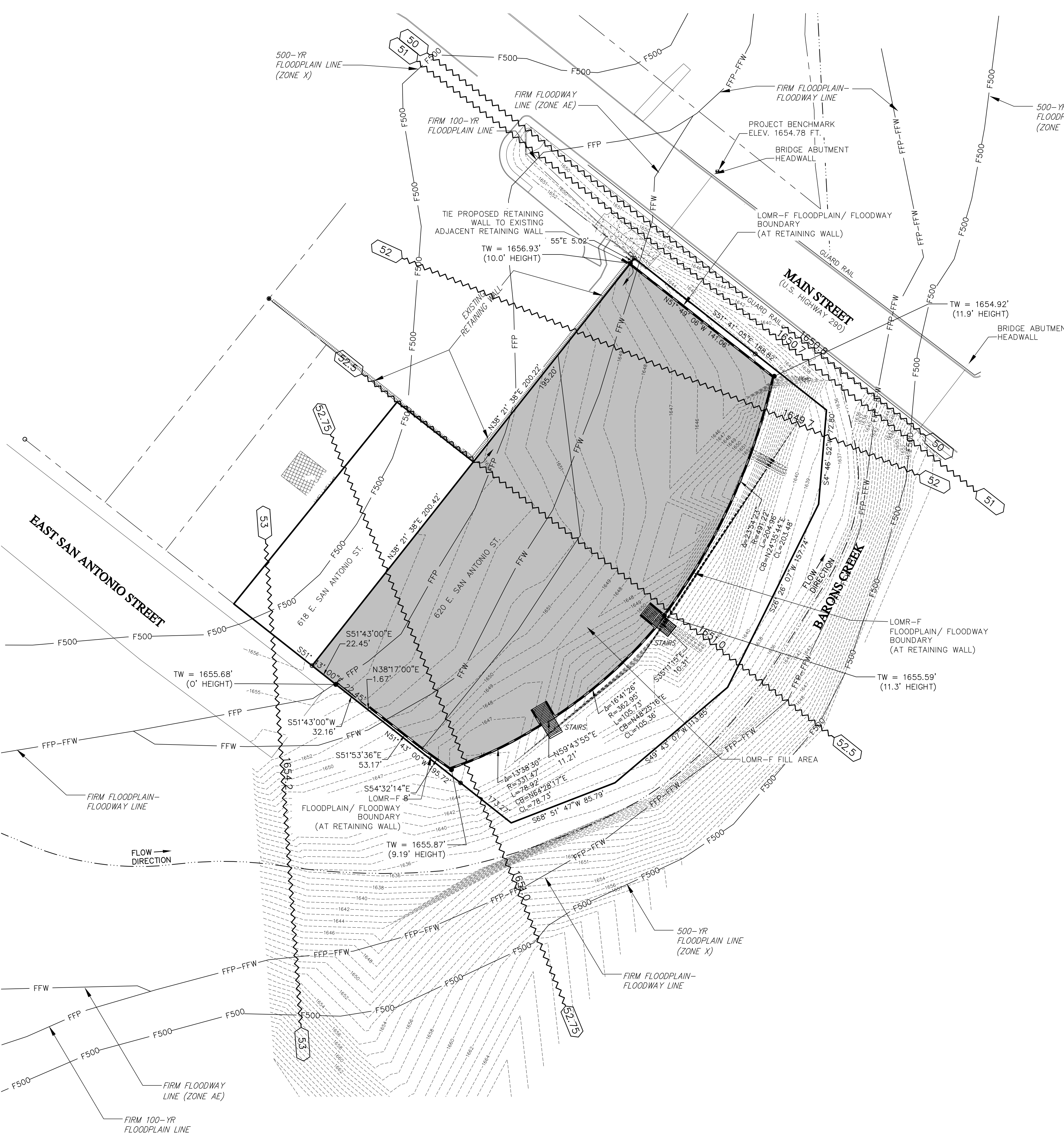
Z-2328

Legend

Zoning ZONED

-  C2 - Commercial
-  OS - Open Space
-  R1 - Single Family Residential
-  R2 - Mixed Residential





LOCATION MAP

NOT TO SCALE

- NOTES:
1. THE PROPERTY BOUNDARY IS BASED ON RECORDED PLAT IN INSTRUMENT NO. 20164999 GILLESPIE COUNTY, TEXAS BY BONN SURVEYING, FREDERICKSBURG, TEXAS (830-997-3884).
 3. CROSS-SECTION LABELS FROM FLOOD INSURANCE (FIRM) STUDY GILLESPIE COUNTY, TX AND INCORPORATED AREAS, OCTOBER 19, 2011.
 4. BASE FLOOD ELEVATIONS (BFE) AT CROSS-SECTIONS ARE BASED ON HEC-RAS MODEL, NGVD 29.
 5. **THIS IS NOT A PROPERTY SURVEY.** ANY QUESTIONS CONCERNING PROPERTY CORNERS, PROPERTY LINES, PROPERTY BOUNDARIES AND/OR SET BACKS SHOULD BE DIRECTED TO AND/OR VERIFIED BY A REGISTERED PROFESSIONAL LAND SURVEYOR.
 6. THE PROPOSED FLOODPLAIN BOUNDARY ON THE OPPOSITE (EAST) SIDE OF BARONS CREEK IS LOCATED AT THE SAME LOCATION AS THE EXISTING FLOODPLAIN BOUNDARY.
 7. BASIS OF BEARING WAS ESTABLISHED FROM TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83 (96).

CONTROL BENCHMARK:
FEMA BENCHMARK RM7
ELEVATION: 1703.99 FEET NGVD '29

SQUARE ETCHED ON TOP OF CURB AT THE SOUTHWEST CORNER OF ELK STREET AND MORSE STREET, FREDERICKSBURG, TX 78624

PROJECT BENCHMARK:
SQUARE ETCHED ON TOP OF NW ABUTMENT OF MAIN STREET BRIDGE OVER BARON'S CREEK, FREDERICKSBURG, TX 78624, WITH AN ELEVATION OF 1654.78 FEET NGVD '29

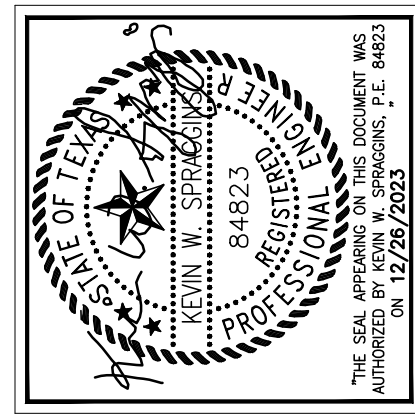
SUMMARY TABLE

TOTAL ACREAGE:	2.17 ACRES
ACREAGE OUT OF FLOODPLAIN:	1.53 ACRES

NOTE: AREAS SHOWN FOR 620 E. SAN ANTONIO STREET ONLY. NO FILL REQUIRED ON 618 E. SAN ANTONIO STREET.

LEGEND

- LOMR-F FILL AREA
- PROPOSED BUILDING
- EXISTING CONTOUR LINE
- PROPOSED CONTOUR LINE
- PROPERTY BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- CREEK CENTERLINE
- 500-YR FLOODPLAIN LINE (ZONE X)
- FIRM FLOODPLAIN-FLOODWAY LINE
- FIRM 100-YR FLOODPLAIN LINE
- FIRM FLOODWAY LINE (ZONE AE)
- LOMR-F FLOODPLAIN BOUNDARY
- AS BUILT RETAINING WALL
- HEC-RAS CROSS SECTIONS WITH CORRESPONDING BFE, NGVD 29.
- PROPOSED TOP OF WALL ELEVATION (PROPOSED WALL HEIGHT)

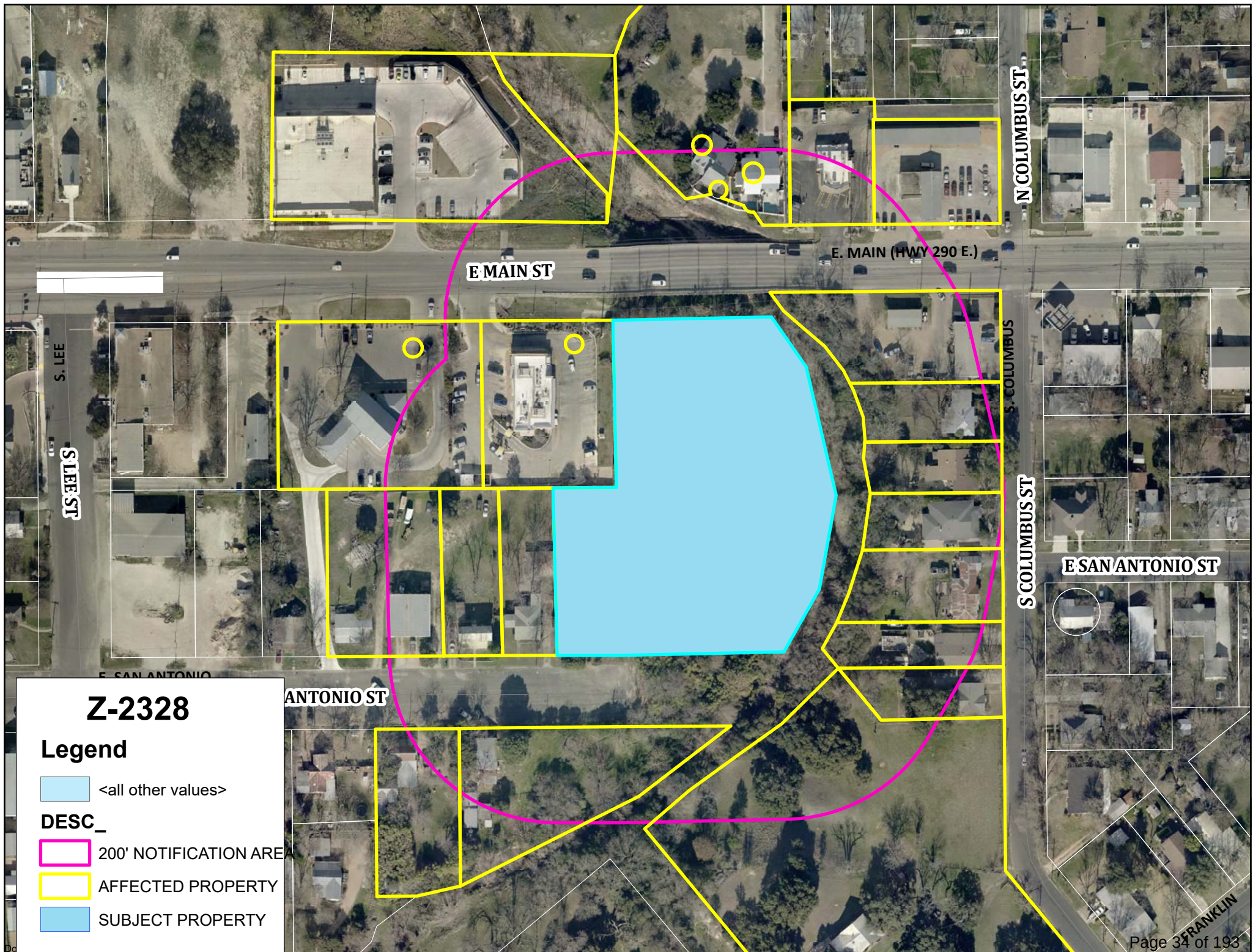


VEI CONSULTING ENGINEERS
507-D EAST HIGHWAY STREET,
FREDERICKSBURG, TEXAS 78624
830 - 997-4744 FAX 830 - 997-6967
In Kerrville 830 - 895-4770 FAX 830 - 895-7441
TEXAS REGISTRATION # F-165

LOMR-F FLOODSTUDY FOR
E. SAN ANTONIO STREET
618 & 620 E. SAN ANTONIO ST.
FREDERICKSBURG TEXAS

DRAWN BY:	CW
DATE:	12/26/2023
CHK. BY (eng):	
CHK. BY (owner):	
REVISION:	
JOB NO:	21030

FLOODSTUDY
SITE PLAN
SHEET NUMBER
FS1
1 OF 1



Z-2328

Legend

 <all other values>

DESC_

 200' NOTIFICATION AREA

 AFFECTED PROPERTY

 SUBJECT PROPERTY

PURPOSE TX 1 LLC
1406 E MAIN ST #200-257
FREDERICKSBURG, TX 78624

GARDENS OF BARONS CREEK
P.O. BOX 1353
FREDERICKSBURG, TX 78624

R J BOWEN LEASING INC
313 SCHREINER ST
KERRVILLE, TX 78028

PENICK R & C LP
6323 SEVILLA WAY
SAN ANTONIO, TX 78257

HAROLD & KATHLEEN COATES
608 W AUSTIN
FREDERICKSBURG, TX 78624

MARGO STAHL
8603 OLD SAN ANTONIO RD
FREDERICKSBURG, TX 78624

JAMES & LILIANA WELLIVER
106 S COLUMBUS ST
FREDERICKSBURG, TX 78624

CARL OTTMERS & GEORGE OTTMERS
108 S COLUMBUS
FREDERICKSBURG, TX 78624

GEORGE & THERSIA OTTMERS
202 S COLUMBUS
FREDERICKSBURG, TX 78624

RONETTE WALSHAK
204 S COLUMBUS
FREDERICKSBURG, TX 78624

ALLAN SAWATZKY
P.O. BOX 2145
FREDERICKSBURG, TX 78624

ALEXANDRA UNDERWOOD
P.O. BOX 293865
KERRVILLE, TX 78029

CONSUELO CHAVARRIA
611 E SAN ANTONIO
FREDERICKSBURG, TX 78624

MOELLENDORF MARTIAL DEDUCTION
TEXAS REGIONAL BANK
P.O. BOX 5555
MCALLEN, TX 78502

Z-2328 – 620 E San Antonio



Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

A. Project Information (Please complete all items.)

Project Name: Proposed Hotel

Project Address: 620 E San Antonio Street

Tax ID Number (s): S0010-63-0

Application Type (Check all items that apply.)

- | | | |
|---|--|---|
| ☐ Conditional Use Permit | ☐ Minor Plat* | ☐ Site Plan |
| ☐ Land Use Plan Change | ☐ Replat* | ☐ Entry Corridor Design |
| ☒ Zoning Change | ☐ Amending Plat* | ☐ Civil Construction Plans |
| ☐ Annexation* | ☐ Preliminary Plat* | |
| | ☐ Final Plat* | |

Jurisdiction: ☒ City Limits ☐ ETJ

Total Acres:

No. of Lots:

Original Survey & Abstract No: Townlot # 342 and 205

Legal Description: Lots 342 and 205

Current Land Use Plan: Vacant Land

Proposed Land Use Plan: Commercial

Current Zoning: Op - Open Space

Proposed Zoning: C2

Location: 620 E San Antonio Street

Proposed Use(s): Proposed 3 Story Hotel

Applicant's Signature

Applicant's Role: ☐ Owner ☐ Developer ☒ Other (note role):

I hereby certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. I also certify I have authorization from the owner to act on his / her behalf.

Signature: _____

Printed Name: _____

ATUL PATEL

Date: _____

11/16/23

Staff Use Only

Application No.:

7-2328

Date: _____

11/27/23

*Copy of current Title Search required with application.

\$700.00

Cln#30755



Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

B. Contact Information (Please complete all items.)

I. Property Owners

Firm Name (if applicable):

Owner Name: John Andrew Goodman and Cayenne Soni Goodman

Address: 1008 Middle Creek Rd. Fredericksburg, TX 78624

Phone: 210-323-6262

Fax: N/A

Email: N/A

II. Owner's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: ☐ Agent ☐ Engineer ☐ Surveyor ☒ Other (note role):

Firm Name (if applicable): Lique Engineers, LLC

Address: 816 Camaron Street, Suite 110

Primary Contact Name: Juan Rodriguez

Phone: 210-549-4207 - Office Fax: N/A

Email: juan@lique.us

Secondary Contact Name:

Phone: 210-373-9383 - Cell Fax: N/A

Email: juan@lique.us

C. Fee Schedule (Please attach appropriate fee to application.)

- ☐ Conditional Use Permit Application - \$400
- ☐ Site Plan Application Admin - \$300
- ☐ Site Plan Application P&Z - \$400
- ☐ Entry Corridor Design - \$100
- ☒ Application for Zoning Change - \$400
- ☒ Application for Land Use Change - \$300
- ☐ Minor Plat - \$300
- ☐ Replat - \$300 plus \$20 per lot
- ☐ Amending Plat - \$200
- ☐ Preliminary Plat - \$400 plus \$20 per lot
- ☐ Final Plat - \$500 plus \$10 per lot

D. Recording Fee Schedule

For plats, a recording fee will be collected when mylars are presented. The check should be made payable to Gillespie County Clerk and the recording fees are \$121.00 plus \$10.00 per lot.

Public Comment Form
Please return this form to:

scollier@tbgtx.org

OR

Development Services – Zoning
126 W. Main Street
Fredericksburg, TX 78624
830-997-7521



REQUEST NO. Z-2328

As an interested property owner, I (PROTEST) (APPROVE) the requested LAND USE AND ZONING
CHANGE, represented by the above file number because:

Everybody around this is complaining.

Signature Will Carter

Date December 14, 2023

Printed Name Harold Coates

Address 1019 E. Main

ORDINANCE NO. 2024-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING THE COMPREHENSIVE LAND USE PLAN RELATING TO APPROXIMATELY 2.52 ACRES OF LAND LOCATED AT 620 E. SAN ANTONIO STREET BY CHANGING THE LAND USE DESIGNATION FROM PARKS & OPEN SPACES TO DOWNTOWN CENTRAL BUSINESS DISTRICT; AMENDING APPENDIX B, “ZONING ORDINANCE,” OF THE FREDERICKSBURG MUNICIPAL CODE, AS AMENDED, BY CHANGING THE ZONING CLASSIFICATION OF SAID PROPERTY FROM OS: OPEN SPACE TO C-2: COMMERCIAL; REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Fredericksburg, Texas (the “City”), is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance, codified as Appendix B of the Fredericksburg Municipal Code, and a comprehensive zoning map, regulating the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes, and providing for a method to amend said ordinance and map for the purpose of promoting the public health, safety, morals, and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, the City Council has previously passed an ordinance adopting a Comprehensive Land Use Plan as the primary document on which to base all zoning, platting, and other land use decisions; and

WHEREAS, the Comprehensive Land Use Plan provides guidance for future development in conformance with the adopted Future Land Use Map; and

WHEREAS, in accordance with Sections 5.200 through 5.310 of the City’s zoning ordinance, the owner of the property referenced below has filed an application to change the property’s zoning classification from OS: Open Space to C-2: Commercial uses; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City on January 3, 2024, and by the City Council of the City on January 16, 2024, with respect to the use changes described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication, and all procedural requirements have been complied with in accordance with the comprehensive zoning ordinance and Chapter 211 of the Local Government Code; and

WHEREAS, the City Council has determined that an amendment to the Zoning Map, as provided herein, rezoning the below-referenced property from the OS: Open Space to the C-2: Commercial zoning district is appropriate and is in accordance with the growth goals, objectives, and planning principles set forth in the Comprehensive Land Use Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, THAT:

SECTION 1

The findings above are found to be true and correct and are incorporated herein.

SECTION 2

The Comprehensive Land Use Plan of the City of Fredericksburg, Texas, as amended, is hereby amended by changing the Future Land Use Map to change the land use designation of the property and area described in Section 3 herein from Parks & Open Spaces to Downtown Central Business District.

SECTION 3

Appendix B, "Zoning Ordinance," of the Fredericksburg Municipal Code, as amended, is hereby amended by changing the Zoning Map to change the zoning classification of the property and area as shown and described below:

Applicant:	Atul Patel
Property Owner:	John Andrew Goodman and Cayenne Soni Goodman
Property Address:	620 E. San Antonio St., Fredericksburg, Texas 78624
Legal Description:	A 2.52 acre tract located in the M Cabazos Survey No. 127, Abstract No. 117, Gillespie County, Texas, and being a portion of Townlot No. 342, Block 63, shown on the Map of Fredericksburg, Texas, Environs of the German Emigration Company, and designated as Tract 1, and all of a called 2.17 Acre tract, an unnumbered lot southeast of Townlots 342 and 205, Block 63, shown on the Map of Fredericksburg, Texas, Environs of the German Emigration Company, and designated as Tract 2.
Zoning Change:	The zoning classification of the property is hereby changed from OS: Open Space to C2: Commercial.

SECTION 4

The zoning districts, boundaries, and uses as herein established have been made in accordance with the Comprehensive Land Use Plan for the purpose of promoting the health, safety, morals, and general welfare of the community. They have been designed to lessen congestion in the streets; to secure safety from fire, panic, flood, and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provisions of transportation, water, sewerage, parks, and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

SECTION 5

The official Zoning Map of the City of Fredericksburg is hereby amended in accordance with the foregoing, and the City Secretary is hereby directed to revise the Zoning Map to reflect zoning classifications as set forth above.

SECTION 6

The use of the property described herein shall be subject to all the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances of the City for the zoning district into which they have been assigned.

SECTION 7

This Ordinance shall be cumulative of all provisions of ordinances of the Fredericksburg Municipal Code, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 8

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-6 of the Fredericksburg Municipal Code. Each day that a violation is permitted to exist shall constitute a separate offense. In addition, any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance may be subjected to such civil penalties as authorized by law.

SECTION 9

All rights or remedies of the City are expressly saved as to any and all violations of Appendix B of the Fredericksburg Municipal Code, as amended, or any other ordinance affecting zoning and land use that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation, both civil and criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

SECTION 10

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 11

The City Secretary of the City of Fredericksburg is hereby directed to publish in the official newspaper of the City the caption and penalty clause of this Ordinance as required by law.

SECTION 12

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED on this the 16th day of January, 2024.

Jeryl Hoover, Mayor

ATTEST:

Shelley Goodwin, TRMC/CMC, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney



CITY COUNCIL **AGENDA MEMO**

DEPARTMENT: Development Services

TO: Planning and Zoning Commission

FROM:

MEETING DATE: January 16, 2024

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider a request by Morgan De Sanchez for a Conditional Use Permit per Sec. 3.110 of the Zoning Ordinance to Operate a STR-Unoccupied in an R2 Zoned Area Located in the Historic Overlay District on Property Located at 110 East Orchard (#Z-2326) (Anna Hudson, Director of Development Services)

- i. Presentation by the applicant
 - ii. Staff Report
 - iii. Hold a Public Hearing to receive comments for or against the request
 - iv. Take Action on Ordinance 2024-03 amending Appendix B, "Zoning Ordinance," of the Fredericksburg Municipal Code, as amended, by granting a Conditional Use Permit Permitting a Short-Term Rental, Unoccupied Use on certain property located at 110 E. Orchard Street, Fredericksburg, Texas; providing that this Ordinance shall be cumulative of all ordinances; providing a penalty clause; providing a savings clause; providing a severability clause; providing for publication in the official newspaper; and providing an effective date.
-

PRESENTATION:

SUMMARY:

The applicant is requesting a Conditional Use Permit to operate a STR-Unoccupied in an R2 zoned area located within the Historic Overlay District for property located at 110 E Orchard Street.

BACKGROUND:

The applicant purchased the vacant lot on November 2, 2021, and obtained a building permit to build a 2 bedroom unit on May 11, 2022. In 2022, the applicant submitted an STR-Unoccupied application while the unit was under construction. Staff informed the applicant of the need for a Conditional Use Permit and the STR-Unoccupied application was denied on August 16, 2022.

Zoning: R2, Mixed Residential [Sec. 3.110](#)

Site Area: 12,000 sq ft

Occupancy: 2 per bedroom plus 2 guests would allow for an occupancy of **6** for the 2-bedroom unit.

Parking: 5 spaces provided with 2 required (Parking shall be provided 1 per bedroom) [Sec. 7.863](#)

Public Hearing Response: at the time of agenda publication one letter was returned questioning if the property would be allowed to add more STR units to the remaining portion of the property. If a CUP is granted for this structure, there is not a process to create an STR-facility given the R2 zoning.

Sec. 5.40 - Review and Evaluation Criteria Contains 13 items that must be considered when reviewing a Conditional Use Permit. Of these 13 items, Staff found that the applicant has met or responded to all requirements. The criteria and review are as follows, Staffs review is in **RED**:

Conformance with applicable regulations and standards established by the Zoning Regulations. **Met**

Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, access and circulation features. **Met**

Potentially unfavorable affects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site for a permitted use. No negative impacts foreseen - **The lot is oversize, 12,000 sq ft and can easily accommodate 6 guests. The majority of the properties in this neighborhood are STR's.**

Modifications (including variance from property development regulations) to the site plan which would result in increased compatibility, would mitigate potentially unfavorable impacts, would be necessary to conform to applicable regulations and standards and would protect the public health, safety, morals and general welfare. **No variance required.**

Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area; existing zoning and land uses in the area. **The requested use will not increase the traffic in the area.**

Protection of persons and property from erosion, flood or water damage, fire, noise, glare and similar hazards and impacts. No new impacts. Location, lighting, and type of signs; the relation of signs to traffic control and adverse effect of signs on adjacent properties. **Signs not permitted.**

Adequacy and convenience of off-street parking and loading facilities. **Parking exceeds requirements.**

Determination that the proposed use is in accordance with the objectives of these Zoning Regulations and the purposes of the zone in which the site is located. R2 allows for STR-Unoccupied by right and of the 8 CUPs requested for STR use in the Historic District, all 8 have been approved.

Determination that the proposed use will comply with each of the applicable provisions of these Zoning Regulations. **Met**

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. **There are 11 properties in this block of Cora and 6 of them are STR's. The proposed use is compatible with the neighborhood.**

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. **No conditions.**

Determination that the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. **The proposed use will not be detrimental to public health or safety.**

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Sec. 5.40 - Review and Evaluation Criteria Contains 13 items that must be considered when reviewing a Conditional Use Permit. Of these 13 items, Staff found that the applicant has met or responded to all requirements. The property is in a neighborhood that contains many STR's. This property is located in the 500 Block of Cora St and of the 11 properties found in this block, 6 are permitted STRS. Staff recommends approval conditioned upon the following:

1. Review/inspection and approval of a STR-Permit Application(s) and payment of applicable fees.

On January 3, 2024, Planning and Zoning made a unanimous recommendation for approval of the Conditional Use Permit.

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision
Family Life Vision
Quality of Life Vision

ATTACHMENTS:

1. Z-2326 Revised Site Plan
2. Z-2326 Review Comments
3. Z-2326 Response to Comments
4. Z-2326 CUP Narrative
5. Lightbulb Spec Sheet
6. Lighting Spec Sheet_A0157-Carson-12IN
7. Z-2326 Public Hearing Map
8. Z-2326 Mailing Labels
9. Z-2326 Project Application
10. response to 110 E Orchard_collier
11. CUP-STR - 110 E. Orchard_Ordinance (1)

APPROVAL/REVIEW:

Rachel Raggio, TOASE Attorney

Date: January 09, 2024



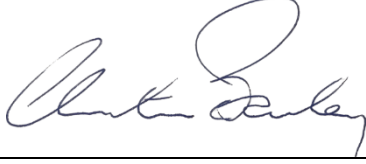
Garret Bonn, Assistant City Manager

Date: January 09, 2024



Shelley Goodwin, City Secretary

Date: January 09, 2024



Clinton Bailey, City Manager

Date: January 11, 2024

PARKING SUMMARY:

FACILITIES

MAIN STRUCTURE

2 BED/1.5 BATH

PARKING SPACES REQUIRED

1 SPACE PER BEDROOM REQUIRED
HANDICAP SPACES

2 SPACES 0 SPACES

PARKING SPACES PROVIDED

STANDARD PARKING SPACES (9' x 15' Each)
HANDICAP SPACES

5 SPACES 0 SPACES

TOTAL PARKING SPACES PROVIDED

5 SPACES

LOT SUMMARY:

LOT AREA

12,000 SF

CURRENT ZONING

R2 - MIXED RES

ZONING REQUIREMENTS

MINIMUM LOT AREA
MINIMUM LOT WIDTH

5,000 SF
50 FT.

BUILDING SETBACKS

FRONT YARD SETBACK
SIDE YARD SETBACK
SIDE YARD SETBACK (INTERIOR)
REAR YARD SETBACK

25 FT (ORCHARD)
15 FT (CORA)
5 FT
10 FT

MAXIMUM BUILDING HEIGHT

MAXIMUM BUILDING COVERAGE
MAXIMUM IMPERVIOUS COVERAGE

2.5 STORIES (28 FT)
55%
65%

CURRENT LOT COVERAGES

MAIN STRUCTURE HEIGHT
MAIN STRUCTURE COVERAGE
MAIN BUILDING AREA

1 STORY
10%
1200 SF.

IMPERVIOUS PERCENTAGE

MAIN HOUSE AND CISTERN

10.8%
1300 SF

TOTAL IMPERVIOUS AREA

1300 SF

TOTAL PERVIOUS AREA

10,700 SF

DRAINAGE ARROWS NOTED BY SYMBOL

LIGHTING FIXTURES NOTED BY SYMBOL

LF

THREE IDENTICAL EXTERIOR LIGHTING FIXTURES:

Fully shielded fixtures

Luminous element is not visible from any other property; the bulbs are 60 watt, 2100 (soft white) color temp, and 400 total lumens each

The total lumens across all three exterior lights is 1200; the maximum for the property is around 5000 lumens per the guidance of 17,500 lumens/acre.

PROJECTION 16"

CANOPY WIDTH 5"

OVERALL HEIGHT 12"

WIDTH 12"

MARK	DATE	REVISION
1	////	///

Sanchez Residence

110 E. Orchard

Fredericksburg, Texas

Hills of Texas Homes

304 N. Adams St.
Fredericksburg, Texas
830-889-7900 - ph
www.hillsoftexashomes.com

NORTH

SHEET TITLE

SITE PLAN
SCALE: 1/8" = 1'-0"

SHEET NO.

A0

Page 47 of 193



December 18, 2023

Morgan Moran de Sanchez
Via email
morgan@desanchezllc.com

RE: Z-2326, Review Comments for Site Plan/Conditional Use Permit Review for a STR-Unoccupied located at 110 E. Orchard.

Dear Mrs. Moran de Sanchez,

Please review the following comments and address appropriately. Please provide a written response as to how the items are addressed in addition to the revised Plan.

Plans will not be reviewed or considered without a response sheet.

- The Site Plan requires Planning and Zoning Approval, tentatively scheduled for January 3, 2024.
- Provide a note regarding all exterior lighting shall by night sky compliant. Provide the requested fixture type [Article XV- Outdoor Lighting - Site Plan Checklist](#)
- Please update the site plan with the property dimensioned parking spaces. 18.5 x 9. [Sec. 7.863](#) Dimension depth of parking spaces. Dimension width of isle behind parking spaces.
- Provide the width of the driveway. [Site Plan Checklist](#)
- Provide drainage flow arrows to ensure historical drainage patterns are maintained and adjacent and downstream properties are not adversely impacted. [Site Plan Checklist](#)
- Please update CUP Narrative with specific responses to each of the review and evaluation criteria noted in [Sec.5.460](#). This will be used by the Planning and Zoning Commission and City Council to make their determination.
- Provide photos of the front and the back of the property.

The City of Fredericksburg

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

- Note if driveway is existing or new construction.
- Gravel driveways are considered impervious coverage. Please use 100% of the gravel driveway as impervious.
- Show location of existing water meter and sewer connection.

For information regarding these comments please contact Shelby Collier with Development Services at 830-990-2013 or scollier@fbgtx.org

Please return the revised plans along with your written response as to how the comments have been addressed by Tuesday, December 26th to ensure consideration by the Planning & Zoning Commission on Wednesday, January 3rd.

**Shelby
Collier**

Digitally signed by Shelby Collier
DN: cn=Shelby Collier, o=City of
Fredericksburg, ou,
email=scollier@fbgtx.org, c=US
Date: 2023.12.18 12:37:30 -06'00'

Shelby Collier, Associate Planner
Development Review Committee (DRC)

The City of Fredericksburg

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

RESPONSE SHEET

Please see below for our responses to the latest round of Planning and Zoning feedback/questions provided to us on Monday, December 18, 2023. Our responses are in BLUE.

