City of Fredericksburg

Planning and Zoning Meeting Agenda
Wednesday, September 3, 2025 ~ 5:30 PM
New City Hall at East Campus
2818 E. U.S. Hwy. 290
Fredericksburg, Texas 78624

Janice Menking, Chair
Tim Dooley, Member
Jim Jarreau, Member
Belinda McDonnell, Member
George Hager, Member
Tom Musselman, Member
Tyler Pansing, Member
Sondra Sultemeier, Member

The City of Fredericksburg Planning and Zoning Commission will meet in a regular session on September 3, 2025 at 5:30PM. Link to City of Fredericksburg agenda webpage to watch video of the meeting.

Written Comments: to be submitted remotely:

1. Must be received by 2 p.m. on September 3, 2025.
2. Complete the Citizen Comment Form online at www.fbgtx.org; or
3. Email your comments to jmusgrove@fbgtx.org

Verbal Comments:
Sign up in-person between 5:00 p.m. and 5:30 p.m. New City Hall at East Campus 2818 E. U.S. Hwy. 290, Fredericksburg, Texas 78624
You will be limited to 3 minutes to speak.

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1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

A. August 6, 2025, Regular Meeting Minutes

4. PUBLIC HEARING

5. ACTION ITEMS

A. **Request Z-2513 (Old Business):** By P.V. McMinn with Nuvista Development LLC, to reconsider 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.

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

B. **Request Z-2514:** By Stuart Barron to Consider the Following:

A. A Land Use Change from High Density Residential/Commercial Center (HDR/CC) for Property Located at 514 Friendship Lane and Identification Numbers 183782 & 30276.

B. A Zoning Change from C1.5, Medium Commercial to C2, Commercial for Property Located at 514 Friendship Lane and from C1, Neighborhood Commercial to C2, Commercial for Identification Numbers 183782 & 30276.

i Presentation by the Applicant
ii Presentation by the Staff
iii Hold Public Hearing
iv Take Action on the Land Use Change
& v Take Action on the Zoning Change

C. **Request Z-2517:** By Itz Family, L.P. to Consider the Following:

A. A Land Use Change from Low Density Residential (LDR) to Commercial (C) (General Commercial Place Type) for 104 North Olive.

B. A Zoning Change from R1, Single Family Residential to C2, Commercial for Property Located at 104 North Olive.

i Presentation by the Applicant
ii Presentation by the Staff
iii Hold Public Hearing
iv Take Action on the Land Use Change
v Take Action on the Zoning Change

D. **Request Z-2516:** By Create Healthy, to Consider a Conditional Use Permit (CUP), Per Section 6.110 (Continuance of a Nonconforming Use) and further consideration of a Site Plan and Entry Corridor Application to accommodate a proposed 49,471 square foot addition/renovation to the existing legal nonconforming Personal Improvement Services and Indoor Sports and Recreation Center at 1006 South State Highway 16.

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

E. **Request P-2416:** - Review and potential action on an amended Final Plat for the Chick-Fil-A Subdivision Located on the South East Corner of HWY 87 and Friendship Lane to include approval of a potential lot split of Lot 1AR-2 and

incorporate an integrated business sign to serve the commercial lots.

6. DISCUSSION ITEMS

A. Director's Report

7. ADJOURN

CERTIFICATION

This is to certify that I, Jan Musgrove, posted this Agenda at or before 4:30PM on August 27, 2025, on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.

Jan Musgrove

Jan Musgrove
Planner 1

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

PLANNING & ZONING COMMISSION
MEETING MINUTES
August 6, 2025, 5:30 P.M.

On the 6th day of August 2025, the Planning and Zoning Commission convened in Regular Session at the New City Hall at East Campus 2818 E. U.S. Hwy. 290, Fredericksburg Texas with the following members present to constitute a quorum:

PRESENT:	JANICE MENKING TOM MUSSELMAN JEFF LAWRENCE TIM DOOLEY BELINDA MCDONNELL JIM JARREAU TYLER PANSING GEORGE HAGER SONDRA SULTEMEIER
ABSENT:	
ALSO, PRESENT:	CLIFF CROSS – Director of Development Services JAN MUSGROVE – Planner I EVAN WILLIAMSON– Staff Engineer MICK MCKAMIE – Legal Counsel

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

NEW BOARD MEMBERS WERE SWORN IN BY CITY SECRETARY, LETTY VACEK

The meeting began with the swearing in of three new board members: Tyler Pansing, Sondra Sultemeier, and George Hager. Janice Menking extended a warm welcome to the new board members and expressed gratitude for their willingness to serve the community. Additionally, she acknowledged the contributions of the outgoing members, Polly Rickard, Cindy Scroggins, and Daryl Witworth thanking them for their dedication and service to the board.

ROLL CALL: A quorum was present.

APPOINTMENT OF VICE CHAIR

The board appointed former Mayor and Councilmember Tom Musselman as the new Vice-Chair. The motion was made by Tim Dooley and Seconded by Jeff Lawrence; it was approved unanimously.

5:33PM - Janice Menking and Sondra Sultemeier recused themselves from the Dias.

Z-2513 - (Old Business): By P.V. McMinn with Nuvista Development LLC, to reconsider 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.

Applicant Presentation:
PV McMinn Jr. from NewVista Development LLC presented a reconsideration of a site plan and conditional use permit (CUP) for a condominium and townhome project at 1032 S Milam St, Keller Oaks. The project had previously been tabled by City Council. PV McMinn addressed the historical significance of an old house on the property, stating that while there were some historical components, the house was dilapidated and beyond recovery. He emphasized that the house was not within an identified historic district and had not been designated as a historic landmark. He discussed apprehension about the impact of the project on a neighboring retaining wall. He stated that the retaining wall was on the Windcrest property and not on the project site. He also mentioned that NewVista had offered to grant Windcrest an easement to inspect and repair the wall if necessary.

Staff Review:
Cliff Cross, the Director of Development Services, reviewed the project and confirmed that it met most of the code requirements, except for the length of the cul-de-sac. Cross identified the length of the cul-de-sac as a significant issue. He explained that the code limits the length of cul-de-sacs to 500 feet for single-family homes, and the proposed cul-de-sac exceeded this limit. He suggested that the applicant might need to reroute the right of way to reduce the cul-de-sac length to comply with the code. He highlighted that the project exceeded the minimum requirements in several areas, including lot sizes and parking. He mentioned that he had toured the property with Mr. McMinn and Mr. Kusenberger, realtor for the development. He declared that the existing home on the site was in very bad shape and that it did not appear to have any historical significance.

5:46PM - Public Hearing:
Several members of the public, including Ron Wolhoff, Charles Quindry, and Marlene Pylate, expressed their concerns about the project's impact on the Windcrest community, including the safety of a retaining wall, potential damage from construction, and mistrust of the developer. Marlene Pylate expressed mistrust towards the developer, PV McMinn Jr., citing previous instances where commitments were not honored. She mentioned that the developer had assured the community that certain parking spaces would be moved, and a greenbelt would be maintained, but these commitments were not fulfilled.

Rebuttal from Mr. McMinn:
Mr. McMinn approached the podium to respond to the concern of the neighboring community of Windcrest. He stated that there would be no blasting and a 20-foot buffer between Keller Oaks and the retaining wall. He specified that he would be willing to relocate the parking so that it was not as close to the neighboring homes and that he wanted a friendly relationship. The development would increase the tax base for Fredericksburg, and he emphatically stated that the threat of building apartments on the property had never occurred.

5:57PM - Public Hearing Closed

Discussion:
The Planning and Zoning Commission discussed the project's compliance with the comprehensive plan, parking requirements, building height, and safety concerns. Several board members, Tim Dooley, Tom Musselman and Jeff Lawrence emphasized the need for clear documentation and verification of these aspects in the final site plan. Safety concerns were a significant part of the discussion, particularly regarding the length of the cul-de-sac and the potential impact on the Windcrest community. The board stressed the importance of addressing these concerns before moving forward with the project.

Jeff Lawrence also asked if STR's could be prohibited. They all reiterated the need for a review by the current Director of Development Services and not a review from a previous staff member. The board decided to table the item so that staff could review. They requested a clean version of the packet, including all necessary documentation and verification, to be brought back for review at the September P&Z meeting.

Jim Jarreau made a motion to return to staff, item Z-2513. Tim Dooley seconded the motion.

Roll Call Vote: Tim Dooley-Aye Tom Mussleman- Aye Belinda McDonnell- Aye

Tyler Pansing-Aye Jeff Lawrence-Aye Sondra Sultemeier-Recused George Hager-Aye

Janice Menking – Recused **Vote carried 7-0**

Janice Menking and Sondra Sultemeier returned to the dais at 6:26PM

Jeff Lawrence recused himself from the dais

Request Z-2514: By Stuart Barron to Consider the Following:

A. Land Use Change from Commercial Center/Commercial to Medium Density Residential for Property Located at 514 Friendship Lane.

B. A Zoning Change from C1.5, Medium Commercial to C2, Commercial for Property Located at 514 Friendship Lane

Applicant Presentation:
Stuart Barron presented a request to rezone the property at 514 Friendship Lane from C 1.5 to C2. He explained that the change would better align with the surrounding properties and the future land use plan.

Staff Review:
Cliff Cross reviewed the application and noted that there would not be a change in land use as this was a commercial zone and it should have compatible land use, land use would remain as commercial. The surrounding properties include C2, Commercial to the North, South and West

as well as Public Facilities to the East. There is C1.5 to the southeast across Friendship Lane. Staff recommend 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.

Discussion:
Tom Mussleman had concerns about the potential for spot zoning, noting that the rezoning could create an isolated commercial zone. They recommended that staff contact the neighboring property owner to consider a similar rezoning to maintain consistency in the area.

Jim Jarreau made a motion to approve the zoning change from C1.5 to C2 and to withdraw the land use change, maintaining the commercial land use. Tom Musselman seconded the motion. All voted Aye (except Jeff Lawrence) and the motion carried.

Jeff Lawrence returned to the dais.

Action Items:
SP-2506: By Fredericksburg Racquet Center to consider and take action on the Site Plan for the proposed Racquet Ball Complex located 780 ft East of the Friendship Lane Hwy 87 South Intersection. Also referred to as G.E. CO#27.

Applicant Presentation:
Julie Alvarez and Mark Cornett presented the site plan for the Fredericksburg Racket Center, which includes 12 pickleball courts, 6 tennis courts, a concrete walking trail, and a playground. The center aims to address the top recreational needs identified in the Parks Master Plan Survey. The walking trail will be ADA compliant, ensuring accessibility for all users. The project will be developed in phases, with phase one including the construction of the tennis courts, pickleball courts, and walking trail and a public playground. Future phases will include an indoor facility, stadium courts, and a clubhouse.

Staff Review:
Cliff Cross explained that the City currently owns the property and obtained a land use change from Medium Density Residential to Public/Semi-Public and a rezoning from R1, Single-Family Residential to PF, Public Facilities for the approximate 8.91-acre site on July 15, 2025. The land use and rezoning request appeared before the P&Z Committee on July 2, 2025, and was recommended for approval to City Council. The applicant is coming before the P&Z Committee to obtain approval for the project site plan to move forward with permitting and construction**.**

Staff were comfortable with its concept and would recommend approval contingent upon the following:
1. Confirmation of impervious surface ratios, building ratios, and landscaping requirements during the permitting process.
2. Engineering Approvals Required Prior to Permitting
3. Submission of civil construction plans will be required for this project
4. Site must comply with the City’s stormwater control ordinance.

5. Please add dimension to parking spaces and drive aisles on site plan. Parking spaces and driving aisles shall comply with Section 7.860 of the City's Code of Ordinances.
6. Please show ADA spaces on site plan
7. Please show existing utilities and proposed utility connections on site plan including fire hydrant locations.
8. Please show sight visibility triangles at entry off Friendship Ln.
9. Please show impervious cover calculations
10. Ensure proper dedications for the future extension of Sunrise St

Discussion:
A brief discussion regarding the importance of parking and accessibility for the project. The site plan includes 154 parking spaces, which exceeds the minimum requirements. Sondra Sultemeier asked what the first phase would comprise of.

Julie Alveraz replied that the walking trail and the playground would be in Phase 1.

Jim Jarreau made amotion to approve the Site Plan with staff recommendations.

Belinda McDonnell seconded the motion, all voted Aye, and the motion carried.

SP-2507: Kim Erwin to consider the Site Plan renewal of the existing Site Plan and Entry Corridor approval for the proposed STR Facility Complex that includes a tasting room and office use at the property located at 715 S. Washington.

Applicants Presentation:
Brandon Weinheimer with SKT Architects requested a renewal of the site plan for an STR facility at 715 S Washington. He mentioned that the project would be phased and that the first phase would consist of the Tasting Room and that the STR units would be in Phase two.

Staff Review:
The applicant is requesting a renewal of the previously approved Site Plan and Entry Corridor application for a STR-Facility that includes seven efficiency units and 1, 1-bedroom unit for a total of 8 STR units on site. The development will include approximately 1,890 sq ft of Professional Office space and 1,398 sq ft of Cocktail Lounge/Tasting Room space. The original Site Plan and Entry Corridor was approved in July 2023 subject to conditions identified within the staff recommendation.

Staff recommend approval of the Site Plan with the following conditions:
Approved Final Plat (property has never been plated)
Approved Addressing Plan
Approved Landscape Plan
Approved Civil Construction Plans
Approved TXDOT Driveway Permit

Discussion:
Sondra Sultemeier asked if the STR units would need to obtain STR permits.

Cliff Cross responded that the units would need to obtain individual STR permits and go through the STR permitting process.

Jim Jarreau made a motion to approve the extension of the Site Plan for 1 year and staff recommendations.

Tom Mussleman seconded the motion. All voted Aye and the motion carried.

SP-2509: An extension of the site plan for the Verandas at Frieden Subdivision.

Staff Review:
Cliff Cross explained that this was a request to renew a previously approved Site Plan for the Multi Family development of the Verandas at Frieden.

Discussion:
The board asked if there were any changes to the submitted Site Plan. The applicant responded that there were not.

Jim Jarreau made a motion to approve the site Plan for another two (2) years.

Jeff Lawrence seconded the motion. All voted Aye and the motion carried.

SP-2511: By Gulf Ranch to consider and take action on the Site Plan approval for the proposed Restaurant at the property located at 204 S. Adams Street.

Applicants Presentation:
Jesse Barter stated that he was asking for approval of the Site Plan for the new Restaurant that he intends to construct on the lot.

Staff Review:
Cliff Cross stated that the proposed use of the property as a Restaurant is appropriate given the surrounding uses and existing zoning. The uses throughout the area consist of a mixture of commercial, service and institutional uses.

Based upon review of the plan staff would recommend approval contingent upon the following:
Approved Civil Construction Plans
Approved TXDOT Driveway Permit

Discussion:
After a brief discussion, the board has questions about parking and if the restaurant would be serving lunch and dinner.

Jesse Barter responded that they would be serving lunch and dinner and that the menu would be centered around fresh non-fried seafood.

Jim Jarreau made a motion to approve the item with staff recommendations.

Tim Dooley seconded the motion. All voted Aye and the motion carried.

P-2519: By Zoe Jasso to consider and take action on the Final Plat approval for the proposed Phase 3 of The Friendship Oaks Subdivision located East of the US87 and S. Creek Street Intersection

Applicants Presentation:
Josh Kelsey was present to answer questions from the Board.

Staff Review:
An application has been submitted for the review of the Final Plat approval for Phase 3 of the Friendship Oaks Subdivision Development. The subject property consists of approximately 27.60 acres and was previously approved as Phase III of the phased Friendship Oaks Subdivision development. Phase III of the development consists of 120 Residential Lots, 1 Open Space Lot, 1 Open Space/Utility Lot and 2 Drainage & Utility Lots. The underlying zoning for the subdivision development is R1A, Single-Family Residential - Small Lot.

The application was reviewed for conformity with all applicable regulations, including the approved Phasing Approval and Sec. 4.05. After review by the Development Review Committee (DRC) Staff have the following recommendations:

Staff recommends approval of the Final Plat application with the following conditions:
• Approval of Final Construction Prior to Residential Permitting
• Payment of Park Dedication fees

Jim Jarreau made a motion to approve with staff recommendations.

Tom Musselman seconded the motion. All voted Aye and the motion carried.

Director's Report:
Cliff Cross discussed the upcoming special meeting with the Board in the John Klein room on September the 23rd, from 9am to 10am approximately and asked the Board to save the date. He stated that the special meeting would revolve around the development of the Unified Development Code (UDC) and that he was currently working on an RFQ that he hoped to have finalized soon. He also mentioned finding some funding and grant opportunities to help fund the UDC.

He briefly touched on the need of the Commission to move some "use by right" categories to move over to requiring a CUP in the CBD zone and that he would work on developing and present recommendations for addressing alcohol license saturation and related uses in certain zoning districts, including possible conditional use permit requirements and distance separations.

Approval of Minutes:

Tom Mussleman made a motion to approve the minutes with corrections for the July 2nd meeting. Jeff Lawrence seconded the motion. All voted Aye and the motion carried unanimously.

ADJOURN

With nothing further to come before the Commission, the meeting adjourned at 7:57 PM.

PASSED AND APPROVED on the 3rd day of September 2025.

JAN MUSGROVE, Planner I

JANICE MENKING, Chair

PLANNING AND ZONING COMMISSION AGENDA MEMO

DEPARTMENT: Development Services
TO: Planning and Zoning Commission
FROM: Cliff Cross, Director of Development Services
MEETING DATE: September 3, 2025 **SECTION:** ACTION ITEMS **ITEM:** A.

CAPTION: Request Z-2513 (Old Business): By P.V. McMinn with Nuvista Development LLC, to reconsider 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.

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

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 P&Z Committee recommended denial during their July 2, 2025 meeting and the request appeared before City Council on July 15, 2025. The City Council reviewed the application and took action to send the item back to P&Z for further review and consideration during the August 6, 2025 P&Z meeting.

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.

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.

BACKGROUND: **Note:** *New Staff Comments are represented in Italics*

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.

In further reviewing the siteplan staff has identified that the parking requirements for the Keller Place Professional office Building is required to be at a 1 Per 400 ratio to accommodate the professional office use (Table 7.863). Future parking ratios would be considered upon any individual use that would occupy the office building. However, in reviewing the permitted uses, within the C-1 underlying district, the most restrictive ratio appears to be at a 1-300 ratio resulting in a potential minimum requirement of 1 per 300 at 19,000 sq ft equaling the need for 64 spaces. The applicant is proposing 71 spaces which exceeds the potential minimum of 64 by 7 spaces and if the 1 per 400 is utilized it exceeds the minimum required by approximately 23 spaces.

In reviewing the parking, associated with the condominium development, the siteplan shows 4 buildings with 8 dwelling units per building. The total number of units identified is 32 units and based upon staff's understanding each unit consists of a two-bedroom unit the required parking ratio would be 1 space per bedroom plus 1 space per guest per unit totaling a required number of 96 spaces. The applicant has identified 116 spaces which exceeds the minimum required by 20 spaces. However, the applicant has further indicated the additional 20 spaces are intended to accommodate the 1 space per 5 occupants required for the community center, totaling a need for 10 spaces. Based upon that assumption, the proposal exceeds the required parking by 10 spaces and if the professional office use is the only permitted use occupying the office building, it exceeds the minimum required by approximately 33 spaces (Table 7.863).

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 acces, 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.

In reviewing Lot 1R-1 staff has reviewed the siteplan and for The Terraces professional office building the ratio is calculated in a similar manner to that of the Lot 1R2 professional office building. Specifically, the office building is proposed to be a 1 story 11,600 square foot structure. Based upon a 1 per 300 ratio the required number of spaces is 39 and if the ratio is 1 per 400 the required number is 29. The permitted uses are similar to those identified within the Lot 1R-2 professional office building. The applicant has identified 109 spaces for the site which greatly exceeds the minimum required by approximately 70-80 spaces.

In reviewing the required number of spaces for the 21 townhomes staff verified the required parking ratio is 2 spaces per dwelling unit plus 2 spaces per insufficient ROW if it exists. As a result, the total townhome development would require 4 spaces per unit, totaling 84 spaces. It is staffs understanding that each unit provides 4 onsite spaces meeting that requirement. As a result, no on-street (ROW) parking would be required to meet this requirement. The applicant has identified 107 spaces to serve the townhome development, which includes 84 onsite spaces and an additional 23 parallel offsite spaces.

In reviewing the parking ratios associated with lot 1R-1 the combination of office and townhome parking exceeds the minimum requirements by approximately 93-103 spaces.

***Parking Totals:** In summary, in reviewing the total combined parking for the development associated with Lots 1R-1 and 1R-2 the proposed parking appears to exceed the minimum requirements within a range of 116-136 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.

In reviewing the layout of the townhomes staff concurs that pedestrian safety and vehicular traffic flow should be considered as part of the site plan approval. In reviewing the proposed layout, of the townhome lots, the applicant has indicated that prior staff has advised that per 6.12 (Streets), Subsection G (Cul-de-Sacs) the 500 hundred feet / 15 foot requirement is not applicable. Specifically, the applicant has indicated that previous staff members have indicated this provision is only applicable to single-family residential detached developments requiring larger lot sizes. In reviewing the code the subdivision regulations define both a dwelling, single-family detached and dwelling, single-family (attached - townhouse). The two uses are specifically defined as the following per the subdivision regulations:

50.

Dwelling, Single Family (attached - townhouse)

A dwelling which is joined to another dwelling at one or more sides by a party wall or abutting separate wall, and which is designed for occupancy by one family and is located on a separate lot delineated by front, side and rear lot lines.

51.

Dwelling, Single Family (detached)

A dwelling designed and constructed for occupancy by one family and located on a lot or separate building tract and having no physical connection to a building located on any other lot or tract and occupied by one family.

Furthermore, in reviewing the zoning ordinance the code defines a townhouse lot, townhouse residential, single-family residential, site area, etc. Specifically, the definitions are as follows:

SINGLE FAMILY RESIDENTIAL

The use of a site for only one dwelling unit, other than a manufactured home.

SINGLE FAMILY RESIDENTIAL (ATTACHED)

A single family dwelling constructed as part of a series of dwellings, all of which are either attached to the adjacent dwelling or dwellings by party walls or are located immediately adjacent thereto with no visible separation. Included under this use category is townhouse and condominium.

SINGLE FAMILY (DETACHED)

The use of a site for only one dwelling unit, other than a manufactured home. This use also includes Short-term Rental, Accessory and Short-term Rental, B&B.

SITE

A tract or parcel of land, subdivided lot or lots, or parts thereof, or land acreage intended and suitable for development, which is a genuine part of the development; or the ground or area on which a building or buildings or a townhouse has been proposed to be built or has been built.

SITE AREA

The calculated area within the site.

Base Site Area. A calculated area defined as the Gross Site Area minus 25-year floodplain.

Gross Site Plan. An area defined as the total site area including easements, flood plains, waterways, ponds and any other area for preservation.

TOWNHOUSE GROUP

Two or more contiguous townhouses having common or abutting walls.

TOWNHOUSE LOT

That portion of the total development site or a townhouse residential use is intended for separate ownership as the location of a single townhouse and associated

private yard area.

TOWNHOUSE RESIDENTIAL

The use of a site for two or more townhouse dwelling units, constructed with common or abutting walls and each located on a separate ground parcel within the total development site, together with common area serving all dwelling units.

In reviewing the proposal if the applicant were to construct permitted single-family detached dwelling units based upon the permitted lot frontages of 70 feet the maximum number of homes and lots created could be 7 dwelling units. If developed within the R2 District the minimum lot frontages of 50 feet the maximum number would be two per buildable lot. In summary, the permitted number of townhomes, within a traditional 500 foot cul-de-sac, could be approximately 25 units.

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: e*stablish 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.A1.7 states: *Establish good neighbor nuisance regulations to address higher density and mixed-use issues, reserving separated land use for a limited number of uses.*

STAFF RECOMMENDATION:

In reviewing the application, the staff reviewed and referenced the C1 zoning ordinance, Conditional Use Permit Review and Evaluation Criteria as well as the Comprehensive Plan. As part of our review, staff believes the development, as proposed, would provide for safe internal pedestrian and vehicular traffic. In reviewing the concerns, pertaining to the proposed layout of Crestview Circle (which exceeds 500 ft in length), staff believe the original interpretation has merit in that section 6.12(G) would not be applicable and would only apply to single-family residential developments. Furthermore, staff has reviewed and confirmed that all dimensional requirements associated with the proposal meet the requirements of the applicable codes and ordinances. In addition, staff have approached the HRB with the applicable concerns pertaining to the existing structure on the property. In initial discussions and evaluation, the staff's understanding is that although it is an old structure, there has been no determination of historical significance.

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 could only recommend approval of the Conditional Use Permit if potential unfavorable impacts have been addressed. In reviewing the request, and evaluating all potential concerns and potential impacts, staff would recommend approval of the proposed Conditional Use Permit contingent upon the conditions identified during the September 3, 2025 meeting.

ATTACHMENTS:

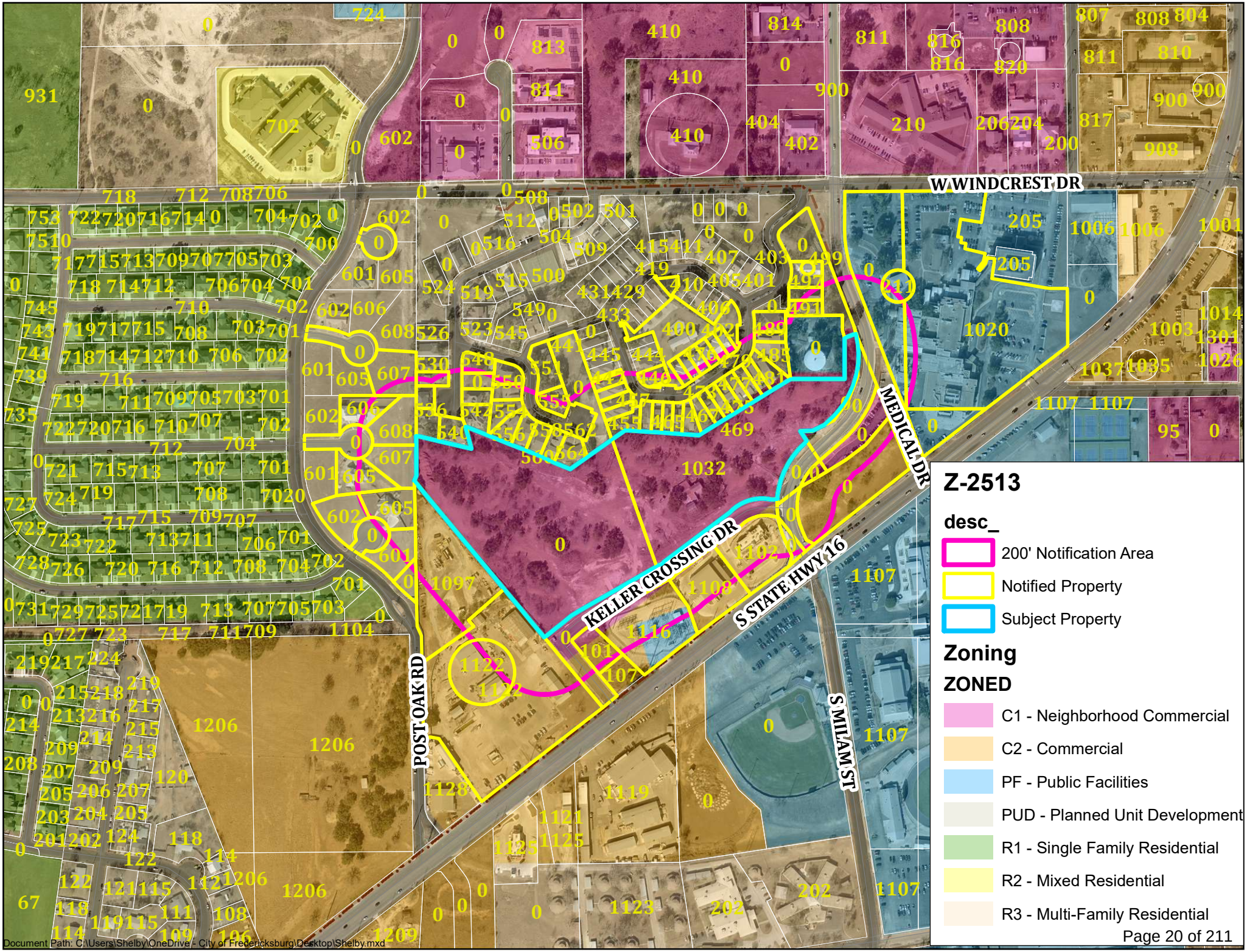
1. Z-2513 Public Hearing Map_Zoning (2)

2. Z-2513_ Review Comments_July Meetings
3. Z-2513_ SITE PLAN_cup - addressed.- 8 - 06162025
4. Z-2513_Keller Oaks CUP application
5. 2021 City Council Memo
6. PROTEST - QUINDRY
7. PROTEST - SULTEMEIER
8. PROTEST - WALLACE GRACE
9. Z-2513 - HOPKINS - PROTEST
10. Z-2513- SOULE - PROTEST
11. Z-2513_COLE-PROTEST_RECEIVED AFTER PACKETS WERE MADE
12. Z-2513_Donna Sanders - PROTEST_received after packets were produced
13. Z-2513_MONTGOMERY_PROTEST_RECEIVED AFTER PACKETS WERE MADE
14. Z-2513_PYLATE- PROTEST_RECEIVED AFTER PACKETS WERE MADE
15. Z-2513_SCHMIDT - PROTEST
16. Z-2513_WEINHEIMER-PROTEST
17. Z-2513-FLEURY - PROTEST - CAME IN AFTER PACKETS WERE MADE
18. Z-2513-FROST-PROTEST
19. Z-2513-GERO-PROTEST
20. Z-2513-LINDSAY-PROTEST-CAMEIN AFTER PACKETS WERE MADE
21. Z-2513-Patton_Metcalf-Protest - received after packets were made
22. Z-2513-ROESCH - PROTEST-RECEIVED AFTER PACKETS WERE MADE
23. Z-2513-RUTLEDGE-PROTEST
24. Z-2513-SPENEER- PROTEST_CAME IN AFTER PACKETS WERE MADE
25. Z-2518-HANNON-PROTEST

APPROVAL/REVIEW:

_____ Date: August 01, 2025

Cliff Cross, Director of Development Services


W WINDCREST DR
MEDICAL DR
KELLER CROSSING DR
S STATE HWY 16
POST OAK RD
S MAIN ST
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
Document Path: C:\Users\Shelby\OneDrive - City of Fredericksburg\Desktop\Shelby.mxd

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

- 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.

- 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

Jan Musgrove
Development Review Committee (DRC)

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*

HILLSIDE CONDOMINIUMS

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 ("HILLSIDE CONDOMINIUMS") ARE TO BE SITED ON THE NORTHWEST PORTION OF LOT 1R-2, EAST OF AND ADJACENT TO ALLEN KELLER COMPANY. THE BUILDINGS WILL BE 2 STORY, SINGLE FAMILY DWELLING UNITS. CONSTRUCTION WILL BE CONVENTIONAL WOOD FRAME WITH EXTERIOR FINISHES INCLUDING BUT NOT LIMITED TO STUCCO & LIMESTONE, ARCHITECTURAL PANELING, TRADITIONAL WOOD SIDING, GLASS, AND STANDING SEAM METAL AND SINGLE PLY (TPO) ROOFS.

ADDRESS: ..... 1032 SOUTH MILAM

LEGAL DESCRIPTION: ..... LOT NO. 1R-2, KELLER SUBDIVISION, SITUATED IN THE CITY OF FREDERICKSBURG , 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 CONDOMINIMS.*

LOT SIZE: ..... **7.23 AC .... (314,939 SF)**

MINIMUM SETBACKS: ..... **FRONT YARD** – 25 FEET ..... **PROPOSED:** 200 FEET TO EXISTING PROPERTY LINE
SIDE YARD – 5 FEET ..... **PROPOSED:** 10 FEET
REAR YARD – 15 FEET ..... **PROPOSED:** 40 FEET
ALL FRONT YARD, SIDE YARD, & REAR YARD SETBACKS WILL MEET OR EXCEED MINIMUM SETBACK REQUIREMENTS AS STIPULATED IN SEC. 7.610.

MAX BUILDING HEIGHT : ..... **3 STORIES**, 38 FEET ..... **PROPOSED:** 2 STORIES, 25 FEET

PARKING: ..... **REQUIRED:** 1 SPACE PER BR + 1 GUEST PER UNIT (3 x 32 = 96 SPACES) ..... **PROPOSED:** 116 SPACES – (20 SPACES AVAILABLE FOR COMMUNITY CANTER.)
ALL PARKING & DRIVEWAYS SHALL MEET OR EXCEED THE REQUIREMENTS AS STIPULATED UNDER SEC. 7.860

LIGHTING: ..... STREET LIGHTING SHALL BE FICTURES AS PROVIDED BY FREDERICKSBURG ELECTRIC DEPARTMENT. ANY OTHER LIGHT FIXTURES SHALL BE SELECTED FROM APPROVED IDA LIST AND WILL BE COMPLIANT WITH ARTICLE XV, OUTDOOR LIGHTING. THE REQUIRED QUANTITY AND LOCATION OF LIGHT FIXTIRES WILL BE PROVIDED WITH CONSTRUCTION DOCUMENTS.

DENSITY SUMMARY ***(by Bedrooms Per Unit)*:**

TOTAL LAND AREA - LOT 1R-2 ..... **314,939 SQ. FT.**

TYPE UNIT	# UNITS	REQ'D. SQ. FT. PER 2 UNIT	TOTAL REQ'D. AREA	% OF TOTAL LAND AREA
2 BEDROOM CONDO	32	3,500 =	2.87 AC. (112,000 SF)	35.56%

MAXIMUM DENSITY (*Sec.7.610.B.3*) : **REQUIRED:** 3,500 SF PER DWELLING UNIT x 32 UNITS = 112,000 SQ.FT. ..... **33.56% Density**

BUILDING COVER: ..... MAXIMUM **50%** (177,160 SF) ..... **PROPOSED:** 39,900 SF – **9.14%** of Total Land Area
CARPORTS ..... 4 EA. @ 3,200 SF ..... **PROPOSED:** 12,800 SF – **4.06%** " " "
TOTAL BUILDING COVER ..... **PROPOSED: 41,600 SF – 13.21%** " " "
PAVING & SIDEWALKS ..... **PROPOSED:** 60,566 SF – **19.33%** " " "
TOTAL COVER: **102,166 SF – 32.44%** of Total Land Area

IMPERVIOUS COVER: ..... **MAXIMUM 70%** (220,457.3 SF) .. **PROPOSED:** 162,166 SF - **32.44%**
Includes buildings, Carports & *All Paving*

LANDSCAPE & SCREENING: ..... LANDSCAPE WILL BE IN COMPLIANCE WITH ALL CODE REQUIREMENTS AS STIPULATED UNDER SEC. 7.940 & SEC. 7.960 . SOME EXISTING TREES THAT MUST BE REMOVED FOR DEVELOPMENT OF THE PROPERTY MAY BE TRANSPLANTED IF POSSIBLE. OTHERWISE, NEW TREES AND SHRUBERY WILL BE PLANTED TO COMPLETE THE LANDSCAPE AS REQUIRED TO MEET OR EXCEED CODE. A DETAILED LANDSCAPE PLAN WILL BE PROVIDED WITH CONSTRUCTION DOCUMENTS.
SCREENING WILL BE IN COMPLIANCE WITH CODE REQUIREMENTS AS STIPULATED UNDER SEC. 5.425. - SCREENING REQUIREMENTS AND STANDARDS.

SEE: COMPILATION BELOW
ALL USES LOT 1R-2 ..... BUILDING COVER; IMPERVIOUS COVER; PERVIOUS COVER; AND, LANDSCAPE.

PRIVATE COMMUNITY CENTER

PROJECT DESCRIPTION:

A PRIVATE COMMUNITY CENTER W/ SWIMMING POOL & TENNIS COURT TO BE AVAILBLE EXCLUSIVELY TO RESIDENTS OF KELLER OAKS 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.
THE BUILDING IS TO BE A ONE (1) STORY STRUCTURE CONSTRUCTED OF CONVENTIONAL WOOD FRAME OR STRUCTURAL STEEL. EXTERIOR FINISHES MAY INCLUDE BUT NOT LIMITED TO STUCCO & LIMESTONE, ARCHITECTURAL PANELING, TRADITIONAL WOOD SIDING, GLASS, AND STANDING SEAM METAL AND/OR SINGLE PLY (TPO) ROOF. ...

ADDRESS: ..... 1032 SOUTH MILAM

LEGAL DESCRIPTION: ..... LOT NO. 1R-2, KELLER SUBDIVISION, SITUATED IN THE CITY OF FREDERICKSBURG , 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 ..... **PROPOSED:** 280 FEET TO EXISTING PROPERTY LINE
SIDE YARD – 5 FEET ..... **PROPOSED:** 210 FEET
REAR YARD – 15 FEET ..... **PROPOSED:** 500 FEET
ALL FRONT YARD, SIDE YARD, & REAR YARD SETBACKS WILL MEET OR EXCEED MINIMUM SETBACK REQUIREMENTS AS STIPULATED IN SEC. 7.610. ...

MAX BUILDING HEIGHT : ..... **3 STORIES**, 38 FEET ..... **PROPOSED:** 1 STORY - 20 FEET MAXIMUM

PARKING / COMMUNITY RECREATION ..... **REQUIRED:** 10 SPACES (1 SPACE PER 5 PERSON CAPACITY) ..... **PROPOSED:** 20 SPACES
Per: *2015 IBC – CHAPTER 3 – USE & OCCUPANCY CLASSIFICATION SEC. 303.1.1 – ASSEMBLY GROUP "B" – SMALL BLDG'S USED FOR ASSY PURPOSES – OCCUPANT LOAD OF LESS THAN 50 PERSONS CLASSIFIED AS "GROUP "B" OCCUPANCY* ..... 20 CONVENIENT SURPLUS CONDOMINIUM PARKING SPACES AVAILABLE FOR COMMUNITY CENTER "GUEST PARKING PER SEC. _____. ALL PARKING & DRIVEWAYS SHALL MEET OR EXCEED THE REQUIREMENTS AS STIPULATED UNDER SEC. 7.860

LIGHTING: ..... STREET LIGHTING SHALL BE FICTURES AS PROVIDED BY FREDERICKSBURG ELECTRIC DEPARTMENT. ANY OTHER LIGHT FIXTURES SHALL BE SELECTED FROM APPROVED IDA LIST AND WILL BE COMPLIANT WITH ARTICLE XV, OUTDOOR LIGHTING. THE REQUIRED QUANTITY AND LOCATION OF LIGHT FIXTIRES WILL BE PROVIDED WITH CONSTRUCTION DOCUMENTS.

DENSITY SUMMARY:

TOTAL LAND AREA - LOT 1R-1 ..... **314,939 SQ. FT. / 7.23 AC**

BUILDING COVER: ..... **MAXIMUM 50%** (157,469 SQ. FT.) ..... **PROPOSED:** 3,620 SQ. FT . **- 1.15%** of Total Land Area

IMPERVIOUS COVER: ..... **PROPOSED: 301,066 SQ. FT - 95.6%** of Total Land Area
Total All Impervious Cover
Including Building, Pond, Deck, Tennis Court, & Sidewalks ..... **MAXIMUM 70%** (220,457 SQ. FT.) ..... **PROPOSED:** 10,253 SQ. FT - **3.26%** of Total Land Area

PERVIOUS COVER:

LANDSCAPE & SCREENING: ..... LANDSCAPE WILL BE IN COMPLIANCE WITH ALL CODE REQUIREMENTS AS STIPULATED UNDER SEC. 7.940 & SEC. 7.960 . SOME EXISTING TREES THAT MUST BE REMOVED FOR DEVELOPMENT OF THE PROPERTY MAY BE TRANSPLANTED IF POSSIBLE. OTHERWISE, NEW TREES AND SHRUBERY WILL BE PLANTED TO COMPLETE THE LANDSCAPE AS REQUIRED TO MEET OR EXCEED CODE.
A DETAILED LANDSCAPE PLAN WILL BE PROVIDED WITH CONSTRUCTION DOCUMENTS. .
SCREENING WILL BE IN COMPLIANCE WITH CODE REQUIREMENTS AS STIPULATED UNDER SEC. 5.425. - SCREENING REQUIREMENTS AND STANDARDS.

SEE: COMPILATION BELOW
ALL USES LOT 1R-2 ..... TOTAL BUILDING COVER; IMPERVIOUS COVER; PERVIOUS COVER; AND, LANDSCAPE.

THE COLLONADE – A PROFESSIONAL OFFICE BUILDING

PROJECT DESCRIPTION:

THE COLLONADE IS TO BE A CLASS "A", TWO-STORY, INDOOR GARDEN ATRIUM, OFFICE BUILDING WITH CUSTOM OFFICE SPACES TO BE DESIGNED PRIMARILY FOR MEDICAL PROFESSIONALS AND RELATED TENNANTS.
THE COLLONADE IS TO BE SITED ON THE SOUTH PORTION OF LOT 1R-2 W/ FRONTAGE ON KELLER CROSSING.
THE BUILDING IS TO BE CONSTRUCTED OF CONVENTIONAL WOOD FRAME OR STRUCTURAL STEEL. EXTERIOR FINISHES MAY INCLUD BUT NOT LIMITED TO TILT-UP AND/OR PRECAST CONCRETE, RANCH STEEL FRAMED CURTAIN WALLS WITH EXTERIOR FINISHES THAT MAY INCLUDE STUCCO & LIMESTONE, ARCHITECTURAL PANELING, GLASS, AND A STANDING SEAM METAL AND/OR SINGLE PLY (TPO) ROOF SYSTEM. ...

ADDRESS: ..... 1032 SOUTH MILAM

LEGAL DESCRIPTION: ..... LOT NO. 1R-2, KELLER SUBDIVISION, SITUATED IN THE CITY OF FREDERICKSBURG , 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 ..... **PROPOSED:** 65 FEET TO EXISTING PROPERTY LINE
SIDE YARD – 5 FEET ..... **PROPOSED:** 140 FEET
REAR YARD – 15 FEET ..... **PROPOSED:** 500 + FEET
ALL FRONT YARD, SIDE YARD, & REAR YARD SETBACKS WILL MEET OR EXCEED MINIMUM SETBACK REQUIREMENTS AS STIPULATED IN SEC. 7.610

MAX BUILDING HEIGHT : ..... **3 STORIES**, 38 FEET MAXIMUM ..... **PROPOSED:** 2 STORIES, 38 FEET MAXIMUM

PARKING: (1 SPACE PER 300 SQ. FT.) ..... **REQUIRED:** 19,000 SF = 63 SPACES ..... **PROPOSED:** 71 SPACES
ALL STANDARD & HANDICAP PARKING SPACES & DRIVEWAYS SHALL MEET OR EXCEED THE REQUIREMENTS AS STIPULATED UNDER SEC. 7.860

LIGHTING: ..... STREET LIGHTING SHALL BE FICTURES AS PROVIDED BY FREDERICKSBURG ELECTRIC DEPARTMENT. ANY OTHER LIGHT FIXTURES SHALL BE SELECTED FROM APPROVED IDA LIST AND WILL BE COMPLIANT WITH ARTICLE XV, OUTDOOR LIGHTING. THE REQUIRED QUANTITY AND LOCATION OF LIGHT FIXTIRES WILL BE PROVIDED WITH CONSTRUCTION DOCUMENTS

MAX BUILDING COVER: ..... **50%** (157,470 SQ. FT.) ..... **PROPOSED: 3.095%** (9,750 SQ. FT.)

MAX IMPERVIOUS COVER: ..... **70%** (220457 SQ. FT.) ..... **PROPOSED: 13.9%** (43,833 SQ. FT.)

LANDSCAPE & SCREENING: ..... LANDSCAPE WILL BE IN COMPLIANCE WITH ALL CODE REQUIREMENTS AS STIPULATED UNDER SEC. 7.940 & SEC. 7.960 . SOME EXISTING TREES THAT MUST BE REMOVED FOR DEVELOPMENT OF THE PROPERTY MAY BE TRANSPLANTED IF POSSIBLE. OTHERWISE, NEW TREES AND SHRUBERY WILL BE PLANTED TO COMPLETE THE LANDSCAPE AS REQUIRED TO MEET OR EXCEED CODE. A DETAILED LANDSCAPE PLAN WILL BE PROVIDED WITH CONSTRUCTION DOCUMENTS.
SCREENING WILL BE IN COMPLIANCE WITH CODE REQUIREMENTS AS STIPULATED UNDER SEC. 5.425. - SCREENING REQUIREMENTS AND STANDARDS.

SEE: COMPILATION BELOW
ALL USES LOT 1R-2 ..... ALL TOTALS FOR BUILDING COVER; IMPERVIOUS COVER (Including paved infrastructure), PERVIOUS COVER; AND, LANDSCAPE.

COMPILATION & GENERAL INFORMATION – LOT 1R-2

LOT SIZE - LOT 1R-1 - TOTAL ACREAGE ..... 7.23 AC (314,939 SF)

TOTAL BUILDING COVER (MAXIMUM 50%):

CONDOMINIUMS - 32,000 SF / COMMUNITY CENTER - 3,600 SF / THE COLLONADE – 9,750 SF..... 1.04 AC (45,370 SF) - **14.62 %**

TOTAL COMBINED DENSITY:

CONDOMINIUMS - 112,000 SF (BY Bedrooms)
COMMUNITY CENTER - 11,600 SF (By Footprint)
OFFICE BLDG – 19,500 SF (By Total Floor Area -2 Story)
Total Density ..... 3.29 AC (143,100 SF) - **45.44 %**

IMPERVIOUS COVER – PARKING LOTS & LANES, SIDEWALKS & PAVING:

PARKING LOTS, LANES & SIDEWALKS - 28,068 SF
COMMUNITY POOL, POOL DECK & TENNIS COURT – 4,013 SF
PARKING LOTS, LANES & SIDEWALKS - 24,333 SF
STREETS – HIGHLAND BLVD. & HIGHLAND TERRACE - 36,247 SF ..... 2.14 AC (93,161 SF) - **29.58 %**

TOTAL IMPERVIOUS COVER INCLUDING BUILDING COVER & CARPORTS: (MAXIMUM 70%) ..... 3.18 AC (138,531 SF) - **43.99 %**

TOTAL PERVIOUS COVER: ..... 2.46 AC (176,408 SF) - **56.01 %**

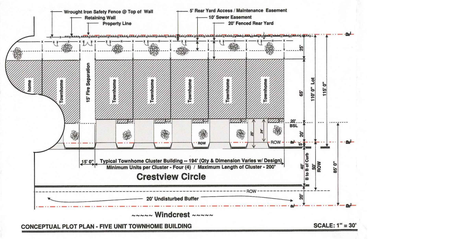
TOTAL LANDSCAPE AREA: ..... 2.46 AC (176,408 SF) - **56.01 %**

GENERAL INFORMATION:

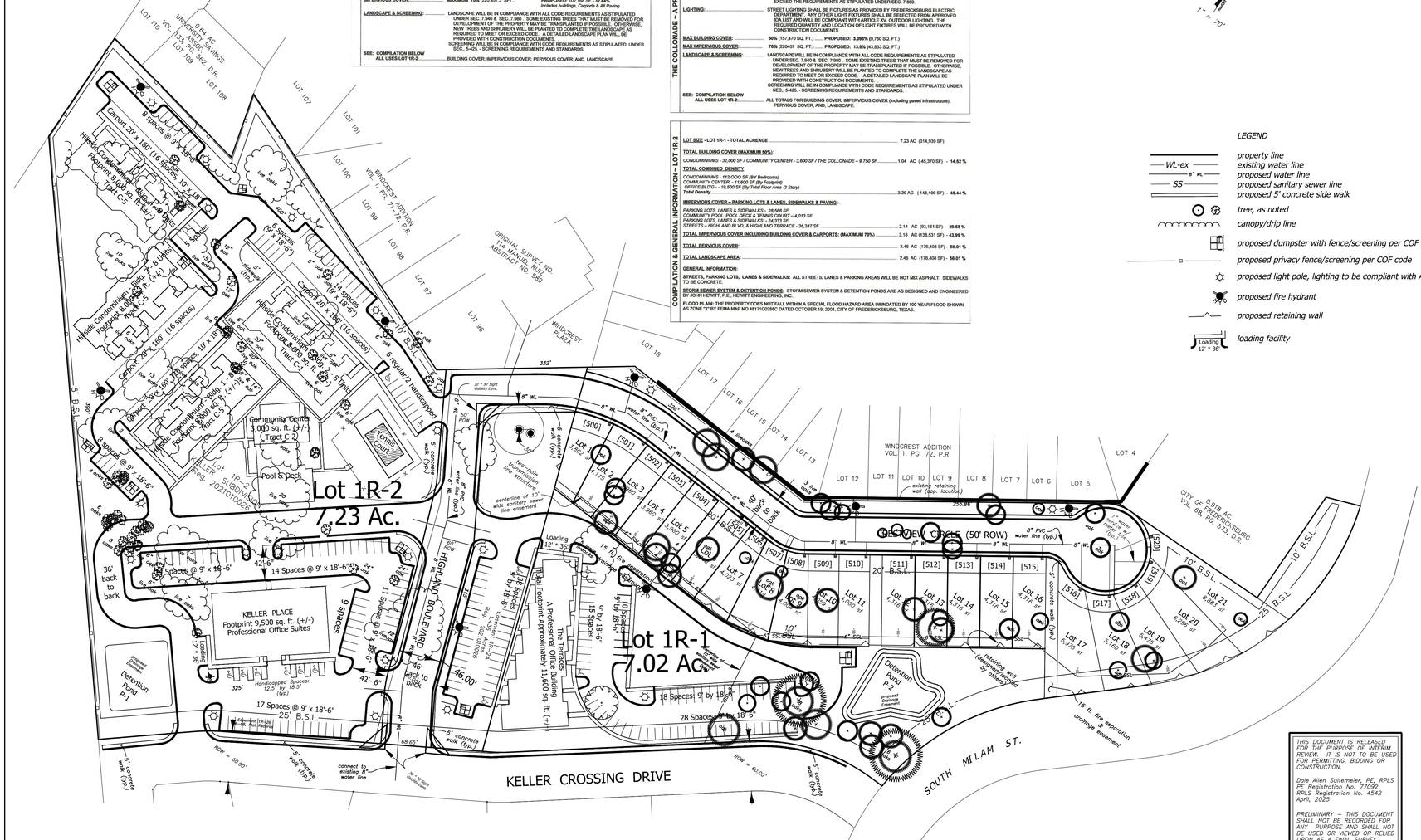
STREETS, PARKING LOTS, LANES & SIDEWALKS: ALL STREETS, LANES & PARKING AREAS WILL BE HOT MIX ASPHALT. SIDEWALKS TO BE CONCRETE.

STORM SEWER SYSTEM & DETENTION PONDS: STORM SEWER SYSTEM & DETENTION PONDS ARE AS DESIGNED AND ENGINEERED BY JOHN HEWITT, P.E., HEWITT ENGINEERING, INC.

FLOOD PLAIN: THE PROPERTY DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA INUNDATED BY 100 YEAR FLOOD SHOWN AS ZONE "X" BY FEMA MAP NO 48171C0280C DATED OCTOBER 19, 2001, CITY OF FREDERICKSBURG, TEXAS.



CONCEPTUAL PLOT PLAN - FIVE UNIT TOWNHOME BUILDING SCALE: 1" = 30'


LOT 110
LOT 109
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LOT 14
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LOT 12
LOT 11
LOT 10
LOT 9
LOT 8
LOT 7
LOT 6
LOT 5
LOT 4
WINDCREST ADDITION VOL. 1, PG. 72, P.R.
ORIGINAL SURVEY NO. 14, ABSTRACT NO. 389
WINDCREST PLAZA
Carport 20' x 160' (16 spaces, 10' x 18')
Hillside Condominium Bldg. 1 Footprint 8,000 sq. ft. (+/-) Tract C-5
Hillside Condominium Bldg. 2 Footprint 8,000 sq. ft. (+/-) Tract C-5
Hillside Condominium Bldg. 3 Footprint 8,000 sq. ft. (+/-) Tract C-5
Hillside Condominium Bldg. 4 Footprint 8,000 sq. ft. (+/-) Tract C-5
Community Center 3,000 sq. ft. (+/-) Tract C-2
Tennis Court
Pool & Deck
Lot 1R-2 7.23 Ac.
KELLER SUBDIVISION Plat Record Vol. 6, Pg. 88 Plat Record Doc. No. 20210100291
KELLER PLACE Footprint 9,500 sq. ft. (+/-) Professional Office Suites
Lot 1R-1 7.02 Ac.
A Professional Office Building Total Footprint Approximately 11,600 sq. ft. (+/-)
Detention Pond P-1
Detention Pond P-2
HIGHLAND BOULEVARD
CREST VIEW CIRCLE (50' ROW)
KELLER CROSSING DRIVE
SOUTH MILAM ST.
Lot 1 4,175 sf
Lot 2 4,175 sf
Lot 3 4,175 sf
Lot 4 4,175 sf
Lot 5 4,175 sf
Lot 6 4,175 sf
Lot 7 4,175 sf
Lot 8 4,175 sf
Lot 9 4,175 sf
Lot 10 4,175 sf
Lot 11 4,175 sf
Lot 12 4,175 sf
Lot 13 4,175 sf
Lot 14 4,175 sf
Lot 15 4,175 sf
Lot 16 4,175 sf
Lot 17 5,972 sf
Lot 18 5,160 sf
Lot 19 5,425 sf
Lot 20 6,256 sf
Lot 21 6,883 sf
0.918 Ac. CITY OF FREDERICKSBURG VOL 68, PG. 573, D.R.
Community Center Footprint 3,000 sq. ft. (+/-)
Tract C-2
Pool & Deck
Tennis Court
Gazebo
Pavilion
Pergola
Fire Pit
Playground
Dog Park
Trail Footprint
Trail Connection
Existing Retaining Wall
Proposed Retaining Wall
Proposed Dumpster Enclosure
Proposed Privacy Fence
Proposed Light Pole
Proposed Fire Hydrant
Loading 12' x 36'
Handicapped Spaces 12.5' by 18.5' (typ)
Carport 20' x 160' (16 spaces)
Carport 20' x 160' (16 spaces)
Carport 20' x 160' (16 spaces)
14 Spaces @ 9' x 18'-6"
9 Spaces @ 9' x 18'-6"
9 spaces
11 Spaces @ 9' x 18'-6"
9 Spaces @ 9' x 18'-6"
9 Spaces @ 9' x 18'-6"
9 spaces
17 Spaces @ 9' x 18'-6"
18 Spaces 9' by 18'-6"
28 Spaces @ 9' x 18'-6"
15 Spaces @ 9' x 18'-6"
10 Spaces @ 9' x 18'-6"
5 Spaces @ 9' x 18'-6"
2 Spaces @ 9' x 18'-6"
8 Spaces @ 9' x 18'-6"
421-6
42'- 6"
46' back to back
36' back to back
325'
332'
346.00'
68.65'
ROW = 60.00'
5' concrete walk (typ.)
connect to existing 8" water line
8" VAC water line
8" PVC water line (typ.)
8" WL
8" SS
6" WL
6" SS
2" water line
2" sewer line
4" water line
4" sewer line
6" water line
6" sewer line
30' x 30' Sight Visibility Easement
50' ROW
20' B.S.L.
10' B.S.L.
25' B.S.L.
5' B.S.L.
Two-story concrete block structure
centerline of 10' wide sanitary sewer line easement
15 ft. fire separation drainage & easement
retaining wall (height varies)
Existing Retaining Wall (typ. location)
Existing Building, Pond, Deck, Tennis Court, & Sidewalks
Proposed Building, Pond, Deck, Tennis Court, & Sidewalks

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

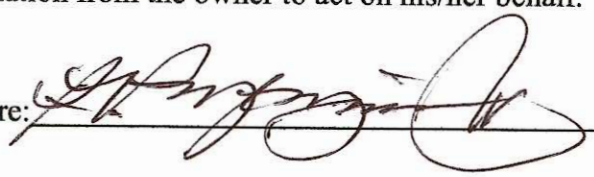
Applicant Address: PO Box 61305, San Angelo, TX 76906

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. McMINN, 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,

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

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 hazard of back rooms -

Grace Wallace — 6/17/25
Signature — Date

Grace Wallace — 479 Summit Circle
Printed Name — Address

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

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/REMEDIATION SHOULD GO TO THIS DEVELOPER. (WITH GUARANTEES OF MONEY AVAILABLE FOREVER)

Steve Hopkins
Signature Carol Hopkins 6-18-25
Date

STEVE HOPKINS
Printed Name CAROL HOPKINS 442 SUMMIT CIRCLE
Address
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

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

6/15/25
Date

JOHN G. SOULE
Printed Name

~~3208~~ 467 Summit Circle
Address

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.

