

CITY OF FREDERICKSBURG CITY COUNCIL MEETING

MONDAY, APRIL 15, 2013 ~ 7:00 p.m.

Law Enforcement Center ~ 1601 East Main Street

Jeryl Hoover, Mayor
Tim Dooley, Council Member
Graham Pearson, Council Member

Scott Jones, Council Member
Kathy Sanford, Council Member
Kent Myers, City Manager

(REQUEST ALL PAGERS AND PHONES BE TURNED OFF, EXCEPT EMERGENCY ON-CALL PERSONNEL.)

A G E N D A

CALL TO ORDER.

PLEDGE OF ALLEGIANCE.

Page Ref.

1. **CONSENT AGENDA** - All items listed below are considered to be routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a council member or citizen so requests, in which case the item will be removed from the consent agenda and considered as part of the normal order of business.
 - A. Consider Taxi Permit for Majesty Tours - K K Welch. 1-5
2. **PUBLIC HEARINGS** - To hear comments on the following:
 - A. Public Hearing (Z-1305) by Cyntergy on behalf of Wal-Mart at 1435 E. Main for an amendment to the Planned Unit Development to paint building exterior new color scheme and to replace existing signs. 6-13
 - B. Public Hearing (Z-1306) by Whataburger Restaurants, LLC, for a Conditional Use Permit to allow a drive through facility associated with a fast food restaurant in the C-2 Commercial Zoning District at 1301 E. Main St. 14-25
3. **ORDINANCES - RESOLUTIONS- ACTION ITEMS**
 - A. Receive recommendation and consider adopting an ordinance on Request Z-1305 (Wal-Mart).
 - B. Receive recommendation and consider Z-1306 (Whataburger).
 - C. Ordinance Designating Authority of Traffic Engineer for Establishing Certain Traffic Control Regulations. 26-37
4. **INDIVIDUAL ITEMS FOR CONSIDERATION AND POSSIBLE ACTION**
 - A. Consider request for closure of Adams St. during Fredericksburg Crawfish Festival. 38-41

5. **CITY MANAGER'S REPORT**

- A. Mid-Year Budget Review
- B. Joint City Council/County Commissioner Meeting-Action Items
- C. Installation of New Water Meters
- D. Relocation of Chamber Offices

6. **ITEMS FOR FUTURE AGENDAS**

7. **PUBLIC COMMENTS** - This time is for citizens to address the City Council on issues and items of concern not on this agenda. There will be no City Council action at this time.

8. **COUNCIL COMMENTS** - No discussion or action may take place.

9. **EXECUTIVE SESSION** - Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).

A. Executive Session - Real Property - Consider sale of land.

10. **RECONVENE INTO OPEN SESSION AND TAKE ANY ACTION NECESSARY RESULTING FROM EXECUTIVE SESSION**

11. **ADJOURNMENT**



CITY COUNCIL MEMO

DATE: April 5, 2013
TO: City Council
FROM: Shelley Britton, City Secretary
SUBJECT: Taxi Permit - Majesty Tours LLC

Summary:

Application for a Taxi Permit has been received from Kasia and Kelly Welch (Majesty Tours LLC) to provide wine tours.

Recommendation:

It is recommended that this request be approved.

Background / Analysis:

According to the City Ordinance, applicants are required to make application to City Council, which shall determine whether granting the application will service public "convenience and necessity". The insurance requirements have been met. There are currently four wine tour services licensed.

①

The City of Fredericksburg

CITY OF FREDERICKSBURG
APPLICATION FOR ANNUAL PERMIT FOR TAXI SERVICE

PERMIT FEE PAID: _____

1. BUSINESS NAME: Majesty Tours LLC

2. NAME & ADDRESS OF APPLICANT: KK WELCH
1012 Prickly Pear Court
Fbg 78624

3. TYPE OF BUSINESS (CORPORATION, PARTNERSHIP, ETC.): LLC - partnership
(IF NOT AN INDIVIDUAL, ATTACH A COPY OF DOCUMENTS ESTABLISHING THE BUSINESS)

4. LIST INDIVIDUALS HAVING INTEREST IN THE BUSINESS:

A. NAME Kasia Welch
ADDRESS 1012 Prickly Pear Court, Fbg. TX 78624
CITIZENSHIP USA

B. NAME Kelly Welch
ADDRESS 1527 Lorton Loop Rk, TX. 78665
CITIZENSHIP USA

5. LIST DRIVER'S LICENSE AND SOCIAL SECURITY NUMBER OF TAXI DRIVERS:

A. NAME: KK Welch DL# 08309119 SS# 
B. NAME: Kelly Welch DL# 13959944 SS# 

6. STATEMENT OR EVIDENCE OF OWNERSHIP OF ALL TAXI'S EQUIPMENT SUBMITTED:

7. DESCRIBE PAST BUSINESS EXPERIENCE OF APPLICANT, PARTICULARLY IN PROVIDING PASSENGER TRANSPORTATION SERVICES:

22 years management experience in STATE & 24 year Retail ^{management experience}

8. DESCRIBE ANY REVOCATION OR SUSPENSION OF A PERMIT HELD BY APPLICANT OR BUSINESS BEFORE THE DATE OF FILING THE APPLICATION:

N/A

9. GIVE NUMBER AND DESCRIPTION OF TAXI: 450 Ford Odyssey ²⁰⁰⁹

10. DESCRIBE SERVICES TO BE OFFERED: Wine TOURS

11. LOCATION OF FIXED FACILITIES: _____

12. INSURANCE

A. TYPE: COMPREHENSIVE GENERAL (PUBLIC) LIABILITY

B. AMOUNT: \$300,000.00 (COMBINED SINGLE LIMIT FOR BODILY INJURY & PROPERTY DAMAGE PER OCCURRENCE)

C. INCLUDES:

- ☒ PREMISES/OPERATIONS
- ☒ INDEPENDENT CONTRACTORS
- ☒ PERSONAL INJURY
- ☒ PRODUCTS/COMPLETED OPERATIONS
- ☒ CONTRACTUAL LIABILITY
- ☒ OPERATION OF TAXI
- ☒ CITY NAMED A ADDITIONAL INSURED
- ☒ WAIVER OF SUBROGATION
- ☒ THIRTY (30) DAYS ADVANCE NOTICE, IN WRITING, OF CANCELLATION OR MATERIAL CHANGE

D. FEE PAID: _____ DATE: _____

13. I HAVE READ A COPY OF THE ORDINANCE AND AGREE TO ABIDE BY ITS TERMS:

SIGNATURE OF APPLICANT: _____

THE STATE OF TEXAS X
 X
COUNTY OF ~~GILLESPIE~~ X
 Travis

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 2nd DAY OF April, 2013,
BY Kelly J Welch and Kasra K Welch

 YUSSEF HABIB
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 8/31/15

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS
COMMISSION EXPIRES: 8/31/15
Yussef Habib
PRINTED NAME OF NOTARY

APPROVAL OF CITY COUNCIL: _____ DATE: _____

EXPIRATION DATE OF PERMIT: _____

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697



John Steen
Secretary of State

Office of the Secretary of State

CERTIFICATE OF FILING OF

Majesty Tours, LLC
File Number: 801753141

The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Limited Liability Company (LLC) has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 03/19/2013

Effective: 03/19/2013



A handwritten signature in black ink, appearing to read "John Steen".