- The Site Plan requires Planning and Zoning Approval, tentatively scheduled for January 3, 2024.

- *Confirmed – we are planning to attend in-person as a family.*

- Provide a note regarding all exterior lighting shall by night sky compliant. Provide the requested fixture type Article XV- Outdoor Lighting - Site Plan Checklist

Sec. 5-510. - Submission of plans and evidence of compliance.

(a) All conditional use permit, site plan, subdivision, building permit or other development applications must include an outdoor lighting plan which includes the following information:

(1) The location of all existing and proposed light fixtures; and

SEE UPDATED SITE PLAN

(2) Specification sheets for all existing and proposed light fixtures.

SEE LIGHTING FIXTURE AND LIGHTBULB SPEC SHEET ATTACHMENTS (TWO)

(b) Verification that a project covered hereby has complied with the provisions of this Chapter shall occur during the final step in the applicable application process, for example, during the final inspection for a certificate of occupancy by the City building inspector.

(Ord. No. 24-014, 8-18-2014)

Our home currently has a total of 3 identical exterior lights that comply with all the requirements found in Article XV – Outdoor Lighting – Site Plan Checklist:

- *Fully shielded fixtures (see Lighting Fixture spec sheet)*
- *Luminous element is not visible from any other property; the bulbs are 60 watt, 2100 (soft white) color temp, and 400 total lumens each (see Lightbulb spec sheet)*
- *The total lumens across all three exterior lights is 1200; the maximum for the property is around 5000 lumens per the guidance of 17,500 lumens/acre.*
- *Based on the above, we are in total compliance of the Outdoor Lighting policies available.*

- Please update the site plan with the property dimensioned parking spaces. 18.5 x 9. Sec. 7.863 Dimension depth of parking spaces. Dimension width of isle behind parking spaces.

- *Site plan updated with parking space depth (15' Each)*
- *Site plan updated with dimension wide of isle behind parking spaces (20'6")*

- Provide the width of the driveway. Site Plan Checklist

- *Site plan updated with driveway width (10')*

- Provide drainage flow arrows to ensure historical drainage patterns are maintained and adjacent and downstream properties are not adversely impacted. Site Plan Checklist

- *Site plan updated with drainage arrows; our property maintains the overall natural slope and attempts to redirect rainwater from around the foundation to the front grass area to optimize natural watering.*

- Please update CUP Narrative with specific responses to each of the review and evaluation criteria noted in Sec.5.460. This will be used by the Planning and Zoning Commission and City Council to make their determination.

- *These notes contained herein will also be added to our revised CUP application*

- Provide photos of the front and the back of the property.

- *These photos have been added to our revised CUP application*

- Note if driveway is existing or new construction.

- *The driveway apron existed on the property when we purchased the property in 2021; there was no driveway on property at purchase*
 - *We added the gravel driveway Summer 2023 and used the existing driveway apron to connect to the street at the preexisting curb access point*
 - *Everything in the drawing is “existing” today and there is no “new construction” being requested by us in this application*

- Gravel driveways are considered impervious coverage. Please use 100% of the gravel driveway as impervious.

- *Confirmed; we updated the site plan accordingly.*

- Show location of existing water meter and sewer connection.

- *Water meter noted on site plan*
 - *Sewage connection noted on the site plan*

CUP Application: Morgan Moran de Sanchez
Response to Sec. 5.460. Review and Evaluation Criteria.

The Planning and Zoning Commission and City Council shall review and evaluate Conditional Use Permit applications using the following criteria:

Conformance with applicable regulations and standards established by the Zoning Regulations.
To the best of our knowledge, our property conforms with all application regulations and standards.

We followed the city's permitting and inspection processes in constructing a brand new single-family-home on our lot and received an official Certificate of Occupancy this year to demonstrate our adherence to all building requirements. We worked with our builder, experienced in the Fredericksburg community, to design and build a home that addressed a lot of the STR-Unoccupied needs ahead of time so we were ready for this phase when it arrived.

Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, access and circulation features.

Particularly because our home was built recently within the Historic District, we are confident the building is compatible with all aspects of the area as we sought review/approval with the Historic Review Board before proceeding with construction. We even collaborated and sought approval for fence choice/height before proceeding with fence construction – that is how sensitive and respectful we have been in trying to work within the community's best interests.

Potentially unfavorable affects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site for a permitted use.

We do not believe our CUP for STR-Unoccupied would incur any unfavorable effects nor impacts to abutting sites or neighbors.

Modifications (including variance from property development regulations) to the site plan which would result in increased compatibility, would mitigate potentially unfavorable impacts, would be necessary to conform to applicable regulations and standards and would protect the public health, safety, morals and general welfare.

We have complied with all modern city building requirements as well as Historic Review Board consideration and approval processes without making undisclosed modifications to our plans or site. We have been transparent and proactive as much as possible to ensure we are adhering to all protocols.

Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area; existing zoning and land uses in the area.

We have paid special attention to adapting to the neighborhood's streets and pedestrian usage for safety and convenience. Specifically, we are a corner lot and made sure to construct our fence with the 25' visibility triangle in mind on the corner of Orchard/Cora.

Protection of persons and property from erosion, flood or water damage, fire, noise, glare and similar hazards and impacts.

We have graded our lot post-construction and landscaped appropriately to protect adjacent lots and streets from any possible hazards and impacts.

Location, lighting, and type of signs; the relation of signs to traffic control and adverse effect of signs on adjacent properties.

Our only yard signs include two temporary 10" garden signs for "Private Property - No Trespassing" as an adjacent neighbor is having issues with an illegal trespasser squatting at their residence at 507 Cora Street. With our 25' visibility triangle we have made sure cars and pedestrians have ample visibility of the Yield sign on the corner of Orchard/Cora.

Adequacy and convenience of off-street parking and loading facilities.

We have an extra-large gravel driveway that can accommodate 5-6 full-size automobiles without problem. We took extra care to add additional stone/mortar to the apron to reduce gravel tracking into the street with driving and rain, and installed an EV charger to encourage eco-friendly vehicles and drivers. Our use of gravel for such a large driveway even helped to reduce the impervious coverage percentages to improve water retention on our lot, reduce erosion, and feature a local and natural material that is a much better "hard-scape" than concrete or asphalt.

Determination that the proposed use is in accordance with the objectives of these Zoning Regulations and the purposes of the zone in which the site is located.

Neighbors on practically all sides of our property and along Cora Street offer STR-Unoccupied properties. We believe we are well in accordance with the Zoning Regulations and real use/purposes for our immediate area.

Determination that the proposed use will comply with each of the applicable provisions of these Zoning Regulations.

We believe we are in compliance with all of the current applicable provisions for STR-Unoccupied and will diligently monitor the ongoing changes in the community to stay on top of our compliance.

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.

We commit to current and future compliance with the permitted STR-Unoccupied use of our property. We have a flawless track record of doing this with our ADU STR in Austin, Texas already – both from a permitting and hospitality tax filing perspective.

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.

We are happy to accommodate any conditions that are made to approve the STR-Unoccupied permitted use for our home in our neighborhood and feel we have done a thorough job of anticipating and addressing those.

Determination that the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

Without a question – we are members of this community and take integrity and respect seriously; consideration and protection of public health, safety and welfare for others' properties and individuals is a top priority for our family. If granted an STR-Unoccupied permitted use, we will continue to operate as such.

LED LAMP

SPECIFICATIONS

Combine classic style, modern reliability and energy savings with Feit Electric ST19 LED 60-Watt Equivalent Warm White (2100K) 4-Straight Filament Light Bulb. Our vintage filament bulbs are made with LED exposed filament and wrapped in an amber housing to deliver an elegant antique look and feel. We integrate innovative LED technology with a traditional straight filament, providing a natural lighting experience for those that want the benefits of LED's and the look of a vintage lighting. Filament LED's will last for years and use just a fraction of the energy of an incandescent.

**60W Equivalent ST19 Dimmable
Amber Glass Vintage Straight
Filament Warm White LED**

ST19/LED/HDRP/4

Features

- ST19 shape light bulb with medium (E26) base
- Estimated yearly energy cost: \$0.54 (based on 3-hour/day, 11/kWh, costs depend on rates and use)
- Life: 13.7-years (based on 3-hour/day)
- Light appearance: 2100K (warm white)



4-pack

Brightness (Lumens)	Watts	Wattage Equiv.	Color Temp.
400	5.5	60	2100 (Soft White)
Annual Energy Cost	Life Hours / Years	Energy Efficiency	Voltage
\$0.66*	15000 / 13.6*	90.8%	120
CRI	Shape	Base	Finish
80	ST19	E26	Amber
Dimmable	Beam Angle	MOL / Diameter (in.)	Location
Yes			Damp

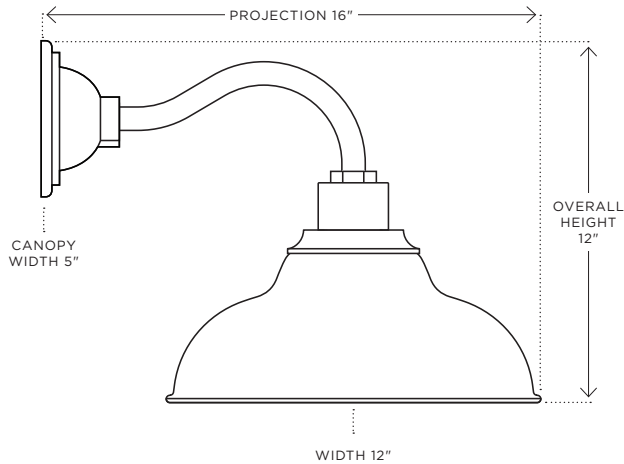
* Estimated based on 3 hrs/day. Costs depends on rates and use

CARSON 12" GOOSENECK

WAREHOUSE WALL FIXTURE

AVAILABLE OPTIONS:

A0150 - 12" Red	A0152 - 12" Gloss White
A0151 - 12" Green	A0154 - 12" Gloss Black
A0153 - 12" Cobalt (shown)	A0155 - 12" Matte Black
A0157 - 12" Orange	A0156 - 12" Matte Gray



DETAILS

UL RATING: Wet

NUMBER OF SOCKETS: 1

MAX WATTAGE: 100W

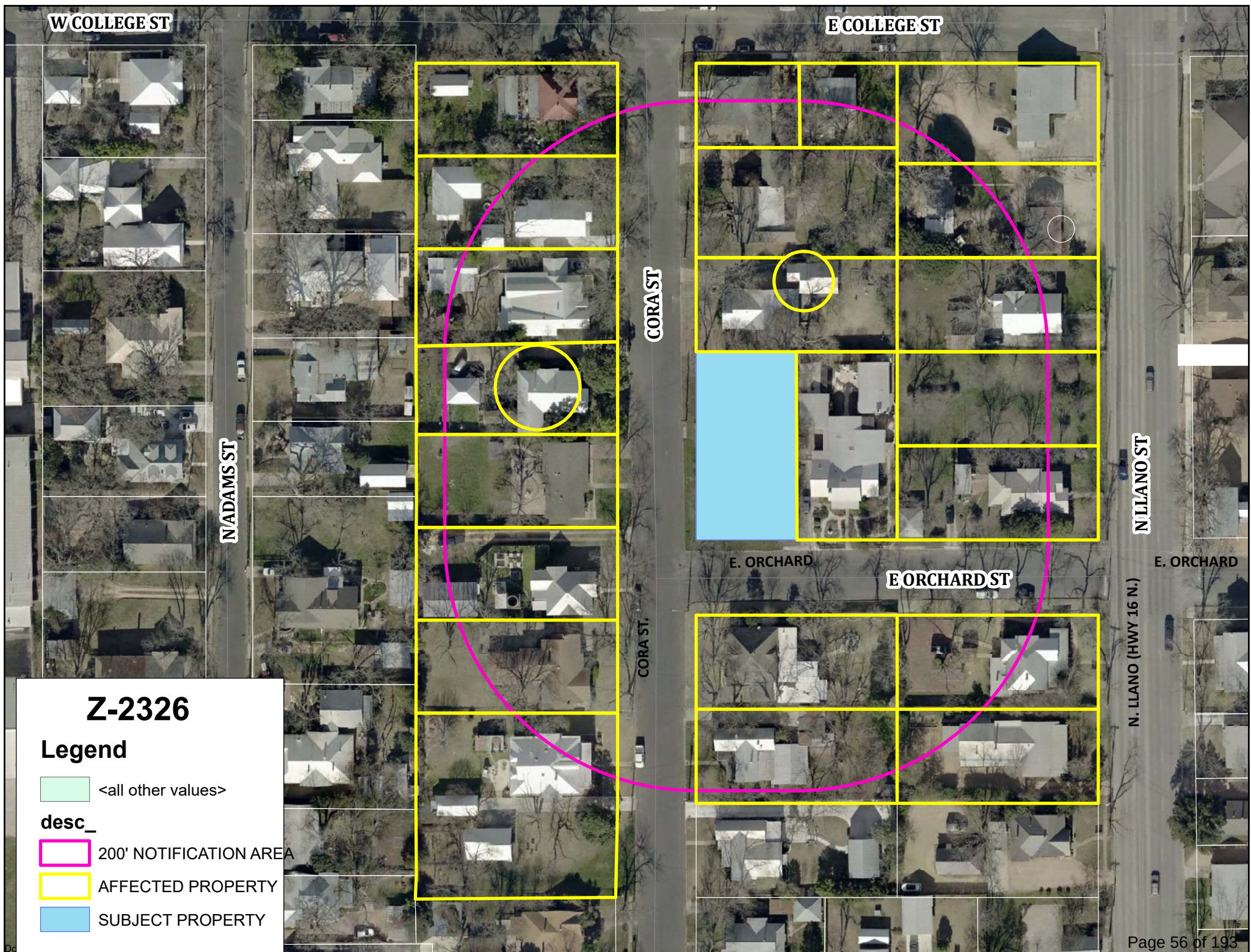
AVAILABLE SOCKET TYPES: Standard incandescent or GU24

NUMBER OF AVAILABLE COMBINATIONS: 8

OPTION SHOWN: A0157 - Carson 12" Gooseneck in Cobalt

AVAILABLE FIXTURE FINISH: Carbon





W COLLEGE ST

E COLLEGE ST

N ADAMS ST

CORA ST

N LLANO ST

E. ORCHARD

E. ORCHARD

E ORCHARD ST

N. LLANO (HWY 16 N.)

Z-2326

Legend

-  <all other values>
- desc_**
-  200' NOTIFICATION AREA
-  AFFECTED PROPERTY
-  SUBJECT PROPERTY

URA ENTERPRISES
P.O. BOX 1231
FREDERICKSBURG, TX 78624

M PROPERTY HOLDINGS
P.O. BOX 15
MASON, TX 76856

DOROTHEY A BASSE
ATTN: WILSON & FARMER
5784 LOUDON RD
FREDERICKSBURG, TX 78624

KERRY & MELANIE KORDZIK
7286 THREADGILL CREEK RD
DOSS, TX 78618

512 NORTH LLANO LLC
105 W SAN ANTONIO
FREDERICKSBURG, TX 78624

ROGER & JOAN SCHRENK
124 PARLIN LN
FREDERICKSBURG, TX 78624

FRANK & ALLYSON PARMA
7913 ALOPHIA DR
AUSTIN, TX 79739

SANDRA HARPER
512 CORA ST
FREDERICKSBURG, TX 78624

MICHAEL & KRISTIN WALKER
11353 MAJESTIC DR
MONTGOMERY, TX 77316

TYLER & MELISSA WHATLEY
10791 EL NINA DR
MOBILE, AL 36608

MARGARET OWENS
506 CORA
FREDERICKSBURG, TX 78624

CORA COTTAGE LLC
P.O. BOX 3379
FREDERICKSBURG, TX 78624

CHARLES & VALERIE WHITEN
502 CORA ST
FREDERICKSBURG, TX 78624

STEVEN & LORI LESTER
829 MATADERO AVE
PALO ALTO, CA 94306

TERRILL COLLIER
408 CORA
FREDERICKSBURG, TX 78624

GLEN TREIBS
1099 TREIBS RD
FREDERICKSBURG, TX 78624

MEIER HAUS LLC
P.O. BOX 3379
FREDERICKSBURG, TX 78624

ARNOLD & JAN CUELLAR
112 E ORCHARD
FREDERICKSBURG, TX 78624

KWAME MUNAJJ
1612 SOUTHMORE BLVD
HOUSTON, TX 77004

HICKSIE LLC
17023 ASHBURY OAKS
SAN ANTONIO, TX 78247

Z-2326 – 110 E Orchard



Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

A. Project Information (Please complete all items.)

Project Name: the frieda haus

Project Address: 110 E. Orchard Drive, Fredericksburg, TX 78624

Tax ID Number (s): 23502

Application Type (Check all items that apply.)

- | | | |
|--|--|---|
| ☒ Conditional Use Permit | ☐ Minor Plat* | ☐ Site Plan |
| ☐ Land Use Plan Change | ☐ Replat* | ☐ Entry Corridor Design |
| ☐ Zoning Change | ☐ Amending Plat* | ☐ Civil Construction Plans |
| ☐ Annexation* | ☐ Preliminary Plat* | |
| | ☐ Final Plat* | |

Jurisdiction: ☒ City Limits ☐ ETJ Total Acres: 0.275 No. of Lots: 1

Original Survey & Abstract No: S0730 - HENKE

Legal Description: HENKE BLK B LOT 20

Current Land Use Plan: N/A

Proposed Land Use Plan: N/A

Current Zoning: R2

Proposed Zoning: R2

Location: 110 E. Orchard Drive, Fredericksburg, TX 78704

Proposed Use(s): STR-Unoccupied

Applicant's Signature

Applicant's Role: ☒ Owner ☐ Developer ☐ Other (note role):

I hereby certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. I also certify I have authorization from the owner to act on his / her behalf.

Signature: _____

Digitally signed by Morgan Moran de Sanchez
Date: 2023.11.14 11:26:53 -06'00'

Printed Name: Morgan Moran de Sanchez

Date: 11/14/23

Staff Use Only

Application No.: _____ Date: _____

*Copy of current Title Search required with application.



Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

B. Contact Information (Please complete all items.)

I. Property Owners

Firm Name (if applicable):

Owner Name: Morgan Moran de Sanchez

Address: 110 E. Orchard Street, Fredericksburg, TX 78624

Phone: 908-420-7577

Fax:

Email: morgan@desanchezllc.com

II. Owner's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: ☐ Agent ☐ Engineer ☐ Surveyor ☐ Other (note role):

Firm Name (if applicable):

Address:

Primary Contact Name:

Phone:

Fax:

Email:

Secondary Contact Name:

Phone:

Fax:

Email:

C. Fee Schedule (Please attach appropriate fee to application.)

- ☒ Conditional Use Permit Application - \$400
- ☐ Site Plan Application Admin - \$300
- ☐ Site Plan Application P&Z - \$400
- ☐ Entry Corridor Design - \$100
- ☐ Application for Zoning Change - \$400
- ☐ Application for Land Use Change - \$300
- ☐ Minor Plat - \$300
- ☐ Replat - \$300 plus \$20 per lot
- ☐ Amending Plat - \$200
- ☐ Preliminary Plat - \$400 plus \$20 per lot
- ☐ Final Plat - \$500 plus \$10 per lot

D. Recording Fee Schedule

For plats, a recording fee will be collected when mylars are presented. The check should be made payable to Gillespie County Clerk and the recording fees are \$121.00 plus \$10.00 per lot.

REQUEST NO. Z-2326

As an interested property owner, I ^{Question} ~~(PROTEST)~~ / ~~(APPROVE)~~ the requested CONDITIONAL USE PERMIT,
represented by the above file number because:

*I would like to know if the zoning requested would enable the
property owner to then construct a "village" of STRs on the remaining
part of the property at some point in the future.*

Cathy Collier
Signature

12-20-23
Date

Cathy Collier
Printed Name

408 Cora
Address

ORDINANCE NO. 2024-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING APPENDIX B, "ZONING ORDINANCE," OF THE FREDERICKSBURG MUNICIPAL CODE, AS AMENDED, BY GRANTING A CONDITIONAL USE PERMIT PERMITTING A SHORT-TERM RENTAL, UNOCCUPIED USE ON CERTAIN PROPERTY LOCATED AT 110 E. ORCHARD STREET, FREDERICKSBURG, TEXAS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Fredericksburg, Texas (the "City"), is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance, codified as Appendix B of the Fredericksburg Municipal Code, and a comprehensive zoning map, regulating the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes, and providing for a method to amend said ordinance and map for the purpose of promoting the public health, safety, morals, and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, in accordance with the Comprehensive Zoning Ordinance, the owner of the property referenced below has filed an application for a Conditional Use Permit for a Short-term Rental, Unoccupied use located in the R-2: Mixed Residential and HO: Historic Overlay zoning districts; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City on January 3, 2024, and by the City Council of the City on January 16, 2024, with respect to the use changes described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication, and all procedural requirements have been complied with in accordance with the comprehensive zoning ordinance and Chapter 211 of the Local Government Code; and

WHEREAS, the City Council of the City does hereby deem it advisable and in the public interest to grant such conditional use permit on the terms and conditions described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, THAT:

SECTION 1

The findings above are found to be true and correct and are incorporated herein.

SECTION 2

Appendix B, “Zoning Ordinance,” of the Fredericksburg Municipal Code, as amended, is hereby amended to grant a Conditional Use Permit as shown and described below:

Applicant: Morgan Moran de Sanchez

Property Owner: Morgan Moran de Sanchez & Gonzalo Sanchez Gauto

Property Address: 110 E. Orchard Street, Fredericksburg, TX 78624

Legal Description: Lot 20, Block B, C. Henke Addition, City of Fredericksburg, Gillespie County, Texas, according to the map or plat of record in Volume 18, Page 164, Deed Records of Gillespie County, Texas.

Zoning Change: The property shall remain located in the R-2: Mixed Residential and HO: Historic Overlay zoning districts, and a Conditional Use Permit for a Short-term Rental, Unoccupied use is hereby granted subject to the terms and conditions provided herein.

SECTION 3

The zoning districts, boundaries, and uses as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community. They have been designed to lessen congestion in the streets; to secure safety from fire, panic, flood, and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provisions of transportation, water, sewerage, parks, and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

SECTION 4

The use of the property described herein shall be subject to all the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances of the City for the zoning district into which they have been assigned.

Commented [RR1]: Anna, if any additional conditions are recommended by P&Z or imposed by Council, we can include them here.

SECTION 5

This Ordinance shall be cumulative of all provisions of ordinances of the Fredericksburg Municipal Code, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 6

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-6 of the Fredericksburg Municipal Code. Each day that a violation is permitted to exist shall constitute a separate offense. In addition, any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance may be subjected to such civil penalties as authorized by law.

SECTION 7

All rights or remedies of the City are expressly saved as to any and all violations of Appendix B of the Fredericksburg Municipal Code, as amended, or any other ordinance affecting zoning and land use that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation, both civil and criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

SECTION 8

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 9

The City Secretary of the City is hereby directed to publish in the official newspaper of the City the caption and penalty clause of this Ordinance as required by law and in accordance with Section 3.12 of the City Charter.

SECTION 10

This Ordinance shall be in full force and effect from and after its passage and publication as required by law and in accordance with Section 3.12 of the City Charter, and it is so ordained.

PASSED AND APPROVED on this the 16th day of January, 2024.

Jeryl Hoover, Mayor

ATTEST:

Shelley Goodwin, TRMC/CMC, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney



CITY COUNCIL **AGENDA MEMO**

DEPARTMENT: Development Services
TO: Planning and Zoning Commission
FROM: Anna Hudson, Director of Development Services

MEETING DATE: January 16, 2024

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider a request by Adam Montgomery for a Conditional Use Permit per Sec. 3.110 of the Zoning Ordinance to Operate a STR-Unoccupied in an R2 Zoned Area Located in the Historic Overlay District on property located at 205 West Travis Street (# Z-2329) (Anna Hudson, Director of Development Services).

- i. Presentation by the applicant
 - ii. Staff Report
 - iii. Hold a Public Hearing to receive comments for or against the request
 - iv. Take Action on Ordinance 2024-04 amending Appendix B, "Zoning Ordinance," of the Fredericksburg Municipal Code, as amended, by granting a Conditional Use Permit Permitting a Short-Term Rental, Unoccupied Use on certain property located at 205 W. Travis Street, Fredericksburg, Texas; providing that this Ordinance shall be cumulative of all ordinances; providing a penalty clause; providing a savings clause; providing a severability clause; providing for publication in the official newspaper; and providing an effective date.
-

PRESENTATION:

SUMMARY:

The applicant is requesting a Conditional Use Permit to operate a STR-Unoccupied in an R2 zoned area located within the Historic Overlay District for property located at 205 W. Travis Street.

BACKGROUND:

Zoning: R2, Mixed Residential [Sec. 3.110](#)

Site Area: 11,456 sq ft

Occupancy: 2 per bedroom plus 2 guests would allow for an occupancy of 8 for the 3-bedroom unit.

Parking: 4 spaces provided with 3 required (Parking shall be provided 1 per bedroom) [Sec. 7.863](#)

Screening: Is required and provided with a privacy fence.

Public Comment Form: At the time of agenda publication one protest form had been submitted and two in support.

Sec. 5.40 - Review and Evaluation Criteria Contains 13 items that must be considered when reviewing a Conditional Use Permit. Of these 13 items, Staff found that the applicant has met or responded to all requirements. The criteria and review are as follows, Staffs review is in **RED**:

Conformance with applicable regulations and standards established by the Zoning Regulations. **Met**

Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, access and circulation features. **Met**

Potentially unfavorable affects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site for a permitted use. **No negative impacts foreseen - The lot is large, 11,000 sq ft and can easily accommodate 6 - 8 guests. The properties to the rear of the subject property are all STRs.**

Modifications (including variance from property development regulations) to the site plan which would result in increased compatibility, would mitigate potentially unfavorable impacts, would be necessary to conform to applicable regulations and standards and would protect the public health, safety, morals and general welfare. **No variance required.**

Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area; existing zoning and land uses in the area. **The requested use will not increase the traffic in the area.**

Protection of persons and property from erosion, flood or water damage, fire, noise, glare and similar hazards and impacts. **No new impacts.**

Location, lighting, and type of signs; the relation of signs to traffic control and adverse effect of signs on adjacent properties. **Signs not permitted.**

Adequacy and convenience of off-street parking and loading facilities. **Parking requirements met.**

Determination that the proposed use is in accordance with the objectives of these Zoning Regulations and the purposes of the zone in which the site is located. **R2 allows for STR- Unoccupied by right and of the 8 CUPs requested for STR use in the Historic District, all 8 have been approved.**

Determination that the proposed use will comply with each of the applicable provisions of these Zoning Regulations. **Met**

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. **Of the 14 properties located within this block of West Travis and West Schubert, 8 are permitted STRs. With another 5 across the street in the 300 block of West Travis.**

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.

Determination that the proposed use, together with the conditions applicable thereto, will not be

detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. **The proposed use will not be detrimental to public health or safety.**

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Sec. 5.40 - Review and Evaluation Criteria Contains 13 items that must be considered when reviewing a Conditional Use Permit. Of these 13 items, Staff found that the applicant has met or responded to all requirements. The property is in a neighborhood that contains many STR's. Of the 14 properties located within 200 ft, which includes the middle school, 5 are permitted STRS and of the 14 properties located within this block of West Travis and West Schubert 8 are active STRS. In addition, this property is within walking distance to several commercial businesses and 2 blocks north of Main Street. Staff recommends approval conditioned upon the following:

1. Review/inspection and approval of a STR-Permit Application(s) and payment of applicable fees.

On January 3, 2024, Planning and Zoning recommended approval.

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision
Family Life Vision
Quality of Life Vision

ATTACHMENTS:

1. Z2329 - Revised Site Plan
2. Z-2329 Review Comments
3. Z2329 - Response to Comments
4. Z2329 - CUP Narrative
5. 205 W. Travis Front1
6. 205 W. Travis Front2
7. 205 W Travis Back1
8. 205 W Travis Back2
9. Z-2329 Public Hearing Map
10. Z-2329 Mailing Labels
11. Z-2329 Project Application
12. Protest CUP for 205 W Travis_roberts
13. 2 support cards for 205 W travis
14. Ordinance for CUP - STR - 205 W Travis (1)

APPROVAL/REVIEW:

Rachel Raggio, TOASE Attorney

Date: January 09, 2024



Garret Bonn, Assistant City Manager

Date: January 09, 2024



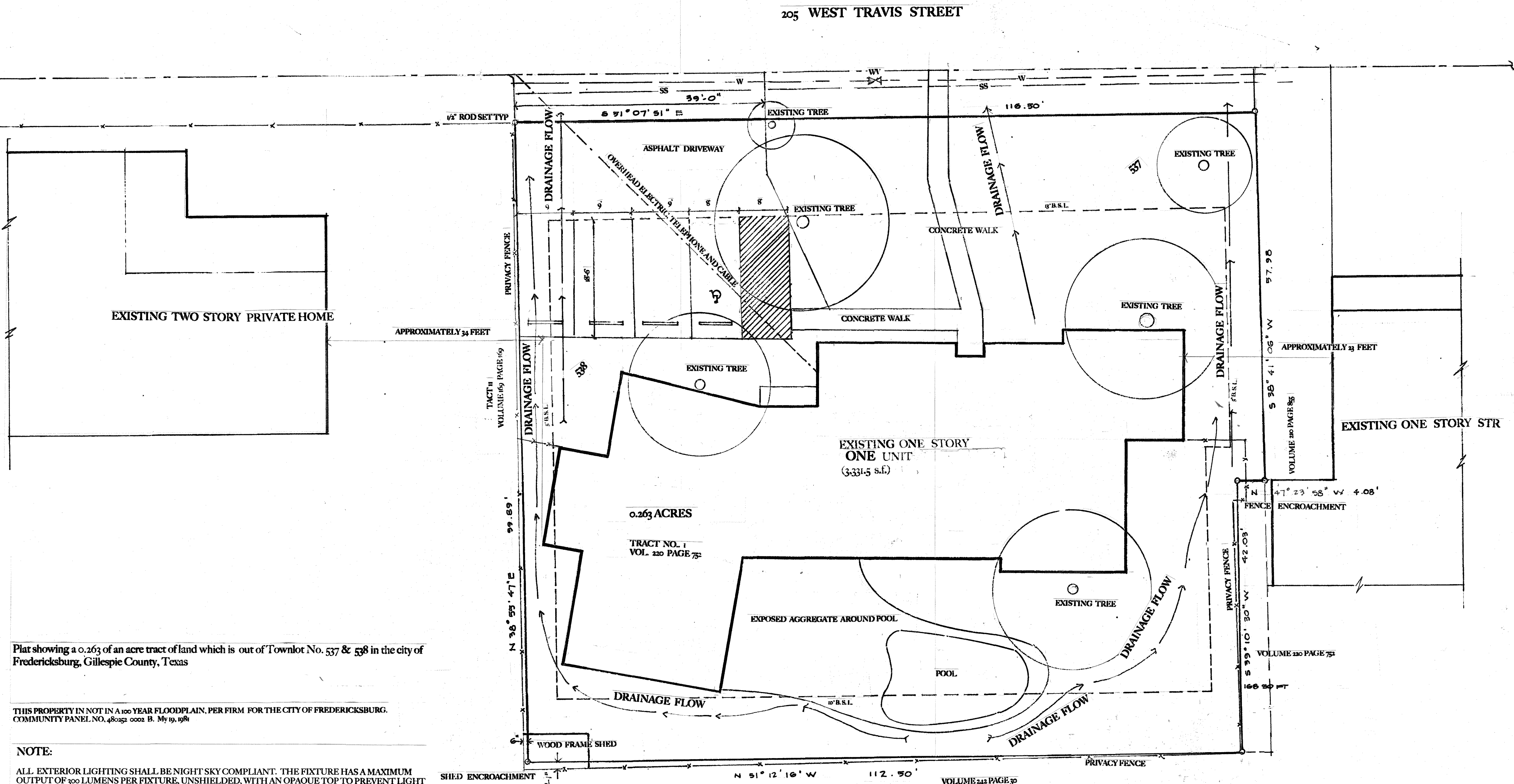
Shelley Goodwin, City Secretary

Date: January 09, 2024



Clinton Bailey, City Manager

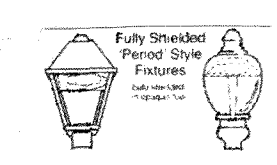
Date: January 11, 2024



Plat showing a 0.263 of an acre tract of land which is out of Townlot No. 537 & 538 in the city of Fredericksburg, Gillespie County, Texas

THIS PROPERTY IS NOT IN A 100 YEAR FLOODPLAIN, PER FIRM FOR THE CITY OF FREDERICKSBURG. COMMUNITY PANEL NO. 480351 0002 B. My 19, 1981

NOTE:
ALL EXTERIOR LIGHTING SHALL BE NIGHT SKY COMPLIANT. THE FIXTURE HAS A MAXIMUM OUTPUT OF 300 LUMENS PER FIXTURE, UNSHIELDED, WITH AN OPAQUE TOP TO PREVENT LIGHT FROM SHINING DIRECTLY UP AND THE SOURCE OF THE LIGHTS IS NOT VISIBLE FROM ANY OTHER PROPERTY. OUTDOOR LIGHTING FIXTURES WITH A MAXIMUM OUTPUT OF 600 LUMENS PER FIXTURE, WILL BE SHIELDED WITH A COLORED LENS, PROVIDED THE LENS REDUCES THE LUMEN OUTPUT IN HALF. THE FIXTURE HAS AN OPAQUE TOP TO PREVENT LIGHT FROM SHINING DIRECTLY UP, AND THE SOURCE OF THE LIGHT IS NOT VISIBLE FROM ANY OTHER PROPERTY. THE AGGREGATE LUMEN OUTPUT FROM ALL FIXTURES SET FORTH IN THIS SECTION 5505(C) SHALL NOT EXCEED 20 PERCENT OF THE ALLOWABLE AGGREGATE TOTAL OUTDOOR LIGHTING SET FORTH IN SECTION 5505(D).