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

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
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 THE ATTACHED LETTER

Signature

27 JUNE 2025
Date

KEVIN MONTGOMERY
Printed Name

536 WINDING WAY COURT
Address 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

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

Signature _____ Date 6/28/25

MARLENE J. PYLATE PATRICK W. PYLATE 532 WEIDENG WAY CT.
Printed Name Address

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 Subdivision. The view is definitely of (monetary) value to each home

Pat Weinheimer
Signature

6-17-25
Date

Pat Weinheimer
Printed Name

478 Summit Circle
Address
Hby., 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
Kelly Spencer
Signature

6/23/2025
Date

C R Spencer
Kelly Spencer
Printed Name

477 Summit Cir, Fbg, TX 78624
Address

Public Comment Form

6-19-2025

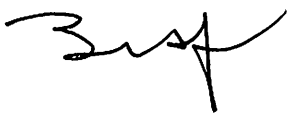
Request # Z-2513

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 frighting. 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 & its 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, I/we (PROTEST) / (APPROVE) the requested CONDITIONAL USE PERMIT (CUP) REQUEST, represented by the above file number because:

See attached

Cathy + Ben Gero
Signature

6/14/25
Date

Cathy + Ben Gero
Printed Name

470 Summit Circle
Address

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 Vehemently PROTEST) / (APPROVE) the requested CONDITIONAL USE PERMIT (CUP) REQUEST, represented by the above file number because:

We fear that by disturbing the existing terrain ~~—~~, 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 / Jutta D. Lindsay — Date: 22 June 2025

Charles T. Lindsay + Jutta D. Lindsay / 446 Summit Cir.
Printed Name — Address: 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

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 FBG
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 Windsor's 3469 Summit Circle) protest notes.

R. A. Roesch — June 19, 2025
Signature — Date

Richard A. Roesch — 487 Summit Circle
Printed Name — 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 & Jay — 6-17-25

Signature — Date

Shirley Rutledge & Jay — 481 Summit Circle

Printed Name — 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:

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
Signature

6/23/2025
Date

C R Spencer
Printed Name

477 Summit Cir, Fbg, TX 78624
Address

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 energency 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

PLANNING AND ZONING COMMISSION AGENDA MEMO

DEPARTMENT: Development Services
TO: Planning and Zoning Commission
FROM:
MEETING DATE: September 3, 2025 **SECTION:** ACTION ITEMS **ITEM:** B.

CAPTION: **Request Z-2514:** By Stuart Barron to Consider the Following:

A. A Land Use Change from High Density Residential/Commercial Center (HDR/CC) for Property Located at 514 Friendship Lane and Identification Numbers 183782 & 30276.

B. A Zoning Change from C1.5, Medium Commercial to C2, Commercial for Property Located at 514 Friendship Lane and from C1, Neighborhood Commercial to C2, Commercial for Identification Numbers 183782 & 30276.

i Presentation by the Applicant
ii Presentation by the Staff
iii Hold Public Hearing
iv Take Action on the Land Use Change
& v Take Action on the Zoning Change

SUMMARY:

The applicant has submitted a Land Use and Zoning Change request for approximately 5.0 acres of land located at 514 Friendship Lane and Identification Numbers 183782 & 30276. The applicant is requesting a Land Use Change from High Density Residential / Commercial Center (HDR/CC) to Commercial (C) and a Zoning Change from C1.5, Medium Commercial to C2 Commercial for the 514 Friendship Lane property. The applicant is further requesting a Land Use Change from High Density Residential / Commercial Center (HDR/CC) to Commercial (C) and a Zoning Change form C1, Neighborhood Commercial to C2 Commercial for identification numbers 183782 & 30276.

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, R3, R5, NC, C1, C1.5, 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, retial and small-scale employment uses.

This application is a follow up from the previous recommendation and is being reconsidered to ensure a formal motion for each property of recorded is acted on and part of the record.

BACKGROUND: The surrounding properties include C2, Commercial to the North, South and West as well as Public Facilities to the East. There is C1.5 to the southeast across Friendship Lane.

The property is currently zoned C1, Neighborhood Commercial and C1.5 Medium Commercial and permits several uses by right, some of the mixture and intensity of use types include the following:

Medical Services	Local Utility Service	Professional Office
Religious Assembly	Multiple Family Residential	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 C2, Commercial Zoning classification and Sec. 3.210 - C2, Commercial speaks to the development standards allowed below:

Sec. 3.210 - C2: Commercial speaks to the development standards allowed in C2 and includes the following uses permitted by right:

Administrative and Business Office
Agricultural Sales and Services
Arts and Crafts
Automotive Rentals
Automotive Repair Services
Automotive Sales
Automotive Washing
Building Maintenance Services
Business or Trade School
Business Support Services
Club or Lodge
Cocktail Lounge

Commercial Off-Street Parking
Communication Services
Construction Sales and Services
Consumer Convenience Services
Consumer Repair Services
Convalescent Services
Convenience Store/Self Serve Gas
Cultural Services
Custom Manufacturing
Day Care Services
Equipment Repair Services
Equipment Sales
Exterminating Services
Financial Services
Food Sales
Funeral Services
Group Residential
Single Family Residential (detached) if structure was not used as other than residential in its most re

General Retail Sales
Guidance Services
Hotel/Motel
Horticulture
Hospital Services (Limited)
Indoor Entertainment
Indoor Sports and Recreation
Kennels
Laundry Services
Liquor Sales
Local Utility Services
Maintenance and Service Facilities
Medical Offices
Mobile Food Establishments, but not in any right-of-way or public easement
Multiple Family Residential
Outdoor Entertainment
Outdoor Sports and Recreation
Pawn Shop Services

Personal Improvement Services
Personal Services
Pet Services
Private Primary Educational Facilities
Private Secondary Educational Facilities
Professional Offices
Religious Assembly
Research Services
Restaurant - Drive-In/Fast Food
Restaurant
Service Station
Veterinary Services
Short-term Rental, Unoccupied: (With a STR permit and adherence to Chapter 20, Article VII)
Short-term Rental, Accessory: (With a STR permit and adherence to Chapter 20, Article VII)
Short-term Rental, B & B: (With a STR permit and adherence to Chapter 20, Article VII)
Short-term Rental, Facility: (With a STR permit and adherence to Chapter 20, Article VII)
Corporate Housing (Chapter 20, Article VII)

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

Camp Grounds
Condominiums (Section 7.610)
Convenience Storage
Drive through facilities associated with any use
Single Family Residential (detached)- new construction or after cessation of use other than residentia
Duplex Residential Condominium Residential(section 7.610)
Single Family Residential (Detached)
Townhouse Residential (section 7.610)
Transportation Terminals

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, R3, R5, NC, C1, C1.5, C2, M3 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 of the subject property. As of August 25, 2025, no additional responses have been received.

STAFF RECOMMENDATION:

In reviewing the application, this request was considered and recommended for approval during the August 6, 2025 Planning and Zoning meeting. The purpose of this action is to ensure appropriate motions are considered and formally approved. Based upon the prior action and consideration, staff recommends approval of the application as presented.

ATTACHMENTS:

1. Z-2514 Friendship Center 514 Friendship Lane_Map (1)
2. Land Use Show
3. Z-2514- Development Review Comments
4. Z-2514_Barbara Heinen Letter of support for zoning change
5. Z-2514 - Schandua - Approve
6. Z-2514_Friendship Center

APPROVAL/REVIEW:

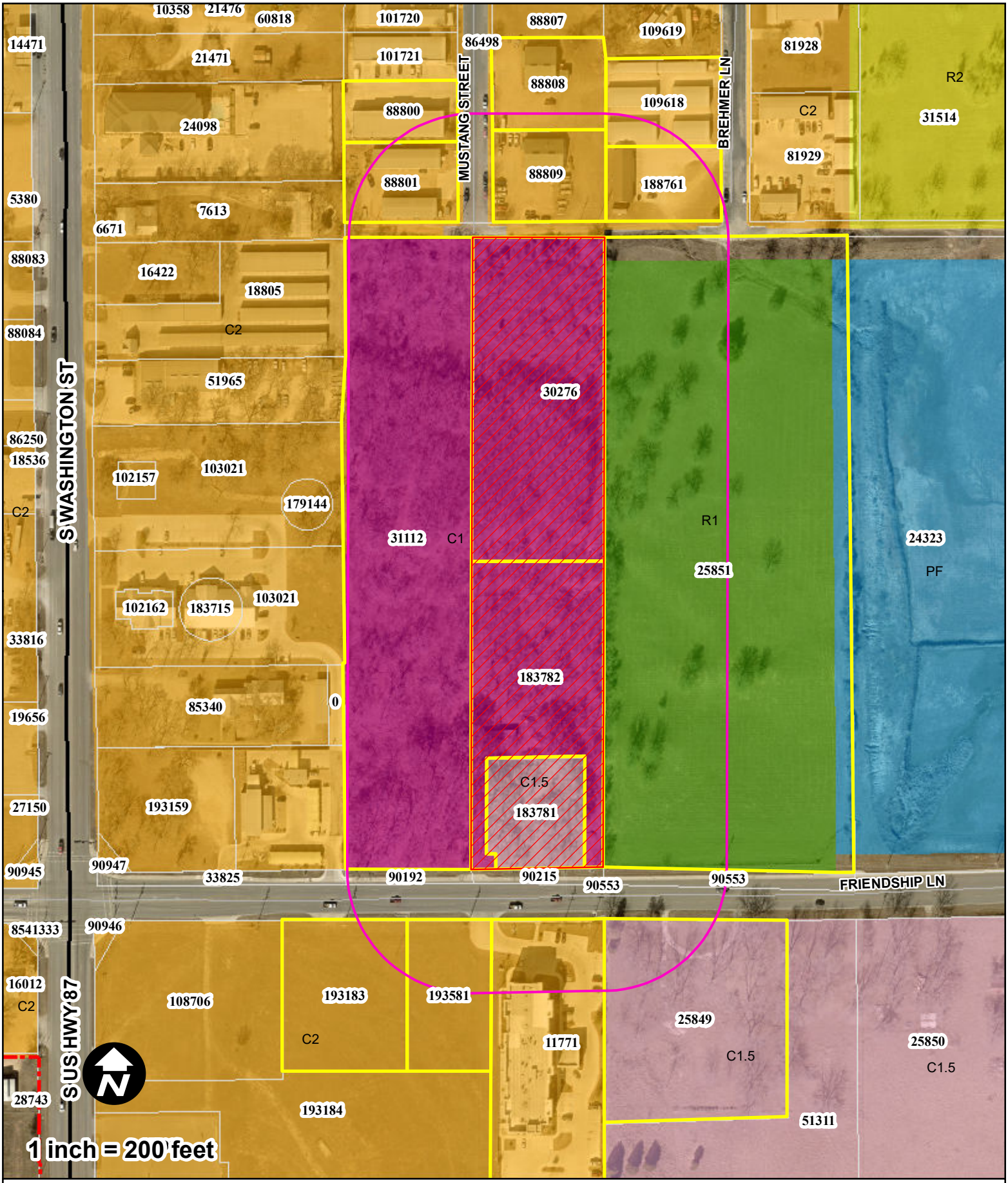


FIGURE 1

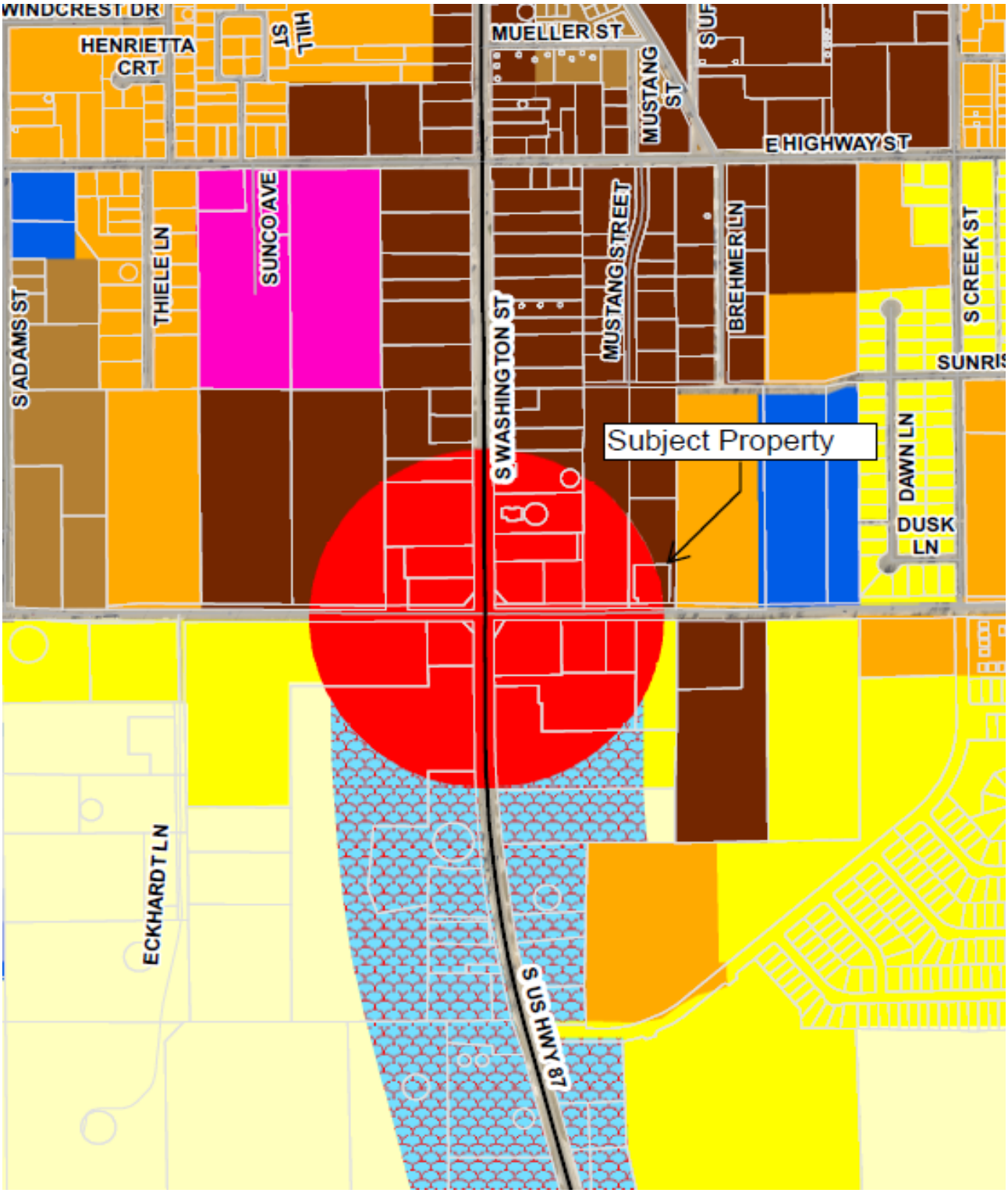
City of Fredericksburg
Z-2514 514 Friendship Lane

LEGEND

Notice Areas

- Subject Tract
- 200' Notification Area
- Notification Tracts
- City Limit Boundary
- GCAD Parcels

Document Path: M:\ArcMap\Development_Services\Zoning_Maps\Z-2514 Friendship Center 514 Friendship Lane.mxd


WINDCREST DR
HENRIETTA CRT
HILL ST
MUELLER ST
MUSTANG ST
E HIGHWAY ST
S ADAMS ST
THIELE LN
SUNCO AVE
S WASHINGTON ST
MUSTANG STREET
BREHMER LN
S CREEK ST
SUNRIS
Subject Property
DAWN LN
DUSK LN
ECKHARDT LN
S US HWY 87

JuLY 7, 2025

Romney Kowert
Kowert Real Estate
rkowert@yahoo.com

RE: Z-2514 – Review Comments for the Review of Land Use and Zoning Change for 514 FRIENDSHIP LANE

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

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.

Jan Musgrove
Planner 1

City of Fredericksburg Planning and Zoning Commission

June 24, 2025

Dear Planning and Zoning Commissioners,

I hope this letter finds you well. I am writing to respectfully request a zoning change for my property located at **Property ID 30276, G E CO #28 2.56 Friendship Lane**, from **Commercial 1.5 (C1.5)** to **Commercial 2 (C2)**.

A few years ago, there was a lot of uncertainty surrounding both the growth of the area and the future character of development. Since then, a three-unit retail center has been built and leased out. Other major developments in the immediate vicinity have further defined the commercial nature of the area. Chick-fil-A has opened at the corner of Friendship Lane and Washington, and Discount Tire is currently building a location diagonally across from my property. Together, these additions have established the area as a true commercial corridor.

Furthermore, I understand that during the July 2025 Planning & Zoning meeting, the City of Fredericksburg will be proposing a change of use and zoning for their property to the east of mine from **Residential 1 (R1)** to **Public Facilities (PF)** which will add further development, and a modern park feel to the neighborhood.

A change to C2 would create a new pool of available tenants who are not currently permitted under C1.5 zoning. This would further benefit the community, both in terms of service offerings and economic vitality.

Considering the ongoing development around me and the shifting land uses in the immediate area, I respectfully request that you approve a zoning change from **C1.5 to C2** for **Property ID 30276, G E CO #28 2.56 Friendship Lane**. I believe this change will help foster continued growth and bring valuable commercial services to the residents of Fredericksburg.

Thank you for your time and consideration.

Sincerely,

Barbara Heinen

Barbara Heinen

705 South Eagle Street

Owner, Property ID 30276, G E CO #28 2.56 Friendship Lane

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-2514

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

7-23-2025
Date

Jennifer Schandua
Printed Name

304 Morning Glory Dr.
Address

Fredericksburg, TX 78624

City of Fredericksburg Planning and Zoning Commission
June 20, 2025

To Whom it May Concern:

This letter is in support of Stuart Barron's request for a rezoning change from C1.5 to C2 for the property I own, just north of his property. I believe the addresses are 464-566 Friendship Lane. This is a good idea for multiple reasons. First, it will increase the value of the land. Second, it will be more appealing and offer more options for development. Third, it is in line with the future plans for the city because of its location and proximity to the intersection at Friendship Lane and US Highway 87S.
Due to the recent improvements and development in the area, I believe rezoning the property will help to contribute to the many additional residents that are expected to move in on Friendship Lane.
Thank you for your consideration.

Sincerely,

Jennifer Schandua

Jennifer Schandua
Property Owner
304 Morning Glory Dr.
830-456-6992

Barron Properties LLC

In light of the ongoing development around us and the shifting land uses in the immediate area, I respectfully request that you approve a zoning change from **C1.5 to C2** for 514 Friendship Lane. I believe this change will help foster continued growth and bring valuable commercial services to the residents of Fredericksburg.

Thank you for your time and consideration.

Sincerely,

Stuart Barron,
146 Keidel Lane
Fredericksburg Texas 78624
Owner/Operator

Barron Properties LLC

June 18, 2025

City of Fredericksburg Planning and Zoning Commission
126 W Main Street
Fredericksburg Tx 78624

Attn: Evan Williamson

Dear Planning and Zoning Commissioners,

I hope this letter finds you well. I am writing to respectfully request a zoning change for my property located at **514 Friendship Lane**, from **Commercial 1.5 (C1.5)** to **Commercial 2 (C2)**.

When I last presented to the Commission, I was in the planning stages of developing a three-unit retail center on Friendship Lane. At the time, there was a lot of uncertainty surrounding both the growth of the area and the future character of my development. Now a few years later, many of those questions have been answered.

I have since completed construction, and two of the three spaces in my building have been successfully leased. Additionally, major developments in the immediate vicinity have further defined the commercial nature of the area. Chick-fil-A has opened at the corner, and Discount Tire is currently building a location diagonally across from my property. Together, these additions have helped establish the area as a true commercial corridor.

Furthermore, I understand that during the **July 2025 Planning & Zoning meeting**, the City of Fredericksburg will be proposing a change of use and zoning for their property to the east of mine—from **Residential 1 (R1)** to **Public Facilities (PF)**—which will add further development and a modern park feel to the neighborhood.

The only adjacent property not actively improving is that of our cousins to the west. Although Jennifer Schandua has approached them multiple times regarding support for a C2 zoning change, we have yet to receive a definitive response.

You may be wondering why a zoning change is necessary given that two of my three spaces are already leased. The reason is that I have received strong interest from several fast-food establishments—businesses that are not permitted under the current C1.5 zoning. A change to C2 would enable me to attract a tenant that could further benefit the community, both in terms of service offerings and economic vitality.

C. **Applicant/Owner Information - Property Owner**

Owner Name: Stuart James Barron Trust

Owner Address: 146 Keidel Lane

Owner Phone Number: 830-459-4881

Owner Email Address: wtranch@hotmail.com

D. **Applicant**

Applicant Name: Stuart Barron

Applicant Address: same as above

Applicant Phone Number: _____

Applicant Email Address: _____

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: Stuart Barron

Staff Use Only Application Number: Z-2514 Date: 6/20/25

Ch # 2019 $1400.00

Zoning Application

City of Fredericksburg – Development Services Department

126 W. Main St, Fredericksburg, TX 78624

A. Project Information

Project Name: Friendship Center

Project Address: 514 Friendship Lane

Property Tax ID Numbers: 183781

B. Application Type: Appendix A – Fee Schedule

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

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

- [x] *Public Hearing Newspaper - $150.00*
- [x] *Public Hearing 200 ft notification letter - $100.00*

PLANNING AND ZONING COMMISSION AGENDA MEMO

DEPARTMENT: Development Services
TO: Planning and Zoning Commission
FROM: Cliff Cross, Director of Development Services
MEETING DATE: September 3, 2025 **SECTION:** ACTION ITEMS **ITEM:** C.

CAPTION: **Request Z-2517:** By Itz Family, L.P. to Consider the Following:

A. A Land Use Change from Low Density Residential (LDR) to Commercial (C) (General Commercial Place Type) for 104 North Olive.

B. A Zoning Change from R1, Single Family Residential to C2, Commercial for Property Located at 104 North Olive.

i Presentation by the Applicant
ii Presentation by the Staff
iii Hold Public Hearing
iv Take Action on the Land Use Change
v Take Action on the Zoning Change

SUMMARY:
The applicant has submitted a Land Use and Zoning Change request for approximately .21 acres (9,000 sq. ft) of land located at 104 North Olive. The applicant is requesting a Land Use Change from Low Density Residential (LDR) to Commercial (C) and a Zoning Change from R1, Single Family Residential to C2, Commercial.

The 2024 Comprehensive Plan identifies this area with a Mixed Density Residential District Place Type that recommends a variety of zoning categories such as R1-A, R2, R3, R5, and NC. This Future Place Type is intended to accommodate development envisioned to provide a greater level of residential density in a variety of forms. Commercial retail, office, restaurant, and personal service uses may be considered if supporting the residential intent of the category.

BACKGROUND: The surrounding properties include C2, Commercial to the South and R2, Mixed Residential to the East. There is R1, Single Family Residential to the North and West.

The property is currently zoned R1, Single-Family Residential and permits several uses by right, some of the mixture and intensity of use types include the following:

Single Family Residential (Detached)	Local Utility Services
Short-term Rental, Accessory (With a STR permit and adherence to Chapter 20, Article VII)	Short-term Rental, B & B (With a STR permit and adherence to Chapter 20, Article VII)

It is the desire of the applicant to obtain a C2, Commercial Zoning classification and Sec. 3.210 - C2, Commercial speaks to the development standards allowed below:

Sec. 3.210 - C2: Commercial speaks to the development standards allowed in C2 and includes the following uses permitted by right:

Administrative and Business Office
Agricultural Sales and Services
Arts and Crafts
Automotive Rentals
Automotive Repair Services
Automotive Sales
Automotive Washing
Building Maintenance Services
Business or Trade School
Business Support Services
Club or Lodge
Cocktail Lounge
Commercial Off-Street Parking

Communication Services
Construction Sales and Services
Consumer Convenience Services
Consumer Repair Services
Convalescent Services
Convenience Store/Self Serve Gas
Cultural Services
Custom Manufacturing
Day Care Services
Equipment Repair Services
Equipment Sales
Exterminating Services
Financial Services
Food Sales
Funeral Services
Group Residential
Single Family Residential (detached) if structure was not used as other than residential in its most r
General Retail Sales

Guidance Services
Hotel/Motel
Horticulture
Hospital Services (Limited)
Indoor Entertainment
Indoor Sports and Recreation
Kennels
Laundry Services
Liquor Sales
Local Utility Services
Maintenance and Service Facilities
Medical Offices
Mobile Food Establishments, but not in any right-of-way or public easement
Multiple Family Residential
Outdoor Entertainment
Outdoor Sports and Recreation
Pawn Shop Services
Personal Improvement Services

Personal Services
Pet Services
Private Primary Educational Facilities
Private Secondary Educational Facilities
Professional Offices
Religious Assembly
Research Services
Restaurant - Drive-In/Fast Food
Restaurant
Service Station
Veterinary Services
Short-term Rental, Unoccupied: (With a STR permit and adherence to Chapter 20, Article VII)
Short-term Rental, Accessory: (With a STR permit and adherence to Chapter 20, Article VII)
Short-term Rental, B & B: (With a STR permit and adherence to Chapter 20, Article VII)
Short-term Rental, Facility: (With a STR permit and adherence to Chapter 20, Article VII)
Corporate Housing (Chapter 20, Article VII)

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

Camp Grounds
Condominiums (Section 7.610)
Convenience Storage
Drive through facilities associated with any use
Single Family Residential (detached)- new construction or after cessation of use other than residen
Duplex Residential Condominium Residential(section 7.610)
Single Family Residential (Detached)
Townhouse Residential (section 7.610)
Transportation Terminals

The 2024 Comprehensive Plan identifies the subject property as a future place type of Mixed Density Residential which is envisioned to provide a greater level of residential density and promote a pedestrian environment. Buildings are intended to be street-oriented, with on-street parking or rear parking. This place type is found in both greenfield and infill situations, with a seamless transition to nearby conventual residential neighborhoods. Commercial uses can be considered in limited circumstances if supporting the residential intent of the category.

Appropriate existing zoning districts would include R1-A, R2, R3, R5, and NC.

Notice of Public Hearing Response: As part of the Public Hearing process, staff must notify property owners that own property within 200 ft of the subject property. As of August 25, 2025, no additional responses have been received.

STAFF RECOMMENDATION:

Staff has reviewed the request and the proposed application requesting the land use and zoning change. In reviewing the request, the Comprehensive Plan has classified the subject property as a Mixed Density Residential place type. Per the "Guidance and Interpretation" section of the plan, new development should be built with a more urban and semi-urban character. The assigned land use is intended to provide for transitional uses from lower-density residential to higher-density residential or nonresidential uses. The proposed C2 (Commercial) underlying zoning classification is more intense than the NC (Neighborhood Commercial) classification that is identified as an appropriate zoning district per the place type designation and Comprehensive Plan Development Code Considerations.

Based upon the Commercial classification not being identified as an appropriate use, staff cannot recommend approval of the application as presented but would recommend approval of a Neighborhood Commercial C1 (Neighborhood Commercial) classification.

ATTACHMENTS:

1. Z-2517_104NOlive_LegalNoticeMap
2. Location Map
3. Zoning Map
4. Land Use Map
5. Land Use Map - Place Type
6. Z-2517_ITZ FAMILY L.P._APPLICATION
7. z-2517_104 N Olive Street, Fredericksburg LTS-PLAT
8. Z-2517 _Review Comments

APPROVAL/REVIEW:

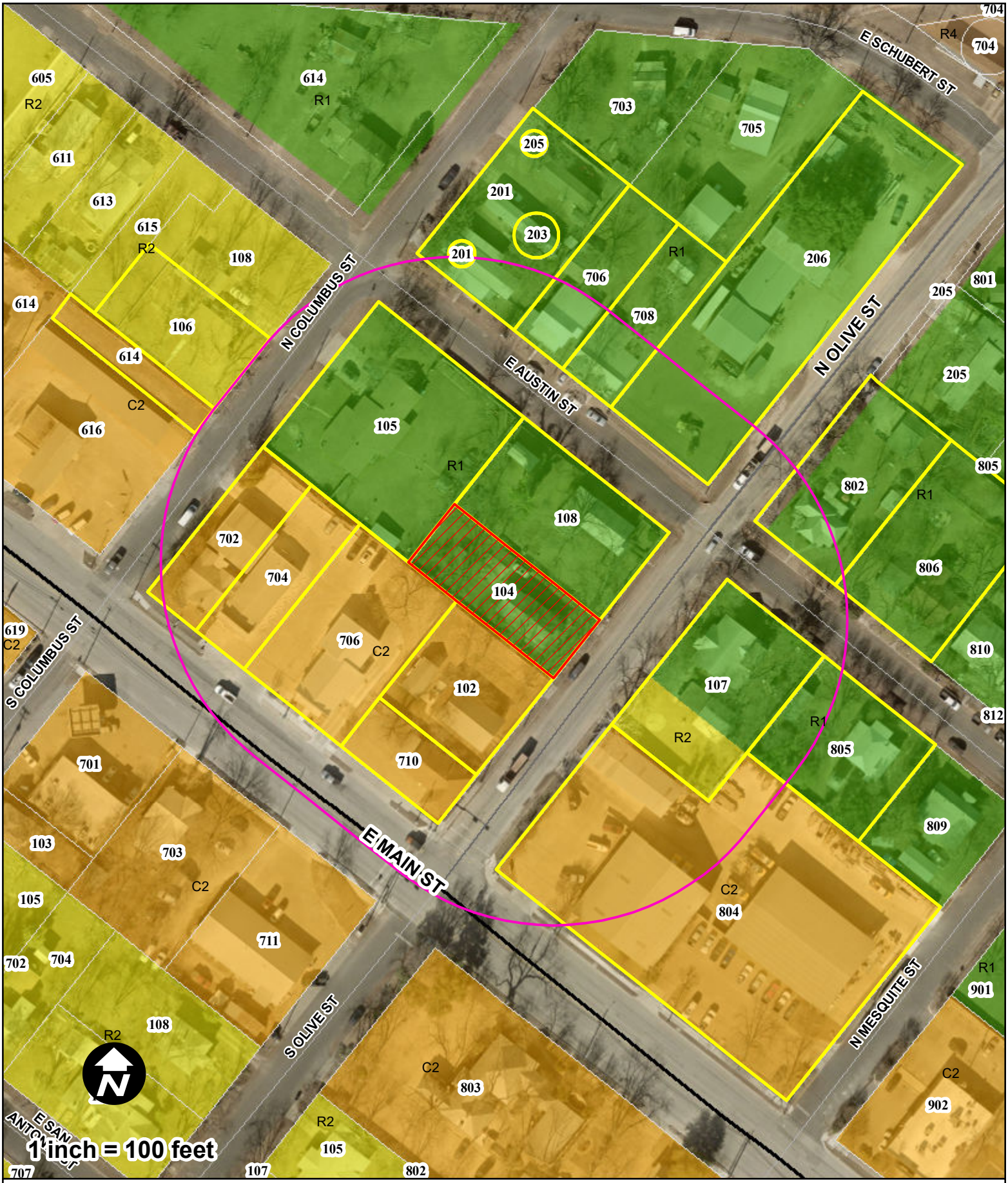


FIGURE 1

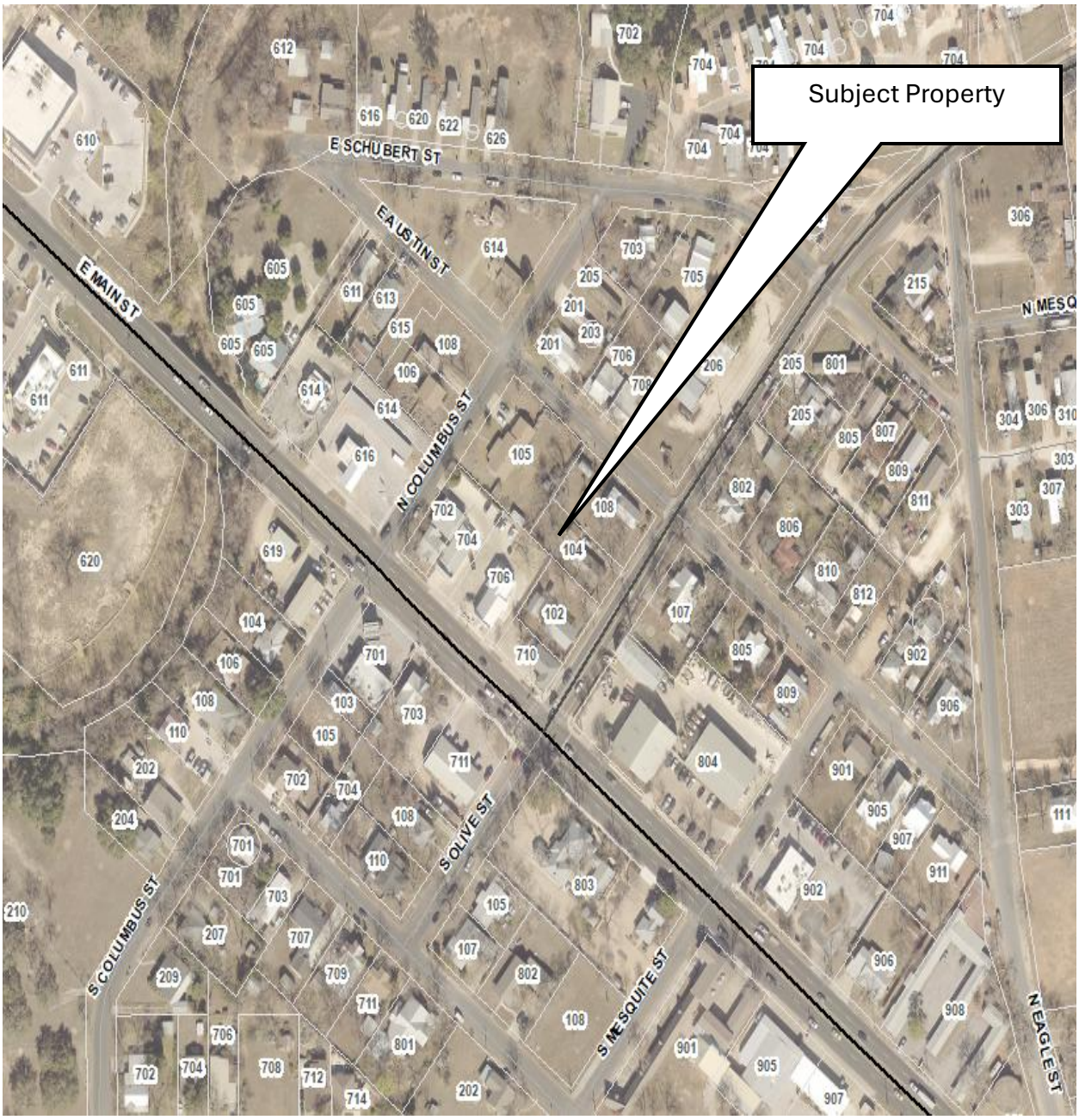
City of Fredericksburg
Z-2517 - 104 N Olive Street

LEGEND

Notice Areas

- Subject Property
- 200' Notification Area
- Notified Property
- City Limit Boundary
- GCAD Parcels

Document Path: M:\ArcMap\Development_Services\Zoning_Maps\Zoning_Z-2517_104NOlive_LegalNoticeMap.mxd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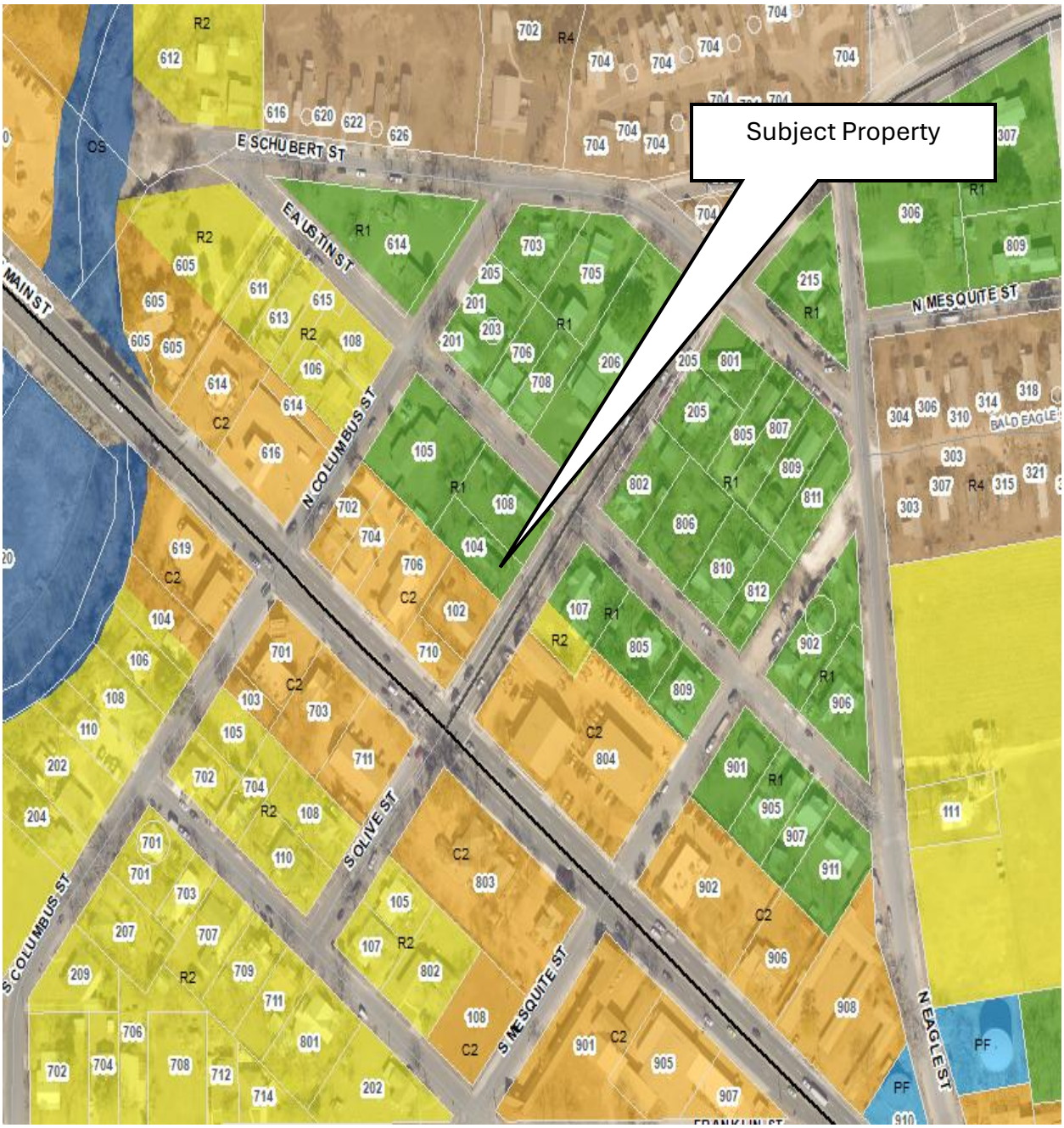
E AUSTIN ST
E SCHUBERT ST
N COLUMBUS ST
S COLUMBUS ST
S OLIVE ST
S MESQUITE ST
N EAGLE ST


Subject Property
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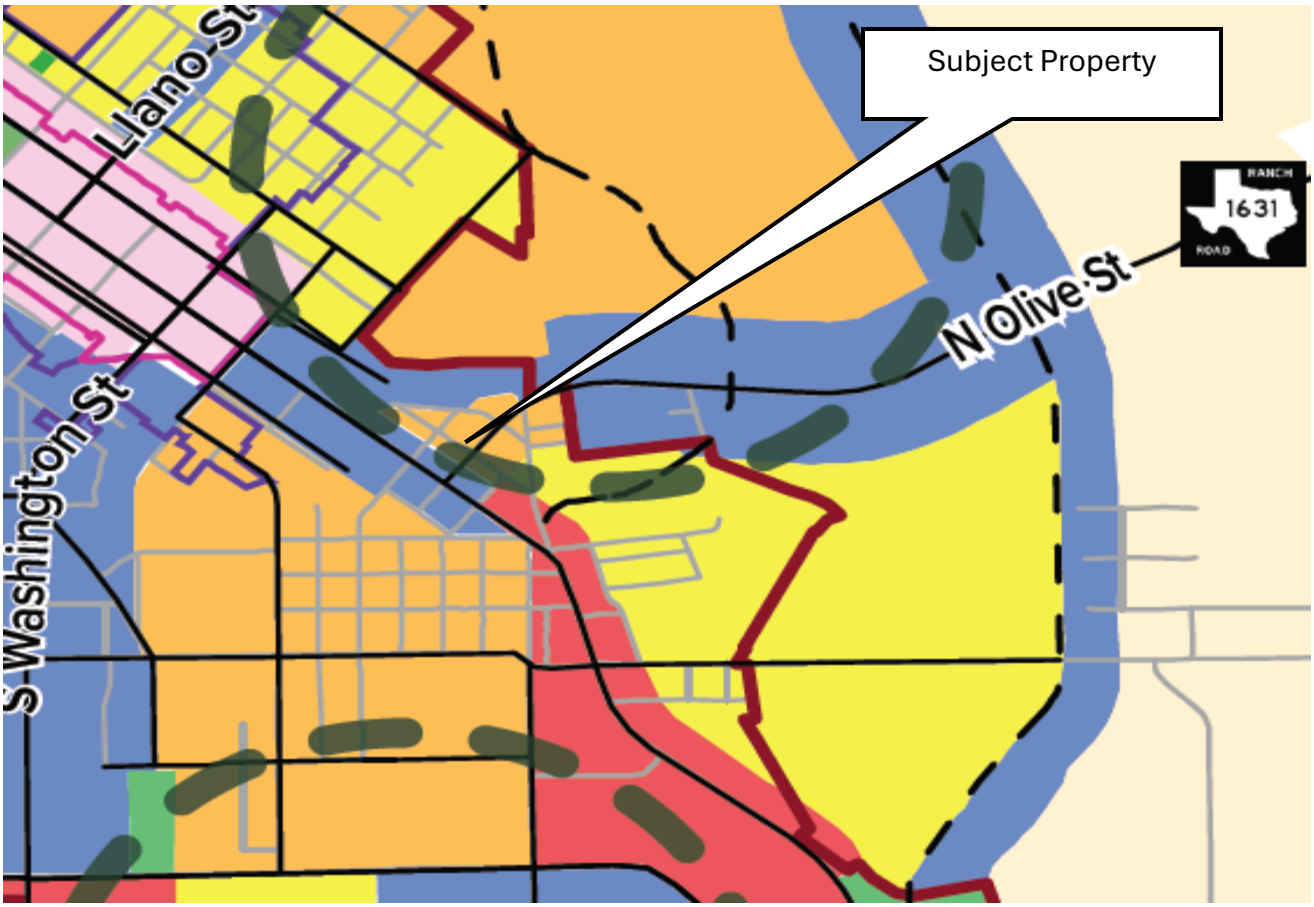
E AUSTIN ST
N COLUMBUS ST
S COLUMBUS ST
S OLIVE ST
S MESQUITE ST
N MESQUITE ST
N EAGLE ST
MAIN ST
FRANKLIN ST
BALD EAGLE
R1
R2
R4
C2
OS
PF

Landuse

LANDUSE

- Downtown Central Business District
- Uptown Central Business District
- Commercial Center
- Commercial
- Employment Center
- FUTURE ROW
- High Density Residential
- Industrial
- Low Density Residential
- Medium Density Residential
- Mixed Use Corridor
- Parks _Open Space
- Public / Semi-Public
- Rural



Legend

- City Limits
- Historic Shopping District
- Historic District
- Existing Thoroughfare Plan Roads
- Proposed Thoroughfare Plan Roads
- Park Opportunity Zones

Place Type Categories

- Parks and Open Space
- Neighborhood Residential
- Mixed Density Residential
- Historic Shopping District
- General Commercial
- Mixed-Use Community / Corridor
- Light Industrial
- Rural

Note: A comprehensive plan shall not consittue zoning regulations or establish zoning district boundaries.

C. **Applicant/Owner Information - Property Owner**

Owner Name: Itz Family LP

Owner Address: 804 East Main St. Fredericksburg TX 78624

Owner Phone Number: 830-997-4535

Owner Email Address: tanya@itzelectric.com

D. **Applicant**

Applicant Name: Itz Family LP

Applicant Address: 804 East Main St, Fredericksburg TX 78624

Applicant Phone Number: 830-997-4535

Applicant Email Address: tanya@itzelectric.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: Jared Itz

Printed Name: JARED Itz

Staff Use Only Application Number: 2-2517 Date: 7/28/25

ch # 783 $1,400.00

Zoning Application

City of Fredericksburg – Development Services Department

126 W. Main St, Fredericksburg, TX 78624

A. Project Information

Project Name: Itz Family L.P.

Project Address: 104 North Olive Street

Property Tax ID Numbers: 26- 1266061

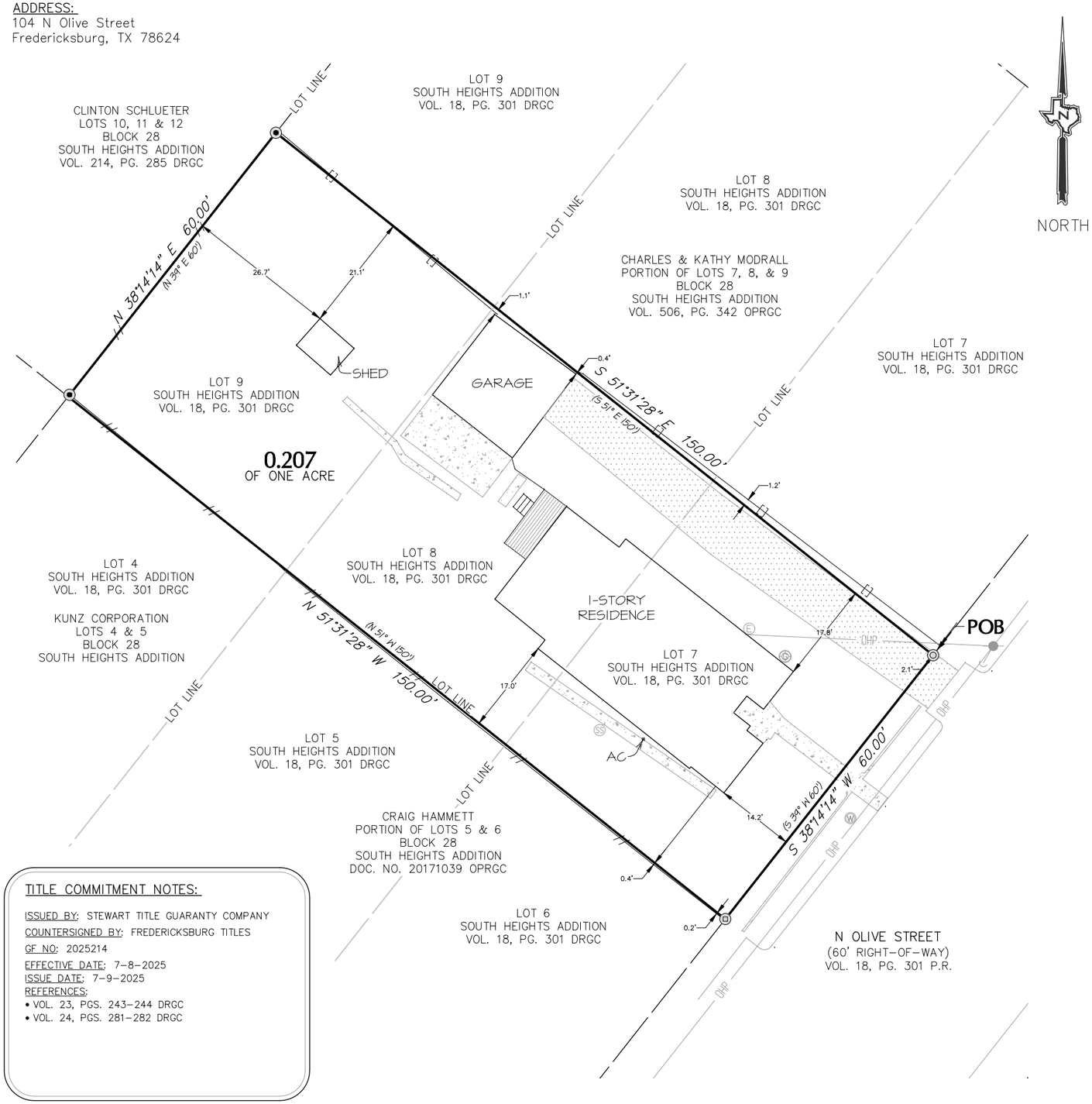
B. Application Type: Appendix A – Fee Schedule

- ☐ 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*

ADDRESS:
104 N Olive Street
Fredericksburg, TX 78624



LEGEND

( )	RECORD BEARING & DISTANCE
BSL	BUILDING SETBACK LINE
DOC.	DOCUMENT
DRGC	DEED RECORDS OF GILLESPIE COUNTY
OPRGC	OFFICIAL PUBLIC RECORDS OF GILLESPIE
PG	PAGE
P.R.	PLAT RECORDS OF GILLESPIE COUNTY
VOL	VOLUME
(G)	GAS METER
(E)	ELECTRIC METER
(W)	WATER METER
(SS)	SEWER CLEANOUT

MONUMENT SYMBOLS

- SET ½" IRON ROD CAPPED "MDS"
- FOUND WOOD FENCE POST
- FOUND METAL FENCE POST
- GRAVEL
- CONCRETE
- ADJOINER LINE
- BOUNDARY LINE
- BUILDING SETBACK LINE
- EASEMENT LINE
- OHP — OVERHEAD POWER
- WIRE FENCE
- WOOD FENCE

SCALE: 1" = 20'

0' 20' 40'

GENERAL NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, CENTRAL ZONE (4203).
2. DISTANCES SHOWN HEREON ARE GRID VALUES.
3. FIELD SURVEY COMPLETED 07-10-2025.
4. VISIBLE IMPROVEMENTS/UTILITIES WERE LOCATED WITH THIS SURVEY; NO SUBSURFACE PROBING, EXCAVATION OR EXPLORATION WAS PERFORMED FOR THIS SURVEY. UNDERGROUND UTILITIES MAY EXIST WHICH ARE NOT SHOWN HEREON.
5. ACCORDING TO COMMUNITY PANEL NO. 48171C0288 C OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR GILLESPIE COUNTY, TEXAS, HAVING A MAP REVISED DATE OF OCTOBER 19, 2001, THE SUBJECT TRACT IS SITUATED WITHIN: UNSHADED ZONE "X"; DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
6. DETERMINATION OF THE OWNERSHIP, LOCATION, OR DEVELOPMENT OF MINERALS RELATED TO THE SUBJECT TRACT FALL OUTSIDE THE SCOPE OF THIS SURVEY. SUCH MATTERS SHOULD BE DIRECTED BY THE CLIENT OR PROSPECTIVE PURCHASER TO AN EXPERT CONSULTANT.

PLAT SHOWING: A 0.207 OF ONE ACRE TRACT OUT OF THE MANUEL CABAZOS SURVEY NO. 127, ABSTRACT NO. 117, GILLESPIE COPUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT CONVEYED TO CAMERON F. AND LISA S. BAIRD BY WARRANTY DEED WITH VENDOR'S LIEN, RECORDED IN VOLUME 216, PAGE 489, DEED RECORDS OF GILLESPIE COUNTY, TEXAS.

TITLE COMMITMENT NOTES:

ISSUED BY: STEWART TITLE GUARANTY COMPANY
COUNTERSIGNED BY: FREDERICKSBURG TITLES
GF NO: 2025214
EFFECTIVE DATE: 7-8-2025
ISSUE DATE: 7-9-2025
REFERENCES:
- VOL. 23, PGS. 243-244 DRGC
- VOL. 24, PGS. 281-282 DRGC

STATE OF TEXAS §
COUNTY OF KERR §

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION. THIS 11th DAY OF JULY, 2025, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS OF BUILDINGS ON ADJOINING PROPERTY AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY EXCEPT AS SHOWN ABOVE.

JEFF BOERNER
TX R.P.L.S. NO. 4939

STATE OF TEXAS
REGISTERED
JEFF BOERNER
4939
PROFESSIONAL
LAND SURVEYOR

LAND TITLE SURVEY
OF A PORTION OF
LOTS 7, 8, AND 9
BLOCK 28
SOUTH HEIGHTS ADDITION
OUT OF THE
MANUEL CABAZOS SURVEY, A-117
GILLESPIE COUNTY, TEXAS
JULY 2025

MDS LAND SURVEYING COMPANY, INC.
TBPLS FIRM No. 10019600
874 HARPER ROAD
SUITE 104
KERRVILLE, TX 78028
830-816-1818
MDS-SURVEYING.COM

JOB #: 25-125-00	SURVEYORS: JB/XX
DATE: 07-11-2025	SHEET 1 OF 1

K:\Projects\25-128-00 104 N Olive Street, Fredericksburg LTS\Survey\1-Drawing Files\2-Master Boundary\25-125-00 104 N Olive Street, Fredericksburg LTS.dwg Jul 11,2025 - 4:39pm jboer

August 11, 2025

Itz Family L.P.
tanya@itzelectric.com

RE: Z-2517, Review Comments for the Itz Family, L.P. at 104 North Olive Street, Fredericksburg, Texas, 78624

Dear Mr. Itz,

Project will require Planning and Zoning approval scheduled for **Wednesday, September 3, 2025**, at New City Hall at East Campus, 2818 E. U.S. Hwy. 290, Fredericksburg, Texas 78624 at 5:30pm.

Engineering Comments – for applican'ts information only – when a change of use occurs

1. Ensure applicant can park whatever is required based on desired use
2. Applicant will be responsible for any utility/service upgrades needed.
3. May require site plan if any utility service modifications are proposed.

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

Please feel free to contact me with any comments or questions, and I will be happy to assist you.

Jan Musgrove

Jan Musgrove, Planner 1
Development Review Committee (DRC)

PLANNING AND ZONING COMMISSION AGENDA MEMO

DEPARTMENT: Development Services
TO: Planning and Zoning Commission
FROM: Cliff Cross, Director of Development Services
MEETING DATE: September 3, 2025 **SECTION:** ACTION ITEMS **ITEM:** D.

CAPTION: **Request Z-2516:** By Create Healthy, to Consider a Conditional Use Permit (CUP), Per Section 6.110 (Continuance of a Nonconforming Use) and further consideration of a Site Plan and Entry Corridor Application to accommodate a proposed 49,471 square foot addition/renovation to the existing legal nonconforming Personal Improvement Services and Indoor Sports and Recreation Center at 1006 South State Highway 16.

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

SUMMARY:
A Site Plan, Conditional Use Permit (CUP) and Entry Corridor application has been submitted to accommodate the proposed renovation and addition to the existing legal nonconforming personal improvement services and sports and recreation center at 1006 South State Highway 16.

The proposed development would include an approximate 49,471 sq ft addition/renovation that will be completed in two phases and distributed over three stories. The key features will include the replacement of the existing natatorium, restrooms and dressing rooms. The project will also include a new sports court, exercise studios, and indoor jogging /walking track. The proposed development will be serviced by151 parking spaces (a combination of on-site and dedicated off-site) to accommodate the proposed development. The applicant was granted a variance, at the July 16, 2025 Zoning Board of Adjustment meeting, approving the 151 parking spaces contingent upon documentation of parking agreements/covenants ensuring parking off site.

BACKGROUND: **Site Area:** Approximately 2.46 Acres OR 245,377 sq ft

Zoning: C2, Commercial **Sec. 3.210**, PF, Public Facilities **Sec. 3.600** - Entry Corridor

Building Coverage: 46% (49,770 sq ft) (75% Maximum) **Sec. 3.210 & Sec. 3.600**

Impervious Coverage: 80% (75-85% Maximum) **Sec. 3.210 & Sec. 3.600**

Heights: 3 Stories (38 Ft Maximum) **Sec. 3.210** - 4 Stories (50 Ft Maximum) **Sec. 3.600**

Sidewalk: A sidewalk is already present along State Route 16. An approved Sidewalk along Windcrest will need to be verified.