John Steen
Secretary of State

4

Come visit us on the internet at <http://www.sos.state.tx.us/>

Phone: (512) 463-5555
Prepared by: Delores Moore

Fax: (512) 463-5709
TID: 10306

Dial: 7-1-1 for Relay Services
Document: 471910630002



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/05/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Parks Group, Inc. PO Box 1670 Arlington TX 76004		CONTACT NAME: Mary Gunn PHONE (A/C, No, Ext): 817-608-0150 FAX (A/C, No): 817-608-0152 E-MAIL ADDRESS: mary@parksgruop.com	
INSURED Majesty Tours, LLC 612 Prickly Pear Fredericksburg TX 78624		INSURER(S) AFFORDING COVERAGE INSURER A: Maxum Indemnity Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR	Y	BDG3001642-01	04/05/2013	04/05/2014	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Eg occurrence) \$ Not Covered					
	MED EXP (Any one person) \$ Not Covered					
	PERSONAL & ADV INJURY \$ 1,000,000					
	GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LDC					GENERAL AGGREGATE \$ 2,000,000
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS					PRODUCTS - COMP/OP AGG \$ Included
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$ ☐					COMBINED SINGLE LIMIT (Eg accident) \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ☐ Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/ MEMBER EXCLUDED? (Mandatory in NH) ☐ N/A If yes, describe under DESCRIPTION OF OPERATIONS below					BODILY INJURY (Per person) \$
						BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
						EACH OCCURRENCE \$
						AGGREGATE \$
						WC STATU-TORY LIMITS ☐ OTH-ER ☐
						E.L. EACH ACCIDENT \$
						E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

THE POLICY IS ENDORSED WITH FORM CG 2012 (07/98) ATTACHED.

CERTIFICATE HOLDER**CANCELLATION**THE CITY OF FREDERICKSBURG
1265 WEST MAIN STREET

Fredericksburg

TX 78624

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Law S. Parks



CITY COUNCIL MEMO

DATE: April 8, 2013

TO: Mayor and City Council

FROM: Brian Jordan, AICP

SUBJECT: Amendment to the Planned Unit Development Zoning for Walmart to change exterior paint colors and replace signage (Z-1305).

Summary:

The applicant (Cyntergy AEC) representing WalMart Stores is proposing to change the paint colors and replace the signage at the local store. This property is covered by a PUD zoning district that was approved in June, 2004. In such plan, there was a specific paint color scheme and a specific list of sign types and sizes. While this scheme has served them well over the years, the proposed changes are intended to reflect their new branding colors and signs (the attached elevations compare the existing and proposed store).

Recommendation:

The Planning and Zoning Commission voted unanimously to recommend approval of the PUD amendment, conditioned upon submittal of a current title search. Staff concurs with Commission's recommendation. Three letters were received in support and none in opposition.

The City of Fredericksburg

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

Background / Analysis:

The colors will remain earth tones. Regarding the signs, the overall square footage and number will be reduced. The overall square footage is being reduced by approximately 365 square feet, from 1,132 sf to 767sf.

The City of Fredericksburg

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PROPOSED ELEVATIONS

P83

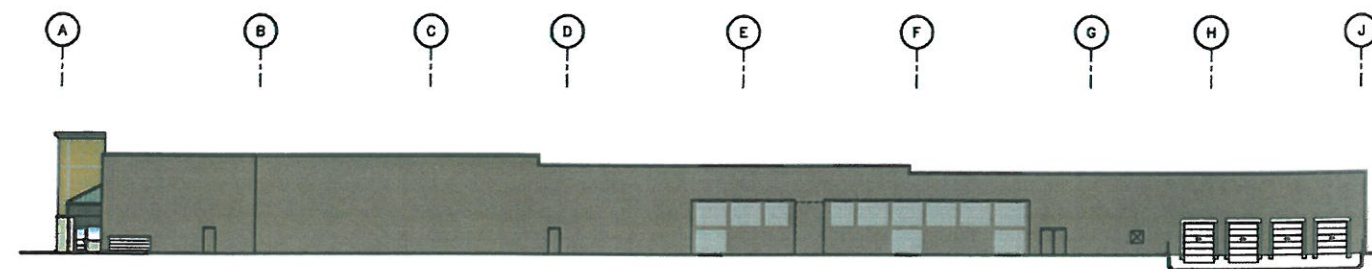
BRAND WALL

P94

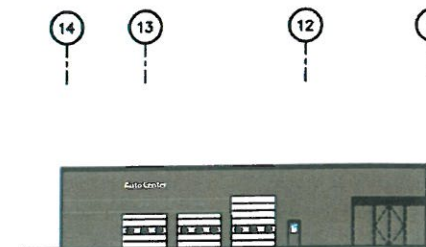
ENTRY VESTIBULE

P124

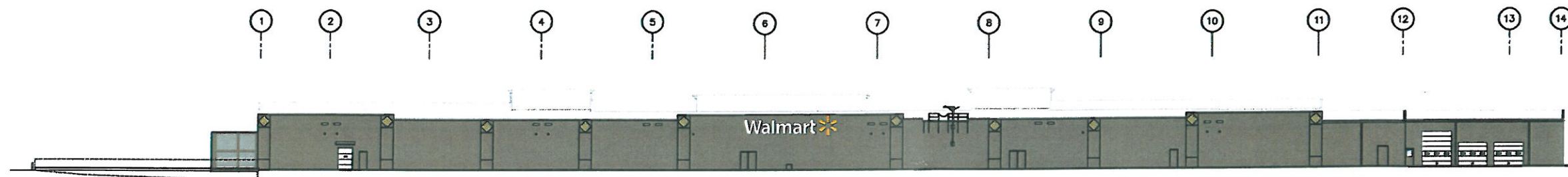
MAIN "FIELD" COLOR



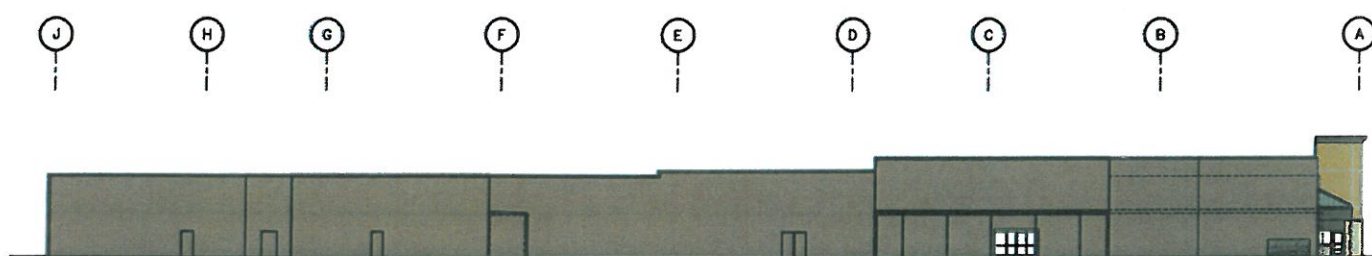
RIGHT SIDE ELEVATION



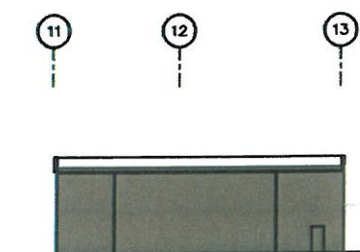
AUTO CENTER ELEVATION



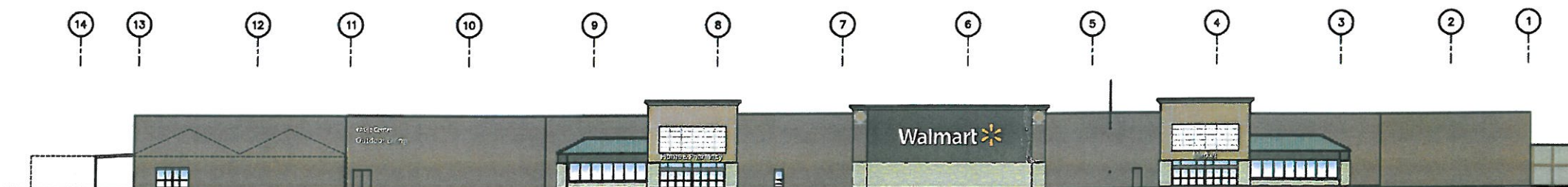
REAR ELEVATION



LEFT SIDE ELEVATION



SEASONAL SHOP REAR ELEVATION



FRONT ELEVATION

COLOR LEGEND	
P83	SW 6082 COBBLE BROWN
P94	SW 7694 EXTERIOR DROMEDARY CAMEL
P124	SW 7522 MEADOWLARK
	EXISTING STANDING SEAM ROOF DO NOT PAINT
	EXISTING STONE VENEER DO NOT PAINT

