



City of Fredericksburg

City Council Regular Meeting Agenda
Tuesday, July 15, 2025 ~ 9:00 AM
New City Hall at East Campus
2818 E. U.S. Hwy. 290
Fredericksburg, Texas 78624

Jeryl Hoover, Mayor
Emily Kirchner, Mayor Pro-Tem
Bobby Watson, Councilmember

Tony Klein, Councilmember
Todd Eidson, Councilmember
Clinton Bailey, City Manager

The City of Fredericksburg City Council will meet in a regular session on Tuesday, July 15, 2025, at 9:00 AM. The meeting will be live-streamed & available for re-watch on the City's website: fredericksburgtx.portal.civicclerk.com.

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 p.m. the day before the meeting.

- i. Complete the Comment Card online at FBGTX.org;
- ii. Make sure to check the appropriate box (verbal or written);
- iii. Only one 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 agenda item per Comment Card;
- ii. Speakers will be limited to three 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 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 on the basis of the Executive Session discussion. The City Council 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, and Zoning Board of Adjustment 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.

1. **CALL TO ORDER - Mayor Jeryl Hoover**
2. **INVOCATION - Ed Jones, City of Fredericksburg Resident will deliver the Invocation**
3. **PLEDGES OF ALLEGIANCE - Mayor Jeryl Hoover will lead the Pledges**
4. **CEREMONIAL ITEMS/RECOGNITIONS**
 - A. Citizen Awards by Fire Department (Lynn Bizzell, Fire/EMS Chief)
Introduction of Cliff Cross, Development Services Director (Leticia Vacek, City Secretary)
Promotion of Evan Williamson, Assistant Director of Public Works/Utilities (Kris Kneese, Director of Public Works/Utilities)
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 Council Work Session held May 22, 2025, and Regular Meeting held June 17, 2025. (Leticia Vacek, City Secretary)
7. **ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS**
 - A. Ordinance 2025-19 providing for a Certification Fee be authorized on all Official City Documents. (Leticia Vacek, City Secretary)
 - B. **Consider Request Z-2512:** By The City of Fredericksburg to Consider the following: (Clifford Cross, Director of Development Services)
 - A A Land Use Change from Medium Density Residential to Public/Semi-Public for Approximately 8.91 Acres of Land Located 780 ft East of the Friendship Lane Hwy 87 South Intersection. Also referred to as G.E. CO #27. *The Planning & Zoning Commission recommended Approval with a vote of 8-0 with one abstention.*
 - B A Zoning Change from R1, Single Family Residential to PF, Public Facilities for Approximately 8.91 Acres of Land Located 780 ft East of the Friendship Lane Hwy 87 South Intersection. Also referred to as G.E. CO #27. *The Planning & Zoning Commission recommended Approval with a vote of 8-0 with one abstention.*
 - i Presentation by the Applicant
 - ii Presentation by the Staff

- iii Hold Public Hearing
 - iv Take Action on Ordinance 20-2025 for the Land Use Change
 - v Take Action on Ordinance 21-2025 for the Zoning Change
- C. **Consider Request Z-2508:** By Lynn Development LLC, to Consider a Conditional Use Permit (CUP) per Sec. 3.310 for Permission to Operate as a Light Manufacturing (Micro-Brewery) Use for Property Located on the South-East Corner of South Creek and Hwy 87 South, Also Referred to as ABS A0735 S R Wilson 338, 2.362 Acres Including Pt of Lot 2, Friendship Oaks. *The Planning & Zoning Commission recommended unanimous Approval of the CUP with a vote of 9-0 subject to conditions identified in the memo and further recommended Approval of the entry corridor design by a unanimous 9-0 vote.* (Clifford Cross, Director of Development Services)
- i Presentation by the Applicant
 - ii Presentation by the Staff
 - iii Hold Public Hearing
 - iv Take Action on the Conditional Use Permit
- D. **Consider Request Z-2511:** By Karla B Lawrence to Consider the Following: (Clifford Cross, Director of Development Services)
- A A Land Use Change from Medium Density Residential to Commercial for Property Located at 1106 South Adams Street. *The Planning & Zoning Commission recommended Approval with a vote of 8-0.*
- B A Zoning Change from R2, Mixed Residential to C1, Neighborhood Commercial for Property Located at 1106 South Adams Street. *The Planning & Zoning Commission recommended Approval with a vote of 8-0.*
- i Presentation by the Applicant
 - ii Presentation by the Staff
 - iii Hold Public Hearing
 - iv Take Action on Ordinance 22-2025 for the Land Use Change
 - v Take Action on Ordinance 23-2025 for the Zoning Change
- E. **Request Z-2513:** By P.V. McMinn with Nuvista Development LLC, to Consider a Site Plan and Conditional Use Permit per Sec. 3.200 for a Condominium and Townhome Use for Property Located at 1032 South Milam Street. *The Planning & Zoning Commission recommended Denial with a vote of 8-0.* (Clifford Cross, Director of Development Services)
- i Presentation by the Applicant
 - ii Presentation by the Staff
 - iii Hold Public Hearing
 - iv Take Action on the Conditional Use Permit
- F. Resolution 2025-06 authorizes membership in the ATMOS Cities Steering Committee that provides intervention in Atmos Rate Proceedings and natural

gas utility-related rulemaking to protect the interests of the City of Fredericksburg and its natural gas customers. (Evan Williamson, Asst. Director of Public Works)

- G. Resolution 2025-07 Authorizing the Texas Housing Foundation to Exercise its Power to Operate in the Territorial Jurisdiction of the City of Fredericksburg and Authorizing a Cooperation Agreement. (Evan Williamson, Asst. Director of Public Works)
 - I. Presentation by Texas Housing Foundation
 - II. Take action on Resolution 2025-07
 - III. Take action on Approval of the Cooperation Agreement

8. OTHER ACTION ITEMS AND UPDATES

- A. Consider and take action on appeal of Director of Development Services denial of a STR-Facility permit for Phillip and Jennifer Ciulla at 210 E Schubert Street (2 Units). (Tyler Debish, STR Specialist)

9. CITY MANAGER'S REPORT

- A. Update on Flood Recovery Efforts - Lynn Bizzell & Frank Stead, Fire Department

10. ITEMS FOR FUTURE AGENDA

- A. Review the Items for Future Agendas and Upcoming Meetings with the City Council. (Leticia Vacek, City Secretary)

11. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Sections - (551.071 & 551.074):

- A. Consider and discuss the appointment, reappointment, or reassignment of City Board/Commission members to fill vacancies on the Historic Review Board, Planning & Zoning Commission, and Zoning Board of Adjustment - Texas Government Code Section 551.074. (Leticia Vacek, City Secretary)
- B. Legal Matters Update - Texas Government Code Section 551.071 (Alicia Kreh - TOASE)

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, Leticia Vacek, posted this agenda on July 10, 2025 at 4:30pm, on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.

Leticia Vacek

Leticia Vacek, TRMC/CMC/MMC
City Secretary/RMO



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: July 15, 2025

CATEGORY: CEREMONIAL
ITEMS/RECOGNITIONS

CAPTION: Citizen Awards by Fire Department (Lynn Bizzell, Fire/EMS Chief)
Introduction of Cliff Cross, Development Services Director (Leticia Vacek, City Secretary)
Promotion of Evan Williamson, Assistant Director of Public Works/Utilities (Kris Kneese, Director of Public Works/Utilities)

PRESENTATION:
[PRESENTER_NO_BR]

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:

None

APPROVAL/REVIEW:



Leticia Vacek, City Secretary

Date: July 07, 2025



Clinton Bailey, City Manager

Date: July 07, 2025



City of Fredericksburg

City Council Regular Meeting Minutes
Tuesday, June 17, 2025 ~ 9:00 AM
New City Hall at East Campus
2818 E. U.S. Hwy. 290
Fredericksburg, Texas 78624

City Council

Jeryl Hoover, Mayor
Emily Kirchner, Mayor Pro-Tem
Bobby Watson, Councilmember
Tony Klein, Councilmember
Todd Eidson, Councilmember

City Staff

Clinton Bailey, City Manager
Garret Bonn, Asst. City Manager
Leticia Vacek, City Secretary
Mick McKamie, City Attorney
Brian Vorauer, Police Chief
Krista Wareham, Finance Director
Kris Kneese, Public Work/Utilities Director
Aaron Anderegg, IT Director
Sean Doerre, Public Information Officer
Derek Seelig, Police Lt.
Evan Williamson, Intrm Dir of Dvlpmt Serv
Brandon Gold, Assistant IT Director
Sibyl Deckard, Staff Engineer
Alyssa Rivera, PD Outreach Specialist
Cody Otis, IT Specialist
Tyler Debish, STR Coordinator
Leslie Ball-Embrey, Asst to City Secretary

1. **CALL TO ORDER**
Mayor Jeryl Hoover called the meeting to order.
2. **INVOCATION**
Annette Bennett, City of Fredericksburg Resident delivered the invocation.
3. **PLEDGES OF ALLEGIANCE**
Mayor Jeryl Hoover led the Pledges.
4. **EMPLOYEE RECOGNITION - Years of Service/Awards (Clinton Bailey, City Manager)**

City Manager Bailey announced the awards presented at the Annual City Employee Picnic as follows:

Mary Gonzalez – Stephen Itz Award
Daisy Schneider – Customer Service Award
Jennifer Krupa – Supervisor Award
Sean Doerre – Employee of the Year Award

5. COUNCIL COMMENTS

Councilmember Eidson reported that from his attendance at the Town Hall at The Preserve, the biggest take away was the compliments about the City Staff and their transparency in addition to their traffic concerns in that area of town. He noted his attendance at the Farmer's Market/Water Wise Event at MarktPlatz adding that Mayor Pro-Tem Kirchner and Kris Kneese did an excellent job with that event. Lastly, he added that he met with Brady for the CVB Board Orientation.

Councilmember Klein stated that he attended the County Commissioner's Meeting where the Commissioners passed a resolution in reference to the screwworm that is making its way from Mexico. He talked about its effect on our wildlife, and cattle which could be devastating. In other action, he noted decals from the Grace Center were approved to be placed on public property. Lastly, he reported that he will be attending the Market Square Redevelopment Meeting next week and announced that they are a non-profit (501-C-3). If anyone would like to donate to the Glockenspiel, checks can be made payable to the City of Fredericksburg with the memo line indicating "Glockenspiel."

Mayor Pro-Tem Kirchner reported that she attended the Veterans Memorial Day event and thankfully did not have to sing the National Anthem. She thanked the Rotary for providing tacos and a nice reception after the program. She reported on several water-related webinars she attended. She concluded by inviting everyone to the Parks Foundation Movie in the Park at MarktPlatz at sunset on June 26th with the movie "Hook".

Councilmember Watson reported that he attended the City Picnic, and it was great to see all employees having an enjoyable time and recognizing those that received awards. He stated that we have great city employees. He reported that this afternoon he will attend the Airport Board Meeting and on Friday, he will attend the EDC Meeting.

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 the City Council Regular Meeting Minutes for May 6, 2025, and May 20, 2025. (Leticia Vacek, City Secretary)
- B. Consider approval of Emergency Services Tower Lease Amendments. (Reagan Rabke, Fire Marshal)

Councilmember Klein moved to approve consent agenda items 6A and 6B. Councilmember Watson seconded the motion. The motion carried unanimously.

7. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

A. **Request Z-2510: By Ross Wood with Frost Bank, to Consider a Conditional Use Permit (CUP), Site Plan and Entry Corridor Application per Sec. 3.210, C2, Commercial, to Allow for Drive-Through Use for Property Located at 1415 East Main Street. The Drive-Through Use Would be in Support of Bank Operations.**

- i. Presentation by the Applicant
- ii. Presentation by the Staff
- iii. Hold Public Hearing
- iv. Take Action on the Conditional Use Permit (CUP)

A presentation was made by David Seebanks, architect for Frost Bank. Evan Williamson stated that Frost Bank made some modifications to their drawings. Approval was given by the Planning and Zoning Commission as well as for the site plan and the CUP request subject to approval of civil construction plans and TxDOT approval for their driveway permit.

Councilmember Eidson asked about their landscape plan. Mr. Seebanks stated that they did provide a landscape plan noting they are mindful of the trees and will utilize the front lot and leave the trees in the back area. It was added that they would plant trees for a buffer between the street and parking area.

Mayor Hoover declared the public hearing open and asked if there was anyone to speak on said item. There being none, Mayor Hoover declared the public hearing closed.

Councilmember Watson moved to approve the CUP as recommended. Councilmember Eidson seconded the motion. The motion carried as follows:

AYE: Councilmembers Watson, Eidson, and Mayor Hoover
NAY: None
ABSTAIN: Councilmember Klein, and Mayor Pro-Tem Kirchner

B. **Request Z-2509: 415 East College - By OSSCA LLC, Sara Aaronson to consider a Conditional Use Permit (CUP) per Sec. 6.110 to allow for the addition of a bathroom to a legal nonconforming short-term rental (STR).**

- i. Presentation by the Applicant
- ii. Presentation by the Staff
- iii. Hold Public Hearing
- iv. Take Action on the Conditional Use Permit (CUP)

The applicant was not present, and Evan Williamson reported that the Planning & Zoning Commission recommended approval of the CUP for a bathroom addition. It was noted that nothing is changing as far as parking.

Mayor Hoover declared the public hearing open and asked if there was anyone to speak on said item. There being none, Mayor Hoover declared the public hearing closed.

Councilmember Watson moved to approve the CUP as recommended. Mayor Pro-Tem Kirchner seconded the motion. The motion carried unanimously.

C. **Request Z-2507: By Continental Homes of Texas, L.P. To Consider a Request For a Conditional Use Permit (CUP) Per Sec. 3.700 And The Approved Planned Unit Development (PUD) To Allow For Development of Single-Family Residential, Accessory Structures, Guest House, Community Recreation, Club Or Lodge, Administrative Services, Storm Water Detention, All Weather Trail, Open Space, Sign And Mail Boxes For Approximately 70 Acres Located Between West Live Oak And Pyka Road, Addressed as 256 Pyka Road.**

- i. Presentation by the Applicant
- ii. Presentation by the Staff
- iii. Hold Public Hearing
- iv. Take Action on the Conditional Use Permit (CUP)

A presentation was made by Devin Kleinfelder representing DR Horton. He noted that the PUD was approved last month and were now requesting the CUP. Councilmember Klein asked about the price range of the homes. Mr. Kleinfelder stated the prices would be similar to the others.

Evan Williamson reported that the item was approved by the Planning & Zoning Commission, and the CUP would activate all uses for the PUD (337 lots).

Mayor Pro-Tem Kirchner asked about irrigation standards as it relates to water conservation. Mr. Kleinfelder stated that they are looking at xeriscape options and with native grasses and plants. He added that they are very aware of conservation measures and will do their best in that regard. Councilmember Watson asked about the colors on the land plan and their relation to various phases. Mr. Kleinfelder referenced the legend and pointed out the second and third phase. Councilmember Klein asked if the development would connect to Windcrest. Mr. Kleinfelder replied yes. Councilmember Eidson asked about options on the landscape. Mr. Kleinfelder replied that they would still have some yard stabilization to do.

Mayor Hoover asked how long this project had been in the pipeline. Mr. Kleinfelder noted that the project was submitted about 5 years ago. Mayor Hoover asked Kris Kneese to speak on the water usage for this size development. Mr. Kneese stated that less than one percentage of pumped water will be used.

Mayor Hoover declared the public hearing open and asked if there was anyone to speak on said item. There being none, Mayor Hoover declared the public hearing closed.

Councilmember Watson moved to approve the CUP as recommended. Mayor Pro-Tem Kirchner seconded the motion. The motion carried unanimously.

8. OTHER ACTION ITEMS AND UPDATES

A. Consider public comments on a proposed Ordinance repealing the Authorization of Late Hours Alcohol Sales. No action to be taken.

Mayor Hoover announced that said item was for public comment only and that no action would be taken. He added that open containers are not a consideration. He reported receiving 35 online comments against changing the hours of the current alcohol sales. At this time, Mayor Hoover called upon the following in-person speakers.

Gary Klensing of Crossroads Restaurant stated that he was not in favor of changing the late hours for alcohol sales from 2am to midnight.

Jazmin Garcia of Cultures Bar & Grill said there is a new generation coming to town and they want to provide an enjoyable time with good food.

Jason Edwards of Rock Haus stated that he currently has 25 employees whose salaries would be directly impacted with the reduction in late hour alcohol sales.

Jason Janeka of Bucs Bar & Grill noted his sales come from those hours and 8-10 employees' salaries would be affected. He noted he is not on Main Street but would like to be part of the solution.

Marcus Blackwell, Bartender at The Western Edge said he is watchful of how much is served and the reduction in hours would affect his livelihood with a loss of at least a paycheck.

Kelly Welch and KK of The Western Edge & The Rockbox asked what will moving the time to midnight solve. They added that they have fifteen employees.

Meta Carroll with Pasta Bella stated that the problem is that people are being overserved. She added that she would love to be part of the problem solving.

Judge Edwards of the Pioneer Bar said that they use the money made and put it back into the community. He added that this is their livelihood.

Rosemary Estenson of The Fredericksburg Brewing Company & Airport Hangar stated that she has 120 employees, and they close the Brewery at 9pm so a change would not affect her business. She was hopeful that everyone could work together on this.

Brooke Rogan of Brooke's Bubble Bar said that a blanket solution is not a solution. She added that they would not be affected because they close at 9pm. She stated that people will still find a place to drink. Sandra, GM at Brooke's Bubble Bar stated that all servers must take a TABC Course. She mentioned the need for patrols on the street and that she would like to help with a solution.

Eric Hammersen stated that he was in favor of adjusting the alcohol sales to midnight and asked if this is truly the culture we want to show.

Emma Garcia stated that she moved back to Fredericksburg and was disappointed with what it had become due to the overserving.

Erica Castro noted three bars that she has a lack of empathy for and their servers. She felt that curtailing the time of alcohol sales will make a difference.

George Studor suggested looking at metrics, noting this is a problem, looking for a solution; track it, and make it publicly available. He added he was in favor of changing alcohol sales to midnight.

Curtis Montalbo of The Top stated he moved here from New Braunfels and saw more issues there. He felt that closing at midnight would not solve anything. He added they do not see any police officers downtown or popping into the bars.

Tom Musselman commented that prior to teaching, he was in the restaurant business. He noted that TABC still requires training and overserving is a liability to the business. He suggested the city require a list of all servers that have taken the course, adding that the businesses need to be part of the solution.

There being no further comment; Mayor Hoover closed the comment and called on Police Chief Vorauer.

Chief Vorauer reported on the number of arrests during all hours and referenced data showing 41% of arrests took place after 1am. Regarding the PIs and DWIs, they start at 8pm and spike at 1am. He noted that if there is a perceived problem with a bar, they contact TABC. At that point, TABC makes time to come by when they can. Councilmember Watson asked for a walking patrol presence at night on Main Street. Mayor Pro-Tem Kirchner thanked everyone that wrote in and that spoke adding that overserving has been identified as a problem and requested that TABC become more involved. Councilmember Klein noted the possibility of forming a committee. Councilmember Eidson also thanked everyone and stated that Council will continue the discussion noting that speakers indicated wanting to be part of the solution.

- B. Consideration of the Acceptance of the City's Fiscal Year 2024 Financial Audit. (Krista Wareham, Finance Director)**
- i. Presentation by Kevin Randolph, CPA with Eide Bailly**
 - ii. Take action to accept the FY2024 Audit and Financial Statement prepared by Eide Bailly**

Krista Wareham reminded all that the city changed auditors this year and introduced Kevin Randolph who addressed the audit expressing an unmodified opinion, which is a clean audit. Mr. Randolph highlighted total assets, capital assets, liabilities, and purchases of equipment and software. He noted the cash receivables, restricted and unassigned fund balances. Mr. Randolph also covered property taxes, charges for services as well as debit service and the enterprise funds. He commented that it is recommended to have at least a three-month minimum in reserves for operations should the need arise. He reported that the city currently has 6 months of operating capital which places the city in a better position. Councilmember Watson asked for the timeframe of the audit completion. Mr. Randolph replied that they started in February and finished a couple of weeks ago. Councilmember Eidson asked about the thirteen adjustments and if that was normal. Mr. Randolph replied yes. Councilmember Klein asked about the

percentage rate for the investments. Mr. Randolph replied that they verify that the dollar amounts are accurate only.

Mayor Pro-Tem Kirchner moved to accept the FY2024 City's Audit and Financial Statement as presented. Councilmember Klein seconded the motion. The motion carried unanimously.

C. Consider and award a renewal contract with Quadient Leasing for monthly utility bills printing and mailing services. (Krista Wareham, Director of Finance)

Krista Wareham presented the renewal contract with Quadient in the amount of \$84,657.12 over the 48-month contract with a reduction of \$19,000 annually.

Councilmember Watson moved to approve the renewal contract as recommended by staff. Mayor Pro-Tem Kirchner seconded the motion. The motion carried unanimously.

D. Consider and award a contract for New City Hall Council Chambers Audio/Visual Equipment Build-Out. (Aaron Anderegg, IT Director)

Aaron Anderegg recommended the award of contract to CTI in the amount of \$174,935.19 for the total project cost.

Councilmember Watson moved to approve the award of contract as recommended by staff. Councilmember Eidson seconded the motion. Mayor Pro-Tem Kirchner asked if some of the existing equipment would be utilized. Aaron replied yes, as there is existing equipment that they have already identified. The motion carried unanimously.

E. Consider and award a contract for New City Hall Door Key Scan Hardware & Security. (Aaron Anderegg, IT Director)

Aaron Anderegg presented said item and recommended the award of bid to Twin City Hardware in the amount of \$160,078.05 which includes equipment, installation, and programing.

Councilmember Watson moved to approve the award of bid as recommended by staff. Councilmember Eidson seconded the motion. The motion carried unanimously.

F. Consider and award a contract for New City Hall Networking Equipment and Cameras. (Aaron Anderegg, IT Director)

Aaron Anderegg presented said item and recommended the award of bid for Cisco Meraki Hardware through a proposal from Centre Technologies which includes Meraki firewall appliances, managed switches, indoor and outdoor access points among other security features in the total contract amount of \$104,620.23 for hardware, licensing, and support.

Mayor Pro-Tem Kirchner asked if IT would relocate to the new City Hall. Aaron stated that he would be housed at the new City Hall as their IT Room would also be there. Mayor Hoover asked if this was a budgeted item. Mr. Bonn replied that it was in line with what was anticipated in the budget.

Councilmember Watson moved to approve the award of contract as recommended by staff. Councilmember Klein seconded the motion. The motion carried unanimously.

G. Consider selecting HDR Engineering to complete the Long-Term Water Supply Study and authorizing the City Manager to negotiate a professional services contract up to \$100,000.00 for the project. (Kris Kneese, Director of Public Works/Utilities)

Kris Kneese presented the item noting that staff recommends that HDR Engineering complete the Long-Term Water Supply Study, thus, authorizing the City Manager to negotiate a professional services contract up to \$100,000 with HDR Engineering.

Councilmember Eidson moved to approve staff's recommendation. Councilmember Watson seconded the motion. The motion carried unanimously.

H. Consider Bids received and Award a Construction Contract for the Geosynthetics Liner for Landfill Cells #12 and #13. (Kris Kneese, Director of Public Works/Utilities)

Kris Kneese presented the item and recommended the Award of a Construction Contract to Geosynthetics Systems in the amount of \$537,503.94 for the construction of Landfill Cells #12 and #13. Councilmember Klein asked if this was a budgeted item. Krista Wareham replied that it was not in the budget.

Councilmember Klein moved to approve the award of the construction contract as recommended by staff. Councilmember Watson seconded the motion. The motion carried unanimously.

I. Consider and take action on an appeal of the Interim Director of Development Services denial of an STR-Unoccupied permit for property located at 516 West Austin Street on behalf of the owner, Anthony Kenisky. (Tyler Debish, Short Term Rental Specialist)

Evan Williamson summarized a letter from the applicant, Anthony Kenisky on the STR appeal. Mr. Kenisky addressed the Council and stated that the permit timeframe expired and was unable to renew it. Tyler Debish added that the permit expired on July 9, 2024. She reported that staff sent renewal instructions to Mr. Kenisky on February 20, 2024. She added that the applicant submitted a new application on March 25, 2025, which was denied by staff the same day.

Councilmember Eidson moved to deny the appeal of the STR permit for property located at 516 W. Austin Street. Mayor Pro-Tem Kirchner seconded the motion.

The motion carried unanimously.

- J. **Consideration and possible action relating to authorizing the City Manager and City Attorney to take all steps necessary to enforce and defend the City's Standardized Business Ordinance 18-002 (Mick McKamie, City Attorney)**

Mayor Hoover announced that said item would be discussed in Executive Session. Refer to Business Item 11A for action taken.

9. CITY MANAGER'S REPORT

- A. **Legislative Update on Status of Bills Passed/Awaiting Signature**

Mayor Pro-Tem Kirchner presented an array of bills that were passed this legislative session from school district related property tax exemption to education funding, rural water infrastructure funding opportunities, and disaster recovery funding. She reported on a bill for emergency preparedness that will establish an account by TDEM for a new disaster recovery fund for counties less than 100,000 in population. She reported on the bill that raises the threshold for City Manager approval in competitive bidding from \$50k to \$100K. Lastly, she reported on a bill that will provide that Food Trucks be regulated by the State. Most bills are effective September 1st while some will be effective January 2026.

Mayor Hoover thanked Mayor Pro-Tem Kirchner for the update.

10. ITEMS FOR FUTURE AGENDA

- A. **Future Agenda Items List and Future Meetings/Events.**

City Manager Bailey reviewed the future agenda items with the City Council.

Dr. Eric Hammerson invited everyone to a dedication on Juneteenth at 1pm at the Historic Church of the Colored People of Gillespie County with a Church Service at 3pm.

11. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Sections as denoted for each item.

- A. **Consider and discuss the Civil Action No. 1:24-CV-00701-D11 Joseph Brillhart, Laura Brillhart, and Sally Clark, Plaintiffs, v. City of Fredericksburg, Texas, pending United States District Court for the Western District of Texas, Austin Division - Texas Government Code Section 551.071. (Mick McKamie, City Attorney)**
- B. **Consultation with the City Attorney regarding the enforcement of Standardized Business Ordinance 18-002 Texas Government Code Section 551.071. (Mick McKamie, City Attorney)**

- C. **Quarterly Legal Matters Update - Texas Government Code Section 551.071. (Mick McKamie, City Attorney)**
- D. **Consider and discuss the appointment, reappointment, or reassignment of City Board/Commission members to fill vacancies on the Historic Review Board, Planning & Zoning Commission, and Zoning Board of Adjustment - Texas Government Code Section 551.074. (Leticia Vacek, City Secretary)**

Mayor Hoover recessed the regular meeting at 11:17am to convene in executive session on the aforementioned items 11A-11D. Mayor Hoover reconvened into Regular Session upon the conclusion of the executive session at 12:18pm.

12. BUSINESS ITEMS

11A. Councilmember Eidson moved to authorize the City Attorney to file an injunction to stop operating as a Short-Term Rental as referenced in executive session. Councilmember Klein seconded the motion. The motion carried unanimously.

11B. Councilmember Watson moved to authorize the City Manager and the City Attorney to take all steps and action necessary to enforce and defend the City's Standardized Business Ordinance 18-002 related to RIO Bank. Councilmember Eidson seconded the motion. The motion carried as follows:

AYE: Councilmembers Watson, Eidson, and Mayor Hoover

NAY: None

ABSTAIN: Councilmember Klein and Mayor Pro-Tem Kirchner

11C. No action.

11D. Mayor Pro-Tem Kirchner and Councilmember Eidson encouraged residents to apply to serve on the Historic Review Board (HRB) as the Council would continue to accept applications for the HRB.

13. ADJOURN

Mayor Hoover adjourned the meeting at 12:19pm.

Jeryl Hoover, Mayor

Attest:

Leticia Vacek, TRMC/CMC/MMC
City Secretary/RMO



City of Fredericksburg

City Council Work Session Minutes
Thursday, May 22, 2025 ~ 9:00 AM
Lady Bird Golf Course
341 Golfer's Loop - Cardinal Room
Fredericksburg, Texas 78624

City Council

Jeryl Hoover, Mayor
Emily Kirchner, Mayor Pro-Tem
Bobby Watson, Councilmember
Tony Klein, Councilmember
Todd Eidson, Councilmember

City Staff

Clinton Bailey, City Manager
Garret Bonn, Asst. City Manager
Leticia Vacek, City Secretary
Krista Wareham, Finance Director
Aaron Anderegg, IT Director
Sean Doerre, PIO

Also Present:

Jim Riley, Gillespie Elections Administrator
Annette Bennett, Resident

1. CALL TO ORDER

Mayor Jeryl Hoover called the Work Session Meeting to order.

2. OTHER ACTION ITEMS AND UPDATES

- A. Discussion and direction regarding the City Council Orientation, Major Projects, Council Priorities, and Strategic Budget Planning Session. (Clinton Bailey, City Manager)

City Manager Bailey kicked off the meeting and welcomed everyone to a lengthy but what will be a productive session. He noted that no formal action would be taken but various items would be addressed later adding that the purpose was to gather input and direction. He referenced the agenda listing the items that would be covered. He noted that lunch would be brought in to continue with the session agenda.

AGENDA OVERVIEW

Council Orientation

- a. City Charter/Charter Amendments

- b. Ethics Ordinance
- c. City Council Rules of Procedure
- d. Texas Open Meetings Act and Public Information Act
- e. Communication and Media Policy

Items for Discussion and Direction

- a. Elections - Hand vs Machine Counting
- b. Council Terms
- c. Boards and Commissions - Terms and Composition
- d. Economic Diversification (CVB, EDC, Chamber)

City Secretary Vacek presented the items listed under the Council Orientation and spoke to the requirements of the City Charter, Ethics Code, Texas Open Meetings Act and the Public Information Action. Sean Doerre presented Item E - Communication and Media Policy. With regards to future Charter Amendments, City Secretary Vacek noted that the charter could only be amended every two years. A discussion was held with regards to extending the Council terms to 3 years. Staff will look into the City of Boerne Council Term transition process and bring that back to the Council.

With regards to the Elections item, Jim Riley, Annette Bennett, and Leticia Vacek addressed the Council concerns and questions. It was the consensus of the Council to direct the City Manager and City Secretary to utilize Machine Counting. City Secretary Vacek stated that action on said item would be part of contracting the city election to the Gillespie County Election Office.

The City Council reviewed the Boards and Commission, and it was the consensus to wait until the new Development Services Director was in place to review in depth.

City Council Community Priorities

The Mayor and Councilmembers provided the following listing of Council Priorities below:

Building a partnership with organizations/individuals seeking to explore and implement a strategy to expand historic preservation and the arts.

Building a partnership with organizations/individuals seeking to explore and implement a strategy to expand recreational/educational opportunities for our children/youth.

Seek out grant opportunities with a goal of \$10 million in grant monies awarded to the city for priority projects in the 25-26 fiscal year.

Transform existing practices on HOT collection and distribute to maximize spending in categories leveraged for locals. Strive for an excellent quality of life.

Pursue designation as a Main Street community and apply for relevant funding opportunities available in the program.

Water Conservation measures for household.

City website – Kneese & Baab presentation.

Revise watering restrictions & communication.

Irrigator licensure & education.

New irrigation system inspections.
 Sprayer vs. rotor systems.
 Turfgrass varieties & native grasses.
 New commercial development rainwater collection & landscape ordinance.
 Hill Country Alliance water symposium.
 Car washing (home) & car wash businesses.
 Pressure-washing (cleaning vs. construction).
 Code Enforcement violation reports related to water.
 Historic Review Board - Review violations and the associated fines and increase fines for repeat violators.
 Murals – Art Board; see HOT below.
 Hotel Occupancy Tax (HOT): Leverage Arts & Historic Preservation HOT dollars to address Murals to mitigate subjectiveness.
 Pedestrian Safety & Mobility: Sidewalks (increase budget).
 Painted crosswalks, Signaled crosswalks.
 Hiking & walking trails, greenways / Bike lanes / Traffic calming options.
 Parks and Recreation - Increase budget by at least 5%.
 Affordable Housing.
 Turner Hall & Former Texas Rangers Facility.
 City Water Infrastructure: Continue replacing old pipes, long term water study, new well fields
 Waste: Transfer Station/Recycling.
 Transportation Projects: Morse and Cherry Street extension Projects.
 Main Street, CUP, historic preservation, sidewalks, trash, PD foot patrol, Main Street City Department.
 City Employees - Competitive wages and benefits, proper and up to date equipment.
 Residents - Improve/expand parks/trails, more involvement i.e., Coffee with CM, Town Halls.
 Explore public/private partnerships (P3).
 Continuous Strategic sidewalk plan.
 Development Services Dept - New Director, review of boards and commissions.
 Transportation projects/traffic issues.
 Enforcement of STR Ordinance and other violations.
 Development/contractor communications.

City Manager Bailey discussed long-term infrastructure maintenance, and the facility needs to include the city hall and public safety buildings. He noted upcoming major projects requiring budget or bond support.

Major Projects and Initiatives

City Manager Bailey summarized past work sessions and their impact. He referenced the success of prior planning efforts and their role in shaping capital projects. Assistant City Manager Garret Bonn presented the following items.

1. Comprehensive Plan
2. Community Amenities
 - a. Racquet Center
 - b. Sidewalks/Trails
 - c. Public Restrooms

d. Little League Ball Fields

3. Public Works

- a. New Water Reclamation Facility
- b. New Water Supply Well
- c. Long Term Water Supply Study
- d. New Public Works Community Outreach Position.
- e. Landfill Transfer Station

4. Future Projects/Opportunities & City Owned Property

- a. New/Existing City Hall
- b. Turner Hall
- c. Former Texas Rangers Facility
- d. Main Street Specific Initiatives
- e. Expanded use of HOT – Historic Preservation/Promotion of the Arts

Ordinance Amendments

- 1. Unified Development Code
- 2. Water Conservation Ordinance
- 3. Surcharges for Watering Violations
- 4. Fuel Islands
- 5. Sound Ordinance
- 6. Standardized Business Ordinance
- 7. Open Containers
- 8. Sales of Alcoholic Beverages after 12am

After a lengthy discussion on the above items, it was determined that staff would bring back the following ordinances and/or follow through with the requirements to implement the following:

Limiting the location of Vape Shops/CBD

Update the Sidewalk Map adding sidewalks/trails for new developments (UDC).
Water Conservation Ordinance with revised stages and surcharges. Add minimal impact development guide for low flow and landscape, promote rainwater collection.

Require a CUP for fuels islands greater than 3 (not within CBD/Historic Shopping District).

Revise Noise/Sound Ordinance to include nuisances abutting commercial and residential.

Standardized Business Ordinance to be revised.

Prohibit the sale of alcohol after midnight.

Revise fines for historic preservation violations; review commercial vs residential fines.

Provide for contracting City Elections to Gillespie County to include electronic machine count instead of hand count.

Charter Amendment Election – Revise Council Terms to 3 years.

Mr. Bonn presented budget constraints and department level forecasting which included rising costs in personnel and materials, technology investments for modernization, and balancing conservative budgets with smart growth. City Manager Bailey asked the Council of their comfort level for contingency reserves

and debt thresholds. City Manager Bailey also raised staffing shortfalls in Police, Utilities, Admin, and the impact of regional competition.

Strategic Plan

City Manager Bailey covered the Comprehensive Plan and Strategic Plan components.

What is a Comprehensive Plan? A comprehensive plan is a long-term planning document outlining the vision, goals, and strategies for the physical, economic, and social development of your community. It is a guide for decision-making and policy development, encouraging the growth and development in your area to be aligned with its values and priorities. More than a zoning map and more than a downtown plan these plans are “comprehensive” thus encompass everything. What is a Strategic Plan? A strategic plan is a shorter-term planning document that outlines specific actions and resources needed to achieve the goals and objectives outlined in the broader, overarching comprehensive plan. It focuses on the implementation of specific programs and projects while typically being reviewed and updated on an annual basis to remain relevant and effective. A strategic plan is a vital tool for Cities to ensure the priorities set by the City Council are conveyed in the organization's goals, that strategies and timelines are clearly developed to meet these goals, and that overall City government is accountable to meeting community needs.

City Manager Bailey closed the presentation and referenced the following:

Strategic Plan Next Steps Phase 1 and:

1. Mission and Vision Statements: Vision Statement: A concise, inspiring statement that outlines the desired future state of the city. Mission Statement: Define the purpose and core values of the city organization, clarifying its role in serving the community.
2. Goal Setting:
Establish broad, overarching goals that reflect the city's vision and mission.
Develop specific, measurable, achievable, relevant, and time-bound objectives aligned with each strategic goal.
3. Strategies and Initiatives: Identify high-level strategies and approaches to achieve each goal. Define specific initiatives, projects and actions required to implement strategies effectively.

Strategic Plan Next Steps Phase 2:

1. Performance Measurement and Monitoring: Define quantifiable metrics to track progress toward each objective and goal. Monitoring and Evaluation: Establish processes for regular monitoring, evaluation, and reporting to assess the effectiveness of the strategic plan and make necessary adjustments.
2. Resource Allocation and Budgeting: Assess the financial, human, and technological resources needed to execute the strategic plan. Align budgetary

allocations with the priorities outlined in the strategic plan, ensuring sufficient funding for key initiatives.

3. Communication and Implementation: Develop a comprehensive communication plan to share the strategic plan with stakeholders and the broader community, fostering transparency and engagement. Outline timelines, responsibilities, and milestones for implementing the strategic plan, ensuring accountability and progress tracking.

Councilmembers expressed concern for residential development pressure, tourism impact on infrastructure, and the need for updated long-range planning. City Manager Bailey mentioned the Comprehensive Plan update and timeline.

In conclusion, staff will compile council feedback and will follow up with timelines for the following items: Facility upgrade priorities, Budget Modeling scenarios, and Council requested information.

Vision for Fredericksburg

With this Vision as our compass, the City of Fredericksburg aims to create a resilient and prosperous future for generations to come.

Embracing our heritage, natural beauty, and vibrant community spirit, we envision a future where our unique charm harmonizes with sustainable development.

We strive to cultivate a thriving city that honors our rich history while embracing innovation, fostering economic prosperity, and enhancing the quality of life for the community of Fredericksburg.

3. ADJOURN

Mayor Hoover adjourned the meeting at 3pm.

Jeryl Hoover, Mayor

Attest:

Leticia Vacek, TRMC, CMC, MMC
City Secretary/Records Mgmt. Officer



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM:

MEETING DATE: July 15, 2025

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Ordinance 2025-19 providing for a Certification Fee be authorized on all Official City Documents. (Leticia Vacek, City Secretary)

PRESENTATION:

[PRESENTER_NO_BR]

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality

Workforce

Tourism

City Center

Mobility

Small Town Sensitive Growth

Governance

ATTACHMENTS:

1. Certification Fee Ordinance.2025

APPROVAL/REVIEW:



Leticia Vacek, City Secretary

Date: July 07, 2025



William McKamie, City Attorney

Date: July 09, 2025



Clinton Bailey, City Manager

Date: July 09, 2025

ORDINANCE 2025-19

AN ORDINANCE OF THE CITY OF FREDERICKSBURG, TEXAS, ESTABLISHING A FEE FOR OFFICIAL CERTIFICATIONS ISSUED BY THE CITY SECRETARY, OTHER CITY OFFICIALS, OR THEIR DESIGNEES; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Secretary and other designated officers of the City of Fredericksburg are frequently requested to issue official certifications, including but not limited to certified copies of ordinances, resolutions, meeting minutes, agendas, TABC Licenses, and Municipal Court documents; and

WHEREAS, the City Council finds it appropriate and necessary to recover administrative costs associated with issuing such certifications; and

WHEREAS, the City is authorized under Section 552.262 of the Texas Government Code and other applicable law to charge reasonable fees for providing copies of and certifications of public records.

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

SECTION 1. ESTABLISHMENT OF CERTIFICATION FEE

The City of Fredericksburg hereby establishes a fee for official certifications issued by the City Secretary or any other authorized officer or employee of the City. The fee shall be:

- \$10.00 per certification, plus the applicable cost of copies as established by the Texas Public Information Act.

SECTION 2. CODIFICATION

This Ordinance shall be codified within the City of Fredericksburg's Code of Ordinances as a new section within the City Secretary provisions, or such other location as the City Attorney deems appropriate.

**SECTION 3.
SEVERABILITY**

If any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

**SECTION 4.
EFFECTIVE DATE**

This Ordinance shall become effective immediately upon its passage and publication as required by law, and it is so Ordained.

PASSED AND APPROVED on this 15th day of July, 2025.

Jeryl Hoover, Mayor
City of Fredericksburg, Texas

ATTEST:

Leticia Vacek, TRMC, CMC, MMC
City Secretary

APPROVED AS TO FORM:

William M. McKamie
City Attorney



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services

TO: Mayor & City Council Members

FROM: Cliff Cross, Director of Development Services

MEETING DATE: July 15, 2025

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider Request Z-2512: By The City of Fredericksburg to Consider the following:
(Clifford Cross, Director of Development Services)

A A Land Use Change from Medium Density Residential to Public/Semi-Public for Approximately 8.91 Acres of Land Located 780 ft East of the Friendship Lane Hwy 87 South Intersection. Also referred to as G.E. CO #27. *The Planning & Zoning Commission recommended Approval with a vote of 8-0 with one abstention.*

B A Zoning Change from R1, Single Family Residential to PF, Public Facilities for Approximately 8.91 Acres of Land Located 780 ft East of the Friendship Lane Hwy 87 South Intersection. Also referred to as G.E. CO #27. *The Planning & Zoning Commission recommended Approval with a vote of 8-0 with one abstention.*

- i Presentation by the Applicant
- ii Presentation by the Staff
- iii Hold Public Hearing
- iv Take Action on Ordinance 20-2025 for the Land Use Change
- v Take Action on Ordinance 21-2025 for the Zoning Change

PRESENTATION:

[PRESENTER_NO_BR]

SUMMARY:

The applicant has submitted a Land Use and Zoning Change request for approximately 8.91 acres of land located on Friendship Lane. The applicant is requesting a Land Use Change from Medium Density Residential (MDR) to Public/Semi-Public and a Zoning Change from R1, Single Family Residential to PF, Public Facilities.

The 2024 Comprehensive Plan identifies this property as a Parks and Open Space Place Type that recommends a zoning categories of Open Space (OS) and while not expressly stated, Public Facilities (PF). The Current Zoning code has the following intent for each zoning.

Open Space - This category is intended to be left undeveloped, except for park facilities. Land in this

category is generally unsuitable for development because of flood susceptibility or steep slopes. Vantage points that offer unique views are best left undeveloped so as not to block the view. Park facilities or beautification efforts are consistent with the open space category.

Public Facilities - This zone is intended to provide for the placing of public or semi-public facilities within close proximity to the various forms of neighborhood land uses, to provide needed public service to the community on a local or regional basis and to provide for the placing of governmental facilities in areas where such are needed to complement the particular needs of the surrounding land uses.

The Open Space Future Place Type is envisioned to contain active and passive parkland, trails and open space designated for public use. These natural and improved spaces are critical amidst urban development, for the outdoor enjoyment of residents and workers while connecting public parks and amenities. Commercial uses might include recreational services such as kayak and bike rental facilities and institutional uses might include green spaces and developed parkland.

BACKGROUND: The surrounding properties include C1, Neighborhood Commercial to the West, C2, Commercial to the North, Open Space to the East and South, across Friendship Lane is C1.5, Medium Commercial.

The property is currently zoned R1, Single Family Residential and permits only a few uses by right:

Single Family Detached	Local Utility Service	Short-Term Rental, Accessory
Short-Term Rental, B&B		

It is the desire of the applicant to obtain a Public Facilities Zoning classification and [Sec. 3.600 - Public Facilities](#) speaks to the development standards allowed and includes the following uses by right:

Administrative Services	Major Utility Facilities	College & University Facilities	Medical Offices
Cultural Services	Military Installations	Detention Facilities	Mobile Food Establishments
Guidance Services	Park and Recreation Services	Hospital Services (Limited)	Postal Facilities
Local Utility Services	Public Primary Educational Facilities	Maintenance & Service Facilities	Public Secondary Educational Facilities
Aviation Facilities	Safety Services		

[The 2024 Comprehensive Plan](#) identifies the subject property with a future place type of Open Space, which is intended to contain active and passive parkland, trails and open spaces designated for public use. An appropriate existing zoning district would be Open Space (OS) and while not expressly identified, Public Facilities (PF). Both zoning categories allow for the development of parkland and green space with the largest distinction being that PF allows for other public services such as Public Education and Utility Facilities.

Notice of Public Hearing Response: As part of the Public Hearing process, Staff must notify

property owners that own property within 200 ft to the subject property. As of June 23, 2025, 2 responses in support of the request have been received.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

In reviewing the application, Staff identified the 2024 Comprehensive Plan categorizes the subject property as an Open Space future place type. It is important to note that this place type is intended to provide parkland, trails and open space for public use.

The surrounding properties consist of a variety of zoning and land uses including a detention pond to the East, a new commercial development to the west and a Hotel across Friendship Lane. In addition, there are several new businesses (Chick-Fil A, Discount Tire) and hundreds of new residential units (Lennar Phase 1-4, Alora Mae Condos) coming online within a few feet of the subject property, all of which would be served well by land dedication for public use. Therefore, Staff recommends that the Planning and Zoning Commission follow the direction of the 2024 Comprehensive Plan and recommend a zoning that allows for the development of parkland.

