



City of Fredericksburg

City Council Regular Meeting Agenda
Tuesday, April 7, 2026 ~ 9:00 AM
New City Hall at East Campus
2818 E. U.S. Hwy. 290
Fredericksburg, Texas 78624

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

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

The City of Fredericksburg City Council will meet in a regular session on Tuesday, April 7, 2026, at 9:00 AM. The meeting will be live-streamed & available for re-watch on the City's website: fredericksburgtx.portal.civicclerk.com.

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

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

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

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

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

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

Attendance By Other Elected or Appointed Officials: It is anticipated that the Planning & Zoning Commission, Historic Review Board, and Zoning Board of Adjustment members may attend the City Council Meeting at the date and time above in numbers that may constitute a quorum. Notice is hereby given that at the City Council Meeting at the date and time above, no Board or Commission action will be taken by such in attendance unless such item and action are specifically provided on a separate agenda posted subject to the Texas Open Meeting Act.

1. **CALL TO ORDER - Mayor Jeryl Hoover.**
2. **INVOCATION - Christine Burdick, City of Fredericksburg Resident.**
3. **PLEDGES OF ALLEGIANCE - Mayor Jeryl Hoover will lead the Pledges.**
4. **CEREMONIAL MATTERS/EMPLOYEE RECOGNITION**
 - A. Recognition of Award to The City of Fredericksburg Electric Department Staff for "No Loss of Time" for 40 Years of no accidents from the Texas Electric Cooperatives. (Evan Williamson, Asst. Director of Public Works/Utilities)
 - B. Recognition of Brian Roeder & Christian Castruita for Building & Installing the new Dog Park Water Fountains. (Andrea Schmidt, Director of Parks & Recreation)
5. **COUNCIL COMMENTS**
6. **CONSENT**

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

 - A. Consider and approve the City Council Minutes for the Regular Meeting held March 17, 2026. (Leticia Vacek, City Secretary)
 - B. Consider and approve the release of 0.09 acres of unimproved right-of-way within The Settlement on Town Creek Subdivision. (Evan Williamson, Asst. Director of Public Works/Utilities)
 - C. Ratify the Convention & Visitors Board (CVB) Appointment of Nicole Whorton - Fischer & Wieser. (David Shields, CVB Chair)
7. **ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS**
 - A. **Request Z-2601:** Proposed text amendments regarding sexually oriented businesses, vape shops, game of skill parlors and tattoo studios. The proposed text amendments are for Section 2.100 (Definitions), Section 3.210 (C-2: Commercial), Section 3.320 (M-2: Medium Manufacturing) and Section 4.500 (General Description of Commercial Use Types). (Cliff Cross, Director of Development Services)
 - i Presentation by the Staff
 - ii Hold Public Hearing

iii Take Action- Approve Ordinance 2026-14 For Text Amendment

- B. **Request Z-2604:** Proposed text amendment regarding Multiple Family Residential Uses within the C-1 Neighborhood Commercial District. The proposed text amendments are for Section 3.200 (C-1: Neighborhood Commercial) district. (Cliff Cross, Director of Development Services)

i Presentation by the Staff

ii Hold Public Hearing

iii Take Action - Approve Ordinance 2026-15 For Text Amendment

- C. **Request Z-2605:** Request by Century 21, The Hills Realty to consider a Conditional Use Permit (CUP) per Section 3.510 to Establish and Operate a Standardized Business in the Historic Shopping District Overlay for the property commonly known as 408 W. Main Street. (Cliff Cross, Director of Development Services)

i Presentation by the Applicant

ii Presentation by the Staff

iii Hold Public Hearing

iv Take Action - Approve Ordinance 2026-16 For The CUP

- D. **Request Z-2606:** Request by April Laird / Frisky Kitty Cafe LLC to consider a Conditional Use Permit (CUP) per Section 3.200 to Establish and Operate a "Restaurant - Limited" use for the property commonly known as 1209 E. Main Street. (Cliff Cross, Director of Development Services)

i Presentation by the Applicant

ii Presentation by the Staff

iii Hold Public Hearing

iv Take Action- Approve Ordinance 2026-17 For The CUP

- E. **Request Z-2607:** Request by Kevin Spraggins with VEI Engineering to consider a Conditional Use Permit (CUP) per Section 3.210 to allow a "Drive Though or Drive-In Facilities" for the property commonly known as 720 S. Adams Street. (Cliff Cross, Director of Development Services)

i Presentation by the Applicant

ii Presentation by the Staff

iii Hold Public Hearing

iv Take Action - Approve Ordinance 2026-18 For The CUP

- F. Consider an Ordinance amending Chapter 26, "Sexually Oriented Businesses" of the City Code addressing Definitions, Licensing, Location and Operational Regulations. (Cliff Cross, Director of Development Services)

i Presentation by the Staff

ii Take Action - Approve Ordinance 2026-19 For The Amendment.

- G. Consideration and Action Regarding Request P-2425, A Development Plat for 405 Goehmann Lane, by Lantana Owner, LLC, including discussion and possible action on the Frederick Road Alignment Evaluation Study. (Kris Kneese, Director of Public Works/Utilities / Cliff Cross, Director of Development Services)

i Presentation by City staff

ii Presentation by Traffic Consultant - Kelly Rees, P.E. - Kimley Horn

iii Presentation by Developer

iv Hold Public Hearing

v Take Action on Development Plat, including possible action on Frederick Rd. alignment

- H. Consider adoption of Ordinance 2026-20 Amending Section 6.11 "Sidewalks," of Section 6, "Subdivision Design Standards," of Chapter 38, "Subdivision Regulations," of the City of Fredericksburg Code of Ordinances. (Evan Williamson, Asst. Director of Public Works/Utilities)

8. OTHER ACTION ITEMS AND UPDATES

- A. Consider and approve an amendment to LCRA Wholesale Power Supply Agreement. (Kris Kneese, Director of Public Works/Utilities)
- B. Consider and approve a Request for Street Closure on Austin Street on May 6, 2026 coinciding with Restaurant Week. (Evan Williamson, Asst. Director of Public Works/Utilities)

9. CITY MANAGER'S REPORT

- A. Fredericksburg Independent School District (FISD) Bond Proposition Update (Matt Seidenberger, FISD Board President & Ann Dixon, FISD Interim Superintendent)
- B. Fredericksburg Chamber of Commerce Quarterly Update. (Jim Mikula, Chamber President/CEO)

10. ITEMS FOR FUTURE AGENDA

- A. City Manager Bailey will review the Future Agenda Items/Meetings List with the City Council.

11. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to the Texas Government Code.

- A. Discussion and possible action regarding an amendment to the LCRA Wholesale Power Supply Agreement — Texas Government Code Section 551.071.
- B. Legal Matters Update - Texas Government Code Section 551.071 (Mick McKamie - City Attorney)

12. ADJOURN

CERTIFICATION

This is to certify that I, Leticia Vacek, posted this Agenda at 3:15 PM on March 31, 2026 on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.

Leticia Vacek

Leticia Vacek, TRMC/CMC/MMC
City Secretary



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: April 7, 2026

CATEGORY: CEREMONIAL
MATTERS/EMPLOYEE RECOGNITION

CAPTION: Recognition of Award to The City of Fredericksburg Electric Department Staff for "No Loss of Time" for 40 Years of no accidents from the Texas Electric Cooperatives. (Evan Williamson, Asst. Director of Public Works/Utilities)

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

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

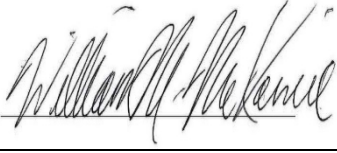
ATTACHMENTS:

None

APPROVAL/REVIEW:

Leticia Vacek, City Secretary

Date: March 27, 2026



William McKamie, City Attorney

Date: March 27, 2026



Leticia Vacek, City Secretary

Date: March 30, 2026



Clinton Bailey, City Manager

Date: March 31, 2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: April 7, 2026

CATEGORY: CEREMONIAL
MATTERS/EMPLOYEE RECOGNITION

CAPTION: Recognition of Brian Roeder & Christian Castruita for Building & Installing the new Dog Park Water Fountains. (Andrea Schmidt, Director of Parks & Recreation)

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
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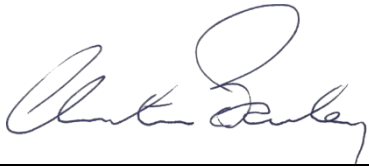
ATTACHMENTS:

None

APPROVAL/REVIEW:

Leticia Vacek, City Secretary

Date: March 30, 2026

A handwritten signature in blue ink, appearing to read "Clinton Bailey". The signature is fluid and cursive, with a large loop at the end.

Clinton Bailey, City Manager

Date: March 31, 2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM:

MEETING DATE: April 7, 2026

CATEGORY: CONSENT

CAPTION: Consider and approve the City Council Minutes for the Regular Meeting held March 17, 2026. (Leticia Vacek, City Secretary)

SUMMARY:

Minutes are the official record of the City Council's action and are considered a permanent record of the city. The minutes of the previous meeting are typically submitted at the following Regular Meeting for consideration and approval by Council.

BACKGROUND:

In accordance with Robert's Rules of Order; the minutes are presented for approval.

FUNDING SOURCE: n/a

FINANCIAL IMPACT:

n/a

STAFF RECOMMENDATION:

City Secretary Vacek recommends approval.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality

Workforce

Tourism

City Center

Mobility

Small Town Sensitive Growth

Governance

ATTACHMENTS:

1. Regular City Council Meeting Minutes March 17, 2026 Final1

APPROVAL/REVIEW:



Leticia Vacek, City Secretary

Date: March 30, 2026



William McKamie, City Attorney

Date: March 30, 2026



Clinton Bailey, City Manager

Date: March 31, 2026



City of Fredericksburg

City Council Regular Meeting Minutes
Tuesday, March 17, 2026 ~ 9:00 AM
New City Hall at East Campus
2818 E. U.S. Hwy. 290
Fredericksburg, Texas 78624

City Council:

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

City Staff:

Clinton Bailey, City Manager
Garret Bonn, Asst. City Manager
Leticia Vacek, City Secretary
Mick McKamie, City Attorney
Cliff Cross, Director, Development Services
Kris Kneese, Director, Public Works/Utilities
Krista Wareham, Director, Finance
Brian Vorauer, Police Chief
Lynn Bizzell, Chief Fire/EMS
Andrea Schmidt, Director, Parks/Recreation
Sean Doerre, Public Information Officer
Aaron Anderegg, Director, IT
Maria Garcia, Asst. City Attorney
Laurie Cassidy, Deputy City Secretary
Tyler Hooper, Asst. Director, Finance
Brandon Gold, Asst. Director, IT
Cody Oris, IT Specialist
Alyssa Rivera, PD Outreach Specialist

1. CALL TO ORDER

Mayor Hoover called the meeting to order and noted a quorum was present.

2. INVOCATION

Pastor Samuel Bell with The Church of the Ascension delivered the invocation.

3. PLEDGES OF ALLEGIANCE

Mayor Hoover led the Pledges.

4. CEREMONIAL RECOGNITIONS

- A. Jason Runwen from the National Weather Service presented the City of Fredericksburg with the "StormReady" Designation. Mayor Hoover and Emergency Management Coordinator, Ashley Morris accepted the "StormReady" Designation. The Council thanked Mr. Runwen.
- B. Fredericksburg Nimitz Rotary Members were recognized for their donation of AEDs to the Police Department.

Jimmy Culp introduced the members of the Nimitz Rotary who were present and made mention of the generous donation by the 100 Club and the Create Healthy grant. Together, all funds assisted with the purchase of the AEDs provided to the Fredericksburg Police Department.

5. COUNCIL COMMENTS

Councilmember Eidson wished everyone a Happy St. Patrick's Day. He reported that the CVB Search Committee has extended an offer to a potential candidate for the position of CVB/CEO. He added he was not at liberty to announce the individual at this time.

Councilmember Klein shared that he attended the Commissioners Court meeting last Tuesday. He reported that two groups are being formed related to the BESS, (Harper and Marshall Springs). He added that the Market Square Redevelopment Commission will meet tomorrow at 9:00 a.m.

Mayor Pro-Tem Kirchner stated that she attended the Chamber Gala and recognized the Chamber Man of the Year, Bobby Watson and Public Servant of the Year, Tom Musselman and noted the Chamber Gala was a success. She also reported attending Coffee with the City Manager on March 11th and stated that speaker Scott Fair did a great job.

Councilmember Watson reported that he attended the Chamber Gala and on March 9th he attended the Parks Foundation Meeting. He also announced that the Airport Board Meeting would be held this week.

6. CONSENT

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

- A. Consider approval of City Council Minutes for the Regular Meeting of March 3, 2026. (Leticia Vacek, City Secretary)

Councilmember Klein moved to approve Consent Agenda Item 6A as presented. Mayor Pro-Tem Kirchner seconded the motion. The motion carried unanimously.

7. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

- A. Ordinance 2026-11 related to Atmos Mid TexRate Review Mechanism Tariff. (Kris Kneese, Director of Public Works/Utilities)

Kris Kneese reported that in July 2025, the Council passed Resolution 2025-06 approving the City into the Atmos Steering Committee. He added this Committee evaluates the rates annually and makes recommendations for cities of our size throughout Texas. The Council received notice of a substantial rate increase a month ago. As part of paying the annual member fee, the City is will be exempted from this rate increase per Ordinance 2026-11.

Councilmember Eidson moved to approve Ordinance 2026-11. Councilmember Klein seconded the motion. The motion carried unanimously.

B. Request Z-2603: By Clayton Walvoord, Rebecca Rather & Brad Oehler to Consider the Following: (Cliff Cross, Director of Development Services)

A. A Zoning Change from Single-Family Residential (R1) to Central Business District (CBD) for Properties Located at 408, 412 & 414 East Austin Street. *The Planning & Zoning Commission recommended Denial with a vote of 9-0.*

i Presentation by the Applicant

ii Presentation by the Staff

iii Hold Public Hearing

iv Take Action - Approve Ordinance 2026-12 for the Zoning Change

Brad Oehler, property owner presented his zoning request to move from R1 Residential to C1 Neighborhood Commercial to better reflect the reality of how the block currently functions.

Cliff Cross clarified that the applicant originally requested rezoning from R1 Residential to CBD Central Business District. During the Planning & Zoning Commission's review of the request the C1 zoning option was discussed. The Planning and Zoning Commission ultimately recommended denial of the rezoning based upon concerns of spot zoning and neighborhood compatibility.

Mayor Hoover declared the Public Hearing open and called upon the individuals registered to speak.

Mike Mahoney expressed his opposition to this zoning change request. He noted the request was not noticed for a change to C1 Commercial and indicated that a C1 zone consideration should go back to the Planning & Zoning Commission.

Ron Woellhof spoke in opposition to the rezoning request. He asked that a stop into the residential encroachment be considered.

Mayor Hoover declared the Public Hearing closed.

Mayor Pro-Tem Kirchner asked what has changed since the purchase of the property. Brad Oehler replied that they are looking to evolve to the next best use of the property, such as a boutique, salon, law firm, or architectural firm. He also noted that the city has grown around their residence.

Councilmember Klein moved to deny the request per the Planning & Zoning Commission recommendation. Councilmember Watson seconded the motion. The motion carried unanimously.

- C. Consideration and approval of Ordinance 2026-13 amending Appendix A, Article 5.000 and Article 5.500 of the Municipal Code related to the construction permit and application of Fee Schedule. (Cliff Cross, Director of Development Services)

Cliff Cross recommended proposed text amendments as well as changes to the fee schedule related to Building Permits. He mentioned some of the changes relate to permit fees to keep pace with neighboring communities. He mentioned the sign permit fees as well as the Electrical, Mechanical, and Plumbing Permits. He referenced the addition of Section 5.425 for Engineering/Public Works and Development Services reviews and related Inspection Fees. All fees will be added to the MGO platform which includes Historic Review, Zoning Application Fees as well as for CUPs, and Vesting Determinations as they take significant resources.

Mayor Pro-Tem Kirchner moved to approve Ordinance 2026-13. Councilmember Eidson seconded the motion. The motion carried unanimously.

- D. Consider adoption of a 2026 Ordinance previously tabled as Ordinance 2025-54 to approve new fees for Leaf and Brush Collection services. (Kris Kneese, Director of Public Works/Utilities)

Councilmember Eidson moved to remove said item from the table. Mayor Pro-Tem Kirchner seconded the motion. The motion carried unanimously.

Kris Kneese reported that Council asked staff to review same and noted the proposed costs to move forward. Mayor Hoover stated that the cost for this service will continue to grow.

Mayor Hoover called upon citizens registered to speak.

The following individuals spoke against the Leaf and Brush Collection services. Randy Briley, Angela Brinlee, Mike Mahoney, Stefan Misauuo, Mo Saidi, and Charlie Kiehne.

Councilmember Klein stated that he disagreed with the fee. Mayor Pro-Tem Kirchner stated when this item was discussed last, it was mentioned to look at the services we provide for non-city residents and that we cover our costs for various services and to focus on our transfer station. She suggested looking into outsourcing and/or review fees as part of the budget process. Councilmember Eidson mentioned the need to apply the cost to the budget. Councilmember Watson stated that everyone benefits due to the manner our town looks and noted that a review of all fees was in order.

Councilmember Klein moved to deny said item. Motion died due to the lack of a second.

Councilmember Eidson moved to table said item to the first budget discussion June 2026. Mayor Pro-Tem Kirchner seconded the motion. The motion carried 3-2 with Mayor Hoover and Councilmember Klein opposed.

- E. **Request Z-2601:** Proposed text amendments regarding sexually oriented businesses, vape shops, game of skill parlors and tattoo studios. The proposed text amendments are for Section 2.100 (Definitions), Section 3.210 (C-2: Commercial), Section 3.320 (M-2: Medium Manufacturing), and Section 4.500 (General Description of Commercial Use Types). **This item was tabled at the Planning & Zoning Commission March 4th meeting. It will be re-noticed for the Planning & Zoning Commission meeting of April 1st and City Council meeting of April 7th.**

Mayor Hoover announced that no action would be taken on this item as it is being re-noticed to the April 7th City Council Meeting.

Mayor Hoover recognized George Studor and he shared that the Ordinance outlining locations for Sexually Oriented Businesses, Vape Shops, etc. is detrimental to our community.

8. OTHER ACTION ITEMS AND UPDATES

- A. Consider and take action on appeal of Director of Development Services denial of a STR-Unoccupied permit for Acre Project LLC (Dane Leach) at 804 Henrietta Street. (Cliff Cross, Director of Development Services)

Cliff Cross presented said item and spoke of appeal process for its denial and reissuance of permit for transfer of ownership at 804 Henrietta Street.

Dane Leach addressed the Council and shared that the property was conveyed to a trust, but the transfer of property ownership was not completed. He stated he and his wife would like to move forward with the generational transfer to eventually move to Fredericksburg. In the interim, he added that they have enjoyed sharing their home (STR) with others.

Mayor Pro-Tem Kirchner asked Mr. Leach about the home at 804 Henrietta being listed for sale multiple times, including currently.

Councilmember Eidson moved to deny the appeal for the STR-Unoccupied permit at 804 Henrietta Street. Councilmember Klein seconded the motion. The motion carried unanimously.

- B. Consider Contract Renewal for JM Pipeline LLC in the amount not to exceed \$500,000.00. (Kris Kneese, Director of PW and Utilities)

Kris Kneese presented the renewal of the contract with JM Pipeline LLC in the amount not to exceed \$500,000 for water and sewer mains replacement.

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

- C. Accept Historic Review Board Member Resignation from Cyd Donnell. (Leticia Vacek, City Secretary)

Mayor Hoover stated that said item provides for the acceptance of the resignation from Cyd Donnell from the Historic Review Board.

Mayor Pro-Tem Kirchner moved to accept the resignation from Cyd Donnell. Councilmember Klein seconded the motion. The motion carried unanimously.

9. ITEMS FOR FUTURE AGENDA

- A. City Manager Bailey reviewed the Future Agenda Items List with the City Council and highlighted the Chamber's Leaders' Breakfast on March 25th with Cliff Cross as the Guest Speaker. He also made mention of the Touch-A-Truck Event on March 26th and the Joint Meeting with the Historic Review Board on April 21st in lieu of a Regular Council Meeting.

Lastly, he noted the May 11th Special Meeting to Canvass the City's General Election and on May 19th as the First Regular Meeting of the Elected Council. It was asked by Mayor Pro-Tem Kirchner if the Strategic Plan would be ready by April. City Manager Bailey replied that the plan is to schedule a Strategic Planning Meeting in June/July timeframe to obtain input from the newly elected Council.

10. ADJOURN

There being no further discussion, Mayor Hoover adjourned the meeting at 10:25 am.

Jeryl Hoover, Mayor

Attest:

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



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Public Works and Utilities

TO: Mayor & City Council Members

FROM: Evan Williamson, Assistant Director of
Public Works & Utilities

MEETING DATE: April 7, 2026

CATEGORY: CONSENT

CAPTION: Consider and approve the release of 0.09 acres of unimproved right-of-way within The Settlement on Town Creek Subdivision. (Evan Williamson, Asst. Director of Public Works/Utilities)

SUMMARY:

The applicants are requesting the release of 0.09 acres of unimproved right of way dedicated to the City of Fredericksburg for future road expansion. The right of way is located at the end of Settlement Drive in the Settlement on Town Creek Subdivision. This dedication was not a requirement of the City for the subdivision. It is currently unimproved and the City has no plans to construct a road at this location. The right of way can be released without impact on this subdivision or future development. A 20-foot wide utility easement should be retained along the centerline for extension to the undeveloped property.

BACKGROUND:

The Settlement on Town Creek subdivision was recorded in 2004. 0.09 acres was dedicated to the City for future road construction between Lot 11 and Lot 12. At the time, the developer of the subdivision was evaluating developing the neighboring property to the north. The right of way was dedicated for a future connection to the potential new development to the north. The developer did not proceed and the right of way was not used. Water and sewer mains were stubbed to the north. A 20-foot utility easement should be retained to loop the water main and provide a sewer connection at the lower elevation of the undeveloped tract.

FUNDING SOURCE: NA

FINANCIAL IMPACT:

NA

STAFF RECOMMENDATION:

Staff recommends approval of the release contingent upon replatting the lots and retaining a utility easement for water and sewer.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Governance

ATTACHMENTS:

1. ROW Release Application

APPROVAL/REVIEW:



Kris Kneese, Director of Public Works, Utilities, and Engineer

Date: March 30, 2026



Garret Bonn, Assistant City Manager

Date: March 31, 2026



William McKamie, City Attorney

Date: March 31, 2026



Leticia Vacek, City Secretary

Date: March 31, 2026



Clinton Bailey, City Manager

Date: March 31, 2026

Request for EIN Verification Letter (147C)

Date: 03/25/2026

To:

X Internal Revenue Service
333 West Pershing Rd.
Mail Stop 6055 S-2
Kansas City, MO 64108

 Internal Revenue Service
Stop 6273
Ogden, UT 84201

Re: EIN Verification Letter (147C) for the following business:

Business Name: City of Fredericksburg, Texas

EIN: 74-6000874

Please send an EIN Verification Letter (147C) to this address:

Cliff Cross, Director of Development Services

126 West Main Street

Fredericksburg, Texas 78624

Please let me know if you have any questions, or need anything else. Thank you!



(signature)

Name: Cliff Cross

Title: Director of Development Services

Phone: 830-990-2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: April 7, 2026

CATEGORY: CONSENT

CAPTION: Ratify the Convention & Visitors Board (CVB) Appointment of Nicole Whorton - Fischer & Wieser. (David Shields, CVB Chair)

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

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

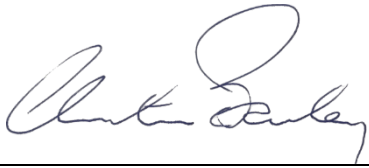
ATTACHMENTS:

None

APPROVAL/REVIEW:

Leticia Vacek, City Secretary

Date: March 30, 2026

A handwritten signature in blue ink, appearing to read "Clinton Bailey". The signature is fluid and cursive, with a large loop at the end.

Clinton Bailey, City Manager

Date: March 31, 2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services

TO: Mayor & City Council Members

FROM: Cliff Cross, Director of Development Services

MEETING DATE: April 7, 2026

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: **Request Z-2601:** Proposed text amendments regarding sexually oriented businesses, vape shops, game of skill parlors and tattoo studios. The proposed text amendments are for Section 2.100 (Definitions), Section 3.210 (C-2: Commercial), Section 3.320 (M-2: Medium Manufacturing) and Section 4.500 (General Description of Commercial Use Types). (Cliff Cross, Director of Development Services)

i Presentation by the Staff

ii Hold Public Hearing

iii Take Action- Approve Ordinance 2026-14 For Text Amendment

SUMMARY:

Staff is proposing text amendments related to the definitions for and the establishment of Sexually Oriented Businesses, Vape Shops, Game of Skill Parlors and Tattoo Studios within identified zoning districts in the City. The proposed amendments pertain to Section 2.100 (Definitions), Section 3.210 (C-2: Commercial), Section 3.320 (M-2: Medium Manufacturing) and Section 4.500 (General Description of Commercial Use Types) and are intended to define the specific uses and identify permitted underlying zoning districts and supplementary regulations.

BACKGROUND: *The proposed amendments are identified within the following sections of the proposed ordinance.*

Section 2 of Proposed Ordinance

Section 2.100, "Definitions," of the Zoning Ordinance is amended by adding the following definitions to be listed alphabetically and to read follows:

"CBD"

Cannabidiol in the form of a consumable hemp product, as that term is defined in Section 443.001 of the Texas Health and Safety Code, that may be lawfully sold in accordance with state and federal laws.

E-CIGARETTE

The term as defined in Tex. Health & Safety Code §161.081(1-a).

GAME OF SKILL PARLOR

An establishment primarily engaged in providing entertainment regarding devices and other activities in which players could earn credits above and beyond those played based on skill and chance plays no part in the award of a prize.

SEXUALLY ORIENTED BUSINESS

An adult arcade, adult bookstore, adult video store, adult cabaret, adult motel, or adult motion picture theater, as those terms are defined in Chapter 26 “Sexually Oriented Businesses” of the Code of Ordinances for the City of Fredericksburg, Texas.

SMOKE/TOBACCO/CBD/CED STORE

Any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, tobacco paraphernalia, or CBD/CED or hemp-derived products, except:

- (1) a pharmacy selling FDA approved cannabis and cannabis-derived products; and
- (2) any grocery store, supermarket, convenience store or similar retail use that sells conventional cigars, cigarettes, tobacco, or CBD/CED or hemp-derived products as an ancillary sale, meaning the store uses for the display, sale, distribution, delivery, offering, furnishing, or marketing of conventional cigars, cigarettes, tobacco or CBD/CED or hemp product, (i) no more than two percent (2%) or two-hundred (200) square feet of its gross floor area (whichever is less), or (ii) for a retail store consisting of two-hundred and fifty (250) square feet or less, no more than five (5) square feet.

TATTOO STUDIO

Establishments engaged in producing indelible marks or figures on the human body through tattooing, permanent cosmetics or scarification or inserting pigments under the skin using needles, scalpels or other related equipment and licensed by the Texas Department of Licensing and Regulation (TDLR). This also includes establishments creating an opening in a person’s body, other than the earlobe, to insert jewelry or another decoration or implants.

TOBACCO

Any preparation of the nicotine-rich leaves of the tobacco plant, which are cured by a process of drying and fermentation for use in smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body.

TOBACCO PARAPHERNALIA

Any paraphernalia, equipment, device, or instrument that is primarily designed or manufactured for smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body of tobacco, tobacco products, or other controlled substances as defined in the Tex. Health and Safety Code. Items or devices classified as tobacco paraphernalia include but are not limited to the following: pipes, punctured metal bowls, bong, water bong, electric pipes, ecigarettes, e-cigarette juice, buzz bombs, vaporizers, hookahs, and devices for holding burning material. Lighters and matches shall be excluded from the definition of tobacco paraphernalia.

TOBACCO PRODUCT

Any product in leaf, flake, plug, liquid, or any other form, containing nicotine derived from the tobacco plant, or otherwise derived, which is intended to enable human consumption of the tobacco or nicotine in the product, whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. For the purposes of this chapter, the term "tobacco product" excludes any product that has been specifically approved by the United States Food and Drug Administration (FDA) for sale as a tobacco/smoking cessation product or for other medical purposes, where such product is marketed and sold solely for such an approved purpose.

VAPE SHOP

Establishments primarily engaged in providing services and defined as a "Smoke/Tobacco/CBD/CED Store" or "Vapor Smoking Services" establishment per the City of Fredericksburg, Texas Zoning Ordinance.

VAPOR SMOKING SERVICES

A retail use that provides vapor smoking services onsite.

Section 3 of Proposed Ordinance

Section 3.210, "C-2: Commercial", of the Zoning Ordinance is revised by adding "Vape Shop", "Game of Skill Parlor" and "Tattoo Studio" to the Uses Permitted Subject to Conditional Use Permit chart, to be inserted alphabetically.

Section 4 of Proposed Ordinance

Section 4.500, "General Description of Commercial Use Types," of the Zoning Ordinance is revised by adding "VAPE SHOP," "GAME OF SKILL PARLOR" and "TATTOO STUDIO" to be inserted alphabetically and to read as follows:

VAPE SHOP

A Vape Shop shall require a conditional use permit. Standards to operate a Vape Shop shall be as follows:

1. Vape Shops shall not be located within five hundred (500) feet, measured property line to property line, from a school (public or private), family day care home, child care facility, youth center, community center, recreational facility, park, church, religious institution, hospital, or other similar uses where children regularly gather.
2. Vape Shops shall not be located within one-thousand five hundred (1500) feet, measured property line to property line, from another Vape Shop.
3. Vape Shops that are legally existing on the effective date of the enacting ordinance codified in this section may continue to operate as nonconforming uses and shall not be required to obtain a conditional use permit. However, any change or expansion of the nonconforming use shall require compliance with this section and a conditional use permit.

GAME OF SKILL PARLOR

A Game of Skill Parlor shall require a conditional use permit. Standards to operate a Game of Skill Parlor shall be as follows:

1. Game of Skill Parlors shall not be located within five hundred (500) feet, measured property line to property line, from a school (public or private), family day care home, child care facility, youth center, community center, recreational facility, park, church, religious institution, hospital, or other similar uses where children regularly gather.
2. Game of Skill Parlors shall not be located within one-thousand five hundred (1500 feet, measured property line to property line, from another Game of Skill Parlor.
3. Game of Skill Parlors that are legally existing on the effective date of the enacting ordinance codified in this section may continue to operate as nonconforming uses and shall not be required to obtain a conditional use permit. However, any change or expansion of the nonconforming use shall require compliance with this section and a conditional use permit.

TATTOO STUDIO

A Tattoo Studio shall require a conditional use permit. Standards to operate a Tattoo Studio shall be as follows:

1. Tattoo Studios shall not be located within five hundred (500) feet, measured property line to property line, from a school (public or private), family day care home, child care facility, youth center, community center, recreational facility, park, church, religious institution, hospital, or other similar uses where children regularly gather.
2. Tattoo Studios shall not be located within one thousand five hundred (1500 feet, measured property line to property line, from another Tattoo Studio.
3. Tattoo Studios that are legally existing on the effective date of the enacting ordinance codified in this section may continue to operate as nonconforming uses and shall not be required to obtain a conditional use permit. However, any change or expansion of the nonconforming use shall require compliance with this section and a conditional use permit.

Section 5 of Proposed Ordinance

Section 3.320, "M-2: Medium Manufacturing", of the Zoning Ordinance is revised by adding "Sexually Oriented Business" to the Uses Permitted Subject to Conditional Use Permit chart, to be inserted alphabetically.

Section 6 of Proposed Ordinance

Section 4.500, "General Description of Commercial Use Types," of the Zoning Ordinance is revised by adding "SEXUALLY ORIENTED BUSINESS" to be inserted alphabetically and to read as follows:

SEXUALLY ORIENTED BUSINESS

A Sexually Oriented Business shall require a conditional use permit. Standards to establish a Sexually Oriented Business shall be as follows:

1. Sexually Oriented Businesses location restrictions shall be subject to the restrictions identified within Chapter 26, Section 26-7 "Location Restrictions, Minimum Distance Requirements" of the City of Fredericksburg, Texas Code of Ordinances.
2. Sexually Oriented Businesses that are legally existing on the effective date of the enacting ordinance codified in this section may continue to operate as nonconforming uses and shall not be required to obtain a conditional use permit. However, any change or expansion of the nonconforming use shall require compliance with this section and a conditional use permit.

FUNDING SOURCE: NA

FINANCIAL IMPACT:
NA

STAFF RECOMMENDATION:

Staff intends to provide the recommendation of the Planning and Zoning Commission during the meeting.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Governance

ATTACHMENTS:

1. Ordinance 2026-14 SOB, Vape, Tattoo With Legal Updates Final

APPROVAL/REVIEW:



Cliff Cross, Director of Development Services

Date: March 30, 2026



Garret Bonn, Assistant City Manager

Date: March 30, 2026



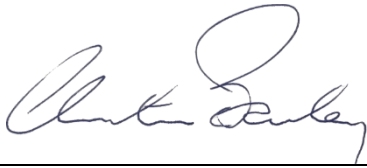
William McKamie, City Attorney

Date: March 30, 2026



Leticia Vacek, City Secretary

Date: March 30, 2026



Clinton Bailey, City Manager

Date: March 31, 2026

ORDINANCE NO. 2 0 2 6 - 14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING APPENDIX B, "ZONING ORDINANCE," OF THE FREDERICKSBURG MUNICIPAL CODE BY AMENDING SECTION 2.100 (DEFINITIONS), SECTION 3.210 (C-2: COMMERCIAL), SECTION 3.320 (M-2: MEDIUM MANUFACTURING) AND SECTION 4.500 (GENERAL DESCRIPTION OF COMMERCIAL USE TYPES); TO AMEND THE DEFINITION AND GENERAL DESCRIPTION OF COMMERCIAL USE TYPES FOR SEXUALLY ORIENTED BUSINESSES, VAPE SHOPS, GAME OF SKILL PARLORS AND TATTOO STUDIOS AND TO FURTHER AMEND THE PERMITTED AND CONDITIONAL USES FOR THEIR ESTABLISHMENT WITHIN THE C-2: COMMERCIAL AND M-2 MEDIUM MANUFACTURING DISTRICTS IN THE CITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City previously adopted the Zoning Ordinance, as codified in Appendix B of the Fredericksburg Municipal Code (the "Code"), (the "Zoning Ordinance"), which regulates and restricts the location and use of buildings, structures, and land for trade; industry; residence; and other purposes, and provides for the establishment of zoning districts of such number, shape, and area as may be best suited to carry out these regulations; and

WHEREAS, an application for a text amendment of the Zoning Ordinance, related to the definition of and establishment of Sexually Oriented Businesses, Vape Shops, Game of Skill Parlors and Tattoo Studios within identified zoning districts in the City, has been initiated by motion of the Planning and Zoning Commission; and

WHEREAS, the City Council desires to amend the Zoning Ordinance to provide regulations for Sexually Oriented Businesses, Vape Sops, Game of Skill Parlors and Tattoo Studios; and

WHEREAS, the regulation of Sexually Oriented Businesses, Vape Shops, Game of Skill Parlors and Tattoo Studios is necessary and in the interests of the public health, safety, and general welfare because there is a substantial likelihood of the establishment and operation of Sexually Oriented Businesses, Vape Shops and Tattoo Studios in the City; and

WHEREAS, the expansion of these businesses in the City could result in undesirable impacts to the community, including a negative impact on the health and wellbeing of the City's youth; and

WHEREAS, this Ordinance contains regulations consistent with good zoning and planning practices to address such negative impacts of Sexually Oriented Businesses, Vape Shops, Game of Skill Parlors and Tattoo Studios while providing a reasonable number of locations and zones for such businesses to locate within the City; and

WHEREAS, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at those public hearings and all other relevant information and materials, the Planning and Zoning Commission of the City has recommended to the City Council the adoption of the amendment to the Zoning Ordinance as set forth in this Ordinance; and

WHEREAS, after complying with all legal notices, requirements, and conditions, a public hearing was held before the City Council at which the City Council considered the recommendation of the Planning and Zoning Commission, and among other things, the necessity for orderly and appropriate regulations of the use of land and the erection of structures thereon, and having considered the proposed amendment to the Zoning Ordinance and the appropriateness of the amendment, the City Council does hereby find that the amendment to the Zoning Ordinance approved hereby accomplishes such objectives.

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

SECTION 1.

All the above premises are true and correct of the City Council, and they are hereby approved, ratified, and incorporated herein this Ordinance.

SECTION 2.

Section 2.100, "Definitions," of the Zoning Ordinance is amended by adding the following definitions to be listed alphabetically and to read follows:

"CBD"

Cannabidiol in the form of a consumable hemp product, as that term is defined in Section 443.001 of the Texas Health and Safety Code, that may be lawfully sold in accordance with state and federal laws.

E-CIGARETTE

The term as defined in Tex. Health & Safety Code §161.081(1-a).

GAME OF SKILL PARLOR

An establishment primarily engaged in providing entertainment regarding devices and other activities in which players could earn credits above and beyond those played based on skill and chance plays no part in the award of a prize.