RECEIVED

MAR - 1 2013



Design presentation only - not for construction



December 06, 2012

1154 Fredricksburg, TX

PROPOSED ELEVATIONS

8

PROPOSED SIGNAGE SUMMARY					
SIGN	SIZE	COLOR	QUANTITY	SF	TOTAL SF
FRONT					
WALMART	5'-6"	WHITE	2		
SPARK	8'-0"	YELLOW	2	298.00	596.00
MARKET	2'-0"	WHITE	1	17.97	17.97
HOME & PHARMACY	2'-0"	WHITE	1	61.85	61.85
OUTDOOR LIVING	2'-0"	WHITE	1	49.47	49.47
AUTO CENTER WITH ARROW	1'-6"	WHITE	1	19.47	19.47
AUTO CENTER					
AUTO CENTER	1'-6"	WHITE	1	17.75	17.75
TIRE	1'-0"	WHITE	2	2.38	4.76
				TOTAL 767.27 SF	

RECEIVED

MAR - 1 2013



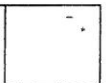
Design presentation only - not for construction



December 06, 2012

1154 Fredricksburg, TX

PROPOSED SIGNAGE SCHEDULE





Existing Monument Signs - One of two identical monument signs



Proposed Monument Signs - One of two identical monument signs

RECEIVED

MAR - 1 2013



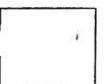
Design presentation only - not for construction



December 06, 2012

1154 Fredricksburg, TX

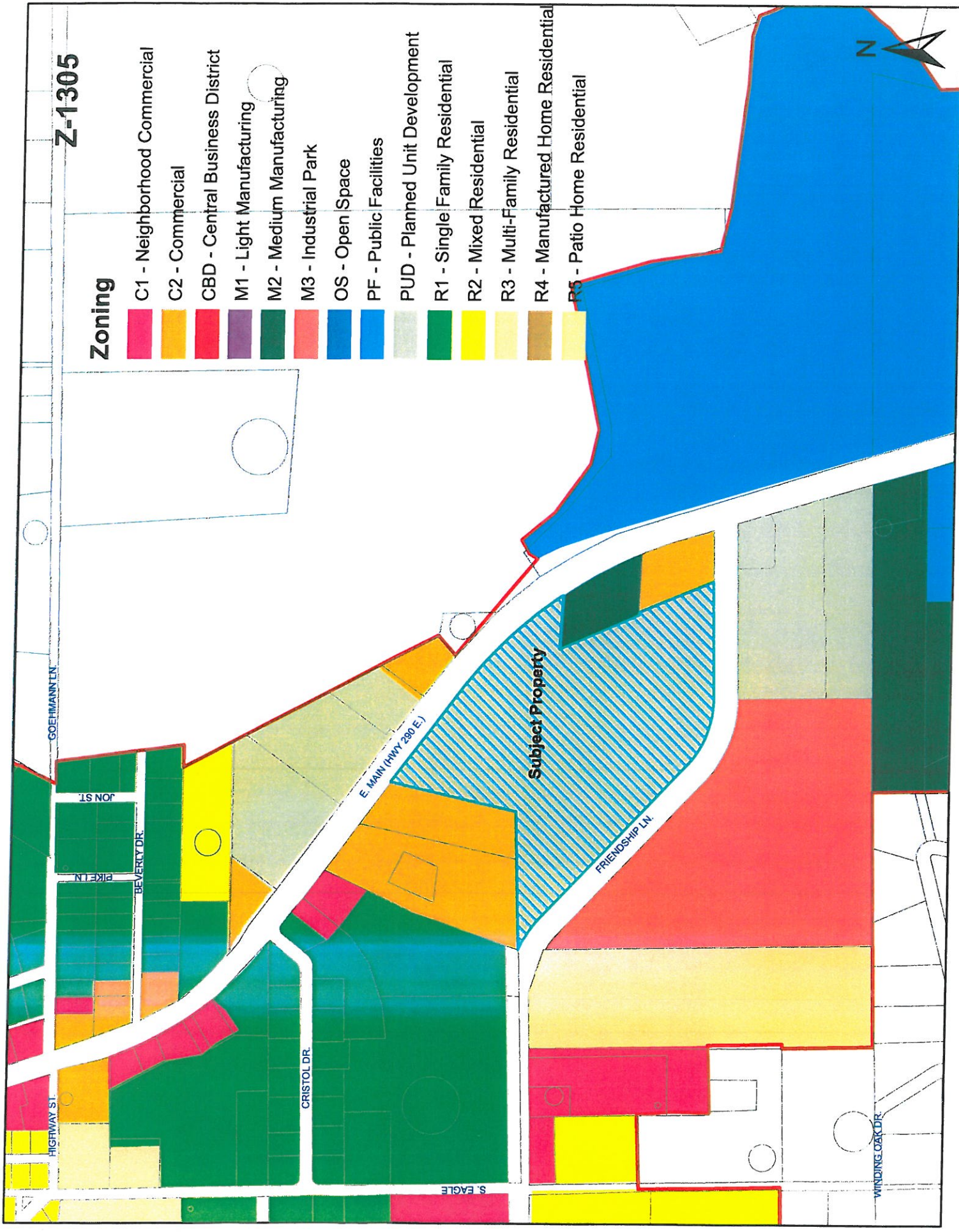
PROPOSED MONUMENT SIGNAGE



Z-1305

Zoning

- C1 - Neighborhood Commercial
- C2 - Commercial
- CBD - Central Business District
- M1 - Light Manufacturing
- M2 - Medium Manufacturing
- M3 - Industrial Park
- OS - Open Space
- PF - Public Facilities
- PUD - Planned Unit Development
- R1 - Single Family Residential
- R2 - Mixed Residential
- R3 - Multi-Family Residential
- R4 - Manufactured Home Residential
- R5 - Patio Home Residential



ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FREDERICKSBURG AND AMENDING THE ZONING CLASSIFICATION OF 23.35 ACRES OF LAND BEING ALL OF THAT CERTAIN TRACT OF LAND AS IS SHOWN ON THE PUD SITE PLAN OF THE SAME DESCRIBED IN ZONING ORDINANCE NO14-010, FROM PUD COMMERCIAL TO FIRST AMENDED PUD COMMERCIAL.

WHEREAS, an Application for Rezoning has been submitted by the owner of the property described as 23.35 acres of land, more or less being the same property as is described in Zoning Ordinance No. 14-010 to amend certain details of said PUD as is depicted on the exhibits attached hereto, specifically to change the paint colors on the exterior of the store and to change the signage to 767.27 total square feet. The present zoning classification PUD Commercial Zoning will remain the same as so amended, and

WHEREAS, the public hearings, before the Planning and Zoning Commission and the City Council of the City of Fredericksburg as required by the City of Fredericksburg's Zoning Ordinance have been duly noticed and held regarding such application, and

WHEREAS, the Planning and Zoning Commission has determined that such zoning change is in conformity with the uses established by the Comprehensive Land Use Plan of the City of Fredericksburg and is consistent with the objectives of the City of Fredericksburg's Zoning Ordinance, and has recommended to the City Council of the City of Fredericksburg, based upon positive findings under the review and evaluation criteria established by such ordinance, that the rezoning be enacted, and

WHEREAS, the City Council has specifically found, following public hearing, that such changes are consistent with the objectives of the City of Fredericksburg Zoning Ordinance and Comprehensive Land Use Plan of the City of Fredericksburg, and

WHEREAS, there has not been a protest against rezoning signed by owners of twenty per cent (20%) or more either of the area of the property included in the zoning request, or of the area of the property immediately adjoining the same and extending 200 feet (200') therefrom.