The Planning & Zoning Commission conducted a public hearing and reviewed the request on July 2, 2025 and recommended approval of the requested land-use change from Medium Density Residential to Public/Semi-Public and further recommended approval of the rezoning from "R-1" Single-Family Residential to "PF" Public Facilities by a 8-0 vote with 1 abstention.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
City Center
Mobility
Small Town Sensitive Growth

ATTACHMENTS:

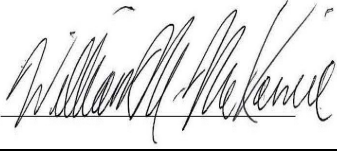
1. Z-2512 Public Hearing Map_Zoning
2. Z-2512 Land Use Map
3. Z-2512 Mailing Labels
4. Survey
5. Z-2512 - Barron - Approve
6. Z-2512_Schandua - Approve
7. Ordinance 2025-20 Land Use for Racquet Ball Complex with Attachment
8. Ordinance 2025-21 Zoning for Racquet Ball Complex with Attachment

APPROVAL/REVIEW:



Shelby Collier, Senior Planner

Date: July 08, 2025



William McKamie, City Attorney

Date: July 08, 2025



Leticia Vacek, City Secretary

Date: July 09, 2025



Clinton Bailey, City Manager

Date: July 09, 2025

Z-2512

desc_

 200' Notification Area

 Notified Properties

 Subject Property

Zoning

ZONED

 C1 - Neighborhood Commercial

 C1.5 - Medium Commercial

 C2 - Commercial

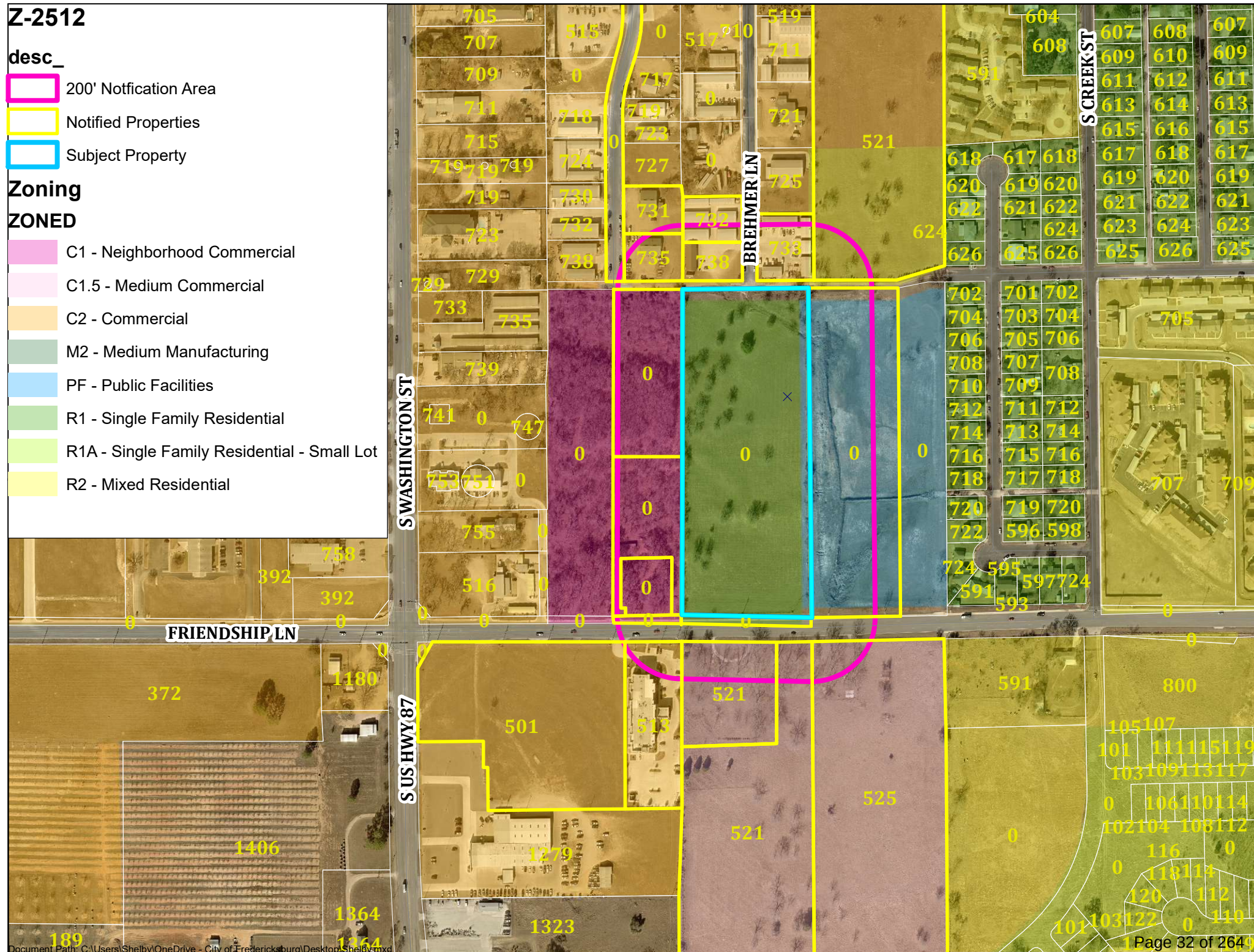
 M2 - Medium Manufacturing

 PF - Public Facilities

 R1 - Single Family Residential

 R1A - Single Family Residential - Small Lot

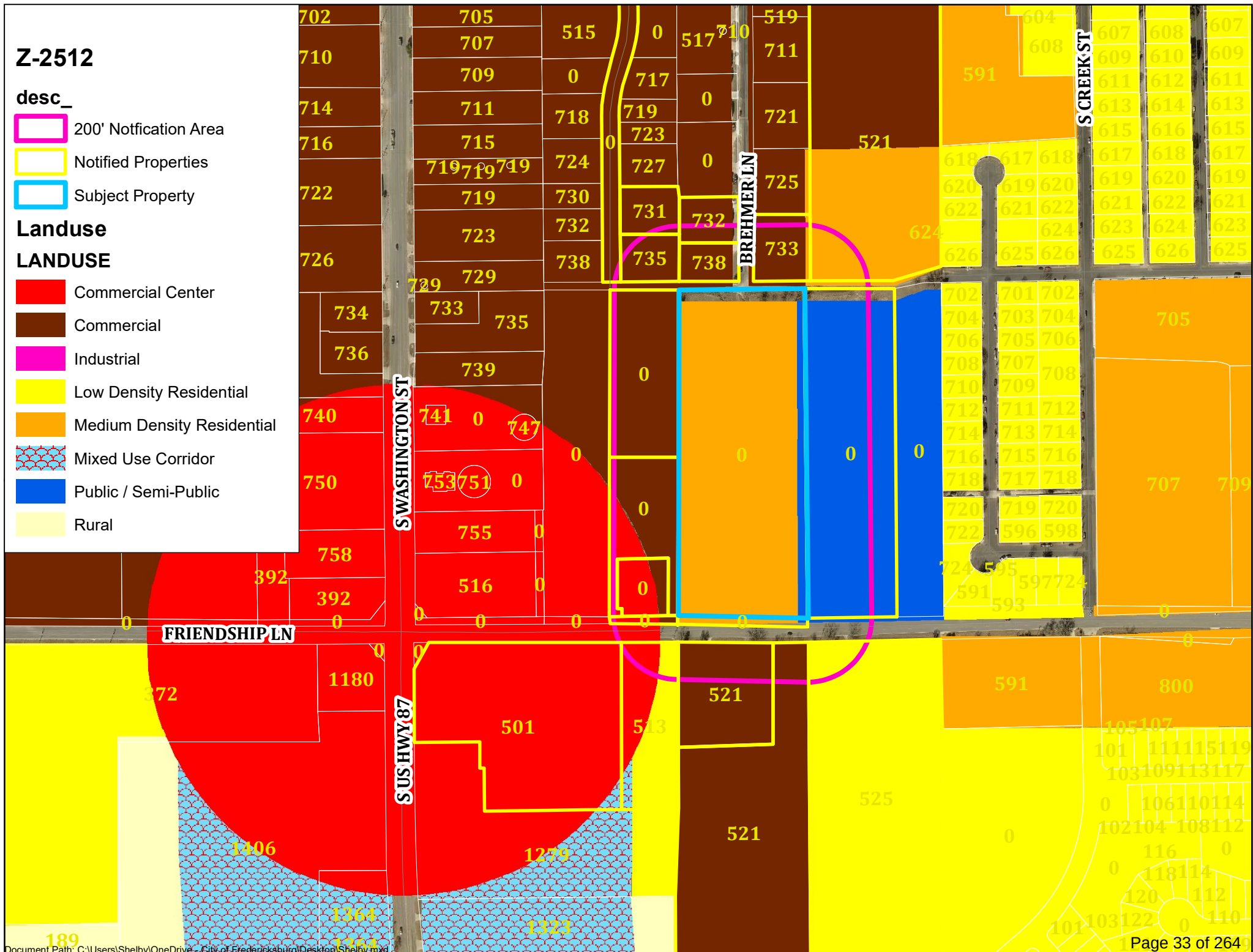
 R2 - Mixed Residential



 200' Notification Area
 Notified Properties
 Subject Property

LANDUSE

- | | |
|---|----------------------------|
|  | Commercial Center |
|  | Commercial |
|  | Industrial |
|  | Low Density Residential |
|  | Medium Density Residential |
|  | Mixed Use Corridor |
|  | Public / Semi-Public |
|  | Rural |



A&J Deer Processing LLC
214 W Centre
Fredericksburg, TX 78624

River Hills Partners LLC
1200 Barton Creek Blvd
Apartment 6
Austin, TX 78735

BBR Mustang LLC
105 W San Antonio
Fredericksburg, TX 78624

4 Pipkin Properties
P.O. Box 977
Fredericksburg, TX 78624

Ray Herrera
P.O. Box 2481
Fredericksburg, TX 78624

Hampel Texas Holdings LLC
1617 Cave Creek Rd
Fredericksburg, TX 78624

Catclaw Ventures LLC
157 Country Creek Lane
Fredericksburg, TX 78624

Texas 5A Properties LLC
510 Post Oak Road
Fredericksburg, TX 78624

Fredbg Hotel Venture LLC
4276 W Ruby Hill Dr
Pleasanton, CA 94566

KBB Real Estate LLC
1102 E Main Street
Fredericksburg, TX 78624

Stuart Barron
146 Keidel Ln
Fredericksburg, TX 78624

Jennifer Schandua
304 Morning Glory
Fredericksburg, TX 78624

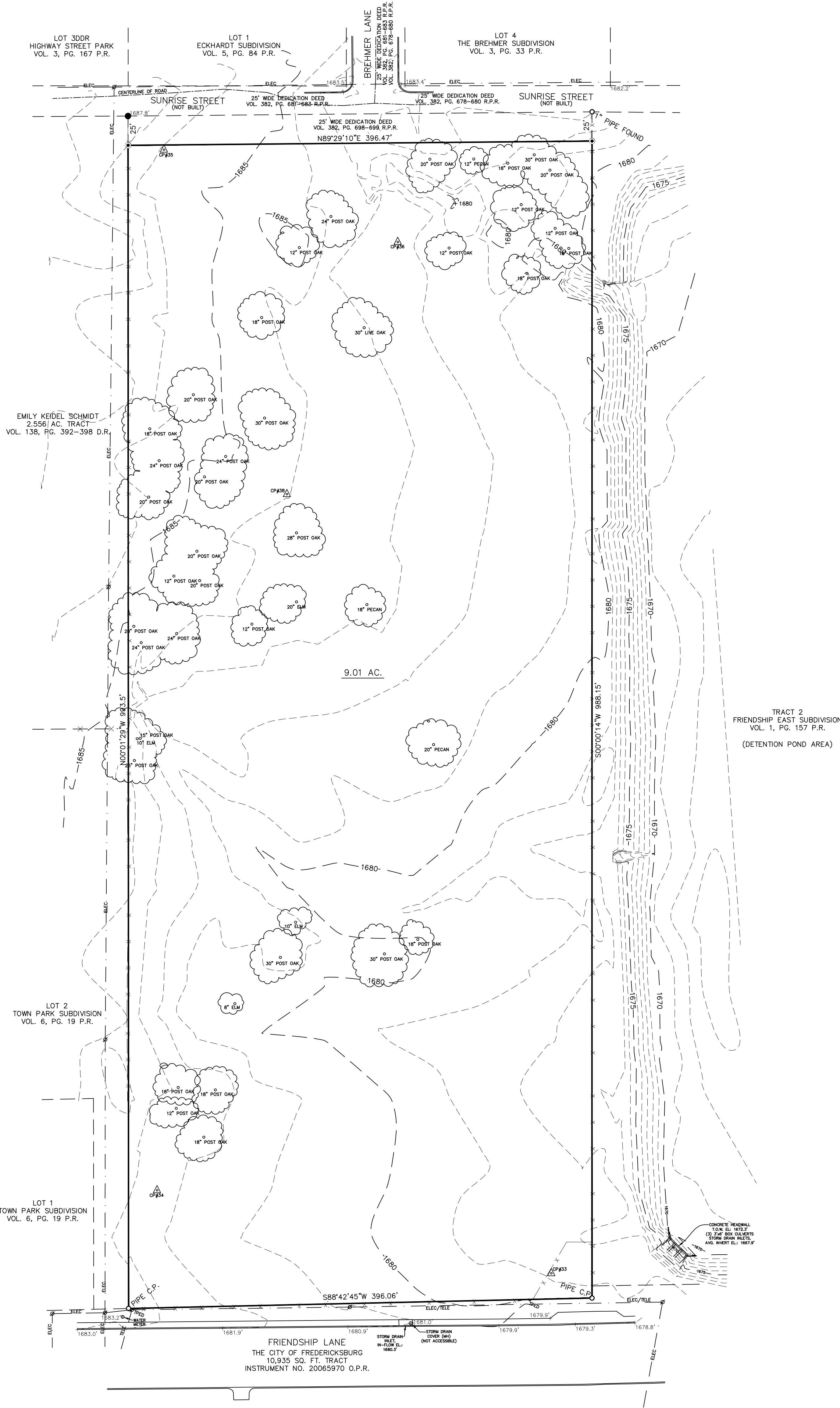
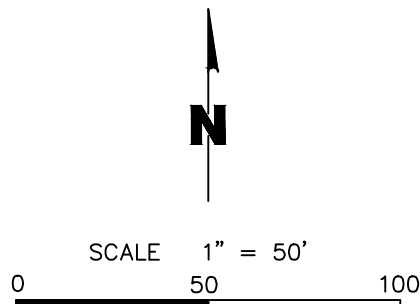
Barbara Heinen
705 S Eagle
Fredericksburg, TX 78624

Penjay Properties Inc
P.O. Box 669
Fredericksburg, TX 78624

Z-2512

MAP SHOWING
A 9.01 ACRE TRACT OF LAND SITUATED IN THE CITY OF FREDERICKSBURG,
GILLESPIE COUNTY, TEXAS, BEING PART OF OUTLOT NO. 27, AS SAID OUTLOT
IS SHOWN ON THE MAP OF FREDERICKSBURG, TEXAS, AND
ENVIRONS BY THE GERMAN EMIGRATION COMPANY,
PREPARED AT THE REQUEST OF
THE CITY OF FREDERICKSBURG.

BEING THE REMAINDER OF THAT 9.4 ACRE TRACT OF LAND DESCRIBED IN A
WARRANTY DEED TO THE CITY OF FREDERICKSBURG, BY BETTY ANN HEINEMAN,
DATED DECEMBER 29, 2014, FOUND OF RECORD IN INSTRUMENT NO. 20145314
OF THE OFFICIAL PUBLIC RECORDS OF GILLESPIE COUNTY, TEXAS.

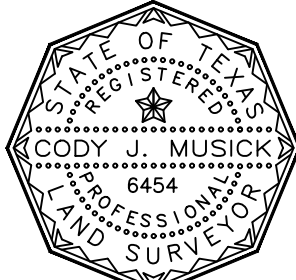


SURVEY CONTROL POINT TABLE			
POINT	NORTHING	EASTING	ELEVATION
BM-32	10064955.55	2756443.50	1695.00
CP-33	10059977.71	2759289.55	1678.84
CP-34	10060048.56	2758952.67	1682.55
CP-35	10060937.39	2758958.62	1685.88
CP-36	10060858.66	2759158.35	1682.29
CP-38	10060643.25	2759063.67	1684.03

LEGEND

- 1/2" BAR FOUND
- 1/2" BAR FOUND
- SURVEY CONTROL OR TEMPORARY BENCHMARK POINT
- AS NOTED
- UTILITY POLE (OR METER POLE, M.P.)
- FENCE
- SPOT ELEVATION
- MINOR CONTOUR (1' INTERVAL)
- MAJOR CONTOUR (5' INTERVAL)
- ELECTRIC/TELEPHONE
- TREE

THIS MAP REPRESENTS A SURVEY MADE ON THE
GROUND UNDER MY SUPERVISION. FIELD NOTES
(METES AND BOUNDS DESCRIPTION) WERE NOT
PROVIDED AS A PART OF THIS TOPOGRAPHIC
DESIGN SURVEY.



FIELD MEASUREMENTS: MAY 31-JUNE 14, 2024
SKETCH ISSUED: JUNE 17, 2024
PROJECT NO.: 2405-16

WAYMAKER
SURVEYORS OF LAND

1788 W. Live Oak St. | Fredericksburg, Texas 78624
830-997-3884 | TBP&LS Firm No. 10194626

NOTE:

- THE SURVEYOR MAKES NO GUARANTY OR WARRANTY AS TO THE EXACT LOCATION OF UNDERGROUND UTILITIES.
- THIS SURVEY DOES NOT CONSTITUTE AN ABSTRACT OF TITLE BY THE SURVEYOR AND THE SURVEYOR MAKES NO REPRESENTATION AS TO THE CONDITION OF TITLE.
- NO DETERMINATION WAS MADE DURING THE PROGRESS OF THIS SURVEY AS TO WHETHER OR NOT ANY PORTION OF THE SUBJECT TRACT OR ANY OF THE IMPROVEMENTS SHOWN HEREON ARE ABOVE FLOOD ELEVATION.
- ELEVATIONS REPORTED ARE REFERENCED TO THE NAVD83 DATUM AND GEOID18 MODEL, REPORTED IN U.S. SURVEY FEET. CONTOUR LINES REPRESENT ORTHOMETRIC HEIGHTS.
- BEARINGS, DISTANCES AND AREA SHOWN HEREON ARE "GRID" DERIVED FROM GPS POSITIONING (NAD83(2011)).
- ORIGINAL MAP SHEET SIZE: 24" X 36".

Public Comment Form

Please return this form to:

jmusgrove@fbgtx.org

OR

Development Services – Zoning

126 W. Main Street

Fredericksburg, TX 78624

830-997-7521



REQUEST NO. Z-2512

As an interested property owner, I (PROTEST) / (APPROVE) the requested Land Use and Zoning Change, represented by the above file number because:

I STRONGLY SUPPORT THE LAND USE AND ZONING CHANGE.

I THINK ~~IT~~ THIS PROJECT IMPROVES THIS AREA, AND IS GOOD
FOR OUR COMMUNITY AS A WHOLE.

Signature

6-16-25

Date

STUART BARRON

Printed Name

146 KEIDEL LANE, FBG TX 78624

Address

Public Comment Form

Please return this form to:

jmusgrove@fbgtx.org

OR

Development Services – Zoning

126 W. Main Street

Fredericksburg, TX 78624

830-997-7521



REQUEST NO. Z-2512

As an interested property owner, I (PROTEST) / (APPROVE) the requested Land Use and Zoning Change, represented by the above file number because:

Jennifer Schandua
Signature

6-20-25
Date

Jennifer Schandua
Printed Name

304 Morning Glory
Address

(also-a property owner adjacent to property in question)

ORDINANCE NO. 2025-20

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 SPECIFICALLY IN THE LAND USE MAP, FOR APPROXIMATELY 8.91 ACRES LOCATED 780 FT EAST OF THE FREINDSHIP LANE HWY 87 SOUTH INTERSECTION TO THE NORTH ALSO REFERED TO AS G.E. CO#27; CHANGING SAID PROPERTY FROM MEDIUM DESITY RESIDENTIAL (MDR) TO PUBLIC/SEMI-PUBLIC (P/SP); PROVIDING THAT THE CHANGE BECOME A PART OF THE COMPREHENSIVE PLAN; 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 changing said property from Medium Density Residential (MDR) to Public/Semi-Public (P/SP); and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City on July 2, 2025 and by the City Council of the City on July 15, 2025, 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 land use change.

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 Land Use Change as shown and described below:

Applicant:	City of Fredericksburg
Property Owner:	City of Fredericksburg, Texas
Property Address:	Not Assigned
Legal Description:	Approximately 8.91 Acres Located 780 FT East of the Friendship Lane Hwy 87 South Intersection Also Referred to as G.E. CO#27
Land Use Change:	The property shall change to Public/Semi-Public
Exhibit:	Additionally shown and designated on the legal description attached hereto as Exhibit A, are hereby designated as Public/Semi-Public (P/SP)

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, sewage, 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 land use area 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 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 15th day of July, 2025.

Jeryl Hoover, Mayor

ATTEST:

Leticia Vacek, TRMC, CMC, MMC
City Secretary/Records Mgmt. Officer

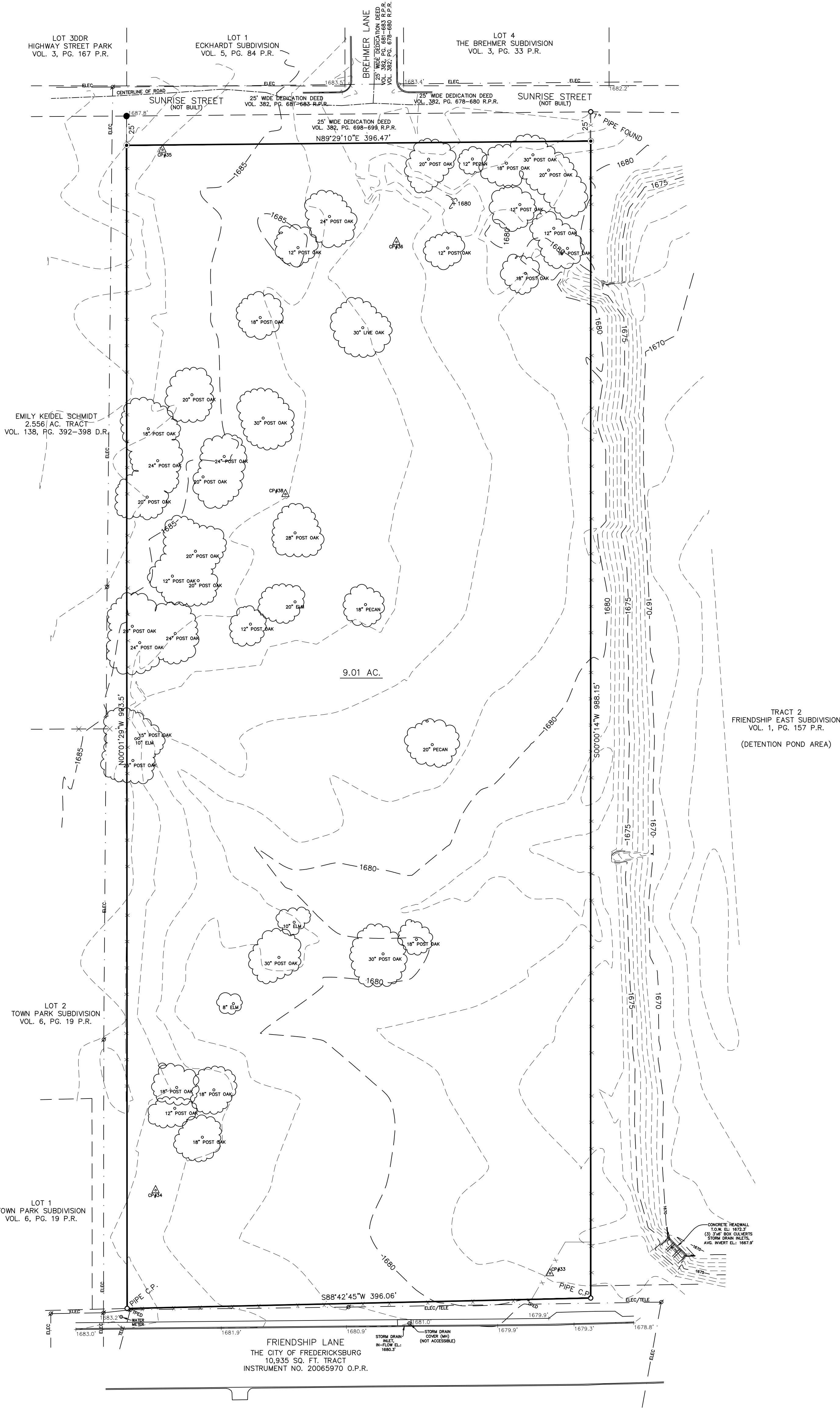
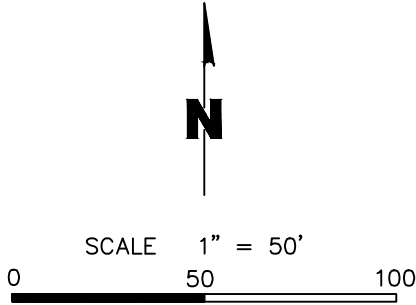
APPROVED AS TO FORM:

Mick McKamie, City Attorney

"EXHIBIT A"

MAP SHOWING
A 9.01 ACRE TRACT OF LAND SITUATED IN THE CITY OF FREDERICKSBURG,
GILLESPIE COUNTY, TEXAS, BEING PART OF OUTLOT NO. 27, AS SAID OUTLOT
IS SHOWN ON THE MAP OF FREDERICKSBURG, TEXAS, AND
ENVIRONS BY THE GERMAN EMIGRATION COMPANY,
PREPARED AT THE REQUEST OF
THE CITY OF FREDERICKSBURG.

BEING THE REMAINDER OF THAT 9.4 ACRE TRACT OF LAND DESCRIBED IN A
WARRANTY DEED TO THE CITY OF FREDERICKSBURG, BY BETTY ANN HEINEMAN,
DATED DECEMBER 29, 2014, FOUND OF RECORD IN INSTRUMENT NO. 20145314
OF THE OFFICIAL PUBLIC RECORDS OF GILLESPIE COUNTY, TEXAS.



SURVEY CONTROL POINT TABLE				
POINT	NORTHING	EASTING	ELEVATION	DESCRIPTION
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CP-36	10060858.66	2759158.35	1682.29	1/2" REBAR
CP-38	10060643.25	2759063.67	1684.03	1/2" REBAR

- NOTE:
- THE SURVEYOR MAKES NO GUARANTY OR WARRANTY AS TO THE EXACT LOCATION OF UNDERGROUND UTILITIES.
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FIELD MEASUREMENTS: MAY 31-JUNE 14, 2024
SKETCH ISSUED: JUNE 17, 2024
PROJECT NO.: 2405-16

WAYMAKER
SURVEYORS OF LAND

1788 W. Live Oak St. | Fredericksburg, Texas 78624
830-997-3884 | TBP&LS Firm No. 10194626

ORDINANCE NO. 2025 - 21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY AND CHANGING THE ZONING DISTRICT AS TO A 8.91 ACRE TRACT OF LAND LOCATED 780 FT EAST OF THE FREINDSHIP LANE HWY 87 SOUTH INTERSECTION TO THE NORTH ALSO REFERED TO AS G.E. CO#27; CHANGING SAID PROPERTY FROM SINGLE-FAMILY RESIDENTIAL (R1) TO PUBLIC FACILITIES (PF); 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, an Application for Rezoning has been submitted by the City for the lot REFERRED TO AS A 8.91 ACRE TRACT OF LAND LOCATED 780 FT EAST OF THE FRIENDSHIP LANE HWY 87 SOUTH INTERSECTION TO THE NORTH ALSO REFERED TO AS G.E. CO#27 in the City of Fredericksburg, Texas, to change the zoning district of said lot from SINGLE-FAMILY RESIDENTIAL (R1) to PUBLIC FACILITIES (PF); and

WHEREAS, public hearings before the Planning and Zoning Commission and the City Council of the City of Fredericksburg have been duly noticed and held regarding such application, as required by the City of Fredericksburg Zoning Ordinance; 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 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 change is consistent with the objectives of the City of Fredericksburg Zoning Ordinance and Comprehensive Land Use Plan of the City of Fredericksburg and 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 two hundred feet (200') therefrom.

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

Section 1. That the zoning ordinance of the City of Fredericksburg is hereby amended to incorporate the certain change in zoning district as follows:

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, said lot being described AS A 8.91 ACRE TRACT OF LAND LOCATED 780 FT EAST OF THE FRIENDSHIP LANE HWY 87 SOUTH INTERSECTION TO THE NORTH ALSO REFERED TO AS G.E. CO#27 in the City of Fredericksburg, Texas, and as additionally described by the legal description attached hereto as Exhibit A, to be and are hereby zoned and designated PUBLIC FACILITIES (PF).

Section 2. That all references in City of Fredericksburg Code of Ordinances to the Zoning Ordinance shall henceforth refer to such as is amended hereby.

Section 3. Ordinance Cumulative. This Ordinance shall be cumulative of all other ordinances of the City of Fredericksburg affecting zoning and land use, as amended, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

Section 5. Penalty. 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 fined not more than Two Thousand Dollars (\$2,000.00) for each offense.

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 6. Savings. 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 7. Severability. 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 8. Publication. 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 9. Effective date. 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 15th day of July, 2025.

Jeryl Hoover, Mayor

ATTEST:

Letty Vacek, City Secretary

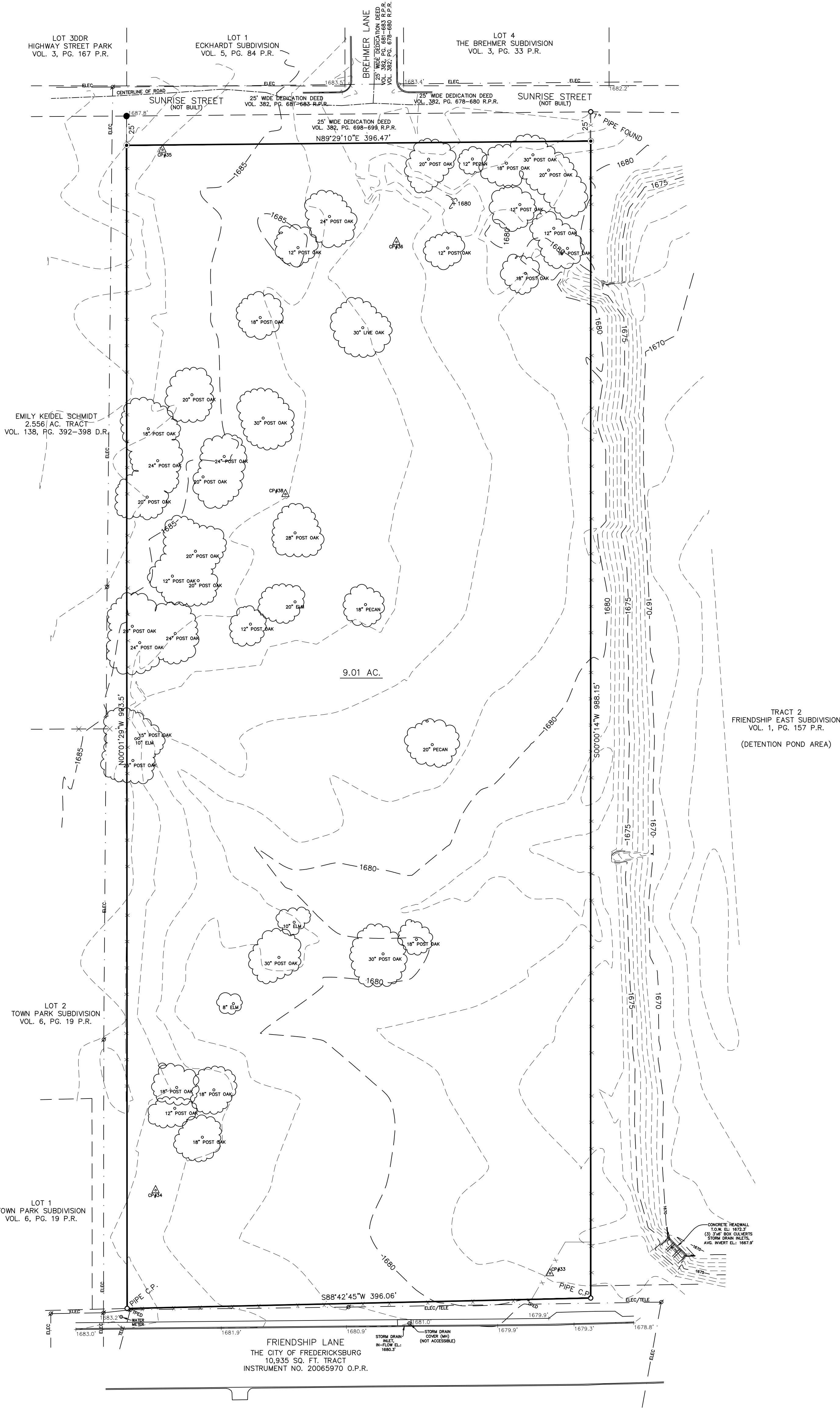
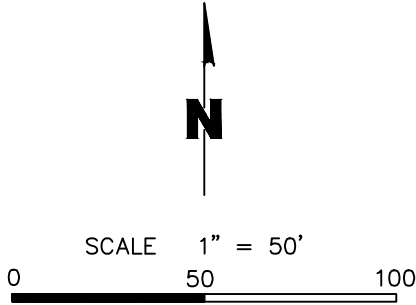
APPROVED AS TO FORM:

Mick McKamie, City Attorney

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FIELD MEASUREMENTS: MAY 31-JUNE 14, 2024
SKETCH ISSUED: JUNE 17, 2024
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WAYMAKER
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CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services

TO: Mayor & City Council Members

FROM: Cliff Cross, Director of Development Services

MEETING DATE: July 15, 2025

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: **Consider Request Z-2508:** By Lynn Development LLC, to Consider a Conditional Use Permit (CUP) per Sec. 3.310 for Permission to Operate as a Light Manufacturing (Micro-Brewery) Use for Property Located on the South-East Corner of South Creek and Hwy 87 South, Also Referred to as ABS A0735 S R Wilson 338, 2.362 Acres Including Pt of Lot 2, Friendship Oaks. *The Planning & Zoning Commission recommended unanimous Approval of the CUP with a vote of 9-0 subject to conditions identified in the memo and further recommended Approval of the entry corridor design by a unanimous 9-0 vote. (Clifford Cross, Director of Development Services)*

- i Presentation by the Applicant
 - ii Presentation by the Staff
 - iii Hold Public Hearing
 - iv Take Action on the Conditional Use Permit
-

PRESENTATION:

[PRESENTER_NO_BR]

SUMMARY:

BACKGROUND: The Applicant has submitted a Conditional Use Permit (CUP), Site Plan & Entry Corridor Review application for a property located at the corner of Hwy 87 South and South Creek Street.

The development previously obtained approval for a Zoning change from C2, Commercial to M1, Light Manufacturing for the 2.362 Acre tract and the Applicant has since returned with the CUP, Site Plan and Entry Corridor application requesting permission to develop a Micro-Brewery (Light Manufacturing Use) on the subject property.

The proposed development would include a 5,000 sq ft building, with 2,000 sq ft dedicated to brewing and 3,000 sq ft acting as a serving and entertaining area as well as a small (140 sq ft) bike shop. In addition, the building is located on the corner of Hwy 87 South and South Creek Street and provides parking (109 spaces) behind the building. There is green space provided with the intent to act as a

recreation area as well as the possibility for future development to include food trucks and an additional building.

The Conditional Use Permit, Site Plan and Entry Corridor Application was reviewed for its conformity with Sec. 5.460, Sec. 3.310, Sec. 7.131 and all other applicable codes and ordinances.

Site Area: Approximately 2.362 Acres OR 102,932 sq ft

Zoning: M1, Light Manufacturing - Entry Corridor [Sec. 3.310](#)

Building Coverage: 6% (6,450 sq ft) (75% Maximum) [Sec. 3.310](#)

Impervious Coverage: 50% (51,275 sq ft) (80% Maximum) [Sec. 3.310](#)

Heights: 19 ft (38 Ft Maximum) [Sec. 3.310](#)

Sidewalk: A sidewalk is provided along South Creek Street.

Access: A 30 ft wide driveway is proposed on South Creek Street.

Parking: When planning for site development, the applicant took into consideration the possibility of adding a 5,000 sq ft future building and chose to park it at 1 per 200 sq ft to provide flexibility for future tenants. This planning resulted in the following calculations. 1 parking space per 3 seats is required for the "Serving" portion of the business (Cocktail/Lounge Use) resulting in the need for 33 spaces. In addition, 1 space per 1,000 sq ft is required for the "Light Manufacturing" use resulting in 2 required spaces. The Bike Shop would require 1 space per 400 sq ft resulting in 1 required space and the possible future 5,000 sq ft building would require 25 spaces if parked at 1 per 200 sq ft. The total parking required is **61 spaces** and the applicant has provided **109**.

As the math and information Staff reviewed is different then what the applicant provided, Staff went to [Sec. 7.860-Design Standards](#) and broke the uses and math down as follows:

Light Manufacturing - See Schedule A - Office or Administrative Activity = 1 space per 400 sq ft
Indoor Storage, warehousing, or manufacturing = 1 space per 1,000 sq ft

Cocktail Lounge = 1 space per 3-person capacity

Landscape and Screening: Plans are required per [Sec. 7.920](#) and should include One (1) tree per 75 LF required. Off-street parking shall have ten (10) sq ft interior landscaping for each parking space. A strip of land at least five (5) ft in depth located between the abutting right-of-way and the off-street parking areas or other vehicular area which is exposed to an abutting right-of-way shall be landscaped and include one (1) tree for each fifty (50) LF. In addition, a hedge wall, or other durable landscape barrier, of at least two (2) feet in height, shall be placed along the perimeter. Screening along the perimeter of the property is required (east) per [Sec. 7.940](#), and screening of the dumpster is required per [Sec. 7.980](#).

Refuse: A dumpster is located on the north-east side of the parking lot and will be fully screened.
Sec. 7.940

Public Hearing: As part of the Public Hearing process, Staff must notify all property owners who own property within 200 ft of the subject tract. As of June 24, 2025, one letter of support was received.

Sec. 5.460 - Review and Evaluation Criteria for Conditional Use Permits. Contains 13 items that must be considered when reviewing a Conditional Use Permit. please see the following:

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

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.

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.

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.

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.

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

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

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

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.

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

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.

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.

Sec. 5.471 - Conditions

The Planning and Zoning Commission, in considering and determining its recommendation, and the City Council, on any request for a Conditional Use Permit, may require from the applicant's plans,

information, operation data and expert evaluation concerning the location, function and characteristics of any building or use proposed. The City Council, in approving or conditionally approving a Conditional Use Permit, may set forth in its decision reasonable conditions which will ensure the intent and purposes of the Zoning Regulations and avoid the creation or detrimental affect upon abutting properties which may include, but not limited to the following:

Duration of Use	Time Period in Which the Proposed Use shall be Developed or Constructed	Fences, Hedges, and Walls
Surfacing of Parking Areas	Regulation of Noise, Vibration, Odors, Etc	Regulation of Time for Certain Activities
Regulation of Signs	Requiring Maintenance of the Grounds	Regulation of Use or Uses
Special Yards, Spaces and Buffers	Requiring Street, Service Road or Alley Dedications and Improvements or Appropriate Bonds	Regulation of Locations of Vehicular Ingress and Egress

Sec. 7.131 - Review and Evaluation Criteria for Site Plans

The Planning and Zoning Commission and the Director of Planning and Building, as advisor to the Planning and Zoning Commission, shall review and evaluate site plans using the following criteria:

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

External elements of the site plan compatibility with existing or permitted uses on abutting sites or within the area of the proposed development, and compatibility of the development of off site physical features including but not limited to the review of the following:

Access and Circulation	Open Spaces	Adjacent Street Network
Planned or Future Development of the Area	Buffers	Public Facilities
Building Height	Bulk	Scale and Orientation
Setbacks	Landscaping	Utilities

Internal elements of the Site Plan including but not limited to the following:

Arrangements of Buildings	Usages and Access Management	Parking Areas
Drainage Improvements/Grading Plan	Permanence of Use and Availability of Alternate Uses	Driveways
Provisions for Handicapped Access	Elevation of View or any Required or Proposed Screening: Including Height, Materials, Percent of Screening and Transitional Elements.	Refuse Collection
Exterior Lighting	Setback	Fire Hydrant Location
Sidewalks	Landscaping and Open Space Plan	Sight Clearance at Intersections and Driveways

Loading Facilities	Size	Location Height and Design Features on all Signs
Vehicular and Pedestrian Circulation	Lot Arrangements	

Modifications to the Site Plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards.

Entry Corridor Design Guidelines and Standards Review

Staff has reviewed the renderings and provided the application feedback regarding the design on May 12, 2025. Please see Staffs review of the proposed design.

1.1 - 1.4 Architectural Style: The architectural style of the entry corridor should be reflective of the Texas Hill Country aesthetic and the selected design is an interpretation of the Texas Regional Design which is appropriate (1.2)

2.1 - 2.6 Architectural Materials: Buildings should employ authentic, textured materials with a focus on materials native to the Hill Country, such as cedar, limestone and brown sandstone. (2.1 & 2.5)

3.1 - 3.4 Architectural Color: traditional colors used in Fredericksburg are greens, blues and tans and predominate building colors should be of each tones. (3.1-3.4)

4.1 - 4.8 Architectural Features: The design should include walls with interest and the building design should incorporate "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 parapets over the entrance door, distinctive roof forms, arches, outdoor patios or plazas, display windows or integral planters. (4.1 - 4.2)

5.1 - 5.7 Massing & Scale: The design should use a variation of materials, textures, patterns, colors and detilas to break down the mass and scale of the building. In addition, Buildings are encouraged to be contiguously arranged along the street face, and large breaks between buildings in identified development sites should be avoided. (5.2- 5.7)

6.1 - 6.4 Signage: The project has not provided a complete sign package at this time but intends to comply with 6.1 - 6.4.

7.1 - 7.4 Building Height: The design should work with the existing streetscape and define heights that are appropriate to create a welcoming environment and consistency. (7.1-7.2)

8.1 - 8.4 Setbacks & Frontage: Doors and entryways shall be constructed facing the entry corridor and any side streets. The front door should connect to the sidewalk along the entry corridor. (8.1-8.2)

9.1 - 9.13 Landscaping: Landscaping, including planting of trees, shall be provided as a buffer between the street and parking area. The project should minimize grading and preserve existing vegetation whenever possible (9.1-9.13)

10.1 - 10.7 Lighting: All lighting will comply with Ordinance 24-014. (10.1-10.7)

11.1 - 11.7 Service Areas: 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. It is encouraged to provide a separate waste and recycling unit to encourage environmental sustainability and support efforts to reduce, refuse and recycle. (11.1 - 11.7)

12.1 - 12.7 Parking and Access: Pedestrian walkways connecting to adjacent development shall be provided. Continuous, 5 ft sidewalks must be provided along the full length of the building featuring customer entrances along any facade facing public parking areas. 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 (12.1-12.7)

13.1 - 13.4 Drainage & Storm Water: The applicant is encouraged to consider LID techniques such as rain barrels, cisterns, and naturalized landscaping 13.1

14.1 - 14.8 Street scape: Create a quality built environment with the inclusion of amenities such as street furnishing, plantings, artworks to enhance the places that people will walk, gather or recreate. (14.1-14.8)

[The 2024 Comprehensive Plan](#) identifies the subject property with a future place type of Neighborhood Residential which is envisioned as primarily single-family neighborhoods. However, in some occasions where the neighborhood abuts a more significant street, a neighborhood service business such as a day care or coffee shop may be appropriate. This commercial activity should be encouraged with specific design standards and compatibility criteria and preferably located at or near intersections.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

The application was reviewed for conformity with all applicable regulations, including Sec. 5.460, Sec. 3.310, Sec 7.131 and after review by the Development Review Committee (DRC), Staff has the following recommendations:

The project would result in the Commercial development of a highly visible lot along a major corridor. The development as proposed appropriately plans for vehicular and pedestrian traffic, access management, buffers for neighboring residential uses, and even plans for future development. In addition, the overall design highlights Low Impact Design techniques such as the butterfly roof that slopes downwards from opposite sides and creates a central valley to funnel water into a cistern that is aesthetically pleasing. The applicant has planned for native landscaping and a limestone wall for screening and has developed an attractive areas for recreation and open space. The overall site design is compatible with permitted uses on abutting sites and has added buffers and additional setbacks to further reduce potentially unfavorable affects or impacts on neighboring properties.

Staff supports the project as proposed and if the commission were to approve the CUP, Site Plan and Entry Corridor Application, it should be conditioned on the following:

Approval of Civil Construction Plans
Approval of Screening and Landscape Plans
Approval of Signage

The Planning & Zoning Commission conducted a public hearing and reviewed the request on July 2, 2025 and recommended conditioned approval of the requested Conditional Use Permit subject to the following conditions 1) Approval of Civil Construction Plans, 2) Approval of Screening and Landscape Plans, 3) Approval of Signage and 4) Subject to an identified Timeframe for a Music Curfew. The Planning and Zoning Commission further recommended approval of the proposed Entry Corridor Design. Both motions passed by a unanimous 9-0 vote.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality

City Center

Mobility

Small Town Sensitive Growth

ATTACHMENTS:

1. Z-2508 - Public Hearing Map_Zoning
2. Z-2508_ Mailing Labels
3. Z-2508- Development Review Comments Combined
4. Z-2508_DRC Response for July 2nd Final
5. Z-2508_Pour Choices - PZ Presentation - 6-13-25
6. Z-2508_CUP Narrative
7. Z-25208-Fully_Revised_Entry_Corridor_Narrative
8. Z-2508-FISCHER-APPROVE- JULY MEETING
9. Z-2508-support letter-g.cain
10. z-2506 - support letter_m. hernandez
11. Z-2506_SUPPORT- S. TARSKI
12. Z-2508_ CUP Application

APPROVAL/REVIEW:



Evan Williamson, Assistant Director of Public Works & Utilities

Date: July 08, 2025



Garret Bonn, Assistant City Manager

Date: July 08, 2025



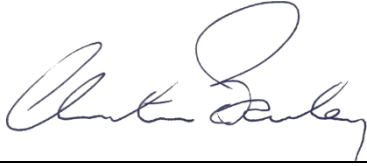
William McKamie, City Attorney

Date: July 09, 2025



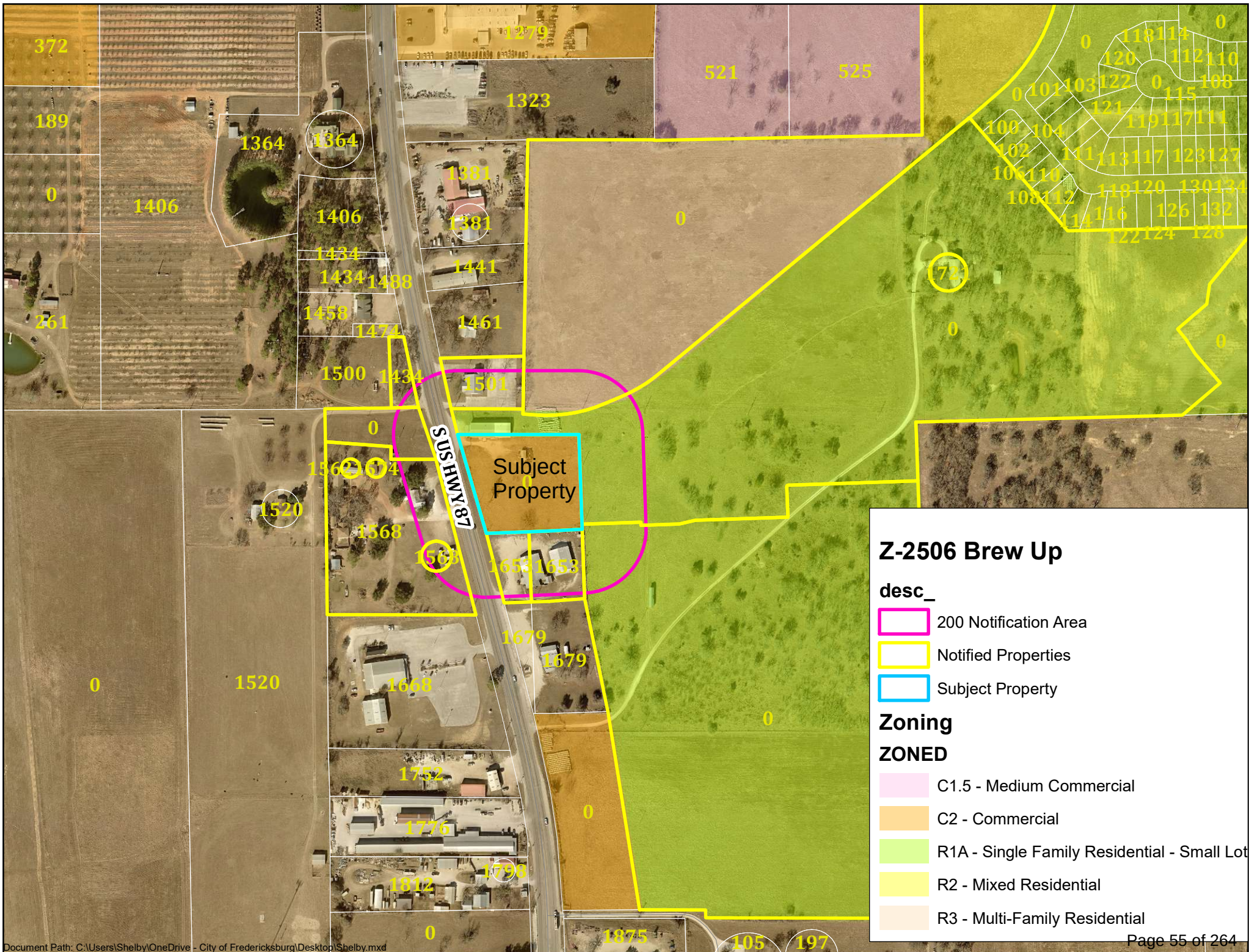
Leticia Vacek, City Secretary

Date: July 09, 2025



Clinton Bailey, City Manager

Date: July 09, 2025



Fischer and Wieser Specialty Foods, Inc
411 S Lincoln
FREDERICKSBURG, TX 78624

MAYOLO ALBITER
1574 S US HWY 87
FREDERICKSBURG, TX 78624

FIRST CLASS FIREWORKS
P.O. BOX 2963
FREDERICKSBURG, TX 78624

HUMMINGBIRD HOLDINGS, LLC
157 COUNTRY CREEK LANE
FREDERICKSBURG, TX 78624

LENNAR HOMES OF TEXAS
100 NE LOOP 410, SUITE 1155
SAN ANTONIO, TX 78216

HK FREDERICKSBURG, LLC
24607 FAIRWAY SPRINGS
SAN ANTONIO, TX 78260

ZACHARY ZENNER
780 NORTHWEST
FREDERICKSBURG, TX 78624

FREDBG JEHOVAHS WITNESSES
480 SUMMIT CIRCLE
FREDERICKSBURG, TX 78624

Watch Tower Bible
100 Watchtower Drive
Patterson, NY 12563

FREDERICKSBURG THEATHER
1668 S. US HIGHWAY 87
FREDERICKSBURG, TX 78624

Z-2508



May 12, 2025

Rick LaPlante
Lynn Development LLC
rick@laplantes.net

RE: Z-2508 – Review Comments for the Review of the Lynn Development LLC for the CUP requesting approval for the Light Manufacturing (Micro-Brewery) use.

Dear Applicant,

Project will require consideration by the Planning and Zoning Commission scheduled for **Wednesday, June 4, 2025**, at 2818 US 290 East (HEB Room at the former University Center – City Hall East Campus), please have a representative present at the meeting.

The project will also require consideration by City Council on **Tuesday, June 17, 2025**, at 2818 US 290 East (HEB Room at the former University Center – City Hall East Campus), please have a representative present at the meeting.

Please review the following comments and address appropriately. Please provide a written response as to how the items are addressed by **Monday, May 19, 2025**.

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

- The [2024 Comprehensive Plan](#) identifies this area with a Neighborhood Residential Place Type which is intended to be primarily single-family neighborhoods but with a variety of lot sizes and housing types. At significant intersections, or in a Planned Unit Development (PUD), neighborhood-serving retail, personal services and office uses are encouraged. These uses should be found along higher-classification streets and sited at or near intersections.

The City of Fredericksburg

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

- This property is located in the Entry Corridor and as such requires review based on the Entry Corridor Design Guidelines and Standards. The project may proceed with the Conditional Use Permit, however, it would have to return for a more detailed review of the site plan and entry corridor requirements.
 - <https://fbgtx.org/DocumentCenter/View/1940/Entry-Corridor-Design-Standards>
 - Would require an [Entry Corridor Application](#) & Site Plan Application and fees (\$100.00 = Entry Corridor/ \$500.00 = P&Z Site Plan/ DRC Comments \$250.00)
- Provide a revised site plan to include the following:
 - Updated Zoning Summary – Zoning at time of CUP will be M1, not C2.
 - [Sec. 3.310. - M-1: LIGHT MANUFACTURING. | Code of Ordinances | Fredericksburg, TX | Municode Library](#)
 - Update Building Cover and Impervious Cover requirements based on [Sec. 3.310](#)
 - Include all proposed buildings in the calculation (covered seating, Stage, Storage, Future Building, Covered Entry)
 - Provide proposed Building Height. [Sec. 3.310](#)
 - Update parking requirements based on Sec. 7.863 – Light Manufacturing – which requires an interpretation from the Development Services Director, who recommends parking the Brew area at 1 per 400 and the Serving Area (seating) at 1 per 3 seats (same as Cocktail Lounge).
 - Dimension Parking Spaces per [Sec. 7.860](#)
 - Screening per [Sec. 7.940](#) is required
 - Staff recommends a 25 ft space buffer from the property line to the East and the parking lot per [Sec. 5.460](#)
 - 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.
 - Staff recommend relocating the dumpsters to reduce potentially unfavorable impacts to the residential development to the west. [Sec. 5.460](#)
 - Staff recommends relocating the lighting to reduce
 - Staff does not recommend the Stage or Outdoor Amplified Music per [Sec. 7.131](#) & [Sec. 5.460](#).
 - Dimension ADA spaces and show compliance with ADA. [Sec. 7.131](#)
- Landscaping and Screening Plan per [Sec. 7.920](#) & [Sec. 7.940](#) & [Sec. 7.980](#)
- Provide Bicycle Parking for the development [Sec. 7.131](#).