Access: The access egress and egress points are via existing cuts on State Route 16 and Windcrest.

Parking: 1 parking space per 300 - 400 sq ft is required for a total range of 124-165. In evaluating the proposal a parking variance was granted by the Zoning Board of Adjustment to accommodate the proposed 151 spaces. This approval was contingent upon recording of a parking agreement/covenant to ensure an off-site parking lot is dedicated to the facility. The medium parking ratio would require approximately 142 spaces based on a 1-350 ratio.

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 not required per Sec. 7.940, however, screening of the dumpster is required per Sec. 7.980.

Refuse: A dumpster with approved screening will need to be verified. Sec. 7.940

Public Hearing Notices: As part of the Public Hearing process, Staff must notify property owners that own property within 200 ft of the subject property. As of 08/25/2025 no responses have been received

Entry Corridor Design Guidelines and Standards Review

Staff has reviewed the renderings and provided the application feedback regarding the design on July 15, 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 (1.2)

2.1 - 2.6 Architectural Materials: The use of Limestone and Stucco are appropriate (2.1 & 2.6)

3.1 - 3.4 Architectural Color: The use of neutral colors is appropriate (3.1-3.4)

4.1 - 4.8 Architectural Features: The design primarily associated with the rear addition and should not alter the current visibility from the front.

5.1 - 5.7 Massing & Scale: The design uses a variation of materials that breaks down the mass and scale of the building (5.1- 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 building heights fall within the maximum allowed building height of 38-50 ft.

8.1 - 8.4 Setbacks & Frontage: Doors and entryways shall be constructed facing the entry corridor and any side streets. The design as proposed is appropriate. (8.1)

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: The applicant states that there are no loading/unloading areas in the development (11.1 - 11.7)

12.1 - 12.7 Parking and Access: New surface parking areas are discouraged wand should be situated behind buildings and screened from street view. (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)

Sec. 5.460 - Review and evaluation criteria for Conditional Use Permits. Contains 13 items that must be considered when reviewing a Conditional Use Permit. Of these 13 items, Staff found that the applicant has met or responded to all requirements.

- 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 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 buildings or uses proposed. The Commission may recommend reasonable conditions which will ensure the intent and purposes of the Zoning Regulations and avoid the creation or detrimental effects 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 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

Including such other conditions that will make possible that the development occurs in an orderly and efficient manner, and in conformity with the intent and purposes of applicable ordinances.

STAFF RECOMMENDATION: The application was reviewed for conformity with all applicable regulations, including Sec. 7.131, Sec. 5.460, Sec. 3.210 and Sec. 3.600 and after review by the Development Review Committee (DRC), Staff has the following recommendations:

Staff recommends approval of the Site Plan, Conditional Use Permit and Entry Corridor application. The proposed development was granted a parking variance and the approval will guarantee off site parking is available to serve the current and proposed facility.

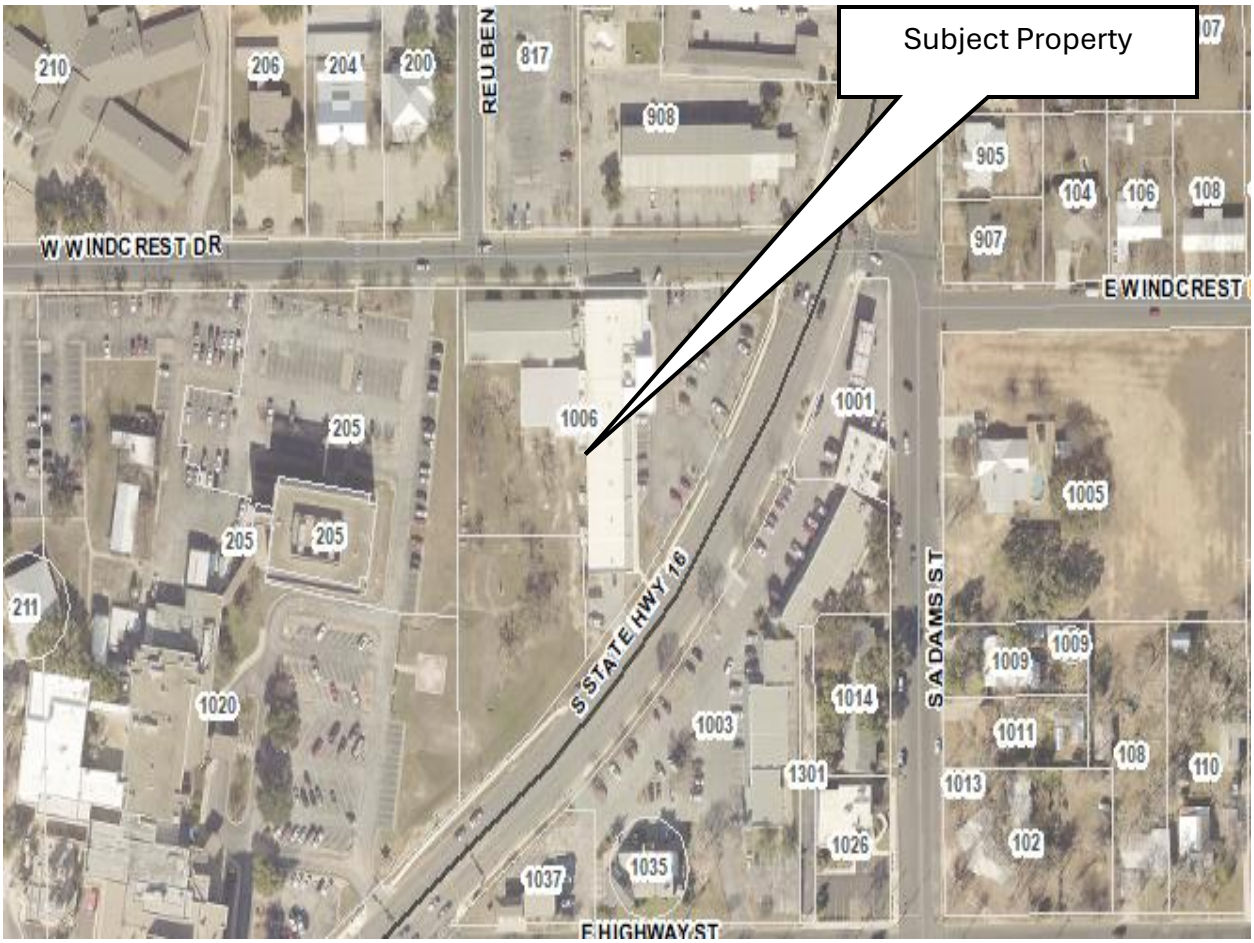
Staff recommends approval of the Site Plan and Conditional Use Permit (CUP) conditioned upon the following:

- Project will require submission of civil construction plans.
- Future location of the proposed detention pond will need to be identified on site plan.
- Location of proposed sidewalk along W. Windcrest will need to be identified.
- Identified existing and proposed utility connections shown.
- Confirmation of setback requirements along west property line.
- Recorded parking covenant/agreement for off site dedicated parking.

ATTACHMENTS:

1. Location Map
2. Zoning Map
3. Landuse Map
4. Z-2516_-Conditional Use Permit-Zoning Application Package
5. Site Plan-Entry Corridor Application 6-27_ payment received
6. Z-2516 _Review Comments
7. Z-2516_1006 ST HWY 16 S Map

APPROVAL/REVIEW:


Subject Property
W WINDCREST DR
E WINDCREST
S STATE HWY 16
S ADAMS ST
E HIGHWAY ST
REUBEN
210
206
204
200
817
908
905
104
106
108
907
1006
1001
205
205
205
1005
211
1009
1009
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1011
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1301
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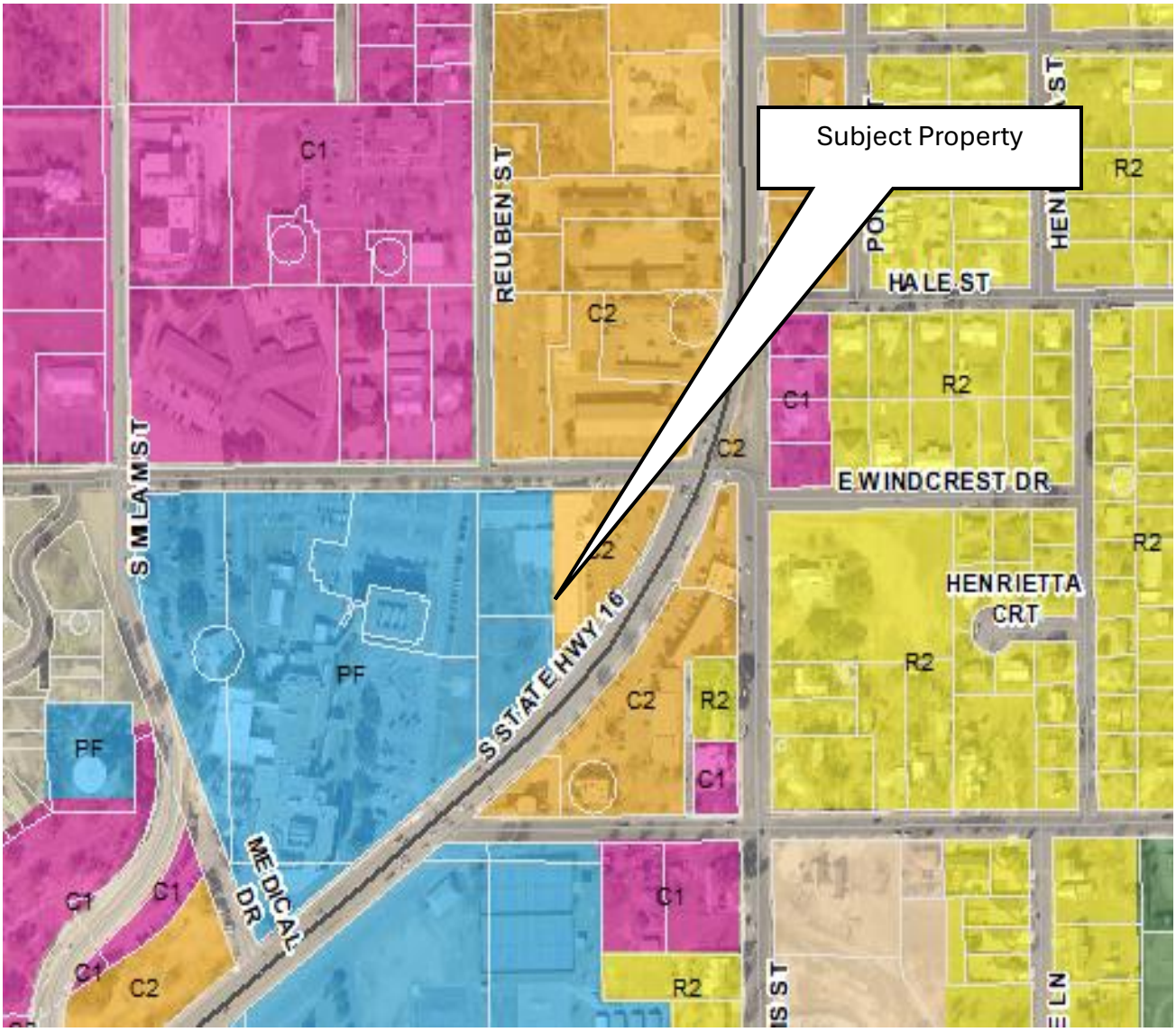
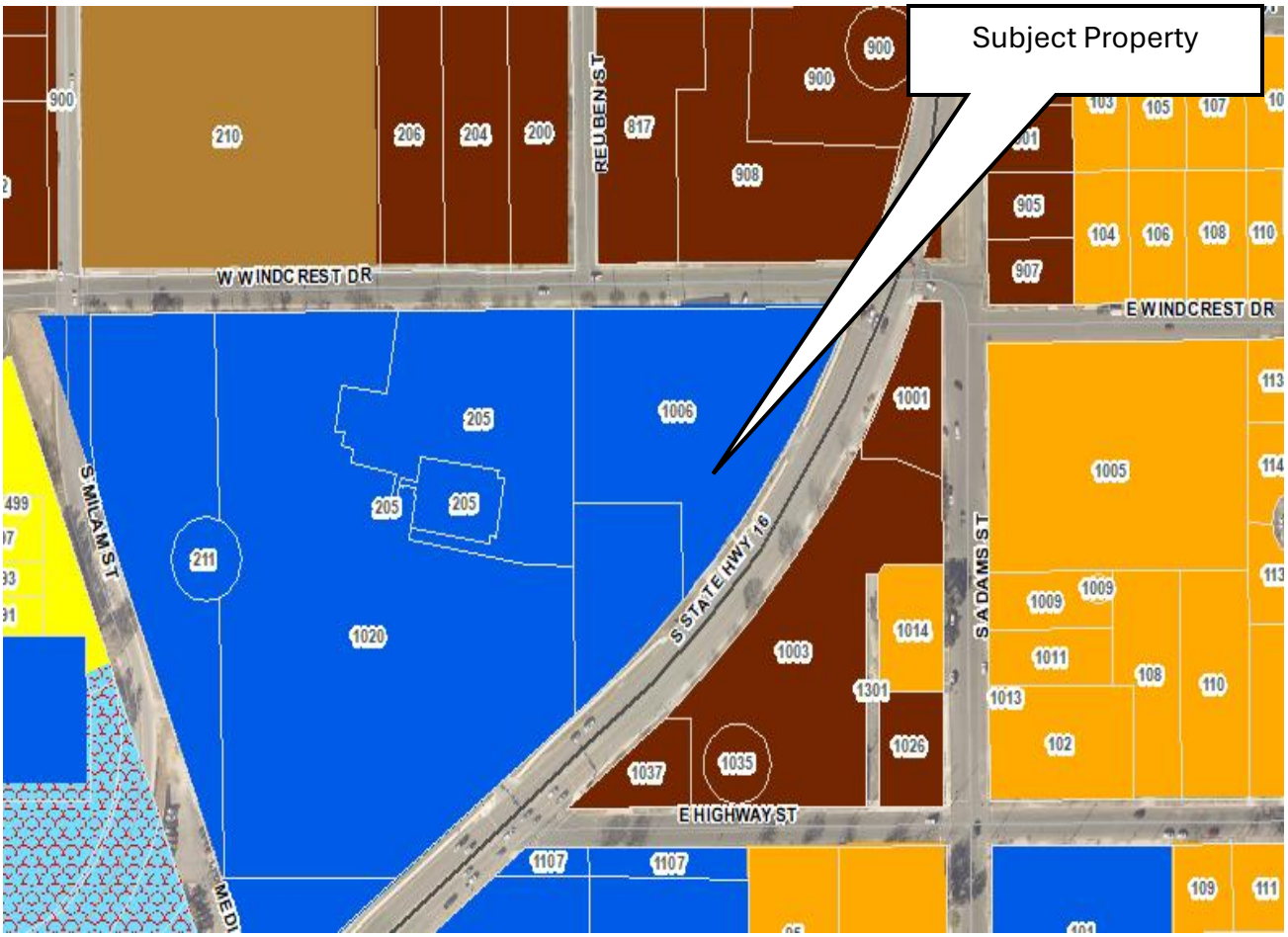
1035


Subject Property
C1
REUBEN ST
C2
R2
HALE ST
S MLA ST
E WINDCREST DR
HENRIETTA CRT
PF
S STATE HWY 16
MEDICAL DR


Subject Property
W WINDCREST DR
E WINDCREST DR
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S MILAM ST
S STATE HWY 16
S ADAMS ST
E HIGHWAY ST
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1003
1014
1301
1026
1037
1035
1009
1011
1013
102
108
110
1107
109
111

July 22, 2025

Jan Musgrove
Planner 1
City of Fredericksburg
126 W. Main Street
Fredericksburg, Texas
jmusgrove@fbgtx.org

Re: Conditional Use Permit (CUP) Request
Create Healthy Wellness Center – Additions & Renovations
1006 S. State Hwy 16, Fredericksburg, TX 78624

Dear Ms. Musgrove,
We respectfully submit this letter in support of a Conditional Use Permit (CUP) for the proposed Expansion and Renovation of the existing Create Healthy Wellness Center located at 1006 S. State Hwy 16.

The current facility is a single-story building encompassing approximately 31,330 square feet. Our proposed project includes the renovation of approximately 3,600 square feet of existing space and the addition of approximately 49,471 square feet across three floors. To ensure uninterrupted service to the community, construction will be completed in two phases, allowing the Wellness Center to remain operational throughout the process.

Key features of the project include:

- Replacement of the existing natatorium, restrooms, and dressing rooms
- Addition of a new sports court, exercise studios, and an indoor jogging/walking track
- Landscape enhancements on both the north and south sides of the building

Create Healthy is a non-profit organization that has proudly served the Fredericksburg community for many years. We are excited to share this vision for an expanded and enhanced facility that will continue to promote health and wellness for all.

Our leadership team is available to meet and provide any additional information needed to support this request.

Thank you for your consideration.

Gerardo Noriega, AIA
President

Zoning Application

City of Fredericksburg – Development Services Department

126 W. Main St, Fredericksburg, TX 78624

A. Project Information

Project Name: Create Healthy Wellness Center Additions & Renovations

Project Address: 1006 S State Hwy 16, Fredericksburg, TX 78624

Property Tax ID Numbers: 29127

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: Create Healthy Management

Owner Address: 101 Ida Mae Dr, Fredericksburg, TX 78624

Owner Phone Number: (830) 997-1297

Owner Email Address: christopher.semmler@createhealthy.org

D. Applicant

Applicant Name: Gerardo Noriega, AIA

Applicant Address: 1917 N New Braunfels, Suite 201, San Antonio, TX 78208

Applicant Phone Number: (210) 842-3991

Applicant Email Address: gerry@gn-architect.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: Gerardo Noriega, AIA

Digitally signed by Gerardo Noriega, AIA
DN: C=US, E=gerry@gn-architect.com, O=GNA Architecture, CN="Gerardo Noriega, AIA"
Date: 2025.07.22 13:31:55-05'00'

Printed Name: Gerardo Noriega

Staff Use Only Application Number: Z-2516 Date: 7/23/2025

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: Gerardo Noriega, AIA

Date: 7/23/2025

Printed Name: Gerardo Noriega

Welcome and thank you for your interest in developing in Fredericksburg, Texas

The City of Fredericksburg's Development Services department's goal is to make the process clearer and easier to navigate, to provide answers to commonly asked questions, and to explain how these various steps and requirements are related to your project.

City staff can provide guidance and answer any additional questions should they arise. Contact information for key departments is also included in the package provided.

We look forward to working with you.

Development Services Department

Evan Williamson, Interim Director of Development Services

Development Process in Fredericksburg, Texas

---

1. **Initial Planning and Research**
    - Attend a free DRC meeting where you will be able to ask questions of all members of city staff that could impact on your project. Held every Thursday in the afternoon, appointments are required.
2. **Development Approval and Submission of Site Plan, Plat or zoning requests**
    - Process takes 30 to 45 days
    - Submit applications to Development Services
    - Obtain necessary board approvals and/or zoning approvals
3. **Construction**
    - Submit for required building permits through MGO
    - Process takes 45-60 days
4. **Inspections and CO Handover**
    - Conduct all required inspections
    - After all departments have done their inspections, the building department will issue the Certificate of Occupancy

---

SITE PLAN/ENTRY CORRIDOR/OFF STREET PARKING APPLICATION

All items on the attached Site Plan Checklist must be submitted with a complete application. Email all documents to jmusgrove@fbgtx.org.

A. Project Information

Project Name: Create Healthy Wellness Center Additions & Renovations

Project Address: 1006 S State Hwy 16, Fredericksburg, TX 78624

Parcel ID Numbers: 29127

B. Application Type: Check all that apply

- [ ] Administrative Site Plan - $400.00
- [x] P&Z Site Plan - $500.00
- [x] Entry Corridor Design Guidelines and Standards - $100.00
- [ ] Off-Site Parking Agreement - $200.00
- [x] DRC Review comments - $250

C. Applicant/Owner Information

Property Owner

Owner Name: Create Healthy Management, Domestic Nonprofit Corporation

Owner Address: 101 Ida Mae Dr, Fredericksburg, TX 78624

Owner Phone Number: (830) 997-1297

Owner Email Address: christopher.semmler@createhealthy.org

Applicant

Applicant Name: Gerardo Noriega, AIA

Applicant Address: 1917 N. New Braunfels, Suite 201, San Antonio, TX 78208

Applicant Phone Number: (210) 842-3991

Applicant Email Address: gerry@gn-architect.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: Gerardo Noriega, AIA

Digitally signed by Gerardo Noriega, AIA
DN: C=US, E=gerry@gn-architect.com, O=GNA Architecture, CN="Gerardo Noriega, AIA"
Date: 2025.06.27 16:39:28-05'00'

Printed Name: Gerardo Noriega, AIA

Staff Use Only Application Number: _____ Date: 06/27/2025

Required Checklist Items Included: _____

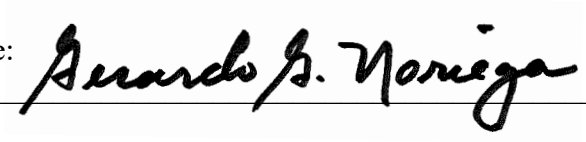
SITE PLAN CHECKLIST

This form and all required exhibits must be included with the Site Plan and Entry Corridor 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** It is described in the narrative
- ☐ 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** It is described in the narrative. Refers to Sheet No. 04 Required Parking Calculation
- ☐ 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
- ☐ PDF copies emailed to **jmusgrove@fbgtx.org**

Note: Staff or the Planning and Zoning Commission may require modification of a Site Plan as a prerequisite for approval. **Section. 7.132**

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 Signature: 

Date: 6/26/2025

Printed Name: Gerardo Noriega, AIA

STAFF USE

Application Received Date: _____Fee: _____

Application #: _____

ENTRY CORRIDOR CHECKLIST

The Entry Corridor Design Standards apply to properties adjacent to designated Entry Corridors (US Hwy 290 E & W, State Hwy 16 N & S, RR 965 and 87 N & S)

The Standards or Guidelines shall apply only to the extent of construction, or development under the purview of the permit, site plan or zoning application. Entry Corridor Design Standards & Guidelines

A landowner or developer must follow the Standards and Guidelines concurrent with a zone change, a use category change or issuance of one of the following permits. Check all that apply.

- ☐ Building
- ☐ Sign
- ☑ Street and sidewalk construction
- ☐ Conditional use permit
- ☑ Site plan review
- ☐ Platting
- ☐ Placement in the public right of way
- ☐ Temporary use permit

This form and all required exhibits must be included with the Site Plan and Entry Corridor application. Completion of appropriate application noted above and fee.

- ☑ Drawings that adequately show how all proposed elevations meet requirements for: Sec. 1- Architectural Style, Sec 2 – Architectural Materials, Sec 3- Architectural Colors, Sec 4– Architectural Features, Sec 5 – Massing and Scale, Sec 6 – Signage, Sec 7- Building Height. **Design Standards**

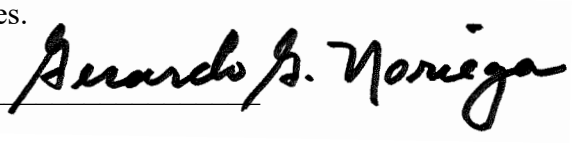
- ☑ Site plan showing following requirements: Sec 8 – Setbacks, Sec 9 - Landscaping, Sec 10 – Lighting, Sec 11 – Service Areas Sec 12 -Parking, Sec 13- Drainage, Sec 14- Streetscape. **Design Standards**

- ☑ Narrative describing complete scope of work and how each Standard and Guidelines is. met or not applicable.

- ☑ PDF copies emailed to **jmusgrove@fbgtx.org**

Note: Additional information may be required to complete review of proposed project by the Planning and Zoning Commission.

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: Gerardo Noriega, AIA 

Date: 06/27/2025

Printed Name: Gerardo Noriega

STAFF USE:

Application received: _____

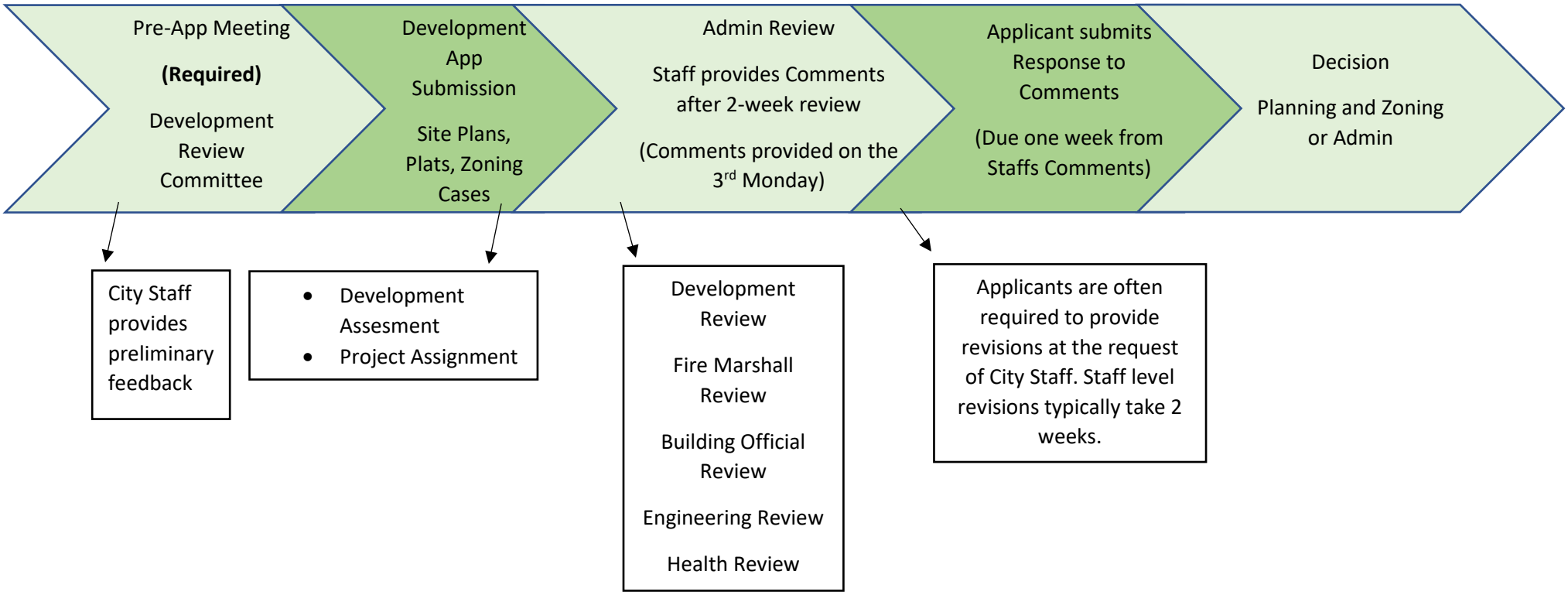
Fee: _____

Application #: _____

City of Fredericksburg Development Review Committee Timeline

Process, timeline, and variables. Please be advised that every project is unique and may require additional review.

30 Day Timeline



DEVELOPMENT REVIEW COMMITTEE

CONTACT INFORMATION

City of Fredericksburg
126 West Main Street
Fredericksburg, TX 78624
Phone (830)997-7521
Fax (830)997-7521
www.fbgtx.org

NAME	DEPARTMENT	TITLE	PHONE	EMAIL
Evan Willaimson	Development Services	Interim Director of Development Services	830-990-2009	ewilliamson@fbgtx.org
Shelby Collier	Development Services	Senior Planner	830-990-2013	scolllier@fbgtx.org
Janet Musgrove	Development Services	Planner 1	830-990-2079	jmusgrove2fbgtx.org
Michael Erwin	Development Services	Building Official	830-990-2038	merwin@fbgtx.org
Jeanette Sanchez	Development Services	Building Services Coordinator	830-990-2056	permits@fbgtx.org
Evan Williamson, P.E.,	Engineering & Public Works	Assistant City Engineer	830-990-2009	ewilliamson@fbgtx.org
Sibyl Deckard	Engineering & Public Works	Staff Engineer	830-997-7521	sdeckard@fbgtx.org
Tim Lehmberg	Economic Development (EDC)	Director of EDC	830-997-6523	edc@fbgtx.org
Reagan Rabke	Fire Department	Fire Marshal	830-990-2024	rrabke@fbgtx.org
Kelli Olfers, R.S.	Gillespie County Health Division	Director of Gillespie County Health	830-997-7521	kolfers@fbgtx.org
Melissa Eckert, P.E., CFM	Gillespie County	County Engineer	830-307-6196	meckert@gillespiecounty.org
Sheryl Sutton	Gillespie Country	Sanitation/Floodplain Designated Representative	830-997-8191	ossf@gillespiecounty.org
Paul Babb	Underground Water Conservation	General Manager	830-225-3169	pbabb@hcuwcd.org
Brad Phipps	Texas Department of Transportation	Assistant Supervisor Fredericksburg Maintenance	830-997-4361	brad.phipps@txdot.gov

The Development Review Committee is a service offered by the City of Fredericksburg and allows for an opportunity for citizens to discuss potential development projects with a committee assembled from multiple development-related City divisions.

Contact Form Updated February 2025

June 27, 2025

Jan Musgrove
Planner 1
City of Fredericksburg
126 W. Main Street, Fredericksburg, Texas
jmusgrove@fbgtx.org

Reference: **Project Summary Site Plan/Entry Corridor Application**
Create Healthy Wellness Center Additions & Renovations
1006 S State Hwy 16, Fredericksburg, Texas 78624

This letter introduces the **Site Plan/Entry Corridor Application** for the expansion and renovation of the existing Create Healthy Wellness Center located at 1006 S. State Hwy. 16. The Site Plan and supporting documents are attached to this application for review and approval.

The existing wellness center is a single-story 31,330 square foot building. Approximately 3,600 square feet of the existing space will be renovated. New construction will consist of two phases, approximately 49,471 square foot addition distributed over three stories. This project is being proposed to better serve and enhance the services Create Healthy currently provides to the community. The project will be constructed in two phases to allow the Wellness Center to remain operational and continue to serve the community throughout construction. The key programming features will include replacement of the existing **natatorium, restrooms, and dressing rooms,** a new **sports court**, **exercise studios**, and an **indoor jogging/walking track**.

The project will include landscaping improvements in the south (S. State Hwy 16) and the north side of the building (W. Windcrest St.), which will positively impact the surrounding area and the community of Fredericksburg.

Create Healthy is a non-profit that has served the Fredericksburg Community for many years and is very excited to share this future vision and space with the community.

The Design and Leadership Team of Create Healthy are happy to meet and provide any additional information regarding this request.

Sincerely,

Gerardo Noriega, AIA
President

Entry Corridor Design Standards Narrative

Brief Description of the proposed use per Section 7.131

1. Architectural Style: Texas Modern Vernacular

The architectural language for the proposed expansion and renovation of the existing Wellness Center is to provide the building with a sense of belonging and contextualism. The current building is mostly a 1980s commercial storefront building that lines highway 16, with a modern single sloped entry vestibule. Currently made up of metal panel, stucco and stone. The new addition and renovation areas will provide a more appropriate architectural forms that are in keeping with historic Fredericksburg, Texas. The Wellness Center is in keeping with Texas Regional Architectural style as identified in the Entry Corridor Design Standards.

2. Architectural Materials

- Pigmented Stucco (Sand Finish)
- Limestone Masonry
- Accent Stone Masonry
- Coated Architectural Steel
- Standing Seam Metal Roof (pre-weathered Galvalume)
- Stained Wood Accent and Louvers
- Corten/Weathered Steel Screens
- Prefinished Brake Metal Accents
- Natural Terracotta Masonry (Breeze Blocks)

3. Architectural Color

The majority of the proposed addition will be composed of natural gray/green pigmented stucco finish, with a secondary material of prefinished gray metal panel that matches the existing metal panel system currently on the building. There will be white limestone veneer accenting specific locations along with a warmer accent stone banding. Exterior fixtures, architectural steel and railing are proposed to be a dull natural bronze color. The wood accents will patina over time graying and aging seamlessly with the pigmented stucco. See Exhibit for existing and proposed color pallet.

4. Architectural Features

The existing building is fairly stripped of architectural features. This project aims to bring that warmth and scale to the project. While this is a larger structure given its programming and services its providing to the community, the massing is pushed and pulled in areas aiming to bring

a welcoming pedestrian scale to the site for its users. Hipped awnings mixed with louvered awnings, are provided not only to break up the architectural mass, but to provide and diffuse direct light into the building. Linear punched openings line the buildings facade in direct relation to the programming on the interior. Steel roof bracketing is not only functional but provides the common architectural theme of typical Texas porch roof. Where larger spans of glass do occur they are veiled by perforated Corten shad screens to shield the interior of direct sunlight. Egress required exterior stairs will be wrapped in terracotta breeze block masonry to provide an accent of natural material and complement the cooler colors in the project. See exterior elevations exhibits.

5. Massing and Scale

As previously stated, the project is currently under review for a requested height variance. The majority of the project meets the required 38 foot building height but given the necessary project needs and site restrictions the building does require a 3rd level. The volume/massing provides a step down from 50 foot to the 38 foot as well as maintains the existing single-story building that fronts Highway 16. Given the context, natural tree lines and existing infrastructure the larger massing will not be highly visible from the main entry corridor thoroughfare. See exterior perspectives. Also, note in regards to context the existing Medical Office Building still sits roughly ten feet higher than the proposed building.

6. Signage

The Wellness Center currently has existing signage on the East façade of the building facing Texas Highway 16. There are currently no plans to expand upon this signage in any way. The project is still in early stages of design and if deemed by the owners to add signage, then a separate submittal will be provided to Developmental Services.

7. Building Height

While the building scale is larger than typical entry corridor structures, it is a mirror of its programming. The need of an upgraded Natatorium, and Sports Court require larger spans and higher ceilings. The building does provide accented building facades in order to mediate and balance out the larger volumes needed on the interior. Building sections show how the volumes on the interior are accented on the exterior in order to maintain as much pedestrian scale as possible. The use of different materials and architectural accents assist in making the buildings massing appear smaller in scale. Also note that all high volumes are maintained off the main entry corridor thoroughfare.

8. Site Design

All setbacks required are met, and R.O.W. sidewalks along the north elevation will be upgraded and pulled away from the street curb and accented with low landscaping and trees. The main frontage off Texas Highway 16 is being maintained and no change occurring. See site plan and landscape exhibit.

9. Landscaping

Refer to landscape narratives and exhibits.

10. Lighting

Architectural, dimmable, area lights with dark sky selected option to be set at 3000 K to decrease glare and light pollution. Cylinder type wall sconces with daylight responsive controls will assist in energy consumption and control. See attached product sheets and renderings.

11. Service Areas

The proposed mechanical systems will all be screened via perforated mechanical screening systems and a expanded mesh weathered steel screen. The existing mechanical yard on the north side of the building is currently screened via a wooden fence. The new addition will also propose to upgraded that fencing to be a perforated weathered steel expanded mesh screen wall system. The existing dumpster, is located at the parking lot north of the site. It is currently out of sight of any pedestrian right of ways and will not be getting modified as part of this project. See elevations for screening locations and types.

12. Parking and Access

The intent of the project is to maintain its existing parking arrangement and access. There are no existing functionality issues or needs the owners has noted. The team has evaluated any potential future parking needs or enhancements as part of the addition and renovation. There is currently a parking variance application under review that describes and provide backup information on existing and future parking needs. Existing access will remain as existing.

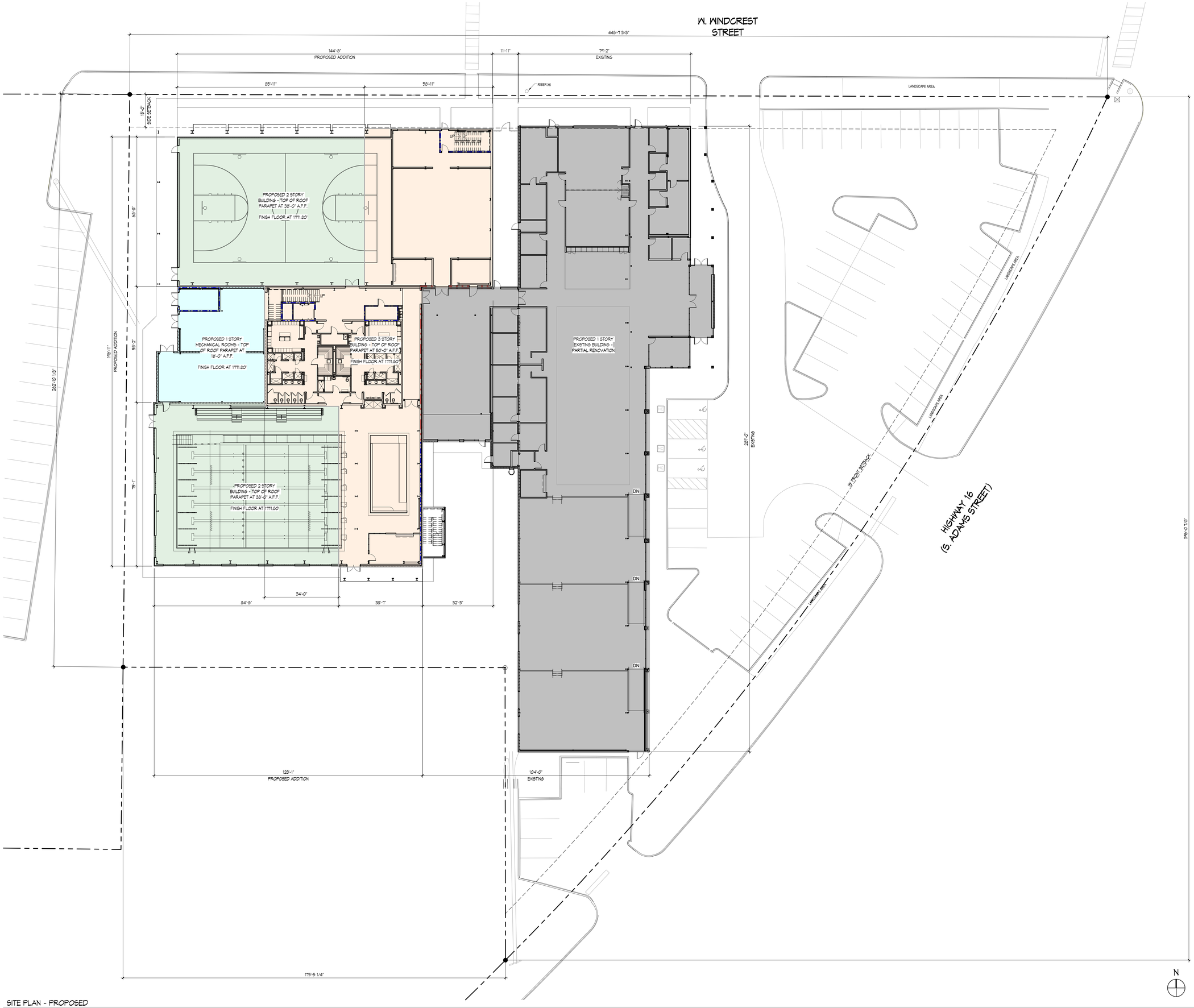
13. Drainage and Stormwater

The existing roofs all daylight directly onto the site. It is the goal of the project to capture all the new addition impervious coverage and take it underground to a proposed “wet” detention pond located on the southwest corner of the property. This pond will also saddle the adjacent property to the south. The Create Healthy Owners are currently in negotiations with the owners of that adjacent property for a shared drainage easement, as the hospitals parking lot drainage currently

passes along the west side of the Create Healthy project and the proposed wet detention pond will be a shared attribute for both the Hospital and Wellness Center. See stormwater plans, landscape plans and Civil Scope Narrative.

14. Streetscape

The right of way along Windcrest will be modified to be more pedestrian friendly. Trees, landscaping and drainage rocks will help in creating a pleasant cool walkway. The main elevation along Texas Highway 16 will remain as is but the proposed wet detention pond on the south will be accessible from that sidewalk. Existing tree canopies will remain on the south side of the lot along with new proposed oaks closer to the new addition.



1 SITE PLAN - PROPOSED
1/16" = 1'-0"

6/24/2025 1:58:54 PM

GNA | architecture
1917 N. NEW BRAUNFELS, STE 201
SAN ANTONIO, TEXAS 78208
210.298.7800 / www.gn-architect.com

ARCHITECT: GERARDO G. NORIEGA
REGISTRATION NUMBER: 18918
NOT FOR REGULATORY APPROVAL, PERMITTING , OR CONSTRUCTION, SEAL LOCATION

ISSUANCE

NO.	DESCRIPTION	DATE
-	-	-
-	-	-

REVISION

NO.	DESCRIPTION	DATE

CreateHealthy

CREATE HEALTHY WELLNESS CENTER
ADDITION AND RENOVATION - PHASE I
1006 S STATE HWY. 16
FREDERICKSBURG, TX 78624

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GNA PROJECT NO. 25-004
DRAWN BY -
CHECKED BY -
DESCRIPTION

PROPOSED SITE PLAN

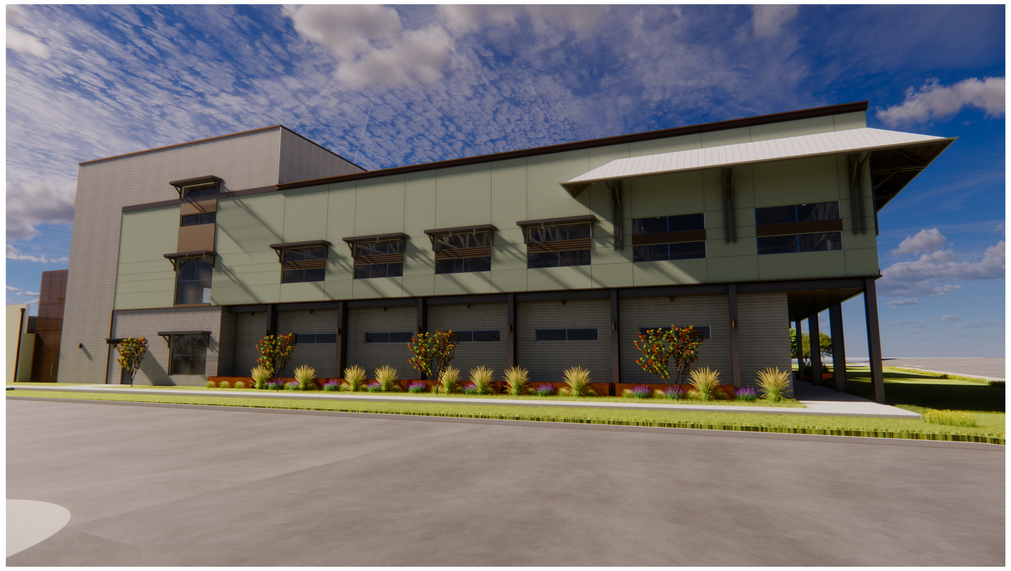
SHEET NO.
HT-0A

ARCHITECTURAL DRAWINGS AND DOCUMENTS

1 NORTH ELEVATION - PROPOSED
1/8" = 1'-0"

2 3D PERSPECTIVE - NORTH ELEVATION FROM HIGHWAY 16

3 EXISTING STREET VIEW



4 3D PERSPECTIVE - NORTH ELEVATION

5 3D PERSPECTIVE - NORTH ELEVATION - NIGHT

6/26/2025 3:19:51 PM

GNA | architecture
1917 N. NEW BRAUNFELS, STE 201
SAN ANTONIO, TEXAS 78208
210.298.7800 / www.gn-architect.com

ARCHITECT: GERARDO G. NORIEGA
REGISTRATION NUMBER: 18918
NOT FOR REGULATORY APPROVAL, PERMITTING , OR CONSTRUCTION, SEAL LOCATION

ISSUANCE

NO.	DESCRIPTION	DATE
-	-	-
-	-	-

REVISION

NO.	DESCRIPTION	DATE

CreateHealthy

CREATE HEALTHY WELLNESS CENTER
ADDITION AND RENOVATION - PHASE I
1006 S STATE HWY. 16
FREDERICKSBURG, TX 78624

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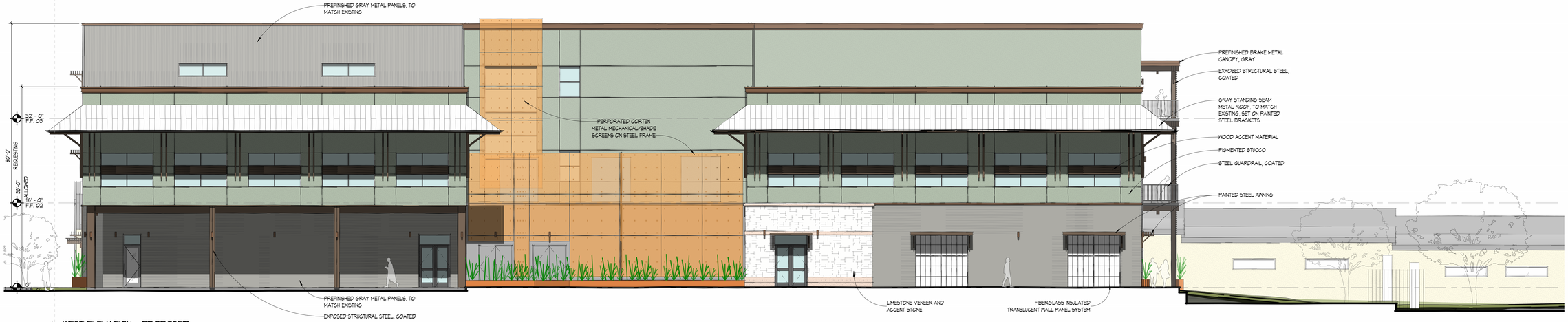
GNA PROJECT NO. 25-004
DRAWN BY -
CHECKED BY -
DESCRIPTION

PROPOSED EXTERIOR ELEVATION

SHEET NO.
SK - 01



1 WEST ELEVATION - PROPOSED
1/8" = 1'-0"

2 3D PERSPECTIVE - WEST ELEVATION 02

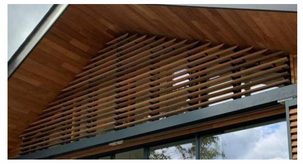
WHITE LIMESTONE VENEER

PERFORATED CORTEN SCREENING

PIGMENTED MUTED GREEN STUCCO

GRAY METAL WALL PANEL

WEATHERED STANDING SEAM METAL ROOF



NATURAL WOOD ACCENTS

3 ELEVATION COLORS

4 3D PERSPECTIVE - WEST ELEVATION 01

5 3D PERSPECTIVE - WEST ELEVATION - NIGHT

6/26/2025 3:26:28 PM

GNA | architecture
1917 N. NEW BRAUNFELS, STE 201
SAN ANTONIO, TEXAS 78208
210.298.7800 / www.gn-architect.com

ARCHITECT: GERARDO G. NORIEGA
REGISTRATION NUMBER: 18918
NOT FOR REGULATORY APPROVAL, PERMITTING , OR CONSTRUCTION, SEAL LOCATION

ISSUANCE

NO.	DESCRIPTION	DATE
.	.	.
.	.	.

REVISION

NO.	DESCRIPTION	DATE

CreateHealthy

CREATE HEALTHY WELLNESS CENTER
ADDITION AND RENOVATION - PHASE I
1006 S STATE HWY. 16
FREDERICKSBURG, TX 78624

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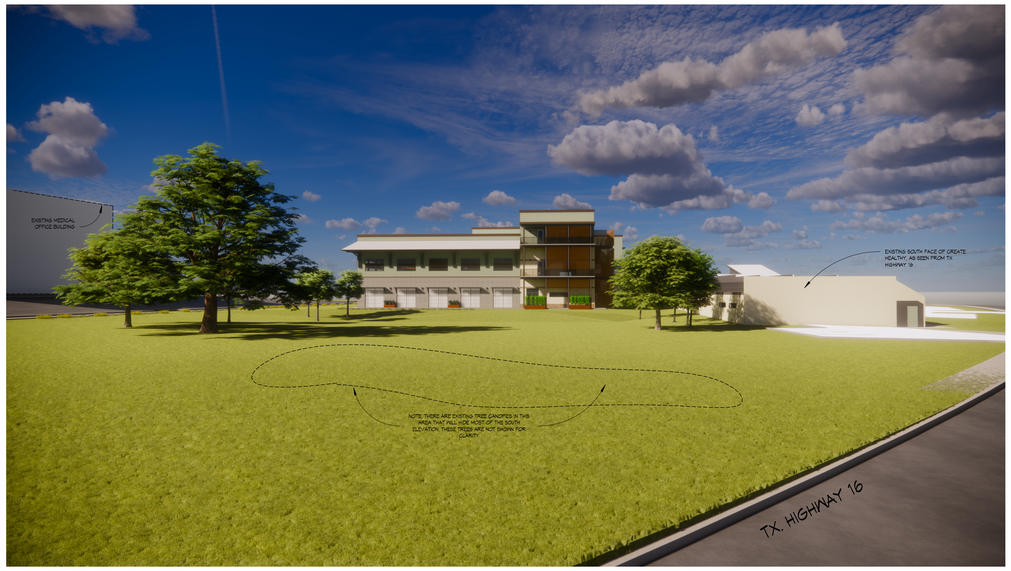
GNA PROJECT NO. 25-004
DRAWN BY GNA
CHECKED BY GNA
DESCRIPTION

EXTERIOR ELEVATION

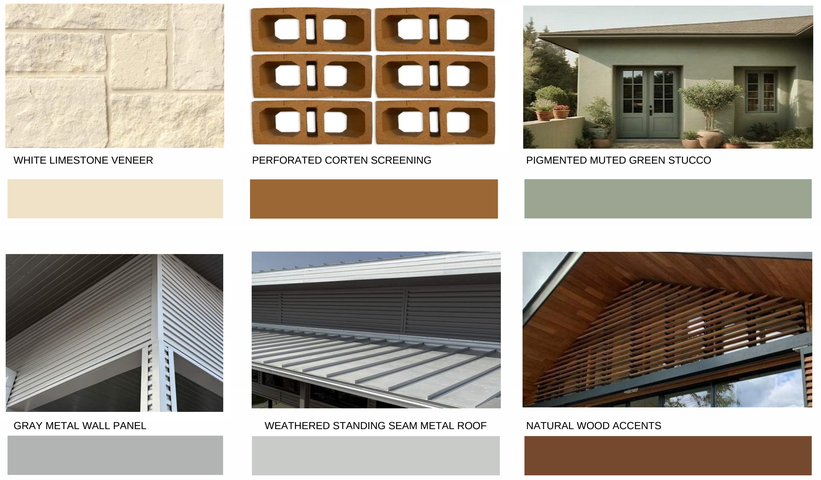
SHEET NO.
SK - 02

1 SOUTH ELEVATION - PROPOSED

1/8" = 1'-0"



2 3D PERSPECTIVE - SOUTH ELEVATION 2



3 SOUTH ELEVATION COLORS

4 3D PERSPECTIVE - SOUTH ELEVATION

5 3D PERSPECTIVE - SOUTH ELEVATION - NIGHT

6/26/2025 3:40:13 PM

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1917 N. NEW BRAUNFELS, STE 201
SAN ANTONIO, TEXAS 78208
210.298.7800 / www.gn-architect.com

ARCHITECT: GERARDO G. NORIEGA
REGISTRATION NUMBER: 18918
NOT FOR REGULATORY APPROVAL, PERMITTING , OR CONSTRUCTION, SEAL LOCATION

ISSUANCE

NO.	DESCRIPTION	DATE
-	-	-
-	-	-

REVISION

NO.	DESCRIPTION	DATE

CreateHealthy

CREATE HEALTHY WELLNESS CENTER
ADDITION AND RENOVATION - PHASE I
1006 S STATE HWY. 16
FREDERICKSBURG, TX 78624

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GNA PROJECT NO. 25-004
DRAWN BY GNA
CHECKED BY GNA
DESCRIPTION

EXTERIOR ELEVATIONS

SHEET NO.
SK - 03

SITE PLAN-CIVIL ENGINEER DRAWINGS AND DOCUMENTS

June 19, 2025

City of Fredericksburg Texas
126 W. Main Street
Fredericksburg, TX 78624-3708

Re: Entry Corridor & Site Plan Application Narrative – Civil Engineer
For Healthy Stevens Wellness Center Redevelopment
MHE Project No. 3483.01

To whom it may concern:

Civil Scope Narrative:

Matkin-Hoover Engineering will be preparing civil construction drawings to support the development of a new building for the Healthy Stevens Wellness Center (HSWC). Our focus will be on routing new water, sewer and storm utility lines to the new building, control the on-site storm sewer sheet flow and provide a new detention pond on-site for stormwater management.

A drainage analysis will be performed per city requirements to compare existing storm sheet flow to proposed, and a detention pond will be designed to limit the post-construction flows to pre-construction flows. The hospital currently has drainage from their site entering the HSWC property, and due to limited space on the west side of the property, this stormwater will be re-routed south to keep it separate from our new scope of work.

An existing building will be removed, and a new larger facility will be built in its place. The existing building remaining will connect to the new facility.

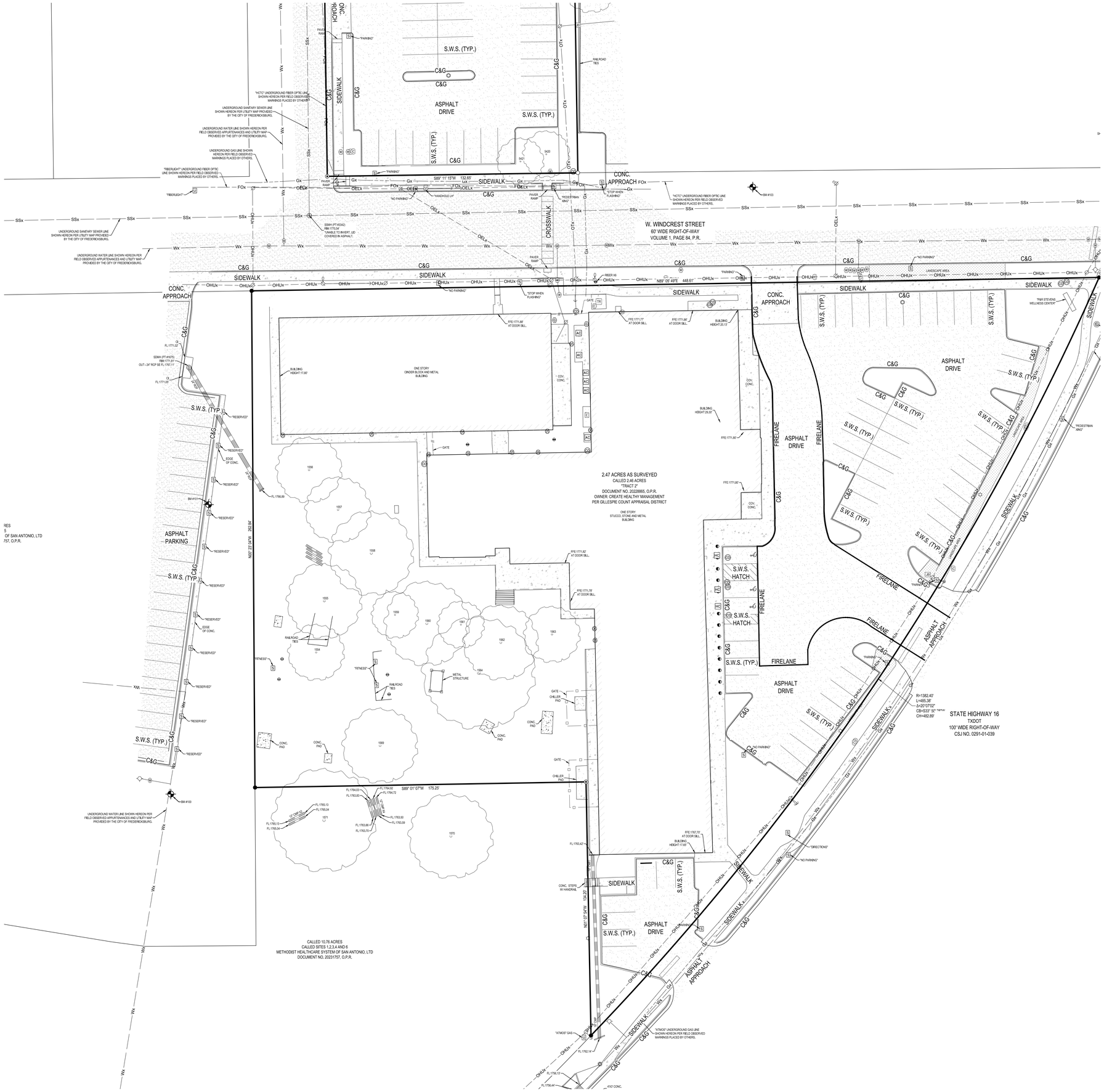
Fire access will be analyzed to ensure that the existing and new buildings will have the required fire access and hydrants necessary to meet the city's requirements.