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

Section 1. The zoning ordinance of the City of Fredericksburg is hereby partially amended.

Section 2. That the zoning classification of 22.35 acres of land situated in the City of Fredericksburg, Gillespie County, Texas being all of that certain tract of land as is described in Zoning Ordinance No.14-010 dated June 21, 2004 be and is hereby changed to FIRST AMENDED PUD COMMERCIAL in accordance with the PUD plan and notes as originally adopted as Ordinance No.14-010 and as amended as shown by the elevations

sheets and plat notes attached hereto depicting the amendments to the original PUD.

Section 3. That this ordinance shall take effect from and after the date of its passage.

PASSED AND APPROVED this the 15th day of April, 2013.

Jeryl Hoover, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Britton, City Secretary

APPROVED AS TO FORM:

Pat McGowan, City Attorney



CITY COUNCIL MEMO

DATE: April 8, 2013

TO: Mayor and City Council

FROM: Brian Jordan, AICP

SUBJECT: Conditional Use Permit to allow a Drive-through facility associated with a fast food restaurant in a C-2 Commercial Zoning District (Z-1306).

Summary:

The applicant (Whataburger Restaurants, LLC) is requesting a Conditional Use Permit to allow a drive-through associated with a fast food restaurant. The property is located at 1301 E. Main Street (southwest corner of Highway St. and E. Main St.) The property is currently the location of 290 Gas Mart, consisting of fueling facilities, small store and restrooms. The site area is approximately 1.29 acres (56,031 square feet) and the proposed restaurant will contain approximately 2,996 square feet. Access into the site is proposed on E. Main Street and Highway Street, and the drive-through is located on the southern side of the proposed building.

The plan included with this CUP application is essentially the same as the plan considered in January. The main difference is the building has been redesigned (see attached elevations).

Recommendation:

The Planning and Zoning Commission voted unanimously to recommend approval of the Conditional Use Permit for the drive-through with conditions as noted in the attached staff briefing. Staff concurs

The City of Fredericksburg

with the Commission's recommendation of approval. Two letters were received in favor and none in opposition of the request.

Background / Analysis:

See attached Conditional Use Permit Brief for Z-1306

The City of Fredericksburg

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CONDITIONAL USE PERMIT BRIEF

Request Z-1306

Owner: Stroeher and Olfers Properties

Applicant: Whataburger Restaurants, LLC

Location: 1301 E. Main Street (southwest corner of E. Main Street and Highway Street)

Existing Zoning: C-2, Commercial

Request: Conditional Use Permit to allow a Drive-through facility associated with a fast food restaurant in a C-2 Commercial Zoning district.

NOTE: The plan included with this CUP application is essentially the same as the plan considered in January. The main difference is the building has been redesigned (see attached building elevations).

Site Plan Overview:

- The property is currently the location of 290 E. Gas Mart, consisting of fueling facilities, small store and restrooms.
- Whataburger intends to lease the site to construct a 2,996 square foot restaurant with drive-thru service.
- The site area is approximately 1.29 acres or 56,031 square feet.
- In addition to the new restaurant, the site will include a new concrete parking lot with approximately 47 parking spaces, two of which will be handicap accessible.
- Proposed access will be provided to the site with a new driveway on E. Highway Street and a new right-in/right-out driveway on E. Main Street.
- Building coverage is estimated to be approximately 5.3% (75% maximum allowed in the C-2 District)
- Impervious coverage is estimated to be approximately 70.3% (80% maximum allowed in the C-2 District).
- The site is bordered by office use to the north, apartments to the west, an office building to the south and office uses to the east across Main Street.
- Adjacent zoning is C-1 to the north, C-2 to the east, C-1 and R-1 to the south and R-3 to the west.

Review and Evaluation Criteria:

A. CONFORMANCE WITH APPLICABLE REGULATIONS:

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

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

- A drive-through restaurant can be compatible with adjoining properties. The layout of the site has taken the adjoining properties into consideration.

- C. POTENTIALLY UNFAVORABLE EFFECTS OR IMPACTS ON OTHER EXISTING OR PERMITTED USES ON ABUTTING PROPERTY:**
- The additional traffic from the proposed restaurant and drive-through will effect the adjoining area. The site has been designed by taking the additional traffic into consideration.
- D. MODIFICATIONS TO THE SITE PLAN WHICH WOULD RESULT IN INCREASED COMPATIBILITY AND WOULD MITIGATE POTENTIALLY UNFAVORABLE IMPACTS:**
- The menu board (ordering location) and drive-thru are located away from the street access locations to reduce potential circulation conflicts. Initially, the applicant intends to construct a single menu board with the possibility of adding a lane in the future. Stacking for 4 vehicles in each lane is provided.
- E. SAFETY AND CONVENIENCE OF VEHICULAR AND PEDESTRIAN CIRCULATION IN THE VICINITY:**
- The drive on Highway Street is positioned away from the Highway Street and Main Street intersection to take into consideration the periodic congestion at this intersection. The drive on Main Street is designed as a right-in/right-out only drive and is positioned near the center of the site. This configuration was suggested by staff because of a lack of a left turn lane for west bound Main Street traffic. As such, west bound Main Street traffic wishing to access the site will be required to turn on Highway Street and access the site from the driveway proposed on Highway Street.
 - Since E. Main Street is a State Highway, the proposed driveway is subject to TXDOT approval. A copy of the proposed plan has been sent to the local office. Regarding the Highway Street intersection with Main Street, a condition of this Conditional Use Permit would be that there be adequate pavement width to accommodate two lanes (eastbound) for a left turn and through lane, and a right turn lane onto Main Street. Adequate easements to accommodate additional street improvements will be the responsibility of the owner/applicant.
- F. PROTECTION OF PERSONS AND PROPERTY FROM EROSION, FLOOD OR WATER DAMAGE, FIRE, NOISE, GLARE:**
- There is currently a drainage channel that runs across the southwest corner of the site. The applicant is proposing to direct the flow of water around the southwest corner of the property. They have been advised that this drainage cannot be forced onto an adjoining property without proper easements. Final plans will be subject to Engineering approval.
- G. LOCATION OF LIGHTING AND TYPE OF SIGNS; THE RELATION OF SIGNS TO TRAFFIC CONTROL AND ADVERSE EFFECTS OF SIGNS ON ADJACENT PROPERTIES:**
- Exterior pole lights are proposed throughout the site. All lights shall utilize fixtures that screen the source of illumination. A monument sign is proposed at the entrance on Main Street and wall signage is proposed on the building. All signage will require a permit and shall comply with the Sign Ordinance.

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

- Number of parking spaces is adequate based on the code. Access to the parking spaces appears adequate.

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

- Affirmative

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

- Affirmative.

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

- The applicant has made the changes to the site as recommended. Access to the site from Main Street is a challenge given the proximity to the intersection with Highway Street and the fact that there is no turn lane in Main Street. The existing site has essentially a continuous driveway on Main Street and a drive located very near the intersection on Highway Street. While the use proposed is different and the traffic anticipated will increase, the proposed drive configurations will better accommodate the proposed project.

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

- While the City does not have specific architectural design guidelines for the property, the request for the Conditional Use Permit would allow the City to establish elements that would be compatible with the community. As noted above, Whataburger has changed the look of the building from the original submittal taking into consideration the recommendations suggested.