The City of Fredericksburg

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Engineering Comments

Sibyl Deckard

1. This project will require civil construction plans for utility connections
2. Please note that granite gavel parking areas are considered impervious and must be accounted for in calculations.
3. Please dimension the distance between the intersection of Creek St & Hwy 87 and the proposed driveway.
4. Please dimension parking spaces. All parking space dimensions, including ADA spaces, must meet the City's code of ordinances Section 7.850 for off-site parking and ADA standards, respectively.
5. Please show sight visibility triangles at driveway and intersection of S Creek St and Hwy 87.

Based on our review, Staff does not feel like the project is ready for the June Planning and Zoning Meeting. Staff recommends submitting a full site plan, entry corridor, and CUP application so that we may perform a more thorough review. Staff recommends postponing the application until the July 2nd P&Z meeting.

Please return the revised plans along with your written response as to how the comments have been addressed by **Monday, May 19, 2025**. Please feel free to contact me with any comments or questions, jmusgrove@fbgtx.org and I will be happy to assist you.

Jan Musgrove
Planner 1

The City of Fredericksburg

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Pour Choices Brewing Company
DRC Comment Response Letter
To: City Development Staff and Planning & Zoning Commission
Date: June 16th, 2025

Dear Planning & Zoning Commission Members and City Development Staff,

Please find below our formal response to the Development Review Committee (DRC) comments, along with our updated site plans. We would like to express our appreciation for the productive meetings and collaboration with City Staff throughout this process. With this resubmittal, we believe we have meaningfully addressed the concerns and recommendations raised, while aligning our project with the intent and spirit of the Entry Corridor Design Standards and Guidelines. Our goal is to showcase low-impact development practices (LID) including rainwater retention, native and xeriscape plantings with drip irrigation, semi-permeable surfaces, energy efficient equipment, glazing, and glazing placement, and forgoing any grass areas that would consume vital water resources. We believe this plan delivers a vibrant and memorable architectural presence suitable for our business needs, and one that we, as well as the City of Fredericksburg, can be proud of.

DRC Comment Responses

Entry Corridor Design Guidelines

Comment: This property lies within the Entry Corridor and is subject to review under the corresponding Design Guidelines and Standards. The project may proceed with the Conditional Use Permit; however, a more detailed review of the site plan and entry corridor requirements is required. Fees have been paid, but updated plans/renderings are not evident.

Response: Updated site plans and renderings are included in this submittal where appropriate.

Site Plan Revisions

Zoning Summary Update zoning summary to reflect that the property will be zoned M1 (Light Manufacturing) at the time of CUP approval.

Response: The site plan has been updated to reflect M1 zoning, and all zoning specifications now correspond accordingly.

Impervious Cover and Building Coverage (Sec. 3.310)

Response: All impervious cover calculations have been updated to include outbuildings, canopies, and hardscape pathways. Building coverage includes all roofed structures.

Proposed Structures and Future Building References

Response: All proposed buildings—including covered seating, stage, storage, and covered entry—have been accounted for. References to any potential future buildings have been removed. However, we appreciate staff’s insights and have incorporated flexibility into the layout to allow for potential future structures that could comply with Entry Corridor standards.

Include Building Height

Response: Proposed building heights are provided on the Site Plan Sheet under ‘Building Information’ and noted on Elevation #1 (US87S-facing).

Parking Requirements (Sec. 7.863)

Response: Parking calculations are in accordance with staff interpretation: 1 space per 400 sq ft for brewery operations (5 parking spaces) and 1 space per 3 seats for serving areas. Total building occupancy of 100 includes the brewery and seating operations.

Parking Dimensions (Sec. 7.860)

Response: Parking dimensions are now shown and compliant with code.

Screening Requirements (Sec. 7.940)

Response: An 8' solid privacy fence with materials that match the main building, has been incorporated along the eastern boundary adjoining R1 lots. Additional landscape screening is shown on the north end of the proposed parking lot.

Buffer from Residential Property (Sec. 5.460)

Response: A 25' landscape buffer has been provided along the eastern property line. In alignment with guidance from staff and the City Engineer, a 15' buffer is maintained between the fence and parking lot edge near the adjacent Residential Neighborhood to the east, with no structures located within this 25' buffer area and vegetation screening.

Dumpster Location

Response: After exploration of alternatives with staff, the existing dumpster location has been retained due to site constraints. Any movement of the dumpsters further into the lot works against code recommendations to have dumpsters with easy access. Mitigation measures include the 25' buffer, 8' screening fence to match the building materials, and additional separation provided by the adjacent Lennar lots, which were designed with substantial rear setbacks to accommodate adjacent commercial uses.

Lighting Placement

Response: Lighting along the eastern property boundary has been revised to low bollard-height fixtures to reduce glare and light spillover into adjacent residential areas.

Stage and Outdoor Music (Sec. 7.131 & 5.460)

Response: The outdoor stage has been relocated and will include solid rear screening to mitigate noise. We are open to further dialogue with staff and PNZ regarding amplified sound, and propose the following: no outdoor music after 10:00 PM on Fridays, Saturdays, and holidays; and no music after 9:00 PM on other weeknights.

ADA Parking Compliance

Response: ADA parking spaces are now dimensioned and fully compliant with applicable standards. 5 ada parking spaces per City standards over 100 parking spaces.

Additional Requirements

Landscaping and Screening Plans (Sec. 7.920, 7.940, 7.980)

Response: A landscaping and vegetative screening has been included within the site plan. All vegetation to include native species in accordance with City Landscaping Standards.

Bicycle Parking (Sec. 7.131)

Response: Bicycle parking is now shown at the main entrance and within the interior courtyard area.

We hope this updated submittal demonstrates our commitment to both compliance and collaboration. We welcome any further feedback and look forward to continued progress toward approval.

Sincerely,

The Pour Choices Brewing Company Project Team

POUR CHOICES BREWING CO.

**1537 S. US Hwy 87
Fredericksburg, TX 78624**

- 2 SITE PLAN
- 3 EXTERIOR VIEW FROM US HWY 87
- 4 EXTERIOR VIEW FROM CORNER OF US HW 87 & SOUTH CREEK ST
- 5 EXTERIOR VIEW FROM SOUTH CREEK ST
- 6 EXTERIOR VIEW FROM OUTDOOR SPACE

LEGEND

PROPOSED BUILDING

PERMANENT STRUC.

FOOD TRUCKS

SIGHT VISIBILITY TRIANGLE

LIGHT POLE/BOLLARD

ENTRY/EXIT

TWO WAY AISLE

SIDEWALK

FIRE LANE

EX. SEWER

EX. ELEC.

PAVED PARKING

GRAVEL PARKING

MIXED SURFACE

CISTERN

NATIVE TREES/ PLANTS

PROPERTY LINE

SET BACK LINE

EX. GAS

EX. WATER

BUILDING INFORMATION

Zoning: M1
Primary Use: Brewery & Cocktail Lounge
Building Height Max: 38' (Actual Ht. = 19')
Building SF: 5,635 sf
Legal Description:
ABS A0735 S R WILSON #38, 2.362 ACRES,
-INCLUDES PT OF LOT 2 FRIENDSHIP OAKS-

IMPERVIOUS CALCS.

Building sf: 5,635 sf
Stage & Stor. sf: 528 sf
Exterior Storage Yard sf: 1,460 sf
Bike Shop, Food Truck & Canopy sf: 2,184 sf
Parking & Dumpster Enclosure: 42,400 sf
Sidewalk: 4,919 sf
Kids Area Mixed Surface: 2,700 sf

Total Impervious Cover sf: 59,826 sf
Total Property sf: 102,932 sf (2.362 ac)

Impervious Cover Percentage: 58%
Max Impervious Cover : 85%

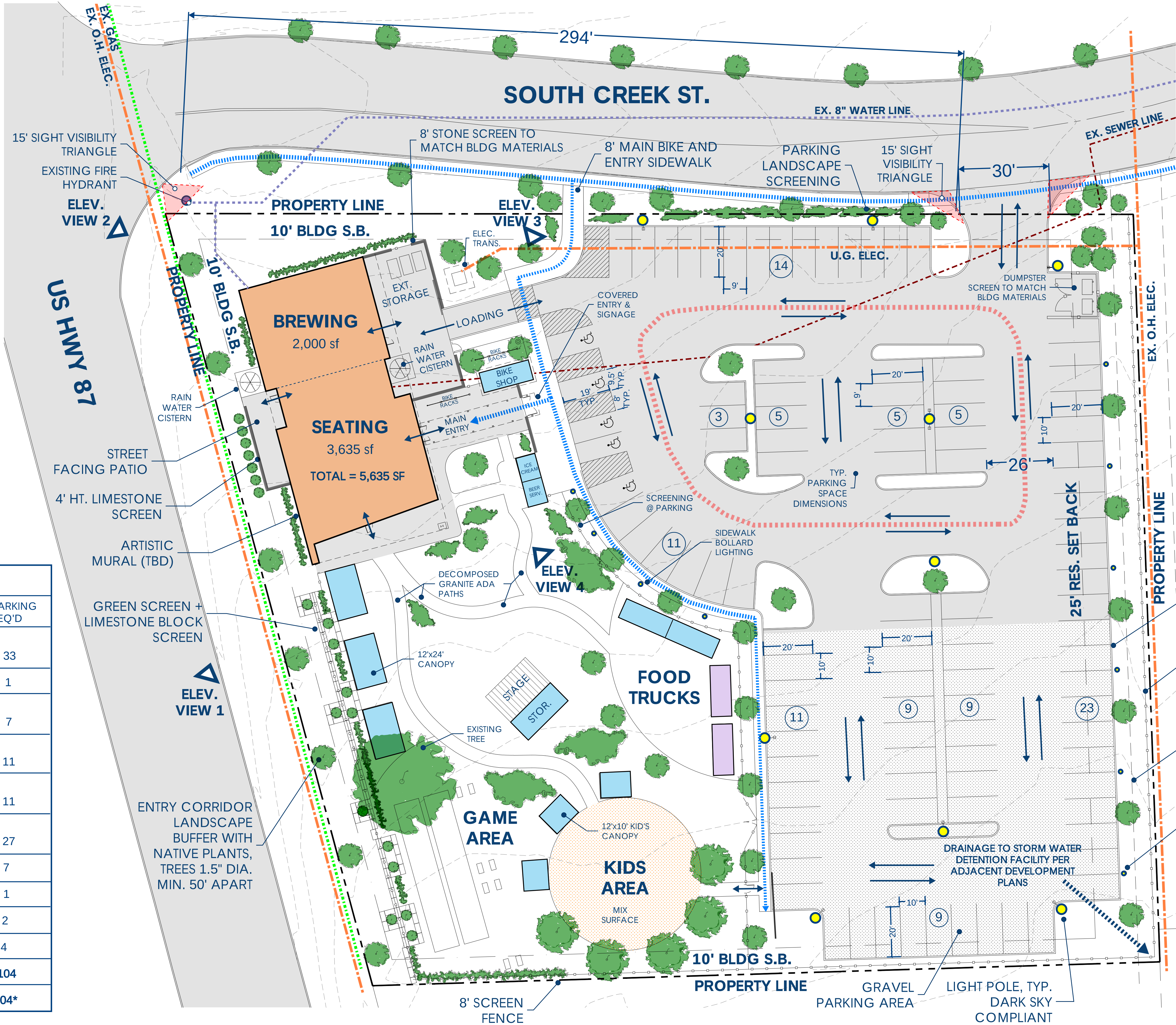
PARKING CALCS

SF	OCC. LOAD	OCCUPANCY	PARKING LOAD	PARKING REQ'D
BUILDING: BREWING + SEATING 5,635 SF		100	1 per 3 occ	33
EXTERIOR STORAGE YARD:		1		1
STAGE: 308 SF	15 net	21	1 per 3 occ	7
OUTDOOR SEATING 500 SF	15 net	33	1 per 3 occ	11
FOOD TRUCKS EATING AREA 500 SF	15 net	33	1 per 3 occ	11
MUSIC & KID'S CANOPY 1224 SF	15 net	82	1 per 3 occ	27
GAMES & KIDS AREA		28	1 per 4 occ	7
BIKE SHOP		1		1
ICE CREAM & BEER SERV.		2		2
FOOD TRUCKS		4		4
TOTAL		307		104
TOTAL PROVIDED PARKING				104*

*TOTAL INCLUDES 5 ADA PARKING SPACES

SITE PLAN

POUR CHOICES BREWING CO. - 1537 S. US HWY 87



LANDSCAPING REQ.

Entry Corridor:
Provide trees 1.5" or bigger, spaced 50' apart on center.

PARKING:
Provide min. of 4" dia tree per 8 parking spaces located in the corners & islands (104 spaces = 13 trees)

LANDSCAPING PROVIDED

Entry Corridor:
(7) - 1.5" min. diameter Trees
(7) - 1.5" min. diameter cluster Trees

South Creek St:
(7) - 1.5" min. diameter Trees

Parking:
(20) - 4" min. diameter trees

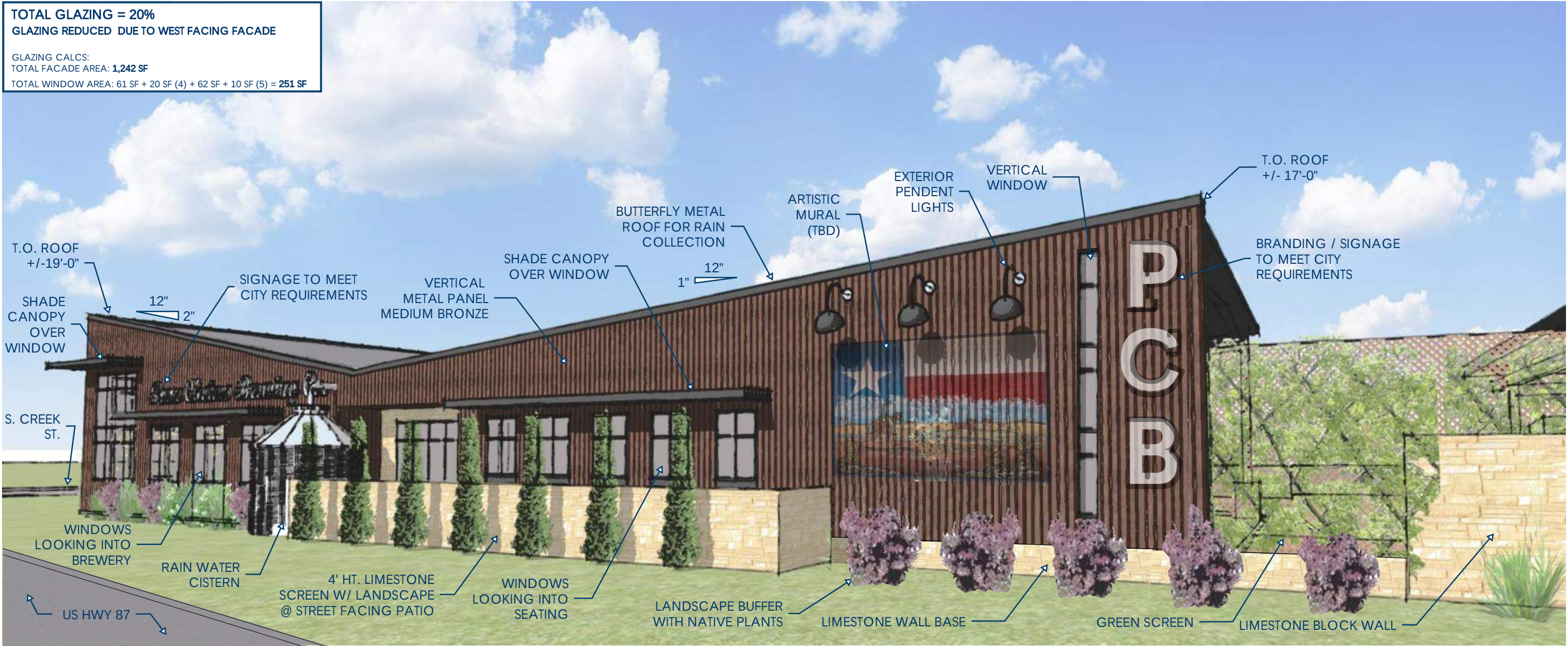
(ADJACENT RESIDENTIAL NEIGHBORHOOD)

15' RESIDENTIAL GREEN BUFFER
8' HEIGHT SCREEN FENCE
EXISTING 20' ELEC. EASEMENT
PARKING BOLLARD LIGHT @ RES. BUFFER

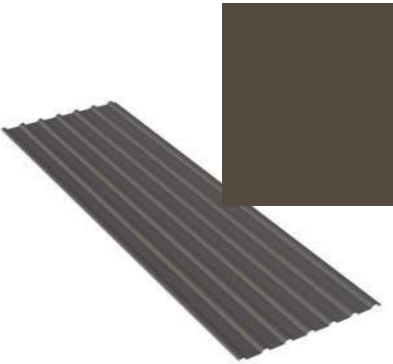
SITE PLAN
SCALE = 1:20

TOTAL GLAZING = 20%
GLAZING REDUCED DUE TO WEST FACING FACADE

GLAZING CALCS:
 TOTAL FACADE AREA: **1,242 SF**
 TOTAL WINDOW AREA: 61 SF + 20 SF (4) + 62 SF + 10 SF (5) = **251 SF**



MATERIAL IMAGES



METAL PANEL - MEDIUM BRONZE



LIMESTONE WALLS



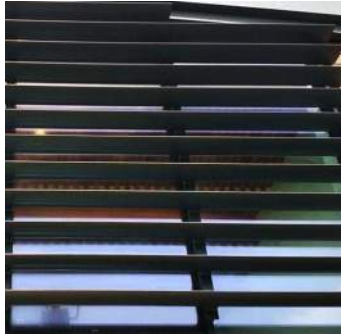
GREEN + LIMESTONE BLOCK SCREEN @ HWY 87



PAINTED BRANDING EXAMPLE ON CISTERN



WINDOW WITH METAL PANEL INFILL - BLACK



SHADE CANOPY OVER WINDOW



TRELLIS COVERED ENTRY



PRE-ENGINEERED METAL BUILDING



NATIVE PLANTS

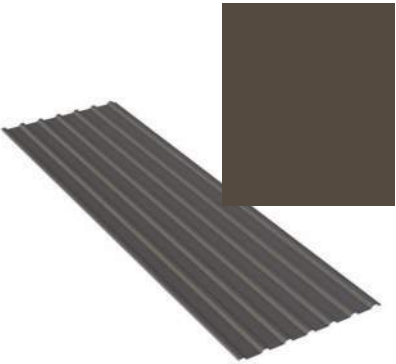
VIEW FROM US HWY 87

TOTAL GLAZING = 16%
GLAZING REDUCED DUE TO EQUIPMENT PLACEMENT
GLAZING FOCUS @ CORNER CONDITION

GLAZING CALCS:
 TOTAL FACADE AREA: 2,243 SF
 TOTAL WINDOW AREA: 237 SF + 23 SF (5) = 352 SF



MATERIAL IMAGES



METAL PANEL - MEDIUM BRONZE



LIMESTONE WALLS



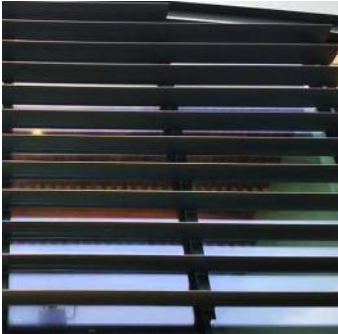
GREEN + LIMESTONE BLOCK SCREEN @ HWY 87



PAINTED BRANDING EXAMPLE ON CISTERN



WINDOW WITH METAL PANEL INFILL - BLACK



SHADE CANOPY OVER WINDOW



TRELLIS COVERED ENTRY

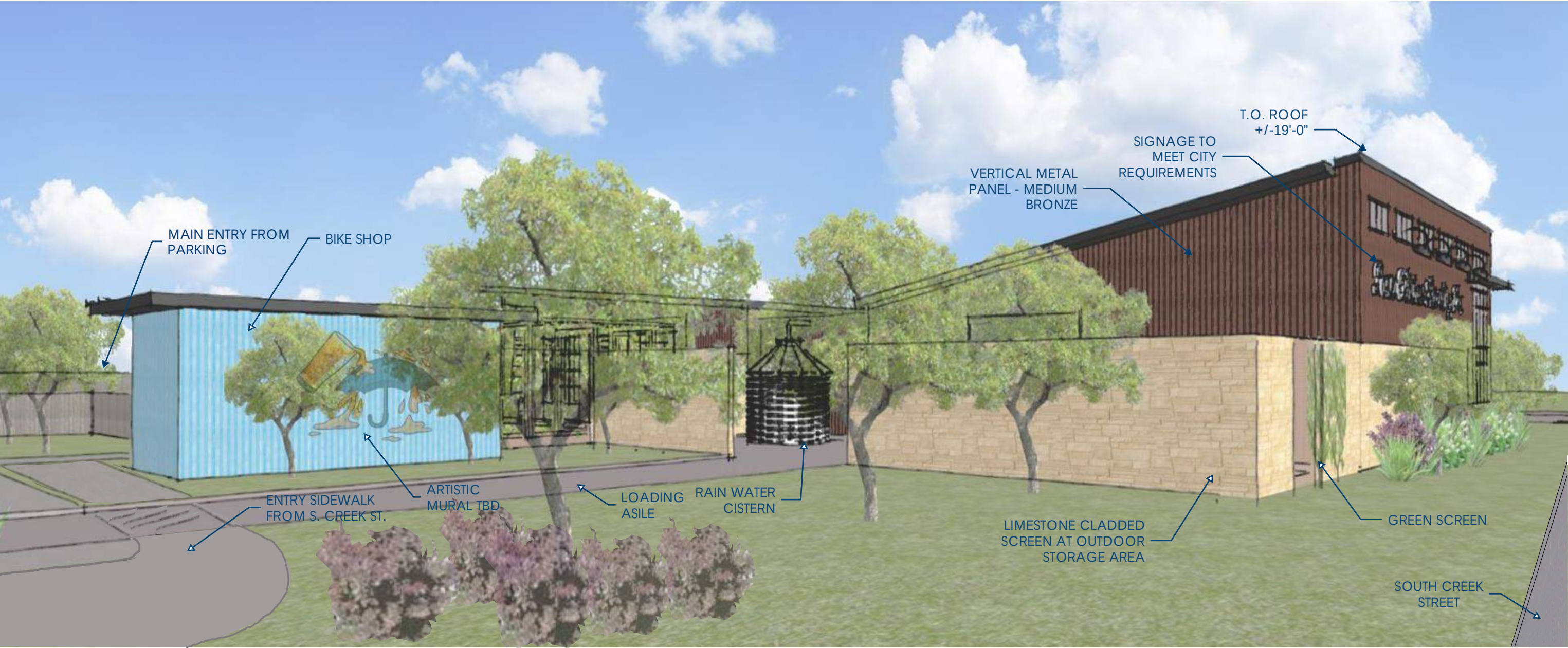


PRE-ENGINEERED METAL BUILDING

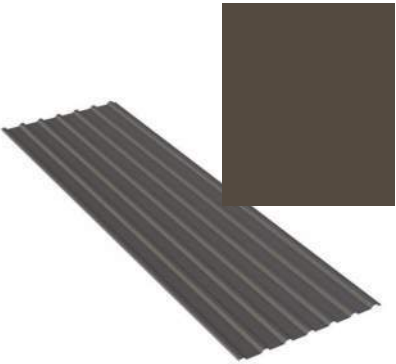


NATIVE PLANTS

VIEW FROM CORNER OF US HWY 87 & SOUTH CREEK ST.



MATERIAL IMAGES



METAL PANEL -
MEDIUM BRONZE



LIMESTONE WALLS



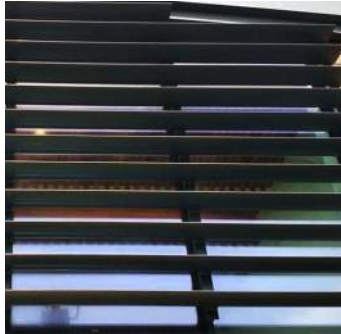
GREEN + LIMESTONE
BLOCK SCREEN @
HWY 87



PAINTED BRANDING
EXAMPLE ON
CISTERN



WINDOW WITH
METAL PANEL
INFILL - BLACK



SHADE CANOPY
OVER WINDOW



TRELLIS COVERED ENTRY

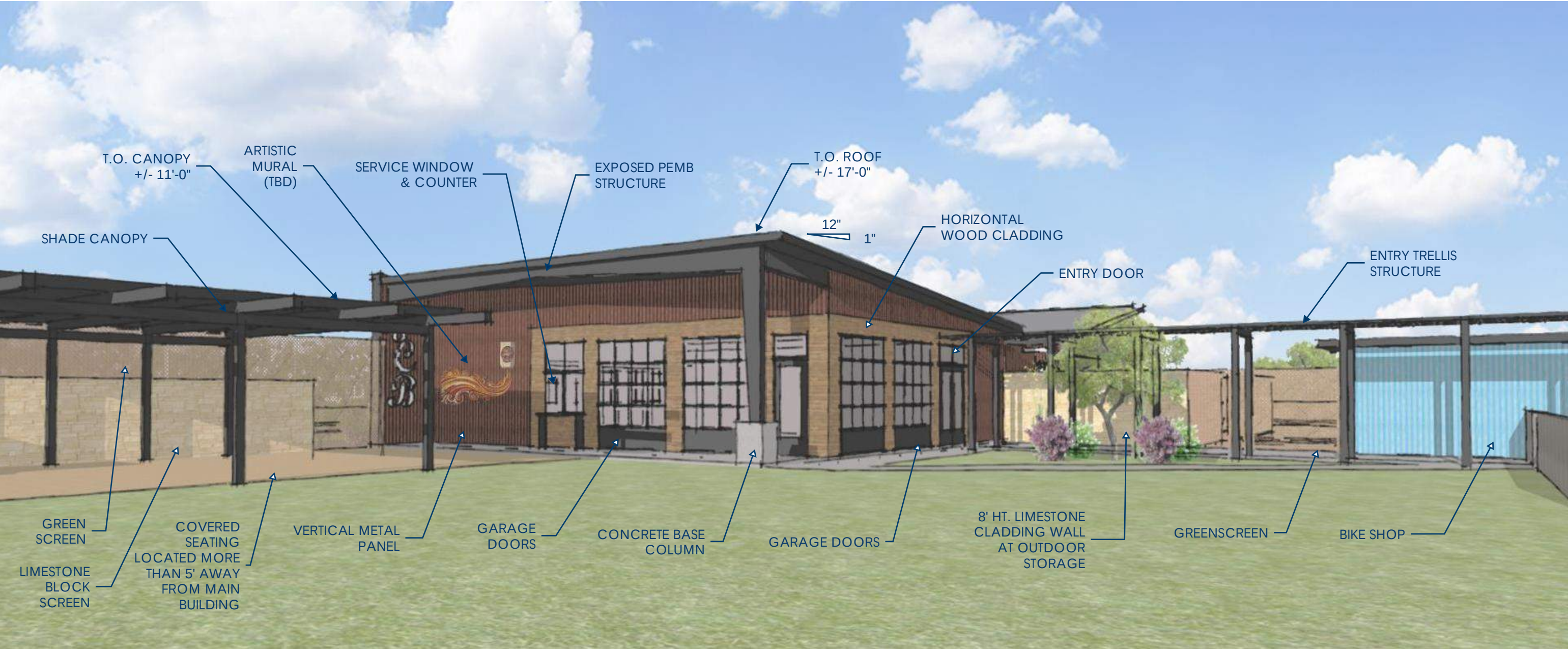


PRE-ENGINEERED METAL BUILDING

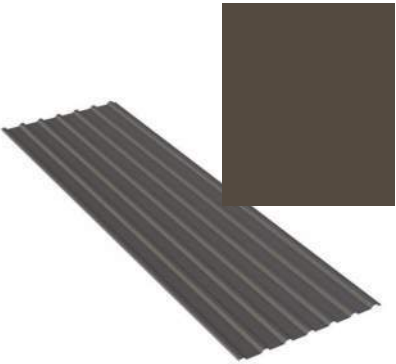


NATIVE PLANTS

VIEW FROM SOUTH CREEK ST.



MATERIAL IMAGES



METAL PANEL - MEDIUM BRONZE



LIMESTONE WALLS



GREEN + LIMESTONE BLOCK SCREEN @ HWY 87



HORIZONTAL WOOD PANEL



TRELLIS COVERED ENTRY



EXPOSED PEMB STRUCTURE



PRE-ENGINEERED METAL BUILDING



NATIVE PLANTS

VIEW FROM OUTDOOR SPACE

The End

"Life is architecture and architecture is the mirror of life."

To the Honorable Members of the Planning and Zoning Board, City of Fredericksburg:

We respectfully submit this letter in support of our application for a Conditional Use Permit to allow for the development of **Pour Choices Brewing Company**, a locally owned and operated craft brewery and taproom.

Business Overview

Pour Choices Brewing Co. is a community-focused brewery offering both indoor and outdoor seating, a family- and pet-friendly environment, a rotating selection of handcrafted beers brewed on-site, and a full-service bar. Our business model includes:

- A vibrant **taproom and outdoor gathering place** where residents and visitors can enjoy fresh pours in a welcoming environment produced by award winning professional brewers.
- Community-focused programming, such as **free event space for community groups, art walks, seasonal festivals, local vendor markets, beer education nights, on site food trucks, live music, and pet adoption partnerships.**
- A small-batch **brewhouse facility** designed for direct-to-consumer taproom sales and limited local distribution.

Community Benefits

Pour Choices Brewing is more than just a business — it's a gathering space and local asset. We aim to:

- **Enhance tourism** by adding a destination craft brewery that reflects Fredericksburg's charm and hospitality.
- **Create jobs** for local residents, including positions in brewing, hospitality, events, and management.
- **Support local organizations** such as educational programs, first responders, children's health and welfare, and community improvement organizations via our **Pour Choices Community Foundation**, a nonprofit initiative seeded by our owners, and continually funded in part by proceeds from brewery operations.
- **Activate the surrounding area** — located in a rapidly developing part of town both commercially and residentially — by generating increased foot traffic and fostering partnerships with neighboring businesses.
- **Celebrate Texas Hill Country culture**, using locally sourced ingredients and showcasing regional flavors.
- **Embody entry corridor standards** as one of the earliest buildings to be seen entering Fredericksburg from San Antonio & Comfort.

Narrative addressing Section 5.460

Property has a current zoning change application pending with P&Z and City Council to change zoning from C-1 to M-1 based on the current city codes. While the majority of our space being dedicated to taproom, bar, and public-facing features aligns well with existing commercial C-2 zoning, the actual brewing operations — which involve on-site manufacturing of alcoholic beverages — require **M-1 Light Industrial zoning** under current city code. Our operations will remain small-scale, clean, in compliance with all safety, noise, and environmental regulations, and limited by the Texas Alcoholic Beverages Commission Brewpub License we will operate under, to no more than 10,000 barrels of production per year. *The shift in zoning is solely to accommodate the brewing equipment and processes within a small portion of the same building as the taproom and bar. The vast majority of the experience for both customers and neighbors will be with the taproom and outdoor gathering spaces.*

Compatibility with existing or permitted uses on abutting sites – our team has considered the abutting uses (primarily commercial, but 5 lots from Friendship Oaks) in all aspects of site planning. The building location is as far from the residential lots as possible. Outdoor seating is similarly located to minimize impact to residential lots. The site plan shows both buffer and landscaping to screen our parking area from the residential lots.

In terms of hours of operation, we would expect to be closed by 10pm on weeknights, and 11 pm Fri/Sat. We would have all outside music end by 10pm and align with existing City codes regarding outdoor music.

Safety and convenience of vehicular and pedestrian circulation in the vicinity is addressed by providing entry to our lot at the furthest point down S Creek St away from the US87 intersection, and of course not requesting an entrance off of US87S.

This property's water retention was contemplated in the Friendship Oaks drainage design and 100% of stormwater runoff will be dealt with by the Friendship Oaks retention pond directly SE from our lot.

Dark sky lighting is specified for parking.

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

The vast majority of the surrounding lots up and down US87S are commercial lots.

We appreciate your consideration of our request and welcome any opportunity to answer questions or provide further details. Our team is excited about the opportunity to invest in, and grow with, the Fredericksburg community.

Respectfully,

Rick and Judith LaPlante, Co-founders & Owners
Pour Choices Brewing Company

This narrative has been prepared to demonstrate how the proposed development complies with the City of Fredericksburg’s Entry Corridor Design Standards and Guidelines. Our project has been thoughtfully designed to balance creativity and functionality while honoring the regional character of the Texas Hill Country and the City’s vision for high-quality development along key gateways.

The site lies at the intersection of US87S and S. Creek Street—an important entry point to Fredericksburg. As such, our design team has taken care to address the aesthetic, operational, and environmental expectations outlined in the Entry Corridor guidelines. We have interpreted these standards not simply as regulatory requirements, but as a framework for enhancing the experience of arrival, creating a positive transition between commercial and residential uses, and contributing to the visual and cultural identity of the area.

Our architectural approach is rooted in a Hill Country Modern aesthetic, integrating traditional materials like limestone and natural regional woods with contemporary forms, matte and weathered metal, native landscaping, and environmental strategies including rainwater harvesting and limiting impervious cover. We have made a deliberate effort to screen service areas, mitigate lighting impacts, and maintain appropriate transitions to neighboring properties, particularly the adjacent R-1 residential zone. Every design decision has been guided by a commitment to compatibility, safety, sustainability, and place-making.

The following pages provide detailed responses to each applicable standard and guideline, referencing the current site plan, architectural elevations, and supporting conversations with City staff where relevant. We believe this project represents a thoughtful, forward-looking interpretation of Fredericksburg’s development goals and respectfully requests your favorable consideration.

Detailed Responses

Section 1: Architectural Style

Standards

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

N/A

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

The building embodies a contemporary interpretation of the Texas Hill Country aesthetic—often referred to as “Texas Hill Country Modern”—through its integration of regional materials, clean forms, and contextual detailing. The sweeping butterfly roof introduces a modern silhouette while maintaining compatibility with the surrounding landscape. Extensive use of glazing promotes visual transparency and indoor-outdoor connectivity, while limestone accents and rustic elements such as repurposed grain bins and western-themed murals ground the design in local heritage. This composition reflects both the character and evolution of Hill Country architectural traditions, offering a design that is at once contextually rooted and forward-looking.

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 proposed design draws inspiration from the established character of neighboring properties, including Dietz Distillery, the Jehovah’s Witness Kingdom Hall, and Das PeachHaus—all of which feature rustic materials such as limestone, metal, and natural wood. These materials are thoughtfully echoed in our design, ensuring visual compatibility with the surrounding context. While the form of the building introduces a distinctive architectural expression—including a dramatic butterfly roof—its scale, material palette, and detailing remain firmly rooted in the Texas Hill Country tradition. This approach allows for a respectful yet contemporary addition to the corridor, aligned with the guideline’s intent to reflect, rather than replicate, historic styles.

- 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.

N/A

Section 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 proposed design utilizes only authentic, non-reflective materials that align with the traditional Hill Country aesthetic. All metal finishes are matte to avoid glare, ensuring compliance with the standard. The material palette includes limestone, stucco/EIFS, and green screening through live fencing—each contributing visual texture and regional authenticity. These materials were purposefully selected to enrich the architectural character of the site while reinforcing the rustic elegance that defines the Texas Hill Country style.

- 2.2 Abide by Historic District Guidelines for preserving historic buildings.

N/A

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

N/A

- 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).

N/A

Guidelines

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

The project incorporates a carefully curated palette of native Hill Country materials to ensure compatibility with the regional vernacular. Perimeter fencing will consist of natural cedar and traditional “coyote fencing” for interior enclosures, reinforcing a rustic and authentic character. Along US87S, the design includes limestone columns paired with either stucco or natural limestone block wall sections, further complemented by green screening and live fencing. This combination not only reflects local material traditions but also contributes to a softened, visually appealing streetscape in keeping with the corridor's rural heritage.

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

The proposed building employs a variety of materials, architectural forms, and landscape elements to introduce depth, articulation, and human scale. The roofline varies in elevation and form, establishing a dynamic visual rhythm. Materials include a blend of limestone, stucco/EIFS, and extensive glazing, all complemented by green space landscaping and a low limestone garden wall that softens the building edge.

Steel brise soleil elements above window sections add further articulation, introducing a play of light and shadow that enhances texture and visual complexity. These sunshades vary in height and placement, contributing to façade relief. As referenced in the Façade Construction Manual (Herzog et al.), brise soleil are considered part of contemporary façade systems—functioning as secondary skins that contribute both depth and articulation.

Additionally, the building mass is broken into articulated sections, including a recessed inset zone treated in stucco/EIFS, which helps reduce the building's perceived scale and creates an intimate spatial moment along the corridor. Collectively, these elements fulfill the guideline's intent through material richness and deliberate architectural modulation.

Section 3: Architectural Color

Standards

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

N/A

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

The color palette has been carefully selected to unify and enhance the building's architectural composition. Dark browns and matte blacks are used consistently in the walls, brise soleil elements, and trellis structures, creating a cohesive visual language that anchors the design. These darker tones complement the natural materials—such as limestone and cedar/natural wood—while providing contrast and rhythm across the façade. This deliberate coordination of color supports an integrated and harmonious appearance in line with the overall Hill Country Modern aesthetic.

- 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.

Bright colors are used sparingly and purposefully within the project, limited to accenting the outdoor bike repair station, which is creatively integrated into a repurposed shipping container. This strategic use of color draws visual interest without overwhelming the overall aesthetic. The remainder of the façade adheres to a restrained, earth-toned palette consistent with the Hill Country context, ensuring compliance with the 15 percent guideline and reinforcing architectural cohesion.

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 building's color palette is composed entirely of earth tones, including natural shades of limestone, cedar, stucco, and matte metal finishes. These tones were selected to harmonize with the surrounding landscape and built environment, reinforcing the regional character. Where accents are used, they are limited and intentionally placed to provide subtle visual punctuation, aligning with the eclectic but restrained aesthetic typical of Fredericksburg.

Section 4: Architectural Features

Standards

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

The building façade along the entry corridor has been thoughtfully designed to avoid any blank or featureless expanses. It incorporates a dynamic combination of materials—including limestone, stucco, and matte metal—interspersed with large areas of glazing that showcase the interior brewing equipment. Architectural articulation is achieved through the use of bays, varying roof heights, and shifts in wall plane, all of which contribute to visual interest and break up the massing. These elements work together to create an engaging and contextually appropriate streetscape presence.

- 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 project site fronts US87S, a designated principal arterial with posted speeds exceeding 55 MPH. According to the **TxDOT Roadway Design Manual** and the **AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities**, the inclusion of sidewalks adjacent to high-speed roadways must be carefully evaluated for pedestrian safety. Both recommend that, where sidewalks are placed along corridors with speeds over 45 MPH, a minimum lateral buffer of 6–10 feet from the edge of travel lanes is ideal, preferably with physical separation (e.g., guardrails or raised medians). In this location, right-of-way width, traffic volume, and shoulder configuration do not support these safety measures.*

Accordingly, a primary customer entrance has not been placed along the highway frontage. Instead, the design prioritizes safe pedestrian access from neighborhood connections and the intersection at S. Creek Street. The building still promotes human scale through a range of architectural features including varied rooflines, recessed forms, expansive glazing, and articulated wall sections. These elements meet the intent of the standard while ensuring safety and functionality consistent with best practices in highway-adjacent site planning.

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

N/A

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

The façade design incorporates evenly spaced windows that establish a consistent architectural rhythm, aligning with the functional layout of the brewery while also highlighting the visual appeal of the stainless steel brewing equipment within. This spacing supports both operational needs and aesthetic goals. Additionally, the integration of brise soleil elements above the glazing introduces dynamic shadow patterns that evolve throughout the day, adding depth and visual interest to the façade. Together, these elements reinforce the building's rhythm and scale in a manner consistent with the corridor's design standards.

- 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.

While the western façade faces the designated entry corridor (US87S), operational needs limit full glazing along this elevation. The southern portion of the entry corridor façade accommodates critical back-of-house functions—specifically the kitchen and walk-in cooler—which are not suitable for clear glazing due to health, safety, and energy efficiency requirements. Additionally, due to the west-facing orientation, window coverage on this façade was intentionally reduced to minimize environmental impact and improve the building’s energy efficiency, particularly in regard to utility usage.

To address these constraints and uphold the spirit of the design standard, the design team has made a deliberate effort to maximize glazing wherever feasible. Large clear-glass windows provide visibility into the brewery’s stainless-steel equipment, showcasing the production process and adding visual interest from the corridor. Additionally, significant glazing is introduced in the recessed inset area of the building, enhancing transparency and rhythm while maintaining energy efficiency and interior usability. Where full glazing coverage is impractical, architectural enhancements such as brise soleil and vertical modulation help meet the intent of the standard by maintaining visual interest and pedestrian scale. Finally, to enhance design continuity and further offset any shortfall, the expansive window treatment continues around the northwest corner of the building and clerestory windows were strategically introduced to meet glazing requirements and to enhance the amount of natural light entering the space. These design moves not only improve overall façade transparency but also reinforce architectural rhythm and create a visually striking architectural transition, while providing pedestrian engagement along the entry corridor and side street.

We ask that Staff & the PNZ take these constraints and accommodations into consideration with regard to glazing requirements.

- 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.

N/A

Guidelines

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

The design thoughtfully aligns with the scale and material palette of surrounding developments. Architectural features such as limestone cladding, non-reflective metal panels, and black steel accents provide both visual continuity and contextual sensitivity. These elements reflect the established Hill Country aesthetic and contribute to a cohesive streetscape, while the building's articulated massing and modest footprint ensure it remains proportionate to neighboring structures.

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

N/A

Section 5: Massing & Scale

Standards

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

The entry corridor façade is intentionally segmented into four distinct sections, each articulated through changes in plane, material, façade, and roofline. A low garden wall composed of natural stone further grounds the design and reinforces horizontal division at the pedestrian level. The roof elements across these bays vary in height and form, creating a dynamic profile that reduces the perceived mass of the building and contributes to a more approachable, human-scale presence along the corridor.

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

The building design incorporates a rich combination of materials and architectural detailing to reduce perceived mass and enhance visual interest. Vertical steel siding, horizontally coursed limestone, and stucco are used in complementary ways to introduce contrasting textures and finishes. In addition to material variation, the façade is articulated through changes in wall plane and depth, creating shadow lines and architectural relief that help segment the building into more approachable elements. These strategies work collectively to reinforce a human scale and align the structure with the regional character of the Texas Hill Country.

- 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 has been strategically sited to minimize its impact on adjacent land uses. It is positioned at the far western edge of the property, furthest from the neighboring R-1 residential lots, and adjacent to a major intersection with no directly connected residential structures. This location not only buffers surrounding homes from commercial activity but also leverages the corner's visibility and access without encroaching on the more sensitive edges of the site. The placement reflects thoughtful massing consistent with both the letter and intent of the design standards.

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

The Entry Corridor Facade is segmented using (2) 40' bays and an inset area to break up metal panel materials and introduces limestone to break up the metal façade materials at ground level. At certain windows new materials such as metal panel inserts were added to break up the vertical metal wall panels. The design also incorporates brise soleil above key window sections to create consistent architectural relief and visual rhythm along the façade. These elements provide functional shading while also projecting from the building plane to break up massing at regular intervals. This approach aligns with best practices in façade design by offering texture, shadow, and variation, all of which enhance the human scale and visual complexity of the building. In areas along this façade without windows, murals and branding moments help add additional interest and texture to these areas without increasing the architectural complexity of additional wall plane changes. A low garden wall composed of natural stone and landscaping adds another level of material articulation to the human scale. Roofing elements vary in height, creating a dynamic profile and reduces the perceived mass of the building.

Guidelines

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

Although the 2.3-acre site could accommodate a significantly larger footprint—up to approximately 14,000 square feet—the initial development is purposefully limited to a 5,000 square foot building. This reduction in scale reflects a deliberate effort to maintain compatibility with adjacent lower-density residential uses. The building mass has been thoughtfully modulated to create an appropriate transition, both visually and functionally.

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

N/A

- 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.

N/A

Section 6: Signage

Standards

- 6.1 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.

No monument or ground signage is proposed as part of this development. All planned signage will be building-mounted and integrated into the architectural design, eliminating the need for a landscaped base area.

Guidelines

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

The proposed signage employs a simple and cohesive color scheme, using minimal contrasting tones to ensure clarity and visual harmony. Primary signage elements—including the “PCB” monogram and “Pour Choices Brewing Company” name—utilize subdued, earth-toned palettes with any bright colors limited to small accent details. This approach maintains legibility while aligning with the corridor’s design intent and broader Hill Country aesthetic. Additionally, Murals promoting Fredericksburg, Texas and the surrounding areas will also be composed of minimal number of colors earth toned colors.

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

All signage has been intentionally integrated into the architectural composition of the building. Sign placement and alignment have been carefully considered during the design process to ensure consistency with façade rhythm, material transitions, and key visual anchors. This strategic approach reinforces the overall design language and ensures that signage complements—rather than competes with—the building’s architecture.

- 6.3 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

Addressed in site plans

Section 7: Building Height

Standards

- 7.1 Use existing height standards from the Zoning Ordinance

The proposed building complies fully with applicable height regulations. Per the elevation drawings, the brewery and production side of the structure reaches a maximum height of 19 feet above grade, while the taproom side reaches 17 feet above grade. These heights are well within the limits established by the Zoning Ordinance and have been designed to maintain an appropriate scale relative to the surrounding built environment.

Guidelines

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

The proposed building height has been carefully calibrated to align with the existing streetscape and surrounding context. Design concepts involving second stories, mezzanines, or rooftop bars were intentionally set aside in favor of a single-story structure that maintains visual harmony with adjacent buildings. This approach supports a more approachable, human-scale environment while reinforcing the horizontal character typical of the area's development pattern.

- 7.3 Use building height to define neighborhood and district edges, and to provide a "human scale."

See 7.2

- 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.

N/A

Section 8: Setbacks & 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.

As addressed in Section 4.2, the project's frontage along US87S—a high-speed corridor with a posted limit exceeding 55 MPH—presents significant safety concerns for direct pedestrian access. During site planning discussions with City staff, including Even Williamson, we raised these concerns and discussed the impracticality of providing a sidewalk or primary entrance along the US87S right-of-way. In response, the primary building entrances have been oriented toward safer, pedestrian-friendly access points from S. Creek Street and the internal parking areas. This layout prioritizes public safety while maintaining compliance with the broader intent of the guideline through clearly defined and accessible customer entry points.

Guidelines

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

See 4.2.

- 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.

N/A

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

N/A

Section 9: Landscaping

Standards

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

Not applicable. The parking area is located on the opposite side of the building from the entry corridor and is screened from view by a continuous fence and wall that extends from the building to the southern corner of the property. This configuration eliminates any direct visual connection between the parking area and the street, effectively achieving the buffering intent of the standard through site layout and structural screening rather than planted landscaping.

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.

The site plan confirms the planting of a minimum of nine trees along the US87S frontage, located on the street-facing side of any wall or fence. This meets the required density for tree canopy coverage and is consistent with the guideline's goal of creating a shaded, visually cohesive corridor. Trees may be clustered where appropriate to accommodate existing infrastructure and maximize visual impact.

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

The landscape plan will be intentionally designed to minimize environmental impact through a holistic approach that includes 100% native and drought-tolerant plant species, integrated stormwater management, and on-site water reuse. The project incorporates two large rainwater collection cisterns that will supply irrigation water, reducing demand on municipal resources. This strategy reflects the owners' familiarity with native Texas plantings and reinforces the project's commitment to sustainable, low-impact development in alignment with the Hill Country aesthetic and Fredericksburg's environmental goals.

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

Confirmed

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

The site plan limits impervious coverage to under 70% of the lot area, significantly below the 85% maximum allowed by code. This reduction supports improved stormwater infiltration, lower surface temperatures, and decreased demand for irrigation and cooling—aligning with both the letter and intent of the guideline to promote sustainable site development.

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

The site design includes a substantial open space dedicated to outdoor seating and landscaped gathering areas, intentionally preserved in lieu of additional building density. This open space serves as both an amenity and a buffer, helping to soften transitions between uses and maintain visual openness along the corridor. It also enhances the user experience and reinforces the Hill Country character through integration with native landscaping and low-impact design.

- 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.

N/A – no curb on US87S at this location.

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

Confirmed

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

Confirmed

- 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.

N/A

- 9.11 Minimize grading and preserve existing vegetation whenever possible.

The site benefits from naturally limited elevation changes, which will allow the civil grading plan to minimize both cut and fill requirements. This approach reduces site disturbance, supports stormwater management goals, and helps preserve the integrity of existing soil structure where feasible.

- 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.