SEXUALLY ORIENTED BUSINESS

An adult arcade, adult bookstore, adult video store, adult cabaret, adult motel, or adult motion picture theater, as those terms are defined in Chapter 26 “Sexually Oriented Businesses” of the Code of Ordinances for the City of Fredericksburg, Texas.

SMOKE/TOBACCO/CBD/CED STORE

Any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, tobacco paraphernalia, or CBD/CED or hemp-derived products, except:

- (1) a pharmacy selling FDA approved cannabis and cannabis-derived products; and
- (2) any grocery store, supermarket, convenience store or similar retail use that sells conventional cigars, cigarettes, tobacco, or CBD/CED or hemp-derived products as an ancillary sale, meaning the store uses for the display, sale, distribution, delivery, offering, furnishing, or marketing of conventional cigars, cigarettes, tobacco or CBD/CED or hemp product, (i) no more than two percent (2%) or two-hundred (200) square feet of its gross floor area (whichever is less), or (ii) for a retail store consisting of two-hundred and fifty (250) square feet or less, no more than five (5) square feet.

TATTOO STUDIO

Establishments engaged in producing indelible marks or figures on the human body through tattooing, permanent cosmetics or scarification or inserting pigments under the skin using needles, scalpels or other related equipment and licensed by the Texas Department of Licensing and Regulation (TDLR). This also includes establishments creating an opening in a person’s body, other than the earlobe, to insert jewelry or another decoration or implants.

TOBACCO

Any preparation of the nicotine-rich leaves of the tobacco plant, which are cured by a process of drying and fermentation for use in smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body.

TOBACCO PARAPHERNALIA

Any paraphernalia, equipment, device, or instrument that is primarily designed or manufactured for smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body of tobacco, tobacco products, or other controlled substances as defined in the Tex. Health and Safety Code. Items or devices classified as tobacco paraphernalia include but are not limited to the following: pipes, punctured metal bowls, bongs, water bongs, electric pipes, e-cigarettes, e-cigarette juice, buzz bombs, vaporizers, hookahs, and devices for holding burning material. Lighters and matches shall be excluded from the definition of tobacco paraphernalia.

TOBACCO PRODUCT

Any product in leaf, flake, plug, liquid, or any other form, containing nicotine derived from the tobacco plant, or otherwise derived, which is intended to enable human consumption of the tobacco or nicotine in the product, whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. For the purposes of this chapter, the term "tobacco product" excludes any product that has been specifically approved by the United States Food and Drug Administration (FDA) for sale as a tobacco/smoking cessation product or for other medical purposes, where such product is marketed and sold solely for such an approved purpose.

VAPE SHOP

Establishments primarily engaged in providing services and defined as a "Smoke/Tobacco/CBD/CED Store" or "Vapor Smoking Services" establishment per the City of Fredericksburg, Texas Zoning Ordinance.

VAPOR SMOKING SERVICES

A retail use that provides vapor smoking services onsite.

SECTION 3.

Section 3.210, "C-2: Commercial", of the Zoning Ordinance is revised by adding "Vape Shop", "Game of Skill Parlor" and "Tattoo Studio" to the Uses Permitted Subject to Conditional Use Permit chart, to be inserted alphabetically.

SECTION 4.

Section 4.500, "General Description of Commercial Use Types," of the Zoning Ordinance is revised by adding "VAPE SHOP," GAME OF SKILL PARLOR" and "TATTOO STUDIO" to be inserted alphabetically and to read as follows:

VAPE SHOP

A Vape Shop shall require a conditional use permit. Standards to operate a Vape Shop shall be as follows:

- 1) Vape Shops shall not be located within five hundred (500) feet, measured property line to property line, from a school (public or private), family day care home, child care facility, youth center, community center, recreational facility, park, church, religious institution, hospital, or other similar uses where children regularly gather.
- 2) Vape Shops shall not be located within one-thousand five hundred (1500) feet, measured property line to property line, from another Vape Shop.

- 3) Vape Shops that are legally existing on the effective date of the enacting ordinance codified in this section may continue to operate as nonconforming uses and shall not be required to obtain a conditional use permit. However, any change or expansion of the nonconforming use shall require compliance with this section and a conditional use permit.

GAME OF SKILL PARLOR

A Game of Skill Parlor shall require a conditional use permit. Standards to operate a Game of Skill Parlor shall be as follows:

- 1) Game of Skill Parlors shall not be located within five hundred (500) feet, measured property line to property line, from a school (public or private), family day care home, child care facility, youth center, community center, recreational facility, park, church, religious institution, hospital, or other similar uses where children regularly gather.
- 2) Game of Skill Parlors shall not be located within one-thousand five hundred (1500 feet, measured property line to property line, from another Game of Skill Parlor.
- 3) Game of Skill Parlors that are legally existing on the effective date of the enacting ordinance codified in this section may continue to operate as nonconforming uses and shall not be required to obtain a conditional use permit. However, any change or expansion of the nonconforming use shall require compliance with this section and a conditional use permit.

TATTOO STUDIO

A Tattoo Studio shall require a conditional use permit. Standards to operate a Tattoo Studio shall be as follows:

- 1) Tattoo Studios shall not be located within five hundred (500) feet, measured property line to property line, from a school (public or private), family day care home, child care facility, youth center, community center, recreational facility, park, church, religious institution, hospital, or other similar uses where children regularly gather.
- 2) Tattoo Studios shall not be located within one thousand five hundred (1500 feet, measured property line to property line, from another Tattoo Studio.
- 3) Tattoo Studios that are legally existing on the effective date of the enacting ordinance codified in this section may continue to operate as nonconforming uses and shall not be required to obtain a conditional use permit. However, any change or expansion of the nonconforming use shall require compliance with this section and a conditional use permit.

SECTION 5.

Section 3.320, “M-2: Medium Manufacturing”, of the Zoning Ordinance is revised by adding “Sexually Oriented Business” to the Uses Permitted Subject to Conditional Use Permit chart, to be inserted alphabetically.

SECTION 6.

Section 4.500, “General Description of Commercial Use Types,” of the Zoning Ordinance is revised by adding ”SEXUALLY ORIENTED BUSINESS” to be inserted alphabetically and to read as follows:

SEXUALLY ORIENTED BUSINESS

A Sexually Oriented Business shall require a conditional use permit. Standards to establish a Sexually Oriented Business shall be as follows:

- 1) Sexually Oriented Businesses location restrictions shall be subject to the restrictions identified within Chapter 26, Section 26-7 “Location Restrictions, Minimum Distance Requirements” of the City of Fredericksburg, Texas Code of Ordinances.
- 2) Sexually Oriented Businesses that are legally existing on the effective date of the enacting ordinance codified in this section may continue to operate as nonconforming uses and shall not be required to obtain a conditional use permit. However, any change or expansion of the nonconforming use shall require compliance with this section and a conditional use permit.

SECTION 7.

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of the Fredericksburg Municipal Code, as amended, or accrued at the time of the effective date of this Ordinance; and as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance, but may be prosecuted until final disposition by the courts.

SECTION 8.

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

SECTION 9.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid

judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 10.

Any person, firm, corporation, or entity violating this Ordinance or any provision of the City's Zoning Ordinance, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding Two Thousand Dollars (\$2,000.00). Each continuing days' violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 11.

The City Secretary is hereby directed to publish in the official newspaper of the City the caption and penalty clause of this Ordinance as provided by the City's Charter.

SECTION 12.

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

PASSED AND APPROVED on this the 7th day of April 2026.

Jeryl Hoover, Mayor
City of Fredericksburg, Texas

ATTEST:

Letty Vacek, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: April 7, 2026

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: **Request Z-2604:** Proposed text amendment regarding Multiple Family Residential Uses within the C-1 Neighborhood Commercial District. The proposed text amendments are for Section 3.200 (C-1: Neighborhood Commercial) district. (Cliff Cross, Director of Development Services)

- i Presentation by the Staff
 - ii Hold Public Hearing
 - iii Take Action - Approve Ordinance 2026-15 For Text Amendment
-

SUMMARY:

Staff is proposing a text amendment to the provisions regulating the establishment of Multiple Family Uses within the C1, Neighborhood Commercial District. The proposed amendment pertains to **section 3.200** regulating the permitted and conditional use establishment of Multiple Family Uses within the C1, Neighborhood Commercial district.

BACKGROUND:

The proposed amendments are identified within the following sections of the proposed ordinance.

Section 2 of Proposed Ordinance

Section 3.200, "C-1: Neighborhood Commercial", of the Zoning Ordinance is revised by deleting "Multiple-Family Residential (Section 3.110)" from the Principal Permitted Uses chart and adding "Multiple-Family Residential (Section 3.110)" to the Uses Permitted Subject to Conditional Use Permit chart, to be inserted alphabetically.

FUNDING SOURCE: NA

FINANCIAL IMPACT:
NA

STAFF RECOMMENDATION:

Staff intends to provide the recommendation of the Planning and Zoning Commission during the meeting.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Governance

ATTACHMENTS:

1. Ordinance 2026-15 MultiFamily Use In C-1 With Final Legal

APPROVAL/REVIEW:



Cliff Cross, Director of Development Services

Date: March 30, 2026



Garret Bonn, Assistant City Manager

Date: March 30, 2026



William McKamie, City Attorney

Date: March 31, 2026



Leticia Vacek, City Secretary

Date: March 31, 2026



Clinton Bailey, City Manager

Date: March 31, 2026

ORDINANCE NO. 2 0 2 6 - 15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING APPENDIX B, "ZONING ORDINANCE," OF THE FREDERICKSBURG MUNICIPAL CODE BY AMENDING SECTION 3.200 (C-1: NEIGHBORHOOD COMMERCIAL) TO AMEND THE PERMITTED AND CONDITIONAL USES FOR THE ESTABLISHMENT OF MULTIPLE FAMILY RESIDENTIAL USES WITHIN THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City previously adopted the Zoning Ordinance, as codified in Appendix B of the Fredericksburg Municipal Code (the "Code"), (the "Zoning Ordinance"), which regulates and restricts the location and use of buildings, structures, and land for trade; industry; residence; and other purposes, and provides for the establishment of zoning districts and regulations to administer the provisions of the zoning code; and

WHEREAS, an application for a text amendment of the Zoning Ordinance, related to the establishment of Multiple Family Residences within the C-1 (Neighborhood Commercial) district in the City, has been initiated by motion of the Planning and Zoning Commission; and

WHEREAS, C-1 (Neighborhood Commercial) zoning district properties are traditionally located within close proximity to and serve as a transitional zoning classification for less intense residentially zoned properties and districts; and

WHEREAS, the City Council desires to amend the Zoning Ordinance to provide regulations for public hearing consideration for the establishment of Multiple Family Residential Developments within the C-1 (Neighborhood Commercial) district due to the proximity of this underlying zoning district to less intense residentially zoned properties throughout the city; and

WHEREAS, this Ordinance contains regulations consistent with good zoning and planning practices to address potential negative impacts of higher density residential developments on less intense lower density residential properties while providing a reasonable public hearing process for consideration by the Planning and Zoning Commission and City Council; and

WHEREAS, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at those public hearings and all other relevant information and materials, the Planning and Zoning Commission of the City has recommended to the City Council the adoption of the amendment to the Zoning Ordinance as set forth in this Ordinance; and

WHEREAS, after complying with all legal notices, requirements, and conditions, a public hearing was held before the City Council at which the City Council considered the recommendation of the Planning and Zoning Commission, and among other things, the necessity for orderly and appropriate regulations of the use of land and the erection of structures thereon, and having considered the proposed amendment to the Zoning Ordinance and the appropriateness of the amendment, the City Council does hereby find that the amendment to the Zoning Ordinance approved hereby accomplishes such objectives.

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

SECTION 1.

All the above premises are true and correct of the City Council, and they are hereby approved, ratified, and incorporated herein this Ordinance.

SECTION 2.

Section 3.200, “C-1: Neighborhood Commercial”, of the Zoning Ordinance is revised by deleting “Multiple-Family Residential (Section 3.110)” from the Principal Permitted Uses chart and adding “Multiple-Family Residential (Section 3.110)” to the Uses Permitted Subject to Conditional Use Permit chart, to be inserted alphabetically.

SECTION 3.

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of the Fredericksburg Municipal Code, as amended, or accrued at the time of the effective date of this Ordinance; and as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance, but may be prosecuted until final disposition by the courts.

SECTION 4.

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

SECTION 5.

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

SECTION 6.

Any person, firm, corporation, or entity violating this Ordinance or any provision of the City's Zoning Ordinance, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding Two Thousand Dollars (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 7.

The City Secretary is hereby directed to publish in the official newspaper of the City, the caption and penalty clause of this Ordinance as provided by the City's Charter.

SECTION 8.

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

PASSED AND APPROVED on this the 7th day of April 2026.

Jeryl Hoover, Mayor
City of Fredericksburg, Texas

ATTEST:

Letty Vacek, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: April 7, 2026

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Request Z-2605: Request by Century 21, The Hills Realty to consider a Conditional Use Permit (CUP) per Section 3.510 to Establish and Operate a Standardized Business in the Historic Shopping District Overlay for the property commonly known as 408 W. Main Street. (Cliff Cross, Director of Development Services)

- i Presentation by the Applicant
- ii Presentation by the Staff
- iii Hold Public Hearing
- iv Take Action - Approve Ordinance 2026-16 For The CUP

SUMMARY:

A Conditional Use Permit Application has been submitted to operate a Standardized Business, which is a business that operates 10 or more stores/banks with standardized features, in the Historic Shopping District by Century 21, The Hills Realty for the property located at 408 W Main Street. The building consists of a single-story, multi-suite commercial property (408-410 W. Main St) containing an existing 6,394 sq ft building on an approximate 19,602 (.45-acre) tract. The 408 W. Main address is identified to account for roughly 12,500 square feet of the property. The property has access to approximately 13,000 square feet of paved on-site parking. The business is looking to be located within the 408 W. Main suite.

The 400 Block of West Main contains several businesses, such as Mar Silver Jewelry, Schatze Haus, Bookkeeping & Tax Solutions and Jolly's Haus Bed & Breakfast. The properties on the south side of Main Street contain a series of auto-oriented businesses. The establishment of the real estate office does not appear that it would detract from other business operations.

Sec. 3.510, The Historic Shopping District Overlay, allows Standardized Businesses the opportunity to request a Conditional Use Permit with the ideal user adding diversity to existing businesses, not in proximity to other, similar retailers and would not alter the general characteristics of the surrounding area.

Zoning: CBD, Central Business District **Sec. 3.220**
Historic District Shopping District Overlay **Sec. 3.510**

Site Area: Roughly 12,500 Sq Ft at 408 W. Main

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 March 25, 2026 no responses have been received.

BACKGROUND:

Sec. 5.461 - Review and Evaluation Criteria for Historic Shopping District

The Planning and Zoning Commission and City Council shall review and evaluate Conditional Use Permits applications for all Standardized Businesses within the Historic Shopping District using the following criteria:

(A) Affirmative finding that the existence of such businesses will not:

- 1 Materially alter the general characteristic of the surrounding area of the small town German and Hill Country environment;
- 2 Detract from the uniqueness of, nor materially alter the identity of, the Historic Shopping District
- 3 Contribute to the nationwide trend of standardized offerings; or
- 4 Impair the intent of this ordinance to the comprehensive plan of the City; and

(B) Affirmative finding that the business will;

- 1 Add diversity to the mix of businesses in the area including type of service, amusement, product, price range and the like; and
- 2 Complement those businesses already in the Historic Shopping District; and
- 3 Help promote and foster the local economic base as a whole; or
- 4 Is currently existing in the District or is regionally or locally based or is serving a community need or local demand; and

(C) The Planning and Zoning Commission may recommend and the City Council shall require that a Standardized Business;

- 1 Will not utilize or contain the features or attributes of a Standardized Business as defined above except the service, product or amusement and a sign, no more than two square feet in size showing the franchise or business affiliation, if desired;
- 2 Be pedestrian oriented as opposed to automobile oriented, to encourage walking in the HSD;
- 3 Utilize a unique visual appearance that reflects or compliments the Historic character of the HSD, and not project a visual appearance that is homogeneous with its elements in other communities; and
- 4 Not be in such close proximity to Standardized Businesses to significantly destroy a mix of standardized businesses with other businesses.

(D) The Planning and Zoning Commission may recommend and the Council may place other reasonable conditions upon the granting of the application which may not be specifically set out herein provided that such conditions promote the goals of this ordinance. It is specifically permitted that the City Council may place restrictions upon the operation of the business, such as hours of operation to conform generally with other businesses in the area or the requirement of the addition of architectural features to maintain the character and architectural look of the area.

(E) The burden of proof in conditional use proceedings shall be upon the applicant. The Council may require the applicant to submit a traffic study, prepared by a Registered Professional Engineer, approved by the Board, or to submit any other reasonable substantiation of the elements of the application.

(F) The fact that a use may be more profitable or that a structure may be more valuable if the conditional use granted shall not be grounds for issuance of the permit.

Although, each individual office is independently operated, Century 21 is an established relator trademark. This specific individual agency is looking to relocate their office back to their previous location at 408 W. Main Street. The original office operated at the site until approximately 2019 and the re-establishment of the office, at the site, does not appear to compromise the general characteristics or offerings of the 400 block of West Main.

FUNDING SOURCE: NA

FINANCIAL IMPACT:
NA

STAFF RECOMMENDATION:

Staff reported to the Planning and Zoning Commission that the use of the location was for the original relator office and that the proposed re-establishment of the office did not appear to increase the intensity or propose major changes to the building to make it look more standardized.

Staff intends to provide the recommendation of the Planning and Zoning Commission during the meeting.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Workforce
Tourism
City Center
Small Town Sensitive Growth
Governance

ATTACHMENTS:

1. 408 W Main Zoning
2. 408 W Main Notification Map
3. Century 21_Application_Redacted
4. Z-2605_century 21_Floor Plan
5. Ordinance 2026-16 CUP For 408 W. Main CUP Final

APPROVAL/REVIEW:



Cliff Cross, Director of Development Services

Date: March 30, 2026



Garret Bonn, Assistant City Manager

Date: March 30, 2026



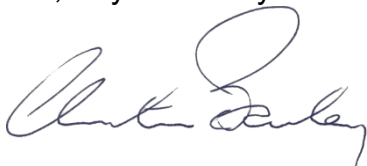
William McKamie, City Attorney

Date: March 30, 2026



Leticia Vacek, City Secretary

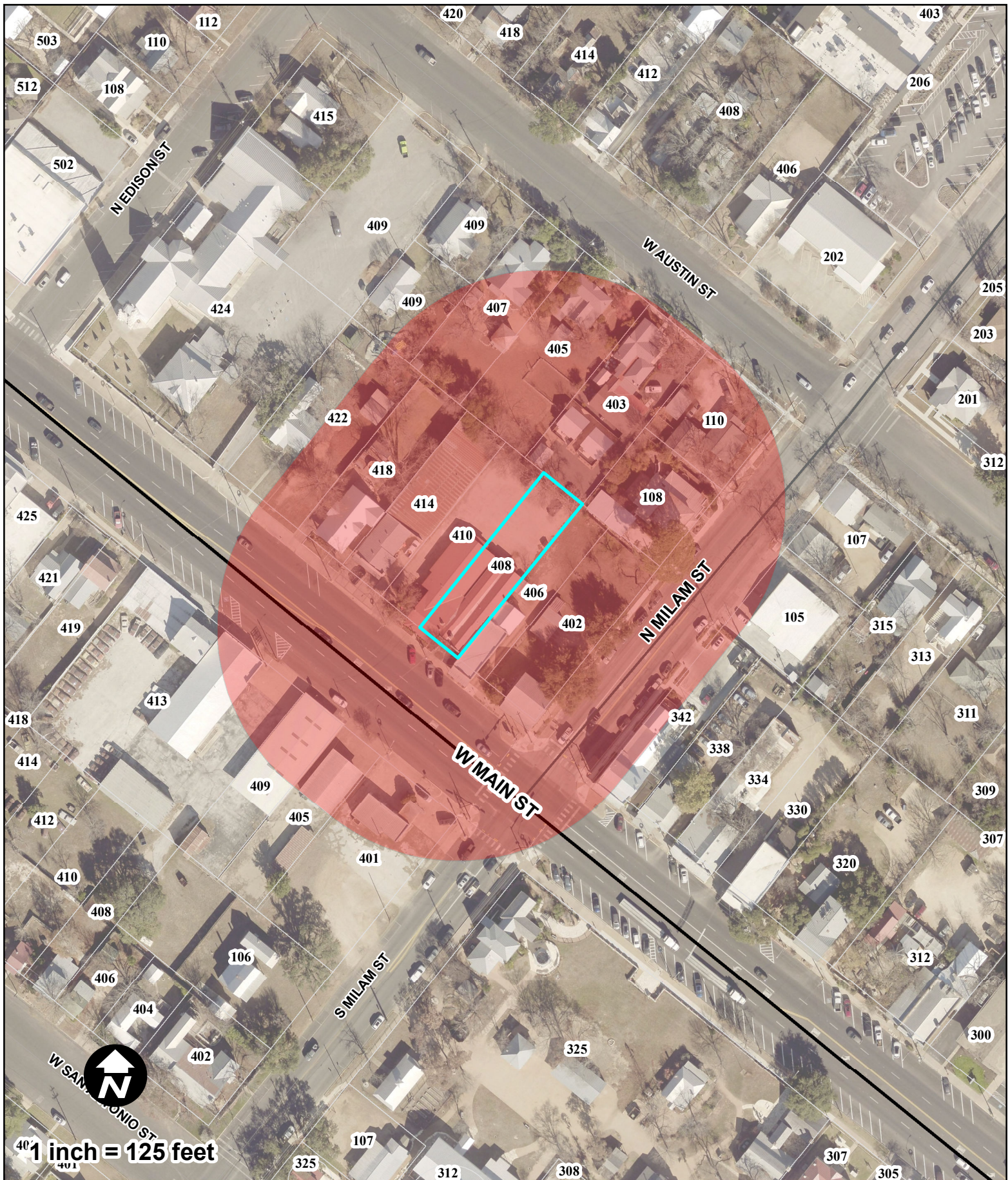
Date: March 30, 2026



Clinton Bailey, City Manager

Date: March 31, 2026





City of Fredericksburg
Z-2605 - 408 W. Main Street

LEGEND

 200' Notification Buffer
 GCAD Parcels



Zoning Application

City of Fredericksburg – Development Services Department

126 W. Main St, Fredericksburg, TX 78624

A. Project Information

Project Name: Century 21 The Hills, Dwight Oestreich

Project Address: 408 W. Main

Property Tax ID Numbers: 64633

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: E. Dwight Oestreich

Owner Address: 204 W. Orchard, Fbg

Owner Phone Number: [REDACTED]

Owner Email Address: [REDACTED]

D. Applicant

Applicant Name: _____

Applicant Address: _____

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: [REDACTED]

Printed Name: E. Dwight Oestreich

Staff Use Only Application Number: Z2605 Date: 2/18/26

Check # 1 0967

IMPROVEMENT SKETCH AND SUBJECT PHOTOGRAPHS

SKETCH/AREA TABLE ADDENDUM

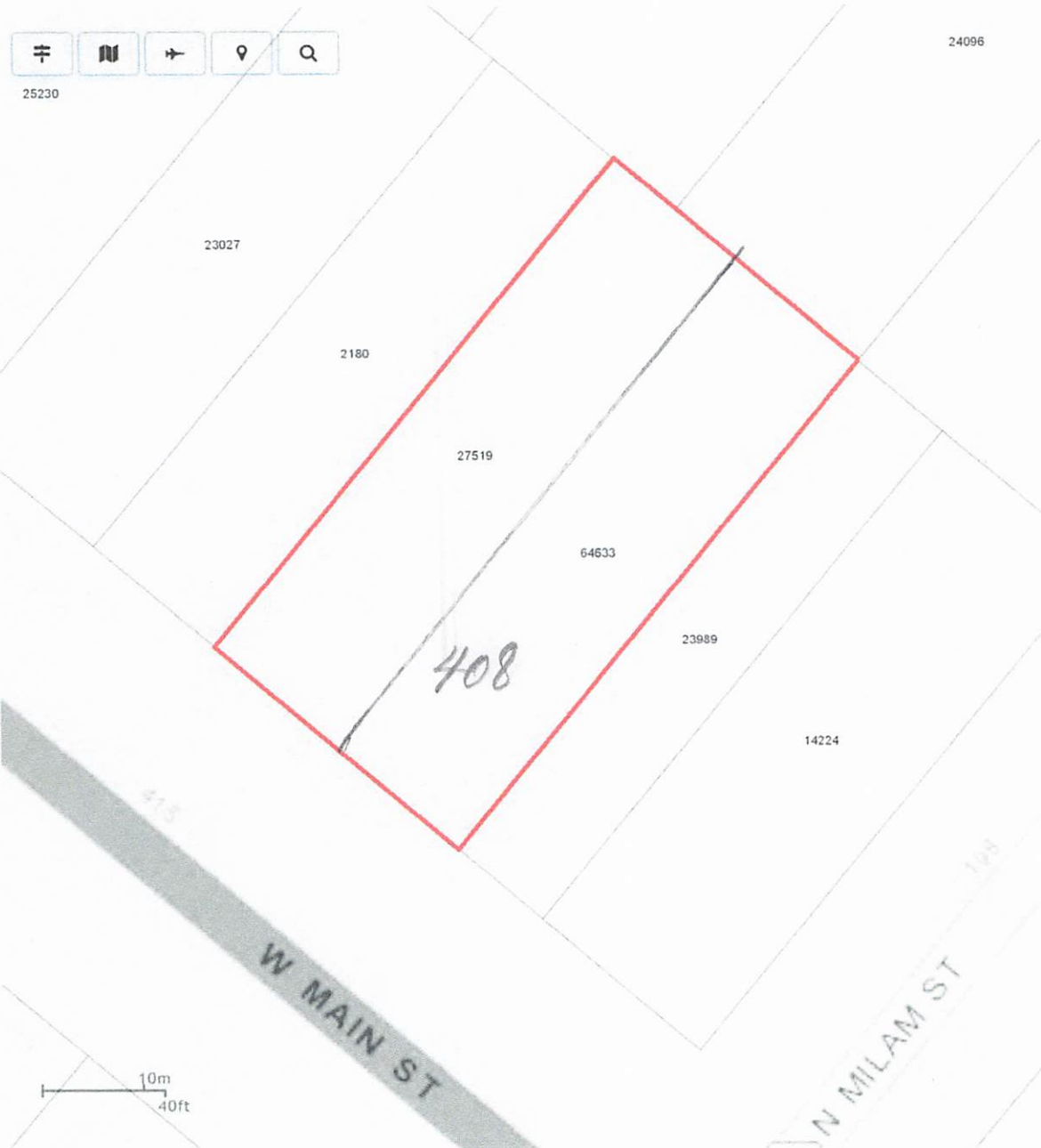
SUBJECT	Property Address		
	City		State Zip
	Borrower		
	Lender/Client		
	Appraiser Name		

IMPROVEMENTS SKETCH

AREA CALCULATIONS SUMMARY				BUILDING AREA BREAKDOWN			
Code	Description	Net Size	Net Totals	Breakdown		Subtotals	
GBA1	First Floor	3872.2	6840.4	First Floor			
	First Floor	2968.2		0.5 x	1.9 x	1.9	1.9
					45.3 x	16.0	724.8
					34.8 x	35.3	1228.4
				0.5 x	1.9 x	1.9	1.9
					4.2 x	1.9	8.0
					38.3 x	49.8	1907.3
					97.0 x	30.6	2968.2
Net BUILDING Area		(rounded)	6840	7 Items	(rounded)	6840	

APEX SOFTWARE 000 059-9958

Ap 17100 w Apex Modulo









SUBJECT PHOTOGRAPHS



SUBJECT



FRONT DETAIL OF 408 W. MAIN OFFICE

Expanded display of ML# C12385



(This listing has additional photos.)

MLS#: C12385 DOM: 412
 List Price: \$325,000
 Str#: 408
 Dir:
 Str/Road Nm: W. MAIN
 Type Prop: Office, Retail
 Building, Restaurant, Bed &
 Breakfast
 Area: C5 Cty-
 W.Main,N.MilamMorseNW
 Area 2: Other Area-See Z:

Listing Off: CENTURY 21 SUNSET REALTORS (11)
 Office Phone: 830-997-9591
 Listing Agt: JOE BOLIN (27)
 Agent Phone: 830-997-5381
 Agent Email: dwo@fbg.net

Sbdv/Bsn	FREDERICKSBURG ADD	County	
City		State	Zip Code 0
LtSz/Acrs	50X200	Zoning	CBD Flood Zone NONE
Legal	FREDERICKSBURG ADD BLOCK 22 LOT 155 PT OFFICE		
Taxes	6216	Tax Exmptions	NONE Rental 408
Apx SF Bld	REMARK Source	Est Age-GCAD	1992
Use Nm	DRESS SHOP, B&B	# Units/Bldgs	2
Imprmnts			
Loc/Drcnts	MAIN STREET		
Remarks	2 BUILDINGS FOR THE PRICE OF ONE! 5 RM HOUSE OF CEMENT BLOCK, SALTILLO TILE, LOTS OF WINDOWS & FRENCH DOORS. CURRENT RETAIL BLDG. RENTS FOR \$1000/MONTH. LOTS ON & OFFSTREET PARKING, PLUS BIG STORAGE BLDG.		
Itm Not in SI			
Owner	DARRYL LEIFHEIT		
Sub Agt	3	Buyer Agt	3 Var Rate Excl Agt Refer MLS#
Terms Fin	CASH	Escrow Agt	HILL COUNTRY TITLES
Attorney	TO BE DETERMINED	Ofc Brk Lit#	Rltr.com CD
Type of Property: Office, Retail Building, Restaurant, Bed & Breakfast		Documents on File: Legal Description	
Size of Tract: City Lot		Sale Includes: Building & Land	
Construction: Stucco, Pioneer Stone, Historic Rock		Parking Lot/Capacity: Off-Site Parking, On-Street Parking	
Water Heater: Electric, Gas		Fence: Partially Fenced	
Heating: Central Gas		Misc Search: Restroom-Private, Outside Storage, Handicap Access	
Air Conditioning: Central Electric Heat Pump		Misc Search: Office Under 2500 SF, Retail Under 3000 SF, Business Opportunity	
Terms of Lease: Year To Year, Renewal Option		Access: US Highway, State Highway, City Street	
Utilities: City Water in Place, City Sewer, Telephone, Gas, City Electric		Dist from City:	
Easements: None Known		Possession: Closing/Funding	
Topography: Level		Showing Inst: Call LO Appointment, Key LO Occupied	
Location: Inside Lot, City		Schools:	
Roof: Standing Seam		Area 2: Other Area-See Z:	
Foundation: Pier & Beam		Area: C5 Cty-W.Main,N.MilamMorseNW	

Information Herein Deemed Reliable but Not Guaranteed

Gillespie CAD Property Search

Property Details

Account		
Property ID:	64633	Geographic ID: S0010-22-0
Type:	R	Zoning: CBD
Property Use:		Condo:
Location		
Situs Address:	408 W MAIN ST TX	
Map ID:	6	Mapsco:
Legal Description:	FBG ADDN BLK 22 LOT 155-PT	
Abstract/Subdivision:	S0010	
Neighborhood:	(WM400) MAIN STREET WEST 400 BLK	
Owner		
Owner ID:	23536	
Name:	OESTREICH, E DWIGHT & KAREN	
Agent:		
Mailing Address:	204 W ORCHARD FREDERICKSBURG, TX 78624	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$568,110 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$750,000 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$1,318,110 (=)
Agricultural Value Loss:?	\$0 (-)
Appraised Value:?	\$1,318,110 (=)

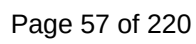
The proposed use of 408 W. Main Street is for operation of a Century 21 The Hills Real Estate office.

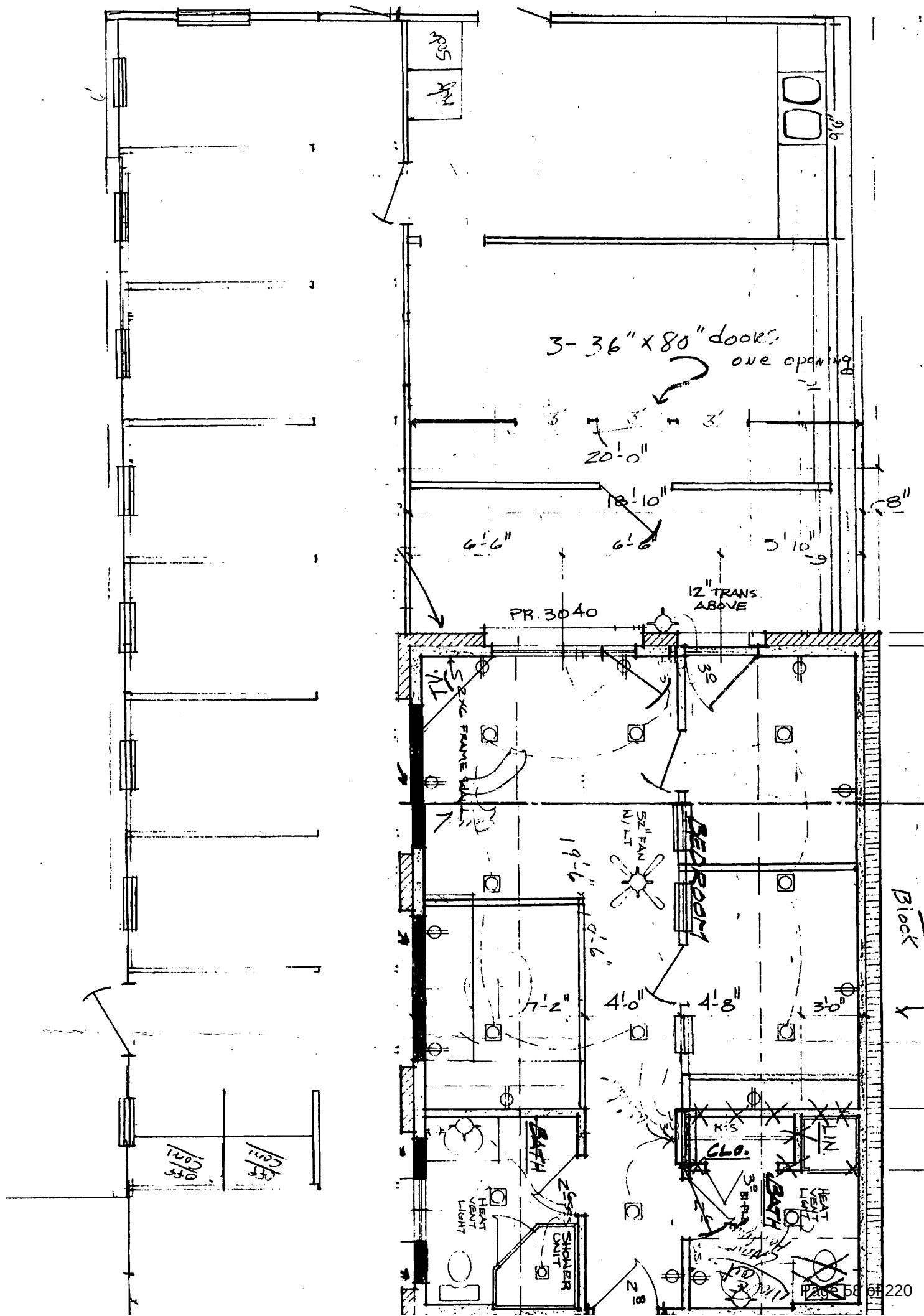
Century 21 has a long and well-established history at this location and within this immediate block of West Main Street. From 1984 to 1996, we operated a real estate office at 410 W. Main Street. In 1996, we relocated to 406 W. Main Street and continued operating as a Century 21 office.

In 2003, we purchased both 408 and 410 W. Main Street. Our office operated at 410 W. Main until 2006, at which time we moved to 408 W. Main and remained there continuously until 2017. The subsequent owner relocated the office to 605 N. Llano Street.

We are now seeking approval to resume operations as a Century 21 The Hills Real Estate office at 408 W. Main Street. For us, returning to this location represents a continuation of nearly four decades of professional service in this area. It is, quite simply, a return home.

We respectfully request approval of this Conditional Use Permit so that we may once again operate a professional real estate office at 408 W. Main Street and continue serving the community from this longstanding location.





ORDINANCE NO. 2 0 2 6 - 16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING APPENDIX B, "ZONING ORDINANCE" OF THE FREDERICKSBURG MUNICIPAL CODE, AS AMENDED, BY GRANTING A CONDITIONAL USE PERMIT TO ESTABLISH AND OPERATE A STANDARDIZED BUSINESS IN THE HISTORIC SHOPPING DISTRICT AT CERTAIN PROPERTY LOCATED AT 408 W. MAIN STREET, FREDERICKSBURG, TEXAS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, in accordance with the Comprehensive Zoning Ordinance, the owner of the property referenced below has filed an application for a Conditional Use Permit to establish and operate a standardized business commonly known as "Century 21 The Hills"; and

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

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

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

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

Section 1.