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

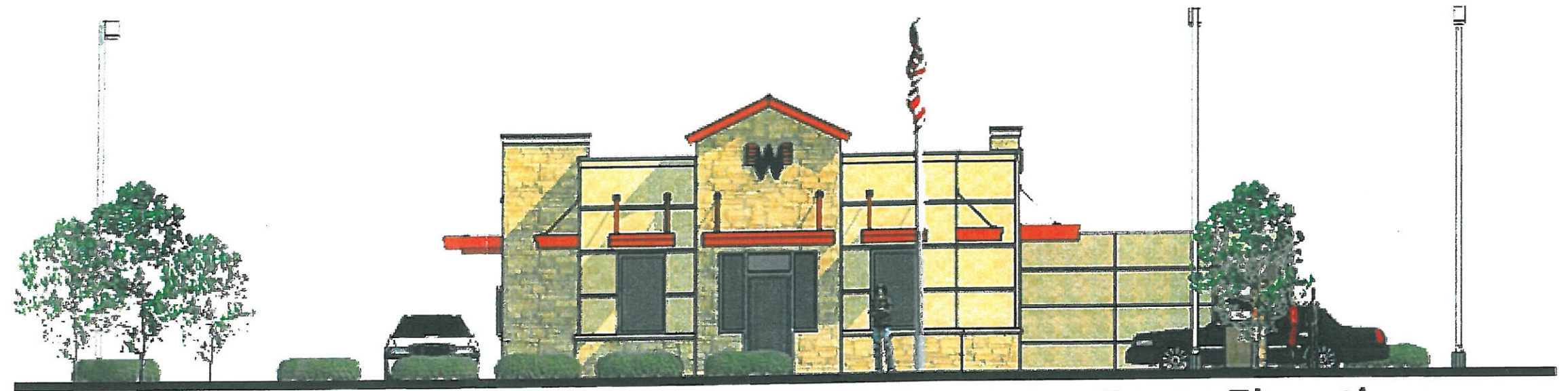
- Affirmative

OPPOSITION/SUPPORT OF REQUEST: To date, two letters have been received in support and none in opposition to this request.

PLANNING AND ZONING COMMISSION RECOMMENDATION: The Commission voted unanimously to recommend approval of this Conditional Use Permit conditioned upon the following:

1. TXDOT approval of the drive on E. Main Street.
2. Approval of a Landscape Plan prior to issuance of a Building Permit.
3. All external lighting being shielded.
4. Improvements to Highway Street as stated in Section E above.
5. Approval of Construction Plans prior to issuance of a Building Permit.
6. Screening being provided adjacent to the Residential District zoning to the west and south in accordance with Section 7.940 of the Zoning Ordinance.

STAFF RECOMMENDATION: Staff concurs with the Commission's recommendation.



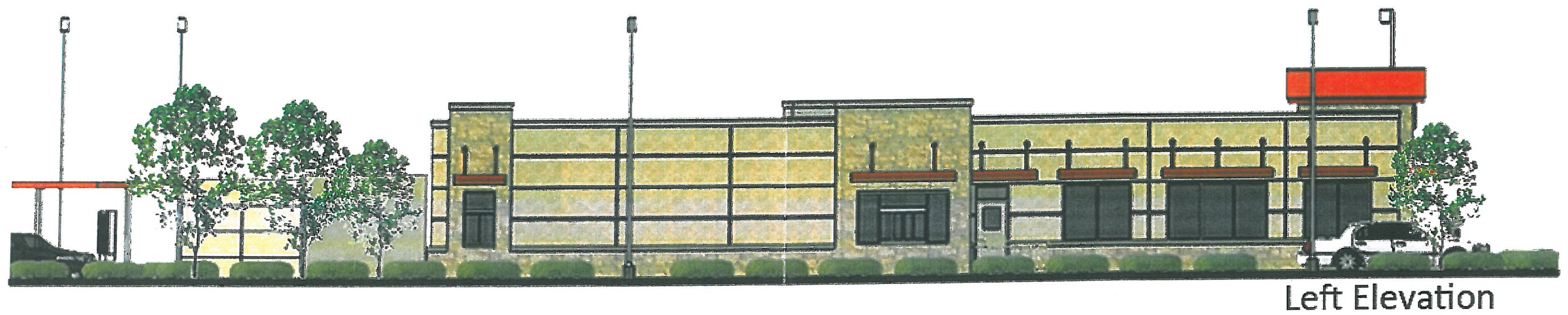
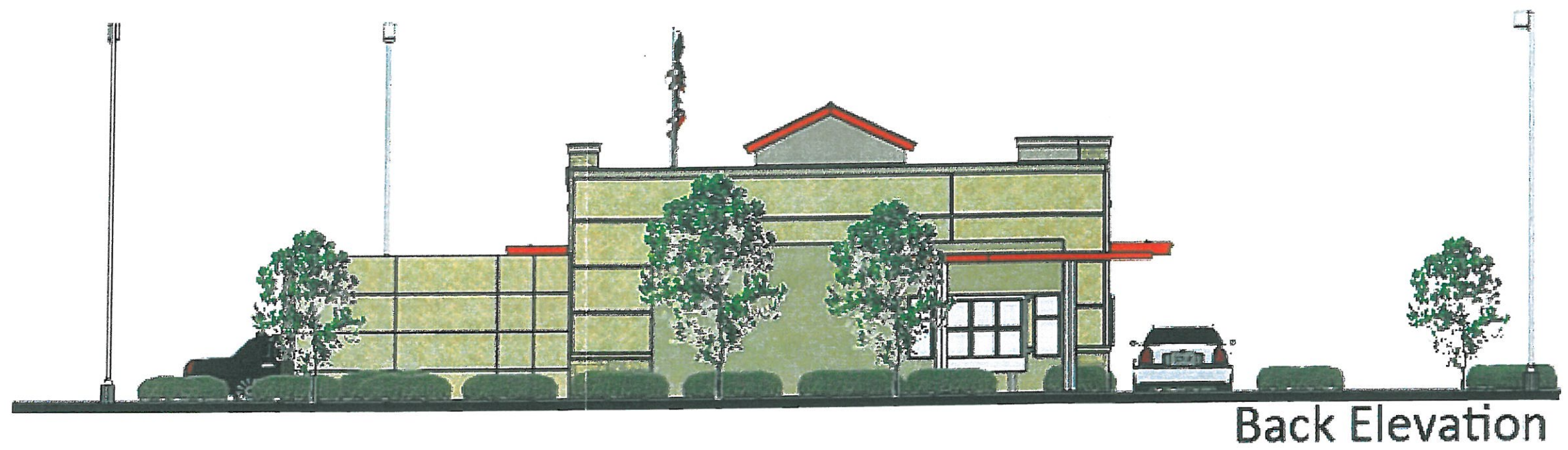
Front Elevation



Right Elevation

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Z-130



CITY COUNCIL MEMO

DATE: April 15, 2013

TO: Mayor and City Council

FROM: Kent Myers, City Manager

SUBJECT: Authority for Traffic Control Regulations

Summary:

Currently City Code provides that the Police Chief has the authority to make traffic control regulations and the attached ordinance transfers this authority to the Traffic Engineer.

Recommendation:

It is recommended that the attached ordinance providing authority for establishing traffic control regulations to the Traffic Engineer in the Public Works Department be approved.

Background / Analysis:

Section 44 of the City Code provides that the Police Chief is responsible for both the establishment and enforcement of traffic control regulations. In most cities, this responsibility is shared with an individual designated as Traffic Engineer having the responsibility of setting traffic control regulations and the Police Chief responsible for enforcement of these regulations.

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The attached ordinance amends Section 44 to provide that the traffic engineer will assess traffic conditions and be responsible for implementing any new standards or regulations related to traffic. This includes the location of new stop signs, no parking areas and new traffic signals. This individual has the technical expertise to conduct the appropriate traffic studies and analysis prior to making any changes. This employee will also involve the Police Department in this assessment as this Department has certain information on traffic accidents and other data that will be used in any traffic study.

The amendment retains the authority of the Police Chief to enforce traffic regulations. It also provides the Chief the authority for short-term street closures for parades, funerals and other events lasting no more than 2 hours. Any closure of a public street for more than two hours will require approval of the City Council except for emergencies such as a major vehicle accident, debris on the roadway or evacuations.

It also should be noted that the establishment of speed limits is covered in Article 5 of Section 44 of the City Code and no changes are proposed to these regulations. All speed limits are required to be established by ordinance adopted by the City Council.