LOT SUMMARY TABLE	
LOT AREA	11,456.28 SQ. FT. / 0.263 AC.
CURRENT ZONING	R-2 MIXED RESIDENTIAL
ZONING REQUIREMENTS	
MINIMUM LOT AREA	5000 SQ. FT.
MINIMUM LOT WIDTH	30 FT.
BUILDING SETBACKS	
MINIMUM FRONT YARD SETBACK	15' (20' GARAGE)
MINIMUM STREET SIDE YARD SETBACK	15'
MINIMUM INTERIOR SIDE YARD SETBACK	5'
MINIMUM REAR YARD SETBACK	10'
MAXIMUM BUILDING HEIGHT (MAX)	2.5 STORIES 28 FT.
MAXIMUM BUILDING COVERAGE	35%
MAXIMUM IMPERVIOUS COVERAGE	65%
EXISTING LOT COVERAGES	
EXISTING BUILDING HEIGHT (MAX)	ONE STORY
EXISTING BUILDING COVERAGE	29%
EXISTING BUILDING AREA	3331.5 SQ. FT. / 0.07 AC.
EXISTING IMPERVIOUS PERCENTAGE	50% / 0.13 AC.
IMPERVIOUS AREA	2413 sq. ft. / 0.06 AC.
TOTAL IMPERVIOUS AREA	5744.5 sq. ft. / 0.13 AC.

SITE PLAN	
1" = 10' - 0"	
NORTH	
PARKING SUMMARY	
PROPOSED FACILITIES	
PROPOSED UNIT COUNT (BEDROOMS)	3
PARKING SPACES REQUIRED 1 SPACE PER UNIT (BEDROOM)	3
PARKING SPACES PROVIDED	
STANDARD PARKING SPACES	3
REQUIRED NUMBER OF HANDICAP SPACES	1 VAN + 0 STANDARD
PROPOSED NUMBER OF HANDICAP SPACES	1 VAN + 0 STANDARD
TOTAL NUMBER SPACES PROVIDED	4



December 18, 2023

Adam Montgomery

Via email

Adam_montgomery@sundance.org

RE: Z-2329, Review Comments for Site Plan/Conditional Use Permit Review for a STR-Unoccupied located at 205 W Travis.

Dear Mr. Montgomery,

Please review the following comments and address appropriately. Please provide a written response as to how the items are addressed in addition to the revised Plan.

Plans will not be reviewed or considered without a response sheet.

- The Site Plan requires Planning and Zoning Approval, tentatively scheduled for January 3, 2024.
- Provide a note regarding all exterior lighting shall by night sky compliant. Provide the requested fixture type [Article XV- Outdoor Lighting - Site Plan Checklist](#)
- Please update the site plan with the property dimensioned parking spaces. 18.5 x 9. [Sec. 7.863](#)
- Provide the width of the driveway. [Site Plan Checklist](#)
- Provide drainage flow arrows to ensure historical drainage patterns are maintained and adjacent and downstream properties are not adversely impacted. [Site Plan Checklist](#)
- Please update CUP Narrative with specific responses to each of the review and evaluation criteria noted in [Sec.5.460](#). This will be used by the Planning and Zoning Commission and City Council to make their determination.
- Update the proposed unit count to reflect 1 unit not 3.
- Provide photos of the front and the back of the property.

The City of Fredericksburg

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

For information regarding these comments please contact Shelby Collier with Development Services at 830-990-2013 or scollier@fbgtx.org

Please return the revised plans along with your written response as to how the comments have been addressed by Tuesday, December 26th to ensure consideration by the Planning & Zoning Commission on Wednesday, January 3rd.

**Shelby
Collier**

Digitally signed by Shelby Collier
DN: cn=Shelby Collier, o=City of
Fredericksburg, ou,
email=scollier@fbgtx.org, c=US
Date: 2023.12.18 10:49:51 -06'00'

Shelby Collier, Associate Planner
Development Review Committee (DRC)

The City of Fredericksburg

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

RESPONSE SHEET - 205 W. Travis St.

Below are responses to the Z-2329 Review Comments Document, submitted by Shelby Collier on 12/18/2023. Original comments are highlighted in red and addressed below:

- Provide a note regarding all exterior lighting shall by night sky compliant. Provide the requested fixture type Article XV- Outdoor Lighting - Site Plan Checklist

As it pertains to Sec. 5-505 ("General Outdoor Lighting Standards"), to the owner's knowledge, no exterior lighting that could be deemed as "streetlights" are installed on the property located at 205 W. Travis St. Outdoor lighting on the property consists of the following: 1) One fully shielded front porch light, located above the front door of the residence, recessed from the view of adjacent properties. It is a standard single-bulb lighting fixture common to many residences with a soft white color temperature of less than 3000K. 2) One fully shielded rear porch light, located above the front door of the residence, not within the direct view of adjacent properties. It is a standard single-bulb lighting fixture common to many residences with a soft white color temperature of less than 3000K. 3) One exterior light between the two garage doors, not directly within view of adjacent properties. It is a standard lighting fixture common to many residences with a soft white color temperature of less than 3000K. The residence does not feature any exterior lighting that is detached from the house in any way. No exterior lighting would be considered obtrusive to any adjoining property, nor are there any plans to add additional lighting fixtures. Pictures included below:



- Please update the site plan with the property dimensioned parking spaces. 18.5 x 9. Sec. 7.863

Per architect Gail Galle, the properly-dimensioned parking spaces have been added to the site plan.

- Provide the width of the driveway. Site Plan Checklist

The width of the driveway is 35ft at the street entrance and 28ft at the entrance to the garage. For good measure, the length of the driveway is approximately 49ft.

- Provide drainage flow arrows to ensure historical drainage patterns are maintained and adjacent and downstream properties are not adversely impacted. Site Plan Checklist

Per architect Gail Galle, the drainage flow arrows have been added to the site plan. Adjacent and downstream properties are not adversely impacted.

- Please update CUP Narrative with specific responses to each of the review and evaluation criteria noted in Sec.5.460. This will be used by the Planning and Zoning Commission and City Council to make their determination.

Attached as separately-referenced document entitled "Z2329 - Brief Description of Proposed Use v2"

- Update the proposed unit count to reflect 1 unit not 3.

The site plan references under “PARKING SUMMARY” a “proposed unit count” of 3. I am not certain as to whether or not this is the proper terminology. As I read it, this usage refers to the fact that there are three bedrooms in this single unit. Let the record show that this is a single unit residence with three bedrooms. Any reference on the site plan to the number of units on the property that is greater than one should be referring to the number of bedrooms within the single unit. I have added a parenthetical to the “PARKING SUMMARY” section of the site plan to indicate that spaces per unit is in reference to the number of bedrooms (3) on the property. The proposal is identical to the current use: One unit with three bedrooms. Given the dimensions of the driveway listed above, there are six 18.5 x 9 exterior spaces available, with two additional spaces located within the garage.

- Provide photos of the front and the back of the property.

Attached below and sent via email.



Brief Description of Proposed Use – 205 W. Travis St.

The proposed use of the property at 205 W. Travis Street is a three-bedroom owner unoccupied short-term rental (STR) for two to eight guests. The building is an R2, located within the historical district and constructed around 1950. The current owner (84 years of age) lived in the house with his family for over 30 years. Shortly after his wife passed away in August of 2022, he downsized to an apartment in California in order to be closer to his immediate family. No changes to the property are proposed.

CUP Narrative, Section 5.460 Criteria:

Conformance with applicable regulations and standards established by the Zoning Regulations.

The property has remained in conformance with zoning regulations and standards since it was purchased by the current owners in 1992. To the best of the owners' knowledge, no citation from the City of Fredericksburg or other public entity has been issued during that time.

Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, access and circulation features.

The property is a standard, one story ranch home occupying two lots (town lots #537 & #538). The adjacent property to the East has been used as an unoccupied STR for many years. To the best knowledge of the owner, all four adjoining structures to the rear of the property have also been used as unoccupied STRs for many years, most for over a decade. The property located directly to the West (207 W. Travis) is an owner-occupied home that is not currently utilized as an STR, however, the owner of that property operates an unoccupied STR directly across the street at 208 W. Travis. In fact, the majority of properties located within visible distance across from and behind 205 W. Travis are operated as unoccupied STRs. Of the five adjoining structures, four are unoccupied STRs (80%). The use of this property as an STR is compatible with the existing and permitted uses of neighboring properties. The scale, setbacks, landscaping, site development and access are detailed in other narrative descriptions, drawings and exhibits included in this application.

Potentially unfavorable affects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site for a permitted use.

No unfavorable effects or impacts are anticipated. All adjacent properties are either operated as STRs or owned by someone who currently operates an STR within 100ft. of this property. The current owner lived in the property, surrounded by STRs for well over a decade without any issues or complaints due to any factors or events related to the short-term occupation of said surrounding properties.

Modifications (including variance from property development regulations) to the site plan which would result in increased compatibility, would mitigate potentially unfavorable impacts, would be necessary to conform to applicable regulations and standards and would protect the public health, safety, morals and general welfare.

The owner does not anticipate that any variances or modifications to the site plan will be necessary to conform to applicable current regulations. No modifications to the property are planned at this time.

Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area; existing zoning and land uses in the area.

Over the 31 year period that the owner occupied the property, traffic has never been an issue at any time, even during the 10+ year period where many adjacent properties have been used as STRs. On occasion, Middle School parents will park in front of the property while awaiting pick up of their children. Owner has rarely witnessed any vehicle parked on the street for any reason other than that. Adjacent STRs have ample parking, and 205 W. Travis St. has far more than any STR property visible from the residence. The existing driveway is 35ft. wide and nearly 50ft. long, providing more than enough parking for the reasonable and required expectation of 4-8 occupants. Further, the two-car garage is spacious—up to eight cars could be parked on the property without the use of street parking, though that would likely never be the case and could be limited by the owner as needed. As an example, the adjacent three-bedroom STR has no garage and a very narrow driveway-- to the owner's best recollection, no more than two cars have ever been parked at the property at any given time. The impact on traffic and pedestrian safety for this property would be minimal.

Protection of persons and property from erosion, flood or water damage, fire, noise, glare and similar hazards and impacts.

To the owner's knowledge, no injury to any persons or property from any of these factors has occurred since the house was constructed. The direction of drainage is shown on the site plan. This property has been surrounded by other STRs for many years, and the current owner has never been subjected to excessive noise from any surrounding occupants. Given that the property occupies two lots, any noise concerns would be further mitigated by the distance from the core of the main structure to other surrounding properties. In reference to "glare", there are no light fixtures disconnected or protruding from the structure, or any "string lights" anywhere on the property. There is one standard front porch light and one standard back porch light. Lights are minimally visible to adjacent properties and consistent with reasonable standards for exterior lighting.

Location, lighting, and type of signs; the relation of signs to traffic control and adverse effect of signs on adjacent properties.

No signs exist on the property. As stated above, exterior lighting on the property is very minimal and standard to any other residence. One single-bulb front porch light and one single-bulb back porch light. Owner believes that there may be an additional light over the garage door, but that has not been turned on for as long as he can recall. Exterior lighting would not be considered as anything other than standard and minimal; not a distraction or obtrusion to residents, drivers, or pedestrians in the area.

Adequacy and convenience of off-street parking and loading facilities.

Off-street parking is ample on the property, to the extent that the owner cannot recall a scenario in which anyone has ever found the need to park on the street in front of or near the house. Many family holidays were hosted at the property over the course of the past three decades with 20+ attendees, and the garage and driveway can easily accommodate 8-10 vehicles. Obviously, we would not allow STR guests to park that many automobiles on the property, this is just an example of how no guest would ever need to park on the street. With regard to “loading facilities”, I’m not sure if this is referencing commercial usage, but as the driveway is directly in front of the two-car garage, vehicles could easily be backed up into that space for loading and unloading within the structure.

Determination that the proposed use is in accordance with the objectives of these Zoning Regulations and the purposes of the zone in which the site is located.

With respect to the objectives and purposes of the R2 zoning regulations, we feel as if this property falls in line with that of nearly all adjacent and nearby STR properties. As stated previously, the vast majority of immediately surrounding properties, also within this zone, have not only been granted an STR permit, but have operated as such for many years. The lone property owner who is occupying an adjacent residence also operates an STR within 100 feet of our property, and is a longtime friend who is not opposed to us obtaining this designation.

Determination that the proposed use will comply with each of the applicable provisions of these Zoning Regulations.

The specific provisions of the zoning regulations applicable to STRs are addressed elsewhere in the narrative and exhibits. No physical changes to the property are being proposed. All provisions of the existing zoning regulations will be adhered to.

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.

No site development or modifications are planned. The proposed use is strictly an unoccupied STR. The vast majority of existing properties in the vicinity are currently permitted as such, as outlined above. In fact, it would be reasonable to assert that the current use is INCOMPATIBLE with existing permitted STR properties in the vicinity. Per Gillespie County, the current valuation

of the property (which is used to assess owner's property tax) is \$638,000. The property was previously listed for far less than that, but potential buyers did not want to purchase it due to the number of surrounding STR properties. It would be impossible for this property to be compatible with surrounding properties without an STR permit.

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.

Mostly all nearby uses are in line with the request for this permit. Any potential unfavorable impact to nearby uses would be a result of the denial of the STR permit for this property. As the property has been vacant for over a year, its elderly owner (I am his son) has dealt with the pitfalls of remote upkeep on the property, both financially and emotionally. Even having been surrounded by STR properties for countless years, the owner was not aware of how these regulations affected him. When he moved out of state, he assumed he could sell the property and live off of that for the rest of his life. Now, over a year later, he is stuck in a very upsetting catch-22: single families do not want to buy this property because it is surrounded by STRs. Owner is not financially stable enough to continue the upkeep of the property in perpetuity, which could lead to an unfavorable impact on surrounding properties and the historic district as a whole. Renting it out as an STR is the owner's only option for much-needed income at this point. Selling the property is seemingly not a possibility.

Determination that the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

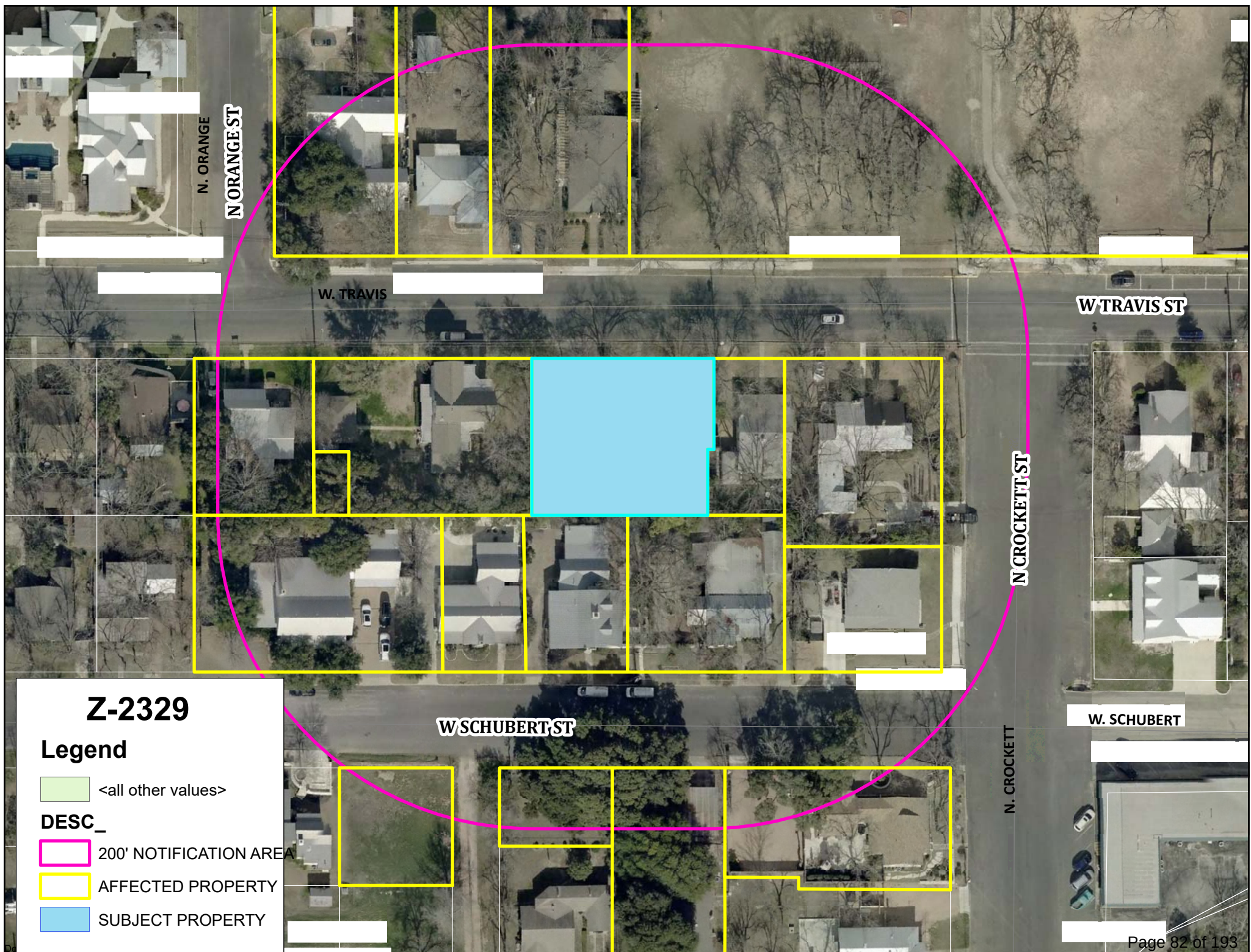
The proposed use is not expected to be detrimental to any persons or properties. The use of this property as an STR in a neighborhood surrounded by other STRs is seemingly consistent with the purposes of the zoning regulations of the City of Fredericksburg.











Z-2329

Legend

 <all other values>

DESC_
 200' NOTIFICATION AREA

 AFFECTED PROPERTY

 SUBJECT PROPERTY

ROBERT PHELPS
P.O. BOX 855
FREDERICKSBURG, TX 78624

SALLY CLARK
207 W TRAVIS
FREDERICKSBURG, TX 78624

TIMOTHY & LAURA ROBERTS
28023 POST OAK RUN
MAGNOLIA, TX 77355

FISD
234 FRIENDSHIP LN
FREDERICKSBURG, TX 78624

JOYCE FIEDLER
209 W TRAVIS
FREDERICKSBURG, TX 78624

WEST WINONA HOLDINGS LLC
123 E EVERGREEN
BOERNE, TX 78006

MICHAEL & NADINE STARKS
221 QUAIL RUN DR
FREDERICKSBURG, TX 78624

MARLENE DEIKE REVOCABLE LIVING
TRUST
816 N EDISON
FREDERICKSBURG, TX 78624

JERMAINE CHASTAIN
204 W SCHUBERT
FREDERICKSBURG, TX 78624

JACQUELINE TEMPLER
P.O. BOX 248
PALMER, TX 75152

GARY WOODS
810 E OLMOS
SAN ANTONIO, TX 78212

FBRG TEXAS VACATION PROPERTIES
LLC
P.O. BOX 3379
FREDERICKSBURG, TX 78624

MISTLETOE FRED LLC
601 W TEXAS AVE
MIDLAND, TX 79702

MARK & KRISTINA BIERSCWALE
P.O. BOX 1782
MASON, TX 76856

EQUITY TRUST COMPANY
1108 N LLANO
FREDERICKSBURG, TX 78624

ROBERT OTERO & SHELLY MAZUREK
3218 THOUSAN OAKS
SAN ANTONIO, TX 78247

Z-2329 – 205 W Travis



Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

A. Project Information (Please complete all items.)

Project Name: 205 W. Travis St.

Project Address: 205 W. Travis St.; Fredericksburg, TX 78624

Tax ID Number (s):

Application Type (Check all items that apply.)

- | | | |
|--|--|---|
| ☒ Conditional Use Permit | ☐ Minor Plat* | ☐ Site Plan |
| ☐ Land Use Plan Change | ☐ Replat* | ☐ Entry Corridor Design |
| ☐ Zoning Change | ☐ Amending Plat* | ☐ Civil Construction Plans |
| ☐ Annexation* | ☐ Preliminary Plat* | |
| | ☐ Final Plat* | |

Jurisdiction: ☒ City Limits ☐ ETJ Total Acres: .263 No. of Lots: 2

Original Survey & Abstract No: S0010 - FBG ADDN (S-924 written on survey)

Legal Description: FBG ADD BLK 36 LOT 537-PT & 538-PT

Current Land Use Plan: Single Family Residence Proposed Land Use Plan: Single Family Residence

Current Zoning: R2 Proposed Zoning: R2

Location: FCCC (neighborhood) 205 W. Travis St.

Proposed Use(s): STR Unoccupied

Applicant's Signature

Applicant's Role: ☐ Owner ☐ Developer ☒ Other (note role): Owner's son (power of attorney)

I hereby certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. I also certify I have authorization from the owner to act on his / her behalf.

Signature: _____

Printed Name: Adam Montgomery

Date: 11/26/2023

Staff Use Only

Application No.: _____ Date: _____

*Copy of current Title Search required with application.



Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

B. Contact Information (Please complete all items.)

I. Property Owners

Firm Name (if applicable):

Owner Name: Jerry Daniel Montgomery

Address: 1000 El Centro St. #118; South Pasadena, CA 91030

Phone: 830-456-9235

Fax:

Email: dmontgomery21@austin.rr.com

II. Owner's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: ☒ Agent ☐ Engineer ☐ Surveyor ☐ Other (note role):

Firm Name (if applicable):

Address: 384 W. Avenue 45; Los Angeles, CA 90065

Primary Contact Name: Adam Montgomery

Phone: 310-403-8307

Fax:

Email: adam_montgomery@sundance.org

Secondary Contact Name: Elizabeth Daly

Phone: 213-440-4047

Fax:

Email: elizabeth@realdalyhome.com

C. Fee Schedule (Please attach appropriate fee to application.)

- ☒ Conditional Use Permit Application - \$400
- ☐ Site Plan Application Admin - \$300
- ☐ Site Plan Application P&Z - \$400
- ☐ Entry Corridor Design - \$100
- ☐ Application for Zoning Change - \$400
- ☐ Application for Land Use Change - \$300
- ☐ Minor Plat - \$300
- ☐ Replat - \$300 plus \$20 per lot
- ☐ Amending Plat - \$200
- ☐ Preliminary Plat - \$400 plus \$20 per lot
- ☐ Final Plat - \$500 plus \$10 per lot

D. Recording Fee Schedule

For plats, a recording fee will be collected when mylars are presented. The check should be made payable to Gillespie County Clerk and the recording fees are \$121.00 plus \$10.00 per lot.

Public Comment Form

Please return this form to:

scollier@fbgtx.org

OR

Development Services – Zoning

126 W. Main Street

Fredericksburg, TX 78624

830-997-7521



REQUEST NO. Z-2329

As an interested property owner, I (PROTEST) / (APPROVE) the requested CONDITIONAL USE PERMIT, represented by the above file number because:

WHEN IS ENOUGH ENOUGH ON STR'S IN F'BURG THE LACK
OF GOVERNANCE, REGULATIONS, AND VISION TO PROTECT THE
COMMUNITY IS ATROCIOUS AND A TRAGEDY TO WHAT WAS ONCE
A GREAT COMMUNITY. NOW IT IS JUST A TOURIST TRAP FOR DRUNKS

Signature

Date

12-20-2023

Printed Name

TIMOTHY D. ROBERTS

Address

206 W. TRAVIS ST.

REQUEST NO. Z-2329

As an interested property owner, I (PROTEST) (APPROVE) the requested CONDITIONAL USE PERMIT, represented by the above file number because:

This is an R2 zoned area. A house being used for a STR is better maintained than a single-family home.

Sally S. Clark
Signature

12-28-23
Date

Sally S. Clark
Printed Name

207 W. Travis
Address

REQUEST NO. Z-2329

As an interested property owner, I (PROTEST) (APPROVE) the requested CONDITIONAL USE PERMIT, represented by the above file number because:

#Z-2329 @ 205 W. Travis

Jacqueline Sue Templer
Signature

12-18-23
Date

Jacqueline Sue Templer
Printed Name

P.O. Box 248 Palmer, TX 75152
Address

ORDINANCE NO. 2024-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING APPENDIX B, "ZONING ORDINANCE," OF THE FREDERICKSBURG MUNICIPAL CODE, AS AMENDED, BY GRANTING A CONDITIONAL USE PERMIT PERMITTING A SHORT-TERM RENTAL, UNOCCUPIED USE ON CERTAIN PROPERTY LOCATED AT 205 W. TRAVIS STREET, FREDERICKSBURG, TEXAS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Fredericksburg, Texas (the "City"), is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance, codified as Appendix B of the Fredericksburg Municipal Code, and a comprehensive zoning map, regulating the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes, and providing for a method to amend said ordinance and map for the purpose of promoting the public health, safety, morals, and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, in accordance with the Comprehensive Zoning Ordinance, the owner of the property referenced below has filed an application for a Conditional Use Permit for a Short-term Rental, Unoccupied use located in the R-2: Mixed Residential and HO: Historic Overlay zoning districts; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City on January 3, 2024, and by the City Council of the City on January 16, 2024, with respect to the use changes described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication, and all procedural requirements have been complied with in accordance with the comprehensive zoning ordinance and Chapter 211 of the Local Government Code; and

WHEREAS, the City Council of the City does hereby deem it advisable and in the public interest to grant such conditional use permit on the terms and conditions described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, THAT:

SECTION 1

The findings above are found to be true and correct and are incorporated herein.

SECTION 2

Appendix B, “Zoning Ordinance,” of the Fredericksburg Municipal Code, as amended, is hereby amended to grant a Conditional Use Permit as shown and described below:

Applicant:	Adam Montgomery
Property Owner:	Jerry Daniel Montgomery
Property Address:	205 W. Travis Street, Fredericksburg, TX 78624
Legal Description:	Lots 537-PT and 538-PT, Block 36, Fredericksburg Addition, City of Fredericksburg, Gillespie County, Texas.
Zoning Change:	The property shall remain located in the R-2: Mixed Residential and HO: Historic Overlay zoning districts, and a Conditional Use Permit for a Short-term Rental, Unoccupied use is hereby granted subject to the terms and conditions provided herein.

SECTION 3

The zoning districts, boundaries, and uses as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community. They have been designed to lessen congestion in the streets; to secure safety from fire, panic, flood, and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provisions of transportation, water, sewerage, parks, and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

SECTION 4

The use of the property described herein shall be subject to all the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances of the City for the zoning district into which they have been assigned.

SECTION 5

This Ordinance shall be cumulative of all provisions of ordinances of the Fredericksburg Municipal Code, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 6

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-6 of the Fredericksburg Municipal Code. Each day that a violation is permitted to exist shall constitute a separate offense. In addition, any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance may be subjected to such civil penalties as authorized by law.

SECTION 7

All rights or remedies of the City are expressly saved as to any and all violations of Appendix B of the Fredericksburg Municipal Code, as amended, or any other ordinance affecting zoning and land use that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation, both civil and criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

SECTION 8

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 9

The City Secretary of the City is hereby directed to publish in the official newspaper of the City the caption and penalty clause of this Ordinance as required by law and in accordance with Section 3.12 of the City Charter.

SECTION 10

This Ordinance shall be in full force and effect from and after its passage. The City Secretary is hereby directed to publish this Ordinance as required by law and in accordance with Section 3.12 of the City Charter, and it is so ordained.

PASSED AND APPROVED on this the 16th day of January, 2024.

Jeryl Hoover, Mayor

ATTEST:

Shelley Goodwin, TRMC/CMC, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney



CITY COUNCIL **AGENDA MEMO**

DEPARTMENT: Development Services
TO: Planning and Zoning Commission
FROM: Anna Hudson, Director of Development Services
MEETING DATE: January 16, 2024

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider a request by John Scribner for a Conditional Use Permit per Sec. 3.210 of the Zoning Ordinance to Operate a Drive Through in a C2 Zoned area located at the southeast corner of Friendship Lane and Highway 87 South (#Z-2324)) (Anna Hudson, Director of Development Services)

- i. Presentation by the applicant
- ii. Staff Report
- iii. Hold a Public Hearing to receive comments for or against the request
- iv. Take Action on the adoption of Ordinance 2024-05 amending Appendix B, "Zoning Ordinance," of the Fredericksburg Municipal Code, as amended, by granting a Conditional Use Permit permitting a Drive Through Facilities Use associated with a Restaurant – Drive-In/Fast Food Use on certain property located at 501 Friendship Lane, Fredericksburg, Texas; providing that this Ordinance shall be cumulative of all ordinances; providing a penalty clause; providing a savings clause; providing a severability clause; providing for publication in the official newspaper; and providing an effective date.

PRESENTATION:

SUMMARY:

A Conditional Use Permit (CUP) application has been submitted to allow a "drive-through" associated with a fast food chain for property located at the corner of US HWY 87 South and Friendship Lane.

The proposed development would include a new building approximately 5,300 sq ft in size and will provide 75 parking spaces for the fast food restaurant.

TxDOT has granted one Right-Out only exist on Hwy 87 meaning there is no entrance from 87 and those existing onto 87 will only be allowed to go north. All vehicles will enter this property and the two other commercial lots from the two entrances on Friendship Lane. Currently, there is not a turn lane in front of the proposed entrance on Friendship Lane. Visitors leaving the site southbound on 87 or west on Friendship will have the most difficult time exiting the property during peak hours.

BACKGROUND:

Corners of busy intersections are the best locations for visibility of the business, but can cause a negative impact for through traffic. Chick-fil-a is one of the most successful quick service restaurant drive-thru restaurants in the country. Locations across the country have created traffic issues when the drive-thru facilities are not adequate to

handle demand. Drive-thrus across the country are starting to adapt to demand changes since COVID including creating a dedicated lane for digital orders.