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

Section 2.

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

Applicant: Century 21 The Hills, Dwight Oestreich

Property Owner: E. Dwight Oestreich

Property Address: 408 W. Main Street, Fredericksburg, TX 78624

Legal Description:

FBG ADDN BLK 22 LOT 155-PT

Zoning Change: The property shall remain located in the CBD: Central Business District zoning district, and a Conditional Use Permit for a standardized business "Century 21 The Hills" is hereby granted subject to the terms and conditions provided herein

Section 3.

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

Section 4.

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

Section 5.

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

Section 6.

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

Section 7.

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

Section 8.

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

Section 9.

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

Section 10.

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

PASSED AND APPROVED on this the 7th day of April 2026.

Jeryl Hoover, Mayor
City of Fredericksburg, Texas

ATTEST:

Letty Vacek, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: April 7, 2026

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Request Z-2606: Request by April Laird / Frisky Kitty Cafe LLC to consider a Conditional Use Permit (CUP) per Section 3.200 to Establish and Operate a "Restaurant - Limited" use for the property commonly known as 1209 E. Main Street. (Cliff Cross, Director of Development Services)

- i Presentation by the Applicant
- ii Presentation by the Staff
- iii Hold Public Hearing
- iv Take Action- Approve Ordinance 2026-17 For The CUP

SUMMARY:

A Conditional Use Permit (CUP) application has been submitted to establish and operate a "Restaurant - Limited" use within an existing 1 Story 1,600 square foot previously utilized office building at the property commonly known as 1209 E. Main Street. The proposed development would include a coffee shop with an accessory cat lounge that would be separated within an enclosed glass area and accessible by the patrons.

BACKGROUND: This application was reviewed for its conformity with relevant City Ordinances **Sec. 3.200**, Uses Subject to Conditional Use Permit and per **Sec. 5.460** Review and Evaluation criteria for a Conditional Use Permit (CUP).

Site Area: 12,196 Square Feet (.28 acres)

Zoning: C1, Neighborhood Commercial **Sec. 3.200**

Building Sq. Footage: 1,600 sq. SF

Parking: 20 Spaces

Uses Permitted Subject to Conditional Use Permit

The following uses may be permitted subject to a Conditional Use Permit as provided for in section 5.400.

Arts and Crafts
Automotive Washing

Building Maintenance Services
Business School
Business Support Services
Club or Lodge
Communication Services
Condominium Residential (section 7.610)
Consumer Repair Services
Convenience Storage
Convenience Store/Self Serve Gasoline
Duplex Residential
Food Sales
Guidance Services
Laundry Services
Limited Retail Sales
Liquor Sales
Personal Improvement Services
Pet Services
Restaurant - Limited
Single Family Residential (detached)- new construction or after cessation of use other than residential
Townhouse Residential Drive through Facilities Associated with any use

Sec. 5.460. Review and Evaluation Criteria.

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

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

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.

FUNDING SOURCE: NA

FINANCIAL IMPACT:
NA

STAFF RECOMMENDATION:

Sec. 5.460, review and evaluation criteria for Conditional Use Permits (CUP) includes 13 items that must be considered when reviewing a CUP application. Of these 13 items, Staff finds that the applicant has met or responded to all the requirements.

The requested use, for the establishment of a limited restaurant use, is in keeping with existing uses on neighboring sites, throughout the area. In addition, the existing 1,600 square foot facility has approximately 20 on-site parking spaces that would accommodate approximately 80 patrons per Table 7.863 "Off-Street Parking".

Staff intends to provide the recommendation of the Planning and Zoning Commission during the meeting.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Small Town Sensitive Growth

ATTACHMENTS:

1. 1209 E Main Zoning Map
2. 1209 E Main Notification Map
3. Z-2606_NARRATIVE
4. Z-2606 - FLOOR PLAN
5. Z-2606 - PHOTO 2
6. Z-2606 - PHOTO 3
7. Z-2606 - PHOTO 4
8. Z-2606-PHOTO 5
9. Z-2606 - PHOTO 6
10. Z-2606 - 1209 E Main - CUP_Frisky Kitty Cafe_Redacted
11. Ordinance 2026-17 CUP For 1209 E. Main CUP Final

APPROVAL/REVIEW:



Cliff Cross, Director of Development Services

Date: March 30, 2026



Garret Bonn, Assistant City Manager

Date: March 30, 2026



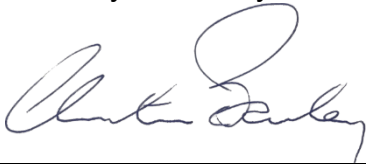
William McKamie, City Attorney

Date: March 30, 2026



Leticia Vacek, City Secretary

Date: March 30, 2026

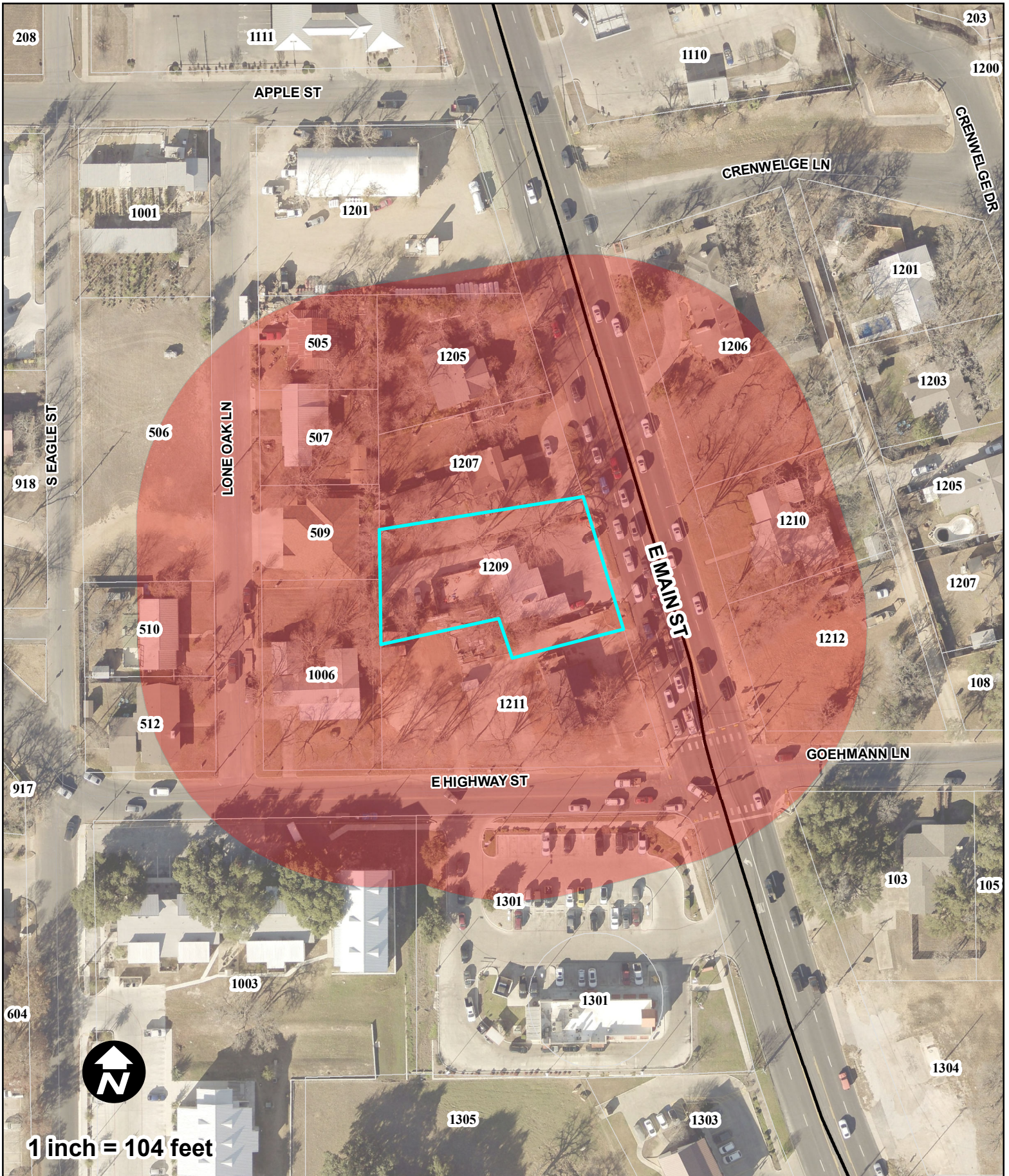


Clinton Bailey, City Manager

Date: March 31, 2026



Page 67 of 220



LEGEND

-  200' Notification Buffer
-  GCAD Parcels

City of Fredericksburg
Z-2606 - 1209 E. Main Street

Description of my business:

Cat cafes originated from Taiwan initially then Japan. The first one in the U.S. was opened in 2014. There are approximately 200 cat cafes across the nation now.

A cat cafe/lounge is a community builder while helping cats from the SPCA get adopted. There is usually a coffee shop with all kinds of hot and cold drinks and pastries. I plan to offer the drinks for sale, but I will do no cooking onsite. I have spoken with both Clear River and Pritzgers bakery and they will be baking the cookies and pastries to wholesale to me for resell.

My business will consist of a cat merch gift shop plus the coffee shop plus the cat lounge which is separated per health code in a separate glassed-in area that people can go in and play with the cats. This area is separated from the food area. The cats will not have access to the kitchen area.

My 11 year old daughter and I went to St. Augustine in November and discovered cat cafes. Since we can't have a cat at home due to a ferocious little Westie who hates cats, my daughter said she thought opening a cat cafe would be a great alternative. Some people who love cats aren't allowed to have pets at their rentals, or maybe a cat lover is living in a household with a family member with allergies. These are examples of people who would frequent our cafe, along with local children, elderly, and really all ages. Also being a tourist town like St. Augustine, I'm sure some tourists would stop in. Cats are therapy to many people, and I just know a cat cafe would be a great addition to east Main Street. A great thing for locals and tourists to do!!!

Floor Plan













C. Applicant/Owner Information - Property Owner

Owner Name: April Laird

Owner Address: [REDACTED]

Owner Phone Number: [REDACTED]

Owner Email Address: [REDACTED]

D. Applicant

Applicant Name: April Laird / Frisky Kitty Cat Cafe LLC

Applicant Address: as above

Applicant Phone Number: [REDACTED]

Applicant Email Address: [REDACTED]

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: April Laird

Printed Name: April Laird

Staff Use Only Application Number: 2-2606 Date: 2/24/20

[REDACTED]



Zoning Application

City of Fredericksburg – Development Services Department

126 W. Main St, Fredericksburg, TX 78624

A. Project Information

Project Name: Frisky Kitty Cat Cafe
Project Address: 1209 E. Main St., FBG
Property Tax ID Numbers: 20168

B. Application Type: Appendix A – Fee Schedule

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

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

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

ORDINANCE NO. 2 0 2 6 - 17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING APPENDIX B, "ZONING ORDINANCE" OF THE FREDERICKSBURG MUNICIPAL CODE, AS AMENDED, BY GRANTING A CONDITIONAL USE PERMIT TO ESTABLISH AND OPERATE A "RESTAURANT - LIMITED" USE AT CERTAIN PROPERTY LOCATED AT 1209 E. MAIN STREET, FREDERICKSBURG, TEXAS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, in accordance with the Comprehensive Zoning Ordinance, the owner of the property referenced below has filed an application for a Conditional Use Permit to establish and operate a "Restaurant - Limited" use; and

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

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

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

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

Section 1.

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

Section 2.

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

Applicant: April Laird (Frisky Kitty Café LLC)

Property Owner: April Laird

Property Address: 1209 E. Main Street, Fredericksburg, TX 78624

Legal Description:

BORCHERS LOT 15-PT & 16-PT

Zoning Change: The property shall remain located in the C1: Neighborhood Commercial zoning district, and a Conditional Use Permit for a "Restaurant - Limited" use is hereby granted subject to the terms and conditions provided herein

Section 3.

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

Section 4.

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

Section 5.

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

Section 6.

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

Section 7.

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

Section 8.

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

Section 9.

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

Section 10.

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

PASSED AND APPROVED on this the 7th day of April 2026.

Jeryl Hoover, Mayor
City of Fredericksburg, Texas

ATTEST:

Letty Vacek, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services

TO: Mayor & City Council Members

FROM: Cliff Cross, Director of Development Services

MEETING DATE: April 7, 2026

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: **Request Z-2607:** Request by Kevin Spraggins with VEI Engineering to consider a Conditional Use Permit (CUP) per Section 3.210 to allow a "Drive Though or Drive-In Facilities" for the property commonly known as 720 S. Adams Street. (Cliff Cross, Director of Development Services)

- i Presentation by the Applicant
 - ii Presentation by the Staff
 - iii Hold Public Hearing
 - iv Take Action - Approve Ordinance 2026-18 For The CUP
-

SUMMARY:

A Conditional Use Permit (CUP) application has been submitted to allow a "drive-through" associated with a dry cleaning/laundry business on vacant property located at 720 South Adams between two existing developments, Guadalupe Bank and Happy State Bank.

The proposed development would include a 2-story building that is approximately 31,500 sq ft and consists of 16 units, 8 on each floor. It is likely that some units will be combined, lowering the possible total number of units. The anticipated uses are professional offices, general retail and personal services. The drive-through is requested for the dry cleaning/laundry business that will be located on the north end of the first floor of the building.

BACKGROUND:

This application was reviewed for its conformity with relevant City Ordinances including **Sec. 7.131**, review and evaluation criteria for Site Plans and **Sec. 5.460**, review and evaluation criteria for a Conditional Use Permit (CUP).

Site Area: 65,304 Square Feet (1.50 acres)

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

Building Coverage: 24% (19,250 sq ft) (75% maximum) **Sec. 3.210**

Impervious Coverage: **79 % (51,978 sq ft) (80% maximum)** **Sec. 3.210**

Heights: 2 Story (28') (Max Height 38') **Sec. 3.210**

Parking: 72 provided (General Retail and Professional Office requires 1 parking space per 400 sq ft. Personal Services requires 1 parking space per 300 sq ft) **Sec. 7.863**

Utilities: Utilities are available to serve this property and extension of existing infrastructure will be extended, at the developer's expense, to serve the property.

Detention: Stormwater detention plans & studies shall be reviewed as part of the Civil Construction Plans.

Entry Corridor: Elevations and renderings were provided as well as a narrative that indicates the developments' compliance with the Entry Corridor Overlay.

Landscape and Screening: More detail is required to approve the Landscape and Screening Plan, including a landscape calculation based on **Sec. 7.920**. One (1) tree per 75 LF required. Off-street parking shall have ten (10) sq ft of interior landscaping for each parking space. A strip of land at least five (5) in depth located between the abutting right-of-way and the off-street parking areas or other vehicular use area which is exposed to an abutting right-of-way shall be landscaped and include one (1) tree for each fifty (50) lineal feet. In addition, a hedge, wall, or other durable landscape barrier, Page 26 of 41 of at least two (2) feet in height, shall be placed along the perimeter.

Public Hearing Notices: As of March 24, 2026 no responses have been received.

FUNDING SOURCE: NA

FINANCIAL IMPACT:
NA

STAFF RECOMMENDATION:

Sec. 5.460 – Review and Evaluation Criteria contains 13 items that must be considered when reviewing a Conditional Use Permit. Of these 13 items, Staff has found that the applicant has met or responded to all the requirements including adequacy and convenience of off-street parking, determination that the proposed use will not be detrimental to public safety or materially injurious to properties in the vicinity, and determination that the proposed use and site development will be compatible with existing uses in the vicinity.

The traditional design of the commercial development is in keeping with the intent of the Entry Corridor Design Guidelines. Staff notes that any use allowed in C2 zoning would be able to occupy part of the building but only personal service and general retail have been identified for parking calculations. A restaurant would have a different calculation. The site is maxed out for impervious cover limiting the ability to add more parking.

The previous request was approved in 2023 and staff recommended approval conditioned upon the following:

Approved Addressing Plan
Approved Landscape and Screening Plan
Approved Civil Construction Plan
Reapproval of the Previous Site Plan as a Condition of Approval

Staff intends to provide the recommendation of the Planning and Zoning Commission during the meeting.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Small Town Sensitive Growth

ATTACHMENTS:

1. 720 S Adams Notification Map
2. Z-2312 Revised Site Plan (1)
3. Z-2312 Response to Comments (1)
4. S Adams Development Colors and Materials 5.24.23 (1)
5. S AdamsDevelopment Concept Images 5.24.23 (1)
6. Z-2312 Entry Corridor Narrative (1)
7. Sec. 5.460. - CUP Review and Evaluation Criteria. (2) (1)
8. Z-2607-CUP - 720 S Adams_Application_Redacted
9. Ordinance 2026-18 CUP For 720 S. Adams Drive Thru Final

APPROVAL/REVIEW:

Cliff Cross, Director of Development Services

Date: March 30, 2026



Garret Bonn, Assistant City Manager

Date: March 30, 2026



William McKamie, City Attorney

Date: March 30, 2026



Leticia Vacek, City Secretary

Date: March 30, 2026



Clinton Bailey, City Manager

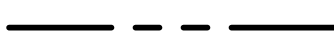
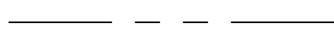
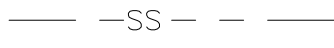
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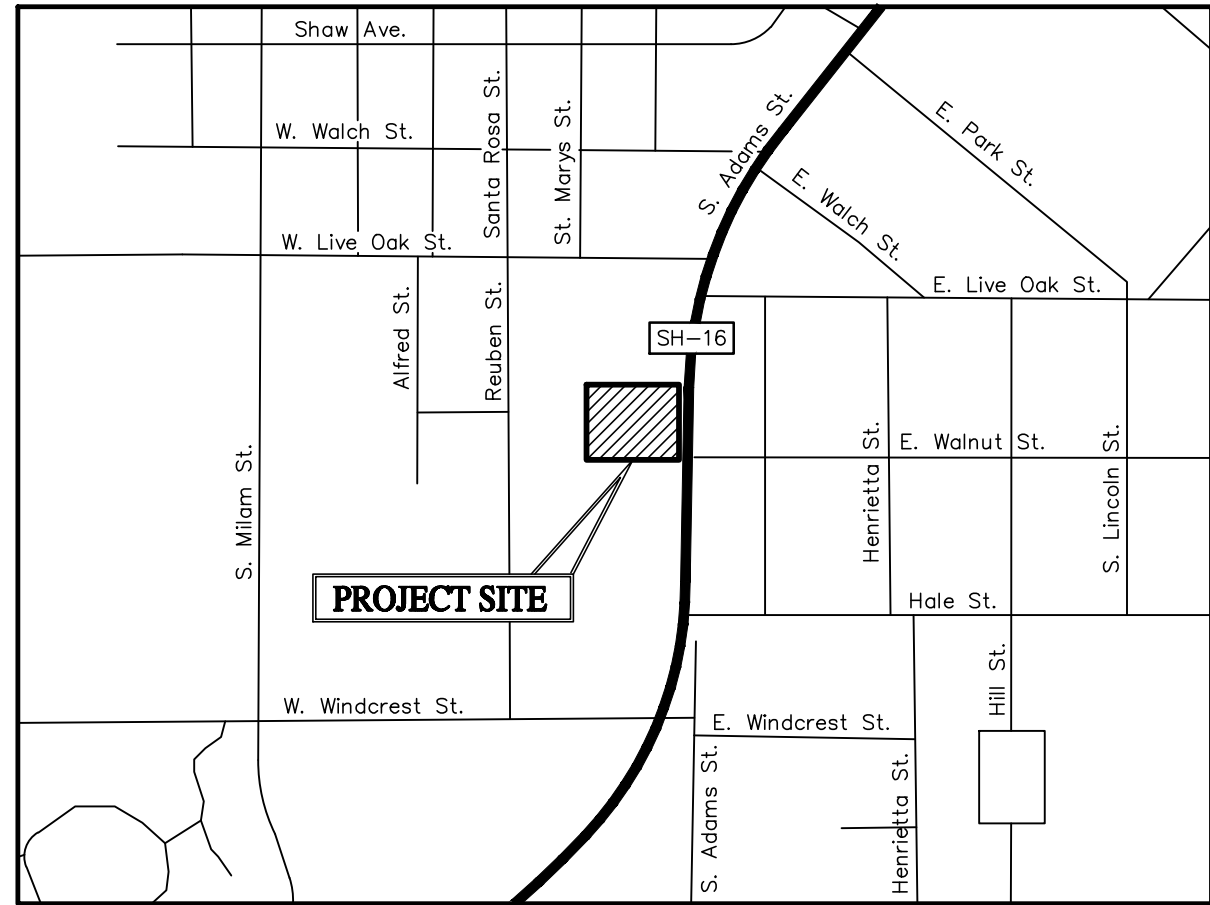
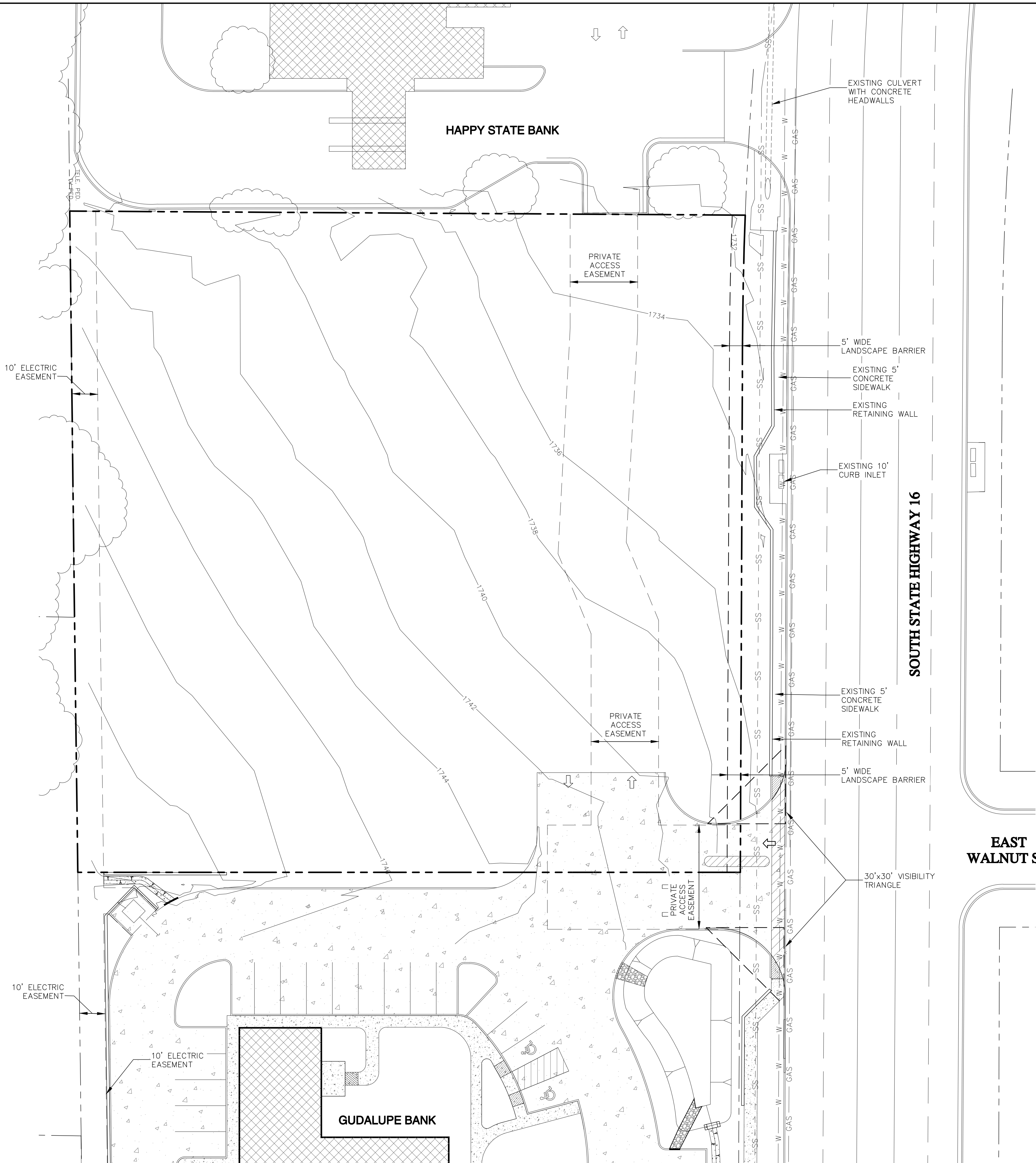


City of Fredericksburg
Z-2607 - 720 S. Adams Street

 200' Notification Buffer
 GCAD Parcels

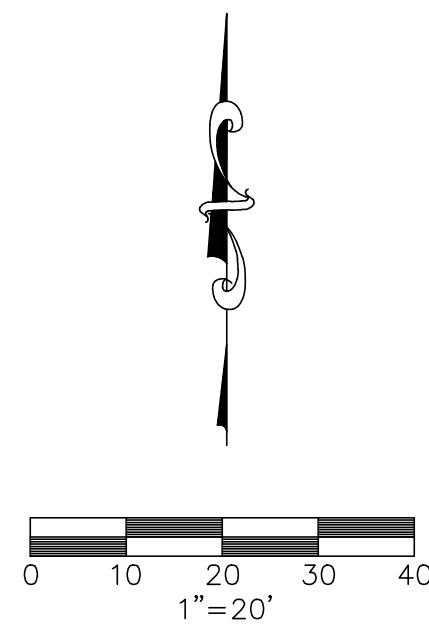
LEGEND

-  EXISTING STRUCTURES
-  PROPERTY BOUNDARY
-  ADJACENT PROPERTY BOUNDARY
-  EXISTING SANITARY SEWER
-  EXISTING WATER LINE
-  EXISTING GAS LINE
-  EXISTING EASEMENT
-  EXISTING RETAINING WALL
-  EXISTING CONCRETE CURB
-  EXISTING TREES



LOCATION MAP

NOT TO SCALE



AN
EXISTING CONDITIONS PLAN
FOR

**S. ADAM ST.
COMMERCIAL**

720 SOUTH ADAMS STREET
BEING A 1.50 ACRE TRACT, CALLED LOT 3R, IN ROBERT WALTER
SUBDIVISION, RECORDED IN VOLUME 4, PAGE 7 OR THE PLAT RECORDS
OF GILLESPIE COUNTY, TEXAS

PROPERTIES OF BARONS CREEK OWNER

CONTACT: KEVIN W. SPRAGGINS (830) 997-4744
507 E. HIGHWAY ST., SUITE D
FREDERICKSBURG, TX 78624 FAX: (830) 997-6967

VEI CONSULTING ENGINEERS ENGINEER

CONTACT: KEVIN W. SPRAGGINS (830) 997-4744
507 E. HIGHWAY ST., SUITE D
FREDERICKSBURG, TX 78624 FAX: (830) 997-6967
Texas Registration # F-165

FILE NO: 23004

DATE: 05/12/2023

SHEET: SP1 (1 OF 5)

NOTES:

1. THIS DRAWING AND SERVICES BY VEI DO NOT INCLUDE SUBMISSION TO ARCHITECTURAL BARRIERS FOR ADA REVIEW. REVIEW, IF REQUIRED, IS BY OTHERS.
2. SIDEWALK FROM HANDICAP PARKING AREA TO BUILDING ENTRANCES MUST COMPLY WITH ALL ADA GUIDELINES.
3. THE DRAWING AND SERVICES BY VEI DO NOT INCLUDE "AS-BUILT" INSPECTIONS NOR SERVICES PAST DELIVERY OF THIS DRAWING.
4. ALL DIMENSIONS ARE MEASURED BACK TO BACK OF CURB UNLESS OTHERWISE NOTED.
5. ALL BUILDING DIMENSIONS DERIVED FROM OWNER. DUE TO THE INHERENT INACCURACY OF REPRODUCTION, DO NOT SCALE FROM THESE DRAWINGS.
6. CONTRACTOR SHALL VERIFY ALL DIMENSIONS WITH ARCHITECT AND OWNER PRIOR TO START OF CONSTRUCTION.
7. REFER TO LANDSCAPE ARCHITECT PLANS FOR LANDSCAPE AREAS.
8. THE LOCATION OF EXISTING UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE BASED ON AVAILABLE RECORDS. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR IS FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MAY OCCUR DURING CONSTRUCTION.
9. FIRE LANE SHALL BE MARKED PER CITY STANDARDS.
10. THIS IS NOT A PROPERTY SURVEY. ANY QUESTIONS CONCERNING PROPERTY CORNERS, PROPERTY LINES, PROPERTY BOUNDARIES AND/OR SET BACKS SHOULD BE DIRECTED TO AND/OR VERIFIED BY A REGISTERED PROFESSIONAL LAND SURVEYOR.
11. ALL SIDEWALK AND DRIVEWAY IMPROVEMENTS SHALL BE CONSTRUCTED TO CITY STANDARDS.
12. ALL SECURITY AND SAFETY LIGHTING SHALL BE FULLY SHIELDED AND COMPLY WITH "DARK SKY" COMPLIANT (REF. CITY OF FREDERICKSBURG ARTICLE XV - OUTDOOR LIGHTING)

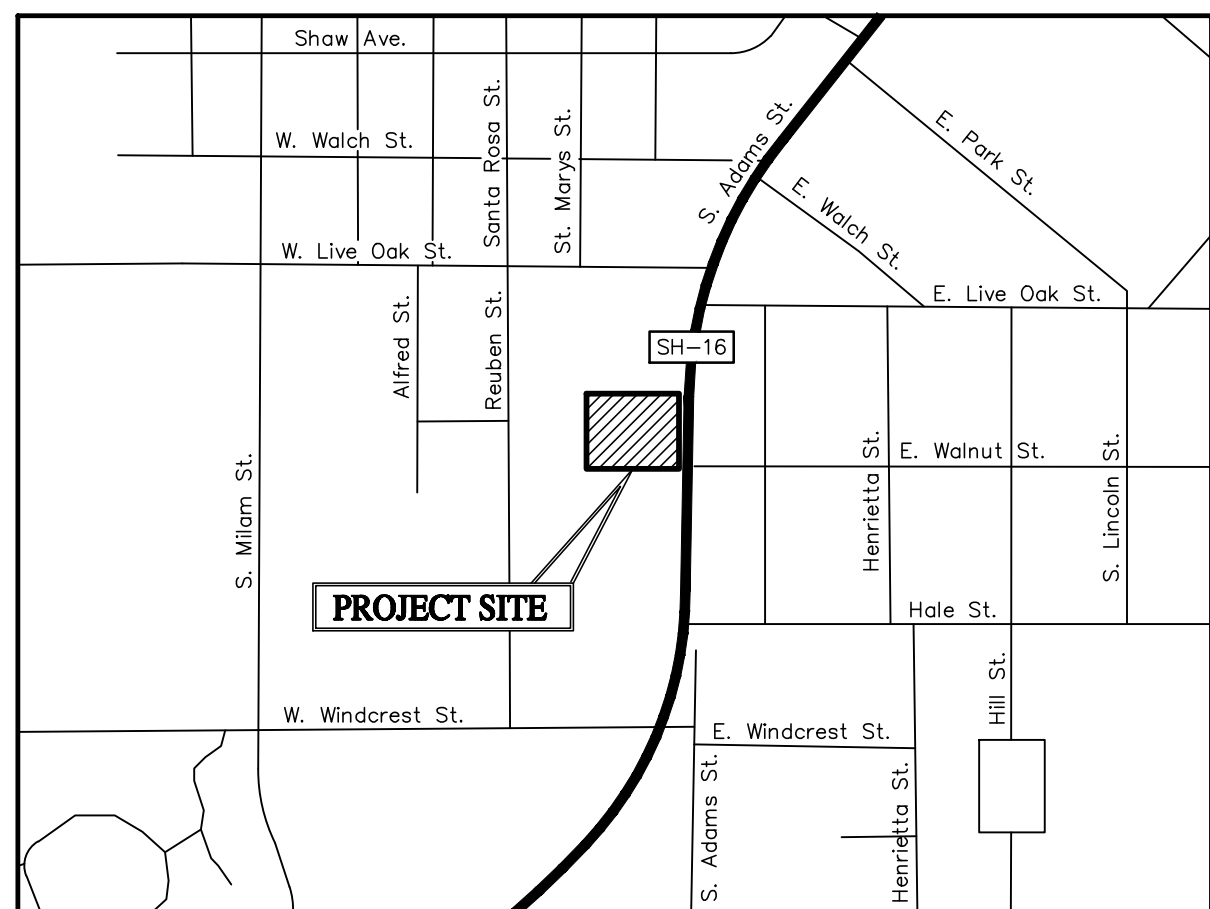
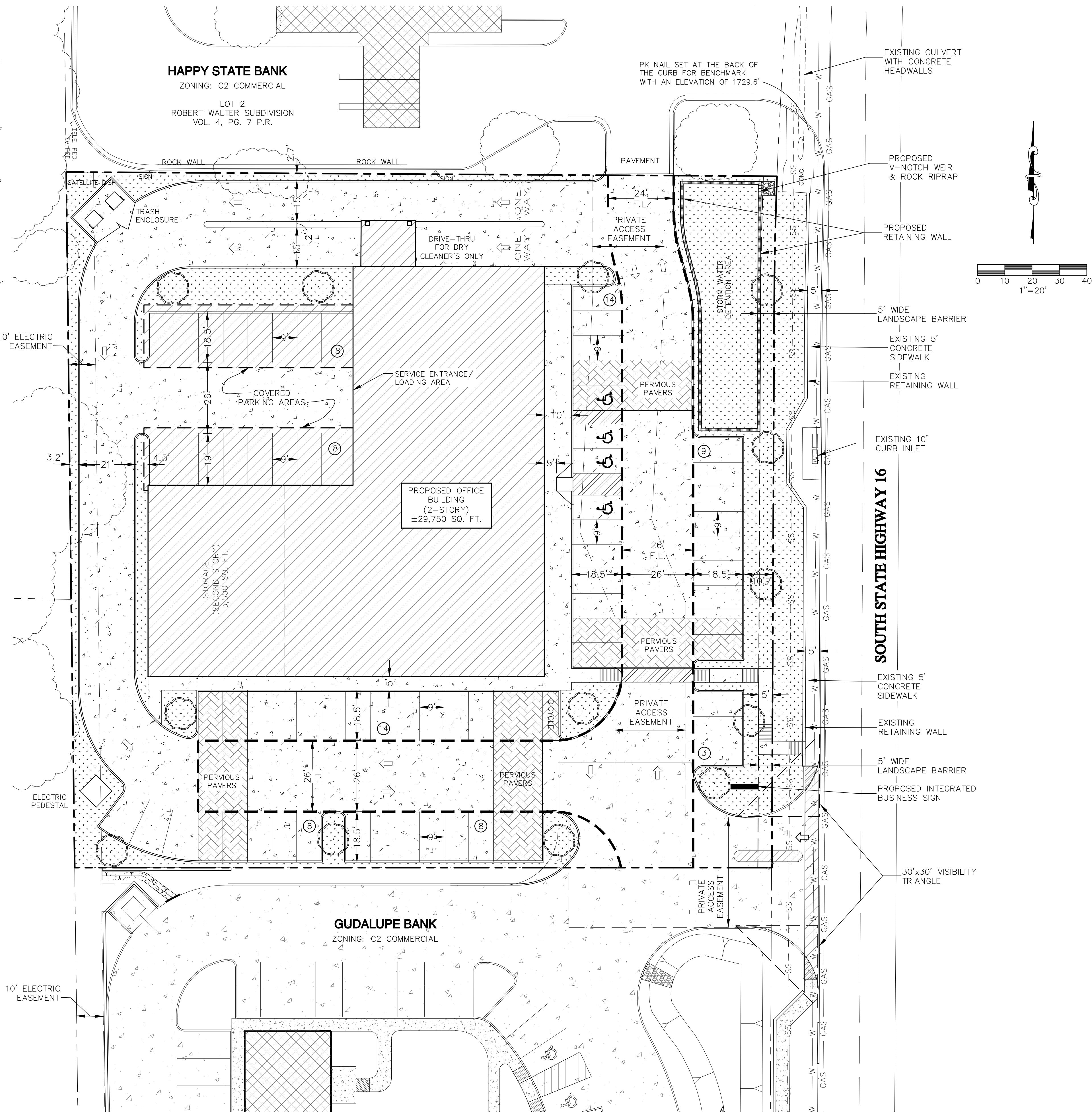
LEGEND

EXISTING

- EXISTING STRUCTURES
- PROPERTY BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- EXISTING SANITARY SEWER
- EXISTING WATER LINE
- EXISTING GAS LINE
- EXISTING EASEMENT
- EXISTING RETAINING WALL
- EXISTING CONCRETE CURB
- EXISTING TREES

PROPOSED

- PROPOSED BUILDING
- PROPOSED PARKING STRIPE
- PROPOSED LANDSCAPING/ GRASS SEEDING
- PROPOSED RETAINING WALL
- PROPOSED CONCRETE CURB
- PROPOSED FIRE LANE
- PROPOSED HANDICAP SPACE
- PROPOSED NUMBER OF PARKING SPACES
- PROPOSED 4 INCH TREE
- PROPOSED INTEGRATE BUSINESS SIGN