The City of Fredericksburg

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 44 TRAFFIC AND MOTOR VEHICLES OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG TO DESIGNATE THE TRAFFIC ENGINEER OF THE CITY OF FREDERICKSBURG AS THE PERSON RESPONSIBLE FOR THE DETERMINING: LOCATIONS FOR THE OPERATION OF VEHICLES UPON THE CITY STREETS OF THE CITY OF FREDERICKSBURG, LOCATIONS FOR THE INSTALLATION AND ERECTION OF TRAFFIC CONTROL DEVICES, SPEED REGULATIONS, AND REGULATIONS FOR STOPPING, STANDING AND PARKING, AMENDING OTHER SECTIONS OF SAID ARTICLE TO CORRESPOND WITH CURRENT PRACTICES AND FOR CORRECTIONS, PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS, PARTIAL INVALIDITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Fredericksburg has determined that to better promote the smooth and efficient operation of the City and better serve the health, safety and welfare of the citizens of the City of Fredericksburg, that one person or firm should be designated as the traffic engineer of the City who will be responsible in all respects for determining locations for the operation of vehicles upon the city streets of the city of Fredericksburg, locations for the installation and erection of traffic control devices, speed regulations, and regulations for stopping, standing and parking, and

WHEREAS, in order to clarify the role of such person or firm and the duties and powers thereof, and the role and authority of the Chief of Police of the City of Fredericksburg with regard to traffic regulations, the City Council of the City of Fredericksburg has determined that Chapter 44 of the Code of Ordinances of the City of Fredericksburg should be amended as is set forth below, and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS THAT THE FOLLOWING ORDINANCE BE AND IS HEREBY ENACTED AND THAT VARIOUS SECTIONS OF ARTICLES I THROUGH VI OF CHAPTER 44 TRAFFIC AND MOTOR VEHICLES OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG BE AMENDED OR ADDED AS FOLLOWS:

ARTICLE I IN GENERAL

Section 44-1 (State uniform act adopted) is hereby amended as follows:

Sec 44-1 State Uniform act adopted and violations

The provisions of the Texas Transportation Code as such may be amended from time to time, are incorporated herein and are made a part of this Chapter, including the penalty provisions thereof; it being hereby ordained that a violation of such Code shall also be deemed to be a violation of this article. A violation any official traffic control device, sign, signal, marking, designation, stopping, standing or parking rules or other regulatory control established by or in accordance with this article shall be administered in the courts, tried and punished in accordance with the procedures and provisions of the Texas Transportation Code, the Texas Penal Code, the Rules of Criminal Procedure and up to the maximum fines provided by State of Texas Law for traffic violations, or in the event an applicable fine is not provided, then the provisions of Sec 1-6 General Penalty for violations of Code shall control.

ARTICLE II TRAFFIC REGULATIONS

Section 44-23. (General duties of chief of police relative to traffic) is hereby repealed and replaced as follows:

Sec. 44-23. - General duties of traffic engineer relative to traffic.

It shall be the duty of the traffic engineer, who or which shall be a person or firm appointed by the City Manager to conduct analysis of traffic accidents and to devise remedial measures, to conduct investigations of traffic conditions and to cooperate with other city officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by this chapter and other traffic ordinances. Whenever reference is made herein to the traffic engineer, it shall include his or her designated representatives as shall be approved by the City Manager. Any reference in this Article to a duly authorized person shall be to the traffic engineer.

Section 44-24. (Authority of chief of police to make traffic regulations) is hereby amended as follows:

Sec. 44-24. - Authority of chief of police to enforce traffic regulations.

(a) The chief of police is hereby empowered to take all actions as may be necessary or advisable to enforce traffic regulations to make effective the provisions of this chapter and other traffic laws or ordinances and to make and enforce temporary or experimental regulations to cover emergencies or special events or conditions. No such temporary or experimental regulation shall remain in effect for more than 90 days, nor shall it be effective until approved by the City Manager.

(b) The chief of police is hereby empowered, in addition to the traffic engineer, to close streets for emergencies, special events or other conditions. Street closures which are expected to be for periods in excess of two (2) hours, except for emergencies, shall require approval by the City Council.

Section 44-35 Accident investigations, studies etc. is hereby repealed and replaced as follows:

Section 44-35 Accident investigations, studies etc.

(a) The police department is the agency designated to investigate traffic accidents and to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents in accordance with its policies and procedures.

(b) Whenever the accidents at any particular location warrant, the police department shall inform the traffic engineer of such condition and shall aid the traffic engineer in the study of such accidents and in the determination of remedial measures which should be taken.

Section 44-36 (Annual traffic report) is hereby repealed.

ARTICLE III OPERATION OF VEHICLES

Section 44-71 (Prohibiting turns at intersections) is hereby amended as follows:

Subsection (a) is repealed.

Section 44- 75 (Yield right-of-way signs) is hereby amended as follows:

Sec 44-75 Yield right-of-way signs.

The driver of a vehicle approaching a yield right-of-way sign, shall, in obedience to such sign, slow down to a speed reasonable for the existing conditions, or shall stop if necessary, and shall yield the right-of-way to any pedestrian crossing the roadway on which he/she is driving and to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard.

Section 44-77 (One-way streets and alleys) (a) is hereby amended as follows:

Sec. 44-77 One-way streets and alleys.

(a) No one-way street regulation shall be effective unless signs giving notice thereof are placed in accordance with the provisions of this code of ordinances.

ARTICLE IV TRAFFIC CONTROL DEVICES

Section 44- 108 (Authority to install traffic control devices) is hereby amended as

follows:

Sec. 44-108 Authority to install traffic control devices.

a)(

The traffic engineer of the City of Fredericksburg shall have the authority to install traffic control devices in accordance with this Article, and with other Articles of the Code of Ordinances of the City of Fredericksburg. Whenever and wherever the condition of traffic, the frequency of passage of vehicles or pedestrians, or both, the direction and volume of the flow of traffic, the dimensions and conditions of the streets and sidewalks, and the use of property abutting the streets are such that the traffic engineer finds it to be necessary for the free flow and the expeditious handling of traffic and the safety of persons and property, the traffic engineer, in compliance with this chapter, is authorized as follows:

(1)

To place and maintain traffic-control signs, signals, markings and devices when and as required under this chapter to make effective the provisions of this chapter, and may place and maintain such additional traffic-control devices as the traffic engineer may deem necessary to regulate traffic under this chapter or under state law, or to guide or warn traffic.

(2)

To designate intersections at which traffic shall be controlled by electric traffic-control signals or lights and shall cause such signals or lights to be installed and maintained at such intersections and supervise the installation and proper timing and maintenance of traffic-control devices.

(3)

To designate intersections of streets at which drivers operating vehicles approaching the intersection on one or more of the intersecting streets must bring such vehicle to a complete stop before proceeding into such intersection.

(4)

To designate intersections of streets at which drivers operating vehicles on one or more of the intersecting streets shall yield the

right-of-way to any pedestrian legally crossing the designated roadway and to any vehicle in the intersection or approaching the intersection on another intersecting street so closely as to constitute a hazard.

(5)

To determine and designate intersections, streets, highways and alleys with exits from properties where particular hazards exist, and to determine whether motor vehicles shall stop at one or more exits from any such property, and to erect a stop sign at every such exit where a stop is required.

(6)

To conduct studies and investigations of the public streets and highways within the city and study the needs of the public for parking vehicles on public streets, the width and length of public streets where parking is desired, the availability of parking space and frequency, duration and times of parking on the public streets, the needs of business and commercial establishments to have regulated parking on the public streets and, after making such studies, the traffic engineer shall determine when parking, stopping or standing motor vehicles should be prohibited on public streets and highways in the city, and shall install appropriate signs or by curb markings, giving notice that parking, stopping or standing is prohibited. The traffic engineer shall make changes in the parking, stopping or standing prohibitions and regulations from time to time as required by the studies and investigations.