The landscape irrigation system will utilize efficient drip and root-zone delivery methods to minimize water waste and ensure targeted hydration. Plantings will be grouped by similar water needs to further optimize irrigation efficiency. Irrigation water will be initially sourced from two on-site stormwater retention cisterns when available, supporting long-term sustainability goals and significantly reducing reliance on municipal water supplies. This system will also incorporate moisture sensors to regulate use based on actual soil conditions.

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

N/A

Section 10: Lighting

Standards

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

The site plan specifies that all exterior lighting in the plan will be International Dark-Sky Association approved fixtures. Lighting will be fully shielded to prevent glare and skyglow.

Guidelines

- 5.2 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.

Confirmed in site plan

- 5.3 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.

Confirmed in site plan

- 5.4 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 luminaries that have less than 90 degree cut-off so that the light is not emitted horizontally or upward.

To prevent light spillover onto adjacent R-1 residential properties, all parking and building-mounted fixtures will utilize full cut-off shielding and adhere to less-than-90-degree light emission standards. Additionally, several proactive measures have been taken to further reduce potential impact:

- The eastern edge of the parking lot has been set back 15 feet from the shared property line—exceeding the required 10-foot buffer.*
- All light poles along the eastern edge have been removed or limited to a bollard height to reduce light projection.*

These steps ensure compliance with both the technical lighting standard and the broader intent to protect residential character and nighttime ambiance.

- 5.5 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.

Confirmed in site plan – parking lights will operate on automated timers to shut off within 30 min of closing and resume 30 minutes before opening. This approach minimizes light pollution, supports wildlife sensitivity, and aligns with Fredericksburg's commitment to preserving nighttime visibility and environmental quality, while ensure public and employee safety.

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

The drive entrance and on-site parking areas will be appropriately lit using dark-sky compliant fixtures to ensure safe vehicular and pedestrian access. Lighting will be positioned to enhance visibility at entry and exit points without contributing to off-site glare, maintaining both safety and compliance with lighting standards.

5.7 Decorative seasonal lighting encouraged.

Confirmed

Section 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.

Confirmed in site plan

11.2 Designated loading and unloading zones are clearly demarcated on the site plan through pavement striping and signage. Architectural elevations incorporate full screening to ensure these service functions remain visually unobtrusive from public right-of-way and shared circulation areas.

Confirmed in site plan

Guidelines

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

All trash, recycling, and utility enclosures are designed to be fully screened both visually and acoustically—not only from adjacent pedestrian rights-of-way but also from neighboring R-1 residential properties. The project incorporates a 15-foot setback on our side of the shared property line, complemented by an additional 10-foot minimum setback on the R-1 parcels, resulting from the 20-foot-wide CTEC utility easement centered along the property line. Notably, these R-1 lots in Friendship Oaks are among the deepest in the subdivision, with residential structures typically positioned farther forward, increasing separation from the shared boundary and CTEC utility lines.

Screening will be achieved through a combination of solid fencing and vegetative buffers, ensuring these service elements are discreetly integrated into the site and do not detract from the surrounding residential or pedestrian environment.

- 11.4 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.

A 6-foot solid fence is shown on the site plan and will be installed to fully screen service areas, including trash and utility enclosures. This meets the guideline requirement for effective visual and acoustic separation from surrounding areas, while ensuring functional accessibility for operations.

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

The project will use a combination of solid fencing and dense vegetation to screen service areas. This dual approach enhances both functional screening and visual integration, ensuring the enclosures are well-buffered while also contributing to the site's overall landscape aesthetic.

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

Confirmed in site plan

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

N/A – no rooftop equipment

- 11.8 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.

Dedicated recycling and waste containers will be provided within the screened service area enclosure. This supports the City of Fredericksburg's sustainability initiatives by facilitating responsible waste separation and encouraging patron and staff participation in local recycling efforts. The enclosure has been designed to accommodate both container types while maintaining a clean and visually discreet appearance.

Section 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.

N/A

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

Confirmed in site plan with number, dimensions, and markings

- 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.

Confirmed in site plan

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

Confirmed in site plan

- 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.'

Confirmed in the site plan. Trees—each with a minimum 4-inch diameter—will be installed in designated planting beds around the parking lot and between the parking lot and the adjacent open space, exceeding the minimum standard of 1 per 8 spaces, while enhancing shade, aesthetics, and environmental performance.

- 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.

Confirmed on site plan

Guidelines

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

Confirmed in site plan

- 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.

Given our focus on providing a destination for cyclists living in, training, and visiting Fredericksburg, bicycle parking is a central feature of the site design and will be ample, prominently located near the primary customer entrance, and adjacent to a dedicated free bike repair station. These facilities will be constructed using materials and finishes that coordinate with the overall site aesthetic and will be well-lit to ensure safety and visibility during nighttime hours.

Given the project's location at the intersection of S. Creek Street and US87S—a high-speed corridor with a posted speed of 55 MPH—we seek clarification on whether additional bike parking is appropriate or required at the corner itself, where direct bicycle access may raise safety concerns.

- 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.

In alignment with this guideline, the initial site plan included a 10-foot landscape buffer along the shared property line with the adjacent R-1 residential lots. To further enhance screening and address concerns, we have since increased this buffer to 15 feet. While City staff initially recommended a 25-foot setback, we believe our proposed solution achieves the intended impact in a more efficient and site-appropriate manner.

The plan includes an 8-foot privacy fence and continuous vegetative screening along the eastern edge of the property where it abuts the four R-1 lots. It's important to note that these specific lots are the deepest in the Friendship Oaks subdivision, with homes positioned toward the front of each parcel. This results in substantial natural separation between residential structures and the shared boundary. Additionally, these properties include a 20-foot CTEC utility easement centered on the property line, along with any drainage infrastructure directing water to the stormwater retention pond located southeast of the project. This unique configuration further reduces potential impacts and reinforces the effectiveness of our proposed buffer solution.

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

Confirmed in site plan

Section 13: Drainage & Stormwater

Standards

N/A

Guidelines

- 13.1 LID techniques such as rain barrels, cisterns, rain gardens, naturalized landscaping, porous pavement and roof gardens are encouraged.

The project incorporates two large rainwater collection cisterns as part of its Low Impact Development (LID) strategy. These systems are designed to capture and store rooftop runoff for reuse in irrigating the site's native and drought-tolerant landscaping. This approach reduces reliance on municipal water, supports long-term sustainability, and aligns directly with the intent of the guideline to manage stormwater through environmentally responsible methods.

- 13.2 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.

Not applicable. Stormwater retention for this project is managed through the adjacent retention pond located within the Friendship Oaks development, as outlined in the annexation agreement with the City. This shared infrastructure was specifically designed to accommodate runoff from this site and surrounding properties, ensuring compliance with drainage requirements.

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

Confirmed. The site design maintains the natural drainage flow toward the southeast corner of the property. Stormwater will be conveyed via surface swale into the adjacent retention pond lot, consistent with the existing topography and drainage patterns. This approach minimizes site disturbance and aligns with best practices for sustainable stormwater management.

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

N/A

Section 14: Streetscape

Standards

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

A compliant sidewalk already exists along Creek Street, providing safe pedestrian access to the site. As referenced in Section 4.2, the US87S frontage presents significant safety concerns due to its posted speed limit of 55 MPH. Based on discussions with City staff and in accordance with TxDOT and AASHTO design guidance, a sidewalk within the US87S right-of-way at this location at this time is not advisable or appropriate. Pedestrian access is instead directed through safer, lower-speed internal connections.

Guidelines

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

Confirmed

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

Due to the building's orientation along US87S—a high-speed corridor with posted limits exceeding 55 MPH—no, or very limited seating is planned along this frontage. Safety, noise, and overall pedestrian comfort were primary considerations in this decision. Instead, outdoor seating is concentrated in more appropriate, protected areas of the site that promote a comfortable and inviting environment for patrons, consistent with the intent of the guideline.

- 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 handrails.

Confirmed

- 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 project integrates public-facing art and site features to create a distinctive and engaging environment. Murals and other artwork will be incorporated along building walls and cisterns facing both US87S and S. Creek Street, contributing to a strong sense of place and visual identity. These enhancements, along with thoughtful landscaping and open gathering spaces, support the guideline's intent to encourage interaction, walkability, and community character.

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

N/A

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

N/A

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.

Confirmed in site plan

Public Comment Form
Please return this form to:
Development Services – Zoning
126 W. Main Street
Fredericksburg, TX 78624
830-997-7521



REQUEST NO. Z-2508

As an interested property owner, I (PROTEST) / (APPROVE) the requested Zoning change request, represented by the above file number because:

Signature CASE D. FISCHER Date 6/16/25

Printed Name CASE D. FISCHER

Address 261 Eckhardt Lane, FBG, TX 78624

I am writing in regard to Rick LaPlante's request to the Committee and strongly support his project. His proposal could create an anchor to future diverse development in the immediate area, and would offer an appropriate balance to current businesses in the city, without adding to the traffic congestion along the Main Street corridor.

The LaPlante's are strong supporters of the Fredericksburg community and are solid residents of the area. In the past, both Rick and Judith have shown extreme sensitivity to their neighborhood and also the surrounding vegetation and have exhibited strong business acumen in all their previous endeavors. They are both avid cyclists and intend this to become a cycling destination as well.

Regards,

Gavin Cain
REALTOR
830.998.7887

Jan Musgrove

From: gavin cain <gavin.cain@gmail.com>
Sent: Tuesday, May 6, 2025 1:50 PM
To: Jan Musgrove
Subject: Re: Rick LaPlante Proposed Development (Pour Choices Brewing Company)

Yes, sure;

2868 Kneese Rd
Fredericksburg
78624

Gavin Cain

Sent from my iPad

On May 6, 2025, at 1:37 PM, Jan Musgrove <jmusgrove@fbgtx.org> wrote:

Mr. Cain,

Thank you sir.

May I have your address to add to the support document.

Thank you

Jan Musgrove

Planner 1

<image001.jpg>

126 W. Main Street

Fredericksburg, TX 78624

Office: (830) 997-7521 | Direct: (830) 990-2079 | jmusgrove@fbgtx.org

City Mission: We're leading with integrity while providing the best customer services to our community.

From: gavin cain <gavin.cain@gmail.com>
Sent: Tuesday, May 6, 2025 12:10 PM
To: Jan Musgrove <jmusgrove@fbgtx.org>
Subject: Rick LaPlante Proposed Development (Pour Choices Brewing Company)

Dear Ms Musgrove,

From: [Miguel Hernandez](#)
To: [Jan Musgrove](#)
Subject: Pour choice
Date: Wednesday, May 7, 2025 9:32:27 AM

Ms. Musgrove,

I own and operate a business in Fredericksburg for 4yrs. I think that a brewery on Hwy 87 would be a great asset to this town. It will move some of the traffic off 290 and bring more men tourist to this town. It would be more accessible to locals.

Sincerely, Miguel Hernandez H3 Masonry Inc

2nd letter- received after 9am email sent

Jan Musgrove

From: Sandi Tarski <sptarski@gmail.com>
Sent: Tuesday, May 6, 2025 8:15 PM
To: Jan Musgrove
Subject: Citizen Comment - 5/7/25 P&Z Committee Mtg

Regarding item #4A:

Please consider granting the zoning change requested by the applicant for the proposed brewery property on 87. The idea/plan for the property sounds great and it sounds like a good business for our community. I am impressed with the applicants' background and experience, and the desire to partner with folks in our community. The applicants have experience opening a brewery and have some great ideas for this location. We are exciting about this business and thank you for your consideration of this request.

Sandi Tarski

Sent from Sandi's iPhone



Zoning Application

City of Fredericksburg – Development Services Department

126 W. Main St, Fredericksburg, TX 78624

A. Project Information

Project Name: Z-2506 Brew Up

Project Address: ABS A0735 S R Wilson #38, 2,362 acres including pt of Lot 2, Friendship Oaks

Property Tax ID Numbers: 183912

B. Application Type: [Appendix A – Fee Schedule](#)

- ☐ Voluntary Annexation - \$750.00
- ☒ Conditional Use Permit - \$500.00
- ☐ Land Use Change - \$300.00
- ☐ Zoning Change - \$600.00
- ☐ Amendment to existing PUD - \$500.00
- ☐ Creation of PUD - \$750.00
- ☒ DRC Review Comments - \$250

❖ *All applicants will be charged the following fees for the required Public Hearing notifications.*

- ☒ *Public Hearing Newspaper - \$150.00*
- ☒ *Public Hearing 200 ft notification letter - \$100.00*

C. Applicant/Owner Information - Property Owner

Owner Name: Lynn Development LLC
Owner Address: PO Box 3403 Fredericksburg 78624
Owner Phone Number: 328.218.2076
Owner Email Address: treycurtis@lynndev.com

D. Applicant

Applicant Name: Rick LaPlante
Applicant Address: 322 Oak Haven Rd Fredericksburg 78624
Applicant Phone Number: 832.605.7310
Applicant Email Address: rick@laplantes.net

Applicant's Signature

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, if I am not the owner, that I have authorization from the owner to act on his/her behalf.

Signature: *Rick LaPlante*

Printed Name: Rick LaPlante

Staff Use Only Application Number: Z-2508 Date: 4/25/25

Ch # 102 \$1,000.00 received 4/25/25 application received on 4/28/25



CONDITIONAL USE PERMIT (CUP) CHECKLIST

This form and all required exhibits must be included with the Conditional Use Permit (CUP) application.

- ☒ Provide a brief description of the proposed use, including information pertinent to the review and evaluation criteria stated in [Section 7.131](#) in the form of a narrative.
- ☒ The site plan shall be drawn to scale, and include dimensions as necessary to show the following:
 - ☒ The date, scale, north point, title, name of owner and name of person preparing the Site Plan.
 - ☒ Zoning summary, including type, minimum and actual lot size, setbacks, maximum and actual building height, building coverage and impervious coverage. [Section 7.131](#)
 - ☒ Address and legal description of property [Section 7.131](#)
 - ☒ Show and dimension requested access to public roadways and provide plans for access Management. [Section 7.131](#)
 - ☒ The location of existing and proposed improvements including parking and loading areas, pedestrian and vehicular access and utility or service areas. [Section 7.131](#) The location of existing and proposed fencing and screening. [Section 7.940](#)
 - ☒ Location and size of existing and proposed streets and alleys [Section 7.131](#) dimension of boundary lines, easements, and required yards and setbacks of all existing and proposed buildings and land improvements and the height and intended use of existing and proposed buildings on site, and approximate locations of buildings on abutting sites within 50 [Section 7.131](#)
 - ☒ Proposed exterior lighting, including fixture type. [Article XV- Outdoor Lighting](#)
 - ☒ The number of existing and proposed parking and loading spaces, and a calculation of applicable minimum requirements. [Section 7.860](#)
 - ☐ Landscaping, including location, size, and species of existing trees on site, square footage of all proposed landscape areas. [Section 7.920](#) The location of signs. [Chapter 29](#)
 - ☒ Site plan showing response to [Sec. 5.460](#) including a narrative addressing the response.
 - ☒ Photos of all four sides of the property.
 - ☒ Provide existing and proposed topography and grading (5' minimum contour intervals), and erosion control measures. [Section 7.131](#)
 - ☒ Solid waste container, which requires screening. [Section 7.980](#)
 - ☒ Proposed and existing water, sewer and electric utilities. [Section 7.131](#)
 - ☐ Visibility triangle at street intersections and driveways. [Section 7.131](#)
 - ☒ Fire Lanes and fire hydrant. [Section 7.131](#)
 - ☒ Provisions for handicapped access. [Section 7.131](#)
 - ☐ On sites affected by the 100-year floodplain, impervious coverage and building coverage are based on the area outside the floodplain. Provide calculations accordingly.
 - ☒ Applicable Fee - **\$500** (1/1/2024)
 - ☒ PDF copies emailed to jmusgrove@fbgtx.org

Note: Staff or the Planning and Zoning Commission may require modification of a Conditional Use Permit as a prerequisite for approval. [Sec. 5.460](#)

I hereby acknowledge that the items listed above are included with this submittal and that any items not included with this application will result in this application being deemed incomplete and returned without review or scheduled for the upcoming meeting dates.

Owner/Agent: Rick LaPlante

Date: 4/25/25

Printed Name: Rick LaPlante



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: July 15, 2025

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider Request Z-2511: By Karla B Lawrence to Consider the Following: (Clifford Cross, Director of Development Services)

A A Land Use Change from Medium Density Residential to Commercial for Property Located at 1106 South Adams Street. *The Planning & Zoning Commission recommended Approval with a vote of 8-0.*

B A Zoning Change from R2, Mixed Residential to C1, Neighborhood Commercial for Property Located at 1106 South Adams Street. *The Planning & Zoning Commission recommended Approval with a vote of 8-0.*

- i Presentation by the Applicant
 - ii Presentation by the Staff
 - iii Hold Public Hearing
 - iv Take Action on Ordinance 22-2025 for the Land Use Change
 - v Take Action on Ordinance 23-2025 for the Zoning Change
-

PRESENTATION:
[PRESENTER_NO_BR]

SUMMARY:

The applicant has submitted a Land Use and Zoning Change request for .7 acres of land located at 1106 South Adams. The applicant is requesting a Land Use Change from Medium Density Residential (MDR) to Commercial and a Zoning Change from R2, Mixed Residential to C1, Neighborhood Commercial.

The 2024 Comprehensive Plan identifies this area with a Mixed Use Community/Corridor Place Type that recommends a variety of zoning categories such as R2, C1, C2 and Mixed Use zones such as MU-1 and MU-2. This Future Place Type is intended to provide flexibility towards development and envisioned to be a well-planned, walkable mixed-use area that provides flexibility towards development and preference for complete neighborhoods with integrated commercial and residential uses. These highly activated areas would include integrated residential, retail and small-scale employment uses.

With this in mind, Staff worked with the applicant to find a Zoning designation that would complement the surrounding uses and allow for appropriate development based on the direction of the Comprehensive Plan and traditional planning practices.

BACKGROUND: The surrounding properties include C1, Neighborhood Commercial to the North, Public Facilities to the West and South as well as a lone strip of R2, Mixed Residential to the South (1108 South Adams) and across South Adams to the East is R3, Multi-Family Residential.

The property is currently zoned R2, Mixed Residential and permits several residential uses by right such as the following:

Community Recreation	Local Utility Service	Duplex Residential
Multiple Family Residential	Townhouses	Group Residential
Single Family Small Lot	Short-Term Rental, Accessory	Short-Term Rental, B&B

It is the desire of the applicant to obtain a C1, Neighborhood Commercial Zoning classification and Sec. 3.200 - C1: Neighborhood Commercial speaks to the development standards allowed and includes the following uses by right:

Administrative and Business	Office	Convalescent Services Cultural Services
Day Care Services	Group Residential	Local Utility Services
Medical Services	Multiple - Family Residential	Personal Services
Private Primary Educational Services	Private Secondary Educational Services	Professional Office
Religious Assembly	Single Family Residential (existing structure)	Short-Term Rental, Unoccupied
Short-Term Rental, Accessory	Short-Term Rental, B&B	Short-Term Rental, Facility
Corporate Housing		

With the following uses permitted subject to an approved Conditional Use Permit (CUP)

Arts and Crafts	Automotive Washing	Building Maintenance Services
Business School	Business Support Services	Club or Lodge
Communication Services	Condominium Residential	Consumer Repair Services
Duplex Residential	Food Sales	Guidance Services
Laundry Service	Limited Retail Sales	Liquor Sales
Personal Improvement Services	Pet Services	Restaurant - Limited
Single Family Residential (New Construction)	Townhouse	Drive Thru

The 2024 Comprehensive Plan identifies the subject property with a future place type of Mixed Use Community/Corridor which is envisioned to be a well-planned, walkable mixed-use area that provides flexibility towards development and preference for complete neighborhoods with integrated commercial and residential uses. These highly activated areas would include integrated residential, retail and small-scale employment uses.

Appropriate existing zoning districts would include R2, C1, C2 and Mixed Use zones such as MU-1

and MU-2.

Notice of Public Hearing Response: As part of the Public Hearing process, Staff must notify property owners that own property within 200 ft fo the subject property. As of June 23, 2025, no response have been received.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

In reviewing the application, Staff identified that the 2024 Comprehensive Plan categorizes the subject property as a Mixed Use Community/Corridor future place type. This place type allows for a variety of acceptable zoning classifications, including the requested C1, Neighborhood Commercial.

It is important to note that this place type is intended to provide flexibility towards development with a preference for complete neighborhoods, which includes integration of commercial and residential uses. Therefore, Staff recommends that the Planning and Zoning Commission follow the direction of the 2024 Comprehensive Plan and recommend a zoning that allows for the integration of residential and commercial uses.

The Planning & Zoning Commission conducted a public hearing and reviewed the request on July 2, 2025 and recommended approval of the requested land-use change from Medium Density Residential to Commercial and further recommended approval of the rezoning from "R-2" Mixed Residential to "C1" Neighborhood by a vote of 8-0.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality

City Center

Mobility

Small Town Sensitive Growth

ATTACHMENTS:

1. Z-2511_Public Hearing Map_Zoning
2. Z-2511_Landuse Map
3. Z-2511_Mailing Labels
4. Z-2511- Development Review Comments
5. Z-2511-APPLICATION WITH SURVEY
6. Ordinance 2025-22 Land 1106 S Adams Complex With Attachments
7. Ordinance 2025-23 Zoning For 1106 S. Adams With Attachments

APPROVAL/REVIEW:



Date: July 08, 2025

Evan Williamson, Assistant Director of Public Works & Utilities



Garret Bonn, Assistant City Manager

Date: July 08, 2025



William McKamie, City Attorney

Date: July 09, 2025



Leticia Vacek, City Secretary

Date: July 09, 2025



Clinton Bailey, City Manager

Date: July 09, 2025

Z-2511

desc_

 200' Notification Area

☐ Notified Property

☐ Subject Property

Zoning

ZONED

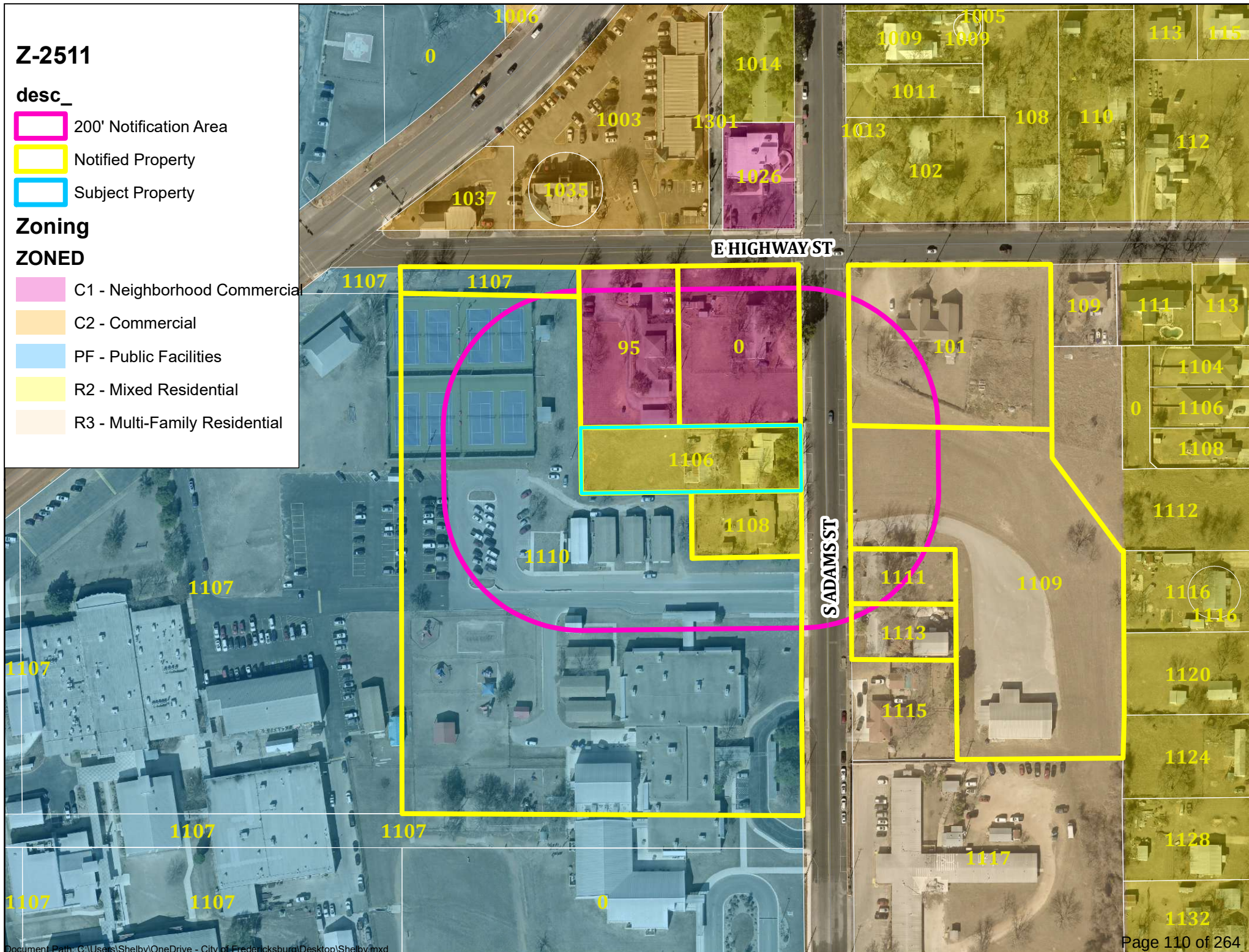
C1 - Neighborhood Commercial

C2 - Commercial

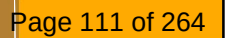
PF - Public Facilities

R2 - Mixed Residential

R3 - Multi-Family Residential



Public / Semi-Public



KARLA LAWRENCE
P.O.BOX 2542
FREDERICKSBURG, TX 78624

RONALD MILLER
1113 S ADAMS
FREDERICKSBURG, TX 78624

MARIA ROBLES
1111 S ADAMS
FREDERICKSBURG, TX 78624

FBG IND SCHOOL DISTRICT
234 FRIENDSHIP LANE
FREDERICKSBURG, TX 78624

HIGHWAY ST MOB LTD
1401 COUNTRYSIDE BEND
FREDERICKSBURG, TX 78624

TEXAS ASSOC OF 7TH DAY ADVENTISTS
P.O. BOX 800
ALVARADO, TX 76009

HARRIET CRENWELGE
1108 S ADAMS
FREDERICKSBURG, TX 78624

SONS OF HERMANN LODGE # 41
323 W MULBERRY
FREDERICKSBURG, TX 78624

FRANCES LINDEMANN
1113 THIELE LANE
FREDERICKSBURG, TX 78624

Z-2511



June 9, 2025

Romney Kowert
Kowert Real Estate
rkowert@yahoo.com

RE: Z-2511 – Review Comments for the Review of Land Use and Zoning Change for 1106 South Adams

Dear Applicant,

Project will require consideration by the Planning and Zoning Commission scheduled for **Wednesday, July 2, 2025**, at 2818 US 290 East (HEB Room at the former University Center – City Hall East Campus), please have a representative present at the meeting.

The project will also require consideration by City Council on **Tuesday, July 15, 2025**, at 2818 US 290 East (HEB Room at the former University Center – City Hall East Campus), please have a representative present at the meeting.

Please review the following comments and address appropriately. Please provide a written response as to how the items are addressed by **Monday, June 16, 2025**.

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

- The [2024 Comprehensive Plan](#) identifies this area with a Mixed-Use Community or Corridor Place Type which is intended to provide flexibility towards development and preference for complete neighborhoods with integrated commercial and residential uses.
 - Outparcels located along arterial and collector roadways should be developed and connected to serve the internal streets.
 - Appropriate existing zoning districts include R2, R3, R5, C1, M3, MU, MU2

The City of Fredericksburg

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

Please return the revised plans along with your written response as to how the comments have been addressed by **Monday, June 16, 2025**. Please feel free to contact me with any comments or questions, jmusgrove@fbgtx.org and I will be happy to assist you.

A handwritten signature in black ink that reads "Jan Musgrove". The script is cursive and fluid.

Jan Musgrove
Planner 1

The City of Fredericksburg

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

THENCE South 00°50'30" East a distance of 95.65 feet along the west line of said South Adams Street and the east line of said 2.5 acre tract to a mag nail set in concrete for the northeast corner of that certain tract recorded in Volume 84, Page 312 of said Deed Records and further described in Volume 76, Page 422 of said Deed Records and the southeast corner hereof;

THENCE South 89°01'23" West a distance of 320.04 feet crossing said 2.5 acre tract along the north line of said tract recorded in Volume 84, Page 312 and the north line of said 1.4229 acre tract to a 1/2 inch iron rod set in the east line of said 60 foot wide road for a corner of said 1.4229 acre tract and the southwest corner hereof;

THENCE North 00°50'30" West a distance of 95.65 feet crossing said 2.5 acre tract along the east line of said 1.4229 acre tract and the east line of said 60 foot wide road to the POINT OF BEGINNING containing 0.703 acres of land, more or less, and as shown on certified plat herewith.

Note: Bearings, distances and acreage shown hereon are Grid, NAD 83, Texas Central Zone 4203 and are derived from GPS techniques. A "1/2 inch iron rod set" is a 1/2 inch rebar with plastic cap marked "Searchers RPLS 6275" and a "mag nail set" is a mag nail with washer marked "Searchers RPLS 6275".

Surveyed by;



Abraham J. Leamons
Registered Professional Land Surveyor #6275
Date: May 16, 2025
Job# 25-7541





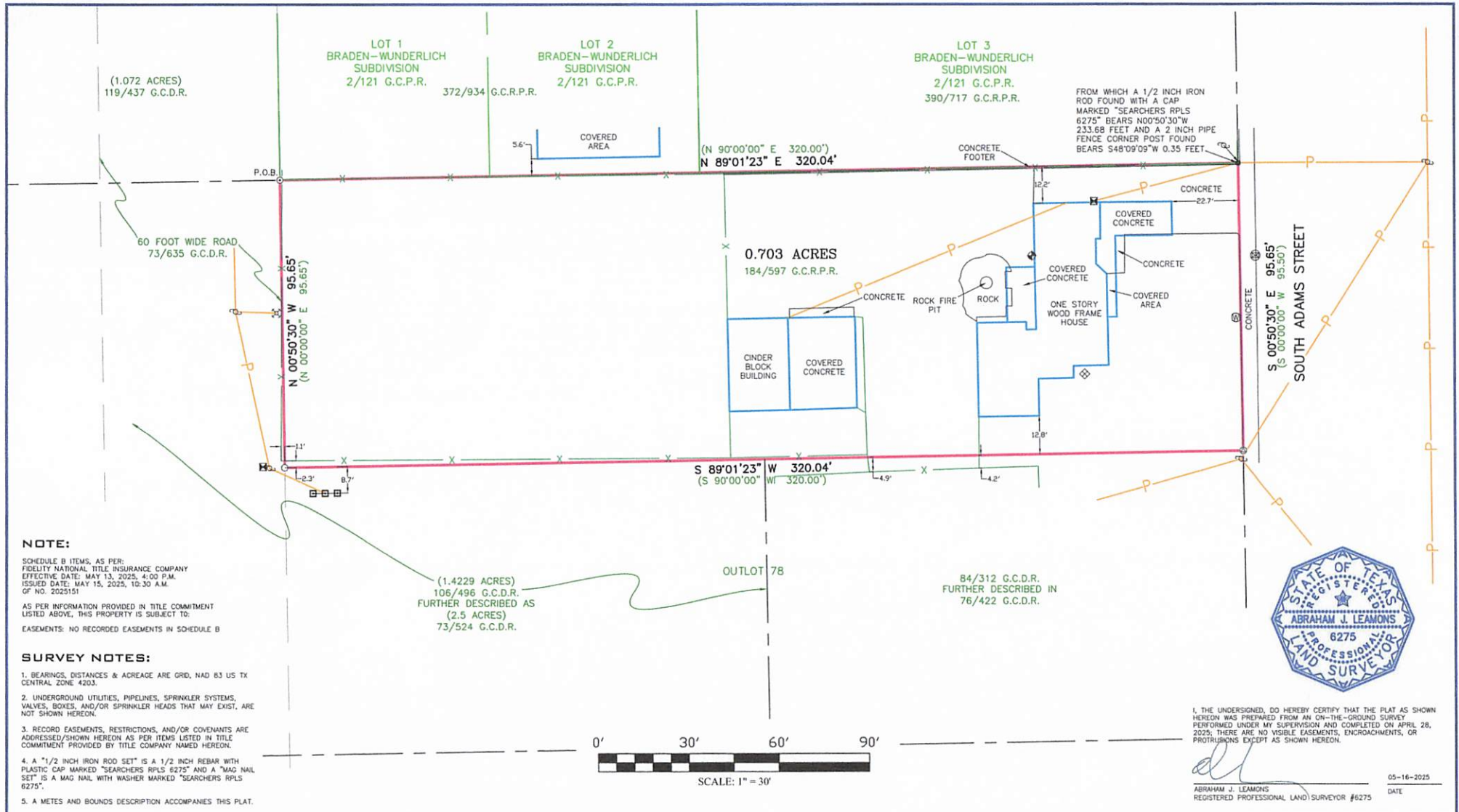
SEARCHERS
SURVEYORS | CONSULTANTS
MASON | FREDERICKSBURG

4585 OLD PONTOTOC ROAD, MASON, TEXAS 76856
720 MUSTANG STREET, FREDERICKSBURG, TEXAS 78624
830-383-1211 | F-10193966 | SEARCHERS.NET

LEGAL DESCRIPTION: Being 0.703 acres of land and being a portion of Outlot 78 in the City of Fredericksburg, Gillespie County, Texas as shown on the Map of Fredericksburg, Texas and Environs by the German Emigration Company and being all of that certain tract described in Volume 184, Page 597 of the Real Property Records of Gillespie County, Texas; Said 0.703 acre tract being more particularly described as follows and as surveyed under the supervision of Searchers in April 2025:

BEGINNING at a 1/2 inch iron rod found in the east line of that certain 60 foot wide road described in Volume 73, Page 635 of the Deed Records of Gillespie County, Texas and the north line of that certain 2.5 acre tract described in Volume 73, Page 524 of said Deed Records, for the southeast corner of that certain 1.072 acre tract described in Volume 119, Page 437 of said Deed Records, the southwest corner of Lot 1 of the Braden-Wunderlich Subdivision in the City of Fredericksburg, Gillespie County, Texas as shown on plat recorded in Volume 2, Page 121 of the Plat Records of Gillespie County, Texas, the southwest corner of that certain tract described in Volume 372, Page 934 of said Real Property Records, the northeast corner of that certain 1.4229 acre tract recorded in Volume 106, Page 496 of said Deed Records and further described as said 2.5 acre tract, and the northwest corner hereof;

THENCE North 89°01'23" East a distance of 320.04 feet along the south line of said Lot 1, the south lines of Lot 2 and Lot 3 of said Braden-Wunderlich Subdivision, the south line of said tract described in Volume 372, Page 934, the south line of that certain tract described in Volume 390, Page 717 of said Real Property Records, and the north line of said 2.5 acre tract to a calculated point in the west line of South Adams Street, for the southeast corner of said Lot 3, the southeast corner of said tract described in Volume 390, Page 717, the northeast corner of said 2.5 acre tract, and the northeast corner hereof, and from which a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" at the intersection of the west line of said South Adams Street and the south line of East Highway Street, for the northeast corner of said Lot 3 and the northeast corner of said tract described in Volume 390, Page 717 bears North 00°50'30" West a distance of 233.68 feet and a 2 inch pipe fence corner post found bears South 48°09'09" West a distance of 0.35 feet;



I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE PLAT AS SHOWN
 HEREON WAS PREPARED FROM AN ON-THE-GROUND SURVEY
 PERFORMED UNDER MY SUPERVISION AND COMPLETED ON APRIL 28,
 2025; THERE ARE NO VISIBLE EASEMENTS, ENCROACHMENTS, OR
 PROTRUSIONS EXCEPT AS SHOWN HEREON.

ABRAHAM J. LEAMONS
 REGISTERED PROFESSIONAL LAND SURVEYOR #6275

05-16-2025
 DATE

SEARCHERS
 SURVEYORS | CONSULTANTS
 MASON | FREDERICKSBURG

4585 OLD PONTOTOC ROAD, MASON, TEXAS 76856
 7201 MUSTANG STREET, FREDERICKSBURG, TEXAS 78624
 830-383-1211 | F-10193966 | SEARCHERS.NET

TITLE SURVEY
 0.703 ACRES BEING A PORTION OF OUTLOT 78 IN
 THE CITY OF FREDERICKSBURG, GILLESPIE COUNTY,
 TEXAS AS SHOWN ON THE MAP OF FREDERICKSBURG,
 TEXAS AND ENVIRONS BY THE GERMAN EMIGRATION
 COMPANY.

REFERENCE: HIGHWAY ST. MOB. LTD.
 ADDRESS: 1106 S. ADAMS STREET
 JOB NO. 25-7541
 DRAWN BY: NLA

May 1, 2025

To Whom it may concern:

My name is Karla B. Lawrence. I own the home and property located at 1106 S. Adams here in Fredericksburg Texas. I am requesting a land use change and a zoning change on this property.

I am asking for a change of zoning from R-2 to C-1. I am also requesting a land use change from multi family to commercial.

I am requesting this for the reason that my neighbor Dr. Michael Braden is wanting to purchase this property and he would like it to have the above zoning and land use change to correspond with his property.

Thank you for your time.

Karla B. Lawrence

A handwritten signature in blue ink that reads "Karla B Lawrence". The signature is written in a cursive, flowing style.

I hereby acknowledge that the items listed above are included with this submittal and that any items not included with this application will result in this application being deemed incomplete and returned without review or scheduled for the upcoming meeting dates.

Owner/Agent: Karla B. Podo Lawrence

Date: 5-14-2025

Printed Name: KARLA B. PODO LAWRENCE

C. Applicant/Owner Information - Property Owner

Owner Name: KARLA B. RODE LAWRENCE

Owner Address: P.O. Box 2542, FREDERICKSBURG TX 78624

Owner Phone Number: 830-889-2000

Owner Email Address: Krodelawrence@gmail.com

D. Applicant

Applicant Name: S.A.A. Romney Kowert

Applicant Address: P.O. Box 47 Fbg Tx 78624

Applicant Phone Number: 830-889-3199

Applicant Email Address: RKowert@yahoo.com

Applicant's Signature

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, if I am not the owner, that I have authorization from the owner to act on his/her behalf.

Signature: Karla B Rode Lawrence

Printed Name: Karla B Rode Lawrence

Staff Use Only

Application Number: Z 2511 Date: 5/19/25

CH # 0461 \$1,400 00



Zoning Application

City of Fredericksburg – Development Services Department

126 W. Main St, Fredericksburg, TX 78624

A. Project Information

Project Name: LAWRENCE

Project Address: 1106 S ADAMS

Property Tax ID Numbers: #25137

B. Application Type: Appendix A – Fee Schedule

- ☐ Voluntary Annexation - \$750.00
- ☐ Conditional Use Permit - \$500.00
- ☒ Land Use Change - \$300.00
- ☒ Zoning Change - \$600.00
- ☐ Amendment to existing PUD - \$500.00
- ☐ Creation of PUD - \$750.00
- ☒ DRC Review Comments - \$250

❖ *All applicants will be charged the following fees for the required Public Hearing notifications.*

- ☒ *Public Hearing Newspaper - \$150.00*
- ☒ *Public Hearing 200 ft notification letter - \$100.00*

ORDINANCE NO. 2025-22

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 SPECIFICALLY IN THE LAND USE MAP, FOR APPROXIMATELY 0.703 ACRES LOCATED AT 1106 SOUTH ADAMS STREET ALSO REFERRED TO AS BEING 0.703 ACRES OF LAND AND BEING A PORTION OF OUTLOT 78 IN THE CITY OF FREDERICKSBURG, TEXAS AND ENVIRONS BY THE GERMAN EMIGRATION COMPANY AND BEING ALL OF THAT DESCRIBED IN VOLUME 184, PAGE 597 OF THE REAL PROPERTY RECORDS OF GILLESPIE COUNTY, TEXAS; CHANGING SAID PROPERTY FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO COMMERCIAL (C); PROVIDING THAT THE CHANGE BECOME A PART OF THE COMPREHENSIVE PLAN; 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 changing said property from Medium Density Residential (MDR) to Commercial (C); and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City on July 2, 2025 and by the City Council of the City on July 15, 2025, 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 land use change.

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 Land Use Change as shown and described below:

Applicant:	Karla B. Rode Lawrence
Property Owner:	Karla B. Rode Lawrence
Property Address:	1106 South Adams
Legal Description:	Being 0.703 acres of land and being a portion of Outlot 78 in the City of Fredericksburg, Gillespie County, Texas as shown on the Map of Fredericksburg, Texas and Environs by the German Emigration Company and being all of that certain tract described in Volume 184, Page 597 of the Real Property Records of Gillespie County, Texas
Land Use Change:	The property shall change to Commercial
Exhibit:	Additionally shown and designated on the legal description attached hereto as Exhibit A, are hereby designated as Commercial (C)

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, sewage, 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 land use area 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 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 15th day of July, 2025.

Jeryl Hoover, Mayor

ATTEST:

Leticia Vacek, TRMC, CMC, MMC
City Secretary/Records Mgmt. Officer

APPROVED AS TO FORM:

Mick McKamie, City Attorney



LEGAL DESCRIPTION: Being 0.703 acres of land and being a portion of Outlot 78 in the City of Fredericksburg, Gillespie County, Texas as shown on the Map of Fredericksburg, Texas and Environs by the German Emigration Company and being all of that certain tract described in Volume 184, Page 597 of the Real Property Records of Gillespie County, Texas; Said 0.703 acre tract being more particularly described as follows and as surveyed under the supervision of Searchers in April 2025:

BEGINNING at a 1/2 inch iron rod found in the east line of that certain 60 foot wide road described in Volume 73, Page 635 of the Deed Records of Gillespie County, Texas and the north line of that certain 2.5 acre tract described in Volume 73, Page 524 of said Deed Records, for the southeast corner of that certain 1.072 acre tract described in Volume 119, Page 437 of said Deed Records, the southwest corner of Lot 1 of the Braden-Wunderlich Subdivision in the City of Fredericksburg, Gillespie County, Texas as shown on plat recorded in Volume 2, Page 121 of the Plat Records of Gillespie County, Texas, the southwest corner of that certain tract described in Volume 372, Page 934 of said Real Property Records, the northeast corner of that certain 1.4229 acre tract recorded in Volume 106, Page 496 of said Deed Records and further described as said 2.5 acre tract, and the northwest corner hereof;

THENCE North 89°01'23" East a distance of 320.04 feet along the south line of said Lot 1, the south lines of Lot 2 and Lot 3 of said Braden-Wunderlich Subdivision, the south line of said tract described in Volume 372, Page 934, the south line of that certain tract described in Volume 390, Page 717 of said Real Property Records, and the north line of said 2.5 acre tract to a calculated point in the west line of South Adams Street, for the southeast corner of said Lot 3, the southeast corner of said tract described in Volume 390, Page 717, the northeast corner of said 2.5 acre tract, and the northeast corner hereof, and from which a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" at the intersection of the west line of said South Adams Street and the south line of East Highway Street, for the northeast corner of said Lot 3 and the northeast corner of said tract described in Volume 390, Page 717 bears North 00°50'30" West a distance of 233.68 feet and a 2 inch pipe fence corner post found bears South 48°09'09" West a distance of 0.35 feet;

THENCE South 00°50'30" East a distance of 95.65 feet along the west line of said South Adams Street and the east line of said 2.5 acre tract to a mag nail set in concrete for the northeast corner of that certain tract recorded in Volume 84, Page 312 of said Deed Records and further described in Volume 76, Page 422 of said Deed Records and the southeast corner hereof;

THENCE South 89°01'23" West a distance of 320.04 feet crossing said 2.5 acre tract along the north line of said tract recorded in Volume 84, Page 312 and the north line of said 1.4229 acre tract to a 1/2 inch iron rod set in the east line of said 60 foot wide road for a corner of said 1.4229 acre tract and the southwest corner hereof;

THENCE North 00°50'30" West a distance of 95.65 feet crossing said 2.5 acre tract along the east line of said 1.4229 acre tract and the east line of said 60 foot wide road to the POINT OF BEGINNING containing 0.703 acres of land, more or less, and as shown on certified plat herewith.

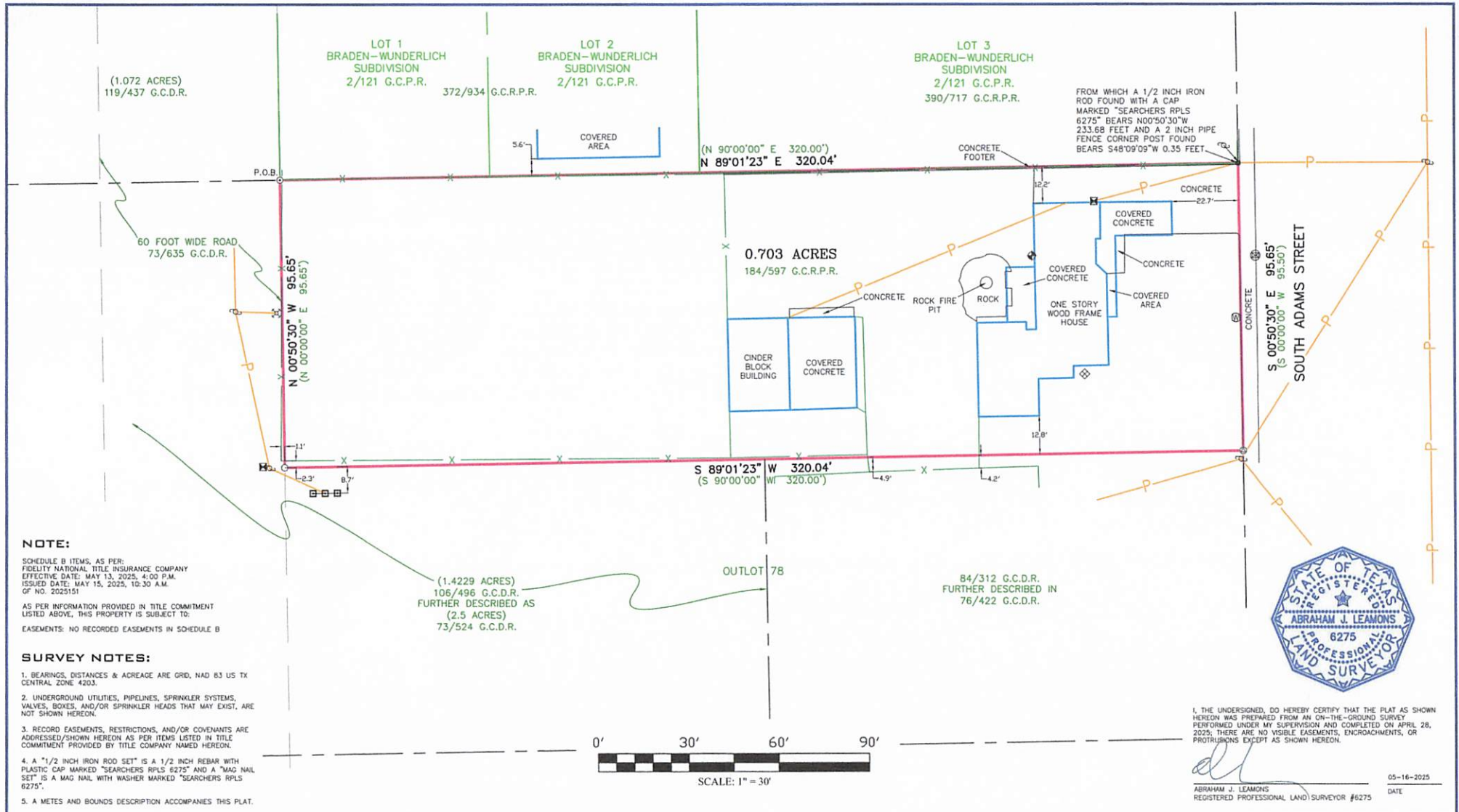
Note: Bearings, distances and acreage shown hereon are Grid, NAD 83, Texas Central Zone 4203 and are derived from GPS techniques. A "1/2 inch iron rod set" is a 1/2 inch rebar with plastic cap marked "Searchers RPLS 6275" and a "mag nail set" is a mag nail with washer marked "Searchers RPLS 6275".

Surveyed by;



Abraham J. Leamons
Registered Professional Land Surveyor #6275
Date: May 16, 2025
Job# 25-7541





I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE PLAT AS SHOWN
 HEREON WAS PREPARED FROM AN ON-THE-GROUND SURVEY
 PERFORMED UNDER MY SUPERVISION AND COMPLETED ON APRIL 28,
 2025; THERE ARE NO VISIBLE EASEMENTS, ENCROACHMENTS, OR
 PROTRUSIONS EXCEPT AS SHOWN HEREON.

ABRAHAM J. LEAMONS
 REGISTERED PROFESSIONAL LAND SURVEYOR #6275

05-16-2025
 DATE

SEARCHERS
 SURVEYORS | CONSULTANTS
 MASON | FREDERICKSBURG

4585 OLD PONTOTOC ROAD, MASON, TEXAS 76856
 720 MUSTANG STREET, FREDERICKSBURG, TEXAS 78624
 830-383-1211 | F-10193966 | SEARCHERS.NET

TITLE SURVEY
 0.703 ACRES BEING A PORTION OF OUTLOT 78 IN
 THE CITY OF FREDERICKSBURG, GILLESPIE COUNTY,
 TEXAS AS SHOWN ON THE MAP OF FREDERICKSBURG,
 TEXAS AND ENVIRONS BY THE GERMAN EMIGRATION
 COMPANY.