LOCATION MAP

NOT TO SCALE

SUMMARY TABLE

LOT AREA	65,304 sq. ft. / 1.50 Ac.
LOT ZONING	C2 - COMMERCIAL
PROPOSED BUILDINGS AREA	
FIRST FLOOR AREA	15,750 sq. ft.
SECOND FLOOR AREA	12,250 sq. ft.
STORAGE AREA	3,500 sq. ft.
TOTAL AREA	31,500 sq. ft.
PARKING SPACES REQUIRED (1 PER 400 sq. ft.)	70
PARKING SPACES PROVIDED	72
HANDICAP PARKING SPACES REQUIRED	4
HANDICAP PARKING SPACES PROVIDED	4
PERVIOUS AREA	13,326 sq. ft. / 0.31 Ac.
IMPERVIOUS AREA	51,978 sq. ft. / 1.19 Ac.
ALLOWABLE IMPERVIOUS PERCENTAGE	80%
PROPOSED IMPERVIOUS PERCENTAGE	79%
BUILDING COVERAGE ALLOWED	75%
BUILDING COVERAGE PROVIDED	24%

A
SITE PLAN
FOR

S. ADAM ST.
COMMERCIAL

720 SOUTH ADAMS STREET
BEING A 1.50 ACRE TRACT, CALLED LOT 3R, IN ROBERT WALTER
SUBDIVISION, RECORDED IN VOLUME 4, PAGE 7 OR THE PLAT RECORDS
OF GILLESPIE COUNTY, TEXAS

PROPERTIES OF BARONS CREEK OWNER

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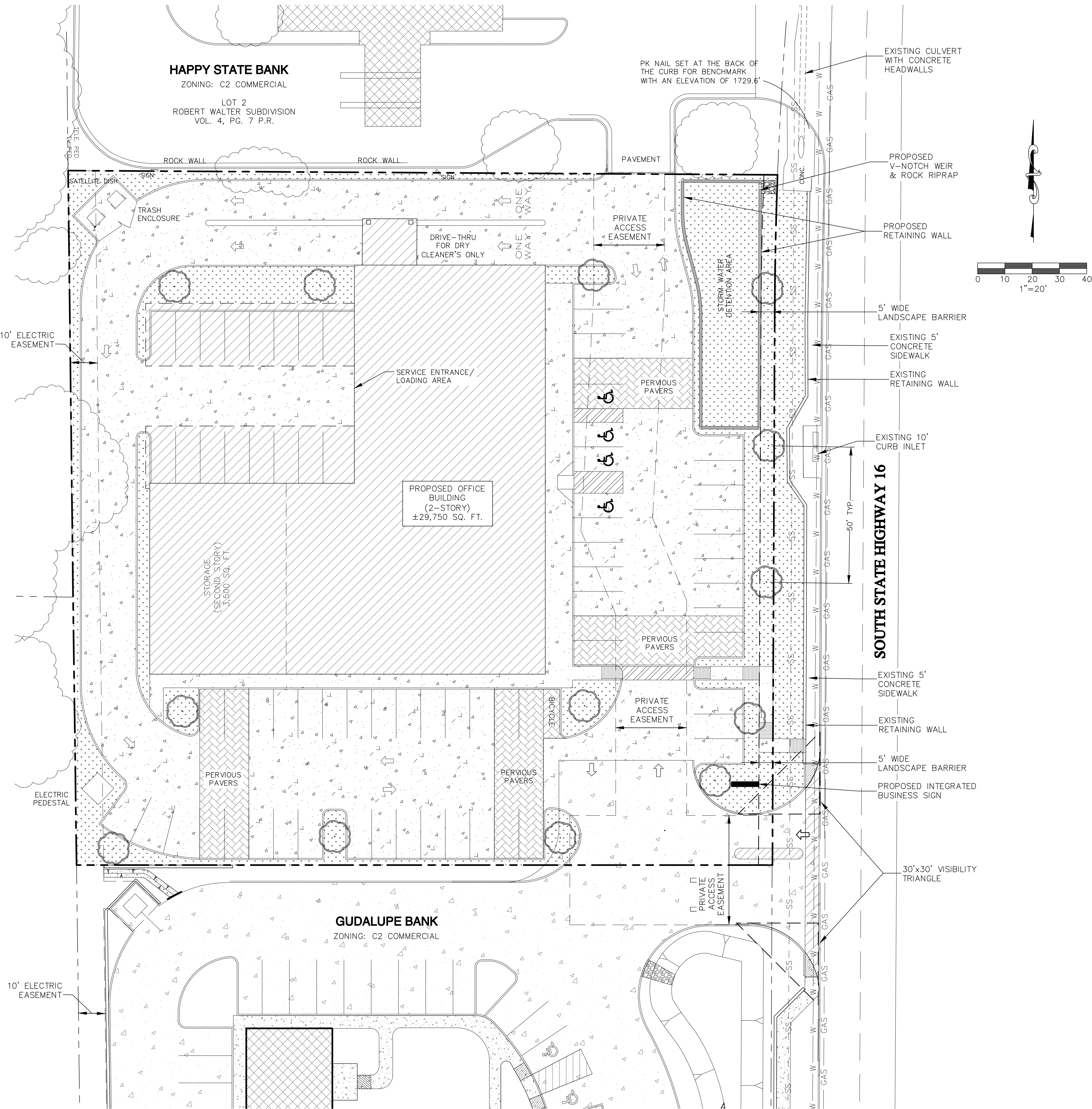
FILE NO: 23004

DATE: 05/12/2023

SHEET: SP2 (2 OF 5)

NOTES:

1. ALL BUILDING DIMENSIONS DERIVED FROM OWNER. DUE TO THE INHERENT INACCURACY OF REPRODUCTION, DO NOT SCALE FROM THESE DRAWINGS.
2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS WITH ARCHITECT AND OWNER PRIOR TO START OF CONSTRUCTION.
3. REFER TO LANDSCAPE ARCHITECT PLANS FOR FINAL LANDSCAPE DESIGN.
4. THE LOCATION OF EXISTING UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE BASED ON AVAILABLE RECORDS. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR IS FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MAY OCCUR DURING CONSTRUCTION.
5. THIS IS NOT A PROPERTY SURVEY. ANY QUESTIONS CONCERNING PROPERTY CORNERS, PROPERTY LINES, PROPERTY BOUNDARIES AND/OR SET BACKS SHOULD BE DIRECTED TO AND/OR VERIFIED BY A REGISTERED PROFESSIONAL LAND SURVEYOR.
6. ALL SECURITY AND SAFETY LIGHTING SHALL BE FULLY SHIELDED AND COMPLY WITH "DARK SKY" COMPLIANT (REF. CITY OF FREDERICKSBURG ARTICLE XV – OUTDOOR LIGHTING)



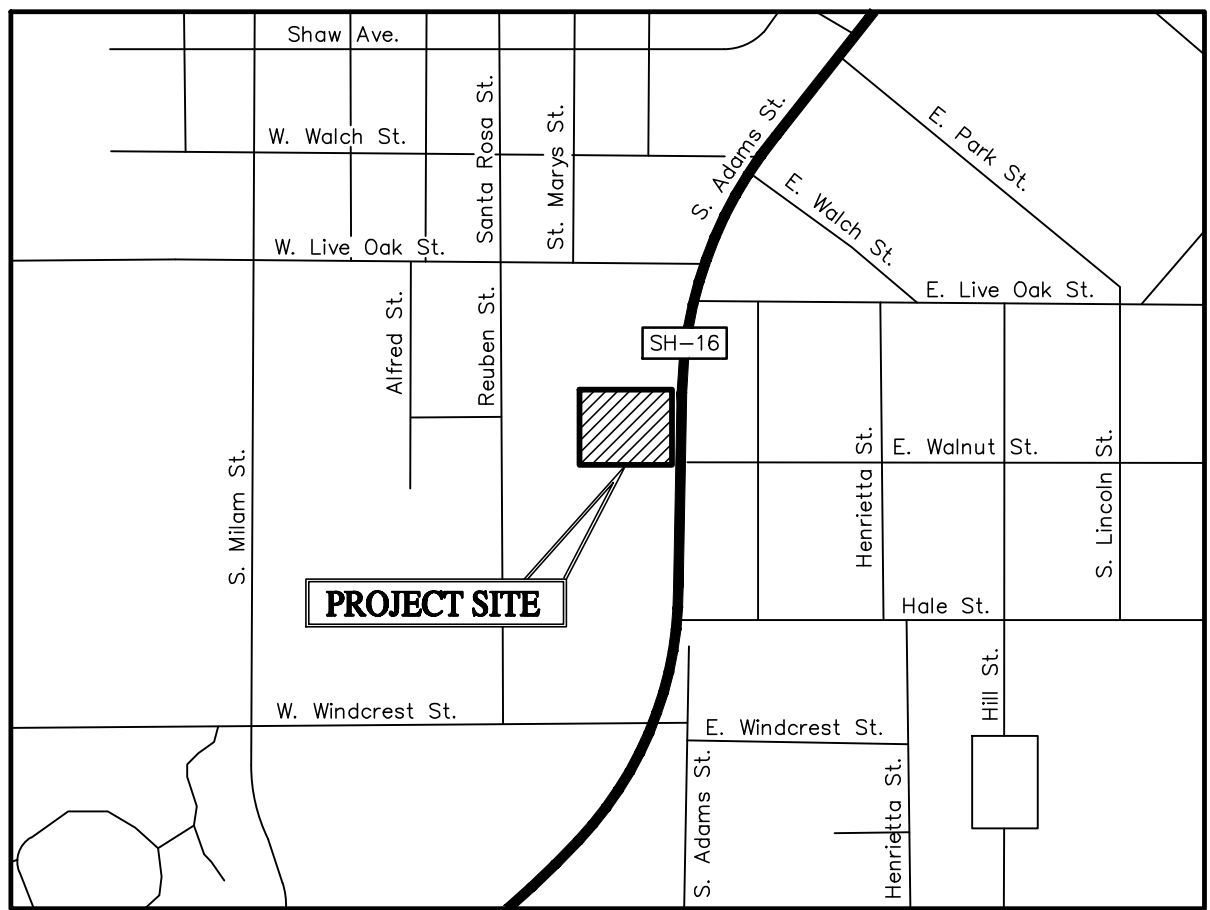
LEGEND

EXISTING

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- PROPOSED RETAINING WALL
- PROPOSED CONCRETE CURB
- PROPOSED 4 INCH TREE
- PROPOSED INTEGRATE BUSINESS SIGN



LOCATION MAP

NOT TO SCALE

SUMMARY TABLE

LOT AREA	351,965 sq. ft. / 8.08 Ac.
CURRENT ZONING	C2 COMMERCIAL
PROPOSED NUMBER OF PARKING SPACES	72
PROPOSED PAVING AREA	36,250 sq. ft.
REQUIRED INTERIOR LANDSCAPE AREA	
10 sq. ft. PER PARKING SPACE	720 sq. ft.
1 sq. ft. PER 100 sq. ft. OF PAVING (for the first 50,000 sq. ft. of paving)	363 sq. ft.
TOTAL REQUIRED LANDSCAPE AREA	1,083 sq. ft.
PROPOSED LANDSCAPE AREA	9,116 sq. ft. / 0.21 Ac.
REQUIRED NUMBER OF TREES (1 for each 100 sq. ft. of required landscape area)	11 TREES
PROPOSED NUMBER OF TREES	13 TREES

A
LANDSCAPE & SCREENING PLAN
FOR

S. ADAM ST.
COMMERCIAL

720 SOUTH ADAMS STREET
BEING A 1.50 ACRE TRACT, CALLED LOT 3R, IN ROBERT WALTER
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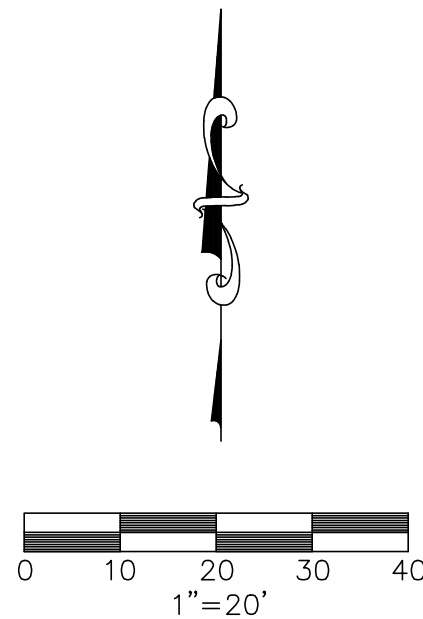
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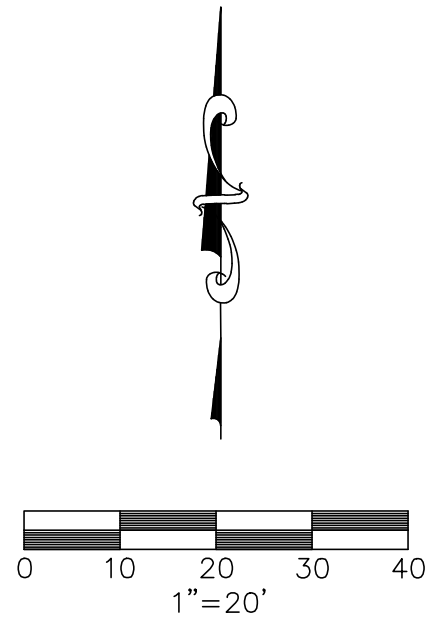
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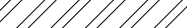
DATE: 05/12/2023

SHEET: SP3 (3 OF 5)



SHEET: SP4 (4 OF 5)



- | | |
|---|--|
|  | PROPOSED BUILDING |
|  | PROPOSED PARKING STRIPE |
|  | PROPOSED RETAINING WALL |
|  | PROPOSED CONCRETE CURB |
|  | PROPOSED SANITARY SEWER LINE |
|  | PROPOSED WATER LINE |
|  | PROPOSED CLEANOUT |
|  | PROPOSED WATER/IRRIGATION METER |
|  | PROPOSED ELECTRIC PEDESTAL
AND CONCRETE PAD |

SHEET: SP5 (5 OF 5)



VEI Consulting Engineers

Graylaur Corporation Inc. d/b/a

507 E. Highway Street, Suite D • Fredericksburg, TX 78624

Tel (830) 997-4744 • <http://vei-tx.com>

Licensed in Texas (Firm No. F-165) • Arkansas • Oklahoma • Colorado • Louisiana • New Mexico

May 12, 2023

City of Fredericksburg

Attn: Shelby Collier, Assoc. Planner, DRC (scollier@fbgtx.org)

126 W. Main Street

Fredericksburg, TX 78624

Re: Your letter dated May 8, 2023, Re: Z-2312 Review Comments for a CUP for a Drive Through & Entry Corridor Review for property located at 720 South Adams Street (VEI No. 23004)

Dear Ms Collier,

Below you will find our responses to your comments in the above-mentioned letter.

City Comment:

1. *Conditional Use Permit and Entry Corridor Review requires Planning and Zoning Approval, scheduled for June 7, 2023.*

VEI Response:

Comment noted.

City Comment:

2. *Please provide interior floor plans to include proposed addressing Sec. 7.131.*

VEI Response:

The preliminary interior layout of both floors, after full build-out, is attached in the architectural drawing and includes a possible total of 16 office/retail suites, eight (8) on each floor. Each unit will have the same street address (720 S. Adams) and be further designated by a suite number or letter. It is likely that some units will be combined into a larger suite, lowering the possible total number of rental suites.

City Comment:

3. *Please provide a location of loading facilities. Sec. 7.131.*

VEI Response:

The loading facilities will be in the Service Area in the northwest corner of the building.

City Comment:

4. *Please adjust Parking Calculations to reflect Sec. 7.863. Do not overpark development.*

VEI Response:

The following table describes the parking requirements of the proposed building, based on *Table 7.863, OFF-STREET PARKING*, the proposed tenants, and the preliminary floor plan's square-footage. Please note that four (4) of the spaces are designated as ADA parking.

Use Type	Requirement	Total Prelim. Sq.Ft.	Total Parking Spaces
General Retail, Professional offices, Administrative & Business Offices	1 space per 400 sq.ft.	25,404	63.51, or 64-spaces
Personal Services (dry cleaners drop location)	1 space per 300 sq.ft.	1,632	5.44, or 6-spaces
TOTAL Parking Required		27,036 sq.ft.	70-spaces
TOTAL Parking Provided			72-spaces (incl. 4 ADA)

City Comment:

5. *Provide details of proposed pervious pavers. Sec. 3.210.*

VEI Response:

Pervious paver details and specifications from Belgard are attached.

City Comment:

6. *Please provide a CUP Narrative with specific responses to each of the review and evaluation criteria noted in Sec.5.460. This will be used by the Planning and Zoning Commission and City Council to make their determination. Please explain that the drive through is for a dry cleaning pick-up station (Personal Services Use) Definition is found in Sec. 2.100.*

VEI Response:

A CUP Narrative based on Sec. 5.46 is attached for your review. An explanation of the dry-cleaning pick-up station has been added using the definition in Sec. 2.1. Please note that the two adjacent banks and the Walgreens all have drive-thru lanes.

City Comment:

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

VEI Response:

A note has been added to the Site Plan that all exterior lighting will be Dark Sky Compliant. Examples of the type of lighting that will be placed in and around the building are below. Once a decision on the lighting is reached, it will be submitted to the City for approval.



City Comment:

8. *Provide a Landscape and Screening Plan per Sec. 7.920 - 7.980. To include calculation of all required landscaping onsite. Site Plan Checklist.*

VEI Response:

A Landscape & Screening Plan has been added to the Site Plan set.

City Comment:

9. *Please provide an integrated business sign for the development. Sec. 29-3 and Sec. 29-7.*

VEI Response:

An integrated sign will be provided for the building at the monument sign location.

City Comment:

10. *Please provide more details on landscaping per Entry Corridor Design Standards Sec. 9.*

VEI Response:

Please see our response to question 8.

City Comment:

11. *Please provide more details on lighting Entry Corridor Design Standards Sec.10.*

VEI Response:

Please see the response to question 7.

City Comment:

12. *Pedestrian walkways connecting to adjacent developments shall be provided. Entry Corridor Design Standards Sec. 12.4.*

VEI Response:

Comment noted. We have connected to the existing sidewalks on S. Adams St. Adjacent sites do not have sidewalks to which we can tie to from our building.

City Comment:

13. *4" trees per 8 parking spaces to be planted in beds located of parking lots and "islands" Entry Corridor Design Standards Sec. 12.5*

VEI Response:

Comment noted. Please see the Landscape & Screening Plan for more details. There are a total of 72-parking spaces in the revised Site Plan, which will require a total of nine (9) four-inch trees. The Plan calls for thirteen (13) 4-inch trees.

City Comment:

14. 12.8

VEI Response:

Please advise your comment for this requirements. The ECD 12.8 Guideline reads:

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

A bicycle parking area and facility has been added to the plan.

City Comment:

15. *The site is at the maximum for impervious cover.*

VEI Response:

Comment noted.

City Comment:

16. *Not all documentation has been provided for Entry Corridor.*

VEI Response:

Comment noted. More details have been provided in this response.

City Comment:

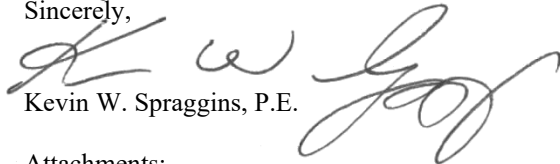
17. *Sections 1, 2, 3,4,5,6,7 will need to be evaluated with elevations and renderings and will require P&Z approval.*

VEI Response:

Comment noted. Elevations and renderings will be provided to P&Z for approval. At this time, only the preliminary interior floorplan is available.

Should you have further questions or comments please do not hesitate to contact me at the information at the top of this letter or at kspraggins@vei-tx.com.

Sincerely,



Kevin W. Spraggins, P.E.

Attachments:

1. CUP Narrative
2. Preliminary floorplan (SKT Architects, dated May 12, 2023)
3. Pervious paver details/spec sheet (Belgard pavers)
4. Revised Site Plan set with Landscape & Screening Plan

C.U.P. NARRATIVE

for 720 S. Adams Street

CUP Requirement

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

VEI Response:

The site design will adhere to the applicable regulations and standards as established by the Zoning Regulations.

CUP Requirement

2. *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.*

VEI Response:

The proposed building use is compatible with neighboring sites in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, access and circulation features.

CUP Requirement

3. *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.*

VEI Response:

The proposed building will be designed to mitigate 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.

CUP Requirement

4. *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.*

VEI Response:

The site design will be modified, including variances from regulations, such that it results in increased compatibility, and mitigate potentially unfavorable impacts, so that it will conform to applicable regulations and standards and protect the public health, safety, morals, and general welfare.

CUP Requirement

5. *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.*

VEI Response:

This requirement will be incorporated into the site's design.

CUP Requirement

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

VEI Response:

These requirements will be incorporated into the site's design.

CUP Requirement

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

VEI Response:

This requirement will be incorporated into the site's design.

CUP Requirement

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

VEI Response:

Sufficient parking and loading facilities that are convenient to customers and tenants are provided.

CUP Requirement

9. *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.*

VEI Response:

The proposed use of the building and is in accordance with the zoning of the site, C2-Commercial.

CUP Requirement

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

VEI Response:

The proposed use complies with the applicable provisions of the zoning regulations.

CUP Requirement

11. *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.*

VEI Response:

The tract is undeveloped land, and the adjacent uses are banks with drive-thru lanes. An office/retail building with a dry-cleaner's drive-thru is compatible with these uses.

CUP Requirement

12. *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.*

VEI Response:

This requirement will be incorporated into the site design.

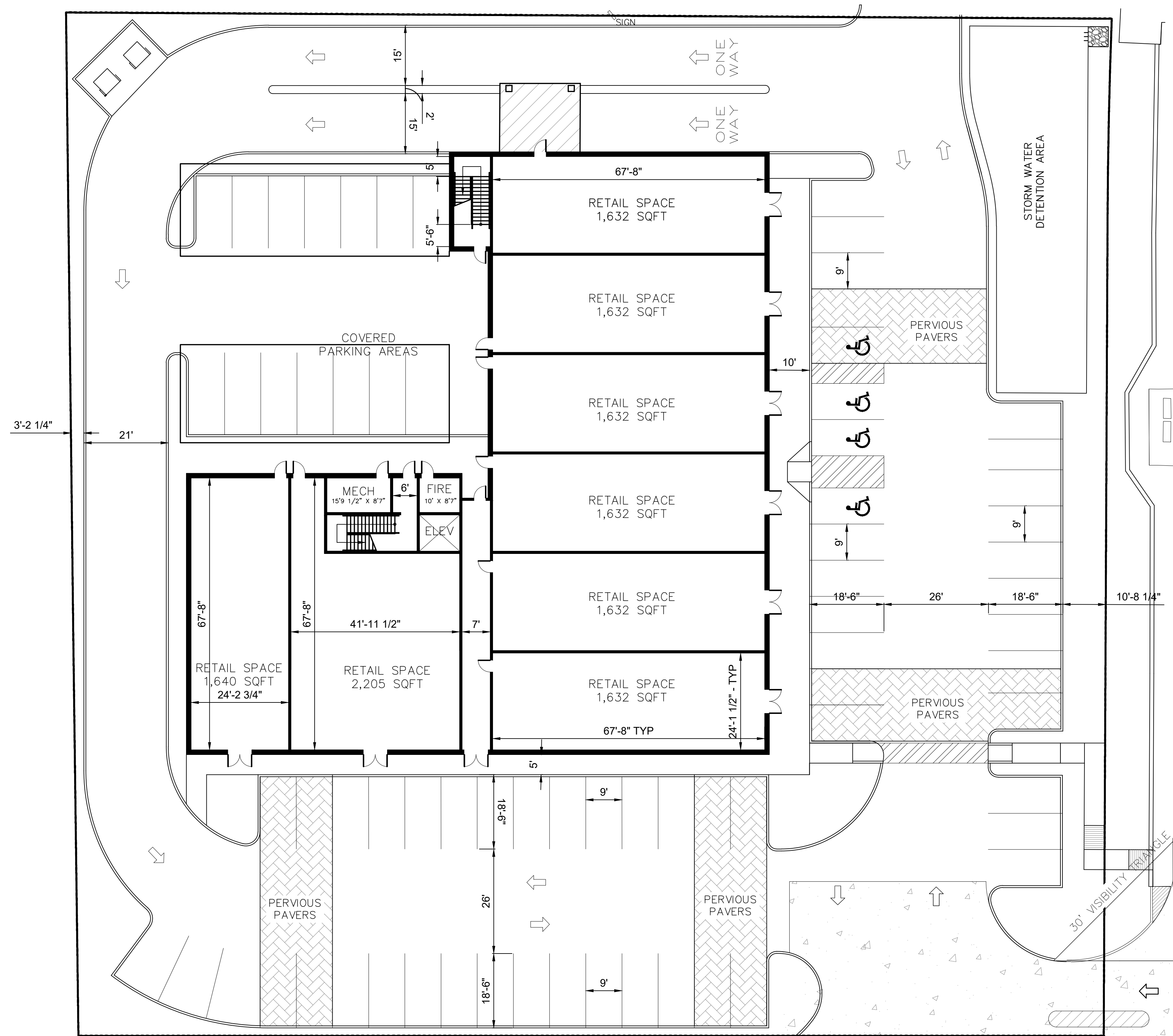
CUP Requirement

13. *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.*

VEI Response:

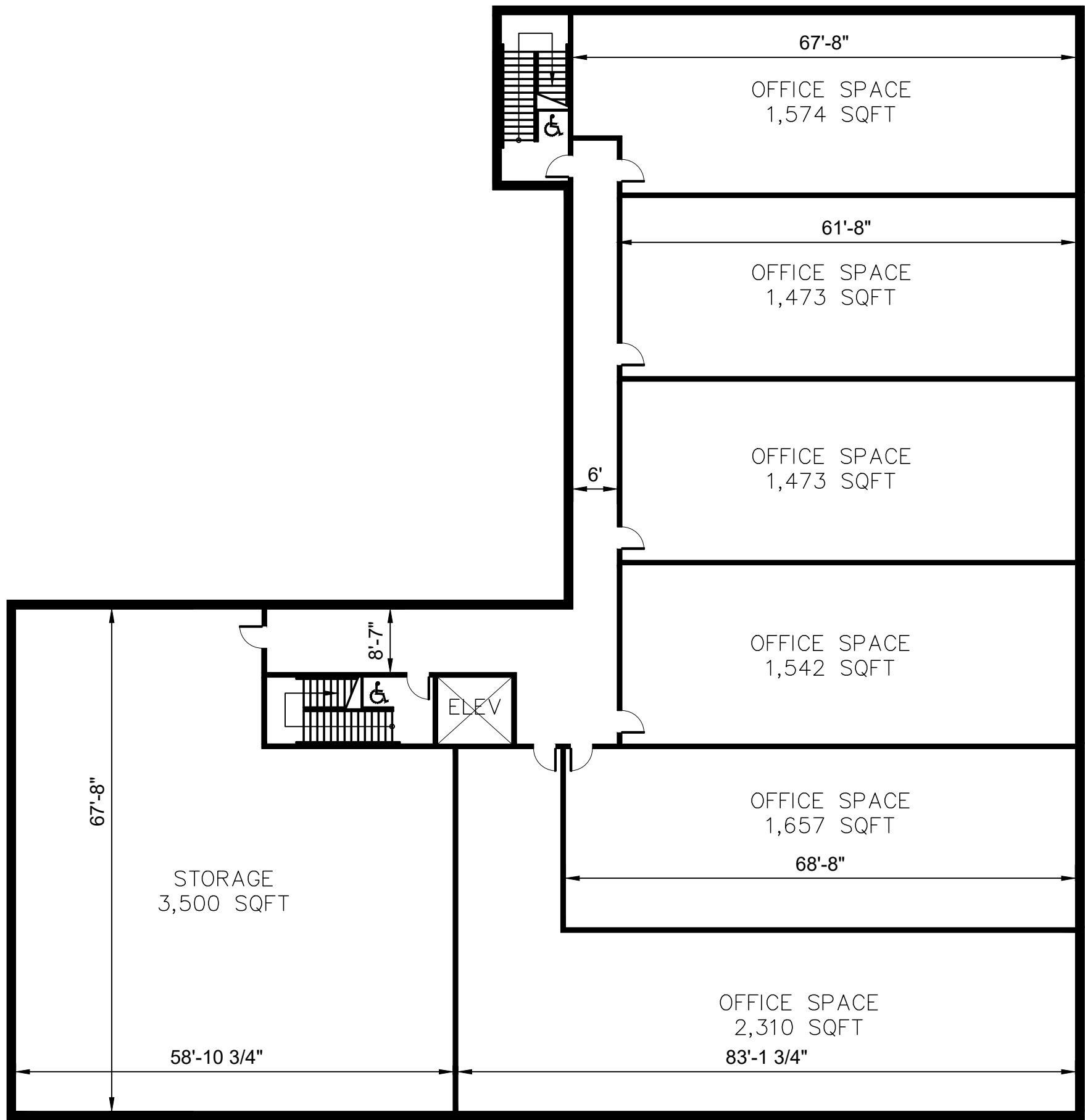
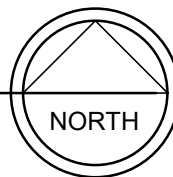
The proposed use of the building is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The dry-cleaner's drive-thru will operate during normal business hours and half a day on Saturday mornings. This use is in keeping with the surrounding businesses and bank drive-thru lanes.

♦♦ End of C.U.P. Narrative ♦♦



PROPOSED FIRST FLOOR PLAN AND SITE

1/16" = 1' - 0"



PROPOSED SECOND FLOOR PLAN

1/16" = 1' - 0"





OPERATION & MAINTENANCE GUIDE

for Belgard Permeable Interlocking Concrete Pavement Systems



BELGARD PERMEABLE PAVERS are produced by Oldcastle Architectural Products Group (APG) plants throughout North America and are manufactured in accordance with ASTM C936 *Standard Specification for Solid Concrete Interlocking Paving Units*, and ASTM C1782 *Standard Specification for Segmental Concrete Paving Slabs* in the United States. In Canada, pavers and slabs are manufactured in accordance with CSA A231.1/ A231.2 *Precast Concrete Paving Slabs/Precast Concrete Pavers*.

Permeable Interlocking Concrete Pavement (PICP), like all types of permeable pavement, is a stormwater control measure that requires periodic inspection and maintenance to ensure long-term performance throughout the design life of the system. The type of maintenance differs from traditional impermeable pavements and maintenance methods can vary based on site-specific conditions.

All permeable pavements will collect sediment and debris which results in a decreasing infiltration rate over time. The rate of decrease depends on the sources of sediment. The surface infiltration rate reduction is gradual over time and most rain events are still infiltrated through the sediment filled joints. Gradual sedimentation captures suspended solids near the surface where routine maintenance can readily remove the sediment.

This document addresses the key inspection and maintenance requirements for Belgard permeable paver systems and does not address other types of permeable pavement systems or the cleaning and maintaining of standard concrete pavers. Belgard recommends that a site-specific Operations & Maintenance (O&M) Manual be developed, based on guidelines presented in this document, for large commercial and municipal projects.

Visit **www.BelgardCommercial.com** for a full collection of resources related to Belgard permeable pavers including typical details, guide specifications, laying patterns, and other reference material.

Oldcastle APG, a part of CRH International, is committed to delivering sustainable products that provide environmental benefits, including concrete products for stormwater management. Belgard permeable pavers are used throughout North America as part of a Low Impact Development strategy to infiltrate stormwater, reduce runoff, and associated flooding. Oldcastle’s commitment to a cleaner environment extends beyond the products we manufacture and now includes a variety of post-construction maintenance programs for owners, municipalities, and facility managers. For more information about Oldcastle’s commitment to the environment, go to **<http://www.crh.com/sustainability>**.



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SITE CONSTRUCTION PROTECTION FOR PICP SYSTEMS

Protecting PICP from excessive sediment buildup during construction is important to long-term performance and effective future maintenance efforts. Most sites build PICP systems first to protect the open-graded aggregates from debris, dirt, etc., and then the PICP is used for site access during construction. During the pre-construction meeting, various trades should review material flow that will impact or stain the paver surface, e.g. concrete trucks, dry wall, masonry, etc. These vehicles may utilize the pavement, but consideration on how washout and debris from these trades will impact the paver surface must be addressed. Excessive mud tracked on the pavers may cause excessive sedimentation in some areas but can be removed with a vacuum street sweeper at the conclusion of construction activities and prior to turning the project over to the owner. In addition, the PICP system can serve as an integral part of the project’s Stormwater Pollution Prevention Plan if designated before construction with a plan to maintain and restore the PICP to full surface infiltration capacity. Oldcastle recommends that the PICP can be used by construction traffic if the joint material is removed and replaced upon substantial completion of the project, as necessary due to sedimentation. Surface infiltration testing must be performed and exceed 100 in/hr. unless otherwise specified by the construction documents.

An alternative solution to protect the PICP system would be to excavate to the final subgrade elevation and install the ASTM No. 2 aggregate to the depth shown in the construction documents (the layer can be increased in thickness to reduce the grade change as you enter the permeable paver area, as needed). The ASTM No. 2 aggregate can then be used by construction traffic and as a sediment trap. Once the final road construction can proceed, the top 6 to12 inches of ASTM No. 2 aggregate is excavated and the PICP system is built in its entirety as designed. Once final road construction begins, prohibit construction traffic access over the open-graded aggregate subbase and base materials.



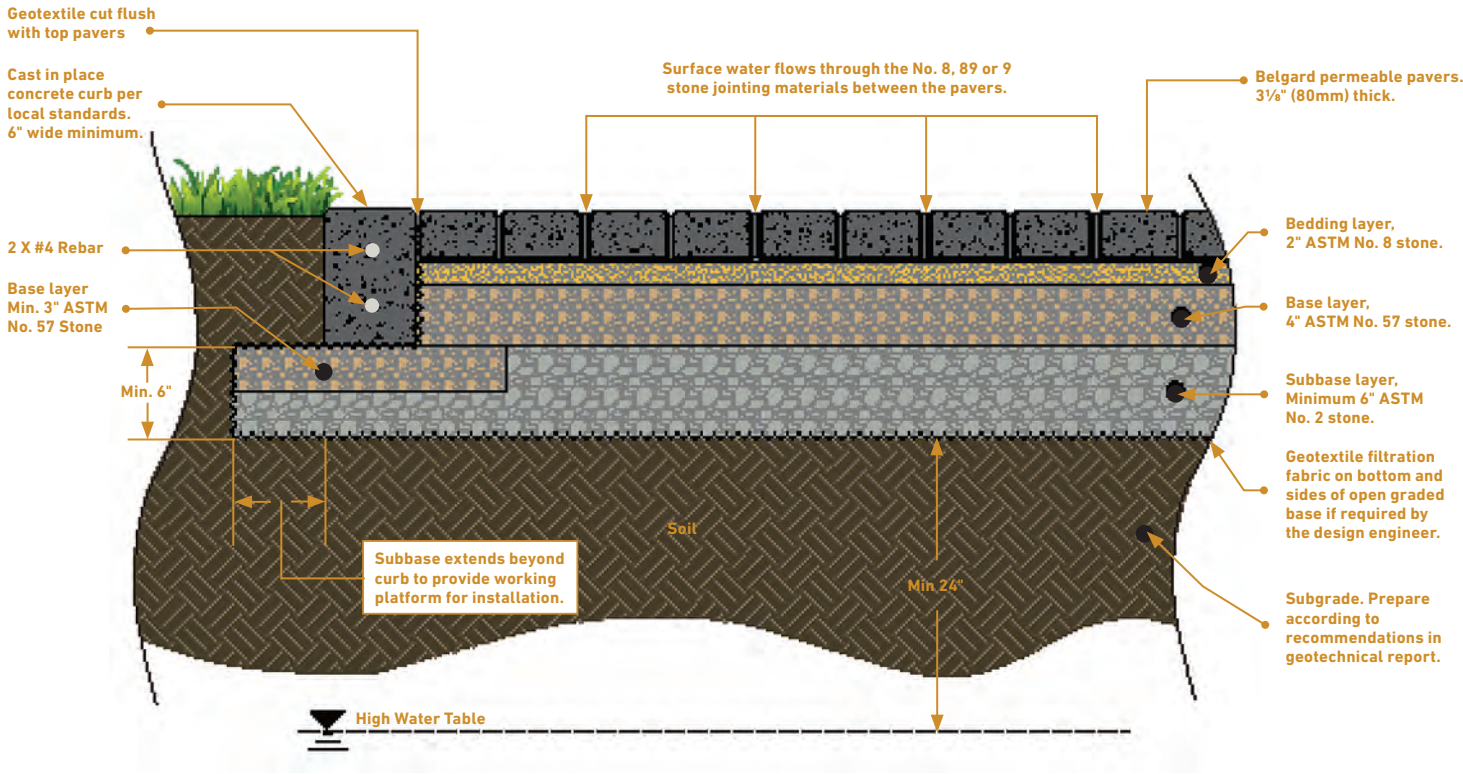
Another alternative solution would employ the use of a sacrificial layer of asphalt over the base (ASTM No. 57 aggregate). This approach would require the eventual removal of the asphalt layer and re-grading the base layer before proceeding with the setting bed layer and paver installation.