The property currently is not platted, and Matkin-Hoover will be preparing a plat submittal to combine the property into a one lot plat.

Should you have any further questions, please feel free to contact me directly.

Sincerely,

Spencer Rivers, P.E.
srivers@matkinhoover.com
832-314-5269



N

SCALE: 1"=20'

0 10' 20' 30' 40'

LEGEND

- PROPERTY BOUNDARY
- EXISTING PROPERTY ADJOINER
- 234 EXISTING 1' CONTOURS
- 235 EXISTING 5' CONTOURS
- SFx EXISTING SILT FENCE
- HORIZONTAL CONTROL POINT
- FOUND 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "IDS"
- FOUND 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "BCT"
- EXISTING STORM DRAIN MANHOLE
- EXISTING TRAFFIC SIGN
- EXISTING UTILITY POLE
- EXISTING UTILITY POLE WITH GUY WIRE
- EXISTING UTILITY POLE WITH TRANSFORMER
- EXISTING COMMUNICATIONS BOX
- EXISTING TELEPHONE PEDESTAL
- EXISTING UTILITY MARKER POST
- EXISTING GAS VALVE
- EXISTING TRAFFIC SIGNAL BOX
- EXISTING TRAFFIC SIGNAL POLE
- EXISTING CROSSWALK POLE
- EXISTING WATER METER
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- EXISTING ELECTRIC BOX
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- EXISTING SANITARY SEWER CLEANOUT
- EXISTING UTILITY STUBOUT
- EXISTING STORM DRAIN PIPE
- EXISTING CONCRETE PAVING
- EXISTING ASPHALTIC PAVING
- EXISTING WOOD FENCE
- EXISTING IRON FENCE
- EXISTING CHAIN-LINK FENCE
- Gx EXISTING UNDERGROUND GAS MAIN
- FOx EXISTING UNDERGROUND FIBER OPIC LINE
- OHUx EXISTING GENERAL OVERHEAD UTILITY
- OELx EXISTING OVERHEAD ELECTRIC
- OTx EXISTING UNDERGROUND TELEPHONE
- EXISTING TREE

TREE TABLE

POINT NUMBER	SPECIES	TRUNK DIA (IN)	SPREAD (FT)	MULTI-TRUNK DIA (IN)
1554	PECAN	16	30	N / A
1555	PECAN	18	40	N / A
1556	POST OAK	15	35	N / A
1557	MESQUITE	18	35	N / A
1558	MESQUITE	31	45	17 x 15 x 13
1559	MESQUITE	23.5	25	17 x 13
1560	MESQUITE	22	45	N / A
1561	MESQUITE	14	25	N / A
1562	POST OAK	23	40	N / A
1563	MESQUITE	17	30	12 x 10
1564	MESQUITE	19	60	N / A
1569	MESQUITE	20	40	N / A
1570	HACKBERRY	21	45	N / A
1571	HACKBERRY	23	55	N / A
5420	POST OAK	6	25	N / A
5421	CHINESE PISTACHE	10	25	6 x 4 x 4
5422	MESQUITE	N / A	30	N / A
5423	MESQUITE	22.5	30	19 x 7
5424	AMERICAN ELM	8	30	N / A
5425	CEDAR ELM	8	30	N / A

VERTICAL SITE CONTROL

PT. NUMBER	NORTHING	EASTING	ELEVATION	DESCRIPTION
100	10062446.57'	2750199.95'	1775.79'	SET NAG NAIL IN ASPHALT WITH WASHER STAMPED "MATKIN HOOVER ENG & SVY"
101	10062599.73'	2750219.96'	1774.18'	SET NAG NAIL IN ASPHALT WITH WASHER STAMPED "MATKIN HOOVER ENG & SVY"
102	10063119.85'	2750242.33'	1779.03'	SET NAG NAIL IN ASPHALT WITH WASHER STAMPED "MATKIN HOOVER ENG & SVY"
103	10062767.74'	2755508.00'	1769.63'	SET NAG NAIL IN ASPHALT WITH WASHER STAMPED "MATKIN HOOVER ENG & SVY"

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CONTACT@MATKINHOOVER.COM

3303 SHELL ROAD SUITE 3
GEORGETOWN, TEXAS 78628
OFFICE: 512.868.2244

TEXAS REGISTERED ENGINEERING FIRM F-004512 SURVEYING FIRM F-10024000

ISSUANCE			REVISION		
NO.	DESCRIPTION	DATE	NO.	DESCRIPTION	DATE
-	-	-	-	-	-

CreateHealthy

CREATE HEALTHY WELLNESS CENTER
ADDITIONS & RENOVATIONS
1006 S. STATE HWY. 16
FREDERICKSBURG, TEXAS 78624

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GNA PROJECT NO. 25-004

DRAWN BY GSC

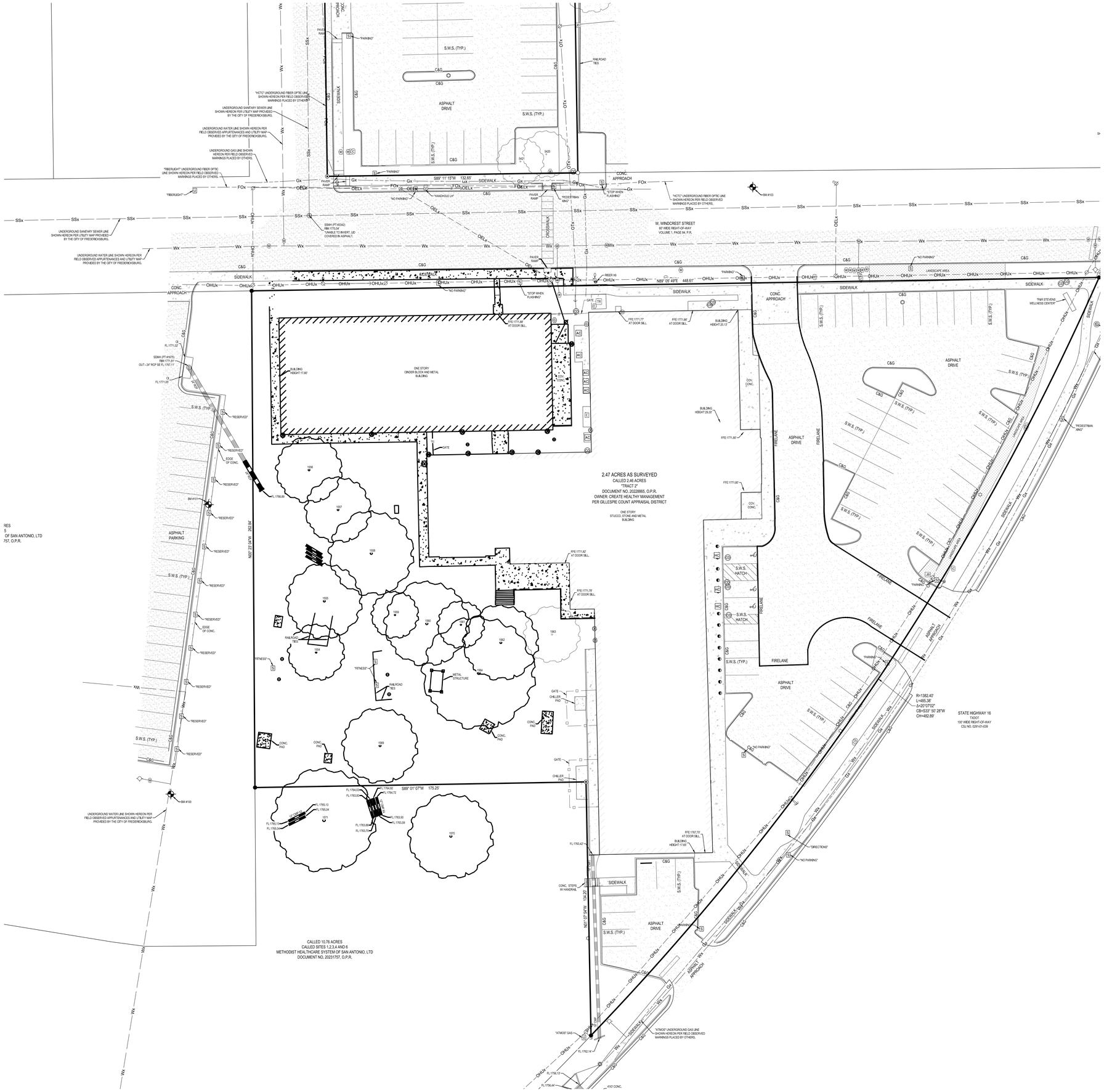
CHECKED BY SR

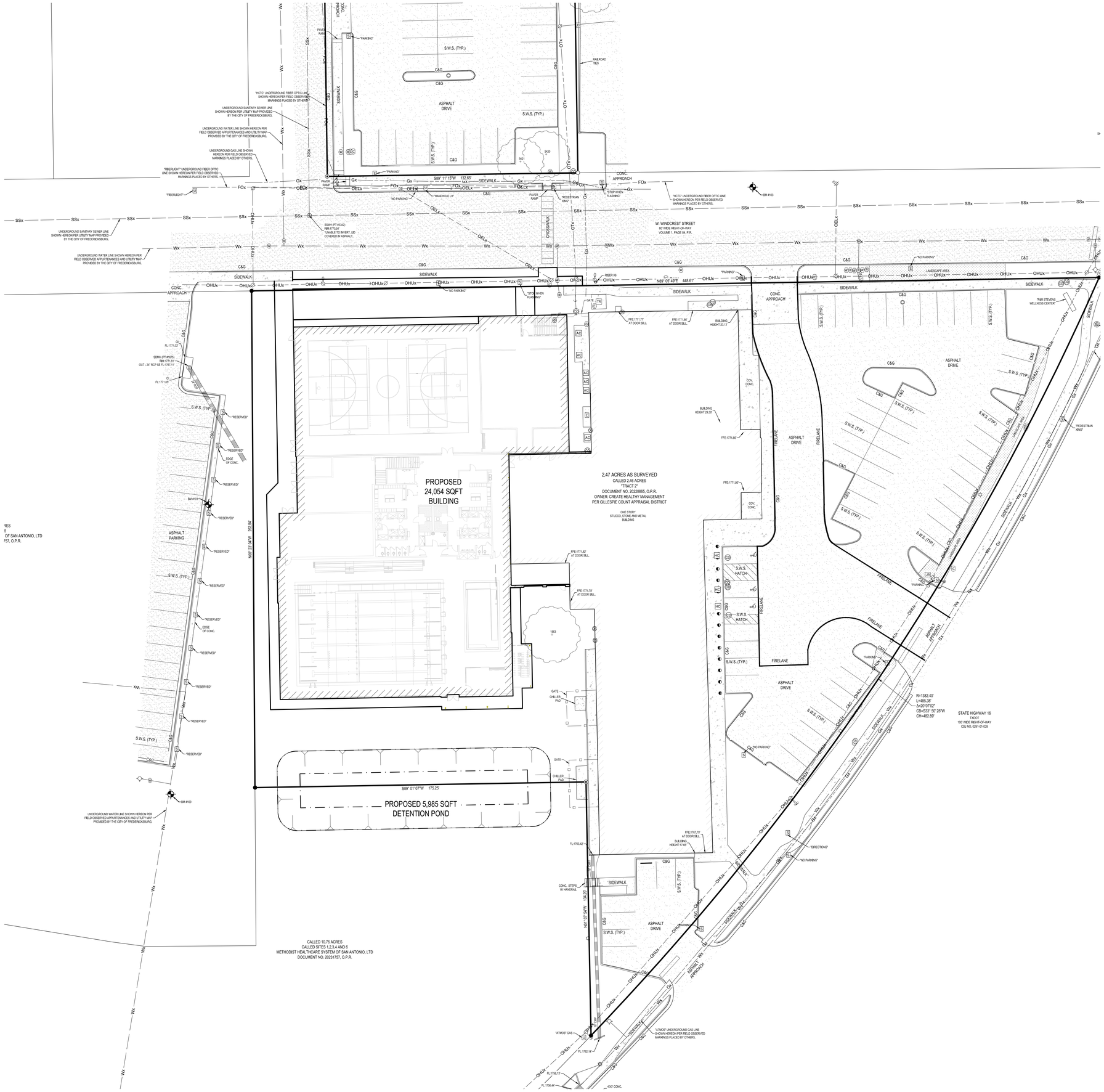
DESCRIPTION

EXISTING CONDITIONS PLAN

SHEET NO.

VF101


"FIBERLIGHT" UNDERGROUND FIBER OPTIC LINE SHOWN HEREON PER FIELD OBSERVED MARKINGS PLACED BY OTHERS.
"HCTC" UNDERGROUND FIBER OPTIC LINE SHOWN HEREON PER FIELD OBSERVED MARKINGS PLACED BY OTHERS.
UNDERGROUND SANITARY SEWER LINE SHOWN HEREON PER UTILITY MAP PROVIDED BY THE CITY OF FREDERICKSBURG.
UNDERGROUND WATER LINE SHOWN HEREON PER FIELD OBSERVED APPURTENANCES AND UTILITY MAP PROVIDED BY THE CITY OF FREDERICKSBURG.
UNDERGROUND GAS LINE SHOWN HEREON PER FIELD OBSERVED MARKINGS PLACED BY OTHERS.
S89° 11' 15"W 132.60'
S89° 01' 07"W 175.25'
N89° 05' 49"E 448.61'
N00° 22' 04"W 262.84'
N01° 07' 57"W 134.52'
W. WINDCREST STREET
60' WIDE RIGHT-OF-WAY
VOLUME 1, PAGE 84, P.R.
STATE HIGHWAY 16
TXDOT
100' WIDE RIGHT-OF-WAY
CSJ NO. 0291-01-039
R=1382.40'
L=485.38'
Δ=20°07'07"
CB=S33° 35' 28"W
CH=482.89'
2.47 ACRES AS SURVEYED
CALLED 2.46 ACRES
"TRACT 2"
DOCUMENT NO. 20228955, O.P.R.
OWNER: CREATE HEALTHY MANAGEMENT
PER GILLESPIE COUNT APPRAISAL DISTRICT
CALLED 10.76 ACRES
CALLED SITES 1,2,3,4 AND 6
METHODIST HEALTHCARE SYSTEM OF SAN ANTONIO, LTD
DOCUMENT NO. 20231757, O.P.R.
RES
5
OF SAN ANTONIO, LTD
757, O.P.R.
ONE STORY
CINDER BLOCK AND METAL
BUILDING
ONE STORY
STUCCO, STONE AND METAL
BUILDING
ASPHALT
DRIVE
ASPHALT
PARKING
CONC.
APPROACH
SIDEWALK
CROSSWALK
FIRELANE
S.W.S. (TYP.)
S.W.S. HATCH
GATE
CHILLER
PAD
CONC.
PAD
METAL
STRUCTURE
RAILROAD
TIES
"FENESS"
"RESERVED"
EDGE
OF CONC.
"NO PARKING"
"STOP WHEN
FLASHING"
"PEDESTRIAN
XING"
"HANDICAP"
"DIRECTIONS"
"PAR STEVENS
WELLNESS CENTER"
LANDSCAPE AREA
CONC. STEPS
W/ HANDRAIL
"ATMOS" GAS
"ATMOS" UNDERGROUND GAS LINE
SHOWN HEREON PER FIELD OBSERVED
MARKINGS PLACED BY OTHERS.
BUILDING
HEIGHT-17.80'
BUILDING
HEIGHT-20.33'
BUILDING
HEIGHT-17.63'
FFE-1771.80'
AT DOOR SILL.
FFE-1771.77'
AT DOOR SILL.
FFE-1771.78'
AT DOOR SILL.
FFE-1771.82'
AT DOOR SILL.
FFE-1771.70'
AT DOOR SILL.
FFE-1767.70'
AT DOOR SILL.
BM #103
BM #100
SSMH (FT #1670)
RIM 1771.37'
OUT - 24" RCP SE FL 1767.11'
SSMH (FT #1642)
RIM 1770.54'
"UNABLE TO INVERT, LID
COVERED IN ASPHALT."
FL-1771.02'
FL-1771.03'
FL-1756.09'
FL-1755.13'
FL-1755.04'
FL-1754.90'
FL-1754.72'
FL-1754.63'
FL-1754.53'
FL-1753.50'
FL-1753.39'
FL-1753.47'
FL-1753.54'
FL-1753.57'
FL-1753.58'
FL-1753.59'
FL-1753.60'
FL-1753.61'
FL-1753.62'
FL-1753.63'
FL-1753.64'
FL-1753.65'
FL-1753.66'
FL-1753.67'
FL-1753.68'
FL-1753.69'
FL-1753.70'
FL-1753.71'
FL-1753.72'
FL-1753.73'
FL-1753.74'
FL-1753.75'
FL-1753.76'
FL-1753.77'
FL-1753.78'
FL-1753.79'
FL-1753.80'
FL-1753.81'
FL-1753.82'
FL-1753.83'
FL-1753.84'
FL-1753.85'
FL-1753.86'
FL-1753.87'
FL-1753.88'
FL-1753.89'
FL-1753.90'
FL-1753.91'
FL-1753.92'
FL-1753.93'
FL-1753.94'
FL-1753.95'
FL-1753.96'



N

SCALE: 1"=20'

0 10' 20' 30' 40'

LEGEND

- PROPERTY BOUNDARY
- EXISTING PROPERTY ADJOINER
- SFx EXISTING SILT FENCE
- HORIZONTAL CONTROL POINT
- FOUND 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "IDS"
- FOUND 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "BCT"
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- EXISTING UTILITY POLE WITH TRANSFORMER
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- OHUx EXISTING GENERAL OVERHEAD UTILITY
- OELx EXISTING OVERHEAD ELECTRIC
- OTx EXISTING UNDERGROUND TELEPHONE
- EXISTING TREE

ZONING SUMMARY

LOT AREA: 107,158 SF / 2.46 ACRES
ZONING: C2 COMMERCIAL

ZONING REQUIREMENTS

MINIMUM LOT AREA:	5,000 SF.
MINIMUM LOT WIDTH:	50 FEET
MAXIMUM BUILDING HEIGHT:	3 STORIES, 38 FEET
MINIMUM FRONT YARD SETBACK:	15 FEET
MINIMUM STREET SIDE YARD SETBACK:	15 FEET
MINIMUM INTERIOR SIDE YARD SETBACK:	0 FEET
MINIMUM REAR YARD SETBACK:	0 FEET

MAXIMUM IMPERVIOUS COVERAGE: 80%
EXISTING IMPERVIOUS COVERAGE: (+/-) 70,910 SF = 66%
BUILDING COVERAGE: ~33,740 SF
HARDSCAPE COVERAGE: ~37,170 SF

PROPOSED IMPERVIOUS COVERAGE: (+/-) 86,350 SF = ~80%
BUILDING COVERAGE: ~49,770 SF
HARDSCAPE COVERAGE: ~36,580 SF

MAXIMUM BUILDING COVERAGE: 75% OF LOT AREA
EXISTING IMPERVIOUS COVERAGE: (+/-) 33,740 SF = ~31%

PROPOSED IMPERVIOUS COVERAGE: (+/-) 49,770 SF = ~46%

LANDSCAPE SUMMARY

ALL LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY OF FREDERICKSBURG CODE OR ORDINANCES APPENDIX B SEC 7.920 "LANDSCAPING REQUIREMENTS". REFER TO LANDSCAPE NARRATIVE, AND CONCEPTUAL LANDSCAPE PLANS AS PART OF THIS APPLICATION.

ABUTTING SITES

THERE ARE NO EXISTING ADJACENT SITES WITHIN 50 FEET OF PROPERTY. THE NEAREST BUILDING IS APPROXIMATELY 120 FEET NORTH OF THE PROPERTY ACROSS WINDCREST STREET. THE NEXT NEAREST BUILDING IS THE MEDICAL OFFICE BUILDING APPROXIMATELY 126 FEET TO THE WEST.

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CONTACT@MATKINHOOVER.COM

3303 SHELL ROAD SUITE 3
GEORGETOWN, TEXAS 78628
OFFICE: 512.868.2244

TEXAS REGISTERED ENGINEERING FIRM F-004512 SURVEYING FIRM F-10024000

ISSUANCE			REVISION		
NO.	DESCRIPTION	DATE	NO.	DESCRIPTION	DATE
-	-	-	-	-	-

CreateHealthy

CREATE HEALTHY WELLNESS CENTER
ADDITIONS & RENOVATIONS
1006 S. STATE HWY. 16
FREDERICKSBURG, TEXAS 78624

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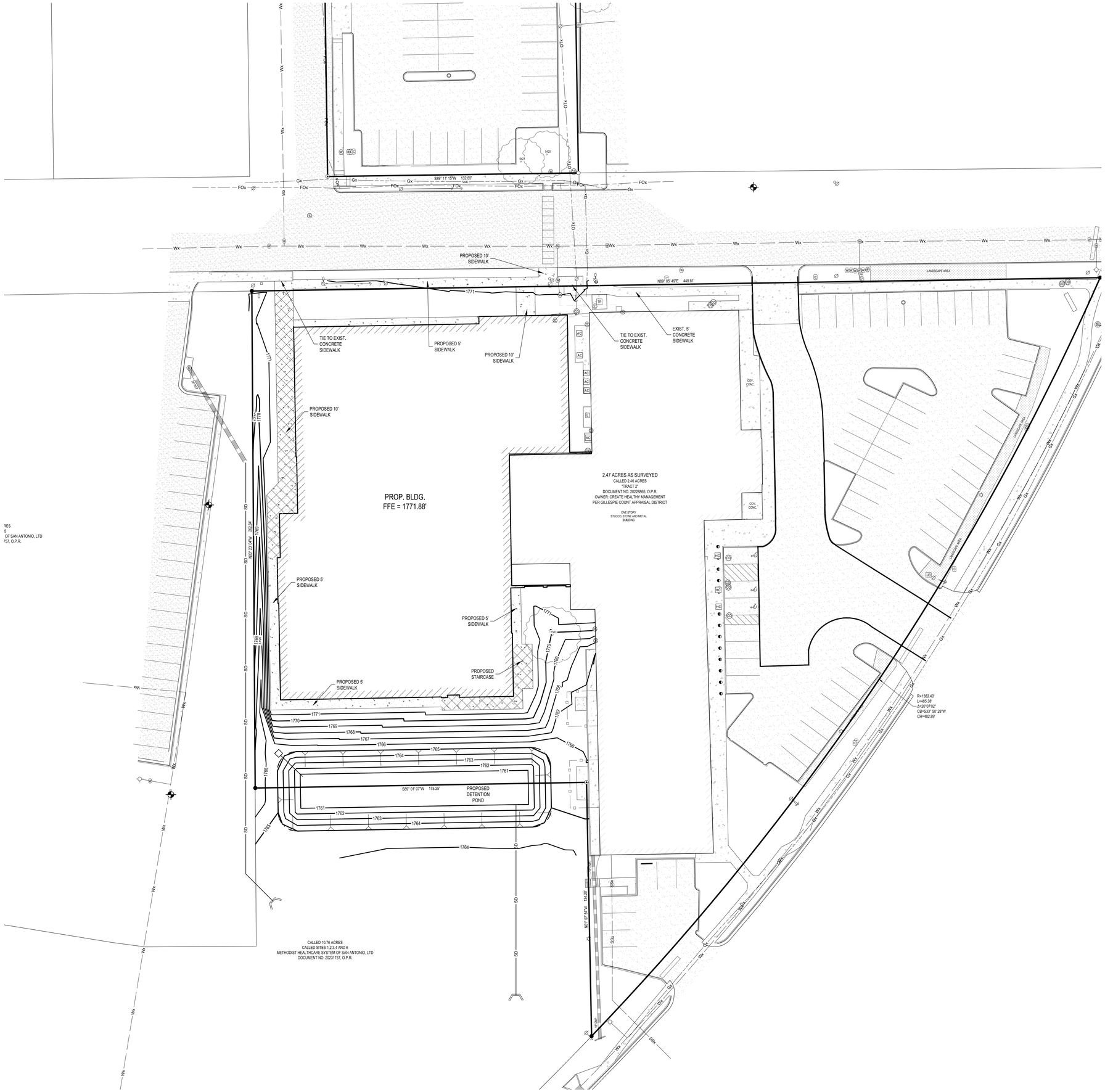
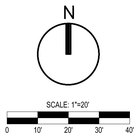
DESCRIPTION

SITE PLAN

SHEET NO.
CS101





LEGEND

- PROPERTY BOUNDARY
- EXISTING PROPERTY ADJOINER
- EXISTING 1' CONTOURS
- EXISTING 5' CONTOURS
- PROPOSED 1' CONTOURS
- PROPOSED 5' CONTOURS
- EXISTING SILT FENCE
- PROPOSED CURB
- PROPOSED CMU WALL
- HORIZONTAL CONTROL POINT
- FOUND 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "IDS"
- FOUND 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "BCT"
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- EXISTING ELECTRIC BOX
- EXISTING ELECTRIC METER
- EXISTING SANITARY SEWER CLEANOUT
- EXISTING UTILITY STUBOUT
- EXISTING STORM DRAIN PIPE
- EXISTING CONCRETE
- PROPOSED PERMEABLE SIDEWALK
- PROPOSED CONCRETE SIDEWALK
- PROPOSED ADA PARKING STALL
- PROPOSED HIGH POINT LINE
- PROPOSED FLOWPATH
- PROPOSED SLOPE
- FLOW ARROW
- PROPOSED SPOT ELEVATION
- MATCH EXISTING ELEVATION

TC:	TOP OF CURB
G:	GUTTER
C&G	CURB & GUTTER
E.C.	EDGE OF CONCRETE
S.W.S.	SOLID WHITE STRIPE
D.W.S.	DASHED WHITE STRIPE
C/L	CENTER LINE
CONC.	CONCRETE

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ISSUANCE		
NO.	DESCRIPTION	DATE
-	-	-

REVISION		
NO.	DESCRIPTION	DATE
-	-	-

CreateHealthy

CREATE HEALTHY WELLNESS CENTER
ADDITIONS & RENOVATIONS
1006 S. STATE HWY. 16
FREDERICKSBURG, TEXAS 78624

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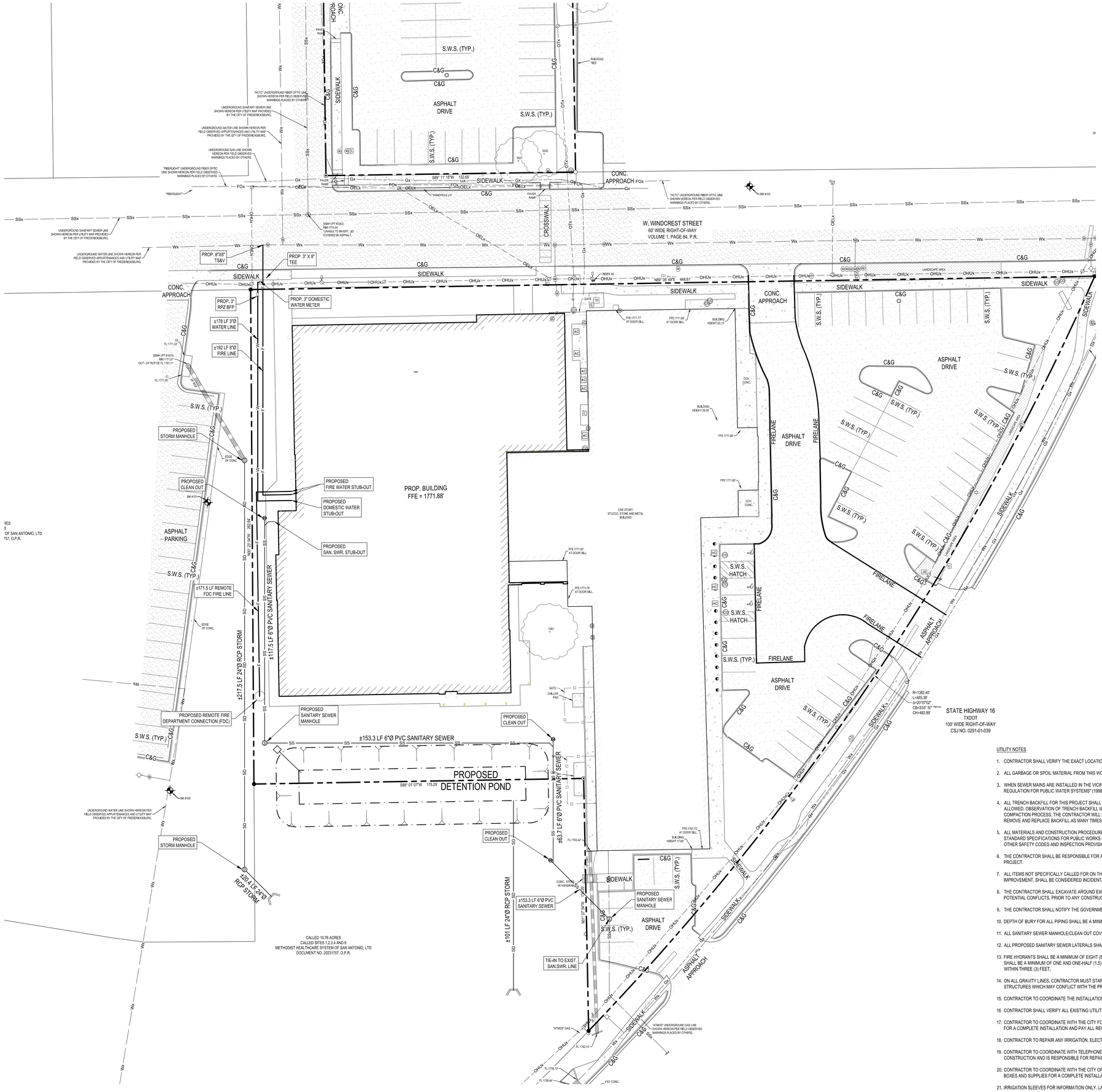
GNA PROJECT NO. 25-004
DRAWN BY GSC
CHECKED BY SR
DESCRIPTION

PAVING & GRADING PLAN

SHEET NO.
CG101



N

SCALE: 1"=20'

0 10' 20' 30' 40'

LEGEND

- PROPERTY BOUNDARY
- EXISTING WATER MAIN
- EXISTING SANITARY SEWER MAIN
- PROPOSED WATER MAIN
- PROPOSED FIRE WATER MAIN
- PROPOSED SANITARY SEWER MAIN
- EXISTING STORM CULVERT
- PROPOSED STORM MANHOLE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER CLEAN OUT

UTILITY NOTES

1. CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF UNDERGROUND UTILITIES AND DRAINAGE STRUCTURES WHETHER SHOWN ON THE PLANS OR NOT.
2. ALL GARBAGE OR SPOIL MATERIAL FROM THIS WORK SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR, AT HIS EXPENSE.
3. WHEN SEWER MAINS ARE INSTALLED IN THE VICINITY OF WATER MAINS, SUCH INSTALLATION SHALL BE IN STRICT ACCORDANCE WITH THE TCEQ "RULES AND REGULATION FOR PUBLIC WATER SYSTEMS" (1998 OR ANY REVISIONS THERETO.)
4. ALL TRENCH BACKFILL FOR THIS PROJECT SHALL BE ACCOMPLISHED ACCORDING TO THE TRENCH DETAIL ON THE UTILITY DETAIL SHEET. NO WATER JETTING WILL BE ALLOWED. OBSERVATION OF TRENCH BACKFILL WILL BE SUPPLEMENTED BY MOISTURE-DENSITY TESTING CONDUCTED AT PERIODIC INTERVALS DURING THE COMPACTION PROCESS. THE CONTRACTOR WILL BE REQUIRED TO MAKE SUITABLE EXCAVATION TO ALLOW ACCESS FOR SUCH TESTING, AND WILL BE REQUIRED TO REMOVE AND REPLACE BACKFILL AS MANY TIMES AS NECESSARY TO ACHIEVE 95% COMPACTION.
5. ALL MATERIALS AND CONSTRUCTION PROCEDURES WITHIN THE SCOPE OF THIS PROJECT SHALL CONFORM TO THE APPLICABLE CITY OF FREDERICKSBURG STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (LATEST EDITION), CITY OF FREDERICKSBURG BUILDING CODE AND REGULATIONS, AS WELL AS OTHER SAFETY CODES AND INSPECTION PROVISIONS APPLICABLE TO THE PROJECT AND REQUIREMENTS OF THE CITY OF FREDERICKSBURG FIRE DEPARTMENT.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ACQUIRING ALL PERMITS, TESTS, APPROVALS AND ACCEPTANCES REQUIRED TO COMPLETE CONSTRUCTION OF THIS PROJECT.
7. ALL ITEMS NOT SPECIFICALLY CALLED FOR ON THE PLANS, OR IN THE SPECIFICATIONS, BUT NECESSARY TO REASONABLY CONSTRUCT THE FACILITY OR IMPROVEMENT, SHALL BE CONSIDERED INCIDENTAL TO THE OVERALL PROJECT AND NO SEPARATE PAYMENTS WILL BE MADE FOR THESE ITEMS.
8. THE CONTRACTOR SHALL EXCAVATE AROUND EXISTING UTILITIES WHICH INTERSECT THE PROPOSED ALIGNMENT OF THE SERVICES AND NOTIFY THE ENGINEER OF POTENTIAL CONFLICTS, PRIOR TO ANY CONSTRUCTION IN THE AREA..
9. THE CONTRACTOR SHALL NOTIFY THE GOVERNMENTAL AND/OR UTILITY COMPANIES REGARDING THE LOCATION OF EXISTING FACILITIES PRIOR TO CONSTRUCTION.
10. DEPTH OF BURY FOR ALL PIPING SHALL BE A MINIMUM OF 4' UNLESS OTHERWISE NOTED.
11. ALL SANITARY SEWER MANHOLE/CLEAN OUT COVERS SHALL BE ADJUSTED TO BE FLUSH WITH PROPOSED PAVEMENT AND TRAFFIC RATED
12. ALL PROPOSED SANITARY SEWER LATERALS SHALL MEET PLUMBING CODE.
13. FIRE HYDRANTS SHALL BE A MINIMUM OF EIGHT (8) INCHES AND A MAXIMUM OF SEVEN (7) FEET TO THE GUTTER FACE OF THE CURB, THE STEAMER CONNECTION SHALL BE A MINIMUM OF ONE AND ONE-HALF (1.5) FEET AND A MAXIMUM OF TWO (2) FEET ABOVE GRADE. HYDRANTS SHALL BE KEPT CLEAR OF ALL OBSTACLES WITHIN THREE (3) FEET.
14. ON ALL GRAVITY LINES, CONTRACTOR MUST START AT DOWNSTREAM END AND PROCEED UPSTREAM TAKING CARE TO EXPOSE ALL EXISTING UTILITIES AND STRUCTURES WHICH MAY CONFLICT WITH THE PROPOSED LINE. ANY OTHER SEQUENCE OF CONSTRUCTION WILL BE AT THE CONTRACTOR'S RISK.
15. CONTRACTOR TO COORDINATE THE INSTALLATION OF TELEPHONE & CABLE T.V. SERVICE WITH LOCAL PURVEYOR.
16. CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES (LOCATION, DEPTH & SIZE) AND NOTIFY ENGINEER OF ANY POTENTIAL CONFLICTS PRIOR TO CONSTRUCTION.
17. CONTRACTOR TO COORDINATE WITH THE CITY FOR TAP LOCATIONS AND METER INSTALLATION AND SUPPLY ALL REQUIRED FITTINGS, VALVES, BOXES AND SUPPLIES FOR A COMPLETE INSTALLATION AND PAY ALL REQUIRED PERMITTING AND INSPECTION FEES.
18. CONTRACTOR TO REPAIR ANY IRRIGATION, ELECTRIC, OR UTILITY LINES, ETC. DAMAGED DURING CONSTRUCTION.
19. CONTRACTOR TO COORDINATE WITH TELEPHONE/CABLE COMPANY FOR THE LOCATIONS OF ANY AND ALL TELEPHONE/CABLE CONNECTIONS ON THE SITE PRIOR TO CONSTRUCTION AND IS RESPONSIBLE FOR REPAIRS TO ANY DISTURBED LINES.
20. CONTRACTOR TO COORDINATE WITH THE CITY OF FREDERICKSBURG FOR TAP LOCATIONS AND METER INSTALLATION AND SUPPLY ALL REQUIRED FITTINGS, VALVES, BOXES AND SUPPLIES FOR A COMPLETE INSTALLATION AND PAY ALL REQUIRED PERMITTING AND INSPECTION FEES.
21. IRRIGATION SLEEVES FOR INFORMATION ONLY. LANDSCAPE PLANS TO ACCOMPANY ARCHITECTURAL DESIGNS.

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1917 N. NEW BRAUNFELS, STE 201
SAN ANTONIO, TEXAS 78208
210.298.7800 / www.gn-architect.com

ARCHITECT: GERARDO G. NORIEGA
REGISTRATION NUMBER: 18918
NOT FOR REGULATORY APPROVAL, PERMITTING , OR CONSTRUCTION, SEAL LOCATION

MATKINHOOVER ENGINEERING & SURVEYING

8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: 830.249.0600
CONTACT@MATKINHOOVER.COM

3303 SHELL ROAD SUITE 3
GEORGETOWN, TEXAS 78628
OFFICE: 512.868.2244

TEXAS REGISTERED ENGINEERING FIRM F-004512 SURVEYING FIRM F-10024000

ISSUANCE			REVISION		
NO.	DESCRIPTION	DATE	NO.	DESCRIPTION	DATE
-	-	-	-	-	-

CreateHealthy

CREATE HEALTHY WELLNESS CENTER
ADDITIONS & RENOVATIONS
1006 S. STATE HWY. 16
FREDERICKSBURG, TEXAS 78624

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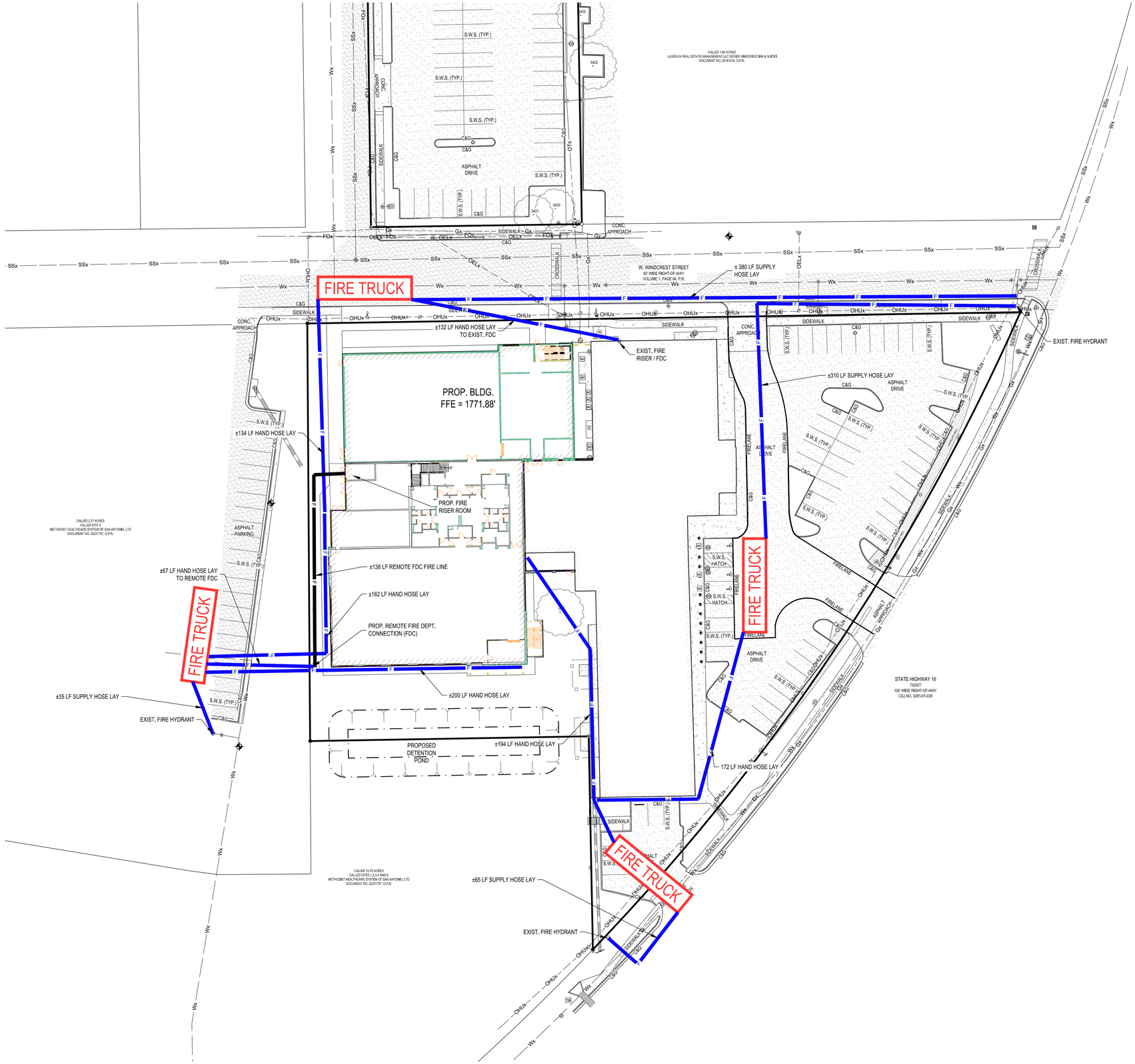
GNA PROJECT NO. 25-004
DRAWN BY GSC
CHECKED BY SR
DESCRIPTION

UTILITY PLAN

SHEET NO.
CU101

Date: Jun 27, 2025, 12:10pm User ID: srivers

Z:\PROJECTS\3483 - Healthy Stevens Wellness Center, Fredericksburg TX\3483.01 - Healthy Stevens & AM\CIVIL\UTILITY PLAN.dwg



N

SCALE: 1"=30'

0 15' 30' 45' 60'

SHEET SIZE: 24" x 36"

This document is released for REVIEW PURPOSES ONLY, NOT FOR CONSTRUCTION and was prepared under the authorization of Garrett D. Keller, Registered Professional Engineer, State of Texas, Registration No. 111511.

REVISIONS:

MATKINHOOVER ENGINEERING & SURVEYING

8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: 830.981.9090

3303 SHELL ROAD SUITE 3
GEORGETOWN, TEXAS 78628
OFFICE: 512.868.2244

CONTACT@MATKINHOOVER.COM

TEXAS REGISTERED ENGINEERING FIRM F-004512 SURVEYING FIRM F-10024000

FIRE PROTECTION PLAN EXHIBIT

FOR

HEALTHY WELLNESS CENTER

FREDRICKSBURG, TX 78624

JOB NO.	3483.01
DESIGNED BY:	
DRAWN BY:	
CHECKED BY:	
SHEET #	OF

Date: Jun 29, 2025, 10:43pm User ID: srivers

Z:\PROJECTS\3483 - Healthy Stevens Wellness Center, Fredericksburg TX\3483.01 - Healthy Stevens & AAA Exhibits\3483.01 Fire Protection Plan Exhibit- Version 2.dwg

LANDSCAPE DRAWINGS AND DOCUMENTS

Coltrane Design
Landscape Architecture @ Planning
4403 Black Hickory Woods
San Antonio, Texas

CHWC-ADDITIONS AND RESTORATION

I. LANDSCAPE NARRATIVE

A. W. Windcrest Street Landscaping:
The current streetscape consists of a combination of crape myrtles and pecan trees located underneath powerlines. The crape myrtles are in good condition. However, the pecan trees have been damaged caused by pruning to avoid conflicts with the powerlines and others are in decline. Therefore, the landscape concept is to replace damaged and dead pecan trees with crape myrtles to provide a unified tree planting underneath the powerlines.

B. Park Landscaping: The open space south of the buildings is approximately 33,500 square feet that will be redeveloped into a park. Improvements will include re-grading the site to an on-site storm detention pond, a six-foot-wide concrete walking path, foot bridge, shade structures with tables, and live oak tree plantings to supplement the existing tree canopy. The on-site storm water detention will be organic in shape with Bermuda grass edges and bottom, include dry stack walls to protect existing trees, small waterfall stone weirs and ornamental grass plantings.

June 15, 2025
Date

Narrative prepared by:
By: Cullen Coltrane
CDI Landscape Architect

1 SITE PLAN - PROPOSED
1/16" = 1'-0"

6/16/2025 1:46:24 PM

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ARCHITECT: GERARDO G. NORIEGA
REGISTRATION NUMBER: 18918
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ISSUANCE
NO. DESCRIPTION DATE
- -

REVISION
NO. DESCRIPTION DATE
- -

CreateHealthy

CREATE HEALTHY WELLNESS CENTER
ADDITION AND RENOVATION - PHASE I
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FREDERICKSBURG, TX 78624

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GNA PROJECT NO. 25-004
DRAWN BY -
CHECKED BY -
DESCRIPTION
PROPOSED SITE PLAN

SHEET NO.
HT-0A

LIGHTING DRAWINGS AND DOCUMENTS

M Series Cylinder

TO BE USED ON BUILDING FACAED IN HIGH VISIBLE AREAS AND SUFACE MOUNT AT PATIOS AND PORCHES

Project:	Type:
Product Code:	Date:

V010725

4" Wall Mount

- Integrated Drivers allow for down to 0.1% dimming options within the cylinder
- Customize your cylinder with over one million configurations, allowing for easy maintenance and on-site modifications
- Wet location configurations available for exterior locations
- Die-cast aluminum trims with no visible hardware for a sleek, symmetrical design

CYLINDER

Mount
Wall Mount

Size
Diameter: 4"
Height: Medium (8"), Large (12")

Trims
Standard, Snoot, Decorative, Hyperbolic

Finish
White, Black, Brushed Aluminum, Bronze, Custom Color

EMERGENCY LIGHTING

Optional Remote Inverter or Emergency LED Driver for lighting up to 90 minutes in event of power failure

LIGHT OUTPUT & DISTRIBUTION

Lumens (Power)
750 lm (9.5W), 1000 lm (12.5W), 1250 lm (14.3W), 1500 lm (14.3W), 2000 lm (24.5W), 2500 lm (27.5W), 3000 lm (34W)

Color Quality
93 CRI, 2-step SDCM

Color Temperature
2700K, 3000K, 3500K, 4000K, Warm Dim (3000K–1800K), Tunable White (4000K–1800K), Tunable White (6500K–2700K)

Beam Spread
Narrow Spot (15°), Spot (25°), Flood (40°), Wide Flood (60°), General (90°+)

Lighting Type
Downlight, Up and downlight, Adjustable

POWER & CONTROLS

Input Voltage
120/277V

Dimming
0-10V (120/277V): 1%
TRIAC/ELV (120V): 1%
DALI-2 (120/277V): 0.1%

SPECIALTY LENS

Hexcell Louver

RATINGS

Wet Location / IP65 Rated Configurations Available
NSF Listed (White and Black Finish Only)
DarkSky Approved (Downlight with non-decorative trims only, CCT less than or equal to 3000K)

WARRANTY

5 year limited warranty; 50,000 hours

DMF LIGHTING 1118 E 223rd Street, Carson, CA 90745 323.934.7779 info@dmflighting.com dmflighting.com

© 2023 DMF Lighting. All Rights Reserved. Specifications subject to change without notice. See website for U.S. and international patent information.

Catalog #: _____ Project: _____ Type: _____
Prepared By: _____ Date: _____

Slim Wall Pack (WPSLL)

Large LED Slim Wall Pack

TO BE USED ON BUILDING FACAED IN LOW VISIBLE AREAS SUCH AS MECHANICAL YARDS AND BACK OF HOUSE

OVERVIEW	
Lumen Package (lm)	4,000 - 8,000
Wattage Range (W)	40 - 72
Efficacy Range (LPW)	106 - 127
Weight lbs (kg)	8.9 (4.0)

QUICK LINKS

Ordering Guide | Performance | Photometrics | Dimensions

FEATURES & SPECIFICATIONS

Construction
- Rigid Precision Die cast-aluminum housing for durability and consistency.
- Vertical fins serve as a heat sink and resist accumulation of dust and debris.
- Thermal stacking heat removal technology extracts heat from within the housing moving it away from LEDs and integral components.
- Luminaire hinges open from the bottom to prevent leakage.
- Luminaire is proudly manufactured and tested in the U.S.
- Fixtures are finished with polyester powder coat finishing process to withstand extreme weather changes without cracking or peeling.

Optical System
- High-performance LEDs behind clear tempered glass for maximum light output and durability.
- Available in 5000K, 4500K, 4000K, and 3000K color temperatures per ANSI C78.377
- Minimum CRI of 80 for 4000K, 4500K, 5000K. Minimum CRI of 70 for 3000K.
- Zero uplight.

Electrical
- High-performance driver features overvoltage, under voltage, short-circuit and over temperature protection.
- 0-10 volt dimming (10% - 100%) standard.
- Standard Universal Voltage (120-277 Vac) Input 50/60 Hz
- L70 Calculated Life: >100k Hours
- Total harmonic distortion: <20%
- Power factor: >.85
- Input power stays constant over life.
- Driver Off-State Power is 0 watts.
- LEDs with integrated circuit board mounted directly to the housing to maximize heat dissipation and promote long life.
- Components are fully encased in potting material for moisture resistance. Driver complies with FCC standards. Driver and key electronic components can easily be accessed.
- Minimum 2.5kV surge rating
- Operating temperature: -40°C to +50°C (-40°F to +122°F).

Controls
- Optional 120-277V electronic button Photocontol.
- Apertures for field or factory installed photocontrol.

Installation
- Surface mounts direct to J-box or wall.
- Features a bubble level and removable hinged face frame for ease of installation..

Warranty
- LSI luminaires carry a 5-year limited warranty. Refer to https://www.lsicorp.com/resources/terms-conditionswarranty/ for more information.
- 1 Year warranty on optional Button Photocell.

Listings
- Listed to UL 1598 and UL 8750.
- Meets Buy American Act requirements.
- DarkSky Approved with 3000K color temperature selection.
- CSA Listed.
- RoHS Compliant.
- State of California Title 24.
- Suitable For Wet Locations.
- DesignLights Consortium® (DLC) Premium qualified product. Not all versions of this product may be DLC Premium qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.

LSI Industries Inc. 10000 Alliance Rd. Cincinnati, OH 45242 • (513) 372-3200 • www.lsicorp.com
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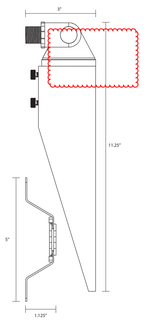
PROPOSED FACADE/BUILDING LIGHT FIXTURES

BLACK DIAMOND DIRECTIONAL DOWNLIGHT

DESCRIPTION
The Black Diamond Directional Down Light works with MR16 lamps or MR16 Chameleon lamps.
Fully potted body and threaded cap with convex lens. Can be used for up and downlighting applications.
It features a 9.5° adjustable glare shield.
Tree Mount accessory, with specialized course and machine thread standoff bolt and nut package included.
When using in a tree, consult with an arborist for the best way to mount for the particular tree species

BLACK DIAMOND DIRECTIONAL DOWNLIGHT		
Use	**Downlighting, Grazing, Backlighting, and Wall Washing (When Used with 120 Degree Lamps Only)**	
Finish	**Bronze**	
Includes	**Mounting Plate**	
Warranty	**10 Year Warranty on Black Diamond Fixtures**	
Order Without Lamp	**Fits MR16**	BD-DDL-ECO-MR16-BZ-NL

TO BE USED IN TREES TO PROVIDE AMBIENT LIGHT ON PATHS AND TABLES.



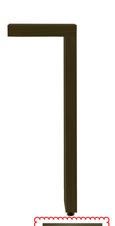
Bronze Baked Enamel (BZ)

BLACK DIAMOND MODERN PATH LIGHT

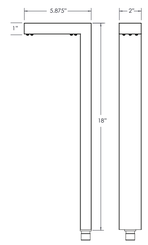
DESCRIPTION
The Black Diamond Modern Path Light is available without a lamp or with a G4 Wafer lamp (3W 2700K 120° beam spread 300 Lumens) to be installed. Simply install the lamp and screw on the glass lens. This modern fixture is a downward facing path light perfecto for path, area, and garden accent lighting. This fixture comes in a black or bronze (BZ) baked enamel finish.

BLACK DIAMOND MODERN PATH LIGHT		
Use	**Path, Area, and Garden Accent Lighting**	
Finish	**Black or Bronze**	
Includes	**ABS Mounting Stake**	
Warranty	**10 Year Warranty on Black Diamond Fixtures**	
Order With Lamp	**G4 Wafer, 3W, 2700K**	BD-MPL-G4-WAFER BD-MPL-G4-WAFER-BZ
Order Without Lamp	**Fits G4 Bi-Pin**	BD-MPL-G4-WAFER-NL BD-MPL-G4-WAFER-BZ-NL

Black Brass Baked Enamel



Bronze Baked Enamel (BZ)



TO BE USED ALONG LANDSCAPED DENTENTION POND PATH AND FOR EXTERIOR EGRESS PATHS AS NEEDED

PROPOSED EXTERIOR LANDSCAPE LIGHT FIXTURES (TO BE USED AT LANDSCAPED DETENTION POND AND WALKWAYS AS NEEDED)

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REGISTRATION NUMBER: 18918
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ISSUANCE
NO. | DESCRIPTION | DATE
- | - | -
- | - | -

REVISION
NO. | DESCRIPTION | DATE

CreateHealthy

CREATE HEALTHY WELLNESS CENTER
ADDITION AND RENOVATION - PHASE I
1006 S STATE HWY. 16
FREDERICKSBURG, TX 78624

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DRAWN BY -
CHECKED BY -
DESCRIPTION

PROPOSED SITE PLAN

SHEET NO.
HT-0A

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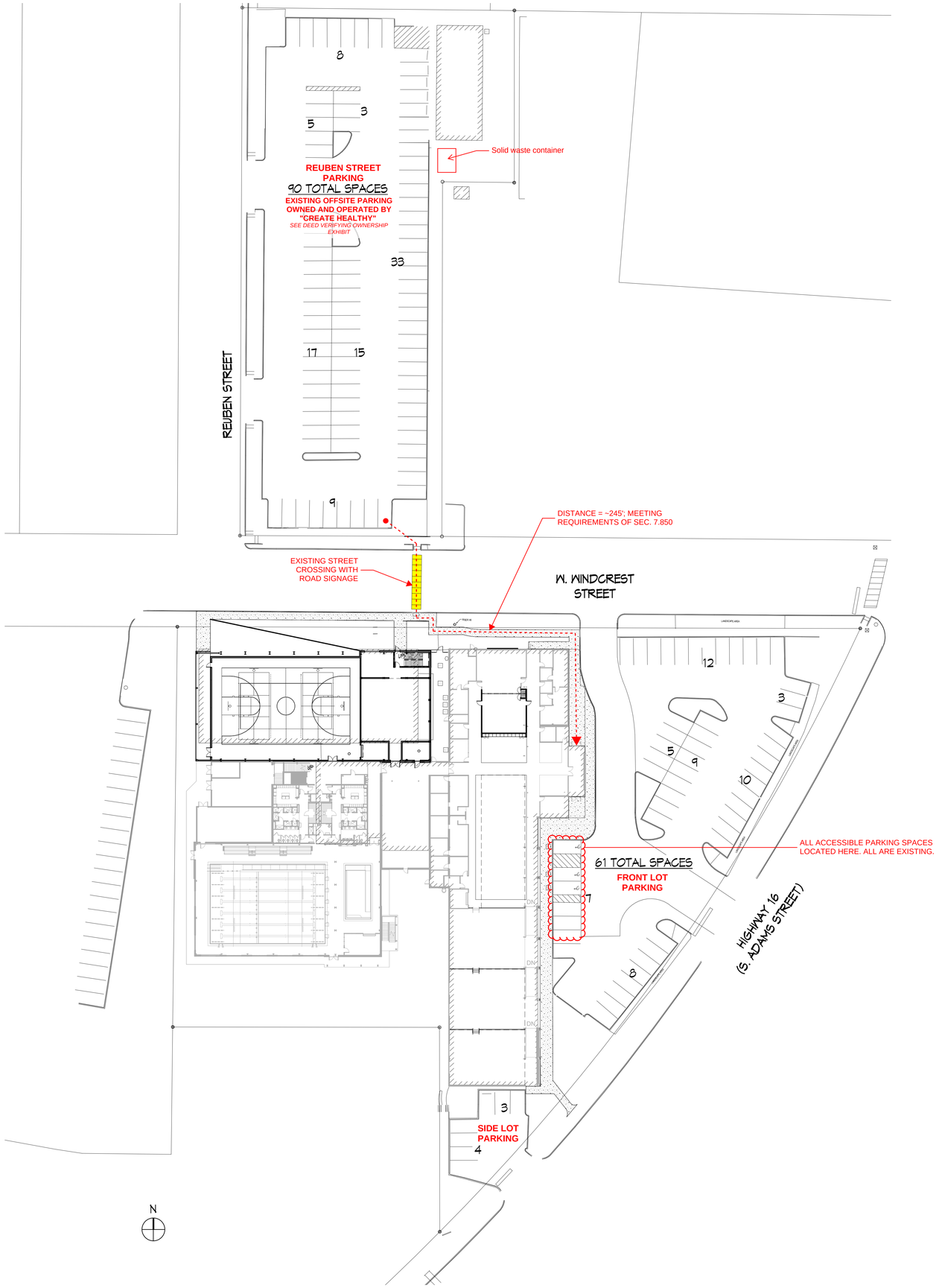
PARKING DRAWINGS AND DOCUMENTS



01 REQUIRED PARKING CALCULATION
1" = 30'-0"

FIRST FLOOR
1/300: 16,514 SQFT
1/400: 22,502 SQFT
1/750: 2,043 SQFT
1/1,000: 1,914 SQFT
1 1/2 / OCC.: 2 DAY CARE PROVIDERS

SECOND FLOOR
1/300: 14,010 SQFT
1/400: -
1/750: -
1/1,000: 265 SQFT
1 1/2 / OCC.: -

THIRD FLOOR
1/300: 8,485 SQFT
1/400: -
1/750: -
1/1,000: 957 SQFT
1 1/2 / OCC.: -

BUILDING TOTAL

1/300:	39,484 SQFT	/ 300	=	132 PARKING SPACES
1/400:	22,502 SQFT	/ 400	=	56 PARKING SPACES
1/750:	2,043 SQFT	/ 750	=	3 PARKING SPACES
1/1,000:	3,136 SQFT	/ 1,000	=	3 PARKING SPACES
1 1/2 / OCC.:	2	x 1 1/2	=	3 PARKING SPACES

TOTAL REQUIRED PARKING SPACES: 197 PARKING SPACES

PARKING REQUIRED = 197
PARKING PROVIDED = 151
DIFERENCE = 46

NEED A VARIANCE FOR 46 SPACES 23%

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210.298.7800 / www.gn-architect.com

ARCHITECT: GERARDO G. NORIEGA
REGISTRATION NUMBER: 18918
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ISSUANCE

NO.	DESCRIPTION	DATE
.	.	.
.	.	.