(7)

To conduct studies and investigations of the public streets and highways within the city and shall study the needs of the public for areas on the public streets for the exclusive use of bicycles during certain hours of the day, the width and length of areas on public streets where bicycle lanes are desired and, after making such studies, the traffic engineer shall designate those areas on public streets and highways of the city where areas for the exclusive use of bicycles are required and should be in effect by means of appropriate signs and street markings, giving notice that only bicycles may use an area of a public street or highway during certain hours of the day. The traffic engineer may change areas

designated for the exclusive use of bicycles from time to time as required by studies and investigations.

(8)

To designate streets on which the operation of bicycles shall be prohibited.

(9)

To designate and maintain crosswalks.

(10)

To establish safety zones on any of the streets of the city.

(11)

To mark lanes for traffic and parking stalls, including parking spaces for disabled parking on the streets of the city.

(12)

To designate the locations at which the making of right, left U-turns or other complete turns at any intersection of streets, or at median openings on divided streets, in the city is prohibited.

(13)

To designate the course to be traveled by vehicles turning at or near certain intersections.

(14)

To designate and mark appropriately those traffic lanes on multilaned streets, drives or driveways to be used by vehicles engaging in turning movements.

(15)

To determine locations for the prohibition of turns on stop or red signals at intersections controlled by traffic-control devices; where such turns would be otherwise permissible by direction of the traffic flow upon the streets.

(16)

To designate routes directing traffic near public or private schools, parks, public buildings or areas where the normal operation of traffic should be changed.

(17)

To determine the location of passenger zones, loading zones and zones for the use of disabled persons.

(18)

To designate locations on the streets of the city for use as public cab or shuttle stands.

(19)

To designate locations on the streets of the city for use as bus stops.

(20)

To make such changes as changing conditions may require in any designation, determination or regulation the traffic engineer is authorized to make under this chapter.

(21)

To designate one-way streets in accordance with the master thoroughfare plan as approved by the City Council, and to designate one-way alleys.

(22)

Install temporary traffic-control devices for special events or studies.

(23)

The traffic engineer shall, on the basis of an engineering and traffic survey, designate school traffic zones with appropriate street markings or signs, which street markings or signs shall be placed at the school zones by the traffic engineer. The City Council shall set school zone speeds by ordinance.

(24)

The traffic engineer or his designated representative shall conduct studies and investigations of the public streets and highways within the city and shall study the quantity and frequency of truck travel on the public streets, the needs of the public to have regulated truck travel on the public streets and, after making such studies, the traffic engineer shall establish no through truck zones in the city.

(25)

The traffic engineer shall make changes in the no through truck zone designations from time to time as required by the studies and investigations.

(26)

The traffic engineer is hereby authorized to remove or cause to be removed any trees, plants or other vegetative matter which the traffic engineer determines to be an interference with the safe or efficient flow or operation of the street or utilities located therein or which otherwise are prohibited by City Ordinance.

(27)

The traffic engineer is hereby authorized to determine time periods when street and utility maintenance may not close a roadway or lane because of peak traffic flow characteristics.

(b) The traffic engineer shall keep accurate records of all traffic control devices, signs, signals, markings, designations and all other information used in the carrying out of the traffic engineer's duties hereunder erected or in use in the city.

(c)

Whenever the traffic engineer has erected and installed any official traffic control device, sign, signal, marking, designation or other regulatory control at any location in the city, or has caused the same to be done under his/her direction, pursuant to this article, the manual, or another ordinance/resolution directing the erection of such device, signal or sign said engineer shall thereafter file a report with the city secretary in writing stating the type of traffic-control device, sign, signal or other control and when and where the same was erected or installed. The city secretary

shall file and maintain such report among the official papers of the office of the city secretary, and shall provide notices as appropriate such as notifications to the City Council and the public. Failure to keep such list or provide notices shall not excuse any violation. The installation of such control shall constitute prima facie evidence of its official installation.

Sec. 44-109. (Designation of crosswalks and safety zones and marking traffic lanes) is hereby repealed.

Sec. 44-112.(Installation of traffic lights) is hereby repealed.

Section 44-116 Ratification of existing devices is hereby amended as follows:

Sec. 44-116 Ratification of existing devices.

All traffic-control all traffic control devices, signs, signals, markings, designations and other controls placed or erected prior to the adoption of this ordinance on April 15, 2013 by the police department or otherwise by the City and in use for the purpose of regulating, warning or guiding traffic are hereby affirmed, ratified and declared to be official traffic-control devices, provided such traffic-control devices are not inconsistent with the provisions of this article or state law.

Section 44-164 (Stop intersections) is hereby amended as follows:

Sec 44-164 (a) is hereby repealed

Sec 44-164 (b) is amended to be Sec 44-164 with no subsections:

Following the erection of stop signs in accordance with this Article, it shall be the duty of the drivers of vehicles approaching the intersection facing the stop sign to bring such vehicle to a complete stop at such sign or at a clearly marked stop line before entering the intersection, except when directed to proceed by a police officer or a traffic control signal. After having so stopped, such driver shall yield the right-of-way to other vehicles which have entered the intersection or which are approaching so closely as to constitute an immediate hazard. Such driver, after having so yielded, may proceed and the drivers of all other vehicles approaching on

the intersecting street shall yield the right-of-way to the vehicle so proceeding into or across the intersection.

Section 44-166 (Parking in prohibited areas: overtime parking) is hereby amended as follows:

Sec. 44-166 Parking in prohibited areas: overtime parking

It shall be unlawful for any person to cause, allow, permit or suffer any vehicle registered in his or her name, or the name of a trust or an entity controlled by him or her, or owned by or operated by him/her or in his/her possession or under his/her control to be or remain in any space or area in which parking is prohibited, or in a time limited parking area for a longer period of time than designated.

Section 44-167 (Parallel and angle parking) subsection (b) is hereby repealed.

Sec 44-167 (c) is hereby re-designated as subsection (b)

Section 44-169 (Designation and use of curb loading zones) is hereby amended as follows:

Sec 44-169 (a) is hereby repealed.

Sec 44-169 (b) is hereby re-designated as subsection (a)

Sec 44-169 (c) is hereby re-designated as subsection (b)

Section 44- 170 (Designation of bus stops and use of bus stops and taxicab stands) is hereby amended as follows:

Sec 44-170 (b) is hereby re-designated as subsection (a) and is amended as follows:

44-170 (b) The driver of a bus, shuttle, taxicab, limousine or other such transportation vehicle shall not park upon any street in any business district at any time other than at a bus stop or taxicab stand, respectively, except that this provision shall not prevent the driver of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers.

Sec 44-170 (c) is hereby re-designated as subsection (b) and is amended as follows:

44-170 (b) No person shall stop, stand or park a vehicle other than a bus or other multi-passenger vehicle which accommodates nine (9) passengers or more in a bus stop, or other than a taxicab or limousine in a taxicab stand, when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any said bus/multi-passenger vehicle or taxicab/limousine waiting to enter or about to enter such zone.

Section 44-193 (Responsibility for establishing parking spaces, passenger loading zones) is hereby repealed.

-----End of Code Text-----

ALL CHAPTERS AND SECTIONS OF CHAPTERS NOT HEREBY AMENDED SHALL REMAIN AS WRITTEN, AND ARE HEREBY RATIFIED AND CONFIRMED.

Severability / Invalidity.

If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable.

Repealer

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Effective Date

That this ordinance shall take effect from and after the date of its passage and publication in accordance with the law.

PASSED AND APPROVED this the 15th day of April, 2013.

Jeryl Hoover, Mayor
City of Fredericksburg

ATTEST:

Shelley Britton, City Secretary

APPROVED AS TO FORM:

Pat McGowan, City Attorney



CITY COUNCIL MEMO

DATE: April 15, 2013

TO: Mayor and City Council

FROM: Kent Myers, City Manager

SUBJECT: Closure of Adams Street-Crawfish Festival

Summary:

A request was recently received to close Adams Street, from Main Street to Austin Street, for the annual Fredericksburg Crawfish Festival scheduled Memorial Day Weekend.