Each of these options would allow immediate traffic flow after the permeable pavers have been installed, compacted and joint fill added. Protection of the pavers may or may not be required based on the stage at which they were installed; the projected use by the trades; and needs of the property owner. Plywood, fabric with chips, tarps, and numerous other methods have been used in attempts to provide a protective layer over the paver surface, however, most have proven costly and ineffective.

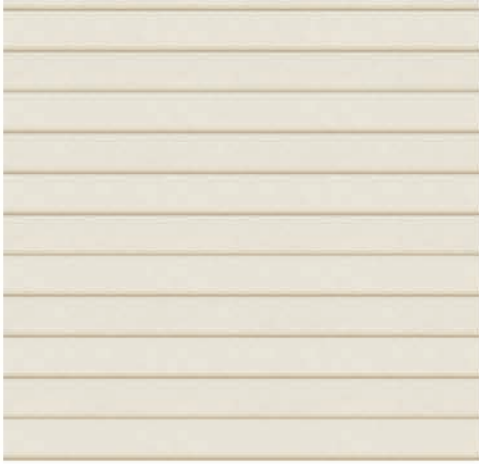
POST-CONSTRUCTION (PUNCHLIST) INSPECTIONS AND CLOSE-OUT DOCUMENTS

When the PICP construction is complete, the owner or their representative should confirm that the newly built PICP was installed in general conformance with the construction documents. Confirmation that the proper materials and drainage were installed, through site visits and/or photographs, is recommended to ensure the long-term performance of the PICP system.

Example Construction Detail for a PICP System



COLORS AND FINISHES



SMOOTH LAP SIDING
FARROW & BALL,
SCHOOLHOUSE WHITE, No 291



GENERAL PAINT COLOR
FARROW & BALL, RAILINGS, No31



ACME BRICK -
BURLINGTON CBP140



PAINTED BRICK
FARROW & BALL,
SCHOOLHOUSE WHITE, No 291



GENERAL PAINT COLOR
FARROW & BALL, DENIMES, No 299



ACME BRICK -
CHICAGO SOUTHSIDE DTP60



STUCCO
FARROW & BALL,
SCHOOLHOUSE WHITE, No 291



S. ADAMS DEVELOPMENT
CONCEPT IMAGES
5/24/23



S. ADAMS DEVELOPMENT
CONCEPT IMAGES
5/24/23





S. ADAMS DEVELOPMENT
CONCEPT IMAGES
5/24/23



S. ADAMS DEVELOPMENT
CONCEPT IMAGES
5/24/23





Retail Space 6

S. ADAMS DEVELOPMENT
CONCEPT IMAGES
5/24/23





S. ADAMS DEVELOPMENT
CONCEPT IMAGES
5/24/23



VEI Consulting Engineers

Graylaur Corporation Inc. d/b/a

507 E. Highway Street, Suite D ♦ Fredericksburg, TX 78624

Tel (830) 997-4744 ♦ <http://vei-tx.com>

Texas (Firm No. 165) ♦ Arkansas ♦ Oklahoma ♦ Colorado ♦ Louisiana ♦ New Mexico

April 28, 2023

City of Fredericksburg Planning & Development

126 W. Main Street

Fredericksburg, TX 78624

Re: Entry Corridor Design Narrative for a Proposed Commercial/Retail Building at 720 S. Adams Street, Fredericksburg, Gillespie County, Texas (VEI No. 23004)

Dear Reviewer,

Attached to this letter you will find an Entry Corridor Design Narrative. This narrative describes the above proposed development and meets the Entry Corridor Project Checklist requirements.

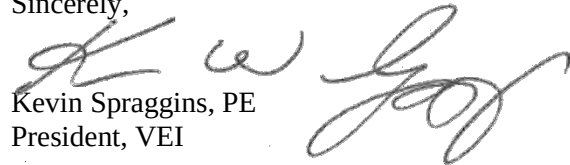
There are placeholders in this document for architectural details that will be provided at a later date. The architecture will follow the City's standards.

This narrative includes the following sections.

1. Architectural Style (pending)	8. Setbacks & Frontage
2. Architectural Materials (pending)	9. Landscaping
3. Architectural Color (pending)	10. Lighting
4. Architectural Features (pending)	11. Service Areas
5. Massing & Scale (pending)	12. Parking & Access
6. Signage	13. Drainage & Stormwater
7. Building Height.	14. Streetscape

Please contact me should you have any questions or comments. I can be reached at the information at the top of this letter or at kspraggins@vei-tx.com.

Sincerely,


Kevin Spraggins, PE
President, VEI

Entry Corridor Design Narrative

FOR

720 S. ADAMS STREET

1. Architectural Style

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

Not applicable. The site is not in the Historic District.

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

Noted. The architectural design will meet the specifications described in the standard.

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

Noted.

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

Noted.

2. Architectural Materials

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

Noted. The proposed architectural materials and surfaces will meet the specifications described in the standard.

- 2.2 COF STANDARD: *Abide by Historic District Guidelines for preserving historic buildings.*

Not applicable.

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

Not applicable.

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

Noted. The proposed design and features will meet the specifications described in the standard.



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

Noted.

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

Noted.

3. Architectural Color

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

Noted. Architectural design is pending and will adhere to this standard.

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

Noted. Architectural design is pending and will adhere to this standard.

- 3.3 COF STANDARD: *Reserve bright colors for accents only. Limit the use of bright colors to no more than 15 percent of the overall exterior building façade.*

Noted. Architectural design is pending and will adhere to this standard.

- 3.4 COF GUIDELINE: *Predominant building colors should be of earth tones but may be accented with brighter colors to provide color variation, punctuation, and eclecticism unique to Fredericksburg.*

Noted.

4. Architectural Features

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

Architectural design is pending and will adhere to this standard.

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

Architectural design is pending and will adhere to this standard.

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

Not applicable.

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

Architectural design is pending and will adhere to this standard.

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

Architectural design is pending and will adhere to this standard.

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

Architectural design is pending and will adhere to this standard.

- 4.7 COF GUIDELINE: *Choose features that fit the scale of the building and its surroundings.*

Noted.

- 4.8 COF GUIDELINE: *If a shed roof or flat roof design is used, add a parapet wall to screen the roof.*

Noted.

5. Massing & Scale

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

Architectural design is pending and will adhere to this standard.

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

Architectural design is pending and will adhere to this standard.

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

Architectural design is pending and will adhere to this standard.

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

Architectural design is pending and will adhere to this standard.

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

Not applicable.

- 5.6 COF GUIDELINE: *Faux windows and similar details are not appropriate articulation.*

Noted.

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

Noted.

6. Signage

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

Landscaping will be designed to meet this standard. A Landscape Plan will be provided for the City's review and approval during the Construction Document review process.

- 6.2 **COF GUIDELINE:** *A minimal number of colors should be used per sign where possible. Bright colors should be reserved for accent only.*

Noted. The design of the signage will adhere to this guideline.

- 6.3 **COF GUIDELINE:** *Integrate signs into building and site design so they do not appear as an afterthought.*

It is our intention to locate a monument sign in as effective a manner as possible to advertise the businesses in the building and adhere to this guideline.

- 6.4 **COF GUIDELINE:** *Attached signs should be located above the building entrance, storefront opening, or at other locations that are compatible with the architectural features of the building.*

All signage locations will be compatible with, and integrated into, the overall design. All signs will comply with the City of Fredericksburg's Signage ordinances.

7. Building Height

- 7.1 **COF STANDARD:** *Use existing height standards from the Zoning Ordinance.*

The tract is zoned C2 – Commercial. The building's height will meet the Zoning Ordinance's maximum of 38-ft.

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

Noted. The design of the streetscape will create a welcoming environment.

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

The building's elevation on S. Adams Street will adhere to the City's ordinances.

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

Noted.

8. Setbacks & Frontage

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

Noted. Architectural design is pending and will adhere to this standard.

- 8.2 COF GUIDELINE: *The front door should connect to the sidewalk along the entry corridor.*

Noted.

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

Not applicable.

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

Noted.

9. Landscaping

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

Noted. New landscaping will be installed to create the requested buffer between parking and the street. A Landscape Plan will be provided for the City's review and approval during the Construction Document review process.

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

Noted.

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

Noted.

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

Noted.

- 9.5 COF GUIDELINE: *Minimize impervious coverage to reduce the need for energy and water consumption.*

Impervious coverage is 79% (80% is the maximum impervious coverage allowed by the standard).

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

Noted.

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

Plantings and a conservative amount of turf will be utilized. Plants will conform with height and sight triangle requirements.

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

Coordination with subsurface utilities location and tree planting will be considered during the design.

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

Noted.

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

Noted. Mature vegetation will remain on the site where possible.

- 9.11 COF GUIDELINE: *Minimize grading and preserve existing vegetation whenever possible.*

Noted. Existing, mature vegetation will be used whenever possible.

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

Noted. Landscape irrigation design is pending.

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

Root barriers will be implemented in applicable areas.

10. Lighting

- 10.1 COF STANDARD: *Lighting fixtures should be selected from the International Dark-Sky Association Approved Fixtures.*

All lighting will be Dark-Sky compliant.

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

Noted.

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

Light fixtures will be chosen to blend with the architectural style of the building.

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

Noted.

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

Noted.

- 10.6 COF GUIDELINE: *Off-site street lighting may be required over driveways to provide safe entrances and exits.*

Noted.

- 10.7 COF GUIDELINE: *Decorative seasonal lighting encouraged.*

Noted.

11. Service Areas

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

There will be a small loading/service area in the covered parking area in the northwest corner of the proposed building. The trash enclosure is in the northwest corner of the tract and will be screened.

- 11.2 COF GUIDELINE: *All trash, recycling and utilities facilities should be visually and acoustically screened from pedestrian rights of way.*

The service area will be screened visually and acoustically from pedestrian rights of way and placed away from neighbors.

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

Noted.

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

Noted.

- 11.5 COF GUIDELINE: *The height of screening plants should be based on typical plant size within five growing seasons.*

Noted.

- 11.6 COF GUIDELINE: *All roof-top equipment should be screened from entry corridors, side streets, plazas and parks.*

Noted.

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

Noted.

12. Parking & Access

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

Not applicable.

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

All parking will comply with current ADA guidelines.

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

Access to 720 S. Adams will be provided by driveways on neighboring bank properties. The access easement between these driveways will adhere to this standard.

- 12.4 COF STANDARD: *Pedestrian walkways connecting to adjacent development shall be provided.*

Pedestrian walkways will be provided connecting adjacent pedestrian access.

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

A total of 70 parking spaces are being provided (four are ADA spaces). At least ten (10) 4-inch diameter trees are shown on the Site Plan in corners and landscaped areas.

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

The building has conforming sidewalks around all entries and parking.

- 12.7 COF GUIDELINE: *Parking should be located behind buildings or on the side.*

Where possible, the parking design complies with this guideline. The drive-thru porte-cochere and drive aisles limit parking placement on one side and at the rear of the building.

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

The proposed development is not in an intersection.

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

Noted. The parking design complies with this guideline.

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

The parking design complies with this emergency vehicle access guideline.

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

There is a bypass drive next to the drive-thru aisle, allowing vehicles to exit the parking area without going through the drive-thru aisle.

- 12.12 COF GUIDELINE: *Parking lots should be located and designed with storm water Best Management Practices to capture, treat and infiltrate storm water.*

The parking design complies with this guideline. Please see the next section for more details on stormwater handling.

- 12.13 COF GUIDELINE: *The on-site circulation should be logical and provide convenient, safe and direct flow of pedestrians and vehicles.*

Noted. The site design meets this standard.

- 12.14 COF GUIDELINE: *New surface parking areas are discouraged within view of US 290, US 87, SH 16, and FM 965. New parking areas should be situated behind buildings and screened from street views.*

Noted.

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

Noted.

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

This project does not use detached parking structures.

- 12.17 COF GUIDELINE: *Shared driveways are encouraged.*

Shared driveways will be utilized with the banks on the north and south of the proposed building.

13. Drainage & Stormwater

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

Noted. Please see the Drainage Plan attached for directional flow and the location of stormwater detention. Please note that we are proposing the use of permeable pavers in several sections of the parking area.

- 13.2 COF GUIDELINE: *When possible, site stormwater management facilities in parks and open space if there is a benefit to the surrounding area and/or water quality is demonstrated.*

Noted.

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

Existing drainage patterns and flows on the site are preserved to the greatest extent possible.

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

Noted.

14. Streetscape

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

Sidewalks on the site will conform with this requirement.

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

Sidewalks and pedestrian pathways will safely connect from the street to the building and other areas of the facility.

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

A small seating area is planned in the front (east side) of the building.

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

All pedestrian areas will comply with the current ADA and Texas Accessibility Standards.

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

The streetscape design will comply with this guideline.

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

Not applicable.

- 14.7 COF GUIDELINE: *Streetscape furnishing should be made of high-quality materials and be coordinated with the architecture of the building.*

The streetscape design will comply with this guideline.

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

The streetscape design will comply with this guideline.

-- END OF ENTRY CORRIDOR NARRATIVE --

Sec. 5.460. Review and Evaluation Criteria.

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

- 1 Conformance with applicable regulations and standards established by the Zoning Regulations.
- 2 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.
- 3 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.
- 4 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.
- 5 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.
- 6 Protection of persons and property from erosion, flood or water damage, fire, noise, glare and similar hazards and impacts.
- 7 Location, lighting, and type of signs; the relation of signs to traffic control and adverse effect of signs on adjacent properties.
- 8 Adequacy and convenience of off-street parking and loading facilities.
- 9 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.
- 10 Determination that the proposed use will comply with each of the applicable provisions of these Zoning Regulations.
- 11 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.
- 12 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.
- 13 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.



Zoning Application

City of Fredericksburg – Development Services Department

126 W. Main St, Fredericksburg, TX 78624

A. Project Information

Project Name: South Adams St. Commercial
Project Address: 720 S. Adams
Property Tax ID Numbers: 90189

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: Properties of Barons Creek LLC - South Adams Series

Owner Address: [REDACTED]

Owner Phone Number: [REDACTED]

Owner Email Address: [REDACTED]

D. Applicant

Applicant Name: Kevin W. Spraggins, PE

Applicant Address: [REDACTED]

Applicant Phone Number: [REDACTED]

Applicant Email Address: [REDACTED]

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: Kevin Spraggins

Digitally signed by Kevin Spraggins
Date: 2026.02.27 15:49:17 -06'00'

Printed Name: Kevin W. Spraggins

Staff Use Only

Application Number: _____

Date: 02-27-2026

ORDINANCE NO. 2 0 2 6 - 18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING APPENDIX B, "ZONING ORDINANCE" OF THE FREDERICKSBURG MUNICIPAL CODE, AS AMENDED, BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A "DRIVE THROUGH FACILITY" USE AT CERTAIN PROPERTY LOCATED AT 720 SOUTH ADAMS STREET, FREDERICKSBURG, TEXAS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, in accordance with the Comprehensive Zoning Ordinance, the owner of the property referenced below has filed an application for a Conditional Use Permit for a "Drive Through Facilities" use; and

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

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

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

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

Section 1.

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

Section 2.

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

Applicant: Kevin Spraggins (VEI Engineering)

Property Owner: Properties of Barons Creek LLC – South Adams Series

Property Address: 720 S. Adams Street, Fredericksburg, TX 78624

Legal Description:

BEING A 1.50 ACRE TRACT, CALLED LOT 3R, IN ROBERT WALTER SUBDIVISION, RECORDED IN VOLUME 4, PAGE 7 OR THE PLAT RECORDS OF GILLESPIE COUNTY, TEXAS

Zoning Change: The property shall remain located in the C2: Commercial zoning district, and a Conditional Use Permit for a "Drive Thru Facilities" use is hereby granted subject to the terms and conditions provided herein

Section 3.

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

Section 4.

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

Section 5.

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

Section 6.

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

Section 7.

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

Section 8.

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

Section 9.

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

Section 10.

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

PASSED AND APPROVED on this the 7th day of April 2026.

Jeryl Hoover, Mayor
City of Fredericksburg, Texas

ATTEST:

Letty Vacek, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Attorney
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: April 7, 2026

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider an Ordinance amending Chapter 26, "Sexually Oriented Businesses" of the City Code addressing Definitions, Licensing, Location and Operational Regulations. (Cliff Cross, Director of Development Services)

- i Presentation by the Staff
- ii Take Action - Approve Ordinance 2026-19 For The Amendment.

SUMMARY:

The purpose of this amendment is to regulate the time, place, and manner of operation of sexually oriented businesses through content-neutral regulations designed to mitigate documented adverse secondary effects associated with such businesses. This ordinance is not intended to regulate or suppress speech or expression protected by the First Amendment to the United States Constitution or Article I, Section 8 of the Texas Constitution, but rather to address the adverse secondary effects of sexually oriented businesses on the surrounding community. The regulations in this amendment are designed to serve substantial governmental interests and leave open reasonable alternative avenues of expression.

BACKGROUND:

Staff is requesting City Council approval based upon the following findings based on evidence and studies from other jurisdictions:

(1) Sexually oriented businesses, when improperly regulated or concentrated, are associated with adverse secondary effects including but not limited to: increased crime rates (including prostitution, sexual assault, drug offenses, and other criminal activity); decreased property values in surrounding areas; neighborhood deterioration and blight; increased transient populations; deleterious impacts on the character, tone, and quality of life in surrounding residential and commercial areas; and negative impacts on the business climate and economic development opportunities.

(2) These adverse secondary effects are particularly harmful when sexually oriented businesses are located near sensitive uses such as residential areas, schools, churches, parks, playgrounds, and daycare facilities, or when multiple sexually oriented businesses are concentrated in close proximity to each other.

(3) Reasonable time, place, and manner regulations, including minimum distance requirements and operational standards, have been demonstrated in other jurisdictions to reduce such adverse secondary effects without suppressing protected expression.

(4) The regulations adopted in this chapter are content-neutral and are designed solely to address the documented adverse secondary effects of sexually oriented businesses rather than the content of speech, expression, or materials provided or displayed at such establishments.

(5) The City has a substantial governmental interest in protecting residential neighborhoods, schools, churches, parks, playgrounds, daycare facilities, and similar sensitive uses from the adverse secondary effects of sexually oriented businesses.

(6) The regulations in this chapter are narrowly tailored to serve the City's substantial governmental interests and leave open reasonable alternative avenues of expression and communication.

(7) Adult-oriented businesses and similar establishments have historically operated in the City under various regulatory frameworks. The City Council finds it necessary to update and consolidate these regulations to address contemporary concerns while ensuring constitutional compliance.

FUNDING SOURCE: NA

FINANCIAL IMPACT:
NA

STAFF RECOMMENDATION:
NA

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Governance

ATTACHMENTS:

1. SOB Ordinance Working Final draft CC

APPROVAL/REVIEW:



Cliff Cross, Director of Development Services

Date: March 30, 2026



Garret Bonn, Assistant City Manager

Date: March 30, 2026



William McKamie, City Attorney

Date: March 30, 2026



Date: March 30, 2026

Leticia Vacek, City Secretary

A handwritten signature in blue ink, appearing to read "Clinton Bailey", is written over a horizontal line.

Clinton Bailey, City Manager

Date: March 31, 2026

ORDINANCE NO. 2026 - 19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES ENTITLED "SEXUALLY ORIENTED BUSINESSES"; REPEALING AND REPLACING ALL EXISTING SECTIONS OF CHAPTER 26; PROVIDING UPDATED PURPOSE AND LEGISLATIVE FINDINGS; PROVIDING REVISED DEFINITIONS; PROVIDING FOR LICENSING, LOCATION, AND OPERATIONAL REGULATIONS; PROVIDING FOR MINIMUM DISTANCE REQUIREMENTS; PROVIDING FOR NONCONFORMING USES AND AMORTIZATION; PROVIDING FOR ADMINISTRATIVE PROCEDURES AND EXPEDITED JUDICIAL REVIEW; PROVIDING FOR ENFORCEMENT AND APPEALS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Fredericksburg, Texas, finds that sexually oriented businesses require updated regulation to address documented adverse secondary effects on surrounding properties and neighborhoods; and

WHEREAS, the City Council has reviewed empirical evidence and studies from other jurisdictions documenting adverse secondary effects associated with sexually oriented businesses, including increased crime rates, decreased property values, increased transient populations, neighborhood deterioration, and deleterious impacts on the character and quality of surrounding areas; and

WHEREAS, the City Council has specifically reviewed and relies upon substantial empirical evidence documenting adverse secondary effects of sexually oriented businesses, including but not limited to: the 1977 Detroit zoning study referenced in *Young v. American Mini Theatres, Inc.*, 427 U.S. 50 (1976); the extensive studies cited in *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986); the Times Square study referenced in *City of New York v. Midnight Enterprises, Inc.*, 854 F. Supp. 1004 (S.D.N.Y. 1994); studies from Austin, Texas (1986), Tucson, Arizona (1990), Phoenix, Arizona (1979, 1995-98), Indianapolis, Indiana (1984), Los Angeles, California (1977), Whittier, California (1978), Oklahoma City, Oklahoma (2004), Dallas, Texas (1997), Houston, Texas (1983, 1997), Fort Worth, Texas (2004), Amarillo, Texas (1977), Minnesota (1980), and Garden Grove, California (1991); the comprehensive analysis of secondary effects in *DLS, Inc. v. City of Chattanooga*, 107 F.3d 403 (6th Cir. 1997); the Fourth Circuit's analysis of crime and secondary effects in *Gammoh v. City of La Habra*, 395 F.3d 1114 (9th Cir. 2005); the studies addressing blight and property value decline cited in *Ben's Bar, Inc. v. Village of Somerset*, 316 F.3d 702 (7th Cir. 2003); studies regarding public health and safety concerns in *PHE, Inc. v. Department of Justice*, 743 F. Supp. 15 (D.D.C. 1990); the empirical

analysis of concentrated adult uses in *Colacurcio v. City of Kent*, 163 F.3d 545 (9th Cir. 1998); and the comprehensive compilation of secondary effects evidence in *SDJ, Inc. v. City of Houston*, 837 F. Supp. 1268 (S.D. Tex. 1993); “Secondary Effects of “Off-Site” Adult Businesses,” Texas City Attorneys Association (2008); and

WHEREAS, the City Council finds that reasonable time, place, and manner regulations are necessary to mitigate these adverse secondary effects while preserving constitutionally protected expression; and

WHEREAS, the existing Chapter 26 of the Code of Ordinances requires updating to provide clearer regulatory standards, enhanced operational requirements, and improved procedural protections consistent with current constitutional standards; and

WHEREAS, this ordinance is adopted pursuant to the City's police powers, Chapter 243 of the Texas Local Government Code, and the City's authority to protect the health, safety, and welfare of its citizens through content-neutral regulations addressing the secondary effects of sexually oriented businesses; and

WHEREAS, the City Council has determined that alternative avenues of expression remain available under these regulations;

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

**SECTION 1.
AMENDMENT OF CHAPTER 26**

That Chapter 26, "Sexually Oriented Businesses," of the Code of Ordinances of the City of Fredericksburg, Texas, is hereby amended by repealing all existing sections in their entirety and replacing them with the following new sections:

CHAPTER 26 - SEXUALLY ORIENTED BUSINESSES

Sec. 26-1. Authority; Purpose; Legislative Findings.

(a) Authority.

This chapter is adopted pursuant to the City's general police powers and the authority granted to municipalities under Texas law, including Chapter 243 of the Texas Local Government Code, to regulate sexually oriented businesses. The City Council has reviewed and relies upon empirical evidence from studies and experience in other jurisdictions documenting adverse secondary effects of sexually oriented businesses.

(b) Purpose.

The purpose of this chapter is to regulate the time, place, and manner of operation of sexually oriented businesses through content-neutral regulations designed to mitigate documented adverse secondary effects associated with such businesses. This chapter is not intended to regulate or suppress speech or expression protected by the First Amendment to the United States Constitution or Article I, Section 8 of the Texas Constitution, but rather to address the adverse secondary effects of sexually oriented businesses on the surrounding community. The regulations in this chapter are designed to serve substantial governmental interests and leave open reasonable alternative avenues of expression.

(c) Legislative Findings.

The City Council hereby makes the following findings based on evidence and studies from other jurisdictions:

(1) Sexually oriented businesses, when improperly regulated or concentrated, are associated with adverse secondary effects including but not limited to: increased crime rates (including prostitution, sexual assault, drug offenses, and other criminal activity); decreased property values in surrounding areas; neighborhood deterioration and blight; increased transient populations; deleterious impacts on the character, tone, and quality of life in surrounding residential and commercial areas; and negative impacts on the business climate and economic development opportunities.

(2) These adverse secondary effects are particularly harmful when sexually oriented businesses are located near sensitive uses such as residential areas, schools, churches, parks, playgrounds, and daycare facilities, or when multiple sexually oriented businesses are concentrated in close proximity to each other.

(3) Reasonable time, place, and manner regulations, including minimum distance requirements and operational standards, have been demonstrated in other jurisdictions to reduce such adverse secondary effects without suppressing protected expression.

(4) The regulations adopted in this chapter are content-neutral and are designed solely to address the documented adverse secondary effects of sexually oriented businesses rather than the content of speech, expression, or materials provided or displayed at such establishments.

(5) The City has a substantial governmental interest in protecting residential neighborhoods, schools, churches, parks, playgrounds, daycare facilities, and similar sensitive uses from the adverse secondary effects of sexually oriented businesses.

(6) The regulations in this chapter are narrowly tailored to serve the City's substantial governmental interests and leave open reasonable alternative avenues of expression and communication.

(7) Adult-oriented businesses and similar establishments have historically operated in the City under various regulatory frameworks. The City Council finds it necessary to update and consolidate these regulations to address contemporary concerns while ensuring constitutional compliance.

Sec. 26-2. Definitions.

For purposes of this chapter, the following words and phrases shall have the meanings assigned below. Terms not defined in this section shall have their ordinary and common meanings.

(1) Adult arcade means any place to which the public is permitted or invited and where coin-operated, slug-operated, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, video or laser disc players, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas."

(2) Adult bookstore or adult video store means a commercial establishment that:

(A) As one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following:

(i) Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations that depict or describe "specified sexual activities" or "specified anatomical areas"; or

(ii) Instruments, devices, or paraphernalia that are designed for use in connection with "specified sexual activities"; or

(B) Has a segment or section comprising more than five percent of its total floor space devoted to the sale or display of such items, or more than five percent of its stock-in-trade consisting of such items; or

(C) Derives more than five percent of its net revenue from the sale or rental, for any form of consideration, of such items.

(3) Adult cabaret means a nightclub, bar, restaurant, or similar commercial establishment, whether or not alcoholic beverages are served, that regularly features:

(A) Persons who appear in a state of nudity or semi-nudity;

(B) Live performances that are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or

(C) Films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

(4) Adult motel means a hotel, motel, or similar commercial establishment that:

(A) Offers accommodations to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" and that has a sign visible from the public right-of-way that advertises the availability of this type of sexually oriented material; or

(B) Offers a sleeping room for rent for a period of time less than ten hours;
or

(C) Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than ten hours.

(5) Adult motion picture theater means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown that are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

(6) Administrator means the City Manager of the City of Fredericksburg, Texas, or the City Manager's authorized designee.

(7) Church or place of religious worship means a structure or place used primarily for religious worship and related religious activities.

(8) Employee means any person who performs any service on the premises of a sexually oriented business on a full-time, part-time, or contract basis, whether or not the person is denominated an employee, independent contractor, agent, or otherwise. "Employee" includes, but is not limited to, those persons who work as entertainers, performers, managers, supervisors, or support staff.

(9) Licensee means a person to whom a license has been issued pursuant to this chapter to operate a sexually oriented business.

(10) Nude or nudity means:

(A) The appearance of a human anus, genitals, or female breasts; or

(B) A state of dress that fails to opaquely cover a human anus, genitals, or the areola or nipple of the female breast.

(11) Operator means any person who operates, manages, supervises, or has supervisory control over the day-to-day operations of a sexually oriented business, regardless of whether such person is an owner, part owner, or licensee of the business.

(12) Person means an individual, proprietorship, partnership, corporation, association, or other legal entity.

(13) Premises means the real property upon which the sexually oriented business is located, and all appurtenances thereto and buildings thereon, including but not limited to the sexually oriented business, the grounds, private walkways, and parking lots or parking garages or other parking facilities adjacent thereto and under the ownership, control, or supervision of the licensee.

(14) Public park or playground means any real property owned, operated, or managed by any governmental entity and designated, maintained, or used for recreational purposes by the public.

(15) Residential district or residential use means any area zoned for residential purposes under the City's zoning ordinance, or any area actually used for residential purposes, including single-family dwellings, multi-family dwellings, mobile home parks, or other residential uses.

(16) School means any public or private educational institution, including but not limited to elementary schools, junior high schools, middle schools, high schools, secondary schools, vocational or trade schools, or any other institution providing educational instruction to persons under the age of 18 years.

(17) Semi-nude or semi-nudity means a state of dress in which clothing covers no more than the genitals, pubic region, and areolae of the female breast, as well as portions of the body covered by supporting straps or devices.

(18) Sensitive use means any of the following:

(A) A school, as defined in this section;

(B) A church or place of religious worship, as defined in this section;

(C) A public park or playground, as defined in this section;

(D) A public library owned or operated by any governmental entity;

(E) A licensed daycare facility or licensed childcare facility;

(F) A residential district or residential use, as defined in this section; or

(G) A public community center owned or operated by any governmental entity.

(19) Sexually oriented business means an adult arcade, adult bookstore, adult video store, adult cabaret, adult motel, or adult motion picture theater, as those terms are defined in this section.

(20) Specified anatomical areas means:

(A) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breast below a point immediately above the top of the areola; or

(B) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(21) Specified sexual activities means:

(A) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;

(B) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;

(C) Masturbation, actual or simulated; or

(D) Excretory functions as part of or in connection with any of the activities described in subparagraphs (A) through (C) of this definition.

Sec. 26-3. License Required; Unlawful Operation.

(a) License Required.

A person commits an offense if the person operates or causes to be operated a sexually oriented business within the corporate limits of the City without a valid license issued pursuant to this chapter. Each day of violation constitutes a separate offense.

(b) Separate License.

A separate license is required for each premises at which a sexually oriented business operates. If more than one classification of sexually oriented business is operated on the same premises, a separate license is required for each such classification.

(c) Nontransferable.

A license issued under this chapter is nontransferable. A change in ownership or a change in location of a sexually oriented business requires application for and issuance of a new license.

(d) Display of License.

A current, valid license shall be conspicuously displayed on the licensed premises at all times during business operations in a location readily visible to patrons and City officials upon entry to the premises.

Sec. 26-4. License Application; Issuance; Term; Renewal.

(a) Application Form and Content.

An application for a sexually oriented business license shall be filed with the Administrator on a form provided by the City. The application shall be completed in full and shall include the following information:

(1) The full legal name, any aliases or trade names, current residential address, and telephone number of the applicant. If the applicant is a corporation, partnership, limited liability company, or other business entity, the application shall include the entity's full legal name, state of incorporation or organization, registered agent information, and the full legal names, current residential addresses, and telephone numbers of all officers, directors, partners, members, or other persons holding a ten percent or greater ownership interest in the entity;

(2) Proof of the applicant's current age and identity, including a copy of a valid government-issued photo identification;

(3) The classification or classifications of sexually oriented business for which the license is sought;

(4) The address, legal description, and proof of ownership or lawful right to occupy the premises where the sexually oriented business will be located;

(5) The business mailing address and business telephone number, if different from the premises address;

(6) A site plan drawn to scale showing the location of the premises, all structures on the premises, parking areas, entrances and exits, and distances to the nearest sensitive uses and to any other sexually oriented businesses;

(7) An interior floor plan drawn to scale showing the interior layout of the premises, including but not limited to the location of manager stations, viewing booths or rooms (if any), stages or performance areas (if any), customer areas, and restrooms;

(8) A sworn statement by the applicant that:

(A) The applicant is at least 18 years of age;

(B) All information provided in the application is true and correct to the best of the applicant's knowledge;

(C) The premises and proposed operations comply with all requirements of this chapter and all other applicable City ordinances, codes, and regulations; and

(D) The applicant acknowledges that any material misrepresentation or false statement in the application constitutes grounds for denial, suspension, or revocation of the license;

(9) The applicable license fee as established by separate City ordinance or resolution; and

(10) Any additional information reasonably required by the Administrator to determine whether the application and premises comply with the requirements of this chapter and other applicable City ordinances.

(b) Application Processing and Timeframes.

(1) The Administrator shall accept and review all complete applications for sexually oriented business licenses and shall issue or deny the license within thirty (30) calendar days of receipt of a complete application unless the applicant agrees in writing to a longer period. The Administrator may require inspections of the premises and verification of information prior to making a determination.

(2) If an application is incomplete, the Administrator shall notify the applicant in writing within ten (10) business days of the specific deficiencies in the application. The applicant shall have thirty (30) calendar days from the date of such notice to submit the requested information or materials. If the applicant fails to cure the deficiencies within the specified time, the application shall be deemed withdrawn.

(3) The running of the thirty-day period for the Administrator's decision shall be tolled during any period in which an application is incomplete.

(c) Standards for Issuance.

The Administrator shall issue a license if:

(1) The application is complete and contains all required information and materials;

(2) The applicant is at least 18 years of age;

(3) The application contains no material misrepresentations or false statements;

(4) The premises complies with all location restrictions in Section 26-7 of this chapter;

(5) The premises complies with all applicable zoning, building code, fire code, health code, and other City ordinances, codes, and regulations;

(6) The premises passes all required inspections; and

(7) The applicable license fee has been paid.

(d) License Term.

A license issued under this chapter shall be valid for one year from the date of issuance unless sooner suspended or revoked. The license shall expire automatically on the first anniversary of its issuance unless renewed.

(e) Renewal.

(1) A licensee may apply for renewal of a sexually oriented business license by filing a complete renewal application and paying the renewal fee at least thirty (30) calendar days before the expiration of the current license. A renewal application shall include updated information as required by subsection (a) of this section and shall verify continued compliance with all requirements of this chapter.

(2) If a timely and complete renewal application is filed, the existing license shall remain valid until the Administrator makes a determination on the renewal application.

(3) The Administrator shall approve or deny a renewal application using the same standards applicable to original applications under subsection (c) of this section.

Sec. 26-5. Inspection and Verification.

(a) Pre-Licensing Inspection.

Prior to issuance or renewal of a license, the Administrator may require inspection of the premises by appropriate City officials, including but not limited to building inspectors, fire inspectors, health inspectors, and zoning enforcement officers, to verify compliance with applicable codes and regulations.

(b) Background Review.

The City may conduct background checks, verification of information, and other reasonable inquiries concerning applicants, owners, or operators to the extent permitted by applicable law.

(c) Compliance Inspections.

City officials may inspect the premises of a licensed sexually oriented business during regular business hours to ensure compliance with this chapter and other applicable laws, codes, and regulations. Such inspections shall be conducted in a reasonable manner so as not to unreasonably interfere with business operations.

Sec. 26-6. Denial, Suspension, or Revocation of License.

(a) Grounds for Denial, Suspension, or Revocation.

The Administrator shall deny an application for a license, or shall suspend or revoke an existing license, upon finding that:

(1) The applicant or licensee is under 18 years of age;

(2) The application contains materially false information or material misrepresentations;

(3) The premises does not comply with the location restrictions set forth in Section 26-7 of this chapter;

(4) The premises does not comply with applicable zoning, building code, fire code, health code, or other City ordinances, codes, or regulations;

(5) The premises fails required inspections;

(6) The applicant or licensee has failed to pay applicable license fees or other required fees;

(7) The licensee or any employee has violated any provision of this chapter or has allowed or permitted any violation of this chapter to occur on the premises;

(8) The licensee has failed to maintain the premises in compliance with the operational standards set forth in Section 26-9 of this chapter; or

(9) Any other ground authorized by applicable law.

(b) Notice and Opportunity to Cure.

Before suspending or revoking a license for violations that are capable of being cured, the Administrator shall provide the licensee with written notice of the violation and a reasonable opportunity to cure the violation, not to exceed ten (10) business days, unless immediate suspension is necessary to protect public health, safety, or welfare.

(c) Written Decision.

Any denial, suspension, or revocation of a license shall be in writing and shall state with specificity the grounds for the Administrator's action and the provisions of this chapter or other applicable law that have been violated. The written decision shall be provided to the applicant or licensee by certified mail, return receipt requested, or by personal delivery.

(d) Effect of Revocation or Denial.

Upon revocation of a license, the sexually oriented business shall immediately cease all operations. A person whose license application has been denied or whose license has been revoked may not reapply for a license for the same premises for a period of one year from the date of denial or revocation.

Sec. 26-7. Location Restrictions; Minimum Distance Requirements.

(a) Minimum Distance from Sensitive Uses.

A sexually oriented business shall not be located within one thousand (1,000) feet of any sensitive use, as defined in Section 26-2 of this chapter.

(b) Minimum Distance Between Sexually Oriented Businesses.

A sexually oriented business shall not be located within one thousand (1,000) feet of any other sexually oriented business.

(c) Method of Measurement.