The proposed drive thru has 2 full service lanes.

A Traffic Impact Analysis (TIA) has been provided, however the site plan associated with the TIA has a different layout for the entrance to the drive thru, different location of menu board and different building orientation. The site plan in the TIA (page 50) was not reviewed by staff but appears to have some advantages to the final version submitted for review. The final design will need to balance vehicular access including drive-thru stacking, parking, and pedestrian safety, access around the site for visitors to adjacent lots, and the design of the building and site.

Site Area: 76,590 sq ft (1.758 Acres)

Zoning: C2, Commercial Sec. 3.210

Building Coverage: 7% (5,300 sq ft) (75% Maximum) Sec. 3.210

Impervious Coverage: 71% (59,195 sq ft) (80% Maximum) Sec. 3.210

The curb on the south side of the property extends beyond the property line and into the cross access easement

Heights: 20' (Max Height 38') Sec 3.210

TXDOT approval: Right-only exit on Hwy 87 S. No entrance on Hwy 87.

Parking: 75 spaces provided (3 spaces per 100 sq ft of customer service and dining area). Chick-fil-A usually provides 70 spots. At peak hours there may be as many as 30 employees working.

Drive Through Stacking: double drive-thru lanes providing 54 d/t stacking (typical is 30-40)
Drive Through Aisles: two aisles 10' wide each with 3' striping in between and 20' radius at curves.

Menu Boards: 2 boards approximately 8' tall and 6' wide - presumed to be fully digital screens with microphone and speaker

Entry Corridor: building materials, color, landscaping met. Location of building and parking not met.

Sidewalks: provided along Hwy 87 and along Friendship Lane. Pedestrian access to building from the sidewalk proposed only on Hwy 87 side.

Landscape and Screening: landscaping/trees not provided along eastern property line because of shared access easement

Refuse: the site plan has been updated with the trash on the southeastern corner of the lot, the landscaping plan still shows it in front of the building next to the menu board. Staff recommends the location on the site plan.

Public Hearing Notices: one comment in favor from property owner to the north.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Planning and Zoning made a unanimous recommendation for approval with the following considerations:

1. Directional signage along Friendship directing foot traffic to the public sidewalk access along Hwy 87
2. Designated employee parking along the N-S shared drive.

3. No less than 3 designated Buy Online Pick Up in Store (BOPIS) spots

4. Gabled parapet at main building entrances for more vertical articulation to break up a flat roof line. Staff recommends approval with enhancements to pedestrian safety, traffic flow that reduces conflicts between queued vehicles and traffic on adjacent lots and streets. More information will be required to ensure site lighting is compliant with overall limits.

The extensive double lane drive thru lanes should mitigate any traffic backing up onto Friendship Lane, however the design focus increasing the stacking of the drive-thru and providing maximum parking spots means other design considerations are not able to be met. idelines for Entry Corridor and pedestrian safety. The building materials and colors are appropriate for the Entry Corridor. The only pedestrian access is off of Hwy 87 instead of Friendship Lane. Given the number of recently approved residential projects on Friendship Lane staff suggests more thought be given to pedestrian and bicycle access. Staff recommends approval conditioned on review and approval of civil engineering construction plans and the associated traffic impact analysis (TIA).

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision
Family Life Vision
Quality of Life Vision

ATTACHMENTS:

1. Site Plan
2. Elevations
3. Narrative for Building and Site
4. Landscape Plans
5. TIA highlights
6. Approved TXDOT Permit
7. Z-2324 Project Application
8. Z-2324 Mailing Labels
9. Z-2324 Public Hearing Map
10. Chick fil a examples with gables
11. CUP Ord - Chick Fil A

APPROVAL/REVIEW:

Rachel Raggio, TOASE Attorney

Date: January 09, 2024



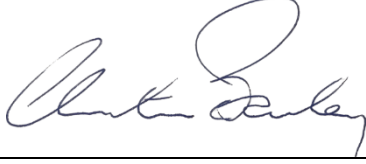
Garret Bonn, Assistant City Manager

Date: January 09, 2024



Shelley Goodwin, City Secretary

Date: January 09, 2024



Clinton Bailey, City Manager

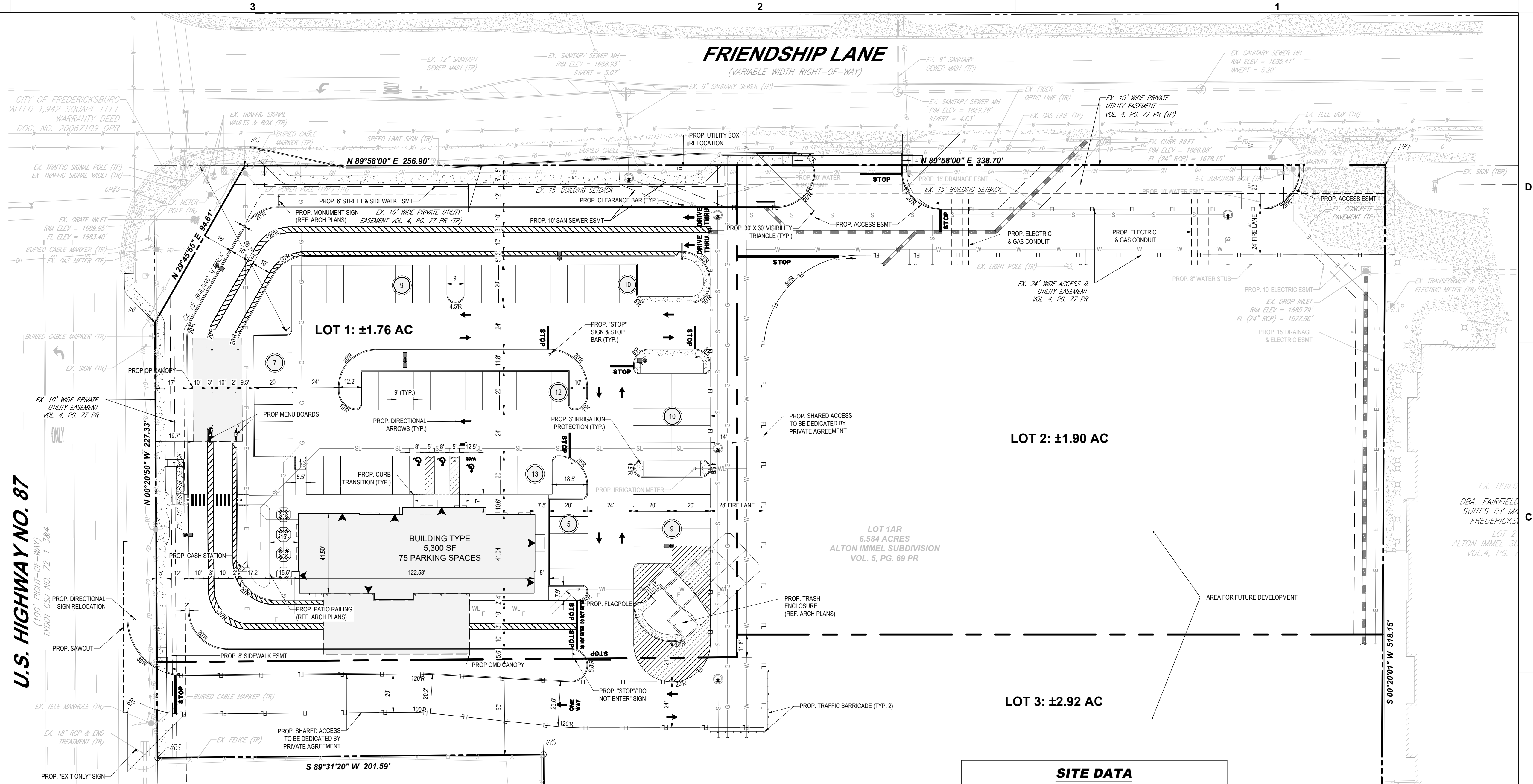
Date: January 11, 2024

D

C

B

A



SITE LEGEND

---	PROPERTY BOUNDARY
- - -	ADJACENT PROPERTY BOUNDARY
---	PROP. LOT LINE
---	PROP. PAVEMENT STRIPING
---	PROP. CURB
---	EXST. OVERHEAD UTILITY LINE
---	EXST. POWER POLE
---	EXST. POWER POLE GUY WIRE
---	EXST. SANITARY SEWER MAIN
---	EXST. WATER MAIN
---	EXST. FIRE HYDRANT
---	EXST. GAS MAIN

SITE DATA

LEGAL	
BEING ALL OF LOT 1A, ALTON IMBEL SUBDIVISION, SITUATED IN THE CITY OF FREDERICKSBURG, GILLESPIE COUNTY, TEXAS, AS SAID LOT IS SHOWN ON THE PLAT OF SAID SUBDIVISION FOUND OF RECORD IN VOLUME 5, PAGE 69, PLAT RECORDS OF GILLESPIE COUNTY, TEXAS.	
TOTAL ACREAGE	±6.584 ACRES ±286,800 SF
LOT ACREAGE	±1.758 ACRES ±76,590 SF
ZONING	
ZONING	C-2
SETBACKS	15' FRONT BUILDING SETBACK
MINIMUM LOT SIZE	5000 SF
MAXIMUM BUILDING HEIGHT	3 STORIES, 38'
MAX BUILDING COVERAGE	75% OF LOT AREA
PARKING	
REQUIRED PARKING (3 SPACE / 100 SF CUSTOMER SERVICE AND DINING AREA)	73 SPACES
PROPOSED NON-ADA COMPLIANT PARKING SPOTS	72 STANDARD SPACES (96%)
PROPOSED ADA-COMPLIANT PARKING SPOTS	3 SPACES (4%)
TOTAL PROPOSED PARKING	75 TOTAL SPACES
BUILDING	
TOTAL BUILDING AREA	4,933 SF (2,447 SF CUSTOMER SERVICE AND DINING AREA)
PERCENTAGE OF LAND COVERED BY BUILDINGS (NOT INCLUDING CANOPY)	6.75%
BUILDING HEIGHT	20.375'
LANDSCAPING	
SQUARE FOOTAGE OF LANDSCAPED AREAS	±17,395 SF 0.399 ACRES
PERCENTAGE OF SITE COVERED BY LANDSCAPING	29.39%
PERVIOUS / IMPERVIOUS AREA	
PERVIOUS AREA	±17,395 SF (±0.399 AC) 29.39% OF LOT
IMPERVIOUS AREA	±59,195 SF (±1.359 AC) 70.61% OF LOT

SITE PLAN NOTES:

- SEE SHEET C-1.1 FOR GENERAL NOTES.
- ALL DIMENSIONS ARE FROM FACE OF CURB OR FACE OF BUILDING UNLESS NOTED OTHERWISE.
- ALL CURB & SIDEWALK RADII ARE 3' UNLESS NOTED OTHERWISE.
- CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, TRASH ENCLOSURES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, (UNLESS OTHERWISE NOTED ON PLANS) INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED, ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
- SITE BOUNDARY, TOPOGRAPHY, UTILITY AND ROAD INFORMATION TAKEN FROM A SURVEY BY A LAND SURVEYOR.
- THIS PLAN WAS PREPARED WITH "TOPOGRAPHIC SURVEY" PREPARED BY MDS LAND SURVEYING COMPANY, INC. DATED JUNE 2023, AND "ALTA / NSPS LAND TITLE SURVEY" PREPARED BY MDS LAND SURVEYING COMPANY, INC. DATED JUNE 2023.



Chick-fil-A

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TBPE NO. 18065 | TBPLS NO. 10194413

PLANS PREPARED BY
BOHLER
FOR REVIEW PURPOSES ONLY
MATTHIAS HAUERT
LICENSE NUMBER: 13830

CHICK-FIL-A
FREDERICKSBURG
SEC FREINDSHIP LANE
AND S US HWY 87
FREDERICKSBURG, TX 78624

FSR#05619

BUILDING TYPE / SIZE: P13-LS / LARGE
RELEASE: ----

REVISION SCHEDULE
NO. DATE DESCRIPTION

CONSULTANT PROJECT # TXA220146.00

PRINTED FOR SITE PLAN REVIEW

DATE 12/07/2023

DRAWN BY JRB/PAK

CHECKED BY MJH

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SHEET

SITE PLAN

SHEET NUMBER

C-2.1

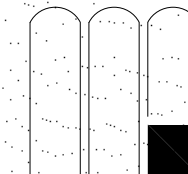
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10-LSF-05619-A-302-EXTERIOR RENDERINGS



Chick-fil-A

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12/8/2023 9:39:13 AM

CHICK-FIL-A
Fredericksburg FSU
S US Hwy 87
Fredericksburg, TX 78624

FSR#05619

BUILDING TYPE / SIZE: P14 LSR BPB
RELEASE: 23-09

PRINTED FOR

PROJECT STATUS

REVISION SCHEDULE
NO. DATE DESCRIPTION

CONSULTANT PROJECT # 23094
DATE 12/8/2023 9:39:13 AM

DRAWN BY: Author
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EXTERIOR RENDERINGS

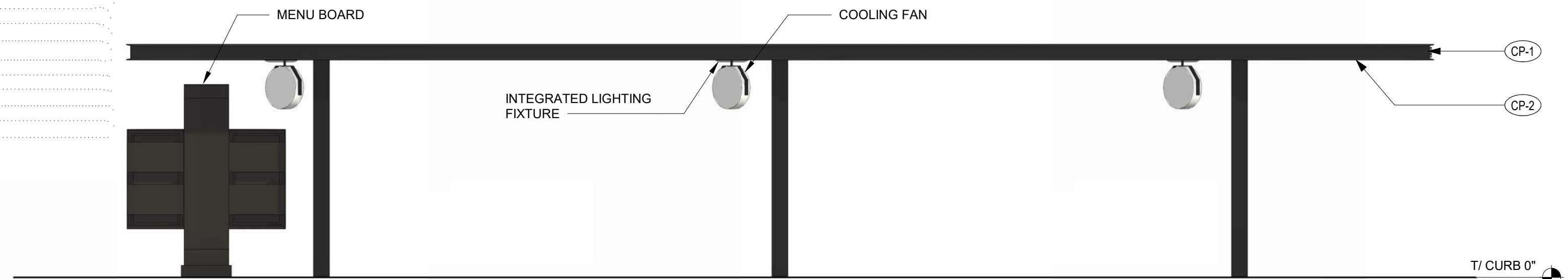
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A-302

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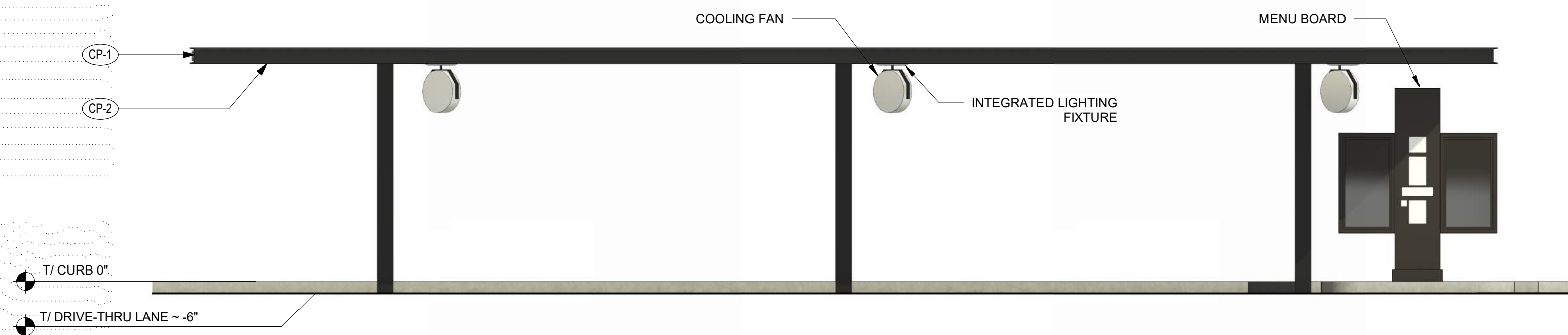
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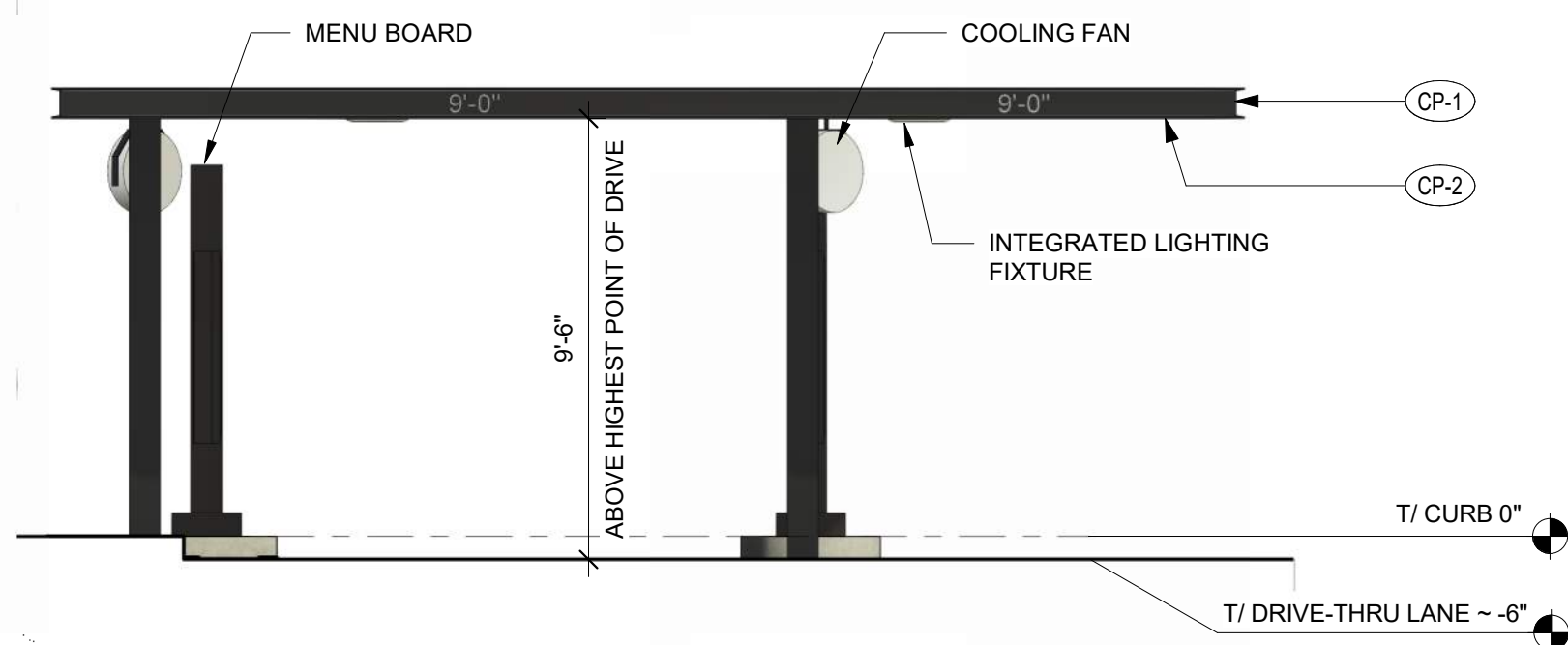
E2 EAST ELEVATION

1/4" = 1'-0"



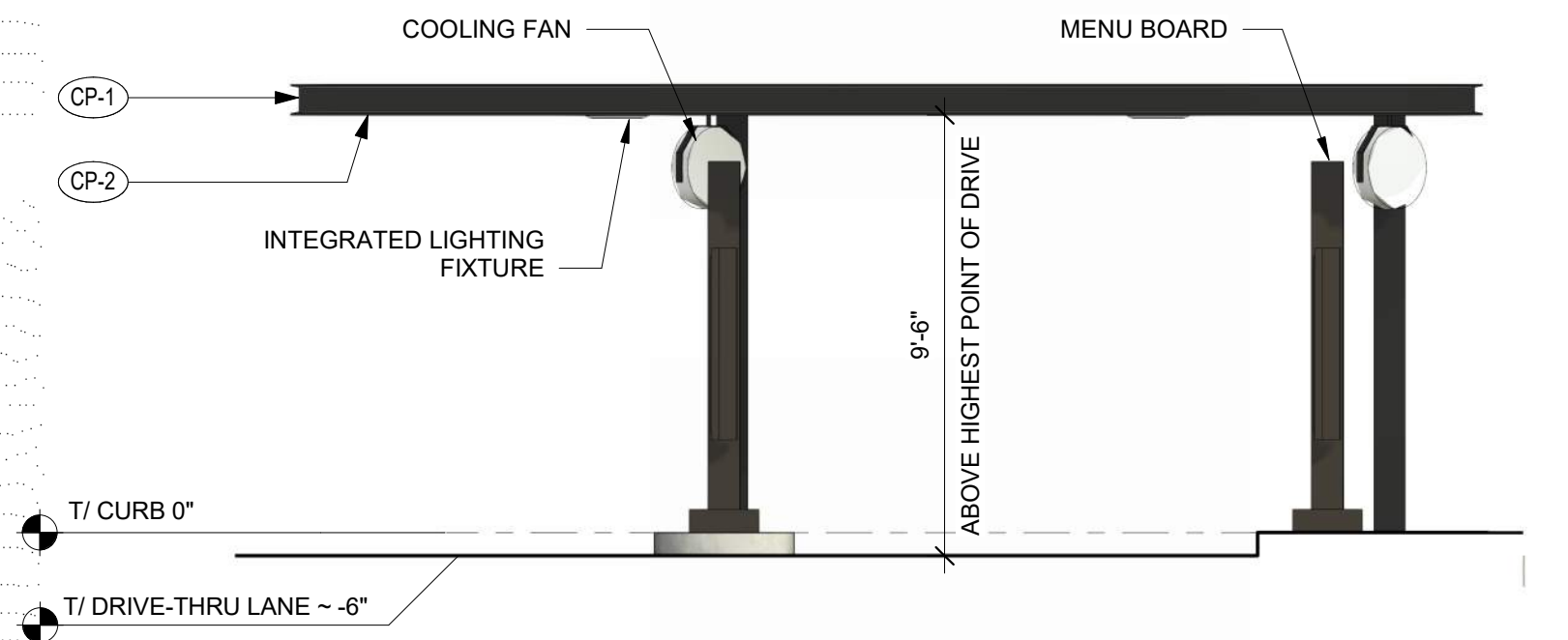
D2 WEST ELEVATION

1/4" = 1'-0"



C1 NORTH ELEVATION

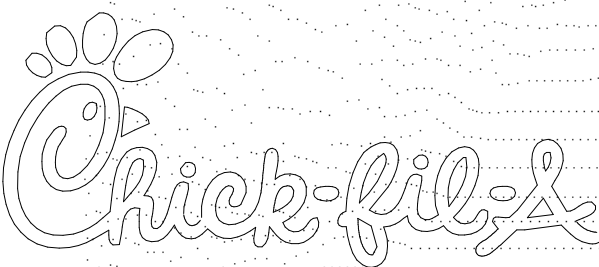
1/4" = 1'-0"



B1 SOUTH ELEVATION

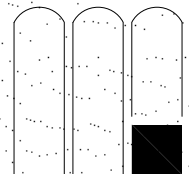
1/4" = 1'-0"

FINISH SCHEDULE - EXTERIOR						
MARK	DESCRIPTION	MANUFACTURER	MODEL NAME	MODEL NUMBER	COLOR	NOTE
BR-A	BRICK VENEER (PRIMARY)	ACME BRICK	MODULAR		PALOMA GRAY	MORTAR: ARGOS SAN TAN
BR-B	BRICK VENEER (ACCENT)	ACME BRICK	MODULAR		RUSTIC WHITE	MORTAR: ARGOS SAN TAN
CP-1	CANOPY METAL FASCIA		DURA COAT	DC19ST-2703	DARK BRONZE	OIL RUBBED BRONZE METALLIC
CP-2	CANOPY METAL DECK				WHITE	SMOOTH WHITE, HIGH GLOSS
EC-1	PARAPET WALL COPING	DUROLAST / EXCEPTIONAL METALS			MIDNIGHT BRONZE	
PT-100	EXTERIOR PAINT	SHERWIN WILLIAMS	SHER-CRYL HIGH PERFORMANCE ACRYLIC #B66-350	SW 2807	ROOKWOOD	REFUSE ENCLOSURE, FINISH: SEMI-GLOSS ON DOOR FRAMES, SATIN ON WALLS
PT-113	EXTERIOR PAINT	SHERWIN WILLIAMS	SHER-CRYL HIGH PERFORMANCE ACRYLIC #B66-350	SW BRONZETONE	DARK BRONZE	FINISH: SEMI-GLOSS
SN-1	STONE VENEER	SALADO QUARRY	SONOMA		CREAM	MORTAR: ARGOS IVORY BUFF
SN-2	STONE TRIM	SALADO QUARRY	CUSTOM		CREAM	MORTAR: ARGOS IVORY BUFF
ST-1	STOREFRONT	YKK	YES 45		DARK BRONZE (MATTE)	



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12/15/2023 1:11:57 PM

CHICK-FIL-A
Fredericksburg FSU

S US Hwy 87
Fredericksburg, TX 78624

FSR#05619

BUILDING TYPE / SIZE: P14 LSR BPB
RELEASE: 23.09

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PROJECT STATUS

REVISION SCHEDULE
NO. DATE DESCRIPTION

CONSULTANT PROJECT # 23094
DATE 12/15/2023 1:11:57 PM

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EXTERIOR RENDERINGS

SHEET NUMBER

A-303

Narrative for Entry Corridor Design Standards for Building Design & Site Design

Project: **503 Friendship Lane
Fredericksburg, Texas
78624**

See responses in green for each Standard and Guideline.

Sec 1 – Architectural

Style Standards

1.1 – Adhere to the Historic District Guidelines when rehabilitating designated historic landmark buildings or potential historic buildings.

Not applicable. This building is new construction in the Entry Corridor.

1.2 – The architectural style of the entry corridor should be reflective of the Texas Hill Country aesthetic.

The architectural style of the building is reflective of the Texas Hill Country aesthetic through the use of limestone.

Guidelines

1.3 – New designs should be compatible with the design traditions of the established neighborhoods and regional Texas Hill Country aesthetic. It is not the intent of these guidelines to require that new buildings copy older building styles. Therefore, use traditional building forms and broader similarities of design in order to be compatible with existing buildings in the area that reflect the traditional context.

The building design combines wall parapets common in contemporary retail buildings with Texas limestone to create a Texas Hill Country aesthetic.

1.4 – The use of standardized “corporate” architectural designs associated with chain or franchise buildings (prevalent with restaurants, service stations and retail stores) is strongly discouraged and alternative designs consistent with this design manual may be required.

A “standardized” prototype design has been modified with limestone to become more compatible with Texas Hill Country aesthetic.

Sec 2 – Architectural Materials

Standards

2.1 – Buildings shall employ authentic, textured materials, compatible with the traditional Hill Country aesthetic. Highly reflective materials are unacceptable, because of their tendency to create uncomfortable glare conditions

The limestone and brick are authentic, textured materials compatible with the traditional Hill Country aesthetic. No reflective materials are proposed.

2.2 – Abide by Historic District Guidelines for preserving historic buildings

Not applicable. This building is new construction in the Entry Corridor.

2.3 – Use original materials, retain and preserve significant architectural features, ensure the maintenance of the building’s historical character. (per Historic Design Guidelines).

Not applicable. This building is new construction in the Entry Corridor.

2.4 – Do not create a false sense of era or appearance with replacement of metal details or features that are not based upon any historical evidence (per Historic Design Guidelines).

Not applicable. This building is new construction in the Entry Corridor.

2.5 – Select materials native to the Hill Country, such as cedar, limestone and brown sandstone.

The West elevation facing the entry corridor utilizes limestone.

2.6 – New developments should choose materials that offer texture and avoid monotonous faces to add visual interest and reduce its apparent scale.

The use of limestone combined with aluminum canopies and awnings offers texture and avoids monotonous faces.

Sec 3 – Architectural Colors

Standards

3.1 – Choose colors used traditionally in Fredericksburg such as muted shades of greens, blues, and tans (Historic Design Guidelines).

The proposed colors have tan in the limestone and brick.

3.2 – Use color to coordinate façade elements in an overall composition and tie all of the building elements together.

The proposed colors of tan, grey, and dark bronze tie the building elements together and no bright colors are proposed for the building materials.

3.3 – Reserve bright colors for accents only. Limit the use of bright colors to no more than 15 percent of the overall exterior building façade.

No building facades contain bright colors.

Guidelines

3.4 – Predominate building colors should be of earth tones, but may be accented with brighter colors to provide color variation, punctuation, and eclecticism unique to Fredericksburg.

The predominate building colors are earth tones.

Sec 4 – Architectural Features

Standards

4.1 – Blank or featureless walls will not be approved along parks, plazas, entry corridors or side streets.

The West elevation facing the Entry Corridor is not blank or featureless. It contains differing wall materials, glass, a canopy, and awnings.

4.2 – Design buildings with a “human scale” by using architectural enhancements. The building facade facing the parks, plazas, entry corridors or side streets shall have visible, clearly defined customer entrances that include at least three of the following elements: canopies or porticos, overhangs, recesses or projections, arcades, raised cornice parapets over the entrance door, distinctive roof forms, arches, outdoor patios or plazas, display windows, or integral planters.

The West elevation facing the Entry Corridor contains clearly defined customer entrances, awnings, an outdoor patio, and display windows.

4.3 – Use original materials, retain and preserve significant architectural features, ensure the maintenance of the building’s historical character. (Historic Design Guidelines)

Not applicable. This building is new construction in the Entry Corridor.

4.4 – Windows and doors shall be equally spaced and provide rhythm along the façade of the building.

The façade of the building contains equally spaced storefronts that provide a rhythm.

4.5 – With exception of historic or potential historic landmarks, at least 40 percent of the ground floor façade facing parks, plazas, entry corridors or side streets shall be constructed of clear and non-tinted windows.

The North and West elevations facing the Entry Corridor and side street provide the glazing constructed of clear and non-tinted windows.

4.6 – For any multi-tenant commercial development, a covered arcade/structural canopy shall be provided along the front facade of the building. Arcades are covered walkways connected to the principal building. They should be a minimum of five feet in width and designed to provide covered areas for relief from the weather. Different arcade/structural canopy designs may be used for each individual tenant/business within a multi-tenant commercial development provided that they blend aesthetically with the front facade of the building.

This will be a multi-tenant commercial building and each storefront of the front façade has a structural canopy or awning that is at least 5 feet in width to provide covered areas for relief from the weather.

Guidelines

4.7 – Choose features that fit the scale of the building and its surroundings.

The features of the building are appropriate to fit the scale of the building and its surroundings.

4.8 – If a shed roof or flat roof design is used, add a parapet wall to screen the roof.

The portion of the roof that is flat has parapet walls to screen the rooftop equipment.

Sec 5 – Massing and Scale

Standards

5.1 – Break up the front of large retail buildings by dividing it into individual bays 25 to 40 feet wide.

The front of the building is divided into multiple bays that are all less than 40 feet wide.

5.2 – Use variation in materials, textures, patterns, colors, and details to break down the mass and scale of a building

The varied building materials and textures are limestone, brick, aluminum awnings, and glass.

5.3 – Building mass shall be used that is appropriate to the site. Buildings of the greatest footprint shall be located towards the center of a development where the impact on adjacent uses is the least.

The building area is 4,929 s.f. gross and the building mass is appropriate to the site.

5.4 – Each building shall have sufficient facade relief and interruption every 30 feet so as to provide visual architectural interest.

The building has façade relief at least every 30 feet with awnings, and façade articulation to provide visual architectural interest.

5.5 – When making transitions to lower density areas, modulate the mass of the building to relate to smaller buildings.

The building is not adjacent to smaller buildings.

5.6 – Faux windows and similar details are not appropriate articulation.

The building contains no faux windows.