REVISION

NO.	DESCRIPTION	DATE

CreateHealthy

CREATE HEALTHY WELLNESS CENTER
ADDITION AND RENOVATION - PHASE I
1006 S STATE HWY. 16
FREDERICKSBURG, TX 78624

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GNA PROJECT NO. 25-004
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CHECKED BY GNA

DESCRIPTION
REQUIRED PARKING CALCULATION

SHEET NO.
04

6/13/2025 3:30:25 PM

CREATE HEALTHY MANAGEMENT TO CREATE HEALTHY FOUNDATION

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF GILLESPIE §

THAT CREATE HEALTHY MANAGEMENT, a Texas nonprofit corporation, formerly known as HILL COUNTRY MEMORIAL HOSPITAL ("Grantor"), for and in consideration of the sum of TEN AND NO/100 ($10.00) DOLLARS and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto CREATE HEALTHY FOUNDATION, a Texas nonprofit corporation ("Grantee"), whose address is P.O. Box 1339, Fredericksburg, TX 78624, all of the following described real property ("Property") in Gillespie County, Texas, to-wit:

TRACT I:
BEING 2.46 acres of land, more or less, situated in the City of Fredericksburg, Gillespie County, Texas, part of Outlot No. 82, as said Outlot is shown on the map of Fredericksburg, Texas, and Environs by the German Emigration Company; said 2.46 acre tract of land is described by metes and bounds on Exhibit "A", attached hereto and made a part hereof.

TRACT II:
BEING 1.17 acres of land, more or less, situated in the City of Fredericksburg, Gillespie County, Texas, part of Outlot No. 83, as said Outlot is shown on the map of Fredericksburg, Texas, and Environs by the German Emigration Company; said 1.17 acre tract of land is described by metes and bounds on Exhibit "B", attached hereto and made a part hereof.

TRACT III:
BEING all that certain lot, tract, or parcel of land, situated in the City of Fredericksburg, Gillespie County, Texas, being all of Lot Nos. 2R-1a and 2R-1b, of a Resubdivision of Lot Nos. 2R-1, KELLER SUBDIVISION, as said lot is shown, designated, and delineated on the

map or plat of said Resubdivision recorded in Volume 7, Page 37, Plat Records of Gillespie County, Texas, here referred to and made a part hereof.

Together with all and singular the tenements, hereditaments, easements, rights, privileges and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right and interest in and to the Property, as well in law as in equity, including, without limitation, all Grantor's right, title and interest in and to any minerals (except as may be herein reserved unto Grantor), utilities, adjacent streets, alleys, strips, gores and rights of way and Grantor's rights in all license and permits relating to the Property (individually and collectively, the "Appurtenances").

Property taxes for the current year have been prorated and are assumed by Grantee.

This conveyance is made and accepted subject to all and singular, the restrictions, prescriptive rights, reservations, including mineral reservations, conditions, rights, rights-of-way, claims, easements and covenants, if any, applicable to and enforceable against the above-described property as reflected by the records of the County Clerk of Gillespie County, Texas.

Notwithstanding anything in this Deed to the contrary, the Exceptions shall only affect the Property to the extent that such Exceptions are valid and effective as of the date of this Deed and the mere reference to such Exceptions in this Deed shall not be deemed to impose, reimpose, or reinstate such Exceptions if such Exceptions are not valid and effective as of the date of this Deed, but only to the extent any such Exceptions are valid and subsisting and affects the Property, and without waiving rights or defenses relating to any such exception and without ratifying, creating or reviving any such Exceptions.

TO HAVE AND TO HOLD the above described Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, its successors and assigns forever, and the Grantor does hereby bind itself, its successors and assigns, to WARRANT AND

FOREVER DEFEND, subject to the foregoing exceptions, all and singular the said Property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 29th day of APRIL, 2025.

[END OF PAGE]

GRANTOR:

CREATE HEALTHY MANAGEMENT,
a Texas nonprofit corporation, formerly known as
HILL COUNTRY MEMORIAL HOSPITAL

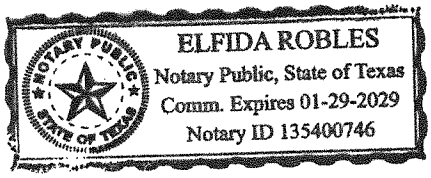
By: _____
JAYNE POPE, President

This instrument was prepared based on information furnished by the Grantor, and no independent title search has been made, and no responsibility for validity of real estate title is assumed by the attorney preparing this instrument.

THE STATE OF TEXAS §

COUNTY OF GILLESPIE §

This instrument was acknowledged before me on this the 29th day of APRIL, 2025, by JAYNE POPE, President of CREATE HEALTHY MANAGEMENT, a Texas nonprofit corporation, formerly known as HILL COUNTRY MEMORIAL HOSPITAL.



_____
Notary Public in and for
the State of Texas

Agreed to and accepted by:

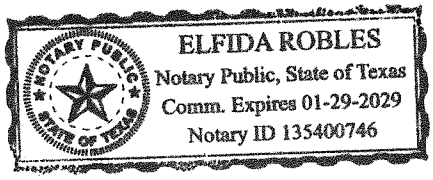
CREATE HEALTHY FOUNDATION,
a Texas nonprofit corporation

By: _____
JAYNE POPE, Authorized Person

THE STATE OF TEXAS §

COUNTY OF GILLESPIE §

This instrument was acknowledged before me on this the 29th day of APRIL, 2025, by JAYNE POPE, Authorized Person of CREATE HEALTHY FOUNDATION, a Texas nonprofit corporation.



_____
Notary Public in and for
the State of Texas

SULTEMEIER
SURVEYING & ENGINEERING

805 North Llano
Fredericksburg, TX 78624
Tel.: (830) 990-1221 Fax: (830) 990-1222

EXHIBIT "A"

2.46 ACRES
GILLESPIE COUNTY, TEXAS

FN-12-5462
NOVEMBER 5, 2012

A DESCRIPTION OF A 2.46 ACRE TRACT OF LAND SITUATED IN THE CITY OF FREDERICKSBURG, GILLESPIE COUNTY, TEXAS; BEING PART OF OUTLOT NO. 82 AS SAID OUTLOT IS DESIGNATED ON THE MAP OR PLAT OF THE SAID CITY OF FREDERICKSBURG AND ENVIRONS BY THE GERMAN EMIGRATION COMPANY, COMPRISING ALL OR A PORTION OF THE FOLLOWING TRACTS OF LAND DESCRIBED IN THE GILLESPIE COUNTY DEED RECORDS:

- ***PART OF THAT CERTAIN 1.52 ACRE (DEED/CALLED ACREAGE) TRACT OF LAND DESCRIBED IN A CONVEYANCE FROM OLIVER KOWERT TO HILL COUNTRY MEMORIAL HOSPITAL, FOUND OF RECORD IN A CORRECTION DEED DATED JULY 30TH, 1970, RECORDED IN VOLUME 98, PAGE 226 ET SEQ. OF THE DEED RECORDS OF SAID COUNTY, AND***

- ***ALL OF THAT CERTAIN 1.4208 ACRE (DEED/CALLED ACREAGE) TRACT OF LAND DESCRIBED IN A CONVEYANCE FROM RESOLUTION TRUST CORPORATION, ET AL TO THE SAID HILL COUNTRY MEMORIAL HOSPITAL, FOUND OF RECORD IN A SPECIAL WARRANTY DEED RECORDED IN VOLUME 219, PAGE 600 ET SEQ. OF THE REAL PROPERTY RECORDS OF SAID COUNTY;***

SAID 2.46 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

***BEGINNING** at a 3/8 inch iron rod set at the point of intersection of the west R.O.W. (Right-of-Way) line of State Highway No. 16 with the south line of Windcrest Drive, being at the east corner of the said 1.4208 acre tract, for the east corner hereof;*

***THENCE** with said west R.O.W. line, a distance of 485.38 feet along the arc of a curve to the right having a radius of 1382.40 feet and a chord bearing of S 34° 34' 52" W, a distance of 482.89 feet to a ½ inch iron rod found at the common south corner of the said 1.4208 acre tract and the said 1.52 acre tract, for the south corner hereof;*

***THENCE** departing said R.O.W. line with the common line of the said 1.4208 acre tract and the said 1.52 acre tract, N 00° 23' 26" W, a distance of 134.21 feet to a ½ inch iron rod found, for a reentrant corner hereof;*

***THENCE** departing said common line and passing over and across the said 1.52 acre tract, S 89° 45' 31" W, a distance of 175.25 feet to a ½ inch iron rod found on the west line thereof, being at the southeast corner of a 1.67 acre (deed/called acreage) tract of land described in Volume 195, Page 42 et seq. of the said Deed Records and at the northeast corner of that certain 1.00 acre (deed/called acreage) tract of land described in said Volume 98, at Page 224 et seq., for the southwest corner hereof;*

***THENCE** with the common line of the said 1.52 acre tract and the said 1.67 acre tract, N 00° 21' 20" E, a distance of 262.84 feet to a ½ inch iron rod found on the said south line of Windcrest Drive at the common north corner of said 1.52 acre tract and said 1.67 acre tract, for the northwest corner hereof;*

***THENCE** with the said south line of Windcrest Drive, being the north line of the said 1.52 acre tract and continuing with the north line of the said 1.4208 acre tract, N 89° 50' 13" E, at a distance of 171.91 feet an "X" found cut in concrete at the common north corner of said 1.52 acre tract and said 1.4208 acre tract, continuing for a total distance of 448.61 feet to the **POINT OF BEGINNING**, containing 2.46 acres of land, more or less.*

EXHIBIT "B"

1.17 acre tract

STATE OF TEXAS, *
COUNTY OF GILLESPIE. *

Field notes and accompanying plat of a survey of 1.17 acres of land, more or less, made at the request of the Hill Country Memorial Hospital. Said land is situated in the City of Fredericksburg, Gillespie County, Texas, being part of Outlot No. 83 as said Outlot is shown on the map of Fredericksburg, Texas, and Environs, by the German Emigration Company, and being part of that 44,968 square foot tract of land described in a conveyance to David Edelman Motels, Ltd., by Robert B. Carter found of record in Volume 157, pages 524-526 of the Deed Records of Gillespie County, Texas, and being part of that 40,944 square foot tract of land described in a conveyance to David Edelman Motels, Ltd., by W.T. Carter, III, found of record in Volume 151, pages 791-795 of said Deed Records.

Said 1.17 acre tract of land is described by metes and bounds as follows, to wit:

BEGINNING at a 1/2 inch steel bar found set at the intersection of the North line of W. Windcrest Street and the East line of Reuben Street, for the S.W. corner of said 44,968 square foot tract, for the S.W. corner of this tract of land;

THENCE with the E. line of Reuben Street, being the West line of said 44,968 square foot tract, N. 0 deg. 03 min. 05 sec. W. 346.69 feet to a 1/2 inch steel bar set, for the N.W. corner of said 44,968 square foot tract, for the N.W. corner of this tract of land;

THENCE with the North line of said 44,968 square foot tract, S. 89 deg. 40 min. 15 sec. E., at 10.0 feet passing a 1/2 inch steel bar found monumented in concrete for the S.W. corner of Lot No. 3, Roberts-Bradshaw Subdivision, plat found of record in Volume 1, page 163 of the Plat Records of Gillespie County, Texas, at 130 feet passing the N.E. corner of said 44,968 square foot tract and the N.W. corner of said 40,944 square foot tract, at 162.9 feet passing a 1/2 inch steel bar found set for the S.E. corner of said Lot No. 3 and for the S.W. corner of Lot No. 4, of said Roberts-Bradshaw Subdivision, 178.74 feet in all to a 1/2 inch steel bar found set, for the N.N.W. corner of that 1.62 acre tract of land described in a conveyance to Das Hotel Management, Inc., found of record in Volume 565, page 257 of the Official Public Records of Gillespie County, Texas, for the N.E. corner of this tract of land;

THENCE with the westerly lines of said 1.62 acre tract, as follows:

S. 0 deg. 15 min. 35 sec. E. 112.91 feet to a 1/2 inch steel bar found set;

N. 89 deg. 40 min. 15 sec. W. 47.12 feet to a 1/2 inch steel bar (capped: C. DIGGES 4061) found set;

S. 0 deg. 12 min. 20 sec. E. 232.88 feet to a 1/2 inch steel bar found set in the North line of W. Windcrest Street and in the South line of said 40,944 square foot tract, for the S.W. corner of said 1.62 acre tract, for the S.E. corner of this tract of land;

THENCE with the North line of W. Windcrest Street, being the South lines of said 40,944 and 44,968 square foot tracts, S. 89 deg. 56 min. 20 sec. W. 132.65 feet to the PLACE OF BEGINNING.

VG-554-2025-20251984

Gillespie County
LINDSEY BROWN
Gillespie County Clerk

Instrument Number: 20251984

Recorded On: April 29, 2025 01:02 PM

Number of Pages: 8

" Examined and Charged as Follows: "

Total Recording: $49.00

********** THIS PAGE IS PART OF THE INSTRUMENT **********
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number:	20251984
Receipt Number:	20250429000018
Recorded Date/Time:	April 29, 2025 01:02 PM
User:	Josh C
Station:	DELLGVKBHQ2

Record and Return To:

KENDRA PESEK

STATE OF TEXAS
Gillespie County
I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Gillespie County, Texas

LINDSEY BROWN
Gillespie County Clerk
Gillespie County, TX

Lindsey Brown

July 15, 2025

Gerry Noriega
gerry@gn-architect.com

RE: SP-2510, Review Comments for the Creat Healthy at 1006 South State Highway 16, Fredericksburg, Texas, 78624

Dear Mr. Noriega,

Project will require Planning and Zoning approval scheduled for **Wednesday, August 6, 2025**, at New City Hall at East Campus, 2818 E. U.S. Hwy. 290, Fredericksburg, Texas 78624 at 5:30pm.

Please review the following comments and address appropriately. Please provide a written response as to how the items are addressed in addition to the revised Plan by **Tuesday, July 22 2025.**

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

1. Confirm Setback on West Property Line

- Provide a Zoning Summary that depicts the following: *(Included CS101)*
    - Building and Impervious Cover per Sec. 3.210. Include maximums allowed and proposed.
    - Building Heights per Sec. 3.210. Include maximums allowed and proposed.
    - Setbacks per Sec. 3.210. Include maximums allowed and proposed.
    - Parking requirements per Sec. 7.860. The use determines the parking requirements. For example, a restaurant use requires 1 per 4 seats, whereas, professional office requires 1 per 400 sq ft. Show the work. Sec. 7.131
- Show loading and unloading zones. Sec. 7.131- *(Did not see loading zoning illustrated)*
- Show parking space dimensions per Sec. 7.860. (Parking Dimensions need to be shown on Parking Calcs Sheet 04)
- Show ADA parking space and depict ADA compliance.

- Provide Landscaping Plan per Sec. 7.920
- Show compliance with Screening per Sec. 7.940 & Sec. 7.980
- Provide a note that all lighting will be compliant with Article XV – Outdoor Lighting
    - Fixture types (lighting plan) will be reviewed at the time of building permitting.
- Entry Corridor 2.1 – 2.6. Provide a material list that identifies the materials requested as well as their placement. (*Percentage of Metal ratio should be identified in relation to stucco. Percentage of existing building metal to stucco ratio should also be provided.)*
- Entry Corridor 3.1-3.3. Choose colors used traditionally in Fredericskburg. Color requests may be shown on the material list.
- Entry Corridor 4.1-4.6. Blank or featureless walls will not be approved along entry corridors or side streets. Design buildings with "human scale" by using architectural enhancements. For any multi-tenant commercial development, a covered arcade/structural canopy shall be provided along the front façade of the building.
- Entry Corridor 5.2. Use a variation in materials, textures, patterns, colors and details to break down the mass and scale of a building.
- Entry Corridor 6.1. A landscaped base area shall be provided for monument signs.
- Entry Corridor 7.2. Work with existing streetscape and define heights that are appropriate to create a welcoming environment and consistency.
- Entry Corridor 7.4. 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.
- Entry Corridor 8.2. The front door should connect to the sidewalk along the entryway. A pedestrian would have to cross a drive isle to access the building. This is not preferred.
- Entry Corridor 10. A Good example of compliant lighting is Guadalupe Bank, 804 S Adams.
- Entry Corridor 12.15. The design should minimize the need for pedestrians to cross parking aisles and landscaped areas. Separated pedestrian walkways should be incorporated into the parking lot design.

Engineering Comments

2. Project will require submission of civil construction plans. Drainage will be looked at in further detail during this phase.
3. Please show location of the proposed detention pond on site plan.
4. Please show location of proposed sidewalk along W Windcrest.
5. Please show existing utilities and proposed utility connections.
6. Please show that the addition meets setback requirements along the west property line.

7. Please show 30’x30’ triangular sight visibility easements at all driveways per section 6.07.C of the City’s Code of Ordinances.

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

Please feel free to contact me with any comments or questions, and I will be happy to assist you.

Jan Musgrove, Planner 1
Development Review Committee (DRC)

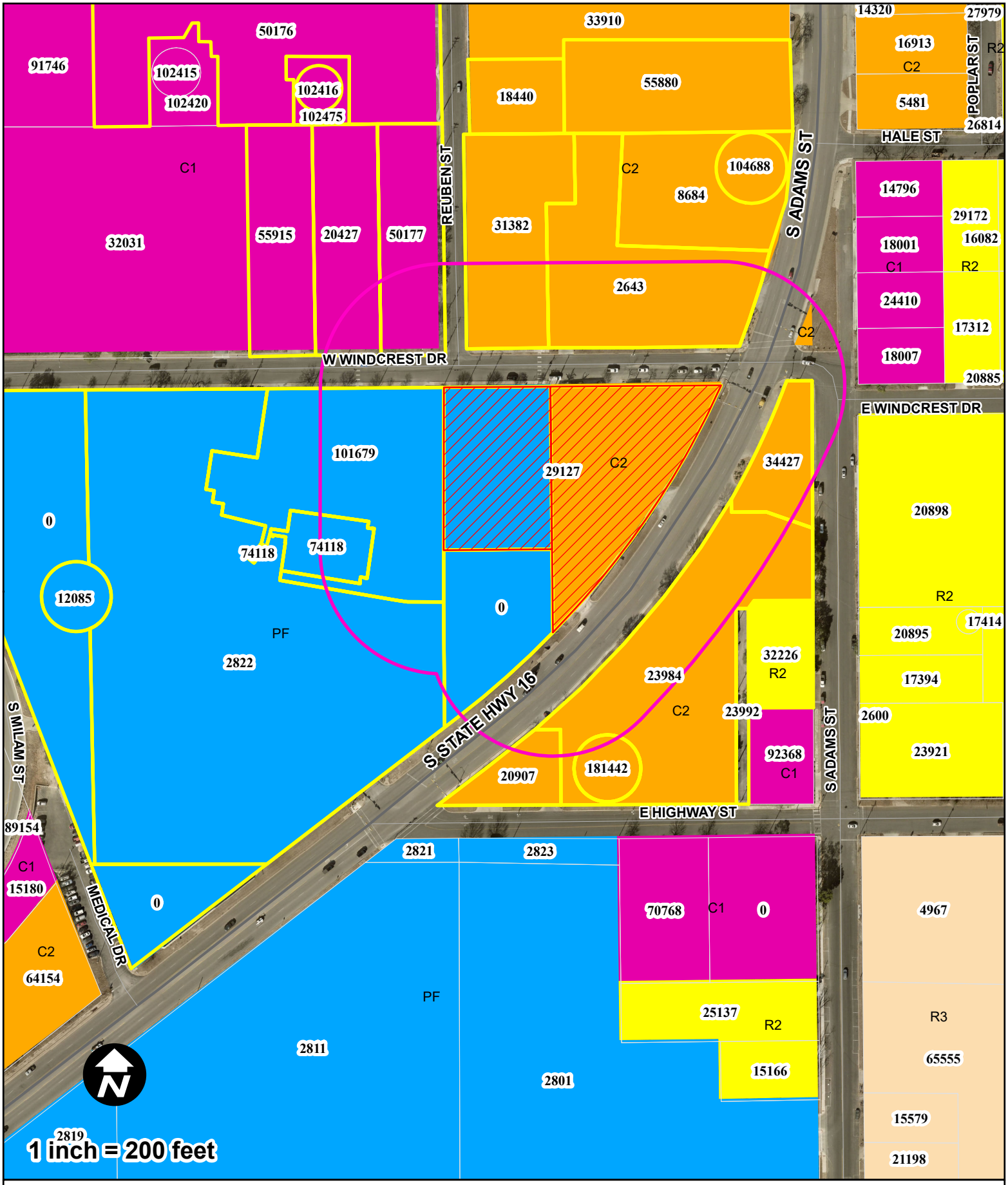


FIGURE 1

City of Fredericksburg
1006 ST HWY 16 S

LEGEND

Notice Areas

- Subject Property
- 200' Notification Area
- Notified Property
- City Limit Boundary
- GCAD Parcels

PLANNING AND ZONING COMMISSION AGENDA MEMO

DEPARTMENT: Development Services
TO: Planning and Zoning Commission
FROM: Cliff Cross, Director of Development Services
MEETING DATE: September 3, 2025 **SECTION:** ACTION ITEMS **ITEM:** E.

CAPTION: Request P-2416: - Review and potential action on an amended Final Plat for the Chick-Fil-A Subdivision Located on the South East Corner of HWY 87 and Friendship Lane to include approval of a potential lot split of Lot 1AR-2 and incorporate an integrated business sign to serve the commercial lots.

SUMMARY:
The applicant previously submitted and was approved for a Final Plat that consisted of a 6.584 acre tract located at the corner of US HWY 87 south and Friendship Lane. The requested subdivision originally consisted of 3 lots that will share access to Friendship Lane via an Access Easement that will double as a Fire Lane. The applicant is requesting approval to subdivide 1AR-2 and include an integrated business sign.

BACKGROUND:
The subject property is the 6.584 acre vacant lot on the corner of US HWY 87 South and Friendship Lane and borders the Fairfield Inn and McLane Ford. The requested subdivision currently consists of 3 lots that will share access to Friendship Lane via an Access Easement that will double as a Fire Lane. To subdivide property that is zoned C2, Commercial, each lot must be a minimum of 5,000 sq ft in size with a minimum of 50 ft of frontage onto a public roadway. **Sec. 3.210**

Zoning: C2, Commercial **Sec. 3.210**

Tract Size: 6.584 Acres - 286,799 sq ft

Number of Current Lots: 3

Minimum Lot Size: 5,000 sq ft

Minimum Lot Width: 50 ft

Roadways: Lots 1 & 2 have frontage on Friendship lane and Lot 3 has frontage on US HW 87 South but will also have access to Friendship Lane via an access easement that will double as a Fire Lane for the development

Easements: There are several easements proposed as part of this plat including a street easement

dedication for a deceleration lane, multiple utility easements, an access easement and fire lane easement.

Utilities:

Park Dedication: The applicant shall pay parkland dedication fees (full rate) based on the overall density of the development at $500.00 per lot (3) for a total of $1,500. Parkland fees shall be paid prior to the recording of each phase of the project. **Sec. 6.15**

Construction Plans: The Civil Construction plans for the public improvements for the approved 3 lot preliminary plat were previously approved and are under construction. This includes the turning lane improvements that were shown in the approved TIA as well as an extension of a public water main south along Hwy 87. The approved plans also include onsite improvements and stub outs for the proposed uses on all 3 lots. As for the TIA, it was approved for a 5,000 sq ft quick service drive through on lot 1 (chick-fil-a) and a 6,000 sq ft quick service drive through on lot 2 (unknown) and a hardware store (Ace) on lot 3.

When reviewing the Final Plat, the Board shall reference **Sec. 4.05** of the Subdivision Ordinance.

A. The Final Plat conforms to the approved Preliminary Plat except for minor amendments that are authorized under Sec. 4.04K;

B. All conditions imposed at the time of approval of the Preliminary Plat, as applicable, have been satisfied;

C. The Construction Plans conform to the requirements of Sec. 5.01 - Construction Plans and have been approved by the Director of Public Works;

D. Where Public Improvements have been installed, the improvements conform to the approved Construction Plans and have been approved for acceptance by the Director of Public Works and Utilities;

E. Where the Director of Public Works and Utilities has authorized Public Improvements to be deferred, a Performance Agreement has been executed and submitted by the property owner in conformance with Sec 5 - Construction Plans and Procedures;

F. The final layout of the subdivision or development meets all standards for adequacy of public facilities contain in this Subdivision Ordinance;

G. The Plat conforms to design requirements and construction standards as set forth in the Standard Details and Specification for Public Infrastructure Construction Manual and;

H. The plat conforms to the Director of Development Services subdivision Application checklists and Subdivision Ordinance regulations.

STAFF RECOMMENDATION:

Per Sec. 3.210 of the Zoning Ordinance and Sec. 4.05 of the Subdivision Ordinance. Staff would recommend approval of the proposed Final Plat and approval of a Integrated Business Sign conditioned upon the following:

1) Engineering Approval Prior to Sign Off
2) Verification of an agreement and Compliance with the requirements of the Integrated Business Sign Criteria defined in Section 29.3

ATTACHMENTS:

1. ZBA2025-05 - MAP
2. P-2423 Plat
3. ZBA2505-05_511 Friendship Lane _Site Plan
4. 2024-09-09 Fredericksburg TX - REA (recorded)

APPROVAL/REVIEW:

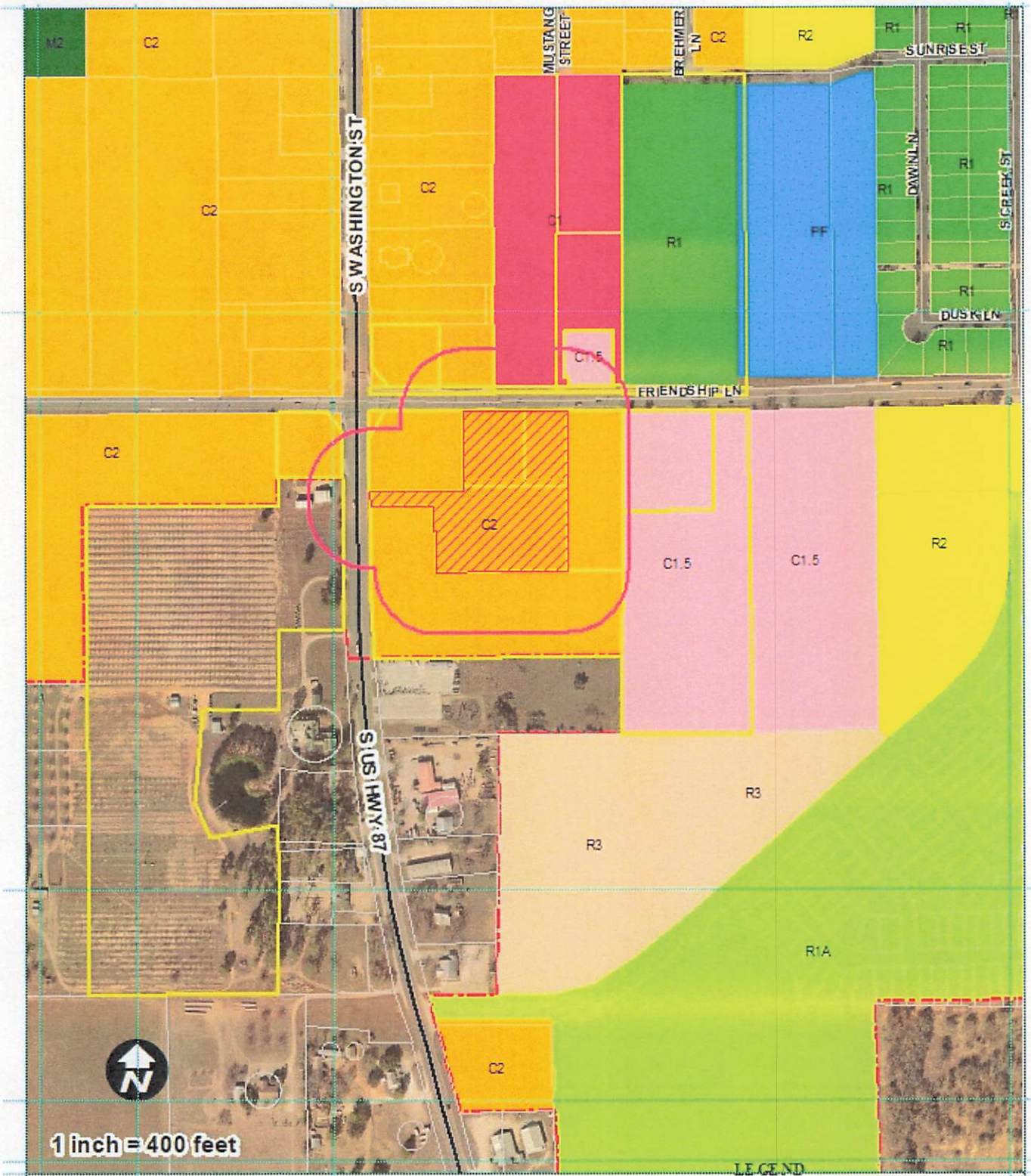
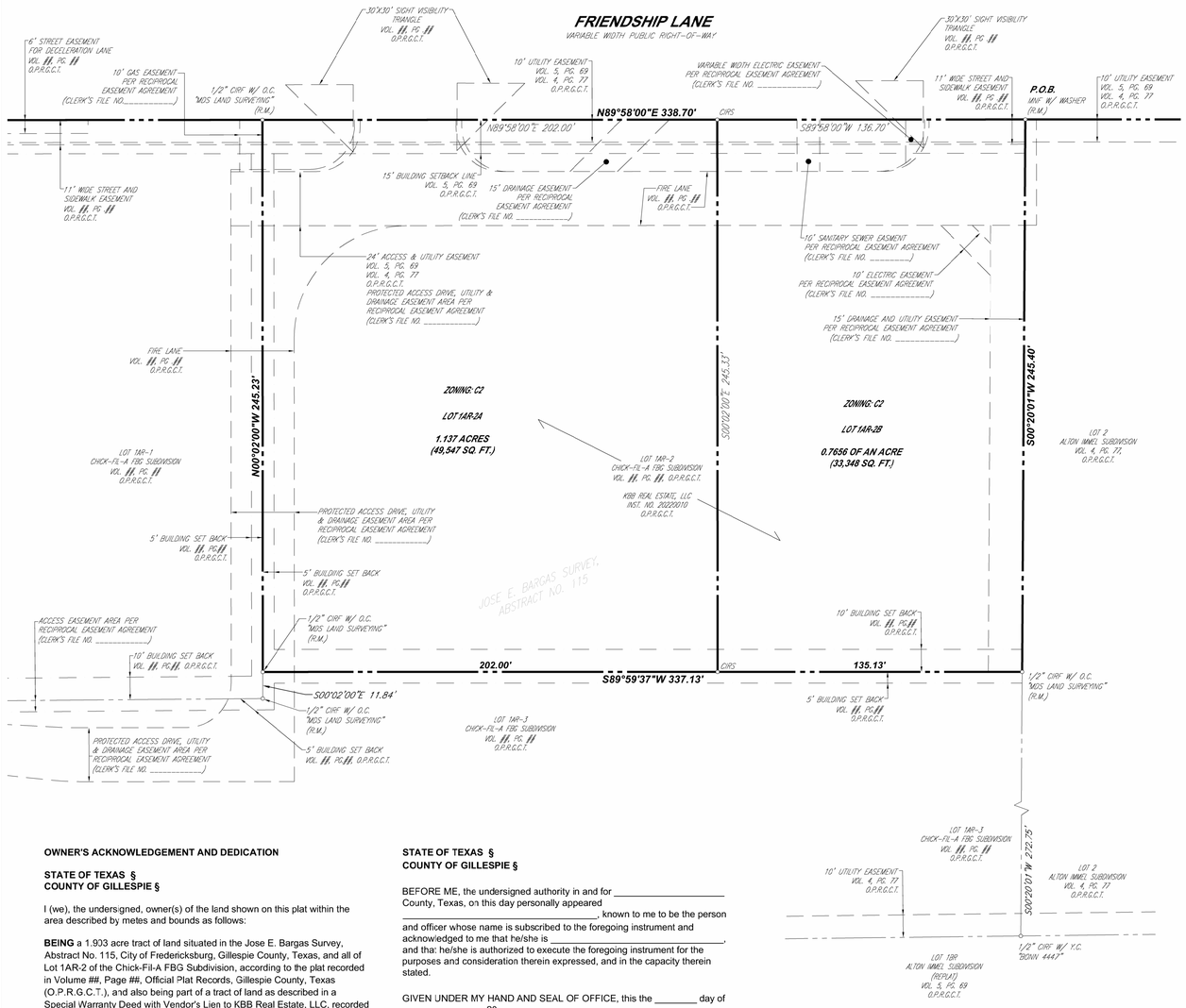
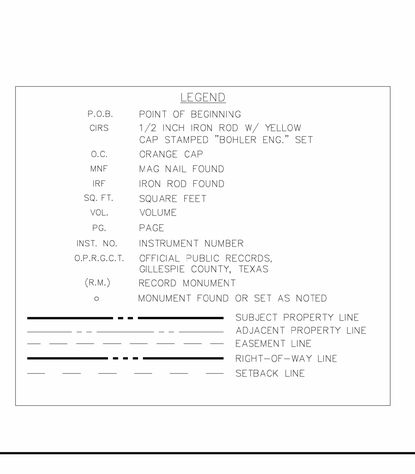


FIGURE 1
City of Fredericksburg
511 Friendship Lane



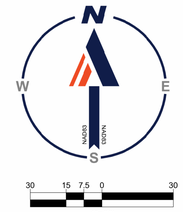


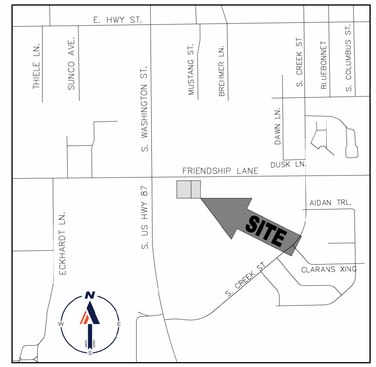
SURVEY NOTES:

1. Survey base on Texas State Plane Coordinate System, Texas Central Zone 4203, North American Datum of 1983 on grid coordinate values, no scale, and no projection.
2. The basis of bearing is derived from the Texas AllTerra RTKnet Cooperative Network - Texas State Plane Coordinate System, Central Zone (4203), NAD83. Elevations, if shown, are derived from North American Vertical Datum(NAVD) 88 using GEOID12A.
3. According to Community Panel No. 4817C0288C, dated October 19, 2001 of the Federal Emergency Management Agency, National Flood Insurance Program Map, this property is within flood zone "X", (areas determined to be outside 500-year floodplain), which is not a special flood hazard area. this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the surveyor.
4. Adjoining property information shown hereon is for informational purposes only.
5. All building setback lines, recorded easements, unrecored easements, plat restrictions, deed restrictions and zoning ordinances, if any, should be confirmed by the City of Fredricksburg, the Home Owners Association, Landowner and/or the Architectural Control Committee before any planning or construction.

PLAT NOTES:

1. Setbacks shall be in accordance with the city's adopted zoning codeat the time of permtting.
2. Any public uility, inclucing the city, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements or right-of-way shown on the plat (or filed by separate instrument that is associated with said property); and any public utility, including the city, shall have The right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity: at any time of procuting the permission of anyone. Easements shall be maintained by property owners. The city can move trees or any other improvements and does not have the responsibility to replace them.
3. The zoning of the subject property is within the City of Fredericksburg Commercial (C2).
4. Proposed use: Ccmmercial





LOCATION MAP

SCALE: 1" = 1000'

OWNER'S STATEMENT FOR FIRE LANE EASEMENT

The undersigned covenants and agrees that he/she (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a fire lane in accordance with the Fire Code and City standards and that he/she (they) shall maintain the fire lane in a state of good repair at all times in accordance with City Ordinance. The fire lane easement shall be kept free of obstructions in accordance with the City Ordinance. The maintenance of pavement in accordance to City Ordinance of the fire lane easements is the responsibility of the owner. The owner shall identify the fire lane on the ground in accordance with City Ordinance. The Chief of Police or his/her duly authorized representative is hereby authorized to cause such fire lane and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

Owner (Printed Name): _____
Owner (Signature): _____
Date: _____

LIENHOLDER'S RATIFICATION OF PLAT DEDICATION

STATE OF TEXAS §
COUNTY OF GILLESPIE §

Whereas, _____, acting by and through the undersigned, its duly authorized agant, is the lienholder of the property described hereon, does hereby ratify all dedications and provisions of this plat as shown.

Lienholder: _____

Date: _____

STATE OF TEXAS §
COUNTY OF GILLESPIE §

BEFORE ME, the undersigned authority in and for _____ County, Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she is _____, and that he/she is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 20__.

_____
Notary Public in and for the State of Texas

_____
Type or Print Notary's Name

My Commission Expires:_____

OWNER'S ACKNOWLEDGEMENT AND DEDICATION

STATE OF TEXAS §
COUNTY OF GILLESPIE §

I (we), the undersigned, owner(s) of the land shown on this plat within the area described by metes and bounds as follows:

BEING a 1.903 acre tract of land situated in the Jose E. Bargas Survey, Abstract No. 115, City of Fredericksburg, Gillespie County, Texas, and all of Lot 1AR-2 of the Chick-Fil-A FBG Subdivision, according to the plat recorded in Volume ##, Page ##, Official Plat Records, Gillespie County, Texas (O.P.R.G.C.T.), and also being part of a tract of land as described in a Special Warranty Deed with Vendor's Lien to KBB Real Estate, LLC, recorded in Instrument No. 20220010, Official Public Records, Gillespie County, Texas (O.P.R.G.C.T.), and being more particularly described as follows;

BEGINNING at a mag nail with washer found for the northwest corner of Lot 2 of Alton Immel Subdivision, according to the plat recorded in Volume 4, Page 77 (O.P.R.G.C.T.), the northeast corner of said Lot 1AR-2, and on the south right-of-way line of Friendship Lane (a variable width public right-of-way);

THENCE South 00 degrees 20 minutes 01 second West, along the west line of said Lot 2 and the east line of said Lot 1AR-2, a distance of 245.40 feet to a 1/2-inch iron rod with orange cap stamped "MDS LAND SURVEYING" found for the southeast corner of said Lot 1AR-2 and the northeast corner of said Lot 1AR-3, from which a 1/2-inch iron rod with yellow cap stamped "BONN 4447" found bears South 00 degrees 20 minutes 01 second West, a distance of 272.75 feet for the southeast corner of said Lot 1AR-2, the southwest corner of said Lot 2, and on the north line of Lot 1AR-3 of said Chick-Fil-A FBG Subdivision;

THENCE departing the west line of said Lot 2, South 89 degrees 59 minutes 37 seconds West, along the south line of said Lot 1AR-2 and the north line of said Lot 1AR-3, a distance of 337.13 feet to a 1/2-inch iron rod with orange cap stamped "MDS LAND SURVEYING" found on the east line of Lot 1AR-1 of said Chick-Fil-A FBG Subdivision, from which a 1/2-inch iron rod with orange cap stamped "MDS LAND SURVEYING" found for the southwest corner of said Lot 1AR-1 and an angle point on the north line of said Lot 1AR-3;

THENCE North 00 degrees 02 minutes 00 seconds West, a distance of 245.23 feet to a 1/2-inch iron rod with orange cap stamped "MDS LAND SURVEYING" found for the northeast corner of said Lot 1AR-1, the northwest corner of said Lot 1AR-2 and on the south right-of-way line of said Friendship **Lane;**

THENCE North 89 degrees 58 minutes 00 seconds East, along the north line of said Lot 1AR-2 and the south right-of-way line of said Friendship Lane, a distance of 338.70 feet to the **POINT OF BEGINNING**, and **CONTAINING** 1.903 acres or 82,895 square feet, more or less.

STATE OF TEXAS §
COUNTY OF GILLESPIE §

BEFORE ME, the undersigned authority in and for _____ County, Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she is _____, and that he/she is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 20_____.

_____
Notary Public in and for the State of Texas

_____
Type or Print Notary's Name

My Commission Expires:_____

LEGEND

P.O.B.	POINT OF BEGINNING
CIRS	1/2 INCH IRON ROD W/ YELLOW CAP STAMPED "BOHLER ENG." SET
O.C.	ORANGE CAP
MNF	MAG NAIL FOUND
IRF	IRON ROD FOUND
SQ. FT.	SQUARE FEET
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS, GILLESPIE COUNTY, TEXAS
(R.M.)	RECORD MONUMENT
o	MONUMENT FOUND OR SET AS NOTED
	SUBJECT PROPERTY LINE
	ADJACENT PROPERTY LINE
	EASEMENT LINE
	RIGHT-OF-WAY LINE
	SETBACK LINE

CERTIFICATE OF COMPLETION, ACCEPTANCE, AND AUTHORIZATION TO FILE

Approved

_____ _____
Chairman, Planning and Zoning Commission Date
City of Fredericksburg, Texas

The undersigned, the City Secretary and the City of Fredericksburg, Texas, hereby certifies that the foregoing Final Plat of the _____ Subdivision or Addition to the City of Fredericksburg was submitted to the Planning and Zoning Commission on the _____ day of _____, _____, and the Commission, by formal action, then and there accepted the dedications, conveyances of land, improvements, and any other property necessary to serve the plat and to implement the requirements of the platting ordinances, rules, and regulations as shown and set forth in and upon said plat, that the public works and infrastructure improvements have been completed in accordance with the construction plans, have been tested and have been accepted by the City, that the Final Plat is now acceptable for filing with Gillespie County and said Commission further authorized the Chairman of the Planning and Zoning Commission to note the acceptance on behalf of the City thereof by signing his/her name as hereinabove subscribed.

Witness by hand on this _____day of _____, 20_____.

_____
City Secretary
City of Fredericksburg, Texas

CERTIFICATE OF FINAL PLAT APPROVAL

Approved

_____ _____
Chairman, Planning and Zoning Commission Date
City of Fredericksburg, Texas

The undersigned, the City Secretary of the City of Fredericksburg, Texas, hereby certifies that the foregoing Final Plat of the _____ Subdivision or Addition to the City of Frecericksburg was submitted to the Planning and Zoning Commission on the _____ day of _____, _____, and the Commission, by formal action, then and there accepted the Final Plat and hereby authorizes the developer to proceed with the construction of public works improvements and infrastructure as indicated on the accompanying construction plans, and said Commission further authorizes the Chairman of the Planning and Zoning Commission to note the acceptance thereof by signing his/her name as hereinabove subscribed.

Witness by hand this _____day of _____, 20_____.

_____
City Secretary
City of Fredericksburg, Texas

CERTIFICATE OF SURVEYOR

STATE OF TEXAS §
COUNTY OF GILLESPIE §

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

"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".

_____
James D. Swaim
Registered Professional Land Surveyor
#6891

_____
Date

STATE OF TEXAS §
COUNTY OF GILLESPIE §

BEFORE ME, the undersigned authority, on this day personally appeared, known to me 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 considerations therein stated.

Given under my hand and seal of office this _____ day of _____, _____.

_____
Notary Public in and for the State of Texas

_____
Type or Print Notary's Name

My Commission Expires:_____

CITY PROJECT NO. RP ___-_____

REPLAT

SUBDIVISION
LOT 1AR-2A & LOT 1AR-2B

BEING ALL OF LOT 1AR-2
OUT OF
CHICK-FIL-A FBG SUBDIVISION
VOL. ##, PG. ##

1.903 ACRES OUT OF THE
JOSE E. BARGAS SURVEY, ABSTRACT NO. 115;
CITY OF FREDERICKSBURG, GILLESPIE COUNTY, TEXAS

APPLICANT:	OWNER:	SURVEYOR:
HALLE PROPERTIES, LLC c/o DISCOUNT TIRE 20225 N. SCOTTSDALE ROAD SCOTTSDALE AZ 85255 PHONE: (480) 708-2513 CONTACT: JONATHAN STRAWTHER	KBB REAL ESTATE, LLC 1102 E. MAIN ST. FREDERICKSBURG, TX 78624 PHONE: CONTACT: KENNETH KYLE BIEDERMANN	BOHLER ENGINEERING 2600 NETWORK BLVD. STE310 FRISCO, TX 75034 PHONE: (469) 458-7300 CONTACT: JAMES SWAIM

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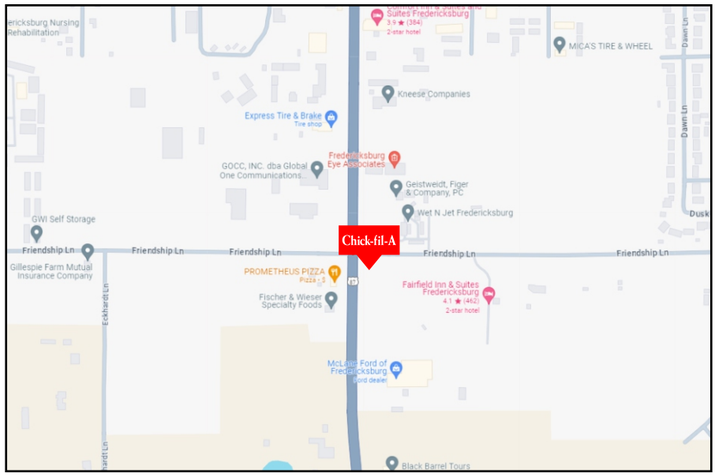
6017 MAIN STREET
FRISCO, TEXAS 75034
469.458.7300
www.bohlerengineering.com
TBPE No. 18065
TBPELS No. 10194413

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING | PROGRAM MANAGEMENT | LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN | PERMITTING SERVICES | TRANSPORTATION SERVICES

FILE NO.	DATE	DRAWN	REVIEWED	APPROVED	SCALE	DWG. NO.
TXA240077	07/31/24	VS	JS	JS	1" = 30'	1 OF 1



VICINITY MAP

N.T.S.

AERIAL VIEW

N.T.S.

NORTH

ROGER GHANTOUS - 613-889-8135
RGhantous@chandlersigns.com
LEAH CASALE - 682-204-6687
LCasale@chandlersigns.com

Design # 0639461Ar3

Sheet 1 of 4

Client #5619

Address Friendship LN and US Hwy 87, Fredricksburg, TX

Account Rep. ROGER GHANTOUS, LEAH CASALE

Designer LEAH LANSFORD

Date 5/13/24

Approval / Date

Client	
Sales	
Estimating	
Art	
Engineering	
Landlord	

Revision/Date

R1(5-17-24)LL: ADDED MULTIPLE OPTIONS

R2(5/21/24)LL: DELETED OPTION 1, ADDED ELECTRICAL DIAGRAM

R3(08/29/2024)AM: REMOVED METER PEDESTAL FROM ELECTRICAL DIAGRAM

CHANDLER SIGNS

National Headquarters: 14201 Sovereign Road #101, Fort Worth, TX 76155, (214)902-2000 Fax(214)902-2044

San Antonio: 17319 San Pedro Ave Ste 200, San Antonio, TX 78232, (210)349-3804 Fax (210)349-8724

South Texas: PO BOX 125 206 Doral Drive, Portland, TX 78374, (361) 563-5599 Fax (361) 643-6533

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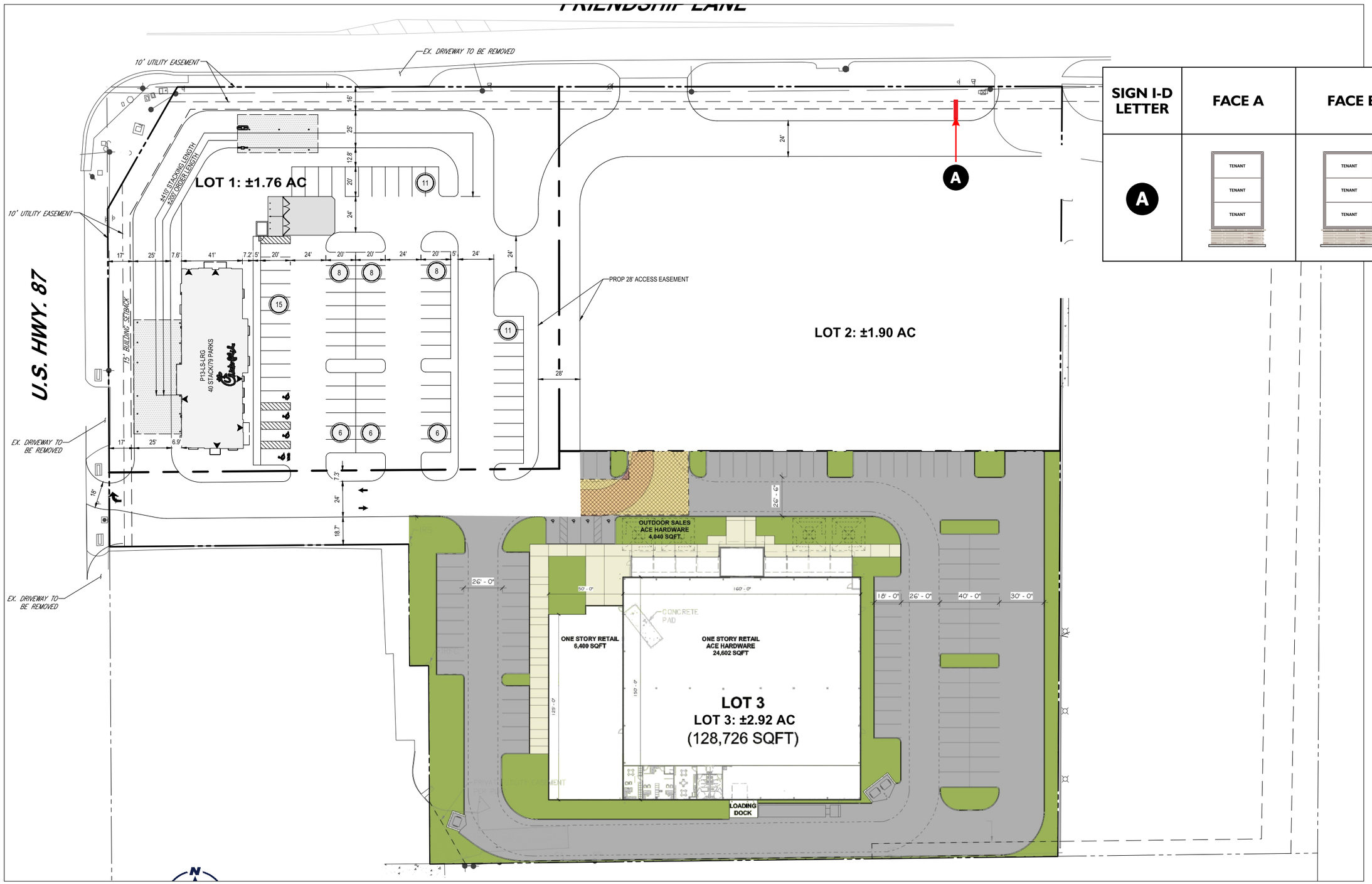
Chick-fil-A

AERIAL VIEW



SITE PLAN

SCALE: 1/64" = 1'-0"

Design # 0639461Ar3

Sheet 2 of 4

Client #5619

Address Friendship LN and US Hwy 87, Fredricksburg, TX

Account Rep. ROGER GHANTOUS, LEAH CASALE

Designer LEAH LANSFORD

Date 5/13/24

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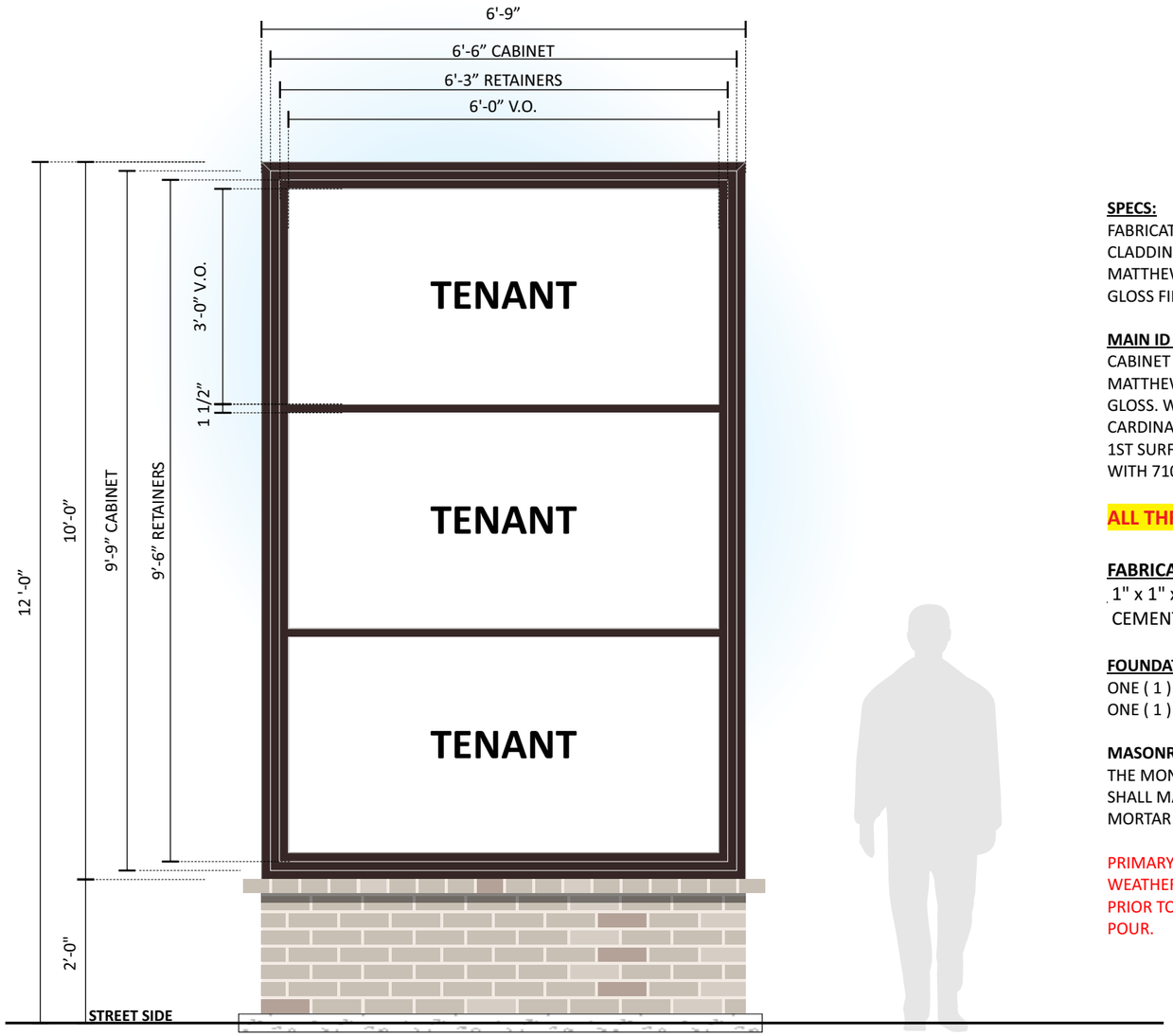
Chick-fil-A

SITE PLAN/KEY



A D/F MONUMENT

SCALE: 1/2" = 1'-0"

ONE (1) REQUIRED - MANUFACTURE AND INSTALL

67.5 SQ. FT.

SPECS:
FABRICATED ALUM. FRAME WITH ALUMINUM CLADDING AND ALUM. FIN / FILLER PAINTED MATTHEWS #74155 DARK BRONZE, SEMI-GLOSS FINISH.