For purposes of this section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest property line of the

parcel on which the sexually oriented business is or will be located to the nearest property line of the parcel on which the sensitive use or other sexually oriented business is located.

(d) Responsibility for Compliance.

The applicant or licensee bears the burden of demonstrating compliance with the distance requirements of this section. The City may require submission of a survey prepared by a registered professional land surveyor to verify compliance.

(e) Permitted Zoning Districts.

Sexually oriented businesses are permitted only within zoning districts where such uses are authorized under the City's zoning ordinance, subject to all requirements of this chapter and the City's zoning ordinance.

(f) Effect of Subsequent Changes.

A sexually oriented business that is in compliance with the distance requirements of this section at the time of licensing shall not be deemed to be in violation of this section solely because a sensitive use or another sexually oriented business is subsequently established within one thousand (1,000) feet of the licensed premises. However, if the sexually oriented business relocates or if the license expires and a new application is filed, the business must comply with all then-current distance requirements.

Sec. 26-8. Nonconforming Uses; Amortization.

(a) Designation of Nonconforming Use.

A sexually oriented business that is lawfully operating within the City on the effective date of this chapter and that does not comply with the location restrictions set forth in Section 26-7 of this chapter may continue to operate as a legal nonconforming use, subject to the provisions of this section.

(b) Amortization Period.

A nonconforming sexually oriented business may continue to operate for a period of four (4) years from the effective date of this chapter. At the expiration of the four-year amortization period, the nonconforming use shall cease and the business must either relocate to a conforming location or cease operations.

(c) License Required.

A nonconforming sexually oriented business must obtain and maintain a valid license under this chapter and must comply with all operational standards in Section

26-9 of this chapter, even though it is permitted to continue in a nonconforming location during the amortization period.

(d) No Expansion.

A nonconforming sexually oriented business shall not expand, enlarge, or extend its nonconforming use to occupy a greater area of land or building space than was occupied on the effective date of this chapter.

(e) Abandonment or Discontinuation.

If a nonconforming sexually oriented business ceases operations for a continuous period of one hundred eighty (180) calendar days, the nonconforming status shall be deemed abandoned and the business may not resume operations at that location except in full compliance with all provisions of this chapter, including the location restrictions in Section 26-7.

(f) Change of Ownership.

A nonconforming sexually oriented business may be transferred or sold, and the nonconforming status may continue with the new owner, provided that:

(1) The new owner applies for and obtains a license under this chapter within thirty (30) days of the transfer or sale;

(2) The business continues to operate at the same location without interruption of more than one hundred eighty (180) consecutive days; and

(3) The new owner complies with all operational standards in Section 26-9 and all other applicable provisions of this chapter.

(g) Destruction or Damage.

If a nonconforming sexually oriented business is damaged or destroyed by fire, flood, windstorm, or other casualty to the extent of fifty percent or more of its fair market value, the nonconforming status shall terminate and the business may not be rebuilt or resumed except in full compliance with all provisions of this chapter.

Sec. 26-9. Operational Standards.

(a) Hours of Operation.

Sexually oriented businesses shall operate only between the hours of 10:00 a.m. and 2:00 a.m. on any day. No sexually oriented business shall be open to the public or conduct business between the hours of 2:00 a.m. and 10:00 a.m.

(b) Minors Prohibited.

(1) No person under the age of 18 years shall be allowed to enter or remain on the premises of a sexually oriented business.

(2) A licensee or operator shall verify the age of any person who appears to be under 30 years of age by inspecting a valid government-issued photo identification prior to allowing that person to enter the premises.

(3) A clearly visible sign stating "NO PERSON UNDER 18 YEARS OF AGE SHALL BE ADMITTED" in letters at least three inches in height shall be posted at all public entrances to the premises.

(c) Interior Lighting Requirements.

(1) All areas of the premises accessible to patrons, including but not limited to hallways, viewing booths or rooms, and performance areas, shall be illuminated at all times during business hours with lighting of sufficient intensity to allow clear visibility and surveillance.

(2) A minimum illumination level of one (1.0) foot-candle, measured at floor level, shall be maintained in all such areas.

(3) Lighting may not be dimmed, obscured, or extinguished while patrons are present on the premises.

(d) Manager Visibility and Monitoring.

The premises shall be configured so that the manager's station or monitoring location provides an unobstructed view, either directly or by video surveillance with live monitoring capability, of all areas open to patrons, with the exception of individual restrooms designed for use by only one person at a time.

(e) Viewing Booths and Rooms.

If individual viewing booths or rooms are provided on the premises, the following requirements shall apply:

(1) No booth or room shall be fully enclosed by solid walls, doors, or other partitions. All booths and rooms must have at least one side that is open to a common area and allows visual monitoring by management or staff;

(2) No curtains, doors, locks, partitions, or other barriers shall be installed or maintained in any manner that obstructs the view into the booth or room from the common area;

(3) No holes, apertures, or openings shall exist between viewing booths or rooms;

(4) All viewing booths and rooms shall be visible from a manager's station or monitoring location and shall be subject to regular monitoring to ensure compliance with this chapter;

(5) All viewing booths and rooms shall be maintained in a clean and sanitary condition at all times and shall be cleaned and sanitized after each use; and

(6) No more than one person shall occupy a viewing booth or room at any time.

(f) Exterior Signage and Visibility.

(1) Exterior signage for sexually oriented businesses shall comply with all applicable sign regulations of the City.

(2) No exterior signage, window displays, or other materials visible from any public right-of-way or from adjacent properties shall depict or describe "specified sexual activities" or "specified anatomical areas."

(3) Windows and doors on the premises shall be covered or screened in such a manner as to prevent any view into the interior of the establishment from any public right-of-way or from adjacent properties.

(g) Exterior Lighting and Security.

(1) All exterior entrances and exits to the premises shall be adequately illuminated during all hours of operation with lighting sufficient to clearly identify persons entering and exiting the premises.

(2) All parking areas and exterior common areas associated with the premises shall be adequately illuminated during all hours of operation.

(h) Prohibited Activities.

The following activities are prohibited on the premises of any sexually oriented business:

(1) Prostitution, solicitation of prostitution, or any other unlawful sexual conduct as defined by applicable state law;

(2) Permitting any person to engage in sexual intercourse, masturbation, sodomy, or other specified sexual activities on the premises;

(3) Permitting any person to appear nude or in a state of nudity on the premises, except in areas where all persons present are employees and no patrons are present;

(4) Sale, use, or possession of alcoholic beverages, except as may be specifically authorized by a separate alcoholic beverage license or permit issued by the Texas Alcoholic Beverage Commission and the City, if applicable; and

(5) Sale, use, or possession of controlled substances or drug paraphernalia in violation of applicable state or federal law.

(i) Physical Contact Restrictions.

In any sexually oriented business where entertainers or performers appear before patrons, there shall be no physical contact between entertainers or performers and patrons. A physical barrier or separation of at least three feet shall be maintained between entertainers or performers and patrons at all times.

(j) Sanitation and Health Standards.

All sexually oriented businesses shall comply with all applicable health and sanitation requirements of the City and the State of Texas. The premises shall be maintained in a clean and sanitary condition at all times.

(k) Records and Reports.

A licensee shall maintain on the premises records demonstrating compliance with this chapter, including but not limited to records of employees, incident reports, and inspection reports. Such records shall be made available for inspection by City officials during reasonable business hours.

Sec. 26-10. Inspections.

(a) Authority to Inspect.

Authorized City officials, including but not limited to code enforcement officers, building inspectors, fire inspectors, health inspectors, and peace officers, may enter and inspect the premises of any licensed sexually oriented business during regular business hours to ensure compliance with this chapter and all other applicable laws, codes, and regulations.

(b) Scope of Inspection.

Inspections may include examination of the premises, equipment, lighting, viewing booths or rooms, signage, and any other aspects of the premises or operations

necessary to determine compliance with this chapter. Inspections shall be conducted in a reasonable manner so as not to unreasonably interfere with normal business operations.

(c) Obstruction of Inspection.

It shall be unlawful for any licensee, operator, employee, or other person to refuse to permit, obstruct, or interfere with any authorized inspection conducted pursuant to this section.

Sec. 26-11. Appeals; Hearing Examiner; Expedited Judicial Review.

(a) Right to Appeal.

An applicant or licensee aggrieved by any of the following actions of the Administrator may appeal the decision to the Hearing Examiner:

- (1) Denial of a license application or renewal application;
- (2) Suspension of a license;
- (3) Revocation of a license; or
- (4) Imposition of any other administrative penalty or sanction.

(b) Notice of Appeal.

(1) An appeal must be filed by submitting a written notice of appeal to the City Secretary within ten (10) business days of the date the applicant or licensee receives written notice of the Administrator's decision.

(2) The notice of appeal shall state the grounds for the appeal and the specific relief requested.

(3) Failure to timely file a notice of appeal shall constitute a waiver of the right to appeal and the Administrator's decision shall become final.

(c) Designation of Hearing Examiner.

The Municipal Court Judge of the City of Fredericksburg, Texas, is hereby designated as the Hearing Examiner for purposes of hearing and deciding appeals under this chapter. If the Municipal Court Judge is unable or unwilling to serve, the City Council may appoint another qualified individual to serve as Hearing Examiner.

(d) Scheduling of Hearing.

Upon receipt of a timely notice of appeal, the City Secretary shall schedule a hearing before the Hearing Examiner to be held within fifteen (15) business days of the

filing of the notice of appeal, unless the appellant agrees in writing to a later date. Notice of the hearing date, time, and location shall be provided to the appellant and the Administrator at least seven (7) calendar days prior to the hearing.

(e) Hearing Procedures.

(1) The Hearing Examiner shall conduct an evidentiary hearing at which the appellant and the Administrator may present evidence, call witnesses, cross-examine witnesses, and present arguments.

(2) The formal rules of evidence shall not apply, but the hearing shall be conducted in accordance with fundamental principles of due process.

(3) The appellant shall have the burden of proving by a preponderance of the evidence that the Administrator's decision was erroneous, arbitrary, or capricious.

(4) The hearing shall be recorded by stenographic means, audio recording, or other reliable method.

(f) Decision of Hearing Examiner.

(1) The Hearing Examiner shall issue a written decision within ten (10) business days following the conclusion of the hearing.

(2) The written decision shall include findings of fact, conclusions of law, and a determination affirming, reversing, or modifying the Administrator's decision.

(3) The decision of the Hearing Examiner shall be final for purposes of administrative review.

(4) A copy of the Hearing Examiner's written decision shall be provided to the appellant and the Administrator by certified mail, return receipt requested, or by personal delivery.

(g) Expedited Judicial Review.

(1) Any person aggrieved by the final decision of the Hearing Examiner may seek judicial review by filing a petition in a court of competent jurisdiction within thirty (30) calendar days of receiving the Hearing Examiner's written decision.

(2) Judicial review shall be limited to a determination of whether the Hearing Examiner's decision was arbitrary, capricious, or contrary to law.

(3) The City recognizes the importance of prompt judicial review for decisions affecting constitutionally protected expression and shall cooperate with any reasonable requests for expedited proceedings.

Sec. 26-12. Violations; Offenses; Penalties.

(a) Unlawful Acts.

It shall be unlawful for any person to:

(1) Operate or cause to be operated a sexually oriented business without a valid license issued pursuant to this chapter;

(2) Violate any provision of this chapter or any condition of a license issued under this chapter;

(3) Knowingly provide false or misleading information in an application for a license under this chapter;

(4) Refuse to permit, obstruct, or interfere with any inspection authorized by this chapter;

(5) Operate or maintain a sexually oriented business in violation of the location restrictions or operational standards of this chapter; or

(6) Allow or permit any violation of this chapter to occur on the premises of a sexually oriented business.

(b) Classification and Penalty.

A violation of this chapter constitutes a misdemeanor offense punishable in accordance with the general penalty provisions of the City's Code of Ordinances. Each day that a violation continues shall constitute a separate offense.

(c) Alternative Enforcement Remedies.

In addition to criminal prosecution, the City may pursue any and all remedies available at law or in equity to enforce compliance with this chapter, including but not limited to:

(1) Injunctive relief to restrain or prohibit violations;

(2) Civil penalties;

(3) Revocation or suspension of the sexually oriented business license;

(4) Revocation or denial of other City permits, licenses, or certificates of occupancy; or

(5) Any other remedy authorized by law.

(d) No Effect on Other Laws.

Violation of this chapter shall not preclude prosecution under any other applicable City ordinance or state or federal law. The remedies provided by this chapter are cumulative and not exclusive.

Sec. 26-13. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof. The City Council hereby declares that it would have adopted this chapter and each section, subsection, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid, unconstitutional, or unenforceable.

**SECTION 2.
REPEALER**

All prior versions of Chapter 26 and all ordinances, resolutions, or parts thereof relating to the regulation of adult oriented businesses, sexually oriented businesses, or similar establishments that are in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict. Without limiting the generality of the foregoing, all sections of the prior Chapter 26 (Sections 26-1 through 26-20) are hereby expressly repealed in their entirety and replaced by this ordinance.

**SECTION 3.
SAVINGS CLAUSE**

The repeal and replacement of Chapter 26 as provided in Section 2 of this ordinance shall not affect any prosecution, lawsuit, or administrative proceeding pending at the time of adoption of this ordinance for any offense committed or cause of action arising under the prior version of Chapter 26. Any such prosecution, lawsuit, or administrative proceeding shall continue as though the repealed ordinances remained in effect.

**SECTION 4.
CODIFICATION**

The City Secretary is hereby authorized and directed to codify this ordinance in the City's Code of Ordinances and to correct any section numbers, cross-references, or other technical matters as may be necessary to effect proper codification.

**SECTION 5.
EFFECTIVE DATE**

This ordinance shall take effect immediately upon passage and publication as required by law; provided, however, that no license or permit application may be accepted or processed under this chapter until thirty (30) calendar days after the effective date of this ordinance to allow existing licensees reasonable time to review and understand the new requirements.

**SECTION 6.
PUBLICATION**

The City Secretary is hereby directed to publish this ordinance, or the caption and penalty thereof, in accordance with the City Charter and applicable law.

SECTION 7.

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

PASSED AND APPROVED on this the 7th day of April 2026.

Jeryl Hoover, Mayor
City of Fredericksburg, Texas

ATTEST:

Letty Vacek, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: April 7, 2026

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consideration and Action Regarding Request P-2425, A Development Plat for 405 Goehmann Lane, by Lantana Owner, LLC, including discussion and possible action on the Frederick Road Alignment Evaluation Study. (Kris Kneese, Director of Public Works/Utilities / Cliff Cross, Director of Development Services)

- i Presentation by City staff
- ii Presentation by Traffic Consultant - Kelly Rees, P.E. - Kimley Horn
- iii Presentation by Developer
- iv Hold Public Hearing
- v Take Action on Development Plat, including possible action on Frederick Rd. alignment

SUMMARY:

An application was submitted in October 2025 by Lantana Owner, LLC for the review of a Development Plat that consists of 106.89 acres located on the property commonly known as 405 Goehmann Lane within the City of Fredericksburg Extraterritorial Jurisdiction (ETJ).

BACKGROUND: The Planning and Zoning Commission considered this request on October 1, 2025 and recommended approval of the Development Plat subject to the following condition:

1. *Approval, by the City, authorizing removal or an approved alternate roadway for the "Arterial" roadway shown within the subject property identified in the 2024 Comprehensive Plan (Map 2.3: Thoroughfare Plan).*

The purpose of the conditioned approval was to ensure compliance with the subdivision regulations, which state the following:

Sec. 4.10 (Development Plat) and Sec 4.05, Subsections G, H (Final Plat) require a review of the proposal by the Director of Development Services and formal action by Planning and Zoning Commission. **Sec. 4.10(H)** identifies the criteria for approval as the following:

H. Development Plat Criteria for Approval

The following criteria was considered to determine whether the application for a Development Plat should be approved, approved with conditions, or denied.

1. The proposed development conforms to all City plans, including but not limited to, the Comprehensive Plan, utility plans and applicable capital improvements plans;
2. The proposed development conforms to the requirements of the Zoning Ordinance (if located within the City's corporate limits) and this Subdivision Ordinance;
3. The proposed development is adequately served by public facilities and services, in conformance with City regulations;
4. Appropriate agreements for acceptance and use of public dedications to serve the development have been tendered; and
5. The proposed development conforms to the design and improvement standards contained in this Subdivision Ordinance, Standard Details and Specification for Public Infrastructure Construction Manual and any other applicable codes or ordinances of the City that are related to development of a land parcel.

Based upon the above P&Z's approval, with conditions, the applicant committed to funding and working with the City to utilize Kimley-Horn to reevaluate Frederick Road Thoroughfare alternatives. Kelly Rees, P.E. will be in attendance at the meeting to present the study's evaluation process and findings, including updated analysis and recommendations regarding the proposed alignment. Included in the packet are the three routes that were evaluated, including the currently-adopted alignment.

FUNDING SOURCE: NA

FINANCIAL IMPACT:
NA

STAFF RECOMMENDATION:

In reviewing this request, the 2024 Comprehensive Plan identifies a potential "Arterial" roadway within the proposed development's boundaries. As a result, the approval of a development plat that would not incorporate the roadway would not be consistent with the City's adopted plan.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Small Town Sensitive Growth
Governance

ATTACHMENTS:

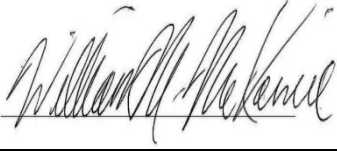
1. Location Map (2)
2. Place Type Map (4)
3. Thoroughfare Plan Map (1)
4. 4.10.____Development_Plat
5. 4.05.____Final_Plat - Reduced (1)
6. P-2525__Lantana Reserve Resort and Villas_Dev Plat_PRELIMINARY_Waldorf Astoria
7. Alternate Proposal Map

APPROVAL/REVIEW:



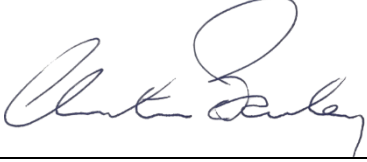
Leticia Vacek, City Secretary

Date: March 30, 2026



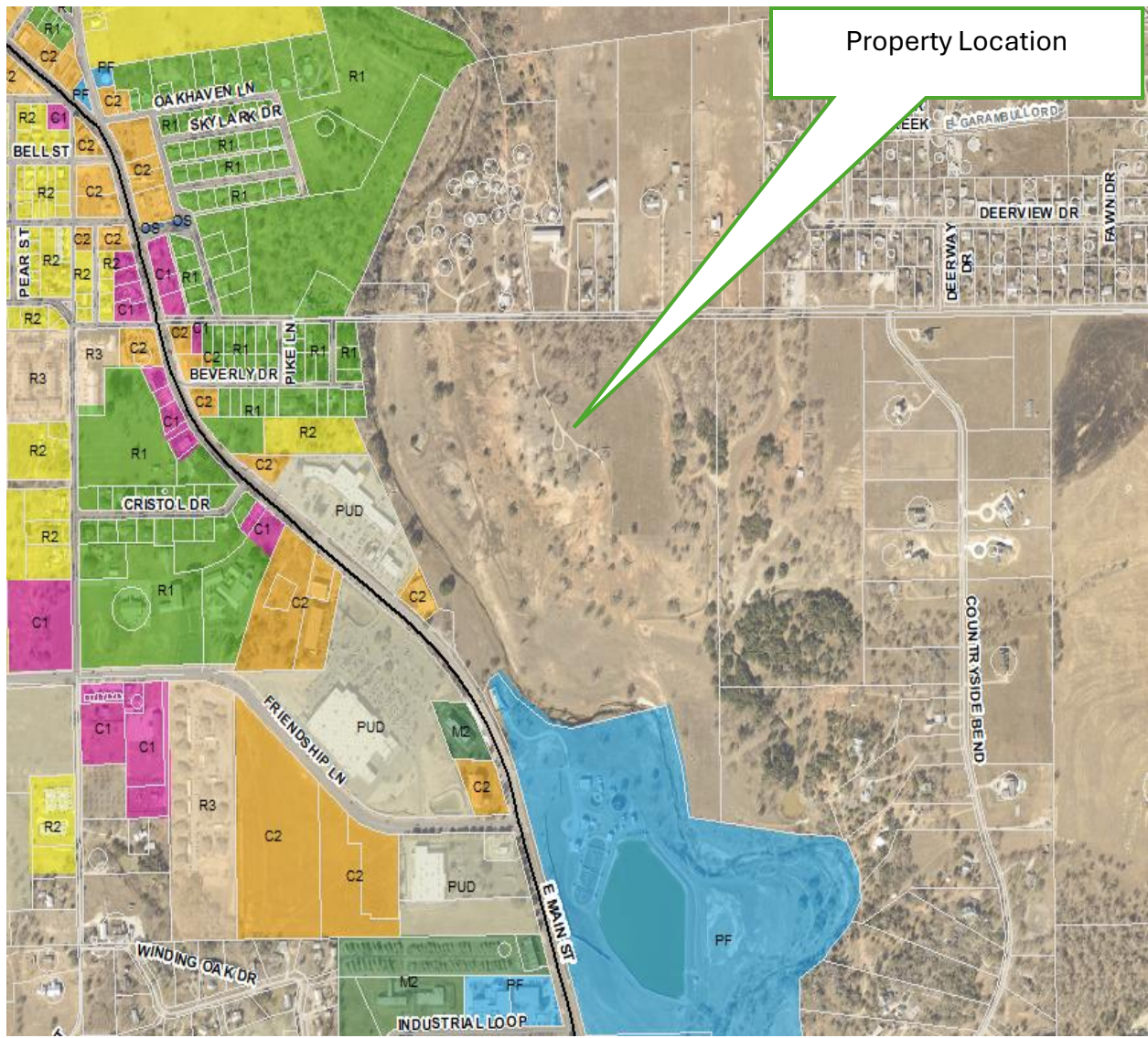
William McKamie, City Attorney

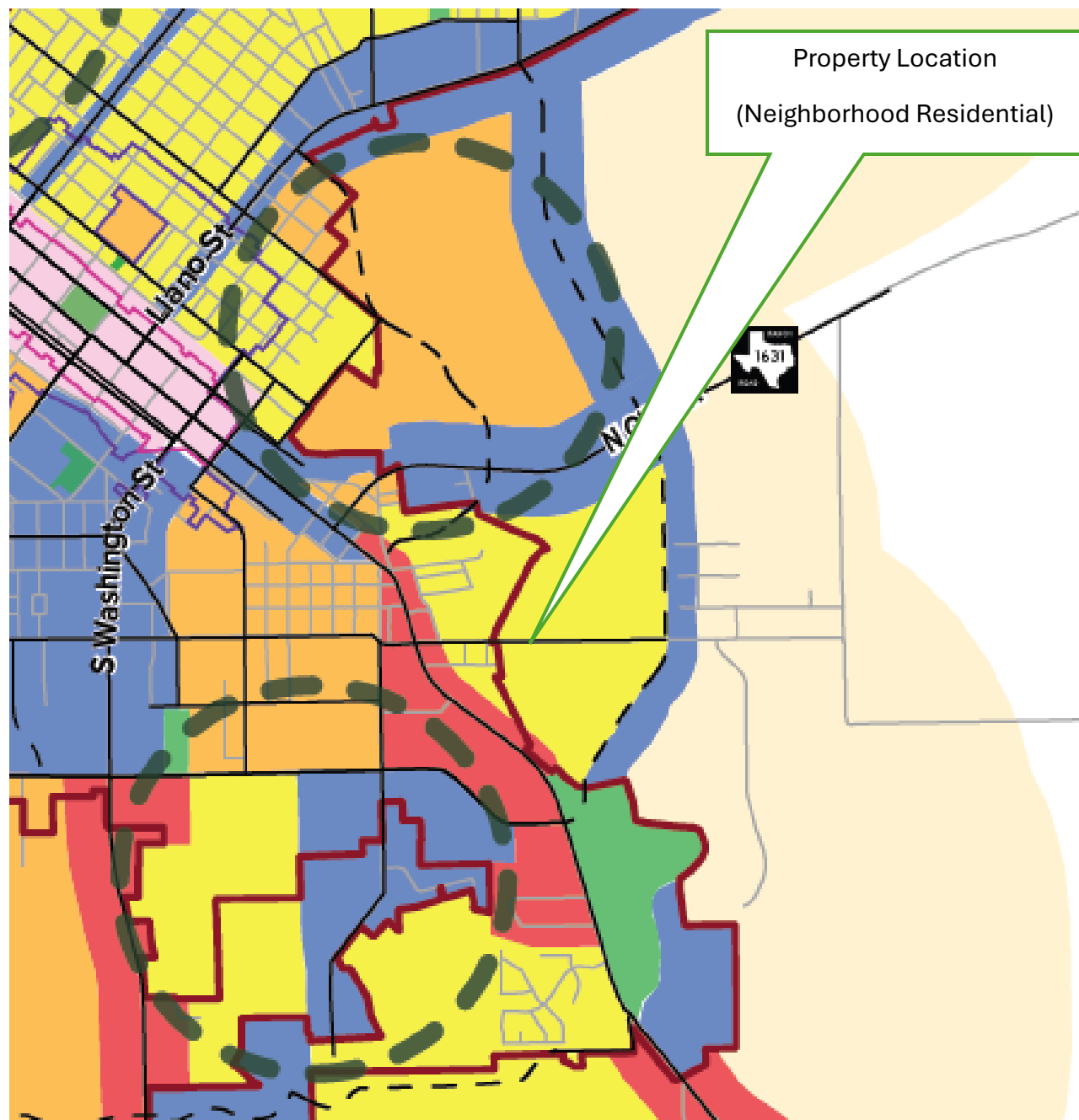
Date: March 30, 2026

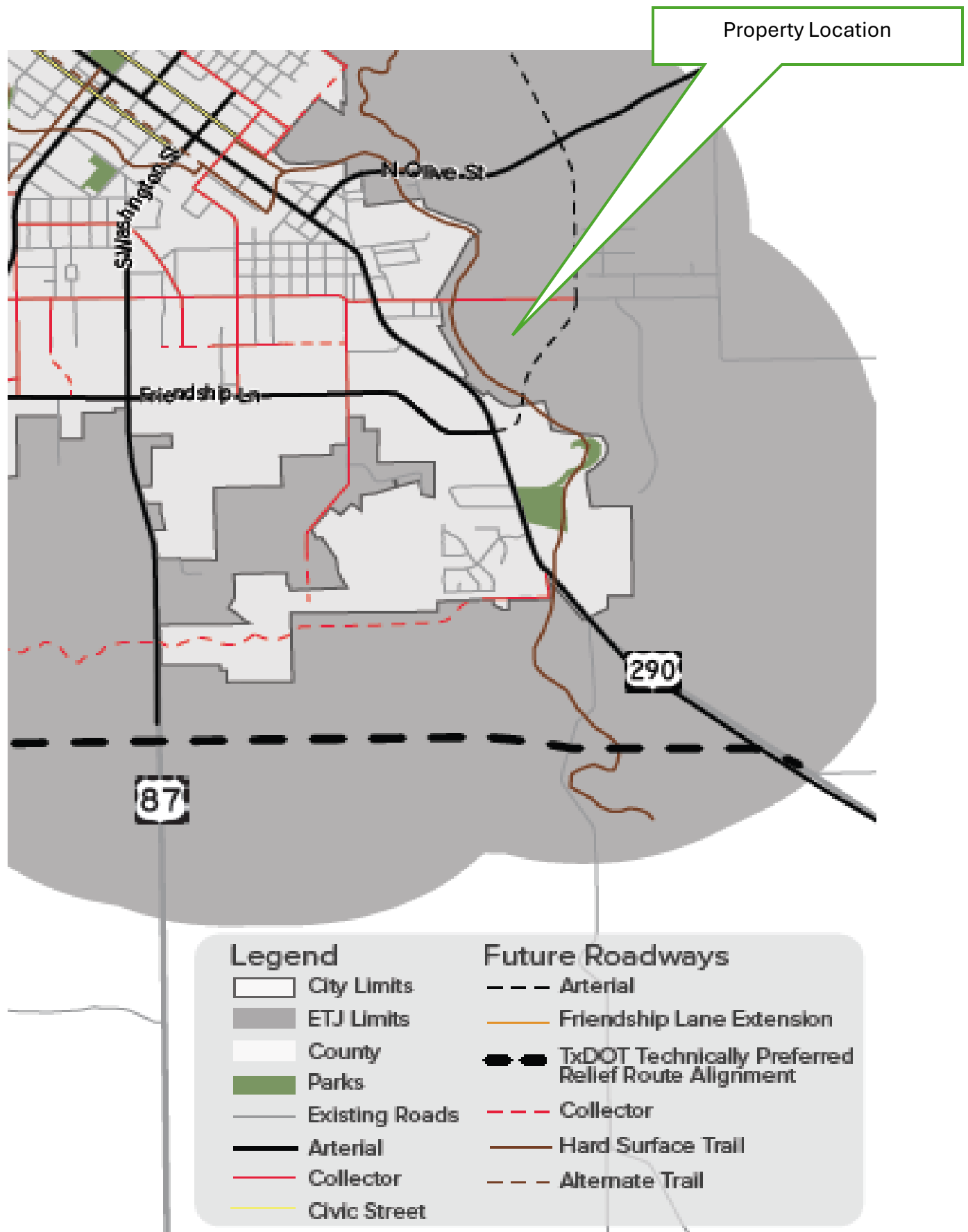


Clinton Bailey, City Manager

Date: March 31, 2026







4.10. Development Plat

A. Purpose

The purpose of a Development Plat is to assure the adequacy of public facilities needed to serve the intended development and the overall compliance of such development with applicable requirements of this Subdivision Ordinance.

B. Authority

This Section 4.10 is adopted pursuant to the Texas Local Government Code, Chapter 212, Subchapter B, Sections 212.041 through 212.050, as amended.

C. Applicability

1. To Whom Development Plat Regulations Apply

Any person who proposes the development of a tract of land located within the limits or in the Extraterritorial Jurisdiction (ETJ) of the City must have a Development Plat of the tract prepared in accordance with LGC 212 Subchapter B and this Subdivision Ordinance, unless a Development Plat is not required in accordance with Section 4.10.D Exceptions.

2. The Term "Development"

For purposes of this Section 4.10, "development" means the new construction or the enlargement of any exterior dimension of any building, structure, or improvement.

3. Cases Where Development Plat Regulations Apply

Development Plat regulations shall apply to any land within the City or within its Extraterritorial Jurisdiction (ETJ) in the following circumstances:

- a. The development of any tract of land which has not been platted or replatted prior to the effective date of this Subdivision Ordinance, unless expressly exempted herein; or
- b. The development of any tract of land for which the property owner claims an exemption from the City's subdivision requirements, including requirements to replat, which exemption is not expressly provided for in Section 4.10.D Exceptions; or
- c. The development of any tract of land for which the only access is a private easement or street; or
- d. The division of any tract of land resulting in parcels or lots each of which is greater than five (5) acres in size, and where no public improvement is proposed to be dedicated or constructed.

D. Exceptions

A Development Plat is not required:

1. When the land has an approved Final Plat, Minor Plat, Replat, or Amending Plat; or
2. For bona fide agricultural activities; or
3. For construction of agricultural accessory structures and related development activities.

E. Prohibition on Development

No development shall commence, nor shall any building permit, utility connection permit, electrical connection permit or similar permit be issued for any development or land division subject to this Section 4.10 until a Development Plat has been approved by the Planning and Zoning Commission and submitted to the City for filing at the County. Notwithstanding the provisions of this Section, the City shall not require

building permits or otherwise enforce the City's Building Code in the City's Extraterritorial Jurisdiction (ETJ) in relation to any Development Plat required by this Subdivision Ordinance.

F. Required Information for all Development Plat Applicants

All Applications shall be submitted with the required information as stated on the Application Form. Information required shall be the same as required for a Final Plat. In addition to this information, a Development Plat shall:

1. Be prepared by a Texas Registered Professional Land Surveyor as a boundary survey;
2. Clearly show the boundary of the Development Plat;
3. Clearly show each existing or proposed building, structure, or improvement or proposed modification of the external configuration of the building, structure, or improvement involving a change of the building, structure, or improvement;
4. Clearly show each easement and right-of-way within or abutting the boundary of the surveyed property;
5. Clearly show the dimensions of each street, sidewalk, alley, square, park, or other part of the property intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, sidewalk, alley, square, park, or other part; and
6. Be accompanied by the required number of copies of the Development Plat, a completed Application Form, the required submission fee (per the City's current Fee Schedule), and a certificate or some other form of verification from the County appraisal district showing that all taxes have been paid on the subject property and that no delinquent taxes exist against the property.

G. Accompanying Applications

An Application for a Development Plat may be accompanied by an application for rezoning approval. The rezoning Application shall be decided first. The applicant must execute a Waiver of Right to 30-Day Action that is mandated by the State for general approval of Plats, including Development Plat approval.

H. Development Plat Criteria for Approval

The following criteria shall be used to determine whether the application for a Development Plat shall be approved, approved with conditions, or denied.

1. The proposed development conforms to all City plans, including but not limited to, the Comprehensive Plan, utility plans and applicable capital improvements plans;
2. The proposed development conforms to the requirements of the Zoning Ordinance (if located within the City's corporate limits) and this Subdivision Ordinance;
3. The proposed development is adequately served by public facilities and services, in conformance with City regulations;
4. Appropriate agreements for acceptance and use of public dedications to serve the development have been tendered; and
5. The proposed development conforms to the design and improvement standards contained in this Subdivision Ordinance, Standard Details and Specification for Public Infrastructure Construction Manual, and any other applicable codes or ordinances of the City that are related to development of a land parcel.

I. Development Plat Review and Approval

The review and approval procedure for a Development Plat shall be the same as the review and approval processes for a Final Plat (see Section 4.05 Final Plat).

J. Effect

Upon approval, the Development Plat shall be filed at the County by the City in the same manner as prescribed for a Final Plat (see Section 4.05 Final Plat).

4.05. Final Plat

A. Purpose

The purpose of a Final Plat is to ensure:

1. That the proposed Subdivision and development of the land is consistent with all standards of these Subdivision Regulations pertaining to the adequacy of public facilities,
2. That Public Improvements to serve the Subdivision or development have been installed and accepted by the City, or that provision for such installation has been made, and
3. That all other City requirements and conditions have been satisfied or provided for to allow the Final Plat to be recorded.

B. Applicability

No subdivision of land shall be allowed without proper submittal, approval, and adoption of a Final Plat.

C. Exceptions

A Final Plat is not required when a Minor Plat is submitted (refer to 4.06 Minor Plat).

D. Ownership

1. The Applicant shall furnish with the Application to the City a current title commitment issued by a title insurance company authorized to do business in Texas, a title opinion letter from an attorney licensed to practice in Texas, or some other acceptable proof of ownership, identifying all persons having an ownership interest in the property subject to the Final Plat.
2. The Final Plat shall be signed by each owner, or by the representative of the owners authorized to sign legal documents for the owners and lienholder, effectively denoting that they are consenting to the platting of the property and to the dedications and covenants that may be contained in the Final Plat.

E. Accompanying Applications

1. A Final Plat Application Form, which can be obtained from the Director of Development Services.
2. An Application for a Final Plat may be accompanied by Construction Plans if also accompanied by a Performance Agreement and appropriate surety in accordance with 5.05 Performance Agreements and Security for Completion.
3. Approval of each shall be separate and in accordance with this Section 4.05 Final Plat and with Section 5.01 Construction Plans.

F. Prior Approved Preliminary Plat

The Final Plat and all accompanying data shall conform to the approved Preliminary Plat, or as the Preliminary Plat may have been amended subsequently Section 4.04.K Amendments to Preliminary Plats Following Approval, if applicable, incorporating all conditions imposed or required, if applicable.

G. Review by Director of Development Services

The Director of Development Services shall:

1. Initiate review of the plat and materials submitted,
2. Request written comments from Development Review Committee (DRC), if deemed necessary,
3. Make available Plats and reports to the Commission for review, and

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4. Upon determination that the Application is ready to be acted upon, schedule the Final Plat for consideration on the agenda of the next available meeting of the Commission.

H. Action by Planning and Zoning Commission

The Commission shall:

1. Review the Final Plat Application, the findings of the Director of Development Services, and any other information available.
 - a. From all such information, the Commission shall determine whether the Final Plat conforms to the applicable regulations of these Subdivision Regulations.
2. Act within thirty (30) calendar days following the Official Submission Date, unless the Applicant submits a Waiver of Right to 30-Day Action as outlined in 3.03.D.
 - a. If no decision is rendered by the Commission within the thirty (30) day period described above or such longer period as may have been agreed upon, the Final Plat, as submitted, shall be deemed to be approved by the Commission.
3. Take one of the following actions:
 - a. Approve the Final Plat;
 - b. Approve the Final Plat with conditions, which shall mean that the Final Plat shall be considered to have been approved once such conditions are fulfilled, and until the conditions are satisfied, it is considered denied; or
 - c. Deny the Final Plat.
4. A motion to approve a Final Plat shall be subject to the following conditions, whether or not stated in the motion to approve:
 - a. All required fees shall be paid.
 - b. All covenants required by ordinances have been reviewed and approved by the City.
 - c. On-site easements and rights-of-way have been dedicated and filed of record and properly described and noted on the proposed plat.
 - d. All required abandonments of public rights-of-way or easements that must be approved by the City Council and the abandonment ordinance numbers are shown on the plat.
 - e. Original tax certificates have been presented from each taxing unit with jurisdiction of the real property showing the current taxes are paid.