5.7 – Buildings are encouraged to be contiguously arranged along the street face, and large breaks between buildings in identified development sites should be avoided.

This site contains only this single building.

Sec 6 – Signage

Standards

1.1 – A landscaped base area shall be provided for monument or ground signs appropriate to the mass and height of the sign. All areas within 5 feet of the base of any sign shall be landscaped. The landscaped area may include trees, shrubs, flowering perennials, ornamental tall grass, fountains, water features, decorative stonework, planters, sculpture and decorative paving.

A landscaped base area will be provided for monument or ground signs appropriate to the mass and height of the sign. All areas within 5 feet of the base of any sign will be landscaped.

Guidelines

2.2 – A minimal number of colors should be used per sign where possible. Bright colors should be reserved for accent only.

A monument sign is proposed with masonry material to match the building. Only the corporate logo is red, with masonry accent colors elsewhere.

3.3 – Integrate signs into building and site design so they do not appear as an afterthought.

Signs will be integrated in the building and site design.

4.4 – Attached signs should be located above the building entrance, storefront opening, or at other locations that are compatible with the architectural features of the building

Signs will be above the tenant entrances at the storefront openings and will be compatible with the architectural features of the building.

Sec 7 – Building Height

Standards

7.1 – Use existing height standards from the Zoning Ordinance.

The building height is 20' – 4", less than 38', less than 30 feet and complies with the Zoning Ordinance.

Guidelines

7.2 – Work with the existing streetscape and define heights that are appropriate to create a welcoming environment and consistency.

The heights are appropriate for a welcoming environment and consistency.

7.3 – Use building height to define neighborhood and district edges, and to provide a “human scale.”

The building height along with the canopy and awning heights provide a human scale.

7.4 – Floor to floor heights of a building can have an impact on the mass of the building. Typical ceilings in a residence are 8-9 feet. First floors of office buildings or retail shops can range from 10-15 feet. Upper floors that include residential or office are generally 8-12 feet in height. Actual or implied floor-to-floor heights above 15-20 feet on the exterior should be avoided, as a building may begin to lose its “human scale” appearance.

The building is one story.

Sec 8 – Setback & Frontage

Standards

8.1 – Doors and entryways shall be constructed facing the entry corridor and any side streets. Secondary entrances may be constructed to allow convenient access from secondary streets, adjacent buildings, sidewalks or parking.

The building provides entry ways to both public frontages.

Guidelines

8.2 – The front door should connect to the sidewalk along the entry corridor.

Public sidewalk is proposed to Highway 87, with connectivity to the main entryway.

8.3 – In areas adjacent to or near the Historic District, new buildings should match adjacent building setback in order to preserve the Historic District character and to encourage walkability.

This site is not in the Historic District.

8.4 – A contiguous building arrangement without large breaks between buildings along the street face is encouraged.

This project is only one building.

Sec 9 – Landscaping

Standards

9.1 – Landscaping, including planting and trees, shall be provided as a buffer between the street and parking area.

Landscaping will be provided as a buffer between the street and parking area.

Guidelines

9.2 – To create a cohesive tree canopy that provides for consistent shade, street trees should be planted a minimum of every 50 feet on center (centered between the curb and sidewalk). The same amount of trees may also be clustered in groups.

Street canopy trees are provided at one per 50 feet of frontage.

9.3 – Native, drought tolerant and adapted landscape species should be used to the greatest extent possible.

Proposed plantings are in line with the City's recommended species.

9.4 – A minimum of 50 percent of the plant species should be selected from the approved plant list.

Proposed plantings are in line with the City's recommended species.

9.5 – Minimize impervious coverage to reduce the need for energy and water consumption.

Previous cover provided exceeds the City's minimum requirement.

9.6 – Utilize parks, open spaces and natural areas as buffers between incompatible uses or as a means of maintaining natural viewsheds.

No adjacent parks available. Project includes a single use, single building.

9.7 – Planting is preferable to turf within the right-of-way, including spaces between sidewalks and the street. Landscaping between the curb and sidewalk should be no taller than 24 inches tall and trees should be limbed up 7.5 feet above the sidewalk in the sight distance triangle.

Comment noted.

9.8 – Every effort should be made to protect underground utilities such as water, sewer, phone and cable from tree or plant roots.

Comment noted.

9.9 – Restoration of natural areas is strongly encouraged during new development and, to the extent possible, redevelopment.

Comment noted.

9.10 – Wherever possible, parks should take advantage of existing mature vegetation by preserving it and incorporating it as a feature of the park to maximize use of shaded areas.

No parks are proposed.

9.11 – Minimize grading and preserve existing vegetation whenever possible.

Comment noted.

9.12 – Landscapes should be irrigated to establish planting and provide the correct water levels to support the long term growth of landscape. Irrigation systems should use efficient water methods, group planting by similar watering needs, and use moisture sensors to control the use of water.

Landscaping will be irrigated by efficient water methods.

9.13 – Root barriers should be used in planting areas between the sidewalk and street which are less than 10 feet in width.

This scenario does not apply.

Sec 10 – Lighting

Standards

10.1 – Lighting fixtures should be selected from the International Dark-Sky Association Approved Fixtures.

Light fixtures have been selected from the International Dark-Sky Association Approved Fixtures.

Guidelines

10.2 – Lighting should be used to provide illumination for the security and safety of on-site areas such as parking, loading/unloading, pedestrian pathways and working areas. Excessive use of lighting fixtures is prohibited.

Lighting will provide illumination for security and safety but will not be excessive.

10.3 – Fixture style and location should be compatible with the building's architecture, site design and landscape design. Decorative fixtures are highly recommended and where warranted, may be required. Light fixture style should be consistent throughout the project.

Light fixture style and location will be compatible with the building's architecture, site design and landscape design and will be consistent.

10.4 – Light fixtures should be located facing away from adjacent sites (particularly residential parcels) so that the light does not spill-over onto abutting properties. Parking and building light fixtures should be cut-off luminaires that have less than 90 degree cut-off so that the light is not emitted horizontally or upward.

No adjacent residential is present. Proposed fixtures are designed to reduce upward lighting.

10.5 – Projects located near residential or open space areas should use low intensity/wattage lights and all lighting is to be extinguished or reduced in intensity 30 minutes after the close of business.

This scenario does not apply.

10.6 – Off-site street lighting may be required over driveways to provide safe entrances and exits.

Proposed lighting is aimed at providing sufficient lighting at driveways and vehicle drive aisles.

10.7 – Decorative seasonal lighting encouraged.

This will be determined by the local operator.

Sec 11 – Service Areas

Standards

11.1 – Loading/unloading areas shall be clearly identified by installing no parking signs and/ or striping of the space. The areas must be located in the rear or the sides of the building and shielded so that they are not visible from the street. The size and number of the loading/ unloading areas must be consistent with the requirements of the Zoning Ordinance.

A defined loading area is not required by code. Deliveries often occur off-hours to prevent traffic congestion.

Guidelines

11.2 – All trash, recycling and utilities facilities should be visually and acoustically screened from pedestrian rights of way.

Trash enclosure will be a masonry enclosure to match the building. Trash enclosure will also have landscaping screening.

11.3 – Screening should be achieved through the installation of a wall or fence six foot in height or a height sufficient to obscure the area or equipment, whichever is less.

The trash enclosure walls will meet this requirement.

11.4 – Screening may be provided by using a semi-opaque fence, solid vegetative surface or combination of both.

Screening will be masonry to compliment the building materials.

11.5 – The height of screening plants should be based on typical plant size within five growing seasons.

Comment noted.

11.6 – All roof-top equipment should be screened from entry corridors, side streets, plazas and parks.

Rooftop equipment will be largely screened parapet walls as shown in the provided elevations.

11.7 – It is encouraged to provide a separate waste and recycling unit to encourage environmental sustainability and support efforts to reduce, reuse, and recycle in Fredericksburg. The City of Fredericksburg Recycling Center provides recycling and safe disposal options. Fredericksburg Shines has compiled a list of items that can be recycled along with the location where that recycling occurs.

Comment noted.

Sec 12 – Parking & Access

Standards

12.1 – When a property abuts a creek, a 10 foot landscaped buffer shall be provided between the parking lot and the creek, where applicable. Utilize rain gardens and/or plant species that filter toxins between the parking lot and the creek.

This scenario does not apply.

12.2 – All parking shall comply with the most current American with Disabilities Act (ADA) standards and regulations.

Parking will comply with local and federal ADA standards.

12.3 – Whenever parking areas/drive aisles are connected to adjacent sites, the circulation must provide for similar direction of travel (both vehicular and pedestrian) and parking stalls to reduce conflict at points of connection.

Comment noted.

12.4 – Pedestrian walkways connecting to adjacent development shall be provided.

Public sidewalks will achieve pedestrian connectivity to adjacent development.

12.5 – A minimum of a 4" diameter tree per 8 parking spaces shall be planted in planting beds located in the corners of parking lots and 'islands.'

10 trees are proposed to accommodate the proposed 76 parking spaces.

12.6 – Continuous, 5' sidewalks must be provided along the full length of the building featuring customer entrances and along any façade facing public parking areas.

Continuous sidewalks at least 5' wide are provided along the full length of both facades facing the street frontage.

Guidelines

12.7 – Parking should be located behind buildings or on the side.

The site layout warrants the drive-thru to be located on the perimeter, thus having parking infilled.

12.8 – Bicycle parking facilities should be provided at all new development that occurs on any street intersection. The design, color, and materials must coordinate with other site elements and must be well-lit for night time uses.

Bicycle parking is not currently provided but can be added should P&Z or Council deem necessary.

12.9 – Parking areas abutting properties residentially used or designated should be separated by a landscape buffer a minimum of 10 feet in width. In addition to landscaping, perimeter earth berms are recommended as an effective way to reduce the visual impact of surface parking lots.

This scenario does not apply.

12.10 – At least one drive aisle should be designed to provide sufficient emergency vehicle access and maneuverability.

Fire lanes are provided on the proposed site plan.

12.11 – Establishments that typically require or generate frequent passenger loading and unloading should provide specifically designated loading/unloading stopping bays. Direct ingress and egress should be provided so that vehicles are not directed into the on-site drive aisles.

This scenario does not apply.

12.12 – Parking lots should be located and designed with stormwater Best Management Practices to capture, treat and infiltrate storm water.

Comment noted.

12.13 – The on-site circulation sh

ould be logical and provide convenient, safe and direct flow of pedestrians and vehicles.

The circulation is logical, convenient, safe, and direct for pedestrians and vehicles. An internal circulation plan was also provided with the approved TIA.

12.15 – New surface parking areas are discouraged within view of US 290, US 87, SH 16, and FM 965. New parking areas should be situated behind buildings and screened from street views.

Shrubbery is provided along US-87 to provide headlight and general screening.

12.16 – Parking aisles should be arranged to direct pedestrians parallel to moving cars thereby minimizing the need for pedestrians to cross parking aisles and landscape areas. As an alternative, separated pedestrian walkways should be incorporated in the parking lot design.

Due to site geometry, there is a combination of parallel and perpendicular crossings.

12.17 – Detached parking structures should be architecturally compatible with their setting or be screened by other buildings or by landscaping. If a detached parking structure abuts a street or major pedestrian path, ground floor design should incorporate a façade with storefronts, display windows, bay divisions, and other pedestrian oriented features.

This scenario does not apply.

12.18 – Shared driveways are encouraged.

Shared access is proposed to adjacent future development.

Sec 13 – Drainage and Stormwater

Standards

Not applicable.

Guidelines

1.1 – LID techniques such as rain barrels, cisterns, rain gardens, naturalized landscaping, porous pavement and roof gardens are encouraged

Comment noted.

2.2 – When possible, site stormwater management facilities in parks and open space if there is a benefit to the surrounding area and/or water quality is demonstrated.

This scenario does not apply.

3.3 – Existing drainage patterns and flows on site should be preserved to the greatest extent possible.

Comment noted.

4.4 – Decorative or aesthetically pleasing stormwater mechanisms should be incorporated into stormwater designs to the greatest extent possible.

Comment noted.

Sec 14 – Streetscape

Standards

14.1 – Sidewalks along the street right of way must be a minimum of 5 feet wide.

5' sidewalks are proposed.

14.2 – Sidewalks and pedestrian pathways should safely connect from the street to commercial buildings, surrounding residential areas, and parks and open spaces.

Sidewalk connectivity is provided from the public sidewalk to the proposed development.

14.3 – Seating is encouraged in front of businesses, in public spaces and other instances where appropriate.

An outdoor patio is proposed for customers.

14.4 – All pedestrian areas should comply with the most current American with Disabilities Act (ADA) standards and regulations. Particular attention should be given to ramps, accessible paths of travel, level landings and handrail.

All pedestrian areas will comply with local and federal ADA standards.

14.5 – Create a quality built environment with the inclusion of amenities such as street furnishing, plantings, art works, and water features to enhance the places that people will walk, gather, or recreate.

The restaurant will contain an outdoor dining patio in addition to an indoor playground. Benches along the public sidewalk are also proposed.

14.6 – Developments adjacent to multi-use trails should provide a direct connection from the trail to the development's internal pedestrian circulation system.

This scenario does not apply.

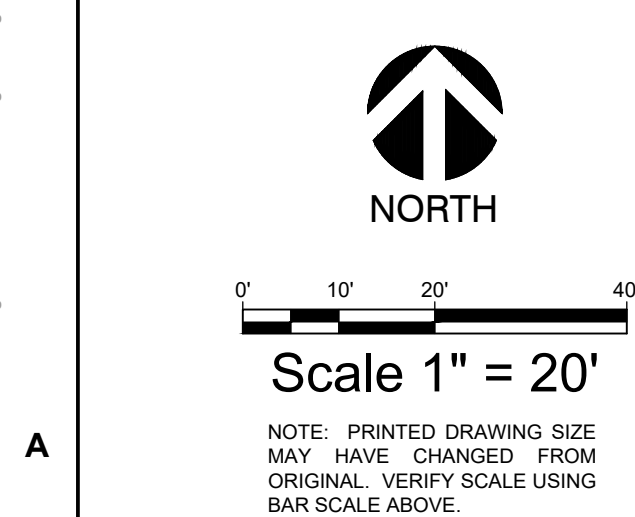
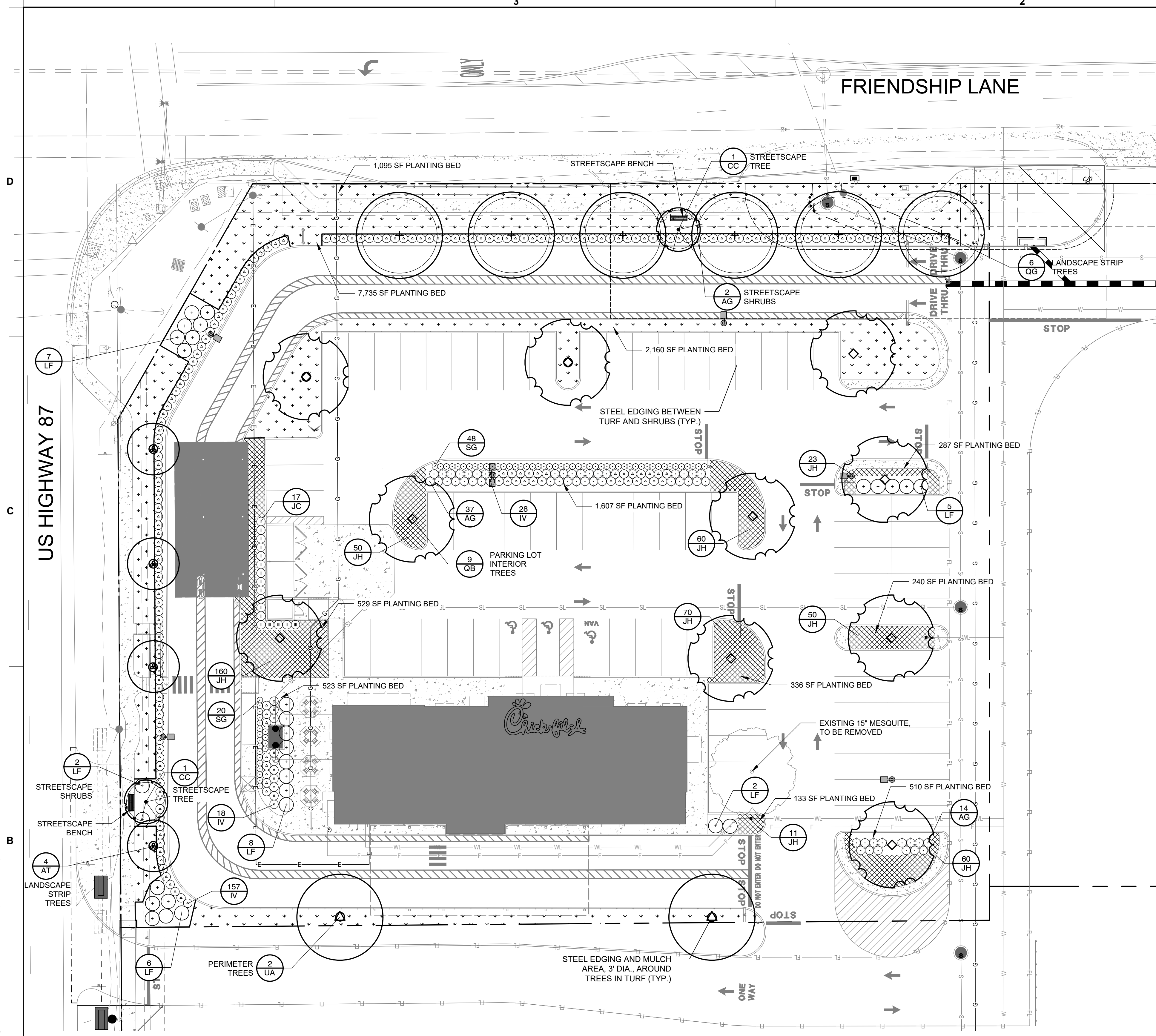
14.7 – Streetscape furnishing should be made of high quality materials and be coordinated with the architecture of the building.

Comment noted.

14.8 – To create a cohesive tree canopy for consistent shade, street trees should be planted a minimum of every 50 feet on center (centered between the curb and sidewalk). The same amount of trees may also be clustered in groups.

Street canopy trees are provided at one per 50 feet of frontage.

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IRRIGATION CONCEPT

- AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED AND OPERATIONAL BY THE TIME OF FINAL INSPECTION. THE ENTIRE IRRIGATION SYSTEM SHALL BE INSTALLED BY A LICENSED AND QUALIFIED IRRIGATION CONTRACTOR.
- THE IRRIGATION SYSTEM WILL OPERATE ON POTABLE WATER, AND THE SYSTEM WILL HAVE APPROPRIATE BACKFLOW PREVENTION DEVICES INSTALLED TO PREVENT CONTAMINATION OF THE POTABLE SOURCE.
- ALL NON-TURF PLANTED AREAS SHALL BE DRIP IRRIGATED. SODDED AND SEEDDED AREAS SHALL BE IRRIGATED WITH SPRAY OR ROTOR HEADS AT 100% HEAD-TO-HEAD COVERAGE.
- ALL PLANTS SHARING SIMILAR HYDROZONE CHARACTERISTICS SHALL BE PLACED ON A VALVE DEDICATED TO PROVIDE THE NECESSARY WATER REQUIREMENTS SPECIFIC TO THAT HYDROZONE.
- THE IRRIGATION SYSTEM SHALL BE DESIGNED AND INSTALLED, TO THE MAXIMUM EXTENT POSSIBLE, TO CONSERVE WATER BY USING THE FOLLOWING DEVICES AND SYSTEMS: MATCHED PRECIPITATION RATE TECHNOLOGY ON ROTOR AND SPRAY HEADS (WHEREVER POSSIBLE), RAIN SENSORS, AND MULTI-PROGRAM COMPUTERIZED IRRIGATION CONTROLLERS FEATURING SENSORY INPUT CAPABILITIES.

ROOT BARRIERS

THE CONTRACTOR SHALL INSTALL ROOT BARRIERS NEAR ALL NEWLY-PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS. ROOT BARRIERS SHALL BE "CENTURY" OR "DEEP-ROOT" 24" DEEP PANELS (OR EQUAL). BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. INSTALL PANELS PER MANUFACTURER'S RECOMMENDATIONS. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCIRCLE THE ROOTBALL.

MULCHES

AFTER ALL PLANTING IS COMPLETE, CONTRACTOR SHALL INSTALL MINIMUM 2" THICK LAYER OF 2"-4" RIVER ROCK OVER LANDSCAPE FABRIC IN ALL PLANTING AREAS (EXCEPT FOR TURF AND SEEDDED AREAS). CONTRACTOR SHALL SUBMIT SAMPLES OF ALL MULCHES TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO CONSTRUCTION. ABSOLUTELY NO EXPOSED GROUND SHALL BE LEFT SHOWING ANYWHERE ON THE PROJECT AFTER MULCH HAS BEEN INSTALLED (SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THE "GENERAL GRADING AND PLANTING NOTES" AND SPECIFICATIONS).

LANDSCAPE CALCULATIONS

ZONING: C2 COMMERCIAL, ENTRY CORRIDOR
TOTAL LANDSCAPE AREA PROVIDED: 15,155 SF

LANDSCAPE STRIP ADJACENT TO RIGHT OF WAY
LENGTH OF FRONTAGE, FRIENDSHIP LANE: 257 LF
TREES REQUIRED: 6 TREES (1 PER 50 LF)
TREES PROVIDED: 6 TREES
HEDGE REQUIRED: PROVIDED

LENGTH OF FRONTAGE, US HWY 87: 176 LF
TREES REQUIRED: 4 TREES (1 PER 50 LF)
TREES PROVIDED: 4 TREES
HEDGE REQUIRED: PROVIDED

PERIMETER LANDSCAPING RELATED TO ABUTTING PROPERTIES
LENGTH OF PERIMETER: 224 LF
TREES REQUIRED: 2 TREES (1 PER 125 OF)
TREES PROVIDED: 2 TREES

NOTE: NO TREES ARE PROVIDED ALONG THE EAST PROPERTY LINE DUE TO THE LOCATION OF THE SHARED ACCESS DRIVE.

PARKING AREA INTERIOR LANDSCAPING
A. TOTAL QUANTITY OF PARKING SPACES: 75 PARKING SPACES
B. PARKING SPACES ADJ. TO PERIMETER HEDGE: 21 PARKING SPACES
C. TOTAL EXCLUDING ADJ. TO PERIMETER HEDGE: 54 PARKING SPACES
PAVED AREA OF DRIVETHROUGH: 15,863 SF

LANDSCAPE AREA REQUIRED FOR PARKING SPACES: 540 SF (10 SF PER PARKING SPACE - C ABOVE)
LANDSCAPE AREA REQUIRED FOR DRIVETHROUGH: 159 SF (1 SF PER 100 SF OF PAVEMENT)
TOTAL LANDSCAPE AREA REQUIRED: 699 SF
LANDSCAPE AREA PROVIDED: 6,076 SF
TREES REQUIRED: 10 TREES (1 PER 8 PARKING SPACES)
TREES PROVIDED: 10 TREES



PLANT SCHEDULE							
SYMBOL	KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	NOTES
TREES							
AT	4	ARBUTUS TEXANA	TEXAS MADRONE	1.5" CAL.	PER PLAN	YES	MULTI-STEM; 3 CANES MIN.
CC	0	CERCIS CANADENSIS 'TEXENSIS'	TEXAS REDBUD	1.5" CAL.	PER PLAN	YES	MULTI-STEM; 3 CANES MIN.
QB	10	QUERCUS BUCKLEYI	TEXAS RED OAK	4" CAL.	PER PLAN	YES	
QG	6	QUERCUS GLAUCOIDES	LACEY OAK	1.5" CAL.	PER PLAN	YES	
UA	2	ULMUS AMERICANA 'PRINCETON'	PRINCETON ELM	1.5" CAL.	PER PLAN	YES	
SHRUBS							
AG	51	ABELIA GRANDIFLORA 'CONFETTI'	CONFETTI ABELIA	MIN. 15" HT.	3' O.C.	NO	
IV	155	ILEX VOMITORIA 'NANA'	DWARF YAUPON HOLLY	MIN. 15" HT.	3' O.C.	YES	
JC	17	JUNIPERUS VIRGINIANA 'TAYLOR'	TAYLOR JUNIPER	MIN. 15" HT.	3' O.C.	YES	
JH	484	JUNIPERUS HORIZONTALIS 'WILTONII'	BLUE CARPET JUNIPER	MIN. 15" HT.	30" O.C.	NO	
LF	28	LEUCOPHYLLUM FRUTESCENS 'COMPACTA'	DWARF TEXAS SAGE	MIN. 15" HT.	5' O.C.	YES	
SG	68	SALVIA GREGGII 'FURMAN'S RED'	FURMAN'S RED AUTUMN SAGE	MIN. 15" HT.	2' O.C.	YES	
GROUND COVER							
	10,784 SF	SOD: TIFWAY 419	BERMUDA GRASS	SOD		NO	

GENERAL GRADING AND PLANTING NOTES

- BY SUBMITTING A PROPOSAL FOR THE LANDSCAPE PLANTING SCOPE OF WORK, THE CONTRACTOR CONFIRMS THAT HE HAS READ, AND WILL COMPLY WITH, THE ASSOCIATED NOTES, SPECIFICATIONS, AND DETAILS WITH THIS PROJECT.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL EXISTING VEGETATION (EXCEPT WHERE NOTED TO REMAIN).
- IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.
 - BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
 - CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.
 - THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (BASED ON A SOIL TEST, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.
 - ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
 - ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH GRADE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
 - SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
- ALL PLANT LOCATIONS ARE DIAGRAMMATIC. ACTUAL LOCATIONS SHALL BE VERIFIED WITH THE LANDSCAPE ARCHITECT OR DESIGNER PRIOR TO PLANTING. THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT ALL REQUIREMENTS OF THE PERMITTING AUTHORITY ARE MET (I.E., MINIMUM PLANT QUANTITIES, PLANTING METHODS, TREE PROTECTION METHODS, ETC.).
 - THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR DETERMINING PLANT QUANTITIES; PLANT QUANTITIES SHOWN ON LEGENDS AND CALLOUTS ARE FOR GENERAL INFORMATION ONLY. IN THE EVENT OF A DISCREPANCY BETWEEN THE PLAN AND THE PLANT LEGEND, THE PLANT QUANTITY AS SHOWN ON THE PLAN (FOR INDIVIDUAL SYMBOLS) OR CALLOUT (FOR GROUND COVER PATTERNS) SHALL TAKE PRECEDENCE.
 - NO SUBSTITUTIONS OF PLANT MATERIALS SHALL BE ALLOWED WITHOUT THE WRITTEN PERMISSION OF THE LANDSCAPE ARCHITECT. IF SOME OF THE PLANTS ARE NOT AVAILABLE, THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING (VIA PROPER CHANNELS).
 - THE CONTRACTOR SHALL, AT A MINIMUM, PROVIDE REPRESENTATIVE PHOTOS OF ALL PLANTS PROPOSED FOR THE PROJECT. THE CONTRACTOR SHALL ALLOW THE LANDSCAPE ARCHITECT AND THE OWNER/OWNER'S REPRESENTATIVE TO INSPECT, AND APPROVE OR REJECT, ALL PLANTS DELIVERED TO THE JOBSITE. REFER TO SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS FOR SUBMITTALS.
- THE CONTRACTOR SHALL MAINTAIN THE LANDSCAPE IN A HEALTHY CONDITION FOR 90 DAYS AFTER ACCEPTANCE BY THE OWNER. REFER TO SPECIFICATIONS FOR CONDITIONS OF ACCEPTANCE FOR THE START OF THE MAINTENANCE PERIOD, AND FOR FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD.
- SEE SPECIFICATIONS AND DETAILS FOR FURTHER REQUIREMENTS.



Chick-fil-A
5200 Buffington Road
Atlanta, Georgia 30349-2998

11/01/2023 07:07:00 - 11/01/2023 07:07:00

535 BOYLSTON ST, 8TH FLOOR
BOSTON, MA 02116
978-466-6661

11/01/2023 07:07:00 - 11/01/2023 07:07:00

2600 NETWORK BLVD, STE 310
FRISCO, TX 75034
Phone: (469) 458-7300
TX@BohlerEng.com
TBPE NO. 18065 | TBPLS NO. 10194413



12/11/23

CHICK-FIL-A
FREDERICKSBURG

SEC FREINDSHIP LANE
AND S US HWY 87
FREDERICKSBURG, TX 78624

FSR#05619

BUILDING TYPE / SIZE: P13-LS / LARGE
RELEASE: ----

REVISION SCHEDULE

NO.	DATE	DESCRIPTION
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CONSULTANT PROJECT # TXA220146.00

PRINTED FOR SITE PLAN REVIEW

DATE 12/11/2023

DRAWN BY LC

CHECKED BY RM

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SHEET

LANDSCAPE PLANTING

PLAN

SHEET NUMBER

LP-1

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Executive Summary

This traffic study evaluates the traffic impacts of the proposed development: Chick-fil-A Restaurant. The location of the proposed development is on the southeast corner of Friendship Ln at US 87 (Washington St) in Fredericksburg, TX.

The proposed land use(s) on the site include:

- Lot 1: Up to 5,000 square ft of Fast-Food Restaurant with Drive-Through Window (ITE Land Use Code 934).
- Lot 3: Up to 31,000 square ft of Building Materials and Lumber Store (ITE Land Use Code 812).
- Lot 2: Up to 6,000 square ft of Fast-Food Restaurant with Drive-Through Window (ITE Land Use Code 934).

The proposed access points for the site include:

- Access Point 1 (AP 1): An existing full access intersection along Friendship Ln approximately 615 feet east of US 87 (Washington St). This access serves the existing Fairfield Inn.
- Access Point 2 (AP 2): A proposed full access intersection along Friendship Ln approximately 365 feet east of US 87 (Washington St).
- Access Point 3 (AP 3): A proposed right turn out only intersection along US 87 (Washington St) approximately 280 feet south of Friendship Ln.

The impact area of the proposed development includes the following existing intersections:

- US 87 (Washington St) at Friendship Ln (Intersection 1).

Trip Generation

This study considers the impact of pass-by trips for the proposed land uses.

This study estimates the proposed development will attract:

- 246 AM Peak Hour Pass-by Trips.
- 302 MID (Midday) Peak Hour Pass-by Trips.
- 218 PM Peak Hour Pass-by Trips.

This study estimates the proposed development will generate:

- 295 AM Peak Hour Primary Trips.
- 341 MID (Midday) Peak Hour Primary Trips.
- 215 PM Peak Hour Primary Trips.

This study estimates the total number of trips entering and exiting the proposed development will be (includes both pass-by and primary trips):

- 5,674 Daily Trips.
- 540 AM Peak Hour Trips.
- 643 MID (Midday) Peak Hour Trips.
- 433 PM Peak Hour Trips.

Intersection Capacity Analysis

Existing 2023 Traffic Condition

This study shows all intersections currently operate at an acceptable level of service during the weekday AM, Midday (MID), and PM peak hours.

Background 2025 Traffic Condition

This study predicts all intersections will operate at an acceptable level of service during the weekday AM, Midday (MID), and PM peak hours.

Buildout 2025 Traffic Condition

This study predicts all intersections will operate at an acceptable level of service during the weekday AM, Midday (MID), and PM peak hours.

Access Management Analysis

Access Point 1 (AP 1) (Intersection 2).

Volumes for Access Point 1 (AP 1) at Friendship Ln (Intersection 2) fall below the City of Fredericksburg threshold (60 vph) for requiring a right-turn deceleration lane.

Volumes for Access Point 1 (AP 1) at Friendship Ln (Intersection 2) fall below the City of Fredericksburg threshold (60 vph) for requiring a left-turn deceleration lane.

Available sight distance for Access Point 1 (AP 1) at Friendship Ln (Intersection 2) exceeds the required (stopping) and desired (Intersection) sight distances.