MAIN ID LOGO FACES
CABINET AND 1 1/2" RETAINERS PAINTED MATTHEWS #74155 DARK BRONZE, SEMI-GLOSS. WHITE PLEX FACES WITH 3M #3630-53 CARDINAL RED TRANSLUCENT VINYL APPLIED 1ST SURFACE. INTERNALLY ILLUMINATED WITH 7100K WHITE LEDS AS REQUIRED.

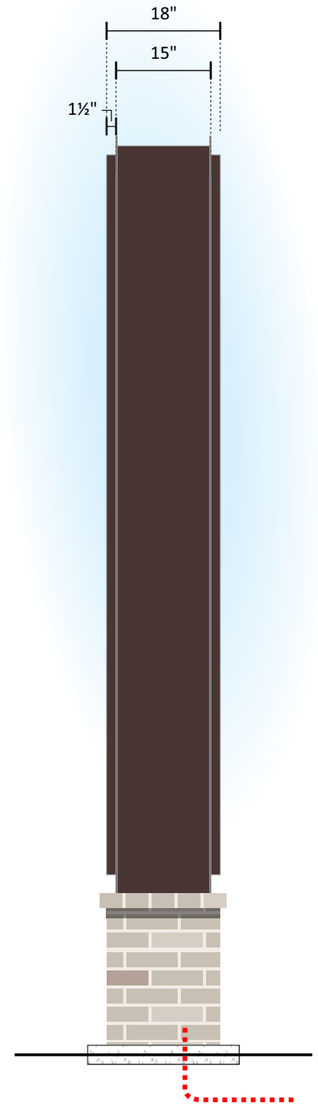
ALL THREE FACES TO BE METERED SEPERATELY

FABRICATED BASE FRAME
1" x 1" x .125" ALUMINUM SQ TUBE WITH 1/2" CEMENT BOARD.

FOUNDATION SYSTEM
ONE (1) 4 ½" O.D. x .237" WALL STEEL SUPPORT
ONE (1) 24" x 5'-0" DEEP CONCRETE PIER.

MASONRY / BRICK: BY G.C.
THE MONUMENT BRICK MATERIAL AND DESIGN SHALL MATCH THE BUILDING MATERIAL AND MORTAR FINISH.

PRIMARY ELECTRIC RUN THRU NEC APPROVED WEATHER-PROOF CONDUIT - COORDINATE PRIOR TO CONCRETE FOUNDATION / PAD POUR.



END VIEW

ONE (1) 120v, 20a CIRCUIT REQ'D
FOR FLUORESCENT LAMPS
DISPLAY TO HAVE ON/OFF
SERVICE SWITCHES

Design #
0639461Ar3

Sheet 3 of 4

Client
#5619

Address
Friendship LN and US Hwy 87, Fredricksburg, TX

Account Rep. ROGER GHANTOUS
LEAH CASALE

Designer LEAH LANSFORD

Date 5/13/24

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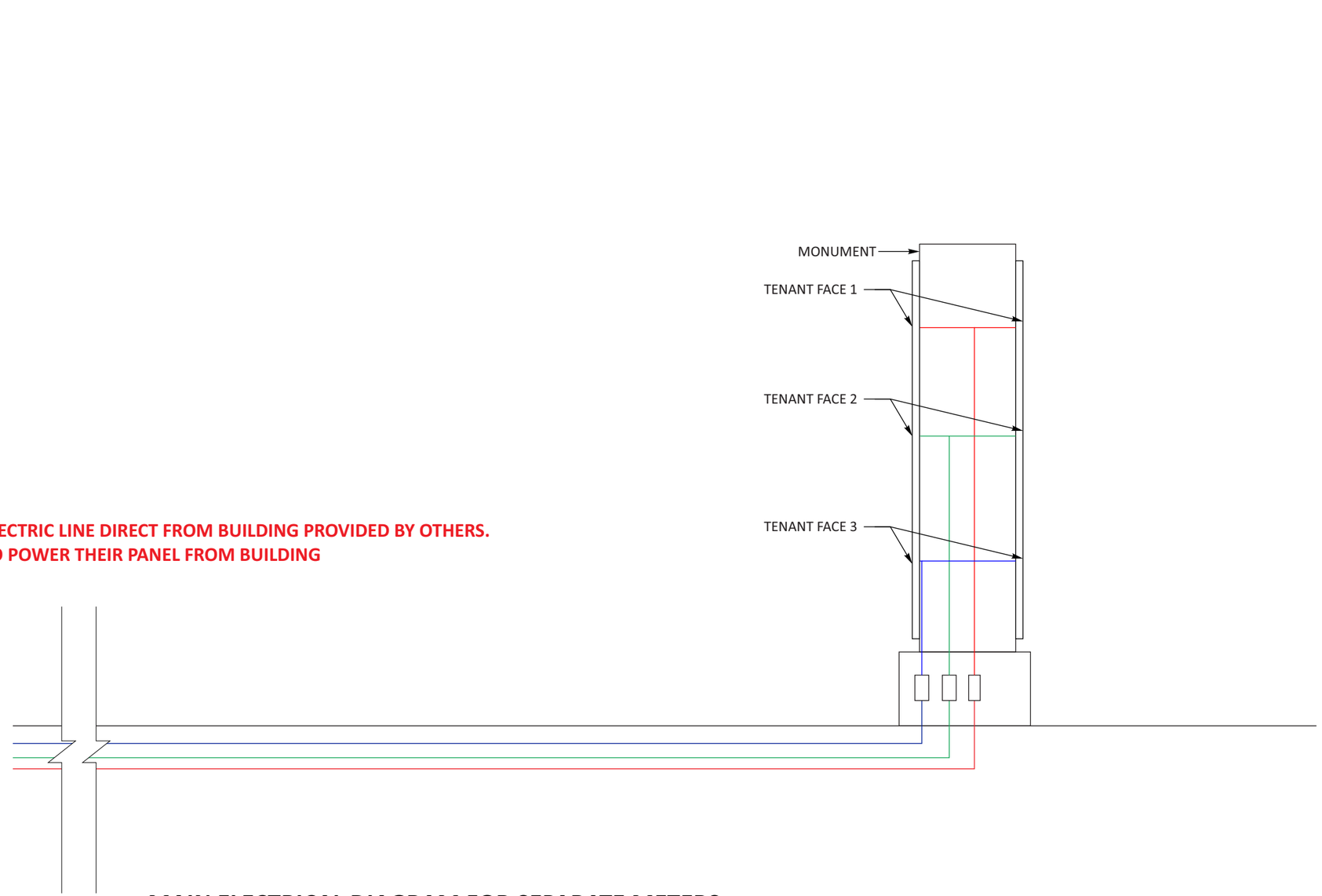
Chick-fil-A

A

PLEASE NOTE: ELECTRIC LINE DIRECT FROM BUILDING PROVIDED BY OTHERS.
EACH TENANT TO POWER THEIR PANEL FROM BUILDING



MAIN ELECTRICAL DIAGRAM FOR SEPARATE METERS

NOT TO SCALE

EACH FACE TO BE METERED SEPARATELY PER LL REQUEST

Design #	**0639461Ar3**
Sheet	4 of 4
Client	#5619
Address	Friendship LN and US Hwy 87, Fredricksburg, TX
Account Rep.	ROGER GHANTOUS LEAH CASALE
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Chick-fil-A

ELECTRONICALLY RECORDED
OFFICIAL PUBLIC RECORDS
Lindsey Brown
Lindsey Brown, County Clerk
Gillespie County, Texas
06/18/2024 2:23 PM
FEE: $ 189.00 JCOSTON 20243121

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

When recorded, return to:
Fellman Kapilian Law, P.C.
54 Jaconnet Street, Suite 300
Newton, MA 02461
Attn: Scott H. Kapilian, Esq.

RECIPROCAL EASEMENT AGREEMENT

THIS RECIPROCAL EASEMENT AGREEMENT (the "**Agreement**") is made this 18th day of June, 2024 (the "**Effective Date**") by FREDERICKSBURG CFA SERIES LLC, a Delaware series limited liability company having an address of 83 Orchard Hill Park Drive, Leominster, Massachusetts 01453 (hereinafter referred to as "**FCFA**"), FREDERICKSBURG RETAIL SERIES LLC, a Delaware series limited liability company having an address of 83 Orchard Hill Park Drive, Leominster, Massachusetts 01453 (hereinafter referred to as "**FRETAIL**"), and KBB REAL ESTATE LLC, a Texas limited liability company, having an address of 1102 E. Main Street, Fredericksburg, Texas 78624 (hereinafter referred to as "**KBB**"). Each of FCFA, FRETAIL and KBB may be referred to individually as a "**Party**" and collectively, as the "**Parties**".

WITNESSETH:

WHEREAS, FCFA is the owner of that certain tract or parcel of land lying and being in Fredericksburg, Gillespie County, Texas, depicted as Lot 1AR-1 on that certain unrecorded plat attached hereto as "**Exhibit A**" (the "**Plat**") and being more particularly described on "**Exhibit B**" attached hereto and made a part hereof by this reference (hereinafter referred to as the "**Lot 1**"); and

WHEREAS, FRETAIL is the owner of that certain tract or parcel of land lying and being in Fredericksburg, Gillespie County, Texas, and adjacent to Lot 1, depicted as Lot 1AR-2 on the Plat and being more particularly described on "**Exhibit C**" attached hereto and made a part hereof by this reference (hereinafter referred to as "**Lot 2**"); and

WHEREAS, KBB is the owner of that certain tract or parcel of land lying and being in Fredericksburg, Gillespie County, Texas, and adjacent to Lot 1 and Lot 2, depicted as Lot 1AR-3 on the Plat and being more particularly described on "**Exhibit D**" attached hereto and made a part hereof by this reference (hereinafter referred to as "**Lot 3**"); and

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WITNESSETH:

WHEREAS, FCFA is the owner of that certain tract or parcel of land lying and being in Fredericksburg, Gillespie County, Texas, depicted as Lot 1AR-1 on that certain unrecorded plat attached hereto as "**Exhibit A**" (the "**Plat**") and being more particularly described on "**Exhibit B**" attached hereto and made a part hereof by this reference (hereinafter referred to as the "**Lot 1**"); and

WHEREAS, FRETAIL is the owner of that certain tract or parcel of land lying and being in Fredericksburg, Gillespie County, Texas, and adjacent to Lot 1, depicted as Lot 1AR-2 on the Plat and being more particularly described on "**Exhibit C**" attached hereto and made a part hereof by this reference (hereinafter referred to as "**Lot 2**"); and

WHEREAS, KBB is the owner of that certain tract or parcel of land lying and being in Fredericksburg, Gillespie County, Texas, and adjacent to Lot 1 and Lot 2, depicted as Lot 1AR-3 on the Plat and being more particularly described on "**Exhibit D**" attached hereto and made a part hereof by this reference (hereinafter referred to as "**Lot 3**"); and

WHEREAS, FCFA, FRETAIL and KBB desire to establish certain easements and rights benefiting and burdening the Lots, as hereinafter provided.

NOW, THEREFORE, for and in consideration of Ten and No/100 Dollars ($10.00) payable by FCFA and FRETAIL to KBB, the premises, the mutual benefits to be derived by the provisions of this Agreement, and other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged by the Parties hereto, FCFA, FRETAIL and KBB do hereby covenant and agree as follows:

1. **Definitions**. The following terms will have the definitions ascribed to them below.

(a) "**Owner**" or "**Owners**" means the record holder of fee simple title to a Lot (including its heirs, successors and assigns). An Owner also includes any Prime Lessee, except as expressly noted otherwise in this Agreement. In the event the record holder of fee simple title to a Lot consists of more than one Owner, the rights and obligations of the Owners of such Lot hereunder shall be joint and several.

(b) "**Prime Lessee**" or "**Prime Lessees**" means any lessee under a lease with any Owner for all or any portion of a Lot or the improvements located thereon. Prime Lessee includes the successors and assigns of the Prime Lessee, but does not include the subtenants, licensees or concessionaires of the Prime Lessee. An Owner may, by written notice to the other Lot Owners, designate any Prime Lessee occupying all or any portion of a Lot.

(c) "**Lot**" or "**Lots**" shall mean Lot 1, Lot 2, Lot 3 and any and every other Lot that may be subdivided, consolidated or otherwise created from any of the Lots in the future. Every subdivided or consolidated lot will be a Lot from the date of recording of a subdivision map showing the Lots, so that all references herein to any "Lot" or the "Lots" will apply with equal force to all such subdivided or consolidated parcels.

(d) "**Protected Access Drive**" shall refer to the access roads and driveways constituting the Lot 1 Access Easement Area, Lot 2 Access Easement Area and Lot 3 Access Easement Area.

2. **Benefited Parties/Binding Effect**. The rights, easements and obligations established in this Agreement shall run with the land and be binding upon, and for the benefit of, the Lots. The fee simple title holders of the Lots may delegate the right to use the easements granted herein to their respective tenants, subtenants, licensees, concessionaires, customers, invitees, employees, agents, contractors, successors and assigns; but the same is not intended nor shall it be construed as creating any rights in or for the benefit of the general public, nor shall it affect any real property other than the Lots.

3. **Easements and Related Provisions**.

(a) The Owner of Lot 1 hereby grants and conveys to (i) the Lot 2 Owner and each Lot 2 Prime Lessee for the benefit of and as an appurtenance to Lot 2, and (ii) the Lot 3 Owner

and each Lot 3 Prime Lessee for the benefit of and as an appurtenance to Lot 3, and for use by the Lot 2 Owner and any Lot 2 Prime Lessee, the Lot 3 Owner and any Lot 3 Prime Lessee, and all their respective tenants, subtenants, customers, invitees, employees, licensees, concessionaires and guests, in common with others entitled thereto, a non-exclusive, perpetual easement for vehicular and pedestrian access (but specifically excluding parking) (the "**Lot 1 Access Easement**") over, upon, across and through the portion of the access roads and driveways located, or to be located, on Lot 1 designated "**Protected Access Drive**" (the "**Lot 1 Access Easement Area**") on the site plan attached hereto as "**Exhibit E**" (the "**Site Plan**") providing ingress, egress and regress to and from Lot 2 and Lot 3 and Friendship Lane, as shown on the Site Plan. The Lot 1 Owner agrees not to, without the express written consent of the Lot 2 Owner, each Lot 2 Prime Lessee, the Lot 3 Owner and each Lot 3 Prime Lessee, erect, construct, or install any signage, buildings, or other improvements or make any future modifications to the Lot 1 Access Easement Area, which would obstruct the ingress, egress and regress or permitted use of the Lot 1 Access Easement Area described herein, provided the foregoing shall not prohibit the paving and required maintenance of the Lot 1 Access Easement Area and Protected Access Drive as set forth herein.

(b) The Owner of Lot 2 hereby grants and conveys to (i) the Lot 1 Owner and each Lot 1 Prime Lessee for the benefit of and as an appurtenance to Lot 1, and (ii) the Lot 3 Owner and each Lot 3 Prime Lessee for the benefit of and as an appurtenance to Lot 3, and for use by the Lot 1 Owner and any Lot 1 Prime Lessee, the Lot 3 Owner and any Lot 3 Prime Lessee, and all their respective tenants, subtenants, customers, invitees, employees, licensees, concessionaires and guests, in common with others entitled thereto, a non-exclusive, perpetual easement for vehicular and pedestrian access (but specifically excluding parking) (the "**Lot 2 Access Easement**") over, upon, across and through the portion of the access roads and driveways located, or to be located, on Lot 2 designated "Protected Access Drive" (the "**Lot 2 Access Easement Area**") on the Site Plan providing ingress, egress and regress to and from Lot 1 and Lot 3 and Friendship Lane, as shown on the Site Plan. The Lot 2 Owner agrees not to, without the express written consent of the Lot 1 Owner, each Lot 1 Prime Lessee, the Lot 3 Owner and each Lot 3 Prime Lessee, erect, construct, or install any signage, buildings, or other improvements or make any future modifications to the Lot 2 Access Easement Area, which would obstruct the ingress, egress and regress or permitted use of the Lot 2 Access Easement Area described herein, provided the foregoing shall not prohibit the paving and required maintenance of the Lot 2 Access Easement Area and the Protected Access Drive as set forth herein.

(c) The Owner of Lot 3 hereby grants and conveys to (i) the Lot 1 Owner and each Lot 1 Prime Lessee for the benefit of and as an appurtenance to Lot 1, and (ii) the Lot 2 Owner and each Lot 2 Prime Lessee for the benefit of and as an appurtenance to Lot 2, and for use by the Lot 1 Owner and any Lot 1 Prime Lessee, the Lot 2 Owner and any Lot 2 Prime Lessee, and all their respective tenants, subtenants, customers, invitees, employees, licensees, concessionaires and guests, in common with others entitled thereto, a non-exclusive, perpetual easement for vehicular and pedestrian access (but specifically excluding parking) (the "**Lot 3 Access Easement**" and collectively with the Lot 1 Access Easement and Lot 2 Access Easement, the "**Access Easements**") over, upon, across and through the portion of the access roads and driveways located, or to be located, on Lot 3 designated "Protected Access Drive"

(the "**Lot 3 Access Easement Area**") on the Site Plan providing ingress, egress and regress to and from Lot 1 and Lot 2 and U.S. Highway 87 as shown on the Site Plan. The Owner of Lot 3 hereby further grants and conveys to the Lot 1 Owner and each Lot 1 Prime Lessee for the benefit of and as an appurtenance to Lot 1, for the use by the Lot 1 Owner and any Lot 1 Prime Lessee and all tenants, subtenants, customers, invitees, employees, licensees, concessionaires and guests, a non-exclusive, perpetual easement for vehicular and pedestrian access (but specifically excluding parking) over, upon, across and through the area depicted as the "Access Easement" on the Site Plan for the sole purpose of providing Lot 1 Owner and Lot 1 Prime Lessee with the right to install driveway aprons, curbing and landscaping by the Lot 1 Owner solely within the area within the labeled "Access Easement" as shown on the Site Plan for the purpose of providing orderly egress from Lot 1 to the Lot 3 Access Easement Area. The Lot 3 Owner agrees not to, without the express written consent of: (A) the Lot 1 Owner, each Lot 1 Prime Lessee, the Lot 2 Owner and each Lot 2 Prime Lessee as to the Lot 3 Access Easement Area; and (B) the Lot 1 Owner and each Lot 1 Prime Lessee as to the "Access Easement" depicted on the Site Plan, erect, construct, or install any signage, buildings, or other improvements or make any future modifications to the Lot 3 Access Easement Area or "Access Easement", which would obstruct the access or permitted use of the Lot 3 Access Easement or "Access Easement" described herein, provided the foregoing shall not prohibit the paving and required maintenance of the Lot 3 Access Easement Area, Protected Access Drive and "Access Easement" as set forth herein.

(d) Each Lot Owner hereby grants and conveys to the other Lot Owners and each of their respective Prime Lessees for the benefit of and as an appurtenance to the other Lots, and for the use by the other Lot Owners and each of their respective Prime Lessees, a non-exclusive and perpetual utility easement for the installation, construction, tie-in, maintenance, repair and replacement of underground utilities, lines, cables, pipes, conduits, and other improvements, including without limitation underground water, electric, gas, telephone, telecommunications, sanitary sewer, and drainage lines for storm water (provided each Lot shall be responsible for its own storm water collection) (collectively, the "**Utility Facilities**"), within the Protected Access Drive and in the locations depicted on the Site Plan as the "**Utility and Drainage Easement Area**", including without limitation, tying into existing utility mains and lines for the purpose of providing separately metered utilities to each Lot or underground storm water or sanitary sewer drainage (collectively, the "**Utility and Drainage Easements**"). With respect to any Lot Owner or any Prime Lessee exercising its rights under the Utility and Drainage Easements, such Lot Owner or Prime Lessee exercising such Utility and Drainage Easement rights hereunder, as the case may be, shall perform such work so as to not unreasonably interfere with the operation of any business on the other Lots. The Owner of each of the Lots agrees not to erect, construct, or install any signage, buildings, or other improvements or make any future modifications to the Utility and Drainage Easement Area, which would obstruct the access or permitted use of the Utility and Drainage Easement described herein, provided the foregoing shall not prohibit the paving of the Utility and Drainage Easement Area.

(e) The utility easements set forth in (d) above shall be subject to the following limitations:

(i) In connection with any entry onto and the use of the Utility and Drainage Easement Area on another Lot for the purpose of installation, construction, tie-in, maintenance, repair or replacement of any Utility Facilities, each Owner shall take such commercially reasonable safety measures which are reasonably necessary to prevent injury to persons or property resulting from or in any way connected with the installation, construction, tie-in, maintenance, repair or replacement of any Utility Facilities.

(ii) Neither the access to the Utility and Drainage Easement Area granted hereunder nor the performance of the construction work contemplated herein shall unreasonably interfere with: (a) the operations of any other Owner or the tenants or occupants of any other Owner's Lot, their respective tenants, subtenants, licensees, concessionaires, customers, invitees, employees, agents, contractors, successors and assigns in their use of its respective Lot; or (b) vehicular and pedestrian access as provided in Sections 3(a), (b) and (c), above. During any Owner's maintenance and repair of Utility Facilities within the Utility and Drainage Easement Area, such Owner agrees to use commercially reasonable efforts to diligently and continuously complete all repairs and maintenance as quickly as reasonably possible.

(iii) Each Lot Owner shall have a duty to promptly restore any area disturbed by such Lot Owner's access and construction within the Utility and Drainage Easement Area located on the Lot of another Owner (including any disturbance caused by such Lot Owner's agents, employees, designees and/or contractors). Any restoration shall return the disturbed area to substantially the condition that existed prior to such Owner's access and use of the Utility and Drainage Easement Area.

(iv) Each Owner shall be responsible for maintaining its Utility Facilities in good condition and repair at all times. All work performed by any Owner or such Owner's agents, employees, designees and/or contractors within the Utility and Drainage Easement Area shall be diligently performed in a good and workmanlike manner and at such Owner's sole cost and expense.

(f) The following shall apply to the multi-tenant pylon sign on Lot 2:

(i) Subject to obtaining all applicable permits and approvals from all applicable permit granting authorities, FRETAIL shall erect, in connection with the construction of improvements on Lot 2, a free-standing shared multi-tenant pylon sign on Lot 2 in a location along Friendship Lane, with such location to be determined by the Lot 2 Owner in its sole discretion, with multiple sign cabinets of equal size with each sign cabinet accommodating two (2) sign panels (front and back) if the applicable permit granting authority permits a double-sided pylon sign and otherwise single sided panels (the "**Lot 2 Pylon Sign**"). The Lot 2 Pylon Sign shall contain all necessary electrical components of sufficient capacity to accommodate and power up multiple separate sign panels. Lot 2 Owner hereby grants to the Lot 3 Owner, for the benefit of Lot 3, the Lot 3 Owner and its Prime Lessee, an easement to utilize the bottom position on the Lot 2 Pylon Sign. By way of example: (a) in the event the Lot 2 Pylon Sign

contains two (2) sign cabinets, the Lot 2 Owner hereby grant to the Lot 3 Owner, for the benefit of Lot 3, the Lot 3 Owner and its Prime Lessee, an easement to utilize the second (bottom) position on the Lot 2 Pylon Sign comprising one half (1/2) of the available panel space on the Lot 2 Pylon Sign, (b) in the event the Lot 2 Pylon Sign contains three (3) sign cabinets, the Lot 2 Owner hereby grant to the Lot 3 Owner, for the benefit of Lot 3, the Lot 3 Owner and its Prime Lessee, an easement to utilize the third (bottom) position on the Lot 2 Pylon Sign comprising one third (1/3) of the available panel space on the Lot 2 Pylon Sign, (c) in the event the Lot 2 Pylon Sign contains four (4) sign cabinets, the Lot 2 Owner hereby grant to the Lot 3 Owner, for the benefit of Lot 3, the Lot 3 Owner and its Prime Lessee, an easement to utilize the fourth (bottom) position on the Lot 2 Pylon Sign comprising one quarter (1/4) of the available panel space on the Lot 2 Pylon Sign (with such panel and applicable panel position assigned to Lot 3 being hereafter referred to as the "**Lot 3 Panel**"). All of the sign panels on the Lot 2 Pylon Sign other than the Lot 3 Panel shall be referred to herein as the "**Lot 2 Panels**" and, subject to the remaining terms of this Section, the Lot 2 Owner shall be permitted to allocate the Lot 2 Panels in its sole discretion, including, without limitation, upon any further subdivision of Lot 2, allocating the Lot 2 Panels among the subdivided Lots as the Lot 2 Owner elects in its sole discretion. The Lot 3 Panel and Lot 2 Panels shall be for the exclusive use of, and identify, only the occupants of Lot 2 and Lot 3. The Lot 3 Panel shall not be divided into multiple panels and shall only contain one sign panel identifying one tenant or occupant of Lot 3. FRETAIL, in connection with the initial development of Lot 2, shall use diligent, good faith efforts to promptly obtain all permits and approvals for the Lot 2 Pylon Sign to be a multi-tenant shared pylon sign. The Owners covenant and agree to reasonably cooperate development of the Lots to allow for a multi-tenant shared pylon sign on Lot 2.

(ii) Subject to obtaining all applicable permits and approvals from all applicable permit granting authorities for the construction of the Lot 2 Pylon Sign, the Owner of Lot 2 hereby grants and conveys to the Lot 3 Owner, its successors and assigns, a perpetual easement for the right and privilege to access, place and affix the Lot 3 Panel on the Lot 2 Pylon Sign, and to maintain, repair and replace such panels. Such easement grant shall be limited to the Lot 3 Panel on the Lot 2 Pylon Sign and reasonable access over, across and upon the portion of Lot 2 shown and described on "**Exhibit F**" attached hereto to permit the Lot 3 Panel to be installed, replaced, maintained and operated by the Lot 3 Owner or its Prime Lessee in accordance with the terms of this Agreement. Lot 3 Owner and its Prime Lessee shall require all Lot 3 Panel vendors and repair personnel to park in designated parking areas on Lot 2 or in such other location as Lot 2 Owner may reasonably allow or designate so long as such alternative locations permit reasonable access to the Lot 3 Panel but in no event shall any of such vehicles obstruct the drive aisles of Lot 2 nor impede the flow of traffic to and from any drive-thru located on Lot 2.

(iii) The Lot 3 Owner, or its Prime Lessee, will have the right to place the Lot 3 Panel in the applicable position on the Lot 2 Pylon Sign, subject to the rights of Lot 2 Owner to use the Lot 3 Panel position until (A) a building permit has been issued in connection with the initial development of Lot 3, and (B) the Owner of Lot 3 elects, in its sole discretion, by written notice to Lot 2 Owner, to utilize the Lot 3 Panel as

provided herein. Each party attaching any identification panel(s) to the Lot 2 Pylon Sign shall, at its sole cost and expense, (i) obtain all permits and approvals required for such installation, (ii) fabricate its identification panel(s), install the panel(s) and connect the panel(s) to the power source provided, and (iii) maintain, repair and replace the identification panel(s) (including any backlit lighting) pursuant to governmental requirements, and in a safe condition and good state of repair. All sign panels shall be for the exclusive use of, and identify, only the occupants of Lot 2 and Lot 3, only. Any design for the Lot 3 Panel shall be subject to the prior written approval of Lot 2 Owner, such approval not to be unreasonably withheld, conditioned or delayed; provided, however, such approval shall not be required if the occupant of Lot 3 is a national or regional tenant that is using its prototypical sign design that it uses at substantially all of its other locations on the Lot 3 Panel. Upon receiving any such request for approval of the Lot 3 Panel, Lot 2 Owner will have fourteen (14) days to respond to such request. If Lot 2 Owner fails to respond within the fourteen (14) day period, Lot 2 Owner will be deemed to have approved such request.

(iv) Subject to obtaining all necessary permits for the Lot 2 Pylon Sign, FRETAIL will initially construct and install the Lot 2 Pylon Sign at its sole cost and expense in accordance with all applicable laws, rules, regulations, ordinances and orders. The operation, maintenance, repair and replacement of the Lot 2 Pylon Sign (including electricity) shall be performed by the Lot 2 Owner or any Lot 2 Prime Lessee designated by the Lot 2 Owner, except with respect to the individual panels for each Lot or occupant thereof which each respective Owner or tenant shall maintain in accordance with this Section 3(f). Lot 2 Owner covenants and agrees to maintain the Lot 2 Pylon Sign (exluding the Lot 3 Panel) in good condition and state of repair and in compliance with all applicable laws, rules, regulations, ordinances and orders. Following the development of Lot 3 and the placement by the Lot 3 Owner or any Lot 3 Prime Lessee of the Lot 3 Panel on the Lot 2 Pylon Sign, the Lot 2 Owner or the Lot 2 Prime Lessee, shall maintain and operate the Lot 2 Pylon Sign at its sole cost and expense, including the cost of electricity. The Lot 2 Owner or Lot 2 Prime Lessee, as the case may be, shall keep, or cause to be kept, the Lot 2 Pylon Sign lighted during the hours of operation of each Owner or Prime Lessee or other tenant, subtenant or other occupant whose business is identified on the Lot 2 Pylon Sign (beginning one half hour before dusk), and the Lot 3 Owner or Lot 3 Prime Lessee shall reimburse FRETAIL, the Lot 2 Owner or Lot 2 Prime Lessee, as applicable, for its pro rata share of (y) the costs of electricity calculated by dividing the area of such Owner, Prime Lessee, or other tenant's sign panel by the total area of all panels on the Lot 2 Pylon Sign, unless the Lot 3 Panel is separately metered, in which case, the Lot 3 Owner or Lot 3 Prime Lessee shall pay such electric utility costs directly to the electric utility provider, and (z) the costs to maintain, repair and replace, as necessary the Lot 2 Pylon Sign structure and electric utility equipment (but specifically excluding the cost to maintain, repair and replace the individual sign panels which shall be the responsibility of the applicable Lot Owner, Prime Lessee or other tenant or occupant) within thirty (30) days following receipt of invoice from FRETAIL or the Lot 2 Owner or Lot 2 Prime Lessee, as applicable. Lot 3 Owner, or its Prime Lessee, shall have no obligation to pay or reimburse any costs, fees or expenses related to the Lot 2 Pylon Sign unless and until Lot 3 Owner elects to utilize the Lot 3 Panel as provided herein.

(v) For purposes of this Section 3(f), in the event Lot 2 is subdivided, references to Lot 2 Owner shall be deemed to refer to the then-current owner of the real property upon which the Lot 2 Pylon Sign is installed.

(g) The Lot 2 Owner hereby grants to the Lot 3 Owner and any Lot 3 Prime Lessee, for the benefit of Lot 3 and as an appurtenance to Lot 3, and for use by the Lot 3 Owner and any Lot 3 Prime Lessee, and all tenants, subtenants, customers, invitees, employees, licensees, concessionaires and guests, in common with others entitled thereto a general non-exclusive, perpetual easement for vehicular and pedestrian access and egress (but specifically excluding any parking rights) over, upon, across and through the access roads, driveways, parking areas, and sidewalks located on Lot 2 from time to time; provided however, in no event shall the Lot 2 Owner or any Lot 2 Prime Lessee be required to maintain any access points between Lot 2 and Lot 3.

(h) The Lot 3 Owner hereby grants to the Lot 2 Owner and any Lot 2 Prime Lessee, for the benefit of Lot 2 and as an appurtenance to Lot 2, and for use by the Lot 2 Owner and any Lot 2 Prime Lessee, and all tenants, subtenants, customers, invitees, employees, licensees, concessionaires and guests, in common with others entitled thereto a general non-exclusive, perpetual easement for vehicular and pedestrian access and egress (but specifically excluding any parking rights) over, upon, across and through the access roads, driveways, parking areas, and sidewalks located on Lot 3 from time to time; provided however, in no event shall the Lot 3 Owner or any Lot 3 Prime Lessee be required to maintain any access points between Lot 2 and Lot 3.

(i) KBB hereby grants and conveys to FCFA, for the benefit of and as an appurtenance to Lot 1, and to FRETAIL, for the benefit of and as an appurtenance to Lot 2, a temporary construction easement (the "**Lot 3 Temporary Construction Easement**") for the benefit of Lot 1 and Lot 2 and burdening any areas on Lot 3 that lie within twenty (20) feet of the boundary between Lot 1 and Lot 3 and between Lot 2 and Lot 3 (the "**Lot 3 Temporary Construction Easement Area**") for the construction by FCFA and/or FRETAIL, as the case may be, of (x) improvements on Lot 1 and Lot 2, (y) the Protected Access Drive, and (z) the connection points between the paving of the Protected Access Drive on the Lots which shall be a smooth and level transition. FCFA and FRETAIL shall perform any work within the Lot 3 Temporary Construction Easement Area so as to not unreasonably interfere with the operation of business on Lot 3 or access to Lot 3 by Lot 3 Owner or any of its tenants, subtenants, licensees, concessionaires, customers, invitees, employees, agents, contractors, successors and assigns. This Lot 3 Temporary Construction Easement will automatically terminate, without further action of the Parties, on the earlier to occur of (y) commencement of construction of vertical improvements on Lot 3, and (z) December 31, 2024.

(j) FRETAIL hereby grants and conveys to Lot 3 Owner, for the benefit of and as an appurtenance to Lot 3, a temporary construction easement (the "**Lot 2 Temporary Construction Easement**" and collectively with the Access Easements, Utility and Drainage Easements and Lot 3 Temporary Construction Easement, the "**Easements**") for the benefit of Lot 3 and burdening any areas on Lot 2 that lie within twenty (20) feet of the boundary between Lot 2 and Lot 3 (the "**Lot 2 Temporary Construction Easement Area**") for the construction by Lot 3 Owner, of (y) improvements on Lot 3, and (z) the connection points between the

paving of the Protected Access Drive on Lot 2 and Lot 3 which shall be a smooth and level transition. Lot 3 Owner shall perform any work within the Lot 2 Temporary Construction Easement Area so as to not unreasonably interfere with the operation of business Lot 2 or any Lot 2 tenants or occupants. This Lot 2 Temporary Construction Easement will automatically terminate, without further action of the Parties, on the earlier to occur of (y) commencement of construction of vertical improvements on Lot 2, and (z) [December 31, 2024].

(k) Each Owner agrees that it shall at no time erect, construct, or cause to be erected or constructed, or permit to be erected or constructed, any fence, wall, curb or other barrier between the Lot of any other Owner and the Protected Access Drive. Furthermore, no Owner or Prime Lessee shall interfere with, block, restrict, or disrupt, or permit its tenants, subtenants, licensees, concessionaires, customers, invitees, employees or agents to interfere with, block, restrict or disrupt, the free flow of traffic on and along the Protected Access Drive, or in any manner interfere with or restrict the full and complete use and enjoyment of the easements created hereby by the other Owners or any Prime Lessees of the other Owners, their respective tenants, subtenants, licensees, concessionaires, customers, invitees, employees, agents, contractors, successors and assigns.

(l) The Owners covenant and agree that following completion of the initial construction of the Protected Access Drive, no Owner shall change the location of the Protected Access Drive, change the elevation or finish grade of the Protected Access Drive, or otherwise reduce or change the connection points between the Lots without the prior written consent of each of the other Owners which shall not be unreasonably withheld, conditioned, delayed or denied. Any change to the Protected Access Drive shall be evidenced by a written amendment to this Agreement and no change shall eliminate or materially impair ingress and egress between (i) Friendship Lane to Lot 3, (ii) U.S. Highway 87 to Lot 1, or (iii) U.S. Highway 87 to Lot 2.

(m) This Agreement does not dedicate the Easements or any other easement rights created herein to the general public, nor does this Agreement restrict the use and development of Lots except as stated herein.

(n) Each Owner acknowledges and agrees that the Owner of each Lot may continue to utilize any Utility and Drainage Easement Area for all purposes not inconsistent with the rights granted herein. Notwithstanding anything herein to the contrary, for avoidance of doubt, no Owner shall be required to obtain the consent of the other Owners in the event that such Owner desires to subdivide its Lot into two or more Lots.

4. **Construction of Protected Access Drive and Utilities; Maintenance; Manner of Performing Work; Restriction on Use.**

(a) In connection with the initial development of Lot 1, FCFA shall, at FCFA's sole cost and expense, construct any deceleration lane required by the City of Fredericksburg from Friendship Lane in to Lot 2 in a good and workmanlike manner and in accordance with any and all applicable local, city and state requirements for the construction thereof as well as the Protected Access Drive in the location shown on the Site Plan in accordance with the

Protected Access Drive Plans and Specifications attached hereto as "**Exhibit G**". FCFA shall complete the construction of any deceleration lane required by the City of Fredericksburg along Friendship Lane, and the Protected Access Drive within twelve (12) months of the date hereof. Furthermore, FCFA shall, at FCFA's sole cost and expense, obtain within twelve (12) months from the date hereof any consent or variance required from the Texas Department of Transportation to facilitate the right-turn, only, exit from Lot 3 to U.S. Highway 87 and promptly provide the Owner of Lot 3 with a true, correct and complete copy thereof promptly upon receipt.

(b) In connection with the initial development of Lot 1 and the installation of utilities for the benefit of Lot 1, FCFA shall, no later than twelve (12) months from the Effective Date, install the following utilities within the Utility and Drainage Easement Area for the benefit of Lot 3: (i) water and sewer, (ii) gas sleeve, (iii) fiber optic conduit, (iv) electric conduit to Lot 2 Pylon Sign, and (v) stormwater drainage (the "**Lot 3 Utility Facilities**"). The Lot 3 Utility Facilities shall be installed by FCFA's contractor installing utilities on Lot 1, in a good and workmanlike manner, lien free, in accordance with plans and specifications approved, in writing, or deemed approved, by KBB, in accordance with all applicable laws, codes, rules, statutes and regulations of any governmental authority having jurisdiction thereof, and stubbed to the locations shown on the Site Plan. FCFA or its contractor shall be responsible for obtaining all necessary permits and approvals for the construction and installation of the Lot 3 Utility Facilities and will provide a true, correct and complete copy of all such permits and approvals to KBB prior to commencement of construction of the Lot 3 Utility Facilities. Prior to commencement of construction of the Lot 3 Utility Facilities, FCFA shall deliver to KBB, the plans and specifications for the Lot 3 Utility Facilities (the "**Lot 3 Utility Plans**"), for KBB's review and approval, which approval shall not be unreasonably withheld, conditioned or delayed provided the Lot 3 Utility Plans are consistent with the Lot 3 Utility Specifications attached hereto as "**Exhibit H**". With respect to any electric, telephone, cable or telecommunications utilities, the Lot 3 Utility Facilities shall only include the installation of suitable underground conduit stubbed to the locations shown on the Site Plan, with KBB being responsible, at KBB's sole cost and expense, for installation of any related cabling, wiring and associated equipment and facilities to initiate service from the applicable utility provider. In the event KBB fails to respond to FCFA in writing, within ten (10) business days of KBB's receipt of the Lot 3 Utility Plans, either approving or disapproving the Lot 3 Utility Plans, which disapproval must be accompanied by specific detailed comments providing the basis for such disapproval, KBB's approval of the Lot 3 Utility Plans shall be deemed granted. In connection with the closing of the purchase of Lot 1 and Lot 2 by FCFA and FRETAIL from KBB, KBB shall deposit with the Stewart Title Guaranty Company ("**Escrow Agent**"), as Escrow Agent, an amount equal to One Hundred Forty-One Thousand Eight Hundred Sixty-Seven Dollars (**$141,867.00**) (the "**Lot 3 Utility Work Costs Escrow**"). Following substantial completion of the Lot 3 Utility Facilities, KBB shall reimburse FCFA for the actual, reasonable out-of-pocket cost of installation of the Lot 3 Utility Facilities, without markup (the "**Lot 3 Utility Work Costs**"); provided however, in no event shall KBB's obligation to reimburse FCFA for the Lot 3 Utility Work Costs exceed the Lot 3 Utility Work Costs Escrow. Within two (2) business days of final completion of the Lot 3 Utility Facilities as evidenced by a certificate of final completion of the Lot 3 Utility Facilities issued by FCFA and FCFA's general contractor which certification shall include the final Lot 3 Utility Work Costs and an unconditional waiver and release of final payment from FCFA's general

contractor in the form promulgated by Section 53.284 of the Texas Property Code, as may be amended, KBB shall instruct the Escrow Agent to release such portions of the Lot 3 Utility Work Costs Escrow in an amount of the Lot 3 Utility Work Costs certified by FCFA and FCFA's general contractor to FCFA and KBB. Following payment of the Lot 3 Utility Work Costs to FCFA, the Escrow Agent shall release any remaining balance of the Lot 3 Utility Work Costs Escrow to KBB. If FCFA fails to install the Lot 3 Utility Facilities in accordance with the terms of this Section on or before twelve (12) months from the Effective Date, KBB may, by not less than thirty (30) days prior written notice to Escrow Agent, with a copy to FCFA, direct Escrow Agent to promptly deliver any undisbursed portions of the Lot 3 Utility Work Costs Escrow to KBB and KBB shall be permitted to promptly complete the installation of the Lot 3 Utility Facilities, in which event, FCFA shall be relieved of any further obligation to complete the Lot 3 Utility Facilities. In the event KBB exercises such self-help rights, FCFA and FRETAIL covenant and agree to cooperate with KBB with respect thereto, at no further cost to FCFA or FRETAIL, and FCFA and FRETAIL hereby grant to KBB and its contractors and subcontractors reasonable access to those portions of the Utility and Drainage Easement Areas located on Lot 1 and Lot 2 reasonably necessary to install the Lot 3 Utility Facilities, and thereafter FCFA shall have no further obligations whatsoever with respect to the Lot 3 Utility Facilities; provided however, in the event FCFA substantially completes the Lot 3 Utility Facilities within such thirty (30) day notice period, Escrow Agent shall not release any portion of the Lot 3 Utility Work Costs Escrow to KBB except as otherwise provided herein and KBB shall not be permitted to exercise such self-help rights. KBB shall be responsible, at its sole cost and expense, for all connection fees, tap fees, service fees and usage fees and charges in connection with the Lot 3 Utility Facilities. KBB and any subsequent Owner of Lot 3 shall be responsible, at its sole cost and expense, for all maintenance, repair and replacement of the Lot 3 Utility Facilities. Following the initial construction and installation of the Lot 3 Utility Facilities, FCFA shall have no further obligations with respect to such Lot 3 Utility Facilities. FCFA shall not be deemed to be the agent or representative of KBB in the construction or installation of the Lot 3 Utility Facilities and shall have no right, power or authority to encumber Lot 3 or obligate KBB in any manner. Lot 2 Owner and Lot 3 Owner covenant and agree to promptly execute and deliver (within ten (10) days of receipt of written request) such easements as any utility provider may reasonably require with respect to the Lot 3 Utility Facilities. FCFA agrees to defend, indemnify and hold harmless Lot 3 and KBB and its members, managers, officers, affiliates and their respective representatives, agents, successors and assigns (collectively, the "**KBB Parties**") from and against any and all claims, liens, causes of action, damages, costs, losses and expenses (including reasonable attorneys' fee) for personal injury, death, or damage to any property to the extent arising out of or resulting from the construction or installation of the Lot 3 Utility Facilities EXCEPT TO THE EXTENT THE SAME ARE CAUSED BY OR ARISE FROM THE NEGLIGENCE OR WILLFUL MISCONDUCT OF THE KBB PARTIES. In the event KBB exercises the self-help rights set forth in this Section 4(b), KBB agrees to defend, indemnify and hold harmless Lot 2 and FRETAIL and its members, managers, officers, affiliates and their respective representatives, agents, successors and assigns (collectively, the "**FRETAIL Parties**") from and against any and all claims, liens, causes of action, damages, costs, losses and expenses (including reasonable attorneys' fee) for personal injury, death, or damage to any property to the extent arising out of or resulting from the construction or installation of the Lot 3 Utility

Facilities EXCEPT TO THE EXTENT THE SAME ARE CAUSED BY OR ARISE FROM THE NEGLIGENCE OR WILLFUL MISCONDUCT OF THE FRETAIL PARTIES.

(c) Lot 1 Owner will maintain, repair and restore, or cause the Lot 1 Prime Lessee to maintain, repair and restore (including snow removal each applicable morning before 7 a.m.), the portion of the Protected Access Drive from the Friendship Lane entrance to the U.S. Highway 87 exit and the "Access Easement" identified on the Site Plan as "**Lot 1 Protected Access Drive Maintenance Area**" in accordance with first-class shopping center standards and practices. Lot 2 Owner and the Lot 3 Owner shall each be responsible for its pro-rata share of the cost of any maintenance, repairs or restoration of the Lot 1 Protected Access Drive Maintenance Area, and shall each reimburse the Lot 1 Owner (or, if directed by the Lot 1 Owner, the Lot 1 Prime Lessee performing such maintenance, repair and restoration) accordingly. The other Lot Owners' pro-rata share shall be calculated based on the total square footage of such Owner's Lot compared to the total square footage of all the Lots. Such reimbursement from Lot 2 Owner and Lot 3 Owner to Lot 1 Owner (or Lot 1 Prime Lessee, as applicable) shall be paid within thirty (30) days of receipt of an invoice therefor from Lot 1 Owner or Lot 1 Prime Lessee, as applicable, which invoice shall be submitted no more frequently than quarterly, and shall include reasonable detail of the costs incurred, along with copies of paid invoices.

(d) Lot 2 Owner will maintain, repair and restore, or cause the Lot 2 Prime Lessee to maintain, repair and restore (including snow removal each applicable morning before 7 a.m.), the portion of the Protected Access Drive from the Friendship Lane entrance easterly to the easterly boundary line of Lot 2, identified on the Site Plan as "**Lot 2 Protected Access Drive Maintenance Area**" in accordance with first-class shopping center standards and practices. Lot 1 Owner and Lot 3 Owner shall each be responsible for its pro-rata share of the cost of any maintenance, repairs or restoration of the Lot 2 Protected Access Drive Maintenance Area, and shall each reimburse the Lot 2 Owner (or, if directed by the Lot 2 Owner, the Lot 2 Prime Lessee performing such maintenance, repair and restoration) accordingly. The other Lot Owners' pro-rata share shall be calculated based on the total square footage of such Owner's Lot compared to the total square footage of all the Lots. Such reimbursement from Lot 1 Owner and Lot 3 Owner to Lot 2 Owner (or Lot 2 Prime Lessee, as applicable) shall be paid within thirty (30) days of receipt of an invoice therefor from Lot 2 Owner or Lot 2 Prime Lessee, as applicable, which invoice shall be submitted no more frequently than quarterly, and shall include reasonable detail of the costs incurred, along with copies of paid invoices.

(e) Upon request of any other Owner, the maintenance and repair work contemplated herein shall be performed during non-business hours to avoid disruption of business and shall be performed on an expedited basis. Except in the case of an emergency when no notice shall be required, any maintenance work within the Protected Drive, including without limitation any work with respect to the Utility Facilities, shall require thirty (30) days prior written notice to the other Owners describing in reasonable detail the nature of the maintenance and repairs and estimated period of time that any disruption would be expected. At no time shall the entire Protected Drive be closed.

(f) Each Lot Owner shall maintain, or cause to be maintained, its Lot in good condition and state of repair, consistent with other first-class retail shopping centers. All lighting shall be maintained in good operation and repair, including prompt and regular replacement of light bulbs as needed. Whenever an Owner shall perform any construction, maintenance, repairs or replacements on its Lot or as otherwise permitted herein, such work shall be performed expeditiously and in a good and workmanlike, lien free, manner and in accordance with all applicable laws, codes, rules, statutes and regulations of governmental authorities having jurisdiction thereof. Such work shall be carried out in such manner so as to avoid unreasonable disruption to any business operations being conducted on the surrounding land as is reasonably practicable. In the event any Owner fails to maintain any portion of the Protected Access Drive or parking areas, drive aisles, sidewalks or landscaped areas on its Lot (the "**Defaulting Owner**") and such failure continues for thirty (30) days following receipt of written notice of such failure by any other Owner or Prime Lessee, any other Owner or Prime Lessee, as the case may be (the "**Performing Party**"), shall have the right (but not the obligation) to perform such maintenance and repair and the Defaulting Owner shall reimburse such Performing Party, the reasonable costs and expenses incurred by such Performing Party in connection with performing such maintenance and repair within thirty (30) days of receipt of an invoice therefor.

(g) Except as specifically set forth herein with respect to any reimbursement obligations of each Owner with respect to maintenance, repair or replacement of the Protected Access Drive or any Lot 2 Pylon Sign, no Owner of any Lot or any Prime Lessee shall be responsible for any common area expenses, including, without limitation, any common area utility charges.

(h) No Owner of any Lot shall lease, rent, sell or occupy, or permit to be leased, rented, sold or occupied, any portion its Lot for any of the following: a theater of any kind; bowling alley, skating rink, amusement park, carnival or circus; meeting hall, place of instruction, sporting event or other sports facility, auditorium or any other like place of public assembly; a gym or fitness center occupying more than 5,000 square feet of space; mortuary or funeral parlor; establishment selling cars or other motor vehicles, motor vehicle maintenance or repair shop (other than (i) any nationally recognized autoparts retailer with at least 100 locations which does not conduct repairs on site, which shall include, without limitation O'Reilly's, Auto Zone or Advance Auto, (ii) any nationally recognized oil change service retailer with at least 100 company locations, which shall include without limitation, Take 5 Oil Change, Valvoline Instant Oil Change or Jiffy Lube, or (iii) any regionally or nationally recognized wheel and tire and/or autoparts retailer and automobile service center operations similar to, but without limitation, Discount Tire, Direct Tire, and Firestone Complete Auto Care Center), or gas station (other than any regionally or nationally recognized branded fueling facility with associated convenience store and/or restaurant); or any establishment selling trailers; billiard parlor (other than an upscale billiard parlor such as Kings); tavern, pub, bar or liquor store (this shall not prohibit the operation of a restaurant whose reasonably projected annual gross revenues from the sale of alcoholic beverages for on-premises consumption does not exceed forty percent (40%)); pawn shop; amusement center (other than as part of a restaurant), flea market, massage parlor (other than a facility such as the type operated by Massage Envy or as part of a medical or rehabilitation operation), "disco" or other dance hall, tattoo or body piercing parlor; casino, gaming room, or "off track betting"

operation; for the sale of paraphernalia for use with illicit drugs or for the sale of marijuana; or for the sale, rental or display of pornographic materials.

(i) No portion of Lot 2 or Lot 3 will be leased, used or occupied as a restaurant selling or serving chicken as a principal menu item. For the purposes of this Agreement, "a restaurant selling or serving chicken as a principal menu item" means a restaurant deriving twenty-five percent (25%) or more of its gross food sales from the sale of chicken (the "Chicken Restriction"). A "restaurant" includes any business establishment, including, without limitation, a kiosk, stand, booth, food truck or area located inside another business facility, which business establishment shall be tested independently for purposes of the Chicken Restriction from the sales of the overall business facility. Solely with respect to Lot 2 only, the foregoing restriction shall not apply to Panda Express or any successor concept to, or name change from, Panda Express.

(j) Without limiting the use restrictions set forth in subsection (i) above, no portion of Lot 2 or Lot 3 will be leased, used or occupied by or for any of the following: McDonald's, Wendy's, Arby's, Boston Market, Kentucky Fried Chicken, Popeye's, Church's, Bojangle's, Mrs. Winner's, Carl's Jr., Hardee's, Chicken Out, Zaxby's, Ranch One, El Pollo Loco, Pollo Campero, Pollo Tropical, Raising Cane's, Chester's, Bush's Chicken, Biscuitville, Chicken Now, PDQ, ChikWich, Ezell's Famous Chicken, Roy Rogers, Fuku, Slim Chickens, Shake Shack or Habit Burger.

(k) No portion of Lot 1 or Lot 2 shall be leased, used or occupied for the operation of a hardware retailer, paint retailer, or lawn or garden retailer (each a "**Restricted Operation**"); provided the foregoing shall not apply to any convenience store, pharmacy, or other store which does not derive more than ten percent (10%) of its gross sales from the sale of items customarily sold by a Restricted Operation.

(l) Without limiting the Lot 1 Owner's or any Lot 1 Prime Lessee's right to reconfigure the access drives, drive aisles and parking areas on Lot 1 from time to time in its respective sole discretion, except with respect to the location of the Protected Access Drive as set forth above, in the event the Lot 1 Owner or Lot 1 Prime Lessee constructs any parking spaces along the eastern boundary line of Lot 1 and the western boundary line of the Protected Access Drive, directly adjacent to the Protected Access Drive, any such spaces having direct access to the Protected Access Drive (meaning no curbing or wheel stop between such parking space and the Protected Access Drive) shall be designated as "Employee Only" parking spaces ("**Employee Parking Spaces**") for use only by employees of the Lot 1 Owner or any Lot 1 Prime Lessee. The Lot 1 Owner shall erect adequate "Employee Only Parking" signs identifying such Employee Parking Spaces. To the extent the Lot 1 Owner or any Lot 1 Prime Lessee constructs any additional parking spaces in tandem to the Employee Parking Spaces, there shall be wheel stops in between the Employee Parking Spaces and the non-Employee Parking Spaces to prevent any party from driving from the non-Employee Parking Spaces through such Employee Parking Spaces into the Protected Access Drive.

(m) Without limiting the Lot 2 Owner's or any Lot 2 Prime Lessee's right to reconfigure the access drives, drive aisles and parking areas on Lot 2 from time to time in its respective sole discretion, except with respect to the location of the Protected Access Drive as

set forth above, in the event the Lot 2 Owner or any Lot 2 Prime Lessee constructs any parking spaces along the western boundary line of Lot 2 and the eastern boundary line of the Protected Access Drive, directly adjacent to the Protected Access Drive, such parking spaces shall be either curbed in or have wheel stops which prevent direct access from such parking spaces to the Protected Access Drive.