I. Final Plat Criteria for Approval

The following criteria shall be used by the Commission to determine whether the Application for a Final Plat shall be approved, approved with conditions, or denied.

1. With Prior Approved Preliminary Plat
 - a. The Final Plat conforms to the approved Preliminary Plat except for minor amendments that are authorized under Section 4.04.K Amendments to Preliminary Plats Following Approval and that may be approved without the necessity of revising the approved Preliminary Plat;
 - 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 Section 5.01 Construction Plans and have been approved by the Director of Public Works and Utilities;

-
- 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 Section 5 Construction Plans and Procedures;
 - f. The final layout of the Subdivision or development meets all standards for adequacy of public facilities contained 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 Director of Development Services subdivision Application checklists and Subdivision Ordinance regulations.
2. Without Prior Approved Preliminary Plat
 - a. The Final Plat conforms to all criteria for approval of a Preliminary Plat;
 - b. The Construction Plans conform to the requirements of Section 5.01 Construction Plans and have been approved by the Director of Public Works and Utilities;
 - c. A Performance Agreement with surety for installation of Public Improvements has been prepared and executed by the property owner in conformance with Section 5 Construction Plans and Procedures;
 - d. The final layout of the Subdivision or development meets all standards for adequacy of public facilities contained in this Subdivision Ordinance; and
 - e. The Final Plat conforms to the Director of Development Services' subdivision Application checklist and Subdivision Ordinance regulations.

J. Procedures for Final Plat Recordation upon Approval

The Applicant shall provide to Director of Development Services the required number of signed and executed copies of the Final Plat that will be needed to file the Plat, upon approval, with the County (in the County's required format) at least seven (7) calendar days prior to the meeting at which it will be considered for approval.

1. General

a. Signatures

After approval of the Final Plat, the Director of Development Services shall procure the appropriate City signatures on the Final Plat.

b. Recording upon Performance

The Final Plat shall be recorded after:

- i. The Final Plat is approved by the City;
- ii. All required Public Improvements have been completed and accepted by the City or a Performance Agreement has been executed and appropriate surety provided in accordance with Section 5.05 Performance Agreements and Security for Completion;
- iii. All County filing requirements are met; and
- iv. All fees are paid to the City.

2. Submittal of Final Plat Where Improvements Installed

Where all required Public Improvements have been installed prior to recording of the Final Plat, the Applicant shall meet all requirements in accordance with Section 5 Construction Plans and Procedures.

3. Submittal of Final Plat Where Improvements Have Not Been Installed

Where some or all required Public Improvements are not yet completed in connection with an approved Final Plat, the Applicant shall submit the Final Plat as approved, revised to reflect any conditions imposed as part of approval.

4. Update of Proof of Ownership

If there has been any change in ownership since the time of the Proof of Ownership provided under 4.05.D Ownership, the Applicant shall submit a new consent agreement executed by each owner and lienholder consenting to the platting of the property and the dedications and covenants contained in the Plat.

K. Effect of Approval

The approval of a Final Plat:

1. Supersedes any prior approved Preliminary Plat for the same land.
2. If applicable, authorizes the Applicant to install any improvements in public Right-of-Way in conformance with approved Construction Plans and under a Performance Agreement (refer to Section 5 Construction Plans and Procedures).
3. Authorizes the Applicant to seek 5.03 Construction Release and/or issuance of a Building Permit.

L. Revisions Following Recording/Recordation

Revisions may only be processed and approved as a Replat, Minor Replat, or Amending Plat, as applicable.

M. Signature Blocks

Unless otherwise modified by the Director of Development Services, the following signature blocks shall be used in conjunction with the Final Plat.

DEVELOPMENT PLAT ESTABLISHING
LANTANA RESERVE, RESORT & VILLAS
GILLESPIE COUNTY, TEXAS.

100 YEAR FLOODPLAIN EASEMENT RESTRICTION

CONSTRUCTION WITHIN THE FLOODPLAIN MAY NOT OCCUR (A REQUEST FOR CONSTRUCTION WITHIN THE FLOODPLAIN EASEMENT MUST BE ACCOMPANIED WITH DETAILED ENGINEERING PLANS AND STUDIES INDICATING THAT NO FLOODING WILL RESULT, THAT NO OBSTRUCTION TO THE NATURAL FLOW OF WATER WILL RESULT; AND SUBJECT TO ALL OWNERS OR THE PROPERTY AFFECTED BY SUCH CONSTRUCTION BECOMING A PARTY TO THE REQUEST), WHERE CONSTRUCTION IS PERMITTED, ALL FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF ONE (1) FOOT ABOVE THE 100-YEAR FLOOD ELEVATION AS DETERMINED BY ANALYZING THE ULTIMATE BUILD-OUT CONDITIONS OF THE ENTIRE DRAINAGE BASIN.

- A. EXISTING CREEKS, LAKES, RESERVOIRS, OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS PORTIONS OF THIS ADDITION, WILL REMAIN AS AN OPEN CHANNEL AT ALL TIMES AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY THE DRAINAGE COURSES ALONG OR ACROSS SAID LOTS. THE CITY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF SAID DRAINAGE, WAYS, OR FOR THE CONTROL OF EROSION. EACH PROPERTY OWNER SHALL KEEP THE NATURAL DRAINAGE CHANNELS TRAVERSING HIS/HER PROPERTY CLEAN AND FREE OF DEBRIS, SILT, OR ANY SUBSTANCE, WHICH WOULD RESULT IN UNSANITARY CONDITIONS. THE CITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF INSPECTION AND SUPERVISION OF MAINTENANCE WORK BY THE PROPERTY OWNER TO ALLEVIATE ANY UNDESIRABLE CONDITIONS, WHICH MAY OCCUR. THE CITY IS NOT OBLIGATED TO MAINTAIN OR ASSISTANCE WITH MAINTENANCE OF THE AREA.
- B. THE NATURAL DRAINAGE CHANNEL, AS IN THE CASE OF ALL NATURAL DRAINAGE CHANNELS, ARE SUBJECT TO STORM WATER OVERFLOW AND NATURAL BANK EROSION. THE CITY SHALL NOT BE LIABLE FOR DAMAGES OF ANY NATURE, RESULTING FROM THE OCCURRENCE OF THESE NATURAL PHENOMENA, NOR RESULTING FROM A FAILURE OF ANY STRUCTURE(S) WITHIN THE NATURAL DRAINAGE CHANNELS. THE NATURAL DRAINAGE CHANNEL CROSSING EACH LOT IS SHOWN BY THE FLOODWAY EASEMENT LINE AS SHOWN ON THE PLAT. IF A SUBDIVISION ALTERS THE HORIZONTAL OR VERTICAL FLOODPLAIN, A FEMA FLOODWAY MAP REVISION MAY BE REQUIRED.

FEMA CLOMR-F NOTICE

AREAS LABELED AREA A, AREA B, AREA C, AND AREA D ON THIS PLAT CORRESPOND TO PORTIONS OF THE SUBJECT PROPERTY THAT WERE ADDRESSED BY A CONDITIONAL LETTER OF MAP REVISION BASED ON FILL (CLOMR-F), ISSUED BY FEMA ON JULY 7, 2025 UNDER CASE NO. 25-06-1999C, FOR COMMUNITY NO. 480696 AND FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 48171C0288C.

THIS CLOMR-F REFLECTS THE DEVELOPER'S SUCCESSFUL APPLICATION, PREPARED BY A LICENSED CIVIL ENGINEER, TO REMOVE THESE AREAS FROM FEMA FLOOD ZONE AE, CONTINGENT UPON THE COMPLETION OF PROPOSED FILL AND SITE IMPROVEMENTS. THE CONDITIONAL DETERMINATION IS SUBJECT TO VERIFICATION THROUGH FEMA'S FINAL LETTER OF MAP REVISION PROCESS UPON COMPLETION OF THE IMPROVEMENTS.

THIS PROPERTY SHOWN HEREON APPEARS TO BE PARTIALLY LOCATED WITHIN ZONE "AE", WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION FLOOD MAP, PANEL NO. 48171C0288C, WITH AN EFFECTIVE DATE OCTOBER 19, 2001.

EASEMENTS

ANY PUBLIC UTILITY, INCLUDING THE CITY, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS NO 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 OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. EASEMENTS SHALL BE MAINTAINED BY PROPERTY OWNER. THE CITY CAN MOVE TREES OR ANY OTHER IMPROVEMENT AND DOES NOT HAVE RESPONSIBILITY TO REPLACE THEM.

GENERAL NOTES

- ABOVE GROUND STRUCTURES AND UNDERGROUND UTILITIES, PIPELINES, SPRINKLER SYSTEM AND HEADS, VALVES, HAND-HOLES, PEDESTALS, AND OTHER IMPROVEMENTS THAT MAY EXIST, ARE NOT SHOWN HEREON.
- CONTOUR LINES REPRESENT ORTHOMETRIC HEIGHTS.
- BEARINGS, DISTANCES AND AREA SHOWN HEREON ARE "GRID" DERIVED FROM GPS POSITIONING AND REPORTED IN THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE OF THE NORTH AMERICAN DATUM 1983 (NAD83(2011)). "NORTH" IS REFERENCED TO GRID NORTH (UNLESS NOTED OTHERWISE).
- N.G.S. BENCHMARK PID BN0130 (NAMED "P81", LOCALLY KNOWN AS THE "HEB BENCHMARK") FOUND AND REFERENCED WITH A REPORTED ELEVATION OF 1,695.00 FEET A.M.S.L. (OBSERVED DURING THE COURSE OF THIS SURVEY TO HAVE AN ORTHOMETRIC ELEVATION OF 1,695.10' A.M.S.L.), WITH ELEVATIONS REFERENCED TO THE NAVD88 DATUM AND GEOID18 MODEL, REPORTED IN FEET, WITH GRID COORDINATE VALUES AT N: 10084955.56, E: 2756443.57.
- ALL FUTURE CONSTRUCTION MUST ADHERE TO SETBACKS SHOWN OR THE CURRENT ZONING AT THAT TIME, WITH EXCEPTION TO THE ADOPTION AND APPROVAL OF A PLANNED UNIT DEVELOPMENT (P.U.D.) AND/OR CONDITIONAL USE PERMITS GRANTED, AND THE TERMS ESTABLISHED THEREIN.
- EXISTING PRIVATE WATER WELLS (IF ANY) CANNOT BE INTERCONNECTED TO THE CITY OF FREDERICKSBURG PUBLIC WATER SYSTEM.

RIGHT OF WAY EASEMENT / UTILITY EASEMENT

GRANTED UNTO CENTRAL TEXAS ELECTRIC COOPERATIVE, INC.
A CORPORATION WHOSE POST OFFICE ADDRESS IS P.O. BOX 553,
FREDERICKSBURG, TEXAS, 78624, AND IT'S SUCCESSORS
OR ASSIGNS AN EASEMENT AS FOLLOWS:

GRANTORS HEREBY DEDICATE PERPETUAL EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND ALL NECESSARY APPURTENANCES THERETO, WHETHER INSTALLED IN THE AIR, UPON THE SURFACE OR UNDERGROUND, ALONG AND WITHIN TEN FEET (10) OF THE BOUNDARIES OF ALL TRACT LINES, STREETS, BOULEVARDS, LANES, DRIVES, AND ROADS, AND TWENTY FEET (20) ALONG THE ENTIRE PERIMETER (BOUNDARY) OF SAID SUBDIVISION AND WITH THE AUTHORITY TO PLACE, CONSTRUCT, OPERATE, MAINTAIN, RELOCATE AND REPLACE THEREON AN ELECTRIC DISTRIBUTION LINE OR SYSTEM. THE EASEMENT RIGHTS HEREIN DEDICATED INCLUDE THE PRIVILEGE OF ANCHORING ANY SUPPORT CABLES OR OTHER DEVICES OUTSIDE SAID EASEMENT WHEN DEEMED NECESSARY BY THE UTILITY TO SUPPORT EQUIPMENT WITHIN SAID EASEMENT AND THE RIGHT TO INSTALL WIRES AND/OR CABLES OVER SOME PORTIONS OF SAID LOTS AND/OR TRACTS NOT WITHIN SAID EASEMENT SO LONG AS SUCH ITEMS DO NOT PREVENT THE CONSTRUCTION OF BUILDINGS ON ANY OF THE LOTS OR TRACTS OF THIS SUBDIVISION. NOTHING SHALL BE PLACED OR PERMITTED TO REMAIN WITHIN THE EASEMENT AREAS WHICH MAY DAMAGE OR INTERFERE WITH INSTALLATION AND MAINTENANCE OF UTILITIES. THE EASEMENT AREA OF EACH LOT AND/OR TRACTS AND ALL IMPROVEMENTS WITHIN IT SHALL BE MAINTAINED BY THE OWNER OF THE LOT EXCEPT FOR THOSE IMPROVEMENTS FOR WHICH AN AUTHORITY OR UTILITY COMPANY IS RESPONSIBLE. UTILITY COMPANIES OR THEIR EMPLOYEES SHALL HAVE ALL THE RIGHTS AND BENEFITS NECESSARY AND CONVENIENT FOR THE FULL ENJOYMENT OF THE RIGHTS HEREIN GRANTED, INCLUDING BUT NOT LIMITED TO THE FREE RIGHT TO INGRESS TO, AND TO EGRESS FROM SAID RIGHT-OF-WAY AND EASEMENTS, AND THE RIGHT FROM TIME TO TIME TO CUT AND TRIM ALL TREES, UNDERGROWTH AND OTHER OBSTRUCTIONS THAT MAY INJURE, ENDANGER OR INTERFERE WITH THE OPERATION OF SAID UTILITY INSTALLATIONS. THE DEVELOPER AND/OR LANDOWNER SHALL BE RESPONSIBLE FOR REMOVAL OF ANY OR ALL LIMBS, DEBRIS, BRANCHES OR BRUSH THAT MUST BE CUT IN ORDER TO CLEAR THE RIGHT-OF-WAY FOR NEW CONSTRUCTION, OR MAINTENANCE OF ANY LINES CONSTRUCTED ON THE PROPERTY.

ADDRESS RESERVED:

LOT 1: 405 GOEHMANN LANE

OWNER'S ACKNOWLEDGEMENT AND DEDICATION

THE STATE OF TEXAS §
COUNTY OF GILLESPIE §

I (WE) HEREBY CERTIFY, THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT NO OTHER PERSON OR ENTITY HAS ANY INTEREST IN THE PROPERTY 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 SETBACK LINES, AND DEDICATE ALL PARKWAYS, PARKS, WATERCOURSES, EASEMENTS AND OTHER OPEN SPACE TO THE PUBLIC USE FOREVER AND HEREBY CONVEY, BY FEE SIMPLE TITLE, ALL PUBLIC ROAD RIGHT-OF-WAY AND/OR DEDICATED STRIPS OF LAND FOR RIGHT-OF-WAY, AS SHOWN HEREON TO THE CITY OF FREDERICKSBURG, GILLESPIE COUNTY FOR PUBLIC ROAD RIGHT-OF-WAY PURPOSES FOREVER, AND AGREE FOR MYSELF (OURSELVES) AND MY (OUR) HEIRS AND ASSIGN TO ABIDE FOREVER BY ALL LINES, DEDICATIONS AND OTHER RESTRICTIONS SHOWN HEREON.~~

ROBERT RADOVAN, PARTNER
WINE COUNTRY HOSPITALITY PARTNERS, LLC.

THE STATE OF TEXAS §
COUNTY OF GILLESPIE §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ROBERT RADOVAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY HAVE EXECUTED 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 _____, 2025.

NOTARY PUBLIC, STATE OF TEXAS

MY COMMISSION EXPIRES: _____

LIENHOLDER'S RATIFICATION OF PLAT DEDICATION

THE STATE OF TEXAS *
COUNTY OF GILLESPIE *

WHEREAS (_____) LIENHOLDER/LENDER _____), ACTING BY AND THROUGH THE UNDERSIGNED, ITS DULY AUTHORIZED AGENT, IS THE LIENHOLDER OF PROPOSED LOTS 1 AND 2 SHOWN HEREON, DOES HEREBY RATIFY ALL DEDICATIONS AND PROVISIONS OF THIS PLAT AS SHOWN.

LIENHOLDER: _____ DATE: _____, 2025

BEFORE ME, THE UNDERSIGNED AUTHORITY _____ 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 THE _____ OF SAID LIENHOLDER'S COMPANY, 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 THIS OFFICE, THIS THE ____ DAY OF _____, 2025.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES: _____

CERTIFICATE OF COMPLETION, ACCEPTANCE, AND AUTHORIZATION TO FILE

APPROVED

CHAIRPERSON, PLANNING AND ZONING COMMISSION DATE
CITY OF FREDERICKSBURG, TEXAS

THE UNDERSIGNED, THE CITY SECRETARY AND THE CITY OF FREDERICKSBURG, TEXAS, 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 _____, 20____, 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, AND HAVE BEEN TESTED AND 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 MY HAND ON THIS ____ DAY OF _____, 20____.

CITY SECRETARY, CITY OF FREDERICKSBURG, TEXAS

CERTIFICATION OF SURVEYOR

THE STATE OF TEXAS §
COUNTY OF GILLESPIE §

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6454 IN THE STATE OF TEXAS, HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND ABILITY THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND _____, 2025. PLAT WAS PREPARED ON _____, 2025.

DATE _____ CODY J. MUSICK
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6454

THE STATE OF TEXAS *
COUNTY OF GILLESPIE *

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____,
BY _____.

NOTARY'S PUBLIC SIGNATURE

FILED FOR RECORD AT ____ O'CLOCK ____ M,

THIS THE ____ DAY OF _____, 2025,

INSTRUMENT NO. _____ OF THE

PLAT RECORDS OF GILLESPIE COUNTY, TEXAS.

DEPUTY COUNTY CLERK, GILLESPIE COUNTY, TEXAS

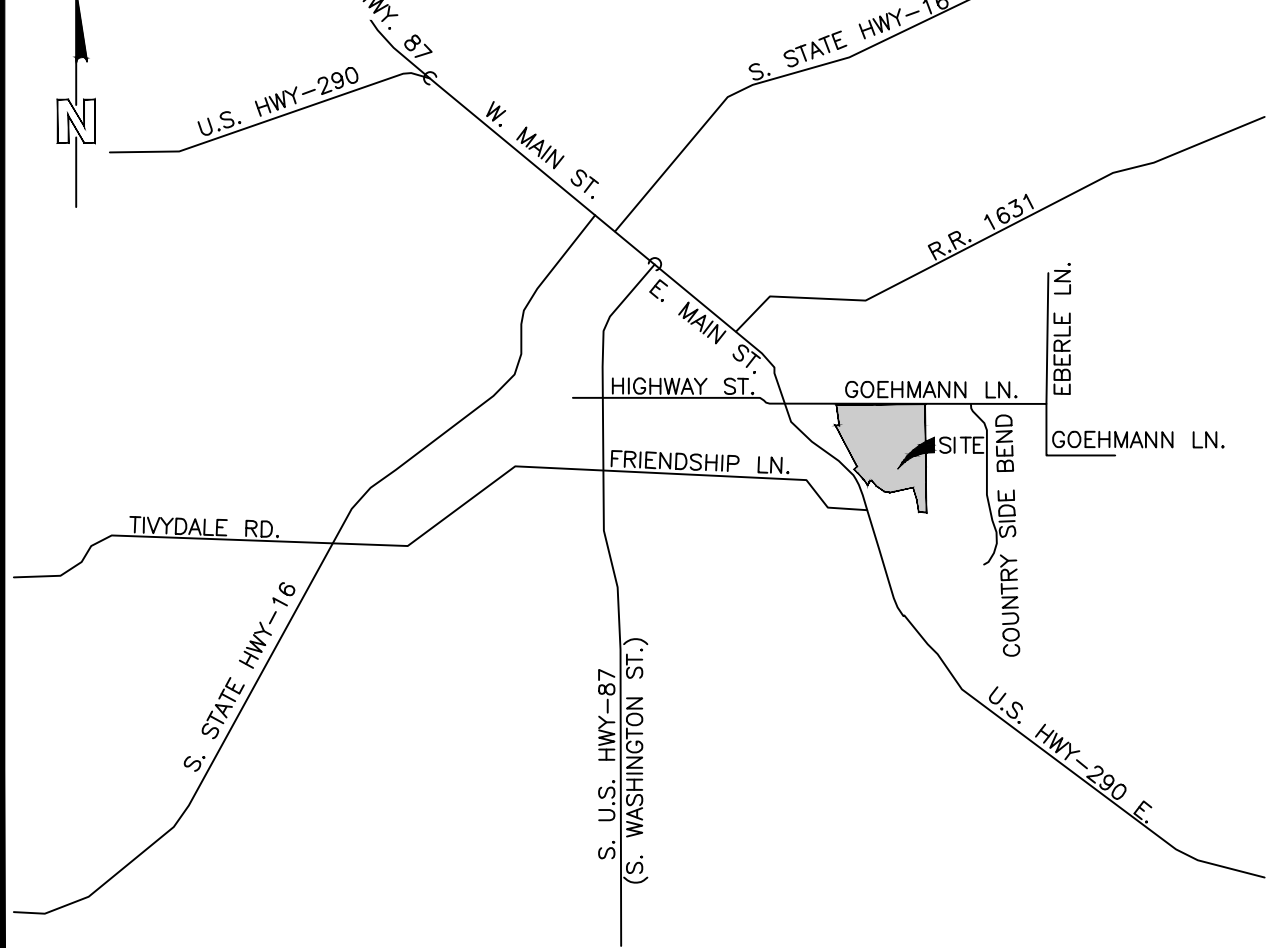
PRELIMINARY
THIS DOCUMENT HAS BEEN RELEASED FOR REVIEW ONLY
AND SHALL NOT BE USED OR VIEWED OR RELED UPON AS A
FINAL SURVEY DOCUMENT.
DATE: 07/30/2025

WAYMAKER
LAND ADVISORS & SURVEYORS

1788 W. LIVE OAK ST.
FREDERICKSBURG, TEXAS 78624
830-997-3884
WAYMAKERLAND.COM
TSPELS FIRM No. 10194626

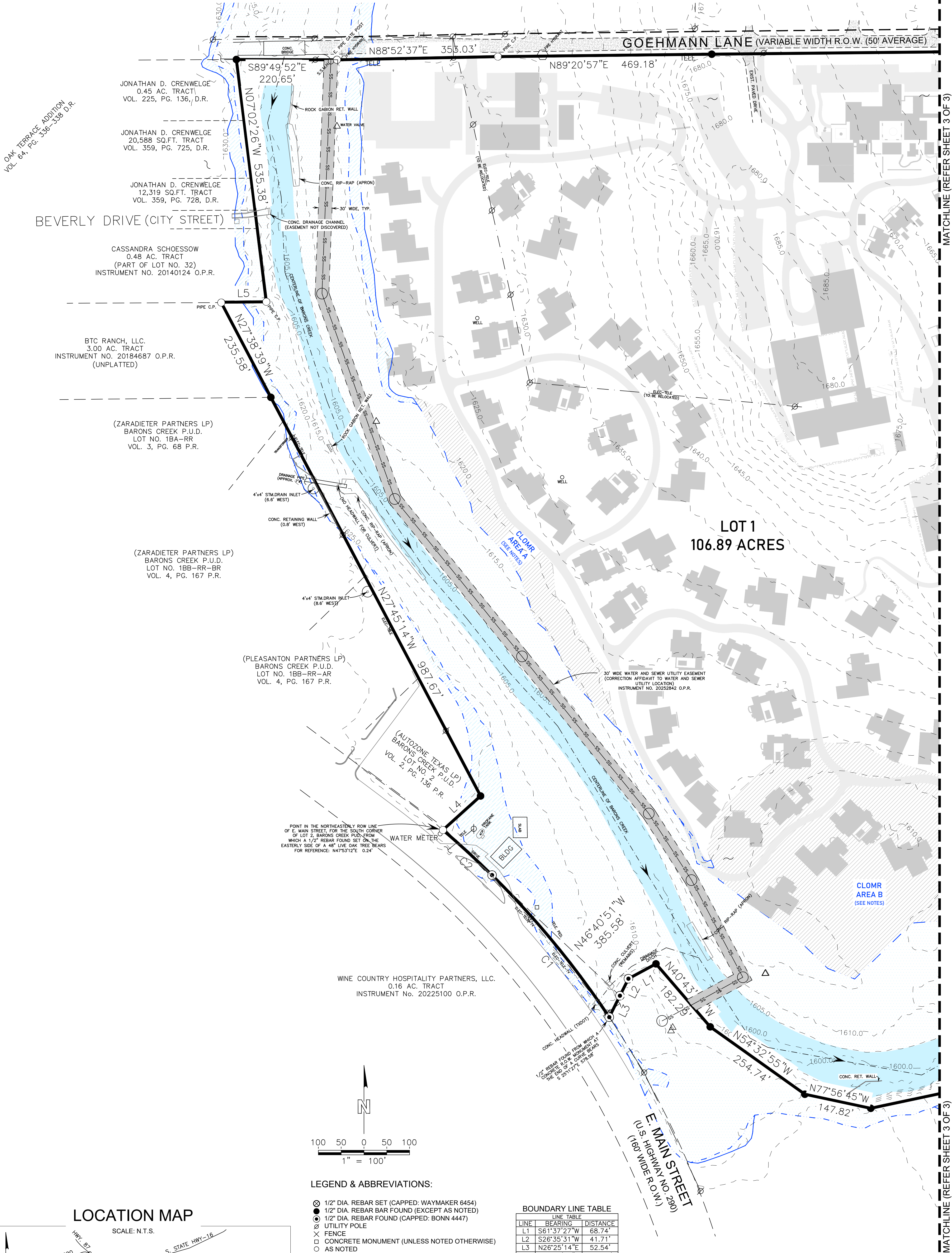
LOCATION MAP

SCALE: N.T.S.



DEVELOPMENT PLAT ESTABLISHING
LANTANA RESERVE, RESORT & VILLAS
GILLESPIE COUNTY, TEXAS.

BEING ALL OF THAT 160.73 ACRE TRACT AND THAT 0.16 ACRE TRACT
OF LAND DESCRIBED IN A WARRANTY DEED TO
WINE COUNTRY HOSPITALITY PARTNERS, LLC.
BY JUDY KAY FELLER, ET AL., DATED JULY 8, 2022.
FOUND OF RECORD IN INSTRUMENT NO. 20225100 OF
THE OFFICIAL PUBLIC RECORDS OF GILLESPIE COUNTY, TEXAS.

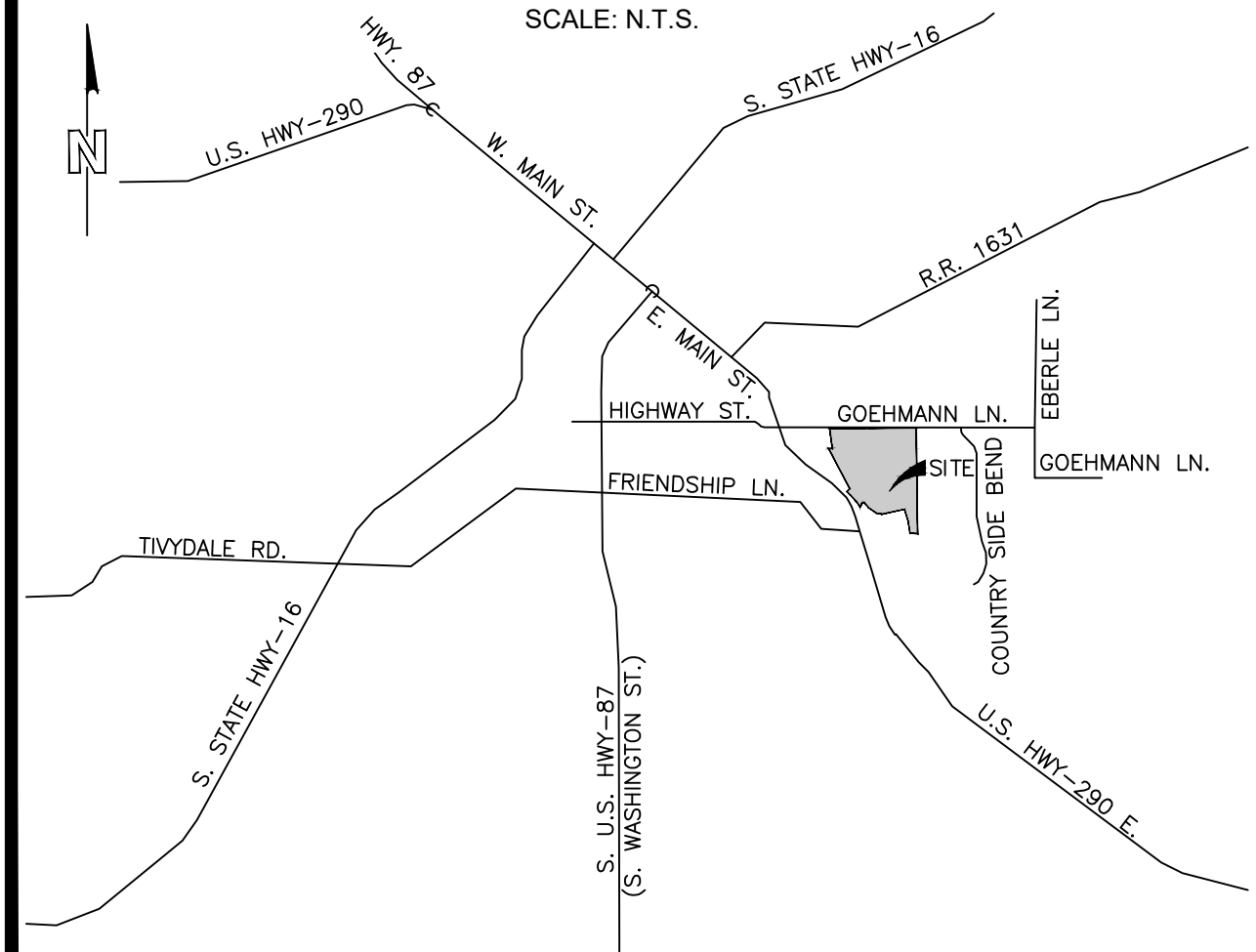


MATCHLINE (REFER SHEET 3 OF 3)

MATCHLINE (REFER SHEET 3 OF 3)

LOCATION MAP

SCALE: N.T.S.



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FINAL SURVEY DOCUMENT.
DATE: 07/30/2025

Legend

	Alternative #1
	Alternative #2
	Alternative #3



Frederick Rd

SH 16

Goehmann Ln

Friendship Ln

US 290



CITY COUNCIL **AGENDA MEMO**

DEPARTMENT: Public Works and Utilities
TO: Planning and Zoning Commission
FROM: Evan Williamson, Assistant Director of
Public Works & Utilities, Sibyl Deckard, Staff
Engineer
MEETING DATE: April 7, 2026

SECTION: ORDINANCES, RESOLUTIONS AND
PUBLIC HEARINGS **ITEM:** H.

CAPTION: Consider adoption of Ordinance 2026-20 Amending Section 6.11 "Sidewalks," of Section 6, "Subdivision Design Standards," of Chapter 38, "Subdivision Regulations," of the City of Fredericksburg Code of Ordinances. (Evan Williamson, Asst. Director of Public Works/Utilities)

SUMMARY:

The proposed amendment to the subdivision ordinance regarding sidewalks is intended to respond to new development while the Unified Development Code is in process. The Sidewalk and Trail plan was last updated in 2015. This amendment seeks to provide a more robust ordinance that will reference the Thoroughfare Plan and Commercial Zoning districts. The proposed ordinance amending this section of code is attached to this memo.

BACKGROUND:

At the Special City Council Meeting on November 18th 2025, the sidewalk ordinance was identified as needing updates while the UDC is in process. The Comprehensive Plan identified sidewalks as a means of addressing Guiding Principles 1 and 2 in the mobility section of the implementation plan.

The current City sidewalk plan is the second attachment to this memo, labeled Figure 1. The plan includes nearly 46 miles of sidewalk, 26 miles of which have been constructed. The plan proposed sidewalks along key roads and provided connectivity to other locations important to the community, such as schools and parks. Since then, annexations and zoning changes have taken place and a more robust ordinance will ensure the goals of Section A in the code are being met.

Notable changes to the ordinance begin in Section B. Sidewalk Locations. Sidewalk shall be constructed along the frontage of commercially zoned developments. This aligns with the goals of the sidewalk ordinance to provide alternate means of transportation to businesses. The third attachment labeled Figure 2 shows the 2015 sidewalk plan and the commercial zoning districts. Sidewalks shall also be constructed along Collector and Arterial Roads where the additional right-of-way provides room for pedestrian improvements and utilities. The fourth attachment labeled is the Thoroughfare Plan adopted in the 2024 Comprehensive Plan. Sidewalks along Arterial Roads will also be required to be 6 feet wide when at the back of the curb or provide a buffer between the sidewalk and the curb. The amendment also clarifies the adjacent property owner's responsibility for maintaining the right of way. The property owner adjoining the right of way shall be responsible for maintaining ADA compliance and not obstructing pedestrian paths or any other condition that violates City Codes. The City will retain the right to maintain the condition of the sidewalk as necessary.

This amendment requires a recommendation from the Planning and Zoning Commission on April 1st, 2026.

STAFF RECOMMENDATION:

Staff recommends the amendments proposed in this ordinance.

ATTACHMENTS:

1. Sidewalks Amending Ordinance 2026-
2. Fredericksburg 2015 Sidewalk Plan
3. Fredericksburg 2015 Sidewalk Plan-Commercial Zones
4. Fredericksburg Comprehensive Plan 2024 - Thoroughfare Plan

APPROVAL/REVIEW:

Kris Kneese, Director of Public Works, Utilities, and Engineer

Date: March 30, 2026



Garret Bonn, Assistant City Manager

Date: March 31, 2026



William McKamie, City Attorney

Date: March 31, 2026



Leticia Vacek, City Secretary

Date: March 31, 2026



Clinton Bailey, City Manager

Date: March 31, 2026

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING SECTION 6.11 “SIDEWALKS,” OF SECTION 6, “SUBDIVISION DESIGN STANDARDS,” OF CHAPTER 38, “SUBDIVISION REGULATIONS,” OF THE CITY OF FREDERICKSBURG CODE OF ORDINANCES, BY UPDATING REQUIREMENTS FOR SIDEWALK CONSTRUCTION, LOCATION, DESIGN STANDARDS AND MAINTENANCE RESPONSIBILITIES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Council of the City previously adopted subdivision regulations intended to promote orderly growth, safe transportation networks, and pedestrian connectivity; and

WHEREAS, Section 6.11 of the Subdivision Design Regulations currently establishes sidewalk requirements based primarily on the City Sidewalk and Trails Plan; and

WHEREAS, the City Council finds it appropriate and in the best interest of the health, safety, and welfare of the community to supplement sidewalk requirements with clear development standards identifying locations for required sidewalk construction, design, and maintenance, and desires to amend Section 6.11 to accomplish these policy objectives.

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

SECTION 1.

Section 6.11, “Sidewalks,” of Section 6, “Subdivision Design Standards,” of Chapter 38, “Subdivision Regulations,” of the City of Fredericksburg City Code (the “Code”) is hereby amended to read as follows:

“Sec. 6.11. - Sidewalks

A. Sidewalks are required as a part of Plat approval to help the City achieve the following:

1. Promote the mobility, health, safety, and welfare of residents, property owners, and visitors to the City and to implement objectives and strategies of the Comprehensive Plan,
2. Improve the safety of walking by providing separation from motorized transportation and improving travel surfaces for pedestrians,

3. Improve public welfare by providing an alternate means of access to transportation and social interaction, especially for children, other citizens without personal vehicles, or those with disabilities, and
4. Facilitate walking as a means of physical activity.

B. Sidewalk Locations and Design Requirements: Sidewalks shall be constructed in the following locations:

1. Along collector and arterial roadways, as designated on the City's adopted Thoroughfare Plan;
2. Along the street frontage of property zoned for commercial use;
3. ~~Sidewalks shall be constructed within all new Subdivisions~~ As identified on the City's Sidewalk and Trails Plan.
3. ~~Sidewalks shall be constructed w~~Within the Right-of-Way and along all lots adjoining dedicated streets, along major Arterial Streets where lots do not adjoin the street, across power line easements and in other areas where pedestrian walk ways are necessary.
4. At other locations determined necessary by the City Engineer or required through approved development plans to implement pedestrian connectivity goals and adopted City plans.
5. Routing to clear poles, trees or other obstacles shall be subject to Director of Public Works and Utilities approval.

C. Sidewalk Design Standards: Sidewalks required under this Section shall be designed in accordance with the standards set forth below to ensure uniformity, accessibility, and safe pedestrian travel:

1. The Plat or Construction Plans shall show the location of all proposed sidewalks and shall state at what stage of the project they will be constructed.
2. All sidewalks shall conform to Federal Americans with Disabilities Act (ADA) requirements and barrier-free ramps should be provided for access to the street.
3. Sidewalks along arterial roadways constructed at the back of curb shall have a minimum clear width of six (6) feet.
4. Where sidewalks along arterial roadways are not constructed at the back of a curb, a minimum one-foot buffer between the curb and sidewalk shall be provided.
5. Sidewalk construction shall otherwise comply with City engineering standards, accessibility requirements, and applicable state and federal law.