REFERENCE: HIGHWAY ST. MOB. LTD. JOB NO. 25-7541
 ADDRESS: 1106 S. ADAMS STREET REV. G DRAWN BY: NLA

ORDINANCE NO. 2025 - 23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY AND CHANGING THE ZONING DISTRICT AS TO 0.703 ACRES LOCATED AT 1106 SOUTH ADAMS STREET ALSO REFERRED TO AS BEING 0.703 ACRES OF LAND AND BEING A PORTION OF OUTLOT 78 IN THE CITY OF FREDERICKSBURG, TEXAS AND ENVIRONS BY THE GERMAN EMIGRATION COMPANY AND BEING ALL OF THAT DESCRIBED IN VOLUME 184, PAGE 597 OF THE REAL PROPERTY RECORDS OF GILLESPIE COUNTY, TEXAS; CHANGING SAID PROPERTY FROM MIXED RESIDENTIAL (R2) TO NEIGHBORHOOD COMMERCIAL (C1); 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, an Application for Rezoning has been submitted by the City for the lot REFERRED TO AS BEING 0.703 ACRES OF LAND AND BEING A PORTION OF OUTLOT 78 IN THE CITY OF FREDERICKSBURG, TEXAS AND ENVIRONS BY THE GERMAN EMIGRATION COMPANY AND BEING ALL OF THAT DESCRIBED IN VOLUME 184, PAGE 597 OF THE REAL PROPERTY RECORDS OF GILLESPIE COUNTY, TEXAS; to change the zoning district of said lot from MIXED RESIDENTIAL (R2) to NEIGHBORHOOD COMMERCIAL (C1); and

WHEREAS, public hearings before the Planning and Zoning Commission and the City Council of the City of Fredericksburg have been duly noticed and held regarding such application, as required by the City of Fredericksburg Zoning Ordinance; 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 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 change is consistent with the objectives of the City of Fredericksburg Zoning Ordinance and Comprehensive Land Use Plan of the City of Fredericksburg and 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 two hundred feet (200') therefrom.

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

Section 1. That the zoning ordinance of the City of Fredericksburg is hereby amended to incorporate the certain change in zoning district as follows:

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, said lot being described AS BEING 0.703 ACRES OF LAND AND BEING A PORTION OF OUTLOT 78 IN THE CITY OF FREDERICKSBURG, TEXAS AND ENVIRONS BY THE GERMAN EMIGRATION COMPANY AND BEING ALL OF THAT DESCRIBED IN VOLUME 184, PAGE 597 OF THE REAL PROPERTY RECORDS OF GILLESPIE COUNTY, TEXAS;; and as additionally described by the legal description attached hereto as Exhibit A, to be and are hereby zoned and designated NEIGHBORHOOD COMMERCIAL (C1).

Section 2. That all references in City of Fredericksburg Code of Ordinances to the Zoning Ordinance shall henceforth refer to such as is amended hereby.

Section 3. Ordinance Cumulative. This Ordinance shall be cumulative of all other ordinances of the City of Fredericksburg affecting zoning and land use, as amended, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

Section 5. Penalty. 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 fined not more than Two Thousand Dollars (\$2,000.00) for each offense.

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 6. Savings. 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 7. Severability. 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 8. Publication. 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 9. Effective date. 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 15th day of July, 2025.

Jeryl Hoover, Mayor

ATTEST:

Letty Vacek, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney



LEGAL DESCRIPTION: Being 0.703 acres of land and being a portion of Outlot 78 in the City of Fredericksburg, Gillespie County, Texas as shown on the Map of Fredericksburg, Texas and Environs by the German Emigration Company and being all of that certain tract described in Volume 184, Page 597 of the Real Property Records of Gillespie County, Texas; Said 0.703 acre tract being more particularly described as follows and as surveyed under the supervision of Searchers in April 2025:

BEGINNING at a 1/2 inch iron rod found in the east line of that certain 60 foot wide road described in Volume 73, Page 635 of the Deed Records of Gillespie County, Texas and the north line of that certain 2.5 acre tract described in Volume 73, Page 524 of said Deed Records, for the southeast corner of that certain 1.072 acre tract described in Volume 119, Page 437 of said Deed Records, the southwest corner of Lot 1 of the Braden-Wunderlich Subdivision in the City of Fredericksburg, Gillespie County, Texas as shown on plat recorded in Volume 2, Page 121 of the Plat Records of Gillespie County, Texas, the southwest corner of that certain tract described in Volume 372, Page 934 of said Real Property Records, the northeast corner of that certain 1.4229 acre tract recorded in Volume 106, Page 496 of said Deed Records and further described as said 2.5 acre tract, and the northwest corner hereof;

THENCE North 89°01'23" East a distance of 320.04 feet along the south line of said Lot 1, the south lines of Lot 2 and Lot 3 of said Braden-Wunderlich Subdivision, the south line of said tract described in Volume 372, Page 934, the south line of that certain tract described in Volume 390, Page 717 of said Real Property Records, and the north line of said 2.5 acre tract to a calculated point in the west line of South Adams Street, for the southeast corner of said Lot 3, the southeast corner of said tract described in Volume 390, Page 717, the northeast corner of said 2.5 acre tract, and the northeast corner hereof, and from which a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" at the intersection of the west line of said South Adams Street and the south line of East Highway Street, for the northeast corner of said Lot 3 and the northeast corner of said tract described in Volume 390, Page 717 bears North 00°50'30" West a distance of 233.68 feet and a 2 inch pipe fence corner post found bears South 48°09'09" West a distance of 0.35 feet;

THENCE South 00°50'30" East a distance of 95.65 feet along the west line of said South Adams Street and the east line of said 2.5 acre tract to a mag nail set in concrete for the northeast corner of that certain tract recorded in Volume 84, Page 312 of said Deed Records and further described in Volume 76, Page 422 of said Deed Records and the southeast corner hereof;

THENCE South 89°01'23" West a distance of 320.04 feet crossing said 2.5 acre tract along the north line of said tract recorded in Volume 84, Page 312 and the north line of said 1.4229 acre tract to a 1/2 inch iron rod set in the east line of said 60 foot wide road for a corner of said 1.4229 acre tract and the southwest corner hereof;

THENCE North 00°50'30" West a distance of 95.65 feet crossing said 2.5 acre tract along the east line of said 1.4229 acre tract and the east line of said 60 foot wide road to the POINT OF BEGINNING containing 0.703 acres of land, more or less, and as shown on certified plat herewith.

Note: Bearings, distances and acreage shown hereon are Grid, NAD 83, Texas Central Zone 4203 and are derived from GPS techniques. A "1/2 inch iron rod set" is a 1/2 inch rebar with plastic cap marked "Searchers RPLS 6275" and a "mag nail set" is a mag nail with washer marked "Searchers RPLS 6275".

Surveyed by;



Abraham J. Leamons
Registered Professional Land Surveyor #6275
Date: May 16, 2025
Job# 25-7541





CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: July 15, 2025

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Request Z-2513: By P.V. McMinn with Nuvista Development LLC, to Consider a Site Plan and Conditional Use Permit per Sec. 3.200 for a Condominium and Townhome Use for Property Located at 1032 South Milam Street. *The Planning & Zoning Commission recommended Denial with a vote of 8-0. (Clifford Cross, Director of Development Services)*

- i Presentation by the Applicant
- ii Presentation by the Staff
- iii Hold Public Hearing
- iv Take Action on the Conditional Use Permit

PRESENTATION:
[PRESENTER_NO_BR]

SUMMARY:

This development previously obtained a Conditional Use Permit for Condominiums and Townhomes in 2021 with conditions that included the requirement to obtain a Subdivision Waiver for the length of Crestview Circle, approval of a Site Plan and Plat, and the addition of sidewalks to connect the residential uses to commercial uses as well as review of the existing residence to determine historical significance. As the development did not start construction within 2 years as required by [Sec. 5.481](#), the Conditional Use Permit has expired. The applicant has since returned and submitted a Site Plan and Conditional Use Permit application requesting permission to construct a mixed-use development that would include Condominiums and Townhomes.

The proposed development would include two lots, Lot 1R-2 which focuses on the development of Condominiums to include 32 units in 4, 2-story buildings totaling 32,000 sq ft. The Residential Condominium would provide amenities such as a tennis court, community center and pool as well as covered parking. In addition, a Professional Office building is proposed on the eastern portion of the lot. There are discrepancies regarding the size of the building. It states 9,500 sq ft but in the legend, it references a 19,000 sq ft, 2-story, Professional Office building.

Lot 1R-1 focuses on the development of Townhomes to include 21 lots as well as a 11,600 sq ft, 2-story, Professional Office Building as well as the existing residence, which appears to have a square footage of 4,989 but the height of the structure is unknown. Staff pulled the square footage from

Gillespie County CAD.

There are small discrepancies in the plan sets regarding parking, building heights, landscaping and screening and the existing residence. Staff will provide greater detail of the discrepancies in the Review Criteria.

BACKGROUND:

Lot 1R-2 Development Review

Site Area: 8.135 Acres - 354,361 sq ft

Zoning: [C1, Neighborhood Commercial](#)

Building Coverage: 13% Proposed (45,370 sq ft) 50% (Maximum)

Impervious Coverage: 62% Proposed (218,238 sq ft) 70% (Maximum)

Heights: 3-Stories Proposed - 3-Story Maximum (the plans state a maximum of 2-stories, but reference 32 ft, resulting in 3-stories, not 2)

Access: 2 access points are proposed onto Keller Crossing Drive. 1 will be a shared access point for Lot 1R-1 and is 46 ft wide road called Highland Boulevard. The other is a 36 ft wide drive-isle.

Parking: 1 space per unit plus 1 per guest is required for the Condominium use, resulting in 64 required spaces plus Community Recreation, which requires 1 space per 5 persons capacity. The applicant proposes a capacity of 50 persons, resulting in the need for 10 parking spaces. In addition, Professional Office use requires 1 parking space per 400 sq ft. The applicant chose to park at 1 per 300 sq ft resulting in the need for 63 spaces for the 19,000 sq ft building. The total required parking for Lot 1R-2 is **77** spaces and the applicant is proposing **206** spaces.

Landscape and Screening: Plans are required per Sec. 7.920 and should include One (1) tree per 75 LF required. Off-street parking should have ten (10) sq ft of interior landscaping for each parking space. A strip of land at least five (5) ft in depth located between the abutting right-of-way and the off-street parking areas or other vehicular area which is exposed to an abutting right-of-way shall be landscaped and include one (1) tree for each fifty (50) LF. In addition, a hedge wall, or other durable landscape barrier, of at least two (2) feet in height, shall be placed along the perimeter. Screening along the perimeter of the property is required per Sec. 7.940 (property line to the West) and screening of the dumpster is required per Sec. 7.980

Refuse: 4 dumpsters are proposed for the Condominium development and 1 dumpster is proposed for the Professional Office

Lot 1R-1 Development Review

Site Area: 6.113 Acres - 266,282 sq ft

Zoning: [C1, Neighborhood Commercial](#)

Building Coverage: 23% Proposed (60,315 sq ft) 50% (Maximum)

Impervious Coverage: 56% Proposed (147,657 sq ft) 70% (Maximum)

Heights: 3 Stories (32 ft) - 3-Story Maximum (the plans state a maximum of 2-stories, but reference 32 ft, resulting in 3-stories, not 2)

Access: Lot 1R-1 does not have its own access, rather it shares 2 access points that are proposed onto Keller Crossing Drive. 1 is 46 ft-wide road called Highland Boulevard. The other is a 36 ft-wide drive-isle.

Parking: 2 spaces per unit is required for the Townhome use (plus 2 spaces per unit if insufficient R.O.W exists to allow on-street parking), resulting in 84 required spaces. 0 are provided. In addition, Professional Office use requires 1 parking space per 400 sq ft. The applicant chose to park at 1 per 300 sq ft resulting in the need for 40 spaces for the 12,000 sq ft building. There is no use identified for the existing residence or a sq footage of the building. This would need to be parked as well. The total required parking for Lot 1R-1 is **124** spaces and the applicant is proposing **70** spaces.

Landscape and Screening: Plans are required per Sec. 7.920 and should include One (1) tree per 75 LF required. Off-street parking should have ten (10) sq ft of interior landscaping for each parking space. A strip of land at least five (5) ft in depth located between the abutting right-of-way and the off-street parking areas or other vehicular area which is exposed to an abutting right-of-way shall be landscaped and include one (1) tree for each fifty (50) LF. In addition, a hedge wall, or other durable landscape barrier, of at least two (2) feet in height, shall be placed along the perimeter. Screening along the perimeter of the property is required per Sec. 7.940 (property line to the West) and screening of the dumpster is required per Sec. 7.980

Refuse: 1 dumpster is provided for the Professional Office. No refuse information has been provided for the existing residence or the Townhomes.

Public Hearing: As part of the Public Hearing process, Staff must notify all property owners who own property within 200 ft of the subject tract. As of June 24, 2025 two letters of protest were received.

Sec. 5.460 - Review and Evaluation Criteria for Conditional Use Permits. Contains 13 items that must be considered when reviewing a Conditional Use Permit. please see the following:

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

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.

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.

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.

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.

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

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

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

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.

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

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.

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.

In review of the 13 items outlined in the Review Criteria, Staff has concerns that the development as proposed does not provide for the safety and convenience of pedestrian and vehicular traffic. Crestview Circle has a length greater than 500 ft and provides a cul-de-sac rather than extending connectivity. These issues would require a Subdivision Waiver and approval by the Planning and Zoning Commission. If approved, the development may not have more than 15 residential lots created along this street. The Comprehensive Plan is clear that safer mobility for all users (vehicular, pedestrian and bicycle) is important and the streets and drive-isles as proposed do not provide mobility for all pedestrians as the development lacks sidewalks and there is no consideration for bicyclists. As this is a mixed-use development, these items should be taken into consideration. In addition, to mitigate potentially unfavorable impacts of the development, the applicant should provide additional screening in the form of a landscape buffer for the residential subdivision to the west.

2024 Comprehensive Plan

In 2024 the City of Fredericksburg adopted a new Comprehensive Plan that provides direction for requested development. This document speaks specifically to 7 items including Mobility and Small-Town Sensitive Growth.

In reviewing Mobility, guiding principles and strategies are provided to ensure the safety of vehicular, bicycle and pedestrian connectivity. Recommendations include complete streets (sidewalks, bicycle lanes and typical roadway) to promote safer mobility for all users, as well as transportation improvements which prioritize the safety, comfort, and connectivity of pedestrians and cyclists and ensure ADA accessibility for the entire community.

In reviewing Small-Town Sensitive Growth, new framework is provided which aids the City of Fredericksburg in considering placemaking more holistically and on a larger scale, using place types

which incorporate guidance for land use, transportation, site planning and design. Action G.1.A.5 states: *establish context-sensitive design regulations and guidelines that ensure the physical form of new and infill development is visually compatible with and contributes to the community's existing character and identity. Implement density-based maximum size limitations on developments.* Action G.1.A.1.7 states: *Establish good neighbor nuisance regulations to address higher density and mixed-use issues, reserving separated land use for a limited number of uses.*

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

In reviewing the application, Staff referenced the C1 zoning ordinance, Conditional Use Permit Review and Evaluation Criteria as well as the Comprehensive Plan. As part of our review, Staff determined that the development as proposed does not provide for the safety and convenience of pedestrian and vehicular traffic. In addition, the proposed layout of Crestview Circle (which exceeds 500 ft in length and would require a Major Subdivision Waiver and limit the Townhome use to 15) directly borders Lot 5 through 17 of the Windcrest community and ends in a cul-de-sac and does not provide connectivity to the new development or existing development to the west. This approach to development is not consistent with the Comprehensive Plan or the Review and Evaluation Criteria found in Sec. 5.460. In addition, the proposed plan does not take into consideration the existing resource that Staff suspects might be of historical significance, nor has the applicant worked with Staff to perform a satisfactory review of the existing structure. Parking also appears to be an issue as Lot 1R-1 is not sufficiently parked and currently has a parking deficit of 15 spaces.

Furthermore, as the purpose of the Conditional Use Permit process is to encourage broad public review and evaluation of site development features and operating characteristics in order to ensure adequate mitigation of potentially unfavorable impacts, Staff cannot recommend approval of the Conditional Use Permit as there is the possibility for too many unfavorable impacts that have not been addressed by the plan as presented.

The Planning & Zoning Commission conducted a public hearing and reviewed the request on July 2, 2025 and recommended denial of the proposed Site Plan and Conditional Use Permit by a 8-0 vote.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality

City Center

Mobility

Small Town Sensitive Growth

ATTACHMENTS:

1. Z-2513 Public Hearing Map_Zoning
2. Mailing Labels
3. Z-2513_ Review Comments_July Meetings
4. Z-2513 Response to Comments
5. Z-2513_ SITE PLAN_cup - addressed.- 8 - 06162025
6. Z-2513_Keller Oaks CUP application
7. 2021 City Council Memo
8. PROTEST - QUINDRY
9. PROTEST - SULTEMEIER

10. PROTEST - WALLACE GRACE
11. Z-2513 - HOPKINS - PROTEST
12. Z-2513- SOULE - PROTEST
13. Z-2513_COLE-PROTEST_RECEIVED AFTER PACKETS WERE MADE
14. Z-2513_Donna Sanders - PROTEST_received after packets were produced
15. Z-2513_MONTGOMERY_PROTEST_RECEIVED AFTER PACKETS WERE MADE
16. Z-2513_PYLATE- PROTEST_RECEIVED AFTER PACKETS WERE MADE
17. Z-2513_SCHMIDT - PROTEST
18. Z-2513_WEINHEIMER-PROTEST
19. Z-2513-FLEURY - PROTEST - CAME IN AFTER PACKETS WERE MADE
20. Z-2513-FROST-PROTEST
21. Z-2513-GERO-PROTEST
22. Z-2513-LINDSAY-PROTEST-CAMEIN AFTER PACKETS WERE MADE
23. Z-2513-Patton_Metcalf-Protest - received after packets were made
24. Z-2513-ROESCH - PROTEST-RECEIVED AFTER PACKETS WERE MADE
25. Z-2513-RUTLEDGE-PROTEST
26. Z-2513-SPENEER- PROTEST_CAME IN AFTER PACKETS WERE MADE
27. Z-2518-HANNON-PROTEST

APPROVAL/REVIEW:



Date: July 09, 2025

Evan Williamson, Assistant Director of Public Works & Utilities



Date: July 09, 2025

Garret Bonn, Assistant City Manager



Date: July 10, 2025

William McKamie, City Attorney



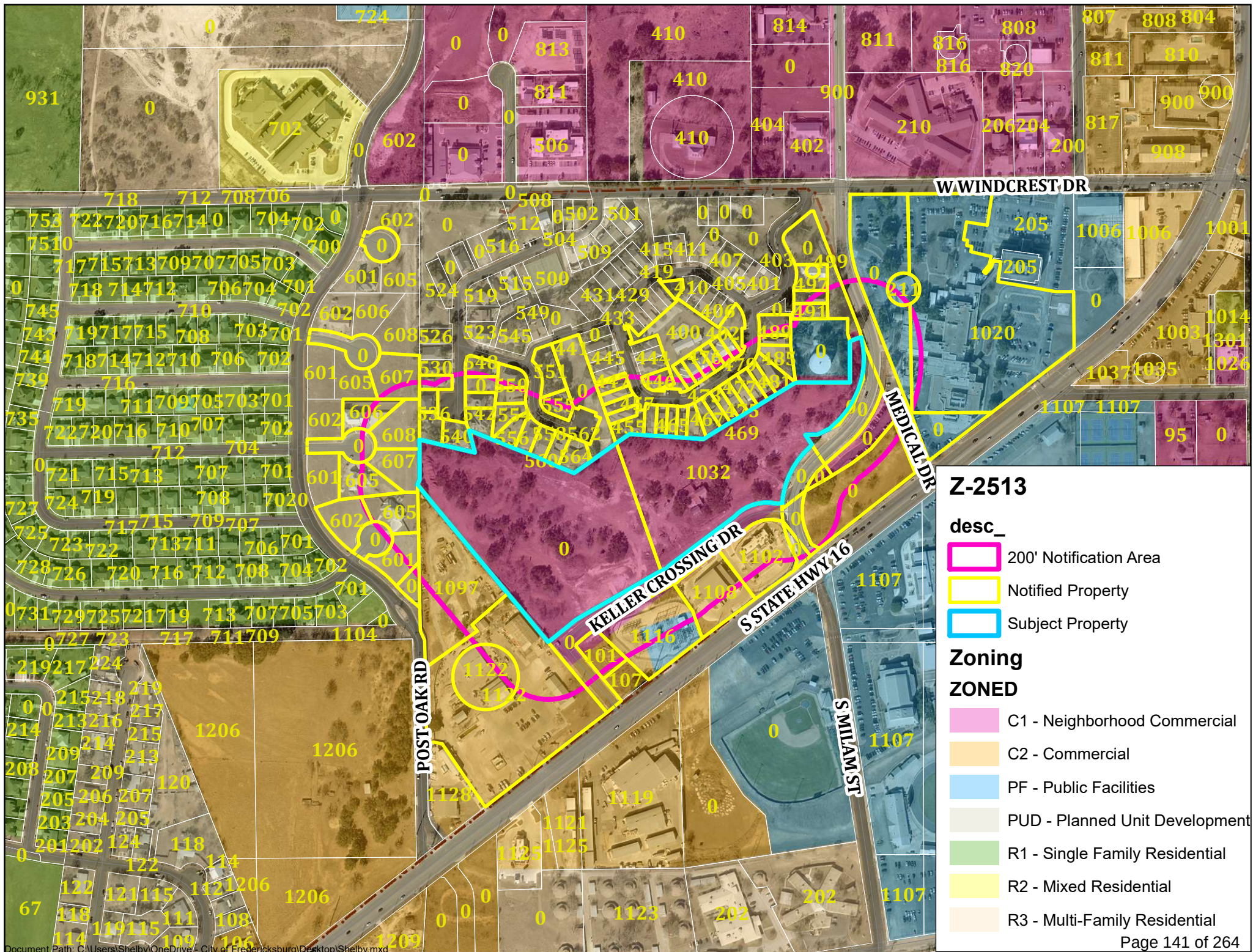
Date: July 10, 2025

Leticia Vacek, City Secretary



Date: July 10, 2025

Clinton Bailey, City Manager



Z-2513

desc_

- 200' Notification Area
- Notified Property
- Subject Property

Zoning

ZONED

- C1 - Neighborhood Commercial
- C2 - Commercial
- PF - Public Facilities
- PUD - Planned Unit Development
- R1 - Single Family Residential
- R2 - Mixed Residential
- R3 - Multi-Family Residential

SPRING CANYON RANCHES LTD
P O BOX 393
FREDERICKSBURG, TX 78624

KELLER EQUIPMENT CO
PO BOX 393
FREDERICKSBURG, TX 78624

METCALF, GARY & TERRI
461 SUMMIT CIR
FREDERICKSBURG, TX 78624

DOOLEY, MARGARET ADEL
459 SUMMIT CIR
FREDERICKSBURG, TX 78624

BRSF LLC
511 E SCHUBERT
FREDERICKSBURG, TX 78624

VAUGHN, PEYTON & CAROL
P O BOX 1304
FREDERICKSBURG, TX 78624

MCCLURE, ANNETTE JENKINS
453 SUMMIT CIR
FREDERICKSBURG, TX 78624

JENKINS, GLADYS
451 SUMMT CIR
FREDERICKSBURG, TX 78624

SCHMIDT, FRANCES
7050 JADE FIELD
SAN ANTONIO, TX 78240

QUINDRY, CHARLES L &
QUINDRY
469 SUMMIT CIR
FREDERICKSBURG, TX 78624

RENICK, DEBORAH SUE
427 NIMITZ CIR
FREDERICKSBURG, TX 78624

HALEY, VANESSA
555 WINDING WAY
FREDERICKSBURG, TX 78624

SMITH, JERRY & JOAN SHARON
564 WINDING WAY
FREDERICKSBURG, TX 78624

WEHMEYER LIFE ESTATE
562 WINDING WAY
FREDERICKSBURG, TX 78624

BRANDON, NARDINE KIKUYO
560 WINDING WAY
FREDERICKSBURG, TX 78624

WILHITE, JAMES & PAMELA
419 SUMMIT CIR
FREDERICKSBURG, TX 78624

CARSEY, LIFE ESTATE
556 WINDING WAY
FREDERICKSBURG, TX 78624

FINNELL, MARY KATHRYN
3939 BEE CAVE RD, BLDG C-100
AUSTIN, TX 78746

LEFTWICH, JOHN & ALLISON
550 WINDING WAY
FREDERICKSBURG, TX 78624

BALKAN, LILLI TRUST, THE ETAL
552 WINDING WAY
FREDERICKSBURG, TX 78624

FLEURY, RICHARD
548 WINDING WAY CT
FREDERICKSBURG, TX 78624

FINNELL, KAY FITZPATRICK
3939 BEE CAVE RD, BLDG C-100
AUSTIN, TX 786

BOLIN, GREGORY & THERESA
544 WINDING WAY CT
FREDERICKSBURG, TX 78624

WHITE, REVOCABLE TRUST
542 WINDING WAY CT
FREDERICKSBURG, TX 78624

KENNEDY, ROBERT & CAROLE
534 WINDING WAY CT
FREDERICKSBURG, TX 78624

PYLATE, PATRICK & MARLENE
532 WINDING WAY CT
FREDERICKSBURG, TX 78624

FULLER, HUGH H
540 WINDING WAY CT
FREDERICKSBURG, TX 78624

MONTGOMERY, KEVIN PAUL
536 WINDING WY
FREDERICKSBURG, TX 78624

LCRA TRANSMISSION SERVICES
PO BOX 220 M/S D-140
AUSTIN, TX 78767

BOBO, TIMOTHY M & LARA
714 W LIVE OAK
FREDERICKSBURG, TX 78624

FIRST UNITED BANK AND TRUST
PO BOX 729
DURANT, OK 74702

GUERRA, LUIS & ETHEL
2119 GALVESTON ST
LAREDO, TX 78043

JOHLE, RYAN & MOACA-ENE
4912 PLUM PEACH BEND
AUSTIN, TX 78723

JINGOIU LIVING TRUST
1275 WEATHERSFIELD WAY
SAN JOSE, CA 95118

MORRIS, ROBERT ETAL
605 GIBSON CT
FREDERICKSBURG, TX 78624

TAN, CHANGBIN & SUN, LI
605 ATKINS CT
FREDERICKSBURG, TX 78624

IRONBREAKER DEVELOPMENT
PO BOX 2526
FREDERICKSBURG, TX 78624

ENCHANTED WAY PROPERTY
SOLUTIONS LLC
569 COWBOY TRL
FREDERICKSBURG, TX 78624

Z-2424

OAKS OF WINDCREST PROPERTY
OWNERS ASSOCIATION INC
11844 BANDERA RD #466
HELOTES, TX 78023

METHODIST HEALTHCARE
ONE PARK PLAZA BLG 1
NASHVILLE, TN 37203

NUVISTA DEVELOPMENT LLC
4264 S JACKSON ST
SAN ANGELO, TX 76903

SCHMIDT, CHARLES & LORETTA
489 SUMMIT CIR
FREDERICKSBURG, TX 78624

ROESCH, RICHARD A & IRIS M
487 SUMMIT CIRCLE
FREDERICKSBURG, TX 78624

GROSS, GERALD D & RHONDA
105 E CENTRE
FREDERICKSBURG, TX 78624

RUTLEDGE, JAY & SHIRLEY
481 SUMMIT CIR
FREDERICKSBURG, TX 78624

WALLACE, GRACE
479 SUMMIT CIR
FREDERICKSBURG, TX 78624

SPENCER, CARROLL & MOLLY
477 SUMMIT CIR
FREDERICKSBURG, TX 78624

RUSH, BARBARA
475 SUMMIT CIR
FREDERICKSBURG, TX 78624

WALLACE, GRACE & WALLACE,
PO BOX 583
FREDERICKSBURG, TX 78624

JACKSON, FRANCIS
40 N INTERSTATE HWY 35,
APT 1333
AUSTIN, TX 78701

QUINDRY, CHARLES L & SUSAN
469 SUMMIT CIR
FREDERICKSBURG, TX 78624

SOULE, JOHN G & PATRICIA A
3209 TARRYHOLLOW DR
AUSTIN, TX 78703

ALLEN, ELBERTA J
3968 OLD MASON RD
FREDERICKSBURG, TX 78624

DYCHES PROPERTIES LLC
76 PREMIER VIEW DR
FREDERICKSBURG, TX 78624

METCALF, GARY & TERRI L
461 SUMMIT CIR
FREDERICKSBURG, TX 78624

DOOLEY, MARGARET ADEL
459 SUMMIT CIR
FREDERICKSBURG, TX 78624

BRSF LLC
511 E SCHUBERT
FREDERICKSBURG, TX 78624

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453 SUMMIT CIR
FREDERICKSBURG, TX 78624

JENKINS, GLADYS
451 SUMMIT CIR
FREDERICKSBURG, TX 78624

SCHMIDT, FRANCES L
7050 JADE FIELD
SAN ANTONIO, TX 78240

QUINDRY, TRUST
469 SUMMIT CIR
FREDERICKSBURG, TX 78624

SMITH, JAMES D & PATRICIA S
PO BOX 2529
FREDERICKSBURG, TX 78624

WEINHEIMER, PATRICIA
478 SUMMIT CIR
FREDERICKSBURG, TX 78624

HAMILTON, DEBRA ALLEN
PO BOX 1500
OZONA, TX 76943

HANNON, REVOCABLE TRUST
474 SUMMIT CIR
FREDERICKSBURG, TX 78624

WARREN, JESSE L & KELLEY J
472 SUMMIT CIR
FREDERICKSBURG, TX 78624

BC REVOCABLE LIVING TRUST
29440 ELK VIEW DR
STEAMBOAT SPRINGS, CO 80487

SANDERS, DONNA
493 SUMMIT CIR
FREDERICKSBURG, TX 78624



June 9, 2025

P.V. McMinn, Jr.

Via Email

pvmcminnjr@gmail.com

RE: Z-2513, Review Comments for the Conditional Use Permit request for 1032 S Milam, Keller Oaks.

Dear Applicant,

Project will require Planning and Zoning approval scheduled for **Wednesday, July 2, 2025**, at 2818 US 290 East (HEB Room at the former University Center – City Hall East Campus), please have a representative present at the meeting.

The project will also require consideration by City Council on **Tuesday, July 15, 2025**, at 2818 US 290 East (HEB Room at the former University Center – City Hall East Campus), please have a representative present at the meeting.

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 Site plan by **Monday, June 16, 2025**.

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

- Correct the Lot Sizes for Lot 1R-1 and 1R-2. They both read as 7.23 Acres (314,939 sq ft)
- Correct the Development Calculations for both lots given the need to update the lot size
 - Building Cover
 - Impervious Cover
 - ETC
- Provide density calculations based on bedroom counts by lot. [Per Sec. 3.200](#)
 - Example = 35, 1-bedroom units @ 3,000 sq ft per unit = 105,000 sq ft

The City of Fredericksburg

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

- Please provide parking calculations and appropriate dimensions [Per Sec. 7.863](#)
- Add appropriate handicapped parking spaces in required locations and provide dimensions [Per Sec. 7.863](#)
- Location of loading facilities for both lots per [Sec. 7.131](#)
- Parking Lot lighting needs to be shown on the plan. [Sec. 7.131](#)
- Provide a note that all lighting will be compliant with [Article XV – Outdoor Lighting](#). This includes parking lot lighting.
- Landscaping required Per. [Sec. 7.920](#) and should include One (1) tree per 75 LF is required. Off-street parking should have ten (10) sq ft of interior landscaping for each parking space. A strip of land at least five (5) ft in depth located between the abutting right-of-way and the off-street parking areas or other vehicular area which is exposed to an abutting right-of-way shall be landscaped and include one (1) tree for each fifty (50) LF. In addition, a hedge wall, or other durable landscape barrier of at least two (2) ft in height, shall be placed along the perimeter.
- Screening required per [Sec. 7.940](#) & [Sec. 7.980](#) to include a solid wood and/or masonry fence or wall at least 6 ft in height but not greater than 8 ft between the subject property and residentially zoned property to the East. All refuse collection must be screened.
- There is an existing residence on the site that is not shown on the plan. Staff has not approved its demolition and suspect it might possess historical significance. Staff will need to perform a site visit to determine the properties condition and value. This home is not listed on the City's inventory of Historical Structures, but due to its age, it may qualify for historic protection.
- The [2024 Comprehensive Plan](#) identifies this property with a future place type of Mixed Use Community Corridor which is envisioned to be a well-planned walkable mixed-use area with a strong sense of place. These highly activated areas should include integrated residential, retail and small-scale employment uses.
 - Important characteristics include building relationship with the street, pedestrian movement, signage, street design and public gathering spaces.
 - Middle housing types such as townhomes, patio homes, cottage courts, urban lofts and apartments in walkable environments near commercial and open space.
 - High interconnectivity between uses and parcels is required internal to the site, both vehicular and pedestrian.
 - Buildings should be sited in close proximity to each other and well-connected via pedestrian pathways and sidewalks.

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- Create mechanisms to properly consider infrastructure, community character, and economic impact of all new development (Small Town Sensitive Growth)
- Encourage neighborhood placemaking elements that add community character and support pride of ownership (pocket parks, street trees, art in public spaces, sidewalks, etc.) (N.1.A.6)
- Apply transportation improvements which prioritize safety, comfort, and connectivity of pedestrians and cyclists and ensure ADA accessibility for the entire community (Mobility)
- Invest in bike parking, street furniture and other elements that encourage walking and biking. Begin investments at key points of interest and community facilities (i.e, libraires, schools, parks, museums, shopping districts) (M.2.B.6)
- Subdivision Waiver (Major) required for block lengths exceeding 500 ft or 1,200 ft in length per [Subdivision Ordinance 6.06 D & E](#).
 - Where no existing subdivision controls, the blocks should not be less than 500 feet in length. However, in cases where physical barriers, property ownership, or individual usage creates conditions where it is appropriate that these standards be varied then, upon approval by the Director of Development Services, the length may be increased or decreased to meet existing conditions, having due regard for connecting streets, circulation of traffic and public safety.
- As part of the previously approved CUP The Planning and Zoning Commission voted 7-0 to approve the CUP for Townhomes & Condominiums with the condition that the project provides additional sidewalks in the development. [Sec. 7.131](#)

Please return the revised plans along with your written response as to how the comments have been addressed by **Monday, June 16, 2025**. Please feel free to contact me with any comments or questions, and I will be happy to assist you.

For information regarding these comments please contact Jan Musgrove with Development Services at 830-990-2079 or jmusgrove@fbgtx.org



Jan Musgrove
Development Review Committee (DRC)

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

**NuVista Development, LLC's "Responses to Review Comments"
for the Conditional Use Permit request for 1032 S Milam, Keller Oaks
as received June 9, 2025**

June 16, 2025

From : P.V. McMinn, Jr., Director of Operations
NuVista Development, LLC, &
Dale Sultemeier, P.E. / R.P.L.S.

RE: Z-2513 - Keller Oaks

Gentlemen:

P & Z's Review Comments and our responses on behalf of NuVista Development, LLC ("NuVista") are numbered in outline format as follows:

1. **Correct the Lot Sizes for Lot 1R-1 and 1R-2. They both read as 7.23 Acres (314,939 sq ft)**
 - 1.1. *Lot sizes have been corrected;*
2. **Correct the Development Calculations for both lots given the need to update the lot size**
 - 2.1. *Development Calculations including Building Cover, Impervious Cover, etc., have been corrected;*
3. **Provide density calculations based on bedroom counts by lot. Per Sec. 3.200 - Example = 35, 1-bedroom units @ 3,000 sq ft per unit = 105,000 sq ft;**
 - 3.1. *Density calculations based on bedroom counts are provided in the Property Development Tables set forth on the Proposed Development Plan;*
4. **Please provide parking calculations and appropriate dimensions Per Sec. 7.863;**
 - 4.1. *Parking calculations and appropriate Dimensions Per Sec. 7.863 are provided in the Property Development Tables set forth on the Proposed Development Plan;*
5. **Add appropriate handicapped parking spaces in required locations and provide dimensions Per Sec. 7.863;**
 - 5.1. *Handicap parking spaces with dimensions were, and are, shown in the appropriate places on the Proposed Development Plan;*
6. **Location of loading facilities for both lots per Sec. 7.131**
 - 6.1. *Location of loading facilities for both lots per Sec. 7.131 were, and are, shown in the appropriate places on the Proposed Development Plan (See: Legend for Symbol);*
7. **Parking Lot lighting needs to be shown on the plan. Sec. 7.131**
 - 7.1. *Parking Lot lighting was, and is, shown in the appropriate places on the Proposed Development Plan (See: Legend for Symbol);*
8. **Provide a note that all lighting will be compliant with Article XV – Outdoor Lighting. This includes parking lot lighting.**
 - 8.1. *A note that all lighting will be compliant with Article XV – Outdoor Lighting, including parking lot lighting was, and is included in the Property Development Tables set forth on the Proposed Development Plan (See: Legend for Symbol);*
9. **Landscaping required Per. Sec. 7.920 and should include One (1) tree per 75 LF is required. Off-street parking should have ten (10) sq ft of interior landscaping for each parking space. A strip of land at least five (5) ft in depth located between the abutting right-of-way and the off-street parking areas or other vehicular area which is exposed to an abutting right-of-way shall be landscaped and include one (1) tree for each fifty (50)LF. In addition, a hedge wall, or other durable landscape barrier of at least two (2) ft in height, shall be placed along the perimeter.**
 - 9.1. *See "Landscaping & Screening" in the Property Development Tables set forth on the Proposed Development Plan. It states that "Landscaping will be in compliance with all code requirements as stipulated under Sec. 7.900", and that "A Detailed Landscape Plan Will Be Provided With Construction Documents";*

10. Screening required per Sec. 7.940 & Sec. 7.980 to include a solid wood and/or masonry fence or wall at least 6 ft in height but not greater than 8 ft between the subject property and residentially zoned property to the East. All refuse collection must be screened;
 - 10.1. Screening required per Sec. 7.940 & Sec. 7.980 is shown along property lines and where applicable and around dumpsters on the Proposed Development Plan (See: Legend for Symbols);

11. There is an existing residence on the site that is not shown on the plan. Staff has not approved its demolition and suspect it might possess historical significance. Staff will need to perform a site visit to determine the properties condition and value. This home is not listed on the City's inventory of Historical Structures, but due to its age, it may qualify for historic protection.
 - 11.1. *The old house is uninhabitable by any stretch of the imagination and has not been livable by any normal person for years. It is inconceivable that the woman and her son that were staying there when NuVista purchased the property in 2021, they must have been destitute;*
 - 11.2. *The main and oldest portion of the house is perhaps as much as four (4) feet below grade on the north side and will no doubt flood in storms;*
 - 11.3. *The original house has been modified and added onto numerous times. The additions were ill planned, hence the floor below grade. No aspect of any of the house is desirable in the least. In addition, the various roofs have leaked and signs of termite infestation are visible throughout. Termites have consumed a portion of the back wall and it is open to the elements;*
 - 11.4. *Most of the dimensional lumber used in the add-ons measures 1-1/2" in thickness. The standard dimensions of "2x" dimensional lumber were reduced to 1-1/2" in the 1970's.*
 - 11.5. *If it would even be possible to repair and renovate the house at all, NuVista estimates that the cost could be exorbitant, perhaps north of a half million dollars, and still it would not be a desirable dwelling. Any investment in that house will result in diminishing returns.*
 - 11.6. *As far as anyone knows, there is no record of anyone of historical significance, Sam Houston, Robert E. Lee, James Bowie, etc, ever having visited or spent the night there and nothing of historical significance ever occurred there;*
 - 11.7. *As for its age being historical interest, who that comes to Fredericksburg would ever go out of their way to see it?*
 - 11.8. *That anyone would allow the desire to force NuVista to keep that old house on such a valuable piece of property and jeopardize a beautiful development that the townspeople of Fredericksburg will be proud of is inconceivable. Moreover, to risk losing a golden opportunity to add perhaps as much as fifty to sixty million dollars to the city's tax base when Keller Oaks is completely developed is unfathomable.*
 - 11.9. *If the old house was in the Historical District, and would appeal to tourists who might want a tour, that might be something to consider. However, it isn't, it doesn't, and it never will! NuVista prays that it will be allowed to demo the house to make way for something new and beautiful;*

12. The 2024 Comprehensive Plan identifies this property with a future place type of Mixed Use Community Corridor which is envisioned to be a well-planned walkable mixed use area with a strong sense of place. These highly activated areas should include integrated residential, retail and small-scale employment uses. ;
 - o Important characteristics include building relationship with the street, pedestrian movement, signage, street design and public gathering spaces.
 - o Middle housing types such as townhomes, patio homes, cottage courts, urban lofts and apartments in walkable environments near commercial and open space.
 - o High interconnectivity between uses and parcels is required internal to the site both vehicular and pedestrian;
 - o Buildings should be sited in close proximity to each other and well-connected via pedestrian pathways and sidewalks;
 - Create mechanisms to properly consider infrastructure, community character, and economic impact of all new development (Small Town Sensitive Growth);
 - Encourage neighborhood place making elements that add community character and support pride of ownership (pocket parks, street trees, art in public spaces, sidewalks, etc.) (N.1.A.6);

- Apply transportation improvements which prioritize safety, comfort, and connectivity of pedestrians and cyclists and ensure ADA accessibility for the entire community (Mobility); Invest in bike parking, street furniture and other elements that encourage walking and biking. Begin investments at key points of interest and community facilities i.e., libraries, schools, parks, museums, shopping districts (M.2.B.6);

12.1. In attempting to formulate a reasonable and thoughtful response to the foregoing collective of comments, I felt it necessary to research exactly what is meant by "Mixed Use Community Corridor". I came across an article on the subject posted by one John Adams, MS Environmental Studies in Environmental Science & Urban and Regional Planning, Baylor University (Graduated 1984). Mr. Adams' answer to: "How can cities encourage more mixed-use development in order to create more livable neighborhoods?" follows:

12.1.1. "The City of Austin has been trying to do this for the last 10 years at least. What generally stops it is single use zoning districts. (Often, office and retail can be combined, but that's about it.) The problem is that single use districts are the easiest form of zoning to enact and enforce. Mixed use zoning is complicated, and it's far too easy for unworkable and expensive requirements to be included in the district's regulations. About the only thing that's worked so far is combining first floor commercial (office and/or retail) with several floors of multifamily or townhouses. Developers, who are going to be financing and building whatever kind of project goes in, are almost universally very conservative in their approach to developing a tract. They know going in what they want, be it single family homes, multifamily, retail, office, or industrial, and many of those uses aren't particularly compatible with each other. They also don't like the requirement to provide "affordable" living units in mixed use, because it cuts into the salability of the completed project. The only sort of "mixed use" that works well is a large tract that is divided into different uses, and is mixed use only when taken as a whole."

A footnote by the Texas Department of Licensing and Regulation" (TLDR):
 "Cities are going to have to provide strong financial incentives for developers to create "true" mixed use development, and keep the requirements simple".....
Perhaps a point to consider?

12.2. A second answer to: "What is an example of mixed use development?"

12.2.1. Times Square New York is the easiest example to give. It has movie halls, restaurants and cafes, shopping hub and little inside the lanes residences. A mixed development is something which has everything in the same local area. Powai in Mumbai has all the above and schools and colleges and office spaces and residential apartments. Of course no movie hall but all the rest... hospital, schools and colleges and mini shopping mall and restaurants.

12.3. I submit that, to be successful, all such developments that I am aware of are in high density metropolitan settings with zoning ordinances that are apparently conducive to combining a broad range of uses such as commercial offices, retail, personal services, food & beverage facilities, lodging, and various types of entertainment venues, with middle housing such as townhomes & condominiums as well as dense multifamily and high rise properties. Las Colinas in Irving, TX seems a perfect example. Obviously, Keller Oaks, nor any other development in towns other than metropolitan cities, could possibly be expected to meet such criteria;

12.4. However, to a degree, Keller Oaks "as planned" is such a development, save and except it is not a "large tract" on a major traffic "corridor". It is a relatively small fourteen & one quarter (14¼) acre tract to ultimately be subdivided into perhaps seven (7) separate tracts for several different uses with infrastructure comprising; 1.) Townhomes; 2.) Condominiums; 3.) A Private Community Center & Pool reserved exclusively for Keller Oaks residents & their invited guests; 4.) Possibly two (2) Upscale Class "A" Office Buildings; and, 5.) Perhaps an additional commercial attraction at some point that would be attractive and greatly enhance the experience of life in the Keller Oaks neighborhood, as well as the community at large, provided that any such use might be allowed by the city. Many attractive and badly needed commercial uses are not currently permitted in C-1 Neighborhood Commercial Zones even with conditional use permits.

NuVista intends to develop Keller Oaks as a traditional "Mixed Use Development" and assures that will be at the pinnacle of premier upscale luxury subdivisions in Fredericksburg for many years to come. NuVista is not ignorant of the fact that, in order to be successful in its endeavor, Keller Oaks must to the fullest extent practicable incorporate many of the features mentioned as being characteristics typically associated with a Mixed Use Community Corridor, provided such features are compatible with the character envisioned for Keller Oaks.

- 12.5. NuVista believes that the arrangement of the buildings and the relative infrastructure situated on the side of Keller hill that comprises Keller Oaks is most favorable as currently designed. It naturally incorporates many of the attributes that staff suggests as being the essence of a Mixed Use Community Corridor such as:

- 12.5.1. Building relationships with the streets; internal pedestrian movement via sidewalks & thoughtful street design;

- 12.5.1.1. One appealing aspect of Crestview Townhomes and Hillside condominiums will be a luxurious maintenance free lifestyle with a view, coupled with the privacy afforded by being at the back of a destination subdivision devoid of through streets and fast traffic as opposed to living with thru traffic on a typical city street, i.e., if you're in the residential sections of Keller Oaks your there on purpose. Therefore, similar to Windcrest, the residential areas of Keller Oaks will intentionally not be conducive to public gatherings;

- 12.5.2. Crestview Townhomes and Hillside Condominiums are sited in a walkable environment in close proximity to the professional office buildings proposed in Keller Oaks along Keller Crossing, the available open spaces, and Burger King and 1st United Bank across Keller Crossing;

- 12.5.3. NuVista is firmly committed and financially obligated to incorporate any and all improvements, features, and amenities as may be practicable to assure that Keller Oaks is regarded among the foremost developments in Fredericksburg.

13. Subdivision Waiver (Major) required for block lengths exceeding 500 ft or 1,200 ft in length per Subdivision Ordinance 6.06 D & E.

- o Where no existing subdivision controls, the blocks should not be less than 500 feet in length. However, in cases where physical barriers, property ownership, or individual usage creates conditions where it is appropriate that these standards be varied then, upon approval by the Director of Development Services, the length may be increased or decreased to meet existing conditions, having due regard for connecting streets, circulation of traffic and public safety.

- 13.1.1. *Just prior to retirement in January of 2020, Brian Jordan approved my previous Application for CUP with the Crestview Circle cul-d-sac, being 770' long, and the twenty-one (21) "townhome lots" as designed, and scheduled the Application for a Zoom meeting with P & Z on February 5, 2021. To say Brian Jordan was quite thorough in his critique of my Application would be a gross understatement. Curiously, he made no mention as to any code limiting the number of "townhome lots" to fifteen (15);*

- 13.1.2. *Shortly after, while working with the new Planning Director, Jason Lutz, I was searching the code for information on street medians and came across Chapter 38 / Sec. 6. 12.G., and saw "The Planning and Zoning Commission may approve a cul-de-sac street greater than five hundred (500) feet, if the street is zoned or used for single-family residential development and no more than 15 single family lots are created along the street". I asked Mr. Lutz if this would impact my Application for Replat and he told me it would not because the code only applied to "single family lots" and not "townhome lots". Shortly after, Mr. Lutz recommended that P & Z, and later the City Council, approve my Application for Replat to subdivide Lot 1R- 1 into two (2) parcels, Lot 1R-1A comprising the twenty-one (21) "townhome lots" totaling 3.69 acres to comport with the approved CUP with the balance being Lot 1R-1B, 2.42 acres.*

- 13.1.3. *Inasmuch as neither Bryan Jordan nor Jason Lutz applied a limit to the number of townhome lots and, for some reason, it now comes into play, curiosity forced me to research the legal definitions of a Single Family Lot and a "Townhome Lot". It appears that that both Bryan Jordan and Jason Lutz were correct. The legal definition I found on "Law Insider" follows:*

13.1.3.1. Law Insider:

- 13.1.3.1.1. Single Family Lot** - A Single Family Lot shall refer to a platted lot on which there may be constructed only a single family detached or semi- attached dwelling unit;
- 13.1.3.1.2. Semi-attached Dwelling Unit** - A semi-detached dwelling unit is a single-family duplex dwelling that shares one common wall with its neighbor. The name distinguishes this style of construction from detached houses, with no shared walls, and terraced houses, with a shared wall on both sides (i.e. Townhouses);

13.1.3.2. Design criteria specified in the Code of Ordinances that differentiate Townhome Lots from Single Family Lots are:

13.1.3.2.1. Code Requirements:

	<u>Townhome Lots</u>	<u>Single Family Lots</u>
1.) Minimum lot widths:.....	20'	70'
2.) Minimum lot sizes	2,500 sf	8,000 sf
3.) Maximum Building Length		
..... No group of attached townhome to exceed 200 '.....		N/A
4.) Maximum Density:	3,600 sf/site area per dwelling unit	N/A
5.) Units per Project/Lot ...		
..... At least four connected units in each project		1
6.) Fire walls	Required	N/A
7.) Fire Sprinkler Systems	Required	N/A

13.1.3.2.2. Different Codes:

The design criteria for Townhome Lots and Single Family Lots is covered in the Code of Ordinances under completely separate codes;

13.1.3.2.3. An additional point to consider, Minimum Single Family Lot Widths;

Although the term "Single Family Lot" cannot be deemed to include Townhome Lots, the 15 lot limitation relative to granting an extension for a cul-d-sac stipulates that such an extension can only be granted for a maximum of fifteen (15) Single Family Lots;

"Single Family Lots". Fifteen (15) Single Family Lots at the minimum width of seventy feet (70') total 1,050 L.F, which would indicate a need to extend a cul-d-sac 550 L.F. beyond the 500 L.F. allowed length. At a more standard 100' lot width, the fifteen lots total 1,500 L.F. That's would require a cul-d-sac to be extended 1,000 L.F. beyond the 500' allowed length, which apparently City Subdivision Ordinance 6.12.G.1 will allow;

All twenty-one (21) Townhome Lots as proposed for Keller Oaks , including the three (3) 15' fire separations, as well as the lot radiuses around the cul-d-sac, combine for a total length of 827 L. F. Crestview Townhomes only requires the cul-d-sac to be extended 270' for a total of 770 L.F..