5. **Insurance and Indemnification.** Each Owner shall maintain, or cause to be maintained by its Prime Lessee, in full force and effect commercial general liability insurance with respect to such activities with a combined single limit of liability of not less than One-Million and No/100 Dollars ($1,000,000.00) for bodily injury to or personal injury or death of any person and consequential damages arising therefrom, and for property damage arising out of any one occurrence, with minimum excess or umbrella policy limits of not less than One-Million and No/100 Dollars ($1,000,000.00) per occurrence, and the other Owners and their respective designated, in writing, Prime Lessees shall be an additional insured under such policy. Each Owner shall further maintain, or cause to be maintained by its Prime Lessee, adequate worker's compensation insurance at all times during construction activities in the minimum statutory limits required by the State of Texas. All insurance shall be procured from a company licensed in the State of Texas shall be rated by Best's Insurance Reports not less than A-/VIII and shall not be cancelable without thirty (30) days prior written notice to additional insureds. Upon written request, each Owner shall provide a certificate of such insurance coverage to the other Owners. An Owner or a Prime Lessee having a net worth of One Hundred Million Dollars ($100,000,000) or more may self-insure this obligation.

To the full extent permitted by law, each Owner and Prime Lessee ("**Indemnitor**") covenants and agrees to defend, protect, indemnify and hold harmless each other Owner and Prime Lessee ("**Indemnitee**") from and against all claims, including any actions or proceedings brought thereon, and all costs, losses (excluding punitive and consequential damages), expenses and liability (including reasonable attorney's fees and costs of suit) arising from or as a result of the injury to or death of any person, or damage to the property of any person: (i) which shall occur on the Lot owned by such Indemnitor or occupied by such Prime Lessee except for claims caused by the negligence or willful misconduct of such Indemnitee, or such Indemnitee's tenants, subtenants, licensees, concessionaires, employees, agents, contractors or subcontractors, or employees of any tenant, subtenant, licensee, concessionaire, agent, contractor or subcontractor; and (ii) which shall occur on a Lot other than the Lot owned by such Indemnitor or occupied by such Prime Lessee and arising out of the negligence or willful misconduct of such Indemnitor or such Indemnitor's tenants, subtenant, licensees, concessionaires, employees, agents, contractors or subcontractors or employees of any tenant, subtenant, licensee, concessionaire, agent, contractor or subcontractor. The Indemnitee shall promptly notify the Indemnitor in writing of any claim, and shall cooperate with the Indemnitor in the defense of such claim. The Indemnitee shall not compromise or settle any claim without the prior written consent of the Indemnitor, which consent shall not be unreasonably withheld or delayed.

6. **Extent of Liability; Remedies.** Notwithstanding any other provision contained in this Agreement to the contrary, each Owner, on behalf of itself and its respective Prime Lessees, hereby expressly agrees that the obligations and liability of each of them shall be limited solely to such Owner's interest in its respective Lot(s), as such interest is constituted

from time to time. Each of Owner, on behalf of itself and its respective Prime Lessees, agrees that any claim against an Owner hereto shall be confined to and satisfied only out of, and only to the extent of, such Owner's interest in its Lot(s), as such interest is constituted from time to time. If any Owner or its respective Prime Lessee violates the terms of this Agreement, following prior written notice and a fifteen (15) day period during which the defaulting Owner or such Prime Lessee has the opportunity to cure such default (except in the case of emergency, in which case such notice as is reasonable under the circumstances must be provided), the non-defaulting Owner or its Prime Lessee shall have: (i) the right of self-help, but not the obligation, to enter the defaulting Owner's property and cure such default and the defaulting Owner shall reimburse such non-defaulting Owner the reasonable costs and expenses incurred by the non-defaulting Owner in connection with curing such default within thirty (30) days of such defaulting Owner's receipt of an invoice therefor; or (ii) exercise all remedies available at law or in equity (including, without limitation, the right to specific performance and injunctive relief). Any failure to enforce any covenants contained herein shall in no event be deemed to be a waiver of the right to do so thereafter nor of any right to enforce any other covenant hereof.

7. **Duration; Easements Run with the Land.** The provisions of this Agreement shall run with and bind the land described herein and shall be and remain in effect perpetually to the extent permitted by law.

8. **Subdivision.** Any further subdivision of any Lot shall be subject to the terms and conditions hereof and any deed conveying such further subdivided Lots shall contain suitable provisions establishing connection points between subdivided Lots such that at all times, the Access Easements and the Protected Access Drive created hereby are preserved in perpetuity. The cost and expense to establish, construct and maintain such additional connection points shall be at the sole cost and expense of the Owner of the Lot, or its successors and assigns, being subdivided.

9. **Rights and Obligations of Prime Lessees.** Notwithstanding anything contained herein to the contrary, an Owner may grant to a Prime Lessee one or more of its rights and/or obligations under this Agreement including, without limitation, (a) to perform such Owner's obligations, (b) to enforce this Agreement on behalf of such Owner (including, without limitation, the exercise of such Owner's self-help rights), (c) to cure a default or breach hereunder by such Owner, and/or (d) otherwise exercise the rights and remedies available to such Owner under this Agreement. The performance of such obligations and exercise of such rights by a Prime Lessee shall be accepted by the other Owners and Prime Lessees as if effected by the designating Owner. This Section 9 is provided solely to allow the performance of an obligation or the exercise of a right by a designated Prime Lessee and does not relieve the designating Owner of its obligation(s) hereunder or prohibit such Owner's exercise of any right under this Agreement. Notwithstanding the foregoing rights of a Prime Lessee, in no event shall the Prime Lessee have any right to amend, cancel, terminate or otherwise modify this Agreement, which shall require the express written consent of the designating Owner.

10. **Notices**. All notices, requests, claim and other communications hereunder shall be in writing. Any notice, request, demand, claim or other communication hereunder shall be addressed to the intended recipient as set forth below:

If to FCFA:
Fredericksburg CFA Series LLC
83 Orchard Hill Park Drive
Leominster, Massachusetts 01453
Email: g@lisciotti.com

With a copy to:
Fellman Kapilian Law, P.C.
Attn: Scott H. Kapilian, Esq.
54 Jaconnet Street, Suite 300
Newton, Massachusetts 02461
Email: skapilian@fellmankapilian.com

If to FRETAIL:
Fredericksburg Retail Series LLC
83 Orchard Hill Park Drive
Leominster, Massachusetts 01453
Email: g@lisciotti.com

With a copy to:
Fellman Kapilian Law, P.C.
Attn: Scott H. Kapilian, Esq.
54 Jaconnet Street, Suite 300
Newton, Massachusetts 02461
Email: skapilian@fellmankapilian.com

If to KBB:
KBB Real Estate LLC
Attn: Kyle Biedermann
1102 E. Main Street
Fredericksburg, Texas 78624
Email: fbgace@yahoo.com

With a copy to:
Langley & Banack, Inc.
Attn: J. Patrick Rouse
745 East Mulberry, Suite 700
San Antonio, Texas 78212
Email: prouse@langleybanack.com

Any such notice, request, claim or other communication shall be deemed to have been received (a) in the case of personal delivery, on the date of such delivery; (b) in the case of a nationally-recognized overnight courier, on the next business day after the date when delivered to such courier; (c) in the case of mailing, on the third (3rd) business day following the date on which the communication is posted using registered or certified mail, return receipt requested, postage prepaid; and (d) in the case of electronic mail, on the date of such delivery, provided delivery is made by 5:00 p.m. Central. Any Party may change the address to which notices,

requests, claims or other communications hereunder are to be delivered by giving the other Parties notice in the manner herein set forth.

11. **Miscellaneous.**

(a) This Agreement shall be governed in accordance with the laws of the State of Texas.

(b) In the event a Party institutes any legal action or proceeding for the enforcement of any right or obligation herein contained, the prevailing Party after a final adjudication shall be entitled to recover its costs and reasonable attorneys' fees incurred in the preparation and prosecution of such action or proceeding.

(c) The paragraph headings in this Agreement are for convenience only, shall in no way define or limit the scope or content of this Agreement, and shall not be considered in any construction or interpretation of this Agreement or any part hereof.

(d) Nothing in this Agreement shall be construed to make the Parties hereto partners or joint venturers.

(e) No Owner hereto shall be obligated to take any action to enforce the terms of this Agreement or to exercise any easement, right, power, privilege or remedy granted, created, conferred or established hereunder. No waiver of any default of any obligation by any Owner shall be implied from any omission by any other Owner to take any action with respect to such default.

(f) The grantee of any portion of the Lots, and any tenant, subtenant, licensee, and concessionaire, accept such interest upon and subject to each and all of the covenants, conditions, restrictions, duties and obligations contained in this Agreement and by acceptance thereof, such party for itself and its successors, assigns, heirs and personal representatives, covenants and agrees to keep, observe, comply with, and perform the obligations and agreements set forth in this Agreement. To the extent a grantee succeeds to any portion of a Lot, all references in this Agreement to the owner of such Lot shall mean and refer to such grantee in its capacity as successor-in-interest as to those portions of the Lot owned by the grantee. If a Party should transfer its fee simple interest (or any portion thereof) in any of the Lots, then the obligation and liability of the transferor for the performance or breach of any obligation, covenant or agreement contained in this Agreement occurring after the date of such transfer shall automatically be terminated and the transferee, by the acceptance of the conveyance of such fee simple interest, shall automatically be deemed to have accepted, assumed and agreed to observe or perform all such obligations, covenants and agreements after the date of such transfer.

(g) This Agreement may be amended, modified or terminated only in writing, executed and acknowledged by all Parties to this Agreement or their respective successors or assigns, and only with the consent of Chick-Fil-A, Inc., so long as it, or its successors and/or

assigns, is occupying Lot 1. For so long as Chick-Fil-A, Inc. is occupying Lot 1, it shall be the Lot 1 Prime Lessee. Time is of the essence of this Agreement.

(h) RESERVED.

(i) If any provision or any portion of any provision if this Agreement, or the application of such provision or any portion thereof to any person or circumstance shall be held invalid or unenforceable, then the remaining portion of such provision and the remaining provisions of this Agreement, or the application of such provision or portion thereof as is held invalid or unenforceable to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby.

(j) This Agreement contains the complete understanding and agreement of the Parties with respect to all matters referred to herein, and all prior representations, negotiations and understandings are superseded hereby. All recitals and exhibits are hereby incorporated into and form an integral part of this Agreement.

(k) This Agreement may be executed in any number of counterparts, all of which taken together shall constitute one and the same agreement.

(l) This Agreement shall inure to the benefit of and be binding upon the successors, assigns, heirs, and personal representatives of the Parties.

(m) Each Party, within thirty (30) days of its receipt of a written request from any other Party or from any person having any fee interest in any of the Lots, shall from time to time provide the requesting Party or appliable person a certificate binding upon such Party stating: (a) to the best of such Party's knowledge, whether any Party is in default or violation of this Agreement and if so identifying such default or violations; and (b) that this Agreement is in full force and effect and identifying any amendments to the Agreement as of the date of such certificate.

(n) It is expressly agreed that any breach of this Agreement shall not entitled the non-breaching Party to cancel, rescind or otherwise terminate this Agreement. However, such limitation shall not affect in any manner any other rights or remedies, at law or in equity, which such Party may have hereunder by reason of any such breach.

[End of Document – Signature Pages attached.]

IN WITNESS WHEREOF, this Reciprocal Easement Agreement has been executed by the Parties as of the date set forth above.

FREDERICKSBURG CFA SERIES LLC,
a Delaware series limited liability company

By: _____
Gregg Lisciotti, Manager

FREDERICKSBURG RETAIL SERIES LLC,
a Delaware series limited liability company

By: _____
Gregg Lisciotti, Manager

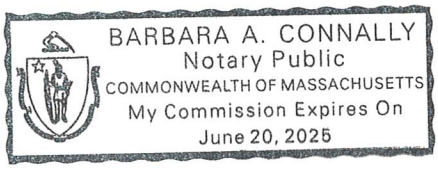
KBB REAL ESTATE LLC,
a Texas limited liability company

By: _____
Kyle Biedermann, Manager

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

On this 12 day of June, 2024, before me, the undersigned notary public, personally appeared the above-named Gregg Lisciotti, the Manager of Fredericksburg CFA Series LLC, personally known to me to be the person whose name is signed on the preceding document, and acknowledged to me that he signed the foregoing voluntarily for its stated purpose, as the voluntary act of Fredericksburg CFA Series LLC.

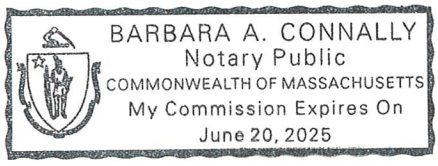


Barbara A Connally
Notary Public
My commission expires: 6-20-25

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

On this 12 day of June, 2024, before me, the undersigned notary public, personally appeared the above-named Gregg Lisciotti, the Manager of Fredericksburg Retail Series LLC, personally known to me to be the person whose name is signed on the preceding document, and acknowledged to me that he signed the foregoing voluntarily for its stated purpose, as the voluntary act of Fredericksburg Retail Series LLC.



Barbara A Connally
Notary Public
My commission expires: 6-20-25

STATE OF TEXAS

COUNTY OF GILLESPIE

On this ___ day of _____, 2024, before me, the undersigned notary public, personally appeared the above-named Kyle Biedermann, as Manager of KBB Real Estate LLC, proved to me by satisfactory evidence of identification, being (check whichever applies): □ driver's license or other state or federal governmental document bearing a photographic image, □ oath or affirmation of a credible witness known to me who knows the above signatory, or □ my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of KBB Real Estate LLC.

_____
Notary Public
My commission expires:

IN WITNESS WHEREOF, this Reciprocal Easement Agreement has been executed by the Parties as of the date set forth above.

FREDERICKSBURG CFA SERIES LLC,
a Delaware series limited liability company

By: _____
Gregg Lisciotti, Manager

FREDERICKSBURG RETAIL SERIES LLC,
a Delaware series limited liability company

By: _____
Gregg Lisciotti, Manager

KBB REAL ESTATE LLC,
a Texas limited liability company

By: _____
Kyle Biedermann, Manager

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

On this ___ day of _____, 2024, before me, the undersigned notary public, personally appeared the above-named Gregg Lisciotti, the Manager of Fredericksburg CFA Series LLC, personally known to me to be the person whose name is signed on the preceding document, and acknowledged to me that he signed the foregoing voluntarily for its stated purpose, as the voluntary act of Fredericksburg CFA Series LLC.

_____
Notary Public
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

On this ___ day of _____, 2024, before me, the undersigned notary public, personally appeared the above-named Gregg Lisciotti, the Manager of Fredericksburg Retail Series LLC, personally known to me to be the person whose name is signed on the preceding document, and acknowledged to me that he signed the foregoing voluntarily for its stated purpose, as the voluntary act of Fredericksburg Retail Series LLC.

_____
Notary Public
My commission expires:

STATE OF TEXAS

COUNTY OF GILLESPIE

On this 14th day of June, 2024, before me, the undersigned notary public, personally appeared the above-named Kyle Biedermann, as Manager of KBB Real Estate LLC, proved to me by satisfactory evidence of identification, being (check whichever applies): □ driver's license or other state or federal governmental document bearing a photographic image, □ oath or affirmation of a credible witness known to me who knows the above signatory, or □ my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of KBB Real Estate LLC.

Sherry Roper
Notary Public
My commission expires: 10-24-25

EXHIBIT A

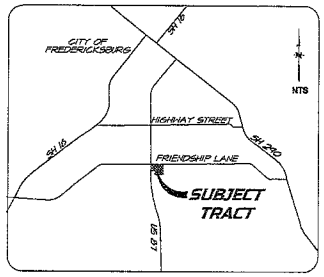
PLAT

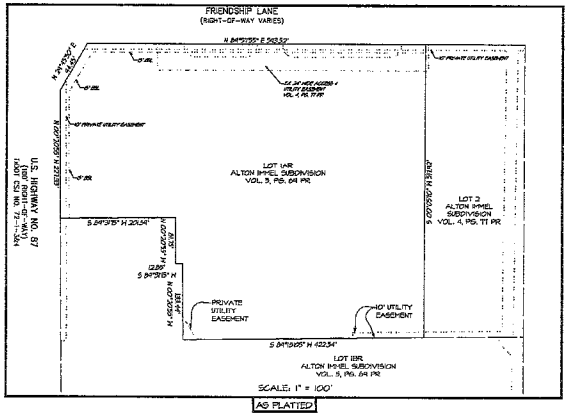
See attached.

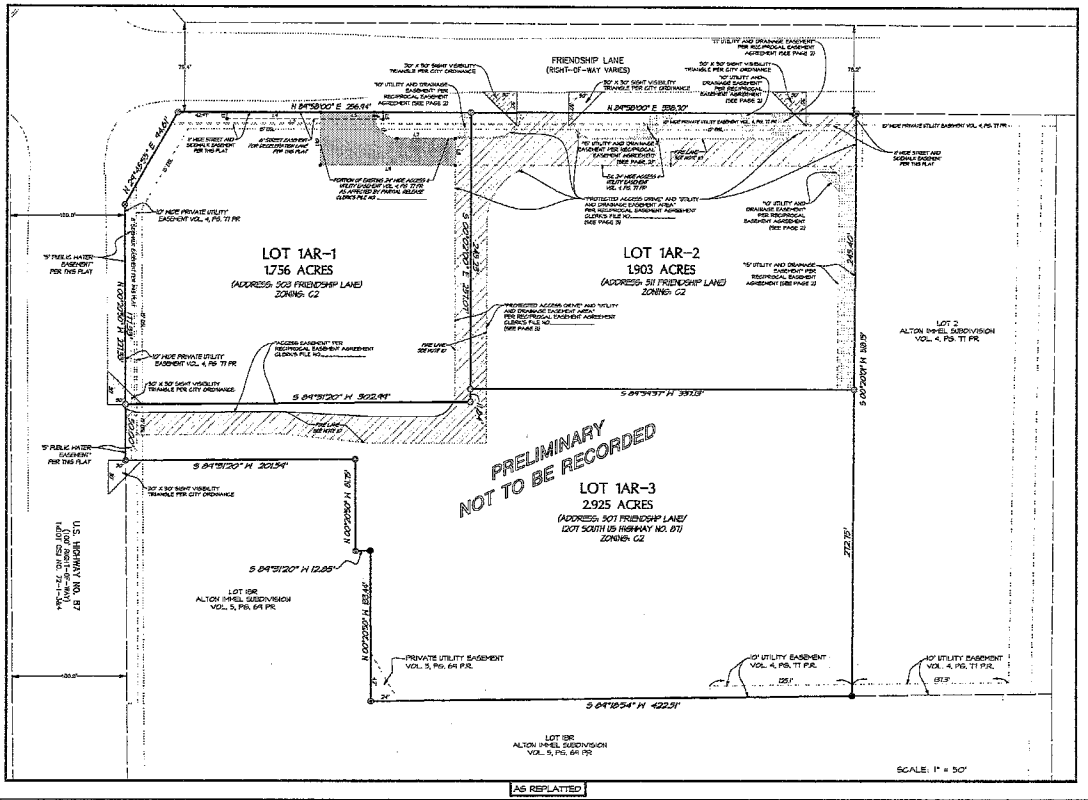
FINAL PLAT
SHOWING
CHICK-FIL-A FBG SUBDIVISION
A REPLAT OF LOT 1AR
ALTON IMMEL SUBDIVISION
INTO
LOTS 1AR-1, 1AR-2, AND 1AR-3
CITY OF FREDERICKSBURG
GILLESPIE COUNTY, TEXAS

CERTIFIED TO: P-2330

LOCATION MAP







PLAT SHOWING:

LOT 1AR-1: A 1.756 ACRE TRACT IN THE CITY OF FREDERICKSBURG, GILLESPIE COUNTY, TEXAS, BEING A PORTION OF LOT 1AR, ALTON IMMEL SUBDIVISION, RECORDED IN VOLUME 5, PAGE 69, PLAT RECORDS OF GILLESPIE COUNTY, TEXAS.

LOT 1AR-2: A 1.903 ACRE TRACT IN THE CITY OF FREDERICKSBURG, GILLESPIE COUNTY, TEXAS, BEING A PORTION OF LOT 1AR, ALTON IMMEL SUBDIVISION, RECORDED IN VOLUME 5, PAGE 69, PLAT RECORDS OF GILLESPIE COUNTY, TEXAS.

LOT 1AR-3: A 2.925 ACRE TRACT IN THE CITY OF FREDERICKSBURG, GILLESPIE COUNTY, TEXAS, BEING A PORTION OF LOT 1AR, ALTON IMMEL SUBDIVISION, RECORDED IN VOLUME 5, PAGE 69, PLAT RECORDS OF GILLESPIE COUNTY, TEXAS.

SIGHT VISIBILITY RESTRICTIONS

NO STRUCTURE, OBJECT, OR PLANT OF ANY TYPE MAY OBSTRUCT VISION FROM A HEIGHT OF TWENTY-FOUR (24) INCHES TO A HEIGHT OF TEN (10) FEET ABOVE THE TOP OF THE CURB, INCLUDING, BUT NOT LIMITED TO BUILDINGS, FENCES, WALLS, SIGNS, TREES, SHRUBS, CARS, TRUCKS, ETC., IN THE SIGHT VISIBILITY EASEMENT AS SHOWN ON THE PLAT. THESE SIGHT VISIBILITY EASEMENTS WILL REMAIN IN EFFECT UNTIL VACATED BY ORDINANCE ADOPTED BY THE CITY COUNCIL AND THE PROPERTY REPLATTED.

ADDRESS:

LOT 1AR-1: 503 FRIENDSHIP LANE, FREDERICKSBURG TX 78624

LOT 1AR-2: 511 FRIENDSHIP LANE, FREDERICKSBURG TX 78624

LOT 1AR-3: 1207 SOUTH U.S. HIGHWAY 87 / 507 FRIENDSHIP LANE, FREDERICKSBURG TX 78624

CURVE TABLE FOR ABANDONED ACCESS & UTILITY EASEMENT

CURVE	RADIUS	AL	CL	CB	DELTA
C1	20.00'	31.42'	28.28'	S 45°02'00" E	90°00'00"

LINE TABLE FOR ABANDONED ACCESS & UTILITY EASEMENTS

LINE	BEARING	DISTANCE
L5	N 84°59'00" E	47.00'
L6	S 00°20'00" E	9.00'
L7	N 84°59'00" E	31.0'
L8	S 00°20'00" E	34.00'
L9	S 84°59'00" W	180.0'
L10	N 00°20'00" W	43.00'

LINE TABLE FOR DECEL LANE EASEMENT

LINE	BEARING	DISTANCE
L1	S 00°08'39" E	6.01'
L2	N 84°59'00" E	69.30'
L3	N 00°08'39" W	6.01'
L4	S 84°59'00" W	180.30'

LEGEND:

⊙	1/2" IRON ROD FOUND
⊛	MAG NAIL FOUND
⊙	1/2" IRON ROD FOUND CAPPED "MDS"
○	1/2" IRON ROD FOUND CAPPED "MDS"
●	1/2" IRON ROD FOUND CAPPED "BOHN"
•	CALCULATED POINT
BSL	BUILDING SETBACK LINE PER VOL. 5, PG. 69 P.R. (UNLESS NOTED OTHERWISE)
CF	CLERK'S FILE
D.R.	DEED RECORDS OF GILLESPIE COUNTY
NO.	NUMBER
O.P.R	OFFICIAL PUBLIC RECORDS OF GILLESPIE COUNTY
PG	PAGE
P.R.	PLAT RECORDS OF GILLESPIE COUNTY
R.P.R.	REAL PROPERTY RECORDS OF GILLESPIE COUNTY
VOL	VOLUME
	ADJOINER LINE
	BOUNDARY LINE
	BUILDING SETBACK LINE
	EASEMENT LINE

GENERAL NOTES:

1. BASIS OF BEARING WAS ESTABLISHED FROM TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, (4203) NAD 83 (12). CONTOURS BASED ON NAVD 88.

2. ACCORDING TO MAP NO. 48171C0280C OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR GILLESPIE COUNTY, TEXAS, HAVING AN EFFECTIVE DATE OF OCTOBER 19, 2001, THE SUBJECT TRACT IS SITUATED WITHIN UNSHADED ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

3. ONLY APPARENT UTILITIES WERE LOCATED AND NO ATTEMPT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITY OR MUNICIPAL / PUBLIC SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES, PLEASE CONTACT THE APPROPRIATE AGENCIES.

4. THE DEVELOPER DEDICATES THE SANITARY SEWER & WATER MAINS UPON COMPLETION BY THE DEVELOPER AND ACCEPTANCE BY THE CITY OF FREDERICKSBURG. THE CITY OF FREDERICKSBURG WILL OWN AND MAINTAIN WITHIN THE TWO (2) YEARS OF ACCEPTANCE OF SAID SEWER & WATER MAINS LOCATED WITHIN THIS SUBDIVISION PLAT.

5. DAMAGE BY ANY UTILITY COMPANY TO ANY STRUCTURES, FENCES, WALLS, OR LANDSCAPING OF ANY KIND PLACED WITHIN THE LIMITS OF THE EASEMENTS SHOWN ON THIS PLAT WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER. NO LANDSCAPING OR OTHER MODIFICATIONS ALTERING THE CROSS-SECTIONS OF DRAINAGE EASEMENTS ARE ALLOWED WITHOUT APPROVAL BY THE CITY OF FREDERICKSBURG. THE CITY OF FREDERICKSBURG SHALL HAVE THE RIGHT TO REQUIRE THE PROPERTY OWNERS TO REMOVE ANY OBSTRUCTIONS PLACED WITHIN THE PRIVATE DRAINAGE EASEMENTS AND THE RIGHT TO REQUIRE THE PROPERTY OWNERS MAKE MODIFICATIONS OR IMPROVEMENTS WITHIN THE EASEMENTS FOR PUBLIC WELFARE.

6. DRAINAGE EASEMENTS ARE TO BE MAINTAINED BY PROPERTY OWNERS AND ACCESS TO BE GIVEN TO DEVELOPER OR AUTHORIZED PERSONS FOR ANY ADDITIONAL CONSTRUCTION, MAINTENANCE, OR REPAIR OF ANY STRUCTURE WITHIN ANY DRAINAGE EASEMENT.

7. NO ONE SHALL INTERFERE WITH ANY NATURAL DRAINAGE PATTERN OR CONSTRUCTED DRAINAGE SYSTEM ESTABLISHED BY THE DEVELOPMENT BY ALTERING ANY SLOPES, CONSTRUCTING OR DESTROYING ANY RETAINING WALL OR OBSTRUCTING OR CHANGING THE CONTOUR OF ANY CHANNEL, SWALE, OR EMBANKMENT, OR TAKING ANY OTHER ACTION WHICH WILL OR IS LIKELY TO RECARD, CHANGE, OR INTERFERE WITH DRAINAGE OR CREATE EROSION WITHIN THIS AREA.

8. EIGHT (8) FOOT PRIVACY SCREENING REQUIRED ON LOTS ADJACENT TO RESIDENTIAL ZONING DISTRICTS (PER CITY OF FREDERICKSBURG ZONING ORDINANCE, SECTION 7.9403).

9. ANY NECESSARY IMPROVEMENTS OR RIGHT OF WAY DEDICATION FOR ANY LOT TO COMPLY WITH CITY DESIGN STANDARDS FOR THEIR FRONTAGE WILL OCCUR AT THE TIME THAT LOT DEVELOPS OF FURTHER DEVELOPED AND WILL BE THE RESPONSIBILITY OF THE LOT'S OWNER.

10. IT IS THE INTENT HEREIN THAT THE FIRE LANE EASEMENT DEDICATED HEREIN IS WHOLLY LOCATED WITHIN THE PROTECTIVE ACCESS DRIVE, AS THE SAME MAY BE RELOCATED FROM TIME TO TIME, PROVIDED ANY RELOCATION COMPLIES WITH THE CITY OF FREDERICKSBURG REQUIREMENTS.

OWNER: LOT 1AR-1
FREDERICKSBURG CFA SERIES LLC
CONTACT:
USCIOTTI DEVELOPMENT
535 BOYLSTON STREET 8TH FLOOR
BOSTON, MA 02116

OWNER: LOT 1AR-2
FREDERICKSBURG RETAIL SERIES LLC
CONTACT:
USCIOTTI DEVELOPMENT
535 BOYLSTON STREET 8TH FLOOR
BOSTON, MA 02116

OWNER: LOT 1AR-3
K&B REAL ESTATE LLC
CONTACT:
KYLE BIEDERMANN
1102 E. MAIN STREET
FREDERICKSBURG, TX 78624

CERTIFICATE OF SURVEYOR

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

JEFF INGRAM, IV REGISTRATION # 6539
REGISTERED PROFESSIONAL LAND SURVEYOR
DATE

STATE OF TEXAS — JEFF INGRAM — 6539 — REGISTERED PROFESSIONAL LAND SURVEYOR

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THE ABOVE-NAMED PERSON, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE IS AUTHORIZED TO EXECUTE THE FOREGOING INSTRUMENT FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 20__.

(SEAL)

_____
NOTARY PUBLIC

CERTIFICATE OF FINAL PLAT APPROVAL

APPROVED

_____ _____
DIRECTOR OF DEVELOPMENT SERVICES DATE

2024

THE UNDERSIGNED, THE CITY SECRETARY OF THE CITY OF FREDERICKSBURG, TEXAS, HEREBY CERTIFIES THAT THE FOREGOING FINAL PLAT OF _____, A SUBDIVISION OR ADDITION TO THE CITY OF FREDERICKSBURG WAS SUBMITTED AND APPROVED BY THE DIRECTOR OF DEVELOPMENT SERVICES ON THE _____ DAY OF _____, 2024 AS AUTHORIZED IN SECTION 4, OF THE CITY OF FREDERICKSBURG SUBDIVISION ORDINANCE.

WITNESS BY HAND THIS THE ____ DAY OF _____, 2024.

_____
CITY SECRETARY
CITY OF FREDERICKSBURG

CERTIFICATE OF RECORDATION

FILED FOR RECORD AT _____ O'CLOCK _____ M.
THIS THE _____ DAY
OF _____, 2024 A.D. ON
PAGE _____, VOLUME _____, OF THE PLAT
RECORDS OF GILLESPIE COUNTY, TEXAS.

_____ DEPUTY
CLERK, COUNTY COURT, GILLESPIE COUNTY, TEXAS

MDS LAND SURVEYING COMPANY, INC.
ALTA | BOUNDARY | CONSTRUCTION | CCL & GAS | TOPOGRAPHIC
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING PRIMARY REGISTRATION NO. 10194000
874 HARPER ROAD, SUITE 104 | BOERNE, TX 78006 | 830.816.8818

JOB No. 24-034-00 SURVEYORS: JB SHEET 1 OF 1

UTILITY EASEMENT SHEET

LINE TABLE - PROPOSED EASEMENTS

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 00°20'01" W	148.40'	L32	N 00°02'00" W	28.00'
L12	S 84°59'31" W	15.00'	L33	N 84°58'00" E	246.64'
L13	N 00°20'01" W	148.34'	L36	N 84°58'00" E	10.00'
L14	S 84°58'00" W	15.00'	L38	S 00°02'00" E	28.00'
L19	S 84°58'00" W	8.14'	L39	N 84°58'00" W	10.00'
L16	N 84°58'00" E	14.05'	L40	N 00°02'00" W	23.00'
L17	N 44°59'59" W	11.52'	L41	S 00°02'00" E	23.03'
L18	S 00°20'01" W	14.14'	L43	S 84°58'00" W	10.00'
L19	N 44°59'59" W	87.38'	L48	S 84°58'00" W	98.70'
L20	S 84°58'00" W	58.51'	L44	S 00°02'00" E	28.00'
L21	S 84°58'00" W	17.00'	L45	S 84°58'00" W	10.00'
L24	S 84°58'00" W	15.19'	L46	N 00°02'00" W	28.00'
L25	N 84°58'00" W	21.21'	L47	S 84°58'00" W	10.88'
L26	N 44°58'00" E	32.52'			
L27	N 84°58'01" E	21.21'			
L29	N 44°58'00" E	29.69'			
L30	N 84°58'00" E	10.00'			

CURVE TABLE - VARIABLE WIDTH ELECTRIC EASEMENT

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C2	2000'	6.21'	6.21'	S 80°58'46" W	17°50'27"

FINAL PLAT
SHOWING
CHICK-FIL-A FBG
SUBDIVISION
A REPLAT OF LOT 1AR
ALTON IMMEL SUBDIVISION
INTO
LOTS 1AR-1, 1AR-2, AND 1AR-3
CITY OF FREDERICKSBURG
GILLESPIE COUNTY, TEXAS

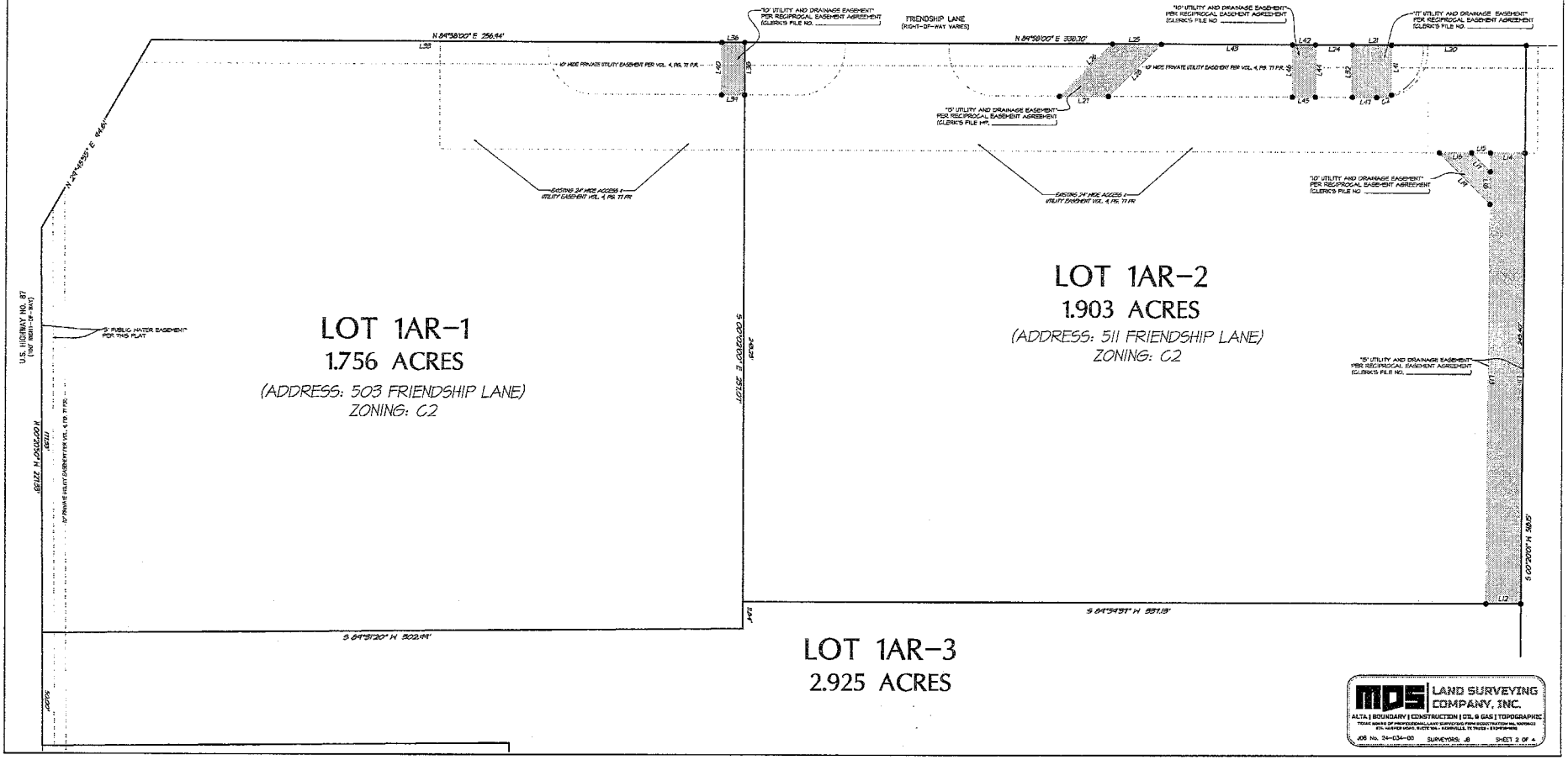
CITY OF FREDERICKSBURG P-2330

N
W E
S
NORTH
SCALE: 1" = 20'

OWNER: LOT 1AR-1
FREDERICKSBURG CFA SERIES LLC
CONTACT:
USQ0171 DEVELOPMENT
535 BOYLSTON STREET 8TH FLOOR
BOSTON, MA 02116

OWNER: LOT 1AR-2
FREDERICKSBURG ROYALL SERIES LLC
CONTACT:
USQ0171 DEVELOPMENT
535 BOYLSTON STREET 8TH FLOOR
BOSTON, MA 02116

OWNER: LOT 1AR-3
KBB REAL ESTATE LLC
CONTACT:
KYLE BIEDERMANN
1109 E. MAIN STREET
FREDERICKSBURG, TX 78624



MDS LAND SURVEYING COMPANY, INC.
ALTA | BOUNDARY | CONSTRUCTION | OIL & GAS | TOPOGRAPHIC
JOB No. 24-034-00 SURVEYOR: JB SHEET 2 OF 4

PROTECTED ACCESS DRIVE SHEET

CURVE TABLE-PROPOSED EASEMENTS

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C5	20.00'	7.41'	7.37'	N 10°39'10" E	21°14'24"
C6	30.00'	24.52'	23.82'	N 41°40'38" E	84°04'59"
C7	20.00'	31.26'	28.17'	S 44°48'43" E	89°34'15"
C8	20.00'	31.42'	28.28'	N 44°58'00" E	90°00'00"
C9	50.00'	78.54'	70.71'	S 44°58'00" W	90°00'00"
C10	120.00'	12.91'	12.90'	N 87°01'27" W	6°09'06"
C11	100.00'	11.28'	11.27'	N 87°14'47" W	6°27'56"
C12	50.00'	15.21'	15.16'	N 82°08'16" W	17°26'02"
C13	20.00'	28.46'	22.55'	N 35°19'37" E	88°38'27"
C14	120.00'	7.38'	7.36'	S 88°42'56" E	3°31'28"
C15	30.00'	15.84'	15.47'	S 76°15'25" E	24°52'11"

LINE TABLE-PROPOSED EASEMENTS

LINE	BEARING	DISTANCE
L48	N 00°20'50" W	25.10'
L49	N 84°59'20" E	281.69'
L51	N 00°02'00" W	227.45'
L52	N 84°58'00" E	94.91'
L53	N 00°02'00" W	5.84'
L54	N 84°58'00" E	45.16'
L55	S 00°02'00" E	3.00'
L56	N 84°58'00" E	166.20'
L57	N 00°02'00" W	3.00'
L58	N 84°58'00" E	44.65'
L59	S 00°02'01" W	47.00'
L60	S 84°58'00" W	274.40'
L61	S 00°02'00" E	196.85'
L62	S 84°58'00" W	94.42'
L63	N 84°00'54" W	87.08'
L64	S 84°59'20" W	116.39'
L65	N 84°59'20" E	111.48'
L66	S 86°57'12" E	75.46'
L67	N 84°58'00" E	53.21'
L68	N 00°20'50" W	21.80'

FINAL PLAT
SHOWING
CHICK-FIL-A FBG
SUBDIVISION
A REPLAT OF LOT 1AR
ALTON IMMEL SUBDIVISION
INTO
LOTS 1AR-1, 1AR-2, AND 1AR-3
CITY OF FREDERICKSBURG
GILLESPIE COUNTY, TEXAS

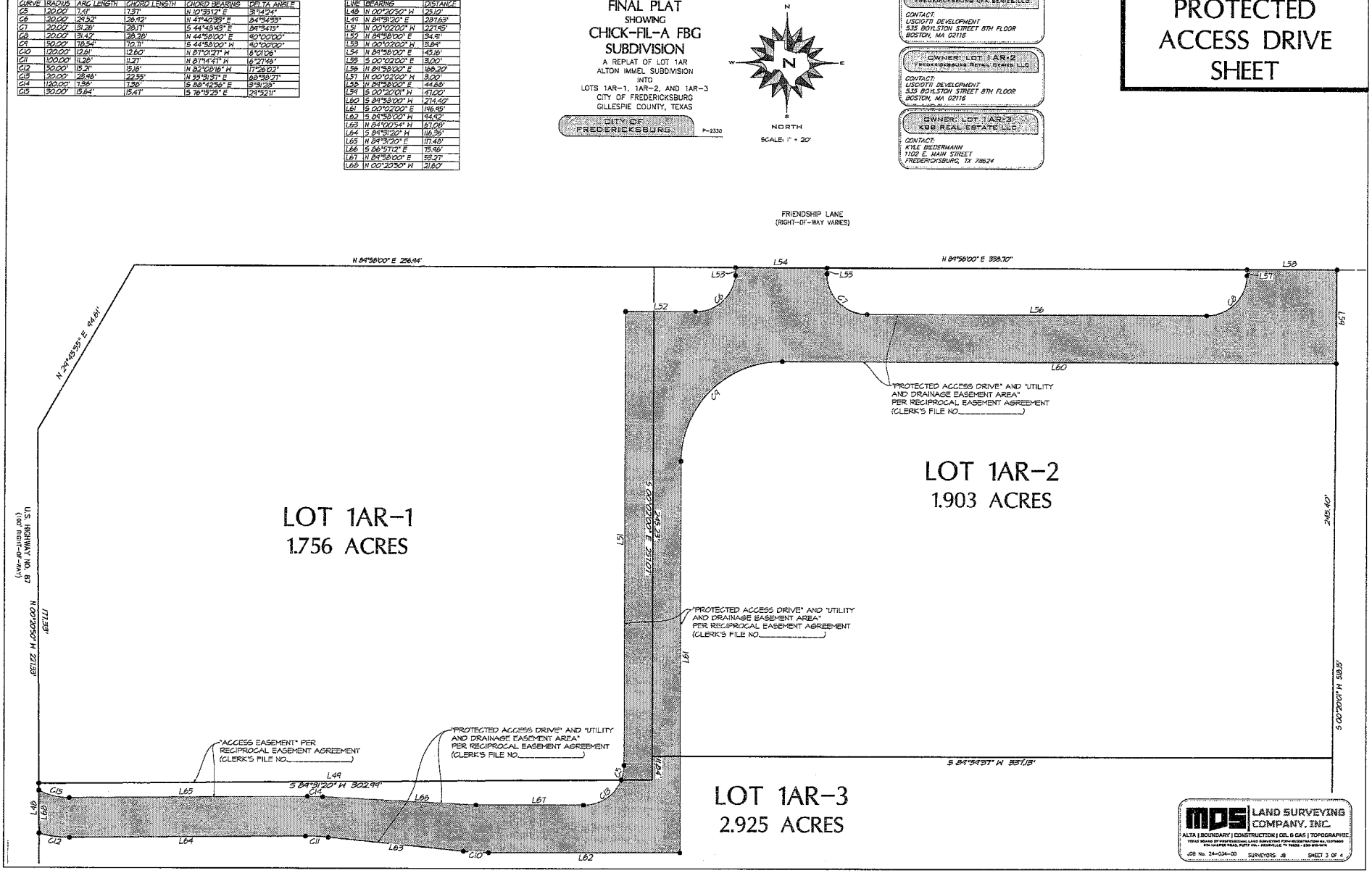
CITY OF FREDERICKSBURG P-2330

N
W E
S
NORTH
SCALE: 1" = 20'

OWNER: LOT 1AR-1
FREDERICKSBURG QSR, SERIES LLC
CONTACT:
LISCIOTTI DEVELOPMENT
535 BOYLSTON STREET 8TH FLOOR
BOSTON, MA 02116

OWNER: LOT 1AR-2
FREDERICKSBURG RETAIL SERIES LLC
CONTACT:
LISCIOTTI DEVELOPMENT
535 BOYLSTON STREET 8TH FLOOR
BOSTON, MA 02116

OWNER: LOT 1AR-3
KBB REAL ESTATE LLC
CONTACT:
KYLE BIEDERMANN
1102 E. MAIN STREET
FREDERICKSBURG, TX 78624



MDS LAND SURVEYING COMPANY, INC.
ALTA | BOUNDARY | CONSTRUCTION | GIS & GAS | TOPOGRAPHIC
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING FIRM REGISTRATION NO. 10194000
874 HASPER ROAD, SUITE 130 • KERRVILLE, TX 78028 • 830-895-9474
JOB No. 24-034-00 SURVEYORS JB SHEET 3 OF 4

FINAL PLAT
SHOWING
CHICK-FIL-A FBG SUBDIVISION
A REPLAT OF LOT 1AR
ALTON IMMEL SUBDIVISION
INTO
LOTS 1AR-1, 1AR-2, AND 1AR-3
CITY OF FREDERICKSBURG
GILLESPIE COUNTY, TEXAS

CITY OF FREDERICKSBURG P-2330

SIGNATURE SHEET

OWNER'S STATEMENT FOR FIRE LANE EASEMENT:

THE UNDERSIGNED COVENANTS AND AGREES THAT HE/SHE (THEY) SHALL CONSTRUCT UPON THE FIRE LANE EASEMENTS, AS DEDICATED AND SHOWN HEREON, A FIRE LANE IN ACCORDANCE WITH THE FIRE CODE AND CITY STANDARDS AND THAT HE/SHE (THEY) SHALL MAINTAIN THE FIRE LANE IN A STATE OF GOOD REPAIR AT ALL TIMES IN ACCORDANCE WITH CITY ORDINANCE. THE FIRE LANE EASEMENT SHALL BE KEPT FREE OF OBSTRUCTIONS IN ACCORDANCE WITH THE CITY ORDINANCE. THE MAINTENANCE OF PAVEMENT IN ACCORDANCE TO CITY ORDINANCE OF THE FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE OWNER. THE OWNER SHALL IDENTIFY THE FIRE LANE ON THE GROUND IN ACCORDANCE WITH CITY ORDINANCE. THE CHIEF OF POLICE OR HIS/HER DULY AUTHORIZED REPRESENTATIVE IS HEREBY AUTHORIZED TO CAUSE SUCH FIRE LANE AND UTILITY EASEMENTS TO BE MAINTAINED FREE AND UNOBSTRUCTED AT ALL TIMES FOR FIRE DEPARTMENT AND EMERGENCY USE.

OWNER: KBB REAL ESTATE LLC _____

OWNER (SIGNATURE): _____
KYLE BIEDERMANN, MANAGER

DATE: _____

OWNER'S ACKNOWLEDGEMENT AND DEDICATION

STATE OF TEXAS §
COUNTY OF GILLESPIE §

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF LOT 1AR-1 SHOWN AND DESCRIBED HEREON, THAT NO OTHER PERSON OR ENTITY HAS ANY INTEREST IN LOT 1AR-1 EITHER BY LIEN, LEASE, OR OTHER EQUITABLE INTEREST, UNLESS OTHERWISE NOTED HEREON, AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, ESTABLISH THE MINIMUM BUILDING SET-BACK LINES, AND DEDICATE ALL ALLEYS, HALLS, PARKS, WATERCOURSES, EASEMENTS (EXCLUDING EASEMENTS NOTED AS PRIVATE) AND OTHER OPEN SPACE TO PUBLIC USE FOREVER AND HEREBY CONVEY, BY FEE SIMPLE TITLE, ALL PUBLIC ROAD RIGHT-OF-WAY PURPOSES FOREVER AND AGREE FOR MYSELF (OURSELVES) AND MY (OUR) HEIRS AND ASSIGNS TO ABIDE FOREVER BY ALL LINES, DEDICATIONS, CONVEYANCES FOR PUBLIC ROAD RIGHT-OF-WAY PURPOSES, AND OTHER RESTRICTIONS SHOWN HEREON.

KBB REAL ESTATE LLC
1102 E. MAIN STREET
FREDERICKSBURG, TX 78624

DATE: _____

BY: _____

NAME: KYLE BIEDERMANN

TITLE: MANAGER

STATE OF _____ §

COUNTY OF _____ §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THE ABOVE-NAMED PERSON, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE IS AUTHORIZED TO EXECUTE THE FOREGOING INSTRUMENT FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 2024.

_____
NOTARY PUBLIC

OWNER'S STATEMENT FOR FIRE LANE EASEMENT:

THE UNDERSIGNED COVENANTS AND AGREES THAT HE/SHE (THEY) SHALL CONSTRUCT UPON THE FIRE LANE EASEMENTS, AS DEDICATED AND SHOWN HEREON, A FIRE LANE IN ACCORDANCE WITH THE FIRE CODE AND CITY STANDARDS AND THAT HE/SHE (THEY) SHALL MAINTAIN THE FIRE LANE IN A STATE OF GOOD REPAIR AT ALL TIMES IN ACCORDANCE WITH CITY ORDINANCE. THE FIRE LANE EASEMENT SHALL BE KEPT FREE OF OBSTRUCTIONS IN ACCORDANCE WITH THE CITY ORDINANCE. THE MAINTENANCE OF PAVEMENT IN ACCORDANCE TO CITY ORDINANCE OF THE FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE OWNER. THE OWNER SHALL IDENTIFY THE FIRE LANE ON THE GROUND IN ACCORDANCE WITH CITY ORDINANCE. THE CHIEF OF POLICE OR HIS/HER DULY AUTHORIZED REPRESENTATIVE IS HEREBY AUTHORIZED TO CAUSE SUCH FIRE LANE AND UTILITY EASEMENTS TO BE MAINTAINED FREE AND UNOBSTRUCTED AT ALL TIMES FOR FIRE DEPARTMENT AND EMERGENCY USE.

OWNER: FREDERICKSBURG, CFA SERIES LLC _____

OWNER (SIGNATURE): _____
GREGG LISCIOTTI, MANAGER

DATE: _____

OWNER'S ACKNOWLEDGEMENT AND DEDICATION

STATE OF TEXAS §
COUNTY OF GILLESPIE §

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF LOT 1AR-1 SHOWN AND DESCRIBED HEREON, THAT NO OTHER PERSON OR ENTITY HAS ANY INTEREST IN LOT 1AR-1 EITHER BY LIEN, LEASE, OR OTHER EQUITABLE INTEREST, UNLESS OTHERWISE NOTED HEREON, AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, ESTABLISH THE MINIMUM BUILDING SET-BACK LINES, AND DEDICATE ALL ALLEYS, HALLS, PARKS, WATERCOURSES, EASEMENTS (EXCLUDING EASEMENTS NOTED AS PRIVATE) AND OTHER OPEN SPACE TO PUBLIC USE FOREVER AND HEREBY CONVEY, BY FEE SIMPLE TITLE, ALL PUBLIC ROAD RIGHT-OF-WAY PURPOSES FOREVER AND AGREE FOR MYSELF (OURSELVES) AND MY (OUR) HEIRS AND ASSIGNS TO ABIDE FOREVER BY ALL LINES, DEDICATIONS, CONVEYANCES FOR PUBLIC ROAD RIGHT-OF-WAY PURPOSES, AND OTHER RESTRICTIONS SHOWN HEREON.

FREDERICKSBURG, CFA SERIES LLC
LISCIOTTI DEVELOPMENT CORP.
535 BOYLSTON – 6TH FLOOR
BOSTON, MA 02116

DATE: _____

BY: _____

NAME: GREGG LISCIOTTI

TITLE: MANAGER

STATE OF _____ §

COUNTY OF _____ §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THE ABOVE-NAMED PERSON, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE IS AUTHORIZED TO EXECUTE THE FOREGOING INSTRUMENT FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 2024.

_____
NOTARY PUBLIC

LIENHOLDER'S ACKNOWLEDGEMENT AND SUBORDINATION STATEMENT

STATE OF TEXAS §
COUNTY OF GILLESPIE §

I (OR WE), (NAME OF LIEN HOLDER), OWNER AND HOLDER OF A LIEN (OR LIENS) AGAINST LOT 1AR-1 DESCRIBED IN THE PLAT KNOWN AS (NAME OF SUBDIVISION PLAT), SAID LIEN (OR LIENS) BEING EVIDENCED BY INSTRUMENT OF RECORD IN THE CLERK'S FILE NO. (NUMBER(S)) OF THE O.P.R.G.R.P. OF (COUNTY NAME) COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST BY SAID PROPERTY TO THE PURPOSES AND EFFECTS OF SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN HEREON TO SAID SUBDIVISION PLAT AND I (OR WE) HEREBY CONFIRM THAT I AM (OR WE ARE) THE PRESENT OWNER (OR OWNERS OF SAID LIEN (OR LIENS) AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

HOLLISTONE BANK AND TRUST COMPANY
700 MAIN ST.
FITCHBURG, MA 01420

DATE: _____

BY: _____

NAME: _____

TITLE: _____

STATE OF _____ §

COUNTY OF _____ §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THE ABOVE-NAMED PERSON, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE IS AUTHORIZED TO EXECUTE THE FOREGOING INSTRUMENT FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 2024.

_____
NOTARY PUBLIC

OWNER'S STATEMENT FOR FIRE LANE EASEMENT:

THE UNDERSIGNED COVENANTS AND AGREES THAT HE/SHE (THEY) SHALL CONSTRUCT UPON THE FIRE LANE EASEMENTS, AS DEDICATED AND SHOWN HEREON, A FIRE LANE IN ACCORDANCE WITH THE FIRE CODE AND CITY STANDARDS AND THAT HE/SHE (THEY) SHALL MAINTAIN THE FIRE LANE IN A STATE OF GOOD REPAIR AT ALL TIMES IN ACCORDANCE WITH CITY ORDINANCE. THE FIRE LANE EASEMENT SHALL BE KEPT FREE OF OBSTRUCTIONS IN ACCORDANCE WITH THE CITY ORDINANCE. THE MAINTENANCE OF PAVEMENT IN ACCORDANCE TO CITY ORDINANCE OF THE FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE OWNER. THE OWNER SHALL IDENTIFY THE FIRE LANE ON THE GROUND IN ACCORDANCE WITH CITY ORDINANCE. THE CHIEF OF POLICE OR HIS/HER DULY AUTHORIZED REPRESENTATIVE IS HEREBY AUTHORIZED TO CAUSE SUCH FIRE LANE AND UTILITY EASEMENTS TO BE MAINTAINED FREE AND UNOBSTRUCTED AT ALL TIMES FOR FIRE DEPARTMENT AND EMERGENCY USE.

OWNER: FREDERICKSBURG RETAIL SERIES LLC _____

OWNER (SIGNATURE): _____
GREGG LISCIOTTI

DATE: _____

OWNER'S ACKNOWLEDGEMENT AND DEDICATION

STATE OF TEXAS §
COUNTY OF GILLESPIE §

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF LOT 1AR-2 SHOWN AND DESCRIBED HEREON, THAT NO OTHER PERSON OR ENTITY HAS ANY INTEREST IN LOT 1AR-2 EITHER BY LIEN, LEASE, OR OTHER EQUITABLE INTEREST, UNLESS OTHERWISE NOTED HEREON, AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, ESTABLISH THE MINIMUM BUILDING SET-BACK LINES, AND DEDICATE ALL ALLEYS, HALLS, PARKS, WATERCOURSES, EASEMENTS (EXCLUDING EASEMENTS NOTED AS PRIVATE) AND OTHER OPEN SPACE TO PUBLIC USE FOREVER AND HEREBY CONVEY, BY FEE SIMPLE TITLE, ALL PUBLIC ROAD RIGHT-OF-WAY PURPOSES FOREVER AND AGREE FOR MYSELF (OURSELVES) AND MY (OUR) HEIRS AND ASSIGNS TO ABIDE FOREVER BY ALL LINES, DEDICATIONS, CONVEYANCES FOR PUBLIC ROAD RIGHT-OF-WAY PURPOSES, AND OTHER RESTRICTIONS SHOWN HEREON.

FREDERICKSBURG RETAIL SERIES LLC
LISCIOTTI DEVELOPMENT CORP.
535 BOYLSTON – 6TH FLOOR
BOSTON, MA 02116

DATE: _____

BY: _____

NAME: GREGG LISCIOTTI

TITLE: MANAGER

STATE OF _____ §

COUNTY OF _____ §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THE ABOVE-NAMED PERSON, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE IS AUTHORIZED TO EXECUTE THE FOREGOING INSTRUMENT FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 2024.