Recommendation:

It is recommended that you consider the comments by the sponsors of the Crawfish Festival and members of the Fredericksburg Jaycees, and then decide if the closure of this portion of Adams Street should be approved.

Background / Analysis:

Last year the City approved the closure of Adams Street for Oktoberfest. This closure did not present any major problems and we did not receive any complaints from local residents and businesses. We have received this additional request for the closure of Adams Street for the Crawfish Festival which is

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a much smaller event than Oktoberfest. It is likely that additional requests for closure of Adams Street will be forthcoming later this year.

The coordinator for this event is Signal Fredericksburg and Kaitland Raingao will present this request at Monday's meeting and respond to your questions. We also expect that members of the Jaycees will be present at the meeting to offer comments.

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Event Details

To: The Mayor of Fredericksburg and the Fredericksburg City Council

Event: Fredericksburg Crawfish Festival

Organization: Fredericksburg Jaycees

Dates of Closure: May 23-26, 2013

Event Location: Marktplatz

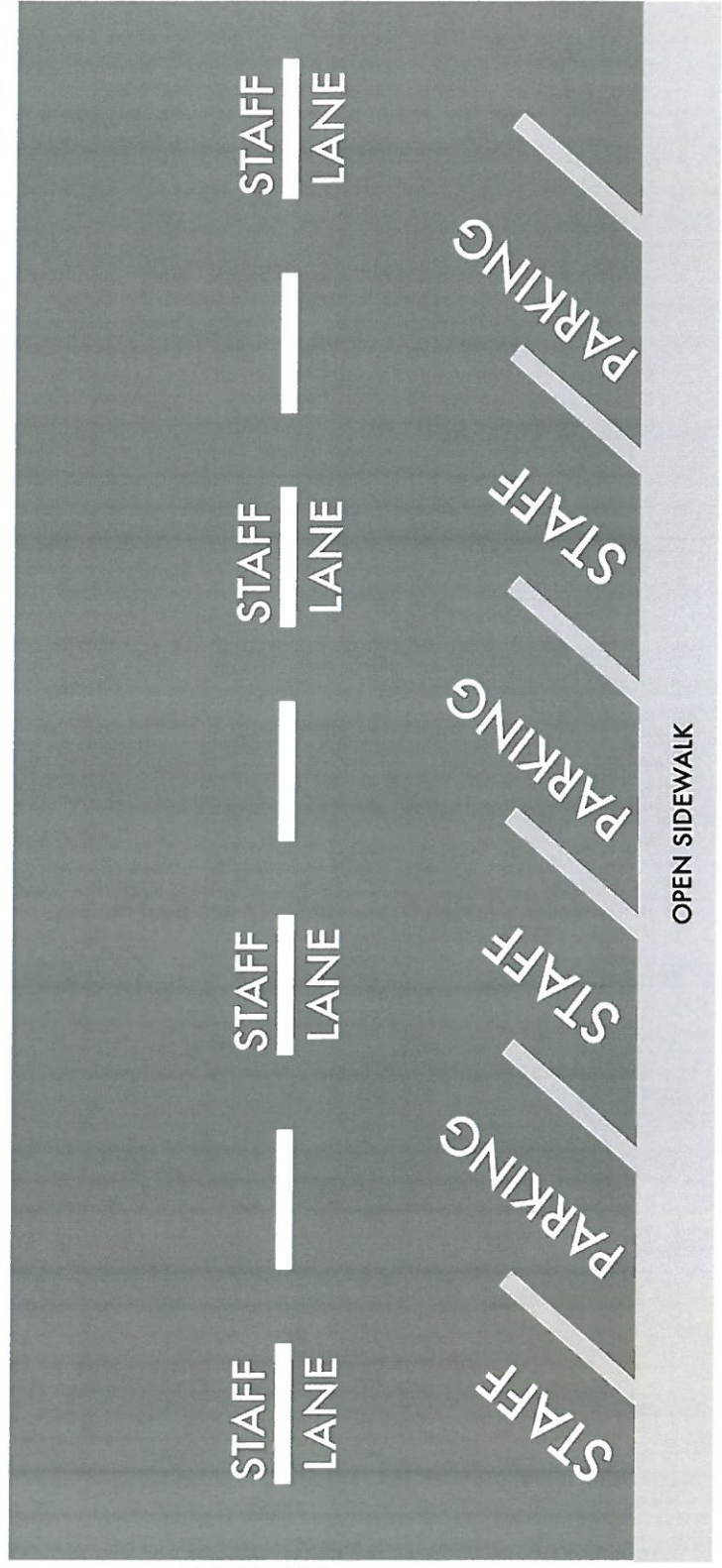
Location of Closure: Section of Adams Street between Main Street and Austin Street

The purpose of closing down the section of Adams Street between Main Street and Austin Street would be to avoid backing up traffic flow around that area. In the past there has been a problem with large buses and semi trucks blocking traffic on Main Street and Austin Street while they are trying to unload their products, or set up their bands for a performance. This traffic back up can lead to dangerous situations for drivers as well as pedestrians in the area. Closing down this section would also provide protection for the workers that will be unloading the trucks in that area. With vehicles driving through that section and workers walking out from in between and behind trucks, the area instantly becomes a safety hazard that could be easily avoided by closing down this section altogether.

MAIN STREET

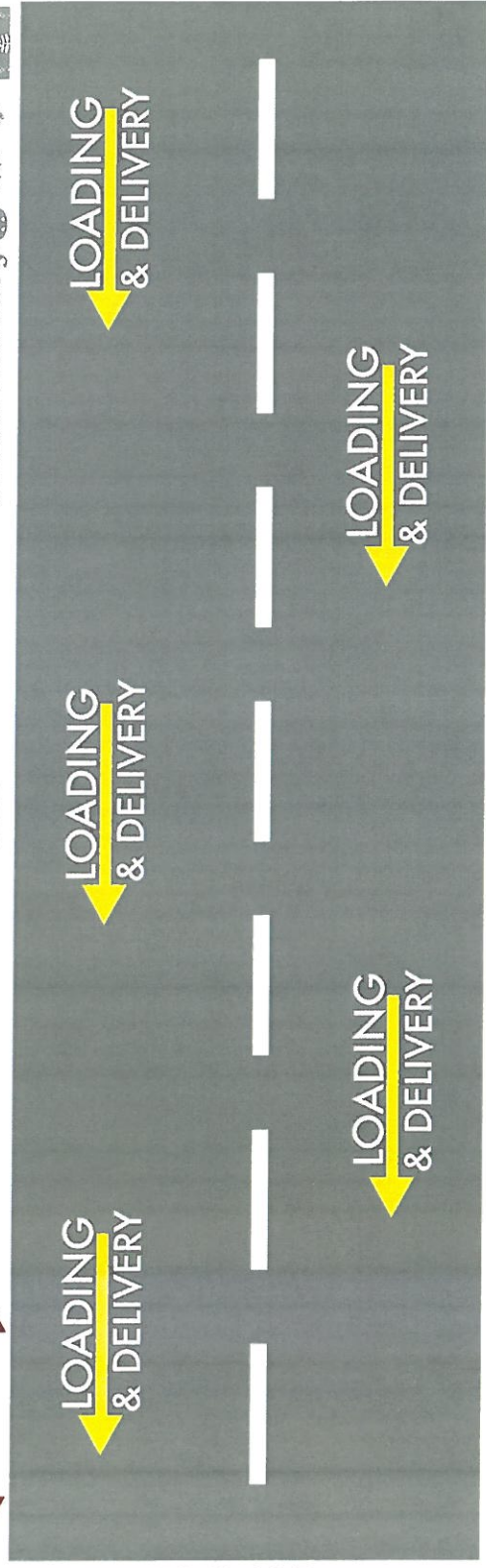


EXIT GATE



STAFF GATE

EXIT GATE



LOADING GATE

ADAMS STREET