I.E., Fifteen Single Family Lots at the minimum width of 70' would require a cul-d-sac to be extended an additional 280 L.F. beyond the 770 L.F. that is required for Crestview Townhomes; Townhome Lots were not considered by the code writers.....

13.1.3.2.4. Obviously, Townhome Lots and Single Family Lots are altogether different, which is the reason that both Bryan Jordan and Jason Lutz did not lump the two together under the 15 lot limitation imposed on Single family Lots along an extended cul-de-sac by City Subdivision Ordinance 6.12.G.1. As Mr. Lutz told me, "that ordinance does not apply to Townhome Lots, Townhome Lots are different".

14. As part of the previously approved CUP The Planning and Zoning Commission voted 7-0 to approve the CUP for Townhomes & Condominiums with the condition that the project provides additional sidewalks in the development. Sec. 7.131;

14.1. *Sidewalks were added prior to the previous approval referenced. The number of Townhome Lots previously approved was actually twenty-two (22). The current Application is for twenty-one Townhome Lots (21). Corresponding Civil Construction Plans are complete and were also approved by P & Z Staff in connection with the previous application. I, and the members of NuVista, pray that logic and good will prevails and our Application for CUP meets with staff's approval and is forwarded to the next P & Z Meeting w/ Staff's recommendation for approval as designed.*

APPLICATION FOR SUBDIVISION WAIVER

Date: January 27, 2025

TO: City of Fredericksburg
Director of Planning and Development

APPLICANT:

On behalf of:
NuVista Development, LLC
By: P. V. McMinn, Jr., Director of Operations
805 N. Llano, Fredericksburg, TX 78624 (Fredericksburg Office)

RE: Keller Oaks, A Proposed 14.25 Acre Phased Mixed Use Development

Attn: Director of Development Services:

NuVista Development, LLC ("NuVista") respectfully requests a "Subdivision Waiver" be approved to permit a deviation in the maximum length of a cul-de-sac street in accordance with the City of Fredericksburg: Subdivision Ordinance; Subdivision Design Standards 6.06 - D & E, as follows:

Background:

Keller Oaks is a 14.25 Acre Phased Mixed Use Subdivision (the "Project") that has been planned for development on a 14.25 acre hillside at 1032 S. Milam Street, Fredericksburg, TX 78624 since early 2019 (the "Property").

The original developer, P. V. McMinn, Jr., first contracted to purchase the Property in February of 2019. NuVista Development, LLC was formed in November of 2020 to purchase and develop the Property, Zoned C-1-Neighborhood Commercial, with townhomes, condominiums, and professional office space.

In March of 2021, the Planning & Zoning Commission approved an "Application for Conditional Use Permit" ("CUP #1") as required to build townhomes on Lot 1R-1A ("Crestview Townhomes"); and, condominiums on Lot 1R-2 ("Hillside Condominiums").

Crestview Townhomes is designed to front along a proposed 733' cul-de-sac ("Crestview Circle"). Crestview Circle was previously approved as designed in connection with CUP #1; a "Re-plat" of Lot 1R-1 into Lot 1R-1A and Lot 1R-1B by Sultemeier Surveying & Engineering as presented to P & Z with a recommendation for approval by Staff on August 3, 2022 (the "Phase 1 Replat"); and, later by Assistant City Engineer, Evan Williamson, P.E., CFM, by way of "Civil Construction Plan Release Letter – Keller Oaks Phase 1" to Hewitt Engineering, Inc., Attn: John Hewitt, PE., dated March 22, 2023, which states "These civil construction plan documents will be released for construction contingent upon the following items: A.) Completion of a pre-construction meeting; B.) Approval of a landscape and sewer line maintenance agreement ("Sewer Line Maintenance Agreement"); and, 3.) Submittal of three (3) copies of the construction plans. Said Sewer Line Maintenance Agreement was submitted and finally approved by the City Attorney in July of 2023, some four (4) months after NuVista's Conditional Use Permit had supposedly expired, unbeknownst to NuVista.

NuVista's objective to develop Keller Oaks has not changed from its original intent to develop the Property in accordance with CUP #1; the corresponding "re-plat"; and, the approved "Civil Construction Plans for Keller Oaks Phase 1", as produced by Hewitt Engineering, Inc., dated 2/27/2023.

The Requested Subdivision Waiver:

Pursuant to City of Fredericksburg: Subdivision Ordinance; Subdivision Design Standards 6.06 - D & E, a Subdivision Waiver is necessary and justified to extend Crestview Circle due to steep topography on the east end of the Property. Steep topography precludes any possibility of incorporating a circuitous two-way street designed to serve the twenty-one (21) townhome lots. Furthermore, an intersection for Crestview Circle at South Milam Street is not possible. Therefore, in order for NuVista to achieve the highest and best use of the land, and panoramic views from the townhomes along the length of the crest of the hill, Crestview Circle as designed is the only viable alternative.

NuVista respectfully requests a Subdivision Waiver be granted to permit Crestview Circle to be extended an additional 233' beyond the maximum cul-de-sac length of 500', for a total of 733' as was previously approved. The twenty-one (21) Crestview Townhomes is "the key element" of the Project that makes the development of Keller Oaks feasible. Accordingly, Crestview Circle, as it appears in the previously approved Construction Plans, is fundamental to the development of CrestView Townhomes (Phase 1) and is therefore essential to the feasibility of the Keller Oaks development as a whole.

Under the circumstances in this particular case, NuVista believes that such Subdivision Waiver, if granted, will not be detrimental to the health, safety, morals, comfort and/or convenience, or be injurious or detrimental to the general welfare of the persons residing or working in the neighborhood or to the property and improvements in the neighborhood or to the general welfare of the city.

In conclusion, NuVista prays that the requested Subdivision Waiver be granted in order to help assure that this important upscale mixed use development can move forward as designed as soon as possible.

Very truly yours,

P. V. McMinn, Jr., Director of Operations
NuVista Development, LLC

PRELIMINARY SITE PLAN
FOR CONDITIONAL USE PERMIT:
LOT 1R-1 & LOT 1R-2 IN THE KELLER
SUBDIVISION, A PLAT OF RECORD IN VOLUME
6, PAGE 88 OF THE GILLESPIE COUNTY PLAT
RECORDS.

Property Address:
1032 S. Milam
Fredericksburg, TX 78624

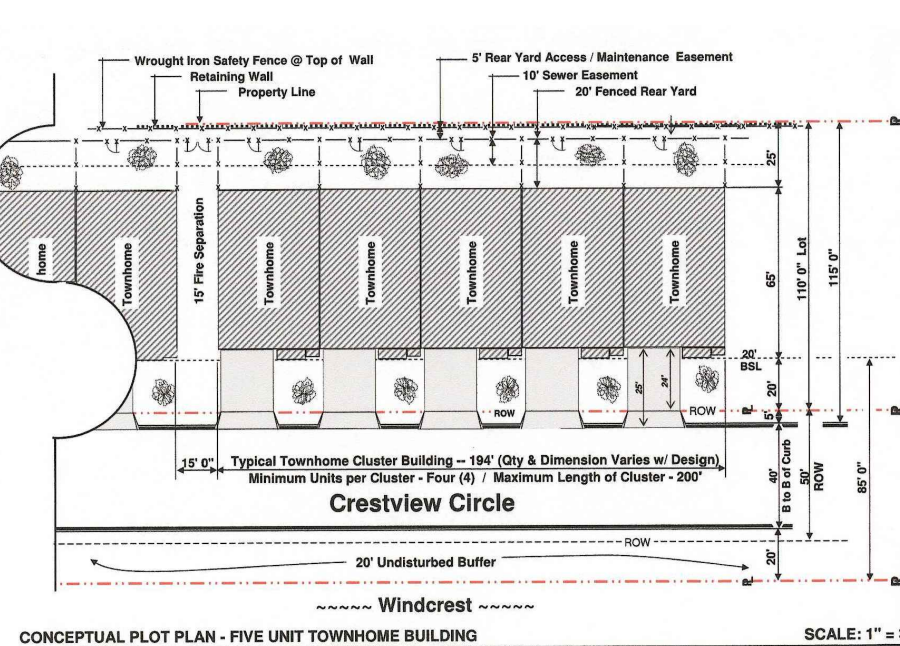
Owner:
NuVista Development, LLC
Representative/Applicant:
On Behalf of:
NuVista Development, LLC
P. V. McMinn, Jr.
Director of Operations
805 North Llano
Fredericksburg, TX 78624 (Fredericksburg Office)
(325) 234-9424

PROPERTY DEVELOPMENT DATA - LOT 1R-2 KELLER SUBDIVISION - A MIXED USE DEVELOPMENT				
PROJECT DESCRIPTION: REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF CONDOMINIUMS ON THE PROPERTY CURRENTLY ZONED C-1, NEIGHBORHOOD COMMERCIAL. THIRTY-TWO (32) TWO (2) BEDROOM CONDOMINIUM UNITS IN FOUR (4) EIGHT (8) UNIT BUILDINGS ('HILSIDE CONDOMINIUMS') ARE TO BE SITED ON THE NORTHWEST PORTION OF LOT 1R-2, EAST OF AND ADJACENT TO ALLEN KELLER COMPANY. THE BUILDING SHALL BE 2 STORY SINGLE FAMILY DWELLING UNITS. CONSTRUCTION SHALL BE CONVENTIONAL WOOD FRAME WITH EXTERIOR FINISHES INCLUDING BUT NOT LIMITED TO STUCCO, LIMESTONE, ARCHITECTURAL PANELING, TRADITIONAL WOOD Siding, GLASS, AND STANDING SEAM METAL, ANDOR SINGLE PLY (TPO) ROOF.				
LEGAL DESCRIPTION: 1032 SOUTH MILAM GILLESPIE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 6, PAGE 88, PLAT RECORDS OF GILLESPIE COUNTY, TEXAS.				
ZONED: C-1: NEIGHBORHOOD COMMERCIAL				
REQUEST FOR CONDITIONAL USE: "APPLICATION FOR CONDITIONAL USE PERMIT" TO BUILD CONDOMINIUMS				
LOT SIZE: 7.23 AC. (314,939 SF)				
MINIMUM SETBACKS: FRONT YARD - 25 FEET SIDE YARD - 5 FEET REAR YARD - 10 FEET				
MAX BUILDING HEIGHT: 3 STORIES, 38 FEET				
PARKING: REQUIRED: 1 SPACE PER BR (1) + 1 GUEST PER UNIT (2) = 68 SPACES PROPOSED: 116 SPACES - (26 SPACES AVAILABLE FOR COMMUNITY CENTER)				
LANDSCAPE & SCREENING: LANDSCAPE WILL BE IN COMPLIANCE WITH ALL CODE REQUIREMENTS AS STIPULATED UNDER SEC. 7.260 & SEC. 7.400. SOME EXISTING TREES THAT MUST BE REMOVED FOR DEVELOPMENT OF THE PROPERTY MAY BE TRANSPLANTED IF POSSIBLE. OTHERWISE, NEW TREES AND SHRUBBERY WILL BE PLANTED TO COMPLETE THE LANDSCAPE AS REQUIRED TO MEET OR EXCEED CODE. A DETAILED LANDSCAPE PLAN WILL BE PROVIDED WITH CONSTRUCTION DOCUMENTS.				
SEE: COMPLETION BELOW ALL USES LOT 1R-2				

PROJECT DESCRIPTION: A PRIVATE COMMUNITY CENTER WITH SWIMMING POOL & TENNIS COURT TO BE AVAILABLE EXCLUSIVELY TO RESIDENTS OF KELLER ONE'S AND THEIR INVITED GUESTS. CURRENTLY ZONED C-1, NEIGHBORHOOD COMMERCIAL. THE COMMUNITY CENTER IS TO BE SITED NEAR THE CENTER OF LOT 1R-1, JUST SOUTH OF AND ADJACENT TO HILLCREST CONDOMINIUMS.	
LEGAL DESCRIPTION: 1032 SOUTH MILAM GILLESPIE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 6, PAGE 88, PLAT RECORDS OF GILLESPIE COUNTY, TEXAS.	
ZONED: C-1: NEIGHBORHOOD COMMERCIAL	
LOT SIZE: 7.23 AC. (314,939 SF)	
MINIMUM SETBACKS: FRONT YARD - 25 FEET SIDE YARD - 5 FEET REAR YARD - 10 FEET	
MAX BUILDING HEIGHT: 3 STORIES, 38 FEET	
PARKING / COMMUNITY RECREATION: REQUIRED: 10 SPACES (1 SPACE PER 3 PERSON CAPACITY) PROPOSED: 20 SPACES SEC. 303.11 - ASSEMBLY GROUP "B" - SMALL BLDGS USED FOR ASSEMBLY PURPOSES - OCCUPANT LOAD OF LESS THAN 50 PERSONS CLASSIFIED AS "GROUP B" OCCUPANCY.	
LANDSCAPE & SCREENING: LANDSCAPE WILL BE IN COMPLIANCE WITH ALL CODE REQUIREMENTS AS STIPULATED UNDER SEC. 7.260 & SEC. 7.400. SOME EXISTING TREES THAT MUST BE REMOVED FOR DEVELOPMENT OF THE PROPERTY MAY BE TRANSPLANTED IF POSSIBLE. OTHERWISE, NEW TREES AND SHRUBBERY WILL BE PLANTED TO COMPLETE THE LANDSCAPE AS REQUIRED TO MEET OR EXCEED CODE. A DETAILED LANDSCAPE PLAN WILL BE PROVIDED WITH CONSTRUCTION DOCUMENTS.	
SEE: COMPLETION BELOW ALL USES LOT 1R-2	

PROJECT DESCRIPTION: THE COLONADE IS TO BE A CLASS "A", TWO-STORY, INDOOR GARDEN ARTISAN OFFICE BUILDING WITH CUSTOM OFFICE SPACES TO BE SITED ON THE SOUTH PORTION OF LOT 1R-1, NORTH OF AND ADJACENT TO HILLCREST CONDOMINIUMS. THE COLONADE IS TO BE SITED ON THE SOUTH PORTION OF LOT 1R-1, NORTH OF AND ADJACENT TO HILLCREST CONDOMINIUMS. THE BUILDING SHALL BE 2 STORY SINGLE FAMILY DWELLING UNITS. CONSTRUCTION SHALL BE CONVENTIONAL WOOD FRAME WITH EXTERIOR FINISHES INCLUDING BUT NOT LIMITED TO STUCCO, LIMESTONE, ARCHITECTURAL PANELING, GLASS, AND A STANDING SEAM METAL, ANDOR SINGLE PLY (TPO) ROOF SYSTEM.	
LEGAL DESCRIPTION: 1032 SOUTH MILAM GILLESPIE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 6, PAGE 88, PLAT RECORDS OF GILLESPIE COUNTY, TEXAS.	
ZONED: C-1: NEIGHBORHOOD COMMERCIAL	
LOT SIZE: 7.23 AC. (314,939 SF)	
MINIMUM SETBACKS: FRONT YARD - 25 FEET SIDE YARD - 5 FEET REAR YARD - 10 FEET	
MAX BUILDING HEIGHT: 3 STORIES, 38 FEET	
PARKING: REQUIRED: 10 SPACES PER 300 SF (1) + 1 GUEST PER UNIT (2) = 68 SPACES PROPOSED: 116 SPACES - (26 SPACES AVAILABLE FOR COMMUNITY CENTER)	
LANDSCAPE & SCREENING: LANDSCAPE WILL BE IN COMPLIANCE WITH ALL CODE REQUIREMENTS AS STIPULATED UNDER SEC. 7.260 & SEC. 7.400. SOME EXISTING TREES THAT MUST BE REMOVED FOR DEVELOPMENT OF THE PROPERTY MAY BE TRANSPLANTED IF POSSIBLE. OTHERWISE, NEW TREES AND SHRUBBERY WILL BE PLANTED TO COMPLETE THE LANDSCAPE AS REQUIRED TO MEET OR EXCEED CODE. A DETAILED LANDSCAPE PLAN WILL BE PROVIDED WITH CONSTRUCTION DOCUMENTS.	
SEE: COMPLETION BELOW ALL USES LOT 1R-2	

LOT SIZE - LOT 1R-1 - TOTAL ACRES: 7.23 AC. (314,939 SF)	
TOTAL BUILDING COVER (MAXIMUM 80%): CONDOMINIUMS - 32,000 SF / COMMUNITY CENTER - 3,000 SF / THE COLONADE - 8,750 SF 1.04 AC (43,370 SF) - 14.62 %	
TOTAL COMBINED DENSITY: CONDOMINIUMS - 112,000 SF (81 Bedrooms) COMMUNITY CENTER - 1,000 SF (By Footprint) TOTAL DENSITY - 16,300 SF (By Total Floor Area - 3 Story)	
IMPERVIOUS COVER - PARKING LOTS & LANES, SIDEWALKS & PAVING: PARKING LOTS, LANES & SIDEWALKS - 28,500 SF COMMUNITY CENTER, COLONADE & TENNIS COURT - 4,013 SF STREETS - HIGHLAND BLVD. & MIDLAND TERRACE - 38,347 SF TOTAL IMPERVIOUS COVER INCLUDING BUILDING COVER & CARPORTS: (MAXIMUM 70%)	
TOTAL IMPERVIOUS COVER: 2.46 AC (103,551 SF) - 43.33 %	
TOTAL LANDSCAPE AREA: 2.46 AC (103,551 SF) - 43.33 %	
GENERAL INFORMATION: STREETS, PARKING LOTS, LANES & SIDEWALKS: ALL STREETS, LANES & PARKING AREAS WILL BE HOT MIX ASPHALT. SIDEWALKS TO BE CONCRETE. STORM SEWER SYSTEM & DETENTION PONDS: STORM SEWER SYSTEM & DETENTION PONDS ARE AS DESIGNED AND ENGINEERED BY JOHN REYNOLDS, P.E., NORTH ENGINEERING, INC. FLOOD PLAIN: THE PROPERTY DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA INDICATED BY 100 YEAR FLOOD SHOWN AS ZONE "X" BY FEMA MAP NO. 48171C02B DATED OCTOBER 19, 2001, CITY OF FREDERICKSBURG, TEXAS.	



LEGEND

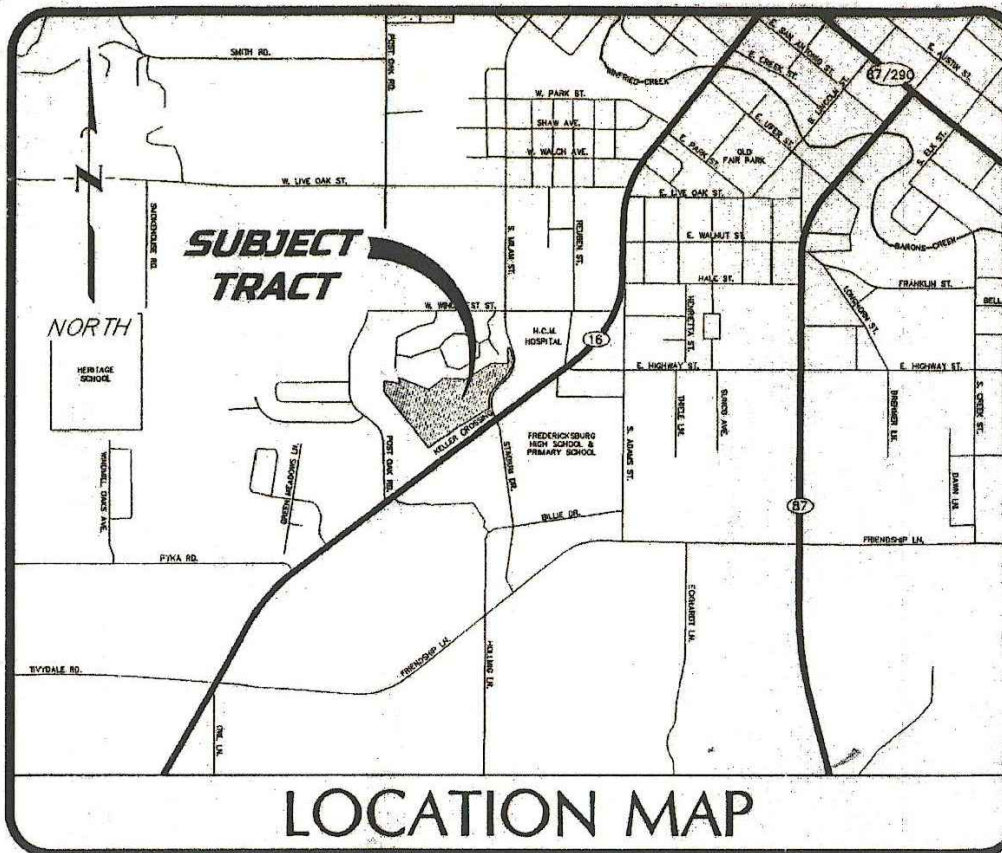
- WL — ex — property line
- WL — ex — existing water line
- SS — proposed sanitary sewer line
- SS — proposed 5" concrete side walk
- tree, as noted
- canopy/drip line
- proposed dumpster with fence/screening per COF code
- proposed privacy fence/screening per COF code
- proposed light pole, lighting to be compliant with Art. XV, Outdoor Lighting
- proposed fire hydrant
- proposed retaining wall
- loading facility

PROPERTY DEVELOPMENT DATA LOT 1R-1
KELLER SUBDIVISION - A MIXED USE DEVELOPMENT

PROJECT DESCRIPTION: REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF TOWNHOMES ON THE PROPERTY CURRENTLY ZONED C-1, NEIGHBORHOOD COMMERCIAL. TWENTY-ONE (21) TOWNHOMES (CRESTVIEW TOWNHOMES) ARE TO BE SITED ON THE NORTHERN PORTION OF LOT 1R-1, ADJACENT TO HILLCREST CONDOMINIUMS. THE BUILDING SHALL BE 2 STORY SINGLE FAMILY DWELLING UNITS. CONSTRUCTION SHALL BE CONVENTIONAL WOOD FRAME WITH EXTERIOR FINISHES INCLUDING BUT NOT LIMITED TO STUCCO, LIMESTONE, ARCHITECTURAL PANELING, TRADITIONAL WOOD Siding, GLASS, AND STANDING SEAM METAL, ANDOR SINGLE PLY (TPO) ROOF.	
LEGAL DESCRIPTION: 1032 SOUTH MILAM GILLESPIE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 6, PAGE 88, PLAT RECORDS OF GILLESPIE COUNTY, TEXAS.	
ZONED: C-1: NEIGHBORHOOD COMMERCIAL	
REQUEST FOR CONDITIONAL USE: "APPLICATION FOR CONDITIONAL USE PERMIT" TO BUILD TOWNHOMES	
LOT SIZE: 7.23 AC. (314,939 SF)	
MINIMUM SETBACKS: FRONT YARD - 25 FEET SIDE YARD - 5 FEET REAR YARD - 10 FEET	
MAX BUILDING HEIGHT: 3 STORIES, 38 FEET	
PARKING: REQUIRED: 4 SPACES PER UNIT PROPOSED: 21 UNITS X 4 + 23 SPACES = 107 SPACES ALL PARKING DRIVEWAYS SHALL MEET OR EXCEED THE REQUIREMENTS AS STIPULATED UNDER SEC. 7.400 - TOWNHOMES - 4 SPACES PER DWELLING UNIT.	
LANDSCAPE & SCREENING: LANDSCAPE WILL BE IN COMPLIANCE WITH ALL CODE REQUIREMENTS AS STIPULATED UNDER SEC. 7.260 & SEC. 7.400. SOME EXISTING TREES THAT MUST BE REMOVED FOR DEVELOPMENT OF THE PROPERTY MAY BE TRANSPLANTED IF POSSIBLE. OTHERWISE, NEW TREES AND SHRUBBERY WILL BE PLANTED TO COMPLETE THE LANDSCAPE AS REQUIRED TO MEET OR EXCEED CODE. A DETAILED LANDSCAPE PLAN WILL BE PROVIDED WITH CONSTRUCTION DOCUMENTS.	
SEE: COMPLETION BELOW ALL USES LOT 1R-1	

PROJECT DESCRIPTION: A 12,000 SQ. FT. ONE STORY PROFESSIONAL OFFICE BUILDING ('THE TERRACE') IS PLANNED FOR THE WESTERN PORTION OF LOT 1R-1, ADJACENT TO HILLCREST CONDOMINIUMS. THE BUILDING SHALL BE 2 STORY SINGLE FAMILY DWELLING UNITS. CONSTRUCTION SHALL BE CONVENTIONAL WOOD FRAME WITH EXTERIOR FINISHES INCLUDING BUT NOT LIMITED TO STUCCO, LIMESTONE, ARCHITECTURAL PANELING, TRADITIONAL WOOD Siding, GLASS, AND STANDING SEAM METAL, ANDOR SINGLE PLY (TPO) ROOF.	
LEGAL DESCRIPTION: 1032 SOUTH MILAM GILLESPIE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 6, PAGE 88, PLAT RECORDS OF GILLESPIE COUNTY, TEXAS.	
ZONED: C-1: NEIGHBORHOOD COMMERCIAL	
LOT SIZE: 7.23 AC. (314,939 SF)	
MINIMUM SETBACKS: FRONT YARD - 25 FEET SIDE YARD - 5 FEET REAR YARD - 10 FEET	
MAX BUILDING HEIGHT: 3 STORIES, 38 FEET	
PARKING: REQUIRED: 12,000 SF / 300 + 40 SPACES PROPOSED: 106 SPACES INCLUDING HC SPACES ALL STANDARD & HANDICAP PARKING SPACES & DRIVEWAYS SHALL MEET OR EXCEED THE REQUIREMENTS AS STIPULATED UNDER SEC. 7.400.	
LANDSCAPE & SCREENING: LANDSCAPE WILL BE IN COMPLIANCE WITH ALL CODE REQUIREMENTS AS STIPULATED UNDER SEC. 7.260 & SEC. 7.400. SOME EXISTING TREES THAT MUST BE REMOVED FOR DEVELOPMENT OF THE PROPERTY MAY BE TRANSPLANTED IF POSSIBLE. OTHERWISE, NEW TREES AND SHRUBBERY WILL BE PLANTED TO COMPLETE THE LANDSCAPE AS REQUIRED TO MEET OR EXCEED CODE. A DETAILED LANDSCAPE PLAN WILL BE PROVIDED WITH CONSTRUCTION DOCUMENTS.	
SEE: COMPLETION BELOW ALL USES LOT 1R-1	

LOT SIZE - LOT 1R-1 - TOTAL ACRES: 7.23 AC. (314,939 SF)	
TOTAL BUILDING COVER (MAXIMUM 80%): TOWNHOMES - 48,715 SF (Estimated) / OFFICE BLDG. - 12,000 SF (By Footprint) 1.39 AC (60,720 SF) - 19.86 %	
TOTAL COMBINED DENSITY: TOWNHOMES - 74,000 SF (81 Bedrooms) / OFFICE BLDG. - 12,000 SF (By Footprint)	
IMPERVIOUS COVER - PARKING LOTS & LANES, SIDEWALKS & PAVING: COMMERCIAL PARKING LOTS "A", "B", "C", DRIVE LANES - 47,860 SF & SIDEWALKS - 4,000 SF 2.16 AC (94,236 SF) - 30.82 %	
TOTAL IMPERVIOUS COVER INCLUDING BUILDING COVER: 3.57 AC (154,956 SF) - 60.87 %	
TOTAL LANDSCAPE AREA: 3.46 AC (150,835 SF) - 49.33 %	
GENERAL INFORMATION: DRIVEWAYS, STREETS, LANES & PARKING: TOWNHOME DRIVEWAYS WILL BE CONCRETE. ALL STREETS, LANES & PARKING AREAS WILL BE HOT MIX ASPHALT. STORM SEWER SYSTEM & DETENTION PONDS: STORM SEWER SYSTEM & DETENTION PONDS ARE AS DESIGNED AND ENGINEERED BY JOHN REYNOLDS, P.E., NORTH ENGINEERING, INC. FLOOD PLAIN: THE PROPERTY DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA INDICATED BY 100 YEAR FLOOD SHOWN AS ZONE "X" BY FEMA MAP NO. 48171C02B DATED OCTOBER 19, 2001, CITY OF FREDERICKSBURG, TEXAS.	



THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW. IT IS NOT TO BE USED FOR PERMITTING, BIDDING OR CONSTRUCTION.

Date: Allen Sultemeier, PE, RPLS
PE Registration No. 77039
RPLS Registration No. 4542
April, 2025

PRELIMINARY - THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Site Plan for:
Conditional Use Permit
KELLER OAKS
Gillespie County, TX

PROJECT: 6800
DATE: 2025

REVISIONS:
Item/Date/Description

SHEET TITLE
Site Plan for:
Conditional Use Permit

SHEET NUMBER
1

Engineering Firm
F-10608

Engineering Firm
100930-00

SULTEMEIER
SURVEYING & ENGINEERING
Boundary Title Topographic Construction Surveys
Engineering
501 West Main, Suite 102
Fredericksburg, Texas 78624
(325) 234-9424
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sultemeiersurveying.com

TBPELS
Engineering Firm
F-10608

TBPELS
Engineering Firm
100930-00



Zoning Application

City of Fredericksburg – Development Services Department

126 W. Main St, Fredericksburg, TX 78624

A. Project Information

Project Name: Keller Oaks
Project Address: 1032 South Milam
Property Tax ID Numbers: 34749

B. Application Type: [Appendix A – Fee Schedule](#)

- ☐ Voluntary Annexation - \$750.00
- ☒ Conditional Use Permit - \$500.00
- ☐ Land Use Change - \$300.00
- ☐ Zoning Change - \$600.00
- ☐ Amendment to existing PUD - \$500.00
- ☐ Creation of PUD - \$750.00
- ☒ DRC Review Comments - \$250

❖ *All applicants will be charged the following fees for the required Public Hearing notifications.*

- ☒ *Public Hearing Newspaper - \$150.00*
- ☒ *Public Hearing 200 ft notification letter - \$100.00*

C. Applicant/Owner Information - Property Owner

Owner Name: NuVista Development, LLC
Owner Address: PO Box 3324, San Angelo, TX 76902
Owner Phone Number: 325-655-8933
Owner Email Address: elliott@zipnet.us

D. Applicant

Applicant Name: P. V. McMinn, Jr., Director of Operations, NuVista Development, LLC
Applicant Address: PO Box 61305, San Angelo, TX 76906
Applicant Phone Number: 325-234-9424
Applicant Email Address: pvmcminnjr@gmail.com

Applicant's Signature

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, if I am not the owner, that I have authorization from the owner to act on his/her behalf.

Signature: 

Printed Name: P. V. MC MINN, JR.

Staff Use Only Application Number: Z-2513 Date: 5/29/25

Ch 3 1189 for \$1,000.00



CITY COUNCIL MEMO

DATE: February 15, 2021

TO: Mayor and City Council

FROM: Jason Lutz

SUBJECT: Z-2019 – Conditional Use Permit for Condominiums & Townhomes at the northwest intersection of Keller Crossing & S. Milam St.

Summary:

The applicant is proposing a multi-phased mixed use development to be constructed on approximately 14.6 acres of land located to the north of Keller Crossing, between Burger King and the Windcrest Townhome subdivision. The Keller Oaks Development is proposed to consist of 22 Townhomes and 32 Condominiums (Phase I & II). The project will include a Community Center as well as Professional Offices fronting on Keller Crossing. The proposed Professional Office Space will consist of 8 Office Buildings. Total building area is approximately 45,559 square feet.

The property is currently zoned Neighborhood Commercial (C-1) and medical offices are allowed, by right in the zoning district. The C-1 zoning district does allow Townhomes & Condominiums, with the approval of a Conditional Use Permit (CUP). The property is bounded to the north by the Windcrest residential development (PUD), Commercial (C-2) zoning to the south & west, and Public Facilities (PF) zoning districts to the south & east (Hospital).

The project will need to go through additional City processes before any permits can be issued. The next step will be to plat the property for the townhomes and condominiums. As part of the platting process, a variance to City regulations regarding the maximum lengths of streets that end in cul-de-sacs will need to be approved. The proposed street, Crestwood Circle, is 733' in length and the maximum for this type of street is 500'. Staff can support this variance request due to the associated topographic and safety issues. No sidewalks are proposed along the residential areas and staff is recommending that the development provide additional sidewalks to provide pedestrian access to other phases of the development. In addition to the platting process, the applicant will need to have the official site plan reviewed and approved based on conformance to City regulations. Before the site plan may be approved,

The City of Fredericksburg

staff will need to work with the applicant regarding an existing home located on the property. This home is not listed on the City's inventory of Historical Structures, but due to its age, may qualify for historic protections.

Recommendation:

The Planning and Zoning Commission voted 7-0 to approve the CUP for Townhomes & Condominiums with the condition that the project provide additional sidewalks in the development.

Staff received 13 protests for the original request of multiple CUP land uses and received 5 protests on the updated CUP request for Condominiums and Townhouses.

Staff recommends Approval of the Conditional Use Permit for Condominium Residential and Townhouse Residential, for Phase I & II, with the condition that additional sidewalks be constructed along the residential areas in order to provide pedestrian access to other phases of the development.

Background / Analysis:

See the attached Conditional Use Permit Brief for a summary of the existing and proposed land uses and zoning.

Attachments:

Conditional Use Permit Brief, property owner list, project plans, project summary, maps, and opposition letters.

Department Approval

City Manager Approval

City Attorney Approval

Our property in Windcrest Townhomes Association at 469 Summit Circle and all adjacent homes are protected by a 40 plus year old retaining wall along the rear of our properties. Construction below that wall could very well compromise its soundness. A collapse of or damage to this wall because of the proposed development would be devastating to all adjacent homes on Summit Circle.

There has been no study or report from an independent registered professional engineer concerning the development of this site, including any rock blasting and its effect on the existing retaining wall. From the information we have this would be a 21 unit townhouse development with each unit selling for approximately one million dollars. If that be the case, the cost of an engineering study would be insignificant given the total cost of the project.

We and our neighbors do not wish to have the noise and exhaust pollution at our back door that will result from this project.

Traffic would become a problem on this section of Milam which is frequented by emergency ambulance traffic into the hospital emergency room. Fire engine traffic regularly uses this same section of Milam Street as do school buses in the morning and afternoon.

For our community as a whole we are faced with a very uncertain future as to our water supply. Further development would put an even greater strain on our ability to meet our needs.

The City Council has very wisely paused another development project. It would make no sense to approve this one.

As an interested property owner, we PROTEST the requested CONDITIONAL USE PERMIT REQUEST represented by file number Z-2513.

Charles Quindry, President
Windcrest Townhomes Assoc

Charles & Susan Quindry, Individually
469 Summit Circle

10/2/80

10/2/80

10/2/80

of the street to underground the property.

re a redemptor in any new subdivision. All one has to do is give him 21 or 100 blocks
enough to make street parking on both sides of the street without parking and a street
across all of the new developments with narrow streets without sidewalks. Streets with

sidewalks

the developer provide to it a lot of cars with sidewalks. Current road easements are
than. zoning change is made it should be conditional on providing 21 or 100 blocks

placed in with the rest of the townships in the case. Don't be afraid.

I would have a difficult time seeing how these townships and subdivisions would
change the property into the street parking lots and it is on the side of the hill and
just this the property with the historic center home that should be restored. I can see

conformity how the present zoning

The owner is requesting that the property be restored to street townships or

Re: zoning Request A-2712 1032 S Main

10/2/80

10/2/80

City of Frederick

Planning and Zoning

10/2/80

830-880-0134 or 301-812-1240

Frederick, Maryland 21701

Frederick, Maryland 21701

330 Main St. N.E.

Frederick, Maryland

Kermit H. Sultemeier
520 Winding Way CT
Fredericksburg, Texas 78624
Email: ksultemeier@netzero.net
830-990-9174 cell 361-815-2846

June 11, 2025

Planning and Zoning
City of Fredericksburg
126 W Main
Fredericksburg, TX 78624

Re: Zoning Request Z-2513. 1032 S Milam

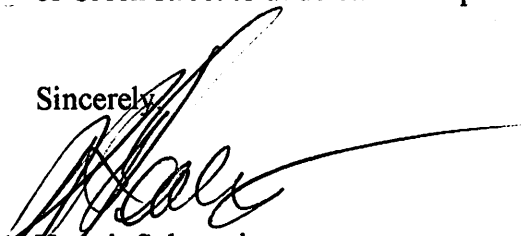
The owner is requesting that this property be rezoned to allow townhome or condominium from its present zoning.

Isn't this the property with the historic Keller home that should been restored? I can see cutting the property into large single family home lots since it is on the side of the hill but I would have a difficult time seeing how more townhomes and condominiums would blend in with the rest of the Townhomes in the area, Enough already.

If any zoning change is made it should be conditional on prohibiting STR and insist that the developer provide 60 ft wide streets with sidewalks. County road easements now require 60'.

Seems all of the new developments want narrow streets without sidewalks. Streets wide enough to have street parking on both sides of the street without impeding traffic should be a requirement in any new subdivision. All one has to do is drive Hale St or 100 block of Creek street to understand the problem.

Sincerely,



Kermit Sultemeier

KHS/bm

Public Comment Form
Please return this form to:
Development Services – Zoning
126 W. Main Street
Fredericksburg, TX 78624
830-997-7521



REQUEST NO. Z-2513

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

not enough info
construction noise & dust
concerns-retaining wall damage + loss
fire hazzard of back rooms-

Grace Wallace
Signature

6/17/25
Date

Grace Wallace
Printed Name

479 Summit Circle
Address

Luxury town home (1 story high) OK.
condos or apartments - NO

STOCK DOG

1000000

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STOCK DOG

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STOCK DOG

STOCK DOG

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STOCK DOG

STOCK DOG

Public Comment Form
Please return this form to:
Development Services - Zoning
126 W. Main Street
Fredericksburg, TX 78624
830-997-7521

ATTN JAN MUSGROVE

REQUEST NO. Z-2513

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

NEED ENGINEERING STUDY THAT GUARANTEES
EXISTING RETAINING WALL WILL NOT BE IMPACTED.
TO EXISTING WINDCREST HOMES ABOVE PROPOSED DEVELOPMENT.

IF THIS EXISTING RETAINING WALL HAS FUTURE STRUCTURAL
FAILURE, COST FOR ALL REPAIR/REMEDATION SHOULD GO TO
THIS DEVELOPER. (WITH GUARANTEES OF MONEY AVAILABLE
FOREVER)

Signature

Steve Hopkins
Carol Hopkins

Date

6-18-25

Printed Name

STEVE HOPKINS

CAROL HOPKINS

Address

442 SUMMIT CIRCLE

78624

especially high density (townhomes, condominiums and business offices) development. The City has acknowledged these concerns and has delayed or rejected other development proposals as a result. This proposal should also be rejected.

4. Methodist Hospital Hill Country and other medical facilities are located across South Milam Street from the Subject Property. Any increased traffic resulting from development of the Subject Property will cause issues with access to and from those facilities, including access by emergency vehicles.
5. Fredericksburg High School is located just across State Hwy 16 from the hospital. Increased traffic may create safety issues for those attending and working at the high school and anyone attending events at the high school.

For the reasons expressed above, we urge the city to DENY the requested CUP. If the project goes any further and we are provided with plans showing what the proposed development is, we likely will have further comments.


Patty Soule


John Soule

467 Summit Circle
Fredericksburg, TX 78624

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June 15, 2025

Development Services – Zoning
126 W. Main Street
Fredericksburg, TX 78624

Request No. Z-2513
P.V. McMinn with Nuvista Development
1032 South Milam – Keller Oaks

As an interested property owner, we PROTEST the above-requested CONDITIONAL USE PERMIT (CUP). We will be unable to attend the Planning and Zoning Commission meeting on July 2, 2025, or the City Council meeting on July 15, 2025. Please make our concerns and objections a part of the record.

Our home is in the Windcrest Townhomes neighborhood at 467 Summit Circle, just above the land covered by the CUP (“Subject Property”). We have been provided with **NO PLANS** for what is proposed. **Please provide us with more information about what is planned, including a plat reflecting proposed streets, location, size and planned use for each lot and proposed heights for each structure.** Subject to knowing more about what is proposed, our objections are listed below.

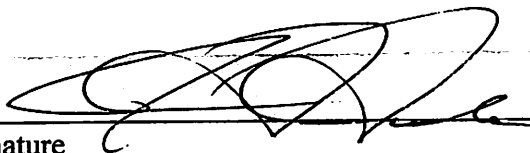
1. The Subject Property was earlier proposed for development in 2021. The plan for that development at least included certain provisions that MAY address some of the concerns expressed below. Specifically, the previous proposal provided for a green belt between the retaining wall behind our property and any development on the Subject Property. Beyond the green belt, there was to be a road providing access to only a limited number of homes, i.e., not high volume through traffic. The proposed homes immediately behind the existing homes on Summit Circle also had specific height restrictions to ensure that the view from existing Summit Circle homes was not blocked.
2. As noted above, there is a retaining wall behind the homes on Summit Circle, along the northwestern boundary of the Subject Property. That retaining wall has been in place since the first homes were constructed on Summit Circle approximately 50 years ago. We are very concerned that any construction activity, particularly blasting or impact drilling, is likely to affect adversely the integrity of that retaining wall.
3. Fredericksburg is experiencing incredible growth, coupled with a severe water shortage. Now is not a good time to be permitting any additional development,

REQUEST NO. Z-2513

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

See attached letter

Signature



Date

6/15/25

Printed Name

JOHN G. SOULE

Address

~~3209~~
467 Summit Circle
Fredericksburg, TX
78624

Public Comment Form
Please return this form to:
Development Services – Zoning
126 W. Main Street
Fredericksburg, TX 78624
830-997-7521



REQUEST NO. Z-2513

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

Barbara Cole
Signature

6-30-2025
Date

BARBARA Cole
Printed Name

444 Summit Circle
Address

My property in Windcrest Townhomes Association at 493 Summit Circle and all adjacent homes are protected by a 40 plus year old retaining wall along the rear of our properties. Construction below that wall could very well compromise its soundness. A collapse of or damage to this wall because of the proposed development would be devastating to all adjacent homes on Summit Circle.

There has been no study or report from an independent registered professional engineer concerning the development of this site, including any rock blasting and its effect on the existing retaining wall. From the information we have this would be a 21 unit townhouse development with each unit selling for approximately one million dollars. If that be the case, the cost of an engineering study would be insignificant given the total cost of the project.

My neighbors and I do not wish to have the noise and exhaust pollution at our back doors that will result from this project.

Traffic would become a problem on this section of Milam which is frequented by emergency ambulance traffic into the hospital emergency room. Fire engine traffic regularly uses this same section of Milam Street as do school buses in the morning and afternoon.

For our community as a whole we are faced with a very uncertain future as to our water supply. Further development would put an even greater strain on our ability to meet our needs.

The City Council has very wisely paused another development project. It would make no sense to approve this one.

As an interested property owner, I PROTEST the requested CONDITIONAL USE PERMIT REQUEST represented by file number Z-2513.

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Fredericksburg, TX 78624
830-997-7521



REQUEST NO. Z-2513

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

Please see attached

Donna Sanders
Signature

06/25/25
Date

Donna Sanders
Printed Name

493 Summit Circle
Address

be any fencing or other means of separation between our homes and the proposed condominiums, P. V. McMinn responded that 'the fencing would not be up to the standards of the Windcrest community, so Nuvista would not provide that'.

3. The mountains of mulch left when Nuvista and P. V. McMinn cleared trees in 2021 still remains and is a potential fire hazard.

There remains concern over the mountains of mulch (measuring approximately 15 ft high and stretching from the Allen Keller Co. facility to approximately 40 ft from my property) left by Nuvista and P. V. McMinn in 2021 when Nuvista and P. V. McMinn had some of the land cleared of trees. It has remain untouched since, continues to pose a real potential fire hazard in dry weather conditions, and must be addressed.

In conclusion, although there has been ample time to bring the proposal on Lots 1R-1 and 1R-2 into compliance with city requirements and take into account the concerns of neighboring communities, Nuvista and P. V. McMinn have specifically failed to refine and finalize the proposal on the Lot R1-2 development. Instead, Nuvista and P. V. McMinn have presented the same proposal that was submitted for the May 7, 2025, Zoning and Planning Commission hearing. Specifically, plans for Lot R1-2 are, by P. V. McMinn's admission, speculative at the present time. Therefore, this protest is being submitted since there is no sound basis for:

- a determination that the proposed use is in accordance with the objectives of these Zoning Regulations and the purposes of the one in which the site is located;
- a determination that the proposed use will comply with each of the applicable provisions of these Zoning Regulations;
- a determination that the proposed use and site development, together with any modifications applicable thereto, will be compatible with existing or permitted used in the vicinity;
- a 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; and
- a 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.

Respectfully submitted,



Kevin P. Montgomery
536 Winding Way Court
Fredericksburg, TX 78624
M: 202-744-5852

June 27, 2025

Planning and Zoning Commission
Development Services - Zoning
126 W Main Street
Fredericksburg, TX 78624

RE: Protest to Request Number Z-2513

Dear Members of the Planning and Zoning Commission:

This letter is respectfully being submitted to protest the above-referenced Conditional Use Permit (CUP) Request by P. V. McMinn with Nuvista Development, LLC for the building of town homes and condominiums on property located at 1032 South Milam Street and referred to as Lots 1R-1 and 1R-2 of the Keller Subdivision. Although I fully understand and agree with the concerns expressed in regard to the potential impact of the proposed Phase 1 development of Lot 1R-1, my protest will focus on the proposed Phase 2 development of Lot 1R-2, since it abuts my property. A few of the reasons for this protest are as follows:

1. Plans for Lot 1-R2 are speculative and a start date for construction is not known at this time.

According to the most recent site plans for Lot 1R-2, the high density condominiums that Nuvista proposes to build, those structures would be abutting, intruding and adversely impacting the value of the established single family households of Windcrest Patio Homes, Windcrest Townhomes, and the Oaks of Windcrest. Some of the old plans from 2021 showed townhomes on Lot 1R-2, but when asked, P. V. McMinn responded during the June 6, 2025, meeting with the Windcrest Townhomes HOA (Marlene Pylate, HOA President of the Windcrest Patio Homes, and Robert Kennedy, HOA Vice President, asked me to attend) that the site plans for Lot 1R-2 are speculative and were provided because the city required Nuvista and P. V. McMinn to apply now for the expired permits for both phases simultaneously. When asked when Nuvista intended to start work on Phase 2, P. V. McMinn said that could not be determined at this time.

2. Additional screening between the established Windcrest Patio Homes, Town Homes, and the affected properties in The Oaks of Windcrest, although required by the city, would not be provided by Nuvista.

The speculative site plans and plats as provided contain some notable contradictions, such as no notations on elevations, the heights of the condominiums (according to the Nuvista plans, 2 stories, but there is reference to 36 ft in height, which indicates 3 stories), a 20 ft buffer between the development on Lots 1R-1 and 1R-2 and Windcrest Patio Homes (there is no 20 ft buffer behind the property located at 540 Winding Way Court), and screening along the perimeter of the property which is required by the city. When specifically asked if there would

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



REQUEST NO. Z-2513

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

PLEASE SEE THE ATTACHED LETTER

Signature

Date

27 JUNE 2025

Printed Name

KEVIN MONTGOMERY

Address

536 WINDING WAY COURT
FREDERICKSBURG, TX 78624

Marlene J. Pylate, Patrick W. Pylate
532 Winding Way Court
Fredericksburg, Texas 78624
mjpylate532@gmail.com
Office 830.997.8566, mobile 830.459.5291

RE: Z-2513, Request for Conditional Use Permit

Due to Mr. McMinn's total lack of consideration for the neighborhood, questionable promises, and disregard for the area, we cannot approve this request.

This is the second time we are being asked to consider his request for a conditional use permit. The first time around, he promised to maintain a barrier/greenbelt between our HOA and his development. Bulldozing that barrier/greenbelt was the first thing he did. Then to add insult to injury, the remaining debris was left pushed against our property line causing a fire hazard. This is only 1 indication he could care less about our neighborhood and he will proceed in any way he can so as to profit himself! We simply can't trust him. The cedar mulch "mountain" remains cause for concern with our extremely dry weather. We found it necessary to involve the fire marshal to get some of the debris removed. The cedar mulch mountain remains today.

Parking spaces for the community he is developing are situated facing homes in our HOA. Headlights will shine directly into some of our homes when residents arrive after dark. Lighting of those parking areas are a concern as well.

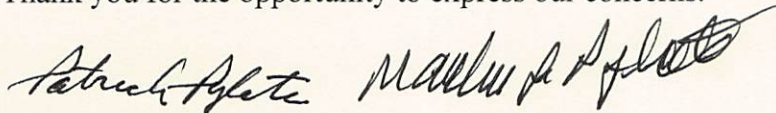
He has lied about meeting with me (Marlene), our HOA president, stating we were in approval of the plan he presented 2+ years ago. He and his realtor had not met with me until we called a membership meeting expressing our concerns.