The location of the existing Access Point 1 (AP 1) (Intersection 2) meets the City of Fredericksburg access spacing requirements.

Access Point 2 (AP 2) (Intersection 3)

Buildout 2025: Volumes for Access Point 2 (AP 2) at Friendship Ln (Intersection 3) exceed the City of Fredericksburg threshold (60 vph) for requiring a right-turn deceleration lane.

Volumes for Access Point 2 (AP 2) at Friendship Ln (Intersection 3) fall below the City of Fredericksburg threshold (60 vph) for requiring a left-turn deceleration lane.

Available sight distance for Access Point 2 (AP 2) at Friendship Ln (Intersection 3) exceeds the required (stopping) and desired (Intersection) sight distances.

The location of Access Point 2 (AP 2) (Intersection 3) meets the City of Fredericksburg access spacing requirements.

Access Point 3 (AP 3) (Intersection 4)

Since the site plan calls for Access Point 3 (AP 3) to be right-turn exit only; the current site plan will not require a right-turn deceleration lane for Access Point 3 (AP 3) at US 87 (Washington St) (Intersection 4).

Since the site plan calls for Access Point 3 (AP 3) to be right-turn exit only; the current site plan will not require a left-turn deceleration lane for Access Point 3 (AP 3) at US 87 (Washington St) (Intersection 4).

Available sight distance for Access Point 3 (AP 3) at US 87 (Washington St) (Intersection 4) exceeds the required (stopping) and desired (Intersection) sight distances.

Access Point 3 (AP 3) (Intersection 4) is approximately 280 feet south of Friendship Ln. Access Point 3 (AP 3) (Intersection 4) is approximately 125 feet north of the nearest access point to the south (serving as an access to the Ford Dealership). The location of Access Point 3 (AP 3) (Intersection 4) does not meet TxDOT access spacing requirements (425 ft). The development will need to obtain a variance from TxDOT for the location of Access Point 3 (AP 3) (Intersection 4).

On-Site Queueing Analysis

The queue length analysis suggests the probability of a queue extending onto Friendship Ln (via the shortest path) during the AM Peak Hours is 6%; during the Midday Peak Hour is 8%; and during the PM Peak Hour is 3%.

Additionally, if queuing onto public streets become an issue, this study presumes Chick-fil-A will either adjust their service time or take steps to have the drive-thru queue extend further into the development, rather than towards the roadway.

Based upon these results, the proposed site plan has sufficient queueing space for the anticipated demand.

Recommendations

Buildout 2025

Access Point 2 (AP 2) (Intersection 3)

1. Provide a right-turn deceleration lane on the EB approach of Friendship Ln at Access Point 2 (AP 2) (Intersection 3).
 - a. The desirable design length for a right-turn lane on a 40-mph roadway is 265 feet of deceleration (includes 50 ft taper) and 30 feet of storage (for a total length of 295 feet). The design length for a 10-mph speed differential is 150 feet of deceleration (includes 50 ft taper) and 30 feet of storage (for a total length of 180 ft).

Access Point 3 (AP 3) (Intersection 4)

2. Construct Access Point 3 (AP 3) at US 87 (Washington St) (Intersection 4) as right turn out only.
3. Request and obtain a variance from TxDOT for the location of Access Point 3 (AP 3) (Intersection 4).

On-Site Queuing

4. If queuing onto public streets becomes an issue, Chick-fil-A should either adjust their service time or take steps to have the drive-thru queue extend further into the development, rather than towards the roadway.

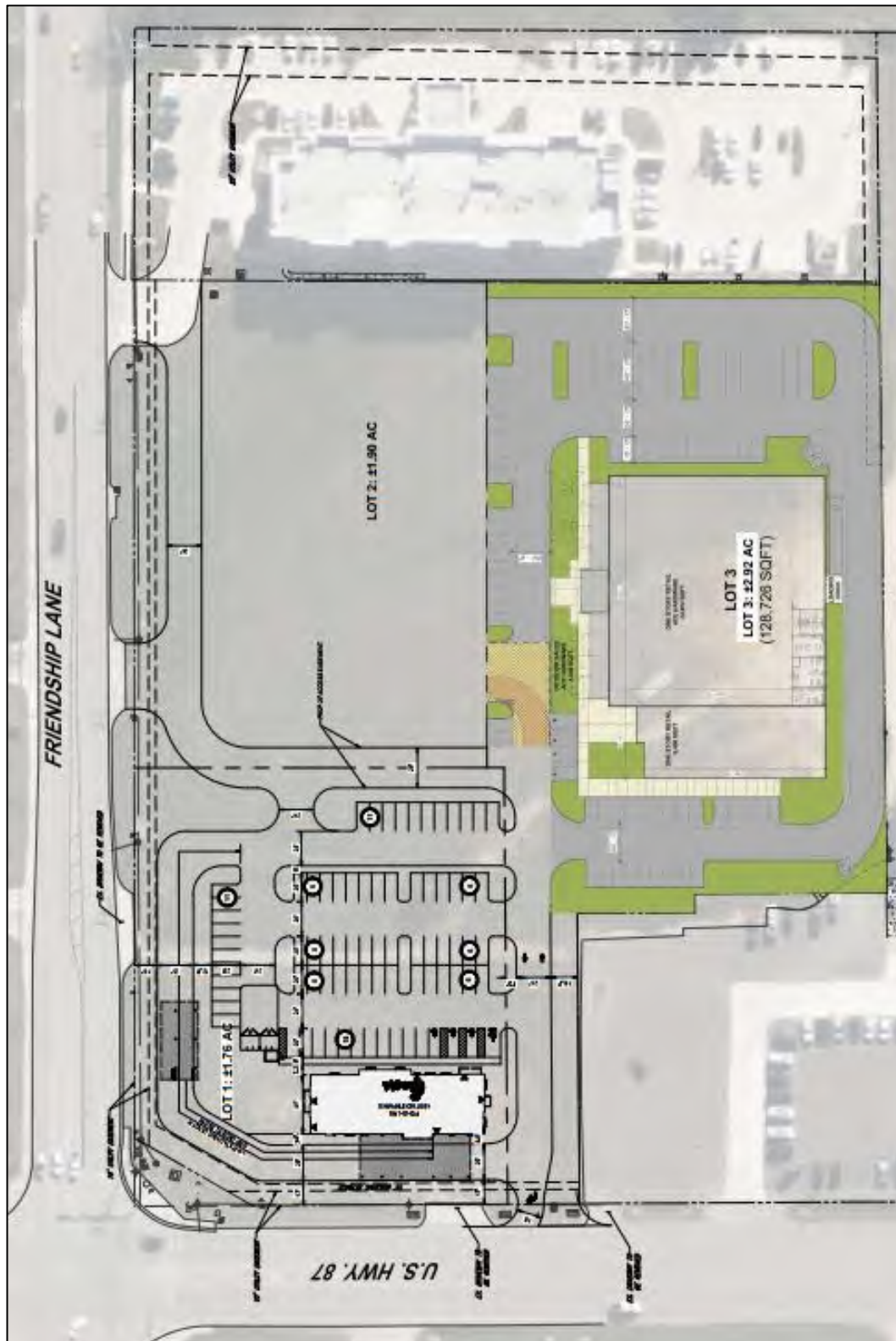


Figure 2. Site Plan.

Table 8. Desired (Intersection) and Required (Stopping) Sight Distance Requirements.

Major Roadway	Friendship Ln	US 87
Speed Limit	40 mph	55 mph
Minor Roadway	Access Point 1 Access Point 2	Access Point 3
Design Vehicle	Passenger Car	Passenger Car
Time Gap (Right Turn)	6.5 s	6.5 s
Time Gap (Left Turn)	8.0 s	--
Stopping Sight Distance (Required)	305 ft	495 ft
Sight Distance (Right Turn) (Desired)	385 ft	530 ft
Sight Distance (Left Turn) (Desired)	475 ft	--

Access Point 1 (AP 1) (Intersection 2)

Available sight distance for Access Point 1 (AP 1) at Friendship Ln (Intersection 2) exceeds the required (stopping) and desired (Intersection) sight distances.

Figure 3 provides an image of the view to the left for the existing access point.

Figure 4 provides an image of the view to the right for the access point.



Figure 3. Access Point 1 (AP 1) at Friendship Ln (Intersection 2): View to Left.



Figure 4. Access Point 1 (AP 1) at Friendship Ln (Intersection 2): View to Right.

Access Point 2 (AP 2) (Intersection 3)

Available sight distance for Access Point 2 (AP 2) at Friendship Ln (Intersection 3) exceeds the required (stopping) and desired (Intersection) sight distances.

Figure 5 provides an image of the view to the left for the proposed access point.

Figure 6 provides an image of the view to the right for the proposed access point.



Figure 5. Access Point 2 (AP 2) at Friendship Ln (Intersection 3): View to Left.



Figure 6. Access Point 2 (AP 2) at Friendship Ln (Intersection 3): View to the Right.

Access Point 3 (AP 3) (Intersection 4)

Available sight distance for Access Point 3 (AP 3) at US 87 (Washington St) (Intersection 4) exceeds the required (stopping) and desired (Intersection) sight distances.

Figure 7 provides an image of the view to the left for the proposed access point.



Figure 7. Access Point 3 (AP 3) at US 87 (Washington St) (Intersection 4): View to the Left.

Access Spacing Analysis

This study evaluates access spacing for the following intersections:

- Access Point 1 (AP 1) at Friendship Ln (Intersection 2).
- Access Point 2 (AP 2) at Friendship Ln (Intersection 3).
- Access Point 3 (AP 3) at US 87 (Washington St) (Intersection 4).

The TxDOT *Access Management Manual* measures access spacing from the edge of pavement for the access point to the closest edge of pavement for the adjacent access point (curb face to curb face).

The City of Fredericksburg measures the distance between access points from the centerline of one driveway to the centerline of the other driveway. The City of Fredericksburg measures the distance between an intersection and an access point from the right-of-way line to the centerline of the access point.

Access Point 1 (AP 1) (Intersection 2)

The City of Fredericksburg throughfare plan classifies Friendship Lane as an arterial street; therefore:

- The minimum distance between commercial driveways is 250 feet.
- The minimum distance between a commercial driveway and an intersection is 150 feet.

Access Point 1 (AP 1) (Intersection 2) is approximately 250 feet east of Access Point 2 (AP 2). Access Point 1 (AP 1) (Intersection 2) is approximately 290 feet west of the nearest access to the east (serving a single-family home). The location of the existing Access Point 1 (AP 1) (Intersection 2) meets the City of Fredericksburg access spacing requirements.

Access Point 2 (AP 2) (Intersection 3)

The City of Fredericksburg throughfare plan classifies Friendship Lane as an arterial street; therefore:

- The minimum distance between commercial driveways is 250 feet.
- The minimum distance between a commercial driveway and an intersection is 150 feet.

Access Point 2 (AP 2) (Intersection 3) is approximately 365 feet east of US 87 (Intersection 1). Access Point 2 (AP 2) (Intersection 3) is approximately 250 feet west of Access Point 1 (AP 1) (Intersection 2). The location of Access Point 2 (AP 2) (Intersection 3) meets the City of Fredericksburg access spacing requirements.

Access Point 3 (AP 3) (Intersection 4)

US 87 (Washington St) has a speed limit of 55 mph near the proposed access point; therefore, TxDOT's *Access Management Manual* requires a minimum driveway spacing of 425 ft.

Access Point 3 (AP 3) (Intersection 4) is approximately 280 feet south of Friendship Ln. Access Point 3 (AP 3) (Intersection 4) is approximately 125 feet north of the nearest access point to the south (serving as an access to the Ford Dealership). The location of Access Point 3 (AP 3) (Intersection 4) does not meet TxDOT access spacing requirements (425 ft). The development will need to obtain a variance from TxDOT for the location of Access Point 3 (AP 3) (Intersection 4).

Intersection Capacity Analysis

This study provides Level of Service Synchro output files in Appendix D.

This study conducts the intersection capacity analyses using HCM methodologies included within the Synchro 11 traffic analysis software package. This study uses existing peak hour factors by intersection and heavy truck percentages by movement within the analysis.

This study evaluates capacity at the following intersections:

- US 87 (Washington St) at Friendship Ln (Intersection 1).
- Access Point 1 (AP 1) at Friendship Ln (Intersection 2).
- Access Point 2 (AP 2) at Friendship Ln (Intersection 3).
- Access Point 3 (AP 3) at US 87 (Washington St) (Intersection 4).

Delay based intersection Level of Service (LOS) is a qualitative measure of capacity and operating conditions and is related to vehicle delay. The HCM provides letter grade designations ranging from A to F for different delay values; LOS A represents short delay and LOS F represents long delay. Table 9 shows delay-based LOS criteria for signalized and unsignalized intersections.

This study considers delay-based Level of Service D to be an acceptable condition.

Alternative measures of intersection capacity include volume to capacity ratio (V/C) and 95th percentile queue length. Volume to capacity ratios at or above 0.80 suggest a need to consider mitigations because anticipated traffic volumes are starting to exceed the intersections capacity. 95th percentile queue length indicates a queue with less than 5% probability of the actual queue exceeding it during the analysis period.

Table 10 provides a summary of the evaluated scenarios and the associated exhibits.

On-Site Queuing Analysis

This study uses queue length analyses to determine the probability the queue will extend:

- Past the End of the Order Lane.
- Onto Friendship Ln (Shortest Path).
- Onto Friendship Ln (Longer Path).

Figure 8 shows the available onsite queuing space associated with the proposed development. It defines the following distances:

- Distance A is the storage space from the order location to the entry for the Drive-Thru Lane. With 2 Lanes for queuing, this study estimates 14 vehicles can fit in this space.
- Distance B is the storage space from the entry to the drive through lane to the start of Distance D. This study estimates 3 vehicles can fit in this space. This is the shortest route for vehicles to queue back onto Friendship Ln.
- Distance C is the distance from the entry to the drive-through lane to the start of Distance D (if the shortest path were not available). This study estimates 15 vehicles can fit in this space.
- Distance D is the space from the end of Distance B or Distance C to Friendship Ln. This study estimates 5 vehicles can fit in this space.

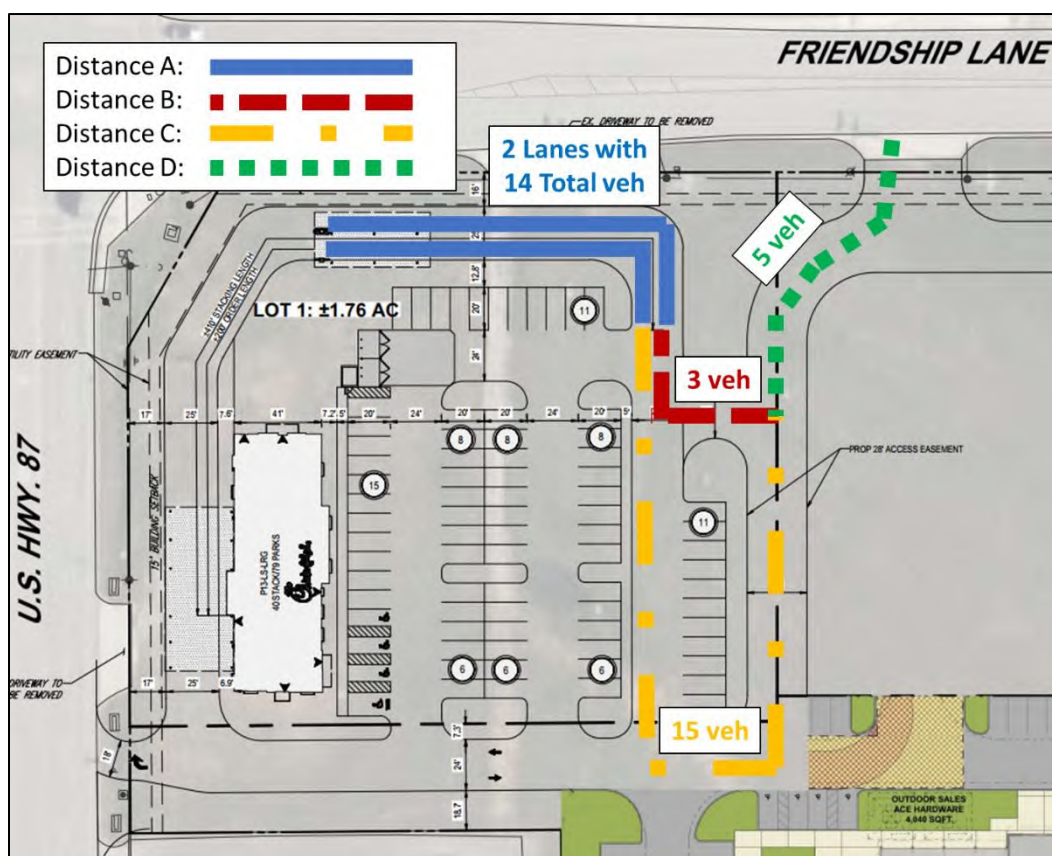
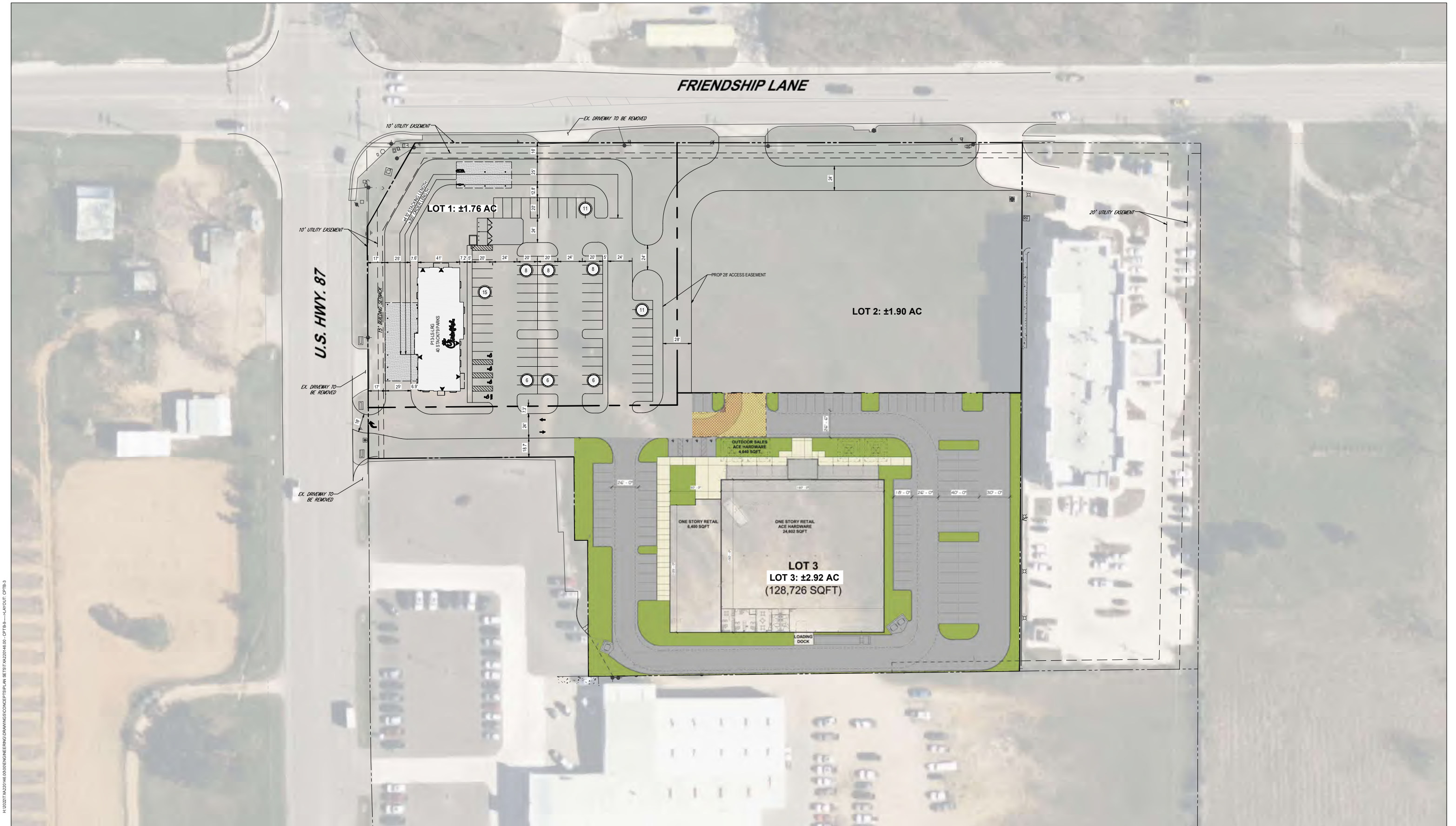


Figure 8. Available Queuing Space for Proposed Site Plan.

H:\2027\TX220146.00\ENGINEERING\DRAWINGS\CONCEPT\SP\PLAN SET\TX220146.00 - CPTB-9 - LAYOUT - CPTB-3



03/27/2023 | MG/URB | TXA220146.00 | CPTB-9

BOHLER //

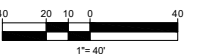
2600 NETWORK BLVD, STE. 310
FRISCO, TX 75034
Phone: (469) 458-7300
TX@BohlerEng.com
TBPE No. 18065 | TBPLS No. 10194413



SITE EXHIBIT

FREDERICKSBURG, TX 78624 | CPTB-9

LISCIOTTI DEVELOPMENT





Permit to Construct Access Driveway Facilities on Highway Right of Way

Form 1058
(Rev. 09/23)
Page 1 of 2

PERMIT NUMBER: 23-44465			
REQUESTOR		GPS*	ROADWAY
		LATITUDE, LONGITUDE	HWY NAME U.S. 0087
		30.25517,-98.87157	FOR TxDOT'S USE
NAME Fredricksburg CFA Series LLC		CONTROL	0072
		SECTION	01
MAILING ADDRESS 535 Boyston St 8th Floor			
CITY, STATE, ZIP Boston, MA, 02116			
PHONE NUMBER 9788601065			
*GLOBAL POSITIONING SYSTEM COORDINATES AT INTERSECTION OF DRIVEWAY CENTERLINE WITH ABUTTING ROADWAY			

The Texas Department of Transportation, hereinafter called the State, hereby authorizes Fredricksburg CFA Series LLC, hereinafter called the Permittee, to ☒ construct / ☐ reconstruct a Major Commercial (residential, convenience store, retail mall, farm, etc.) access driveway on the highway right of way abutting highway number US0087 in GILLESPIE County, located TRM 620-0.04

USE ADDITIONAL SHEETS AS NEEDED

Is this parcel in current litigation with the State of Texas? ☐ YES ☒ NO

Is the Permittee or a family member of Permittee an employee or official of the Texas Department of Transportation? ☐ YES ☒ NO

Does an employee or official of the Texas Department of Transportation serve as an employee or officer of Permittee or own a controlling interest in Permittee? ☐ YES ☒ NO

This permit is subject to the Access Driveway Policy described on page 2 and the following:

1. The undersigned hereby agrees to comply with the terms and conditions set forth in this permit for construction and maintenance of an access driveway on the state highway right of way.
2. The Permittee represents that the design of the facilities, as shown in the attached sketch, is in accordance with the Roadway Design Manual, Hydraulic Design Manual and the access management standards set forth in the Access Management Manual (except as otherwise permitted by an approved variance).
3. Construction of the driveway shall be in accordance with the attached design sketch, and is subject to inspection and approval by the State.
4. Maintenance of facilities constructed hereunder shall be the responsibility of the Permittee, and the State reserves the right to require any changes, maintenance or repairs as may be necessary to provide protection of life or property on or adjacent to the highway. Changes in design will be made only with prior written approval of the State.
5. The Permittee shall hold harmless the State and its duly appointed agents and employees against any action for personal injury or property damage related to the driveway permitted hereunder.
6. Except for regulatory and guide signs at county roads and city streets, the Permittee shall not erect any sign on or extending over any portion of the highway right of way. The Permittee shall ensure that any vehicle service fixtures such as fuel pumps, vendor stands, or tanks shall be located at least 12 feet from the right of way line to ensure that any vehicle services from these fixtures will be off the highway right of way.
7. The State reserves the right to require a new access driveway permit in the event of: (i) a material change in land use, driveway traffic volume or vehicle types using the driveway, or (ii) reconstruction or other modification of the highway facility by the State.
8. The State may revoke this permit upon violation of any provision of this permit by the Permittee.
9. This permit will become null and void if the above-referenced driveway facilities are not constructed within six (6) months from the issuance date of this permit.
10. The Permittee will contact the State's representative Brad Phipps and Cody Pape telephone, (830) 9974361 , at least twenty-four (24) hours prior to beginning the work authorized by this permit.
11. The requesting Permittee will be provided instructions on the appeal process if this permit request is denied by the State.

The undersigned hereby agrees to comply with the terms and conditions set forth in this permit for construction and maintenance of an access driveway on the highway right of way.

Date: _____

Signed: _____
(Property owner or owner's representative)

December 11, 2023

Date of Issuance

District Engineer, or designee Approval

Date of Issuance as per Variance to AMM

District Engineer, or designee Approval

Date of Denial

District Engineer Denial (No Delegation)

Access Driveway Policy

Title 43 Texas Administrative Code (Transportation), Chapter 11 (Design), Subchapter C (Access Connections To State Highways) and the "Access Management Manual" establish policy for the granting of access and the design, materials, and construction of driveways connecting to state highways. All driveway facilities must follow this policy. To the extent there is any conflict between this permit and the policy, the policy shall control. If a proposed driveway does not comply with the access management standards, the owner may seek a variance to a requirement contained in the access management standards by contacting the local TxDOT office.

TxDOT Driveway Permit Request Contact

For a local contact for your TxDOT Driveway Permit Request or variance request, visit: <http://www.txdot.gov/inside-txdot/district.html>. You can click on the section of the map closest to your location to find the local TxDOT office. You can also click on the drop down box below the map to find the district for your county.

Other Conditions

In addition to Items 1 thru 11 on page 1 of this permit, the facility shall also be in accordance with the attached sketch and subject to the following additional conditions stated below:

Construct one 20.5' commercial driveway with 5' Radii on South side and 30' Radii on North side. Installation of 26.5' of 18" Design II CMP required with 6.1 Safety End Treatments. This driveway will be a right out only. Remove existing curb cut and close the Northern most entrance into the ford dealership.
All Traffic control will be in accordance to the TMUTCD prior to working in the TXDOT right of way.
TxDOT reserves the right to re-evaluate all access points (driveways) if the property it serves is further developed beyond that discussed or approved at the time of this permit or when any changes in land use occurs on the property.

Variance Documentation Justification

For a Variance request, please indicate which of the below are applicable, as required by TAC §11.52(e):

- ☐ a significant negative impact to the owner's real property or its use will likely result from the denial of its request for the variance, including the loss of reasonable access to the property or undue hardship on a business located on the property.
- ☐ an unusual condition affecting the property exists that was not caused by the property owner and justifies the request for the variance.

For the conditions selected above, provide written justification below. (Attach additional sheets, if needed)

For TXDOT use below:

For Variance denials, please indicate which of the below conditions, as provided in TAC §11.52(e), were determined:

- ☐ adversely affect the safety, design, construction, mobility, efficient operation, or maintenance of the highway; or
- ☐ likely impair the ability of the state or the department to receive funds for highway construction or maintenance from the federal government.

Attachments:

Sketch of Installation

All Variance Documentation



Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

A. Project Information (Please complete all items.)

Project Name: Chick-fil-A Fredericksburg
Project Address: SEC Friendship Lane & S Hwy US 87
Tax ID Number (s): Property ID : 108706

Application Type (Check all items that apply.)

- | | | |
|--|--|---|
| ☒ Conditional Use Permit | ☐ Minor Plat* | ☒ Site Plan |
| ☐ Land Use Plan Change | ☐ Replat* | ☐ Entry Corridor Design |
| ☐ Zoning Change | ☐ Amending Plat* | ☐ Civil Construction Plans |
| ☐ Annexation* | ☐ Preliminary Plat* | |
| | ☐ Final Plat* | |

Jurisdiction: ☒ City Limits ☐ ETJ Total Acres: 1.76 No. of Lots: 1

Original Survey & Abstract No: S0815 - IMMEL, ALTON SUBD

Legal Description: IMMEL, ALTON SUBD LOT 1AR, 6.569

Current Land Use Plan: Commercial

Proposed Land Use Plan:

Current Zoning: C-2

Proposed Zoning:

Location: SEC Friendship Lane & S Hwy US 87

Proposed Use(s): Quick serve restaurant

Applicant's Signature

Applicant's Role: ☐ Owner ☒ Developer ☐ Other (note role):

I hereby certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. I also certify I have authorization from the owner to act on his / her behalf.

Signature: [Handwritten Signature]

Printed Name: JOHN SCRIBNER Date: 9.19.23

Staff Use Only

Application No.: _____ Date: _____

*Copy of current Title Search required with application.



Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

B. Contact Information (Please complete all items.)

I. Property Owners

Firm Name (if applicable): KBB REAL ESTATE LLC

Owner Name:

Address: 1102 E MAIN ST Fredericksburg, TX

Phone:

Fax:

Email:

II. Owner's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: ☐ Agent ☒ Engineer ☐ Surveyor ☐ Other (note role):

Firm Name (if applicable): Bohler Engineering TX, LLC

Address: 2600 Network Blvd. Suite 310 Frisco, TX 75034

Primary Contact Name: Mathias Haubert

Phone: 469-458-7300

Fax:

Email: tproduction@bohlereng.com

Secondary Contact Name:

Phone:

Fax:

Email: mhaubert@bohlereng.com

C. Fee Schedule (Please attach appropriate fee to application.)

- ☒ Conditional Use Permit Application - \$400
- ☐ Site Plan Application Admin - \$300
- ☒ Site Plan Application P&Z - \$400
- ☐ Entry Corridor Design - \$100
- ☐ Application for Zoning Change - \$400
- ☐ Application for Land Use Change - \$300
- ☐ Minor Plat - \$300
- ☐ Replat - \$300 plus \$20 per lot
- ☐ Amending Plat - \$200
- ☐ Preliminary Plat - \$400 plus \$20 per lot
- ☐ Final Plat - \$500 plus \$10 per lot

D. Recording Fee Schedule

For plats, a recording fee will be collected when mylars are presented. The check should be made payable to Gillespie County Clerk and the recording fees are \$121.00 plus \$10.00 per lot.