_____
NOTARY PUBLIC

LIENHOLDER'S ACKNOWLEDGEMENT AND SUBORDINATION STATEMENT

STATE OF TEXAS §
COUNTY OF GILLESPIE §

I (OR WE), (NAME OF LIEN HOLDER), OWNER AND HOLDER OF A LIEN (OR LIENS) AGAINST LOT 1AR-2 DESCRIBED IN THE PLAT KNOWN AS (NAME OF SUBDIVISION PLAT), SAID LIEN (OR LIENS) BEING EVIDENCED BY INSTRUMENT OF RECORD IN THE CLERK'S FILE NO. (NUMBER(S)) OF THE O.P.R.G.R.P. OF (COUNTY NAME) COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST BY SAID PROPERTY TO THE PURPOSES AND EFFECTS OF SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN HEREON TO SAID SUBDIVISION PLAT AND I (OR WE) HEREBY CONFIRM THAT I AM (OR WE ARE) THE PRESENT OWNER (OR OWNERS OF SAID LIEN (OR LIENS) AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

HOLLISTONE BANK AND TRUST COMPANY
700 MAIN STREET
FITCHBURG, MA 01420

DATE: _____

BY: _____

NAME: _____

TITLED _____

STATE OF _____ §

COUNTY OF _____ §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THE ABOVE-NAMED PERSON, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE IS AUTHORIZED TO EXECUTE THE FOREGOING INSTRUMENT FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 2024.

_____
NOTARY PUBLIC

OWNER: LOT 1AR-1
FREDERICKSBURG CFA SERIES LLC

CONTACT:
LISCIOTTI DEVELOPMENT
535 BOYLSTON STREET 6TH FLOOR
BOSTON, MA 02116

OWNER: LOT 1AR-2
FREDERICKSBURG RETAIL SERIES LLC

CONTACT:
LISCIOTTI DEVELOPMENT
535 BOYLSTON STREET 6TH FLOOR
BOSTON, MA 02116

OWNER: LOT 1AR-3
KBB REAL ESTATE LLC

CONTACT:
KYLE BIEDERMANN
1102 E. MAIN STREET
FREDERICKSBURG, TX 78624

MDS LAND SURVEYING COMPANY, INC.
ALTA | BOUNDARY | CONSTRUCTION | OIL & GAS | TOPOGRAPHIC
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING FIRM REGISTRATION No. 10074600
811 HARPER ROAD, SUITE 104 • KERRVILLE, TX 78028 • 830-895-4616

JOB No. 24-034-00 SURVEYORS: JS SHEET 4 OF 4

EXHIBIT B
LEGAL DESCRIPTION

LOT 1

MDS | LAND SURVEYING COMPANY, INC.

FIELD NOTES FOR A 1.756 ACRE TRACT OF LAND

BEING A 1.756 ACRE TRACT LOCATED IN THE JOSE BARGAS SURVEY NO. 115, ABSTRACT NO. 53, GILLESPIE COUNTY, TEXAS, AND BEING A PORTION OF LOT 1AR, ALTON IMMEL SUBDIVISION, RECORDED IN VOLUME 5, PAGE 69, PLAT RECORDS OF GILLESPIE COUNTY, TEXAS, SAID 1.756 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT);

BEGINNING at a ½" iron rod with "MDS" cap found at the northeast end of a cutback line at the intersection of the south right-of-way line of Friendship Lane (Right-of-Way varies), with the east right-of-way line of U.S. Highway No. 87 (100' Right-of-Way), said point being the northeast corner of a called 1,942 square foot tract conveyed to the City of Fredericksburg, recorded in Document No. 20067109, Official Public Records of Gillespie County, Texas;

THENCE: N 89°58'00" E, with the south right-of-way line of Friendship Lane, and the north line of Lot 1AR, **a distance of 256.94'** *(N 89°57'55" E, record)* to a ½" iron rod with "MDS" cap found for northeast corner;

THENCE: departing the south right-of-way line of Friendship Lane, over and across Lot 1AR, the following courses and distances:

- **S 00°02'00" E, 257.07'** *(no record)* to a 1/2" iron rod with "MDS" cap found for southeast corner;
- **S 89°31'20" W, 302.99'** *(no record)* to a 1/2" iron rod with "MDS" cap found for southwest corner in the west line of Lot 1AR, and the east right-of-way line of U.S. Highway No. 87;

THENCE: N 00°20'50" W, with the east right-of-way line of U.S. Highway No. 87, **a distance of 177.33'** *(N 00°20'55" W, record)* to a 1/2" iron rod found for angle at the southwest end of said cutback line, and the south corner of the called 1,942 square foot tract;

THENCE: N 29°45'55" E, with said cutback line, and the southeast line of said 1,942 square foot tract, **a distance of 94.61'** *(N 29°45'50" E, 94.45')* to the **POINT OF BEGINNING** and containing 1.756 acres of land, more or less.

Note: This description was prepared from a survey made on the ground by employees of MDS Land Surveying Company, Inc. in February, 2024. A survey plat of equal date was made in conjunction with this description. Parenthesis () denotes records information.

Jeff Boerner, RPLS #4939
Date: 2-19-2024
Job # 24-034-00 Tract 1AR-1

STATE OF TEXAS
REGISTERED
JEFF BOERNER
4939
PROFESSIONAL
LAND SURVEYOR

874 Harper Road # 104 • Kerrville, TX 78028
830-816-1818 • mds-surveying.com
TBPLS Firm Registration No. 10019600

EXHIBIT C
LEGAL DESCRIPTION

LOT 2

MDS | LAND SURVEYING COMPANY, INC.

FIELD NOTES FOR A 1.903 ACRE TRACT OF LAND

BEING A 1.903 ACRE TRACT LOCATED IN THE JOSE BARGAS SURVEY NO. 115, ABSTRACT NO. 53, GILLESPIE COUNTY, TEXAS, AND BEING A PORTION OF LOT 1AR, ALTON IMMEL SUBDIVISION, RECORDED IN VOLUME 5, PAGE 69, PLAT RECORDS OF GILLESPIE COUNTY, TEXAS, SAID 1.903 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT);

BEGINNING at a "MAG" nail found at the northeast corner of Lot 1AR, in the south right-of-way line of Friendship Lane (Right-of-Way varies), said point being the northwest corner of Lot 2, Alton Immel Subdivision, recorded in Volume 4, Page 77, Plat Records of Gillespie County, Texas;

THENCE: S 00°20'01" W, departing the south right-of-way line of Friendship Lane, with the east line of Lot 1AR, and the west line of Lot 2, **a distance of 245.40'** *(S 00°05'10" W, record)* to a 1/2" iron rod with "MDS" cap found for southeast corner;

THENCE: departing the east line of Lot 1AR, and the west line of Lot 2, over and across Lot 1AR, the following courses and distances:

- **S 89°59'37" W, 337.13'** *(no record)* to a 1/2" iron rod with "MDS" cap found for southwest corner;
- **N 00°02'00" W, 245.23'** *(no record)* to a 1/2" iron rod with "MDS" cap found for northwest corner in the north line of Lot 1AR, and the south right-of-way line of Friendship Lane;

THENCE: N 89°58'00" E, with the south right-of-way line of Friendship Lane, and the north line of Lot 1AR, **a distance of 338.70'** *(N 89°57'55" E, record)* to the **POINT OF BEGINNING** and containing 1.903 acres of land, more or less.

Note: This description was prepared from a survey made on the ground by employees of MDS Land Surveying Company, Inc. in February, 2024. A survey plat of equal date was made in conjunction with this description. Parenthesis () denotes records information.

Jeff Boerner, RPLS #4939
Date: 2-19-2024
Job # 24-034-00 Tract 1AR-2

STATE OF TEXAS
REGISTERED
JEFF BOERNER
4939
PROFESSIONAL
LAND SURVEYOR

874 Harper Road # 104 • Kerrville, TX 78028
830-816-1818 • mds-surveying.com
TBPLS Firm Registration No. 10019600

EXHIBIT D
LEGAL DESCRIPTION

LOT 3

MDS LAND SURVEYING COMPANY, INC.

FIELD NOTES FOR A 2.925 ACRE TRACT OF LAND

BEING A 2.925 ACRE TRACT LOCATED IN THE JOSE BARGAS SURVEY NO. 115, ABSTRACT NO. 53, GILLESPIE COUNTY, TEXAS, AND BEING A PORTION OF LOT 1AR, ALTON IMMEL SUBDIVISION, RECORDED IN VOLUME 5, PAGE 69, PLAT RECORDS OF GILLESPIE COUNTY, TEXAS, SAID 2.925 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT);

BEGINNING at a ½" iron rod with "MDS" cap found at the northerly southwest corner of Lot 1AR, at the northwest corner of Lot 1BR, Alton Immel Subdivision, recorded in Volume 5, Page 69, Plat Records of Gillespie County, Texas, in the east right-of-way line of U.S. Highway No. 87 (100' Right-of-Way);

THENCE: N 00°20'50" W, with the east right-of-way line of U.S. Highway No. 87 (100' Right-of-Way), and the west line of Lot 1AR, **a distance of 50.00'** *(N 00°20'55" W, record)* to a 1/2" iron rod with "MDS" cap found for northwest corner;

THENCE: departing the east right-of-way line of U.S. Highway No. 87 (100' Right-of-Way), and the west line of Lot 1AR, over and across Lot 1AR, the following courses and distances:

- **N 89°31'20" E, 302.99'** *(no record)* to a 1/2" iron rod found with "MDS" cap found for interior corner;
- **N 00°02'00" W, 11.84'** *(no record)* to a 1/2" iron rod found with "MDS" cap found for corner;
- **N 89°59'37" E, 337.13'** *(no record)* to a 1/2" iron rod found with "MDS" cap found for northeast corner in the east line of Lot 1AR, and the west line of Lot 2, Alton Immel Subdivision, recorded in Volume 4, Page 77, Plat Records of Gillespie County, Texas;

THENCE: S 00°20'01" W, with the west line of Lot 2, **a distance of 272.75'** *(S 00°05'10" W, record)* to a 1/2" iron rod found with "Bonn" cap found for southeast corner at the southeast corner of Lot 1AR, in the north line of Lot 1BR;

THENCE: with the south and west lines of Lot 1AR, and the north and east lines of Lot 1BR, the following courses and distances:

- **S 89°18'54" W, 422.51'** *(S 89°18'05" W, 422.54')* to a "MAG" nail found for southerly southwest corner;

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- **N 00°20'50" W, 133.44'** *(N 00°20'55" W, 133.44')* to a 1/2" iron rod found with "Bonn" cap found for interior corner;

- **S 89°31'20" W, 12.85'** *(S 89°31'15" W, 12.85')* to a 1/2" iron rod found with "MDS" cap found for corner;

- **N 00°20'50" W, 81.75'** *(N 00°20'55" W, 81.75')* to a 1/2" iron rod with "MDS" cap found for interior corner;

- **S 89°31'20" W, 201.59'** *(S 89°31'15" W, 201.59')* to the **POINT OF BEGINNING** and containing 2.925 acres of land, more or less.

Note: This description was prepared from a survey made on the ground by employees of MDS Land Surveying Company, Inc. in February, 2024. A survey plat of equal date was made in conjunction with this description. Parenthesis () denotes records information.

Jeff Boerner, RPLS #4939
Date: 2-19-2024
Job # 24-034-00 Tract 1AR-3

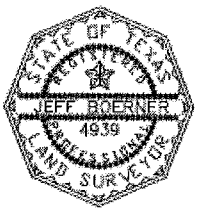

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EXHIBIT E

SITE PLAN

PROTECTED ACCESS DRIVE; UTILITY AND DRAINAGE EASEMENT AREAS; LOT 1 PROTECTED ACCESS DRIVE MAINTENANCE AREA; LOT 2 PROTECTED ACCESS DRIVE MAINTENANCE AREA

See attached.

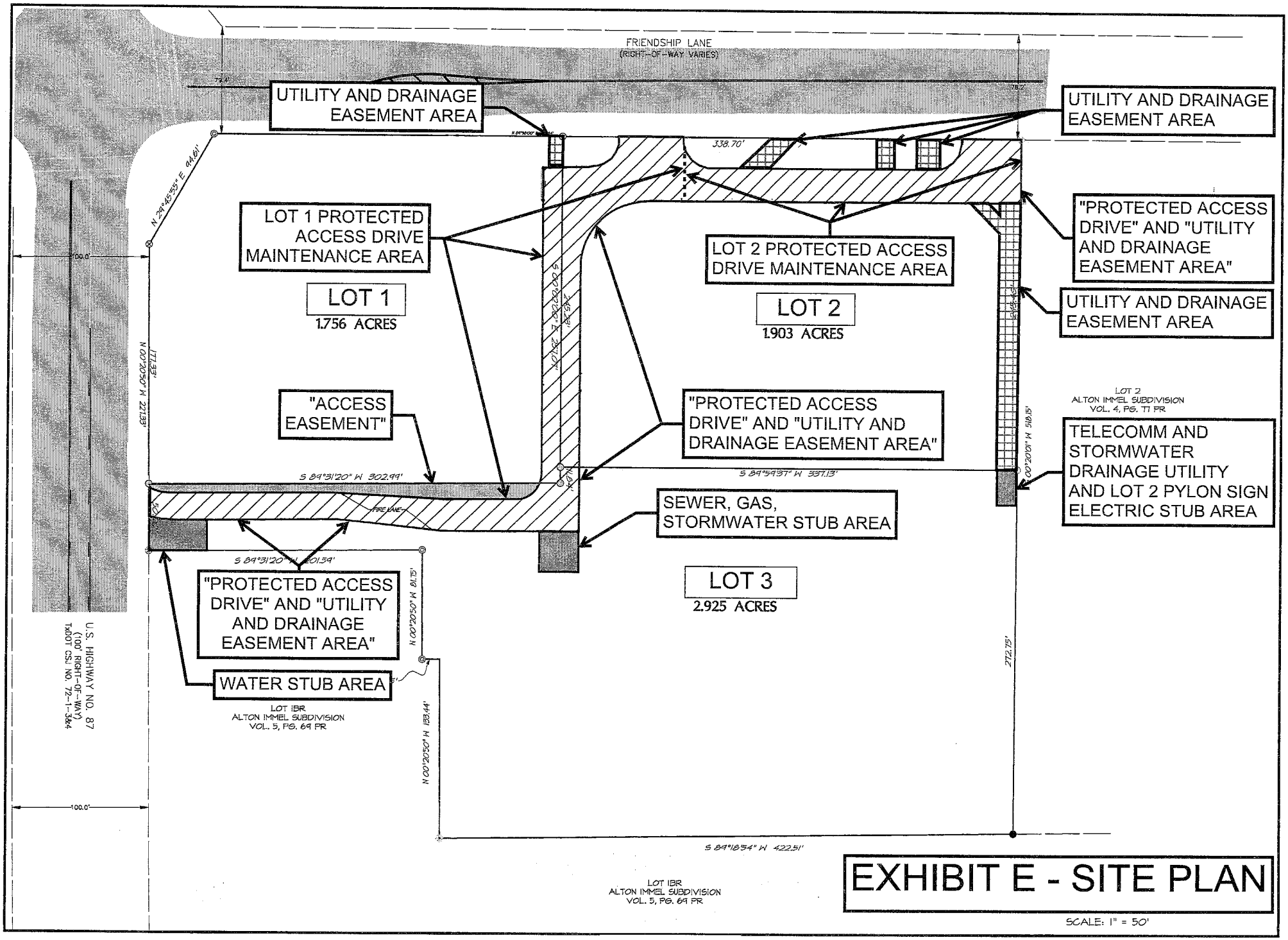
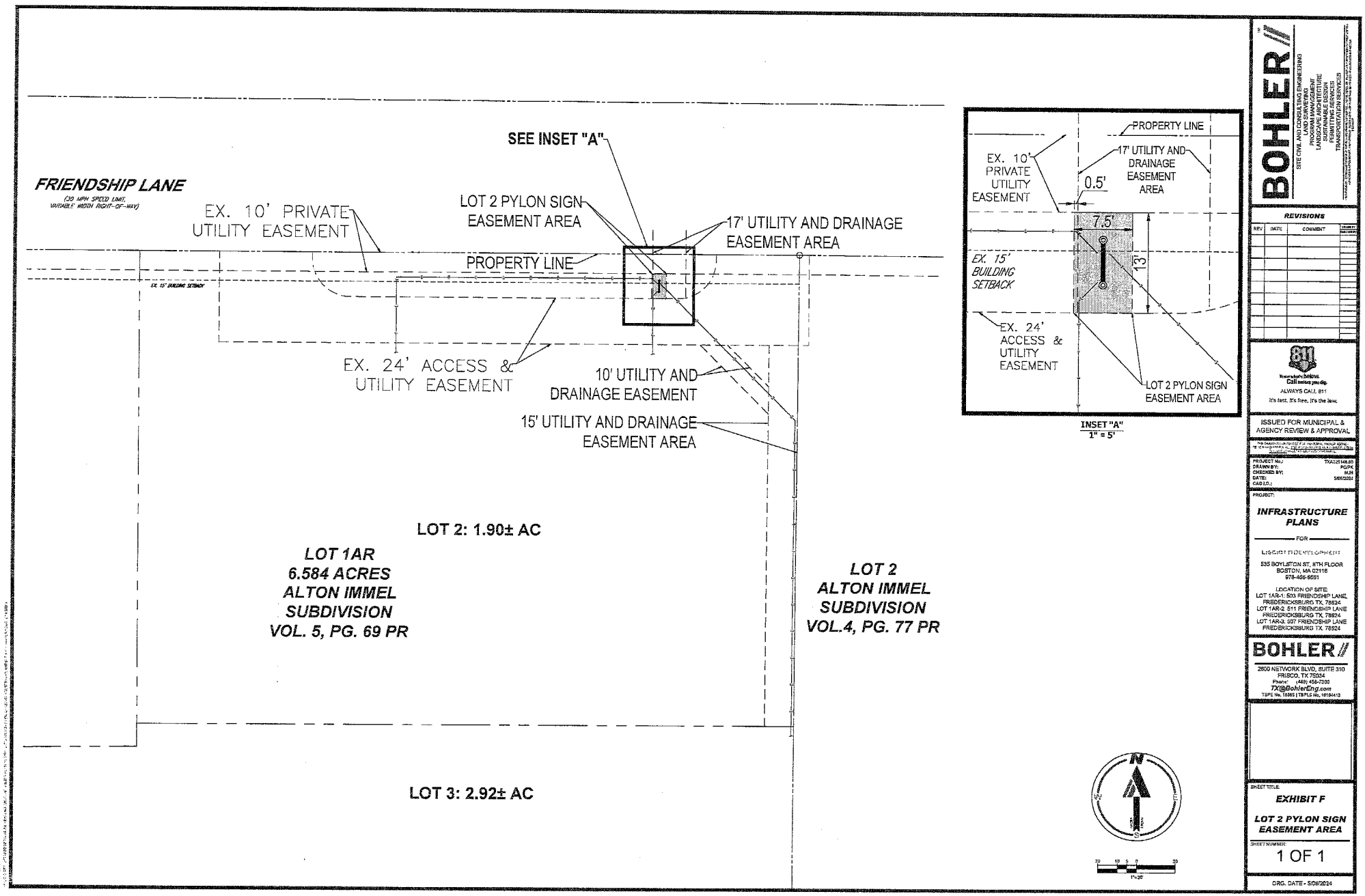

FRIENDSHIP LANE
(RIGHT-OF-WAY VARIES)
UTILITY AND DRAINAGE EASEMENT AREA
UTILITY AND DRAINAGE EASEMENT AREA
LOT 1 PROTECTED ACCESS DRIVE MAINTENANCE AREA
LOT 1
1.756 ACRES
LOT 2 PROTECTED ACCESS DRIVE MAINTENANCE AREA
LOT 2
1.903 ACRES
"PROTECTED ACCESS DRIVE" AND "UTILITY AND DRAINAGE EASEMENT AREA"
UTILITY AND DRAINAGE EASEMENT AREA
"ACCESS EASEMENT"
"PROTECTED ACCESS DRIVE" AND "UTILITY AND DRAINAGE EASEMENT AREA"
LOT 2
ALTON IMMEL SUBDIVISION
VOL. 4, PG. 71 PR
TELECOMM AND STORMWATER DRAINAGE UTILITY AND LOT 2 PYLON SIGN ELECTRIC STUB AREA
SEWER, GAS, STORMWATER STUB AREA
LOT 3
2.925 ACRES
"PROTECTED ACCESS DRIVE" AND "UTILITY AND DRAINAGE EASEMENT AREA"
WATER STUB AREA
LOT 1BR
ALTON IMMEL SUBDIVISION
VOL. 5, PG. 69 PR
U.S. HIGHWAY NO. 87
(100' RIGHT-OF-WAY)
TxDOT CSJ. NO. 72-1-38:4
LOT 1BR
ALTON IMMEL SUBDIVISION
VOL. 5, PG. 69 PR
EXHIBIT E - SITE PLAN
SCALE: 1" = 50'

EXHIBIT F

[LOT 2 PYLON SIGN EASEMENT AREA]

See attached.



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REVISIONS

REV	DATE	COMMENT	DRAWN BY / CHECKED BY

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PROJECT No.: TXA251148.05
DRAWN BY: PCPK
CHECKED BY: MJH
DATE: 5/08/2024
CAD I.D.:

PROJECT:

INFRASTRUCTURE PLANS

FOR

LIVCENT FRIENDSHIP LANE

535 BOYLSTON ST, 8TH FLOOR
BOSTON, MA 02116
978-486-8651

LOCATION OF SITE:
LOT 1AR-1: 503 FRIENDSHIP LANE, FREDERICKSBURG TX, 78624
LOT 1AR-2: 511 FRIENDSHIP LANE FREDERICKSBURG TX, 78624
LOT 1AR-3: 507 FRIENDSHIP LANE FREDERICKSBURG TX, 78624

BOHLER
2600 NETWORK BLVD, SUITE 310
FRISCO, TX 75034
Phone: (469) 458-7300
TX@BohlerEng.com
TBPE No. 18865 | TBPLS No. 10184413

SHEET TITLE:

EXHIBIT F

LOT 2 PYLON SIGN EASEMENT AREA

SHEET NUMBER:

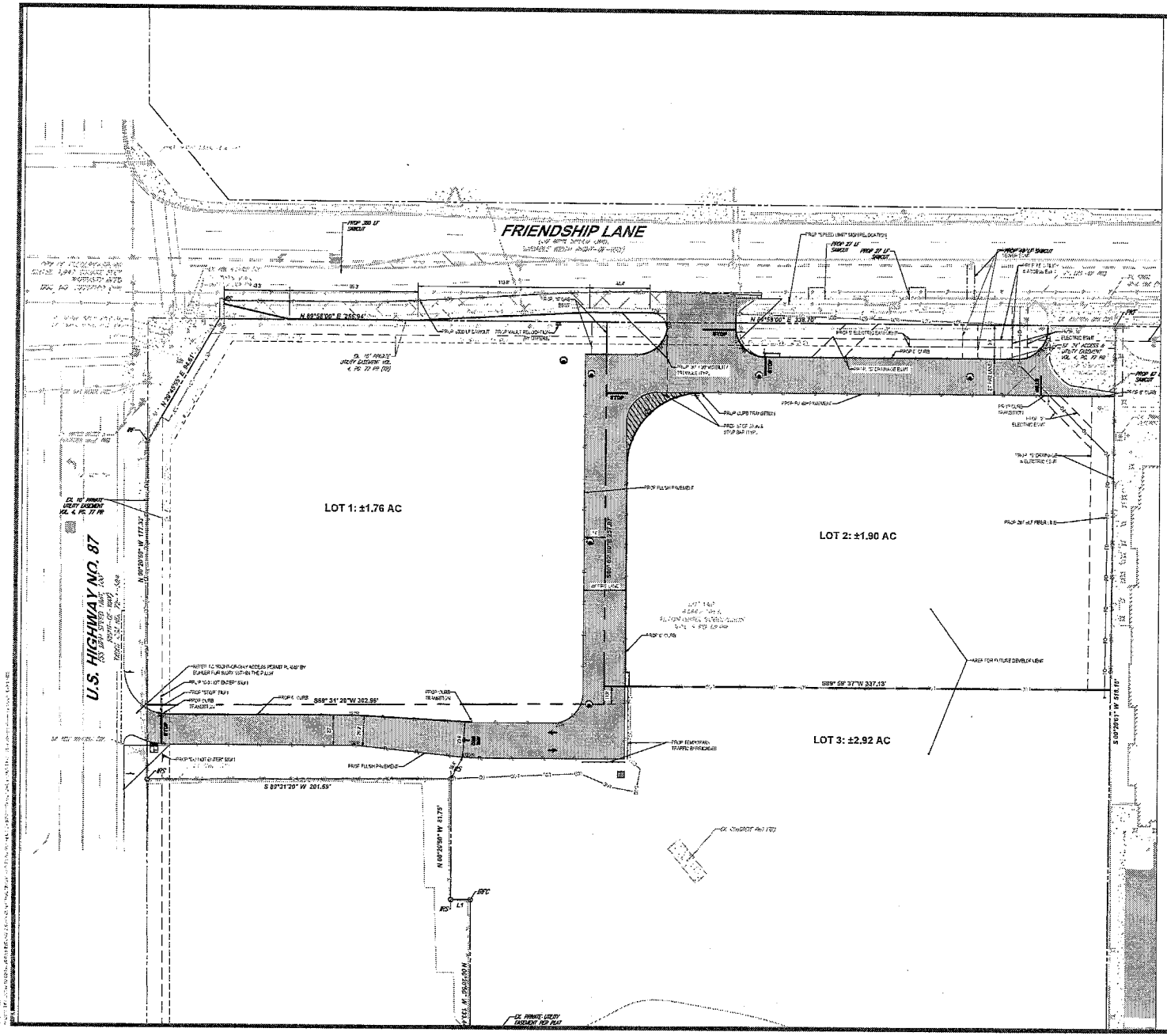
1 OF 1

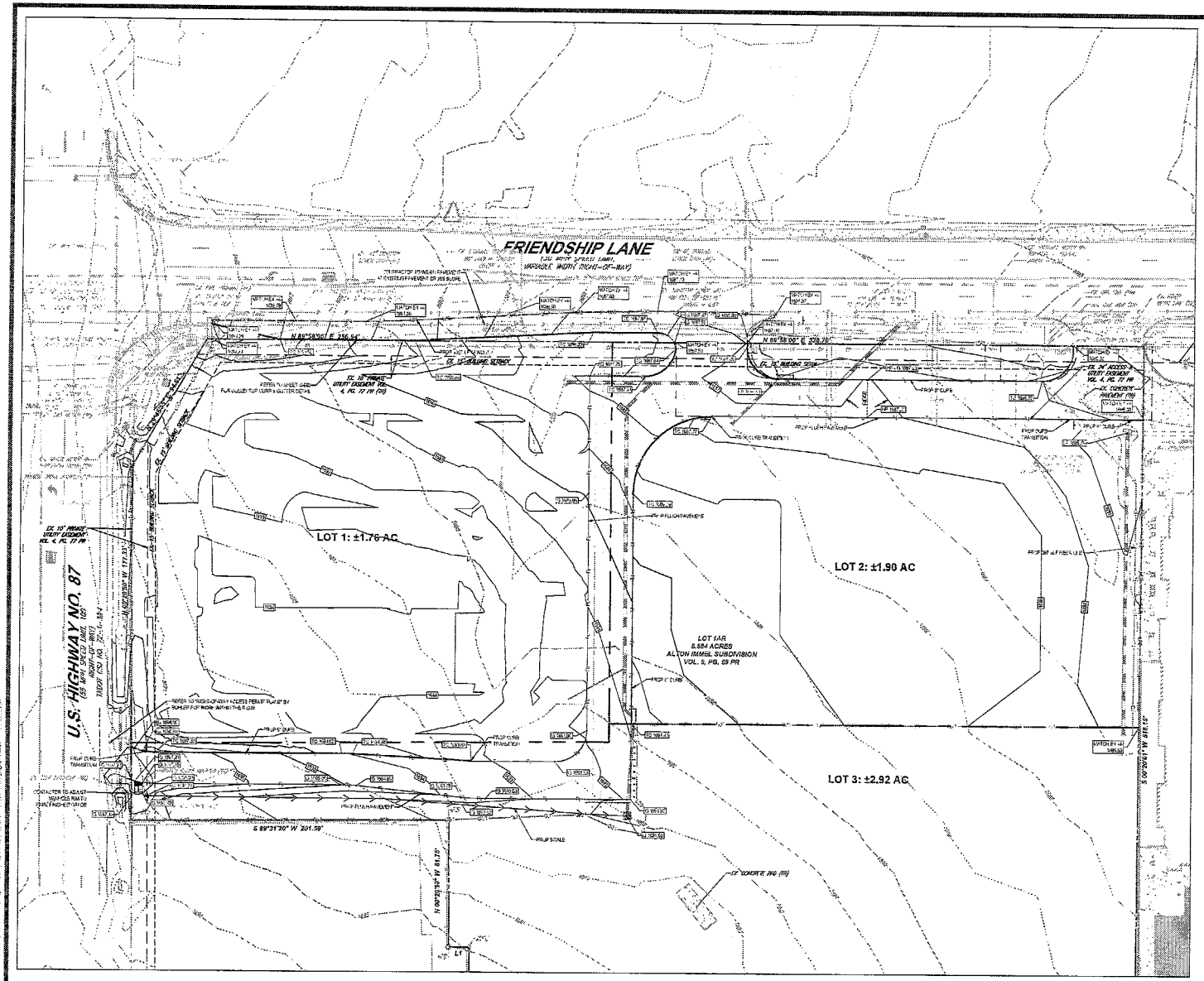
ORG. DATE - 5/08/2024

EXHIBIT G

[PROTECTED ACCESS DRIVE PLANS AND SPECIFICATIONS]

See attached.


FRIENDSHIP LANE
LOT 1: ±1.76 AC
LOT 2: ±1.90 AC
LOT 3: ±2.92 AC
S 89°31'20" W 302.99'
S89° 59' 37"W 337.13'
S 89°31'20" W 201.59'
AREA FOR FUTURE DEVELOPMENT
PROP. FLUSH PAVEMENT
PROP. CURB TRANSITION
PROP. STOP SIGN
PROP. 6" CURB
PROP. 4" CURB
PROP. 24' FIRE LANE
PROP. 20' ACCESS & UTILITY EASEMENT
PROP. 30' VISIBILITY TRIANGLE (TYP.)
PROP. 10' DRAINAGE & ELECTRIC ESMT.
PROP. ELECTRIC TRANSITION
PROP. ELECTRIC ESMT.
PROP. ELECTRIC BOX
PROP. ELECTRIC SWITCHGEAR
PROP. ELECTRIC TRANSFORMER
PROP. ELECTRIC PAD
PROP. ELECTRIC SWITCHGEAR
PROP. 24' FIRE LANE
PROP. 20' ACCESS & UTILITY EASEMENT
PROP. 10' DRAINAGE & ELECTRIC ESMT.
PROP. 30' VISIBILITY TRIANGLE (TYP.)
PROP. CURB TRANSITION
PROP. STOP SIGN & STOP BAR (TYP.)
PROP. FLUSH PAVEMENT
PROP. 24' FIRE LANE
PROP. 6" CURB
PROP. 4" CURB



GRADING LEGEND

PROPOSED PROPERTY LINE	
PROPOSED CONTOURS	45
MAJOR EXISTING CONTOUR	25
MINOR EXISTING CONTOUR	27
PROPOSED GROUND SPOT ELEVATION	1234.56
PROPOSED TOP OF CURB ELEVATION	TC 1234.56
PROPOSED LOW POINT ELEVATION	LP 1234.56
PROPOSED HIGH POINT ELEVATION	HP 1234.56
DRAINAGE ARROW	
PROPOSED SWALE	
PROPOSED GRADE BREAK	

GRADING NOTES:

1. SEE SHEET C-1.1 FOR GENERAL GRADING AND DRAINAGE NOTES.
2. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THESE PLANS AND THE CITY OF FREDERICKSBURG STANDARDS AND SPECIFICATIONS.
3. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL MAKE CERTAIN THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
4. THE GENERAL CONTRACTOR AND ALL SUB-CONTRACTORS SHALL VERIFY THE SUITABILITY OF ALL EXISTING AND PROPOSED SITE CONDITIONS INCLUDING GRADES AND DIMENSIONS BEFORE COMMENCEMENT OF ANY CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY OF ANY DISCREPANCIES. MINOR ADJUSTMENTS TO FINISH GRADE TO ACCOMPLISH SPOT DRAINAGE ARE ACCEPTABLE, IF NECESSARY. UPON FINISH APPROVAL OF ENGINEER, PAVING INSTALLED SHALL "FLUSH OUT" AT ANY JUNCTURE WITH EXISTING PAVING.
5. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
6. EXISTING GRADE CONTOUR INTERVALS SHOWN AT 1 FOOT INTERVALS.
7. PROPOSED GRADE CONTOUR INTERVALS SHOWN AT 1 FOOT SITERVALS.
8. CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE AWAY FROM BUILDINGS FOR ALL NATURAL AND PAVED AREAS.
9. IF THE CONTRACTOR DOES NOT ACCEPT EXISTING TOPOGRAPHY AS SHOWN ON THE PLANS, WITHOUT EXCEPTION, THEN THE CONTRACTOR SHALL SUPPLY, AT THEIR EXPENSE A TOPOGRAPHIC SURVEY BY A REGISTERED LAND SURVEYOR TO THE OWNER FOR REVIEW.
10. ALL SUBSURFACE AREAS DISTURBED BY GRADING OPERATION SHALL RECEIVE 4 INCHES OF TOPSOIL. CONTRACTOR SHALL STABILIZE DISTURBED AREAS IN ACCORDANCE WITH GOVERNING SPECIFICATIONS UNTIL A HEALTHY STAND OF VEGETATION IS OBTAINED.
11. ALL ELEVATIONS SHOWN BY A "TC" SPOT ELEVATION ARE THE TOP OF CURB 6" ABOVE THE ADJACENT PAVEMENT.
12. GRADING FOR ALL SIDEWALKS AND ACCESSIBLE ROUTES INCLUDING CROSSING DRIVEWAYS SHALL CONFORM TO ADA STANDARDS. SLOPES SHALL NOT EXCEED 5% LONGITUDINAL SLOPE OR 2% CROSS SLOPE. SIDEWALK ACCESS TO EXTERNAL BUILDING DOORS SHALL BE ADA COMPLIANT. CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY IF ADA CRITERIA CANNOT BE MET AT ANY LOCATION.
13. ANY PROPOSED CONTOURS SHOWN ARE APPROXIMATE. PROPOSED SPOT ELEVATIONS AND DESIGNATED GRADIENT ARE TO BE USED IN THE EVENT OF ANY DISCREPANCIES.
14. REFER TO EROSION CONTROL PLAN FOR EROSION CONTROL DEVICES TO BE INSTALLED PRIOR TO COMMENCING GRADING OPERATIONS.
15. ALL VEGETATION SHALL BE CLEARED AND GRUBBED FOR ALL AREAS TO BE DISTURBED.
16. CROSS SLOPE THROUGH CROSSWALKS SHALL NOT EXCEED 2% IN ACCORDANCE WITH ADA STANDARDS.
17. THIS PLAN WAS PREPARED WITH "ALTA/NSPS LAND TITLE SURVEY" PREPARED BY BOHLER ENGINEERING, DATED 09/09/2022.
18. THIS PLAN WAS PREPARE WITH "GEOTECHNICAL ENGINEERING EXPLORATION AND ANALYSIS" PREPARE BY GILES ENGINEERING ASSOCIATES, INC., DATED 09/29/2023.
19. ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) NO. 48201C0260D DATED 12/05/2008 PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR CHEROKEE COUNTY, OKLAHOMA, THIS PROPERTY IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA.
20. CONTOURS SHOWN ON LOT 1 REPRESENT FINAL PAVED ELEVATIONS. CONTRACTOR SHALL LEAVE LOT 1 IN CONDITION TO THE FINAL SUBGRADE ELEVATION (REFER TO "CONSTRUCTION PLANS FOR CHICK-FIL-A" BY BOHLER FOR ADDITIONAL DETAILS).
21. CONTRACTOR TO MATCH EXISTING PAVEMENT SLOPE FOR TURN LANE WIDENING.

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PROJECT No.:	TXA220149.00
DRAWN BY:	PG/PE
CHECKED BY:	AJM
DATE:	5/08/2024
CAD I.D.:	

PROJECT:

INFRASTRUCTURE PLANS

FOR

LIDGETT DEVELOPMENT

535 BOYLSTON ST, 8TH FLOOR
BOSTON, MA 02116
978-465-8851

LOCATION OF SITE:
LOT 1AR-1: 503 FRIENDSHIP LANE, FREDERICKSBURG TX. 78624
LOT 1AR-2: 511 FRIENDSHIP LANE FREDERICKSBURG TX. 78624
LOT 1AR-3: 507 FRIENDSHIP LANE FREDERICKSBURG TX. 78624

BOHLER
2600 NETWORK BLVD, SUITE 310
FRISCO, TX 75034
Phone: (469) 458-7300
TX@BohlerEng.com
TBPE No. 10088 | TBPLS No. 10194413

STATE OF TEXAS
MATHIAS HAUBERT
136306
LICENSED PROFESSIONAL ENGINEER
5/10/24

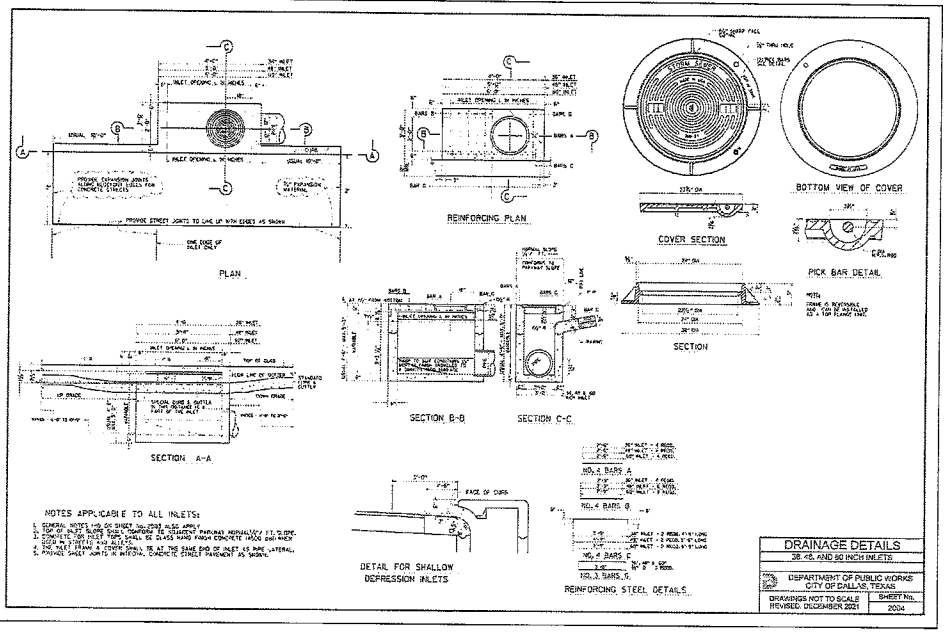
SHEET TITLE:

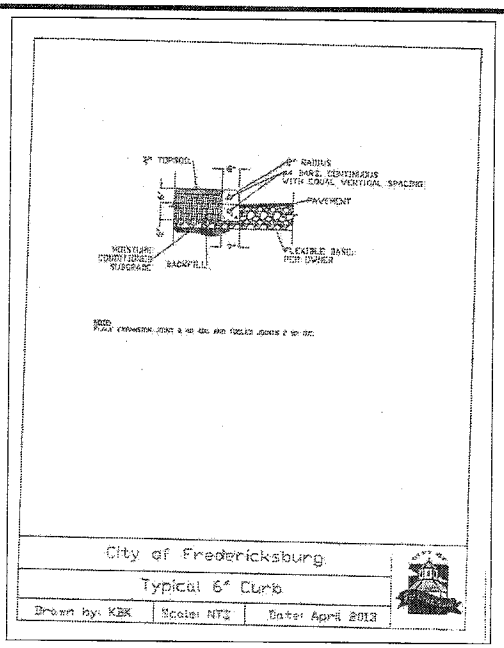
GRADING PLAN

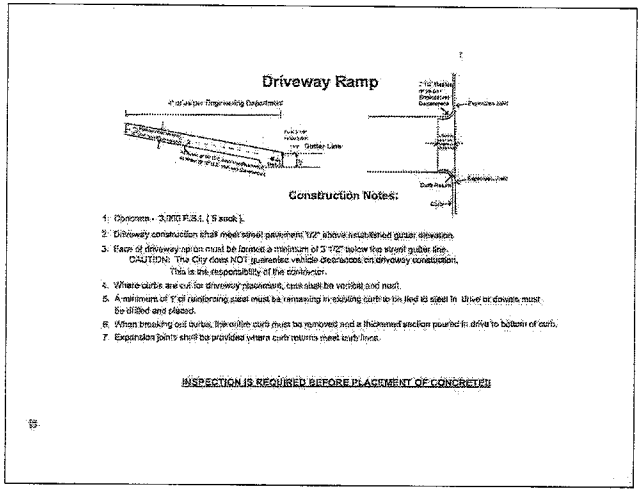
SHEET NUMBER

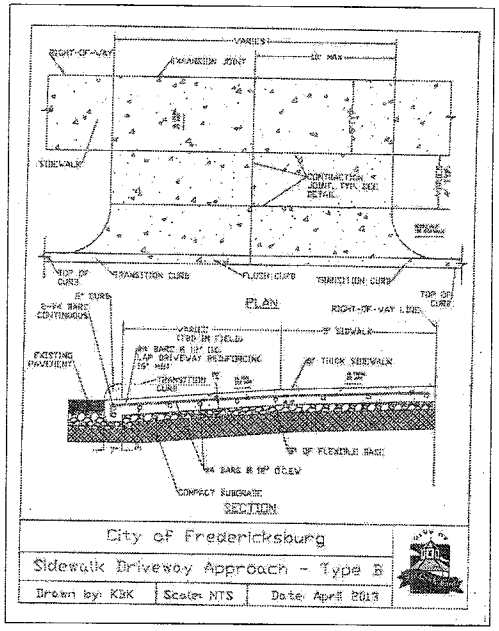
C-401

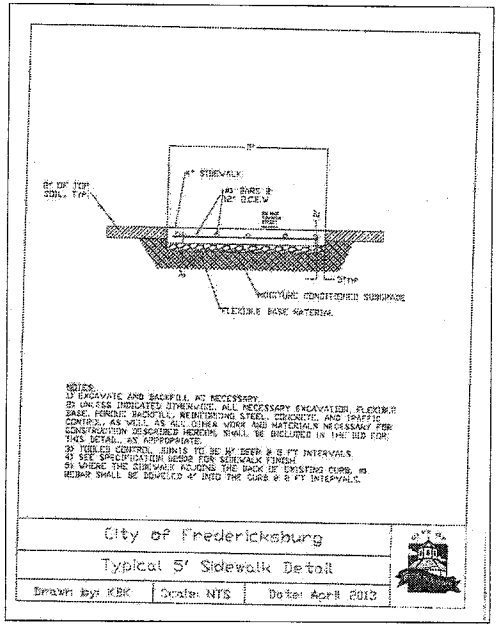
ORG. DATE - 5/08/2024











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REVISIONS

REV	DATE	COMMENT	PROJECT MILESTONE

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ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL

PROJECT No.: TXA220148.20
DRAWN BY: PC/PK
CHECKED BY: KJH
DATE: 5/6/2024
CAD I.D.:

PROJECT:

INFRASTRUCTURE PLANS

FOR

LIGHTTIDE DEVELOPMENT
535 BOYLSTON ST, 8TH FLOOR
BOSTON, MA 02116
978-466-8881

LOCATION OF SITE:
LOT 1AR-1, 503 FRIENDSHIP LANE, FREDERICKSBURG, TX, 78624
LOT 1AR-2, 511 FRIENDSHIP LANE FREDERICKSBURG TX, 78624
LOT 1AR-3, 507 FRIENDSHIP LANE FREDERICKSBURG TX, 78624

BOHLER
2000 NETWORK BLVD, SUITE 310
FRISCO, TX 75034
Phone: (469) 458-7300
TX@BohlerEng.com
TBPE No. 16065 | TBPLS No. 10194412

STATE OF TEXAS
MATHIAS HAUBERT
136306
LICENSED PROFESSIONAL ENGINEER
5/10/24

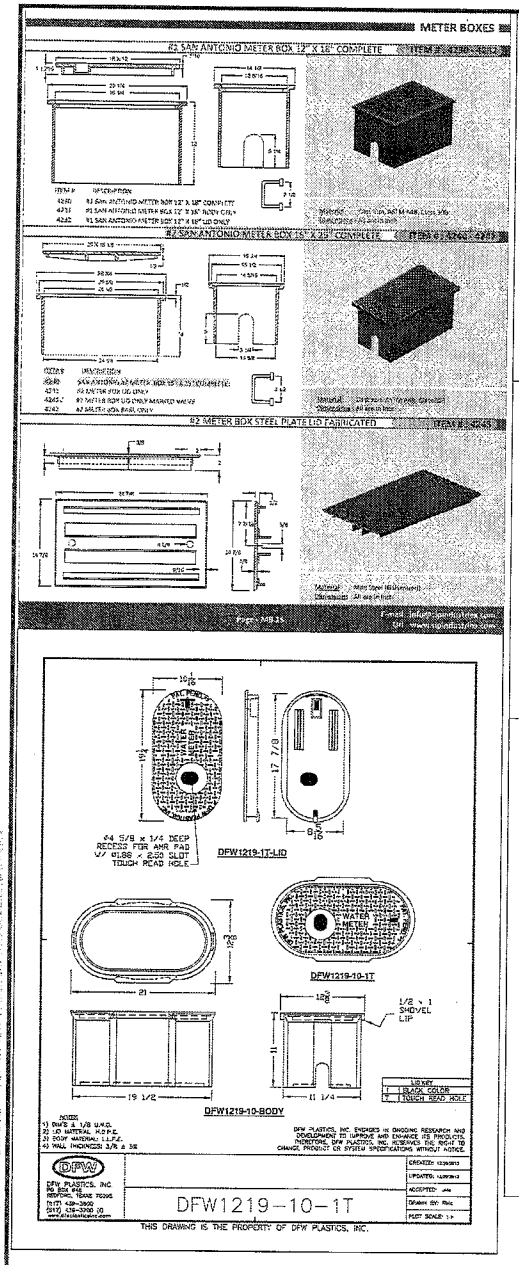
SHEET TITLE:

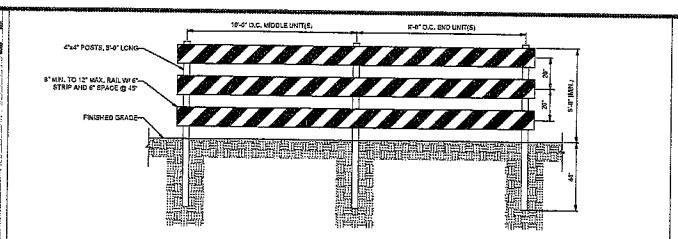
DETAIL SHEET

SHEET NUMBER:

C-901

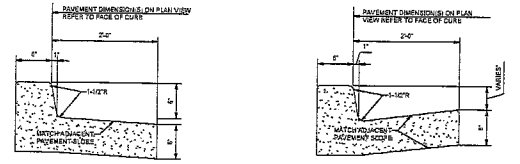
ORG. DATE - 5/06/2024





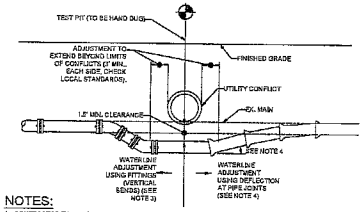
NOTES:
1) SEE PLAN VIEW FOR TRAFFIC BARRIER LOCATION(S).
2) POSTS AND PLANKS SHALL BE PRESSURE TREATED LUMBER.
3) PLANKS SHALL BE PAINTED COMPLETELY WHITE. POSTS SHALL BE PAINTED WHITE ON ALL SIDES TO WITHIN SIX INCHES (6 IN.) OF THE GROUND LEVEL.
4) GOOD QUALITY OIL BASE EXTERIOR GRADE PAINT MUST BE USED. SIX INCH (6 IN.) HIGH INTENSITY REFLECTIVE ORANGE AND WHITE STRIPE TAPE ON ONE SIDE FOR THE FULL LENGTH OF THE BARRICADE.
5) EACH PLANK SHALL BE SECURED TO EACH POST WITH (2) 2 IN. X 8-1 IN. CARRIAGE BOLTS OR WITH (2) #6 IN. X 6 IN. LAG SCREWS WITH WASHERS. BOLTS OR SCREWS ARE TO BE PLACED TWO INCHES (2 IN.) FROM EDGE OF PLANKS.
6) WHERE NECESSARY FOR SAFETY OF PEDESTRIAN TRAFFIC, A FULL EXTENSION OF THE BARRICADE MAY BE REQUIRED TO THE LIMITS OF THE RIGHT-OF-WAY.
7) WHERE PROVISION MUST BE MADE FOR ACCESS OF EQUIPMENT AND AUTHORIZED VEHICLES, LOCKABLE GATES MAY BE PROVIDED IN ONE SECTION OF THE BARRICADE.

TRAFFIC BARRICADE DETAIL
NOT TO SCALE



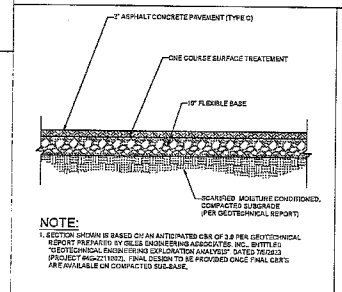
NOTES:
1. CONCRETE FOR CURBING SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3,000 P.S.I. @ 28 DAYS.
2. CONSTRUCTION STAKING FOR CURB INSTALLATION SHALL BE REFERENCED FLAT OR FILL TO THE TOP OF CURB.
3. AT CONTRACTOR'S OPTION, THE GUTTER THICKNESS MAY BE INCREASED AT THE EDGE OF PAVEMENT TO MAKE BOTTOM OF GUTTER CONTIGUOUS WITH BOTTOM OF ASPHALT PAVEMENT.
4. CONTRACTION JOINTS SHALL BE PLACED @ 10'-0" O.C. TOOLED 1/8" (±1/16") WIDE, 1" DEEP. EXPANSION JOINTS SHALL BE PLACED @ 40'-0" INTERVALS, MAXIMUM, AND ALL P.C.'S.
5. GUTTER PAN SLOPE TO BE ADJUSTED WITHIN ACCESSIBLE PARKING SPACES TO MATCH SLOPE BETWEEN SPOT ELEVATIONS.
6. GUTTER TYPE TO MATCH PAVEMENT SLOPE DIRECTION. CONTRACTOR TO FIELD ADJUST AS NECESSARY.

CURB & GUTTER DETAIL
NOT TO SCALE



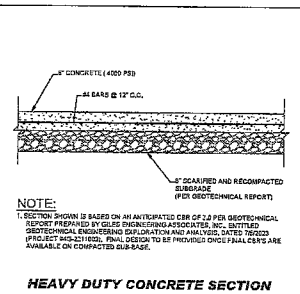
NOTES:
1. CONTRACTOR TO COORDINATE WATERLINE ADJUSTMENT WITH APPROPRIATE INSPECTOR, BASED UPON LOCAL JURISDICTIONAL REQUIREMENTS AND FIELD CONDITIONS.
2. CONTRACTOR TO HAND DIG TEST PIT AT ANTICIPATED CROSSING LOCATION TO DETERMINE EXISTING WATERLINE DEPTH, TOTAL WATERLINE DEFLECTION REQUIRED, AND BEST METHOD FOR WATERLINE ADJUSTMENT.
3. VERTICAL BENDS (INSTALLED PER LOCAL STANDARDS) AS REQUIRED.
4. PIPE DEFLECTION AT JOINTS (PER LOCAL STANDARDS)

WATERLINE ADJUSTMENT DETAIL
NOT TO SCALE



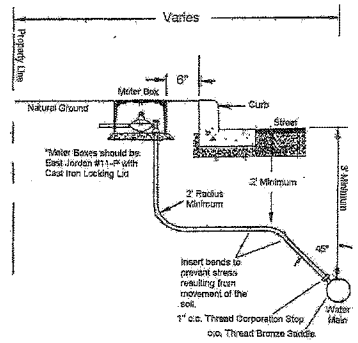
NOTE:
1. SECTION SHOWN IS BASED ON AN ANTICIPATED CBR OF 3.0 PER GEOTECHNICAL REPORT PREPARED BY GILES ENGINEERING ASSOCIATES, INC., ENTITLED "GEOTECHNICAL ENGINEERING EXPLORATION AND ANALYSIS, DATED 7/6/2023 (PROJECT 845-2211002). FINAL DESIGN TO BE PROVIDED ONCE FINAL CBR'S ARE AVAILABLE ON COMPACTED SUB-BASE.

ASPHALT PAVEMENT SECTION (TURN LANE)
NOT TO SCALE

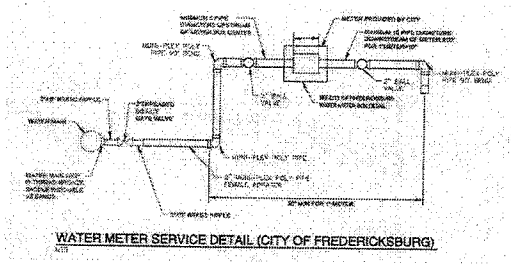


NOTE:
1. SECTION SHOWN IS BASED ON AN ANTICIPATED CBR OF 3.0 PER GEOTECHNICAL REPORT PREPARED BY GILES ENGINEERING ASSOCIATES, INC., ENTITLED "GEOTECHNICAL ENGINEERING EXPLORATION AND ANALYSIS, DATED 7/6/2023 (PROJECT 845-2211002). FINAL DESIGN TO BE PROVIDED ONCE FINAL CBR'S ARE AVAILABLE ON COMPACTED SUB-BASE.

HEAVY DUTY CONCRETE SECTION (FIRE LANE)
NOT TO SCALE



TYPICAL METER LOCATION DETAIL (FOR MAINS LOCATED IN THE STREET)



WATER METER SERVICE DETAIL (CITY OF FREDERICKSBURG)
NTS

BOHLER
SITE CIVIL AND CONSULTING ENGINEERING
LAND DEVELOPMENT
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SURVEYING SERVICES
PERMITTING SERVICES
TRANSPORTATION SERVICES

REVISIONS

REV	DATE	COMMENT	ISSUED TO

811 Know what's below. Call before you dig.
ALWAYS CALL 811
It's fast, it's free, it's the law.

ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL

PROJECT No.:	TXA220148.00
DRAWN BY:	PC/PK
CHECKED BY:	MJH
DATE:	5/06/2024
C&D FILE:	

PROJECT:
INFRASTRUCTURE PLANS
FOR
LEGACY DEVELOPMENT
539 BOYLSTON ST. 8TH FLOOR
BOSTON, MA 02116
978-486-6551

LOCATION OF SITE:
LOT 1AR-1: 503 FRIENDSHIP LANE, FREDERICKSBURG TX, 78624
LOT 1AR-2: 511 FRIENDSHIP LANE FREDERICKSBURG TX, 78624
LOT 1AR-3: 507 FRIENDSHIP LANE FREDERICKSBURG TX, 78624

BOHLER
2800 NETWORK BLVD, SUITE 310
FRISCO, TX 75034
Phone: (469) 458-7300
TX@BohlerEng.com
TBPE No. 74005 | TBPLS No. 10194412

STATE OF TEXAS
MATHIAS HALISEY
136306
LICENSED PROFESSIONAL ENGINEER
5/16/24

SHEET TITLE:
DETAIL SHEET

SHEET NUMBER:
C-902

ORG. DATE - 5/06/2024

EXHIBIT H

LOT 3 UTILITY SPECIFICATIONS

1. One (1) 2" water line and one (1) 8" water line, each stubbed to the locations shown on the Site Plan.
2. One (1) 8" sanitary sewer line stubbed to the location shown on the Site Plan.
3. One (1) natural gas sleeve, stubbed to the location shown on the Site Plan (gas utility company required to install the actual gas service line).
4. One (1) 24" storm drain line within the Protected Access Drive along the western boundary of Lot 2, reducing to 18" at the Lot 3 boundary and inlet stubbed to the location on Lot 3 shown on the Site Plan.
5. One (1) 21" storm drain line along the eastern boundary of Lot 2 and inlet stubbed to the location on Lot 3 shown on the Site Plan.
6. One (1) 4" conduit for fiber optic line stubbed to the location shown on the Site Plan (telecom utility provider to install lines).
7. One (1) 1" electric conduit for electric service between the Lot 2 Pylon Sign on Lot 2 stubbed to the location on Lot 3 shown on the Site Plan.

Note: Electricity for Lot 3 to be provided via existing 10' wide utility easement in the southeast corner of Lot 3 and shall not be included in Lot 3 Utility Facilities.