He has threatened to put in something that we will "really not like" if we don't approve this plan. A second threat was made that alluded to low-income housing. Apparently, the fencing he plans to use in this development is chain link? What protection and privacy does that provide?

We know that something will eventually be built on that property, no idea what since the land appears not suitable for very much.

Mr. McMinn's philosophy is "Profit before People."

Thank you for the opportunity to express our concerns.



Patrick & Marlene Pylate
532 Winding Way Court

WINDERS & HUBLE (LONDON) LTD. THE DESIGNER OF

INTERIOR DESIGN OF BUILDINGS

ARE MANAGED

Public Comment Form
Please return this form to:
Development Services – Zoning
126 W. Main Street
Fredericksburg, TX 78624
830-997-7521



REQUEST NO. Z-2513

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

SEE ATTACHED

Marlene J. Pylate
Signature

Patrick W. Pylate

6/28/25
Date

MARLENE J. PYLATE
Printed Name

PATRICK W. PYLATE

532 WINDING WAY CT.
Address

THE UNITED STATES OF AMERICA
DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

MEMORANDUM FOR THE DIRECTOR

RE: [Illegible text]

1. [Illegible text]

2. [Illegible text]

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100. [Illegible text]

Charles & Loretta Schmidt

489 Summit Circle
Fredericksburg, Texas 78624
lschmidt100@austin.rr.com

June 16, 2025

We are writing to formally express our concerns and objections regarding the development of the Keller Property. The issue at hand has raised significant concerns for us and those of us living in the WindCrest Subdivision.

Our primary concern is the 40 plus year- old retaining wall along the rear of many of our homes. Construction below that wall could very well compromise its soundness. Collapse of or damage to this wall because of the development would be devastating to all adjacent homes on Summit Circle.

In addition, we and our neighbors don't wish to have to deal with the noise and pollution at our back yard that will result from this project.

A major concern also is the traffic increase at this section of Milam where emergency ambulance traffic into the hospital emergency room. Also fire engine traffic use this same section as well as school buses.

As interested and concerned property owners, we PROTEST the requested CONDITIONAL USE PERMIT REQUEST represented by file number Z-2513.

Please carefully evaluate the impact of this development on our subdivision, traffic concerns and on the entire area.

Thank you -

Loretta Schmidt Charles Schmidt

REQUEST NO. Z-2513

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

The value of the homes on the outer circle of Summit Circle would decline if there were any obstruction of the view of our city if town homes or any buildings were constructed in Keller Sub-division. The view is definitely of value to each home
monetary

Pat Weinheimer

Signature

6-17-25

Date

Pat Weinheimer

Printed Name

478 Summit Circle

Address

709., TX 78624

REQUEST NO. Z-2513

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

Our townhome backs up to the property in review. We have
a 15-20 ft concrete retaining wall in the back. I am very
concerned about the stability of this wall being affected
by development. We recently had to have our home leveled
in the back, and don't want to have to do that again. This
developer did previous work on the property - dirt moved
around and clearing done without proper authorization
to do so. We want the trees behind our house to stay -
They provide privacy & act as a sound buffer from Hwy 16
Noise. Another development in Fbg is questionable because
of drought concerns as well.

C R Spencer
Nally Spencer
Signature

6/23/2025
Date

C R Spencer
Nally Spencer
Printed Name

477 Sammit Cir, Fbg, TX
Address
78624

1. 1. 1. 1.

2. 2. 2. 2.

3. 3. 3. 3.

4. 4. 4. 4.

Public Comment Form

6-19-2025

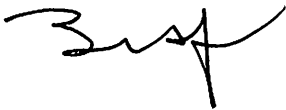
Request # Z-2513

I protest this request.

My feeling about this request is exactly as it was to their last request. I think the development of this "Green Belt" is a bad thing. The probable effect on the old retaining wall holding up the Windcrest subdivision is frightening. All the water which now is absorbed into the soil and keeps the ground stable will just run off roofs and paving into Milam below. Also, the water/sewer and traffic increase will not help. It should be a park.

Thank you for considerations.

Buddy S. Frost
BRSF LLC
457 Summit Circle
Fredericksburg, TX 78624



1. The construction process could seriously affect the 40 years old large retaining wall behind several homes in a devastating situation for those homeowners.
2. More living spaces built within city limits will only increase water usage. Think of how many toilets will flush, showers & baths, dishwashing, wash machines in daily living situations. Also outdoor usage. Water restrictions are currently in Stage 4. Do we all want to go into Stage 5. I doubt it. Weather is changing & it's just not feasible to build more housing to overuse the water resource we already have.
3. The traffic it would create would take away from a currently peaceful area that includes wild life passing through the area. Create walking paths with native vegetation & keep the area a pleasant place & buffer from traffic.

Public Comment Form
Please return this form to:
Development Services – Zoning
126 W. Main Street
Fredericksburg, TX 78624
830-997-7521



REQUEST NO. Z-2513

As an interested property owner, ^{we} (PROTEST) (APPROVE) the requested CONDITIONAL USE PERMIT (CUP) REQUEST, represented by the above file number because:

See attached

Cathy + Ben Gero

Signature

6/16/25

Date

Cathy + Ben Gero

Printed Name

470 Summit Circle

Address



0103 0103 0103
0103 0103 0103
0103 0103 0103
0103 0103 0103
0103 0103 0103

Public Comment Form
Please return this form to:
Development Services – Zoning
126 W. Main Street
Fredericksburg, TX 78624
830-997-7521

REQUEST NO. Z-2513

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

We fear that by disturbing the existing terrain ~~we~~,
a definite danger of any movement of affected
terrain could result in costly (detrimental) damage
to our existing community.

Increased traffic around hospital is dangerous!
Increased water usage unwelcomed, and safety
of children getting to and from school endangered!
We **STRONGLY** protest any type of change to the
existing (present) landscape.

Kind Regards

Signature

Charles T. Lindsay

Jutta D. Lindsay

Date

22 June 2025

Printed Name

Charles T. Lindsay + Jutta D. Lindsay

Address

446 Summit Cir.
Fredericksburg
TX 78624

FROM THE DESK OF

Terri Patton & Gary Metcalf

June 28, 2025

City of Fredericksburg, Texas
126 W. Main Street
Fredericksburg, TX 78624

RE: Z-2513

We are writing to PROTEST the proposed Keller Oaks development by P.V. McMinn with NuVista Development LLC adjacent to the Windcrest homes at the corner of Windcrest and Milam Streets. The Windcrest homes were constructed 40 years ago. Our property at 461 Summit Circle and all adjacent homes are set above the proposed development.

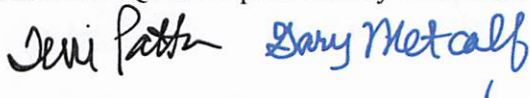
One major concern is the long term impact on the 40-year-old retaining wall which supports our home and others above the proposed development. Construction below this wall could compromise its soundness. Damage or collapse of this wall would be devastating to all the adjacent homes on Summit Circle.

We chose to live in Windcrest for two main reasons: the proximity to everything in Fredericksburg and the tranquility of the neighborhood. We and the other residents adjacent to the proposed development do not wish to have the noise and exhaust pollution resulting from the construction at our back door. The proposed property currently provides a home to wildlife, including deer, foxes, squirrels, armadillos, and birds. So the environmental impact is considerable.

We are also concerned about the impact this proposed development would have on traffic. At the intersection of Milam and Windcrest is a 4-way stop with heavy traffic during the week. Emergency vehicles frequent this route to access the Methodist Hill Country Hospital. Fredericksburg High School and Middle School are also in the vicinity, impacting traffic at certain times of the day.

The community of Fredericksburg is faced with an uncertain future of the water supply for all homes and businesses. Further development will only exacerbate the strain on our water supply. The City Council has wisely paused other development projects. It makes no sense to approve this one.

As interested property owners, we PROTEST the requested CONDITIONAL USE PERMIT REQUEST represented by file number Z-2513.



Terri Patton & Gary Metcalf

Public Comment Form
Please return this form to:
Development Services – Zoning
126 W. Main Street
Fredericksburg, TX 78624
830-997-7521



REQUEST NO. Z-2513

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

Please See Attached

Terri Patton

Signature

7/1/2025

Date

Terri Patton

Printed Name

461 Summit Cir #106

Address

REQUEST NO. Z-2513

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

I protest This proposed development.

I am in agreement with the reasons outlined in Charles and Susan Quindry (469 Summit circle) protest notes.

R.A. Roesch
Signature

June 19, 2025
Date

Richard A. Roesch
Printed Name

487 Summit Circle
Address

REQUEST NO. Z-2513

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

We at 481 Summit Circle do not approve the Conditional Use Permit number Z-2513. We need to be able to spend our Senior years in peace not turmoil. We are sorry you think it necessary to approve this one. Our resources are being depleted. We have paid taxes and supported this County for many, many years. It would be nice for you to respect our request.
Jay & Shirley Rutledge

Jay Rutledge
Shirley Rutledge &
Signature

6-17-25
Date

SHIRLEY RUTLEDGE & Jay
Printed Name

481 Summit Circle
Address

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

Our townhome backs up to the property in review. We have
a 15-20 ft concrete retaining wall in the back. I am very
concerned about the stability of this wall being affected
by development. We recently had to have our home leveled
in the back, and don't want to have to do that again. This
developer did previous work on the property - dirt moved
around and clearing done without proper authorization
to do so. We want the trees behind our house to stay -
They provide privacy & act as a sound buffer from Hwy 16
Noise. Another development in Fbg is questionable because
of drought concerns as well.

C R Spencer
Nally Spencer
Signature

6/23/2025
Date

C R Spencer
Nally Spencer
Printed Name

477 Summit Cir, Fbg, TX
Address 78624

REQUEST NO. Z-2513

As interested property owners, we
PROTEST this permit #Z-2513

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

1. Compromise of retaining wall protecting homes on Summit Circle
2. No Study or report from an independent engineer concerning the development of the site
3. Noise and exhaust pollution at our front door due to the development of this site
4. Traffic / Safety:
Milam is an emergency route to our hospital
emergency room
School buses use this route to / from school morning
and afternoon
5. Water supply
Our community is being faced with an uncertain future
to our water supply

Signature

Joseph Hannon
Peggy Hannon

Date

6/17/25

Printed Name

Joseph Hannon
Peggy Hannon

Address

474 Summit Circle
Fredericksburg, TX
78624



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Public Works and Utilities
TO: Mayor & City Council Members
FROM: Evan Williamson, Assistant Director of
Public Works & Utilities
MEETING DATE: July 15, 2025

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Resolution 2025-06 authorizes membership in the ATMOS Cities Steering Committee that provides intervention in Atmos Rate Proceedings and natural gas utility-related rulemaking to protect the interests of the City of Fredericksburg and its natural gas customers. (Evan Williamson, Asst. Director of Public Works)

PRESENTATION:
[PRESENTER_NO_BR]

SUMMARY:

The approval of the attached resolution from the Atmos Cities Steering Committee will allow the City of Fredericksburg to join the coalition and receive representation in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Atmos. The payment of the assessment for 2025 will be \$340 and \$0.05 per capita, \$577.10, annually for the following years.

BACKGROUND:

Purpose of the Resolution:

Most municipalities have retained original jurisdiction over gas utility rates and services within municipal limits. The Atmos Cities Steering Committee ("ACSC") is composed of 186 municipalities in the service area of Atmos Energy Corporation, Mid-Tex Division that have retained original jurisdiction. Atmos is a monopoly provider of natural gas. Because Atmos has no competitors, regulation of the rates that it charges its customers is the only way that cities can ensure that natural gas rates are fair. Working as a coalition to review the rates charged by Atmos allows cities to accomplish more collectively than each city could do acting alone. Cities have more than 100 years experience in regulating natural gas rates in Texas.

ACSC is the largest coalition of cities served by Atmos Mid-Tex. There are 186 ACSC member cities, which represent more than 60 percent of the total load served by Atmos-Mid Tex. ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of residential and small commercial customers within the cities. Although many of the activities undertaken by ACSC are connected to rate cases (and therefore expenses are reimbursed by the utility), ACSC also undertakes additional activities on behalf of municipalities for which it needs funding support from its members.

The ACSC Membership Assessment Supports Important Activities:

ACSC is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Atmos within the City. These activities will continue throughout the calendar year. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that ACSC be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

Explanation of Resolution Paragraphs:

- I. This paragraph authorizes the continuation of the City's membership in ACSC.
- II. This paragraph authorizes payment of the City's assessment to the ACSC in the amount of five cents (\$0.05) per capita.
- III. This paragraph requires notification that the City has adopted the Resolution.

Payment of Assessment

The assessment payment check should be made out to "*Atmos Cities Steering Committee*" and mailed to Brandi Stigler, Atmos Cities Steering Committee, c/o Arlington City Attorney's Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Governance

ATTACHMENTS:

1. Resolution 2025-06 - ACSC 2025 Assessment Model Resolution
2. ACSC Master City List (186 total) (4.24.24)(7589899.4)
3. ACSC 2024 Year in review

APPROVAL/REVIEW:



Kris Kneese, Director of Public Works, Utilities, and Engineer

Date: July 08, 2025



Garret Bonn, Assistant City Manager

Date: July 08, 2025



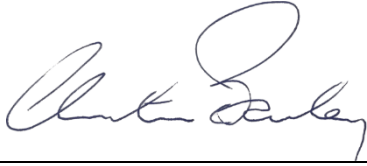
William McKamie, City Attorney

Date: July 09, 2025



Leticia Vacek, City Secretary

Date: July 09, 2025



Clinton Bailey, City Manager

Date: July 09, 2025

RESOLUTION NO. 2025-06

A RESOLUTION AUTHORIZING MEMBERSHIP IN THE
ATMOS CITIES STEERING COMMITTEE; AND
AUTHORIZING THE PAYMENT OF FIVE CENTS PER
CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO
FUND REGULATORY AND RELATED ACTIVITIES
RELATED TO ATMOS ENERGY CORPORATION

WHEREAS, the City of Fredericksburg is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the city; and

WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and

WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings and legislative activities, affecting gas utility rates; and

WHEREAS, the City would like to become a member of ACSC; and

WHEREAS, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG,
TEXAS:

I.

That the City is authorized to become a member in the Atmos Cities Steering Committee to protect the interests of the City of Fredericksburg and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits.

II.

The City is further authorized to pay its 2025 assessment to the ACSC in the amount of five cents (\$0.05) per capita.

III.

A copy of this Resolution and approved assessment fee payable to “*Atmos Cities Steering Committee*” shall be sent to:

Brandi Stigler
Atmos Cities Steering Committee
c/o Arlington City Attorney’s Office, Mail Stop 63-0300
101 S. Mesquite St., Suite 300
Arlington, Texas 76010

PRESENTED AND PASSED on this the 17th day of July, 2025, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of Fredericksburg, Texas.

Signature
Mayor

ATTEST:

Signature
City Secretary

APPROVED AS TO FORM:
City Attorney

BY _____

ACSC Master List of Members (186 Total)

1. Abilene	63. Fairview	125. Nocona
2. Addison	64. Farmers Branch	126. North Richland Hills
3. Albany	65. Farmersville	127. Northlake
4. Allen	66. Fate	128. Oak Leaf
5. Alvarado	67. Flower Mound	129. Ovilla
6. Angus	68. Forest Hill	130. Palestine
7. Anna	69. Forney	131. Pantego
8. Archer City	70. Fort Worth	132. Paris
9. Argyle	71. Frisco	133. Parker
10. Arlington	72. Frost	134. Pecan Hill
11. Aubrey	73. Gainesville	135. Petrolia
12. Azle	74. Garland	136. Plano
13. Bartonville	75. Garrett	137. Ponder
14. Bedford	76. Georgetown	138. Pottsboro
15. Bellmead	77. Glenn Heights	139. Prosper
16. Belton	78. Grand Prairie	140. Quitman
17. Benbrook	79. Grapevine	141. Red Oak
18. Beverly Hills	80. Groesbeck	142. Reno (Parker County)
19. Blossom	81. Gunter	143. Rhome
20. Blue Ridge	82. Haltom City	144. Richardson
21. Bowie	83. Harker Heights	145. Richland
22. Boyd	84. Haskell	146. Richland Hills
23. Bridgeport	85. Haslet	147. River Oaks
24. Brownwood	86. Hewitt	148. Roanoke
25. Bryan	87. Highland Park	149. Robinson
26. Buffalo	88. Highland Village	150. Rockwall
27. Burkburnett	89. Honey Grove	151. Roscoe
28. Burleson	90. Hurst	152. Rowlett
29. Caddo Mills	91. Hutchison	153. Royse City
30. Canton	92. Hutto	154. Sachse
31. Carrollton	93. Iowa Park	155. Saginaw
32. Cedar Hill	94. Irving	156. Sansom Park
33. Celeste	95. Justin	157. Seagoville
34. Celina	96. Kaufman	158. Seymour
35. Centerville	97. Keene	159. Sherman
36. Cisco	98. Keller	160. Snyder
37. Clarksville	99. Kemp	161. Southlake
38. Cleburne	100. Kennedale	162. Springtown
39. Clyde	101. Kerens	163. Stamford
40. College Station	102. Kerrville	164. Stephenville
41. Colleyville	103. Killeen	165. Sulphur Springs
42. Colorado City	104. Krum	166. Sweetwater
43. Comanche	105. Lakeside	167. Temple
44. Coolidge	106. Lake Dallas	168. Terrell
45. Coppell	107. Lake Worth	169. The Colony
46. Corinth	108. Lancaster	170. Trophy Club
47. Crandall	109. Lavon	171. Tyler
48. Cross Roads	110. Lewisville	172. University Park
49. Crowley	111. Little Elm	173. Venus
50. Dalworthington Gardens	112. Little River Academy	174. Vernon
51. Denison	113. Llano	175. Waco
52. Denton	114. Lorena	176. Watauga
53. DeSoto	115. Madisonville	177. Waxahachie
54. Draper	116. Malakoff	178. Westlake
55. Duncanville	117. Mansfield	179. Westover Hills
56. Early	118. McKinney	180. Westworth Village
57. Eastland	119. Melissa	181. Whitesboro
58. Edgecliff Village	120. Mesquite	182. White Settlement
59. Emory	121. Midlothian	183. Wichita Falls
60. Ennis	122. Murphy	184. Wilmer
61. Euless	123. Newark	185. Woodway
62. Everman	124. New Fairview	186. Wylie

2024 ACSC Newsletter



2024 YEAR IN REVIEW ISSUE

This past year was a busy one for ACSC. This annual review highlights the significant events of 2024 that impacted ACSC and what's on the horizon next year.



ACSC Thanks Outgoing President Jennifer Richie

The Atmos Cities Steering Committee offered its sincere thanks in 2024 to Jennifer Richie, who resigned her post as City Attorney for the City of Waco. With her Aug. 12 departure, Ms. Richie also left her post as head of ACSC, a position she has held with distinction since 2014.

Thomas Brocato, general counsel for ACSC, praised Ms. Richie for her leadership. "Jennifer is the consummate professional and a great friend. It has been my pleasure partnering with her over the years."

Waco Mayor Jim Holmes also expressed his thanks. "We are appreciative of Jennifer's contributions to our city — her expertise and dedication have been vital in navigating the complex landscape of municipal governance," he said.

Richie, who received her law degree in 1998 from the Paul M. Hebert Law Center at Louisiana State University, said she is leaving her post to pursue other opportunities. She praised the City of Waco's legal team and said "it has been a true joy" working with her colleagues during a period of unprecedented growth for the city. "I have been so lucky to lead a legal team made up of smart, talented, and diligent professionals," she said. "I am confident that this team will continue to excel and support Waco's growth and development."

On December 17, 2014, ACSC held a quarterly meeting at the Arlington Convention Center during which Ms. Richie was elected as president to replace Jay Doegey, who had retired from the City of Arlington.

With Ms. Richie's departure, the ACSC officers for 2025 are Chair Meg Jakubik, Treasurer David Johnson, and Secretary Lupe Orozco. The vice chair position remains open.



From left: Lloyd Gosselink attorney Jamie Mauldin, outgoing ACSC Chair Jennifer Ritchie, and Lloyd Gosselink attorney Thomas Brocato

ACSC Welcomed New Members in 2024

The Atmos Cities Steering Committee welcomed two new members in 2024 — the town of Bartonville and the city of Llano. Bartonville and Llano became ACSC's 185th and 186th members respectively.

Town of Bartonville. Located eight miles south of Denton in south central Denton County, Bartonville was settled in 1878, and by 1890 had twenty-five residents, a general store, a gristmill, and cotton gin — all owned by the family of the town's namesake, T. Bent Barton. The present town of Bartonville, which incorporated in 1973, continues to grow as part of the general development of the area north of the Dallas / Fort Worth International Airport.

City of Llano. The county seat of Llano County, this Central Texas municipality was founded in 1855 as a frontier trading hub. Various 19th century buildings remain standing in the city's historic downtown area — including the charming Llano County courthouse, which was completed in 1893; and the grey granite building known as the Red Top Jail, built in 1895.

Welcome aboard Bartonville and Llano!

2024 Rate Case Round-Up

Atmos West Texas Seeks \$66.1 Million Hike; ACSC Intervenes for Consumers

Atmos Energy has filed paperwork seeking to increase system-wide base rates in its West Texas Division by approximately \$66.1 million. If approved, annual revenues received from the incorporated areas of that division would increase by approximately \$26.9 million, which equates to 32.27 percent, excluding gas costs. Average monthly residential bills also would go up by about \$16.66, or 10 percent, according to the company's Oct. 25 filing. The company seeks a rate of return of 8.21 percent.

In addition to establishing new rates, the company seeks in its filing to establish a new "System Safety and Integrity Rider" through which it could recover expenses for inspection activities, incremental leak surveying, pipeline integrity testing, and other associated costs. Atmos likewise seeks to obtain approval to recover cloud computing costs through the interim Gas Reliability Infrastructure Program, and it seeks approval to increase limits on recoverable meals and lodging expenditures.

ACSC has intervened in the matter. The case number is 00018879.

Atmos Rev Rider Filing

On Oct. 15, the Texas Railroad Commission ordered a \$38,875,709 reduction in Atmos Pipeline Texas rates, the result of a utility filing earlier in the year through the Rider Revenue Adjustment process.

Under the new Rev Rider Adjustment, the city gate capacity charge decreased by \$.100616, bringing the new charge to \$20.30379. Measured in million British thermal

units of maximum gas quantity flowing over the pipeline system, the charge gets allocated in an indirect fashion to residential customers. According to ACSC calculations, typical bills would decrease by approximately \$1.20 per month as a result.

The effective date was Nov. 1, 2024. More information can be found at the Railroad Commission website, under Case No. 00018176.

Rate Review Mechanism and GRIP

Atmos has a statutory right to an annual rate increase associated with recovery of capital investment made in the preceding 12 months. The statutory right to recovery of capital costs is pursuant to a process referred to as Gas Reliability Infrastructure Program (also known as "GRIP," see below). However, ACSC has always objected to GRIP as piecemeal ratemaking because it does not evaluate rising revenues or declining expenses that may offset the need for a rate increase associated with increased capital investment.

Additionally, cities are not entitled to challenge any portion of a GRIP filing as unreasonable. In response, ACSC negotiated a Rate Review Mechanism ("RRM") with Atmos as a substitute for GRIP. The RRM has no existence in statutes and exists only pursuant to city ordinances.

Environs (areas outside municipal limits) are subject to GRIP, and some non-ACSC member cities have chosen to remain under GRIP. ACSC current rates are lower than GRIP rates, and research has shown that consumer outcomes under the RRM process are generally better than under GRIP.

Atmos RRM Filings

Mid-Tex RRM. On April 1, Atmos Energy filed its annual Rate Revenue Mechanism rate case for the RRM cities of its Mid-Tex Division. The company initially sought a \$196.8 million annual revenue increase on a system-wide basis. The initial request was reduced to \$182.5 million due to limitations in the RRM tariff. ACSC consultants conducted a review of the filing and prepared a report identifying other potential decreases totaling \$32.9 million. The company subsequently agreed to settle for a \$164.7 million increase, or a reduction of \$32.1 million from its initial request.

West Texas RRM. On April 1, Atmos filed its annual RRM request for its West Texas service territory. As filed, the request would have resulted in a \$6.7 million revenue increase for affected customers. The initial request for the utility's West Texas Division was subsequently reduced to \$5.8 million due to limitations in the RRM tariff. Consultants for the Cities Served by Atmos West Texas conducted a review of the filing and prepared a report identifying more potential decreases totaling \$2.7 million. The company subsequently agreed to settle for a \$4.3 million increase, or a reduction of \$2.4 million from its initial request.

Atmos GRIP Filings

Mid-Tex. On May 14, the Texas Railroad Commission approved an interim \$173.4 million increase for the environs in the Atmos Mid-Tex region, of which \$8,529,031 is recoverable from the 97,217 customers subject to the order.

Atmos made the rate request on February 23 under the state's GRIP statute. The residential charge set in the last

environs base rate case in 2018 was \$17.05. Since then, six consecutive GRIP cases have added \$29.06 to the customer charge (including \$6.73 in the current filing). With the new Railroad Commission action, the residential customer charge in the environs will be \$46.11, or more than 170 percent of the charge set in the last rate case. More information in Case No. 00016391.

Atmos West Texas. On May 14, the Texas Railroad Commission approved a \$16.8 million increase for the Atmos West Texas region, of which \$1,379,450 is recoverable from 25,257 customers subject to the order. Atmos made the rate request on February 23 under the state's GRIP statute. The residential charge set in the last base rate case was \$16.10. Since then, six consecutive GRIP cases have added \$19.01 to the environs customer charge (including \$3.62 in the current filing), more than doubling the charge set in the 2018 rate case. With the new Railroad Commission action, the residential customer charge now becomes \$35.11. Find more information in Case No. 00016393.

Atmos Pipeline. On May 14, the Texas Railroad Commission approved an \$82,440,179 million increase for Atmos Pipeline Texas. The company requested the increase on February 27. The increase represents the first such GRIP adjustment for Atmos Pipeline Texas since the last base rate case (Case No. 00013758) in 2023. The adjustment adds \$2.12 to the Atmos Pipeline capacity charge, bringing the total to \$20.35. (The capacity charge is measured in million British thermal units of MDQ, where MDQ is defined as the maximum daily quantity of gas over the pipeline system). Find more information in Case No. 00016396.

RRC Chair Craddick Elected to Third Term

Railroad Commission Chair Christi Craddick has won reelection for her third term to the powerful energy-related regulatory agency.

In addition to regulating the Texas oil and gas industries, the Railroad Commission oversees gas utility regulatory matters. The GCCC intervenes in gas utility rate cases at the Railroad Commission.

As a top campaign issue, Craddick pointed to the growth of the Texas oil and gas industries during her tenure. She also criticized federal regulations intended to reduce emissions and fight climate change but that she said would damage the fossil fuel industries.

Each of Craddick's opponents — Democrat Katherine Culbert, Libertarian Hawk Dunlap, and Green Party Candidate Eddie Espinoza — called for reform, arguing that the fossil fuel industry exerts too much control over the Railroad Commission.

Because the Texas Railroad Commission regulates the economically and politically powerful Texas fossil fuel industry, a seat there has been called one of the nation's most important elected offices relating to energy.

However, the agency has no authority over Railroads, and members of the public often report confusion about the agency's mission.

The elected officials who sit on the three-member commission serve six-year terms and run in staggered elections. As such, one commission is always up for re-election every two years.

All Railroad commissioners have been Republicans since the mid-1990s.

RRC Approves Gas Conservation Program Rules

New regulations to implement House Bill 2263, state legislation that authorized gas utilities to create ratepayer-supported energy conservation programs, received final approval in 2024.

HB 2263 specifies that local gas distribution companies such as Atmos in the Dallas-Fort Worth area and CenterPoint in Houston can offer energy conservation programs to their residential and commercial customers. The legislation also sets forth rules for cost recovery by utilities.

The Texas Railroad Commission adopted the final rules on March 20 after a public comment period and input from various stakeholders, including the Atmos Cities Steering Committee. As adopted, the rules establish a new section in state law, 16 Texas Administrative Code §7.480, that specifically addresses the implementation of Energy Conservation Programs by gas utilities.

The Details

- The new rules create a cost cap for energy conservation programs, such that the maximum rate for them may not exceed a volumetric charge of \$0.20 per Mcf for residential and commercial customers. The rate increase due to an ECP charge would be no more than approximately 1.2 percent of the 2023 average cost of residential gas service in Texas according to the U.S. Energy Information Administration. Various stakeholder groups supported this change.
- The final adopted rules did not include a cost-effectiveness standard for the conservation programs, although commission staff indicated that they may revisit the issue after the program is up and running. ASCC and other stakeholder groups recommended the inclusion of such a standard.
- The rules did not include a contested case prudence review of costs, as recommended by consumer and city groups, including the ACSC.
- The rule included a 120-day deadline in which commission staff must complete its administrative review of an ECP application. This deadline was suggested by ACSC.
- ACSC asked that the Commission allow program modifications more frequently than once every three years. The Commission pointed to its limited staff resources and said that once every year would not be manageable. However, it agreed with ACSC that once every three years is too infrequent, so the Commission included a provision in the final rule to allow new program applications every other year.
- The final rule contemplates an annual review of the ECP rate to ensure rates match ECP costs, as suggested by ACSC. Staff will instruct the local distribution company to adjust its ECP rate for the next program year if the rate needs to be adjusted.

2025 ACSC Meetings

March 6
June 12 — Virtual
September 11
December 11 — Virtual

2025 Officers

Chair—Meg Jakubik (Bedford)
Vice Chair—Open
Secretary—Lupe Orozco (Keller)
Treasurer—David Johnson (Arlington)

For more questions or concerns regarding any ACSC matter or communication, please contact the following representative, who will be happy to provide assistance:



Thomas L. Brocato
(512) 322-5857
tbrocato@lglawfirm.com

Jamie Mauldin
(512) 322-5890
jmauldin@lglawfirm.com

Atmos Reports Fiscal Year Earnings for 2024

Atmos Energy made \$2.9 billion in capital expenditures during the fiscal year ending Sept. 30 — an increase from the \$2.8 billion in capital expenditures it made during the prior fiscal year.

The company also expects to make another \$3.7 billion in capital expenditures during the 2025 fiscal year.

Those top-line capital expenditure numbers were among the highlights of a conference call conducted by Atmos executives on Nov. 7. Atmos Energy also released additional regulatory information to investment analysts on the call.

Fiscal Year Data

- Atmos reports that about \$1.3 billion in 2024 capital spending — or 83 percent of this year's \$2.9 billion total — was used to repair and replace transmission and distribution pipelines.
- Atmos reported \$854.5 million in distribution income and \$500.9 million in pipeline income during the 2024 fiscal year. That compares to \$692.6 million in distribution income and \$364.5 million in 2023 pipeline income during the prior fiscal year.
- Some of the key income drivers in 2024 were a \$219.2 million net increase from distribution rate adjustments and \$68.4 million from pipeline rate adjustments.

RRC Makes Big Legislative Ask for IT Funding

The Railroad Commission would receive tens of millions of dollars in additional funding for new hardware, software, and information technology-related capital projects, under a budgeting request issued by the agency in advance of the 89th Texas Legislature.

In all, the commission has requested \$466,560,272 in biennial funding, with revenues from fees and surcharges covering 34.9 percent of its request and tax-supported General Revenue sources comprising 41.2 percent. The federal government will provide 23.3 percent.

But the “last big ask” in its Legislative Appropriations Request is for IT, according to Railroad Commission chairwoman Christi Craddick. “We have to work to get more data,” she said, according to media reports.

Some details:

Microfilm Digitization — \$907,496

The agency endeavors to make all oil and gas records available digitally online for use by the public. However, records held at the district offices won't be completely digitized until the end of the 2025 fiscal year. The agency requests \$907,496 to complete this project.

Oversight and Safety Regulatory Filing Systems — \$6,288,068

The Railroad Commission collects multiple reports with large amounts of data from natural gas utilities

related to the sale of natural gas. The Commission uses this data to audit utility companies and ensure the accuracy of collected Natural Gas Utility Taxes. As such, the agency requests \$6,288,068 to create a new online filing system to make reporting easier for utility companies and an Alternative Fuels Online System to streamline the permitting process for operators.

Data Center Services Adjustment — \$7,700,000

The agency seeks an additional \$7,700,000 to fund Data Center Services (DCS) for the biennium. The agency says the extra funding is needed because its DCS costs are estimated to increase by 50.5 percent beyond the 2024-2025 appropriated amount.

Capital Budget— \$40,844,771

The agency seeks capital spending authority totaling \$40,844,771 for four capital projects: \$21,475,647 for mainframe modernization; \$15,280,374 for Data Center Services capital expenditures; \$3,000,000 for Inspection and Enforcement Tracking and Reporting System upgrades; and \$1,088,750 for new personal computers.

In addition, the agency notes that funding from the 2021 Infrastructure and Investment Jobs Act supports or is anticipated to support several programs including well plugging and site remediation activities, the Commission's Brownfields program, and a program providing for the remediation of pre-1977 mining sites in Texas.



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services

TO: Mayor & City Council Members

FROM: Evan Williamson, Assistant Director of
Public Works & Utilities

MEETING DATE: July 15, 2025

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Resolution 2025-07 Authorizing the Texas Housing Foundation to Exercise its Power to Operate in the Territorial Jurisdiction of the City of Fredericksburg and Authorizing a Cooperation Agreement. (Evan Williamson, Asst. Director of Public Works)

I. Presentation by Texas Housing Foundation

II. Take action on Resolution 2025-07

III. Take action on Approval of the Cooperation Agreement

PRESENTATION:

[PRESENTER_NO_BR]

SUMMARY:

Texas Housing Foundation is seeking approval of a cooperation agreement with the City of Fredericksburg that would grant a property tax-abatement in order to develop a income-limited multifamily project on property located at the corner of Friendship Lane and S. Eagle Street.

BACKGROUND:

In December 2020, a site plan application received approval for a multifamily development of approximately 11 acres with 152 total units. The project did not proceed and since that time other projects have been proposed for the site but have not received approval. New development for the site would require a new site plan application for review and approval. The Texas Housing Foundation has an existing cooperation agreement with the City of Fredericksburg for the TownePark I and Townepark II developments.

Attached to this memo is the resolution authorizing the Texas Housing Foundation to exercise its powers with the City of Fredericksburg and authorizing a cooperation agreement, the resolution of no objection, and the cooperation agreement. The cooperation agreement is the same as the cooperation agreement for the Townepark projects which is also attached.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Updated drafts of the resolution and cooperation agreement were provided on July 7th, 2025 and will be subject to the City Attourney's review and approval.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:

1. CC - City of Fredericksburg resolution
2. CC - Coop Agmt City of Fredericksburg
3. Cooperation Agreement between Texas Housing Foundation and CoF 2014
4. SP-2012 Reserve at Vineyard Oaks

APPROVAL/REVIEW:

Evan Williamson, Assistant Director of Public Works & Utilities

Date: July 10, 2025



Garret Bonn, Assistant City Manager

Date: July 10, 2025



William McKamie, City Attorney

Date: July 10, 2025



Clinton Bailey, City Manager

Date: July 10, 2025

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE TEXAS HOUSING FOUNDATION, A TEXAS REGIONAL HOUSING AUTHORITY, TO EXERCISE ITS POWERS WITHIN THE TERRITORIAL BOUNDARIES OF THE CITY OF FREDERICKSBURG; AND AUTHORIZING A COOPERATION AGREEMENT

WHEREAS, there exists in the City of Fredericksburg a shortage of safe and sanitary housing available to lower income residents at rents they can afford; and

WHEREAS, there is no other housing authority authorized to exercise its powers in the City of Fredericksburg; and

WHEREAS, [BORROWER NAME], (the “Applicant”) has proposed a [] unit affordable multi-family rental housing development named [] (the “Development”), to be located at [] in the City of Fredericksburg, Texas; and

WHEREAS, the Texas Housing Foundation, a Texas regional housing authority, (“THF”) has significant experience and expertise in successfully providing, developing, financing and managing housing projects that are affordable to lower income residents and are assets to the community; and

WHEREAS, it is contemplated that THF Public Facility Corporation, a Texas public facility corporation duly organized by THF (the “PFC”) will issue tax-exempt bonds in order to finance a portion of the costs of financing the construction of the Development; and

WHEREAS, it is further contemplated that a wholly-owned subsidiary of THF will serve as the sole member of the Applicant’s general partner; and

WHEREAS, Texas Local Government Code Section 392.017(d) requires that the governing body of a municipality adopt a resolution declaring a need for a municipal housing authority to exercise its powers in another jurisdiction, and authorizing a cooperation agreement under Texas Local Government Code Section 392.059;

NOW, THEREFORE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG:

Section 1. The City Council is the governing body of the City of Fredericksburg.

Section 2. Pursuant to Texas Local Government Code Section 392.017(d)(1), the City Council declares that there is a need for THF to exercise its powers in the territorial boundaries of the City of Fredericksburg to provide decent, safe and sanitary housing that is affordable for lower income residents of

Fredericksburg. THF is hereby authorized to exercise its powers in the territorial boundaries of the City of Fredericksburg as set forth in the Cooperation Agreement attached hereto and incorporated herein between the THF and the City (the “Cooperation Agreement”).

- Section 3. Pursuant to Texas Local Government Code, Section 392.017(d)(2) and the Cooperation Agreement, THF is hereby authorized under Texas Local Government Code Section 392.059 to exercise its powers within the City of Fredericksburg. The City of Fredericksburg agrees to cooperate with THF to allow THF to provide housing for lower income residents in the territorial boundaries of the City of Fredericksburg consistent with the terms of the Cooperation Agreement and specific to the property and project identified therein. THF and the PFC are authorized to exercise their powers under the Texas Housing Authorities Law, Texas Local Government Code Chapter 392 and the Texas Public Facility Corporation Act, Texas Local Government Code Chapter 303, respectively, to finance, plan, undertake, construct, or operate the housing project identified in the Cooperation Agreement, located within the City of Fredericksburg, consistent with the terms of the Cooperation Agreement. The Mayor is hereby authorized to execute the Cooperation Agreement on behalf of the City of Fredericksburg.
- Section 4. The Mayor is authorized to take any reasonable and necessary action to effectuate the direction and intention of this Resolution and the Cooperation Agreement.
- Section 5. The City Council hereby specifically approves the development of a multi-family development comprised of approximately 152 units of low to moderate income housing units, and the Council authorizes the Mayor to execute such documents as shall be necessary or helpful in such development.

Passed and Approved this ____ day of _____, 2025.

Mayor

Attest:

City Secretary

DRAFT

COOPERATION AGREEMENT
BETWEEN THE
CITY OF FREDERICKSBURG, TEXAS
AND THE
TEXAS HOUSING FOUNDATION, A TEXAS REGIONAL HOUSING AUTHORITY

EFFECTIVE _____, 2025

WHEREAS, on _____, 2025, under provisions of the Texas Local Government Code Section 392.017(d), the City Council of the City of Fredericksburg, Texas (the "City"), declared that there is a need for the Texas Housing Foundation, a Texas regional housing authority ("THF"), to exercise its powers within the territorial boundaries of the City because there exists in said City a shortage of safe and sanitary housing available to lower income persons at rentals they can afford;

WHEREAS, to establish the terms and conditions of THF's exercise of its powers in the area of operation of the City, the City also authorized the execution of this Cooperation Agreement under Texas Local Government Code Section 392.059;

WHEREAS, the Board of Commissioners of THF also adopted a resolution to exercise its powers in the City and authorizing it to enter into this Cooperation Agreement under Texas Local Government Code Section 392.059; and

WHEREAS, THF has formed THF Public Facility Corporation, a public facility corporation under Chapter 303 of the Texas Local Government Code (the "PFC"), for purposes of, among other things (a) acquiring, constructing, rehabilitating, renovating, repairing, equipping, furnishing and placing in service public facilities and (b) issuing bonds on the behalf of THF to finance the costs of public facilities.

NOW, THEREFORE, the parties hereto, the City, and THF agree as follows:

Section 1: Cooperation Agreement. The City and THF agree to cooperate to allow THF or the PFC acting on behalf of THF, in partnership with [DEVELOPER] or an affiliate thereof, to facilitate acquisition, development, and construction of a multifamily housing development to be known as "[DEVELOPMENT NAME]" and to be located at _____, Fredericksburg, Texas (the "Development"), to provide housing for lower income persons in the City for the Development, consistent with the provisions below and Chapter 392 of the Texas Local Government Code.

Section 2: Housing Development Authorization; Bond Issuance. THF is authorized to exercise its powers under the Texas Local Government Code Chapter 392, to finance, plan undertake, construct or operate for the Development within the City as provided in this Cooperation Agreement. The PFC is hereby authorized to exercise any powers under Texas Local Government Code Chapter 303 on behalf of THF in connection with the financing and operation of the Development within the City, including but not limited to, issuing tax-exempt or taxable

bonds to finance the costs of the Development.

Section 3: Ownership. THF, or the PFC acting on behalf of THF, is authorized to acquire land (or a leasehold interest therein), develop site improvements, and construct buildings for the Development within the territorial boundaries of the City, and to operate and manage the Development for the benefit of lower income residents of the City.

Section 4. Future Housing Project Development. THF is not authorized to undertake other housing projects in the City (other than the Townepark Fredericksburg Apartments and the Development) on its own or in collaboration with another housing development organization except through the approval of the City Council of the City.

Section 5. Annual Reports. THF shall submit within 120 days after the end of its fiscal year a report to the City Council of the City describing the housing and services operations undertaken for the benefit of lower income residents of the City, and other activities of THF in the City.

Section 6. Preservation of Authority. No applicable provision or intention in this Cooperation Agreement limits the authority or power of the City or the City Council to exercise its powers under any law. No provision or intention in this Cooperation Agreement limits the authority or power of THF to exercise its powers under Texas Local Government Code Chapter 392, to finance, plan, undertake, construct, or operate a housing project under this Cooperation Agreement or in the area of operation of THF defined in Texas Local Government Code 392.016.

Section 7. Implementation. The Mayor of the City, or any designee of the Mayor, and the President and Chief Executive Officer of THF are authorized to take any reasonable and necessary action to effectuate and implement the direction and intention of this Cooperation Agreement and the authorizing resolutions.

Section 8. Amendment or Termination. This Cooperation Agreement may be amended or terminated for any reason by resolution of the governing body of either party. The party desiring to amend the agreement must give at least 30 days' written notice to the other party prior to considering for approval a resolution or action to amend or terminate the cooperation agreement. However, any housing project already begun, undertaken, bound, or obligated by a party may continue to operate under authority of this Cooperation Agreement.

Section 9. Countersigned Originals. This document may be signed separately by the parties and countersigned originals or copies thereof shall have the full force and effect of a document containing original signatures by all signatories.

[SIGNATURE PAGE TO FOLLOW]

Agreed this _____ day of _____, 2025

City of Fredericksburg, Texas

By: _____
Mayor

Attest: _____
City Clerk

Texas Housing Foundation

By: _____
Allison Milliorn, President and Chief Executive
Officer

**COOPERATION AGREEMENT
BETWEEN
THE CITY OF FREDERICKSBURG
AND
THE TEXAS HOUSING FOUNDATION, A TEXAS REGIONAL HOUSING AUTHORITY**

Effective August 18, 2014

WHEREAS, this resolution is made regarding existing housing operated by the Texas Housing Foundation which is known as the TownePark I and TownePark II developments, authorizing said Housing Authority to exercise its powers within the territorial boundaries of the City of Fredericksburg;

WHEREAS, the Board of Commissioners of the Housing Authority of the City of Marble Falls formerly adopted a resolution to exercise its powers in the City of Fredericksburg and authorized a cooperation agreement under Section 392.059(a). The Board of Commissioners of the Texas Housing Foundation, a Texas Regional Housing Authority (the Authority), has adopted a resolution to exercise its powers in the City of Fredericksburg and authorized a cooperation agreement under Section 392.059(a) and will take the place of the Housing Authority of the City of Marble Falls and requests that the Authority be authorized to own and operate the existing TownePark I and TownePark II developments.

WHEREAS, Texas Local Government Code, Section 392.017(d) requires that the City Council adopt a resolution authorizing a housing authority that is not established by the City of Fredericksburg to exercise its powers in the City, and authorizing a cooperation agreement under Section 392.059(a);

The City Council of the City of Fredericksburg agrees that there is a need for the housing project described herein and agrees that the Authority should operate the same.

NOW, THEREFORE, the parties hereto, the City of Fredericksburg and the Authority, agree as follows:

Section 1: Cooperation Agreement. City of Fredericksburg and the Texas Housing Foundation, a Texas Regional Housing Authority agree to cooperate to allow the Authority to substitute for the Marble Falls Housing Authority and to provide and operate the TownePark I and II housing projects consistent with the provisions below.

Section 2: Authorization. Specifically, the Authority is authorized to maintain, manage and operate the ninety two (92) unit seniors housing development, currently known as TownePark I and TownePark II Fredericksburg, located at 1125 South Adams, within the territorial boundaries of the City of Fredericksburg in place and instead of the City of Marble Falls Housing Authority and to operate and manage such projects for the benefit of lower income residents of the City of Fredericksburg.

Section 3: Annual Reports. The Authority shall submit, within 120 days after the end of its fiscal year, a report to the Mayor of the City of Fredericksburg describing the operation of said TownePark Fredericksburg, and in the event the City Council determines that the developments constructed and operated pursuant to the authority granted herein are not being operated in a safe and effective manner for the benefit of the lower income residents of the City of Fredericksburg the City Council of the City of the City of Fredericksburg may terminate the authority granted herein. In making such determination, the City Council may require, and the Authority shall supply, all information it deems to be necessary.

Section 4: Preservation of Authority. No applicable provision or intention in this cooperation agreement limits the authority or power of the City of Fredericksburg to exercise its powers under any law nor under any other provisions of Chapter 392 of the Texas Local Government Code, it being intended that the authority herein granted is with regard to the TownePark project and does not grant general housing

authority within the City of Fredericksburg. No provision or intention is this cooperation agreement limits the authority or power of the Authority to exercise its powers under the Texas Housing Authorities Law, Texas Local Government Code, Chapter 392, to finance or operate the said TownePark housing project.

Section 5: Implementation. The City Manager of the City of Fredericksburg and the President of the Authority are authorized to take any reasonable and necessary action to effectuate and implement the direction and intention of this cooperation agreement and the authorizing resolutions.

Section 6: Amendment or Termination. This cooperation agreement may be amended or terminated for any reason by resolution of the City Council or Board of Commissioners of either party. The party desiring to amend or terminate the agreement must give at least thirty (30) days written notice to the other party prior to considering for approval a resolution or action to amend or terminate the cooperation agreement. However, the TownePark I and II Housing Projects already exist and may continue to operate under authority of this cooperation agreement.

PASSED AND APPROVED this 18th day of August, 2014.