STROEHER & SON INC
509 S ADAMS
FREDERICKSBURG, TX 78624

LECHUGUILLA VENTURES LLC
8522 BROADWAY ST STE 209
SAN ANTONIO, TX 78217

PENJAY PROPERTEIS INC
P.O. BOX 669
FREDERICKSBURG, TX 78624

JENNIFER SCHANDUA TRUST
304 MORNING GLORY DR
FREDERICKSBURG, TX 78624

JAMES STUART BARRON TRUST
146 KEIDEL LN
FREDERICKSBURG, TX 78624

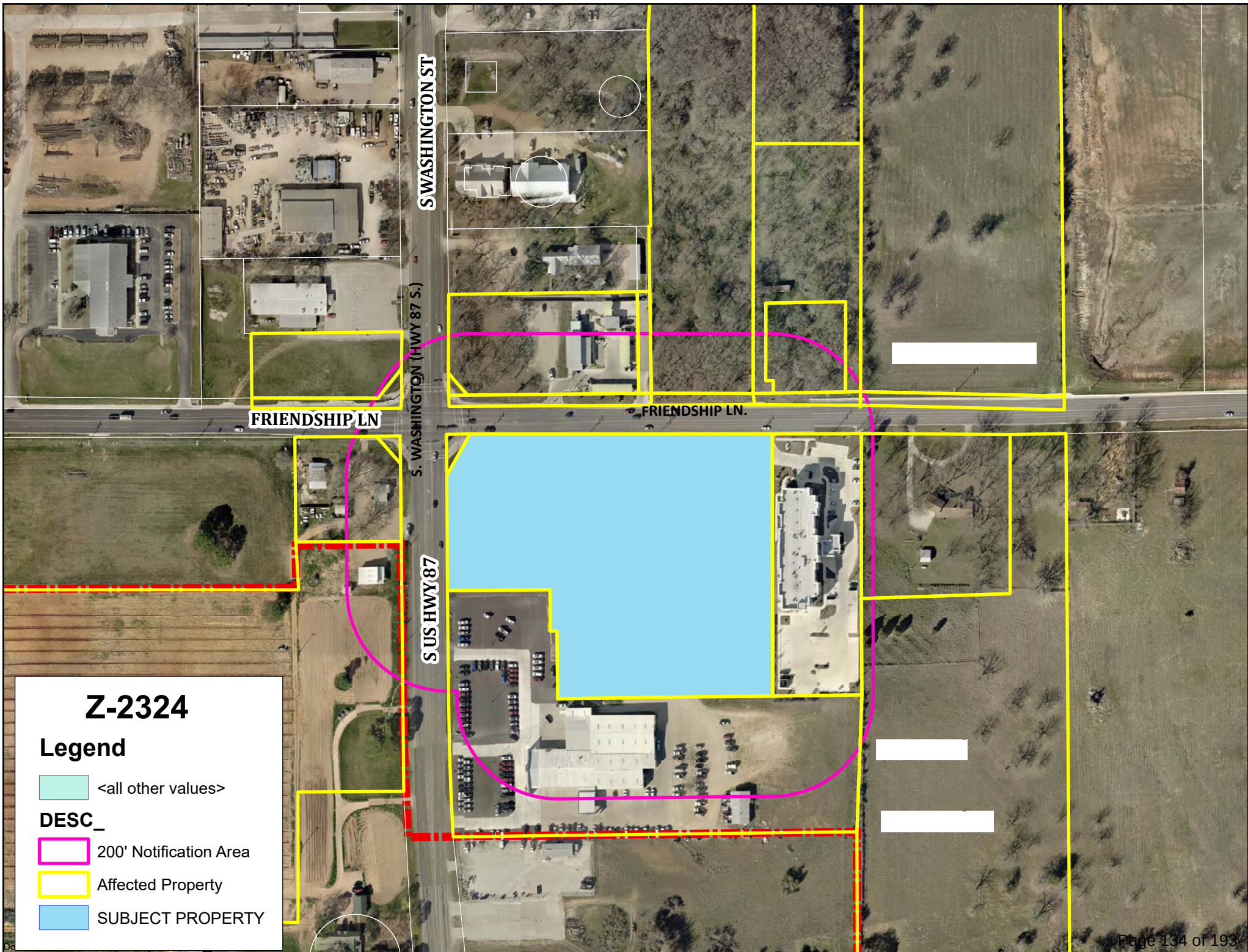
TEXAS 5A PROPERTIES LLC
510 POST OAK RD
FREDERICKSBURG, TX 78624

FREDBG HOTEL VENTURES LLC
4276 W RUBY HILL DR
PLEASANTON, CA 94566

MCLANE FORD OF FREDBG
1279 S US HWY 87
FREDERICKSBURG, TX 78624

FISCHER & WIESER SPECIALTY FOODS
411 S LINCOLN
FREDERICKSBURG, TX 78624

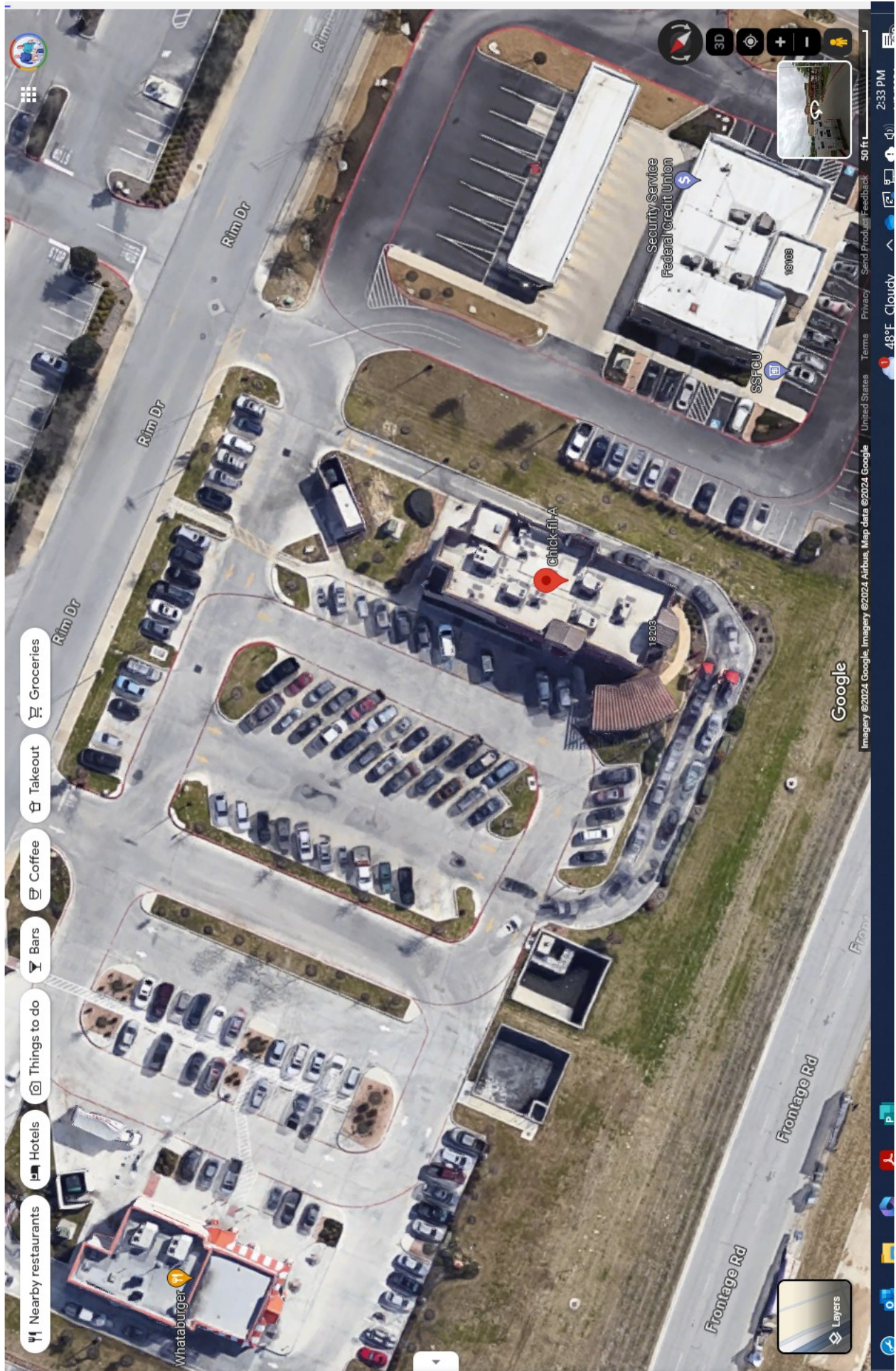
Z-2324 – Chick Fil A







Chick –fil– A at the Rim



ORDINANCE NO. 2024-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING APPENDIX B, "ZONING ORDINANCE," OF THE FREDERICKSBURG MUNICIPAL CODE, AS AMENDED, BY GRANTING A CONDITIONAL USE PERMIT PERMITTING A DRIVE THROUGH FACILITIES USE ASSOCIATED WITH A RESTAURANT – DRIVE-IN/FAST FOOD USE ON CERTAIN PROPERTY LOCATED AT 501 FRIENDSHIP LANE, FREDERICKSBURG, TEXAS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Fredericksburg, Texas (the "City"), is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance, codified as Appendix B of the Fredericksburg Municipal Code, and a comprehensive zoning map, regulating the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes, and providing for a method to amend said ordinance and map for the purpose of promoting the public health, safety, morals, and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, in accordance with the Comprehensive Zoning Ordinance, the owner of the property referenced below has filed an application for a Conditional Use Permit for a Drive Through Facilities use associated with a Restaurant – Drive-In/Fast Food use in the C-2: Commercial zoning district; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City on January 3, 2024, and by the City Council of the City on January 16, 2024, with respect to the use changes described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication, and all procedural requirements have been complied with in accordance with the comprehensive zoning ordinance and Chapter 211 of the Local Government Code; and

WHEREAS, the City Council of the City does hereby deem it advisable and in the public interest to grant such conditional use permit on the terms and conditions described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, THAT:

SECTION 1

The findings above are found to be true and correct and are incorporated herein.

SECTION 2

Appendix B, “Zoning Ordinance,” of the Fredericksburg Municipal Code, as amended, is hereby amended to grant a Conditional Use Permit as shown and described below:

Applicant:	John Scribner
Property Owner:	KBB Real Estate LLC
Property Address:	501 Friendship Lane, Fredericksburg, TX 78624
Legal Description:	Lot 1AR, Alton Immel Subdivision, City of Fredericksburg, Gillespie County, Texas, according to the map or plat of record in Volume 5, Page 69, Plat Records of Gillespie County, Texas.
Zoning Change:	The property shall remain located in the C2: Commercial zoning district, and a Conditional Use Permit for a Drive Through Facilities use associated with a Restaurant – Drive-In/Fast Food use is hereby granted subject to the terms and conditions provided herein.

SECTION 3

The zoning districts, boundaries, and uses as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community. They have been designed to lessen congestion in the streets; to secure safety from fire, panic, flood, and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provisions of transportation, water, sewerage, parks, and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

SECTION 4

The use of the property described herein shall be subject to all the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances of the City for the zoning district into which they have been assigned. Additionally, this Conditional Use Permit shall be subject to the following conditions:

1. Directional signage shall be placed along Friendship Lane directing foot traffic to the public sidewalk access along U.S. Highway 87;

2. Designated employee parking shall be established along the shared drive running from north to south;
3. A minimum of three (3) designated parking spaces shall be provided for mobile or pickup orders; and
4. The final building design shall include the construction of gabled parapets at the entrances.

SECTION 5

This Ordinance shall be cumulative of all provisions of ordinances of the Fredericksburg Municipal Code, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 6

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-6 of the Fredericksburg Municipal Code. Each day that a violation is permitted to exist shall constitute a separate offense. In addition, any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance may be subjected to such civil penalties as authorized by law.

SECTION 7

All rights or remedies of the City are expressly saved as to any and all violations of Appendix B of the Fredericksburg Municipal Code, as amended, or any other ordinance affecting zoning and land use that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation, both civil and criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

SECTION 8

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 9

The City Secretary of the City of Fredericksburg is hereby directed to publish in the official newspaper of the City the caption and penalty clause of this Ordinance as required by law.

SECTION 10

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED on this the 16th day of January 2024.

Jeryl Hoover, Mayor

ATTEST:

Shelley Goodwin, TRMC/CMC, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM:

MEETING DATE: January 16, 2024

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider the reappointment of Judge Heupel as backup Municipal Court Judge (Mick McKamie, City Attorney)

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning

Government Vision

Family Life Vision

Quality of Life Vision

ATTACHMENTS:

None

APPROVAL/REVIEW:

Date: December 18, 2023

William McKamie, City Attorney

Date: January 02, 2024

Shelley Goodwin, City Secretary

A handwritten signature in blue ink, appearing to read "Clinton Bailey", written over a horizontal line.

Clinton Bailey, City Manager

Date: January 11, 2024



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM:

MEETING DATE: January 16, 2024

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider the approval of the Charter Review Committee Report, providing the proposed amendments to the City Charter (Bobby Watson, Mayor Pro Tem/Charter Review Committee Chair)

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning

Government Vision

Family Life Vision

Quality of Life Vision

ATTACHMENTS:

1. Draft Charter Report (003)

APPROVAL/REVIEW:

William McKamie, City Attorney

Date: January 02, 2024

Date: January 03, 2024

Shelley Goodwin, City Secretary

A handwritten signature in blue ink, appearing to read "Clinton Bailey", written over a horizontal line.

Clinton Bailey, City Manager

Date: January 11, 2024



**Draft of Final Report
2023 Charter Review Committee**

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LIST OF PROPOSITIONS

PROPOSITION #1:

Sec. 1.02 Boundaries

The boundaries of the City of Fredericksburg may be enlarged or extended by the annexation of additional territory by any methods described in the State of Texas Local Government Code and boundaries in the official city map of the City of Fredericksburg, as now or hereafter amended.

PROPOSITION #2:

Sec. 1.04. Contraction of Boundaries.

Territory within the corporate limits of the City of Fredericksburg may be disannexed by any methods described in the Texas Local Government Code, as now or hereafter amended.

PROPOSITION 3

Sec. 2.02. Eminent Domain.

The City shall have the full power and right to exercise the power of eminent domain where necessary or desirable to carry out any of the powers conferred upon it by this Charter or by the Constitution and Laws of the State of Texas. The power of eminent domain hereby conferred shall include the right of the City to take the fee in land so condemned and such power and authority shall include the right to condemn public property for such purposes. The City shall have and possess the power of condemnation for any municipal or public purposes even though not specifically enumerated in this Charter.

PROPOSITION 4

Sec. 3.01. Number, Selection and Term.

The Mayor and Councilmembers shall be known as the "City Council of the City of Fredericksburg." The Mayor and Councilmembers shall be elected from the City at Large. The term for the Mayor and Councilmembers shall be two years. Each member of the City Council shall serve until his or her successor is elected and qualified. The Mayor or Councilmembers may be elected to an unlimited number of terms, but to no more than four consecutive terms, in the same office.

The terms of the Councilmembers shall be staggered so that two (2) members will be elected to a regular term each year. All elections shall be held in the manner provided in Article VI of this Charter. Regular terms of office shall commence in accordance with the Election Code.

PROPOSITION 5

Sec. 3.02. Qualifications.

Each member of the City Council shall be eligible to be a candidate for public elective office in the State of Texas, a qualified voter of the State of Texas, a resident citizen of the City of Fredericksburg and shall have been such resident citizen of the City of Fredericksburg for a period of not less than twelve months immediately preceding his or her election, and shall not be indebted to the City of Fredericksburg provided, however, that any person with the above qualifications, except as the residence, who shall have been a resident for a period of not less than twelve months immediately preceding his or her election of any of the territory not formerly within the corporate limits of said City, but which is annexed under the provisions of this Charter, shall be eligible for said office. If any Councilmember fails to maintain the foregoing qualifications, the City Council must at its next regular meeting declare a vacancy to exist and shall fill said vacancy as set forth in Section 3.07 of this Charter.

- a) If any Councilmember shall be absent from three consecutive regular meetings without valid excuse, the City Council may declare a vacancy to exist, and fill said vacancy as set forth in Section 3.07 of the Charter.

PROPOSITION 6

Sec. 3.04. Compensation.

Compensation shall be set by municipal ordinance. Commencing June 1, 2024, the city council shall receive the following compensation: mayor, \$1,000.00 per month and each City Councilmember, \$700.00 per month. In addition, each shall be paid for any actual and necessary expenses incurred while in the discharge of the duties of the office, upon presentation of an itemized statement of such expense to the city council and approved by the City Council. Any adjustments to salary compensation shall be by municipal ordinance. Any increase in salary compensation by ordinance shall not become effective until the date of commencement of terms of office of the councilmembers or mayor elected at the next scheduled regular election.

PROPOSITION 7

Section 3.06 Emergency Power of Mayor.

In time of danger or emergency, the Mayor may, with the consent of the City Council, take command of the Police Department, Fire Department, and Emergency Management and govern the City by proclamation and maintain order and enforce all laws.

PROPOSITION 8

Sec. 4.04. City Secretary

The City Manager shall employ a City Secretary who shall report to the City Manager. The City Manager shall establish his or her compensation and duties. The City Secretary shall:

-
- (1) Unless excused by the City Manager for good cause, attend all meetings of the City Council and keep accurate minutes of its proceedings;
 - (2) Preserve and keep in order all books, papers, documents, records and files of the City;
 - (3) Authenticate by signing and recording all ordinances and resolutions;
 - (4) Serve as Chief Election Officer for the City and be responsible for the conduct of elections in accordance with this Charter and applicable State of Texas Laws; and
 - (5) Perform such other duties as the Charter, Ordinances, or the City Manager may provide. When authorized by the City Manager and City Council, the City Secretary may appoint assistants, subject to the approval of the City Manager, who may assist in performing any of these functions.

PROPOSITION 9

Sec. 6.05. Candidates Elected.

- (a) The candidate in the regular City election who receives the greatest number of votes cast for the office of Mayor shall be declared elected. In the event of a tie vote between the candidates receiving the highest number of votes cast for the office of Mayor, the City Council and the City Secretary shall follow the laws and procedures provided in the State of Texas Election Code.
- (b) The candidates in the regular City election who receive the greatest and second greatest number of votes cast for the office of Councilmember shall be declared elected. In the event there is a tie vote between candidates so that two candidates for council member do not receive the greatest and second greatest number of votes, the City Secretary shall follow the laws and procedures provided in the State of Texas Election Code.

Remove item (c)

PROPOSITION 10

Sec. 7.02. Petitions for Recall.

Before the question of recall of such Elected Official shall be submitted to the qualified voters of the City, a petition demanding such question to be so submitted shall first be filed with the person performing the duties of the City Secretary, which petition shall be signed by qualified voters of the City equal in number to at least ten percent (10%) of the total number of registered voters as of the preceding January 1. Each such recall petition and each signature thereon shall comply fully with the requirements of the Texas Election Code, as now or hereafter amended.

PROPOSITION 11

Sec. 7.03. Form of Recall Petition.

Notary Public, State of Texas

PROPOSITION 12

Sec. 7.05. Presentation of Petition to City Council.

Within sixty (60) days after the date of filing of the recall petition, the person performing the duties of the City Secretary shall verify that the petition is in correct form and is signed by the required number of registered voters. The City Secretary will present the petition, along with his or her findings, to the City Council. The City Council will determine the validity of the petition, and act thereon accordingly.

PROPOSITION 13

Sec. 7.06. Public Hearing to be Held.

The Elected Official-whose removal is sought may, within five (5) days after such recall petition has been presented to the City Council, request that a public hearing be held to permit him or her to present facts pertinent to the charges specified in the recall petition. In this event, the City Council shall order such public hearing to be held, not less than five (5) days nor more than fifteen (15) days after receiving such request for a public hearing.

PROPOSITION 14

Sec. 7.07. Election to be Called.

If an Elected Official whose removal is sought does not resign, then it shall become the duty of the City Council to order an election and to fix a date for holding such recall election, the date of which election shall be the next uniform election date following the date of the public hearing provided that the timing permits compliance with applicable State of Texas Election Laws, otherwise, the date of the election shall be the following uniform election date.

PROPOSITION 15

Sec. 7.09. Result of Recall Election.

If a majority of votes cast at a recall election be “Yes” for the recall of the person named in the ballot, he or she shall be deemed removed from office, and the vacancy filled as provided in Section 3.07 of this Charter.

PROPOSITION 16

Sec. 8.02. Initiative.

Registered voters of the City of Fredericksburg may initiate legislation by submitting a petition addressed to the City Council which request the submission of a proposed ordinance or resolution to a vote of the registered voters of the City. Said petition must be signed by registered voters of the City equal in number to ten percent (10%) of the number of registered

voters as of the preceding January 1, and each copy of the petition shall have attached to it a copy of the proposed ordinance or resolution.; The petition shall be signed within the same time as recall petitions are signed, in the same manner as recall petitions are signed, and shall be verified by oath and filed with the City Secretary in the manner and form as recall petitions are presented as provided in this Charter. The petition may consist of one or more copies as permitted for recall petitions. Within sixty (60) days after the date of filing of the recall petition, the person performing the duties of the City Secretary shall verify that the petition is in correct form and is signed by the required number of registered voters. The City Secretary will present the petition, along with his or her findings, to the City Council. The City Council will determine the validity of the petition, and act thereon accordingly. If the City Council determines that the petition is valid, it shall become the duty of the City Council at the next Regular City Council Meeting for which public notice can be posted in accordance with the law, to pass and adopt such ordinance or resolution without alteration as to meaning or effect, or to call a special election to be held on the next uniform election date for which full compliance with applicable State of Texas Election Laws is possible.

PROPOSITION 17

Sec. 8.03. Referendum.

Registered voters of the City of Fredericksburg may initiate legislation by submitting a petition addressed to the City Council which request the submission of a proposed ordinance or resolution to a vote of the registered voters of the City. Said petition must be signed by registered voters of the City equal in number to ten percent (10%) of the number of registered voters as of the preceding January 1, and each copy of the petition shall have attached to it a copy of the proposed ordinance or resolution.; The petition shall be signed within the same time as recall petitions are signed, in the same manner as recall petitions are signed, and shall be verified by oath and filed with the City Secretary in the manner and form as recall petitions are presented as provided in this Charter. The petition may consist of one or more copies as permitted for recall petitions. Within sixty (60) days after the date of filing of the recall petition, the person performing the duties of the City Secretary shall verify that the petition is in correct form and is signed by the required number of registered voters. The City Secretary will present the petition, along with his or her findings, to the City Council. The City Council will determine the validity of the petition, and act thereon accordingly. If the City Council determines that the petition is valid, it shall become the duty of the City Council at the next Regular City Council Meeting for which public notice can be posted in accordance with the law, to pass and adopt such ordinance or resolution without alteration as to meaning or effect, or to call a special election to be held on the next uniform election date for which full compliance with applicable State of Texas Election Laws is possible.

PROPOSITION 18

Sec. 8.05. Form of Ballots.

The ballots used when voting upon such proposed and referred ordinances, resolutions, or measures, shall set forth their nature sufficiently to identify them and shall set forth upon separate lines the words:

FOR

AGAINST

Or languages provided in the State of Texas Election Code

PROPOSITION 19

Sec. 10.05. Public Hearing on Budget.

The City Council shall fix the time and place for a public hearing on the budget and shall cause to be published in a newspaper of general circulation of the City of Fredericksburg a notice of the hearing in compliance with Chapter 102 of the Texas Local Government Code, as now or hereafter amended. All interested persons shall be given an opportunity to be heard for or against any item or the amount of any item therein contained.

PROPOSITION 20

Sec. 10.18. Enterprise Fund Usage.

The City of Fredericksburg shall not use proceeds or reserves from an Enterprise Fund (including but not limited to the Electric, Water and Sewer, Solid Waste and Drainage Funds) except for expenditures within the purpose of the fund, unless approved by the voters in elections that specify the amount and the money from which Enterprise Funds will be withdrawn.

PROPOSITION 21

Sec. 11.06. Consent of Property Owners.

Section 11.06 proposed to be removed and recommended updating Ordinances including Right-Of-Way and Franchise Agreements.

PROPOSITION 22

Sec. 12.02. Conflict of Interest.

Any City Officer, appointee, or employee who has a conflict of interest as defined by Chapter 176, Texas Local Government Code, as now or hereafter amended or by the City Ethics Ordinance then in effect shall disclose that interest as required by law and refrain from voting upon or otherwise deliberating upon or participating in his or her capacity as a City Officer, appointee, or employee in such matter that is the subject of conflict of interest. Any City Officer, appointee, or employee who conceals such a substantial financial interest or violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit his or her office or position.

PROPOSITION 23

Sec. 12.17. Grammatical Construction.

- (a) Whenever in this Charter the singular is used, the plural shall be included; whenever the masculine gender is used and the feminine shall be included.

COMMITTEE OBJECTIVE

To judiciously recommend charter revisions that comply with State Law and value added in both governing, as well as operating the City.

Respecting the preservation of the Heritage and History of the Founding Members of our Community.

GUIDING VALUES

The following values guided the Committee's deliberation on each potential charter revision:

- Ensure in compliance with State Law
- Advancing public accountability
- Improving operational efficiency

INTRODUCTION

The Committee considered potential Charter changes during 6 months that resulted in 23 proposed Charter Propositions outlined in this Report.

Recognizing that the Committee's role is purely advisory to the City Council, we tried to make our work value added by focusing heavily on discovery or research component for each item under consideration. This Report provides the City Council with both a strong trends and legislative required changes. Additionally, we laid out the pros and cons debates that occurred for each item to give the City Council a road map of the community perspectives that were discussed.

By following the discovery-discussion-decision-making process, the Committee had a significant number of unanimous decisions to both propose-and as frequently, not propose- specific charter amendments.

Following the 3 D Process: DISCOVERY>DISCUSSION>DECISION

Each potential charter revision was put through a rigorous process of discovery, discussion, and decision-making. A great deal of effort was front-loaded in the discovery or research element of the 3 D's to identify conflicts with State Law and best practices. Diverse resources were tapped including, but not limited to:

- Texas Home Rule Charters, considered the quintessential guide to model Texas City Charters, written by Terrell Blodgett and published by Texas Municipal League in 1994 and updated again in 2010.
- 2023 Legislative 88th Regular Session and Second Called Session
- Numerous inputs from City Staff, State of Texas Election Code, as well as gaining local historical perspective from past charter committee chairs, City Attorney, and the public.

COMMITTEE TIMELINE

DATE	WORK TO ACCOMPLISH
July 5, 2023	• Mayor & City Council creates Charter Review Committee (Ad Hoc) by adopting a Resolution • Mayor & City Council make Committee Appointments
July 28, 2023	• Provide training to Committee Members • Select meeting date and time
August – December	• Discovery: Research on Best Practices & Review • Discussion • Complete Preliminary Recommendations and Proposed Propositions
January 2024	• Draft Report • Committee hold a public hearing to receive citizen input • Prepare Proposed Ballot Language • Committee present the Final Report to the City Council
February 6, 2024	• City Council adopt an Ordinance calling the Special Election for May 4, 2024 (including Charter Amendment Propositions) • Publicly Promote City Charter Revision
May 4, 2024	• Election Day

PROPOSITION #1:

CURRENT LANGUAGE

Sec. 1.02. Boundaries.

The boundaries of the City of Fredericksburg shall be the same as have heretofore been established and as they existed on the day of ratification of this charter, which boundaries are more fully set out and described by the official city map of the City of Fredericksburg.

PROPOSED LANGUAGE

Sec. 1.02 Boundaries

The boundaries of the City of Fredericksburg may be enlarged or extended by the annexation of additional territory by any methods described in the State of Texas Local Government Code and boundaries in the Official City Map of the City of Fredericksburg, as now or hereafter amended.

Background

The Charter Review Committee felt this section needed to be brought into compliance with current State Law.

PROPOSITION #2:

CURRENT LANGUAGE

Sec. 1.04. Contraction of Boundaries.

Whenever there exists within the corporate limits of the City of Fredericksburg adjoining the other boundaries thereof any territory not suitable or necessary for orderly planning and development of the city, the city council may, if uninhabited, or if the same be inhabited, upon a petition signed by a majority of the qualified voters residing in such territory, by ordinance duly passed, deannex such property as a part of said city; and from and after the entry of such ordinance said territory shall cease to be a part of said city.

PROPOSED LANGUAGE

Sec. 1.04. Contraction of Boundaries.

Territory within the corporate limits of the City of Fredericksburg may be disannexed by any methods described in the Texas Local Government Code, as now or hereafter amended.

Background

The Charter Review Committee felt the original wording was confusing and was not in line with current State Law.

PROPOSITION #3:

CURRENT LANGUAGE

Sec. 2.02. Eminent Domain.

The City shall have the full power and right to exercise the power of eminent domain where necessary or desirable to carry out any of the powers conferred upon it by this Charter or by the Constitution and Laws of the State of Texas. The City may exercise the power of eminent domain in any manner authorized or permitted by the State of Texas Constitution and laws of the state. The power of eminent domain hereby conferred shall include the right of the City to take the fee in land so condemned and such power and authority shall include the right to condemn public property for such purposes. The City shall have and possess the power of condemnation for any municipal or public purposes even though not specifically enumerated in this Charter.

PROPOSED LANGUAGE

Sec. 2.02. Eminent Domain.

The City shall have the full power and right to exercise the power of eminent domain where necessary or desirable to carry out any of the powers conferred upon it by this Charter or by the Constitution and Laws of the State of Texas. The power of eminent domain hereby conferred shall include the right of the City to take the fee in land so condemned and such power and authority shall include the right to condemn public property for such purposes. The City shall have and possess the power of condemnation for any municipal or public purposes even though not specifically enumerated in this Charter

Background

The Charter Review Committee felt that the second sentence (The City may exercise the power of eminent domain in any manner authorized or permitted by the State of Texas Constitution and laws of the state) was a repeat of the first sentence.

PROPOSITION #4:

CURRENT LANGUAGE

Sec. 3.01. Number, Selection and Term.

Councilmembers and shall be known as the "City Council of the City of Fredericksburg." The Mayor and Councilmembers shall be elected from the City at Large. The term for the Mayor and Councilmembers shall be two years. Each member of the City Council shall serve until his or her successor is elected and qualified. The Mayor or Councilmembers may be elected to an unlimited number of terms, but to no more than four consecutive terms, in the same office.

The terms of the Councilmembers shall be staggered so that two (2) members will be elected to a regular term each year. All elections shall be held in the manner provided in Article VI of this Charter. Regular terms of office shall commence on May 15th of each year.

PROPOSED LANGUAGE

Sec. 3.01. Number, Selection and Term.

The Mayor and Councilmembers shall be known as the "City Council of the City of Fredericksburg." The Mayor and Councilmembers shall be elected from the City at Large. The term for the Mayor and Councilmembers shall be two years. Each member of the City Council shall serve until his or her successor is elected and qualified. The Mayor or Councilmembers may be elected to an unlimited number of terms, but to no more than four consecutive terms, in the same office.

The terms of the Councilmembers shall be staggered so that two (2) members will be elected to a regular term each year. All elections shall be held in the manner provided in Article VI of this Charter. Regular terms of office shall commence in accordance with the Election Code.

Background

The State of Texas Election Code provides deadlines, and the current terms of office are in conflict with the Official Canvass Period. Normally the Official Canvass of the Election is held, and the Candidates are issued a Certificate of Election, and the Candidate takes the Oath they are supposed to take office. The Charter requirement of the May 15th term created a delay or a rush in the process.

PROPOSITION #5:

CURRENT LANGUAGE

Sec. 3.02. Qualifications.

Each member of the City Council shall be eligible to be a candidate for public elective office in the State of Texas, a qualified voter of the State of Texas, a resident citizen of the City of Fredericksburg and shall have been such resident citizen of the City of Fredericksburg for a period of not less than twelve months immediately preceding his or her election, and shall not be indebted to the City of Fredericksburg provided, however, that any person with the above qualifications, except as the residence, who shall have been a resident for a period of not less than twelve months immediately preceding his or her election of any of the territory not formerly within the corporate limits of said City, but which is annexed under the provisions of this Charter, shall be eligible for said office. If any Councilmember fails to maintain the foregoing qualifications, the City Council must at its next regular meeting declare a vacancy to exist and shall fill said vacancy as set forth in Section 3.07 of this Charter. If any Councilmember shall be absent from three consecutive regular meetings without valid excuse, the City Council may declare a vacancy to exist and fill said vacancy as set forth in Section 3.07 of the Charter.

PROPOSED LANGUAGE

Sec. 3.02. Qualifications.

Each member of the City Council shall be eligible to be a candidate for public elective office in the State of Texas, a qualified voter of the State of Texas, a resident citizen of the City of Fredericksburg and shall have been such resident citizen of the City of Fredericksburg for a period of not less than twelve months immediately preceding his or her election, and shall not be indebted to the City of Fredericksburg provided, however, that any person with the above qualifications, except as the residence, who shall have been a resident for a period of not less than twelve months immediately preceding his or her election of any of the territory not formerly within the corporate limits of said City, but which is annexed under the provisions of this Charter, shall be eligible for said office. If any Councilmember fails to maintain the foregoing qualifications, the City Council must at its next regular meeting declare a vacancy to exist and shall fill said vacancy as set forth in Section 3.07 of this Charter.

- b) If any Councilmember shall be absent from three consecutive regular meetings without valid excuse, the City Council may declare a vacancy to exist and fill said vacancy as set forth in Section 3.07 of the Charter.

Background

The Charter Review Committee felt this paragraph needed to be separated out.