D. Sidewalk General Construction: Sidewalks required under this Section shall be constructed in accordance with the standards set forth below to ensure uniformity, accessibility, and safe pedestrian travel:

1. Sidewalks shall be constructed by Class "A" concrete and shall have a width of not less than five (5) feet and a minimum thickness of four (4) inches.
2. Sidewalks adjacent to screening walls shall be five (5) feet in width and shall abut the wall, eliminating the landscape area found along the wall, thereby reducing maintenance.

3. Sidewalks shall be constructed one foot (1') from the property line within the street or Arterial Street Right-of-Way and shall extend along the street frontage including the side of corner lots and block ends.
4. Construction of sidewalks adjacent to curbs will be considered where driveway entrances are constructed from the rear of lots on each side of the street for the full length of the block or where Mountable Curbs are installed. In these instances, the sidewalks shall be five feet (5') wide.
5. Sidewalk construction may be delayed until development of lots, but in locations not adjacent to lots and across bridges and culverts, the sidewalk shall be constructed with the other improvements to the Subdivision.
6. The City Sidewalk and Trails Plan and other adopted planning documents may be used to guide implementation and prioritization of pedestrian facilities.

E. Sidewalks in Commercial and Industrial Areas:

1. Sidewalks in commercial and industrial areas shall be a minimum width of five feet (5') or extend from the back of the curb to the building line as required by the City.

F. Sidewalk Escrow Option:

1. In accordance with Section 5.05.E Escrow Policies and Procedures, the City may require or the Developer may petition the City to defer required sidewalk improvements in exchange for a deposit of escrow.

G. Maintenance responsibility: To promote safe and unobstructed pedestrian travel, maintenance responsibilities for sidewalks and adjacent right-of-way areas are established as follows:

1. The owner of property adjoining a public right-of-way containing sidewalks shall be responsible for maintaining sidewalks and the adjacent right-of-way area between the property line and curb or edge of pavement in a clean, safe and unobstructed condition.
2. Maintenance responsibilities include, but are not limited to, repair of damage, removal of obstructions, vegetation control, conformance to Federal Americans with Disabilities Act (ADA) requirements, and correction of conditions that constitute a nuisance under the City Code.
3. Nothing herein limits the City's authority to enforce maintenance requirements or to perform necessary work in accordance with applicable ordinances.

SECTION 2.

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

SECTION 3.

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

SECTION 4.

That all rights and remedies of the City are expressly saved as to any and all violations of the provisions of the City's Code of Ordinances, as amended, or any other ordinances regarding sidewalk requirements which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance, but may be prosecuted until final disposition by the courts.

SECTION 5.

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense.

SECTION 6.

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

SECTION 7.

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

PASSED AND APPROVED on this the ___ day of _____, 2026.

Jeryl Hoover, Mayor

ATTEST:

Leticia Vacek, TRMC/CMC/MMC, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney

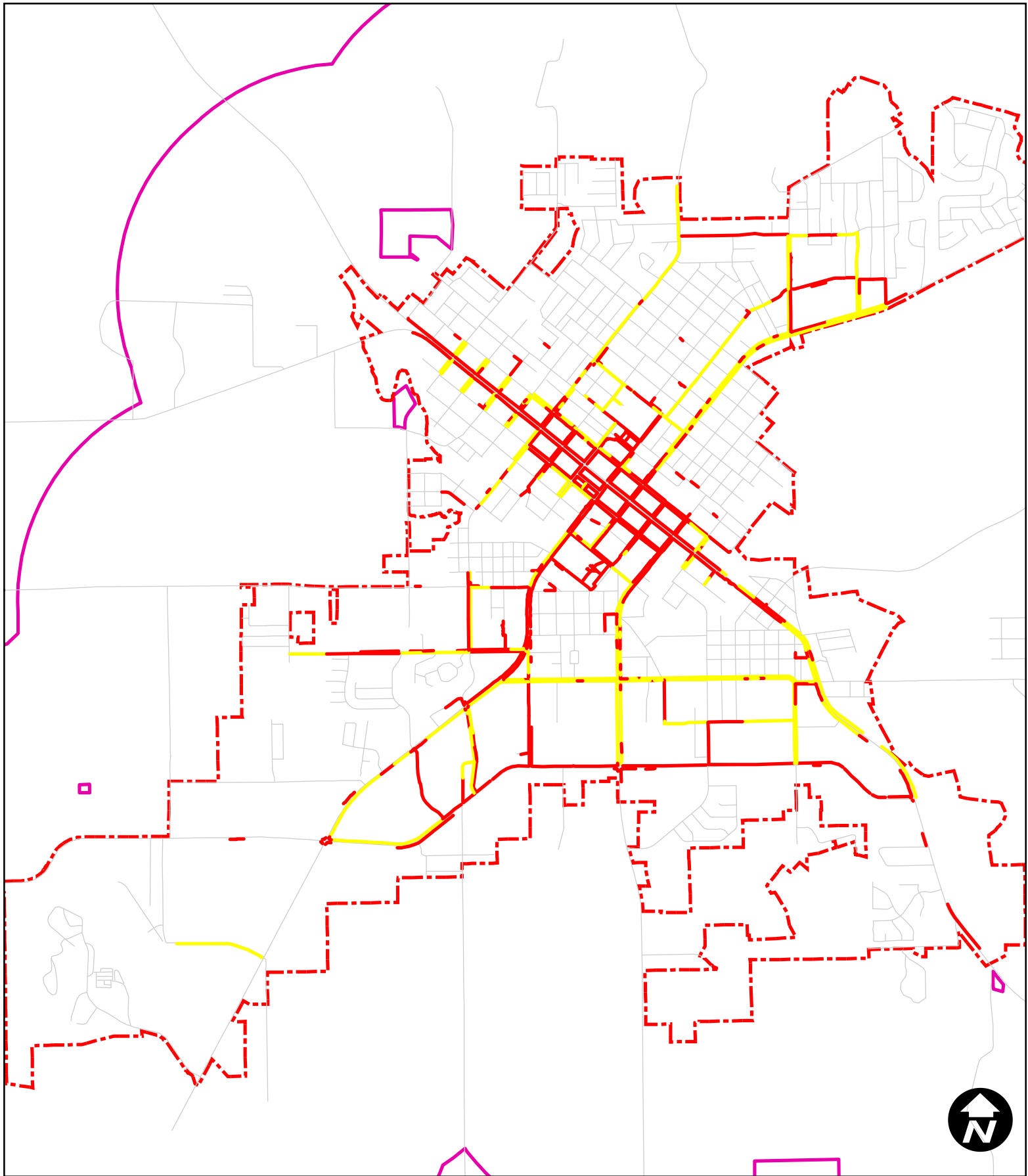


FIGURE 1
City of Fredericksburg
Sidewalk Plan - Adopted 2015

LEGEND

**City Sidewalk
Plan**

Existing

Proposed

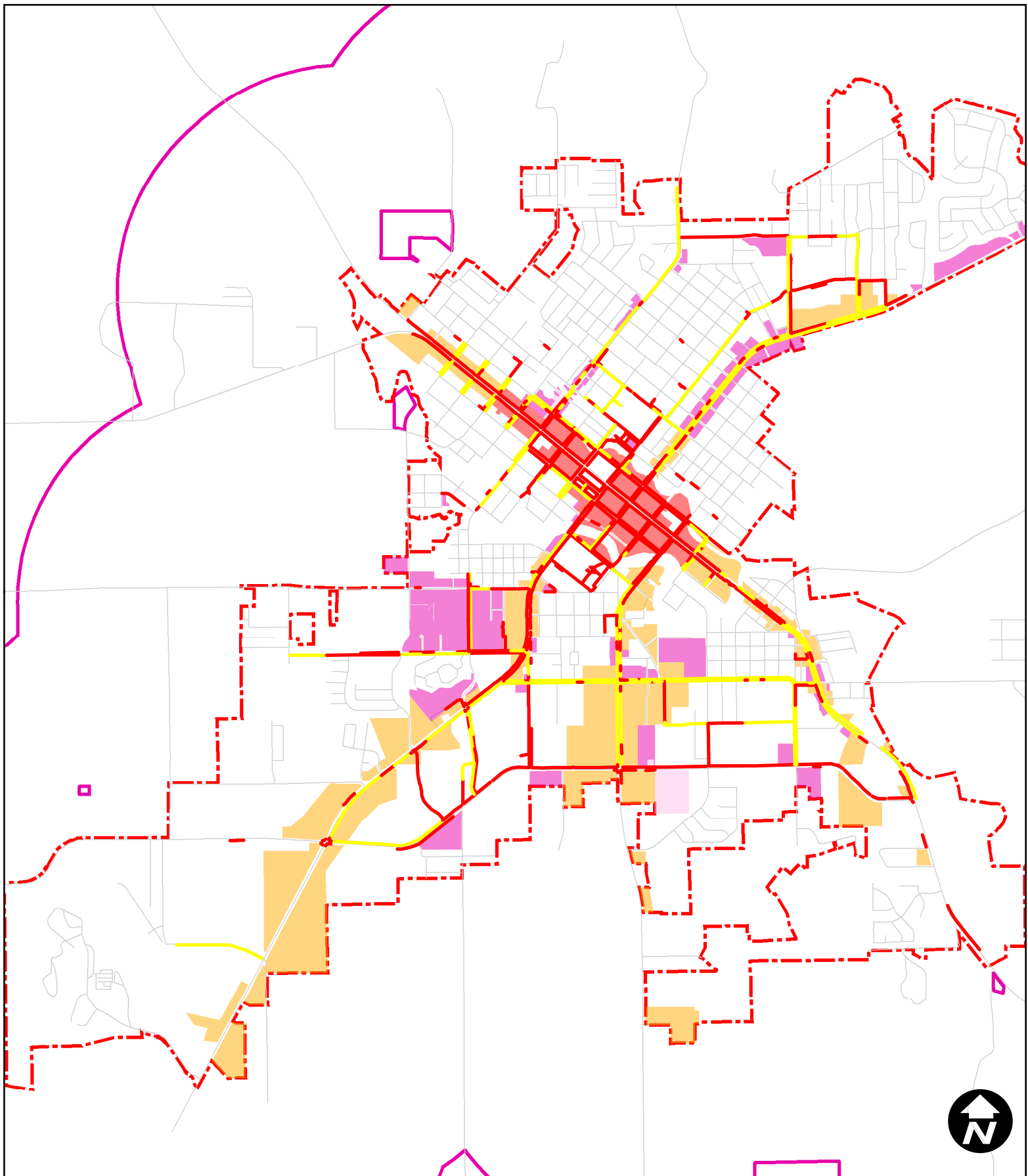


FIGURE 2
City of Fredericksburg
Sidewalk Plan - Adopted 2015

City Sidewalk Plan

- Existing
- Proposed

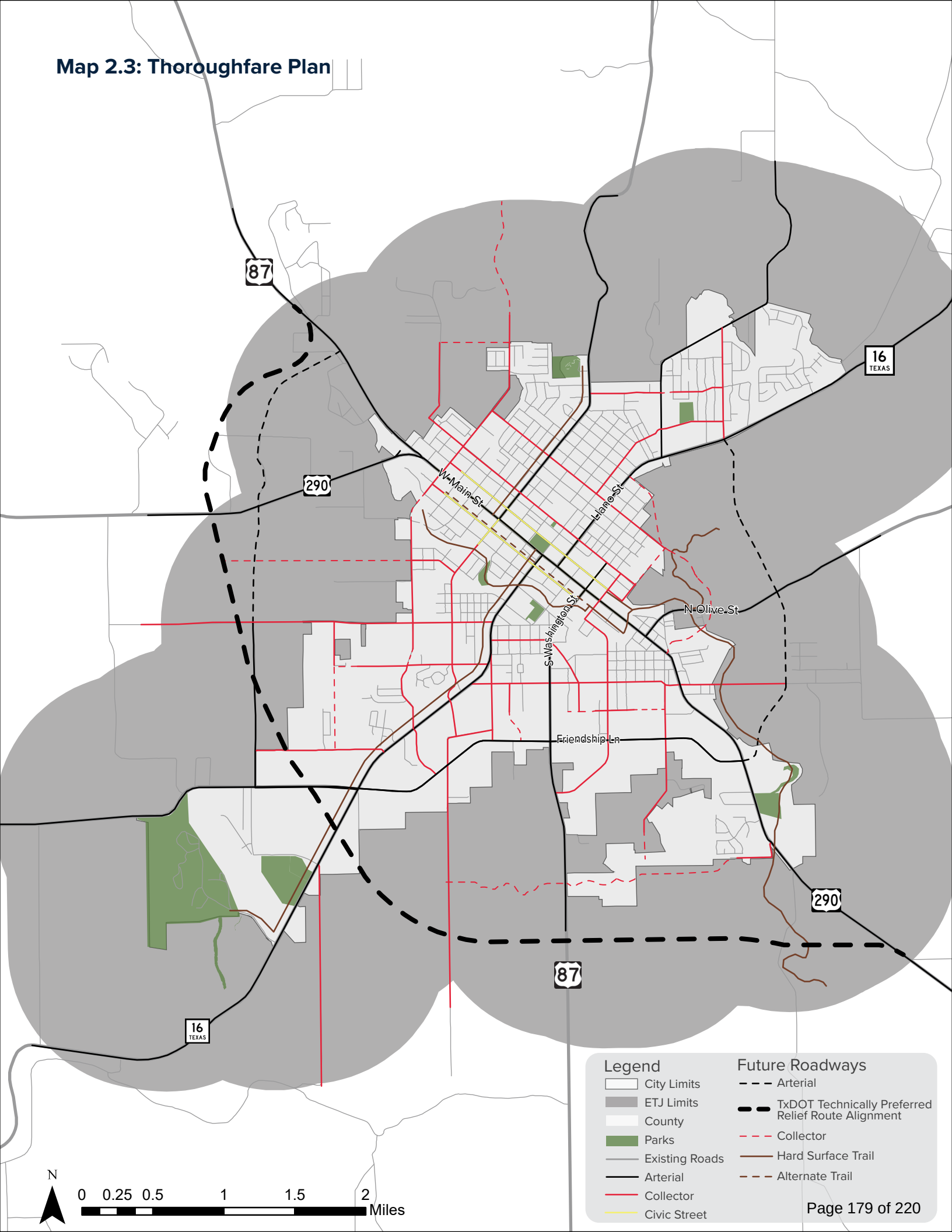
Zoning

- C1 - Neighborhood Commercial

LEGEND

- C1.5 - Medium Commercial
- C2 - Commercial
- CBD - Central Business District

Map 2.3: Thoroughfare Plan



Legend

- City Limits
- ETJ Limits
- County
- Parks
- Existing Roads
- Arterial
- Collector
- Civic Street

Future Roadways

- Arterial
- TxDOT Technically Preferred Relief Route Alignment
- Collector
- Hard Surface Trail
- Alternate Trail



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Public Works and Utilities

TO: Mayor & City Council Members

FROM: Kris Kneese, Director of Public Works,
Utilities, and Engineer

MEETING DATE: April 7, 2026

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider and approve an amendment to LCRA Wholesale Power Supply Agreement.
(Kris Kneese, Director of Public Works/Utilities)

SUMMARY:

Consider approving the proposed amendment to LCRA Wholesale Power Agreement

BACKGROUND:

In accordance with State regulation, this item will be discussed in the executive session.

FUNDING SOURCE: Electric

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Consider approving the proposed amendment to LCRA Wholesale Power Agreement

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

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

ATTACHMENTS:

None

APPROVAL/REVIEW:



Kris Kneese, Director of Public Works, Utilities, and Engineer

Date: March 30, 2026



Garret Bonn, Assistant City Manager

Date: March 30, 2026



William McKamie, City Attorney

Date: March 31, 2026



Leticia Vacek, City Secretary

Date: March 31, 2026



Clinton Bailey, City Manager

Date: March 31, 2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Public Works and Utilities

TO: Mayor & City Council Members

FROM: Hayley Wakefield

MEETING DATE: April 7, 2026

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider and approve a Request for Street Closure on Austin Street on May 6, 2026 coinciding with Restaurant Week. (Evan Williamson, Asst. Director of Public Works/Utilities)

SUMMARY:

The applicant is requesting the closing of the 300 block of E. Austin Street between N. Lincoln and N. Washington for a special event on Wednesday, May 6th, 2026. The event is a block party in association with Fredericksburg Food and Wine/Restaurant Week. The closure will be from 6:00 am to 10:00 pm. The event will run from 5:00 pm to 8:00 pm and include four restaurants, live music, family activities. The event will be ticketed.

BACKGROUND: This is the first request for a street closure for this event. This block of E. Austin Street includes multiple restaurants and access to the Pacific War Museum. Letters of acknowledgment and support are attached to this memorandum.

Criteria for special event approval according to Section 36-9 Special Events Standards/Requirements for issuance of a special event permit, are below:

1. Requirements of City Ordinances/Code provisions and of the State and Federal Governments are met;
2. The Special Event will not unnecessarily interrupt the safe and orderly movement of traffic near its location or route;
3. The Special Event will not require the diversion of a number of police officers to properly police the Special Event locale or movement of a procession or parade along the route and the adjacent areas, which will significantly impair adequate police protection for the City as a whole;
4. The concentration of people, animals, and vehicles at assembly points will not significantly impair proper fire and police protection or ambulance service to areas at or near such assembly points or the City or County as a whole;
5. A parade is scheduled to move from its point of origin to its point of termination without unreasonable delays in route;
6. All licenses and permits, restrictions, regulations, fees for the City services, if any, safeguards or conditions as set forth in any Special Event Rules and Regulations as promulgated by the City Manager have been submitted and approved; and

7. Successful completion of all required pre-event inspections.

Section 44-24 (b) states "The chief of police is hereby empowered, in addition to the traffic engineer, to close streets for emergencies, special events or other conditions. Street closures which are expected to be for periods in excess of two hours, except for emergencies, shall require approval by the City Council." According to the requested duration, City Council approval is required.

FUNDING SOURCE: NA

FINANCIAL IMPACT:
NA

STAFF RECOMMENDATION:

The applicant has addressed the criteria for approval by: utilizing a Manual for Uniform Traffic Control Devices compliant traffic control plan, protecting the public gathering in the right of way with barricades, providing security for the event, limiting the closure area and impacts on traffic, seeking all other necessary permits and inspections for the event, and fulfill all requirements of the Special Events ordinance.

Staff has reviewed the request and recommends approval of the request.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Mobility

ATTACHMENTS:

1. Block Party Street Closure 2026
2. Letter of Acknowledgement
3. Nimitz, Chamber Letter of Support

APPROVAL/REVIEW:



Kris Kneese, Director of Public Works, Utilities, and Engineer

Date: March 30, 2026



Garret Bonn, Assistant City Manager

Date: March 31, 2026



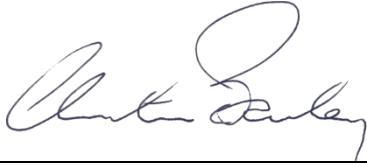
William McKamie, City Attorney

Date: March 31, 2026



Leticia Vacek, City Secretary

Date: March 31, 2026



Clinton Bailey, City Manager

Date: March 31, 2026

Street Closure Request Form

Street Closures

Street closure requests must be made two (2) months in advance to City Council for any closure two (2) hours or more. Street closures less than two hours in length will need police department approval. Please consider this timeline when submitting your request. You must attach the [dated](#) notification letter or email you have sent to abutting property owners (if applicable) with any feedback received. Submit completed form and attachments to the Special Events Coordinator. Once received, your request will be routed to the appropriate departments for review and assigned to a meeting agenda for City Council consideration. The event organizer or representative should be present at the City Council meeting in case there are any questions.

Event Name:

Block Party (In association with Fredericksburg Food & Wine/Restaurant Week)

Event Date(s):

May 6th 2026

Contact Name:

Hayley Wakefield

Contact Phone:

512-671-0035

Closure Area:

☒ Entire Street

☐ Parking Lane Only

☐ Partial Street

☐ Blocking or Using City-Owned Property

Side of Street
(enter N,S,E,W):

Side of Street
(enter N,S,E,W):

Location:

E. Austin Street

Additional details; describe details of use below:

Block Party will be held on E. Austin Street, between Lincoln and Washinton. Event will be early evening...5pm - 8pm

Will highlight the 4 restaurants on the street, and will have live music + family friendly activites. This will be a ticketed event.

Street Closure Details:

Street Name	Between (cross street)	And (cross street)	Start Date	Start Time	End Date	End Time
Example: W. Austin Street	N. Crockett	N. Adams	Saturday, April 22, 2023	6:00 A.M.	Saturday, April 22, 2023	12:00 P.M.
E. Austin Street	Lincoln	Washington	Wed, May 6th 2026	6:00am	Wed, May 6th, 2026	10:00pm

CITY USE ONLY:

Police:

Date:

Streets:

Date:

Parks:

Date:

Signature & Indemnity Agreement

I, the undersigned, hereby confirm that the information stated above is true and correct to the best of my knowledge.

Hayley Wakefield

Signature

2/24/2026

Date

I, the undersigned applicant, agree to indemnify and hold harmless the City of Fredericksburg, its officers, employees, agents, and representatives against all claims of liability and causes of action resulting from injury or damage to persons or property arising out of the special event.

Hayley Wakefield

Signature

2/24/26

Date

END OF APPLICATION

By signature, the City approves this application, subject to all requirements.

Signature of Special Events Coordinator

Date

FOR OFFICE USE ONLY

Event Name:

Date received:

Proof of Non-Profit Status: ☐ Yes ☐ No Layout/Route Map Included: ☐ Yes ☐ No

Street Closure Notification Letter Included: ☐ Yes ☐ No ☐ N/A

Reminders:

☐ Add to CivicRec

☐ Add to S.E. Calendar

☐ Add to website calendar

☐ Schedule S.E. Committee Meeting (2-4 weeks before event)

☐ General Liability Insurance Required by:

☐ Host Liquor Liability Insurance Required by:

☐ Amusement/Animals/Inflatables Liability Insurance Required by:

☐ Security is Required

☐ Email application to S.E. Committee 60-days before event

☐ TABC Letter Needed; Sent on:

☐ Route to PD/Streets for approval

☐ Assign to City Council Agenda for approval

☐ Code to Kitchen

☐ Code to Fest Room

☐ Code to Lights/Combination Locks

☐ Wi-Fi Credentials

☐ Electric Pedestals

☐ Potable Water Hoses

☐ Cord Covers

Invoice for: ☐ First-time event: \$100 ☐ Expedited Application: \$150 ☐ Security Deposit; Amount: \$

☐ Reservation Fee; Amount: \$ ☐ Banner Hanging

Additional Notes:

EVENTS CALENDAR LISTING

Complete the form below to have your event added to the City’s website events calendar. Please send a copy of your logo and event flyer to: specialevents@fbgtx.org to have it linked to your calendar listing. Please send in PNG, JPEG, or PDF format.

Official Event Name/Title:

Event Date(s):

Event Time(s):

Event Location:

Event Website:

Cost:

Event Description & Details:

Event Organizer:

Phone Number:

Email address:

To Whom It May Concern,

We, the undersigned business owners and/or authorized representatives located on or directly affected by Austin St, hereby acknowledge and give our permission for the temporary closure of Austin St to vehicle traffic on May 6 from 5:00 PM to 8:00 PM.

We understand that:

- The street will be closed only during the hours listed above.
- Emergency vehicle access will be maintained at all times.
- Appropriate barricades and signage will be placed to ensure public safety and traffic redirection.
- The street will be reopened promptly at the conclusion of the event.

We understand the purpose of this temporary closure is to accommodate a community event and agree to support this request.

Fredericksburg Convention and Visitors Bureau

302 E Austin St.

Printed Name of Owner/Authorized Representative: Jenny Staudt

Signature: [Signature]

Date: 3-2-26

Bottega Salina

312 E Austin St.

Printed Name of Owner/Authorized Representative: Valerio Longobardi

Signature: [Signature]

Date: 3-4-2026

Admiral Nimitz Foundation & National Museum of the Pacific War

310 E Austin St. & 311 E Austin St.

Printed Name of Owner/Authorized Representative: See letter submitted

Signature: _____

Date: _____

Fredericksburg Art Guild

308 E Austin St.

Printed Name of Owner/Authorized Representative: LINDY CHERINGTON

Signature: Lindy Cherrington

Date: 3/12/24

Dot's Bakery

314 E Austin St.

Printed Name of Owner/Authorized Representative: Frances Money

Signature: [Signature]

Date: 3/3/24

Otto's German Bistro

316 E Austin St.

Printed Name of Owner/Authorized Representative: JOHN WASHBURN

Signature: John Washburn

Date: 3-12-2026

Emi's on Austin

318 E Austin St.

Printed Name of Owner/Authorized Representative: Emily Harper

Signature: Emily Harper

Date: 2/20/25



2/20/2026

City of Fredericksburg
Office of the Mayor
Fredericksburg, Texas

Re: Letter of Support: Austin Street Closure for Fredericksburg Chamber of Commerce Block Party (May 6, 2026)

The Honorable Mayor Jeryl Hoover,

On behalf of the Admiral Nimitz Foundation (ANF) and the National Museum of the Pacific War (NMPW), we are pleased to express our full support for the Fredericksburg Chamber of Commerce's request to temporarily close Austin Street between North Washington and North Lincoln on Wednesday, May 6, for a community block party event. The Admiral Nimitz Foundation and the National Museum of the Pacific War have no objection to this temporary closure and are supportive of the Chamber's coordination with the city to ensure safe access, appropriate traffic management, and timely reopening.

We appreciate the Chamber's emphasis on a family-friendly event and its inclusion of local restaurants, which reflects the strong collaborative spirit that makes Fredericksburg such a vibrant community. We also welcome the opportunity for the museum to participate, as appropriate, through kid-friendly activities or the display of historic vehicles, and we are pleased that Sunday Supply has been invited to participate as the future coffee shop operator at the museum.

The Admiral Nimitz Foundation and the National Museum of the Pacific War value our partnership with the Fredericksburg Chamber of Commerce and support initiatives that enhance community engagement, local business visibility, and the overall visitor experience in our historic downtown.

Please feel free to contact either of us should additional information be needed. We appreciate the City's consideration of this request and thank you for your continued support of community-driven events in Fredericksburg.

Respectfully,

Dr. David Shields
Executive Director
National Museum of the Pacific War
Signature: David B. Shields
Date: _____

Dr. Rorie Cartier
President & CEO
Admiral Nimitz Foundation
National Museum of the Pacific War
Signature: Rorie Cartier
Date: 2/20/2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Manager

TO: Mayor & City Council Members

FROM: Garret Bonn, Assistant City Manager

MEETING DATE: April 7, 2026

CATEGORY: CITY MANAGER'S REPORT

CAPTION: Fredericksburg Independent School District (FISD) Bond Proposition Update (Matt Seidenberger, FISD Board President & Ann Dixon, FISD Interim Superintendent)

SUMMARY:

Rachel Malinak, Communications Coordinator for FISD, will provide an update and factual information on the District's bond proposition for the May 2026 Election.

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Governance

ATTACHMENTS:

None

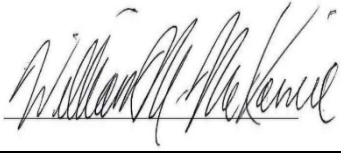
APPROVAL/REVIEW:

Clinton Bailey, City Manager

Date: March 04, 2026

Garret Bonn, Assistant City Manager

Date: March 04, 2026



William McKamie, City Attorney

Date: March 05, 2026



Leticia Vacek, City Secretary

Date: March 05, 2026



Clinton Bailey, City Manager

Date: March 31, 2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Manager

TO: Mayor & City Council Members

FROM: Garret Bonn, Assistant City Manager

MEETING DATE: April 7, 2026

CATEGORY: CITY MANAGER'S REPORT

CAPTION: Fredericksburg Chamber of Commerce Quarterly Update. (Jim Mikula, Chamber President/CEO)

SUMMARY:

Jim Mikula, President/CEO of the Fredericksburg Chamber of Commerce will provide a quarterly update to the Council.

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

n/a

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Tourism

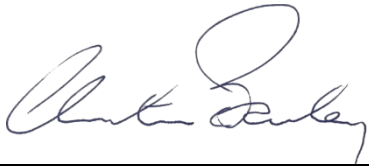
ATTACHMENTS:

1. Chamber 2026 04 07 City Council Presentation

APPROVAL/REVIEW:

Leticia Vacek, City Secretary

Date: March 05, 2026

A handwritten signature in blue ink, appearing to read "Clinton Bailey". The signature is fluid and cursive, with a large loop at the end.

Clinton Bailey, City Manager

Date: March 31, 2026



Fredericksburg Chamber

Where Heritage Meets Opportunity

Q1 Program and Events



- Fun After 5 Non-Profits
- Master Class – Big Beautiful Bill
- Banquet
- Leaders Breakfast
- 13 Ribbon Cuttings
- NPS 63
- Average rating 9.1



Stats



- 662 Active Members
 - 414 Bronze
 - 97 Non-Profit
 - 53 Silver
 - 35 Gold
 - 2 Platinum
 - 4 Diamond
 - 27 Individual
 - 30 Affiliates
- 30 New Members YTD
- 30 Members Dropped



Stats



- Wineries 59
- Retail 58
- Restaurants 52
- Home Improvement 49
- Lodging 49



Stats



- Construction 48
- Professional Services 34
- Medical & Health 28
- Real Estate, Moving 25
- Marketing 23
- Home Décor 23



Stats



Fingerprinting/Background Checks

- 2025 1,888 sessions
- 2026 YTD 427
- Top Positions
 - Daycare
 - License to Carry
 - TEA/Non-Certified



Stats



Apartments

- 2025 Year End
 - 93.4% Occupancy
 - 1,408 units
 - 1,315 occupied
- 2023 Year End
 - 98% Occupancy
 - 827 total units
 - 802 occupied



Stats



Sales Tax City & County

- 2025 \$13.8M
- 2024 \$14.0M
- 2023 \$13.4M
- 2022 \$13.0M
- 2021 \$12.6M



Stats



GDP Gillespie County

- 2019 \$1.18B
- 2020 \$1.23B
- 2021 \$1.42B
- 2022 \$1.63B
- 2023 \$1.68B
- 2024 \$1.78B



Membership Survey



- Overall High Satisfaction
- Key Benefits
- Most Attended Programs
- Membership Tenure
- Increase Tangible Value



Membership Survey



Strategic Opportunities

- Reaffirm and Communicate Core Mission
- Expand Educational and Industry Specific Programming
- Improve Member Visibility
- Enhance Advocacy Transparency
- Strengthen Retention Plan for New Members



New Program/Member Support



- Metro SA Chamber 4/9
- Lincoln Street Market 5/9
- Main Street West Side Merchants
- Historic Shopping District Merchants
- FA5
- Hospitality Academy 6/16-18



Q2 Events



- Apr 12 LGC Caritas BBQ
- Apr 13 Candidate Forum
- Apr 16 FA5 & 3rd Thursday
- May 13 State of the Burg
- May 14 Ambassadors
- May 15 LGC Graduation
- May 21 3rd Thursday
- Jun 3 Leaders Breakfast
- Jun 15 LGC Applications



Chamber 501 c3 Board (FFWF)



- Julie Herbort – Chair
- Tachi Hinojosa – Vice Chair
- Beth Valley – Secretary
- Sinead King – Treasurer
- Angela Enright
- Jay Mallinckrodt
- Ashley Odom
- Bobby Watson
- John Wells
- John Wallace (nominated)



Restaurant Week



Events

- Tacos y Margs
- Austin St Block Party
- East Side Flights
- Smoke & Fire
- TexMex BBQ
- 26 Restaurants



Preview Week



July 21-25

- Calivence
- Women for Wine Sense
- Yellow Door
- Alstadt
- Signor
- Boozy Brunch
- Quesoff



Festival Week



October 21-24

- Opening Party Contigo Ranch
- Street Dinner Austin St
- Grand Tasting Markplatz
- Brunch @ Das Peach Haus



Questions





CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: April 7, 2026

CATEGORY: ITEMS FOR FUTURE AGENDA

CAPTION: City Manager Bailey will review the Future Agenda Items/Meetings List with the City Council.

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

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

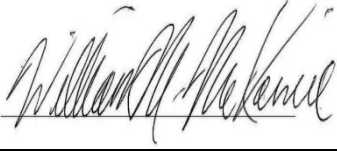
ATTACHMENTS:

1. Future Agenda Items List 03-17-26

APPROVAL/REVIEW:

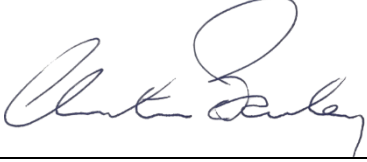
Leticia Vacek, City Secretary

Date: March 31, 2026



William McKamie, City Attorney

Date: March 31, 2026



Clinton Bailey, City Manager

Date: March 31, 2026

City Council Future Agenda Items/Meetings

April 21, 2026 Special Council Meeting

April 21st Joint Meeting with Historic Review Board related to Policies, Procedures, and Roles (Council)

Future Council Items

May 5th Recognition of Finance Department for GFOA Award (Krista Wareham, Director of Finance)
May 5th Audit Presentation and Budget Amendment(s) Ordinance (Krista Wareham, Director of Finance)
May 5th Native Plant Society Presentation (Jonathan Watt/Alan Kirchoff)
May 5th Water Rights Executive Session Item (Kris Kneese, Director of Public Works/Utilities)
May 5th Name Change - Soccer Field Complex Consent Item (Andrea Schmidt, Director of Parks/Rec)
May 5th Street Closure Request-Kraut Run, CarFest, Craft BeerFest, F&W Austin St Dinner (Jennifer Krupa, Asst Dir Parks/Rec)
May 5th OktoberFest Street Closure for First Weekend October 2026 (Debbie Reeh)
May 11th Ordinance Canvassing the City's General Election (Leticia Vacek, City Secretary)
May 19th CVB Report/Quarterly Update (David Shields, CVB Chairman)

Upcoming Meetings/Events

April 8th Coffee with the City Manager – 8 am @ Council Chambers (Speaker: Brandon Weinheimer, Architect)
April 21st City Council Joint Meeting with Historic Review Board – 9 am @ Council Chambers
April 28th Citizen University – 6 pm @ City Hall Community Rm (Police/Code Enforcement/Animal Serv/Municipal Ct)
May 5th Regular City Council Meeting - 9 am @ Council Chambers
May 11th Special Meeting-Canvass City's General Election – 10:30 am @ Council Chambers
May 13th Coffee with the City Manager – 8 am @ Cardinal Room (Speaker: Tucker Ferguson, TxDOT DE)
May 19th 1st Regular Mtg of Elected Council/Present Oaths & Certificates – 9 am @ Chambers followed by an Open House
May 26th Citizen University – 6 pm @ John Wm. Klein Rm (Parks & Recreation/Special Events)
June/July Orientation with City Council/Budget Kick-off/Strategic Planning Meeting/UDC (Clinton Bailey, City Manager)



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Public Works and Utilities
TO: Mayor & City Council Members
FROM: Kris Kneese, Director of Public Works,
Utilities, and Engineer
MEETING DATE: April 7, 2026

CATEGORY: EXECUTIVE SESSION

CAPTION: Discussion and possible action regarding an amendment to the LCRA Wholesale Power Supply Agreement — Texas Government Code Section 551.071.

SUMMARY:

Discussion regarding amendment to LCRA Wholesale Power Supply Agreement.

BACKGROUND:

LCRA Power Supply Contract Amendment, Council may discuss the proposed amendment in executive session under the proprietary utility rates exception found in Texas Government Code § 551.086, which authorizes closed-session deliberation regarding utility competitive matters, including power supply contract terms and pricing.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

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

ATTACHMENTS:

None

APPROVAL/REVIEW:



Kris Kneese, Director of Public Works, Utilities, and Engineer

Date: March 30, 2026



Garret Bonn, Assistant City Manager

Date: March 30, 2026



William McKamie, City Attorney

Date: March 30, 2026



Leticia Vacek, City Secretary

Date: March 30, 2026



Clinton Bailey, City Manager

Date: March 31, 2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Manager
TO: Mayor & City Council Members
FROM: Garret Bonn, Assistant City Manager
MEETING DATE: April 7, 2026

CATEGORY: EXECUTIVE SESSION

CAPTION: Legal Matters Update - Texas Government Code Section 551.071 (Mick McKamie - City Attorney)

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Tourism
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Small Town Sensitive Growth
Governance

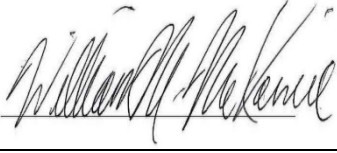
ATTACHMENTS:

None

APPROVAL/REVIEW:

Clinton Bailey, City Manager

Date: March 23, 2026

A handwritten signature in cursive script, appearing to read "William McKamie".

William McKamie, City Attorney

Date: March 23, 2026