CITY OF FREDERICKSBURG

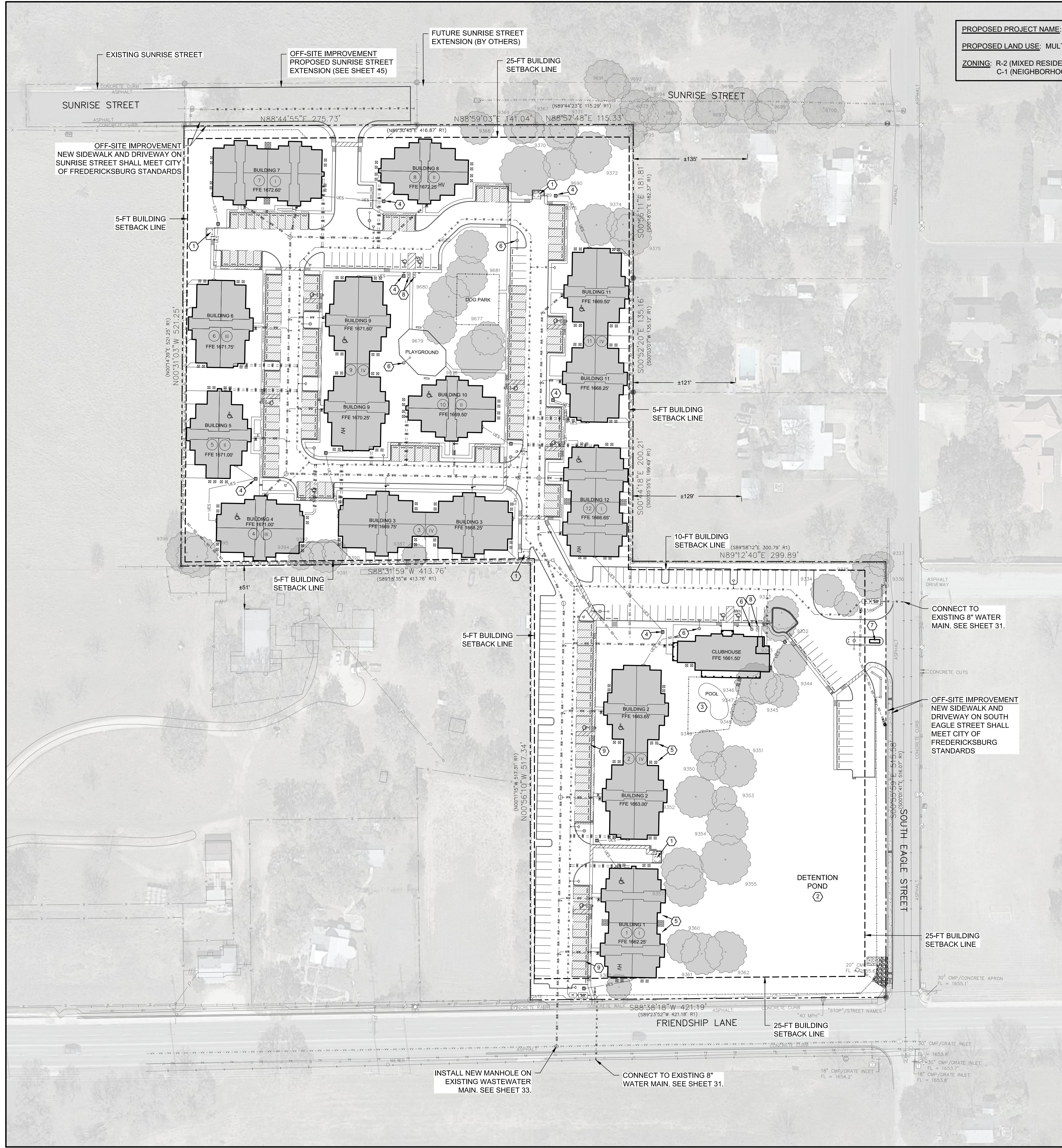

By: Kent Myers, City Manager,
City of Fredericksburg

ATTEST:

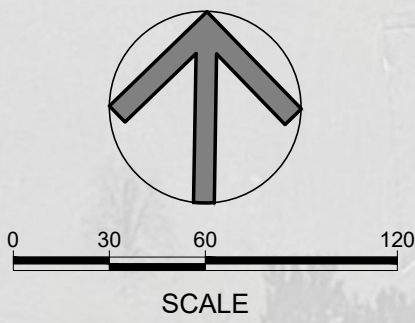

Shelley Britton, City Secretary,
City of Fredericksburg

**TEXAS HOUSING FOUNDATION,
A Texas regional housing authority**


By: Mark Mayfield, President



PROPOSED PROJECT NAME: THE RESERVE AT VINEYARD OAKS
PROPOSED LAND USE: MULTI-FAMILY
ZONING: R-2 (MIXED RESIDENTIAL)
C-1 (NEIGHBORHOOD COMMERCIAL)



LEGEND

EXISTING	PROPOSED	DESCRIPTION
---	---	PROPERTY LINE
---	---	SETBACK LINE
---	---	WASTEWATER LINE
---	---	WATER LINE
---	---	STORM DRAIN
●	---	TREE (TO REMAIN)

GENERAL NOTES:

- THE INFORMATION SHOWN ON THESE DRAWINGS INDICATING SIZE, TYPE, AND LOCATION OF UNDERGROUND, SURFACE, AND AERIAL UTILITIES IS NOT GUARANTEED TO BE EXACT OR COMPLETE. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO BEGINNING ANY EXCAVATION FOR EXISTING UTILITY LOCATIONS. THE CONTRACTOR SHALL ALSO BE FULLY RESPONSIBLE FOR FIELD VERIFYING LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES IN THE R.O.W. AND ON PRIVATE PROPERTY, AFFECTED BY CONSTRUCTION FOR THIS PROJECT IN ORDER TO AVOID DAMAGING THOSE UTILITIES, AND SHALL IMMEDIATELY ARRANGE FOR REPAIR AND RESTORATION OF CONTRACTOR-DAMAGED UTILITIES TO THE UTILITY COMPANY'S APPROVAL AT THE EXPENSE OF THE CONTRACTOR.
- CONTRACTOR SHALL CONTACT DAVCAR ENGINEERING WITH ANY ITEMS ON THESE PLANS THAT NEED CLARIFICATION OR ANY ITEMS FOUND IN THE FIELD THAT ARE NOT CONSISTENT WITH THESE PLANS.
- CONTRACTOR SHALL FIELD VERIFY THE LOCATION OF ALL POINTS OF CONNECTION TO THE EXISTING WATER AND WASTEWATER SYSTEM IN ADVANCE OF THE CONSTRUCTION.
- EXISTING WATER, WASTEWATER, ELECTRICAL AND TELECOMMUNICATION SERVICES SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION.

SURVEY NOTES:

- THIS PLAN IS BASED ON A SURVEY BY WCR LAND SURVEYING DATED 11/21/2019.
- FOR BENCHMARK AND SURVEY INFORMATION CONTACT WCR LAND SURVEYING AT (512) 618-7672.
- FLOODPLAIN: THIS SITE IS LOCATED WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN) PER FEMA FIRM PANEL No. 4817C0288C, EFFECTIVE DATE OCTOBER 19, 2001, FOR GILLESPIE COUNTY, TEXAS.

TREE TABLE			
POINT #	DESCRIPTION	POINT #	DESCRIPTION
9332	POST OAK 18" 40'	9372	POST OAK 27" 50'
9333	POST OAK 20" 40'	9373	POST OAK 24" 50'
9334	POST OAK 21" 40'	9374	POST OAK 18" 40'
9335	POST OAK 21" 45'	9375	POST OAK 24" 50'
9336	POST OAK 20" 40'	9376	POST OAK 23" 50'
9337	POST OAK 15" 30'	9387	BLACK JACK OAK 16" 30'
9338	POST OAK 18" 30'	9390	POST OAK 14" 30'
9343	POST OAK 20" 40'	9391	POST OAK 19" 40'
9344	POST OAK 20" 40'	9392	POST OAK 15" 30'
9345	POST OAK 23" 40'	9394	POST OAK 17" 30'
9346	POST OAK 26" 50'	9395	POST OAK 25" 50'
9347	POST OAK 16" 30'	9396	POST OAK 27" 50'
9348	POST OAK 16" 30'	9676	POST OAK 30" 60'
9349	POST OAK 22" 40'	9677	POST OAK 21" 40'
9350	POST OAK 19" 35'	9679	POST OAK 21" 40'
9351	POST OAK 24" 50'	9680	POST OAK 26" 50'
9352	POST OAK 26" 50'	9681	POST OAK 25" 50'
9353	POST OAK 16" 30'	9682	POST OAK 24" 40'
9354	POST OAK 25" 50'	9689	POST OAK 36" 60'
9355	POST OAK 30" 60'	9690	POST OAK 22" 40'
9356	POST OAK 25" 50'	9691	POST OAK 24" 50'
9357	POST OAK 23" 50'	9692	POST OAK 18" 30'
9360	POST OAK 23" 40'	9693	POST OAK 20" 40'
9361	POST OAK 26" 50'	9694	POST OAK 21" 40'
9362	POST OAK 28" 50'	9695	POST OAK 20" 40'
9363	HACKBERRY 14" 30'	9696	POST OAK 20" 40'
9367	POST OAK 19" 40'	9697	POST OAK 20" 40'
9368	PECAN 22" 40'	9698	POST OAK 19" 40'
9369	POST OAK 20" 40'	9699	POST OAK 20" 40'
9370	POST OAK 24" 40'	9700	POST OAK 24" 50'
9371	POST OAK 18" 35'	9701	POST OAK 17" 35'

KEY NOTES

- DUMPSTER AREA (SCREENED), SEE ARCHITECTURAL PLAN SET
- DETENTION POND, SEE SHEET 29
- POOL AREA (BY CONTRACTOR)
- TRANSFORMER PAD (TYP), SEE MEP PLAN SET
- A/C CONDENSER PAD (TYP), SEE MEP PLAN SET
- LIGHT POLE (TYP), SEE MEP PLAN SET
- ENTRY SIGN, SEE ARCHITECTURAL PLAN SET
- BIKE RACK, SEE DETAIL ON SHEET 43
- COVERED PARKING, SEE ARCHITECTURAL PLAN SET

BUILDING SQUARE FOOTAGE TABLE

BLDG 1 (TYPE I)	15,500 SF
BLDG 2 (TYPE IV)	22,154 SF
BLDG 3 (TYPE IV)	22,154 SF
BLDG 4 (TYPE III)	11,845 SF
BLDG 5 (TYPE II)	10,293 SF
BLDG 6 (TYPE III)	11,845 SF
BLDG 7 (TYPE I)	15,500 SF
BLDG 8 (TYPE II)	10,293 SF
BLDG 9 (TYPE IV)	22,154 SF
BLDG 10 (TYPE II)	10,293 SF
BLDG 11 (TYPE IV)	22,154 SF
BLDG 12 (TYPE I)	15,500 SF
BLDG 13 (CLUBHOUSE / LEASING OFFICE)	3,811 SF
TOTAL BUILDING AREA =	193,496 SF

BUILDING HEIGHT TABLE

BLDG 1 (TYPE I)	2 STORIES 35'-9"
BLDG 2 (TYPE IV)	2 STORIES 35'-0"
BLDG 3 (TYPE IV)	2 STORIES 35'-0"
BLDG 4 (TYPE III)	2 STORIES 35'-0"
BLDG 5 (TYPE II)	2 STORIES 35'-0"
BLDG 6 (TYPE III)	2 STORIES 35'-0"
BLDG 7 (TYPE I)	2 STORIES 35'-9"
BLDG 8 (TYPE II)	2 STORIES 35'-0"
BLDG 9 (TYPE IV)	2 STORIES 35'-0"
BLDG 10 (TYPE II)	2 STORIES 35'-0"
BLDG 11 (TYPE IV)	2 STORIES 35'-0"
BLDG 12 (TYPE I)	2 STORIES 35'-9"
BLDG 13 (CLUBHOUSE / LEASING OFFICE)	1 STORY 23'-0"

BUILDING SUMMARY TABLE

UNIT DATA	
TOTAL NUMBER OF 1 BEDROOM UNITS =	48
TOTAL NUMBER OF 2 BEDROOM UNITS =	56
TOTAL NUMBER OF 3 BEDROOM UNITS =	48
TOTAL NUMBER OF UNITS =	152

OVERALL SITE SUMMARY

ENTIRE SITE AREA =	(11.37 AC.)
TOTAL EXISTING IMPERVIOUS COVER =	0 SF (0.00 AC.) 0.0%
TOTAL PROP. IMPERVIOUS COVER =	248,698 SF (5.71 AC.) 50.2%
TOTAL OVERALL IMPERVIOUS COVER =	248,698 SF (5.71 AC.) 50.2%
TOTAL EXIST. BUILDING COVERAGE =	0 SF (0.00 AC.) 0.0%
TOTAL PROP. BUILDING COVERAGE =	105,009 SF (2.41 AC.) 21.2%
TOTAL OVERALL BUILDING COVERAGE =	105,009 SF (2.41 AC.) 21.2%

SITE PARKING SUMMARY TABLE

PARKING REQUIREMENTS	
1.5 SPACES REQUIRED PER 1 BEDROOM UNIT =	72
2.0 SPACES REQUIRED PER 2 BEDROOM UNIT =	112
2.0 SPACES REQUIRED PER 3 BEDROOM UNIT =	96
SPACES REQUIRED FOR CLUBHOUSE =	11
TOTAL PARKING REQUIRED	291

PROPOSED PARKING

PROPOSED STANDARD COVERED PARKING PROVIDED=	144
PROPOSED STANDARD UNCOVERED PARKING PROVIDED=	135
PROPOSED ACCESSIBLE COVERED PARKING PROVIDED=	8
PROPOSED ACCESSIBLE UNCOVERED PARKING PROVIDED=	4
TOTAL PROPOSED PARKING PROVIDED =	291



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services

TO: Mayor & City Council Members

FROM: Tyler Debish, STR Specialist

MEETING DATE: July 15, 2025

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider and take action on appeal of Director of Development Services denial of a STR-Facility permit for Phillip and Jennifer Ciulla at 210 E Schubert Street (2 Units). (Tyler Debish, STR Specialist)

PRESENTATION:
[PRESENTER_NO_BR]

SUMMARY:

With the adoption of Ordinance No. 2023-18 (2024 STR Ordinance), an Appeal's process was created to allow a property owner to file an appeal in the event that a Short-Term Rental Application is denied. The appeal process is to be considered by City Council in accordance with Sec. 20-225 of the 2024 STR Ordinance.

The applicant must file an appeal within 20 days following the date of the denial and the appeal must identify each alleged point of error, facts or evidence supporting the appeal, and reasons why the action of the director should be modified or reversed. City Council shall then hear the appeal and may affirm, modify, or reverse the application denial.

Staff have determined that the appellant has submitted a complete application and is ready for consideration by City Council.

BACKGROUND:

Address: 210 E Schubert Unit A and B

Owners: Phillip and Jennifer Ciulla

Management: Emma Garcia

Zoning: R2

STR Permit Issue Date: 3/6/2024

STR Permit Expiration Date: 9/30/2024

STR 90 Day Nonconforming Expiration Date: 12/30/2024

HOT Compliance: Compliant - Current on HOT remittance

Code Violations: No Violations on record

It is important to note that with the adoption of Ordinance No. 2023-18 (2024 STR Ordinance) a 90-day grace period was provided for all nonconforming uses per Sec. 20-226(c). That section of code states that all legal nonconforming (STRs permitted BEFORE the 2024 STR Ordinance) short-term rental uses located in zoning districts where short-term rental uses are no longer permitted by right, shall be subject to the abandonment of nonconforming use provisions contained in Sec. 6.110 of the City Zoning Ordinance, which states that, in residential districts, termination of the nonconforming use occurs when the use is voluntarily discontinued for a period of 90 days.

In Summary the subject property is located within the R2, Mixed Residential zoning district and previously operated as a Short-Term Rental (STR) Facility, possessing two STR permits. This qualified the property as a legal nonconforming use in accordance with Section 6.110 of the Zoning Ordinance.

Historically, the property held an STR-Facility permit which expired on September 30, 2024. A renewal reminder was sent to the property owners on November 1, 2024. In response, the owners submitted an incomplete renewal application (but for one unit ONLY, Unit A with no fees paid) on November 5, 2024; however, an STR inspection was not completed in a timely manner. Based on review by Shelby Collier, Senior Planner, it was determined that the renewal fee for Unit A was not paid until May 6, 2025—well beyond the renewal deadline and, given the lack of an inspection performed in a timely manner (Staff again contacted the applicant on March 4, 2025, and informed them they had 30 days to request an inspection) the pending STR application for Unit A was closed.

As for Unit B, no renewal application was submitted.

Staff notified the applicant of their loss of the STR-Facility permit on May 15, 2025, the applicant then submitted a new STR-Facility permit for both Units A & B, which Staff denied on May 20, 2025 in accordance with Sec. 3.110 as STR-Facilities are not permitted by right within the R2, Mixed Residential Zoning district.

An appeal application was then submitted on 5/30/2025 and Staff does not recommend approval of the appeal given the multiple attempts made to contact the applicant to ensure the properties' compliance and maintenance of the previous STR-Facility permit that was issued under the 2018 STR Ordinance.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality

Workforce

Tourism

City Center

ATTACHMENTS:

1. 210 E Schubert Street front of house
2. Surrounding STR map
3. 210 E Schubert Unit A Appeal Application
4. 210 E Schubert Unit B Appeal Application
5. Renewal reminder email

APPROVAL/REVIEW:



Evan Williamson, Assistant Director of Public Works & Utilities

Date: July 10, 2025



Garret Bonn, Assistant City Manager

Date: July 10, 2025



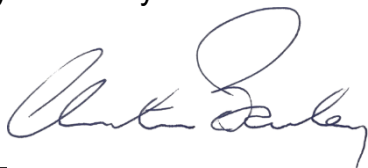
William McKamie, City Attorney

Date: July 10, 2025



Leticia Vacek, City Secretary

Date: July 10, 2025



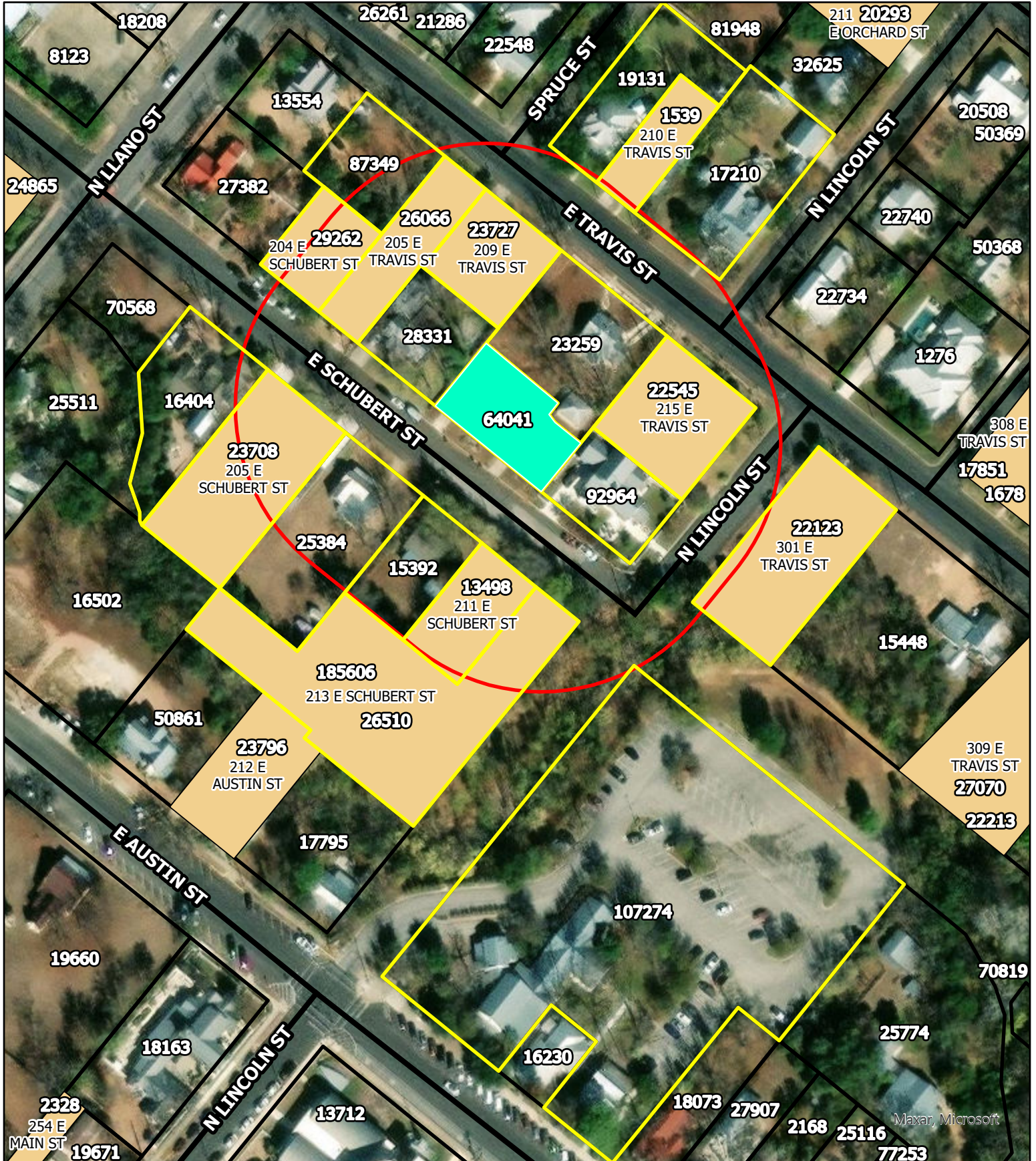
Clinton Bailey, City Manager

Date: July 10, 2025

210 E Schubert Street



Short Term Rental Parcel Report



- GCAD Parcel
 GCAD Road
 STR Parcel
 Buffer Zone
 Parcels within 200 feet
 Target STR Parcel



STR Permit Appeal Application Form

Sec. 20-225 (b)

An appeal filed under this section must be filed with the director no later than the 20th day following the date on which the permit was denied. The appeal must be sworn and must identify each alleged point of error, facts and evidence supporting the appeal, and reason why the action of the director should be modified or reversed.

Owner Information:

Full Name:

PHILLIP & JENNIFER CULLA

Address:

9503 N. FITZGERALD WAY

City:

MISSOURI CITY

State:

TEXAS

Zip:

77459

Phone Number:

(713) 899-3755 (PHIL)

/ 281-541-3395 (JENNIFER)

Email Address:

PAISANPC@YAHOO.COM

/ JENNIFER@JENNIFERCULLA.COM

STR Property Information:

Address of the STR Property:

210 E. SCHUBERT ST. UNITS A+B

Zoning:

R2

STR Permit Number (if previously permitted):

UNIT A: 8056001588

/ UNIT B: 8056001587

STR Permit issue date:

SEPT. 30, 2020

STR Permit expiration date:

SEPT. 30, 2024

STR 90 Day nonconforming expiration date:

DECEMBER 30, 2025

Reason for Appeal:

WE BELIEVED WE SUBMITTED THE RENEWAL CORRECTLY & WERE NOT NOTIFIED OTHERWISE.

If the property has been rented, has H.O.T. been remitted to the City of Fredericksburg?

YES - QTRLY FOR 4 YRS.

Date of Denial:

MAY 15, 2025

Filing Date (within 20 days of denial):

MAY 30, 2025

Details of Appeal:

Please provide a detailed explanation of why you are appealing the decision to deny, revoke, or modify your short-term rental (STR) permit:

PLEASE SEE ATTACHED WORD DOCUMENT.

Supporting Documentation:

Please attach any relevant documentation that supports your appeal (e.g., property records, HOT (Hotel Occupancy Tax) remittances, previous STR permits, correspondence with city officials, etc.):

Declaration:

I hereby declare that the information provided in this appeal application is true and accurate to the best of my knowledge. I understand that providing false information may result in the rejection of my appeal.

Signature: Philip Culla [Signature] Date: 5/30/2025 ✓

ACKNOWLEDGMENTS

State of Texas

County of Gillespie

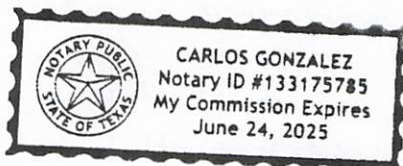
Before me, (Carlos Gonzalez), on this day personally appeared Philip Culla, Jennifer Culla, known to me (or proved to me on the oath of or through (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

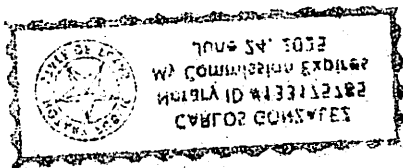
Given under my hand and seal of office this 6th day of June, 2025

(Personalized Seal)

Notary Public's Signature

Carlos Gonzalez





Staff Review

Date accepted as complete: 6/6/25 **City Council Date:** 7/1/25

Result: _____

Fee: \$300 **Check** X21 **Date Received:** 6/3/25

Submission:

Please submit this **completed application form along with any supporting documentation** and **the \$300 appeal fee** within the required 20 days (after the permit was denied) to Anna Hudson, Director of Development Services, ahudson@fbgtx.org

The \$300 appeal fee may be mailed to City of Fredericksburg, 126 W Main Street, Fredericksburg, Texas, 78624. The application will not be considered complete without all documentation and fees.

The Director of Development Services has 14 days to review the appeal application, City council will hear the appeal at the next regularly scheduled City Council meeting, and may affirm, modify, or reverse an application denial. The City Council shall give written notice of a decision on an appeal to the appellant.

Note: The submission of an appeal does not guarantee a reversal of the decision regarding the short-term rental permit. Appeals will be reviewed in accordance with the relevant regulations and policies governing short term rental permits in Fredericksburg, Texas.

Phillip and Jennifer Ciulla

Re: Doppelhaus AirBnB Fredericksburg

Permit Numbers: 8056001588 and 8056001587

210 E. Schubert St.

Fredericksburg, TX. 78624

Dear Anna,

I hope this finds you well. We have had both of our STR Permits revoked, which is an incredible hardship for me and my family, and we are hopeful we can get this remedied with your assistance. We made a valid attempt to renew these permits as soon as it came to our attention that they had expired. This was simply due to a misunderstanding of how the new MGO connect system worked. We absolutely thought our STR permit renewals were in process.

We were notified on November 1 by Tyler Baethge with the City of Fredericksburg that our STR permits had expired and that we needed to renew them as soon as possible. My wife went online and tried to submit the renewal on November 20th, which was within the 90-day expiration window. We would have renewed on time in September, but the city had an incorrect email for us, so we had no idea our permits were due to expire on September 30th. We have always been accustomed to filing our renewal directly with the City of Fredericksburg and not via this new MGO system, which clearly caused this issue.

My wife filed the renewal via the MGO system for the 210 E. Schubert property address but didn't realize we needed to file a permit renewal for both properties, Unit A and Unit B, at the same address at 9:54am on November 20th (only Unit A apparently). We assumed the STR renewals were being processed because of her efforts on November 20th but that doesn't appear to be the case. (see attached screenshots). There are clearly issues and glitches with the system itself since the permits were denied at 4:33am on Nov. 20th when we didn't submit the renewal until later that morning at 9:54am. We never received any notifications from MGO Connect that there was an issue or problem with this processing, so we naturally assumed our renewals were being processed. This was a new technology for us, which we didn't know how to properly navigate but we had no reason to believe our permits were not in the renewal phase.

We were informed in May 2025 that an invoice had been submitted in November to my email address, which I never received. The invoice was apparently autogenerated for a \$700 renewal fee, which we subsequently paid as soon as we heard about this (receipt

attached). Again, this was in May 2025 and unfortunately our STR permit had expired. The only reason we knew our STR permit had expired is because we were trying to schedule an STR inspection to stay current on new "night sky" lighting regulations we heard about through our local property manager, and we wanted to stay compliant with city ordinances. The city accepted the \$700 STR renewal payment from us but then cancelled the scheduled inspection. This is how we found out our permits were no longer active.

We have always done our best to maintain the property, to run an AirBnB property that the city of Fredericksburg would be proud of and have always sought to pay every quarterly HOT Tax on time, even with several changes to the payment system (Avenue insights, another temporary portal (Granicus sp.?, My Government online, directly with Derrick at the city and now via). We are including our most current HOT tax payment details but have the records for the past 4 years. We have never received a notification that our HOT taxes are due, but we have done our best to support this city in this way by being current on our HOT tax. Unfortunately, the technology used by the city for various STR related activity has not been easy to navigate for owners who do not deal with this daily.

As mentioned, this has been an extremely trying and difficult situation for us. We purchased the property because of our love for Fredericksburg, the citizens and what the town represents. It has been an honor to be part of the business community via our STR, which we planned to continue until we can retire to the property in another 8-10 years. Not having the STR permit active has been an enormous financial burden for us and will significantly impact the value of our property. We have been very proactive with the city staff to rectify this as soon as possible and have followed the re-submission and appeal process as we understand it. We hope you understand our situation and will work with us to reinstate both of our STR permits to their previous active status. Please let us know if there is anything else we can do to assist.

Thank you so much for your efforts here and should you elect to reinstate our STR permits, rest assured this situation will never happen again if it is in our control. Your effort is truly appreciated by me and my wife.

We look forward to hearing from you soon.

All the best,

Phil and Jennifer Ciulla

Handwritten signatures of Phil and Jennifer Ciulla in blue ink. The signature for Phil is written above the signature for Jennifer.



The City of
Fredericksburg

Short-Term Rental Permit

Issued:	March 6, 2024	Permit Expiration Date:	September 30, 2024
Issued To:	PHILLIP CIULLA DOPPELHAUS	Permit No.:	8056001588
Address:	210 E SCHUBERT ST UNIT A FREDERICKSBURG, TX 78624	Permit Type:	STR - Nonconforming Facility
Phone No.:	830-998-9478	Zoning District:	R2
Contact:	EMMA GARCIA	Occupancy Limit:	6
		Management Company:	BEAUTIFUL HOUSE MANAGEMENT

This permit has been issued according to the requirements of the City of Fredericksburg Code of Ordinances relating to Short-Term Rental use.

Permit holders are responsible for compliance with all applicable laws, rules, and regulations pertaining to the use of the Short-Term Rental Unit. Guests must adhere to all rules and regulations for violations of this article (see House Rules).

Occupancy Taxes must be filed quarterly in order to maintain a valid permit.

THIS PERMIT MUST BE POSTED.

Certificate emailed . Questions regarding this permit should be addressed to the Development Services Department of the City of Fredericksburg (830) 997-7521
City Hall - 126 W. Main St., Fredericksburg, TX 78624

(No subject)

From: Jennifer Ciulla <jennifer@jenniferciulla.com>
Date: Fri 5/30/2025 4:10 PM
To: Jennifer Ciulla <jennifer@jenniferciulla.com>

HOT TAX

Q1-2025



05/12/2025

\$670.11

**PURCHASE
AUTHORIZED ON 05/08
CITY OF FREDERICKS
830-997-7521 TX
S385128561129659
CARD 1781**

Jennifer Ciulla



City of Fredericksburg
126 W Main Street
Fredericksburg, TX 78624
(830) 997-7521

Success

01/20/2025 11:49 AM MT

Jennifer Ciulla

Confirmation Number: 220849699

FB - 7% Hotel Occupancy Tax	\$1288.45
-----------------------------	-----------

Total	\$1288.45
--------------	------------------

Pay Method: Bank ****1534

An email receipt was sent to: paisanpc@yahoo.com

Powered By: **xpress** BILL PAY

394027313



City of Fredericksburg
126 W Main Street
Fredericksburg, TX 78624
(830) 997-7521

Success

Here is your receipt.

08/05/2024 7:57 AM

Phillip Ciulla

Confirmation Number: 206630456

FB - 7% Hotel Occupancy Tax	\$1604.23
Total	\$1604.23

Pay Method: WELLS FARGO BANK **** 1534

An email receipt was sent to: paisanpc@yahoo.com

Powered By: **xpress** BILL PAY

 Overview

 Contacts

 Tasks

 Fees

 Docs

 Comments

Project Status Lost

8056001588

Balance

Paid **\$700.00**

Due **\$0.00**

Fees

Payments

Online

05/06/2025 12:00 AM

Paid By

Phillip & Jennifer Ciulla

[Print Receipt](#)

Associated Type

Short Term Rental **\$700.00**

Total **\$700.00**

(No subject)

From: Jennifer Ciulla <jennifer@jenniferciulla.com>
Date: Fri 5/30/2025 4:14 PM
To: Jennifer Ciulla <jennifer@jenniferciulla.com>

Request #2526004 Denied

[Open](#)

Address

210 E SCHUBERT ST Fredericksburg
TX 78624

Jurisdiction

Fredericksburg

Request Type

Short Term Rental Renewal Application

Submitted Date

11/20/2024 09:54 AM

Created Date

11/20/2024 09:54 AM

Last Comment From Jurisdiction

Application Denied: Unit B needs to be
submitted permit number 8056001587

[Remove](#)

Jennifer Ciulla

(No subject)

From Jennifer Ciulla <jennifer@jenniferciulla.com>
Date Fri 5/30/2025 3:38 PM
To Jennifer Ciulla <jennifer@jenniferciulla.com>

Request

2526004

Denied

Date

Author

20/11/2024

Tyler Debish

04:33 AM

Comment

**Application Denied: Unit B needs to be
submitted permit number 8056001587**

Jennifer Ciulla



Address

210 E Schubert

May 06, 2020

Job Type

Consult

Permit Number

664660 664662

Contractor

PHILLIP CIULLA

Residential General Inspection Inspection

Pass

Inspection Point	Reference	Status
General Inspection	Consult	Pass

Inspected by Kyle Staudt

From: [<PAISANPC@YAHOO.COM>]

To: Fbg Development Services Dept <mailman@email.pulleyweb.com>

Date: Wed, Nov 18, 2020 at 2:05 PM

The Development Services Department recently performed the inspection below.

Address: 210 E Schubert

Inspection: Residential General Inspection

Status: Pass

Please view the report at <https://dsa.cityoffbg.com/report/65cd2ff9-b6f7-41e0-82f2-5d520d183a85/>

Thank you.



STR Permit Appeal Application Form

Sec. 20-225 (b)

An appeal filed under this section must be filed with the director no later than the 20th day following the date on which the permit was denied. The appeal must be sworn and must identify each alleged point of error, facts and evidence supporting the appeal, and reason why the action of the director should be modified or reversed.

Owner Information:

Full Name:

PHILLIP & JENNIFER CULLA

Address:

9503 N. FITZGERALD WAY

City:

MISSOURI CITY

State:

TEXAS

Zip:

77459

Phone Number:

(713) 899-3755 (PHIL)

/ 281-541-3395 (JENNIFER)

Email Address:

PAISANPC@YAHOO.COM

/ JENNIFER@JENNIFERCULLA.COM

STR Property Information:

Address of the STR Property:

210 E. SCHUBERT ST. UNITS A+B

Zoning:

R2

STR Permit Number (if previously permitted):

UNIT A: 8056001588

/ UNIT B: 8056001587

STR Permit issue date:

SEPT. 30, 2020

STR Permit expiration date:

SEPT. 30, 2024

STR 90 Day nonconforming expiration date:

DECEMBER 30, 2025

Reason for Appeal:

WE BELIEVED WE SUBMITTED THE RENEWAL CORRECTLY & WERE NOT NOTIFIED OTHERWISE

If the property has been rented, has H.O.T. been remitted to the City of Fredericksburg?

YES - QUARTLY FOR 4 YRS.

Date of Denial:

MAY 15, 2025

Filing Date (within 20 days of denial):

MAY 30, 2025

Details of Appeal:

Please provide a detailed explanation of why you are appealing the decision to deny, revoke, or modify your short-term rental (STR) permit:

PLEASE SEE ATTACHED WORD DOCUMENT.

Supporting Documentation:

Please attach any relevant documentation that supports your appeal (e.g., property records, HOT (Hotel Occupancy Tax) remittances, previous STR permits, correspondence with city officials, etc.):

Declaration:

I hereby declare that the information provided in this appeal application is true and accurate to the best of my knowledge. I understand that providing false information may result in the rejection of my appeal.

Signature: Philip Ciulla Date: 5/30/2025

ACKNOWLEDGMENTS

State of Texas

County of Gillespie

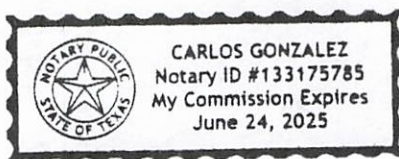
Before me, (Carlos Gonzalez), on this day personally appeared Phillip Ciulla, Jennifer Ciulla, known to me (or proved to me on the oath of or through (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

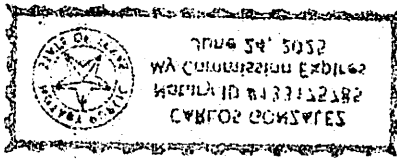
Given under my hand and seal of office this 6th day of June, 2025

(Personalized Seal)

Notary Public's Signature

Carlos Gonzalez





OFFICE OF THE
ATTORNEY GENERAL

WASHINGTON, D.C.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C.

TO THE DIRECTOR, FBI
FROM THE ATTORNEY GENERAL
SUBJECT: [Illegible]

WASHINGTON, D.C.

JUNE 24 5052

WASHINGTON, D.C.

TO THE DIRECTOR, FBI
FROM THE ATTORNEY GENERAL
SUBJECT: [Illegible]

RE: [Illegible]

WASHINGTON, D.C.

TO THE DIRECTOR, FBI
FROM THE ATTORNEY GENERAL
SUBJECT: [Illegible]

WASHINGTON, D.C.

TO THE DIRECTOR, FBI
FROM THE ATTORNEY GENERAL
SUBJECT: [Illegible]

TO THE DIRECTOR, FBI
FROM THE ATTORNEY GENERAL
SUBJECT: [Illegible]

TO THE DIRECTOR, FBI
FROM THE ATTORNEY GENERAL
SUBJECT: [Illegible]

Staff Review

Date accepted as complete: 6/6/25 City Council Date: 7/1/25

Result: _____

Fee: \$300 Check #122 Date Received: 6/3/25

Submission:

Please submit this **completed application form along with any supporting documentation** and **the \$300 appeal fee** within the required 20 days (after the permit was denied) to Anna Hudson, Director of Development Services, ahudson@fbgtx.org

The \$300 appeal fee may be mailed to City of Fredericksburg, 126 W Main Street, Fredericksburg, Texas, 78624. The application will not be considered complete without all documentation and fees.

The Director of Development Services has 14 days to review the appeal application, City council will hear the appeal at the next regularly scheduled City Council meeting, and may affirm, modify, or reverse an application denial. The City Council shall give written notice of a decision on an appeal to the appellant.

Note: The submission of an appeal does not guarantee a reversal of the decision regarding the short-term rental permit. Appeals will be reviewed in accordance with the relevant regulations and policies governing short term rental permits in Fredericksburg, Texas.

Phillip and Jennifer Ciulla

Re: Doppelhaus AirBnB Fredericksburg

Permit Numbers: 8056001588 and 8056001587

210 E. Schubert St.

Fredericksburg, TX. 78624

Dear Anna,

I hope this finds you well. We have had both of our STR Permits revoked, which is an incredible hardship for me and my family, and we are hopeful we can get this remedied with your assistance. We made a valid attempt to renew these permits as soon as it came to our attention that they had expired. This was simply due to a misunderstanding of how the new MGO connect system worked. We absolutely thought our STR permit renewals were in process.

We were notified on November 1 by Tyler Baethge with the City of Fredericksburg that our STR permits had expired and that we needed to renew them as soon as possible. My wife went online and tried to submit the renewal on November 20th, which was within the 90-day expiration window. We would have renewed on time in September, but the city had an incorrect email for us, so we had no idea our permits were due to expire on September 30th. We have always been accustomed to filing our renewal directly with the City of Fredericksburg and not via this new MGO system, which clearly caused this issue.

My wife filed the renewal via the MGO system for the 210 E. Schubert property address but didn't realize we needed to file a permit renewal for both properties, Unit A and Unit B, at the same address at 9:54am on November 20th (only Unit A apparently). We assumed the STR renewals were being processed because of her efforts on November 20th but that doesn't appear to be the case. (see attached screenshots). There are clearly issues and glitches with the system itself since the permits were denied at 4:33am on Nov. 20th when we didn't submit the renewal until later that morning at 9:54am. We never received any notifications from MGO Connect that there was an issue or problem with this processing, so we naturally assumed our renewals were being processed. This was a new technology for us, which we didn't know how to properly navigate but we had no reason to believe our permits were not in the renewal phase.

We were informed in May 2025 that an invoice had been submitted in November to my email address, which I never received. The invoice was apparently autogenerated for a \$700 renewal fee, which we subsequently paid as soon as we heard about this (receipt

attached). Again, this was in May 2025 and unfortunately our STR permit had expired. The only reason we knew our STR permit had expired is because we were trying to schedule an STR inspection to stay current on new "night sky" lighting regulations we heard about through our local property manager, and we wanted to stay compliant with city ordinances. The city accepted the \$700 STR renewal payment from us but then cancelled the scheduled inspection. This is how we found out our permits were no longer active.

We have always done our best to maintain the property, to run an AirBnB property that the city of Fredericksburg would be proud of and have always sought to pay every quarterly HOT Tax on time, even with several changes to the payment system (Avenue insights, another temporary portal (Granicus sp.?, My Government online, directly with Derrick at the city and now via). We are including our most current HOT tax payment details but have the records for the past 4 years. We have never received a notification that our HOT taxes are due, but we have done our best to support this city in this way by being current on our HOT tax. Unfortunately, the technology used by the city for various STR related activity has not been easy to navigate for owners who do not deal with this daily.

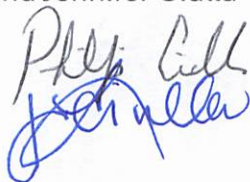
As mentioned, this has been an extremely trying and difficult situation for us. We purchased the property because of our love for Fredericksburg, the citizens and what the town represents. It has been an honor to be part of the business community via our STR, which we planned to continue until we can retire to the property in another 8-10 years. Not having the STR permit active has been an enormous financial burden for us and will significantly impact the value of our property. We have been very proactive with the city staff to rectify this as soon as possible and have followed the re-submission and appeal process as we understand it. We hope you understand our situation and will work with us to reinstate both of our STR permits to their previous active status. Please let us know if there is anything else we can do to assist.

Thank you so much for your efforts here and should you elect to reinstate our STR permits, rest assured this situation will never happen again if it is in our control. Your effort is truly appreciated by me and my wife.

We look forward to hearing from you soon.

All the best,

Phil and Jennifer Ciulla





The City of
Fredericksburg

Short-Term Rental Permit

Issued:	March 6, 2024	Permit Expiration Date:	September 30, 2024
Issued To:	PHILLIP CIULLA DOPPELHAUS	Permit No.:	8056001587
Address:	210 E SCHUBERT ST UNIT B FREDERICKSBURG, TX 78624	Permit Type:	STR - Nonconforming Facility
Phone No.:	830-998-9478	Zoning District:	R2
Contact:	EMMA GARCIA	Occupancy Limit:	6
		Management Company:	BEAUTIFUL HOUSE MANAGEMENT

This permit has been issued according to the requirements of the City of Fredericksburg Code of Ordinances relating to Short-Term Rental use.

Permit holders are responsible for compliance with all applicable laws, rules, and regulations pertaining to the use of the Short-Term Rental Unit. Guests must adhere to the rules for violations of this article (see House Rules).

Occupancy Taxes must be filed quarterly in order to maintain a valid permit.

THIS PERMIT MUST BE POSTED.

Certificate emailed . Questions regarding this permit should be addressed to the Development Services Department of the City of Fredericksburg (830) 997-7521
City Hall - 126 W. Main St., Fredericksburg, TX 78624

(No subject)

From Jennifer Ciulla <jennifer@jenniferciulla.com>

Date: Fri 5/30/2025 4:10 PM

To: Jennifer Ciulla <jennifer@jenniferciulla.com>

HOT TAX

Q1-2025



05/12/2025

\$670.11

PURCHASE

AUTHORIZED ON 05/08

CITY OF FREDERICKS

830-997-7521 TX

S385128561129659

CARD 1781

Jennifer Ciulla



City of Fredericksburg
126 W Main Street
Fredericksburg, TX 78624
(830) 997-7521

Success

01/20/2025 11:49 AM MT

Jennifer Ciulla

Confirmation Number: 220849699

FB - 7% Hotel Occupancy Tax

\$1288.45

Total

\$1288.45

Pay Method: Bank ****1534

An email receipt was sent to: paisanpc@yahoo.com

Powered By: **xpress** BILL PAY

394027313



City of Fredericksburg
126 W Main Street
Fredericksburg, TX 78624
(830) 997-7521

Success

Here is your receipt.

08/05/2024 7:57 AM

Phillip Ciulla

Confirmation Number: 206630456

FB - 7% Hotel Occupancy Tax	\$1604.23
Total	\$1604.23

Pay Method: WELLS FARGO BANK **** 1534

An email receipt was sent to: paisanpc@yahoo.com

Powered By: **xpress** BILL PAY



PC

Phillip & Jennifer Ciulla
jennifer@jenniferciulla.com

Current Jurisdiction:
Fredericksburg



Overview



Contacts



Tasks

Fees



Docs



Comments

Project Status Lost

8056001588

Balance

Paid

\$700.00

Due

\$0.00

Fees

Payments

Online

05/06/2025 12:00 AM

Paid By

Phillip & Jennifer Ciulla

Print Receipt

Associated Type

Short Term Rental

\$700.00

Total

\$700.00

(No subject)

From: Jennifer Ciulla <jennifer@jenniferciulla.com>
Date: Fri 5/30/2025 4:14 PM
To: Jennifer Ciulla <jennifer@jenniferciulla.com>

Request #2526004 Denied

[Open](#)

Address

210 E SCHUBERT ST Fredericksburg
TX 78624

Jurisdiction

Fredericksburg

Request Type

Short Term Rental Renewal Application

Submitted Date

11/20/2024 09:54 AM

Created Date

11/20/2024 09:54 AM

Last Comment From Jurisdiction

Application Denied: Unit B needs to be
submitted permit number 8056001587

[Remove](#)

Jennifer Ciulla

(No subject)

From Jennifer Ciulla <jennifer@jenniferciulla.com>
Date Fri 5/30/2025 4:09 PM
To Jennifer Ciulla <jennifer@jenniferciulla.com>

Request

2526004

Denied

Date

Author

20/11/2024

Tyler Debish

04:33 AM

Comment

**Application Denied: Unit B needs to be
submitted permit number 8056001587**

Jennifer Ciulla



Address

210 E Schubert

May 06, 2020

Job Type
Consult

Permit Number
664660 664662

Contractor
PHILLIP CIULLA

Residential General Inspection Inspection

Pass

Inspection Point

General Inspection

Reference

Consult

Status

Pass

Inspected by Kyle Staudt

.PAISANPC@YAHOO.COM>]

Fbg Development Services Dept <mailman@email.pulleyweb.com>

Wed, Nov 18, 2020 at 2:05 PM

Development Services Department recently performed the inspection below.

Address: 210 E Schubert

Inspection: Residential General Inspection

Status: Pass

Please view the report at <https://dsa.cityoffbg.com/report/65cd2ff9-b6f7-41e0-82f2-5d520d183a85/>

Thank you.

Expired STR permit RENEWAL NEEDED ASAP

TD

Tyler Baethge

To PAISANPC@YAHOO.COM

😊

↩ Reply

↩ Reply All

➡ Forward

⋮

Fri 11/1/2024 2:41 PM

MGO RENEW 24.docx

20 KB

▼

Dear STR owner,

Your STR permit has expired and needs to be renewed as soon as possible to avoid losing the permit.

Please reach out with any questions.

Regards,

Tyler Baethge
Short Term Rental Specialist



126 W. Main Street
Fredericksburg, TX 78624
Office: (830) 997-7521 | Direct: (830) 990-2028 | tbaethge@fbgtx.org

City Mission: We're leading with integrity while providing the best customer services to our community.



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: July 15, 2025

CATEGORY: CITY MANAGER'S REPORT

CAPTION: Update on Flood Recovery Efforts - Lynn Bizzell & Frank Stead, Fire Department

PRESENTATION:
[PRESENTER_NO_BR]

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

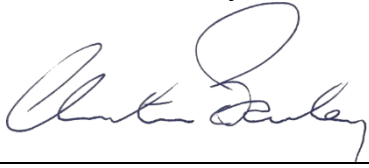
ATTACHMENTS:

None

APPROVAL/REVIEW:

Date: July 10, 2025

Leticia Vacek, City Secretary

A handwritten signature in blue ink, appearing to read "Clinton Bailey", written over a horizontal line.

Clinton Bailey, City Manager

Date: July 10, 2025



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM:

MEETING DATE: July 15, 2025

CATEGORY: ITEMS FOR FUTURE AGENDA

CAPTION: Review the Items for Future Agendas and Upcoming Meetings with the City Council.
(Leticia Vacek, City Secretary)

PRESENTATION:
[PRESENTER_NO_BR]

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality

Workforce

Tourism

City Center

Mobility

Small Town Sensitive Growth

Governance

ATTACHMENTS:

1. Future Agenda Items List 7-15-2025

APPROVAL/REVIEW:



Leticia Vacek, City Secretary

Date: July 07, 2025



William McKamie, City Attorney

Date: July 07, 2025



Clinton Bailey, City Manager

Date: July 07, 2025

City Council Future Agenda Items/Meetings

August 5, 2025 Council Meeting

Aug 5, 2025 – Ladder Truck for Fire Department

Lynn Bizzell, Fire Chief

Aug 5, 2025 – Recognition of Marty Kaderli (20+ yrs on MSRC & Food & Wine Fest)

Andrea Schmidt, Parks/Rec Director

Aug 5, 2025 – Presentation of Proposed Tax Rates for 2026

Krista Wareham, Finance Director

Aug 5, 2025 – ORD establishing School Speed Zone on Friendship Lane

Evan Williamson, Asst Director PW/Utilities

Future Agenda Items/Future Council Meetings

Aug 19th – Agreement w/FISD Juvenile Case Manager Program

Judge Becker, Municipal Court

Aug 19th – Agreement w/FISD City Yard Use for Evacuation Purposes

Kris Kneese, Public Works/Utilities Director

Future – Prof Serv Contract for N. Llano Waterline Design/Engineering

Kris Kneese, Public Works/Utilities Director

Upcoming Meetings/Events

July 22, 2025 – Citizens University – 6pm @ City Hall East Campus, Presenter: Cliff Cross, Development Services Director

August 7, 2025 – Joint Council/County Commissioners Budget Workshop – 9am (Location TBD by County)

August 21, 2025 – City Council Budget Workshop (Time and Location TBD)



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: July 15, 2025

CATEGORY: EXECUTIVE SESSION

CAPTION: Consider and discuss the appointment, reappointment, or reassignment of City Board/Commission members to fill vacancies on the Historic Review Board, Planning & Zoning Commission, and Zoning Board of Adjustment - Texas Government Code Section 551.074. (Leticia Vacek, City Secretary)

PRESENTATION:
[PRESENTER_NO_BR]

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

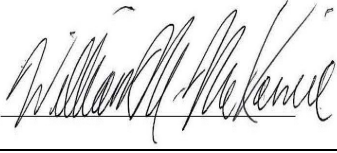
COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Governance

ATTACHMENTS:
None

APPROVAL/REVIEW:

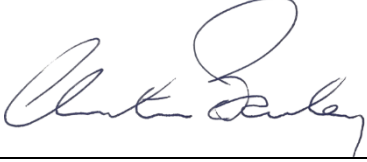
Leticia Vacek, City Secretary

Date: July 07, 2025



William McKamie, City Attorney

Date: July 09, 2025



Clinton Bailey, City Manager

Date: July 09, 2025



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Manager
TO: Mayor & City Council Members
FROM: Garret Bonn, Assistant City Manager
MEETING DATE: July 15, 2025

CATEGORY: EXECUTIVE SESSION

CAPTION: Legal Matters Update - Texas Government Code Section 551.071 (Alicia Kreh - TOASE)

PRESENTATION:
[PRESENTER_NO_BR]

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:

None

APPROVAL/REVIEW:

Date: July 07, 2025

Clinton Bailey, City Manager



Date: July 07, 2025

Garret Bonn, Assistant City Manager



Date: July 07, 2025

William McKamie, City Attorney



Date: July 07, 2025

Leticia Vacek, City Secretary



Date: July 07, 2025

Clinton Bailey, City Manager