PROPOSITION #6:

CURRENT LANGUAGE

Sec. 3.04. Compensation.

Compensation shall be set by municipal ordinance. Commencing June 1, 2017, the city council shall receive the following compensation: mayor, \$850.00 per month and each councilmember, \$550.00 per month. In addition, each shall be paid for any actual and necessary expenses incurred while in the discharge of the duties of the office, upon presentation of an itemized statement of such expense to the city council and approved by the city council. Any adjustments to salary compensation shall be by municipal ordinance. Any increase in salary compensation by ordinance shall not become effective until the date of commencement of terms of office of the councilmembers or mayor elected at the next scheduled regular election.

PROPOSED LANGUAGE

Sec. 3.04. Compensation.

Compensation shall be set by municipal ordinance. Commencing **June 1, 2024**, the city council shall receive the following compensation: mayor, **\$1,000.00** per month and each councilmember, **\$700.00** per month. In addition, each shall be paid for any actual and necessary expenses incurred while in the discharge of the duties of the office, upon presentation of an itemized statement of such expense to the city council and approved by the City Council. Any adjustments to salary compensation shall be by municipal ordinance. Any increase in salary compensation by ordinance shall not become effective until the date of commencement of terms of office of the councilmembers or mayor elected at the next scheduled regular election.

Background

The Charter Review Committee felt the need to propose an increase in the Mayor and City Council compensation since it had been 7 years since the last increase. They believe that an increase in compensation would help cover the out-of-pocket expenses and encourage others to participate.

PROPOSITION #7:

CURRENT LANGUAGE

Section 3.06 Emergency Power of Mayor.

In time of danger or emergency, the mayor may, with the consent of the city council, take command of the police and govern the city by proclamation and maintain order and enforce all laws.

PROPOSED LANGUAGE

Section 3.06 Emergency Power of Mayor.

In time of danger or emergency, the Mayor may, with the consent of the City Council, take command of the **Police Department, Fire Department, and Emergency Management** and govern the City by proclamation and maintain order and enforce all laws.

Background

The Charter Review Committee felt that other departments should be included in the command when it comes to danger or emergency.

PROPOSITION #8:

CURRENT LANGUAGE

Currently not in the Charter

PROPOSED LANGUAGE

Sec. 4.04. City Secretary

The City Manager shall employ a City Secretary who shall report to the City Manager. The City Manager shall establish his or her compensation and duties. The City Secretary shall:

- (6) Unless excused by the City Manager for good cause, attend all meetings of the City Council and keep accurate minutes of its proceedings;
- (7) Preserve and keep in order all books, papers, documents, records and files of the City;
- (8) Authenticate by signing and recording all ordinances and resolutions;
- (9) Serve as Chief Election Officer for the City and be responsible for the conduct of elections in accordance with this Charter and applicable State of Texas Laws; and
- (10) Perform such other duties as the Charter, Ordinances, or the City Manager may provide. When authorized by the City Manager and City Council, the City Secretary may appoint assistants, subject to the approval of the City Manager, who may assist in performing any of these functions.

Background

The Charter Review Committee felt that after reading the Texas Home Rule Charters by Terrell Blodgett and the role that the City Secretary has in Municipal Government, this position should be included in the Charter. The City Secretary is also the only position in Municipal Government that is required in the Local Government Code.

PROPOSITION #9:

CURRENT LANGUAGE

Sec. 6.05. Candidates Elected.

- (a) The candidate in the regular City election who receives the greatest number of votes cast for the office of Mayor shall be declared elected. In the event of a tie vote between the candidates receiving the highest number of votes cast for the office of Mayor, the City Council shall within five (5) days order a special election between the tied candidates to be held between thirty (30) and forty-five (45) days after the said election at which the tie vote was cast.
- (b) The candidates in the regular City election who receive the greatest and second greatest number of votes cast for the office of Councilmember shall be declared elected. In the event there is a tie vote between candidates so that two candidates for council member do not receive the greatest and second greatest number of votes, the city council shall within five (5) days order a special election between the tied candidates to be held between thirty (30) and forty-five (45) days after the said election at which the tie vote was cast.
- (c) The candidate in the regular city election who receives the greatest number of votes cast for the unexpired term of any office shall be declared elected. In the event of a tie vote between the candidates receiving the highest number of votes cast for such office, the city council shall within five (5) days order a special election between the tied candidates to be held between thirty (30) and forty-five (45) days after the said election at which the tie vote was cast.

PROPOSED LANGUAGE

Sec. 6.05. Candidates Elected.

- (b) The candidate in the regular City election who receives the greatest number of votes cast for the office of Mayor shall be declared elected. In the event of a tie vote between the candidates receiving the highest number of votes cast for the office of Mayor, the City Council and the City Secretary shall follow the laws and procedures provided in the State of Texas Election Code.
- (b) The candidates in the regular City election who receive the greatest and second greatest number of votes cast for the office of Councilmember shall be declared elected. In the event there is a tie vote between candidates so that two candidates for council member do not receive the greatest and second greatest number of votes, the City Secretary shall follow the laws and procedures provided in the State of Texas Election Code.

Remove item (c)

Background

The Charter Review Committee felt that the procedures and deadlines in the Election Code should be following when dealing with a tie vote. The Committee felt that removing subsection (c) since this information is provided in the Election Code.

PROPOSITION #10:

CURRENT LANGUAGE

Sec. 7.02. Petitions for Recall.

Before the question of recall of such officer shall be submitted to the qualified voters of the city, a petition demanding such question to be so submitted shall first be filed with the person performing the duties of city secretary; which said petition shall be signed by qualified voters of the city equal in number at least thirty percent (30 percent) of the number of votes cast at the last regular election of the city, but in no event less than two hundred (200) such petitioners. Each signer of such recall petition shall personally sign his name thereto in ink or indelible pencil, and shall write after his name, his place of residence, giving name of street and number of place of residence, and shall also write thereon the day, the month and year his signature was affixed.

PROPOSED LANGUAGE

Sec. 7.02. Petitions for Recall.

Before the question of recall of such Elected Official shall be submitted to the qualified voters of the City, a petition demanding such question to be so submitted shall first be filed with the person performing the duties of the City Secretary, which petition shall be signed by qualified voters of the City equal in number to at least ten percent (10%) of the total number of registered voters as of the preceding January 1. Each such recall petition and each signature thereon shall comply fully with the requirements of the Texas Election Code, as now or hereafter amended.

Background

The Charter Review Committee felt that these changes would be easier to read and calculate the number of signatures needed as well as better align with the Election Code.

PROPOSITION #11:

CURRENT LANGUAGE

Sec. 7.03. Form of Recall Petition.

Notary Public, Gillespie County

PROPOSED LANGUAGE

Sec. 7.03. Form of Recall Petition.

Notary Public, State of Texas

Background

A State Law change; Notary Public are for State of Texas and not a County.

PROPOSITION #12:

CURRENT LANGUAGE

Sec. 7.05. Presentation of Petition to City Council.

Within thirty (30) days after the date of the filing of the papers constituting the recall petition, the person performing the duties of city secretary shall verify that the petition is in the correct form and is signed by the required number of registered voters. The city secretary will present such petition, along with his findings, to the city council. The city council will determine the validity of the petition, and act on it according to the council's determination of its validity.

PROPOSED LANGUAGE

Sec. 7.05. Presentation of Petition to City Council.

Within sixty (60) days after the date of filing of the recall petition, the person performing the duties of the City Secretary shall verify that the petition is in correct form and is signed by the required number of registered voters. The City Secretary will present the petition, along with his or her findings, to the City Council. The City Council will determine the validity of the petition, and act thereon accordingly.

Background

With the changes in the law regarding verification of signatures and other requirements the thirty (30) day timeframe was not enough time to do a thorough job.

PROPOSITION #13:

CURRENT LANGUAGE

Sec. 7.06. Public Hearing to be Held.

The officer whose removal is sought may, within five (5) days after such recall petition has been presented to the City Council, request that a public hearing be held to permit him or her to present facts pertinent to the charges specified in the recall petition. In this event, the City Council shall order such public hearing to be held, not less than five (5) days nor more than fifteen (15) days after receiving such request for a public hearing.

PROPOSED LANGUAGE

Sec. 7.06. Public Hearing to be Held.

The Elected Official-whose removal is sought may, within five (5) days after such recall petition has been presented to the City Council, request that a public hearing be held to permit him or her to present facts pertinent to the charges specified in the recall petition. In this event, the City Council shall order such public hearing to be held, not less than five (5) days nor more than fifteen (15) days after receiving such request for a public hearing.

Background

With changing officer to Elected Officials, the Charter Review Committee felt that this change will clarify what the State of Texas mandated procedure is.

PROPOSITION #14:

CURRENT LANGUAGE

Sec. 7.07. Election to be Called.

If an officer whose removal is sought does not resign, then it shall become the duty of the City Council to order an election and fix a date for holding such recall election, the date of which election shall be the next uniform election date following the date of the public hearing provided that the timing permits compliance with applicable State of Texas Election Laws, otherwise, the date of the election shall be the following uniform election date.

PROPOSED LANGUAGE

Sec. 7.07. Election to be Called.

If an Elected Official whose removal is sought does not resign, then it shall become the duty of the City Council to order an election and to fix a date for holding such recall election, the date of which election shall be the next uniform election date following the date of the public hearing provided that the timing permits compliance with applicable State of Texas Election Laws, otherwise, the date of the election shall be the following uniform election date.

Background

With changing officer to Elected Officials, the Charter Review Committee felt that this change will clarify what the State of Texas mandated procedure is.

PROPOSITION #15:

CURRENT LANGUAGE

Sec. 7.09. Result of Recall Election.

If a majority of the votes cast at a recall election shall be "No," that is, against the recall of the person named on the ballot, he shall continue in office for the remainder of his unexpired term, subject to recall as before. If a majority of the votes cast at such an election be "Yes," that is, for the recall of the person named in the ballot, he shall, regardless of any technical defects in the recall petition, be deemed removed from office and the vacancy filled as provided in Section 3.07 of this charter.

PROPOSED LANGUAGE

Sec. 7.09. Result of Recall Election.

If a majority of votes cast at a recall election be “Yes” for the recall of the person named in the ballot, he or she shall be deemed removed from office, and the vacancy filled as provided in Section 3.07 of this Charter.

Background

The Charter Review Committee felt that this Section need to be brought into line with the State of Texas Laws.

PROPOSITION #16:

CURRENT LANGUAGE

Sec. 8.02. Initiative.

Registered voters of the City of Fredericksburg may initiate legislation by submitting a petition addressed to the city council which requests the submission of a proposed ordinance or resolution to a vote of the registered voters of the city. Said petition must be signed by registered voters of the city equal in number to ten percent (10%) of the number of registered voters of the City Fredericksburg or two hundred (200), whichever is greater, and each copy of the petition shall have attached to it a copy of the proposed legislation. The petition shall be signed within the same time as recall petitions are signed, in the same manner as recall petitions are signed, and shall be verified by oath and presented to the city secretary in the manner and form as recall petitions are verified and preserved as provided in this charter. The petition may consist of one or more copies as permitted for recall petitions. Such petition shall be filed with the person performing the duties of city secretary. Within thirty (30) days after the filing of such petition, the person performing the duties of city secretary verify that the petition is in the correct form and is signed by the required number of registered voters. The city secretary will present such petition and proposed ordinance or resolution, along with his findings, to the city council. The city council will determine the validity of the petition, and act on it according to the council's determination of its validity. Upon presentation to the city council of the petition and draft of the proposed ordinance or resolutions, and following the determination of the city council of its validity, it shall become the duty of the city council, within ten (10) days or at the next regular council meeting, whichever is later, after the receipt thereof, to pass and adopt such ordinance or resolution without alteration as to meaning or effect, or to call a special election, to be held on the next uniform election date provided that the timing permits compliance with applicable election laws, otherwise, the date of the election shall be the following uniform election date.

PROPOSED LANGUAGE

Sec. 8.02. Initiative.

Registered voters of the City of Fredericksburg may initiate legislation by submitting a petition addressed to the City Council which request the submission of a proposed ordinance or resolution to a vote of the registered voters of the City. Said petition must be signed by registered voters of the City equal in number to ten percent (10%) of the number of registered voters as of the preceding January 1, and each copy of the petition shall have attached to it a copy of the proposed ordinance or resolution. The petition shall be signed within the same time as recall petitions are signed, in the same manner as recall petitions are signed, and shall be verified by oath and filed with the City Secretary in the manner and form as recall petitions are presented as provided in this Charter. The petition may consist of one or more copies as permitted for recall petitions. Within sixty (60) days after the date of filing of the recall petition, the person performing the duties of the City Secretary shall verify that the petition is in correct form and is signed by the required number of registered voters. The City Secretary will present the petition, along with his or her findings, to the City Council. The City Council will determine the validity of the petition, and act thereon accordingly. If the City Council determines that the petition is

valid, it shall become the duty of the City Council at the next Regular City Council Meeting for which public notice can be posted in accordance with the law, to pass and adopt such ordinance or resolution without alteration as to meaning or effect, or to call a special election to be held on the next uniform election date for which full compliance with applicable State of Texas Election Laws is possible.

Background

The Charter Review Committee felt the need to codify with list of the registered voters would be used.

PROPOSITION #17:

CURRENT LANGUAGE

Sec. 8.03. Referendum.

Registered voters of the City of Fredericksburg may require that any ordinance or resolution, in whole or in part, with the exception of ordinances or resolutions issuing bonds (except as required by state law), levying taxes or appropriating money, passed by the city council be submitted to the voters of the city for approval or disapproval, by submitting a petition for this purpose within thirty (30) days after its publication. Said petition shall be addressed, prepared, dated, signed and verified as required for petitions initiating legislation as provided in this charter and shall be submitted to the person performing the duties of city secretary. Within thirty (30) days after the filing of such petition, the person performing the duties of city secretary shall verify that the petition is in the correct form and is signed by the required number of registered voters. The city secretary will present such petition and proposed ordinance or resolution, along with his findings, to the city council. The city council will determine the validity of the petition, and act on it according to the council's determination of its validity, and following the determination of the city council on its validity, the city council shall within ten (10) days or at the next regular council meeting, whichever is later, reconsider such ordinance or resolution, in whole or in part as stated in the petition, and if it does not entirely repeal same, shall submit it to popular vote as provided in Section 8.02 of this charter. Pending the holding of such election, such ordinance or resolution, or part thereof as stated in the petition, shall be suspended from taking effect and shall not later take effect unless a majority of the registered voters voting thereon at such election shall vote in favor thereof.

PROPOSED LANGUAGE

Sec. 8.03. Referendum.

Registered voters of the City of Fredericksburg may initiate legislation by submitting a petition addressed to the City Council which request the submission of a proposed ordinance or resolution to a vote of the registered voters of the City. Said petition must be signed by registered voters of the City equal in number to ten percent (10%) of the number of registered voters as of the preceding January 1, and each copy of the petition shall have attached to it a copy of the proposed ordinance or resolution. The petition shall be signed within the same time as recall petitions are signed, in the same manner as recall petitions are signed, and shall be verified by oath and filed with the City Secretary in the manner and form as recall petitions are presented as provided in this Charter. The petition may consist of one or more copies as permitted for recall petitions. Within sixty (60) days after the date of filing of the recall petition, the person performing the duties of the City Secretary shall verify that the petition is in correct form and is signed by the required number of registered voters. The City Secretary will present the petition, along with his or her findings, to the City Council. The City Council will determine the validity of the petition, and act thereon accordingly. If the City Council determines that the petition is valid, it shall become the duty of the City Council at the next Regular City Council Meeting for which public notice can be posted in accordance with the law, to pass and adopt such ordinance or resolution without alteration as to meaning or effect, or to call a special election to be held on the next uniform election date for which full compliance with applicable State of Texas Election Laws is possible.

Background

The Charter Review Committee felt the need to codify with list of the registered voters would be used.

PROPOSITION #18:

CURRENT LANGUAGE

Sec. 8.05. Form of Ballots.

The ballots used when voting upon such proposed and referred ordinances, resolutions, or measures, shall set forth their nature sufficiently to identify them and shall set forth upon separate lines the words:

"FOR THE ORDINANCE," and

"AGAINST THE ORDINANCE," or

"FOR THE RESOLUTION," and

"AGAINST THE RESOLUTION."

PROPOSED LANGUAGE

Sec. 8.05. Form of Ballots.

The ballots used when voting upon such proposed and referred ordinances, resolutions, or measures, shall set forth their nature sufficiently to identify them and shall set forth upon separate lines the words:

FOR

AGAINST

Or languages provided in the State of Texas Election Code

Background

The Texas Election Code provides what language is to be used on ballots.

PROPOSITION #19:

CURRENT LANGUAGE

Sec. 10.05. Public Hearing on Budget.

The city council shall fix the time and place for a public hearing on the budget and shall cause to be published in a newspaper of general circulation of the City of Fredericksburg, at least fifteen (15) days before the date of such hearing, a notice of the hearing setting forth the time and place thereof. At any time and place set forth in the notice required by this section, or at any time and place to which such public hearing shall from time to time be convened, the city council shall hold a public hearing on the budget submitted and all interested persons shall be given an opportunity to be heard for or against any item or the amount of any item therein contained.

PROPOSED LANGUAGE

Sec. 10.05. Public Hearing on Budget.

The City Council shall fix the time and place for a public hearing on the budget and shall cause to be published in a newspaper of general circulation of the City of Fredericksburg a notice of the hearing in compliance with Chapter 102 of the Texas Local Government Code, as now or hereafter amended. All interested persons shall be given an opportunity to be heard for or against any item or the amount of any item therein contained.

Background

The Charter Review Committee felt the procedure must reflect the requirements of State Law.

PROPOSITION #20:

CURRENT LANGUAGE

Sec. 10.18. Enterprise Fund Usage.

The City of Fredericksburg shall not use proceeds or reserves from an Enterprise Fund (including but not limited to the Electric, Water and Sewer, Solid Waste and Drainage Funds) except for expenditures within the purpose of the fund, unless approved by the voters in elections that specify the amount and the funds from which funds will be withdrawn.

PROPOSED LANGUAGE

Sec. 10.18. Enterprise Fund Usage.

The City of Fredericksburg shall not use proceeds or reserves from an Enterprise Fund (including but not limited to the Electric, Water and Sewer, Solid Waste and Drainage Funds) except for expenditures within the purpose of the fund, unless approved by the voters in elections that specify the amount and the money from which Enterprise Funds will be withdrawn.

Background

This change would bring this Section in compliance with the Texas Local Government Code.

PROPOSITION #21:

CURRENT LANGUAGE

Sec. 11.06. Consent of Property Owners.

The consent of abutting and adjacent property owners shall not be required for the construction, extension, maintenance, or operation of any public utility; but nothing in this charter or in any franchise granted hereunder shall ever be construed to deprive any such property owner of any right of action for damage or injury to his property as is now or hereafter may be provided by law.

PROPOSED LANGUAGE

Sec. 11.06. Consent of Property Owners.

Section 11.06 proposed to be removed and recommended updating Ordinances including Right-Of-Way and Franchise Agreements.

Background

The Charter Review Committee felt the more appropriate place would be best regulated in Ordinances and in individual written Franchise Agreements.

PROPOSITION #22:

CURRENT LANGUAGE

Sec. 12.02. Personal Financial Interest.

- (a) Any city officer, appointee, or employee who has a substantial financial interest, direct or indirect, or by reason of ownership of stock in any corporation, in any contract with the city or in the sale of land, material, supplies, or services to the city or to a contract supplying the city shall make known that interest to the city council and refrain from voting upon or otherwise participating in his capacity as a city officer, appointee, or employee in the making of such sale or in the making or performance of such contract. Any city officer, appointee, or employee who conceals such a substantial financial interest or violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit his office or position. Violation of this section with the knowledge, express or implied, of the person or corporation contracting with or making sale to the city shall render the contract or sale voidable.
- (b) Where ownership of stock in corporation is involved, such stock ownership in an amount in excess of ten (10) percent of the stock of such corporation shall constitute substantial financial interest.

PROPOSED LANGUAGE

Sec. 12.02. Conflict of Interest.

Any City Officer, appointee, or employee who has a conflict of interest as defined by Chapter 176, Texas Local Government Code, as now or hereafter amended or by the City Ethics Ordinance then in effect shall disclose that interest as required by law and refrain from voting upon or otherwise deliberating upon or participating in his or her capacity as a City Officer, appointee, or employee in such matter that is the subject of conflict of interest. Any City Officer, appointee, or employee who conceals such a substantial financial interest or violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit his or her office or position.

Background

The Charter Review Committee felt that this Section must be brought into compliance with State Law and the City of Fredericksburg's Ethics Ordinance

PROPOSITION #23:

CURRENT LANGUAGE

Sec. 12.17. Grammatical Construction.

- (a) Whenever in this Charter the singular is used, the plural shall be included; whenever the masculine gender is used the feminine and neuter shall be included.

PROPOSED LANGUAGE

Sec. 12.17. Grammatical Construction.

- (a) Whenever in this Charter the singular is used, the plural shall be included; whenever the masculine gender is used and the feminine shall be included.

Background

The Committee felt this change would be in line with current grammatical construction.



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Manager

TO: Mayor & City Council Members

FROM: Garret Bonn, Assistant City Manager

MEETING DATE: January 16, 2024

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider an Agreement with Gillespie County Historical Society Relating to Public Restrooms at the Pioneer Museum and Operations and Maintenance of the Vereins Kirche (Garret Bonn, Asst. City Manager)

PRESENTATION:

SUMMARY:

Consideration and possible action relating to an agreement between the Gillespie County Historical Society and the City of Fredericksburg as it relates to the Pioneer Museum and Vereins Kirche.

BACKGROUND: On May 25, 2005, the City of Fredericksburg and the Gillespie County Historical Society (GCHS) entered into a land exchange/lease agreement for the property at 325 W. Main St., which is now owned by GCHS. As part of the agreement, the City included special provisions relating to the operation of a public restroom in the Besier Haus which is located at the southwest corner of Milam and Main. The current agreement expired in May of 2020 but GCHS has continued to operate the public restroom at an estimated cost of \$738/month (janitorial service, paper goods, insurance, staffing).

With continued improvements to the Pioneer Museum Complex and recent development in the area, public restroom facilities serve a much-needed purpose for the community and visitors alike, so over the course of the past few months, the City has been working with GCHS on terms for a new agreement. GCHS also currently operates and maintains a museum in the Vereins Kirche (VK) at an estimated cost of \$500/month (security, insurance, janitorial service, routine maintenance), so provisions have also been included to formalize responsibilities relating to that facility.

The attached agreement has been prepared by the City Attorney. Under the terms of the agreement, if approved, the City will:

- Provide GCHS the sum of \$738/month and \$500/month for expenses associated with the operation and maintenance of public restrooms within the historic Dambach-Besier House and the VK Museum, respectively.
- For the period from May 31, 2020 to present, the City will reimburse GCHS for the operation and maintenance of public restrooms (\$738/month).

The initial term of the agreement is two years and the agreement shall automatically renew for consecutive two-year terms unless terminated earlier as per the provisions of the agreement.

FUNDING SOURCE: HOT Funds

FINANCIAL IMPACT:
\$14,856 (Annually)

STAFF RECOMMENDATION:

GCHS and the City have a long-standing relationship that benefits both the community and visitors alike, so staff recommends approval of the agreement as prepared by the City Attorney.

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Family Life Vision

ATTACHMENTS:

1. Facility Agreement

APPROVAL/REVIEW:



Krista Wareham, Director of Finance

Date: January 09, 2024

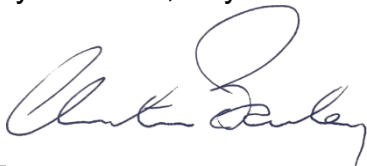
William McKamie, City Attorney

Date: January 09, 2024



Shelley Goodwin, City Secretary

Date: January 09, 2024



Clinton Bailey, City Manager

Date: January 11, 2024

FACILITY AGREEMENT

This Facility Agreement (the "Agreement") is made and entered into on this _____ of _____, 2023 by and between the City of Fredericksburg, Texas ("City"), and the Gillespie County Historical Society ("GCHS").

WHEREAS, the City of Fredericksburg seeks to continue to provide convenient public restroom facilities at the Dambach-Besier House at the Pioneer Museum, Gillespie County Historical Society for the benefit of City residents and visitors; and

WHEREAS, GCHS is a non-profit organization dedicated to supporting and preserving the history of Fredericksburg and Gillespie County; and

WHEREAS, the City and the GCHS desire to collaborate to provide public restroom facilities in downtown Fredericksburg to support common goals and objectives related to historic preservation and visitor support;

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the City and the GCHS agree as follows:

1. Purpose: The purpose of this Agreement is to establish a cooperative relationship between the City and the GCHS to provide public restroom facilities in downtown Fredericksburg for the benefit of the community and visitors to the City of Fredericksburg and Gillespie County.

2. Roles and Responsibilities:

2.1 City's Responsibilities:

- a. For so long as City requests GCHS to provide public restrooms under this Agreement, provide to GCHS the sum of Seven Hundred Thirty-Eight and no/100 Dollars (\$738.00) per month for expenses associated with the operation and maintenance of public restrooms within the historic Dambach-Besier House.
- b. For the period May 31, 2020 to present, The City shall reimburse GCHS for the operation and maintenance of public restrooms.
- c. Grant GCHS the sum of Five Hundred and no/100 Dollars (\$500) per month for continued operation of the Vereins Kirche Museum at 100 W. Main Street, Fredericksburg Texas., such funds to be provided from the first month following execution of this Agreement through September 2024, such funds to be provided from the City Hotel Occupancy Tax funds for fiscal year 2023-2024.
- d. For so long as this Agreement is in effect:

- 1) the Vereins Kirche Museum shall be entitled to use City-provided Wi-Fi for no charge; and
 - 2) The City will continue to maintain landscaping around the Vereins Kirche Museum.
- e. Provide appropriate directional and informational signage indicating the days and hours of availability of the public restroom facilities.
 - f. Collaborate with the GCHS in the planning and development of mutually beneficial programs and projects.

2.2 GCHS's Responsibilities:

- a. Continue to provide, maintain and operate public restrooms at the Dambach-Besier House. Such restrooms shall be open for public use during hours that correspond to the Pioneer Museum's operating hours.
- b. Collaborate with the City in identifying priority areas for development and enhancement of mutually beneficial programs and projects.

3. Accountability:

- a. Both parties shall act in good faith and exercise due diligence in fulfilling their respective responsibilities.
- b. City and GCHS shall address any disputes through open communication and mutual understanding.

4. Term and Termination:

4.1 Term: This Agreement shall commence on the Effective Date and shall remain in effect for Two (2) years unless terminated earlier as per the provisions of this Agreement. This Agreement shall automatically renew for consecutive two (2) year terms unless terminated earlier as per the provisions of this Agreement.

4.2 Termination: Either party may terminate this Agreement by providing sixty (60) days' written notice to the other party. Termination shall not affect ongoing projects, which shall be completed as agreed upon.

5. Amendments:

Any amendments to this Agreement shall be made in writing and signed by both parties.

6. Governing Law:

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. Venue for any disputes arising hereunder shall lie in Gillespie County, Texas.

IN WITNESS WHEREOF, the parties hereto have executed this Facility Partnership Agreement as of the Effective Date.

City of Fredericksburg, Texas

Gillespie County Historic Society

Clinton Bailey, City Manager

Monte Marshall, Executive Director



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: January 16, 2024

CATEGORY: CITY MANAGER'S REPORT

CAPTION: City Manager Update

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision
Family Life Vision
Quality of Life Vision

ATTACHMENTS:

None

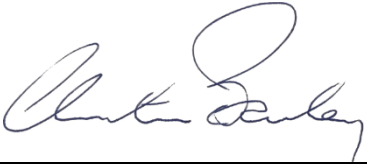
APPROVAL/REVIEW:

William McKamie, City Attorney

Date: January 01, 2024

Shelley Goodwin, City Secretary

Date: January 02, 2024

A handwritten signature in blue ink, appearing to read "Clinton Bailey", written over a horizontal line.

Clinton Bailey, City Manager

Date: January 11, 2024

City Council Regular Meeting February 6, 2024

2023-105	City Council Minutes January 16, 2024 Regular Meeting	Consent - Approve	Shelley Goodwin	City Secretary
2024-	Calling the General Election – May 4, 2024 (Ballot language, appointing judges, setting pay, setting voting hours)	Approve – Ordinance	Shelley Goodwin	City Secretary
2024-	Calling the Special Election and providing ballot language for Charter Propositions	Approve – Ordinance	Shelley Goodwin	City Secretary
2023-471	Adopt fees for the John William Klein Meeting room	Approve - Ordinance	Andrea Schmidt	Parks and Recreation
2023-342	Approve new pavilion, Tatsch House, & other recreational fees for 2024	Approve – Ordinance	Andrea Schmidt	Parks and Recreation
	Consider an agreement with FBG Friends of the Fields Relating to a soccer complex at Oak Crest Park.	Approve	Garret Bonn	Asst. City Manager
	Consider a resolution of support for Arx Advantage relating to rehabilitation of Fredericksburg Senior Apartments	Resolution	Garret Bonn	Asst. City Manager

Future Agenda Items

2023-487	Consider a Request from the Fredericksburg Independent School District (FISD) For Vacation and Abandonment of Public Right of Way in the Vicinity of the New Middle School Campus	Approve	Garret Bonn	Asst. City Manager
2023-341	Approve new fees for pool parties based on new pay rates for lifeguards (Spring 2024)	Approve - Ordinance	Andrea Schmidt	Parks and Recreation

2023-556	Consider approving a bid for renovations at the Pioneer Pavilion to include roof replacement and wall repairs	Approve	Andrea Schmidt	Parks and Recreation
	Fiber Optic	Discuss and Approve	Eric Whiting	IT Department
2023-656	Consider Texas Historical Commission possible management of Fort Martin Scott (Dec/Jan 2024)	Approve	Andrea Schmidt	Parks and Recreation
2023-638	Request #Z-2309: By Thomas Mackie, Sarah Dak, Raul Rodriguez and Austin Rodriguez to consider the following: A To change the Land Use from Low Density Residential (LDR) to Medium Density Residential (MDR) for properties located at 107, 109, 111, and 113 Shaw Avenue. B. To change the Zoning from R1, Single Family Residential to R2, Mixed Residential for properties located at 107, 109, 111, and 113 Shaw Avenue. i. Presentation by the applicant ii. Staff Report iii. Hold a Public Hearing to receive comments for or against the request iv. Take action on the Conditional Use Permit request	Approve	Anna Hudson	Development Services
2023-639	Request #Z-2323: By Emmett Gold to consider a Conditional Use Permit per Section 3.220 of the Zoning Ordinance, to operate a Hotel/Motel in a CBD zoned area located at 108 E Ufer Street. i. Presentation by the applicant ii. Staff Report iii. Hold a Public Hearing to receive comments for or against the request iv. Take action on the Conditional Use Permit request	Approve	Anna Hudson	Development Services
2023-638	Request #Z-2309: By Thomas Mackie, Sarah Dak, Raul Rodriguez and Austin Rodriguez to consider the following:	Approve	Anna Hudson	Development Services

- A To change the Land Use from Low Density Residential (LDR) to Medium Density Residential (MDR) for properties located at 107, 109, 111, and 113 Shaw Avenue.
- B. To change the Zoning from R1, Single Family Residential to R2, Mixed Residential for properties located at 107, 109, 111, and 113 Shaw Avenue.
 - i. Presentation by the applicant
 - ii. Staff Report
 - iii. Hold a Public Hearing to receive comments for or against the request
 - iv. Take action on the Conditional Use Permit request

Upcoming City Council Meetings

February 6, 2024 – City Council Regular Meeting at 9:00 a.m. at the Law Enforcement Center

February 20, 2024 – City Council Regular Meeting at 9:00 a.m. at the Law Enforcement Center

Joint Meeting with Planning and Zoning Commission – to be scheduled for February 2024

Work Session to discuss potential Ordinances.

Special Meeting for Annexation Hearing